

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

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

DATE: November 10, 2009

FROM: William J. Wiseman, III 
Zoning Commissioner

SUBJECT: Petition for Variance
E/S Barrison Point Road, 4,200' E Rocky Point Road
(2503 Barrison Point Road)
Donna D. Dat, et ux - Petitioners
Case No. 2008-0423-A

The purpose of this memo is to advise you and the Bureau of Code Inspection (Building Inspection) that I have reviewed the Dat's building elevation drawings, the Order I issued in May 2008 and Section 300.1 of the B.C.Z.R. It is my opinion that the height exceptions for penthouses and similar structures apply to the subject replacement dwelling and that Claude Profili's Stop Work Order should be withdrawn. The structure in question does not have an area greater than 25% of the roof area of the home. The building elevations have been approved by the Office of Planning and the improvements are within the spirit and intent of the Order issued by this Commission.

I trust that this will confirm our conversation of November 6, 2009 and should you have any questions or desire further information, please do not hesitate to call me.

WJW:dlw

c: Division of Code Inspections & Enforcement, DPDM

IN RE: PETITION FOR ADMIN. VARIANCE

N side of Dover Road; 1320 feet E of the
c/l of Pleasant Grove Road
5th Election District
3rd Councilmanic District
(15261 Dover Road)

Liisa A. Binebrink
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2010-0121-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, Liisa A. Binebrink for property located at 15261 Dover Road. The variance request is from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition (garage) with a 27 foot setback in lieu of the required 35 feet. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. Petitioner desires to construct an attached garage measuring 24 feet x 24 feet in size. The proposed location for the garage is surrounded by dense trees on one side and open farm land on the other side. Petitioner's dwelling was built on a hill at the narrow end of a triangle shaped lot. The contour of the hill is such that an attached garage at the northwest side of the house would prevent access to the front door. A 10 foot drainage and utility easement runs along the rear and side property lines. Said property contains 0.902 acre and is served by private water and sewer systems.

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.

11-5-09

[Signature]

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on October 18, 2009 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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, 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.

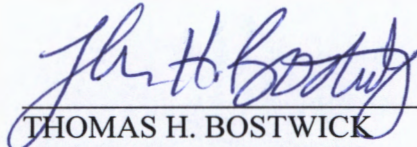
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 5th day of November, 2009 that a Variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition (garage) with a 27 foot setback in lieu of the required 35 feet is hereby GRANTED, subject to the following:

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

RECEIVED FOR FILING
11.5.09
[Signature]

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

RECEIVED FOR FILING

11-5-09

pm



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

November 5, 2009

LIISA A. BINEBRINK
15261 DOVER ROAD
REISTERSTOWN MD 21136

Re: Petition for Administrative Variance
Case No. 2010-0121-A
Property: 15261 Dover Road

Dear Ms. Binebrink:

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,

A handwritten signature in dark ink, appearing to read "Th. H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 15261 Dover Rd, Reisterstown
which is presently zoned RC

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) 1A01.30.3. (BCZE)

TO PERMIT AN ADDITION (GARAGE) WITH A 27-FOOT SETBACK
IN LIEU OF THE REQUIRED 35-FEET.

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):

Ms. Liisa A. Binebrink

Name - Type or Print

Ms. Liisa A. Binebrink

Signature

Name - Type or Print

Signature

15261 Dover Road

Address

Reisterstown

City

W #410-601-8120

H #410-833-7320

Telephone No.

Md

State

21136

Zip Code

Representative to be Contacted:

Name

Address

City

Telephone No.

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 11.5.09 day of November, 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. 2010-0121-A

REV 10/25/01

Reviewed By D.T. Date 10/7/09

Estimated Posting Date 10/18/09

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 15261 Dover Road
Address
Reisterstown Md 21136
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):

This house is built on a hill at the narrowing end of a triangular-shaped lot. The contour of the hill is such ^{that} an attached garage to the northwest side of the house would prevent access to the front door (see attached photos and contour map). Off-setting the proposed 24'x24' attached garage 6'7" northeast would allow a safe walkway to the front door. Restructuring the hill is not financially feasible. North corner of the garage would go over the required setback line toward open farmland.

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.

Lisa A. Binebrink
Signature
Lisa A. Binebrink
Name - Type or Print

Signature

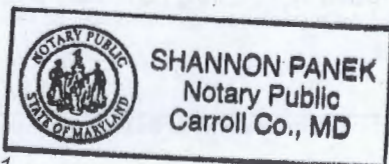
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5th day of October, 2009, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal



Shannon Panek
Notary Public
My Commission Expires 6-1-10

ZONING DESCRIPTION FOR 15261 Dover Road, Reisterstown, Maryland 21136

Beginning at a point on the north side of Dover Road, which is 20 feet wide paved public road with a 60 feet right-of-way at the distance of 1320 feet east of the centerline of the nearest improved intersecting road, Pleasant Grove Road, which is 20 feet wide paved public road with 60 feet wide right-of-way. Being Lot #2 in the subdivision of Rimbey Property as recorded in Baltimore County Plat Book #48, Folio #52 containing 0.902 acres. Also known as 15261 Dover Road and located in the 5 Election District, 3 Councilmanic District.

2010-0121-A

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2010- 0121 -A Address 15261 DOVER RD.

Contact Person: DONNA THOMPSON Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 10/7/09 Posting Date: 10/18/09 Closing Date: 11/2/09

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. 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, usually within 10 days of the closing date if all County agencies' comments are received, 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 2010- 0121 -A Address 15261 DOVER RD.

Petitioner's Name BINEBRINK Telephone 410-833-7320

Posting Date: 10/18/09 Closing Date: 11/2/09

Wording for Sign: To Permit AN ADDITION (GARAGE) WITH A 27-FOOT SETBACK
IN LIEU OF THE REQUIRED 35-FEET.

Revised 8/20/09

**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: 2010-0121-A

Petitioner: BINEBRINK

Address or Location: 15261 DOVER RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: MS. LISA A. BINEBRINK

Address: 15261 DOVER RD.

REISTERSTOWN, MD 21136

Telephone Number: 410-833-7320

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

No. 45524

Date: 10/1/01

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
001	806	0000		1050					3.75

Total: 3.75

Rec

From: ALCOA INC.

For: 2000-0121-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 10/18/09

Case Number: 2010-0121-A

Petitioner / Developer: LISA BINEBRINK

Date of Hearing (Closing): NOVEMBER 2, 2009

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:
15261 DOVER ROAD

The sign(s) were posted on: OCTOBER 18, 2009



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

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

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

November 2, 2009

Liisa Binebrink
15261 Doven Rd.
Reisterstown, MD 21136

Dear: Liisa Binebrink\

RE: Case Number 2010-0121-A, 15261 Doven Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 07, 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,

A handwritten signature in black ink, reading "Carl Richards Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 20, 2009

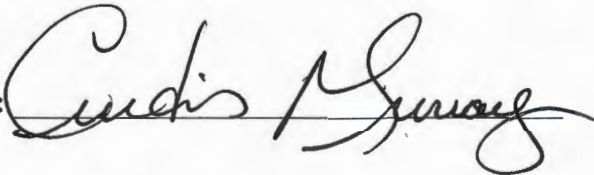
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 10-121- 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 Jessie Bialek in the Office of Planning at 410-887-3480.

Prepared By:
CM/LL



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

FROM: Dennis A. Kennedy^{DAK}, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For October 26, 2009
Item Nos. 10-112, 114, 117, 118,
119, 120 and 121

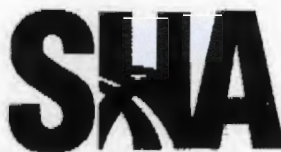
DATE: October 13, 2009

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

DAK:CEN:kmt

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-10262009 -NO COMMENTS.doc



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

State Highway
Administration

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: Oct. 12, 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. 2010-0121-A
15261 DOVE RD
BINEBRINK RD
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. 2010-0121-A.

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

Very truly yours,

For¹ Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

2010-0121-A



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw2.3d)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 05 Account Number - 1900003333

Owner Information

Owner Name: BINEBRINK LIISA A **Use:** RESIDENTIAL
Mailing Address: 15261 DOVER RD **Principal Residence:** YES
 REISTERSTOWN MD 21136-3829 **Deed Reference:** 1) /16968/ 742
 2)

Location & Structure Information

Premises Address **Legal Description**
 15261 DOVER RD .982 AC
 15261 DOVER RD
 RIMBY PROPERTY

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
37	1	16					2	2	Plat Ref: 48/ 52

Special Tax Areas **Town**
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1983	966 SF	42,775.00 SF	04
Stories	Basement	Type	Exterior
SPFOY		SPLIT FOYER	SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2008	07/01/2009	07/01/2010
Land	89,690	129,690		
Improvements:	109,800	144,290		
Total:	199,490	273,980	249,150	273,980
Preferential Land:	0	0	0	0

Transfer Information

Seller: BINEBRINK BRIAN L	Date: 10/21/2002	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /16968/ 742	Deed2:
Seller: LAWSON J DAVID	Date: 06/15/1983	Price: \$16,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 6540/ 764	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *



Contour of the hill



North corner of the proposed garage
points to open farm land

2010-0121-A

0523075050

PDM # 050248

2300002596

1900012403

5 ED

Lot # 2 1900003333

15261

3 CD

RC-2

Lot # 1 1900003332
Pt. Bk. 48 Folio 52

15265

15257

2300002595

NW 23-I

032A1

DOVER RD

4 ED

1600005169

2010-0121-A

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 15261 Dover Road

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

SUBDIVISION NAME Rimbeys Property

PLAT BOOK # 48 FOLIO # 52 LOT # 2 SECTION # ---

OWNER Lisa A. Binebrink

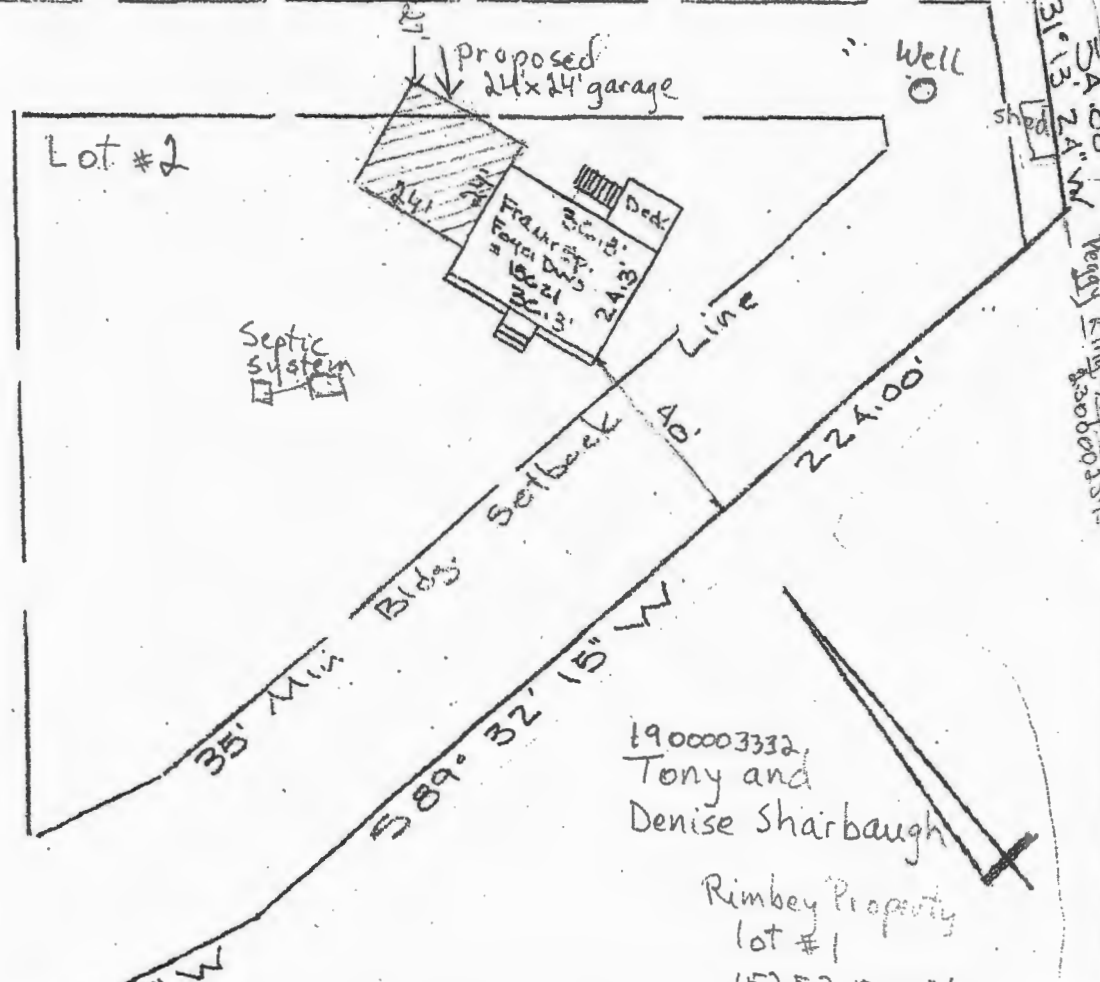
PDM # 050248
2300002596
Glenn King

247 21 35 E 250.00

10' Drainage & Utility Easement

10' Drainage & Utility Easement
N 38° 43' 24" E
361.80'

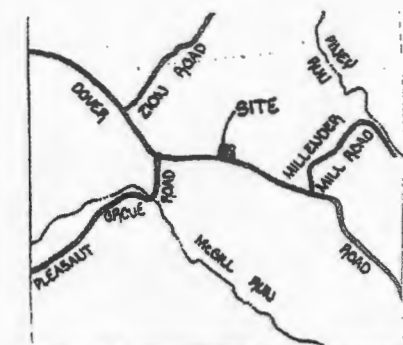
Paul and Ellen
15261 Dover Rd



1900003332
Tony and
Denise Sharbaugh
Rimbeys Property
lot #1
15257 Dover Rd

Prepared by
BY Michael Dallas, 1987

SCALE OF DRAWING: 1" = 40 feet



LOCATION INFORMATION

ELECTION DISTRICT 5

COUNCILMANIC DISTRICT 3

1" = 200' SCALE MAP # 032A1

ZONING RC2

LOT SIZE 0.902 39,291
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE	
SEWER	☐	☒	
WATER	☐	☒	

CHESAPEAKE BAY CRITICAL AREA	YES ☐	NO ☒
100 YEAR FLOOD PLAIN	☐	☒ 620'
HISTORIC PROPERTY/BUILDING	☐	☒
PRIOR ZONING HEARING	☒	

ZONING OFFICE USE ONLY

REVIEWED BY	ITEM #	CASE #
D.T.	0121	2010-0121-A