

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
S/S Raven Rock Court, 315 ft. W of c/l York Road
505 Raven Rock Court
7th Election District
7th Councilmanic District
Frank A. Cirincione, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 91-392-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Sections 1A03.4.B.6, 1A00.1.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit side yard setbacks of 44 ft. and 47 ft. in lieu of the required 50 ft. for an addition, as more particularly described on Petitioner's Exhibit No. 1.

The Petitioners having filed a Petition for a Residential Variance, the subject property, known as 505 Raven Rock Court, improved with a single family home, zoned R.C.4, having been posted and there being no request for a public hearing, this matter is ready for determination. The petitioners are requesting a variance to permit side yard setbacks of 44 ft. and 47 ft. in lieu of the required 50 ft., for additions to the house.

The Petitioners have filed the supporting affidavits, as required by Section 22-26 (b)(1) of the Baltimore County Code. There is no evidence in the file or record to indicate that the variance would adversely affect the health, safety and/or general welfare of the public and, therefore, the relief should be granted.

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.

ORDER RECEIVED FOR FILING
Date 5/1/91
By [Signature]

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 1st day of May, 1991 that the Petition for a Zoning Variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Sections 1A03.4.B.6, 1A00.1.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit side yard setbacks of 44 ft. and 47 ft. in lieu of the required 50 ft. for an addition, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

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.
2. The Petitioners shall not allow or cause the additions to be converted to a second dwelling unit and/or apartment.
3. Upon request and reasonable notice, the Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

[Signature]
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:mmn
cc: Peoples Counsel

ORDER RECEIVED FOR FILING
Date 5/1/91
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

May 29, 1991

Mr. and Mrs. Frank A. Cirincione
505 Raven Rock Court
Parkton, Maryland 21120

RE: Petition for Residential Zoning Variance
Case No. 91-392-A

Dear Mr. and Mrs. Cirincione:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

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 of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
[Signature]
J. Robert Haines
Zoning Commissioner

JRH:mmn
encl.
cc: Peoples Counsel

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE
91-392-A

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 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) ~~live~~ do presently or upon settlement will reside at 505 Raven Rock Court, Parkton, Maryland 21120 (Address)

That based upon personal knowledge, the following are the facts upon which I/We base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)
See Attached Sheet

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

[Signatures]
AFFIANT (Handwritten Signature) AFFIANT (Handwritten Signature)
CATHERINE H. CIRINCIONE FRANK A. CIRINCIONE
AFFIANT (Printed Name) AFFIANT (Printed Name)

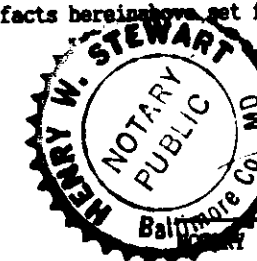
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 3rd day of April, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

[Signatures]

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in the form of law that the matters and facts hereinbefore set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.



DATE 7/1/91 My Commission Expires: 7/1/95

PETITION FOR ZONING VARIANCE
Hardship or Practical Difficulty Rationale

91-392-A

Our existing dwelling has a dining room of 8 feet, 4 inches wide by 11 feet long. The kitchen size is 10 feet, 8 inches by 10 feet, 8 inches. Neither of these rooms are sufficient to have a family gathering for meals of more than 4 people. In order to rectify these small rooms we propose to expand our existing dwelling west 16 feet and south 19 feet from the west and south existing walls. The expansion will provide a dining room, sunroom and breakfast niche to accommodate our family. Since this dwelling was the first erected in the Gillcrest development (we are the original owners) the undersized dining areas were not recognized until construction was completed. Subsequent similar dwellings were expanded to provide for larger dining and kitchen areas.

An addition to the existing garage of 12 feet by 14 feet is also planned. This will house a lawn tractor and all garden equipment. The present condition of housing the lawn tractor in the existing garage makes for a difficult situation. In order to access the tractor, one vehicle must be removed from the garage to permit the lawn tractor to exit. This requires the starting and driving of one vehicle out and then back into the garage. It is an unnecessary waste of fuel and vehicle engine life. Manually pushing the vehicle out can be achieved. Manually pushing the vehicle upgrade back into the garage is nearly impossible for two people. Due to security concerns, storage of the lawn tractor outdoors is not practical.

It is for these reasons a variance is requested.

ZONING DESCRIPTION

Beginning at a point on the south side of Raven Rock Court which is 50 feet wide at a distance 315 feet west of the centerline of its intersection with York Road, Maryland State Route 45, which is 66 feet wide. Being Lot Number 6 in the subdivision of Gillcrest as recorded in Baltimore County Plat Book #39, Folio #83 containing 49701.36 square feet (1.141 acres). Also known as 505 Raven Rock Court and located in the #7 Election District.

91-392-A

PETITION FOR RESIDENTIAL VARIANCE

91-392-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

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, petition for a Variance from Section

1A03.4.B.6, 1A00.1.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) for side yard setbacks of 44' and 47' in lieu of the required 50'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason(s) (Indicate hardship or practical difficulty)

See Attached Sheet

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

I/We agree to pay expenses of the above Variance posting and, if necessary, advertising, 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/State/Zip Code
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City/State/Zip Code
Name, address and phone number of legal owner, contact purchaser or representative to be contacted.
Attorney's telephone number:

Legal Owner(s):
(Type or Print Name)
Signature
(Type or Print Name)
Signature
H(301) 357-4375
H(301) 962-3776
Address
City/State/Zip Code
Name
Address

ORDERED by the Zoning Commissioner of Baltimore County, this 8 day of April, 1991, that the subject matter of this petition be posted on the property on or before the 24 day of April, 1991.

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this ___ day of ___, 19___, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the ___ day of ___, 19___, at ___ o'clock, ___.

ORDER RECEIVED FOR FILING

By _____

ZONING COMMISSIONER OF BALTIMORE COUNTY

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 7th Date of Posting April 26, 1991
Posted for [Signature]
Posterior [Signature]
Location of property [Signature]
Location of signs [Signature]
Remarks [Signature]
Posted by [Signature] Date of return [Signature]
Number of Signs 5

receipt

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21286

Account # 001-4180
Number

4/08/91 H910085

	QTY	PRICE
PUBLIC HEARING FEES		
C/O ZONING VARIANCE (IRL)	1 X	\$35.00
USD POSTING SIGNS / ADVERTISING	1 X	\$25.00
TOTAL:		\$60.00

LAST NAME OF OWNER: CIRINCIONE
04404080LITCHINC
860.00
Please Make Checks Payable To: Baltimore County #0091520404-08-91

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, MD 21204
887-3353
May 5, 1991

Mr. & Mrs. Frank A. Cirincione
505 Raven Rock Court
Parkton, MD 21120
RE: Item No. 385, Case No. 91-392-A
Petitioner: Frank A. Cirincione, et ux
Petition for Residential Variance

Dear Mr. & Mrs. Cirincione:

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 are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any 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 HER AT 887-3391.

Very truly yours,

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

JED:jw

Enclosures

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, MD 21204
887-3353

Your petition has been received and accepted for filing this 24th day of April, 1991.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Frank A. Cirincione, et ux
Petitioner's Attorney:

Baltimore County Government
Fire Department
700 East Joppa Road, Suite 901
Towson, MD 21204 5500
(301) 887-1500

MAY 1, 1991

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: FRANK A. CIRINCIONE
Location: #505 RAVEN ROCK COURT
Item No.: 385 Zoning Agenda: APRIL 30, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. CHAPTER 22

REVIEWER: *John J. Kelly* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: May 10, 1991

TO: Mr. J. Robert Haines
Zoning Commissioner
FROM: Rahee J. Fomili
SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: April 30, 1991

This office has no comments for items number 385, 392, 393, 394, 395, 396, 398, 399, 400, 401, 402 and 404.

Rahee J. Fomili
Rahee J. Fomili
Traffic Engineer II

887/148

91-392-A
BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
TO: Zoning Advisory Committee DATE: April 26, 1991
FROM: Dennis A. Kennedy, P.E.
RE: Zoning Advisory Committee Meeting
for April 30, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 385, 392, 393, 396, 399, 400, 401, 402, 403 and 404.

For Items 347 (Case #91-374-A), 394 and 395, the previous County Review Group Meeting comments are still applicable.

For Item 397, a revised County Review Group Meeting is required.

For Item 398, a County Review Group Meeting is required.

Dennis A. Kennedy
Dennis A. Kennedy, P.E., Acting Chief,
Developers Engineering Division

DAK:s

received
5/19/91

91-392-A-5-16
BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: May 10, 1991
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Frank A. Cirincione, Item No. 385 ✓
Stanley Z. Steinberg, Item No. 392
John D. Ferencsik, Item No. 396
Andrew F. David, Item No. 399
Richard J. Romano, Item No. 400
White Marsh Joint Venture, Item No. 401
Francis P. Leyden, Item No. 402
Charles A. Romano, Item No. 404
Dale J. Lohman, Item No. 405
T & G Partnership, Item No. 407
Westview Mall Association, Item No. 408
George Bromell, Item No. 409
Hawley Rodgers, Item No. 412
Joseph Ruzza, Item No. 416
Ronald L. Morzman, Item No. 418
Victor Khousami, Item No. 422

In reference to the Petitioners' request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

VARIEDIT.EMS/ZAC1

received
5/22/91

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

April 24, 1991

Mr. & Mrs. Frank A. Cirincione
505 Raven Rock Court
Parkton, Maryland 21120

RE: CASE NUMBER: 91-392-A
LOCATION: 3/5 Raven Rock Court, 315' W of c/o York Road
505 Raven Rock Court

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a reaffirmation regarding the administrative process.

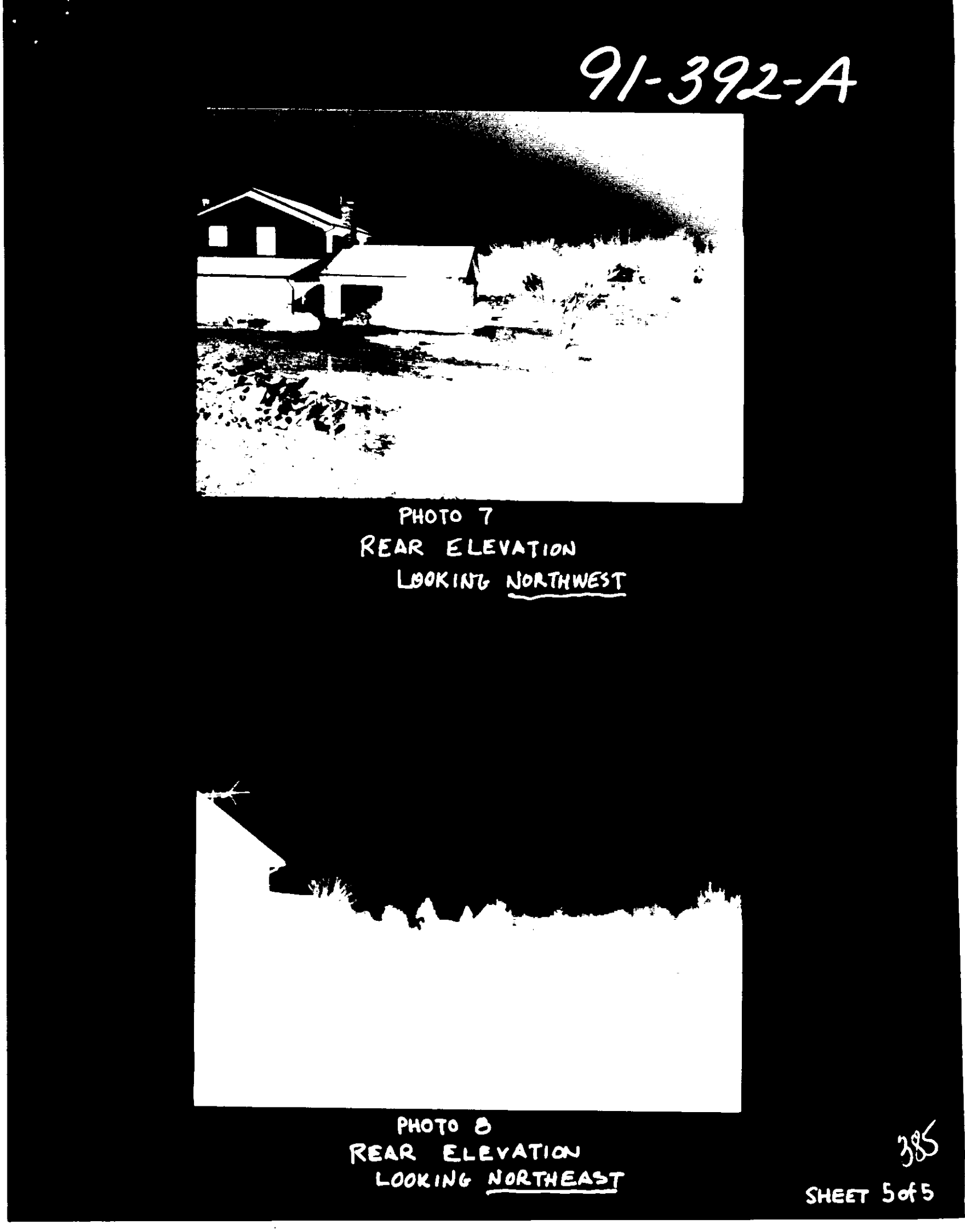
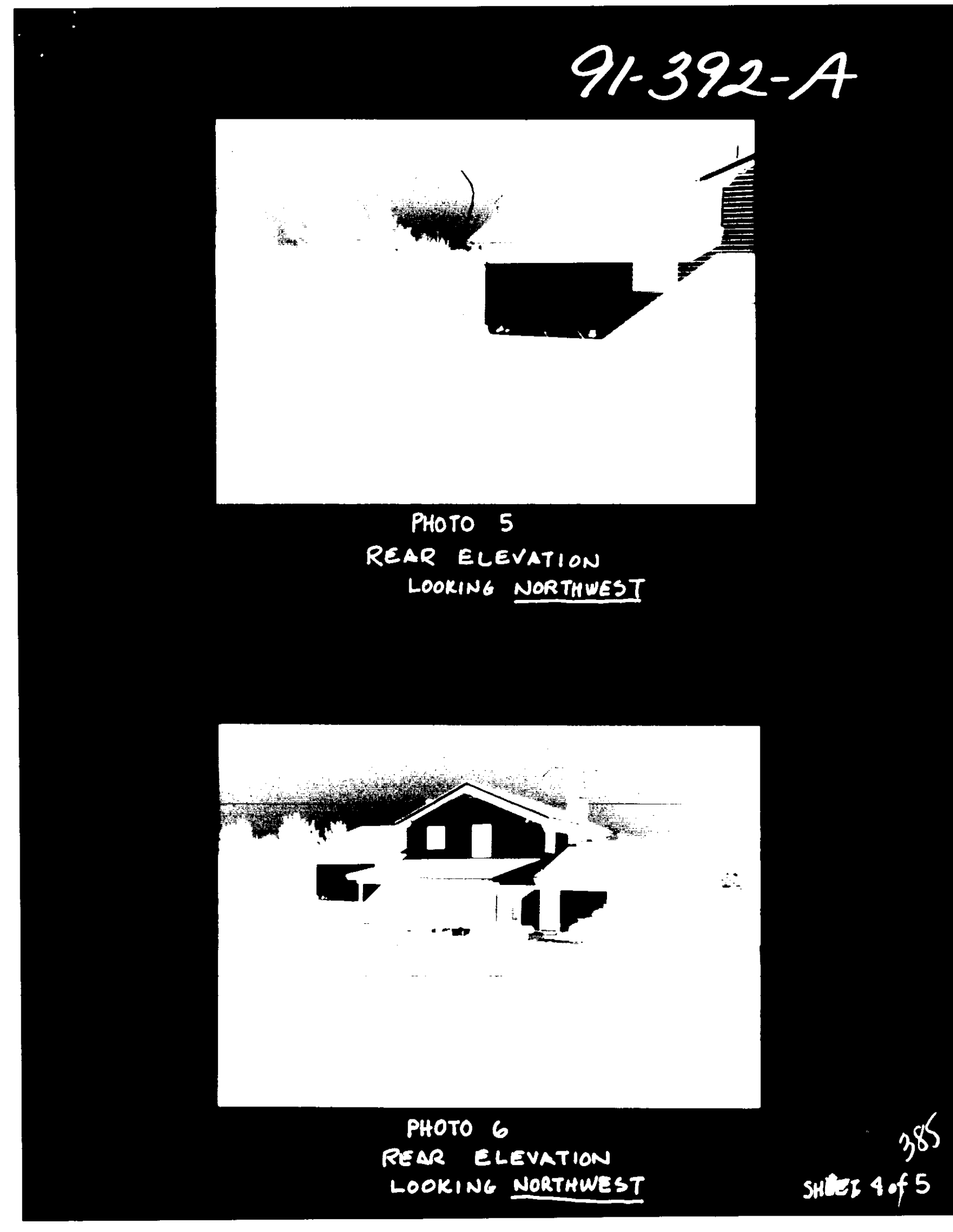
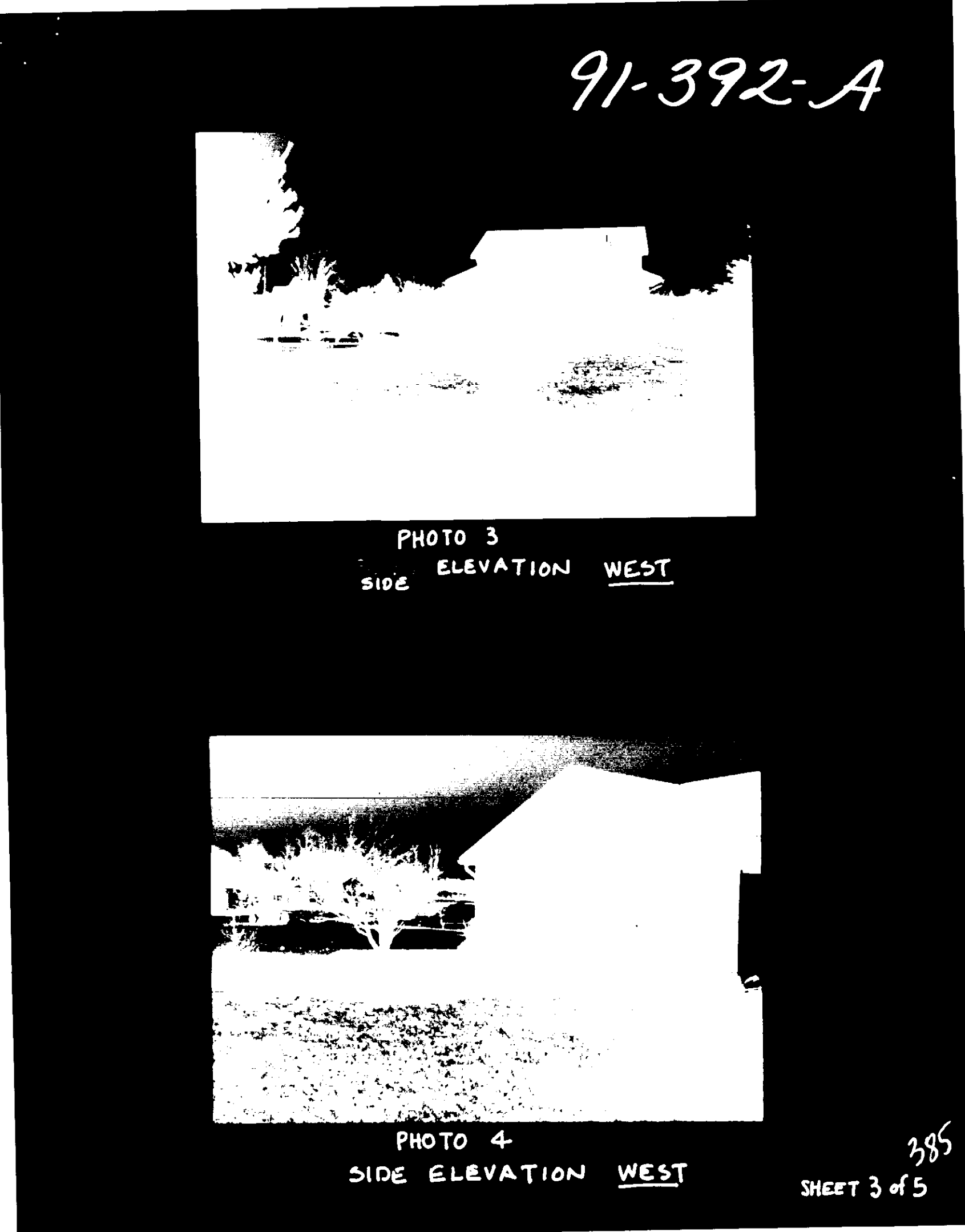
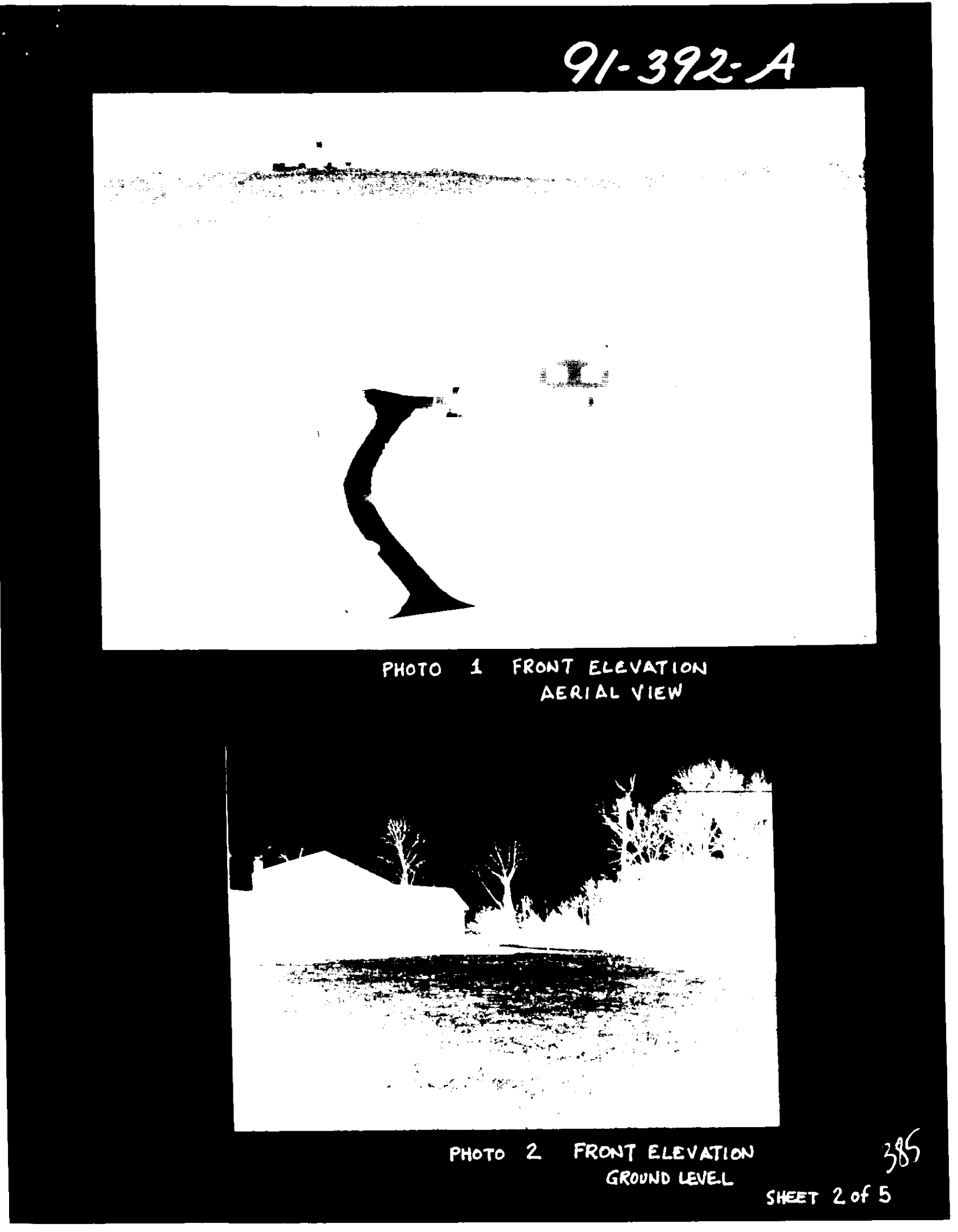
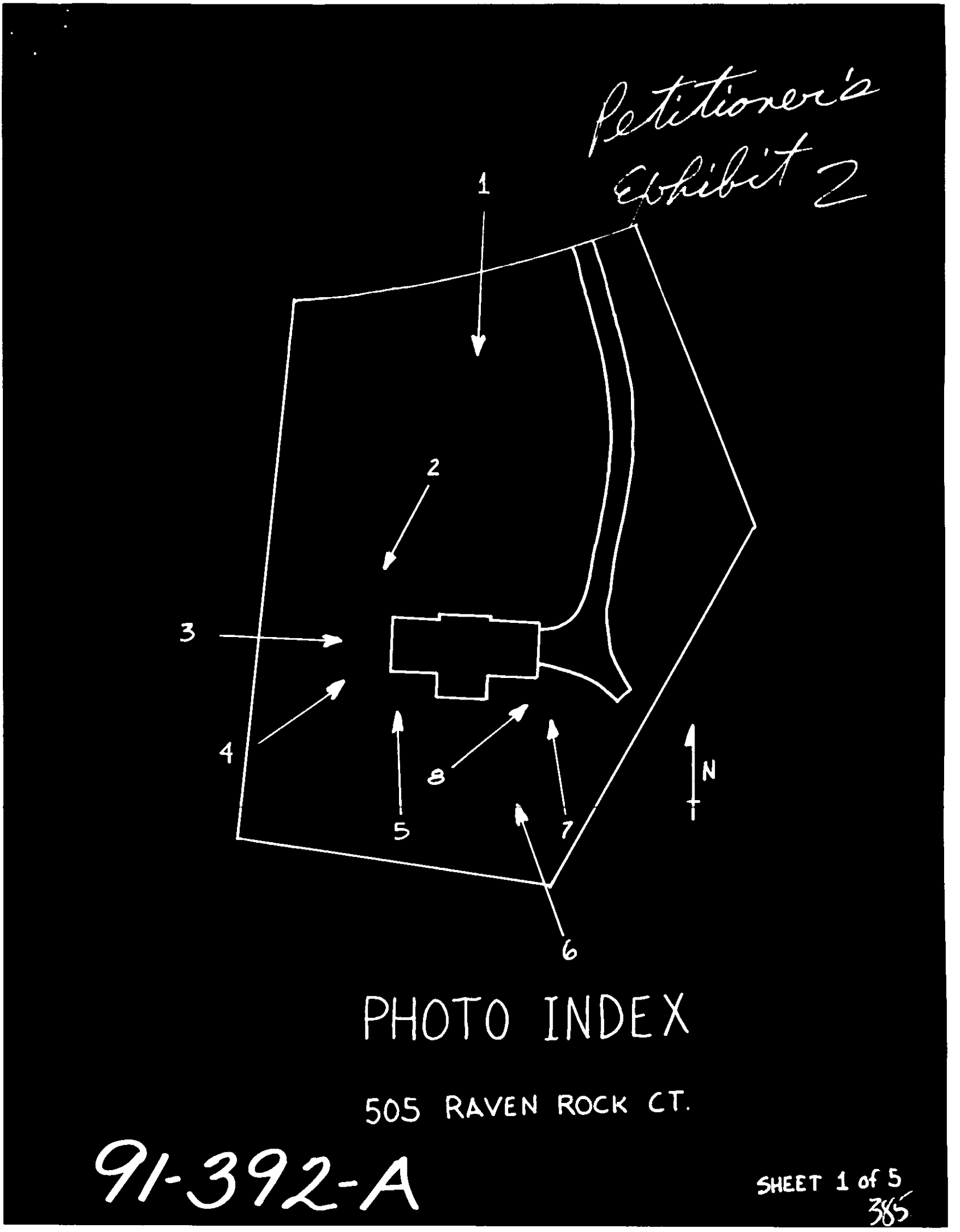
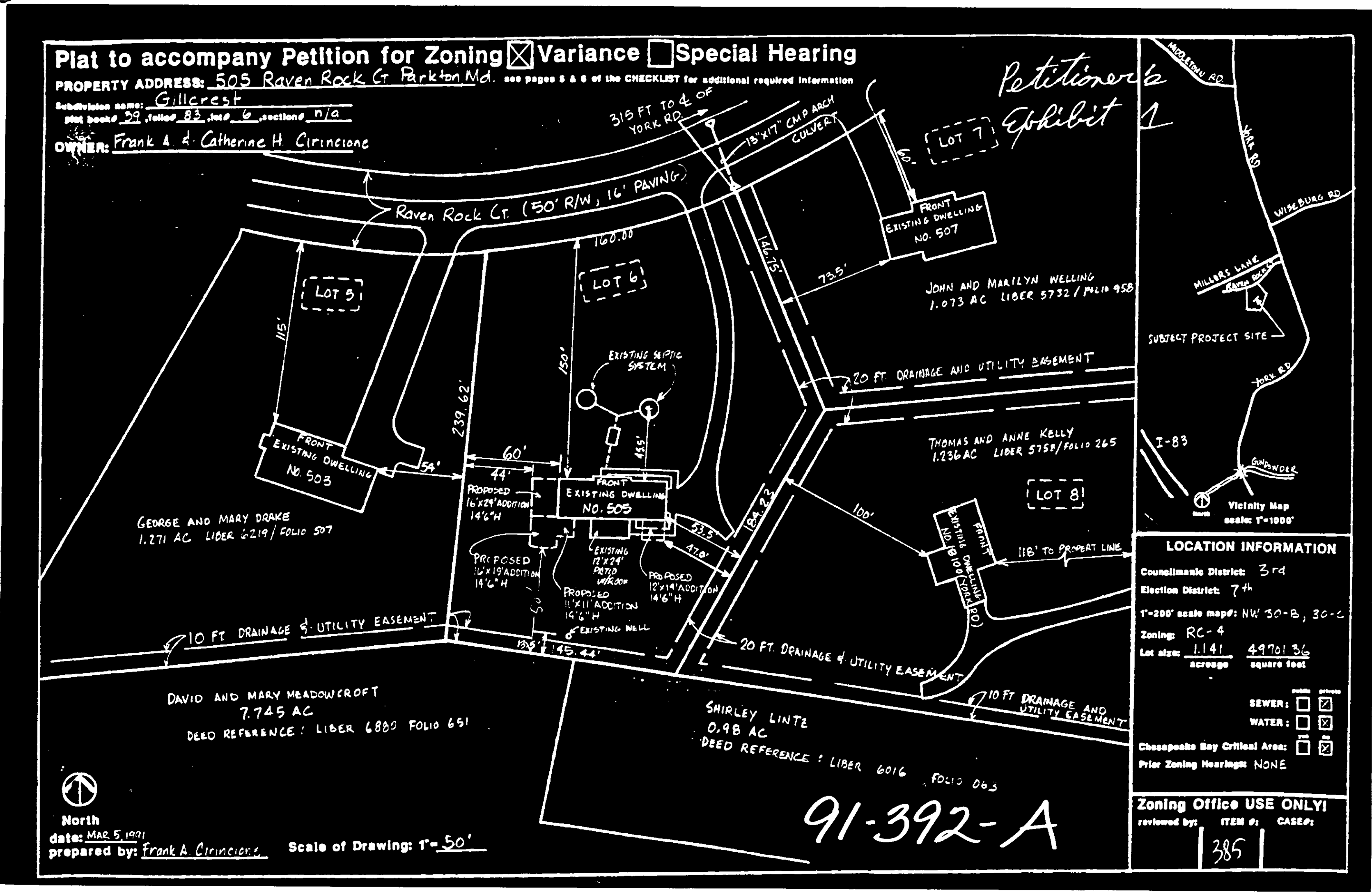
1) Your property will be posted on or before May 1, 1991. The last date (closing date) on which a neighbor may file a formal request for hearing is May 16, 1991. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reporting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your Order to be held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the day you return the sign.

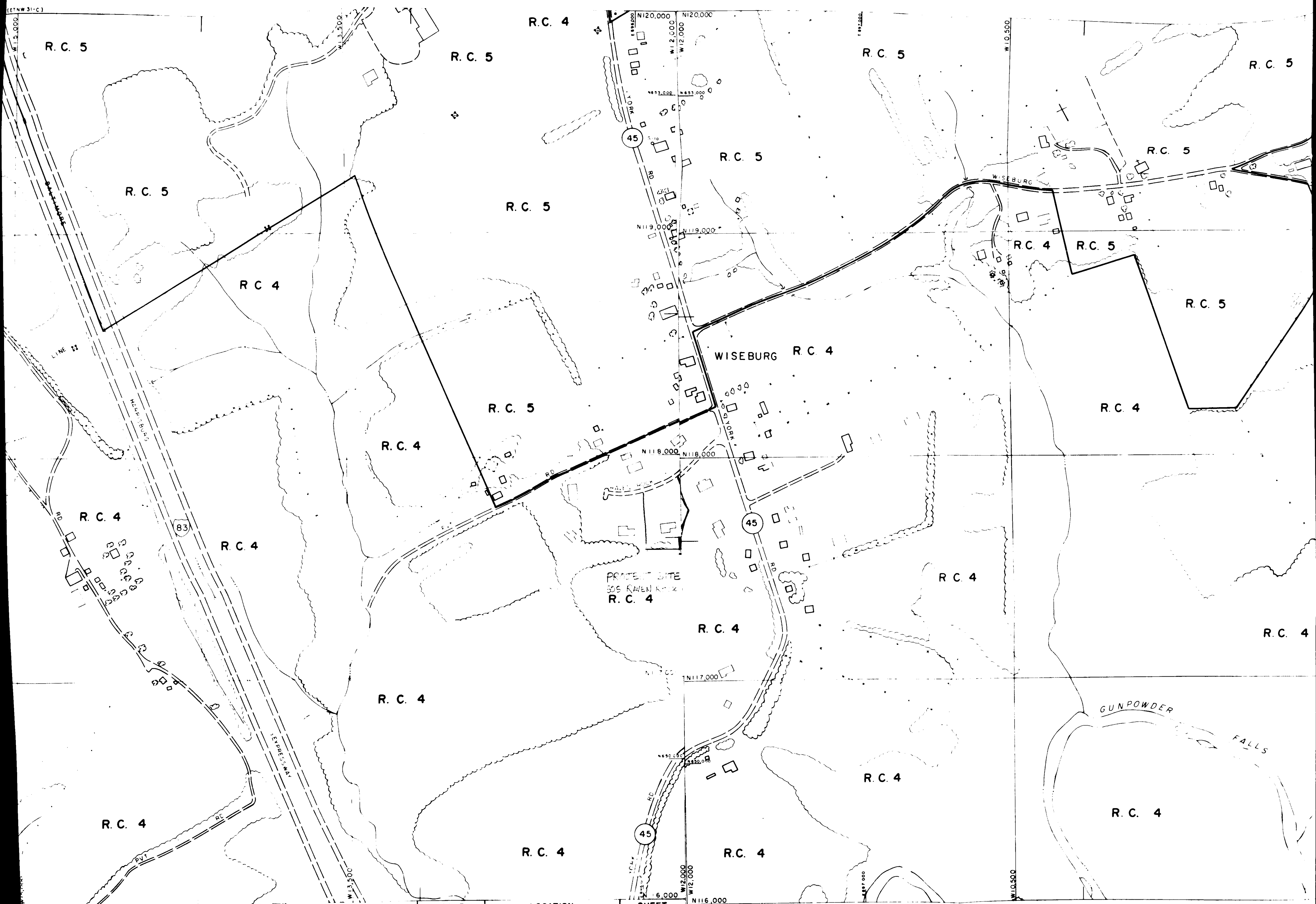
2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

G. G. Stephens
G. G. Stephens
(301) 887-3391





**BALTIMORE COUNTY
PLANNING AND ZONING
OFFICIAL ZONING MAP**

SCALE
1" = 200'

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
91-392-A
WEST OF WISEBURG
OFFICIAL ZONING MAP

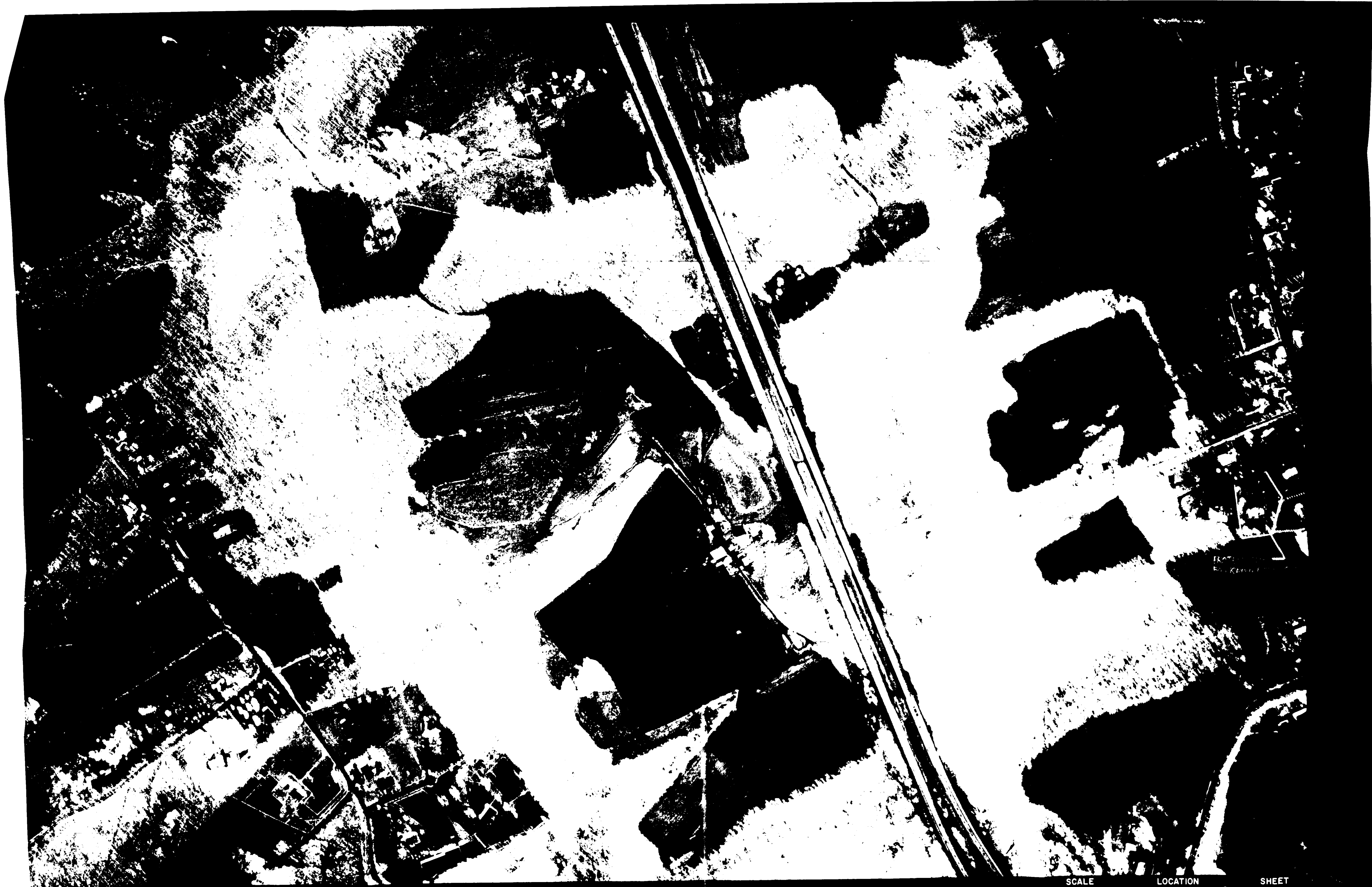
SHEET
NW
30-C

HH - NE
KK - SE

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988
BH Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
Del. J. V. B.
Chairman, County Council

**BALTIMORE
OFFICE OF PLANNING
OFFICIAL**



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	91-392-A	N.W.
DATE OF PHOTOGRAPHY	WEST OF WISEBURG	30-C
JANUARY 1986	AERIAL PHOTO MAP	

385