

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE	* BEFORE THE
NW/S Earls Road, 570 ft. SW of Ebenezer Road	* ZONING COMMISSIONER
628 Earls Road	* OF BALTIMORE COUNTY
15th Election District	
5th Councilmanic District	* Case No. 95-419-A
Don Edward Gruz, et ux	
Petitioners	*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Don Edward Gruz and Louise Ann Gruz, his wife, for that property known as 628 Earls Road in the eastern section of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1A02.3.B.4 of the Baltimore County Zoning Regulations (BCZR) to permit a 62 ft. street centerline setback in lieu of the required 75 ft., for a proposed addition. The property and relief sought are 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

ORDER RECEIVED FOR FILING

Date 6/16/95  
 By M. Good

*[Handwritten signature]*

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 16<sup>th</sup> day of June, 1995 that the Petition for a Zoning Variance from Section 1A02.3.B.4 of the Baltimore County Zoning Regulations (BCZR) to permit a 62 ft. street centerline setback in lieu of the required 75 ft., for a proposed addition, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

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.

COPY SENT TO COUNTY CLERK FOR FILING  
Date 6/16/95  
By [Signature]

LES:mmn

[Signature]  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

June 15, 1995

Mr. and Mrs. Don Edward Gruz  
628 Earls Road  
Baltimore, Maryland 21220

RE: Petition for Administrative Variance  
Case No. 95-419-A  
Property: 628 Earls Road

Dear Mr. and Mrs. Gruz:

Enclosed please find the decision rendered in the above captioned case. The Petition for 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 887-3353.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
encl.

2000



# Petition for Administrative Variance

95-419-A

## to the Zoning Commissioner of Baltimore County

for the property located at 628 Earls Rd. Balto, MD 21220

which is presently zoned RC-3

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate 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) 1A02.3.B.4 TO PERMIT

A 62 FT STREET CENTER LINE SETBACK (FOR A PROPOSED ADDITION)  
IN LIEU OF THE REQUIRED 75 FT.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

SEE ATTACHED

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.

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/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Legal Owner(s)

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No

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 \_\_\_\_\_, 19\_\_\_\_ 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 reposted

Zoning Commissioner of Baltimore County



REVIEWED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

ESTIMATED POSTING DATE: \_\_\_\_\_



Printed with Soybean Ink on Recycled Paper

MICROFILM #

417

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

That the Affiant(s) does/do presently reside at 628 Earls Road  
address  
Baltimore, MD 21220  
City State 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)

SEE ATTACHED

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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.

Don E. Gruzs  
(signature)  
Don E. Gruzs  
(type or print name)



Louise A. Gruzs  
(signature)  
Louise A. Gruzs  
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2nd day of May, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Don E. Gruzs and Louise A. Gruzs

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

AS WITNESS my hand and Notarial Seal.

May 2, 1995  
date

Christine P. Sparr  
NOTARY PUBLIC

My Commission Expires: 12/1/98

WVNOTARY.COM



# Petition for Administrative Variance

95-419-A

## to the Zoning Commissioner of Baltimore County

for the property located at 628 Earls Rd. Balto, MD 21220

which is presently zoned RC-3

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate 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) 14 - 3.5.4

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

SEE ATTACHED

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.

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/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Legal Owner(s)

Don Edward Gruz

(Type or Print Name)

Don Edward Gruz

Signature

Louise Ann Gruz

(Type or Print Name)

Louise Ann Gruz

Signature

628 Earls Road

335-7543

Address

Phone No

Baltimore MD

21220

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No.

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 \_\_\_\_\_, 19\_\_\_ 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 reposted

Zoning Commissioner of Baltimore County

REVIEWED BY:

*[Signature]*

DATE:

5/18/95

ESTIMATED POSTING DATE:

5/28/95



Printed with Soybean Ink on Recycled Paper

ITEM #:

417

The RC-3 zoning is a set back for us because of the way the house is laid out we can only enlarge the bedroom out the front. There is already an existing 8 ft wide porch on the front which we want to tear off & replace with an 8 ft wide addition to the bedroom and an 8 ft wide porch. This will not make the set back from the road any different than the existing structure already is.

# EXAMPLE 3 - Zoning Description

- 3 copies

95-419-A

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 628 Earls Rd.  
(address)  
Election District 15 Councilmanic District 5

Beginning at a point on the Northwest side of Earls Rd  
(north, south, east or west)

20' PAVING which is  
(street on which property fronts) (number of feet of right-of way width)

wide at a distance of 570' SW of the  
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Ebenezer  
(name of street)

which is 25' PAVING wide. \*Being Lot #     ,  
(number of feet of right-of-way width)

Block     , Section #      in the subdivision of  
     as recorded in Baltimore County Plat  
(name of subdivision)

Book #     , Folio #      containing

1.375 AC  
(square feet and acres) Thence NW 213.56 FT Then SW 87.5 FT.  
Then SW 189.31 FT. Then SE 222.68 FT. Then NE 280.18 FT. BACK  
to the point of beginning.

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber     , Folio     " and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N.87 12' 13" E. 321.4 ft., S.18 27' 03" E. 87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.



**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Townson, Maryland

95-419-17

District 1501 Date of Posting 5/27/95

Posted for: Variance

Petitioner: For Antonio G. Ruiz

Location of property: 628 East Rd, Nuff

Location of Signs: Facing road & way from property being zoned

Remarks: \_\_\_\_\_

Posted by M. P. [Signature] Date of return: 6/2/95  
Signature

Number of Signs: 1





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

receipt

95-419-A

Account: R-001-6150

Number 417  
 JRR

Date

5/18/95

1 RV ADMIN FILING	010	<del>\$</del> 50.00
1 SIGN POSTING	080	<del>\$</del> 35.00
		<hr/>
		<del>\$</del> 85.00

GRUZZ  
 628 EARLS RD.

RECEIVED

02 APR 20 03 17:00

\$85.00

PA 0011-200005-1A-95

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 417  
Petitioner: Don & Louise Gruzs  
Location: 628 Earls Road Balto, MD 21220

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Don & Louise Gruzs  
ADDRESS: 628 Earls Road  
Baltimore, MD 21220  
PHONE NUMBER: 335-7543

MICROFILMED

AJ:ggs

(Revised 04/09/93)



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

May 26, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-419-A (Item 417)  
628 Earls Road  
NW/S Earls Road, 570' SW of Ebenezer Road  
15th Election District - 5th Councilmanic  
Legal Owner(s): Don Edward Gruzs and Louise Ann Gruzs

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before May 28, 1995. The closing date (June 12, 1995) 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. They 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 reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting 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 \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

cc: Don and Louise Gruzs



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

June 8, 1995

Mr. and Mrs. Don Gruzs  
628 Earls Road  
Baltimore, Maryland 21220

RE: Item No.: 417  
Case No.: 95-419-A  
Petitioner: D. E. Gruzs, et ux

Dear Mr. and Mrs. Gruzs:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on May 18, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

33



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM

DATE: June 2, 1995

FROM: Pat Keller, Director, OPZ △

SUBJECT: 628 Earls Road

INFORMATION:

Item Number:

( 417 )

Petitioner:

Gruzs Property

Property Size: \_\_\_\_\_

Zoning:

RC-3

Requested Action:

Variance

Hearing Date: \_\_\_\_\_ / / \_\_\_\_\_

SUMMARY OF RECOMMENDATIONS:

The applicant requests a 62' street centerline setback in lieu of the required 75'.

While staff does not oppose the applicant's request, it is clear that the petitioner will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject Variance.

Prepared by:

Jeffrey W. Long

Division Chief:

Cam L. Kerns

PK/JL

BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director           DATE: June 5, 1995  
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief  
Developers Engineering Section

RE: Zoning Advisory Committee Meeting  
for June 5, 1995  
Items 413, 414, 415, 416, 417, 418 and 419 &

The Developers Engineering Section has reviewed  
the subject zoning item and we have no comments.

RWB:sw

MICROFILMED

To: Joyce Watson

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

TO: ZADM  
FROM: DEPRM  
Development Coordination  
SUBJECT: Zoning Advisory Committee  
Agenda: 5/30/95

DATE: 6/2/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 413  
414  
415  
417  
418  
419

LS:sp

LETTY2/DEPRM/TXTSBP



Baltimore County Government  
Fire Department



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

(410) 887-4500

DATE: 05/31/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF MAY 30, 1995.

Item No.: SEE BELOW

Zoning Agenda:

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.

8. The Fire Marshal's Office has no comments at this time.  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 413, 414, 417 AND 419.

RECEIVED

JUN 1 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED



Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

5-26-95

Ms. Joyce Watson  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: 417 (JLL)

Dear Ms. Watson:

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 project.

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*

*for* Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

**PETITION PROBLEMS  
AGENDA OF MAY 30, 1995**

**#412 --- JCM**

1. Legal owner name on petition form does not agree with legal owner name on plat. Which one is correct? (Either plat or petition form needs to be corrected.)

**#414 --- JCM**

1. Notary section is incomplete/incorrect.

**#417 --- JLL**

1. No review information on bottom of petition form.

MICROFILMED



# Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 628 EARLS Rd.

see pages 5 & 6 of the CHECKLIST for additional required information

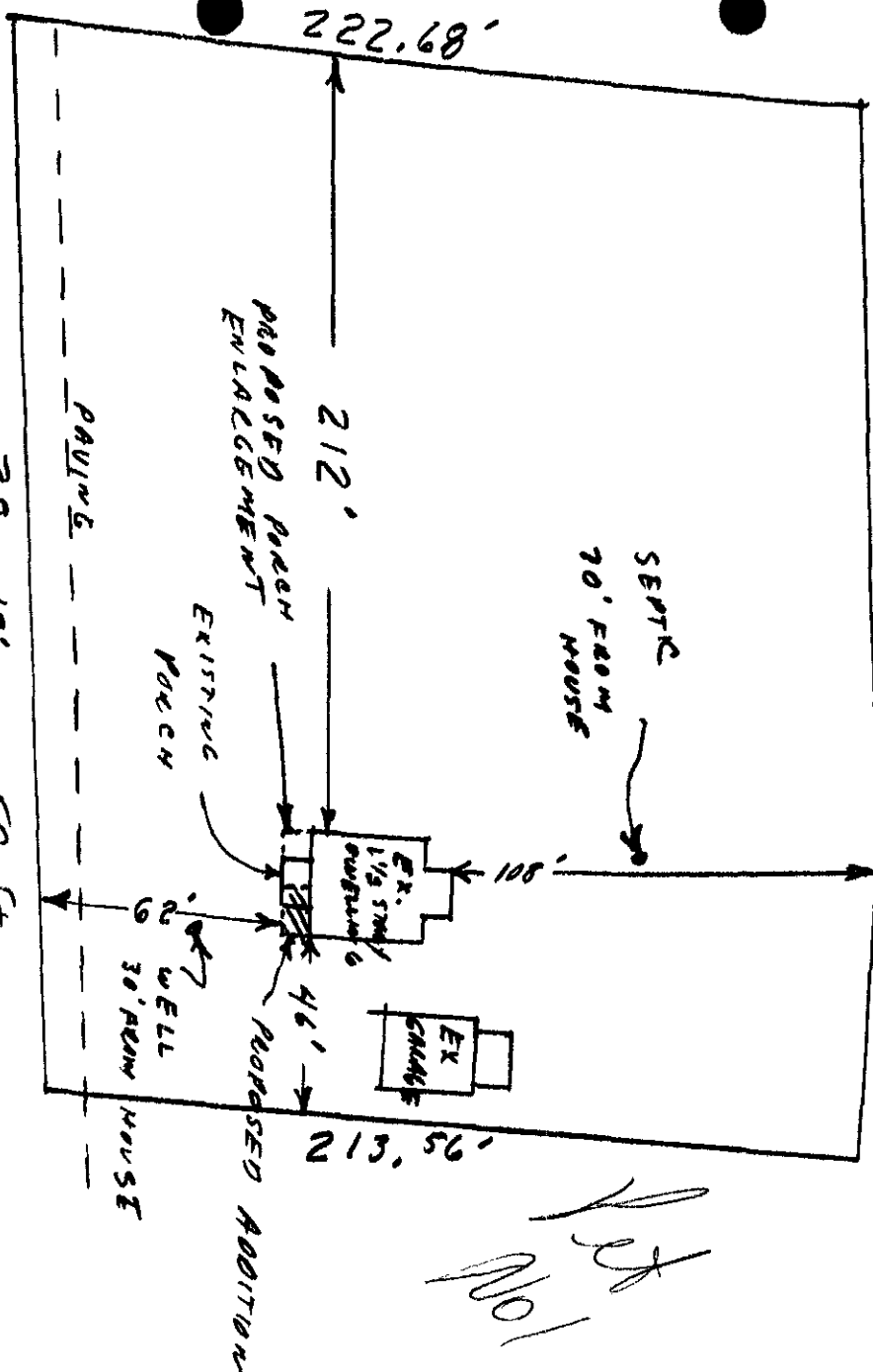
Subdivision name: \_\_\_\_\_

plat book# \_\_\_\_\_, folio# \_\_\_\_\_, lot# \_\_\_\_\_, section# \_\_\_\_\_

OWNER: GRUTS

189,51' 87,50

## 95-419-A



North

date: \_\_\_\_\_

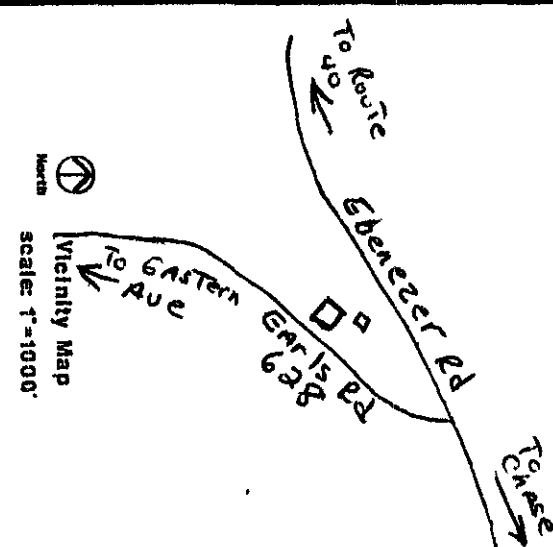
prepared by: \_\_\_\_\_

1" = 50'

Scale of Drawing: 1" = \_\_\_\_\_

EARLS ROAD EBENEZER RD

*1/200'*



### LOCATION INFORMATION

Election District: 15

Councilmanic District: 5

T-200' scale map#: NEGK

Zoning: RC-3

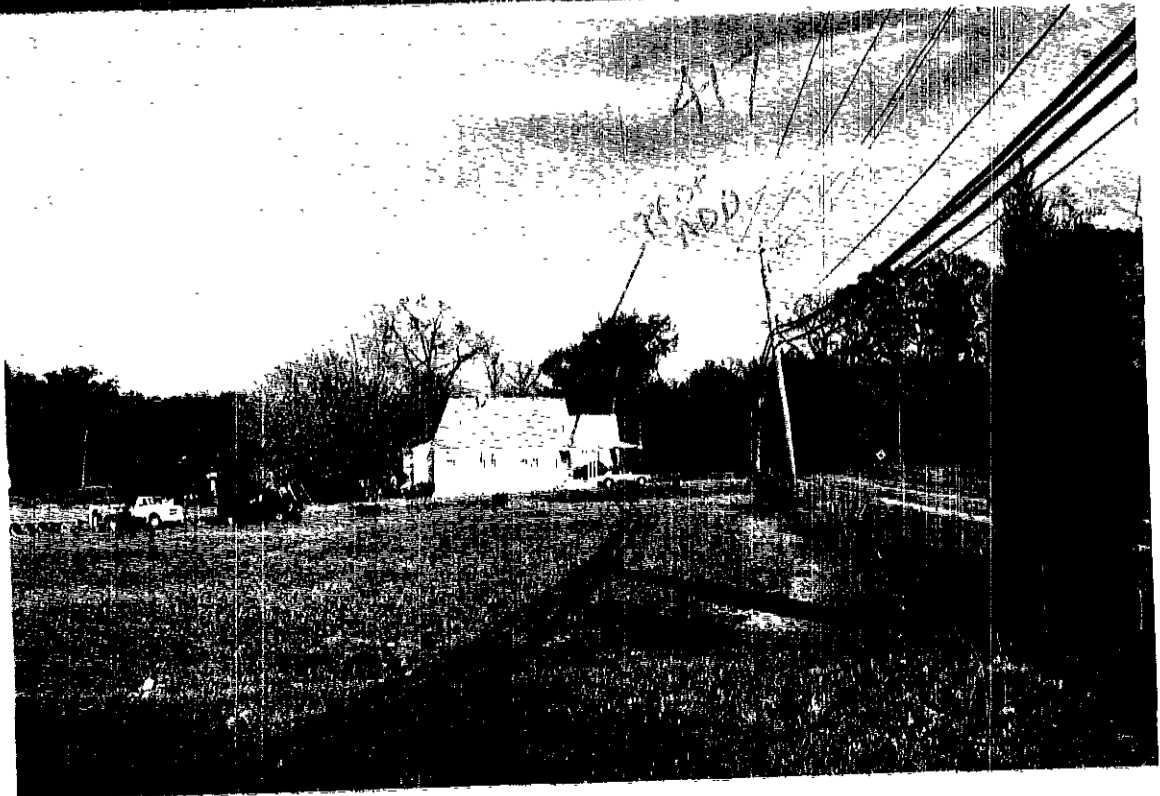
Lot size: 1.375 A.C. square feet

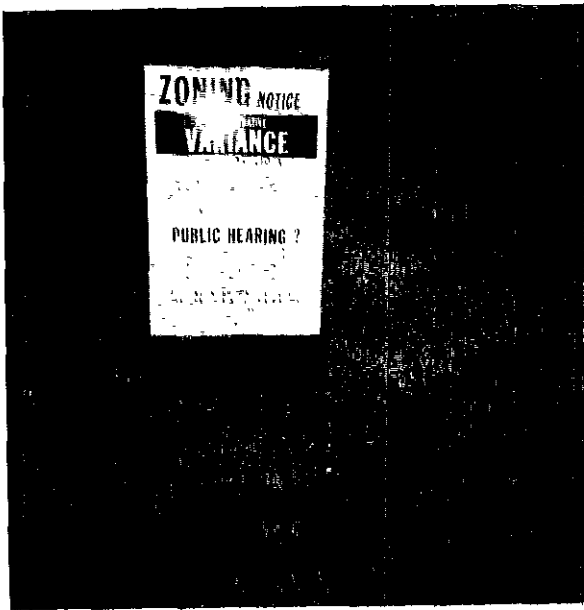
- SEWER:  public  private
- WATER:
- Chesapeake Bay Critical Area:
- Prior Zoning Hearings:

### Zoning Office USE ONLY!

Reviewed by: \_\_\_\_\_ ITEM #: \_\_\_\_\_ CASE#: \_\_\_\_\_

417





419



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	CHASE VICINITY
MICROFILMED	NE
SHEET	6-K

95-419-A



IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE  
 NW/S Earls Road, 570 ft. SW of Ebenezer Road  
 628 Earls Road  
 15th Councilmanic District  
 Don Edward Gruzs, et ux  
 Petitioners

\* BEFORE THE  
 \* ZONING COMMISSIONER  
 \* OF BALTIMORE COUNTY  
 \* Case No. 95-419-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Don Edward Gruzs and Louise Ann Gruzs, his wife, for that property known as 628 Earls Road in the eastern section of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1A02.3.B.4 of the Baltimore County Zoning Regulations (BCZR) to permit a 62 ft. street centerline setback in lieu of the required 75 ft., for a proposed addition. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

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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 16th day of June, 1995 that the Petition for a Zoning Variance from Section 1A02.3.B.4 of the Baltimore County Zoning Regulations (BCZR) to permit a 62 ft. street centerline setback in lieu of the required 75 ft., for a proposed addition, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

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.

*Lawrence E. Schmidt*  
 LAWRENCE E. SCHMIDT  
 Zoning Commissioner  
 for Baltimore County

CHECKED FOR FILING  
 FILED BY *Sh. Stewart*

LES:mmm

Baltimore County Government  
 Zoning Commissioner  
 Office of Planning and Zoning



Suite 112 Courthouse  
 400 Washington Avenue  
 Towson, MD 21284

(410) 887-4386

June 15, 1995

Mr. and Mrs. Don Edward Gruzs  
 628 Earls Road  
 Baltimore, Maryland 21220

RE: Petition for Administrative Variance  
 Case No. 95-419-A  
 Property: 628 Earls Road

Dear Mr. and Mrs. Gruzs:

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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 887-3353.

Very truly yours,  
*Lawrence E. Schmidt*  
 LAWRENCE E. SCHMIDT  
 Zoning Commissioner

LES:mmm  
 encl.



Petition for Administrative Variance  
 to the Zoning Commissioner of Baltimore County

for the property located at 628 Earls Rd. Balto, MD 21220  
 which is presently zoned RC-3

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate 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 1A02.3.B.4 to permit a 62 ft. street centerline setback (for a proposed addition) in lieu of the required 75 ft.

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

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

I do solemnly declare and affirm, under the penalties of perjury, that I am the legal owner(s) of the property which is the subject of this Petition.

Contact Person/Owner: Don Edward Gruzs  
 Type of Print Name: Don Edward Gruzs  
 Signature: Don Edward Gruzs  
 Louise Ann Gruzs  
 Type of Print Name: Louise Ann Gruzs  
 Signature: Louise Ann Gruzs  
 Address: 628 Earls Road 335-7543  
 City: Baltimore, MD 21220  
 State: MD Zip Code: 21220

A Public Hearing having been requested and/or held to be required, as ordered by the Zoning Commissioner of Baltimore County, this city of Baltimore, Maryland, on the 15th day of June, 1995, at the City Hall, Baltimore, Maryland, and the same being reported to the Zoning Commissioner of Baltimore County, and the same being reported to the Zoning Commissioner of Baltimore County.

REVIEWED BY: DATE: ESTIMATED POSTING DATE: ITEM #: 417

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

That the Affiant(s) does/do presently reside at:  
 628 Earls Road  
 Baltimore, MD 21220

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)  
 SEE ATTACHED

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.  
 Don E. Gruzs  
 Louise A. Gruzs

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:  
 I HEREBY CERTIFY, this 2nd day of May, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared  
 Don E. Gruzs and Louise A. Gruzs

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

AS WITNESS my hand and Notarial Seal.  
 May 2, 1995  
 Christine P. Sporn  
 My Commission Expires 12/1/98

95-419-A  
 The RC-3 zoning is a set back for us because of the way the house is laid out we can only enlarge the bedroom out the front. There is already an existing 8 ft wide porch on the front which we want to tear off & replace with an 8 ft wide addition to the bedroom and an 8 ft wide porch. This will not make the set back from the road any different than the existing structure already is.

EXAMPLE 3 - Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 628 Earls Rd.  
 Election District 15 Councilmanic District 5  
 Beginning at a point on the Northwest side of Earls Rd (north, south, east or west) which is 20' Paving (street on which property fronts) (number of feet of right-of-way width) wide at a distance of 570' SW of the centerline of the nearest improved intersecting street Ebenezer (name of street) which is 25' Paving wide. \*Being Lot # \_\_\_\_\_  
 Block \_\_\_\_\_ Section \_\_\_\_\_ in the subdivision of \_\_\_\_\_ (name of subdivision) as recorded in Baltimore County Plat \_\_\_\_\_  
 Book \_\_\_\_\_ Folio \_\_\_\_\_ containing 1.375 AC (square feet and acres) Thence NW 213.5 FT Then SW 87.5 FT Then SW 189.31 FT. Then SE 222.68 FT. Then NE 280.18 FT. BACK TO THE POINT OF BEGINNING.  
 \*If your property is not recorded by plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber \_\_\_\_\_ Folio \_\_\_\_\_ and include the measurements and directions (angles and bounds only) here and on the plat in the correct location."  
 Example of notes and bounds: N. 87° 12' 13" E. 321.4 ft., S. 18° 27' 33" E. 87.2 ft., S. 62° 19' 00" W. 318 ft., and N. 08° 15' 12" W. 80 ft. to the place of beginning.

CERTIFICATE OF POSTING  
 ZONING DEPARTMENT OF BALTIMORE COUNTY  
 Towson, Maryland

District: 15th Date of Posting: 7/22/95  
 Posted for: Variance  
 Location: Don E. Gruzs  
 Location of property: 628 Earls Rd, Md  
 Location of Sign: 628 Earls Rd, Md  
 Remarks:  
 Posted by: M. Stewart  
 Number of Signs: 1

receipt  
 Baltimore County  
 Zoning Administration & Development Management  
 215 West University Avenue  
 Towson, Maryland 21284

Date: 5/13/95  
 Account: R-001-8150  
 Number: 417  
 1 RV ADMIN FILING 010 \$50.00  
 1 SIGN POSTING 080 \$35.00  
 \$85.00  
 GRUZZ  
 628 EARLS RD.

Please Make Checks Payable To: Baltimore County 1125A015-18-95

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 417  
 Petitioner: Don & Louise Gruzs  
 Location: 628 Earls Road, Balt, MD 21220  
 PLEASE FORWARD ADVERTISING BILL TO:  
 NAME: Don & Louise Gruzs  
 ADDRESS: 628 Earls Road  
Baltimore, MD 21220  
 PHONE NUMBER: 335-7543

AJ:ggg (Revised 04/09/93)

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

May 26, 1995

OFFICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-419-A (Item 417)  
 628 Earls Road  
 NW/SE Earls Road, 570' SW of Ebenezer Road  
 15th Election District - 5th Councilmanic  
 Legal Owner(s): Don Edward Gruzs and Louise Ann Gruzs

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refrainer regarding the administrative process.

1) Your property will be posted on or before May 28, 1995. The closing date (June 12, 1995) 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. They 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 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 \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

*Carl Jablon*

Arnold Jablon  
Director

cc: Don and Louise Gruzs

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

June 8, 1995

Mr. and Mrs. Don Gruzs  
 628 Earls Road  
 Baltimore, Maryland 21220

RE: Item No.: 417  
 Case No.: 95-419-A  
 Petitioner: D. E. Gruzs, et ux

Dear Mr. and Mrs. Gruzs:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on May 18, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

*W. Carl Richards, Jr.*

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM DATE: June 2, 1995

FROM: Pat Keller, Director, OPZ

SUBJECT: 628 Earls Road

INFORMATION:

Item Number: 417  
 Petitioner: Gruzs Property  
 Property Size: \_\_\_\_\_  
 Zoning: RC-3  
 Requested Action: Variance  
 Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant requests a 62' street centerline setback in lieu of the required 75'.

While staff does not oppose the applicant's request, it is clear that the petitioner will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject Variance.

Prepared by: *Jeffery M. Long*

Division Chief: *Carol L. Keen*

PK/JL

ITEM417/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: June 5, 1995  
 Zoning Administration and Development Management  
 FROM: Robert W. Bowling, P.E., Chief  
 Developers Engineering Section  
 RE: Zoning Advisory Committee Meeting  
 for June 5, 1995  
 Items 413, 414, 415, 416, 417, 418 and 419

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

RWB:ew

To: *Joyce Watson*  
 BALTIMORE COUNTY, MARYLAND  
 DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
 INTER-OFFICE CORRESPONDENCE

TO: ZADM DATE: 6/8/95  
 FROM: DEPRM  
 Development Coordination  
 SUBJECT: Zoning Advisory Committee  
 Agenda: 5/20/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s: 413  
414  
415  
417  
418  
419

LS:sp

LETTY2/DEPRM/TXTSPB

700 East Joppa Road Suite 901  
Towson, MD 21286-5500 (410) 887-4500

DATE: 05/31/95

Arnold Jablon  
 Director  
 Zoning Administration and  
 Development Management  
 Baltimore County Office Building  
 Towson, MD 21204  
 MAIL STOP-1105

RE: Property Owner: SEE BELOW  
 LOCATION: DISTRIBUTION MEETING OF MAY 30, 1995.

Item No.: SEE BELOW Zoning Agenda:

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.

B. The Fire Marshal's Office has no comments at this time IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 413, 414, 417 AND 419.

RECEIVED  
JUN 1 1995  
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Ms. Joyce Watson  
 Zoning Administration and  
 Development Management  
 County Office Building  
 Room 109  
 111 W. Chesapeake Avenue  
 Towson, Maryland 21204

Re: Baltimore County  
 Item No.: 417 (JLL)

Dear Ms. Watson:

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 project.

Please contact Bob Small at 410-333-1350 if you have any questions.

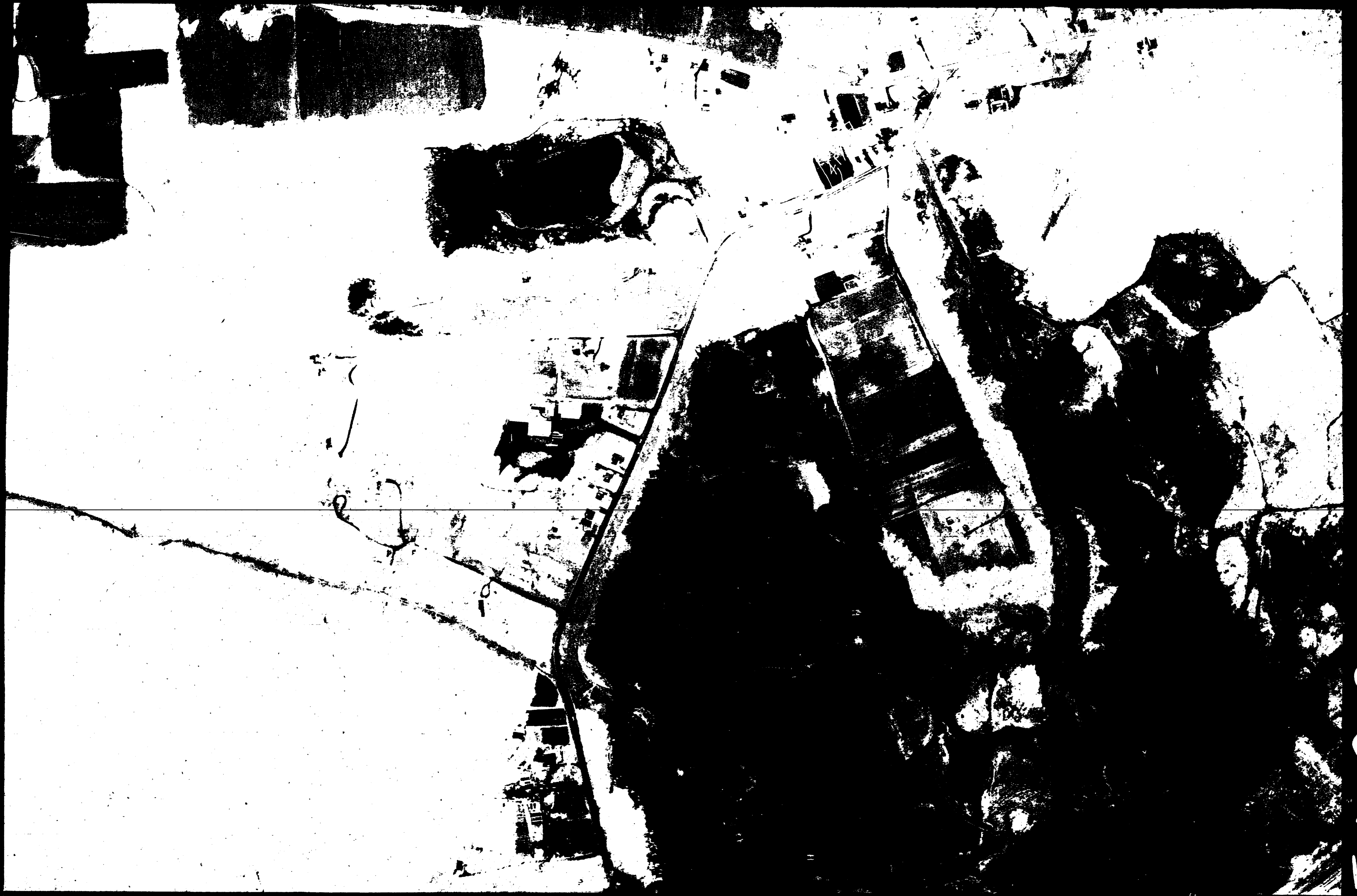
Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*  
 Ronald Burns, Chief  
 Engineering Access Permits  
 Division

BS/





A-614-56

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

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

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

LOCATION  
CHASE  
VICINITY

SHEET  
N.E.  
6-K