S. Andrews

TN RE: PETITION FOR ZONING VARIANCE * BEFORE THE

N/S Bulls Sawmill Road, 2900'

W of Middletown Road * ZONING COMMISSIONER

2024 Bulls Sawmill Road

6th Election District * OF BALTIMORE COUNTY

3rd Councilmanic District

Albert W. Hartlove, Jr., et ux* Case No. 95-128-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 2024 Bulls Sawmill Road in northern Baltimore County. Variance relief is requested from the application of Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (identified as a two story garage) with a height of 23 ft. in lieu of the permitted 15 ft. The Petition is filed by Albert W. Hartlove, Jr., and Elizabeth Anne Hartlove, his wife, property owners. The requested relief and subject property are more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Zoning Variance.

Appearing at the public hearing held for this case was the Petition-er/property owner, Albert W. Hartlove, Jr. There were no interested persons or Protestants present.

Testimony and evidence presented was that the subject lot is approximately 2.077 acres in area and is zoned R.C.2. The property is improved with an existing dwelling, driveway and attached deck. The property is a large rural residentially developed lot located in northern Baltimore County. The surrounding uses include agricultural properties and some residential development.

The Petitioner proposes constructing a garage to the rear of the property. The proposed garage will be 26 ft. wide and 40 ft. deep and



In Factoria

will be 23 ft. tall. Mr. Hartlove indicated that he is retired and suffers from impaired vision. He proposes to construct a garage to provide both additional storage area and living space. He indicated that the existing dwelling is quite old and has suffered significant water damage to the basement. In order to more fully utilize his property, he proposes construction of the garage as shown on the plan. The first floor will be used for storage and the second story will be added to add room for a recreational area. He proposes placing a large screen TV in the living room area shown. Because of the proposed second floor, relief is necessary from height limitations imposed by the BCZR.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 8 day of November, 1994 that a variance from Section 400.3 of the Baltimore County Zoning Regulations (BCZR) to permit an accessory structure (two story garage) with a height of 23 ft., in lieu of the permitted 15 ft., be and is hereby GRANTED, subject, however, to the follow-

ing restrictions which are conditions precedent to the relief granted herein:

- 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3. Upon request and reasonable notice, the Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to ensure compliance with this Order.

4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

MAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES/mmr





Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

November 15, 1994

Mr. and Mrs. Albert W. Hartlove, Jr. 2024 Bulls Sawmill Road Freeland, Maryland 21053

RE: Case No. 95-128-A
Petition for Variance
Property: 2024 Bulls Sawmill Road, Freeland

Dear Mr. and Mrs. Hartlove:

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

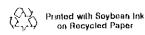
In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals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

Very truly yours

Lawrence E. Schmidt Zoning Commissioner

LES:mmn att.







Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

2024 Bulls Sazomill Road
which is presently zoned

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400 -3 to permit an accessory structure (2 story garage) with a height of 23 feet in lieu of the permitted is feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) I wish to construct a detached garage with a 2nd story recreation room. The existing recreation room in the basement has suffered domage because of excessive dampness. In addition there is insufficient light because of vision disability. The garage cannot be attached to the principle dwelling because of the location of the septic system and the existing woods, which I wish Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

			I/We do solemnly declare and affirm, und legal owner(s) of the property which is the	er the penalties of perjury, that I/we are the
Contract Purchaser/Lessee:			Legal Owner(s):	audiot of this rathott.
(Type or Print Name)			Albert 205 Microre	Har-Flore J.
Signature		·	Signature State No. 18	len /hat
Address			Elizabeth Ann (Type of Print Name) Elizabeth an	e Hartlove
City Attorney for Petitioner:	State	Zipcode	Signature Signature	m, parier
(Type or Print Name)			2024 Bulls Sow	27) 17 Rd. 343-125%
Signature			Precional 17 City Name, Address and phone number of repre	Para Innel 2 1053 Space Space Special Space Spac
Address	Phone No.		Name	
City	State	Zipcode	Address	Phone No.
		Adminis		USE ONLY
		Joseph .	ESTIMATED LENGTH OF HEARING unavailable	e for Hearing
D			the following dates	Next Two Months
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		Market Market	REVIEWED BY: 500)	DATE (O-4-94
				DVGUE A SELO A SE A SE T

Zoning Description

Begining at a point on the North side of Bulls Sawmill Boad which is 60' wide at a distance of 2900'r- West of the Centerline of the nearest improved intersecting street Middletown Road which is 60' wide.

Composition of the second

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CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY 95-128 A

Townen, Maryland

Posted for: Varion co	Date of Posting 18/21/94
Posted for:	
Petitioner: Albert 4 Fliz Hori Location of property: 2024 Bulls Saus 2011	t Jux-1
Location of property: 28 24 Sulls Saus 201	W. Rdy Mis
Location of Signe: Focing You dway on from	porty horning Tom d
Remarks: No Polo usd - Noi led to	7400
Posted by Manual Signature	Data of return: (4/28/99) MICROFILMEL
Number of Signs:	MICROFILMEL



NOTICE OF HEARING

The Zoning Commissioner of Battimore County, by authority of the Zoning Act and Regulations of Battimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number: 95-128-A (Item 127) 2024 Bulls Sawmill Road N/S Bulls Sawmill Road 2900' W of Middletown Rd 6th Etection District 3rd Councilmanic Lead Owner:

Legal Owner:
William Hartlove, Jr. &
Elizabeth Anne Hartlove
HEARING: WEDNESDAY,
NOVEMBER 9, 1994 at
9:00 a.m. in Rm. 106,
County Office Building.

Variance: to permit an accessory structure (2-story garage) with a height of 25 feet in lieu of the permitted 15 feet.

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 Héaring, Please Call 887-3391.

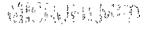
10/227 - October 20.

CERTIFICATE OF PUBLICATION

TOWSON, MD., (1914)
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on, 19, 19
weeks, the first publication appearing on UC. 10, 19

THE JEFFERSONIAN,

J. Henrikan LEGAL AD. - TOWSON





Rall were Cherry Zoning Administration & Development Management 111 West Chesapeake Avenue Tor you, Maryland 2120 !

95 -/28-6

Account: R-001-6150

Date (1.4.94.

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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/neighboring 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 accessed and paid to this office at the 1) 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.

For newspaper advertising: Item No.: 27 Petitioner: Albert William Hartlove Sr Location: 2024 Bulls Sowmill Rd PLEASE FORWARD ADVERTISING BILL TO: NAME: Albert W. Hartlove Jr ADDRESS: 2024 Balls Saw mill Bd Freeland Maryland 21053 PHONE NUMBER: 410 343 1256



(Revised 04/09/93)

ARNOLD JABLON, DIRECTOR

AJ:ggs

Baltimore County Government Office of Zoning Administration and Development Management



111 West Chesapeake Avenue Towson, MD 21204

OCTOBER 14, 1994

(410) 887-3353

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

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-128-A (Item 127)

2024 Bulls Sawmill Road

N/S Bulls Sawmill Road, 2900' W of Middletown Road

6th Election District - 3rd Councilmanic

Legal Ownabert William Hartlove, Jr. & Elizabeth Anne Hartlove

HEARING: WEDNESDAY, NOVEMBER 9, 1994 at 9:00 a.m. in Room 106, County Office Building.

Variance to permit an accessory structure (2-story garage) with a height of 25 feet in lieu of the permitted 15 feet.

Arnold Jablon Director

cc: Albert and Elizabeth Hartlove

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 CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



With John Committee



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

Mr. and Mrs. Albert Hartlove 2024 Bulls Sawmill Road Freeland, Maryland 21053

NOV. 2 1000

RE: Case No. 95-128A, Item No. 127
Petitioner: Albert and Elizabeth Hartlove

Dear Mr. and Mrs. Hartlove:

The Zoning Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on October 4, 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 is related only to the filing of future zoning petitions—and are aimed at expediting the petition filing process with this office:

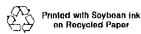
- 1. The director of the Office of Zoning Administration and Development Management has instituted a system whereby zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions' filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.
- 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 the possibility that another hearing will be required or the zoning commissioner will deny the petition due to errors or incompleteness.
- 3. Those individuals 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 Joyca Watson in the zoning office at 887-3391 or the commenting agency.

W. Carl Richards, Jr. Zoning Supervisor

W. Bincerely Richard

WCR/jnw Enclosure(s)



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

October 26, 1994

T0:

Mr. Arnold Jablon, Director Zoning Administration and Development Management

FROM:

J. Lawrence Pilson

SUBJECT:

Zoning Item #127 Hartlove Property

2024 Bulls Sawm111 Road

Zoning Advisory Committee Meeting of October 17, 1994

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

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

JLP:DL:sp

HARTLOVE/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: October 24, 1994 Zoning Administration and Development Management

(Seek)

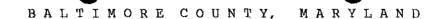
Robert W. Bowling, P.E., Chief Developers Engineering Section

RE:

Zoning Advisory Committee Meeting for October 24, 1994 Items 125, 126, 127, 130, 132, 134 and 135

The Developers Engineering Section has reviewed the subject zoning items and we have no comments.

RWB: sw



INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Zoning Administration & Development Management

FROM: Pat Keller, Director

Office of Planning and Zoning

DATE: October 19, 1994

SUBJECT: 2024 Bulls Sawmill Road

INFORMATION:

Item Number:

127

Petitioner:

Hartlove Property

Property Size:

Zoning:

R.C. 2

Requested Action:

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Staff does not oppose the applicant's request provided a restriction is placed in the order to insure that the garage is not converted in the future for dwelling purposes.

Prepared by:

Division Chief

PK/JL:lw

The state of a state of d

Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500 Office of the Fire Marshal (410) 887-4880

DATE: 10/19/04

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Maryland Department of Transportation State Highway Administration

O. James Lighthi Secretary Hal Kassoff Administrator

10-14-94

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

Re: Baltimore County
Item No.: 4 197 (TR

Dear Ms. Winiarski:

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,
Bolo Small:

David Ramsey, Acting Chief Engineering Access Permits

Division

BS/

RE: PETITION FOR VARIANCE

2024 Bulls Sawmill Road, N/S Bulls
Sawmill Road, 2900' W of Middletown *
Road, 6th Election District, 3rd
Councilmanic *

Albert W. Hartlove, Jr., et ux.
Petitioners

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 95-128-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

People's Counsel for Baltimore County

Feter Max Zimmeinan

Reter Max Zinneinan

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 _______day of October, 1994, a copy of the foregoing Entry of Appearance was mailed Albert and Elizabeth Hartlove, 2024 Bulls Sawmill Road, Freeland, MD 21053, Petitioners.

PETER MAX ZIMMERMAN

JAMES R NELSON, ET UX LOT 2, MICKEY PROPERTY 47/130 DEED REF: 6319/715

B39290 REAL PROPERTY RECORD INFORMATION - BOLTIMORE 09/20/94 PAGE 01 * FRIMARY INFORMATION * ACCOUNT NO: 06 1900002334 NAME KEY: MELSON JAMES R エカノミミノりご TOWN: 000 SUB-DIST: SUB-DIV: GEO CODE: 81 AD-VALOR CODE: WOW FIELD CARD NO. 422 LAND USE: R OWNER UCC: H TAX CLASS: EXEMPT STATUS/CLASS: W 000 DELETE IND/DATE: OWNER NAME 1ST LINE: NELSON JAMES R DEAT 8 OWNER NAME AND LINE: NELGON AGNES A
ADDRESS IST LINE: 1 8086 DULLS SAWMILL RD SECTION: BLOCK : HOMEOWNER APPL DATE:

DECCK:
LUT : PREFLAND

HD 21053 9409 MAP : L1
GRID : L5
PARCEL: 773 ACTIVITY DATE MARKET VALUE DATE:
1) R 08/17/94 LETTER INTENT DATE: DEED REF 1: / 6319/ /15
2) R 08/25/93 COUNTY SERVICE IND: ADDN RCI: :
3) PLAT REF : 47/ 130 Fig. = Values F5 = TAX/NEW CONS F8 = NOTICES F11+ APPEALS
F3 = LOCATION F6 + ENTRY SCREEN F12= PRINT LABEL
F4 = TRANSFERS F7 = NAME LIST F10= PERMITS
B39290 REAL PROPERTY RECORD INFORMATION DALTIMORE 09/20/94 PAGE 03 * LOCATION AND PROPERTY CACTURS * ACCOUNT NO: 06 1900001334 NAME KEY: NELSON JAMES R PREMISE ADDRESS LEGAL DESC 1: 1MPS 2.201 AC 95875 SQ FT NUMBER: 2026 SUFFIX: DIR:

LEGAL DESC 2: STREET: BULLS SAWMILL

TYPE : RD

CITY :

ZONING: DATE CHANGED: ZIP :

MULT ZONE 1ND: MULT FAMILY IND: PROPERTY FACTORS

BPRUC : 00000 PRIMARY STRUCTURE DATA

COUNTY PROP CD: 04 GRADE : 4 YEAR BUILT: STREET PAVED: UNPVD:

CAMA SUBSET : 00007 STORY : 06 TOPOG LEVEL: ROLLG:

TYPE : 01 TOPOG LEVEL: ROLG:

TOPOG LEVEL: ROLLG:

STORES: STORES: ONLY REGS: ONLY REGRES: ONLY REGRE LEGAL DESC 1: IMPS 2.201 AC 95075 SQ FT NUMBER: 2026 SUFFIX: DIR: F1 = PRIMARY F5 = TAX/NEW CONS F8 = NOTICES F11= APPEALS F2 = VALUES F6 = ENTRY SCREEN F4 = TRANSFERS F7 = NAME LIST F10= PERMITS

Christian Control

#127

