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IN RE: PETITION FOR ADMIN. VARIANCE
N/S Church Road, 605' E
intersection of Church Rd. and Berrymans La.

intersection of Church Rd. and Berrymans La.
4th Election District

3rd Councilmanic District

(706 Church Road)

Jean L. & Brice P. Schaeffer Petitioners BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 03-175-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Jean L. and Brice P. Schaeffer. The variance request is for property located at 706 Church Road in the Reisterstown area of Baltimore County. The variance request is from Section 1A00.3.B.3, of the 1970 Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with side yard setbacks of 30 ft. and 14.5 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 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 $\frac{1}{2}$ day of November, 2002, that a variance from Section 1A00.3.B.3, of the 1970 Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with side yard setbacks of 30 ft. and 14.5 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:

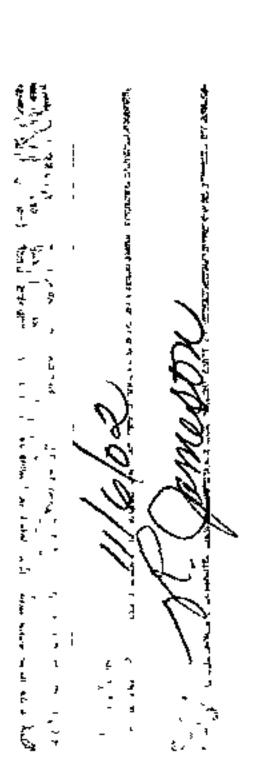
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

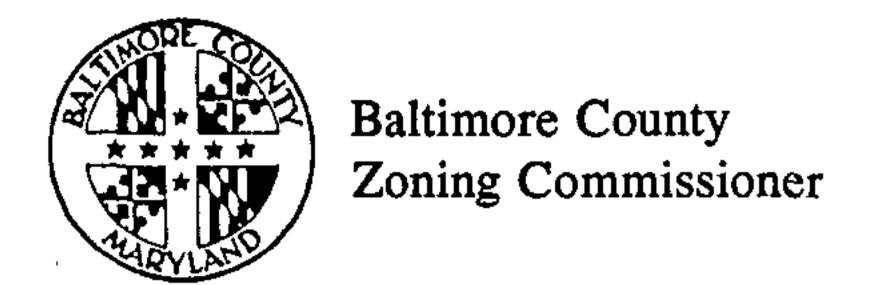
TIMOTHY M. KOTROCO

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

November 6, 2002

Mr. & Mrs. Brice P. Schaeffer 706 Church Road Reisterstown, Maryland 21136

> Re: Petition for Administrative Variance Case No. 03-175-A Property: 706 Church Road

Dear Mr. & Mrs. Schaeffer:

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

Deputy Zoning Commissioner

Cuthy Korroco

TMK:raj Enclosure

c: Hicks Engineering Company, Inc. 200 E. Joppa Road, Suite 402 Towson, MD 21286



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 706 Church Road which is presently zoned R.C. 5 (Previously 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) [ADD, 3.B. 3 (1970 Zoning Regulations)

to permit side yard setbacks of 30 feet and 14.5 feet in lieu of the required 50 feet.

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	r/Lessee:		Legal Owner(s):		
			Brice P. Scha	effer	
Name - Type or Print	· ·	Name	- Type or Print	11	
			(2n/-1	May	
Signature			Signature	25	
Address		Telephone No.	Jean L. Schae	rrer	
Addiese		relepitorie ivo,	Name Type or Print	5 A	
City	State	Zip Code	Signature	CILA	e fifet
Attorney For Petitioner:			706 Church R	load	<u>410- 526- 412</u> 1
			Address Baltimore,	MD	Telephone No. 21136
Name - Type or Print		City		State	Zip Code
			Representative to	be Contac	:ted:
Signature		······································	710010001114110		
			Hicks Engineer	ing Compa	nv. Inc.
Company			Name	• '	• •
	<u> </u>			ld, Suite	402 410- 494- 00
Address		Telephone No.	Address	_	Telephone No.
74	- Cinto	75 - 15 - 15 - 15 - 15 - 15 - 15 - 15 -	Towson,		1D 21286
City	State	Zip Code	City	2	State Zip Code
	een formally demand	led and/or found to be r	equired, it is ordered by the	Zoning Commiss	ioner of Baltimore County, this
of Baltimore County and that	the property be reposte	subject matter of this petit id.	ion be set for a public hearing, a	iaveπisea, as req	uired by the zoning regulations
				· · · · · · · · · · · · · · · · · · ·	
	.		Zoning Commis	sioner of Baltimo	re County
SASE NO	-175-A	Reviewed By _	JNP Dat	re 10/8	/o2
SEV 9/15/98		E _e +iv	nated Posting Date	10/21/0	_
REV 9/15/98		E∌1N		1	

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 $\frac{7}{Addre}$	706 Church Road		
City	Baltimore County,	MD State	21136 Zip Code
That based upon personal knowledge, the following Variance at the above address (indicate hardship or	practical difficulty):		
the proposed edd, trons must the property. An existing prohibit construction to	be constructe	I to the sides	» †
the property. An existing	inground pool	and storage she	d []
prohibit construction to	the rest of t	he existing awa	e d'ins
the septic system is a dwelling. the proposed ad	ll tracconfice	to the out to	resting
previously zpproved zoning	Vzsiznces.		
the additions will be for	s storage space	e zl edditinz	(fruily
That the Affiant(s) acknowledge(s) that if a formal advertising fee and may be required to provide additional advertising fee.	demand is filed, Affiant(stional information.	s) will be required to pay a	reposting and
Bu Blown		2/ Schan	//
Signature Brice P. Schaeffer	Signature	Schaeffer	
Name - Type or Print	Jean L. S Name - Type or Print	Chaeriei	··· - · · · · · · · · · · · · · · · · ·
STATE OF MARYLAND, COUNTY OF BALTIMOR	RE, to wit:		
I HEREBY CERTIFY, this The day of State of Maryland, in and for the County aforesaid,	personally appeared	<u>1002</u> , before me, a Notar	y Public of the
Bane D Salas ffer m	1 Jean L. Sol	hzeffer	· · · · · · · · · · · · · · · · · · ·
the Affiant(s) herein, personally known or satisfactor law that the matters and facts hereinabove set forth	orily identified to me as su are true and correct to the	ch Affiant(s), and made oatr e best of his/her/their knowle	n in due form of dge and belief.
AS WITNESS my hand and Notarial Seal			
Octaber 7, 2M2	Notary Public	use Mester	
αιυ	My Commission Exp	ires 12/1/05	

HICKS ENGINEERING COMPANY, INC.

200 East Joppa Road, Suite 402 Towson, SD 21286-3160 • (410) 494-0001

FOR
ZONING VARIANCE APPLICATION
No. 706 CHURCH ROAD
4th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning at a point on the northerly right of way line of Church Road, said point lying 605' +/- easterly from the intersection of Church Road and Berrymans Lane, thence departing Church Road and running with the common line between Lot 8 and Lot 9 as shown on a plat entitled "Plat of Section Two Churchberry", recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. 36 Folio 137;

- 1.) North 07° 40' 13" West 297.00 feet to a point on the common line between Lot 3 and Lot 9 on the aforesaid plat, thence running with the common line between Lot 3 and Lot 9;
- 2.) North 79° 50'54" East 150.14 feet to a point being a common corner between Lot 9 and Lot 11 on the aforesaid plat, thence running with the common line between Lot 9 and Lot 11;
- 3.) South 07° 40'13" East 303.50 feet to a point on the northerly right of way line of Church Road, thence running with the northerly right of way line of Church Road;
- 4.) South 82° 19'47" West 150.00 feet to the point of beginning, containing 45,037 square feet or 1.0339 acres of land more or less.

Being Lot 9 as shown on a plat entitled "Plat of Section Two Churchberry" recorded among the land records of Baltimore County, Maryland in Liber E.H.K. Jr. 36 Folio 137



D3-175-A

Civil Engineers • Surveyors • Land Planners

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT

PINK - AGENCY

DISTRIBUTION

WHITE - CASHIER

No.17839

YELLOW - CUSTOMER

PAID RELEIPT MOHES 化IM. H 10/09/2002 10/08/2002 09:51:58 PEG Willia WILLIN MAL IND DYALE RICEIPT # 198180 10/08/2002 组建 5 528 JUNIOR VERIFICATION J17837 Recept Tot **新**第.00 90.00 (K .W (fi

Kaltimore County, Maryland

CASHIER'S VALIDATION



Date of Hearing/Closing) _

4" brand fax transmittal memo 7671 Phone

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

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 #706 - CHURCH LA.

The sign(s) were posted on

Sincerely,

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

523 PENNY LANE

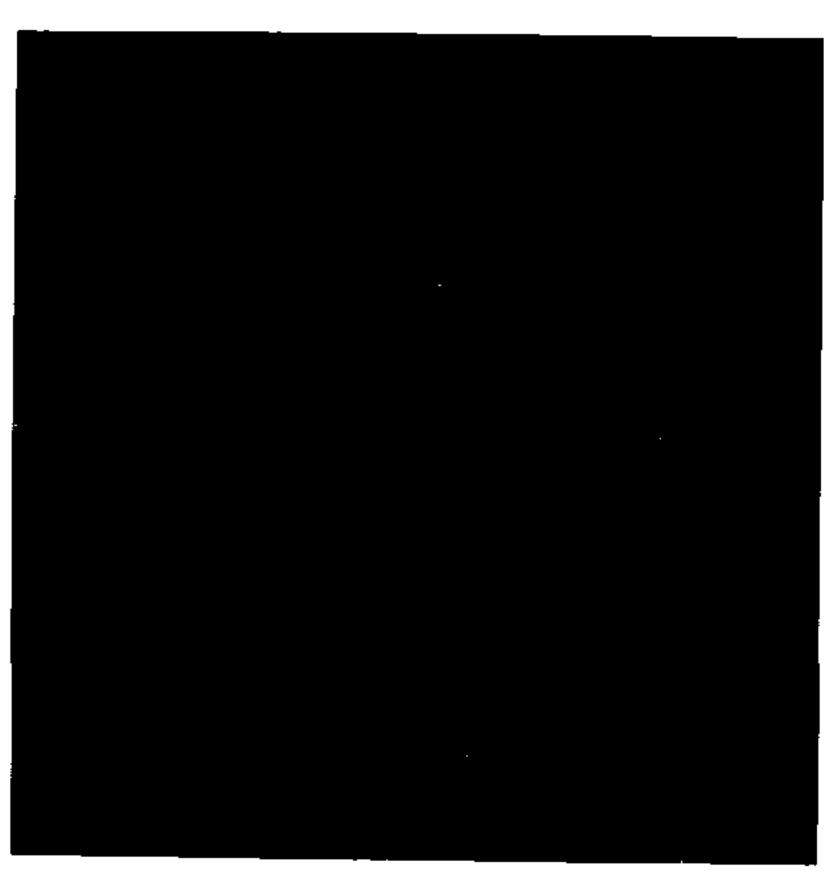
(Address)

HUNT VALLEY, MD. 21030

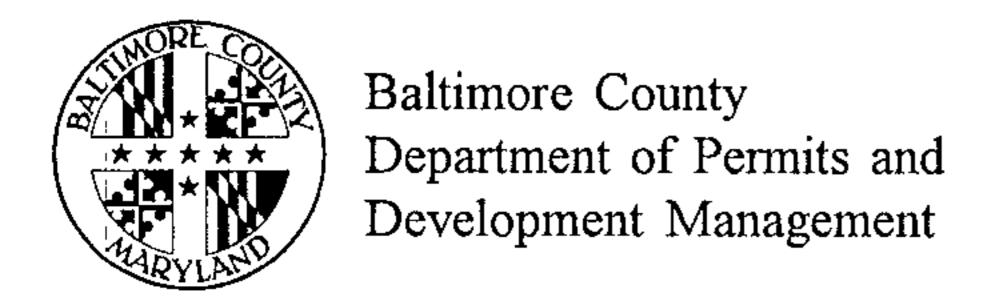
(City, State, Zip Code)

410-666:5366; CELL-410 905.8571

(Telephone Number)



03-175A #706 CHURCH LA CAMARETER 11/5/02



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

November 4, 2002

Brice P. Schaeffer Jean Schaeffer 706 Church Road Baltimore, MD 21136

Dear Mr. and Mrs. Schaeffer:

RE: Case Number: 03-175-A, 706 Church Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 8, 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,

U. Callibal)

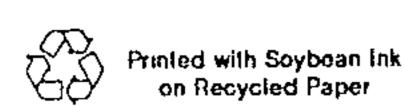
W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:rlh

Enclosures

c: People's Counsel Hicks Engineering, Inc., 200 E. Joppa Road, Suite 402, Towson 21286

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





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

October 22, 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

Property Owner:

Location:

Item No.:

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.

7. The Fire Marshal's Office has no comments at this time, in reference to the following items: 171-179, 181

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO;

15

Arnold Jablon, Director Department of Permits &

DATE: November 14, 2002

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Development Management

Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 28, 2002 Item Nos.171, 173, 174, (75, 176, 177,

180, and 181

and

Item No. marked: "Use Permit Posting"

(111 Hanover Pike)

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 RBS /TGT

DATE:

November 15, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of October 21, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

171, 174, 175, 176, 178, 179, 180

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: October 21, 2002

Department of Permits and Development Management

FROM:

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-171, 03-175, & 03-181

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: 10.22.02

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

RE:

Baltimore County

Item No. 175 JMP

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,

L. L. Arell.

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



Parris N. Glendening Governor Kathleen Kennedy Townsend Lt. Governor

Roy W'. Kienitz Secretary Mary Abrams Deputy Secretary

October 22, 2002

Mr. George Zahner 111 West Chesapeake Avenue County Office Building, Room 111 Mail Stop # 1105 Towson MD 21204

Re:

Zoning Advisory Committee Agenda, October 28, 2002

Case numbers 03-171-A, 03-173-SPH, 03-174-SPHA, 03-175-A, 03-176-A, 03-177-A, 03-178-A, 03-179-SPH, 03-180-SPHA, 03-181-SPH, and 111 Hanover Pike Property

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 10/21/02. The information has been submitted to Mr. Mike Nortrup.

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

Sincerely,

James R. Gatto

Manager

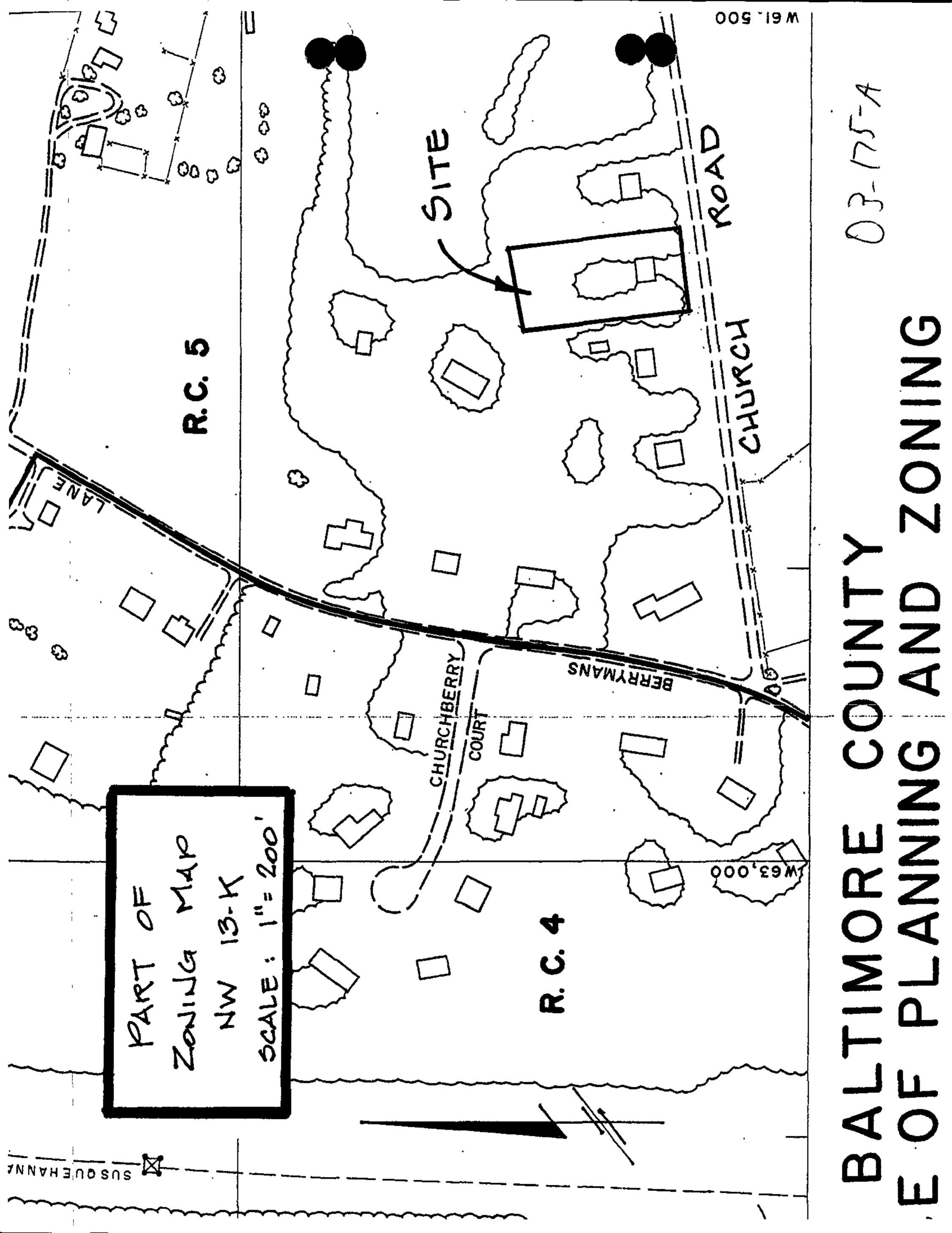
Metropolitan Planning

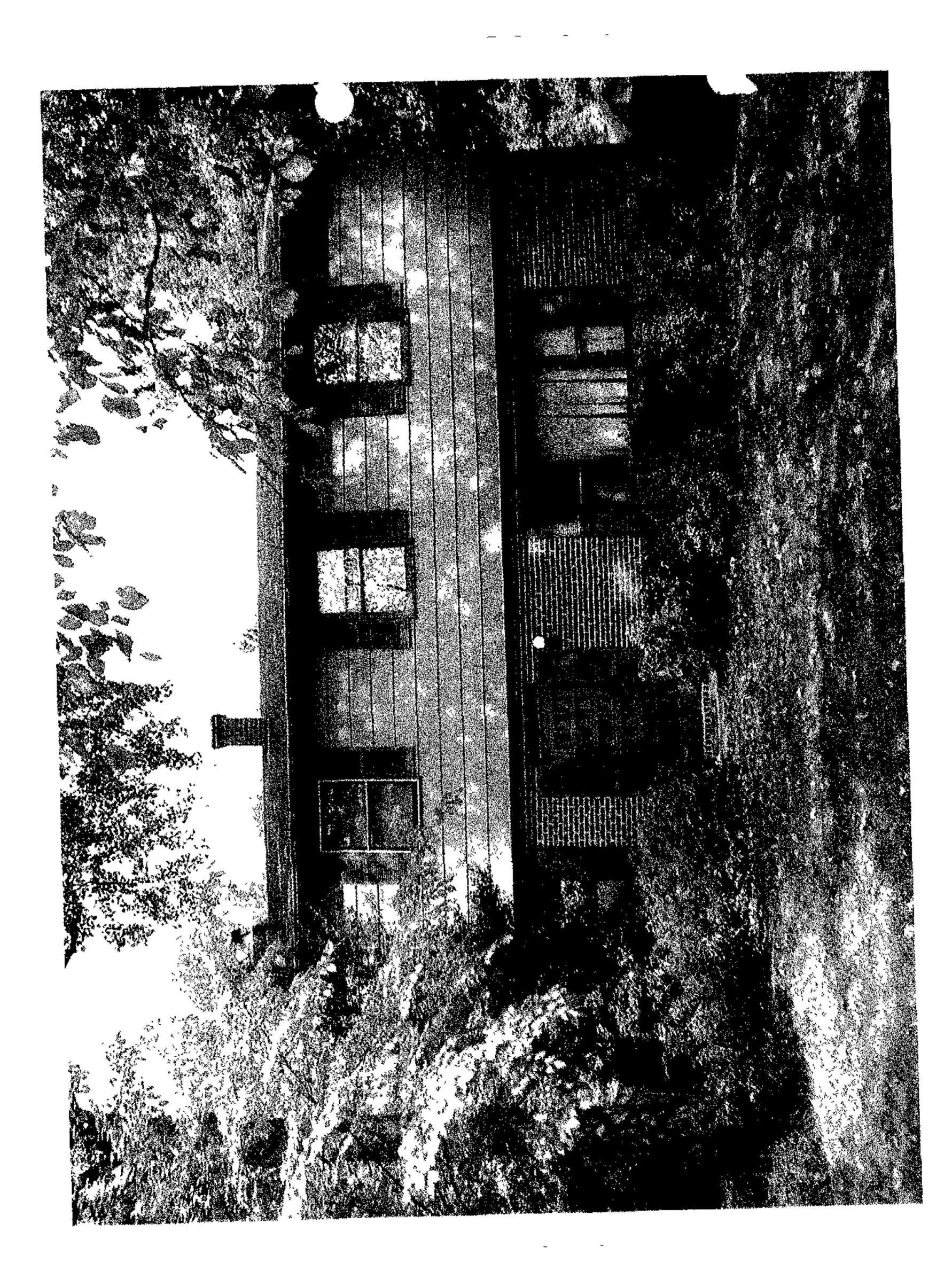
Local Planning Assistance Unit

cc: Mike Nortrup

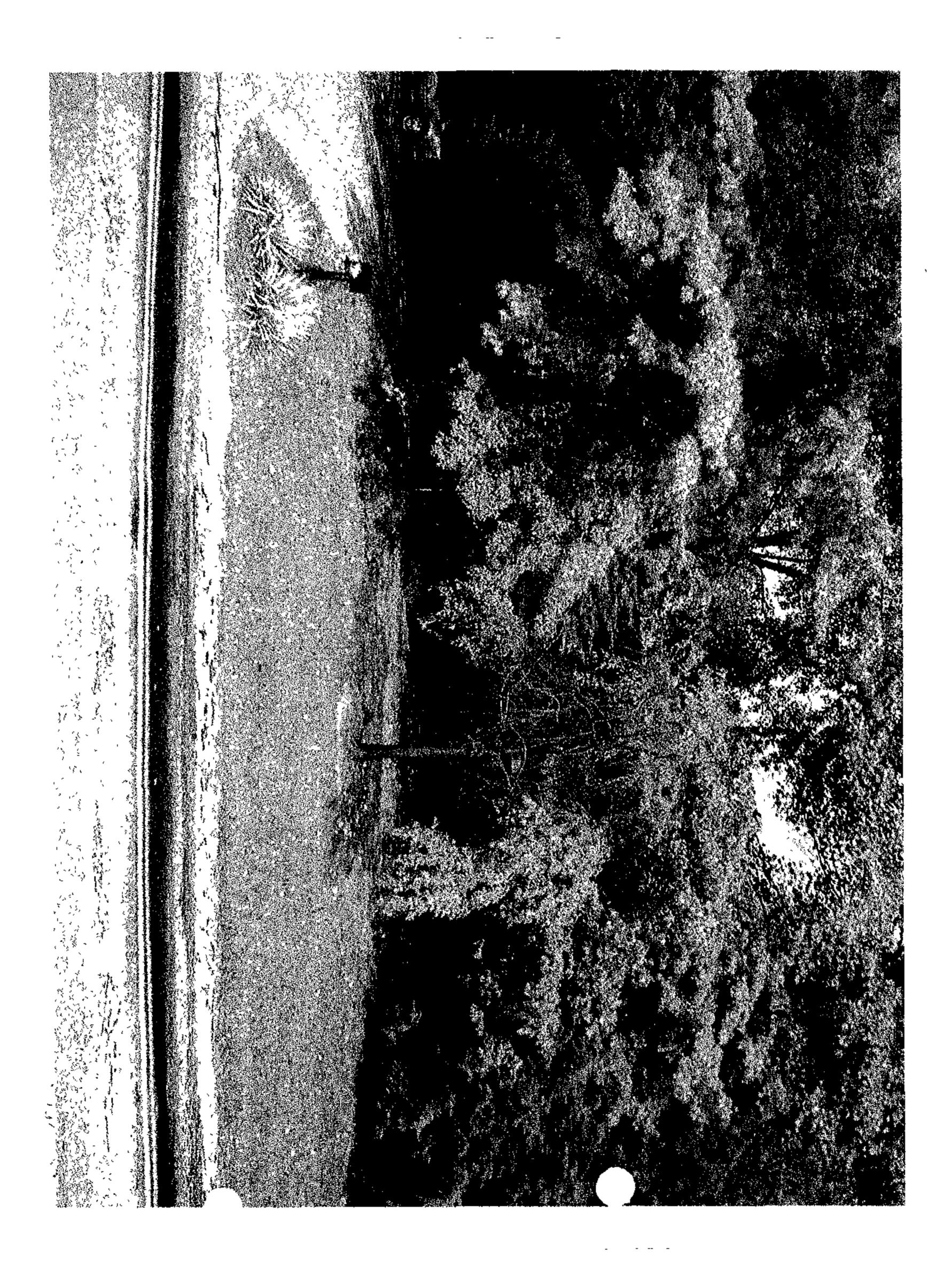
OCT 2 4 2002

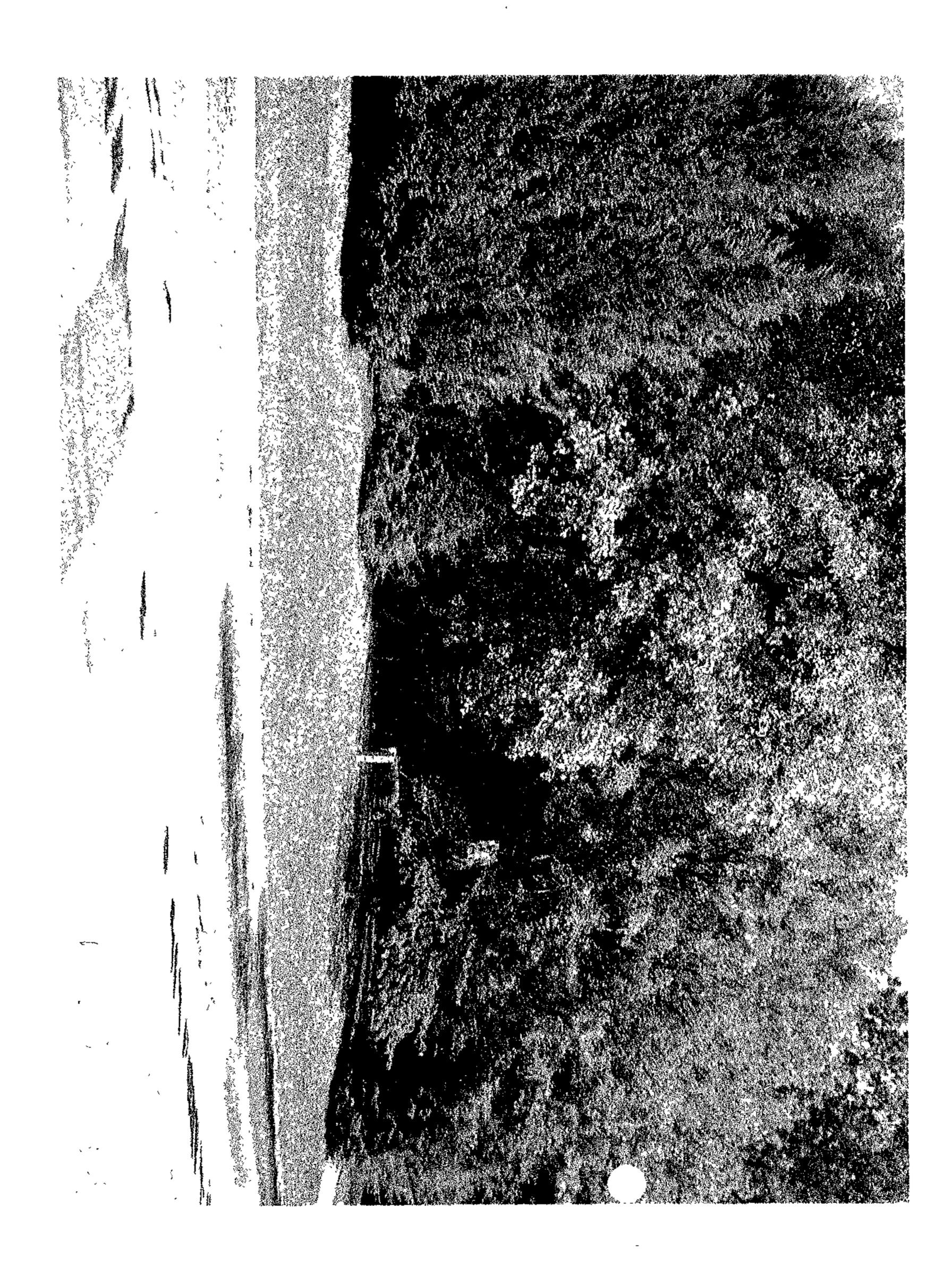
DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

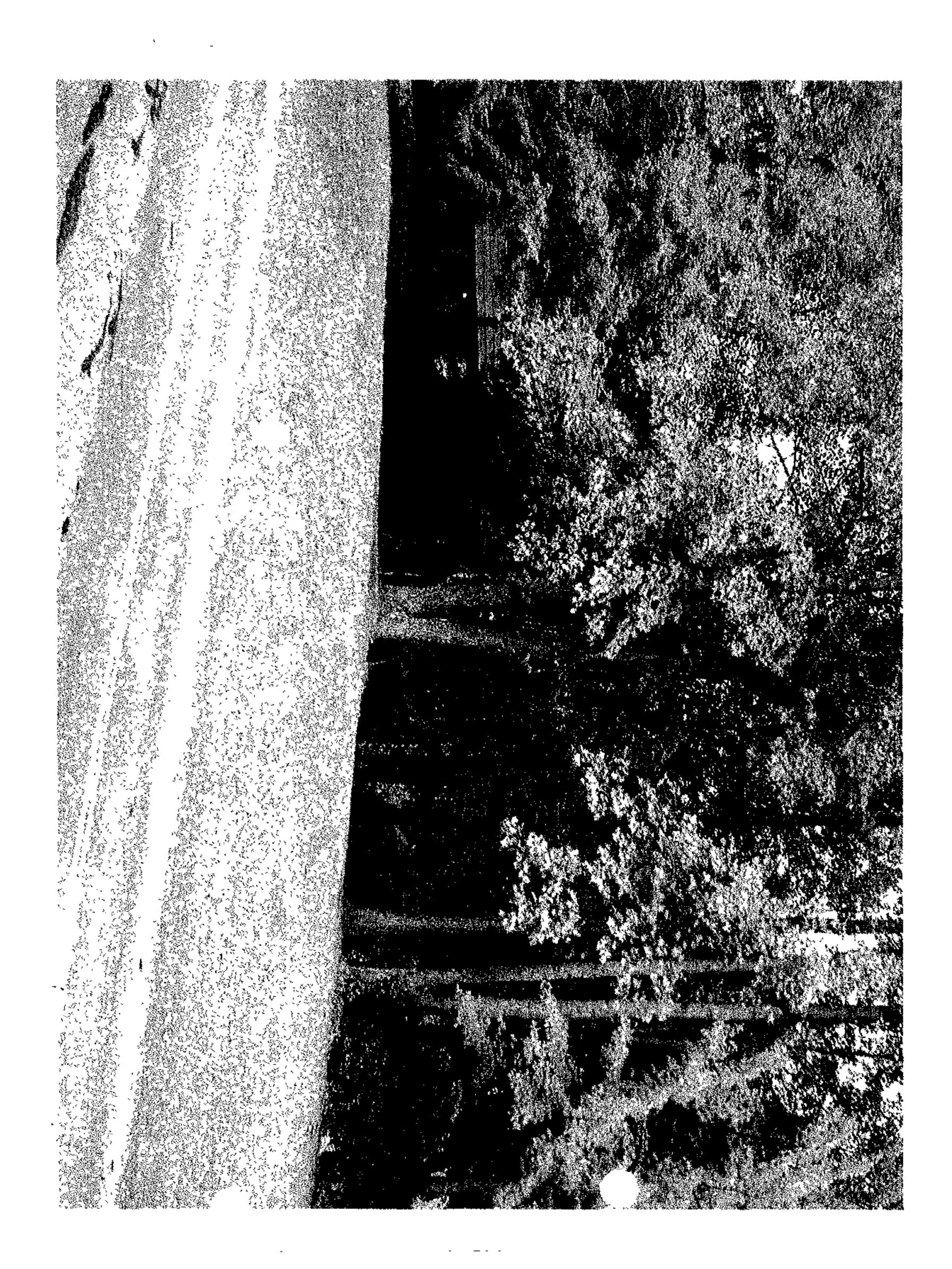














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