IN RE: PETITION FOR ADMIN. VARIANCE
S/S of Spring Avenue, 450' E
centerline of Franke Avenue
8th Election District
3rd Councilmanic District
(211 Spring Avenue)

Susan C. & Richard I. Kuehn Petitioners \* BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* CASE NO. 03-308-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, Susan C. and Richard I. Kuehn. The variance request is for property located at 211 Spring Avenue in the Lutherville 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 rear yard setback of 25 ft. in lieu of the required 30 ft. for an addition. 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.

2016163 Chamerer 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 day of February, 2003, that a variance from Section 1B02.3.B of the B.C.Z.R., to permit a rear yard setback of 25 ft. in lieu of the required 30 ft. for an addition, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

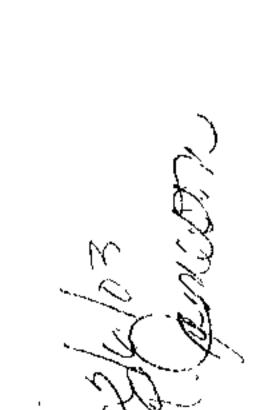
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this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

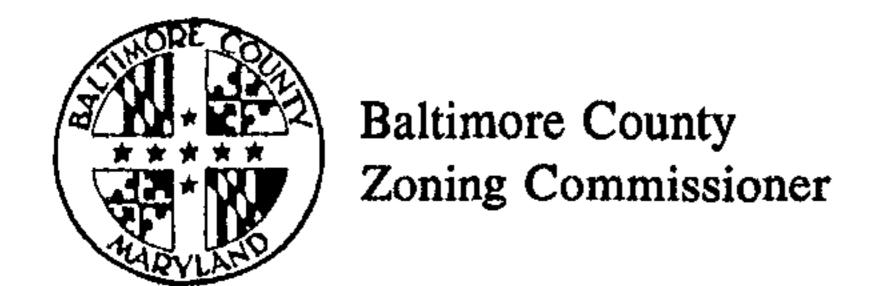
TIMOTHY M. KOTROCO

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

February 6, 2003

Mr. & Mrs. Richard I. Kuehn 211 Spring Avenue Lutherville, Maryland 21093

Re: Petition for Administrative Variance

Case No. 03-308-A

Property: 211 Spring Avenue

Dear Mr. & Mrs. Kuehn:

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

Muthy llotroco

TMK:raj Enclosure



# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

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	State	Zip Code	Signature)	. 1	Work.	- 410-9 <b>9</b> 3-8
orney For Petiti	<u>oner:</u>		2-1/ Spr Address		2 - 4/	Telephone No
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	State	Zip Code	City		State	Zip Code
Public Hearing having is that of Baltimore Cou	been formally demande	ed and/or found to be	City required, it is ordered this petition be set for a pu			

Zoning Commissioner of Baltimore County

CASENO. 03-308-A

Reviewed By Sh Date 1/6/0

Estimated Posting Date \_\_\_\_\_/\_

0.7

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.

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Richard I. Kuchu Name - Type or Print	Name - Type	san C. Kuchu	!
STATE OF MARYLAND, COUNTY OF BALTIM	·		
HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, per		<u>veう</u> , before me, a No	tary Public of the State
RICHARDI KUEHN 4	SUSAN Q KU	EHN	
RICHALD T KUEHN the Affiant(s) herein, personally known or satisfactory  K500 738 329 579	ctorily identified to me as su 人 500 778 //(	ich Affiant(s). ╸ぅゔУ	
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REV 10/25/01

# Affidavit in Support of Administrative Variance

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That the Affiant(s) does/do presently reside at	211 Spring Address	Avenue	
	City City		21093 Zip Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardship	wing are the facts upo	on which I/we base the requ	
We request a variance of	the rear	setback, from the	e presently
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our current setback. A	9 foot deep	o room is not ea	onomically
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	Signa	ature / // //	/ - <b>A</b>
Richard T. Kuchu Name - Type or Print	Name	Susan C. Kuch e - Type or Print	<u> </u>
STATE OF MARYLAND, COUNTY OF BALTIM	IORE, to wit:		
I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, per	sonally appeared	, <u>ಎ೯೦೨</u> , before me, a l	Notary Public of the State
RICHARD I KUEHNU & The Affiant(s) herein, personally known or satisfa K 500 738 329 579	503A010	イベ <i>UETHIU</i> e as such Affiant(s). アダルル 33V	<del></del>
AS WITNESS my hand and Notarial Seal		714 307	
	Notary Public	Laure Drankl	U
		sion Expires 12/1/04	



# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

TIP-	for	the property	located at 211 Sp	my Nenve	
			which is presently		
owner(s) of the property s	ituate in Baitimo	ere County and wh	nits and Development Mar ich is described in the desc	nagement. The und ription and plat attac	dersigned, legal ched hereto and
setback of 2	5 ft. in	lieu of	tion(s) 11302.3 B 7 the required 3	to permit a ofti	rear yurl
of the zoning regulations of this petition form.	of Baltimore Cou	inty, to the zoning	law of Baltimore County, fo	r the reasons indica	ted on the back
Property is to be posted at I, or we, agree to pay expensions and restrictions of	ses of above Varia	ance, advertising, p	zoning regulations. osting, etc. and further agree to to the zoning law for Baltimore	o and are to be bound e County.	ed by the zoning
			I/We do solemnly declar perjury, that I/we are the is the subject of this Pet	e legal owner(s) of the	e penalties of property which
Contract Purchaser/Le	essee:		Legal Owner(s):		
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Address		Telephone No.	Name - Type or Print  Waller	Ruchu ()	
City	State	Zip Code	Signature	work	- 410-993-84 10-560-0598
Attorney For Petitione	<u>r:</u>		Address Address	Avenue - 41	Telephone No.
Name - Type or Print			City	MD State	<i>2-1093</i> Zip Code
Signature		· · · · · · · · · · · · · · · · · · ·	Representative to I	be Contacted:	
Company			Name	<del></del>	·
Address		Telephone No	Address	<del></del>	Telephone No
City	State	Zip Code	City	State	Zip Code
A Public Hearing having been this day of regulations of Baltimore County a	formally demande that and that the property	d and/or found to be the subject matter of be reposted	required, It is ordered by the Zathis petition be set for a public hea	Zoning Commissioner of aring, advertised, as requ	Baltimore County, ired by the zoning
			Zoning Commissi	oner of Baltimore County	
CASE NO	-308-A	Rev	viewed By <u>SK</u>	Date	1_7
REV 10/25/01		Est	imated Posting Date	1/20/03	

#### **ZONING DESCRIPTION FOR:**

211 Spring Avenue, Lutherville, MD, 21093

Beginning at a point on the <u>south</u> side of <u>Spring Avenue</u> which is <u>50</u> ft. wide at a distance of 450 <u>feet east</u> of the centerline of the nearest improved intersecting street <u>Franke Avenue</u> which is <u>50</u> feet wide. Being Lot # 3, in the subdivision of <u>Hooperton Manor</u> as recorded in the Baltimore County Plat Book # 51, Folio # 76, containing <u>0.564</u> acres. Also known as <u>211 Spring Avenue</u> and located in the <u>8<sup>th</sup> Election District</u>, <u>3<sup>rd</sup> Councilmanic District</u>.

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### CERTIFICATE OF POSTING

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RE: Case No.: 03-308-17

Petitioner/Developer: KUEN

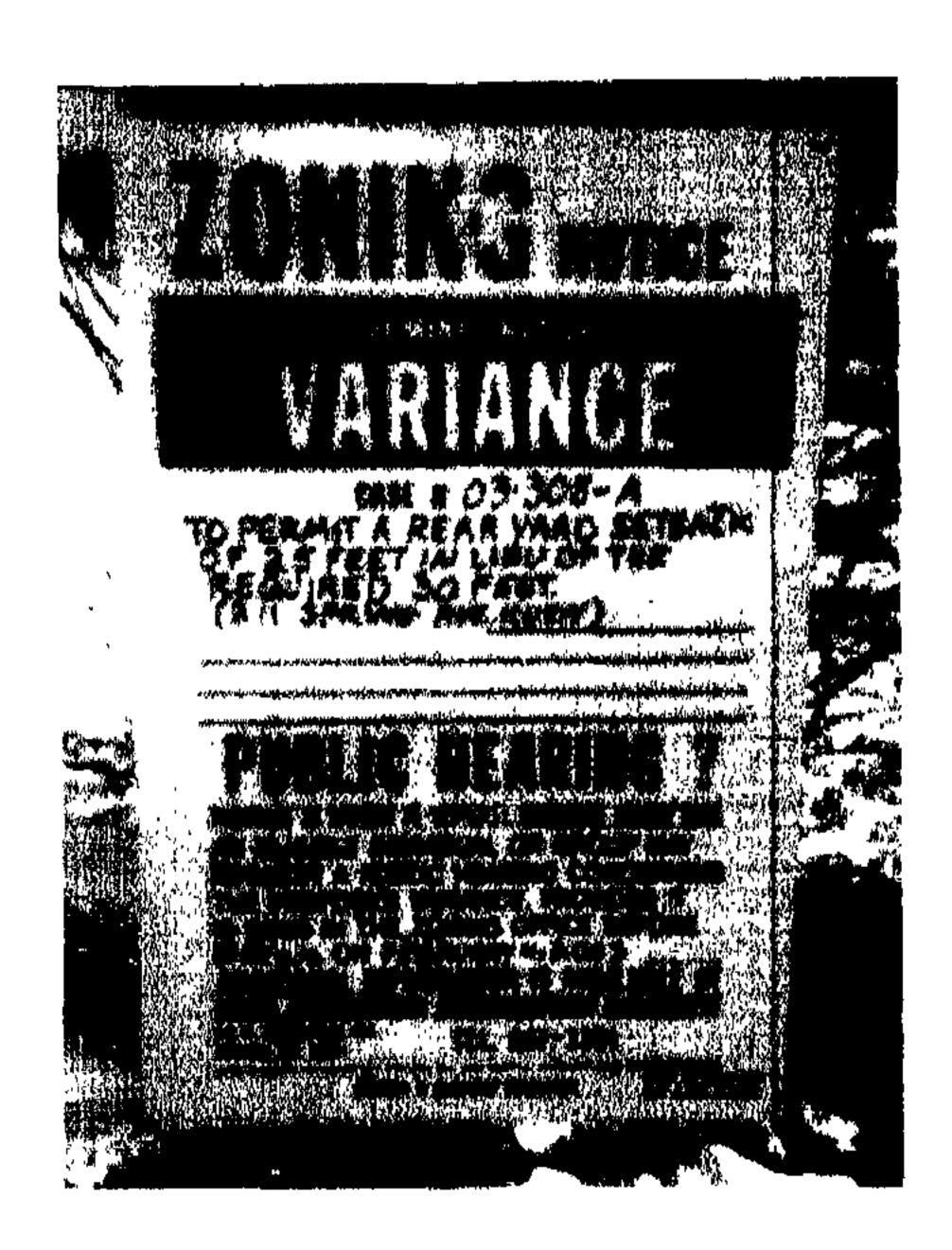
Date of Hearing/Closing:) February 4,2003

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

ATTENTION: BECKY HART-887-5708

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 211 Spring Ave 2003 



Sincerely,

well M. 0 Kup 1/23/03

(Signature of Sign Poster 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

(Telaphone Number)

# DEPARTMENT OF ERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

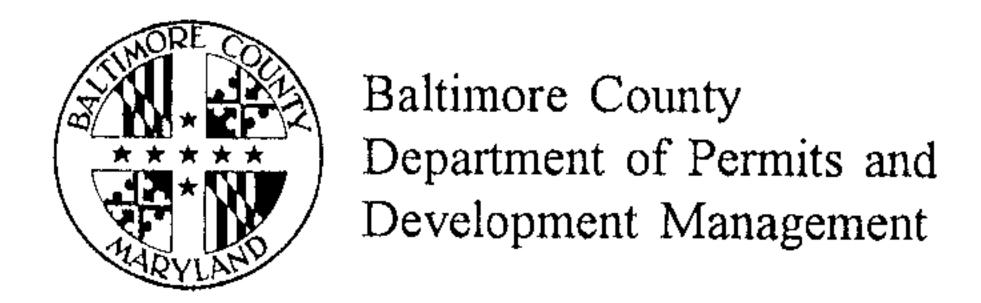
For Newspaper Advertising:	
Item Number or Case Number: 03-308-A	
Petitioner Richard & Susan Kuehn	
Address or Location: 211 Spring Avenue Lutherville,	MD 21093
PLEASE FORWARD ADVERTISING BILL TO:	
Name: Richard & Susan Kuehr	
Address: 211 Spring Avenue Luther ville, MD 21093	
Teiephone Number: 410 - 560 - 0598	

Revised 2/20/98 - SCJ

ZONING REVIEW

# ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number 03-	308	-A	Address_	211	Spring	Aue.	
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Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

February 3, 2003

Mr. and Mrs. Kuehn 211 Spring Avenue Lutherville, MD 21093

Dear Mr. and Mrs. Kuehn:

RE: Case Number: 03-308-A, 211 Spring Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 6, 2003.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr. Supervisor, Zoning Review

U. Callibal)

WCR:rlh

Enclosures

c: People's Counsel



## Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams
Administrator

Date: 1.17.03

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

RE: Baltimore County

Item No. 308 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



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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

ATTENTION: Rebecca Hart

Distribution Meeting of: January 21, 2003

308 Item No.: 305, 307-311, 316-322, 324 &325

Dear Ms. Hart:

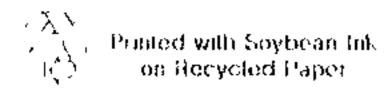
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Marshal's Office has no comments at this time.

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 RBS FTGT

DATE:

February 20, 2003

**Zoning Petitions** 

Zoning Advisory Committee Meeting of January 21, 2003

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

305-308, 310, 311, 313, 315-319, 321-325

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

**DATE:** January 22, 2003

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

MN 23 13

**SUBJECT:** 

Zoning Advisory Petition(s): Case(s) 03-308, & 03-321

Administrative Variance

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

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

**DATE:** January 28, 2003

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 January 27, 2003
Item Nos. 305, 306, 307, 308, 310, 311, 312, 313, 314, 315, 316, 320, 321, 322, 323, 324, and 325

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

RWB:HJO:jrb

cc: File



Robert L. Ehrlich Jr.
Governor
Michael S Steele
Lt. Governor

Audrey E. Scott Secretary

January 21, 2003

Ms. Rebecca Hart
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, 01/27/03 re: case numbers 03-305-SPH, 03-306-X, 03-307-SPH, 03-308-A, 03-309-A, 03-310-A, 03-311-A, 03-312-X, 03-313-SPH, 03-314-XA, 03-315-SPH, 03-316-SPHX, 03-317-A, 03-318-A, 03-319-A, 03-320-A, 03-321-A, 03-322-A, 03-323-SPHA, 03-324-A, 03-325-A

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 01/16/03. 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

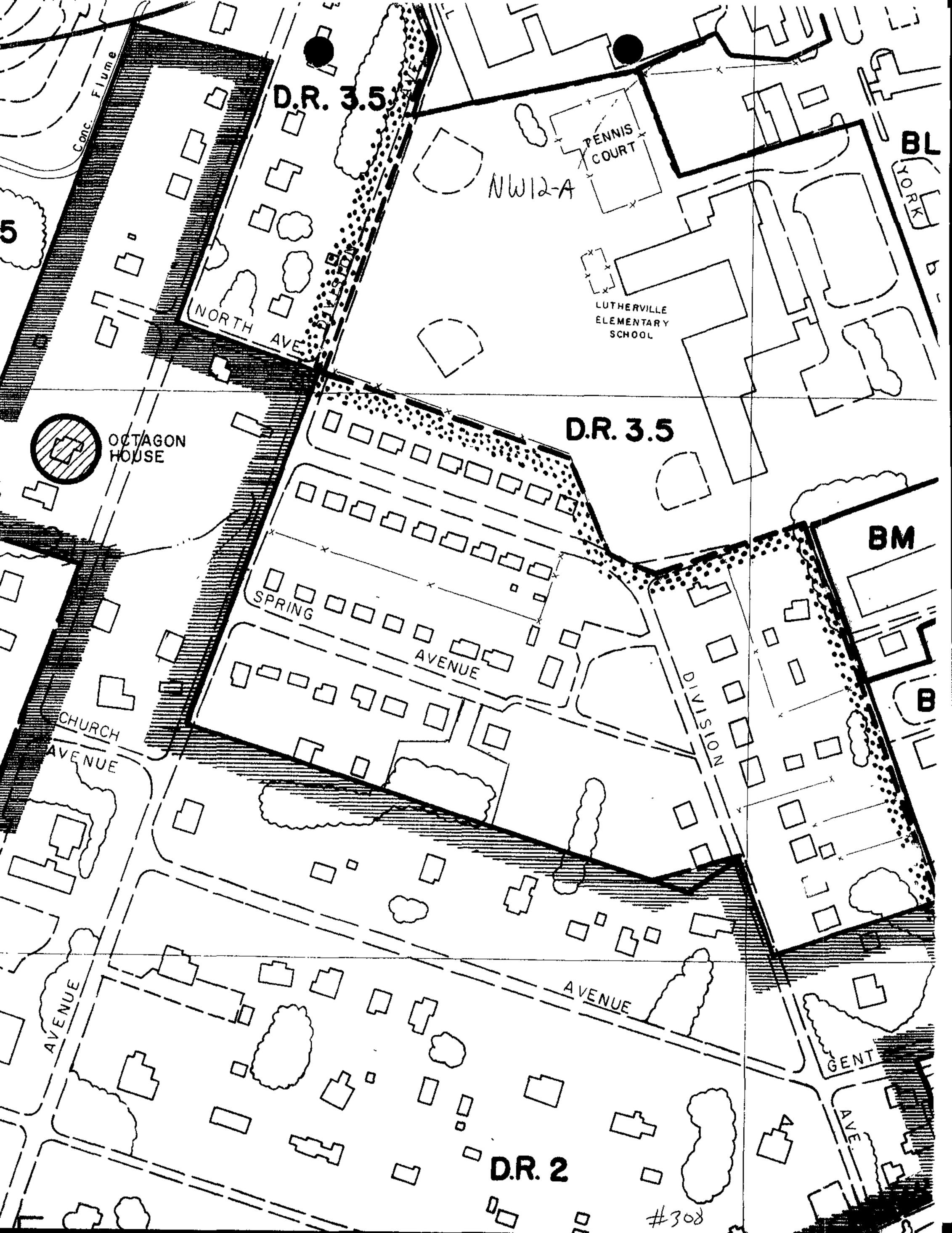
Manager

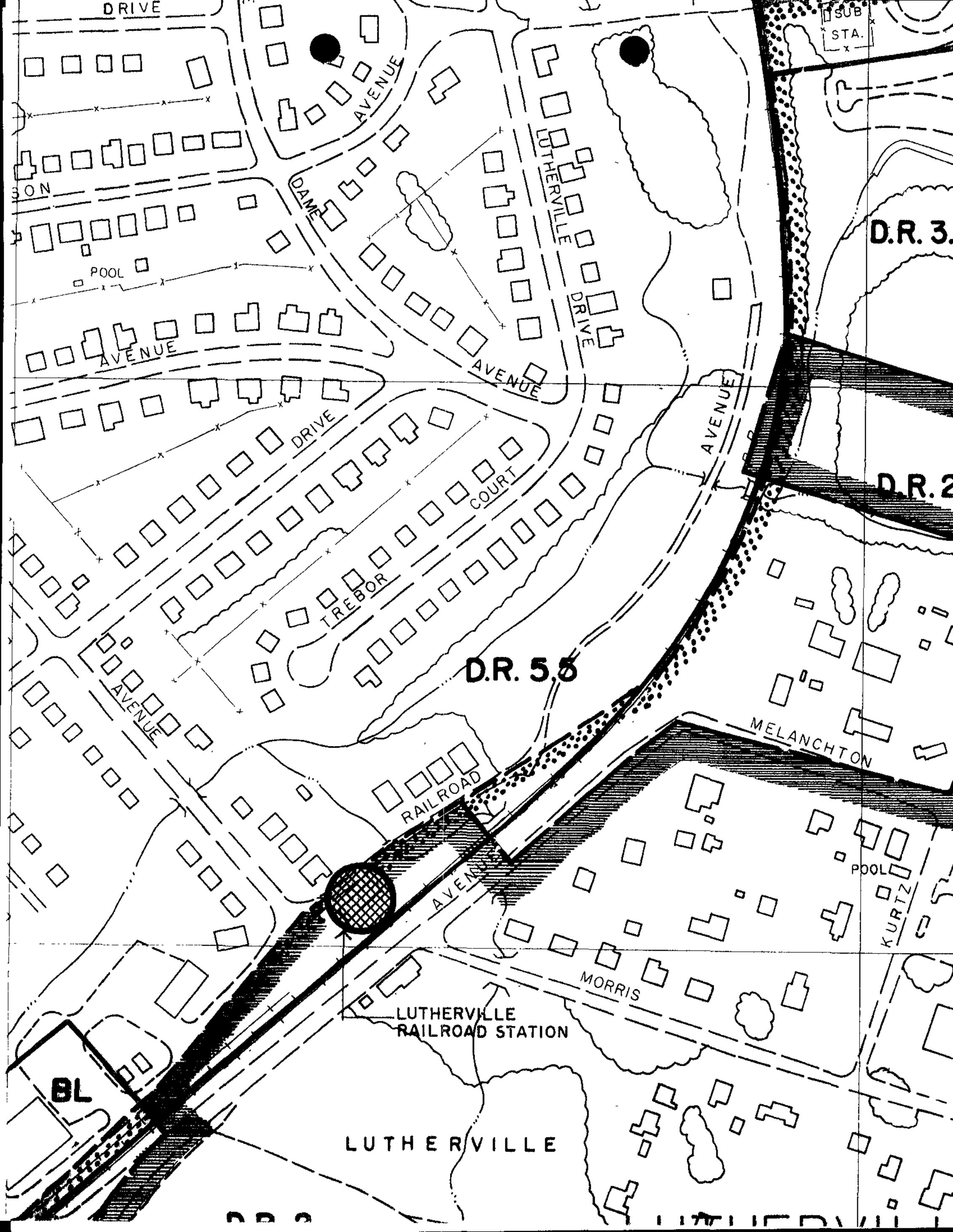
Metropolitan Planning

mmail Gull

Local Planning Assistance Unit

cc: Mike Nortrup









Send To Printer Back to Map

211 Spring Ave Lutherville MD 21093-5347 US

Notes:					
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#### Book a Hotel:

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