

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
 N/S Sebastian Court, 202.08 ft.
 SW of c/l Gwynwest * ZONING COMMISSIONER
 8 Sebastian Court
 4th Election District * OF BALTIMORE COUNTY
 3rd Councilmanic District
 Andre F. Brown, et ux * Case No. 98-180-A
 Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on a Petition for a Zoning Variance for the property located at 8 Sebastian Court in the Timbergrove subdivision of Baltimore County. The Petition was filed by Andre F. Brown and Barbara A. Brown, his wife, property owners. Variance relief is requested from Section 415.A.1.A of the Baltimore County Zoning Regulations (BCZR) to allow a recreational motor vehicle (motor home) to be parked in the front yard at a distance of 2 ft. from the property line, in lieu of the required side yard, 8 ft. to the rear of the front foundation and at least 2-1/2 ft. from the side property line. The subject property and requested relief are more particularly shown on the plat to accompany the Petition for Variance, marked as Petitioners' Exh. No. 1.

Appearing at the public hearing held for this case were Andre F. Brown and Barbara A. Brown, Petitioners. Appearing in opposition to the request was Ron Ducat, a neighbor who resides immediately next door at 10 Sebastian Court. Also appearing was Larry Dobres on behalf of the Homeowners' Association for Timbergrove.

Testimony and evidence presented by the Petitioners was that the subject property is approximately .193 acres in area, zoned D.R.3.5. The property is an irregularly shaped lot with access to a public street known as Sebastian Court. Vehicular access is actually by way of a lengthy driveway (approx. 15 ft.) which leads from Sebastian Court. The end of

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 Date 12/6/98
 By [Signature]

the driveway splits into a "Y" configuration, a prong of which leads into the Petitioners' front yard. An abutting driveway also serves Mr. Ducat's property, located immediately next door at 10 Sebastian Court. Actually, Mr. Ducat's dwelling is to the rear and side of the Petitioners' dwelling. The Petitioners further testified that they have resided on this property for approximately 7 years. They are the original owners of the split level single family dwelling situated on the property.

The subject of the Petition is a motor home, which the Petitioners acquired in November of 1995. The motor home is self propelled, approximately 31 ft. long, 11-1/2 ft. high and approximately 8-1/2 ft. wide. Mr. Brown indicated that he and his wife purchased the motor home for their personal use. Apparently, the motor home is used by the Petitioners for pleasure and recreational purposes, in addition to a music ministry in which Mr. Brown is involved.

Prior to acquiring the motor home, the Petitioners spoke with their neighbors about the parking of the vehicle and were advised that there was no objection. However, subsequent to the purchase, a complaint was filed with Baltimore County by Mr. Ducat. Additionally, correspondence was filed with the local homeowners' association. As I indicated, I have no jurisdiction over the restrictive covenants enacted for this community and enforced by the homeowners' association. The matter of the enforcement of those covenants is expressly reserved to the homeowners' association and is not within the jurisdiction of the Zoning Commissioner.

In any event, the Petitioners seek a variance to park the vehicle in their front driveway. As shown in several photographs of the site and observed by me during a site visit, the Petitioners driveway terminates in the front yard of their dwelling. The property is also landscaped and the side yard setbacks are relatively small. To the east side, a setback of

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DATE 12/19/97
BY M. Brown

to the regulations was necessary. Moreover, relief can be granted only if there would be no adverse impact on adjacent property.

The variance statute in Baltimore County (Section 301 of the BCZR) has been comprehensively considered and discussed by the Appellate Courts of this State. A most recent discussion of the statute came from the Court of Special Appeals in the case entitled Cromwell v. Ward, 102 Md. App. 691 (1995). Therein the Court comprehensively discussed the legislative intent of the statute. Within its discussion, the Court noted the doctrine of self imposed hardship. The Court referred to a number of prior cases which had evaluated this doctrine, including Marino v. Mayor and City Council of Baltimore, 215 Md. 206 (1957). After discussing the particulars of Marino and the other cases, the Court concluded that a self inflicted hardship cannot justify the grant of a variance. That is, if the Petitioners took some act which ultimately necessitated their request for variance relief, the Petition cannot be granted.

In this case, I believe that the Petitioners' hardship is self created. I agree with the remarks made by Mr. Ducat. Perhaps, a strict adherence to the regulations would not result in a more desirable effect, in that even parking of the vehicle in the rear or side yards as required would not reduce its impact. However, that is not the standard by which this case must be judged. Variance relief cannot be granted merely because strict adherence to the regulations is less desirable than the alternative provided by a variance. Rather, variance relief can only be granted if the Petitioner can establish that a practical difficulty or unreasonable hardship would exist and demonstrate that there would be no adverse impact on surrounding properties. In this case, I am not satisfied that the Petitioner has met these requirements.

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12/19/97
By: [Signature]

approximately 7 ft. from the sidewall of the house to the property line exists. On the west side, an approximate 20 ft. side yard setback is featured.

After receiving a notice of violation from the County, the Petitioners moved the motor home vehicle. Apparently, it is now stored offsite at a family member's home. However, the Petitioners seek zoning relief so that they can reinstitute storage of the motor home on the subject property. In support of the variance, the Petitioners indicated that it would be difficult to store the vehicle in the side or rear yard as required by the BCZR. The existing landscaping and the minimal setbacks as set forth above limit the storage possibilities. They also believe that it would adversely affect the Ducat property to a greater extent if the motor home was stored in the rear yard.

Mr. Ducat testified in opposition. He believes that the vehicle is unsightly and should not be stored on the property. He recognizes that strict adherence to the regulations (i.e., storage in the rear or side yards) would not eliminate the perceived adverse affects of this vehicle on the property. Nonetheless, he believes that zoning relief should be denied. He further stated what he believes the Petitioners have created their own hardship; to wit, that they should have appreciated the difficulties in parking the vehicle on their property prior to the purchase of same. Mr. Ducat also expressed concerns that the motor home could create a security problem in the neighborhood and present a fire hazard.

This is a difficult case. The Petitioners seek relief pursuant to Section 307 of the BCZR. That section allows the Zoning Commissioner to grant variance relief if the Petitioner demonstrates that a practical difficulty or unreasonable hardship would be suffered if strict adherence

ORDER RECEIVED FOR FILING

Date

By

For all of the above reasons, I will deny the Petition for Variance. However, in so denying the Petition, some comment should be made about a concern raised by Ms. Brown. Obviously, the vehicle is frequently used by the Petitioners, particularly during the Summer and periods of good weather. The question was raised if the vehicle could be temporarily parked on the property at those times. In my judgment, the regulations are not so onerous so as to prohibit this vehicle from being on the site at any time. The Petitioners should be allowed to load and unload the motor home at this property, for example, prior to using same. Unfortunately, it is difficult to establish any specific standards. Allowing the Petitioners to keep the motor home on the property, for example, not to exceed 48 hours, could lead to abuse. Some degree of common sense must be employed. In my judgment, the motor home can be parked at the site when in active use by the Petitioners. Active use should be considered to mean that brief time period, immediately prior to or after the time the vehicle is used. Moreover, it is hoped that the vehicle will continue to be stored offsite as has been the arrangements since the violation was initially issued during the Summer of 1997. Storage at an offsite location seems most appropriate.

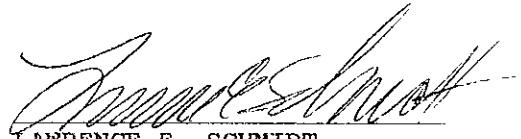
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19th day of December 1997 that a variance from Section 415.A.1.A of the Baltimore County Zoning Regulations (BCZR) to allow a recreational motor vehicle (motor home) to be parked in the front yard at a distance of 2 ft. from the property line, in lieu of the required side

yard, 8 ft. to the rear of the front foundation and at least 2-1/2 ft. from the side property line, be and is hereby DENIED.

Any appeal from this decision must be taken in accordance with the applicable provisions set forth in Section 26-132 of the Baltimore County Code.

LES/mm


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 8 Sebastian Ct

which is presently zoned DR 3.5

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) 415 A.1.A. to allow a Recreational vehicle to be parked in the front yard at a distance of 2 feet from the property line, in lieu of the required side yard 8 ft rear of the front foundation at least 2 1/2 feet from the side property line.
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

To comply with the code would present a practical difficulty. There is no direct access to rear yard other than via side yard. Side yard on right is too narrow with steep grading. Regarding the side yard on left, for a 30 foot motorhome, it would require a very tight turn from the parking pad. It would be difficulty to maneuver without encroaching on adjacent property. And for other reasons to be discussed at the hearing

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

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

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

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

Legal Owner(s):

Andre F. Brown,

(Type or Print Name)

Signature

Barbara A. Brown

(Type or Print Name)

Signature

8 Sebastian Ct. (410) 833-2919

Address

(410) 965-8227 W

Phone No

Reisterstown, Md. 21136

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: CAM

DATE

5 Nov 97



Printed with Soybean Ink
on Recycled Paper

98-180-A

ZONING DESCRIPTION FOR: 8 Sebastian Ct.

Beginning at a point on the ^{North} side of Sebastian ct., which is 50 Wide at the distance of 202⁰⁸ Feet SW Of the centerline of the nearest improved intersecting street Gwynwest which is 60 Feet wide. Being Lot# 161, Block - - , Section #2,^{plat ONE} in the subdivision of ^{Suburban Addition} ~~Timbergrove~~ as recorded in Baltimore County Plat Book # 60, Folio # 61, containing 8407 square feet (.193 acres). Also known as 8 Sebastian Ct. And located in the 4th election district, 3rd councilmanic district.

98-180-A

180

CERTIFICATE OF PUBLICATION

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #98-180-A
8 Sebastian Court
N/S Sebastian Court, 202.08'
SW of centerline Gwynwest
4th Election District
3rd Councilmanic District
Legal Owner(s):
Andre F. Brown & Barbara A. Brown

Variance: to allow a recreational vehicle to be parked in the front yard at a distance of 2 feet from the property line in lieu of the required side yard 8 feet rear of the front foundation or at least 2-1/2 feet from the side property line.

Hearing: Monday, December 15, 1997 at 2:00 p.m. in Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call (410) 887-3353.

(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

11/391 Nov 27 C192426

TOWSON, MD., November 27, 1997

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov. 27, 1997.

THE JEFFERSONIAN,

A. Henickson
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 044364

DATE 5 Nov 97 ACCOUNT R-001-6150

ITEM 180

CHG AMOUNT \$ 50.00

RECEIVED FROM: BROWN

FOR: 8 Sebastian Ct

VAR

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACUAL TIR

1/05/1997 11/05/1997 09:52:11

REL MS01 CASHIER CLIM L24 11/05/97

5 MISCELLANEOUS CASH RECEIPT

Receipt # 028500

C11

CR NO. 044364

50.00 12/09

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 98-180-A
Petitioner/Developer:
(Andre F. Brown)
Date of Hearing/~~Closing~~:
(Dec. 15, 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 _____

____ 8 Sebastian Ct. Reisterstown, Maryland 21136 _____

The sign(s) were posted on _____ Nov. 28, 1997 _____
(Month, Day, Year)

Sincerely,

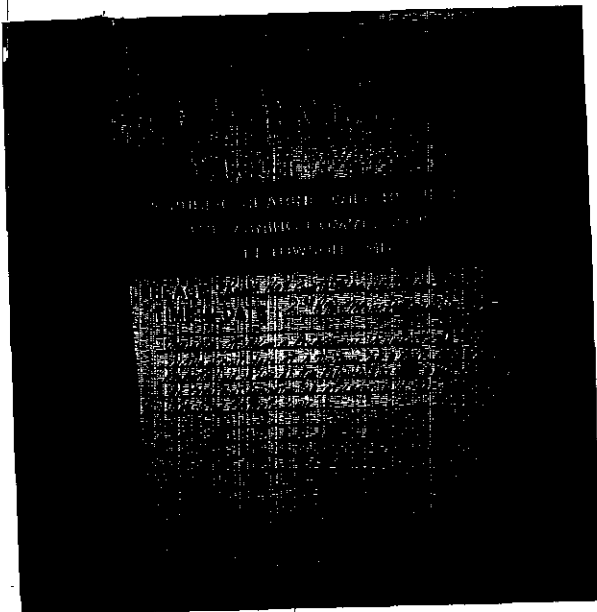

(Signature of Sign Poster & Date)

____ Thomas P. Ogle, Sr. _____

____ 325 Nicholson Road _____

____ Baltimore, Maryland 21221 _____

____ (410)-687-8405 _____
(Telephone Number)



98-180-A

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 98-180-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: VARIANCE TO ALLOW A RECREATIONAL
VEHICLE TO BE PARKED IN THE FRONT
YARD AT A DISTANCE OF 2 FEET FROM
THE SIDE PROPERTY LINE, IN LIEU OF THE REQUIRED
SIDE YARD 8 FEET REAR OF THE FRONT FOUNDATION AT LEAST
2 1/2 FEET FROM THE SIDE PROPERTY LINE

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.

TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING 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

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.: 180

Petitioner: ANDRE + BARBARA BROWN

Location: 8 Sebastian Ct

PLEASE FORWARD ADVERTISING BILL TO:

NAME: ANDRE BROWN

ADDRESS: 8 SEBASTIAN CT.

REISTERSTOWN MD. 21136

PHONE NUMBER: (410) 833-2919

W(410) 965-8227

AJ:ggs

(Revised 09/24/96)





Baltimore County
Department of Permits and
Development Management

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

November 14, 1997

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-180-A
8 Sebastian Court
N/S Sebastian Court, 202.08' SW of centerline Gwynwest
4th Election District - 3rd Councilmanic District
Legal Owner: Andre F. Brown & Barbara A. Brown

Variance to allow a recreational vehicle to be parked in the front yard at a distance of 2 feet from the property line in lieu of the required side yard 8 feet rear of the front foundation or at least 2-1/2 feet from the side property line.

HEARING: Monday, December 15, 1997 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue.

A handwritten signature in black ink, appearing to read "Arnold Jablon". Below the signature is the number "54".

Arnold Jablon
Director

c: Andre & Barbara Brown

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY NOVEMBER 30, 1997.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
November 26, 1997 Issue - Jeffersonian

Please forward billing to:

Andre Brown	410-833-2919
8 Sebastian Court	410-965-8227 (work)
Reisterstown, MD 21136	

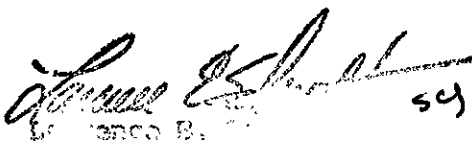
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HEARING: Monday, December 15, 1997 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue.



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS
PLEASE CALL 410-887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-
887-3391.



Baltimore County
Department of Permits and
Development Management

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

December 10, 1997

Mr. and Mrs. Andre Brown
8 Sebastian Court
Reisterstown, MD 21136

RE: Item No.: 180
Case No.: 98-180-A
Petitioner: Andre Brown, et ux

Dear Mr. and Mrs. Brown:

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 November 5, 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 black ink that reads "W. Carl Richards, Jr." The signature is written in a cursive, flowing style.

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 11/14/97
Item No. 180 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 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
Fire Department

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

NOVEMBER 19, 1997

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 NOVEMBER 17, 1997

Item No.: SEE BELOW

Zoning Agenda:

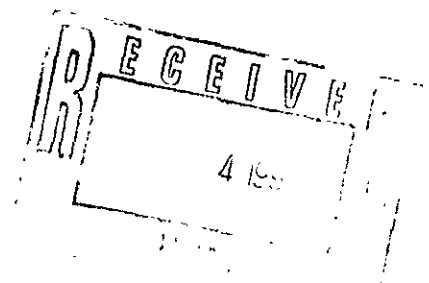
Gentlemen:

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:

175, 177, 179, 180, 182, 183, AND 184

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



B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

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

Date: November 24, 1997

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

SUBJECT: Zoning Advisory Committee Meeting
 for November 24, 1997
 Item Nos. 175, 179, (180) 181, 183,
 and 184

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

RWB:HJO:jrb

cc: File

ZONE1124.NOC

*Kashy
As. file*

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

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

DATE: November 19, 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. 179, 180, 181, 182, 183, and 184

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 W. Long

Division Chief:

Carol L. Kern

AFK/JL

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

TO: PDM
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

DATE: 11/21/97

SUBJECT: Zoning Advisory Committee
Meeting Date: Nov 17, 97

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

Item #'s:	173	181
	177	183
	178	184
	179	
	(180)	

RBS:sp

BRUCE2/DEPRM/TXTSBP

RE: PETITION FOR VARIANCE
8 Sebastian Court, N/S Sebastian Ct,
202.08' SW of centerline Gwynwest
4th Election District, 3rd Councilmanic

Andre F. and Barbara A. Brown
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 98-180-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of December, 1997, a copy of the foregoing Entry of Appearance was mailed to Andre F. and Barbara A. Brown, 8 Sebastian Court, Reisterstown, MD 21136, Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

**Re: Andre & Barbara Brown
8 Sebastian Court**

Dear Neighbor

We have been informed by the Baltimore County of Permits and Development that the Baltimore County zoning code requires that we park our motor home either in our rear yard, or side yard. We have filed a Petition for a Variance which would allow us to park the motor home on the front parking pad rather than the side of the house. If the variance petition is denied we would have to park the motor home on the side lawn or rear yard.

By signing below you are indicating that you understand our petition and that you have no objection to the granting of the petition for a variance. A decision will be made at a scheduled hearing in the near future, however **you will not be required or asked to attend.**

Thanks for your support.

Name (signature)

Address

Bruce & Lauren Jacobs
Glady & Michael Marcus
Jae & Lara Brown

11 Bellinger Ct
6 Sebastian Ct.
4 Sebastian Ct.

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

LARRY DOBRES

10 BELLINGER CT.

REISTERSTOWN MD 21136



PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

RON DUCAT

Send
copy

ADDRESS

10 Sebastian Ct.
Huntingtown MD
21136



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 8 SEBASTIAN COURT

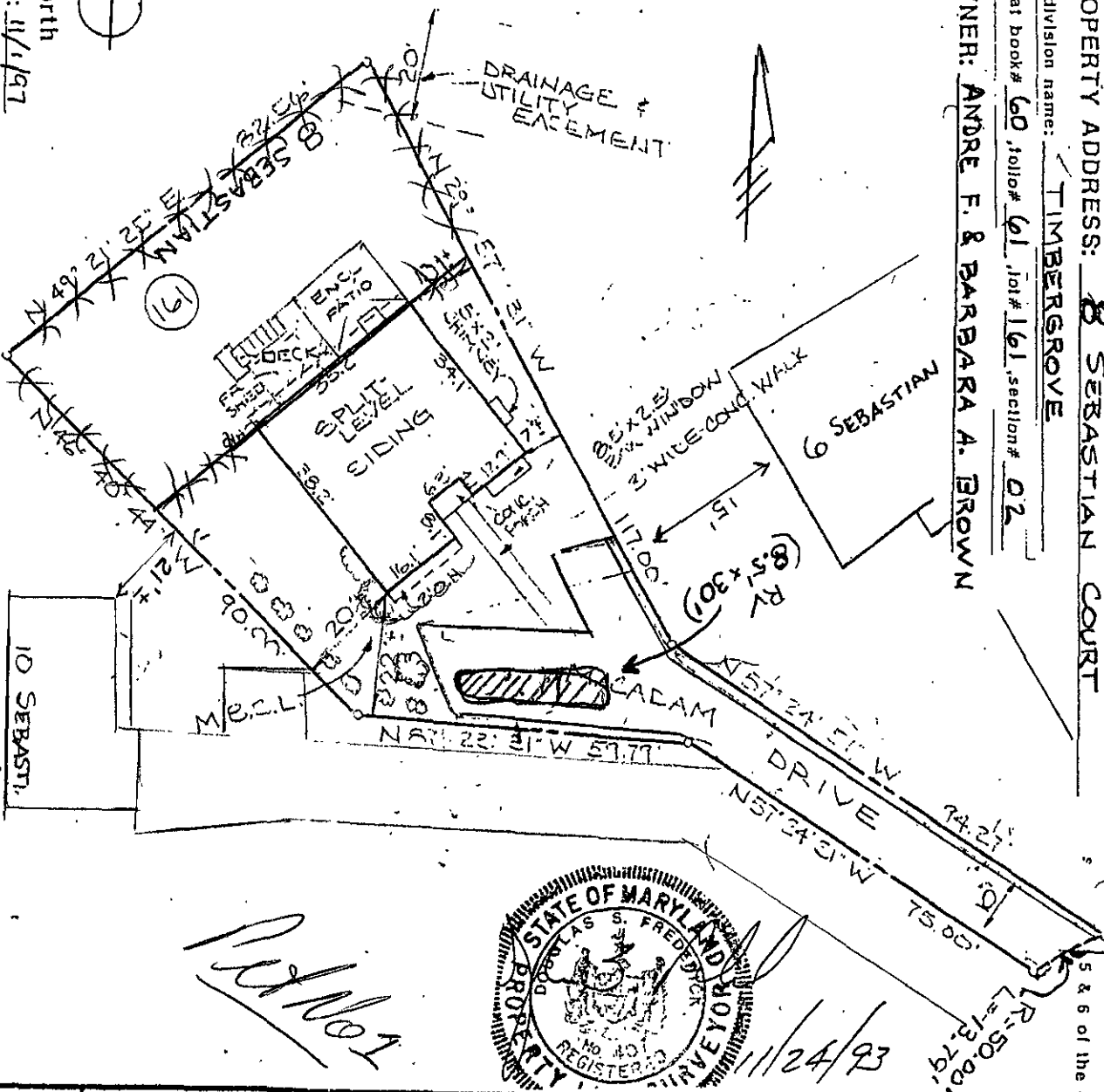
Subdivision name: TIMBERGROVE

plat book # 60, folio # 61, lot # 161, section # 02

OWNER: ANDRE F. & BARBARA A. BROWN

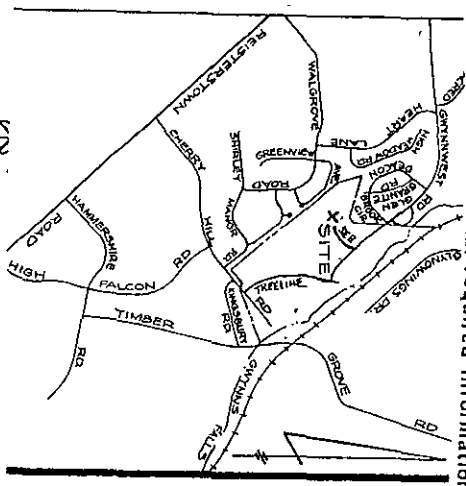
North
date: 11/1/97
prepared by: A.F. BROWN

Scale of Drawing: 1" = 30'



Reflected

202.06' SW of Gwynn Park RD



Vicinity Map
North
scale: 1" = 1000'

LOCATION INFORMATION

Election District: 04

Councilmanic District: 03

1" = 200' scale map #: NW 15-J

Zoning: DR 3.5

Lot size: .193 8407

acreage square feet

SEWER: ☒ public ☐ private
WATER: ☒ ☐

Chesapeake Bay Critical Area: ☐ yes ☐ no

Prior Zoning Hearings:

None Known

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

180

98-180-A

NW 153

(SHEET NW-15-1)

N 58,000

SUBJECT SITE

DR 3.5

N 57,000

HOLLY HILL CT.
HOLLY ROAD

SUBURBIAN RD.
SUBURBIAN CT.
SUBURBIAN

GREENVIEW AVE.

WALGROVE

IVYDALE

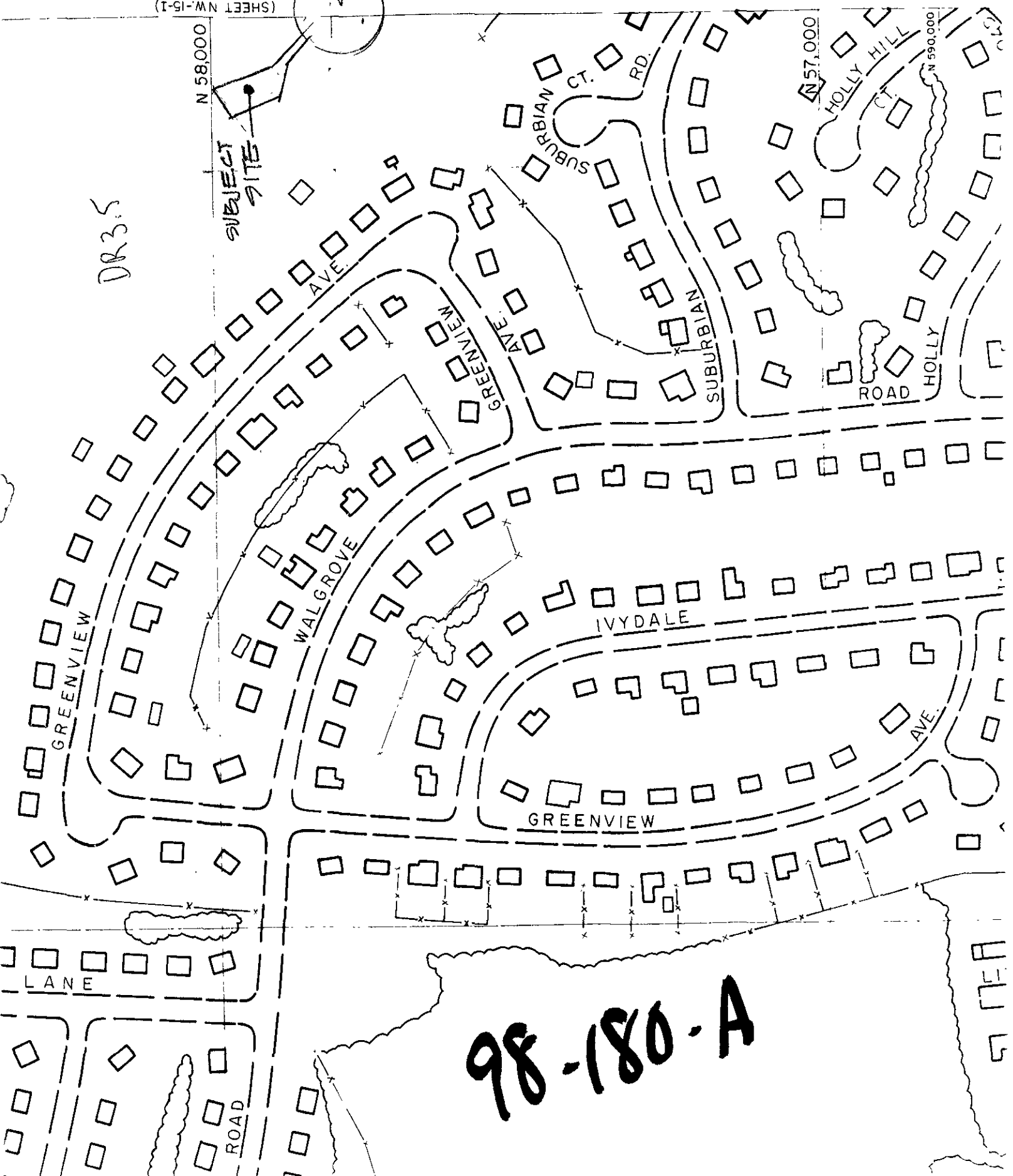
GREENVIEW

AVE.

LANE

ROAD

98-180-A









PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ANDRE & BARBARA BROWN

ADDRESS

8 SEBASTIAN CT., REIST MD. 21136



IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
N/S Sebastian Court, 202.08 ft.
SW of c/l Gwynwest * ZONING COMMISSIONER
8 Sebastian Court
4th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District
Andre F. Brown, et ux * Case No. 98-180-A
Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on a Petition for a Zoning Variance for the property located at 8 Sebastian Court in the Timbergrove subdivision of Baltimore County. The Petition was filed by Andre F. Brown and Barbara A. Brown, his wife, property owners. Variance relief is requested from Section 415.A.1.A of the Baltimore County Zoning Regulations (BCZR) to allow a recreational motor vehicle (motor home) to be parked in the front yard at a distance of 2 ft. from the property line, in lieu of the required side yard, 8 ft. to the rear of the front foundation and at least 2-1/2 ft. from the side property line. The subject property and requested relief are more particularly shown on the plat to accompany the Petition for Variance, marked as Petitioners' Exh. No. 1.

Appearing at the public hearing held for this case were Andre F. Brown and Barbara A. Brown, Petitioners. Appearing in opposition to the request was Ron Ducat, a neighbor who resides immediately next door at 10 Sebastian Court. Also appearing was Larry Dobres on behalf of the Homeowners' Association for Timbergrove.

Testimony and evidence presented by the Petitioners was that the subject property is approximately .193 acres in area, zoned D.R.3.5. The property is an irregularly shaped lot with access to a public street known as Sebastian Court. Vehicular access is actually by way of a lengthy driveway (approx. 75 ft.) which leads from Sebastian Court. The end of

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Date

By

the driveway splits into a "Y" configuration, a prong of which leads into the Petitioners' front yard. An abutting driveway also serves Mr. Ducat's property, located immediately next door at 10 Sebastian Court. Actually, Mr. Ducat's dwelling is to the rear and side of the Petitioners' dwelling. The Petitioners further testified that they have resided on this property for approximately 7 years. They are the original owners of the split level single family dwelling situated on the property.

The subject of the Petition is a motor home, which the Petitioners acquired in November of 1995. The motor home is self propelled, approximately 31 ft. long, 11-1/2 ft. high and approximately 8-1/2 ft. wide. Mr. Brown indicated that he and his wife purchased the motor home for their personal use. Apparently, the motor home is used by the Petitioners for pleasure and recreational purposes, in addition to a music ministry in which Mr. Brown is involved.

Prior to acquiring the motor home, the Petitioners spoke with their neighbors about the parking of the vehicle and were advised that there was no objection. However, subsequent to the purchase, a complaint was filed with Baltimore County by Mr. Ducat. Additionally, correspondence was filed with the local homeowners' association. As I indicated, I have no jurisdiction over the restrictive covenants enacted for this community and enforced by the homeowners' association. The matter of the enforcement of those covenants is expressly reserved to the homeowners' association and is not within the jurisdiction of the Zoning Commissioner.

In any event, the Petitioners seek a variance to park the vehicle in their front driveway. As shown in several photographs of the site and observed by me during a site visit, the Petitioners driveway terminates in the front yard of their dwelling. The property is also landscaped and the side yard setbacks are relatively small. To the east side, a setback of

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Date

By

to the regulations was necessary. Moreover, relief can be granted only if there would be no adverse impact on adjacent property.

The variance statute in Baltimore County (Section 307 of the BCZR) has been comprehensively considered and discussed by the Appellate Courts of this State. A most recent discussion of the statute came from the Court of Special Appeals in the case entitled Cromwell v. Ward, 102 Md. App. 691 (1995). Therein the Court comprehensively discussed the legislative intent of the statute. Within its discussion, the Court noted the doctrine of self imposed hardship. The Court referred to a number of prior cases which had evaluated this doctrine, including Marino v. Mayor and City Council of Baltimore, 215 Md. 206 (1957). After discussing the particulars of Marino and the other cases, the Court concluded that a self inflicted hardship cannot justify the grant of a variance. That is, if the Petitioners took some act which ultimately necessitated their request for variance relief, the Petition cannot be granted.

In this case, I believe that the Petitioners' hardship is self created. I agree with the remarks made by Mr. Ducat. Perhaps, a strict adherence to the regulations would not result in a more desirable effect, in that even parking of the vehicle in the rear or side yards as required would not reduce its impact. However, that is not the standard by which this case must be judged. Variance relief cannot be granted merely because strict adherence to the regulations is less desirable than the alternative provided by a variance. Rather, variance relief can only be granted if the Petitioner can establish that a practical difficulty or unreasonable hardship would exist and demonstrate that there would be no adverse impact on surrounding properties. In this case, I am not satisfied that the Petitioner has met these requirements.

ORDER RECEIVED FOR FILING

Date

By

approximately 7 ft. from the sidewall of the house to the property line exists. On the west side, an approximate 20 ft. side yard setback is featured.

After receiving a notice of violation from the County, the Petitioners moved the motor home vehicle. Apparently, it is now stored offsite at a family member's home. However, the Petitioners seek zoning relief so that they can reinstitute storage of the motor home on the subject property. In support of the variance, the Petitioners indicated that it would be difficult to store the vehicle in the side or rear yard as required by the BCZR. The existing landscaping and the minimal setbacks as set forth above limit the storage possibilities. They also believe that it would adversely affect the Ducat property to a greater extent if the motor home was stored in the rear yard.

Mr. Ducat testified in opposition. He believes that the vehicle is unsightly and should not be stored on the property. He recognizes that strict adherence to the regulations (i.e., storage in the rear or side yards) would not eliminate the perceived adverse affects of this vehicle on the property. Nonetheless, he believes that zoning relief should be denied. He further stated what he believes the Petitioners have created their own hardship; to wit, that they should have appreciated the difficulties in parking the vehicle on their property prior to the purchase of same. Mr. Ducat also expressed concerns that the motor home could create a security problem in the neighborhood and present a fire hazard.

This is a difficult case. The Petitioners seek relief pursuant to Section 307 of the BCZR. That section allows the Zoning Commissioner to grant variance relief if the Petitioner demonstrates that a practical difficulty or unreasonable hardship would be suffered if strict adherence

ORDER RECEIVED FOR FILING

Date

By

For all of the above reasons, I will deny the Petition for Variance. However, in so denying the Petition, some comment should be made about a concern raised by Ms. Brown. Obviously, the vehicle is frequently used by the Petitioners, particularly during the Summer and periods of good weather. The question was raised if the vehicle could be temporarily parked on the property at those times. In my judgment, the regulations are not so onerous so as to prohibit this vehicle from being on the site at any time. The Petitioners should be allowed to load and unload the motor home at this property, for example, prior to using same. Unfortunately, it is difficult to establish any specific standards. Allowing the Petitioners to keep the motor home on the property, for example, not to exceed 48 hours, could lead to abuse. Some degree of common sense must be employed. In my judgment, the motor home can be parked at the site when in active use by the Petitioners. Active use should be considered to mean that brief time period, immediately prior to or after the time the vehicle is used. Moreover, it is hoped that the vehicle will continue to be stored offsite as has been the arrangements since the violation was initially issued during the Summer of 1997. Storage at an offsite location seems most appropriate.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19th day of December 1997 that a variance from Section 415.A.1.A of the Baltimore County Zoning Regulations (BCZR) to allow a recreational motor vehicle (motor home) to be parked in the front yard at a distance of 2 ft. from the property line, in lieu of the required side

ORDER RECEIVED FOR FILING

Date

By

yard, 8 ft. to the rear of the front foundation and at least 2-1/2 ft. from the side property line, be and is hereby DENIED.

Any appeal from this decision must be taken in accordance with the applicable provisions set forth in Section 26-132 of the Baltimore County Code.

LES/mmn


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

RECEIVED
12/19/97
Zoning Board



Baltimore County
Zoning Commissioner
Office of Planning

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

December 18, 1997

G. Scott Barhight, Esquire
John P. Evans, Esquire
4th floor
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing
Case No. 98-172-SPH
Property: 510 Greenwood Road
Stanley S. Andrews, et ux, Petitioners

Dear Counsel:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered 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 Appeals Clerk at 887-3391.

Very truly yours,

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

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn
encl.

c: Mr. and Mrs. Stanley S. Andrews, 6438 Cloister Gate Dr., 21212
Mr. Ralph H. Ferrell III, 522 Greenwood Road, 21204
Mr. Standard T. Klinefelter, 530 Greenwood Road, 21204
Ms. Suzanne M. Garriges, 506 Greenwood Road, 21204
Mr. Karl W. Diehn, 512 Greenwood Road, 21204





Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 8 Sebastian Ct

which is presently zoned DR 3.5

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) 415 A.1.A, to allow a recreational vehicle to be parked in the front yard at a distance of 2 feet from the property line, in lieu of the required side yard 8 ft rear of the front foundation at least 2 1/2 feet from the side property line.

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

To comply with the code would present a practical difficulty. There is no direct access to rear yard other than via side yard. Side yard on right is too narrow with steep grading. Regarding the side yard on left, for a 30 foot motorhome, it would require a very tight turn from the parking pad. It would be difficult to maneuver without encroaching on adjacent property. *AND for other reasons to be discussed at the hearing*

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

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

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

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.

Legal Owner(s):

Andre F. Brown,

(Type or Print Name)

Signature

Barbara A. Brown

(Type or Print Name)

Signature

8 Sebastian Ct. (410) 833-2919

Address

Phone No.

Reisterstown, Md. 21136

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: CAH

DATE 5 Nov 97



Printed with Soybean Ink
on Recycled Paper

98-180-A

ZONING DESCRIPTION FOR: 8 Sebastian Ct.

Beginning at a point on the *North* side of Sebastian ct., which is 50 Wide at the distance of ~~200~~ *200* Feet *SW* Of the centerline of the nearest improved intersecting street Gwynwest which is 60 Feet wide. Being Lot# 161, Block - - , Section #2, ^{plat ONE} in the subdivision of *Suburban Addition* ~~Timbergrove~~ as recorded in Baltimore County Plat Book # 60, Folio # 61, containing 8407 square feet (.193 acres). Also known as 8 Sebastian Ct. And located in the 4th election district, 3rd councilmanic district.

98-180-A

180

CERTIFICATE OF PUBLICATION

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #98-180-A

8 Sebastian Court

N/S Sebastian Court, 202.08'

SW of centerline Gwynwest

4th Election District

3rd Councilmanic District

Legal Owner(s):

Andre F. Brown & Barbara A.

Brown

Variance: to allow a recreational vehicle to be parked in the front yard at a distance of 2 feet from the property line in lieu of the required side yard 8 feet rear of the front foundation or at least 2-1/2 feet from the side property line.

Hearing: Monday, December 15, 1997 at 2:00 p.m. in Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call (410) 887-3353.
(2) For information concerning the file and/or Hearing, Please Call (410) 887-3391.

11/391 Nov. 27 C192426

TOWSON, MD., November 27, 1997

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov. 27, 1997.

THE JEFFERSONIAN,

D. H. Enriches

LEGAL AD. - TOWSON

CERTIFICATE OF POSTING

RE: Case No.: 98-180-A

Petitioner/Developer:

(Andre F. Brown)

Date of Hearing/Closing:

(Dec. 15, 1997)

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

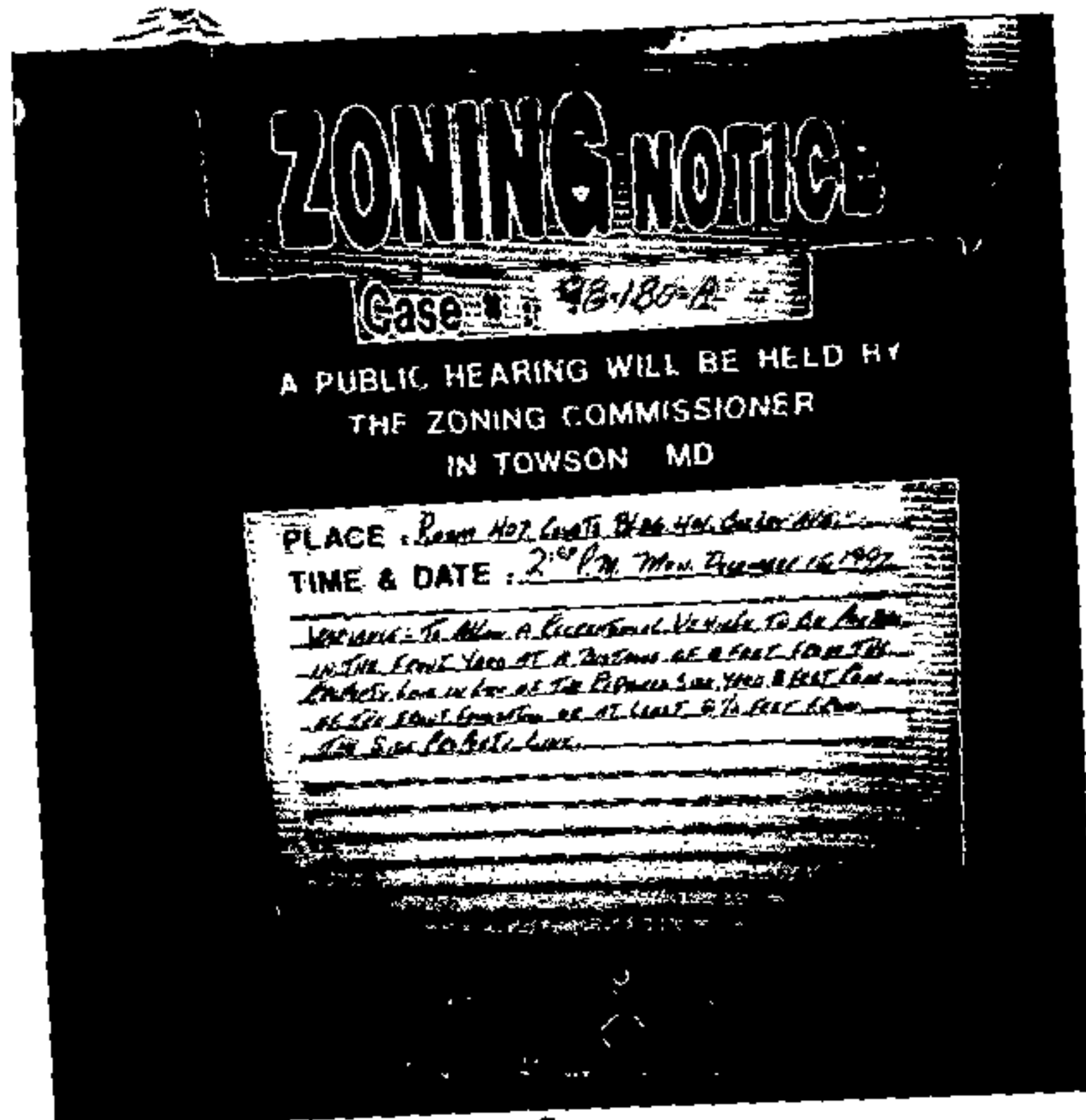
Attention : Ms. Gwendolyn Stephens

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 _____

____ 8 Sebastian Ct. Reisterstown, Maryland 21136 _____

The sign(s) were posted on _____ Nov. 28, 1997 _____
(Month, Day, Year)



Sincerely,

Thomas P. Ogle, Sr.
(Signature of Sign Poster & Date)

____ Thomas P. Ogle, Sr. _____

____ 325 Nicholson Road _____

____ Baltimore, Maryland 21221 _____

____ (410)-687-8405 _____
(Telephone Number)

98-180-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 044264

DATE 5 Nov 97 ACCOUNT 8-201-6150

ITEM NO. 100
AMOUNT \$ 50.00

RECEIVED FROM: BROWN

FOR: 8-201-6150

VAL

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 98-180-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: VARIANCE TO ALLOW A RECREATIONAL
VEHICLE TO BE PARKED IN THE FRONT
YARD AT A DISTANCE OF 2 FEET FROM
THE SIDE PROPERTY LINE, IN LIEU OF THE REQUIRED
SIDE YARD 8 FEET REAR OF THE FRONT PORCHES AT LEAST
2 1/2 FEET FROM THE SIDE PROPERTY LINE

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.

TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING 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

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 (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.: 180

Petitioner: ANDRÉ + BARBARA BROWN

Location: 8 Sebastian Ct

PLEASE FORWARD ADVERTISING BILL TO:

NAME: ANDRE BROWN

ADDRESS: 8 SEBASTIAN CT.

REISTERSTOWN MD. 21136

PHONE NUMBER: (410) 833-2919

W (410) 965-8227

AJ:ggs

(Revised 09/24/96)





Baltimore County
Department of Permits and
Development Management

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

November 14, 1997

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-180-A
8 Sebastian Court
N/S Sebastian Court, 202.08' SW of centerline Gwynwest
4th Election District - 3rd Councilmanic District
Legal Owner: Andre F. Brown & Barbara A. Brown

Variance to allow a recreational vehicle to be parked in the front yard at a distance of 2 feet from the property line in lieu of the required side yard 8 feet rear of the front foundation or at least 2-1/2 feet from the side property line.

HEARING: Monday, December 15, 1997 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue.

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with the number "34" written below it.

Arnold Jablon
Director

c: Andre & Barbara Brown

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY
NOVEMBER 30, 1997.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS
PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS
OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
November 26, 1997 Issue - Jeffersonian

Please forward billing to:

Andre Brown
8 Sebastian Court
Reisterstown, MD 21136

410-833-2919
410-965-8227 (work)

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-180-A

8 Sebastian Court

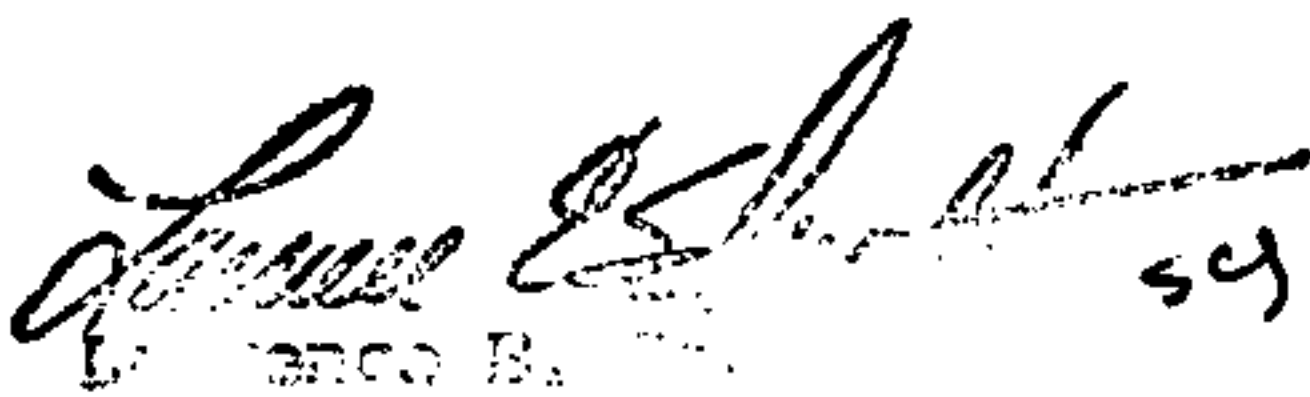
N/S Sebastian Court, 202.08' SW of centerline Gwynwest

4th Election District - 3rd Councilmanic District

Legal Owner: Andre F. Brown & Barbara A. Brown

Variance to allow a recreational vehicle to be parked in the front yard at a distance of 2 feet from the property line in lieu of the required side yard 8 feet rear of the front foundation or at least 2-1/2 feet from the side property line.

HEARING: Monday, December 15, 1997 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue.



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS
PLEASE CALL 410-887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-
887-3391.

RE: PETITION FOR VARIANCE
8 Sebastian Court, N/S Sebastian Ct,
202.08' SW of centerline Gwynwest
4th Election District, 3rd Councilmanic

Andre F. and Barbara A. Brown
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 98-180-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of December, 1997, a copy of the foregoing Entry of Appearance was mailed to Andre F. and Barbara A. Brown, 8 Sebastian Court, Reisterstown, MD 21136, Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

**Re: Andre & Barbara Brown
8 Sebastian Court**

Dear Neighbor

We have been informed by the Baltimore County of Permits and Development that the Baltimore County zoning code requires that we park our motor home either in our rear yard, or side yard. We have filed a Petition for a Variance which would allow us to park the motor home on the front parking pad rather than the side of the house. If the variance petition is denied we would have to park the motor home on the side lawn or rear yard.

By signing below you are indicating that you understand our petition and that you have no objection to the granting of the petition for a variance. A decision will be made at a scheduled hearing in the near future, however **you will not be required or asked to attend.**

Thanks for your support.

Name (signature)

Address

Bruce & Lauren Jacobs
Glady & Michael Marcus
Joe & Lara Brown

11 Bellinger Ct
6 Sebastian Ct.
4 Sebastian Ct.

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

LARRY DOBRES

10 BELLINGER CT.

REISTERSTOWN MD 21136



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

ANDRE & BARBARA BROWN

8 SEBASTIAN CT., REIST. MD. 21136



PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

RON DUCAT

ADDRESS

10 Sebastian Ct.
Newterstown MD
21136



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 8 SEBASTIAN COURT

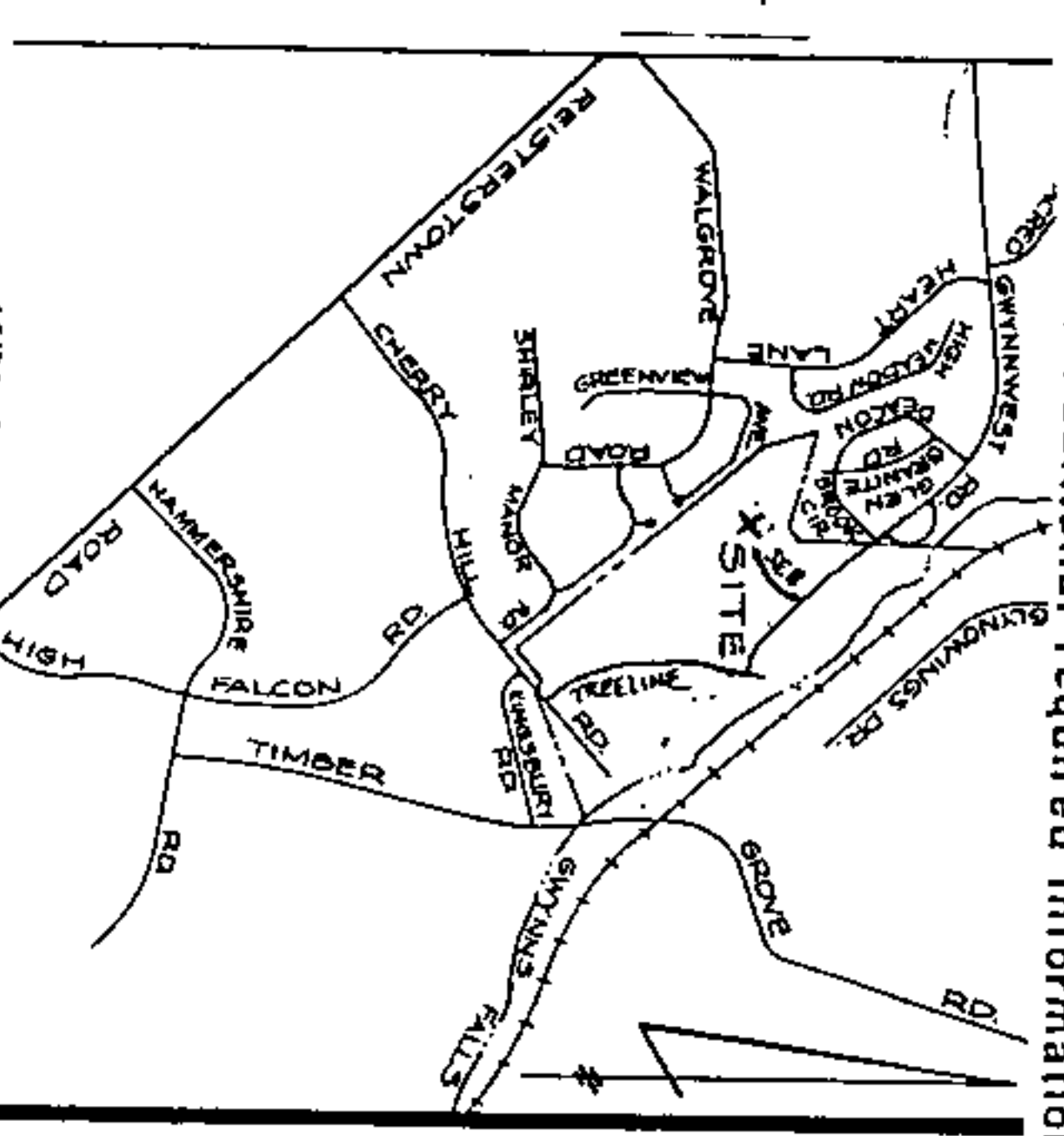
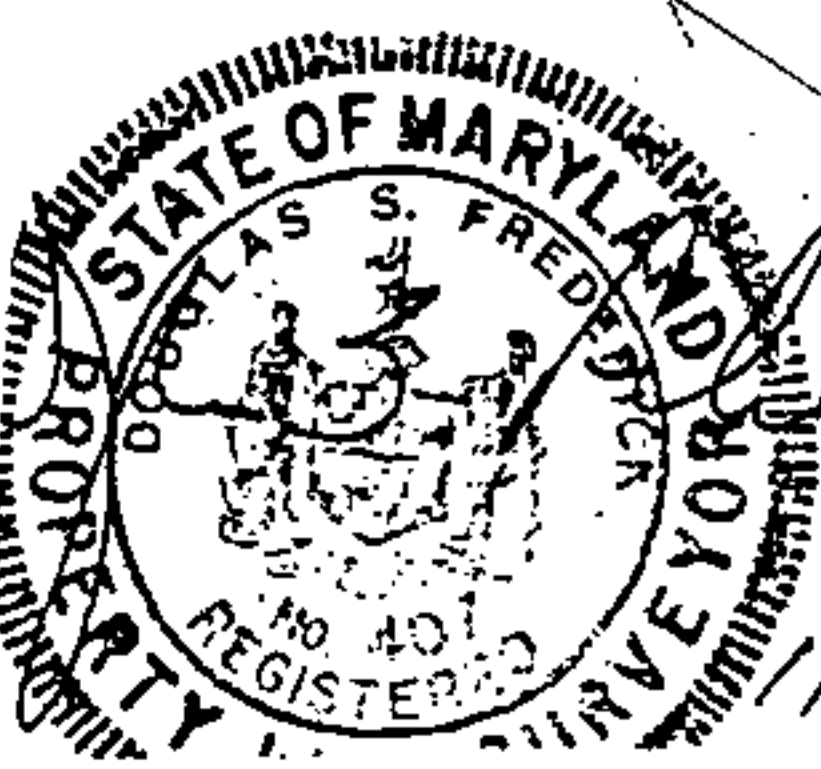
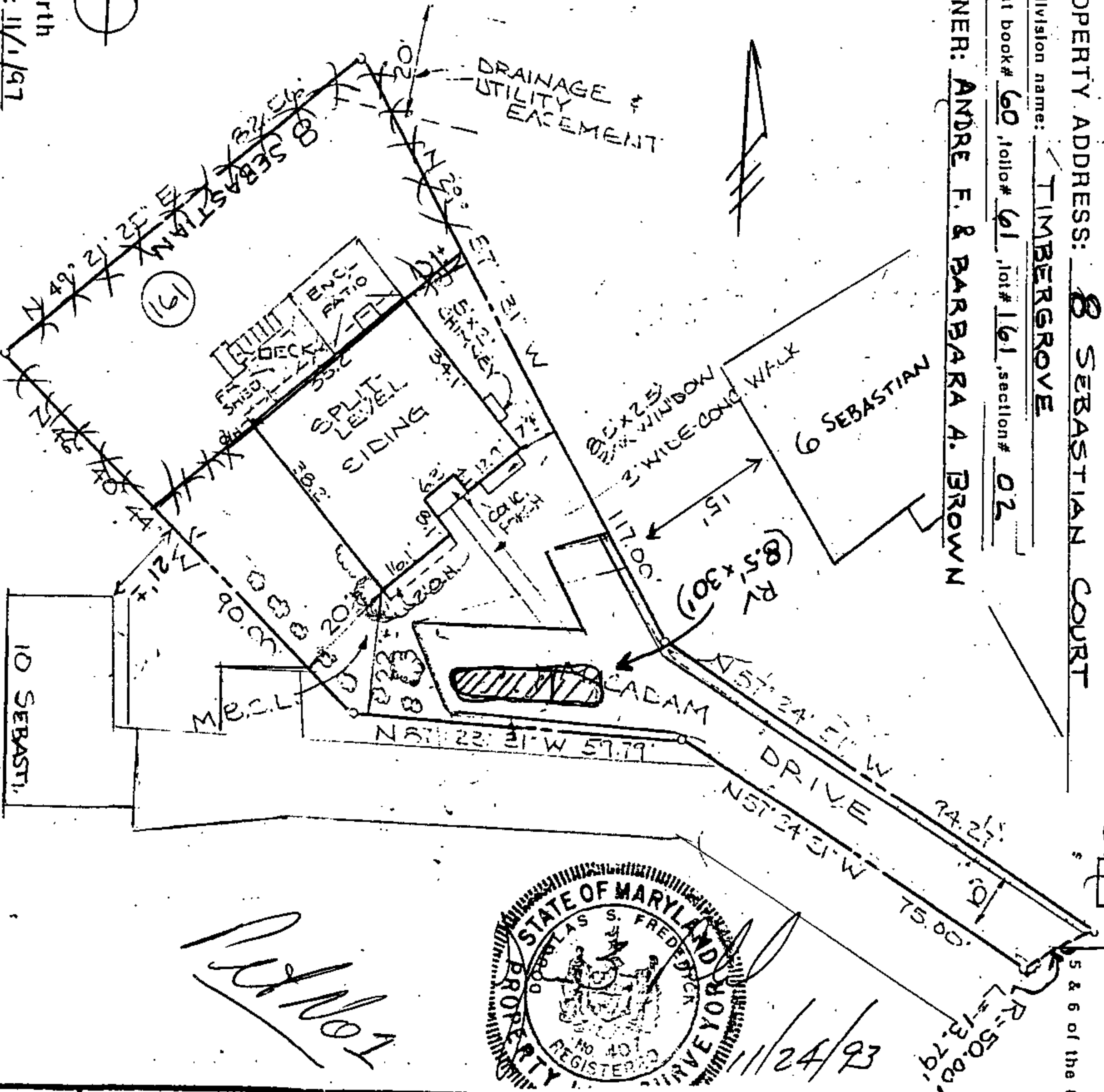
Subdivision name: TIMBERGROVE

plat book # 60, folio # 61, lot # 161, section # 02

OWNER: ANDRE F. & BARBARA A. BROWN

202.08' SW of Gwynn Falls Rd

North
date: 11/1/97
prepared by: A.F. BROWN
Scale of Drawing: 1" = 30'



LOCATION INFORMATION

Election District: 04
Councilmanic District: 03

1"=200' scale map #: NW 15-J
Zoning: DR 3.5
Lot size: .193 8407
acreage square feet

SEWER: ☒ Public ☐ private
WATER: ☒ ☐
Chesapeake Bay Critical Area: ☐ yes ☐ no
Prior Zoning Hearings: ☐ ☐

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

180

98-180-A

NW 15

181

(SHEET NW-15-1)

SEAS

N 58,000

SUBJECT SITE

DR 3.5

N 57,000

HOLLY HILL CT.

N 590,000

ROAD

HOLLY

SUBURBIAN CT.

RD.

SUBURBIAN

AVE.

GREENVIEW

WALGROVE

IVYDALE

GREENVIEW

AVE.

LANE

ROAD

98-180-A









Baltimore County
Department of Permits and
Development Management

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

December 10, 1997

Mr. and Mrs. Andre Brown
8 Sebastian Court
Reisterstown, MD 21136

RE: Item No.: 180
Case No.: 98-180-A
Petitioner: Andre Brown, et ux

Dear Mr. and Mrs. Brown:

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 November 5, 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 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

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

RE: Baltimore County 11/14/97
Item No. 180 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 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
Fire Department

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

NOVEMBER 19, 1997

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 NOVEMBER 17, 1997

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.

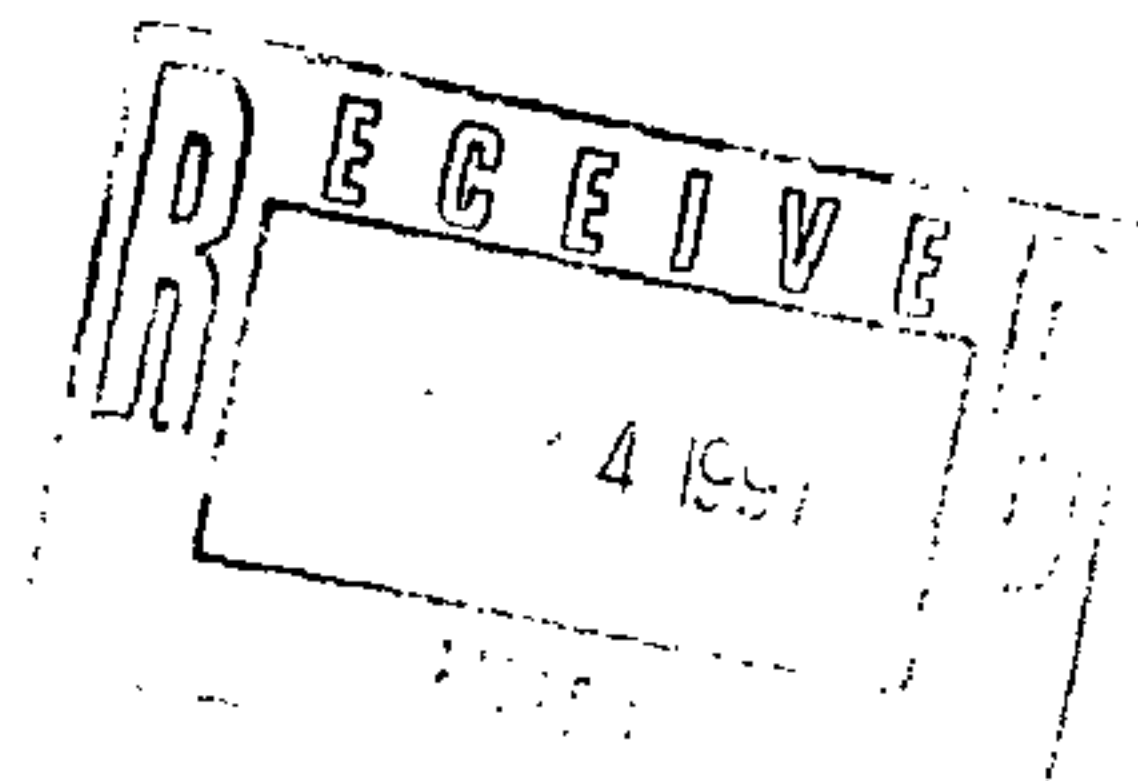
8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

175, 177, 179, 180, 182, 183, AND 184

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



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B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

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

Date: November 24, 1997

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

SUBJECT: Zoning Advisory Committee Meeting
 for November 24, 1997
 Item Nos. 175, 179, 180, 181, 183,
 and 184

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

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

*Roslyn
Ms. file*

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

DATE: November 19, 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. 179, 180, 181, 182, 183, and 184

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 W. Long

Division Chief:

Carol L. Kerns

AFK/JL

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: Nov 12, 97

DATE: 11/21/97

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

Item #'s:	173	181
	177	183
	178	184
	179	
	(180)	

RBS:sp

BRUCE2/DEPRM/TXTSBP