

IN RE: PETITION FOR ZONING VARIANCE  
 NE corner Falls Road and  
 Jonathans Court  
 (2 Jonathans Court)  
 8th Election District  
 3rd Councilmanic District  
 Theodore J. Phillips, Jr., et ux  
 Petitioners

BEFORE THE  
 ZONING COMMISSIONER  
 OF BALTIMORE COUNTY  
 Case No. 89-213 A

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The Petitioners herein request a variance from Section 400.3 to permit an accessory building 18 feet high in lieu of the allowed 15 feet height, as more particularly described on Petitioner's Exhibit 1.

The Petitioners, Theodore J. Phillips and Mary Ann Phillips appeared and testified. There were no Protestants.

Testimony indicated that the subject property known as 2 Jonathans Court, Hunt Valley, Maryland 21030 is zoned R.C. 5 and is improved with an existing home with an attached garage and inground swimming pool. According to the testimony, the Petitioner wishes to construct an accessory structure, specifically a garage, at the location shown on Petitioner's Exhibit 1 for the primary purpose of storing a recreational vehicle/motor home. The motor home is more than 12 feet high, thereby necessitating an 18 foot garage in order to provide a doorway and height space within the garage for such a large vehicle.

Based upon the testimony and evidence presented at the hearing, all of which is uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the B.C.Z.R. and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the

COPIES OF THIS PETITION  
 Filed  
 By *J. Robert Haines*

health, safety and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27th day of February, 1989 that the Petition for Zoning Variance to permit an accessory building 18 feet high in lieu of the allowed 15 feet height, as more particularly described on Petitioner's Exhibit 1 be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner may, within his discretion, move the proposed structure from the position shown on Petitioner's Exhibit 1, no more than six feet in a westerly direction. The distance from the northern property line shall be maintained.

*J. Robert Haines*  
 J. ROBERT HAINES  
 Zoning Commissioner  
 for Baltimore County

JRH/emn  
 cc: Peoples Counsel

COPIES OF THIS PETITION  
 Filed  
 By *J. Robert Haines*

**PETITION FOR ZONING VARIANCE**  
 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 400.3 TO PERMIT AN ACCESSORY BUILDING 18 FT HIGH IN LIEU OF THE ALLOWED 15 FT HEIGHT

of the Zoning Regulations of Baltimore County in the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

WE INTEND TO BUILD A 18 FT H STRUCTURE FOR MOTOR HOME - MULTI-PURPOSE VEHICLE 12 FT HIGH, 20006 CUBIC HAND CAR 15 X THE 15 FT MAX. (ORIGINAL HEIGHT SUBMITTED WAS MIS CALCULATED)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: \_\_\_\_\_  
 (Type or Print Name)

Signature: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City and State: \_\_\_\_\_

Legal Owner(s): \_\_\_\_\_  
 (Type or Print Name)

Signature: *Theodore J. Phillips, Jr.*  
 Address: *MARY ANN PHILLIPS*  
 (Type or Print Name)  
 Signature: *Mary Ann Phillips*

Attorney for Petitioner: \_\_\_\_\_  
 (Type or Print Name)

Address: \_\_\_\_\_ Phone No. \_\_\_\_\_  
 City and State: \_\_\_\_\_

Name, address and phone number of legal owner, contract purchaser or representative to be contacted: \_\_\_\_\_

Attorney's Telephone No.: \_\_\_\_\_

MAP 2D  
 NW/SE  
 E. D. B  
 DATE 2/27/89  
 200  
 1000  
 DP

COPIES OF THIS PETITION  
 Filed  
 By *J. Robert Haines*

Baltimore County  
 Zoning Commissioner  
 Office of Planning & Zoning  
 Towson, Maryland 21284  
 (301) 887-3333  
 J. Robert Haines  
 Zoning Commissioner

February 27, 1989



Mr. and Mrs. Theodore J. Phillips, Jr.  
 2 Jonathans Court  
 Hunt Valley, Maryland 21030

Dennis F. Rasmussen  
 County Executive

RE: Petition for Zoning Variance  
 Case No. 89-213 A

Dear Mr. and Mrs. Phillips:

Enclosed please find the decision rendered on the above captioned case. The Petition for Zoning Variance has been granted, in accordance with the attached order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 897-1391.

Very truly yours,  
*J. Robert Haines*  
 J. Robert Haines  
 Zoning Commissioner

JRH/emn  
 att.  
 cc: Peoples Counsel

BALTIMORE COUNTY, MARYLAND  
 OFFICE OF FINANCE - REVENUE DIVISION  
 MISCELLANEOUS CASH RECEIPT

No. 059757

DATE 1/22/89 ACCOUNT 01-115

AMOUNT \$ 25.00

RECEIVED FROM Theodore J. Phillips

FOR Permit Fee for 89-213-A

VALIDATION OR SIGNATURE OF CASHIER  
*J. Haines*  
 Commissioner of Baltimore County.

This petition be advertised, as of general circulation through-out Baltimore County, before the Zoning hearing in Towson, Baltimore County, Maryland, at \_\_\_\_\_ o'clock on \_\_\_\_\_, 1989.

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., January 26, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Jan 26, 1989.

THE JEFFERSONIAN  
 TOWSON TIMES,  
*S. Zake Olson*  
 Publisher

NOTICE OF HEARING  
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property described herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21284 as follows:  
 Announced Petition for Zoning Variance  
 Case Number: 89-213-A  
 NE Corner Falls Road and Jonathans Court  
 2 Jonathans Court  
 8th Election District  
 3rd Councilmanic District  
 Petitioners:  
 Theodore J. Phillips, Jr., et ux  
 Hearing: 1:00 p.m. Wednesday, Feb. 15, 1989 at 9:00 a.m.  
 Variance to permit an accessory building 18 ft. high in lieu of the allowed 15 ft. height.  
 In the event that the Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.  
 J. ROBERT HAINES  
 Zoning Commissioner of Baltimore County  
 01/28/89 Jan 26

**ZONING DESCRIPTION**

Beginning on the NE / CORNER of Falls Road and Jonathans Court, Being lot #23 in the subdivision of Jonathans Delight in the 8th. election district P.B. 39-113, also known as #2 Jonathans Court.

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., November 16, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov 16, 1988.

THE JEFFERSONIAN  
 TOWSON TIMES,  
*S. Zake Olson*  
 Publisher

NOTICE OF HEARING  
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property described herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21284 as follows:  
 Announced Petition for Zoning Variance  
 Case Number: 89-213-A  
 NE Corner Falls Road and Jonathans Court  
 2 Jonathans Court  
 8th Election District  
 3rd Councilmanic District  
 Petitioners:  
 Theodore J. Phillips, Jr., et ux  
 Hearing: 1:00 p.m. Wednesday, Feb. 15, 1989 at 9:00 a.m.  
 Variance to permit an accessory building 18 ft. high in lieu of the allowed 15 ft. height.  
 In the event that the Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.  
 J. ROBERT HAINES  
 Zoning Commissioner of Baltimore County  
 11/27/88 Nov 17

PO 05868  
 reg M20430  
 case 89-213-A  
 price 74.68

**CERTIFICATE OF POSTING**  
 ZONING DEPARTMENT OF BALTIMORE COUNTY  
 Towson, Maryland

District 8th Date of Posting 1-27-89

Posted for: Variance  
 Petitioner: Theodore J. Phillips, Jr., et ux  
 Location of property: NE Corner of Falls Road and Jonathans Court (2 Jonathans Court)  
 Location of Sign: On front of 2 Jonathans Court

Remarks: \_\_\_\_\_  
 Posted by: J. Robert Haines Date of return: 2-14-89  
 Number of Signs: 1

BALTIMORE COUNTY, MARYLAND  
 OFFICE OF FINANCE - REVENUE DIVISION  
 MISCELLANEOUS CASH RECEIPT

No. 065770

DATE 2/15/89 ACCOUNT PAID IN FULL

AMOUNT \$ 110.29

RECEIVED FROM T. J. Phillips

FOR PA 2/15/89

VALIDATION OR SIGNATURE OF CASHIER  
*J. Haines*  
 Commissioner of Baltimore County.

land and bring to the County Office minutes before the hearing. If the fee is not paid, the sign and post set(s) shall not be returned.

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Announced Petition for Zoning Variance  
 CASE NUMBER: 89-213-A  
 NE Corner Falls Road and Jonathans Court  
 2 Jonathans Court  
 8th Election District - 3rd Councilmanic District  
 Petitioner(s): Theodore J. Phillips, Jr., et ux  
 HEARING SCHEDULED: WEDNESDAY, FEBRUARY 15, 1989 at 9:00 a.m.

Variance to permit an accessory building 18 ft. high in lieu of the allowed 15 ft. height.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
 Zoning Commissioner of Baltimore County  
 cc: Theodore J. Phillips, Jr., et ux  
 File

Baltimore County  
Zoning Commission  
Office of Planning & Zoning  
Towson, Maryland 21284  
484-3333

J. Robert Haines  
Zoning Commissioner

Mr. & Mrs. Theodore J. Phillips, Jr.  
2 Jonathan's Court  
Hunt Valley, Maryland 21030

Date: 11-28-68

Re: Petition for Zoning Variance  
CASE NUMBER: 89-213-A  
NE Corner Falls Road and Jonathan's Court  
(2 Jonathan's Court)  
8th Election District - 3rd Councilmanic  
Petitioner(s): Theodore J. Phillips, Jr., et al  
HEARING SCHEDULED: FRIDAY, DECEMBER 9, 1968 at 9:30 a.m.

Dear Mr. & Mrs. Phillips:

Please be advised that \$2.00 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time this office until the day of the hearing itself.

Baltimore County, Maryland  
OFFICE OF FINANCE, REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 059642  
DATE: 12/9/68  
ACCOUNT: R-01-615-000  
AMOUNT: \$9.68  
RECEIVED BY: Theodore J. Phillips, Jr.  
DATE: 12/9/68  
OFFICIAL: J. Robert Haines  
BALTIMORE COUNTY, MARYLAND

Baltimore County  
Zoning Commission  
Office of Planning & Zoning  
Towson, Maryland 21284  
484-3333 / 887-3323

J. Robert Haines  
Zoning Commissioner

October 26, 1968

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

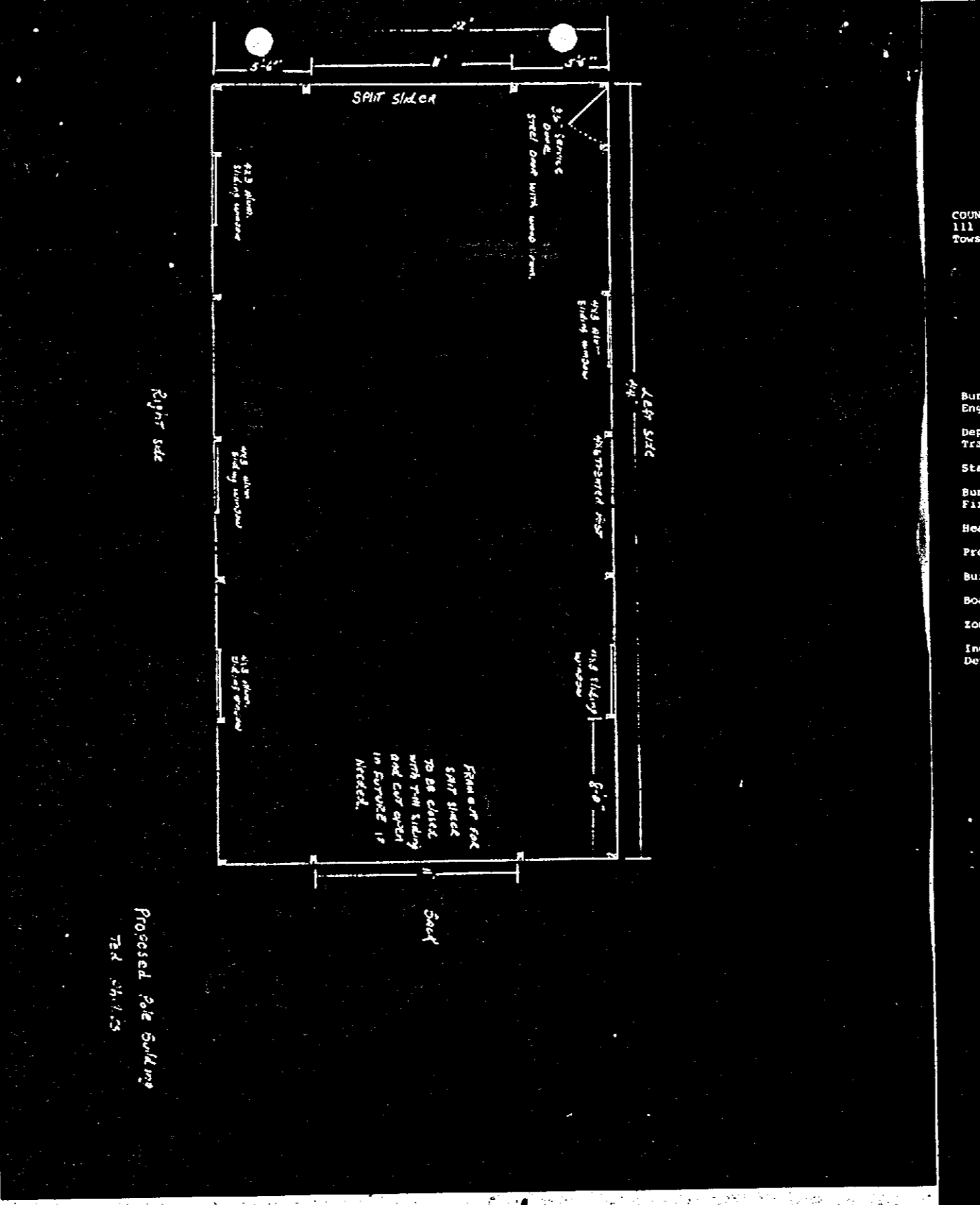
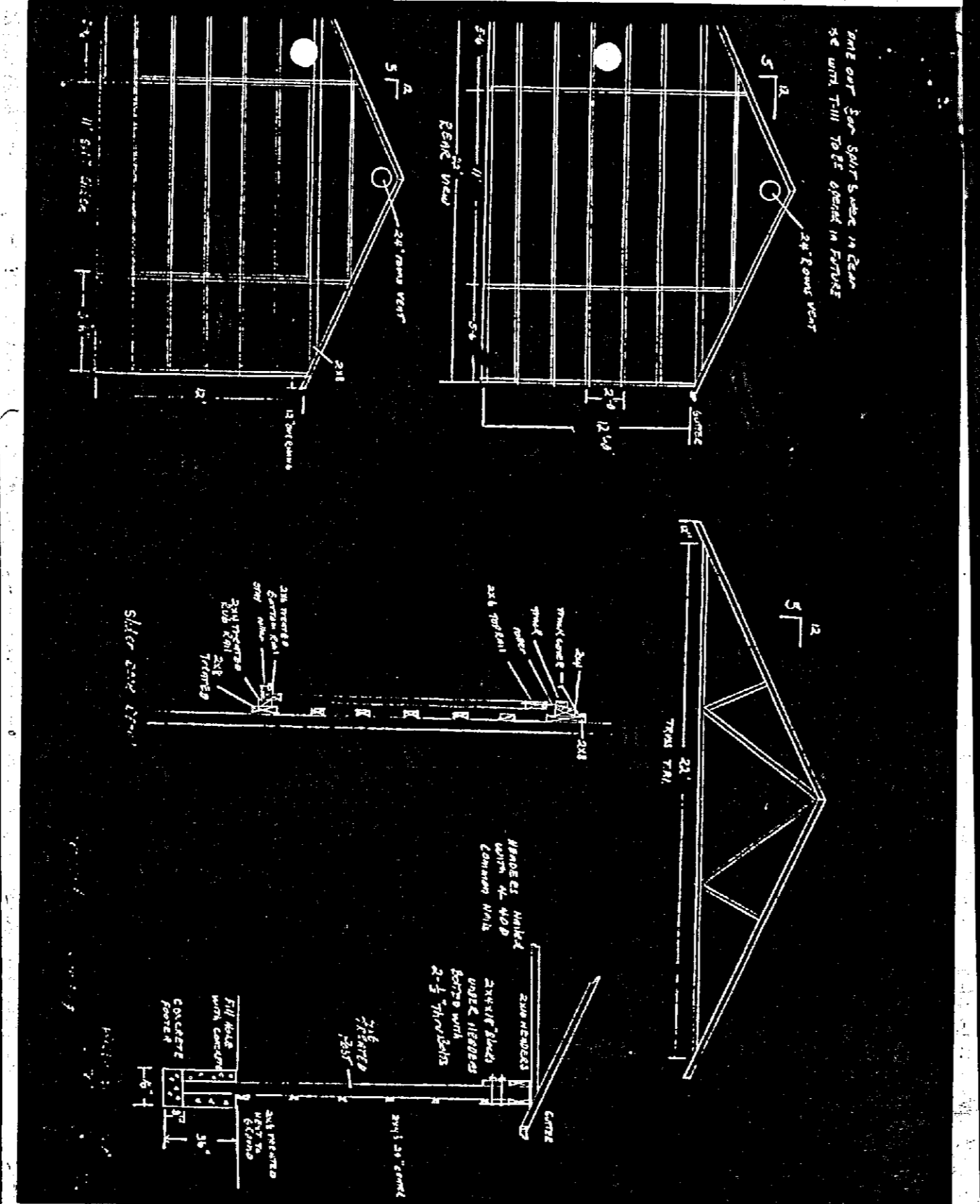
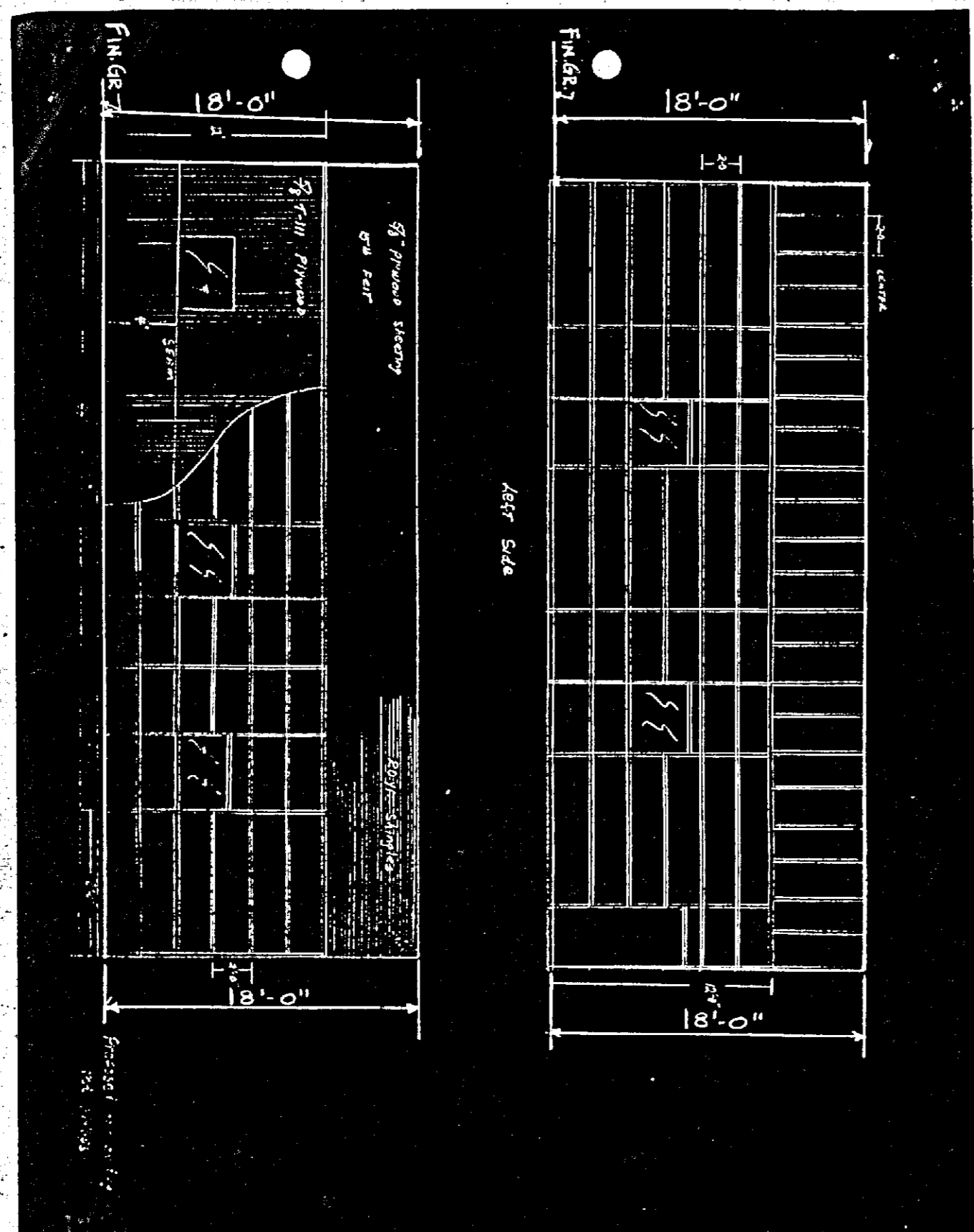
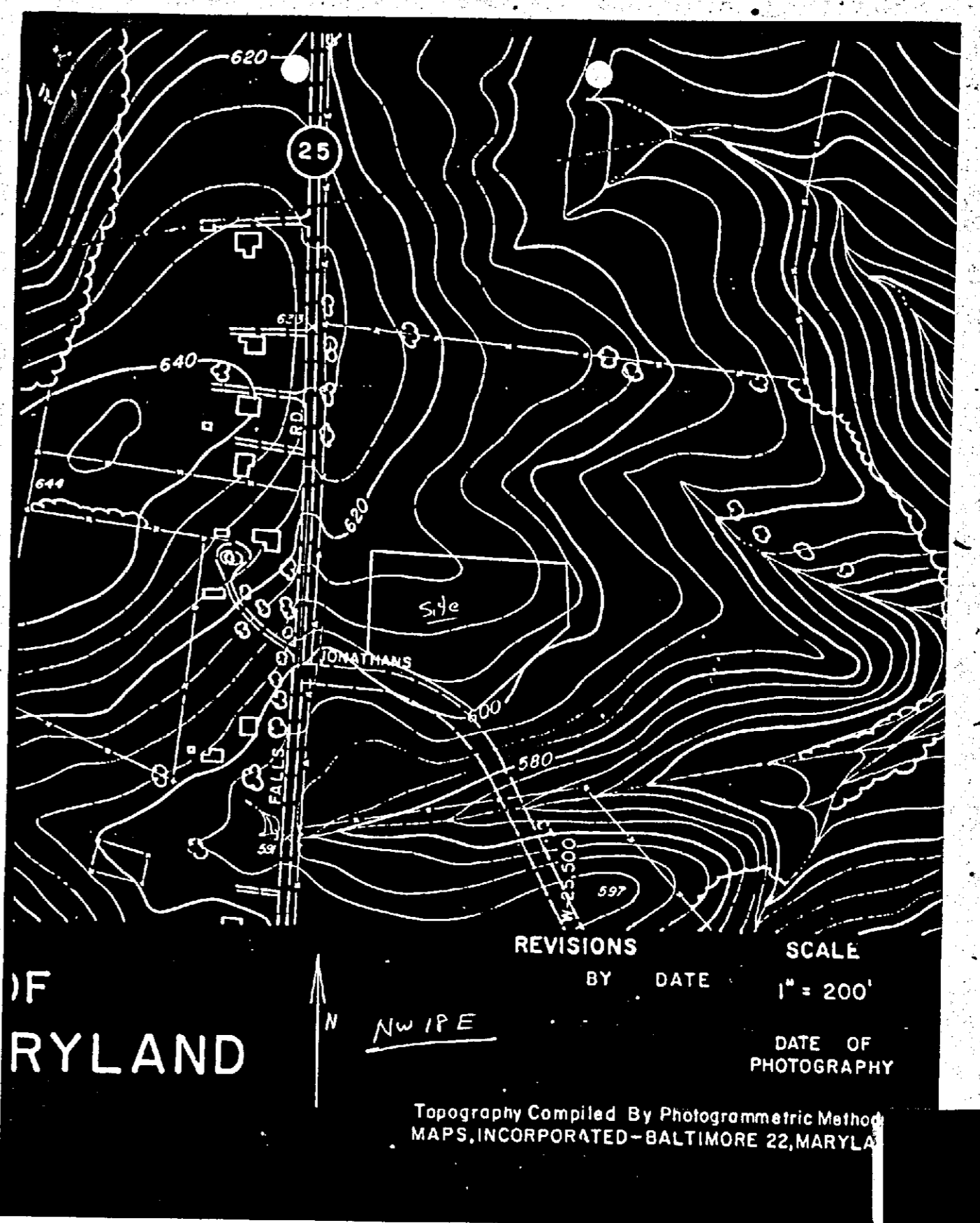
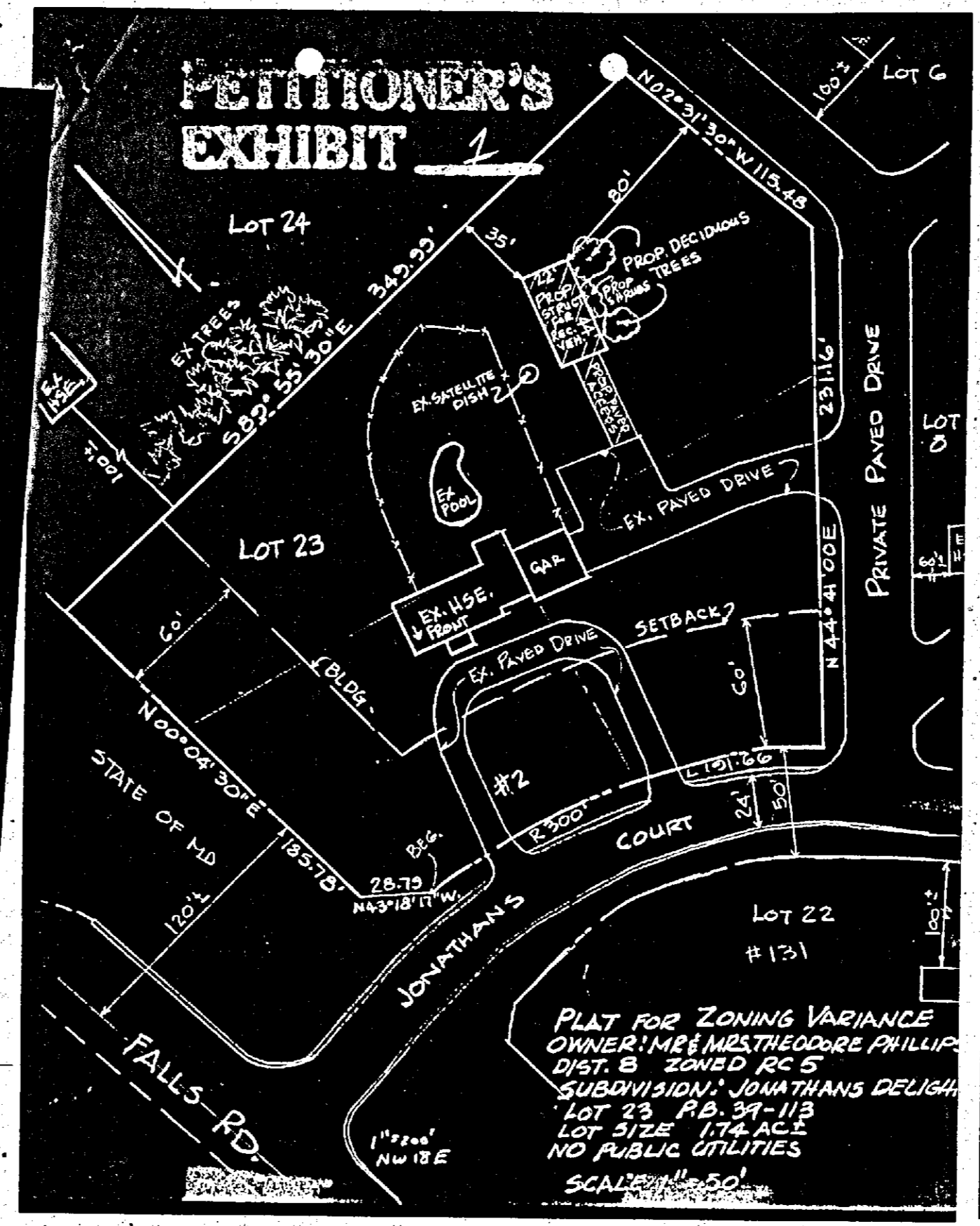
Petition for Zoning Variance  
CASE NUMBER: 89-213-A  
NE Corner Falls Road and Jonathan's Court  
(2 Jonathan's Court)  
8th Election District - 3rd Councilmanic  
Petitioner(s): Theodore J. Phillips, Jr., et al  
HEARING SCHEDULED: FRIDAY, DECEMBER 9, 1968 at 9:30 a.m.

Variance to permit an accessory building 16 feet, 7 inches high of the allowed 15 feet height.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or rescheduled at the hearing.

J. Robert Haines  
Zoning Commissioner of Baltimore County  
cc: Mr. & Mrs. Theodore J. Phillips, Jr.  
File

IF PHASE II OF THE SIGN ENFORCEMENT PLAN IS IN EFFECT IN BALTIMORE COUNTY BY 8:30 A.M. ON THE DATE OF THE ABOVE HEARING, SUCH HEARING WILL BE RESCHEDULED FOR TENTATIVELY JANUARY 12, 1969. PLEASE TELEPHONE TICKET CLERK AT 484-1381 OR 887-3310 FOR THE DATE.



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 2, 1968

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21284

Mr. & Mrs. Theodore J. Phillips, Jr.  
2 Jonathan's Court  
Hunt Valley, Maryland 21030

RE: Item No. 131, Case No. 89-213-A  
Petitioner: Theodore J. Phillips, Jr., et al  
Petition for Zoning Variance

Dear Mr. & Mrs. Phillips:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,  
James E. Dyer  
Chairman  
Zoning Plans Advisory Committee

JED:dt  
Enclosures

89-213-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21284

Your petition has been received and accepted for filing on the 13th day of October, 1968.

J. Robert Haines  
Zoning Commissioner

Petitioner Theodore J. Phillips, Jr., observed by: James E. Dyer, Chairman, Zoning Plans Advisory Committee

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 8th  
Date of Posting: 12/9/68

Post for: Theodore J. Phillips, Jr., et al  
Location of Property: NE Corner Falls Road and Jonathan's Court  
Location of Sign: In front of 2 Jonathan's Court

Remarks: [Signature]  
Date of return: 12/9/68  
Number of Signs: [Signature]