

IN RE: PETITION FOR ZONING VARIANCE BEFORE THE  
SE/Corner Doe Meadow Court and Kingsbury Road DEPUTY ZONING COMMISSIONER  
(1200 Kingsbury Road) OF BALTIMORE COUNTY  
4th Election District  
3rd Councilmanic District  
Case No. 89-227-A  
Rodney E. Stem, et ux Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit an open projection (deck) in the rear yard with a setback of 7 feet in lieu of the required 15 feet, as more particularly described in Petitioner's Exhibit 1. The Petitioners, by Rodney Stem, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 1200 Kingsbury Road, is zoned D.R. 3.5 and is currently improved with a single family dwelling. Petitioners propose constructing an open deck off the existing dining room. Due to the location of the existing dwelling on the subject property, which is a corner lot, the proposed deck will extend beyond the setback requirements for the rear yard. Petitioner testified they spoke with the affected adjoining property owners who have indicated they have no objection to the location of the proposed deck. Further testimony by Petitioner indicated the granting of the requested variance will not result in any detriment to the health, safety or general welfare of the community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.).

and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the 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 Deputy Zoning Commissioner for Baltimore County this 19th day of December, 1988 that the Petition for Zoning Variance to permit an open projection (deck) in the rear yard with a setback of 7 feet in lieu of the required 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 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.

AMN:hjs

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Townson, Maryland 21204  
887-3353  
J. Robert Haines  
Zoning Commissioner

December 23, 1988



Dennis F. Rasmussen  
County Executive

Mr. & Mrs. Rodney E. Stem  
1200 Kingsbury Road  
Owings Mills, Maryland 21117

RE: PETITION FOR ZONING VARIANCE  
SE/Corner Doe Meadow Court and Kingsbury Road  
(1200 Kingsbury Road)  
4th Election District - 3rd Councilmanic District  
Rodney E. Stem, et ux - Petitioners  
Case No. 89-227-A

Dear Mr. & Mrs. Stem:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

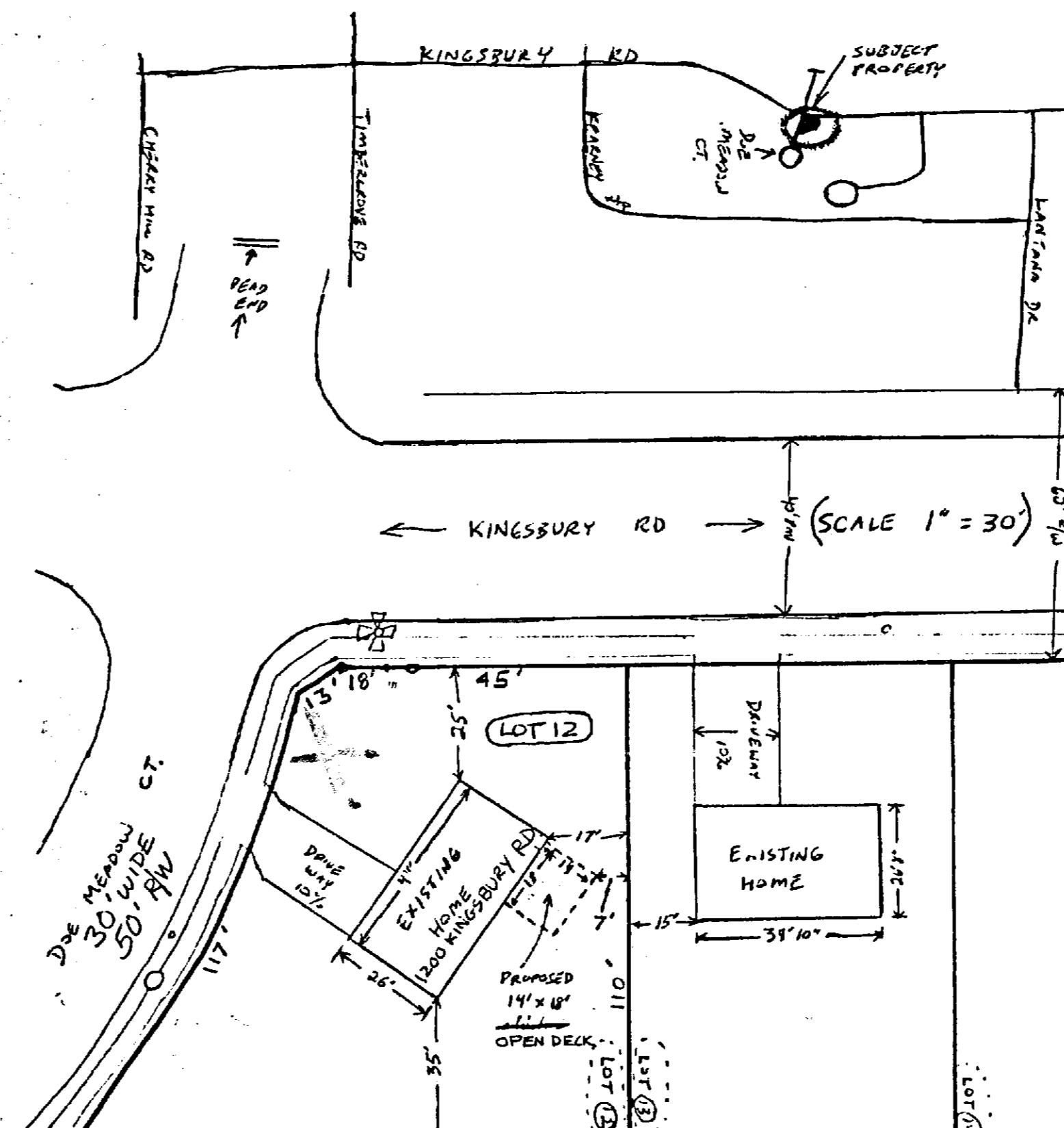
ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:hjs

cc: People's Counsel

File

VICINITY MAP



OWNERS WILL TAKE FULL RESPONSIBILITY AS TO THE INFORMATION PROVIDED ON SAID PLOT PREPARED BY BALTO. CO.

OWNER: Rodney E. Stem  
DATE: 12/16/88

PETITION EXHIBIT 1  
SCALE 1" = 30'

PLAT FOR ZONING VARIANCE  
OWNER - RODNEY & NANCY STEM  
DISTRICT - 04 ZONED - RESIDENTIAL DR.3.5 LOT SIZE = 10,150 sq. ft. .23 ACES.  
SUBDIVISION - TIMBERSLATE  
LOT 12, Block 20, Book No. 56, Folio 024

OWNER	FRONT NUMBER	MAP	BLOCK	PARCEL	GRID NUMBER	GRID REFERENCE
04	15	00	00244	049	20	00297 04311 X

ORDER RECEIVED FOR FILING  
Date 12/23/88  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 12/23/88  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 12/23/88  
By [Signature]

PETITION FOR ZONING VARIANCE # 149  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-227-A

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 1802.3.b., 301.1.504 To permit an open projection (deck) in the rear yard with a setback of 7 feet in lieu of the required 15 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Due to the angle of house in relation to the property line, the deck will extend beyond the allowable limits of the property line and proposed addition.

SEE ATTACHED.

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:	Legal Owner(s):	DATE
(Type or Print Name)	Rodney E. Stem	12/16/88
Signature	(Type or Print Name)	DATE
Address	Rodney E. Stem	12/16/88
City and State	Nancy M. Stem	12/16/88
Attorney for Petitioner:	(Type or Print Name)	DATE
(Type or Print Name)	Nancy M. Stem	12/16/88
Address	Signature	DATE
City and State	1200 Kingsbury Rd.	
Address	Owings Mills, Md. 21117	
City and State	Address	
Address	301-356-5934	
City and State	City and State	
Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted	
City and State	Rodney E. Stem	
Address	1200 Kingsbury Rd.	992-2150 w
City and State	Owings Mills, Md. 21117	356-5934 h
Address	Address	Phone No.

ORDERED By the Zoning Commissioner of Baltimore County, this 19th day of Dec 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 19th day of Dec 1988, at 2:30 o'clock P.M.

J. Robert Haines  
Zoning Commissioner of Baltimore County

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 4th Date of Posting: December 23, 1988  
Posted for: Variance  
Petitioner: Rodney E. Stem, et ux  
Location of property: SE/Corner Doe Meadow Court and Kingsbury Road (1200 Kingsbury Road)  
Location of Sign: In front of 1200 Kingsbury Road  
Remarks:  
Posted by: J. Robert Haines Date of return: November 23, 1988  
Number of Signs: 1

CERTIFICATE OF PUBLICATION

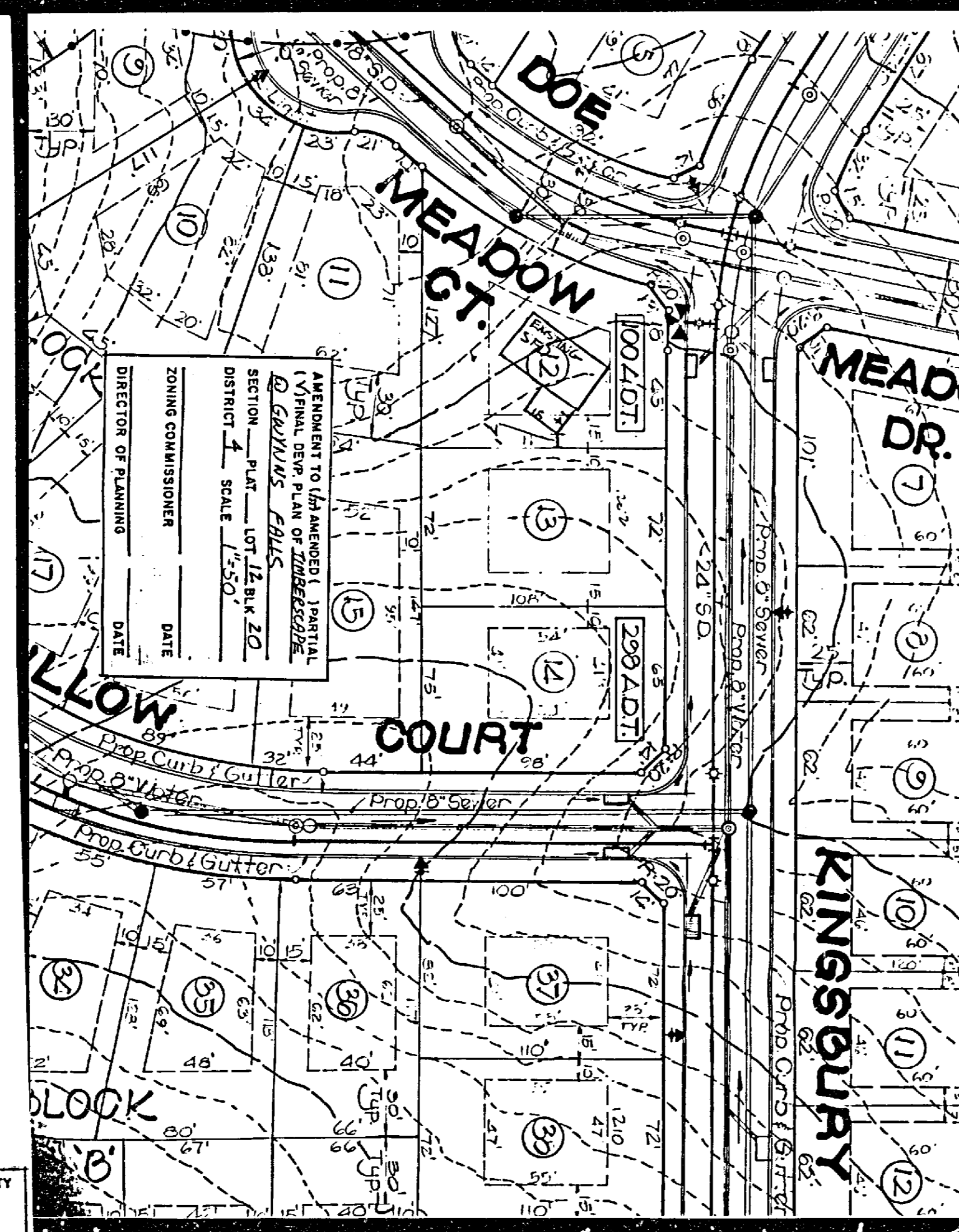
TOWSON, MD., November 18, 1988  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov 17, 1988.

THE OWINGS MILLS TIMES  
THE JEFFERSONIAN,  
S. Zafe Olson  
Publisher

PO 05842  
reg M 20446  
case 89-227-A  
price \$58.65

NOTE: The sliding glass doors entering the home to the outside are on the side of the home where the deck is proposed. This limits my choice in the location of the deck, due to the reason I would incur in moving the sliding glass doors.

DESCRIPTION  
BEGINNING AT A POINT AT THE SOUTH EAST CORNER OF THE INTERSECTION OF THE RIGHT OF WAYS OF DOE MEADOW COURT 50 FT. WIDE AND KINGSBURY ROAD 60 FT. WIDE, BEING LOT 12, BLOCK 20, BOOK 56, FOLIO 84 IN THE SUBDIVISION OF TIMBERSLATE. ALSO KNOWN AS 1200 KINGSBURY RD.



OWNERS WILL TAKE FULL RESPONSIBILITY AS TO THE INFORMATION PROVIDED ON SAID PLOT PREPARED BY BALTO. CO.  
OWNER: Rodney E. Stem  
DATE: 12/16/88

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Townson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner

\*IF PHASE II OF EMERGENCY PLAN IS IN EFFECT ON THIS DATE, CASE WILL BE RESCHEDULED. CALL 494-3391 or 887-3391 TO CONFIRM DATE.

Date: 12/8/88

Mr. & Mrs. Rodney E. Stem  
1200 Kingsbury Road  
Owings Mills, Maryland 21117

Re: Petition for Zoning Variance  
CASE NUMBER: 89-227-A  
SE/Cor. Doe Meadow Court and Kingsbury Road  
(1700 Kingsbury Road)  
4th Election District - 3rd Councilmanic  
Petitioner(s): Rodney E. Stem, et ux  
HEARING SCHEDULED: WEDNESDAY, DECEMBER 14, 1988 at 2:30 p.m.\*

Dear Mr. & Mrs. Stem:

Please be advised that \$73.65 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 it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 059835  
DATE: 12/4/88 ACCOUNT: Petitioner  
AMOUNT: \$ 73.65  
RECEIVED FROM: [Signature]  
FOR: [Signature]  
VALIDATION OR SIGNATURE OF CASHIER

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Townson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner

October 31, 1988

### 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: 89-227-A  
SE/Cor. Doe Meadow Court and Kingsbury Road  
(1200 Kingsbury Road)  
4th Election District - 3rd Councilmanic  
Petitioner(s): Rodney E. Stem, et ux  
HEARING SCHEDULED: WEDNESDAY, DECEMBER 14, 1988 at 2:30 p.m.\*

Variance to permit an open projection (deck) to the rear yard with a setback of 7 feet in lieu of the required 15 feet.

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

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County  
cc: Mr. & Mrs. Stem  
File

NOTICE:  
IF PHASE II OF THE SMOU EMERGENCY PLAN IS IN EFFECT IN BALTIMORE COUNTY BY 8:30 a.m. ON THE DATE OF THE ABOVE HEARING, SUCH HEARING WILL BE POSTPONED AND TENTATIVELY RESCHEDULED FOR THURSDAY, JANUARY 12, 1989. PLEASE TELEPHONE DOCKET CLERK AT 494-3391 or 887-3391 TO CONFIRM DATE.

89-227-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 19th day of October, 1988.

J. Robert Haines  
Zoning Commissioner

Petitioner: Rodney E. Stem, et ux  
Petitioner's Attorney: [Signature]  
Received by: James E. Dyer  
Chairman, Zoning Plans Advisory Committee

Baltimore County  
Fire Department  
Townson, Maryland 21204-2386  
494-4500

Paul H. Reinecke  
Chief

December 2, 1988

J. Robert Haines, Zoning Commissioner  
Office of Planning & Zoning  
Baltimore County Office Building  
Townson, Maryland 21204

Re: Property Owner: Rodney E. Stem, et ux

Location: SE/ corner Doe Meadow Ct. & Kingsbury Road  
1200 Kingsbury Road  
Item No.: 149  
Zoning Agenda: Meeting of 10/18/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
2. A second means of vehicle access is required for the site.
3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
6. Site plans are approved, as drawn.
7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature] NOTED & APPROVED: [Signature]  
Planning & Zoning Fire Prevention Bureau  
Special Inspection Division

/s/

### BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

cc: [Signature]

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

December 6, 1988

Mr. & Mrs. Rodney E. Stem  
1200 Kingsbury Road  
Owings Mills, Maryland 21117

RE: Item No. 149, Case No. 89-227-A  
Petitioner: Rodney E. Stem, et ux  
Petition for Zoning Variance

Dear Mr. & Mrs. Stem:

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,

[Signature]  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:dt

Enclosures

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 405  
Townson, Maryland 21204  
494-3554

October 28, 1988

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Townson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 121, 140, 141, 143, 146, 148, and 149.

Very truly yours,

[Signature]  
Michael S. Flanigan  
Engineering Associate

MSP/lvw

### BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines  
Zoning Commissioner  
TO: [Signature] Date: December 7, 1988

Fat Keller, Deputy Director  
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petition Nos. 89-214-A (Hottinger); 89-216-SFHA (Grebe); 89-219-SFHA (Powell); 89-222-SFH (Lawrence); 89-227-A (Stem); 89-232-A (McMillan); 89-234-A (Seven Courts); 89-242-A (Bacharach); and 89-244 (Diskel); 89-210-SFH (Bell)

The Office of Planning and Zoning has no comment on the above listed projects.

PK/sf

RECEIVED  
DEC 8 1988

ZONING OFFICE

cc: Mr. & Mrs. Stem  
12-8-88

CPS-C03