

IN RE: PETITION FOR ADMIN. VARIANCE

E side of Birchbrook Court, 305 feet
S of Pinedale Drive
11th Election District
5th Councilmanic District
(13 Birchbrook Circle)

Jason and Christine Charlton
Petitioners

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* **Case No. 2012-0026-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings as a Petition for Administrative Variance filed by the legal owners of the subject property, Jason and Christine Charlton for property located at 13 Birchbrook Circle. The variance request is from Sections 1B01.2.C.2.2 and 301.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") and Sections V.B.5.a and V.B.6.b of the Comprehensive Manual of Development Policies (CMDP) to permit a rear yard setback of 4 feet and a tract boundary setback of 16 feet for an open projection (screened deck) in lieu of the minimum 11.25 feet and 26.25 feet respectively, and to amend the prior plan and Order in Case No. 1989-0466-A and the Final Development Plan of Second Amended Final Development Plan of Pinedale Woods Section II, Plat III, Lot 9 only. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners desire to construct a screen porch and deck with the porch only being 12 feet in projection. There is an existing deck which will be removed and replaced. The property is triangular in shape and any improvements to the rear of the dwelling would require variance relief.

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.

ORDER RECEIVED FOR FILING

8-31-11

Date

By 123

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on August 7, 2011, 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 Administrative Law Judge, 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 Administrative Law Judge for Baltimore County, this 31st day of August, 2011 that a variance from Sections 1B01.2.C.2.2 and 301.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") and Sections V.B.5.a and V.B.6.b of the Comprehensive Manual of Development Policies (CMDP) to permit a rear yard setback of 4 feet and a tract boundary setback of 16 feet for an open projection (screened deck) in lieu of the minimum 11.25 feet and 26.25 feet respectively, and to amend the prior plan and Order in Case No. 1989-0466-A and the Final Development Plan of Second Amended Final Development Plan of Pinedale Woods Section II, Plat III, Lot 9 only, be and is hereby GRANTED, subject to the following:

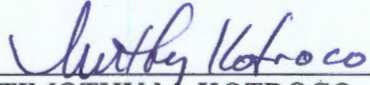
ORDER RECEIVED FOR FILING

Date

By

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.


TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK/pz

ORDER RECEIVED FOR FILING

Date

8-31-11

By

023



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

August 31, 2011

JASON AND CHRISTINE CHARLTON
13 BIRCHBROOK CIRCLE
BALTIMORE MD 21236

Re: Petition for Administrative Variance
Case No. 2012-0026-A
Property: 13 Birchbrook Circle

Dear Mr. and Mrs. Charlton:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted in accordance with the enclosed Order.

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

Sincerely,

A handwritten signature in black ink, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:pz

Enclosure

c: Glen Wilson, PO Box 175, Riva MD 21140

ORIGINAL KEEP IN FILE

Petition for Administrative Variance



to the Zoning Commissioner of Baltimore County for the property located at 13 Birchbrook Ct Baltimore md 21236 which is presently zoned _____

Deed Reference: 241561174 Tax Account # 1800000108

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) 1B01.2.C.2.2 AND 301.1 BCZR

AND V.B.5.2 AND V.B.6.b. OF THE CMDP, TO PERMIT A REAR YARD SETBACK OF 4 FT. AND A TRACT BOUNDARY SETBACK OF 16 FT. FOR AN OPEN PROJECTION (SCREENED DECK) IN LIEU OF THE MINIMUM 11.25' AND 26.25'

RESPECTIVELY AND TO AMEND THE PRIOR PLAN AND ORDER IN CASE# 1989-466-A AND THE FINAL DEVELOPMENT PLAN OF 2ND AMENDED F.D.P. OF PINEDALE WOODS of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

SECTION II, PLAT III

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):

JASON CHARLTON

Name - Type or Print _____

Signature _____

CHRISTINE CHARLTON

Name - Type or Print _____

Signature _____

13 Birchbrook Ct

Address _____

Telephone No. _____

Baltimore md 21236

City _____

State _____

Zip Code _____

Representative to be Contacted:

GLEN WILSON

Name _____

P.O. Box 175

410-963-1119

Address _____

Telephone No. _____

Riva

md

21140

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. 2012-0026-A

Reviewed By JL

Date 7/29/11

ORDER RECEIVED FOR FILING

Estimated Posting Date 8/07/11

Date 8-31-11

Rev 3/09

By 100

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 13 Birch Brook Ct Baltimore Md 21236

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) _____

OUR LOT IS SHAPED IN A PECULIAR FASHION IN THAT THE REAR PROPERTY
LINE IS SHARPLY ANGLED TO PRESERVE A SMALL STREAM (WHICH IS NOT IN
THIS PART OF THE LOT) BECAUSE OF THIS SHAPE, ANY IMPROVEMENT ON THE REAR
OF THE HOUSE WOULD REQUIRE A VARIANCE. WE PROPOSE A VERY MODEST SCREEN
PORCH AND DECK TO ENJOY OUR BACK YARD. THE PORCH WILL ONLY BE 12' IN
PROJECTION. WITHOUT APPROVAL, OUR YARD IS USELESS.

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.

Jason Charlton
Signature

Jason Charlton
Name- print or type

Christine Charlton
Signature

Christine Charlton
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 19th day of July, 2011, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared:

(Name Affiant(s) here): Jason & Christine Charlton
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Jeremy Clancy
Name of Notary Public

12/27/2012
Commission expires

PLACE SEAL HERE:

0026

ZONING DESCRIPTION

BEGINNING ON THE NORTH SIDE AT THE EASTERN
END OF BIRCHBROOK COURT. 24 FEET WIDE, AT
THE DISTANCE OF 305 FEET SOUTH OF THE INTERSECTION
OF THE CENTERLINE OF PINEDALE DRIVE, BEING
LOT #9, BLOCK 6, PLAT III SECTION II PINEDALE
WOODS, BALTIMORE COUNTY ALSO KNOWN AS 13
BIRCHBROOK COURT PERRY HALL MARYLAND 21236 IN
THE 11TH ELECTION DISTRICT.

CERTIFICATE OF POSTING

RE: Case No. 2012-0026-A

Petitioner/Developer JEREMY
CLARY

Date Of Hearing/Closing: 8/22/11

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
at 13 BIRCH BROOK CT.

This sign(s) were posted on AUG 7, 2011

Month, Day, Year
Sincerely,

Martin Ogle 8/7/11
Signature of Sign Poster and Date

Martin Ogle
60 Chelmsford Court
Baltimore, Md, 21220
443-629-3411

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2012-0026-A

TO PERMIT A REAR YARD SETBACK OF 4 FT. AND A TRACT
BOUNDARY SETBACK OF 16 FT. IN LIEU OF 11.25' AND 26.25'
RESPECTIVELY AND TO AMEND THE FINAL DEVELOPMENT PLAN
2ND AMENDED FOR PINEDALE WOODS SECT. II, PLAT III AND
THE PLAN AND ORDER IN ZONING CASE 1989-466-A

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 MONDAY - AUGUST 22, 2011
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204 TEL. 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL ORDER ADAPTS DATE. PENALTY FOR LATE RETURN BOTH TO ZADM. RM. 104

MEETING IS HANDICAP ACCESSIBLE

08/07/2011

Malinda 8/7/11

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ORIG + POSTERS
SFT TO
APP.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2012- 0026 -A

Address 13 BIRCHBROOK CT.

Contact Person: JOHN LEWIS

Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 7/29/11

Posting Date: 8/07/11

Closing Date: 8/22/11

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, 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.
- 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 2012- 0026 -A

Address 13 BIRCHBROOK CT.

Petitioner's Name JASON + CHRISTINA CHARLTON

Telephone 410-963-1119

Posting Date: 8/07/11

Closing Date: 8/22/11

Wording for Sign: To Permit A REAR YARD SETBACK OF 4 FT. AND A TRACT

BOUNDARY SETBACK OF 16 FT. IN LIEU OF 11.25' AND 26.25' RESPECTIVELY AND TO AMEND
THE FINAL DEVELOPMENT PLAN 2ND AMENDED FOR PINEDALE WOODS SECT II, PLAT III
AND THE PLAN AND ORDER IN ZONING CASE 1989-466-A.

REPRESENTATIVES #
GLEN WILSON

Revised 7/06/11

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

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: 2012 - 0026 - A

Petitioner: Jason & Christine Charlton

Address or Location: 13 Birchbrook Ct Baltimore MD 21236

PLEASE FORWARD ADVERTISING BILL TO:

Name: Glen Wilson

Address: PO Box 175 Riva MD 21140

Telephone Number: 410 963 1119



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
*Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections*

August 11, 2011

Mr. & Ms. Charlton
13 Birchbrook Court
Baltimore, MD 21236

RE: Case Number 2012-0026-A, 13 Birchbrook Court

Dear Mr. & Mrs. Charlton

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 29 2011. 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.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
Glen Wilson, P. O. Box 175, Riva, MD 21140

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



Beverley K. Swaim-Staley, Secretary
Darrell B. Mobley, Acting Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 8-9-11

Ms. Kristen Matthews
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2012-0026-A
Administrative Variance
Jason & Christine Charlton
13 Birchbrook Circle

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. 2012-0026-A.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us). Thank you for your cooperation.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steven D. Foster".

Steven D. Foster, Chief
Access Management Division

SDF/rz

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.roads.maryland.gov



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

August 4, 2011

County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Zoning Review

Distribution Meeting of: **August 8, 2011**

Item No.:

Administrative Variance: 2012-0026A, 2012-0028A, 2012-0030A – 0032A.

Variance: 2012-0027A.

Special Hearing: 2012-0029-SPH.

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Don W. Muddiman, Inspector
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File

AV 8/22

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

AUG 22 2011

OFFICE OF ADMINISTRATIVE HEARINGS

TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: August 22, 2011

SUBJECT: DEPS Comment for Zoning Item # 12-026-A
Address 13 Birchbrook Circle
(Charlton Property)

Zoning Advisory Committee Meeting of August 8, 2011.

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

Reviewer: *Jeff Livingston; Development Coordination*

2012 0026-A

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

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier:**District - 11 Account Number - 1800000108****Owner Information**

Owner Name: CHARLTON JASON
CHARLTON CHRISTINE
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 13 BIRCHBROOK CT
BALTIMORE MD 21236-5006
Deed Reference: 1) /24156/ 00174
2)

Location & Structure Information

Premises Address
13 BIRCH BROOK CT
0-0000

Legal Description

13 BIRCH BROOK CT
PINEDALE WOODS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	3
0072	0001	0635		0000	2	G	9	3	Plat Ref:	0041/0033

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1989	2,016 SF	14,160 SF	04

Stories	Basement	Type	Exterior
2.000000	YES	STANDARD UNIT SIDING	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2009	07/01/2010	07/01/2011
Land	118,790	108,200		
Improvements:	230,940	207,400		
Total:	349,730	315,600	315,690	315,600
Preferential Land:	0			0

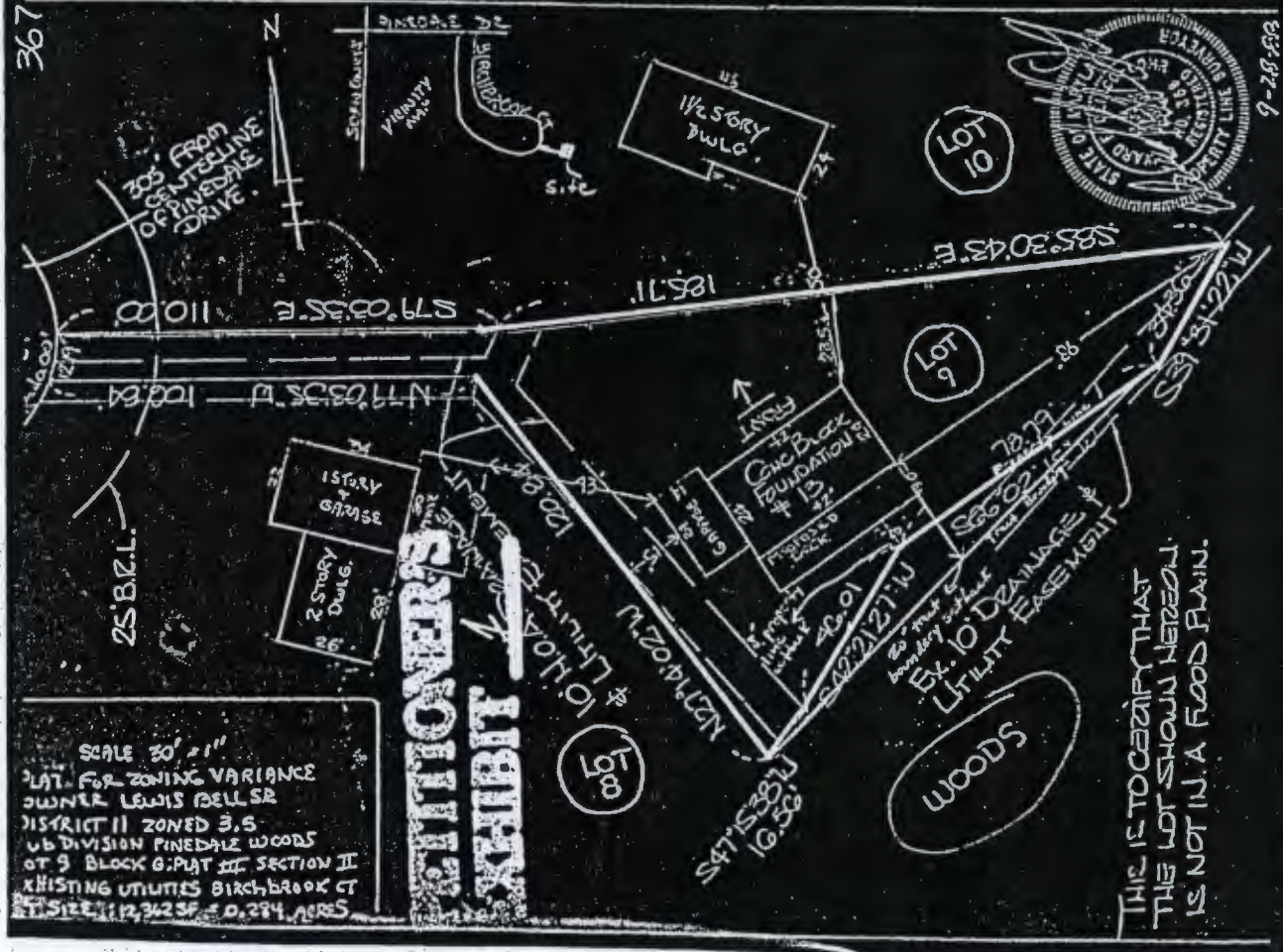
Transfer Information

Seller:	Date:	Price:
BELL LESLIE	07/13/2006	\$430,000
Type: ARMS LENGTH IMPROVED	Deed1: /24156/ 00174	Deed2:
BELL LEWIS G,SR	10/19/2001	\$0
Type: NON-ARMS LENGTH OTHER	Deed1: /15673/ 00518	Deed2:
HALL GEORGE A,JR	06/02/1988	\$28,500
Type: ARMS LENGTH IMPROVED	Deed1: /07876/ 00029	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County			0.00
State			0.00
Municipal			0.00
Tax Exempt:	Special Tax Recapture:		
Exempt Class:	* NONE *		

Rec'd FROM 1989-0466-A



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 1, 1989

Mr. Lewis G. Bell, Sr.
13 Archbrook Court
Baltimore, MD 21236

RE: Item No. 367, Case No. 89-466-A
Petitioner: Lewis G. Bell, Jr.
Petition for Zoning Variance

Dear Mr. Bell:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties made aware of plans or problems with regard to the development of zoning plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commission with recommendations as to the suitability of the request for zoning.

Enclosed are all comments submitted from the members of Committee at this time that offer or request information regarding your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, a comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE MINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory

inf:0247

Enclosures

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

89-466-A

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 1801.2.C.2.a. and 301.1 of the BCZR and V.R.5.a. and V.R.6.b.

of the C.M.D.P. to permit rear yard setback of 8' and a tract boundary setback of 20' for an open projection (deck) in lieu of the minimum 11.25' and 26.25', respectively; and an amendment to the Second Amended Final Development Plan

of Pinedale Woods, Section II, Plat III

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

(PRACTICAL DIFFICULTY)

DUE TO THE UNUSUAL SHAPE OF THE LOT
WE ARE UNABLE TO HAVE A PLACE TO RELAX IN
THE SUMMER (THE LOT IS ALL HILLS)
WITH NO FLAT LAND TO PLACE CHAIRS.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound 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:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

HAP	NE 106
	4C
E. D.	11
DATE	5-23-90
200	BF
1000	BF
DP	

7600

BE
ET
THE
OF
LOT
WOOD
BIRC
THE

PET FROM 8
1989-0466-A

Testimony indicated the requested variance, if granted, will not create any detriment to the health, safety or general welfare of the community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 25th day of May, 1989 that the Petition for Zoning Variance to permit a rear yard setback of 8 ft. and a track boundary setback of 20 ft. for an open projection (deck) in lieu of the minimum 11.25 ft. and 26.25 ft., respectively; and, to amend the Second Amended Final Development Plan of Pinedale Woods, lot #9, Section II, Platt III, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 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; and,

- 2) The Petitioner shall not enclose any side of said deck excluding the vertical side abutting the dwelling wall. This restriction includes the three vertical planes on the remaining three sides of the deck, both above and below the surface of the deck, and the horizontal plane above the deck.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:mmm

cc: Peoples Counsel

ORDER RECEIVED FOR FILING
Date 5/25/89
By M. Haines

ORDER RECEIVED FOR FILING
Date 5/25/89
By M. Haines

COPY OF ORDER
1989-0466-A

0026

0026



Rear view Existing deck

0026



Left
new



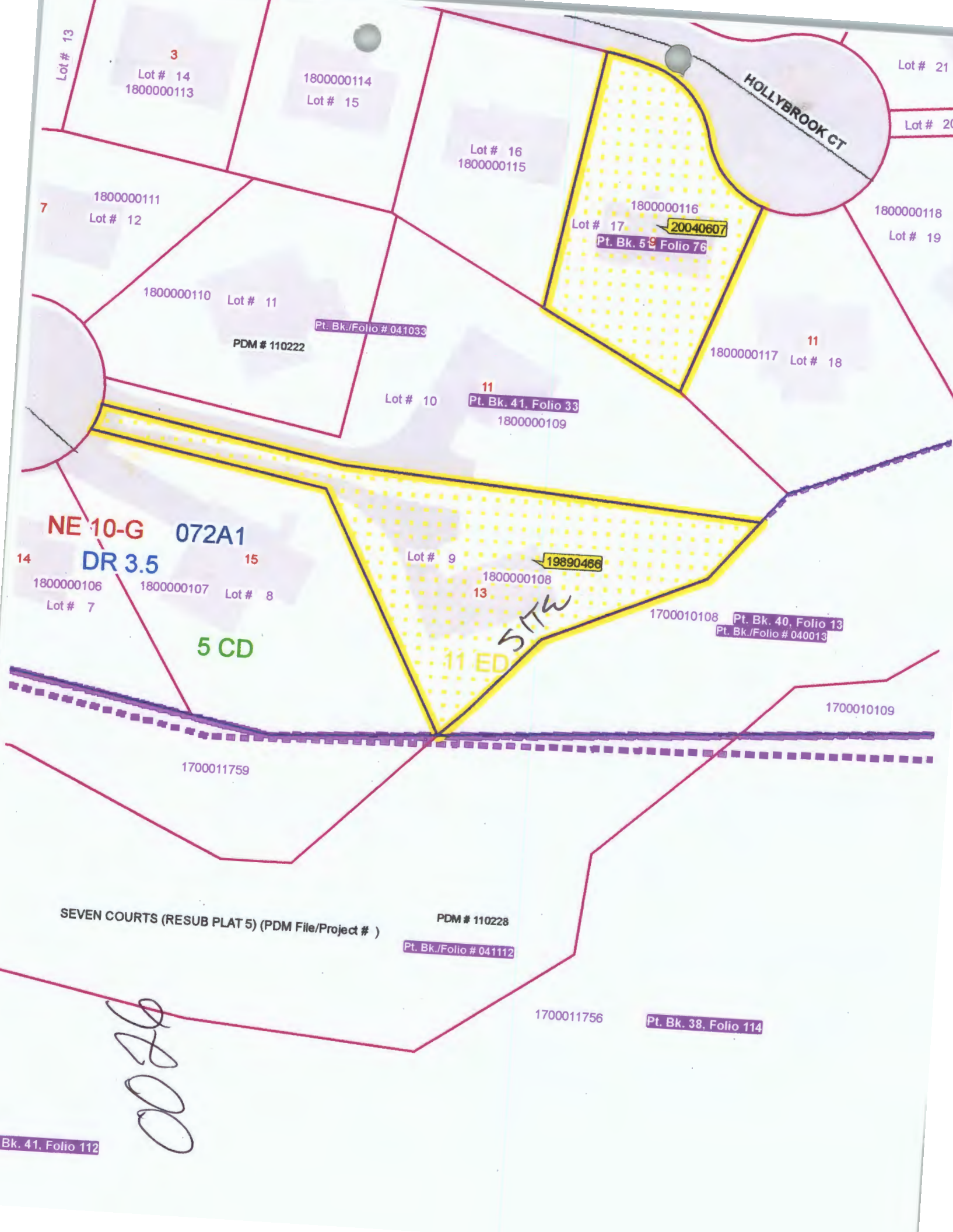
Left
new

0026



Proposed deck / Screened Porch Remove + Replace ex. Deck





Lot # 13

3
Lot # 14
1800000113

1800000114
Lot # 15

Lot # 16
1800000115

Lot # 21

Lot # 20

HOLLYBROOK CT

1800000118

Lot # 19

7
1800000111
Lot # 12

1800000116
Lot # 17
Pt. Bk. 5, Folio 76
20040607

1800000110 Lot # 11

Pt. Bk./Folio # 041033

PDM # 110222

1800000117 Lot # 18

11

Lot # 10
Pt. Bk. 41, Folio 33
1800000109

11

NE 10-G 072A1
DR 3.5

14
1800000106 Lot # 7
1800000107 Lot # 8

5 CD

Lot # 9
1800000108
19890466

13

1700010108 Pt. Bk. 40, Folio 13
Pt. Bk./Folio # 040013

1700010109

1700011759

SEVEN COURTS (RESUB PLAT 5) (PDM File/Project #)

PDM # 110228

Pt. Bk./Folio # 041112

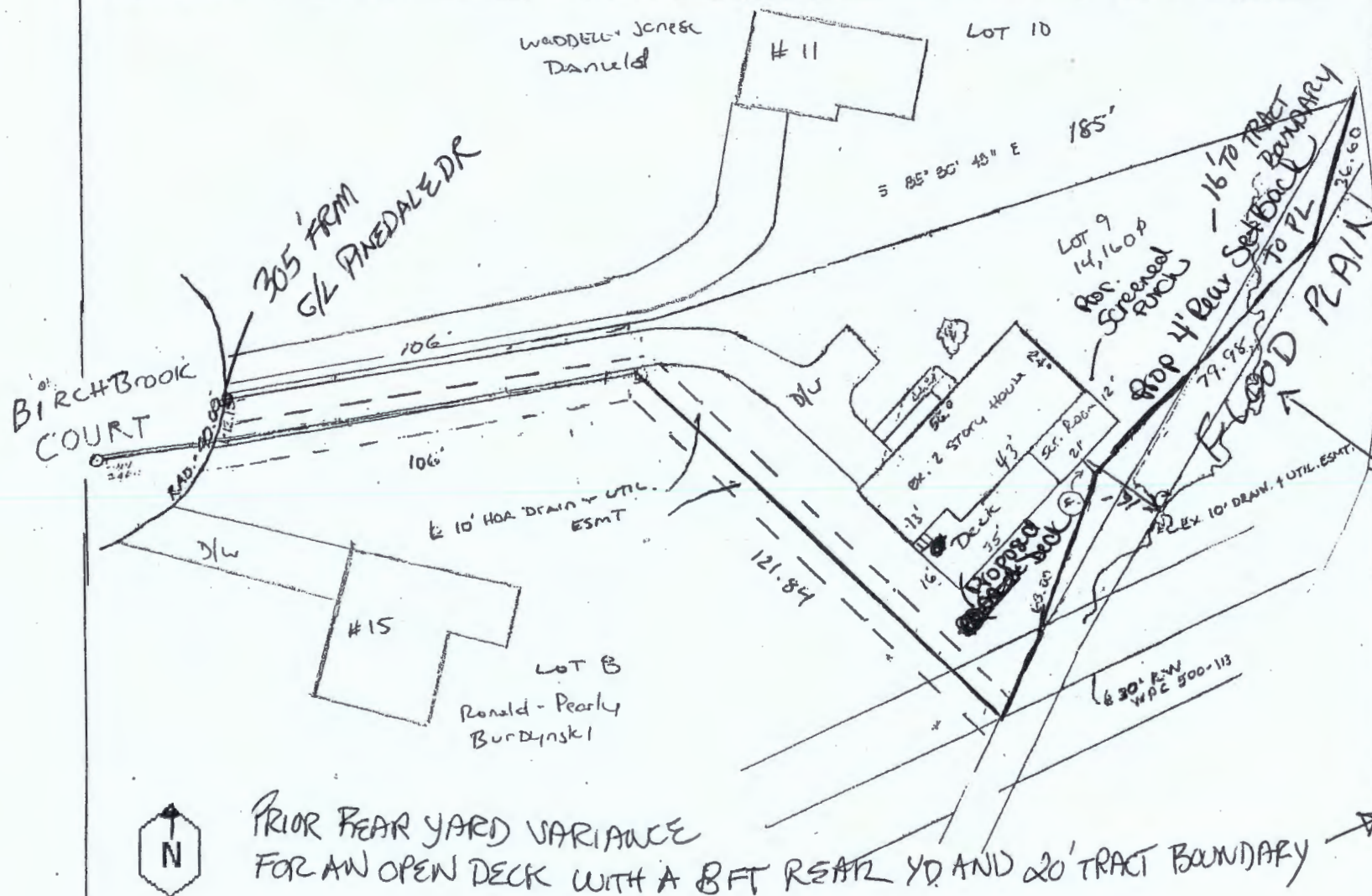
1700011756

Pt. Bk. 38, Folio 114

Bk. 41, Folio 112

0026

PLAT BOOK # 41 FOLIO # 33 10 DIGIT TAX # 1800000108 DEED REF. # 24156100174



PLAN DRAWN BY JEREMY CLANCY DATE 7/19/11 SCALE: 1 INCH = 40 FEET

2012-0026-A

subject propert

Pinerale Dr

Salem Court

3rd Avenue

Debar Rd

Jappa

N

695

MAP IS NOT TO SCALE

1. The first step is to identify the key components of the system. This involves understanding the hardware, software, and data involved in the process.
