

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
SW/S Sunnybrook Road, 490' NW of *
the c/l of Merrymans Mill Road * DEPUTY ZONING COMMISSIONER
(13906 Sunnybrook Road) *
10th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District *
Case No. 96-379-A
Robert S. Glushakow, et ux *
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 13906 Sunnybrook Road, located in the vicinity of Merrymans Mill Road and Jarrettsville Pike in Phoenix. The Petition was filed by the owners of the property, Robert S. and Laura F. Glushakow. The Petitioners seek relief from Section 1B02.3.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Sections 202.2 and 202.3 of the 1955 Regulations) to permit a front setback of 40 feet in lieu of the required 50 feet, and a setback of 70 feet from the street centerline in lieu of the required 75 feet for a proposed addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked 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 gener-

CFC
Date 5/1/96
By [Signature]
LING

MICROFILMED

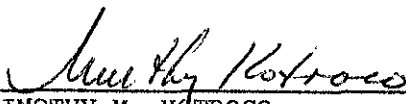
al welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. 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 15th day of May, 1996 that the Petition for Administrative Variance seeking relief from Section 1B02.3.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Sections 202.2 and 202.3 of the 1955 Regulations) to permit a front setback of 40 feet in lieu of the required 50 feet, and a setback of 70 feet from the street centerline in lieu of the required 75 feet for a proposed addition, 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.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy 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

May 1, 1996

Mr. & Mrs. Robert S. Glushakow
13906 Sunnybrook Road
Phoenix, Maryland 21131

RE: PETITION FOR ADMINISTRATIVE VARIANCE
SW/S Sunnybrook Road, 490' NW of the c/l of Merrymans Mill Road
(13906 Sunnybrook Road)
10th Election District - 3rd Councilmanic District
Robert S. Glushakow, et ux - Petitioners
Case No. 96-379-A

Dear Mr. & Mrs. Glushakow:

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,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

✓ File

MICROFILMED





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 13906 Sunnybrook Road, Phoenix, MD 21131

which is presently zoned RC-4 (R-40)

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)

See Attachment 1

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

See Attachment 2

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.

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

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.

Legal Owner(s).

Robert S. Glushakow

(Type or Print Name)

Signature

Laura F. Glushakow

(Type or Print Name)

Signature

13906 Sunnybrook Road

667-9540

Address

Phone No

Phoenix,

Maryland

21131

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Robert S. Glushakow

Name 210 W. Pennsylvania Avenue, Suite 700

Towson, MD 21204

823-7800

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.

REVIEWED BY: *JRR*

DATE: 4/4/96

ESTIMATED POSTING DATE: 4/10/96

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Printed with Soybean Ink
on Recycled Paper

Zoning Commissioner of Baltimore County

ITEM #: 384

Affidavit in support of 96-379-A 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 13906 Sunnybrook Road, Phoenix, MD 21131
address

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 Attachment 2

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.

Robert S. Glushakow
(signature)
Robert S. Glushakow
(type or print name)



Laura Glushakow
(signature)
Laura Glushakow
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 3 day of April, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

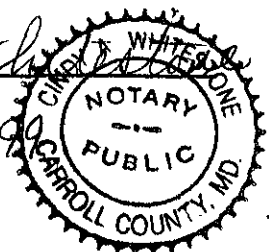
Robert S. Glushakow + Laura F. Glushakow

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.

April 3, 1996
date

Cindy A. Sklar
NOTARY PUBLIC
My Commission Expires: 5/12/99



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ATTACHMENT 1 96-379-A

. . . Section 1B02.3A.1 of the Baltimore County Zoning Regulations as it references Sections 202.2 and 202.3 of the 1955 Baltimore County Zoning Regulations requiring a 50 foot setback from the front lot line and 75 feet from the center line of the road and providing in lieu thereof 40 feet and 70 (70) feet, variances of 10 feet and 25 feet.

0729D

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ATTACHMENT 2

96-379-A

1. Petitioners will be constructing an addition to their existing principal residence which will add two bedrooms and two bathrooms.

The Petitioners are parents of a disabled child who is confined to a wheelchair, and the bedroom and bathroom which will be constructed will be handicap accessible. It is this portion of the Petitioner's addition which will extend approximately eight to ten feet beyond the existing set back line.

2. The extension of the structure beyond the existing set back line is as a result of the lot configuration relative to the set back line. Specifically, the addition will follow the existing roof lines of the Petitioner's residence, and since the Petitioner's lot is a corner lot which has a curved configuration, the extended room line (on a parallel basis) of the addition causes a portion of the addition to extend beyond the set back line, in this respect, the Petitioners' Lot is unique, unusual and different from other lots in the area.

3. Without the requested variances, the Petitioners cannot reconfigure their lot, or move the structure, and it would be impractical to otherwise reconfigure the house, and thus, the Petitioners are sustaining, and will sustain, practical difficulty and unreasonable hardship without the variances.

4. The area and lot is presently in an R.C.4 zone, which zone under Section 1A03.4.B.2 only requires a 25 foot setback from the right of way line and this proposal provides 40-42 feet.

ADJOINING PROPERTY OWNERS

96-379-A

Lot No. 16
Sunnybrook Hills
Section 2

Donald and Sheila Goldman
13904 Sunnybrook Road
Phoenix, Maryland 21131

#10-1019071950R
Liber 5647, Folio 704

Lot No. 14
Sunnybrook Hills
Section 2

Robert and Bonnie Penfield
13908 Sunnybrook Road
Phoenix, Maryland 21131

#10-1010025032
Liber 7673, Folio 528

0729D

UNRECORDED

ATTACHMENT 1
(cont'd)

96-379-A

ZONING DESCRIPTION

BEING KNOWN AND DESIGNATED As Lot No. 15, as depicted on that certain Plat known as Section 2, Sunnybrook Hills, which Plat is recorded among the Plat Book Records of Baltimore County at Plat Book G.L.B. No. 24, Folio 76; and as more particularly described in a Deed dated September 30, 1987 as recorded among the Land Records of Baltimore County at Liber No. 7686, Folio 527. The above-described property is known and designated as 13906 Sunnybrook Road, Phoenix, Maryland 21131, as located in the 10th Election District, 3rd Councilmanic District.

CASE NUMBER: 96-379-A (Item 384)

13906 Sunnybrook Road

SW/S Sunnybrook Road,

10th Election District - 3rd Councilmanic

Legal Owner(s): Robert S. Glushakow and Laura F. Glushakow

Administrative Variance from the regulations requiring a 50-foot

setback from the front lot line and 75 feet from the centerline of the road and providing in lieu thereof 40 feet and 70 feet.

Post by:

4-14
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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
96-379-A

District 10th

Posted for: Adam L. Vance

Date of Posting 4/12/90

Petitioner:

Robert A. Glendakows, et al

Location of property:

13906 Sunnybrook Rd

Location of Sign:

Remarks:

Posted by

Signature

Date of return:

Number of Signs:

MICROFILMED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FIN E - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. # 38
1 279
BY JLL

DATE 4/4/96 ACCOUNT R0016150

AMOUNT \$ 85.00

RECEIVED
FROM: GLUSHAKOW

13906 SUNNYBROOK RD,
FOR: LRVEILLAI 50.00
1 SIGN 35.00

DLAD00W0067NICHRC 85.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

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 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.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 384 Petitioner: Robert + Laura Glushakow
Location: 13906 Sunnybrook Road Phoenix, MD 21131

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Robert Glushakow

ADDRESS: 13906 Sunnybrook Road
Phoenix, MD 21131

PHONE NUMBER: 667-9540





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 10, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-379-A (Item 384)
13906 Sunnybrook Road
SW/S Sunnybrook Road, 490⁺ +/- NW of Merrymans Mill Road
10th Election District - 3rd Councilmanic
Legal Owner(s): Robert S. Glushakow and Laura F. Glushakow

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 April 14, 1996. The closing date (April 29, 1996) 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.

Arnold Jablon
Director

cc: Robert and Laura Glushakow

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 30, 1996

Robert and Laura Glushakow
13906 Sunnybrook Road
Phoenix, Maryland 21131

RE: Item No.: 384
Case No.: 96-379-A
Petitioner: Robert Glushakow, et ux

Dear Mr. and Mrs. Glushakow:

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 April 25, 1996.

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.
Zoning Supervisor

WCR/jw
Attachment(s)

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

TO: PDM

DATE: 4-25-96

FROM: R. Bruce Seeley *[Signature]*
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: 4-15-96

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

Item #'s:

384

RBS:sp

BRUCE2/DEPRM/TXTSBP

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4/24/96
TO WCP
S

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: April 22, 1996

FROM: *[Signature]* Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

SUBJECT: Zoning Advisory Committee Meeting
for April 22, 1996
Item Nos. 376, 378, 381, 382, 384,
385, 386, & 388

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE7

MICROFILMED

2 1996

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Permits and Development
 Management

DATE: April 10, 1996

FROM: Pat Keller, Director
 Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 365, 366, 368, 369, 371, 375, 376, 379, 382, 384, 385, 386 and 388

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 W. Long

Division Chief:

Gary L. Kenna

PK/JL

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ITEM365/PZONE/TXTJWL

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 04/16/96

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 APRIL 15, 1996.

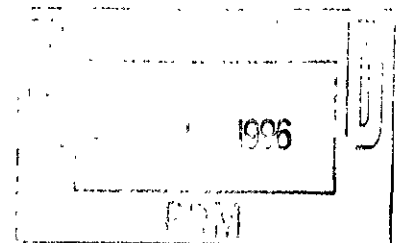
Item No.: SEE BELOW

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: 376, 378, 379, 382, 384, 385,
386 AND ~~387~~.



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

cc: File

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**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 384(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 affected by any State Highway Administration projects.

Please contact Bob Small at ⁵⁴⁵⁻⁵⁵⁸¹410-333-1350 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/es

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PETITION PROBLEMS

#385 --- JCM

1. Notary section is incomplete.

#384 --- JLL

1. Need councilmanic district.

#388 --- JCM

1. Need typed or printed name and title of person signing for contract purchaser.
2. Need authorization for person signing for contract purchaser.
3. Need authorization for whoever signed for attorney.

April 8, 1996

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384

N 77°-46'-43"W
537.27'

MARK

SECTION 2

"SUNNYBROOK HILLS"

OWNED AND DEVELOPED BY

MR. & MRS. FREDERICK H. JENKINS

DISTRICT 10
SCALE 1"=50'

BALTIMORE COUNTY, MD.
MARCH 19, 1957

ADDRESS

ROUTE NO. 1 BOX 29

PHOENIX, MD.

ROAD

N 47°53.84'
E 63°70.70'

96-379-A

PC
11.54'

N 46°33.00'
E 63°58.00'

N 46°33.00'
E 63°58.00'

145.00'

N 46°11.11'
E 67°13.31'

141.00'

N 47°01.73'
E 66°52.70'

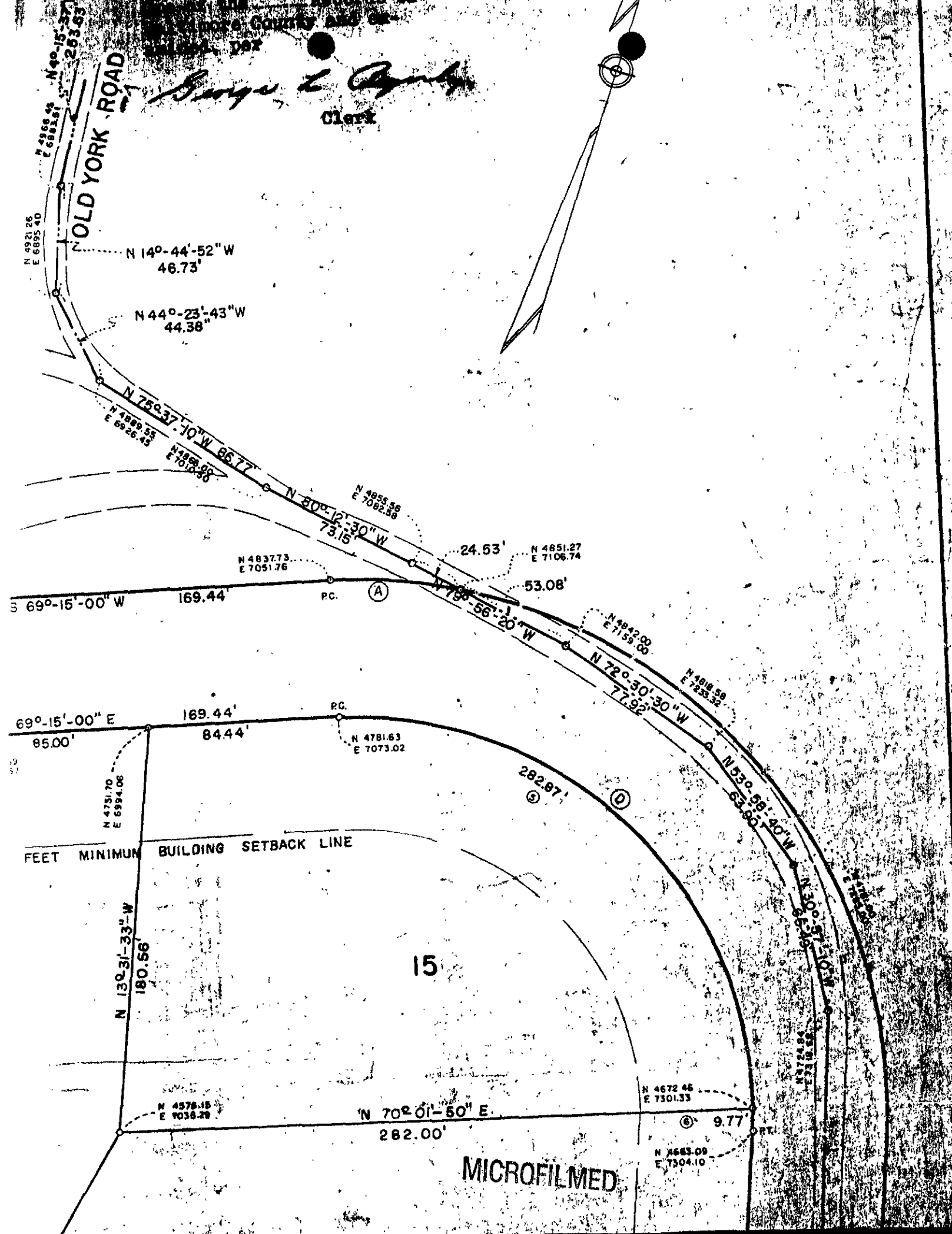
65.00'

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12

89-378F

Bryce L. Aubrey
Clerk



96-379-A

#384

Front View



Rear View



Side View • area of coast.

384



Penfield
Res.

96-379-A

Side View



Goldman
Resid

Rear View

384.

96-379-A



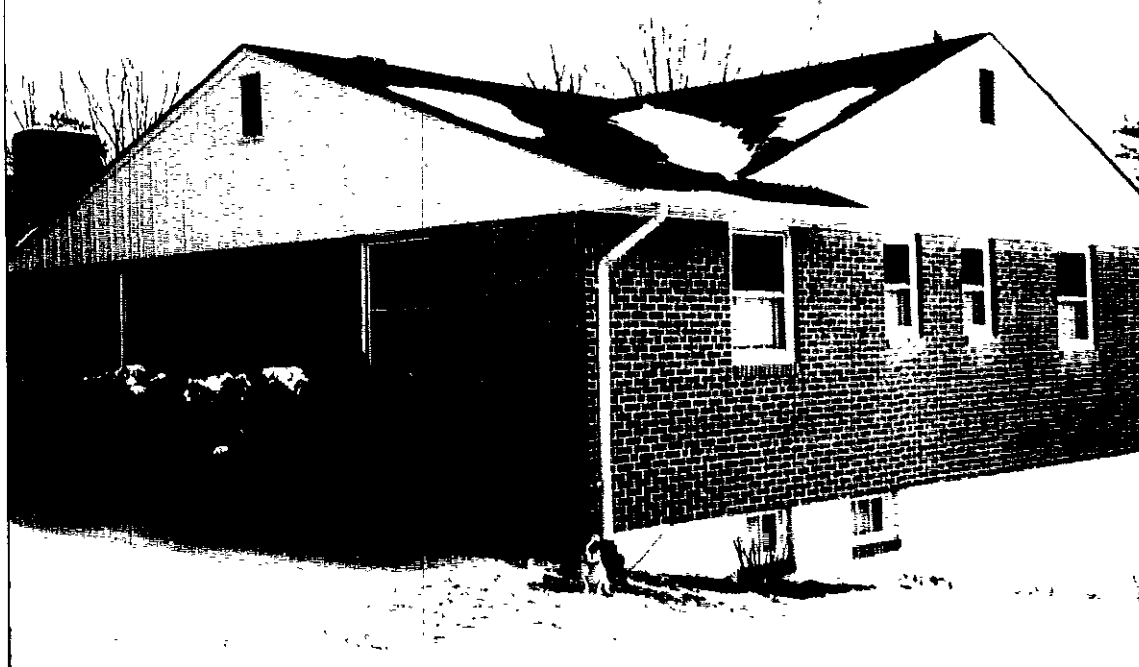
Side View
(driveway)

MICROFILMED

96-379-A

#384

Side View (Area of Const.)



Side View (Area of Const.)



MICROFILMED

to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

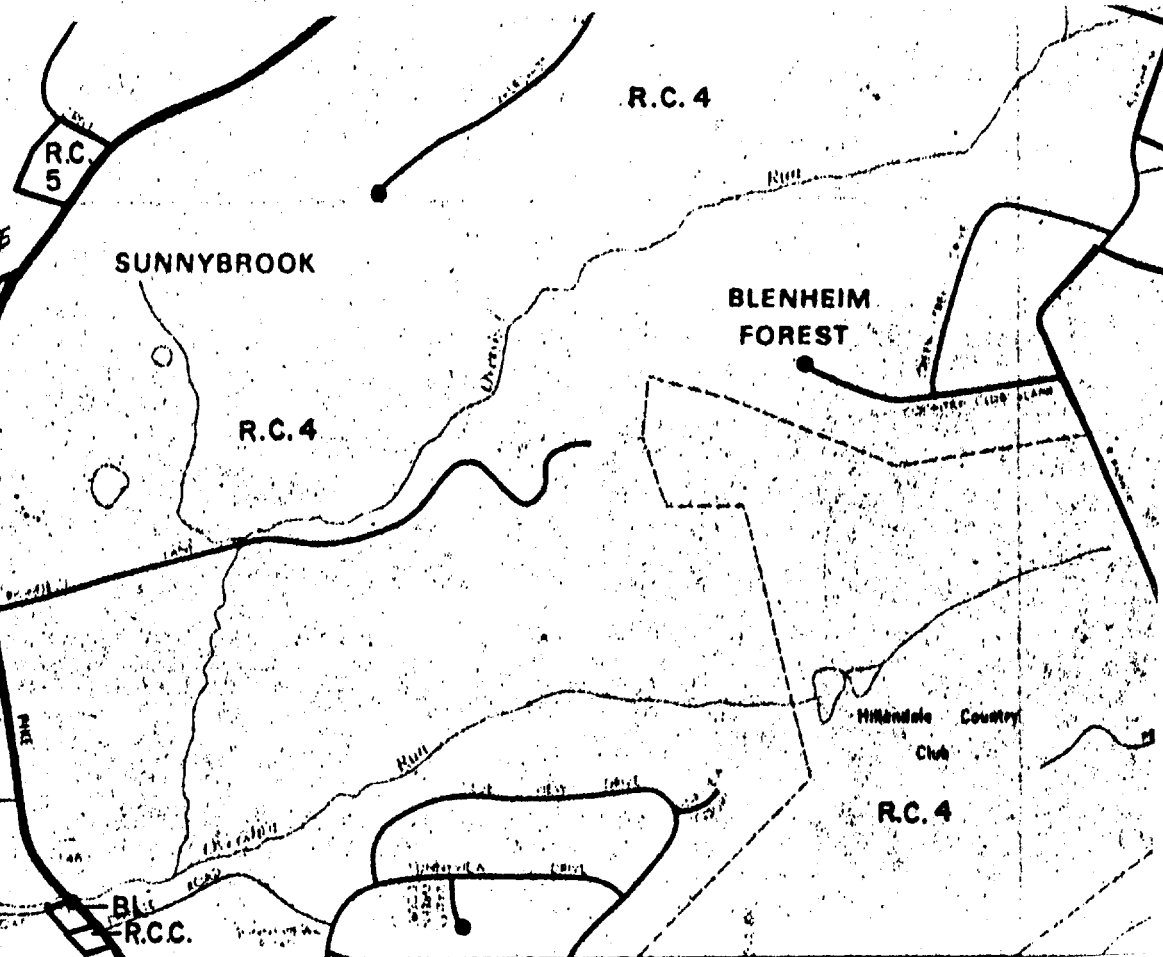
PROPERTY ADDRESS: 13906 Sunnybrook Rd, Phoenix, MD 21131

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

Owner name: Sunnybrook Hills

Block# 24, Folio# 76, Lot# 15, section# 2

Owner: Robert and Laura Glushakow



Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: 10th

Councilmanic District: 3rd

1"=200' scale map#: NE 20B

Zoning: RC-4

Lot size: .975 acreage 367 x 282 square feet

SEWER: ☐ public ☒ private
WATER: ☐ public ☒ private

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: —

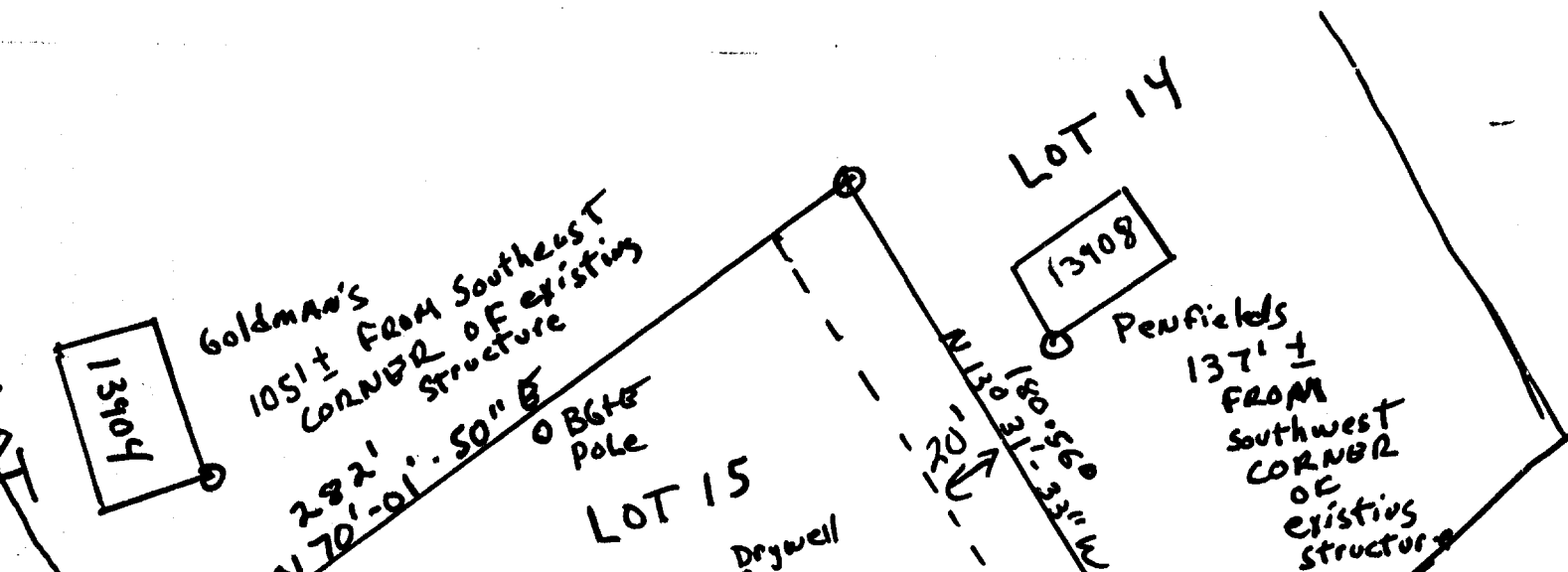
Zoning Office USE ONLY

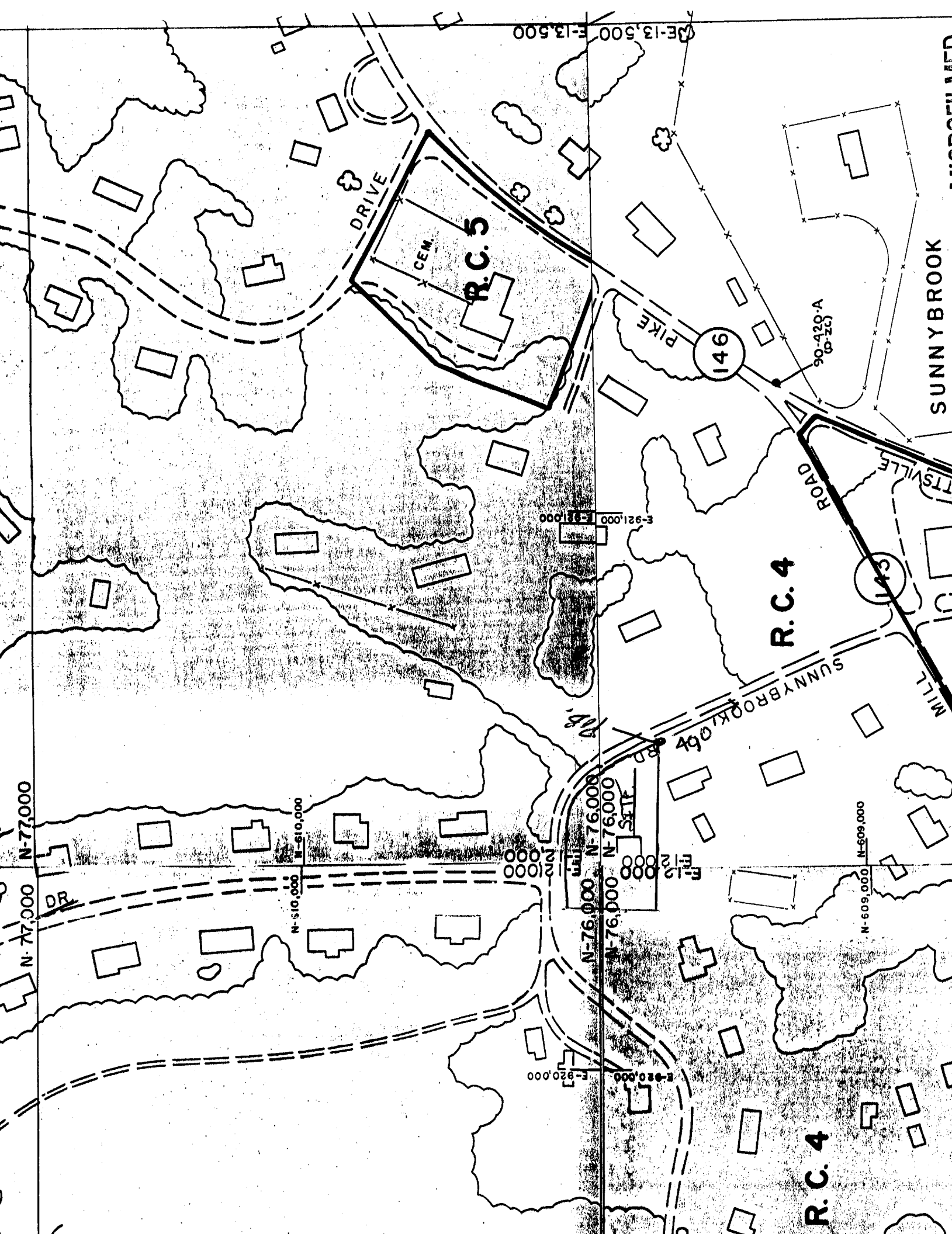
reviewed by: JLL ITEM #: BA CASE#: —

6/96

by: OWNERS

Scale of Drawing: 1"= 50'





IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
SW/S Sunnybrook Road, 490' NW of * DEPUTY ZONING COMMISSIONER
the c/l of Merryman Mill Road (13906 Sunnybrook Road) * OF BALTIMORE COUNTY
10th Election District * Case No. 96-379-A
3rd Councilmanic District
Robert S. Glushakow, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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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 1st day of May, 1996 that the Petition for Administrative Variance seeking relief from Section 1802.3.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Sections 202.2 and 202.3 of the 1955 Regulations) to permit a front setback of 40 feet in lieu of the required 50 feet, and a setback of 70 feet from the street centerline in lieu of the required 75 feet for a proposed addition, 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. Kotrocco
TIMOTHY M. KOTROCCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

- 2 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 1, 1996

Mr. & Mrs. Robert S. Glushakow
13906 Sunnybrook Road
Phoenix, Maryland 21131

RE: PETITION FOR ADMINISTRATIVE VARIANCE
SW/S Sunnybrook Road, 490' NW of the c/l of Merryman Mill Road
(13906 Sunnybrook Road)
10th Election District - 3rd Councilmanic District
Robert S. Glushakow, et ux - Petitioners
Case No. 96-379-A

Dear Mr. & Mrs. Glushakow:

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. Kotrocco
TIMOTHY M. KOTROCCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

☒ file

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 13906 Sunnybrook Road, Phoenix, MD 21131

96-379-A which is presently zoned RC-4 (R-40)
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)

See Attachment 1

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

See Attachment 2

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.

Current Purchaser/Lessor	Legal Owner(s)
Name of Petitioner	Robert S. Glushakow
Signature	<i>Robert S. Glushakow</i>
Address	Laura F. Glushakow
City	Phoenix
State	Maryland
Zip	21131
Address for Petitioner	13906 Sunnybrook Road 667-9540
Name of Petitioner	Robert S. Glushakow
Signature	<i>Robert S. Glushakow</i>
Address	210 W. Pennsylvania Avenue, Suite 700
City	Towson, MD 21204
State	Maryland
Zip	21204

A Public Hearing having been requested and held, the Zoning Commissioner of Baltimore County, this 1st day of May, 1996, has considered the petition and the facts and circumstances presented and has determined that the petition is granted in accordance with the Zoning Regulations of Baltimore County, and that the petition is granted.

REVIEWED BY: *DSK* DATE: 4/11/96
ESTIMATED POSTING DATE: 4/10/96
ITEM #: 384

Affidavit in support of 96-379-A 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) take competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at 13906 Sunnybrook Road, Phoenix, MD 21131

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: (please narrate in practical efforts)

See Attachment 2

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to appear at a public hearing.

Robert S. Glushakow
Robert S. Glushakow
Laura F. Glushakow
Laura F. Glushakow

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, this 3rd day of April, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Robert S. Glushakow + Laura F. Glushakow
the Affiant(s) herein, personally known and 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.
April 3, 1996
My Commission Expires 5/12/96

Lyndy A. Schmitt
NOTARY PUBLIC
BALTIMORE COUNTY, MD

ATTACHMENT 1 96-379-A

Section 1802.3A.1 of the Baltimore County Zoning Regulations as it references Sections 202.2 and 202.3 of the 1955 Baltimore County Zoning Regulations requiring a 50 foot setback from the front lot line and 75 feet from the center line of the road and providing in lieu thereof 40 feet and 70 (70) feet, variances of 10 feet and 15 feet.

0729D

ATTACHMENT 2 96-379-A

1. Petitioners will be constructing an addition to their existing principal residence which will add two bedrooms and two bathrooms.

The Petitioners are parents of a disabled child who is confined to a wheelchair, and the bedroom and bathroom which will be constructed will be handicap accessible. It is this portion of the Petitioner's addition which will extend approximately eight to ten feet beyond the existing set back line.

2. The extension of the structure beyond the existing set back line is as a result of the lot configuration relative to the set back line. Specifically, the addition will follow the existing roof lines of the Petitioner's residence, and since the Petitioner's lot is a corner lot which has a curved configuration, the extended room line (on a parallel basis) of the addition causes a portion of the addition to extend beyond the set back line, in this respect, the Petitioners' Lot is unique, unusual and different from other lots in the area.

3. Without the requested variances, the Petitioners cannot reconfigure their lot, or move the structure, and it would be impractical to otherwise reconfigure the house, and thus, the Petitioners are sustaining, and will sustain, practical difficulty and unreasonable hardship without the variances.

4. The area and lot is presently in an R.C.4 zone, which zone under Section 1A03.4.B.2 only requires a 25 foot setback from the right of way line and this proposal provides 40-42 feet.

0729D

ADJOINING PROPERTY OWNERS 96-379-A

Lot No. 16 Donald and Sheila Goldman
Sunnybrook Hills 13904 Sunnybrook Road
Section 2 Phoenix, Maryland 21131

#10-1019071950R
Liber 5647, Folio 704

Lot No. 14 Robert and Bonnie Penfield
Sunnybrook Hills 13908 Sunnybrook Road
Section 2 Phoenix, Maryland 21131

#10-1010025032
Liber 7673, Folio 528

0729D

ATTACHMENT 1
(cont'd)

ZONING DESCRIPTION

BEING KNOWN AND DESIGNATED As Lot No. 15, as depicted on that certain Plat known as Section 2, Sunnybrook Hills, which Plat is recorded among the Plat Book Records of Baltimore County at Plat Book G.L.B. No. 24, Folio 76; and as more particularly described in a Deed dated September 30, 1987 as recorded among the Land Records of Baltimore County at Liber No. 7686, Folio 527. The above-described property is known and designated as 13906 Sunnybrook Road, Phoenix, Maryland 21131, as located in the 10th Election District, 3rd Councilmanic District.

CASE NUMBER: 96-379-A (Item 384)
13906 Sunnybrook Road
SW/8 Sunnybrook Road, 400' +/- NW of Merrymans Mill Road
10th Election District - 3rd Councilmanic
Legal Owner(s): Robert S. Glushakow and Laura F. Glushakow

Administrative Variance from the regulations requiring a 50-foot setback from the front lot line and 75 feet from the centerline of the road and providing in lieu thereof 40 feet and 70 feet.

Post by:
4-14

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 10th Date of Posting: 4/12/96
Posted for: Admin. Variance
Petitioner: Robert A. Glushakow, et ux
Location of property: 13906 Sunnybrook Rd.
Location of Sign: _____
Remarks: _____
Posted by: [Signature] Date of return: _____
Number of Signs: _____

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
BY JLL
DATE: 4/4/96 ACCOUNT: RM16150
AMOUNT: \$ 85.00
RECEIVED FROM: GLUSHAKOW
13906 SUNNYBROOK RD.
FOR: L.V. FILING
1 SIGN
50.00
35.00
D1AD080667H1CHAC \$85.00
VALIDATION ON SIGNATURE OF CASHIER
PRINT - CUSTOMER YELLOW - CUSTOMER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

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.: 384 Petitioner: Robert & Laura Glushakow
Location: 13906 Sunnybrook Road Phoenix, MD 21131
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Robert Glushakow
ADDRESS: 13906 Sunnybrook Road
Phoenix, MD 21131
PHONE NUMBER: 667-9540



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 10, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-379-A (Item 384)
13906 Sunnybrook Road
SW/8 Sunnybrook Road, 400' +/- NW of Merrymans Mill Road
10th Election District - 3rd Councilmanic
Legal Owner(s): Robert S. Glushakow and Laura F. Glushakow

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 April 14, 1996. The closing date (April 25, 1996) 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.

[Signature]

Arnold Jablon
Director

cc: Robert and Laura Glushakow



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 30, 1996

Robert and Laura Glushakow
13906 Sunnybrook Road
Phoenix, Maryland 21131

RE: Item No.: 384
Case No.: 96-379-A
Petitioner: Robert Glushakow, et ux

Dear Mr. and Mrs. Glushakow:

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 April 25, 1996.

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.
Zoning Supervisor

WCR/jw
Attachment(s)

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

TO: PDM DATE: 4-25-96
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee Meeting
Meeting Date: 4-13-96

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

Item #'s:
384

RBS:sp
BRUCEZ/DEPRM/TATSBP

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Date: April 22, 1996
Department of Permits & Development
Management
FROM: Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management
SUBJECT: Zoning Advisory Committee Meeting
for April 22, 1996
Item Nos. 376, 378, 381, 382, 384,
385, 386, & 388

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE7

2 1996

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: April 10, 1996
Permits and Development
Management
FROM: Pat Keller, Director
Office of Planning
SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 365, 366, 368, 369, 371, 373, 376, 379, 382, 384, 385, 386 and 388

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: [Signature]

Division Chief: [Signature]

PK/JL

ITEM365/PZONE/TATJWL



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 04/16/96

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 APRIL 15, 1996.

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: 376, 378, 379, 382, 384, 385, 386 AND 387.

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

cc: File

Printed with Glyphics on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 384(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 affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1858 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/es

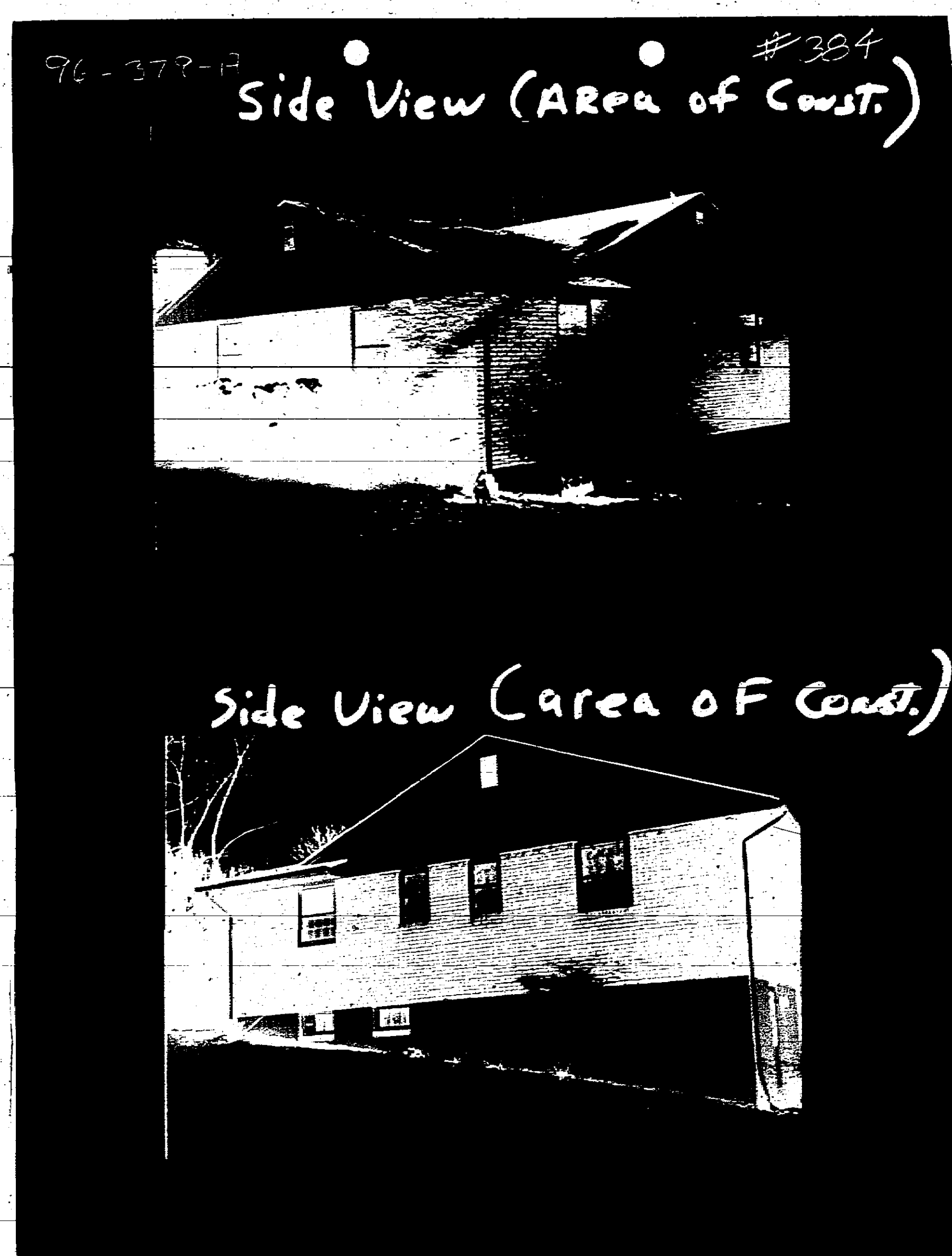
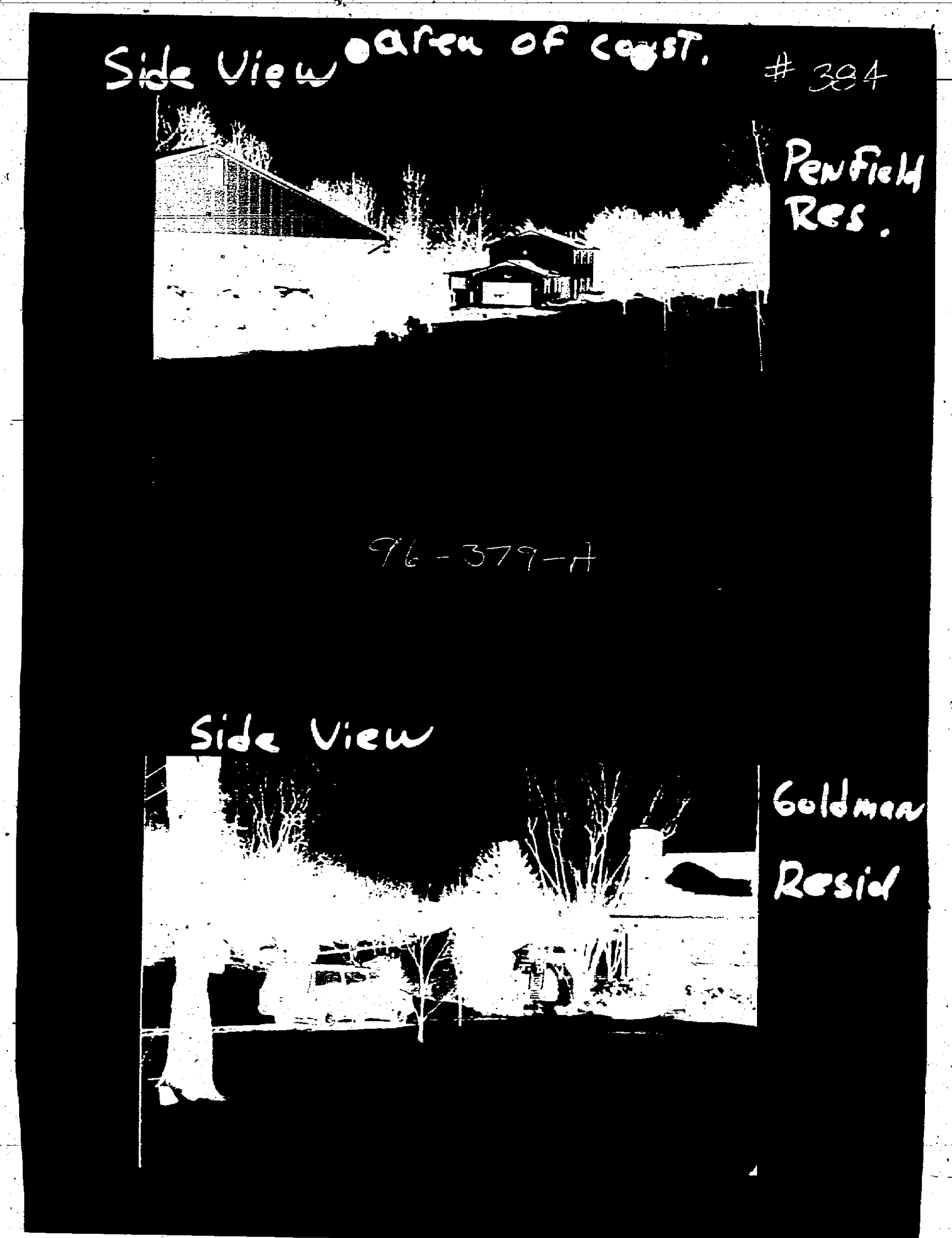
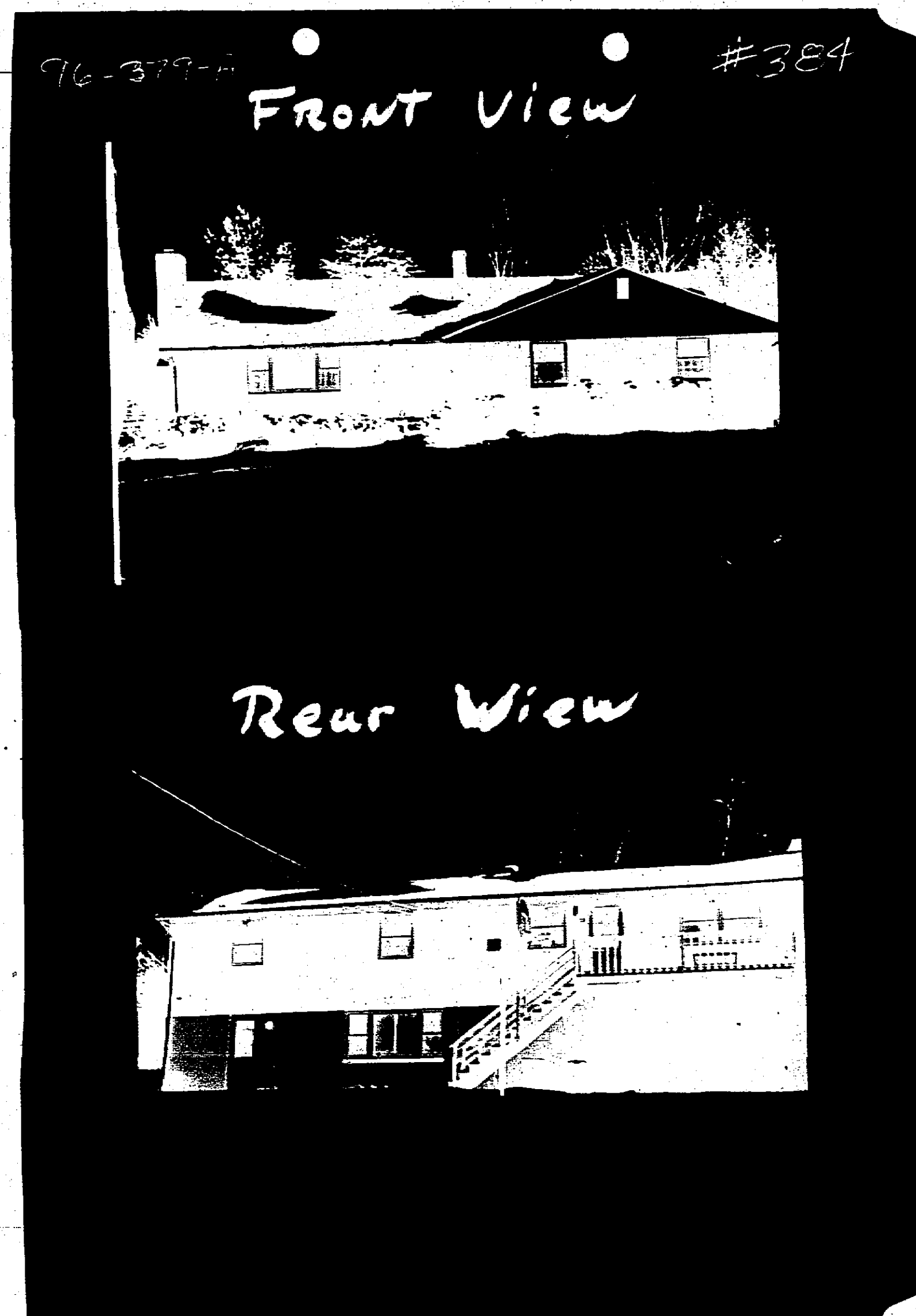
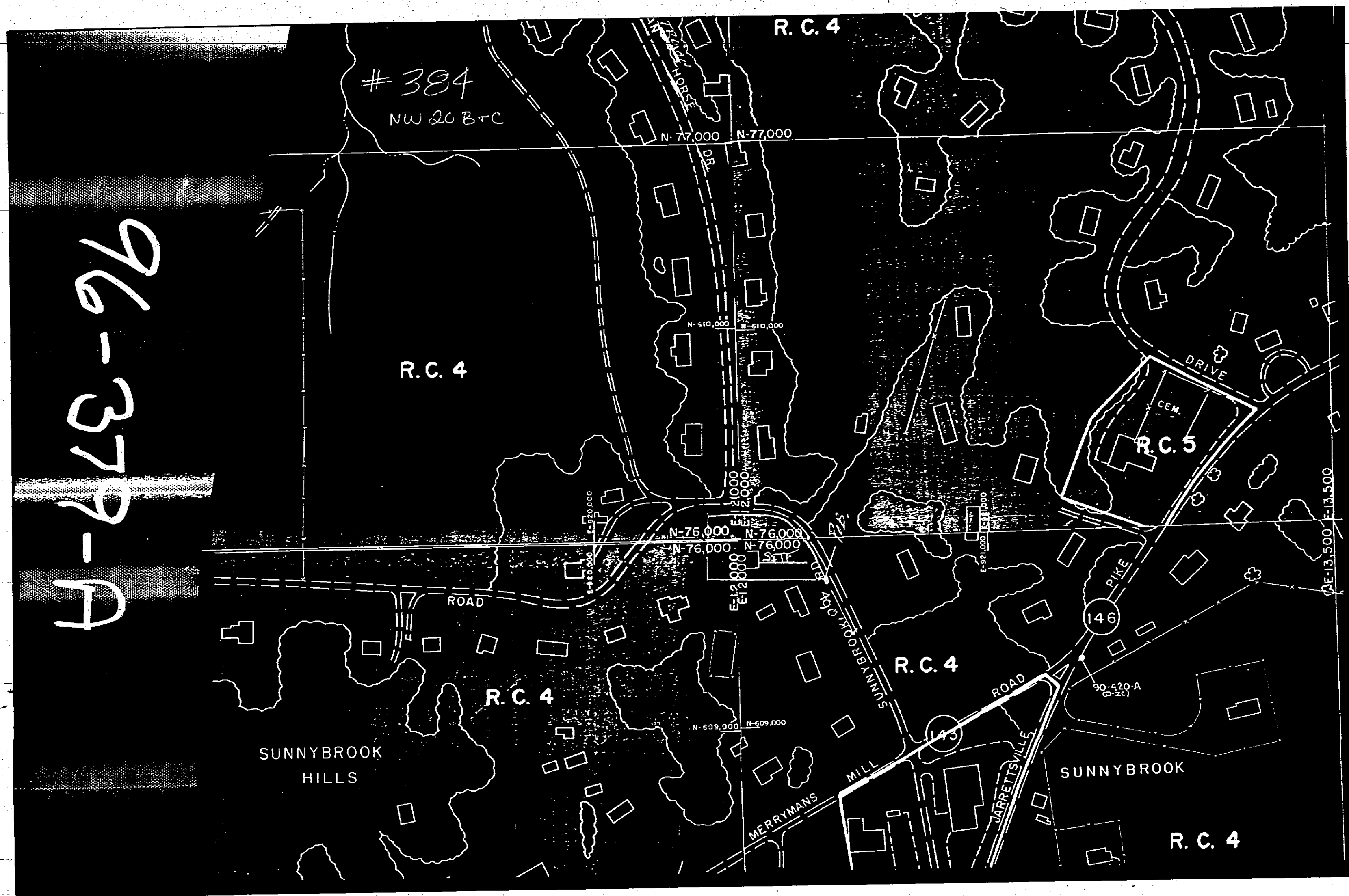
My telephone number is _____

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 13906 Sunnybrook Rd, Phoenix, MD 21111 see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Sunnybrook Hills
Plat book: 24, folio: 26, lot: 15, section: 2

OWNER: Robert and Laura Glushakow





96-379-A

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

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200'	SOUTH OF	NE
DATE OF PHOTOGRAPHY JANUARY 1986	JACKSONVILLE	20-C