

IN RE: PETITION FOR ADMINISTRATIVE * BEFORE THE
ZONING VARIANCE
W/S Buhrstone Court, 350 ft. W * ZONING COMMISSIONER
of Sapplestone Court
17 Buhrstone Court * OF BALTIMORE COUNTY
3rd Election District
2nd Councilmanic District * Case No. 98-101-A
Sarah R. Sutton, Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Sarah R. Sutton, for that property known as 17 Buhrstone Court in the Owings Mills section of Baltimore County. The Petitioner herein seeks a variance from Sections 1B02.3.B, 504.2 and 301.1.A of the Baltimore County Zoning Regulations (BCZR) to allow a rear yard setback of 20 ft., in lieu of the required 26.25 ft., for a deck, in a D.R.16 zone. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner 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 Petitioner has 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

DATE: 4/17/98
FILED: 4/17/98
BY: M. Grant

upon the Petitioner.

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 7th day of November 1997 that the Petition for a Zoning Variance from Sections 1B02.3.B, 504.2 and 301.1.A of the Baltimore County Zoning Regulations (BCZR) to allow a rear yard setback of 20 ft., in lieu of the required 26.25 ft., for a deck, in a D.R.16 zone, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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 Petitioner 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:mmm



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

November 5, 1997

Ms. Sarah R. Sutton
17 Buhrstone Court
Owings Mills, Maryland 21117

RE: Petition for Administrative Variance
Case No. 98-101-A
Property: 17 Buhrstone Court

Dear Ms. Sutton:

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

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.





Petition for Administrative Variance

98-101-A

to the Zoning Commissioner of Baltimore County

for the property located at 17 BUHRSTONE CT

which is presently zoned AR16

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)

1802.3.B, 504.2 & 301.1A, BC2R To permit a rear yard setback of 20 ft for a deck in lieu of the required 26-28 ft

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

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

17 BUHRSTONE CT

(410) 336-2987

(Type or Print Name)

Address

Phone No

Signature

DWINGS MILLS MD

21117

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Address

Phone No

Name

City

State

Zipcode

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: gcm

DATE:

9-18-97

ESTIMATED POSTING DATE:

9-29-97



Printed with Soybean Ink
on Recycled Paper

ITEM #: 101

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 17 BUHRSTONE CT
address
OWINGS Mills Md 2127
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)

I have a large Family & my deck smaller than 12 feet out would not support a table. I have a sand box that must go on the deck so that I can watch my kid

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.

Sarah R. Sutton
(signature)
SARAH R. SUTTON
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17 day of Sep, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Sarah R. Sutton

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 knowledge and belief.

AS WITNESS my hand and Notarial Seal.

9/17/97
date

Richard D. [Signature]
NOTARY PUBLIC

My Commission Expires:

Michael A. Tabrizi
Notary Public State Of Maryland
My Commission Expires February 2, 1998

EXAMPLE 3 -- Zoning Description

98-101-A

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

17 Behrstone Ct

ZONING DESCRIPTION FOR _____ (address) _____

West

Beginning at a point on the _____ side of _____

Behrstone Ct

(north, south, east or west)

60 feet

_____ which is _____
name of street on which property fronts (number of feet or right-of-way width)

wide at the distance of _____ west _____ of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street _____ Saddlestone Ct
(name of street)

which is _____ wide. *Being Lot # _____ 44
(number of feet or right-of-way width) Village of Printers Mill

Block _____ Section # D in the subdivision of _____
(name of subdivision)

as recorded in Baltimore County Plat Book # _____ 63 Folio # _____ 44
6625 sq. ft. 17 Behrstone Ct

containing _____ Also known as _____
(square feet or acres) (property address)

and located in the _____ Election District, 2 Councilmanic District. 11

101
*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber __, Folio __" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87° 12' 13" E. 321.1 ft., S.18° 27' 03" E.87.2 ft., S.62° 19' 00" W. 318 ft., and N.08° 15' 22" W. 80 ft. to the place of beginning.



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/neighbors 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 (responsibility of which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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.: 101

Petitioner: Roberta Sutton

Location: 17 Buhrstone Ct

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Roberta Sutton

ADDRESS: 17 Buhrstone Ct

Belt, Md 21117

PHONE NUMBER: (410) 356-2987

AJ:ggs

(Revised 09/24/96)

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

101

No. 044417

DATE 9-18-97 ACCOUNT 6001-6150

RECEIVED FROM: P. SATTON AMOUNT \$ 50.00 17 Buhadone St.

FOR: P. L. VAN (0107)

TRIBUTION
E - CASHIER

PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT

PROCESS ACTUAL TIME
9/19/1997 9/18/1997 15:20:51
REG 0002 CASHIER JRIC JMR DRAMER
5 MISCELLANEOUS CASH RECEIPT
Receipt # 014522
CR NO. 044417

50.00 CHECK
Baltimore County, Maryland

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

No.

96-101

DATE 8-29-95 ACCOUNT R-001-6150

RECEIVED FROM: 6713 Frederick Rd AMOUNT \$ 20.50

FOR:

OLC SPEC Home 750
050 L E L R 35
4255

0300380136MICHRC \$285.00
BA 090929AM08-29-95

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CERTIFICATE OF POSTING

RE: Case No.: # 98-101-A
Petitioner/Developer:
(Roberta Sutton)
Date of ~~Hearing~~/Closing:
(Nov. 3, 1997)

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

Attention : Ms. Gwendolyn Stephens

Ladies and Gentleman:

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 _____

____17 Burhstone Court Baltimore Maryland 21117_____

The sign(s) were posted on _____ Oct. 17, 1997 _____
(Month, Day, Year)

Sincerely,


(Signature of Sign Poster & Date)

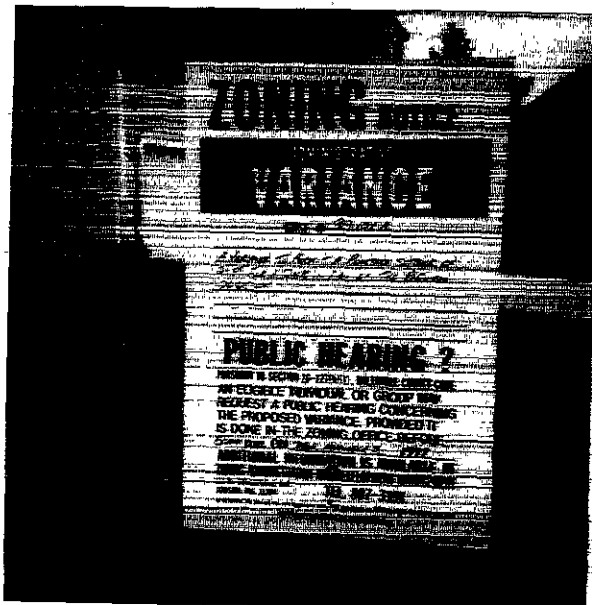
____Thomas P. Ogle, Sr._____

____325 Nicholson Road_____

____Baltimore, Maryland 21221_____

____(410)-687-8405_____

(Telephone Number)



98-101-A

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than

* 9-29-97 10/19

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

ZONING NOTICE**ADMINISTRATIVE
VARIANCE****Case No.:** 98-101-A

A VARIANCE TO PERMIT A REARYARD
 SETBACK OF 20ft. FOR A DECK IN
 LIEU OF THE REQUIRED 26.25ft.

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**

*

10-14-97 11-3-97

**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

September 25, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 98-101-A
17 Buhrstone Court
W/S Buhrstone Court, 350' W of Sapplestone Court
3rd Election District - 2nd Councilmanic
Legal Owner(s): Sarah Roberta Sutton
Post by Date: 09/29/97
Closing Date: 10/14/97

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.

Arnold Jablon
Director

cc: Sarah Roberta Sutton





Baltimore County
Department of Permits and
Development Management

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

October 10, 1997

Ms. Sarah Roberta Sutton
17 Buhrstone Court
Owings Mills, MD 21117

RE: Item No.: 101
Case No.: 98-101-A
Petitioner: Sarah Sutton

Dear Ms. Sutton:

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 September 18, 1997.

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 (410-887-3391).

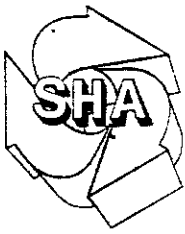
Sincerely,

A handwritten signature in dark ink, reading 'W. Carl Richards, Jr.', is written over a faint, larger version of the same signature.

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

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

RE: Baltimore County 9/26/97
Item No. 101 JCM

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 Larry Gredlein at 410-545-5606 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

LG

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: Sep 29, 1997

DATE: 10/4/97

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

Item #'s:

99

100

101

102

103

104

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Adm'r
8/14

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

DATE: October 1, 1997

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

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

Item Nos. 95, 96, 100, 101, 103, 104 and 107

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3495.

Prepared by:

Jeffrey M. Long

Division Chief:

Garry L. Kerns

AFK/JL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: October 7, 1997

FROM:  Robert W. Bowling, Chief
Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for October 6, 1997
Item Nos. 099, 100, 101, 102, 103,
104, 107
Case 97-65-A (Perry Hall Farms)
Case CR-96-270-A (Hollins Ferry Road
Senior Housing/ACC)

The Bureau of Developer's Plans Review has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File



Left 101



Right

101



SCALE	LOCATION	SHEET
1" = 200' ±	Mc DONOUGH	N.W.
DATE	VICINITY	9-1
OF		
PHOTOGRAPHY		
JANUARY		
1986		

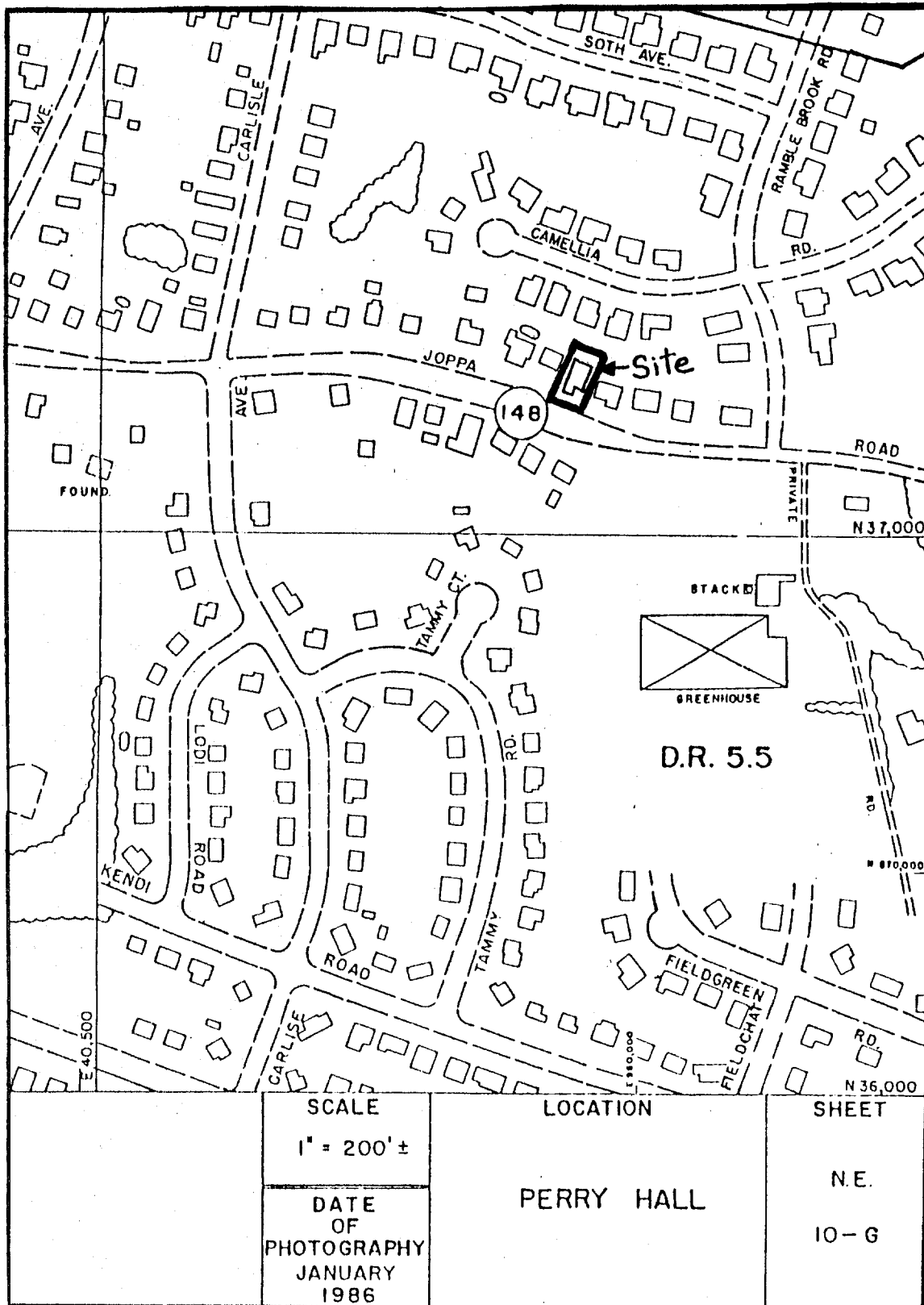
BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

4-19-86

101

EXAMPLE 4 -- Zoning Map

1 COPY



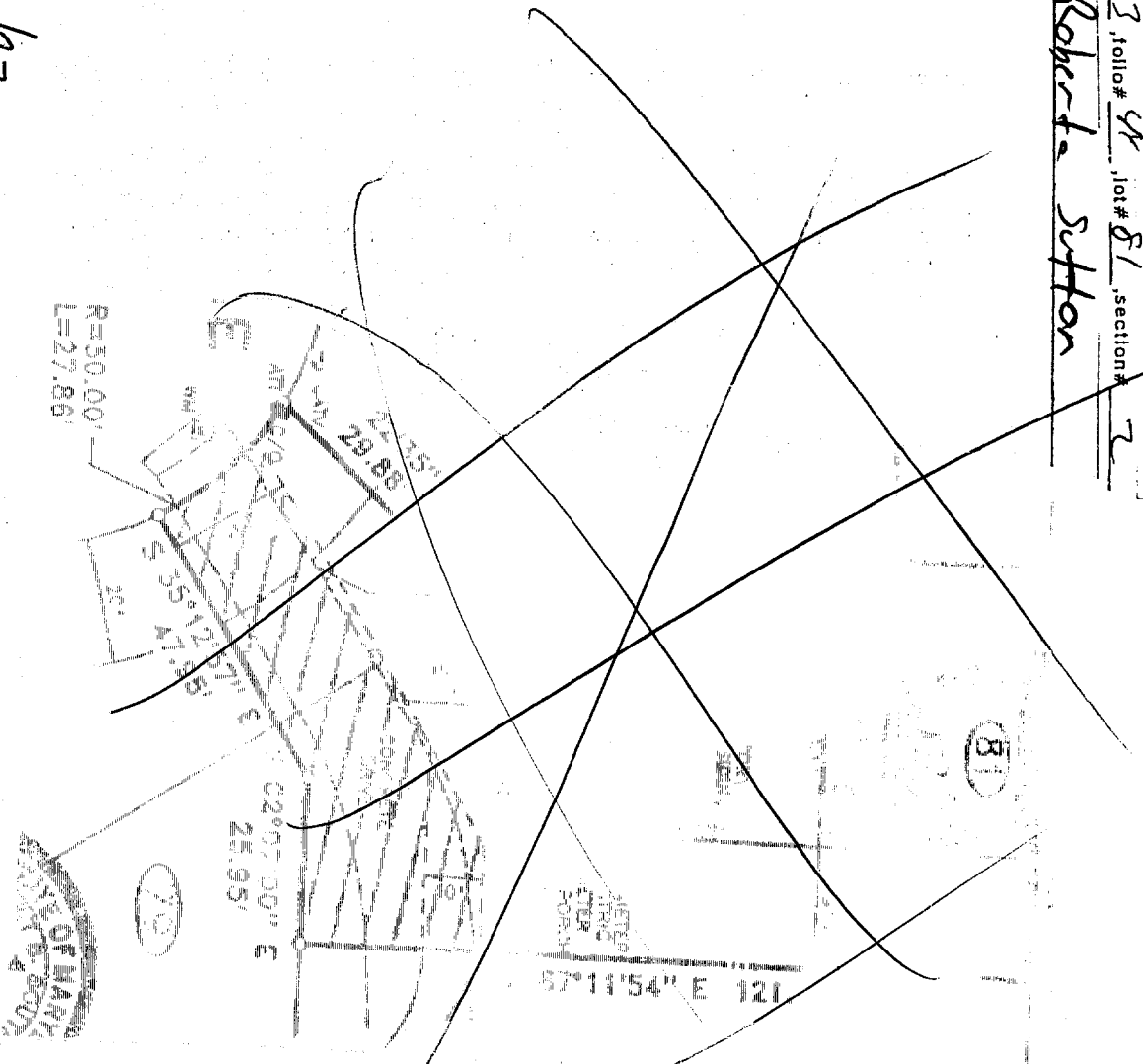
PROPERTY ADDRESS: 17 Buxtonstone Ct

plat book # 63, folio # 48, lot # 81, section #

OWNER: Robert S. Sultan

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

24-F73C



Election District: 2

1"=200' scale map#:

Zoning:

~~Let size:~~

acreage	square feet
10	1089
20	4356
30	9900
40	17424
50	26400
60	36864
70	48840
80	62376
90	77484
100	94164
110	112410
120	132240
130	153660
140	176664
150	201264
160	227472
170	255294
180	284736
190	315810
200	348528
210	382896
220	418920
230	456612
240	495984
250	537040
260	579792
270	624252
280	670432
290	718344
300	768000
310	819414
320	872592
330	927540
340	984360
350	1043064
360	1103664
370	1166172
380	1230696
390	1297248
400	1365840
410	1436484
420	1509192
430	1583968
440	1660824
450	1739772
460	1820820
470	1903972
480	1989240
490	2076636
500	2166168
510	2257848
520	2351688
530	2447692
540	2545872
550	2646240
560	2748804
570	2853576
580	2960568
590	3069792
600	3181260
610	3295084
620	3411276
630	3529848
640	3650812
650	3774180
660	3900064
670	4028472
680	4159416
690	4292908
700	4428960
710	4567584
720	4708792
730	4852596
740	4999008
750	5148040
760	5299704
770	5453992
780	5610928
790	5770524
800	5932792
810	6097744
820	6265392
830	6435748
840	6608824
850	6784632
860	6963184
870	7144492
880	7328568
890	7515416
900	7705048
910	7897476
920	8092712
930	8290768
940	8491656
950	8695392
960	8901988
970	9111456
980	9323808
990	9539056
1000	9757212

	public	private
SEWER:	☒	☐
WATER:	☒	☐

Chesapeake Bay Critical Area:

Prior Zoning Hearings:

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 17 Buxrestone Ct

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

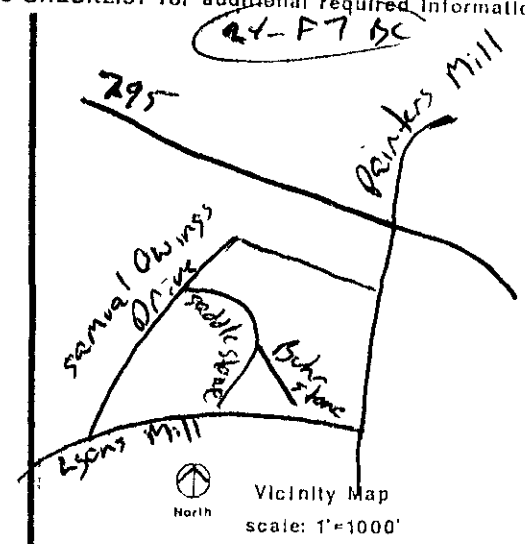
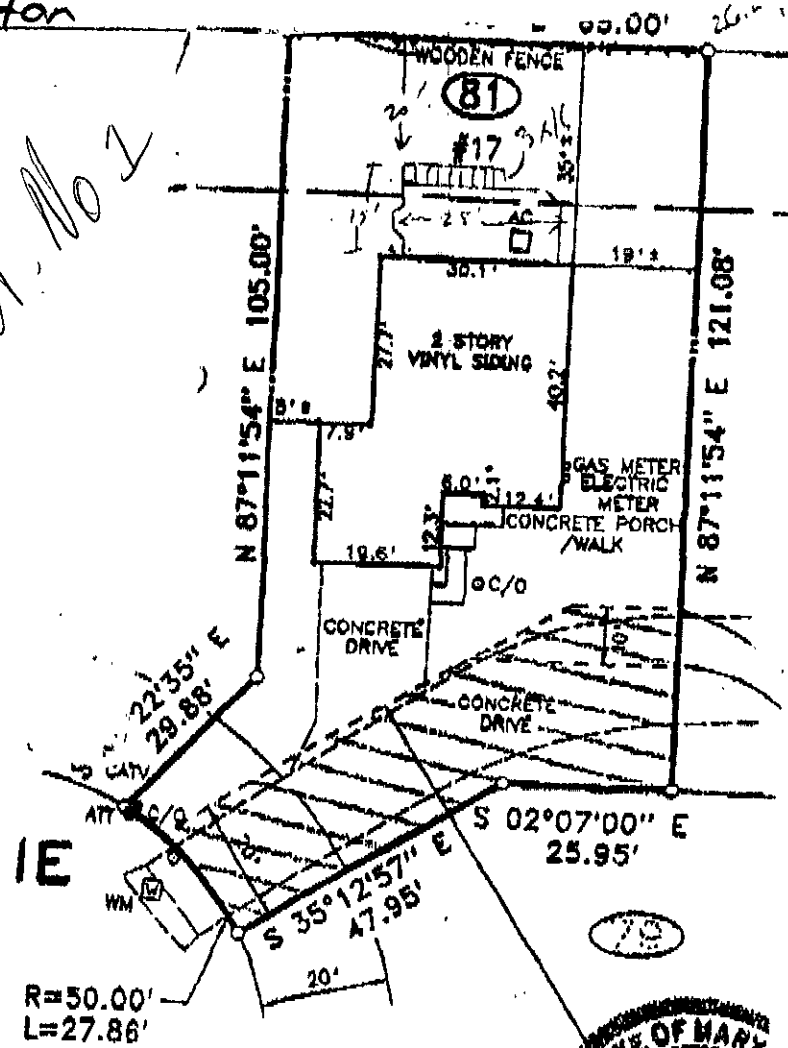
Subdivision name: Village of Painters Mill

plat book# 63, folio# 44, lot# 81, section# 2

OWNER: Roberta Sutton

PA No 1

98-101-A



LOCATION INFORMATION

Election District: 2
 Councilmanic District: 11
 1"=200' scale map#: NW 19
 Zoning: DR 16
 Lot size: 1625
 acreage square feet

SEWER: ☒ public ☐ private
 WATER: ☒ ☐
 Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings:

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

DM 101



North

date: 9/16/97

prepared by: JEFF WELLC

Scale of Drawing: 1"= 20'