ORDER REGENED FOR FILING
Date
Sy

IN RE: PETITION FOR ADMIN. VARIANCE

S/S Worthington Ridge Court, 250' W of

the c/l Log Trail Way

(3 Worthington Ridge Court)

4<sup>th</sup> Election District

3<sup>rd</sup> Council District

Marta C. Buscaglia

Petitioner

BEFORE THE

\* ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

Case No. 02-049-A

\*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owner of the subject property, Marta C. Buscaglia. The Petitioner seeks relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (proposed swimming pool) to be located in the side yard in lieu of the required rear yard. The subject property and requested relief are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, 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 B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of August, 2001 that the Petition for Administrative Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (proposed swimming pool) to be located in the side yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

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.

AWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

2



August 27, 2001

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

Ms. Marta C. Buscaglia 3 Worthington Ridge Court Reisterstown, Maryland 21136

RE: PETITION FOR ADMINISTRATIVE VARIANCE

S/S Worthington Ridge Court, 250' W of the c/l Log Trail Way

(3 Worthington Ridge Court)

4<sup>th</sup> Election District – 3<sup>rd</sup> Council District

Marta C. Buscaglia - Petitioner

Case No. 02-049-A

Dear Ms. Buscaglia:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative 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:bis

cc:

People's Counsel; Cas



## Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

MALTA		C 43	3 wortningt		
		for the propert	y located at Reisterstow		
		'	which is presently	zoned	Rc-5
awnerch ar me ar	ODBIN SITUATO IN RAITIN	ioro i olinni and iuni	its and Development Managech is described in the described in the description(s)	نحا السمسم محمنا	
Structure	(swimmin	g pool) +	ion(s) 400,1 to per be located in	the s	ide yard in
	the requi				
		4.			4
of the zoning regu of this petition form	lations of Baltimore Co n.	ounty, to the zoning l	law of Baltimore County, for th	e reasons ind	icated on the back
I, or we, agree to pa	posted and advertised a ny expenses of above Va rictions of Baltimore Cou	riance, advertising, po	zoning regulations. sting, etc. and further agree to ar to the zoning law for Baltimore Co	nd are to be boo	unded by the zoning
			I/We do solemnly declare ar perjury, that I/we are the leg is the subject of this Petition	al owner(s) of t	the penalties of the property which
Contract Purch	aser/Lessee:		Legal Owner(s):		
Name - Type or Print			Marta C. Buscaglia Name Type or Print		
Signature		· · · · · · · · · · · · · · · · · · ·	Signature		
Address		Telephone No.	Name - Type or Print		only lown
City	State	Zip Code	Signature		
Attornev For Pe	etitioner:	-	3 Worthington Ridg	e Ct. 410	-517-1897
			Address		Telephone No.
I T D-1-4		<u></u>	Reisterstown,	MD_	21136
Name - Type or Print			City	State	Zip Code
·	· · · · · · · · · · · · · · · · · · ·		Representative to be	Contacted:	
Signature		f			
ompany			Joe Kagen Name		(11) (21)
		1	-	Suite 110	410-005-6600
ddress	<u> </u>	Telephone No.	9515 Gerwig Lane, Address	DUTLE 113	410-995-6600 Telephone No.
		,	Columbia	MD	21046
ity	State	Zip Code	City	State	Zip Code
Public Hearing hav	ing been formally demand	ded and/or found to be	required, it is ordered by the Zonia	ng Commissione	r of Baltimore County.
nis 😭 day of	the County and that the proper	at the subject matter of th	nis petition be set for a public hearing	, advertised, as i	required by the zoning
J.A.	and annual makes	-A			
SIK!	1				·
XK 7		1	Zoning Commissioner	of Baltimore Co	unty

Zoning Commissioner of Baltimore County				
Reviewed By BK	Date 7/27/01			
Estimated Posting Date	8/5/01			

# 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.

That the Affiant(s) does/do presently reside at	bublic hearing is scheduled in the future with regard thereto.  3 Worthington Ridge Court			
•	Address			
	Reisterstown	MD	21136	
	City	State	Zip Code	
That based upon personal knowledge, the folk Variance at the above address (indicate hardsh	owing are the facts upon w nip or practical difficulty):	hich I/we base the re	equest for an Administrative	
The steep downward slope and seption the pool in that area. The only vin a side yard that is not visible	iable alternative is	adjacent to the	e family room	
heavily treed.	.,	Zmama(o( -		
-				
That the Afficiency acknowledge(e) that if a fe	ormal demand is filed. Affi	ant(a) will be requir	ad to nav a reporting and	
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide	ormal demand is filed, Affi additional information.	ant(s) will be requir	ed to pay a reposting and	
advertising fee and may be required to provide	additional information.	ant(s) will be requir	ed to pay a reposting and	
advertising fee and may be required to provide	ormal demand is filed, Affi additional information.	ant(s) will be requir	ed to pay a reposting and	
advertising fee and may be required to provide	additional information.	ant(s) will be requir	ed to pay a reposting and	
advertising fee and may be required to provide	additional information.		ed to pay a reposting and	
advertising fee and may be required to provide a signature  Marta C. Busca Lia	additional information.  Signature  Name - Tyr		ed to pay a reposting and	
Signature  Marty C. Busca Lia  Name - Type or Print  STATE OF MARYLAND, COUNTY OF BALTIM	Signature Name - Typ	pe or Print		
Signature  Marty C. Buscasia, personally known or satis	Signature Name - Type  WORE, to wit:  Prepulse A sectorily identified to me as	200) , before me, a	a Notary Public of the State	
Signature  Marta C. Busca Lia  Name - Type or Print  I HEREBY CERTIFY, this 13 day of of Maryland, in and for the County aforesaid, per	Signature Name - Type  WORE, to wit:  Prepulse A sectorily identified to me as	200) , before me, a	a Notary Public of the State	
Signature  Marty C. Buscasia, personally known or satis	Signature  Name - Type  MORE, to wit:  A presentable appeared  factorily identified to me as orth are true and correct to	200) , before me, a	a Notary Public of the State I made oath in due form of eir knowledge and belief.	

My Commission Expires \_\_

5/1/2004

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.

That the Affiant(s) does/do presently reside at	does/do presently reside at 3 Worthington Ridge Court Address			
•	Reisterstown	MD State	21136	
That based upon personal knowledge, the followariance at the above address (indicate hardsh	owing are the facts upon w		Zip Code uest for an Administrative	
The steep downward slope and septice the pool in that area. The only vision a side yard that is not visible treed.	lable alternative is	adjacent to the	family room	
-	-			
•				
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	additional information.	ant(s) will be required	I to pay a reposting and	
MARTA C. BUSCAGLÍA Name-Type or Print	Signature Name - Ty	pe or Print		
STATE OF MARYLAND, COUNTY OF BALTIM				
I HEREBY CERTIFY, this 13 day of of Maryland, in and for the County aforesaid pe			Notary Public of the State	
marta C. Buscaglia the Affiant(s) herein, personally known or satis law that the matters and facts hereinabove set for the same of the sam	factorily identified to me as orth are true and correct to	s such Affiant(s), and i the best of his/her/the	nade oath in due form of ir knowledge and belief.	
AS WITNESS my hand and Notarial Seal	Deboras	r K. Rasier	ノ	
Date / / · /	Notary Public  My Commission I	Expires <u>5/1/2/</u>	04	

REV 09/15/98



REV 9/15/98

### Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at Reisterstown, MD 21136

which is presently zoned \_\_ RC-5

This Petition	on shal	l be file perty sit	d with the Depa uate in Baltimore	artment of	Permits and which is	nd Develop	ment Mana	agement.	The un	dersigned,	lega
made a par	t nereor	, nereby	petition for a Va	riance from	i Section(s	1 1135 1	4. 0.	n= 1			
Stract	ure	( 7 .	or man ing	Pacto	10 bé	locat.	ed in	the	side	yard	in
lieu	of	the e	regaired	real	yara	<i>!</i> .					

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 perjury, that I/we are the legate is the subject of this Petition.	al owner(s) of t	the penalties of the property which
Contract Purchaser/	Lessee:		Legal Owner(s):		
Name - Type or Print			Marta C. Buscaglia Name Type or Print		<del> </del>
Signature			Signature		
Address		Telephone No.	Name - Type or Print	oh	ly lowher
City	State	Zip Code	Signature		
Attorney For Petition	er:	-	3 Worthington Ridge	Ct. 410	-517-1897
			Address		Telephone No.
Name - Type or Print	<del></del>		Reisterstown,	MD State	21136 Zip Code
Signature			Representative to be C	Contacted:	·
<u> </u>		<u> </u>	Joe Kagen		
Company			Name		410-363-0667 ev
Address		Telephone No.	9515 Gerwig Lane, S	uite 119	410-995-6600 day
Addiess		releptione 140.		100	•
City	State	Zip Code	Columbia City	MD State	21046 Zip Code
A Public Hearing having bee this day of regulations of Baltimore County	. th	at the subject matter of th	required, it is ordered by the Zoning is petition be set for a public hearing,  Zoning Commissioner of	advertised, as	required by the zoning
CASE NO. 06	1-049-	A Revi	(1)0	Date _7/2	

Estimated Posting Date \_\_

# Zoning Description

,
Zoning Description for 3 Worthington Ridge
Ct. Beginning at a point on the south side
of Worthington Ridge ct. which is 25 ft, wide
at a distance of 250 ft. West of the
centerline of the negrest improved intersecting street
Log Trail way which is 30 ft. wide Being
Lot # 6, in the subdivision Worthington H. Hside
IT as recorded in Baltimore (outy Plat Book
# 53, Folio # 103, containing 2,79 acres.
Also Known 45 3 Worthington Ridge Ct.
and located in the 4th Election District,
3rd Council manie District.

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No.	4010	PAID RECEIPT PAYMONI ACTUM: TIME
DATE $\frac{7/27/01}{200000000000000000000000000000000000$	Courson - 1	5/50	7/27/2001 7/27/2001 09:29:41 FU W503 CASHIER RBOS ERD DRIMER : CHECETET II 195424 OFLI
AMOUNT \$	50.00	· ,	DOUBLE 5 529 ZONING VERIFICATION OF RO. 004010
FROM: Marta Buscogli	<u>a</u>		Recet Tot 50.00 50.00 CK .00 CA Battimore County Haryland
FOR: Zoning Vara	hee		
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTO	MER 7 1	#040	CASHIER'S VALIDATION

.

-, 6460 -

•

•

ADMIN, V.

	•
	RE: Case No.: 0Z-049-A
	Petitioner/Developer: O'K, ETAL
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	Date of Hearing/Closing 8/20/0]
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	
The sign(s) were posted on	(Month, Day, Year)
	Sincerely, Saturation of Sign Poster and Date)
	PATRICK M. O'KEEFE
	(Printed Name)  523 PENNY LANE  (Address)  HUNT VALLEY, MD. 21030  (City, State, Zip Code)  410-666-5366; CELL-410-905-85  (Telephone Number)

# 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.

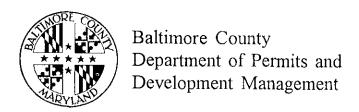
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 02-049- A
Petitioner: Marta Buscaglia
Address or Location: 3 Worthington Rille Ct  Rusterstum mo 21136
Rusterstum me 21136.
PLEASE FORWARD ADVERTISING BILL TO:
Name:Marta Buscaglia
Address: 3 worthington Ridge Ct'
Reisterstown no 21136
Telephone Number: Day 410 332 6676 Night 410 517 (897

# BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZÖNING REVIEW

### ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 01- 049 -A Addre	ess 3 Worthington Ridge Ct.
Contact Person: Bruno Rudai +	
Filing Date: 7/27/81 Posting Da	te: 8/5/01 Closing Date: 8/30/01
Any contact made with this office regarding the sthrough the contact person (planner) using the case	status of the administrative variance should be number.
reposting must be done only by one of the signs again responsible for all associated costs	e of the sign posters on the approved list (on the s responsible for all printing/posting costs. Any in posters on the approved list and the petitione The zoning notice sign must be visible on the ed above. It should remain there through the
2. <b>DEADLINE:</b> The closing date is the deadline a formal request for a public hearing. Plear request for a public hearing, the process is no	for an occupant or owner within 1,000 feet to file ase understand that even if there is no formal t complete on the closing date.
order that the matter be set in for a public	I be reviewed by the zoning or deputy zoning sted relief; (b) deny the requested relief; or (c) hearing. You will receive written notification te) as to whether the petition has been granted, will be mailed to you by First Class mail.
changed giving notice of the hearing date, time	<b>rING:</b> In cases that must go to a public hearing to read by order of the zoning or deputy zoning to you. The sign on the property must be and location. As when the sign was originally ograph of the altered sign must be forwarded to
(Detach Along Do	
Petitioner: This Part of the Form is for the Sign P	oster Only
USE THE ADMINISTRATIVE V	
Case Number 01- 649 -A Address	3 Worthington Ridge Ct.
Petitioner's Name Marta Buscaglia	Telephone <u>4/0 - 5-17 - 1897</u>
Posting Date: 8/5/01	Closing Date: ッ/ಎು/๑/
Wording for Sign: To Permit an accessory	structure (swimming pool) to
be located in the side yard	in lieu of the required
rear yard.	



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

August 21, 2001

Marta C Buscaglia 3 Worthington Ridge Court Reisterstown MD 21136

Dear Ms. Buscaglia:

RE: Case Number: 02-049-A, 3 Worthington Ridge Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 27, 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 Richard, Jr.

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

GOZ

WCR: gdz

Enclosures

C: Joe Kagen, 9515 Gerwig Lane, Suite 119, Columbia 21046 People's Counsel

#### **BALTIMORE COUNTY, MARYLAND**

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: September 11, 2001

Department of Permits & Development Mgmt.

Robert W. Bowling, Supervisor Bureau of Development Plans Review

Zoning Advisory Committee Meeting

For August 27, 2001

Item Nos. 036, 039, 040, 041, 044, 045, 048, 049, 050, 051, 053, 054, and 055

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

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

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:

036, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 050, 051, 052, 053, 054, AND 055

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

**DATE:** August 24, 2001

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

AIG 2 4

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-049

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: 9.24.01

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

RE: Baltimore County

Item No. 049

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,

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

1. 1. Bulh



A TRIBUNE PUBLISHING COMPANY

501 N Caivert Street PO Box 1377 Baitmore, Maryland 21278-0001 tel. 410/332-6678 marti buscaglia@baitsun.com

Marti Buscaglia Vice President, Marketing and Communications

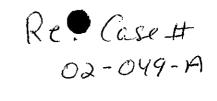
Dear Mr. Rudaitis -

Please Note latter of approval from Community association's architectural Committee on my pool Plans.

Case # 02-049-A

Thank you





# Gaylord Brooks Architectural Committee, Inc.

P. O. Box 400, 3312 Paper Mill Road, Phoenix, Maryland 21131 • 410-667-0800 • FAX 410-667-0078

August 14, 2001

Ms. Marti Buscaglia 3 Worthington Ridge Court Reisterstown, MD 21136

Re: Swimming Pool and Fence Approval

Worthington Hillside II, Section 4, Lot 6

Dear Ms. Buscaglia,

Please be advised that the plans and specifications for the proposed swimming pool and fence on the above referenced property have been approved by the Gaylord Brooks Architectural Committee, Inc.

Thank you for your cooperation in this matter and best wishes with the construction of your pool.

Very truly yours,

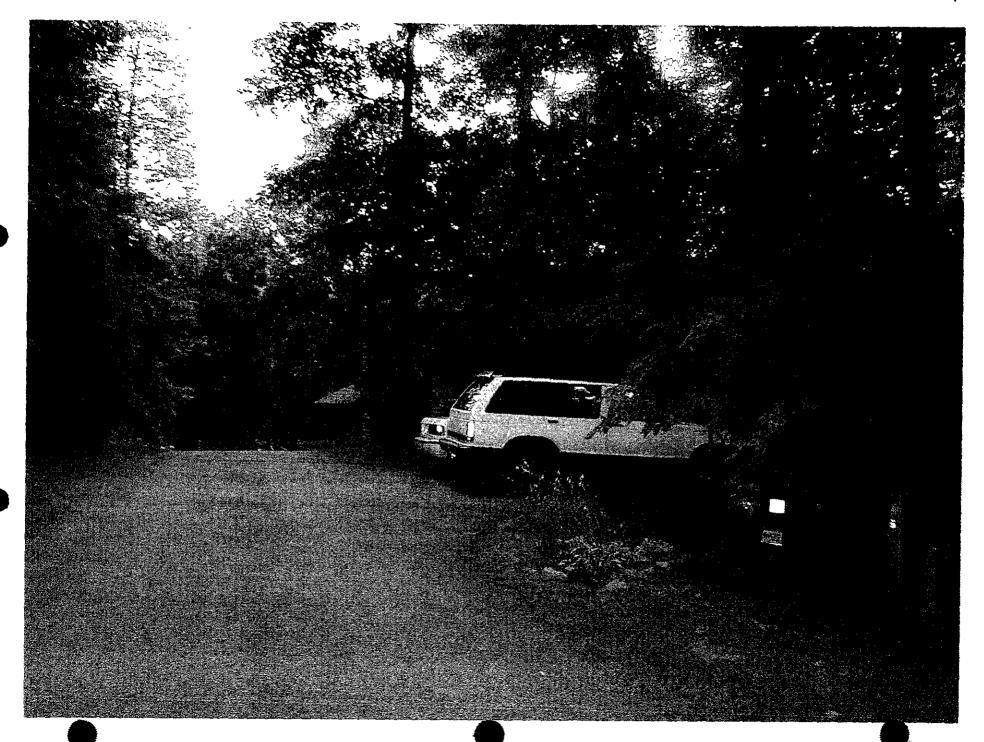
Thomas O. Moore, Sr.

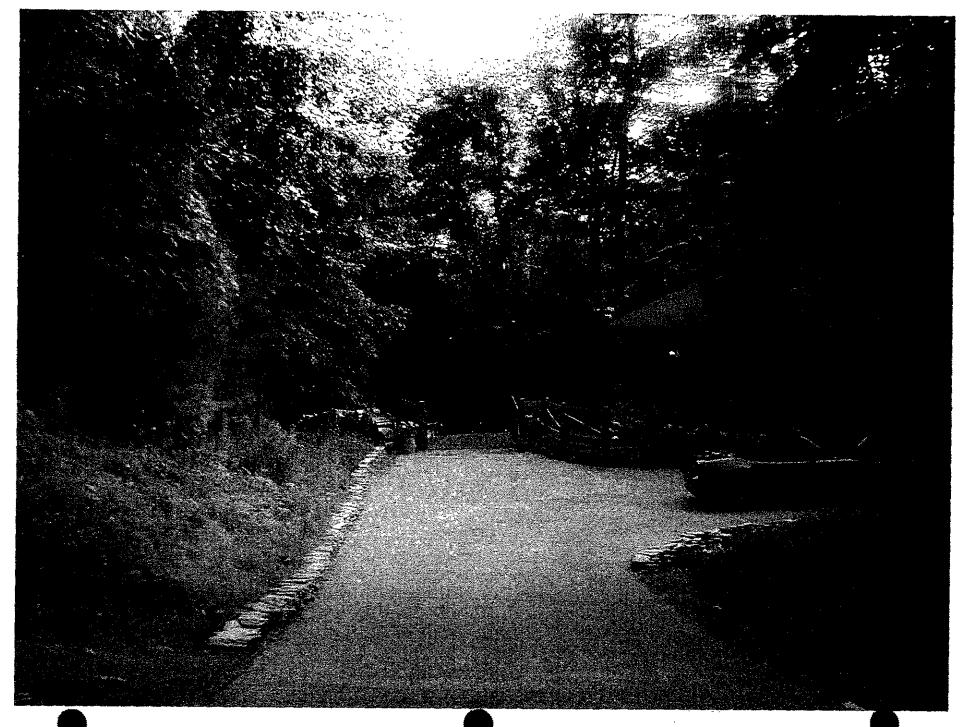
Tom Son

TOM\rb

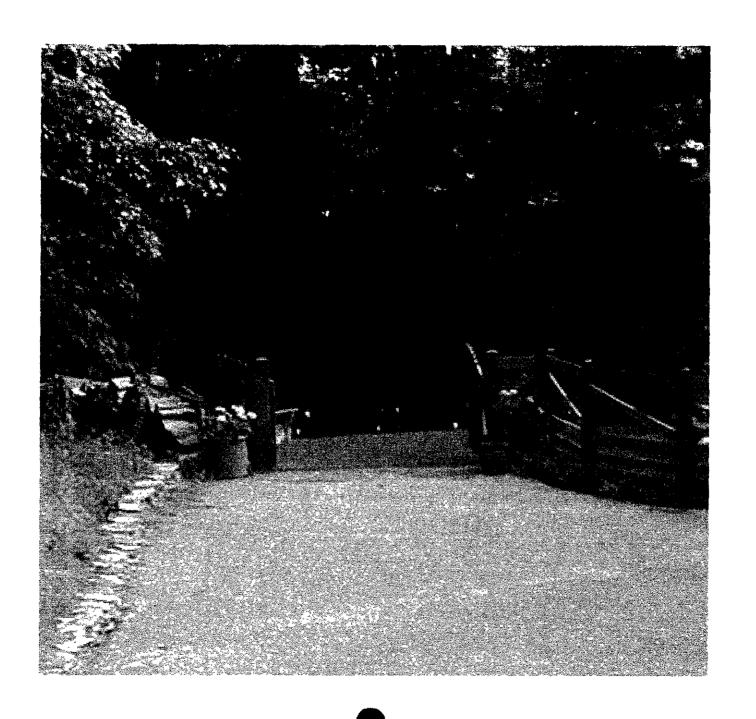
AUG 2 0 2001

DEPT OF PERMITS AND DEVELOPMENT MANAGEMENT



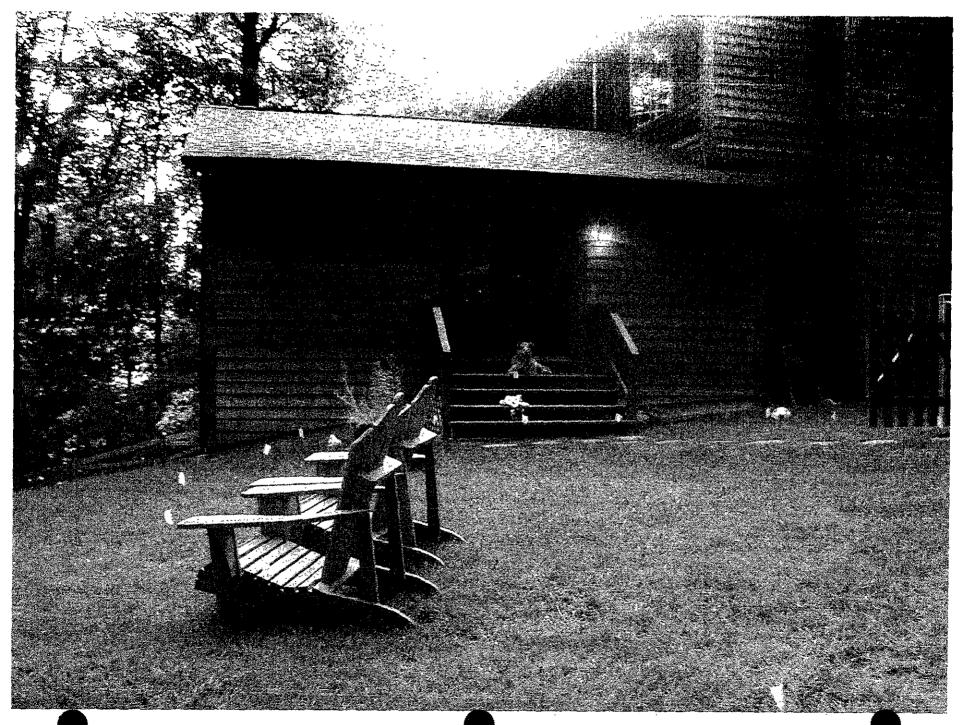


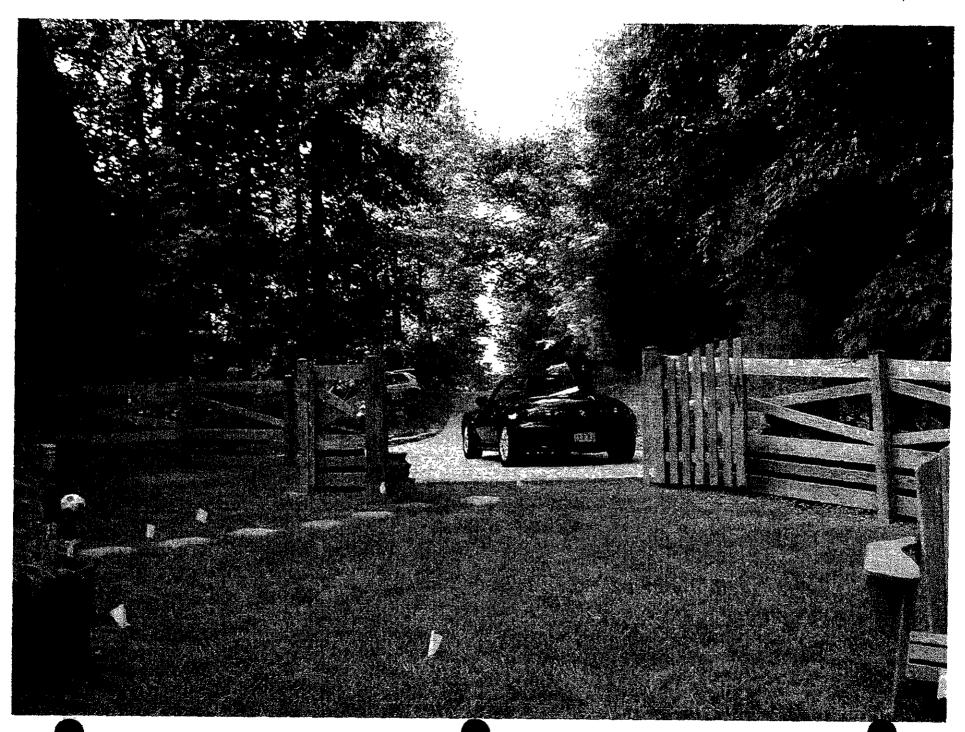
649#



- - -



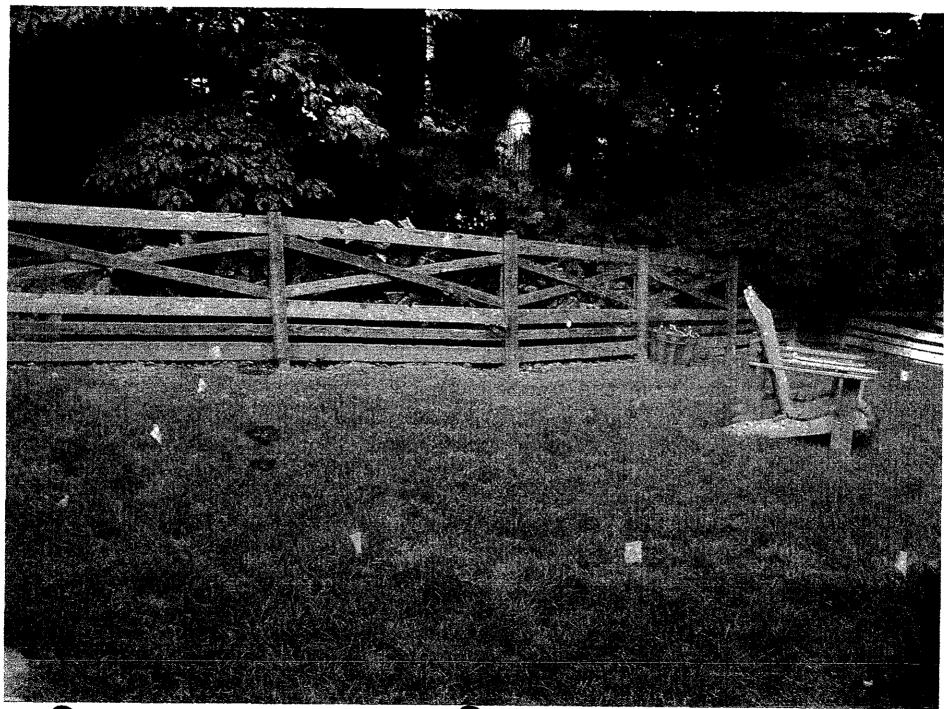


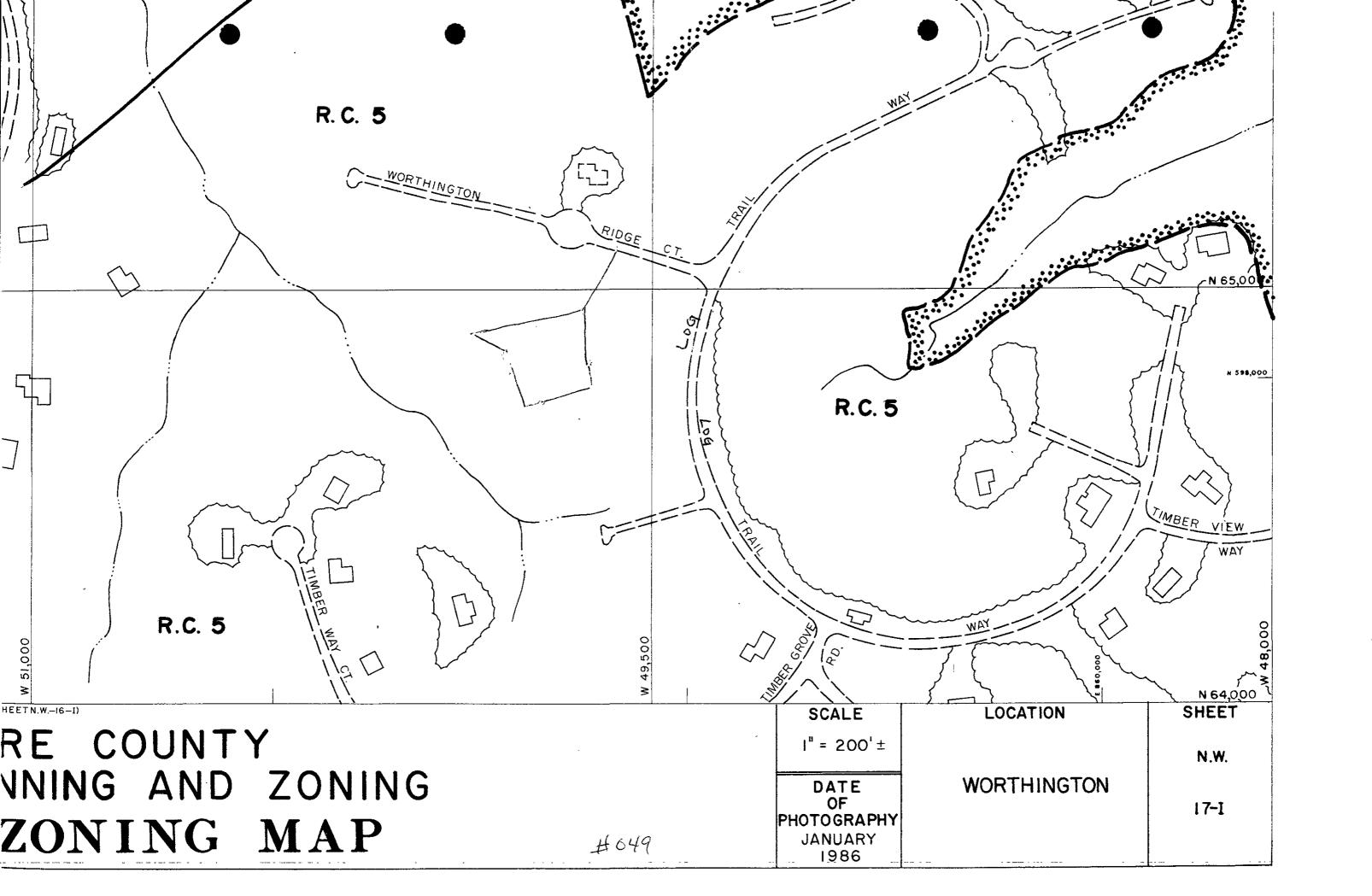






b50#





OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

N.W 17-I

WORTHINGTON

bho#

PREPARED BY AIR PHOTOGRAPHICS, INC. MARTINSBURG, W.V. 25401

