

IN RE: PETITION FOR ADMIN. VARIANCE
W/S L'Hirondelle Club Road, 740' S of
the c/l of Ruxton Road
(7612 L'Hirondelle Club Road)
9th Election District
4th Councilmanic District

Fred H. Eisenbrandt, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 00-060-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Fred H. and Linda Eisenbrandt. The Petitioners seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 9½ feet in lieu of the required 15 feet, and to allow a sum of the side yard setbacks of 36½ feet in lieu of the required 40 feet for a series of proposed additions. The subject property and relief sought are more particularly described on the site plan submitted with the Petition filed which was accepted into evidence and marked 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 Zoning Commissioner, the information, pictures, 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.

ORDER RECEIVED FOR FILING

Date

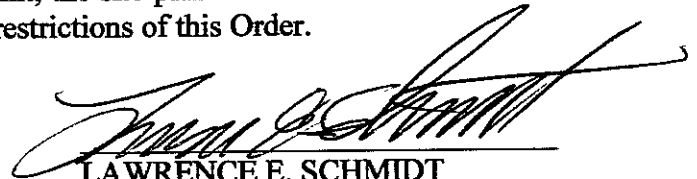
BY

[Handwritten signature]

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 Zoning Commissioner for Baltimore County this 21st day of September, 1999 that the Petition for Administrative Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 9½ feet in lieu of the required 15 feet, and to allow a sum of the side yard setbacks of 36½ feet in lieu of the required 40 feet for a series of proposed additions, 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.
- 2) Compliance with any Zoning Advisory Committee comments relative to floodplain regulations.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 9/21/99
BY [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

September 21, 1999

Mr. & Fred H. Eisenbrandt
7612 L'Hirondelle Club Road
Towson, Maryland 21204

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S L'Hirondelle Club Road, 740' S of the c/l of Ruxton Road
(7612 L'Hirondelle Club Road)
9th Election District - 4th Councilmanic District
Fred H. Eisenbrandt, et ux - Petitioners
Case No. 00-060-A

Dear Mr. & Mrs. Eisenbrandt:

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 Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 7612 L'Hirondelle Club Road
which is presently zoned D.R. 2

This Petition shall be filed with the Department of Permits and 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)

side yard setback of $9\frac{1}{2}$ ft, in lieu of the required 15 ft, and to allow a sum of the side yard setbacks of $36\frac{1}{2}$ ft, in lieu of the required 40 ft. 1 B02.3.C.1 to permit a

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Fred H. Eisenbrandt
Name - Type or Print _____
Signature _____
Linda Eisenbrandt
Name - Type or Print _____
Signature _____ (410) 296-3230
7612 L'Hirondelle Club Road
Address _____ Telephone No. _____
Ruxton, MD 21204
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
State _____ Zip Code _____

Representative to be Contacted:

Kevin Kaufman
Worcester Eisenbrandt, Inc.
Name _____ (202) 745-1052 eve,
2100 Gable Avenue (410) 644-6580 day
Address _____ Telephone No. _____
Baltimore, MD 21230
City _____ State _____ Zip Code _____

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, on the _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

Reviewed By SR Date 8/10/99

Estimated Posting Date 8/22/99

CASE NO. 00-60-A

M: A 09 000 J 7

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 7612 L'Hirondelle Club Road
Address
Ruxton, Maryland 21204
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):


Mr. & Mrs Eisenbrandt wish to extend existing house in 2 phases.
Phase #1 will extend living space north of house to 9'-6" of Lot Line.
Phase #2 will add garage and storage space south of house to 27'-0" of Lot Line.

Mr. & Mrs Eisenbrandt wish for Zoning Variance. Phase #1 is necessary for Handicapped Bathroom Facility and additional space to existing Handicapped Adaptable Living Space for child confined to wheelchair. Extension is proposed for north side of house, where handicapped accessible Ramp, and Entry are located, and where existing Kitchen, Laundry and Family Room are adjacent.

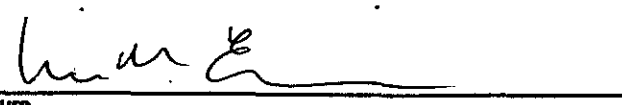
Addition will be 1 story only, 6'-6" out from existing house and will encroach on existing driveway only, leaving planting/landscaping along Lot Line untouched.

Phase #2 is necessary due to a chronic lack of Storage in existing house. At present there is no garage on Site. Phase #2 is situated in such a way to minimize Macadam driveway, and to make entire ground Floor handicapped Accessible.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.


Signature

Fred Eisenbrandt
Name - Type or Print


Signature

Linda Eisenbrandt
Name - Type or Print

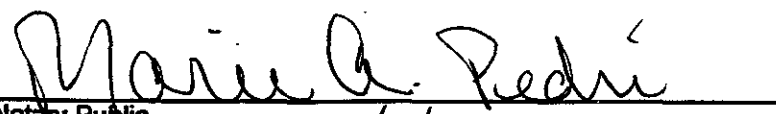
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 3rd day of August, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

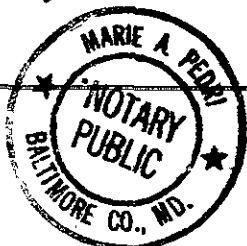
Frederick Eisenbrandt & Linda Eisenbrandt
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

8/3/99
Date


Notary Public

My Commission Expires 4/1/2001



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 7612 L'Hirondelle Club Road
Address
Ruxton, Maryland 21204
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):

Mr. & Mrs Eisenbrandt wish to extend existing house in 2 phases.
Phase #1 will extend living space north of house to 9'-6" of Lot Line.
Phase #2 will add garage and storage space south of house to 27'-0" of Lot Line.

Mr. & Mrs Eisenbrandt wish for Zoning Variance. Phase #1 is necessary for Handicapped Bathroom Facility and additional space to existing Handicapped Adaptable Living Space for child confined to wheelchair. Extension is proposed for north side of house, where handicapped accessible Ramp, and Entry are located, and where existing Kitchen, Laundry and Family Room are adjacent.

Addition will be 1 story only, 6'-6" out from existing house and will encroach on existing driveway only, leaving planting/landscaping along Lot Line untouched.

Phase #2 is necessary due to a chronic lack of Storage in existing house. At present there is no garage on Site. Phase #2 is situated in such a way to minimize Macadam driveway, and to make entire ground Floor handicapped Accessible.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Signature

Fred Eisenbrandt

Name - Type or Print

Signature

Linda Eisenbrandt

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 3rd day of August, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Frederick Eisenbrandt + Linda Eisenbrandt
the Affiant(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

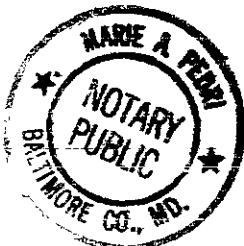
8/3/99

Notary Public

My Commission Expires

4/1/2001

220 09115198





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 7612 L'Hirondelle Club Road
which is presently zoned D.R. 2

This Petition shall be filed with the Department of Permits and 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) 1 B02.3.C.1 to permit a

side yard setback of 9 1/2 ft. in lieu of the required 15 ft. and to allow a sum of the side yard setbacks of 36 1/2 ft. in lieu of the required 40 ft.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Fred H. Eisenbrandt
Name - Type or Print _____
Signature _____
Linda Eisenbrandt
Name - Type or Print _____
Signature _____ (410) 296-3230
7612 L'Hirondelle Club Road
Address _____ Telephone No. _____
Ruxton, MD 21204
City _____ State _____ Zip Code _____

Representative to be Contacted:

Kevin Kaufman
Worcester Eisenbrandt, Inc.
Name _____ (910) 745-1052 eve.
2100 Gable Avenue (410) 644-6580 day
Address _____ Telephone No. _____
Baltimore, MD 21230
City _____ State _____ Zip Code _____

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 00-60-A

Reviewed By BH Date 8/10/99

Estimated Posting Date 8/22/99

Zoning description for: 7612 L'Hirondelle Club Road
Ruxton, Maryland 21204

Beginning at a point on the west side of L'Hirondelle Club Road, which is 18 feet wide at a distance of 740 feet south of the centerline of the nearest improved intersecting street, Ruxton Road, which is 20'-0" wide. 7612 L'Hirondelle Club Road contains 39,990 square feet or .96 acres and is in the 9th Election District, 4th Councilman's District. 7612 L'Hirondelle Club Road is zoned D.R.2

00-060-A

#60

Beginning at a point on the West Side of L'Hirondelle Club Road, at a distance of 740 feet south of centerline of Ruxton Road. The metes and bounds of 7612 L'Hirondelle Club Road are as follows:

South 2 degrees	128.74 feet	45 degrees east
South 85 degrees	293.64 feet	40 degrees east
North 17 degrees	128.37 feet	45 degrees west
North 85 degrees	327.00 feet	0 degrees east

00-060-A

60

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 069834

DATE 8/10/99 ACCOUNT Recd. 6150

AMOUNT \$ 50.00

RECEIVED FROM: Prof & Linda Eisenbrecht

FOR: cash old zoning variance

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Fount 60

PAID RECEIPT

PROCESSED ACTUAL TIME
8/10/1999 8/10/1999 14:22:55
REG 4501 CASHIER JMG JMR DRAWER 1
DEPT 5 528 ZONING VERIFICATION
Receipt # 113063
CR NO. 069834

Receipt Tot. 50.00
50.00 CR
Baltimore County, Maryland

CASHIER'S VALIDATION

00.0600.A

00-000-00

CERTIFICATE OF POSTING

RE: CASE 00-~~00~~-XA
PETITIONER/DEVELOPER:
(Linda Eisenbrandt)
DATE OF Closing
(Sept. 6, 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:

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
7612 L'Hirondelle Club Rd. Baltimore, Maryland 21204_____

The sign(s) were posted on _____ 8-21-99 _____
(Month, Day, Year)

Sincerely,

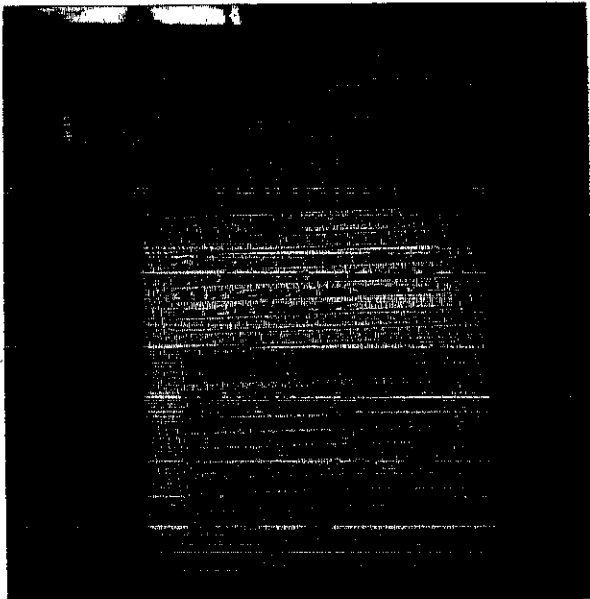

(Signature of Sign Poster & Date)

_____ Thomas P. Ogle, Sr. _____

_____ 325 Nicholson Road _____

_____ Baltimore, Maryland 21221 _____

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



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 60 -A Address 7612 L'Hirondelle^{club} Rd.

Contact Person: Bruno Redaitis Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 8/10/99 Posting Date: 8/22/99 Closing Date: 9/6/99

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

- 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.
- 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.
- 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.
- 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 00- 60 -A Address 7612 L'Hirondelle Club Rd.

Petitioner's Name Freda Lind Eisenbrandt Telephone 410-296-3230

Posting Date: 8/23/99 Closing Date: 9/6/99

Wording for Sign: To Permit a side yard setback of 9 1/2 ft. in lieu of the required 15 ft. and a combination of 36 1/2 ft. for both side yard setbacks in lieu of the required 40 ft.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighborhood 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: 00-60-A

Petitioner: Fred & Linda Eisenbraudt

Address or Location: 7612 L'Airondelle Club Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Fred & Linda Eisenbraudt

Address: 7612 L'Airondelle Club Road
Ruxton, MD 21204

Telephone Number: 410-296-3230

Revised 2/20/98 - SCJ

AV
9/16

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: September 7, 1999

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

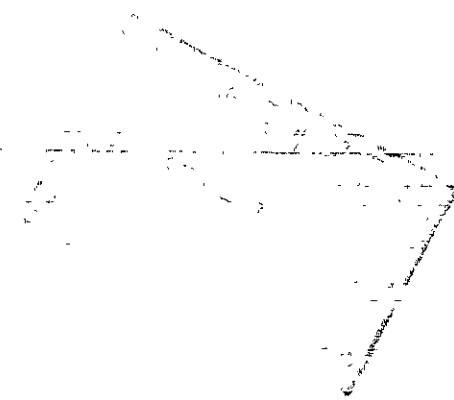
SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):
Item No(s): 060

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: Jeffrey W Long

AFK/JL





**Maryland Department of Transportation
State Highway Administration**

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

Date: 9.9.99

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

RE: Baltimore County
Item No. 060 TR

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,

10 Kenneth A. McDonald Jr.
Acting Chief
Engineering Access Permits Division

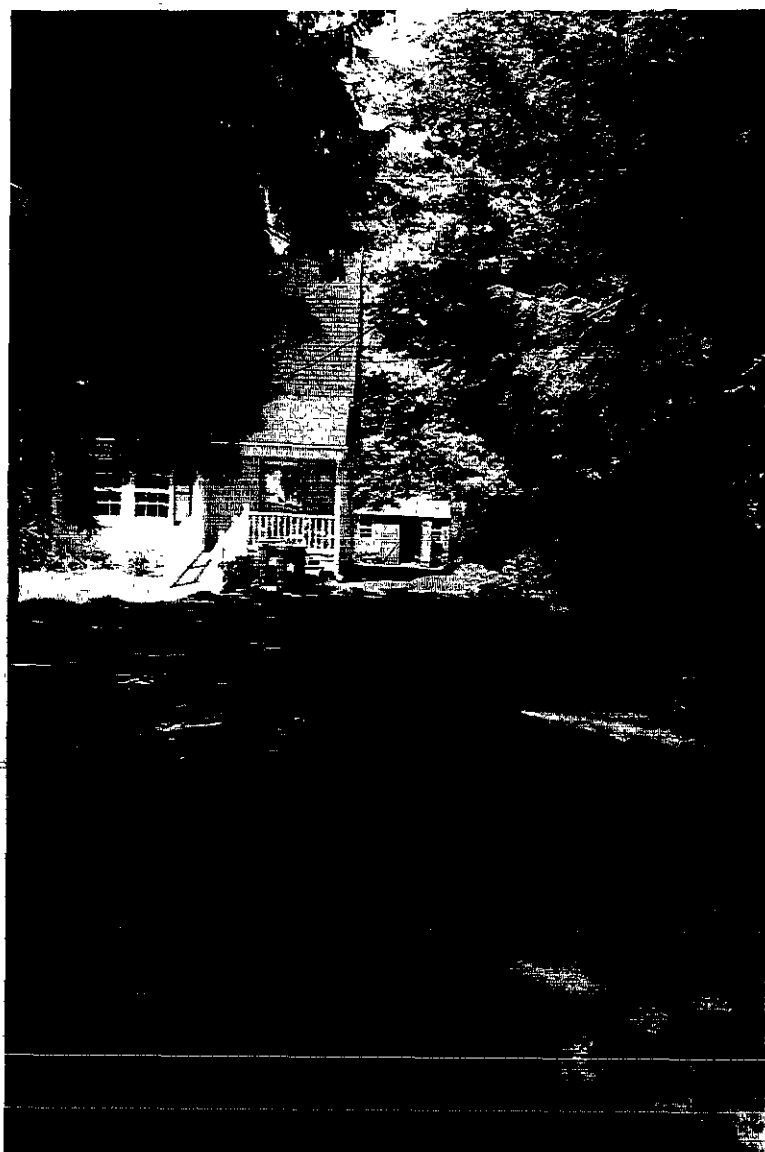
My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

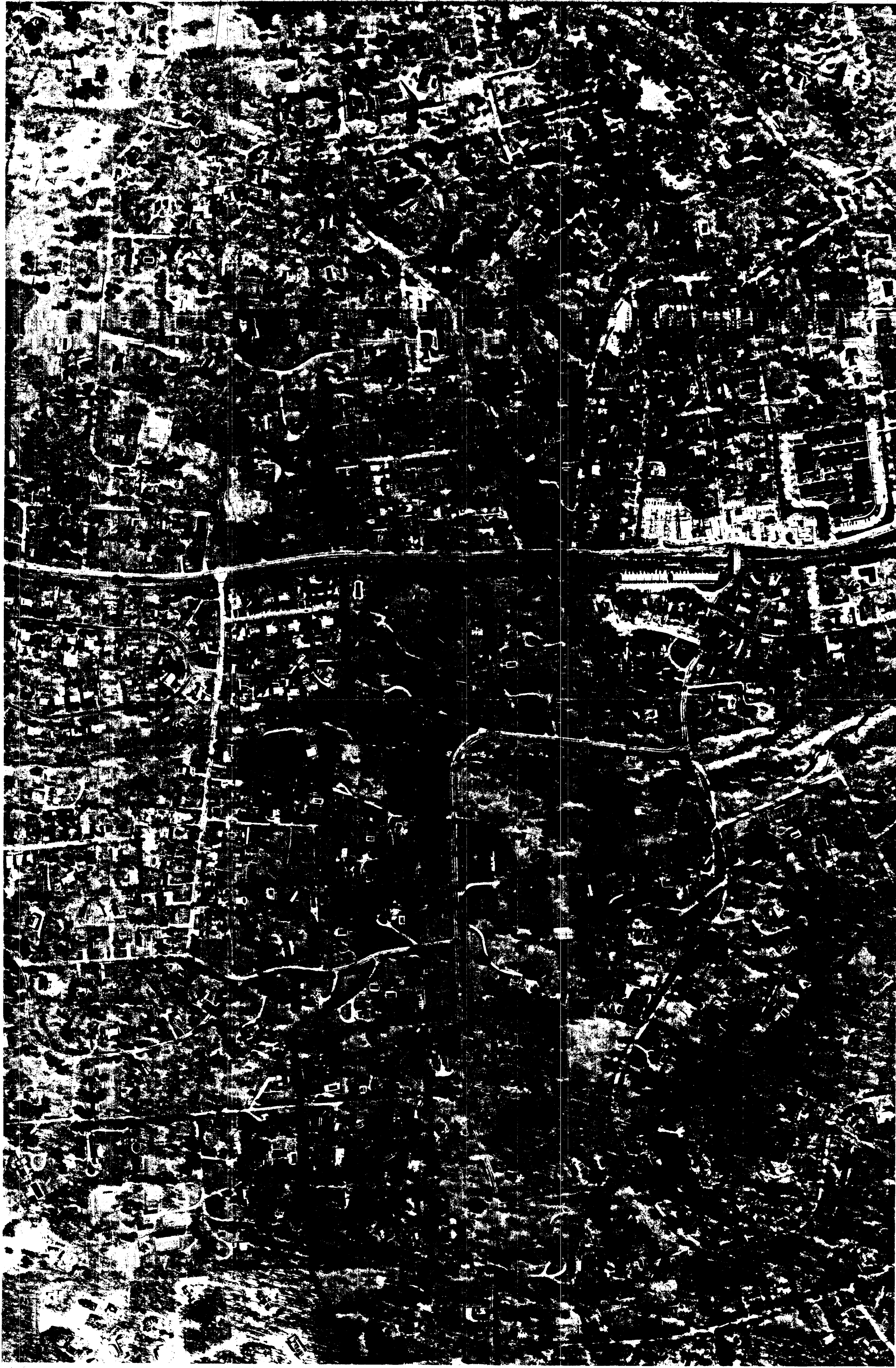
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



00-060-A



00-060-A



MICROFILMED

SCALE	LOCATION	SHEET
1" = 200' ±	RUXTON	N.W.
DATE OF PHOTOGRAPHY		10-B
JANUARY 1986		

BALTIMORE COUNTY 00-060-A
OFFICE OF PLANNING AND ZONING #60
PHOTOGRAPHIC MAP

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