

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
 E/corner of intersection of Hidden Trail Dr. * ZONING COMMISSIONER
 and Shaded Brook Dr. * OF BALTIMORE COUNTY
 3rd Election District *
 3rd Councilmanic District * CASE NO. 02-511-A
 (11121 Hidden Trail Drive) *
 Barbara & Elliott Gold *
 Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Barbara and Elliott Gold. The variance request is for property located at 11121 Hidden Trail Drive 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 pool to be located within 28 ft. of the street right-of-way and in the 1/3 of the rear yard not furthest removed from a public street. 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 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.

ORDER RECEIVED FOR FILING
 Date 6/18/02
 By R. J. [Signature]

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 Zoning Commissioner for Baltimore County, this 18th day of June, 2002, that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a pool to be located within 28 ft. of the street right-of-way and in the 1/3 of the rear yard not furthest removed from a public street, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their 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.



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:raj

ORDER RECEIVED FOR FILING

Date

6/18/02

By

R. Johnson



Baltimore County
Zoning Commissioner

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

June 18, 2002

Mr. & Mrs. Elliott Gold
11121 Hidden Trail Drive
Owings Mills, Maryland 21117

Re: Petition for Administrative Variance
Case No. 02-511-A
Property: 11121 Hidden Trial Drive

Dear Mr. & Mrs. Gold:

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,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:raj
Enclosure

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



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1121 Hidden trail dr
which is presently zoned RCS (Formerly RDP)

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400-1, BCZR, TO PERMIT A

Pool TO BE LOCATED WITHIN 28ft. FEET OF THE STREET RIGHT-OF-WAY AND IN THE 1/3 OF THE REAR YARD NOT FURTHEST REMOVED FROM A PUBLIC STREET.

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.

Contract Purchaser/Lessee:

Elliott Gold
Name - Type or Print
Elliott Gold
Signature
1121 Hidden trail dr 410-363-0286
Address Telephone No.
Owings Mills MD 21117
City State Zip Code

Legal Owner(s):

Elliott Gold
Name - Type or Print
Elliott Gold
Signature
Barbara Gold
Name - Type or Print
Barbara Gold
Signature
Address Telephone No.
City State Zip Code

Attorney For Petitioner:

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

Representative to be Contacted: Contact Owners
Nema Pools of Maryland RDD
Name
3743 EAST Market St. 800-258-4040
Address Telephone No.
YORK PA 17402
City State Zip Code
MATC # 51736

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 6/18/02 day of June, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County
Reviewed By Jay Date 5.20.02
Estimated Posting Date _____

CASE NO. 02-511A

ORDER RECEIVED FOR FILING
Date 6/18/02
By D. Johnson

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 11721 Hidden Trail Dr
Address
Owings Mills MD 21117
City State 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):

- ① This is the only FLAT area near the house
- ② It is away from the Septic System & The Drain field
- ③ The entire rest of the property is heavily wooded & hilly.

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.

Elliott Gold
Signature
Elliott Gold
Name - Type or Print

Barbara Gold
Signature
Barbara Gold
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 4th day of April, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Elliott Gold and Barbara Gold
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Kimberly Ann
Notary Public
My Commission Expires Oct 20, 2004

ZONING DESCRIPTION FOR
11121 HIDDEN TRAIL DRIVE

THAT PROPERTY BEING LOCATED
ON THE EASTERLY CORNER AT
THE INTERSECTION OF HIDDEN TRAIL
DRIVE & SHADED BROOK DRIVE,

1.87 AC ±

E.D. 3RD

C.D. 3RD.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

511

No. 13364

DATE 5.20.02 ACCOUNT 011-101-05

AMOUNT \$ 50.00

RECEIVED FROM: B. Gals - 1121 Middle Trail Dr.

FOR: (1121) AD UNIT

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME
5/20/2002	5/20/2002	09:18:08
REG 4306	WALKIN KICK K3M	DRWLR 4
RECEIPT # 079019	5/20/2002	DFLN
Dept	5 528 ZONING VERIFICATION	
CR NO.	013364	
Receipt Tot		\$50.00
50.00	CK	.00 CA
Baltimore County, Maryland		

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

**RE: CASE # 02-511-A
PETITIONER/DEVELOPER:
Barbara Gold
DATE OF HEARING:
June 18 , 2002**

**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**

LOCATION
11121 Hidden Trail Drive

DATE

May 30, 2002



SIGNATURE OF SIGN POSTER

BRUCE DOAK

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



POSTED ON

**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/neighborhood 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: 511

Petitioner: BARBARA GOLD

Address or Location: 1121 Hidden Trail Drive, Owings Mills, Md. 21117

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____

Address: SAAR

Telephone Number: 410-363-0286

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 511 -A Address 11121 HIDDEN TRAIL DR
Contact Person: J. Menden Phone Number: 410-887-3391
(Planner, Please Print Your Name)
Filing Date: 5-20-02 Posting Date: 6/3/02 Closing Date: 6/18/02

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- 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.
- 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.
- 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 02- 511 -A Address 11121 HIDDEN TRAIL DR
Petitioner's Name BARBARA GOLD Telephone 410-363-0286
Posting Date: 6-3-02 Closing Date: 6-18-02
Wording for Sign: A VARIANCE TO PERMIT A POOL TO BE LOCATED WITHIN 28ft. OF THE STREET RIGHT OF WAY AND NOT WITHIN THE (1/3) ONE-THIRD OF THE REAR YARD FURTHEST REMOVED FROM A PUBLIC STREET.

Barbara Gold

WCR - Revised 6/28/00



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

June 17, 2002

Mr. & Mrs. Elliott Gold
11121 Hidden Trail Drive
Owings Mills MD 21117

Dear Mr. & Mrs. Gold:

RE: Case Number: 02-511-A, 11121 Hidden Trail Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 20, 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.
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel

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





Baltimore County
Fire Department

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

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

May 30, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF June 3, 2002

Item No.: See Below

Dear Mr. Zahner:

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 at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

511-519, 521-523

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 / RBT*

DATE: July 15, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of June 3, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

511-514, 516,517,519-525, 527, 529-531, 533

AV
6/17

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 31, 2002

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

JUN - 3 2002

SUBJECT: Zoning Advisory Petition(s): **Case(s) 02-511**

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: Thane S. ...

AFK/LL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 5.28.02

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

RE: Baltimore County
Item No. 511

JCM

Dear Mr. Zahner:

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,

A handwritten signature in black ink, appearing to read 'K. A. McDonald Jr.'.

for 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

NW-13-E

PRIVATE ROAD

DRIVE

TRAIL

SITE

HIDDEN

DRIVE

BROOK

SHADED

R.C. 5

North

N 50,000

N 49,000

N 592,000













PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE SPECIAL HEARING

PROPERTY ADDRESS 11121 HIDDEN TRAIL DRIVE SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

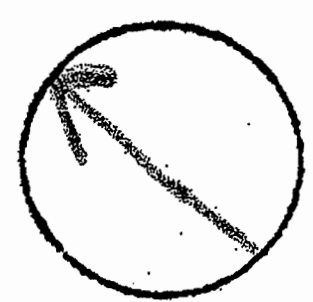
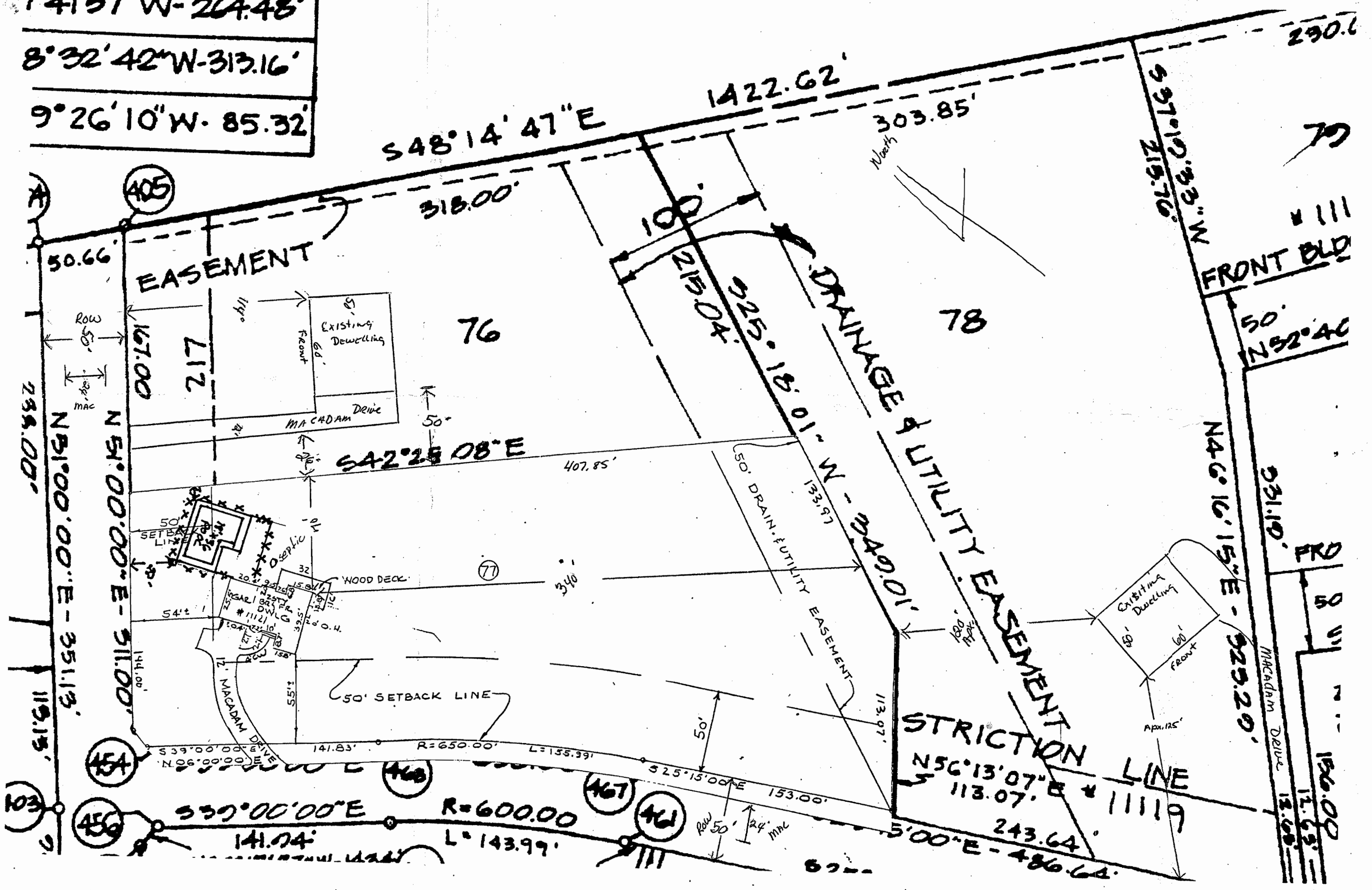
SUBDIVISION NAME VALLEY HEIGHTS, PLAT 4

PLAT BOOK # 40 FOLIO # 37 LOT # 77 SECTION #

OWNER ELLIOTT & BARBARA GOLD

Det A #1

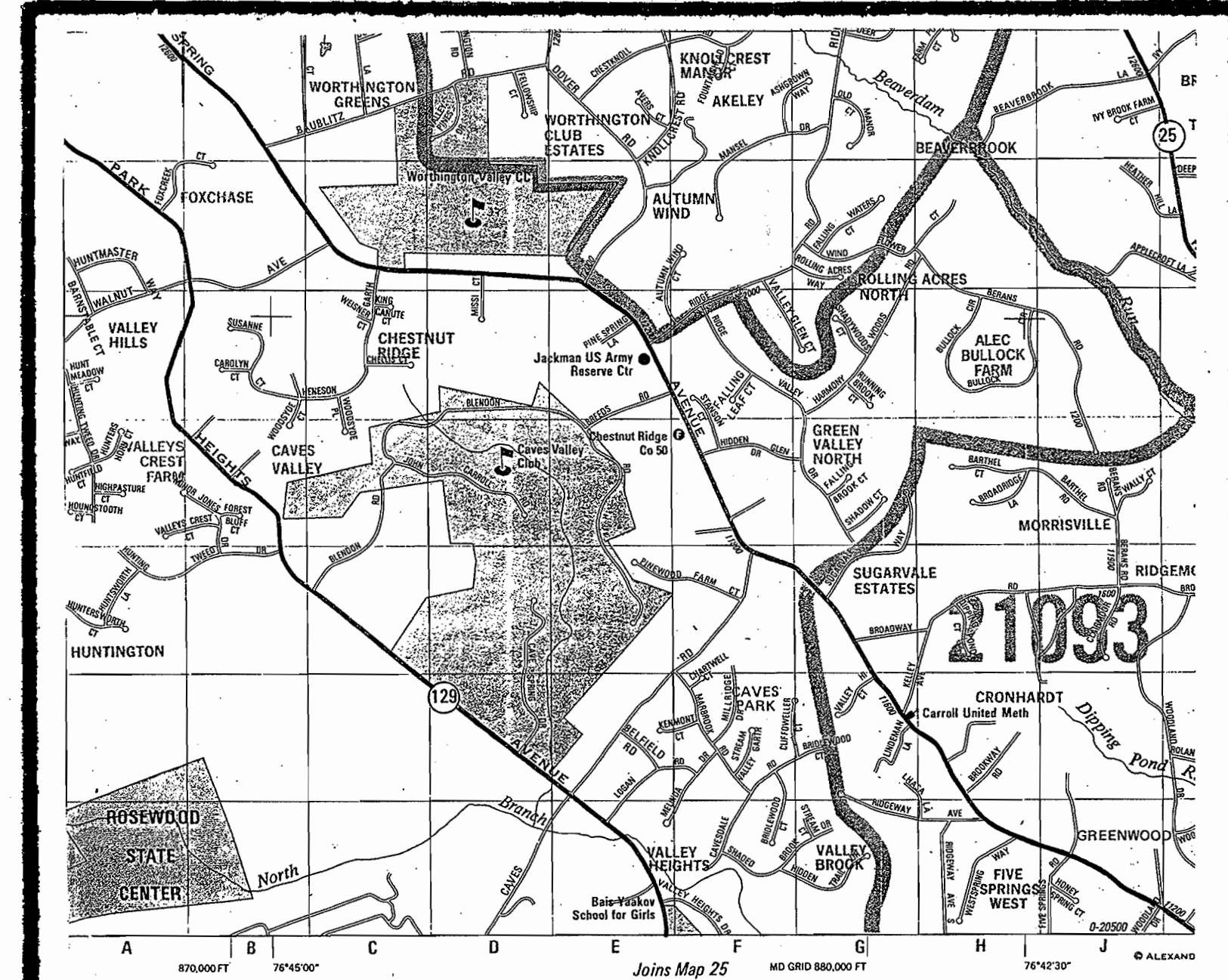
7°41'57"W-264.48'
8°32'42"W-313.16'
9°26'10"W-85.32'



NORTH

PREPARED BY Nemo Pools of Maryland

SCALE OF DRAWING: 1" = 50'



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 3
COUNCILMANIC DISTRICT 3
1" = 200' SCALE MAP # NW-13-E
ZONING RC5 (Formerly RDA)

LOT SIZE 1.87 81,457
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
WATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	<input type="checkbox"/>	<input checked="" type="checkbox"/>
100 YEAR FLOOD PLAIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HISTORIC PROPERTY/BUILDING	<input type="checkbox"/>	<input checked="" type="checkbox"/>
PRIOR ZONING HEARING	<u>None</u>	

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

JAM | SV |