

IN RE: PETITION FOR RESIDENTIAL VARIANCE* BEFORE THE
N/S Harrod Court, 610' SE of
Treeline Drive
(17 Harrod Court)
4th Election District
3rd Councilmanic District
Mark H. Striebach, et ux
Petitioners

* ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 90-535-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a rear yard setback of 6.4 feet in lieu of the required 15 feet for a proposed deck, and to amend the First Amended Final Development Plan of Suburbia Addition, Section I, Lot 41 to permit construction outside of the building envelope 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 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 S.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 Zoning Commissioner for Baltimore County this 31st day of July, 1990 that the Petition for Residential Variance to permit a rear yard setback of 6.4 feet in lieu of the required 15 feet for a proposed deck, and to amend the First Amended Final Development Plan of Suburbia Addition, Section I, Lot 41 to permit construction outside of the building envelope, 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 Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their 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 Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) 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.

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

JRH:bjs

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

July 31, 1990

Mr. & Mrs. Mark H. Striebach
17 Harrod Court
Reisterstown, Maryland 21136

RE: PETITION FOR RESIDENTIAL VARIANCE
N/S Harrod Court, 610' SE of Treeline Drive
(17 Harrod Court)
4th Election District - 3rd Councilmanic District
Mark H. Striebach, et ux - Petitioners
Case No. 90-535-A

Dear Mr. & Mrs. Striebach:

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,

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

JRH:bjs

cc: People's Counsel

File



Dennis F. Rasmussen
County Executive

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

90-535-A 425

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

301.1 -- To allow a rear yard setback of 6 ft., 4 in. in lieu of the required 15 feet AND

To amend the First Amended Final Development Plan of Suburbia Addition, Section I,

Plat I, Lot No. 41 to allow construction (existing house and proposed deck) outside of building envelope.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason (Indicate hardship or practical difficulty)

The required setback would not allow for a reasonably sized deck

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 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/State/Zip Code

Attorney for Petitioners:

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):

Mark H. Striebach

(Type or Print Name)

Signature

M. Claire Striebach

(Type or Print Name)

Signature

17 Harrod Court

Reisterstown, Maryland 21136

City/State/Zip Code

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

Mark H. Striebach

Home 833-1645 or

17 Harrod Court 800-828-8799 box 5018

RECEIVED

ORDERED by the Zoning Commissioner of Baltimore County, this 1st day of June, 1990, that the subject matter of this petition be posted on the property on or before the 20th day of June, 1990.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County

RECEIVED FOR FILING
7/3/90
J. Robert Haines
Zoning Commissioner

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, 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 the property be reposted, and that the public hearing be held before the Zoning Commissioner of Baltimore County 100 County Office Building in Towson, Baltimore County, on the _____ day of _____, 19____, at _____ o'clock.

ZONING COMMISSIONER OF BALTIMORE COUNTY

W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners

90-535-A

May 30, 1990
ZONING DESCRIPTION
LOT NO. 41 "SUBURBIA ADDITION"
17 HARROD COURT
4TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at a point on the northernmost right of way line of Harrod Court, said point being South 20 degrees West 540 feet more or less from Harrod Court, said point being South 20 degrees West 540 feet more or less from the centerline intersection of Treeline Drive and said Harrod Court, said point of beginning being designated as coordinate point number 1517, all as shown on a plat entitled "First Amended Section One Plat One Suburbia Addition" as recorded among the Land Records of Baltimore County in Plat Book S.M. 58 Folio 68; thence running for the outline of Lot Number 41, the following five courses and distances, viz:

1) Binding on said Harrod Court by a curve to the right having a radius of 50.00 feet and an arc length of 56.52 feet; thence leaving said court 50.00 feet and an arc length of 12 minutes 21 seconds East 85.08 feet; thence
2) North 14 degrees 12 minutes 21 seconds East 85.08 feet; thence
3) South 83 degrees 46 minutes 50 seconds West 81.43 feet; thence
4) South 00 degrees 38 minutes 00 seconds East 102.05 feet to intersection the above mentioned right of way line of Harrod Court; thence binding thereon by a curve to the left having a radius of 50.00 feet and an arc length of 6.68 feet to the point of beginning.

BEING known as Number 17 Harrod Court.



530 East Joppa Road / Towson, Maryland 21204 / (301) 583-9571

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Ne 2642

Date

PUBLIC HEARING FEE

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BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: June 19, 1990

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

SUBJECT: Mark H. Striebeck, Item No. 425

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

JUN 22 1990

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(301) 887-4500

JUNE 6, 1990

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

Dennis F. Rasmussen
County Executive

RE: Property Owner: MARK H. STRIEBICH
Location: #17 HARROD COURT
Item No.: 425 Zoning Agenda: JUNE 19, 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* 6/14/90 Noted and Approved *Pat Keller*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

Baltimore County
Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204
(301) 887-3353

June 5, 1990

Mr. & Mrs. Mark H. Striebeck
17 Harrod Court
Reisterstown, Maryland 21136

Dennis F. Rasmussen
County Executive

Re: CASE NUMBER: 90-535-A
ITEM NUMBER: 425
LOCATION: 17 Harrod Court

Dear Petitioner:

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number.

Your property will be posted on or before June 20, 1990. After the closing date (July 05, 1990) for filing a request for hearing has passed, the file will be taken to the Zoning Commissioner for review. You will next receive from this office:

1) Notice that a formal request for hearing has been filed, taking the matter out of the administrative process. This will mean advertising of the public hearing and reposting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice.

OR

2) Notice that the matter has completed the administrative process and that you may return the sign/post and pick-up your Order.

Very truly yours,

G. G. Stephens
G. G. Stephens
(301) 887-3391

VILLAGE OF TIMBERGROVE
ARCHITECTURAL STANDARDS COMMITTEE
6615 Reisterstown Road, Suite 205
Baltimore, Maryland 21215

April 24, 1990

Mr. & Mrs. Mark H. Striebeck
17 Harrod Court
Reisterstown, Maryland 21136

Dear Mr. and Mrs. Striebeck:

This will formally acknowledge receipt of your request and sketch describing the deck you plan to build on to your house at 17 Harrod Court at Timbergrove. This letter will constitute approval.

You must also comply with all Baltimore County building and zoning regulations, including permits where required. Furthermore, it is also your responsibility to make certain that the changes you make will not inhibit the approved grading, drainage and sediment control plans for your property or that of your neighbors.

We thank you for your cooperation in this matter and for your recognition of the value of the restrictions that have been established for Timbergrove.

Sincerely,

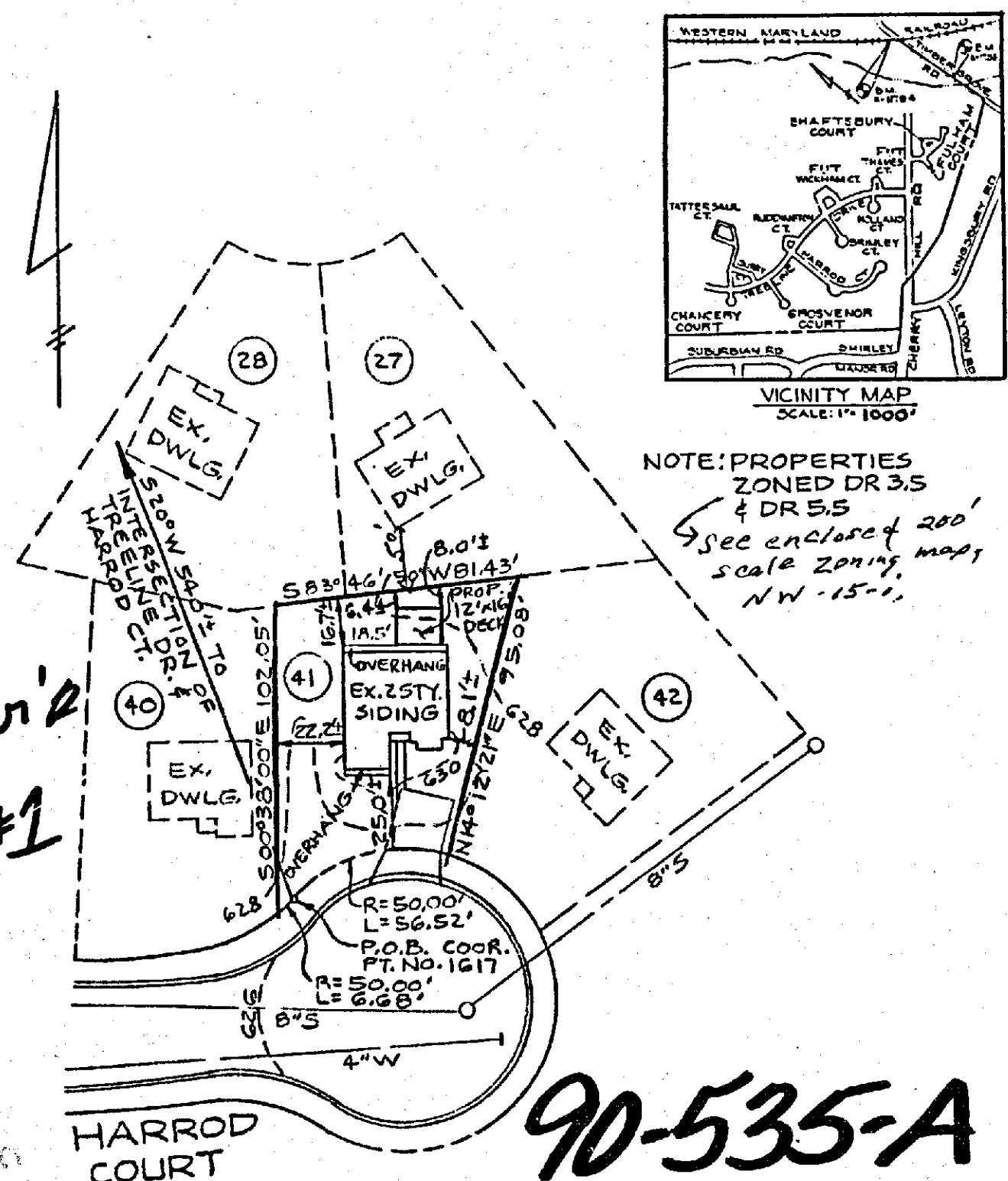
John E. Fidler
John E. Fidler
Architectural Standards Committee

JEF:ls

C. Sales Office
House File

425

Petitioner's
Exhibit #1



90-535-A

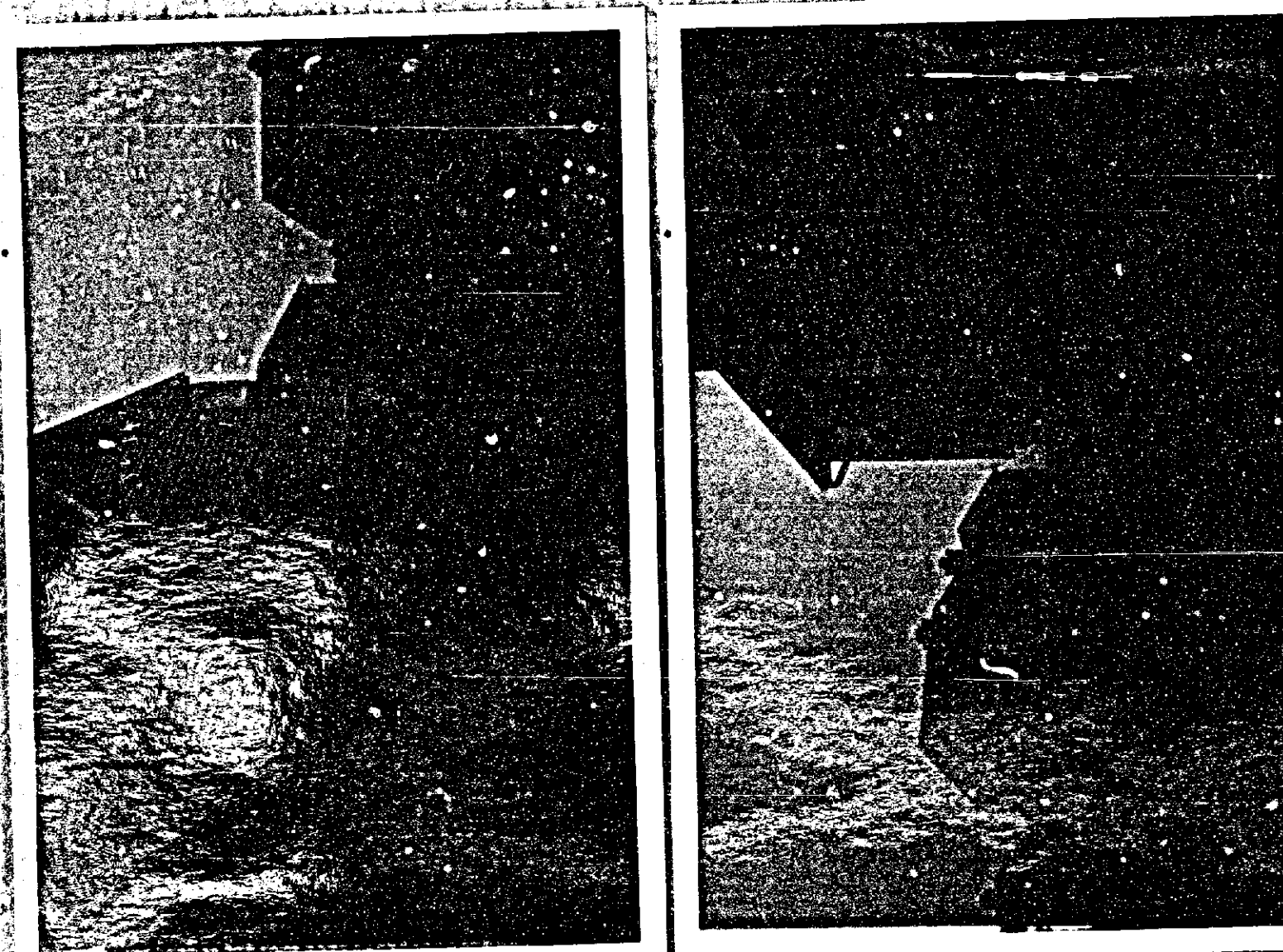
Lot 41 = 610 ft. ± along curve from Freeline DR

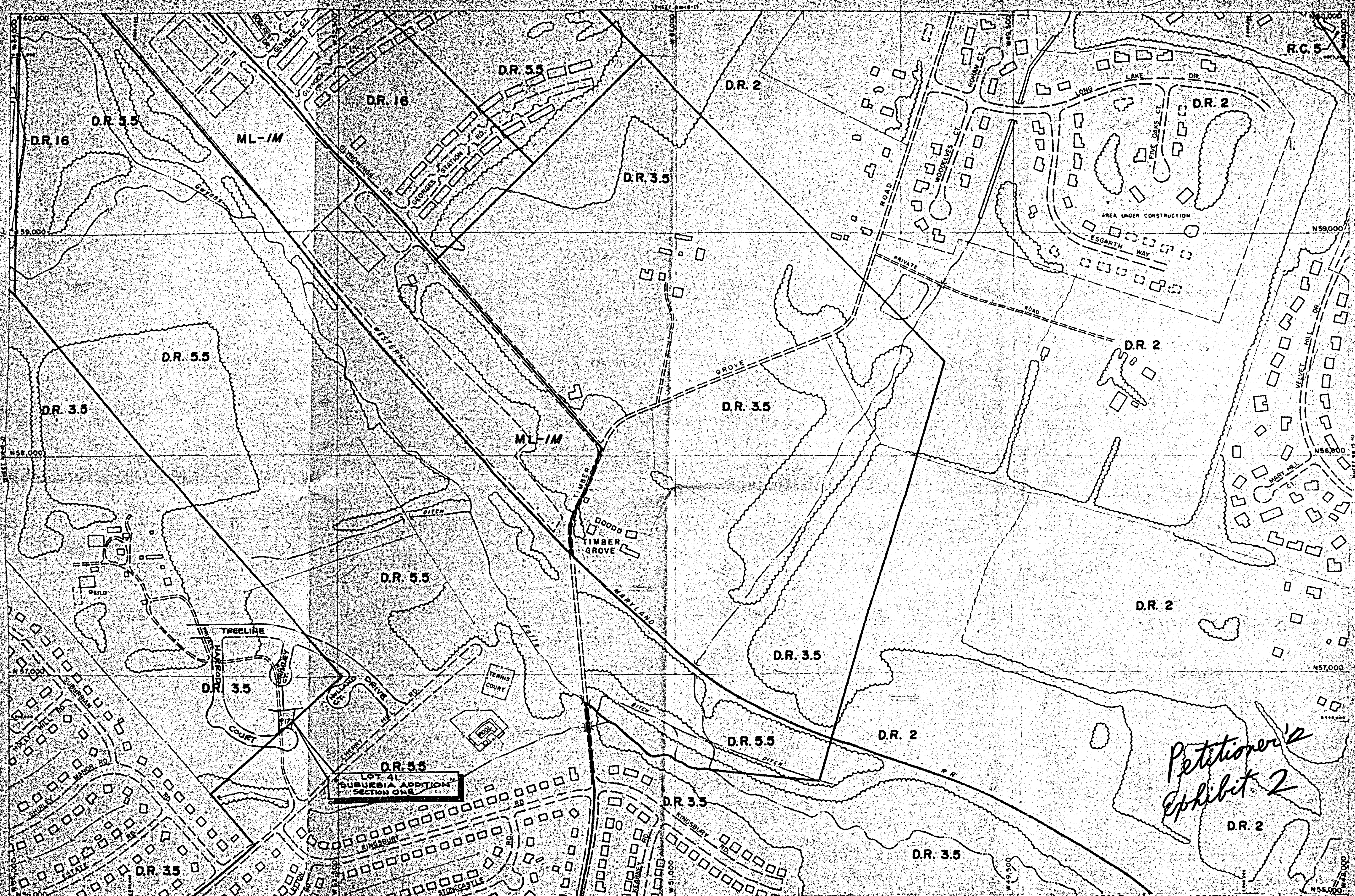
NOT IN CRITICAL AREA.
Owner: Mark H. & M. Claire Striebeck
3rd Co. District

W. DUVALL & ASSOCIATES, INC.
ENGINEERS - SURVEYORS - LAND PLANNERS
230 EAST JOPPA ROAD
TOWSON, MARYLAND 21204
(301) 583-2571

PLAT TO ACCOMPANY
ZONING VARIANCE
LOT 41
SUBURBAN ADDITION SEC. ONE
#17 HARROD COURT
RECORDED IN PLATBOOK 5M 58 FOLIO 68
4TH ELECTION DIST. BALTO, CO., MD.
SCALE: 1"=50' MAY 30, 1990

Petitioner's Exhibit 3





Petitioner's Exhibit 2

T-NW
W-SW
THIS MAP HAS BEEN REVIEWED IN SELECTED AREAS
FOR COMPLIANCE WITH THE PHOTOGRAMMETRIC METHOD
BY MICHAEL MOON, INC. BALTIMORE, MD. 21218

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988
Ord. Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
[Signature]
Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE 1" = 200'	LOCATION TIMBER GROVE	SHEET NW 15-1
DATE OF PHOTOGRAPHY JANUARY 1988		

90-535-A