IN RE: PETITION FOR ADMIN. VARIANCE

E side of Stevenson Road; 1045 feet N of the c/l of Greenspring Valley Road 3rd Election District 2nd Councilmanic District (10801 Stevenson Road)

Lisa A. and Gregory H. Barnhill Petitioners

- * BEFORE THE
- DEPUTY ZONING
- * COMMISSIONER
- * FOR BALTIMORE COUNTY
- * Case No. 2010-0013-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 owners of the subject property, Lisa A. and Gregory H. Barnhill for property located at 10801 Stevenson Road. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed detached accessory structure (pavilion shed) to be located on the side of the principal dwelling in lieu of the required rear. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners propose a pavilion measuring 10 feet wide x 12 feet long x 11 feet tall. The proposed pavilion will be nestled among trees and creates a focal point for the landscaping. The proposed pavilion is attractive with French doors and windows on the sides. This subject property contains 3.8 acres zoned RC 2 and locating the pavilion as described will not impact any adjacent property.

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.



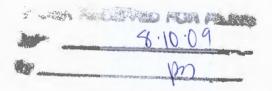
The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on July 19, 2009 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have 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 Petitioners.

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 // day of August, 2009 that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed detached accessory structure (pavilion shed) to be located on the side of the principal dwelling in lieu of the required rear is hereby GRANTED, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their 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 Petitioners 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:pz



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

August 10, 2009

LISA A. AND GREGORY H. BARNHILL 10801 STEVENSON ROAD STEVENSON MD 21153

Re: Petition for Administrative Variance

Case No. 2010-0013-A

Property: 10801 Stevenson Road

Dear Mr. and Mrs. Barnhill:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure



TAX. A UNT # 0304020050

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

MARYLAND	for the property located at 10801 St	tevenson	Rd
		RC	
This Petition shall b	e filed with the Department of Permits and Development Management.	The undersign	ned, 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 - to permit a proposed detached accessory structure (pavilion shed) to be located on the Side of the principal dwelling in lieu of the required rear

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.

CASE NO	010-0013	PART POLICE	viewed By Zoning Commi	Date	19/09
A Public Hearing having bethis day of regulations of Baltimore Cour	th.	nat the subject matter of t	required, it is ordered by the his petition be set for a public	hearing, advertised, as re-	quired by the zoning
City	State	Zip Code	City	State	Zip Code
Address		Telephone No.	Address		Telephone No.
Company			Name		
Signature					
Name - Type or Print			City Representative to		Zip Code
			Address	n Md .	Telephone No. 21153 Zip Code
Attorney For Petitio	ner:	Wester	1080 P ST	wenson H	1.410-484-25
City	State	Zip Code	Signature		410-382-22
Address	7	Telephone No.	Name - Type or Print	120M	
Signature	MIL		Signature GREADRY	H. BARNII	1
Name - Type or Print		many lan	Name - Type or Print	AM.	
				arnhill	
Contract Purchaser	/Lessee:		Legal Owner(s):	- 1	
			I/We do solemnly dec perjury, that I/we are t is the subject of this P	lare and affirm, under the legal owner(s) of the etition.	e property which

Affidavit in Support of Administrative Variance

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

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 based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative

Zip Code

Jennifer D. Viglucci

NOTARY PUBLIC Baltimore City, Maryland

My Commission Expires 03/1/2011

My Commission Expires

REV 10/25/01

AS WITNESS my hand and Notarial Seal

NOTARY PUBLIC

EXPIRES

03/1/2011

MORE

LINEAT 1 3 3 90 7 9

LEGAL DESCRIPTION

BEGINNING for the same at a point on the west side of a forty foot road as laid out on a Plat by J.S. Howard dated September, 1929, said point of beginning being distant ten hundred and ninety-six and ninety-eight one-hundedths feet measured along the west side of the forty foot road from a point formed by the intersection of the north side of Green Spring Valley Road with the west side of the forty foot road above mentioned thence leaving said road and running south eighty-five degrees west a distance of four hundred and thirty-seven and five -tenths feet to the east to the east side of a thirty foot road as laid out on the above mentioned plat thence running and binding on the east side of said road north eight degrees thirty-aix minutes west with the use thereof in common a distance of three hundred and seventy-three and five-tenths feet to a point on the east side of said road thence running north eighty-eight degrees twenty minutes east a distance of five hundred and nine feet to intersect the west side of a thirty foot road thence following the west side of said road the three following courses and distances south no degrees forty-four minutes west thirty-three and eight tenths feet south sixteen degrees thirty-one minutes west one hundred and two and six tenths feet south three degrees seven minutes east two hundred and eleven and five tenths feet to the place of beginning. Containing three and eight-tenths acrea more or less.

10801 Stevenson Road

3rd Election District 2rd Council manic District

. BRANCE TRANSPORT TO THE PROPERTY OF

OFFICE OF BUDGET AND FINANCE MISCELLANEOUS CASH RECEIPT Date: 7/9/64	PAID RECEIPT SUBJULIES SETURE THE DES 2/10/2009 9/99/2009 14:47515
	MALKIN DEVALUER WESTER MALKIN DEVALUER THE SECTION MALKING DEVALUER THE SECTION OF THE SECTIO
265	Secont Tot 965.00 CA (Billimore Dounty), Haryland
Rec From:	
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING PLEASE PRESS HARDI!!!	CASHIER'S VALIDATION

CERTIFICATE OF POSTING

Date Of Hearing/Closing:

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

Attention:

Ladies and Gentlemen

This letter is to certify under penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property 10801 STEVENSON RO

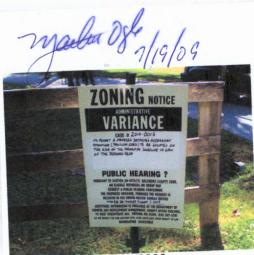
This sign(s) were posted on

Month, Day, Year Sincerely,

Signature of Sign Poster and Date

Martin Ogle 60 Chelmsford Court Baltimore, Md, 21220

443-629-3411



07/19/2009

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2010-0013 -A Address 10801 Stevenson Rd							
Contact Person: David Duval Phone Number: 410-887-33	91						
Filing Date: 7/9/09 Posting Date: 7/19/09 Closing Date: 8/3/	09						
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. As reposting must be done only by one of the sign posters on the approved list and the petition 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 closic date.	ny ier he						
2. DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet to find a formal request for a public hearing. Please understand that even if there is no form request for a public hearing, the process is not complete on the closing date.	ile ial						
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 (order that the matter be set in for a public hearing. You will receive written notification, usual within 10 days of the closing date if all County agencies' comments are received, as whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.	(c) lly to						
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 original posted, certification of this change and a photograph of the altered sign must be forwarded this office.	lly						
(Detach Along Dotted Line)	**						
Petitioner: This Part of the Form is for the Sign Poster Only							
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT							
Case Number 2010- 0013 -A Address 10801 Stevenson Kol							
Petitioner's Name L + G Barnhill Telephone 410 484 2553							
Posting Date: 7/19/09 Closing Date: 8/3/09							
Wording for Sign: To Permit a proposed detached accessory structure (pavilion							
shed) to be located on the side of the principal dwelling in	_						
lieu of the required rear							
•							

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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:
Petitioner: Lisa A. Barnhill Address or Location: 10801 Stevenson Rd. Stevenson Md. 2115
PLEASE FORWARD ADVERTISING BILL TO: Name: Lish Barnfull Address: 10801 Stevenson Road Stevenson, Md. 21153
Telephone Number: 410 - 382 - 2212 or 410 - 484 - 2553



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

August 4, 2009

Lisa & Gregory Barnhill 10801 Stevenson Rd. Stevenson, MD 21153

Dear: Lisa & Gregory Barnhill

RE: Case Number 2010-0013-A, 10801 Stevenson Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 9, 2009. 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,

CLERENCE

OF

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED



SEP 09 2009

ZONING COMMISSIONER

TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

September 9, 2009

SUBJECT:

Zoning Item

10-013-A

Address

10801 Stevenson Road

(Barnhill Property)

Zoning Advisory Committee Meeting of July 20, 2009

X The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

Reviewer:

Michael S. Kulis

Environmental Impact Review

Date: August 24, 2009

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 10-013- Administrative Variance

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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

RECEIVED

DATE: July 29, 2009

JUL 31 2009

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: July 27, 2009

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 27, 2009

Item Nos. 2010-001, 003, 004, 005, 006, 007, 008, 009, 010, 011, 013, 016, 017,

018 and 019

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

DAK:CEN:kta cc: File

ZAC-072709-NO COMMENTS



JAMES T. SMITH, JR. County Executive

JOHN J. HOHMAN, Chief Fire Department

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 July 24, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: July 20.2009

ItemNumbers:0001,0002,0003,0004,0005,0007,0008,0009,0010,0013,0014,0016,0017
,0019

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4881 (C)443-829-2946 MS-1102F

cc: File



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor Beverley K. Swaim-Staley, Acting Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: JULY 23, 2009

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

RE: Baltimore County

Item No 2010-0013-A 10801 STEVENSON ROAD BARNHILL PROPERTY ADMIN. 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. 2010 - 0013-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).

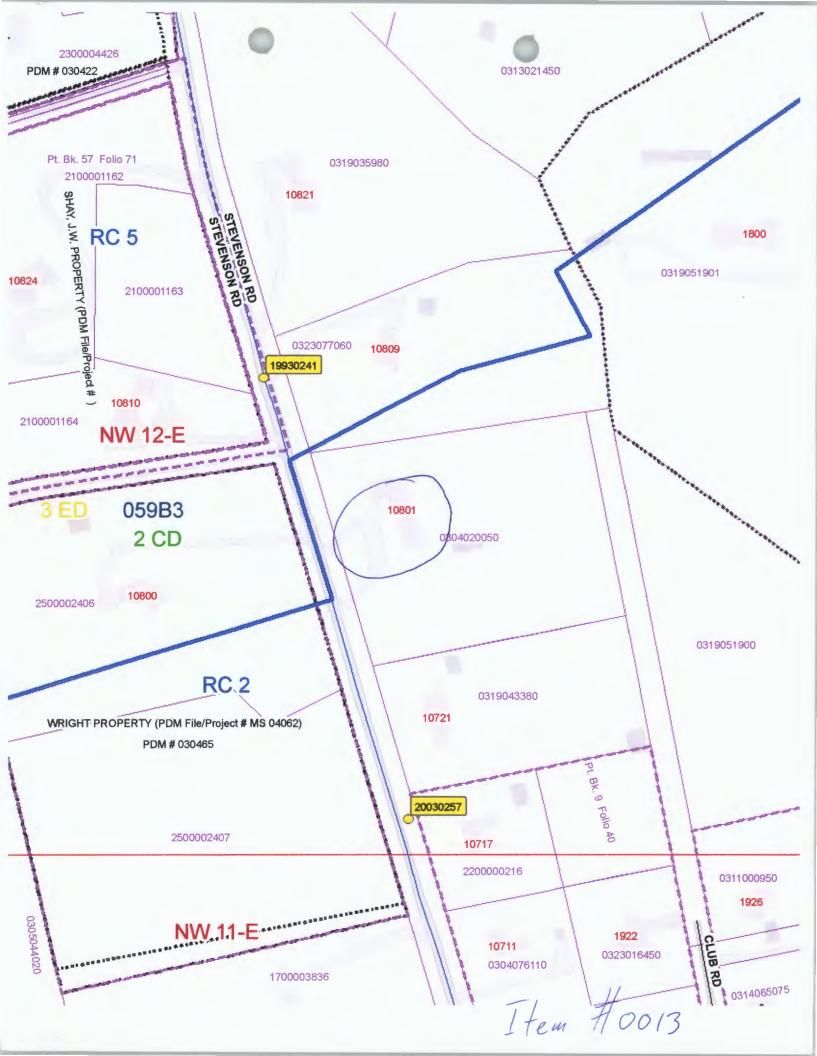
Very truly yours,

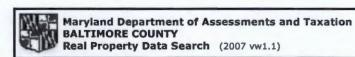
Steven D. Foster, Chief Engineering Access Permits

Division

SDF/MB

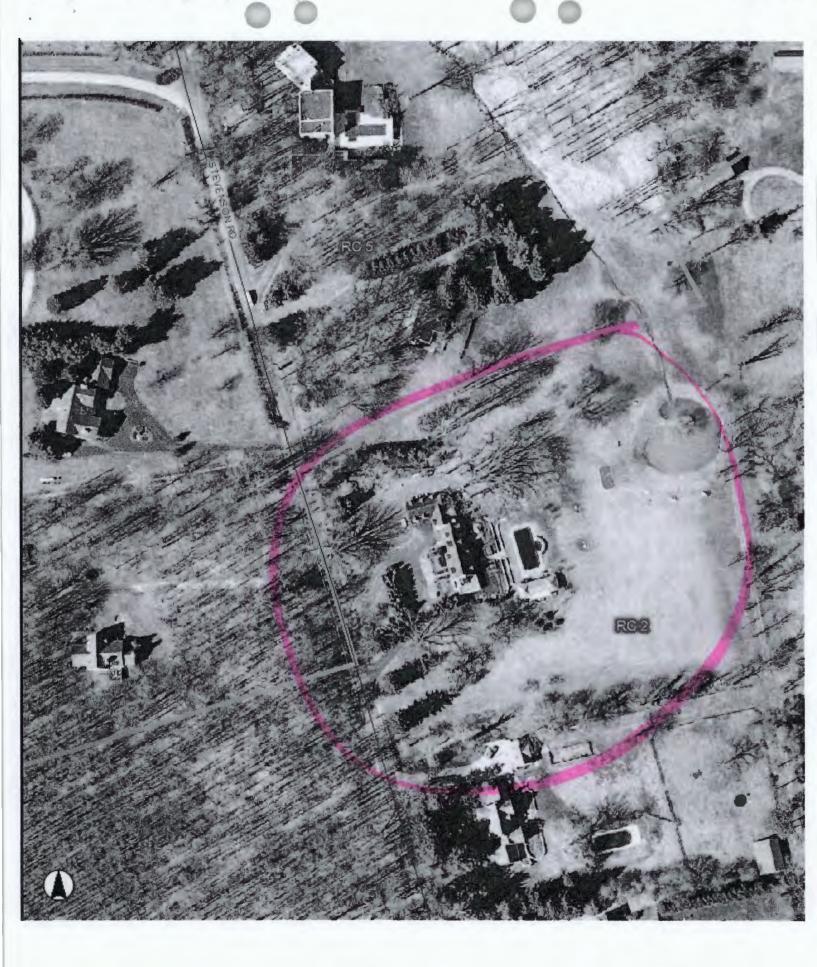




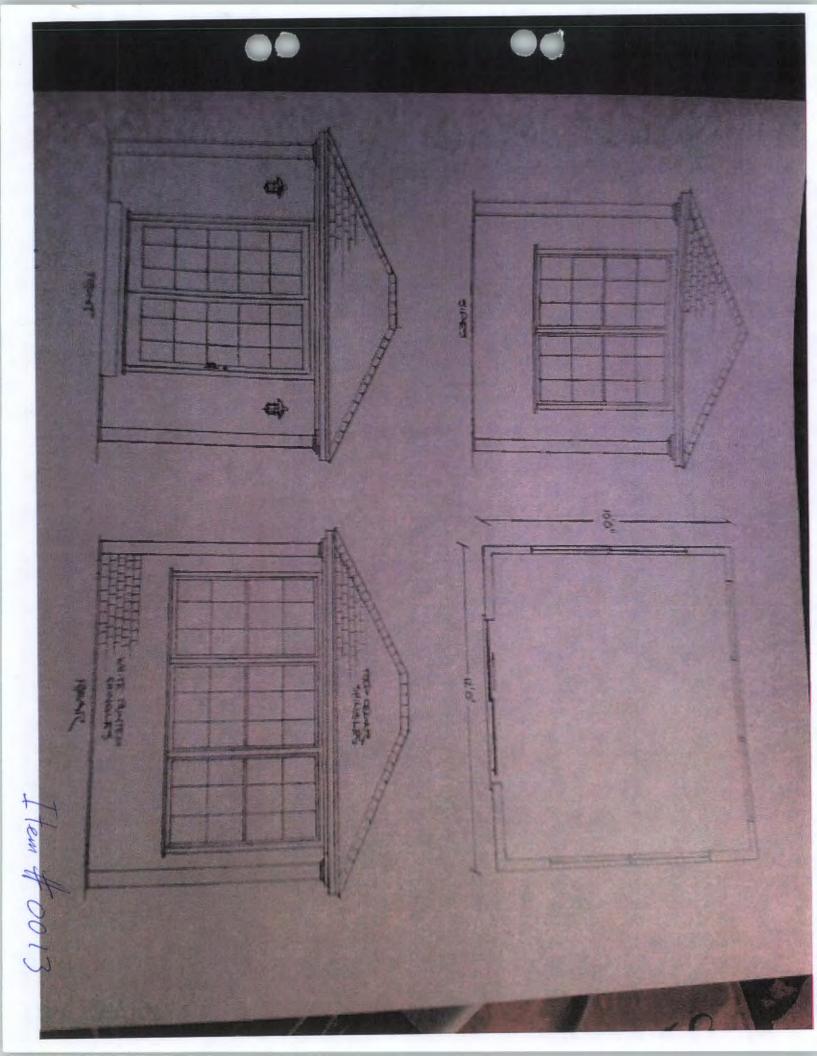


Go Back View Map New Search

Account Identifier: District - 03 Account Number - 0304020050									
				Owi	ner Informatio	n			
Owner Name: BARNHILL GRI					Use	-			ESIDENTIAL
BARNHILL LIS				Timespar Residence.				YES	
Mailing Address: 10801 STEVENSON M				Dee	d Refer	ence:	1 2) / 7133/ 78)	
				Location &	Structure Info	ormatio	n		
Premise							_	al Description	
10801 S	TEVEN	SON RD					3.8		
								STEVENSON RD N GREEN SPRING	VA R
Map 59	Grid 21	Parcel 435	Sub District	Subdivision	Section	Block	Lot	Assessment Ar	ea Plat No: Plat Ref
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			Tax	Class					
	Prin	nary Structu	ıre Built	Enclosed		P	roperty L		County Use
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				As Of	As Of	07/0	As Of		
		Land	604,500	01/01/2008 544,500	07/01/2008	0//01	1/2009		
	Impr	ovements:	508,830	824,260					
	Impre	Total:	1,113,330	1,368,760	1,220,666	1.28	33,616		
P	referer	itial Land:	0	0	0	-/	0		
				Tran	sfer Informati	on			
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Type:	NOT	ARMS-LENGT	ГН		De	ed1: /	7133/ 78	Deed2:	
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Exemp	t Class	:						* NONE *	



 $http://bamaps1.baltimorecountymd.gov/arcims_path/bcgims? Service Name=Zoning2 \& Client Version=4.0 \& Fo... \ 8/5/2009 \\$



Subject: View east

Date: July 9, 2009 11:04:34 AM EDT

To: Lisa Barnhill < lisabarnhill@mac.com>

1 Attachment, 258 KB

View East farther back





Sent from my iPhone

location Proposed Structure

Subject: View east

Date: July 9, 2009 12:06:33 PM EDT
To: Lisa Barnhill < lisabarnhill@mac.com>

1 Attachment, 212 KB

View East





Sent from my iPhone

of proposed structure

Subject: View north-

Date: July 9, 2009 12:10:37 PM EDT
To: Lisa Barnhill < lisabarnhill@mac.com>

1 Attachment, 212 KB

View West





Sent from my iPhone

Location of Proposer Structure

Subject: View north farther back
Date: July 9, 2009 12:48:08 PM EDT
To: Lisa Barnhill lisabarnhill@mac.com

1 Attachment, 242 KB

View North Farther back





Sent from my iPhone

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANC PROPERTY ADDRESS 10801 STEVENSON RD. SEE PAGES 5 & 6 OF THE CHECKLIST FO	
SUBDIVISION NAME NA	SIC GOOT TOTAL STEGOTIVED HAL-ONIAN HOLD
PLAT BOOK # FOLIO # LOT # SECTION #	SITE
OWNER GREGORY H. AND LISA A. BARNHILL	TAN BOWN SUISAN CIT SUFFER OUR LA SUISAN CIT
03 - 0319051901 SMITH FAMILY PARTNERSHIP ELLERY WOODWORTH MAP 59 - PARCEL 347	Baptist Home of Mit DARD Stevenson ROLL Uto Moth STEVENSON
Solid PROPERTY LINE N 88' - 20' E	Stevenson Stevenson Stevenson Stevenson Stevenson Stevenson School Schoo
EXISTING 2 STORY HOUSE SO S	VICINITY MAP SCALE: 1' = 1000'
* EXISTING DRIVEWAYS	LOCATION INFORMATION
GREGORY H. BARNHILL LISA A. BARNHILL MAP 59-PARCEL 435	ELECTION DISTRICT 3
Z	COUNCILMANIC DISTRICT 2
EXISTING 14'-10" POOL HOUSE	1"=200' SCALE MAP # 05983
SEPTIC .	ZONING RC 2
STEVENSON RD. STEVENSON, MD. 21153	LOT SIZE 3.8 165,528 ACREAGE SQUARE FEET PUBLIC PRIVATE SEWER
	WATER 🖂
437.5' S 85' W 03 - 0319043380 HARRY S CRINER	CHESAPEAKE BAY CRITICAL AREA
JEFFERSON WRIGHT MAP 59 — PARCEL 142 HARRY S. GRUNER MAP 59 — PARCEL 240	100 YEAR FLOOD PLAIN \
1045' ± TO GREENSPRING VALLEY ROAD	BUILDING PRIOR ZONING HEARING NONE
NORTH PREPARED BY SMG ARCHITECTS (FROM SURVEY DATED 1/15/91) SCALE OF DRAWING: 1" = 30'-0"	ZONING OFFICE USE ONLY REVIEWED BY ITEM# CASE # 2010-0013-A