

IN RE: PETITION FOR RESIDENTIAL VARIANCE* BEFORE THE
SW/S Ballygar Road, 491' W of
the c/l of Kilbride Road
(4711 Ballygar Road)
11th Election District
5th Councilmanic District
Glenn Anthony Sudano, et ux
Petitioners
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-472-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Residential Variance in which the Petitioners request relief from Section 1802.3.B (211.3) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 3 feet in lieu of the minimum required 8 feet and a sum of the side yard setbacks of 11 feet in lieu of the minimum required 20 feet for a proposed garage addition, in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative 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 26-127 (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 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 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 29th day of June, 1992 that the Petition for Administrative Variance requesting relief from Section 1802.3.B (211.3) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 3 feet in lieu of the minimum required 8 feet and a sum of the side yard setbacks of 11 feet in lieu of the minimum required 20 feet for a proposed garage addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

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 proposed 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 in the event it becomes necessary to do so as a result of a complaint.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 29, 1992

Mr. & Mrs. Glenn A. Sudano
4711 Ballygar Road
Baltimore, Maryland 21236

RE: PETITION FOR ADMINISTRATIVE VARIANCE
SW/S Ballygar Road, 491' W of the c/l of Kilbride Road
(4711 Ballygar Road)
11th Election District - 5th Councilmanic District
Glenn Anthony Sudano, et ux - Petitioners
Case No. 92-472-A

Dear Mr. & Mrs. Sudano:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative 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,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File

92-472-A

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property located 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 1802.3.B (211.3) of the Zoning Regulations of Baltimore County for the following reason: (where building is present attach)

Due to the size & shape of the lot, the only practical location of the proposed 14'x30' garage is on the side of the house (south side) where entrance to house would be accessible. It would also be a great expense to relocate existing buildings & docks to put garage in back of house.

I/we agree to pay expenses of the above 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

Legal Owner(s):

(Type or print name)

(Signature)

Address

City

State

Zip Code

Attorney for Petitioner:

(Type or print name)

(Signature)

Address

City

State

Zip Code

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of June, 1992, that the subject matter of this petition be set in for a public hearing, advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

RECEIVED BY: [Signature] DATE: 5-29-92

ESTIMATED POSTING DATE: 6-14-92 ESTIMATED CLOSING DATE: 6-29-92



ZONING COMMISSIONER OF BALTIMORE COUNTY

Page 5/51

ORDER RECEIVED FOR FILING
Date: 6/29/92
By: [Signature]

MICROFILMED

ORDER RECEIVED FOR FILING
Date: 6/29/92
By: [Signature]

TMK:bjs

MICROFILMED

- 2 -

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) have competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do/does presently reside at: 4711 BALLYGAR ROAD
BALTIMORE MD 21236

That based upon personal knowledge, the following are the facts upon which I/we have the request for an Administrative Variance at the above address: (where building is present attach)

Due to the size & shape of the lot, the only practical location of the proposed 14'x30' garage would be on the side of the house (south side) where entrance to house would be accessible. It would also be a great expense to relocate existing buildings & docks to put garage in back of house.

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

[Signature] Patricia Ann Sudano
[Signature] Glenn Anthony Sudano
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 11th day of May, 1992, before me, a Notary Public of the State of Maryland, and in and for the County aforesaid, personally appeared:

Glenn Anthony Sudano and Patricia Ann Sudano

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 contents and facts hereinbefore set forth are true and correct to the best of their/her/his knowledge and belief.

AS WITNESS my hand and Notarial Seal.

My Commission Expires: 12/15/92

My Commission Expires: 12/15/92
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires December 12, 1992

MICROFILMED

92-472-A

#501

4711 Ballygar Rd Zoning Description

Beginning at a point on the southwest side of Ballygar Rd which is 50 ft. wide at the distance 491 ft. ± west of the centerline of Kilbride Rd which is 50 ft. wide. Being Lot No. 34 block A sect 1 in the subdivision of S. Livingstone Village as recorded in Baltimore County plat book Liber 33 folio 25 containing 0.17 acres. Also known as 4711 Ballygar Rd and located in the 11th Election District.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 11A Date of Posting: 6/29/92
Posted for: [Signature]
Petitioner: Glenn A. Patricia A. Sudano
Location of property: 4711 Ballygar Rd, NW 1/4 Kilbride Rd
Location of Sign: [Signature]
Remarks: [Signature]
Posted by: [Signature] Date of return: 6/29/92
Number of Signs: 1

MICROFILMED

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Account: R-001-4180
Number: 119200501
6/29/92
PUBLIC HEARING FEES CITY PRICE
100 - ZONING VARIANCE (TRL) 1 X \$50.00
100 - POSTING SIGNS / ADVERTISING X \$35.00
LAST NAME OF OWNER: SUDANO TOTAL: \$85.00
H9200502
PUBLIC HEARING FEES CITY PRICE
100 - ZONING VARIANCE (TRL) 1 X \$50.00
100 - POSTING SIGNS / ADVERTISING TOTAL: \$85.00
LAST NAME OF OWNER: SUDANO
Please Make Checks Payable To: Baltimore County

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Account: R-001-4180
Number: 119200501
6/29/92
Variance filing fee \$50.00
Sign + posting 35.00
Total \$85.00

04A0480097MICHC
BA CODE 1444MDS-29-92
Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

June 9, 1992

(410) 887-3353

Mr. & Mrs. Glenn A. Sudano
4711 Ballygar Road
Baltimore, MD 21236

RE: Item No. 501, Case No. 92-472-A
Petitioner: Glenn A. Sudano, et ux
Petition for Administrative Variance

Dear Mr. Sudano:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this
29th day of May, 1992

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:
W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Glenn A. Sudano, et ux
Petitioner's Attorney:

MICROFILMED

Development Review Committee Response Form
Authorized signature *Donna H. Keady* Date *6/15/92*

Project Name
File Number Waiver Number Zoning Issue Meeting Date

Stonegate at Patapsco (Aerial Property)
20476
ZON DED TE (Waiting for developer to submit plans first)

COUNT 1
✓ Keith M. And Patricia M. Lambert 496 6-2-92 NC
DED DEPRM RP STP TE

COUNT 1
✓ Samuel Frank And David Granat 494 6-8-92 NC
DED DEPRM RP STP TE
✓ Lot 2 Errol Ecker / Lot 2a William And Ruth Fanning 495 NC
DED DEPRM RP STP TE
✓ William J. And Elizabeth G. Wachter 497 NC
DED DEPRM RP STP TE
✓ Anelita R. And James S. Henry 498 NC
DED DEPRM RP STP TE
✓ Douglas R. Small 499 NC
DED DEPRM RP STP TE
✓ Lyle L. Boltinghouse 500 NC
DED DEPRM RP STP TE
✓ Glenn A. And Patricia A. Sudano 501 NC
DED DEPRM RP STP TE
✓ Howard W. Dawson, Sr. 503 NC
DED DEPRM RP STP TE

COUNT 8

MICROFILMED

BALTIMORE COUNTY, MARYLAND
OFFICE OF PLANNING AND ZONING
New Courts Building
401 Bosley Avenue
Towson, MD 21204

MEMORANDUM

TO: Arnold Jablon, Director - Zoning Administration & Development Management

FROM: Ervin McDaniel, Chief
Development Review Section
Office of Planning and Zoning

DATE: June 10, 1992

SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - June 8, 1992

The Office of Planning and Zoning has no comments on the following petitions:

Keith & Patricia Lambert - Item 496
William & Elizabeth Wachter - Item 497
James & Anita Henry - Item 498
Lyle Boltinghouse - Item 500
Glenn & Patricia Sudano - Item 501
Howard Dawson - Item 503

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

6.8.92.txt
Petitions.txt

RECEIVED
JUN 16 1992
ZONING OFFICE

92-472-A 6/22/92 4/6/92
DPW/Traffic Engineering
Development Review Committee Response Form
Authorized signature *Robert J. Family* Date *6/11/92*

Project Name
File Number Waiver Number Zoning Issue Meeting Date

Albert F. And Ann B. Nocar 478 N/C 6-1-92
DEPRM TE
Maryland Marine Manufacturing Co., Inc. 479 N/C
DEPRM TE
Stonegate at Patapsco (Aerial Property)
20476
ZON DED TE (Waiting for developer to submit plans first)

COUNT 3
Keith M. And Patricia M. Lambert 496 N/C 6-2-92
DED DEPRM RP STP TE

COUNT 1
Samuel Frank And David Granat 494 N/C 6-8-92
DED DEPRM RP STP TE
Lot 2 Errol Ecker / Lot 2a William And Ruth Fanning 495 N/C
DED DEPRM RP STP TE
William J. And Elizabeth G. Wachter 497 N/C
DED DEPRM RP STP TE
Anelita R. And James S. Henry 498 N/C
DED DEPRM RP STP TE
Douglas R. Small 499 N/C
DED DEPRM RP STP TE
Lyle L. Boltinghouse 500 N/C
DED DEPRM RP STP TE
Glenn A. And Patricia A. Sudano 501 N/C
DED DEPRM RP STP TE

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: June 11, 1992

FROM: Mr. J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item 501
#4711 Ballygar Road
Zoning Advisory Committee Meeting of June 8, 1992

The Department of Environmental Protection and Resource Management has no comments on the above referenced zoning item.

LJP:sp
JABLON/S/TXTSBB

RECEIVED
JUN 16 1992
ZONING OFFICE

MICROFILMED

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21204-5500

JUNE 3, 1992 (410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: GLENN ANTHONY SUDANO AND PATRICIA ANN SUDANO
Location: #4711 BALLYGAR ROAD
Item No.: #501 Zoning Agenda: JUNE 8, 1992

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: *John G. Keady* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KEK

RECEIVED
JUN 4 1992
ZONING OFFICE

MICROFILMED

Department of Recreation and Parks
Development Review Committee Response Form
Authorized signature *Walter P. Keady* Date *6/15/92*

Project Name
File Number Waiver Number Zoning Issue Meeting Date

✓ Keith M. And Patricia M. Lambert 496 6-2-92
DED DEPRM RP STP TE No Comment

COUNT 1
✓ Samuel Frank And David Granat 494 6-8-92
DED DEPRM RP STP TE No Comment
✓ Lot 2 Errol Ecker / Lot 2a William And Ruth Fanning 495
DED DEPRM RP STP TE No Comment
✓ William J. And Elizabeth G. Wachter 497
DED DEPRM RP STP TE No Comment
✓ Anelita R. And James S. Henry 498
DED DEPRM RP STP TE No Comment
✓ Douglas R. Small 499
DED DEPRM RP STP TE No Comment
✓ Lyle L. Boltinghouse 500
DED DEPRM RP STP TE No Comment
✓ Glenn A. And Patricia A. Sudano 501
DED DEPRM RP STP TE No Comment
✓ Howard W. Dawson, Sr. 503
DED DEPRM RP STP TE No Comment

COUNT 8
FINAL TOTALS
COUNT 9

*** END OF REPORT ***

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

June 8, 1992 (410) 887-3353

Glenn Anthony and Patricia Ann Sudano
4711 Ballygar Road
Baltimore, Maryland 21206

Re: CASE NUMBER: 92-472-A
LOCATION: 84/6 Ballygar Road, 491' W of c/l Kilbuck Road
4711 Ballygar Road
11th Election District - 5th Councilmanic

Dear Petitioner(s):

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

1) Your property will be posted on or before June 14, 1992. The closing date is June 22, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

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.

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner, Baltimore County



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 4711 Ballynare Rd

Subdivision: Silvergate Village

plat book: 23 lot: 23 section: 1

OWNER: Glenn A. + Patricia A. Sudano

see items 2 & 3 of the CHECKLIST for additional required information

North

date: 5-26-92

prepared by: 92-472-A

Scale of Drawing: 1" = 30'

LOCATION INFORMATION

Councilmanic District: 5

Election District: 11

1"=200' scale map: ME 9H

Zoning: DR 5-5

Lot size: 0.17 acreage 7405 square feet

SEWER: ☒ ☐

WATER: ☒ ☐

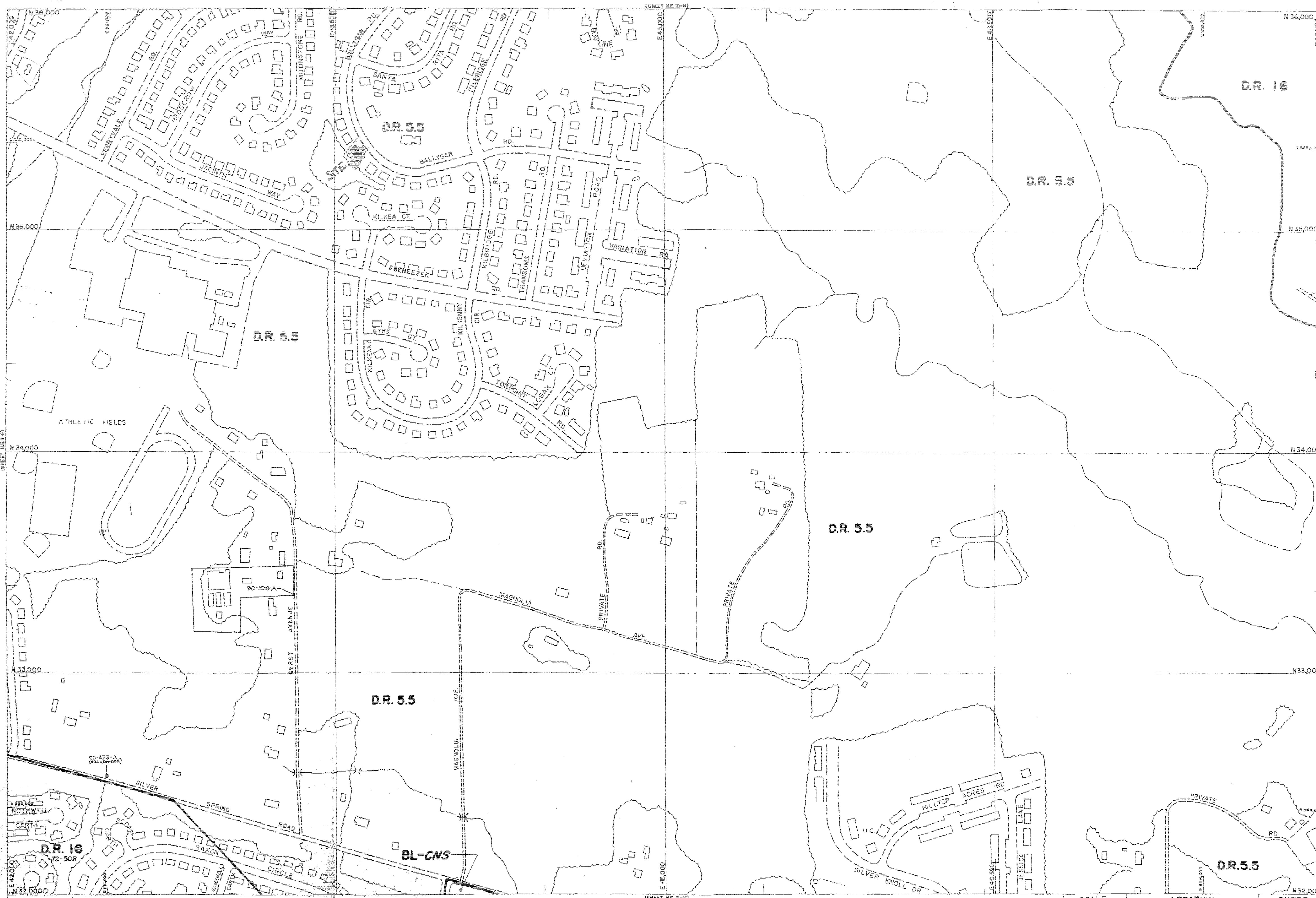
Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings: NONE

Zoning Office USE ONLY

reviewed by: RA 501 ITEM #: CASE#:

MICROFILMED



M - NW M - NE

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988

RW Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88

Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE
1" = 200'

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
WHITE MARSH
PERRY HALL
VICINITY

SHEET
N.E.
9 - H

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

MICROFILMED

A-47-16

501

IN RE: PETITION FOR RESIDENTIAL VARIANCE* BEFORE THE
SW/S Ballygar Road, 491' W of
the c/l of Kilbride Road
(4711 Ballygar Road)
11th Election District
5th Councilmanic District
Glenn Anthony Sudano, et ux
Petitioners
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-472-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Residential Variance in which the Petitioners request relief from Section 1802.3.B (211.3) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 3 feet in lieu of the minimum required 8 feet and a sum of the side yard setbacks of 11 feet in lieu of the minimum required 20 feet for a proposed garage addition, in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative 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 26-127 (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 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

MICROFILMED

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 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 29th day of June, 1992 that the Petition for Administrative Variance requesting relief from Section 1802.3.B (211.3) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 3 feet in lieu of the minimum required 8 feet and a sum of the side yard setbacks of 11 feet in lieu of the minimum required 20 feet for a proposed garage addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 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 proposed 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 in the event it becomes necessary to do so as a result of a complaint.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 29, 1992

Mr. & Mrs. Glenn A. Sudano
4711 Ballygar Road
Baltimore, Maryland 21236

RE: PETITION FOR ADMINISTRATIVE VARIANCE
SW/S Ballygar Road, 491' W of the c/l of Kilbride Road
(4711 Ballygar Road)
11th Election District - 5th Councilmanic District
Glenn Anthony Sudano, et ux - Petitioners
Case No. 92-472-A

Dear Mr. & Mrs. Sudano:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative 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,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File

92-472-A

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property located 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 1802.3.B (211.3) of the Zoning Regulations of Baltimore County for the following reason: (where building is present attach)

Due to the size & shape of the lot, the only practical location of the proposed 14'x30' garage is on the side of the house (south side) where entrance to house would be accessible. It would also be a great expense to relocate existing buildings & docks to put garage in back of house.

I/we agree to pay expenses of the above 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

Legal Owner(s):

(Type or print name)

(Signature)

Address

City State Zip Code

Attorney for Petitioner:

(Type or print name)

(Signature)

Address

City State Zip Code

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of June, 1992, that the subject matter of this petition be set in for a public hearing, advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

RECEIVED BY: [Signature] DATE: 5-29-92

ESTIMATED POSTING DATE: 6-14-92 ESTIMATED CLOSING DATE: 6-29-92

ZONING COMMISSIONER OF BALTIMORE COUNTY

Page 5/51

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) have competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do/does presently reside at: 4711 BALLYGAR ROAD
BALTIMORE MD 21236

That based upon personal knowledge, the following are the facts upon which I/we have the request for an Administrative Variance at the above address: (where building is present attach)

Due to the size & shape of the lot, the only practical location of the proposed 14'x30' garage would be on the side of the house (south side) where entrance to house would be accessible. It would also be a great expense to relocate existing buildings & docks to put garage in back of house.

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

Glenn Anthony Sudano
Patricia Ann Sudano

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 11th day of May, 1992, before me, a Notary Public of the State of Maryland, and for the County aforesaid, personally appeared

Glenn Anthony Sudano and Patricia Ann Sudano

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 contents and facts hereinbefore set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

May 16, 1992

My Commission Expires: 12/12/98
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires December 12, 1998

MICROFILMED

92-472-A

#501

4711 Ballygar Rd Zoning Description

Beginning at a point on the southwest side of Ballygar Rd which is 50 ft. wide at the distance 491 ft. west of the centerline of Kilbride Rd which is 50 ft. wide. Being Lot No. 34 block A sect 1 in the subdivision of S. Livingstone Village as recorded in Baltimore County plat book Liber 33 folio 25 containing 0.17 acres. Also known as 4711 Ballygar Rd and located in the 11th Election District.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 11A Date of Posting: 6/8/92
Posted for: [Signature]
Petitioner: Glenn A. Patricia A. Sudano
Location of property: 4711 Ballygar Rd, NW 1/4 Kilbride Rd.
Location of Sign: [Signature]
Remarks: [Signature]
Posted by: [Signature] Date of return: 6/10/92
Number of Signs: 1

MICROFILMED

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-4180
Number: 119200501

	QTY	PRICE
PUBLIC HEARING FEES		
1010 - ZONING VARIANCE (TRL)	1 X	\$50.00
1080 - POSTING SIGNS / ADVERTISING	1 X	\$35.00
LAST NAME OF OWNER: SUDANO	TOTAL:	\$85.00
PUBLIC HEARING FEES		
1010 - ZONING VARIANCE (TRL)	1 X	\$50.00
1080 - POSTING SIGNS / ADVERTISING		
LAST NAME OF OWNER: SUDANO	TOTAL:	\$85.00

Please Make Checks Payable To: Baltimore County

receipt

92-472-A

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-4180
Number: 119200501

92-472-A
4711 Ballygar Rd.
Variance filing fee \$50.00
Sign + posting 35.00
Total \$85.00

receipt

92-472-A

04A0480097MICHC
BA CODE 1444MAY-29-92
Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

June 9, 1992

(410) 887-3353

Mr. & Mrs. Glenn A. Sudano
4711 Ballygar Road
Baltimore, MD 21236

RE: Item No. 501, Case No. 92-472-A
Petitioner: Glenn A. Sudano, et ux
Petition for Administrative Variance

Dear Mr. Sudano:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this
29th day of May, 1992

Received By:
W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Glenn A. Sudano, et ux
Petitioner's Attorney:

MICROFILMED

Development Review Committee Response Form
Authorized signature: *Donna H. Kennedy* Date: 6/15/92

Project Name: Stonegate at Patapsco (A2real Property)
File Number: 20476 Waiver Number: TE (Waiting for developer to submit plans first) Meeting Date: 6-1-92

COUNT 1
✓ Keith M. And Patricia M. Lambert 496 6-2-92 NC
DED DEPRM RP STP TE

COUNT 1
✓ Samuel Frank And David Granat 494 6-8-92 NC
DED DEPRM RP STP TE
✓ Lot 2 Errol Ecker / Lot 2a William And Ruth Fanning 495 NC
DED DEPRM RP STP TE
✓ William J. And Elizabeth G. Wachter 497 NC
DED DEPRM RP STP TE
✓ Anelita R. And James S. Henry 498 NC
DED DEPRM RP STP TE
✓ Douglas R. Small 499 NC
DED DEPRM RP STP TE
✓ Lyle L. Boltinghouse 500 NC
DED DEPRM RP STP TE
✓ Glenn A. And Patricia A. Sudano 501 NC
DED DEPRM RP STP TE
✓ Howard W. Dawson, Sr. 503 NC
DED DEPRM RP STP TE

COUNT 8

MICROFILMED

BALTIMORE COUNTY, MARYLAND
OFFICE OF PLANNING AND ZONING
New Courts Building
401 Bosley Avenue
Towson, MD 21204

MEMORANDUM

TO: Arnold Jablon, Director - Zoning Administration & Development Management

FROM: Ervin McDaniel, Chief
Development Review Section
Office of Planning and Zoning

DATE: June 10, 1992

SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - June 8, 1992

The Office of Planning and Zoning has no comments on the following petitions:

Keith & Patricia Lambert - Item 496
William & Elizabeth Wachter - Item 497
James & Anita Henry - Item 498
Lyle Boltinghouse - Item 500
Glenn & Patricia Sudano - Item 501
Howard Dawson - Item 503

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

6.8.92.txt
Petitions.txt

RECEIVED
JUN 16 1992
ZONING OFFICE

92-472-A 6/22/92 4/6/92 8

DPM/Traffic Engineering
Development Review Committee Response Form
Authorized signature: *Robert J. Family* Date: 6/11/92

Project Name: Stonegate at Patapsco (A2real Property)
File Number: 70476 Waiver Number: TE (Waiting for developer to submit plans first) Meeting Date: 6-1-92

COUNT 3
✓ Keith M. And Patricia M. Lambert 496 N/C 6-2-92
DED DEPRM RP STP TE

COUNT 1
✓ Samuel Frank And David Granat 494 N/C 6-8-92
DED DEPRM RP STP TE
✓ Lot 2 Errol Ecker / Lot 2a William And Ruth Fanning 495 N/C
DED DEPRM RP STP TE
✓ William J. And Elizabeth G. Wachter 497 N/C
DED DEPRM RP STP TE
✓ Anelita R. And James S. Henry 498 N/C
DED DEPRM RP STP TE
✓ Douglas R. Small 499 N/C
DED DEPRM RP STP TE
✓ Lyle L. Boltinghouse 500 N/C
DED DEPRM RP STP TE
✓ Glenn A. And Patricia A. Sudano 501 N/C
DED DEPRM RP STP TE

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: Mr. J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item 501
#4711 Ballygar Road
Zoning Advisory Committee Meeting of June 8, 1992

DATE: June 11, 1992

The Department of Environmental Protection and Resource Management has no comments on the above referenced zoning item.

LJP:sp
JABLON/S/TXTSBB

RECEIVED
JUN 16 1992
ZONING OFFICE

MICROFILMED

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21204-5500

JUNE 3, 1992 (410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: GLENN ANTHONY SUDANO AND PATRICIA ANN SUDANO
Location: #4711 BALLYGAR ROAD
Item No.: #501 Zoning Agenda: JUNE 8, 1992

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: *John G. K.* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KEK

RECEIVED
JUN 4 1992
ZONING OFFICE

MICROFILMED

Department of Recreation and Parks
Development Review Committee Response Form
Authorized signature: *Walter P. K.* Date: 6/15/92

Project Name: Stonegate at Patapsco (A2real Property)
File Number: 20476 Waiver Number: TE (Waiting for developer to submit plans first) Meeting Date: 6-1-92

COUNT 1
✓ Keith M. And Patricia M. Lambert 496 No Comment
DED DEPRM RP STP TE

COUNT 1
✓ Samuel Frank And David Granat 494 6-8-92
DED DEPRM RP STP TE
✓ Lot 2 Errol Ecker / Lot 2a William And Ruth Fanning 495 No Comment
DED DEPRM RP STP TE
✓ William J. And Elizabeth G. Wachter 497 No Comment
DED DEPRM RP STP TE
✓ Anelita R. And James S. Henry 498 No Comment
DED DEPRM RP STP TE
✓ Douglas R. Small 499 No Comment
DED DEPRM RP STP TE
✓ Lyle L. Boltinghouse 500 No Comment
DED DEPRM RP STP TE
✓ Glenn A. And Patricia A. Sudano 501 No Comment
DED DEPRM RP STP TE
✓ Howard W. Dawson, Sr. 503 No Comment
DED DEPRM RP STP TE

COUNT 8

FINAL TOTALS
COUNT 9

*** END OF REPORT ***

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

June 8, 1992 (410) 887-3353

Glenn Anthony and Patricia Ann Sudano
4711 Ballygar Road
Baltimore, Maryland 21206

Re: CASE NUMBER: 92-472-A
LOCATION: 84/6 Ballygar Road, 491' W of c/l Kilbuck Road
4711 Ballygar Road
11th Election District - 5th Councilmanic

Dear Petitioner(s):

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

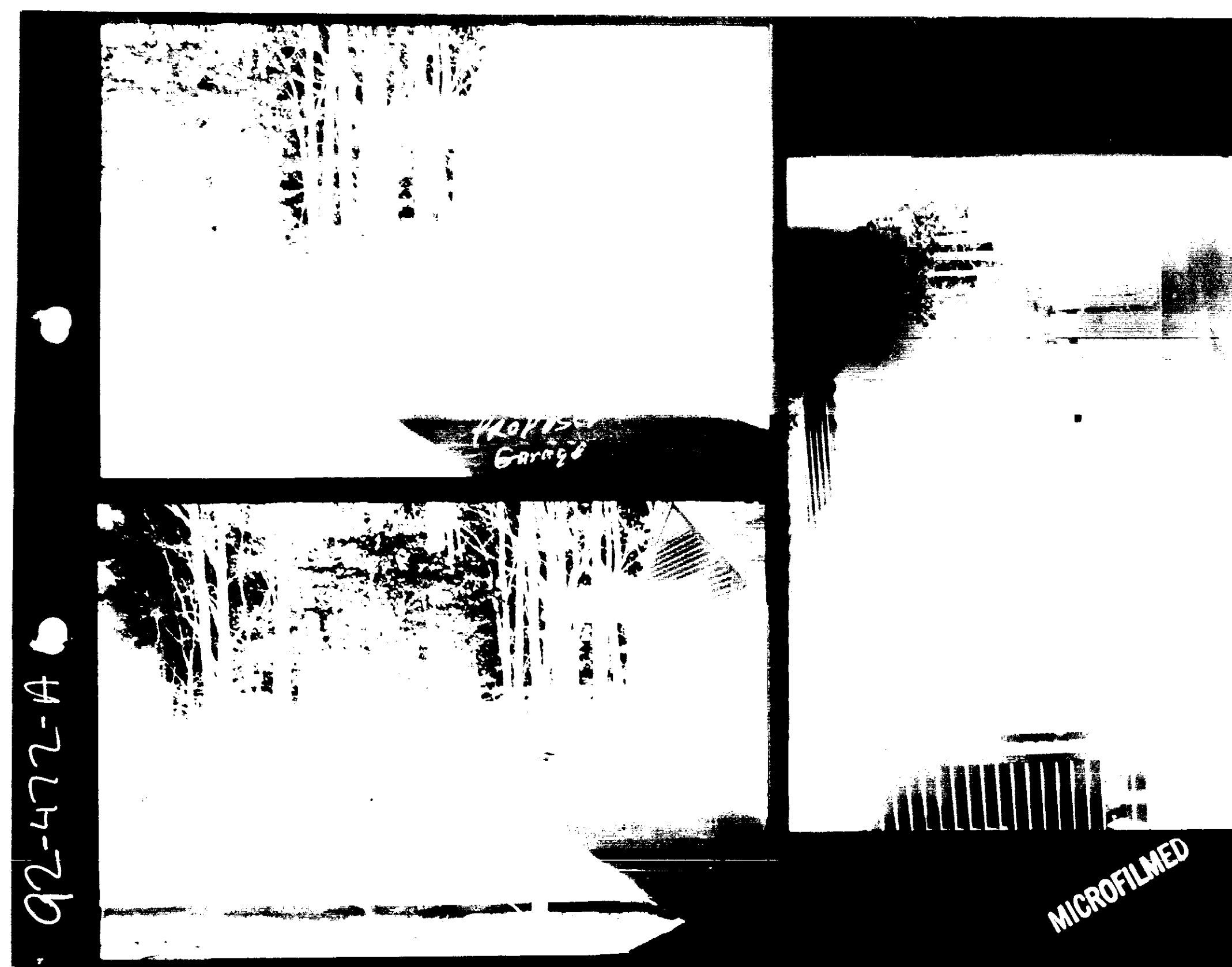
1) Your property will be posted on or before June 14, 1992. The closing date is June 22, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

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.

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner, Baltimore County



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 4711 Bailey Rd

See Sheets B & C of the CHECKLIST for additional required information

Subdivision map: SILVERGATE VILLAGE
plot books: added 25 lot 234 section

OWNER: GLENN A. + PATRICIA A SUDANO

Locality Map
scale: 1"=100'

LOCATION INFORMATION

Countryside District: 11 5
 Election District: ME 9H
 Zoning: DR. 55
 Lot size: 0.17 7485 ±
 acres square feet

SEWER:	☒	WATER:	☒
	☒		☒

Chesapeake Bay Critical Area: ☐
 Prior Zoning Hearings: None

Zoning Office USE ONLY

revised by: _____ ITEM #: _____ CASE#: _____

BA | 501

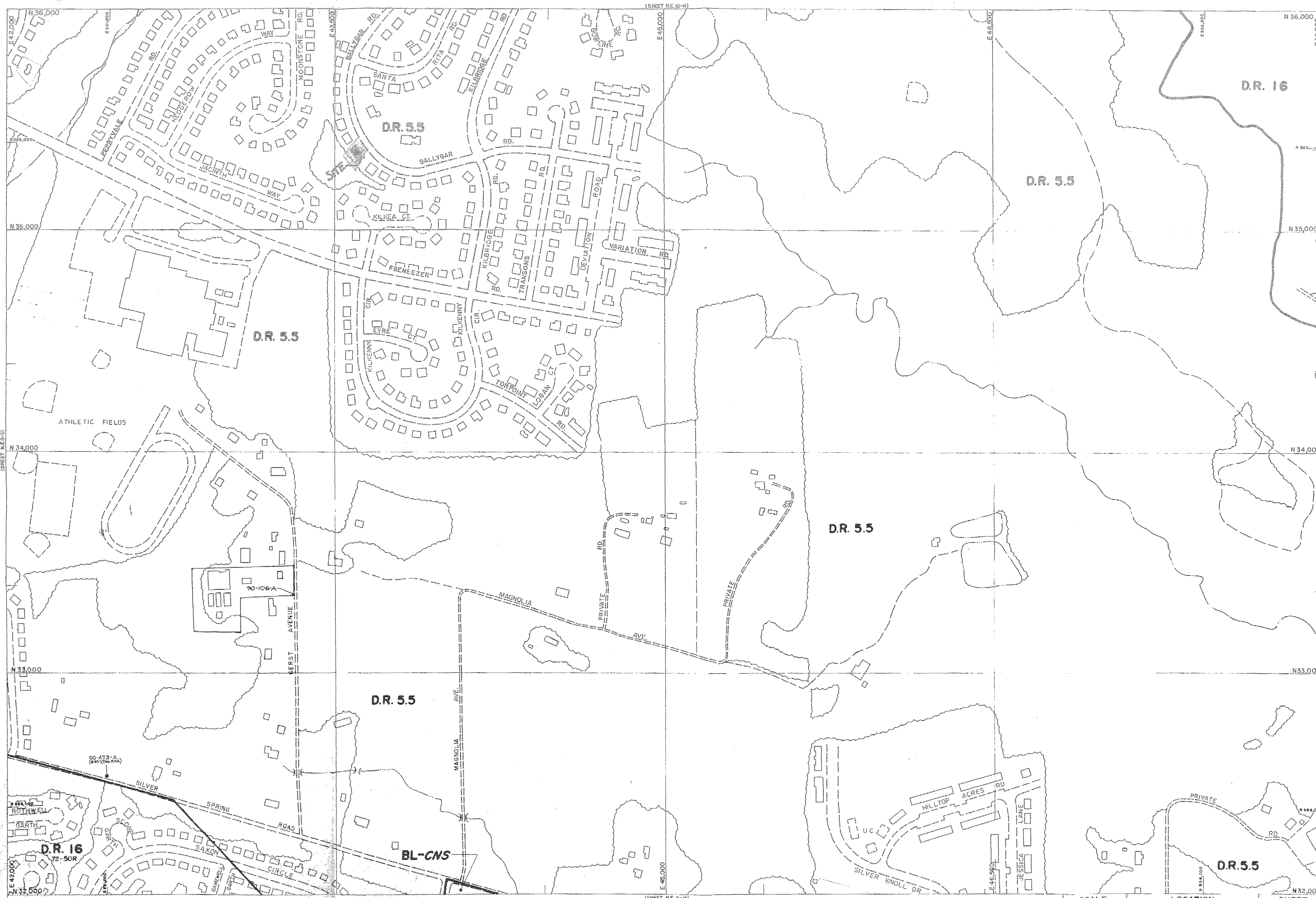
PETITIONER'S
EXHIBIT 1

North
date: 5-26-92
prepared by: _____

Scale of Drawing: 1" = 30'

92-472-A

MICROFILMED



M - NW M - NE

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988

BM Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88

Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE
1" = 200'

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
WHITE MARSH
PERRY HALL
VICINITY

SHEET
N.E.
9 - H

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

MICROFILMED

A-47-16

501