

IN RE: PETITION FOR RESIDENTIAL VARIANCE\* BEFORE THE  
W/S Roben Road, 200' N of the  
c/l of Grendon Lane  
(2915 Roben Road)  
9th Election District  
6th Councilmanic District  
John C. Adamiak, et ux  
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (garage) to be located in the side yard in lieu of the required rear yard location, in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 46-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances 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, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 407.1 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.

ORDER RECEIVED FOR FILING

Date 7/23/91 By [Signature]

ORDER RECEIVED FOR FILING

Date 7/23/91 By [Signature]

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 23<sup>rd</sup> day of July, 1991 that the Petition for Residential Variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (garage) to be located in the side yard in lieu of the required rear yard location, 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:

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) Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

July 23, 1991

Mr. & Mrs. John C. Adamiak  
2915 Roben Avenue  
Baltimore, Maryland 21234

RE: PETITION FOR RESIDENTIAL VARIANCE  
W/S Roben Road, 200' N of the c/l of Grendon Lane  
(2915 Roben Road)  
9th Election District - 6th Councilmanic District  
John C. Adamiak, et ux - Petitioners  
Case No. 91-483-A

Dear Mr. & Mrs. Adamiak:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Residential Variance has been granted in accordance with the attached Order.

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 Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

[Signature]  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. Charles H. Michael, Sr.  
4027 St. Augustine Lane, Baltimore, Md. 21222

Ms. Donna C. Grannas  
3 Brigantine Court, Baltimore, Md. 21234

People's Counsel

File

AFFIDAVIT

PETITION FOR RESIDENTIAL ZONING VARIANCE  
91-483-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) does/are presently reside at  
4027 St. Augustine Lane, Baltimore, MD 21222  
(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)  
We are contracting for this property based upon a variance approval of placing a garage at the right side front of the property because there is no room at the rear of the property.

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.

[Signature]  
AFFIANT (Handwritten Signature)  
[Signature]  
AFFIANT (Printed Name)

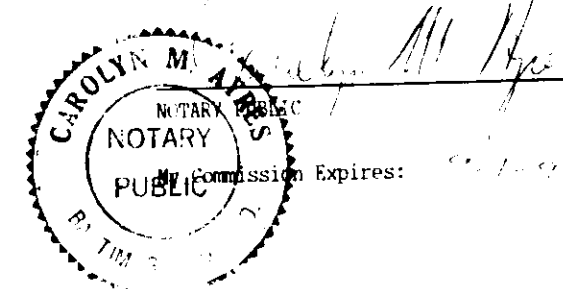
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17 day of July, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal.

DAT:



ZONING DESCRIPTION

91-483-A

Beginning on the west side of Roben Road which is 30' wide at the distance of 200 feet north of the centerline of the nearest improved intersecting street, Grendon Lane, which is 38' wide. Being part of lots 28-33 in the subdivision of Roben Park as recorded in Baltimore County Plat Book #7, folio #1, containing approximately 6000 square feet plus or minus. Also known as 2915 Roben Avenue and located in the 9th Election District.

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21206

Account: R-901-6150  
Number

Date

5/17/91 19100494

| PUBLIC HEARING FEES               | QTY | PRICE   |
|-----------------------------------|-----|---------|
| 010 - ZONING VARIANCE (IRL)       | 1 X | \$35.00 |
| 080 - POSTING SIGNS / ADVERTISING | 1 X | \$25.00 |
| TOTAL                             |     | \$60.00 |

LAST NAME OF OWNER: ADAMIAK  
Please Make Checks Payable To: Baltimore  
04A040055KICHR  
04A04127PMD6-17-91 \$60.00

Cashier Validation

receipt

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

91-483-A

The undersigned, legal owner(s) of the property situated 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

400.1 - to allow an accessory structure (garage) in the side yard in lieu of the rear yard.

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

Whereas, there is no room to place a detached garage in the back of the property, we are requesting the garage be placed at the right side of the property, giving the proper footage on the side of the property. Lot is pie-shaped due to taking by State roads for 695 Beltway Interchange at Hartford Road.

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

I, or 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(s):

[Signature]  
(Type or Print Name)  
[Signature]  
Signature  
[Signature]  
Address  
City/State/Zip Code

Attorney for Petitioner(s):

(Type or Print Name)  
Signature  
Address  
City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

Phone

ORDERED by the Zoning Commissioner of Baltimore County, this 17 day of July, 1991, that the subject matter of this petition be posted on the property on or before the 17 day of July, 1991.

[Signature]  
ZONING COMMISSIONER OF BALTIMORE COUNTY

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 105, County Office Building in Towson, Baltimore County, on the day of , 19 , at o'clock, .

ORDER RECEIVED FOR FILING

Date 7/23/91 By [Signature]



ZONING COMMISSIONER OF BALTIMORE COUNTY

June 95, 1991

COPY

111 West Chesapeake Avenue  
Towson, MD 21204

John and Bonnie Adamiak  
2915 Roben Avenue  
Baltimore, Maryland 21234

Re: CASE NUMBER: 91-483-A  
LOCATION: W/S Roben Road, 200' N of c/l Grendon Lane  
2915 Roben Road

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 refresher regarding the administrative process.

1) Your property will be posted on or before July 3, 1991. The last date (closing date) on which a neighbor may file a formal request for hearing is July 18, 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.

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,

[Signature]

G. G. Stephens  
(301) 887-3391

cc: Charles H. Michael, Sr.

494



Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning  
111 West Chesapeake Avenue  
Towson, MD 21204  
887-3353  
July 1, 1991  
Mr. & Mrs. John C. Adamiak  
2915 Robern Avenue  
Baltimore, MD 21234  
RE: Item No. 494, Case No. 91-483-A  
Petitioner: John C. Adamiak, et ux  
Petition for Residential Variance  
Dear Mr. & Mrs. Adamiak:  
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 WINIARSKI. 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  
cc: Mr. & Mrs. Charles H. Michael, Sr.  
4026 St. Augustine Lane  
Baltimore, MD 21222

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning  
111 West Chesapeake Avenue  
Towson, MD 21204  
887-3353  
Your petition has been received and accepted for filing this  
17th day of June, 1991.  
J. Robert Haines  
J. ROBERT HAINES  
ZONING COMMISSIONER  
Received By:  
Chairman,  
Zoning Plans Advisory Committee  
Petitioner: John C. Adamiak, et ux  
Petitioner's Attorney:

Maryland Department of Transportation  
State Highway Administration  
July 1, 1991  
Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204  
At: James Dyer  
Re: Baltimore County  
John C. Adamiak Property  
Zoning meeting 7/2/91  
W/S Robern Road  
200' north of Grendon Lane  
Item # 494  
Dear Mr. Haines:  
Thank you for your transmittal for a residential variance to allow an accessory structure in the side yard in lieu of the rear yard.  
We are presently circulating this information to the various offices within the State Highway Administration for their review and comment. We will advise you of our findings and recommendations within the next few weeks.  
In the interim, if you have any questions, or need additional information, please contact Larry Brocato at (301) 333-1350.  
Very truly yours,  
John Contestabile  
John Contestabile, Chief  
Engineering Access Permits  
Division  
LB/ies  
cc: Mr. John C. Adamiak  
Mr. J. Ogle  
My telephone number is 301-333-1350 (Fax #333-1041)  
Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

Maryland Department of Transportation  
State Highway Administration  
July 8, 1991  
Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204  
At: James Dyer  
RE: Baltimore County  
Zoning meeting of  
July 2, 1991  
John C. Adamiak Property  
W/S Robern Road  
200' north of Grendon Lane  
Item # 494  
Dear Mr. Haines:  
This is a follow-up to our previous letter of July 1st concerning a residential variance to allow an accessory structure in the side yard in lieu of the rear yard.  
After a review by our Project Planning Department, it was determined there will be no impact to this property from our future beltway improvements, therefore, we find the plan acceptable.  
If you have any questions, please contact Larry Brocato (333-1350).  
Very truly yours,  
John Contestabile  
John Contestabile, Chief  
Engineering Access Permits  
Division  
LB/ies  
cc: Mr. John C. Adamiak  
Mr. J. Ogle  
My telephone number is 301-333-1350 (Fax #333-1041)  
Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

91-483-A JULY 12th  
BALTIMORE COUNTY, MARYLAND  
INTER OFFICE CORRESPONDENCE  
TO: Zoning Advisory Committee DATE: July 3, 1991  
FROM: Robert W. Bowling, P.E.  
RE: Zoning Advisory Committee Meeting  
for July 2, 1991  
The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 407-revised, 492, 494, 496, 497, 499, 500, 501, 502 and 503.  
For Items 429-revised, a County Review Group Meeting is required.  
For Item 272 (Case No. 90-434-SPHA), the previous County Review Group Meeting Comments are still applicable.  
For Item 493, a 5-foot widening strip is requested for the ultimate 50-foot right-of-way width of Railroad Avenue.  
For Item 495, no permanent structures are allowed within the limits of Baltimore County drainage and utility easements.  
For Item 498, a County Review Group Meeting is required. In addition, the following highway comments are provided:  
Red Lion Road is an existing road, which shall ultimately be improved as a 40-foot street cross-section on a 60-foot right-of-way.  
The Developer's responsibilities along the existing frontage of this site shall be as follows:  
a. The submission of detailed construction drawings to extend a minimum distance of 200 feet beyond the limits of the site, or as may be required to establish line and grade.

Zoning Advisory Committee Meeting July 2, 1991  
Page 2  
b. The submission of full cross-section as deemed necessary for design and/or construction purposes. The sections are to be taken at 25-foot intervals and are to be shown on standard cross-section paper at 1"=5' horizontal to 1"=5' vertical scale.  
c. The preparation of the right-of-way plat for, and the dedication of any widening and slope easements at no cost to the County.  
d. The preparation of the right-of-way plats for any offsite road rights-of-way required to make the necessary improvements. Baltimore County will attempt to acquire the right-of-way at the Developer's expense.  
e. The grading of the widening and the existing road to the established grade. Where adjacent properties are adversely affected by the improvements, the Developer shall be financially responsible for the necessary repairs to these properties.  
f. The relocation of any utilities or poles as required by the road improvements.  
g. The construction of combination curb and gutter in its ultimate location and a maximum of 23.5 feet of paving adjacent thereto along the frontage of the property. The paving thickness shall conform with Baltimore County Standards.  
Robert W. Bowling, P.E., Chief  
Developers Engineering Division  
RWB:s

91-483-A CLASH 6/12/91  
Baltimore County Government  
Fire Department  
700 East Joppa Road, Suite 901  
Towson, MD 21204-5500  
(301) 887-4500  
JULY 26, 1991  
J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204  
PP: Property Owner: CHARLES H. MICHAEL, SR.  
Location: #2915 ROBERN ROAD  
Item No.: 494 Zoning Agenda: JULY 2, 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.  
7. The Fire Prevention Bureau has no comments at this time.  
REVIEWER: Capt. James Kelly, 7/26/91 Noted and Approved  
Planning Group Fire Prevention Bureau  
Special Inspection Division  
JK/REK  
Rec'd  
7/6/91

91-483-A 7-12  
BUREAU OF TRAFFIC ENGINEERING  
DEPARTMENT OF PUBLIC WORKS  
BALTIMORE COUNTY, MARYLAND  
DATE: August 27, 1991  
TO: Mr. Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management  
FROM: Rahee J. Famili  
SUBJECT: Z.A.C. Comments  
Z.A.C. MEETING DATE: July 2, 1991  
This office has no comments for items number 492, 494, 495, 496, 498, 499, 500, 501, 502 and 503.  
Rahee J. Famili  
Traffic Engineer II  
RJF/lvd  
7/26/91



91-483-A

**PETITIONER'S EXHIBIT #**

91-483-A

PARKVILLE  
SR. HIGH SCHOOL

**D.R. 5.5**

# E COUNTY NING AND ZONING PHIC MAP

SCALE

$$I'' = 200' \pm$$

### LOCATION

**SHEET**

DATE  
OF  
PHOTOGRAPHY  
JANUARY  
1986

PARKVILLE

91-483-A<sup>9</sup>

N. I.  
9-

49c