IN RE: PETITION FOR ADMIN. VARIANCE
N/S Church Road, 500' W of
Centerline of Graves Run Road
5th Election District
3rd Councilmanic District
(4510 Church Road)

Jan & Constance Brueckmann Petitioners

- * BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- OF BALTIMORE COUNTY
- * CASE NO. 00-192-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 owners of the subject property, Jan & Constance Brueckmann. The variance request is for property located at 4510 Church Road, located in the Hampstead area of Baltimore County. The Petitioners herein seek a variance from Sections 400.1 and 101 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an accessory building (for residential storage and vehicle parking) to be located in front in lieu of rear yard and to exceed the limits of an accessory structure in size, i.e. to be larger in footprint than the dwelling. 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 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

CHORN AND THE FOUND WINNESS 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 December, 1999 that a variance from Sections 400.1 and 101 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an accessory building (for residential storage and vehicle parking) to be located in front in lieu of rear yard and to exceed the limits of an accessory structure in size, i.e. to be larger in footprint than the dwelling, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions 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.
- 2) The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments.
- 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.

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY



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

Fax: 410-887-3468

December 6, 1999

Mr. & Mrs. Jan Brueckmann 4510 Church Road Hampstead, Maryland 21074

Re: Petition for Administrative Variance

Case No. 00-192-A

Property: 4510 Church Road

Dear Mr. & Mrs. Brueckmann:

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,

Timothy M. Kotroco

Deputy Zoning Commissioner

lunthy llotroco

TMK:raj Enclosure





Petrion for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	4510	church	rd.	
which is presently zoned				

I/We do solemnly declare and affirm, under the penalties of

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) 400-1 and 101 BCZR

TO ALLOW AN ACCESSORY BUILDING (FOR ITESIDENTIAL STORAGE AND VENICLE PARKING)

TO BE LOCATED IN FRONT IN LIEU OF REAR YARD AND TO EXCEED THE LIMITS OF AN ACCESSORY STRUCTURE IN SIZE LE. TO BE LARGER IN FOOT PRINT THAN THE PWELLING 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.

			perjury, that I/we are t is the subject of this P	the legal owner(s) of the legal owner(s)	e property which
Contract Purchase	r/Lessee:		Legal Owner(s):		
			- TANIC	BRUELKING	TWO .
Name - Type or Print			Name Type or Print	GRUECKIM Fruask <i>i</i> m	
Circulation				Walking	KUN
Signature			Signature (IA)(STAXXI	EX KO BRUGO	EMANN
Address		Telephone No.	Name Typeler/Pont	K. B/WCK	Mh Mn
City	State	Zip Code	Signature	14 11 10 11 11	111 723 JAZ
Attorney For Petition	oner:		HSO CHUM	CEN KERK 7	Telephone No.
	•		HAMPS 14St	n Mel.	21074
Name - Type or Print			City	State	Zip Code
Signature			Representative to	o be Contacted:	
Signature					
Company			Name		
7		Telephone No.	Address		Telephone No.
Address		reieprione No.	Addiess		relephone No.
City J	State	Zip Code	City	State	Zip Code
	een formally deman	ded and/or found to b	e required, it is ordered by the	e Zoning Commissioner	of Baltimore County,
this 1 day of day of	nty and that the prope	at the subject matter or ity be reposted.	this petition be set for a public	neaning, advertised, as re	quiled by the zoning
14					
			Zoning Commi	ssioner of Baltimore Cour	ity
CASE NO.	5 192	A Re	viewed By 1	Date 1(4	. 99
220 9115198		- Es	timated Posting Date	11/14/99	

fidavit 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.

4510 CHURCH ROAD

That the Affiant(s) does/do presently reside at	4510	CHORAM	RONI	
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Address	057EAD	md.	21074
	City		State	Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardsh	owing are the fair or practical of	acts upon which difficulty):	I/we base the re	quest for an Administrative
SEE ATTATCHE!	D			
That the Affiant(s) acknowledge(s) that if a fe	ormal demand	is filed, Affiant	(s) will be require	ed to pay a reposting and
advertising fee and may be required to provide	additional infor	mation. MnTan	ut. B/w	ek mann
Signatura C. Bruckensur	<u>) </u>	Signature Objects 747	WE K. BR	RUKKMANN
Namé - Type or Print		Name - Type o		
STATE OF MARYLAND, COUNTY OF BALTII	MORE, to wit:	100	10	N
of Maryland, in and for the County aforesaid, pe	" / "	ared tence K.	Brueckma	a Notary Public of the State
the Affiant(s) herein, personally known or satislaw that the matters and facts hereinabove set	sfactorily identi	fied to me as su	uch Affiant(s), and	made oath in due form of
AS WITNESS my hand and Notarial Seal $Q/\mathcal{U}/QQ$		Jano C	Barbar	
Date / /		ary Public Commission Exp	pires	001

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	4510 0	HURCH	ROAD	
X	Address City	TEAD	MAC. State	2/074 Zip Code
That based upon personal knowledge, the folio Variance at the above address (indicate hardsh	wing are the fac ip or practical di	cts upon whic fficulty):	h I/we base the	request for an Administrative
SEE ATTATCHBD				
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide	ormal demand i additional inform	s filed, Affian	nt(s) will be req	uired to pay a reposting and
Signature) Signature) Signature)	·/	Signature CBNS	TANCE I	C BRUCKMANN
Name - Type or Print		Name - Type	or Print 	
STATE OF MARYLAND, COUNTY OF BALTII	Hember	. 19	199, before m	e, a Notary Public of the State
of Maryland, in and for the County aloresaid, pe		france K .	Brueckm	ounn
the Affiant(s) herein, personally known or satis law that the matters and facts hereinabove set	forth are true an	d correct to th	ie best of his/he	r/their knowledge and belief.
AS WITNESS my hand and Notarial Seal	,	And C	Shuda	
Date	,	y Public ommission Ex	pires <u>II</u>	0/01

REU 09/15/98

3013



Petrion for Administrative Variance

to the Zoning Commissioner of Baltimore County

		O	toner of Datu	,
THE PARTY OF THE P	for the pr	operty located at	4510 Chur	ch Rd.
		which i	is presently zoned _	DC4
This Petition shall be filed wit owner(s) of the property situate made a part hereof, hereby petit				1-4-44-4-174-
TO ALLOW AN A	CCESSORY Bui	LDING (FOR RI	=SIATHITINI E-	2012
IENICLE PARKING)	TO BE LOCATED	IN FRANT IN	LITU DE BODE	VAD- AND
TO EXCEED THE LIN	PUTS OF AN	ACCESSORY ST	THETUE IN 2	MICD AND
TO BE LARGER IN				THE IE
of the zoning regulations of Balt of this petition form.	imore County, to the zo	oning law of Baltimore (County, for the reasons	s indicated on the bac
Property is to be posted and adv I, or we, agree to pay expenses of regulations and restrictions of Baltin	above Variance, advertis	ing, posting, etc. and furt	her agree to and are to b	e bounded by the zoning
		perjury, that I	mnly declare and affirm, the are the legal owner(store) of this Petition.	under the penalties of s) of the property which
Contract Purchaser/Lessee	Ľ	<u>Legal Owr</u>	ner(s): C. BUEUK	MAUN
Name - Type or Print		Name - Type o		laur
Signature		Signature		
Address	Telephone N	lo. Warne - Type o	Printy (1) MI	MA MA
City	State Zip Coo	de Signature	1000 K. P/1000	ac proportion
Attorney For Petitioner:		450	HURCH ROAL	
•		Address VIIIV	STEND VI	Telephone No
Name - Type or Print		City	St	ate Zip Code
Signature		Represent	ative to be Contact	<u>ted:</u>
Company		Name		
Address	Telephone No	Address Address		Telephone No.
City	State Zip Coo	de City	St	ate Zip Code
A Public Hearing having been formathis day of regulations of Baltimore County and the	that the subject ma	d to be required, it is orde tter of this petition be set for	red by the Zoning Commis a public hearing, advertise	sioner of Baltimore County d, as required by the zoning
		Zonir	ng Commissioner of Baltimo	re County
	•••	Zonii	ig Commissioner of Dallino	ic county

Estimated Posting Date

REU 9/15/98

192 OTTACHMENT FOR AFFIDAVIT

- 1) Existing structure has been in use for ± 100 years. Owner wishes to remove and replace; not change use.
- (2) Existing drive can be used if structure does not change location.
- (3) Moving new structure to rear of dwelling would encroach upon stream.

192

ZONING DESCRIPTION FOR 4510 CHURCH ROAD

Beginning at a point on the North side of Wertz Rd., which is 15 feet wide at the distance of 500 feet West of the centerline of the nearest improved intersecting street, Graves Run Road, which is 15 feet wide.

As recorded in Deed Liber 12054, Folio 180.

From the place of beginning at N . 81 43' 18" W. 306.63 feet,
N. 81 43' 48" W. 80.26 feet,
N. 07 32' 19" E. 600.0 feet,
N. 15 29' 46" E. 476.90 feet,
N. 25 54' 01" E. 469.40 feet,
S. 80 47' 19" E. 152.90 feet,
S. 06 46' 43" W. 1518.52 feet,

to the place of beginning. Containing 11.352 acres. Also known as 4510 Church Rd. and located in the 5th Election District, 3rd Councilmanic District.

DISTRIBUTION WHITE - CASHIER	DATE
PINK - AGENCY YELLOW - CUSTOMER	OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT DATE DATE EIVED M: SILL AMOUNT \$ EIVED OR: SILL AMOUNT \$
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER The state of the sta	18001615 8001615
Service state state state for the content of the co	900 2 무결물품
CASHIER'S VALIDATION	
ATION	TONE DOUBLESS OF SO, OO CA

CERTIFICATE OF POSTING

	RE: Case No.: 00-192-A
	Petitioner/Developer:
	Jan & Constance Brueckman
	Date of Hearing/Closing: 11/29/99
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 were posted conspicuously on the property Nampstead, MD 21074	ty located at 4510 Church Rd.
The sign(s) were posted on	ber 13, 1999 (Month, Day, Year)
	Sincerely, (Signature of Sign Poster and Date) Stacy Gardner Printed Name) SHANNON-BAUM SIGNS INC. O5 COMPETITIVE GOALS DR. ELDERSBURG, MD. 21784 (City, State, Zip Code) 410-781-4000
	(Telephone Number)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 192 -A Address 4510 CHURCH RD
Contact Person: Votal LEWIS Planner, Please Print Your Name Phone Number: 410-887-3391
Filing Date: 4 99 Posting Date: 11/14/99 Closing Date: 11/29/99
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. <u>DEADLINE</u> : 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 forma 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- 192 -A Address 4510 CHURCH RD
Petitioner's Name AN AND CONSTANCE BRUECKMANN Telephone 410239 2035
Posting Date: 11/14/99 Closing Date:
Wording for Sign: To Permit AN ACCESSORY BUILDING FOR RESIDENTIAL STURAGE AND
VEHILLE PARKING) TO BE IN FRONT IN LIEU OF REAR YARD AND TO BE LARGER
IN GIZE, IE: BUILDING FOOTPRINT THAN THE DWELLING.

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.

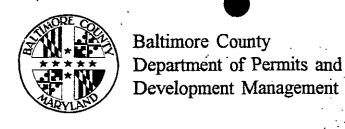
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted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

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

For News	paper Advertis	ing:	
Item Numb	er or Case Nun	nber: 192	
) BRUBCK MANN	
Address or	Location:	4510 Church Rd.	HAMPSTED MD. 2107
PLEASE F	ORWARD ADV	ERTISING BILL TO:	
Name:	JAN	BRUECKMANN	
Address:	4510	Church Rd.	
_	Hami	pstead MD. 21074 410-239-	
Telephone	Number:	410-239-	

Revised 2/20/98 - SCJ

00-192-A



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

December 1, 1999

Mr. Jan Brueckman 4510 Chruch Road Hampstead, Maryland 21074

Dear Mr. Brueckman:

RE: 00-192-A, 4510 Church Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on 11/4/99.

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.

Sincerely,

W. Carl Richards, Jr. **Zoning Supervisor**

Zonina Review

WCR:rsi

Enclosure



Printed with Sovbean lok

on Recycled Paper









BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: November 29, 1999

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting for November 22, 1999

Items No. 183, 185, 187, 188, 189, 190, 191, (192) 193, 194, 195, 196,

197 & 198

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

RWB:HJO:cab

cc: File

ZAC1122.NOC



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

November 23, 1969

RECEIVED JAN 0 6 2000

Department of Permits and Development Management (PDM) County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE DELOW

Location: DISTRIBUTION MEETING OF November 15, 1990

Item No.: See Below

Dear Ms. Stephens:

Pursuant to your request, the references property has seen surveyed by this Bureau and the comments of working applicable and required to be corrected or incorporated into the final plans for the property.

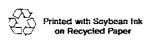
3. The Fire Marshal's Office has no recomments to the time, IN REFERENCE TO THE FOLLOWING INFO MANDERD:

183, 185, 186, 187, 189, 190, 191 (192) 180, 104, 105, 104, 197, 198

REVIEWER: WISUTEMANT HERB TAYLOR, Tile Marchal's Office

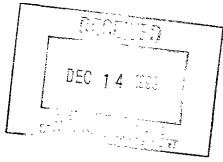
PHONE 987-4881, MS-1102F

co: File



BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:	Arnold Jablor	n	RECEIVED JAN 0 6	2000
FROM:	R. Bruce Seel	ley MS	,,	
DATE:	December 7,	1999		
SUBJECT:	Zoning Item	#192 4510 Church Road		
Zonin	g Advisory Co	mmittee Meeting of Novem	nber 15, 1999	
	-	nvironmental Protection ar	d Resource Management has no	
an ex	tension for the r		nd Resource Management requests ced zoning item to determine the to the site.	ı
	-	nvironmental Protection arents on the above-reference	nd Resource Management offers d zoning item:	
X	Protection of	1 1 0	ly with the Regulations for the etlands and Floodplains (Sections County Code).	
	_		oly with the Forest Conservation 422 of the Baltimore County	
	Critical Area		oly with the Chesapeake Bay 36 through 26-461, and other	



AV 11)A

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date: November 30, 1999

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): 187, 192, 195, 197, and 203

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



Som from Stand



