

IN RE: PETITION FOR ADMIN. VARIANCE  
E/S Old Landing Road, N of  
Gunpowder State Park  
(10908 Old Landing Road)  
11th Election District  
5th Councilmanic District

Raymond J. Guanti  
Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 95-441-A  
\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 10908 Old Landing Road, located in the vicinity of the Gunpowder State Park in Kingsville. The Petition was filed by the owner of the property, Raymond J. Guanti. The Petitioner seeks relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 44 feet in lieu of the required 50 feet for an existing dwelling and a proposed pan-handle driveway for a building lot which is to be created through a minor subdivision in Case No. 95-03-MP. The subject property and relief sought are more particularly described on the site plan submitted and accepted into evidence as 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

ORDER RECEIVED FOR FILING  
Date 7/10/95  
By [Signature]

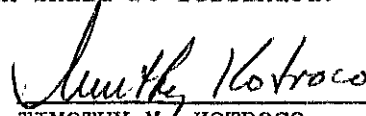
JUL 10 1995

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 10<sup>th</sup> day of July, 1995 that the Petition for Administrative Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 44 feet in lieu of the required 50 feet for an existing dwelling and a proposed panhandle driveway, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 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 relief granted herein shall be rescinded.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER PREPARED FOR FILING  
7/10/95  
bjs

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

July 10, 1995

Mr. Raymond J. Guanti  
10908 Old Landing Road  
Kingsville, Maryland 21087

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
E/S Old Landing Road, N of Gunpowder State Park  
(10908 Old Landing Road)  
11th Election District - 5th Councilmanic District  
Raymond J. Guanti - Petitioner  
Case No. 95-441-A

Dear Mr. Guanti:

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 the Permits and Development Management Office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. Ronald M. Kearney  
102 N. Main Street, Bel Air, Md. 21014

People's Counsel

File





# Petition for Administrative Variance

75-441-A

## to the Zoning Commissioner of Baltimore County

for the property located at 10908 Old Landing Road

which is presently zoned RC-5

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) 1A04.3.B.3. (Building Setbacks)

To permit a side yard setback of 44 feet in lieu of the required 50 feet for Lot 1 of the proposed minor subdivision #95-03-MP.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) The existing house is presently 64 feet from the westerly property line. When a panhandle is created to serve a lot for Mr. Guanti's son, the side yard setback is reduced to 44 feet. If a variance was not granted, a hardship would exist for Mr. Guanti by not being able to create a lot for his son.

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.

(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):

Raymond J. Guanti

\_\_\_\_\_  
(Type or Print Name)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
(Type or Print Name)

Signature

10908 Old Landing Rd. 592-2706

\_\_\_\_\_  
Address Phone No.

Kingsville, MD 21087

\_\_\_\_\_  
City State Zipcode  
Name, Address and phone number of representative to be contacted.

Ronald M. Kearney

\_\_\_\_\_  
Name

102 N. Main St., Bel Air, MD 838-1441

\_\_\_\_\_  
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: R.T. DATE: 6-5-95

ESTIMATED POSTING DATE: 6-18-95



Printed with Soybean Ink on Recycled Paper

ITEM #: 435

MICROFILMED

ORDER RECEIVED FOR FILING

Date 6/5/95  
By [Signature]

# 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 10908 Old Landing Road  
address  
Kingsville, MD 21087  
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)

I have lived in my house for about 27 years at 10908 Old Landing Rd. I own 4.29 acres by 2 deeds and I wish to create a lot at the rear of my property for my son that would have to be a panhandle configuration. The panhandle portion of the lot would have to be on the west side of my property and would have the least impact to the sideyard setback of my existing house. This setback would be 44 feet instead of the required 50 feet. I feel that it would be a hardship to me by not being able to give a lot to my son if the variance was not granted.

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.

Raymond J. Guanti  
(signature)  
Raymond J. Guanti  
(type or print name)



\_\_\_\_\_  
(signature)  
\_\_\_\_\_  
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30<sup>th</sup> day of May, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Raymond J. Guanti

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.

5/30/95  
date

L. Sue Jenkins  
NOTARY PUBLIC

My Commission Expires: 3/3/98

95-441-A

ZONING DESCRIPTION

10908 OLD LANDING ROAD

Beginning at a point on the north side of a right of way, 30 feet wide at a distance of 128 feet east of the centerline of the nearest improved street which is 30 feet wide as recorded in Deed Liber 4930, Folio 093 and described as follows: North 16 degrees 42 minutes 29 seconds West 442.07 feet, North 81 degrees 24 minutes 54 seconds West 96.95 feet, South 25 degrees 08 minutes 01 seconds West 315.88 feet, South 68 degrees 34 minutes 59 seconds East 366.29 feet and North 88 degrees 19 minutes 51 seconds East 25.00 feet to the place of beginning.

ITEM 435

RECORDED

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

95-441-A

District 11th Date of Posting 6/12/95

Posted for: Variance

Petitioner: Raymond J. Guenti

Location of property: 10908 Old Landing Rd.

Location of Signs: Posted at intersection of Old Landing Rd. & M.T. Histo Rd.

Remarks: Address added to sign

Posted by [Signature] Date of return: 6/23/95  
Signature

Number of Signs: 1





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

11/15  
 receipt

95-441-A

Account: R-001-6150

Number 435

RTI

Date 6/5/95

RAYMOND GIANTY  
 10908 OLD LANDING RD,  
 KINGSVILLE, MD 21087

OIO - VARIANCE	— \$ 50 <sup>00</sup>
O80 - SIGN	— \$ 35 <sup>00</sup>
	<hr/>
TOTAL	— \$ 85 <sup>00</sup>

PAID 6/13/95

03A0380122MICRRC  
 BA E009:29A00A-05-95

\$85.00

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/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.: 435

Petitioner: RAYMOND J. QUANTI

Location: 10908 OLD LANDING RD.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: RAYMOND J. QUANTI

ADDRESS: 10908 OLD LANDING RD.

KINGSVILLE, MD. 21087

PHONE NUMBER: 592-2706

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

June 15, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-441-A (Item 435)  
10908 Old Landing Road  
point of beginning 128' E/S Old Landing Road, 1800'+/- S of  
centerline Mt. Vista Road  
11th Election District - 5th Councilmanic

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 June 18, 1995. The closing date (July 3, 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 that reads "Arnold Jablon".

Arnold Jablon  
Director

cc: Raymond J. Guanti  
Ronald M. Kearney



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

July 5, 1995

Mr. Raymond J. Guanti  
10908 Old Landing Road  
Kingsville, Maryland 21087

RE: Item No.: 435  
Case No.: 95-441-A  
Petitioner: R. J. Guanti

Dear Mr. Guanti:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 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 (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 black ink that reads "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)





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 26, 1995  
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief  
Development Plans Review Division

RE: Zoning Advisory Committee Meeting  
for June 26, 1995  
Item No. 435 ✓

The Development Plans Review Division has reviewed the subject zoning item. Please see the Minor Subdivision File #95030-MP correspondence from Douglas Self, addressing restrictions placed on the 30-foot right-of-way (OTG 33-116) established in November 1991, and agreed to by the owners of 10908, 10910, 10917 and 10919 Old Landing Road.

RWB:sw

RECEIVED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM

DATE: June 15, 1995

FROM: Pat Keller, Director, OPZ

SUBJECT: 10908 Old Landing Road

INFORMATION:

Item Number: 435

Petitioner: Raymond J. Guanti

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

Zoning: RC-5

Requested Action: Administrative Variance

Hearing Date:  / /

SUMMARY OF RECOMMENDATIONS:

Based upon review of the stated hardship, staff recommends that the applicant's request be granted in order to allow the applicant the opportunity to provide a lot for his son.

Prepared by: Jeffrey W. Long

Division Chief: Cam L. Kerns

PK/JL



Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

6-13-95

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.: 435 (RT)

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*

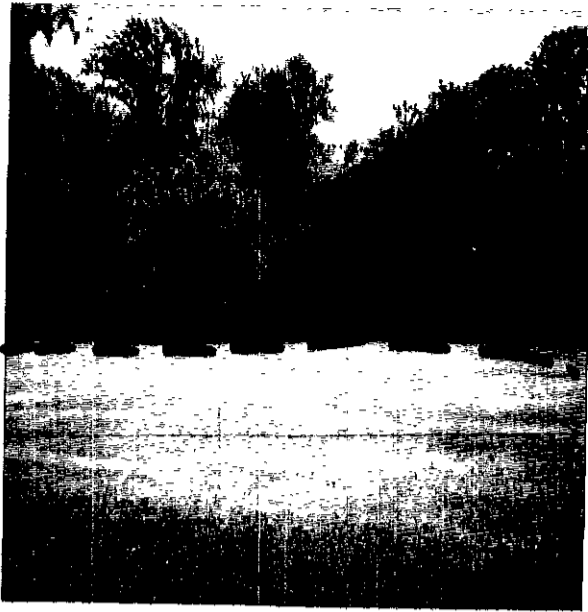
*for*

Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/







ITEM #435

←  
③



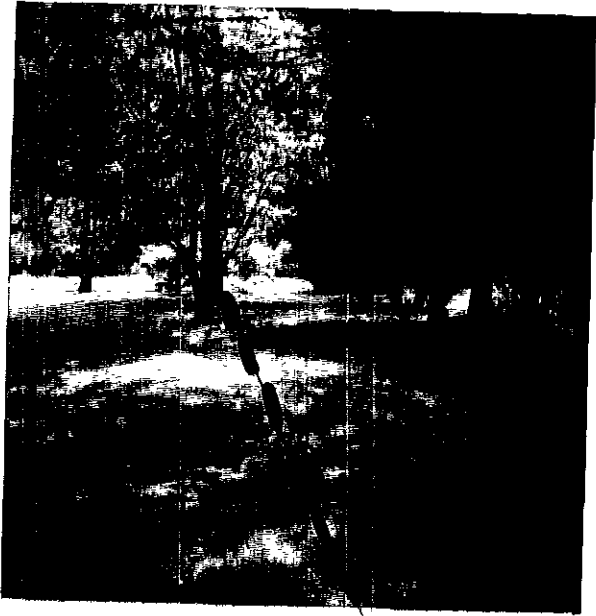
ITEM #435

↑  
②



FRONT

↑  
ITEM 435  
HOUSE



ITEM 435

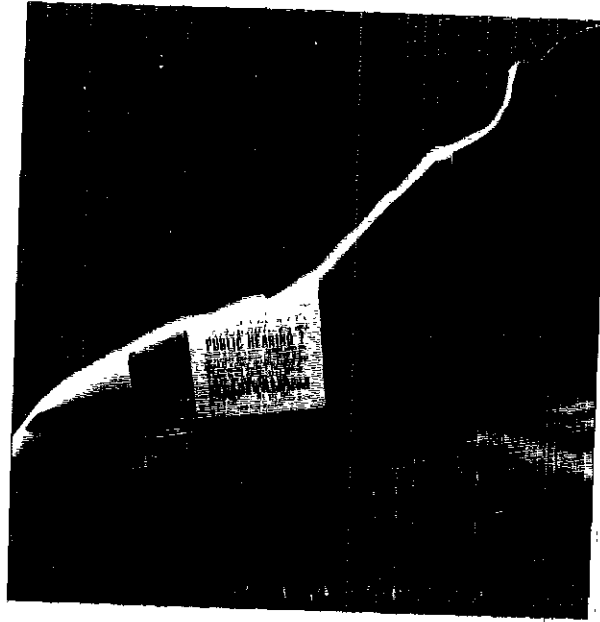
FROM LANDINGS RD

↑  
①



Building  
Lot in TREES (4)  
ITEM # 435

95-441-A



6/14/73



For program and ticket information, call (410) 783-8000.

Sun., June 25, 7:00 p.m. Gershwin, By George

Mon., July 3, 8:00 p.m. All-American Salute (rain date July 5)

Tues., July 4, 8:00 p.m. All-American Salute (rain date July 5)

Sun., July 16, 7:00 p.m. Bravo Beethoven

Fri., July 21, 8:00 p.m. Romantic Works and FIREWORKS (rain date July 23)

Fri., August 4, 8:00 p.m. Bring on the Brass FIREWORKS

Sat., August 5, 8:00 p.m. Family, Fun and FIREWORKS (rain date Aug. 6)

Picnicking is welcome at the park. Food and beverages available from concessionaire.

Unless otherwise noted, concerts will be canceled in the event of rain.

Grills and pets are NOT PERMITTED on park grounds during the concerts.

Reasonably Barrier Free



For information, call the Oregon Ridge Park Office at (410) 887-1818 or the Baltimore County Commission on Arts and Sciences Office at (410) 887-5372.

All concerts begin at 7:00 p.m.

Thurs., June 29 (rain date June 30) Baltimore County High Schools Band (concert band) FREE

Fri., July 7 Bob Barrett Big Band (big band sound) FREE (big band sound) Maryland Wineries Assoc. Fine Wine Time '95 - preview fine wines during concert (pay for tastings)

Wine Festival: July 8 from 12:00-8:00 p.m. and July 9 from 12:00-7:00 p.m.

Fri., July 14 The Thrill on the Hill -

**The Fabulous Hubcaps**  
 Tickets for the Hubcaps are \$10.00, call Janie at (410) 356-7118.

Sponsored by Baltimore County Commission on Arts and Sciences

Baltimore County Department of Recreation and Parks

Maryland State Arts Council American Federation of Musicians Local 40-543

The Baltimore Actors' Theatre will present "Jesus Christ Superstar" at the Oregon Ridge Park Pavilion on August 19 & 20 at 8:00 p.m. (rain date is August 23)

For reservations & information, call (410) 771-8427.

DIRECTIONS: Take I-83 north to exit 20B, then follow signs. Just 10 minutes north of I-695 (beltway).

Plat to accompany Petition for Zoning  Variance  Special Hearing

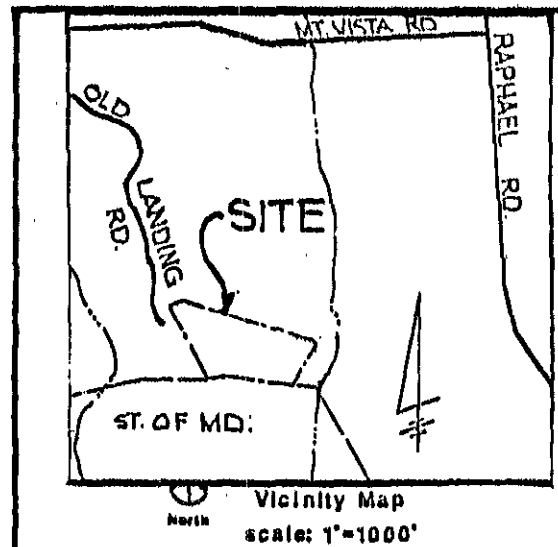
PROPERTY ADDRESS: 10908 OLD LANDING RD

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

Subdivision name: RAYMOND J. GIANTI  
 plat book# 33, folio# 116, lot# 1, section#         

95-441-A

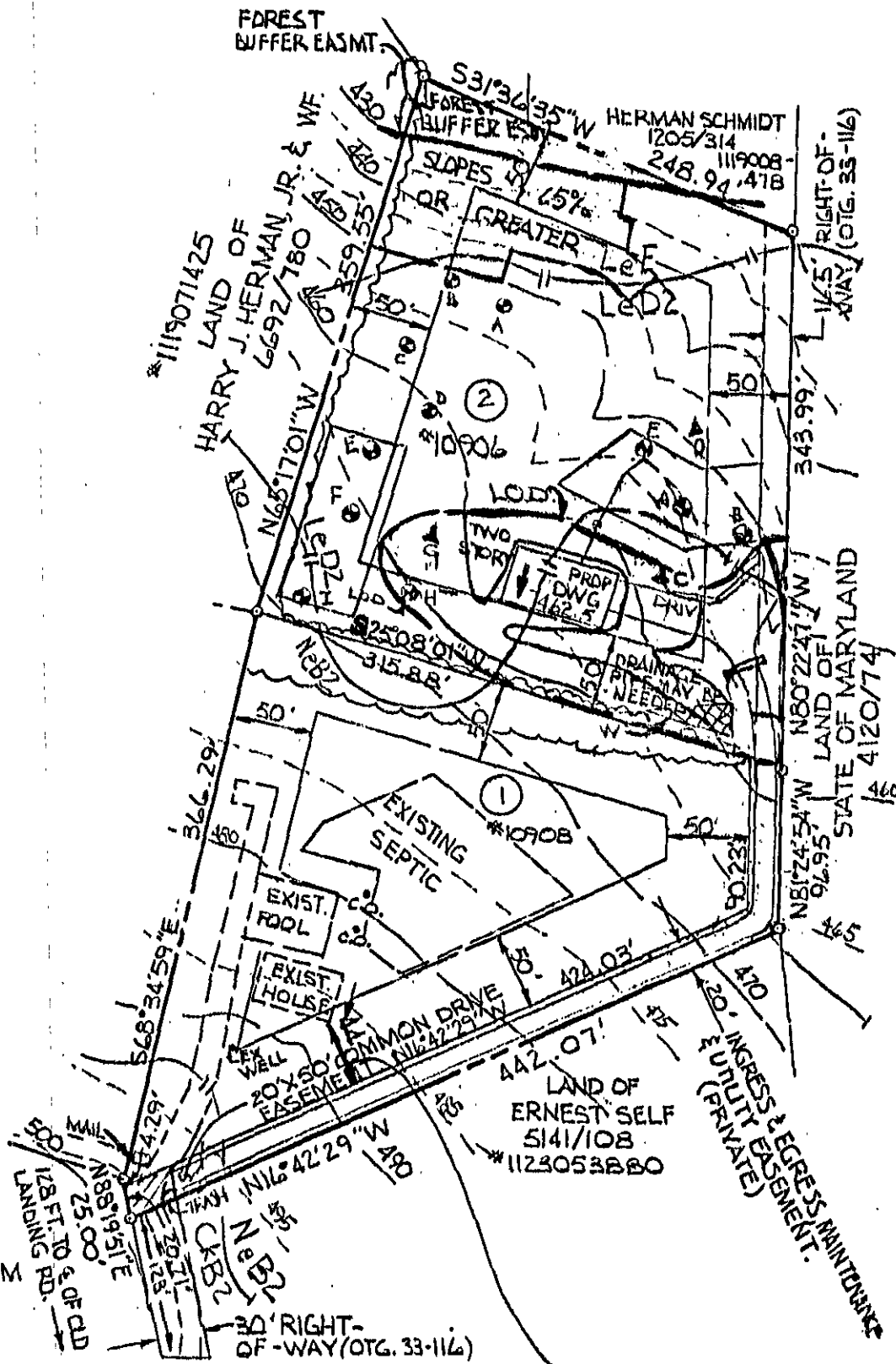
OWNER: RAYMOND J. GIANTI



LOCATION INFORMATION

Councilmanic District: 5  
 Election District: 11  
 1"=200' scale map#: NE 12J  
 Zoning: RC-5  
 Lot size: 1.75 acreage      76230 square feet

	Public	Private
SEWER:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
WATER:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Chesapeake Bay Critical Area:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Prior Zoning Hearings:	<input type="checkbox"/>	<input type="checkbox"/>



6 FT. VARIANCE FOR EXISTING HOUSE DUE TO PANHANDLE WIDTH.

PET. EX. 1

LAND OF RAYMOND FULLER  
 6142/621  
 #18000129A4



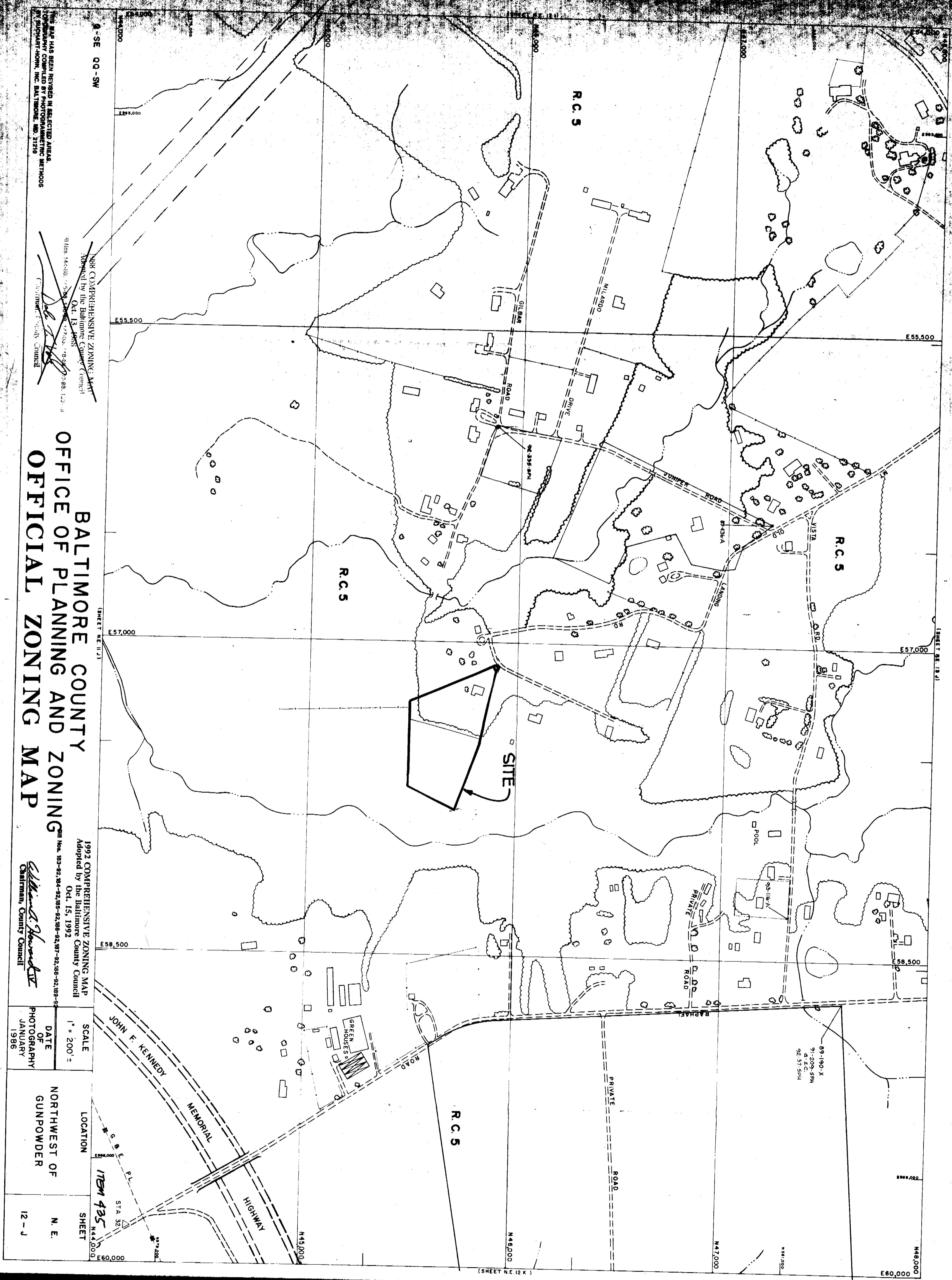
North  
 date: 25 MAY '95

prepared by: RS/KLS.

Scale of Drawing: 1"= 100'

ITEM # 435

Zoning Office USE ONLY!		
reviewed by:	ITEM #:	CASE#:



**BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
OFFICIAL ZONING MAP**

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

1992 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
Oct. 15, 1992

*William J. Howard*  
Chairman, County Council

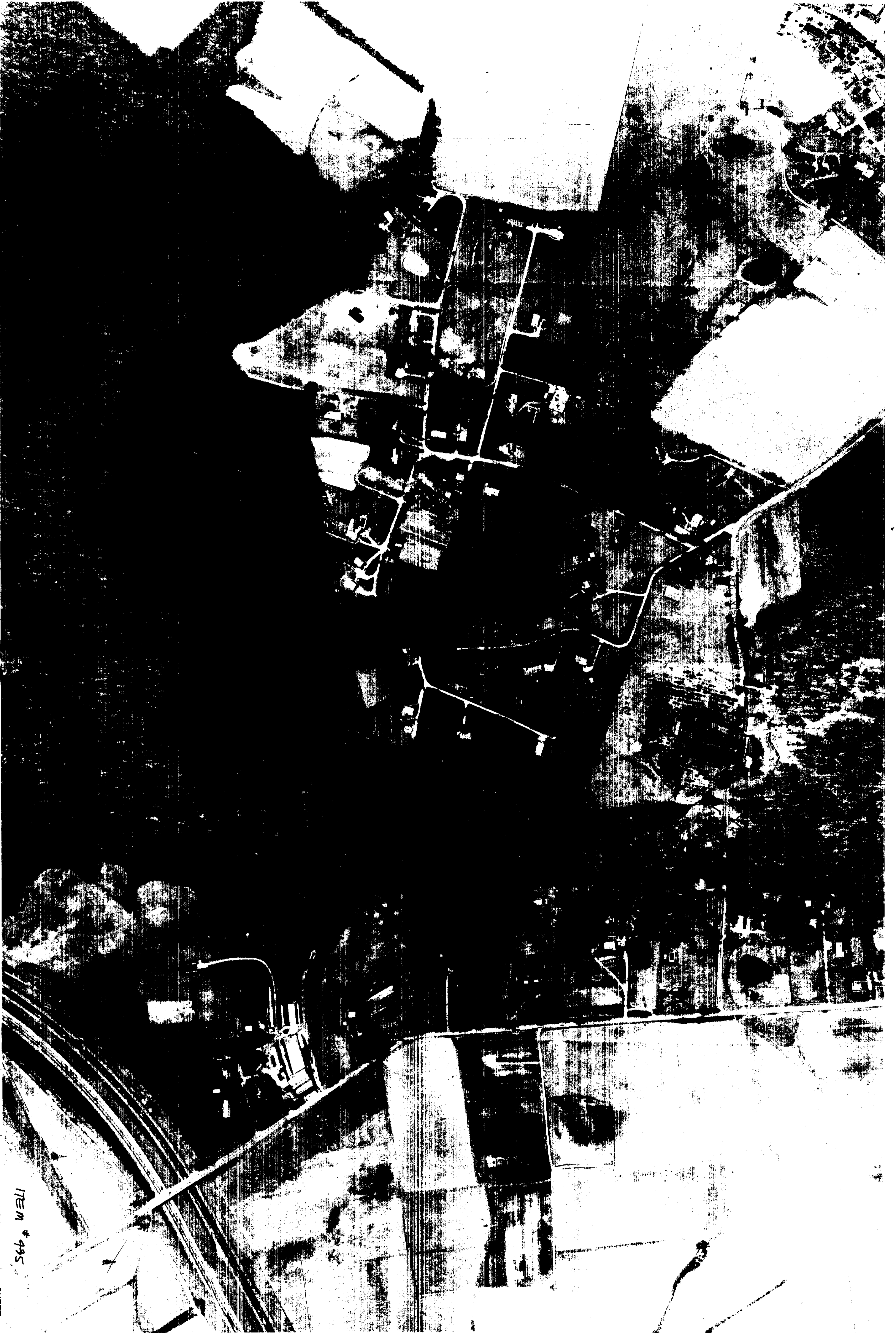
SCALE	1" = 200'
DATE OF PHOTOGRAPHY	JANUARY 1986
LOCATION	NORTHWEST OF GUNPOWDER
SHEET	N. E. 12 - J

JOHN F. KENNEDY MEMORIAL HIGHWAY  
STA. 32  
ITEM 435  
N 44,000

89-190-X  
91-209-5PH  
D.Z.C.  
92-37-5PH

95-441-A

THIS MAP HAS BEEN REVISED IN SELECTED AREAS. FOR A SUMMARY COMPILATION BY PHOTOGRAMMETRIC METHODS CONTACT: BALTIMORE COUNTY, BALTIMORE, MD. 21210



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

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE	1" = 200' ±	LOCATION	Item # 435 UNIDENTIFIED	SHEET	N.E. 12-J
DATE OF PHOTOGRAPHY	JANUARY 1986	NORTHWEST OF GUNPOWDER			

95-441-A

IN RE: PETITION FOR ADMIN. VARIANCE \* BEFORE THE  
 E/S Old Landing Road, N of \* DEPUTY ZONING COMMISSIONER  
 Gunpowder State Park \* OF BALTIMORE COUNTY  
 (10908 Old Landing Road) \* Case No. 95-441-A  
 11th Election District  
 5th Councilmanic District  
 Raymond J. Guanti  
 Petitioner

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 10908 Old Landing Road, located in the vicinity of the Gunpowder State Park in Kingsville. The Petitioner was filed by the owner of the property, Raymond J. Guanti. The Petitioner seeks relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 44 feet in lieu of the required 50 feet for an existing dwelling and a proposed panhandle driveway for a building lot which is to be created through a minor subdivision in Case No. 95-03-MP. The subject property and relief sought are more particularly described on the site plan submitted and accepted into evidence as 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 10th day of July, 1995 that the Petition for Administrative Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 44 feet in lieu of the required 50 feet for an existing dwelling and a proposed panhandle driveway, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 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 relief granted herein shall be rescinded.

*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 112 Courthouse  
 400 Washington Avenue  
 Towson, MD 21284  
 July 10, 1995 (410) 887-4386

Mr. Raymond J. Guanti  
 10908 Old Landing Road  
 Kingsville, Maryland 21087

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
 E/S Old Landing Road, N of Gunpowder State Park  
 (10908 Old Landing Road)  
 11th Election District - 5th Councilmanic District  
 Raymond J. Guanti - Petitioner  
 Case No. 95-441-A

Dear Mr. Guanti:

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 the Permits and Development Management Office at 887-3391.

Very truly yours,

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

TMK:bjs

cc: Mr. Ronald M. Kearney  
 102 N. Main Street, Bel Air, Md. 21014

People's Counsel

File

**Petition for Administrative Variance**  
 to the Zoning Commissioner of Baltimore County  
 for the property located at 10908 Old Landing Road  
 which is presently zoned RC-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(s) 1A04.3.B.3. (Building Setbacks) to permit a side yard setback of 44 feet in lieu of the required 50 feet for Lot 1 of the proposed minor subdivision #95-03-MP.

The existing house is presently 64 feet from the westerly property line. When a panhandle is created to serve a lot for Mr. Guanti's son, the side yard setback is reduced to 44 feet. If a variance was not granted, a hardship would exist for Mr. Guanti by not being able to create a lot for his son.

Property is to be posted and advertised as prescribed by Zoning Regulations. I do not 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.

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

Contract Purchaser/Leasee: Raymond J. Guanti  
 Type or Print Name: Raymond J. Guanti  
 Signature: *Raymond J. Guanti*  
 Address: 10908 Old Landing Rd., 592-2706  
 City: Kingsville, MD 21087  
 State: MD Zip Code: 21087  
 Name, Address and phone number of representative to be contacted: Ronald M. Kearney  
 Name: Ronald M. Kearney  
 Address: 102 N. Main St., Bel Air, MD 838-1441  
 City: Bel Air, MD State: MD Zip Code: 21034

ORDER RECEIVED FOR FILING  
 Date: 7/10/95  
 By: [Signature]

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 10th day of July, 1995, 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 petition be resubmitted.

RECEIVED BY: R.J. DATE: 6-5-95  
 FORWARD POSTING DATE: 6-18-95  
 Printed with Soybean Ink on Recycled Paper  
 ITEM #: 435

**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 thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/does not presently reside at 10908 Old Landing Road  
 Kingsville, MD 21087

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: (include facts or practical difficulty)

I have lived in my house for about 27 years at 10908 Old Landing Rd. I own 4.29 acres by 2 deeds and I wish to create a lot at the rear of my property for my son that would have to be a panhandle configuration. The panhandle portion of the lot would have to be on the west side of my property and would have the least impact to the sideyard setback of my existing house. This setback would be 44 feet instead of the required 50 feet. I feel that it would be a hardship to me by not being able to give a lot to my son if the variance was not granted.

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

*Raymond J. Guanti*  
 Raymond J. Guanti  
 STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:  
 I HEREBY CERTIFY, this 30th day of May, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared *Raymond J. Guanti*

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.  
 5/30/95  
*L. Sue Jenkins*  
 My Commission Expires: 3/3/98

**ZONING DESCRIPTION**  
 10908 OLD LANDING ROAD

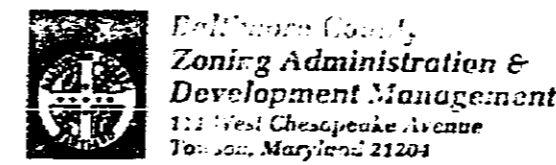
Beginning at a point on the north side of a right of way, feet wide at a distance of 128 feet east of the centerline of the nearest improved street which is 30 feet wide as recorded in Deed Liber 4930, Folio 093 and described as follows: North 16 degrees 42 minutes 29 seconds West 442.07 feet, North 81 degrees 24 minutes 54 seconds West 96.95 feet, South 25 degrees 08 minutes 01 seconds West 315.88 feet, South 68 degrees 34 minutes 29 seconds East 366.29 feet and North 88 degrees 19 minutes 51 seconds East 25.00 feet to the place of beginning.

95-441-A

ITEM 435

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

District: 11th  
 Date of Posting: 6/17/95  
 Posted for: Variance  
 Petitioner: Raymond J. Guanti  
 Location of property: 10908 Old Landing Rd.  
 Location of Sign: Post'd at intersection of Old Landing Rd. & M.C. Hill Rd.  
 Remarks: Address added to sign  
 Posted by: [Signature]  
 Date of return: 6/23/95  
 Number of Signs: 1



Date: 6/5/95  
 RAYMOND GUANTI  
 10908 OLD LANDING RD.  
 KINGSVILLE, MD 21087

C/O - VARIANCE - \$ 50.00  
 O/S - SIGN - \$ 35.00  
 TOTAL - \$ 85.00

034034012210:ARC  
 84 C009\*274N06-05-95 85.00  
 Please Make Checks Payable To: Baltimore County

Cashier Validation

receipt

Account: R-071-6150  
 Number: 435

121,

Baltimore County Government  
 Office of Zoning Administration  
 and Development Management



111 West Chesapeake Avenue  
 Towson, MD 21284

(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 accessed 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.

*Carl Jablon*  
 ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 435  
 Petitioner: RAYMOND J. GUANTI  
 Location: 10908 OLD LANDING RD.  
 PLEASE FORWARD ADVERTISING BILL TO:  
 NAME: RAYMOND J. GUANTI  
 ADDRESS: 10908 OLD LANDING RD.  
 KINGSVILLE, MD, 21087  
 PHONE NUMBER: 592-2706

AJ:ggg

(Revised 04/09/93)



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

June 15, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

RE: CASE NUMBER: 95-441-A (Item 435)  
10908 Old Landing Road  
point of beginning 128' 1/2 S Old Landing Road, 1800' +/- S of  
centerline Mt. Vista Road  
11th Election District - 5th Councilmanic

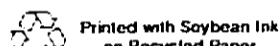
Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative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

- Your property will be posted on or before June 18, 1995. The closing date (July 3, 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 Commissioners. 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.
- In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioners), the property will be reposted 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).
- 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.

*Arnold Jablon*  
Arnold Jablon  
Director

cc: Raymond J. Guanti  
Ronald M. Kearney



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

July 5, 1995

Mr. Raymond J. Guanti  
10908 Old Landing Road  
Kingsville, Maryland 21087

RE: Item No.: 435  
Case No.: 95-441-A  
Petitioner: R. J. Guanti

Dear Mr. Guanti:

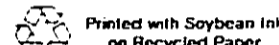
The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 18, 1995.

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 (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,  
*W. Carl Richards Jr.*  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)



BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director  
Zoning Administration and  
Development Management June 29, 1995

FROM: J. Lawrence Pilsbury  
Development Coordinator, DEPRM

SUBJECT: Zoning Item #435 - Guanti Property  
10906 Old Landing Road  
Zoning Advisory Committee Meeting of June 19, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Environmental Impact Review

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

In order for this Department to make an accurate evaluation of this subdivision, additional information has been requested. Topography, streams and wetlands must be shown, 200 feet onto adjacent properties. The Forest Buffer Easement cannot be evaluated until what is adjacent to this property is seen. The subdivision is not approved and approval of the Zoning Variance cannot be recommended until such time as the additional information is provided. The site design and house locations may change once the correct buffer is applied. In addition, the Forest Conservation regulations apply to this property.

Development Coordination

This site has been reviewed for minor subdivision. At this time, an incomplete review remains, due to the fact that the passed and failed soil percolation tests have not been field located and properly labeled on the plan. A revised plan for review has not been received. As of now, locations of septic reserve areas or wells which may eventually effect the location of the proposed dwelling cannot be approved.

JLP:DL:LS:sp

GUANTI/DEPRM/TXTS/SP

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: June 26, 1995  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief  
Development Plans Review Division

RE: Zoning Advisory Committee Meeting  
for June 26, 1995  
Item No. 435

The Development Plans Review Division has reviewed the subject zoning item. Please see the Minor Subdivision File #80000-HP correspondence from Douglas Self, addressing restrictions placed on the 30-foot right-of-way (OTC 33-116) established in November 1991, and agreed to by the owners of 10908, 10910, 10917 and 10919 Old Landing Road.

RWB:aw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM DATE: June 15, 1995

FROM: Pat Keller, Director, OPZ

SUBJECT: 10908 Old Landing Road

INFORMATION:

Item Number: 435

Petitioner: Raymond J. Guanti

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

Zoning: RC-5

Requested Action: Administrative Variance

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

SUMMARY OF RECOMMENDATIONS:

Based upon review of the stated hardship, staff recommends that the applicant's request be granted in order to allow the applicant the opportunity to provide a lot for his son.

Prepared by: *Jeffrey W. Long*

Division Chief: *Carol L. Keenan*

PK/JL

ITEM 435/PZONE/ZAC1

Maryland Department of Transportation  
State Highway Administration

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. 435 (ET)

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.

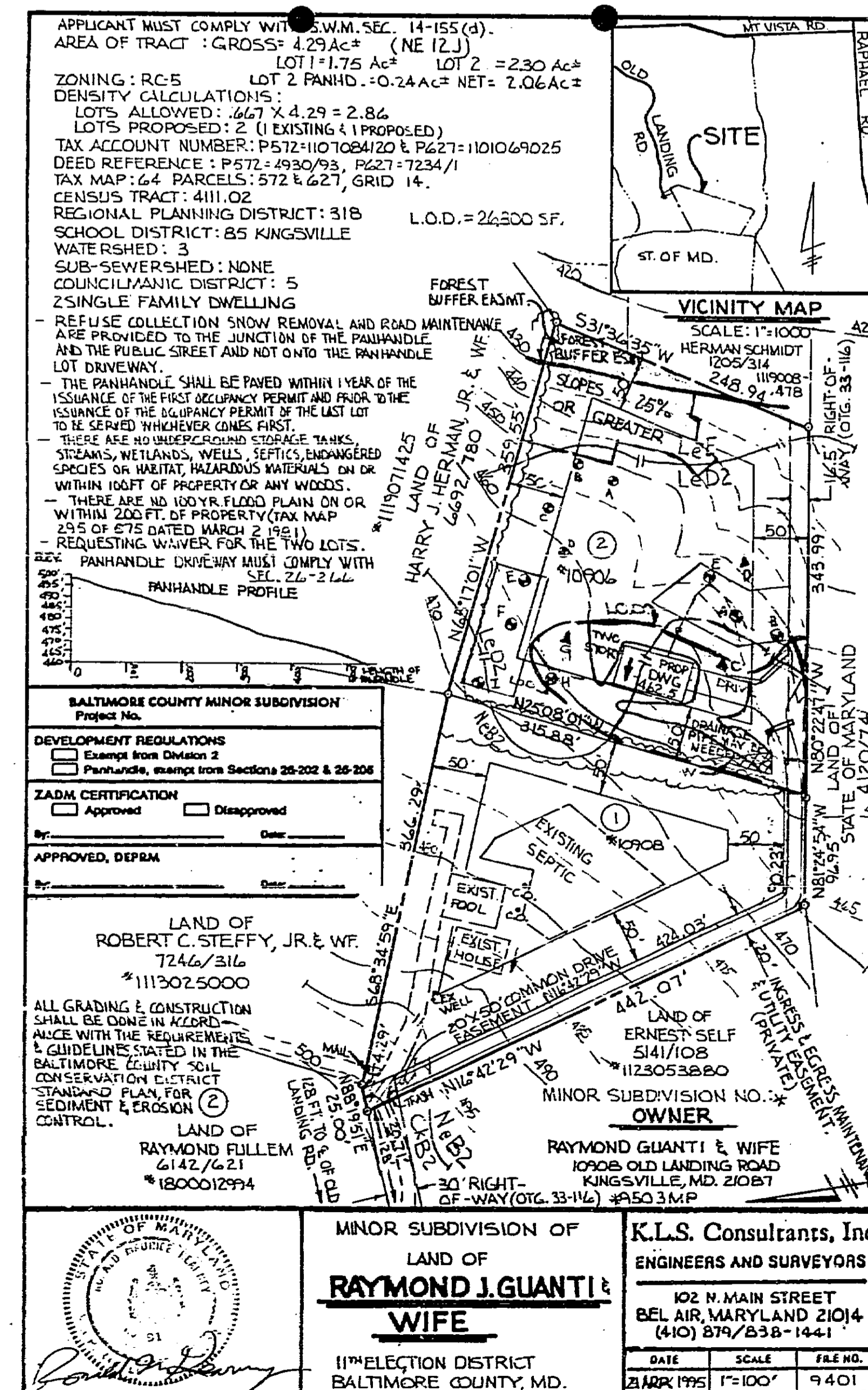
Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

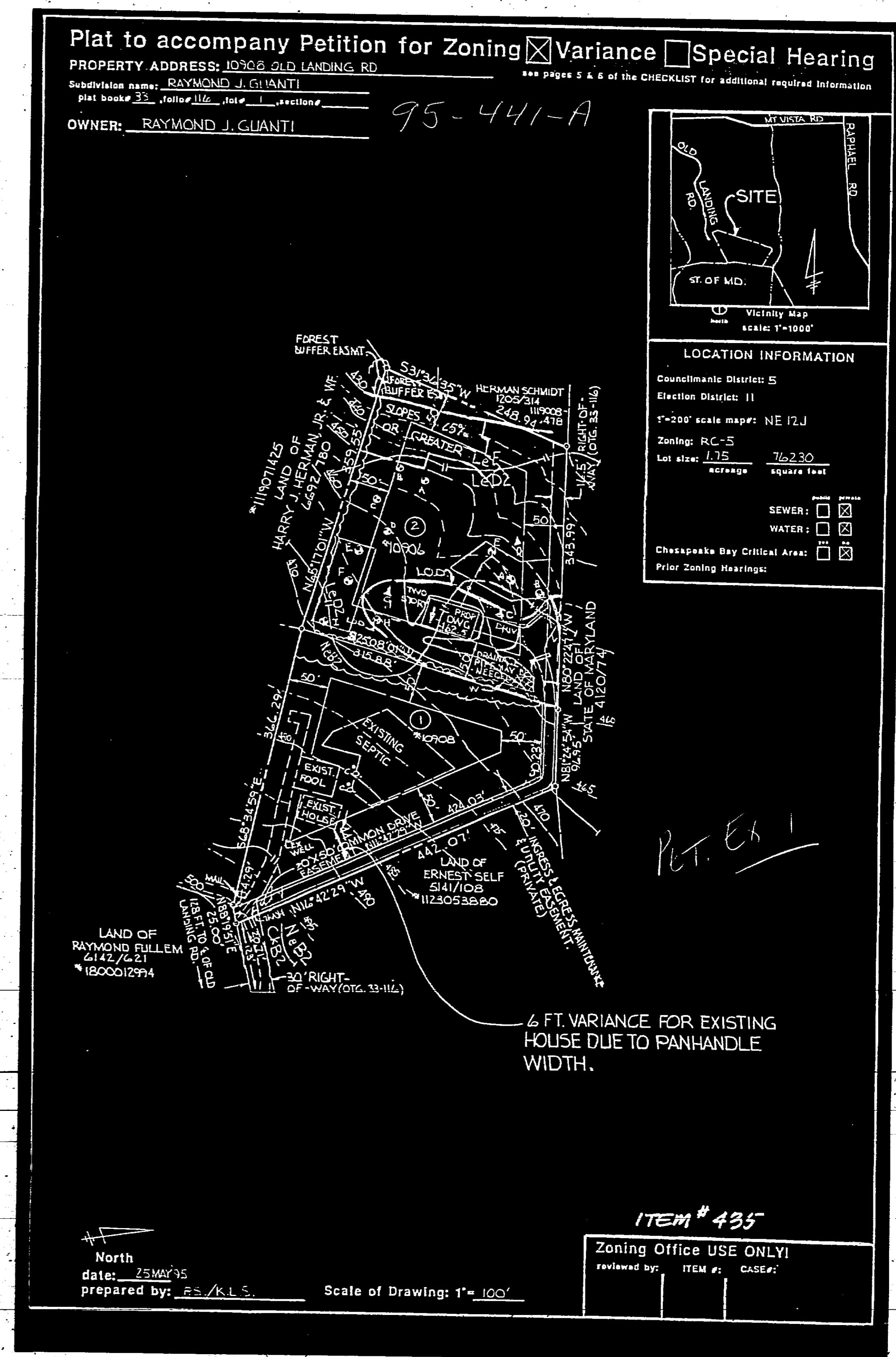
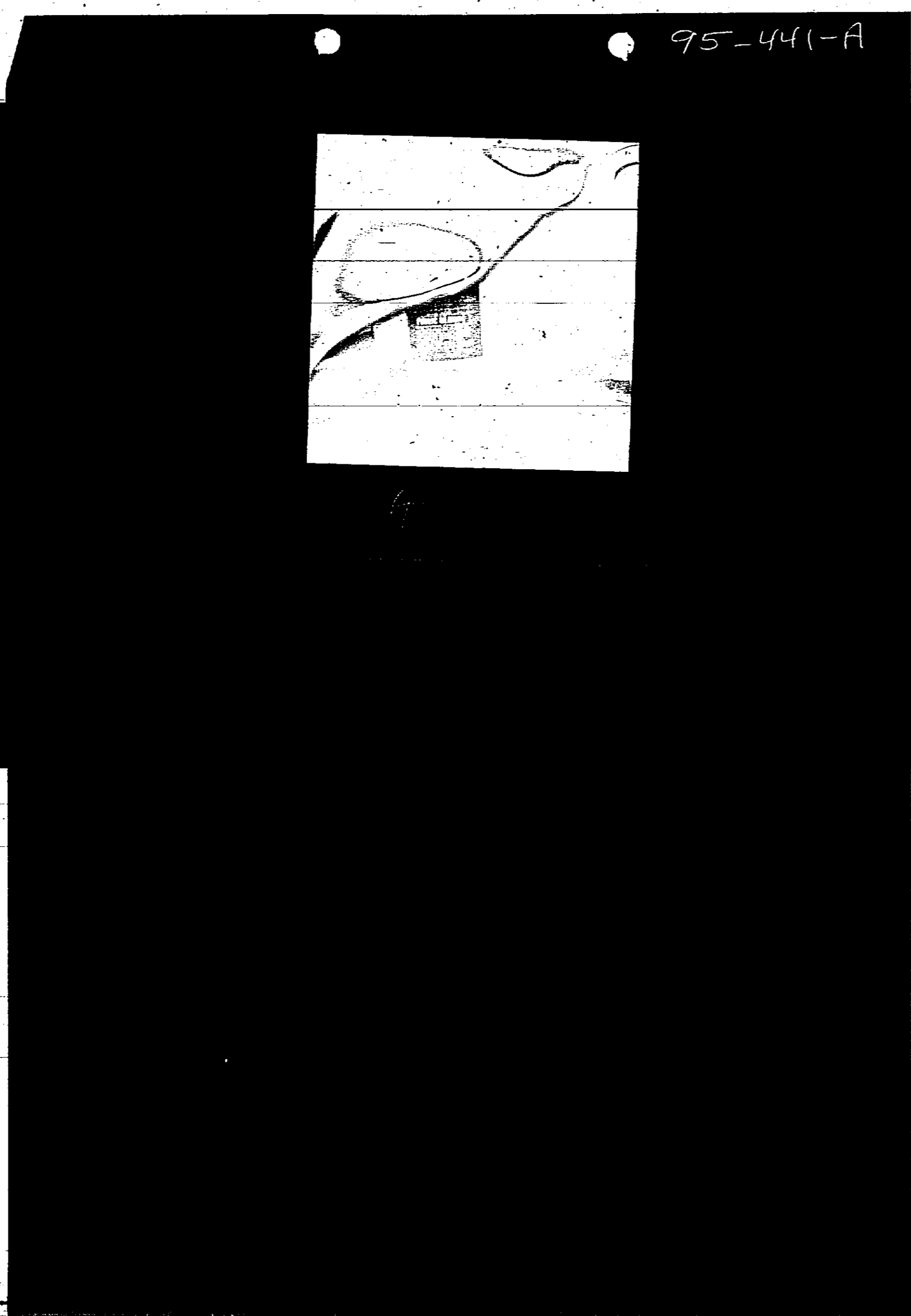
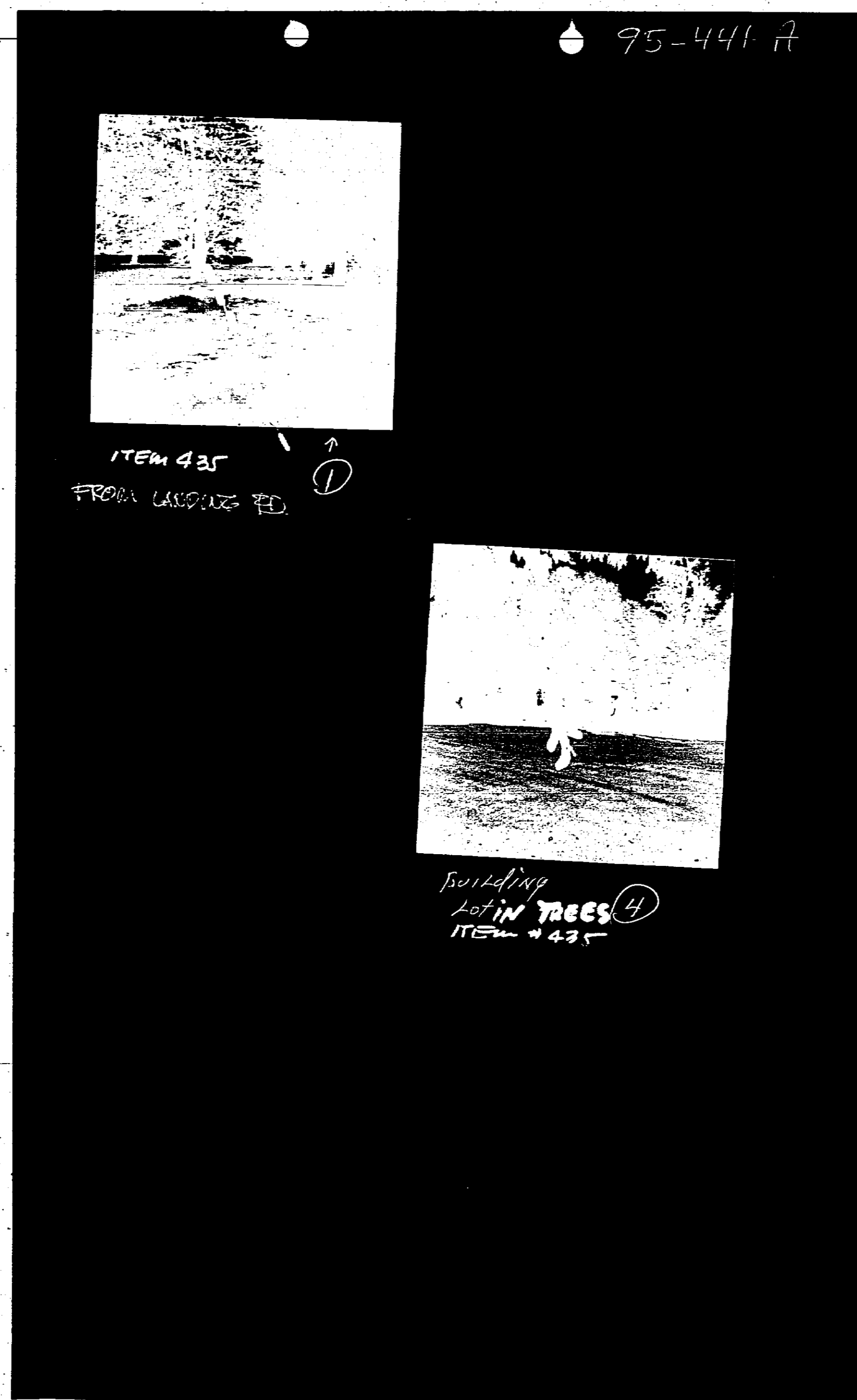
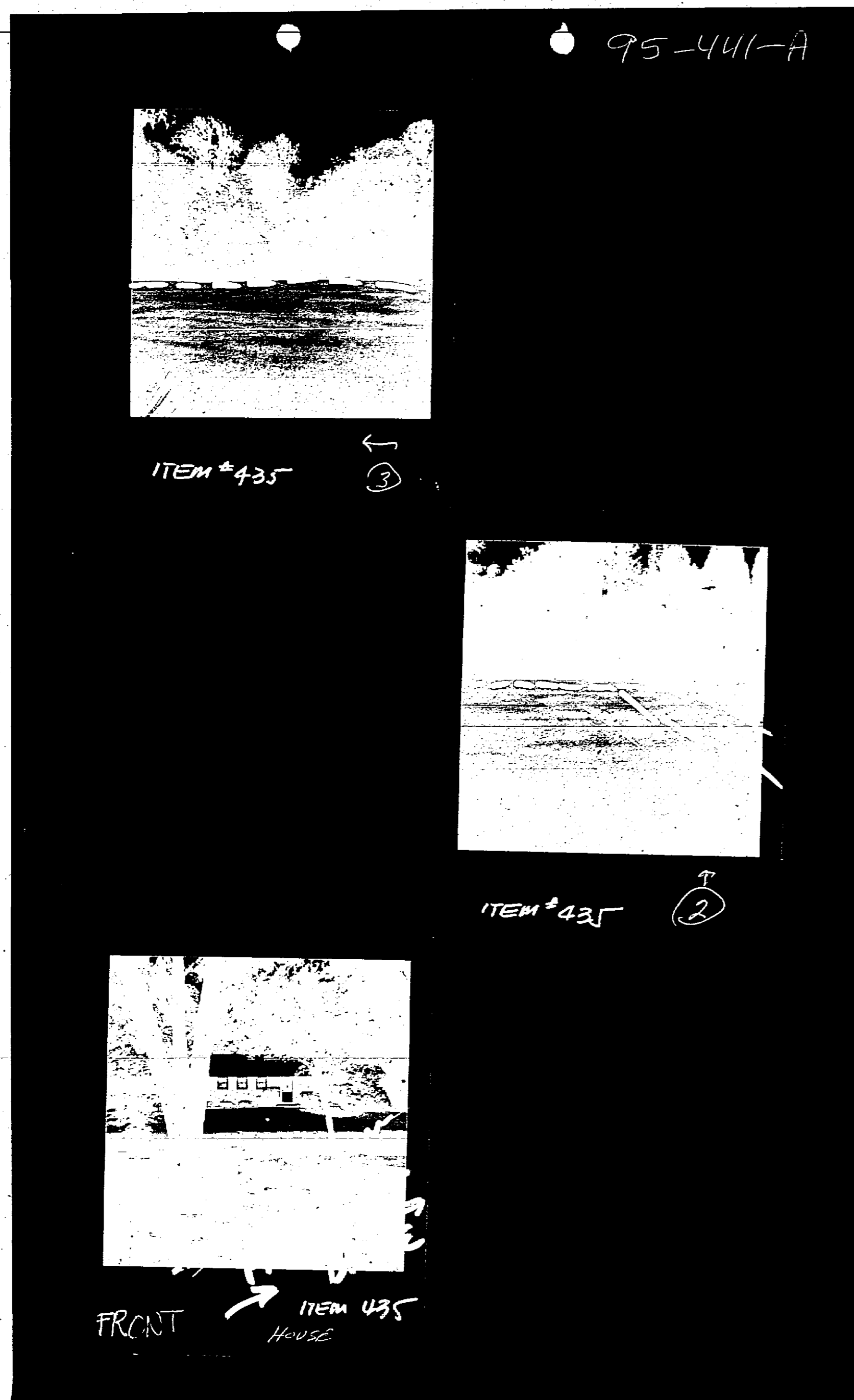
*Bob Small*  
Ronald Burns, Chief  
Engineering Access Permits  
Division

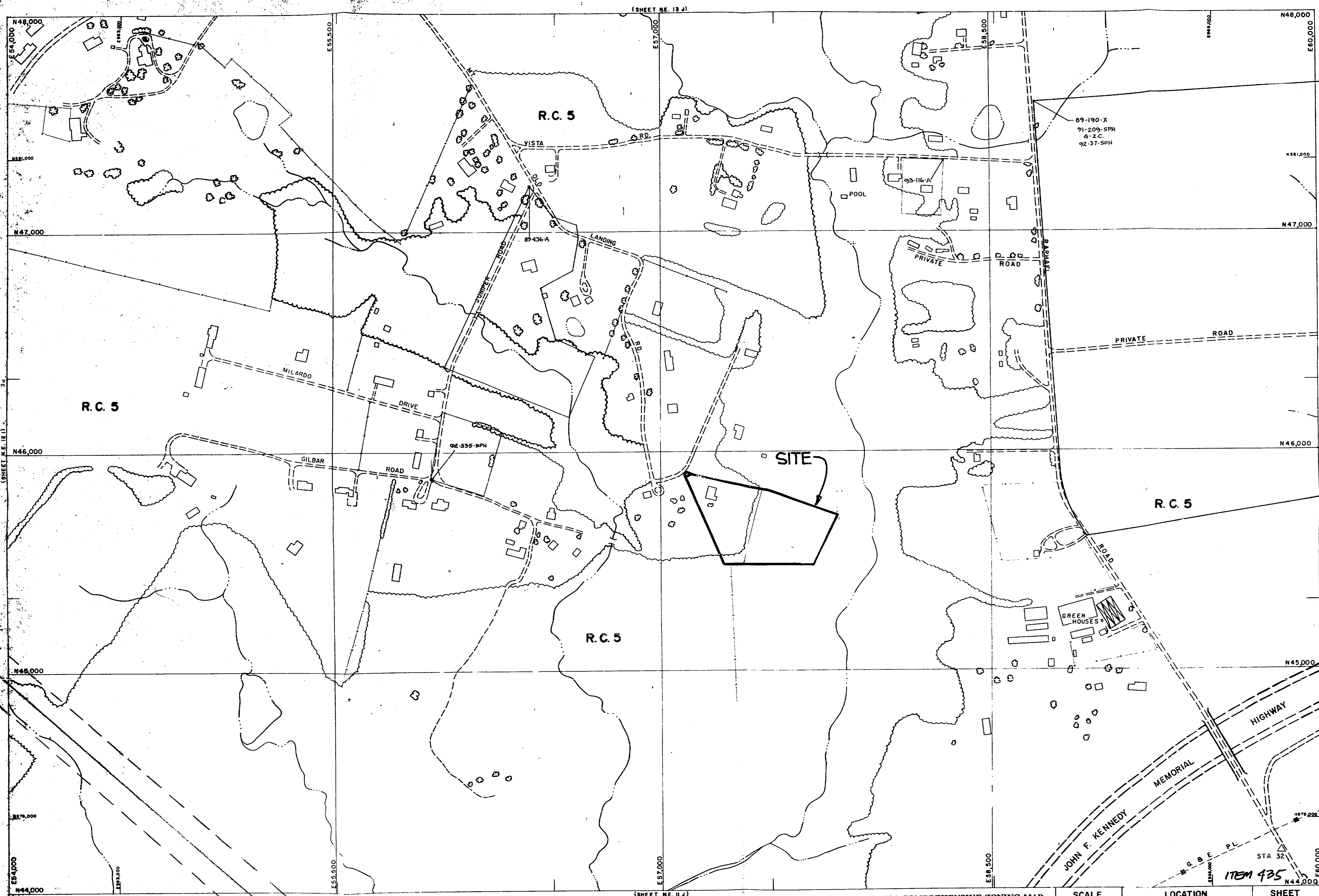
BS/



95-441-A

ITEM 435





89-190-X  
91-209-SPH  
6-Z.C.  
92-37-SPH

GREEN HOUSES

ITEM 435

Q-SE QQ-SW

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

**BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
OFFICIAL ZONING MAP**

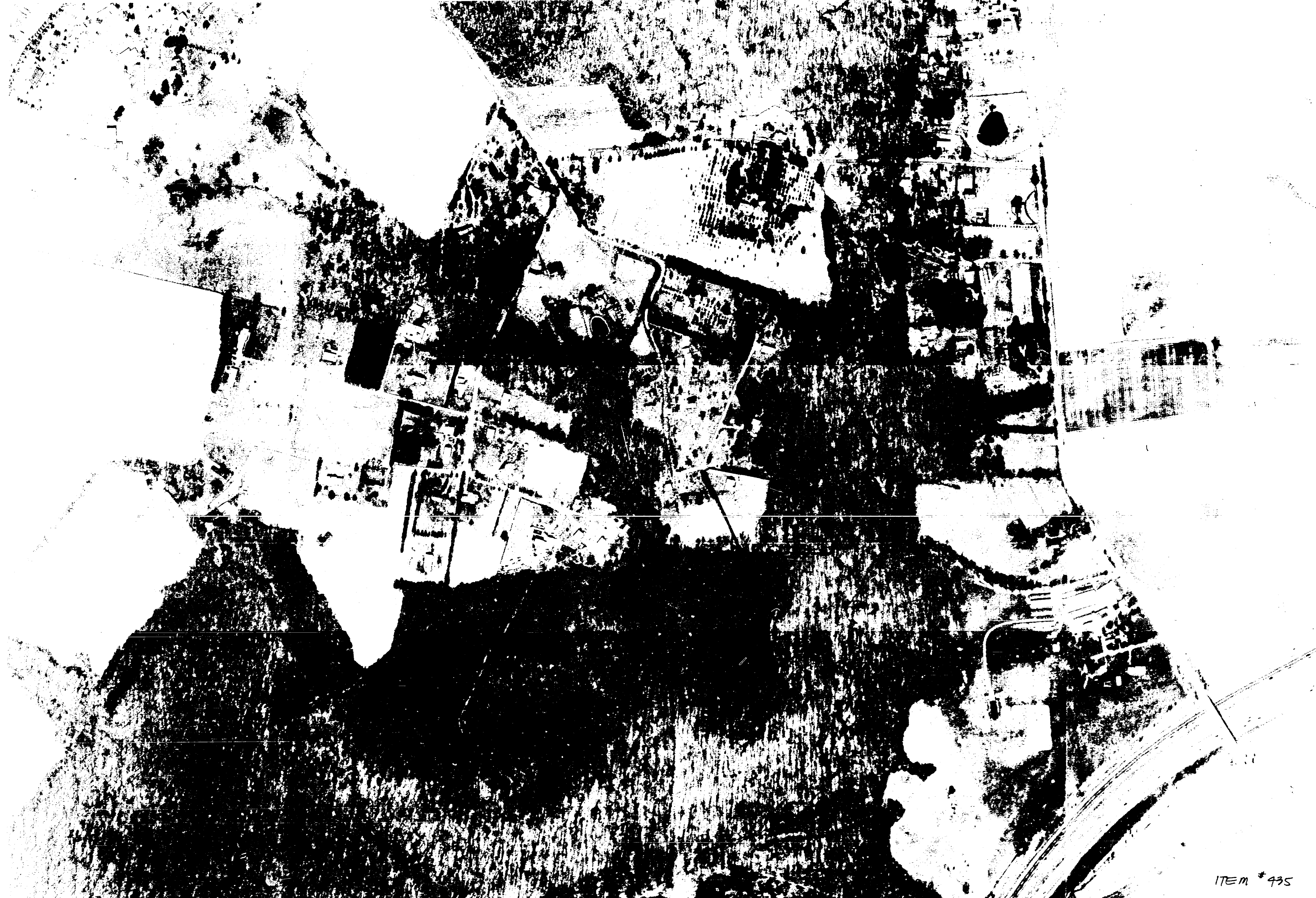
1992 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
Oct. 15, 1992

*William A. Howard*  
Chairman, County Council

SCALE	LOCATION	SHEET
1" = 200' ±	NORTHWEST OF GUNPOWDER	N. E.
DATE OF PHOTOGRAPHY		12 - J
JANUARY 1986		

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

95-441-A



BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

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

SCALE  
1" = 200' ±

DATE  
OF  
PHOTOGRAPHY  
JANUARY  
1986

ITEM # 435

LOCATION

NORTHWEST OF  
GUNPOWDER

SHEET

N.E.  
12-J

95-441-A