

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
S/S Blue Mount Road, 2500 ft. E of c/l Monkton Road
1301 Blue Mount Road
7th Election District
3rd Councilmanic District
Thomas H. Keithley, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-413-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Thomas H. Keithley and Susan V. Keithley, his wife, for that property known as 1301 Blue Mount Road in the northern section of Baltimore County. The Petitioners/property owners herein seek a variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (BCZR) to allow a 16 ft. detached garage, in lieu of the required 15 ft., in the side yard, in lieu of the rear yard. 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

ORDER RECEIVED FOR FILING

Date

By

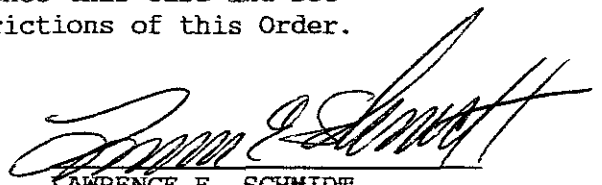
MICROFILMED

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 24th day of May 1996, that the Petition for a Residential Variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (BCZR) to allow a 16 ft. detached garage, in lieu of the required 15 ft., in the side yard, in lieu of the rear yard, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. 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. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING
Date 5/24/96
By M. G. G. G.

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 23, 1996

Mr. and Mrs. Thomas H. Keithley
1301 Blue Mount Road
Monkton, Maryland 21111

RE: Petition for Administrative Variance
Case No. 96-413-A
Property: 1301 Blue Mount Road

Dear Mr. and Mrs. Keithley:

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

Very truly yours,

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

Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
encl.

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Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1301 Blue Mount Rd.

96-413-A

which is presently zoned R.C.5

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)

400.1 and 400.3 to permit a 16' high garage in the side yard in lieu of a 15' height and rear yard, respectively.

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

see reverse side

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

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s)

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No.

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.

Zoning Commissioner of Baltimore County



REVIEWED BY: mk DATE: 4/24/96

ESTIMATED POSTING DATE: 5/3/96



Printed with Soybean Ink
on Recycled Paper

ITEM #: 414
MICROFILMED

Affidavit in support of Administrative Variance

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

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) 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 1301 Blue Mount Rd.
address
Monkton Maryland 21111
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)

Placing the garage behind the existing structure would require removal of the existing stone sidewalk and stone flower beds on the east side of the house as well as the removal of 14 mature (70-80yr old) Oak trees behind the house. Finally, the extension of the drive would require paving of the sloped portion of the lot which slopes toward a feeder stream to the Gunpowder River. Thus the compliance with zoning regulation would be cost prohibitive and environmentally questionable.

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.

Thomas H. Keithley
(signature)
Thomas H. Keithley
(type or print name)



Susan V. Keithley
(signature)
Susan V. Keithley
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 24 day of April, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Thomas H. or Susan V. Keithley

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.

4-24-96
date

[Signature]
NOTARY PUBLIC

My Commission Expires:

11-1-96

THOMAS & SUSAN KEITHLEY

1301 BLUE MOUNT RD; MONKTON, M

ZONING DESCRIPTION - 96-413-AZoning Description for 1301 Blue Mount Rd.:

Beginning at a point on the south side of Blue Mount Rd. which is 25' wide at the distance of 2500' east of the centerline of the nearest improved intersecting street, Monkton Rd. which is 35' wide. As recorded in Deed Dated 8/86, Liber 4267, Folio 318;

Metes and Bounds as Follows: N 89° 15' W 504.1',
 S 81° 47' 22" W 323.93', S 10° 05' 22" W 356.76',
 N 45° 54' 38" W 75', N 22° 50' 22" E 156.19',
 N 53° 09' 22" E 397.78', S 48° 12' 38" E 60',
 S 62° 57' 38" E 193.54', S 77° 12' 38" E 152.96',
 S 83° 47' 22" W 96.45' to the place of beginning.

96-413-17

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 7th Date of Posting: 5/20/96

Posted for: Vandeno

Petitioner: Thomas & Susan Keithley

Location of property: 1301 Blue Mount Rd.

Location of Signs: Facing road way on property being posted

Remarks: _____

Posted by: [Signature] Date of Filing: 5/10/96

Number of Signs: 1

MICROFILMED



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 055852

DATE 6/10/98

ACCOUNT 001-6150

AMOUNT \$ 10.00 (CAM)

RECEIVED FROM: Susan & Thomas Keithley

VERIFICATION #98-2288

FOR:

Zoning Case #96-413-A

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
6/12/1998 6/11/1998 15:16:54
REC 4802 CASHIER JRIC JMR DROMER 2
5 MISCELLANEOUS CASH RECEIPT
Receipt # 049075
CR NO. 055852

10.00 CHECK: FR

Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF FIN. & REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 912800

96-413-A

DATE 4/24/98 ACCOUNT 01-615

Item: 414
By: JMK

AMOUNT \$ 85.00

1301 Blue Mount Rd

RECEIVED FROM: Keithley, Thomas

010- Rrs Val - \$ 50.00

080- 1301 - \$ 35.00

\$ 85.00

FOR:

012004004241CHRC 280.00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER



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/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.: 414 Petitioner: Thomas & Susan Keithley
Location: 1301 Blue Mount Rd., Monkton MD 21111

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Susan Keithley

ADDRESS: 1301 Blue Mount Rd.
Monkton, Maryland 21111

PHONE NUMBER: 410-357-8315

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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 1, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-413-A (Item 414)
1301 Blue Mount Road
S/S Blue Mount Road, 2500' E of c/l Monkton Road
7th Election District - 3rd Councilmanic
Legal Owner(s): Thomas H. Keithley and Susan V. Keithley

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 May 5, 1995. The closing date (May 20, 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) In cases requiring 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 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.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Thomas and Susan Keithley

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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 15, 1996

Thomas and Susan Keithley
1301 Blue Mount Road
Monkton, Maryland 21111

RE: Item No.: 414
Case No.: 96-413-A
Petitioner: Thomas Keithley, et ux

Dear Mr. and Mrs. Keithley:

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 May 2, 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,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 04/16/96

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 MAY 06, 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: 410, 411, 413, 414, 415, 416,
417, 418, 419, 420, 421 AND 422.

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

cc: File

1996
MICROFILMED



414

10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: May 2, 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. 410-416 and 418-420 and 421 *9W-2*

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 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Gay L. Kerns

PK/JL

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Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

5-1-96

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

RE: Baltimore County
Item No. 414 (MJK)

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 410-545-5581 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
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

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

TO: PDM

DATE: 5-15-96

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

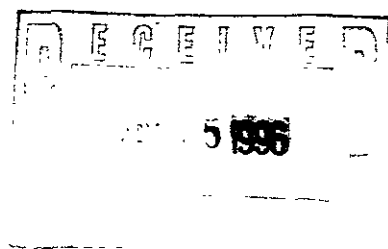
SUBJECT: Zoning Advisory Committee
Meeting Date: May 6, 1996

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

Item #'s:	410	420
	411	421
	412	422
	413	
	414	
	415	
	416	
	417	

RBS:sp

BRUCE2/DEPRM/TXTSBP



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NEIGHBOR'S CONSENT

We, Charlie & Angela Perkins
residing at 1255 Blue Mount Rd.

have been informed of Thomas and Susan Keithley's intention to petition
Baltimore County's Zoning Commissioner for an Administrative Variance
in order to gain approval to build a detached garage at 1301 Blue Mount Rd.

We do not object to their plans to build a detached garage at the
site currently used as a dogpen.

Sincerely,

Angela Perkins
Charles Perkins

Telephone: 357-4179

MICROFILMED

414

NEIGHBOR'S CONSENT

I, Marion Packard
residing at 1302 Blue Mount Rd., Monkton, MD 21111
have been informed of Thomas and Susan Keithley's intention to
petition Baltimore County's Zoning Commissioner for an Administrative
Variance in order to gain approval to build a detached garage at
1301 Blue Mount Rd.

I do not object to their plans to build a detached garage at the
site currently used as a dogpen.

Sincerely,

Marion M. Packard
Telephone: 410-343-1939

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414

NEIGHBOR'S CONSENT

We, Sterling & Leese Mary
residing at 1300 Blue Mount Rd Monkton Md 21111

have been informed of Thomas & Susan Keithley's intention to
petition Baltimore County's Zoning Commissioner for an Administrative
Variance in order to build a detached garage at 1301 Blue Mount Road.

We do not object to their plans to build a detached garage at the
site currently used as a dogpen.

Sincerely,

Mary Leese
Sterling Leese

Telephone: - 343-3104

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414

NEIGHBOR'S CONSENT

We, Colleen Wacker & David Rine
residing at 1303 Blue Mount

have been informed of Thomas and Susan Keithley's intention to petition
Baltimore County's Zoning Commissioner for an Administrative Variance
in order to gain approval to build a detached garage at 1301 Blue Mount Road.

We do not object to their plans to build a detached garage at the
site currently used as a dogpen.

Sincerely,

David Rine

Telephone: 296-8927

RECEIVED
JAN 10 1977

414

(SHEET N.W.28-A)

R.C.

#414

W 3.000

R.C. 4

R.C. 5

R.C. 4 96-413-A

W 4.500

Pickup

MOUNT

Lease

BLUE

us

Antony

MICROFILMED

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

see pages 5 & 6 of the CHECKLIST for additional required information

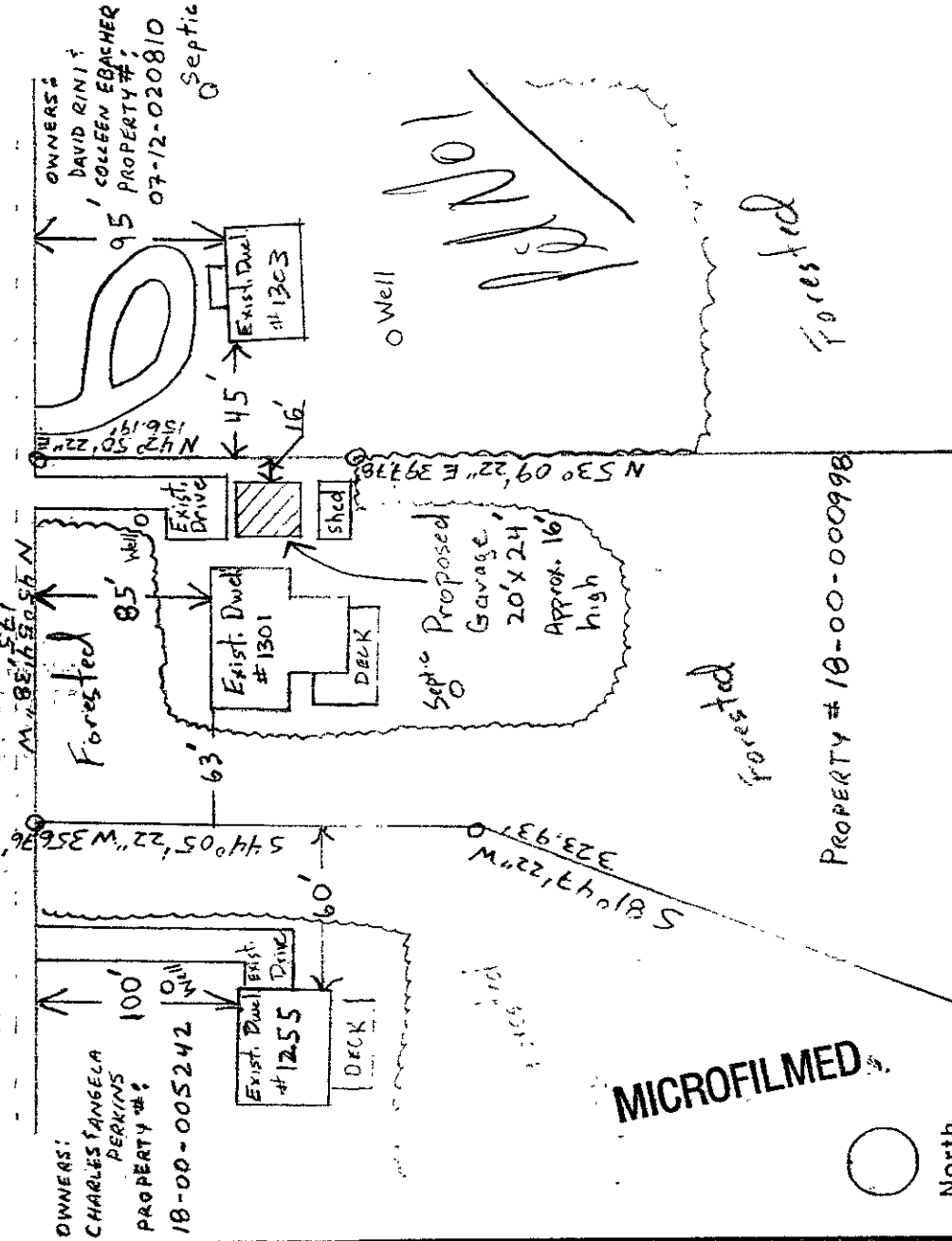
PROPERTY ADDRESS: 1301 Blue Mount Road

Subdivision name: N/A

plat book# N/A, folio# 318, lot# N/A, section# N/A PROPERTY # 18-00-000998

OWNER: Thomas & Susan Keithley 96-413-A

Blue Mount Rd.



LOCATION INFORMATION

Election District: 07

Councilmanic District: 3rd

1"=200' scale map#:

Zoning: RC 5

Lot size: 2.52 ac.

acreage square feet

public private
SEWER: ☐ ☒
WATER: ☐ ☒
Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings:

Zoning Office USE ONLY!

reviewed by: MM ITEM #: 414 CASE#:

North

date: 4/21/96

prepared by: Thomas Keithley

Scale of Drawing: 1"= 75'

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Baltimore County
Department of Permits and
Development Management

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

June 12, 1998

Ms. Susan Keithley
1301 Blue Mount Road
Monkton, MD 21111

RE: 1301 Blue Mount Road
Zoning Case #96-413-A
7th Election District

Dear Ms. Keithley:

Your letter dated May 28, 1998 has been forwarded to me for review. Zoning case number 96-413-A granted variances from Section 400.1 and 400.3, Baltimore County Zoning Regulations (BCZR), to allow a 16-foot high accessory structure (detached garage) to be located in the side yard in lieu of the maximum height of 15 feet and required rear yard.

Your proposal would require a variance to be granted from Section 1A04.3.B.3, BCZR, to allow a dwelling to be constructed with a setback of 16 feet in lieu of the required 50 feet. Because your order granted a variance from the accessory structure regulations and not the principal building setbacks, a new variance must be granted. I have enclosed the appropriate forms for the administrative variance process. You may call 410-887-3391 to schedule a filing appointment.

Very truly yours,

A handwritten signature in black ink, appearing to read "C. Milton".

Catherine A. Milton
Planner II
Zoning Review

CAM:scj

Enclosures

c: zoning case #96-413-A



6/8/98

WCR

5-28-98

To: Cam
Lakeside Dist.
Var. 6/19/98
WCR
E. C. Schmitt

Mr. Arnold Jablon

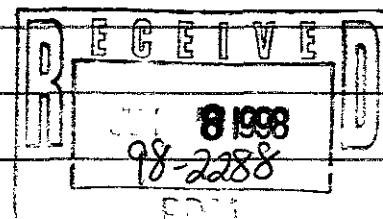
Rec 11 June
an

Director of Permits & Development Management

Baltimore County Office Building

111 W. Chesapeake Ave.

Towson, MD 21204



RE: Administrative Variance

Case # 96-413-A (approved 5/24/96)

Dear Mr. Jablon,

I am writing to you to request a "Spirit & Intent" Review of enclosed proposed changes to construction plans approved by Administrative Variance Case # 96-413-A. I have enclosed a \$10.00 fee and pertinent documentation.

On May 24, 1996, I was granted approval with regard to my petition for Residential Zoning Variance Case # 96-413-A by Mr. Lawrence E. Schmidt, Zoning Commissioner for Baltimore County. (See enclosed Zoning Commission Findings dated 5/24/96). The variance granted pertains to plans for construction of a 20' wide x 24' Long detached garage.

Since that Zoning Commission approval, no construction has taken place. At this time, I am requesting a "Spirit & Intent" Review to amend

Variance Order # 96-413 -A due to my desire to attach new proposed construction to my home and to add 1st and 2nd Floor living space to my home. Since my request is for approval to construct between my existing home and the approved garage, I appeal to you to amend Variance Case # 96-413 -A to reflect the enclosed proposed changes.

The enclosed site plan shows the original, approved detached garage site along with the updated plans for newly proposed construction of attached 1st and 2nd Floor living areas.

The total proposed new construction of attached area including garage is 46 feet wide X 24 feet long. with a maximum height of 24 feet on the 2-story connecting space and a maximum height of 16 feet on garage (16 feet height unchanged on garage as specified by Variance order # 96-413-A) (See enclosed floor plan detailing existing house and proposed new construction.) The proposed new construction will include 1st Floor living area and 2nd floor living area and bathroom (dimensions 24' W x 24' L). The garage will remain in the same site as specified by Variance Case # 96-413-A and will be 22' x 24'. The Variance specified a garage dimension of 20' x 24'; therefore, I request you to amend the garage dimension to 22' W x 24' L. The side setback of 16'

as specified by Variance Case # 96-413-A will remain unchanged.

Circumstances specific to my request include the positioning of the existing paved driveway which makes it desirable that the proposed garage be positioned as petitioned. (See enclosed photo and photos in Variance Case # 96-413-A file.)

Also, my home does not have a basement, which makes attaching a garage more desirable both for personal utilitarian purposes and for resale and marketability purposes. (This opinion about resale has been expressed by several realtors who have viewed my home for purpose of establishing marketability and price.) Additionally, currently, my home has a 2nd Floor with 2 bedrooms which share a hall bath. I would like to have a master bedroom with master bath on the 2nd Floor both for personal comfort and for marketability and resale purposes. (Realtors have expressed their opinion that without a master bath on 2nd Floor, my home would be difficult to market with other homes of similar value: \$275,000 + homes in Monkton area.) Also, the estimates I have received from 2 Home Contractors show that it is more cost effective to build attached space than to build detached space.

In summary, I am requesting a "Spirit & Intent" review of 2 proposed amendments to approved Variance Case # 96-413-A (see site plan) as follows:

- 1) Amendment #1: to allow construction of 1st and 2nd floor living area of 24'W x 24'Long with a maximum height of 24 feet (to be constructed between existing house and proposed garage).
- 2) Amendment #2: to change garage dimensions from 20'Wide x 24'Long to 22'Wide (24'Wide) x 24'Long. Maximum height of 16' to remain unchanged.

Side setback of 16' to remain unchanged.

* I have also enclosed a signed statement from my adjoining neighbors at 1303 Blue Mount Rd in which they do not express an objection to the amendments as described above.

owner's address:

1301 Blue Mount Rd.

Monkton, MD 21111

Thank you for your consideration,

Sincerely,

Susan Keithley
Susan Keithley, owner

phone: 410-357-8315 (home)

Enclosures :

- (A) Site Plan
- (B) Floor Plan
- (C) Zoning Commission Findings
- (D) AFFIDAVIT from adjoining neighbors
- (E) PHOTO OF CONSTRUCTION SITE
- (F) SKETCH OF PROPOSED GARAGE
- (G) \$10 fee

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1301 Blue Mount Road see pages 5 & 6 of the CHECKLIST for additional required information

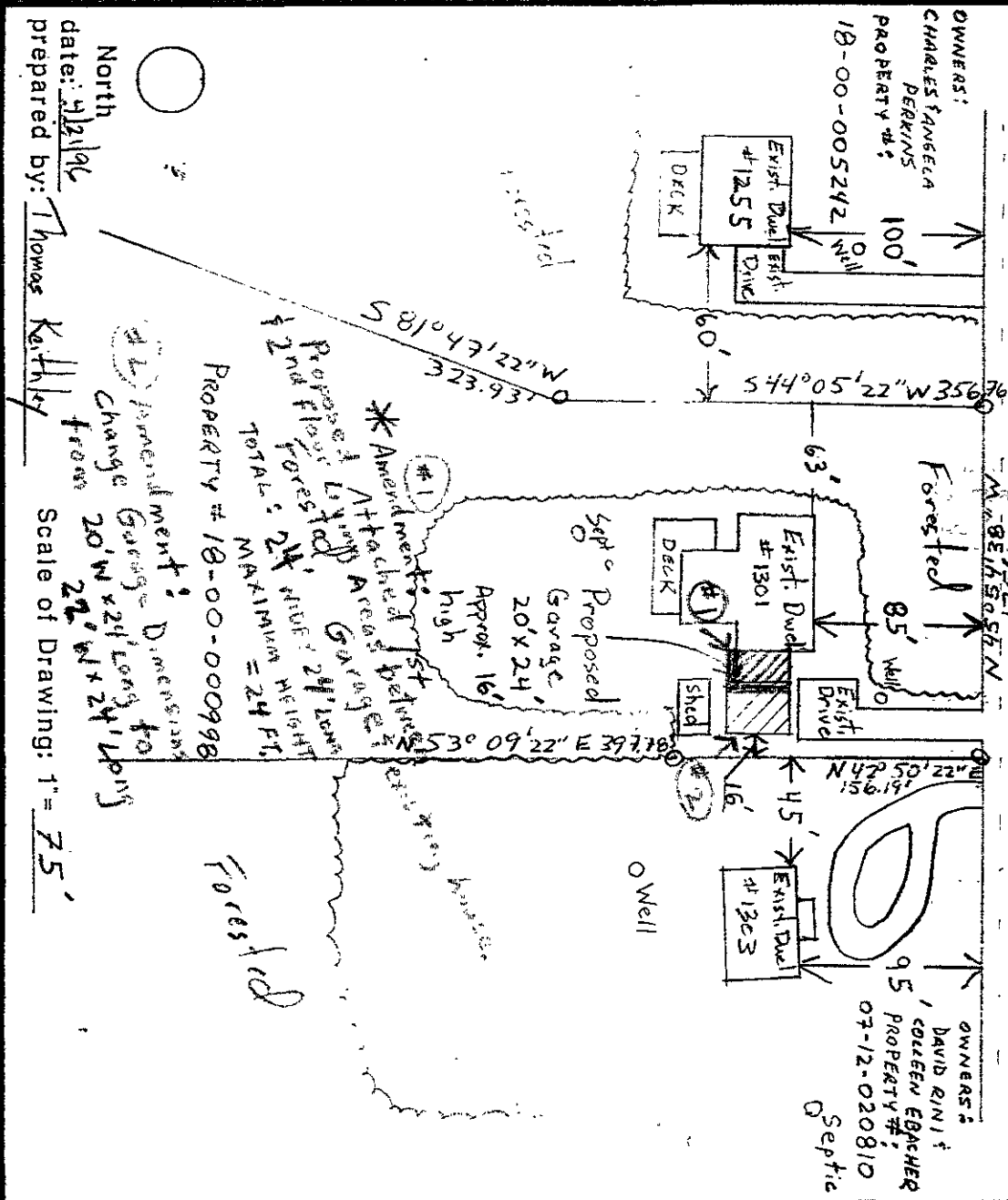
Subdivision name: N/A plat book# N/A, lot# 318, lot# N/A, section# N/A Property # 18-00-000998

OWNER: Thomas & Susan Keithley

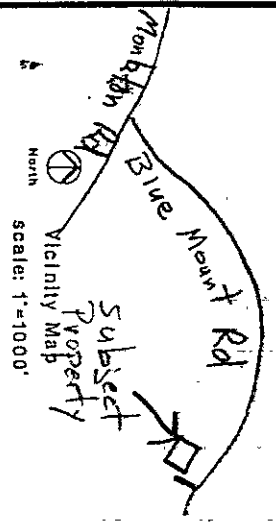
Blue Mount Rd.

OWNERS:
CHARLES FANBELA
PERKINS
PROPERTY #:
18-00-005242

OWNERS:
DAVID RINI
COLLEEN EGACHER
PROPERTY #:
07-12-020810



VARIANCE CASE
#96-413-A



LOCATION INFORMATION

Election District: 07
Councilmanic District: 3rd

1"=200' scale map#:
Zoning: RC 5
Lot size: 2.52 ac.
acreage square feet

SEWER: ☐ Public ☒ Private
WATER: ☐ Yes ☒ No
Chesapeake Bay Critical Area: ☐ Yes ☒ No
Prior Zoning Hearings:

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

North
date: 11/21/96
prepared by: Thomas Keithley
Scale of Drawing: 1"= 75'

SHED

FLOOR PLAN

(B)

Lawn area



GARAGE
(max. height = 16 FT)

22' x 24'

MAXIMUM
HEIGHT = 24 FT

22' x 24' ROOM

① LIVING ROOM (1st floor)
② Master Bedroom / Master Bath (2nd floor)

46 FEET

Driveway

Well

Well Tank Reserve

Built Ins

Built Ins

French Doors

TURKISH



GREAT ROOM

TV ROOM

Foyer

52 FT

Patio



KITCHEN

Pantry

Powder room

Laundry room

Hall Bath

Bedroom

Bedroom

Foyer closet
Walk In closet



=

proposed addition to include 1st floor living space, 2 car Garage, 2nd floor Master Bedroom, Master Bath

1301 BLUE MOUNTAIN MONKTON, MD 21111
VARIANCE CASE:
96-413-A

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 23, 1996

Mr. and Mrs. Thomas H. Keithley
1301 Blue Mount Road
Monkton, Maryland 21111

RE: Petition for Administrative Variance
Case No. 96-413-A
Property: 1301 Blue Mount Road

Dear Mr. and Mrs. Keithley:

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

Very truly yours,

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

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.



IN RE: PETITION FOR RESIDENTIAL	* BEFORE THE
ZONING VARIANCE	
S/S Blue Mount Road, 2500 ft. E	* ZONING COMMISSIONER
of c/l Monkton Road	
1301 Blue Mount Road	* OF BALTIMORE COUNTY
7th Election District	
3rd Councilmanic District	* Case No. 96-413-A
Thomas H. Keithley, et ux	
Petitioners	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Thomas H. Keithley and Susan V. Keithley, his wife, for that property known as 1301 Blue Mount Road in the northern section of Baltimore County. The Petitioners/property owners herein seek a variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (BCZR) to allow a 16 ft. detached garage, in lieu of the required 15 ft., in the side yard, in lieu of the rear yard. 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.

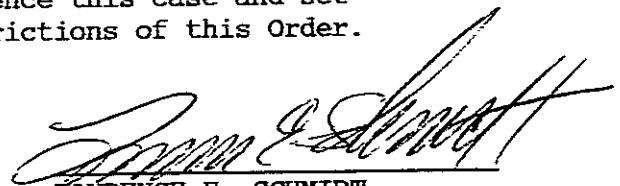
The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public 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 24th day of May 1996, that the Petition for a Residential Variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (BCZR) to allow a 16 ft. detached garage, in lieu of the required 15 ft., in the side yard, in lieu of the rear yard, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. 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. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

(1)

AFFIDAVIT: RE: AMENDMENT REQUEST TO VARIANCE
CASE #96-413-A

HOMEOWNERS: Thomas & Susan Keithley
1301 Blue Mount Road
Monkton, Maryland 21111

We, Colleen Ebacher and David Rini, residing at 1303 Blue Mount Road, Monkton, Maryland, have been advised of the proposed construction plans of our adjoining neighbors, Thomas & Susan Keithley of 1301 Blue Mount Road.

Specifically, The Keithley's have advised us of their petition to amend approved, Zoning Variance Case #96-413-A, which, if granted, will allow the following construction:

- 1) Construction of an attached garage of 22 feet wide x 24 feet long. (Variance Case #96-413-A previously granted approval of the construction of a detached garage of 20 feet wide x 24 feet long.) The maximum height of proposed garage will be 16 feet (16 feet height is unchanged from Variance Case #96-413-A.) Side setback from property line of proposed garage will be 16 feet (unchanged from Variance Case #96-413-A).
- 2) Construction of an attached 2 story living space, between proposed garage and existing house to include second floor bedroom and bathroom addition of 24 feet wide x 24 feet long with maximum height of 24 feet.

We have reviewed the Keithley's site plan and original Variance Order, Case #96-413-A. We understand the above mentioned petitioned amendments to Zoning Variance Case #96-413-A.

We do not object to the above detailed construction plan changes at 1301 Blue Mt. Road.


Colleen Ebacher (owner, 1303 Blue Mount RD.)

6/3/98
Date

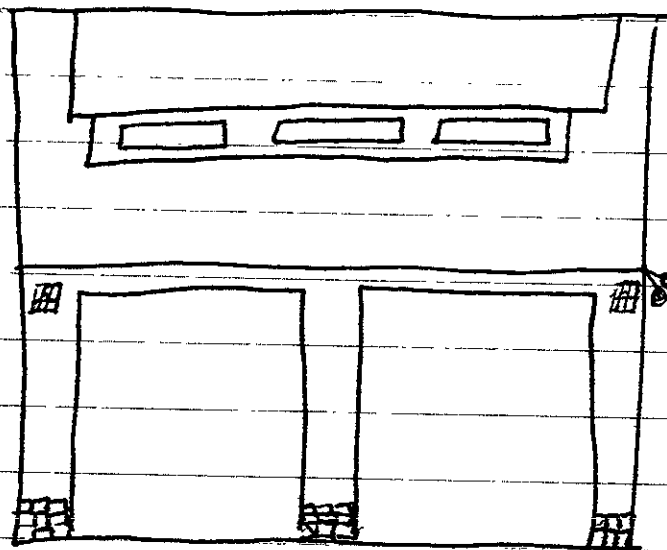

David Rini (owner, 1303 Blue Mt. Rd.)

6/3/98
Date

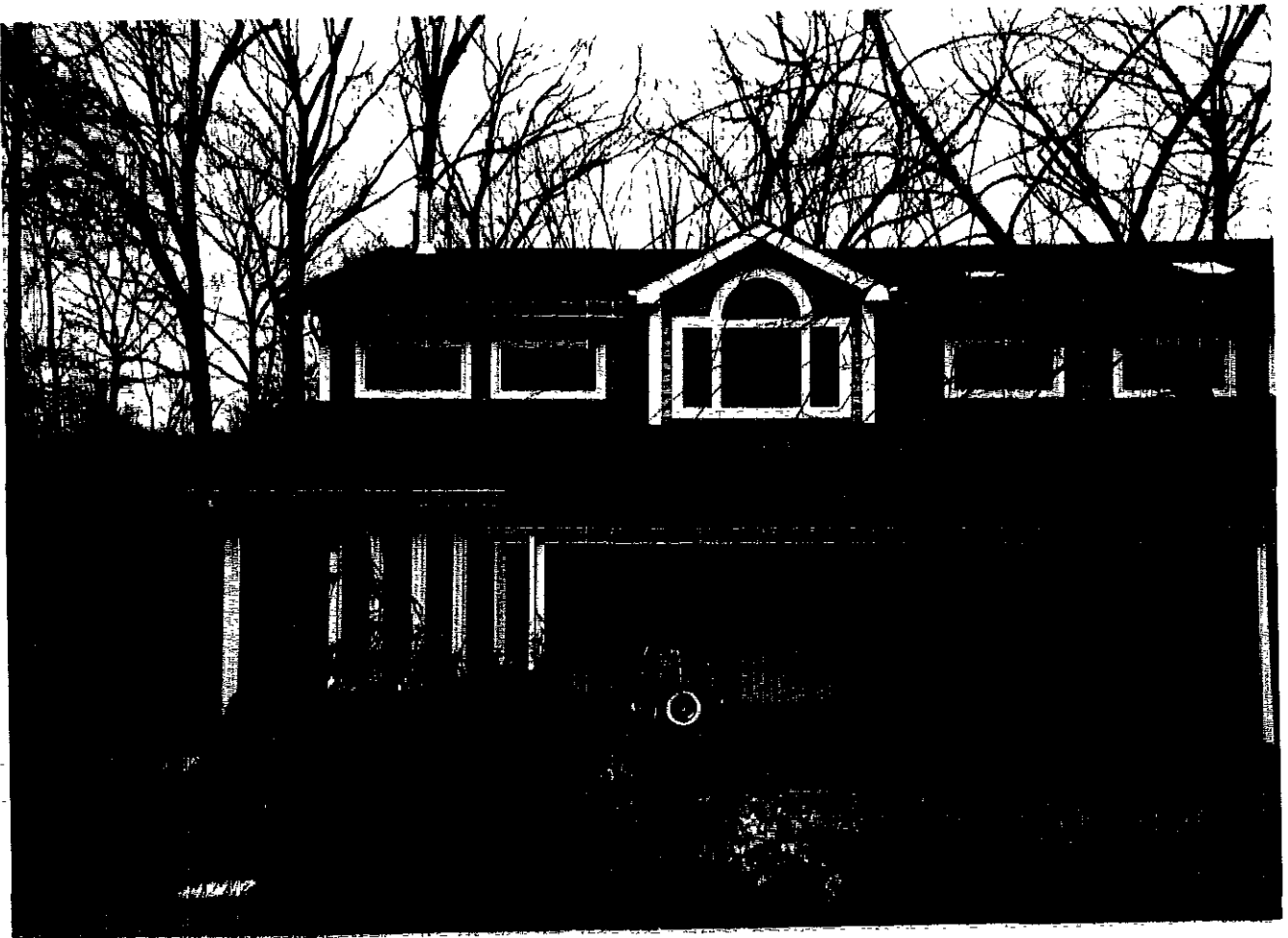
COMMENTS: _____

Variance Case Keithley
#96-413-A Sketch of proposed garage

(F)





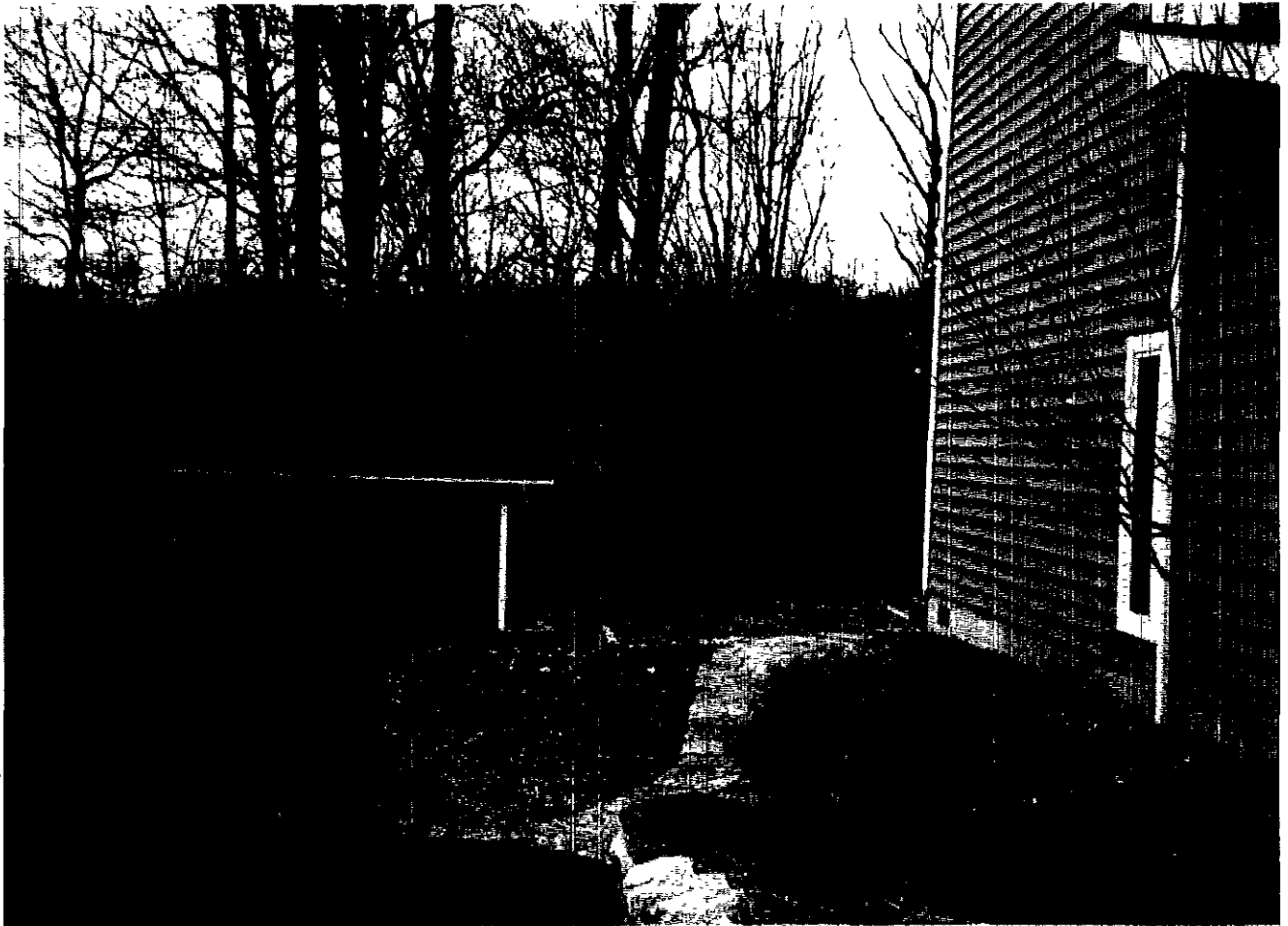


MICROFILMED

96-413-A



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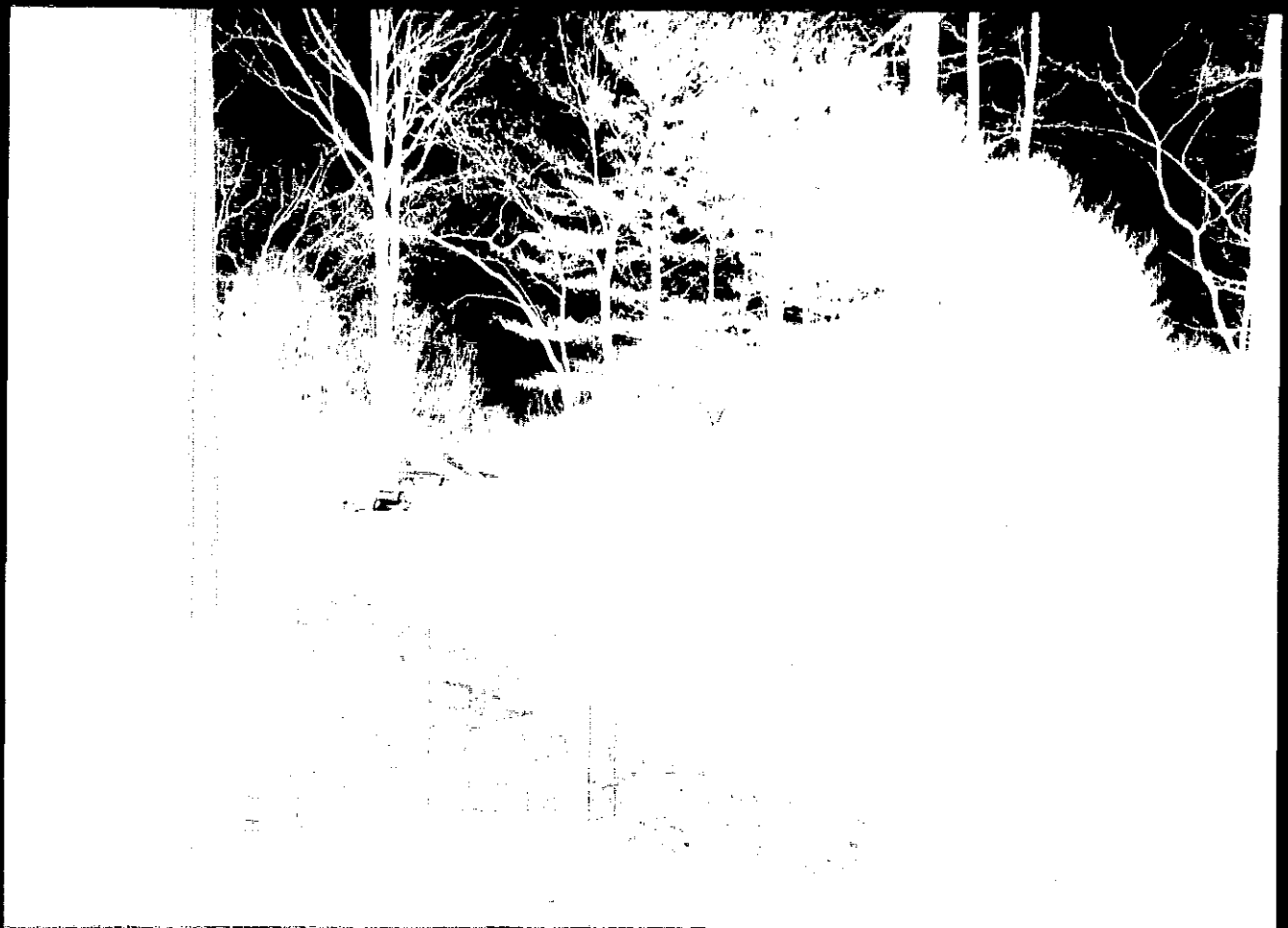


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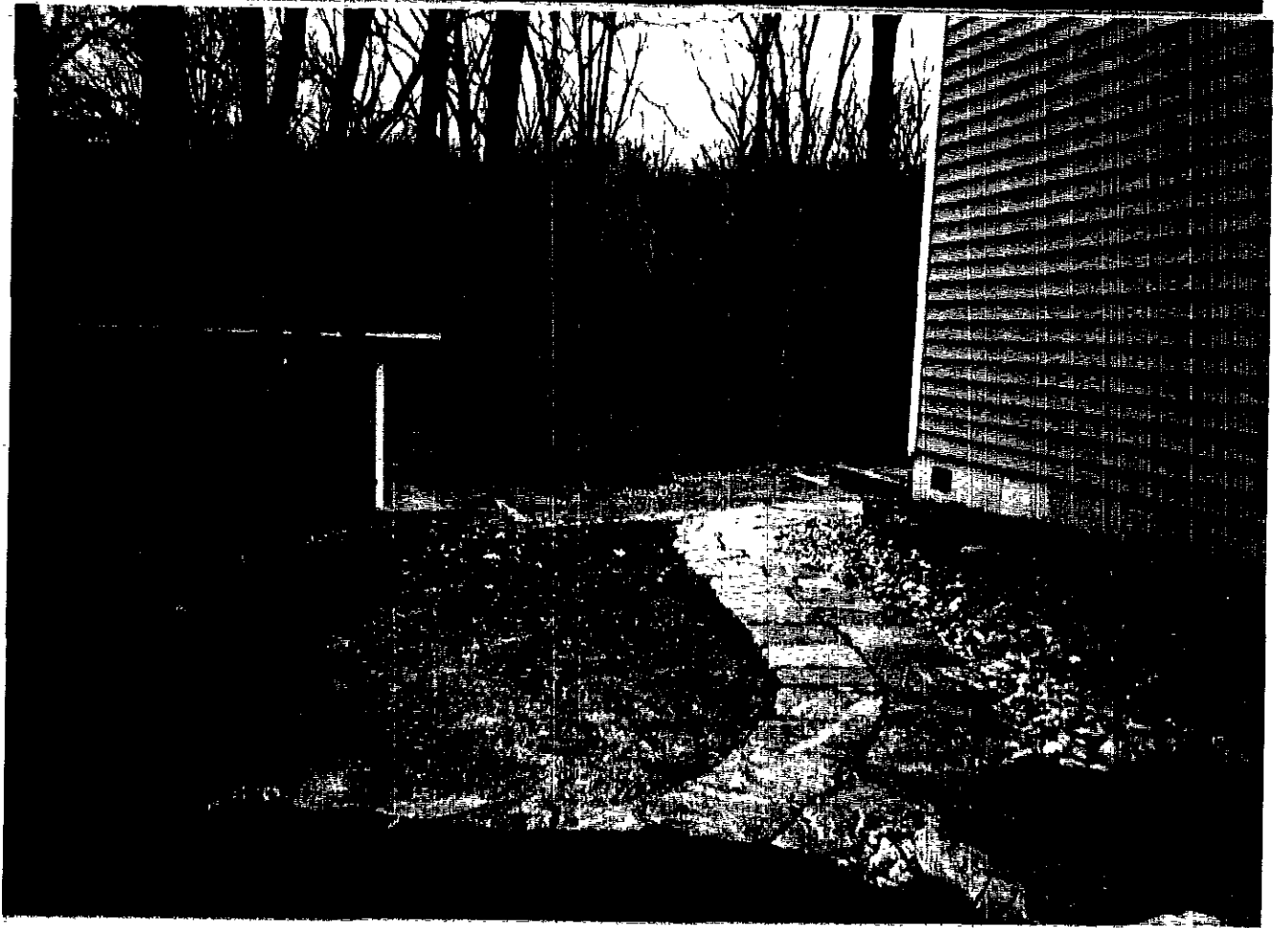


MICROFILMED

96-413-A



UNRECORDED



MICROFILMED

2



Baltimore County
Department of Permits and
Development Management

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

May 1, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-413-A (Item 414)
1301 Blue Mount Road
S/S Blue Mount Road, 2500' E of c/l Monkton Road
7th Election District - 3rd Councilmanic
Legal Owner(s): Thomas H. Keithley and Susan V. Keithley

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 May 5, 1996. The closing date (May 20, 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) In cases requiring 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 reporting and newspaper advertising are payable by the petitioner(s).

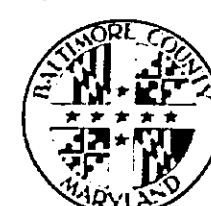
3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

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.

Carl Jablon
Arnold Jablon
Director

cc: Thomas and Susan Keithley

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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 15, 1996

Thomas and Susan Keithley
1301 Blue Mount Road
Monkton, Maryland 21111

RE: Item No.: 414
Case No.: 96-413-A
Petitioner: Thomas Keithley, et ux

Dear Mr. and Mrs. Keithley:

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 May 2, 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.
W. Carl Richards, Jr.
Zoning Supervisor

MCR/jw
Attachment(s)

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on Recycled Paper

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 04/16/96

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 MAY 06, 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. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 410, 411, 413, 414, 415, 416, 417, 418, 419, 420, 421 AND 422.

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

cc: File

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: May 2, 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. 410-416 and 418-420 *and 421 9W-2*

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 887-3495.

Prepared by: *Jeffrey W. Long*

Division Chief: *Carol L. Kenna*

PK/JL

ITEM410A/PEOCNE/ZAC1



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. 414 (MJK)

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 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

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

TO: PDM
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: *May 6, 1996*

DATE: *5-15-96*

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

Item #'s: 410 420
411 421
412 422
413
414
415
416
417

RBS:sp

BRUCE2/DEPRM/TXTSBP

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on Recycled Paper

NEIGHBOR'S CONSENT

I, *Marian Packard*
residing at *1302 Blue Mount Rd, Monkton MD 21111*
have been informed of Thomas and Susan Keithley's intention to petition Baltimore County's Zoning Commissioner for an Administrative Variance in order to gain approval to build a detached garage at 1301 Blue Mount Rd.

I do not object to their plans to build a detached garage at the site currently used as a dogpen.

Sincerely,

Marion Packard
Telephone: *410-243-1456*

NEIGHBOR'S CONSENT

we, *Opione & Anna Perkins*
residing at *1355 Blue Mt Rd*
have been informed of Thomas and Susan Keithley's intention to petition Baltimore County's Zoning Commissioner for an Administrative Variance in order to gain approval to build a detached garage at 1301 Blue Mount Rd.
We do not object to their plans to build a detached garage at the site currently used as a dogpen.

Sincerely,

Opione Perkins
Anna Perkins
Telephone: *357-4179*

NEIGHBOR'S CONSENT

we, *Stirling & Tracy Lease*
residing at *1302 Blue Mount Rd, Monkton MD 21111*
have been informed of Thomas and Susan Keithley's intention to petition Baltimore County's Zoning Commissioner for an Administrative Variance in order to build a detached garage at 1301 Blue Mount Road.
We do not object to their plans to build a detached garage at the site currently used as a dogpen.

Sincerely,

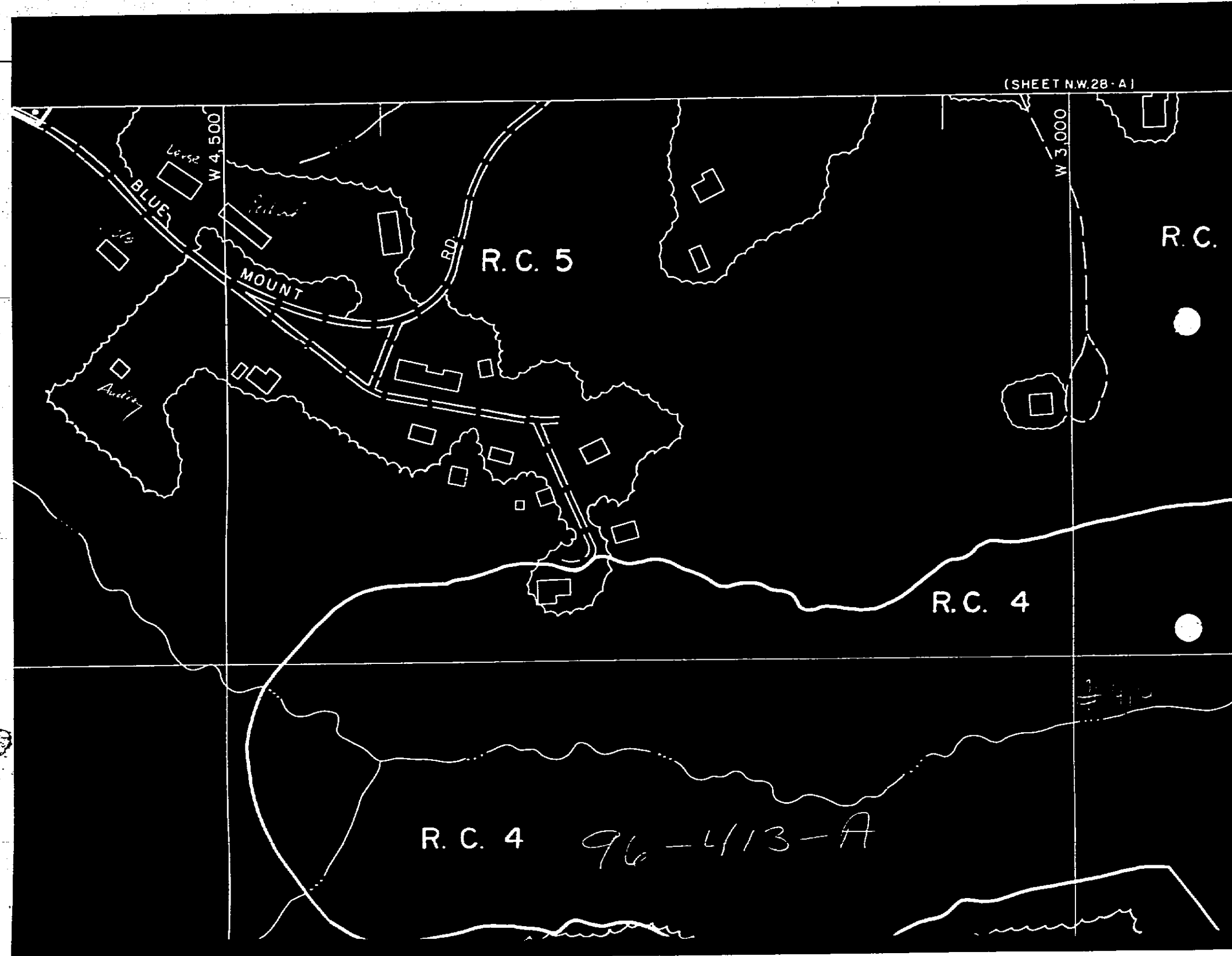
Tracy Lease
Stirling Lease
Telephone: *343-3104*

NEIGHBOR'S CONSENT

we, *William Charles & David Rene*
residing at *1301 Blue Mount*
have been informed of Thomas and Susan Keithley's intention to petition Baltimore County's Zoning Commissioner for an Administrative Variance in order to gain approval to build a detached garage at 1301 Blue Mount Road.
We do not object to their plans to build a detached garage at the site currently used as a dogpen.

Sincerely,

William Charles
David Rene
Telephone: *356 8127*



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1301 Blue Mount Road

OWNER: Thomas & Susan Kothley 96-413-A

Blue Mount Rd.

Plat book: M/A, lot: 210, lot: M/A, section: M/A, Project: 18-00-00096

Survey: Charles Kothley, 18-00-00096, 18-00-00096

Forested 85'

Blue Mount Rd.

Location Information

Election District: 03

County: 3-4

1/4" = 200' scale map

Zoning: R.C. 5

Lot size: 2.52 ac.

acres square feet

SEWER: 1/4" = 100'

WATER: 1/4" = 100'

Chesapeake Bay Critical Area

Prior Zoning Hearings:

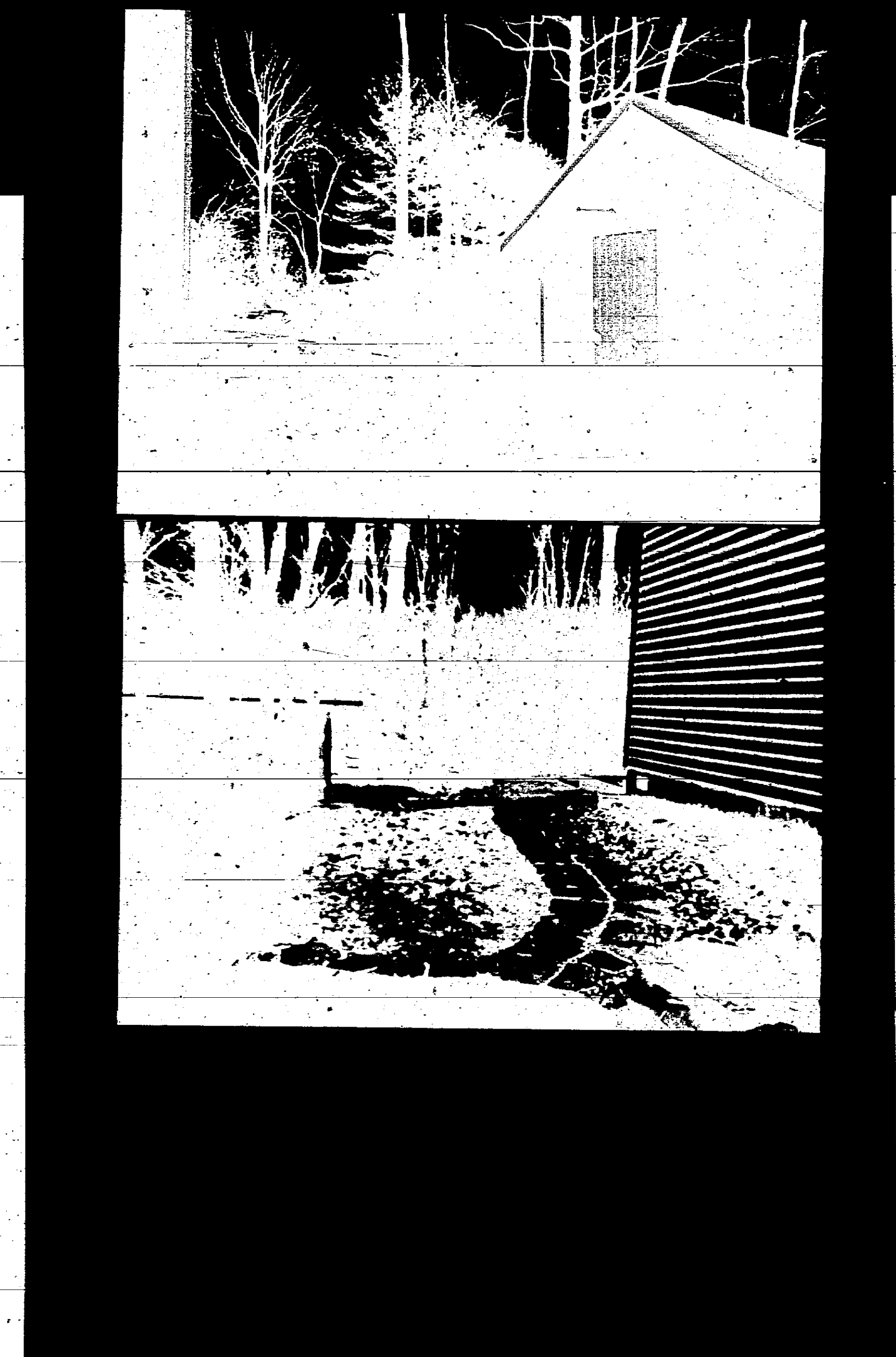
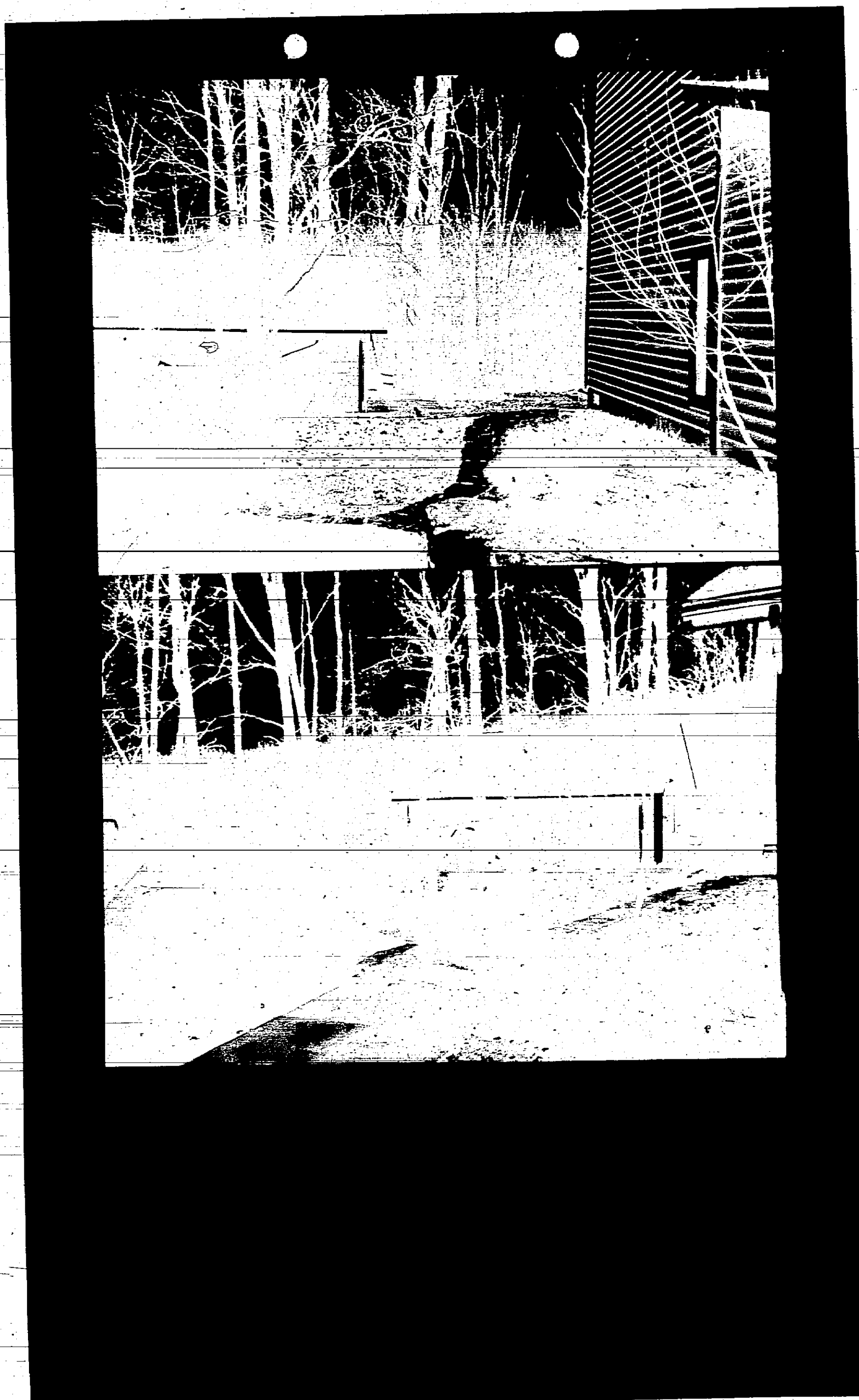
Zoning Office USE ONLY!

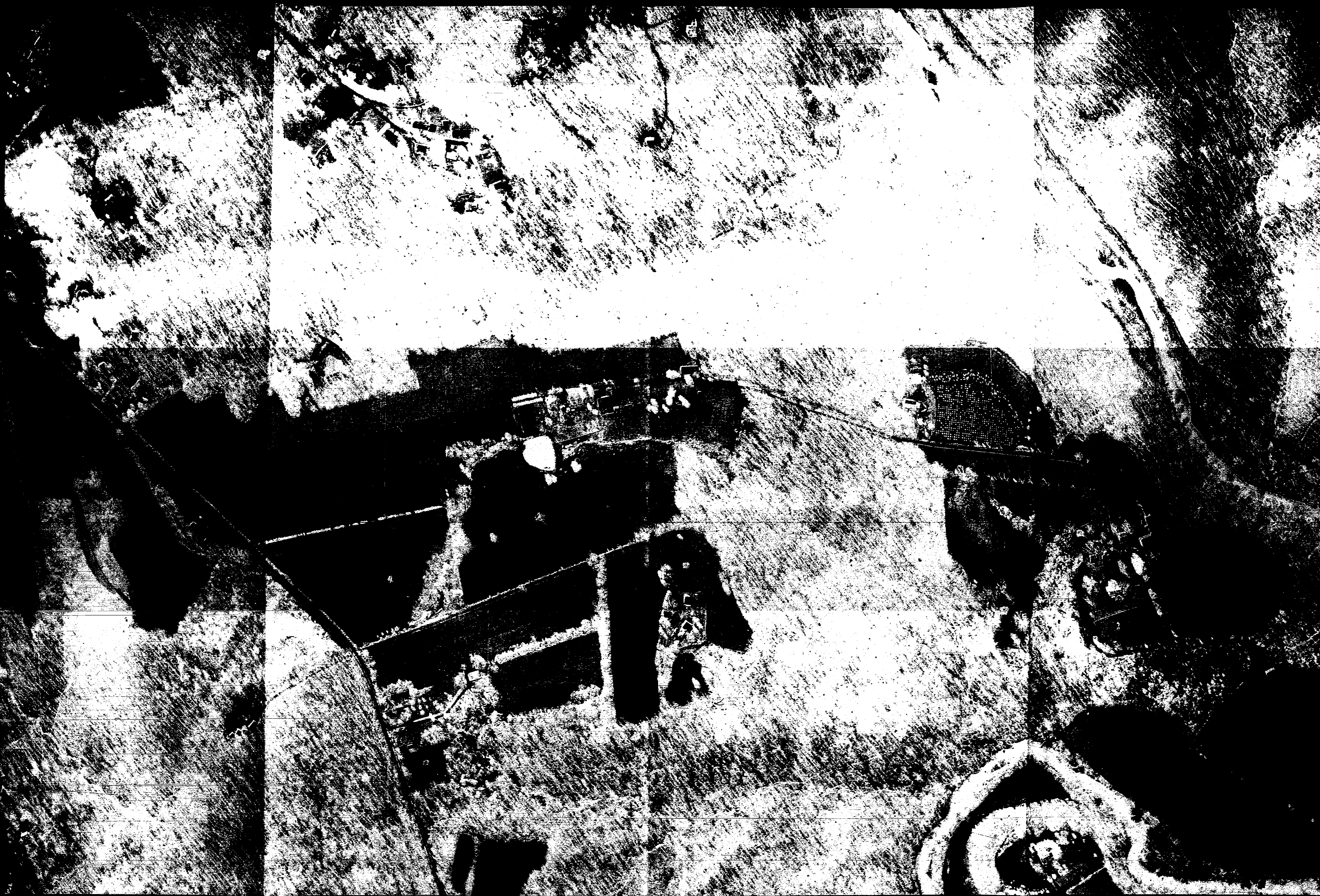
reviewed by: JPM #1 CASE #1

date: 11/11/11

prepared by: Thomas Kothley

Scale of Drawing: 1" = 75'





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

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200'	NORTHWEST OF	N.A.
DATE OF PHOTOGRAPHY	MONKTON	27-A
JANUARY 1986		# 44

96-413-A