



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 4105 Pine Hill Rd Nottingham, MD 21236 which is presently zoned Residential DR3.5

Deed Reference 28331/381 10 Digit Tax Account # 21 00009015

Property Owner(s) Printed Name(s) Jesse W. and Trina B. Sleeper, III

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

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

1. X ADMINISTRATIVE VARIANCE from section(s)

427.1.B.1 BC2R

TO PERMIT A FENCE WITH A HEIGHT OF 6' IN LIEU OF THE REQUIRED 42" WHICH ADJOINS THE FRONT YARD OF THE ADJOINING LOTS.

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

2. _____ ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4- 416(a)(2): (indicate type of work in this space to raze, alter or construct addition to building)

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 petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners:

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having formally demanded and/or found to be required, it is ordered by the Office of Administrative Law, of Baltimore County, this 6-4-12 day of June By [Signature] 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.

Administrative Law Judge of Baltimore County

CASE NUMBER 2012-0282-A Filing Date 5/4/12 Estimated Posting Date 5/13/12 Reviewer JS/JF

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the 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 property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 4105 Pine Hill Rd Nottingham MD 21236
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

see attached sheet

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

Signature of Affiant

Name- Print or Type

Jesse W. Sleeper, III

Signature of Affiant

Name- Print or Type

Irina Sleeper

Irina B. Sleeper

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

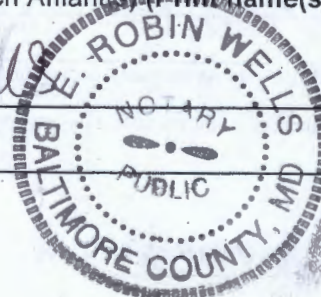
I HEREBY CERTIFY, this 1 day of MAY, 2012, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

JESSE W SLEEPER III & IRINA B SLEEPER
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal

Notary Public

My Commission Expires 8-13-13



IN RE: PETITION FOR ADMIN. VARIANCE

S side of Pine Hill Road; 560 feet W
of the c/l of Belair Road
11th Election District
5th Council District
(4105 Pine Hill Road)

Jesse W. and Irina B. Sleeper
Petitioners

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* CASE NO. 2012-0282-A

* * * * *

ORDER AND OPINION

This matter comes before the Administrative Law Judge as a Petition for Administrative Variance filed by the legal owners of the property, Jesse W. and Irina B. Sleeper. The Petitioners are requesting Variance relief from Section 427.1.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a fence with a height of 6 feet in lieu of the required 42 inches. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

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

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 12, 2012, 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

ORDER RECEIVED FOR FILING

Date 6-4-12

By [Signature]

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.

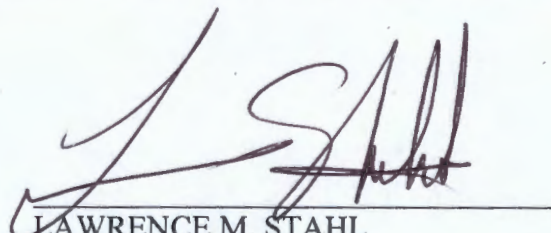
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 4th day of June, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Variance from Section 427.1.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a fence with a height of 6 feet in lieu of the required 42 inches, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. 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, 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.


LAWRENCE M. STAHL
Managing Administrative Law Judge for
Baltimore County

LMS:pz

ORDER RECEIVED FOR FILING

Date 6-4-12 2

By pm



KEVIN KAMENETZ
County Executive

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

June 4, 2010

JESSE W. AND IRINA B. SLEEPER
4105 PINE HILL ROAD
NOTTINGHAM MD 21236

RE: Petition For Administrative Variance
Case No. 2012-0282-A
Property: 4105 Pine Hill Road

Dear Mr. and Mrs. Sleeper:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Stahl", is written over the printed name.

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:pz

Enclosure

MEMORANDUM

DATE: July 10, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0282-A - Appeal Period Expired

The appeal period for the above-referenced case expired on July 4, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings

Case No.: 2012-0282-A

Exhibit Sheet

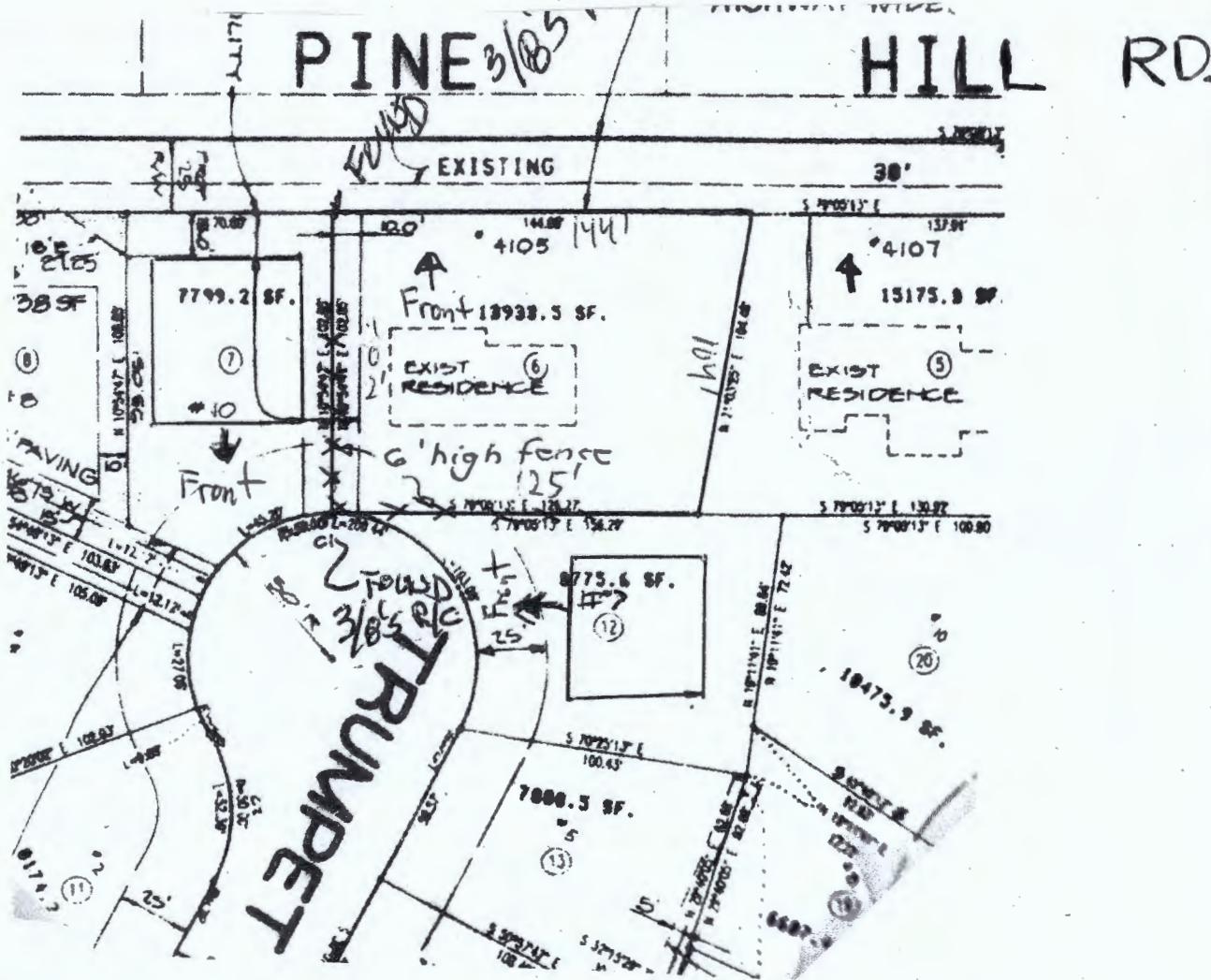
7/6/12 B
DW 7/10/12

Petitioner/Developer

Protestants

No. 1	Site plan	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

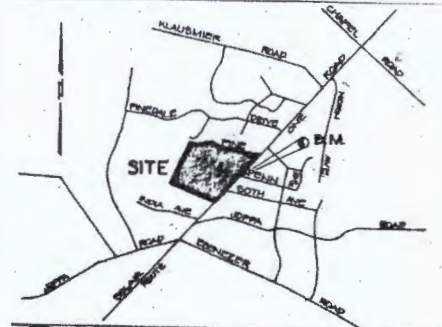
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 4105 Pine Hill Road Nottingham, MD OWNER(S) NAME(S) Jesse W. and Trina B. Sleeper, III
 SUBDIVISION NAME Cedarside Farm LOT # 6 BLOCK # NA SECTION # NA
 PLAT BOOK # 60 FOLIO # 136 10 DIGIT TAX # 2100009015 DEED REF. # 283311381



PLAN DRAWN BY Jesse W. Sleeper, III DATE 3/31/12 SCALE: 1 INCH = 50 FEET

Exhibit 1

SITE VICINITY MAP



MAP IS NOT TO SCALE
 ZONING MAP# 072 A1
 SITE ZONED? DR3
 ELECTION DISTRICT 11th
 COUNCIL DISTRICT 5th
 LOT AREA ACREAGE 0.320
 OR SQUARE FEET 13933.5
 HISTORIC? No
 IN CBCA? No
 IN FLOOD PLAIN? No
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC X PRIVATE _____
 SEWER IS:
 PUBLIC X PRIVATE _____
 PRIOR HEARING? No
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW
NA

VIOLATION CASE INFO:

NA

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

No. **83448**

Date: **5/14/12**

PAID RECEIPT

BUSINESS ACTUAL TIME
 5/04/2012 5/04/2012 11:51:12

NO. W903 WALKIN RDOS LRB
 RECEIPT # 500071 5/04/2012
 Dept 5 520 ZONING VERIFICATION
 OF NO. 003449

Recpt Tot \$75.
 \$75.00 CK \$.
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	00001		6150				75.00

Total: **75.00**

Rec From: **Jesse Sleeper**

For: **Admin. Var.**
4105 Pine Hill Rd
CX # 2012 - 0272-A

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2012- 0282 -A

Address 4105 PINE HILL RD

Contact Person: JUN / JASON

Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 5-4-12

Posting Date: 5-13-12

Closing Date: 5-28-12

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 2012- 0282 -A

Address 4105 PINE HILL RD

Petitioner's Name Jesse & Irina sleeper

Telephone 410-215-7460

Posting Date: 5-13-12

Closing Date: 5-28-12

Wording for Sign: To Permit a fence with a height of 6' in lieu of the
required 42 inches which adjoins the front yard of the
adjoining lots.

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: 2012-0282-A
Petitioner: Jesse W. and Irina B. Sleeper, III
Address or Location: 4105 Pine Hill Rd, Nottingham, MD 21236

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jesse W. and Irina B. Sleeper, III
Address: 4105 Pine Hill Rd
Nottingham, MD 21236
Telephone Number: 410-215-7460

CERTIFICATE OF POSTING

RE: CASE NO: 2012-0282-A

PETITIONER/DEVELOPER _____

JESSE E IRINA SLEEPER

DATE OF HEARING/CLOSING: _____

5/28/12

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMEN:

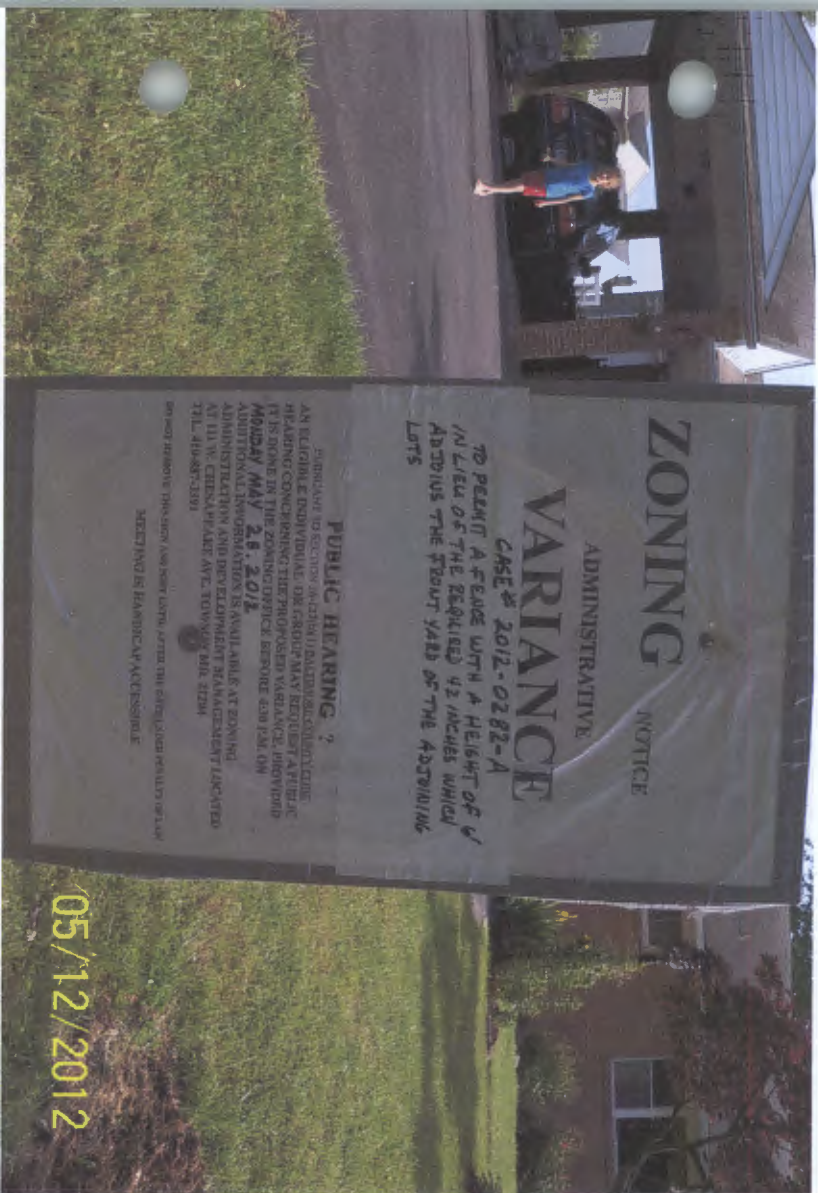
THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE
PROPERTY AT 4105 PINE HILL RD

THIS SIGN(S) WERE POSTED ON May 12, 2012
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 5/12/12
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE, MD 21220
(ADDRESS)
PHONE NUMBER: 443-629-3411



Michael J. 5/12/12

Patricia Zook - Re: Case 2012-0282-A - administrative variance case

From: June Fisher
To: Zook, Patricia
Date: 6/4/2012 9:58 AM
Subject: Re: Case 2012-0282-A - administrative variance case

Ok Patty , thanks and it's done. sorry!

>>> Patricia Zook 6/4/2012 9:53 AM >>>
Good morning -

The above-referenced administrative variance case was brought over with the other administrative variance cases last week. This case was not on the list of cases that closed May 28, 2012.

In looking at the data base, it appears the 'closing date' information was not filled in; therefore the description did not print with the other cases that closed on May 28, 2012.

Please update the information for 2012-0282-A so that I can print it and place the description with the others that closed May 28, 2012.

Thank you.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov



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Patricia Zook - Case 2012-0282-A - administrative variance case

From: Patricia Zook
To: Fisher, June; Lewis, Kristen
Date: 6/4/2012 9:53 AM
Subject: Case 2012-0282-A - administrative variance case
CC: Wiley, Debra

Good morning -

The above-referenced administrative variance case was brought over with the other administrative variance cases last week. This case was not on the list of cases that closed May 28, 2012.

In looking at the data base, it appears the 'closing date' information was not filled in; therefore the description did not print with the other cases that closed on May 28, 2012.

Please update the information for 2012-0282-A so that I can print it and place the description with the others that closed May 28, 2012.

Thank you.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov



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Maryland Department of Assessments and Taxation
Real Property Data Search (vw3.1A)
BALTIMORE COUNTY

2012-0282-A

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

Account Identifier:

District - 11 Account Number - 2100009015

Owner Information

Owner Name: SLEEPER JESSE W 3RD
SLEEPER IRINA B
Use: RESIDENTIAL
Mailing Address: 4105 PINE HILL AVE
BALTIMORE MD 21236-1618
Principal Residence: YES
Deed Reference: 1) /28331/ 00381
2)

Location & Structure Information

Premises Address
4105 PINE HILL AVE
BAL 21236-1618
Legal Description
.3198 AC
4105 PINE HILL AVE
CEDARSIDE FARM

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	Plat Ref:
0072	0008	0417		0000			6	3	1	0060/ 0136

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1956	1,912 SF	13,933 SF	04

Stories	Basement	Type	Exterior
1.000000	YES	STANDARD UNIT BRICK	

Value Information

	Base Value	Value As Of 01/01/2012	Phase-in Assessments	
			As Of 07/01/2011	As Of 07/01/2012
Land	129,200	129,200		
Improvements:	155,200	105,800		
Total:	284,400	235,000	284,400	235,000
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
CREUTZER BETTY C/FREDERICK G,4TH,	06/30/2009	\$150,000
Type: NON-ARMS LENGTH OTHER	Deed1: /28331/ 00381	Deed2:
Seller: CREUTZER BETTY C,PER REP EST OF	Date: 02/13/2009	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /27652/ 00087	Deed2:
Seller: CREUTZER THOMAS E	Date: 01/18/2008	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /26587/ 00379	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:**Special Tax Recapture:****Exempt Class:**

HOMEOWNERS TAX CREDIT

Homestead Application Information

Homestead Application Status: Approved 12/15/2009

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment5-17DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)nc

DEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)

5-15

STATE HIGHWAY ADMINISTRATION

nc

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING Date: 5-12 by OglePEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

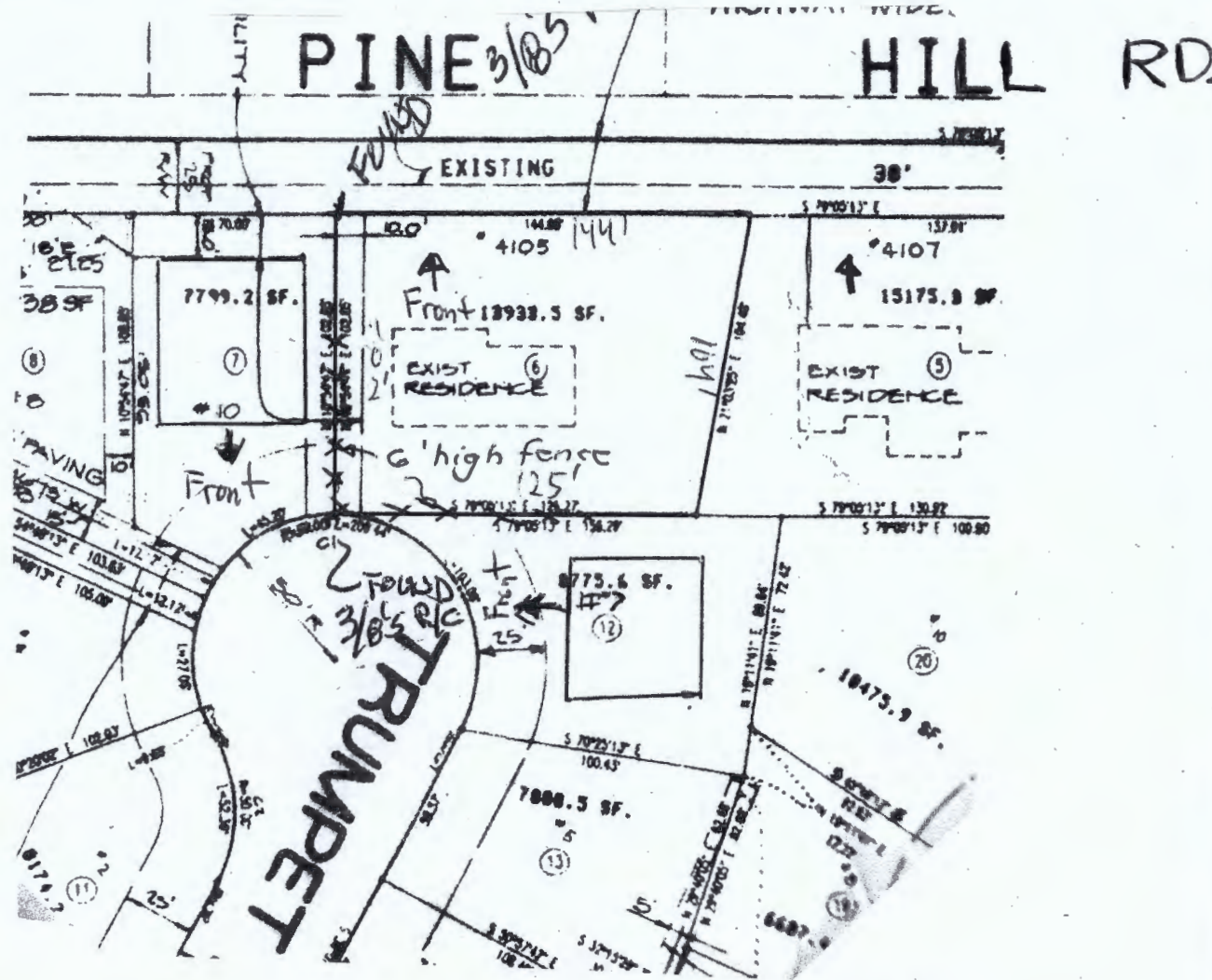


ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 4105 Pine Hill Road Nottingham, MD 21236 OWNER(S) NAME(S) Jesse W. and Irina B. Sleeper, III

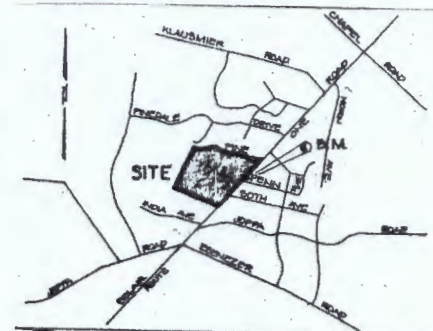
SUBDIVISION NAME Cedarside Farm LOT# 6 BLOCK# NA SECTION# NA

PLAT BOOK# 60 FOLIO# 136 10 DIGIT TAX# 2100009015 DEED REF.# 28331/381



PLAN DRAWN BY Jesse W. Sleeper, III DATE 3/31/12 SCALE: 1 INCH = 50 FEET

SITE VICINITY MAP

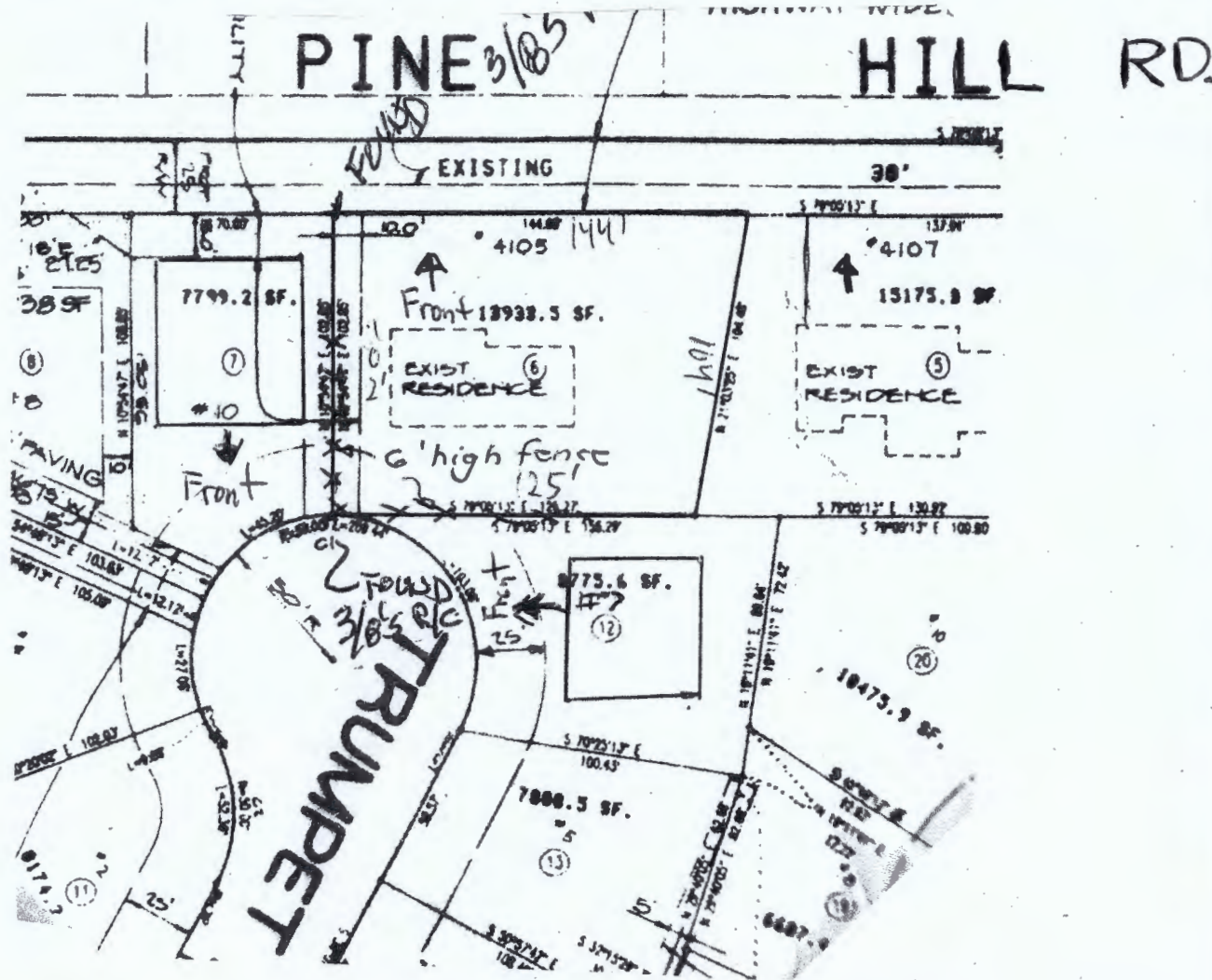


MAP IS NOT TO SCALE
ZONING MAP# 072 A1
SITE ZONED DR 3.5
ELECTION DISTRICT 11th
COUNCIL DISTRICT 5th
LOT AREA ACREAGE 0.320
OR SQUARE FEET 13933.5
HISTORIC? No
IN CBCA? No
IN FLOOD PLAIN? No
UTILITIES? MARK WITH X
WATER IS:
PUBLIC X PRIVATE _____
SEWER IS:
PUBLIC X PRIVATE _____
PRIOR HEARING? No
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW
NA

VIOLATION CASE INFO:

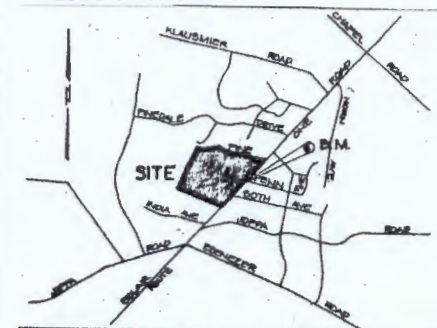
NA

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 4105 Pine Hill Road Nottingham, MD 21236 OWNER(S) NAME(S) Jesse W. and Irina B. Sleeper, III
 SUBDIVISION NAME Cedarside Farm LOT# 6 BLOCK# NA SECTION# NA
 PLAT BOOK# 60 FOLIO# 136 10 DIGIT TAX# 2100009015 DEED REF. # 28331/381



PLAN DRAWN BY Jesse W. Sleeper, III DATE 3/31/12 SCALE: 1 INCH = 50' FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE
 ZONING MAP# 072 A1
 SITE ZONED? DR 3.5
 ELECTION DISTRICT 11th
 COUNCIL DISTRICT 5th
 LOT AREA ACREAGE 0.320
 OR SQUARE FEET 13933.5
 HISTORIC? No
 IN CBCA? No
 IN FLOOD PLAIN? No
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC X PRIVATE _____
 SEWER IS:
 PUBLIC X PRIVATE _____
 PRIOR HEARING? No
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW
NA

VIOLATION CASE INFO:

NA

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: May 17, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For May 28, 2012
Item Nos. 2012-0243, 0278, 0279, 0280, 0281, 0282, 0283
And 0288

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-05282012-NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: May 17, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For May 28, 2012
Item Nos. 2012-0243, 0278, 0279, 0280, 0281, 0282, 0283
And 0288

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-05282012-NO COMMENTS.doc

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



Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 5-15-12

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

RE: Baltimore County
Item No 2012-0282-A
Administrative Variance
Jesse W. Trina B. Steeper
4105 Pine Hill Road.

Dear Ms. Lewis:

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. 2012-0282-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).

Sincerely,

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

Steven D. Foster, Chief
Access Management Division

SDF/raz

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

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RE: Baltimore County
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KEVIN KAMENETZ
County Executive

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

May 31, 2012

Mr. & Mrs. Sleeper, III
4105 Pine Hill Road
Nottingham, MD 21236

RE: Case Number: 2012-0282-A, Address: 4105 Pine Hill Road

Dear Mr. & Mrs. Sleeper, III:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 2, 2012. 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 that reads "W. Carl Richards, Jr." The signature is written in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel



KEVIN KAMENETZ
County Executive

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

May 31, 2012

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Very truly yours,

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Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

**ZONING HEARING PROPERTY DESCRIPTION FOR 4105 Pine Hill Rd
Nottingham, Maryland 21236**

Beginning at a point on the South Side of Pine Hill Road which is 30 feet wide at the distance of 560 feet west of the centerline of the nearest improved intersecting street, Belair Road, which is 66.5 feet wide.

Being Lot #6, Block #N/A, Section #N/A, in the subdivision of Cedarside Farm as recorded in Baltimore County Plat Book #, Folio #136, containing 13,933.5 square feet. Located in the 11th Election District and 5th Council District.

Practical Difficulty or Hardship Reasons for Variance Application at 4105 Pine Hill Road

Our property is unique, unusual and different from the surrounding properties of the subdivision in that its backyard is bordered on two sides by the front yard of other properties in the subdivision. The zoning provision in question impacts the subject property more than the surrounding properties in that the provision does not allow a 6' backyard privacy fence to be erected on the property line of the backyard of our property, which is something that the other property owners in the subdivision are allowed to do. The subject property is also unique in that it is a property that was pre-existing when the subdivision was developed. In part, the way the subdivision was developed and allowed to be developed, circa 1996, created the need for the variance and was in no way created by our actions as we have only owned the property since 2009.

The reasonable use that we can not make of our property, without approval of this variance, is erecting a 6' backyard privacy fence. We would like to build this fence because we have young children, ages 6, 3 and 2, and would like them to be able to play in the backyard without having to worry about them running into the traffic way that is directly adjoining our backyard. Further, we would like to be able to enjoy our backyard in privacy. Because we are not able to erect this fence, we are not allowed to enjoy our yard in these ways like our neighbors are. Additionally, if we have to strictly comply with the 10' setback rule, we would lose use of a significant portion of our backyard.

The variance that we are seeking would in no way increase the residential density of the subdivision that our property is located in, as it would not allow additional residential dwellings to be erected.

The fence that we would like to erect would be white vinyl or pressure treated. We believe both options to be very attractive and discreet so as not to violate the spirit or intent of the regulation that we are seeking relief from. Another option that we have considered is erecting a fence on our property line, as high as zoning regulations allow, and then planting trees along that fence to act as the privacy fence. Upon consideration of this option, we believe it to be more practical and aesthetically pleasing to install a 6' privacy fence as the fence will never grow higher and taller so as to become unsightly. Further, one of the owners of the properties adjoining our backyard (see pictures documenting this) has already erected a 6' privacy fence that extends approximately 20' into his front yard. From this, it is clear that he does not have an issue with a fence bordering his front yard.

The proposed fence would be erected in a utility and drainage easement, however if work ~~was~~ ever required in this easement, which would be a rarity in itself, the fence is going to be constructed in such a way that the panels of the fence would be able to be taken down in order to facilitate the work. Additionally, the adjoining neighbor's access to his backyard would not be hindered as he could still gain access to the backyard from Pine Hill Road and the other side of his house as well as the 10' wide strip of public easement that would remain. Given these factors, we do not believe that the proposed

variance would in anyway cause substantial injury to the public health, safety and general welfare.