

IN RE: PETITION FOR ADMIN. VARIANCE
N/S of Kendigs Mill Road, 535' E
of Windhill Drive
4th Election District
2nd Councilmanic District
(330 Kendigs Mill Road)

Diane M. & Keith S. Pasternack
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 03-492-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, Diane M. and Keith S. Pasternack. The variance request is for property located at 330 Kendigs Mill Road in the Owings Mills area of Baltimore County. The Petitioners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed swimming pool to be located in the side yard in lieu of the rear yard.

In addition, the Petitioners must be in compliance with the requirements set forth in the Zoning Advisory Comment submitted by the Office of Planning dated May 5, 2003, a copy of which is attached hereto and made a part hereof.

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 2nd day of May, 2003, that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed swimming pool to be located in the side yard in lieu of the rear yard, 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



Baltimore County
Zoning Commissioner

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

May 22, 2003

Mr. & Mrs. Keith S. Pasternack
330 Kendigs Mill Road
Owings Mill, Maryland 21



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 330 Kendigs Mill Rd. Owings Mills
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) 400.1 To Permit A DETACHED

Accessory Structure (Pool) in the Side Yard in View of
the Rear Yard.

03/31/03

ZONING REVIEW
DEPARTMENT OF PERMITS AND DEVELOPMENT
111 WEST CHESAPEAKE AVE
TOWSON, MD. 21204

Zoning description for 330 Kendigs Mills Rd., Owings Mills, MD 21117.

Beginning at a point on the north side of Kendigs Mill Road which is ~~60~~^{535 FT} feet wide at a distance ~~38 feet 10 inches~~^{WINDHILL DRIVE} east of the nearest improved intersecting street ~~Kendigs Mill~~
~~Road~~ which is ~~30~~³⁰ feet wide.

Being Lot #105, Block _____, Section _____ in the subdivision of Kendig Mill Station

As recorded in Baltimore County Plat Book #58,

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

SDA
No. 23629

DATE 04-21-03 ACCOUNT R-CC1666 6138

AMOUNT \$ 65.00

RECEIVED
FROM:

KEITH'S DIARY PASTORAL

FOR:

AD

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

SDA
No. 23629

DATE 04-21-03 ACCOUNT R-CC1CC6 6132

AMOUNT \$ 65.00

RECEIVED
FROM:

KEITH'S DIARY PASTORAL

FOR

