

IN RE: PETITION FOR ZONING VARIANCE  
SW/S Stream Court, 360.6' W of  
the c/l of Shaded Brook Drive  
(6 Stream Court)  
3rd Councilmanic District  
3rd Election District  
Michael H. Teitelbaum, et ux  
Petitioners

BEFORE THE  
DEPUTY ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 89-316-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 37 feet in lieu of the required minimum of 50 feet and an amendment to the Final Development Plan of Valley Brook, as more particularly described in Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protestants. Testimony indicated that the subject property, known as 6 Stream Court, consists of 1.082 acres more or less zoned R.C. 5 and is improved with a two-story single family dwelling with attached garage. Petitioners propose constructing a one story addition on the east side of the existing dwelling to provide more habitable space for their growing family. Petitioners testified they have spoken with most of their neighbors in the area who have expressed no objections to their plans. Testimony 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 17th day of February, 1989 that the Petition for Zoning Variance to permit a side yard setback of 37 feet in lieu of the required minimum of 50 feet and an amendment to the Final Development Plan of Valley Brook, in accordance with 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.

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

-2-

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 3rd  
Posted for: Variance  
Petitioner: Michael H. Teitelbaum, et ux  
Location of property: SW/S Stream Court, 360.6' W of the c/l of Shaded Brook Drive, in (6 Stream Court)  
Location of Signs: 44 feet of the 6 Stream Court  
Remarks: [Signature]  
Posted by: [Signature]  
Number of Signs: 1  
Date of Posting: 1-21-89  
Date of return: 1-27-89

CERTIFICATE OF PUBLICATION

TOWSON, MD. January 27, 1989  
THIS IS TO CERTIFY, that the annexed advertisement was published in the OWINGS MILLS TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 25, 1989.

THE JEFFERSONIAN  
OWINGS MILLS TIMES,  
Publisher

PO 09033  
reg 11 25194  
case 89-316-A  
price \$74.86

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning 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 21204, as follows:  
Petition for Zoning Variance  
CASE NUMBER: 89-316-A  
SW/S Stream Court, 360.6' W of Shaded Brook Drive  
(6 Stream Court)  
3rd Councilmanic District  
3rd Election District  
Petitioner(s): Michael H. Teitelbaum, et ux  
HEARING SCHEDULED: FRIDAY, FEB. 10, 1989 at 10:30 a.m.  
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  
3/13 Jan. 89

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

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plot attached hereto and made a part hereof, hereby petition for a Variance from Section 1404.3B3 To allow a side yard setback of 37 feet in lieu of the required minimum of 50 feet and to amend the Final Development Plan of Valley Brook.

1. 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.

1- THIRD CHILD IS IN FURNACE STAYS  
2- I AM IN MY OWN BUSINESS, AND HAVE AN OFFICE TO WORK IN MY HOME  
3- THIRD CHILD'S CHILDREN WILL SIGN DE UNAVAILABLE TO SIGN AS OFFER

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/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  
Attorney for Petitioner:  
(Type or Print Name)  
Address  
City and State  
Signature  
Address  
City and State  
Attorney's Telephone No.:  
Address  
City and State  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Name  
Address  
City and State  
Phone No.

6 Stream Ct.  
Address  
BALTO MD. 21117  
City and State  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Name  
Address  
City and State  
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 7th day of February, 1989, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 10th day of Feb., 1989, at 10:30 o'clock a.m.  
J. Robert Haines  
Zoning Commissioner of Baltimore County.

(over)  
1/23/89

Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204  
494-3333  
J. Robert Haines  
Zoning Commissioner  
Date: 1/30/89

Mr. & Mrs. Michael H. Teitelbaum  
6 Stream Court  
Baltimore, Maryland 21117  
Re: Petition for Zoning Variance  
CASE NUMBER: 89-316-A  
SW/S Stream Court, 360.6' W c/l Shaded Brook Drive  
(6 Stream Court)  
3rd Councilmanic District - 3rd Councilmanic District  
Petitioner(s): Michael H. Teitelbaum, et ux  
HEARING SCHEDULED: FRIDAY, FEBRUARY 10, 1989 at 10:30 a.m.  
Dear Mr. & Mrs. Teitelbaum:

Please be advised that \$89.86 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 set(s) to the County Office minutes before the hearing.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
DATE 2/1/89 ACCOUNT R-01-615-000  
AMOUNT \$ 89.86  
RECEIVED FROM Michael Teitelbaum, et ux  
FOR Pg A 2/10/89  
89-316-A  
VALIDATION OR SIGNATURE OF CASHIER

Columbus Office  
Walley Park  
Registered Surveyor  
Phone 730-9800  
M. H. DEVELOPMENT ENGINEERS, INC.  
200 EAST JOPPA ROAD  
ROOM 101, SHELL BUILDING  
TOWSON, MARYLAND 21204  
11/16/88  
Zoning Description

Beginning on the southwesterly side of Stream Court (50) fifty wide at the distance of 360.60 feet west of the centerline of Shaded Brook Drive.  
Being lot 45 in the subdivision of Valleybrook, Book 10, Folio 1, also known as 6 Stream Court in the 3rd election district.



Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204  
494-3333  
J. Robert Haines  
Zoning Commissioner  
January 12, 1989

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: 89-316-A  
SW/S Stream Court, 360.6' W c/l Shaded Brook Drive  
(6 Stream Court)  
3rd Councilmanic District - 3rd Councilmanic District  
Petitioner(s): Michael H. Teitelbaum, et ux  
HEARING SCHEDULED: FRIDAY, FEBRUARY 10, 1989 at 10:30 a.m.

Variance to allow a side yard setback of 37 ft. in lieu of the required minimum of 50 ft. and to amend the Final Development Plan of Valley Brook.

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: Michael H. Teitelbaum, et ux  
File

89-316-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  
7th day of December, 1988.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Petitioner: Michael H. Teitelbaum  
Petitioner's Attorney: James E. Dyer  
Received by: Chairman, Zoning Plans  
Advisory Committee

Baltimore County  
Fire Department  
Towson, Maryland 21204-2506  
494-4500

Paul H. Reincke  
Chief

December 29, 1988

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



Re: Property Owner: Michael H. Teitelbaum, et ux

Location: SW side of Stream Ct., 360.6' W of c/l of

Shaded Brook Drive

Item No.: 212

Zoning Agenda: Meeting of 12/6/88

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.
- (X) 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: *Pat Keller* 12/29/88  
Planning Group  
Special Inspection Division

NOTED & APPROVED: *John E. O'Neill*  
Fire Prevention Bureau

/s/

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-5533  
J. Robert Haines  
Zoning Commissioner

February 27, 1989



Mr. & Mrs. Michael H. Teitelbaum  
6 Stream Court  
Owings Mills, Maryland 21117

RE: PETITION FOR ZONING VARIANCE  
SW/S Stream Court, 360.6' W of the c/l of Shaded Brook Drive  
(6 Stream Court)  
3rd Election District - 3rd Councilmanic District  
Michael H. Teitelbaum, et ux - Petitioners  
Case No. 89-316-A

Dear Mr. & Mrs. Teitelbaum:

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 Mr. Charlotte Raulf at 494-3391.

Very truly yours,

*Ann M. Nastarchewicz*  
ANN M. NASTARCHEWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

cc: People's Counsel

File

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
County Office Building  
Towson, Maryland 21204  
(301) 887-3534

January 17, 1989



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

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers 174, 192, 202, 204, 206, 208, 211, 212, 213, and 214.

*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineer Associate II

MSF/lw

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 31, 1989

Mr. & Mrs. Michael H. Teitelbaum  
6 Stream Court  
Baltimore, MD 21117

RE: Item No. 212, Case No. 89-316-A  
Petitioner: Michael H. Teitelbaum, et ux  
Petition for Zoning Variance

Dear Mr. Teitelbaum:

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*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:dt

Enclosures

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

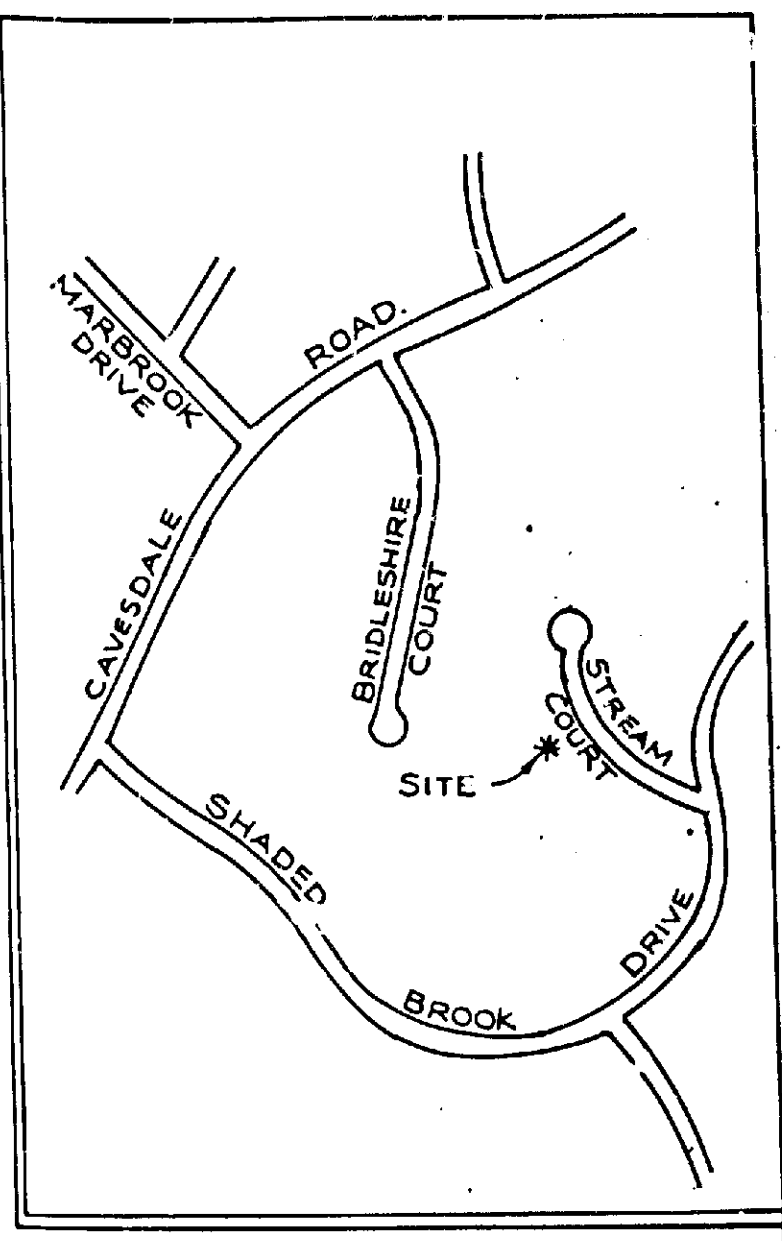
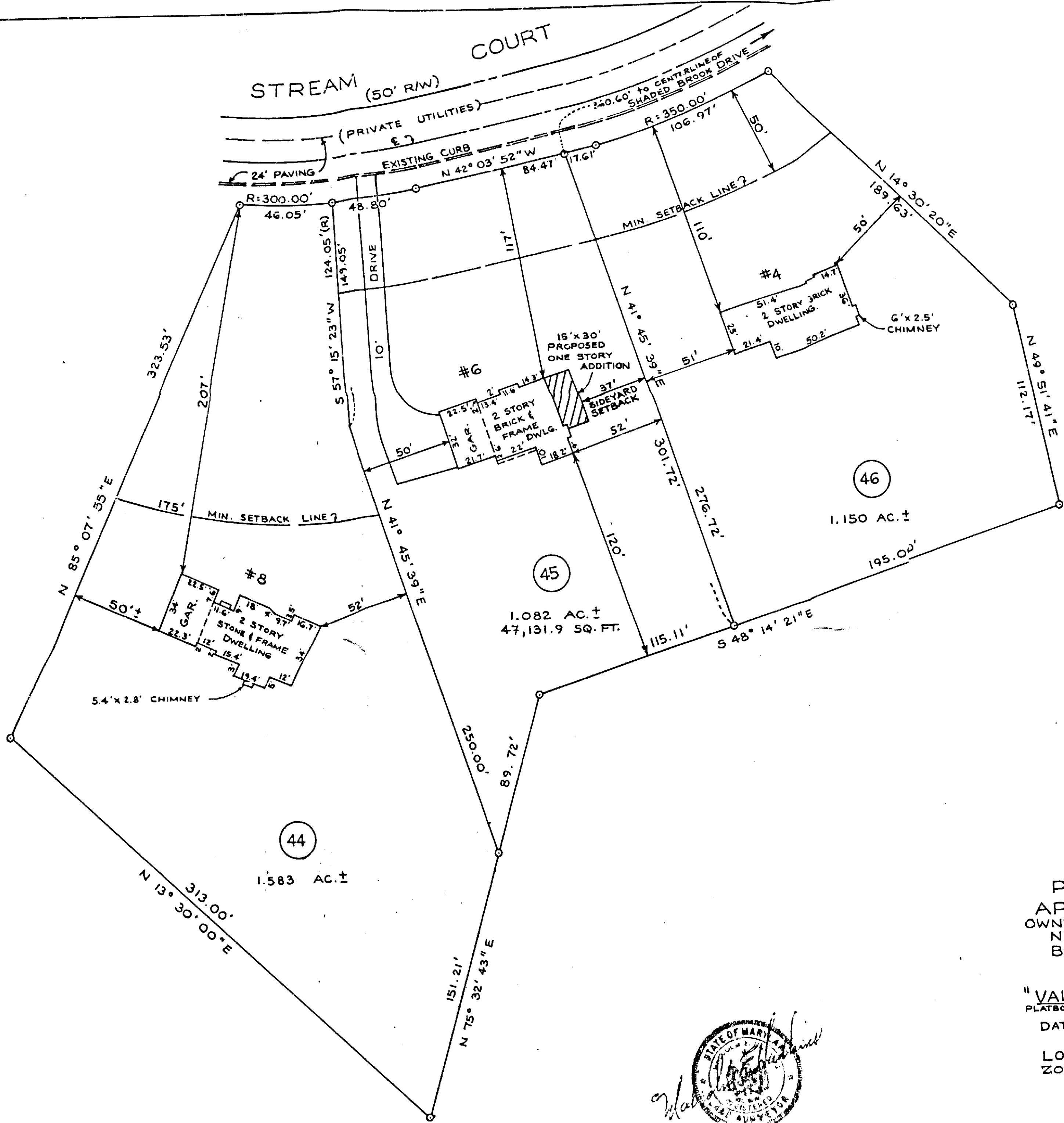
TO: J. Robert Haines  
Zoning Commissioner  
Date: January 31, 1989  
FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning  
SUBJECT: Zoning Petition N. 89-316-A (Teitelbaum); 89-320-A (McNaney);  
89-321-A (McNaney); 89-310-A (Grief); 89-313-A (Ellwood);  
89-315-A (DiPeppe)

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

PK/ph

RECEIVED  
JAN 31 1989  
ZONING OFFICE

CPS-008



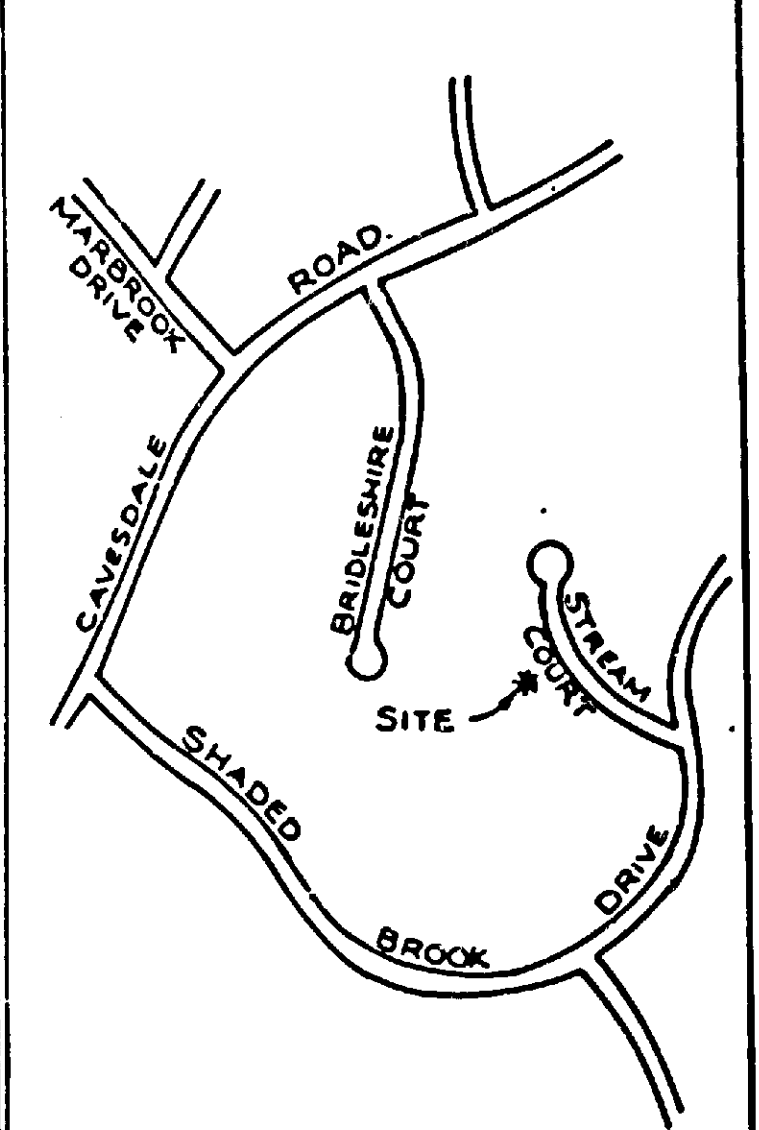
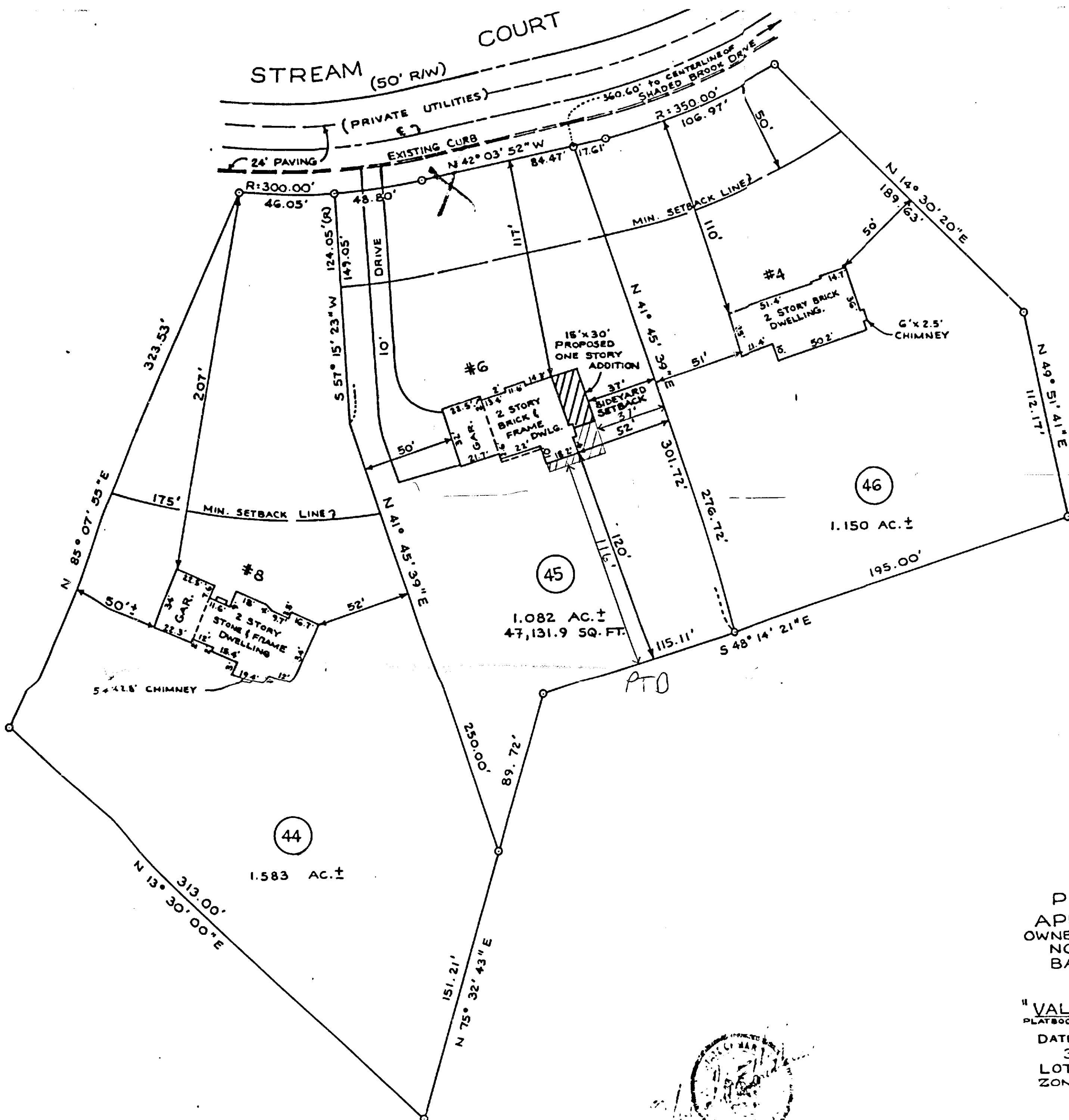
LOCATION PLAN  
SCALE: 1" = 600'

PLAT TO ACCOMPANY  
APPLICATION FOR VARIANCE  
OWNER: MICHAEL TEITELBAUM  
NO. 6 STREAM COURT  
BALTIMORE COUNTY, MD.  
LOT 45  
"VALLEYBROOK" - SUBDIVISION  
PLATBOOK - S.M. 56/1  
DATE: OCT. 21, 1988 SCALE: 1" = 40'  
3RD ELECTION DISTRICT  
LOT SIZE: 1.082 AC. ± 47,131.9 S.F.  
ZONING: RC 5 (PRIVATE UTILITIES)  
IN STREAM CT.

M. & H. DEVELOPMENT ENGINEERS, INC.  
200 EAST JOEPA ROAD  
ROOM 101, SHELL BUILDING  
TOWSON, MARYLAND 21204

PETITIONER'S  
EXHIBIT 1

#C85B



LOCATION PLAN  
SCALE: 1" = 600'

PLAT TO ACCOMPANY  
APPLICATION FOR VARIANCE  
OWNER: MICHAEL TEITELBAUM  
NO. 6 STREAM COURT  
BALTIMORE COUNTY, MD.  
LOT 45  
"VALLEYBROOK" - SUBDIVISION  
PLATBOOK - S.M. 56/1  
DATE: OCT. 21, 1988 SCALE: 1" = 40'  
3RD ELECTION DISTRICT  
LOT SIZE: 1.082 AC. ± 47,131.9 S.F.  
ZONING: RC 5 (PRIVATE UTILITIES)  
IN STREAM CT.

M. & H. DEVELOPMENT ENGINEERS, INC.  
200 EAST JOEPA ROAD  
ROOM 101, SHELL BUILDING  
TOWSON, MARYLAND 21204

Paul J. Dabrowski  
PTD Custom Builders Inc  
9/7/89

4/16/89 Revised Plan  
Approved as is. This  
is the spirit and  
intent of  
Order dated 2/27/89  
JMD  
BPC

#C85B