Date 6/4/00
By H. Greath

IN RE: PETITION FOR VARIANCE
S/S Bluemount Road, 4200' +/- W
of Wesley Chapel Road
10th Election District
6th Councilmanic District
(2001 Bluemount Road)

Vernon A. & Kim G. McCain Petitioners

- * BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * CASE NO. 00-452-A

* * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Vernon and Kim McCain. The variance request is for property located at 2001 Bluemount Road in the Monkton area of Baltimore County. Specifically, the Petitioners are requesting permission to park and store a recreational vehicle in their front yard in lieu of the required side yard, 8 feet to the rear of the lateral projection of the front foundation line of the dwelling.

Appearing at the hearing on behalf of the variance request were Kim McCain and her son Ben McCain. No one appeared in opposition to the Petitioners' request.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of approximately 3 ½ acres and is zoned RC 4. The McCains have lived at the subject property for the past 8 years. For the past 6 years they have kept and stored a recreational vehicle on their property in their front yard. The topography of the property and the wetness of the rear yard prohibit the storage of the RV in that area. Therefore, they would like to continue to store their recreational vehicle in the front yard in the same area where it has been stored for the past 6 years. In order to do so the variance is necessary.

Date 6/4/60

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether a grant of the variance would do a substantial justice to the applicant as well as
 other property owners in the district or whether a lesser relaxation than that applied for
 would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

CHOER FRECEIVED FOR MLING Date 6/4/60 By M. Chinesell

in lieu of the required side yard, 8 feet to the rear of the lateral projection of the front foundation line of the dwelling, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that any appeal of this decision must be filed within thirty (30) days from the date of this Order.

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

Mr. & Mrs. Vernon A. McCain 2001 Bluemount Road Monkton, Maryland 21111

> Re: Petition for Variance Case No. 00-452-A

> > Property: 2001 Bluemount Road

Dear Mr. & Mrs. McCain:

Enclosed please find the decision rendered in the above-captioned case. The Petition for 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,

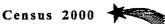
Timothy M. Kotroco

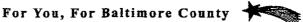
Deputy Zoning Commissioner

lustry llotroco

TMK:rai Enclosure















PAILS FOR GRAINS

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the proper	ry located at 2001 Older 190011 Rout
	which is presently zoned <u>&C 4</u>
This Petition shall be filed with the Department of Permit owner(s) of the property situate in Baltimore County and which made a part hereof, hereby petition for a Variance from Section EV to be located in the fronty yard, 8ft from the lateral projection of the of the dwelling.	h is described in the description and plat attached hereto and
of the Zoning Regulations of Baltimore County, to the zoning	law of Baltimore County, for the following reasons: (indicate
25 Ff of woods because prop behind house. Therefore if h not be moved. There is no roo house + only wooded area. The	of house and behind about sety descends dramatically all was parked in back it could all to access on side or back of reweight of RV would cause it to
Property is to be posted and advertised as prescribed by the z I, or we, agree to pay expenses of above Variance, advertising, post regulations and restrictions of Baltimore County adopted pursuant to	ting, 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:	<u>Legal Owner(s):</u>
Name - Type or Print	Name Type or Print Name Type or Print NO
Signature	Signature Kin Com Cain
Address Telephone No.	Name - Type or Print -Kin O M Coir 410-32319
City State Zip Code	Signature 410
Attorney For Petitioner: Name - Type or Print	Address Telephone No. City State Zip Code
	•
Signature	Representative to be Contacted:
Compliny	N2MA 11.1/2/27.7%(1/1/4/

Telephone No.

Zip Code

State

OFFICE USE ONLY

Telephone No.

ESTIMATED LENGTH OF HEARING

RICKWOOD

ZCNING DESCRIPTION

Zoning Description for 2001 Bluemount Read

Beginning at a point on the south side of Bluemount Road which is 30' wide at the distance of 4,200 feet West of the centerline of the nearest improved intersecting street Wesley Chapel Rd. which is 30' wide. Being Lot # 3 in the subdivision of Bluemount Glen. Also known as 2001 Bluemount Road containing 3 Acres and located in the 10th Election District; 6th Councilmanic District.

BALTIMORE COUNTY, MAR OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	MISCELLANEOUS RECEIPT	
DATE 5-3-00	ACCOUNT R -001	ALE STANDS OF THE STANDS OF TH
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DISTRIBUTION WHITE - CASHIER	PINK - AGENCY YELLOW - GUSTOMER	CASHIER'S VALIDATION

Rocyt Tht 50.00 GA 150.00 GA 161 Timore County, Maryland

CERTIFICATE OF POSTING

RE	Case No.: $00-452-A$
	Petitioner/Developer:
Ł	EMBLERNON McCAIN
	Date of Hearing/Closing: 6-13-2000
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 a 200 (BLUEMBURIT ROAD)	ut
The sign(s) were posted on MAY 76 C	H 7000.
(Mon	th, Day, Year)
	Sincerely,
•	Signature of Sign Poster and Date)
	CAPLAND E. MOORE
	(Printed Name) 3725RYERSONI CONCLE
•	(Address)
	BACTIMONE, MD. 2177)
	(City, State, Zip Code) (410) 247-4763
-	(Telephone Number)
	/ <i>L</i>

9/96 cert.doc

HEARING

of Baltimore County by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Lowent husband, on the property identified herein as follows:

1-) Wor Wesley Chapsi Road
1-) Wor Wesley Chapsi Road
1-) The lection District
Ett Councillinging District
Legal Owner(s): Kim G. &
Vernon-A, McCalin
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Vernon-A, McCalin
Vernon-A, McCalin
Vernon-A, McCalin
Vernon-A, McCalin
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vaid, 8 feet to the reproduct side
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reproduction line of the
dearling: Tuesday: June
13, 2000 set 10:000 s.m., In
Room 407, County Coults
Ebuilding: 401 Besley Ave.

LAWRENCE E-SCHMIDT Zoning Commissioner for Baltimore Country NOTES: (1) Hearings are Handicapped Accessible for special accommodations please Contact the Zoning Commissioner's Office at (410) 887-4386: (2) For information contact the File and/or-certifing the File and/or-regions Confect the Zoning Review Office at (410) 887-4386:

3/249 May 25 C384401

ERTIFICATE OF PUBLICATION

TOWSON, MD, 5/26, 2000

LEGAL ADVERTISING

DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

RE: PETITION FOR VARIANCE 2001 Bluemount Road, S/S Bluemount Rd, 4200' W of Wesley Chapel Rd 10th Election District, 6th Councilmanic

Legal Owner: Vernon A. & Kim G. McCain Petitioner(s)

- BEFORE THE
- * ZONING COMMISSIONER
- * FOR
- * BALTIMORE COUNTY
- * Case No. 00-452-A

* * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

Peter May Zinneinan PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Rule S. Demilio

Reter May Tinneino.

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

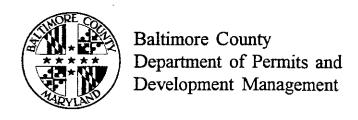
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of May, 2000 a copy of the foregoing Entry of Appearance was mailed to Vernon A. & Kim G. McCain, 2001 Bluemount Road, Monkton, MD 21111, Petitioners.

PETER MAX ZIMMERMAN





Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

May 17, 2000

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-452-A
2001 Bluemount Road
S/S Bluemount Road, 4200' +/- W of Wesley Chapel Road
10th Election District – 6th Councilmanic District
Legal Owner: Kim G. & Vernon A. McCain

<u>Variance</u> to permit a RV to be located in the front yard in lieu of the required side yard, 8 feet to the rear of the lateral projection of the front foundation line of the dwelling.

HEARING: Tuesday, June 13, 2000 at 10:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

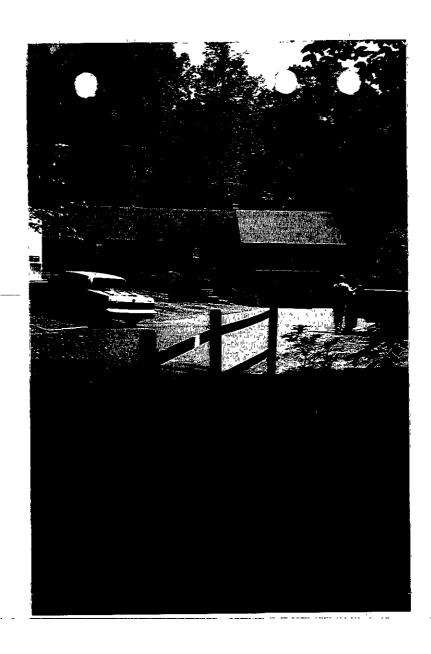
Arnold Jablon Director

C: Kim & Vernon McCain, 2001 Bluemount Road, Monkton 21111

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY ANAPPROVED POSTER ON THE PROPERTY BY MAY 29, 2000.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY

Thursday, May 25, 2000 Issue – Jeffersonian

Please forward billing to:

Vernon A. McCain & Kim G. McCain

2001 Blue Mount Road Monkton, MD 21111 410-323-1995 410-329-2062

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-452-A
2001 Bluemount Road
S/S Bluemount Road, 4200' +/- W of Wesley Chapel Road
10th Election District – 6th Councilmanic District
Legal Owner: Kim G. & Vernon A. McCain

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HEARING: Tuesday, June 13, 2000 at 10:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

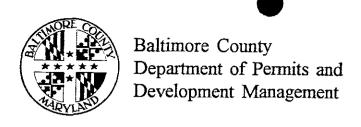
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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: 452
Petitioner: Vernon A McCain and Kima Main
Address or Location: 2001 Blue Mount Rd
PLEASE FORWARD ADVERTISING BILL TO:
Name: Vernon AMCCain + Kim GMCCain
Address: 2001 Blue Mount Road
monkton md zilli
Telephone Number: 410 323 - 1995 410 329 2062



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

June 8, 2000

Ms. Kim McCain 2001 Bluemount Road Monkton MD 21111

Dear Ms. McCain:

RE: Case Number 00-452-A, 2001 Bluemount Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 3. 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 Řichards Zoning Supervisor

Zoning Review

WCR:ggs

Enclosures









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

May 16, 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 May 15, 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:

447, 449, 450, 451, 452, 454, 455, 456, 459, 460, 461, 446

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:

June 6, 2000

SUBJECT:

Zoning Petitions

Zoning Advisory Committee Meeting of May 15, 2000

DEPRM has no comments for the following zoning petitions:

Item#	Address
447	6505 Gardenwick Road
448	321 York Road
449	2416 Ellis Road
451	315 Stonewall Road
± 25.7	2001 Bluemont Road
453	10910 Reisterstown Road
456	11341-11347 Holter Road
457	9709 Beaver Dam Road
458	6902 Holabird Avenue
459	143 Carolstowne Road

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits & Development Mgmt.

DATE: July 14, 2000

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 22, 2000

Item Nos. 446, 447, 448, 449, 450, 451, 452, 453, 456, 457, 459, 460, 461

and

Case #99-320-SPHXA

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

RWB:HJO:jrb

cc: File

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

MAY 1 9

DATE: May 19, 2000

SUBJECT:

Zoning Advisory Petition(s): Case 447, 449, 450, 452 and 453.

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: 5.15.00

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

RE: Baltimore County

Item No. 452

JF/ TG

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.rad.vs).

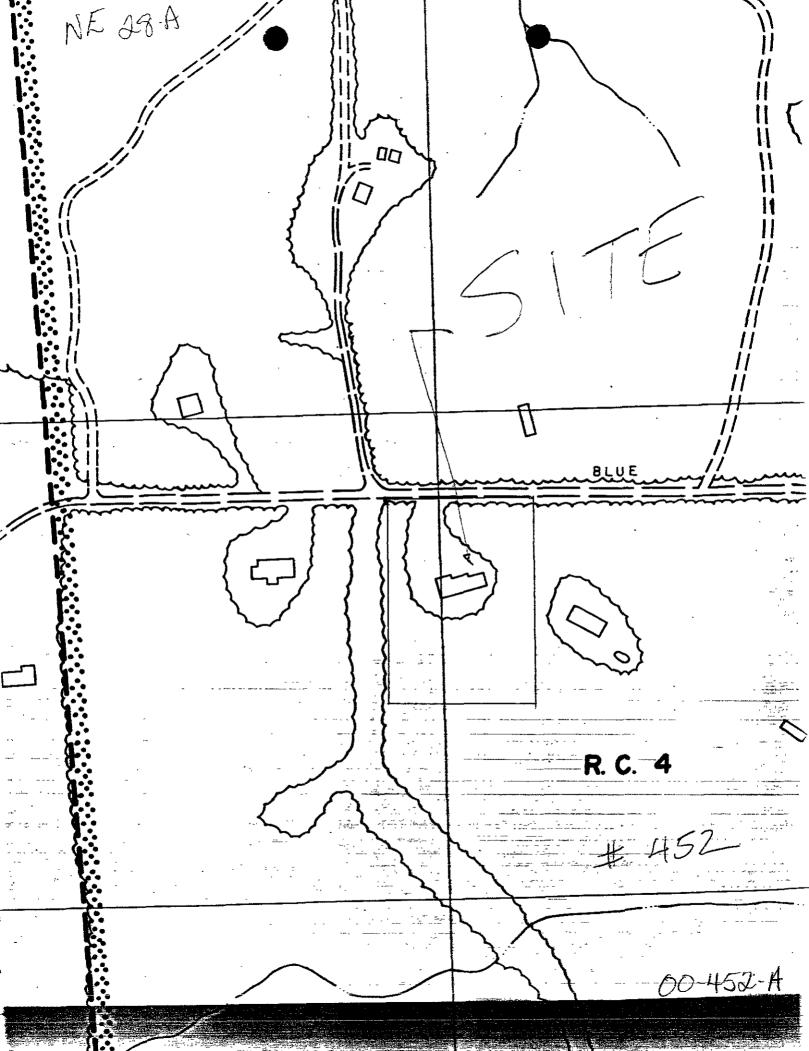
Very truly yours,

1. J. Dell 1. Kenneth A. McDonald Jr., Chief

Engineering Access Permits Division

0 70 100 700 700 70	
Zoning Office USE ONLY! reviewed by: ITEM #: CASE#:	North date: 6/3/60 Scale of Drawing: 1"= 200'
Chesapuske Bay Critical Area:	
SEWER: WATER:	Section 2
Lot size: 3 130,000 Acreage square feet	Lota Deci Blue Mount Lot 4 Poad
11-200' scale map#: NEASA	Noon
LOCATION INFORMATION Election District: 6#6	430'
Vicinity Map **orin scale: 1'*1000'	of EV
Cessey	Blue Mount Processon, po
(Blow)	· · · · · · · · · · · · · · · · · · ·
S Mamma Pal	Me Cain +
ŠĘ.	RTY ADDRESS: 2001 Bluemount Road See DA
e Special Hearing	Plat to accompany Petition for Zoning X Variance

-15-





APPRAISAL OF REAL PROPERTY

LOCATED AT:

2001 Blue Mount Road Map 23 Grid 7 Parcel 213 Lot 3 Bluemount Glen Monkton, Maryland 21111

FOR:

Mr. & Mrs. Vernon Mccain 2001 Blue Mount Road Monkton, Maryland 21111

AS OF:



"TOTAL" appraisal software by a la mode, inc. 1 (800) 328-6825

PHOTOGRAPH ADDENDUM

Borrower/Client Mccain		
Property Address 2001 Blue Mount Road		~-
city Monkton County Baltimore	State Md	Zip Code 21111
Lender Mr. & Mrs. Vernon Mccain		Zp vode ZIIII



SUBJECT - FRONT



SUBJECT - REAR



Baltimore County Zoning Commissioner Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

Census 2000

