

IN RE: PETITION FOR RESIDENTIAL VARIANCE* BEFORE THE
 N/ES Old North Point Road, 1,950' S of the c/l of Lynhurst Road
 (4206 Old North Point Road) DEPUTY ZONING COMMISSIONER
 15th Election District OF BALTIMORE COUNTY
 7th Councilmanic District Case No. 90-513-A
 Paul W. Isner
 Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a height for an accessory building (garage) of 22 feet in lieu of the maximum permitted 15 feet in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 22-26 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 28th day of June, 1990 that the Petition for Residential Variance to permit a height for an accessory building (garage) of 22 feet in lieu of the maximum permitted 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.
- 2) Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.
- 4) Prior to the issuance of any permits, Petitioner shall submit a revised site plan for the subject property. The revised site plan filed must reference this case and set forth and address the restrictions of this Order.

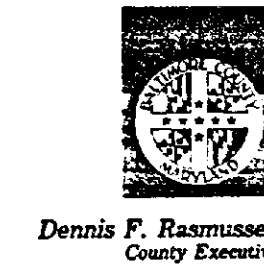
ANN M. NASTAROWICZ
 Deputy Zoning Commissioner
 for Baltimore County

ORDER RECEIVED FOR FILING
 Date 6/28/90
 By [Signature]

AMN:bjs

Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21284
 (301) 887-3353
 J. Robert Haines
 Zoning Commissioner

June 28, 1990



Mr. Paul W. Isner
 4206 Old North Point Road
 Baltimore, Maryland 21222

RE: PETITION FOR ZONING VARIANCE
 NE/S of Old North Point Road, 1,950' S of the c/l of Lynhurst Road
 (4206 Old North Point Road)
 15th Election District - 7th Councilmanic District
 Paul W. Isner - Petitioner
 Case No. 90-513-A

Dear Mr. Isner:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Residential 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 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
 Deputy Zoning Commissioner
 for Baltimore County

AMN:bjs

cc: People's Counsel

File

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

90-513-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, petition for a Variance from Section 400.3 To permit a 22 foot height for an accessory building in lieu of the maximum 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):
 Garage to be used for storage of:
 1. Our motorhome requires 11'3" clearance
 2. Our 20' boat with clearance of 11'6" requires 12' clearance
 3. Doors therefore requires 20' to the ridge with a 1/2 pitch
 3. Trusses with 1/12 pitch have already been purchased.
 Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and state 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/State/Zip Code: _____
 Attorney for Petitioner: _____
 (Type or Print Name)
 Signature: _____
 Address: 4206 North Point Rd. 42083B3
 City/State/Zip Code: Balto Md. 21222
 Attorney's telephone number: 477-2833

ORDERED by the Zoning Commissioner of Baltimore County, this 28th day of June, 1990, that the subject matter of this petition be posted on the property on or before the 6th day of June, 1990.

J. Robert Haines
 Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
 Date 6/28/90
 By [Signature]

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

90-513-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently or on petition will reside at _____
 11206 N. Pt. Rd.
 (Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)

Garage to be used for storage of (1) Our motorhome requires 11'3" clearance (2) Our 20' boat with clearance of 11'6" requires 12' over head doors there fore requires 20' to the ridge with a 1/2 pitch (3) Trusses with 1/12 pitch have already been purchased

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Paul W. Isner
 AFFIANT (Handwritten Signature)
 Paul W. Isner
 AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17th day of May, 1990, before me, a Notary Public of the State of Maryland, in and for the County of Baltimore, personally appeared Paul W. Isner and he acknowledged to me that he executed the foregoing instrument as his free act and deed.

AS WITNESS my hand and Notarial Seal:
 5-1790
 DATE

John A. [Signature]
 NOTARY PUBLIC
 My Commission Expires: _____

here and assigns, in fee simple, all that lot of ground, situate, lying and being in 15th Election District, of Baltimore County, in the State of Maryland, aforesaid, and described as follows, to-wit: to-wit: by William M. Maynadier, surveyor of Towson, Maryland, according to survey of August 20, 1952.
 Beginning for the same on the northeast side of the North Point Road (40 feet wide) at a point distant 355.12 feet measured south 24 degrees 20 minutes 20 seconds east along said northeast side of said road from the corner formed by the intersection of said side of the North Point Road with the first or south 64 degrees 23 minutes west 101.52 perches line of the first parcel of land conveyed by Michael Michalski and wife to Walter Michalski and wife by a deed dated July 16, 1943 and recorded among the land records of Baltimore County in Liber R3S No. 1299 folio 453 etc. running thence and referring the courses of this description to the true meridian as established by the Baltimore County Metropolitan District and binding on the northeast side of the North Point Road with the use thereof in common with other entitled thereto south 24 degrees 20 minutes 20 seconds east 100 feet thence leaving the road for the three following lines of division now made viz north 59 degrees 03 minutes 40 seconds east 170 feet and north 24 degrees 02 minutes 50 seconds west 95.33 feet and south 60 degrees 38 minutes 40 seconds west 170.01 feet to the place of beginning. Containing 0.38 of an acre of land more or less.

BEING the same lot of ground which by Deed dated June 29, 1961 and recorded among the Land Records of Baltimore County in Liber 3875, folio 602 was granted and conveyed from Helen Telmanoski, widow, to and unto the within grantors.

Beginning on the northeast side of Old North Point Road, 30 feet wide, at the distance of 1,950 south of the centerline of Lynhurst Rd. Also known as 4206 Old North Point Road containing .38 acres in the 15th election District.

90-513-A

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

90-513-A

District: 15th Date of Posting: 6/1/90
 Petitioner: Paul W. Isner
 Location of property: NE/S of Old North Point Rd., 1,950' S of Lynhurst Rd.
 Location of Signs: 4206 Old North Point Rd.
 Remark: Posting of Petitioner's
 Posted by: [Signature] Date of return: 6/8/90
 Number of Signs: 1

Baltimore County
 Zoning Commissioner
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21284

receipt

Account: R-001-4150
 Number: 2433

Date	AMOUNT	DESCRIPTION	NUMBER
5/09/90	H9000888		
		PUBLIC HEARING FEES	QTY PRICE
		010 - ZONING VARIANCE (IRL)	1 X \$95.00
		080 - POSTING SIGNS / ADVERTISING	1 X \$25.00
		TOTAL:	\$60.00
		LAST NAME OF OWNER: ISNER	

B 8 152*****60001a 3108F
 Please make checks payable to: Baltimore County

Cashier Validation:

Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21284
 (301) 887-3353
 J. Robert Haines
 Zoning Commissioner

June 12, 1990

Mr. Paul W. Isner
 4206 North Point Road
 Baltimore, MD 21222

RE: Item No. 388, Case No. 90-513-A
 Petitioner: Paul W. Isner
 Petition for Residential Variance

Dear Mr. Isner:

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.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

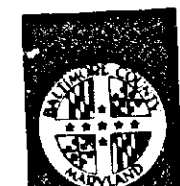
Very truly yours,
 James E. Dyer
 Chairman
 Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner



Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this
9th day of May, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Hynes
Chairman,
Zoning Plans Advisory Committee

Petitioner: Paul W. Isner
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: May 23, 1990
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Paul W. Isner, Item No. 388

The Petitioner requests a Variance to height requirements for an
accessory building.

In reference to the Petitioner's request, staff offers no
comments.

If there should be any further questions or if this office can
provide additional information, please contact Jeffrey Long in the
Office of Planning at 887-3211.

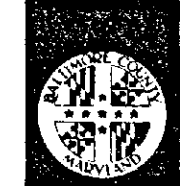
PK/JL/cmm

MAY 24 1990

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5300
(301) 887-4500

Paul H. Reinecke
Chief

JUNE 4, 1990



Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: PAUL W. ISNER
Location: #4206 OLD NORTH POINT ROAD
Item No.: 388 Zoning Agenda: JUNE 5, 1990

Gentlemen:

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

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Pat Keller* 6-4-90 Noted and Approved *Captain W. Brad Keel*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/REK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: May 29, 1990
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting
for June 5, 1990

The Developers Engineering Division has reviewed
the subject zoning items and we have no comments for
Items 387, 388, 394, 396, 397, 398, 399, 400, 402, 403,
404, 406 and 407.

For Item 401, the previous County Review Group comments
still apply.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s



90-513-A



90-513-A

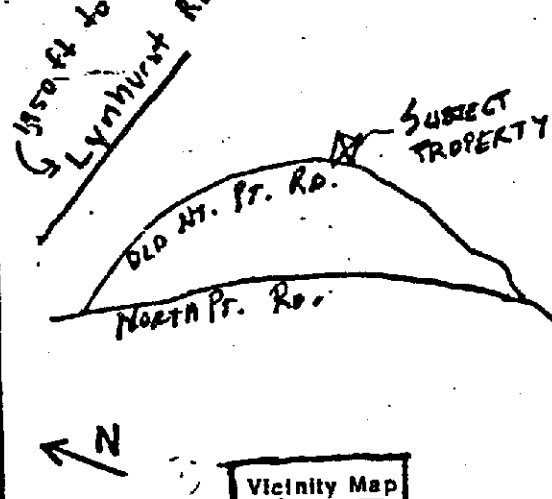
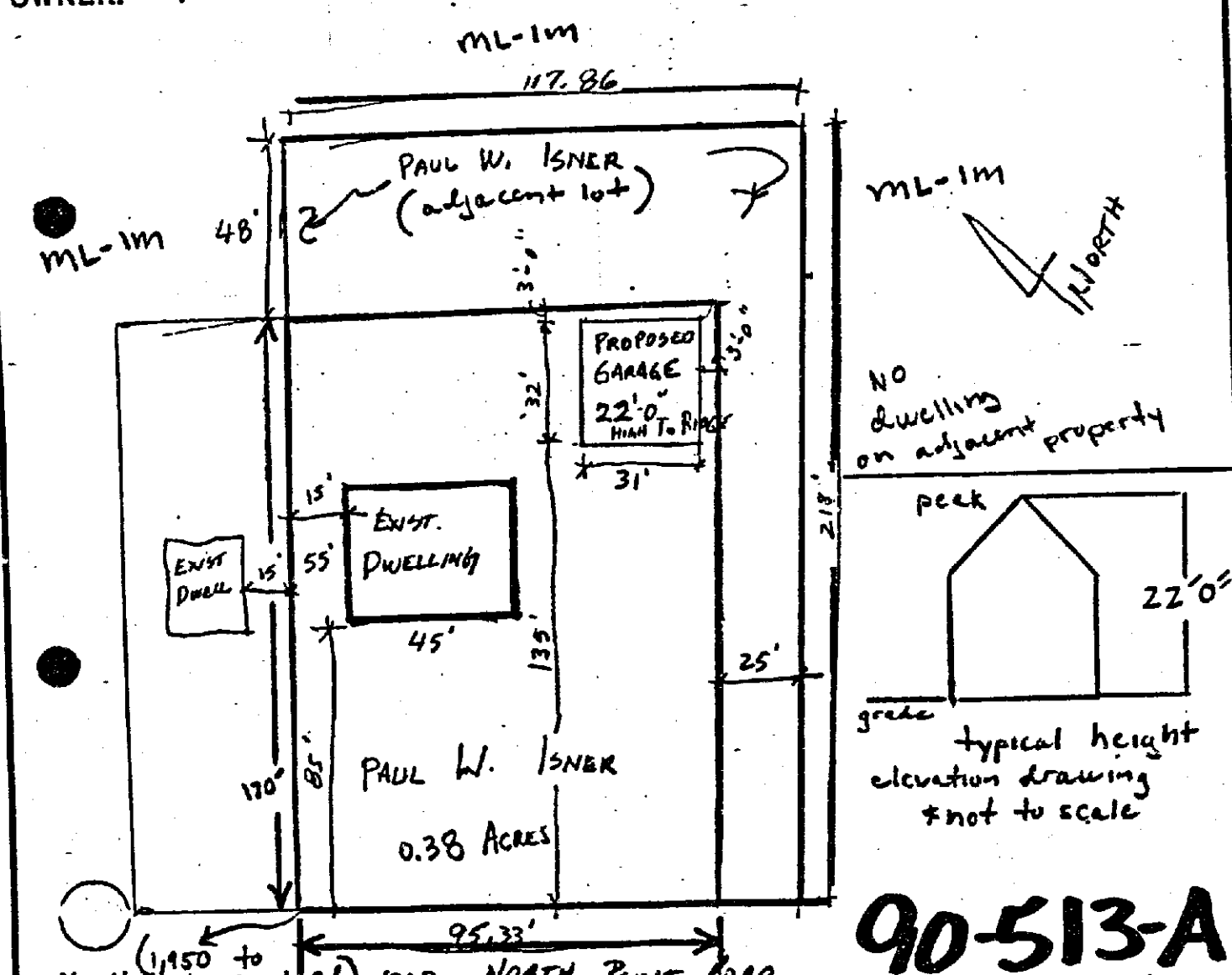


90-513-A

Plot to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 4206 OLD NORTH POINT RD. see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: *nil*
plat book # *NA* lot # *NA* section # *NA* * area is not within
OWNER: PAUL W. ISNER a recorded subdivision



LOCATION INFORMATION
Councilmanic District: 774
Election District: 1574
1"=200' scale map: SE 44
Zoning: ML-1M
Lot size: 95.33' X 170'
acrossage squares feet
= 38 Ac. 16206

SEWER:
WATER:
Chesapeake Bay Critical Area:
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!
reviewed by: ITEM #:
358

