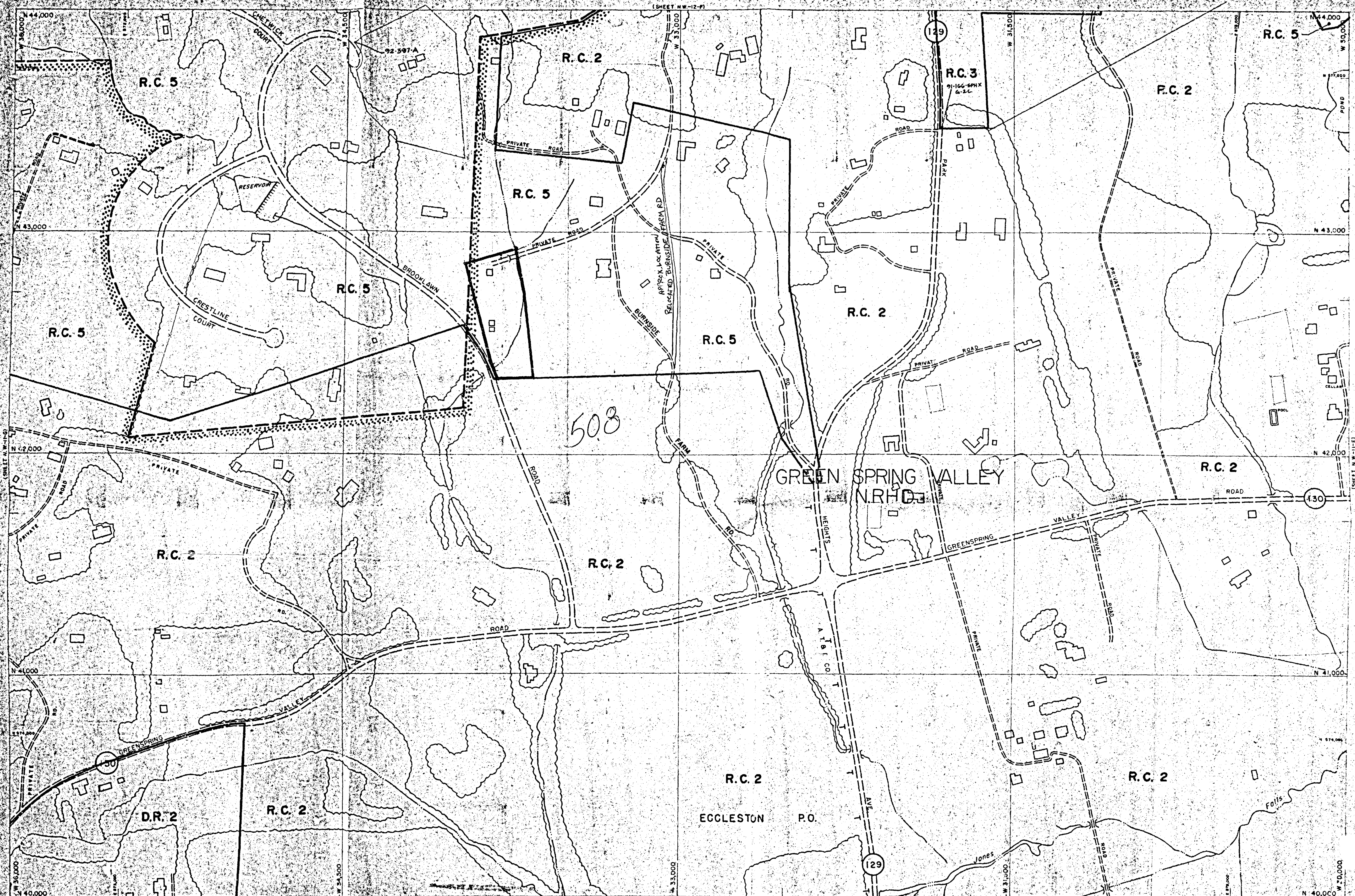
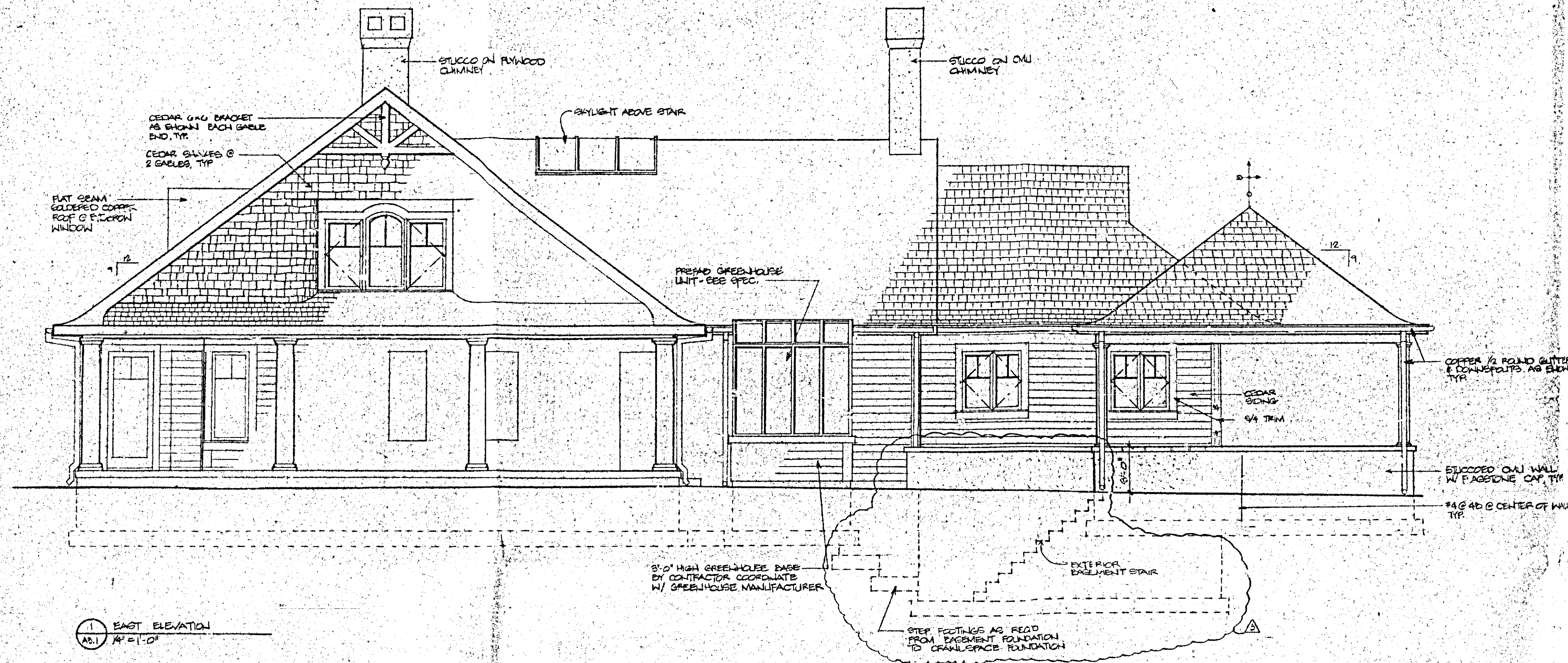


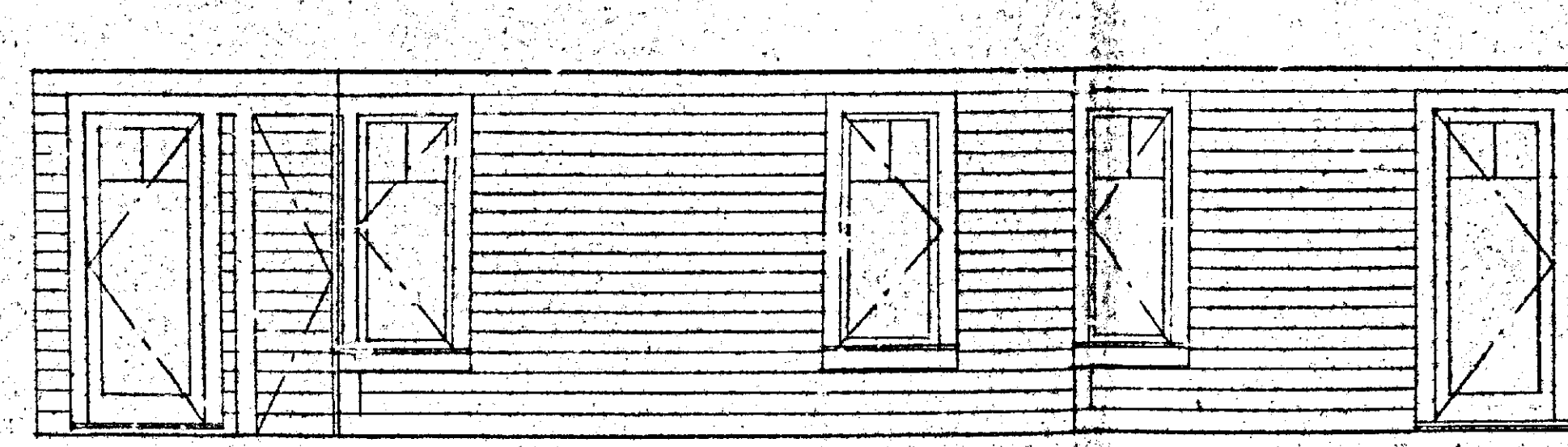
94-522-A



1988 COMPREHENSIVE ZONING MAP Adopted by the Baltimore County Council Oct. 13, 1988 BCE Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88 THIS MAP HAS BEEN REVISED IN SELECTED AREAS TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS BY BUCHART-HORN, INC., BALTIMORE, MD. 21210	<i>DeMuth</i> Chairman, County Council	BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP 1992 COMPREHENSIVE ZONING MAP Adopted by the Baltimore County Council Oct. 15, 1992 BCE Nos. 163-92, 164-92, 165-92, 166-92, 167-92, 168-92, 169-92 <i>William Howard</i> Chairman, County Council	SCALE 1" = 2' DATE OF PHOTOGRAPHY JANUARY 1986	LOCATION EGGLESTON P.O. CHATTOLANEE	SHEET N.W. 11-F
--	---	--	--	--	--------------------------------



1 EAST ELEVATION
AS.1 1/4\"/>



2 EAST PORCH ELEVATION
AS.1 1/4\"/>

PETITIONER'S
EXHIBIT No 3

FINISH	SCHEDULE					
ROOM NAME	FLOOR	WALLS	CEILING	BASE	PAINT	COMMENTS
FIRST FLOOR						
ENTRY HALL	H.W.	GND	GND	TR	YS	CROWN MOLDING
HALL	V.C.T.	GND	GND	TR	YS	
COATS	V.C.T.	GND	GND	TR	YS	PROVIDE 1 WOOD RAIL & 1 SHELF ABOVE
PORCH ROOM	V.C.T.	GND	GND	TR	YS	
REAR GRACEY	V.C.T.	GND	GND	TR	YS	
HIS GRACEY	V.C.T.	GND	GND	TR	YS	
UTILITY/UNDREY	V.C.T.	GND	GND	TR	YS	
KITCHEN	H.W.	GND/LAGS	GND	TR	YS	
LIBRARY	H.W.	GND/PARCH	GND	TR	YS	
DINING ROOM	H.W.	GND	GND	TR	YS	CROWN MOLDING WHERE POSSIBLE
BALCON	H.W.	GND	GND	TR	YS	CROWN MOLDING
MASTER BEDROOM	CARPET H.L.C.	GND	GND	TR	YS	CROWN MOLDING
MASTER BATH	V.C.T.	GND/C.T.	GND	TR	YS	
LINEN	CARPET H.L.C.	GND	GND	TR	YS	
MASTER CLOSET	CARPET H.L.C.	GND	GND	TR	YS	SEE PLAN FOR FIT-OUT
STAIRS	H.W.	GND	GND/GLASS	TR	YS	
REAR	CONCRETE	CEDAR SIDING	THIN		YS	8 EXTENSIVE OF HOUSE TO BE SHOWN
SECOND FLOOR						
BEDROOM #1	CARPET H.L.C.	GND	GND	TR	YS	
CLOSET #1	CARPET H.L.C.	GND	GND	TR	YS	PROVIDE 1 WOOD RAIL & 1 SHELF ABOVE
STORAGE	STAIRS PLAND	PER FRANKS	PER FRANKS			
HALL	CARPET H.L.C.	GND	GND	TR	YS	
BATH	V.C.T.	GND	GND	TR	YS	
BEDROOM #2	CARPET H.L.C.	GND	GND	TR	YS	
CLOSET #2	CARPET H.L.C.	GND	GND	TR	YS	PROVIDE 1 WOOD RAIL & 1 SHELF ABOVE

THE ROBINSON RESIDENCE

5522 BURNING FARM ROAD
STEVENSON, MARYLAND 21153

Schamu
Machowski
Doo
&
Associates
Architects

1001 Baltimore
Street
Baltimore, Maryland 21201
(410) 555-4882

THESE DRAWINGS ARE
NOT FOR CONSTRUCTION
OR FOR RECORD.

ALL DRAWINGS
SPECIFICATIONS AND
RELATED DOCUMENTS ARE
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MAY BE RETURNED
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ARCHITECT'S WRITTEN
PERMISSION.

REVISIONS
1. ACCORDING 1 2/21/94
2. ACCORDING 2 3/1/94
3. REVISION 1 4/14/94

DATE 3/1/94 FOR D.D.

SCALE AS NOTED

JOB NO. 98022

TITLE FRONT ELEVATION
FINISH SCHEDULE
SHEET 17

A5.1

COORDINATES

NO.	NORTH	WEST
500	41357.40	32635.72
510	41470.72	32680.24
512	41564.87	32737.90
513	41620.04	32766.57
9	42973.36	33215.65
126	41310.27	32824.00
127	41243.08	33401.06
515	41820.52	32512.68
516	41857.49	32540.92
518	41978.34	32550.64
519	42016.70	33025.18
521	42250.38	33067.52
522	42336.00	33140.46
545	42572.73	33128.68
200	42984.10	33451.47
546	42862.73	33120.47
547	42750.80	33091.86
216	42856.11	33945.80
548	42569.10	33155.21
549	42400.50	33212.06
252	42397.09	33734.65
263	42418.16	33771.03
265	41950.57	33684.47
266	41645.58	33579.45
269	41243.37	33436.69

OWNERS CERTIFICATE

- HELEN SMITH SHOEMAKER AKA HELEN D. SHOEMAKER BY SALLY S. ROBINSON AS HER ATTORNEY-IN-FACT OWNER: SALLY S. ROBINSON DATE: 11/21/91
- ANDREW A. ROBINSON, J. COURTLAND ROBINSON, WILLIAM C. ROBINSON AND ELLEN W. ROBINSON BY SALLY S. ROBINSON AS THEIR ATTORNEY-IN-FACT OWNER: SALLY S. ROBINSON DATE: 11/21/91
- ANDREW A. ROBINSON, J. COURTLAND ROBINSON, WILLIAM C. ROBINSON AND ELLEN W. ROBINSON BY HELEN S. HAGGART AS THEIR ATTORNEY-IN-FACT OWNER: HELEN S. HAGGART DATE: 11/21/91
- HELEN S. HAGGART OWNER: HELEN S. HAGGART DATE: 11/21/91
- HELEN S. HAGGART, AS SUCCESSOR CUSTODIAN UGMA MD FOR BAYARD D. REA AND BENJAMIN S. REA OWNER: HELEN S. HAGGART DATE: 11/21/91
- VIRGIL J. HAGGART, JR. OWNER: VIRGIL J. HAGGART, JR. DATE: 11/21/91
- SALLY S. ROBINSON OWNER: SALLY S. ROBINSON DATE: 11/21/91
- SAMUEL S. ROBINSON OWNER: SAMUEL S. ROBINSON DATE: 11/21/91
- SPARKS STATE BANK MORTGAGEE: SPARKS STATE BANK DATE: 10/3/91

NOTE: A VARIANCE WAS GRANTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT FROM REGULATIONS FOR THE PROTECTION OF WATER QUALITY, STREAMS, WETLANDS, & FLOODPLAINS WHICH BECAME EFFECTIVE ON JANUARY 1, 2001. CONDITIONS WERE PLACED ON THE VARIANCE TO REDUCE WATER QUALITY IMPACTS FOR LOTS 1, 2, 3, 5, 6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 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.

NOTE: THE AREA ALONG THE TOP OF THE DRIVEWAY TO LOT 11, EXTENDING DOWN SLOTE TO THE STREAM, SHALL BE PROTECTED BY A LINE OF SIGNS INDICATING "FOREST BUFFER - DO NOT DISTURB" PLACED AT 50' INTERVALS ALONG SLOTE TO OF THE FLOODPLAIN. LOT 11 LINE 100' RD. 4' SIGNED AT 50' INTERVALS SHALL BE PROTECTED AT 50' FROM THE STREAM. PLACED AT 50' INTERVALS INDICATE "FOREST BUFFER - DO NOT DISTURB".

GENERAL NOTES THIS PLAT:
1. AREA OF THIS PLAT = 22.94 AC.
2. NUMBER OF LOTS THIS PLAT = 3

ZONE	DENSITY TABLE		
	ALLOWED	USED	REMAINING
RC-2	1	1	0

THE RC-2 PORTION OF LOT 1 HAS BEEN ALLOCATED ONE DENSITY UNIT AND THE RC-5 PORTION OF LOT 11 HAS BEEN ALLOCATED ONE DENSITY UNIT.

Final Plat: 1/24/94
Final Plat: 1/24/94
Dev. Fee: 1/24/94
Dev. Fee: 1/24/94
Stamps, Mailing: 1/24/94
Planning: 1/24/94
Land Acquisitions: 1/24/94
Assessments: 1/24/94

ENGINEERING DESIGN ONLY P.E. NO. 16858

APPROVED: DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

NOTE:

STREETS and/or ROADS shown hereon and mention thereof in deeds are for purposes of dedication only, and the same are not intended to be dedicated to public use; the fee simple title to the same is expressly reserved in the grant of the deed to which this plat is attached, their heirs and assigns.

NOTE:

COORDINATES and BEARINGS shown on this plat are referred to by the system of coordinates established in The Baltimore County Metropolitan District and are based on the following traverse stations:
HUB N213110 N 41768.82 W30937.82
HUB N213111 N 41529.41 W31814.55

OWNERS CERTIFICATE

The undersigned, owner of the land shown on this plat hereby certifies that, to the best of his/her knowledge, the requirements of Subsection (C) of Section 3-102 of the Real Property Article of the Annotated Code of Maryland, has been complied with, insofar as some concern the making of the plat and setting of the markers.

FOR SIGNATURES SEE "OWNER CERTIFICATE" THIS SHEET

SURVEYORS CERTIFICATE

The undersigned, a Registered Professional Surveyor of the State of Maryland, does hereby certify that he is the surveyor who prepared this plat and that the land shown on this plat has been laid out and the plat thereof has been prepared in compliance with Subsection (C) of Section 3-102 of the Real Property Article of the Annotated Code of Maryland, pertaining to the making of the plat and setting of the markers.

C. A. PAUGH R.P.S. #75 DATE: 10-15-91

OWNER
C/O SAMUEL S. ROBINSON
VALLEY CRAFTSMEN LTD.
3535 CLIFFER HILL ROAD
BALTIMORE, MARYLAND 21211

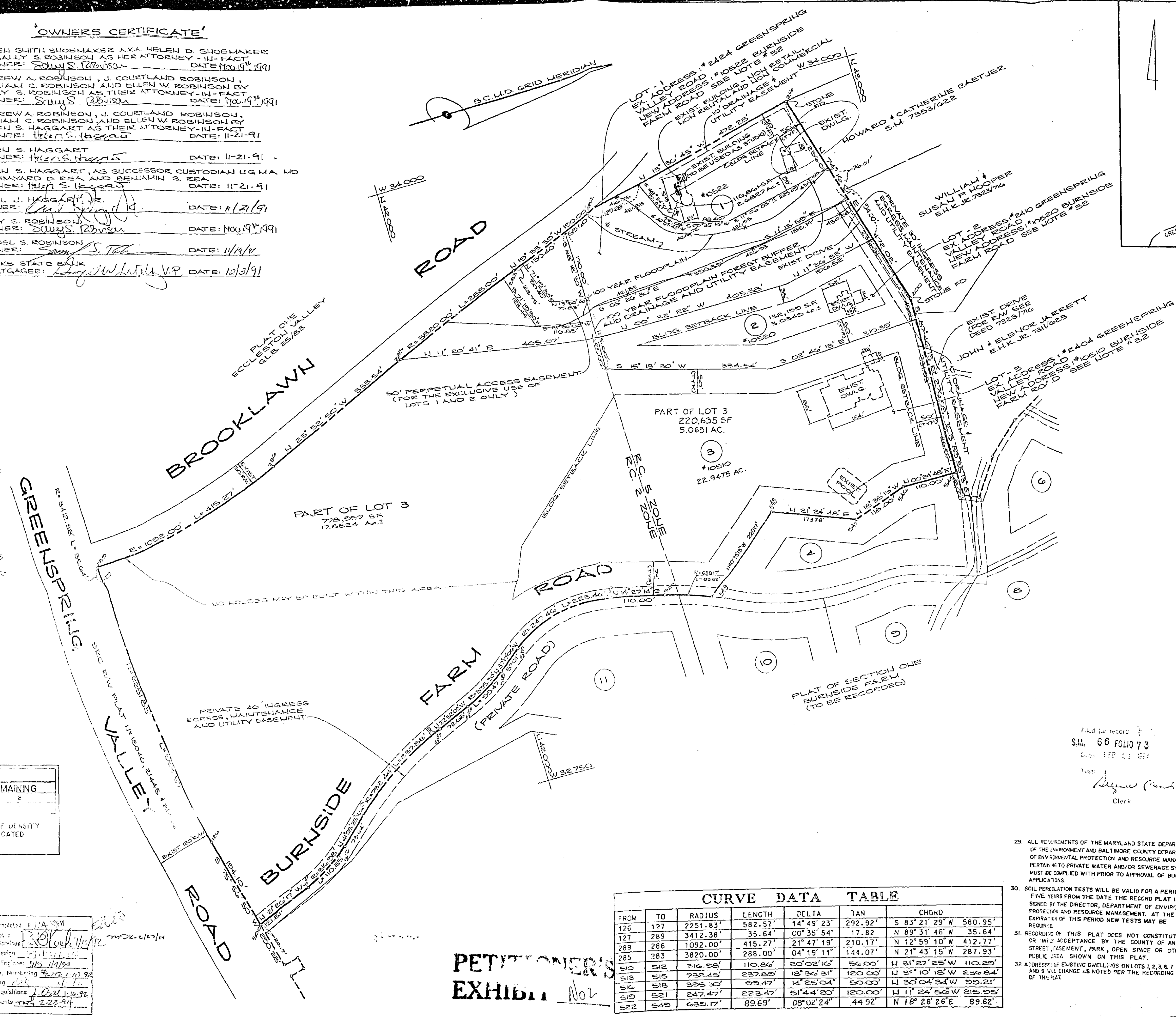
DEVELOPER
CATYARD BROOKS REALTY CO.
P.O. BOX 40
7312 FARMERS HILL ROAD
PHILADELPHIA, MARYLAND 21131

KCI TECHNOLOGIES, INC.

ENGINEERS • PLANNERS • SURVEYORS
1020 CROWWELL BRIDGE ROAD TOWSON, MARYLAND 21204

COMPUTED: RLC DRAWN: CAD CHECKED: AP J.O. 0810195

6-10-73 FILE: BURNIDE.DGN (PROJECT DISK)



CURVE DATA TABLE									
FROM	TO	RADIUS	LENGTH	DELTA	TAN	CHORD			
126	127	2251.83'	582.57'	14° 49' 23"	292.92'	S 83° 21' 28" W 580.95'			
127	289	3412.38'	35.64'	00° 35' 54"	17.82'	N 89° 31' 46" W 35.64'			
127	289	1092.00'	415.27'	21° 47' 19"	210.17'	N 12° 59' 10" W 412.77'			
289	285	3820.00'	288.00'	04° 19' 11"	144.07'	N 21° 43' 15" W 287.93'			
285	510	316.98'	110.82'	20° 02' 16"	56.00'	W 31° 27' 25" W 110.29'			
510	512	722.45'	237.69'	18° 36' 31"	120.00'	W 3° 10' 18" W 236.84'			
512	518	325.50'	93.47'	14° 25' 04"	50.00'	W 30° 04' 34" W 93.21'			
518	521	247.47'	223.47'	51° 44' 20"	120.00'	N 11° 24' 56" W 215.05'			
521	549	635.17'	89.69'	08° 02' 24"	44.92'	N 18° 28' 26" E 89.62'			

PROPERTY ADDRESS: 10522 BURNBIDE FARM ROAD STEVENSON

PROPERTY ADDRESS: 10522 BURNBIDE FARM ROAD STEVENSON

Subdivision name: BURNSIDE FARM

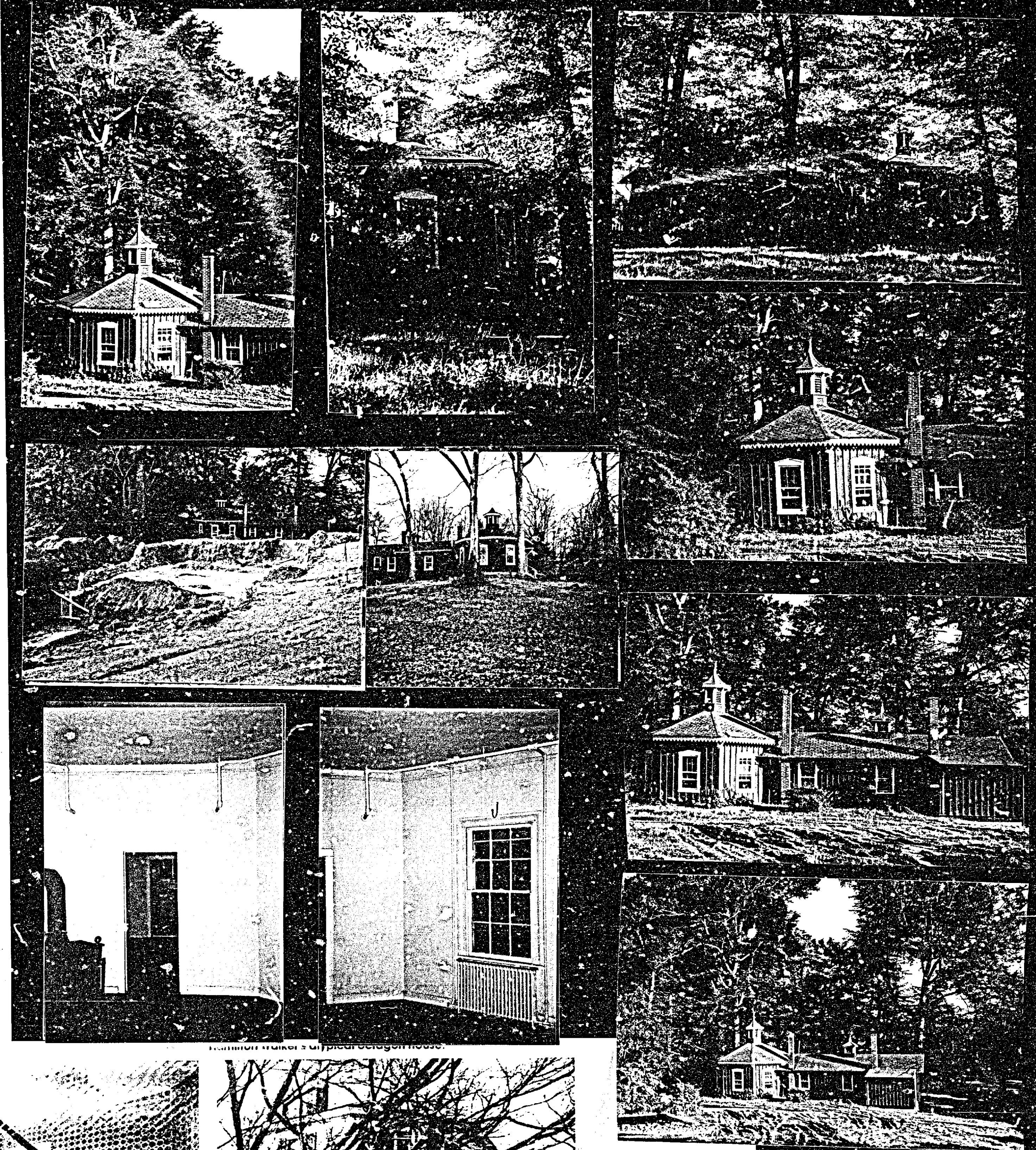
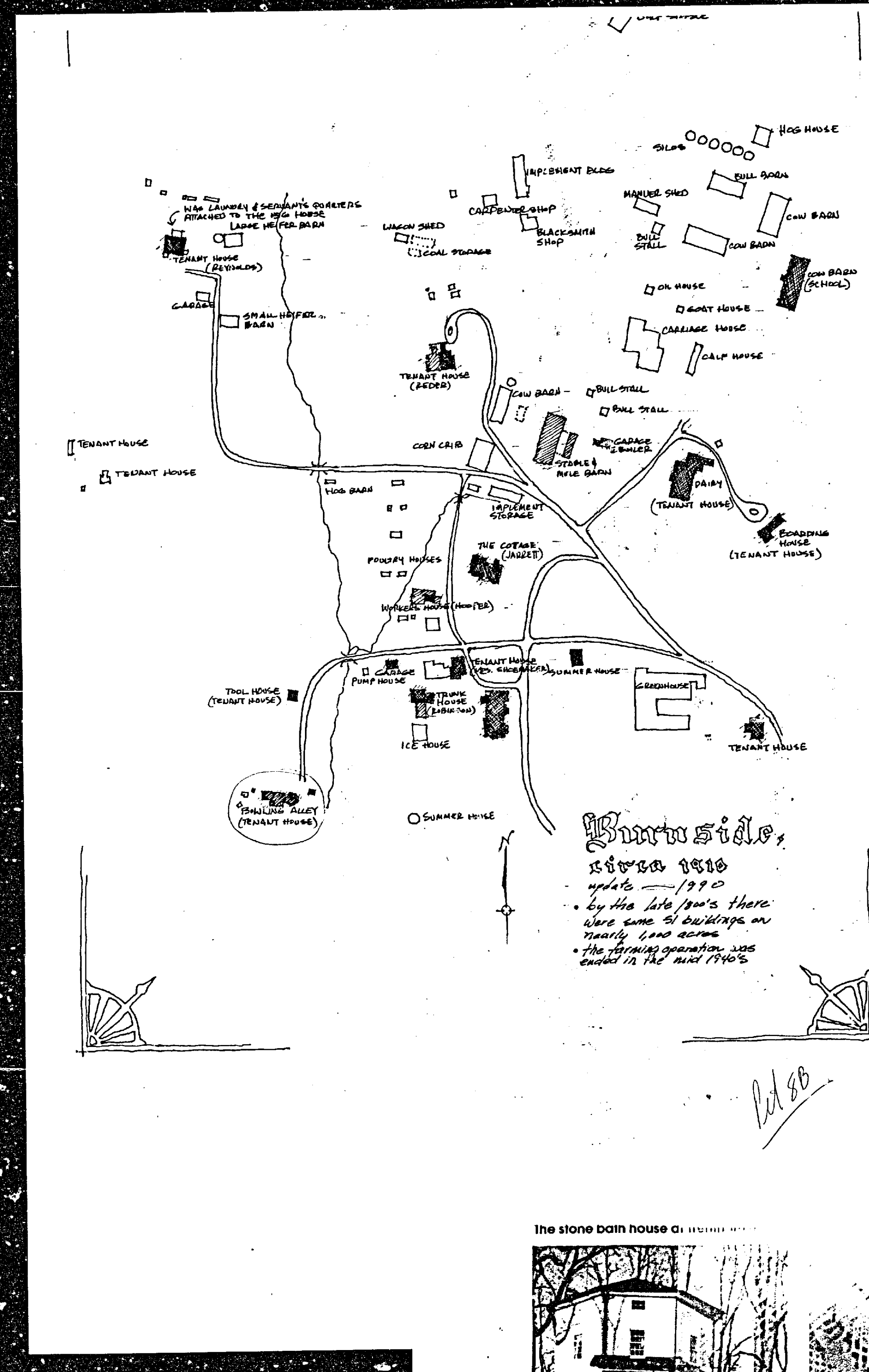
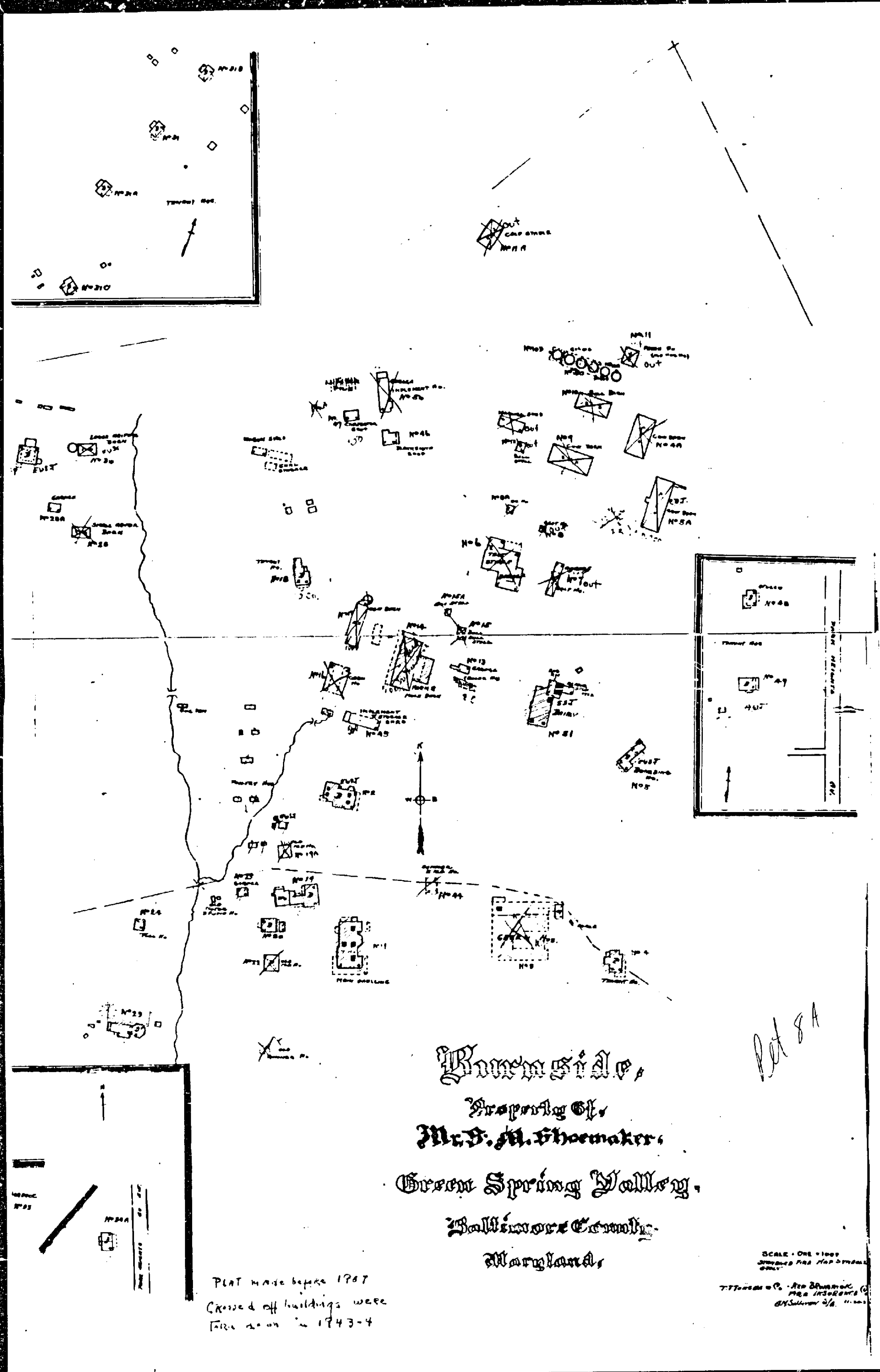
plat book # 66, folio # 75, lot # 1, section # 2

OWNER: J.C. & SALLY ROBINSON



**PETITIONER'S
EXHIBIT** 1161

[illegible]



PLEASE PRINT CLEARLY

Interested Parties
PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Margaret Worrell	Valley Rd. Council P.O. Box 5402 Towson, MD 21285-5402
Mr. and Mrs. Wm. Hooper, Jr.	10536 Burnside Farm Rd. Owings Mills, Md. 21117
JOHN D. JARRETT	10530 Burnside Farm Road STEVENSON, MARYLAND 21153
Katharine Timmy Boulger	10601 Brookhaven Rd. Stevenson, Md. 21153
Peter U. Marks	12 CRESTLINE CT. OWINGS MILLS, Md. 21117
Mike P. Best	10603 Brookhaven Rd. Owings Mills, MD 21117

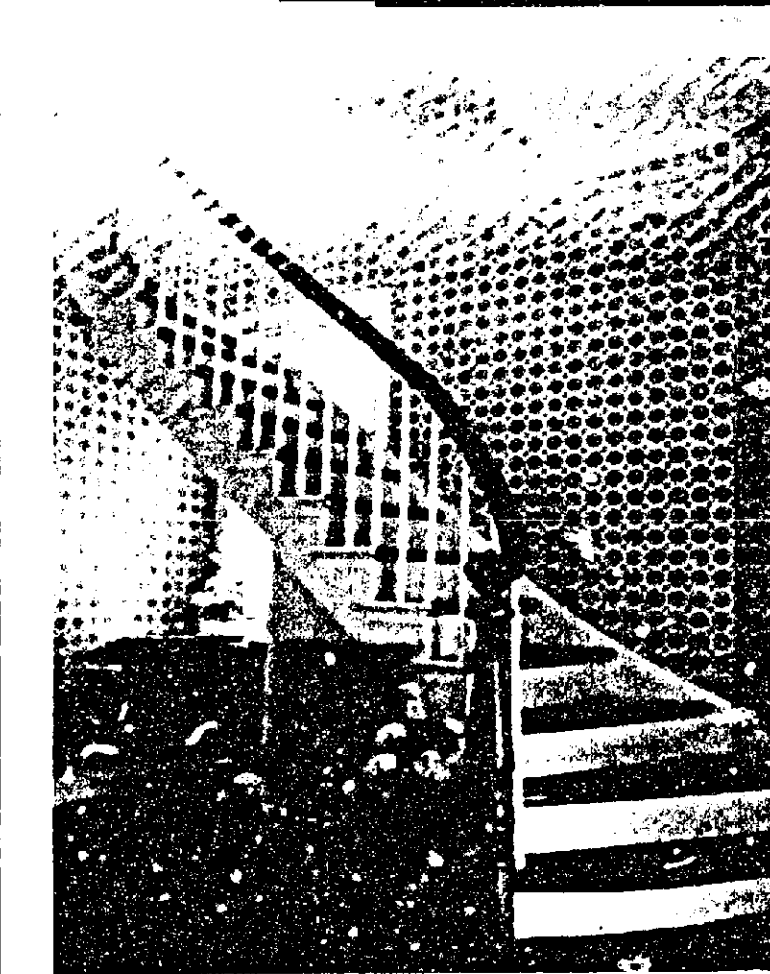
PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

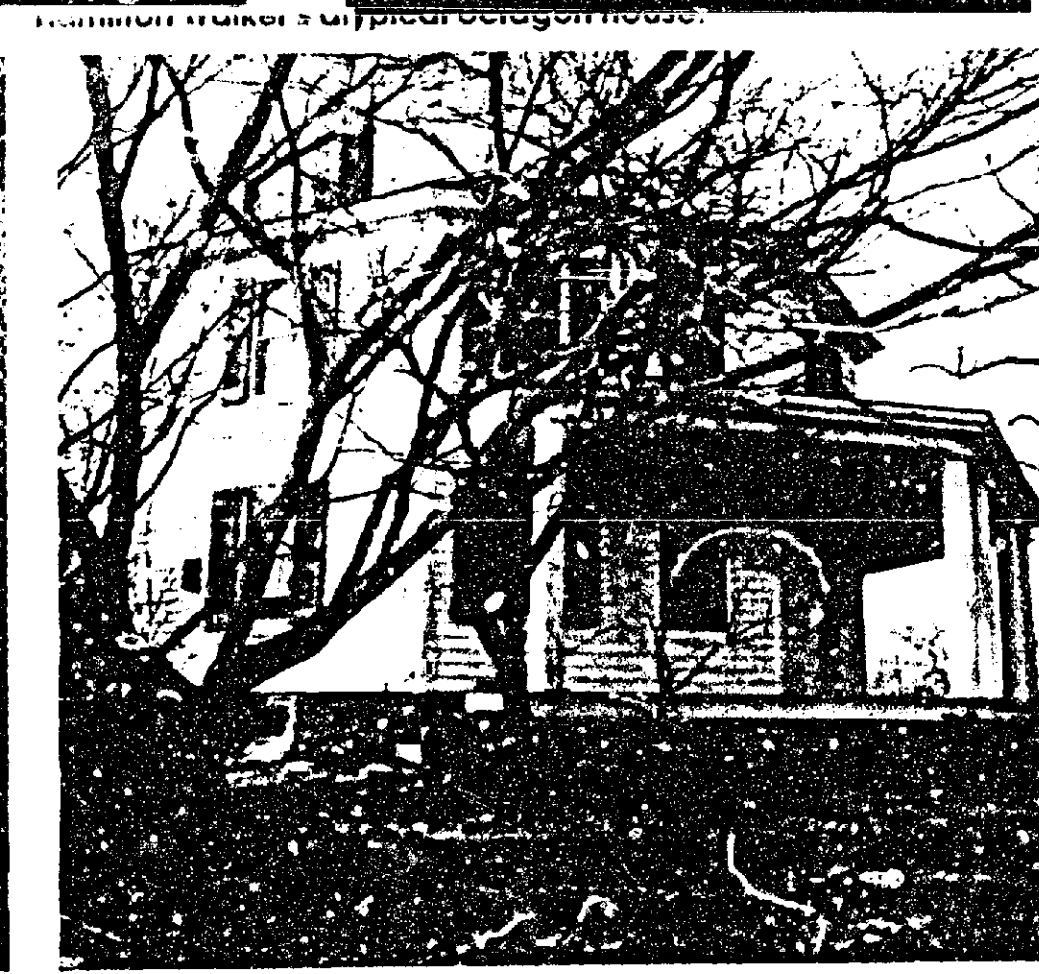
NAME	ADDRESS
J. Courtland Robinson	Burnside Farm Rd. Stevenson
SAM ROBINSON	BURNSIDE, STEVENSON
SEAN SCHNEIDER	1001 GATHERED ST BALD.
JOHN E. GEWALT	Burnside Farm Rd. Stevenson
JOHN Mc GRAW	Office of Planning Taxation
Susan Hooper	10536 Burnside Farm Road
William Hooper	10536 Burnside Farm Road
JOHN D. JARRETT	10530 Burnside Farm Road
Dale S. Robinson	2404 Burnside Farm Road



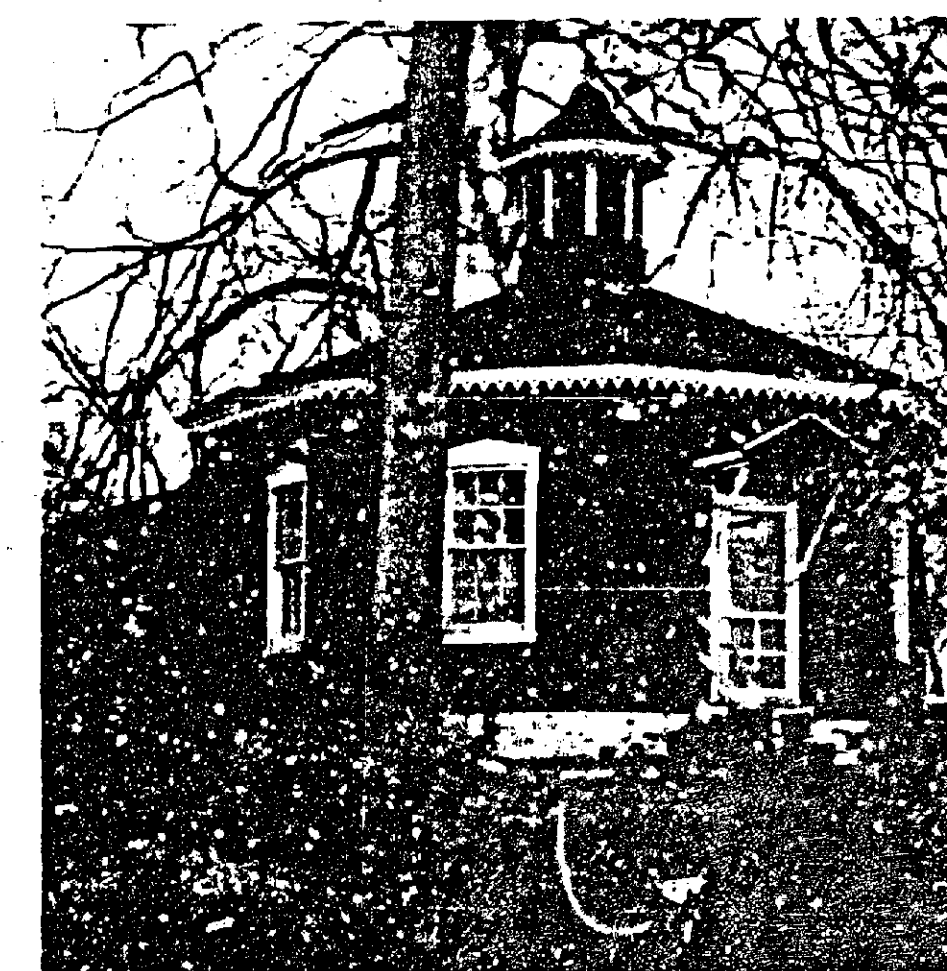
Jane Hughes Mumaghan's h.c. use.



Stairway of Walker house.

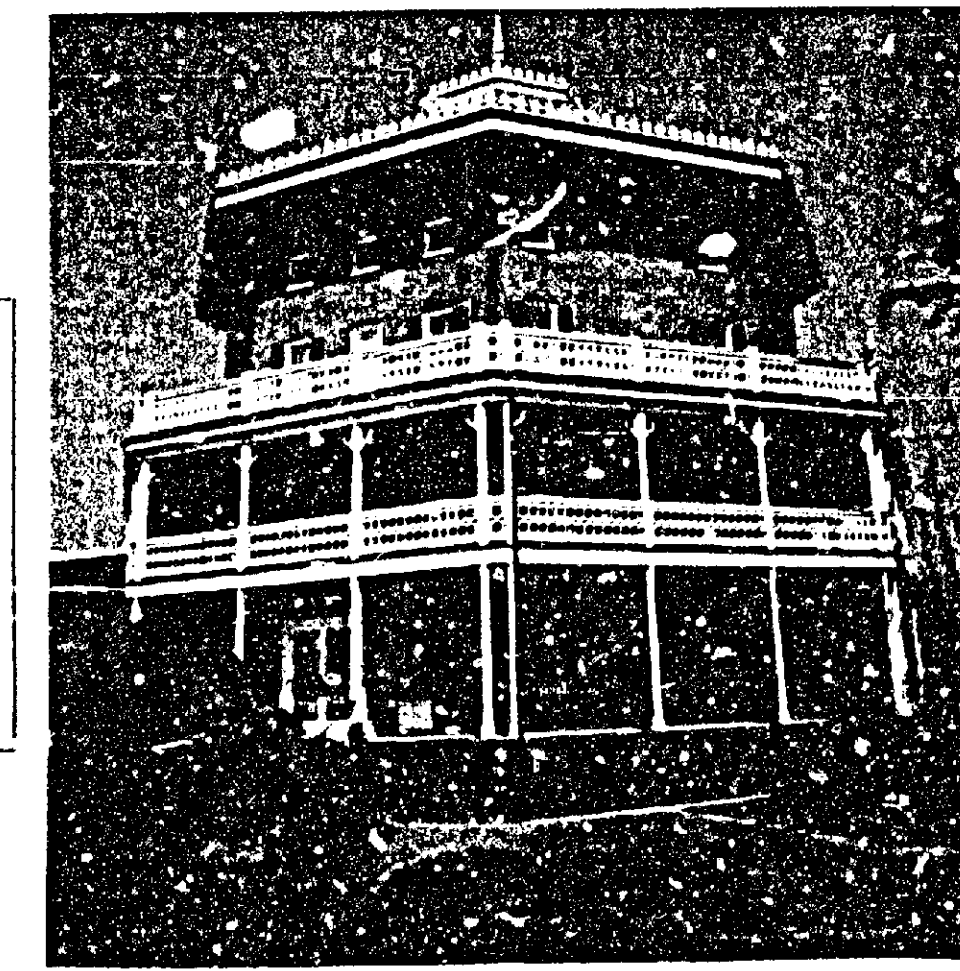


Jewett-Scott house, built in the 1850s, in Darlington.



Caretaker's cottage at Burnside farm.

Better ventilation and lower building cost were two arguments cited in favor of octagon houses.



House of USF&G's Mount Washington Center.

Pet No 7

IN RE: PETITION FOR VARIANCE
10522 BURNSIDE FARM ROAD
W END OF PRIVATE DRIVE, 2,500 FEET N.W.
OF INTERSECTION BURNSIDE FARM RD. AND
GREENSPRING VALLEY RD., 3RD ELECTION DST.
3RD COUNCILMANIC DST., PETITIONERS: ROBINSON

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 94-522-A

AFFIDAVIT OF SERVICE

I HEREBY CERTIFY, that on this _____ day of July, 1994, ANTHONY GOSSAGE, personally appeared before me, the subscriber, a Notary Public in and for the State of Maryland, County of Baltimore and made oath in due form of law as follows:

1. That he is over eighteen (18) years of age and is not a party to the above action; and
2. That he served a Subpoena upon JOHN W. MCGRAIN at the Office of Planning & Zoning Room 406, County Courts Building, 401 Bosley Avenue, Towson, Maryland 21204 on July _____, 1994 at approximate _____ a.m./p.m. by hand delivering a copy of same to John W. McGrain.

Anthony Gossage, Process Server
BODIE, NAGLE, DOLINA, SMITH & HOBBS
21 West Susquehanna Avenue
Towson, Maryland 21204
(410) 823-1250 Ext. 115

NOTARY

AS WITNESS my hand and notarial seal.

NOTARY PUBLIC

BODIE, NAGLE, DOLINA,
SMITH & HOBBS

Thomas G. Bodie
John J. Nagle III
Thomas J. Dolina
Chester H. Hobbs IV
Wendell Roseanna Flynn
Michael Paul Smith
Martha E. Biese
* Also Admitted in D.C.

July 26, 1994

HAND DELIVERED

Office of the Zoning Commissioner
for Baltimore County, Maryland
Old Court House, Room 112
Washington and Chesapeake Avenues
Towson, Maryland 21204

Re: Case No. 94-522-A
10522 Burnside Farm Road

Dear Sir/Madam:

Enclosed please find AFFIDAVIT OF SERVICE of a Subpoena served upon JOHN W. MCGRAIN for filing in regard to the above entitled action. The Subpoena was requested on behalf of the Petitioners, Dr. and Mrs. J. Courtland Robinson.

Thank you for your attention to this matter.

Sincerely yours,

Jenny C. Krichton
Legal Assistant to Thomas G. Bodie

/j/k

Enclosure

unphotocopyable

Martin J. Smith
(1938-1992)
Of Counsel:
C. Arthur Eby, Jr.
Wallace Dean
Residence Office:
143 Maple Street
Reisterstown, MD 21136
(410) 833-1221
Fax: (410) 833-0028

508
Given Signs
/ AT PROPERTY / AT END OF
BURNSIDE AND PRIV. DRIVE.
SEE 200 SCALE ZONING
MAP.
TELL WALT

August 1, 1994

Mr. Lawrence Schmidt
Zoning Commissioner
400 Washington Avenue
Towson, Maryland 21204

Re: Case No. 94-522-A
10522 Burnside Farm Road

Dear Mr. Schmidt:

We, who have signed this letter were present at the variance hearing before you on July 28, 1994. We are immediate neighbors to the Petitioners who are requesting a variance to permit an existing accessory structure to be located in the side and front yard of their lot. We wish to emphasize in writing the concerns that we voiced during the meeting.

At the hearing you said you would put restrictions on the use of the property. We are asking you to make very clear that your order restricts (as testified by the Owners and their attorney) that no one, including family, will use the Ten Pin Alley for overnight accommodations or any residential type situation, that the only plumbing permitted will be a sink and a toilet, as stated at the hearing.

We ask you to restrict definitively that the Ten Pin Alley structure cannot be used for any commercial or rental ventures, whether artistic in nature or otherwise, nor will it be used for an office for Dr. Robinson's medical practice, just Storage/"Reflective Room" as the owners and their attorney said at the hearing.

We request that your restrictions and conditions run with

August 1, 1994

-2-

Mr. Lawrence Schmidt
Zoning Commissioner
400 Washington Avenue
Towson, Maryland 21204

Re: Case No. 94-522-A
10522 Burnside Farm Road

the land, and therefore be incumbent upon any subsequent owners or assigns of 10522 Burnside Farm Road.

Past development history on Burnside Farm has made us wary. We ask you to make the restrictions crystal clear so that we, as neighbors, may avoid conflicts or misunderstandings.

Thank you for your time and effort with this matter.

Sincerely,

William U. Hooper, Jr.

Susan P. Hooper

10536 Burnside Farm Road
Owings Mills, Maryland 21117

cc: Margaret Worrell, Director
Valleys Planning Council, Inc.

August 1, 1994

-2-

Mr. Lawrence Schmidt
Zoning Commissioner
400 Washington Avenue
Towson, Maryland 21204

Re: Case No. 94-522-A
10522 Burnside Farm Road

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Past development history on Burnside Farm has made us wary. We ask you to make the restrictions crystal clear so that we, as neighbors, may avoid conflicts or misunderstandings.

Thank you for your time and effort with this matter.

Sincerely,

Meta R. Boyd

10603 Brooklawn Road
Owings Mills, Maryland 21117

cc: Margaret Worrell, Director
Valleys Planning Council, Inc.

August 1, 1994

-2-

Mr. Lawrence Schmidt
Zoning Commissioner
400 Washington Avenue
Towson, Maryland 21204

Re: Case No. 94-522-A
10522 Burnside Farm Road

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Past development history on Burnside Farm has made us wary. We ask you to make the restrictions crystal clear so that we, as neighbors, may avoid conflicts or misunderstandings.

Thank you for your time and effort with this matter.

Sincerely,

Peter Y. Martin

12 Crestline Court
Owings Mills, Maryland 21117

cc: Margaret Worrell, Director
Valleys Planning Council, Inc.

August 1, 1994

-2-

Mr. Lawrence Schmidt
Zoning Commissioner
400 Washington Avenue
Towson, Maryland 21204

Re: Case No. 94-522-A
10522 Burnside Farm Road

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Past development history on Burnside Farm has made us wary. We ask you to make the restrictions crystal clear so that we, as neighbors, may avoid conflicts or misunderstandings.

Thank you for your time and effort with this matter.

Sincerely,

Katharine Finney Baetjer

10601 Brooklawn Road
Stevenson, Maryland 21153

cc: Margaret Worrell, Director
Valleys Planning Council, Inc.

Zoning Plans Advisory Committee Comments
Thomas G. Bodie, Esquire
Date: July 19, 1994
Page 2

2. Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the zoning commissioner will deny the petition due to errors or incompleteness.

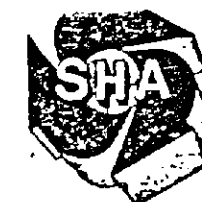
3. Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72-hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Charlotte Minton in the zoning office at 887-3391 or the commissioning agency.

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR:cm
Enclosures



Maryland Department of Transportation
State Highway Administration

U. James Lightizer
Secretary
Hal Kassoff
Administrator

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No: 4308 (JLL)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Robert Small
John Constable, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 17 - Baltimore, MD 21203-0717
Street Address: 787 North Calvert Street - Baltimore, Maryland 21202

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

July 12, 1994

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
FROM: J. Lawrence Pilson
Development Coordinator, DEPRM
SUBJECT: Zoning Item #508 - Robinson Property
10522 Burnside Farm Road
Zoning Advisory Committee Meeting of July 5, 1994

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

Environmental Impact Review

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

No grading or other disturbance is allowed within the Forest Buffer Easement.

Development Coordination

Remove the southernmost portion of the septic reserve area (the protruded area) and expand the easternmost side of the septic reserve area in order to bring it up to the required 10,000 square feet.

JLP:EG:LS:sp

ROBINSON/DEPRM/TXTSBD

Baltimore County Government
Fire Department



700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/01/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW Zoning Agenda:

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.

B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 504, 506, 507, 508, 509, AND 511.

RECEIVED
JUL 5 1994

ZADM

REVIEWER: LT. ROBERT P. SAUERHAUD
Fire Marshal Office, PHONE 887-4681, MS-1102F

cc: File

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management
FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: July 5, 1994

SUBJECT: 10522 Burnside Farm Road

INFORMATION:

Item Number: 508

Petitioner: Robinson Property

Property Size: _____

Zoning: R.C. 5

Requested Action: _____

Hearing Date: _____

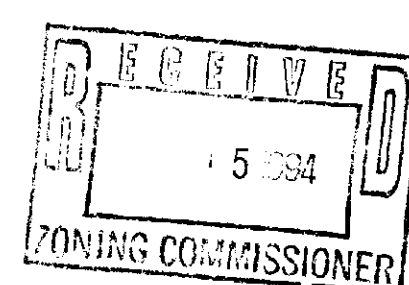
SUMMARY OF RECOMMENDATIONS:

Attached, please find John McGrain's comments of July 5, 1994 which outline the office's position regarding the subject property.

Prepared by: *John McGrain*

Division Chief: *John McGrain*

PK/JL:lw



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Administration and
Development Management

DATE: July 5, 1994

FROM: John McGrain
Office of Planning

SUBJECT: Variance at 10522 Burnside Farm Road
Permit No. B190907

The subject octagonal building at Burnside Farm is obviously of historic interest and predates all forms of zoning legislation. Octagonal buildings are rare in this or any other county and the regulations governing ordinary development should not be interpreted in such a way as to demand removal of pre-existing historic resources. The main house called "Burnside" is Maryland Historic Trust Site No. BA153, and was listed as far back as March 20, 1968. The surrounding Green Spring Valley National Register Historic District was established October 3, 1980. The main house was built in 1862 according to our capsule descriptions.

JM/mjm
B190907/PZONE/LANDMARK

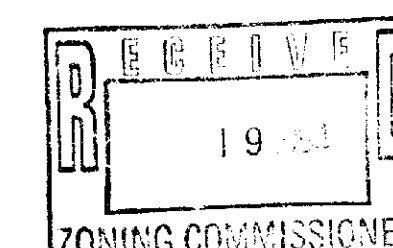
John McGrain
John McGrain

RE: PETITION FOR VARIANCE
10522 Burnside Farm Road, W end of
private drive, 2500 feet NW of
intersection Burnside Farm Road and
Greenspring Valley Road, 3rd
Election Dist., 3rd Councilmanic
Sally Shoemaker Robinson, et ux.
Petitioner

BEFORE THE
ZONING COMMISSIONER
FOR BALTIMORE COUNTY
CASE NO.: 94-522-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.



Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel

Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of July, 1994, a copy of the foregoing Entry of Appearance was mailed to Thomas G. Bodie, Esquire, 21W. Susquehanna Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

IN RE: PETITION FOR VARIANCE
10522 BURNSIDE FARM ROAD
W END OF PRIVATE DRIVE, 2500 FEET N.W.
OF INTERSECTION BURNSIDE FARM RD. AND
GREENSPRING VALLEY RD., 3RD ELECTION DST.
3RD COUNCILMANIC DST., PETITIONERS: ROBINSON

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 94-522-A

SUBPOENA

TO: JOHN W. MCGRAIN

Office of Planning & Zoning
Room 406, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

You are hereby summoned and commanded to be and appear personally before the Zoning Commissioner/Deputy Zoning Commissioner of Baltimore County in Room 118, Old Courthouse, Towson, Maryland 21204, and to bring _____

on Thursday, July 28, 1994 at 10:00 a.m., regarding the above captioned case, for the purpose of testifying at the request of the Petitioners, Sally Shoemaker Robinson and J. Courtland Robinson.

Mr. Sheriff/Private Process Server:

Please process in accordance with Zoning Commissioner's Rule IV(c).

Thomas G. Bodie

Thomas G. Bodie
Zoning Commissioner/Deputy
Zoning Commissioner
for Baltimore County

Issued: 7/6/94

3RD ED 3RD CD. **508** ZONING DESCRIPTION 10522 BURNSIDE FARM RD.

BEGINNING AT A POINT AT THE END OF A PRIVATE DRIVE SAID POINT BEING A DISTANCE OF 800 FT ± SOUTH AND WEST OF THE INTERSECTION OF (RELOCATED) BURNSIDE FARM RD AND SAID PRIVATE DRIVE. THIS POINT ALSO BEING 2500 FT ± NORTH AND WEST OF THE INTERSECTION OF BURNSIDE FARM RD AND GREENSPRING VALLEY RD. BEING LOT "L" SECT 2 OF BURNSIDE FARM PLAT BOOK 66 FOLIO 7.3 AREA= 2.68 AC ±

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd Date of Posting: 7/1/94

Posted for: Misses

Petitioner: Sally L. & J. Courtland Robinson

Location of property: 10522 Burnside Farm Rd.

Location of Sign: At intersection of Burnside Farm Rd. & Lot road on public drive on Burnside Farm Rd.

Remarks: _____

Posted by: M. J. J. J. Date of return: 7/8/94

Number of Signs: 1

CERTIFICATE OF PUBLICATION
TOWSON, MD. July 8, 1994

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 1 successive weeks, the first publication appearing on July 7, 1994

THE JEFFERSONIAN,
A. Henrichson
LEGAL AD. - TOWSON

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 at Room 118 Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:
Case: 94-522-A (Item 508)
10522 Burnside Farm Road
W end of private drive
2500 feet NW of intersection
Burnside Farm Road and
Greenspring Valley Road
3rd Election District
3rd Councilmanic
Petitioner(s): Sally Shoemaker Robinson and J. Courtland Robinson
Hearing: Thursday, July 28, 1994 at 10:00 a.m. in Rm. 118 Old Courthouse
Variances to permit an existing accessory structure to be located in the side and front yard in lieu of the final development plan of Burnside Farm for Lot #1.
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are handicapped accessible. For special accommodations please call 887-3353.
(2) For information concerning the file and/or hearing, please call 887-3391.

receipt
94-522-A
Account #007-6150
Number **508**
By JLL

Date 6/23/94

1 RV CODE 010	50.00
1 EPP HANFORD CODE 030	50.00
051115 RST 14 CODE 080	70.00
TOTAL =	170.00

OWNER: ROBINSON PAID PARTIALLY BY ROBINSON 50.00
AND SHELBY SCHWEIZER 120.00
LOC 10522 BURNSIDE FARM RD
034038013891CHRC
88 0007424006-23 94 \$170.00
Please Make Checks Payable To: Baltimore County
Cashier Validation

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

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

Provisional Approval
Permit No: 6190407 DATE: 5-31-94

LOCATION: 10522 Burnside Farm Rd
(Lot 1, Sect 2) 3rd Elect Dist.

The issuance of this permit in no way grants or implies approval of any matter relating to this property which is in conflict with the Baltimore County Zoning Regulations.

The issuance of this permit is subject to the following Conditions: (Please check appropriate box(es))

☐ Owner has filed for a public hearing, Item # _____

☒ Owner must file for a public hearing within 30 days before the Zoning Commissioner requesting relief from all conflicts with the Baltimore County Zoning Regulations.

☐ Owner/contract purchaser must submit a complete revised site development plan and requested accompanying information within _____ days resolving all possible conflicts with the Baltimore County Zoning Regulations.

The owner/contract purchaser may proceed at his own risk with the construction indicated in the above-referenced permit.

However, in the event that all of the above conditions are not completed as stipulated, and/or the petition for relief has been denied, dismissed or withdrawn, this provisional approval is rescinded forthwith.

Immediately thereafter the owner/contract purchaser must return the property to the condition it was in prior to the beginning of said construction and accepts full financial liability in the matter.

I have read the above statement and I agree to abide by the decision of the Zoning Commissioner in this matter. I also hereby certify that I am the undersigned and in fact the owner and if applicable the contract purchaser and not just an agent for same.

Signed Sally Robinson Name Sally Robinson
Owner Contract Purchaser
(Please print clearly) (Please print clearly)

Signed Arnold J. J. Name Arnold J. J.
Zoning Office Staff Address 10522 Burnside Farm Rd
Work Phone # 410-1264 Work Phone # _____
Home Phone # 410-7604 Home Phone # _____

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be assessed and paid to this office at the time of filing.
- Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold J. J.
ARNOLD JARLON, DIRECTOR

For newspaper advertising:
Item No.: 508
Petitioner: DR & MRS J. COURTLAND ROBINSON
Location: 10522 BURNSIDE FARM ROAD
PLEASE FORWARD ADVERTISING BILL TO:
NAME: DR & MRS J. COURTLAND ROBINSON
ADDRESS: 10510 BURNSIDE FARM ROAD
STEVENS, MD 21153
PHONE NUMBER: 410-7604

At: qqs (Revised 04/09/93)

TO: PUTNUT PUBLISHING COMPANY
July 7, 1994 Issue - Jeffersonian

Please forward billing to:
Dr. and Mrs. J. Courtland Robinson
10510 Burnside Farm Road
Stevens, Maryland 21153
410-7604

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 at Room 118 Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:
Case NUMBER: 94-522-A (Item 508)
10522 Burnside Farm Road
W end of private drive, 2500 feet NW of intersection Burnside Farm Road and Greenspring Valley Road
3rd Election District - 3rd Councilmanic
Petitioner(s): Sally Shoemaker Robinson and J. Courtland Robinson
HEARING: THURSDAY, JULY 28, 1994 at 10:00 a.m. in Rm. 118 Old Courthouse
Variances to permit an existing accessory structure to be located in the side and front yard in lieu of the final development plan of Burnside Farm for Lot #1

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

June 30, 1994

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 at Room 118 Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:
Case NUMBER: 94-522-A (Item 508)
10522 Burnside Farm Road
W end of private drive, 2500 feet NW of intersection Burnside Farm Road and Greenspring Valley Road
3rd Election District - 3rd Councilmanic
Petitioner(s): Sally Shoemaker Robinson and J. Courtland Robinson
HEARING: THURSDAY, JULY 28, 1994 at 10:00 a.m. in Rm. 118 Old Courthouse
Variances to permit an existing accessory structure to be located in the side and front yard in lieu of the final development plan of Burnside Farm for Lot #1

Arnold J. J.
Arnold Jarlon
Director

cc: Sally Shoemaker Robinson and J. Courtland Robinson
Sarah C. Schweizer
Thomas G. Bodie, Esquire

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

July 19, 1994

Thomas G. Bodie, Esquire
21 West Susquehanna Avenue
Towson, Maryland 21204

RE: Case No. 94-522-A, Item No. 508
Petition for Variance
Petitioner: J. Courtland Robinson, et ux.

Dear Mr. Bodie:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on June 23, 1994 and scheduled for a hearing accordingly. Any attached comments from a 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.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

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.

- 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.

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
W/end private dr. 2500' NW of * ZONING COMMISSIONER
Burnside & GreenSpring Valley *
10522 Burnside Farm Road *
3rd Election District * OF BALTIMORE COUNTY
3rd Councilmanic District *
J. Courtland Robinson, et ux * Case No. 94-522-A
Petitioners * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 10522 Burnside Farm Road in the Stevenson section of Baltimore County. The Petition is filed by J. Courtland Robinson and Sally Shoemaker Robinson, his wife, property owners. Variance relief is requested from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure to be located in the side and front yards, in lieu of the required rear yard, and to amend the last approved Final Development Plan of Burnside Farm for lot No. 1.

Appearing at the public hearing held for this case was the property owners, J. Courtland Robinson and Sally S. Robinson, his wife. Also present on behalf of the Petition was Sarah C. Schweizer, an architect with SMDA Architects, Jeanne G. Gewalt and Sam Robinson. The Petitioners were represented by Thomas Bodie, Esquire. Appearing as interested persons were several neighbors. They included William and Susan Hooper, John D. Jarrett and Katherine Finney Baetjer. Margaret Morrall on behalf of Valleys Planning Council, and John McGrain from the Office of Planning and Zoning also appeared.

The Petitioner, J. Courtland Robinson, testified and presented the site plan, received into evidence as Petitioners' Exhibit No. 1. Mr.

Robinson testified that the subject property is known as lot No. 1 of the Burnside Farm subdivision. The Burnside Farm was originally a large tract which was developed in the 19th century. The subject lot is zoned R.C.5 and is 2.6827 acres in area. The Petitioner testified that he and his wife presently live in the house located on lot No. 3 of the subdivision. That house is an old dwelling, built in approximately 1860. Recently, the Petitioner decided to construct a new dwelling which will be built on lot No. 1. Construction for the new dwelling commenced approximately 3 weeks prior to the hearing. The new dwelling will be oriented as shown on the site plan to face the panhandle driveway. Except for the new construction, lot No. 1 is presently unimproved but for the existence of an old building known as The Tenpin Alley building. Due to the construction of the new house, this existing Tenpin Alley building will be located in the front and side yards. Thus the need for variance from Section 400.1 of the BCZR which requires that all accessory buildings be located in the rear yard.

The Petitioner also described the Tenpin Alley building and presented several photographs of that structure and the surrounding locale. The building is very old and was most recently used as a residence. The structure has the most unusual shape. At one end, it is an octagon in configuration with a long narrow "stem" leading from the round portion of the building. Also, as shown in the photographs, the building presently has two "appendages". The Petitioner indicated that these appendages would be removed so that the building returns to its original configuration. Moreover, although the facility will retain its sink, wash basin and commode, the kitchen will be removed and it will no longer be used for residential purposes. The Petitioner envisions the building's use to be that of a

study or a studio to allow the Petitioner, or members of his family, with a place for contemplation and artistic endeavors.

Ms. Sarah C. Schweizer, an architect for the new residence, also testified. She, likewise, described the amendment to the original FDP and the proposed construction. She noted that only approximately 8% of the total area of lot No. 1 can be utilized for construction due to environmental constraints and other factors. Thus, the new dwelling must be located where sited rendering the need for the variances.

Ms. Jeanne Gewalt also testified. She is an expert as to historic structures and testified at length about the Tenpin Alley building. The building was apparently constructed in approximately 1880 and is one of the rare examples of octagonal buildings in this area. As noted above, the building was part of the original Burnside Farm, a large tract from a successful Baltimore entrepreneur in the 19th century. The building was constructed for use as a bowling alley, originally. The additions or appendages were added in 1934 and 1950 and will be removed.

Ms. Gewalt's testimony was corroborated by John W. McGrain, from the Office of Planning and Zoning, an expert in historic preservation and historic structures in Baltimore County. As Mr. McGrain noted, this site was formerly the scene of gracious living by the family of a wealthy Baltimore businessman. The site is one of the earliest properties which was designated as an historic area by Baltimore County. Mr. McGrain believes that the Tenpin Alley building is worth saving and supports the variance.

Testimony was also received by several of the neighbors identified above. They do not object to the preservation of the Tenpin Alley building so much as they are concerned over development of the house on site. However, as was noted at the hearing, construction of the new residence is not the issue before me, only whether the variance should be granted to

allow the existing Tenpin Alley building to be located in the side/front yards. The neighbors are mainly concerned about overcrowding of the site and potential use of the Tenpin Alley building as a residence. They also were concerned about any commercial use on the property.

As is well settled, any Petition for Variance in Baltimore County must be adjudged in accordance with the standards set forth in Section 307 of the BCZR. Therein, it is provided that variance relief is appropriate only if the Petitioner establishes that a practical difficulty would result if the variance were denied and strict adherence to the regulations were required. Moreover, relief can be granted only if same is within the spirit and intent of the BCZR and if it will not be detrimental to the surrounding locale. In this case, I am persuaded that the Petitioner has satisfied its burden and that the variance should be granted.

Clearly, based upon the site constraints present, there is limited area to place the proposed dwelling. Moreover, the historic and architectural value of the Tenpin Alley building support a finding that same should be preserved and retained. Mr. McGrain and Ms. Gewalt's testimony, in this respect, was persuasive. Thus, I shall approve the variance which has been requested.

Notwithstanding my approval, however, I am persuaded that the neighbors' concerns have merit. Thus, several restrictions shall be added to the relief granted in order to ensure that the surrounding locale is protected. First, I will prohibit use of the Tenpin Alley building as a residence in any manner. In this respect, I will require the Petitioners to remove the two additions as they have indicated in their plans. Although water, a commode, a sink and wash basin can remain in the building, there shall be no kitchen facilities. Also, I will prohibit use of the building to support any commercial or business venture. Clearly, this

ORDER RECEIVED FOR FILING
Date 8/2/94
By J. H. H. H.

ORDER RECEIVED FOR FILING
Date 8/2/94
By J. H. H. H.

ORDER RECEIVED FOR FILING
Date 8/2/94
By J. H. H. H.

ORDER RECEIVED FOR FILING
Date 8/2/94
By J. H. H. H.

is not an area in which a business or commercial enterprise should operate with its attendant traffic congestion and other factors. I will take the Petitioner at his word as was the testimony presented by Mr. Robinson. The Tenpin Alley building should be used by the Petitioner, his family and guests only, as a place for quiet contemplation and artistic endeavors. There shall be no sales or commercial business enterprise conducted therein.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2nd day of August, 1994 that a variance from Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to permit an existing accessory structure to be located in the side and front yards, in lieu of the required rear yard, and to amend the last approved Final Development Plan of Burnside Farm for lot No. 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The 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. The building shown on the site plan and designated as The Tenpin Alley building shall be improved so as to remove the additions on said structure. Thereafter, the building shall not be used as a dwelling/apartment and shall contain no kitchen facilities.
3. There shall be no business or commercial enterprises conducted within The Tenpin Alley building. It shall be used only by the property owners, members of their family and guests for

artistic purposes and as a place for quiet contemplation. There shall be no signs nor sales of any product from the aforementioned building.

LES:mmm

Lawrence E. Schmidt
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 8/2/94
By J. H. H. H.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

August 2, 1994

Thomas G. Bodie, Esquire
21 W. Susquehanna Avenue
Towson, Maryland 21204

RE: Case No. 94-522-A
Petition for Zoning Variance
J. Courtland Robinson, et ux, Petitioners

Dear Mr. Bodie:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

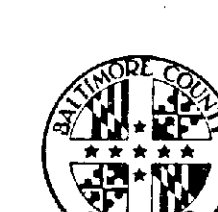
Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:mmm

att:
cc: Mr. and Mrs. J. Courtland Robinson
cc: Mrs. Jeanne G. Gewalt
cc: Mr. John McGrain, Office of Planning and Zoning
cc: Mr. and Mrs. William Hooper, Jr.
cc: Mrs. Margaret Morrall, Valleys Planning Council

ORDER RECEIVED FOR FILING
Date 8/2/94
By J. H. H. H.



Petition for Variance

to the Zoning Commissioner of Baltimore County

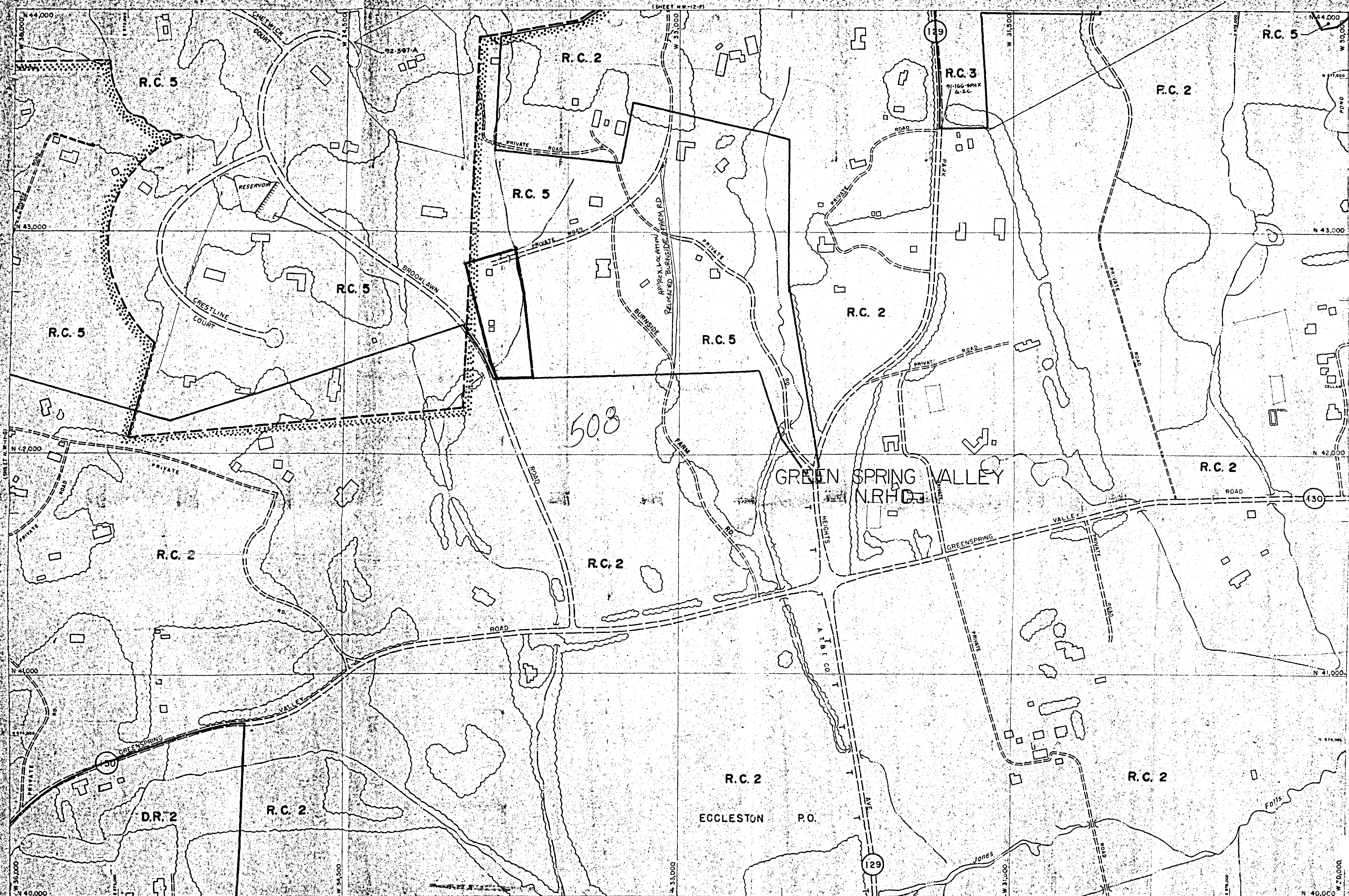
for the property located at 10522 Burnside Farm Road which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated 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(s) 400.1 TO PERMIT AN EXISTING ACCESSORY STRUCTURE TO BE LOCATED IN THE SIDE & FRONT YARD IN LIEU OF THE REQUIRED REAR YARD (IN PART DUE TO NEW DWELLING LOCATION) AND TO AMEND THE LAST APPROVED FINAL DEVELOPMENT PLAN FOR BURNSIDE FARM FOR LOT #1. The undersigned, legal owner(s) of the property situated in Baltimore County, for the following reasons: (Indicate hardship or practical difficulty.) 1) The exist. "Tenpin Alley" and the exist. property line have been in their present locations for more than 100 years, long before the setback was imposed. 2) Because the other exist. bldg. on the lot is being removed, the Tenpin Alley requires a variance to remain. 3) The Tenpin Alley is of historic significance, being one of 5 octagonal buildings in the County; to have to raise it would be a great injustice. 4) The strip of land, closest to the building, of the adjacent property, is the driveway accessing the neighboring house, which is to be removed. 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.

Contract Purchaser/Lessee:
(Type or Print Name)
Signature
Address
City State Zipcode
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City State Zipcode
Name, Address and phone number of representative to be contacted:
Sally Shoemaker Robinson
Signature
J. Courtland Robinson
Signature
10510 Burnside Farm Road 484-7604
Towson, MD 21204
Stevenson, Maryland 21153
Sarah C. Schweizer, SMDA Architects
1001 Cathedral St., Balto., Md. 685-3582
Address
Phone No.

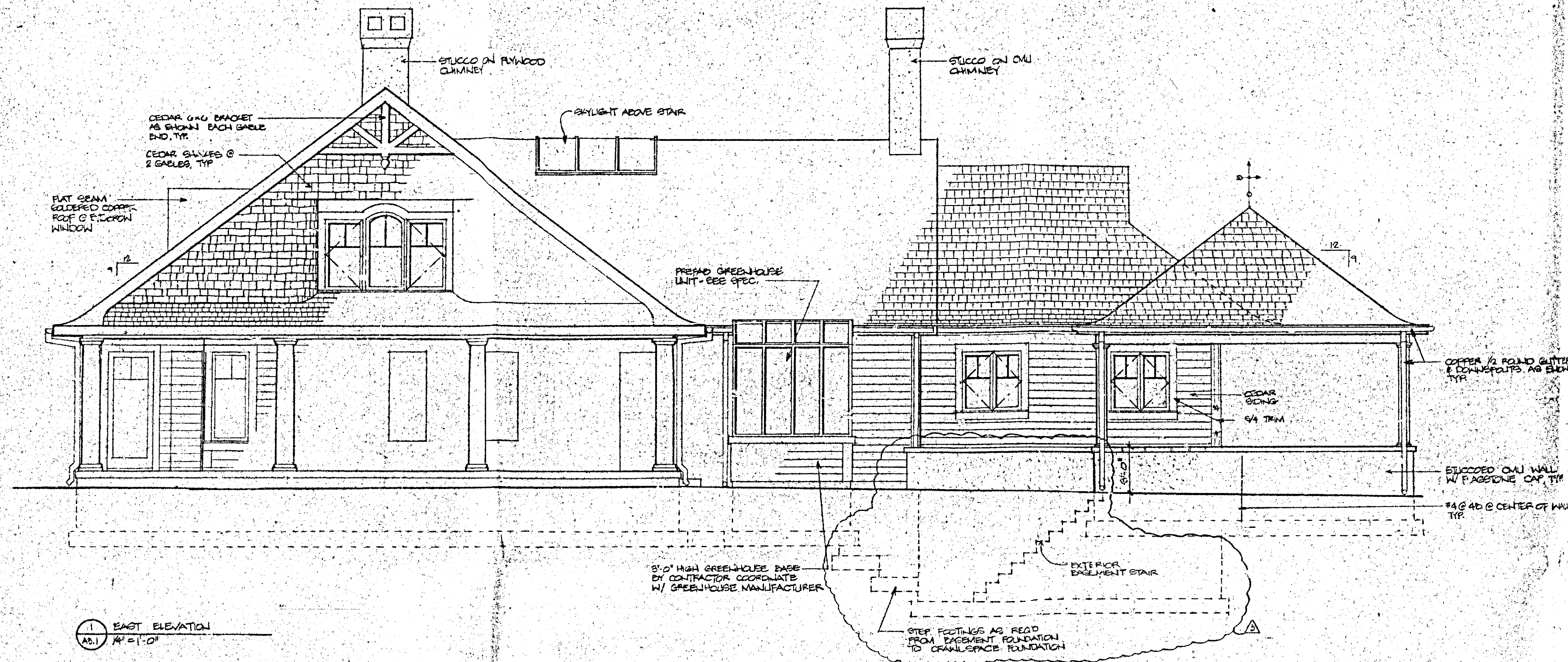
ESTIMATED LENGTH OF HEARING: _____
The following date: _____
ALL OTHER: _____
REVIEWED BY: _____ DATE: _____

94-522-A

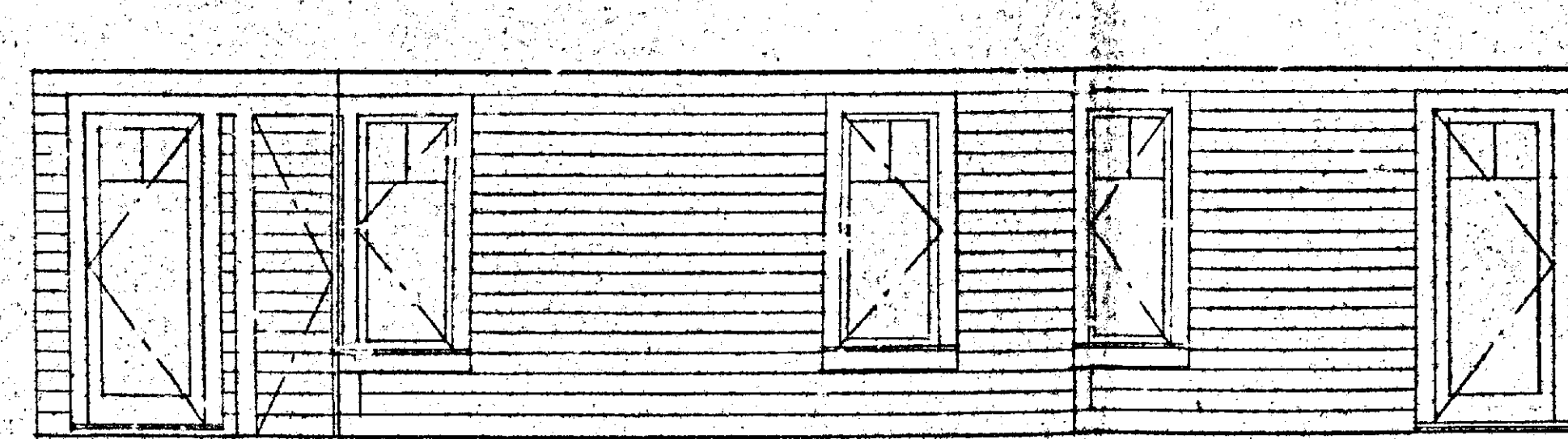


1988 COMPREHENSIVE ZONING MAP Adopted by the Baltimore County Council Oct. 13, 1988 BCE Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88 <i>Chairman, County Council</i>		BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP		1992 COMPREHENSIVE ZONING MAP Adopted by the Baltimore County Council Oct. 15, 1992 BCE Nos. 153-92, 154-92, 155-92, 156-92, 157-92, 158-92, 159-92 <i>Chairman, County Council</i>		SCALE 1" = 2'	LOCATION EGGLESTON P.O. CHATTOLANEE	SHEET N.W. 11-F
--	--	---	--	--	--	-------------------------	--	------------------------------

THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC., BALTIMORE, MD. 21210



1 EAST ELEVATION
AS.1 1/4\"/>



2 EAST PORCH ELEVATION
AS.1 1/4\"/>

PETITIONER'S
EXHIBIT No 3

FINISH	SCHEDULE	ROOM NAME	FLOOR	WALLS	CEILING	BASE	PAINT	COMMENTS
		FIRST FLOOR						
		ENTRY HALL	H.H.	GND	GND	TR	YS	CROWN MOULDING
		HALL	V.C.T.	GND	GND	TR	YS	
		COATS	V.C.T.	GND	GND	TR	YS	PROVIDE 1 WOOD RAIL & 1 SHELF ABOVE
		PORCH ROOM	V.C.T.	GND	GND	TR	YS	
		REAR GRACEY	V.C.T.	GND	GND	TR	YS	
		HIS GRACEY	V.C.T.	GND	GND	TR	YS	
		UTILITY/UNDREY	V.C.T.	GND	GND	TR	YS	
		KITCHEN	H.H.	GND/LAAG	GND	TR	YS	
		LIBRARY	H.H.	GND/PORCH	GND	TR	YS	
		DINING ROOM	H.H.	GND	GND	TR	YS	CROWN MOULDING WHERE PEOPLE
		BALCON	H.H.	GND	GND	TR	YS	CROWN MOULDING
		MASTER BEDROOM	CARPET H.L.C.	GND	GND	TR	YS	CROWN MOULDING
		MASTER BATH	V.C.T.	GND/C.T.	GND	TR	YS	
		LINEN	CARPET H.L.C.	GND	GND	TR	YS	
		MASTER CLOSET	CARPET H.L.C.	GND	GND	TR	YS	SEE PLAN FOR FIT-OUT
		STAIRS	H.H.	GND	GND/GLASS	TR	YS	
		REAR	CONCRETE	CEDAR SIDING	THIN		YS	8\"/>

THE ROBINSON RESIDENCE

5522 BURNING FARM ROAD
STEVENSON, MARYLAND 21153

Schamu
Machowski
Doo
&
Associates
Architects

1001 Baltimore
Street
Baltimore, Maryland 21201
(410) 555-4882

THESE DRAWINGS ARE
NOT FOR CONSTRUCTION
OF THE STRUCTURE.

ALL DRAWINGS
SPECIFICATIONS AND
RELATED DOCUMENTS ARE
THE PROPERTY OF THE ARCHITECT AND
MAY BE RETURNED
REPRODUCTION OF
SPECIFICATIONS AND
RELATED DOCUMENTS
IN PART OR WHOLE
WITHOUT THE
ARCHITECT'S WRITTEN
PERMISSION.

REVISIONS
1. ACCORDING 1 2/21/94
2. ACCORDING 2 3/1/94
3. REVISION 1 4/14/94

DATE 3/1/94 FOR D.D.

SCALE AS NOTED

JOB NO. 98022

TITLE FRONT ELEVATION
FINISH SCHEDULE
SHEET 12

A5.1

OWNERS CERTIFICATE

1. HELEN SMITH SHOEBMAKER AKA HELEN D. SHOEBMAKER
BY SALLY S. ROBINSON AS HER ATTORNEY - IN FACT
OWNER: SALLY S. ROBINSON DATE: NOV. 19, 1991
2. ANDREW A. ROBINSON, J. COURTLAND ROBINSON,
WILLIAM C. ROBINSON, AND ELLEN W. ROBINSON BY
SALLY S. ROBINSON AS THEIR ATTORNEY - IN FACT
OWNER: SALLY S. ROBINSON DATE: NOV. 19, 1991
3. ANDREW A. ROBINSON, J. COURTLAND ROBINSON,
WILLIAM C. ROBINSON, AND ELLEN W. ROBINSON BY
HELEN S. HAGGART AS THEIR ATTORNEY - IN FACT
OWNER: HELEN S. HAGGART DATE: 11-21-91
4. HELEN S. HAGGART
OWNER: HELEN S. HAGGART DATE: 11-21-91
5. HELEN S. HAGGART AS SUCCESSOR CUSTODIAN U.G.M.A. MO
FOR BAYARD D. REA AND BENJAMIN S. REA
OWNER: HELEN S. HAGGART DATE: 11-21-91
6. VIRGIL J. HAGGART JR.
OWNER: HELEN S. HAGGART DATE: 11/21/91
7. SALLY S. ROBINSON
OWNER: SALLY S. ROBINSON DATE: NOV. 19, 1991
8. SAMUEL S. ROBINSON
OWNER: SALLY S. ROBINSON DATE: 11/19/91
9. SPARKS STATE BANK
MORTGAGEE: SPARKS STATE BANK V.P. DATE: 10/3/91

1. IF THE STREAM ALONGS THE TOE OF THE DRAINAGE
 EXPANSION, IT IS EXTENDING DOWN SLOPE TO THE
 STREAM, IT SHALL BE PROTECTED BY A LINE OF SIGNS
 INDICATING "FOREST BUFFER" - DO NOT DISTURB!
 LOCATED AT 50' INTERVALS ALONG SLOPE TO OF
 THE EXPANSION.
 2. IF THE LINE FORMED BY A SIGNED AT 50' INTERVALS
 SHALL POINT DOWN SLOPE AT 50' FROM THE STREAM
 LOCATED AT 50' INTERVALS, IT SHALL INDICATE "FOREST BUFFER"
 TO THE STREAM.
 3. IF THE STREAM IS NOT SIGNED, IT SHALL BE LOCATED
 AT 50' INTERVALS ALONG SLOPE TO OF THE
 EXPANSION.
 4. A LINE OF SIGNS SHALL BE LOCATED AT 50' INTERVALS
 ALONG SLOPE TO OF THE EXPANSION.
 5. A LINE OF SIGNS SHALL BE LOCATED AT 50' INTERVALS
 ALONG SLOPE TO OF THE EXPANSION.

GENERAL NOTES THIS PLAT
1. AREA OF THIS PLAT = 286' ±
2. NUMBER OF LOTS THIS PLAT = 3

DENSITY TABLE			
ZONE	ALLOWED	USED	REMAINING
R.C.	2777	1	8
	2160		

THE R.C.2 PORTION OF LOT 3 HAS BEEN ALLOCATED ONE DENSITY UNIT AND THE R.C.5 PORTION OF LOT II HAS BEEN ALLOCATED ONE DENSITY UNIT.

RWA Completed 1/11/92
 Final Plot : 200
 Public Service 200
 Env. Design 200
 Dev. Engineer 200
 Streets, Numbering 200
 Planning 200
 Land Acquisitions 200
 Assessments 200

PETITIONER
EXHIBIT No 2

CURVE DATA					TABLE	
FROM	TO	RADIUS	LENGTH	DELTA	TAN	CHORD
126	127	2251.83'	582.57'	14° 49' 23"	292.92'	S 63° 21' 29" W 580.95'
127	289	3412.38'	35.64'	00° 35' 54"	17.82	N 89° 31' 46" W 35.64'
289	286	1092.00'	415.27'	21° 47' 19"	210.17'	N 12° 59' 10" W 412.77'
286	283	3820.00'	288.00'	04° 19' 11"	144.07'	N 21° 43' 15" W 287.93'
283	512	316.28'	110.66'	20° 02' 16"	56.00'	S 81° 27' 25" W 110.29'
512	515	733.45'	237.85'	18° 36' 31"	120.00'	S 35° 10' 18" W 236.64'
515	518	395.30'	59.47'	14° 25' 04"	50.00'	S 30° 04' 24" W 59.21'
518	521	247.47'	223.47'	51° 54' 20"	120.00'	N 11° 24' 56" W 215.25'
521	522	639.17'	89.69'	08° 02' 24"	44.92	N 18° 28' 26" E 89.62'

Filed for record 11
S.M. 66 FOLIO 73
Date SEP 13 1964
Test:
Regina (M)
Clerk

LOCATION MAP

SCALE: 1" = 1000'

1. GROSS AREA: 5500 AC.
2. NET AREA: 6761 AC.
3. EXISTING ZONING: R-C 2 + 31.00 AC.
R-C 5 2877 AC.
4. NUMBER OF LOTS ALLOWED BY ZONING
R-C 2 = 310 AC. + 2 LOTS
R-C 5 = 6657 + 2077 AC. + 10 LOTS
TOTAL LOTS ALLOWED BY ZONING = 21
NUMBER OF LOTS ALLOWED AS PER COVENANTS AND RESTRICTIONS AS RECORDED
IN BALTIMORE COUNTY LAND RECORDS LIBRARY B112, FOLIO # 112
5. NUMBER OF LOTS PROPOSED = 14. 1 DENSITY UNIT ON LOT #11
THE R-C 5 ZONE WHICH IS NEARLY ABANDONED AND NOT INCLUDED IN
THE CALCULATIONS OF DENSITY ALLOWABLE BY THE ABOVE RECORDED
COVENANTS AND RESTRICTIONS AND 12 DENSITY UNITS ON LOT #1 IN THE
R-C 2 PORTION OF LOT 3 WHICH IS RESERVED FOR FUTURE USE.
6. LOCAL OPEN SPACE REQUIRED AND PROPOSED: NONE
7. PARKING REQUIRED AND PROPOSED: 22 SPACES
8. MINIMUM LOT SIZE: 1 ACRE
9. ALL LOTS ARE TO BE SOLD
10. EXISTING COVENANTS:
J. S. SAWHILL & HELENE SHUFFLEBAUGH
TRUST ACCOUNT NO. 6500502076
SALES & EASEMENTS D-1, 5322-60
TAX ACCOUNT NO. 16500044-1-E

1. ALL LOTS TO BE SERVED BY PRIVATE, WELL AND SEPTIC.

2. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BELONGING TO THE COUNTY OF BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

3. ANY FOREST BUFFER SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOR THE LAND RECORDS OF BALTIMORE COUNTY IN THE "DEED FOR LOT 12, 13 AND 14" AND WHICH RESTRICT DISTURBANCE AND LIMIT USE OF THESE AREAS.

4.

5. A STORMWATER MANAGEMENT PLAN HAS BEEN DRAINED "ON LINE" BY THE ARCHITECT AND ENGINEER. COVENANTS BETWEEN THE OWNER AND THE VILLAGE PLANNING COUNCIL AS RECORDED IN LIBER 102 FOLD 16 OF THE BALTIMORE COUNTY LAND RECORDS.

6. FISH COLLECTION WILL BE DONE BY A PRIVATE COLLECTION AGENT BY BALTIMORE COUNTY.

7. PRIVATE WAREHOUSE, CHICKEN, MAINTENANCE AND UTILITY LOTS WILL BE MAINTAINED BY OWNERS OF THE PROPERTIES SERVED BY THESE COVENANTS TO BE RECORDED SIMULTANEOUSLY WITH THIS PLAN OF RECORD.

8. C.D. APPROVED JUNE 20, 1999

9. HIGHWAY AND RURAL HIGHWAYS, SLOPE EASEMENTS, DRAINAGE, TREE PRESERVATION EASEMENTS AND EASEMENTS, FOREST BUFFER, FOREST PRESERVATION EASEMENT AND STORMWATER MANAGEMENT AREAS, WATER HOW LINT E.D. SHOWN HEREON ARE RESERVED UNTO THE OWNER AND EXCEPT FOR THOSE INDICATED AS RESERVED ARE TO BE USED FOR THE DESIGNATION TO BALTIMORE COUNTY, MARYLAND, THE OWNER, HIS PERSONAL REPRESENTATIVE AND ASSIGNS SHALL CONVEY SAID AREAS BY DEED TO BALTIMORE COUNTY AT NO COST.

10.

11. THE PLAT MAY EMPIRE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 26-2 OF THE BALTIMORE COUNTY CODE.

12. THE RECORDS OF THE COUNTY DO NOT GUARANTEE THE SITUATION OF STREETS AND UTILITIES BY BALTIMORE COUNTY.

13. THE INFORMATION SHOWN ON THIS PLAT MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT.

14. ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE BALTIMORE COUNTY DEPARTMENT OF PLANNING AND DESIGN, 1000 NORTH AVENUE, BALTIMORE, MARYLAND 21201-1000.

15. THE INFORMATION SHOWN ON THIS PLAT MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT.

16. EXCEPT AS OTHERWISE INDICATED, ALL BUILDING RESTRICTIONS, INCLUDING BUT NOT LIMITED TO, HEIGHT, SETBACKS, AND LOT COVERAGE, SHALL BE IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING ORDINANCES.

17. HEREON HAVE BEEN PLACED AS THE RESULT OF AN INTERPRETATION ONLY OF THE PRESENTLY APPLICABLE REGULATIONS AND POLICIES OF THE BALTIMORE COUNTY DEPARTMENT OF PLANNING AND DESIGN, 1000 NORTH AVENUE, BALTIMORE, MARYLAND 21201-1000.

18. THE WSEL FIGURES SHOWN ON THE FLOODPLAIN SECTIONS ARE THE YEAR WSEL SURFACE ELEVATIONS BASED ON THE ENERGY GRADIENT FOR SUPERFICIAL FLOW, BASED ON 10 YEAR FLOODPLAIN, FOREST BUFFER AND DRAINAGE AND UTILITY EASEMENT BOUNDARIES SHOWN HEREON. THESE FIGURES ARE NOT TO BE USED FOR ANY OTHER AREA DESIGNATED AS A FLOODPLAIN OR FLOODPLAIN ADJACENT AREA INDICATED BY THE 10 YEAR FREQUENCY STORM SURFACE ELEVATION AND A MINIMUM OF 1 FOOT VERTICAL FREEBOARD.

19. THE EASEMENTS TO BE USED BY THE AT&T COMPANY FOR AN UNDERGROUND CABLE IS OWNED IN FEE BY THE RESIDENTIAL DEVELOPER.

PLAT OF SECTION TWO
BURNSIDE FARM
ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND
LE: 1" = 100' JULY 22, 1991

OWNER	DEVELOPER
OWNERS CERTIFICATE ABOVE (C/O SAMUEL S. ROBINSON) VALLEY CRAFTSMEN LTD. 3535 CLIPPER HILL ROAD BALTIMORE, MARYLAND 21211	CAYLORD BROOKS REALTY CO. P.O. BOX 407 7312 FAYER HILL ROAD PHOENIX, MARYLAND 21113

KCI TECHNOLOGIES, INC.
ENGINEERS • PLANNERS • SURVEYORS
1020 CROWWELL BRIDGE ROAD TOWSON, MARYLAND 21204
COMPUTED: RLC DRAWN: DAD CHECKED: AP J.O. • DISIGNS

66-73 FILE: BURNREC.DGN (PROJECT DISK)

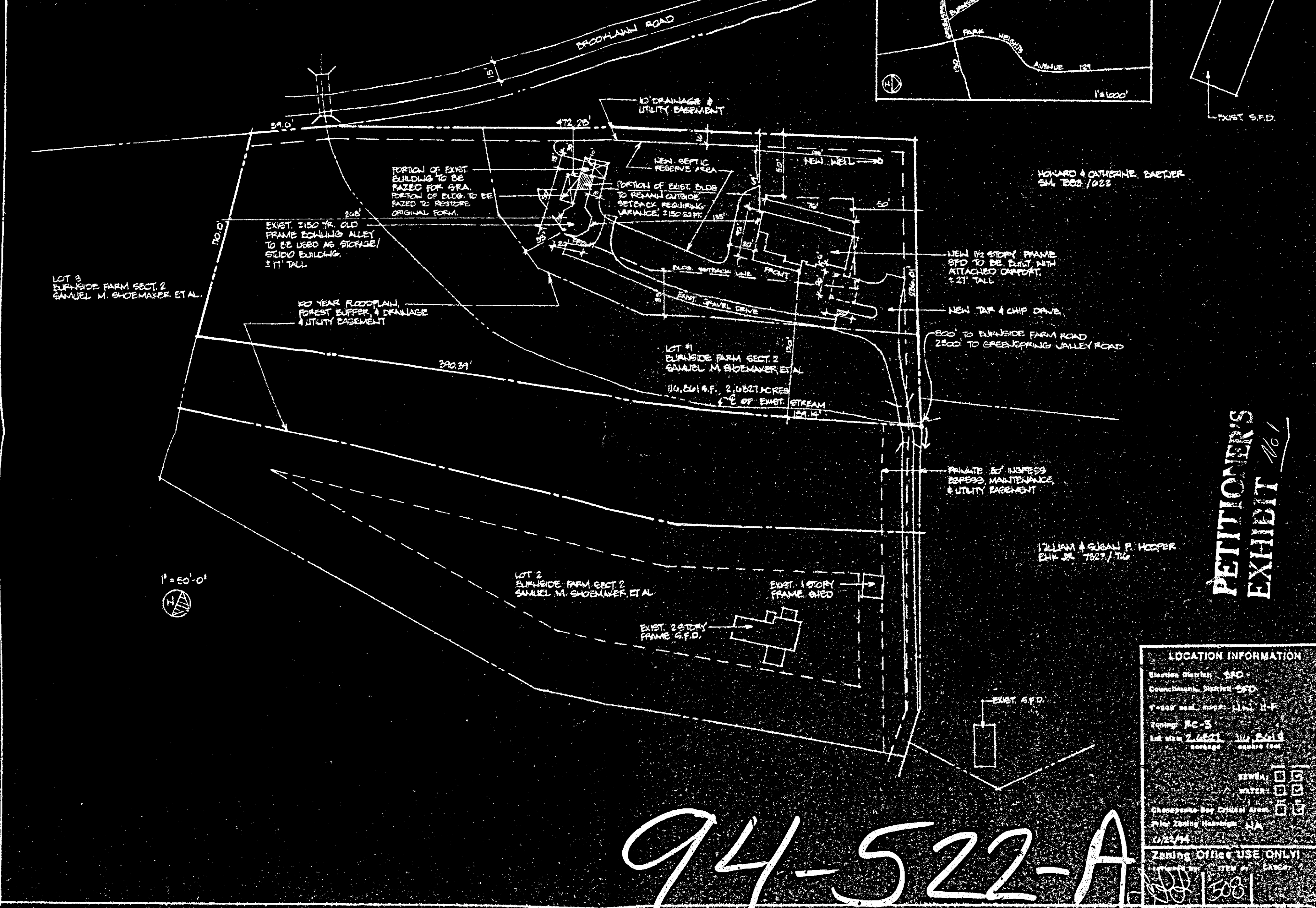
PROPERTY ADDRESS: 10522 BURNSIDE FARM ROAD STEVENSON

PROPERTY ADDRESS: 10522 BURNSIDE FARM ROAD STEVENSON

Subdivision name: BURNSIDE FARM

plat book# 66, folio# 75, lat# 1, section# 2

OWNER: J.C. & SALLY ROBINSON



**PETITIONER'S
EXHIBIT** 1101

LOCATION INFORMATION

Elizabethton Market **500**
Coca-Cola Bottling Station **500**
9-3000 road, North, 1100 N.E.
Zoning **BC-3**
Lot Area **2.60** sq. ft. **100** sq. ft.
message number cost

FEWER	0	6
WATER	0	6
SEWER	0	6

Chickasaw Bay Cultural Area
Pilot Landing Wharf **NA**

CRFPA

Zoning Offices USE ONLY

Project No. **1729** Range **12**

500	500	12
------------	------------	-----------

IN RE: PETITION FOR VARIANCE
10522 BURNSIDE FARM ROAD
W END OF PRIVATE DRIVE, 2,500 FEET N.W.
OF INTERSECTION BURNSIDE FARM RD. AND
GREENSPRING VALLEY RD., 3RD ELECTION DST.
3RD COUNCILMANIC DST., PETITIONERS: ROBINSON

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 94-522-A

AFFIDAVIT OF SERVICE

I HEREBY CERTIFY, that on this _____ day of July, 1994, ANTHONY GOSSAGE, personally appeared before me, the subscriber, a Notary Public in and for the State of Maryland, County of Baltimore and made oath in due form of law as follows:

1. That he is over eighteen (18) years of age and is not a party to the above action; and
2. That he served a Subpoena upon JOHN W. MCGRAIN at the Office of Planning & Zoning Room 406, County Courts Building, 401 Bosley Avenue, Towson, Maryland 21204 on July _____, 1994 at approximate _____ a.m./p.m. by hand delivering a copy of same to John W. McGrain.

Anthony Gossage, Process Server
BODIE, NAGLE, DOLINA, SMITH & HOBBS
21 West Susquehanna Avenue
Towson, Maryland 21204
(410) 823-1250 Ext. 115

NOTARY

AS WITNESS my hand and notarial seal.

NOTARY PUBLIC

BODIE, NAGLE, DOLINA,
SMITH & HOBBS

Thomas G. Bodie
John J. Nagle III
Thomas J. Dolina
Chester H. Hobbs IV
Wendell Roseanna Flynn
Michael Paul Smith
Martha E. Biese
* Also Admitted in D.C.

July 26, 1994

HAND DELIVERED

Office of the Zoning Commissioner
for Baltimore County, Maryland
Old Court House, Room 112
Washington and Chesapeake Avenues
Towson, Maryland 21204

Re: Case No. 94-522-A
10522 Burnside Farm Road

Dear Sir/Madam:

Enclosed please find AFFIDAVIT OF SERVICE of a Subpoena served upon JOHN W. MCGRAIN for filing in regard to the above entitled action. The Subpoena was requested on behalf of the Petitioners, Dr. and Mrs. J. Courtland Robinson.

Thank you for your attention to this matter.

Sincerely yours,

Jenny C. Krichton
Legal Assistant to Thomas G. Bodie

/jk

Enclosure

508
Given 2 Signs
1 AT PROPERTY 1 AT END OF
BURNSIDE AND PRIV. DRIVE.
SEE 200 SCALE ZONING
MAP.
TELL WALT

August 1, 1994

Mr. Lawrence Schmidt
Zoning Commissioner
400 Washington Avenue
Towson, Maryland 21204

Re: Case No. 94-522-A
10522 Burnside Farm Road

Dear Mr. Schmidt:

We, who have signed this letter were present at the variance hearing before you on July 28, 1994. We are immediate neighbors to the Petitioners who are requesting a variance to permit an existing accessory structure to be located in the side and front yard of their lot. We wish to emphasize in writing the concerns that we voiced during the meeting.

At the hearing you said you would put restrictions on the use of the property. We are asking you to make very clear that your order restricts (as testified by the Owners and their attorney) that no one, including family, will use the Ten Pin Alley for overnight accommodations or any residential type situation, that the only plumbing permitted will be a sink and a toilet, as stated at the hearing.

We ask you to restrict definitively that the Ten Pin Alley structure cannot be used for any commercial or rental ventures, whether artistic in nature or otherwise, nor will it be used for an office for Dr. Robinson's medical practice, just Storage/"Reflective Room" as the owners and their attorney said at the hearing.

We request that your restrictions and conditions run with

August 1, 1994

-2-

Mr. Lawrence Schmidt
Zoning Commissioner
400 Washington Avenue
Towson, Maryland 21204

Re: Case No. 94-522-A
10522 Burnside Farm Road

the land, and therefore be incumbent upon any subsequent owners or assigns of 10522 Burnside Farm Road.

Past development history on Burnside Farm has made us wary. We ask you to make the restrictions crystal clear so that we, as neighbors, may avoid conflicts or misunderstandings.

Thank you for your time and effort with this matter.

Sincerely,

William U. Hooper, Jr.

Susan P. Hooper

10536 Burnside Farm Road
Owings Mills, Maryland 21117

cc: Margaret Worrell, Director
Valleys Planning Council, Inc.

August 1, 1994

-2-

Mr. Lawrence Schmidt
Zoning Commissioner
400 Washington Avenue
Towson, Maryland 21204

Re: Case No. 94-522-A
10522 Burnside Farm Road

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Past development history on Burnside Farm has made us wary. We ask you to make the restrictions crystal clear so that we, as neighbors, may avoid conflicts or misunderstandings.

Thank you for your time and effort with this matter.

Sincerely,

Meta R. Boyd

10603 Brooklawn Road
Owings Mills, Maryland 21117

cc: Margaret Worrell, Director
Valleys Planning Council, Inc.

August 1, 1994

-2-

Mr. Lawrence Schmidt
Zoning Commissioner
400 Washington Avenue
Towson, Maryland 21204

Re: Case No. 94-522-A
10522 Burnside Farm Road

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Past development history on Burnside Farm has made us wary. We ask you to make the restrictions crystal clear so that we, as neighbors, may avoid conflicts or misunderstandings.

Thank you for your time and effort with this matter.

Sincerely,

Peter Y. Martin

12 Crestline Court
Owings Mills, Maryland 21117

cc: Margaret Worrell, Director
Valleys Planning Council, Inc.

August 1, 1994

-2-

Mr. Lawrence Schmidt
Zoning Commissioner
400 Washington Avenue
Towson, Maryland 21204

Re: Case No. 94-522-A
10522 Burnside Farm Road

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Past development history on Burnside Farm has made us wary. We ask you to make the restrictions crystal clear so that we, as neighbors, may avoid conflicts or misunderstandings.

Thank you for your time and effort with this matter.

Sincerely,

Katharine Finney Baetjer

10601 Brooklawn Road
Stevenson, Maryland 21153

cc: Margaret Worrell, Director
Valleys Planning Council, Inc.

Zoning Plans Advisory Committee Comments
Thomas G. Bodie, Esquire
Date: July 19, 1994
Page 2

2. Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the zoning commissioner will deny the petition due to errors or incompleteness.

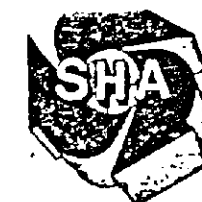
3. Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72-hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Charlotte Minton in the zoning office at 887-3391 or the commissioning agency.

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR:cm
Enclosures



Maryland Department of Transportation
State Highway Administration

U. James Lightnizer
Secretary
Hal Kassoff
Administrator

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No: 4-308 (JLL)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Robert Small
John Constable, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 17 - Baltimore, MD 21203-0717
Street Address: 787 North Calvert Street - Baltimore, Maryland 21202

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

July 12, 1994

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
FROM: J. Lawrence Pilson
Development Coordinator, DEPRM
SUBJECT: Zoning Item #508 - Robinson Property
10522 Burnside Farm Road
Zoning Advisory Committee Meeting of July 5, 1994

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

Environmental Impact Review

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

No grading or other disturbance is allowed within the Forest Buffer Easement.

Development Coordination

Remove the southernmost portion of the septic reserve area (the protruded area) and expand the easternmost side of the septic reserve area in order to bring it up to the required 10,000 square feet.

JLP:EG:LS:sp

ROBINSON/DEPRM/TXTSBD

Baltimore County Government
Fire Department



700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/01/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW Zoning Agenda:

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.

B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 504, 506, 507, 508, 509, AND 511.

RECEIVED
JUL 5 1994

ZADM

REVIEWER: LT. ROBERT P. SAUERHAUD
Fire Marshal Office, PHONE 887-4681, MS-1102F

cc: File

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management
FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: July 5, 1994

SUBJECT: 10522 Burnside Farm Road

INFORMATION:

Item Number: 508

Petitioner: Robinson Property

Property Size: _____

Zoning: R.C. 5

Requested Action: _____

Hearing Date: _____

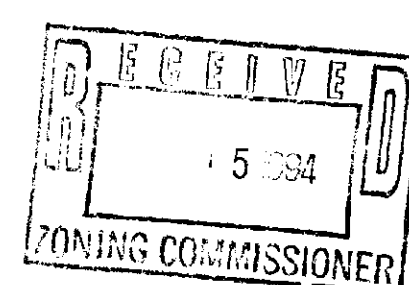
SUMMARY OF RECOMMENDATIONS:

Attached, please find John McGrain's comments of July 5, 1994 which outline the office's position regarding the subject property.

Prepared by: *John McGrain*

Division Chief: *John McGrain*

PK/JL:lw



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Administration and
Development Management

DATE: July 5, 1994

FROM: John McGrain
Office of Planning

SUBJECT: Variance at 10522 Burnside Farm Road
Permit No. B190907

The subject octagonal building at Burnside Farm is obviously of historic interest and predates all forms of zoning legislation. Octagonal buildings are rare in this or any other county and the regulations governing ordinary development should not be interpreted in such a way as to demand removal of pre-existing historic resources. The main house called "Burnside" is Maryland Historic Trust Site No. BA153, and was listed as far back as March 20, 1968. The surrounding Green Spring Valley National Register Historic District was established October 3, 1980. The main house was built in 1862 according to our capsule descriptions.

JM/mjm
B190907/PZONE/LANDMARK

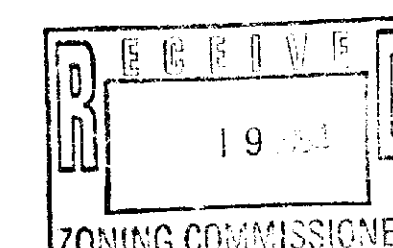
John McGrain
John McGrain

RE: PETITION FOR VARIANCE
10522 Burnside Farm Road, W end of
private drive, 2500 feet NW of
intersection Burnside Farm Road and
Greenspring Valley Road, 3rd
Election Dist., 3rd Councilmanic
Sally Shoemaker Robinson, et ux.
Petitioner

BEFORE THE
ZONING COMMISSIONER
FOR BALTIMORE COUNTY
CASE NO.: 94-522-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.



Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of July, 1994, a copy of the foregoing Entry of Appearance was mailed to Thomas G. Bodie, Esquire, 21W. Susquehanna Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

IN RE: PETITION FOR VARIANCE
10522 BURNSIDE FARM ROAD
W END OF PRIVATE DRIVE, 2500 FEET N.W.
OF INTERSECTION BURNSIDE FARM RD. AND
GREENSPRING VALLEY RD., 3RD ELECTION DST.
3RD COUNCILMANIC DST., PETITIONERS: ROBINSON

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 94-522-A

SUBPOENA

TO: JOHN W. MCGRAIN

Office of Planning & Zoning
Room 406, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

You are hereby summoned and commanded to be and appear personally before the Zoning Commissioner/Deputy Zoning Commissioner of Baltimore County in Room 118, Old Courthouse, Towson, Maryland 21204, and to bring _____

on Thursday, July 28, 1994 at 10:00 a.m., regarding the above captioned case, for the purpose of testifying at the request of the Petitioners, Sally Shoemaker Robinson and J. Courtland Robinson.

Mr. Sheriff/Private Process Server:

Please process in accordance with Zoning Commissioner's Rule IV(c).

Thomas G. Bodie

Thomas G. Bodie
Zoning Commissioner/Deputy
Zoning Commissioner
for Baltimore County

Issued: 7/6/94

3RD ED 3RD CD. **508** ZONING DESCRIPTION 10522 BURNSIDE FARM RD.

BEGINNING AT A POINT AT THE END OF A PRIVATE DRIVE SAID POINT BEING A DISTANCE OF 800 FT ± SOUTH AND WEST OF THE INTERSECTION OF (RELOCATED) BURNSIDE FARM RD AND SAID PRIVATE DRIVE. THIS POINT ALSO BEING 2500 FT ± NORTH AND WEST OF THE INTERSECTION OF BURNSIDE FARM RD AND GREENSPRING VALLEY RD. BEING LOT "L" SECT 2 OF BURNSIDE FARM PLAT BOOK 66 FOLIO 7.3 AREA= 2.68 AC ±

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd Date of Posting: 7/1/94

Posted for: Misses

Petitioner: Sally L. & J. Courtland Robinson

Location of property: 10522 Burnside Farm Rd.

Location of Sign: At intersection of Burnside Farm Rd. & Lot 10522

Remarks: None

Posted by: M. J. J. J. Date of return: 7/8/94

Number of Signs: 1

CERTIFICATE OF PUBLICATION
TOWSON, MD. July 8, 1994

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 1 successive weeks, the first publication appearing on July 7, 1994

THE JEFFERSONIAN,
A. Henrichson
LEGAL AD. - TOWSON

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Case: 94-522-A (Item 508)
10522 Burnside Farm Road
W end of private drive
2500 feet NW of intersection
of Burnside Farm Road
& Greenspring Valley Road
3rd Election District
3rd Councilmanic
Petitioner(s): Sally Shoemaker Robinson and J. Courtland Robinson
Hearing: Thursday, July 28, 1994 at 10:00 a.m. in Rm. 118 Old Courthouse
Variances to permit an existing accessory structure to be located in the side and front yard in lieu of the final development plan of Burnside Farm for Lot #1.
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are handicapped accessible. For special accommodations please call 887-3353.
(2) For information concerning the file and/or hearing, please call 887-3391.

receipt
94-522-A
Account: 6150
Number: **508**
By: JLL

Date: 6/23/94

1 RV CODE 010 50.00
1 EPP HANFORD CODE 030 50.00
CRSING RST 12 CODE 080 70.00
TOTAL = 170.00

OWNER: ROBINSON PAID PARTIALLY BY ROBINSON 50.00
AND SHELBY SCHWEIZER 120.00
LOC: 10522 BURNSIDE FARM RD.
3RD ELECTION DISTRICT
3RD COUNCILMANIC
Please Make Checks Payable To: Baltimore County

Cashier Validation

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

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

Provisional Approval
Permit No: 6190407 DATE: 5-31-94

LOCATION: 10522 Burnside Farm Rd
(Lot 1, Sect 2) 3rd Elect Dist.

The issuance of this permit in no way grants or implies approval of any matter relating to this property which is in conflict with the Baltimore County Zoning Regulations.

The issuance of this permit is subject to the following Conditions: (Please check appropriate box(es))

☐ Owner has filed for a public hearing, Item # _____

☒ Owner must file for a public hearing within 30 days before the Zoning Commissioner requesting relief from all conflicts with the Baltimore County Zoning Regulations.

☐ Owner/contract purchaser must submit a complete revised site development plan and requested accompanying information within _____ days resolving all possible conflicts with the Baltimore County Zoning Regulations.

The owner/contract purchaser may proceed at his own risk with the construction indicated in the above-referenced permit.

However, in the event that all of the above conditions are not completed as stipulated, and/or the petition for relief has been denied, dismissed or withdrawn, this provisional approval is rescinded forthwith.

Immediately thereafter the owner/contract purchaser must return the property to the condition it was in prior to the beginning of said construction and accepts full financial liability in the matter.

I have read the above statement and I agree to abide by the decision of the Zoning Commissioner in this matter. I also hereby certify that I am the owner and if applicable the contract purchaser and not just an agent for same.

Signed: Sally Robinson Name: Sally Robinson
Owner Contract Purchaser
(Please print clearly) (Please print clearly)

Signed: Arnold J. J. Name: Arnold J. J.
Zoning Office Staff Address: 10522 Burnside Farm Rd
Work Phone: 410-1264 Work Phone: 410-1264
Home Phone: 410-7604 Home Phone: 410-7604

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be assessed and paid to this office at the time of filing.
- Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold J. J.
ARNOLD JARLON, DIRECTOR

For newspaper advertising:
Item No.: 508
Petitioner: DR & MRS J. COURTLAND ROBINSON
Location: 10522 BURNSIDE FARM ROAD
PLEASE FORWARD ADVERTISING BILL TO:
NAME: DR & MRS J. COURTLAND ROBINSON
ADDRESS: 10510 BURNSIDE FARM ROAD
STEVENS, MD 21153
PHONE NUMBER: 410-7604

At: qqs (Revised 04/09/93)

TO: PUTNEY PUBLISHING COMPANY
July 7, 1994 Issue - Jeffersonian

Please forward billing to:
Dr. and Mrs. J. Courtland Robinson
10510 Burnside Farm Road
Stevens, Maryland 21153
410-7604

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:
CASE NUMBER: 94-522-A (Item 508)
10522 Burnside Farm Road
W end of private drive, 2500 feet NW of intersection Burnside Farm Road and Greenspring Valley Road
3rd Election District - 3rd Councilmanic
Petitioner(s): Sally Shoemaker Robinson and J. Courtland Robinson
HEARING: THURSDAY, JULY 28, 1994 at 10:00 a.m. in Rm. 118 Old Courthouse
Variances to permit an existing accessory structure to be located in the side and front yard in lieu of the final development plan of Burnside Farm for Lot #1

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

June 30, 1994

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:
CASE NUMBER: 94-522-A (Item 508)
10522 Burnside Farm Road
W end of private drive, 2500 feet NW of intersection Burnside Farm Road and Greenspring Valley Road
3rd Election District - 3rd Councilmanic
Petitioner(s): Sally Shoemaker Robinson and J. Courtland Robinson
HEARING: THURSDAY, JULY 28, 1994 at 10:00 a.m. in Rm. 118 Old Courthouse
Variances to permit an existing accessory structure to be located in the side and front yard in lieu of the final development plan of Burnside Farm for Lot #1

Arnold J. J.
Arnold Jarlon
Director

cc: Sally Shoemaker Robinson and J. Courtland Robinson
Sarah C. Schweizer
Thomas G. Bodie, Esquire

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

July 19, 1994

Thomas G. Bodie, Esquire
21 West Susquehanna Avenue
Towson, Maryland 21204

RE: Case No. 94-522-A, Item No. 508
Petition for Variance
Petitioner: J. Courtland Robinson, et ux.

Dear Mr. Bodie:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on June 23, 1994 and scheduled for a hearing accordingly. Any attached comments from a 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.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

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.

- 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.

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
W/end private dr. 2500' NW of * ZONING COMMISSIONER
Burnside & GreenSpring Valley *
10522 Burnside Farm Road *
3rd Election District * OF BALTIMORE COUNTY
3rd Councilmanic District *
J. Courtland Robinson, et ux * Case No. 94-522-A
Petitioners * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 10522 Burnside Farm Road in the Stevenson section of Baltimore County. The Petition is filed by J. Courtland Robinson and Sally Shoemaker Robinson, his wife, property owners. Variance relief is requested from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure to be located in the side and front yards, in lieu of the required rear yard, and to amend the last approved Final Development Plan of Burnside Farm for lot No. 1.

Appearing at the public hearing held for this case was the property owners, J. Courtland Robinson and Sally S. Robinson, his wife. Also present on behalf of the Petition was Sarah C. Schweizer, an architect with SMDA Architects, Jeanne G. Gewalt and Sam Robinson. The Petitioners were represented by Thomas Bodie, Esquire. Appearing as interested persons were several neighbors. They included William and Susan Hooper, John D. Jarrett and Katherine Finney Baetjer. Margaret Morrall on behalf of Valleys Planning Council, and John McGrain from the Office of Planning and Zoning also appeared.

The Petitioner, J. Courtland Robinson, testified and presented the site plan, received into evidence as Petitioners' Exhibit No. 1. Mr.

Robinson testified that the subject property is known as lot No. 1 of the Burnside Farm subdivision. The Burnside Farm was originally a large tract which was developed in the 19th century. The subject lot is zoned R.C.5 and is 2.6827 acres in area. The Petitioner testified that he and his wife presently live in the house located on lot No. 3 of the subdivision. That house is an old dwelling, built in approximately 1860. Recently, the Petitioner decided to construct a new dwelling which will be built on lot No. 1. Construction for the new dwelling commenced approximately 3 weeks prior to the hearing. The new dwelling will be oriented as shown on the site plan to face the panhandle driveway. Except for the new construction, lot No. 1 is presently unimproved but for the existence of an old building known as The Tenpin Alley building. Due to the construction of the new house, this existing Tenpin Alley building will be located in the front and side yards. Thus the need for variance from Section 400.1 of the BCZR which requires that all accessory buildings be located in the rear yard.

The Petitioner also described the Tenpin Alley building and presented several photographs of that structure and the surrounding locale. The building is very old and was most recently used as a residence. The structure has the most unusual shape. At one end, it is an octagon in configuration with a long narrow "stem" leading from the round portion of the building. Also, as shown in the photographs, the building presently has two "appendages". The Petitioner indicated that these appendages would be removed so that the building returns to its original configuration. Moreover, although the facility will retain its sink, wash basin and commode, the kitchen will be removed and it will no longer be used for residential purposes. The Petitioner envisions the building's use to be that of a

study or a studio to allow the Petitioner, or members of his family, with a place for contemplation and artistic endeavors.

Ms. Sarah C. Schweizer, an architect for the new residence, also testified. She, likewise, described the amendment to the original FDP and the proposed construction. She noted that only approximately 8% of the total area of lot No. 1 can be utilized for construction due to environmental constraints and other factors. Thus, the new dwelling must be located where sited rendering the need for the variances.

Ms. Jeanne Gewalt also testified. She is an expert as to historic structures and testified at length about the Tenpin Alley building. The building was apparently constructed in approximately 1880 and is one of the rare examples of octagonal buildings in this area. As noted above, the building was part of the original Burnside Farm, a large tract from a successful Baltimore entrepreneur in the 19th century. The building was constructed for use as a bowling alley, originally. The additions or appendages were added in 1934 and 1950 and will be removed.

Ms. Gewalt's testimony was corroborated by John W. McGrain, from the Office of Planning and Zoning, an expert in historic preservation and historic structures in Baltimore County. As Mr. McGrain noted, this site was formerly the scene of gracious living by the family of a wealthy Baltimore businessman. The site is one of the earliest properties which was designated as an historic area by Baltimore County. Mr. McGrain believes that the Tenpin Alley building is worth saving and supports the variance.

Testimony was also received by several of the neighbors identified above. They do not object to the preservation of the Tenpin Alley building so much as they are concerned over development of the house on site. However, as was noted at the hearing, construction of the new residence is not the issue before me, only whether the variance should be granted to

allow the existing Tenpin Alley building to be located in the side/front yards. The neighbors are mainly concerned about overcrowding of the site and potential use of the Tenpin Alley building as a residence. They also were concerned about any commercial use on the property.

As is well settled, any Petition for Variance in Baltimore County must be adjudged in accordance with the standards set forth in Section 307 of the BCZR. Therein, it is provided that variance relief is appropriate only if the Petitioner establishes that a practical difficulty would result if the variance were denied and strict adherence to the regulations were required. Moreover, relief can be granted only if same is within the spirit and intent of the BCZR and if it will not be detrimental to the surrounding locale. In this case, I am persuaded that the Petitioner has satisfied its burden and that the variance should be granted.

Clearly, based upon the site constraints present, there is limited area to place the proposed dwelling. Moreover, the historic and architectural value of the Tenpin Alley building support a finding that same should be preserved and retained. Mr. McGrain and Ms. Gewalt's testimony, in this respect, was persuasive. Thus, I shall approve the variance which has been requested.

Notwithstanding my approval, however, I am persuaded that the neighbors' concerns have merit. Thus, several restrictions shall be added to the relief granted in order to ensure that the surrounding locale is protected. First, I will prohibit use of the Tenpin Alley building as a residence in any manner. In this respect, I will require the Petitioners to remove the two additions as they have indicated in their plans. Although water, a commode, a sink and wash basin can remain in the building, there shall be no kitchen facilities. Also, I will prohibit use of the building to support any commercial or business venture. Clearly, this

ORDER RECEIVED FOR FILING
Date 8/2/94
By J. H. H. H.

ORDER RECEIVED FOR FILING
Date 8/2/94
By J. H. H. H.

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Date 8/2/94
By J. H. H. H.

ORDER RECEIVED FOR FILING
Date 8/2/94
By J. H. H. H.

is not an area in which a business or commercial enterprise should operate with its attendant traffic congestion and other factors. I will take the Petitioner at his word as was the testimony presented by Mr. Robinson. The Tenpin Alley building should be used by the Petitioner, his family and guests only, as a place for quiet contemplation and artistic endeavors. There shall be no sales or commercial business enterprise conducted therein.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2nd day of August, 1994 that a variance from Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to permit an existing accessory structure to be located in the side and front yards, in lieu of the required rear yard, and to amend the last approved Final Development Plan of Burnside Farm for lot No. 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The 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. The building shown on the site plan and designated as The Tenpin Alley building shall be improved so as to remove the additions on said structure. Thereafter, the building shall not be used as a dwelling/apartment and shall contain no kitchen facilities.
3. There shall be no business or commercial enterprises conducted within The Tenpin Alley building. It shall be used only by the property owners, members of their family and guests for

artistic purposes and as a place for quiet contemplation. There shall be no signs nor sales of any product from the aforementioned building.

LES/mmm

Ann E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 8/2/94
By J. H. H. H.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

August 2, 1994

Thomas G. Bodie, Esquire
21 W. Susquehanna Avenue
Towson, Maryland 21204

RE: Case No. 94-522-A
Petition for Zoning Variance
J. Courtland Robinson, et ux, Petitioners

Dear Mr. Bodie:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Ann E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES/mmm

att:
cc: Mr. and Mrs. J. Courtland Robinson
cc: Mrs. Jeanne G. Gewalt
cc: Mr. John McGrain, Office of Planning and Zoning
cc: Mr. and Mrs. William Hooper, Jr.
cc: Mrs. Margaret Morrall, Valleys Planning Council

ORDER RECEIVED FOR FILING
Date 8/2/94
By J. H. H. H.



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 10522 Burnside Farm Road which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated 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(s) 400.1 TO PERMIT AN EXISTING ACCESSORY STRUCTURE TO BE LOCATED IN THE SIDE & FRONT YARD IN LIEU OF THE REQUIRED REAR YARD (IN PART DUE TO NEW DWELLING LOCATION) AND TO AMEND THE LAST APPROVED FINAL DEVELOPMENT PLAN FOR BURNSIDE FARM FOR LOT #1. of the Zoning Regulations of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty.) 1) The exist. "Tenpin Alley" and the exist. property line have been in their present locations for more than 100 years, long before the setback was imposed. 2) Because the other exist. bldg. on the lot is being removed, the Tenpin Alley requires a variance to remain. 3) The Tenpin Alley is of historic significance, being one of 5 octagonal buildings in the County; to have to raise it would be a great injustice. 4) The strip of land, closest to the building, of the adjacent property, is the driveway accessing the neighboring house, which is to be removed. 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.

Contract Purchaser/Lessee:
(Type or Print Name)
Signature
Address
City State Zipcode
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City State Zipcode
Name, Address and phone number of representative to be contacted:
Sally Shoemaker Robinson
Signature
J. Courtland Robinson
Signature
10510 Burnside Farm Road 484-7604
Towson, MD 21204
Stevenson, Maryland 21153
Sarah C. Schweizer, SMDA Architects
1001 Cathedral St., Balto., Md. 685-3582
Name Address and phone number of representative to be contacted:
ESTIMATED LENGTH OF HEARING: _____
The following date: _____
ALL OTHER: _____
REVIEWED BY: _____ DATE: _____

Printed with Soy-based Ink on Recycled Paper