UNDER RECEIVED FOR FILING

IN RE: PETITION FOR ADMIN. VARIANCE

E/S Golf Course Road, 50' N

centerline of West Golf Course Road

3rd Election District

3rd Councilmanic District

(301 Golf Course Road)

Julia and Herbert May, III

Petitioners

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 01-543-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Julia and Herbert May, III, the legal owners of the subject property. The variance request is for property located at 301 Golf Course Road in the Owings Mills area of Baltimore County. The Petitioners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed accessory structure (detached garage) to be located in the side yard in lieu of the rear yard and to amend the previously approved Final Development Plan and Order in Case No. 00-376-A. 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.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this day of July 2001, that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed accessory structure (detached garage) to be located in the side yard in lieu of the rear yard and to amend the previously approved Final Development Plan and Order in Case No. 00-376-A, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

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:rai

THE CHARLES FOR FILING



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

Fax: 410-887-3468

July 24, 2001

Mr. & Mrs. Herbert A. May, III 301 Golf Course Road Owings Mills, Maryland 21117

> Re: Petition for Administrative Variance Case No. 01-543-A Property: 301 Golf Course Road

Dear Mr. & Mrs. May:

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

TMK:raj Enclosure

c: Mr. Matt Slater 11736 Greenspring Avenue Lutherville, MD 21093



ORDER RECEIVED FOR FILING

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 301 Golf Course Rd which is presently zoned R.C. 2

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. To PERMITA PROPOSED FARALE DETACHED ACCES SCRY STRUCTURE TO BE IN SIDE YARD IN LIEU OF REAR YARD AND TO AMEND THE PREVIOUSLY APPROVED PLAN AND ORDER IN CASE# 00-376-A.

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.

			is the subject of this F	Petition.
Contract Purchaser/Le	ssee:		Legal Owner(s):	1 May III-
Name - Type or Print			Namel-Type of Print	h my
Signature			Signature	man
Address		Telephone No.	Name - Type or Print	Mah
City	State	Zip Code	Signature .	
Attorney For Petitioner	·• •	_	36) /70/1	Louis Kd. 581-611
Name Towns O			Address /	Telephone No.
Name - Type or Print			City	State Zip Code
Signature			Representative to	o be Contacted:
			MAH	1/Ater 11/2
Company .			Name / / /	1 70
Address		Telephone No	Address ()	MINSIMILE THE SOLL
		i cicpitotic 140	1. The will	Telephone No.
	State	Zip Code	ZHIIIVI VIII	State Zip Code
A Public Hearing having been for	ormally demande	ed and/or found to be r	equired, it is ordered by th	e Zoning Commissioner of Baltimore County,
this day of regulations of Baltimore County an			s petition be set for a public l	hearing, advertised, as required by the zoning
25 2		, oo ropoolou		
12			Zoning Commi	ssioner of Baltimore County
CASE NO. 01-5-	43-A	Revie	wed By <u>JL</u>	Date 6/26/0/

Estimated Posting Date

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.

competent to testify thereto in the event that a pu	blic hearing is scheduled in the future with regard thereto.
That the Affiant(s) does/do presently reside at (
•	Address Milk-M. 21117
That beard was a second by substantial to the	City State Zip Code
VARANCE At the above address (indicate hardshin	ving are the facts upon which I/we base the request for an Administrative or practical difficulty):
And to the year	your Line, As Obsermined,
1/11/20 11/11	
1 the Matimen	. County Zoning Dept.
if is impossible	to Suid A GAMGE
1 13 Myana.	
within the King	med Brett.
Within IM ICM 9.	
(SEE	ADDENDUMI)
That the Affiant(s) acknowledge(s) that if a form	mal demand is filed, Affiant(s) will be required to pay a reposting and
advertising fee and may be required to provide ac	dditional information.
luis / MAS	A A A A
Signature n	Signature
Julia S. May	Hubert H. May 111
Name - Type or Print	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMO	·
of Maryland, in and for the County aforesaid, pers	we, <u>2001</u> , before me, a Notary Public of the State sonally appeared
JULIA B. MAY	Herb MAn
law that the matters and facts hereinabove set for	ctorily identified to me as such Affiant(s), and made oath in due form of the are true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal	
6 25/01	λ - λ Λ Ω
Date Date	Notary Public
THE P. C. P.	Notary Public My Commission Expires 15/05
REU 09115198 ENOTARY	my John Modell Expiros

Affidavit.

Allua VII 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 Address Address State The Affiant (s) does/do presently reside at Solution (s) State State Address Zip Code
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):
Variance at the above address (indicate hardship or practical difficulty): July 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
by Jostimus County Joning Sept. it is
in nossible to build a grange willing
MAR YARD BURNDUM) SEE ADDENDUM
That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.
Signature Signature Signature A. May Name - Type or Print Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit.
HEREBY CERTIFY, this 25 day of June 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared 2001
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notanal Seal
June 25, 2001 Date Notary Public Notary Public
Date Notary Public

My Commission Expires 1/5/65

REV 09/15/98



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for t	he property located at RET 301 GOLF (CURSE RI)
This Petition shall be filed with the Departme owner(s) of the property situate in Baltimore Coumade a part hereof, hereby petition for a Variance	ent of Permits and Development 45
	Structure of the permit A. proposici
in Live of view yand.	med to amend my previously
Approvide pinn and one	10 11 CAS # 60-376-A
	he zoning law of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescrit, or we, agree to pay expenses of above Variance, advergulations and restrictions of Baltimore County adopte	bed by the zoning regulations. /ertising, posting, etc. and further agree to and are to be bounded by the zoning d 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	Name - Time or Fint
Signature	Signature MA. A
Telepho	ne No. Name - Type or Pfint
Zip State Zip	Code Signature
Attorney For Petitioner:	Addiges M. II M. Telephone Mo.
Name - Type or Print	
Signature	Representative to be Contacted:
Aridraec	Name 13/0 Truescarios Au 30.176
Telephone	No. Address Telephone No.
ity State Zip (
Public Hearing having been formally demanded and/or for	and to be
guilations of Baltimore County and that the property be reposted	and to be required, it is ordered by the Zoning Commissioner of Baltimore County, natter of this petition be set for a public hearing, advertised, as required by the zoning
CASE NO. <u>01-543-A</u>	Reviewed By
EV 915198	Estimated Posting Date 7/08/01

Affidavit in support of Administrative Variance - Due to shape of property and topography,
a garage cannot be constructed in the rear yard. - The location of the garage at the head of the existing driveway and parking pad climinates the need for a longer driveway - Connecting the garage to the existing house has proved completely impractical given the layout and design of that end of the building. It would require adding onto the rear of the tamily room and the result of that would be to cut off the working access to the back yard (See photo's)

= 1000 Zoning Description

301 Golf Course Rd

Beginning at a point on the East side or Golf Course Rd, a 30' right of way, 50 Northeast of the centerline of West Golf Course Rd (extended thence binding Northerly along the Eastern right of way of Golf Course Rd.) Northerly 298.74 FT. Easterly 98.52 FT., Southeasterly 203 Southerly 183.82 FT., then Westerly back to the point of beginning 238.31 FT. Being a 1.48 Acre lot in Election District 3rd Council manie Districe

BALTIMORE COUNTY, MARYLANS OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT SAME No. 3331	PAID RECEIPT PAYMENT ACTUAL TIME 6/21/2001 6/26/2001 14:42:03
DATE 6/26/01 ACCOUNT 001 006 6150 AMOUNT \$ 100.00	RU VISUZ CASHIER SNAT SNAT DRAMER 2
RECEIVED PROM:	Recpt Tot 100.00 100.00 CK .00 CM Baltimore County, Maryland
FOR: RV FILING AND AMEND 00-376-A.	
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	CASHIER'S VALIDATION

.



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone: (410) 823-4470 • Fax. (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE # 01-543-A
PETITIONER/DEVELOPER
Herbert and Julia May
DATE OF HEARING / CLOSING DATE
July 23, 2001

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 111 WEST CHESAPEAKE AVE. TOWSON, MARYLAND 21204

ATTENTION: GEORGE ZAHNER

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

CASET, OILSAS, A

AVARIANCE TO PRISIT A CARACEDETANIED AC

EXECUTOR OF THE THE THE VIDE VARIED RELEGION

PROMET DISCUSSION OF THE PROPERTY OF THE VIDE OF THE VIDE

LOCATION

301 Golf Couse Road

DATE July 9, 2001

SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD SUITE 100 320EAST TOWSONTOWN BLVD TOWSON, MARYLAND 21286 410-823-4470 PHONE 410-823-4473 FAX

POSTED ON July 6,2001

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.

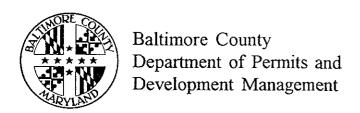
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 01-543-A
Petitioner: /wit / with // My
Address or Location: 301 (10/1 (DVISI RG). DWINGS MILES.
M. 71117
PLEASE FORWARD ADVERTISING BILL TO:
Name: /uhat - Julia ///ay
Address: 301 (70/1 (6UYS) KA.
Duings Mills Md. 21117
Teiephone Number: 410 - 581 - 5914

npany Petition for Zoning∐Var	e Special Hearing
PROPERTY ADDRESS: Subdivision name: [plat book#,tollo#,lot#,section#] OWNER:	o di me checalist for additional required informatio
	Wicinity Map
	LOCATION INFORMATION
	Election District: Councilmanic District:
	1'*200' scale map#: Zoning: Lot size:
	SEWER:
	Chesapeake Bay Critical Area: 🔲 🔲 Prior Zoning Hearings:
North	Zoning Office USE ONLY! reviewed by: ITEM #: CASE#:
prepared by: Scale of Drawing: 1"=	

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 01- 543 -A Address 301 GOLF COURSE RD.		
Contact Person: Planner, Please Print Your Name Phone Number: 410-887-3391		
Filing Date: 6/26/0/ Posting Date: 7/08/0/ Closing Date: 7/23/0/		
Any contact made with this office regarding the status of the administrative variance should be hrough 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. DEADLINE: 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 01- 543 -A Address 301 GOLF CORSE RD		
Petitioner's Name HERBERTAND JULIA MAY Telephone 4650 0914,		
Posting Date: 7/08/01 Closing Date: 7/23/01		
Wording for Sign: To Permit A GARAGE DETACHED ACCESSORY STRUCTURE IN		
THE SIDE YARD IN LIEU OF REAR YARD AND TO AMEND THE DREVIOUSLY		
APPRNED PLAN AND ORDER IN CASE # GO-376-A.		



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

July 23, 2001

Julia & Herbert A May III 301 Golf Court Road Owings Mills MD 21117

Dear Mr. & Mrs. May:

RE: Case Number: 01-543-A, 301 Golf Course Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 26, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. As of this date, we have not received any comments from any of these agencies. You may verify any possible comments by contacting the agency directly at the numbers listed below:

Development Plans Review (Traffic)	410-887-3751
Fire Department	410-887-4880
State Highway Administration	410-545-5600
Office of Planning & Community Conservation	410-887-3480
Department of Environmental Protection	
and Resource Management (DEPRM)	410-887-5859
Recreation and Parks	410-887-3824
Maryland Office of Planning - Chesapeake	
Bay Critical Area (CBCA)	410-767-4489
Department of Natural Resources - Floodplain	410-631-3914

If you need further information or have any questions, please do not hesitate to contact Zoning Review at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. G ると Supervisor, Zoning Review

WCR: gdz

Enclosures

C: Matt Vater, 11736 Greenspring Avenue, Lutherville 21093 People's Counsel



John alejander

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: August 2, 2001

Department of Permits & Development Mgmt.

FROM:

Debert W. Bowling, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 23, 2001

Item Nos. 485, 527, 528, 529, 530, 532, 534, 536, 537, 540, 541, 542, 543, 544,

546, 547, 548, 549, and 550

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

RWB:HJO:jrb

cc: File



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

July 24, 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 July 16, 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:

527, 528, 529, 531, 533, 534, 535, 536, 539, 540, 541, 542, 543, 545, 548, 550, and 551

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

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-527, 01-530, 01-536, 01-537, 01-540,

DATE: July 23, 2001

01-541, and 01-543

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.

Section Chief:

AFK/JL:MAC



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams

Date: 7.23.01

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

RE: Baltimore County

Item No. 543

ンント

Administrator

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. f. Hadle

