IN RE: PETITION FOR VARIANCE
N/E Corner of Bellona Avenue
& Pratt Avenue (at Murray Hill Road)
9th Election District
4th Councilmanic District
(6400 Murray Hill Road)

Cheryl M. Sparks & Michael A. Stuehler Petitioners BEFORE THE

DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

CASE NO. 03-247-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Cheryl M. Sparks and Michael A. Stuehler. The Petitioners are requesting variance relief for their property located at 6400 Murray Hill Road. The property is zoned D.R.2. Specifically, the Petitioners are requesting a variance to permit a proposed addition to their single-family house which has a double road frontage, with a rear yard setback of 5 ft. in lieu of the required 40 ft. and to permit a fence on a corner lot with a height of 7 ft. in lieu of the required 3 ft. (within 25 ft. of a street intersection).

Appearing at the hearing on behalf of the variance request were Michael Stuehler and Cheryl Sparks, owners of the property. Appearing as interested citizens in the matter were many residents of the surrounding neighborhood, all of whom signed the Citizen's Sign-In Sheet. Mr. Edward Eby informally represented the citizens in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.287 acres, more or less, zoned D.R.2. The subject property is bounded on three sides by public roadways. The house fronts on Murray Hill Road to the east, Bellona Avenue to the south and Pratt Avenue to the west. It is a two-story colonial home with a driveway that runs from Murray Hill Road back to Pratt Avenue. The specifics of the

2/5/03 Hours improvements of the property are more particularly shown on Petitioners' Exhibit No. 1, the site plan submitted into evidence.

Mr. Stuehler testified at the hearing regarding the improvements he hopes to make to his property. He testified that he, at the time of the hearing, was desirous of constructing an addition with a two-car garage to the rear of his home in close proximity to Pratt Avenue. However, as a result of the information gathered at the public hearing before me and by way of continuing discussions with his neighbors, Mr. Stuehler, to his credit, has decided not to proceed with the addition and construction of a two-car garage at this time. Therefore, the variance request to allow the addition to exist 5 ft. from the rear yard property line in lieu of the required 40 ft. shall be dismissed. Mr. Stuehler indicated that he may revisit the idea to construct this garage at some point in the future. However, at this time, he has abandoned his plans to construct any garage on the property.

Mr. Stuehler is still interested in constructing a privacy fence on his property. The testimony at the hearing demonstrated that this corner of Bellona Avenue is heavily traveled by automobile traffic, as well as pedestrian traffic that for many years utilized the Petitioners' private driveway for access between Murray Hill Road and Pratt Avenue. In order to gain privacy and for security reasons, the property owners are interested in constructing a 7 ft. high privacy fence along the area depicted on the site plan submitted into evidence. The privacy fence is proposed to be installed along Pratt Avenue and approximately half way down Bellona Avenue.

After the conclusion of the hearing, Mr. Stuehler installed landscaping stakes on his property in the area where the privacy fence is to be located. This was done to better inform the community exactly where the fence is proposed to be installed. A review of the landscaping

2/5/03

stakes and of the property, along with the testimony offered at the hearing, persuaded me that it is appropriate for this property owner to install this particular privacy fence. However, I shall require that the privacy fence be installed on the homeowners' side of the Leland Cypress trees located in the southwest corner of the property, that being the corner of the yard closest to the intersection of Pratt and Bellona Avenues. This will cause the Leland Cypress trees to be on the outside of the fence, thereby providing additional screening of the fence itself. The location of the fence along other areas of the property shall remain as shown on the site plan. The fence shall also be permitted to be 7 ft. tall and shall be a board-on-board fence similar to the fence located on the property adjacent to the Petitioners'.

THEREFORE, IT IS ORDERED, this \leq day of February, 2003, by this Deputy Zoning Commissioner, that having considered the request before me, I find that the Petitioners' request to construct an addition to the rear of their house with a 5 ft. setback in lieu of the required 40 ft., be and is hereby DISMISSED based on the Petitioners' intention to withdraw that request.

IT IS FURTHER ORDERED, that the variance to allow the fence on this corner lot with a height of 7 ft. in lieu of the required 3 ft. within 25 ft. of the street intersection, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1) The Petitioners may apply for their 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.
- 2) The Petitioners shall be required to install the 7 ft. high board-on-board privacy fence along the area depicted on the site plan submitted into evidence. However, the area of the privacy fence along the corner of their property, that being the corner of Pratt and Bellona Avenues, shall be located on the interior side of the existing Leland



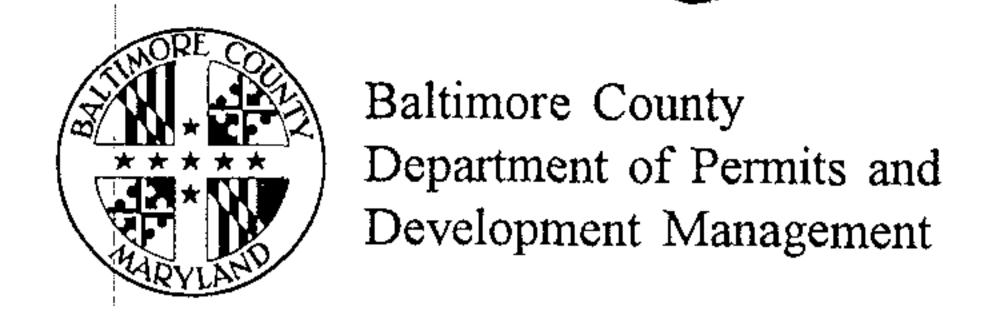
Cypress trees. These trees will help to buffer the privacy fence from view from the surrounding neighborhood. Furthermore, the fence will in no way impact the visibility for motorists traveling this intersection.

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj



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

December 19, 2002

Michael A. Stuehler Cheryl M. Sparks 6400 Murray Hill Road Baltimore, MD 21212

Dear Mr. Stuehler and Ms. Sparks:

RE: Demand for Public Hearing, Administrative Variance, Case Number: 03-247-A

The purpose of this letter is to officially notify you that the posting of the subject property has resulted in a timely demand on December 17, 2002 for a public hearing concerning the above proposed administrative procedure.

As soon as the hearing has been scheduled, you will receive a notice of public hearing indicating the date, time and location of the hearing. This notice will also contain the date that the sign must be reposted with the hearing information.

As a result of the above, the property must be reposted with the hearing date, time and location. This notification will be published in the Jeffersonian and you will be billed directly by Patuxent Publishing for this.

If you need any further explanation or additional information, please feel free to contact me at 410-887-3391.

Very truly yours,

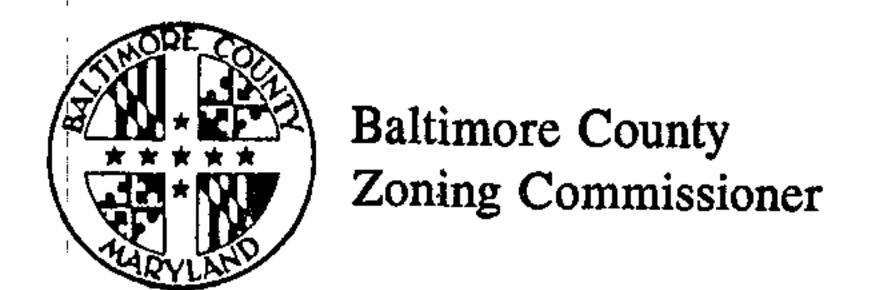
W. Carl Richards, Jr.

U. Cal Robal D

Supervisor Zoning Review

WCR:rlh

C: Ruxton-Riderwood-Lake Roland Area Improvement Association, Peggy Squitieri, P.O Box 204, Riderwood 21139



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

Fax: 410-887-3468

February 5, 2003

Ms. Cheryl M. Sparks Mr. Michael A. Stuehler 6400 Murray Hill Road Baltimore, Maryland 21212

> Re: Petition for Variance Case No. 03-247-A

> > Property: 6400 Murray Hill Road

Dear Ms. Sparks & Mr. Stuehler:

Enclosed please find the decision rendered in the above-captioned case.

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.

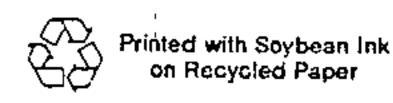
Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure

c: Mr. Edward Eby 6406 Pratt Avenue Baltimore, MD 21212





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6400 Mwray Hill load which is presently zoned DR-2

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) 102.5, 1B02.3. C.1 (BCZR) and 1B02.3. C.2. C (2CPM) to permit a proposed addition on a double frontage lot with a rear yard set back of 5 feet in lieu of the required 40 feet, and to permit a fence on a corner lot with a height of 7 feet in lieu of the required 3 feet (within 25 feet of the street intersection).

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 are is the subject of this F	the legal owner(s) of the Petition	property which
Contract Purchaser	<u>Lessee:</u>		<u>Legal Owner(s):</u>		
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Signature	<u> </u>	· - · · · · · · · · · · · · · · · · · · 	Signature	The water	
Address		Telephone No.	Name - Type or Frint	Marie Sparke	
City	State	Zip Code	Signature	CONDONIONO	
Attorney For Petition	<u>ner:</u>		Address Baltima	7	<u>410-372-0</u> 0 Telephone No スルスカン
Name - Type or Print			City	State	Zip Code
Signature 4			<u>Representative t</u>	o be Contacted:	
Company			Name		······································
Address		Telephone No.	Address	<u> </u>	Telephone No
City .	State	Zip Code	City	State	Zip Code
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DE CONTRACTOR OF THE PARTY OF T			Zoning Commi	ssioner of Baltimore Count	
CASE NO.	3-247-A	Rev	iewed By	Date/_2_(02
REV 10/25/01		Feti	mated Posting Date	12/1/02	•

Estimated Posting Date

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	6400 Munay H	U/ROAD	
	Address	Manyland	21212 Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardsh	owing are the facts upon whip or practical difficulty):		·
1- We request consideration of	rance An Ance	due to the fact the	ative reside
on a double fronted lot. Becau	20 cl thus handship	we Sugger both.	safetyand NUI
15 sues with the traffic on Bello	na Avenue . Our 4	oung children p	lay on the yard
which we consider our "rear you	I "and we fear to	nthere safety.	
2- We are reguesting to Varia		U	Again because
we have a double franted lot, u	11	_	
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3 - Our hardship and practical	difficulty with our	1 home 15 that	ADDITION TO MALE
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That the Afriant(s) acknowledge(s) that if a fe advertising fee and may be required to provide	ormal demand is filed, Affi additional information.	iant(s) will be required t	o pay a reposting and
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Name - Type or Print	Name - Typ	hery Mane Spe or Print	parks
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STATE OF MARYLAND, COUNTY OF BALTIS	MORE, to wit:		
I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, pe	ersonally appeared		tary Public of the State
the Affiant(s) herein, personally known or satisf	Nexu / MANIE SPA actorily identified to me as s	とんう such Affiant(s).	
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NOTARY	Notary Public	Dr John	
PUBLIC S	My Commission E	Expires 5	104
REV 10/25/01			

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competent to testify thereto in the event that a put		jara tnereto.
That the Affiant(s) does/do presently reside at	6400 Munay Hell Rosso	
	Address Rallimus May land State 1	d 21212 Zip Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardship	ng are the facts upon which I/we base the roor practical difficulty):	equest for an Administrative
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STATE OF MARYLAND, COUNTY OF BALTIMO	DE to wit	
	<i>'</i>	a Matami Dublic of the State
I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, pers	onally appeared	, a Notary Public of the State
Michael A. Strehler	Chary Marie Spaces	·•
the Afriant(s) herein, personally known or satisfac	orily identified to me as such Affiant(s).	
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PUBLIC	My Commission Expires	on 10 9
REV 10/25/01		v



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6400 Munay Hull Posts
which is presently zoned D2-2

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) 102.5, 1B02.3. C.1 (BCZR) and 1B02.3. C.2.C(ZCPM) to permit a proposed addition on a bouble frontage lot with a rear yard set back of 5 feet in lieu of the required 40 feet, and to permit a fence on a corner lot with a height of 7 feet in lieu of the required 3 feet (within 25 feet of the street intersection).

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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 d perjury, that I/we are is the subject of this	eclare and affirm, under the ethe legal owner(s) of the sectition.	e penalties of property which
Contract Purchaser/L	<u>essee:</u>		Legal Owner(s)	<u>):</u>	
Name - Type or Print		<u></u>	Name Type or Print	Inchest Strenk	
Signature			Signature		
Address	·	Telephone No.	Name - Type or Print	Maria Spanko	
City	State	Zip Code	Signature	My 17 Marie	
Attorney For Petition	<u>er:</u>		Address Baltum		10 4w-372-0 Telephone No.
Name - Type or Print			City	Maryland State	21212 Zip Code
Signature	· · · · · · · · · · · · · · · · · · ·		Representative	to be Contacted:	
Company			Name	<u></u>	
Address	 · · · · · · · · · · · · · · · · · ·	Telephone No.	Address		Telephone No
City	State	Zıp Code	City	State	Zip Code
A Public Hearing having bee this day of regulations of Baltimore County	n formally demand the and that the prope	ded and/or found to be at the subject matter of rty be reposted.	required, it is ordered by this petition be set for a publ	the Zoning Commissioner of lic hearing, advertised, as requ	Baltimore County, ired by the zoning
			Zoning Com	missioner of Baltimore County	,
CASE NO	3-247-1	4 Rev	riewed By	Date	1/02
REV 10/25/01		Est	imated Posting Date	12/2/02	

Loning description for 6400 Murray Hill Rd.

Beginning at a point on the north side of Bellona Ava. which is so feet wide on the east side of Pratt Ava. which is 30 feet wide Being Lot #1 in the subdivision of Murray H. II as recorded in Baltimore County Plat Book 12, Folio 43, containing 0.287 acres of land. Also known as 6400 Murray Hill Rd. and located in the 9th Election District, 4th Councilmance District

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in <u>Towson</u>, <u>Maryland</u> on the property identified herein as follows:

Case: #03-247-A

6400 Murray Hill Road

N/east corner of Bellona Avenue & Pratt Avenue (at Murray Hill Road)

9th Election District - 4th Councilmanic District

Legal Owner(s): Michael A. Stuehler and Cheryl M. Sparks

Administrative Variance: to permit a proposed addition
on a double frontage lot with a rear yard setback of 5 feet
in lieu of the required 40 feet, and to permit a fence on a
corner lot with a height of 7 feet in lieu of the required 3
feet (within 25 feet of the street intersection).

Hearing: Tuesday, January 21, 2003 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

JT 1/601 Jan 7

Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

CERTIFICATE OF PUBLICATION

19,2003
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on
The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News
S. William

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYND No.19288 OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT **ACTUAL** MISTHESS TIME 12/17/2002 15:05:22 13/18/2002 ACCOUNT R-001-006-6150 DIOL DHD DRAKER >XELETAL # 500033 15/11/5005 5 528 ZONING VERIFICATION AMOUNT \$ 40,00 CR NJ. 019288 \$40.00 Recet Tot .00 CK 40.00 CA RECEIVED FROM: Baltimore County, Haryland Demand for Hearing for 6400

YELLOW - CUSTOMER

PINK - AGENCY

WHITE - CASHIER

CASHIER'S VALIDATION

DATE 11 21/02 ACCOUNT & -001-006 6150

AMOUNT \$ 50.00

RECEIVED Stuckler Sparks

FOR: 6400 MURRAY HILL RD (03-247-A)

Administrative Variance

YELLOW - CUSTOMER

No. 19215

BALTIMORE COUNTY, MARYLAND

PINK - AGENCY

DISTRIBUTION

WHITE - CASHIER

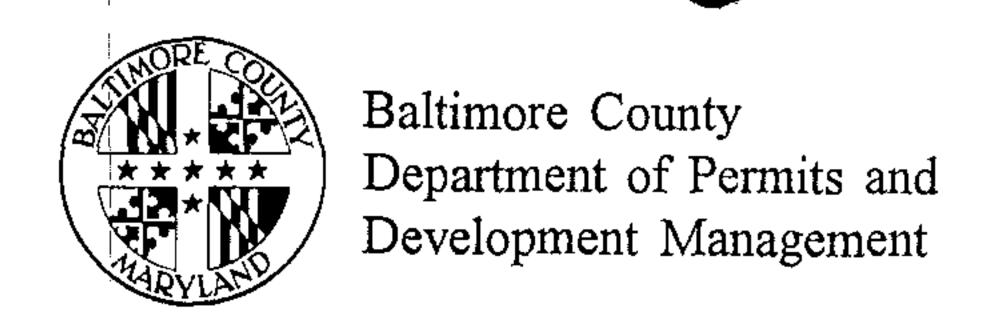
CASHIER'S VALIDATION

CERTIFICATE OF POSTING

	•	RE: Case No.:	02·Z47-A
		Petitioner/De	veloper:
!		MICHDER !	4 STUEHLER
			ng/Closing: 12103
	Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204		
!	Attention: Ms. Becky Hart		
	Ladies and Gentlemen:		•
	This letter is to certify under the penalties of were posted conspicuously on the property		ary sign(s) required by law
!	G400 N	10RRAY HILL	RD
!			
	The sign(s) were posted on	1/6/03	
<u> </u>		(Month, Day, Year)	
	LASE # 02-247-A	Sincerely,	
_		(Signature of	of Sign Poster and Date)
.			rinted Name)
		• _	ELLWOOD DR. (Address)
		(City, S 	State, Zip Code) 79-3122
	400 MURRAY HILZ RD.	(Telep	phone Number)
7	705 1250 1/6/03 Tholad 60/12 1/6/03		

CERTIFICATE OF POSTING

	RE: Case No.: 03-247-A
	Petitioner/Developer:
	STUEHLER/SPARKS
	Date of Hearing/Closing: /2/17/02
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention:	
Ladies and Gentlemen:	•
This letter is to certify under the penalties of perwere posted conspicuously on the property loc	erjury that the necessary sign(s) required by law ated at
	UIZRAY HILL RD.
The sign(s) were posted on	12/2/02
. ((Month, Day, Year)
CASE # GRANA CASE # GRANA Reference Administration of Reference to the Control of Reference to the Refer	Sincerely, Signature of Sign Poster and Date) RICHARD E. HOFFMAN (Printed Name) 904 DELIWOOD DR. (Address) FALLS TON, MO 21047 (City, State, Zip Code) (410) 879-3177 (Telephone Number)
400 MURRAY HILL RD.	



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

December 20, 2002

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 03-247-A

6400 Murray Hill Road

N/east corner of Bellona Avenue & Pratt Avenue (at Murray Hill Road)

9th Election District – 4th Councilmanic District

Legal Owner: Michael A. Stuehler and Cheryl M. Sparks

Administrative Variance to permit a proposed addition on a double frontage lot with a rear yard setback of 5 feet in lieu of the required 40 feet, and to permit a fence on a corner lot with a height of 7 feet in lieu of the required 3 feet (within 25 feet of the street intersection).

Hearings:

Tuesday, January 21, 2003 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon

Director

AJ:rlh

C: Ruxton-Riderwood-Lake Roland Area Improvement Association, Peggy Squitieri, P.O. Box 204, Riderwood 21139

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JANUARY 6, 2003.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Tuesday, January 7, 2003 Issue - Jeffersonian

Please forward billing to:

Michael A. Stuehler 6400 Murray Hill Road Baltimore, MD 21212

410-372-0692

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

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Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT

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Million of the state of the sta

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT

THE ZONING REVIEW OFFICE AT 410-887-3391.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 03- 247 -A Address 6400 Murray Hill Road
Contact Person: <u>Jeffreu Perlow</u> Phone Number: 410-887-3391
Filing Date: $\frac{ 1/2 /02}{ 1/2 /02}$ Posting Date: $\frac{ 12/2/02}{ 12/02 }$ Closing Date: $\frac{ 12/17/02}{ 12/02 }$
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. <u>POSTING/COST:</u> 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.
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.
Charles Alley Daniel
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 03-247 - Address 6400 Murray Hill Road Petitioner's Name Stuehler Sparks Telephone 410-372-0692 Positing Date: 12/2/02 Closing Date: 12/17/02
Worlding for Sign. To Permit a proposed addition on a double frontage lot with a rear yard
setback of 5 feet in lieu of the required 40 feet, and to permit a fence on a
corner lot with a height of 7 feet in lieu of the required 3 feet (within 25
feet of the street intersection).
WCR - Revised 6/28.00

BALTIMORE COUNTY DEPARTMENT OF DEBMILS AND DEARLING HAR HAMAGENE IT



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

January 17, 2003

Michael A. Stuehler Cheryl M. Stuehler 6400 Murray Hill Road Baltimore, MD 21212

Dear Mr. and Mrs. Stuehler:

RE: Case Number: 03-247-A, 6400 Murray Hill Road

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

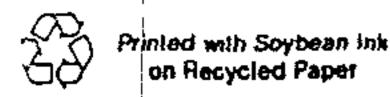
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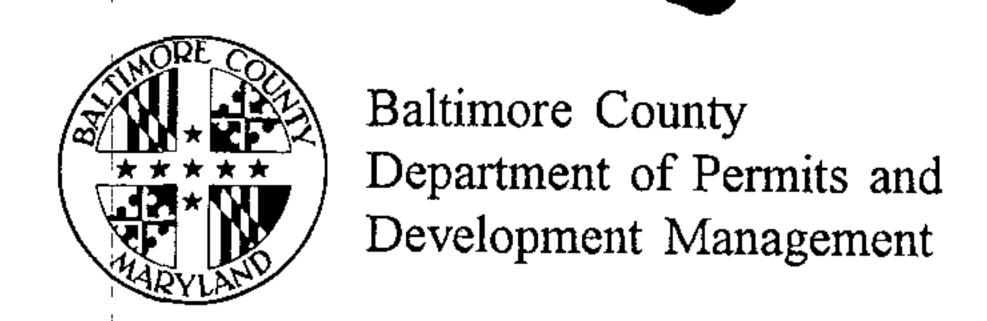
W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:rlh

Enclosures

c: People's Counsel





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

December 16, 2002

Michael A. Stuehler Cheryl M. Sparks 6400 Murray Hill Road Baltimore, MD 21212

RE: Case Number: 03-247-A, 6400 Murray Hill Road

Dear Ms. Sparks and Mr. Stuehler:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 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. As of this date, we have not received any comments from any of these agencies. You may verify any possible comments by contacting the agency directly at the numbers listed below:

Development Plans Review (Traffic) Fire Department	410-887-3751 410-887-4880
State Highway Administration	410-545-5600
Office of Planning	410-887-3480
Department of Environmental Protection	
and Resource Management (DEPRM)	410-887-5859
Recreation and Parks	410-887-3824
Maryland Office of Planning - Chesapeake	
Bay Critical Area (CBCA)	410-767-4489
Department of Natural Resources - Floodplain	410-631-3914

If you need further information or have any questions, please do not hesitate to contact Zoning Review at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rlh

C: People's Counsel



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date: 12.17.02

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

RE:

Baltimore County

Item No. 247

JMP AV

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

1.1. Del



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

December 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

Distribution Meeting of 12/23/02

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:

341 √ 41 242-249, 251-269

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

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley PBS

DATE:

January 27, 2003

Zoning Petitions

Zoning Advisory Committee Meeting of <u>December 16, 2002</u>

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

18 251 252 25

241-248, 251, 252, 256, 259

(12/17) Sent (12/17) 1/21

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: December 30, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

6400 Murray Hill Road

INFORMATION:

Item Number:

03-247

Petitioner:

Michael Stuehler & Cheryl Sparks

Zoning:

DR 2

Requested Action:

Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request provided the following conditions are implemented:

- 1. The proposed double-garage should be setback at least 18 feet from the Pratt Avenue right-of-way so as to allow safe ingress/egress, and adequate site distance. This office is also concerned that if the garage is constructed with the proposed 5-foot setback, should a vehicle be parked in the driveway (as it is customary to do), said vehicle(s) would overhang in the right-of-way.
- 2. The proposed privacy fence should not exceed 5 feet in height and should be setback at least 10 feet from the right-of-way. Adequate landscaping should be planted within the aforementioned 10-foot strip to soften the appearance of the fence. In addition, the petitioner should demonstrate that the proposed fence will not impede the sight distance of vehicles turning from Pratt Avenue onto eastbound Bellona Avenue.

3. Building elevations, a fence detail, and a landscape plan should be submitted to this office for review and approval prior to issuance of any building permits.

Prepared by:

Section Chief:

AFK/LL:MAC:

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

Department of Permits & Development Management

FROM: Robert W. Bowling, Supervisor

Bureau of Development Plans

Review

SUBJECT: Zoning Advisory Committee Meeting

For December 23, 2002

Item No. 247

The Bureau of Development Plans Review has reviewed the subject-zoning item.

DATE: January 17, 2003

The proposed fence cannot interfere with the line of sight.

RWB:CEN:jrb

cc: File



Parris N. Glendening
Governor

Kathleen Kennedy Townsend
Lt. Governor

Roy W. Kienitz Secretary Mary Abrams Deputy Secretary

December 20, 2002

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

Re: Zoning Advisory Committee Agenda, 12/23/02 re: case numbers 03-241-SPHXA, 03-242-SPH, 03-243-A, 03-244-A, 03-245-A, 03-246-SPHX (03-247-A, 03-248-SPHA, 03-249-A, 03-250-SPHXA, 03-251-A, 03-252-A, 03-253-A, 03-254-A, 03-255-SPH, 03-256-A, 03-269-A

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 12/19/02. 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

The Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc.

P. O. Box 204 Riderwood, Maryland 21139 Phone / FAX: 410-494-RRLR office@rrlraia.org

12/21/02 NU CR

December 18, 2002

Mr. Arnold Jablon Director, Permits and Development Management **Baltimore County** 111 W. Chesapeake Avenue Towson, MD 21204

Dear Mr. Jablon:

The ability to access the Zoning Commissioner's Hearing Schedule online is a valuable tool for our Association. As a community association, we attempt to notify our residents of changes that are planned in their neighborhoods. We find that it is to everyone's benefit if we can bring all parties together and arrive at mutually beneficial solutions prior to appearing before the Zoning Commissioner. However, under the current system we only learn of administrative variances informally (if at all) by seeing a sign posted, through our community planner, or from a neighbor calling to inquire about a sign. Under the current system, we lose valuable time that could otherwise be spent bringing parties together.

A perfect example of this just-occurred this week. An administrative variance was requested for 6400 Murray Hill Avenue (Case 03-247-A). This property is bounded by Murray Hill Avenue (front), Bellona Avenue (side), and Pratt Avenue (rear). The sign was posted on the Murray Hill Avenue side of the property, but the residents who would be most impacted by the proposed fence and addition live on Pratt Avenue. By the time we found out about this administrative variance request, we did not have enough time to bring the parties together. We had no choice but to request a hearing before the Zoning Commissioner. By allowing us the time to notify affected neighbors and bring the parties together, we can often avert the time and cost associated with a hearing.

We respectfully request that communities be given timely notice of all administrative variance requests either via mail or by posting on the County website.

Sincerely,

President

cc. Pat Keller, Director

Baltimore County Office of Planning

Lawrence Schmidt

Baltimore County Zoning Commissioner

A Company of the State of

Carl,

On 12/23, the data
July nordolk had only
west up to 03-240.

The agridateth 12/30
and went on the Web
on 12/31

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Southwen:

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variance for the residue

On unlessed with the sequested on since for Murray Hill fld. Extending the garage to within 5 feet of the garage and on to hat love, and thereby, creating a potential hazard with any vehicle turning into That from Gellona love. Since the garage entrance would be within moral feet of Bellona and on a significant hazard.

garge, any ochiles parked there nother than in the garage would nearly be extending onto most not neating more hazard and being unrightly by those houses facing mate houses

natt ave is the only entrance to a number of homes Society Most and Montione are behind it. That should not be considered as a back alley be those homes junting Munay Hill Rd and backing up to mate. There were the society opening when one property

Le grosse, thenfore. He zoning oarrance regenstit

Mar Mus. Charles a. Defeat 6520 Montron ave 21212

Edward C. Eby 6406 Pratt Avenue Baltimore, MD 21212

February 5, 2003

Mr. Timothy Kotroco, Deputy Zoning Commissioner Baltimore County Office of Planning and Zoning Courthouse Towson, MD 21204

Re: 6400 Murray Hill Road

Dear Mr. Kotroco:

I have spoken with eight of my neighbors who attended the hearing for the above referenced property, plus two additional neighbors, and we unanimously agree that we have no objection to you granting the fence variance as described in the petition of Michael Stuehler and Cheryl Sparks in case 03-247-A. Our only request is that you consider our following concerns that the fence:

- 1. Not exceed the height of the fence located on the rear property line of 6402 Murray Hill Road, which is approximately six feet high.
- 2. Not impair the sight lines of a driver looking east up Bellona Avenue, from its intersection with Pratt Avenue.
- 3. Be constructed of materials typical of fences in the area (i.e.: wood or brick).

As you probably recall, one gentleman at the hearing was particularly opposed to the construction of any fence at all. I have since heard that he would agree to the fence if he knew it would be constructed in an aesthetically pleasing manner. To him, this apparently means it should be more elegant than the one at 6402 Murray Hill Road, perhaps with some type of lattice at the top.

Michael Stuehler has told me that, at this time, he is dropping his plans to construct a garage on his property. When he proceeds with those plans in the future, he will file for a variance again. Therefore, it is our expectation that the request for the building setback variance in this case will be denied.

Thank you for the time and consideration that you have given all of the participants in this matter.

Sincerely,

Edward C. Ebv

cc: Michael Stuehler and Cheryl Sparks

Peggy Squitieri

RECEIVED

FEB 6 2003

ZONING COMMISSIONER

Foxx, Michael

From: Thomas Neale [tomneale74@msn.com]

Sent: Sunday, November 10, 2002 11:03 PM

To: Michael Stuehler

Subject: Re: Stuehler/Sparks Architectural Committee Request

You're welcome! See you soon.

Tom.

---- Original Message -----

From: Foxx, Michael

Sent: Sunday, November 10, 2002 3:41 PM

To: 'Thomas Neale'; 'csparks@therousecompany.com'

Subject: RE: Stuehler/Sparks Architectural Committee Request

Thank you very much!

All the best,

Michael J.
WPOC
Assistant Program Director
Music Director
mjfoxx@wpoc.com
direct 410-554-1869

----Original Message-----

From: Thomas Neale [mailto:tomneale74@msn.com]

Sent: Sunday, November 10, 2002 2:51 PM

To: Cheryl Sparks; Michael Stuehler

Cc: John Bruch; Laura McManus; Jane Cooke; Pj Mitchell; Rush Loving; Tim Oursler

Subject: Stuehler/Sparks Architectural Committee Request

Dear Cheryl and Michael,

I think you already knew this, but the Committee has approved your request for additions and improvements to your property. Thank you for your patience, and please consider this your "official" notification.

Feel free to call me with any questions.

Best regards,

Thomas M. Neale President Murray Hill Association Member Architectural Committee

Get more from the Web. FREE MSN Explorer download : http://explorer.msn.com

03-247-A

Get more from the Web. FREE MSN Explorer download: http://explorer.msn.com

Foxx, Michael

From: Thomas Neale [tomneale74@msn.com]

Sent: Sunday, November 10, 2002 2:51 PM

To: Cheryl Sparks; Michael Stuehler

Cc: John Bruch; Laura McManus; Jane Cooke; Pj Mitchell; Rush Loving; Tim Oursler

Subject: Stuehler/Sparks Architectural Committee Request

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I think you already knew this, but the Committee has approved your request for additions and improvements to your property. Thank you for your patience, and please consider this your "official" notification.

Feel free to call me with any questions.

Best regards,

Thomas M. Neale President Murray Hill Association Member Architectural Committee

Get more from the Web. FREE MSN Explorer download : http://explorer.msn.com



FORMAL DEMAND FOR HEARING

CASE NUMBER: <u>63-247-14</u>	
Address: 6400 Murray Hill Road	
Petitioner(s): Michael A Stuckler	
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:	
INVe Ruxton-Riderwood-Lake Roland Area Name-Type or Print Improvement Asso	<
() Legal Owner OR () Residents of	
ROBERT 204	
Ridarwood MD 21139	
410 494 7757	
Telephone Number	
which is located approximately \(\bigcup \lambda \operatorian \) \(\bigcup \operatorian \operatorian \) the subject of the above petition, do hereby formally demand that a public hearing be set in this matter.	
ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS DEMAND.	
122/Deiten 12/17/02	
Signature Salutitical Date	
Executive Director	
Signature Revised 9/18/98 - wcr/scj	

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Baltimore, MD 21212	6406 Prot Avenue.	Edward C. Ely

(H) 410-337-7575

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CASE NUMBER 6400 Hurry IAII Pa

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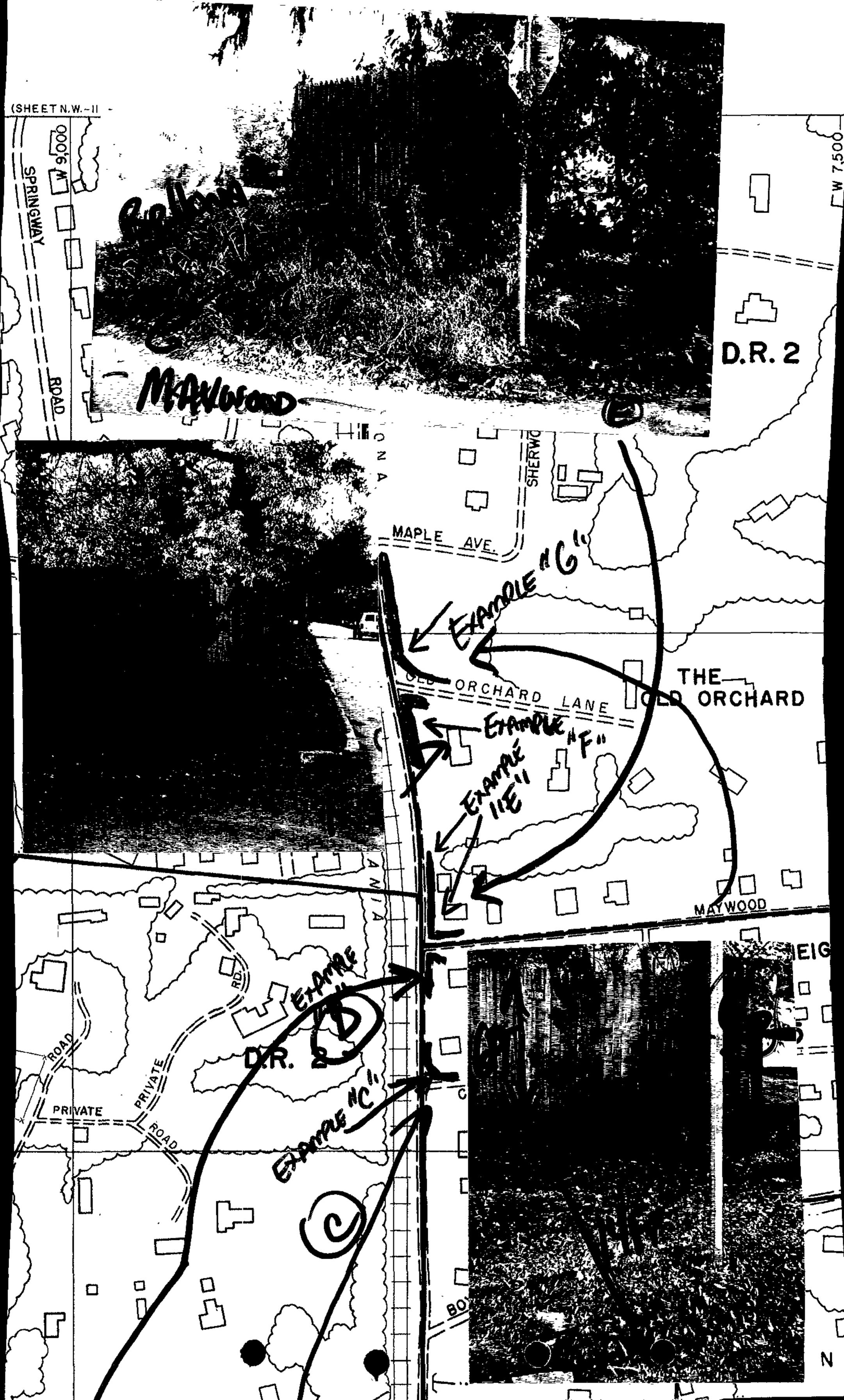
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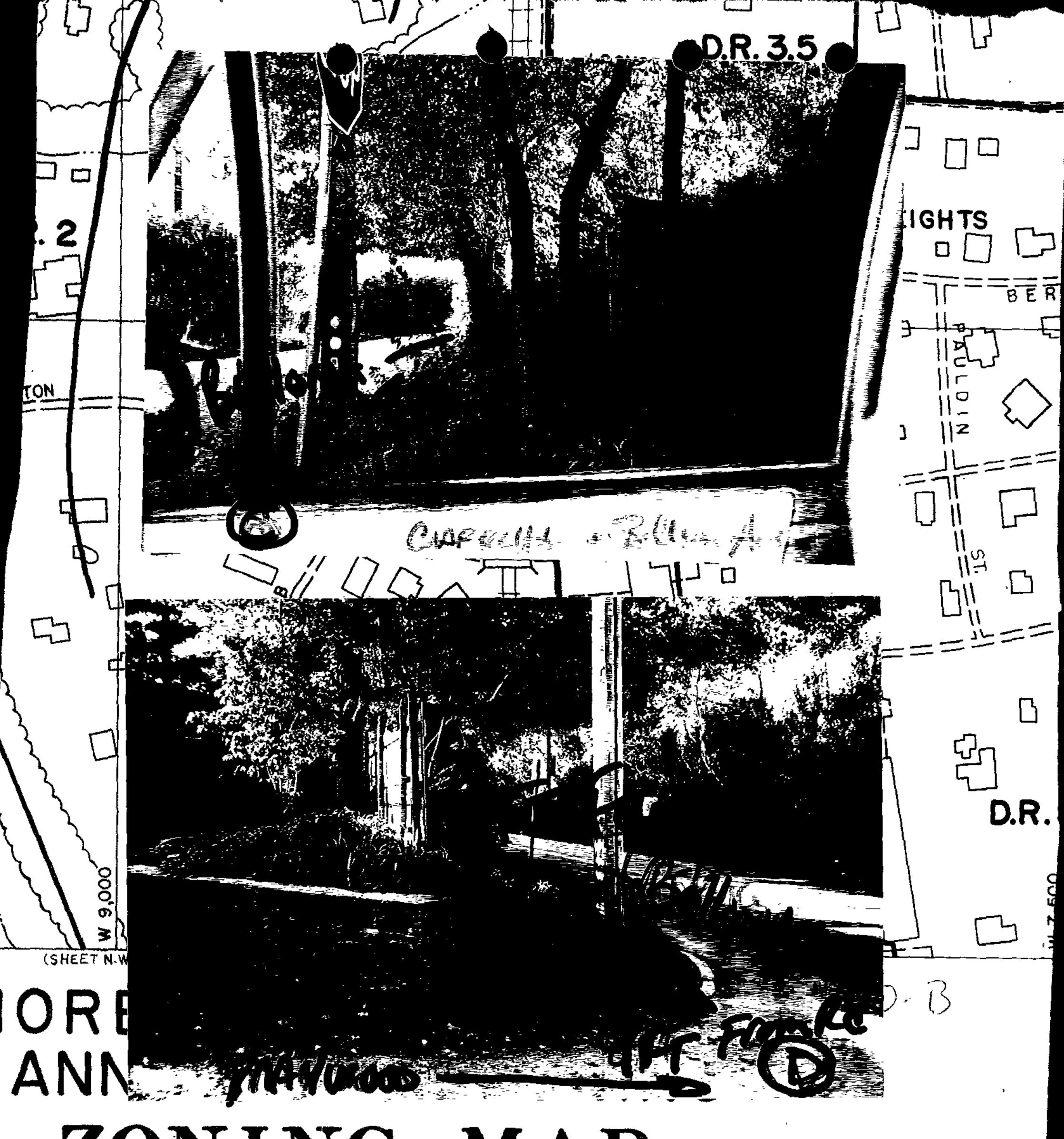


Michael Strehm / Chery/Spanks 6400 Murray Hill Rd Gustums Call 410.372 - U692









ZONING MAP

Zoning Map NW 10-B

