IN RE: PETITION FOR VARIANCE

W/S Bullock Circle, 650' S of the c/l

Berans Road

(1678 Bullock Circle) 8th Election District 3rd Council District

Garsue Enterprises, Ltd. Petitioners

BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

Case No. 01-265-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 owner of the subject property, Garsue Enterprises, Ltd., by Gary Talles, President. The Petitioner seeks relief from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a principal building setback of 70 feet from a street centerline in lieu of the required 75 feet. 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 Gary Talles, President, Garsue Enterprises, Ltd., property owner, and Richard E. Matz, Professional Engineer who prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an unimproved lot located on the west side of Bullock Circle, just south of its intersection with Berans Road in Reisterstown. The property is also known as Lot 22 in Section 3 of the Alec Bullock Farm subdivision, which is currently being built out as a community of large, single family homes on substantially sized lots. The subject lot consists of a gross area of 1.365 acres, more or less, zoned R.C.5 and is partially developed with a single family dwelling. The frame and shell of the building has been completed and is under roof. However, due to an error in the siting of the building on the lot, the front wall of the attached garage portion of the structure comes within 72 feet of the

ROFE REJENTE FOR THE SE

centerline of Bullock Circle, a proposed public road. This is 3 feet less than that required by the regulations. Rather than remove the existing improvements and reconstruct the house at a distance 3 feet further into the interior of the property, the Petitioners have requested the instant variance relief. A variance of 5 feet is being requested so as to allow a reasonable tolerance during the actual construction phase. It is also to be noted that the lots on both sides of the subject property have not been developed.

Based upon the testimony and evidence presented, I am persuaded to grant the requested relief. The variance is minimal in scope and nature, and the relief sought is consistent with the spirit and intent of the zoning regulations. There is uniqueness attributed to the lot in terms of its configuration and area and the location of the septic reserve area. Moreover, I am persuaded that the relief requested will not be detrimental to the adjacent properties.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this Aday of February, 2001 that the Petition for Variance seeking relief from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a principal building setback of 70 feet from a street centerline in lieu of the required 75 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The 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



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

Fax: 410-887-3468

February 20, 2001

Mr. Gary Talles, President Garsue Enterprises, Ltd. 1133 Greenwood Road Baltimore, Maryland 21208

RE: PETITION FOR VARIANCE

W/S Bullock Circle, 650' S of the c/l Berans Road

(1678 Bullock Circle)

8th Election District – 3rd Council District Garsue Enterprises, Ltd. - Petitioners

Case No. 01-265-A

Dear Mr. Talles:

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: Mr. Richard E. Matz

Colbert, Matz Rosenfelt, Inc., 2835 Smith Avenue, Suite G, Baltimore Md. 21209

People's Counsel; Case File



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at	1678 Bullock Circle		U
which is	s presently zoned	R.C5	

I/We do solemnly declare and affirm, under the penalties of

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 of thereof, hereby petition for a Variance from Section(s)

1A04.3.B.2 of the B.C.Z.R. for a principal building setback of 70 feet from a street centerline in lieu of 75 feet required.

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

The uniqueness and peculiarity of the property causes the zoning provisions to impact disproportionately upon the property.

Practical difficulty and unreasonable hardship result from the disproportionate impact of the provisions of the zoning regulations caused by the property's uniqueness.

Property 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.

		perjury, that I/we are the legal owner(s) of the ls the subject of this Petition.	property which
Contract Purchaser/Lessee;		Legal Owner(s): Garsue Enterprises Ltd. Gary Talles, President	
Name – Type or Print		Name - Type or Print	
Signature		Signature	
Address.	Telephone No.	Name – Type or Print	
City	State Zip Code	Signature	
Attorney For Petitioner:		1133 Greenwood Road	410-48 6 -5350
		Address.	Telephone No.
		Baltimore	MD 21208
Name – Type or Print		City	State Zip Code
gigna ure		Representative to be Contacted:	
		Richard E. Matz, P.E.	
(Company)		COLBERT MATZ ROSENFELT, INC	410-484-8757
T A		2835 Smith Avenue, Suite G	410-653-3838
02080355	Telephone No.	Address	Telephone No.
<u> </u>	01.4.	Baltimore	MD 21209
# D. A.	State Zip Code	City	State Zip Code
1000 ST 265 -		OFFICE USE ONLY	
Case No. 01-265-	A	ESTIMATED LENGTH OF HEARING	·
Case 10. /// 200		UNAVAILABLE FOR HEARING	
<u> </u>		Reviewed By 1311 Da	to 01/13/01

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



ZONING DESCRIPTION 1678 BULLOCK CIRCLE

Beginning at a point on the west side of Bullock Circle, which is 40 feet wide, at the distance of 650 feet south of the centerline of Berans Road, which is 50 feet wide.

Being Lot 22, in Section 3 of the subdivision of Alec Bullock Farm, as recorded in Baltimore County Plat Book 71, Folio 118, and containing 1.365 acres. Also known as 1678 Bullock Circle and located in the 8th Election District.

3rd COUNCILMANIC DISTRICT



		-5		1311 1300 CASHIEL	第729年 19525日 1962年 166 中共議会
113/01	ACCOUNT	16001-615	۵)	heript ii	
	AMOUNT \$	50.60		(dex	opt Tot 50.
Calbert	Matz a.	son erit. Ta	<u> </u>	4	hunts Karelond
7 chine	Verion	14			
	Callyert	Calbert Clatz a	AMOUNT \$ 50.60	Carpent, Matz assendent. The	AMOUNT \$ 50.00 But 5 78 cm feeting to the state of the st

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 #01-265-A
1678 Bullock Circle
W/S Bullock Circle, 650' S
of centerline Berans Road
8th Election District
3rd Councilmanic District
Legal Owner(s) Garsue
Enterprises Ltd
Variance: for a principal
building setback of 70 feet
from a street centerline in
lieu of the required 75 feet.
Hearing: Thursday, February 15, 2001 at 11:00 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. 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.

JT/1/798 Jan. 30 C447371

CERTIFICATE OF PUBLICATION

TOWSON, MD,, 20 <u>01</u>
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 ofsuccessive
weeks, the first publication appearing on, 20_01
THE JEFFERSONIAN,
J. Walmyy
LEGAL ADVERTISING

Petitioner/Developer. BULLOCK, ETAL

R. MATZ, P.E.

Date of Hearing/Closing: 2/15/01

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 #1678 BULLOCK CIR.

The sign(s) were posted on	1		27	/	0	1	
		<i>[</i> ,	(Mor	th	Da	v Year	٠,

THE ZONING COMMISSIONER IN TOWSON, MD. THE THE CONTRIBUTION AND THE STATE OF THE ST DATE , THIS FEB 15,2001 & 11:00 AM A PRINCIPAL BUILDING SETBACK

01-265-A BULLUEK CIR.

Sincerely,

(Signature of Sign, Pöster ape

PATRICK M. O'KEEFE (Printed Name)

523 PENNY LANE (Address)

HUNT VALLEY, MD. 21030 (City, State, Zip Code)

410-666:5366 ; CELL. 410.905.8571

(Telephone Number)

CERTIFICATE OPPOSTING

Petitioner/Developer TAUES, ETAL YOR, MATZ Date of Hearing/Closing: 2/15/01

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 #1678 BULLOCK CIRCLE

The sign(s) were posted on

A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD. Bed Count Cours Bur, 101 Post SY Ave. DATE THUS FEB. 15, 2001 @ 11 00 AM FOR A PRINCIPAL BUILDING SETBACK IT FROM A STREET CENTERLINE IN BEREGUISD 75-FEET

01-265-A #1678 BULLUCK CIR.

Sincerely,

PATRICK M. O'KEEFE (Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030 (City, State, Zip Code)

410-666-5366; CELL-410-905-8571 (Telephone Number)

RE: PETITION FOR VARIANCE
1678 Bullock Circle, W/S Bullock Cir,
650' S of c/l Berans Rd
8th Election District, 3rd Councilmanic

Legal Owner: Garsue Enterprises, Ltd. Petitioner(s)

- * BEFORE THE
- * ZONING COMMISSIONER
- * FOR
- * BALTIMORE COUNTY
- * Case No. 01-265-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 Cimmeinan PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

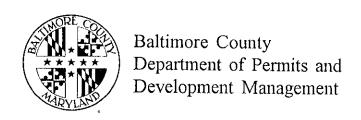
Ale S. Demilio

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 19th day of January, 2001 a copy of the foregoing Entry of Appearance was mailed to Richard E. Matz, Colbert, Matz, Rosenfelt, Inc., 2835 G Smith Avenue, Baltimore, MD 21209, representative for Petitioners.

Peter Max Zinneiman PETER MAX ZIMMERMAN



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

Fax: 410-887-5708

January 10, 2001

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: 01-265-A

1678 Bullock Circle

W/S Bullock Circle, 650' S of centerline Berans Road

8th Election District – 3rd Councilmanic District

Legal Owner: Garsue Enterprises Ltd

<u>Variance</u> for a principal building setback of 70 feet from a street centerline in lieu of the required 75 feet.

HEARING: Thursday, February 15, 2001 at 11:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jablon Director

C: Gary Talles, President, Garsue Enterprises Ltd, 1133 Greenwood Road, Baltimore 21208

Richard E. Matz PE, Colbert, Matz, Rosenfelt, Inc., 2835 Smith Avenue, Suite G, Baltimore 21209

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JANUARY 31, 2001.

(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

Tuesday, January 30, 2001 Issue – Jeffersonian

Please forward billing to:

Gary Talles

410 486-5350

Garsue Enterprises, Ltd 1133 Greenwood Road Baltimore MD 21208

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: 01-265-A

1678 Bullock Circle

W/S Bullock Circle, 650' S of centerline Berans Road

8th Election District – 3rd Councilmanic District

Legal Owner: Garsue Enterprises Ltd

Variance for a principal building setback of 70 feet from a street centerline in lieu of the required 75 feet.

HEARING:

Thursday, February 15, 2001 at 11:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

6)Z

ence 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.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

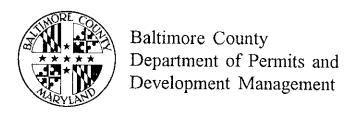
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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: 01-265- A
Petitioner: GARSUE ENTERPRISES LTD
Address or Location: 1678 BULLOCK CIRCLE
PLEASE FORWARD ADVERTISING BILL TO: Name:



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

February 12, 2001

Gary Talles President Garsue Enterprises Ltd 1133 Greenwood Road Baltimore MD 21208

Dear Mr. Talles:

RE: Case Number: 01-265-A, 1678 Bullock Circle

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 3, 2001.

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.

Supervisor, Zoning Review

W. Carl Richards, Jr.

WCR: gdz

Enclosures

C: Richard E Matz, PE, Colbert Matz Rosenfelt Inc, 2835 Smith Avenue, Suite G, Baltimore 21209 People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: March 6, 2001

Department of Permits & Development Mgmt.

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For January 16, 2001

Item Nos. 251, 252, 253, 254, 255, 256, 257, 259, 260, 261, 262, 263, 264, and

265

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

RWB:HJO:jrb

cc: File



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

January 9, 2001

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 January 8, 2001

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:

253, 256, 258, 259, 260, 261, 263, 264, 265

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 MRBS

DATE:

January 19, 2001

SUBJECT:

Zoning Petitions

Zoning Advisory Committee Meeting of January 8, 2001

DEPRM has no comments for the following zoning petitions:

Item #	Address
251	2855 Lodge Farm Road
254	6311 Sherwood Road
255	800 Race Road
257	2005 Security Boulevard
258	15505 Carroll Road
259	10407 Vincent Road
261	1018 Wagner Road
262	15 Hanover Road 10 Westminster Pike
263	9639 Belair Road
265	1678 Bullock Circle

\$15

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: January 24, 2000

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-265 and 01-275.

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



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D Porcari Secretary

Parker F Williams Administrator

Date: 1. 12.01

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

RE: Baltimore County

Item No. 265 BR

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.

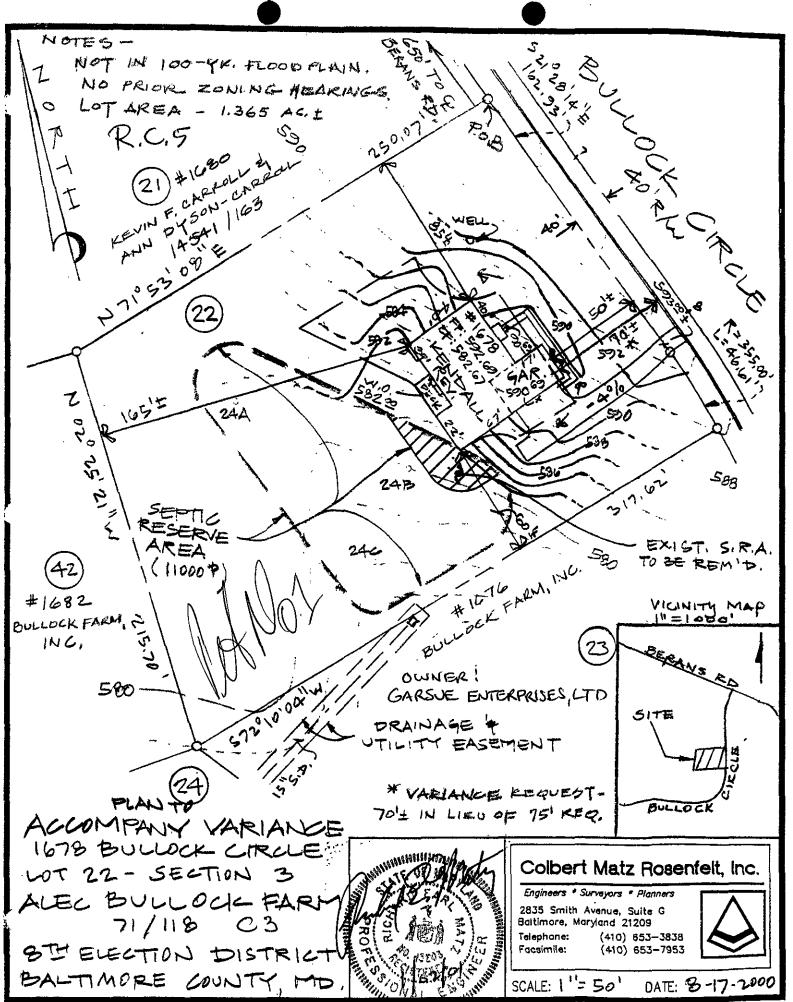
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

f. J. Soll

lov

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



0007

#265

