

IN RE: PETITION FOR ADMIN. VARIANCE
S/S Church Road, 484' W of the
c/l of Teresa Marie Court
(4109 Church Road)
6th Election District
3rd Councilmanic District
David Marc Rosen, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-486-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance in which the Petitioners request relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 21 feet in lieu of the permitted 15 feet for a proposed garage 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 17th day of July, 1992 that the Petition for Administrative Variance requesting relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 21 feet in lieu of the permitted 15 feet for a proposed garage, 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 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.
- 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
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

July 17, 1992

(410) 887-4386

Mr. & Mrs. David M. Rosen
4109 Church Road
Millers, Maryland 21107

RE: PETITION FOR ADMINISTRATIVE VARIANCE
S/S Church Road, 484' W of the c/l of Teresa Marie Court
(4109 Church Road)
6th Election District - 3rd Councilmanic District
David Marc Rosen, et ux - Petitioners
Case No. 92-486-A

Dear Mr. & Mrs. Rosen:

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

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File

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 400.3 TO ALLOW
AN ACCESSORY GARAGE 21 FEET IN HEIGHT
IN LIEU OF THE REQUIRED 15 FEET

of the Zoning Regulations of Baltimore County for the following reasons: (unless waived or proven otherwise)

For the purpose of erecting a roof system on our garage that complements that of our house. This would be aesthetically pleasing and also provide light storage in the second floor area.

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

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):

David Marc Rosen

(Type or print name)

(Signature)

Paula C.S. Rosen

(Type or print name)

(Signature)

4109 Church Rd. 374-1230

Millers MD 21107

City State Zip Code

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

David Marc Rosen

(h) 374-1230

(w) 328-3685

4109 Church Rd. MD 21107

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 17 day of July, 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.

 ZONING COMMISSIONER OF BALTIMORE COUNTY

REVIEWED BY: LB DATE: 6/11/92

ESTIMATED POSTING DATE: 6/28/92 ESTIMATED CLOSING DATE: _____

ITEM # 518

ORDER RECEIVED FOR FILING

Date 7/17/92

By LB

Printed on Recycled Paper

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) believe same to be true and correct to the best of his/her knowledge and belief.

That the Affiant(s) do/does presently reside at: 4109 Church Road
City Millers State MD Zip Code 21107

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: (unless waived or proven otherwise)

We request that a variance be granted to allow us to build a garage with a 10.5/12 pitch roof, which will provide a height of 21 ft. (6 ft. above the County limit). The intent for this roof is to have our garage roof match the 12/12 pitch on our house (ht. 24 ft.) so the buildings complement each other and to provide light storage in the loft of said garage. We hope the Commission will look favorably on the fact that we are building the garage in the center of a wooded lot and that the structure is not visible from the road nor adjoining properties.

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

David Marc Rosen
David Marc Rosen
Signature
Paula C.S. Rosen
Signature

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 10 day of June, 1992, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

David Marc Rosen & Paula C.S. Rosen
David Marc Rosen & Paula C.S. Rosen
Signature

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath to the truth of the facts hereinbefore set forth and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

6-10-92
Date

My Commission Expires: My Commission Expires March 1, 1993

ZONING DESCRIPTION FOR 4109 Church Road

Beginning at a point on the SOUTH side of Church Road which is 30 feet side at the distance of 484 feet Northwest of the centerline of the nearest improved intersecting street Teresa Marie Court which is 50 feet wide. *Being Lot #12, Block (), Section # () in the subdivision of Ramblewood, as recorded in Baltimore County Plat Book #40, Folio #66, containing 1.85 acres. Also known as 4109 Church Road and located in the (6) Election District.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 6th Date of Posting 6-26-92
Posted for: Administrative Variance
Petitioner: David Marc Rosen et ux
Location of property: S/S of Church Road, 484' W of the c/l of Teresa Marie Court, 4109 Church Road
Location of Sign: Closest to 4109 Church Road
Remarks: _____
Posted by: J. J. Bente Date of return: July 3-92
Number of Signs: 1

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

Account: R-001-6180
Number

Date

6/10/92

PUBLIC HEARING FEES	011	PRICE
011 - ZONING VARIANCE (1RL)	1	\$50.00
010 - POSTING SIGNS / ADVERTISING	1	\$25.00
TOTAL:		\$75.00

LAST NAME OF OWNER: ROSEN

Please Make CHECK OR MONEY ORDER payable to Baltimore County
BA 0010103AND-11-92

Customer Validation

111 West Chesapeake Avenue
Towson, MD 21204

July 2, 1992

(410) 887-3353

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



Mr. & Mrs. David M. Rosen
4109 Church Road
Millers, MD 21107

RE: Item No. 518, Case No. 92-486-A
Petitioner: David M. Rosen, et ux
Petition for Administrative Variance

Dear Mr. & Mrs. Rosen:

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.

Printed on Recycled Paper



92-486-A

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

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200' ±
DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
SOUTHWEST
OF ROCKDALE

SHEET
NW
34-1

518

Your petition has been received and accepted for filing this
11th day of June, 1992

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

W. Carl Richards Jr.
W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: David M. Rosen, et ux

Petitioner's Attorney:

Department of Environmental Protection & Resource Management
Development Review Committee Response Form
Authorized signature *David M. Rosen* Date *6/29/92*

Project Name Waiver Number Zoning Issue Meeting Date
File Number
Stonegate at Patapsco (Aerial Property) 6-1-92
90476
ZON DED TE (Waiting for developer to submit plans first)

COUNT 1
✓ Joan R. McMahon FRS-1 6-22-92 NC
DED DEPRM RP STP TE
BBC Associates 511 *Comment*
DED DEPRM RP STP TE
Charles W. And Helen K. Mauerhan/Ronald W. And Diane H. Chapman 512 *Comment*
DED DEPRM RP STP TE
Fox Chevrolet, Inc. 513 *Comment*
DED DEPRM RP STP TE
✓ Covenant of Grace Presbyterian Church 515 NC
DED DEPRM RP STP TE
✓ Frederick J. And Michelle Y. Burgesen 517 NC
DED DEPRM RP STP TE
✓ David Marc And Paul C.S. Rosen 518 NC
DED DEPRM RP STP TE
✓ David W. And Debra L. Gordon 519 NC
DED DEPRM RP STP TE
✓ Raymond F. And Nancy A. Plum 520 NC
DED DEPRM RP STP TE
✓ Sebastian T. Rosselli 521 NC
DED DEPRM RP STP TE
✓ Michael And Virginia Myers 522 NC
DED DEPRM RP STP TE

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 24, 1992

SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - June 22, 1992

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

Leroy Merritt - Item 511
Silvergate East - Item 512
Frederick & Michelle Burgesen - Item 517
David & Paula Rosen - Item 518
David & Debra Gordon - Item 519
Michael & Virginia Myers - Item 522

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_22_92.txt
Petitns.txt

Department of Environmental Protection & Resource Management
Development Review Committee Response Form
Authorized signature *Kathy Family* Date *6/29/92*

Project Name Waiver Number Zoning Issue Meeting Date
File Number
Stonegate at Patapsco (Aerial Property) 6-1-92
90476
ZON DED TE (Waiting for developer to submit plans first)

COUNT 1
Joan R. McMahon FRS-1 6-22-92 W/C
DED DEPRM RP STP TE
✓ BBC Associates 511 W/C
DED DEPRM RP STP TE
✓ Charles W. And Helen K. Mauerhan/Ronald W. And Diane H. Chapman 512 W/C
DED DEPRM RP STP TE
✓ Fox Chevrolet, Inc. 513 W/C
DED DEPRM RP STP TE
✓ Covenant of Grace Presbyterian Church 515 W/C
DED DEPRM RP STP TE
✓ Frederick J. And Michelle Y. Burgesen 517 W/C
DED DEPRM RP STP TE
✓ David Marc And Paul C.S. Rosen 518 W/C
DED DEPRM RP STP TE
✓ David W. And Debra L. Gordon 519 W/C
DED DEPRM RP STP TE
Raymond F. And Nancy A. Plum 520 W/C
DED DEPRM RP STP TE
✓ Sebastian T. Rosselli 521 W/C
DED DEPRM RP STP TE
✓ Michael And Virginia Myers 522 W/C
DED DEPRM RP STP TE

Department of Environmental Protection & Resource Management
Development Review Committee Response Form
Authorized signature *David M. Rosen* Date *6-29-92*

Project Name Waiver Number Zoning Issue Meeting Date
File Number
Joan R. McMahon FRS-1 6-22-92
DED DEPRM RP STP TE
BBC Associates 511 *In progress*
DED DEPRM RP STP TE
Charles W. And Helen K. Mauerhan/Ronald W. And Diane H. Chapman 512 *NO COMMENTS*
DED DEPRM RP STP TE
Fox Chevrolet, Inc. 513 *In progress*
DED DEPRM RP STP TE
Covenant of Grace Presbyterian Church 515 *NO COMMENTS*
DED DEPRM RP STP TE
Frederick J. And Michelle Y. Burgesen 517 *In progress*
DED DEPRM RP STP TE
✓ David Marc And Paul C.S. Rosen 518 *NO COMMENTS*
DED DEPRM RP STP TE
✓ David W. And Debra L. Gordon 519 *NO COMMENTS*
DED DEPRM RP STP TE
Raymond F. And Nancy A. Plum 520 *In progress*
DED DEPRM RP STP TE
✓ Sebastian T. Rosselli 521 *NO COMMENTS*
DED DEPRM RP STP TE

COUNT 10
Douglas R. Small 499 6-8-92 *In progress*
DEPRM

700 East Joppa Road Suite 901
Towson, MD 21204-5500
(410) 887-4500

JUNE 19, 1992

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

RE: Property Owner: DAVID MARC ROSEN AND PAUL C.S. ROSEN
Location: #4109 CHURCH ROAD

Item No.: #518 (LJG) Zoning Agenda: JUNE 22, 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: *C. D. P. P.*
Planning Group
Special Inspection Division

SP/KEK

92-486-A 7-13-92

Department of Recreation and Parks
Development Review Committee Response Form
Authorized signature *William H. ...* Date *7/1/92*

Project Name Waiver Number Zoning Issue Meeting Date
File Number
Joan R. McMahon FRS-1 6-22-92
DED DEPRM RP STP TE
BBC Associates 511 *No Comment*
DED DEPRM RP STP TE
Charles W. And Helen K. Mauerhan/Ronald W. And Diane H. Chapman 512 *No Comment*
DED DEPRM RP STP TE
Fox Chevrolet, Inc. 513 *No Comment*
DED DEPRM RP STP TE
Covenant of Grace Presbyterian Church 515 *No Comment*
DED DEPRM RP STP TE
Frederick J. And Michelle Y. Burgesen 517 *No Comment*
DED DEPRM RP STP TE
David Marc And Paul C.S. Rosen 518 *No Comment*
DED DEPRM RP STP TE
David W. And Debra L. Gordon 519 *No Comment*
DED DEPRM RP STP TE
Raymond F. And Nancy A. Plum 520 *No Comment*
DED DEPRM RP STP TE
Sebastian T. Rosselli 521 *No Comment*
DED DEPRM RP STP TE
Michael And Virginia Myers 522 *No Comment*
DED DEPRM RP STP TE

COUNT 11

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

111 West Chesapeake Avenue
Towson, MD 21204

June 17, 1992

(410) 887-3353

David Marc Rosen and Paula Rosen
4109 Church Road
Millers, Maryland 21107

Re: CASE NUMBER: 92-486-A
LOCATION: S/S Church Road, 464' E of c/l Tuxedo Marie Court
4109 Church Road
6th Election District - 3rd 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 reaffirmation of the administrative process.

1) Your property will be posted on or before June 28, 1992. The closing date is July 13, 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 H. Schmidt
Lawrence H. Schmidt
Zoning Commissioner, Baltimore County

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 4109 CHURCH ROAD

Subdivision name: RAMBLEWOOD

plat book # 40, folio # 66, lot # 12, section # 1

OWNER: PAULA + MARC ROSEN

WOODS (OWNER: BOWEN FAMILY)

CHURCH ROAD

LOT # 11 RAMBLEWOOD (PAULA + MARC ROSEN)

LOT # 12 RAMBLEWOOD (PAULA + MARC ROSEN)

LOT # 13 RAMBLEWOOD

EXISTING DWELLING (SUZANNE + DAVID ASHWOOD)

2 STORY LOG HOUSE

CONCRETE SLAB

SEWER

WATER

Chesapeake Bay Critical Area

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: LG 518

date: 6.11.92

prepared by: DAVID MARC ROSEN

Scale of Drawing: 1" = 100'

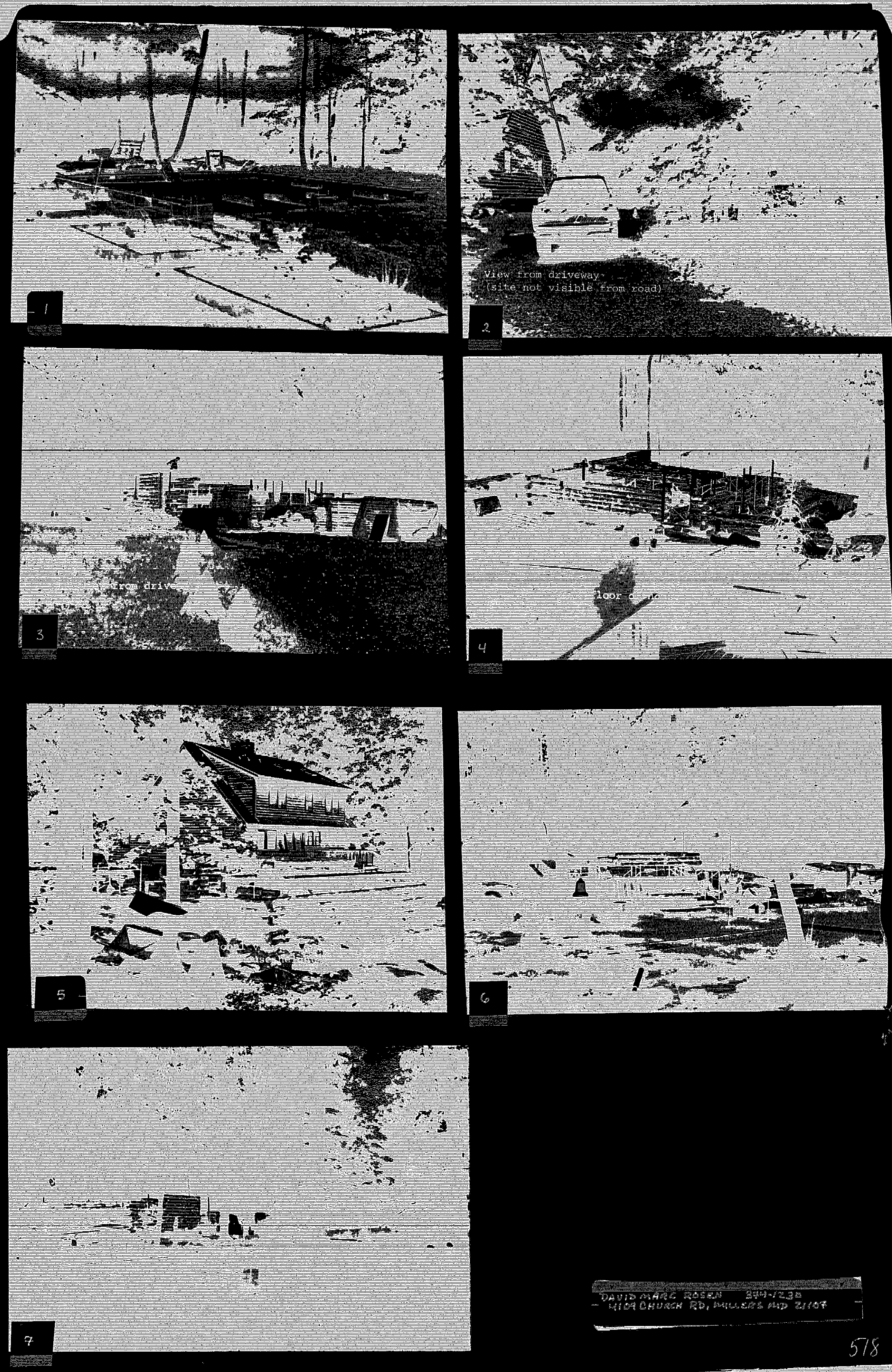
92-4864

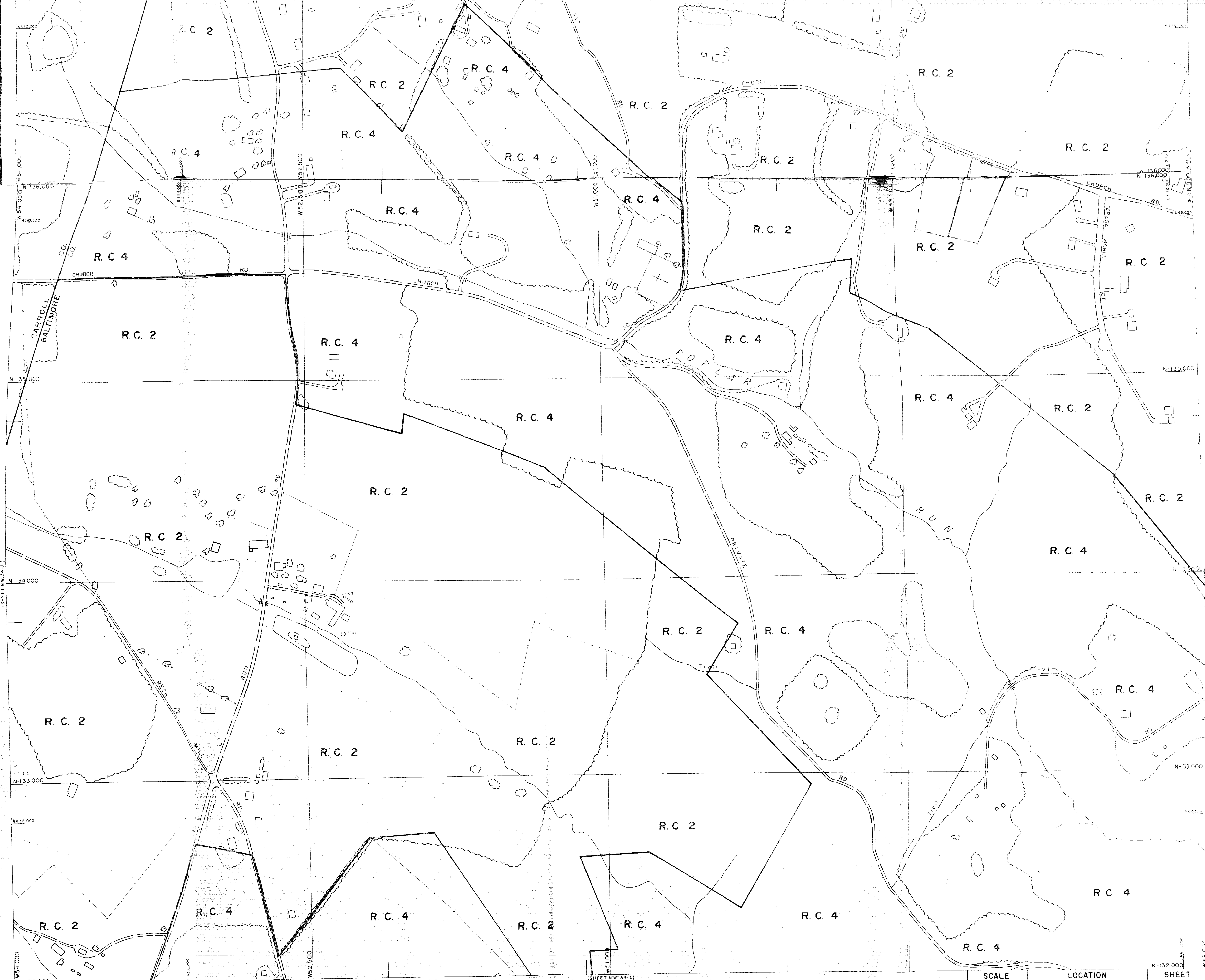
North

date: 6.11.92

prepared by: DAVID MARC ROSEN

Scale of Drawing: 1" = 100'





J J - NW

1988 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 13, 1988
 Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
John J. Voss
 Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

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

SCALE 1" = 200' ±	LOCATION SOUTHWEST OF ROCKDALE	SHEET NW 34-1
DATE OF PHOTOGRAPHY JANUARY 1986		

92-486-A 518



92-486-A

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

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200' ±
DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
SOUTHWEST
OF ROCKDALE

SHEET
NW
34-1

518

IN RE: PETITION FOR ADMIN. VARIANCE
S/S Church Road, 484' W of the
c/l of Teresa Marie Court
(4109 Church Road)
6th Election District
3rd Councilmanic District
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* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-486-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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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 17th day of July, 1992 that the Petition for Administrative Variance requesting relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 21 feet in lieu of the permitted 15 feet for a proposed garage, 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 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.
- 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
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

July 17, 1992

(410) 887-4386

Mr. & Mrs. David M. Rosen
4109 Church Road
Millers, Maryland 21107

RE: PETITION FOR ADMINISTRATIVE VARIANCE
S/S Church Road, 484' W of the c/l of Teresa Marie Court
(4109 Church Road)
6th Election District - 3rd Councilmanic District
David Marc Rosen, et ux - Petitioners
Case No. 92-486-A

Dear Mr. & Mrs. Rosen:

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

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File

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 400.3 TO ALLOW
AN ACCESSORY GARAGE 21 FEET IN HEIGHT
IN LIEU OF THE REQUIRED 15 FEET

of the Zoning Regulations of Baltimore County for the following reasons: (unless waived or proven otherwise)

For the purpose of erecting a roof system on our garage that complements that of our house. This would be aesthetically pleasing and also provide light storage in the second floor area.

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

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

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 17 day of July, 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.

ZONING COMMISSIONER OF BALTIMORE COUNTY

REVIEWED BY: LB DATE: 6/11/92

ESTIMATED POSTING DATE: 6/28/92 ESTIMATED CLOSING DATE: _____

ITEM # 518

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) believe same to be true and correct to the best of his/her knowledge and belief.

That the Affiant(s) do(es) presently reside at: 4109 Church Road
City Millers State MD Zip Code 21107

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: (unless waived or proven otherwise)

We request that a variance be granted to allow us to build a garage with a 10.5/12 pitch roof, which will provide a height of 21 ft. (6 ft. above the County limit). The intent for this roof is to have our garage roof match the 12/12 pitch on our house (ht. 24 ft.) so the buildings complement each other and to provide light storage in the loft of said garage. We hope the Commission will look favorably on the fact that we are building the garage in the center of a wooded lot and that the structure is not visible from the road nor adjoining properties.

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

David Marc Rosen
David Marc Rosen
Date of Petition: _____
Paula C.S. Rosen
Date of Petition: _____

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, this 10 day of June, 1992, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared:

David Marc Rosen & Paula C.S. Rosen
David Marc Rosen & Paula C.S. Rosen
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath to the truth of the facts herein stated and that the same are true and correct to the best of his/her knowledge and belief.

AS WITNESSES my hand and Notarial Seal.
6-10-92

My Commission Expires: _____ My Notarial Seal: _____

ZONING DESCRIPTION FOR 4109 Church Road

Beginning at a point on the SOUTH side of Church Road which is 30 feet side at the distance of 484 feet Northwest of the centerline of the nearest improved intersecting street Teresa Marie Court which is 50 feet wide. *Being Lot #12, Block (), Section # (), in the subdivision of Ramblewood, as recorded in Baltimore County Plat Book #40, Folio #66, containing 1.85 acres. Also known as 4109 Church Road and located in the (6) Election District.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 6th Date of Posting: 6-26-92
Posted for: Administrative Variance
Petitioner: David Marc Rosen et ux
Location of property: S/S of Church Road, 484' W of the c/l of Teresa Marie Court, 4109 Church Road
Location of Sign: Closest to 4109 Church Road
Remarks: _____
Posted by: J. J. Bente Date of return: July 3-92
Number of Signs: 1

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

Account: R-001-6180
Number

Date

6/10/92

PUBLIC HEARING FEES
011 - ZONING VARIANCE (1RL) 1 x \$50.00
010 - POSTING SIGNS / ADVERTISING 1 x \$25.00
TOTAL: \$75.00
LAST NAME OF OWNER: ROSEN

Please Make CHECK OR MONEY ORDER payable to Baltimore County \$75.00
BA 0010103AND-11-92

Cashier Validation

111 West Chesapeake Avenue
Towson, MD 21204

July 2, 1992

(410) 887-3353

Mr. & Mrs. David M. Rosen
4109 Church Road
Millers, MD 21107

RE: Item No. 518, Case No. 92-486-A
Petitioner: David M. Rosen, et ux
Petition for Administrative Variance

Dear Mr. & Mrs. Rosen:

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.

Your petition has been received and accepted for filing this
11th day of June, 1992

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

W. Carl Richards Jr.
W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: David M. Rosen, et ux

Petitioner's Attorney:

Department of Environmental Protection & Resource Management
Development Review Committee Response Form
Authorized signature *David M. Rosen* Date *6/29/92*

Project Name Waiver Number Zoning Issue Meeting Date
File Number
Stonegate at Patapsco (Aerial Property) 6-1-92
90476
ZON DED TE (Waiting for developer to submit plans first)

COUNT 1
✓ Joan R. McMahon FRS-1 6-22-92 NC
DED DEPRM RP STP TE
BBC Associates 511 *Comment*
DED DEPRM RP STP TE
Charles W. And Helen K. Mauerhan/Ronald W. And Diane H. Chapman 512 *Comment*
DED DEPRM RP STP TE
Fox Chevrolet, Inc. 513 *Comment*
DED DEPRM RP STP TE
✓ Covenant of Grace Presbyterian Church 515 NC
DED DEPRM RP STP TE
✓ Frederick J. And Michelle Y. Burgesen 517 NC
DED DEPRM RP STP TE
✓ David Marc And Paul C.S. Rosen 518 NC
DED DEPRM RP STP TE
✓ David W. And Debra L. Gordon 519 NC
DED DEPRM RP STP TE
✓ Raymond F. And Nancy A. Plum 520 NC
DED DEPRM RP STP TE
✓ Sebastian T. Rosselli 521 NC
DED DEPRM RP STP TE
✓ Michael And Virginia Myers 522 NC

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 24, 1992

SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - June 22, 1992

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

Leroy Merritt - Item 511
Silvergate East - Item 512
Frederick & Michelle Burgesen - Item 517
David & Paula Rosen - Item 518
David & Debra Gordon - Item 519
Michael & Virginia Myers - Item 522

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_22_92.txt
Petitns.txt

Department of Environmental Protection & Resource Management
Development Review Committee Response Form
Authorized signature *Kathy Family* Date *6/29/92*

Project Name Waiver Number Zoning Issue Meeting Date
File Number
Stonegate at Patapsco (Aerial Property) 6-1-92
90476
ZON DED TE (Waiting for developer to submit plans first)

COUNT 1
Joan R. McMahon FRS-1 6-22-92 W/C
DED DEPRM RP STP TE
✓ BBC Associates 511 W/C
DED DEPRM RP STP TE
✓ Charles W. And Helen K. Mauerhan/Ronald W. And Diane H. Chapman 512 W/C
DED DEPRM RP STP TE
✓ Fox Chevrolet, Inc. 513 W/C
DED DEPRM RP STP TE
✓ Covenant of Grace Presbyterian Church 515 W/C
DED DEPRM RP STP TE
✓ Frederick J. And Michelle Y. Burgesen 517 W/C
DED DEPRM RP STP TE
✓ David Marc And Paul C.S. Rosen 518 W/C
DED DEPRM RP STP TE
✓ David W. And Debra L. Gordon 519 W/C
DED DEPRM RP STP TE
Raymond F. And Nancy A. Plum 520 W/C
DED DEPRM RP STP TE
✓ Sebastian T. Rosselli 521 W/C
DED DEPRM RP STP TE
✓ Michael And Virginia Myers 522 W/C

Department of Environmental Protection & Resource Management
Development Review Committee Response Form
Authorized signature *David M. Rosen* Date *6-29-92*

Project Name Waiver Number Zoning Issue Meeting Date
File Number
Joan R. McMahon FRS-1 6-22-92
DED DEPRM RP STP TE
BBC Associates 511 *In progress*
DED DEPRM RP STP TE
Charles W. And Helen K. Mauerhan/Ronald W. And Diane H. Chapman 512 *NO COMMENTS*
DED DEPRM RP STP TE
Fox Chevrolet, Inc. 513 *In progress*
DED DEPRM RP STP TE
Covenant of Grace Presbyterian Church 515 *NO COMMENTS*
DED DEPRM RP STP TE
Frederick J. And Michelle Y. Burgesen 517 *In progress*
DED DEPRM RP STP TE
✓ David Marc And Paul C.S. Rosen 518 *NO COMMENTS*
DED DEPRM RP STP TE
✓ David W. And Debra L. Gordon 519 *NO COMMENTS*
DED DEPRM RP STP TE
Raymond F. And Nancy A. Plum 520 *In progress*
DED DEPRM RP STP TE
✓ Sebastian T. Rosselli 521 *NO COMMENTS*

COUNT 10
Douglas R. Small 499 6-8-92 *In progress*
DEPRM

700 East Joppa Road Suite 901
Towson, MD 21204-5500
(410) 887-4500

JUNE 19, 1992

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

RE: Property Owner: DAVID MARC ROSEN AND PAUL C.S. ROSEN
Location: #4109 CHURCH ROAD

Item No.: #518 (LJG) Zoning Agenda: JUNE 22, 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: *W. Carl Richards Jr.*
Planning Group
Special Inspection Division

SP/KEK

Department of Recreation and Parks
Development Review Committee Response Form
Authorized signature *William H. Smith* Date *7/1/92*

Project Name Waiver Number Zoning Issue Meeting Date
File Number
Joan R. McMahon FRS-1 6-22-92
DED DEPRM RP STP TE
BBC Associates 511 *No Comment*
DED DEPRM RP STP TE
Charles W. And Helen K. Mauerhan/Ronald W. And Diane H. Chapman 512 *No Comment*
DED DEPRM RP STP TE
Fox Chevrolet, Inc. 513 *No Comment*
DED DEPRM RP STP TE
Covenant of Grace Presbyterian Church 515 *No Comment*
DED DEPRM RP STP TE
Frederick J. And Michelle Y. Burgesen 517 *No Comment*
DED DEPRM RP STP TE
David Marc And Paul C.S. Rosen 518 *No Comment*
DED DEPRM RP STP TE
David W. And Debra L. Gordon 519 *No Comment*
DED DEPRM RP STP TE
Raymond F. And Nancy A. Plum 520 *No Comment*
DED DEPRM RP STP TE
Sebastian T. Rosselli 521 *No Comment*
DED DEPRM RP STP TE
Michael And Virginia Myers 522 *No Comment*

COUNT 11

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning
111 West Chesapeake Avenue
Towson, MD 21204
June 17, 1992
(410) 887-3353

David Marc Rosen and Paula Rosen
4109 Church Road
Millers, Maryland 21107

Re: CASE NUMBER: 92-466-1
LOCATION: S/S Church Road, 464' E of c/l Tuxedo Marie Court
4109 Church Road
6th Election District - 3rd 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 reaffirmation of the administrative process.

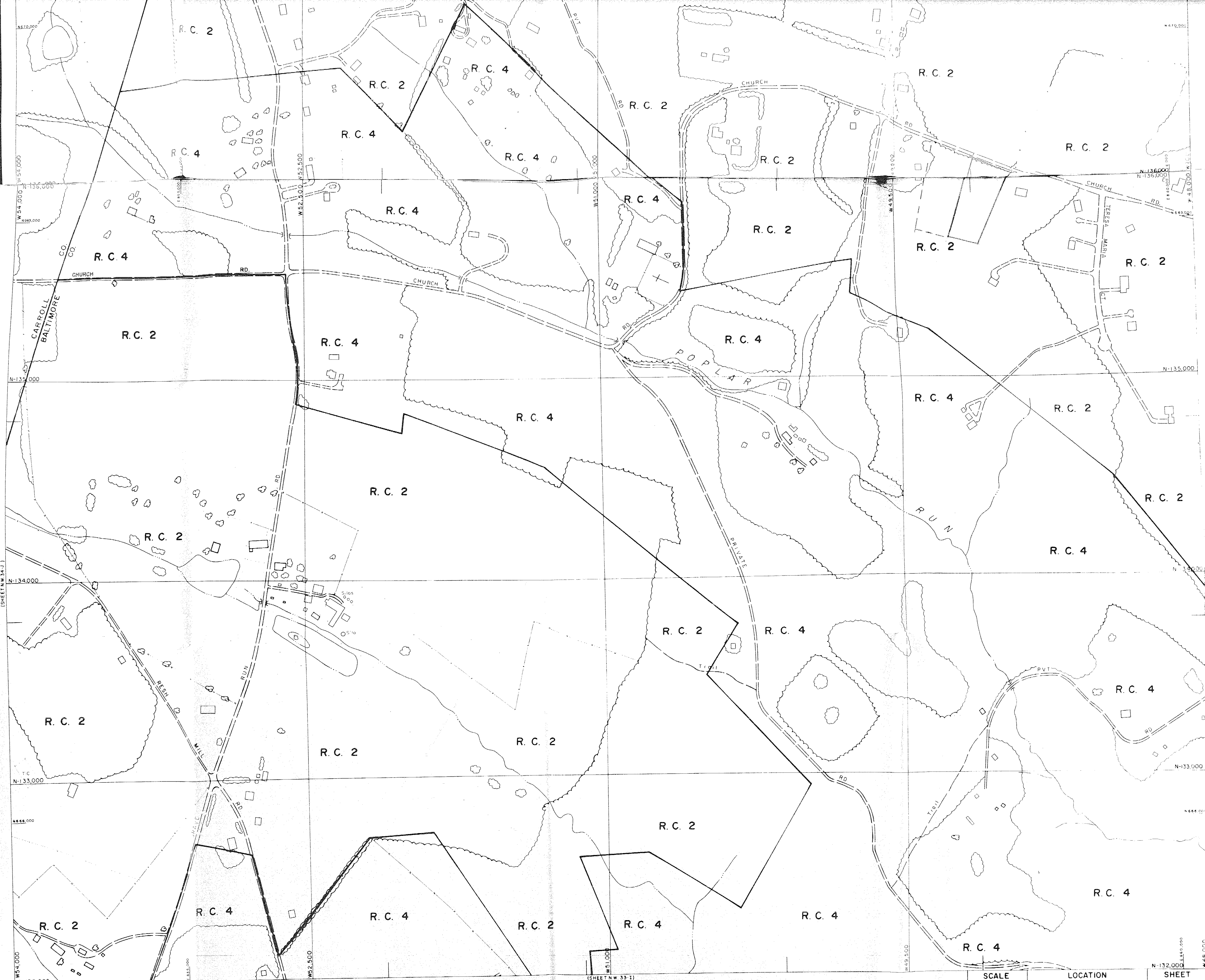
1) Your property will be posted on or before June 28, 1992. The closing date is July 13, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an 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 H. Schmidt
Lawrence H. Schmidt
Zoning Commissioner, Baltimore County



J J - NW

1988 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 13, 1988
 Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
John J. Voss
 Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

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

SCALE 1" = 200' ±	LOCATION SOUTHWEST OF ROCKDALE	SHEET NW 34-1
DATE OF PHOTOGRAPHY JANUARY 1986		

92-486-A 518