

IN RE: PETITION FOR VARIANCE
N/S Hatherleigh Road, 40' W of the c/l
Tred Avon Road
(814 Hatherleigh Road)
9th Election District
4th Council District

Richard K. Bleser, Jr., et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 01-013-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Richard K. Bleser, Jr., and his wife, Lee F. Bleser. The Petitioners seek relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side and rear yard setbacks of 0 feet each in lieu of the minimum required 2 ½ feet for a proposed detached garage. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Richard and Lee Bleser, property owners, Drew Talbott, Paul Gorman, and Fey Adelekan, nearby property owners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangularly shaped parcel, approximately 70 feet wide by 125 feet deep, containing a gross area of .197 acres, more or less, zoned D.R.5.5. The property has frontage on Hatherleigh Road in the residential community of Stoneleigh, and is improved with a two-story dwelling. The Petitioners are in the process of making improvements to the property, including a new addition to the existing dwelling, and a detached garage which is to be located in the rear corner of the lot. Photographs of the property submitted at the hearing show that construction has already begun. Apparently, during the course of building the foundation for the garage, the property was resurveyed and it was

ORDER RECEIVED FOR FILING

Date

By

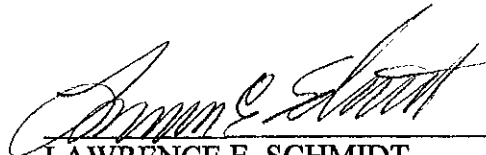
discovered that the garage will be located less than the minimum required 2 ½ feet from the side and rear property lines. Thus, the requested relief is necessary in order to complete construction.

Further testimony was offered that the placement of the garage in the location shown on the site plan was necessary due to the shape of the lot. As shown on the plan, vehicular access to the garage will be by way of a 13-foot driveway leading from Hatherleigh Road. Due to the topography of the land and the location of existing improvements thereon, the garage cannot be located elsewhere on the property. As noted above, there were no Protestants present, and the Petitioners indicated at the hearing that their adjacent neighbors had no objections to the location of the garage. It is also to be noted that the property abuts a wooded/environmentally sensitive area and there are no dwellings immediately adjacent to the rear of the property.

Based upon the testimony and evidence offered, I am persuaded to grant the variance. No one appeared in opposition to the request and there were no adverse comments from any Baltimore County reviewing agency. Thus, it appears that relief can be granted without causing any detriment to the health, safety or general welfare of the surrounding locale.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 28th day of September, 2000 that the Petition for Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side and rear yard setbacks of 0 feet each in lieu of the minimum required 2 ½ feet for a proposed detached garage, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 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



Baltimore County
Zoning Commissioner

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

September 20, 2000

Mr. & Mrs. Richard K. Bleser, Jr.
814 Hatherleigh Road
Baltimore, Maryland 21212

RE: PETITION FOR VARIANCE
N/S Hatherleigh Road, 40' W of the c/l Tred Avon Road
(814 Hatherleigh Road)
9th Election District - 4th Council District
Richard K. Bleser, Jr., et ux - Petitioners
Case No. 01-013-A

Dear Mr. & Mrs. Bleser:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for 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 Department of Permits 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



013

ZONING Description: 814 HATHERLEIGH RD

BEGINNING at a point on the North
Side of Hatherleigh Road (50' W. Right-of-way)
at a distance of 30' (feet) west of the centerline
of Tred Avon Road (extended) being
Lots 68 and 67 in the subdivision of
Stoneleigh, Section 20, area .197 Acres ±,
in the 4th Councilmanic District, 9th
Election District.

01-013-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 083816

DATE 7/13/00 ACCOUNT 0016150

AMOUNT \$ 50.00

RECEIVED
FROM:

FOR:

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACUAL TIME
7/13/2000 7/13/2000 09:51:48
REG 4301 CASHIER JIM JIM DRUMER 1
Dept 5 529 ZONING VERIFICATION
Receipt # 182392 OFLA
CR NO. 085816
Receipt Tot 50.00
50.00 OK .00 CR
Baltimore County, Maryland

CASHIER'S VALIDATION

A-510-10

CERTIFICATE OF POSTING

RE: Case No.: 01-013-A

Petitioner/Developer: _____

Lee + Richard Bleser

Date of Hearing/Closing: 8-5-2000

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

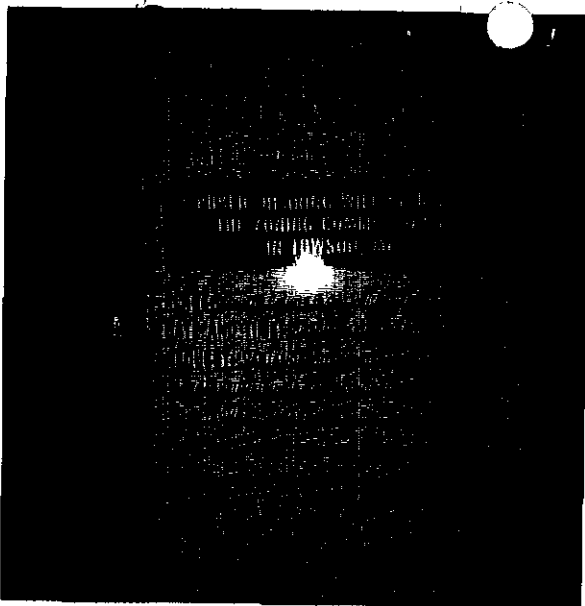
Attention: Ms. Gwendolyn Stephens

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 at 814 Hatherleigh Rd.

Baltimore, MD 21212

The sign(s) were posted on August 14, 2000
(Month, Day, Year)



Sincerely,

Stacy Gardner 8-15-00
(Signature of Sign Poster and Date)

Stacy Gardner
(Printed Name)

SHANNON-BAUM SIGNS INC.
105 COMPETITIVE GOALS DR.
ELDERSBURG, MD. 21784

(City, State, Zip Code)

410-781-4000

(Telephone Number)

**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: #01-013-A

814 Hatherleigh Road

N/S Hatherleigh Road, 40' +/- W of extended centerline of Tred Avon Road

9th Election District

4th Councilmanic District

Legal Owner(s): Lee F. Bleser & Richard K. Bleser, Jr.

Variance: to permit a zero foot setback in lieu of the required 2-2 1/2 feet for a detached garage.

Hearing: Tuesday,
September 5, 2000 at
11:00 a.m. in Room 407,
County Courts Building,
401 Basley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
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.

8/198 August 17 C412032

CERTIFICATE OF PUBLICATION

TOWSON, MD, 8/18/, 2000

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/17/, 2000.

S. Watkins
THE JEFFERSONIAN

LEGAL ADVERTISING

RE: PETITION FOR VARIANCE
814 Hatherleigh Road, N/S Hatherleigh Rd,
40' W of ext'd c/l Tred Avon Rd
9th Election District, 4th Councilmanic

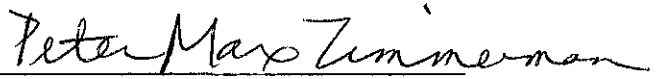
Legal Owner: Richard K. Bleser, Jr.
Petitioner(s)

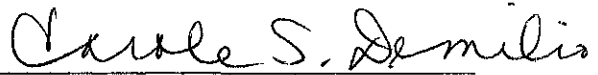
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-13-A

* * * * *

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 MAX ZIMMERMAN
People's Counsel for Baltimore County


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 31st day of July, 2000 a copy of the foregoing Entry of Appearance was mailed to Richard K. Bleser, Jr., 814 Hatherleigh Road, Baltimore, MD 21212, Petitioner.


PETER MAX ZIMMERMAN

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (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: 01-013-A
Petitioner: RICHARD BLESER
Address or Location: 814 HATHERLEIGH RD BALTO MD
21212

PLEASE FORWARD ADVERTISING BILL TO:

Name: RICHARD BLESER
Address: 814 HATHERLEIGH RD
BALTIMORE, MD 21212
Telephone Number: 410-825-8370

TO: PATUXENT PUBLISHING COMPANY
Thursday, August 17, 2000 Issue – Jeffersonian

Please forward billing to:

Richard Bleser 410-825-8370
814 Hatherleigh Road
Baltimore, MD 21212

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: 01-013-A

814 Hatherleigh Road

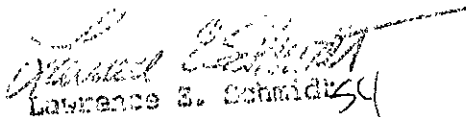
N/S Hatherleigh Road, 40' +/- W of extended centerline of Tred Avon Road

9th Election District – 4th Councilmanic District

Legal Owner: Lee F. Bleser & Richard K. Bleser, Jr.

Variance to permit a zero foot setback in lieu of the required 2-1/2 feet for a detached garage.

HEARING: Tuesday, September 5, 2000 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

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.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

August 3, 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: 01-013-A

814 Hatherleigh Road

N/S Hatherleigh Road, 40' +/- W of extended centerline of Tred Avon Road

9th Election District – 4th Councilmanic District

Legal Owner: Lee F. Bleser & Richard K. Bleser, Jr.

Variance to permit a zero foot setback in lieu of the required 2-1/2 feet for a detached garage.

HEARING: Tuesday, September 5, 2000 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

C: Lee Bleser & Richard Bleser, Jr., 814 Hatherleigh Road, Baltimore 21212

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY AUGUST 21, 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.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 29, 2000

Richard & Lee Bleser, Jr.
814 Hatherleigh Road
Baltimore, MD 21212

Dear Mr. & Mrs. Bleser, Jr.:

RE: Case Number: 01-013-A, 814 Hatherleigh Road

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

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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.

Very truly yours,

W. Carl Richards, Jr.
GDZ

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: People's Counsel



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *MS*

DATE: August 14, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of July 24, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
007	114 Dundalk Avenue
009	6919 German Hill Road
011	9736 Silver Farm Road
013	814 Hatherleigh Road
018	2004 Stringtown Road
520	Glyndon Trace

hs
9/5

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: July 21, 2000

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

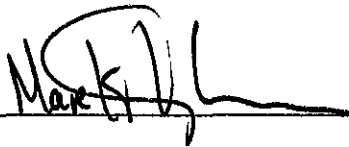
JUL 21

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-13

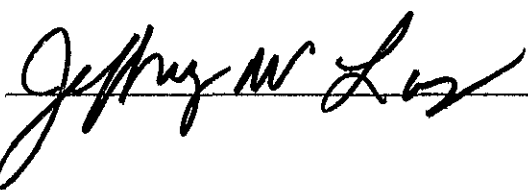
The Office of Planning has reviewed the above referenced case and has no comments to offer.

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:


Mark A. Cunningham

Section Chief:


Jeffrey W. Lutz

AFK/JL:MAC

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

RICHARD BLESER

Drew Talbot

PAUL GORMAN

Lee Bleser

FAY ADELEKAN

814 HATHERLEIGH RD WALT

704 Anneslie Rd Balt MD 21212

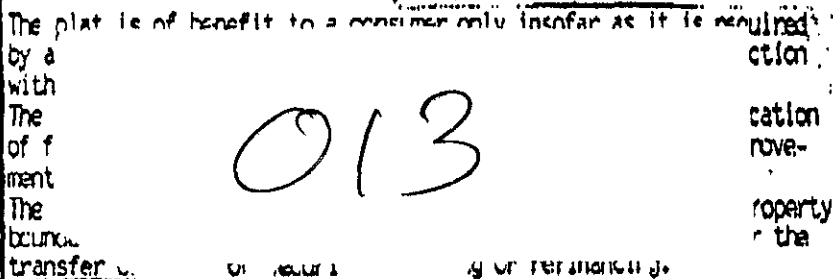
5704 Bellona Ave 21212

814 Hatherleigh Rd. 21212

5704 BELLONA AVE. 21212



***NOTE: THIS HOUSE IS NOT LOCATED IN THE FLOOD PLAIN.



013

ZONING: D.R. - 5.5
ZONING MAP NO. NE-8A
UTILITIES: PUBLIC WATER & SEWER
NOT IN A FLOOD PLAIN
NOT IN ^{IN ROAD} CBCA

Scale: 1"= 20' Date: 5/3/90

D.L. # 96-0305

VARIANCE SHEET 2 OF 2

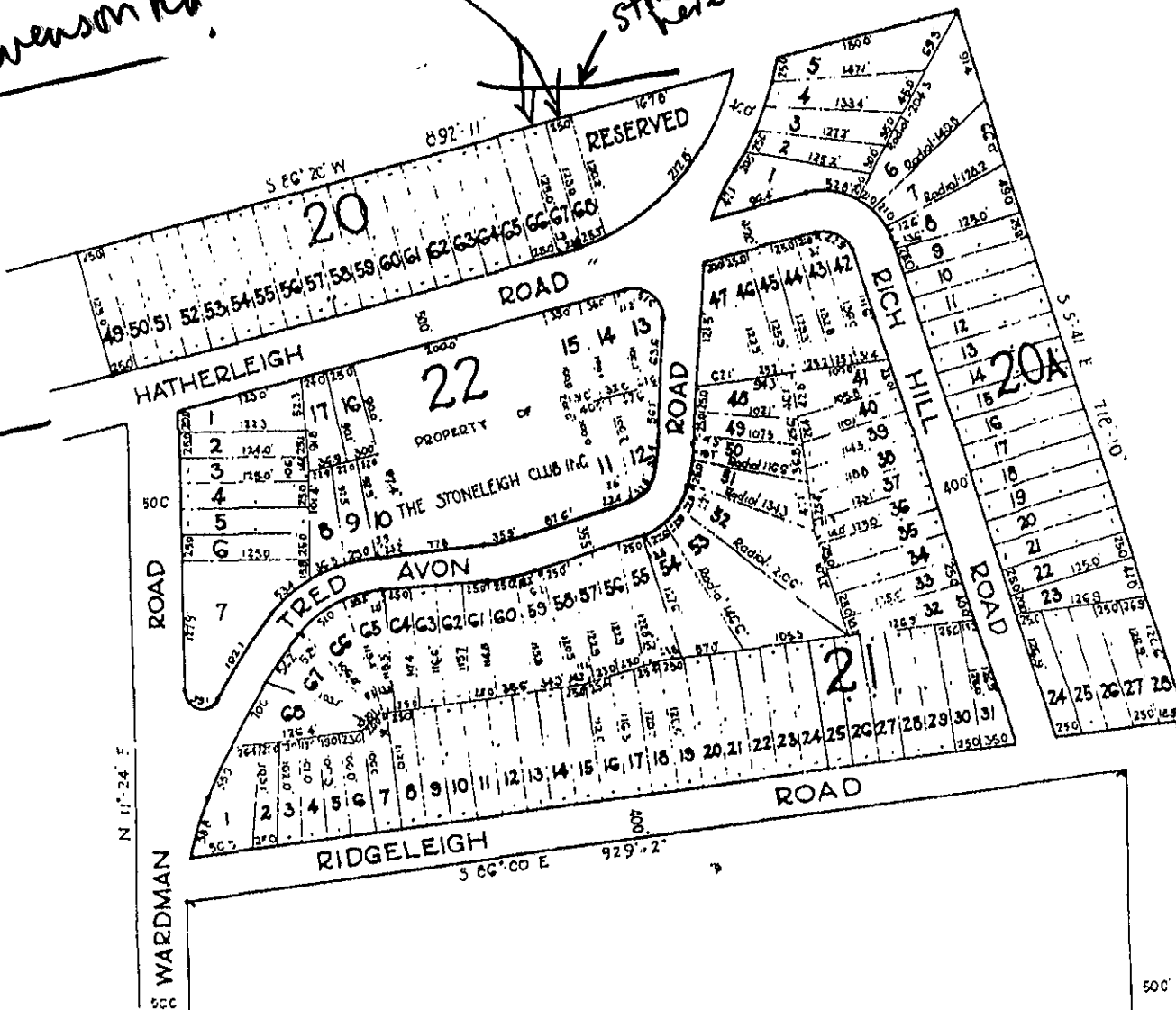
WITH ENGINEERS SCALE.

BLESER

Stevenson Rd.

Stream here

to York Rd



CHARLES KAPLAN

SUSSEX

VERMONT

LEE SMITH (FIDELITY TITLE)

MB#1

107

4110-653-1510

* } PERMANENT
EASEMENT

• CHARLES KAPLAN

• BORN 12 1901

• BORN 12 1901

• BORN 12 1901

• KATHY 523-5000

PROCTOR DESIGN SURVEY CO.

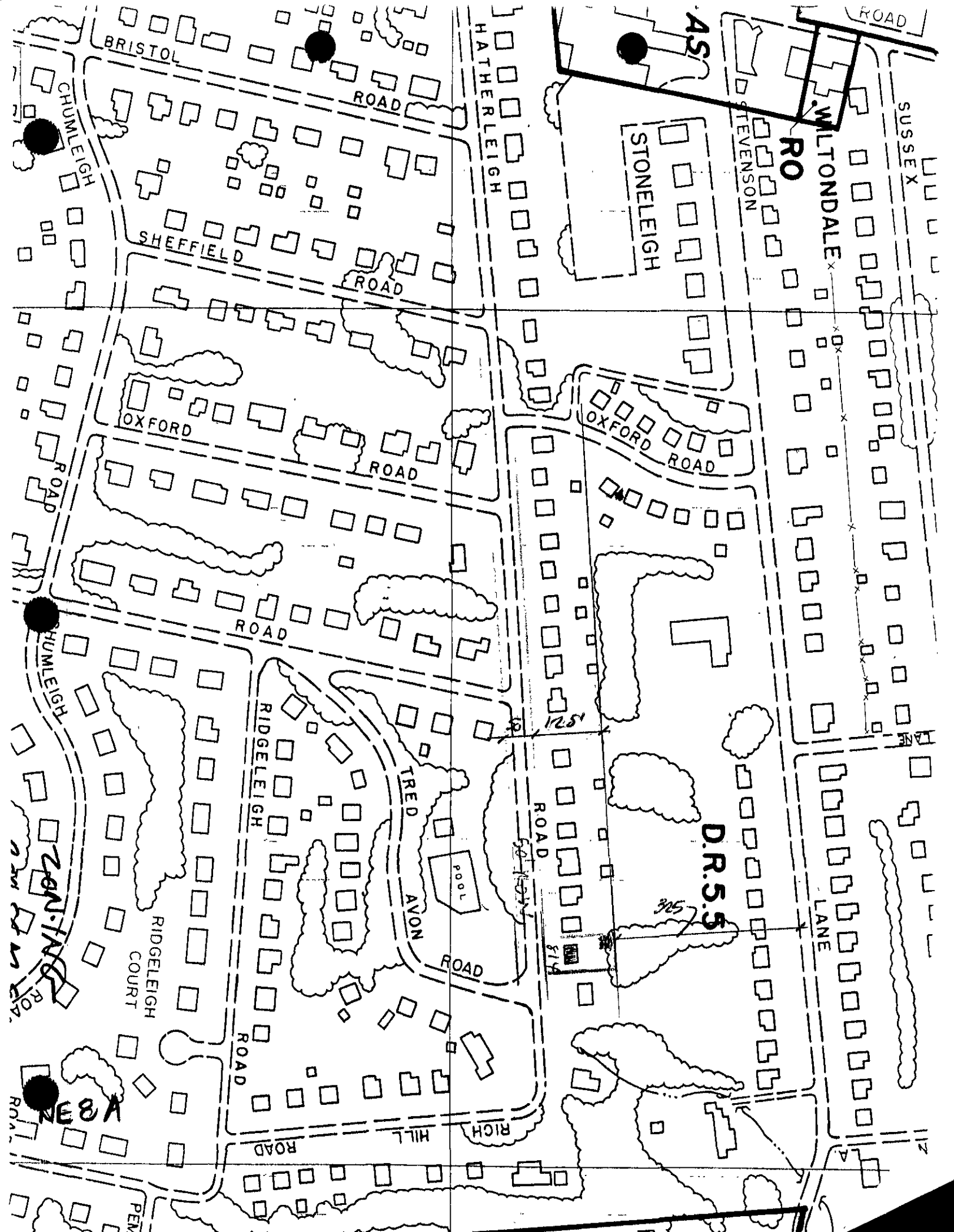
PROCTOR SURVEY

4013

01-013-A

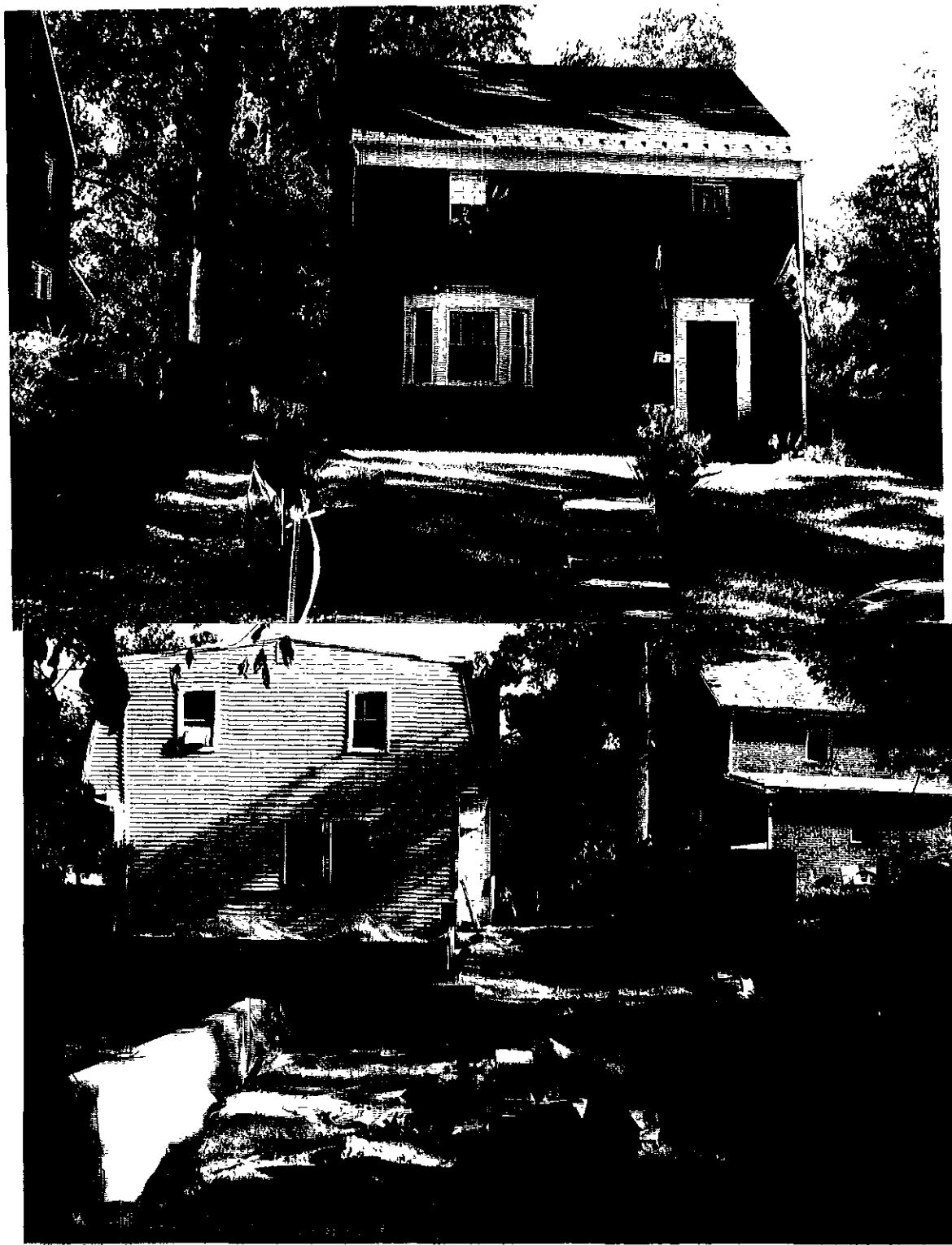
32425 BOZ
2011 1022 ROAD

NE 8 X



photographs

Case # 01-013-A



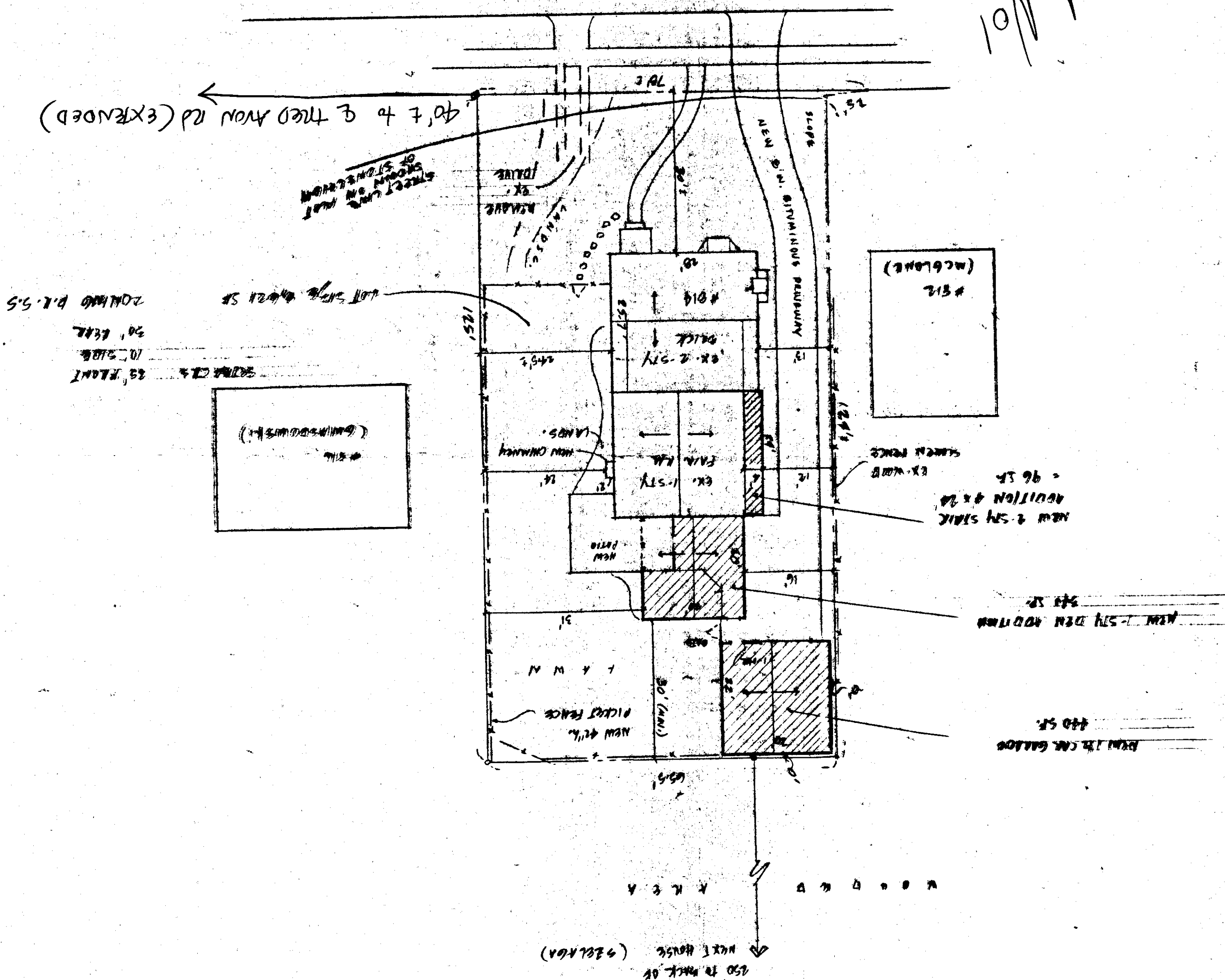




S I T E P L A N

VARIANCE

H A T H 3 H 1 3 1 6 H
L O A B (50" K.O.W.)





Baltimore County
Fire Department

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

July 31, 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 July 24, 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:

008, 009, 011, 012, 013, 018, 019, 017, and 020

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

cc: File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 814 HATHERLEIGH RD

which is presently zoned D.R. 5.5

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) 400.1 BCZR TO PERMIT A

0 FT. SETBACKS IN LIEU OF THE REQUIRED 2 1/2 FT. FOR A DETACHED GARAGE

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

TO BE ESTABLISHED AT HEARING.

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:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Richard K. Bleser, Jr.
Name - Type or Print

Signature

Lee F. Bleser
Name - Type or Print

Lee F. Bleser
Signature

814 Hatherleigh Rd (410) 8258370
Address Telephone No.

Balt. Md. 21212
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1/2 HR

UNAVAILABLE FOR HEARING
Reviewed By JL Date 7/13/00

ORDER RECEIVED FOR FILING
Date 9/20/98
By [Signature]
Case No. 01 013 A
REU 9/15/98