

Kimberly & David Reth
Petitioners

3

* * * * *

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 13th day of February, 2003, that a variance from Section 1B01.2.C.1.b of the B.C.Z.R., to permit an existing single-family dwelling with addition (sunroom) to have a rear yard setback of 20 ft. in lieu of the required 30 ft. and to amend the Final Development Plan, 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

FILED
2/13/03
R. J. JAMESON



Baltimore County
Zoning Commissioner

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

February 13, 2003

Mr. & Mrs. David Reth
5 Treyburn Court
White Marsh, Maryland 21237

Re: Petition for Administrative Variance
Case No. 03-322-A
Property: 5 Treyburn Court

Dear Mr. & Mrs. Reth:

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 black ink, which appears to read "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Larry Felts
13203 Patuxent
Baltimore, MD 21220

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



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 5 TREYBURN CT
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) 1B01.2.C.1.D (BCZR)

TO PERMIT AN EXISTING SINGLE FAMILY DWELLING
WITH ADDITION (SUNROOM) TO HAVE A REARYARD
SETBACK OF 20' IN LIEU OF THE REQUIRED 30' AND
TO AMEND THE F.D.P. FINAL DEVELOPMENT PLAN

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:

Legal Owner(s):

Name - Type or Print

Name - Type or Print

Signature

Signature

Address

Telephone No.

Name - Type or Print

City

State

Zip Code

Signature

Attorney For Petitioner:

5 Treburn Ct (410) 665-6442
Address Telephone No.

Whitemarsh, Md 21237
City State Zip Code

Representative to be Contacted:

Larry Felts
Name

13203 Patuxent (410) 335-7676
Address Telephone No.

BALTO, Md 21220
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. 03-322-A

Reviewed By CTM Date 1/15/03

Estimated Posting Date 1/28/03

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

Address 5 Treburn Ct
City White Marsh State MD Zip Code 21237

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):

- ① We planned to add the sun room on at the time of building our home, but we decided financially in our best interest it was not the right time to do so. We were told that we could add it on at a later date and Not Knowing we would have complications.
- ② Secondly, this is the only place our sun room can be placed now, because the builder made the mistake of pouring our walk out steps from our basement on the back of the house when they should have been poured on the right side of the house when facing the front of our home.
- ③ Lastly, we have always wished to have a sun room and we were looking forward to additional space with our newly built home.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Signature David Beth

Name - Type or Print David Beth

Signature Kimberly Beth

Name - Type or Print Kimberly Beth

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

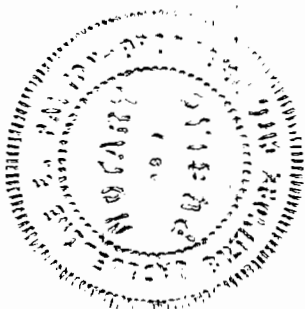
I HEREBY CERTIFY, this 3rd day of January, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

David Beth and Kimberly Beth
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Signature Jacqueline Peyton Brooks
Notary Public

My Commission Expires July 26, 2005



ZONING DESCRIPTION

ZONING DESCRIPTION FOR 5 Treymour Ct

Beginning at a point on the North side of 801

which is Treymour Ct wide at the distance of 300' EAST of the

centerline of the nearest improved intersecting street Selwin Ct

which is 30' wide. Being lot # 70

Block _____, Section# 1 in subdivision of White Marsh Rd Property

as recorded in Baltimore County Plat Book # SM 71, Folio# ~~125~~ 123 containing

.21 Acres. Also known as 5 Treymour Ct and located in the 14

Election District, B Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 10573

DATE 1/14/03 ACCOUNT RC01 006 CISO

AMOUNT \$ 115.00

RECEIVED FROM: PERSONALIZED IMPROVEMENTS

FOR: VALUATION / IMPROVEMENT

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT

ISSUED 1/14/03 TIME 11:37:47

RECEIVED BY: [Signature] [Signature]
DATE: 1/14/03
BY: [Signature] [Signature]

RECEIPT TOTAL \$115.00

115.00

115.00

CERTIFICATE OF POSTING

RE: Case No.: 03-322-A

Petitioner/Developer: _____

DAVID & KIMBERLY RETT

Date of Hearing/Closing: 2/11/03

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 perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

5 TREYBURN CT

The sign(s) were posted on 1/26/03
(Month, Day, Year)

Sincerely,

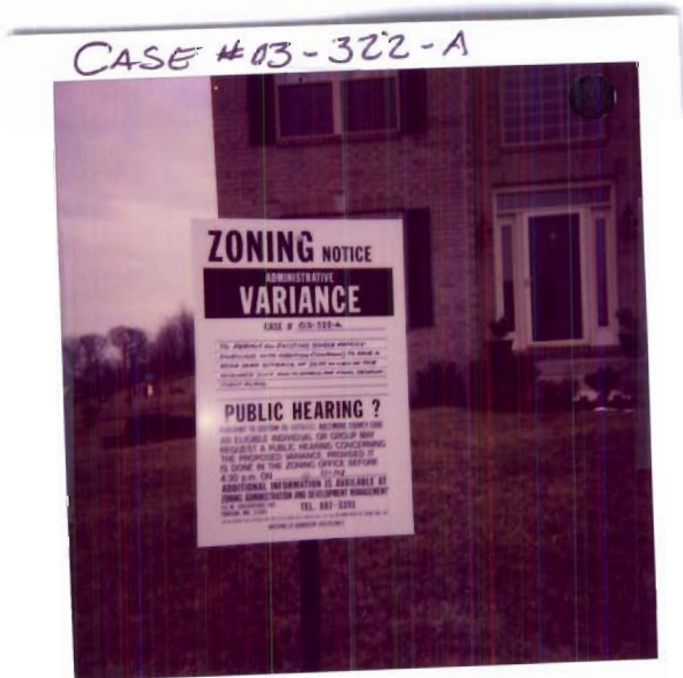
Richard E. Hoffman 1/26/03
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)



5 TREYBURN CT.

POSTED 1/26/03

Richard E. Hoffman 1/26/03

**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: 03-322-A

Petitioner: DAVID & KIMBERLY RETH

Address or Location: 5 TREYBURN CT

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVID & KIMBERLY RETH

Address: 5 TREYBURN CT

BALTO, MD 21237

Telephone Number: 410-665-6442

Revised 2/20/98 - SCJ

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 03- 322 -A Address 5 TREYBURN CT

Contact Person: LOYD T. MOXLEY Phone Number: 410-887-3391
Planner: Please Print Your Name

Filing Date: 1/15/03 Posting Date: 1/28/03 Closing Date: 2/11/03

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- I HAVE RECEIVED POSTING INFO
- 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.
 - 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.
 - 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.

Official Use Only

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 03- 322 -A Address 5 TREYBURN CT

Petitioner's Name DAVID & KIMMERLY RETH Telephone (410) 335-7676

Posting Date: 1/28/03 Closing Date: 2/11/03

Wording for Sign: To Permit AN EXISTING SINGLE FINAL DWELLING WITH ADDITION (SUNROOM) TO HAVE A REAR YARD SETBACK OF 20' IN LIEU OF THE REQUIRED 30'. AND TO AMEND THE FINAL DEVELOPMENT PLAN.



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

February 10, 2003

Mr. and Mrs. David Reth
5 Treyburn Court
White Marsh, MD 21237

Dear Mr. and Mrs. Reth:

RE: Case Number: 03-322-A, 5 Treyburn Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 15, 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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rlh

Enclosures

c: People's Counsel
Larry Felts, 13203 Patuxent, Baltimore 21220

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





**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. 322 LTM

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,

K 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



Baltimore County
Fire Department

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

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

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS HUR*

DATE: February 20, 2003

Zoning Petitions

Zoning Advisory Committee Meeting of January 21, 2003

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

322
305-308, 310, 311, 313, 315-319, 321-325

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

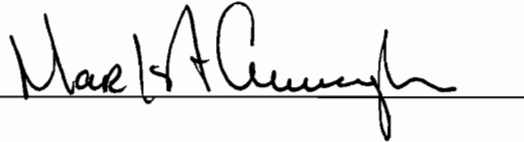
DATE: February 3, 2003

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

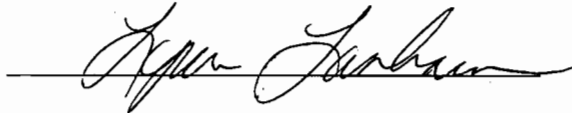
SUBJECT: Zoning Advisory Petition(s): **Case(s) 03-322 – Administrative Variance**

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

FEB 6

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: January 28, 2003

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



100 West Pennsylvania Avenue/Towson, Maryland 21204-4589/(410) 825-0545 Fax (410) 321-8018

January 2, 2003

Ms. Kim Reth
5 Treyburn Court
Baltimore, MD 21237

Re: Architectural Approval Request
Sun Room

Dear Ms. Reth:

As you are aware, your property in Maple Ridge is encumbered by a Declaration of Covenants, Conditions, Restrictions and Easements and is recorded among the Land Records of Baltimore County, Maryland. These covenants are intended to protect the investments of everyone residing in the community of Maple Ridge.

We are in receipt of submittal dated December 9, 2002 requesting architectural approval for a sun room to be installed on your lot. Based upon the information that you provided, we are granting architectural approval of the sun room in accordance with Article VIII, Reservation of Architectural Control as found in the Declaration. The exterior materials used on the sun room shall match the color and type of materials on the existing house exterior. Please be aware that the architectural covenants do not supercede Baltimore County building code or zoning regulations. The installation of the sun room may require permitting from Baltimore County.

Thank you for your assistance and cooperation with this request.

Very truly yours,

John N. Bowers, Jr.
Assistant Vice President

JNBjr/jg

cc: Joanne Wieber, MRA Property Management

322



Maryland Department of Planning

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,

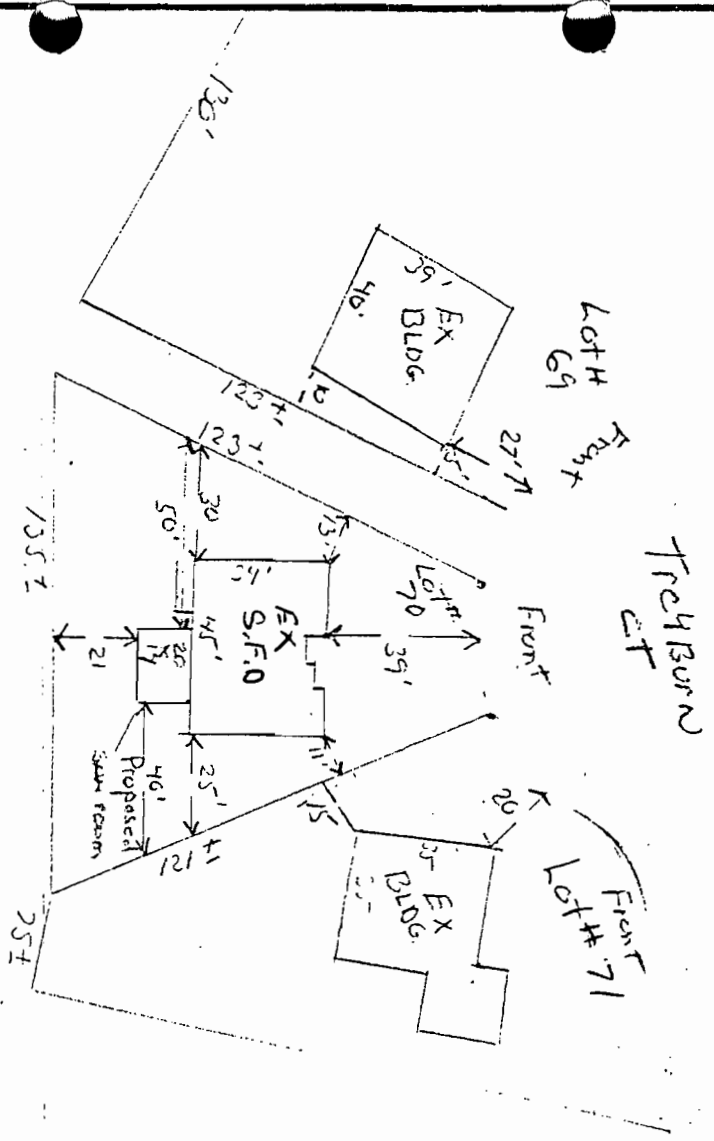
James R. Gatto
Manager
Metropolitan Planning
Local Planning Assistance Unit

cc: Mike Nortrup

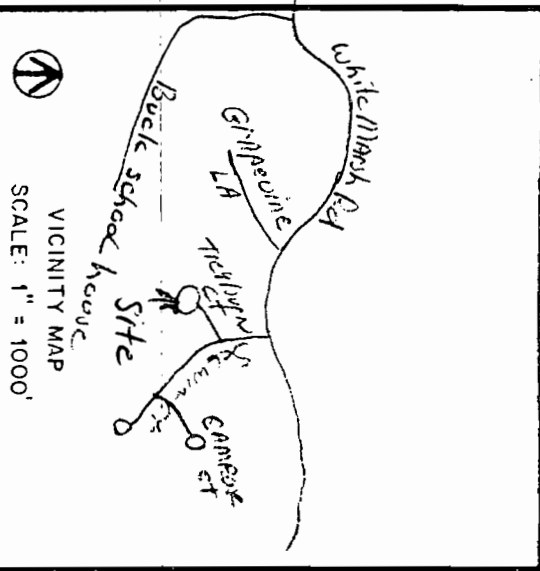
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

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

PROPERTY ADDRESS 5 Treburn Ct
 SUBDIVISION NAME White Marsh Property
 PLAT BOOK # 71 FOLIO # 124 LOT # 123 SECTION # 1
 OWNER David & Kimberly Beth



PREPARED BY CF SCALE OF DRAWING: 1" = 50



SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 141
 COUNCILMANIC DISTRICT 6
 1" = 200' SCALE MAP # NE 8F
 ZONING DR 3.5

LOT SIZE 2.41 ACRES 9228 SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE

WATER ☒

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO
 100 YEAR FLOOD PLAIN ☐ YES ☒ NO
 HISTORIC PROPERTY/ BUILDING ☐ YES ☒ NO
 PRIOR ZONING HEARING None

ZONING OFFICE USE ONLY
 REVIEWED BY ITEM # CASE #

Ret. Ex. #1

NE 8 F
1" = 200

BM

D.R. 5.5

Run

N 30,000

D.R. 5.5

ROAD

MARSH

White

Seton
Road

Tiesden
CT

N 29,000

STREY
CT

site

D.R. 3.5

(SHEET 1 OF 2)

5 Treyburn Ct



Back of property

322

5 Treyburn Ct



Back yard of property

822

5 Treyburn Ct



House to right side of property
Lot # 71

322

5 Treyburn Ct



House to LEFT side of property
Lot # 69

#322

5 Treyburn Ct



Front of property

322