IN RE: PETITION FOR ADMIN. VARIANCE
S/S of Huntfield Court, 400' W
of Hunting Tweed Drive
4th Election District
3rd Councilmanic District
(5 Huntfield Court)

Adam P. & Karen E. Kaftol Petitioners BEFORE THE

DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 02-550-A

* * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Adam and Karen Kaftol, the legal owners of the subject property. The variance request is for property located at 5 Huntfield Court in the Owings Mills area of Baltimore County. The Petitioners herein seek a variance from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition (attached garage) with a side yard setback of 36 ft. in lieu of the required 50 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 8 day of July, 2002, that a variance from Section 1A04.3.B.2 of the B.C.Z.R., to permit an addition (attached garage) with a side yard setback of 36 ft. in lieu of the required 50 ft., 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.

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj





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

Fax: 410-887-3468

July 8, 2002

Mr. & Mrs. Adam P. Kaftol 5 Huntfield Court Owings Mills, Maryland 21117

> Re: Petition for Administrative Variance Case No. 02-550-A Property: 5 Huntfield Court

Dear Mr. & Mrs. Kaftol:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

Surthy Hotroco

Deputy Zoning Commissioner

TMK:raj Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 5	Huntfield	Court.	0wings	Mills
which i	is presently zo	ned RC-	-5	

Zoning Commissioner of Baltimore County

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) (AC4.3.B.2. DC2.

To permit an addition Cattached garage) with a side yard setback of 36' in lieu of the required 50!

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: Legal Owner(s): Adam P. and Karen E. Name - Type or Print Name - Type or Print Signature Signature Adam P. Kaftol Name - Type or Print Address Telephone No. State Zip Code Karen E. Kaftol, 5 Huntfield Court Attorney For Petitioner: Telephone No. Address Owings Mills, MD 21117 Zip Code City Name - Type or Print State Representative to be Contacted: Signature Adam Kaftol Name Company 410-484-6900 same Telephone No. Address Addiress Telephone No. Zip Code State City Zip Code State A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning Tegulatoris of Baltimore County and that the property be reposted.

Estimated Posting Date

02-550 -A

REU 9115198

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

competent to testify thereto in the event that a	public hearing is schedule	ed in the future with regard th	ereto.
That the Affiant(s) does/do presently reside at	5 Huntfield Court	t	
	Owings Mills City	Mary land State	21117 Zip Code
That based upon personal knowledge, the folk	owing are the facts upon		•
Variance at the above address (indicate hardsh			
1. Home was originally a	wilt by other	S AT A LOCATION	NOT PERMITING
any additional construction	75 7000		
Z. THE ADDITION OF THE GAI HOMES IN THE SUBDIVISION	RAGE WILL PERMIT	CONFORMITY WITH THE	MAJORIFY OF
3. If family has expanded will parant our family	since we purcha	SED THE HOME AND	THE ABBITION
will permit our family	to continue resid	ling in the house.	
in featility e			
waster allowed a			
		•	
E			
That the Affiant(s) acknowledge(s) that if a fe	ormal demand is filed. A	Affiant(s) will be required to	pay a reposting and
advertising fee and may be required to provide	additional information.	()	
	,) //	
	<i></i>	Laren Kaftol	
Signature	Signatur	re /	
Adam P. Kaftol	Ka	ren E. Kaftol	
Name - Type or Print	Name -	Type or Print	
STATE OF MARY AND COUNTY OF DALL	MODE 4		
STATE OF MARYLAND, COUNTY OF BALTI	MORE, to wit:	_	
of Maryland, in and for the County aforesaid, pe	ensonally appeared	, 2002, before me, a Nota	ary Public of the State
Adam P. Kaftol and Karen E			
the Affiant(s) herein, personally known or satisfiaw that the matters and facts hereinabove set	sfactorily identified to me forth are true and correct	as such Affiant(s), and mad to the best of his/her/their kn	e oath in due form of owledge and belief.
AS WITNESS my hand and Notarial Seal			
. /	0.1	Q Mulling	
Date 6/4/03	Notary Public	L. Mullyan n Expires 9/1/03	
	My Commissio	n Expires 9/1/03	

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	5 Huntfield Cou	ırt.	
	Owings Mills City	Mary l and State	21117 Zlp Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardsh	wing are the facts up	on which I/we base the request	for an Administrative
1. Home was originally (me any additional construction	It by others a	AT A COCATION NOT PER SIDUS.	zan i TNG
2. THE ASSITION OF THE CAMADE N. MES IN THE EUBBIUSION 3. Our family has expanded will permit our family	E WILL PERMIT (CONFORMITY WITH THE M	ASORITY OF
with principle			
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provige:	ormal demand is filed	l, Affiant(s) will be required to	pay a reposting and
		Karen Kaftol	5.76.50
Signature Voft-ol	Signa	ature	
Adam P. Kaftol Name - Type or Print	Nam	Karen E. Kaftol e-Type or Print	18. 79.
STATE OF MARYLAND, COUNTY OF BALTIM I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, per Adam P. Kaftol and Karen E.	rsonally appeared Kaftol	, 2003, before me, a Nota	
the Affiant(s) herein, personally known or satis law that the matters and facts hereinabove set f	factorily identified to roorte	me as such Affiant(s), and mad ect to the best of his/her/their kn	e oath in due form of owledge and belief.
AS WITNESS my hand and Notarial Seal 9 6/4/02 Date	Ondy Notary Publi	L. Mullyar	
		sion Expires 9/1/03	

REV 09/15/98



CASE NO. 02-550-A

REV 9115198

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 5	Huntfield	Court.	Owings	<u>Mill</u> s
which	is presently zo	ned RC-	-5	

Reviewed By JRF Date 6-5-02

Estimated Posting Date 6-17-02

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) / A04.3.8.2 BCZR

To permit an addition cattached garage) with a side yard setback of 36' in how of the required 50!

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

			Zoning Commissioner	of Baltimore Cou	ntv
A Public Hearing having been for this day of regulations of Baltimore County and	tl.	hat the subject matter of the	required, it is ordered by the Zoning is petition be set for a public hearing,	g Commissioner advertised, as re	of Baltimore County, equired by the zoning
City	State	Zip Code	City	State	Zip Code
Address		Telephone No.	Address		Telephone No.
			same	410-484-6900	
Company			Name		
ongridatoro .			Adam Kaftol	3.4	
Signature			Representative to be C	<u>contacted:</u>	
Manie - Type of Filing			•	_,	2.0000
Name - Type or Print			Owings Mills, MD	State	21117 Zip Code
4.0.37			Address		Telephone No.
Attorney For Petitioner:	_		Karen E. Kaftol,	5 Huntfield	
City	State	Zip Code	Signature		
			Karen Kaft	of	
Address		Telephone No.	Name - Type or Print		-
			Adam P. Kaftol		
Signature			Signature		
Name - Type of Franc			Name Type of 7 min		
NA Name - Type or Print			Adam P. and Karen E.	. Kaftol .	
)
Contract Purchaser/Les	see:		Legal Owner(s):		
			perjury, that I/we are the lega is the subject of this Petition.		
			I/We do solemnly declare and	d affirm under t	he penalties of
regulations and restrictions of l	Baltimore Cou	unty adopted pursuant t	o the zoning law for Baltimore Cou	inty.	ided by the zoning
I, or we, agree to pay expense regulations and restrictions of l	s of above Va Baltimore Cou	ariance, advertising, po- unty adopted pursuant t	sting, etc. and further agree to and	d are to be bour unty.	nded by the zo

ZONING DESCRIPTION FOR 5 HUNTFIEILD COURT, OWINGS MILLS, MARYLAND

Being lot 115, Section 2 of the Valley Hills Subdivision as recorded in the Baltimore County Plat Book EHK, Jr. 39 Folio 88 containing 1.43 acres. Also known as 5 Huntfield Court, Owings Mills, Maryland and located in the 4th Election district, 3rd Councilmanic District.

550

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT

No.

ATE 6-5-02 ACCOUNT 001-006-6150

AMOUNT \$ 50

FROM: ADAM & KAREN KAFTOL

5 HUNTFIELD OF ITEM # 550

FOR: OI - VARIANCE TAKEN BY: JRF

STRIBUTION HITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

ACTUAL

7/6/2002 6/05/2002 Hr:59:44 PCG MSGC - WALKEN KMCK KMA DRAWCH

POSTET # 001015 - WPL-SOFT - OFF

5 528 ZIMINE VOLUETONI ON 2 100

Recot Tot \$50 00

Mr Su

50.00 CK

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

Baltimore County Department of

County Office Building, Room 111 111 West Chesapeake Avenue

Attention: Ms. Gwendolyn Stephens

Towson, MD 21204

Ladies and Gentlemen

Permits and Development Management

RE: Case No.: 02-550-A Petitioner/Developer: Adam + Karen Date of Hearing/Closing: 7-2-62 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 5 Huntfield Court June 12, 2002 (Month, Day, Year) Sincerely, (Signature of Sign Poster and Date) GNS INC. ELDERSBURG, MD. 21784

(City, State, Zip Code)

(Telephone Number)

The sign(s) were posted on MATION IS AVAILABLE UT

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

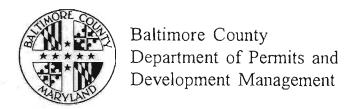
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign 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: 02-550-A
Petitioner: ADDAY AND KAREN KARTUR
Address or Location: 5 HOWFFIELD COURT, OWINGS Wills, Wanylow
PLEASE FORWARD ADVERTISING BILL TO:
Name: ADAM KAFTOL
Address: 5 Houthers Court
Owners Wills, Uls 21117
Teiephone Number: 410 484 - 6800

Revised 2/20/98 - SCJ



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

July 2, 2002

Mr. & Mrs. Adam P Kaftol 5 Huntfield Court Owings Mills MD 21117

Dear Mr. & Mrs. Kaftol:

RE: Case Number: 02-550-A, 5 Huntfield Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 05, 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. 652 Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel



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

June 19,2002

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 June 17, 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:

550-554, 556&557, 559-562

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: July 9, 2002

Department of Permits & Development Mgmt.

FROM ()

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For June 24, 2002

Item Nos (550, 552, 553, 554, 556, 557,

559, 560, 561, and 562

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

RWB:HJO:jrb

cc: File

AV 1/2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: June 24, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

MM 2 A

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-550, 02-554, 02-559, & 02-561

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/LL:MAC



Maryland Department of Transportation State Highway Administration

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

Date: 6-19.02

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

RE: Baltimore County

Item No. **550**

JRF

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

P. J. Smedh



Parris N. Glendering Governor Kathloen Kernedy Townsend Lt. Governor Roy W. Kienitz Secretary Mary Abrams Deputy Secretary

June 20, 2002

Mr. George Zahner
Baltimore County
Department of Permits and Development Management
111 West Chesapeake Avenue, Room 111
County Office Building (Mail Stop #1105)
Towson MD 21204

e: Zoning Advisory Committee meeting – June 24, 2002

Case #'s 02-550-A, 02-551-XA, 02-552-X, 02-553-A, 02-554-SPH, 02-555-SPHXA, 02-556-A, 02-557-A, 02-558-SPHXA, 02-559-A, 02-560-A, 02-561-, and 02-562-SPHA

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 6/19/02. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely.

James R. Gatto

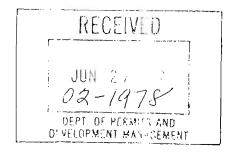
Manager

Metropolitan Planning

Jame AG H

Local Planning Assistance Unit

cc: Mike Nortrup



PHOTOS FOR ADMIN VARIANCE

5 Huntfreco Coud, Own, Mills Mo

#550



home adjoining south

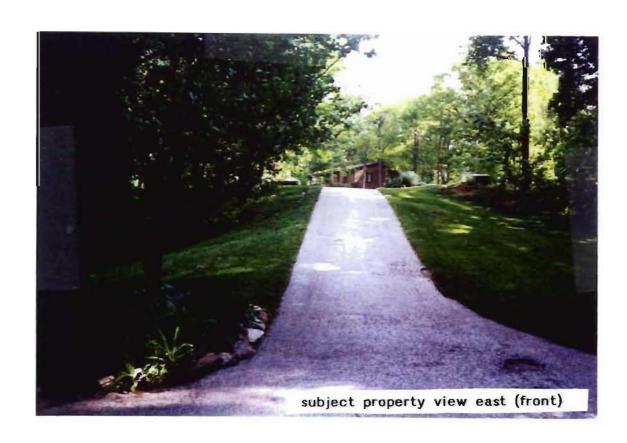


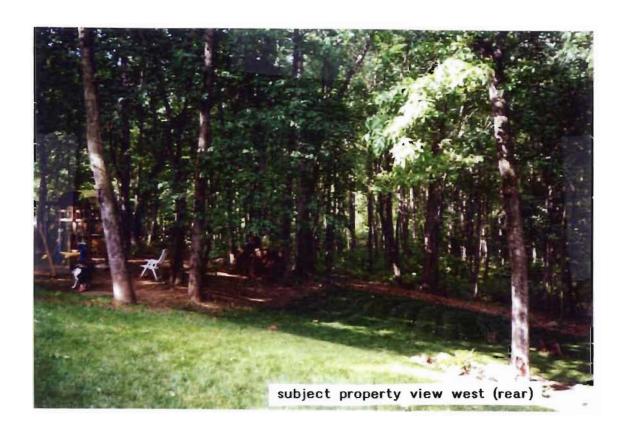
home adjoining east



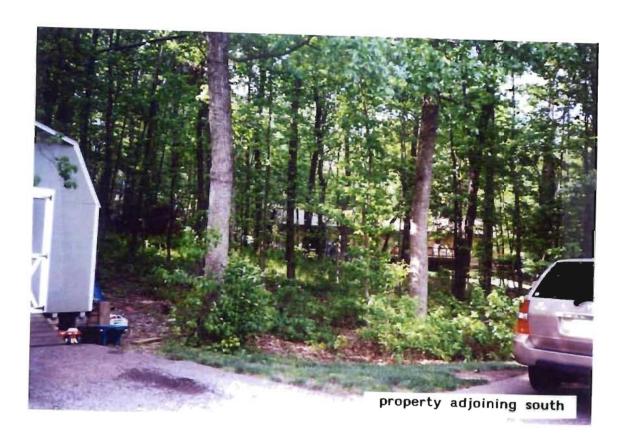
home adjoining north

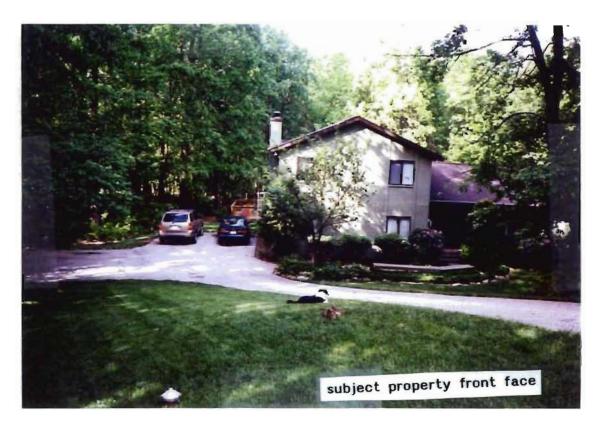


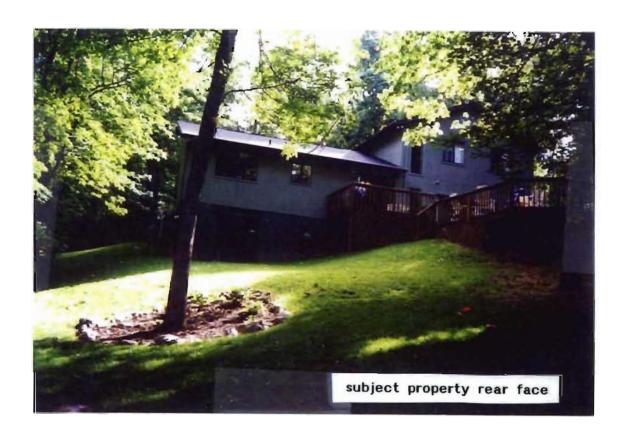


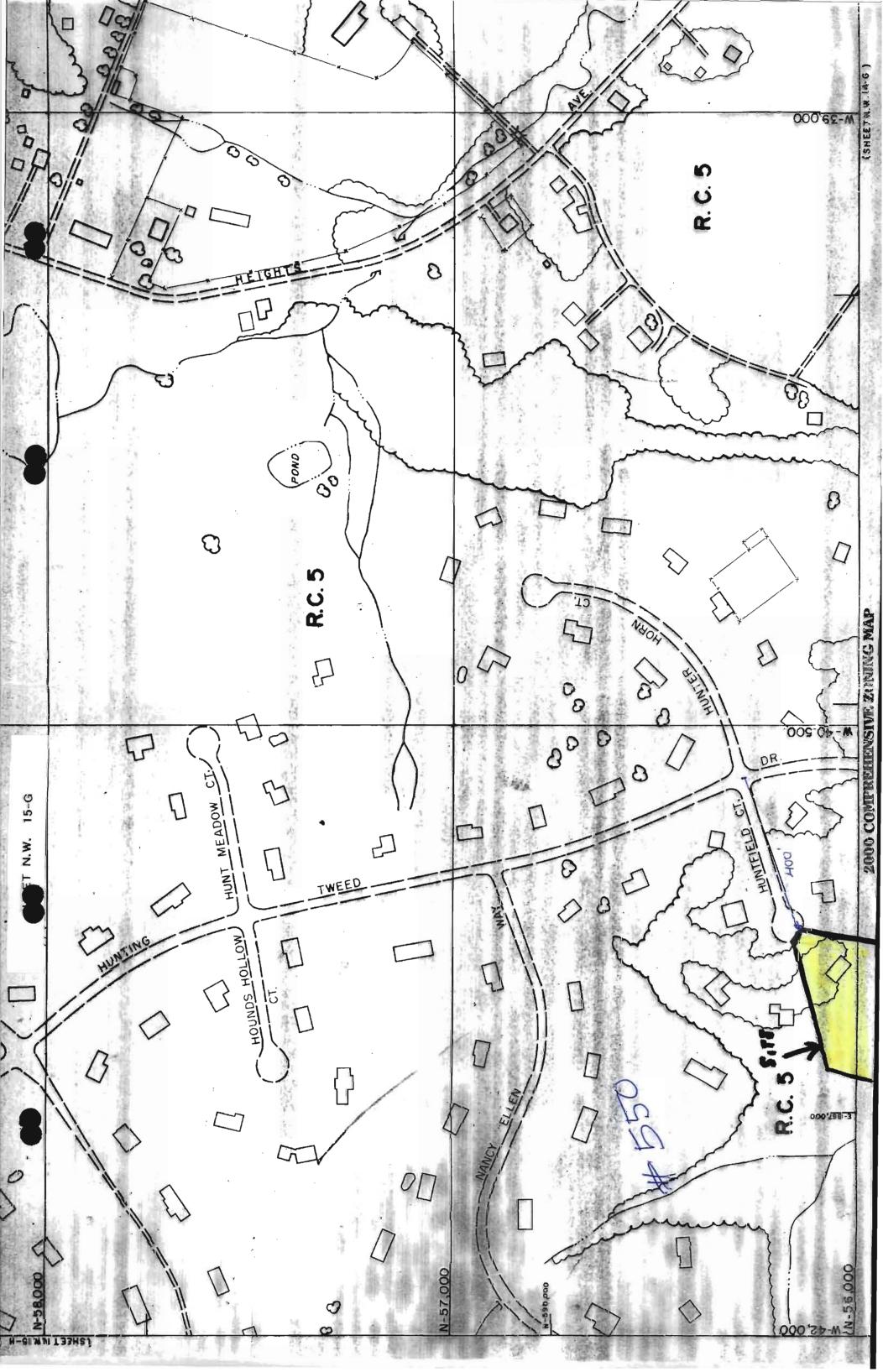












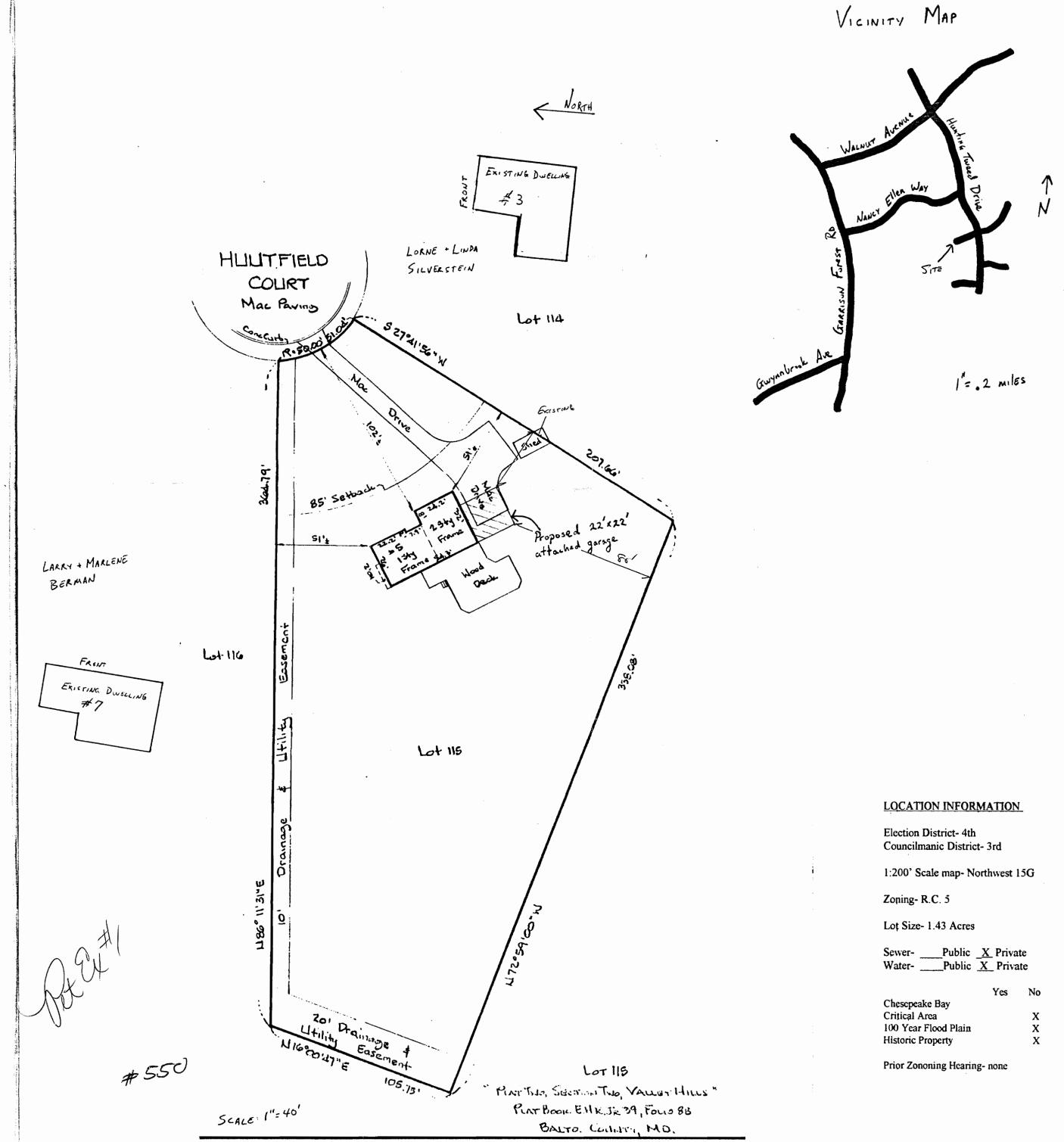
PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

PROPERTY ADDRESS- 5 HUNTFIELD COURT

SUBDIVISION- VALLEY HILLS

PLAT BOOK-EHK, JR 39 FOLIO-88 LOT-115 SECTION-2

OWNER- ADAM PHILLIP AND KAREN ELIZABETH KAFTOL



1. THE LOT SHOWN HEREON LIES WITHIN ZONE "C" AREA OF MINIMAL FLOODING AS DETERMINED BY FLOOD INSURANCE RATE MAP FOR BALTIMORE COUNTY, MARYLAND PANEL NO. 240010 0210 B DATED EFFECTIVE 3/2/81 2. THE PLAT IS OF BENEFIT TO A CONSUMER ONLY INSOFAR AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENT IN CONNECTION WITH CONTEMPLATED TRANSFER, FINANCING, OR REFINANCING 3. THE PLAT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OR LOCATION OF FENCES, GARAGES, BUILDINGS, OR OTHER EXISTING OR FUTURE IMPROVEMENTS.
4. THE PLAT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING.