ONDER FRECEIVED FOR FILING Data 3/2/00 Dy J. Gameara IN RE: PETITION FOR VARIANCE

S/S Cider Mill Road, 24' W

c/l Covered Bridge

9<sup>th</sup> Election District

6<sup>th</sup> Councilmanic District

(2109 Cider Mill Road)

William J. & Jill G. Zupancic

Petitioners

\* BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* CASE NO. 00-295-A

\* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, William and Jill Zupancic. The Petitioners are requesting a variance for property they own at 2109 Cider Mill Road. The property is zoned D.R.5.5. The variance request is from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an addition to be built on the side of their house with a side yard setback of 2 ft. and a total of 18 ft. on both sides in lieu of the minimum required setback of 8 ft. and a total of 20 ft. respectively.

Appearing at the hearing on behalf of the variance request were William and Jill Zupancic, property owners and Ted D'Amico, adjacent property owner. Appearing in opposition to the Petitioners' request were Jimmy and Angela Lolley and Joe Ford, also residents of the neighborhood. There were no others in attendance.

Testimony and evidence indicated that the variance request was originally filed as an administrative variance. However, a public hearing was requested by Joseph Ford on January 26, 2000. The matter was set in for a public hearing before me. The property, which is the subject of this variance request, consists of 0.168 acres, zoned D.R.5.5. The property is located along Cider Mill Road in the Parkville/Carney area of Baltimore County. The property is improved with a one-story, single family residential brick dwelling. The Petitioners are desirous

ONDER PROGENED FOR FILING

of constructing an 11 ft. x 21 ft. addition on the side of the house, as shown on the site plan submitted. In order to proceed with the construction of this addition, the variance request is necessary.

The Petitioners testified that they would like to construct this addition in order to increase the living area within their home. The lot upon which their house sits is very small and the side yard is the only feasible area for them to construct this addition. The rear of the property is already improved with a screened-in porch and patio off the rear of the house. They, therefore, request to construct the addition on the side of the home in the area where the driveway exists. They indicated that many of the other homeowners in their community have constructed similar type additions on their homes. Many photographs were submitted into evidence demonstrating the other additions built in the neighborhood, both on the sides of homes and the rear of homes. In addition, photographs of the Petitioners' property were also submitted.

Appearing in opposition to the Petitioners' request were neighbors from the surrounding community. Mr. Ford and Mr. Lolley both are strongly opposed to the granting of any variance to allow the construction of this addition on the side of this house. Their cumulative testimony indicated that the addition itself will sit too close to the property line shared with Mr. D'Amico. They believe the addition would cause the property to be too cluttered and would provide a "closed-in" effect to the neighborhood. They further indicated that there are no private covenants and restrictions that apply to the houses in their neighborhood, given the age of the development. They, therefore, are relying on the Zoning Office to assist them in maintaining the character and integrity of their neighborhood.

As stated previously, the adjacent property owner who would be most affected by the construction of this addition, Mr. Ted D'Amico, appeared in full support of the Petitioners'

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variance request. Mr. D'Amico is not opposed to the construction of this addition which would be located on the side of his house. He believes the addition proposed is similar to the other additions in the neighborhood and, therefore, has no objection. However, it was pointed out by the protestants in attendance that Mr. D'Amico is desirous of constructing a garage on the side of his dwelling, which would also require the granting of a variance. The protestants believe that Mr. D'Amico is supporting the Petitioners in this case in hopes of having his own variance granted. After considering the testimony and evidence offered at the hearing, as well as the many exhibits submitted, and my site visit to the property and neighborhood, I find that the variance request to allow this addition to be situated 2 ft. from the side yard property line should be denied. The lot is simply too small to accommodate an addition of this size, as shown on the site plan submitted.

THEREFORE, IT IS ORDERED this 2nd day of March, 2000, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an addition to be built on the side of their house with a side yard setback of 2 ft. and a total of 18 ft. on both sides in lieu of the minimum required setback of 8 ft. and a total of 20 ft. respectively, be and is hereby DENIED.

IT IS FURTHER ORDERED that any appeal of this decision must be filed within thirty (30) days of the date of this Order.

TIMOTHY M! KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj



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

Fax: 410-887-3468

March 2, 2000

Mr. & Mrs. William J. Zupancic 2109 Cider Mill Road Baltimore, Maryland 21234

> Re: Petition for Variance Case No. 00-295-A

> > Property: 2109 Cider Mill Road

Dear Mr. & Mrs. Zupancic:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been denied in accordance with the enclosed 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 from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure

### Copies to:

Mr. & Mrs. Jimmy C. Lolley 2106 Cider Mill Road Baltimore, Maryland 21234

Mr. Joe Ford 2110 Cider Mill Road Baltimore, Maryland 21234

Mr. Ted A. D'Amico 2108 Cider Mill Road Baltimore, Maryland 21234



REU 9/15/98

## **Petition for Administrative Variance**

## to the Zoning Commissioner of Baltimore County

for the property located at 2109 CIDER MILL ROAD which is presently zoned RESTREATED

I/We do solemnly declare and affirm, under the penalties of

This Petition shall be filed with the Department of Permits and 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) / BO2.3 B BCZR

TO PERMIT AN ADDITION WITH A SIDE YARD SETBACK OF 2' AND A YOTAL OF 18' ON BOTH SIDES IN LIEU OF THE MINIMUM REQUIRED SETBACK TOTAL OF 8' AND YOTAL OF 20' RESPECTIVELY.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			perjury, that I/we are is the subject of this F	the legal owner(s) of the perition.	property which
Contract Purcha	ser/Lessee:		Legal Owner(s):		
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Signature			Signatule JILL 6	2 UPANCIC	
Address		Telephone No.	Name - Type or Print	- Turner	<u> </u>
City	State	Zip Code	Signature	4	10-668-615
Attorney For Pet	titioner:		2109 61	DER MILL R	DAD
	<del>-</del>		Address		Telephone No.
	· · · · · · · · · · · · · · · · · · ·	·	BALTIMOR	E MARYLANI	0 21234
Name - Type or Print			City	State	Zip Code
<u> </u>			Representative t	o be Contacted:	
Signature					
Company		<del> </del>	Name		
Addres		Telephone No.	Address		Telephone No.
City	State	Zîp Code	City	State	Zip Code
A Public Hearing havin	ng been formally demand	led and/or found to be	required, it is ordered by the	e Zoning Commissioner of I	Baltimore County,
-tois	County and that the proper	at the subject matter of t	his petition be set for a public	hearing, advertised, as requi	ired by the zoning
	orani, and make proper	(3 no topostos.			
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10 T			Zoning Commi	ssioner of Baltimore County	
CASE NO.	10-295-A	Rev	iewed By JRF	Date 1/14	100
And India			·	<del></del> , <del></del>	<del></del>

Estimated Posting Date \_\_\_ 1/21/00

# 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	2109	CIDER	MILL	ROAD	····
	Address BALTIMO City				21234
	City		State		Zip Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardship)	ving are the fact o or practical diff	s upon whic iculty):	ch I/we base	the request for	an Administrative
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Shellean / Zupancie		Signature	<u> </u>	Zupa	ncic
WILLIAM J. ZUPANCIC	<u></u>	VIL Name - Type	or Print	ZUPANO	1/0
STATE OF MARYLAND, COUNTY OF BALTIM	)		200		
of Maryland, in and for the County aforesaid, per	*			•	Public of the State
the Affiant(s) herein, personally known or satisfalaw that the matters and facts hereinabove set for	actorily identified orth are true and	to me as s correct to the	such Affiant( ne best of his	s), and made of	ath in due form of edge and belief.
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Date	Notary   My Con	Public nmission Ex		61-20	<i>a</i> o

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WILLIAM J. ZUPANO Name - Type or Print	9/ <u>@</u>	Name - Type	G . a	ZUPANO	1/0
STATE OF MARYLAND, COUNTY OF BALTIM	MORE, to wit:	·			
I HEREBY CERTIFY, this <u>9/07</u> day of <u>formally day of</u> of Maryland, in and for the County aforesaid, pe		ared (	<i>992</i> , befo	re me, a Notary	Public of the State
the Affiant(s) herein, personally known or satis law that the matters and facts hereinabove set f	factorily identification are true as	ied to me as	such Affiant he best of hi	(s), and made of street (s), and made of street (s)	oath in due form of rledge and belief.
AS WITNESS my hand and Notariał Seal			<i>^</i>		
<i>12.31-99</i> Date	Nota	ry Public	tool a	Buelug 1 10-1-20	<u> </u>
<del></del>		Commission E	xpires	10-1-20	10

REU 09/15/98



## **Petition for Administrative Variance**

	to th	ie Zoning	Commissio	ner of Baltimo	ore County
CRY LAND		for the proper	ty located at	2109 CIDER 1	HILL ROAD
		- •		presently zoned Res	HENTHAL
This Petition shall be file owner(s) of the property sit made a part hereof, hereby	riate in Raltimor	e County and wh	ich ie deecrihed in t	ent Management. The	DP 5.5 undersigned, legal ttached hereto and
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total of 18	on both	sides u	liev of	the minimum	required
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of the zoning regulations of of this petition form.	f Baltimore Coun	ty, to the zoning	law of Baltimore Co	ounty, for the reasons ind	icated on the back
Property is to be posted an I, or we, agree to pay expense regulations and restrictions of	es of above Variar	ice, advertising, n	osting etc. and furthe	r agree to and are to be bo	unded by the zoning
		N	I/We do solemn perjury, that I/w is the subject of	ly declare and affirm, under e are the legal owner(s) of this Petition.	r the penalties of the property which
Contract Purchaser/Le	s <u>see:</u>		<u>Legal Owne</u>	<u>r(s):</u>	
			WILLIA	IM J. ZUPAN	1010
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Attorney For Petitioner		p 0000	2109	CIBER MILL	410-668-615 2 ROAD
	-		Address BALTIN		Telephone No.
Name - Type or Print			City	State	Zip Code
Signature			<u>Representat</u>	ive to be Contacted:	
Company			Name		
Address		Теlерноле <b>N</b> o.	Address		Telephone No.
City	State	Zip Code	City	State	Zip Code
A Public Hearing having been f this day of regulations of Baltimore County ar	, that ti	ne subject matter of t	e required, it is ordere this petition be set for a	d by the Zoning Commissione public hearing, advertised, as	r of Baltimore County, required by the zoning
			Zoning	Commissioner of Baltimore Co	unt <u>v</u>
CASE NO	295-A	Rev	riewed By」下	P Date 1	14100
REV 9115 98		Est	imated Posting Do	ite 1/21/0	<u>ට</u>

## OO-295-A Zoning Description

Beginning at a point on the <u>South</u> side of <u>Cider Mill Road</u> which is <u>88.77</u>, wide at the distance of <u>25</u>, <u>West</u> of the centerline of the nearest improved intersecting street

<u>Covered Bridge</u> which is <u>30 feet</u> wide.

\*Being Lot # 8, Block "K", Section # 2 in the subdivision of Perring Park as recorded in Baltimore County Plat Book # 28, Folio # 19, containing 7,336 square feet.

Also known as 2109 Cider Mill Road and located in the 9<sup>th</sup> Election District,

6<sup>th</sup> Councilmanic District.

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CASHER'S VALIDATION



## FORMAL DEMAND FOR HEARING

CASE NU	MBER:	002424		
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Petitioner(	s): 1059	4 FARD		
TO THE ZON			TIMORE COUNTY:	
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Signature Revised 9/18	/98 - wcr/scj		Date	

The Zaning Commissioner of Bainrib's County by authority of the Zaning Arisand Regulations of Bailmore County by of the Zaning In Towson. Maryland on the property Identified herein as follows:

Case: 00-295-A
2109 cider Mill Road. 25: W of centerine Covered Bridge Sty Cider Mill Road. 25: W of centerine Covered Bridge Sty Cider Mill Road. 25: W of centerine District

Sph Ejection District. 5 th Councilmants District

Legal Owner(s): III G. Zupancic & William J. Zupancic

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Legal Owner(s): III i.G. Zupanc

LAWRENCE E. SCHMIDT.
Zoning Commissioner for Baltimore County
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for spacial accommodations, Please Contact the Zoning Commissioner's Office at (410) 887-4386.
(2) For Information concerning the File angler, Hearing,
(2) For Information concerning the File angler.

weeks, the first publication appearing on \_

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TOWSON, MD,, 20 <u>CO</u> THIS IS TO CERTIFY, that the annexed advertisement was ublished in THE JEFFERSONIAN, a weekly newspaper published in owson, Baltimore County, Md., once in each of successive
---

HĘ JĘFFERSONIAN,

EGAL ADVERTISING

#### **CERTIFICATE OF POSTING**

RE: CASE #00-295-A
PETITIONER/DEVELOPER
(William Zupancic)
DATE OF Closing
(Feb 7, 2000)

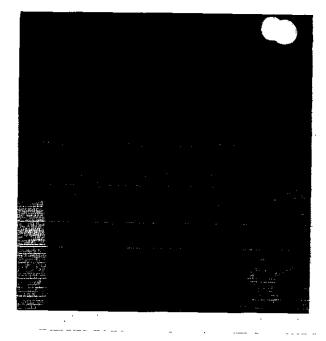
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Ave. Towson, Maryland 21204

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 2109 Cider Mill Road Baltimore, Maryland 21234

The sign(s) were posted on	1-21-00
	(Month, Day, Year)



Sincerely,
Chom Del Hall
(Signature of Sign Poster & Date)
Thomas P. Ogle, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(410)-687-8405 (Telephone Number)

RECEIVED FEB 0 2 2000

#### **CERTIFICATE OF POSTING**

RE: CASE # 00-295-A
PETITIONER/DEVELOPER
(William Zupancic)
DATE OF Hearing
(2-28-00)

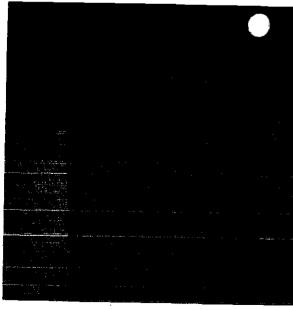
BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 111 WEST CHESAPEAKE AVE. TOWSON, MARYLAND 21204

ATTENTION: MS. GWENDOLYN STEPHENS

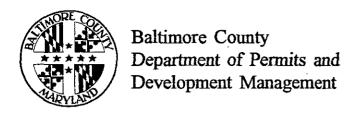
LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERIURY THAT THE NECESSARY SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

2109 Cider Mill Road Baltimore, Maryland 21234		
THE SIGN(S) WERE POSTED ON	2-11-00 (MONTH, DAY, YEAR)	
	(motin, bar, rock)	



SINCERELY,
Onom! Of SIGN POSTER & DATE)
THOMAS P. OGLE SR
325 NICHOLSON ROAD
BALTIMORE, MARYLAND 21221
410-687-8405
(TELEPHONE NUMBER)



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

February 1, 2000

### NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-295-A
2109 Cider Mill Road
S/S Cider Mill Road, 25' W of centerline Covered Bridge
9th Election District – 6th Councilmanic District
Legal Owner: Jill G. Zupancic & William J. Zupancic

Administrative Variance to permit an addition with a side yard setback of 2 feet and a total of 18 feet on both sides in lieu of the minimum required setback of 8 feet and total of 20 feet, respectively.

HEARING: Monday, February 28, 2000 at 9:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jablon Director

c: Jill & William Zupancic, 2109 Cider Mill Road, Baltimore 21234 Joseph Ford, 2110 Cider Mill Road, Parkville 21234

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FEBRUARY 13, 2000.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Thursday, February 10, 2000 Issue - Jeffersonian

Please forward billing to:

William J. Zupancic 2109 Cider Mill Road Baltimore, MD 21234

410-668-6152

### **NOTICE OF ZONING HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

2109 Cider Mill Road S/S Cider Mill Road, 25' W of centerline Covered Bridge 9<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District Legal Owner: Jill G. Zupancic & William J. Zupancic

Administrative Variance to permit an addition with a side yard setback of 2 feet and a total of 18 feet on both sides in lieu of the minimum required setback of 8 feet and total of 20 feet, respectively.

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Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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## BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW 50-295-A

## **ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case l	Number 00- 295 -A Address 2109 CIDER MILL ROAD
Conta	ct Person: JUN R. FERNANDO Phone Number: 410-887-3391 Planner, Please Print Your Name
Filing	Date: <u>0/-/4-00</u> Posting Date: <u>0/-2/-0</u> 0 Closing Date: <u>02-07-</u> 0
	ontact made with this office regarding the status of the administrative variance should be h the contact person (planner) using the case number.
1.	<u>POSTING/COST:</u> 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.	<b>DEADLINE:</b> The closing date is the deadline for an occupant or owner within 1,000 feet to 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)
Petitio	oner: This Part of the Form is for the Sign Poster Only
	USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case	Number 00-295 -A Address 2109 CIDER MILL ROAD
Petitic	ner's Name William & Jill Zupancik Telephone 410-648-6152
Posti	ng Date: <u>0/-2/-00</u> Closing Date: <u>02-07-00</u>
Wordi	ng for Sign: To Permit an addition with a side yard setback
<u>of</u> )	2' and a total of 18' on both sides in lieu of the
<u>min</u>	2' and a total of 18' on both sides in lieu of the simum required sotback of 8' and 20' respectively.

## DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW 70-295-A

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

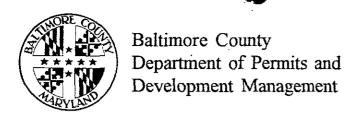
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:							
Item Number or Case Number:	295						
Petitioner: WILLIAM		ZUPI	ancic_				
Address or Location: 2109	CIDER 1	MILL	ROAD				
PLEASE FORWARD ADVERTISING BILL TO:							
Name: WILLIAM	1. 201	PANC	1C				
Address: 2109 0	108R M	1111	ROAD				
BALTIMON							
Telephone Number:41	0-668-	-615					

For adviron



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

February 25, 2000

Mr. & Mrs. William J. Zupancic 2109 Cider Mill Road Baltimore MD 21234

Dear Mr. & Mrs. Zupancic:

RE: Case Number 00-295-A, 2109 Cider Mill Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 14, 2000.

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, please do not hesitate to contact the commenting agency.

Sincerely.

W. Carl Richards

Zoniná Superviso

Zoning Review

WCR:ggs

**Enclosures** 



Printed with Sovbean ink

on Recycled Paper









BALTIMORE COUNTY. MARYLAND

#### INTEROFFICE CORRESPONDENCE

DATE: February 3, 2000

RECEIVED FEB 0 8 2000

TO:

Arnold Jablon, Director Department of Permits and

Development Management

\$7 \$ Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for January 31, 2000

Item Nos. 286, 288, 290, 291, 293,

294, and (295

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

RWB:HJO:jrb

cc: File



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

January 28, 2000

RECEIVED FEB 0 4 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JANUARY 24, 2000

Item No.: SEE BELOW

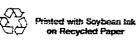
Dear Ms. Stephens:

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.

THE FIRE MARSHAL'S OFFICE HAS NO COMMENTS AT THIS TIME REGARDING THE FOLLOWING ITEMS: 287, 293, AND 295

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File



Danied 3/2/00 Sing

Date: February 4, 2000

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Department of Permits

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

**SUBJECT:** Zoning Advisory Petitions

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

Item No(s): 295, 297, and 300

If there should be any questions or this office can provide additional information, please

contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief: Jeffy W Lang

AFK/JL



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date: 1.2400

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

RE: Baltimore County

Item No. 255

RECEIVED JAN 2 7 2000

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.

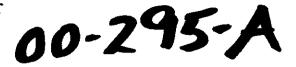
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

f.J. soll

**Baltimore County Zoning Commissioner** 111 W. Chesapeake Ave Towson, Maryland 21204



Re: 2109 Cider Mill Road Variance

Dear Sir,

We are neighbors of Jill and Bill Zupancic at 2109 Cider Mill Road. We have reviewed their plans for an addition to their home. We agree with their plans and have no objections to that addition or to the variance request.

Sincerely,

John Ketzner John Skitzm Date 12-30-99

Betty Ketzner Betty Ketzner Date 12-30-99

2111 Cider Mill Road Baltimore, Maryland 21234 Baltimore County Zoning Commissioner 111 W. Chesapeake Ave Towson, Maryland 21204

00-295-A

Re: 2109 Cider Mill Road Variance

Dear Sir,

We are neighbors of Jill and Bill Zupancic at 2109 Cider Mill Road. We have reviewed their plans for an addition to their home. We agree with their plans and have no objections to that addition or to the variance request.

Sincerely,

Ted D'Amico

Date 12/31/99

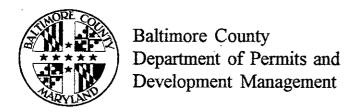
Mary D'Amico

May D'Amico

Date 12/31/99

2107 Cider Mill Road

Baltimore, Maryland 21234



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

February 1, 2000

Mr. & Mrs. William Zupancic 2109 Cider Mill Road Baltimore, MD 21234

, Dear Mr. & Mrs. Zupancic:

RE: Demand for Public Hearing, 2109 Cider Mill Road

The purpose of this letter is to officially notify you that the posting of the subject property has resulted in a timely demand on January 26, 2000 for a public hearing concerning the above proposed administrative procedure.

As soon as the hearing has been scheduled, you will receive a notice of public hearing indicating the date, time and location of the hearing. This notice will also contain the date that the sign must be reposted with the hearing information.

As a result of the above, the property must be reposted with the hearing date, time and location. This notification will be published in the Jeffersonian and you will be billed directly by Patuxent Publishing for this.

If you need any further explanation or additional information, please feel free to contact me at 410-887-3391.

Very truly yours.

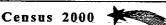
W. Carl Richards, Jr. Supervisor

Zoning Review

WCR:sci

Joseph Ford, 2110 Cider Mill Road, Parkville 21234









Bill & Jill Zupancic 2109 Cider Mill Road Baltimore, Maryland 21234 3/15/10 5/ To: Dave 3/15/00

March 14, 2000

Zoning Review Office Baltimore County 111 West Chesapeake Ave Towson, Maryland 21204

RE: Case No. 00-295-A

2/23/00 9am Fin 407

#### Ladies/Gentlemen:

We attended a Variance hearing at the county court house on February 28, 2000. We want to get a copy of the AUDIO TAPE of that hearing.

Case #00-295-A Property: 2109 Cider Mill Road

We are enclosing the fee of \$20.00.

Please forward the tape to: Bill & Jill Zupancic

2109 Cider Mill Road

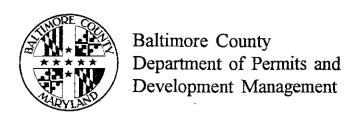
Baltimore, Maryland 21234

Thank You.

Bill Zupancic

T. 1:5

2.7



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

March 24, 2000

Bill and Jill Zupancic 2109 Cider Mill Road Balitmore, Maryland 21234

Dear Mr. and Mrs. Zupancic:

RE: Audio Tape Case #00-295-A

I'm sorry to report that I am unable to grant your request for a copy of the audio tape of zoning hearing case #00-295-A. In reviewing the tape that was used to record it, there appears to have been a mistake or malfunction; no actual sounds were recorded. This problem went unnoticed for several days and yours was among several cases that was not preserved on tape. The appropriate people have been notified and the matter should be corrected by now. Sadly, this will not bring your case back and I regret any inconvenience this may cause. Enclosed is your check for \$20.

Sincerely,

R. David Duvall Drafting Technician II Zoning Review

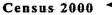
RDD:kew Enclosure







and Dwell





Census 2000

# 00-295-A

March 2, 2000

Department of Permits and Development Management Baltimore County Office Building 111 West Chesapeake Ave Towson, Maryland 21204 Attn: Timothy Kotroco

### Dear Tim,

Thank you for the time you took to hear our request for a variance. I know it is part of your job, but we still appreciate your time.

WOW, were we surprised at the issues raised over our variance request. We were under the impression from Joe Ford (reference note of his phone call) that he was mainly concerned about the vinyl siding on the side of our addition. The 3 page statement seemed to get into much more...even referencing concerns about "parking" of vehicles on the street for our now 11 year-old daughter...and street cleaning and the mail man?????

I know that Mr. Ford made the petition for the hearing, but it seemed that Mr. Lolly did most of the talking. Our concern was that we know that Mr. Lolly "wants to influence" others, like Mr. Ford, to his way of thinking. One of our neighbors was "unconfortable" about coming to the hearing (and did not come) because he said "Jim Lolly is a tough man used to getting his way." Our neighbor, who has known Jim Lolly for over 25 years, was apprehensive about the repercussions of coming to the hearing with us.

Also, it seemed that a major concern was with Mr. D'Amico's intent to add a garage to his dwelling. Mr. D'Amico had not yet applied for his variance at the time of our petition and the request for this hearing.

WOW, we have discovered the wonderful support of several neighbors who have seen our plans and signed our support documents. We have been good, quiet neighbors, for over 14 years. It was really refreshing to feel the support of these neighbors. This is a great place to live.

Please stop in and say hello when you come to our neighborhood. We are still working on our home. We are working people who want to keep and improve our property. We want to live within our means and make additions and corrections as we can afford them. One of our neighbors, Carl Eifert, had suggested that we stain the front porch White to help blend in with the rest of our white trim. So I have started to stain the front porch to do that. Mr. Ford and Mr. Lolly have never taken the time to make such suggestions (other than using the county hearing procedure to air their views and criticisms of our home). We have been open to suggestions from neighbors and friends over the years.

Thank you again for your time. We hope you will stop in on your visit. When we do construct the addition on the side of our home, we intend to put a new fence in around the entire back yard. We wanted to wait until we built the addition before doing so.

Sincerely,

Sincerely,

Sub Zupancic

Jill and Bill Zupancic, 2109 Cider Mill Road, Baltimore, Maryland 21234

## The following critical factors represent a summary of the objections to the proposed zoning variance:

## Members of the Zoning Commission please consider the following:

- 1. The subject property line is only 17 feet from the adjoining house.
- <u>Please reference the attached pictures</u> of a comparable house located on the same street - where a garage <u>with vinyl siding</u> was attached to the same style ranch house. The outcome was horrible.
- The <u>proposed addition will upset the already very close proximity of the neighboring houses.</u>
- My house is located directly across from the subject property. The proposed <u>addition will create an irreversible eyesore that will not blend in with the overall look of the neighborhood</u>.
- The close proximity of the proposed addition may also <u>increase the likelihood of a serious fire spreading</u> from one house to another.
- 2. A survey has not performed Therefore; it is impossible to determine the accuracy of the proposed 2-foot side setback from the property line.

### 3. Per discussions with the Petitioner:

- There are **no drawings** available to provide neighbors with a look at the final design.
- There are no plans to include brick on the front or sides of the proposed addition – As noted in the attached comparable pictures, vinyl siding showing on the front of the proposed addition would create an eyesore in a neighborhood of brick houses - especially with the close proximity to the neighboring house.
- There are <u>no plans to reroof the front of the existing house</u>.
   These shingles are showing their age, and the new roof on the proposed addition will <u>never match</u> the older roof on the existing house.

## Members of the Zoning Commission please also consider the following facts:

- 4. The Petitioner has stated that his next door neighbor does not have any problems with the proposed addition. Please be aware that this neighbor's opinion may not be objective because of the following:
  - The next door neighbor has already started preliminary construction of a garage (markers, yellow string, and <u>saw cutting of the driveway</u> are visible) Another neighbor requested that this work be stopped – An Administrative Variance will also be needed to construct a garage approximately 18 feet from the neighboring house.

The plans are for the proposed garage to protrude from the front of the house approximately six feet creating another irreversible eyesore. This neighbor is present in the courtroom awaiting the final decision of this case - which may also affect the outcome of his zoning variance. These neighbors are also using the same builder – Roso contracting (Licensed?)

- 5. There is another neighbor in this courtroom that is also protesting this proposed addition with me. Please consider his comments.
- 6. The Petitioner has already constructed two permanent structures to his house without obtaining Building Permits. Please reference the attached pictures.
- Not only does this demonstrate a desire to circumvent the Baltimore
  Country Building Code and associated tax liabilities, but the structures
  are also eyesores. The front porch constructed has the appearance of
  a deck that belongs on the back of the house no efforts were made to
  enhance the appearance of the overall neighborhood.
- The second structure built without a permit was a screen porch with a roof tied into the existing house. Please reference the attached pictures.
- The attached pictures illustrate the deck style front porch and a storage shed visible from the front of the house indicating a lack of desire to enhance the appearance of the overall neighborhood.
- 7. In conclusion, I strongly object to the approval of this zoning variance.

## Background information about my previous home improvements:

Please be advised that I was granted a zoning variance on May of 1996 to construct a Carport.

I originally wanted to build a garage, but felt that it would detract from the appearance of the overall neighborhood due to the close proximity of the neighboring houses.

The Carport I constructed is <u>50 feet</u> from the neighboring house <u>verses</u> the proposed addition that will be approximately <u>19 feet</u> from the neighboring house. I was fortunate that I had more room than my neighbor to build on.

I also incorporated brick in the final design to match the existing house. This Carport project demonstrates the mark of a good addition – it tries very hard to look like it was part of the original house.

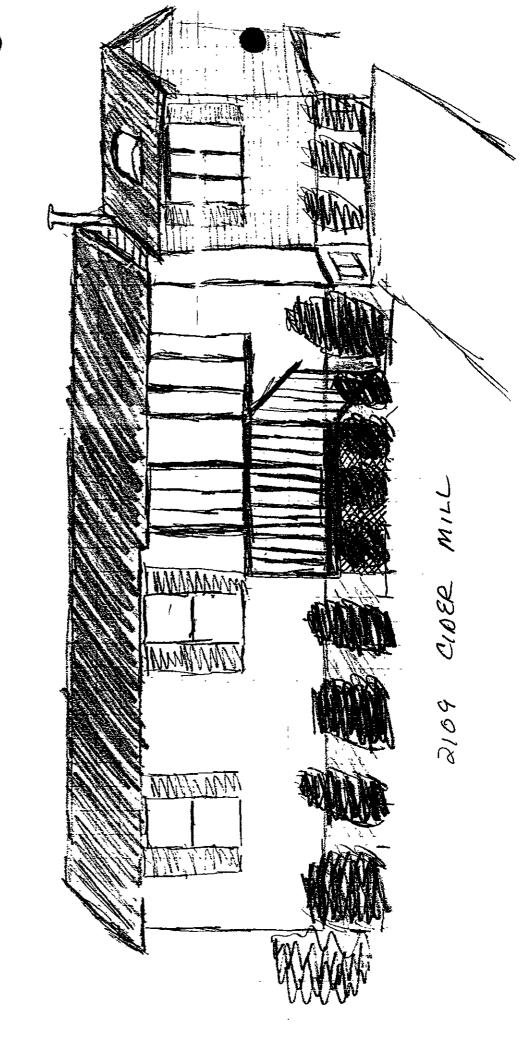
I have also built an addition of the back of my house, which complies with the side, and rear setbacks. A Building Permit was obtained.

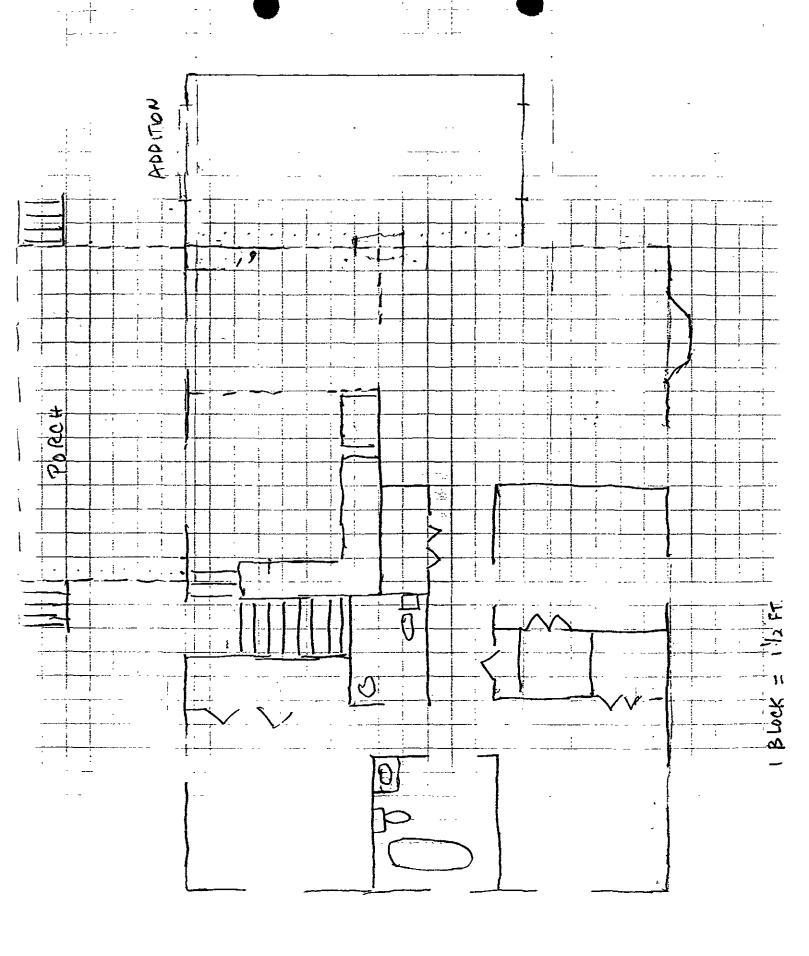
## Improvements Made on Homes on Cider Mill Road

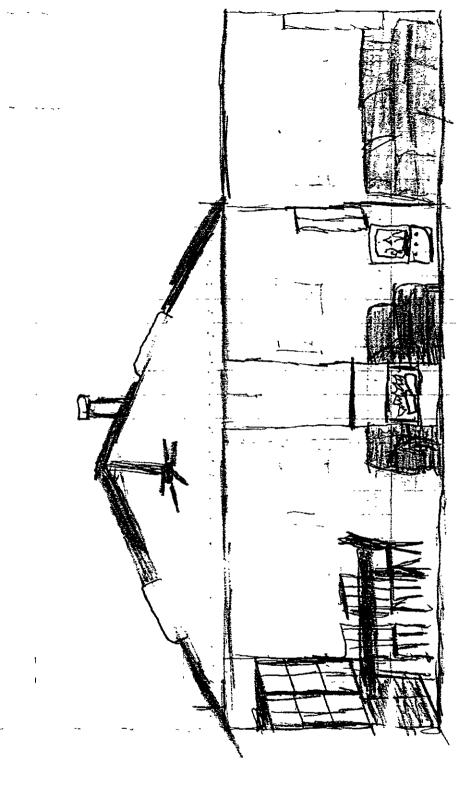
Address		Side		Back
	#	Accinon	#	<b>Addition</b>
2101_	1	Addition: Brown Shingles		None
2102		None		None
2103		None		Porch with Roof
2104		None		None
2105		None	1	Screened Porch
2106		None		Garage: Brick/White Siding
2107		None	1	Raised Porch with Roof
2108		None	1	Porch with Roof
2109		None		Screened Porch
2110	1	Car Port: Brick Posts	1	Large Room: White Siding
2111		None	<del>-</del>	None
2113		None	1	Porch with Roof
2114		None		None
2201		None		None
2204		None		None
2206		None		None
2300		None		Room: White Siding
2301		None		None
2302	1	Addition: Brick	1	Garage: Brick
2303		None	2	Room & Porch: White Wood
2304		None	1	Deck
2305		None		None
2307		None	1	Enclosed Room: White Siding
2309		None		None
2310	1	Addition: Brick&Cement		
2311	1	Car Port: Brick Posts	1	Enclosed Room: White Siding
2312	1	Covered Front Porch		None
2313		None		None
2314		None		None
2316		None	<u> </u>	Porch with Roof
2318		None	2	Room: Brick, Screened Porch
2401		None		None
2402		None		Room: Grey Wood
2403		None ·		None

Address		Side		Back
<b>Cathilly</b>	#	Side Side Addition	#	Addition
2404		None		None
2405	1	Addition: White Siding	2	Garage: Brick, Covered Porch
2406		None		None
2407		None		None
2408		None		None
2409		None		None
2410		None		None
2411		None		None
2412	1	Garage: White Siding		None
2413		None		None
2415		None	1	Room: White Wood
2417		None	2	Room: White Siding, Scr. Porch
2419		None		None
2500		None		None
2502	1	Covered Front Porch		None
2503		None		None
2507		None		None
2509	1	Built-in Garage	1	Room: White Siding
2510		(New House: White Siding & Grey Brick	1	Deck

•







### Improvements Made to 2109 Cider Mill Road By Bill and Jill Zupancic

1987	Split rail fence
1990	20' x 11' deck
1991	Roof added to deck and screened in
1992	Remodeled kitchen
1993	Brick patio
1994-96	Replaced all windows
1995	Added vinyl siding on gables and trim
1996	Alarm system
1998	Remodeled full bath
1998	Security storm doors: front and back
1998	Front porch
1999	Removed large maple tree in backyard

Sunday, 2/20/00 (2105 Galen Mel) Joey Ford was in Laverne's backyand Ateking pictures in our direction After taking several pictures he came around to our back fence and took another picture I asked Joey why he was doing this (filing a complaint against the variance) and he said he usuall do anything to keep someone from devaluing that neighborhood. I felt very throatened by his manner and tone of voice.

We are peighbors of Jill and Bill Zupancic at 2109 Cider Mill Road. We have siewed their plans for an addition to their home. We agree with their blank and have no objections to that addition or to the variance request. I would look lebe an addeliai Sincerely, He also said that he would Name 23/25 S. CER 2109 Coly Will - mentate to 21 Address City/State/Zip Fard also objected to the Dencie 125/2000

Road. We have newed their plans for all a We agree with their blans and have no objections to that addition or to the variance of west. I would look " tile an addition Sincerely, the also said that he would abject to Mr. D'amisone of carage Name Date for Mr. D'ance to at 2109 Ceder Misse - mestate To 2109 Address Mr. Fard als objected to the From parch wor bad built en Copril 1988. He had never sond Enything about this before. 1. R. W. Zurraviv . In Las. 1/24 - Deveny Snow storm

Soto Lory Ford Collect to singuine about our

addition. His main Concern was that

we entended to use vyriel sideing US

brief material on the addition. I

tald him at their point our entention

was to use vyriel sideing bett that

we had not submitted for to building

permet some segued a contract

with a builder.

He said he did nat tile the "appearance" af the rynil sidering that it would look "like an addition"

He also said that he would object to Mr. D'amico's garage oddetion if that were require siding. (Mr. D'amico es at 2109 Cider Mill - next 752109 Cider Mill.

Mr. Fard also objected to the front parch we had bent in Cypril 1988. He had never said onything about their before.

But Zypancies 1/25/2000 Sul Tuparan 1/21/08





### PLEASE PRINT CLEARLY

### PROTESTANT(S) SIGN-IN SHEET

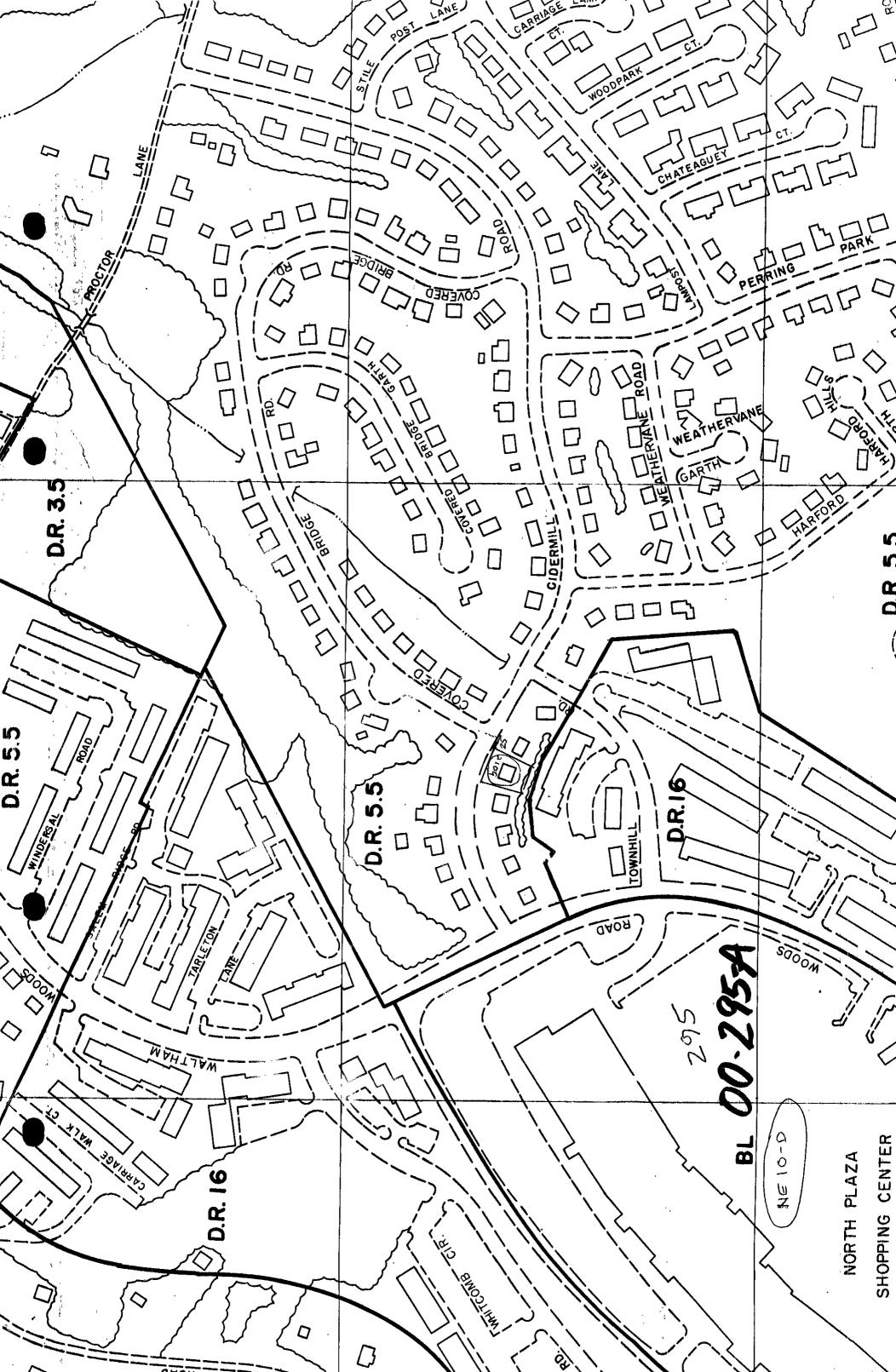
Jimmy C. LOLLEY	ADDRESS 2106 CIDER M, U.K
JOE FORD	2110 Cider Millrd.
ANGENA Lolley	2106 CIDER MILL RA

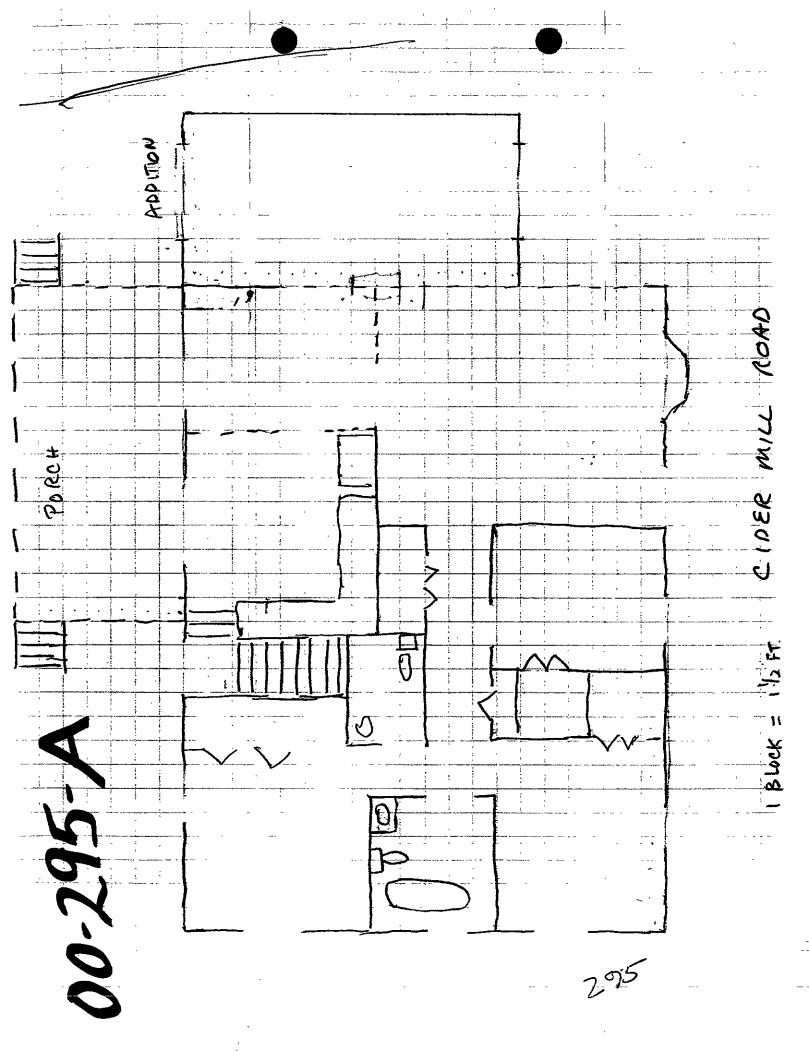
### PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
WILLIAM J. ZUPANCIC	2109 CIDER MILL ROA.
Jill G. Zupancic	2109 Ciden Mill RD
Jel G. Zupancic TED A. D'Amico	2107 CIDER MILL PS.
	·
	,

PET. EX. 1

S' DRAIN. + UTIL. EAS	WHAT WHAT WAS A VICINILY MAP
A JILL ZUPANCIO.  C. 71'08'50" E  C. 71'08' F  C. 70'08' F  C. 70	SACINITY Map SACINITY Map 1000000000000000000000000000000000000
CIDER MIN CONTROLL SO " RE SO	SO VICINIY Map
CIDER MILES ON THE PARTY OF THE MILES MILES ON THE PARTY OF THE PARTY	1370 P
メラスター・ハート アン・アストラー	*cale:   *   uvu
STY. # 2109 30' 95.28'	LOCATION INFORMATION on District. d
11-200 sei	•
MIN. 5	SEWER: K
RIE ROAD LA	al Area:
NOETH COVERED Zoning C Date 1127/99 BRIDGE	Office USE ONLY!
PREPARED BY WAZ SCALE OF DRAWING 1"-30"	295





# 2109 CIDER MILL ROAD

VIEW AT

SIDE WHERE

ADDITION TO

BE BUILT



# 00-295-A



## 2109 GOER MILL ROAD

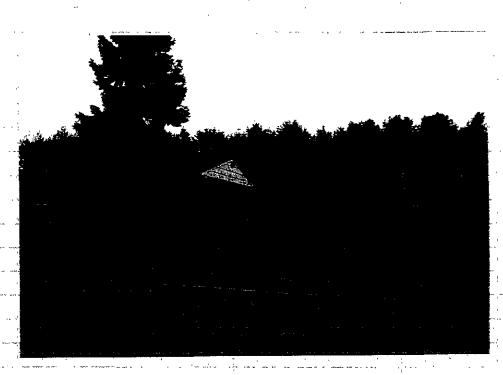
VIEW FROM

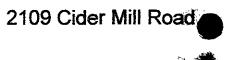
BACK YARD



# 00-295-A

VIEW OF EAST SIDE TOWARDS 2111 CIOSR MILL





Front View





Side View

 Bill holds a stick where front of addition will end.

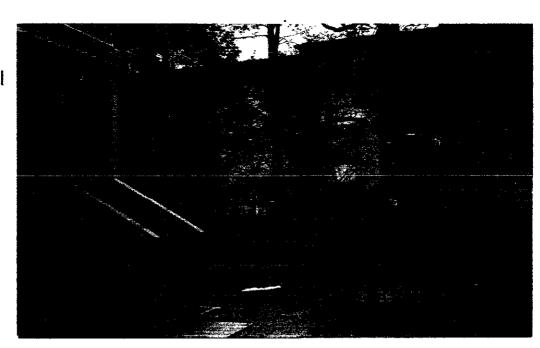
Side View

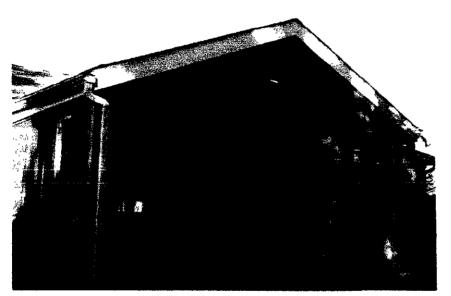
Bill holds a stick where back of addition will end.



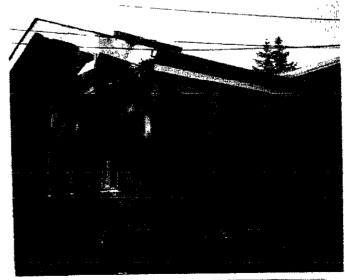
2109 Cider Mill Road

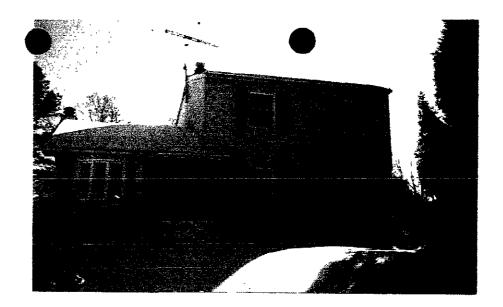
View from backyard.

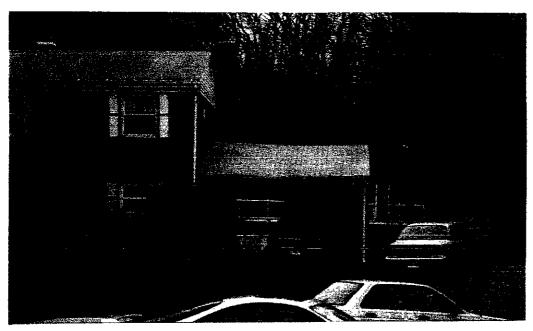




Screened-In Porch.

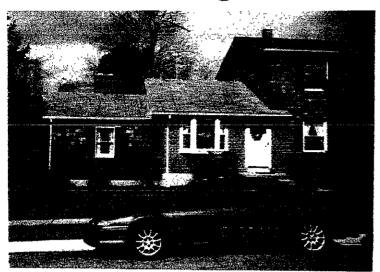


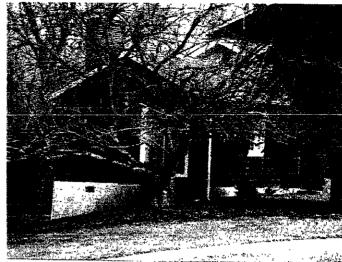






## Homes in the Perring Park Community with Additions the Front and Side

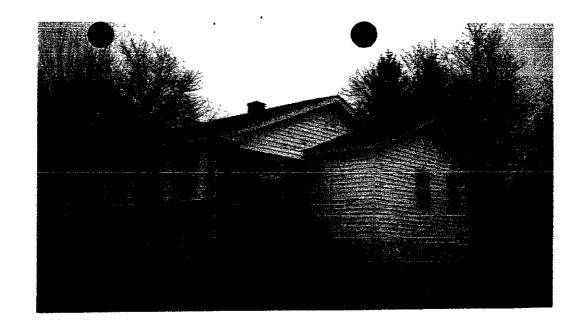




(Same house: views from front and side.)







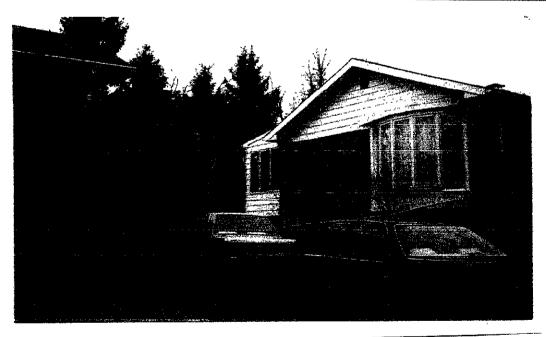






Homes in the
Perring Park
Community with
Additions on the
Back





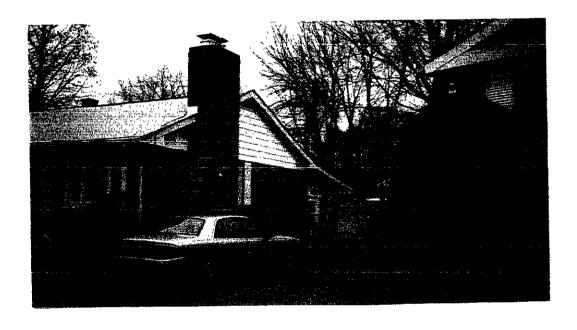






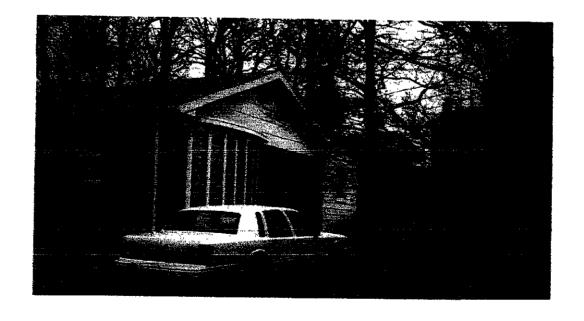


















# 211 Cider Mill Road - Jeeph Ford













