IN RE: PETITION FOR ADMIN. VARIANCE

N/S of Barstad Court, 650' E centerline of Highview Drive 8th Election District 3rd Councilmanic District (6 Barstad Court)

Peter & Laurie Stubb

Petitioners

BEFORE THE

\* ZONING COMMISSIONER

OF BALTIMORE COUNTY

\* CASE NO. 02-025-A

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner as a Petition for Administrative Variance filed by Peter and Laurie Stubb, the legal owners of the subject property. The variance request is for property located at 6 Barstad Court in the Lutherville 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 an accessory structure (storage shed) to be located on the front yard in lieu of the required rear yard. 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.

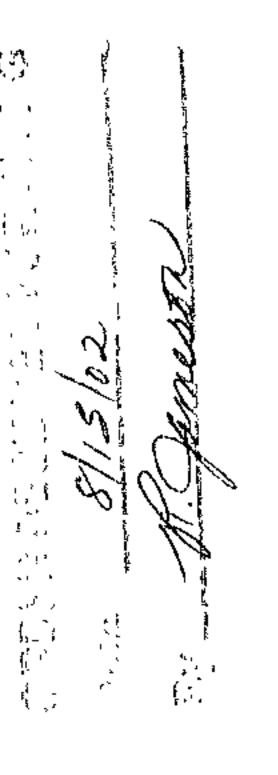
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

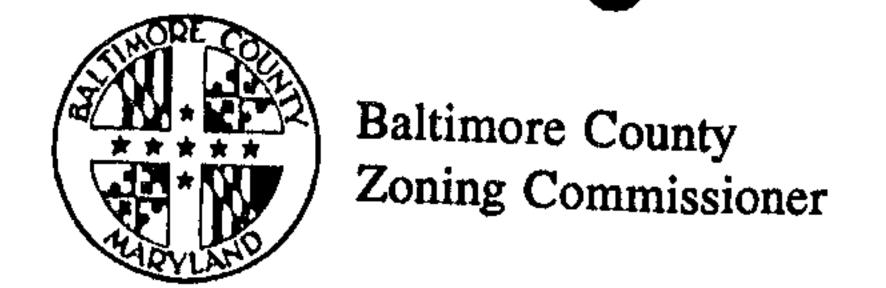
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of August, 2002, that a variance from Section 400.1 of the B.C.Z.R., to permit an accessory structure (storage shed) to be located on the front yard in lieu of the required rear yard, be and is hereby GRANTED, subject, 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.

ZAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

LES:raj





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

Fax: 410-887-3468

August 15, 2002

Mr. & Mrs. Peter Stubb 6 Barstad Court Lutherville, Maryland 21093

> Re: Petition for Administrative Variance Case No. 03-025-A Property: 6 Barstad Court

Dear Mr. & Mrs. Stubb:

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



# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 6 Bars	tad Court	;
which is presently	zoned R.C.	

I/We do solemnly declare and affirm, under the penalties of

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 an accessory structure Estorage shed) to be located on the front yard in lieu of the required rear yard.

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.

It is not be posted and advertised as prescribed by the zoning regulations.

It is not be posted and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.	
Contract Purchas	ser/Lessee:		Legal Owner(s):	
			Peter Stubb	
Name - Type or Print	······································		Name A Type or Print	-
Signature	···· <del>·················</del> ···············		Signature	-
Address		Telephone No.	Lanvie 2mpp	_
			Name - Type or Print  WWW XW XW	
City	State	Zip Code	Signature Count 44-227-742	
Attorney For Peti	tioner:		6 Barstad Court 410337.793	_•
<del></del>		······································	Address MD 2-1093	1
Name - Type or Print			City State Zip Code	-
Signature ,		<del></del>	Representative to be Contacted:	
All and a second			Laurie Stubb Home 410.337.793	57
Company			Barstad Court 410.7882289	7
Address		Telephone No	Address Merville MD 21093	-
City	State	Zip Code	City State Zip Code	-
A Rublic Hearing having	g been formally demanded	and/or found to be	required, it is ordered by the Zoning Commissioner of Baltimore County	- <b>7</b>
regulations of Baltimore C	county and that the property t	ne subject matter of the reposted.	this petition be set for a public hearing, advertised, as required by the zoning	1
			Zoning Commissioner of Baltimore County	~
CASE NO	03-025-A	Rev	riewed By	
REV 10/25/01		Esti	imated Posting Date <u>7-29-02</u>	

# 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

6 Barstad Cou	irt	
whervill	MD	21093
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):

#### Reasons for variance:

The reasons the zoning regulations cannot be met on our property are:

- 1. The house does not have a basement and lacks storage space for lawn equipment, bikes, children's toys, lawn furniture other misc. items.
- 2. The house is built on a sloping site, the only flat area on which to locate the structure is at the end of the driveway.
- 3. The rear yard is not useable for play/activities. Most outdoor activities take place in front of the house making the driveway location most convenient. It is not practical to drag the equipment/items from a downhill location in the rear, to the upper location in the front.

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

PCTCY A. STUBB

Signature

LANTIE J. B. STUBB

Name-Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

1 HEREBY CERTIFY, this And day of Addy of Maryland, in and for the County aforesaid, personally appeared

PCTC MM LAWIC STATE

The Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Notary Public

My Commission Expires

athleen

PUBLIC

REV 10/25/01

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That the Affiant(s) does/do presently reside at

Address 21093
Luthervill MD 21093
City State

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	MVU BSTUM
Peter A. Stubb Name - Type or Print	Laurie J.B. Stubb Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:  I HEREBY CERTIFY, this 12th day of fully of Maryland, in and for the County aforesaid, personally appears to the County aforesaid, personally appears to the County of State	
the Affiant(s) herein, personally known or satisfactorily identified	to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

**Notary Public** 

My Commission Expires \_\_\_\_

athlen . Junker

NOTARY

REV 10/25/01



# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 6 Barstad Court which is presently zoned R.C.5

I/We do solemnly declare and affirm, under the penalties of

This Petition shall be filed with the Department of Permits and I	Development Management. The undersigned, legal
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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.

			perjury, that I/we a is the subject of th	ire the legal owner(s is Petition.	s) of the property which
Contract Pure	chaser/Lessee:		Legal Owner(s	<u>s):</u>	
			Peter St	tubb	
Name - Type or Prin	it .		Name Type or Arın		· · · · · · · · · · · · · · · · · · ·
Signature			Signature	ctial.	<del></del>
Address		Telephone No	Name - Type or Prin	DMOD	<del></del>
City	State	Zip Code	Signature	MVV	··· · · · · · · · · · · · · · · · · ·
Attorney For	Petitioner:		6 Barsta	id Court	410337.7937
			Address	ille MC	Telephone No.
Name - Type or Prin	it	<del>,</del>	City	St	ate Zip Code
Signature	· - · · · · · · · · · · · · · · · · · ·		Representativ	e to be Contact	<del>No de la compositional</del>
			Laurie?	Stubb	Home 410.337.793
Сотралу			Name 13ars+0	1 COUNT	410 7882289
Address		Telephone No	Address	ille MAD	Telephone No
City	State	Zip Code	City	St	ate Zip Code
A Public Hearing h	naving been formally demand	ed and/or found to h	e required, it is ordered to	y the Zoning Commis	sioner of Baltimore County,
·· · ·	ore County and that the propert	y be reposted	i mis pemon be set for a pu	blic flearing, advertise	d, as required by the zoning
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	~2^\ 4~~ ~ ~ ~ ~		Zoning Co	mmissioner of Baltimo	re County
CASE NO.	03-025-A	Re	viewed By JEF	Date	7-15-02
REV 10/25/01		, Es	timated Posting Date	7-29-02	2

### Zoning Description

ZONING DESCRIPTION for 6 Barstad Court. Beginning at a point on the North side of Barstad Court which is 35 ft. wide at the distance of 650 ft. east of the centerline of the nearest improved intersecting street, Highview Drive which is 40 ft wide. Being lot # 19 Block 18, Section #C in the subdivision of Greenwood as recorded in Baltimore County Plat Book #19, Folio #38, containing 2.25 acres.

FROM: RECEIVED MISCELLANEOUS RECEIPT OFFICE OF BUDGET & FINANCE BALTIMORE COUNTY, DISTRIBUTION WHITE - CASHIER  $\langle i \rangle$ PINK - AGENCY P MARYLAND ACCOUNT AMOUNT YELLOW - CUSTOMER 4 2,000 2,000 1,000 1,000 1,000 Lagrand . CASHIER'S VALIDATION 



ADMINISTRATIVE

CASE # 03-025- A
TO PERMIT AN ACCESSORY STRUCTURE
(STORAGE SHED) TO BE LOCATED ON THE
FRONT YARD IN LIEU OF THE REQUIRED
REAR YARD.

HEARING PUBLIC

AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED IT THE PROPOSED VARIANCE, PROVIDED IT SOME IN THE ZONING OFFICE BEFORE IS DONE IN THE ZONING OFFICE BEFORE AS DOME IN THE ZONING OFFICE BEFORE AT A 30 D.M. ON AUGUST (3, 2002)

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# CERTIFICATE OF OSTING

	RE: Case No.: 03-025-A
	Petitioner/Developer:
	PerendLourie STUBB
	Date of Hearing/Closing: 8-13-02
Baltimore County Department of Permits and Development Manageme County Office Building, Room 111 111 West Chesapeake Avenue Fowson, MD 21204	ent
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	
were posted conspicuously on the pr	alties of perjury that the necessary sign(s) required by law operty located at
The sign(s) were posted on	JULY 265th 2002.
	( Month, Day, Year)
	Sincerely,  Sincerely,  (Signature of Sign Poster and Date)
	GARLAND E, MOORE (Printed Name) 3225 RYERSONI CIRCLE
•	(Address) BALTIMIORE, MD, 21277
	(City, State, Zip Code) (40) 242-43 (Telephone Number)

## ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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 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 03- O2.5 -A Address & Bars tad & .  Petitioner's Name Peter & Laurie stubb Telephone #10 - 337 - 7937  Costing Date: 7-29-02 Closing Date: \$\frac{1}{3} - 32 - \frac{1}{3} - 32 - \frac{1}{3} -	Case	Number	03-	025		-A		Address	6	Barsi	tad	c+.	<del></del>		
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# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

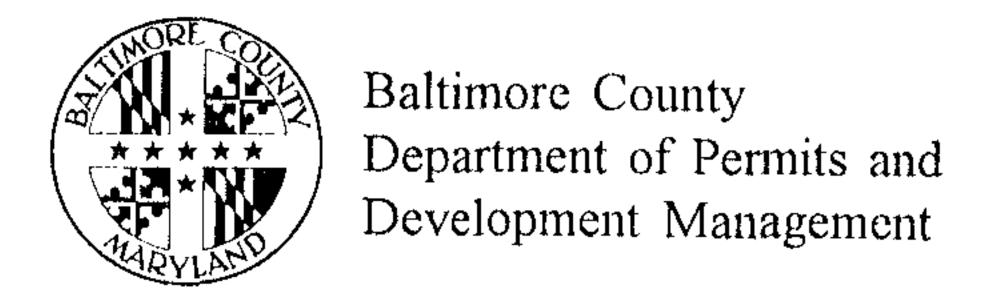
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign 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 Ad	vertising:			
Item Number or Cas	se Number:	03-02	5 - A	· <u>····································</u>
Petitioner:	LAN	MIE of PETE	en stubb	
Address or Location	: 6	BARSTAD	ct	
PLEASE FORWARI	O ADVERTIS	SING BILL TO:		
Name:	LAUME	stubb		
Address:	6 BAR	stano ct		
	Luttenu	mut, mo	21093	
Telephone Number:	410.	337.7937		·

Revised 2/20/98 - SCJ



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

August 13, 2002

Mr. & Mrs. Peter Stubb 6 Barstad Court Lutherville MD 21093

Dear Mr. & Mrs. Stubb:

RE: Case Number: 03-025-A, 6 Barstad Court

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

W. Carl Richards, Jr. 602 Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

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

July 23,2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF July 23, 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:

018-023, (025), 027-030

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:** August 21, 2002

Department of Permits & Development Mgmt.

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

For July 29, 2002

Item Nos. 017, 018, 019, 020, 022, 023, 024, 025, 027, 028, and 029

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

RWB:CEN:jrb

cc: File

# BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley Res TET

DATE:

August 16, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of July 22, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

17,19,20,22-30

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

**DATE:** July 24, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

Zoning Advisory Petition(s): Case(s) 03-017 & 03-018, 03-022, & 03-025 **SUBJECT:** 

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.

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: 7.19.02

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

Item No. 025 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,

J. J. Doell

.Pm

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





Susan + Scott Fine 8 Barstad Court Lutherville, MD 21093

I, Susan + Scott Fine, have reviewed the submission for the administrative variance for the proposed storage structure. We do not object to this submission.

Thank You

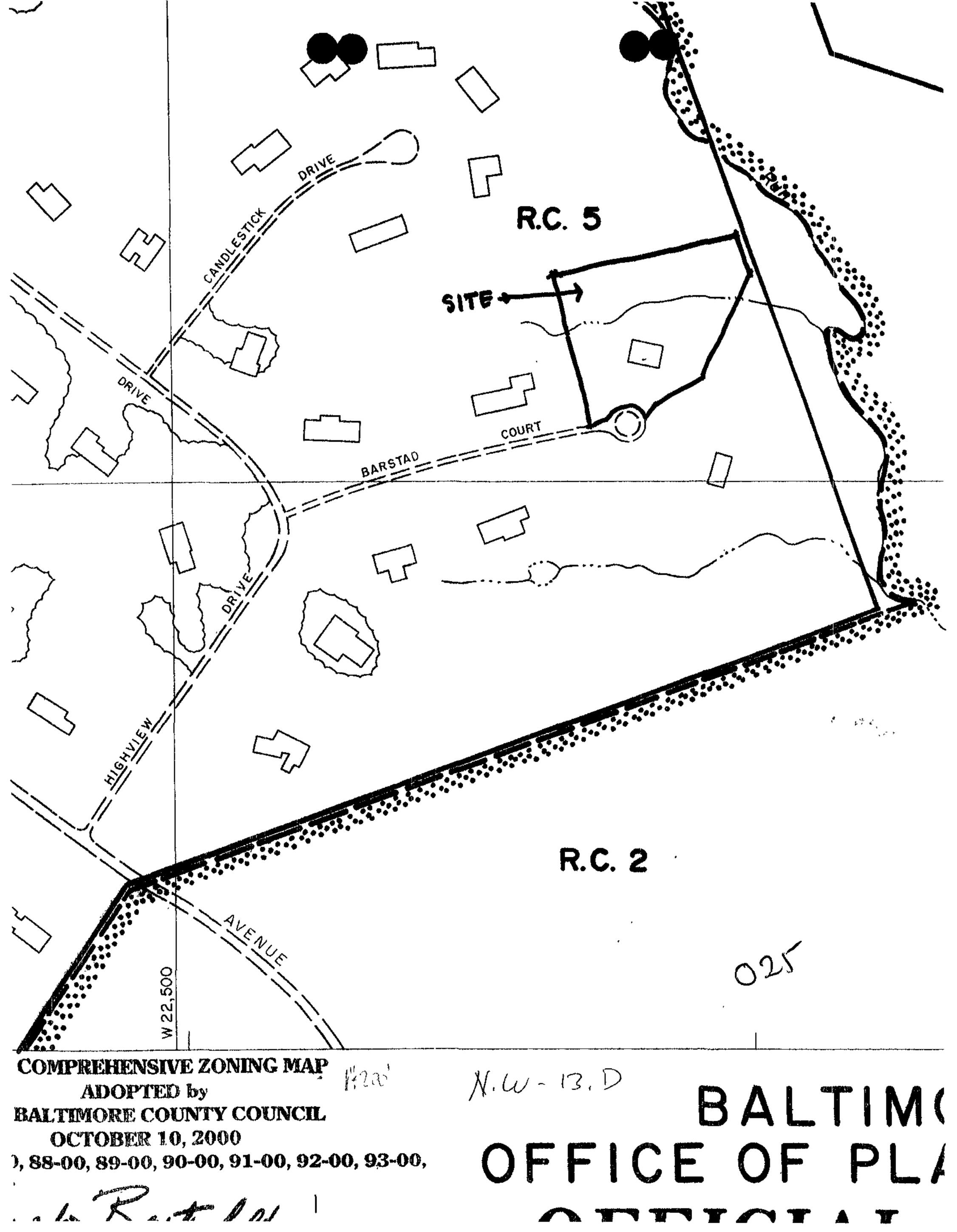
Susan Fine

8 Barstad Court

Scott Fine

8 Barstad Court

#### PLAT TO ACCOMPANY PETITION FOR ZONING XVARIANCE SPECIAL HEARING Zoning Designation ZONING DESCRIPTION for 6 Barstad Court. Beginning at a point on the North side of Barstad Court which is 35 ft. wide at the distance of 650 ft. east of the centerline of the nearest improved intersecting street, Highview Drive which is 40 ft wide. Being lot # 19 Block 18, Section #C in the subdivision of Location Drawing Greenwood as recorded in Baltimore County Plat Book #19, Folio #38, containing 2.25 acres. Laurie and Peter Stubb 6 BARSTAD COURT Lutherville, MD 21093 1 July 2002 Zoning RC-5 Setbacks: Lot-19, Blk. "18", as shown on the plat of: Front: 75' from center of street "Greenwood, Section-C" Plat Book 19, Folio 35 50' from any other lot line Garage/shed must be in rear yard and **Election District 8** 2 ½ feet from property line and 15' max. height 3rd Councilmanic District PLAN TO ACCOMMPANY ADMINISTRATIVE VARIANCE Drawing scale: 1"=50' MARYVALE Lot size: 2.25 acres or 98,010 sf phey SCHOOL G BANSTAD Prior Zoning Hearings: NONE Tego. PAPSTAY Margy and Joe Mcinemey 4 Barstad Court 19 Lutherville, MD 21093 Lot 20, "Greenwood, Section-C" .... 20 Deed Reference 13914/715 existing well location Account Number: 0803003100 VICINITY MAP SCALE: 1" = 1000' OF SAN LOCATION INFORMATION ELECTION DISTRICT 316 COUNCILMANIC DISTRICT 3 EASEMENT FOR BENEFIT 1"=200' SCALE MAP # N.W. 13-D OF LOT-18. ( 11030/695 ZONING LOT SIZE 2.25 98,010 SF existing septic tank location SQUARE FEET **PUBLIC** PRIVATE SEWER 3019'43 £ 407.00' WATER CONC. CHESAPEAKE BAY EASEMENT FOR BENEFIT CRITICAL AREA OF LOT-19. ( 11030/595 ) 1-story (10'-0"+/-) wd 100 YEAR FLOOD PLAIN EXIST'S frame proposed storage HISTORIC PROPERTY/ X BUILDING structure Susan and Scott Fine PRIOR ZONING HEARING NONE 8 Barstad Court Lutherville, MD 21093 ZONING OFFICE USE ONLY REVIEWED BY ITEM # Lot 18, "Greenwood, Section-C" CASE # Deed Reference 8262/457 JRF 025 Account Number: 2100014532

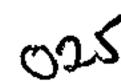


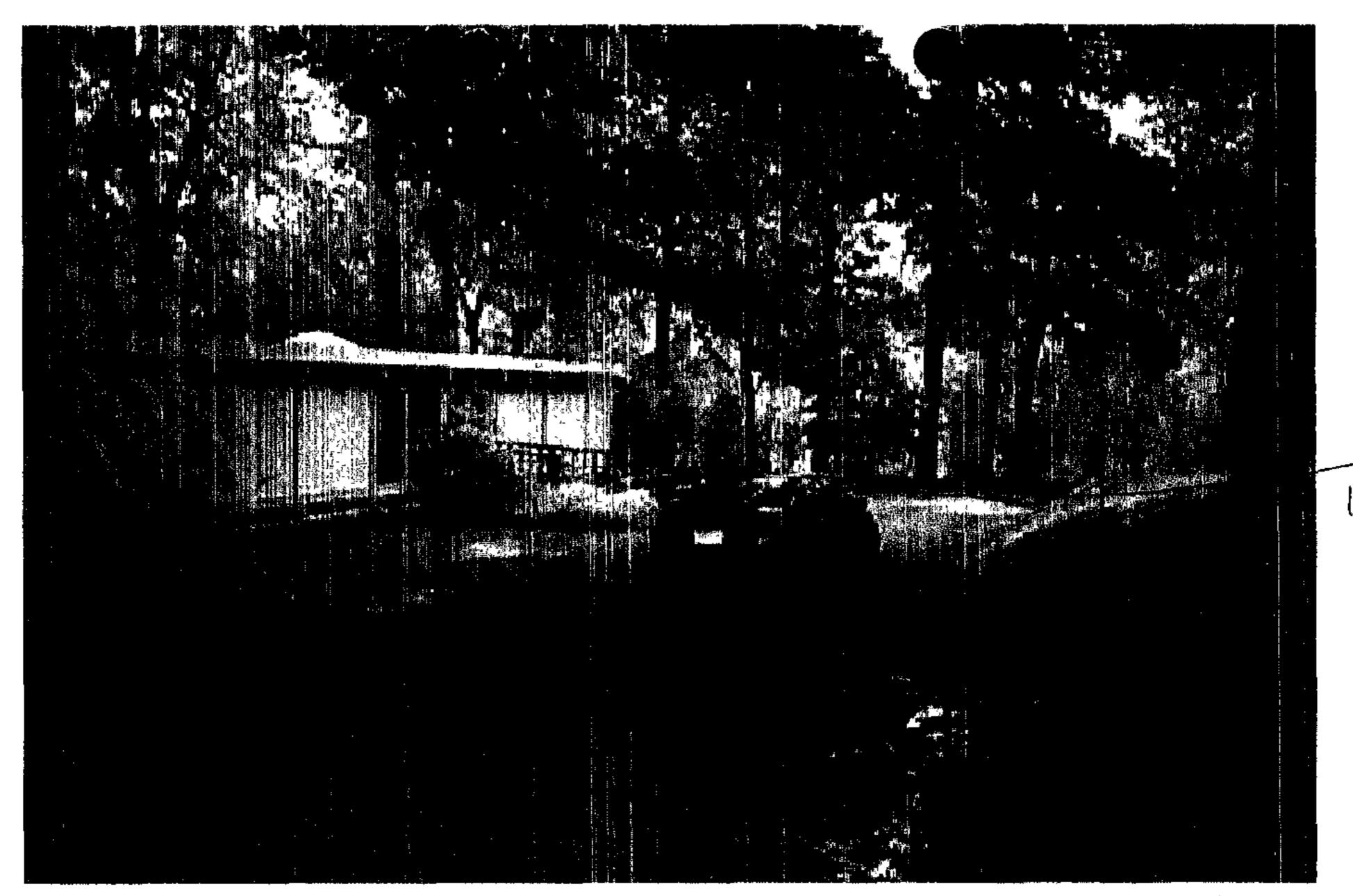


View toward end of driveway

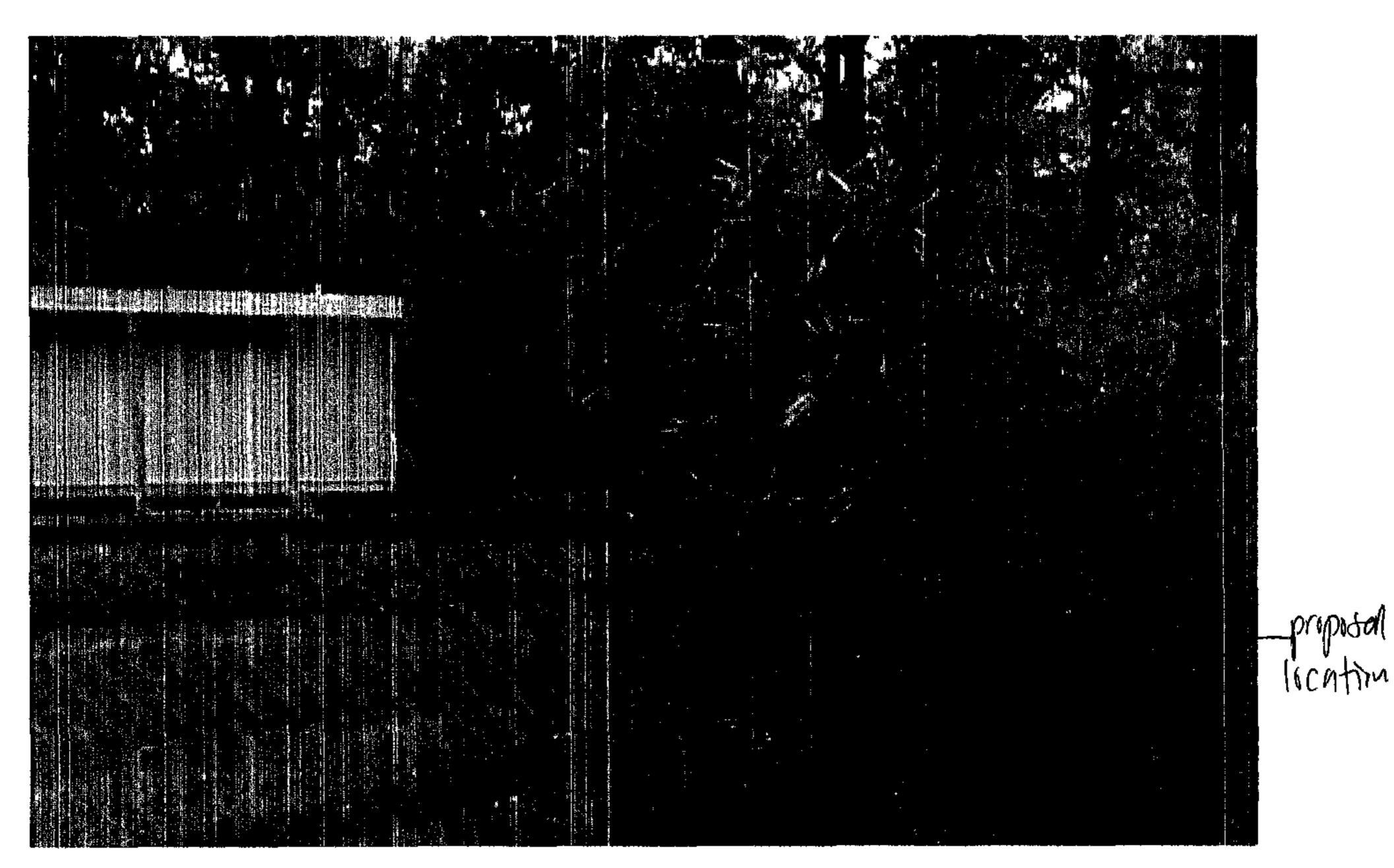


View of entrance to house





View from driveway



View from frontyard

9272



View from frontyard

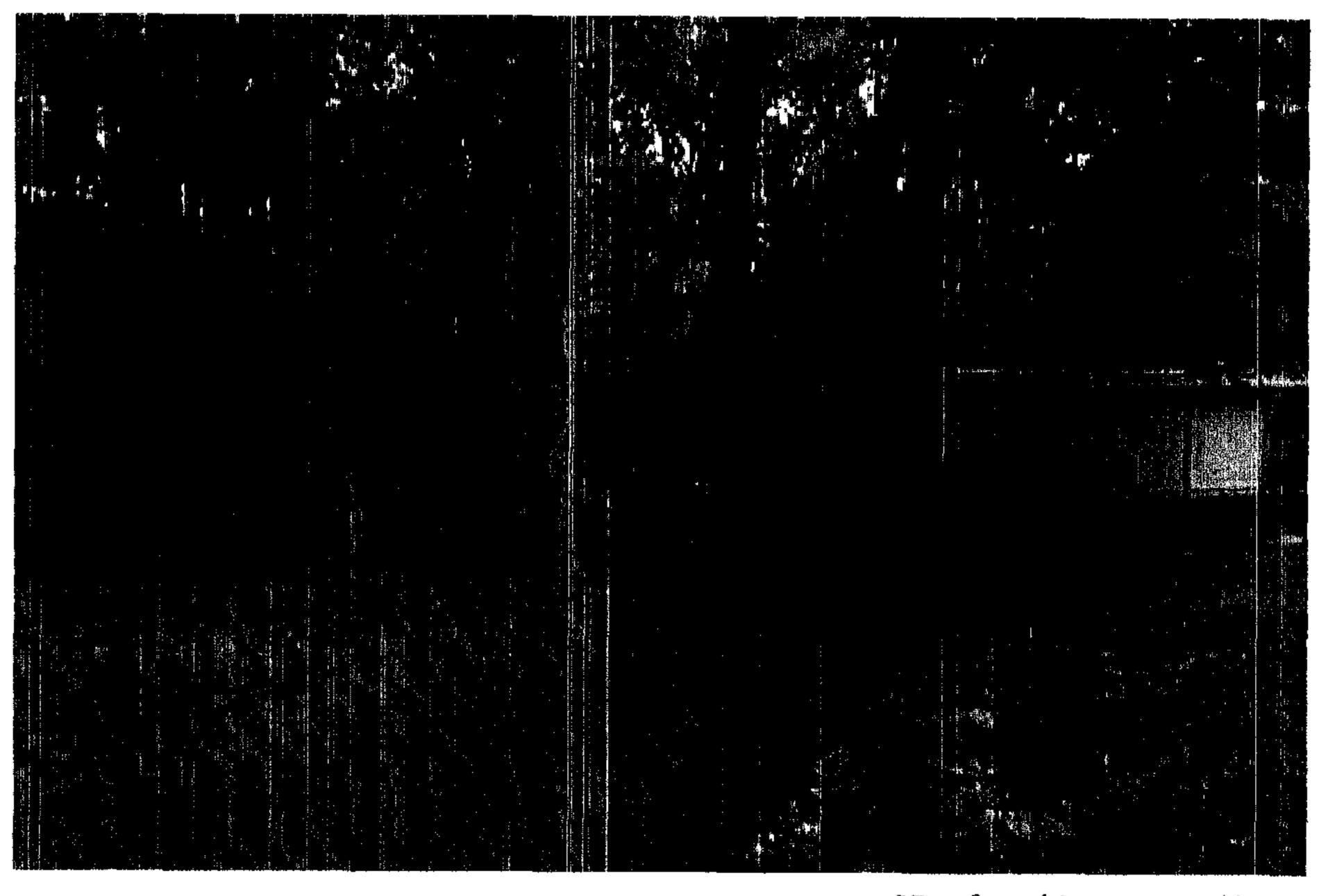


View toward end of driveway

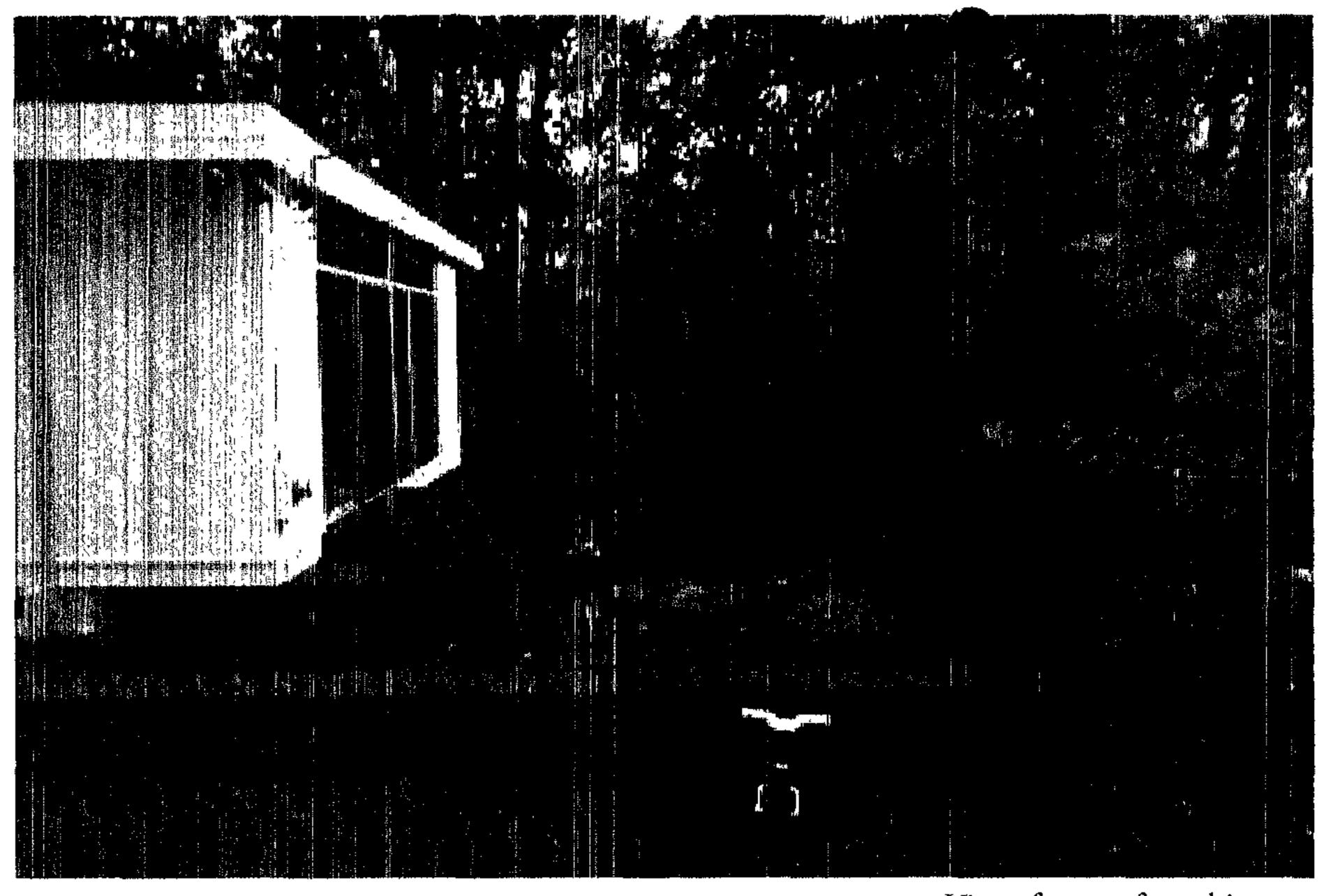
025



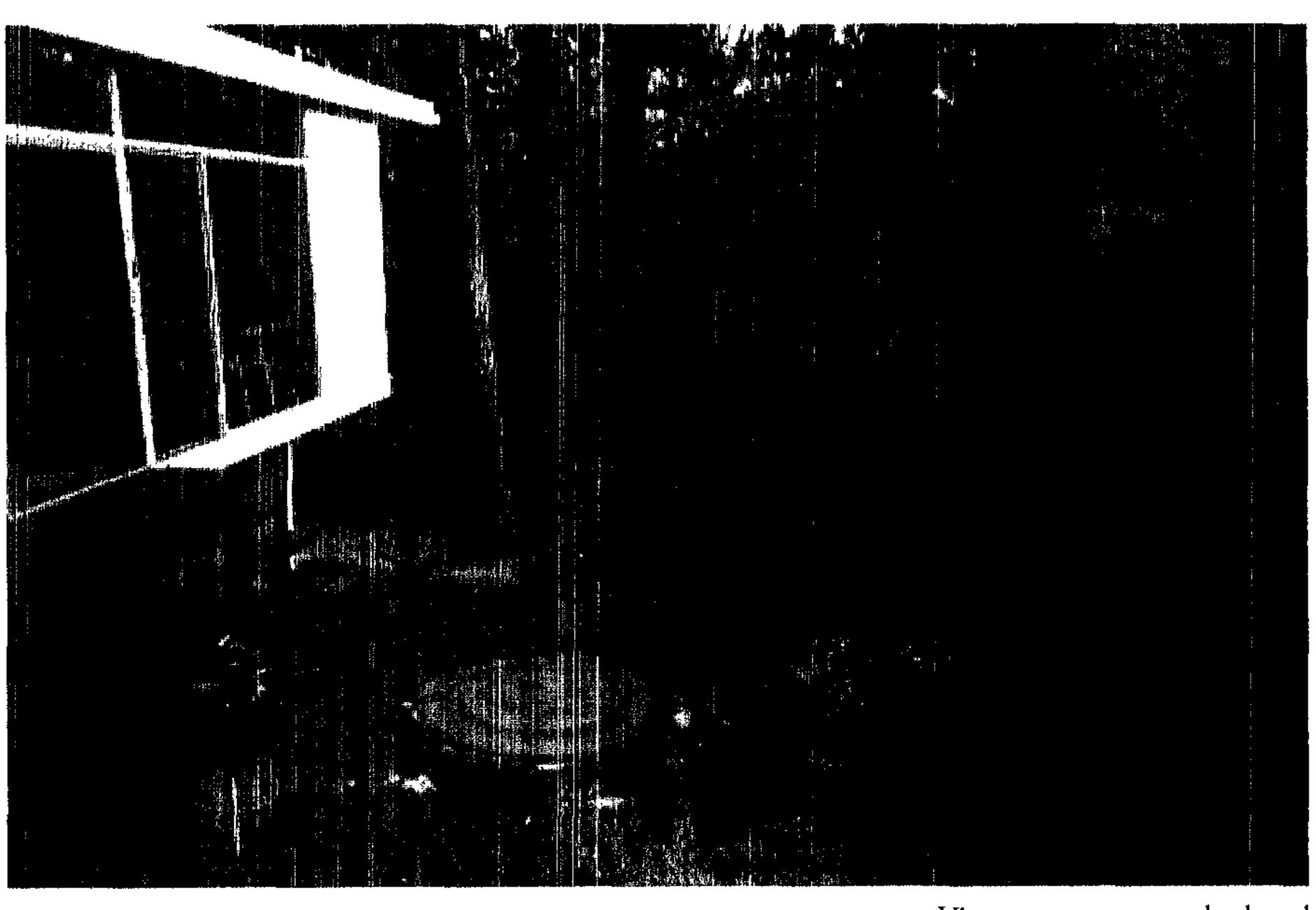
View from top of driveway



View from driveway toward house



View of terrace from driveway



View across terrace to backyard

