STORE ROSE TO THE PORT FILING

State

IN RE: PETITION FOR RESIDENTIAL

ZONING VARIANCE

E/S E. Greenbank Road, 431 ft.

+/- S of c/l Treavon Road 13113 E. Greenbank Road 15th Election District 5th Councilmanic District Thaddeus M. Broda, et ux

Petitioners

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 97-355-A

*

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Thaddeus M. Broda and Dolores L. Broda, his wife, for that property known as 13113 E. Greenbank Road in the Oliver Beach subdivision of Baltimore County. The Petitioners/property owners herein seek a variance from Section 400.3 of the Baltimore County Zoning Regulations (BCZR) to allow a detached existing accessory structure (garage) with a height of 22 ft., in lieu of the required 15 ft., in a D.R.5.5 zone. The property and relief sought are more particularly described on Petitioners' Exh. No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

This property is located within the Chesapeake Bay Critical Area and is subject to compliance with the recommendations to be made by the Department of Environmental Protection and Resource Management (DEPRM), pursuant to Section 500.14 of the BCZR, upon completion of their findings. The relief granted herein shall be conditioned upon Petitioners' compliance with said findings.

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 Aday of March 1997, that the Petition for a Residential Variance from Section 400.3 of the Baltimore County Zoning Regulations (BCZR) to allow a detached existing accessory structure (garage) with a height of 22 ft., in lieu of the required 15 ft., in a D.R.5.5 zone, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3. The Petitioners shall not allow the garage to be used for any commercial purposes or to support any business operation.
- 4. The Petitioners shall comply with all requirements of the Department of Environmental

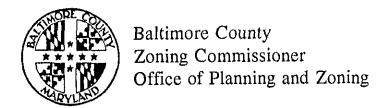
Protection and Resource Management upon completion of their findings.

5. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:mmn

-3-



Suite 112, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-4386

March 20, 1997

Mr. and Mrs. Thaddeus M. Broda 13113 E. Greenbank Road Baltimore, Maryland 21220

RE: Petition for Administrative Variance Case No. 97-355-A

Property: 13113 E. Greenbank Road

Dear Mr. and Mrs. Broda:

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

Lawrence E. Schmidt Zoning Commissioner

LES:mmn encl.

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

ESTIMATED POSTING DATE:

13/13

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)

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

(PLEASE REFER TO OTHER SIDE)

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 filling 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.

					es of perjury, that I/we are the
Contract Purchaser/Lessee			legal owner(s) of the property Legal Owner(s):	which is the subject of this	s Petilion
			THATTLAD	M. BRODA	
(Type or Frint Name)			(Type or Print Name)	M. PICHA	
			alcal lean	Malan	-la
Signature			Signature	1000	
			Dolones L.	BRODA	
Address			(Type or Print Name)	L Post	hoda)
City	State	Zipcode	Signature		o accer
Attorney for Petitioner.					HOME: 335-677
			13113 E. GAGE	SUBANK RD.	WURK: 786-02
(Type or Print Name)			Address		Phone No
			BALTMORE	MARYLAND	21770
Signature			City r Name, Address and phone nu	State of representative to	Zipcode be contacted
Address	Phone	No.	Name		
City	State	Zipcode	Address		Phone No
A Public Hearing having beer that the subject matter of this circulation throughout Baltim	spetition be set for a publ	lic hearing , advertised, c	red by the Zoning Commissioner o is required by the Zoning Regulatio	f Baltimore County, this _ ns of Baltimore County,	day of, 19 in two new:pape/s of general
			Z	oning Commissioner of i	Bailimore Counly
REVIEWED BY: K.T.	DATE: 2-25-	97 00	Printed with Soybean link	17	EM #:

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 13173 E. ORFEUBANK ROAD
BACTIMORE MARY LAND 212:20 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 require A VAPIANCE TO THE 15 FOOT HEIGHT LIMIT FOR A DETACHED GALACE
TO ENABLE ME TO ADD A SECOND FLOOR WORKSHOP TO MY EXISTING GARAGE
PLANNED CONSTRUCTION WILL TAKE MY GARAGE TO A NEW HEIGHT OF ZZ FOR
WOODEWORKING AND MODEL BOAT AND AIRPLANE CONSTRUCTION AND MY LIFE-
LONG HOSSIES. I PLAN TO RETIRE SOON AND SIGNIFICANTLY EXPAND
MY INVOLVEMENT IN THESE HOBBIES. I TO NOT HAVE ATTEMPTE SPACE
IN MY PRESENT HOME ON GARAGE TO SET UP TOUS, WORK, ON TO STONE MY
Collection of Models. THE Second Floor workshop over My CANABE Will Give ME THE SPACE I NEED FOR THESE ACTIVITIES. 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. The Delay M. Brown (signature) THADDEUS M. BROWN (type or print name) STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, this day of, 19, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(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. 2/13/97 clate NOTARY FUBLIC NOTARY FUBLIC
My Commission Expires:
MOTARY FUND AND AND AND AND AND AND AND AND AND A

Part Land

Zoning Description

Zoning description for:

13113 Greenbank Road

Beginning at a point on the East side of Greenbank Road which is 30 feet wide at the distance of 406.96 feet South of the centerline of the nearest improved street Tred Avon Road. Being lot #67, Section #A in the subdivision of Oliver Beach, as recorded in Baltimore County Plat Book #12, Folio #56, Containing 10,733 sq. ft. Also known as 13113 Greenbank Road and located in the 15 th Election District, $5^{7/6}$ Councilmanic District.

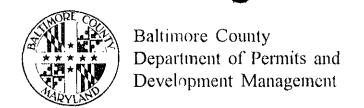
17EM \$ 355

97-355-1

Section 12	
BALTIMORE COUNTY, MARYLAND FFICE OF FINANCE - REVENUE DIVISION ON MISCELLANEOUS CASH RECEIPT	No. 652478 MM 97-85521
DATE 2505-77 ACCOUNT	201- 6150
OID-VARJANCE	50, 22 /
RECEIVED // ADK // AA	
FOR: ATOM. VATUANCE	e see and the see
	104 1 144 1
VALIDATION OR SIGNATURE DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	

	RE: Case No.: 97-355-A
	Petitioner/ Developer :
	TED BRODA
	Date of Henring/Closing: 3-17-97
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	v
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	
were posted conspicuously on the property	I perjury that the necessary sign(s) required by law located at 13113 EAST BALTIMORE, MD. 21220
The sign(s) were posted on	2/27/97
	(Month, Day, Year)
ZONING NOTICE NEMINISTRATIST VARIANCE	Sincerely, North Supply (Signature of Sign Poster and Date) THomas P. Ogle Sk.
CASE # 27-232-22 To color of the Color of t	(Printed Name) 325 Nicholson Korap
TO COMPANY TO THE PARTY OF THE	(City, State, Zip Code) (Y10) 687-8405 (Telephone Number)

97-355-A



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.

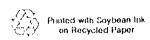
This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

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:
Stem No.: 355 Petitioner:
Location: 13113 E. GREENBANK RD.
PLEASE FORWARD ADVERTISING BILL TO:
NAME: THATDEUS M. BRODA
ADDRESS: 13113 E. GREENBANK RD
BACTIMONE MARYCAND 21220
PHONE NUMBER: 786-0226 (DAY) 335-6779 (EVENINGS)



Mul

Plat to accompany Petition for Zoning Variance	e Special Hearing
PROPERTY ADDRESS:	see pages 5 & 6 of the CHECKLIST for additional required Information
Subdivision name:	
	Wichnity Map
	LOCATION INFORMATION
	Election District:
	Councilmanic District:
	1"=200' scale map#:
	•
	acreage square feet
	SEWER: C
	Chesapeake Bay Critical Area:
North	Zoning Office USE ONLY: reviewed by: ITEM #: CASE#:
repared by:	

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than $\frac{3/2/97}{}$

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No. 97-355A

To allow a 2nd flr. addition on existing
garage of 22 ft. Height in liew of
the required 15 ft.

SECT. 400, 3 (BCZR)

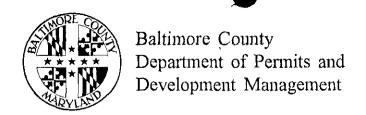
PUBLIC HEARING?

PURSUANT TO SECTION 26-127(b) (1), <u>BALTIMORE COUNTY CODE</u>, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



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

March 7, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-355-A
13113 E. Greenbank Road
E/S E. Greenbank Road, 431'+/- S of c/l Treavon Road
15th Election District - 5th Councilmanic
Legal Owner(s): Thaddeus M. Broda and Dolores L. Broda
Post by Date: 3/2/97
Closing Date: 3/17/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

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

Arnold Jablon Director

cc: Thaddeus and Dolores Broda



Printed with Soybean Ink on Recycled Paper



David L. Winstead Secretary Parker F. Williams Administrator

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

RE: Baltimore County Item No.

RT

Dear Ms. Eubanks:

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 Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

P.J. Bredh Por Ronald Burns, Chief

Engineering Access Permits

Division

LG

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: March 17, 1997

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief

Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting

for March 17, 1997

Item No. 355

The Development Plans Review Division has reviewed the subject zoning item. The property to be developed is located adjacent to tidewater. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development. The floodplain Management Elevation along the Gunpowder River is 11.2 feet.

RWB:HJO:jrb

cc: File

PETITION PROBLEMS

#353 --- JRF

1. Sign form is incomplete.

#354 --- JRF

- 1. Need telephone number for legal owners.
- 2. Need title of person signing for contract purchaser.
- 3. Sign form is incomplete.

#355 --- RT

- 1. No section number or wording on the petition form.
- 2. Notary section is incomplete.

#356 --- JCM

1. Sign form is incomplete.

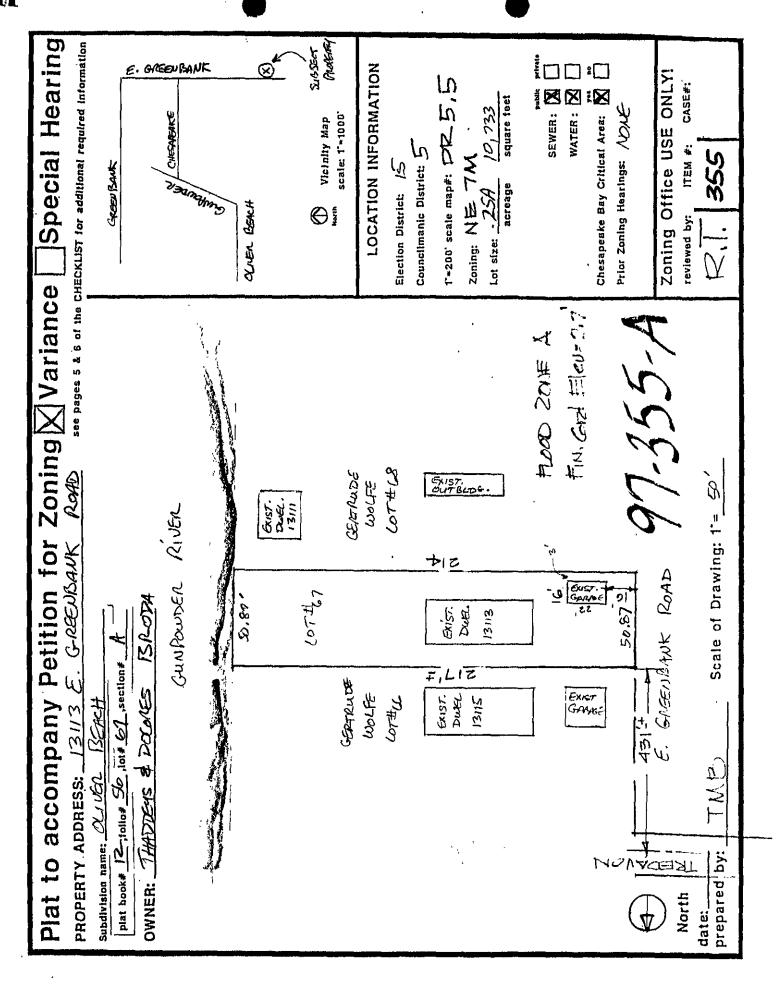
#357 --- JCM

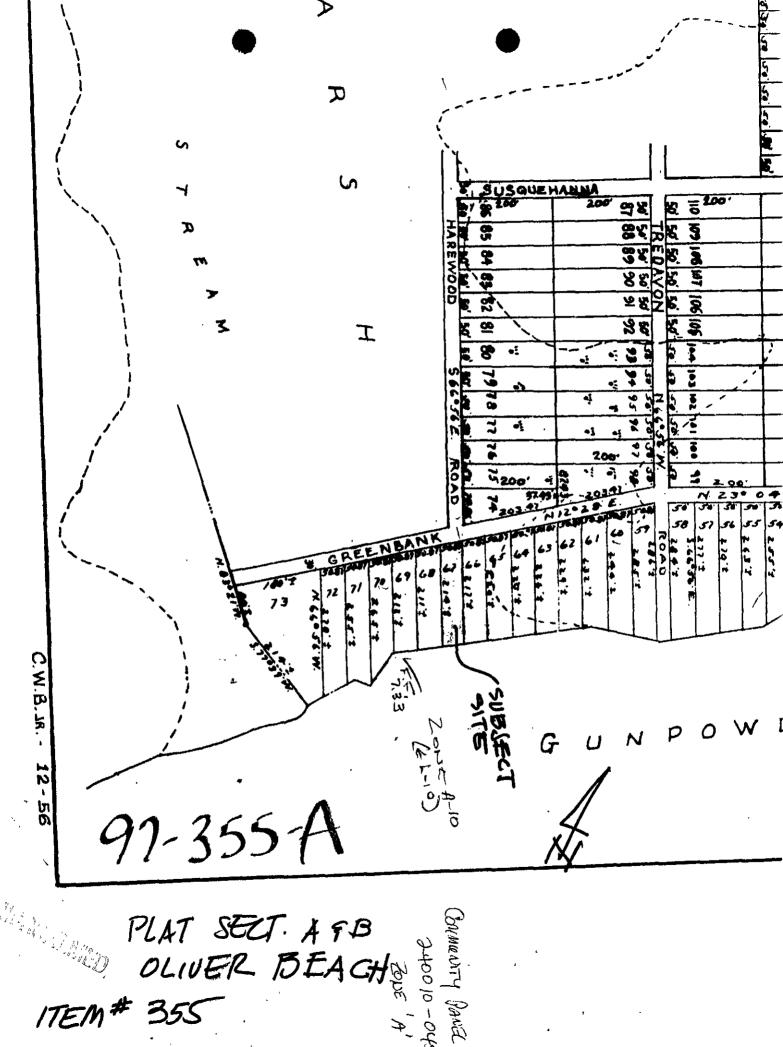
1. No review information on bottom of petition form.

#358 --- RT

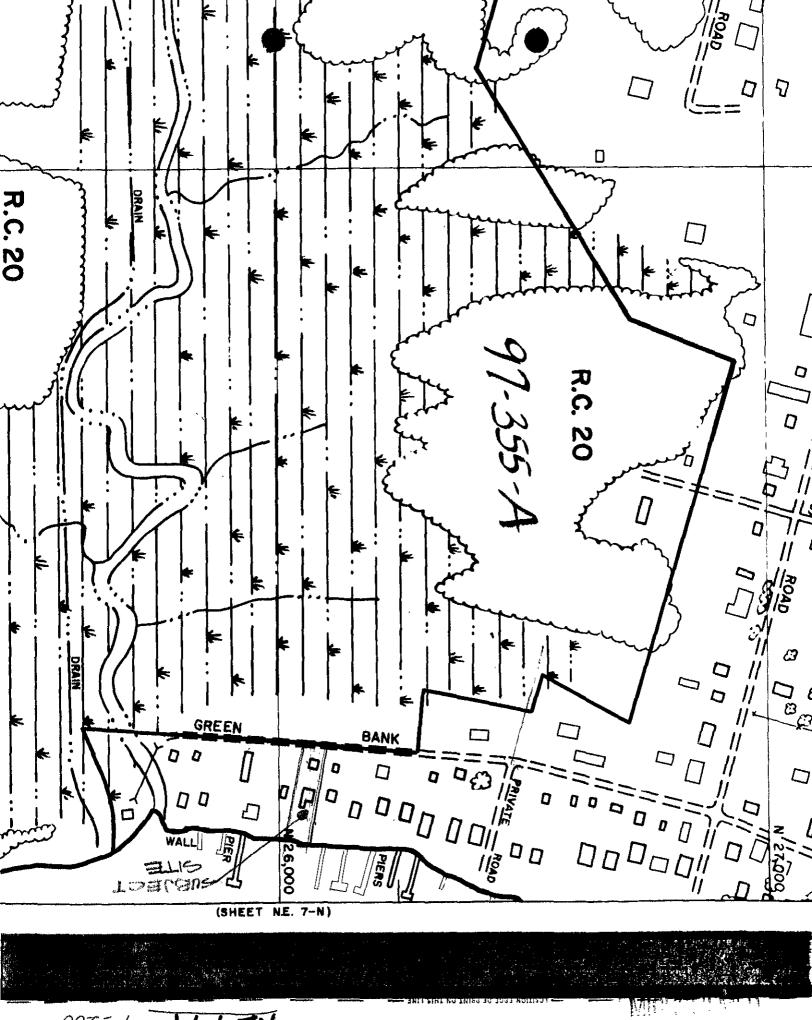
- 1. No review information on bottom of petition form.
- 2. Sign form is incomplete.

		Attach original petition	Due Date <u>3/26/97</u>			
To:		Arnold Ļ. Jablon				
From:	Bruce S	Seeley 135/9/				
Subject:		Zoning Item #355				
		Broda 13113 E. Greenbank Road				
		Zoning Advisory Committee Meeting of March 1	0, 1997			
···········		partment of Environmental Protection and Resou referenced zoning item.	irce Management has no comments on the			
	The De of the a	partment of Environmental Protection and Resoubove-referenced zoning item to determine the ex	arce Management requests an extension for the revotent to which environmental regulations apply to the	view ne site.		
<u>X</u>	The De above-r	epartment of Environmental Protection and Resource Management offers the following comments on the referenced zoning item:				
	Develor Wetland	oment of the property must comply with the Regu ds and Floodplains (Sections 14-331 through 14-	ulations for the Protection of Water Quality, Stream 350 of the Baltimore County Code).	ıs,		
Develo		pment of this property must comply with the Forest Conservation Regulations (Sections 14-401 through of the Baltimore County Code).				
<u>X_</u>		oment of this property must comply with the Ches through 26-461, and other Sections, of the Baltir	sapeake Bay Critical Area Regulations (Sections nore County Code).			
		,				

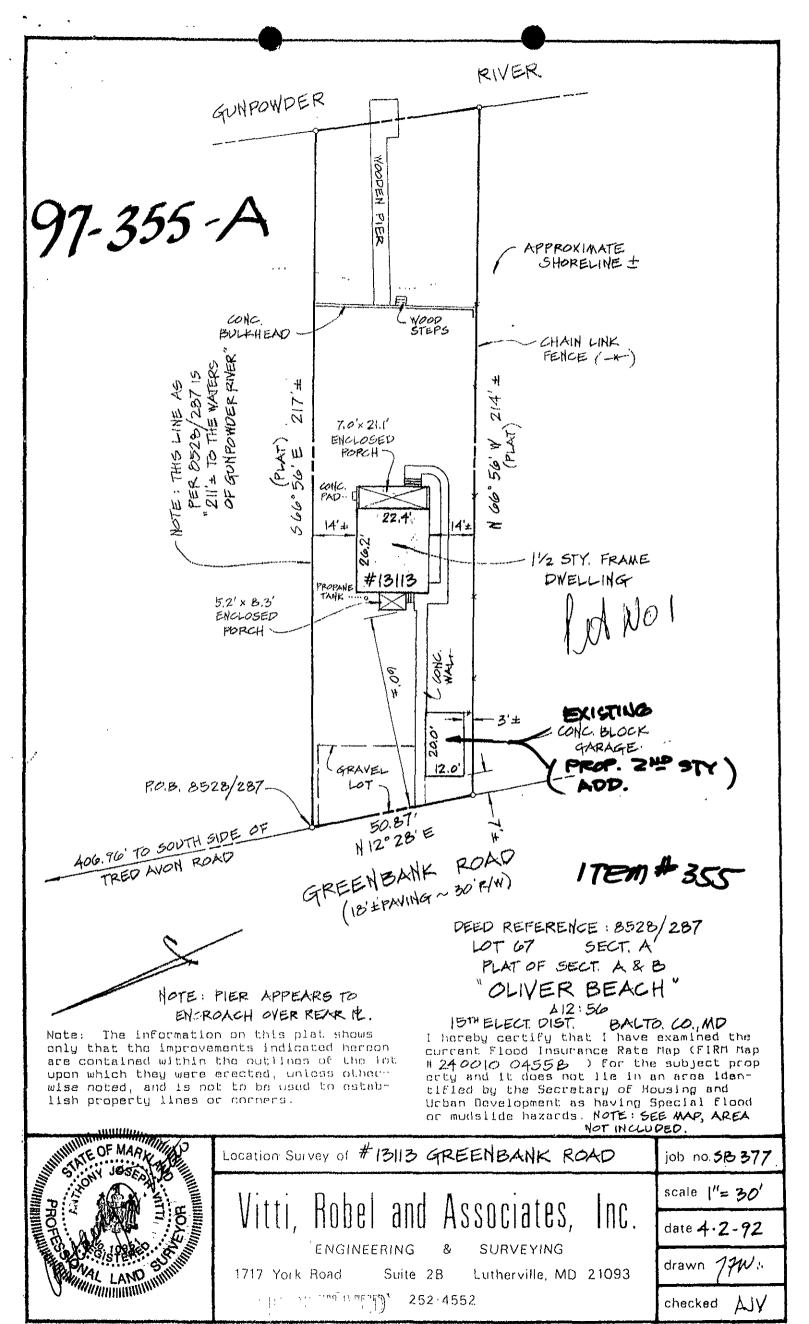




Coumeraty Parac



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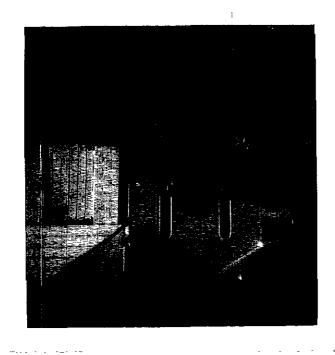
PH0705

(Man arm)

97-355-A

SIE#

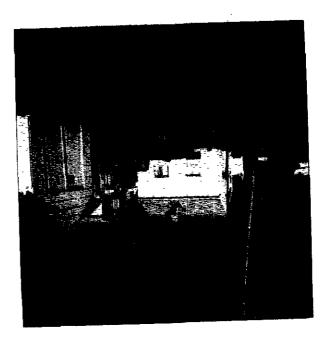
עפוער פרבון



DE #



. SSE #





NE7M