

IN RE: PETITION FOR ADMIN. VARIANCE
E/S of 20 Country Club Drive
950' W of centerline of Greentree Drive
10th Election District
6th Councilmanic District
(20 Country Club Drive)

Bruce & Karen Mortimer
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 00-082-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Bruce & Karen Mortimer, property owners, for that property known as 20 Country Club Drive in the Phoenix area of Baltimore County. The Petitioners herein seek a variance from Section 1A03.4.B.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a property line setback of 46 ft. and a street centerline setback of 66 ft. in lieu of the required 50ft. and 100 ft. respectively, and to amend the last approved final development plan of overshot for Lot #33 for a proposed addition. 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 Administrative 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.

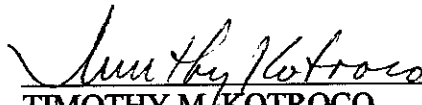
ORDER RECEIVED FOR FILING

Date 9/30/99
By R. J. [Signature]

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.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 30th day of September, 1999 that a variance from Section 1A03.4.B.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a property line setback of 46 ft. and a street centerline setback of 66 ft. in lieu of the required 50ft. and 100 ft. respectively, and to amend the last approved final development plan of overshoot for Lot #33 for a proposed addition, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 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.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 9/30/99
By R. J. Gannon



Baltimore County
Zoning Commissioner

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

September 30, 1999

Mr. & Mrs. Bruce Mortimer
20 Country Club Drive
Phoenix, Maryland 21131

Re: Petition for Administrative Variance
Case No. 00-082-A
Property: 20 Country Club Drive

Dear Mr. & Mrs. Mortimer:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted 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,

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

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Mr. Robert Goldman
Chesapeake Design Group
611 N. Eutaw Street, Suite 300
Baltimore, Maryland 21201

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 20 Country Club Drive
which is presently zoned RC-4

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) 1A03.4.B.4.(BC22) 1287 REGULATIONS
TO PERMIT A PROPERTY LINE SETBACK OF 46 FT. AND A STREET CENTER LINE
SETBACK OF 66 FT. IN LIEU OF THE REQUIRED 50 FT AND 100 FT. RESPECTIVELY, AND
TO AMEND THE LAST APPROVED FINAL DEVELOPMENT PLAN OF OVERSIGHT FOR
LOT # 33. FOR A PROPOSED ADDITION.

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

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Bruce Mortimer

Name - Type or Print

Signature

Karen Mortimer

Name - Type or Print

Signature

20 Country Club Drive H # 410-592-5889
Address Telephone No.

Baltimore

MD

21131

City

State

Zip Code

Representative to be Contacted:

Robert Goldman, Chesapeake Design Group
Name

611 N. Eutaw St. Suite 300 (410) 837-3622
Address Telephone No.

Baltimore,

MD

21201

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 9/30/99 day of September 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. 00-82 A

Reviewed By JE Date 8/25/99

Estimated Posting Date 9/5/99

REV-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 20 Country Club Drive
Address
Baltimore MD 21131
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):

The present house as configured has three bedrooms. Family circumstances have changed and there is a need for a fourth bedroom for an elderly parent. Although the lot is very large, the most logical location for the new bedroom and bathroom is to remodel the existing garage. It is the only location that provides the proper accessibility/privacy and space required. We then plan to replace the garage next to the existing garage. Unfortunately, we need to encoach 4' into our side yard setback 50'. The side yard in question abuts a driveway providing access to our neighbors home, which is located behind our property some 425 feet away and 50 feet below us. The other side of the driveway is Hillendale Country Club's golf course. We have asked our immediate neighbors if this would be a problem for any of them, and they all indicated that they would not oppose us.

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.

* Bruce Mortimer
Signature

Bruce Mortimer
Name - Type or Print

* Karen Mortimer
Signature

Karen Mortimer
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17th day of August, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

KAREN + BRUCE MORTIMER
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

8/17/99
Date

Stacey L. McKamey
Notary Public

My Commission Expires _____
Stacey McKamey, Notary Public
Baltimore County
State of Maryland

My Commission Expires Mar. 1, 2003

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.

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Address
Baltimore MD 21131
City State Zip Code

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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]
Signature

Bruce Mortimer
Name - Type or Print

* [Signature]
Signature

Karen Mortimer
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17 day of AUGUST, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

KAREN + BRUCE MORTIMER

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

8/17/99
Date

[Signature]
Notary Public

My Commission Expires

Stacey McKamey, Notary Public
Baltimore County
State of Maryland

My Commission Expires Mar. 1, 2003



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 20 Country Club Drive
which is presently zoned R.C. 4

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) 1A03, 4, B. 4. (BLZR) 1987 REGULATIONS
To PERMIT A PROPERTY LINE SETBACK OF 46 FT. AND A STREET CENTERLINE SETBACK OF 66 FT.
IN LIEU OF THE REQUIRED ~~100 FT~~ 50 FT. AND 100 FT. RESPECTIVELY, AND TO
AMEND THE LAST APPROVED FINAL DEVELOPMENT PLAN OF OVERSHOT FOR LOT #33,
FOR A PROPOSED ADDITION,

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

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Bruce Mortimer

Name - Type or Print

Signature

Karen Mortimer

Name - Type or Print

Signature

20 Country Club Drive H # (410) 592-5889
Address Telephone No.

Baltimore MD 21131
City State Zip Code

Representative to be Contacted:

Robert Goldman, Chesapeake Design Group
Name

611 N. Eutaw St. Suite 300 (410) 837-3622
Address Telephone No.

Baltimore, MD 21201
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 82 A

Reviewed By

JL

Date

8/25/99

Estimated Posting Date

9/5/99

REC 9/15/98

82

ZONING DESCRIPTION

Zoning description for 20 Country Club Drive.

Beginning at a point on the east side of 20 Country Club Drive which is 40 feet wide at the distance of 950 feet west of the centerline of the nearest improved intersecting street Greentree Drive which is 20 feet wide. Being lot #33, Block —, Section # — in the Subdivision of Overshot as recorded in Baltimore County Plat Book #56, Folio #72, Containing 4.89 acres. Also known as 20 Country Club Drive and located in the 10th Election District, 6th Councilmanic District.

00-082-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

#82 JL No. 069850

DATE 8/25/99

ACCOUNT R0016150

AMOUNT \$ 100.00

RECEIVED

FROM: CHESAPEAKE DESIGN GROUP

FOR: RYAN AMEND. FILING.

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

00-082-A

CASHIER'S VALIDATION

PAID RECEIPT

PRINTED ACTUAL

TIME

8/25/1999 8/25/1999

11:54:15

REG 00304 CASHIER JAKR JLK DRAWER 5

DEPT 5 528 ZONING VERIFICATION

Receipt # 090195

ORLN

CR NO. 069855

Receipt Tot

100.00

50.00 OK

50.00 CA

Baltimore County, Maryland



ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 00-82-SPH
ADMINISTRATIVE SPECIAL HEARING
TO PERMIT A PROPERTY LINE SETBACK
OF 46 FT AND A STREET CENTERLINE SETBACK
OF 66 FT IN LIEU OF THE REQUIRED 50 FT
AND 100 FT RESPECTIVELY AND TO AMEND THE
LAST APPROVED FINAL DEVELOPMENT PLAN OF
SUBJECT FOR LOT #33 FOR A PROPOSED ADDITION

PUBLIC HEARING ?

PURSUANT TO SECTION 20-227(M)(1), SHELBY COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
5:00 P.M. ON SEPTEMBER 20, 1999
ADDITIONAL INFORMATION IS AVAILABLE AT
THE ZONING OFFICE OR BY TELEPHONE
CALLING 615-252-3301

CERTIFICATE OF POSTING

RE: Case No.: 00-82-SPH

Petitioner/Developer: _____

BRUCE & KAREN MORTIMER

Date of Hearing/Closing: 9-20-99

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 perjury that the necessary sign(s) required by law were posted conspicuously on the property located at _____

#70 COUNTRY CLUB DRIVE

The sign(s) were posted on SEPT. 3, 1999
(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

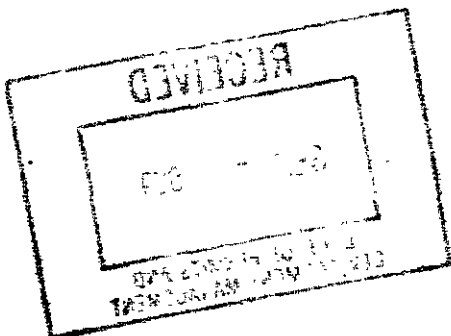
(Address)

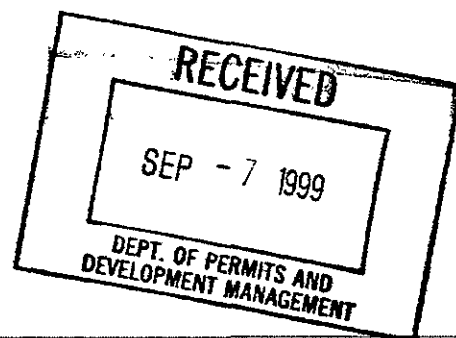
BALTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)





RECEIVED

SEP - 7 1999

DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

ADMINISTRATIVE SPECIAL HEARING INFORMATION SHEET AND DATES

Case Number 00- 82 -SPH

Address #20 Country Club Drive.

Contact Person: JOHN LEWIS
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 8/25/99

Posting Date: 9/5/99

Closing Date: 9/20/99

Any contact made with this office regarding the status of the administrative special hearing 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 SPECIAL HEARING SIGN FORMAT

Case Number 00- 82 -SPH Address #20 Country Club Drive.

Petitioner's Name BRUCE AND KAREN MORTIMER Telephone _____

Posting Date: 9/5/99 Closing Date: 9/20/99

Wording for Sign: Administrative Special Hearing to approve TO PERMIT A PROPERTY LINE
SETBACK OF 46 FT. AND A STREET CENTERLINE SETBACK OF 66 FEET. IN LIEU OF THE
REQUIRED 50 FT. AND 100 FT. RESPECTIVELY AND TO AMEND THE LAST APPROVED FINAL
DEVELOPMENT PLAN OF OVERSHOT FOR LOT #33 FOR A PROPOSED ADDITION.

**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/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: #82
Petitioner: MR + MRS MORTIMER
Address or Location: #20 COUNTRY CLUB DRIVE

PLEASE FORWARD ADVERTISING BILL TO:

Name: ROBERT GOLDMAN
Address: 611 N. FULTON STREET
BALTO. MD. 21201
Telephone Number: 410-837-3622

AV
9/20

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: September 3, 1999

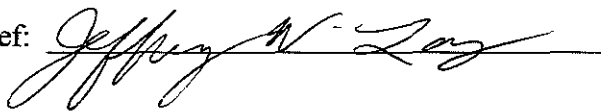
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

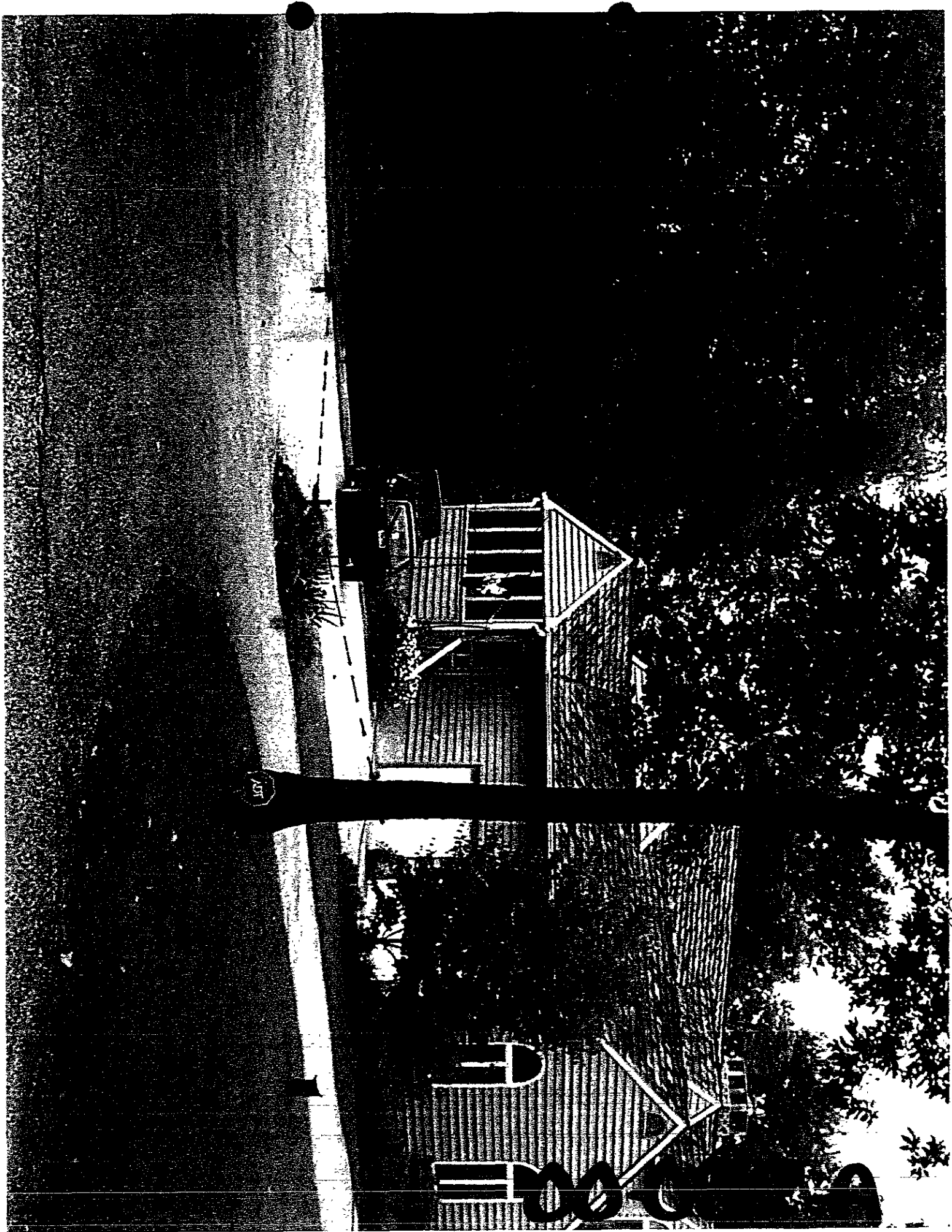
The Office of Planning has no comment on the following petition(s):
Item No(s): 082

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

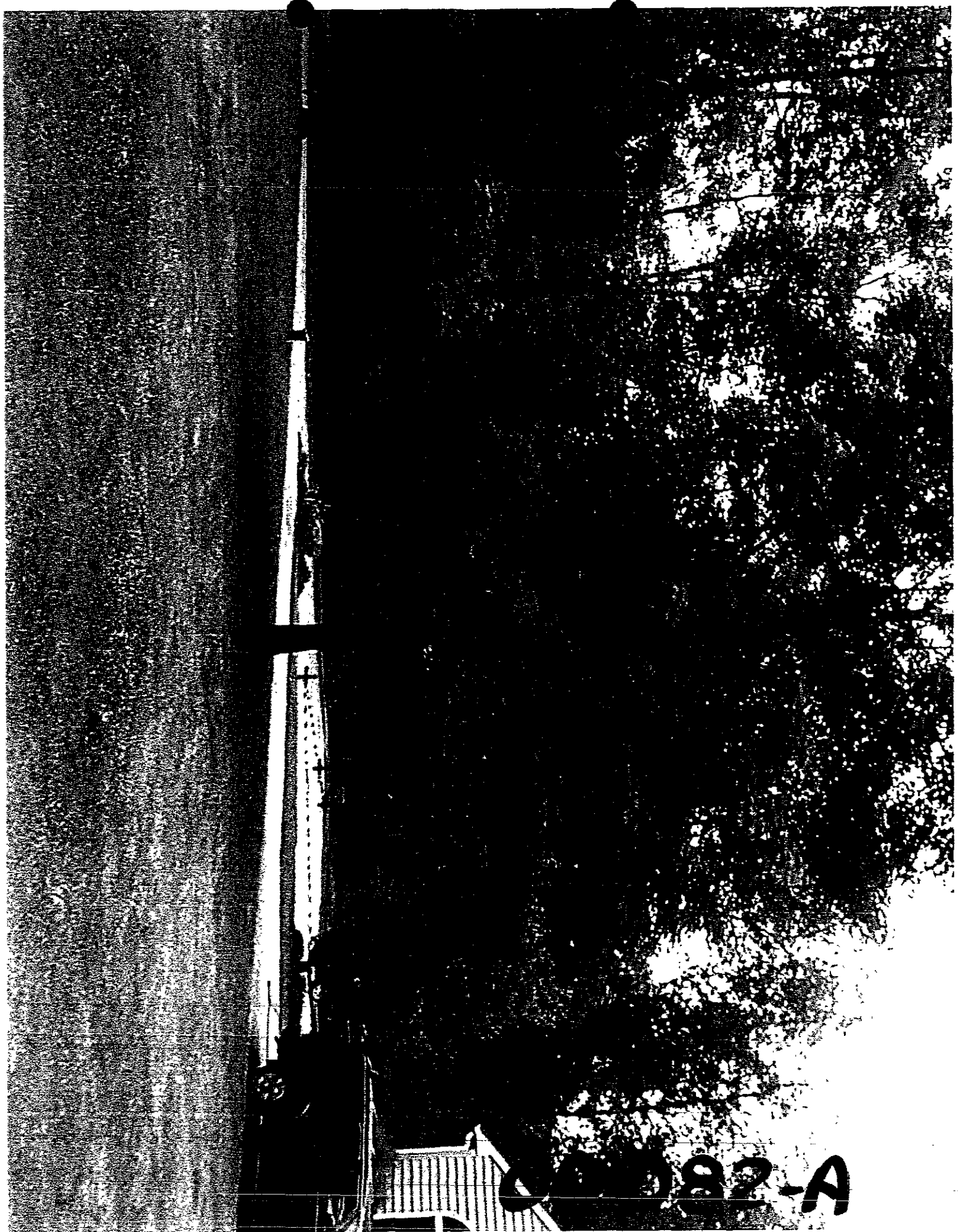


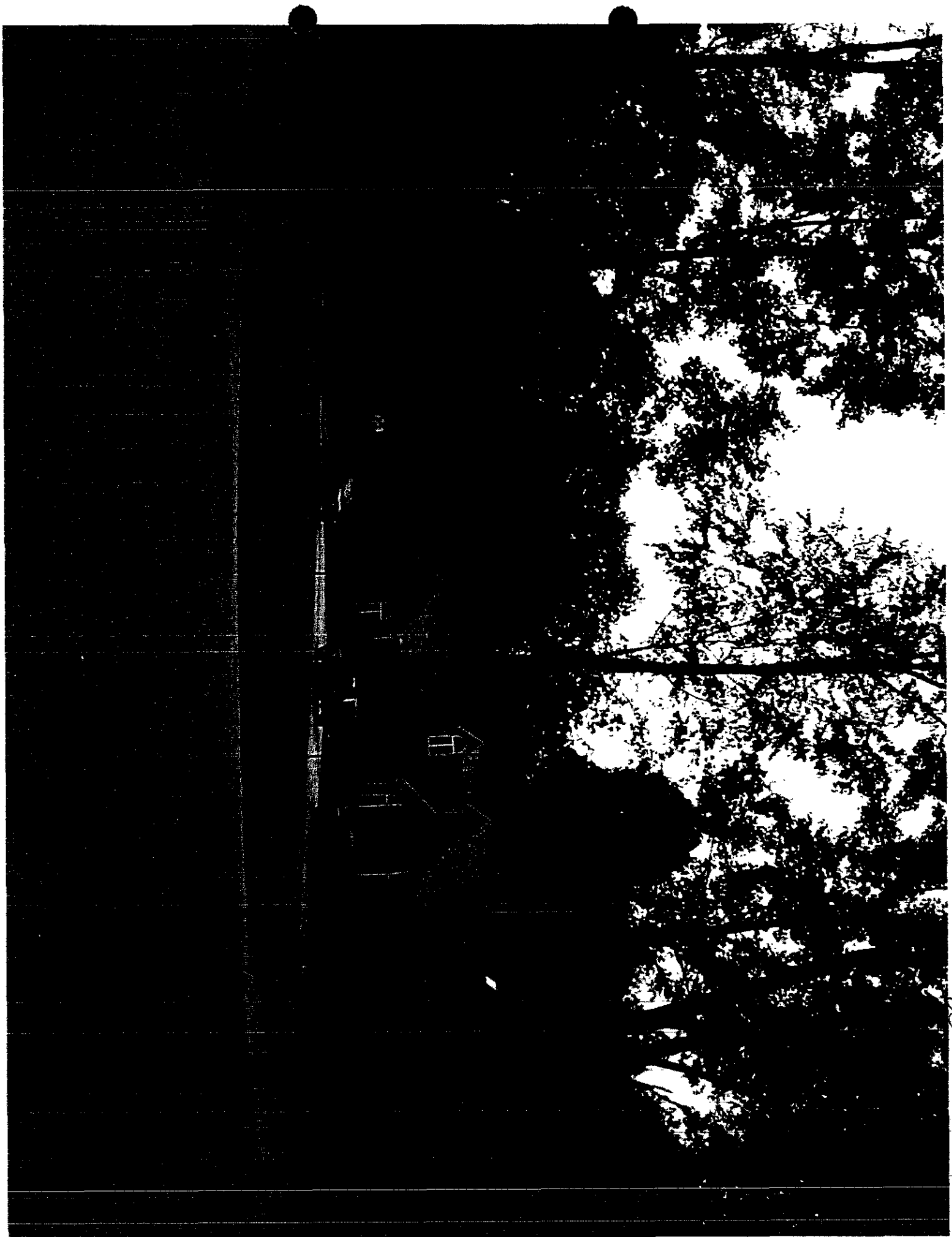
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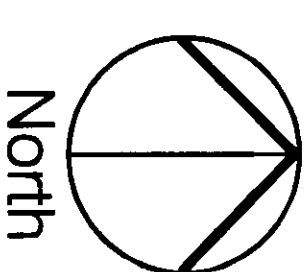
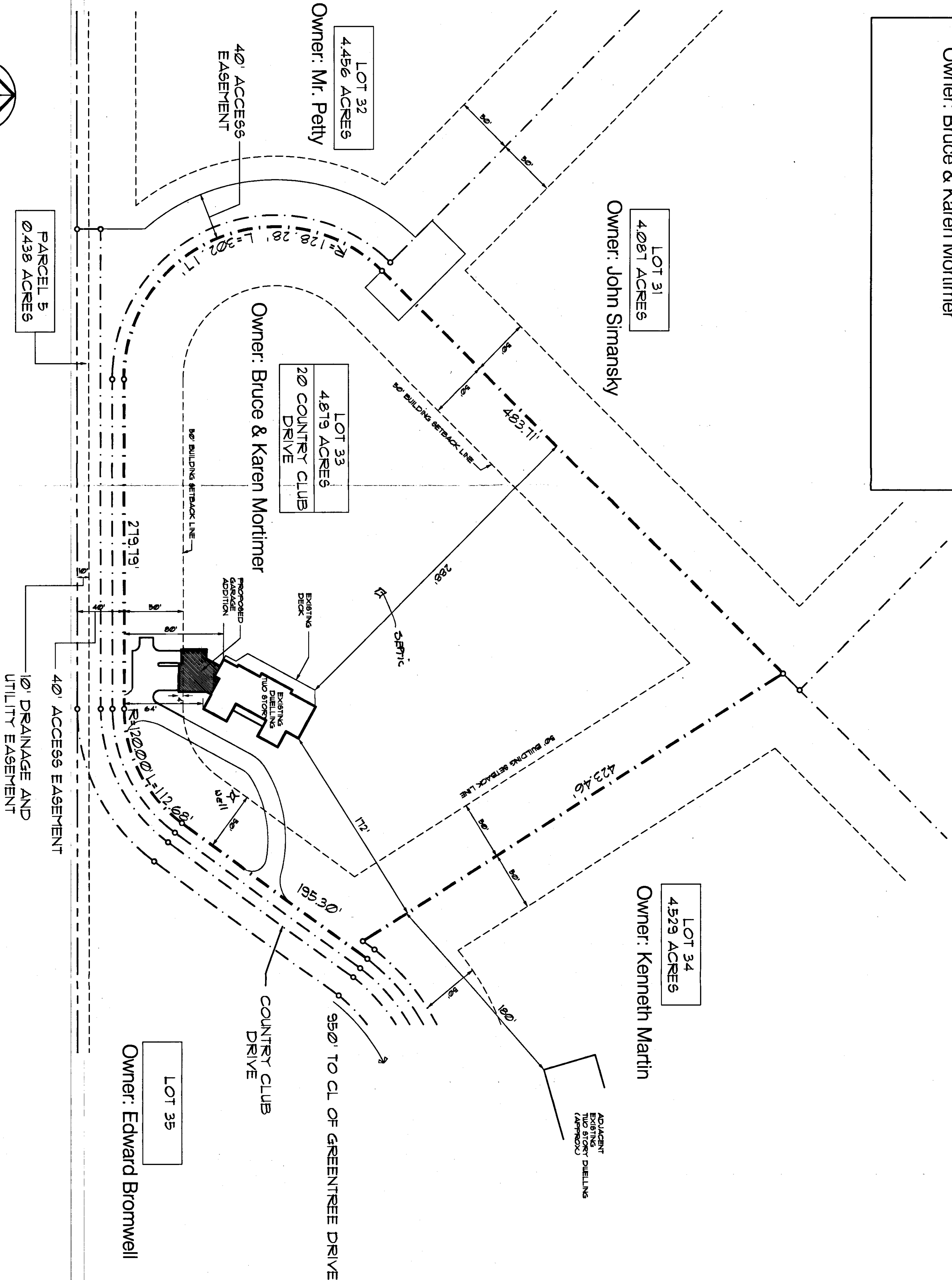
28





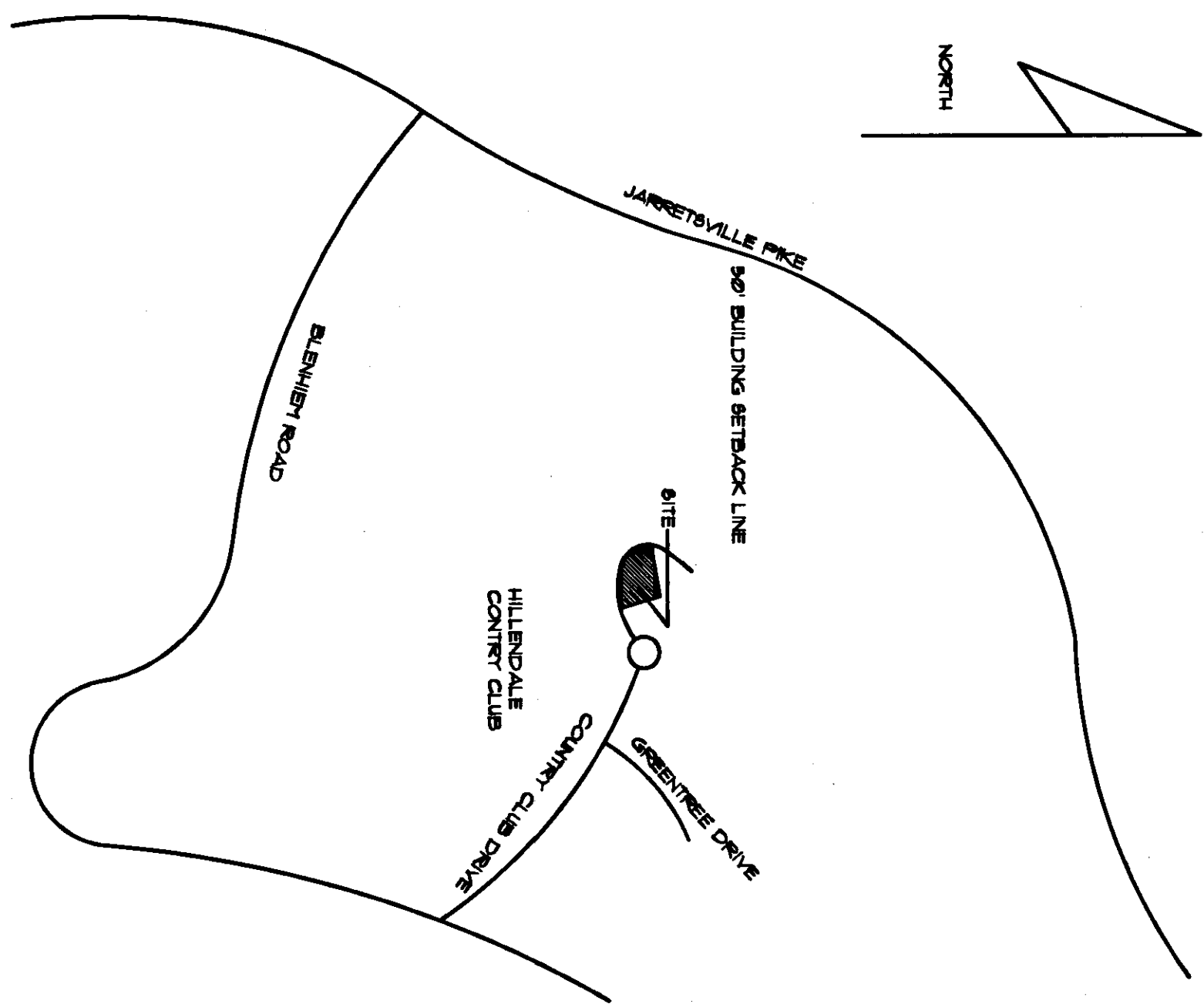
Plat To Accompany Petition for Zoning ☒ Variance ☐ Special Hearing

Property Address: 20 Country Club Drive
Subdivision name: OVERSHOT
Plat book 56 , folio 72 , section
Owner: Bruce & Karen Mortimer



Date: 8/24/99

Scale of Drawing: 1" = 50'



VICINITY MAP

LOCATION INFORMATION

Councilmanic District : 6
Election District: 10 th
1" = 50' scale map
Zoning: RC4
Lot Size: 4.879 acreage 211,560 square feet +/-

Sewer: PRIVATE
Water: PRIVATE

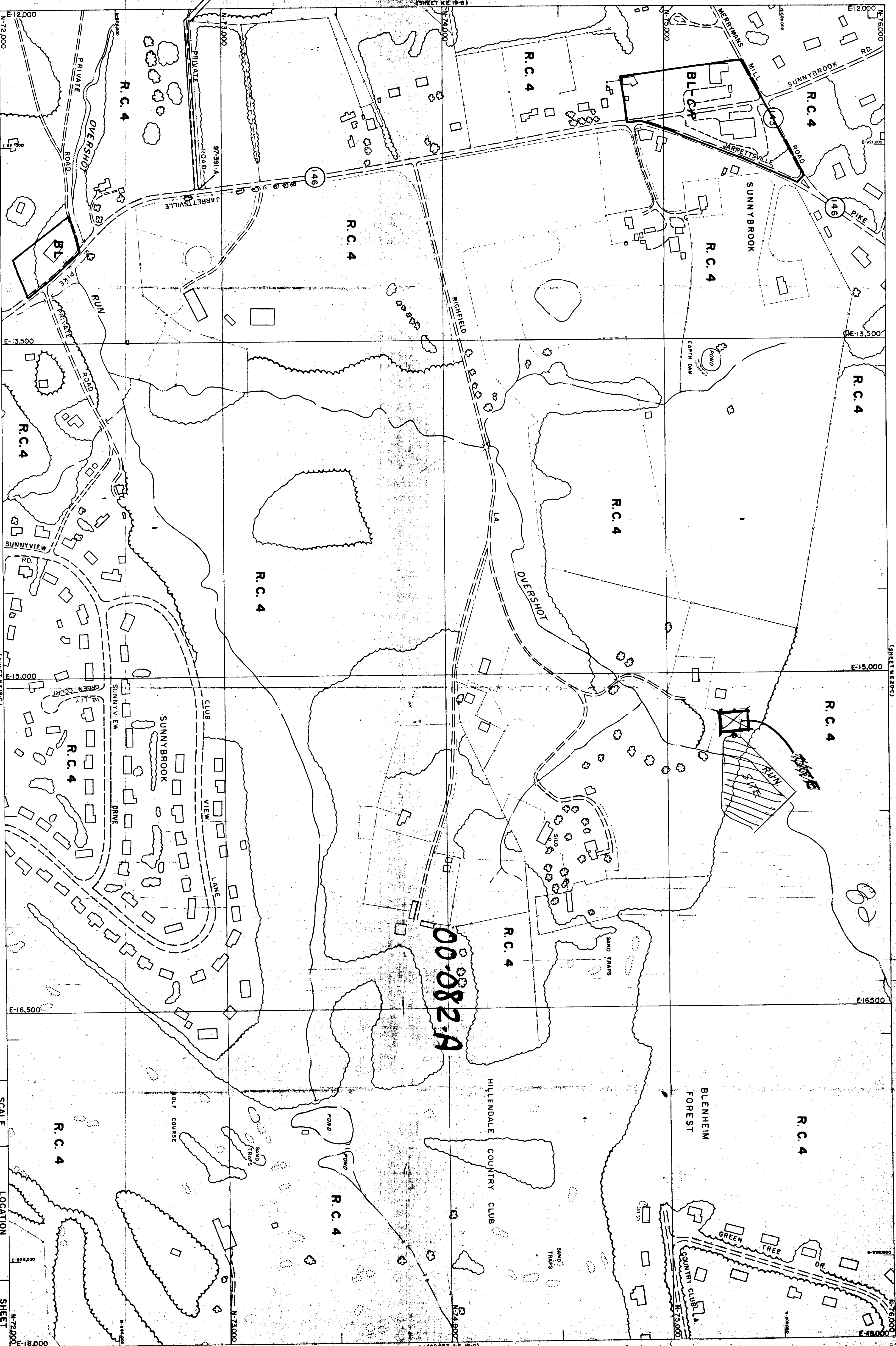
Chesapeake Bay Critical Area: NO
Prior Zoning Hearing: None

LOT IN 100 YR FLOOD ZONE

Zoning Office Use Only

REVIEWED BY: ITEM #: CASE #:

JK *82* **00-082-A**

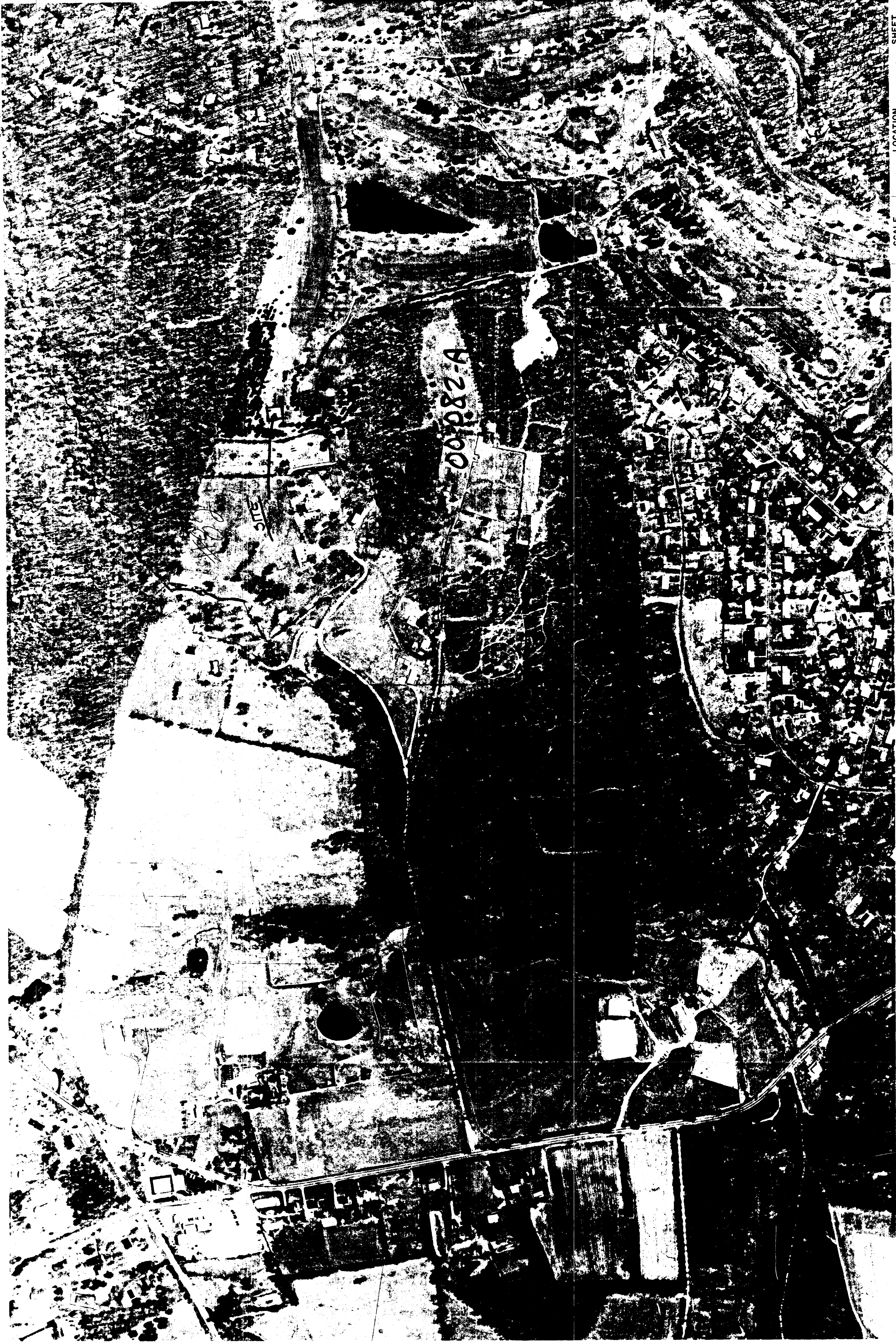


THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD 21210

1996 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1996
Bills Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96
Karin Kamenev

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE, 1" = 200' ±	LOCATION SUNNYBROOK	SHEET 19-C
DATE OF PHOTOGRAPHY JANUARY 1986		



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE		LOCATION	SHEET
1" = 200' ±		SUNNY BROOK	N.E.
DATE OF PHOTOGRAPHY JANUARY 1986			19-C