ONDER RECEIVED FOR FILMS

IN RE: PETITION FOR RESIDENTIAL

ZONING VARIANCE

S/E cor. Vineyard Hill Road and Foxhall Manor Drive 1101 Vineyard Hill Road 1st Election District 1st Councilmanic District Michael Newstead, et ux

Petitioners

\* BEFORE THE

\* ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* Case No. 98-341-A

\*

\* \* \* \* \* \* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Michael Newstead and Sandra Newstead, his wife, for that property known as 1101 Vineyard Hill Road in the Catonsville section of Baltimore County. The Petitioners/property owners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to permit a detached accessory structure (pool) in the street side of a rear yard corner lot in lieu of the inside lot side. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

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

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

OND THE STAND OF FRANCES

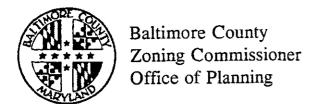
Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES: mmn



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

April 15, 1998

Mr. and Mrs. Michael Newstead 1101 Vineyard Hill Road Catonsville, Maryland 21228

RE: Petition for Administrative Variance

Case No. 98-341-A

Property: 1101 Vineyard Hill Road

Dear Mr. and Mrs. Newstead:

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,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn encl.

c: Mr. James E. Spero 9515 Gerwig Lane #119 Columbia, Maryland 21046

### Petiton for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at

which is presently zoned OR-2

This Petition shall be flied with the Dept. of Permits & Development. Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 TO PERMIT A DETREUEN

HOLESSONY STRUCTURE UN THE SUX STRUCT SUX OF A REAR UPOND CONNECT LW LIGHT THE LISTX LOT SUX.

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

SEE REVENSE 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.

	v		
			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):
		-	Michael Heiseland
(Type or Print Name)			(Type or Print Name)
			held theuter
Signature			Signature
			SAndra Newsland
Address			(Type or Print Name)
<u> </u>	-	Zipcode	Standa News Leav
City	State	Zipcode	
Attorney for Petitioner:			1101 VINEYAN LU RO (410) 788-5155 Address Phone No
(Type or Print Name)		<del></del>	
			(ATONSULLE M) 21228
Signature			City State Zipcode  Name, Address and phone number of representative to be contacted
•			JAMES E SPERO
	Phone N		
Address	Filale	<b>u</b> .	9515 G{NWIG LANE 4/0-995-6600
City	State	Zipcode	
			COLUMBIA MO 21046
that the subject matter of this	petition be set for a public	t hearing , advertised, as	ed by the Zaning Cammissioner of Baltimore County, this day of
circulation throughout Baltim	are County, and that the	property be reposted.	•
			Zaning Commissioner of Battimore County
* Son	_ DATE 3-( &	92 _	341.
REVIEWED BY:			Printed with Soybean Ink ITEM #:
ESTIMATED POSTING DATE:	3-299	8 00	<b>A</b>

48-341**-**4

# 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
CATONVILLE MD 2/228
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: (inclicate hardship or practical difficulty)
O SEWER LINE COMING OUT THE BACK OF MY
HOUSE WOULD HAVE TO MOVED BY A PLUMBER
@ THE GRADE OF THE LAND IS STEEPER AND
THERE FORE WOULD COST MORE TO INSTALL
A POOL - POSSIBLE NEED FOR A RETAINING
WALC.
3 THE ROAD ALONG MY HOUSE IS CURRENTLY
A DRIVE WAY.
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 intogration.    Continued
AS WITNESS my hand and Notarial Seal.  2 MA1 98  NOTARY PUBLIC  My Commission Expires: MA2CO 7, 1999

# ZONNO CESCRIPTION FOR:

BEGINNING AT A POINT ON THE
SOUTHFAST CORNER OF CHAMPAND

HILL RD & FOXHALL MANN DRIVE

BEING LOT # 22 BLOCK A

IN THE SUBORUSION OF FOXHALL FAMM

AS RECORDED IN BAITMORE COWMY

PLAT BOOK # 67, FOLLO # 125

CONTAINING 25, 956 SQ. FT. ALSO

KNOW AS 1101 VINEYPAN HUM RD

AND LOCATED IN THE 15F

98-341-A

BALTIMORE COUNTY, MAP AND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	34/. No. 15173/	
DATE 3-13-95 ACCOUNT		TIBLIPS JAN1998 14.35.23 AT 9503 CASHER UNIL UM ORGER 5 KISCELLANDS CASH RECEIFT
AMOUNT \$	<u> </u>	Resert # 038729 Fig 3
RECEIVED AMIR & MITCH. VECUS-	TIAD.	Faitimore County, Maryland
FOR: CIC PER. WAR HIPP.	750	-11-A
TEAC	36 98	341-A
DISTRIBUTION  WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMI		CASHER'S VALIDATION

#### **ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

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Case N	lumber	98-	34	( -	-A	$\overline{}$	Address	3	1(01	Vι	NYARD HUNTED.
Contact Person: Planner, Please Print Your Name  Phone Number: 410-887-3391											
Filing D	Date: _	3	?-[\$-	98	_	Postir	ng Date:	3	29.9	Ê	Closing Date: 4-13-98
							the star			dminis	strative variance should be
r r i:	1. POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.										
á	a forma	al rec	quest fo	ora p	ublic h	earing.	Please	e und	derstand	that	wner within 1,000 feet to file even if there is no formal sing date.
(	commis order th (typicall	sione at the v wit	er. He he mat hin 7 to	may: ter be 10 da	a) gr set in avs of t	ant the I for a the clos	request public h ing date	ed re nearir ) as t	elief; (b) ng. Yo to wheth	deny u will er the	the requested relief; or (c) receive written notification petition has been granted by First Class mail.
( (	POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing 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.										
						(Detach	h Along Dotte	ed Line)			
Petitioner: This Part of the Form is for the Sign Poster Only											
			USE	THE	ADMIN	ISTRA	TIVE VA	RIAN	ICE SIG	N FO	RMAT
Case Number 98-341A Address 101 LWYARD Hace To.											
Posting Date: 3-29-98 Closing Date: 4-13-98											
Wording for Sign: To Permit A DETACTED ACCESSORY STRUCTURE (FCC)											
TO BE IN THE SIDE STREET STOR OF THE REAL Y AND ON A CORNEL											
LOT.											
											MCP 12/11/07

#### **APPROVED SIGN POSTERS**

Stacy Gardner Telephone: (410) 781-4000
Shannon-Baum Signs, Inc. Toll Free: (800) 368-2295
105 Competitive Goals Drive Fax: (410) 781-4673
Baltimore, MD 21784

Balanoic, WB 21704

Richard Hoffman Telephone: (410) 879-3122 904 Dellwood Avenue

Fallston, MD 21047

Garland E. Moore Telephone: (410) 242-4263
3225 Ryerson Circle Mobile: (410) 382-4470
Baltimore, MD 21227

Tom Ogle Telephone: (410) 687-8405
325 Nicholson Road Mobile: (410) 262-8163

Baltimore, MD 21221 Fax: (410) 687-4381

Patrick M. O'Keefe, Sr. Telephone: (410) 666-5366

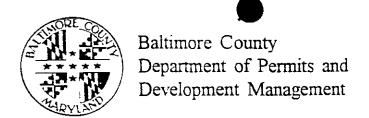
523 Penny Lane Cell: (410) 905-8571 Hunt Valley, MD 21030 Fax: (410) 628-2574

(410) 882-2469

THE PETITIONER MUST USE ONE OF THE SIGN POSTERS ON THIS APPROVAL LIST. ANY REPOSTING MUST BE ALSO BE DONE BY ONE OF THESE APPROVED POSTERS. IF YOU WISH TO SELECT A POSTER NOT SHOWN ON THE LIST ABOVE, PRIOR APPROVAL BY THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW IS REQUIRED.

THIS DEPARTMENT IS NOT ASSOCIATED WITH ANY OF THE ABOVE POSTERS, NOR DO WE RECOMMEND ANY SPECIFIC ONE. WE DO SUGGEST THAT YOU CONTACT A NUMBER OF THEM TO COMPARE PRICES SINCE THEIR CHARGES MAY VARY.

WCR - Revised 12/11/97



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.

### **CERTIFICATE OF POSTING**

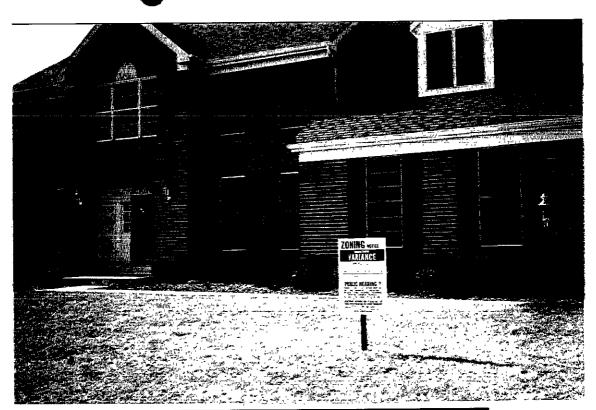
_	RE: Case No.: 98-341-A
	Petitioner/Developer:
	MICHAEL J. MEWSTEAD
	Date of Hearing/Closing: $4-13-98$
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	•
This letter is to certify under the penalties of perj	ury that the necessary sign(s) required by law
were posted conspicuously on the property locate	
CATOUSVILLE Mp.	
The sign(s) were posted on MARCH	1 27, 1998
( )	Month, Day, Year)
	Sincerely,
	(Signature of Sign Poster and Date)
	CAPLAND E. MOORE (Printed Name)
MAR 30 1998 PDM	(Address)  PACTIMONE, MD. 2127)  MICHA (City, State, Zip, Code)  (410) 242-4263  (Telephone Number) 3-98

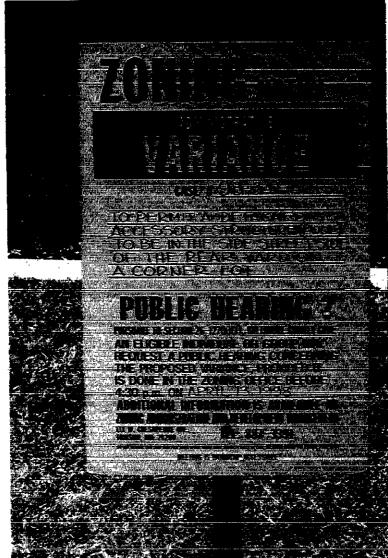
9/96 cert.doc MICHAEL J. NEWSTEAD 4-13-98

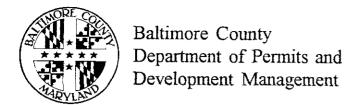
1101 VINEYARD HILL ROAD CATOUSVILLE MO. 21228 MARCH 27, 1008

9651120 11 11

MOTHERARD HILL ROAD







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

April 8, 1998

Michael and Sandra Newstead 1101 Vineyard Hill Road Catonsville, MD 21228

RE:

Item No.: 341 Case No.: 98-341-A

Petitioner: Mr. & Mrs. Newstead Location: 1101 Vineyard Hill Road

Dear Mr. & Mrs. Newstead:

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 March 18, 1998.

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 Gwendolyn Stephens in the zoning office (410-887-3391).

Sincerely,

W. Carl Richards, Jr. Zoning Supervisor

WCR:ggs
Attachment(s)



David L Winsteac 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 3/25/98 JRA

Item No. 34

Michael Newstead

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,

haint ul

Ronald Burns, Chief

**Engineering Access Permits** Division

LG



### INTER-OFFICE CORRESPONDENCE

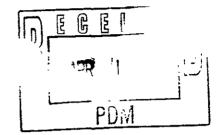
TO: Arnold Jablon, Director Department of Permits

and Development Management

FROM: Arnold F. "Pat" Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions



DATE: March 26, 1998

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

Item No. 337, 339, 340, 341, 343, 344, 345, and 346

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

Sary Kerns

Prepared by:

Division Chief

AFK/JL

## BALTIMORE COUNTY

# DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

## INTER-OFFICE CORRESPONDENCE

TO:

POM

FROM:

R. Bruce Seeley RIS Permits and Development Review

DEPRM

SUBJECT: Zoning Advisory Committee Meeting Date: Touck

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

Item #'s:

342

443

RBS:sp

BRUCE2/DEPRM/TXTSBP

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: April 8, 1998

Department of Permits & Development

Management

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

SUBJECT:

Zoning Advisory Committee Meeting

for April 6, 1998

Item Nos. 339, 340, 341) 342, 343,

344, 345, and 346

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

RWB:HJO:jrb

cc: File

CASE# 98-341-A

## FOXHALL FARM ARCHITECTURAL REVIEW COMMITTEE

March 10, 1998

Mike Newstead 1101 Vineyard Hill Road Catonsville, MD 21228

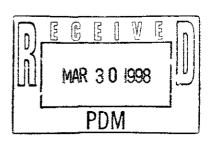
Dear Mike:

Thank you for making application for the installation of a 24 ft x 40 ft inground swimming pool with a surrounding patio deck as described in Maryland Pools dated February 1998.

The Architectural Review Committee (ARC) is pleased to inform you that your application has been approved and you are free to begin construction.

Best wishes with new swimming pool!

Foxhall Farm Architectural Review Committee



# **Lecustati**

ACCOUNTING ● CLERICAL ● INDUSTRIAL ● TECHNICAL ● COMPUTER RESOURCES FOR THE OFFICE NEAREST YOU PLEASE GALL 1 - \$00 - 862 - 2281

THINGS TO DO 4007885155
MR. ACEXASDER
Here is a copy
of my neighbors approval letter.
approval letter.
The Homeowners Assoc
still has my
drowing they have
not not get so
I could receive
opproval. when
will forward a
cope to you.
Meke Henrited
The Homeowners Assoc  still hos my  drowing they have  not not get so  Locald receive  approval. when  this is done I  will forward a  copy to you.

### EXTERIOR ALTERATION APPLICATION

E NUMBER. 98-341-A Date Received

Please mail or deliver to-

The Architectural Review Committee of Foxhall Farms Joe Finizza, Co-Chairman

3 Grainfield Court Catonsville, MD 21228

(Please print or type)

MICHAEL J. NEWS (EAU)

Phone:

Description of Changes desired - give full details of purpose and/or reason, type and color of materials to be used, and location on the property:

I	7	GR	OO	J.	<u>i</u>

POOL AS DESCRIBED IN

THE ENCLOSED PRHWING

If the change is for a structural change, ground planting, fencing, rearrangement, etc., attach a detailed sketch or architectural plan, etc.

#### Acknowledgement of Adjacent Property Owners

This acknowledgement indicates an awareness of the intent only and does not constitute nor indicate approval or disapproval. The Committee is not bound by the comments, approval or disapproval of the adjacent property owners, however, any comments, approval or disapproval will be carefully considered.

Name:

Address:

Signature:

Phone:

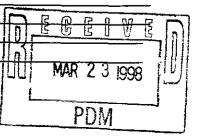
Name:

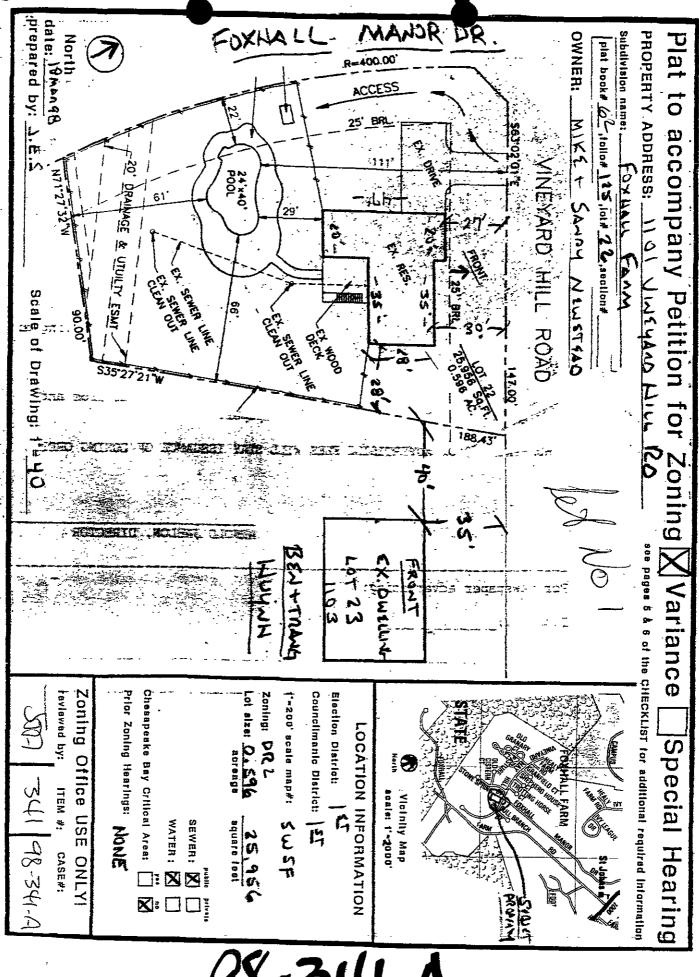
Address:

Phone:

Signature: Levitanin AIC- 719-6446

exterior.app 1/95



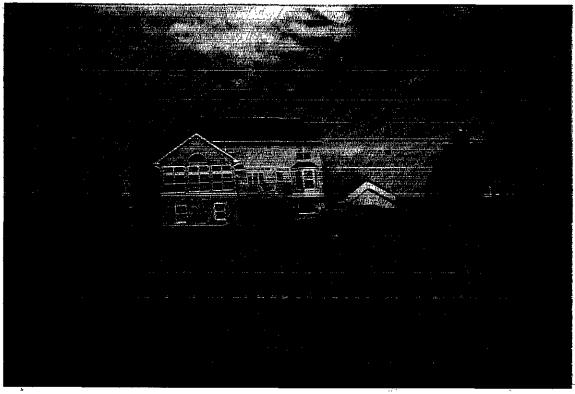






98-341-A





98-341-A



