JADER RECEIVED FOR FILING

IN RE: PETITION FOR ADMIN. VARIANCE

E/S Carolstowne Road, 810' SE of

Bensmill Court

(113 Carolstowne Road)

4th Election District

3rd Councilmanic District

Daniel Pyle Petitioner

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 00-392-A

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owner of the subject property, Daniel Pyle. The Petitioner seeks relief from Sections 1B01.2.C.1.c and 301 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 15 feet in lieu of the required 22 ½ feet for an open deck, and an amendment to the last approved Final Development Plan for Reisterstown Village. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore

County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of April, 2000 that the Petition for Administrative Variance seeking relief from Sections 1B01.2.C.1.c and 301 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 15 feet in lieu of the required 22 ½ feet for an open deck, and an amendment to the last approved Final Development Plan for Reisterstown Village, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

11) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs



Baltimore County Zoning Commissioner

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

Fax: 410-887-3468

April 21, 2000

Mr. Daniel Pyle 113 Carolstowne Road Reisterstown, Maryland 21136

RE: PETITION FOR ADMINISTRATIVE VARIANCE

E/S Carolstowne Road, 810' SE of Bensmill Court

(113 Carolstowne Road)

4th Election District – 3rd Councilmanic District

Daniel Pyle - Petitioners Case No. 00-392-A

Dear Mr. Pyle:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bis

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People's Counsel; Case File





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

MARYLAND			117	0 11	/ ~/
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			which is pres	sently zoned _	DR /10,5
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			I/We do solemnly de perjury, that I/we are is the subject of this	e the legal owner(under the penalties of s) of the property which
Contract Purch	aser/Lessee:		Legal Owner(s)	<i>:</i>	
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Name - Type or Print			Name - Type or Print		
Signature			Signature		
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Attorney For Pe	State etitioner:	Zip Code	Signature 113 Carols	stowne re	74 410 526 059 Telephone No. 21136
			Address Reisterstown	MD	21/36
Name - Type or Print			City	Si	tate Zip Code
Signature			<u>Representative</u>	to be Contac	<u>ted:</u>
Company	-		Name	^	
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			Zoning Com	missioner of Baltimo	ore County
CASE NO.	30-392-A	Revi	ewed By MIU	Date _	3/25/00

Estimated Posting Date __

fidayt 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

124

That based upon personal knowledge, the following are the facts upon which have been request for an Administrative Variance at the above address (Indicate hardship or practical difficulty). Variance at the above address (Indicate hardship or practical difficulty). As the woods are an administrative Variance at the above address (Indicate hardship or practical difficulty). As the woods are an administrative variance of the seasons are seen to an administrative variance of the seasons are seen and seasons are seasons are seen as such affant(s), and made cath in due form and for the County aforesaid, personally appeared **Signature** **Notary Public to me as such Affant(s), and made cath in due form allow that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and		Reisterstown	MD	21136	
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TidaVIT 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

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REU 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

MARYLAND			•	- 11	. /
		for the propert	y located at//	3 Carolstowne 1	Rol ,
			which is p	resently zoned DR	3,5/10,5
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of the zoning regulations of E of this petition form. Property is to be posted and	Baltimore Co	as prescribed by the	zoning regulations.		
I, or we, agree to pay expenses regulations and restrictions of B	of above Val	riance, advertising, po	sting, etc. and further a	agree to and are to be bou	inded by the zoning
		,	I/We do solemnly	declare and affirm, under are the legal owner(s) of the	the penalties of ne property which
Contract Purchaser/Less	see:		Legal Owner(<u>s):</u>	
Daviel Ryle Name - Type or Print Linux///Le Signature			-	Prk	
173 Carolstowne Rd. Address	410	524 6549 Telephone No.	Name - Type or Prin	.4	
P. +	_m)_		Name - Type of Pfili	it.	
Reistorstown	State	21136 Zip Code	Signature		
Attorney For Petitioner:		" -	113 Caro Address Reisterst	Istocne Ref 410	526- 0549 Telephone No.
Name - Type or Print			City	State	Zip Code
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Company			Name		
Address	1 	Telephone No.	Address		Telephone No.
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CASE NO MAR 2	1 h - 14	.` Day	iowad By Mya	Nata 3/2	3/17

Estimated Posting Date ____

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00-392-A #392

BALTIMORE COUNTY, MARYLAN^F No. 079055 OFFICE OF BUDGET & FINANCE **MISCELLANEOUS RECEIPT** T. to: 3/12 RECEIVED FROM: _ -11-3 Cerolstown Rd. 00-342-A

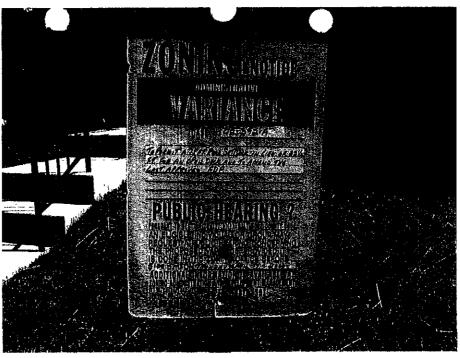
YELLOW - CUSTOMER

PINK - AGENCY

DISTRIBUTION WHITE, - CASHIER

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CASHIER'S VALIDATION



Posted at 113 Carolstowne Road

CERTIFICATE OF POSTING

RE: CASE # 00-392-A
PETITIONER/DEVELOPER
(Damlez Pyle)
DATE OF Closing
(4-17-00)

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 SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

113 Carolstowne Road Baltimore, Maryland 21136			
THE SIGN(S) WERE POSTED ON	3-31-00		
	(MONTH, DAY,YEAR)		
	SINCERELY,		
	(SIGNATURE OF SIGN POSTER & DATE)		
	THOMAS P. OGLE SR		
	325 NICHOLSON ROAD		
	BALTIMORE, MARYLAND 21221		
	410-687-8405		

(TELEPHONE NUMBER)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Ca-1-t Red
Case Number 00- 392 -A Address
Case Number 00- 392 - A Address 113 Carol stowne Rd Contact Person: White Kelliman Planner, Please Print Your Name Planner, Please Print Your Name
Filing Date: 3/25/06— Posting Date: 4/2/67 Closing Date: 4/17/07
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. 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.
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 00-392 -A Address 1/3 Ca-o/s-founc Red. Telephone 410-52(-0549)
Petitioner's Name <u>Valviet</u> y V
Posting Date: 4/2/17 Closing Date: 9/17/17
Wording for Sign: To Permit a 15 44 row set back to
The of 125 the an open real FDY.
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WCR - Revised 7/28/99

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

APPROVED SIGN POSTERS

Stacy Gardner Shannon-Baum Signs, Inc. 105 Competitive Goals Drive Eldersburg, MD 21784	Telephone: Toll Free: Fax:	410-781-4000 800-368-2295 410-781-4673
Richard Hoffman 904 Dellwood Drive Fallston, MD 21047	Telephone:	410-879-3122
Garland E. Moore 3225 Ryerson Circle Baltimore, MD 21227	Telephone: Mobile:	410-242-4263 410-382-4470
Tom Ogle 325 Nicholson Road Baltimore, MD 21221	Telephone: Mobile: Fax:	410-687-8405 410-262-8163 410-687-4381
Patrick M. O'Keefe, Sr. 523 Penny Lane Hunt Valley, MD 21030	Telephone: Cell: Fax:	410-666-5366 410-905-8571 410-628-2574 410-882-2469
Linda M. Jones Daft-McCune-Walker, Inc. 200 East Pennsylvania Avenue Towson, MD 21286	Telephone: Fax:	410-296-3333 410-296-4705
Staff Sergeant Robert A. Black 1508 Leslie Road Dundalk, MD 21222	Telephone: Cell: Pager: Work:	410-282-7940 410-499-7940 410-373-9662 410-288-3284

THE PETITIONER MUST USE ONE OF THE SIGN POSTERS ON THIS APPROVAL LIST. ANY REPOSTING MUST ALSO BE DONE BY ONE OF THESE APPROVED POSTERS. IF YOU WISH TO SELECT A POSTER NOT SHOWN ON THE LIST ABOVE, PRIOR APPROVAL BY THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW IS REQUIRED.

THIS DEPARTMENT IS NOT ASSOCIATED WITH ANY OF THE ABOVE POSTERS, NOR DO WE RECOMMEND ANY SPECIFIC ONE. WE DO SUGGEST THAT YOU CONTACT A NUMBER OF THEM TO COMPARE PRICES SINCE THEIR CHARGES MAY VARY.

WCR - Revised 11/17/99

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

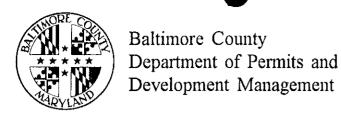
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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:
Petitioner: 1392 Petitioner: Dancel Pyle Address or Location: 113 Carols towne Rd
PLEASE FORWARD ADVERTISING BILL TO: Name: Daniel Pyle
Address: 113 Carolstowne Rd Reisterstown MD 2:1136
Telephone Number: 910 526 0549



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

April 17, 2000

Mr. Daniel Pyle 113 Carolstowne Road Reisterstown MD 21136

Dear Mr. Pyle:

RE: Case Number 00-392-A, 113 Carolstowne Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 23, 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, Sincerely,

W. Carl Richards, Jr.

Zoning Supervisor
Zoning Review

M. M. Carl Richards, Jr.

Zoning Review 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.

WCR:qqs

Enclosures

Census 2000



For You, For Baltimore County



Census 2000





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

April 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 BELOW

Location: DISTRIBUTION MEETING OF April 3, 2000

Item No.: See Below

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.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

381, 382, 384, 385, 387, 388, 389, 391, (392) 393, 394, 395, and 397

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley

DATE:

April 10, 2000

SUBJECT:

Zoning Petitions

Zoning Advisory Committee Meeting of April 4, 2000

DEPRM has no comments for the following zoning petitions:

Address
1954 Catanna Avenue
19621 Middletown Road
50 Westminster Pike
245 Ashland Road
9415 Horn Avenue
515 Picadilly Road
5504 Dunrovin Lane
3738 Butler Road
115 Carolstowne Road
113 Carolstowne Road
142 Carolstowne Road
140 Carolstowne Road
11930 Jericho Road
Glen Arbor North
Liberty Road

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: April 17, 2000

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 comments on the following petitions(s):

Item No(s): 382/391/392/393/394/409/426

If there should be any questions or this office can provide additional information, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Section Chief:

AFK/JL:MAC



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

Date: 4.3.00

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

RE:

Baltimore County

Item No.

392

MTK

Dear. Ms. Jackson:

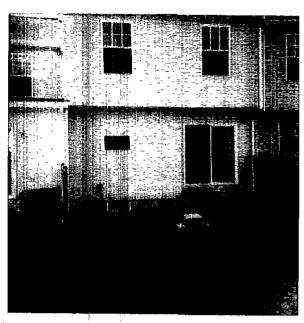
This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (Igredlein@sha.state.tnd.us).

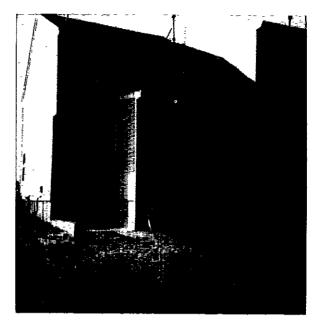
Very truly yours,

P. J. South

for Kenneth A. McDonald Jr., Chief Engineering Access Permits Division



113 Carols town (2)

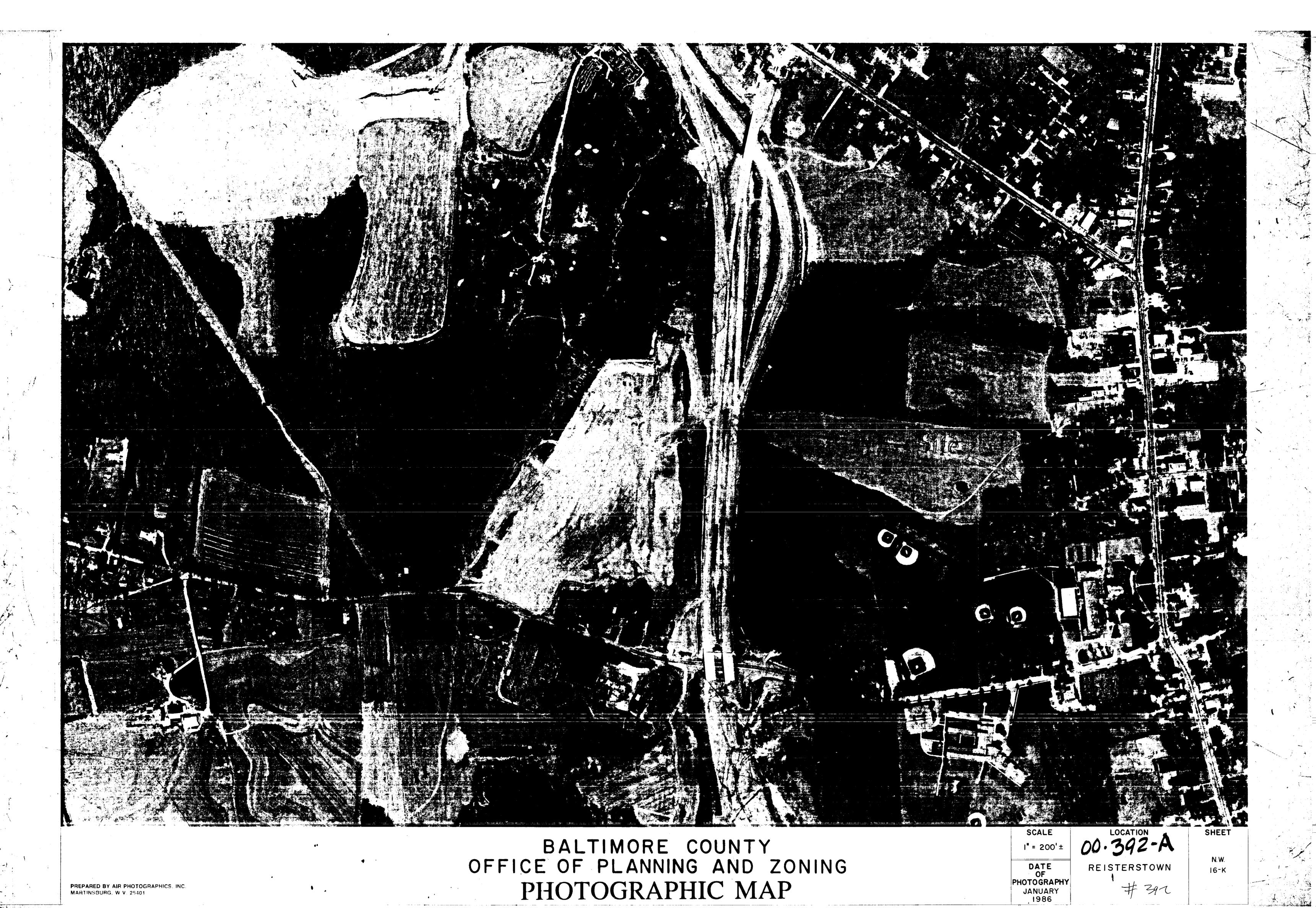


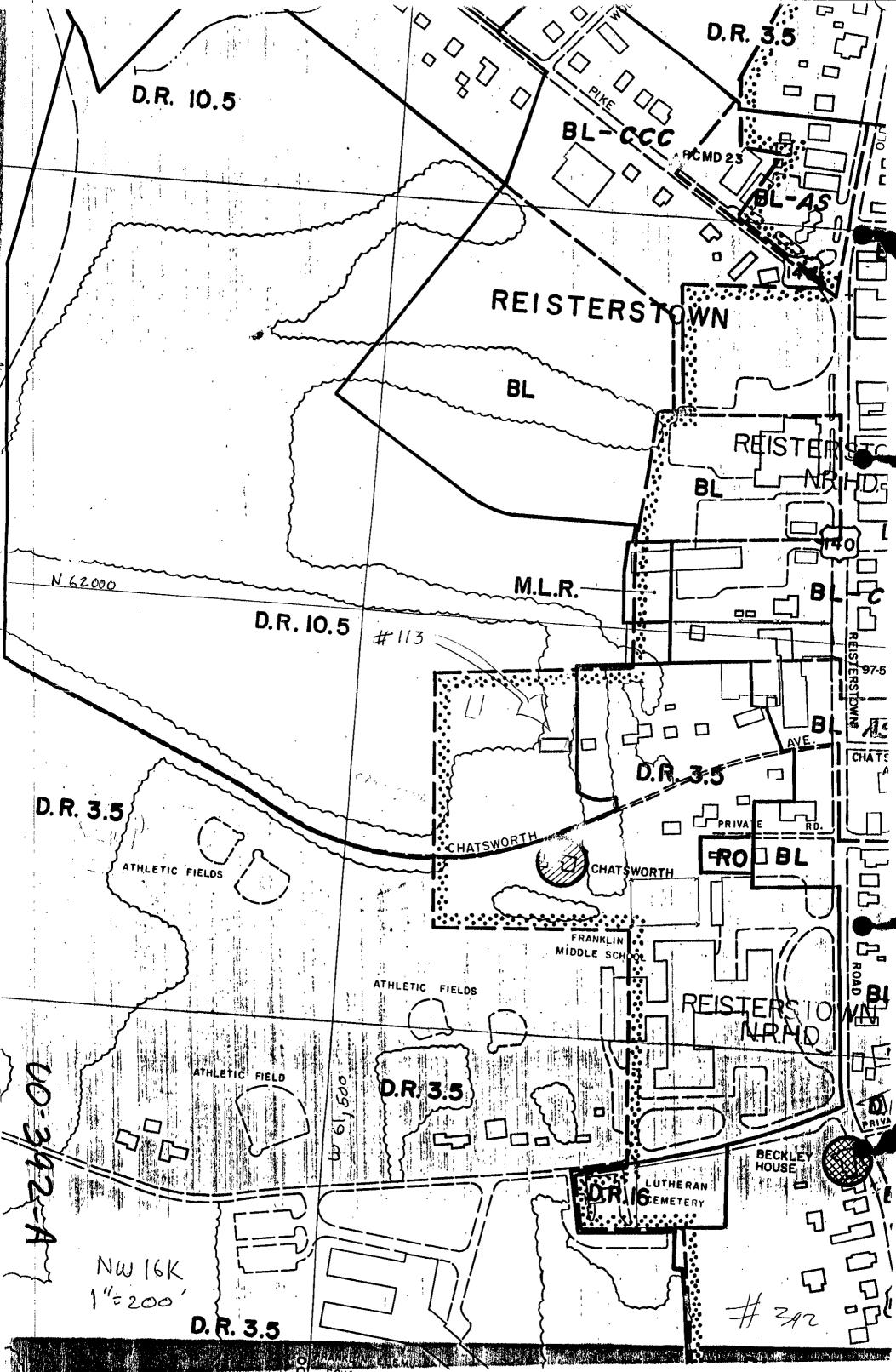
Hos Carolston (2

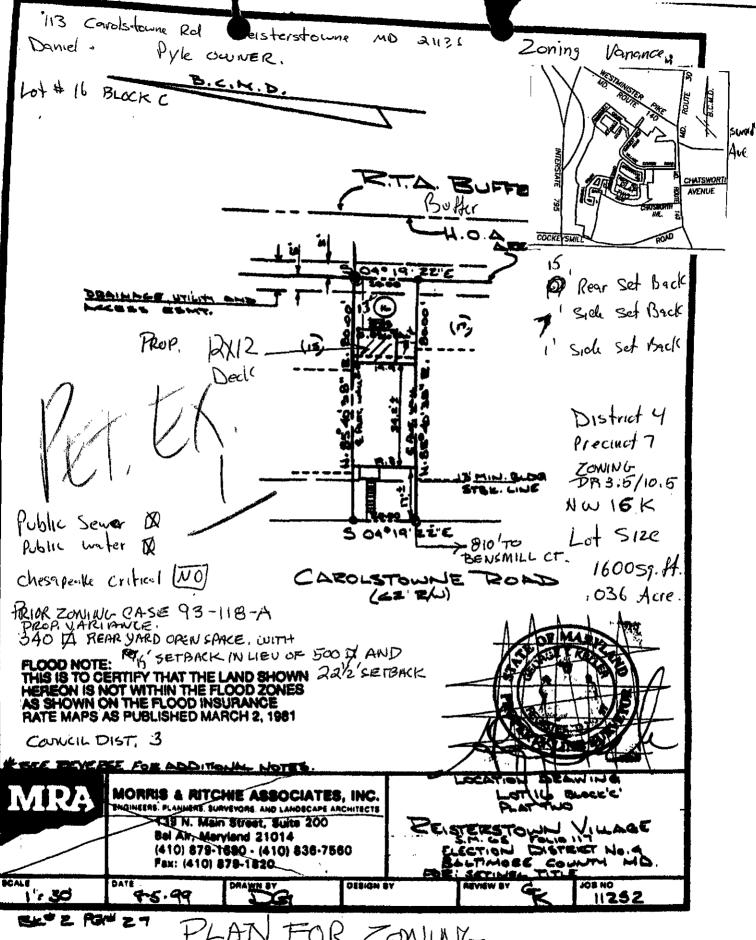


HAD Carols town









PLAN FOR ZOWING-VARIANCE

00.342-A

392