

IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE
S/S Butler Road, 7200' +/- W
from Falls Road
8th Election District
3rd Councilmanic District
(2838 Butler Road)

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 02-343-SPHA

Wendy G. & Benjamin H. Griswold, IV
Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing and Variance filed by the legal owners of the subject property, Wendy G. & Benjamin H. Griswold, IV. The Petitioners are requesting a special hearing to approve of an accessory structure as a combination use library/garage. In addition, the Petitioners are requesting a variance to allow the library/garage to be located in the front yard in lieu of the required rear yard with a height of 17 ft. in lieu of the permitted 15 ft.

Appearing at the hearing on behalf of the requests were Wendy Griswold, owner of the property and Matthew Slater, the contractor in charge of this project. There were no Protestants or others in attendance.

Testimony and evidence indicated that the property, which is the subject of this request, consists of 35 acres, more or less, zoned R.C.2. The subject property is located on the south side of Butler Road in the Glyndon area of Baltimore County. The property is improved with an existing 2-story brick dwelling and several accessory structures. This request involves an existing garage situated in the Petitioners' front yard. The garage is 17 ft. in height. The Petitioners propose an addition on the rear and side of the garage, to add one additional automobile bay, as well as the requested library. These additions will be added onto the

COPIES OF THIS ORDER
Date 4/16/02
By R. G. Gorman

existing garage which, as stated previously, is already in the front yard and already constructed at a height of 17 ft. In order to proceed with the improvements as shown on the site plan, the special hearing and variance requests are necessary.

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

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

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

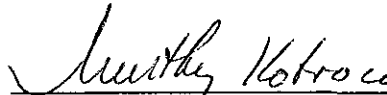
After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance and special hearing are not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which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

ORDER RECEIVED FOR FILING
DATE 5/14/02
BY J.P. JAMESON

Pursuant to the advertisement, posting of the property and public hearing held on the Petition and for the reasons given above, I believe that the special hearing and variance requests should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 11th day of April, 2002, that the Petitioners' Special Hearing request, to approve an accessory structure as a combination use library/garage and Variance request, to allow the library/garage to be located in the front yard in lieu of the required rear yard with a height of 17 ft. in lieu of the permitted 15 ft., be and are hereby GRANTED, subject, however, 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 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:raj

ORDER REQUESTED FOR FILING
Date 4/16/02
By R. J. Gorman



Baltimore County
Zoning Commissioner

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

April 11, 2002

Mr. & Mrs. Benjamin H. Griswold, IV
2838 Butler Road
Glyndon, Maryland 21071

RE: Petitions for Special Hearing & Variance
Case No. 02-343-SPHA
Property: 2838 Butler Road

Dear Mr. & Mrs. Griswold:

Enclosed please find the decision rendered in the above-captioned case. The Petitions for Special Hearing and Variance have 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 Office 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,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Matthew Slater
76 Gwynns Mill Court
Owings Mills, MD 21117

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2838 Butler Road, Glyndon, MD. 21071
which is presently zoned RC-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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

The subject accessory structure and proposed addition thereto as a combination use Library/Study/Garage.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, 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 _____

Legal Owner(s):

Benjamin H. Griswold IV
Name - Type or Print _____
Signature Benjamin H. Griswold IV _____
Wendy G. Griswold
Name - Type or Print _____
Signature Wendy G. Griswold _____
410-895-4754 work
2838 Butler Road 410-833-5125
Address _____ Telephone No. _____
Glyndon, MD 21071
City _____ State _____ Zip Code _____

Representative to be Contacted:

Matthew Slater
Name _____
76 Gwynns Mill Court 410-902-4607
Address _____ Telephone No. _____
Owings Mills, MD 21117
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JCM Date 2-15-02

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Case No. 02-343-SPHA



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2838 Butler Road, Glyndon, MD. 21071

which is presently zoned RC-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) 400.11.2; BCZR, to permit an

addition to an existing accessory structure located in the front yard in lieu of the rear yard, with a height of 17' in lieu of the permitted 15'.

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 DISCUSSED AT THE 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):

Benjamin H. Griswold IV

Name - Type or Print

Signature

Wendy D. Griswold

Name - Type or Print

Signature

2838 Butler Road

410-895-4754 work

410-833-5125

Address

Glyndon,

MD

21071

City

State

Zip Code

Representative to be Contacted:

Matthew Slater

Name

76 Gwynns Mill Court

410-902-4607

Address

Owings Mills,

MD

21117

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By [Signature]

Date 2-15-02

Case No. 02-343 SPHA

REV 9/15/98

February 14, 2002

ZONING DESCRIPTION OF THE GRISWOLD PROPERTY

Beginning for the same at a point in the center of a private driveway, said point being measured southerly 450 feet more or less from the intersection of the center of said driveway with the center of Butler Road, said intersection of driveway with Butler Road being measured southwesterly 7200 feet more or less from the intersection Butler Road and Falls Road, thence (1) South 78 degrees 46 minutes 34 seconds West 12.54 feet, (2) South 12 degrees 32 minutes 26 seconds East 81.23 feet, (3) South 9 degrees 23 minutes 22 seconds East 83.66 feet, (4) South 5 degrees 58 minutes 09 seconds East 83.83 feet, (5) South 10 degrees 57 minutes 37 seconds East 42.01 feet, (6) South 17 degrees 12 minutes 09 seconds West 41.90 feet, (7) South 18 degrees 40 minutes 52 seconds East 215.03 feet, (8) South 66 degrees 08 minutes 11 seconds West 316.18 feet, (9) South 59 degrees 54 minutes 42 seconds West 763.40 feet, (10) South 48 degrees 03 minutes 15 seconds East 1,525.60 feet, (11) South 85 degrees 07 minutes 24 seconds East 49.74 feet, (12) North 18 degrees 02 minutes 36 seconds East 1,115.07 feet, (13) North 7 degrees 16 minutes 18 seconds West 386.63 feet, (14) North 28 degrees 38 minutes 45 seconds West 423.90 feet, (15) North 56 degrees 10 minutes 12 seconds West 470.80 feet and (16) South 78 degrees 46 minutes 34 seconds West 54.72 feet to the place of beginning.

Containing 35.00 Acres of land, more or less.

Note: This description satisfies zoning requirements only and is not indented for conveyance purposes.

343

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

343

No. 10117

DATE 2-15-02 ACCOUNT 001-006-6-50

AMOUNT \$ 100.00

RECEIVED FROM: E. Grissell 2:58 Builer

FOR: 1st V.C.

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
2/15/2002 2/15/2002 11:19:07

REG 3504 CASHIER 0001 000 000000

RECEIPT # 174080

DATE 2-15-02 ZONING VERIFICATION

CR. NO. 000117

RECEIPT NO.

100.00

BALTIMORE COUNTY, MARYLAND

CASHIER'S VALIDATION

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: #02-343-SPHA

2838 Butler Road

S/S Butler Road, 7200' +/- W from Falls Road

8th Election District - 3rd Councilmanic District

Legal Owner(s): Wendy G. & Benjamin H. Griswold, IV

Variance: to permit an addition to an existing accessory structure located in the front yard in lieu of the rear yard with a height of 17 feet in lieu of the permitted 15 feet.

Special Hearing: to approve the subject accessory structure and proposed addition thereto as a combination use library/study/garage.

Hearing: Wednesday, April 10, 2002 at 9:00 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/3/776 Mar. 26

C528256

CERTIFICATE OF PUBLICATION

3/28/2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/26/2002.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE Case No.: 02-343-SPHA
Petitioner/Developer GRISWOLD, ETAL

Date of Hearing/Closing: 4/10/02

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

Attention: RE: M. / ZONING / 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 # 2838 - BUTLER RD.

The sign(s) were posted on 3/20/02
(Month, Day, Year)

Sincerely,

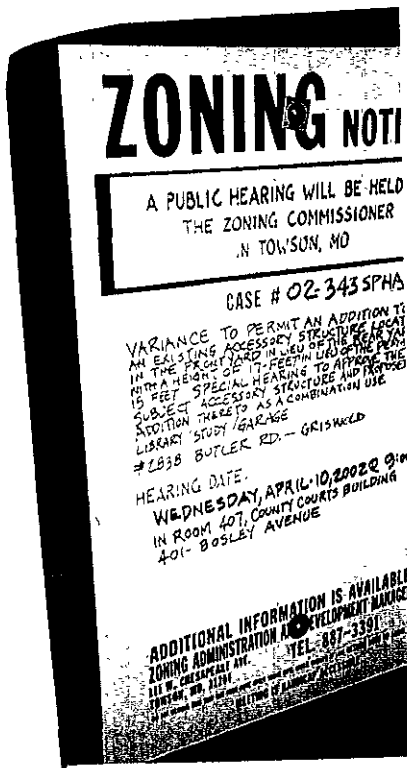
Patrick M. O'Keefe 3/25/02
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

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

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



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:

343

Item Number or Case Number: _____

Petitioner: BENJAMIN GRISWOLD

Address or Location: 2838 BUTLER RD., GLYNDEN, MD 21071

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____

Address: Same

Telephone Number: 410-895-4754

TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 26, 2002 Issue – Jeffersonian

Please forward billing to:
Benjamin Griswold
2838 Butler Road
Glyndon MD 21071

410 895-4754

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: 02-343-SPHA
2838 Butler Road
S/S Butler Road, 7200' +/- W from Falls Road
8th Election District – 3rd Councilmanic District
Legal Owner: Wendy G & Benjamin H Griswold IV

Variance to permit an addition to an existing accessory structure located in the front yard in lieu of the rear yard with a height of 17 feet in lieu of the permitted 15 feet. Special Hearing to approve the subject accessory structure and proposed addition thereto as a combination use library/study/garage.

HEARING: Wednesday, April 10, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt

LAWRENCE E. SCHMIDT 6DZ
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

March 5, 2002

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: 02-343-SPHA
2838 Butler Road
S/S Butler Road, 7200' +/- W from Falls Road
8th Election District – 3rd Councilmanic District
Legal Owner: Wendy G & Benjamin H Griswold IV

Variance to permit an addition to an existing accessory structure located in the front yard in lieu of the rear yard with a height of 17 feet in lieu of the permitted 15 feet. Special Hearing to approve the subject accessory structure and proposed addition thereto as a combination use library/study/garage.

HEARING: Wednesday, April 10, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon G D Z
Director

C: Wendy & Benjamin Griswold IV, 2838 Butler Road, Glyndon 21071
Matthew Slater, 76 Gwynns Mill Court, Owings Mills 21117

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MARCH 26, 2002.**
(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
pdmlandacq@co.ba.md.us

April 5, 2002

Mr. & Mrs. Benjamin H Griswold IV
2838 Butler Road
Glyndon MD 21071

Dear Mr. & Mrs. Griswold:

RE: Case Number: 02-343-SPHA, 2838 Butler Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 15, 2002.

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.

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

WCR: gdz

Enclosures

c: Mr. Matthew Slater, 76 Gwynns Mill Court, Owings Mills 21117
People's Counsel

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: April 1, 2002

FROM: *sub* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for *March 4, 2002*
Item Nos. 317, 331, 332, 334, 335,
336, 337, 338, 340, 341, 342, (343),
345, 348 and 349

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

RWB:HJO:cab

cc: File



Baltimore County
Fire Department

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

February 28, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: George Zahner

RE: Property Owner: See Below

Location: DISTRIBUTION MEETING OF March 4, 2002

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.

The Fire Marshal's Office has no comments regarding the following item #'s.

331, 334, 335, 337, 339, 340, 341, 342, 343, 345,
346, 347, 348, 349,

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

cc: File

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBs/NOT*

DATE: March 27, 2002

SUBJECT: Zoning Item 343
Address 2838 Butler Road

Zoning Advisory Committee Meeting of March 4, 2002

An evaluation of the well and septic systems must be made prior to building permit approval. Please contact Ground Water Management for more info.

Reviewer: Sue Farinetti

Date: March 27, 2002

Jim
4/10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 5, 2002

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-334, 02-335, & 02-343

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: Mark A. Cunningham

Section Chief: Gary L. Keller

AFK/LL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 3.1.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

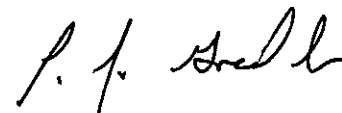
RE: Baltimore County
Item No. 343 JCM

Dear Mr. Zahner:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 128. are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA 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

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
2838 Butler Road, S/S Butler Rd,
7200' +/- W of Falls Rd
8th Election District, 3rd Councilmanic

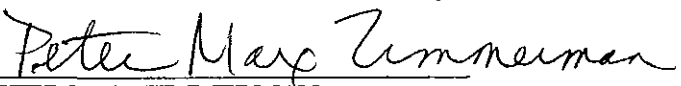
Legal Owner: Benjamin H. & Wendy G. Griswold, IV
Petitioner(s)

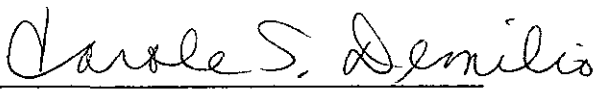
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-343-SPHA

* * * * *

ENTRY OF APPEARANCE

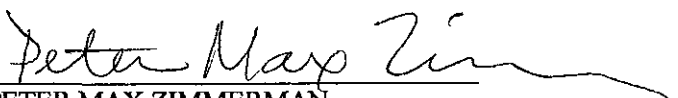
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed 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 6th day of March, 2002 a copy of the foregoing Entry of Appearance was mailed to Benjamin H. & Wendy G. Griswold, IV, 2838 Butler Road, Glyndon, MD 21071, Petitioners, and to Matthew Slater, 76 Gwynns Mill Court, Owings Mills, MD 21117, representative for Petitioners.


PETER MAX ZIMMERMAN

2838 BUTLER RD
NW 21 G
8TH DIST

ATE

RD

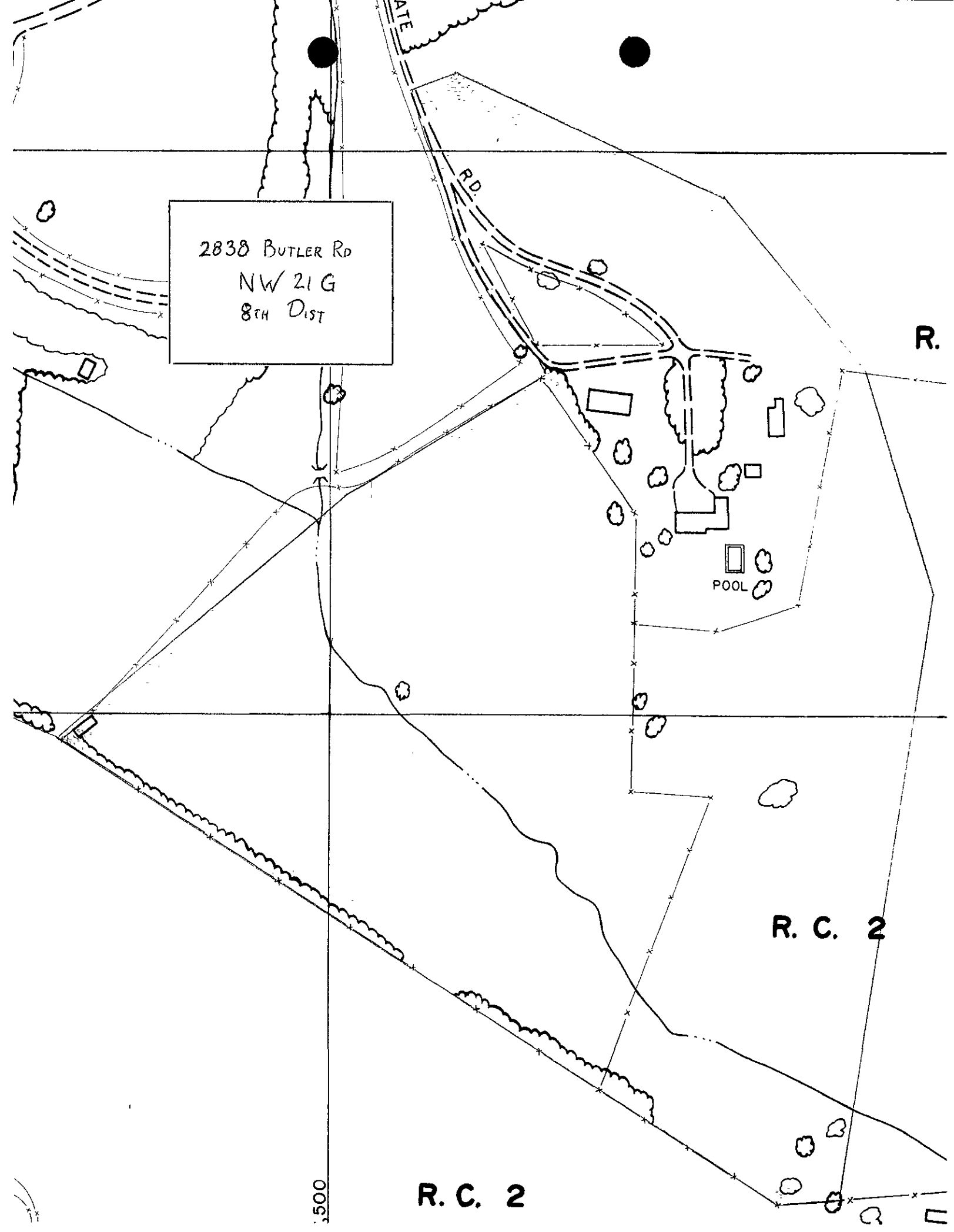
POOL

R.

R. C. 2

R. C. 2

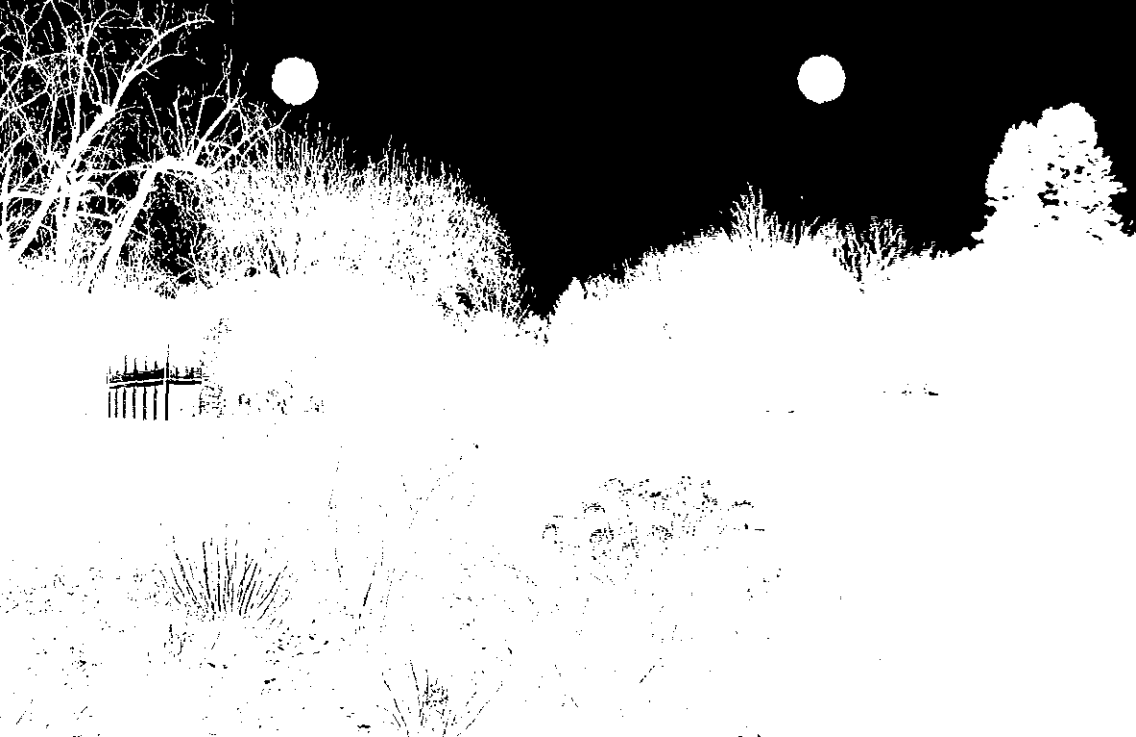
500

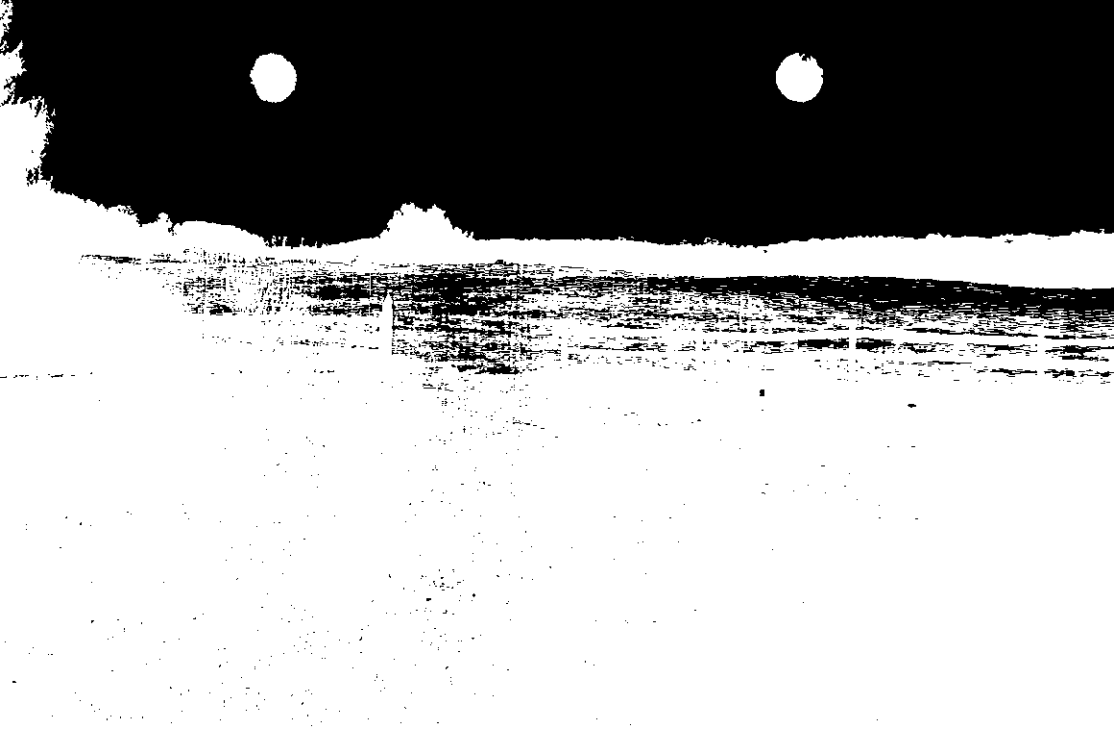












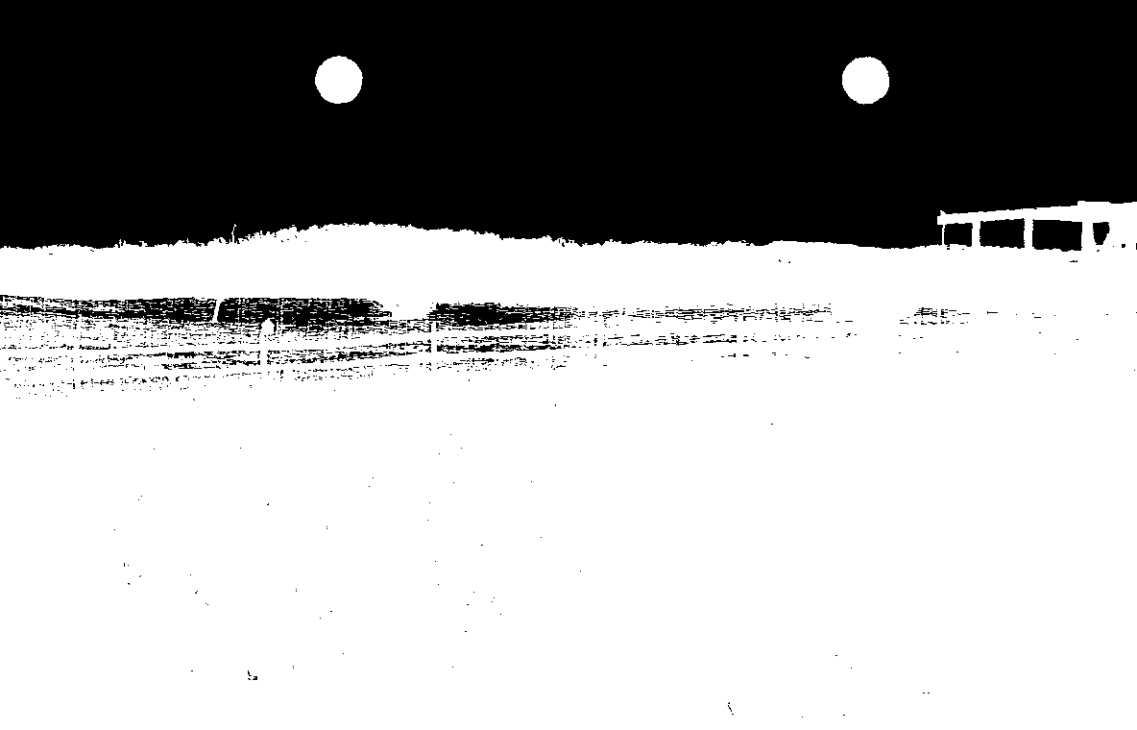


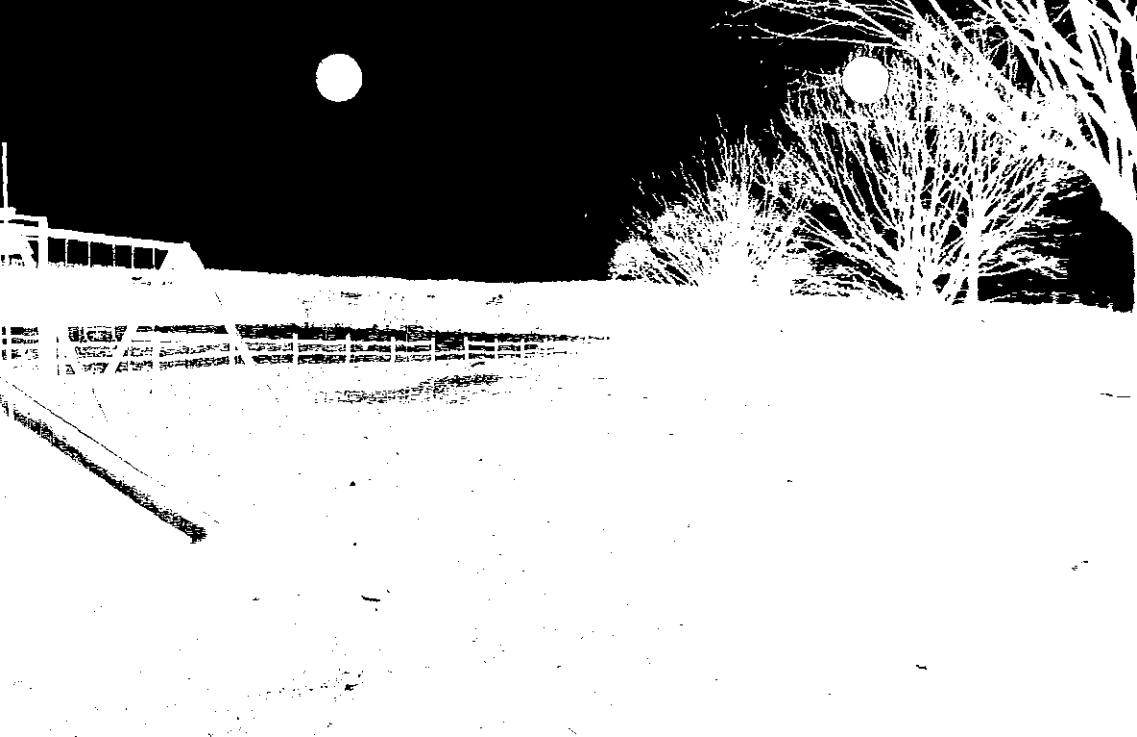






CAMPBELL
CHICKADEE
AND
PUFFIN







1/8" = 1'-0"

Picture 3 ↓

23'

20'-6"

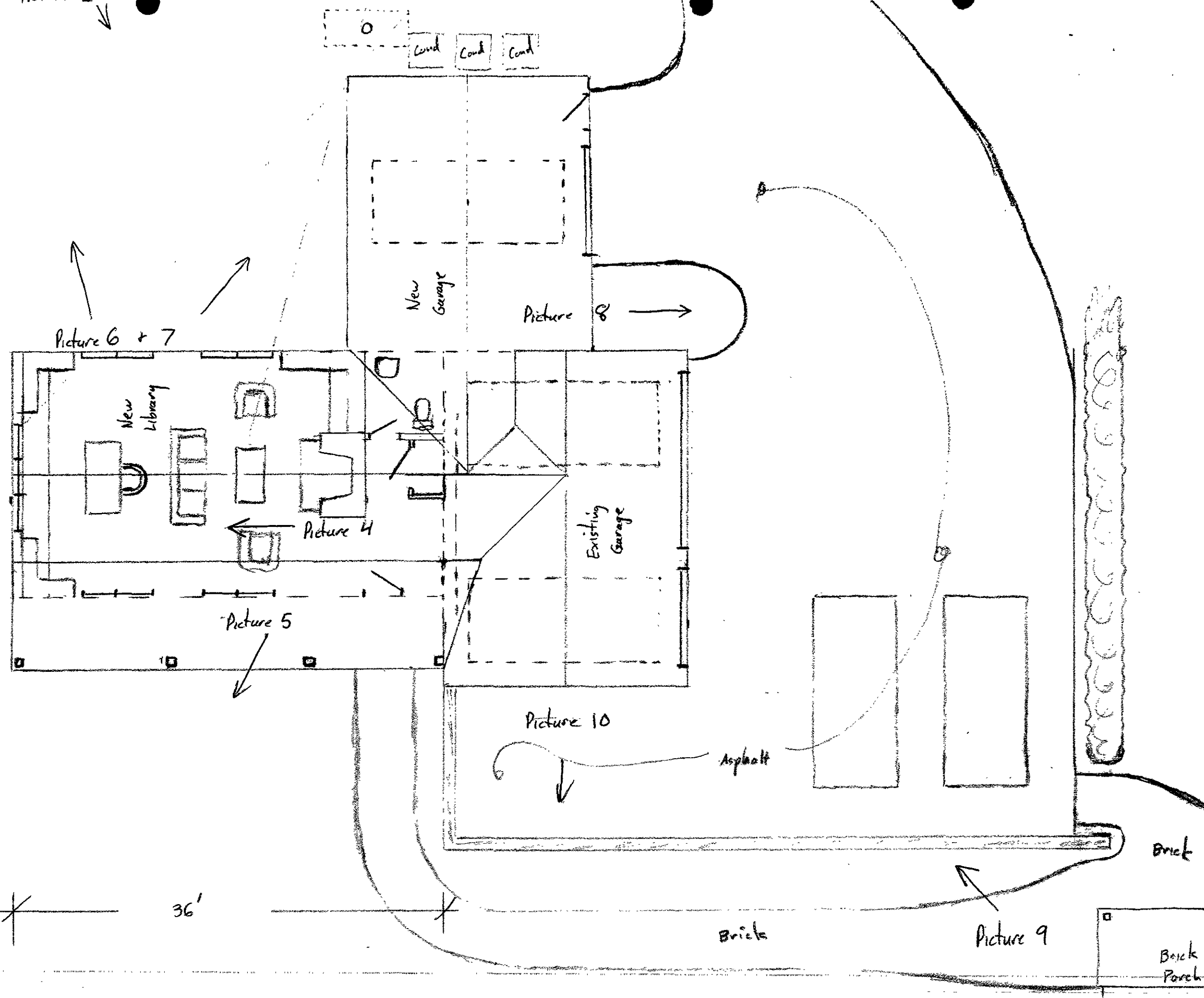
6'

15'

36'

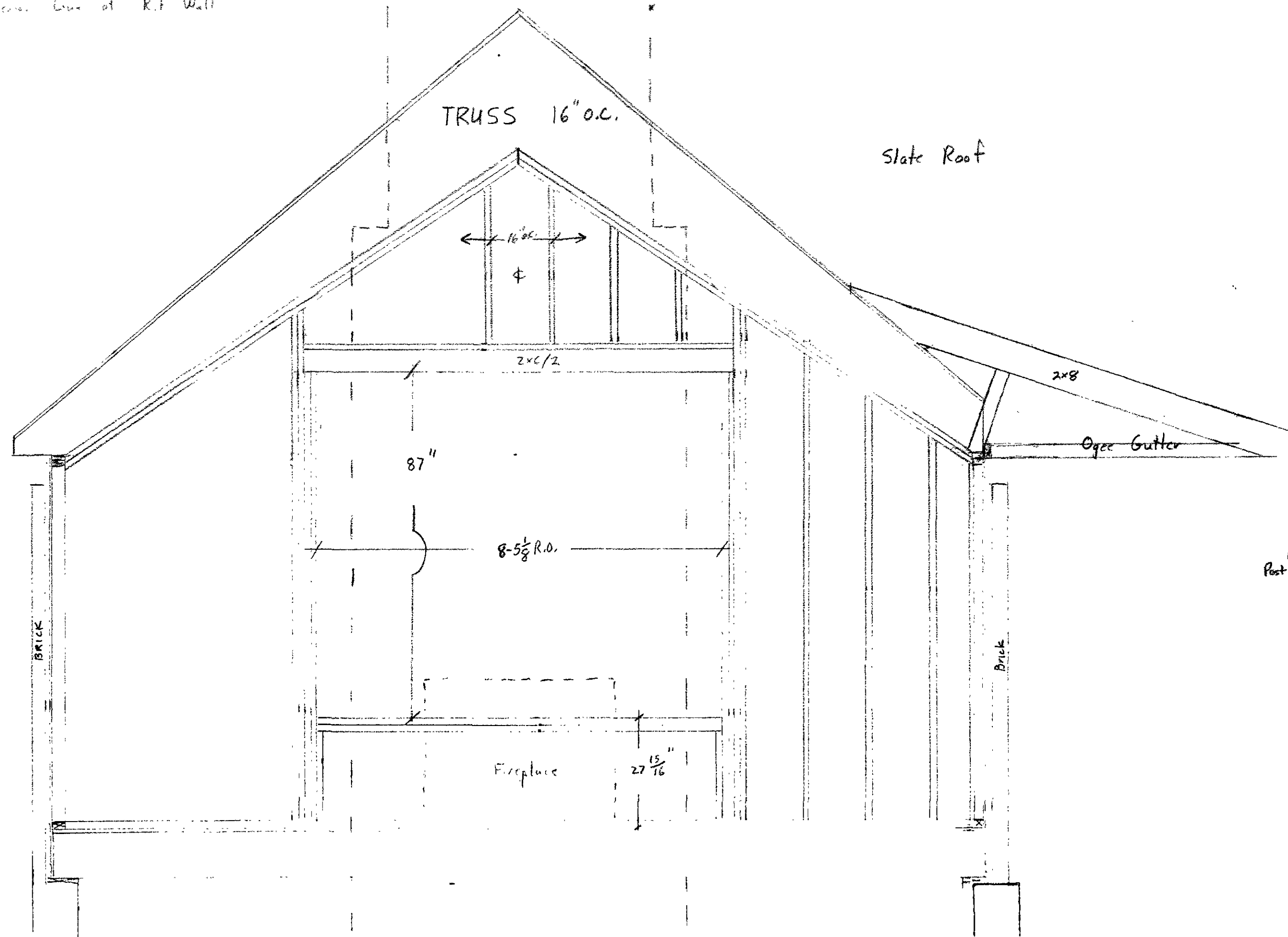
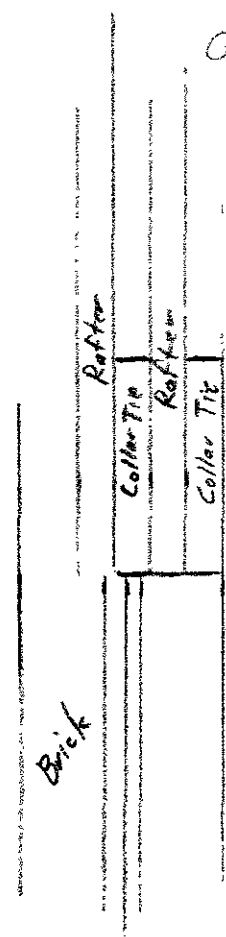
Picture 2 →

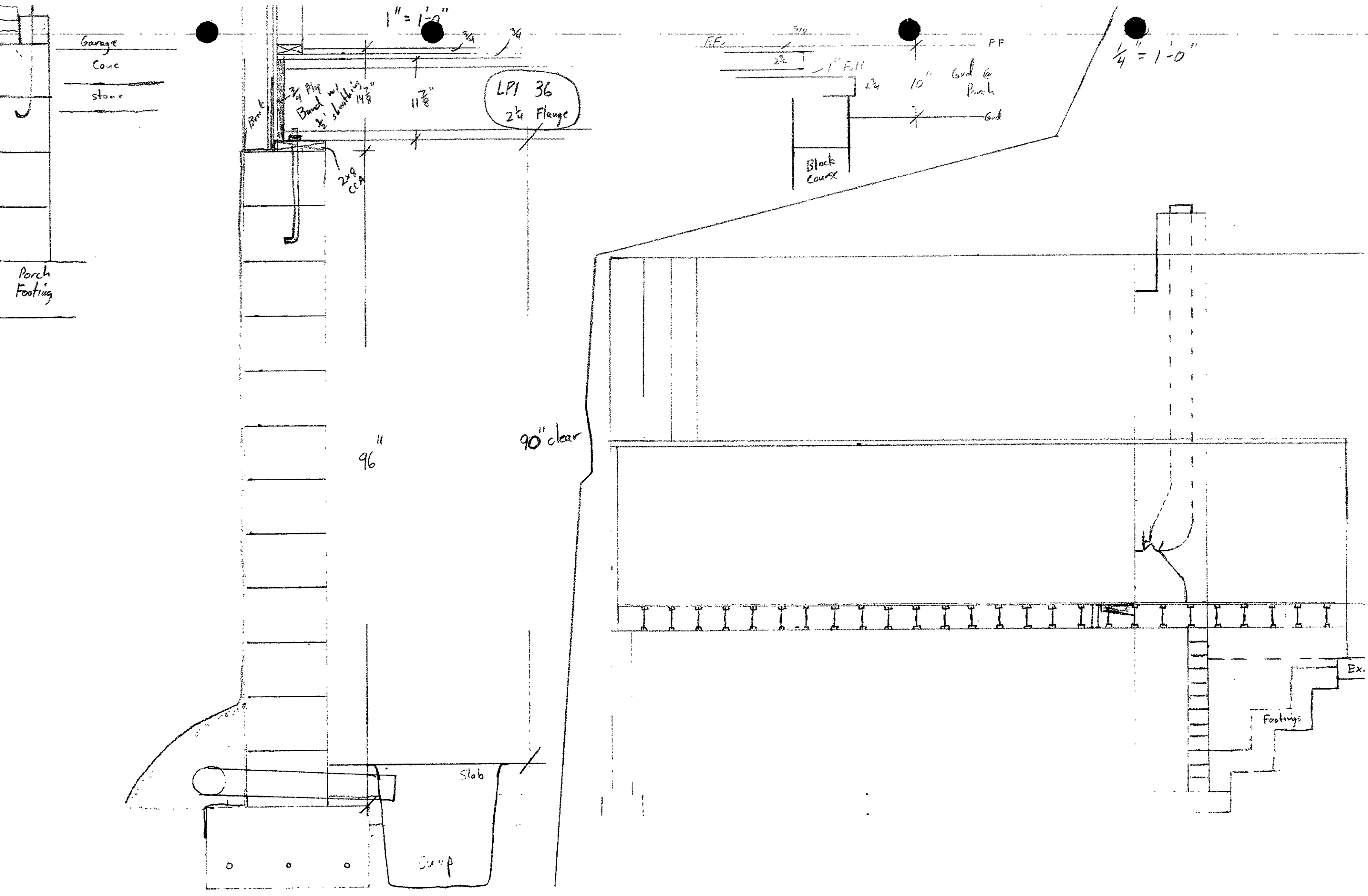
Picture 1 →



$\frac{1}{2}'' = 1'-0''$

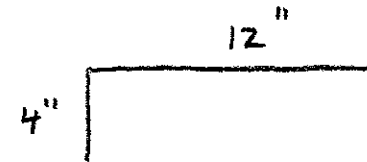
Interior Line of R.F. Wall





Griswold Porch Roof Detail

$\frac{1}{2} = 1'-0"$



Slate Roof

2x8 Rafter

2x4 Stiffener

Line of Roof Plywood

TRUSS

Face of Fascia

2x4 Ceiling Joist

$\frac{3}{4}$ " Wood Ceiling

Top of Stud wall

Face of Brick

Block wall

Brick Floor

5 1/2"
1"
6 3/4"
84 3/4" to S.F.

97 1/8" @
c of post

9 3/4"

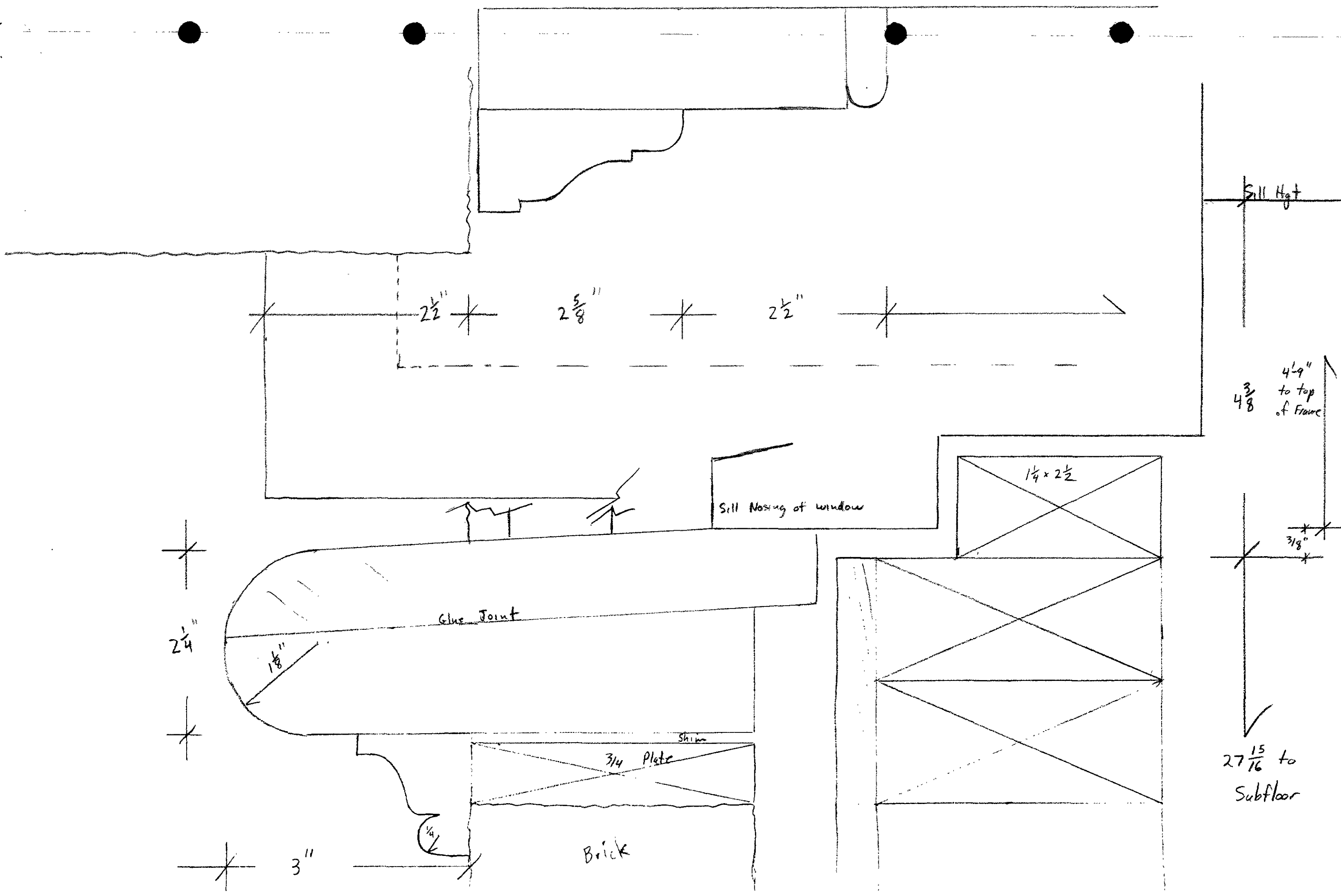
84 3/4"
to Subfl.

94 1/2" to
Subfloor

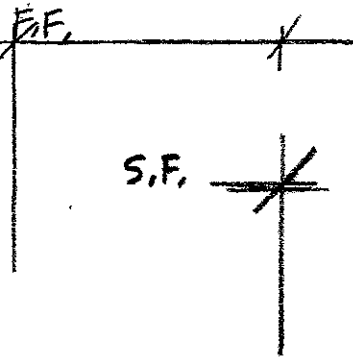
5'-9"

3"

11 5/8"

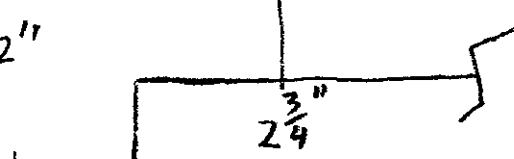


Griswold Door Detail



3 1/2"
3"

Ex. Gnd @
N.W. Corner
of Ex. Garage



Ex. Gnd
@ N.W.
Corner
of
New
Library
Porch

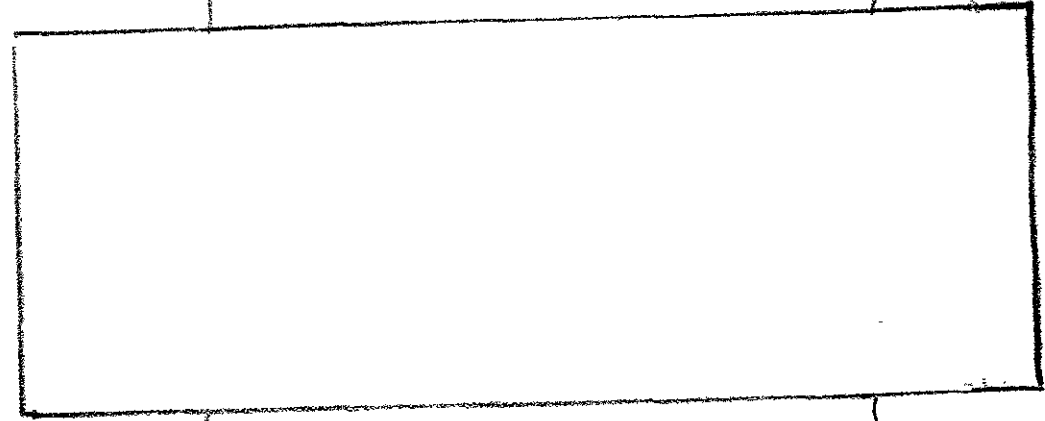
Brick Nosing of Porch

V Grade @ N.E.
Corner of New
Library is
7" Lower
than N.W. Corner

8 3/8" to Top Block

1" Fall in 6'
Top of Brick

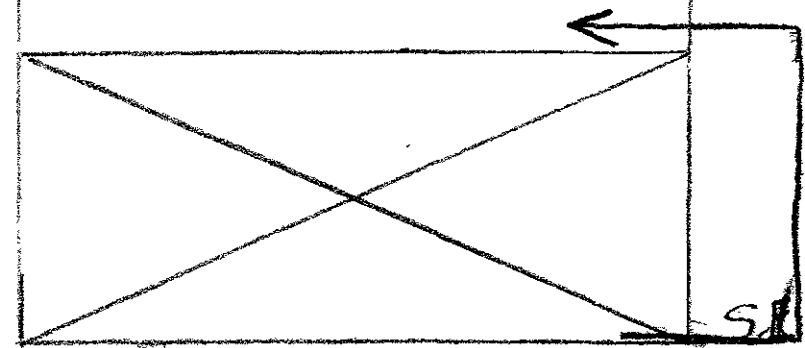
Top of Conc. Slab for Porch



1/2" CDX

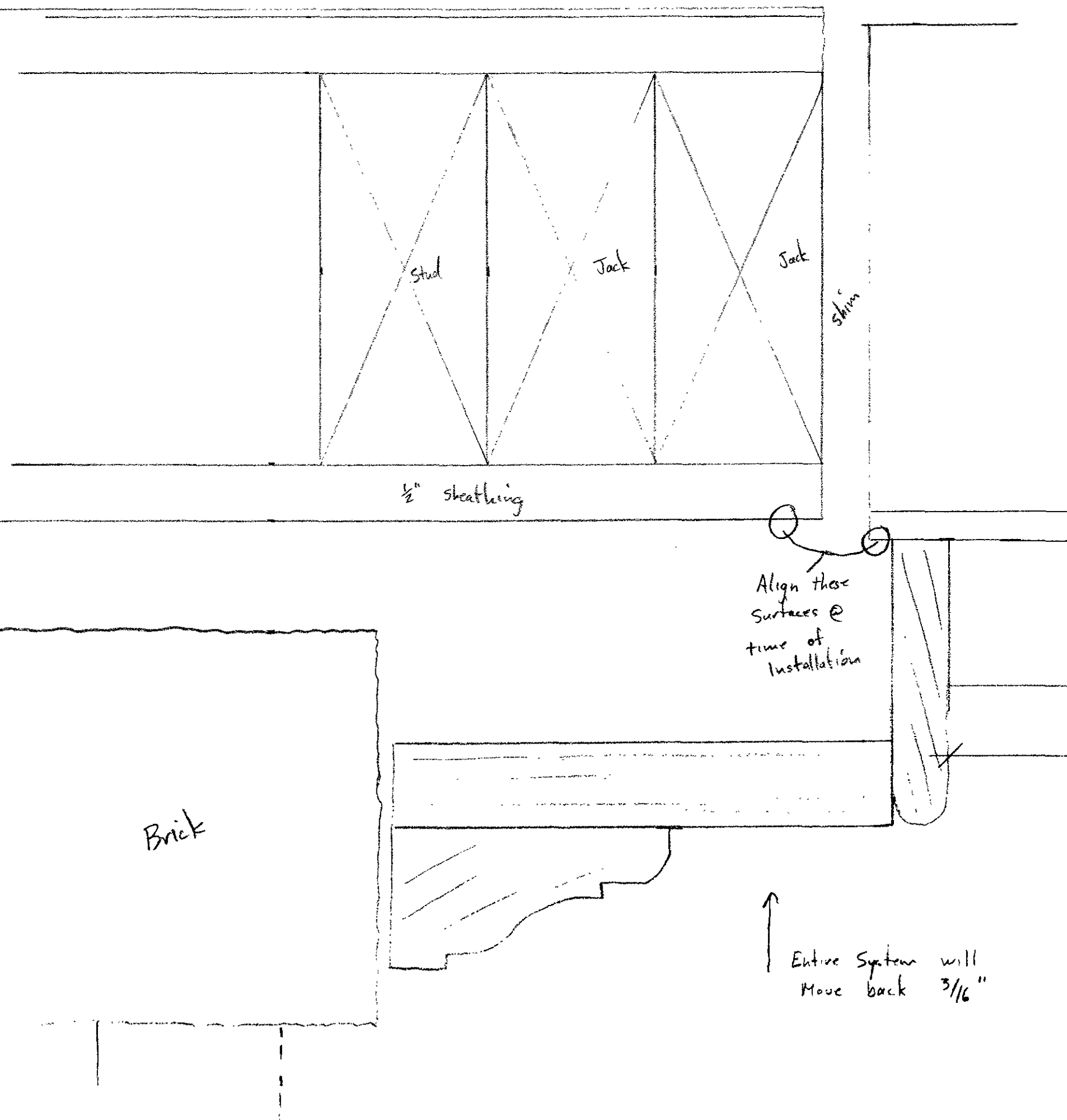
3/4 CDX
Bandal

12" LPI



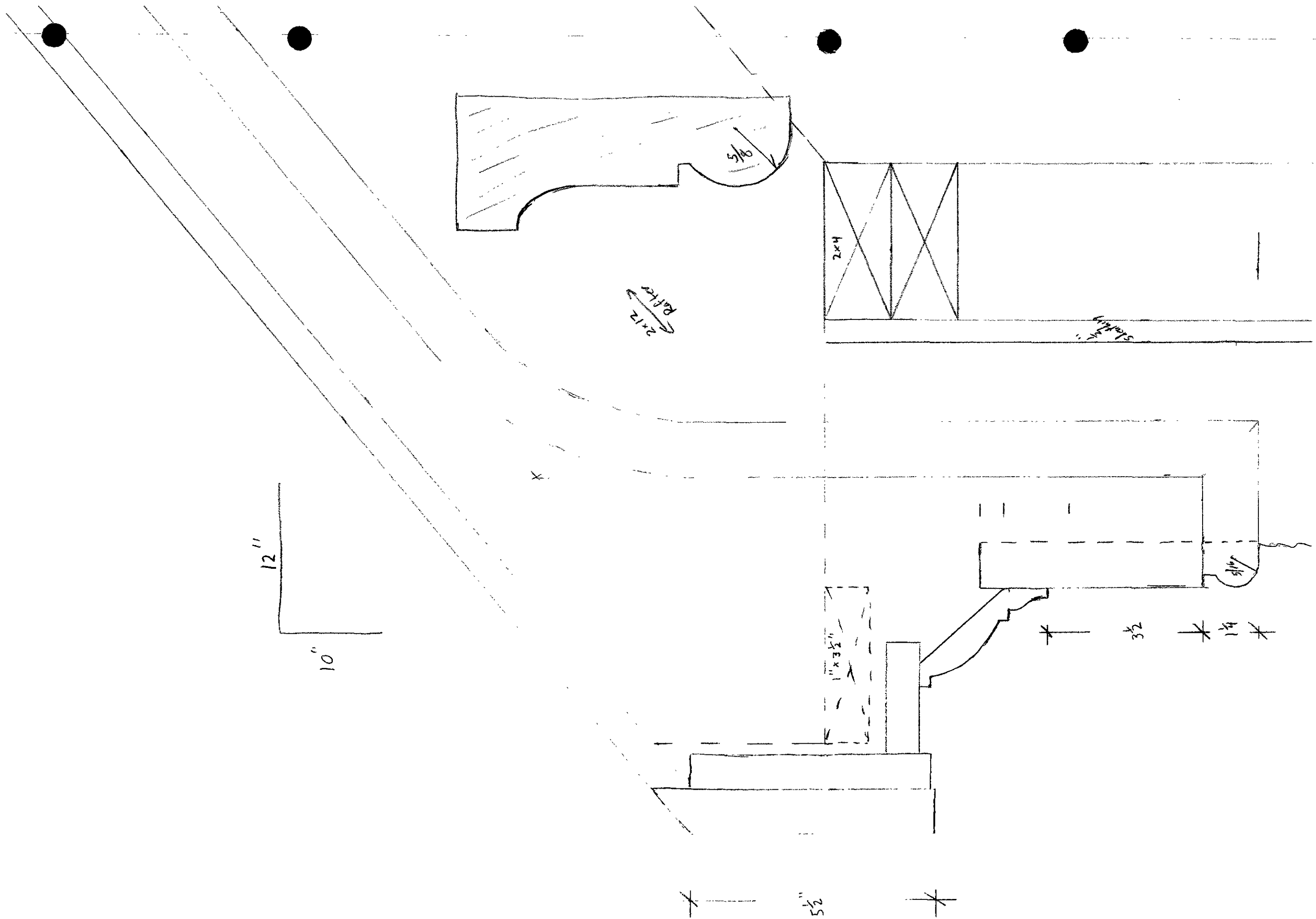
3/4" S.F.

12" Block

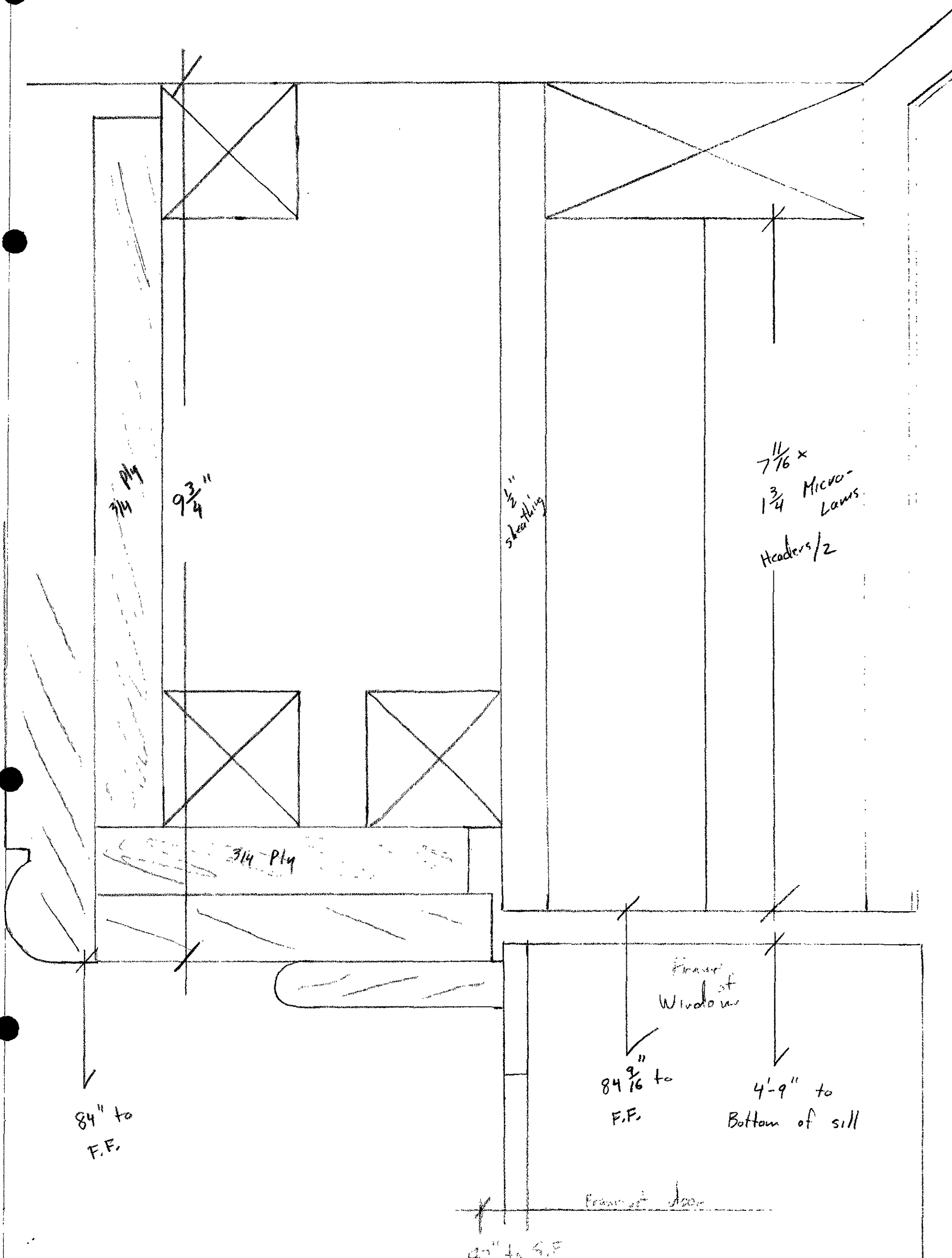


Griswold
Window Detail
Birds-eye of left side
Full Size

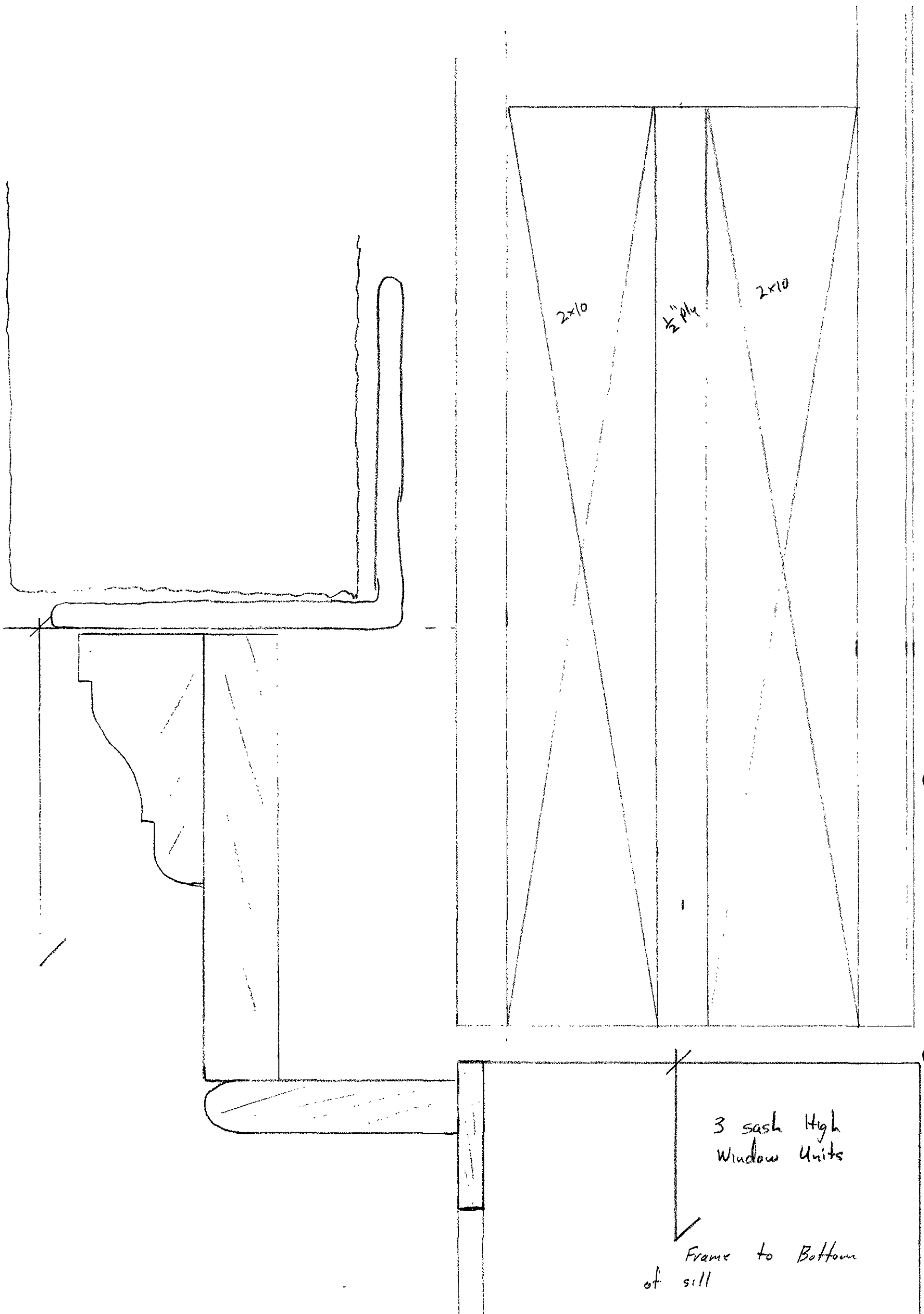
$\frac{1}{2}'' = 1''$



2x12 Rafter

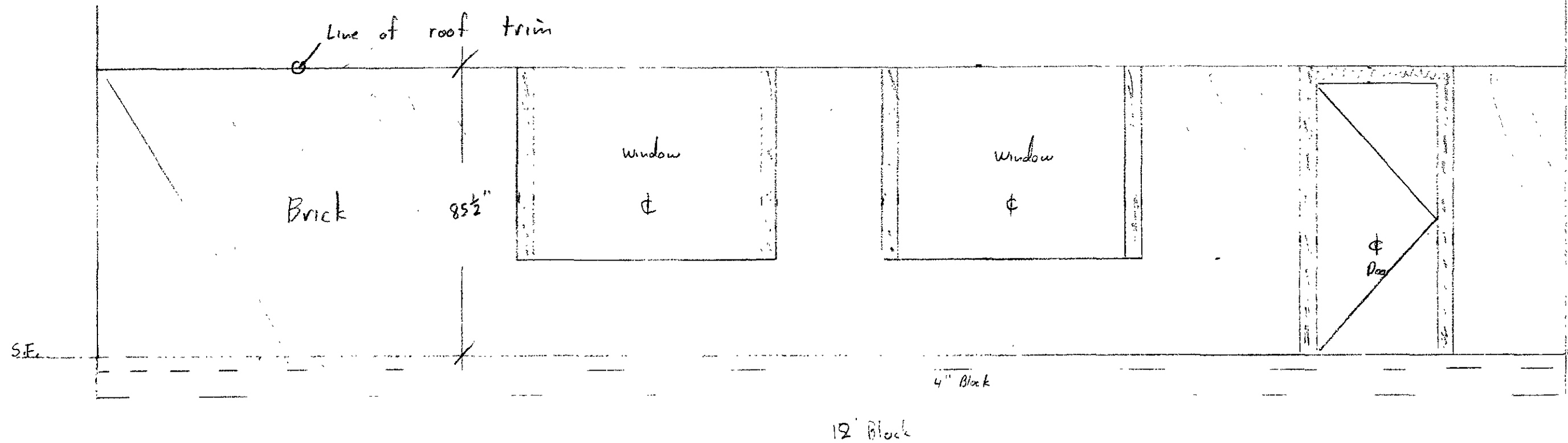


Griswold
Header Detail @ Gable
Full Size

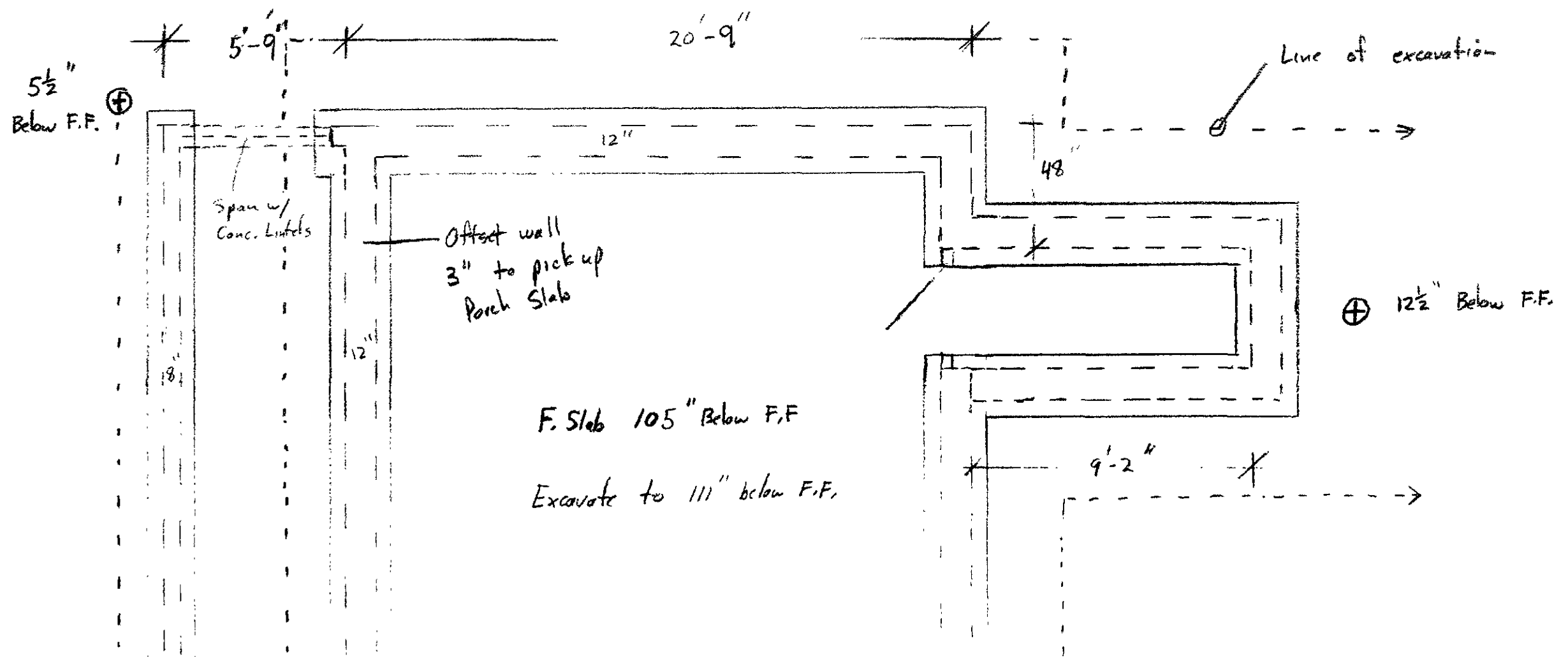
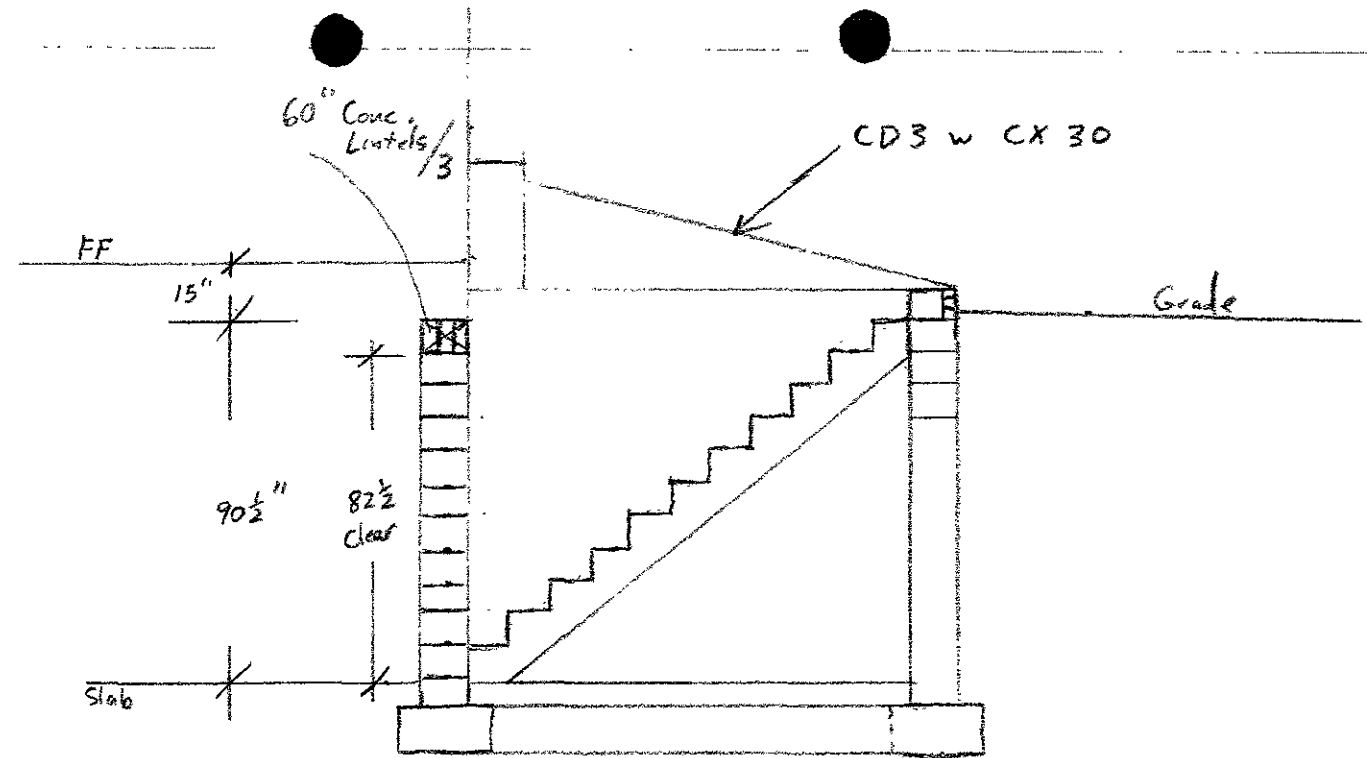


$$\frac{3}{8}'' = 1'-0''$$

No brick above windows & door
except on gable end.

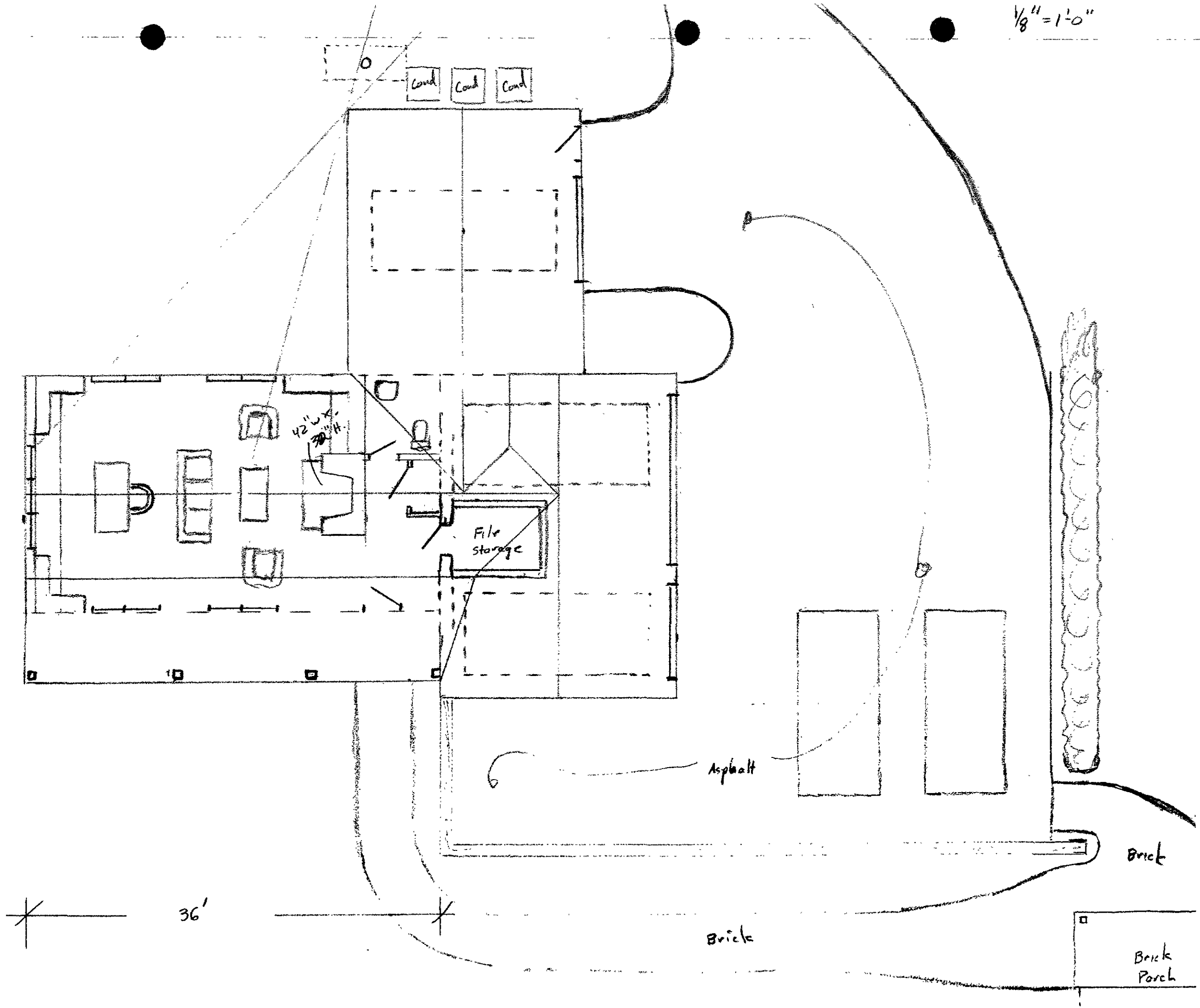


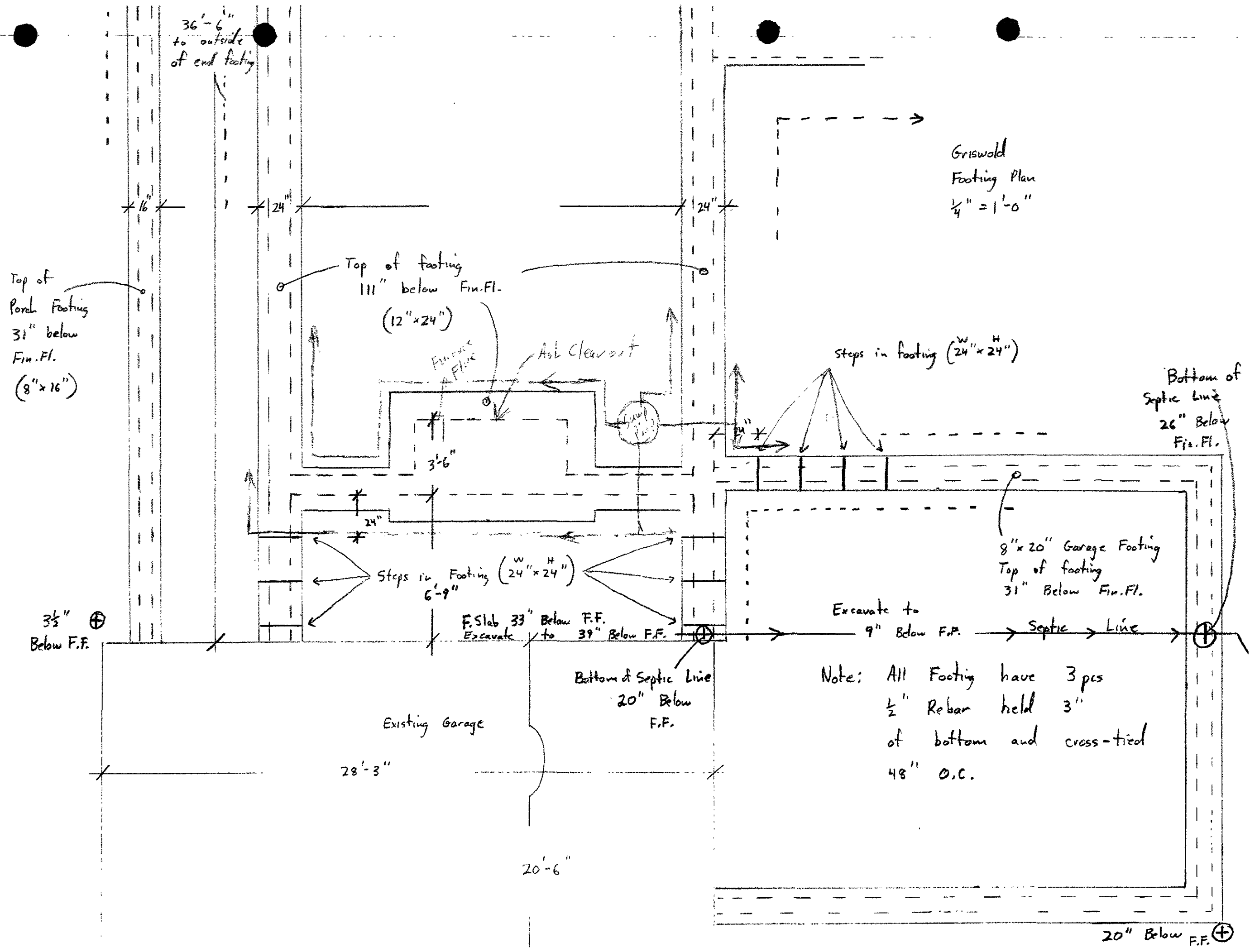
- Footing Concrete -
- Footing Steel -
- Foundation Drains -
- Block -
- Foundation Waterproofing -
- #6 stone
 - Drains -
 - Slabs -
- Slab concrete -
- Sump Pump Pit -
- Expansion Joint -

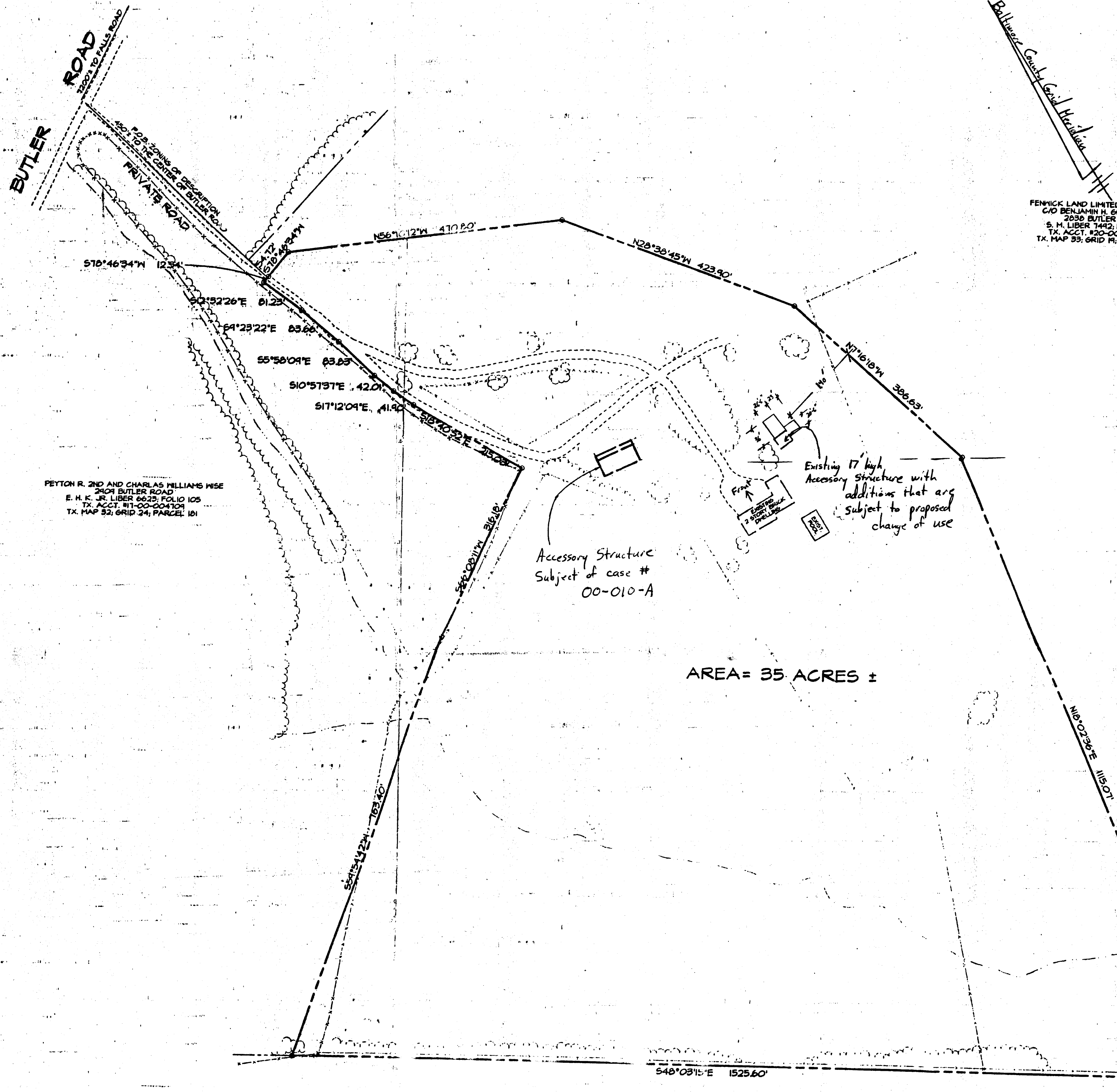


1/8" = 1'-0"

23'
20'-6"
6'
15'







PEYTON R. 2ND AND CHARLES WILLIAMS WISE
2101 BUTLER ROAD
E. H. K. JR. LIBER 6025, FOLIO 105
TX. ACCT. #11-00-004101
TX. MAP 32, GRID 24, PARCEL 121

DANIEL B. & JUDY LYNN BREHSTER
14301 GREEN ROAD
S. H. LIBER 6562, FOLIO 101
TX. ACCT. #21-00-000011
TX. MAP 32, GRID 24, PARCEL 201

FENWICK LAND LIMITED PARTNERSHIP
C/O BENJAMIN H. GRISWOLD, IV
2838 BUTLER ROAD
S. H. LIBER 1442, FOLIO 264
TX. ACCT. #20-00-015444
TX. MAP 32, GRID 24, PARCEL 201

Zoning History
IN RE: PETITION FOR VARIANCE
S/S Butler Road, 7200' W of Falls Road
(2838 Butler Road)
8th Election District
3rd Council District
Benjamin H. Griswold, IV, et ux
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 00-010-A
01-010-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, Benjamin H. Griswold, IV, and his wife, Wendy G. Griswold. The Petitioners seek relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (barn) to be located in the front yard, with a height of 36 feet in lieu of the required rear yard and maximum allowed height of 15 feet. The subject property and relief requested are more particularly described on the site plan marked as Petitioner's Exhibit 1, and the building elevation drawings marked as Petitioner's Exhibit 2.

Appearing at the requisite public hearing held in this case were Wendy Griswold, property owner, Brian Dietz, a representative of Gerhold, Cross & Etzel, the engineering firm which prepared the site plan for this property, and Matthew Slater. There were no Protestants or other interested persons present.

Testimony and evidence presented revealed that the subject property consists of a gross area of 35 acres, more or less, zoned R.C.2 and is located on the south side of Butler Road in Glyndon. The property is improved with a two-story dwelling, a one-story shed, a swimming pool, and a two-story masonry barn with an 8-foot wood overhang attached to the rear of the second story. It is this barn structure that is the subject of the variance request. The Petitioners propose extensive renovations to the barn, as more particularly shown on the building elevation drawings submitted at the hearing. Testimony indicated that Mrs. Griswold intends to utilize the second story of the barn as an art studio. Mrs. Griswold is apparently an artist by avocation and desires a place where she can pursue this interest. She indicated that the barn would not be used as a residence and would not be converted for use as apartments. Due to the height of the barn and its location on the front portion of the property, the requested variance relief is necessary. Apparently, the building itself is several hundred years old and has been at this location as it presently exists for many years. Thus, the variances are necessary to legitimize an existing condition and to permit the proposed improvements thereto.

Based upon the testimony and evidence presented, I am persuaded to grant the variance. Surely, the existing structure should be preserved and the proposed rehabilitation of the building is appropriate. As noted above, the barn has apparently existed in its present location for many years. The property is a large tract of land and the barn is located nearly 2,000 feet from Butler Road. Thus, it appears that relief can be granted without any detriment to the health, safety or general welfare of the surrounding locale.

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.

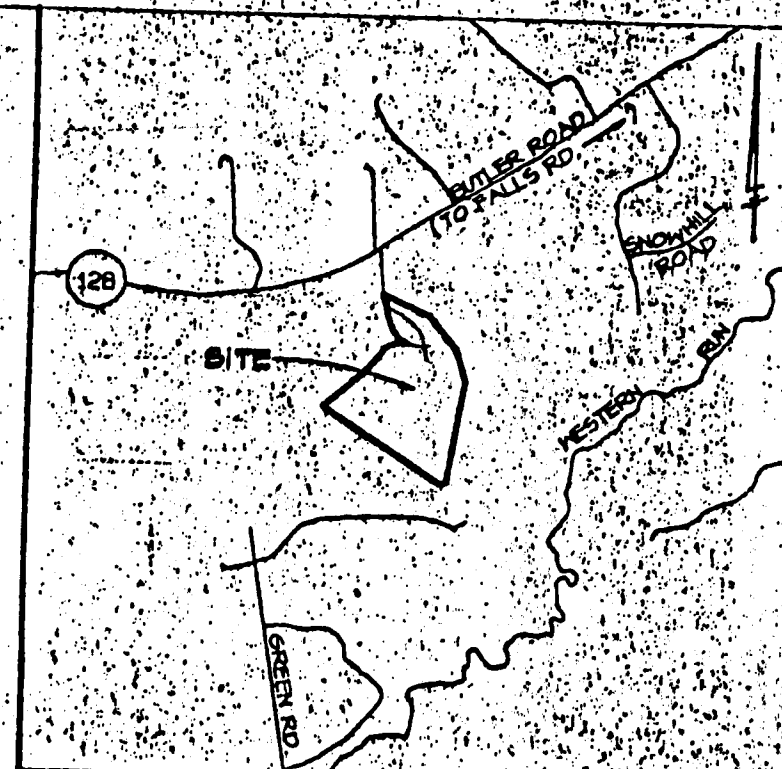
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of September, 2000 that the Petition for Variance seeking relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (barn) to be located in the front yard, with a height of 36 feet in lieu of the required rear yard and maximum allowed height of 15 feet, in accordance with Petitioner's Exhibits 1 and 2, be and is hereby GRANTED, subject 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.
- 2) The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments, nor used to support any commercial or business activity.
- 3) There shall be no living or sleeping quarters provided therein, and no kitchen facilities.
- 4) Compliance with the Zoning Advisory Committee (ZAC) comment submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated August 4, 2000, a copy of which is attached hereto and made a part hereof.
- 5) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Lawrence E. Schmidt
Zoning Commissioner
for Baltimore County

DANIEL B. & JUDY LYNN BREHSTER
14301 GREEN ROAD
S. H. LIBER 6562, FOLIO 101
TX. ACCT. #21-00-000011
TX. MAP 32, GRID 24, PARCEL 150

SYMBOLS LEGEND
HOODS LINE
EXISTING PAVING
PROPERTY LINE
EXISTING DWELLING
TREES
STREAM LINE
FENCE LINE



GENERAL NOTES

THE PROPERTY LINES SHOWN HEREON ARE FOR INFORMATION PURPOSES ONLY. A BOUNDARY SURVEY HAS NOT BEEN PERFORMED.
THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY 200 SCALE PHOTOGRAMMETRIC MAP NO. M1 2105.

CENSUS TRACT 4003
WATERSHED 12
SCHOOL DISTRICT 01

A.D.C. MAP & GRID
SUBDIVISIONED REGIONAL PLANNING DISTRICT 01
C-110
B-101A

THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA

The entire property is zoned RC-2

OWNER:
BEN GRISWOLD & WENDY GRISWOLD, HIS WIFE
2838 BUTLER ROAD
GLYNDON, MARYLAND 21071

Date - February 14, 2002

PLAT TO ACCOMPANY A
PETITION FOR A
VARIANCE & SPECIAL HEARING
OF THE
GRISWOLD PROPERTY
2838 BUTLER ROAD
Deed Ref: S. M. No. 7492 folio 259
Tax Account No.: 20-00-013443
Zoned R. C. -2
Tax Map 32: Grid 24; Parcel 196
8th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale - 1" = 100'