

IN RE: PETITION FOR ADMIN. VARIANCE
3/5 Bellona Avenue, 1400' W
of the c/l of Brightside Road
(7350 Brightside Road)
9th Election District
4th Councilmanic District
Philip D. English, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-502-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance in which the Petitioners request relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory building height of 21.6', plus cupola, in lieu of the maximum permitted 15 feet, as more particularly described on Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative 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 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 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 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 Zoning Commissioner for Baltimore County this 31st day of July, 1992 that the Petition for Administrative Variance requesting relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory building height of 21.6', plus cupola, 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:

- 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) Petitioners shall not allow or cause the proposed accessory structure to be converted to a second dwelling unit and/or apartments. The studio/poolhouse shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3) Storage in the subject building shall be limited to the personal property of the Petitioners, only.
- 4) 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 in the event it becomes necessary to do so as a result of a complaint.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

- 2 -

Baltimore County Government
Zoning Commission
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

July 31, 1992

(410) 887-4386

Mr. & Mrs. Philip D. English
7350 Brightside Road
Ruxton, Maryland 21212

RE: PETITION FOR ADMINISTRATIVE VARIANCE
3/5 Bellona Avenue, 1400' W of the c/l of Brightside Road
(7350 Brightside Road)
9th Election District - 4th Councilmanic District
Philip D. English, et ux - Petitioners
Case No. 92-502-A

Dear Mr. & Mrs. English:

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 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,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Rick Kingsbury
c/o Hord Coplan Macht, Inc.
2526 St. Paul Street, Baltimore, Md. 21218

People's Counsel

File

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property located 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 allow an accessory building in a residence zone to exceed 15' in height. (Proposed height 21'-6" plus cupola)

of the Zoning Regulations of Baltimore County for the following reasons: (unless turning or ground affidavit)

1. This building will be used in part as a personal painting studio for larger (taller) art work. Additional height is required as requested to allow adequate space. The 15' height restriction prevents adequate working space.
2. Storage space for taller art work is required as part of this structure.

Property is 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:

(Type or print name)

(Signature)

Address

(Type or print name)

City

State

Zip Code

Attorney for Petitioner:

(Type or print name)

(Signature)

Address

Phone

Legal Owner(s):

(Type or print name)

(Signature)

Address

(Type or print name)

City

State

Zip Code

Phone

Address

Phone

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 31st day of July, 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.



ZONING COMMISSIONER OF BALTIMORE COUNTY

RECEIVED BY: LC DATE: 6/5

RECEIVED POSTING DATE: 7/12

RECEIVED CLAIMING DATE: _____

FILE NO. 535

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) have competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at 7350 Brightside

Ruxton Md 21212

By

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: (unless turning or ground affidavit)

This building will be used in part as a personal painting studio for taller art work - additional height is required as requested to allow adequate space. The 15' height restriction prevents adequate working space. In addition, storage space for taller art work is required as part of this structure. Extensive setbacks and the size of this parcel effectively diminish the perceived height of this building, which is not visible from any public street. Existing outbuildings on this parcel exceed 15' in height.

That 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 provide additional information.

Philip D. English
Deborah B. English

STATE OF MARYLAND, COUNTY OF BALTIMORE, ss: _____
I, _____, the _____ day of _____, 1992, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared _____

Philip English + Deborah English

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath to due form of law that the matters and facts hereinabove set forth are true and correct to the best of Affiant(s) knowledge and belief.

AS WITNESS my hand and Notarial Seal.

6/23/92

My Commission Expires: 9/23/1994

ZONING DESCRIPTION FOR 7350 BRIGHTSIDE ROAD, RUXTON, MD 21212

92-502-A
Beginning at a point on the South side of Bellona Avenue, which is 50' wide at the distance of 1,400' West of the centerline of the nearest improved intersecting street, Brightside Avenue, which is 30' wide. Being Parcel No. 789 as recorded in Baltimore Deed Liber PEED 6182 #5248, Folio #695, containing 9.542 acres. Also known as 7350 Brightside Road, Ruxton, MD 21212 and located in the 9th Election District.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9th Date of Posting: 7-7-92
Posted for: Residential Variance
Petitioner: Philip D. and Deborah B. English
Location of property: 3/5 of Bellona Avenue, 1400' W of the c/l of Brightside Road, 2120 Brightside Road
Location of Signs: West side of Bellona Avenue - 2 entrances
Remarks: Prop. to subject property
Posted by: A.J. Gault Date of return: 7-11-92
Number of Signs: 1

111 West Chesapeake Avenue
Towson, MD 21204

July 28, 1992

(410) 887-3353

Mr. & Mrs. Philip D. English
7350 Brightside
Ruxton, MD 21212

RE: Item No. 535, Case No. 92-502-A
Petitioner: Philip D. English, et ux
Petition for Administrative Variance

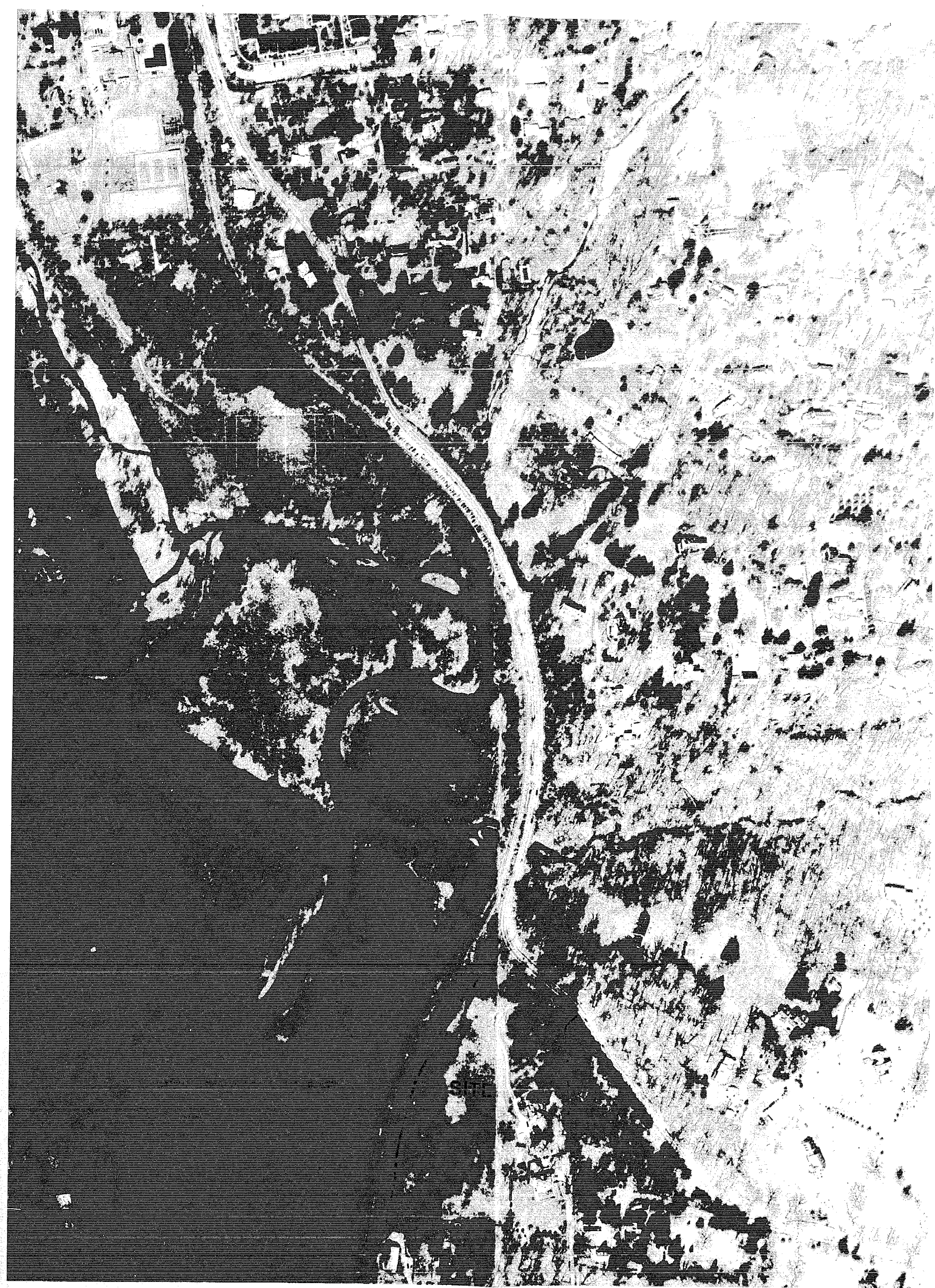
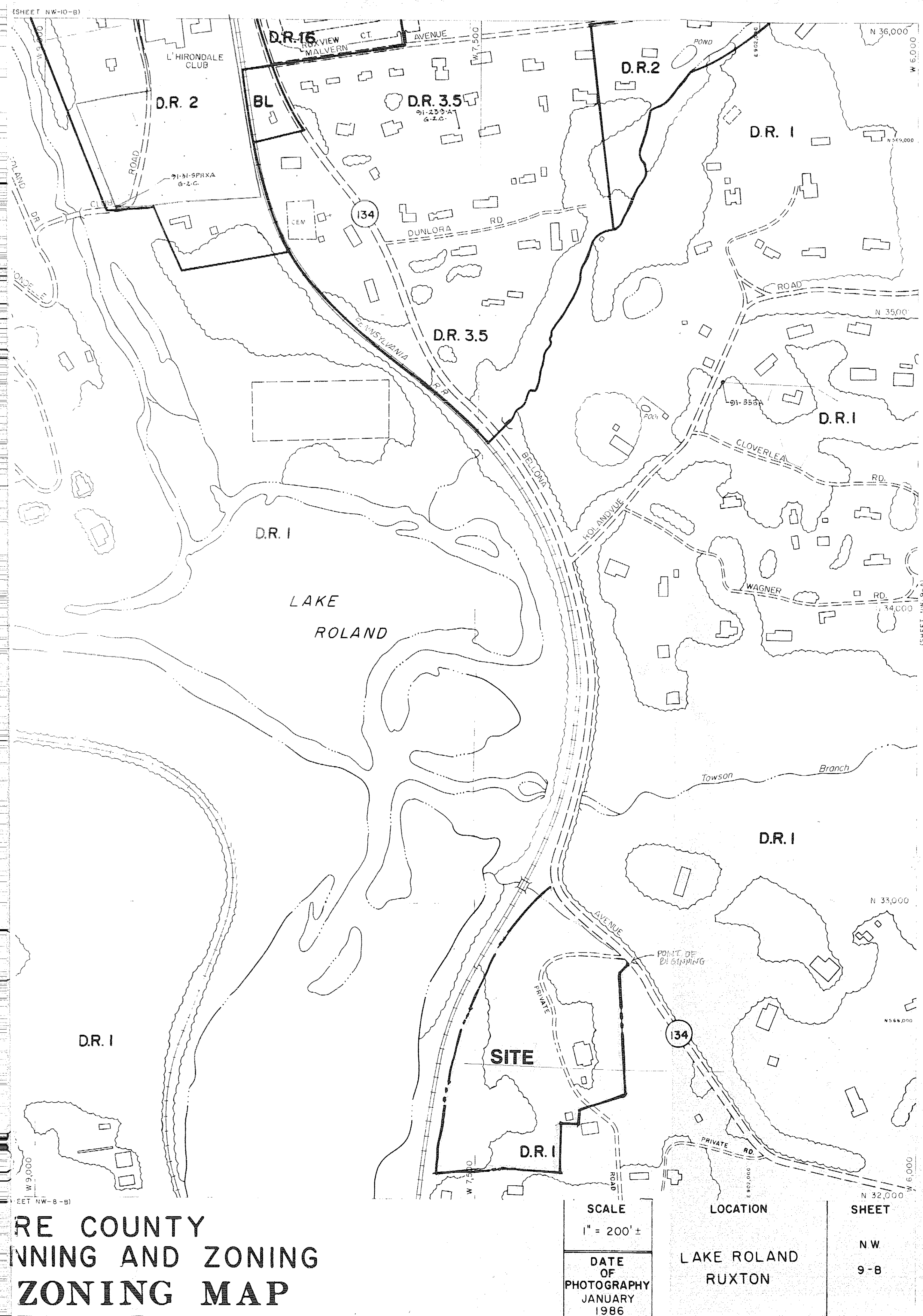
Dear Mr. & Mrs. English:

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 the 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.



ZONING MAP

COUNTY
NG AND ZONING
PHIC MAP

SCALE 1" = 200' ±	LOCATION LAKE ROLAND RUXTON	SHEET NW 9-B
DATE OF PHOTOGRAPHY JANUARY 1986	92-502-A	

AERIAL PHOTOGRAPH

535

Your petition has been received and accepted for filing this
25th day of June, 1992

Arnold Jablon
ARNOLD JABLON
DIRECTOR

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

Petitioner: Philip D. English, et ux
Petitioner's Attorney:



DPW/Developers Engineering Division (Public Services)
Development Review Committee Response Form
Authorized signature *Thomas A. Kennedy* Date *7/13/92*

Project Name: Stonegate at Patapsco (Azreal Property)
File Number: 90476
Waiver Number: TE (Waiting for developer to submit plans first)
Zoning Issue: 6-1-92
Meeting Date: 6-1-92

COUNT 1
Baltimore County - Southwestern Bell Mobile Systems
DED STP 533 6-29-92

COUNT 1
✓ Ralph P. And Dianne L. Stern And Karen And Linda Forrester 528 7-6-92 NC
DED DEPRM RP STP TE
✓ Mark M. Dunn And Darlene Dunn 534 NC
DED DEPRM RP STP TE
✓ Philip E. English And Deborah B. English 535 NC
DED DEPRM RP STP TE
✓ Clark F. And Ann S. MacKenzie 536 NC
DED DEPRM RP STP TE
✓ Charles J. And E. Mae Sinay 537 NC
DED DEPRM RP STP TE
✓ Amoco Oil Company 538 NC
DED DEPRM RP STP TE
✓ John And Judy Hasler 539 NC
DED DEPRM RP STP TE
✓ Paul J. And Marlene A. Leono 540 NC
DED DEPRM RP STP TE
✓ W. Claymore And Carol H. Sieck 541 NC
DED DEPRM RP STP TE

BALTIMORE COUNTY, MARYLAND
OFFICE OF PLANNING AND ZONING
New Courts Bldg - 401 Bosley Avenue, Towson, MD 21204

MEMORANDUM

TO: Arnold Jablon, Director
Zoning Administration & Development Management

FROM: Office of Planning and Zoning

DATE: July 7, 1992

SUBJECT: 7350 Brightside Road

INFORMATION:

Item Number: 535

Petitioner: Philip & Deborah English

Property Size: 9.5 acres

Zoning: DR 1

Requested Action: Administrative Variance

Hearing Date: 7/14/92

SUMMARY OF RECOMMENDATIONS:

This petitioner is requesting an administrative variance to allow an accessory structure in a residential zone to have a height of 21'6" in lieu of the required 15'.

This Office has no objection to the petitioner's request, however, we recommend that a restriction be placed in the order prohibiting any living quarters, kitchen or bathroom facilities in the garage and limiting storage to the personal property of the occupants of the principal dwelling only.

Prepared by: *Francis Moray*

Division Chief: *Ernie McGinnis*

FM:rdn

RECEIVED
JUL 14 1992
ZONING OFFICE

535.ZAC/ZAC1

DPW/Traffic Engineering
Development Review Committee Response Form
Authorized signature *Thomas A. Kennedy* Date *7/10/92*

Project Name: Stonegate at Patapsco (Azreal Property)
File Number: 90476
Waiver Number: TE (Waiting for developer to submit plans first)
Zoning Issue: 6-1-92
Meeting Date: 6-1-92

COUNT 1
✓ Ralph P. And Dianne L. Stern And Karen And Linda Forrester 528 N/C 7-6-92
DED DEPRM RP STP TE
✓ Mark M. Dunn And Darlene Dunn 534 N/C
DED DEPRM RP STP TE
✓ Philip E. English And Deborah B. English 535 N/C
DED DEPRM RP STP TE
✓ Clark F. And Ann S. MacKenzie 536 N/C
DED DEPRM RP STP TE
✓ Charles J. And E. Mae Sinay 537 N/C
DED DEPRM RP STP TE
✓ Amoco Oil Company 538 N/C
DED DEPRM RP STP TE
✓ John And Judy Hasler 539 N/C
DED DEPRM RP STP TE
✓ Paul J. And Marlene A. Leono 540 N/C
DED DEPRM RP STP TE
✓ W. Claymore And Carol H. Sieck 541 W/C
DED DEPRM RP STP TE

COUNT 9
FINAL TOTALS
COUNT 10

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

RE: Property Owner: PHILIP E. ENGLISH AND DEBORAH B. ENGLISH
Location: #7350 BRIGHTSIDE ROAD
Item No.: #535 (LJC) Zoning Agenda: JULY 6, 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 J. Jones* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KEK

RECEIVED
JUL 14 1992
ZONING OFFICE

Department of Recreation and Parks
Development Review Committee Response Form
Authorized signature *Thomas A. Kennedy* Date *7/14/92*

Project Name: Stonegate at Patapsco (Azreal Property)
File Number: 90476
Waiver Number: TE (Waiting for developer to submit plans first)
Zoning Issue: 6-1-92
Meeting Date: 6-1-92

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Baltimore County - Southwestern Bell Mobile Systems
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✓ Paul J. And Marlene A. Leono 540 NC
DED DEPRM RP STP TE
✓ W. Claymore And Carol H. Sieck 541 NC
DED DEPRM RP STP TE

COUNT 9
FINAL TOTALS
COUNT 9
*** END OF REPORT ***

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: July 28, 1992

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item 535
7350 Brightside Road
Zoning Advisory Committee Meeting of July 6, 1992

The Department of Environmental Protection and Resource Management offers the following comments on the above referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

If plumbing is planned in the proposed structure and inspection of the septic system must be conducted, modifications to the septic system may be required.

JLP:sp

JABLON/S/TXTSBP

RECEIVED
JUL 4 1992
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: July 31, 1992

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item 541
1819 Knox Avenue
Zoning Advisory Committee Meeting of July 6, 1992

The Department of Environmental Protection and Resource Management offers the following comments on the above referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

JLP:sp

JABLON/S/TXTSBP

RECEIVED
JUL 4 1992
ZONING OFFICE

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

July 1, 1992

(410) 887-3353

Phillip and Deborah English
7350 Brightside
Ruxton, Maryland 21212

Re: CASE NUMBER: 92-502-A
LOCATION: S/S Bellona Avenue, 1400' W of c/l Brightside Road
7350 Brightside Road
4th Election District - 4th 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 refresher regarding the administrative process.

1) Your property will be posted on or before July 12, 1992. The closing date is July 27, 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).

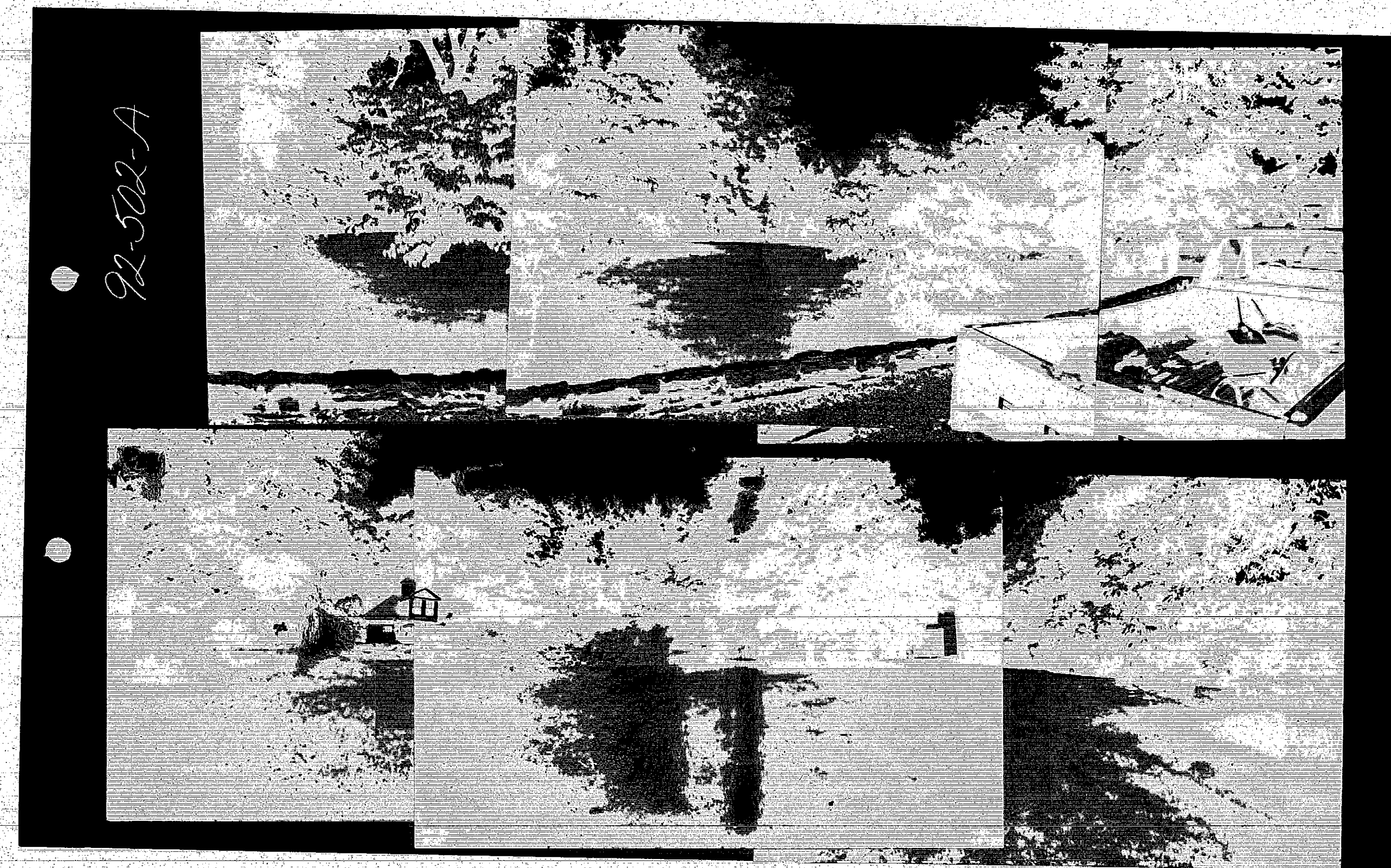
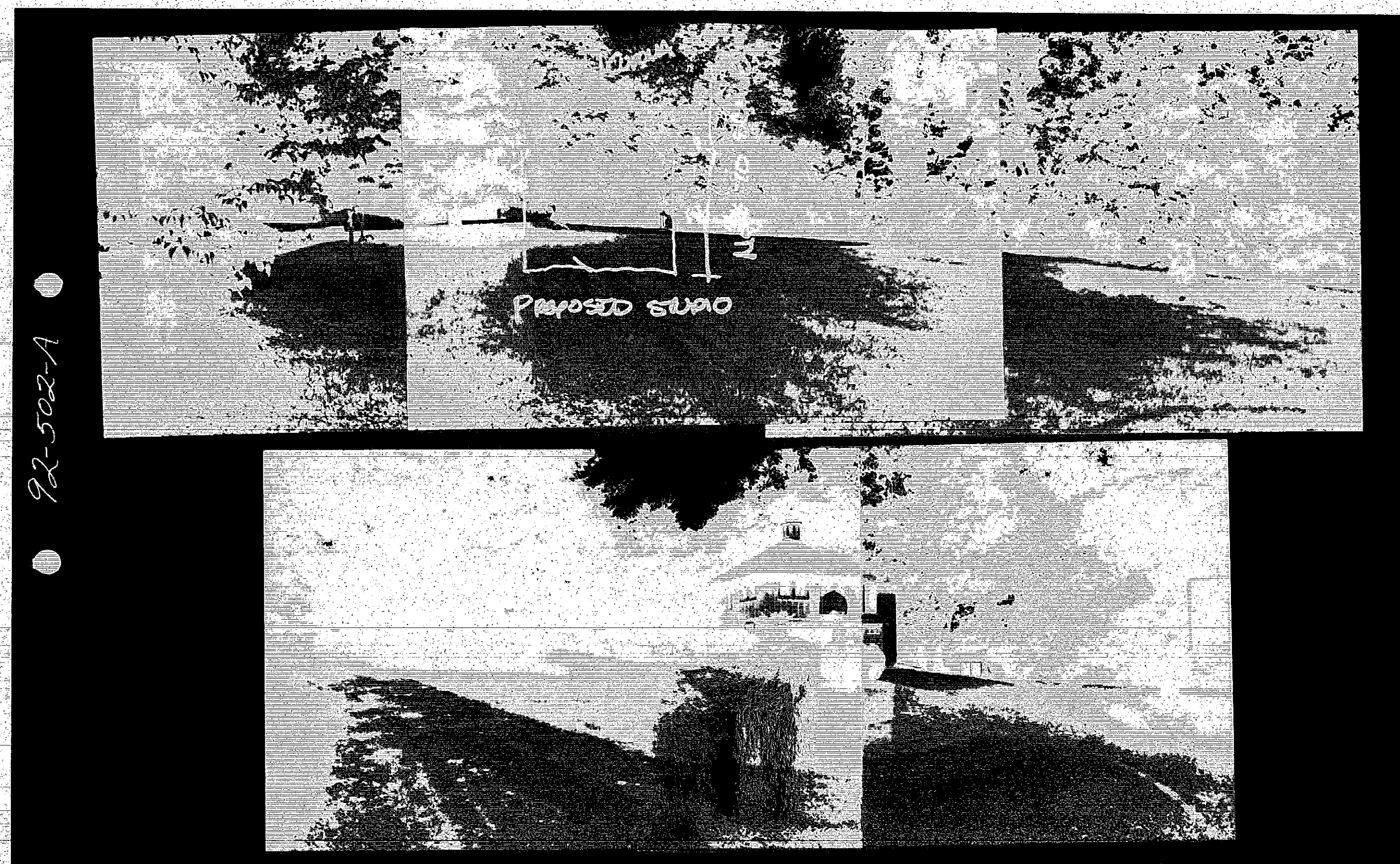
3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

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.

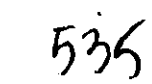
Lawrence E. Schmidt
Lawrence E. Schmidt

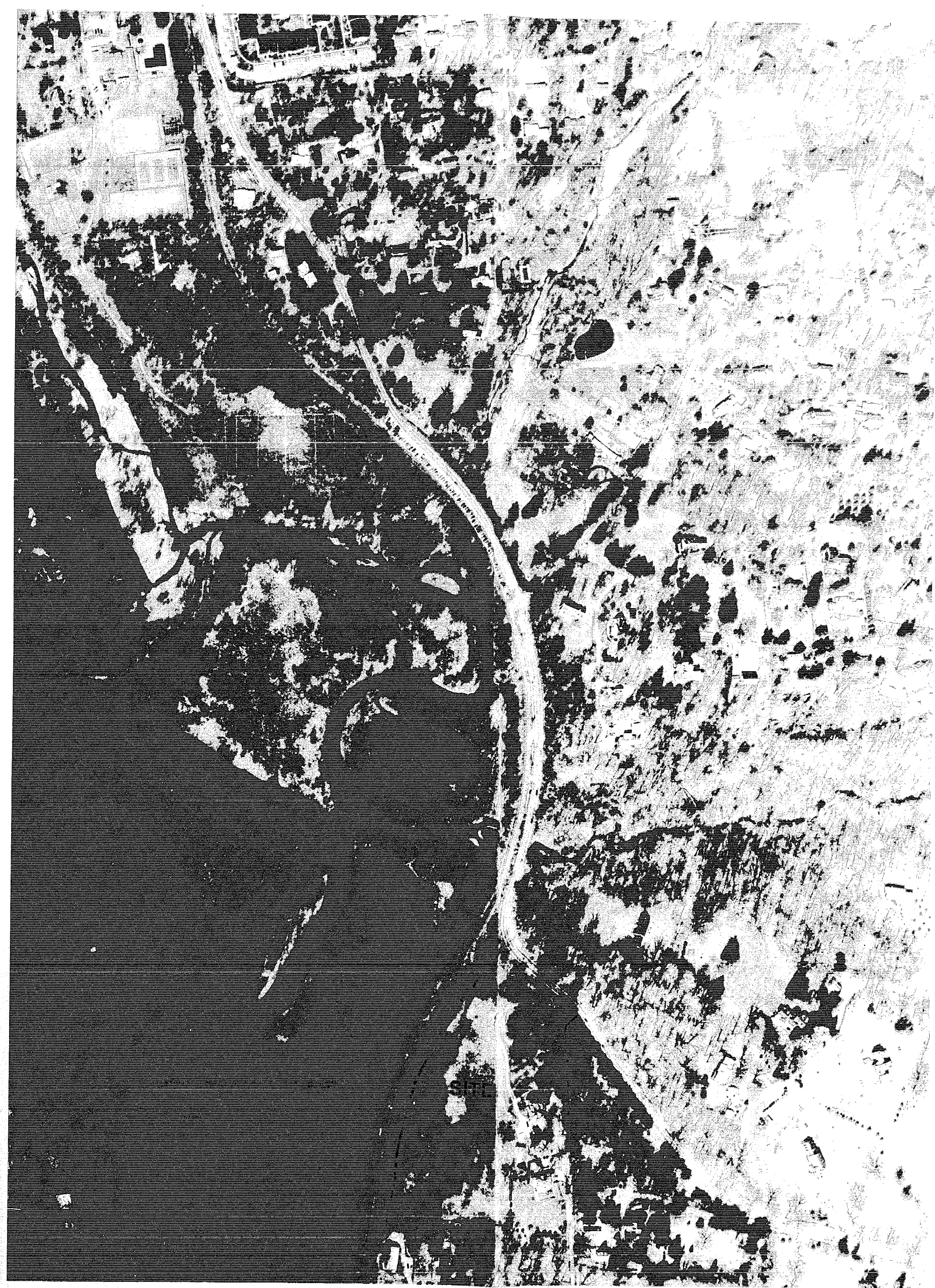
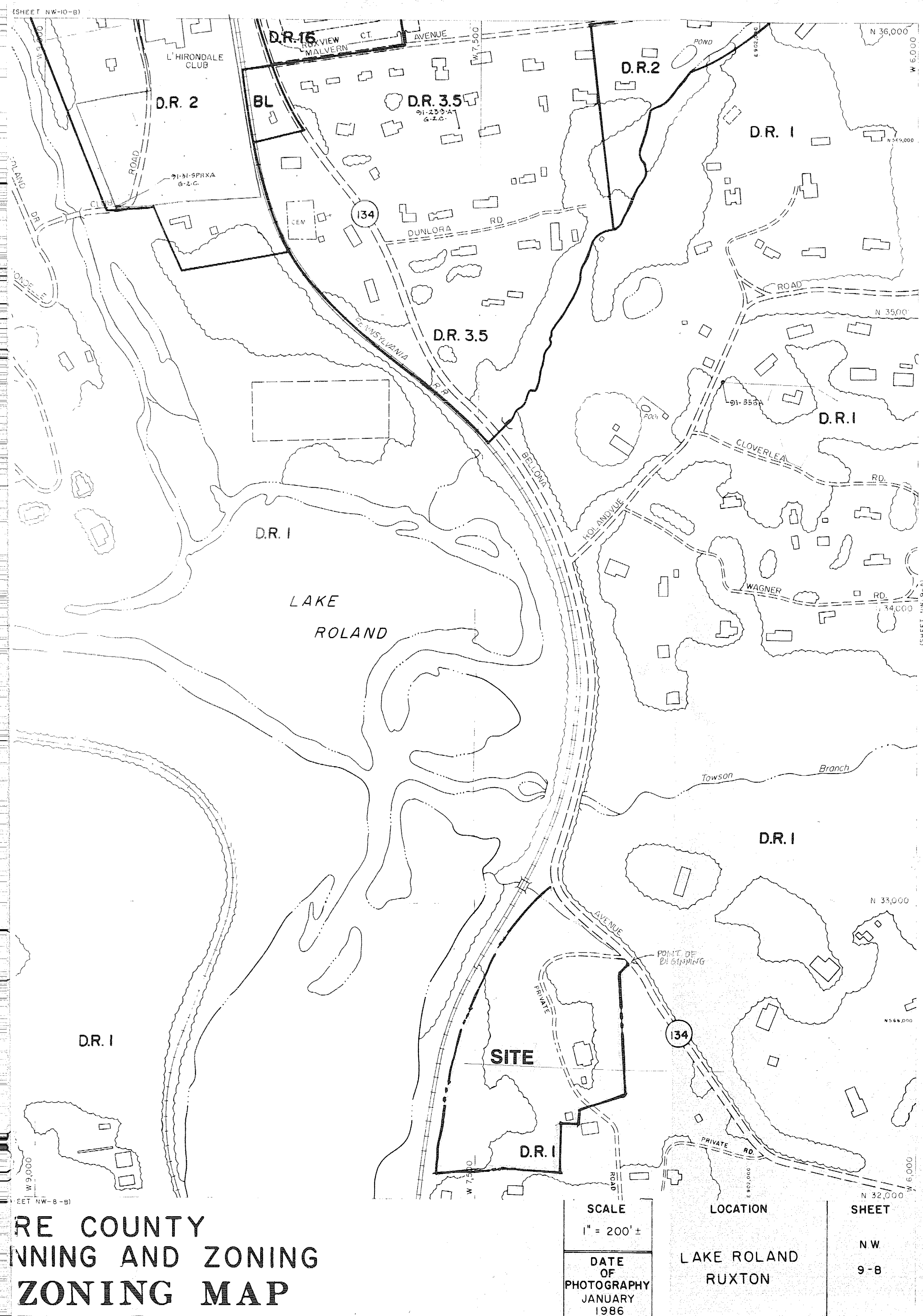
Zoning Commissioner, Baltimore County

cc: Rick Kingsbury



2526 St. Paul Street
Baltimore, Maryland
21218 • 301 467-7011





ZONING MAP

COUNTY
NG AND ZONING
PHIC MAP

AERIAL PHOTOGRAPH

SCALE 1" = 200' ±	LOCATION LAKE ROLAND RUXTON	SHEET NW 9-B
DATE OF PHOTOGRAPHY JANUARY 1986	92-502-A	

535

IN RE: PETITION FOR ADMIN. VARIANCE
3/5 Bellona Avenue, 1400' W
of the c/l of Brightside Road
(7350 Brightside Road)
9th Election District
4th Councilmanic District
Philip D. English, et ux
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* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-502-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance in which the Petitioners request relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory building height of 21.6', plus cupola, in lieu of the maximum permitted 15 feet, as more particularly described on Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative 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 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 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 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 Zoning Commissioner for Baltimore County this 31st day of July, 1992 that the Petition for Administrative Variance requesting relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory building height of 21.6', plus cupola, 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:

- 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) Petitioners shall not allow or cause the proposed accessory structure to be converted to a second dwelling unit and/or apartments. The studio/poolhouse shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3) Storage in the subject building shall be limited to the personal property of the Petitioners, only.
- 4) 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 in the event it becomes necessary to do so as a result of a complaint.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

- 2 -

Baltimore County Government
Zoning Commission
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

July 31, 1992

(410) 887-4386

Mr. & Mrs. Philip D. English
7350 Brightside Road
Ruxton, Maryland 21212

RE: PETITION FOR ADMINISTRATIVE VARIANCE
3/5 Bellona Avenue, 1400' W of the c/l of Brightside Road
(7350 Brightside Road)
9th Election District - 4th Councilmanic District
Philip D. English, et ux - Petitioners
Case No. 92-502-A

Dear Mr. & Mrs. English:

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 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,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Rick Kingsbury
c/o Hord Coplan Macht, Inc.
2526 St. Paul Street, Baltimore, Md. 21218

People's Counsel

File

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property located 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 allow an accessory building in a residence zone to exceed 15' in height. (Proposed height 21'-6" plus cupola)

of the Zoning Regulations of Baltimore County for the following reasons: (unless turning or ground affords)

1. This building will be used in part as a personal painting studio for larger (taller) art work. Additional height is required as requested to allow adequate space. The 15' height restriction prevents adequate working space.
2. Storage space for taller art work is required as part of this structure.

Property is 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:

(Type or print name)

(Signature)

Address

(Type or print name)

City

State

Zip Code

Attorney for Petitioner:

(Type or print name)

(Signature)

Address

City

State

Zip Code

Phone

RECEIVED BY: LC DATE: 6/15

RECEIVED POSTING DATE: 7/12

RECEIVED CLERKING DATE: _____



ZONING COMMISSIONER OF BALTIMORE COUNTY

535

ZONING DESCRIPTION FOR 7350 BRIGHTSIDE ROAD, RUXTON, MD 21212

Beginning at a point on the South side of Bellona Avenue, which is 50' wide at the distance of 1,400' West of the centerline of the nearest improved intersecting street, Brightside Avenue, which is 30' wide. Being Parcel No. 789 as recorded in Baltimore Deed Liber REED LIBER #5248, Folio #695, containing 9.542 acres. Also known as 7350 Brightside Road, Ruxton, MD 21212 and located in the 9th Election District.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9th Date of Posting: 7-7-92
Posted for: Residential Variance
Petitioner: Philip D. and Deborah B. English
Location of property: 3/5 of Bellona Avenue, 1400' W of the c/l of Brightside Road, 2120 Brightside Road
Location of Sign: West side of Bellona Avenue - East entrance
Remarks: Prop. to subject property
Posted by: A.J. Gault Date of return: 7-11-92
Number of Signs: 1

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) have competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at 7350 Brightside

Ruxton Md 21212

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: (unless turning or ground affords)

This building will be used in part as a personal painting studio for taller art work - additional height is required as requested to allow adequate space. The 15' height restriction prevents adequate working space. In addition, storage space for taller art work is required as part of this structure. Extensive setbacks and the size of this parcel effectively diminish the perceived height of this building, which is not visible from any public street. Existing outbuildings on this parcel exceed 15' in height.

That 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 provide additional information.

Philip D. English
Deborah B. English

STATE OF MARYLAND, COUNTY OF BALTIMORE, ss.

I, Philip English + Deborah English, 1992, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath to the contents of the foregoing and the facts hereinabove set forth are true and correct to the best of Affiant(s) knowledge and belief.

AS WITNESS my hand and Notarial Seal.

6/23/92

My Commission Expires: 9/23/1994

111 West Chesapeake Avenue
Towson, MD 21204

July 28, 1992

(410) 887-3353

Mr. & Mrs. Philip D. English
7350 Brightside
Ruxton, MD 21212

RE: Item No. 535, Case No. 92-502-A
Petitioner: Philip D. English, et ux
Petition for Administrative Variance

Dear Mr. & Mrs. English:

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 the 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.

Your petition has been received and accepted for filing this
25th day of June, 1992

Arnold Jablon
ARNOLD JABLON
DIRECTOR

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

Petitioner: Philip D. English, et ux
Petitioner's Attorney:



DPW/Developers Engineering Division (Public Services)
Development Review Committee Response Form
Authorized signature *Thomas A. Kennedy* Date *7/13/92*

Project Name: Stonegate at Patapsco (Azreal Property)
File Number: 90476
Waiver Number: TE (Waiting for developer to submit plans first)
Zoning Issue: 6-1-92
Meeting Date: 6-1-92

COUNT 1
Baltimore County - Southwestern Bell Mobile Systems
DED STP 533 6-29-92

COUNT 1
✓ Ralph P. And Dianne L. Stern And Karen And Linda Forrester 528 7-6-92 NC
DED DEPRM RP STP TE
✓ Mark M. Dunn And Darlene Dunn 534 NC
DED DEPRM RP STP TE
✓ Philip E. English And Deborah B. English 535 NC
DED DEPRM RP STP TE
✓ Clark F. And Ann S. MacKenzie 536 NC
DED DEPRM RP STP TE
✓ Charles J. And E. Mae Sinay 537 NC
DED DEPRM RP STP TE
✓ Amoco Oil Company 538 NC
DED DEPRM RP STP TE
✓ John And Judy Hasler 539 NC
DED DEPRM RP STP TE
✓ Paul J. And Marlene A. Leono 540 NC
DED DEPRM RP STP TE
✓ W. Claymore And Carol H. Sieck 541 NC
DED DEPRM RP STP TE

BALTIMORE COUNTY, MARYLAND
OFFICE OF PLANNING AND ZONING
New Courts Bldg - 401 Bosley Avenue, Towson, MD 21204

MEMORANDUM
TO: Arnold Jablon, Director
Zoning Administration & Development Management
FROM: Office of Planning and Zoning
DATE: July 7, 1992
SUBJECT: 7350 Brightside Road

INFORMATION:
Item Number: 535
Petitioner: Philip & Deborah English
Property Size: 9.5 acres
Zoning: DR 1
Requested Action: Administrative Variance
Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:
This petitioner is requesting an administrative variance to allow an accessory structure in a residential zone to have a height of 21'6" in lieu of the required 15'.
This Office has no objection to the petitioner's request, however, we recommend that a restriction be placed in the order prohibiting any living quarters, kitchen or bathroom facilities in the garage and limiting storage to the personal property of the occupants of the principal dwelling only.

Prepared by: *Francis Moray*
Division Chief: *Ernie McGinnis*
FM:rdn

RECEIVED
JUL 14 1992
ZONING OFFICE

535.ZAC/ZAC1

DPW/Traffic Engineering
Development Review Committee Response Form
Authorized signature *Thomas A. Kennedy* Date *7/10/92*

Project Name: Stonegate at Patapsco (Azreal Property)
File Number: 90476
Waiver Number: TE (Waiting for developer to submit plans first)
Zoning Issue: 6-1-92
Meeting Date: 6-1-92

COUNT 1
✓ Ralph P. And Dianne L. Stern And Karen And Linda Forrester 528 N/C 7-6-92
DED DEPRM RP STP TE
✓ Mark M. Dunn And Darlene Dunn 534 N/C
DED DEPRM RP STP TE
✓ Philip E. English And Deborah B. English 535 N/C
DED DEPRM RP STP TE
✓ Clark F. And Ann S. MacKenzie 536 N/C
DED DEPRM RP STP TE
✓ Charles J. And E. Mae Sinay 537 N/C
DED DEPRM RP STP TE
✓ Amoco Oil Company 538 N/C
DED DEPRM RP STP TE
✓ John And Judy Hasler 539 N/C
DED DEPRM RP STP TE
✓ Paul J. And Marlene A. Leono 540 N/C
DED DEPRM RP STP TE
W. Claymore And Carol H. Sieck 541 W/C
DED DEPRM RP STP TE

COUNT 9
FINAL TOTALS
COUNT 10

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

RE: Property Owner: PHILIP E. ENGLISH AND DEBORAH B. ENGLISH
Location: #7350 BRIGHTSIDE ROAD
Item No.: #535 (LJC) Zoning Agenda: JULY 6, 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 J. Jones* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division
JP/KEK

RECEIVED
JUL 14 1992
ZONING OFFICE

Department of Recreation and Parks
Development Review Committee Response Form
Authorized signature *Thomas A. Kennedy* Date *7/14/92*

Project Name: Stonegate at Patapsco (Azreal Property)
File Number: 90476
Waiver Number: TE (Waiting for developer to submit plans first)
Zoning Issue: 6-1-92
Meeting Date: 6-1-92

COUNT 1
Baltimore County - Southwestern Bell Mobile Systems
DED STP 533 6-29-92

COUNT 1
✓ Ralph P. And Dianne L. Stern And Karen And Linda Forrester 528 No Comments
DED DEPRM RP STP TE
✓ Mark M. Dunn And Darlene Dunn 534 No Comments
DED DEPRM RP STP TE
✓ Philip E. English And Deborah B. English 535 No Comments
DED DEPRM RP STP TE
✓ Clark F. And Ann S. MacKenzie 536 No Comments
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✓ Paul J. And Marlene A. Leono 540 No Comments
DED DEPRM RP STP TE
✓ W. Claymore And Carol H. Sieck 541 No Comments
DED DEPRM RP STP TE

COUNT 9
FINAL TOTALS
COUNT 9
*** END OF REPORT ***

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
DATE: July 28, 1992

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item 535
7350 Brightside Road
Zoning Advisory Committee Meeting of July 6, 1992

The Department of Environmental Protection and Resource Management offers the following comments on the above referenced zoning item.
Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.
If plumbing is planned in the proposed structure and inspection of the septic system must be conducted, modifications to the septic system may be required.

JLP:sp
JABLON/S/TXTSBP

RECEIVED
JUL 4 1992
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
DATE: July 31, 1992

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item 541
1819 Knox Avenue
Zoning Advisory Committee Meeting of July 6, 1992

The Department of Environmental Protection and Resource Management offers the following comments on the above referenced zoning item.
Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

JLP:sp
JABLON/S/TXTSBP

RECEIVED
JUL 4 1992
ZONING OFFICE

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

July 1, 1992

(410) 887-3353

Phillip and Deborah English
7350 Brightside
Ruxton, Maryland 21212

Re: CASE NUMBER: 92-502-A
LOCATION: S/S Bellona Avenue, 1400' W of c/l Brightside Road
7350 Brightside Road
4th Election District - 4th 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 refresher regarding the administrative process.

1) Your property will be posted on or before July 12, 1992. The closing date is July 27, 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).

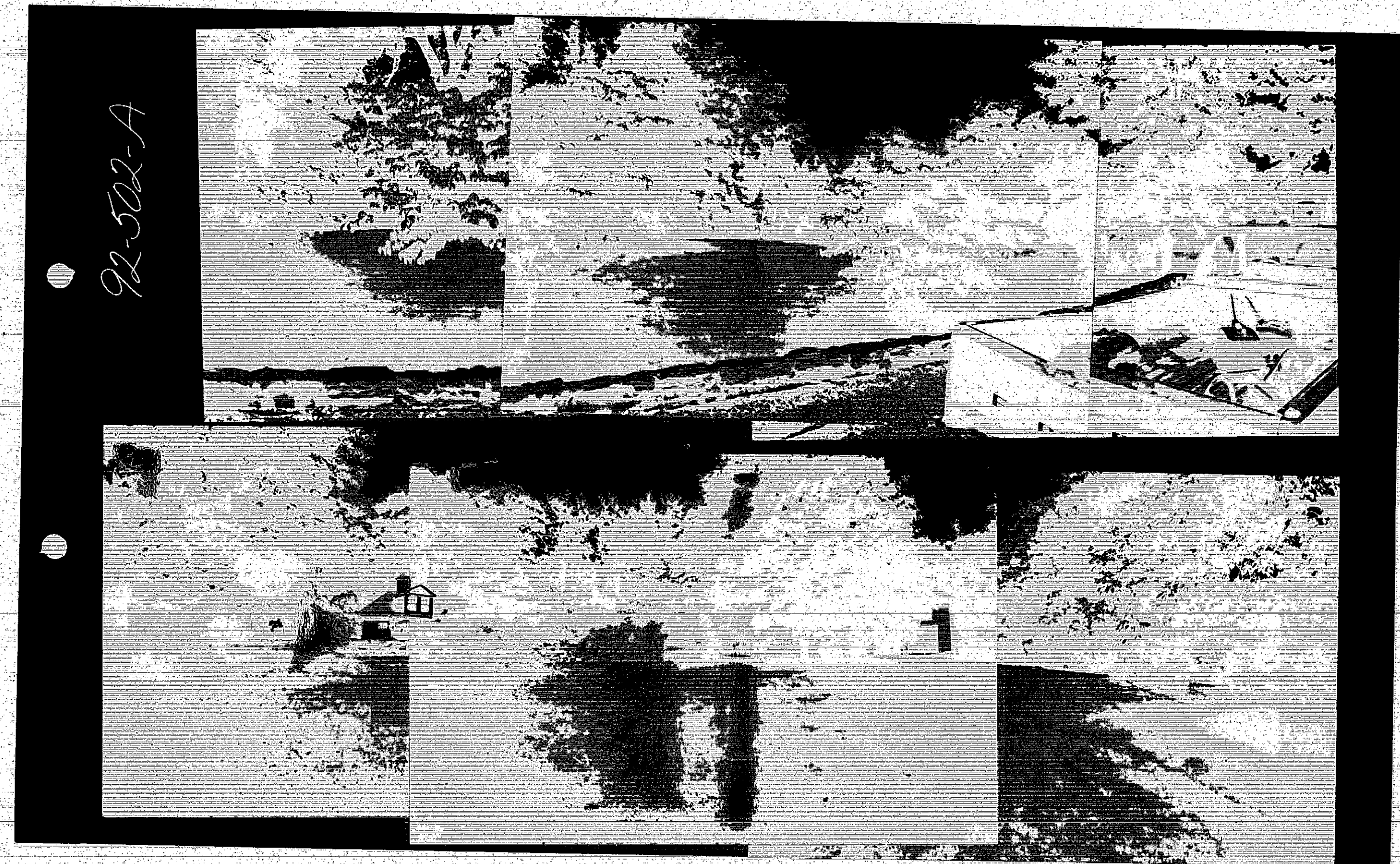
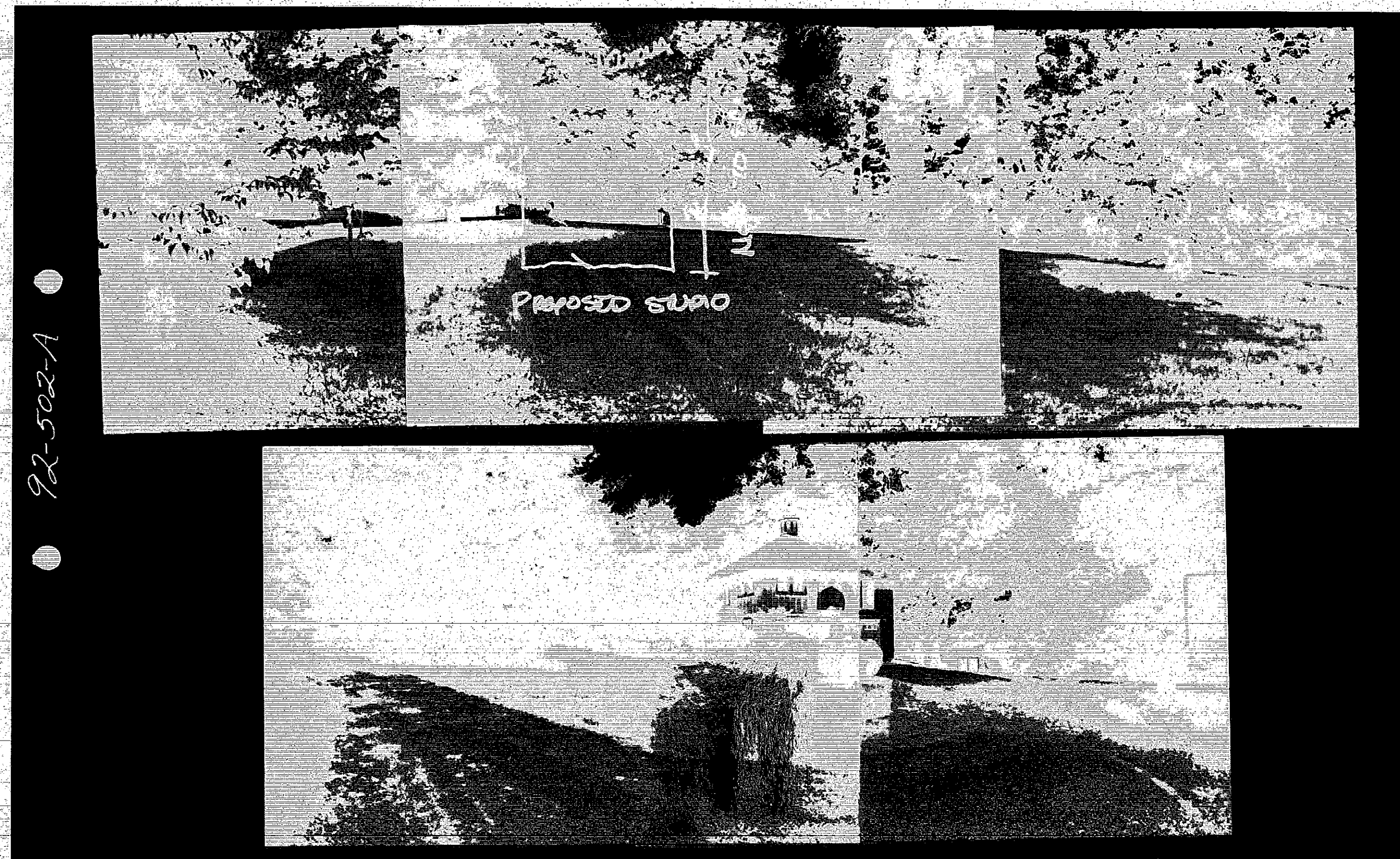
3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

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.

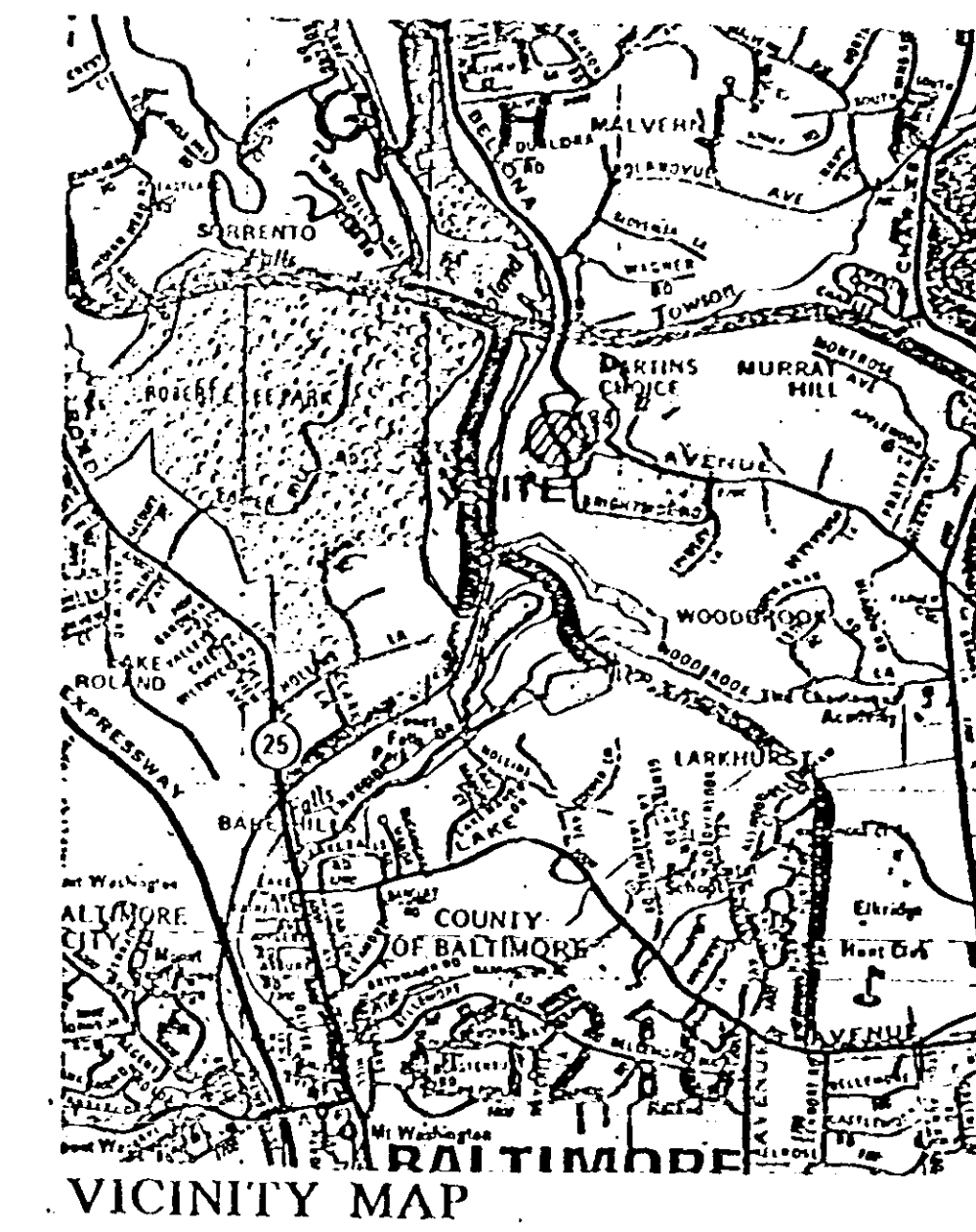
Lawrence E. Schmidt
Lawrence E. Schmidt

Zoning Commissioner, Baltimore County

cc: Rick Kingsbury

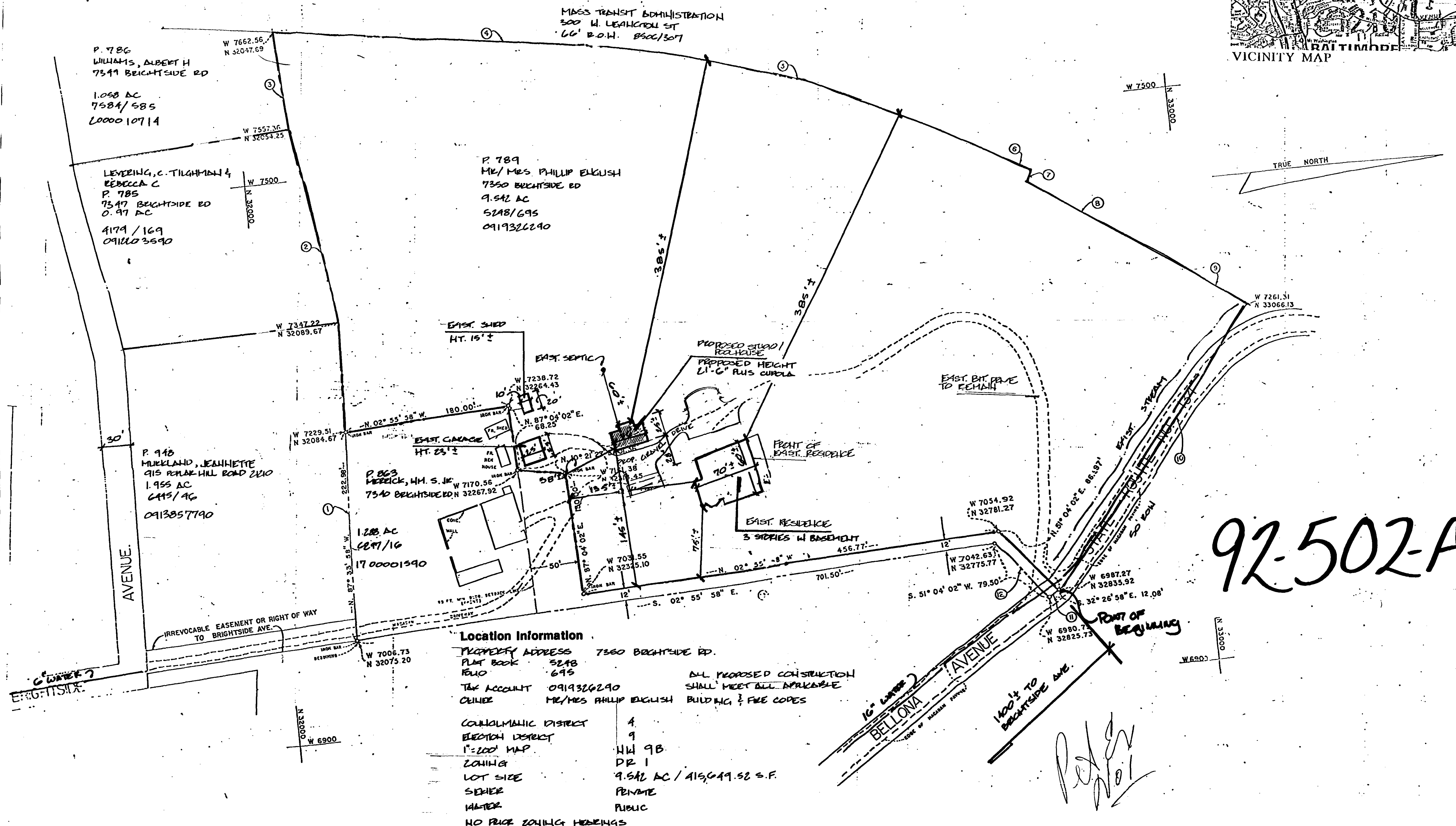


Plat To Accompany Petition For Zoning Variance



Hord Coplan Mach
Architects
Landscape Architects
Interior Designers

2525 St. Paul Street
Baltimore, Maryland
21218 • 301.467.7011



92-502-A

ENGLISH RESIDENCE
BALTIMORE COUNTY, MARYLAND

REVISED
SHEET TITLE
PLAT

DRAWN PK
SCALE 1"=50'
DATE 6-18-92
DRAWING

SHEET 1 OF 1

536