

IN RE: PETITION FOR VARIANCE
NW/Corner Bellona Avenue and
Murray Hill Road
(6400 Murray Hill Road)
9th Election District
4th Council District

Michael A. Stuehler and
Cheryl M. Sparks - Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 04-236-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Michael A. Stuehler and Cheryl M. Sparks. The Petitioners request a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback to a public road of 12 feet in lieu of the required 40 feet for a two-car garage addition. 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 was Michael Stuehler, property owner. Appearing as interested citizens were Fredye Gross, Gina Adams, Nancy Randolph, Jill Willard, Jay J. Clifford, and Alicia Haberman, and Nancy W. Horst appeared on behalf of the Ruxton-Riderwood-Lake Roland Area Improvement Association (RRLRAIA).

Testimony and evidence offered revealed that the subject property is located on the north side of Bellona Avenue, between Murray Hill Road and Pratt Avenue in Ruxton. The property contains a gross area of 0.287 acres, more or less, zoned D.R.2 and is improved with a two-story dwelling which fronts on Murray Hill Road. A macadam driveway leads into the property from Murray Hill Road and extends to the rear of the site to Pratt Avenue. In addition to the dwelling and driveway, a 7-foot high privacy fence extends along the rear property line and a portion of the south side adjacent to Bellona Avenue. In this regard, the record of this case shows

ORDER RECEIVED FOR FILING

Date

By

2/24/04
[Signature]

that this property was the subject of prior zoning Case No. 03-247-A in which then Deputy Zoning Commissioner Timothy M. Kotroco considered similar relief for a proposed two-car garage addition and the installation of a privacy fence. Several neighbors appeared at that hearing and as a result of discussions that ensued, the Petitioners withdrew the variance for the garage and opted instead to only pursue the variance for the fence. Thus, by Order dated February 5, 2003, Deputy Commissioner Kotroco dismissed the variance for the proposed garage addition and granted relief for the 7-foot high privacy fence that exists today.

The Petitioners now come before me seeking approval to construct the two-car garage. In this regard, testimony indicated that at the time of the first hearing, the entrance to the proposed garage was planned to face Pratt Avenue. The Petitioners have reconfigured the garage so that the entrance now faces the north side property line adjacent to the Peterson property at 6402 Murray Hill Road. In addition, a new driveway will be constructed leading into the property from Murray Hill Road along the north side property line adjacent to the Peterson property and the existing driveway will be removed. The proposed garage will be 22' x 24' in dimension and located to the rear of the dwelling on its northwest corner. The garage is proposed to be attached to the house by way of a covered breezeway and as a result of this connection, the garage is considered as part of the dwelling and not as a detached, accessory structure under the relevant provisions of the B.C.Z.R. (see Section 101 thereof). Thus, variance relief is requested in that the garage will be as close as 12 feet to the right-of-way of Pratt Avenue.

The neighbors who appeared did not object to the variance, per se, however, requested that any relief granted include certain conditions to the approval. First, the citizens want a restriction to prevent access to the garage from Pratt Avenue. It was indicated that Pratt Avenue is a narrow street and access to the property from that road would be problematic. Moreover, the citizens do not want the driveway to be a through road connecting Pratt Avenue with Murray Hill Road. Mr. Stuehler indicated that the imposition of such a condition was appropriate. Indeed, it appears that the privacy fence that was previously constructed now blocks access to the rear of the property from Pratt Avenue.

The citizens also requested that the garage be designed in such a manner so as to be compatible with the existing dwelling. In this regard, testimony indicated that the house was built in approximately 1933 and is quite old. There are apparently restrictive covenants in place that will be enforced by the community association in order to protect the character of the neighborhood. At the request of the Petitioners, and with the agreement of the citizens, I will require that the Petitioners submit building elevation drawings of the proposed garage to the Office of Planning for review and approval prior to the issuance of any building permit.

The neighbors also requested a restriction regarding parking and access of construction equipment from Pratt Avenue. The imposition of such a condition would be unduly burdensome and as this is a temporary issue, I will not impose any specific restriction. Also, it is to be noted that the restrictions entered into in prior Case No. 03-247-A shall remain in full force and effect. Those conditions limit the area of the fence and also provide that the fence will not block sight distance on the surrounding streets.

Based upon the testimony and evidence presented, I am persuaded that variance relief should be granted. The uniqueness associated with this case relates to the fact that the property abuts three public roads. Moreover, I believe that the Petitioners would suffer a practical difficulty if variance relief were denied and that relief can be granted without adverse impact to the surrounding locale.

Pursuant to the advertisement, posting of the property and public hearing on this Petition 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 24th day of February 2004 that the Petition for Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback to a public road of 12 feet in lieu of the required 40 feet for a two-car garage addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

ORDER RECEIVED FOR FILING
Date 2/24/04
By [Signature]

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

February 25, 2004

Mr. Michael A. Stuehler
Ms. Cheryl M. Sparks
6400 Murray Hill Road
Baltimore, Maryland 21212

RE: PETITION FOR VARIANCE
NW/Corner Bellona Avenue and Murray Hill Road
(6400 Murray Hill Road)
9th Election District -- 4th Council District
Michael A. Stuehler & Cheryl M. Sparks - Petitioners
Case No. 04-236-A

Dear Mr. Stuehler & Ms. Sparks:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has 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", is written over the typed name.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Ms. Nancy Horst, RRLRAIA, P.O. Box 204, Riderwood, Md. 21212
Ms. Fredye Gross, 6516 Montrose Avenue, Baltimore, Md. 21212
Ms. Gina Adams, 6410 Pratt Avenue, Baltimore, Md. 21212
Ms. Nancy Randolph, 6422 Pratt Avenue, Baltimore, Md. 21212
Ms. Jill Willard, 6502 Montrose Avenue, Baltimore, Md. 21212
Mr. Jay J. Clifford, 6511 Montrose Avenue, Baltimore, Md. 21212
Ms. Alicia Haberman, 909 Applewood Lane, Baltimore, Md. 21212
Mr. Edward Eby, 6406 Pratt Avenue, Baltimore, Md. 21212
Office of Planning; People's Counsel; Case File

Visit the County's Website at www.baltimorecountyonline.info





REVISED

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 6400 Murray Hill Road
which is presently zoned DR-2

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)

see attached
(REVISION ATTACHED 1/12/04
NOW SHOWING 7 CAR GARAGE
ADDITION: NO LONGER AN
ACCESSORY BLDG)

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

The property at 6400 Murray Hill Road only has a 1 car garage we would like to construct a 2 car detached garage in the rear of the property. The hardship is we have a double fronted home on a triple fronted lot with 40 Ft front + rear set backs.

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

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By 311 Date 4/7/03

REV. JL 1/12/04

SECTION 1B02.3.C.1 BCZR to PERMIT A REAR YARD SETBACK
TO A PUBLIC ROAD OF 12 FEET IN LIEU OF THE REQUIRED
40 FEET FOR A TWO CAR ATTACHED GARAGE ADDITION.

REVISED PLAN

CASE # 04-236-A

ORDER RECEIVED FOR FILING

Date

2/24/04

By

JP

Section 400.1 BCZR to permit a side yard set back of zero feet and a rear yard setback to a public road of 3 feet in lieu of the required 2.5 feet and 40 feet respectively for a two-car detached garage on a triple frontage building lot.

Zoning description for 6400 Murray Hill Rd.

Beginning at a point on the north side of Bellona Ave. which is 50 feet wide on the east side of Pratt Ave. which is 30 feet wide Being Lot #1 in the subdivision of Murray Hill as recorded in Baltimore County Plat Book 12, Folio 43, containing 0.287 acres of land. Also known as 6400 Murray Hill Rd. and located in the 9th Election District, 4th Councilmanic District

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **20511**

DATE 11/7/03 ACCOUNT R001-006-6150
AMOUNT \$ 65.00

RECEIVED
FROM:

Michael Stadler

FOR:

Zoning Variance

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Item #236

PAID RECEIPT

ISSUED	ACTUAL	TIME	NO.
11/07/2003	11/07/2003	09:21:28	4
REG NO	WALKIN	KICK KICK	
SERIAL	200742	11/07/2003	011
Dept	5	526 ZONING VERIFICATION	
CH NO.	00011		
Receipt Tot		\$65.00	
\$65.00	OK	\$65.00	OK
Baltimore County, Maryland			

CASHIER'S VALIDATION

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: # 04-236-A

6400 Murray Hill Road

N/west corner of Bellona Avenue and Murray Hill Avenue
9th Election District 2nd Councilmanic District

Legal Owner(s): Michael Stuehler and Cheryl Sparks

Variance: to permit a rear yard setback to a public road of 12 feet in lieu of the required 40 feet for a two car attached garage addition.

Hearing: Monday, February 9, 2004 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley 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.

1/395 Jan. 22

C646133

CERTIFICATE OF PUBLICATION

1/22/, 2004

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 1/22/, 2004.

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

J. Wilkins

LEGAL ADVERTISING

**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: #04-236-A

6400 Murray Hill Road

N/west corner of Bellona

Avenue and Murray Hill Road

9th Election District

2nd Councilmanic District

Legal Owner(s): Michael and

Cheryl Stuehler

Variance: to permit a side

yard setback of zero feet

and a rear yard setback to a

public road of 3 feet in lieu

of the required 2.5 feet and

40 feet respectively for a

two-car detached garage on

a triple frontage building lot.

Hearing: Monday, January

12, 2004 at 11:00 a.m. in

Room 407, County Courts

Building, 401 Bosley Ave-

nue.

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 con-

cerning the File and/or

Hearing, Contact the Zoning

Review Office at (410) 887-

3391.

JT/12/754 De23 C642273

CERTIFICATE OF PUBLICATION

12/24/, 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 12/23/, 2003.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 04-236-A

Petitioner/Developer: _____

MIKE STUEHLER

Date of Hearing/Closing: 2/9/04

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

Attention: KRISTEN MATTHEWS

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 _____

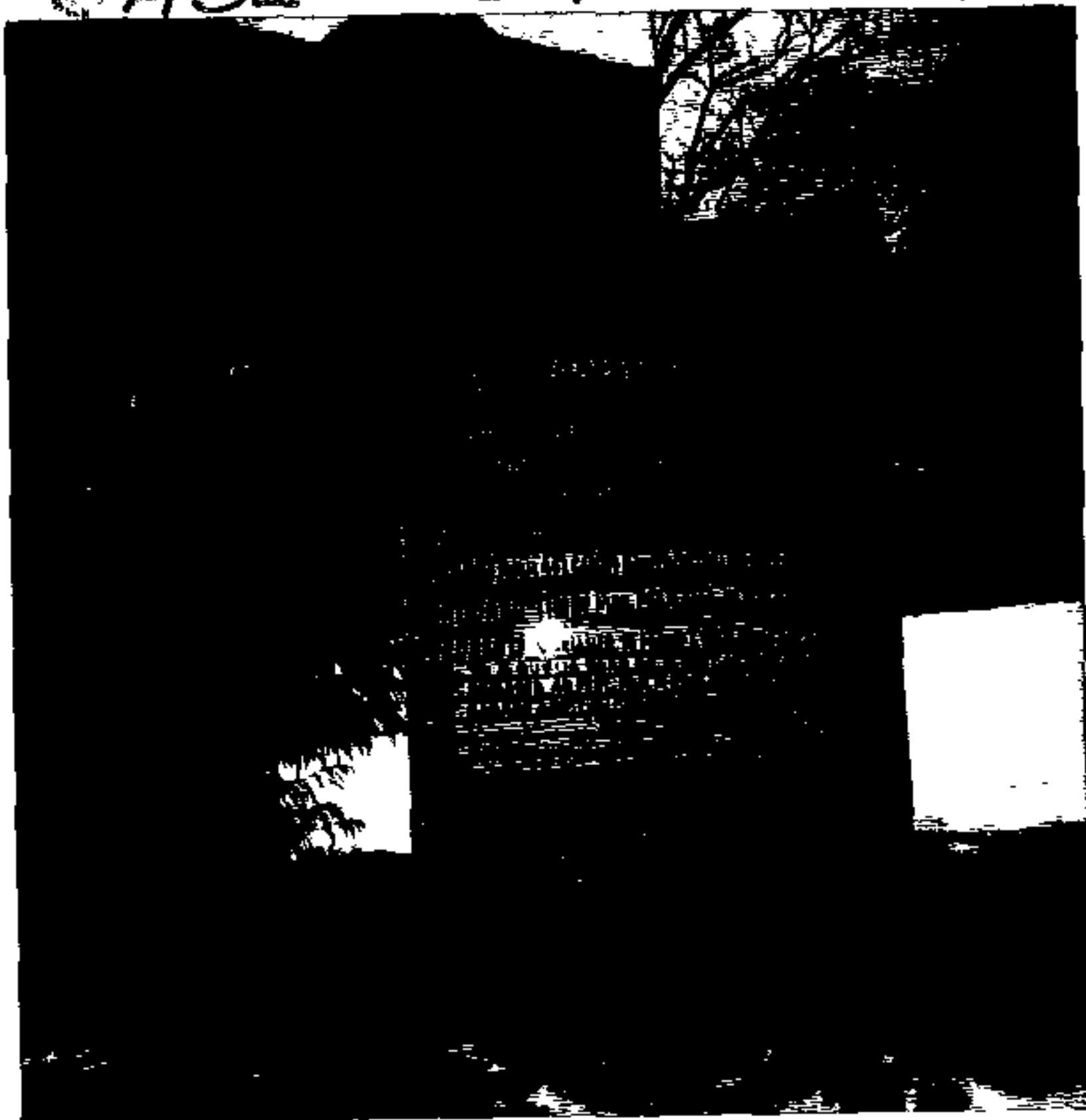
6400 MURRAY HILL RD

The sign(s) were posted on _____

1/24/04

(Month, Day, Year)

CASE # 04-236-A



Sincerely,

Richard E. Hoffman 1/24/04
(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)

6400 MURRAY HILL RD.

POSTED 1/24/04

Richard E. Hoffman 1/24/04



Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708

January 14, 2004

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 NUMBER: 04-236-A

6400 Murray Hill Road
N/west corner of Bellona Avenue and Murray Hill Avenue
9th Election District – 2nd Councilmanic District
Legal Owners: Michael Stuehler and Cheryl Sparks

Variance to permit a rear yard setback to a public road of 12 feet in lieu of the required 40 foot for a two car attached garage addition.

Hearing: Monday, February 9, 2004, at 9:00 a.m. in Room 407, County Courts Building,
407 Bosley Avenue

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Michael Stuehler and Cheryl Sparks, 6400 Murray Hill Road, Baltimore 21212

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JANUARY 24, 2004.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, January 22, 2004 Issue - Jeffersonian

Please forward billing to:
Michael Stuehler
6400 Murray Hill Road
Baltimore, MD 21212

410-372-0692

NOTICE OF ZONING HEARING

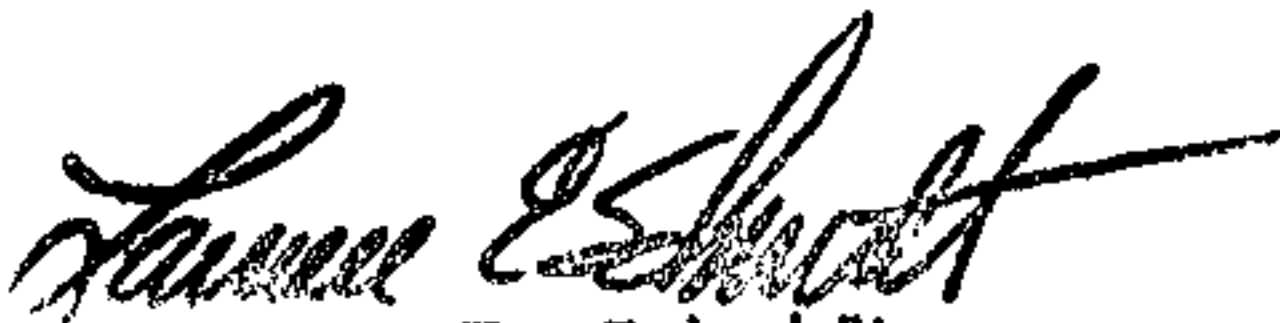
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 04-236-A

6400 Murray Hill Road
N/west corner of Bellona Avenue and Murray Hill Avenue
9th Election District – 2nd Councilmanic District
Legal Owners: Michael Stuehler and Cheryl Sparks

Variance to permit a rear yard setback to a public road of 12 feet in lieu of the required 40 foot for a two car attached garage addition.

Hearing: Monday, February 9, 2004, at 9:00 a.m. in Room 407, County Courts Building,
407 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, 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.

**Department of Permits and
Development Management**

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

December 26, 2003

Michael Stuehler
Cheryl Sparks
6400 Murray Hill Road
Baltimore, MD 21212

Dear Mr. Stuehler and Ms. Sparks:

RE: Case Number: 04-236-A, 6400 Murray Hill Road

The above matter, previously scheduled for January 12, 2004, has been postponed. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that the responsibility of the appropriate posting of the property is with the Petitioners. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with the notice of the original hearing date, as quickly as possible after you have been notified, the new hearing date should be affixed to the sign(s).

Very truly yours,

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

Visit the County's Website at www.baltimorecountyonline.info

**Department of Permits and
Development Management**

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

December 3, 2003

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 NUMBER: 04-236-A

6400 Murray Hill Road
N/west corner of Bellona Avenue and Murray Hill Road
9th Election District – 2nd Councilmanic District
Legal Owners: Michael and Cheryl Stuehler

Variance to permit a side yard setback of zero feet and a rear yard setback to a public road of 3 feet in lieu of the required 2.5 feet and 40 feet respectively for a two-car detached garage on a triple frontage building lot.

Hearing: Monday, January 12, 2004 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Michael and Cheryl Stuehler, 6400 Murray Hill Road, Baltimore 21212

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, DECEMBER 27, 2003.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Visit the County's Website at www.baltimorecountyonline.info



TO: PATUXENT PUBLISHING COMPANY
Tuesday, December 23, 2003 Issue - Jeffersonian

Please forward billing to:
Michael Stuehler
6400 Murray Hill Road
Baltimore, MD 21212

410-372-0692

NOTICE OF ZONING HEARING

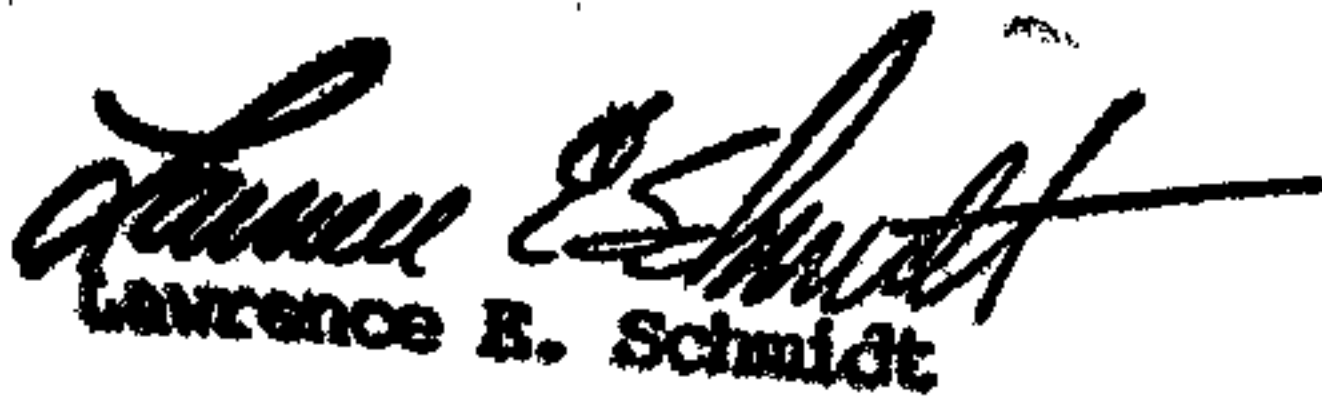
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 04-236-A

6400 Murray Hill Road
N/west corner of Bellona Avenue and Murray Hill Road
9th Election District – 2nd Councilmanic District
Legal Owners: Michael and Cheryl Stuehler

Variance to permit a side yard setback of zero feet and a rear yard setback to a public road of 3 feet in lieu of the required 2.5 feet and 40 feet respectively for a two-car detached garage on a triple frontage building lot.

Hearing: Monday, January 12, 2004 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, 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.

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 04-236-A
Petitioner MICHAEL A. Stuehler
Address or Location: 6400 Murray Hill Road

PLEASE FORWARD ADVERTISING BILL TO

Name: Michael Stuehler
Address: 6400 Murray Hill Road
Baltimore, Maryland 21212
Telephone Number: 410-372-0692

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 11.26.03

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

RE: Baltimore County
Item No. 236 BPR

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, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: December 8, 2003

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

SUBJECT: 6400 Murray Hill Road

INFORMATION:

Item Number: 04-236

Petitioner: Michael A. Stoepler

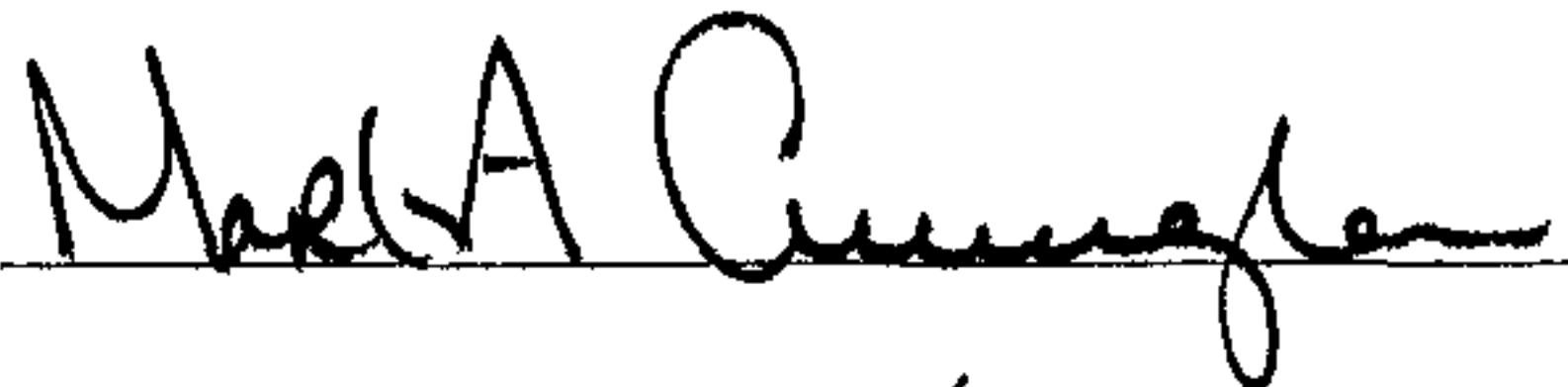
Zoning: DR 2

Requested Action: Variance

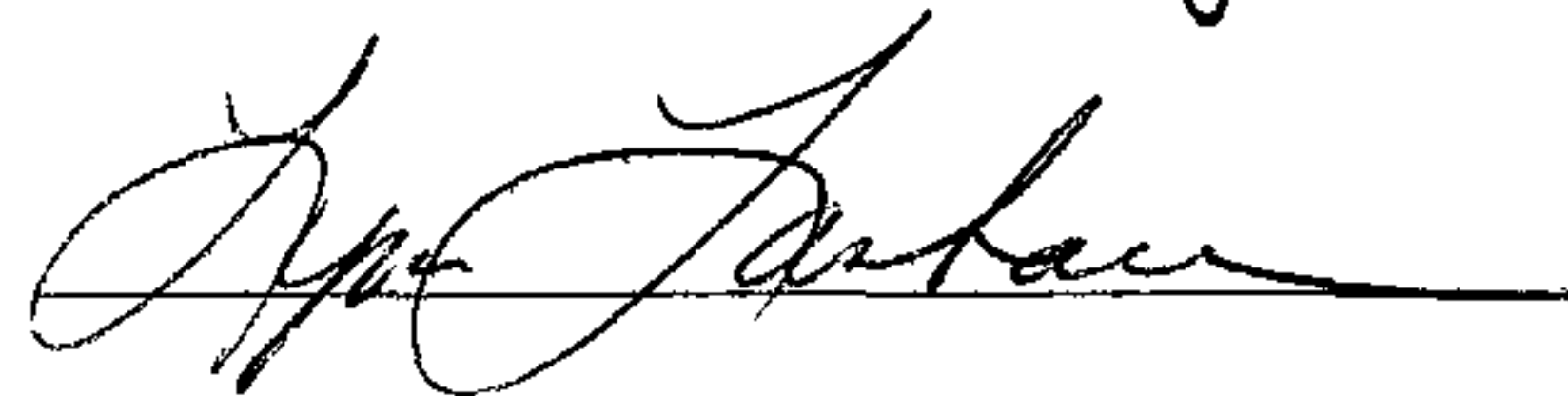
SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request to construct a 2-car garage provided the proposed garage is setback at least 2 feet from the side property line to provide for maintenance, and to avoid encroachment, drainage run-off, and/or trespassing on the adjoining property. In addition, landscaping shall be installed along Pratt Avenue to screen the garage from public view.

Prepared by:



Section Chief:



AFK/LL:MAC:

RECEIVED

DEC 12 2003

ZONING COMMISSIONER

Handwritten initials: H.S. P.P.

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: December 15, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For December 1, 2003
Item Nos. 234, 236, 237, 239, 240, 241,
242, 243, 244, 245, 251, 252, 253, 254,
and 255

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

RWB:CEN:jrb

cc: File

RE: PETITION FOR VARIANCE * BEFORE THE
6400 Murray Hill Road; NW corner Bellona *
Avenue and Murray Hill Road * ZONING COMMISSIONER
9th Election & 2nd Councilmanic Districts *
Legal Owner(s): Michael A. Stuehler & * FOR
Cheryl M Sparks *
Petitioner(s) * BALTIMORE COUNTY
* 04-236-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent documentation filed in the case.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RECEIVED

DEC 08 2003

Per bh.....

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of December, 2003, a copy of the foregoing Entry of Appearance was mailed to, Michael Stuehler & Cheryl Sparks, 6400 Murray Hill Road, Baltimore, MD 21212, Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

12/16/03

Mr Timothy Kotroco
Cc:Ms. Becky Hart
Cc:Mr. John Lewis

Re:case Number 04-236-A
6400 Murray Hill Road
N/west corner of Bellona Avenue and Murray Hill Road
9th Election District-2nd Councilmanic District
Legal Owners: Michael and Cheryl Stuehler

After speaking with Mr Lewis today 12/16/03, it is necessary to request a postponement of a zoning variance hearing scheduled for Monday, January 12th, 2004 at 11:00AM in room 407, County Courts Building, 401 Bosley Avenue.

Due to review by the Murray Hill Neighborhood Association, we need to file for a revised site plan and a revised site petition in order to create a plan that will be apparently agreeable to everyone concerned with this matter.

I understand there will be a fee of \$100 to file for the revision. This will be paid at the revision appointment that I have scheduled with Mr. John Lewis at 9 am January 9th, 2004.

I would like to request a new date be set for a variance hearing at your earliest convenience. Can you please contact me with this information?

Thank you for your help in this matter.

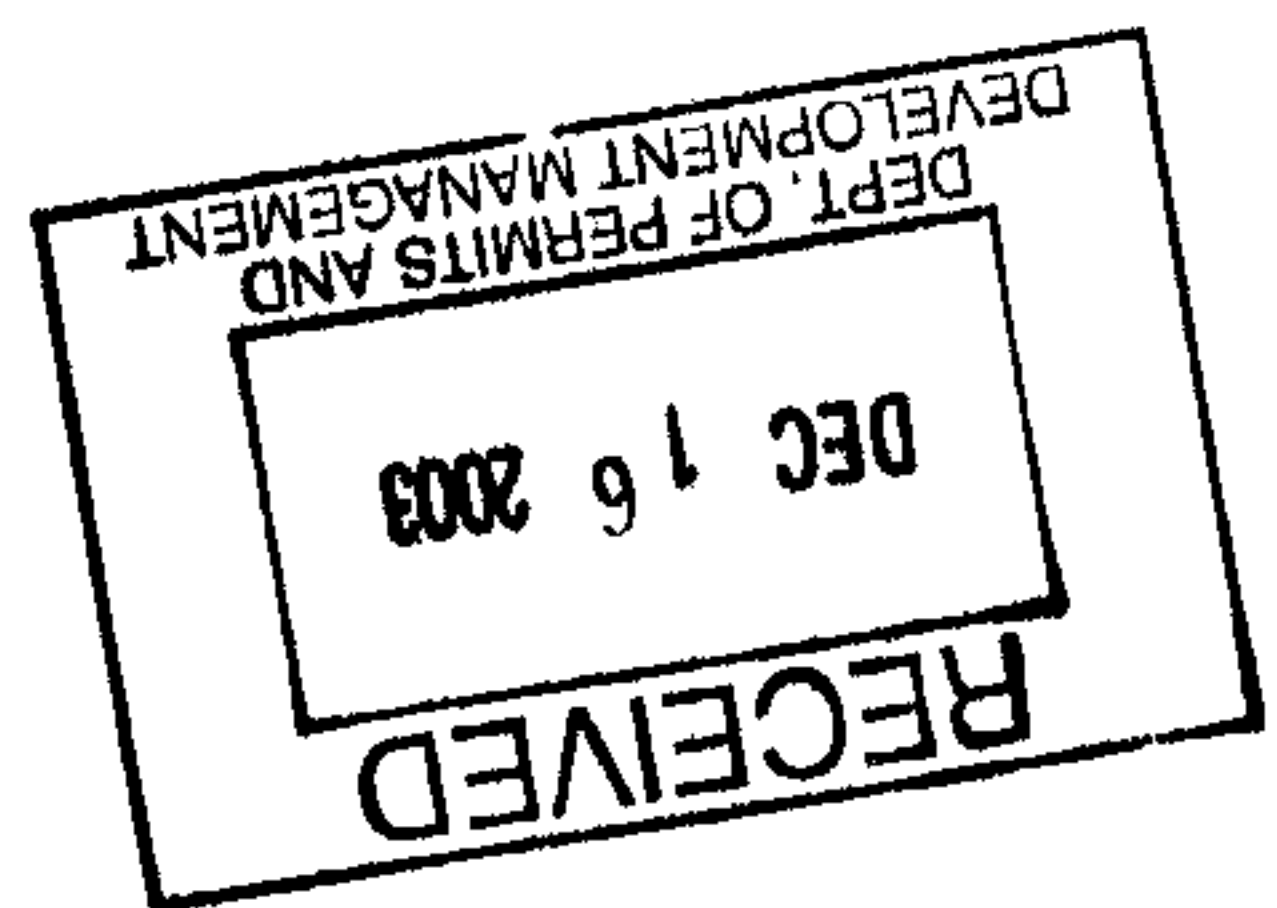
Sincerely,

Michael A. Stuehler
6400 Murray Hill
Baltimore, Maryland
21212
410-372-0692

OK to postpone this
+ reset a new date.

TLC.

DEC 16 2003



CASE NAME _____
CASE NUMBER _____
DATE _____

CITIZEN'S SIGN-IN SHEET

[illegible]

MAGNETIC NORTH

ALL DWLG'S WITHIN 200'
ALONG WEST SIDE OF
MURRAY HILL RD
FACE TO MURRAY HILL RD.
NO VACANT BUILDING LOTS IN THIS 200'

MURRAY HILL RD.
(30' R/W)

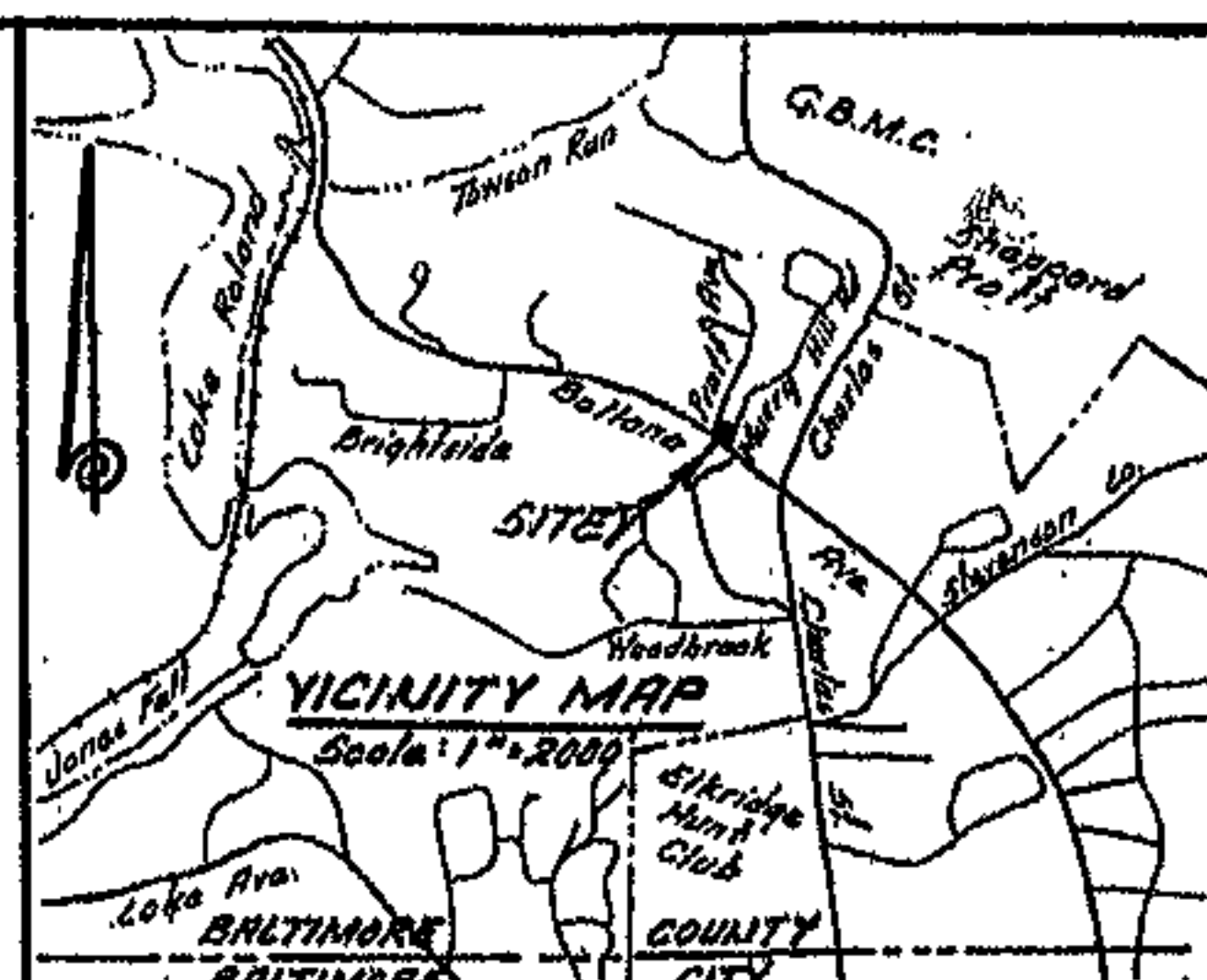
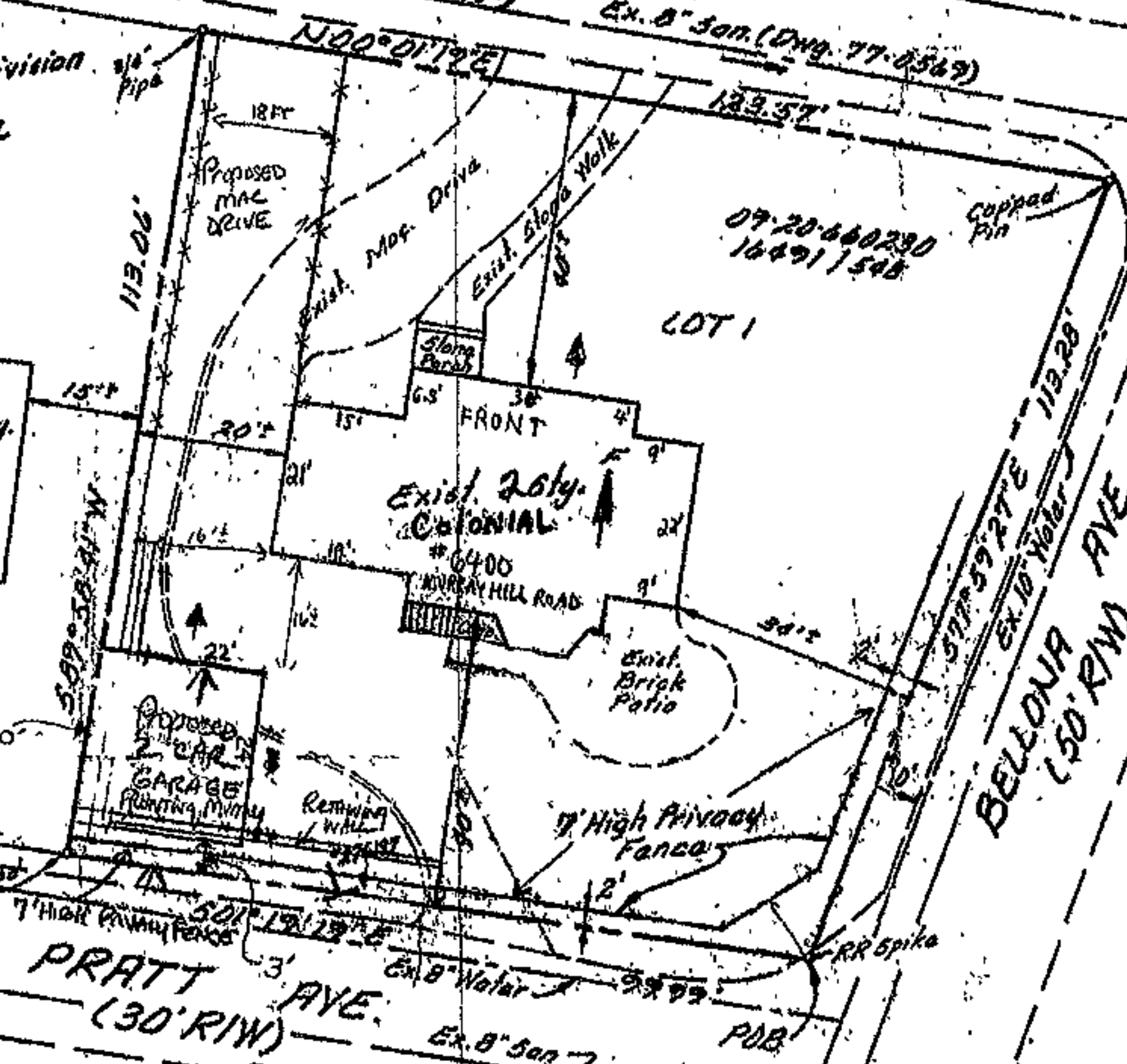
Ex. 8" Water (Dwg. 88-0556)
Ex. 8" San. (Dwg. 77-0569)

Plot of
Resurvey & Resubdivision
of Lot
MURRAY HILL
12/43

Lot 3

Exist. 2 Sly.
Dwelling.
WKS.
MURRAY HILL ROAD

Walker F. Jr & Anna R.
Paterson
14121/699
09-23-000120



LOCATION INFORMATION

Councilmanic District: 4
Election District: 9
1" = 200' Scale Map # A.W. 8A
Zoning: DR-2
Lot Size: 0.287 Ac. ± or 12,492 Sq. Ft.

	Public	Private
Sewer	☒	☐
Water	☒	☐

Chesapeake Bay Critical Area ☐ Yes ☒ No
Prior Zoning Hearings: YES # 03-211A
NONE

Historic Property/Building ☐ NO ☒ YES
100 Year Flood Plain ☐ NO ☒ YES

Zoning Office Use Only

Reviewed By	Item #	Case #
BR	236	04-236-A

SUBJECTS LESS THAN REQUIRED FOR
ZONING/BLDG. CODE WILL REQUIRE FIRE AND
RELATED CONSTRUCTION REQUIREMENTS

PLAT TO ACCOMPANY
PETITION FOR ZONING VARIANCE

#6400 MURRAY HILL RD.
9th Elect. Dist. - Baltimore County Md.
Scale: 1" = 20' Lot
SUBDIVISION OF MURRAY HILL
PLAT BOOK 12, FOLIO 43, LOT 1
Owner
Michael A. Stuchlik & Cheryl M. Sparks
09-20-660230
16491/548

From: "Gross, Adam" <AGross@ASG-Architects.com>
Date: Thu Feb 5, 2004 8:10:24 AM US/Eastern
To: 'Fredye' <fleagross2@comcast.net>
Subject: FW: 6400 Murray Hill Road

FYI

-----Original Message-----

From: Ruxton-Riderwood-Lake Roland Area Improvement Association
[mailto:ruxrider@bcpl.net]
Sent: Wed Feb 04 18:15:38 2004
To: Undisclosed-Recipient;
Subject: 6400 Murray Hill Road

From: Edward C Eby [mailto:edeby@wmsfamilyoffice.com]
Sent: Wednesday, February 04, 2004 2:15 PM
To: Nancy Horst
Subject: RE: Important Event

I went to zoning and looked at Mike Steuhler's revised plan. The info you gave me below is for the original petition. The revised request is for

a 12' setback in lieu of a 40' setback from the road (Pratt Avenue). Apparently, he wanted a 2 car garage in the rear corner of his lot, but the Murray Hill association does not allow garage doors to face Murray Hill Road.

The new plan would have a garage directly behind his house, with the doors facing north, toward the house on 6402 Murray Hill Road. The plan

shows a driveway running the entire length of his north property line, from Murray Hill on the east to Pratt Avenue on the west. But it appears that he will not access Pratt Avenue with the driveway. It looks like he plans

on keeping the existing privacy fence along Pratt.

I need to give this a little more thought and this is not my final opinion, but I think I am ok with his proposed garage as long as:

1. It is no taller than one story
2. Is constructed to match the house (white brick with a slate roof)
3. The driveway does not access Pratt Avenue
4. He is required to keep the existing fence.

If you communicate with any of my neighbors, feel free to share this with them. Hopefully, one or more of them can attend the hearing. I am not sure if I can make it.

As to your question of affected neighbors, below are some of the ones I know are either affected or were interested last year when we went through this with Mr. Steuhler.

-----Original Message-----

From: nwhorst@comcast.net [mailto:nwhorst@comcast.net]
Sent: Wednesday, February 04, 2004 8:43 AM
To: edeby@wmsfamilyoffice.com
Subject: Important Event

Nancy Horst wants you to know about the following event:

Event Name: Zoning Hearings - 6400 Murray Hill Road
Event Date/Time: 02/09/2004 9:00 AM - 02/09/2004 10:00 PM
CASE NUMBER: 4-236-A
Location: N/West corner Bellona Avenue and Murray Hill Road
9th Election District
Legal Owner: Michael A. Steuhler and Cheryl M. Sparks

Personal Message from Nancy Horst

Pratt No
1

Walker F. Peterson Jr
6402 Murray Hill Road
Baltimore, MD 21212

410-377-4577 HOME 410-377-4732 FAX walkpete@aol.com

January 20, 2004

Baltimore County Zoning Office
Towson, MD 21204

Reference: Case # 04-236-A

Gentlemen:

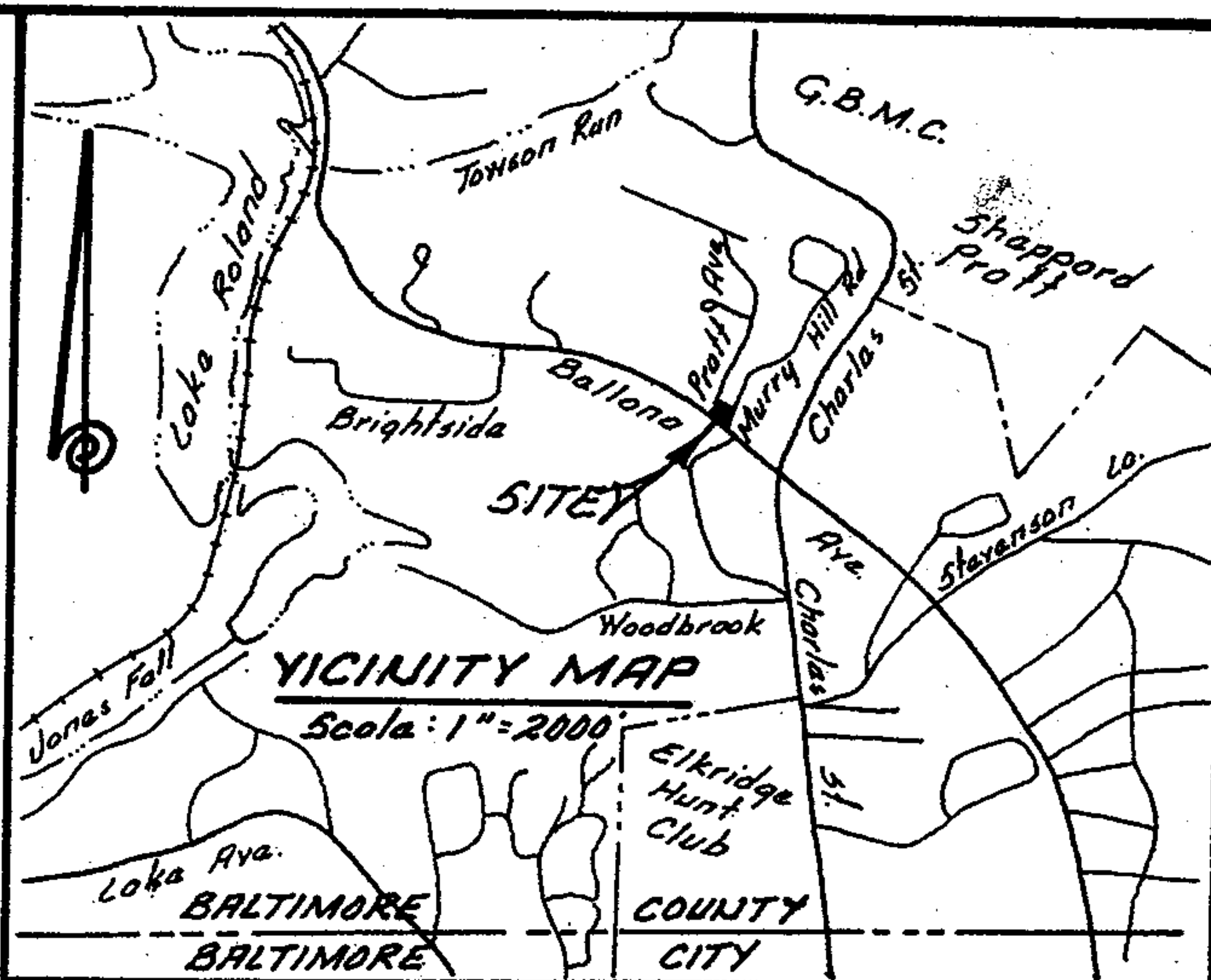
As the sole owner of the property north of and adjacent to 6400 Murray Hill Road, I have no objection to referenced plan and the excavation needed to implement it assuming that a satisfactory retaining wall will be put in.

I will be out of town and unable to attend any hearing.

Sincerely yours,

Walker F. Peterson Jr

Red No 2



LOCATION INFORMATION

Councilmanic District: 4

Election District: 9

1" = 200' Scale Map # N.W. 8A

Zoning: DR-2

Lot Size: 0.287 Ac.± or 12,492 Sq. Ft.±

	Public	Private
Sewer	☒	☐
Water	☒	☐

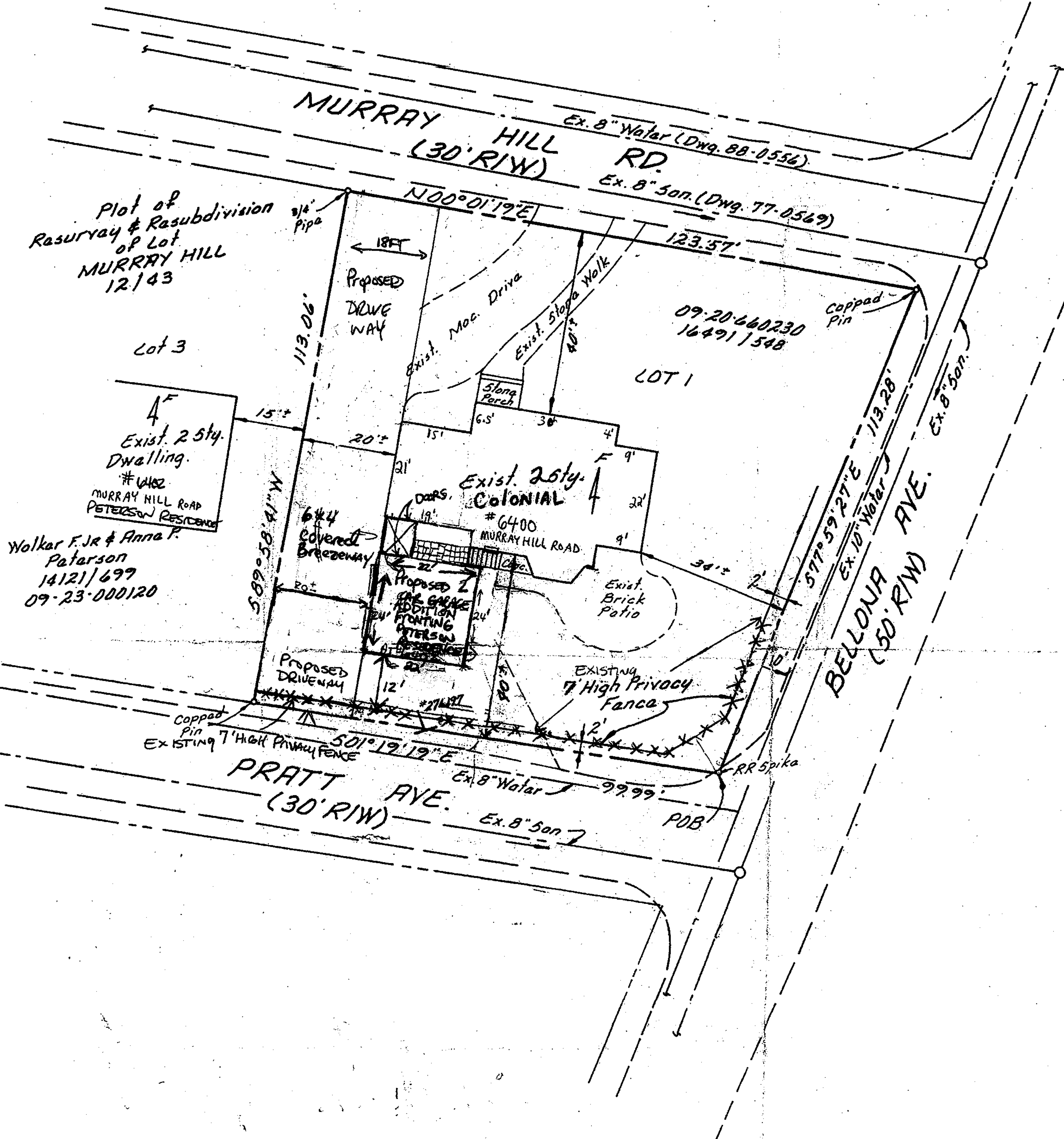
Chesapeake Bay Critical Area ☐ Yes ☒ No

Prior Zoning Hearings: YES 03-247A

Historic Property/Building ☐ NO
100 Year Flood Plain ☐ NO

Zoning Office Use Only

Reviewed By	Item #	Case #



REVISED PLAN

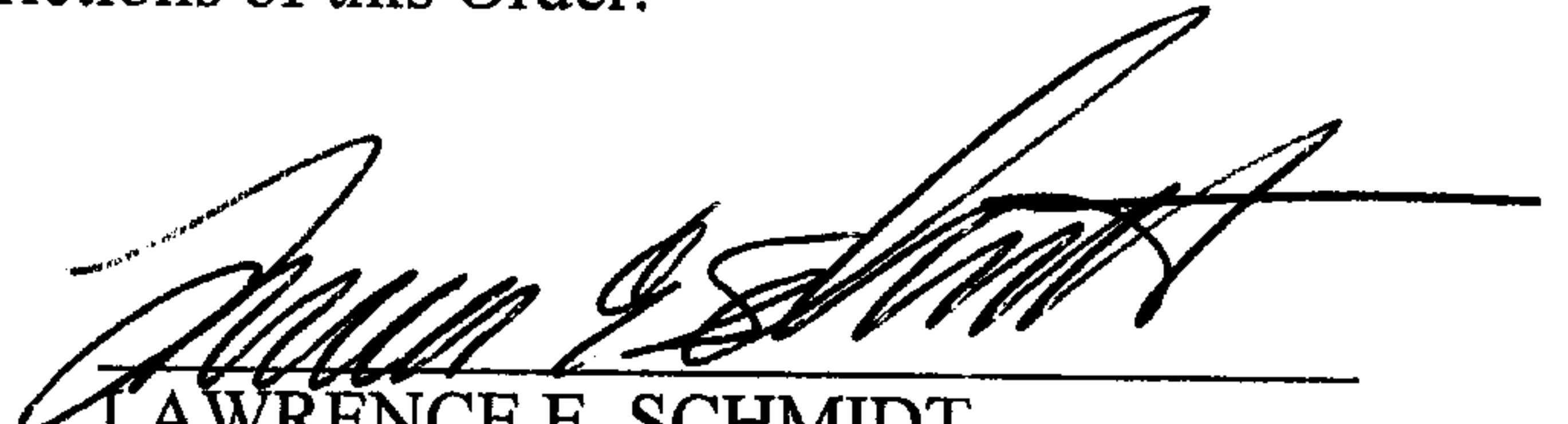
CASE # 04-236-A

PLAT TO ACCOMPANY
PETITION FOR ZONING VARIANCE

#6400 MURRAY HILL RD.
9th Elect. Dist. - Baltimore County, Md.
Scale: 1" = 20' Date: Oct. 28, 2002
SUBDIVISION OF MURRAY HILL
PLAT BOOK 12, FOLIO 43, LOT 1

Owner
Michael A. Stuehler & Cheryl M. Sparks
09-20-660230
16491/548

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the 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.
- 2) Prior to the issuance of any permits, the Petitioners shall submit building elevation drawings of the proposed garage addition to the Office of Planning for review and approval. The garage shall be designed to be architecturally and aesthetically consistent with the existing house.
- 3) No driveway access shall be provided from the subject property to Pratt Avenue.
- 4) As applicable, the conditions imposed on the relief granted in prior Case No. 03-247-A shall remain in full force and effect.
- 5) When applying for a building permit, 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

ORDER RECEIVED FOR FILING

Date

7/24/04

By

