

IN RE: PETITION FOR ADMIN. VARIANCE
W/S Reisterstown Road, 195' N
of the c/l Gentlebrook Road
(11111 Hollowbrook Road)
4th Election District
3rd Councilmanic District

Christopher T. Uhl and
Roxanne D. Kimberlin -
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-380-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Christopher T. Uhl and Roxanne D. Kimberlin. The Petitioners seek relief from Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section V.B.7 of the Comprehensive Manual of Development Policies {C.M.D.P.}) to permit an open projection (deck) with 360 sq.ft. open space in lieu of the minimum required 500 sq.ft., and to amend the 3rd Amended Final Development Plan of Pleasant Hills, Lot 6 thereof, accordingly. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide

ORDER RECEIVED FOR FILING

Date

By

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

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of May, 1998 that the Petition for Administrative Variance seek relief from Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section V.B.7 of the Comprehensive Manual of Development Policies {C.M.D.P.}) to permit an open projection (deck) with 360 sq.ft. open space in lieu of the minimum required 500 sq.ft., and to amend the 3rd Amended Final Development Plan of Pleasant Hills, Lot 6 thereof, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

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


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 5/14/98
by [signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

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

May 14, 1998

Mr. Christopher T. Uhl
Ms. Roxanne D. Kimberlin
11111 Hollowbrook Road
Owings Mills, Md. 21117

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Reisterstown Road, 195' N of the c/l Gentlebrook Road
(11111 Hollowbrook Road)
4th Election District - 3rd Councilmanic District
Christopher T. Uhl and Roxanne D. Kimberlin - Petitioners
Case No. 98-380-A

Dear Mr. Uhl & Mrs. Kimberlin:

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

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

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

✓ File





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 11111 Hollowbrook Rd

which is presently zoned OR-1

This Petition shall be filed 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) 504 BCZR (V.B.7) Old CMDP
To permit an open projection deck with 360 sq. ft. open space in lieu of the required 500 sq. ft. and to amend the 3rd Amended FDP of Pleasant Hills, Lot #6.

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

SEE BACK SHEET

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)

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County this ___ day of _____ 19___ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: JRF

DATE: 4-13-98

ESTIMATED POSTING DATE: 4-26-98



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on Recycled Paper

ITEM #: 380

98-380-A

ORDER RECEIVED FOR FILING

Date: 5/2/98

By: [Signature]

Affidavit in support of Administrative Variance

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

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1111 Hollowbrook Rd
address
Owings Mills MD 21117
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)

WE NEED A PROTECTIVE PLACE FOR OUR CHILDREN
TO PLAY AND TO EXTEND THE SPACE OF
OUR HOME TO ACCOMODATE OUR GROWING FAMILY

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.

(signature)

CHRISTOPHER T. UHL
(type or print name)



(signature)

ROXANNE D. KIMBERLIN
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13th day of April, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

date

4-13-98

Roxanne Naiman
NOTARY PUBLIC

My Commission Expires: ROXANNE NAIMAN
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires June 12, 2000

Notary for Roxanne
Kimberlin only

A-08E-8P

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 11111 Hollowbrook Rd
address
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[Signature]
(signature)
CHRISTOPHER T. UHL
(type or print name)



[Signature]
(signature)
ROXANNE D. KIMBERLIN
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13th day of April, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

4-13-98
date

[Signature]
NOTARY PUBLIC

My Commission Expires:

ROXANNE NAIMAN
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires June 12, 2000

Notary for Roxanne Kimberlin only

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

which is presently zoned

OR-1



This Petition shall be filed 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) 504 B.C.Z.R. (V.B.7) Old CMDP
To permit an open projection deck with 360 sq. ft. open space in lieu
of the required 500 sq. ft. and to amend the 3rd Amended FDP of
Pleasant Hills, Lot #6.
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or
practical difficulty)

SEE BACK SHEET

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.

(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):

CHRISTOPHER T. UHL

(Type or Print Name)

[Signature]

Signature

BOYAN D. KIMBERLIN

(Type or Print Name)

[Signature]

Signature

Address

11111 Housbrook Rd
HID 653-4874
HID 9029227

Phone No

City

Charles Mills MD 21117

State

Name, Address and phone number of representative to be contacted

Address

Phone No

Name

City State Zipcode

Address Phone No

Signature

(Type or Print Name)

Attorney for Petitioner

City State Zipcode

Signature

(Type or Print Name)

Address

City State Zipcode

Contract Purchaser/Lessee

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

ITEM #: 380

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on Recycled Paper



REVIEWED BY: JRF DATE: 4-13-98 4-26-98
ESTIMATED POSTING DATE:

98-380-A

Christopher T. Uhl & Roxanne D. Kimberlin

11111 Hollowbrook Road
Owings Mills, Maryland 21117
Home Phone (410) 902-9227

ZONING DESCRIPTION FOR 11111 HOLLOWBROOK ROAD

Beginning at a point on the West side of Reisterstown Road which is 75 feet wide at the distance of 195 feet North of the centerline of the nearest improved intersecting street Gentlebrook Road which is 56 feet wide. Being Lot # 6 in the resubdivision of Pleasant Hills as recorded in the Baltimore County Plat Book # 67, Folio# 24, containing 1600 square feet. Also known as 11111 Hollowbrook Road and located in the 4th Election District, Baltimore County, Maryland.

#380

98-380-A

BALTIMORE COUNTY, MARYL
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 053144

DATE 7-17-94 ACCOUNT R-001-615-000
AMOUNT \$ 100.00

RECEIVED FROM: Roxanne Kimberlin
Old Variance ITEM # 380
FOR: 030 Amend sp Taken by: JRF

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
DATE 7/16/94 7/13/94 15:11:25
BY: 8805 CASHIER WIL. UH. BRODER
5 MISCELLANEOUS CASH RECEIPT
RE: 0151 8 062155 OPEN
CR NO. 053144
100.00 CASH
Baltimore County, Maryland

98-380-A

CASHIER'S VALIDATION

A-085.8%

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 98- 380 -A Address 1111 Hollowbrook Rd.
Contact Person: Jun R. Fernando Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 4-13-98 Posting Date: 4-26-98 Closing Date: 5-11-98

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

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.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He 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 of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **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 Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 98- 380 -A Address 1111 Hollowbrook Rd.
Posting Date: 4-26-98 Closing Date: 5-11-98
Wording for Sign: To Permit an open projection deck with 360 sq. ft. open
space in lieu of the required 500 sq. ft. and to amend the 3rd Amended
Final Development Plan of Pleasant Hills, Lot #6.



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.: 380

Petitioner: ROXANNE KIMBERLIN & CHRIS UHL

Location: 11111 Hollowbrook Rd

PLEASE FORWARD ADVERTISING BILL TO:

NAME: ROXANNE KIMBERLIN

ADDRESS: 11111 Hollowbrook Rd

OWINGS MILLS MD 21117

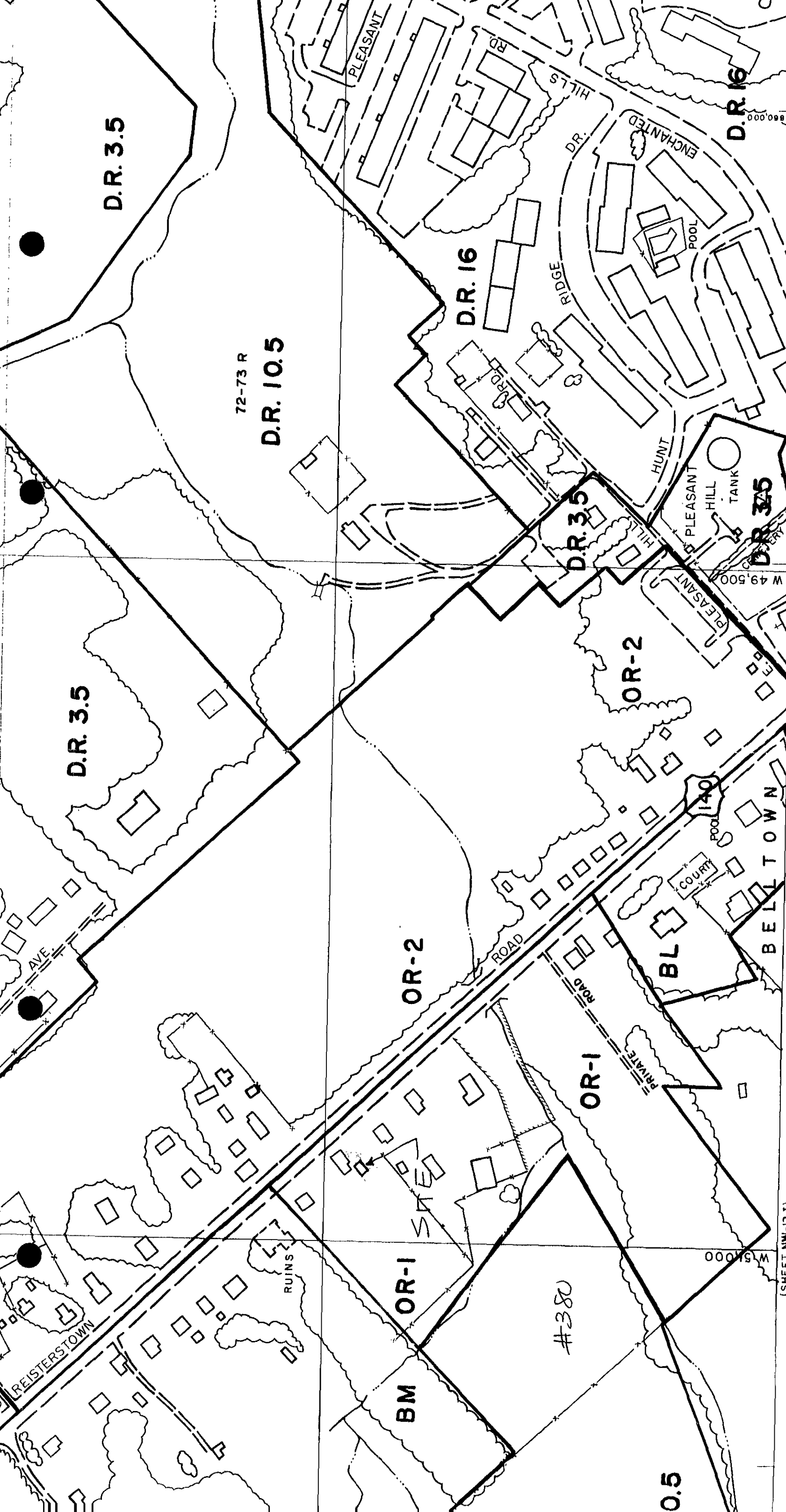
PHONE NUMBER: 410 902-9227

AJ:ggs

98-380-A

(Revised 09/24/96)

#380



BALTIMORE COUNTY OF PLANNING AND ZONING ICIAL ZONING MAP		SCALE 1" = 200' ±		LOCATION BELLTOWN	
		DATE OF PHOTOGRAPHY JANUARY 1986		98-380-A	

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

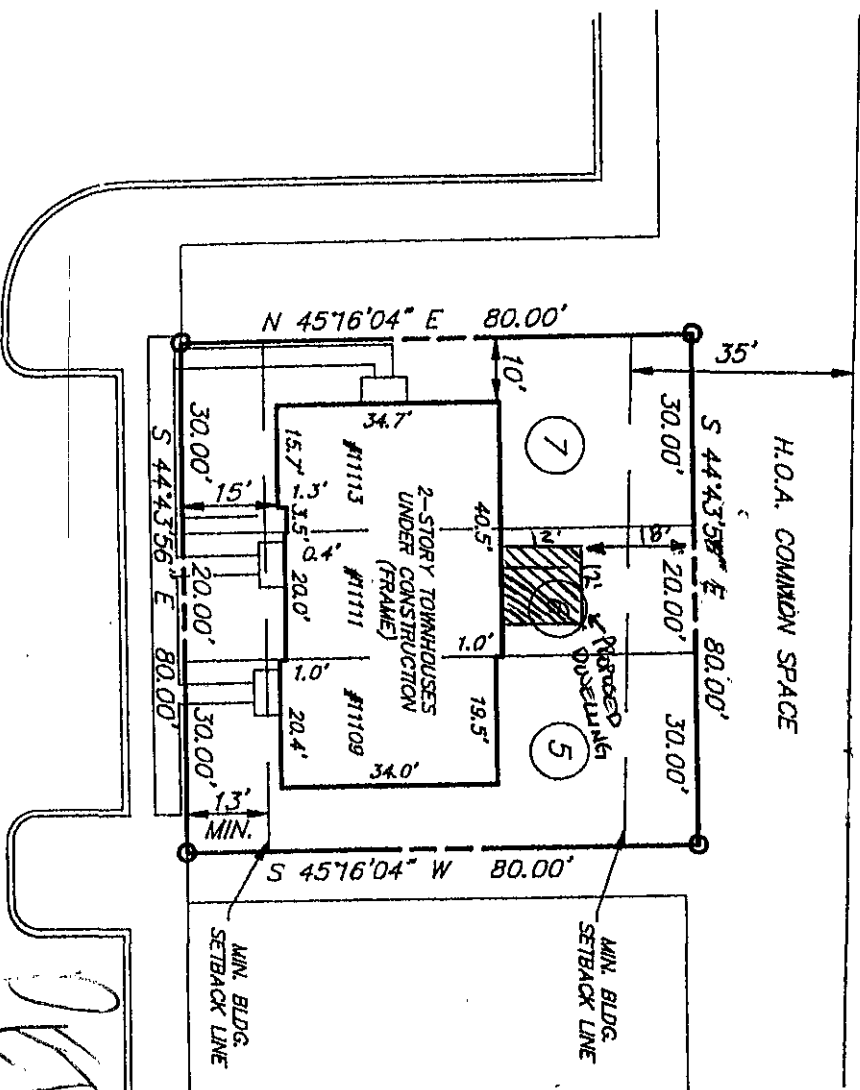
PROPERTY ADDRESS: 1111 Howard Block B see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: PLEASANT HILLS

plat book # 67, folio # 24, lot # 6, section #

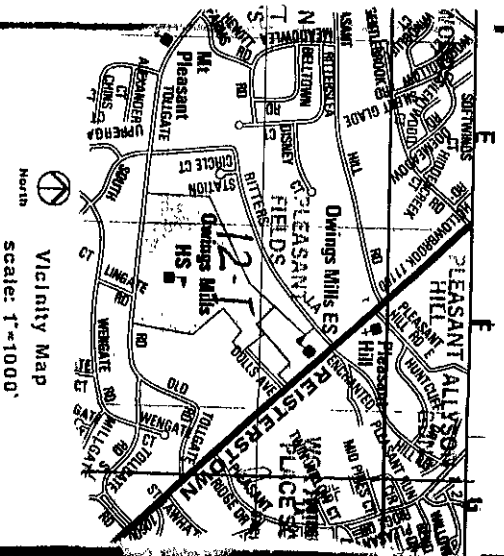
OWNER: CHRISTOPHER UHL & ROXANNE LINERUN

REISTERSTOWN ROAD



North
date: 3/24
prepared by: ROXANNE

Scale of Drawing: 1" = 30'



LOCATION INFORMATION

Election District: 47A

Councilmanic District: 3

1"=200' scale map #: NW 13-I

Zoning: CR-1

Lot size: 1000 acreage square feet

Chesapeake Bay Critical Area: ☒ YES ☐ NO
Prior Zoning Hearings: ☒ YES ☐ NO

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

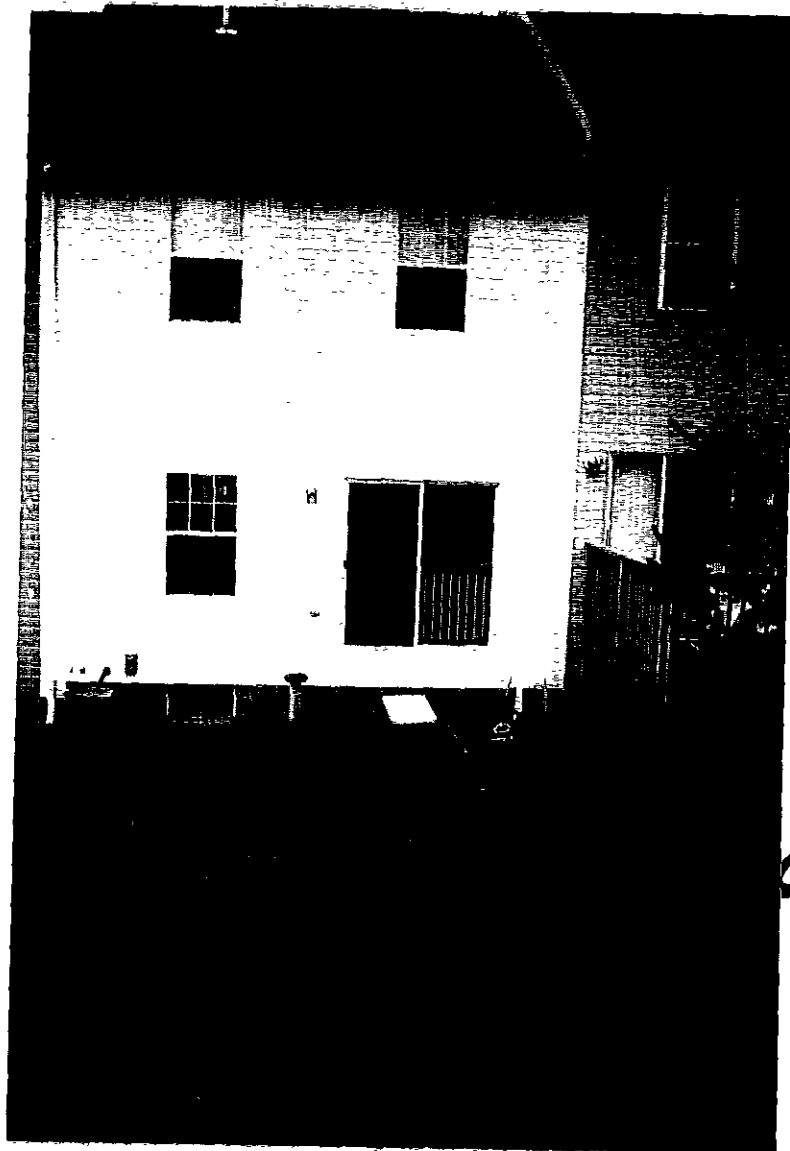
1RF 380

98-380-A

* is fence
that sits
at top of
hill separating
REISTERSTOWN
and Landowment
↓ are townhomes
on other side
of Reisterstown
Rd



taken at
top of hill
by fence
looking at back
of house



98-380-
A
#380

Showing
proposed
site for
dwelling

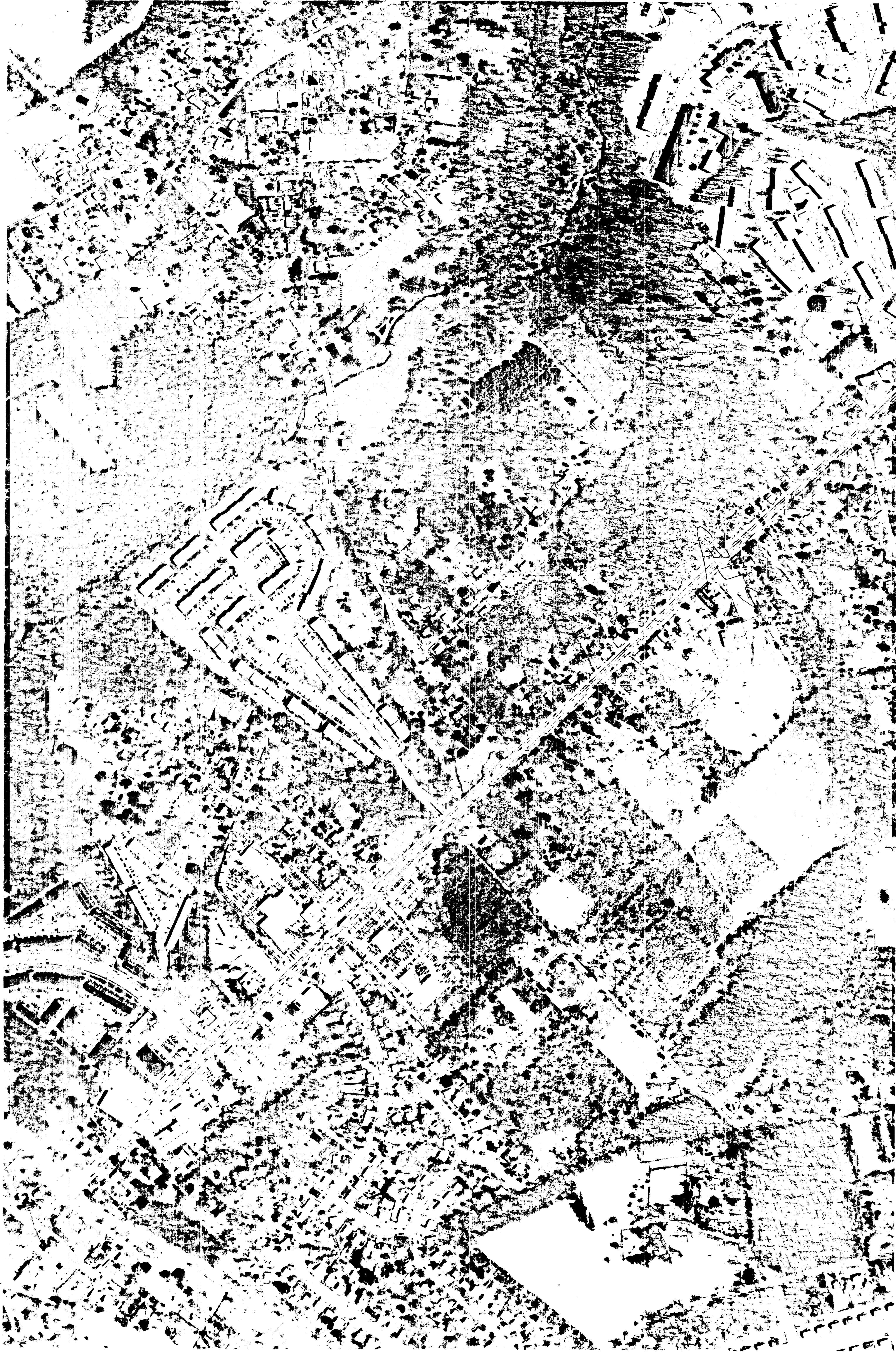


back
of house



98-380-A

#380



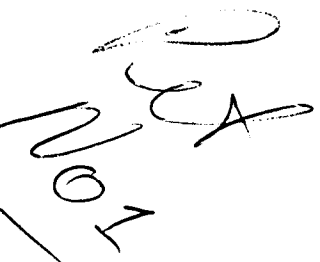
SCALE	LOCATION	SHEET
1" = 200' ±	BELL TOWN	N W 13-1
DATE PHOTOGRAPHY JANUARY 1966		

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

380

98-380-A

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



Bldg # 2	=	233	Sq. Ft.
Conc. Wk's	=	347	Sq. Ft.
Fltg. Pole Bosa	=	3	Sq. Ft.
Clothes Pole Bosa	=	3	Sq. Ft.
Wall Cover	=	3	Sq. Ft.
To be Removed		589	Sq. Ft.

CRITICAL BAY REQUIREMENTS
Area 0.245 Ac.± or 10670 Sq. Ft
25% = 2668 Sq. Ft. Allowed
22% = 2296 Sq. Ft. Proposed

50' Lot Setbacks Required
Setbacks Proposed As Shown

Min. Lot Size (RC-5) Required = 1 Hectare

There shall be no clearing, grading, construction or disturbance of vegetation within the Tidal Buffer except as permitted by the Belknap County Department of Environmental Protection and Resource Management.

Forest Cover Requirement

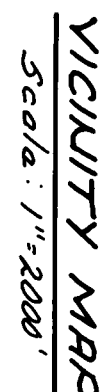
2 Tracs Existing must be Maintained on site.

Note:
The Reported Dwelling will comply with Flood Plain
Requirements for the A-10 Flood Zone.
1st Floor Elevation Requirement must be a
Minimum of 11' 2" (to basement)
Property in Flood Zone A as shown on
F.I.R.N. Map # 240010 0445C dated 11-17-93

Proposed Impervious

Enclosed Patio =	352	Sq. Ft.
Proposed House =	1740	Sq. Ft.
Conc. Boat Ramp = 204 Sq. Ft.		
	<u>2296</u>	Sq. Ft.

Existing Impervious	
Enchased Pkls	352 Sq Ft
Blkg #2	223 Sq Ft
Cont Walks	347 Sq Ft
Frame Shad	95 Sq Ft
Flag Pole Base	3 Sq Ft
Clothes Pole Base	3 Sq Ft
Wall Cover	3 Sq Ft
Cell Boof Ramp	204 Sq Ft
	1240 Sq Ft



LOCATION INFORMATION

1. 201.1

Section District - 15

RC-5

Lot Size - 0.245 Acres or 10,670 Sq. Ft.

	Pollie	Priya
Sewer	☒	☐
Water	☒	☐
Chasapeake Bay Critical Area	☒	☐
Prior Zoning Hearings:	Yes ☒	No ☐
None		

Zoning Office Use Only

Reviewed By.	Ham #	Cosa #

#379

98.379-A

PLAT TO ACCOMPLISH
RETENTION FOR VARIANCE
TO APPROVE AN EXISTING
ELOT, SILE YARD SECTARCS AND ANY OTHER
CSES DREMED NEEDS BY THE COMMISSIOINER
Property Address 3512 Galloway Rd
Subdivision Name Bonanzas quarters
Plot Book 7 Folio 12 lot # 57 Section -
Tax Map # 98 Parcel # 4
Owner : Frank W & Garthvine W Brush
Tax Map # 15-02-6-5340
Prepared by : LB Date: April 10, 1998 Scale: 1"=20'