ORDER RECEIVED FOR FILING
Date
By

IN RE: PETITION FOR ADMIN. VARIANCE W/S Sugarcone Road, 96.71' NE of the c/l Old Pimlico Road

(2103 Sugarcone Road) 3rd Election District 2nd Councilmanic District

Max Rozga, et ux Petitioners * BEFORE THE

ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 99-66-A

*

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Max and Abby Rozga. The Petitioners seek relief from Sections 1802.3.B and 205.3 (1963 Regulations) and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an open projection setback of 0 feet in lieu of the minimum required 11.25 feet for a proposed carport and to amend the Final Development Plan of Greengate, Lot 13 thereof, accordingly. The subject property and relief sought are more particularly described on the site plan submitted which has been accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. 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 surrounding community and should therefore be granted. In the opinion of the 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.

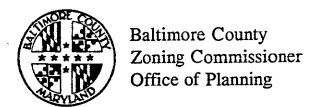
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of September, 1998 that the Petition for Administrative Variance seeking relief from Sections 1802.3.B and 205.3 (1963 Regulations) and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an open projection setback of 0 feet in lieu of the minimum required 11.25 feet for a proposed carport and to amend the Final Development Plan of Greengate, Lot 13 thereof, in accordance with Petitioner's Exhibit 1, 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Appropriate downspouts and/or gutters shall be installed on the carport to insure that all storm water runoff therefrom is not discharged onto adjacent properties.

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

TAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:bjs



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

September 10, 1998

Mr. & Mrs. Max Rozga 2103 Sugarcone Road Baltimore, Maryland 21209

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Sugarcone Road, 96.71' NE of the c/l Old Pimlico Road
(2103 Sugarcone Road)

3rd Election District - 2nd Councilmanic District

Max Rozga, et ux - Petitioners

Case No. 99-66-A

Dear Mr. & Mrs. Rozga:

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,

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bjs

cc: People's Counsel

File

ESTIMATED POSTING DATE

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2103 Sugar cone Road.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the

99-66-A

which is present	y zoned	Dez
This Petition shall be filed with the Dept. of Permits & Development Management The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the definereto and made a part hereof, hereby petition for a Variance from Section(s) 180238 crd 205.3 (1963) Reg crd 301.	IA to	permit
ch apen projection a Setbach of O in lie Regard 11-251 of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reason	y of	T-Le
practical difficulty) See a Hached # 1	no. (moioais	naidonp o

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.

			legal owner(s) of the prop	erty which is the subject of this Petition.	
Contract Purchaser/Lessee			Legal Owner(s)		
			max R	27.C.G	
(Type or Print Name)			(Type or Print Name)	<u> </u>	
			· Nay	1	
Signature			Signature		
			ABBG L	Rozga.	
Address			(Type or Print Name)	100	
×.			MUYS	(Kerga)	_
City	State	Zipcode	Signature		_((
Attorney for Petitioner:				410653619	50
			7103 2A	ger con Rd 410-653-18.	5
(Type or Print Name)			Audress		
			Bg Himore		
Signature			 City Name, Address and phon 	State Zipcode e number of representative to be contacted	
			Maxko-	Z9a	
Address	Pho	ne No.	Name	or come Rd 410-653-618	
City	State	Zipcode	Address /	/ Phone No.	
·			Delt mort	e md 21209	
A Public Hearing having b	een requested and/or for	and to be required, it is on	dered by the Zoning Commissions	er of Baltimore County, this day of, 19	
that the subject matter of t circulation throughout Bat	this petition be set for a p	ublic hearing , advertised	l, as required by the Zoning Regula	ations of Baltimore County, in two newspapers of general	
Siesioner madginder der	,,	, , , , , , , ,			
	1 1 1		Tell II I I I	Zoning Commissioner of Baltimore County	
		<u>~</u>		\wedge	
REVIEWED BY:	DATE:	· 62	Printed with Soybean link on Recycled Paper	ITEM #:	

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2103 Sugar cont Road.

which is presently zoned DRR

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached

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

hereto and made a part hereof, hereby petition for a Variance from Section(s)

1802.3 B and 2053 C19C3 Reg) and 301,14 to permit

a open projection. A set be all 0 in lieu of the

This Petition shall be filed with the Dept. of Permits & Development Management

practical difficulty)	1 ± 8		
See attache	ed # 1		
0.10	_		
Property is to be posted	d and advertised as prescr	ribed by Zoning Regul	ations.
Locard agree to pay expensi	es of above Variance advertising.	posting, etc., upon filing of	this petition, and further agree to and are to to the Zoning Law for Baltimore County.
be bound by the zoning regula	TOTAL TO ELICUOUS OF DAMESTOR	e Codiny acopies parsualli	to the zoning tar for butting obtains.
			e and affirm, under the penalties of perjury, that I/we are the erty which is the subject of this Petition.
Contract Purchaser/Lessee		Legal Owner(s):	
		max R	0700
(Type or Print Name)		(Type or Print Name)	
		401	
Signature .		Signature	
		ABB4 L	Rozga.
Address		(Type or Print Name)	.000
*		AlbyS	(Korga)
City	State Zipcode	Signature	4106536180
Attorney for Petitioner		2103 6	- 1/1 (-2)
(Type or Print Name)		Address	V Phone No
		Baltimore	md 21209
		City	State Zipcode in number of representative to be contacted
Signature		Name, Address and prior	e indition of representance to be contabled
		maxko-	Z9a
Address	Phone No	Name 2	0 - 10 11 110 (53 (150)
City	State Zipcode	Address ,	or cone 160 410-653-6180
		Belt mois	e md 21209
A Public Hearing having been reque	sted and/or found to be required, it is on	dered by the Zoning Commission	er of Ballimore County, this day of 19
	n be set for a public hearing , advertised unity, and that the property be reposted.		ations at Baltimore County, in two newspapers of general
			Zoning Commissioner at Baltimore County
REVIEWED BY: DATE	_AT	Printed with Saybean link	ITEM #:
**************************************	<u> </u>	on Recycled Paper	115017 7.
ESTIMATED POSTING DATE:			$A \cap I_{-}I$

44.00.A

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 2003 Sugges 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) 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. STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: 19 9 8, before me, a Notary Public of the State I HEREBY CERTIFY, this 22nd day of July 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 behef. AS WITNESS my hand and Notarial Seal.

My Commission Expires:

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 203 Sugar Cano Rd
That the Affiant(s) does/do presently reside at 2103 Suger cone Rd Bolfmere Md 21209 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 a Hached III.
•
That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee an may be required to provide additional information.
(signature) AGXROZGA (type or print name) (signature) (signature) (signature) (pignature) (type or continue)
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
1 HEREBY CERTIFY, this day of, 19, before me, a Notary Public of the State of Maryland, in and for the County aforesard, personally appeared
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of 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.
date NOTARY PUBLIC
My Commission Expires:

#1:

Reason for Variance

The reason we are requesting a variance is to allow us to build a carport onto our home. The differences between our house and the neighbors are:1. we are the last house on the street which is a dead end. 2. our lot is pie shaped 3. we are surrounded by trees on two sides and on one side is a 10 ft drain and utility easement which cannot be changed. (picture #1 black line) .Due to the shape of the lot, it would be impossible to build a car port on any other spot except for the driveway side of the house (picture #2). The only entrance which could be used for the carport is located on the driveway side (picture #2). The reason we cannot build the carport on the other side of the house (picture #1) is we would have to close off the only exit from the basement .This would cause a fire hazard. We could not build a carport in the rear of the house due to a hill and large trees which are there to block our house from another community, and help reduce noise from Old Pimilco Road.

We feel it would be an undue hardship if we had to strictly adhere to BCZR, because as the rules are now we could only have a single car port ., when we are a two car family.

FUER RECEIVED FOR FILING

GC

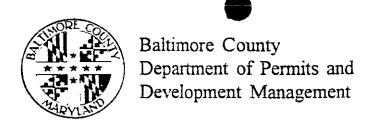
ZONING DESCRIPTION

ZONING DESCRIPTION For 2103 Sugarcone Road.

Beginning at a point on the west side of Sugarcone Road Which is 60 feet wide at the distance of ~96.71, NE of the centerline of the nearest improved intersecting street Old Pimilco Road which is 65 feet wide. Being lot# 13, Block I, Section 06, in the subdivision of Greengate as recorded in Baltimore county Plat Book # 38, Folio # 129 containing 20,625 square feet .Also known as 2103 sugarcone road and located in the 3rd election district,2nd Councilmanic district.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 99- 66 -A Address 2103 Sugar con Rd
Contact Person: Kwie Micron Phone Number: 410-887-3391
Filing Date: 7 4 3 98 Print Your Name Planner, Please Print Your Name Planner, Please Print Your Name Closing Date: 31 Aug
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
1. POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet 0to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He 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 of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing 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.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 99- 66 -A Address 2103 Sugarcone Rd
Petitioner's Name Rozga Telephone 40 653 C180
Posting Date: 16 Aug 98 Closing Date: 31 Aug 98
Nording for Sign: To Permit AN OPEN PROJECTION a Setback
of O' in lies of the Reguired 11.25'



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 (responsibility of which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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.:
Petitioner: Max & Abb, Rozga
Location: 2103 Sugar Conse. Rd
PLEASE FORWARD ADVERTISING BILL TO:
NAME: MAN ROZEA
ADDRESS: 2103 Sugar Come Rol
BALTIMORE MD 21029
PHONE NUMBER: 410-653-6180(w)
AJ:ggs (Revised 09/24/96)

BALTIMORE COUNTY, M. LAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT No. 05	6110 PAID RECEIPT
DATE 7 A198 ACCOUNT R-001-0	BR77/1949 BY07/1949 (93:47:34 BR6 WSOLD CARROLER HALL ARM BRACEL S. MISCELLATURE CASH ROLETES
RECEIVED HOZGA	Baltimore Carnty, Maryland
FOR: Adhin VAR 2103 Syra	99-66-A
<u>DISTRIBUTION</u> WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	CASHIER'S VALIDATION

CERTIFICATE OF PSTING

ADMIN.

RE. Case No	99-66-A
-------------	---------

Petitioner/Developer: MAX ROZGA, ETAL

Date of Hearing Closing.

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204

Attention: Ms Gwendolyn Stephens

Ladies and Gentlemen.

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law #2103 SUGARCONE RD. were posted conspicuously on the property located at _

The sign(s) were posted on



Sincerely,

Veele 8/20/98

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030 (City, State, Zip Code)

410-666-5366; CELL-410-905-8571 (Telephone Number)

BALTIMORE COUNT

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

To:

POM

R. Bruce Seeley.

Permits and Development Review

DEPRM

SUBJECT:

FROM:

Zoning Advisory Committee

Meeting Date:

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

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: August 21, 1998

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief

Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting

for August 24, 1998

Item Nos. 057, 059, 060, 062, 063,

064, 065, 066 and 067

Revised plans (with no review) for

Case #99-24-SPHXA (6350 Frederick Road)

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

RWB:HJO:jrb

cc: File



Parris N. Glendening Governor David L. Winstead Secretary Parker F. Williams

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

Baltimore County 8.14.5 V RE:

Administrator

Item No.

066 CAM

Dear Ms. Stephens:

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 or by E-mail at (lgredlein@sha.state.md.us).

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief

Engineering Access Permits

1. J. Dred la

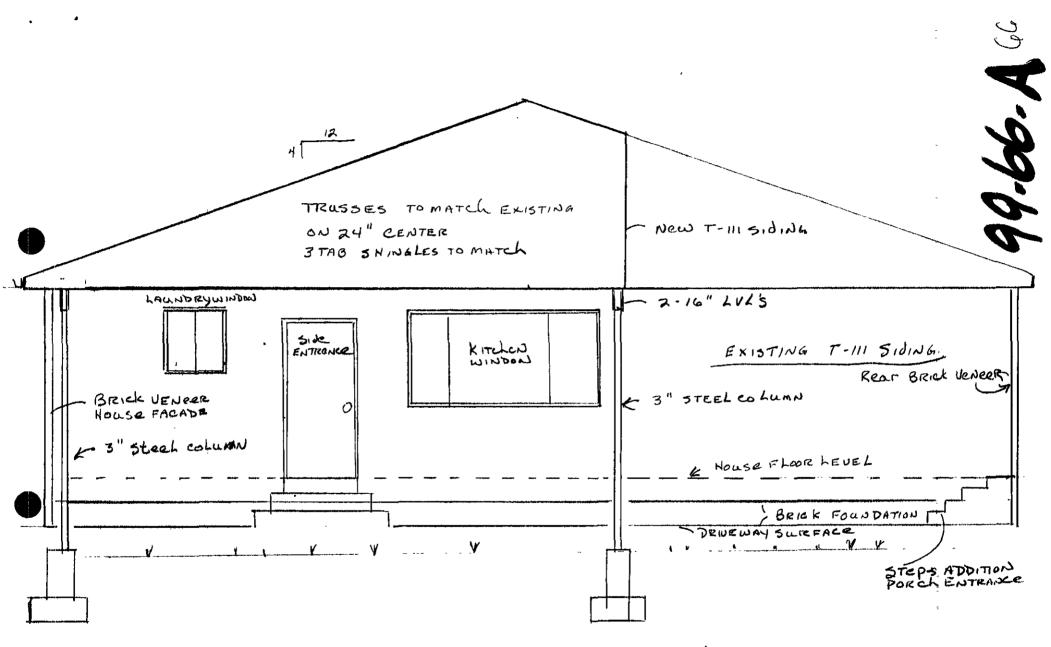
Division

LG

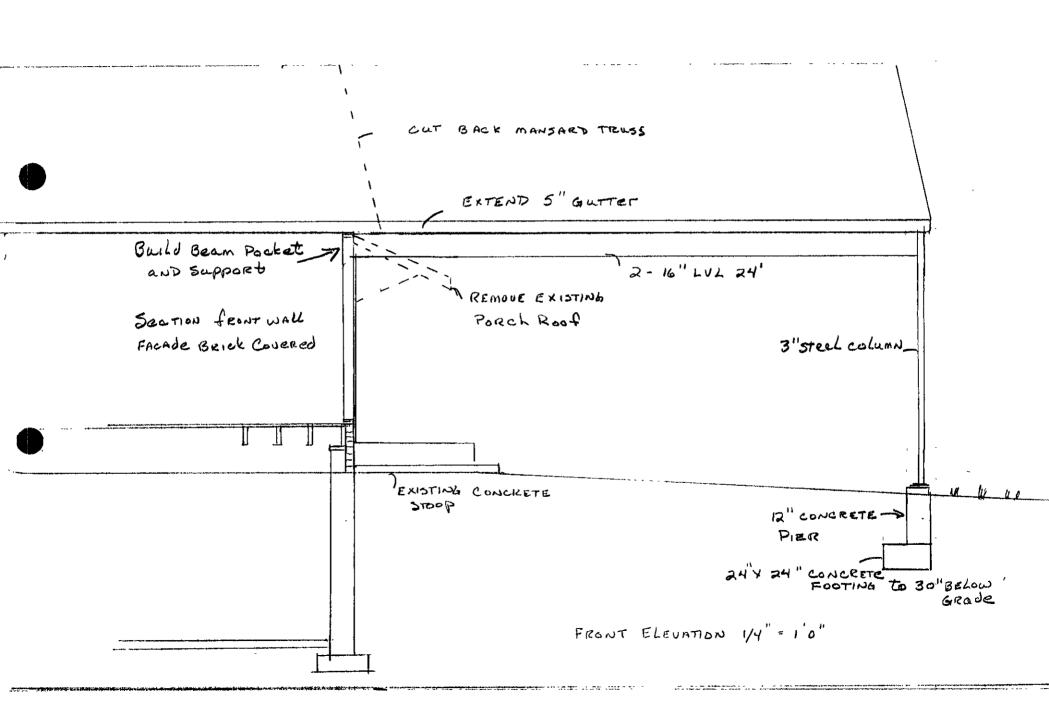
To Whom it may concern

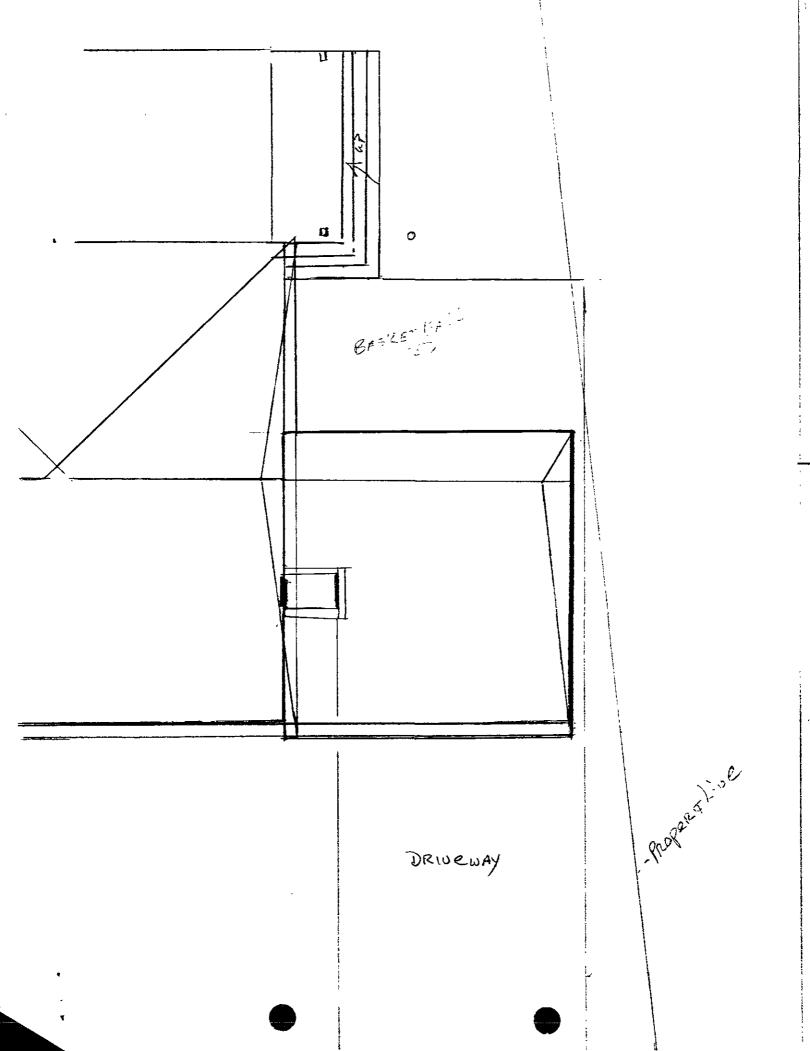
I/We Herbert and Ruth Block do not have any objections to Max and Abby Rozga who reside at 2103 Sugarcone Road Baltimore Md. 21209. Building a Car Port next to our Property which is 2105 Sugarcone Road Baltimore Md. 21209.

Date 7-20-90



51de Elevation 1/4 = 1-0"





200 Scole map #9





رياري)









99-66-A









