IN RE: PETITION FOR ADMIN. VARIANCE

E/S Garrison Forest Road at intersection of Chittenden Lane 3rd Election District 3rd Councilmanic District (301 Garrison Forest Road)

Jeffrey A. Schlesinger Petitioner * BEFORE THE

DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 00-152-A

* * * * * * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Jeffrey A. Schlesinger. The variance request is for property located at 301 Garrison Forest Road in the Owings Mills area of Baltimore County. The Petitioner herein seeks a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an attached garage (replacement) with a sideyard setback of 20 ft. 8 in. in lieu of the minimum required 50 ft. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioner 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 Petitioner has 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.

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 day of November, 1999 that a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an attached garage (replacement) with a sideyard setback of 20 ft. 8 in. in lieu of the minimum required 50 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.

TIMOTHY M. KOTROCC

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

November 15, 1999

Mr. Jeffrey A. Schlesinger 301 Garrison Forest Road Owings Mills, Maryland 21117

Re: Petition for Administrative Variance

Case No. 00-152-A

Property: 301 Garrison Forest Road

Dear Mr. Schlesinger:

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,

Multin Hotrow

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

MADYLAND						
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		which	ı is presently	zoned	RC 5	
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of the zoning regulations of Baltimore Count of this petition form.	y, to the zoning law o	f Baltimore	e County, for the	e reasons inc	dicated on the	back
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		perjury, tha	lemnly declare ar It I/we are the leg act of this Petition	al owner(s) of	er the penalties of the property wh	of nich
Contract Purchaser/Lessee:		<u>Legal Ov</u>	vner(s):			
Name - Type or Print Signature Address		Name - Type	or Print	Schles	inger	
City State	Zip Code	Signature			Gio.	-901-01
Attorney For Petitioner:	·	Address City	Garrison 3 Mills	Mos State	Road Telephon Sill 7	ie No.
[,2]		Represei	ntative to be	Contacted:	• •	
Signaturie Company		HENZ Name	A THUL A ASSOC	· ARCIT	(410)	<u>ic.</u>
dddss	Telephone No.	Address	WOODBOL	JENE 4	Teléphone	No.
State	Zip Code	BAUT!	MORE	A/ID State	2121 Zip C	ode
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CASE NO	Reviewe	d By	IR	Date	0-14-99	

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.

competent to testify thereto in the event that a pu	iblic fleating is sen	leduled iii u le i	uture with regard	i inereto.
That the Affiant(s) does/do presently reside at	301 GAR Address	RISON	FOREST	ROAD
	OWINGS City	MILLS	MD State	2-1117 Zip Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardship	ving are the facts of or practical difficu	upon which I/v ulty):	ve base the requ	est for an Administrative
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remain in the s	erre la ca	* -:. \	1 4 8	112 113
That the Affiant(s) acknowledge(s) that if a for			will be required	to pay a reposting and
advertising fee and may be required to provide a	dditional informatio	on.	·	
//6/06/6/6/				
Signature		ignature		
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NEWYORM Qua	U Lu.>			
STATE OF MARYEAND, COUNTY OF BALTIM	GRE, to wit:			
I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, per	Hober	19.99	_, before me, a N	Notary Public of the State
hew to kn			* ** ***	
the Affiant(s) herein, personally known or satisfallaw that the matters and facts hereinabove set fo	actorily identified to rth are true and co	o me as such orrect to the be	Affiant(s), and n st of his/her/their	nade oath in due form of knowledge and belief.
AS WITNESS my hand and Notarial Seal	· /			
@tober 8, 1999		Deal-	, (Ole	ale, -
Date	Notary Pu	ıblic	CADA	, FEUERSTEIN
	My Comn	nission Expires		ic. State of New York

Affidavit in Support of Administrative Variance

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That the Affiant(s) does/do presently reside at	BOI GARRISON FOREST ROAD
	DW, W65 MIHLS MD 21117 ity State Zin Code
	ng are the facts upon which I/we base the request for an Administrative
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amitim, we propose	to connect the stand
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the garage. (Three	of the wisting garage wallo w
remain in the same	· location)
That the Affiant(s) acknowledge(s) that if a form advertising fee and may be required to provide add	al demand is filed, Affiant(s) will be required to pay a reposting and ditional information. Signature
Name - Type or Print Y NEVY YORK QUEENS	Name - Type or Print
STATE OF MARE AND, COUNTY OF BALTIMO	RE, to wit:
I HEREBY CERTIFY, this gray day of Octor of Maryland, in and for the County aforesaid, person	
DILLOW JOHK	torily identified to me as such Affiant(s), and made oath in due form of
law that the matters and facts hereinabove set forth	h are true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal	
October 8,1999	Notary Public
	SARA J. FEUERSTEIN My Commission Expires
REV 09/15/98	No. 01FE5019860 Cuelified in Queens County



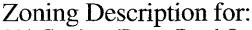
REU 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

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fe	or the property	located at 301	JARRISON	FUREST	ROA
		which is presen		RC 5	
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of the zoning regulations of Baltimore County of this petition form.	/, to the zoning la	w of Baltimore County, fo	or the reasons in	ndicated on the	back
Property is to be posted and advertised as pr 1, or we, agree to pay expenses of above Varianc regulations and restrictions of Baltimore County a	e advertising nos	ling etc and further agree	to and are to be b re County.	ounded by the z	oning
		I/We do solemnly decla perjury, that I/we are th is the subject of this Pe	e legal owner(s) o	er the penalties f the property wi	of nich
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Signature		Signature LLL	let	<i></i>	
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City State	Zip Code	Signature		На	ره٤-د:
Attorney For Petitioner:		301 Garisa Address	n Forest R	_	
Name - Type or Print		City City	State	du	
Signature	***************************************	Representative to	be Contacted PCNね, A	•	
Company		FRAUZA ASC			<u>-</u> :
Address Te	elephone No.	Address WOODBOU	RNC AVE	135-46 Telephone	77 No.
City State	Zip Code	City RE	MD State	2121 Zip C	
Solutions of Baltimore County and that the property be	Subject matter of this	equired, it is ordered by the petition be set for a public he	Zoning Commission aring, advertised, as	er of Baltimore Co required by the z	oning
A TOM COMMENT OF THE		Zonina Commiss	oner of Baltimore C	orroty -	J. 12 312
CASE NO. DO 15% A	, Revie	wed By		-14-97	

Estimated Posting Date __



301 Garrison Forest Road Owings Mills, MD 21117

Beginning at a point at the centerline of Garrison Forest Road at the intersection of the 30'-0" right-of-way known as Chittenden Lane, S 05*26'W 45.10'; S 00*49'E 100.00'; S 02*23'E 110.90'; S 76*39' E 332.39'; N 18*00'40" E, 321.54'; N 87*56' W 84.70'; N 86*02' W 340.70' to the place of beginning.

Saving and excepting, however, the area beginning at the end of the fourth line (S 76*39' E) N 76*39' E 156.40'; dividing the property along the line N 07*53'22" E 284.29'; intersecting the seventh line (N 86*02' W) at a distance of 128.20' from the west end of the line; N 87*56' W 84.70'; ; N 18*00'40" E, 321.54' to the place of beginning, containing +/-1.263 acres of land

Being recorded among land records of Baltimore County in Liber T.B.S.#1786, Folio #63, containing +/-1.212 acres of land, located on the northwest corner of the nearest intersection of Chittenden and Garrison Forest Road.

The improvements thereon being known as 301 Garrison Forest Road in the District 3C3.



CERTIFICATE OF POSTING

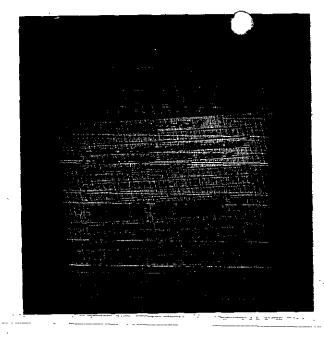
RE: CASE # 00-152-A
PETITIONER/DEVELOPER:
[Jeffrey A. Schlesinger]
DATE OF Closing
[Nov. 8, 1999]

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 301 Garrison Forest Road Baltimore, Maryland 21117__



Sincerely,
Dum Del Stok
(Signature of Sign Poster & Date)
0 1 1 1 1 1
Thomas P. Ogle, Sr.
325 Nicholson Road
Baltimore, Maryland 21221
(410}-687-8405
(Telephone Number)
f. arabitation (addition)

Case No. 87321 BALTIMORE COUNTY, MAPYLAND OFFICE OF BUDGET & FINANC. MISCELLANEOUS RECEIPT 14/1994 10/14/1999 11:46-01 HE WAS LABITED BOLL DO WHILE 10-14-99 ACCOUNT R-001-6150 DEPT 5 528 ZONING VERTIFICATION Keceuri # 112416AMOUNT \$ 1张**的**。初到8 Paul Ju 141-141 思 199.6元 4 1). Baltimon John D. Miryland FOR: Residential Variance filing fee # 301 Barrison Forest ZJ. DISTRIBUTION WHITE - CASHIER **CASHIER'S VALIDATION** PINK - AGENCY YELLOW - CUSTOMER

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.

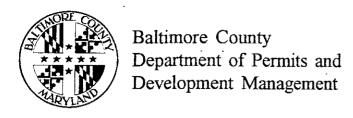
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 00-157- A
Petitioner: Jeffrey Schlesinger
Address or Location: 301 Garnison Forest Rd., Balto, M., 21117
PLEASE FORWARD ADVERTISING BILL TO:
Name: Penza Associates Architers, Inc.
Address: 401 Woodbourne aver
Balto, Md., 21212
Telephone Number: (410) 435-16677

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 152 -A Address 301 Garrison Forest Rd.
Contact Person: John Sollivan Phone Number: 410-887-3391
Filing Date: 10-14-99 Posting Date: 10-24-99 Closing Date: 11-8-99
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
1. <u>POSTING/COST:</u> 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.
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 00- 152 -A Address 30/ Garnison Forest Rd. Petitioner's Name <u>Jeffrey A Schlesinger</u> Telephone 410 902-022
Petitioner's Name <u>Jeffrey A Schlesinger</u> Telephone 410 902-022
Posting Date: 10-24-99 Closing Date: 11-8-99
Wording for Sign: To Permit an attached garage (replacement) with a
Sideyard Schack of 20 H. Sin in lieu of the minimum
Posting Date: 10-24-99 Closing Date: 11-8-99 Wording for Sign: To Permit an attached garage (replacement) with a Side yard Sctback of 20 It. Sin in lieu of the minimum required so ft.



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

November 9, 1999

Ms. Laura Penza Penza Assoc. Architects, Inc. 401 Woodbourne Avenue Baltimore, MD 21212

Dear Ms. Penza:

RE: 00-152-A, 301 Garrison Forest Road

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

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, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr. Zoning Supervisor

Zoning Supervision

WCR:rsi

Enclosures











BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:	Arnold Jablon
FROM:	R. Bruce Seeley My
DATE:	November 5, 1999
SUBJECT:	Zoning Item #152 301 Garrison Forest Road
Zonin	g Advisory Committee Meeting of October 25, 1999
	Department of Environmental Protection and Resource Management has no tents on the above-referenced zoning item.
an ext	Department of Environmental Protection and Resource Management requests tension for the review of the above-referenced zoning item to determine the to which environmental regulations apply to the site.
	Department of Environmental Protection and Resource Management offers llowing comments on the above-referenced zoning item:
X	Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
	Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
	Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

BALTIMORE COUNTY, MARYLAND 11/5/2

Date: November 2, 1999

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

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

Item No(s): 130, 135, 141, and 152

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



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

Date: 8.25.99

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

RE: Baltimore County

Item No. 152 115

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,

1. J. Dolla

1-

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division (TITE) 四 100

PRINZA ASSOC. ARCHITECTS, INC.

SOUTH ELEVATION - CONCEPT

TROPOSSO

ADDITION TO

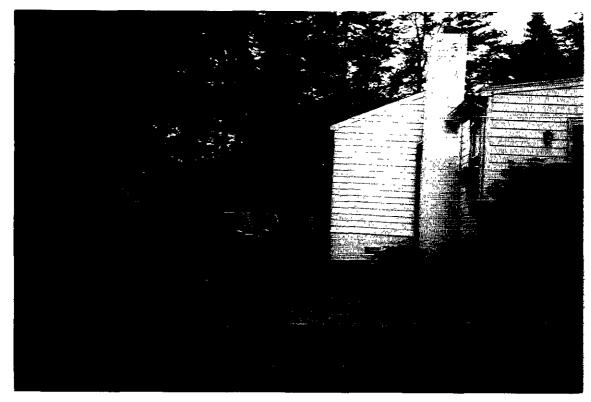
EXISTING. GARAGE

APPROX.

SOMESINGER RESIDENCE









ADDITION AND ALTERATIONS FOR THE

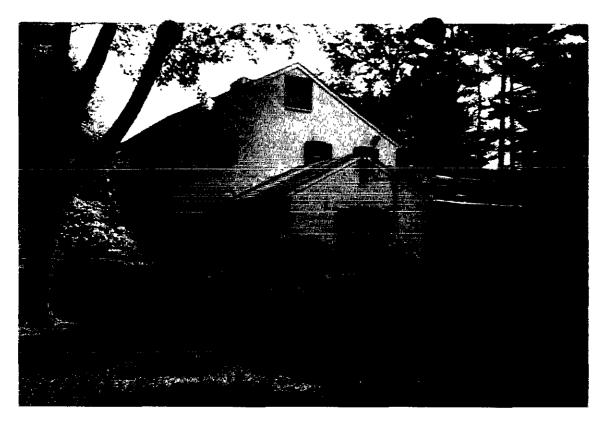
SCHLESINGER RESIDENCE

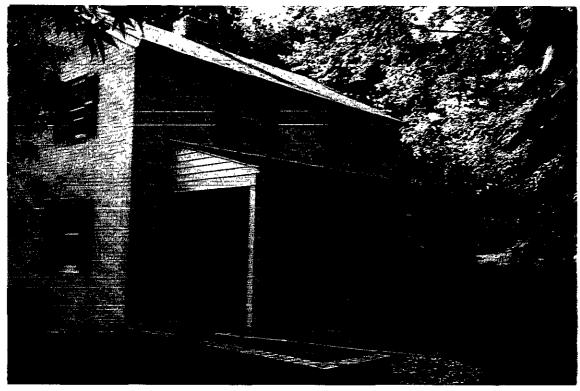
301 GARISON FOREST ROAD OWINGS MILLS, MARYLAND 21117



PENZA ASSOCIATES ARCHITECTS, INC.

401 WOODBOURNE AVENUE
BALTIMORE, MARYLAND 21212
(410) 435-6677 FAX (410) 435-688
URL: www.penza.com E-Mail: penza@erols.com







ADDITION AND ALTERATIONS FOR THE

SCHLESINGER RESIDENCE

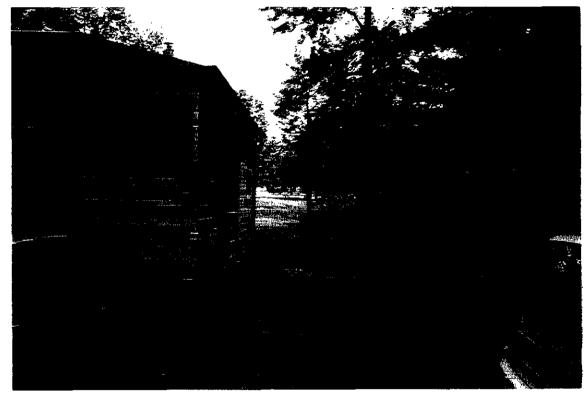
301 GARISON FOREST ROAD OWINGS MILLS, MARYLAND 21117



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BALTIMORE, MARYLAND 21212
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ADDITION AND ALTERATIONS FOR THE

SCHLESINGER RESIDENCE

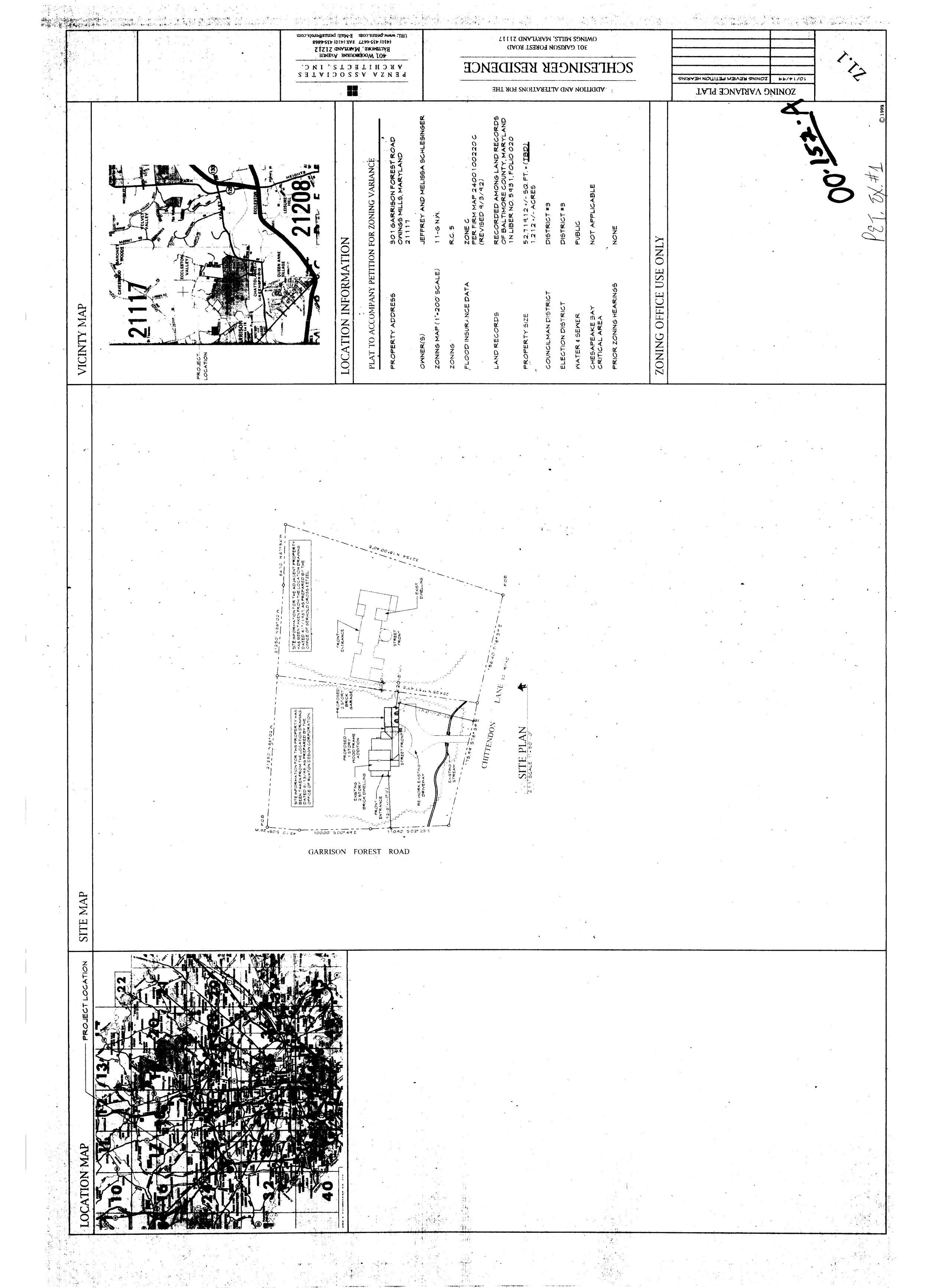
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URL: www.penza.com E-Mail: penza@erols.com





SITE DAD PLAN FOR THE DATE: 26 JAN 1995 BREAKHAST AREA WINDOW **, m** GARRISON FOREST ZOAD