

IN RE: PETITION FOR ADMIN. VARIANCE

E/S of Hurst Court, 279' S  
Centerline of Oak Park Drive  
11th Election District  
5th Councilmanic District  
(22 Hurst Court) 2774

Teresa Redmer  
Petitioner

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* CASE NO. 04-022-A

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an Administrative Variance filed by Teresa Redmer, legal owner of that property known as 22 Hurst Court in the Perry Hall area of Baltimore County. The Petitioner herein seeks relief from Sections 1B02.3.B and 504.2 of the Baltimore County Zoning Regulations (B.C.Z.R.)(Section V.B.6.b of the Comprehensive Manual of Development Policies (C.M.D.P.)), to permit an existing single-family attached dwelling with open projection (deck) to have a setback of 10 ft. in lieu of the required 11.25 ft. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioner 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 Petitioner has 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 Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the

8/14/03  
By [Signature]

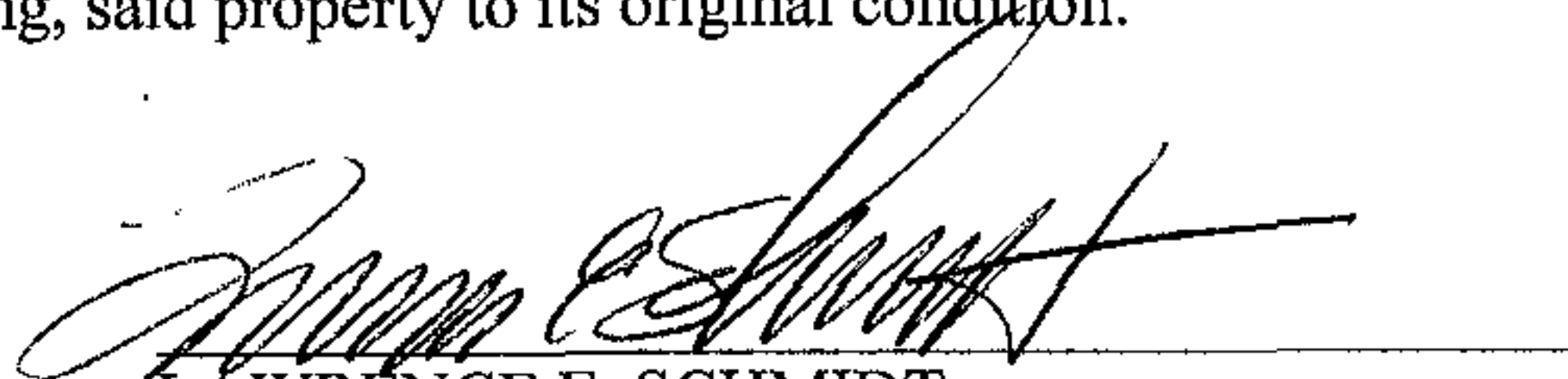


requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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 Zoning Commissioner for Baltimore County, this 14th day of August, 2003, that a variance from Sections 1B02.3.B and 504.2 of the B.C.Z.R., (Section V.B.6.b of the C.M.D.P.), to permit an existing single-family attached dwelling with open projection (deck) to have a setback of 10 ft. in lieu of the required 11.25 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 1) The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.

  
LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

LES:raj

8/14/03  
R. Jameson





Baltimore County  
Zoning Commissioner

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

August 14, 2003

Ms. Teresa Redmer  
22 Hurst Court  
Baltimore, Maryland 21236

Re: Petition for Administrative Variance  
Case No. 04-022-A  
Property: 22 Hurst Court

Dear Ms. Redmer:

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, appearing to read "Lawrence E. Schmidt", with a long horizontal flourish extending to the right.

Lawrence E. Schmidt  
Zoning Commissioner

LES:raj  
Enclosure

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



Printed with Soybean Ink  
on Recycled Paper





# Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 22 Hurst Ct.  
which is presently zoned DR 5.5

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) 1B02.3B1504.2 BCZR

TO PERMIT AN EXISTING SINGLE FAMILY ATTACHED DWELLING WITH OPEN PROJECTION (DECK) TO HAVE A SET BACK OF 10' IN LIEU OF THE REQUIRED 11-25'

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:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

## Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

## Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

## Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

As Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, 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. 04-22-A

Reviewed By CTM Date 7/15/03

Estimated Posting Date 7/27/03

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.

That the Affiant(s) does/do presently reside at

22 Hurst Ct  
Address  
Baltimore MD 21236  
City State Zip Code

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):

At present, there is a rail preventing the opening out of the french doors that would lead to the proposed deck. Since my house sits on the narrow end of ground before encountering the property line, I am requesting a deck to be 9' from the back of the house - which will not encroach beyond the existing patio below. Also this deck would be 4 1/2' narrower than my neighbor's deck at #20 Hurst Ct from back wall of house

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.

Teresa Redmer  
Signature

Teresa Redmer  
Name - Type or Print

Teresa Redmer  
Signature

TERESA REDMER  
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 9 day of July, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Maryland Teresa Redmer  
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Malissa Thedy  
Notary Public

My Commission Expires 6/19/05 NNA 5/31/04



## ZONING DESCRIPTION

### Zoning Description for 22 Hurst Court Perry Hall MD 21236

Beginning at a point on the east side of Hurst Court which is 80 feet of right-of-way wide at a distance of 279 feet south of the centerline of the nearest intersecting street which is Oak Park Drive which is 50 ft. wide. Being Lot# 215 Block 1 Section#1 in the division of Oakhurst as recorded in Baltimore County Plat Book #12 Folio# 90 containing 2988 square feet. Also known as 22 Hurst Court and located in the 11 Election District, ~~11~~ 5<sup>TH</sup> Councilmanic District.

# 22



**BALTIMORE COUNTY, MARYLAND**

OFFICE OF BUDGET &amp; FINANCE

## MISCELLANEOUS RECEIPT

No.

DATE \_\_\_\_\_

7/15/03

ACCOUNT

Page 1 of 150

AMOUNT

\$ 5.00

RECEIVED

**FROM:**

CH. 1 PART 1A

**FOR:**

MA. 1. 1. 1. 1. 1.

### DISTRIBUTION

WHITE - CASHIER

**PINK - AGENCY**

YELLOW - CUSTOMER

**CASHIER'S VALIDATION**



# CERTIFICATE OF POSTING

RE: Case No.: 04-022-A

Petitioner/Developer: TERESA

REDMER

Date of Hearing/Closing: 8/11/03

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

Attention: Ms. Gwendolyn Stephens

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 \_\_\_\_\_

22 HURST CT

The sign(s) were posted on \_\_\_\_\_

7/26/03  
(Month, Day, Year)

Sincerely,

[Signature] 7/26/03  
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

## ZONING NOTICE

ADMINISTRATIVE

## VARIANCE

CASE #04-022-A

TO PERMIT AN EXISTING SINGLE FAMILY ATTACHED DWELLING  
WITH AN OPEN FRONT PORCH TO HAVE A CHANGE OF  
USE TO A TWO-FAMILY RESIDENTIAL USE.

## PUBLIC HEARING ?

PURSUANT TO SECTION 28-127(b)(1), BALTIMORE COUNTY CODE  
AN ELIGIBLE INDIVIDUAL OR GROUP MAY  
REQUEST A PUBLIC HEARING CONCERNING  
THE PROPOSED VARIANCE, PROVIDED IT  
IS DONE IN THE ZONING OFFICE BEFORE  
4:30 p.m. ON AUGUST 11, 2003.  
ADDITIONAL INFORMATION IS AVAILABLE AT  
COUNTY ADMINISTRATION AND DEVELOPMENT MANAGEMENT  
111 WEST CHESAPEAKE AVE.  
TOWSON, MD 21204  
TEL. 887-3381  
MEETING IS MANDATORY OCCASIONS



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number <sup>04</sup>~~03~~ 022 -A Address 22 HURST CT

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

Filing Date: 7/15/03 Posting Date: 7/27/03 Closing Date: 8/11/03

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

1. **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.
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.
3. **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.

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number <sup>04</sup>~~03~~ 022 -A Address 22 HURST CT

Petitioner's Name TERESA REDMER Telephone (410) 256-3221

Posting Date: 7/27/03 Closing Date: 8/11/03

Wording for Sign To Permit AN EXISTING SINGLE FAMILY ATTACHED DWELLING WITH OPEN PROJECTION (DECK) TO HAVE A SETBACK OF 10' IN LIEU OF THE REQUIRED 11.25'

I HAVE RECEIVED POSTING INFO



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.

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For Newspaper Advertising:

Item Number or Case Number: 04-22-A

Petitioner: TERESA REDMER

Address or Location: 22 Hurst Ct Perry Hall Md. 21236

PLEASE FORWARD ADVERTISING BILL TO:

Name: Snyder Beard Construction

Address: 5707 Hamilton Ave Suite B.  
Balto MD. 21237

Telephone Number: 410-866-3440





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

August 11, 2003

Teresa Redmer  
22 Hurst Court  
Baltimore, MD 21236

Dear Ms. Redmer:

RE: Case Number: 04-022-A, 22 Hurst Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 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, reading "W. Carl Richards, Jr.".

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel

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



Robert L. Flanagan, *Secretary*  
Neil J. Pedersen, *Administrator*

Date: 7.22.03

Ms. Rebecca Hart  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 022 LTM

Dear Ms. Hart:

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

My telephone number/toll-free number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech 1.800.201.7165 Statewide Toll Free

Street Address: 707 North Calvert Street Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com





**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

July 21, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: July 21, 2003

Item No.: 015-020, (022)-026

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.

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](http://www.co.ba.md.us)



# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

**TO:** Timothy M. Kotroco, Director  
Department of Permits and  
Development Management

**DATE:** July 24, 2003

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

**SUBJECT:** Hurst Court

**INFORMATION:**

**Item Number:** 04-022

**Petitioner:** Teresa Redmer

**Zoning:** DR 5.5

**Requested Action:** Administrative Variance

**SUMMARY OF RECOMMENDATIONS:**

The Office of Planning supports the petitioner's request to permit a dwelling with an open projection deck to have a rear yard of 10 feet in lieu of the minimum required 11.23 feet.

**Prepared by:** Mae A. Cunningham

**Section Chief:** Lynn Leoban  
**AFK/LL:MAC:**

RECEIVED

JUL 25 2003

ZONING COMMISSIONER



**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

**TO:** Timothy M. Kotroco, Director  
Department of Permits &  
Development Management

**DATE:** September 12, 2003

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For July 28, 2003  
Item Nos. 015, 017, 018, 020, 022,  
023, 024, 025, and 026

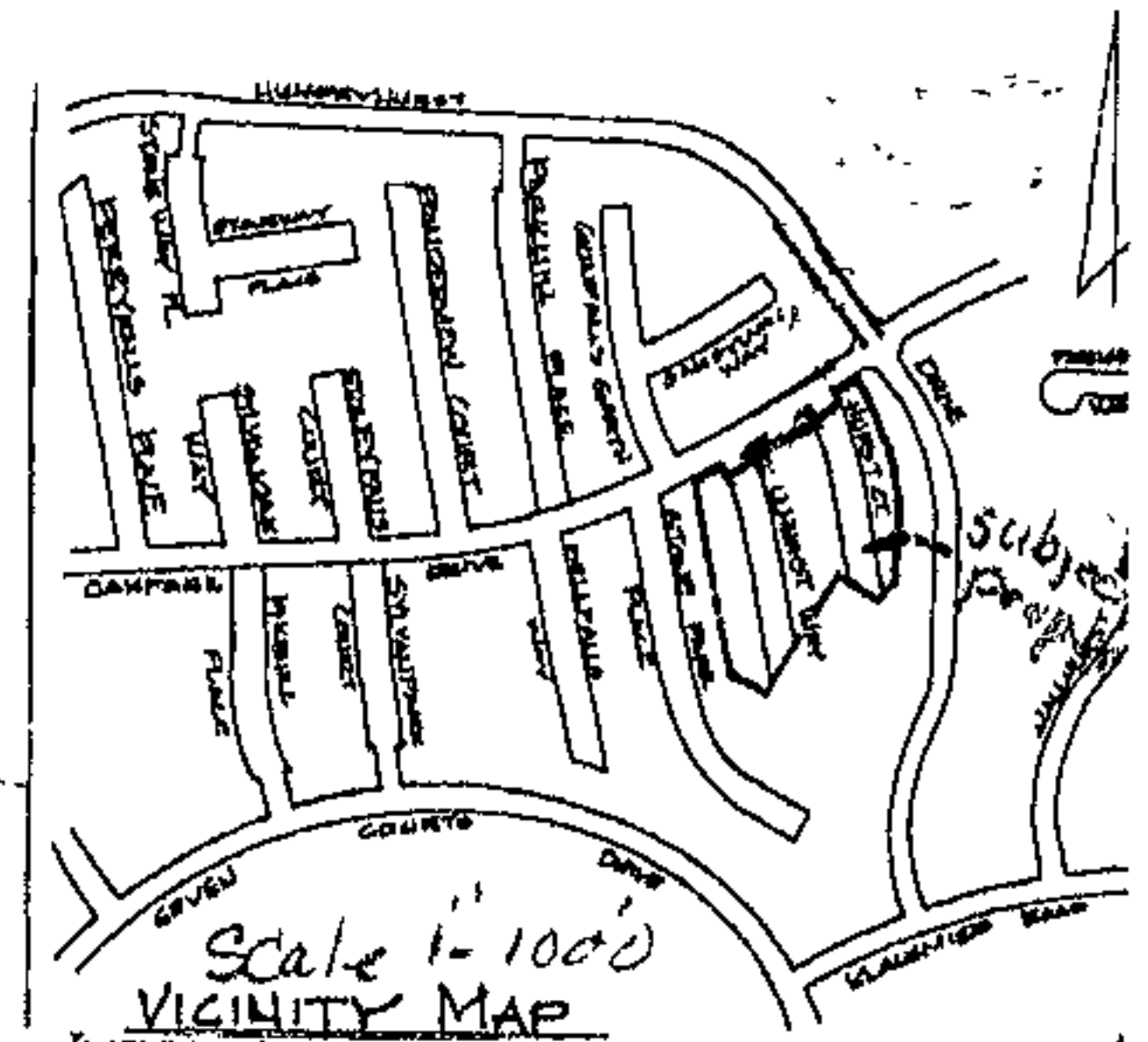
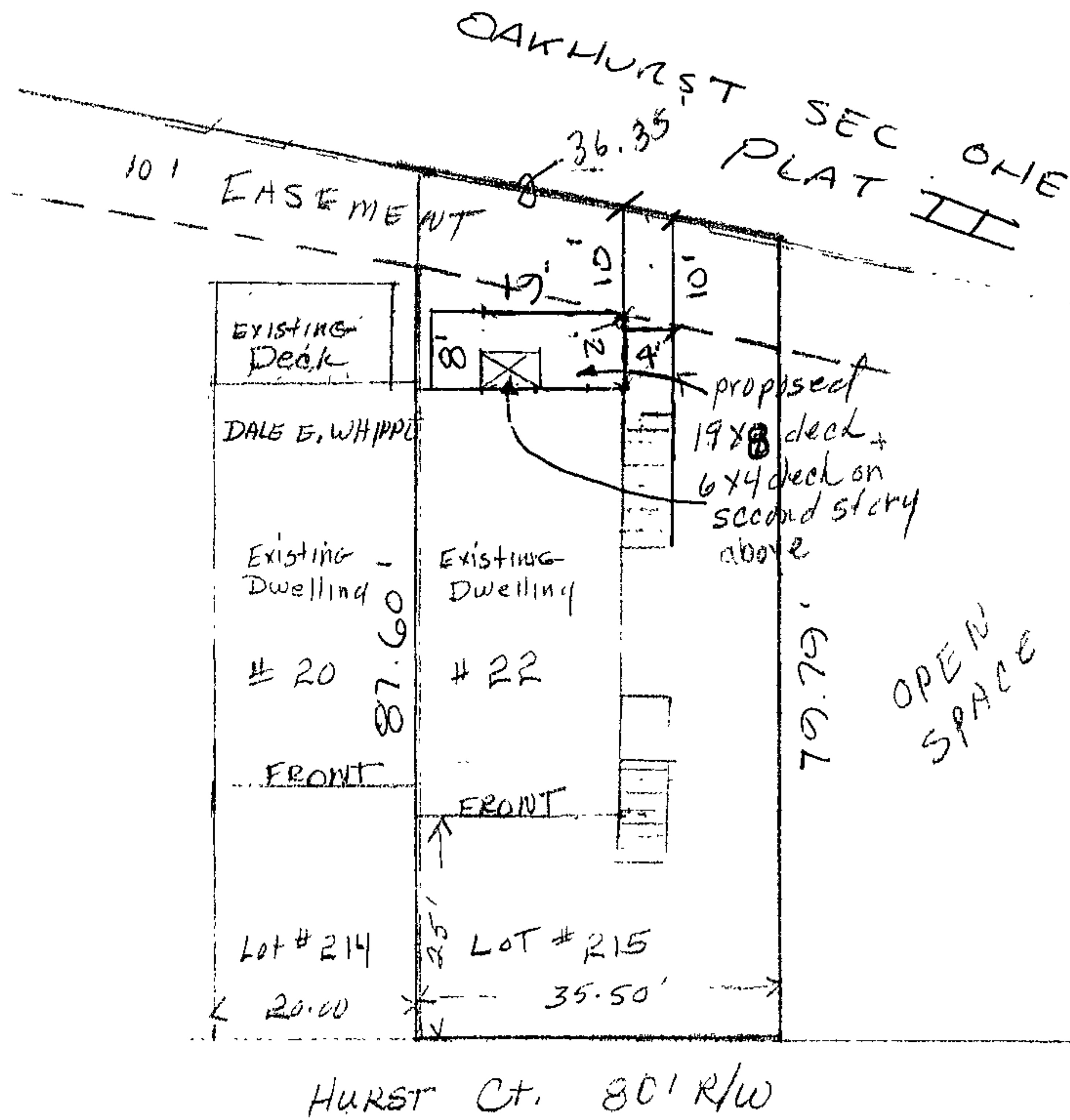
The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

RWB:CEN:jrb

cc: File



Plat to Accompany Petition for Zoning Administrative Variance  
 property address 802 Hurst Ct  
 Sub division Oakhurst PLAT #52 Folio #90 Lot #215 sec  
 owner Teresa Redmer



Location information

Election District 11

Councilman's District 5th

1-200' scale map #NE 116

Zoning D.R. 5.5

Lot size .0686 AC

Square feet 2988.00

|                       | public                              | private                             |
|-----------------------|-------------------------------------|-------------------------------------|
| Sewer                 | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Water                 | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Chesapeake Bay        | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Critical area         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 10' tree preservation | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Historic Property     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Prior Zoning          | None                                |                                     |

|             |      |       |
|-------------|------|-------|
| Zoning      | file | date  |
| Reviewed by | CTM  | 22    |
|             |      | 04 22 |
|             |      | A     |

North

qu

04-022-A

Plat #1

SCALE 1 inch = 20 feet



**D.R. 5.5**

**D.R.**

1" = 200' scale  
Zoning map  
# NE, 11-6

**D.R. 5.5**

HORST CT.

N 43,000

N 577,000

E 36,000

E 945,000

E 37,500

E 39,000

SEVEN

COURTS

BELL

HALL

DR.

N 42,000

SHEET N.E. 11-F

OAK

WOOD

GUNVIEW

RD.