

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
E/S Buttonwood Lane, 409' S		
centerline of White Ash Court	*	ZONING COMMISSIONER
15th Election District		
5th Councilmanic District	*	OF BALTIMORE COUNTY
(12158 Buttonwood Lane)		
	*	CASE NO. 02-512-A
Patti & Joseph Robel		
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, Patti and Joseph Robel. The variance request is for property located at 12158 Buttonwood Lane in the eastern area of Baltimore County. The variance request is from Section 1B01.2C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition (garage) with a side yard setback of 11 ft. in lieu of the required 35 ft. and to amend the Final Development Plan for "Golden Acres", Lot 71 and to allow an addition outside of the building envelope. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for 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

ORDER RECEIVED FOR FILING

Date 6/17/02

By P. J. [Signature]

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 Zoning Commissioner for Baltimore County, this 13th day of June, 2002, that a variance from Section 1B01.2C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition (garage) with a side yard setback of 11 ft. in lieu of the required 35 ft. and to amend the Final Development Plan for "Golden Acres", Lot 71 and to allow an addition outside of the building envelope, 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 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.



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

ORDER RECEIVED FOR FILING

Date

6/17/02

By

LES:raj



Baltimore County
Zoning Commissioner

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

June 17, 2002

Mr. & Mrs. Joseph Robel
12158 Buttonwood Lane
Baltimore, Maryland 21220

Re: Petition for Administrative Variance
Case No. 02-512-A
Property: 12158 Buttonwood Lane

Dear Mr. & Mrs. Robel:

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,

Lawrence E. Schmidt
Zoning Commissioner

LES:raj
Enclosure



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

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Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 12158 BUTTWOOD LN, 21220
which is presently zoned D.R. 3.5

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) 1801.2C.1.b. (B.C.Z.R.)

TO PERMIT AN ADDITION (GARAGE) WITH A SIDE YARD SETBACK
OF 11 FEET IN LIEU OF THE REQUIRED 35 FEET AND TO AMEND
THE FINAL DEVELOPMENT PLAN FOR "GOLDEN ACRES", LOT 71.
TO ALLOW AN ADDITION OUTSIDE OF THE BUILDING ENVELOPE.

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:

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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 6/1/02 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

CASE NO. 02-512-A

Reviewed By D. THOMPSON Date 5/16/02

REV 10/25/01

Estimated Posting Date 5/27/02

ORDER RECEIVED FOR FILING

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 12158 BUTTOWOOD LANE
Address
BALTO MD 21220
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):

Lack of Parking

Prevent theft and vandalism of vehicles due to increase crime in neighborhood

Additional Storage

Increase security for teenage girls entering / leaving house

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
Joe Robel Jr
Name - Type or Print

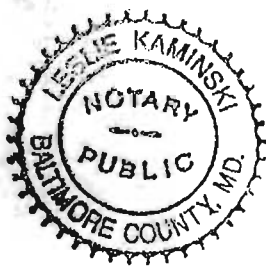
[Signature]
Signature
PATTI K. Robel
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 16th day of May, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

[Signature] [Signature]
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



[Signature]
Notary Public
My Commission Expires 8/1/02

Zoning Description for **12158 Buttonwood Lane**

Beginning at a point on the east side of Buttonwood Lane which is 50 feet wide at the distance of 409 feet south of the centerline of White Ash Court which is 50 feet wide. Being Lot #71 in the subdivision of "Golden Acres" as recorded in Baltimore County Plat Book #43, Folio #141 containing 10,960 square feet. Also known as 12158 Buttonwood Lane and located in the 15th Election District, 5th Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 13300

DATE 5/16/02 ACCOUNT 0010066150
AMOUNT \$ 100.00

RECEIVED FROM: PATTI ROBEL

FOR: ITEM # 512, 02-512-A, 12158 BUTTERNUT WOOD LANE
BY D. THOMPSON (VAR + AMEND. TO FDP)

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME
5/16/2002	5/16/2002	10:45:58
REG 14902	WALKIN JENA JEE DRAHER	2
>> RECEIPT #	202551	5/16/2002 OFLJ
Dept	5	528 ZONING VERIFICATION
CR NO.	013380	
Receipt Tot	\$100.00	
100.00	OK	.00 CA
Baltimore County, Maryland		

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

AV
6/10

RE: Case No.: 02-512-A

Petitioner/Developer: _____

JOE ROBEL

Date of Hearing/Closing: 6/11/02

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

Attention: MR. GEORGE SAHNER
~~Ms. Gwendolyn Stephens~~

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

12158 BUTTWOOD LANE

The sign(s) were posted on 5/27/02
(Month, Day, Year)

CASE # 02-512-A



Sincerely,

Richard E. Hoffman 5/27/02
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)

12158 BUTTWOOD LN.

POSTED 5/27/02

Richard E. Hoffman 5/27/02

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 512 -A Address 12158 BUTTOWOOD LN., 21220

Contact Person: DONNA THOMPSON Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 5/16/02 Posting Date: 5/27/02 Closing Date: 6/11/02

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

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.
3. **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 02- 512 -A Address 12158 BUTTOWOOD LN., 21220

Petitioner's Name ROBEL Telephone 410-574-1362

Posting Date: 5/27/02 Closing Date: 6/11/02

Wording for Sign: To Permit AN ADDITION (GARAGE) WITH A SIDE YARD

SETBACK OF 11 FEET IN LIEU OF THE REQUIRED 35 FEET AND TO

AMEND THE FINAL DEVELOPMENT PLAN FOR "GOLDEN ACRES", LOT 71.

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 10, 2002

Mr. & Mrs. Joseph Robel
12158 Buttonwood Lane
Baltimore MD 21220

Dear Mr. & Mrs. Robel:

RE: Case Number: 02-512-A, 12158 Buttonwood Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 16, 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. GDZ
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:

512

511-519, 521-523

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

cc: File

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BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt. **DATE:** July 10, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For June 10, 2002
Item Nos. 511, 512, 513, 514, 516, 517,
518, 519, 520, 521, 522, and 523

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

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley

RB 1/26T

DATE: July 15, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of June 3, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

512

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

AV
6/10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 7, 2002

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

JUN 11 2002

SUBJECT: 12158 Buttonwood Lane

INFORMATION:

Item Number: 02-512

Petitioner: Joseph Robel, Jr.

Zoning: DR 3.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request to permit an addition with a side yard setback of 11 feet in lieu of the minimum required 35 feet, and to amend the final development plan for the "Golden Acres" development. This office also supports the request to allow an addition outside of the building envelope.

Prepared by: Naelt Cummings

Section Chief: Arnold F. 'Pat' Keller

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. 512

DT

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,

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

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

PROPERTY ADDRESS: 12158 BUTTOWOOD LANE

PLAT BOOK #43

FOLIO #141

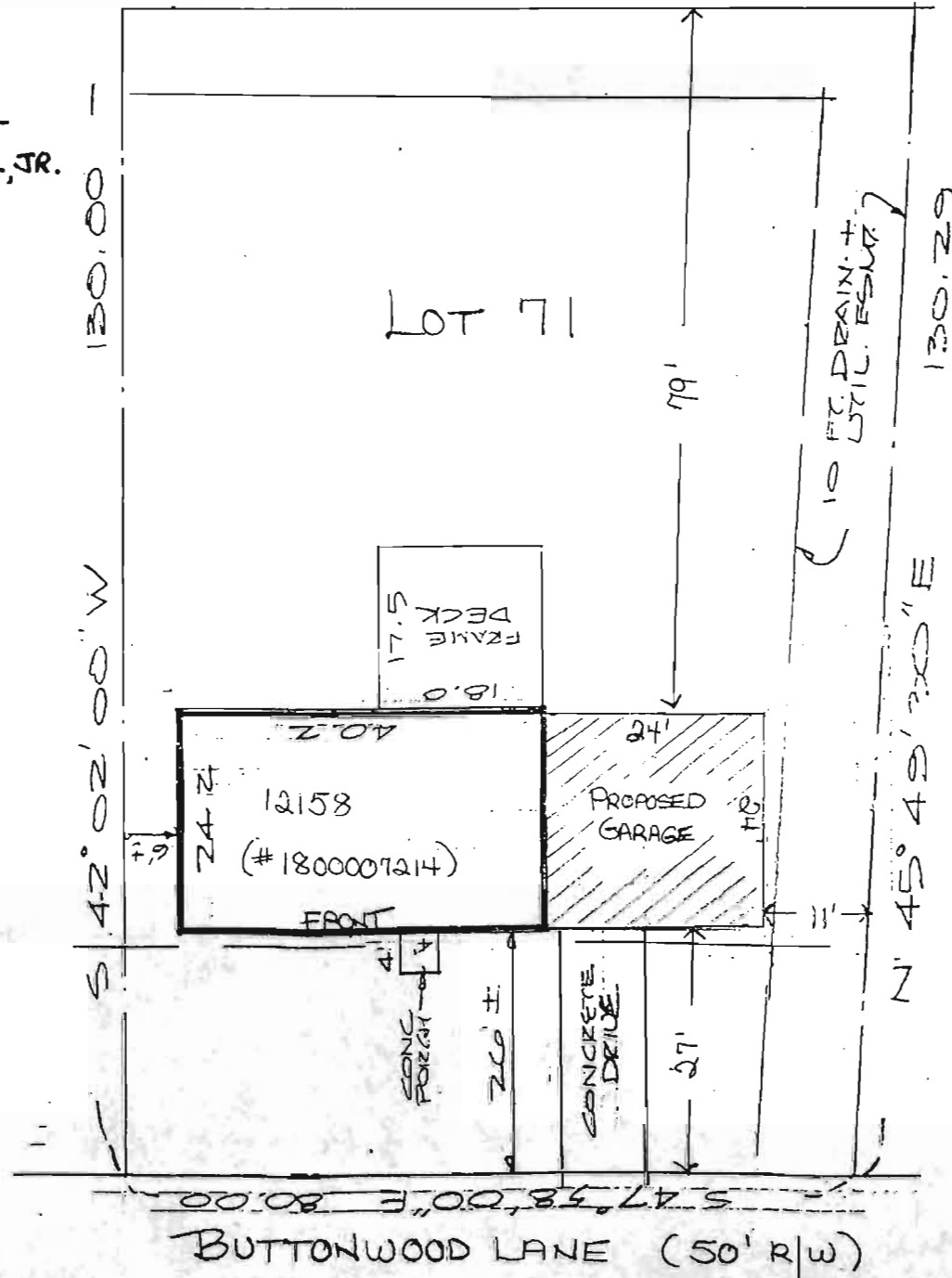
OWNER:

PATTI K. ROBEL

JOSEPH E. ROBEL, JR.

LOT 72

12156
(#1800007215)



MAP 86
PARCEL 601

NO STRUCTURES
WITHIN 600' FEET

RICHARD G. MAGSAMEN
4426/120

SCALE: 1" = 20'

-1E

Return to Map

VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 5

1" = 200' SCALE MAP # NE 6 I

ZONING D.R. 3.5

LOT SIZE 10,960

	ACREAGE	SQUARE FEET
SEWER	☒ PUBLIC	☐ PRIVATE
WATER	☒ PUBLIC	☐ PRIVATE
CHESAPEAKE BAY CRITICAL AREA	☐ YES	☒ NO
100 YEAR FLOOD PLAIN	☐ YES	☒ NO
HISTORIC PROPERTY/BUILDING	☐ YES	☒ NO
PRIOR ZONING HEARING	#90-549-A	

ZONING OFFICE USE ONLY

REVIEWED BY ITEM # CASE #

D. Thompson 512 102-512-A

