IN RE: **PETITION FOR ADMIN. VARIANCE** SE Corner of Armacost Road and Quail Wood Court **(1131 Armacost Road)** 6th Election District 3rd Council District Joseph C. Luhrman, et ux Petitioners	*	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY **Case No. 08-202-A**

* * * * * * * * * *

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, Nina M. Luhrman, and her husband, Joseph C. Luhrman. The Petitioners request a variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed detached accessory structure (barn/garage) to be located on the third of the lot closest to a street in lieu of the required furthest removed; and to permit said structure to have a height of 24 feet in lieu of the maximum permitted 15 feet. The subject property and requested relief are more particularly described on the amended site plan submitted, which was accepted into evidence and marked as Petitioners' Exhibit 1.

This case was originally filed as an administrative variance, 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 a formal hearing, provided certain conditions are met. First, the property is duly posted and advertised giving public notice of the requested relief. Under the Code, any property owner residing within 1,000 feet of the property in question can request a public hearing within 15 days of the sign posting, if that person objects to the relief requested. If no hearing is requested, the matter can be considered and an Order issued by the Zoning Commissioner/Deputy Zoning Commissioner, based on the documentation contained in the file.

ORDER RECEIVED FOR FILING
Date 5-5-08
By

In the instant case, the property was duly posted and within the requisite time period seven (7) nearby property owners wrote letters in opposition to the variances requested. Thus, the Deputy Zoning Commissioner, in view of the community's concern, determined that a hearing was necessary. This matter was therefore scheduled for a public hearing, which was held on April 29, 2008.

Appearing at the hearing in support of the request were Joseph C. and Nina M. Luhrman, property owners, and Austin B. Childs, the architect and consultant who prepared the site plan and building elevation(s) for the renovation of this property as well as the proposed accessory structure. Appearing as Protestants in the matter were Joan W. and William Foster, Jr., Richard and Joan Cusick, J. Richard North, Robert Baggett, Pam Troup, and James Murphy.[1]

The subject property is an irregularly shaped parcel, approximately 1.905 acres in area, zoned R.C.4 and located 200 feet northwest of Falls Road in Parkton. The property is a corner lot positioned on the south side of Armacost Road at its intersection with the east side of Quail Wood Court. Given its configuration, the lot has 300 feet of frontage on Armacost Road and 280 feet along Quail Wood Court. The property is known as Parcel 132 on Maryland Department of Assessments and Taxation Real Property Data Sheet and contains a two-story dwelling that was constructed in 1882. As shown on the site plan, a garage that had been located to the rear of the Petitioners home was destroyed by fire in March 2007.

Testimony and evidence disclosed that the Petitioners have owned the property since 2000 and have undertaken a renovation of the home from top down. A great deal of historical information was presented by Austin Childs, whose studio is located in Monkton. He believes that the proposed location of the 36' wide x 24' deep x 24' high pole barn with its roof pitch to match the home and a 3' cupola (*See* building elevations submitted as Petitioners' Exhibit 2) would be aesthetically appealing and in keeping with the characteristics of the mid-19th century home in massing and design. Photographs submitted (Petitioners' Exhibit 3) show the mature blue spruce

[1] Letters were also received from these neighbors residing in the locale as well as letters from Thomas M. Gill and Beryl Wareheim. These letters, outlining the negative impact on the community, are contained within the case file and form the basis of the public hearing request.

ORDER RECEIVED FOR FILING
Date 5-7-08
By B

trees that will provide screening. He (Childs) supports its location near Quail Wood Court rather than the third of the lot furthest removed from any street. He opines that this location is the most practical given its close proximity to the existing driveway, the homes well and septic areas and the existing line of mature trees on the property that will provide a natural buffer of the proposed location from the viewpoint of neighbors who either use or reside on Quail Wood Court. He points out that the Office of Planning in its Zoning Advisory Committee (ZAC) comment of November 13, 2007 supports both this location and the structures proposed height. He states that placement of the new barn/garage in the rear yard farthest from the street, in accordance with B.C.Z.R. Section 400.1, would cause a hardship for the Petitioners.

Secondly, the Petitioners request a height variance be granted for this accessory structure. They plan to build this barn/garage to a height of 24 feet, while Section 400.3 of the B.C.Z.R. only allows such a structure to be a maximum of 15 feet in height. Mr. Luhrman testified that the historic style of the 19th century home provided for scant storage space. The tall "barn" will provide Petitioners with this missing storage space as well as providing consistency in materials and a 6-12 roof pitch to maintain a preferable architectural roof pitch.

As indicated above, many neighboring community members opposed the location and height request as originally filed. Many of their properties are located along the east side of Quail Wood Court. William and Joan Foster's home is adjacent to the subject property's southeastern or rear boundary. They presented, through Mr. North, a civil engineer with over 40 years of experience, a united stand indicating that a structure set back 10 feet off the Quail Wood Court right-of-way would become a dominant structure for all those who enter and leave their community. Moreover, several mature blue spruce trees that provide natural screening would be lost as they would need to be cut down to allow construction. After ongoing discussions, the location of the barn/garage was shifted some 30 feet further away (40 feet east of the east edge of Quail Wood Court) and turned so that the 24-foot wide side elevation with window treatment will now face the public road rather than a 36-foot solid rear wall. Additionally, Mr. Luhrman agreed to retain the existing blue spruce trees that now provide screening and in the future, if necessary,

ORDER RECEIVED FOR FILING
Date 5-1-08
By BJ

maintain a visual buffer with Type "A" screening along the northwestern boundary of his property bordering on Quail Wood Court should any of the existing spruce trees die or be lost due to other causes. Mr. North questioned as to whether the actual height of the structure should be 27 feet rather than 24 feet as the cupola would add an additional 3 feet. B.C.Z.R. Section 300.1 provides an exception to the height requirements for cupolas, dormers, aerials, chimneys, etc. that do not extend more than 4 feet above the final building height.

After due consideration of the testimony and evidence presented and the continued efforts undertaken by the parties to reach a compromised solution, I am persuaded to grant the requested relief to allow the accessory structure to be positioned closer to the street than permitted. I must consider the request in accordance with the mandate of *Cromwell v. Ward*, 102 Md. 691 (1995) and Section 307 of the B.C.Z.R. The Court interpreted the regulation to require that two (2) tests be met in order for variance relief to be granted. First, it must be shown that the property is unique in some manner and that this uniqueness drives the need for the variance relief. Secondly, upon the determination that the property is unique, then it must be considered whether compliance with the regulation would cause a practical difficulty upon the property owner and be unnecessarily burdensome. In my judgment, there was evidence of unusual conditions or characteristics that are unique to this lot, namely, the environmental constraints and preservation of mature trees. The juxtaposition of the barn/garage offers a pleasing result. Another significant factor to be considered is that substantial dwellings in this part of the County are the norm and not the exception. This area has justifiably earned the reputation as being one of the finest residential areas in the metropolitan area. It was further demonstrated at the hearing that the trees would need to be sacrificed if not for the sensitive placement of the accessory structure. An area variance may be granted where strict application of the zoning regulations would cause practical difficulty or undue hardship to the Petitioners and their property. *See McLean v. Soley*, 270 Md. 208 (1973). I am convinced that practical difficulty would result if B.C.Z.R. Sections 400.1 and 400.3 were strictly adhered to. I find that the location of the garage/storage building is appropriate in this instance and within the spirit and intent of the zoning regulations and will not be out of character

CERTIFICATE RECEIVED FOR FILING
Date 5-5-08
By DJ

with the other homes in the area. I also find that in this instance an additional 9 feet of roof pitch to provide needed storage space will not be out of character with other accessory buildings in the area. It has been established that special circumstances exist in this case and that the relief requested will not cause any injury to the public health, safety or general welfare.

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 7th day of May 2008 that the Petition for Administrative Variance seeking relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed detached accessory structure (barn/garage) to be located on the third of the lot closest to a street in lieu of the required furthest removed; and to permit said structure to have a height of 24 feet in lieu of the maximum permitted 15 feet, in accordance with Petitioners' Amended Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1. The Petitioner(s) 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 thirty (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. The accessory barn/garage shall be limited to uses accessory to the residential use of the property. It shall not be used for commercial or business purposes. Moreover, the Petitioners shall not allow or cause the garage to be converted to a second dwelling unit and/or apartments. There shall be no living quarters contained therein, and no kitchen or bathroom facilities.

3. The Petitioners shall maintain the existing blue spruce evergreen trees along the northwest property line (between the south side of Quail Wood Court and the subject accessory structure) replacing them, if necessary, with Type "A" screening should the existing trees die or be destroyed.

ORDER RECEIVED FOR FILING
Date 5-7-08
By

Any appeal of this Order shall be made within thirty (30) days of the date of this Order.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

ORDER RECEIVED FOR FILING
Date 5-7-08
By DLW

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

May 7, 2008

Joseph C. Luhrman
Nina M. Luhrman
1131 Armacost Road
Parkton, Maryland 21120

RE: **PETITION FOR ADMIN. VARIANCE**
SE Corner of Armacost Road and Quail Wood Court
(1131 Armacost Road)
6th Election District - 3rd Council District
Joseph C. Luhrman, et ux – Petitioners
Case No. 08-202-A

Dear Mr. and Mrs. Luhrman:

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

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Austin B. Childs, Austin B. Childs Architecture, 16260 Falls Road, Monkton, MD 21111
Joan W. and William Foster, Jr., 7 Quail Wood Court, Parkton, MD 21120
Richard and Joan Cusick, 6 Quail Wood Court, Parkton, MD 21120
J. Richard North, 10 Quail Wood Court, Parkton, MD 21120
Robert Baggett, 9 Quail Wood Court, Parkton, MD 21120
Pam Troup, 4 Quail Wood Court, Parkton, MD 21120
James Murphy, 11 Quail Wood Court, Parkton, MD 21120
Thomas M. Gill, 5 Quail Wood Court, Parkton, MD 21120
Beryl Wareheim, 1 Caribou Court, Parkton, MD 21120
People's Counsel; Office of Planning; File

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1131 ARMACOST RD

which is presently zoned RC-4

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 and 400.3 - to permit a proposed detached accessory structure (barn/garage) to be located on the third of the lot closest to a street in lieu of the required farthest removed; and to permit said structure to have a height of 24 feet in lieu of the maximum permitted 15'

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):

Joseph C. Luhrman
Name - Type or Print

Signature

Nina M. Luhrman
Name - Type or Print

Signature

1131 Armacost Rd. 410-357-0222
Address Telephone No.

Parkton MD 21120
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____ 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. 08-202-A

REV 10/25/01

Reviewed By _____ **Date** 10/29/07

Estimated Posting Date 11/11/07

ORDER RECEIVED FOR FILING
Date 5-7-08
By _____

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 1131 Armacost Rd.
Address

Parkton MD 21120
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):

A hardship conditions exists because we need to replace a garage on our property that was destroyed by fire in March 2007. The former building was very close to our home, so we would like to move it further away from the house as the house almost caught fire. Also, the former building was 45' long with second floor storage, we would build a 36' long building with second floor storage

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.

Signature

Joseph C. Luhrman
Name - Type or Print

Signature

Nina M. Luhrman
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 24 day of October, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Joseph and Nina Luhrman

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

AS WITNESS my hand and Notarial Seal

Patricia Brandau
Notary Public

My Commission Expires 6/4/2011

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1131 ARMACOST RD

which is presently zoned RC-4

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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.

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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):

Joseph C. Luhrman
Name - Type or Print

Signature

Nina M. Luhrman
Name - Type or Print

Signature

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Parkton MD 21120
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____ 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. 08-202-A **Reviewed By** RJD **Date** 10/29/07

REV 10/25/01

ORDER RECEIVED FOR FILING **Estimated Posting Date** 11/11/07

Date 5-7-08

By

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Signature

Joseph C. Luhrman
Name - Type or Print

Signature

Nina M. Luhrman
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 24 day of October, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Joseph & Nina Luhrman the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Patricia Drewer
Notary Public

My Commission Expires 6/4/2011

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1131 ARMACOST RD

which is presently zoned RC-4

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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.

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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):

Joseph C. Luhrman
Name - Type or Print

Signature

Nina M. Luhrman
Name - Type or Print

Signature

1131 Armacost Rd. 410-357-0222
Address Telephone No.

Parkton MD 21120
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____ _____ 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. 08-202-A **Reviewed By** RJT **Date** 10/29/07

REV 10/25/01

CASHIER RECEIVED FOR FILING
Date 5-7-08
By DW

Estimated Posting Date 11/11/07

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 1131 Armacost Rd.
Address
Parkton MD 21120
City State Zip Code

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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.

Signature

Joseph C. Luhrman
Name - Type or Print

Signature

Nina M. Luhrman
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 24 day of October, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Joseph and Nina Luhrman

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

AS WITNESS my hand and Notarial Seal

Patricia Brandon
Notary Public

My Commission Expires 6/4/2011

REV 10/25/01

ZONING DESCRIPTION for the
LUHRMAN PROPERTY, 1131 ARMACOST ROAD,
PARKTON, MARYLAND 21120

Beginning at a point on the South side of Armacost Road, which is 30 ft. wide at the distance of 17 ft. east of the centerline of the nearest intersecting street, Quail Wood Court, which is 24 ft. wide, thence running S 61°58'22" E 261.62 ft., thence S 70°00'22" E 42.19 ft., thence S 42°37'12" W 292.5 ft., thence N 60°46'00 W 300.28 ft., thence N 42°37'12" E 279.88 ft., to the point of beginning, containing 1.9015 acres.

7th Election District

3rd Councilmanic District

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. 36832

Date: 10/29/07

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount

Total:

Rec From:

For: Zoning Hearing case #03-202-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

ACTUAL TIME
10/29/2007 10/29/2007 15:29:33

RECEIPT # 601813 10/29/2007

Receipt Tot $65.00
$65.00 CK $0.00

Baltimore County, Maryland

CASHIER'S VALIDATION

Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw3.1)

Go Back
View Map
New Search

Account Identifier: **District** - 07 **Account Number** - 1600012122

Owner Information

Owner Name:	LUHRMAN JOSEPH C LUHRMAN NINA M	**Use:**	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	1131 ARMACOST RD PARKTON MD 21120-9441	**Deed Reference:**	1) /14633/ 62 2)

Location & Structure Information

Premises Address
1131 ARMACOST RD

Legal Description
1.9015 AC
1131 ARMACOST RD
2000FT NW FALLS RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
16	18	132						2	

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1882	1,670 SF	1.90 AC	04

Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value As Of 01/01/2008	Phase-in Assessments As Of 07/01/2007	As Of 07/01/2008
Land	109,000	174,400		
Improvements:	180,350	213,070		
Total:	289,350	387,470	289,350	322,056
Preferential Land:	0	0	0	0

Transfer Information

Seller: OCONNOR THOMAS C	**Date:** 08/11/2000	**Price:** $268,000
Type: IMPROVED ARMS-LENGTH	**Deed1:** /14633/ 62	**Deed2:**
Seller: PARKCO INC	**Date:** 10/23/1973	**Price:** $26,900
Type: IMPROVED ARMS-LENGTH	**Deed1:** / 5403/ 628	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments	Class	07/01/2007	07/01/2008
County	000	0	0
State	000	0	0
Municipal	000	0	0

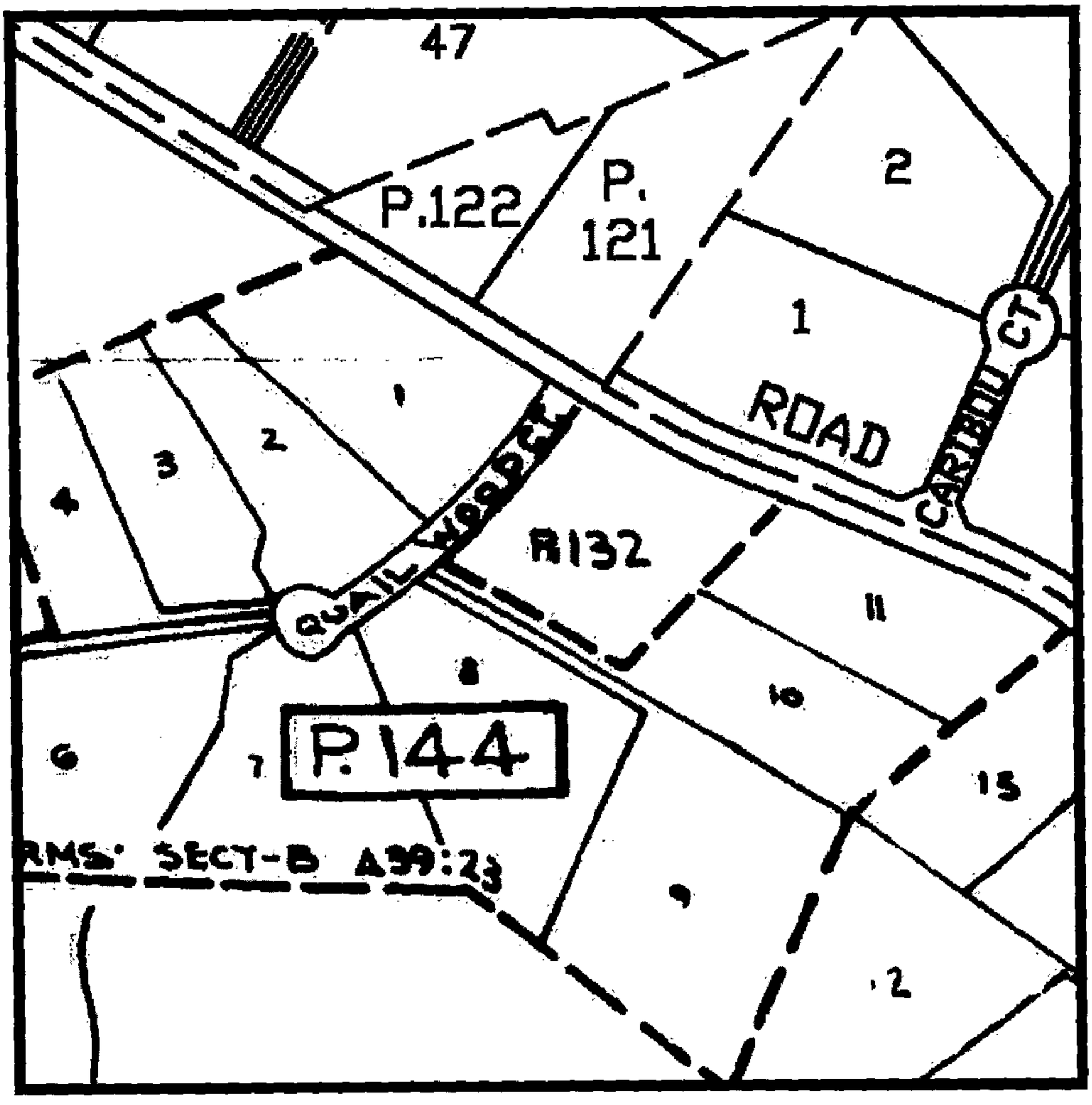
Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
* NONE *

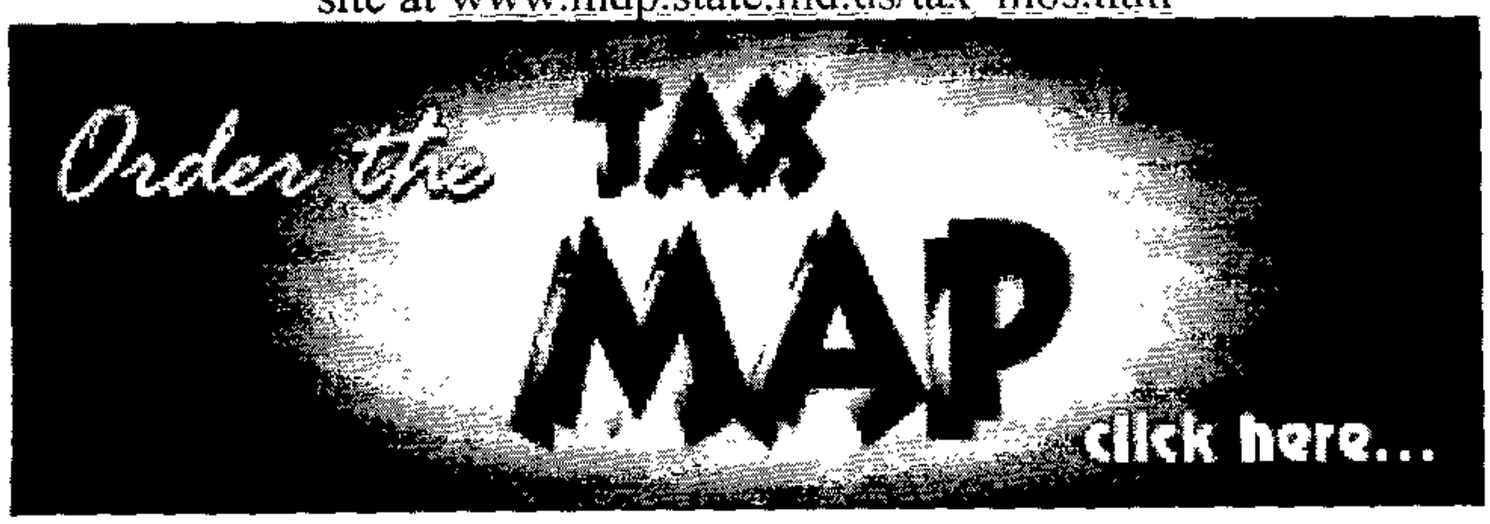
Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

Go Back
View Map
New Search

District - 07 **Account Number** - 1600012122



Property maps provided courtesy of the Maryland Department of Planning ©2004.
For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/tax_mos.htm

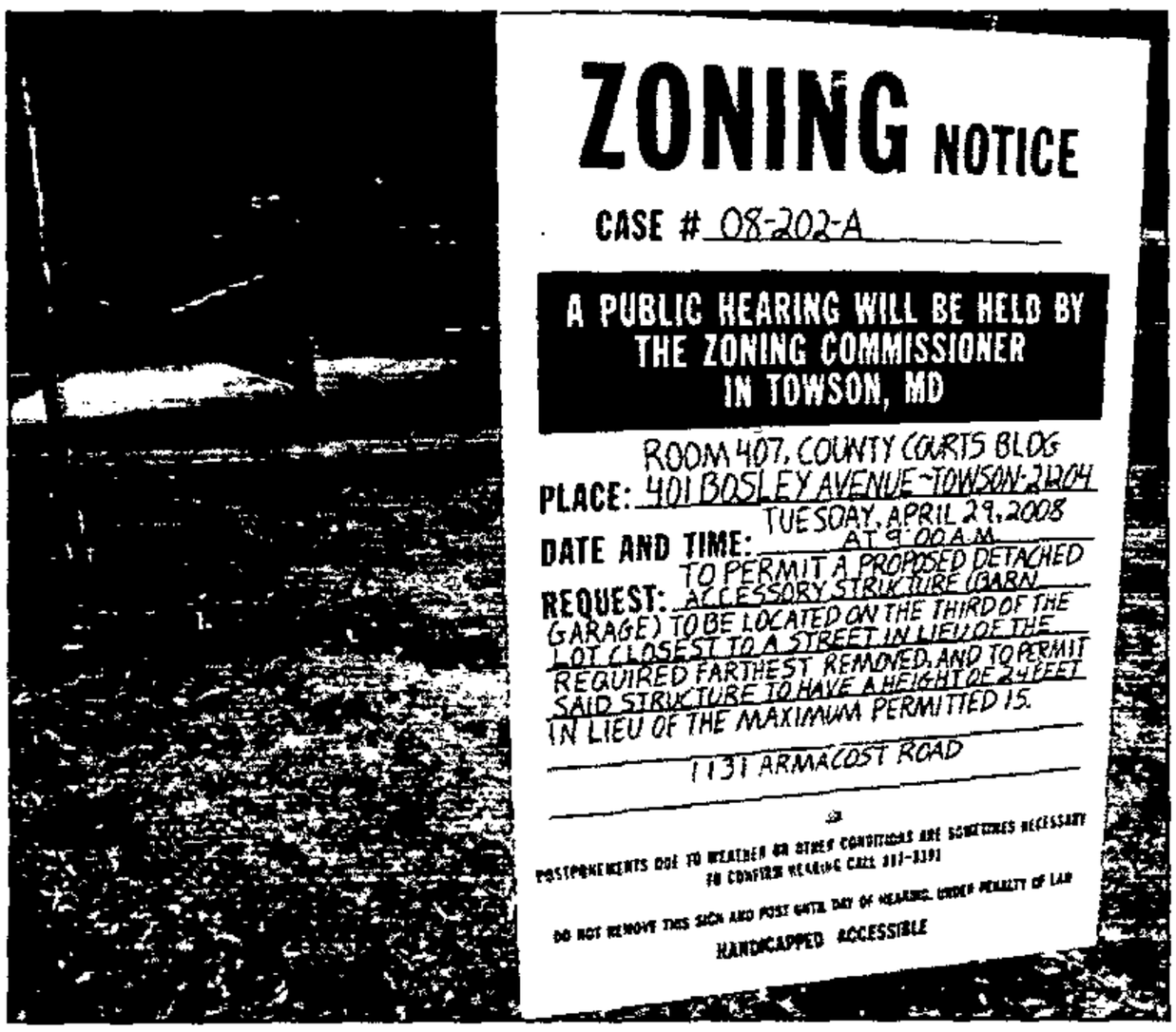


CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS
DATE: 04/14/08
Case Number: 08-202-A
Petitioner / Developer: JOSEPH & NINA LUHRMAN~ AUSTIN CHILD, AIA
Date of Hearing (Closing): APRIL 29, 2008

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
1131 ARMACOST ROAD

The sign(s) were posted on: 04/09/08



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 – 666 – 5366
(Telephone Number of Sign Poster)

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: # 08-202-A
1131 Armacost Road
S/east corner of Armacost Road and Quail Court
6th Election District — 3rd Councilmanic District
Legal Owner(s): Joseph & Nina Luhrman

Variance: to permit a proposed detached accessory structure (barn/garage) to be located on the third of the lot closest to a street in lieu of the required farthest removed; and to permit said structure to have a height of 24 feet in lieu of the maximum permitted 15.

Hearing: Tuesday, April 29, 2008 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
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 4/742 Apr. 15 170219

CERTIFICATE OF PUBLICATION

4/18/, 2008

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 4/15/, 2008.

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

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

March 3, 2008

TIMOTHY M. KOTROCO, *Director*
Department of Permits and Development Management

NEW 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: 08-202-A
1131 Armacost Road
S/east corner of Armacost Road and Quail Court
6th Election District – 3rd Councilmanic District
Legal Owners: Joseph & Nina Luhrman

Variance to permit a proposed detached accessory structure (barn/garage) to be located on the third of the lot closest to a street in lieu of the required farthest removed; and to permit said structure to have a height of 24 feet in lieu of the maximum permitted 15.

Hearing: Tuesday, April 29, 2008 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Joseph & Nina Luhrman, 1131 Armacost Road, Parkton 21120
Mr. & Mrs. Murphy, 11 Quailwood Court, Parkton 21120
Mr. Cusick, 6 Quailwood Court, Parkton 21120
Mr. & Mrs. North, 10 Quailwood Court, Parkton 21120

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, APRIL 14, 2008.**
(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.

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: #08-202-A
1131 Armacost Road
S/east corner of Armacost Road and Quail Court
6th Election District - 3rd Councilmanic District
Legal Owner(s): Joseph & Nina Luhrman

Variance: to permit a proposed detached accessory structure (barn/garage) to be located on the third of the lot closest to a street in lieu of the required farthest removed; *and to permit said structure* to have a height of 24 feet in lieu of the maximum permitted 15.

Hearing: Monday, January 7, 2008 at 2:00 p.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

12/212 Dec. 20 158508

CERTIFICATE OF PUBLICATION

12/20/, 2007

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 12/20/, 2007.

- [X] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 15, 2008 Issue - Jeffersonian

Please forward billing to:
Deborah Kendall-Sipple 410-887-4544
Permits & Development Management
111 West Chesapeake Avenue
Towson, MD 21204

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: 08-202-A
1131 Armacost Road
S/east corner of Armacost Road and Quail Court
6th Election District – 3rd Councilmanic District
Legal Owners: Joseph & Nina Luhrman

Variance to permit a proposed detached accessory structure (barn/garage) to be located on the third of the lot closest to a street in lieu of the required farthest removed; and to permit said structure to have a height of 24 feet in lieu of the maximum permitted 15.

Hearing: Tuesday, April 29, 2008 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

WILLIAM J. WISEMAN III
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.

To: Kristen

Dept. of Permits

410-887-3048

From: Nina Luhrman

12.7.07

2 pages

410-357-0222

Case # 08-202-A

Hi Kristen,

We attached a letter asking for our hearing to be postponed until after February 15. We were just in there but had no paper to write the letter on! Thank you.

Nina Luhrman

December 7, 2007

Dept. of Permits and Development Mgmt.
County Office Bldg.
111 W. Chesapeake Ave.
Towson, MD 21204

Dear Sirs,

In reference to case number 08-202-A, we are requesting a postponement of the hearing date until after February 15, 2008. Currently the hearing is scheduled for January 7, 2008. I (Joseph) just had spine surgery last week and need more recovery time in order to be able to participate in a hearing. Thank you and please call us if you have any questions.

Sincerely,

Joseph C. Luhrman

Nina M. Luhrman

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 4, 2007

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: 08-202-A
1131 Armacost Road
S/east corner of Armacost Road and Quail Court
6th Election District – 3rd Councilmanic District
Legal Owners: Joseph & Nina Luhrman

Variance to permit a proposed detached accessory structure (barn/garage) to be located on the third of the lot closest to a street in lieu of the required farthest removed; and to permit said structure to have a height of 24 feet in lieu of the maximum permitted 15.

Hearing: Monday, January 7, 2008 at 2:00 p.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Joseph & Nina Luhrman, 1131 Armacost Road, Parkton 21120

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, DECEMBER 22, 2007.**
(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, December 20, 2007 Issue - Jeffersonian

Please forward billing to:
Deborah Kendall-Sipple
Permits & Development Management
111 West Chesapeake Avenue
Towson, MD 21204

410-887-4544

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: 08-202-A
1131 Armacost Road
S/east corner of Armacost Road and Quail Court
6th Election District – 3rd Councilmanic District
Legal Owners: Joseph & Nina Luhrman

Variance to permit a proposed detached accessory structure (barn/garage) to be located on the third of the lot closest to a street in lieu of the required farthest removed; and to permit said structure to have a height of 24 feet in lieu of the maximum permitted 15.

Hearing: Monday, January 7, 2008 at 2:00 p.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

WILLIAM J. WISEMAN III
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.

Patricia Zook - Case No. 08-202-A (administrative variance that closed 11-26-07) Hearing Required

From: Patricia Zook
To: Matthews, Kristen
Date: 11/28/2007 4:57 PM
Subject: Case No. 08-202-A (administrative variance that closed 11-26-07) Hearing Required
CC: Bostwick, Thomas; Wiley, Debra

Hello Kristen -

The file for this administrative variance contains numerous letters of opposition. Therefore, Tom Bostwick determined that a hearing is necessary. The property will need to be reposted and advertised. Please send notification of the scheduled hearing to those who wrote letters.

Thanks for your help.

CASE NUMBER: 202
1131 Armacost Road
Location: SE corner Armacost Road and Quail Court
6th Election District, 3rd Councilmanic District
Legal Owner: Joseph C. And Nina Luhrman
Closing Date 11/26/2007

ADMINISTRATIVE VARIANCE to permit a proposed detached accessory structure (barn/garage) to be located on the third of the lot closest to a street in lieu of the required farthest removed; and to permit said structure to have a height of 24 feet in lieu of the maximum permitted 15 feet.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
410-887-3868
pzook@baltimorecountymd.gov

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 13, 2007

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

RECEIVED
NOV 13 2007
BY:_____

SUBJECT: 8-202- Administrative Variance

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 24 feet in lieu of the maximum permitted 15 feet and to be located in the third of the lot closest to the street provided the following conditions are met:

1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
2. The accessory structure shall not be used for commercial purposes.

For further information concerning the matters stated herein, please contact Jessie Bailek at 410-887-3480.

Reviewed by: _____

AFK/LL: CM

W:\DEVREV\ZAC\8-202.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 6, 2007

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 12, 2007
Item Nos. 08-189, 197, 198, 199, 201, 202, 203, 204, and 205

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

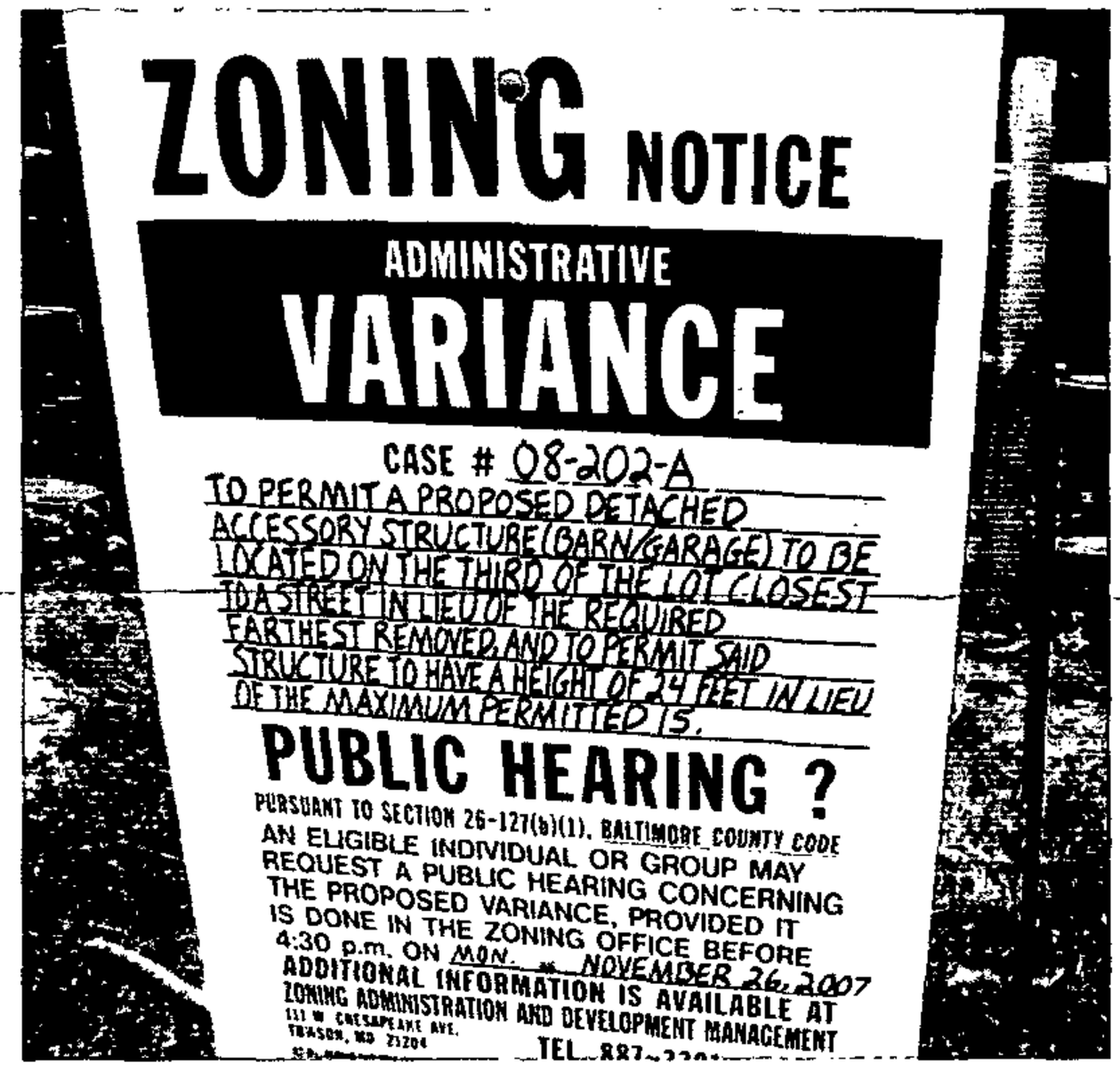
DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-11062007.doc

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS
DATE: 11/07/07
Case Number: 08-202-A
Petitioner / Developer: JOSEPH & NINA LUHRMAN~
AUSTIN CHILDS ,AIA
Date of Hearing (Closing): NOVEMBER 26, 2007

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
1131 ARMACOST ROAD

The sign(s) were posted on: NOVEMBER 7, 2007



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 – 666 – 5366
(Telephone Number of Sign Poster)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08-202 -A Address 1131 Armacost Rd

Contact Person: David Duvall Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 10/29/07 **Posting Date:** 11/11/07 **Closing Date:** 11/26/07

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.

(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 08-202 -A Address 1131 Armacost Rd

Petitioner's Name Jos. Luhrman Telephone 410-357-0222

Posting Date: 11/11/07 **Closing Date:** ~~11/26/07~~ 11-26-07

Wording for Sign: To Permit a proposed detached accessory structure (barn/garage) to be located on the third of the lot closest to a street in lieu of the required farthest removed; and to permit said structure to have a height of 24 feet in lieu of the maximum permitted 15

WCR - Revised 6/25/04

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

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: 08-202-A

Petitioner: Nina and Joe Luhrman

Address or Location: 1131 Armacost Rd., Parkton, MD 21120

PLEASE FORWARD ADVERTISING BILL TO:

Name: Nina and Joe Luhrman

Address: 1131 Armacost Rd.
Parkton, MD 21120

Telephone Number: 410-357-0222

Revised 7/11/05 - SCJ

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and Development Management

November 26, 2007

Joseph C. Luhrman
Nina M. Luhrman
1131 Armacost Road
Parkton, Maryland 21120

Dear Mr. and Mrs. Luhrman:

RE: Case Number: 08-202-A, 1131 Armacost Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 29, 2007. This letter is not an approval, but only a **NOTIFICATION.**

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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

Martin O'Malley, *Governor*
Anthony G. Brown, *Lt. Governor*

SHA
State Highway Administration
Maryland Department of Transportation

John D. Porcari, *Secretary*
Neil J. Pedersen, *Administrator*

Date: 11/6/2007

Ms. Kristen Matthews
Baltimore County Office Of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. B-202-A
ARMACOST RD & QUAIL COURT
LUHRMAN PROPERTY
ADMINISTRATIVE VARIANCE

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. B-202-A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Michael P. Bailey

FOR Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 13, 2007

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

SUBJECT: 8-202- Administrative Variance

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 24 feet in lieu of the maximum permitted 15 feet and to be located in the third of the lot closest to the street provided the following conditions are met:

1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
2. The accessory structure shall not be used for commercial purposes.

For further information concerning the matters stated herein, please contact Jessie Bailek at 410-887-3480.

Reviewed by: Cynthia D. Feeney

AFK/LL: CM

W:\DEVREV\ZAC\8-202.doc

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and Development Management

December 20, 2007

Ms. Joan Cusick
6 Quail Wood Court
Parkton, MD 21120

Dear Ms. Cusick:

RE: Case Number: 08-202-A, 1131 Armacost Road

The above matter, previously scheduled for January 7, 2008, 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,

Timothy Kotroco

Timothy Kotroco
Director

TK:klm

C: Mr. & Mrs. North
Thomas Gill
Mr. & Mrs. Foster

0722
1212
1212
0719071602
1204
0702085281
1204
717.5
ARMACOST
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1700013386
4
2
1700013385
1700013385
2
714.8
RC-4
715.3
2
2
QUAILWOOD COURT
7 ED
NW 31-D 016C2
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ARMACOST
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1121
1121
1131
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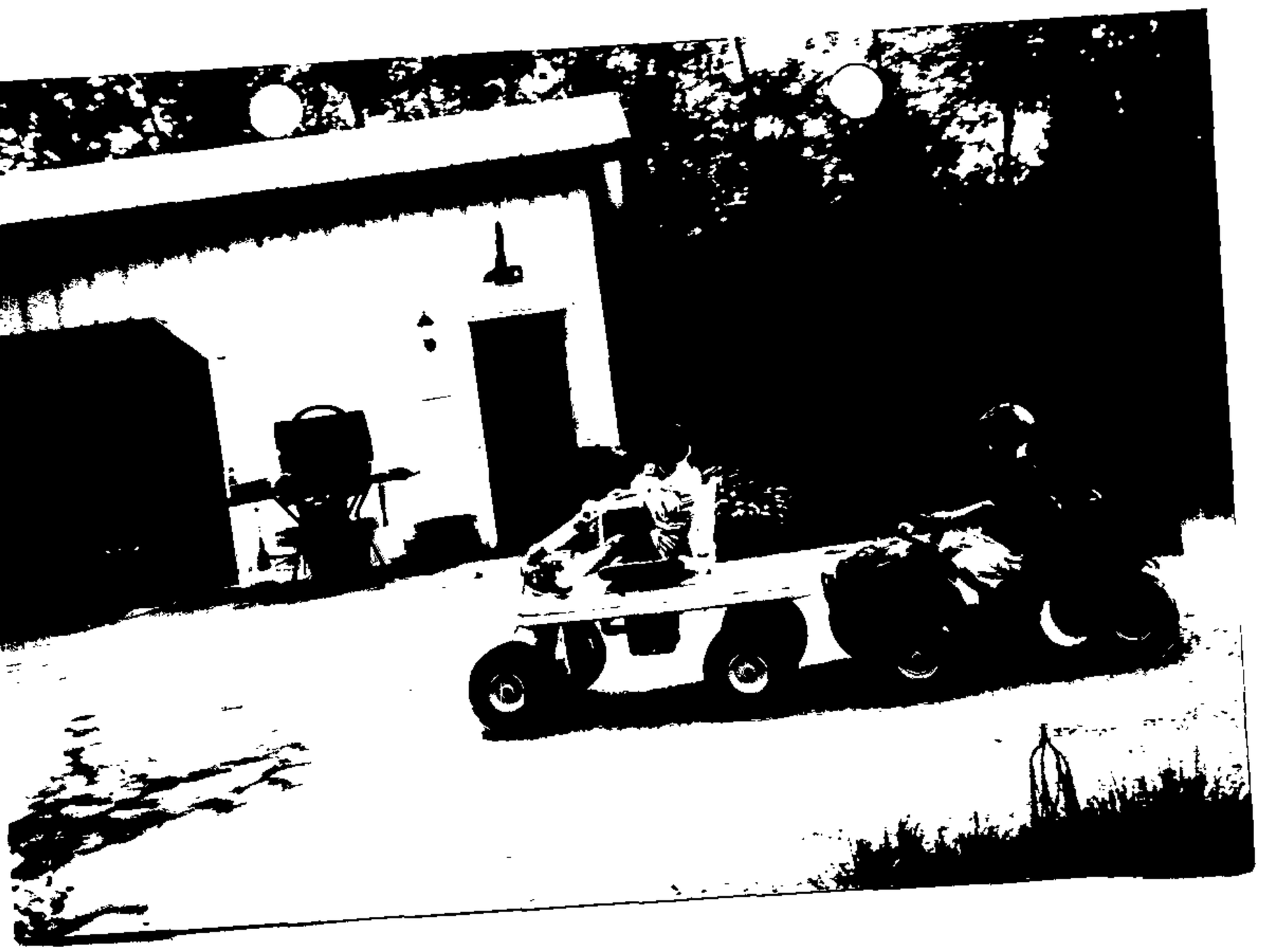
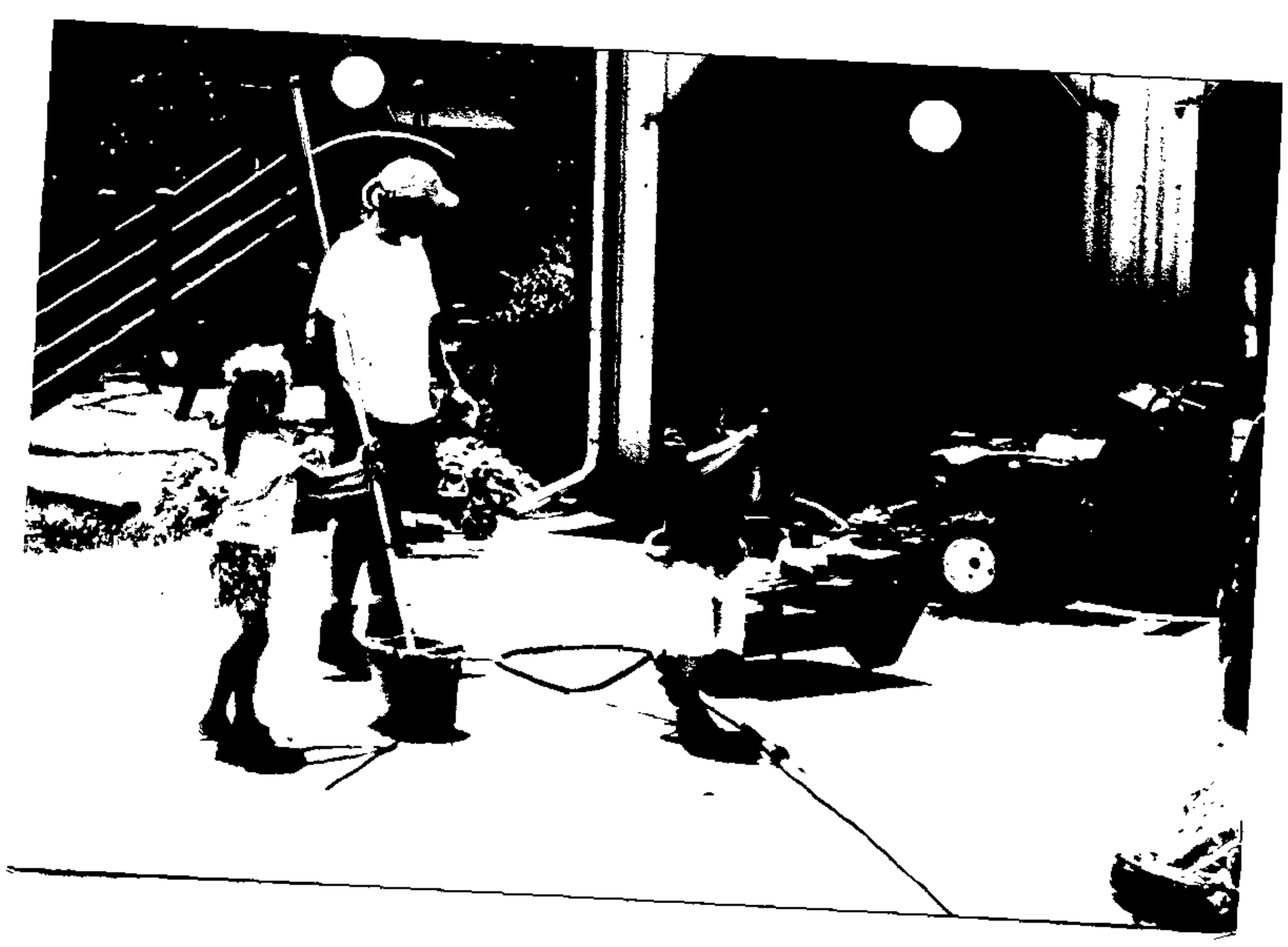
Item # 202



M732066

CAPRISUN



PLEASE PRINT CLEARLY

CASE NAME 08-202-A
CASE NUMBER
DATE 4-29-08

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Nina Luhrman	1131 Annacost Rd.	Parkton MD 21120	
Joe Luhrman	"	"	
Austin Gingrich	16110 Falls Rd	Monkton MD 21111	

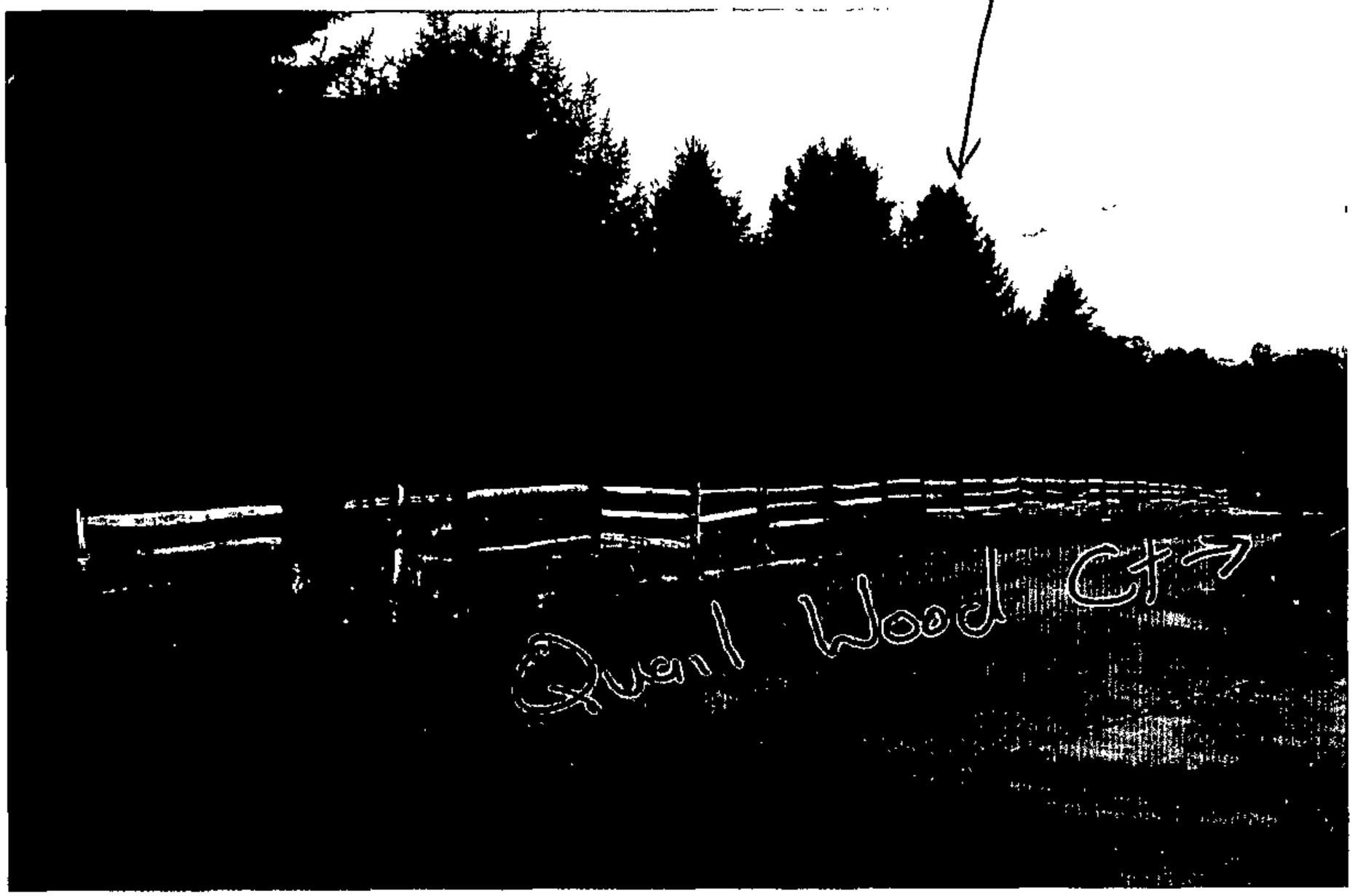
PLEASE PRINT CLEARLY

CASE NAME 08202A
CASE NUMBER 08202A
DATE 4-29-08

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
JOAN FOSTER	7 QUAIL WOOD CT.	PARKTON, MD 21120	w.fosterjr@att.net
JOAN CUSICK	6 QUAIL WOOD CT.	PARKTON, MD 21120	jcpirish@msn.com
J.R. North	10 Quail Wood Ct	Parkton MD 21120	—
James Murphy	11 QUAIL WOOD CT	Parkton Md 21120	jmurfelec@netzero.com
Richard Cusick Jr	6 QUAIL Wood CT	PARKTON, md. 21120	RPTRUCK@MSN.COM
WILLIAM FOSTER JR	7 QUAIL WOOD CT	PARKTON, MD 21120	W. FOSTER JR @ ATT NET
R BAGGETT	9 QUAIL Wood CT.	PARKTON MD 21120	
Pam Troup	4 Quail wood Ct	Parkton, MD. 21120	ptroup@bcps.org

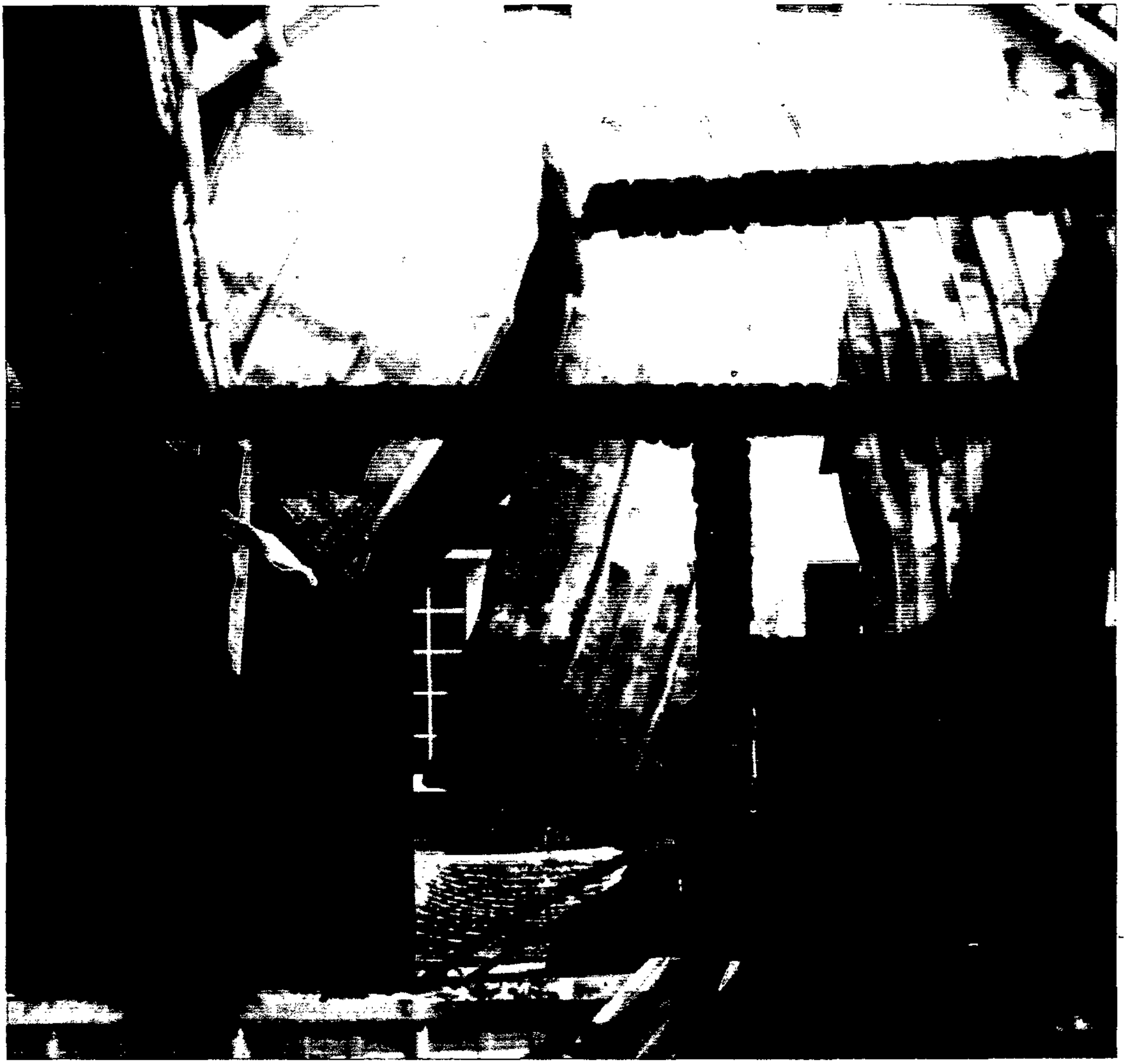
location of proposed garage
2-3 trees would be removed



Item #202

Top

View of old garage toward house (after fire)



Item # 202

CASE NUMBER: 8-202-A **FORMAL DEMAND**

1131 Armacost Road
Location: SE corner Armacost Road and Quail Court
6th Election District, 3rd Councilmanic District
Legal Owner: Joseph C. And Nina Luhrman

ADMINISTRATIVE VARIANCE to permit a proposed detached accessory structure (barn/garage) to be located on the third of the lot closest to a street in lieu of the required farthest removed; and to permit said structure to have a height of 24 feet in lieu of the maximum permitted 15.

Hearing: Tuesday, 4/29/2008 at 9:00:00 AM, County Courts Building, 401 Bosley Avenue, Room 407, Towson

OPPOSE	FAVOR
James & Brenda Murphy 11 Quail Wood Court Parkton, MD 21120 (11/18/07) ✓	
Mr. and Mrs. Robert Baggett 9 Quail Wood Court Parkton, MD 21120 (11/25/07) ✓	
Richard & Joan Anne Cusick 6 Quail Wood Court Parkton, MD 21120 (11/16/07) ✓	
J. Richard & Virginia R. North 10 Quail Wood Court Parkton, MD 21120 (11/18/07) ✓	
Thomas M. Gill 5 Quail Wood Court Parkton, MD 21120 (No Date Reflected)	
William & Joan W. Foster 7 Quail Wood Court Parkton, MD 21120 (11/18/07) ✓	

Beryl Waretheim
1 Caribou Court
Parkton Md 21120

As of 04/25/08

James and Brenda Murphy

♦♦♦

11 Quailwood Court ♦ ♦ Parkton,Md. 21120
Phone 443-506-3706 ♦ Home Phone 410-329-8059 ♦ Email jmurfelec@netzero.com

November 18, 2007

Zoning Review Office
Baltimore County Office Building
111 W. Chesapeake Ave.
Twson Md. 21204

Attn. Mr. Timothy Kotroco

Reference : Case # 08202A - Administative Variance - 1131 Armacost Rd.

We are writing with concerns and to voice our opposition to the above referenced variance. The location and height of this proposed structure would be an imposing building in a community that requires a fifty foot setback on permanent structures. The height of the proposed building would block and change the skyline appearance as this property is located on the corner of Armacost Rd. and Quailwood Ct. The new structures proposed variance location would be at the entrance to our community, HamletFarms, section B. Allowing this large structure to be placed near the property line adjoining Quailwood Ct. would create an unpleasant view as one entered our development. These are the very reasons that zoning restrictions are placed on properties. The restictions are implemented with much thought and planning to protect the character and value of all properties in a particular area as a whole. The existing zoning allows the property owner to build a structure of the proper size and location so as to not negatively effect or infringe on the adjoining community.

Yours truly,
James and Brenda Murphy

James E Murphy
Brenda Murphy

Joan Anne Cusick
6 Quail Wood Court
Parkton MD 21120

Zoning Commissioner
~~Mr. Timothy Kotroco, Director~~
PDM

Baltimore Co. Office Building
Room 111

111 West Chesapeake Ave.
Towson, MD 21204

FOR INCLUSION IN
CASE FILE 08-202-A

Saving the trees along
Quail Wood Court
As one of the neighbors
in the area, I want our
neighborhood to be the
best it can be so I'm
sure the Lubrmans do
also
Thank you for your
consideration in this matter

Sincerely

Beryl Lawson
1 Cactus Court
Pueblo, Maryland
21228

Case #08202-A

April 24, 2008

To Whom It May Concern:

It is my understanding that there is to be a barn type garage erected on the property at 1311 Armacost Road in Parkton, Maryland. Apparently, this structure does not meet the county regulations and, also, will require the removal of some very nice pine trees. Having lived in this area for over twenty years, I feel this situation could be resolved to everyone's satisfaction, if the owners of the property would be more agreeable in placing the structure in another area on the property or reducing it's size and, also,

11/25/07

Attention: Mr Timothy Kotroco
Director PDR

Administrative Variances - 1131 Armacost Rd.

We are writing in protest to proposed structure barn/garage to be located on the third of lot closest to street in lieu of the required farthest removed location. The said structure would not blend esthetically with the surrounding housing structures.

Thank You for your attention in the matter
Mr + Mrs Robert Baggett

(Baggett)

RECEIVED
NOV 26 2007
Per...

9 Quail Wood Ct.
Parkton, Md. 21120

11-16-7

Dear Mr. Kotroco

The administrative Variance sign on 1131 Armacost Road requesting permission to construct a detached accessory structure (barn/garage) is of great concern for us.

We live on Quail Wood Court & feel that putting a building this large so close to the street (Quail Wood Court) is a grave mistake. It is a small area-

The owners of the house will be facing the ~~structure at a distance is the far~~ corner of their lot while we as neighbors will have the back facing us as well as anything that is stored behind it.

It is our hope that the building not exceed the maximum requirements & be placed elsewhere on the lot other than the third of the lot closest to the street.

The lot is of good size & by placing the structure in another location the beautiful fir trees lining the street would be preserved also. Thank you for your attention to our problem. John Anne Cusick

Richard P. Cusick

PROTESTANTS EXHIBIT ✓

J. Richard & Virginia R. North
10 Quail Wood Court
Parkton, MD 21120

18 November 2007

Zoning Commissioner
~~Mr. Timothy Kotroco, Director~~
PDM
Baltimore County Office Bldg., Room 111
111 W. Chesapeake Ave.
Towson, MD 21204

Reference: Case #08-202-A
Administrative Variance 1131 Armacost Road to permit a proposed detached accessory structure (barn/garage) to be located on the third of the lot closest to the street in lieu of the required farthest removed and to permit a height of 24 feet in lieu of the maximum permitted 15 feet.
Location: South side of Armacost Road on the East side of Quail Wood Court, 6th Election District, Legal Owners Joseph C. and Nina Luhrman.

The Luhrmans propose to place this structure close to their Quail Wood Ct. property line and to remove several mature blue spruce trees of average height 25 feet that are part of a continuous row of trees which currently form a visual screen of their property along Quail Wood Ct.

We object to the granting of this variance for several reasons:

1. The height is out of scale with existing accessory structures in the Quail Wood Ct. area.
2. Removal of the large spruce trees and placement of the building close to the Quail Wood Ct. property line will make this structure dominate the view as Quail Wood Ct. owners enter and leave the court. The proposed building is 24 feet high and 36 feet long, and would be a very prominent feature along Quail Wood Ct.
3. The structure could be placed 20 feet further away from the property line without removing any spruce trees, thus preserving the visual screen that now exists.

We request that the variance not be granted as requested unless there be a condition attached by Baltimore County that the screen of spruce trees remain in place as currently existing and be maintained as a visual screen.

Yours truly,

J. Richard North Virginia R. North
J. Richard North
Virginia R. North

PROTESTANTS EX.

J.Richard North
10 Quail Wood Ct.
Parkton, MD 21120

Zoning Commissioner
~~Mr. Timothy Kotroco, Director~~
PDM
Baltimore County Office Bldg., Room 111
111 W. Chesapeake Ave.
Towson, MD 21204

TO ZONING COMMISSIONER & THEN
FOR INCLUSION IN CASEFILE 08-202-A

TO: TIMOTHY KOTROCO
DIRECTOR OF PDM
BALTIMORE CO. OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MD., 21204

FROM: THOMAS GILL
5 QUAIL WOOD CT.
PARKTON, MD., 21120

SUBJECT: CASE #08-202-A, LOCATION: SOUTH SIDE OF ARMACOST ROAD, CENTERLINE ON EAST SIDE OF QUAILWOOD CT., 6TH DISTRICT, LEGAL OWNERS: JOSEPH C. AND NINA LUHRMAN.

REQUEST VARIANCE TO PERMIT A PROPOSED DETACHED STRUCTURE TO BE LOCATED ON THE THIRD OF THE LOT CLOSEST TO A STREET IN LIEU OF THE REQUIRED FARTHEST REMOVED, AND TO PERMIT SAID STRUCTURE TO HAVE A HEIGHT OF 24 FEET IN LIEU OF THE MAXIMUM PERMITTED 15 FT.

WE WOULD REQUEST THAT THE PROPOSED STRUCTURE COMPLY WITH THE EXISTING CODE REQUIRED TO BE FARTHEST REMOVED FROM THE THIRD OF THE LOT CLOSEST TO THE STREET.

SHOULD THE VARIANCE BE GRANTED AS THE LUHRMANS REQUESTED WE WOULD ASK THAT A SCREEN OF EVER GREENS BE PLANTED TO THE REAR OF THE STRUCTURE.

SINCERELY,

THOMAS GILL

PROTESTANTS EXHIBIT

THOMAS M. GILL
Gill
PAINTING & WALLCOVERING

5 QUAIL WOOD COURT • PARKTON, MD 21120

Zoning Commissioner

~~ATT TIMOTHY KOTROCO, DIRECTOR FOR~~

Room 111 Balt. County Office Bldg

111 W. Chesapeake Ave

Towson Md 21204

FOR INCLUSION IN

CASE FILE

08-202A

November 18, 2007

See photo attached

Timothy Kotroco
Director of PDM
Baltimore County Office Bldg., Room 111
111 West Chesapeake Ave.
Towson, MD, 21204

Dear Mr. Kotroco,

Subject: Case #08-202-A, Location: South side of Armacost Road, Centerline on East side of Quail Wood Court, 6th District, Legal Owners--Joseph C. and Nina Luhrman.

Request variance to permit a proposed detached Barn/ Garage to be located on the third of the lot closest to a street in lieu of the required farthest removed, and to permit said structure to have a height of 24 feet in lieu of the maximum permitted 15 feet..

The Luhrmans intend to remove three blue spruce trees (see attached photo) in order to accomodate this rather large barn. These trees would provide a natural screening for this structure. This barn will be 36 feet long, 24 feet deep and if the variance is granted-24 feet tall and the plain back of the barn will face Quail Wood Court.

We would request that the proposed structure comply with existing code required to be farthest removed from the third of the lot closest to the street. The Lurhmans have a good deal of property on which to place this structure or they could move it in 10 feet, leave the trees there--we would be happy with that.

Sincerely,

William Foster Jr.

William Foster Jr.

Joan W. Foster

Joan W. Foster

7 Quail Wood Court
Parkton, MD 21120

PROTESTANTS EXHIBIT

Mr. William Foster Jr.
7 Quail Wood Ct.
Parkton, MD 21120

Zoning Commissioner
~~Mr. Timothy Kotroco~~
Director of PDM
Baltimore Co. Office Bldg., Room 111
111 West Chesapeake Ave.
Towson, MD 21204

FOR INCLUSION IN
CASE FILE 08-202-A

Beryl Wareheim
1 Caribou Ct.
Parkton, MD 21120

BALTIMORE MD 212
25 APR 2005 PM 4 L

USPS Hi
Ameri

USA FIRST-CLASS FOREVER

Department of Permits
County Office Building
111 W. Chesapeake Ave.
Room 111
Towson, Maryland
21204

Attn: Timothy Kotroco

D

Back side View OF Trees To be TAKEN down

E

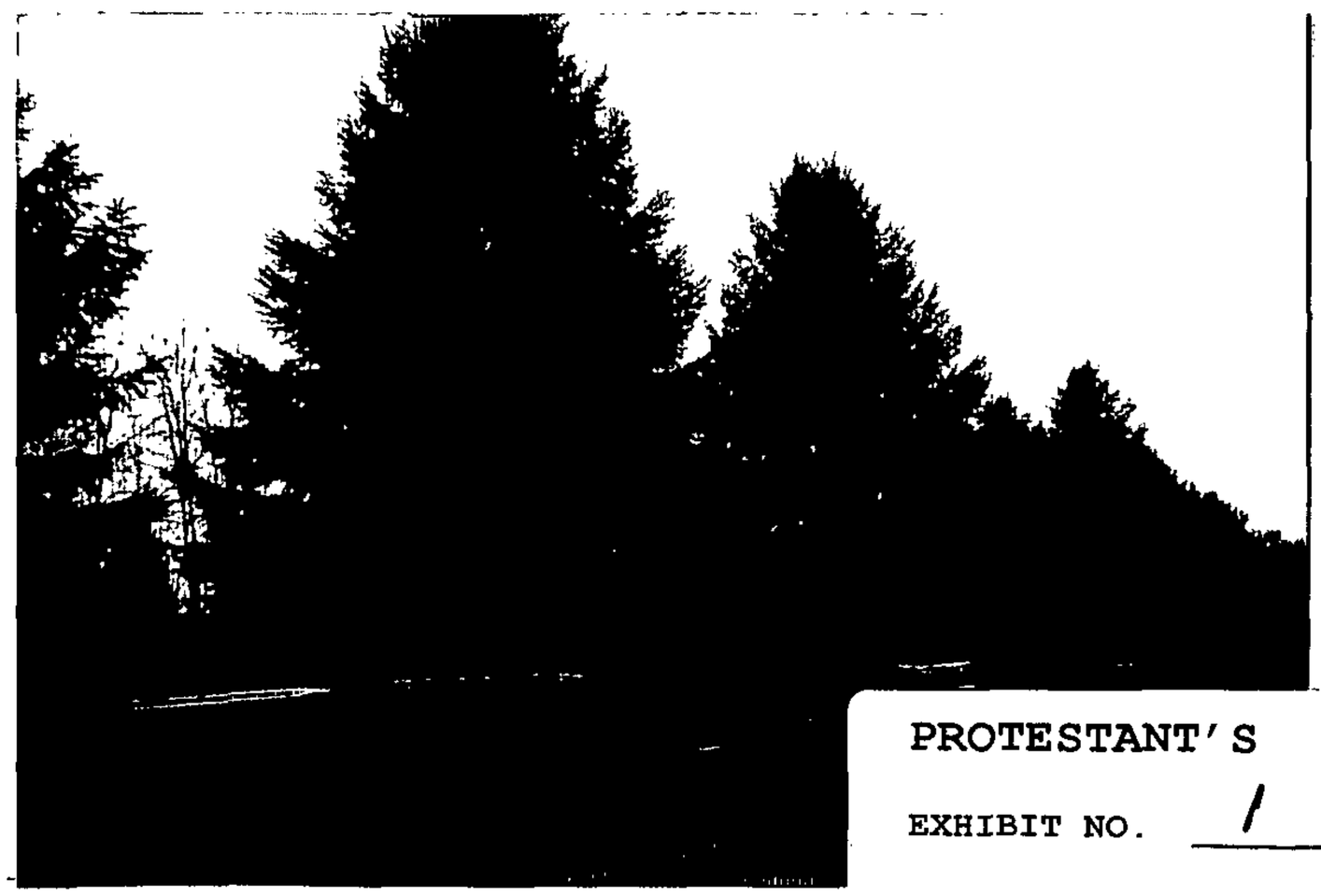
F

Sign Posted on ARMACOST Rd.

G

Trees To be TAKEN DOWN BACK OF BARN To FACE COURT

H



PROTESTANT'S
EXHIBIT NO. 1

Citizens Quail Wood Ct. → → → → → →

Exhibit D, E, F, G H

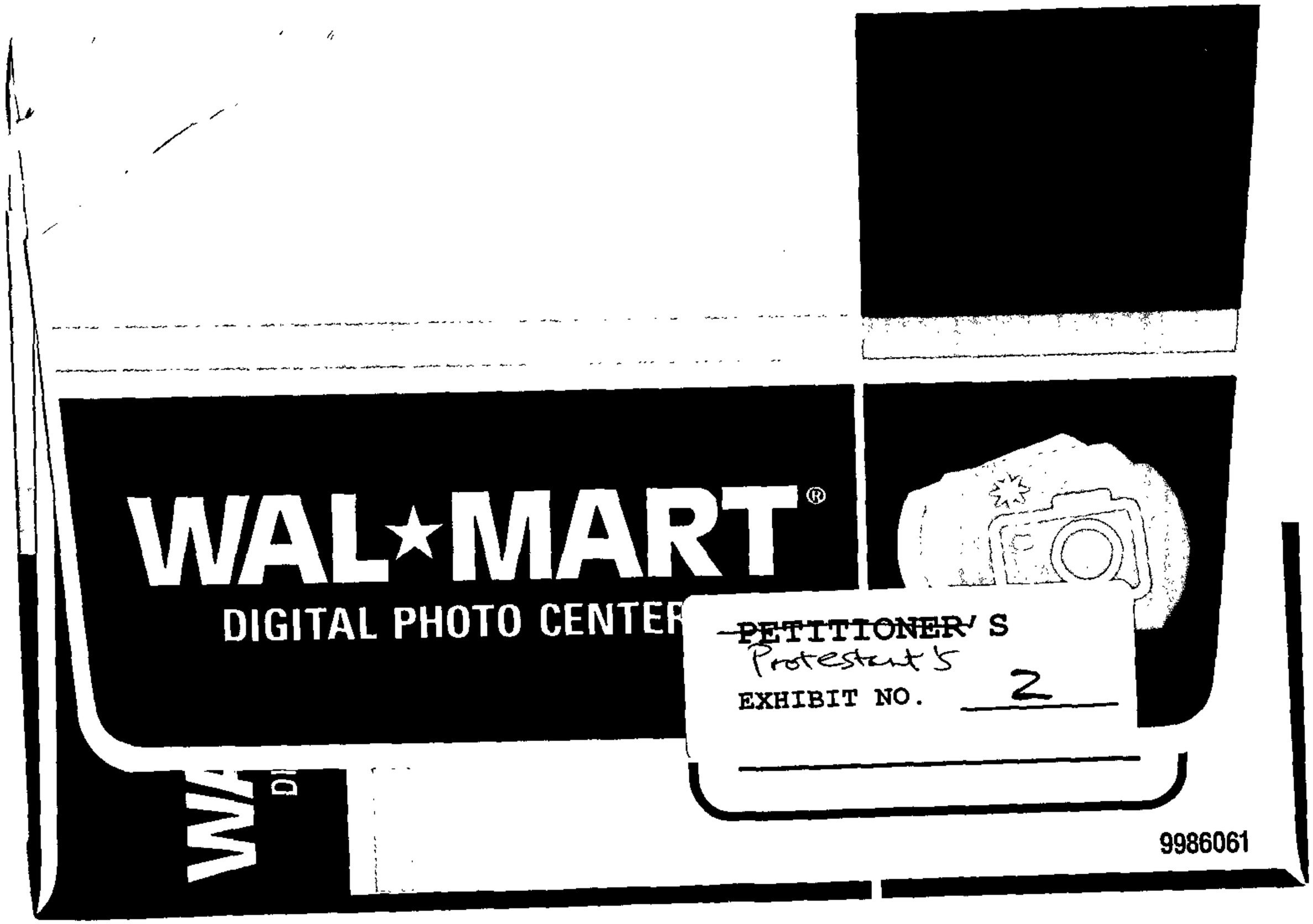
CASE NO. 08202A

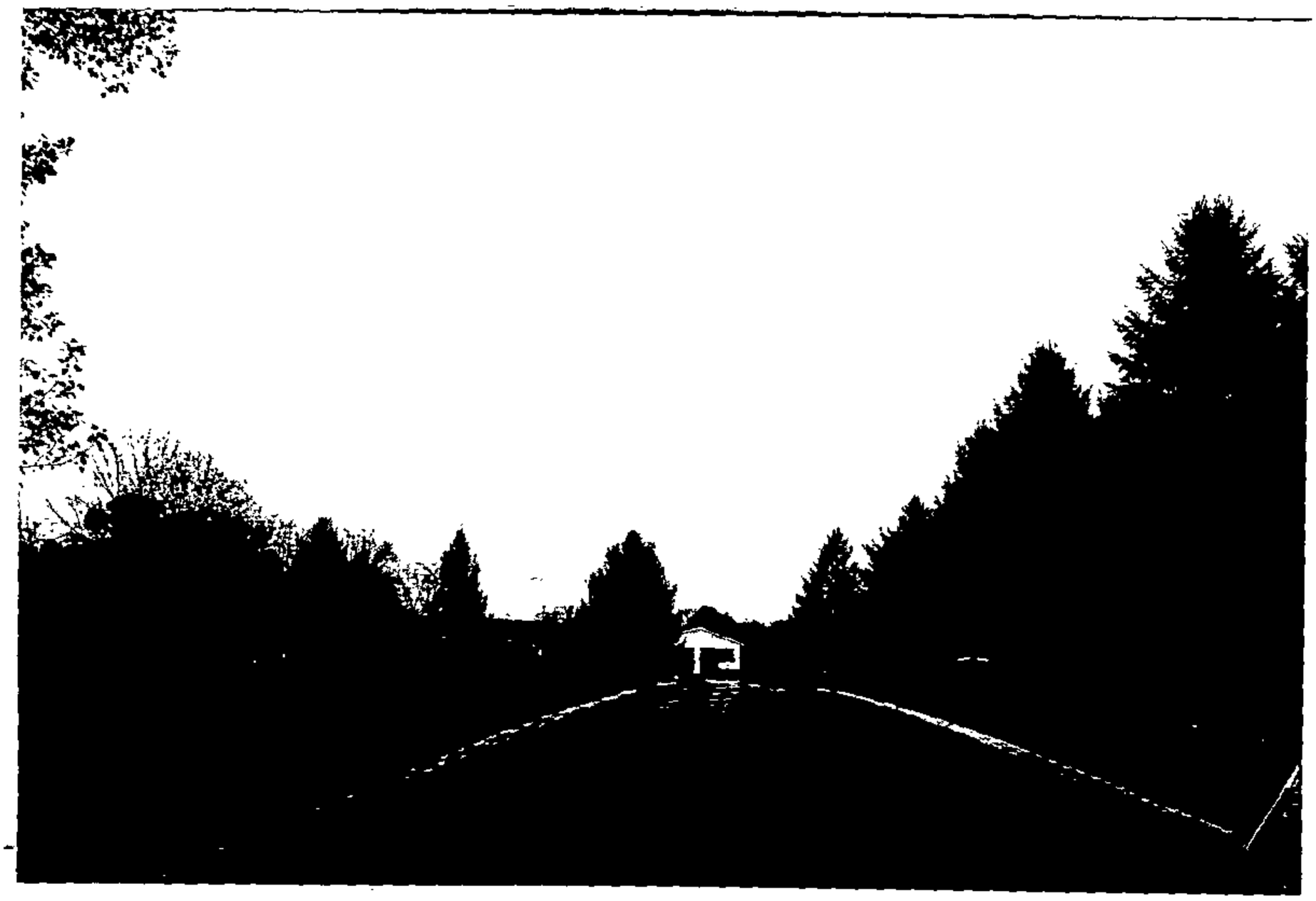
Case No.: 08-202-A 1131 ARMACOST RD

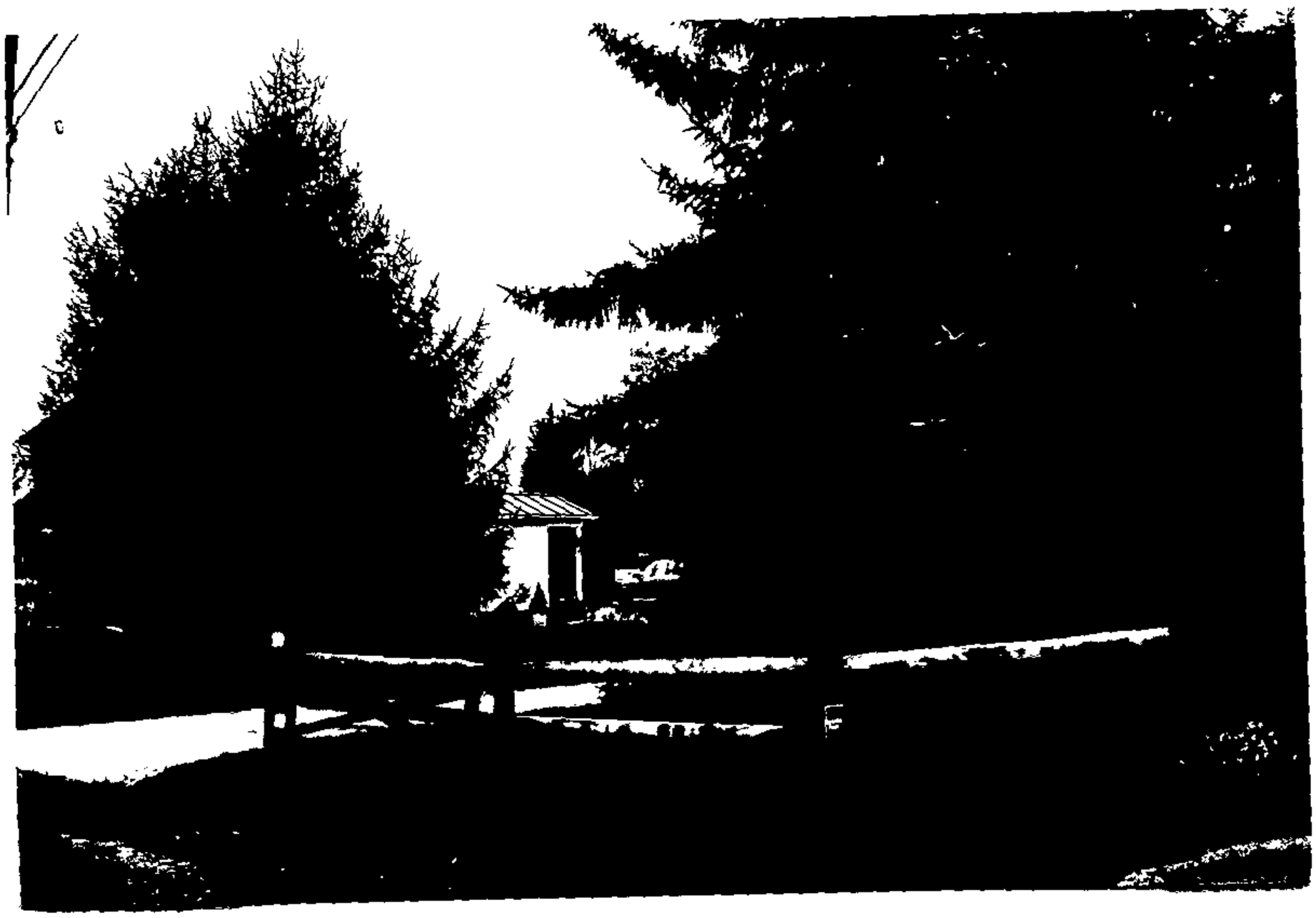
Exhibit Sheet

	Petitioner/Developer	Protestant
No. 1	Site PLAN	Panaramic Views 5 - Photo's
No. 2	Architectural Drawings	Collective Photo's VARIOUS VIEWS
No. 3 3 Photo's a B+C	Photo's of Existing Conditions	
No. 4	Garage location Photo	
No. 5 A+B	Existing Home	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

QUAIL FOOD


WAL★MART®
DIGITAL PHOTO CENTER
PETTITIONER'S
Protestant 5
EXHIBIT NO. 2
9986061





Case No.: 08-202-A 1131 ARMACOST RD

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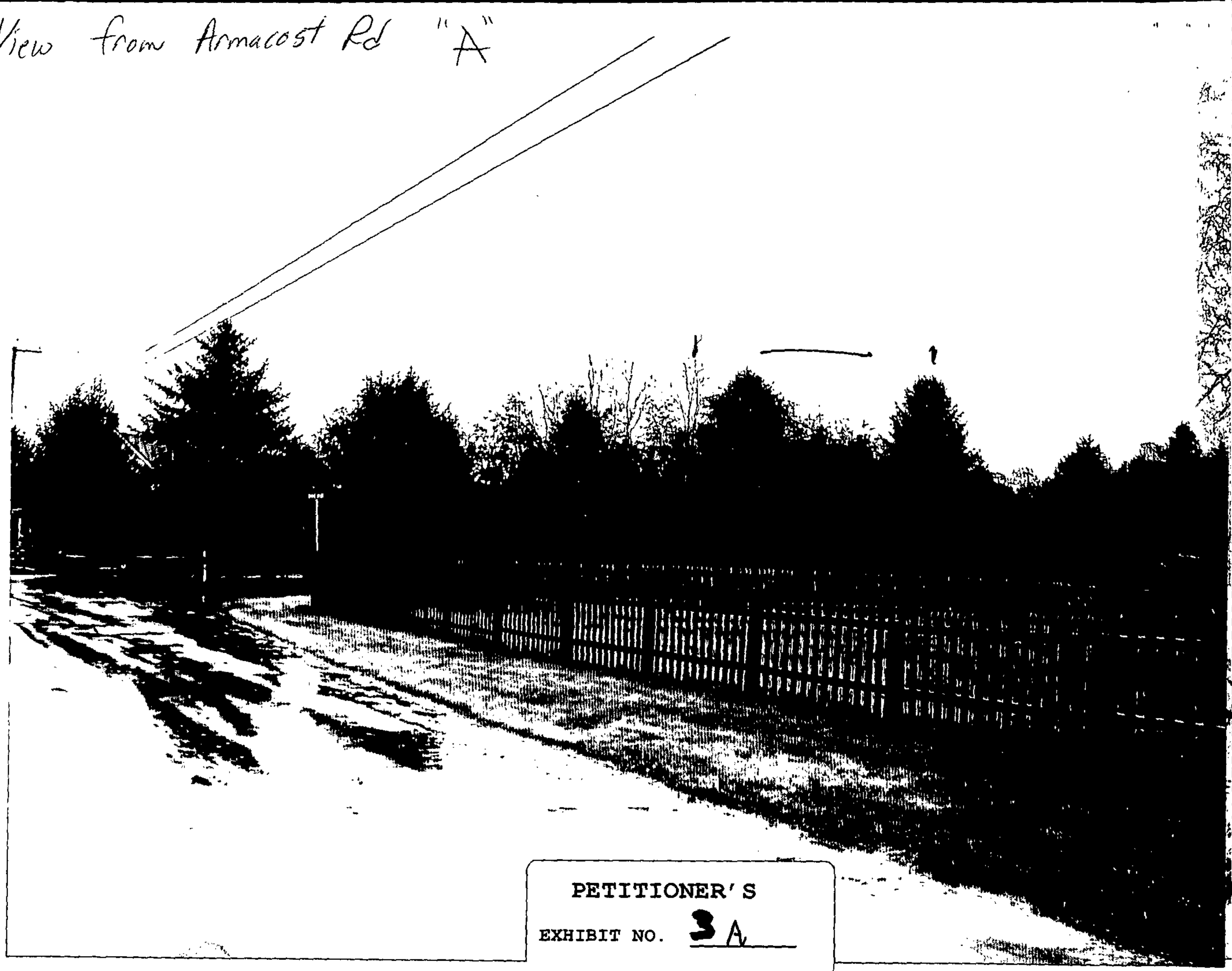
No. 5 A+B	Existing Home	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

View from Armacost Rd "A"



PETITIONER'S

EXHIBIT NO. 3A

"B"

PETITIONER'S

EXHIBIT NO. 3B

3C

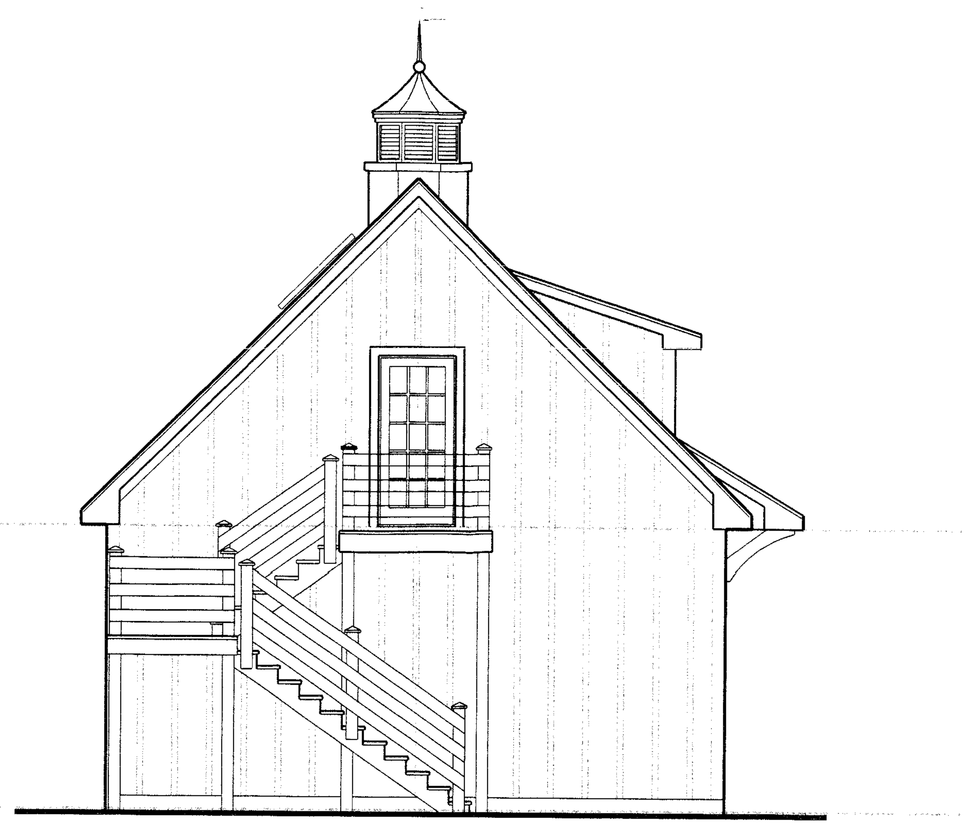
PETITIONER'S

EXHIBIT NO. 4

PETITIONER'S

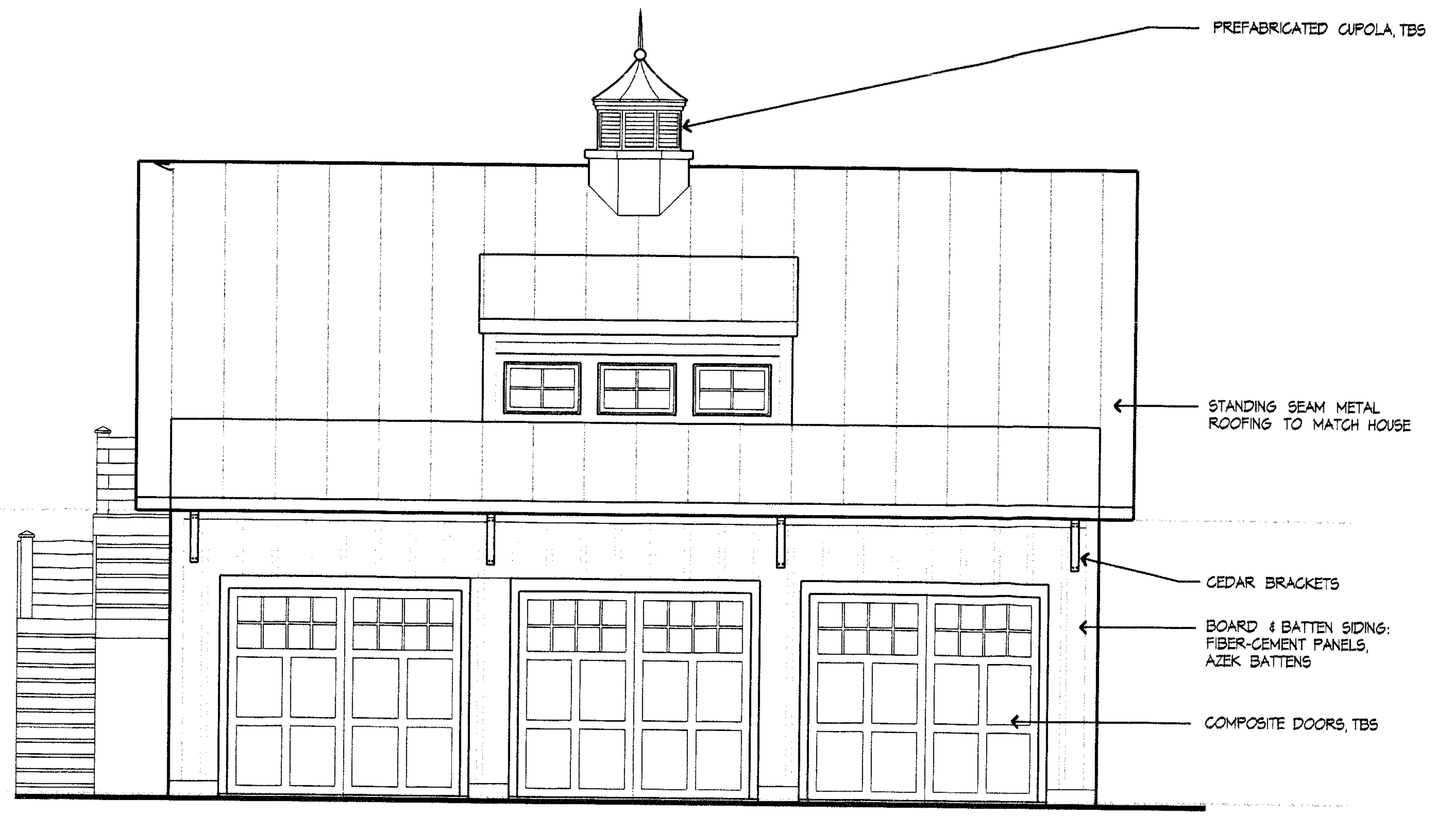
EXHIBIT NO. 5

5



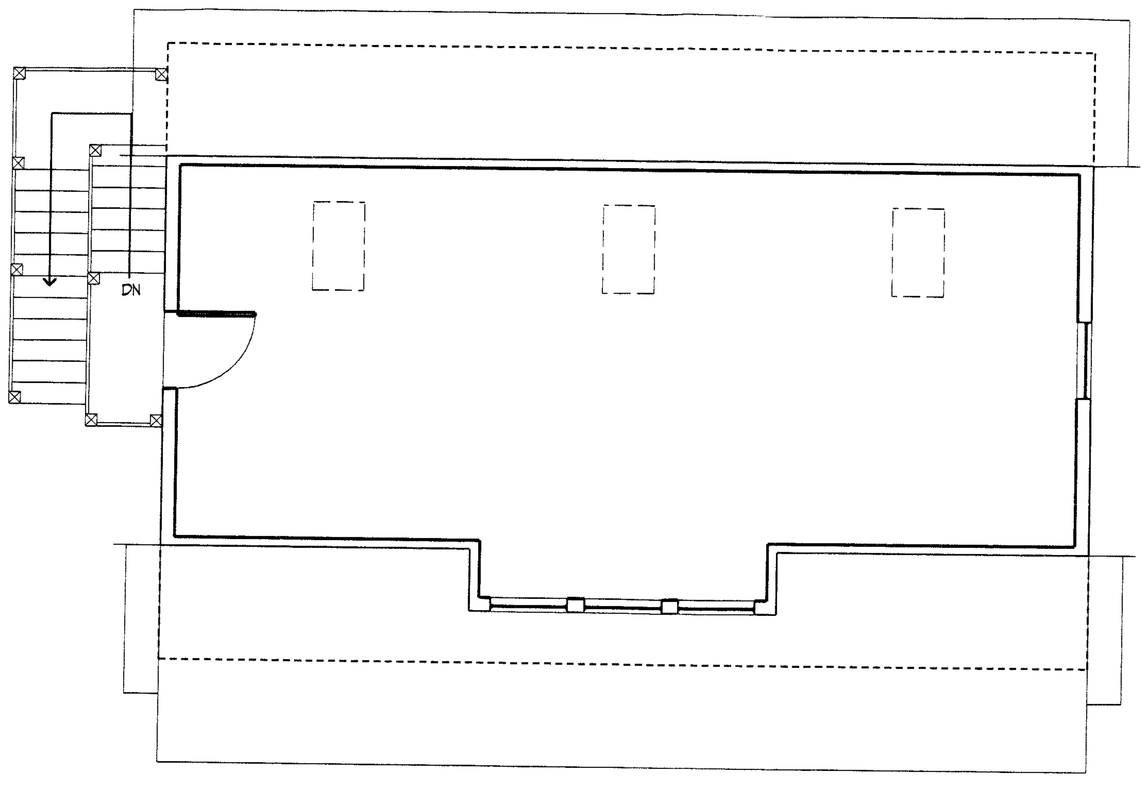
West Elevation

SCALE: 1/4" = 1'-0" REF: XXXXXXXXX



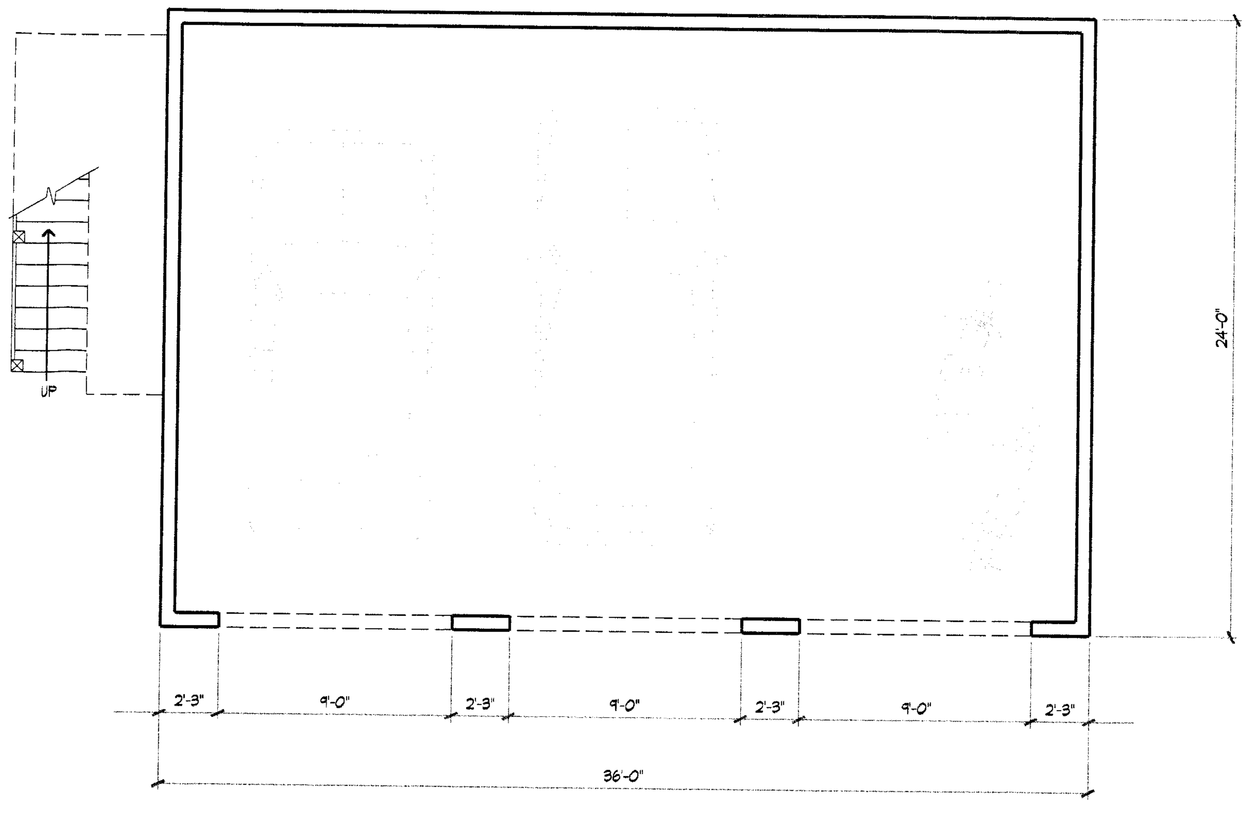
South Elevation

SCALE: 1/4" = 1'-0" REF: XXXXXXXXX



Second Floor

SCALE: 1/4" = 1'-0" REF: XXXXXXXXX



First Floor

SCALE: 1/4" = 1'-0" REF: XXXXXXXXX

THE
NINA & JOE
LUHRMAN HOUSE

BARN PROJECT

1131 ARMACOST ROAD
PARKTON, MARYLAND 21120

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No	Date	Item
REVISIONS		

Drawn

Checked

Approved

austin b childs
architecture
chickenranch design studio
16260 falls road
monkton, maryland 21111
410.472.4686
achildsaia@msn.com

BARN PLANS
& ELEVATIONS
ALT. SCHEME 'C'

PROJECT NO.

SCALE 1/4" = 1'-0"

DATE July 27, 2007

A.1

PETITIONER'S
EXHIBIT NO. 2

Plat to Accompany Petition for Zoning Variance

JOHN E. & MANUELA S. PORTA
2 CARIBOU COURT
PARKTON, MARYLAND 21120
TAX ACCT. NO. 1700013985

KEITH R. ERDMAN
1121 ARMACOST ROAD
PARKTON, MARYLAND 21120
TAX ACCT. NO. 1700005524

MAXIMILLIAN F. & AMY A. VANORDEN
3 QUAIL WOOD CT.
PARKTON, MARYLAND 21120
TAX ACCT. NO. 1700005523

THOMAS M. & NANCY L. GILL
5 QUAIL WOOD CT.
PARKTON, MARYLAND 21120
TAX ACCT. NO. 1700005522

JOSEPH C. & NINA M. LUHRMAN
1131 ARMACOST ROAD
PARKTON, MARYLAND 21120
TAX ACCT. NO. 1600012122

WILLIAM, JR. & JOAN FOSTER
7 QUAIL WOOD CT.
PARKTON, MARYLAND 21120
TAX ACCT. NO. 1700005521

SUSAN PATTERSON ERICKSON
1204 ARMACOST ROAD
PARKTON, MARYLAND 21120
TAX ACCT. NO. 0702085281

STEPHEN & MARYANN POPE
2 QUAIL WOOD CT.
PARKTON, MARYLAND 21120
TAX ACCT. NO. 1700005514

PAMELA JEAN TROUP
4 QUAIL WOOD CT.
PARKTON, MARYLAND 21120
TAX ACCT. NO. 1700005515

ARMACOST ROAD (50' R/W)

QUAIL WOOD COURT (50' R/W)

EXIST. SEPTIC

EXIST. DWELLING:
2 STOREYS, 27 FT. H.

PREVIOUS LOCATION OF GARAGE
(DESTROYED by FIRE)

EXIST. WELL

PROPOSED BARN/garage
24 FT. H.

328'-11"

189'-7"

142'-10"

221'-5"

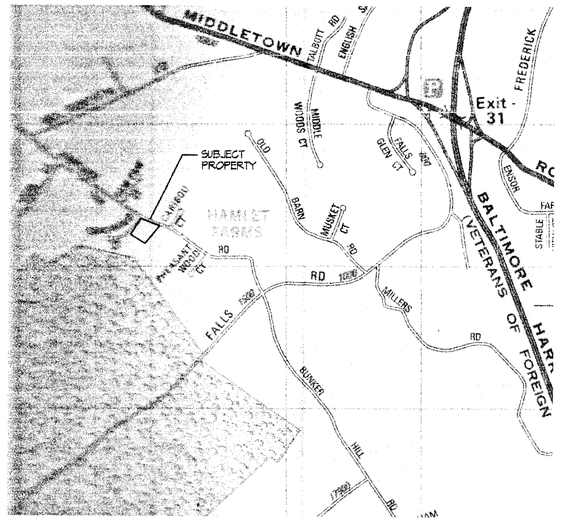
12'-0"

36'-0"

21'

N 42°51'12" E 26.00'

S 42°51'12" W 26.00'



VICINITY MAP
1" = 1,000'

PROJECT DATA

PROPERTY ADDRESS:	1131 Armacost Road
OWNER:	Joseph & Nina Luhrman
LOCATION INFORMATION	
ELECTION DISTRICT:	7
COUNCILMANIC DISTRICT:	3
1"=200' SCALE MAP #:	C16C2
ZONING:	RC-4
LOT SIZE:	1.9015 ACRES
SEWER:	PRIVATE SEPTIC SYSTEM
WATER:	PRIVATE (WELL)
CHES. BAY CRITICAL AREA:	NO
100 YEAR FLOOD PLAIN:	NO
HISTORIC PROPERTY:	NO
PRIOR ZONING HEARING:	NONE

#08-202-A

THE
NINA & JOE
LUHRMAN HOUSE

RENOVATIONS
&
ADDITIONS

1131 ARMACOST ROAD
PARKTON, MARYLAND 21120

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austin b childs
architecture
chickenranch design studio
16260 falls road
monkton, maryland 21111
410.472.4686
achildsaia@msn.com

SITE PLAN

SCALE: 1" = 30'
DATE: September 19, 2007

S.P.

PETITIONER'S
EXHIBIT NO. 1

Plat to Accompany Petition for Zoning Variance

JOHN E. & MANUELA S. PORTA
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JOSEPH C. & NINA M. LUHRMAN
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PARKTON, MARYLAND 21120
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ARMACOST ROAD (50'R/W)

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2 STOREYS, 27 FT. H.

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PREVIOUS LOCATION OF GARAGE
(DESTROYED by FIRE)

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24 FT. H.

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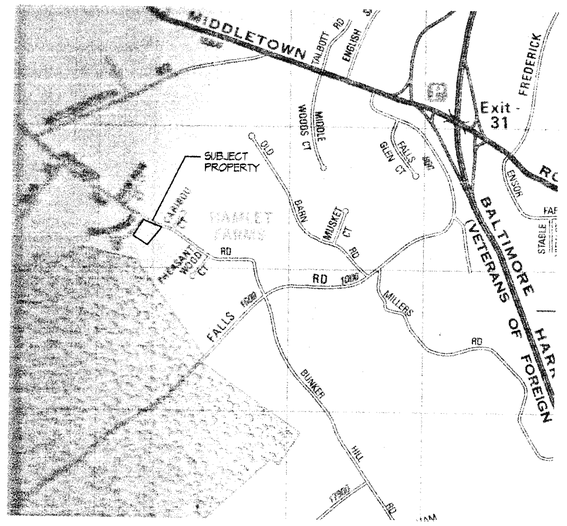

VICINITY MAP
1" = 1,000'

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PROPERTY ADDRESS:	1131 Armacost Road
OWNER:	Joseph & Nina Luhrman
LOCATION INFORMATION	
ELECTION DISTRICT:	7
COUNCILMANIC DISTRICT:	3
1"=200' SCALE MAP #:	016CQ
ZONING:	RC-4
LOT SIZE:	1.9015 ACRES
SEWER:	PRIVATE SEPTIC SYSTEM
WATER:	PRIVATE (WELL)
CHES. BAY CRITICAL AREA:	NO
100 YEAR FLOOD PLAIN:	NO
HISTORIC PROPERTY:	NO
PRIOR ZONING HEARING:	NONE

#08-202-A

THE
NINA & JOE
LUHRMAN HOUSE

RENOVATIONS
&
ADDITIONS

1131 ARMACOST ROAD
PARKTON, MARYLAND 21120

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chickenranch design studio
16260 falls road
monkton, maryland 21111
410.472.4686
achildsaia@msn.com

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CONTRACT NO.

SCALE 1" = 30'

DATE September 19, 2007

S.P.

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1204 ARMACOST ROAD
PARKTON, MARYLAND 21120
TAX ACCT. NO. 0702085281

STEPHEN & MARYANN POPE
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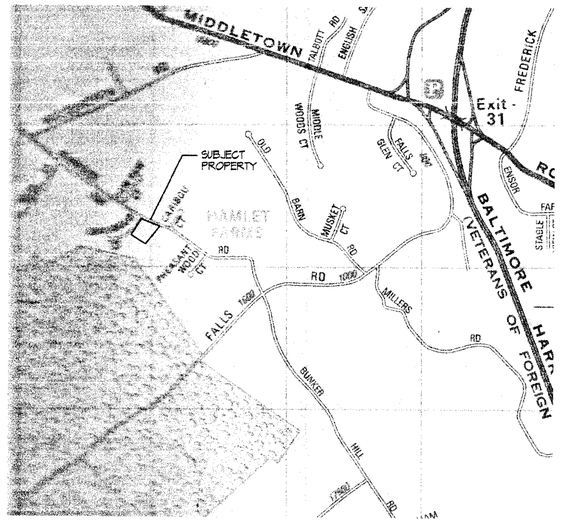

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1" = 1,000'

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#08-202-A

THE
NINA & JOE
LUHRMAN HOUSE

RENOVATIONS
&
ADDITIONS

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PARKTON, MARYLAND 21120

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chickenranch design studio
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monkton, maryland 21111
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SCALE: 1" = 30'
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