ORDER RECEIVED FOR FILING
Date
Sy

IN RE: PETITION FOR ADMIN. VARIANCE

N/S Carolstowne Road, 560' SE of

Bensmill Court

(140 Carolstowne Road)

4th Election District

3rd Councilmanic District

Dan Sexton, et ux Petitioners

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- Case No. 00-394-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 owners of the subject property, Dan and Kristie Sexton. The Petitioners seek 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 Petitioners have 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:

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 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



April 21, 2000

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

Fax: 410-887-3468

Mr. & Mrs. Dan Sexton 140 Carolstowne Road Reisterstown, Maryland 21136

RE: PETITION FOR ADMINISTRATIVE VARIANCE NE/S Carolstowne Road, 560' SE of Bensmill Court (142 Carolstowne Road)
4th Election District – 3rd Councilmanic District Dan Sexton, et ux - Petitioners
Case No. 00-394-A

Dear Mr. & Mrs. Sexton:

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:bjs

cc: People's Counsel; Case File













Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 140 Cavolstowne Rd.

which is presently zoned DR-10.5

This Petition shall be filed with the Department of F owner(s) of the property situate in Baltimore County and made a part hereof, hereby petition for a Variance from	Permits and Development Management. The undersigned, legal of which is described in the description and plat attached hereto and Section(s) 1801.2.C.1.C.301 LISTE (for an open deck) in lieu of the anal to amend the latest approved
To allow arear yard setback q	[15 ft (for an open deck) in he gine
nin imum required 22/2/11	and to amend the latest approved
Final Development Plan for san	ne
of the zoning regulations of Baltimore County, to the zor of this petition form.	ning law of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed by I, or we, agree to pay expenses of above Variance, advertisin regulations and restrictions of Baltimore County adopted purs	g, posting, etc. and further agree to and are to be bounded by the zoning
	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:	Legal Owner(s):
Dan + Kristie Sexton	Drin Sexton
Name - Type or Print	Name - Type or Print
Signature Signature	Signature
140 Carolstoone Rd. 410-833 52.	31 Kristic Soxton
Address Telephone No.	
Reinferstown @ MD 21136 City State Zip Code	Signature
Attornev For Petitioner:	140 Carolstowne Rd. 410833 5231
110,0110j - 01 - 00,0010/1	Address Telephone No.
Name - Type or Print	Reistant MD 21/38 City State Zip Code
Name - Type of Print	
Signature	Representative to be Contacted:
Company	Name
A dress Telephone No. L Cty State Zip Code	Address Telephone No.
L Cty State Zip Code	City State Zip Code
■ s day of that the subject matter	to be required, It is ordered by the Zoning Commissioner of Baltimore County, er of this petition be set for a public hearing, advertised, as required by the zoning
gua lons of Baltimore County and that the property be reposted.	
	Zoning Commissioner of Baltimore County
CASE NO. <u>00-394-4</u>	Reviewed By Date 3-23-00 Estimated Posting Date 4-2-00
2 €80 9115198	Estimated Posting Date # 4-2-00

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	140	cards	stowne Rd		
()	Address Do Steel	town	ms	21136	
	<u>Reistors</u>		State		Zip Code
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BLE TO COMPLETE OUR FIRST HO	me.				
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That the Affiant(s) acknowledge(s) that if a f	iormal deman	d is filed,	Affiant(s) will be	required to pay a re	posting and
advertising fee and may be required to provide	additional into	ormation.	. /		
		6	<i>1</i> /.	ζ,	
La Estre			Mitta	Lyton	
Signature		Signati	ire	1	
Dan Sexton		Kr	istic Sex	ton	
Name - Type or Print		Name ·	- Type or Print		
	MODE 4				
STATE OF MARYLAND, COUNTY OF BALTI	INCHE, 19 WIL		0.5.5		
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the Affiant(s) herein, personally known or sati law that the matters and facts hereinabove set	forth are true	and correct	t to the best of hi	s/her/their knowledge	and belief.
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Date	No	tary Public	,	- / /.	
	Mv	Commissi	ion Expires/	2/00	

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 Assessment describe presently regide of	140	Carolstowne	e Rd	_	
That the Affiant(s) does/do presently reside at	Address	1		7/12/	
	<u>Reisto</u> City	rstown	MD State	21136	Zip Code
That based upon personal knowledge, the follo	•	the facts upon v		se the request for a	n Administrative
Variance at the above address (indicate hardsh	lip or pract	ical difficulty):		•	
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advertising fee and may be required to provide	audillorial	/	/	/	
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Dan Sexton		Kri.	stie sex	ton	
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STATE OF MARYLAND, COUNTY OF BALTI	II on the	¥¥16,	DOMO he	efore me, a Notary P	ublic of the State
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the Affiant(s) herein, personally known or satisfaw that the matters and facts hereinabove set	sfactorily i	dentified to me	as such Affia	ant(s), and made oa fhis/her/their knowle	in in due form of dige and belief.
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REV 09/15/98



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

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	for the property	located at 140 Can		
		which is present	ly zoned <u>DR-</u>	10.5
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of the zoning regulations of Baltimore Coulof this petition form.	nty, to the zoning la	w of Baltimore County, for	the reasons indica	ted on the back
Property is to be posted and advertised as I, or we, agree to pay expenses of above Varia regulations and restrictions of Baltimore County	ince, advertising, post	ting, etc. and further agree to	o and are to be bound County.	ded by the zoning
		I/We do solemnly declare perjury, that I/we are the is the subject of this Peti	legal owner(s) of the	e penalties of property which
Contract Purchaser/Lessee:		Legal Owner(s):		
Dan + Kristie Sexton Name - Type or Print Light of Little Signature 140 Carolstowne Rd Address Reiskystown MD	410 - 833 - 5231 Telephone No.	Name - Type or Print Signature Kristic Sex to Name - Type or Print	on Ixtor	
Attorney For Petitioner:	Zip Code	Signature 140 Cavols faunc Address		<u>4/o ⋅ 833 - 5ã</u> Telephone No. 2/13C
Name - Type or Print		<u>Reistanstown</u> City	M) State	Zip Code
Signature		Representative to I	e Contacted:	
Company	· · · · · · · · · · · · · · · · · · ·	Name		
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Address	Telephone No.	Address		Telephone No.
City State	Zip Code	City	State	Zip Code
A Public Hearing having been formally demande this day of that regulations of Baltimore County and that the property	the subject matter of this	equired, it is ordered by the z s petition be set for a public hea	Coning Commissioner o tring, advertised, as req	f Baltimore County, uired by the zoning
April and the		Zoning Commission	oner of Baltimore Count	у
CASE NO. 00-394-	7 Revie	ewed By	Date _ 3	23-00
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140 Carolstowne Rola

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September 19 1 Septem

TO SERVICE SER

#394

00.304.A

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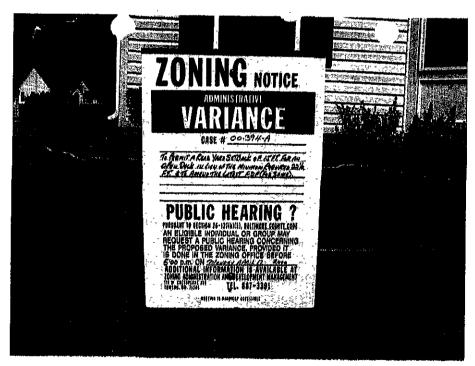
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CASHIER'S VALIDATION



Posted at 140 Carolstowne Road

CERTIFICATE OF POSTING

RE: CASE # 00-394-A
PETITIONER/DEVELOPER
(D. Saxton)
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

140 Carolstowne Road Baltimore, Maryland 21136				
THE SIGN(S) WERE POSTED ON	3-31-00			
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	Opm Dale \$3/3/100			
	(SIGNATURE OF SIGN POSTER & DATE)			
	THOMAS P. OGLE SR			
	325 NICHOLSON ROAD			
	BALTIMORE, MARYLAND 21221			
	410-687-8405			
	(TELEPHONE NUMBER)			

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT **ZONING REVIEW**

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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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 -394 - A Petitioner: Dan & Kristic Sexton
Address or Location: 140 Corrols towne Rd
PLEASE FORWARD ADVERTISING BILL TO: Name:
Address: 140 Carolstoane Rd Reisters tame MD 21136
Telephone Number: 46-833 5231



Baltimore County Department of Permits and Development Management

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

April 17, 2000

Mr. & Mrs. Dan Sexton 140 Carolstowne Road Reisterstown MD 21136

Dear Mr. & Mrs. Sexton:

RE: Case Number 00-394-A . 140 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, 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













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:

Item #	Address
381	1954 Catanna Avenue
382	19621 Middletown Road
383	50 Westminster Pike
384	245 Ashland Road
387	9415 Horn Avenue
388	515 Picadilly Road
389	5504 Dunrovin Lane
390	3738 Butler Road
391	115 Carolstowne Road
392	113 Carolstowne Road
393	142 Carolstowne Road
(394)	140 Carolstowne Road
395	11930 Jericho Road
397	Glen Arbor North
335	Liberty Road

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: April 17, 2000

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. 394

277

Dear. Ms. Jackson:

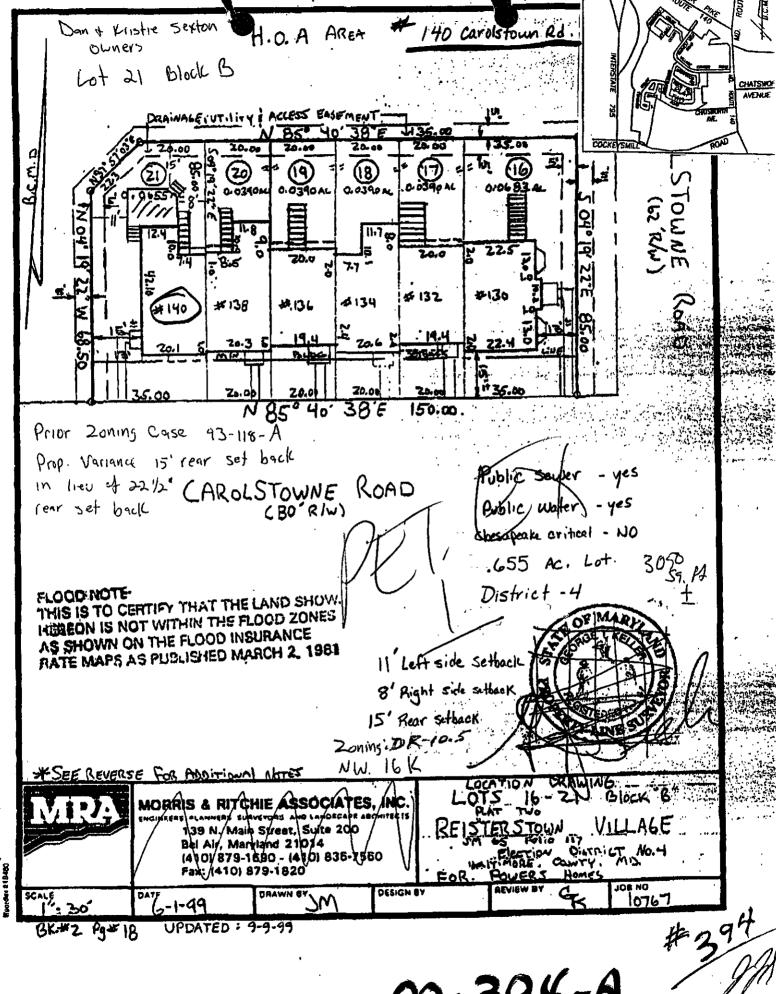
This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

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

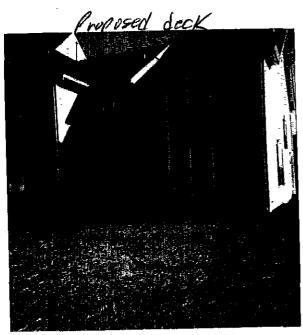
Very truly yours,

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

f. J. Arelle



00.394-A

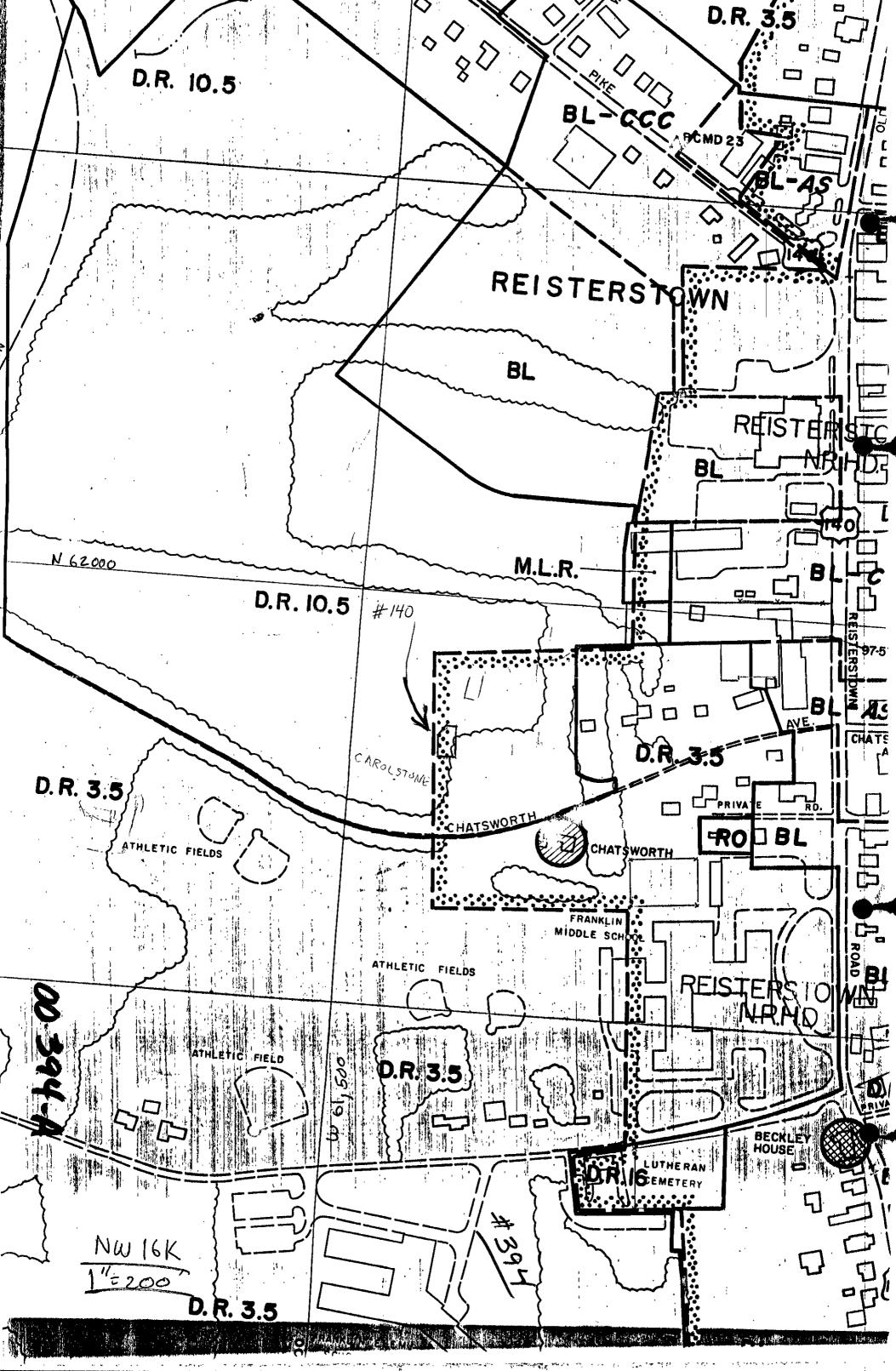


140 Carolstowne & #3944



140 Carols Journe + #394 (4)

00.394.A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

REISTERSTOWN

PREPARED BY AIR PHOTOGRAPHICS. INC.