IN RE: PETITION FOR ADMIN, VARIANCE NE/S Hunters Horn Court, 774' NE centerline of Hunting Tweed Drive

4th Election District

3rd Councilmanic District

(12 Hunters Horn Court)

Carl & Sheila Bernstein Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 00-419-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, Carl and Sheila Bernstein. The variance request is for property located at 12 Hunters Horn Court in the Owings Mills area 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 allow a side yard setback of 30 ft. in lieu of the minimum required 50 ft. for an attached garage. The subject property and requested relief are more particularly described on Petitioners' 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

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.

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

May 3, 2000

Mr. & Mrs. Carl Bernstein 12 Hunters Horn Court Owings Mills, Maryland 21117

Re: Petition for Administrative Variance

Case No. 00-419-A

Property: 12 Hunters Horn Court

Dear Mr. & Mrs. Bernstein:

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,

Timothy M. Kotroco

Deputy Zoning Commissioner

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TMK:raj Enclosure

c: Mike Cohen



CASE NO. 00-419-

REU 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	12	Hontens	HORN IT
which	is pre	sently zoned	RC-5

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)

To allow a side yand Setback, of 30 st. (for an attached garage) in lieux the minimum required soft,

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.

			I/We do solemnly declare an perjury, that I/we are the legal is the subject of this Petition.	al owner(s) of the	e penalties of property which
Contract Purchaser/L	essee:		Legal Owner(s):	Bernst	
Name - Type or Print			Name-Type or Print Meu	2 matour	1
Signature			SHEILA RUTH	BORNST	ein Ein
Address		Telephone No.	Name - Type or Print	A Beinz	tein
City Attorney For Petitione	State er:	Zip Code	Signature 12 Hunters Ha Address Address	KN Cour	Telephone No.
Name - Type or Print Signature			Representative to be	State Contacted:	Zip Code
Company			MIKE COHE Name 12 HIGH MILL		r-356-5089
Aguresia		Telephone No.	Address OWINGS MICES	мо	Telephone No.
	State	Zip Code	City	State	Zip Code
this day of regulations of Baltimore County	tha	it the subject matter of t	required, it is ordered by the Zonin his petition be set for a public hearing	ig Commissioner of , advertised, as requ	Baltimore County, uired by the zoning
			Zoning Commissioner	of Baltimore County	у

Estimated Posting Date

Affidavir 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 p	Jubiic Hearing is scrieduled		the tree to.
That the Affiant(s) does/do presently reside at	12 Hunters	HORN Coul	27
	OWINGS MILLS		2//// Zip Code
That based upon personal knowledge, the folk Variance at the above address (indicate hardsh	owing are the facts upon whip or practical difficulty):	which I/we base the re	quest for an Administrative
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celent in teacing	down the	existing	areck and how
also would require	e the aproof	ting of the	ees and other
estabilished Landson	aping.		
That the Affiant(s) acknowledge(s) that if a	formal demand is filed, A	ffiant(s) will be require	ed to pay a reposting and
advertising fee and may be required to provide	additional information.	_	
Poul & Dewiter	M.	heela Rux	Beister
Signature	Signature		Bernstein
CARI AllAN BERNSTein Name-Type or Print	5/16 Name - T	Pl/B /UTTT .	DEICNS TEIT
Tissiles Type St. Time			
STATE OF MARYLAND, COUNTY OF BALT	IMORE, to wit:		
HEREBY CERTIFY, this 23 day of of Maryland, in and for the County aforesaid, p	Much,	שלעט, before me,	a Notary Public of the State
of Maryland, in and for the County aforesaid, p	ersonally appeared	Laile Ruth	Benstein
the Affiant(s) herein personally known or sat	sfactorily identified to me	as such Affiant(s), and	d made oath in due form of
law that the matters and facts hereinabove set	torth are true and correct	to the best of hisheild	ieli kilowiedye alid belieli.
AS WITNESS my hand and Notarial Seal		a far	
Murch 23, 2000		(All)	Abrahan te Ha
Date	Notary Public	/)	v. 4, 2003
	My Commissio	n Expires	7, 2003

REV 09/15/98

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.

	blic hearing is scheduled in the future with regard thereto.
That the Affiant(s) does/do presently reside at	1) Hunters HORN COURT
	OWINGS MILLS MD 21117 City State Zip Code
	City Catalog 2-b 4444
That based upon personal knowledge, the follow Variance at the above address (indicate hardship	ring are the facts upon which I/we base the request for an Administrative or practical difficulty):
TO PEDMIT A '36	1 Side Setback in lieu of the 501.
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result in teacing	in back of the house will down the existing deck and poch, also
would require the	. uprooting of trees and other
estabilished Landscapi	mg.
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I	
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	mal demand is filed, Affiant(s) will be required to pay a reposting and dditional information.
D. 665 +	Shella Ruch Bernstein Shella Ruth Bernstein
Signature Deinstein	Signature Signature
CARL Allan Reposter	SHO, In Ruth Bernstein
Name - Type or Print	Name - Type of Print
STATE OF MARYLAND, COUNTY OF BALTIM	
I HEREBY CERTIFY, this 23 Pday of Maryland, in and for the County aforesaid, per	land, 2000, before me, a Notary Public of the State
of Maryland, in and for the County aforesaid, per	string and Shaila Ruth Burstin
the Affignt(s) herein personally known or satisf	actorily identified to me as such Affiant(s), and made oath in due form of
law that the matters and facts hereinabove set for	orth are true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal	
Mach 23, 2003.	States Abraham Pe He
Date	Notary Public
	My Commission Expires
PG1: \0015107	



REU 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

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) / 1904, 3.B. Z To allow a side yard setback of 3, aft (for any attached garage) in lieux the minimum keauined soft 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. 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): Name - Type or Print Signature Address Telephone No. City Zip Code State Attorney For Petitioner: Name - Type or Print Representative to be Contacted: Signature COHEN Company Name HIGH MILL 410-356-5089 Address Telephone No. Address OWINGS City State Zip Code City State A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted. Zoning Commissioner of Baltimore County CASE NO. 00-419

Estimated Posting Date

ZUNING DESCRIPTION FOR 12 HUNTERS HURN C
BECINING AT A POINT ON THE NORTH-WEST
SIDE OF HUNTERS HORN CT. WHICH IS
50 FT. WIDE AT THE DISTANCE OF 7741
MORTHEAST OF THE CENTERLINE OF THE NEARS
IN PROVED INTERSECTING STREET - HUNTING TWEE
DRIVE, WHICH IS 50' WIDE.
BEING LOT #86 PLAT BLOCK 39
SECTION # 2 IN THE SUBDIVISION OF VALLEY HI
AS RECORDED IN BALTIMORE COUNTY PLAT #3
FOU'D #088 CONTRINING 76,230 SOWIRE FE
Also known As 12 HUNTERS HORN CT, AND
LOCATED IN THE 4TH EIECTION DISTRICT
3 RD COUNCIL MAN DISTRICT.
TI MA ILLIO A
Item # 419 00-419-A

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT DATE AMOUNT RECEIVED FROM: FOR: AMOUNT STATE AMOUNT STATE AMOUNT STATE AMOUNT STATE FOR: AMOUNT STATE AMOUNT STA

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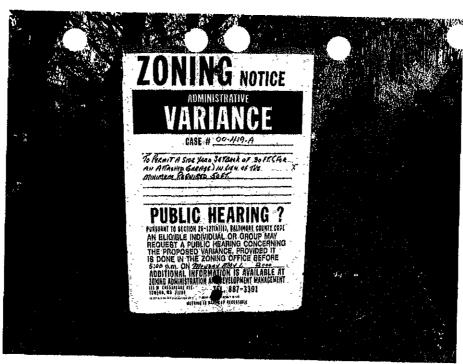
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00.419.A

CASHIER'S VALIDATION



Posted at Hunters Horn Ct.

CERTIFICATE OF POSTING

RE: CASE # 00-419-A
PETITIONER/DEVELOPER
(Carl Bernstein)
DATE OF Closing
(5-1-00)

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

12 Hunters Horn Ct. Baltimore, Maryland 21117		
THE SIGN(S) WERE POSTED ON	4-14-00	
	(MONTH, DAY,YEAR)	
	SINCERELY,	
	(SIGNATURE OF SIGN POSTER & DATE)	
	THOMAS P. OGLE SR	
	325 NICHOLSON ROAD	
	BALTIMORE, MARYLAND 21221	
	410-687-8405	

(TELEPHONE NUMBER)

ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 419 -A Address 12 Hunters Horn Ct-
Contact Person:
Filing Date: 4-6-00 Posting Date: 4-16-00 Closing Date: 5-1-00
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. <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 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- 419 -A Address 12 Hunter Horn Ct. Petitioner's Name Bernstein Telephone 410 356-779 Posting Date: 4-(6-00 Closing Date: 5-1-00 Wording for Sign: To Permit A sideyand Set Back of 30 ft for an attached garage in her of the minimum required 50 ft.
WCR - Revised 7/28/9

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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: 06 - 4/9 - A Petitioner: C.A. Bernstein
Address or Location: 12 Hunters Horn Ct. Dwings Mills, Ma
PLEASE FORWARD ADVERTISING BILL TO:
Name: CANC & SHEILA BELINSTEIN
Address: 12 HUNTERS HORN CT.
OWINGS MILLS, MD: 21117
Telephone Number:



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

April 28, 2000

Mr. Mike Cohen 12 High Mill Court Owings Mills MD 21117

Dear Mr. Cohen:

RE: Case Number 00-419-A, 12 Hunters Horn Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 6, 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 Ŕichards, Jr. **Zoning Supervisor**

Zoning Review

WCR:ggs

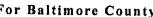
Enclosures



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on Recycled Paper











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

April 18, 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 17, 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.

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

411, 412, 413, 414, 417, 418, (419) 420, 422, 425, 426, and 427

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 Mas

DATE:

May 12, 2000

SUBJECT:

Zoning Petitions

Zoning Advisory Committee Meeting of April 17, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
411 23	Mansez Drive
412 70	46 Eastern Avenue
413 16	33 Freeland Road
414 52	8 Church Road
415 36	07 East Joppa Road
417 82	04 Rider Avenue
(419) 12	Hunter Horn Court
420 134	411 Fork Road
421 Ea	st Joppa Road
422 280	02 Tennessee Avenue
424 85	11 Liberty Road
425 85	51 Philadelphia Road
426 419	Samantha Court
427 90	1 Moonstone Road
421 Ea 422 286 424 85 425 855 426 419	st Joppa Road O2 Tennessee Avenue I1 Liberty Road 51 Philadelphia Road O Samantha Court

PECENTO PARA SAN

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: April 26, 2000

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petitions Case 411, 414, and 419

The Office of Planning has reviewed the above referenced case and has no comments to offer.

For any further questions or additional information concerning the matters stated herein, 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: 4.17.00

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

RE: Baltimore County

Item No. 4.19

215

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

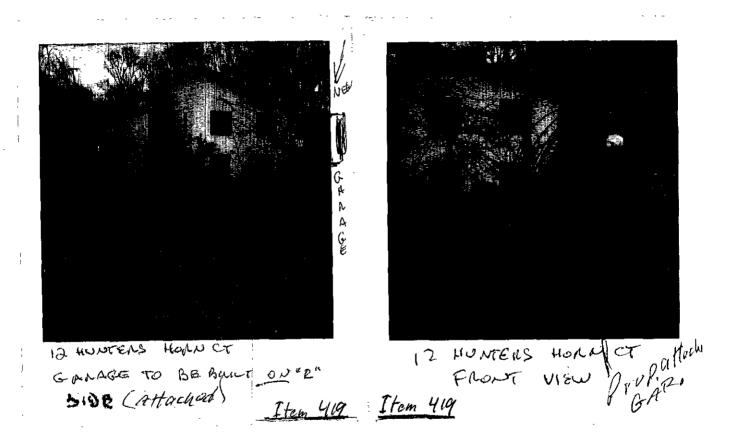
P. J. Halla

My telephone number is _____

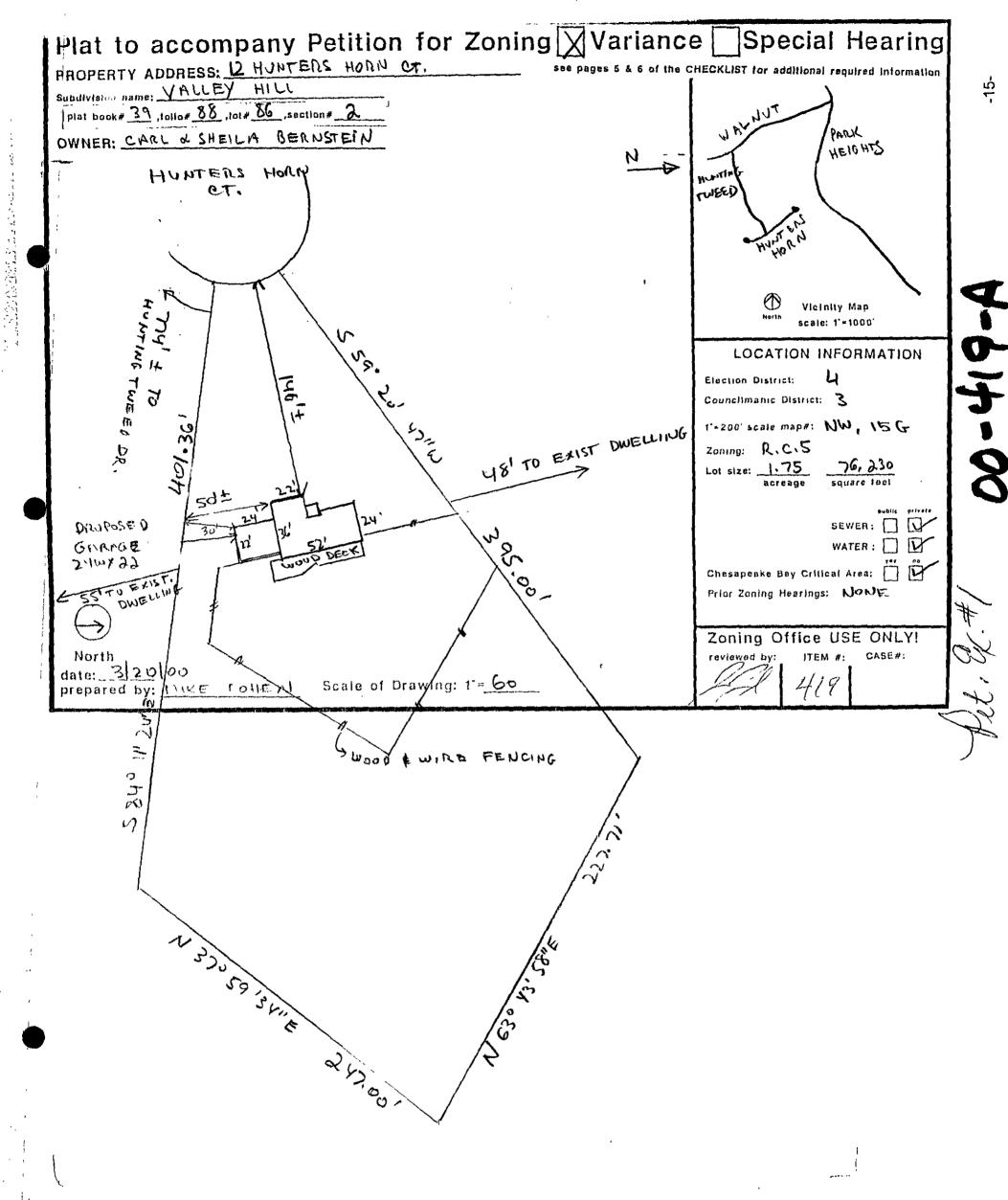
ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 00-419-A

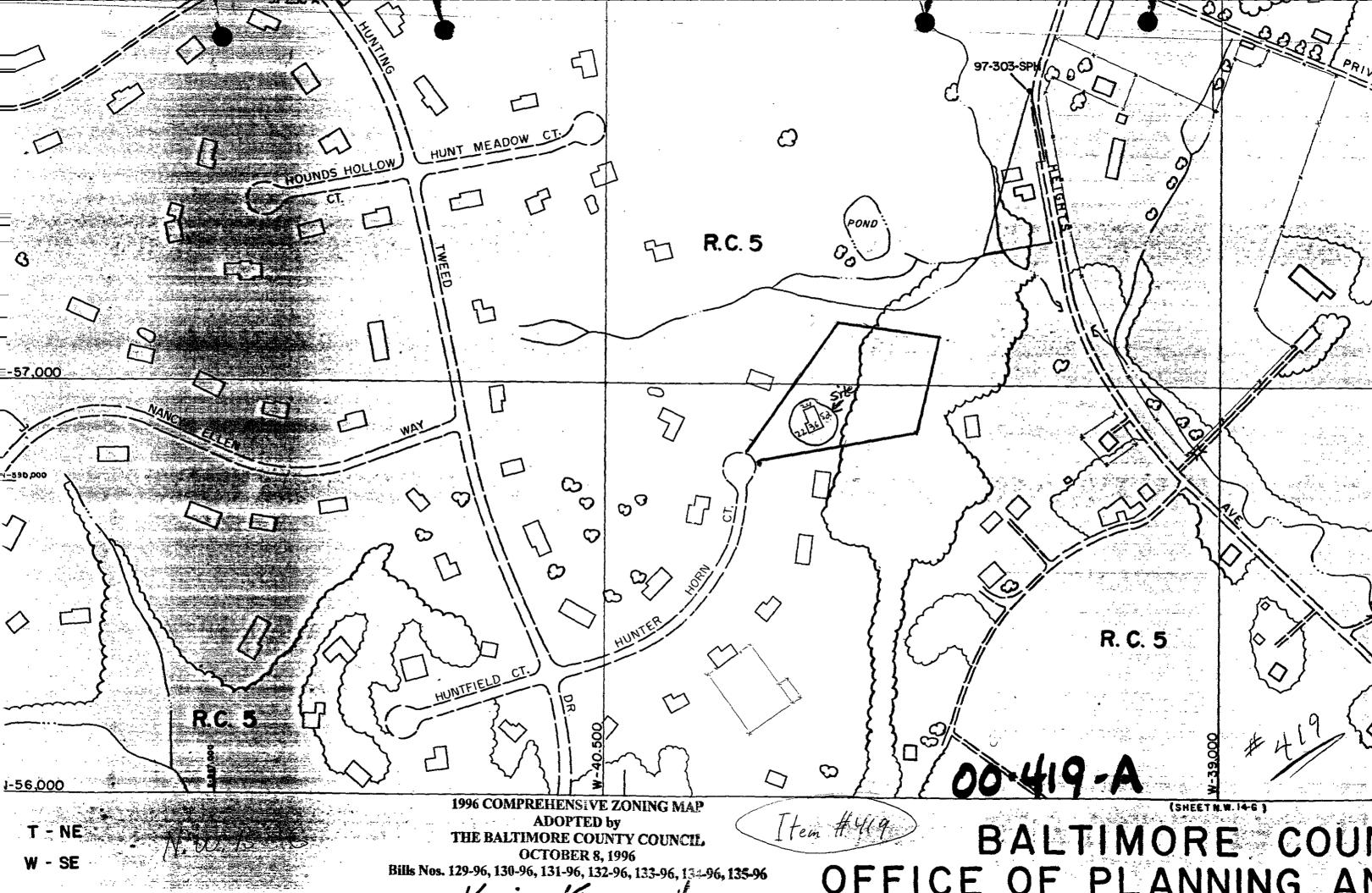
Date Completed/Initials	
4/26/00 30	PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp or front of folder)
<u>N/A</u>	DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)
MA.	TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)
M26/D ~	UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)
30 30	COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)
	POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)
	RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)
	INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)
	ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)
: :	COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)
	FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)



00-419-A



Item # 419







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