

IN RE: PETITION FOR RESIDENTIAL VARIANCE\* BEFORE THE  
N/S Scotts Moore Court, 400' N  
of the c/l of Highland Ridge Dr. • DEPUTY ZONING COMMISSIONER  
(5 Scotts Moore Court)  
10th Election District • OF BALTIMORE COUNTY  
3rd Councilmanic District • Case No. 92-445-A  
Robert N. Greene, et ux  
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a  
Petition for Residential Variance in which the Petitioners request relief  
from Section 1A03.4.B.6 of the Baltimore County Zoning Regulations  
(B.C.Z.R.) to permit a rear yard setback of 45 feet in lieu of the re-  
quired 50 feet for a proposed addition in accordance with Petitioner's  
Exhibit 1.

The Petitioners having filed a Petition for Administrative Vari-  
ance and the subject property having been posted and there being no re-  
quests for public hearing, a decision shall be rendered based upon the  
documentation presented.

The Petitioners have filed the supporting affidavits as required  
by Section 26-127 (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 gener-  
al welfare of the public and should therefore be granted. In the opinion  
of the Deputy Zoning Commissioner, the information, pictures, and affide-  
vits 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.

MICROFILMED

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 10<sup>th</sup> day of June, 1992 that the Petition for  
Administrative Variance requesting relief from Section 1A03.4.B.6 of the  
Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard set-  
back of 45 feet in lieu of the required 50 feet for a proposed addition,  
in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, sub-  
ject, however, to the following restrictions which are conditions prece-  
dent 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.

*Timothy M. Kotrooc*  
TIMOTHY M. KOTROOC  
Deputy Zoning Commissioner  
for Baltimore County

TWK:bjs

MICROFILMED

Baltimore County Government  
Zoning Commission  
Office of Planning and Zoning

Suite 113 Courthouse  
401 Washington Avenue  
Towson, MD 21204

(110) 887-4386

June 10, 1992

Mr. & Mrs. Robert N. Greene  
5 Scotts Moore Court  
Phoenix, Maryland 21131

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
N/S Scotts Moore Court, 400' N of the c/l of Highland Ridge Drive  
(5 Scotts Moore Court)  
10th Election District - 3rd Councilmanic District  
Robert N. Greene, et ux - Petitioners  
Case No. 92-445-A

Dear Mr. & Mrs. Greene:

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

In the event any party finds the decision rendered is unfavor-  
able, 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,  
*Timothy M. Kotrooc*

TIMOTHY M. KOTROOC  
Deputy Zoning Commissioner  
for Baltimore County

TWK:bjs

cc: Mr. & Mrs. John B. Devine, Jr.  
448 Boxford Street, N. Andover, Massachusetts 01845

People's Counsel  
File

MICROFILMED

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:  
92-445-A

The undersigned, legal owner(s) of the property located in Baltimore County and as described in the attached map and map, petition for a Variance from Section 1A03.4.B.6 of the B.C.Z.R. to allow rear yard setback for a proposed addition of 45 feet in lieu of the minimum required 50 feet.

of the Zoning Regulations of Baltimore County for the following reasons: (attach map or plan if any)

The kitchen in the existing house is small and the proposed buyers would like to expand it to make it more liveable. However, the location of the kitchen within the house and also the proximity of the dwelling to the rear property line make the expansion impossible without the requested variance.

Property to be advertised and/or posted as prescribed by Zoning Regulations.

I/we agree to pay expenses of the above 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:  
*John B. Devine, Jr.*  
*John B. Devine, Jr.*  
448 Boxford St.  
No. Andover MA 01845  
City State Zip Code  
Attorney for Petitioner: Contract Purchaser  
*Paula C. Devine*  
*Paula C. Devine*  
City State Zip Code  
Mckee & Associates, Inc.  
Shawan Place - 5 Shawan Road  
Hunt Valley, Maryland 21030

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS ORDERED  
by the Zoning Commissioner of Baltimore County, this 10<sup>th</sup> day of June, 1992, that the subject matter of this petition  
be set in for a public hearing, advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general  
circulation throughout Baltimore County, and that the property be reposted.

ORDER RECEIVED FOR FILING

Date: 6/10/92

By: *Paula C. Devine*

ESTIMATED POSTING DATE: ESTIMATED CLOSING DATE:



ZONING COMMISSIONER OF BALTIMORE COUNTY MICROFILMED

File #

MCKEE & ASSOCIATES, INC.  
Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1555  
Facsimile: (410) 527-1563

May 8, 1992

ZONING DESCRIPTION FOR  
5 SCOTTS MOORE COURT  
BALTIMORE COUNTY, MARYLAND

Beginning at a point on the north side of Scotts Moore Court, 50 feet  
wide, at the distance of 400 feet north of the centerline of Highland Ridge  
Drive, 50 feet wide.

Being Lot No. 46, Plat 3 in the subdivision of The Highlands of Hunt  
Valley as recorded in Baltimore County Plat Book 38, Folio 112. Containing  
61,071 square feet or 1.402 acres.

Also known as #5 Scotts Moore Court and located in the 10th Election  
District.



CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY 92-445-A  
Towson, Maryland

District: 10th Date of Posting: 5/8/92  
Posted for: Variance  
Petitioner: Robert N. Greene  
Location of property: N/S Scotts Moore Ct., 400' N of Highland Ridge Dr.  
5 Scotts Moore Ct.  
Location of Sign: Front end of Scotts Moore Ct.  
Property of: R.N. Greene  
Remarks:  
Posted by: *William* Date of return: 5/11/92  
Number of Signs: 1

MICROFILMED

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

receipt

Date 5-8-92

Account: R-001-6180  
Number

Residential Variance Filing fee  
(Administrative)  
for  
#5 Scotts Moore Ct.  
MCKEE & ASSOCIATES, INC

50.00 - filing fee  
35.00 - sign  
\$ 85.00

Please Make Checks Payable To: Baltimore County \$85.00  
BA 003148PM05-08-92

MICROFILMED

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

receipt

Date

Account: R-001-6180  
Number

PAID PER HAND-WRITTEN RECEIPT DATED 5/8/92

	5/13/92		HYE00466
PUBLIC HEARING FEES	QTY	PRICE	
010 - ZONING VARIANCE (IRL)	1 X	\$50.00	
080 - POSTING SIGNS / ADVERTISING	1 X	\$35.00	
LAST NAME OF OWNER: GREENE	TOTAL:	\$85.00	

Please Make Checks Payable To: Baltimore County

MICROFILMED

111 West Chesapeake Avenue  
Towson, MD 21204

May 18, 1992

887-3353

Robert and Joan Greene  
5 Scotts Moore Court  
Phoenix, Maryland 21131

Re: CASE NUMBER: 92-445-A  
LOCATION: 5/8 Scotts Moore Court, 400' (1/2) N of c/l Highland Ridge Drive  
5 Scotts Moore Court  
10th Election District - 3rd Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case  
number. Any contact made with this office should reference the case number. This letter also serves as a  
receipt regarding the administrative process.

1) Your property will be posted on or before May 24, 1992. The closing date is June 8, 1992. The  
closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing  
date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will  
issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the  
matter be set in for a public hearing. You will receive written notification as to whether or not your  
petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the  
Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers.  
Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after  
the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE  
PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND  
THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE  
FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR  
DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

*Lawrence E. Schultz*  
Lawrence E. Schultz  
Zoning Commissioner, Baltimore County

cc: Paula C. Devine

MICROFILMED

AFFIDAVIT  
IN SUPPORT OF ADMINISTRATIVE VARIANCE

92-445-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 that Affiant(s) before competent to  
testify therein in the event that a public hearing is scheduled in the future with respect thereto.

That the Affiant(s) do(es) presently reside at 5 Scotts Moore Court

Phoenix Maryland 21131  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative  
Variance at the above address: (attach map or plan if any)

See Note on Reverse Side

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

*Robert N. Greene*  
*Joan M. Greene*  
STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:  
I HEREBY CERTIFY, this 6<sup>th</sup> day of May, 1992, before me, a Notary Public of the State  
of Maryland, in and for the County aforesaid, personally known  
*Robert N. Greene* & *Joan M. Greene*  
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law  
that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESSED by hand and Notarial Seal  
57642 JEN & PETER  
Notary Public  
My Commission Expires  
May 1, 1994



MICROFILMED



May 27, 1992

Mr. & Mrs. Robert N. Greene  
5 Scotts Moore Court  
Phoenix, MD 21131

RE: Item No. 466, Case No. 92-445-A  
Petitioner: Robert N. Greene, et ux  
Petition for Administrative Variance

Dear Mr. & Mrs. Greene:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate that all appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

MICROFILMED



Your petition has been received and accepted for filing this 8th day of May, 1992.

*Arnold Jablon*  
ARNOLD JABLON  
DIRECTOR

Received By:  
*W. Carl Richards Jr.*  
W. Carl Richards Jr.  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Robert N. Greene, et ux  
Petitioner's Attorney:

MICROFILMED

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
/	Phillip And Carol Faulkenklaus	461		5-18-92 NC
DED DEPRM RP STP TE				
/	August J. And Elsie W. Seifert	464		Comment
DED DEPRM RP STP TE				
/	Francis D. And Suzanne L. Bovle	465		NC
DED DEPRM RP STP TE				
/	Robert N. And Joan M. Greene	466		NC
DED DEPRM RP STP TE				
/	Joseph P. And Gloria G. Connore	467		NC
DED DEPRM RP STP TE				
/	Kilmarnock Associates	468		Comment
DED DEPRM RP STP TE				
/	Automaster, Inc.	469		Comment
DED DEPRM RP STP TE				
/	Douglas And Mary Holschneider	470		Comment
DED DEPRM RP STP TE				
/	Reisterstown Bible Church	471		Comment
DED DEPRM RP STP TE				
/	Pikesville Partnership	472		Comment
DED DEPRM RP STP TE				
/	Baltimore Gas And Electric Company	475		Comment
DED DEPRM RP STP TE				
/	Charles R. Carroll	476		Comment
DED DEPRM RP STP TE				

MICROFILMED

MEMORANDUM

TO: Arnold Jablon, Director - Zoning Administration & Development Management

FROM: Ervin McDaniel, Chief Development Review Section Office of Planning and Zoning

DATE: May 20, 1992

SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - May 18, 1992

The Office of Planning and Zoning has no comments on the following petitions:

- Philip & Carol Falkenklaus - Item 461
- Francis & Suzanne Boyle - Item 465
- Robert & Joan Greene - Item 466
- Joseph & Gloria Connor - Item 467
- Alonso & Virginia Decker - Item 473

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

RECEIVED  
MAY 21 1992  
ZONING DIVISION

5.18.92.txt  
Petitns.txt

MICROFILMED

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
/	Phillip And Carol Faulkenklaus	461	NIC	5-18-92
DED DEPRM RP STP TE				
/	August J. And Elsie W. Seifert	464	W/C	
DED DEPRM RP STP TE				
/	Francis D. And Suzanne L. Bovle	465	N/C	
DED DEPRM RP STP TE				
/	Robert N. And Joan M. Greene	466	N/C	
DED DEPRM RP STP TE				
/	Joseph P. And Gloria G. Connore	467	N/C	
DED DEPRM RP STP TE				
/	Kilmarnock Associates	468	W/C	
DED DEPRM RP STP TE				
/	Automaster, Inc.	469	W/C	
DED DEPRM RP STP TE				
/	Douglas And Mary Holschneider	470	W/C	
DED DEPRM RP STP TE				
/	Reisterstown Bible Church	471	W/C	
DED DEPRM RP STP TE				
/	Pikesville Partnership	472	W/C	
DED DEPRM RP STP TE				
/	Baltimore Gas And Electric Company	475	N/C	
DED DEPRM RP STP TE				
/	Charles R. Carroll	476	W/C	
DED DEPRM RP STP TE				

MICROFILMED



MAY 22, 1992

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: ROBERT N. GREENE AND JOAN M. GREENE

Location: #5 SCOTTS MOORE COURT

Item No.: \*466 (JJS) Zoning Agenda: MAY 18, 1992

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: *Carl Jones* Noted and Approved  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JP/KEK

RECEIVED  
MAY 24 1992  
ZONING OFFICE

MICROFILMED

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
/	Phillip And Carol Faulkenklaus	461	No Comments	5-18-92
DED DEPRM RP STP TE				
/	August J. And Elsie W. Seifert	464	No Comments	
DED DEPRM RP STP TE				
/	Francis D. And Suzanne L. Bovle	465	No Comments	
DED DEPRM RP STP TE				
/	Robert N. And Joan M. Greene	466	No Comments	
DED DEPRM RP STP TE				
/	Joseph P. And Gloria G. Connore	467	No Comments	
DED DEPRM RP STP TE				
/	Kilmarnock Associates	468	No Comments	
DED DEPRM RP STP TE				
/	Automaster, Inc.	469	No Comments	
DED DEPRM RP STP TE				
/	Douglas And Mary Holschneider	470	No Comments	
DED DEPRM RP STP TE				
/	Reisterstown Bible Church	471	No Comments	
DED DEPRM RP STP TE				
/	Pikesville Partnership	472	No Comments	
DED DEPRM RP STP TE				
/	Baltimore Gas And Electric Company	475	No Comments	
DED DEPRM RP STP TE				
/	Charles R. Carroll	476	No Comments	
DED DEPRM RP STP TE				

MICROFILMED

May 7, 1992

Mr. Lawrence Schmidt  
Zoning Commissioner  
Baltimore County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Re: 5 Scotts Moore Court  
Administrative Variance Request

Dear Commissioner Schmidt:

Please find enclosed, herewith, a package to accommodate an Administrative Variance Request for the above referenced site.

Our client, Mr. & Mrs. John Devine, have contracted to purchase the existing house from Mr. & Mrs. Robert N. Greene. As a contingency to the contract, the Devine's desire to receive approval from your office to build an addition within 45 feet of the rear property line in lieu of the required 50 feet.

The Devine's wish to expand the existing kitchen located in the rear of the house, to make it more livable. The only practical means of architecturally accommodating an expansion is to move out into the rear of the house as shown on the site plan.

Because the existing house is tight to the rear setback line, the Devine's can not strictly comply with the 50 foot setback and still achieve a reasonable expansion.

As depicted on the site plan and aerial photograph, the lot is surrounded by the Hunt Valley Golf Course, with a vacant lot to the right, and a lot to the left improved with a two story house approximately 200 feet from the proposed addition. The angle of the existing house though, will serve to shield the proposed addition from this existing residence.

MICROFILMED

Letter to Mr. Lawrence Schmidt  
 Re: 5 Scotts Moore Court  
 May 7, 1992  
 Page Two

92-445-A

Thank you for your consideration in this matter. Our clients face a contract deadline of May 29, 1992 and would greatly appreciate a response before that date if at all possible.

Very truly yours,  
 MCKEE & ASSOCIATES, INC.

*Geoffrey C. Schultz*  
 Geoffrey C. Schultz/Vice President

GCS:ajw

Enclosure

cc: Scott Haupt  
 Mr & Mrs. John Devine

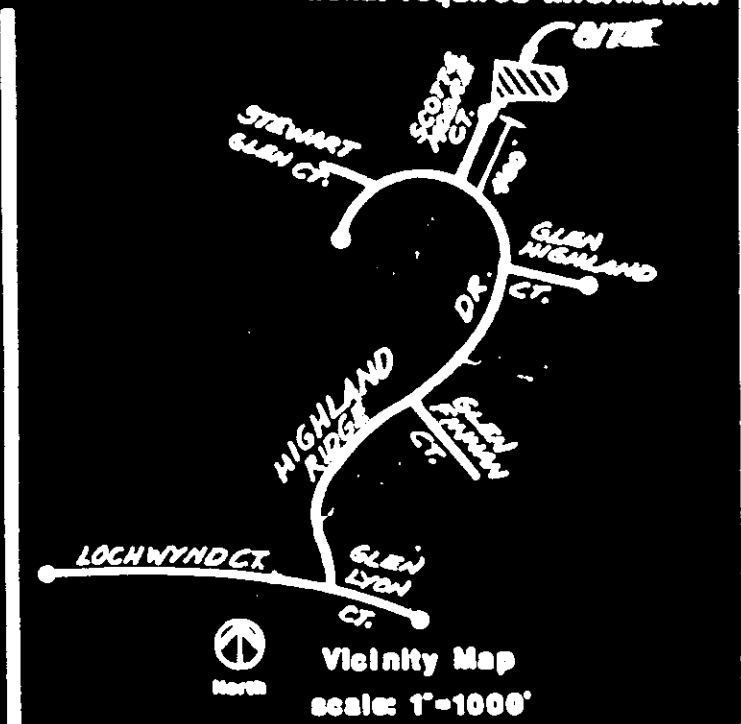
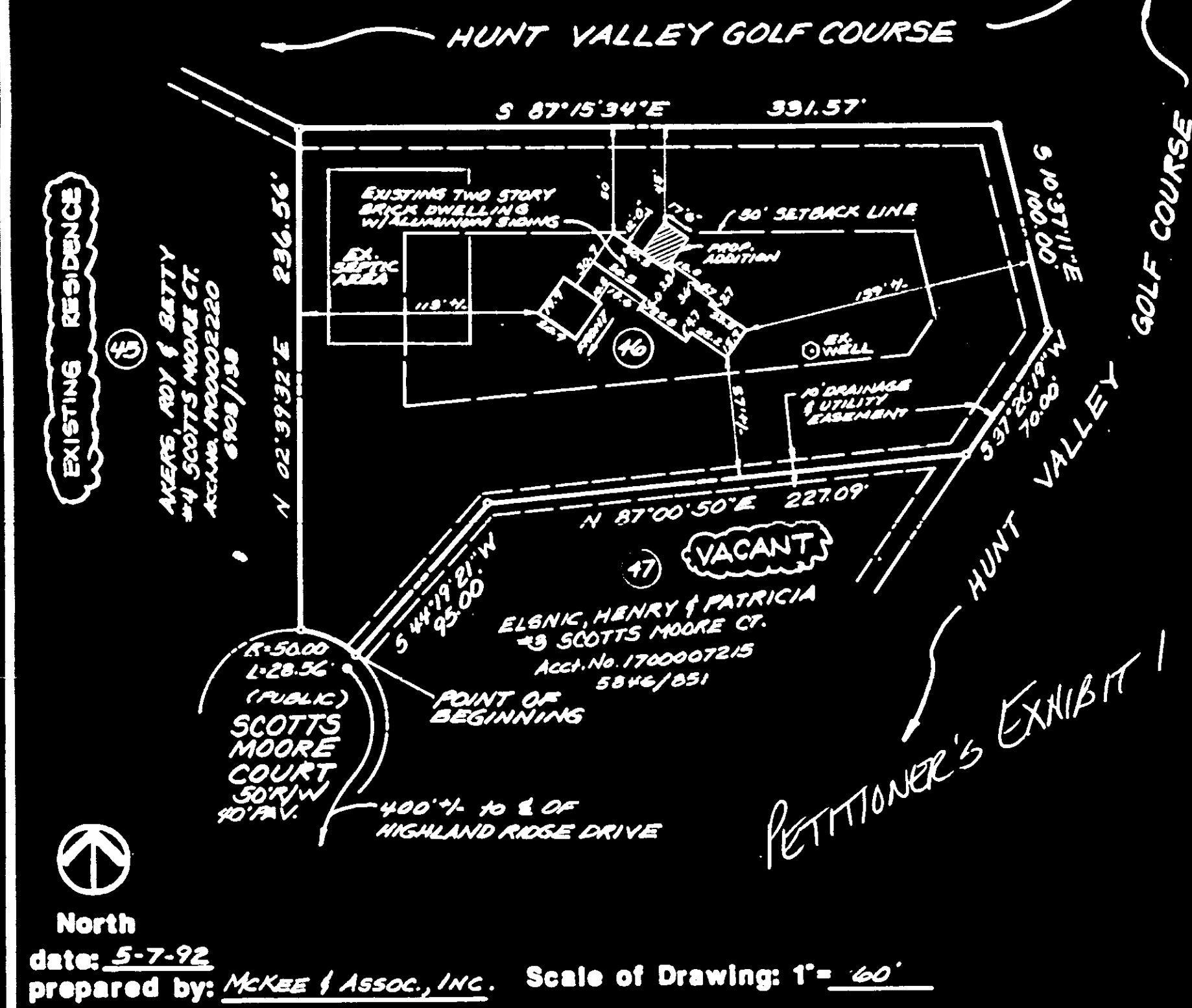
MICROFILMED

Plat to accompany Petition for Zoning  Variance  Special Hearing

PROPERTY ADDRESS: #5 SCOTTS MOORE COURT see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: "THE HIGHLANDS OF HUNT VALLEY"  
 plat books 88, 112, 118, 126, sections 3

OWNER: GREENE, ROBERT N. & JOAN M.



LOCATION INFORMATION

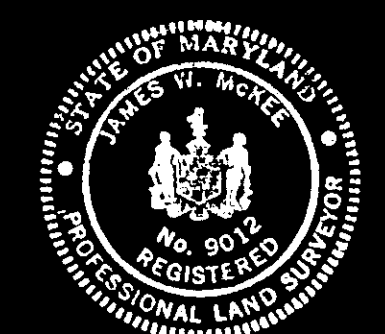
Councilman's District: 3rd  
 Election District: 10th  
 1"=200' scale map: NE 21A  
 Zoning: RC-4  
 Lot size: 1.402 acreage 61,071 square feet

SEWER:  public  private  
 WATER:  public  private

Chesapeake Bay Critical Area:   
 Prior Zoning Hearings: NONE

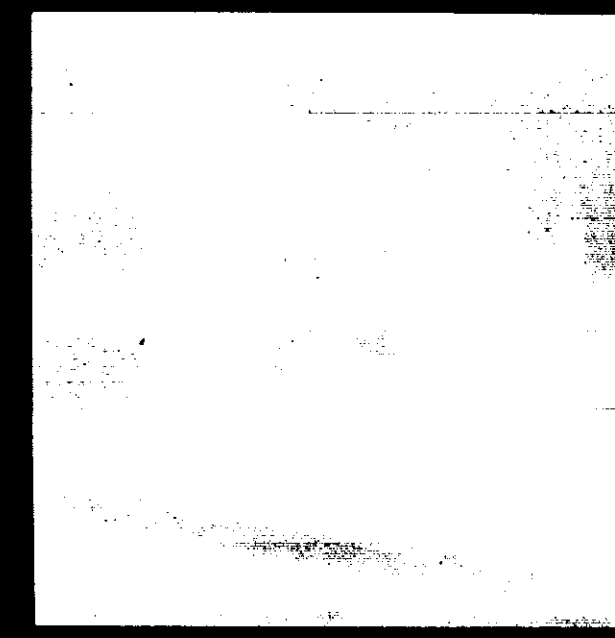
Zoning Office USE ONLY!  
 reviewed by: ITEM #: CASE#:  
 466

92-445-A

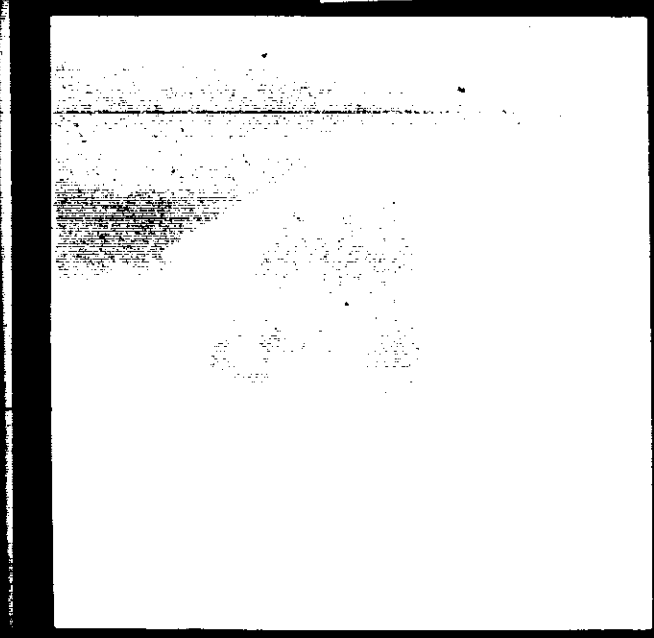


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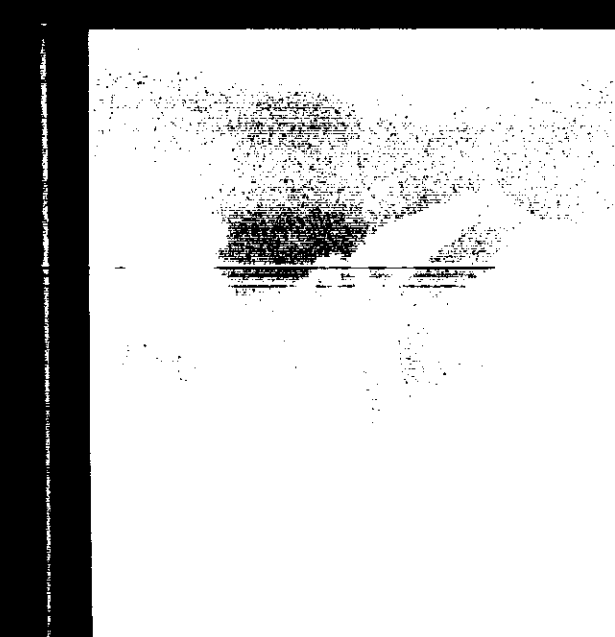
92-445-A



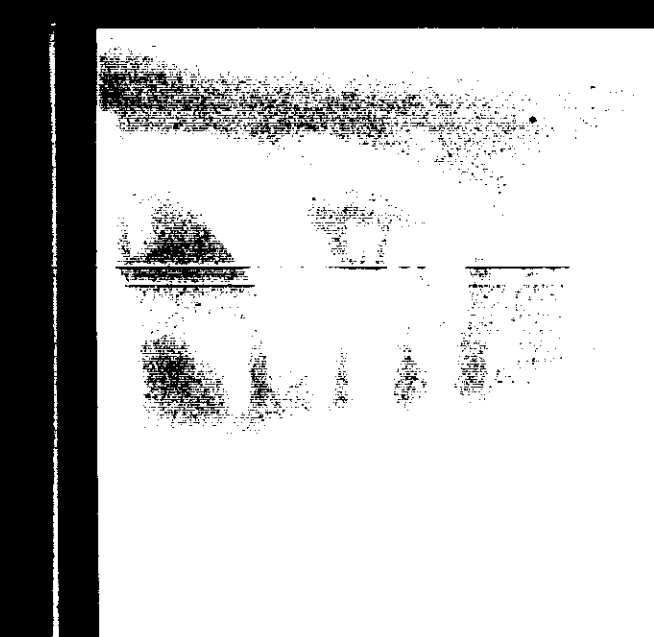
LEFT FRONT



LEFT REAR



RIGHT FRONT



RIGHT REAR

MICROFILMED

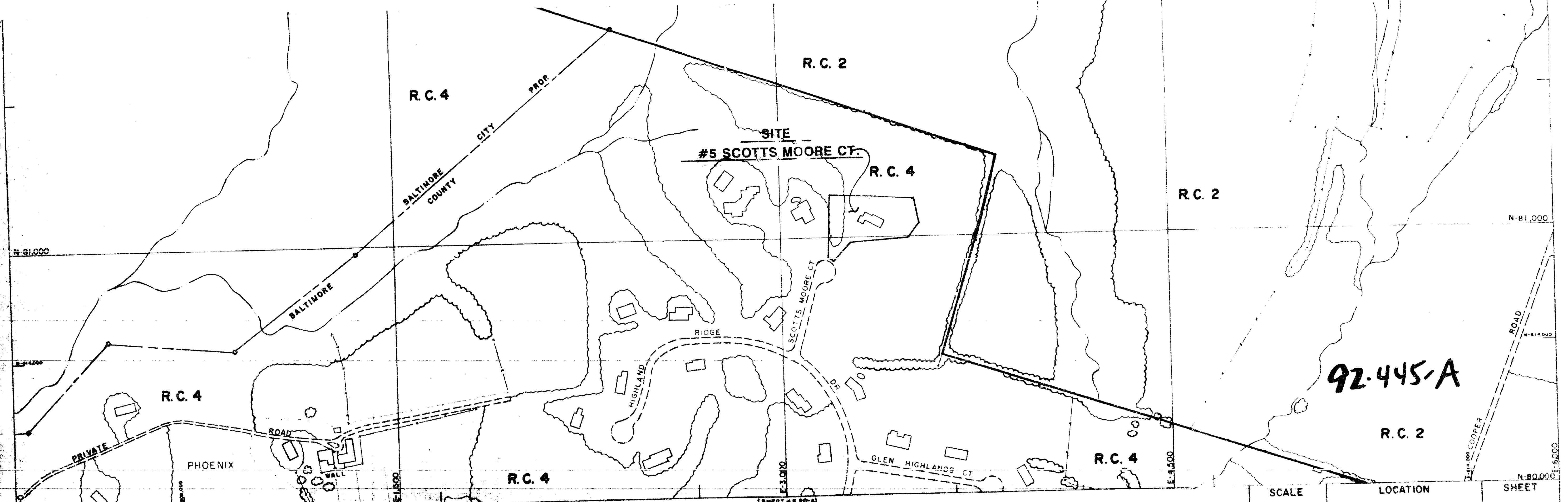
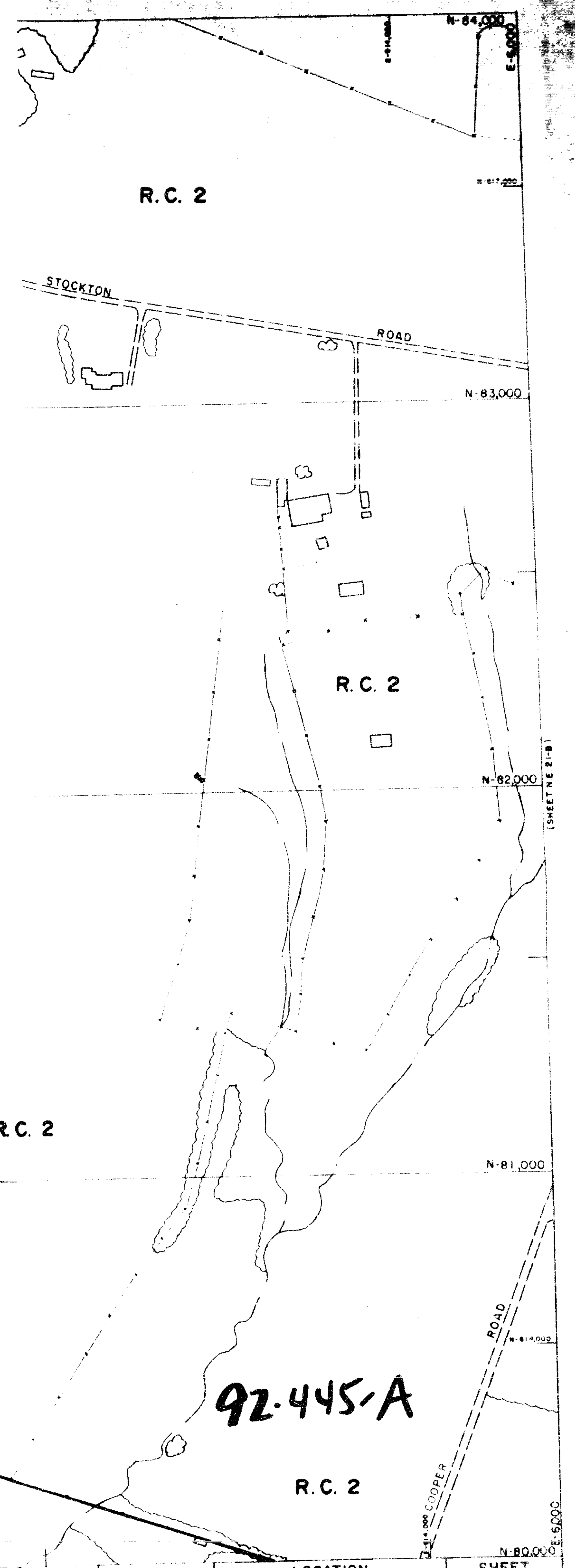


BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP 92-445A

466

SCALE 1" = 200'  
DATE OF PHOTOGRAPHY JANUARY 1986  
LOCATION NORTHEAST OF PHOENIX  
SHEET N E 21-A

MICROFILMED



92-445-A

V-NE U-NW  
DD-SF EE-NW

1988 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
On 12/15/88

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
OFFICIAL ZONING MAP

SCALE 1" = 200'  
DATE OF PHOTOGRAPHY JANUARY 1986  
LOCATION NORTHEAST OF PHOENIX  
SHEET N E 21-A

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.  
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS  
BY BUCHART-MORRIS, INC. BALTIMORE, MD. 21218

466

IN RE: PETITION FOR RESIDENTIAL VARIANCE\* BEFORE THE  
N/S Scotts Moore Court, 400' N  
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ject, however, to the following restrictions which are conditions prece-  
dent 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.

*Timothy M. Kotrooc*  
TIMOTHY M. KOTROOC  
Deputy Zoning Commissioner  
for Baltimore County

TWK:bjs

MICROFILMED

Baltimore County Government  
Zoning Commission  
Office of Planning and Zoning

Suite 113 Courthouse  
401 Washington Avenue  
Towson, MD 21204

(110) 887-4386

June 10, 1992

Mr. & Mrs. Robert N. Greene  
5 Scotts Moore Court  
Phoenix, Maryland 21131

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
N/S Scotts Moore Court, 400' N of the c/l of Highland Ridge Drive  
(5 Scotts Moore Court)  
10th Election District - 3rd Councilmanic District  
Robert N. Greene, et ux - Petitioners  
Case No. 92-445-A

Dear Mr. & Mrs. Greene:

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

In the event any party finds the decision rendered is unfavor-  
able, 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,  
*Timothy M. Kotrooc*

TIMOTHY M. KOTROOC  
Deputy Zoning Commissioner  
for Baltimore County

TWK:bjs

cc: Mr. & Mrs. John B. Devine, Jr.  
448 Boxford Street, N. Andover, Massachusetts 01845

People's Counsel  
File

MICROFILMED

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

92-445-A

The undersigned, legal owner(s) of the property located in Baltimore County and as described in the attached map and zoning ordinance, petition for a Variance from Section 1A03.4.B.6 of the B.C.Z.R. to allow rear yard setback for a proposed addition of 45 feet in lieu of the minimum required 50 feet.

of the Zoning Regulations of Baltimore County for the following reasons: (attach map or plan if any)

The kitchen in the existing house is small and the proposed buyers would like to expand it to make it more liveable. However, the location of the kitchen within the house and also the proximity of the dwelling to the rear property line make the expansion impossible without the requested variance.

Property to be advertised and/or posted as prescribed by Zoning Regulations.

I/we agree to pay expenses of the above 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:  
*John B. Devine, Jr.*  
*John B. Devine, Jr.*  
448 Boxford St.  
No. Andover MA 01845  
City State Zip Code  
Attorney for Petitioner: Contract Purchaser  
*Paula C. Devine*  
*Paula C. Devine*  
City State Zip Code  
Name, address and phone number of owner, contract purchaser or representative to be contacted:  
MCKEE & ASSOCIATES, INC.  
Shawan Place - 5 Shawan Road  
Hunt Valley, Maryland 21030

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 10<sup>th</sup> day of June, 1992, that the subject matter of this petition be set in for a public hearing, advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

ORDER RECEIVED FOR FILING

Date: 6/10/92

By: *Paula C. Devine*

ESTIMATED POSTING DATE: ESTIMATED CLOSING DATE:



ZONING COMMISSIONER OF BALTIMORE COUNTY MICROFILMED

Form #

MCKEE & ASSOCIATES, INC.  
Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1555  
Facsimile: (410) 527-1563

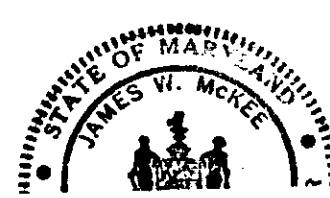
May 8, 1992

ZONING DESCRIPTION FOR  
5 SCOTTS MOORE COURT  
BALTIMORE COUNTY, MARYLAND

Beginning at a point on the north side of Scotts Moore Court, 50 feet wide, at the distance of 400 feet north of the centerline of Highland Ridge Drive, 50 feet wide.

Being Lot No. 46, Plat 3 in the subdivision of The Highlands of Hunt Valley as recorded in Baltimore County Plat Book 38, Folio 112. Containing 61,071 square feet or 1.402 acres.

Also known as #5 Scotts Moore Court and located in the 10th Election District.



CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 10th Date of Posting: 5/8/92  
Posted for: Variance  
Petitioner: Robert N. Greene  
Location of property: N/S Scotts Moore Ct., 400' N of Highland Ridge Dr.  
5 Scotts Moore Ct.  
Location of signs: Front end of Scotts Moore Ct.  
Property of: R.N. Greene  
Remarks:  
Posted by: *William* Date of return: 5/11/92  
Number of Signs: 7

MICROFILMED

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

receipt

Date 5-8-92

Account: R-001-6180  
Number

Residential Variance Filing fee  
(Administrative)  
for  
#5 Scotts Moore Ct.  
MCKEE & ASSOCIATES, INC

50.00 - filing fee  
35.00 - sign  
\$ 85.00

Please Make Checks Payable To: Baltimore County \$85.00  
BA 003148PM05-08-92

MICROFILMED

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

receipt

Date

Account: R-001-6180  
Number

PAID PER HAND-WRITTEN RECEIPT DATED 5/8/92

5/13/92			HYE00466
PUBLIC HEARING FEES	QTY	PRICE	
010 - ZONING VARIANCE (IRL)	1 X	\$50.00	
080 - POSTING SIGNS / ADVERTISING	1 X	\$35.00	
LAST NAME OF OWNER: GREENE	TOTAL:	\$85.00	

MICROFILMED

Please Make Checks Payable To: Baltimore County

111 West Chesapeake Avenue  
Towson, MD 21204

May 18, 1992

887-3353

Robert and Joan Greene  
5 Scotts Moore Court  
Phoenix, Maryland 21131

Re: CASE NUMBER: 92-445-A  
LOCATION: 5/8 Scotts Moore Court, 400' (1/2) N of c/l Highland Ridge Drive  
5 Scotts Moore Court  
10th Election District - 3rd Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a reaffirmation regarding the administrative process.

1) Your property will be posted on or before May 24, 1992. The closing date is June 8, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

*Lawrence E. Schultz*  
Lawrence E. Schultz  
Zoning Commissioner, Baltimore County

cc: Paula C. Devine

MICROFILMED

AFFIDAVIT  
IN SUPPORT OF ADMINISTRATIVE VARIANCE

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 that Affiant(s) before competent to testify thereto in the event that a public hearing is scheduled to the future with respect thereto.

That the Affiant(s) do(es) presently reside at: 5 Scotts Moore Court

Phoenix Maryland 21131  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (attach map or plan if any)

See Note on Reverse Side

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

*Robert N. Greene*  
*Joan M. Greene*  
STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:  
I HEREBY CERTIFY, this 6<sup>th</sup> day of May, 1992, before me, a Notary Public of the State of Maryland, in and for the County of Baltimore, personally known and known to me as such Affiant(s), and made oath in due form of law that the within and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESSED by hand and Notarial Seal:  
*57642 J.P. & P. Minin*  
Notary Public  
My Commission Expires: May 1, 1994



MICROFILMED



May 27, 1992

Mr. & Mrs. Robert N. Greene  
5 Scotts Moore Court  
Phoenix, MD 21131

RE: Item No. 466, Case No. 92-445-A  
Petitioner: Robert N. Greene, et ux  
Petition for Administrative Variance

Dear Mr. & Mrs. Greene:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate that all appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

MICROFILMED



Your petition has been received and accepted for filing this 8th day of May, 1992.

*Arnold Jablon*  
ARNOLD JABLON  
DIRECTOR

Received By:  
*W. Carl Richards Jr.*  
W. Carl Richards Jr.  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Robert N. Greene, et ux  
Petitioner's Attorney:

MICROFILMED

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
/	Phillip And Carol Faulkenklous	461		5-18-92 NC
DED DEPRM RP STP TE				
/	August J. And Elsie W. Seifert	464		Comment
DED DEPRM RP STP TE				
/	Francis D. And Suzanne L. Bovle	465		NC
DED DEPRM RP STP TE				
/	Robert N. And Joan M. Greene	466		NC
DED DEPRM RP STP TE				
/	Joseph P. And Gloria G. Connore	467		NC
DED DEPRM RP STP TE				
/	Kilmarnock Associates	468		Comment
DED DEPRM RP STP TE				
/	Automaster, Inc.	469		Comment
DED DEPRM RP STP TE				
/	Douglas And Mary Holschneider	470		Comment
DED DEPRM RP STP TE				
/	Reisterstown Bible Church	471		Comment
DED DEPRM RP STP TE				
/	Pikesville Partnership	472		Comment
DED DEPRM RP STP TE				
/	Baltimore Gas And Electric Company	475		Comment
DED DEPRM RP STP TE				
/	Charles R. Carroll	476		Comment
DED DEPRM RP STP TE				

MICROFILMED

MEMORANDUM

TO: Arnold Jablon, Director - Zoning Administration & Development Management

FROM: Ervin McDaniel, Chief Development Review Section Office of Planning and Zoning

DATE: May 20, 1992

SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - May 18, 1992

The Office of Planning and Zoning has no comments on the following petitions:

- Philip & Carol Falkenklaus - Item 461
- Francis & Suzanne Boyle - Item 465
- Robert & Joan Greene - Item 466
- Joseph & Gloria Connor - Item 467
- Alonso & Virginia Decker - Item 473

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

RECEIVED

5.18.92.txt  
Petitns.txt

MICROFILMED

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
/	Phillip And Carol Faulkenklous	461	NIC	5-18-92
DED DEPRM RP STP TE				
/	August J. And Elsie W. Seifert	464	W/C	
DED DEPRM RP STP TE				
/	Francis D. And Suzanne L. Bovle	465	NIC	
DED DEPRM RP STP TE				
/	Robert N. And Joan M. Greene	466	NIC	
DED DEPRM RP STP TE				
/	Joseph P. And Gloria G. Connore	467	NIC	
DED DEPRM RP STP TE				
/	Kilmarnock Associates	468	W/C	
DED DEPRM RP STP TE				
/	Automaster, Inc.	469	W/C	
DED DEPRM RP STP TE				
/	Douglas And Mary Holschneider	470	W/C	
DED DEPRM RP STP TE				
/	Reisterstown Bible Church	471	W/C	
DED DEPRM RP STP TE				
/	Pikesville Partnership	472	W/C	
DED DEPRM RP STP TE				
/	Baltimore Gas And Electric Company	475	NIC	
DED DEPRM RP STP TE				
/	Charles R. Carroll	476	W/C	
DED DEPRM RP STP TE				

MICROFILMED



MAY 22, 1992

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: ROBERT N. GREENE AND JOAN M. GREENE

Location: #5 SCOTTS MOORE COURT

Item No.: \*466 (JJS) Zoning Agenda: MAY 18, 1992

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: *Carl Jones* Noted and Approved  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JP/KEK

RECEIVED  
MAY 24 1992  
ZONING OFFICE

MICROFILMED

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
/	Phillip And Carol Faulkenklous	461	No Comments	5-18-92
DED DEPRM RP STP TE				
/	August J. And Elsie W. Seifert	464	No Comments	
DED DEPRM RP STP TE				
/	Francis D. And Suzanne L. Bovle	465	No Comments	
DED DEPRM RP STP TE				
/	Robert N. And Joan M. Greene	466	No Comments	
DED DEPRM RP STP TE				
/	Joseph P. And Gloria G. Connore	467	No Comments	
DED DEPRM RP STP TE				
/	Kilmarnock Associates	468	No Comments	
DED DEPRM RP STP TE				
/	Automaster, Inc.	469	No Comments	
DED DEPRM RP STP TE				
/	Douglas And Mary Holschneider	470	No Comments	
DED DEPRM RP STP TE				
/	Reisterstown Bible Church	471	No Comments	
DED DEPRM RP STP TE				
/	Pikesville Partnership	472	No Comments	
DED DEPRM RP STP TE				
/	Baltimore Gas And Electric Company	475	No Comments	
DED DEPRM RP STP TE				
/	Charles R. Carroll	476	No Comments	
DED DEPRM RP STP TE				

MICROFILMED

May 7, 1992

Mr. Lawrence Schmidt  
Zoning Commissioner  
Baltimore County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Re: 5 Scotts Moore Court  
Administrative Variance Request

Dear Commissioner Schmidt:

Please find enclosed, herewith, a package to accommodate an Administrative Variance Request for the above referenced site.

Our client, Mr. & Mrs. John Devine, have contracted to purchase the existing house from Mr. & Mrs. Robert N. Greene. As a contingency to the contract, the Devine's desire to receive approval from your office to build an addition within 45 feet of the rear property line in lieu of the required 50 feet.

The Devine's wish to expand the existing kitchen located in the rear of the house, to make it more livable. The only practical means of architecturally accommodating an expansion is to move out into the rear of the house as shown on the site plan.

Because the existing house is tight to the rear setback line, the Devine's can not strictly comply with the 50 foot setback and still achieve a reasonable expansion.

As depicted on the site plan and aerial photograph, the lot is surrounded by the Hunt Valley Golf Course, with a vacant lot to the right, and a lot to the left improved with a two story house approximately 200 feet from the proposed addition. The angle of the existing house though, will serve to shield the proposed addition from this existing residence.

MICROFILMED

Letter to Mr. Lawrence Schmidt  
 Re: 5 Scotts Moore Court  
 May 7, 1992  
 Page Two

92-445-A

Thank you for your consideration in this matter. Our clients face a contract deadline of May 29, 1992 and would greatly appreciate a response before that date if at all possible.

Very truly yours,  
 MCKEE & ASSOCIATES, INC.

*Geoffrey C. Schultz*  
 Geoffrey C. Schultz/Vice President

GCS:ajw

Enclosure

cc: Scott Haupt  
 Mr & Mrs. John Devine

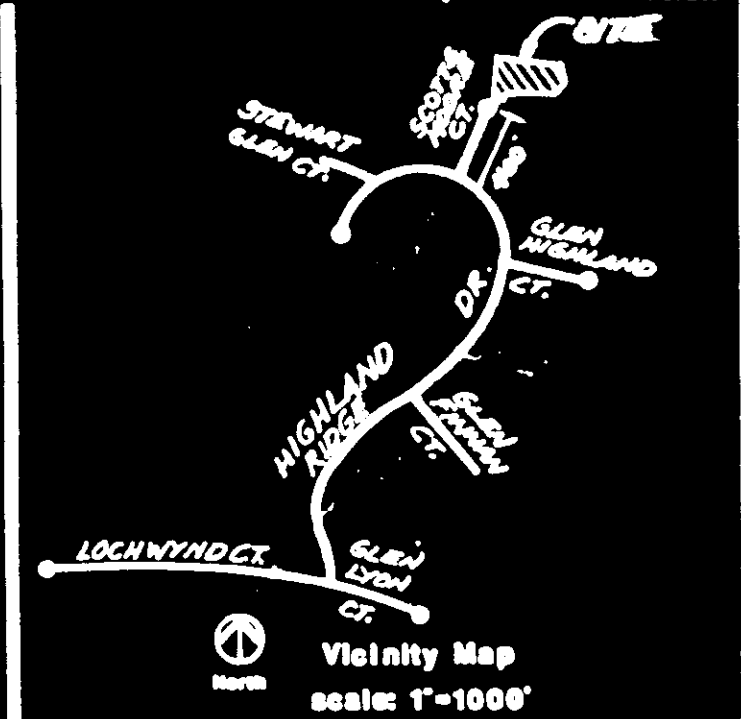
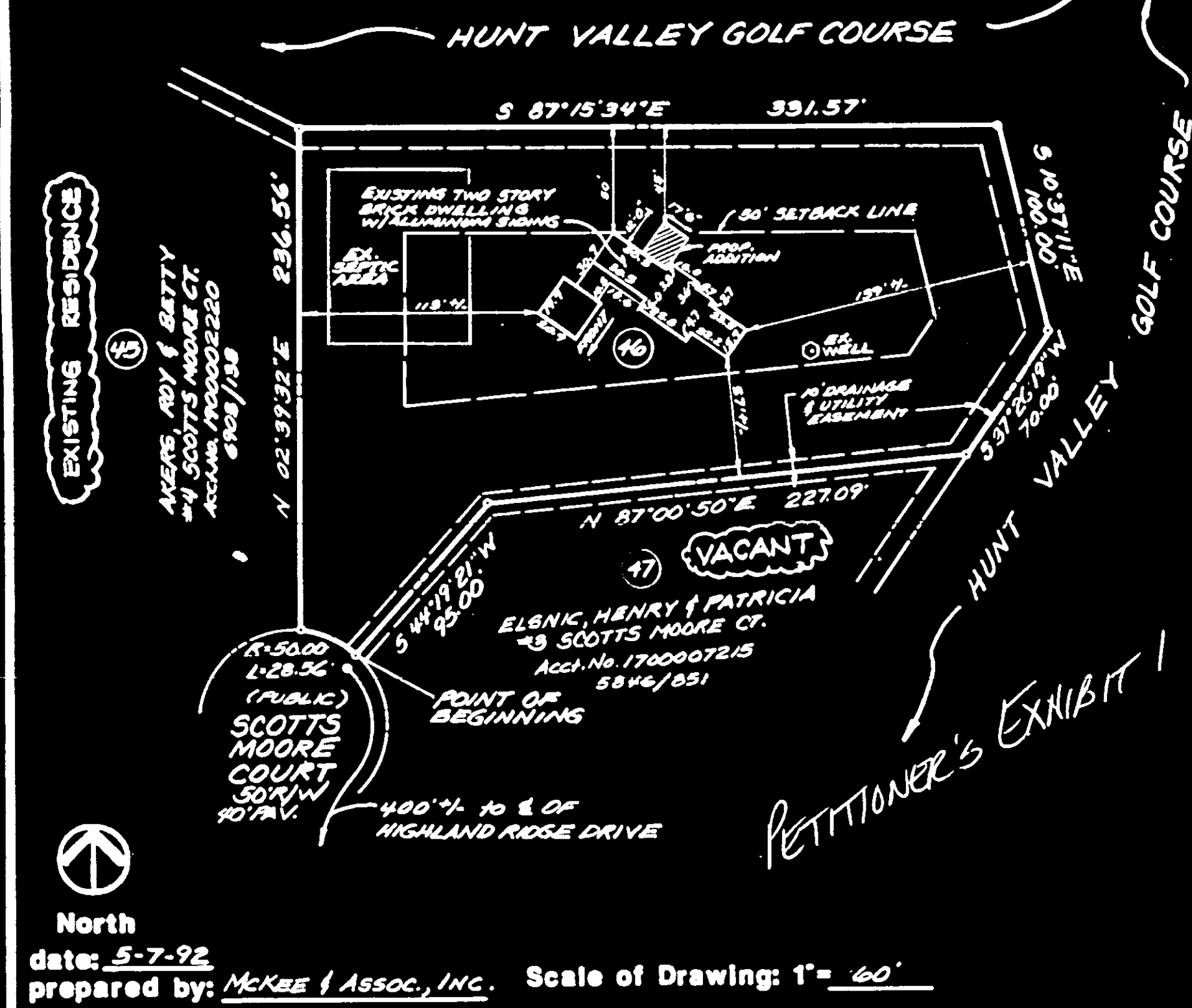
MICROFILMED

Plat to accompany Petition for Zoning  Variance  Special Hearing

PROPERTY ADDRESS: #5 SCOTTS MOORE COURT see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: "THE HIGHLANDS OF HUNT VALLEY"  
 plat books 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

OWNER: GREENE, ROBERT N. & JOAN M.



LOCATION INFORMATION

Councilman's District: 3rd  
 Election District: 10th  
 1"=200' scale map: NE 21A  
 Zoning: RC-4  
 Lot size: 1.402 acreage 61,071 square feet

SEWER:  public  private  
 WATER:  public  private

Chesapeake Bay Critical Area:  public  private

Prior Zoning Hearings: NONE

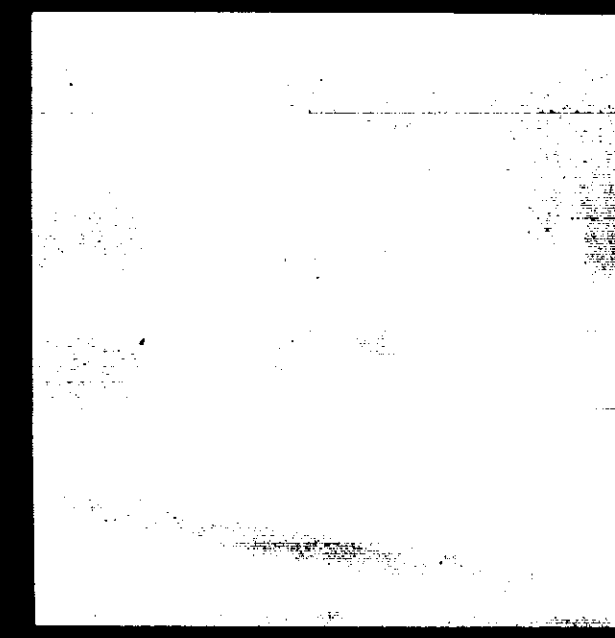
Zoning Office USE ONLY!  
 reviewed by: ITEM #: CASE#:  
 466

92-445-A

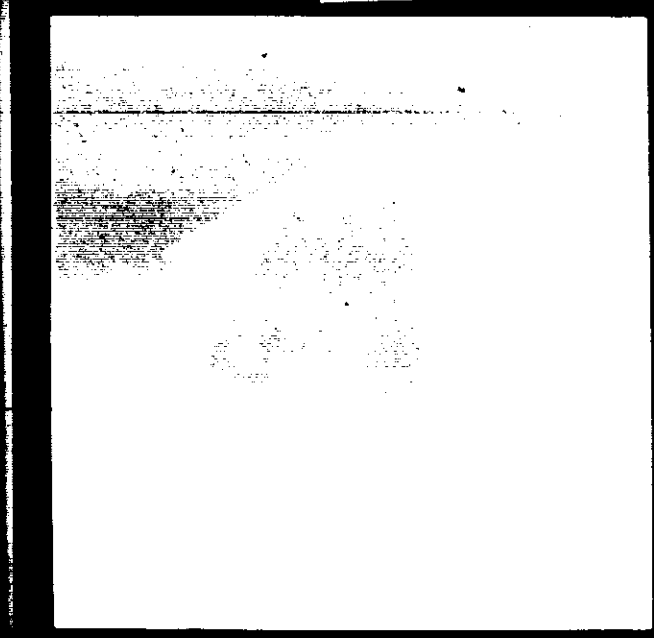


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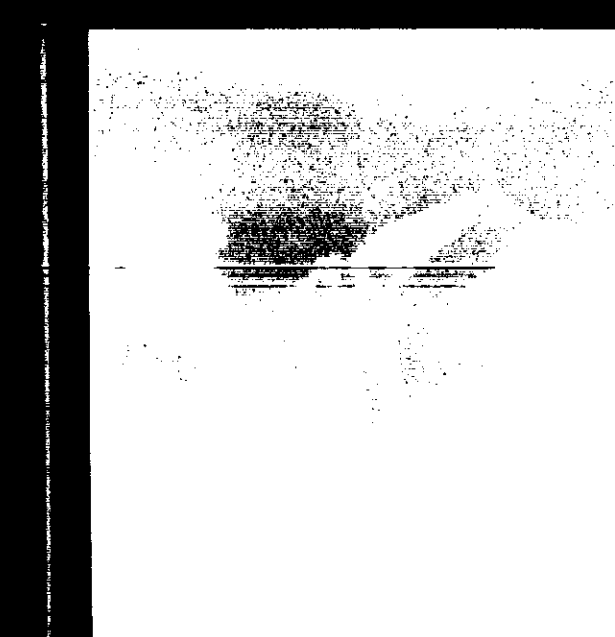
92-445-A



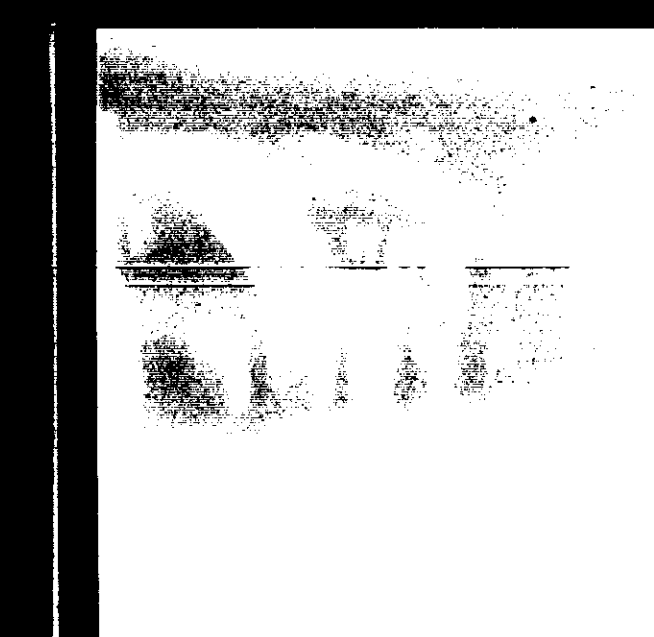
LEFT FRONT



LEFT REAR



RIGHT FRONT



RIGHT REAR

MICROFILMED

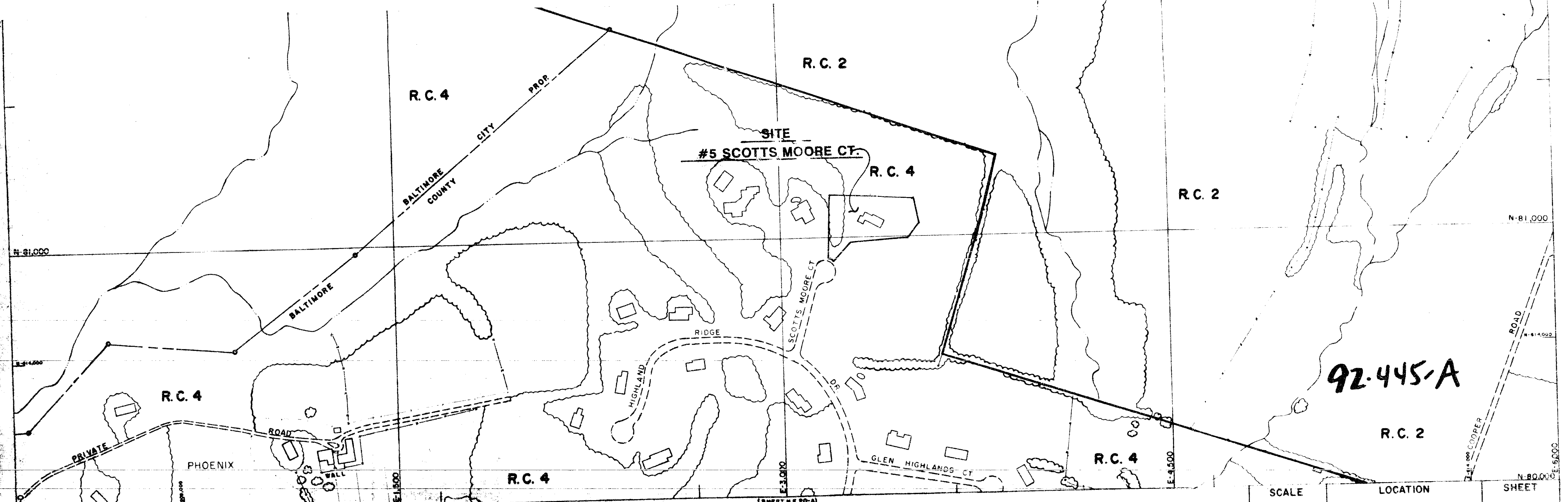
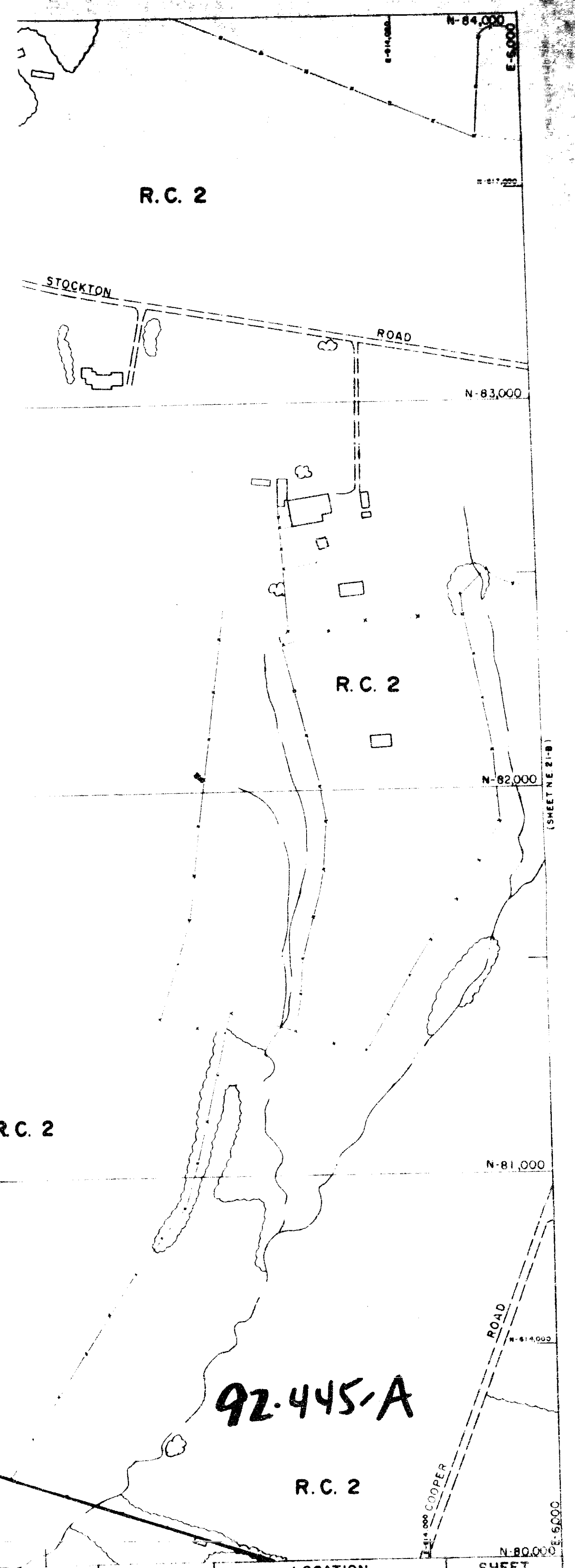


BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP 92-445A

466

SCALE 1" = 200'  
DATE OF PHOTOGRAPHY JANUARY 1986  
LOCATION NORTHEAST OF PHOENIX  
SHEET N E 21-A

MICROFILMED



92-445-A

V-NE U-NW  
DD-SF EE-NW

1988 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
On 12/15/88

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
OFFICIAL ZONING MAP

SCALE 1" = 200'  
DATE OF PHOTOGRAPHY JANUARY 1986  
LOCATION NORTHEAST OF PHOENIX  
SHEET N E 21-A

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.  
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS  
BY BUCHART-MORRI, INC. BALTIMORE, MD. 21218

466