

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
 NE/Corner Morris & Spring Avenues * DEPUTY ZONING COMMISSIONER
 (700 Morris Avenue) * OF BALTIMORE COUNTY
 8th Election District *
 4th Councilmanic District *
 Hunter C. Steadley, et ux * Case No. 97-171-A
 Petitioners *
 *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 700 Morris Avenue, located in the vicinity of Green Spring Drive in Lutherville. The Petition was filed by the owners of the property, Hunter C. and Katherine O. Steadley. The Petitioners seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a street side yard setback of 12 feet in lieu of the required 25 feet for a proposed 12' x 32' addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked as Petitioner's Exhibit 1.

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

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

ORDER REY
 FILING
 Date 11/14/96
 By [Signature]

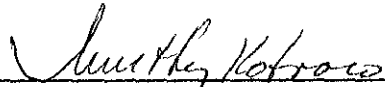
MICROFILMED

vits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of November, 1996 that the Petition for Administrative Variance seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a street side yard setback of 12 feet in lieu of the required 25 feet for a proposed 12' x 32' addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER FILED
Date 11/14/96
By [Signature]
OR FILING

MICROFILMED



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

November 14, 1996

Mr. & Mrs. Hunter C. Steadley
700 Morris Avenue
Lutherville, Maryland 21093

RE: PETITION FOR ADMINISTRATIVE VARIANCE
NE/Corner Morris & Spring Avenues
(700 Morris Avenue)
8th Election District - 4th Councilmanic District
Hunter C. Steadley, et ux - Petitioners
Case No. 97-171-A

Dear Mr. & Mrs. Steadley:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File

NOV 14 1996



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 700 MORRIS AVE LUTHERVILLE MD 21093
which is presently zoned DR 5.5

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) 1 BOZ. 3 C.1 to Allow
A STREET SIDE YARD SETBACK OF 12' IN LIEU
OF THE REQUIRED 25'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) ① EXISTING FAMILY ROOM IS ON THIS SIDE AND REASON FOR EXPANSION

② NEWLY REMODELED KITCHEN & FINISHED REAR SUNROOM DOES NOT ALLOW FOR EXPANSION TO REAR

③ GRADE OF LAND, A/C UNIT DOES NOT ALLOW FOR EXPANSION TO OPPOSITE 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):

HUNTER C. STEADLEY
(Type or Print Name)

Hunter C. Steadley
Signature

KATHERINE O STEADLEY
(Type or Print Name)

Katherine O Steadley
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.

MICROFILMED

Zoning Commissioner of Baltimore County

REVIEWED BY: CM DATE: 11 Oct 96

ESTIMATED POSTING DATE: 20 Oct 96



Printed with Soybean Ink on Recycled Paper

ITEM #: 171

UNDER RECEIVED FOR FILING
Date 11/11/96
By [Signature]

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 100 MORRIS AVE
address
LUTHERVILLE MD 21093
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)

THE EXISTING FAMILY ROOM DOORS IS TOO SMALL. EXPANDING OUT
FOR PURPOSE TO MAKE THIS USABLE SPACE. A NEWLY REMODELED
KITCHEN, PORCH, CONCRETE DRIVEWAY PROHIBITS REAR EXPANSION.
THE OPPOSITE SIDE OF THE HOUSE HAS AN AC UNIT AND
GARDEN. A HILL HAS CAUSED GRADING/WATER PROBLEMS
TO THAT SIDE OF HOUSE.

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.

Hunter C. Steadley
(signature)
HUNTER C. STEADLEY
(type or print name)



Katherine O. Steadley
(signature)
KATHERINE O STEADLEY
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

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

HUNTER C. STEADLEY AND KATHERINE O STEADLEY

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.

9-27-96
date

Carol A. Smith
NOTARY PUBLIC

My Commission Expires: 2-15-2000

ZONING DESCRIPTION FOR 700 MORRIS AVE LUTHERVILLE MD 21093
BEGINNING AT A POINT ON THE ~~SOUTHEAST~~ SIDE OF MORRIS AVE
WHICH IS 50' WIDE AT A DISTANCE OF 20' NORTH OF CENTERLINE
OF THE NEAREST IMPROVED INTERSECTION STREET SPRING AVE.
WHICH IS 40' WIDE, BEING LOT # 1 SECTION P IN SUBDIVISION
LUTHERVILLE AS RECORDED IN BALTIMORE COUNTY PLAT BOOK
7 FOLIO # 345 CONTAINING .37 ACRES ALSO KNOWN AS
700 MORRIS AVE. LUTHERVILLE MD 21093 AND LOCATED
IN THE 8TH ELECTION DISTRICT 4TH COUNCILMANIC DISTRICT.



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 assessed 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.: 171 Petitioner: Steadley

Location: 700 Morris Ave

PLEASE FORWARD ADVERTISING BILL TO:

NAME: HUNTER C. STEADLEY

ADDRESS: 700 MORRIS AVE

LUTHERVILLE MD 21093

PHONE NUMBER: (410) 560-0284

CERTIFICATE OF POSTING

RE: Case No.: 97-171-A

Petitioner/Developer: HUNTER STEADLEY, ETAL

Date of Hearing/Closing: NOV. 4, 1996

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at #700 MORRIS AVENUE

The sign(s) were posted on OCT. 19, 1996
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

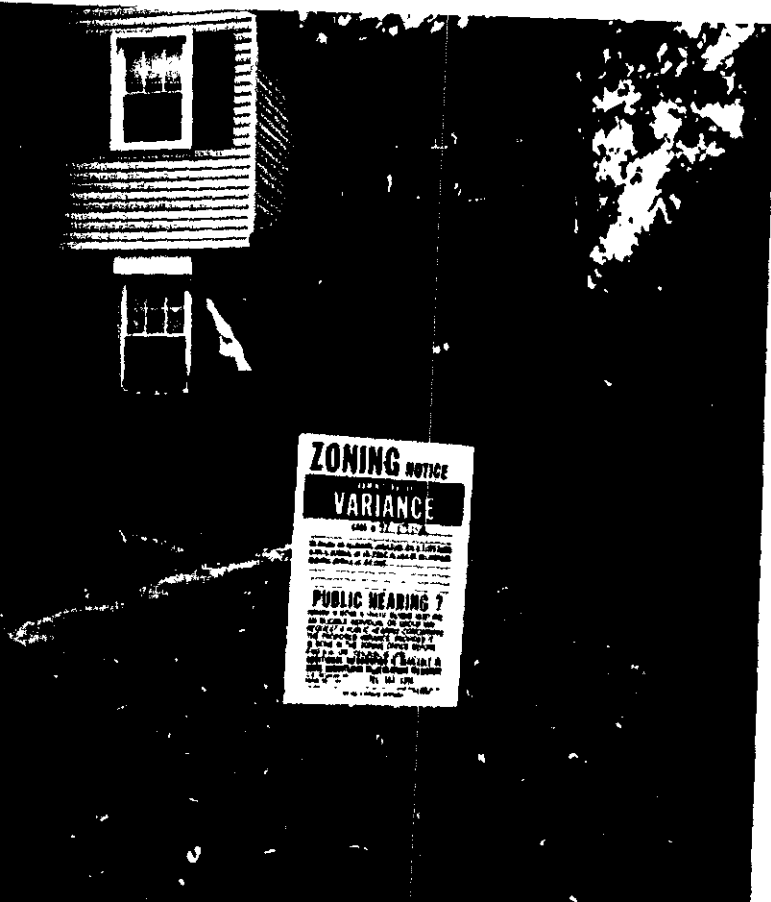
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

666-5366

(Telephone Number)



Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 20 Oct 96

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 897-171-A

To Allow A Street Sidedyard Setback of
12' in lieu of the Required 25'

PUBLIC HEARING ?

**PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON**

Nov 4 1996

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

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

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-171-A (Item 171)
700 Morris Avenue

NEC Morris Avenue and Spring Avenue
8th Election District - 4th Councilmanic

Legal Owner(s): Hunter C. Steadley and Katherine O. Steadley

Post by Date: 10/20/96

Closing Date: 11/04/96

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, 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 black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Hunter and Katherine Steadley

MICROFILMED





Baltimore County
Department of Permits and
Development Management

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

November 14, 1996

Mr. and Mrs. Hunter Steadley
700 Morris Avenue
Lutherville, MD 21093

RE: Item No.: 171
Case No.: 97-171-A
Petitioner: Hunter Steadley, et ux

Dear Mr. and Mrs. Steadley:

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 October 11, 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 Roslyn Eubanks in the zoning office (887-3391).

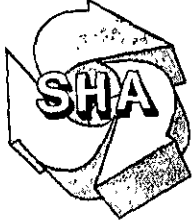
Sincerely,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

10-23-96

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

RE: Baltimore County
Item No. *171 (CAM)*

Dear Ms. Eubanks:

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

WED

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: October 18, 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. 157, 161, 162, 163, 165, 166, 169, 171, 172, 174

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. Kern

PK/JL

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 10/21/96

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 OCT. 21, 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: 161, 163, 164, 165, 166, 167,
170, 171, 172, 173 and 174.

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

MICROFILMED

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: October 25, 1996

FROM: *RWB* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for October 28, 1996
Item Nos. 161, 164, 165, 166, 171,
172, & 174

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

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 10/23/96

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Oct 21, 96

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

Item #'s:	161	166	174
	162	168	
	163	169	
	164	171	
	165	172	

RBS:sp

BRUCE2/DEPRM/TXTSBP

MICROFILMED

PETITION PROBLEMS

#161 --- JRF

1. No item number on receipt.
2. Notary section is incomplete.

#164 --- JCM

1. Need printed or typed name of second legal owner.

#165 --- MJK

1. Need someone to sign for first legal owner. Also need authorization for that person to sign.

#167 --- JRA

1. Folder has paperwork for undersized lot -- Petition says nothing about an undersized lot.
2. Notary section is incorrect.

#168 --- JRA

1. Special Exception is on wrong form - This is a Special Hearing form, not Special Exception (see top paragraph of the form).
2. Need authorization for person to sign for legal owner.

#171 --- CAM

1. Need address and telephone number for legal owner.

#174 --- JRF

1. No item number on receipt.

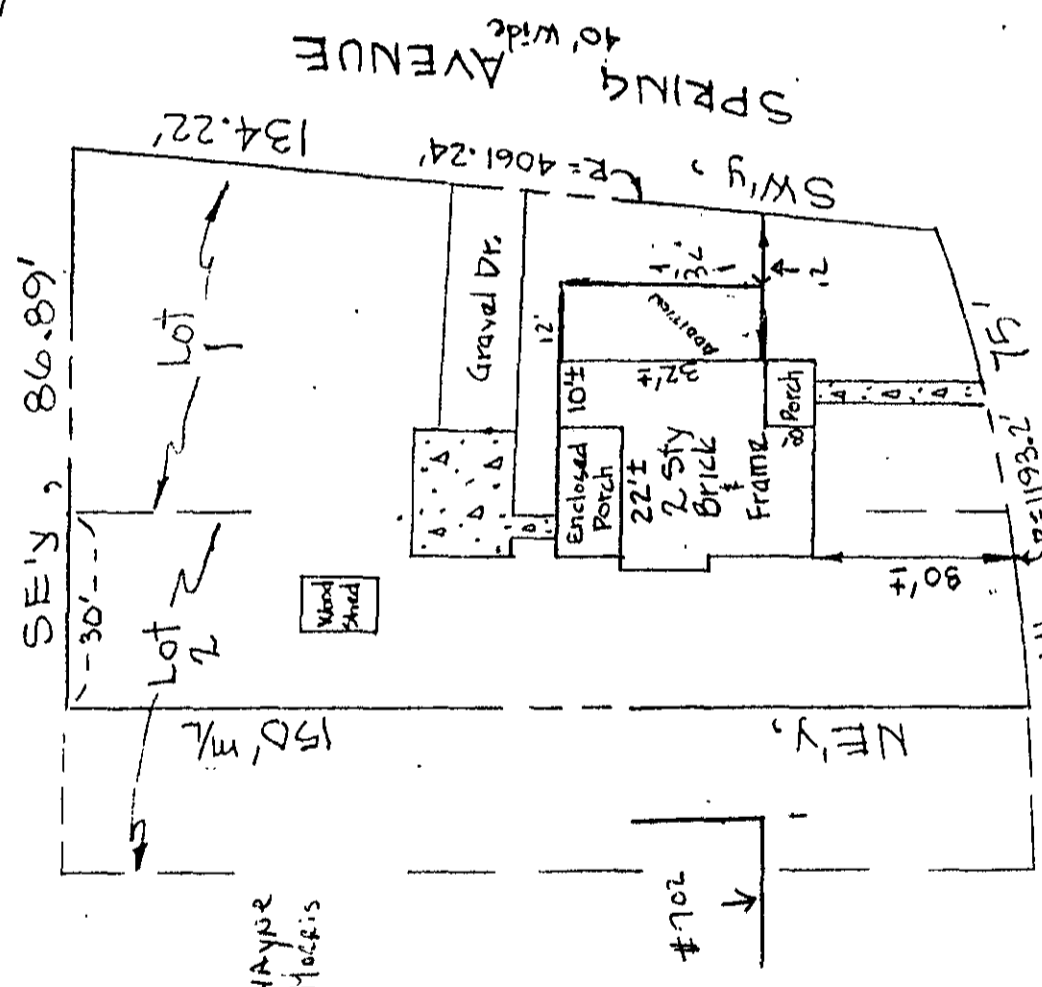
MICROFILMED

Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 700 Morris Ave see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Luther J. IIA
 Plat book # 7, folio # 345, lot # 1 and 2, section # P
 OWNER: Hunter & Katherine Steadley

Debris (See sketch for Newham Relativa location)

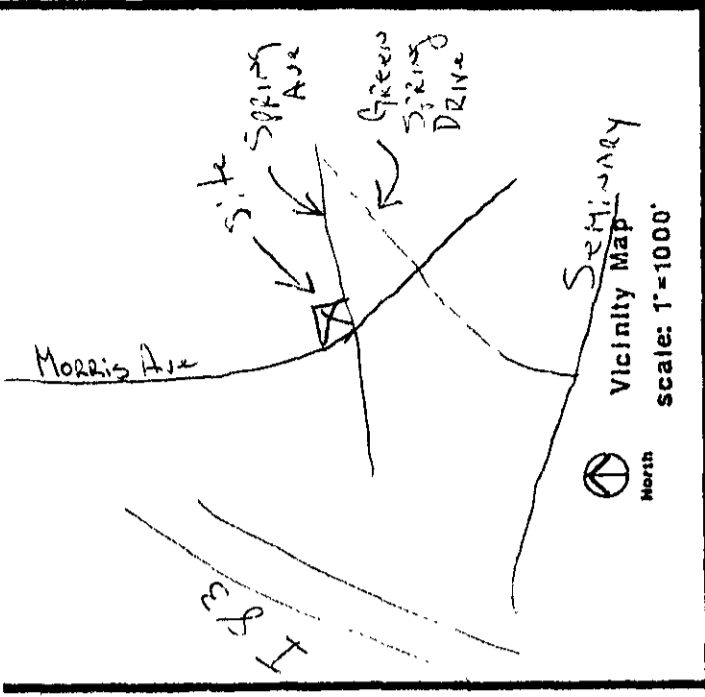


Brian Bonayne #702 Morris

MORRIS AVENUE
50' wide

97-171-A

date: _____ prepared by: _____ Scale of Drawing: 1" = 30'



LOCATION INFORMATION
 Election District: 8th
 Councilmanic District: A+H
 1"=200' scale map#: NW 12 A
 Zoning: DRS 5
 Lot size: 39 16,117.2 square feet

Utilities in Road Beds:
 Sewer: public private
 Water: yes no

Chesapeake Bay Critical Area:
 Prior Zoning Hearings:

NONE KNOWN Flood Zone: C
Zoning Office USE ONLY!

reviewed by: _____ ITEM #: 171 CASE#: _____

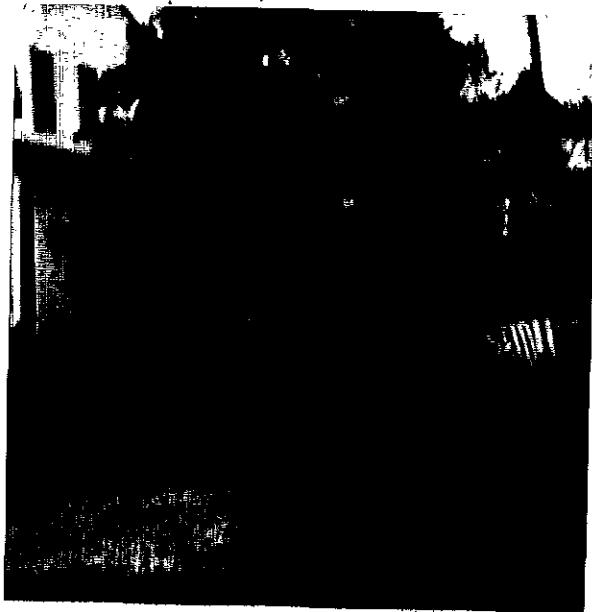
UNRECORDED



Baltimore County
Department of Permits and
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

MICROFILMED

97-171-A



REAR OF HOUSE
FINISHED PORCH + PATIO



700 MORRIS AV
FRONT VIEW



NEIGHBOR
CORNER MORRIS / SPRING
15' SET BACK OFF SPRING



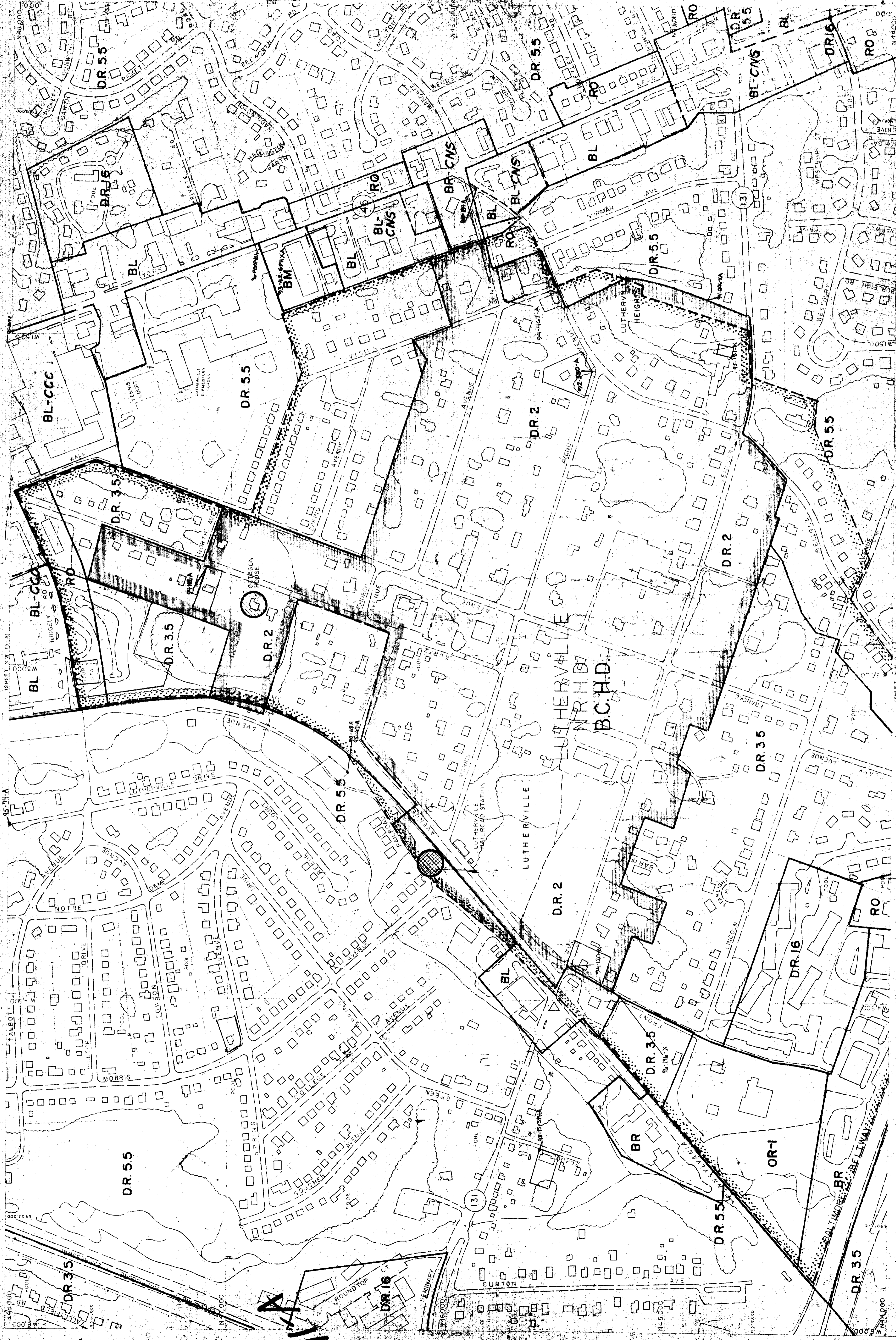
700 MORRIS AV
SIDE VIEW
WITH ADDITION 22' SET BACK



700 MORRIS AVE
SIDE VIEW ^{20'} SETBACK
HILL / GARDEN / A/C UNIT



700 MORRIS AVE
SIDE VIEW



**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

LUTHERVILLE
MICROFILMED

DATE OF PHOTOGRAPHY
JANUARY 1986

SCALE 1" = 200'

SHEET N.W. 12-4

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

Chairman, County Council

S - SE R - SW

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

A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	LUTHERVILLE	NW 12-A
DATE OF PHOTOGRAPHY	MICROFILMED	
JANUARY 1986		