

IN RE: PETITION FOR ADMIN. VARIANCE
W/S Fountain Hill Drive, 360' S
centerline of Suburban Green Drive
8th Election District
4th Councilmanic District
(2122 Fountain Hill Drive)

Melissa A. & Edward H. Streyle
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 03-193-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, Melissa A. and Edward H. Streyle. The variance request is for property located at 2122 Fountain Hill Drive in the Timonium area of Baltimore County. The variance request is from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 22 ft. in lieu of the required 35 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.

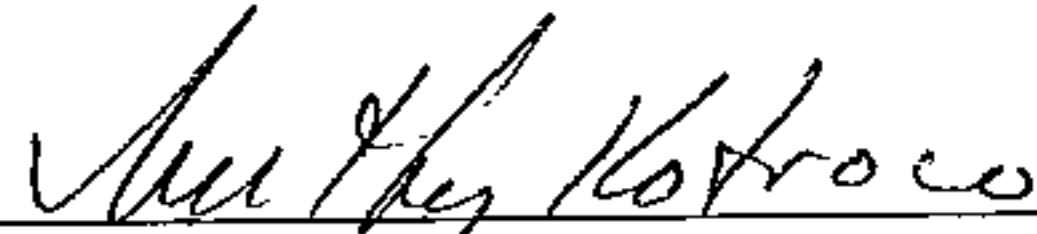
The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public 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.

11/25/02
R. J. [Signature]

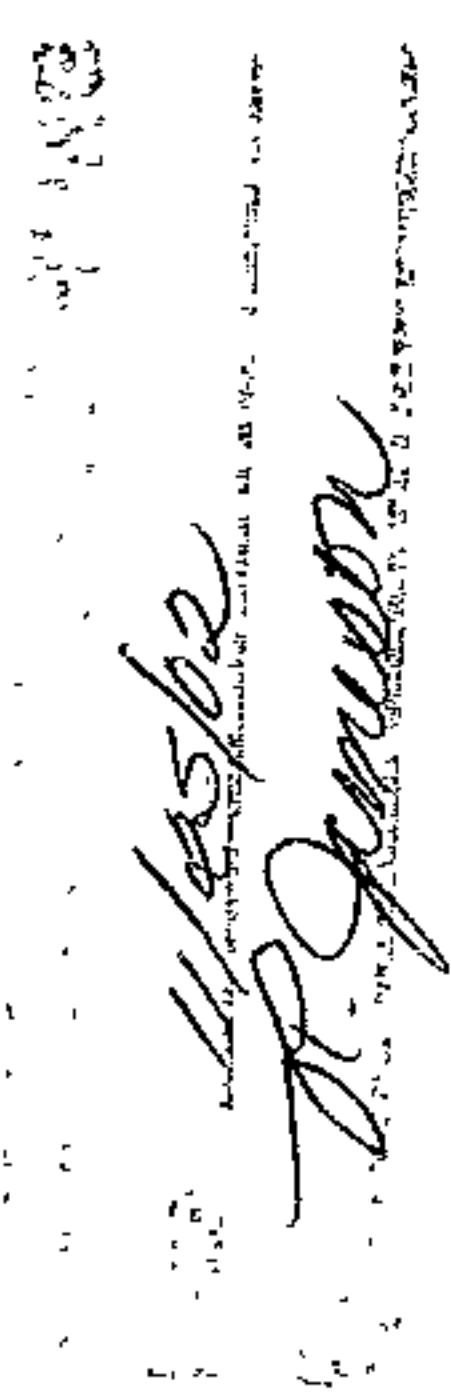
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 25th day of November, 2002, that a variance from Section 1B02.3.B of the B.C.Z.R., to permit a side yard setback of 22 ft. in lieu of the required 35 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


11/25/02
R. G. Gannon



Baltimore County
Zoning Commissioner

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

November 25, 2002

Mr. & Mrs. Edward H. Streyle
2122 Fountain Hill Drive
Timonium, Maryland 21093

Re: Petition for Administrative Variance
Case No. 03-193-A
Property: 2122 Fountain Hill Drive

Dear Mr. & Mrs. Streyle:

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 cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK: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 2122 FOUNTAIN HILL DRIVE

which is presently zoned DR-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)

1B02.3.B to permit a side yard setback of 22 ft. in lieu of the required 35 ft.

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

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 11/25/02 day of November, 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.

Legal Owner(s):

Edward Howard STREYLE

Name - Type or Print

Signature

MELISSA A. STREYLE

Name - Type or Print

Signature

2122 FOUNTAIN HILL DRIVE

Address

City

MARYLAND

State

21093

Zip Code

(410) 410 560 0781
(w) 410 328-6193

Representative to be Contacted:

Name

Address

City

X Steven Marken

233 Garnett Rd

Joppa Md.

State

410-804-5524

Telephone No.

21085

State

Zip Code

Zoning Commissioner of Baltimore County

CASE NO. 03-193-A

Reviewed By Bh

Date

10/21/02

Estimated Posting Date

11/4/02

REV 10/25/01

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 2122 FOUNTAIN HILL DRIVE
Address
TIMONIUM MARYLAND 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):

The present setback requirements would not permit desired addition to be built. The dwelling has no basement thus the addition is desired.

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.

Edward H. Streyle
Signature
Edward H. STREYLE
Name - Type or Print

Melissa A. Streyle
Signature
MELISSA A. STREYLE
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

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

Edward H. Streyle
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Linda Owens
Notary Public

My Commission Expires MY COMMISSION EXPIRES

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 2122 FOUNTAIN HILL DRIVE
Address
TIMONIUM MARYLAND 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):

THE PRESENT SETBACK REQUIREMENTS WOULD NOT PERMIT DESIRED ADDITION TO BE BUILT. THE DWELLING HAS NO BASEMENT THUS THE ADDITION IS DESIRED.

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.

Edward H. Streyle
Signature
EDWARD H STREYLE
Name - Type or Print

Melissa A. Streyle
Signature
MELISSA A STREYLE
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

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

Edward H. Streyle
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Linda Quiring
Notary Public
My Commission Expires 3/1/06



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 2122 FOUNTAIN HILL DRIVE
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) 1B02.3.B to permit a side yard setback of 22 ft. in lieu of the required 35 ft.

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):

Edward Howard STREYLE

Name - Type or Print

Signature

MELISSA A. STREYLE

Name - Type or Print

Signature

2122 FOUNTAIN HILL DRIVE (H) 410 560-0781
Address Telephone No

TIMONIUM MARYLAND 21093
City State Zip Code

Representative to be Contacted:

X Steven Markey

Name

233 Garnett Rd 410-804-5524
Address Telephone No.

Joppa, Md. 21085
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 _____ day of _____ 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. 03-193-A

Reviewed By BR Date 10/21/02

REV 10/25/01

Estimated Posting Date 11/4/02

Zoning Description for 2122 Fountain Hill Drive.

Beginning at a point on the *west* side of Fountain Hill Drive which is 50
Feet wide at the distance of 360 Feet *south* of the centerline of the nearest
improved intersecting street Suburban Green^{pt.} which is 50 Feet wide. Being
Lot # 26 Block "J" Section # VI in the subdivision of Fountain Hill as
recorded in the Baltimore County Plat book # 28, Folio # 46, containing
10,614 square feet. Also known as 2122 Fountain Hill Drive and located in
the 8th Election District, 4th Councilmanic District

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **18910**

DATE 10/21/2 ACCOUNT Revenue-6110

AMOUNT \$ 50.00

RECEIVED FROM: F. Stroyle

FOR: Administration

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

J-2 #193

THIS RECEIPT
IS NOT VALID
UNLESS IT IS
SIGNED BY THE
CASHIER OF THE
OFFICE OF BUDGET & FINANCE
BALTIMORE COUNTY, MARYLAND
DATE 10/21/2 AMOUNT \$50.00
BY [Signature] OFFICIAL
BALTIMORE COUNTY, MARYLAND

CASHIER'S VALIDATION

ADMIN.

03-193-A

STREYLE

11/18/02

Gentlemen,

2122- FOUNTAIN HILL

11/3/02

(Month, Day, Year)

Sincerely

(Signature of Sign Power and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

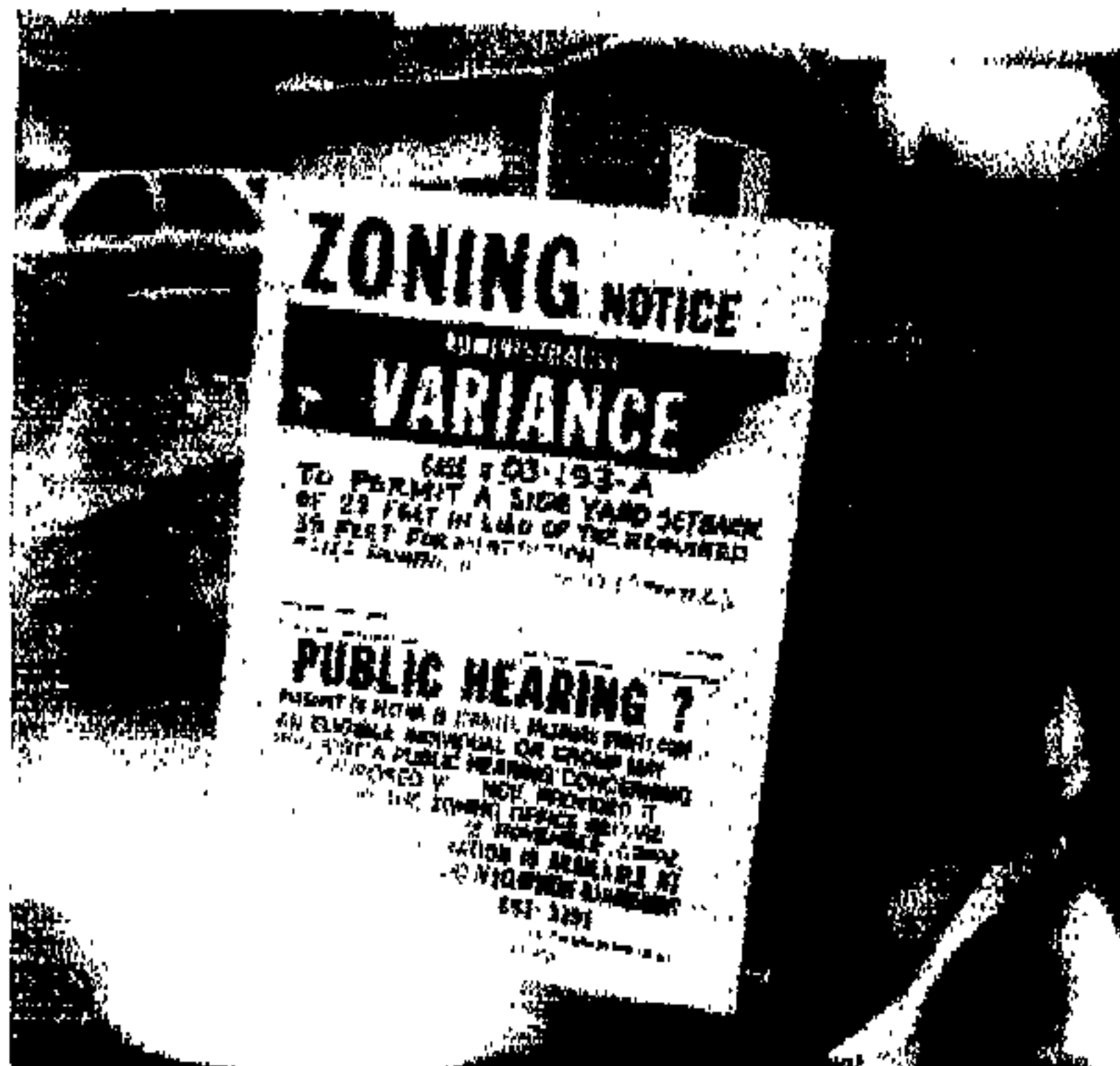
HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 CELL 410-905-8571

(Telephone Number)

Post-it® Fax Note	7671	Date	# of pages
To: BETH RICH		From: JEFF	
Re: [illegible]			
Page 4		Phone #	
# 887-3468		Fax #	887-0929



02. 192. A

132. *Frostiana* Ell.

472566

11/18/00

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 03- 193 -A Address 2122 Fountain Hill DriveContact Person: Bruno Rudaitis Phone Number: 410-887-3391
Planner Please Print Your NameFiling Date: 10/21/02 Posting Date: 11/4/02 Closing Date: 11/19/02

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 FORMATCase Number 03- 193 -A Address 2122 Fountain Hill DrivePetitioner's Name Ed & Melissa Streyke Telephone 410-560-0781 HPosting Date: 11/4/02 Closing Date: 11/19/02 ^{410-329-6193 w}Wording for Sign. To Permit a side yard setback of 22 ft. in lieu of the
required 35 ft.

**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/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: 03-193-A

Petitioner: Edward + Melissa STREYLE

Address or Location: 2122 FOUNTAIN HILL DRIVE
TIMONIUM, MARYLAND 21093

PLEASE FORWARD ADVERTISING BILL TO:

Name: EDWARD STREYLE

Address: 2122 FOUNTAIN HILL DRIVE
TIMONIUM, MARYLAND 21093

Telephone Number: 410 560-0781

Revised 2/20/98 - SCJ



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

November 18, 2002

Edward Howard Streyle
Melissa A. Streyle
2122 Fountain Hill Drive
Timonium, MD 21093

Dear Mr. and Mrs. Streyle:

RE: Case Number: 03-193-A,

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 21, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rlh

Enclosures

c: People's Counsel
Steven Markey, 233 Garnett Road, Joppa 21085

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

November 7, 2002

ATTENTION: George Zahner

Property Owner: Distribution Meeting of November 4, 2002

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:

193-202

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

cc: File



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: November 29, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For November 12, 2002
Item Nos. 193, 194, 195, 196, 197, 198,
199, 200, 201, and 202

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

INTER-OFFICE CORRESPONDENCE

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

DATE: November 25, 2002

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

25

SUBJECT: Zoning Advisory Petition(s): **Case(s) 03-193 & 03-194**
Administrative Variances

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: 11.6.02

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

RE: Baltimore County
Item No. 193 BR

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 _____

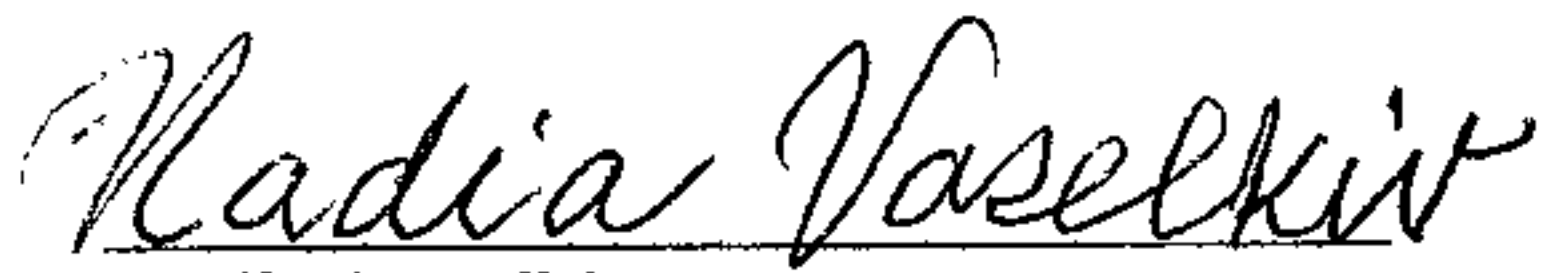
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

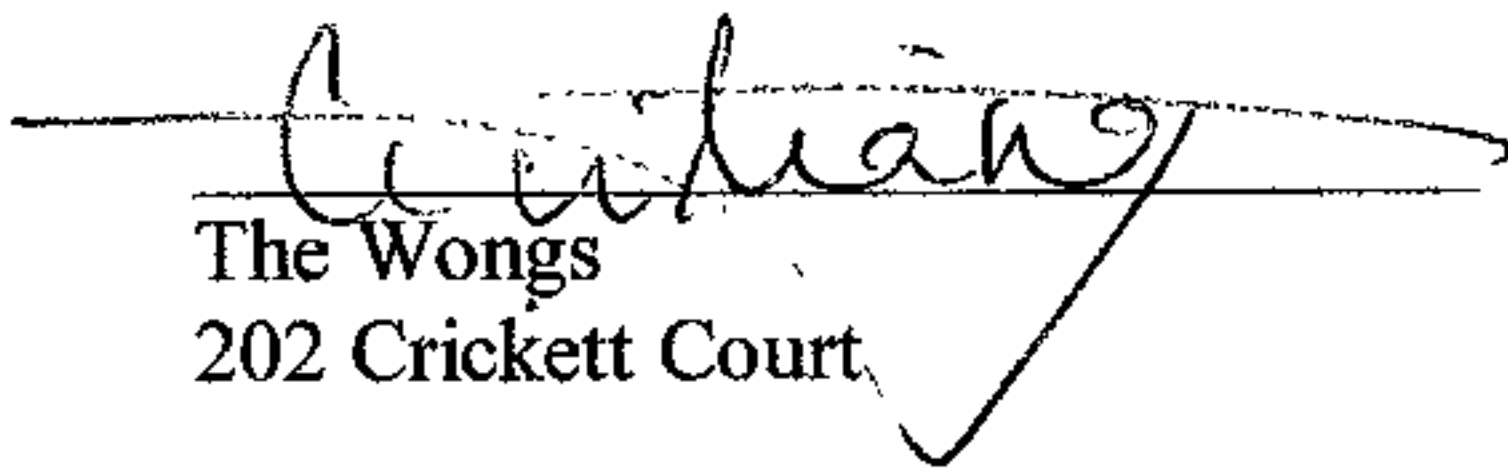
October 17, 2002

To Whom It May Concern:

We are neighbors of Mr. and Mrs. Edward Streyle and we are in support of the 16foot by 32 foot addition that they wish to have built on their property.



Nadia Vaselkiv
201 Crickett Court



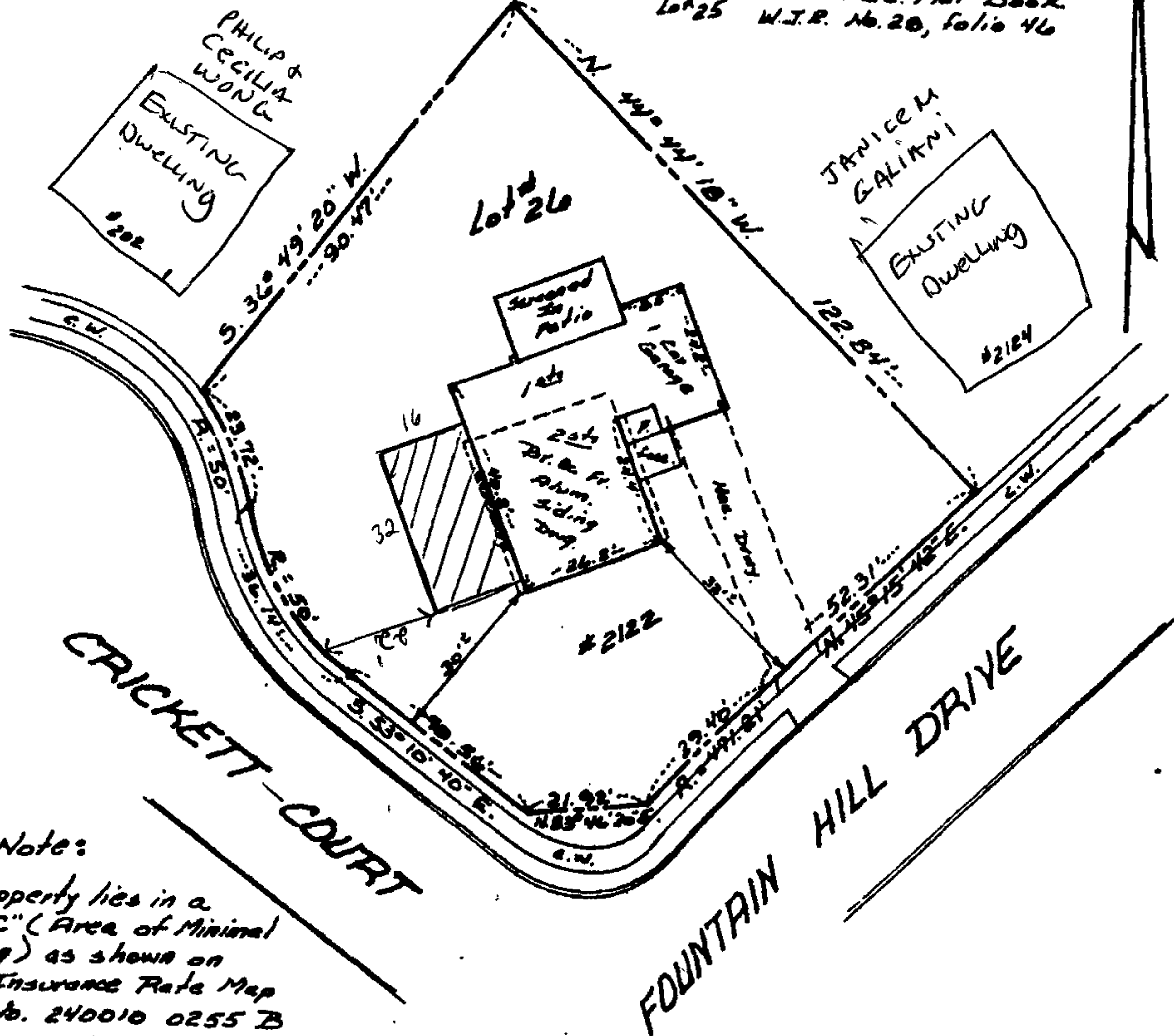
The Wongs
202 Crickett Court



The Blondas
2119 Fountain Hill Drive

Deed Reference:
Balto. Co. Liber
No. 5170, folio 510

Lot #26, Block "J",
Section VI, "Fountain Hill",
Balto. Co. Plat Book
Lot #25 W.I.R. No. 20, folio 46



Flood Note:

This property lies in a
Zone "C" (Area of Minimal
Flooding) as shown on
Flood Insurance Rate Map
Panel No. 240010 0255 B

I HEREBY CERTIFY THAT I HAVE MADE A
SURVEY OF THIS LOT FOR THE PURPOSE OF
LOCATING THE IMPROVEMENTS ONLY AND
THAT THEY ARE LOCATED AS SHOWN.
THIS PLAT IS NOT INTENDED FOR USE IN
ESTABLISHING PROPERTY LINES.

7-13-88

DATE

Thos. J. Scell

REG. PROPERTY L.S. NO. 67

LOCATION SURVEY

2122 FOUNTAIN HILL DRIVE

SCALE

1"=30'

KELLER & KELLER, SURVEYORS

3914 WOODLEA AVENUE

BALTIMORE, MARYLAND 21206

(301) 483-6150

LAND SURVEYS

SINCE 1924



Det. Ex. #1

#193

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 2122 FOUNTAIN HILL DR

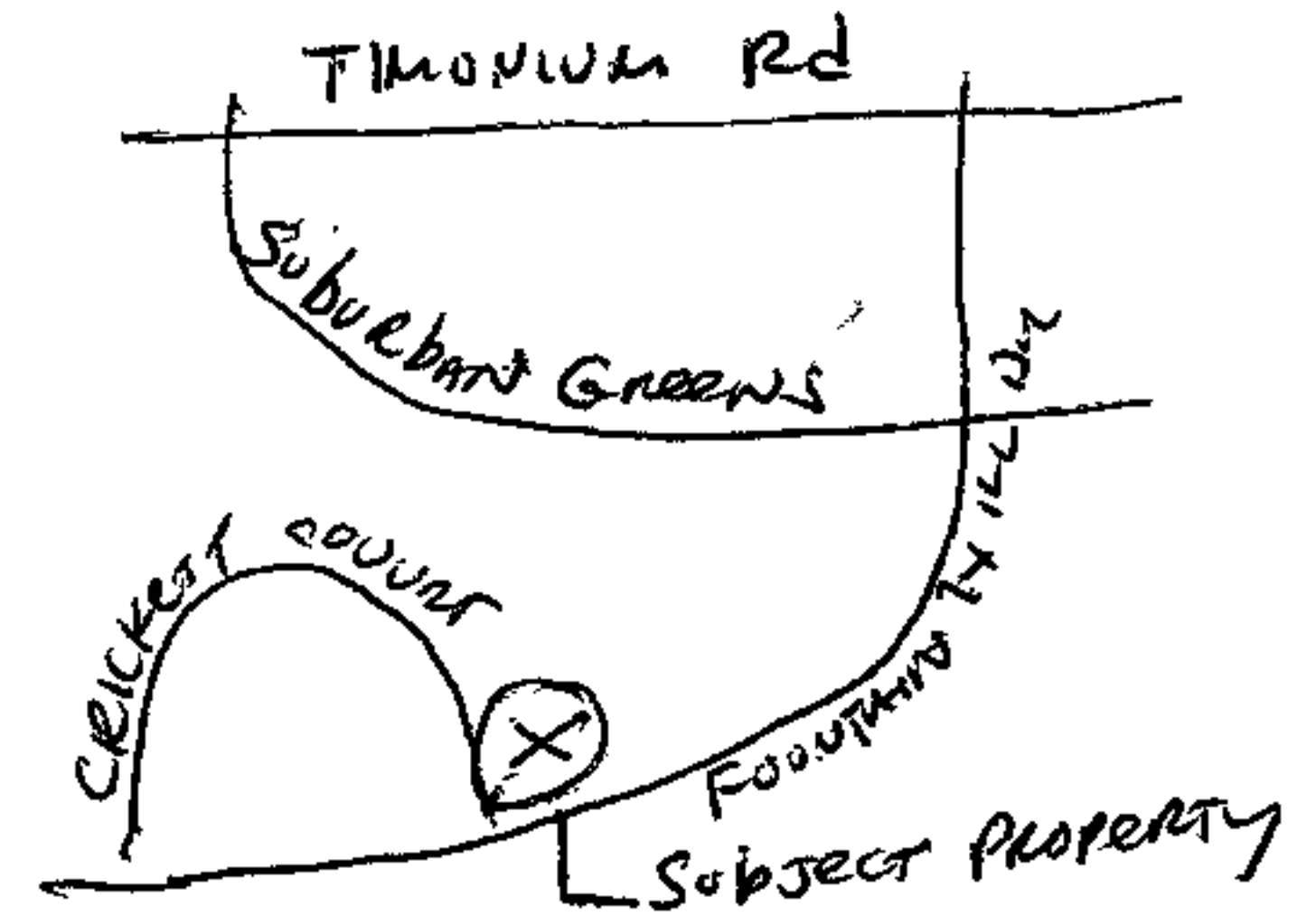
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME "FOUNTAIN HILL"

PLAT BOOK # 28 FOLIO # 46 LOT # 26 SECTION # 6

OWNER EDWARD + MELISSA STREYER

SEE ATTACHED



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 08

COUNCILMANIC DISTRICT 4

1"=200' SCALE MAP # 1E 14A

ZONING DR 3.5

LOT SIZE 10,614
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

CHESAPEAKE BAY CRITICAL AREA YES ☐ NO ☒

100 YEAR FLOOD PLAIN YES ☐ NO ☒

HISTORIC PROPERTY/BUILDING YES ☐ NO ☒

PRIOR ZONING HEARING NO

ZONING OFFICE USE ONLY

REVIEWED BY ITEM # CASE #

BH | 193 | 03-193-A



NORTH

PREPARED BY

SCALE OF DRAWING: 1" = 30'

Det. G. #1

JE 14 A
"Zoo"

