

IN RE: PETITION FOR ADMIN. VARIANCE
E/S Deancroft Road, 520' S of
the c/l Smith Avenue
(5609 Deancroft Road)
3rd Election District
2nd Councilmanic District

David J. Rosenberg, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-74-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, David J. and Gail Rosenberg. The Petitioners seek relief from Section III.C.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) (1945/1953) to permit a side yard setback of 4 feet in lieu of the required 7 feet, and any other variances deemed necessary by the Deputy Zoning Commissioner, for a proposed 20'x50' 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 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 Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the

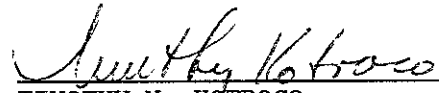
ORDER RECEIVED FOR FILING
Date 9/12/99
By [Signature]

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 17th day of September, 1998 that the Petition for Administrative Variance seeking relief from Section III.C.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) (1945/1953) to permit a side yard setback of 4 feet in lieu of the required 7 feet, and any other variances deemed necessary by the Deputy Zoning Commissioner, for a proposed 20'x50' addition, 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.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 9/17/98
by [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

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

September 17, 1998

Mr. & Mrs. David J. Rosenberg
6609 Deancroft Road
Baltimore, Maryland 21209

RE: PETITION FOR ADMINISTRATIVE VARIANCE
E/S Deancroft Road, 520' S of the c/l Smith Avenue
(6609 Deancroft Road)
3rd Election District - 2nd Councilmanic District
David J. Rosenberg, et ux - Petitioners
Case No. 99-74-A

Dear Mr. & Mrs. Rosenberg:

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: People's Counsel

✓
File

3 COPIES



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6609 DEANCROFT ROAD
which is presently zoned DR 3.5

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 description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) Section III, C.3, (BCZR 1945/1953) to allow a side yard setback of 4' in lieu of the required 7', and any other variances as deemed necessary by the commissioner.

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

SEE AFFIDAVIT

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

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

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

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address Phone No

City State Zipcode

Legal Owner(s)

DAVID J. ROSENBERG
(Type or Print Name)

David Rosenberg
Signature

GAIL ROSENBERG
(Type or Print Name)

Gail Rosenberg
Signature

6609 Deancroft Rd 410-486-0352 hm.
Address Phone No

Baltimore MD 21209
City State Zipcode

Name, Address and phone number of representative to be contacted

Name

Address Phone No

A Public Hearing having been requested and/or found to be required it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of _____, 19___ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: BK DATE: 8/12/08

ESTIMATED POSTING DATE: 8/23/08



Printed with Soybean Ink on Recycled Paper

ITEM #: 74

99-74-A

ORDER RECEIVED FOR FILING
Date 8/12/08

2.

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 6609 Deancroft Road
address
Baltimore 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 attached Affidavit

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.

David Rosenberg
(signature)
DAVID J. ROSENBERG
(type or print name)



Gail Rosenberg
(signature)
Gail Rosenberg
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12 day of August, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

DAVID & GAIL ROSENBERG

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.

AUG 12 1998
date

Bruce Boris
NOTARY PUBLIC

My Commission Expires:

BRUCE BORIS
Notary Public State of Maryland
My Commission Expires April 7 2001

A-45-99

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 6609 Deancroft Road
address
Baltimore 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 attached Affidavit

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.

David J. Rosenberg
(signature)
DAVID J. ROSENBERG
(type or print name)



Gail Rosenberg
(signature)
Gail Rosenberg
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12 day of August, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

DAVID & GAIL ROSENBERG

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.

AUG 12 1998
date

Bruce Paris
NOTARY PUBLIC

My Commission Expires:

BRUCE PARIS
Notary Public State of Maryland
My Commission Expires April 7 2001

A-45-99

Affidavit

We, David and Gail Rosenberg, plan to create suitable living quarters for our senior parents, Lillian and Jerome Schimberg, on our existing property by adding an addition on the rear, consisting of a bedroom, bath and a combined study and office.

To accomplish this project will require a variance of the set-back areas.

This will enable two senior parents to reside in an area with an access to their primary care physician, dental needs and physical therapy service, etc.

The variance sought will allow construction on a single level of the basic amenities required and additionally will permit a living arrangement for our senior parents to exist in their senior years and not put a burden on the community at large.

The facility sought to be constructed will adhere to the dignity of the Ranchleigh community and, with the allowance of the variance, to construct a single level unit reflecting the continuity of the area.

This will allow the following:

- (1) A reasonable use of the property and allow the applicant to make a reasonable return.
- (2) This was not the result of any actions on the applicants part.

ORDER RECEIVED FOR FILING

Date

by

alr
gpr

#74

Zoning Description

3 COPIES

ZONING DESCRIPTION FOR 6609 DEANCROFT ROAD
(address)

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

DEANCROFT which is 50 FEET
name of street on which property fronts (number of feet of right-of-way width)

wide at the distance of 520 FEET SOUTH of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street SMITH AVENUE
(name of street)

which is 50 FEET wide. *Being Lot # 7
(number of feet of right-of-way width)

Block --, Section # 2 in the subdivision of RANCHLEIGH
(name of subdivision)

as recorded in Baltimore County Plat Book, 19, Folio # 61,

containing 11,250 SQ FT. Also known as 6609 DEANCROFT
(square feet or acres) (property address)

and located in the 3RD Election District, 2ND Councilmanic District.

99-74-A

#74

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 056127

DATE 8/12/98 ACCOUNT R001-6150
AMOUNT \$ 50.00

RECEIVED FROM: David Rosenberg
FOR: 010 Con to V.A. office

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Item # 74

PAID RECEIPT
PROCESS ACTUAL TIME
8/12/1998 8/12/1998 13:18:27
FED 4503 CASHIER FINES PEN INQUIRY
E MISCELLANEOUS CASH RECEIPT
Receipt # 054765 056127
OR NO. 056127
50.00 CHECK
Baltimore County, Maryland

99-74A

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ADMIN VAR.
99-74-A

RE Case No.:

Petitioner/Developer: ROSENBERG, ETAL

Date of Hearing/Closing: 9/7/98

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
were posted conspicuously on the property located at #6609 DEANCROFT.

The sign(s) were posted on 8/20/98
(Month, Day, Year)

Sincerely,

Patrick M O'Keefe, 8/22/98

(Signature of Sign Poster and Date)

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)



99-74-A
#6609 DEANCROFT RD.
D. ROSENBERG 9/7/98

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 99- 74 -A Address 6609 Deancroft Rd.

Contact Person: Bruno Rudaitis Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 8/12/98 Posting Date: 8/23/98 Closing Date: 9/7/98

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.
3. **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- 74 -A Address 6609 Deancroft Rd.

Petitioner's Name David Rosenberg Telephone (410) 486-0352 hm.

Posting Date: 8/23/98 Closing Date: 9/7/98

Wording for Sign: To Permit a side yard setback of 4 ft. in lieu of the required 7 ft.



Baltimore County
 Department of Permits and
 Development Management

#5

1 COPY

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.: 74

Petitioner: DAVID & GAIL ROSENBERG

Location: 6609 DEANWRIGHT Rd. BALTO. Md. 21209

PLEASE FORWARD ADVERTISING BILL TO:

NAME: DAVID ROSENBERG

ADDRESS: 6609 DEANWRIGHT Rd.
BALTO. Md. 21209

PHONE NUMBER: 410-466-0352

AJ:ggs

(Revised 09/24/86)

99-74-A

#74



Baltimore County
Department of Permits and
Development Management

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

September 10, 1998

Mr. & Mrs. David J. Rosenberg
6609 Deancroft Road
Baltimore, MD 21209

RE: Item No.: 74
Case No.: 99-74-A
Location: 6609 Deancroft Rd.

Dear Mr. & Mrs. Rosenberg:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on August 12, 1998.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments 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.

Very truly yours,

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: August 28, 1998

FROM: *[Signature]* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for August 31, 1998
Item Nos. 68, 69, 70, 72, 73, (74)
and
Case No. 98-125-SPHXA

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

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 26, 1998

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

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

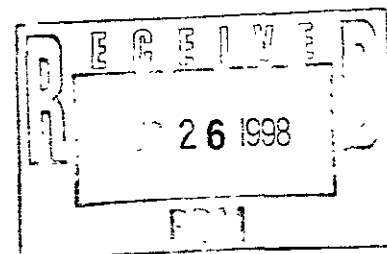
Item Nos. 69, 70, 71, and 74

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3480.

Section Chief:



AFK/JL





**Maryland Department of Transportation
State Highway Administration**

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

Date: 8.21.94

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

RE: Baltimore County
Item No. 74 BR

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

L. J. Gredlein
for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Plat to accompany Petition for Zoning Varia

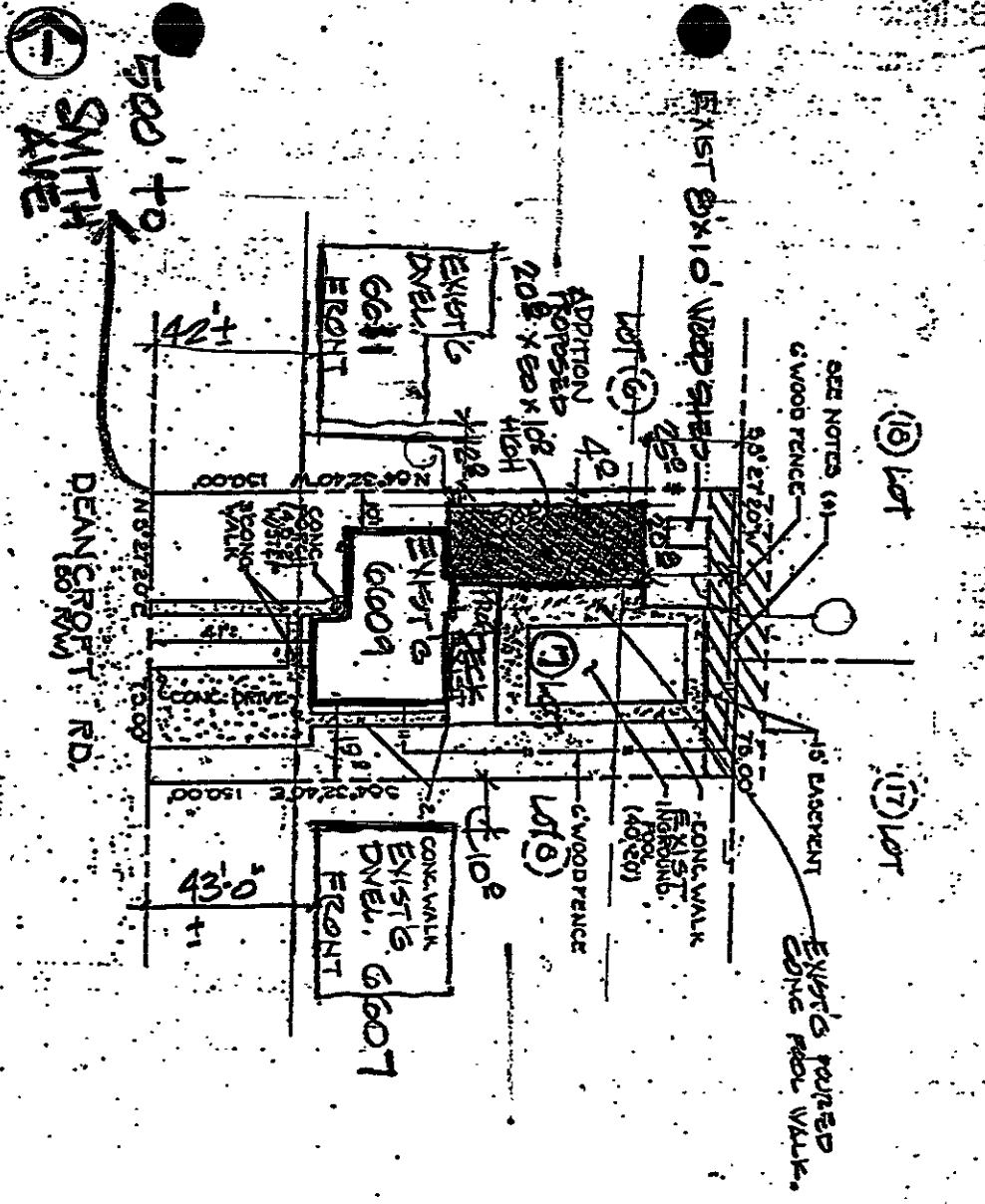
PROPERTY ADDRESS: 6609 DEANSCROFT ROAD

see pages 5 & 6 of

Subdivision name: RANCALEIGH - PLAT 2

plat books: 19, volume 61, lot # 7, section # 2

OWNER: MR & MRS DAVID ROSENBERG

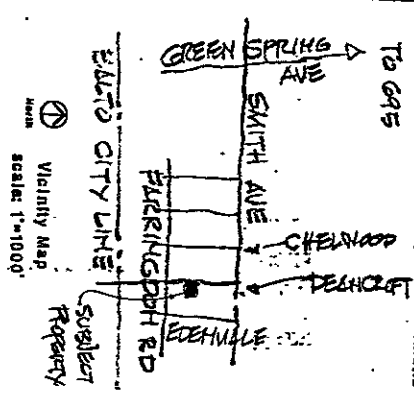


North
 Date: 3-5-98
 Prepared by: KEENEY ARCHITECTS Scale of Drawing: 1" = 40'-0"

INFORMATION FOR PLAT AS PROVIDED BY THE OWNER.

Special Hearing

If the CHECKLIST for additional required information



LOCATION INFORMATION

Election District: #3
 Councilmanic District: #2
 1"-200' scale map: NV-B-C
 Zoning: OR 3/5
 Lot size: 0.258 acres
11,250 square feet

SEWER: YES NO
 WATER: YES NO
 Chesapeake Bay Critical Area: YES NO
 Prior Zoning Hearings: NONE

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

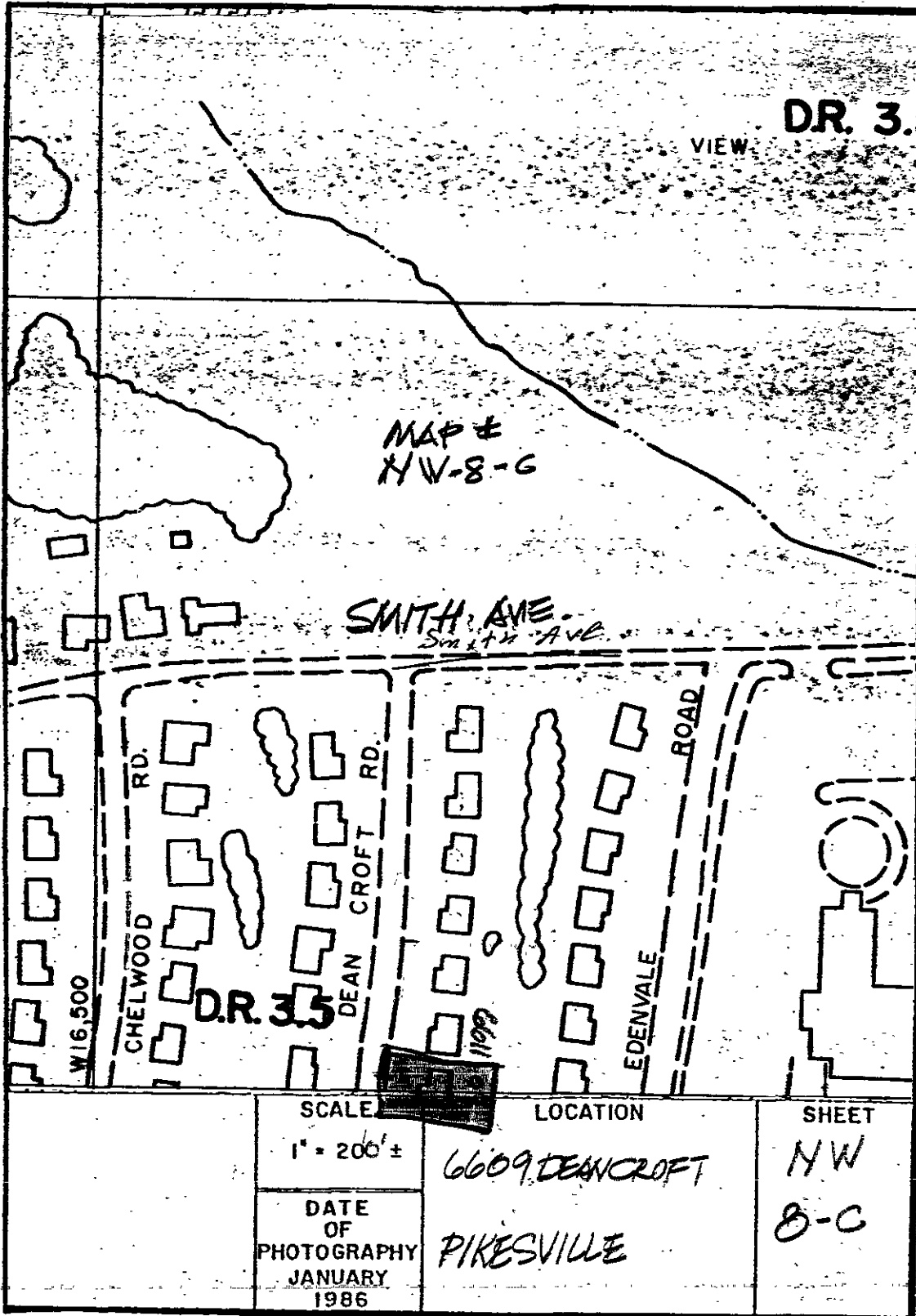
SK 74 99-74-A

Ret Ex # 1

99-74-A

Zoning Map

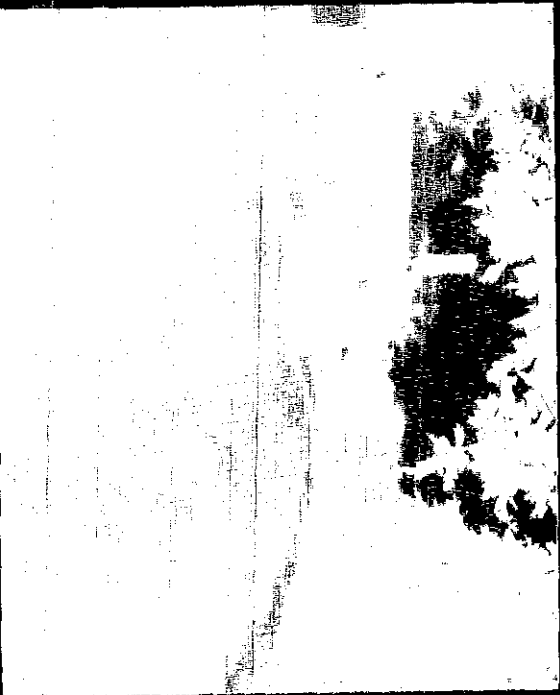
1 COPY



99.74-A

74

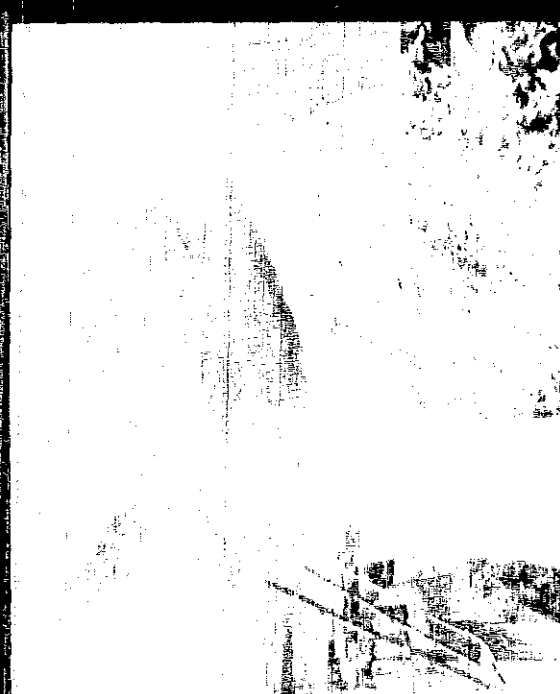
③ 6607 DEWICKOFF



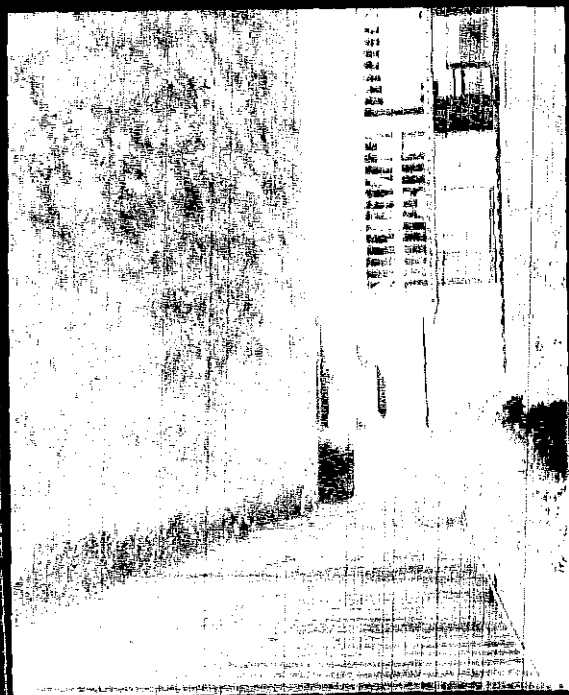
① 6611 DEWICKOFF



④ 6611 DEWICKOFF



② 6609 DEWICKOFF
David (BAC) ROSENBERG

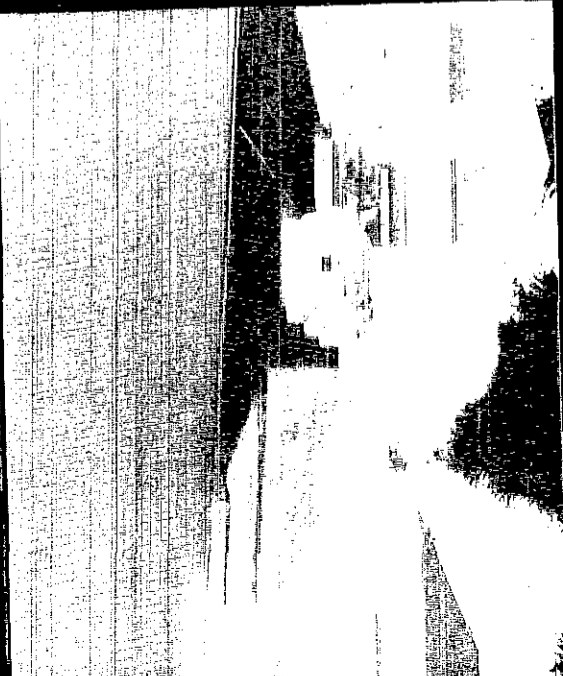




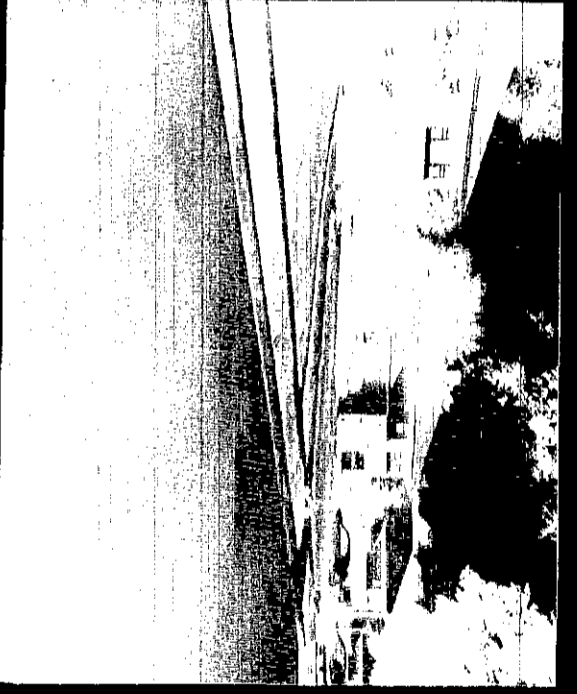
6611 DEAN CROFT
BRUCE/MARCOLE LEVINE



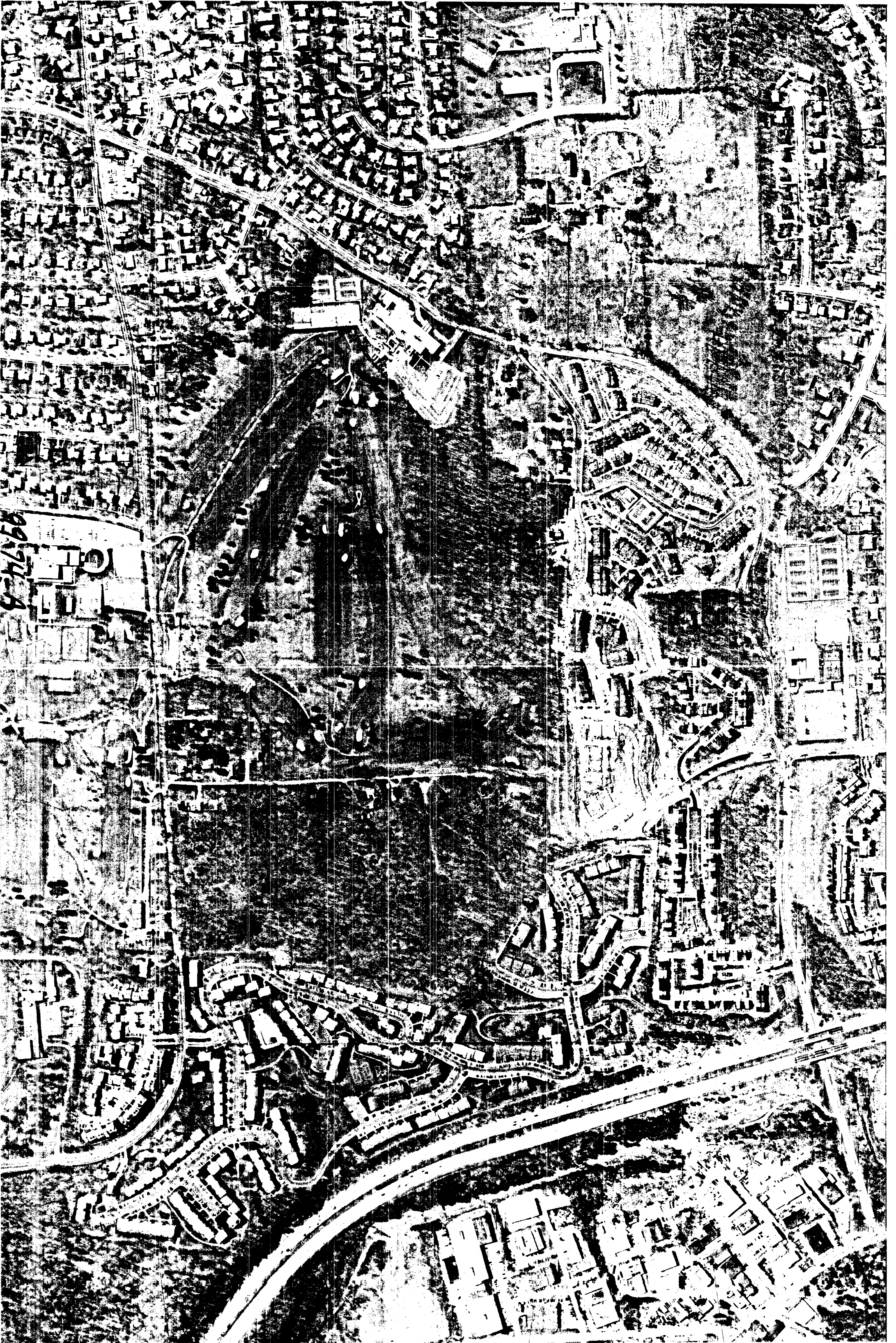
↑ RSE
6611
LSE
66109
ROSE/JBE RGS



6609
RSE
↓ LSE
6607



6611
LEVINE
①
6609
ROSE/JBE
②
6607
SHOCHET
③



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

DRAFT
#74
BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
LAKE ROLAND

SHEET
NW
8-C

MON
1/21/86
10:00 AM