2/4/2000

IN RE: PETITION FOR ADMIN. VARIANCE

NE/S Timber Run Court, 800'

SW of Timber Grove Road

4th Election District

3rd Councilmanic District

(12 Timber Run Court)

Barry & Maria Fleischmann

Petitioners

\* BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

CASE NO. 00-291-A

\* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Barry & Maria Fleischmann, property owners, for that property known as 12 Timber Run Court in the Sagamore Forest II subdivision of Baltimore County. The Petitioners herein seek a variance from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a principal building with addition to have a setback of 18 ft. 6 in. in lieu of the required 50 ft. The subject property and requested relief are more particularly described on Petitioners' 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.

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 February, 2000, that a variance from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a principal building with addition to have a setback of 18 ft. 6 in. in lieu of the 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 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





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

16 February 15, 2000

Mr. & Mrs. Barry Fleischmann 12 Timber Run Court Reisterstown, Maryland 21136

Re: Petition for Administrative Variance

Case No. 00-291-A

Property: 12 Timber Run Court

Dear Mr. & Mrs. Fleischmann:

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 Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

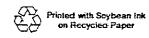
Very truly yours,
Lunthy llotroco

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure

c: Mr. Jay BrownLevin/Brown, Inc.15 Greenspring Valley RoadOwings Mills, Maryland 21117





## Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 12 TIMBER RUN, REISTERSTOWN, MD. 21136

which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management.  The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereby and made a part bereef, bereby petition for a Vision of the County and which is described in the description and plat attached	-
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HAVE A SETBACK OF 18 FEET GIHCHES IN LIEU	70
OF THE REQUIRED SO FEET GIHCHES IN LIEU	

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

The purpose of the addition is to add a Laundry and Mud Room on the First Floor of the existing residence to convert the existing Garage to a Family Room and to add a two car garage. The existing home does not have a Family Room or Mud Room and the Laundry is in the Basement. Homes in this neighborhood and of this value typically require those spaces. In addition, the slope of the property is severe in the rear restricting any Property is to be posted and advertised as prescribed by Zoning Regulations. addition to the rear. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

			vwe do solemnly declare and affirm, under the penalties of penjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee			Legal Owner(s):
			Manya Farcemann
(Type or Print Name)			(Type or Print Name)
		•	- Many Hendmann
Signature			Signature
N-12			Barry Heischmann
Address			(Type or Print Name)
			v Benflel
City	State	Zipcode	Signature
Attorney for Petitioner:			
Type or Print Name)		<u> </u>	12 TIMBER RUN (410) 526-3384
2			Address Phone No.
B			REISTERSTOWN MD 21136
Signature			City State Zipcode Name, Address and phone number of legal owner, contract purchaser or representative
<b>77</b>			to be contacted.
3			LEVIN /BROWN INC.
Addiess	Phone	No.	Name
di	State	Zipcode	15 GREENSPRING VALLEY RD. 2-10 581-0104
74	erense.	<del>aprice</del>	Address Phone No.
A Public Hausing	<u> </u>		
			ered by the Zoning Commissioner of Baltimore County, thisday of
ciculation throughout Baltim	nore County, and that the	property be reposted.	are some and account of the manage county, in two newspapers of general



REVIEWED BY: CTM DATE: 1/3/00
ESTIMATED POSTING DATE: 1/21/00

ITEM#: 201 00-291-A

Zoning Commissioner of Baltimore County

# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

I hat 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 12 TIMBER RUN CT
REISTERSTOWN MD 211360 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 purpose of the addition is to add a Laundry and Mud Room on the
First Floor of the existing residence to convert the existing Garage to a Family Room and to add a two car garage. The existing home does not have a Family Room or Mud Room and the Laundry is in the Basement. Homes in this neighborhood and of this value typically require those spaces. In addition, the slope of the property is severe in the rear restricting any addition to the rear.
That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.    Construction   Co
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:  I HEREBY CERTIFY, this 5 day of 2 day of 19 9 before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared
Barry FLEISCHMANN and Maria FLEISCHMANN
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form at 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.  Notary Public  My Commission Expires:  My Commission Expires:
U

## ZONING DESCRIPTION

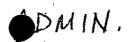
ZONING DESCRIPT	TION FOR: 12	limber Run	Ct., Keisters
W.		(a	ddress)
ZONING DESCRIPT  Beginning at a point on the	Northe	ast End	
	(north,	south east or wes	st)
side ofTimber Run Ct	<del>.</del> .		which is
	ch property fron	ts)	Winch is
	30 <b>'</b>		
(number of fee	et of right-of-wa	y width)	
wide at a distance of	800 ft.	*	
wide at a distance of			
	(number of feet	:)	
Southwest	(number of feet	,	proved intersecting
Southwest (north, south east or v	(number of feet	,	proved intersecting
(north, south east or v	(number of feet	,	proved intersecting
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(north, south east or vestreetTimber Grove Being Lot #5  Section #3	vest) Rd. (name of street)	of the nearest im	 
(north, south east or vestreetTimber Grove Street	vest) Rd. (name of street)	of the nearest im	in the subdivision of
(north, south east or vestreetTimber Grove Being Lot #5  Section #3	vest) Rd. (name of street)	of the nearest im	 
(north, south east or vestreetTimber Grove  Being Lot #5  Section #  Sagamore Forest #2	vest) Rd. (name of street)	of the nearest im	in the subdivision of

21136

GrirICE OF BUDGET & FINANCE DATE PECEIVED WHITE - CASHIER FOR: MISCELLANEOUS RECEIPT TIMORE COUNTY, MARYLAND とうこ PINK - AGENCY ACCOUNT\_ AMOUNT \$ YELLOW - CUSTOMER フスタスパワ ないでいっている 10.00 . O 077927 Receipt to TOSM SEN CONCINE IN CASHER'S VALIDATION 5 520 ZONING WEREFICATION Haltimore County, Haryland SO.00 OX 000 1/13/2000 15:30:36 048H1ER JRID JAR DIMMER 88 88

**\*** 

CHITIFICATE OF POSTING



RE: Case No.: 00-291-A

Petitioner/Developer: BROWN-COHEN

ETAL

Date of Hearing/Plosing: 2/7/00

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 #12 TIMBER RUN CT

The sign(s) were posted on

Month Day, Year)

Sincerely,

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

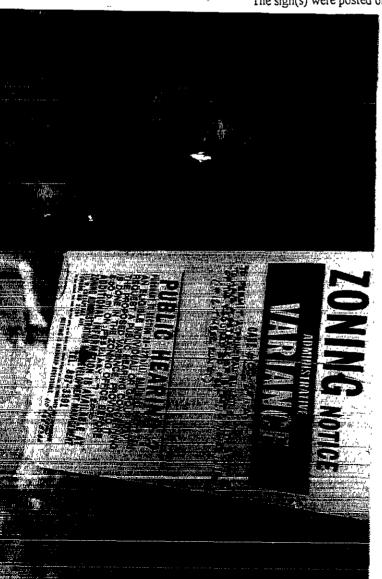
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571

(Telephone Number)



RECEIVED FEB 0 1 2000

## 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.

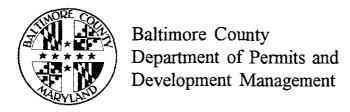
For News	spaper Advertising:	
Petitioner:	ber or Case Number: 00-291-A  MR & MRS BARRY FLEISCHMANN	
Address or	or Location: 12 TIMBER RUN CT. REISTERSTOWN, MD 2113	6
Name:	FORWARD ADVERTISING BILL TO:  LEVIN BROWN INC. ARCHITECTS	
Address:	15 GREENSPRING VALLEY ROAD	
- Telephone	BWINGS MILLS MD. 21117 Number: 410.581.0104	

## ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Ca	ase Number 00- 291 -A Address 12 TIMBER RUN CT
C	ontact Person: CIOYO T. MOXLEY Phone Number: 410-887-3391
F	iling Date: 1/13/00 Posting Date: 1/21/00 Closing Date: 2/7/00
	ny contact made with this office regarding the status of the administrative variance should be trough 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 ADMINISTRATIVE VARIANCE SIGN FORMAT
	Case Number 00-291 -A Address 12 TIMBER RUN CT.  Petitioner's Name BARRY FLEISCHMANN Telephone 410 526 3384
<b>,</b>	Posting Date: 1/21/00 Closing Date:
	Wording for Sign: To Permit A PIRINCIPAL BUILDING WITH
	ADDITION TO HAVE A SETBACY OF 18 FEET GINCHES
	IN LIEU OF THE REQUIRED SO FEET.
	NAOD Deviced 7/39/00

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POSTICIC, ITIFO



Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
February 4, 2000 pdmlandacq@co.ba.md.us

Ms. Maria Fleischmann 12 Timber Run Reisterstown MD 21136

Dear Ms. Fleischmann:

RE: Case Number 00-291-A, 12 Timber Run

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 13, 2000.

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 Zoning Review

WCR:ggs

**Enclosures** 



Tinted with Soybean Ink

on Recycled Paper









#### BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits and Development Management

DATE: February 3, 2000

RECEIVED FEB 0 8 2000

FROM:

Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

for January 31, 2000

Item Nos. 286, 288, 290, (291) 293,

294, and 295

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

RWB:HJO:jrb

cc: File



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

January 28, 2000

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

RECEIVED FEB 0 4 2000

ATTENTION: Gwen Stephens

Property Owner: MARIA FLEICHMANN AND BARRY FLEICHMANN - 291

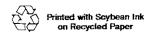
DISTRIBUTION MEETING OF JANUARY 24, 2000 Item No.: 291

### Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

- 1. Fire hydrants for the referenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 2.4.4 Fire Hydrants, as published by the Department of Public Works.
- 2. A second means of vehicle access is required for the site.
- 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.
- 11. IF THE BUILDING PERMITS FOR THIS DEVELOPMENT ARE ISSUED AFTER JUNE 30, 1998; THE DEVELOPER SHALL PROVIDE A RURAL WATER SUPPLY FOR FIRE FIGHTING PURPOSES, OR INSTALL SPRINKLER SYSTEMS COMPLYING WITH NFPA 13D IN ALL HOUSES. AS PER FIRE DEPARTMENT REQUIREMENTS, IN ACCORDANCE WITH BALTIMORE COUNTY FIRE PREVENTION CODE; SECTION F-517.12.

cc: File



## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

DATE: January 20, 2000

TO: Larry E. Schmidt

**Zoning Commissioner** 

FROM: James H. Thompson - GK

Code Enforcement Supervisor

SUBJECT: ITEM NO.: 291

PETITIONER: Maria Fleichmann and Barry Fleichmann

VIOLATION CASE NO.: 99-0490

LOCATION OF VIOLATION: NE/S Timber Run Ct., 800 feet S/W of Timber

Grove Rd. (12 Timber Run Court)

DEFENDANT(S): Maria Fleichmann and Barry Fleichmann

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

NAME ADDRESS

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

JHT/gk/lmh



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

Date: 1.24.00

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

RE: Baltimore County

Item No. 29/ L

RECEIVED JAN 2 7 2000

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,

P.J. Bredle

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division November 4, 199

Zoning Commissioner
Baltimore County Department of Zoning
Towson, Maryland

Re; 12 Timber Run, Reisterstown, MD 21136

00-291-A

Dear Commissioner.

We are the owners of a residence located at 14 Timber Run Court. This is the property immediately adjacent to property seeking the variance. We have met with our neighbors Mr. & Mrs. Barry Fleischmann and have reviewed their plans to add a laundry room and two car garage. We understand that they are seeking a reduction in the side yard setback from 50' to 18' in order to accomplish the plans as currently designed. This letter is to inform you that as the affected adjacent property owner we support the project and have no objections to your granting the side yard setback reduction.

Sincerely,

Mr. Tom Daniels

Mrs. Mimi Daniels

#201



100-29/-A

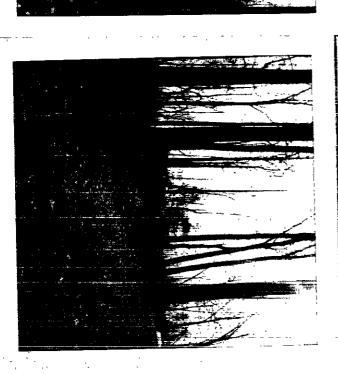


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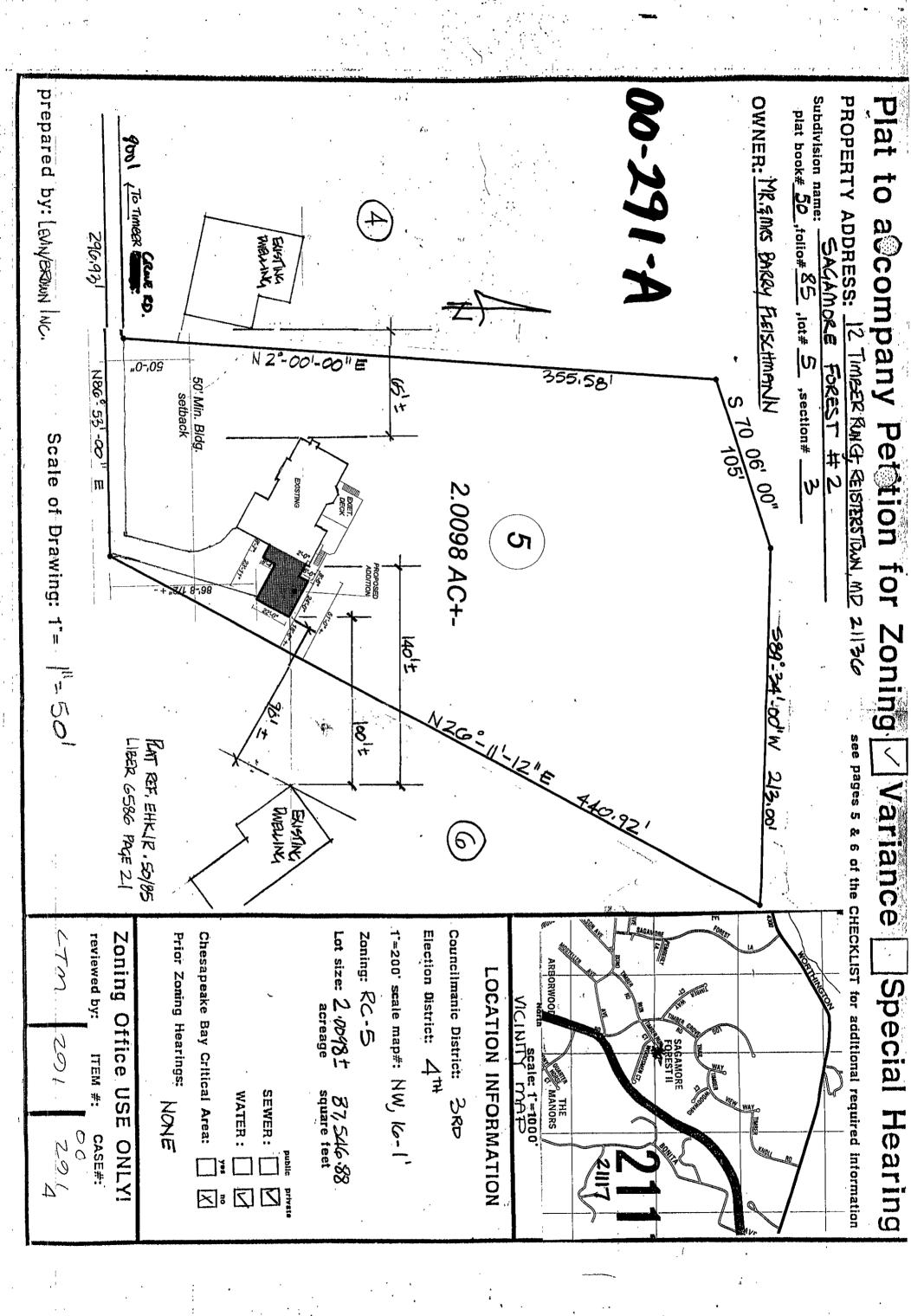


FRANT OF PODITIONS (BACKING)

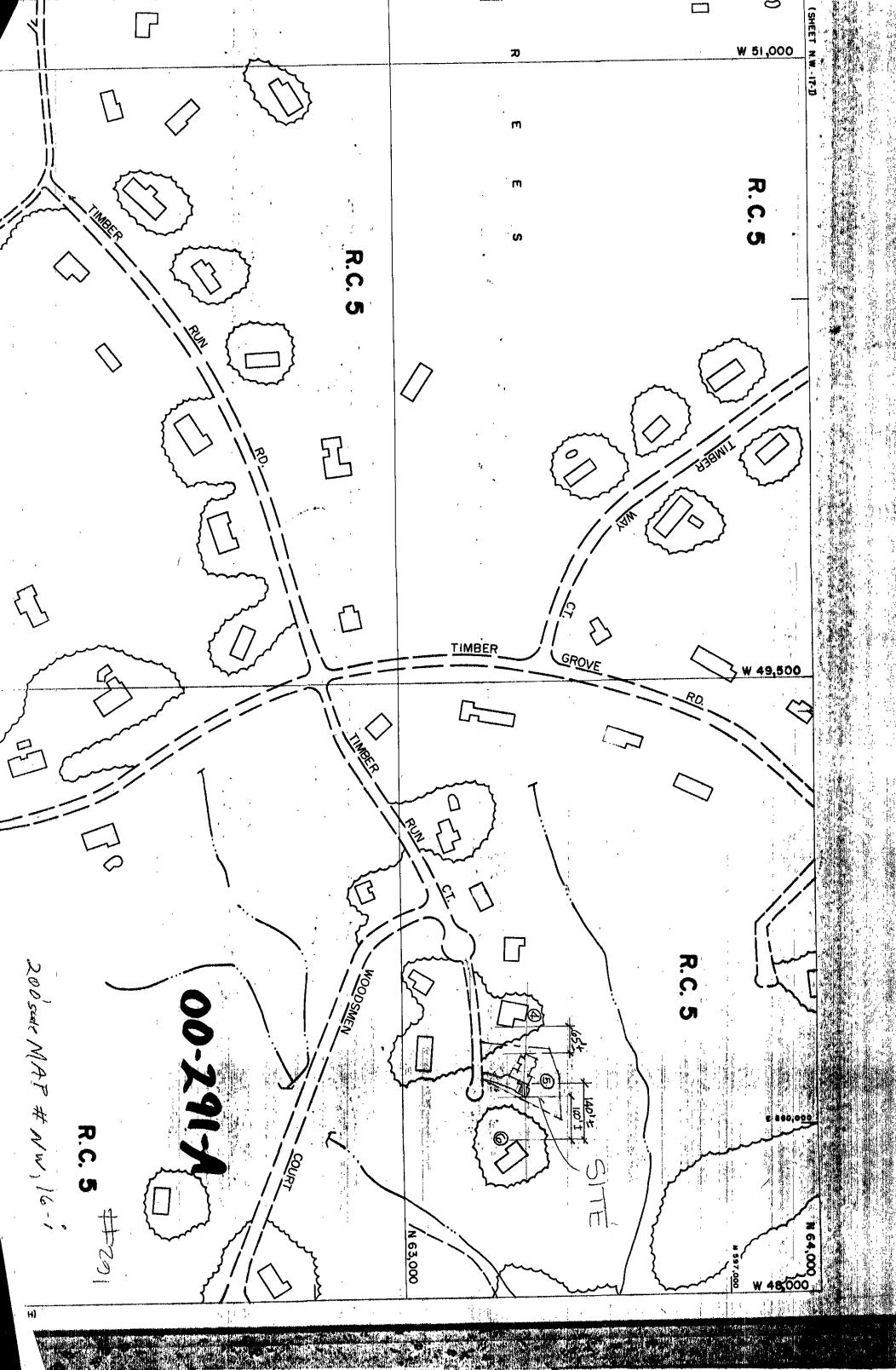


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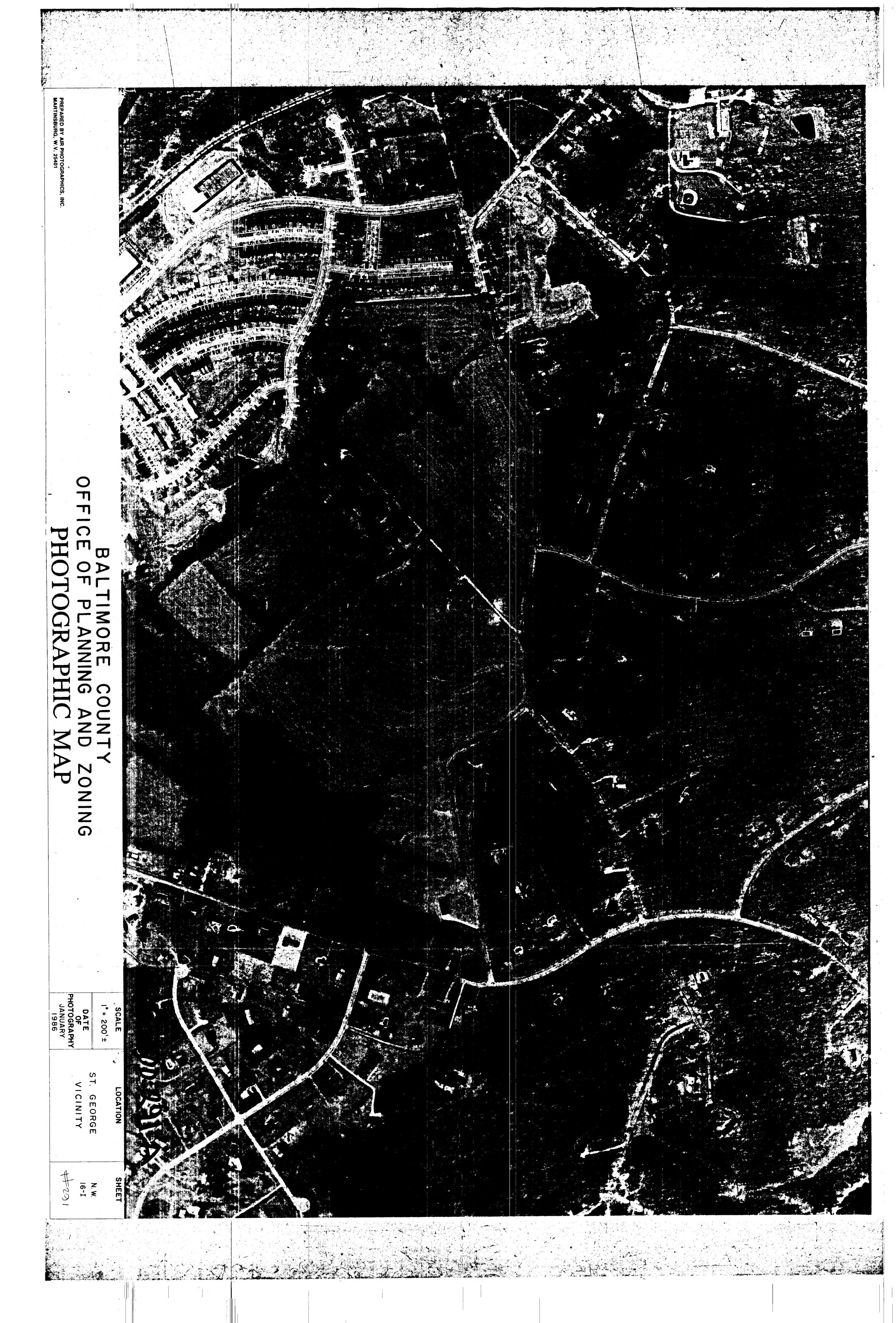
PARTING REAR OF PROJECTION



Det. Cu. #1



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## BALTIMORE COUNTY, MARYLAND

## 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): 291, 293, 299, 304, 306, 308, 310, and 312

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

Date: February 8, 2000