

IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE – NW/S Long Green
Pike, 550' NE of Glen Arm Road
(12206 & 12208 Long Green Pike)
11th Election District
3rd Council District

Robert H. Amrein, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 03-380-SPHA

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* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, Robert H. and Jean Amrein. The Petitioners request a special hearing to approve two accessory structures on a private residential lot with a building footprint area larger than the principal structure. In addition, variance relief is requested From Section 302.1.C of the Zoning Commissioner's Policy Manual to permit two accessory structures on a private residential lot with a height of 25 feet in lieu of the maximum allowed 15 feet. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Robert and Jean Amrein, property owners, and Mr. Amrein's mother, Barbara A. Amrein. Carol Shaw and Charlotte Pine appeared on behalf of the Long Green Valley Association as interested citizens. There were no Protestants or other interested persons present.

Testimony and evidence presented revealed that the subject property is an irregular shaped parcel located on the west side of Long Green Pike, just north of Glen Arm Road in Glen Arm. The property contains a gross area of 1.110 acres, more or less, zoned M.L., and is improved with two single family dwellings and two storage sheds. Testimony indicated that Barbara Amrein originally owned the property along with her husband; however, subsequently sold it to the

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Date

6/9/03

By

11/9/03

Petitioners. Although the property is zoned M.L. (Manufacturing Light), it has been used for residential purposes for many years. As noted above, the property is improved with two dwellings, one in which the Petitioners reside with their children (12208 Long Green Pike), and the other (12206 Long Green Pike), the elder Ms. Amrein resides. Apparently, the houses are very old and have existed on the site for nearly 100 years. As noted above, there also exist two sheds on the property; one is a large shed located in the front, southeast corner of the site, and the other, a smaller shed located to the rear of the dwelling known as 12206 Long Green Pike. In addition, there is a pole barn connected to a lean-to to the rear of the dwelling known as 12208 Long Green Pike. In this regard, the Petitioners are desirous of constructing a new pole barn immediately to the rear of the existing pole barn and razing the lean-to portion of the existing pole barn. The new barn will be approximately 60 feet by 40 feet in dimension and located adjacent to the north side property line. Mr. Amrein indicated that he has a number of antique vehicles and a backhoe that he wishes to store within the new building. He also indicated that the new building will be fully enclosed to protect the vehicles and equipment stored therein. Due to the size and proposed height of the new building, the requested special hearing and variance relief is necessary. It is also to be noted that the immediately adjacent properties are likewise zoned M.L. or B.L.-C.R. To the south of the subject property is a Baltimore County Department of Public Works' Highway Maintenance Shop, zoned M.L. Incidentally, Mr. Amrein works at this facility. To the north is a hall/community building for the civic organization known as the Oddfellows, zoned B.L.-C.R.

Ms. Pine and Ms. Shaw appeared at the hearing on behalf of the Long Green Valley Association. They are not opposed to the Petitioners' request; however, raised several questions that were addressed at the hearing and offered comments on the proposal.

Based upon the testimony and evidence offered, I am persuaded to grant the requested relief. The subject property itself and the uses thereon are unique and unusual. Although zoned for manufacturing uses, the property has apparently been used in a residential fashion for many years. In addition, the two existing dwellings on the property easily pre-date the first set of zoning regulations in Baltimore County enacted in 1945 and thus, are nonconforming. The proposed pole

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[Signature]

barns will provide interior storage space for Mr. Amrein's vehicles and equipment, thereby providing an aesthetic benefit to the community. Moreover, the character of the adjacent properties as a meeting hall and County-owned maintenance shop are persuasive factors. For all of these reasons, I am persuaded to grant the requested relief.

Lastly, it is to be noted that there were no adverse Zoning Advisory Committee comments. However, the Department of Environmental Protection and Resource Management (DEPRM) did indicate that any development on the subject site must comply with the regulations for the protection of water quality, streams, wetlands and floodplains, and if streams or wetlands occur on or within 200 feet of the property. Mr. Amrein indicated that he understood and would comply with those regulations.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 9th day of May, 2003 that the Petition for Special Hearing to approve two accessory structures (pole barns), one existing and one proposed, on a private residential lot with a building footprint area larger than the principal structure, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 302.1.C of the Zoning Commissioner's Policy Manual to permit two accessory structures on a private residential lot with a height of 25 feet in lieu of the maximum allowed 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

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By

- 2) The proposed development must comply with the Department of Environmental Protection and Resource Management (DEPRM) regulations for the protection of water quality, streams, wetlands and floodplains, and if streams or wetlands occur on or within 200 feet of the subject property.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

DATE 2/19/13
BY [Signature]



Baltimore County
Zoning Commissioner

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

May 9, 2003

Mr. & Mrs. Robert H. Amrein
12208 Long Green Pike
Glen Arm, Maryland 21057

RE: PETITIONS FOR SPECIAL HEARING & VARIANCE
NW/S Long Green Pike, 550' NE of Glen Arm Road
(12206 & 12208 Long Green Pike)
11th Election District - 3rd Council District
Robert H. Amrein, et ux - Petitioners
Case No. 03-380-SPHA

Dear Mr. & Mrs. Amrein:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Ms. Barbara Amrein
12206 Long Green Pike, Glen Arm, Md. 21057
Ms. Carol Shaw, 7 Country Hill Court, Kingsville, Md. 21087
Ms. Charlotte Pine, 607 Baltimore Avenue, Towson, Md. 21204
People's Counsel; Case File

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Zoning Description for **12206 & 12208 LONG GREEN PIKE**

Beginning at a point on the northwest side of Long Green Pike 550 feet northeast of Glen Arm Road and containing a total area of 1.110 acres. Also known as 12206 and 12208 Long Green Pike located in the 11th Election District and the 3rd Councilmanic District of Baltimore County.

**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: #03-380-SPHA
12206, 12208 Long Green Pike

N/west side Long Green Pike 550 feet northeast of Glen Arm Road
11th Election District
3rd Councilmanic District

Legal Owner(s): Barbara Ann and Robert H. Amrein

Variance: to permit two accessory structures on a private residential lot with a height of 25 feet in lieu of the maximum permitted 15 feet.

Hearing: **Wednesday, April 23, 2003 at 9:00 a.m. in Room 106, County Office Bldg, 111 W. Chesapeake Avenue.**

LAWRENCE E. SCHMIDT
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.
JT 4/6/49 April 8 C596820

CERTIFICATE OF PUBLICATION

4/10/, 2003

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/8/, 2003.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: March 14, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For March 10, 2003
Item Nos. 359, 369 REVISED,
370 REVISED, 372, 373, 374,
375, 376, 377, 378, 379, 380,
381, 382, 383, and 386

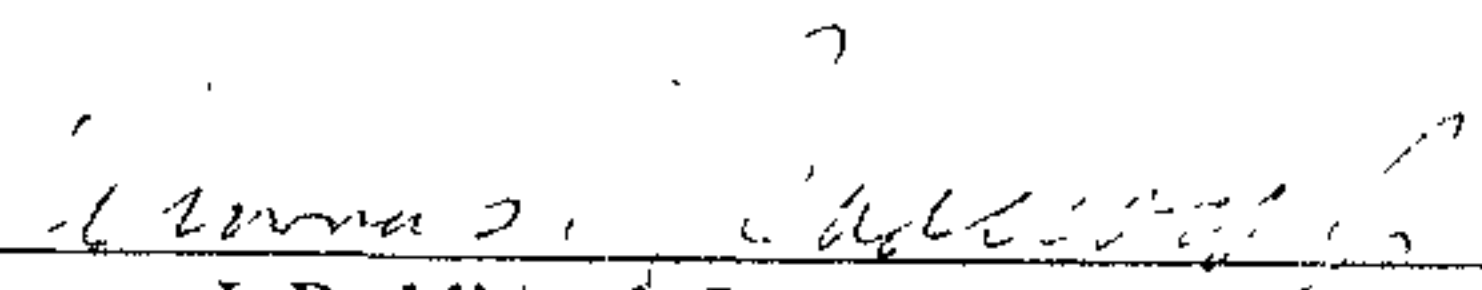
The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

RWB:CEN:jrb

cc: File

READ AND PASSED this 20th day of February, 2003.

BY ORDER



Thomas J. Peddicord, Jr.
Secretary

ITEM: RESOLUTION 22-03

