

IN RE: PETITION FOR ADMIN. VARIANCE
NW/Corner Armacost Road and
Pheasant Wood Court
(2 Pheasant Wood Court)
7th Election District
3rd Council District

Richard H. Easton, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 05-452-A

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FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Richard H. Easton and his wife, Elizabeth D. Easton. The Petitioners seek relief from Section 1A.00.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.)(1974, R.D.P. Zone) to permit a property line setback of 25 feet in lieu of the minimum required 50 feet for proposed additions. 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.

The Petition was filed through the administrative variance process, pursuant to Section 32-3-303 of the Baltimore County Code. That Section allows an individual to seek variance relief for an owner-occupied residential property without the need for a public hearing. Under the Code, the property in question is posted for a period of 15 days during which time any property owner residing within 1,000 feet of the property may demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate.

In this case, the Petitioners have filed the supporting affidavits as required by Section 32-3-303 (a)(2)(i) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file.

ORDER RECEIVED FOR FILING

Date

By

4/12/15

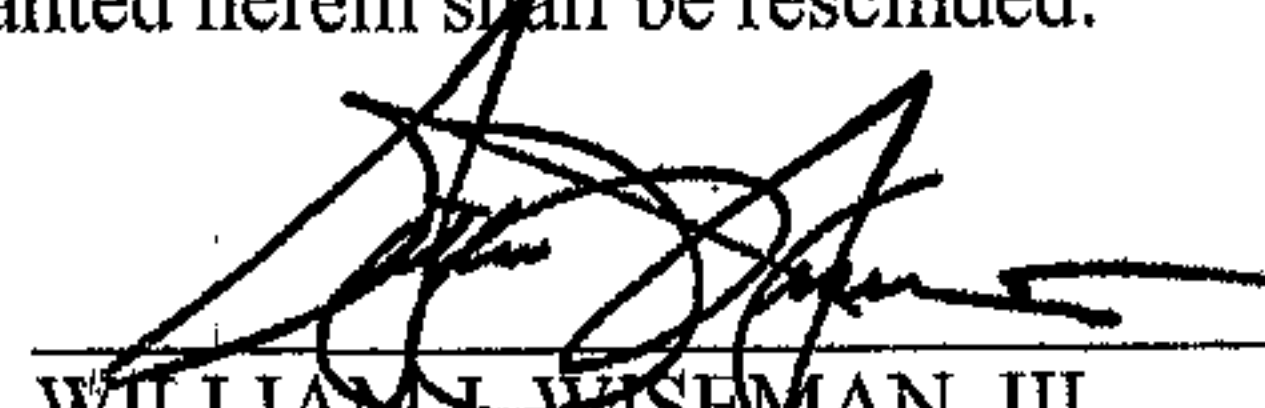
15p

Based upon the evidence contained therein, I am persuaded to grant the requested relief. The site plan and Petition filed indicate that the variance is necessitated due to the narrow width of the property, the septic reserve area to the rear, and the location and layout of the existing dwelling. In a telephone conversation with Mr. L. J. (Larry) Link, Jr., the Petitioners' architect advised this office that the existing garage will be removed and a series of additions are planned to allow the expansion of the existing kitchen and add a family room, a mud room, and new garage. It is the new garage that will extend into the required setback on the southwest side of the property. There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency and the neighbors do not object. In this regard, a line of mature trees and existing vegetation will buffer the proposed garage from the neighbor who would be most affected. Thus, it appears that the relief requested can be granted without detrimental impact to adjacent properties or 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 12th day of April 2005 that the Petition for Administrative Variance seeking relief from Section 1A.00.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.)(1974, R.D.P. Zone) to permit a property line setback of 25 feet in lieu of the minimum required 50 feet for proposed additions, 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, 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.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

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
William J. Wiseman III, Zoning Commissioner

April 11, 2005

Mr. & Mrs. Richard H. Easton
2 Pheasant Wood Court
Parkton, Maryland 21120

RE: PETITION FOR ADMINISTRATIVE VARIANCE
NW/Corner Armacost Road and Pheasant Wood Court
(2 Pheasant Wood Court)
7th Election District – 3rd Council District
Richard H. Easton, et ux - Petitioners
Case No. 05-452-A

Dear Mr. & Mrs. Easton:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision

Zoning description for.
N^o 2 Pheasant Wood Court, 21120.

Beginning at the point of the NW
corner of Armacost Road & Pheasant
Wood Court, such that the house &
property fronts on Pheasant Wood
Court.

Being lot N^o 14, Subdivision Hawlet Farms,
Plat Book #37, Folio #138, deed #6378-
662 containing 66,211 sq. ft. (1.52 ac ±).
located in election district #7,
councilmatic district #3.

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L.J. Link Jr., Inc.
Architect
Box 727 Rockland Grist Mill
Brooklandville, Md. 21022
410. 337. 9528
fac 410. 369, 6601

CERTIFICATE OF POSTING

RE: Case No. : 05-452-A

Petitioner/Developer: RICHARD

ELIZABETH EASTON

Date of Hearing/Closing: 4/4/05

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

Attention:

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
at 2 PHEASANT WOOD CT.

This sign(s) were posted on March 20, 2005
(Month, Day Year)

Sincerely,

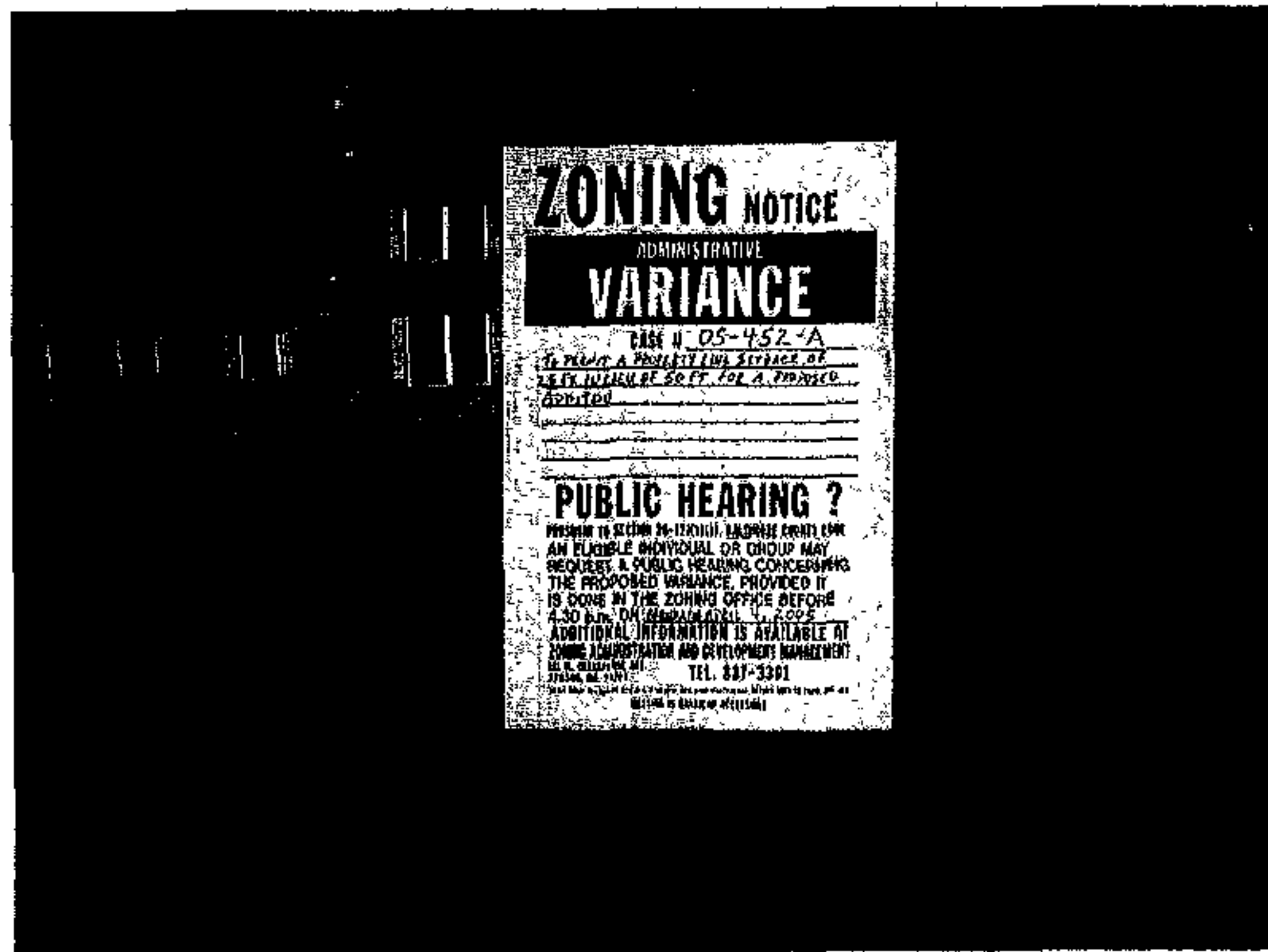
(Signature of Sign Poster and Date)

Martin Ogle

Sign Poster

5016 Castlestone Drive

im000232 (1152x864x256 jpeg)



reposted 3/20/05



Handwritten signature or initials in the bottom right corner.

