

IN RE: PETITION FOR ZONING VARIANCE  
 3/8 Pennsbury Place, SE/Corner  
 Ridge Road  
 (8801 Pennsbury Place)  
 14th Election District  
 6th Councilmanic District  
 Joseph R. Stansbury, Sr., et ux  
 Petitioners

BEFORE THE  
 ZONING COMMISSIONER  
 OF BALTIMORE COUNTY  
 Case No. 91-64-A

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The Petitioners herein request a variance to permit a rear yard setback of 6 feet in lieu of the minimum required 11.25 feet for a proposed open deck, a contiguous open area of 100 sq.ft. in lieu of the required 500 sq.ft., and an amendment to the 3rd Amended Partial Development Plan of Franklin Ridge, Section II, Block I, Lot 111 to permit construction outside the building envelope, all as more particularly described in Petitioners' Exhibit 1.

The Petitioners, by Sharon Stansbury, appeared and testified. There were no protestants.

Testimony indicated that the subject property, known as 8801 Pennsbury Place, consists of 1,296 sq.ft. zoned D.R. 16 and is improved with a single family end-of-group townhome. Said property adjoins local open space. Petitioners are desirous of constructing an open deck on the rear of the existing dwelling in accordance with Petitioners' Exhibit 1. Due to the location of existing improvements and the property's location adjoining local open space, the requested variances are necessary in order to construct the proposed deck. Testimony indicated the Petitioners have spoken with their neighbors who have no objections to their plans. Further, Petitioners submitted a signed Petition from their neighbors on both sides of the subject property, and other property owners residing in the

community indicating their support of the request. Testimony indicated the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the 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 Zoning Commissioner for Baltimore County this 22nd day of October, 1990 that the Petition for Zoning Variance to permit a rear yard setback of 6 feet in lieu of the minimum required 11.25 feet for a proposed open deck, a contiguous open area of 100 sq.ft. in lieu of the required 500 sq.ft., and an amendment to the 3rd Amended Partial Development Plan of Franklin Ridge, Section II, Block I, Lot 111 to permit construction outside the building envelope, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

- 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.

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

JRH:bjs

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

October 22, 1990

Mr. & Mrs. Joseph R. Stansbury, Sr.  
 8801 Pennsbury Place  
 Baltimore, Maryland 21237

RE: PETITION FOR ZONING VARIANCE  
 3/8 Pennsbury Place, SE/Corner Ridge Road  
 (8801 Pennsbury Place)  
 14th Election District - 6th Councilmanic District  
 Joseph R. Stansbury, Sr., et ux - Petitioners  
 Case No. 91-64-A

Dear Mr. & Mrs. Stansbury:

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 887-3391.

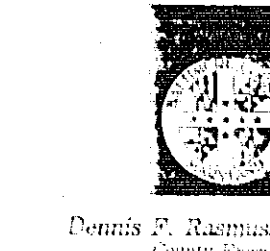
Very truly yours,

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

JRH:bjs

cc: People's Counsel

File



ORDER RECEIVED FOR FILING  
 Date 10/22/90  
 By [Signature]

ORDER RECEIVED FOR FILING  
 Date 10/22/90  
 By [Signature]

ORDER RECEIVED FOR FILING  
 Date 10/22/90  
 By [Signature]

**PETITION FOR ZONING VARIANCE**  
 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: **91-64-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 307.1, 306 (V.B.C., V.B.7, C.M.D.P.) - To allow a rear yard setback for an open deck of 6 ft. and a contiguous open area of 100 sq. ft. in lieu of the required 11.25 ft. and 500 sq. ft., respectively. AND To amend the 3rd Amended Partial Development Plan of Franklin Ridge, Section II, Block I, Lot No. 111 to allow construction of some outside of the building envelope.

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

1. REAR YARD IS OF LITTLE USABLE AREA FOR RECREATION OR OUTDOOR ACTIVITY.

MAP DESC  
 G 2  
 144  
 11 29  
 OF

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):  
 Joseph R. Stansbury, Sr.  
 Sharon Stansbury  
 Address: 8801 Pennsbury Pl. 21237  
 City and State: Baltimore, MD 21237

Attorney for Petitioner: \_\_\_\_\_  
 (Type or Print Name)  
 Signature: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City and State: \_\_\_\_\_

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

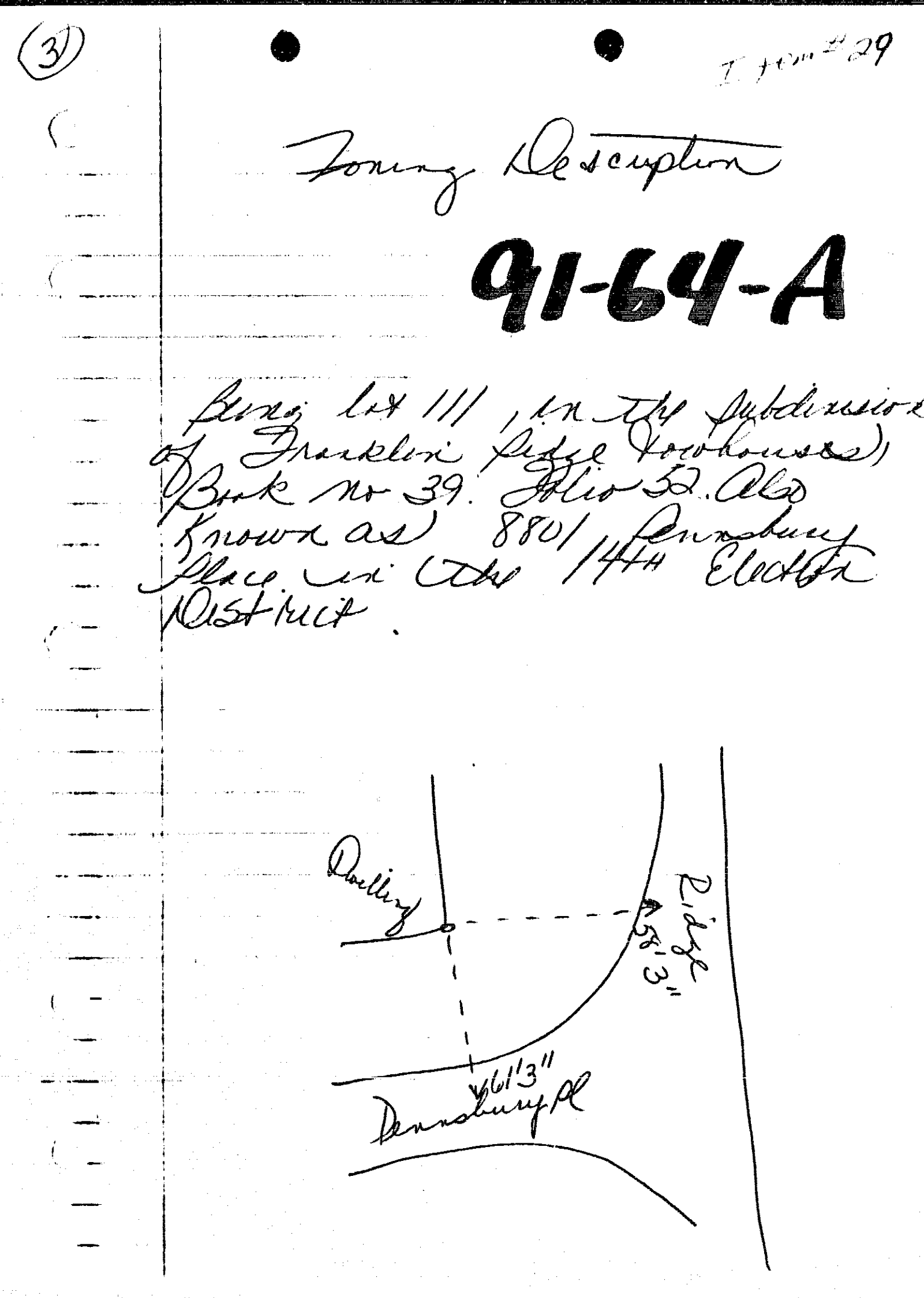
ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_ that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and 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 \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

*J. Robert Haines*  
 Zoning Commissioner of Baltimore County.

ORDER RECEIVED FOR FILING  
 Date 10/22/90  
 By [Signature]

ORDER RECEIVED FOR FILING  
 Date 10/22/90  
 By [Signature]

ORDER RECEIVED FOR FILING  
 Date 10/22/90  
 By [Signature]



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

Account: R-001-6150  
 Number: \_\_\_\_\_

Date: 7/23/90 H9100029

	QTY	PRICE
PUBLIC HEARING FEES	1	\$35.00
010 ZONING VARIANCE (CRL)	1 X	\$35.00
TOTAL:		\$35.00

LAST NAME OF OWNER: STANSBURY

**receipt**  
 No 2995  
 1451

Paid As Per Hand Written  
 RECEIPT #1451 ON 7/20/90

Please make checks payable to: Baltimore County

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

Account: R 001 6150  
 Number: \_\_\_\_\_

Date: 7-20-90

Sharon Stansbury  
 Residential Zoning Variance Filing fee  
 8801 Pennsbury Pl.  
 \$35.00

*Computer NOT working properly. IS accepting info but NOT printing receipts with item nos!*

**receipt**  
 No 2995  
 1451

Please make checks payable to: Baltimore County

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

District: *14th*  
 Date of Posting: *7/23/90*

Posted for: *Sharon Stansbury*

Petitioner: *Sharon Stansbury, Joseph R. Stansbury, Sr.*

Location of property: *8801 Pennsbury Place, 14th Election District, Baltimore, Md.*

Location of Signs: *Sharon Stansbury, Joseph R. Stansbury, Sr. in vicinity of Petitioner*

Remarks: \_\_\_\_\_

Posted by: *J. Robert Haines*  
 Number of Signs: *1*

Date of return: *7/23/90*

**CERTIFICATE OF PUBLICATION**

TOWSON, MD. 9-20, 1990

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 \_\_\_\_\_ successive weeks, the first publication appearing on 9-13, 1990.

THE JEFFERSONIAN,  
*S. Zehle Orlean*  
 Publisher

\$ 90.54

CERTIFICATE OF PUBLICATION

9-19 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9-13 1990

NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER

91-64  
S. Robert Haines  
Publisher

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

J. Robert Haines  
Zoning Commissioner

DATE 10/10/90



Dennis F. Rasmussen  
County Executive

Mr. & Mrs. Joseph R. Stansbury, Sr.  
8801 Pennsbury Place  
Baltimore, Maryland 21237

Re: Petition for Zoning Variance  
CASE NUMBER: 91-64-A  
S/S Pennsbury Place, SE/Corner Ridge Road  
8801 Pennsbury Place  
14th Election District - 6th Councilmanic  
Petitioner(s): Joseph R. Stansbury, Sr., et ux  
HEARING: FRIDAY, OCTOBER 12, 1990 at 2:00 p.m.

Dear Mr. & Mrs. Stansbury:

Please be advised that \$117.54 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,

J. Robert Haines  
J. ROBERT HAINES  
ZONING COMMISSIONER

JRH:gs

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

J. Robert Haines  
Zoning Commissioner

August 16, 1990



Dennis F. Rasmussen  
County Executive

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 21204 as follows:

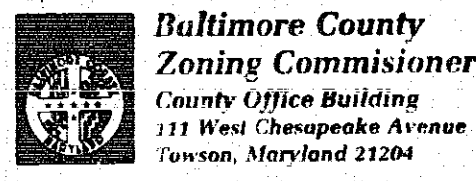
Petition for Zoning Variance  
CASE NUMBER: 91-64-A  
S/S Pennsbury Place, SE/Corner Ridge Road  
8801 Pennsbury Place  
14th Election District - 6th Councilmanic  
Petitioner(s): Joseph R. Stansbury, Sr., et ux  
HEARING: FRIDAY, OCTOBER 12, 1990 at 2:00 p.m.

Variance to allow a rear yard setback for an open deck of 6 ft. and a contiguous open area of 108 sq. ft. in lieu of the required 11.25 ft. and 500 sq. ft. respectively AND to amend the 3rd Amended Partial Development Plan of Franklin Ridge, Section II, Block I, Lot No. 111 to allow construction of same outside of the building envelope.

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. Stansbury



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

Account: R-001-6150

Number: M9100312

receipt

No 3641

Date 10/11/90  
PUBLIC HEARING FEES QTY PRICE  
080 -POSTING SIGNS / ADVERTISING 1 X \$117.54  
TOTAL: \$117.54  
LAST NAME OF OWNER: STANSBURY

91-64

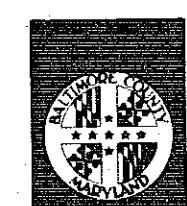
04AD#00B2M1CHR0 \$117.54  
RA 0009+1AM10-15-90

Cashier Validation:

Please make checks payable to: Baltimore County

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

J. Robert Haines  
Zoning Commissioner



Dennis F. Rasmussen  
County Executive

Your petition has been received and accepted for filing this 8th day of August, 1990.

J. Robert Haines  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By:

James E. Dyer  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Joseph R. Stansbury, et ux  
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner DATE: August 6, 1990  
FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning  
SUBJECT: Joseph R. Stansbury, Sr., Item No. 29

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.

EK/JL/cmm  
ITEM29/ZAC1

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 405  
Towson, Maryland 21204  
(301) 887-3554

August 10, 1990



Dennis F. Rasmussen  
County Executive

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

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 11, 13, 15, 16, 17, 18, 20, 22, 23, 24, 25, 28, and 29.

Very truly yours,  
Michael S. Flanigan  
Michael S. Flanigan  
Traffic Engineer Associate II

MSF/lvw

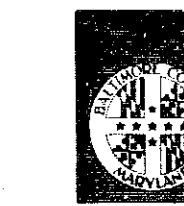
RECEIVED  
AUG 20 1990

ZONING OFFICE

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

Paul H. Heinicke  
Chief

July 30, 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: JOSEPH R. STANSBURY, SR.  
Location: #8801 PENNSBURY PLACE  
Item No.: 29 Zoning Agenda: AUGUST 7, 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: [Signature] Noted and Approved: [Signature]  
Planning Group Captain W.F. Brady, Jr.  
Special Inspection Division Fire Prevention Bureau

JR/KEK

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING  
FROM: CHARLES E. BURHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES  
SUBJECT: ZONING ITEM #: 29  
PROPERTY OWNER:  
LOCATION:  
ELECTION DISTRICT:  
COUNCILMANIC DISTRICT:

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- ( ) PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- ( ) PARKING LOCATION ( ) RAMPS (degree slope)
- ( ) NUMBER PARKING SPACES ( ) CURB CUTS
- ( ) BUILDING ACCESS ( ) SIGNAGE
- ( ) PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 9 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
- ( ) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.
- ( ) A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
- ( ) STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).
- OTHER -

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21284 - PHONE - 897-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN. A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

CHECK ITEM APPLICABLE TO THIS PLAN

TO: Zoning Advisory Committee DATE: August 9, 1990  
FROM: Robert W. Bowling, P.E.  
RE: Zoning Advisory Committee Meeting for August 7, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 11, 15, 16, 17, 18, 20, 23, 24, 25, and 28.

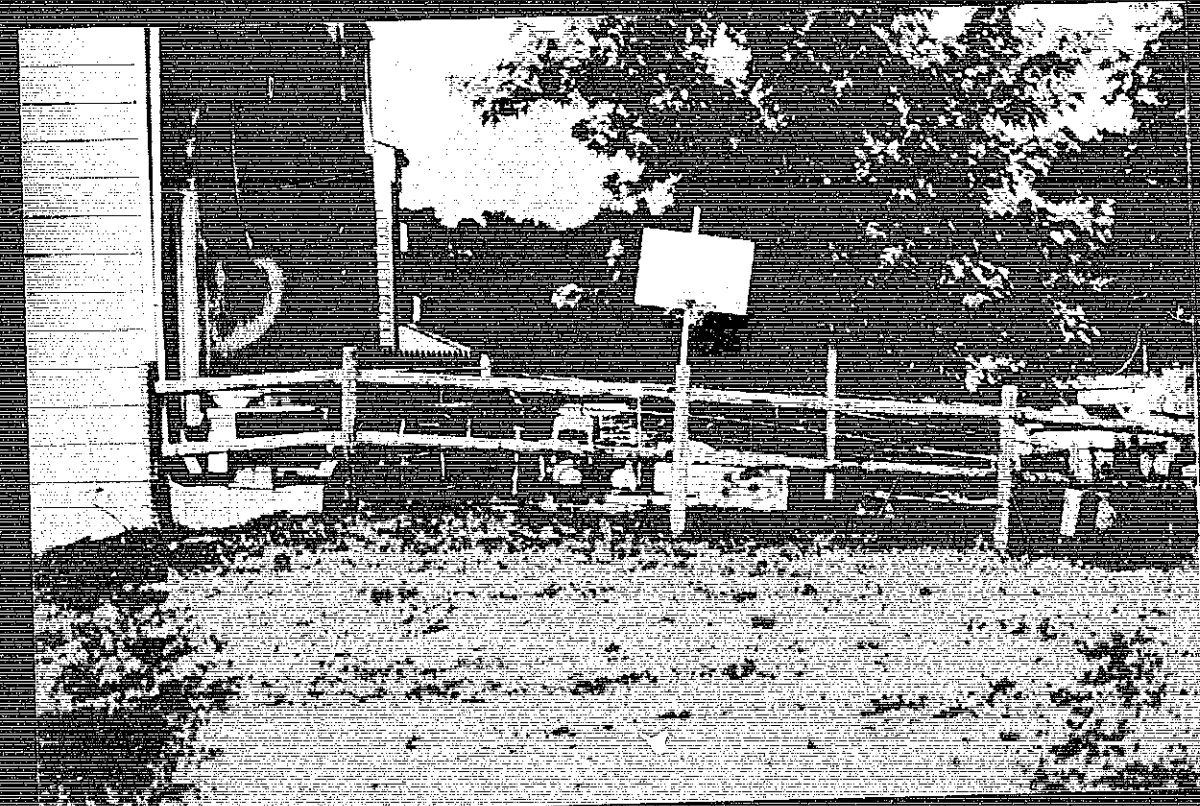
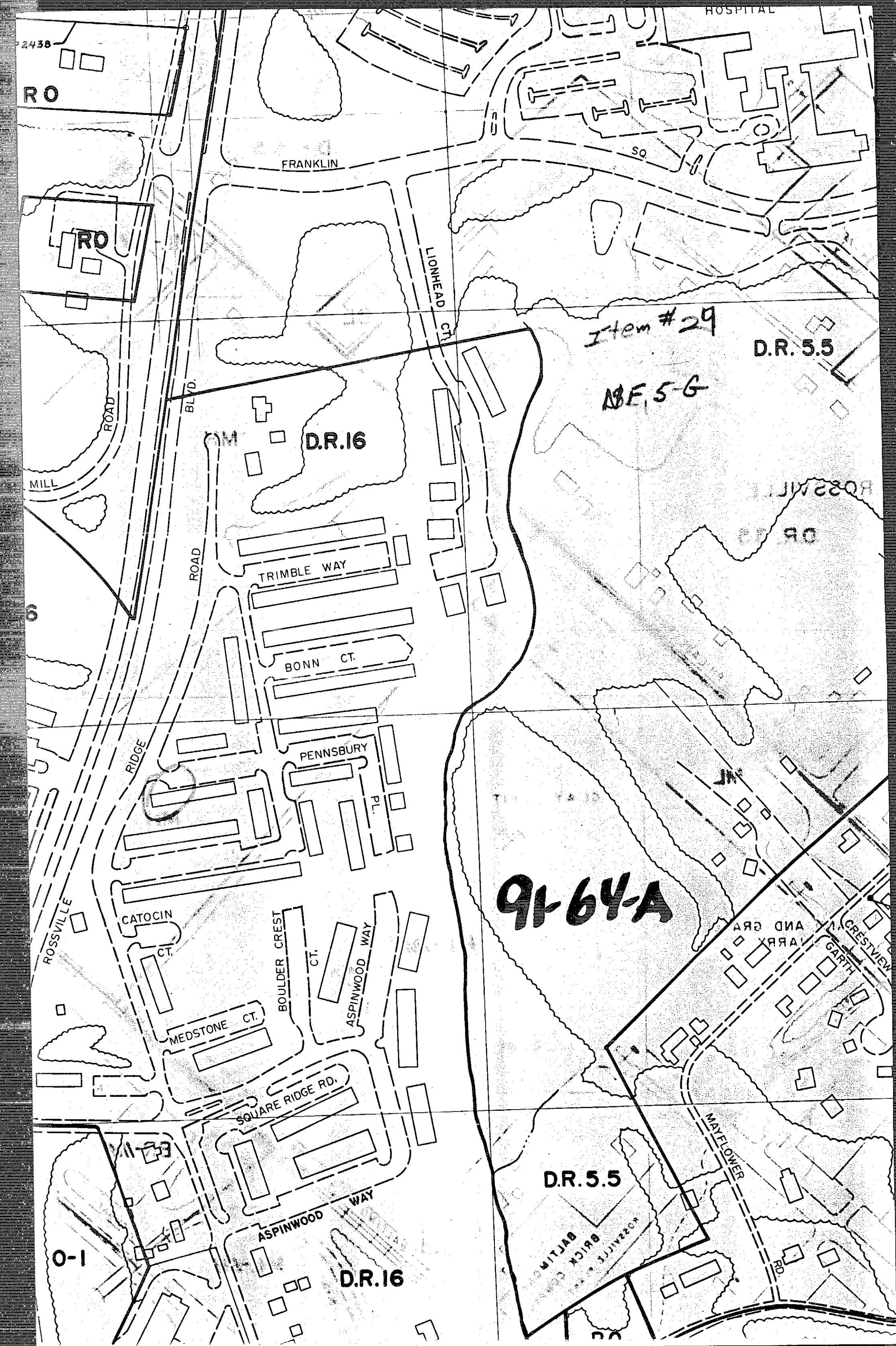
For Item 13, water and sewer are available to the site. The Developer is responsible for extension of the paved road to the proposed lot with an 18-foot open paving section, ending with a 40-foot x 50-foot turnaround area and any drainage structures required.

For Item 22, water and sewer are available to the site. No public improvements are required.

For Item 29, the 5-foot utility easement along the west lot line of Lot III is a County easement, and as such, no permanent structures are allowed within the easement area.

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

RWB:s



5. Penny Keltz 8808 Trimble Way
6. Mrs. Lillian McKenzie 8802 Trimble Way
6. Denise Buck 8804 Trimble Way
7. Carol Ledford 8812 Trimble Way
8. Pam Kenney 8801 Pennsbury Pl.
- 9.
- 10.

**PETITIONER'S EXHIBIT 3**

**Plat to accompany Petition for Zoning Variance**  **Special Hearing**

PROPERTY ADDRESS: 3301 PENNSBURY PLACE  
SUBDIVISION NAME: DANLON RIDGE  
OWNER: [unclear] + Sharon [unclear]

10' UTILITY EASEMENT

Scale of Drawing: 1" = 20'

North date: 7/19/90 prepared by: SAG

**PETITIONER'S EXHIBIT 1**

**91-64-A**

LOCATION INFORMATION  
Commission District: 6  
Election District: 4  
1"=200' state map: 1:50  
Zoning: DR-16  
Lot size: 0.29 acres  
Lot area: 129.6 square feet

SEWER:  WATER:   
Chesapeake Bay Critical Area:   
Prior Zoning Hearing: 6/21/88

Zoning Office USE ONLY  
reviewed by: [unclear] ITEM #: 29 CASE#: