

IN RE: PETITION FOR ADMIN. VARIANCE *

S side of Huntersworth Court, 96 feet E
of Huntersworth Lane
4th Election District
2nd Councilmanic District
(5 Huntersworth Court)

Arthur H. Adler
Petitioner

BEFORE THE
DEPUTY ZONING
COMMISSIONER
FOR BALTIMORE COUNTY
Case No. 2010-0356-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, Arthur H. Adler for property located at 5 Huntersworth Court. The variance request is from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an accessory structure in a side yard in lieu of a rear yard and with a height of 25 feet in lieu of the permitted 15 feet. The subject property and requested relief are more particularly described on the site plan marked as Petitioner's Exhibit No. 1. According to the Petitioner's affidavit in support of the variance, the grade of the rear yard in addition to the Maryland Environmental Trust easement do not permit a garage to be located in the rear yard. As depicted on the site plan, the rear yard is also encumbered with retaining walls, as well as other accessory uses including a basketball court, shuffleboard court, walkways, in-ground swimming pool and pool house, and playhouse and play area. In addition, Petitioner indicates that the pitch of the proposed garage roof is designed to architecturally match that of the existing dwelling, which explains the request for a height in excess of 15 feet. Finally, the property contains 4.80 acres and is served by private water and sewer.

ORDER RECEIVED FOR FILING

Date 7-19-10

By PS

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated July 7, 2010 which states that the property is a lot in the approved subdivision of Huntington Section 3, vested prior to the effective date of Bill 55-04, R.C.5 performance standards. That Office does not oppose the Petitioner's requested variance as the structure is for the most part to the rear of the closest neighbor's existing deck. The proposed garage is not visible from the street as there is a berm and vegetation along the road frontage. The Planning Office recommends that the accessory structure not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area or kitchen facilities, and not be used for commercial purposes. Comments were received from the Department of Environmental Protection and Resource Management (DEPRM) dated July 14, 2010 which indicates that development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains. Compliance with the covenants restricting the existing Forest Buffer Easement will be checked by EIR as part of the permit review. The proposed building permit application must also be reviewed by Groundwater Management.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on June 27, 2010 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, photographs, and affidavits submitted provide sufficient facts

ORDER RECEIVED FOR FILING

Date 7-19-10 2

By pm

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 19th day of July, 2010 that a variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an accessory structure in a side yard in lieu of a rear yard and with a height of 25 feet in lieu of the permitted 15 feet is hereby GRANTED, subject to the following:

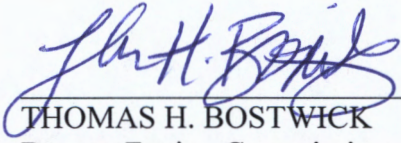
1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners 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 or kitchen facilities.
3. The accessory structure shall not be used for commercial purposes.
4. Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
5. Compliance with the covenants restricting the existing Forest Buffer Easement will be checked by the Environmental Impact Review (EIR) Division of DEPRM.
6. The proposed building permit application must be reviewed by the Groundwater Management Division of DEPRM.

ORDER RECEIVED FOR FILING

Date 7-10-10

By PS

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

ORDER RECEIVED FOR FILING

Date 7-19-10

By pz



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

July 19, 2010

ARTHUR H. ADLER
5 HUNTERSWORTH COURT
OWINGS MILLS MD 21117

Re: Petition for Administrative Variance
Case No. 2010-0356-A
Property: 5 Huntersworth Court

Dear Mr. Adler:

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 black ink, appearing to read "Thomas 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 5 Huntersworth Court, Owings Mills, Maryland 21117 which is presently zoned RC-5

Deed Reference: 54201101 235 Tax Account # 22-002-2512

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 accessory structure in a side yard in lieu of a rear yard and with a height of 25 feet in lieu of the permitted 15 feet.

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

Date

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

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. 2010-0356-A

Reviewed By WCR

Date 6/17/2010

Estimated Posting Date 6/27/2010

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 own and reside at 5 Huntersworth Ct, Owings Mills, MD
Address number Road or Street name

and that this address is the subject of this variance request as required by law.

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 the hardship or practical difficulty; attach an additional sheet if needed)

The grade of the rear yard plus the Maryland Environmental first easement do not permit a garage in the rear yard. The grade falls severely from the existing driveway making a garage not reachable by car. The only functional way to add garage space is to the side. The pitch of the garage roof is designed to match and blend with the current home. This side area is not visible from the street or any neighbors except one to the east of the proposed garage. There should be no adverse impact to the neighbors by adding the garage in this side yard area.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, and the Affiant(s) desire to proceed with their variance request, they will be responsible for reposting the property and for payment of the advertising fees. They also understand that they may be required to provide additional information.

Signature

Arthur A. Adler

Name- print or type

Signature

Name- print or type

A Notary Public must complete the following section prior to the filing appointment.

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, this 14th day of JUNE, 2010, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared:

(Name Affiant(s) here):

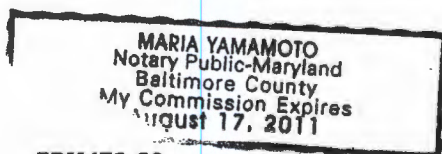
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

MARIA YAMAMOTO
Name of Notary Public

AUGUST 17, 2011
Commission expires

PLACE SEAL HERE:



FRM476_09

Rev 3/09

2010-0356-A

ZONING DESCRIPTION TO ACCOMPANY PETITION FOR VARIANCE REQUEST FOR ACCESSORY STRUCTURE

Beginning at a point on the south side of Huntersworth Court which is 50-feet wide at the distance of 96'feet+/- east of the centerline of the nearest improved intersecting street, Huntsworth Lane, which is 50' wide. Thence the following courses and distances:

S 27°51'53" 135.87';
S 39°09'48"E 358.26';
S 10°59'18"W 95.33';
S 80°16'17"W 496.64';
N 03°53'51"W 166.24';
N 17°59'41"E 91.36';
N 39°31'15"W 138.59';
N 06°34'42"W 113.14';
ARC OF RADIUS OF 535.00' LENGTH: 171.80" (CHORD: N 75°24'03"E 171.06');
N 66°12'06"E 149.30'to the point of beginning.

Being Lot 36A, Section 3 in the resubdivision of Lots 36 and 37 of Huntington as recorded in Baltimore County Plat Book SM 67, Folio 64, containing 4.807-acres±. Also known as 5 Huntersworth Court and located in the 4th Election District, 2nd Councilmanic District.

THIS DESCRIPTION COMPILED FOR THE PURPOSE OF ACCOMPANYING A PETITION
FOR VARIANCE ONLY.



2010-0356-A

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2010- 0356 -A

Address 5 Huntersworth Court

Contact Person: W. Carl Richards, Jr.
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 6/17/2010

Posting Date: 6/27/2010

Closing Date: 7/12/2010

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- 0356 -A

Address 5 Huntersworth Court

Petitioner's Name Arthur Adler

Telephone 410-654-0033

Posting Date: 6/27/2010

Closing Date: 7/12/2010

Wording for Sign: To Permit an accessory structure in the side yard in lieu of the required rear yard, and to permit a height of 25 feet in lieu of the permitted 15 feet.

Revised 8/20/09

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

No. 55911

Date: 6/17/2010

PAID RECEIPT

BALANCE ACTUAL TIME BGM
 6/17/2010 11:00 AM
 RECEIVED BY: JESSICA JEE
 6/17/2010
 CASH DISBURSEMENT VERIFICATION
 Date: 6/17/2010
 Amount: \$65.00
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				65.00

Total: 65.00

Rec From: Arthur Adler

For: Adm Variance - 5 Hunterworth Court
 2010-0356-A (Adler)

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

+ - CERTIFICATE OF POSTING

2010-0356-A

RE: Case No.: _____

Petitioner/Developer: _____

Arthur Adler

July 12 2010

Date of Hearing/Closing: _____

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristin Matthews:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____
5 Huntersworth Court

June 27 2010

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

Robert Black June 28 2010
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2010-0356-A

TO PERMIT AN ACCESSORY STRUCTURE IN THE SIDE YARD IN LIEU OF THE REQUIRED REAR YARD, AND TO PERMIT A HEIGHT OF 25 FEET IN LIEU OF THE PERMITTED 15 FEET.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED IT IS DONE IN THE ZONING OFFICE BEFORE 4:30 p.m. ON 7-12-10.

ADDITIONAL INFORMATION IS AVAILABLE AT ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 W. CHESAPEAKE AVE
TOWSON, MD. 21204

TEL. 887-3391

FOR INFO, RETURNED MAIL, THEN AND ONLY AFTER 5:00 PM. ORDER REQUEST TO THE RETURN DATE TO ZONING, 800 101

MEETING IS HANDICAP ACCESSIBLE



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

July 12, 2010

Arthur Adler
5 Huntersworth Ct.
Owings Mill, MD 21117

Dear: Arthur Adler

RE: Case Number 2010-0356-A, 5 Huntersworth Ct.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 17, 2010. 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 "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

June 29, 2010

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

ATTENTION: Zoning Review

Distribution Meeting of: June 28, 2010

Item No.: **Variance:** 2010-0334A, 2010-0358A, 2010-0362A.

Administrative Variance: 2010-0356A - 0357A, 2010-0359A.

Pursuant to your request, the referenced plans have been reviewed by the Baltimore County Fire Marshal's Office and the comment below is applicable and required to be corrected or incorporated into the final plans for the above listed properties.

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

Don W. Muddiman, Acting Lieutenant
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
410-887-4880
Mail Stop: 1102

cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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 12, 2010
Item Nos. 2010- 356, 357, 358, 359,
and 362

DATE: June 30, 2010

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

DAK:CEN:elm

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-07122010 -NO COMMENTS.doc

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



MARYLAND DEPARTMENT OF TRANSPORTATION

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

Date: 6-24-2010

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

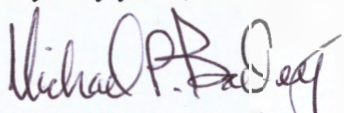
RE: Baltimore County
Item No. 2010-0356-A
5 HUNTERSWORTH COURT
ARTHUR ADLER PROPERTY
ADMIN. VARIANCE -

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. 2010-0356-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

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.sha.maryland.gov

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 7, 2010

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

SUBJECT: 5 Huntersworth Court

RECEIVED

INFORMATION:

JUL 16 2010

Item Number: 10-356

ZONING COMMISSIONER

Petitioner: Arthur H. Adler

Zoning: RC 5

Requested Action: Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The property in question is a lot in the approved subdivision of Huntington Section 3, vested prior to the effective date of Bill 55-04, RC5 performance standards. The petitioner requests a variance to locate an accessory building in the side yard in lieu of the required rear yard and with a height of 25 feet in lieu of the required 15 feet.

SUMMARY OF RECOMMENDATIONS:

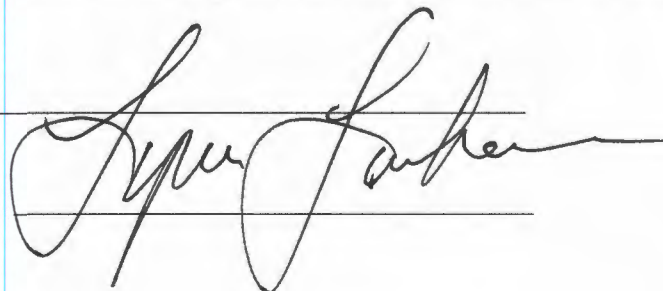
The Office of Planning does not oppose to the requested variance as the structure is for the most part to the rear of the closest neighbor's existing deck. The garage is not visible from the street as there is a berm and vegetation along the road frontage. The Office of Planning requests the following restrictions:

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 here in, please contact Diana Itter at 410-887-3480.

Prepared by:

Division Chief:
AFK/LL: CM



AV
7-12-10

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUL 15 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: July 14, 2010
SUBJECT: Zoning Item # 10-356-A
Address 5 Huntersworth Court
(Adler Property)

Zoning Advisory Committee Meeting of June 28, 2010

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code). – Glenn Shaffer; *Environmental Impact Review*

Additional Comments:

1. Compliance with the covenants restricting the existing Forest Buffer Easement will be checked by EIR as part of the permit review. – Glenn Shaffer; *Environmental Impact Review, (410) 887-3980*
2. The proposed building permit application must be reviewed by Groundwater Mgmt. – Dan Esser; *Groundwater Management, (410) 887-2762*

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ No Comment</u>
<u>6-30-10</u>	DEVELOPMENT PLANS REVIEW	<u>nc</u>
<u>7-14-10</u>	DEPRM (if not received, date e-mail sent _____)	<u>conditions</u>
<u>6-29-10</u>	FIRE DEPARTMENT	<u>nc</u>
<u>7-7-10</u>	PLANNING (if not received, date e-mail sent <u>7-16-10</u>)	<u>conditions</u>
<u>6-24-10</u>	STATE HIGHWAY ADMINISTRATION	<u>nc</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>6-27-10</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☒	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☒	

Comments, if any: _____

Patricia Zook - Case 2010-0356-A - admin. variance that closed 7-12-10 - comments needed

From: Patricia Zook
To: Are, Kathy; Lanham, Lynn; Murray, Curtis
Date: 7/16/2010 10:56 AM
Subject: Case 2010-0356-A - admin. variance that closed 7-12-10 - comments needed

Good morning -

I'm sending this to all three of you because I don't know if Curtis is out of the office.

CASE NUMBER: 2010-0356-A

5 Huntersworth Court

Location: S side of Huntersworth Court, 96 feet E of Huntersworth Lane.

4th Election District, 2nd Councilmanic District

Legal Owner(s): Arthur Adler

Closing Date: 7/12/2010

ADMINISTRATIVE VARIANCE To permit accessory structure in a side yard in lieu of a rear yard and with a height of 25 feet in lieu of the permitted 15 feet.

Thanks for your help.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

2010-03-16-A



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw1.1d)

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

Account Identifier: District - 04 **Account Number -** 2200022512

Owner Information

Owner Name: ADLER ARTHUR H **Use:** RESIDENTIAL
 ADLER ESTHER ANN **Principal Residence:** YES
Mailing Address: 5 HUNTERSWORTH CT **Deed Reference:** 1)
 OWINGS MILLS MD 21117-1541 2)

Location & Structure Information

Premises Address **Legal Description**
 5 HUNTERSWORTH CT 4.807 AC
 5 HUNTERSWORTHS CT SS
 HUNTINGTON

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
58	5	76					36A	1	Plat Ref: 67/ 64

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

Primary	Structure Built	Enclosed Area	Property Land Area	County Use
	1994	7,079 SF	4.80 AC	04
Stories	Basement	Type	Exterior	
2	NO	STANDARD UNIT	BRICK	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2010	07/01/2009	07/01/2010
Land	386,400	386,400		
Improvements:	1,374,980	774,400		
Total:	1,761,380	1,160,800	1,761,380	1,160,800
Preferential Land:	0	0	0	0

Transfer Information

Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	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 *

1



2010-0356-A

4



2010-0356-A

5



2010-0356-A



2010-0356-A



Plan Sheet: 058C1

Note:
The zoning depicted in this application incorporates the actions associated with 2008 Comprehensive Zoning Map Process, zoning changes associated with an adopted Community Plan and Baltimore County Board of Appeals actions through December 31, 2008.

Legend

- | | | |
|-----------|---------|------------|
| Buildings | Streams | Vegetation |
| Zoning | Roads | Rail Lines |

Baltimore County Office of Planning and Zoning Official Zoning Map

049A3	049B3	049C3	050A3	050B3
058A1	058B1	058C1	059A1	059B1
058A2	058B2	058C2	059A2	059B2

Scale

1" = 200'

0 100 200 400 Feet



Data Sources:
Planimetric Data - Baltimore County
OIT/GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2008

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LEGEND

EXISTING 2' CONTOUR
EXISTING 10' CONTOUR
PROPOSED CONTOUR
EXISTING WELL
PROPERTY BOUNDARY
R/W LINE
FOREST BUFFER ESMT.
EXISTING EDGE TREELINE
EDGE EXISTING PAVEMENT
EXIST. SANITARY SEWER LINE
PROPOSED PAVING
PROPOSED SIDEWALK

SEPTIC RES. AREA

FRONT ORIENTATION OF STRUCTURES
DENOTED BY ARROW

VICINITY MAP
SCALE: 1" = 1000'

GENERAL NOTES:

PROPERTY ADDRESS: 5 HUNTERS WORTH COURT
OWINGS MILLS, MARYLAND 21117
GROSS AREA: 217,321 SF +/- (4.989 AC +/-)
INCLUDES 25' OF HUNTERS WORTH COURT R/W
NET AREA: 209,393 SF +/- (4.807 AC +/-)
PERCENT OF LOT AREA COVERED BY BUILDINGS: 3%
ZONING: RC-5 (2008 ZONING MAP 058C1)
THERE IS NO KNOWN ZONING CASE HISTORY FOR THIS SITE.
THIS SITE DOES NOT LIE WITHIN THE 100-YEAR FLOOD PLAIN.
OWNER: ARTHUR H. ADLER
5 HUNTERS WORTH COURT 21117-1541
TAX ACCOUNT NO.: 22-0002-2512
DEED REFERENCE: LIBER S.M. 20110, FOLIO 235
SUBDIVISION PLAT: S.M. 67 FOLIO 64
TAX MAP: 58 BLOCK 5 PARCEL 76 LOT 36A
EXISTING USE: ONE SINGLE FAMILY DWELLING
PROPOSED USE: ONE SINGLE FAMILY DWELLING AND DETACHED GARAGE
CENSUS TRACT: 4049
REGIONAL PLANNING DISTRICT: 307
SCHOOL DISTRICT: OWINGS MILLS ELEMENTARY
WATERSHED: JONES FALLS - 8TH
SUB-SEWERSHED: 85
ADC MAP: 17 A 11
TOPOGRAPHY SHOWN HEREON IS TAKEN FROM FIELD RUN TOPO BY DBS & ASSOCIATES, LLC AND FROM BALTIMORE COUNTY GIS TOPO TILE 058C1. LOT IS SERVED BY ITS OWN ONSITE PRIVATE SEPTIC SYSTEM AND WELL. THERE ARE NO KNOWN UNDERGROUND FUEL OR PESTICIDE TANKS ON SITE. THE COURSES AND COORDINATES SHOWN HEREON ARE BASED UPON THE SYSTEM OF COORDINATES ESTABLISHED IN THE MARYLAND COORDINATE SYSTEM VERTICAL NAVD 88 & HORIZONTAL NAD 83/91. THIS SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA. THIS SITE IS NOT IN THE 100 YEAR FLOODPLAIN.
DEVELOPMENT HISTORY:
CRG PLAN APPROVED: 4/14/89
FDP APPROVED: 1/10/01

FOREST BUFFER & FOREST CONSERVATION EASEMENT NOTES:

1. THE FOREST BUFFER EASEMENT AND FOREST CONSERVATION EASEMENT SHOWN HEREON ARE SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY WHICH RESTRICT THE DISTURBANCE AND USE OF THESE AREAS.
2. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST CONSERVATION OR FOREST BUFFER EASEMENTS, EXCEPT AS PERMITTED BY BALTIMORE COUNTY DEPRM.

VARIANCE LIST:

- ① ACCESSORY STRUCTURE PROPOSED IN SIDE YARD (ALLOWED BY RIGHT IN REAR YARD ONLY).
- ② PROPOSED HEIGHT OF ACCESSORY STRUCTURE OF 25' IN LIEU OF 15' ALLOWED.

MATISWARFIELD
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PLAN
SCALE: 1"=30'

OWNER:
ARTHUR H. ADLER
5 HUNTERS WORTH COURT
OWINGS MILLS, MARYLAND 21117-1541

DATE

REVISION

JUNE 14, 2010
BALTIMORE COUNTY, MD
SCALE: AS SHOWN

4TH ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

**ADLER PROPERTY LOT 36A
5 HUNTERS WORTH COURT
PLAN TO ACCOMPANY
VARIANCE HEARING**

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