IN RE: PETITION FOR ADMIN. VARIANCE
NS of Horse Chestnut Court, 125 ft.
W. of the centerline of Sandhill Road
15<sup>th</sup> Election District
6<sup>th</sup> Councilmanic District
4 Horse Chestnut Court
Eugene E. March, Jr., et ux
Petitioners

\* BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* CASE NO. 99-432-A

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an administrative variance filed by Eugene E. March, Jr. and Kelly E. March, his wife, property owners, for that property known as 4 Horse Chestnut Court in the Golden Tree subdivision of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 5 ft. in lieu of the required 8 ft. for an addition without side windows and amend the final development plan of Golden Tree. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

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

Detr 6/199 Johnson

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 may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY M/KOTROCO

**DEPUTY ZONING COMMISSIONER** 

FOR BALTIMORE COUNTY

TMK:raj



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

Fax: 410-887-3468

June 1, 1999

Mr. Eugene E. March, Jr. 4 Horse Chestnut Court Essex, Maryland 21221

RE: Petition for Administrative Variance

Case No. 99-432-A

Property: 4 Horse Chestnut Court

Dear Mr. March:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, with restrictions, in accordance with the enclosed 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 from 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 410-887-3391.

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

hurthey llotrow

TMK:raj Enclosure



## **Petition for Administrative Variance**

to the Zoning Commissioner of Baltimore County

for the property located at 4 House chestant Cf.
which is presently zoned Kesiden find DR5. 5

State Zip Code Signature  Attorney For Petitioner:  Name - Type or Print  Signature  Company  Address  Telephone No.  Signature  Address  Address  Address  Address  Address  Address  Address  Address  Address			which is pres	ently zoned <u>kesid</u>	w FIRE DR
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And to Amend the Final Development Plan of Gold of the zoning regulations of Baltimore County, to the zoning regulations of Baltimore County, to the zoning regulations.  I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to b regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.  I/We do solemnly declare and affirm, perjury, that I/we are the legal owner(s is the subject of this Petition.  Contract Purchaser/Lessee:  Name Type or Print  Signature  Attorney For Petitioner:  Name Type or Print  Signature  Company  Address  Telephone No.  Telephone No.  Telephone No.  Address  Telephone No.  Telephone No.  Address	To Devid A Some	< 11.	1002,3	10 7504.2°	BCZR
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		_ ,			
			Zoning Comm	issioner of Baltimore Count	٧

Estimated Posting Date

99-432A

REU 9/15/98

# 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	4 House	Chestwot Court	
	E350FK	Mi> State	Z/ZZ / Zip Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardshi	wing are the fac	cts upon which I/we base the r	·
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STATE OF MARYLAND, COUNTY OF BALTIN			
I HEREBY CERTIFY, this $\frac{\partial \mathcal{Y}}{\partial \partial \partial$	س ا <u> </u> rsonally appear	, <u>1999</u> , before me,	a Notary Public of the State
The Affiant(s) herein, personally known or satisfiaw that the matters and facts hereinabove set for	factorily identifie	ed to me as such Affiant(s), an	d made oath in due form of heir knowledge and belief.
AS WITNESS my hand and Notarial Seal	<i>(</i> .	Day Kan	
24 1 April 1999 Date	<i>V</i> Notan	Public  Maries Di 01	<u>.                                    </u>
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STATE OF MARYLAND, COUNTY OF BALTIM	MORE, to wit:		
LHEREBY CERTIFY this 24 day of Ap	1:1	, <u>1999</u> , before me, a Notan	Public of the State
I HEREBY CERTIFY, this day of for of Maryland, in and for the County aforesaid, pe	ersonally appeared		, r dono or dro otato
FUGENC E. MARCH	JR And	Kelly E MARCH	
the Affiant(s) herein, personally known or satis law that the matters and facts hereinabove set f	tactorily identified to	me as such Attiant(s), and made	oath in due form of wledge and belief.
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REV 09/15/98



REU 9|15|98

## **Petition for Administrative Variance**

## to the Zoning Commissioner of Baltimore County

for the property located at 4 House chestnot Court which is presently zoned Resident DR5

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			Essex	MB.	21221
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A Public Hearing having been fo this day of regulations of Baltimore County and	. that t	he subiect matter of th	required, it is ordered by the his petition be set for a public h	Zoning Commissioner of earing, advertised, as requ	Baltimore County, ired by the zoning
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CASE NO 96	1-4321	9 5-	inuad By N (A~	4.	32.99

Estimated Posting Date \_\_\_

### ZONING DESCRIPTION FOR 4 HORSE CHESTNUT COURT

Beginning at a point on the north side of horse chestnut court at the distance of 125 ft. \*\ddot\*

West of the centerline of the nearest improved intersecting street sandhill road being lot#

250 plat 3 section #3 in the subdivision of Golden Tree as recorded in the Baltimore

County plat book # 50 folio #61 containing .16 acres also known as 4 Horse Chestnut

Court and located in the 15<sup>th</sup> election district, 6<sup>th</sup> councilmanic district.



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11.432.1

### CERTIFICATE OF POSTING

RE: CASE # 99-432-A
PETITIONER/DEVELOPER:
[Eugene March]
DATE OF Closing
[May 24, 1999]

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

ATTENTION: MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

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### ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT											
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## DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

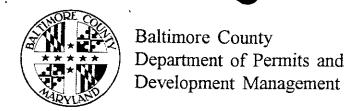
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

### OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:	
Item Number or Case Number: 432  Petitioner: Excess Manch	
Address or Location: 4 Horse Chestast Co	+ . Essex Md. 2122
PLEASE FORWARD ADVERTISING BILL TO:	
Name:	
Address:	
Telephone Number: (40) 391-6390	

Revised 2/20/98 - SCJ

99.432-A



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

May 24, 1999

.Mr. & Mrs. Eugene E. March, Jr. 4 Horse Chestnut Court Essex, MD 21221

RE: Case No.: 99-432-A

Petitioner: March

Location: 4 Horse Chestnut Ct.

Dear Mr. & Mrs. March:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on April 30, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments 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.

Very truly yours,

W. Carl Richards, Jr Zoning Supervisor

Zoning Review

WCR:ggs

Enclosures



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

MAY 7, 1999

Arrold Jablon, Director Tonick Administration and Development Management Baltimuse County Office Boilding Towson, MD 31204 MAIL STOD-1105

EE: Oktobokty Ordis: GEE BETOM

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Gentlemen:

President to your request, the referenced purposity has been curveyed by this Burban and the comments below and applicable and required to be convented or incomporated into the final class for the jargerby.

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PEVIEWED: UP, HERR TAYLOR

Fire Marshal Diffica, PMONT 387 4881, Monitor

or: File

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

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

Date: May 10, 1999

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

Office of Planning

**SUBJECT:** Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s): Item No (s): 423, 424, 425, 427, 430, 432 and 433

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

AFK/JL

BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: May 17, 1999

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for May 17, 1999

Item Nos. 423, 424, 425, 427, 429,

431, 432, and 433

(Item Nos. 426 and 434 were BLANK.)

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date: 5.6.99

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

RE: Baltimore County

Item No. 432 JCM

Dear. Ms Stephens:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

/ J. Bredle

/ Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

MARCH \_\_\_\_ 1999

To Whom It May Concern

I the home owner at 3 Horse chestnut court have no problem with the March family's proposed addition of a two story one car garage.

Thanks for your time,

home owner

2 N

94.432-A

MARCH \_\_\_\_ 1999

To Whom It May Concern

I the home owner at  $\underline{3}$  Horse chestnut court have no problem with the March family's proposed addition of a two story one car garage.

Thanks for your time,

home owner

Susan R. Brell

MARCH 1999

To Whom It May Concern

I the home owner at 6 Horse chestnut court have no problem with the March family's proposed addition of a two story one car garage.

Thanks for your time,

home owner

23 V

MARCH 1999

To Whom It May Concern

I the home owner at \_\_\_\_\_\_ Horse chestnut court have no problem with the March family's proposed addition of a two story one car garage.

Thanks for your time,

home owner

MARCH /1 1999

To Whom it May Concern

I the home owner at \_\_\_\_\_\_ Horse chestnut court have no problem with the March family's proposed addition of a two story one car garage.

Thanks for your time,

home owner

Susan Baxter

MARCH \_\_\_\_ 1999

To Whom It May Concern

I the home owner at 9 Horse chestnut court have no problem with the March family's proposed addition of a two story one car garage.

Thanks for your time,

Mh Mrs Jos Bayte home owner

MARCH \_\_\_ 1999

To Whom it May Concern

I the home owner at 10 Horse chestnut court have no problem with the March family's proposed addition of a two story one car garage.

Thanks for your time,

home owner

Thomas B. Yastman

MARCH \_\_\_\_ 1999

To Whom it May Concern

I the home owner at \_\_\_I \ \_\_ Horse chestnut court have no problem with the March family's proposed addition of a two story one car garage.

Thanks for your time,

Jenniter

MARCH\_\_\_1999 April 12,1999

To Whom It May Concern

I the home owner at 12 Horse chestnut court have no problem with the March family's proposed addition of a two story one car garage.

Thanks for your time,

home owner

MARCH \_\_\_\_ 1999

To Whom It May Concern

I the home owner at 12 Horse chestnut court have no problem with the March family's proposed addition of a two story one car garage.

Thanks for your time,

home owner

MARCH \_\_\_\_ 1999

To Whom It May Concern

I the home owner at  $\underline{13}$  Horse chestnut court have no problem with the March family's proposed addition of a two story one car garage.

Thanks for your time,

home owner

Balm Con

MARCH \_\_\_ 1999

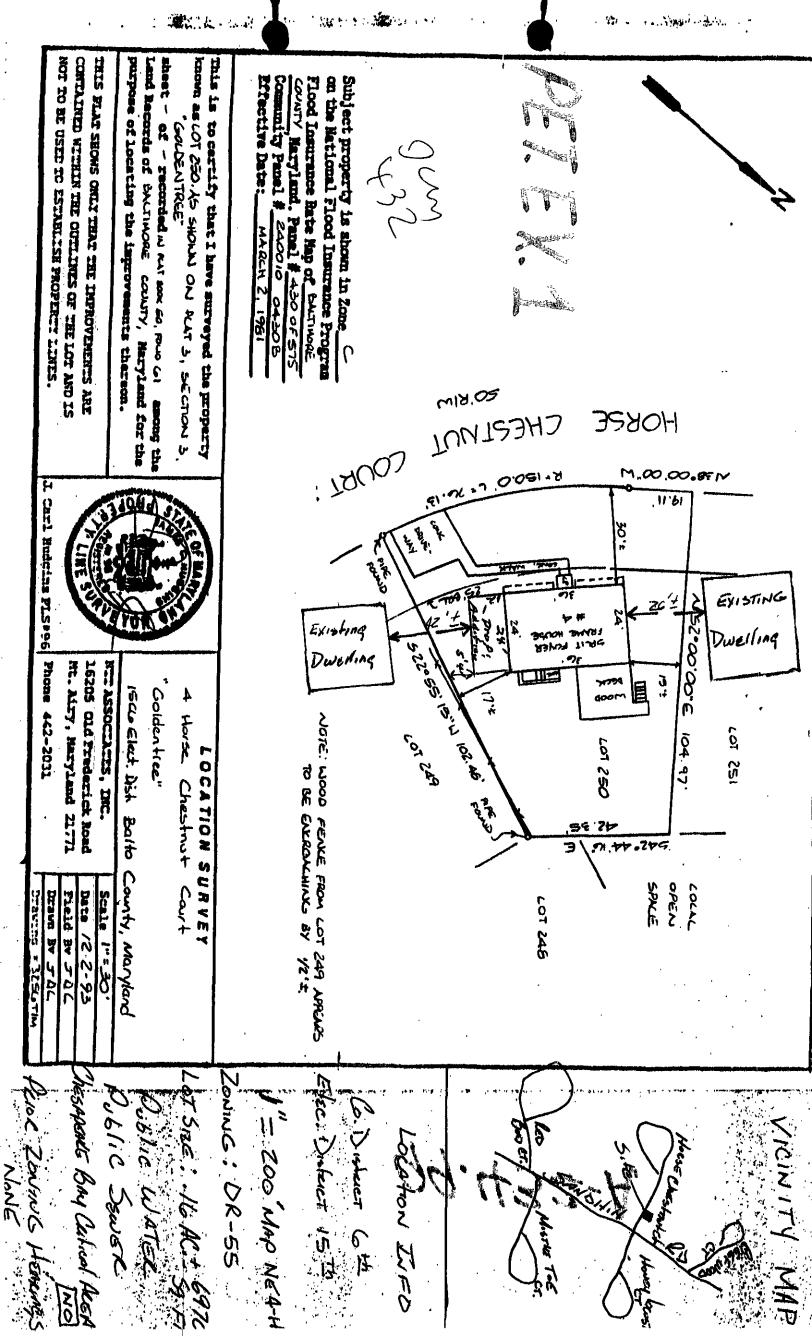
To Whom It May Concern

I the home owner at \_\_\_\_\_ Horse chestnut court have no problem with the March family's proposed addition of a two story one car garage.

Thanks for your time,

home owner

ix V

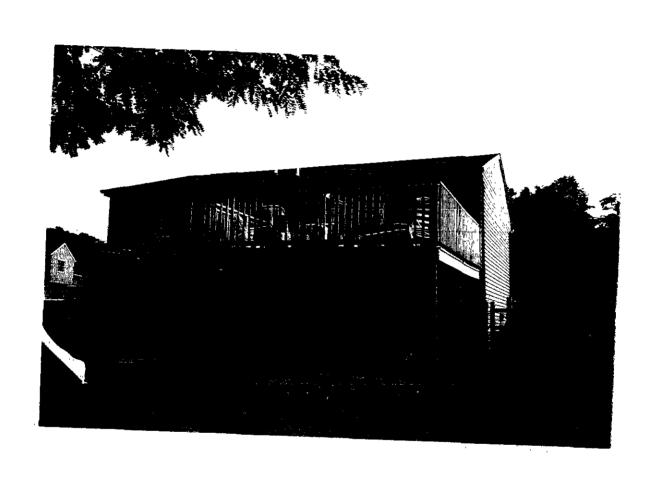








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# 99-432-A



