

**IN RE: PETITION FOR ADMIN. VARIANCE \***

N side of Bucksway Road, 850 feet +/- E  
c/l of Velvet Ridge Drive  
3<sup>rd</sup> Election District  
2<sup>nd</sup> Councilmanic District  
**(12 Bucksway Road)**

William Helman  
*Petitioner*

BEFORE THE  
DEPUTY ZONING  
COMMISSIONER  
FOR BALTIMORE COUNTY  
**Case No. 08-509-A**

\* \* \* \* \*

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, William Helman for property located at 12 Bucksway Road. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a shed in the side yard in lieu of the required rear. Petitioner proposes to construct a 10 foot x 18 foot pool equipment shelter to enclose two electrical generators, pool pumps and two pool heaters and other related equipment. The enclosure will help reduce any noise generated by this equipment to help alleviate any concerns from the neighbors. This structure is designed with natural materials to be in keeping with the architecture of other structures on the property. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on May 10, 2008 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER REQUESTED FOR FILING  
6-4-08  
10

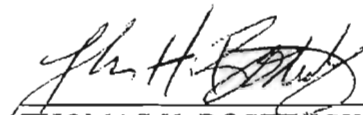
The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

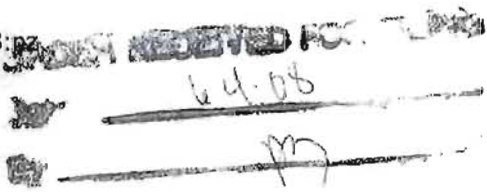
THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 4th day of June, 2008 that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a shed in the side yard in lieu of the required rear is hereby GRANTED, subject to the following:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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

  
\_\_\_\_\_  
THOMAS H. BOSTWICK  
Deputy Zoning Commissioner  
for Baltimore County

THB:

  
6-4-08  
m



# Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County for the property

located at 12 Bucks Way Road

which is presently zoned RC 5

Deed Reference: 177651498 Tax Account # 16-00-000366

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, BCZR, TO PERMIT

A SHED IN THE SIDE YARD IN LIEU OF THE REQUIRED REAR.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Administrative 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):

William Helman

Name - Type or Print

Signature

Name - Type or Print

Signature

12 Bucks Way Road 410-998-3576

Address

Telephone No.

OWINGS Mill MD 21117

City

State

Zip Code

## Representative to be Contacted:

STEVE PRICE, POST & BEAM DESIGN/BUIC

Name

112 COLVARD CT

410-515-6464

Address

Telephone No.

FOREST HILL MD 21050

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 12 day of April, 2008, 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. 2008-0509-A

Reviewed By [Signature]

Date 4-28-08

REV 7/20/07

Estimated Posting Date 5/1/08

12-4-08  
[Signature]

# 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 12 BUCKSWAY ROAD  
Address  
OWINGS MILLS MD 21117  
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):

1. We propose to build a 10' X 18' structure to enclose the (2) electrical generators, pool pumps and the (2) pool heaters and related equipment.
2. The equipment is located on the side of the owners existing home where current zoning limits certain structures in this area.
3. The enclosure will help reduce the noise generated by this equipment to help alleviate concerns from the neighbors.
4. The structure will be designed to be in keeping with architecture of other structures on the property, including natural materials such as cedar
5. The structure will hide this equipment from the neighbors view.

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

Signature

Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 24 day of April, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

LISA A LEONARD  
Notary Public

My Commission Expires My Commission Expires March 31, 2010

# Zoning Description

## ZONING DESCRIPTION FOR 12 Bucksway Road, Owings Mills, 21117

Beginning at a point on the north side of Bucksway Road which is fifty feet wide at the distance of eight hundred fifty feet east of the centerline of the nearest improved intersecting street Velvet Ridge Drive which is fifty feet wide. Being Lot # 19 block B, Section #3 in subdivision of Velvet Ridge as recorded in Baltimore County Plat Book # 33, Folio # 134, containing 37,461 SF. Also known as 12 Bucksway Road and located in the 3rd Election district, 2<sup>nd</sup> Councilmanic District.

**BALTIMORE COUNTY, MARYLAND**  
**OFFICE OF BUDGET AND FINANCE**  
**MISCELLANEOUS RECEIPT**

No. **14047**

Date: **4-28-08**

**PAID RECEIPT**

BUSINESS ACTUAL TIME MM  
 4/28/2008 4/28/2008 09:10:47 7  
 REP 505 WALTON DICK DWD  
 >>RECEIPT # 442055 4/28/2008 OFLN  
 Dept 5 528 ZONING VERIFICATION  
 014047  
 Recpt Tot 165.00  
 165.00 CR 1.00 CA  
 Baltimore County, Maryland

| Fund | Agcy | Orgn | Sub<br>Orgn | Rev<br>Source | Sub<br>Rev | Rept<br>Catg | BS<br>Acct | Amount |
|------|------|------|-------------|---------------|------------|--------------|------------|--------|
| 001  | 006  |      |             | 60150         |            |              |            | 65.-   |
|      |      |      |             |               |            |              |            |        |
|      |      |      |             |               |            |              |            |        |
|      |      |      |             |               |            |              |            |        |
|      |      |      |             |               |            |              |            |        |

Total: **65.-**

Rec  
 From: **W. HELMAN**  
 For: **200P-0509-A**

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S  
 VALIDATION**



# CERTIFICATE OF POSTING

**ATTENTION:** KRISTEN MATTHEWS

**DATE:** 05/11/08

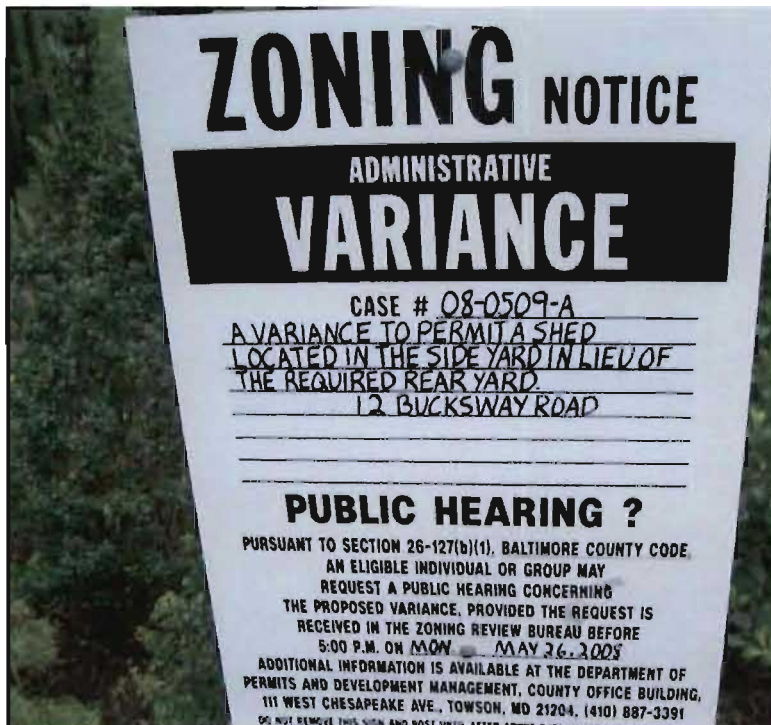
**Case Number:** 2008-0509-A

**Petitioner / Developer:** WILLIAM HELMAN ~POST & BEAM  
CONSTRUCTION CO.

**Date of Hearing (Closing):** MAY 26, 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:  
12 BUCKSWAY ROAD

**The sign(s) were posted on:** 05/10/08



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)

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number <sup>2008</sup>- 0509 -A Address 12 Bucksway Rd.  
 Contact Person: J. MERLEY Phone Number: 410-887-3391  
Planner, Please Print Your Name  
 Filing Date: 4.28.08 Posting Date: 5/11 Closing Date: 5/26

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

- 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.
- 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.
- 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.
- 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- 0509 -A Address 12 Bucksway Rd.  
 Petitioner's Name William Helman Telephone 410-998-3576  
 Posting Date: 5/11/08 Closing Date: 5/26/08  
 Wording for Sign OF VARIANCE A SHED LOCATED IN THE SIDE YARD  
IN LIEU OF THE REQUIRED REAR YARD

WCR - Revised 6/25/04



# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

## ZONING REVIEW

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

**OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.**

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#### For Newspaper Advertising:

Item Number or Case Number: 509

Petitioner: WILLIAM HELMAN

Address or Location: 12 Bucksway Rd. Owings Mill, Md. 21117

PLEASE FORWARD ADVERTISING BILL TO:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: 410-998-3576



**BALTIMORE COUNTY**

M A R Y L A N D

JAMES T. SMITH, JR.

*County Executive*

William Helman

12 Bucksway Rd

Owings Mill, MD 21117

TIMOTHY M. KOTROCO, *Director*

*Department of Permits and Development Management*  
May 27, 2008

Dear: William Helman

RE: Case Number 2008-0509-A, Address: 12 Bucksway Rd

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 28, 2008. 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  
Steve Price, Post & Beam Design, 112 Colvard Ct., Forest Hill, MD 21050



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

State Highway  
Administration

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

Maryland Department of Transportation

Date: May 5, 2008

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

RE: Baltimore County  
Item No. 8-509-A  
12 BUCKSWAY ROAD  
HELMAN 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. 8-509-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, .

Foster Steven D. Foster, Chief  
Engineering Access Permits  
Division

SDF/MB

My telephone number toll-free number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

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

**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

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

**DATE:** May 9, 2008

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For May 12, 2008  
Item Nos. 08-504, 506, 507, 508, 509,  
511, 512, 513, 515, 516, 517, and 519

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

DAK:CEN:lrk  
ZAC-04092008-NO COMMENTS  
cc: File

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** May 20, 2008

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

RECEIVED  
MAY 27 2008

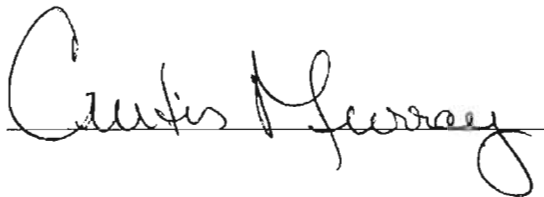
BY: .....

**SUBJECT:** Zoning Advisory Petition(s): **Case(s) 08-509- Administrative Variance**

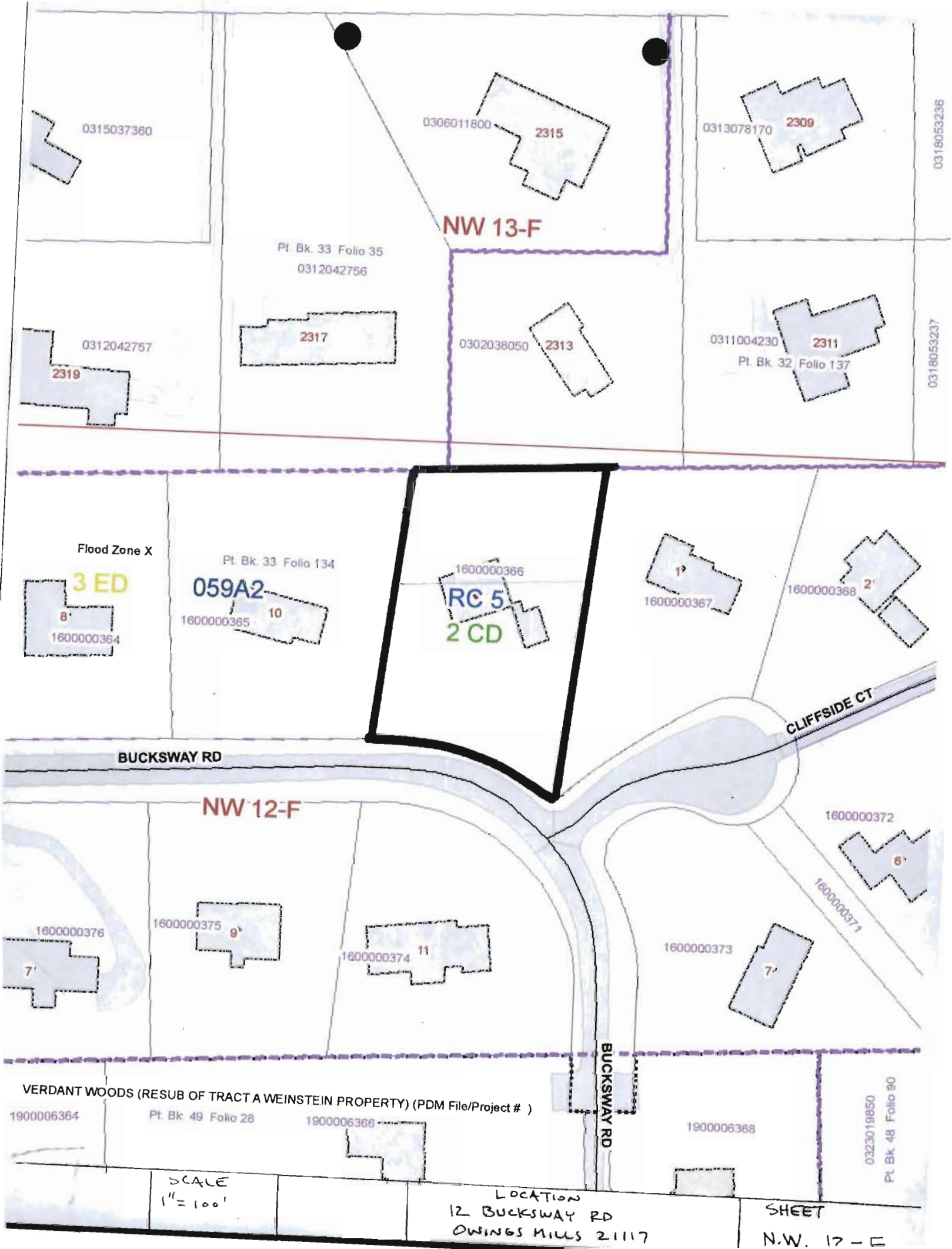
The Office of Planning has reviewed the above referenced case(s) and does not oppose the petitioner's request provided there is a practical difficulty or hardship warranting the proposed variance.

For further questions or additional information concerning the matters stated herein, please contact Diana Itter in the Office of Planning at 410-887-3480.

**Prepared By:**



CM/LL





# PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 12 BUCKSWAY RD.

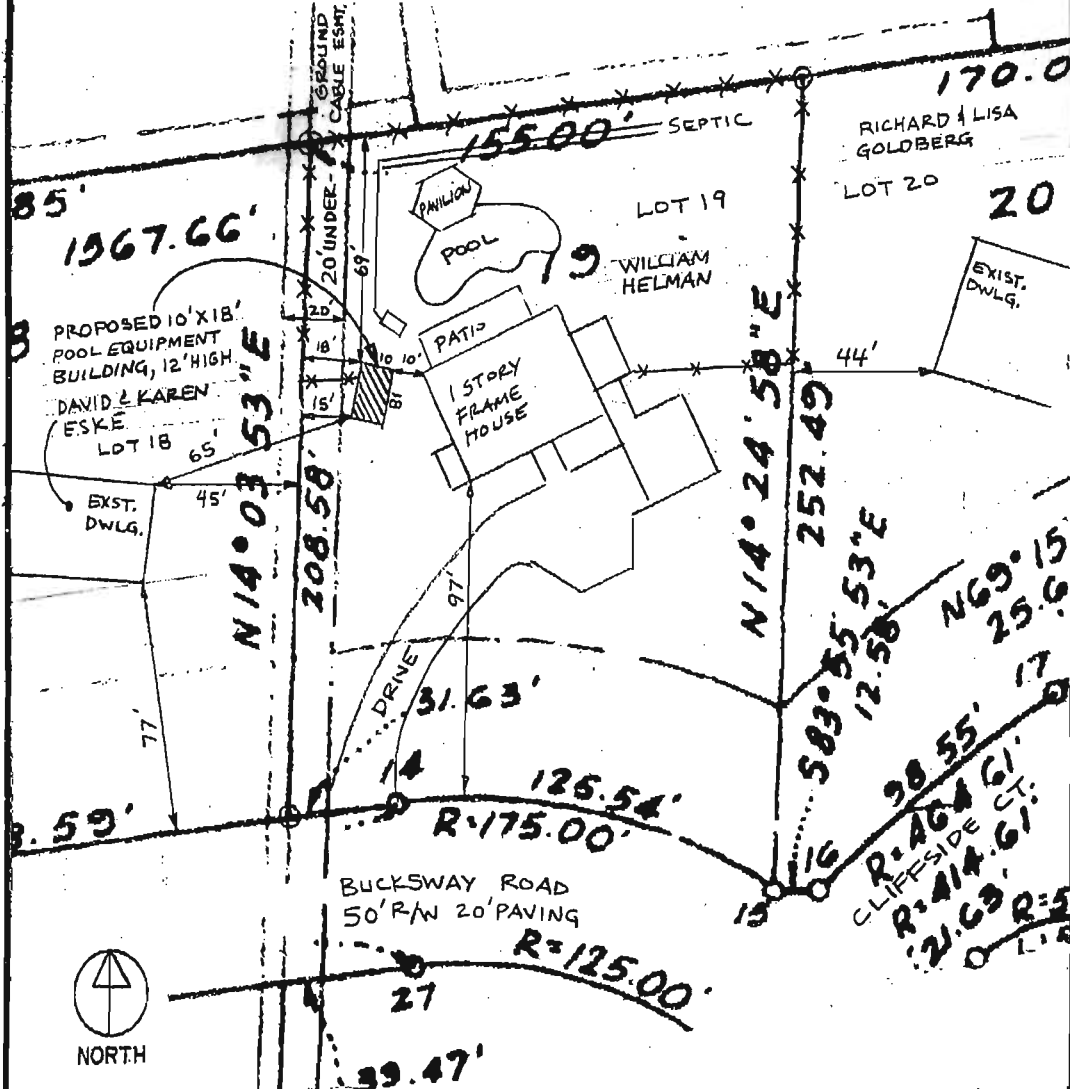
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME VELVET RIDGE

DEED REFERENCE  
17765 / 498

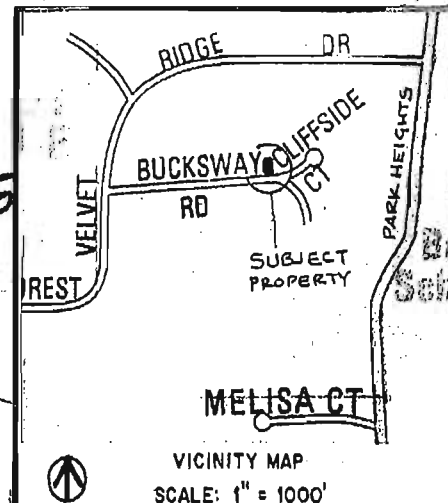
PLAT BOOK # 33 FOLIO # 134 LOT # 19 SECTION # 3

OWNER WILLIAM HELMAN 3.21.08



PREPARED BY SPP

SCALE OF DRAWING: 1" = 60'

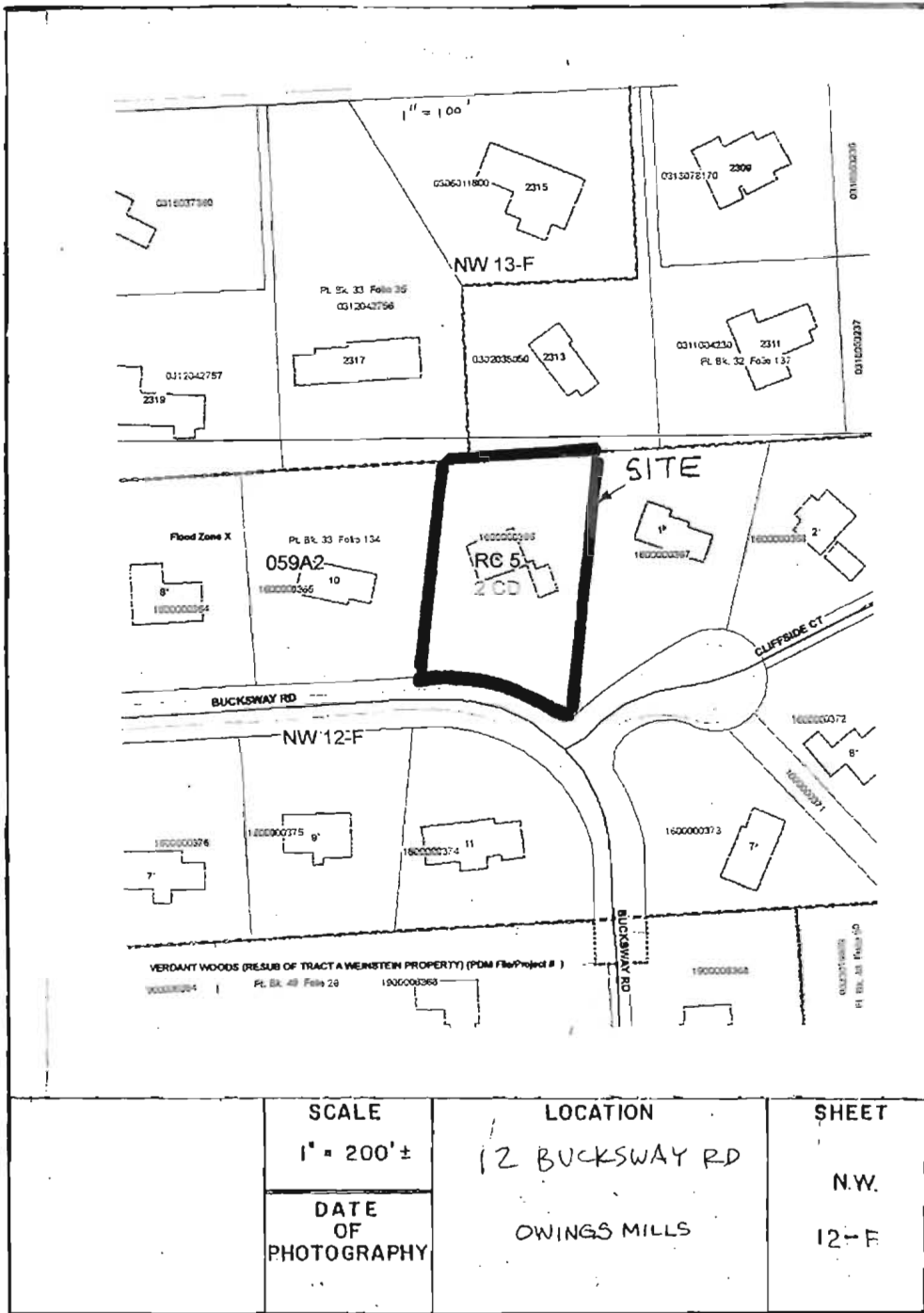


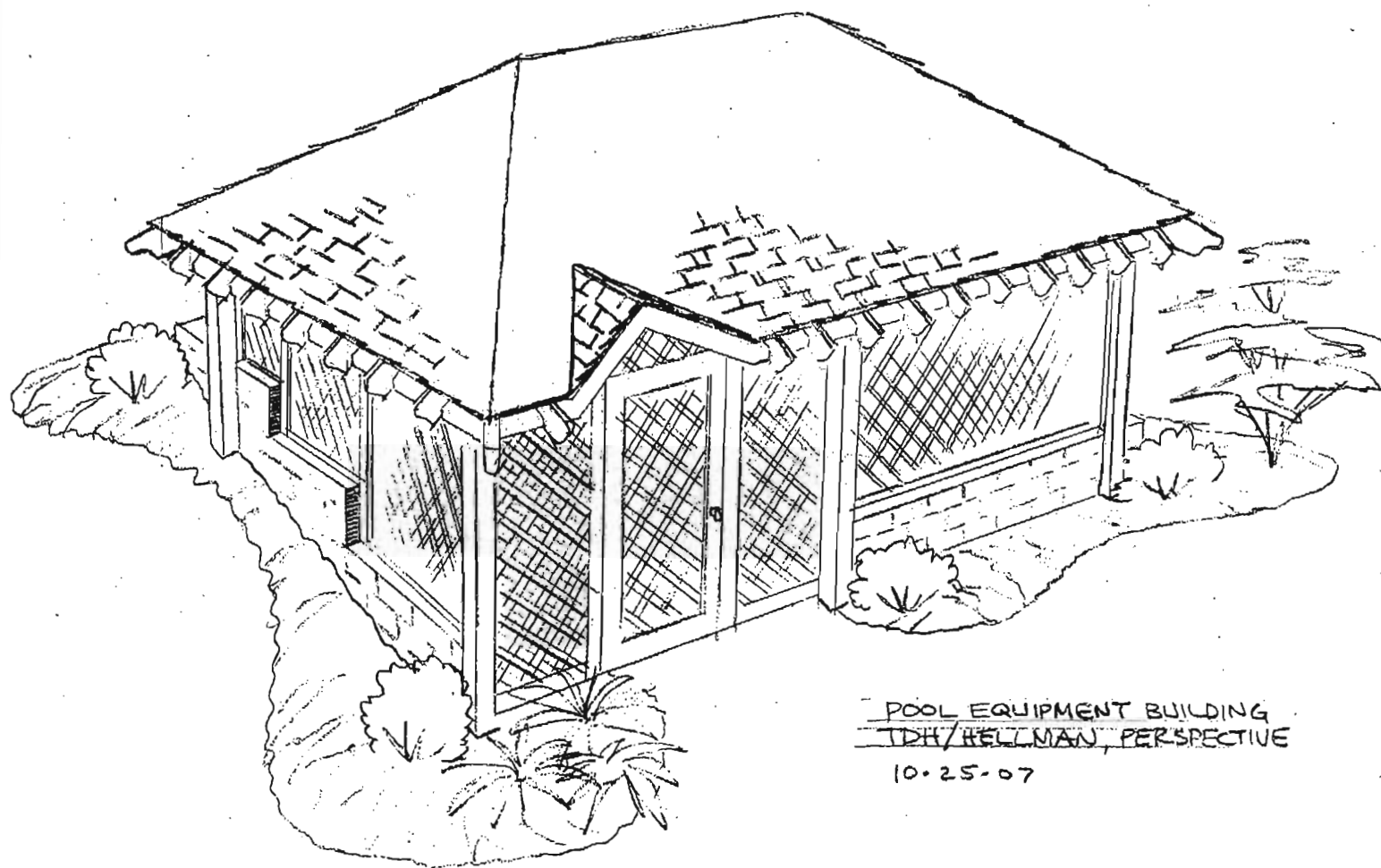
## LOCATION INFORMATION

ELECTION DISTRICT 3 RD  
COUNCILMANIC DISTRICT 2 ND  
1" = 200' SCALE MAP # NW 12 F  
ZONING RC5  
LOT SIZE .86 37,461  
ACREAGE SQUARE FEET  
SEWER ☐ PUBLIC ☒ PRIVATE  
WATER ☐ ☒  
CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO  
100 YEAR FLOOD PLAIN ☐ ☒  
HISTORIC PROPERTY/BUILDING ☐ ☒  
PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY  
REVIEWED BY ITEM # CASE #

# ZONING MAP

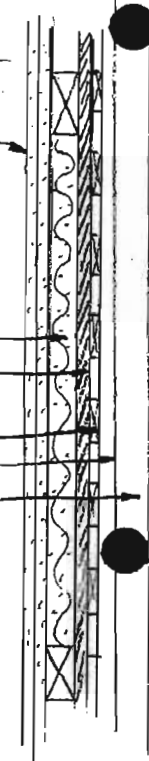




POOL EQUIPMENT BUILDING  
TDH/HELLMAN, PERSPECTIVE  
10.25.07

# WALL SECTION

- 2 LAYERS OF  $\frac{5}{8}$ " SHTRUCK WITH GREEN GLUE BETWEEN LAYERS FOR SOUND DAMPING
- $1\frac{1}{2}$ " RIGID INSULT.
- $\frac{1}{2}$ " CDX PNTD. FLAT BLACK
- CEDAR LATTICE
- LATTICE TRIM
- 8" ROUND CEDAR POST





SUBJECT'S  
HOUSE

NEIGHBOR'S  
HOUSE

POOL  
EQUIP  
AREA





SUBJECT  
HOUSE

NEIGHBOR  
←





NEIGHBOR



POOL EQUIP.  
AREA







SUBJECT  
HOUSE

NEIGHBOR

POOL  
EQUIP  
AREA