

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE. BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY. Case No. 93-295-A. Hyman Sugar, et ux Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Hyman and Deborah Sugar, for that property known as 2510 Hal Circle in the Meadowood Subdivision of Baltimore County. The Petitioners herein seek a variance from Section 211.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 26 ft. in lieu of the required 30 ft., for an addition, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a 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 variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, 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 Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of April, 1993 that the Petition for a Zoning Variance from Section 211.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 26 ft., in lieu of the required 30 ft., for an addition, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

- 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.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmm

ORDER RECEIVED  
Date 4/14/93  
By [Signature]

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21284

(410) 887-4386

April 13, 1993

Mr. and Mrs. Hyman Sugar  
2510 Hal Circle  
Baltimore, Maryland 21209

RE: Petition for Administrative Zoning Variance  
Case No. 93-295-A  
2510 Hal Circle

Dear Mr. and Mrs. Sugar:

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

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,  
LAWRENCE E. SCHMIDT  
Zoning Commissioner

LES:mmm  
encl.

Petition for Administrative Variance  
to the Zoning Commissioner of Baltimore County

for the property located at 2510 HAL CIRCLE  
which is presently zoned DR 55

This Petition shall be read 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(s) 211.4 (1955-1963 REGULATIONS) TO PERMIT A REAR YARD SETBACK OF 26 FT. IN LIEU OF THE REQUIRED 30 FT. (FOR A PROPOSED ADDITION)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) House is too small. Need more bedrooms for 4th kids and a larger kitchen to accommodate our large family. Also, my next door neighbor is getting older and may have to move in with us.

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.

Legal Owner(s): HYMAN SUGAR  
Signature: Hyman Sugar  
Address: 2510 HAL CIRCLE, BALTIMORE, MD 21209  
City: BALTIMORE, MD 21209

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 13th day of April, 1993, that the subject herein of this petition be set for a public hearing, advertising, advertising as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be posted.

RECEIVED DATE 3/11/93  
ESTIMATED POSTING DATE 3/26/93  
ITEM # 310

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

That the Affiant(s) does/do presently reside at 2510 Hal Circle, Baltimore, MD 21209

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)

We have a large and growing family and the house is too small without the addition. The kids are getting older and need their own rooms. The kitchen is very small and needs to be enlarged to be able to accommodate the family. Also my father is getting older and my needs move in with us.

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.

Hyman Sugar, Deborah Sugar

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit: I HEREBY CERTIFY, this 10th day of FEBRUARY, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared HUMAN SUGAR AND DEVORAH SUGAR

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

AS WITNESS my hand and Notarial Seal. Keith H. Walters, Notary Public, My Commission Expires: 5/17/94, KEITH WALTERS

93-295-A  
DESCRIPTION  
ZONING DESCRIPTION FOR 2510 HAL CIRCLE  
Beginning at a point on the North side of HAL CIRCLE which is 50.00' wide at the distance of 110' EAST of the centerline of the nearest improved intersecting street SHELICK which is 50' wide. Being Lot #2, Block B, Section #3 in the subdivision of MEADOWOOD as recorded in Baltimore County Plat Book #13, containing 7,790 square feet and .178 acres. Also known as 2510 HAL CIRCLE and located in the (3) Election District.

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 3rd Date of Posting: 2/24/93  
Posted for: Variance  
Petitioner: Hyman & Deborah Sugar  
Location of property: 2510 Hal Circle (2510) 110' E Shelick Rd.  
Location of Sign: Towson 2nd day, on property of petitioner  
Remarks: [Signature]  
Posted by: [Signature] Date of return: 4/2/93  
Number of Signs: 1

Baltimore County Zoning Administration & Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21284

3/11/93

PUBLIC HEARING FEES	QTY	PRICE
010 - ZONING VARIANCE (1)	1	\$50.00
000 - POSTING SIGN / ADVERTISING	1	\$35.00
TOTAL		\$85.00

01A010033A (CHRC) SA 001103A001-11-93  
Please Make Checks Payable To: Baltimore County

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

April 6, 1993

Mr. and Mrs. Hyman Sugar  
2510 Hal Circle  
Baltimore, MD 21209

RE: Case No. 93-295-A, Item No. 310  
Petitioner: Hyman Sugar, et ux  
Petition for Administrative Variance

Dear Mr. and Mrs. Sugar:

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 March 11, 1993, and a hearing was 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.

**SHA** Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

3-17-93

Re: Baltimore County  
Item No.: \*310 (JLL)

Ms. Julie Winiarski  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21284

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 affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.  
Thank you for the opportunity to review this item.

Very truly yours,  
Bob Small  
John Contestabile, Chief  
Engineering Access Permits  
Division

My telephone number is 410-333-1350  
Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 565-0451 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: March 24, 1993

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

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):  
Item Nos. 299, 305, 307, 309 and 310.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey M. Long*

Division Chief: *Pat Kellar*

PK/JL:lw

299-ZAC/ZAC1

Baltimore County Government  
Fire Department

700 East Joppa Road Suite 901  
Towson, MD 21286-5500

MARCH 24, 1993 (410) 887-4500

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

RE: Property Owner: HYMAN SUGAR AND DEVORAH SUGAR  
Location: #2510 HAL CIRCLE  
Item No.: \*310 (JLL) Zoning Agenda: MARCH 22, 1993

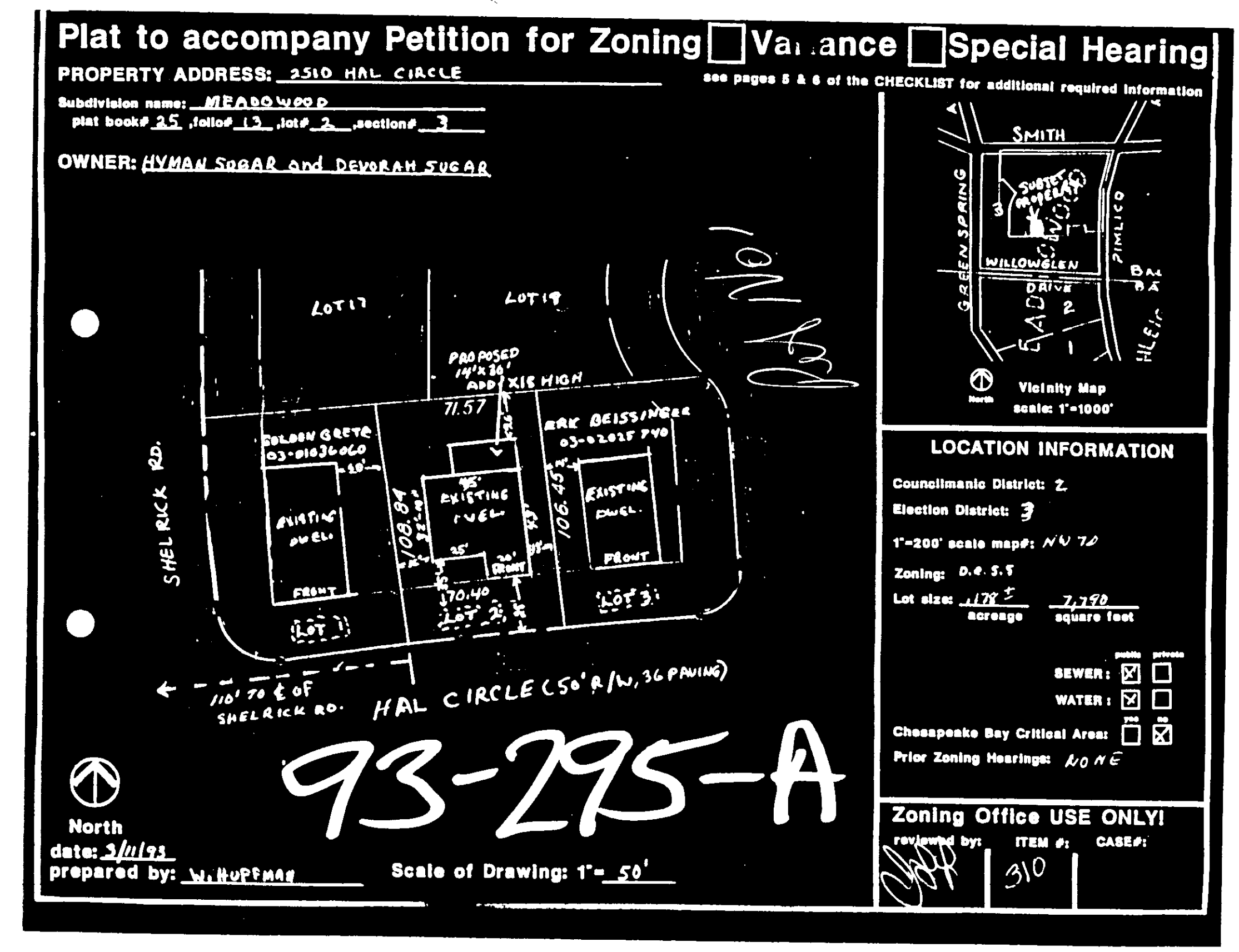
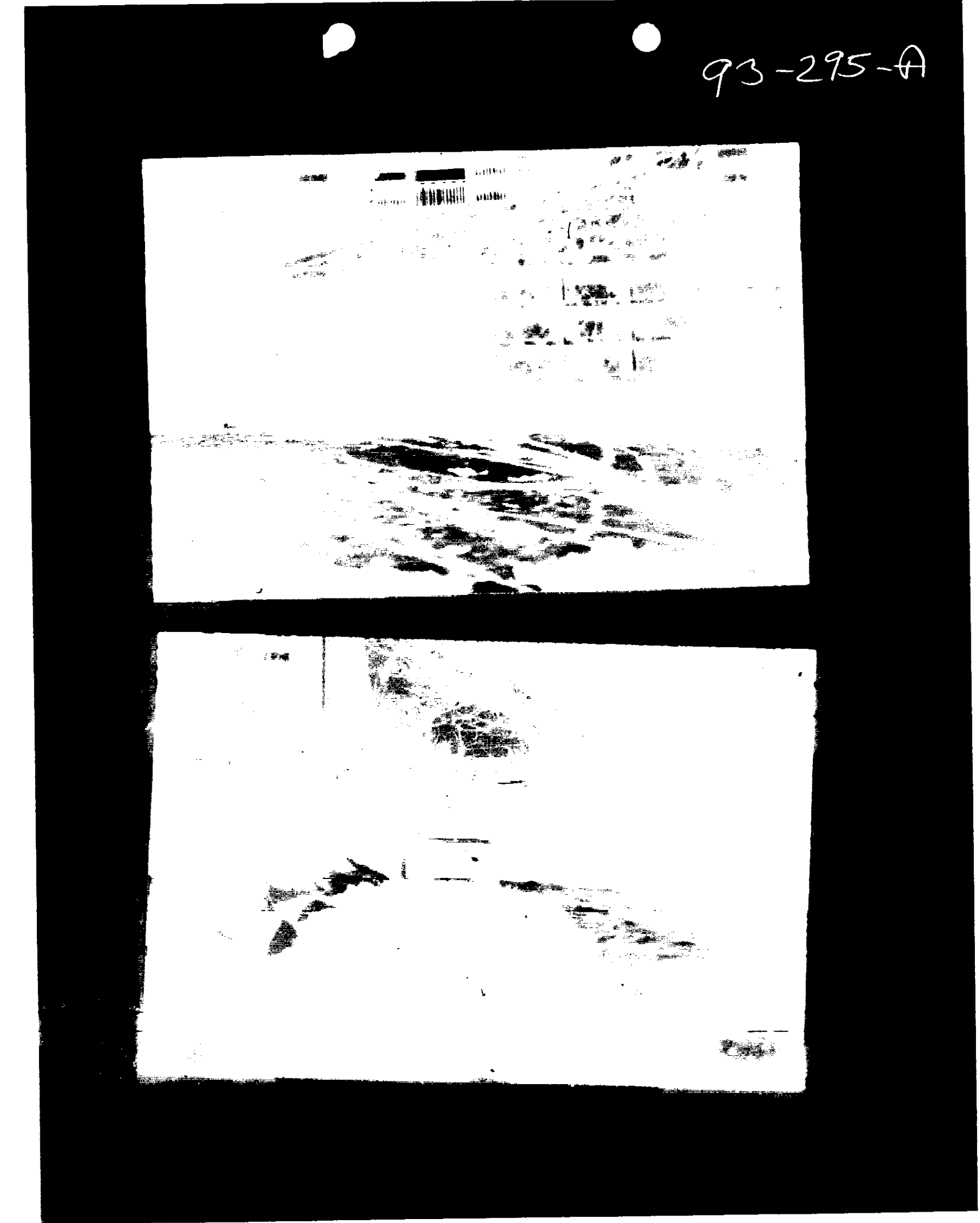
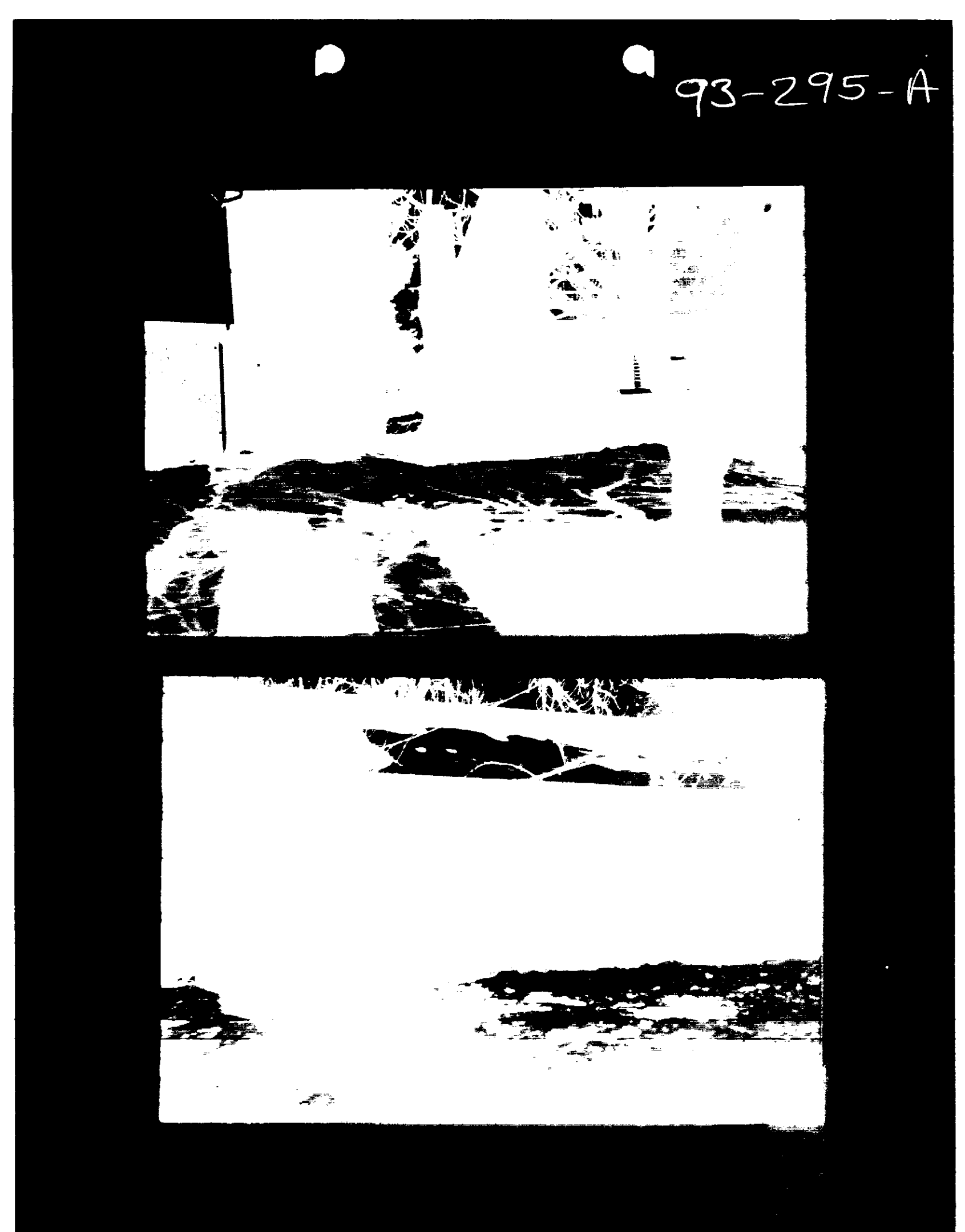
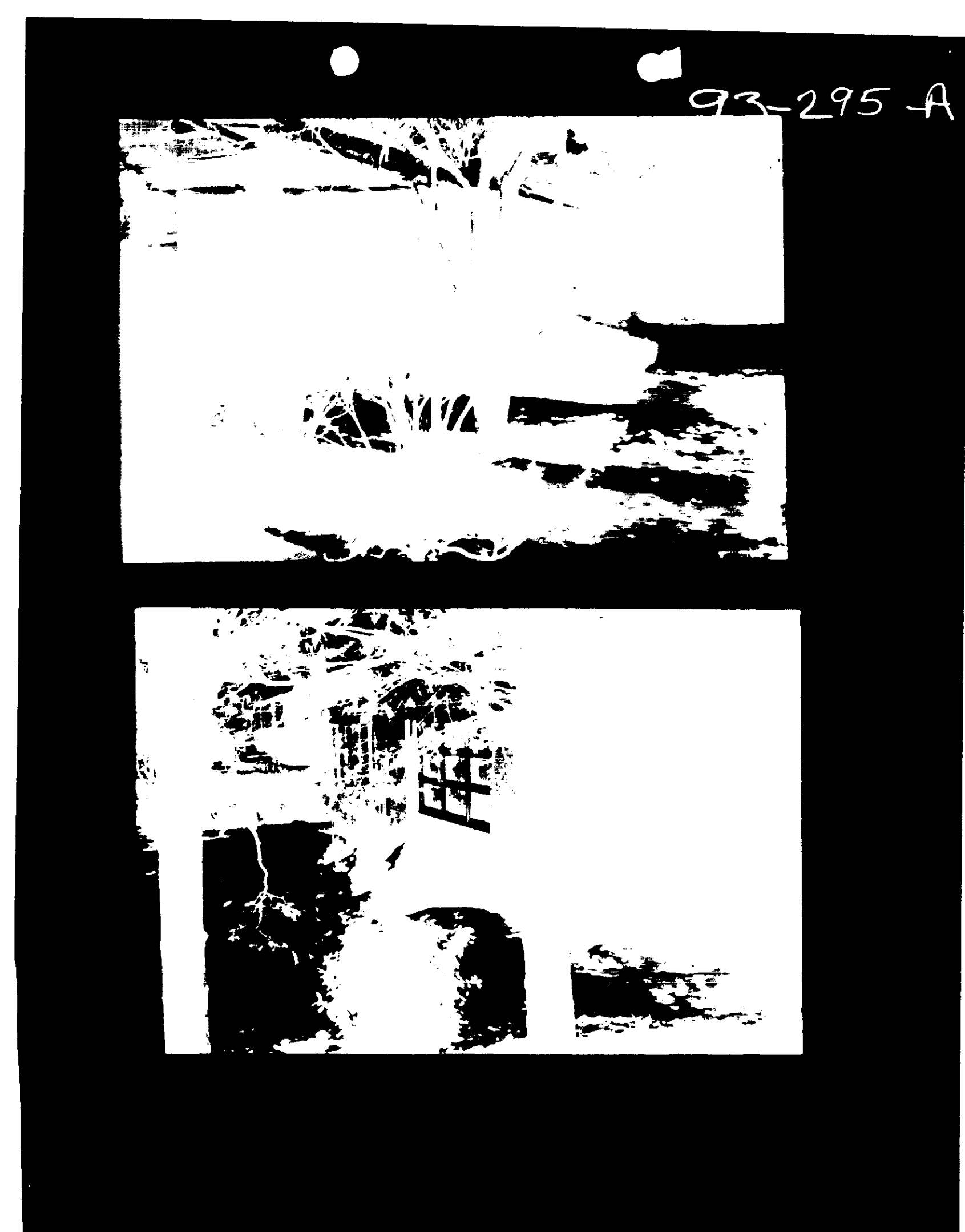
Gentlemen:

Pursuant to your request, the reference 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: *Cap. Danny Fisher* Noted and Approved  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JF/KEH





93-295-A

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

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

SCALE	LOCATION	SHEET
1" = 200' ±	PIKESVILLE	NW
DATE OF PHOTOGRAPHY	AREA	7-D
JANUARY 1986	310	