

IN RE: PETITION FOR ADMIN. VARIANCE
S/S Tickwood Road, Approx.
3,000' E of Greyhound Road
(2339 Tickwood Road)
15th Election District
5th Councilmanic District
Jean Romadka
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 93-151-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner, Jean Romadka, by and through her attorney, Robert J. Romadka, Esquire. The Petitioner requests a variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 2 feet in lieu of the minimum required 10 feet, for proposed additions to an existing dwelling, 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.

This property is located within the Chesapeake Bay Critical Areas on Middle River and as such, is subject to any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM) as to Critical Areas requirements. The granting of the relief requested in this matter is conditioned upon compliance with any comments submitted by DEPRM upon completion of their review.

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 6th day of December, 1992 that the Petition for Administrative Variance requesting relief from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 2 feet in lieu of the minimum required 10 feet, for proposed additions to an existing dwelling, 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) Compliance with any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM) upon completion of their review.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

- 2 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

December 8, 1992

(410) 887-4386

Robert Romadka, Esquire
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: PETITION FOR ADMINISTRATIVE VARIANCE
S/S Tickwood Road, Approx. 3,000' E of Greyhound Road
(2339 Tickwood Road)
15th Election District - 7th Councilmanic District
Jean Romadka - Petitioner
Case No. 93-151-A

Dear Mr. Romadka:

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

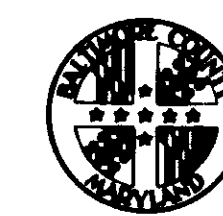
cc: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM

People's Counsel

file

CRITICAL



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 2339 Tickwood Road
which is presently zoned D.R.5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. 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, hereby petition for a Variance from Section 1802.3.C.1 To permit a side yard of 2 ft ± in lieu of the required 10 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)
Siting of existing dwelling and existing topography severely restricts available areas for additions to the existing dwelling thus creating hardships and practical difficulty.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc. 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.

Contact Purchaser/Lessee
(Type or Print Name)
Signature
Address
City State Zip Code
Attorney for Petitioner
Robert Romadka, Romadka, Grontrum, & McLaughlin
814 Eastern Blvd 410-686-8274
Baltimore MD 21221
Name Address and phone number of legal owner. Contact purchaser or representative to be contacted
Bafitis and Associates, Inc.
1249 ENGLEBERTH ROAD 410-391-2336
Baltimore, MD 21221
Name Address and phone number of legal owner. Contact purchaser or representative to be contacted

A Public Hearing has been requested and/or held to be required. It is ordered by the Zoning Commissioner of Baltimore County, this 11th day of December, 1992, that the subject matter of this petition be set for a public hearing, advertised as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reported.

REVIEWED BY: *[Signature]* DATE: 11-6-92
ESTIMATED POSTING DATE: 11-23-92

Zoning Commissioner of Baltimore County

ITEM #: 162

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: 2339 Tickwood Road
Baltimore MD Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

Siting of existing dwelling and existing topography severely restricts available areas for additions to the existing dwelling thus creating hardships and practical difficulty.

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

Jean Romadka
Jean Romadka
(Type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6th day of November, 1992, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Jean Romadka
Jean Romadka
(Type or print name)

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 knowledge and belief.

AS WITNESS my hand and Notarial Seal.

William N. Baffin, P.E.
William N. Baffin, P.E.
My Commission Expires: 10/01/96



Bafitis & Associates, Inc.

93-151-A

ZONING DESCRIPTION
2339 Tickwood Road

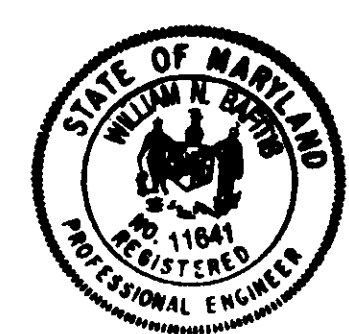
Beginning for the same on the west side of Greyhound Road, 40' wide, and the south side of a 25' right-of-way (Tickwood Road) and reducing to a 20' right-of-way, thence the following courses and distances to the point of beginning:

1) N. 65°30'E 1.311.37', 2) N. 65°30'E 29.53',
3) S. 74°15'E 161.73', 4) N. 68°28'E 67.98',
5) S. 24°45'E 83.68', 6) N. 67°23'E 20.01' to the point of beginning thence the following courses and distances; viz:

N. 67°28'40"E 19.63; N. 77°05'40"E 88.98; N. 78°47'06"E 111.15; to the shore of Middle River and running along the shore line the following courses and distances: S. 09°48'15"W 29.39; S. 7°33'12"E 79.80; S. 04°03'00"W 61.13; S. 25°50'46"E 45.26; thence leaving the shore line of Middle River S. 68°31'40"W 171.59; N. 24°39'20"W 235.45; thence N. 67°28'40"E 25.01' to the point of beginning.

Containing 1.034 acres of land more or less, being known as 2339 Tickwood Road.

Together with a right-of-way (Tickwood Road), twenty and twenty five feet wide, with the use thereof in common with others to Greyhound Road.



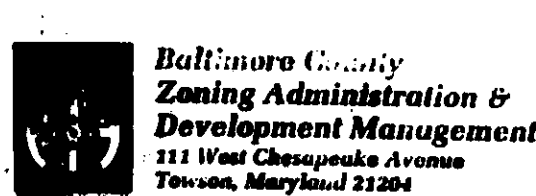
William N. Baffin, P.E.
William N. Baffin, P.E.

MD Reg No. 11641

Civil Engineers / Land Planners / Surveyors — 1249 Engleberth Road / Baltimore, Maryland 21221 / 301-391-2336

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15th
Posted for: 11/21/92
Petitioner: Jean Romadka
Location of property: 2339 Tickwood Rd. at Greyhound Rd.
Location of signs: Facing east of Tickwood Rd. at Greyhound Rd.
Remarks: Property to be rezoned.
Posted by: *[Signature]*
Number of Signs: 1



Baltimore County
Zoning Administration & Development Management
311 West Chesapeake Avenue
Towson, Maryland 21204

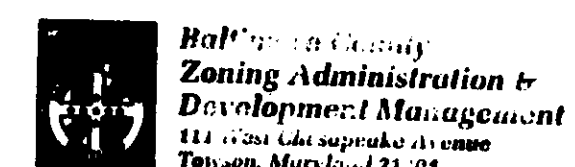
receipt

Account: R-01-6150
Number

162
93-151-A
11-6-92
Jean Romadka
2339 Tickwood Rd. (2nd fl.)
Residential Variance Apply for 850 = (ADAM)
Syn 35 =
850 =

Please Make Checks Payable To: Baltimore County

receipt



Baltimore County
Zoning Administration & Development Management
311 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-01-6150
Number

Date
Check Validation

Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

November 25, 1992 (410) 887-3353

Robert Romadka, Esquire
Romadka, Contrum & McLaughlin
814 Eastern Boulevard
Baltimore, MD 21221

RE: Case No. 93-151-A, Item No. 162
Petitioner: Jean Romadka
Petition for Administrative Variance

Dear Mr. Romadka:

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.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 6th day of November, 1992.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

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

Petitioner: Jean Romadka
Petitioner's Attorney: Robert Romadka

Maryland Department of Transportation
State Highway Administration

111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No. 93-162 (JJS)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact David Ramsey at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
David Ramsey 11/1/92
John Contestabile, Chief
Engineering Access Permits
Division

RECEIVED
NOV 10 1992
ZONING OFFICE

My telephone number is _____
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 585-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: November 17, 1992

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

SUBJECT: Petitions from Zoning Advisory Committee
(November 16, 1992)

The Office of Planning and Zoning has no comments on the following petition(s):
Charles and Maureen Lamoreaux, Item No. 148
John and Carole Villanova, Item No. 156
Steven and Beverly Timchula, Item 158
Theresa Rykaczewski, Item No. 161
Jean Romadka, Item No. 162

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

Prepared by: *Ervin McDaniel*

Division Chief: *Ervin McDaniel*

EMcD/FM:rdn

148/568.61/ZAC1

Rec'd 11/23/92

Development Review Committee Response Form
Authorized signature: *W. Carl Richerly Jr.* Date: 11/23/92

Project Name	Waiver Number	Zoning Issue	Meeting Date
Charles L. and Maureen Lamoreaux	148	N/C	11-16-92
Stephen F. and Christopher S. Jencks	154	N/C	
John and Carole Villanova	156	N/C	
Keys Development Corporation	157	N/C	
Steven J. and Beverly A. Timchula	158	N/C	
Steven M. and Deborah S. Faulkner	159	N/C	
Ralph L. and Elsie M. Hackler	160	N/C	
Theresa Rykaczewski	161	N/C	
Jean Romadka		N/C	
Residuary T. of Milton Schwaber - Carroll Independent Fuel	163	N/C	
Richard M. Diotte	155	N/C	

COMMIT TO
Baltimore Cnty. Landsdowne Vol Fire Dept.
DEPRM RP STP TE 157 N/C 11-9-92
Richard M. Diotte
DEPRM RP STP TE 155 N/C 11/23/92

Baltimore County Government
Fire Department

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

(410) 887-4500

NOVEMBER 17, 1992

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

RE: Property Owner: JEAN ROMADKA
Location: #2339 TICKWOOD ROAD
Item No.: * 162 (JJS) Zoning Agenda: NOVEMBER 16, 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.

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

REVIEWER: *Capt. Jerry Pfeiffer*
Planning/Group
Special Inspection Division

JP/KEK

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

111 West Chesapeake Avenue
Towson, MD 21204

November 12, 1992 (410) 887-3353

Re: CASE NUMBER: 93-151-A
LOCATION: S/S Tickwood Road at Greyhound Road
2339 Tickwood Road
15th 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 referendum regarding the administrative process.

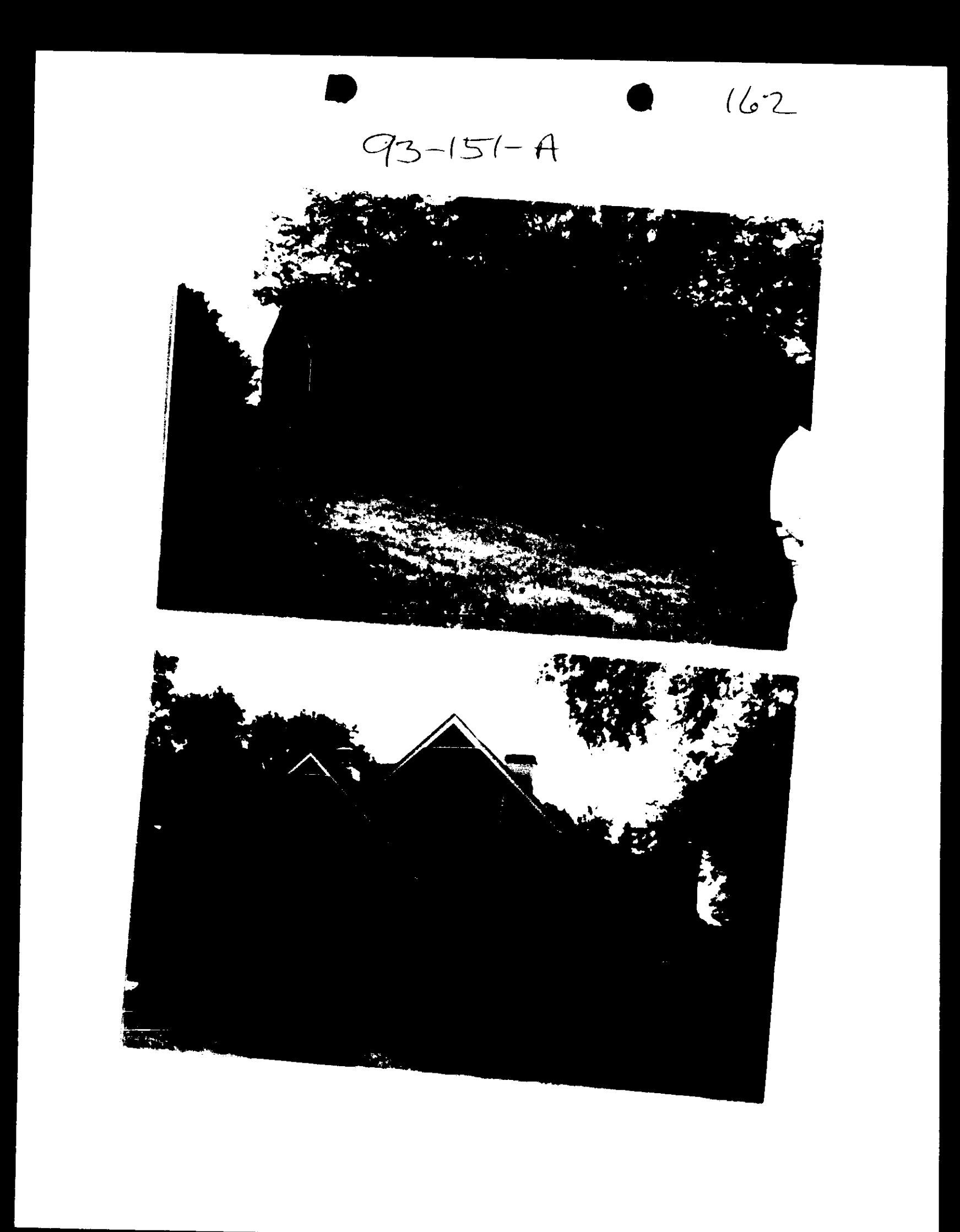
1) Your property will be posted on or before November 22, 1992. The closing date is December 7, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, 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 Commission), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper 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.

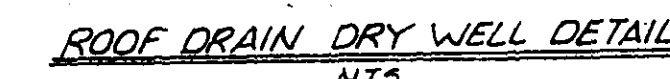
PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO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

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





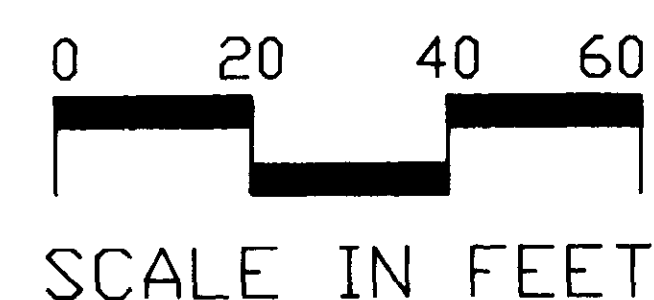
#162
93-151-A



GENERAL NOTES:

- VARIANCE REQUESTED
TO PERMIT A SIDE YARD OF 2'± IN LIEU
OF THE REQUIRED 10' SECTION 1802.3 C.1

VARIANCE REQUESTED
TO PERMIT A SIDE YARD OF 2'± IN LIEU
OF THE REQUIRED 10' SECTION 1802.3 C.1



93-151-A 162



Civil Engineers/Land Planners/Surveyors
1249 Eagleberth Rd. Baltimore, MD 21221

PLAN TO ACCOMPANY PETITION FOR VARIANCE
FOR

2339 TICKWOOD ROAD

BALTIMORE COUNTY, MARYLAND



SHEET 1 OF 1

SCALE:

1" = 20'

JOB ORDER NO:

92056

DATE: NOV. 5, 1992

[illegible]