

IN RE: PETITION FOR RESIDENTIAL	* BEFORE THE
ZONING VARIANCE	
N/S Church Road, 90 ft. E of	* ZONING COMMISSIONER
Blackforest Road	
534 Church Road	* OF BALTIMORE COUNTY
4th Election District	
3rd Councilmanic District	* Case No. 96-392-A
Phillip Falkenkous, et ux	
Petitioners	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Phillip Falkenkous and Carol Falkenkous, his wife, for that property known as 534 Church Road in the Reisterstown section of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1A04.B.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 22 ft., in lieu of the required 50 ft., for an addition. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

COPIES RECEIVED FOR FILING
 5/10/96
 [Signature]
 534 Church Road

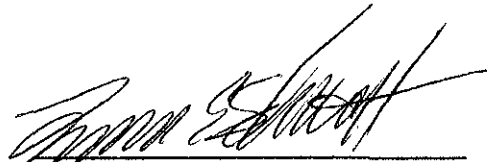
MICROFILMED

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of May, 1996 that the Petition for a Zoning Variance from Section 1A04.B.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 22 ft., in lieu of the required 50 ft., for an addition, be and is hereby GRANTED, subject, however, to the following restriction:

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.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING
Date 5/6/96
By M. Gorak

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 8, 1996

Mr. and Mrs. Phillip Falkenklaus
534 Church Road
Reisterstown, Maryland 21136

RE: Petition for Administrative Variance
Case No. 96-392-A
Property: 534 Church Road

Dear Mr. and Mrs. Falkenklaus:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative 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 887-3353.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

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Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 534 Church Rd, Reisterstown, Md
which is presently zoned RC-5

96-392-A

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)

* Sec 1A04.3.B.3 to allow a side yard setback of 22' in lieu of 50', the required.

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

- 1) Need bedroom for child due in July 96.
- 2) Need additional closet/storage space.
- 3) Need bedroom for ill in-law moving in.

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

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

Legal Owner(s)

(Type or Print Name)

(Type or Print Name)

Signature

Signature

Address

(Type or Print Name)

City

State

Zipcode

Signature

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Name

Address

Phone No.

Phillip Falkenkious

(Type or Print Name)

[Signature]

Signature

Carol Falkenkious

(Type or Print Name)

Carol Falkenkious

Signature

534 Church Rd. (410) 833-0504

Address

Phone No

Reisterstown, Md. 21136

City

State

Zipcode

Name, Address and phone number of representative to be contacted

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of _____, 19___ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

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Zoning Commissioner of Baltimore County

REVIEWED BY: _____ DATE: _____



Printed with Soybean Ink on Recycled Paper

ITEM #: 395

ESTIMATED POSTING DATE: _____



Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 534 Church Rd
address
Reisterstown, Md. 21136
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

- 1) Need bedroom for child due in July 96.
- 2) Need additional closet/storage space.
- 3) Need bedroom for ILB in-law moving in.

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

Phil Falkenklaus
(signature)
Phil Falkenklaus
(type or print name)



Carol Falkenklaus
(signature)
Carol Falkenklaus
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 27th day of March, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

PHIL FALKENKLAUS AND CAROL FALKENKLAUS

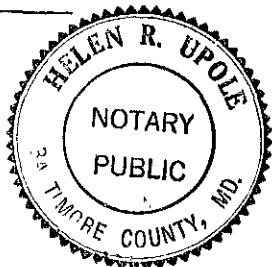
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

3-27-96
date

Helen R. Upole
NOTARY PUBLIC

My Commission Expires: 3-1-99



ZONING DESCRIPTION

96-392-A

ZONING DESCRIPTION FOR 534 Church Road. Beginning at a point on the north side of Church Road which is 30' wide at the distance of 90' east of the centerline of the nearest improved intersecting street Black Forest Road which is 15' wide. As recorded in the Deed Liber Folio and include the measurements and direction here and on the plat in the correct location. Typical metes and bound: S.77 20' W 91 ft., N.15 25' W 300 ft., N.77 20' E 129.6 ft., S.7 49' E 300.4 ft. to the place of the beginning containing .76015 acres. Also known as 534 Church Road and located in the 04 Election District, 02 Councilmanic District.

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395

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-392-A

District: 4th Date of Posting: 4/19/96
Posted for: Adm. Variance Closing 5-6-96
Petitioner: Phillip Falkenblaus, et al
Location of property: 534 Church Road

Location of Sign: Facing 700 July Dr. Properly being Zoned

Remarks: _____

Posted by: [Signature] Date of return: 4/26/96
Signature

Number of Signs: 1

MICROFILMED



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 79698A

DATE 10 Apr 196 ACCOUNT R-001-6150

CAM # 395
96-392-A AMOUNT \$ 85.00

RECEIVED FROM: MR FACKENLOUS

FOR: BV

534 Church Rd
MICROFILMED 0309140154MICHRC \$85.00
EG 002-17PM04-10-94

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
 Department of Permits and
 Development Management

Development Processing
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

96-392-A

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:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) 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 JABLON, DIRECTOR

 For newspaper advertising:

Item No.: 395 Petitioner: Phil & Carol Falkenklow

Location: 534 Church Rd

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Phil & Carol Falkenklow

ADDRESS: 534 Church Rd.

Reisterstown, Md. 21136

PHONE NUMBER: (410) 833-0504



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 17, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-392-A (Item 395)
534 Church Road
N/S Church Road, 90' E of Blackforest Road
4th Election District - 3rd Councilmanic
Legal Owner(s): Phillip Falkenklaus and Carol Falkenklaus

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before April 21, 1996. The closing date (May 6, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) Should your case require a public hearing, whether due to a neighbor's formal request or by Order of the Commissioner, the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by you, the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Phillip and Carol Falkenklaus

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 7, 1996

Phillip and Carol Falkenklous
534 Church Road
Reisterstown, MD 21136

RE: Item No.: 395
Case No.: 96-392-A
Petitioner: Mr. & Mrs. Falkenklous

Dear Mr. and Mrs. Falkenklous:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 26, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: April 26, 1996

FROM: *RWB* Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

SUBJECT: Zoning Advisory Committee Meeting
for April 29, 1996
Item Nos. 390, 392, 394, 395, 397

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:DAB:jrb

cc: File

ZONE8

MARYLAND

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

TO: ZADM

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 4-22-96

DATE: 4-23-96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

389

390

392

394

395

396

397

398

LS:sp

LETTY2/DEPRM/TXTSBP

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 04/18/96

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

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF APRIL 22, 1996.

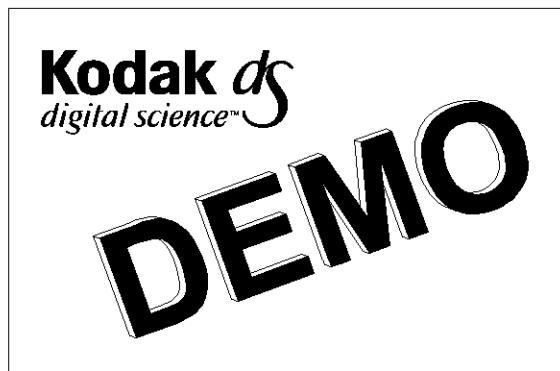
Item No.: SEE BELOW

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.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 389, 390, 391, 392, 393, 394,
395, 397 AND 398.



REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

4-19-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 395 (CAM)


Dear Ms. Watson:

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 affected by any State Highway Administration projects.

Please contact Bob Small at ⁵⁴⁵⁻⁵⁵⁸¹ 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for 
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

MICROFILMED

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-335-2252, Statewide Toll Free

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: April 17, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 389, 390, 391, 392, 393, and 395

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Keller

PK/JL

PETITION PROBLEMS

#389 --- RT

1. Only 1 signature was notarized.

#394 --- MJK

1. No telephone number for legal owner.

#395 --- CAM

1. No review information on bottom of petition form.

#396 --- CAM

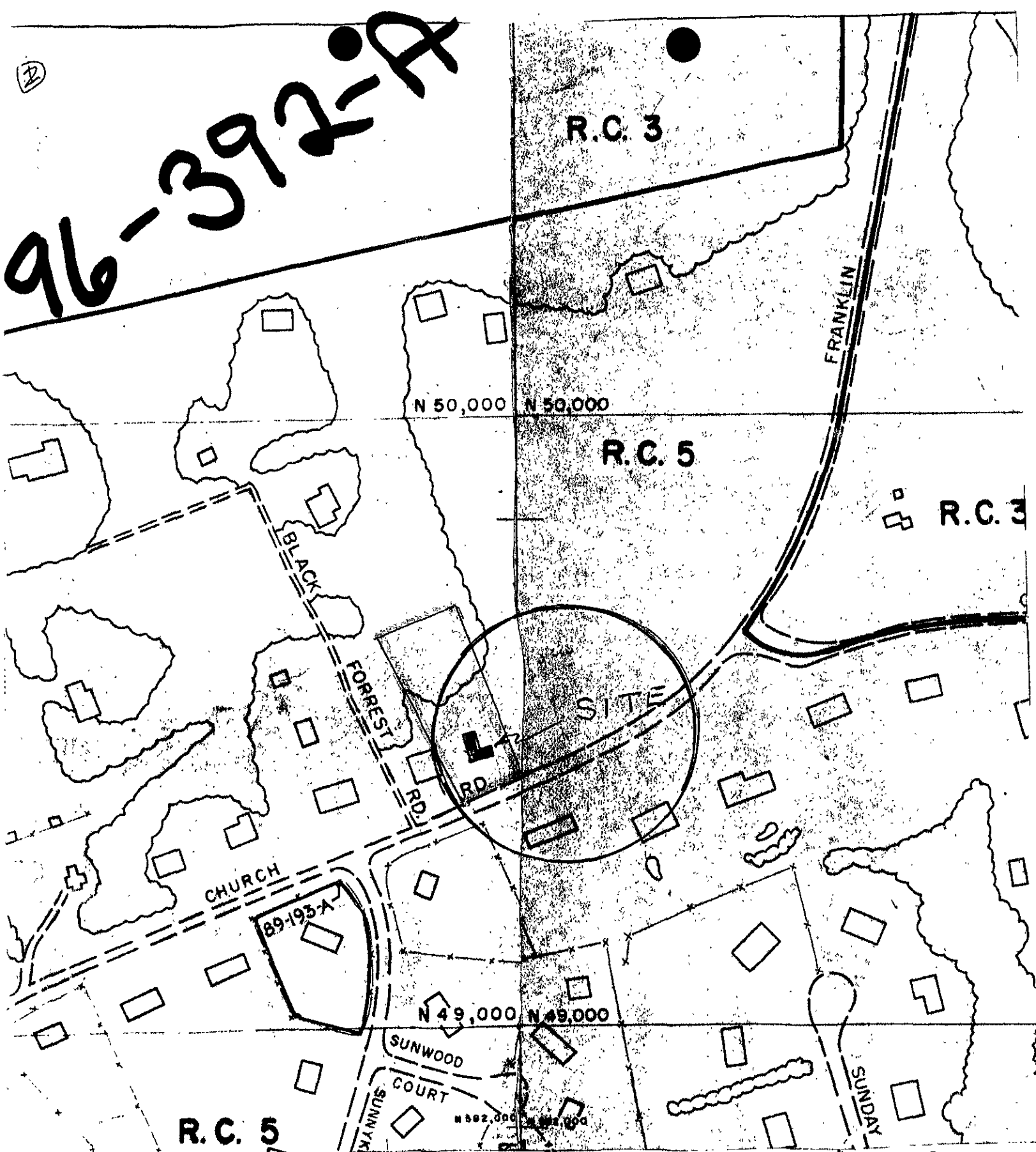
1. Plat says legal owner/applicant is "Ridgeway Manor Nursing Home". Petition says legal owner is "Burleigh Enterprise Limited Partnership". Which is correct???
2. Need title of person signing for legal owner.
3. Need address of legal owner (including zip code).
4. Need telephone number for legal owner.

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April 15, 1996

(2)

96-392-A



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SCALE
1" = 200'

395

LOCATION
REISTERS TOWN
AREA
SOUTH

SHEET
N-W
13-K

96-392-A



3/27/96. Note: can not put addition on rear of house because of septic system.



3/27/96. Photo taken in rear yard. Addition to be put on right side of house X. Note: only practical area for 16 x 35 addition.

MICROFILMED.



3/27/96. Photo taken in left front side yard addition to be put on X. Note: fence to left side of yard.



3/27/96. Photo taken in rear yard left side of house can not build on this side of house 16 X 35 addition to close to garage can not enter to rear yard.

96-392-A

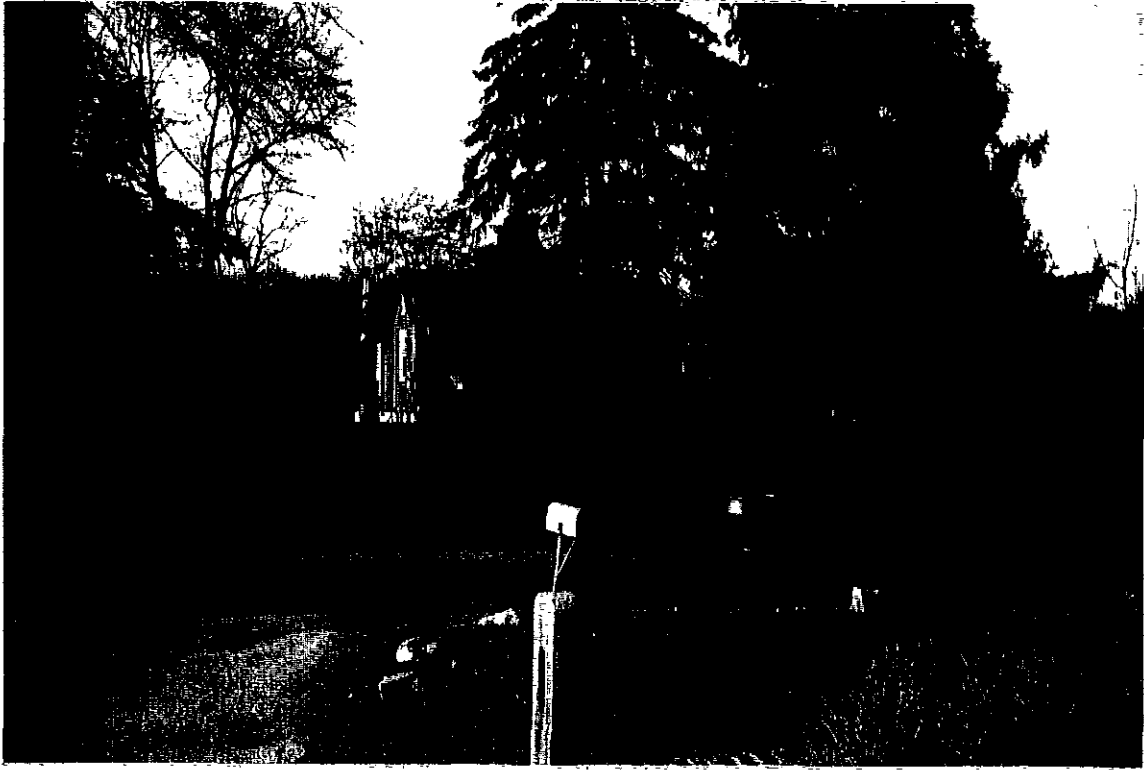


Photo taken in front of house church as addition
to be put on left side of house x Note: house
sits on hill.

MICROFILMED

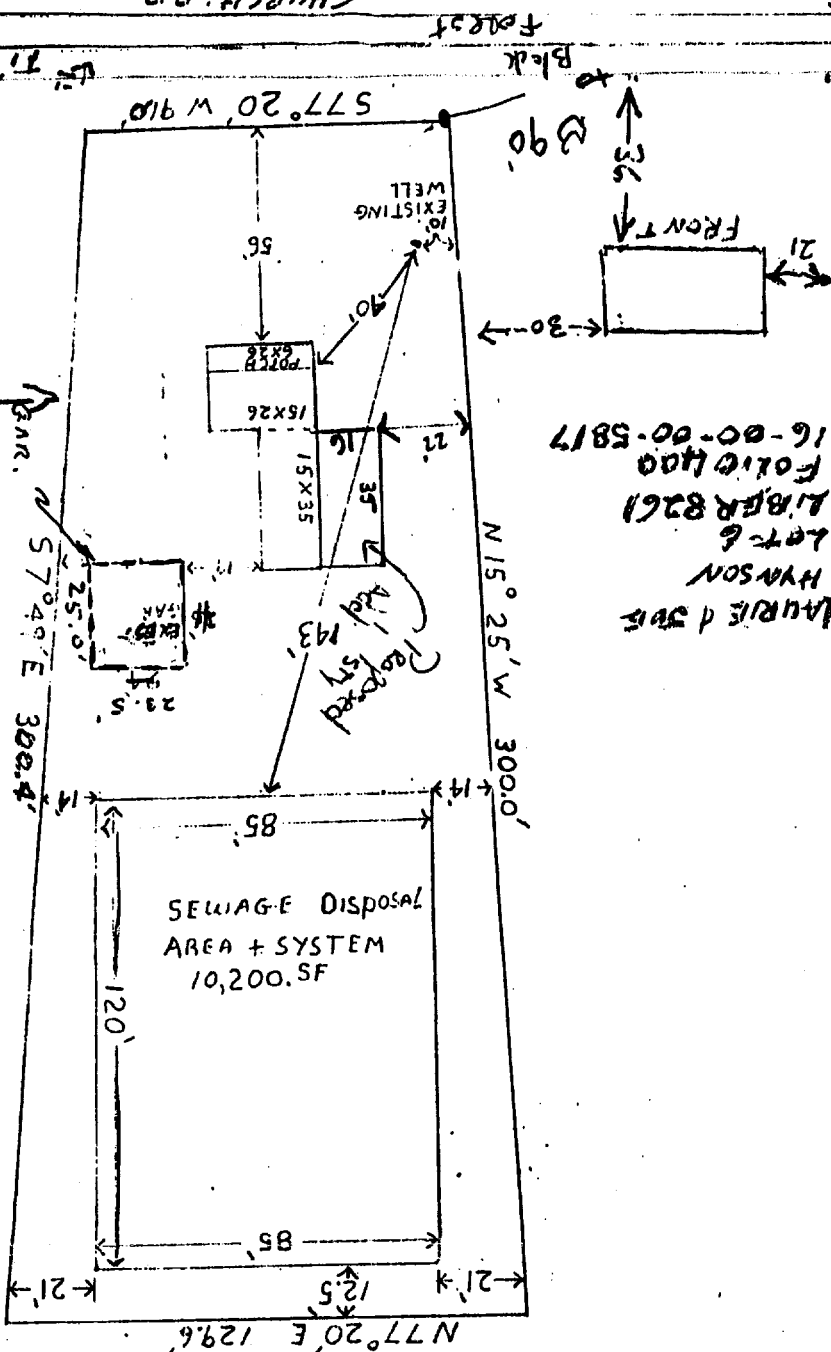
PROPERTY ADDRESS:

Subdivision name: J.C. WHITAKER

plat book # _____, folio # _____, lot # _____, section # _____

OWNER: PAUL LUD CAROL FALKENKIRCH

PAUL & CAROL FALKENKIRCH
LIBER 8303
FOLIO 735
LOT-7



JARIE & SUE
HYANSON
LOT 6
LIBER 8261
FOLIO 400
16-00-00-5817

BLACK FOREST RD

DEAN EML STREET

Black Forest
TITLIG LINE
(CHURCH RD)

MICROFILMED

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE N/S Church Road, 90 ft. E of Blackforest Road 534 Church Road 4th Election District 3rd Councilmanic District Phillip Falkenkious, et ux Petitioners

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 96-392-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Phillip Falkenkious and Carol Falkenkious, his wife, for that property known as 534 Church Road in the Reisterstown section of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1A04.B.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 22 ft., in lieu of the required 50 ft., for an addition. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of May, 1996 that the Petition for a Zoning Variance from Section 1A04.B.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 22 ft., in lieu of the required 50 ft., for an addition, be and is hereby GRANTED, subject, however, to the following restriction:

- 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.

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

ORDER RECEIVED FOR FILING
Date 5/14/96
By M. J. J...

LES:mmn

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 8, 1996

Mr. and Mrs. Phillip Falkenkious
534 Church Road
Reisterstown, Maryland 21136

RE: Petition for Administrative Variance
Case No. 96-392-A
Property: 534 Church Road

Dear Mr. and Mrs. Falkenkious:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative 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 887-3553.

Very truly yours,
Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County

for the property located at 534 Church Rd, Reisterstown, MD which is presently zoned RC-5

96-392-A
This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property, state 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 1A04.B.3.B.3 to allow a side yard setback of 22' in lieu of 50', as requested.

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

- 1) need bedroom for child due in July 96.
- 2) need additional closet/storage space.
- 3) need bedroom for in-law moving in.

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.

Contract Purchaser/Lessee
Type of Petition Name
Signature
Address
City State Zip
Attorney for Petitioner
Type of Petition Name
Signature
Address Phone No.
City State Zip

Legal Owner(s)
Name
Signature
Address
City State Zip
Name Address and phone number of representative to be contacted

Signature: Phillip Falkenkious
Signature: Carol Falkenkious
Signature: Carol Falkenkious
Address: 534 Church Rd. (410) 887-0504
Address: Reisterstown, MD 21136

A Public Hearing having been requested and held and found to be required, as provided by the Zoning Regulations of Baltimore County, this petition shall be referred to the Board of Appeals for Baltimore County, which shall hold a public hearing on the petition and make a recommendation to the Zoning Commissioner of Baltimore County, which shall be final.

REVIEWED BY DATE ESTIMATED POSTING DATE

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) aware competent to testify; thereto in the event that a public hearing is scheduled in the future with respect thereto.

That the Affiant(s) does/does not presently reside at 534 Church Rd., Reisterstown, Md. 21136

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

- 1) Need bedroom for child due in July 96
- 2) need additional closet/storage space
- 3) need bedroom for in-law moving in.

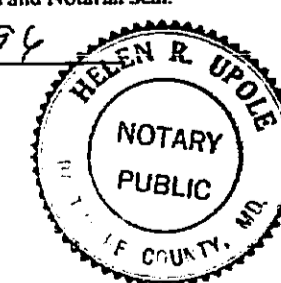
That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Phillip Falkenkious
Phillip Falkenkious
Carol Falkenkious
Carol Falkenkious

STATE OF MARYLAND, COUNTY OF BALTIMORE, ss: I HEREBY CERTIFY, this 27th day of March, 1996, before me, a Notary Public of the State of Maryland, and for the County aforesaid, personally appeared PHILIP FALKENKIOUS AND CAROL FALKENKIOUS

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

AS WITNESS my hand and Notarial Seal, 3-27-96



My Commission Expires 3-1-99

ZONING DESCRIPTION 96-392-A

ZONING DESCRIPTION FOR 534 Church Road. Beginning at a point on the north side of Church Road which is 30' wide at the distance of 90' east of the centerline of the nearest improved intersecting street Black Forest Road which is 15' wide. As recorded in the Deed Liber Folio and include the measurements and direction here and on the plat in the correct location. Typical metes and bound: S.77 20' W 91 ft., N.15 25' W 300 ft., N.77 20' E 129.6 ft., S.7 49' E 300.4 ft. to the place of the beginning containing .76015 acres. Also known as 534 Church Road and located in the 04 Election District, 02 Councilmanic District.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 4th Date of Posting 4/14/96
Posted for: Admin. Variance Hearing 5-6-96
Petitioner: Phillip Falkenkious et ux
Location of property: 534 Church Road
Location of Sign: 534 Church Rd. Reisterstown, Md. 21136
Remarks:
Posted by: L. Schmidt Date of return: 4/24/96
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND
OFFICE OF REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 16984
DATE 10 Apr 1996 ACCOUNT R-001-6150
CAM # 395
96-392-A AMOUNT \$ 85.00
RECEIVED FROM: Mr. Falkenkious
FOR: RV
534 Church Rd.
VALIDATION OR SIGNATURE OF CARRIER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

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:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) 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 JABLON, DIRECTOR

For newspaper advertising:

Item No.: 395 Petitioner: Phil & Carol Falkenkious
Location: 534 Church Rd.
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Phil & Carol Falkenkious
ADDRESS: 534 Church Rd.
Reisterstown, Md. 21136
PHONE NUMBER: (410) 887-0504

Printed with Soy-based Ink on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 17, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-392-A (Item 395)
534 Church Road
81/2 Church Road, 50' E of Blackforest Road
4th Election District - 3rd Councilmanic
Legal Owner(s): Phillip Falkenkious and Carol Falkenkious

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a retreaser regarding the administrative process.

- 1) Your property will be posted on or before April 21, 1996. The closing date (May 6, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) Should your case require a public hearing, whether due to a neighbor's formal request or by Order of the Commissioner, the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by you, the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon

Arnold Jablon
Director

cc: Phillip and Carol Falkenkious

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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 7, 1996

Phillip and Carol Falkenkious
534 Church Road
Reisterstown, MD 21136

RE: Item No.: 395
Case No.: 96-392-A
Petitioner: Mr. & Mrs. Falkenkious

Dear Mr. and Mrs. Falkenkious:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 26, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

M. Carl Richards, Jr.

M. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management Date: April 26, 1996

FROM: *Rub* Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

SUBJECT: Zoning Advisory Committee Meeting
for April 29, 1996
Item Nos. 390, 392, 394, 395, 397

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:DAB:jrb

cc: File

ZONES

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

TO: ZADM DATE: 4-23-96
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: 4-22-96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

389
390
392
394
395
396
397
398

LS:sp

LETTY2/DEPRM/TXTSEP

Baltimore County Government
Fire Department



700 Eastloppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 04/18/96

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

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETINGS OF APRIL 22, 1996.

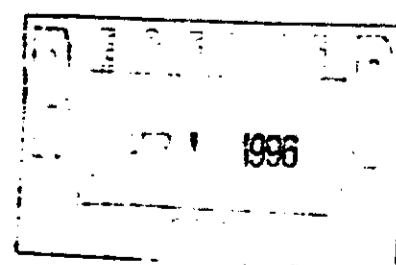
Item No.: SEE BELOW

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.
REFERENCE TO THE FOLLOWING ITEM NUMBERS: 389, 390, 391, 392, 393, 394, 395, 397 AND 398.



REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 395 (CAM)

Dear Ms. Watson:

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 affected by any State Highway Administration projects.

Please contact Bob Small at 410-653-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is
Maryland Relay Service: 1-800-338-3637

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management DATE: April 17, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 389, 390, 391, 392, 393, and 395

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3468.

Prepared by: *Jeffrey M. Long*

Division Chief: *Darryl L. Klein*

PK/JL

LETTY389/YLWNE/ZAC1

PETITION PROBLEMS

#389 -- RT

1. Only 1 signature was notarized.

#394 -- MJK

1. No telephone number for legal owner.

#395 -- CAM

1. No review information on bottom of petition form.

#396 -- CAM

1. Plat says legal owner/applicant is "Ridgeway Manor Nursing Home". Petition says legal owner is "Burleigh Enterprise Limited Partnership". Which is correct???
2. Need title of person signing for legal owner.
3. Need address of legal owner (including zip code).
4. Need telephone number for legal owner.

April 15, 1996



PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	REISTERSTOWN AREA SOUTH	NW 13-K 38

96-392-A