

IN RE: PETITION FOR ADMIN. VARIANCE
W/S Garrison Forest Road, 1120' N of
Chittendale Lane
(314 Garrison Forest Road)
3rd Election District
3rd Councilmanic District

Allen P. Krukowski
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 00-327-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owner of the subject property, Allen P. Krukowski. The Petitioner requests variance relief from Sections 400.3 and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (garage) addition with a height no greater than 22 feet in lieu of the maximum allowed 15 feet, and to permit a bath-house and swimming pool to be located in the front yard in lieu of the required rear yard. 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.

As noted above, the Petitioner's request was filed through the Administrative Variance process. Pursuant to Section 26-127 (b)(1) of the Baltimore County Code, the subject property was duly posted with notice of the requested relief. A demand for public hearing was timely filed by the adjoining property owners, Denis J. Callaghan and Catherine H. Bray, through their attorney, James G. Prince, Esquire. Thus, a hearing on the matter was scheduled for Tuesday, April 4, 2000. However, at the request of Counsel for the Protestants, the hearing was postponed due to the Protestants' previously arranged travel plans and rescheduled for Tuesday, April 18, 2000. During the course of scheduling this matter for a public hearing, the Protestants had an opportunity to discuss their concerns with the Petitioner, and prior to the hearing date, an agreement was reached. By letter dated April 12, 2000, Counsel for the Protestants advised this

ORDER RECEIVED FOR FILING

Date 5/2/00

By [Signature]

Zoning Commissioner that as a result of their discussions and subsequent agreement, the Protestants were withdrawing their request for hearing and had no objections to the Petitioner's request. The property having been duly posted and there being no other requests for public hearing, a decision shall be rendered based upon the documentation contained within the case file.

According to the documentation contained in the case file, the Petitioner and his wife purchased this property in the summer of 1999 and are making extensive renovations to the improvements thereon to provide additional usable space for their growing family. The Petitioner proposes razing the existing bathhouse and replacing same with a new structure, utilizing essentially the same footprint and maintaining the same setbacks as the existing bathhouse. An addition to the existing three-car garage is also proposed to provide storage for four vehicles and allow for the creation of a recreational (billiards/game) room above the garage for the family. The proposed addition will maintain the existing garage height, which is between 21 and 22 feet. However, in order to proceed with the proposed improvements, the requested relief is necessary.

It is also to be noted that the Petition and site plan filed in this case indicated that a height of 28 feet was being requested for both the existing garage and the proposed addition. However, documentation submitted by Mr. Krukowski in support of his request, and subsequent telephone conversations with the Petitioner confirmed that in fact, a height of between 21 feet and 22 feet is proposed. Thus, the Petition and site plan have been amended accordingly.

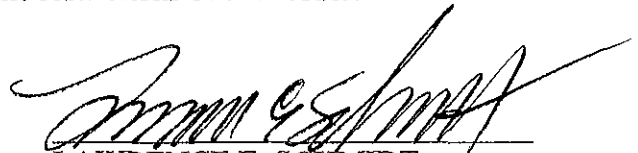
Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. Moreover, the relief requested will legitimize the location of the existing bathhouse and swimming pool and allow for the reconstruction of a new bathhouse in essentially the same location as the original structure. The proposed garage addition will provide storage space for garden tools and equipment as well as a fourth family vehicle. There is apparently no opposition to the Petitioner's request and there were no adverse comments from any Baltimore County reviewing agency. 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 zoning regulations would unreasonably prevent use of the property for intended purposes.

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 2nd day of May, 2000 that the Petition for Administrative Variance seeking relief from Sections 400.3 and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (garage) addition with a height no greater than 22 feet in lieu of the maximum allowed 15 feet, and to permit an existing bath-house and swimming pool to be located in the front yard in lieu of the required rear yard, 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) The Petitioner shall not allow or cause the accessory structures to be converted to a second dwelling unit and/or apartments. Neither structure shall contain living or sleeping quarters, and no kitchen facilities.
- 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.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 5/2/00
By [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

May 2, 2000

Mr. Allen P. Krukowski
314 Garrison Forest Road
Owings Mills, Maryland 21117

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Garrison Forest Road, 1120' N of Chittendale Lane
(314 Garrison Forest Road)
3rd Election District – 3rd Councilmanic District
Allen P. Krukowski - Petitioner
Case No. 00-327-A

Dear Mr. Krukowski:

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 Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: James Prince, Esquire
210 N. Charles Street, Suite 800, Baltimore, Md. 21201
People's Counsel; Case File





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 314 Garrison Forest Road
which is presently zoned RC-2

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) 400.3, 400.1 To allow an accessory structure (garage) addition with a height of 28 ft. and an existing bathhouse & pool located in the front yard in view of the maximum permitted 15 ft. & rear yard 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.

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:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, It is ordered by the Zoning Commissioner of Baltimore County, this 15 day of February 1998 that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 00-327-A

Reviewed By [Signature] Date 2-9-00

Estimated Posting Date 2-18-00

ORDER RECEIVED FOR FILING

Date 2/15/98

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 34 Garrison Forest Road
Address
Owings Mills MD 21117
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

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Allen P. Krzkowski
Signature
Allen P. Krzkowski
Name - Type or Print

Signature

Name - Type or Print

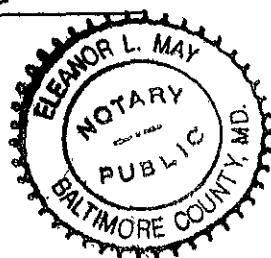
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 8th day of February, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Allen Krzkowski
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

2.8.2003
Date



REU 09/15/98

Elena L. May
Notary Public
My Commission Expires August 1, 2003

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

314 Garrison Forest Road
Address
Owings Mills, Maryland 21117
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

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Signature

Allen P. Krakowski

Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 8th day of February, 2000, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Allen Krakowski

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

Date

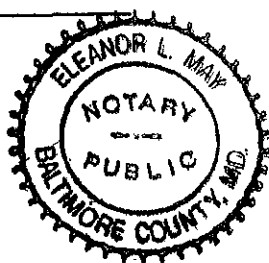
2.8.2000

Notary Public

My Commission Expires

August 1, 2003

R20 09/15/98





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 314 Garrison Forest Rd.
which is presently zoned RC-2

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) 400.3, 400.1 To allow an accessory structure (garage) addition with a height of 28 ft. and an existing pool & bathhouse located in the front yard in lieu of the maximum allowed 15 ft and rear yard 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.

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:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

Representative to be Contacted:

Name

Address

City

Telephone No.

Zip Code

Telephone No.

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. DD-327-A

Reviewed By Date 2-9-00

Estimated Posting Date 2-18-00

REV 9/15/98

Allen P. Krukowski
314 Garrison Forest Road
Owings Mills, MD 21117

Director
Office of Zoning Administration
And Development Management
111 W. Chesapeake Ave.
Towson, MD 21204

February 9, 2000

Re: Request for Administrative Variance for 314 Garrison Forest Road
Owings Mills, MD 21117

Dear Sir,

We are requesting an administrative variance to permit the expansion of a pre-existing garage, which has a height of 21 feet. We understand that the previous owners obtained a variance for the original construction. We would like to amend that previously granted variance with this application. The addition maintains the current garage height and depth, and increases the garage dimension by twelve feet. (Please refer to attached photos for referencing the existing garage.) We also are planning to convert the usable space above the garage (including the space above the addition) into a temperature controlled storage space, and a billiard/games room for our four children.

We purchased this home in the summer of 1999 with the intention of investing and increasing the properties value, in order to accommodate our growing family, our interests and family activities. Practical reasons for the garage addition is:

- 1) Four vehicles for a three car garage;
- 2) Storage space for garden tools and personal items, since the main house has no basement or attic space;
- 3) Conversion of space above garage into a billiards and game room. A room which we have provided in two previous homes, and an activity in which all family members participate.

As you can see from the attached architectural drawings (prepared by SMDA of Baltimore), the proposed addition maintains the existing architectural and aesthetic aspects of the existing garage, while providing us with desperately needed space. Our request is consistent with the residential use of the property, maintains and enhances the character of both the garage and main residence, thus increasing the property value.

We respectfully submit the requested variance to the building height and the conversion of the interior space into a functional billiards room for our families' enjoyment. Strict compliance with the zoning requirements would unreasonably prevent us from using the property in a manner that is compatible with its intended residential use.

ORDER RECEIVED FOR FILING

Date

By

Our second area of investment and concentration is the re-building of the existing pool house, (built in the early 1960's) which adjoins the existing in ground pool. The current pool house has deteriorated due to previous owners' neglect and is unusable for its intended purpose. Further the pool house has either no foundation or a totally insufficient foundation, which has led to wood rot throughout the base of the structure. Our architect ascertained that the existing building couldn't reasonably be renovated. Therefore, we have engaged an architectural firm (SMDA of Baltimore) to redesign a pool house which will greatly enhance the function and enjoyment of the pool area for our family of six, and our guests. Additionally the architecturally designed pool house reflects the architecture of the main house in style, color and materials. (See pool house plans and elevations attached)

The new pool house occupies essentially the same footprint as the existing pool house. It further maintains the same distance from the property line and includes all the same mechanical functions of the original structure. We request the approval to proceed with this project, which is a replacement to an existing structure, which is integral to the function and value of the in ground pool. Strict compliance to current zoning laws would severely limit the intended use of the pool area, and thus the value of the property as a whole.

The requested variances have no adverse impact on the surrounding properties. This is further verified by the attached notarized declaration from our nearest neighbor, while maintaining and enhancing the existing character of the property as a whole, as well as accommodating the functional needs of a large family. We believe that our requests are clearly within the spirit and intent of any regulations, which promote public interest, health and the enjoyment of our residential environment.

Sincerely,

Allen P. Krukowski

Allen P. Krukowski

ORDER RECEIVED FOR FILING
Date 5/2/88
By [Signature]

Property Description to Accompany Petition for Administrative Variance

Located on the west side of Garrison Forest Road, *1120' North* of Chittendale lane. North 70 degrees 17'26" west 77.74 feet to the end of the eight line of said conveyance, thence binding reversely on the eighth, seventh, sixth and part of the fifth line of said conveyance, as now surveyed, the four following courses and distances.

South 54 degrees 55' 47" west 78.99 feet, by a line curving to the right with a radius of 67.77 feet, an arc the length of 64.59 feet and a chord bearing and distance of south 82 05' 40" west to 62.17 feet: North 70 degrees 30' 10" west 265.24 feet: South 76 degrees 09' 15" west 10.19 feet; Thence leaving the said fifth line and running for 5 new lines of division over, through and across said conveyance

North 01 degrees 21' 37" west 151.69 feet;

North 41 degrees 16' 20" east 251.63 feet;

South 72 degrees 38' 46" east 58.11 feet;

South 45 degrees 00' 00" east 53.47 feet and,

South 54 degrees 06' 56" east 317.47 feet to intersect a point on the tenth line of said conveyance and the center of Garrison forest Road, thence binding on said line and road, as surveyed. South 18 degrees 43'12" west 166.79 feet to the place of beginning.

Containing 141,633 Square feet or 3.2514 acres, more or less.

327

00-327-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 078677

DATE 2/7/00 ACCOUNT R. Post 10150

AMOUNT \$ 50.00

RECEIVED FROM: J. H. H. H. H. H.

FOR: R. Post 10150

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 079000

DATE 3/3/00 ACCOUNT 0016150

AMOUNT \$ 40.00

RECEIVED FROM: Dr. H. H. H. H. H.

FOR: Hearing Demanded

00-327-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 079000

DATE 3/3/00 ACCOUNT 001.6/50

AMOUNT \$ 40.00

RECEIVED FROM: Daneker McIntire...

FOR: Hearing Demanded

00-327-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT	ACTUAL	TIME
3/08/2000	3/03/2000	15:35:04
REG 0805	CASHIER MSTR HIC DRIVER	5
Dept 5	520 ZONTAS VERIFICATION	
Receipt #	140370	001 M
LR NO.	079000	
Receipt Tot		40.00
40.00		OK
Baltimore County, Maryland		.00 GA

CASHIER'S VALIDATION

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: #00-327-A
314 Garrison Forest Road
W/S Garrison Forest Road, 1120' +/- N of Chittendon Lane
3rd Election District -- 3rd Councilmanic District
Legal Owner(s): Allen P. Krukowski
Administrative Variance: to allow an accessory structure (garage) addition with a height of 28 feet and an existing pool and bathhouse located in the front yard in lieu of the maximum allowed 15 feet and rear yard, respectively.
Hearing: Tuesday, April 4, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4388.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
3/21/7 March 16 C376826

CERTIFICATE OF PUBLICATION

TOWSON, MD, 3/16/, 2000

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/16/, 2000.

J. Wilkinson
THE JEEFERSONIAN,

LEGAL ADVERTISING

CERTIFICATE OF POSTING

**RE: CASE # 00-327-A
PETITIONER/DEVELOPER
(Allen P. Krukouski)
DATE OF Closing
(3-6-00)**

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

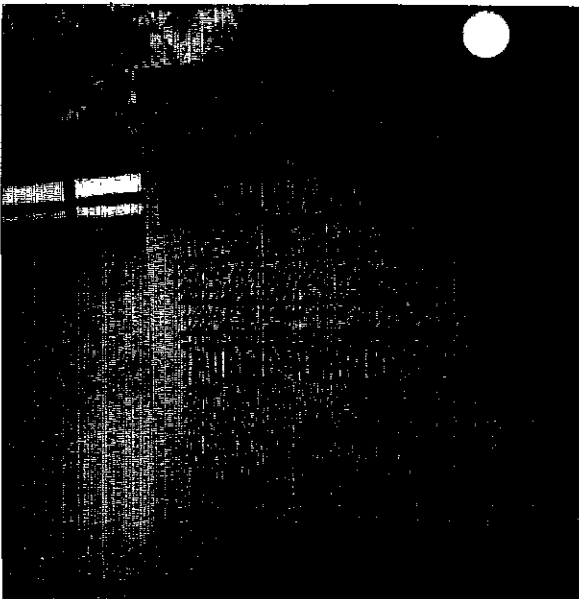
ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

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

314 Garrison Forest Road Baltimore, Maryland 21117_____

THE SIGN(S) WERE POSTED ON_____ **2-18-00** _____
(MONTH, DAY, YEAR)



SINCERELY,


(SIGNATURE OF SIGN POSTER & DATE)

_____**THOMAS P. OGLE SR.**_____

_____**325 NICHOLSON ROAD**_____

_____**BALTIMORE, MARYLAND 21221**_____

_____**410-687-8405**_____
(TELEPHONE NUMBER)

CERTIFICATE OF POSTING

RE: CASE # 00-327-A
PETITIONER/DEVELOPER
(Allen P. Krukowski)
DATE OF Hearing
(Apr. 4, 2000)

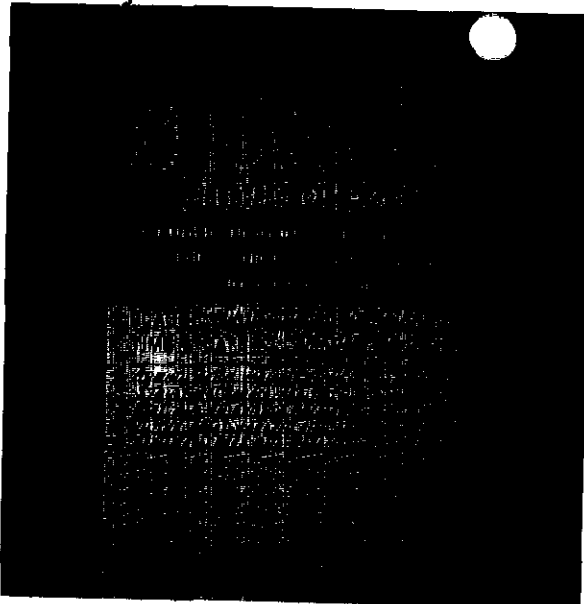
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

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
314 Garrison Forest Road Baltimore, Maryland 21117_____

The sign(s) were posted on_____ 3-20-00 _____
[Month, Day, Year]



Sincerely,


(Signature of Sign Poster & Date)

_____ Thomas P. Ogle, Sr. _____

_____ 325 Nicholson Road _____

_____ Baltimore, Maryland 21221 _____

_____ [410]-687-8405 _____
(Telephone Number)

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 16, 2000 Issue – Jeffersonian

Please forward billing to:

Allen P. Krukowski
314 Garrison Forest Road
Owings Mills, MD 21117

410-356-8976

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: 00-327-A

314 Garrison Forest Road

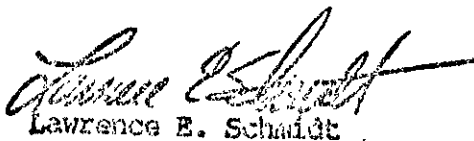
W/S Garrison Forest Road, 1120' +/- N of Chittendon Lane

3rd Election District - 3rd Councilmanic District

Legal Owner: Allen P. Krukowski

Administrative Variance to allow an accessory structure (garage) addition with a height of 28 feet and an existing pool and bathhouse located in the front yard in lieu of the maximum allowed 15 feet and rear yard, respectively.

HEARING: Tuesday, April 4, 2000 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

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

March 7, 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: 00-327-A

314 Garrison Forest Road

W/S Garrison Forest Road, 1120' +/- N of Chittendon Lane

3rd Election District - 3rd Councilmanic District

Legal Owner: Allen P. Krukowski

Administrative Variance to allow an accessory structure (garage) addition with a height of 28 feet and an existing pool and bathhouse located in the front yard in lieu of the maximum allowed 15 feet and rear yard, respectively.

HEARING: Tuesday, April 4, 2000 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

C: Allen Krukowski, 314 Garrison Forest Road, Owings Mills, MD 21117
James Prince, Esquire, 210 N. Charles Street, Suite 800, Baltimore, MD 21201

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MARCH 20, 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.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 327 -A Address 314 Garrison Forest Rd.

Contact Person: J. Sullivan Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 2-9-00 Posting Date: 2-18-00 Closing Date: 3-6-00

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 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)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 00- 327 -A Address 314 Garrison Forest Rd.

Petitioner's Name Allen P. Kruckewski Telephone (410) 356-8976

Posting Date: 2-18-00 Closing Date: 3-6-00

Wording for Sign: To Permit an accessory structure (garage) addition with a height of 28ft and to allow an existing pool & bathhouse to be located in the front yard in lieu of the maximum allowed 15ft and rear yard respectively.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor 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: 00-327-A

Petitioner: Same

Address or Location: _____

↓

PLEASE FORWARD ADVERTISING BILL TO:

Name: Allen P. Krukowski

Address: 314 Garrison Forest Road

Owings Mills, MD 21117

Telephone Number: (410) 356-8976



Baltimore County
Department of Permits and
Development Management

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

March 31, 2000

Mr. Allen Krukowski
314 Garrison Forest Road
Owings Mills MD 21117

Dear Mr. Krukowski:

RE: Case Number 00-327-A , 414 Garrison Forest Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 9, 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, Jr.
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: March 23, 2000

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for *February 28, 2000*
Item Nos. 321, 323, 324, 325, 327, 328,
329, 330, 331, 332,

and

Case #99-488-SPHA
1823 York Road

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

RWB:HJO:jrb

cc: File

ZAC-2-28-28-2000-NOC



Baltimore County
Fire Department

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

February 22, 2000

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

RECEIVED MAR 03 2000

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF February 22, 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.

7. The Fire Marshal's Office has no comments at this time.

325, 327, 328, 330, 331, 332,

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

cc: File



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *MS*

DATE: March 8, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of February 22, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
323	9013 Liberty Road
324	9704 William Parks Road
325	609 Sunspot Road
327	314 Garrison Forest Road
328	122 Grist Shore Way
330	9901 York Road
331	4017 Black Rock Road
303	500-512 Eastern Boulevard
488	1823 York Road
321	408 Delaware Avenue
322	Melrose Avenue/Egges Lane

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: February 22, 2000

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

RECEIVED MAR 03 2000

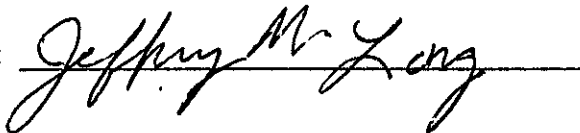
SUBJECT: Zoning Advisory Petitions

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

Item No(s): 326, 327 and 328

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:



AFK/JL



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 2.24.00

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

RE: Baltimore County
Item No. 327

JJS

RECEIVED MAR 03 2000

Dear Ms. Jackson:

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,

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

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



Baltimore County
Department of Permits and
Development Management

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

March 7, 2000

Mr. Allen P. Krukowski
314 Garrison Forest Road
Owings Mills, MD 21117

Dear Mr. Krukowski:

RE: Demand for Public Hearing, Administrative Variance, Case Number 00-327-A

The purpose of this letter is to officially notify you that the posting of the subject property has resulted in a timely demand on March 1, 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,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor
Zoning Review

WCR:scj

C: James G. Prince, Esquire, 210 N. Charles Street, Suite 800, Baltimore 21201



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

00-327-A

LES on TMK

The demand for this hearing was withdrawn. Hearing cancelled - letter sent. WCR said to revert back & treat like original administrative.

Thanks -

Sophia

4/14/00



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

March 23, 2000

James G. Prince, Esquire
Danecker, McIntire, Schum, Prince,
Goldstein, Manning & Widmann, P.C.
210 North Charles Street
Suite 800
Baltimore, MD 21201

Dear Mr. Prince:

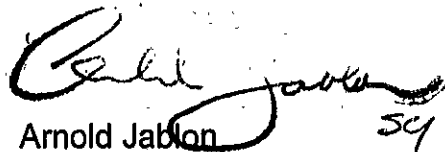
RE: Case Number 00-327-A, 314 Garrison Forest Road

The above matter, previously scheduled for April 4, 2000, has been postponed at your request. The hearing has been **rescheduled for Tuesday, April 18, 2000 at 10:00 a.m. in room 407, County Courts Building, 401 Bosley Avenue.**

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s).

If you need further information or have any questions, please do not hesitate to contact Sophia Jennings at 410-887-3391.

Very truly yours,


Arnold Jablon
Director

AJ:scj

C: Allen Krukowski, 314 Garrison Forest Road, Owings Mills 21117



**DANEKER, MCINTIRE, SCHUMM, PRINCE,
GOLDSTEIN, MANNING & WIDMANN, P.C.**

**Attorneys at Law
Suite 800
210 N. Charles Street
Baltimore, Maryland 21201
(410) 649-4747
Facsimile (410) 649-4756**

3/1/00
of
WCR

*James G. Prince
Direct Dial (410) 649-4757*

February 28, 2000

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Arnold Jablon, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Room 111
Towson, Maryland 21204

Re: Application for Zoning Variances
Case No. 00-327-A
Mr. and Mrs. Hugh F. Cole, Jr.
314 Garrison Forest Road
Owings Mills, Maryland

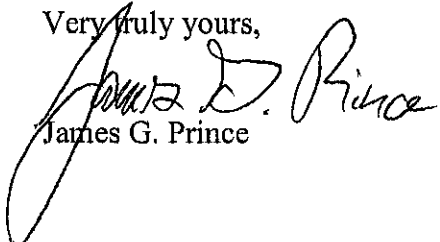
Dear Mr. Jablon:

This firm represents Denis J. Callaghan and Catherine H. Bray, who are the owners of 328 Garrison Forest Road, which is located adjacent to the north of 314 Garrison Forest Road. My clients have seen the Baltimore County sign posted upon No. 314 which advises that the owners of No. 314, Mr. and Mrs. Hugh F. Cole, Jr., have applied to the County for variances to permit the Coles to construct a 28 foot high garage upon, and a pool and bathhouse in the front yard of, No. 314, which will be in direct sight of my clients' property.

My clients, Denis J. Callaghan and Catherine H. Bray, hereby protest the requested variances and request that the County hold a public hearing on the requests. Please contact me to notify me of the date, time and location of the hearing so that my clients may be present at the hearing.

I enclose our check in the amount of \$40.00 made payable to the County representing the required fee for this request for a public hearing. Thank you for your assistance. Please call me should you have any questions.

Very truly yours,


James G. Prince

JGP

Enclosure

cc: Denis J. Callaghan
c(gpdocs):\\Callaghan\\Zoning\\tr22800

**DANEKER, MCINTIRE, SCHUMM, PRINCE,
GOLDSTEIN, MANNING & WIDMANN, P.C.**

Attorneys at Law
Suite 800
210 N. Charles Street
Baltimore, Maryland 21201
(410) 649-4747
Facsimile (410) 649-4756

3/20/00
8
SJ
012
To Soph - ok

James G. Prince
Direct Dial (410) 649-4757

March 17, 2000

BY HAND DELIVERY
Arnold Jablon, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Room 111
Towson, Maryland 21204

Re: Application for Zoning Variances
Case No. 00-327-A
314 Garrison Forest Road
Owings Mills, Maryland

Dear Mr. Jablon:

This firm represents Denis J. Callaghan and Catherine H. Bray, who are the owners of 328 Garrison Forest Road, which is located adjacent to the north of 314 Garrison Forest Road. As I had mentioned in my letter to you dated February 28, 1999, my clients had seen the Baltimore County sign posted upon No. 314 which advised that the owners of No. 314 had applied to the County for variances to permit them to construct a 28 foot high garage upon, and a pool and bathhouse in the front yard of, No. 314, which will be in direct sight of my clients' property.

In accordance with my request of February 28, 1999 on behalf of my clients that the County hold a public hearing on the requests, I received the County's Notice of Zoning Hearing dated March 7, 2000 notifying me that the County has set a hearing on the Application for Tuesday, April 4, 2000 at 9 a.m.

I have notified my clients of this hearing date, and my clients wish to request a postponement of the hearing. My clients are presently in Florida, and have made pre-existing travel arrangements to arrive in Baltimore after the hearing. My clients very much wish to be present at the hearing to have the Application properly heard, and to have their views presented as adjacent property owners whose property value may be adversely impacted if the Application is granted.

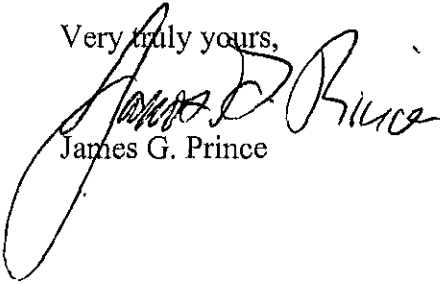
Both my clients and I are available on any dates after April 5th through the second week in May, except that I will be unavailable on the following dates: April 7; April 14 after noon, and April 19 through April 28 when I will be away from the office. It would be greatly appreciated if you would re-schedule the hearing accordingly.

**DANEKER, McINTIRE, SCHUMM, PRINCE,
GOLDSTEIN, MANNING & WIDMANN, P.C.**

Arnold Jablon
March 17, 2000
Page 2

Thank you for your assistance. Please do not hesitate to call me should you have any questions.

Very truly yours,


James G. Prince

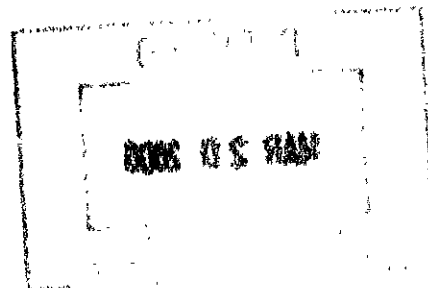
JGP

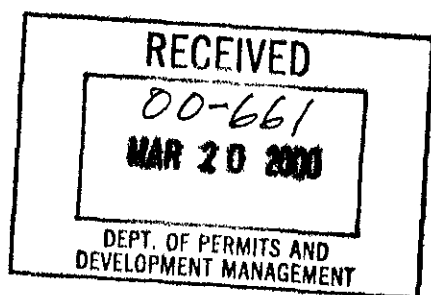
cc: Denis J. Callaghan
Allen Krukowski

c:\jgpdocs\Callaghan\Zoningltr31700

Receipt acknowledged this ____ day of March 2000.

By: _____





**DANEKER, MCINTIRE, SCHUMM, PRINCE,
GOLDSTEIN, MANNING & WIDMANN, P.C.**

Attorneys at Law
Suite 800
210 N. Charles Street
Baltimore, Maryland 21201
(410) 649-4747
Facsimile (410) 649-4756

4/13/00
JO SJ
9 rules
cancel (H) +
pull sign

James G. Prince
Direct Dial (410) 649-4757

April 12, 2000

Arnold Jablon, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Room 111
Towson, Maryland 21204

Re: Application for Zoning Variances
Case No. 00-327-A
Krukowski, Allen P. and Debbi
314 Garrison Forest Road
Owings Mills, Maryland

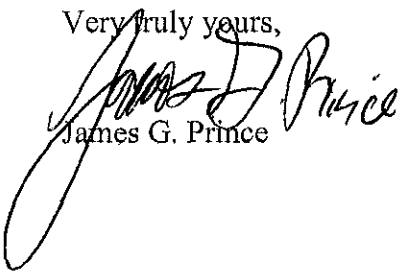
Dear Mr. Jablon:

This firm represents Denis J. Callaghan and Catherine H. Bray, who are the owners of 328 Garrison Forest Road, which is located adjacent to the north of 314 Garrison Forest Road. On behalf of our clients, we had filed with your office an objection to the Krukowskis' Application for Zoning Variances in the above matter, and had requested a public hearing. Pursuant to that request, a hearing has been scheduled on the Application for April 18, 2000 at 10:00 a.m.

This is to notify you that as the result of further discussion with the Krukowskis, Mr. Callaghan and Ms. Bray have elected to, and do hereby, withdraw their objection to the Krukowskis' Application, and do not intend to be present at the hearing to object.

Thank you for your attention to this matter. Please do not hesitate to call me should you have any questions.

Very truly yours,


James G. Prince

JGP

cc: Denis J. Callaghan
Allen Krukowski

c:\jgpdos\Callaghan\Zoningltr41200

To whom it may concern:

We the undersigned, Hugh and Glen Cole of 318 Garrison Forest Road, Owings Mills, Maryland are the neighbors of Allen P. Krukowski of 314 Garrison Forest Road, Owings Mills, Maryland. Our property adjoins Mr. Krukowski's on two sides. We are his nearest neighbor and the former owners of his property.

We have been informed of and approve of the changes that are being proposed to the garage at 314 Garrison Forest Road and the pool house at the same address. We have no objections to these additions to the garage and to the replacement of the already standing pool house with another pool house on the same site.

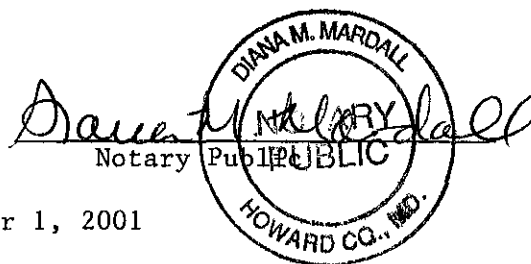
Glen Hannah Cole
Hugh S. Cole
Name

318 Garrison Forest Rd. Owings Mills MD 21117
Address

2-7-2000
Date

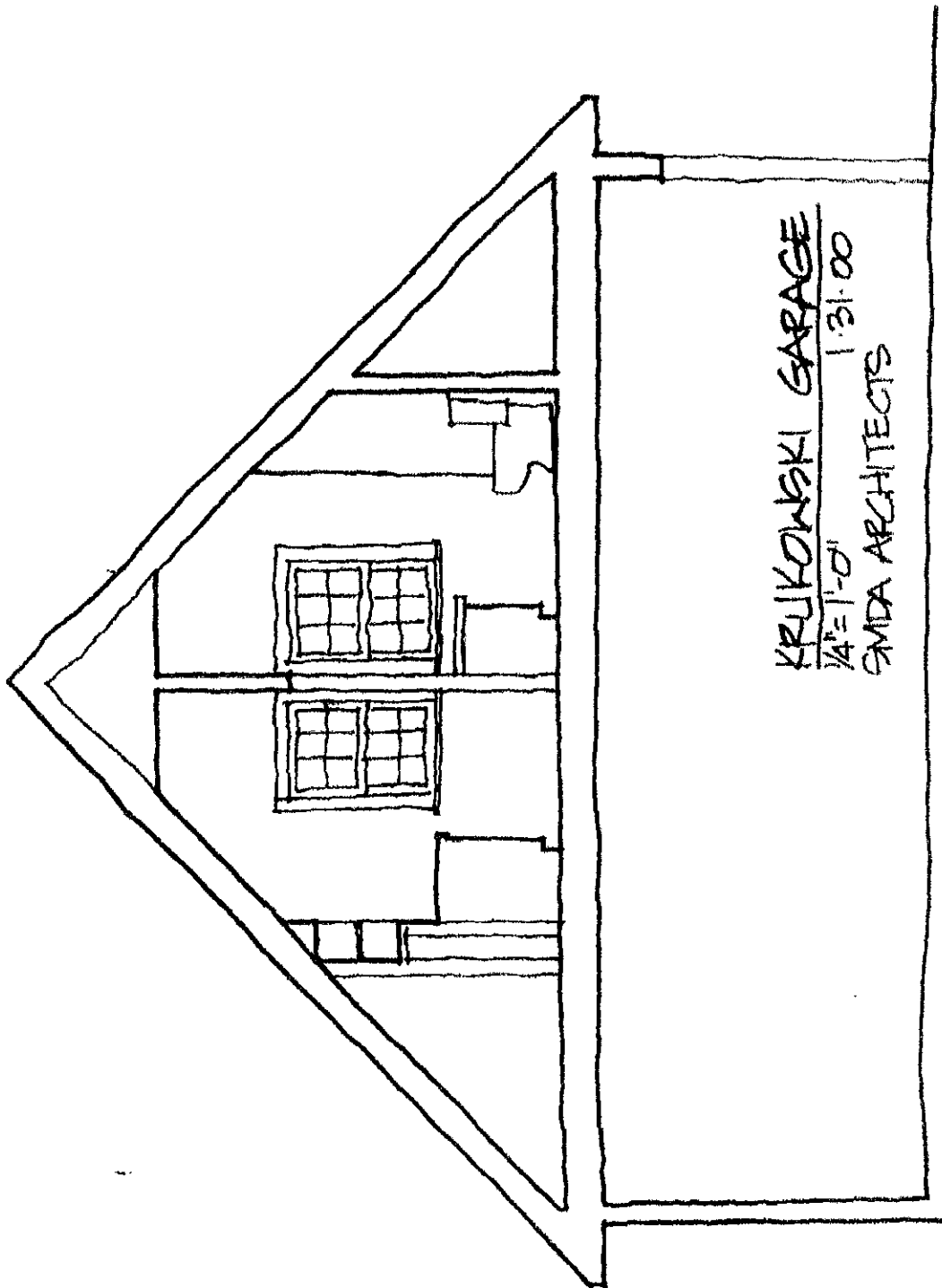
Subscribed before me this second day of February, 2000

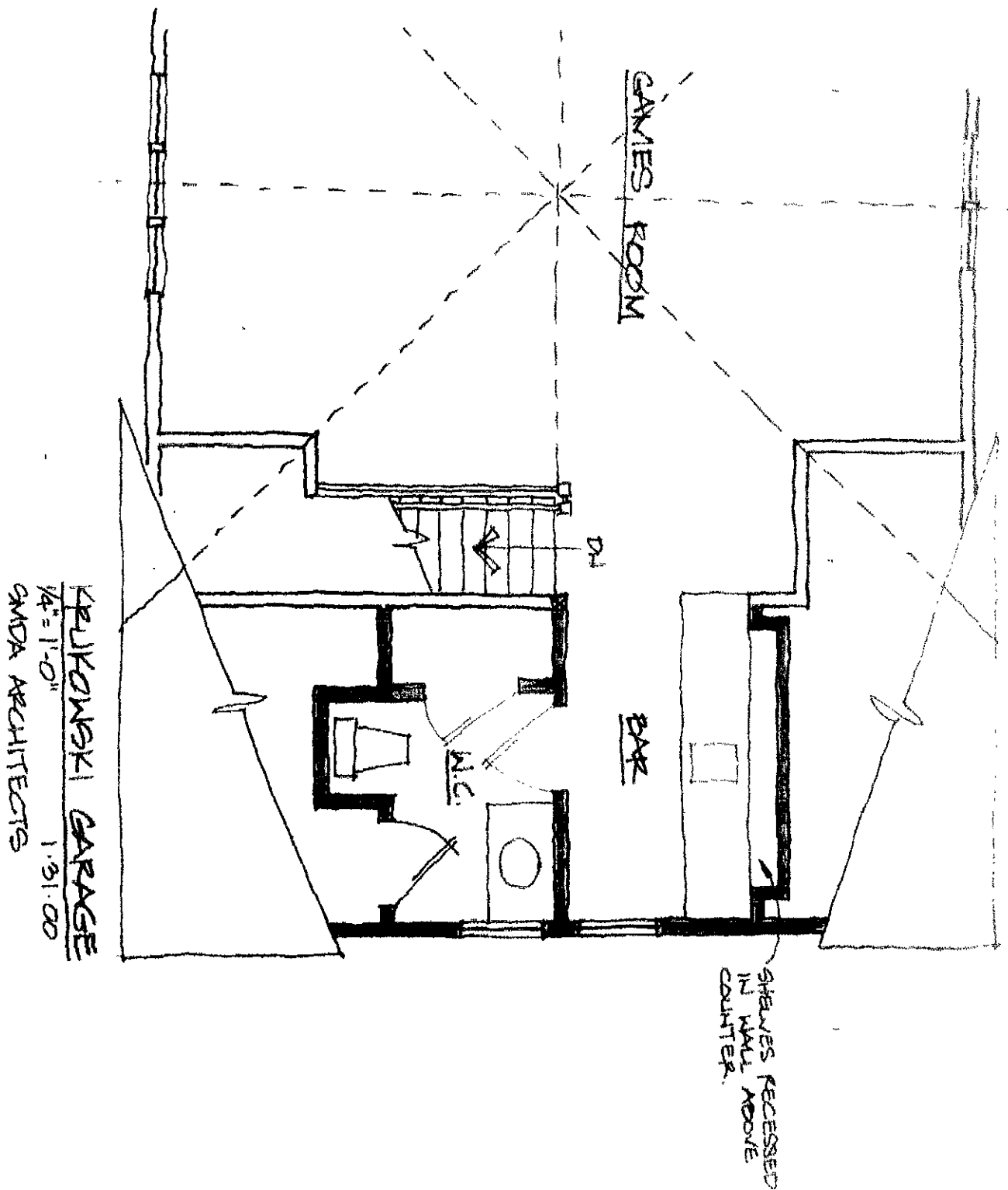
My Commission Expires: November 1, 2001



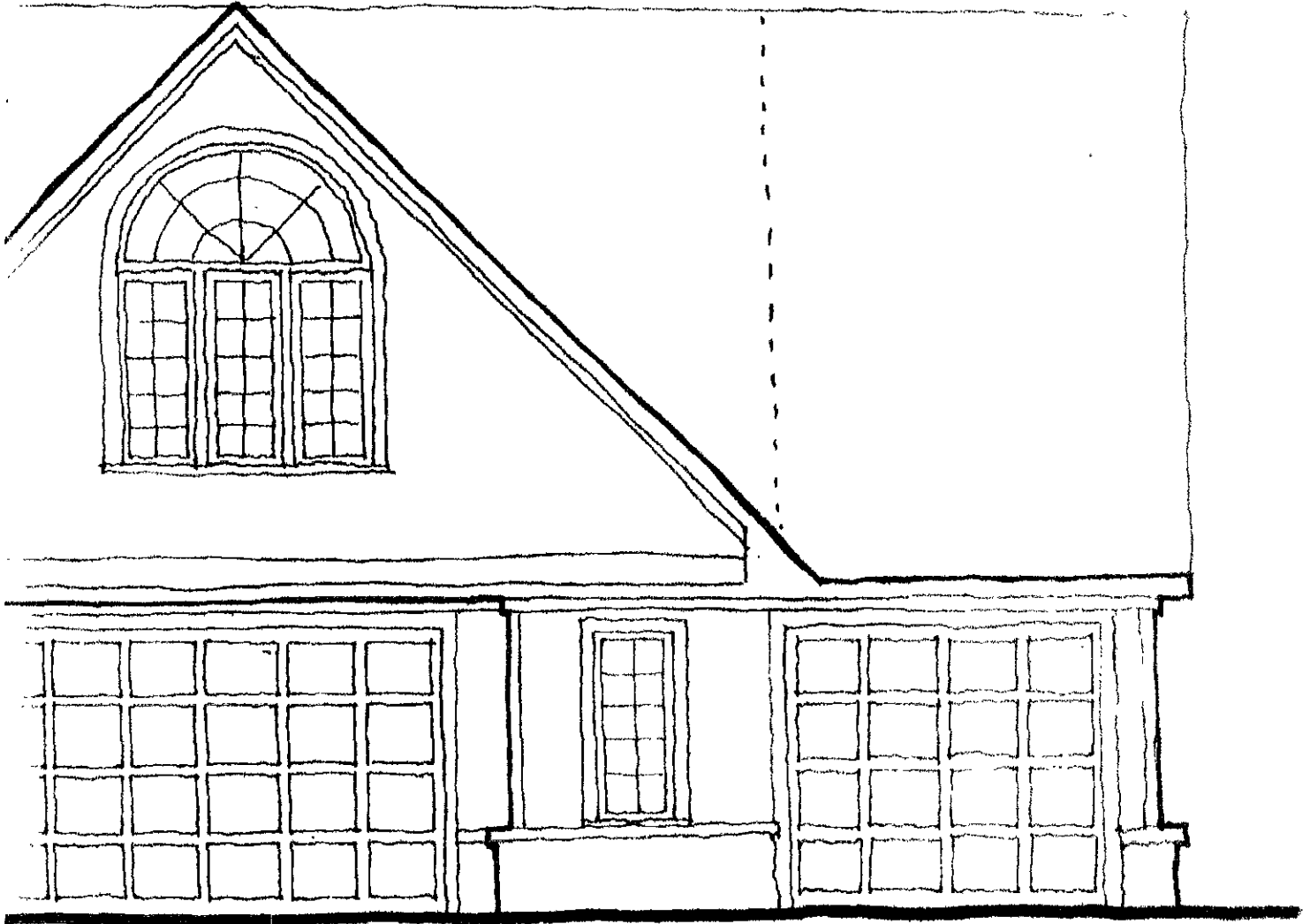
00-327-A

for
ZC's
file
327





NEW
garage
addition

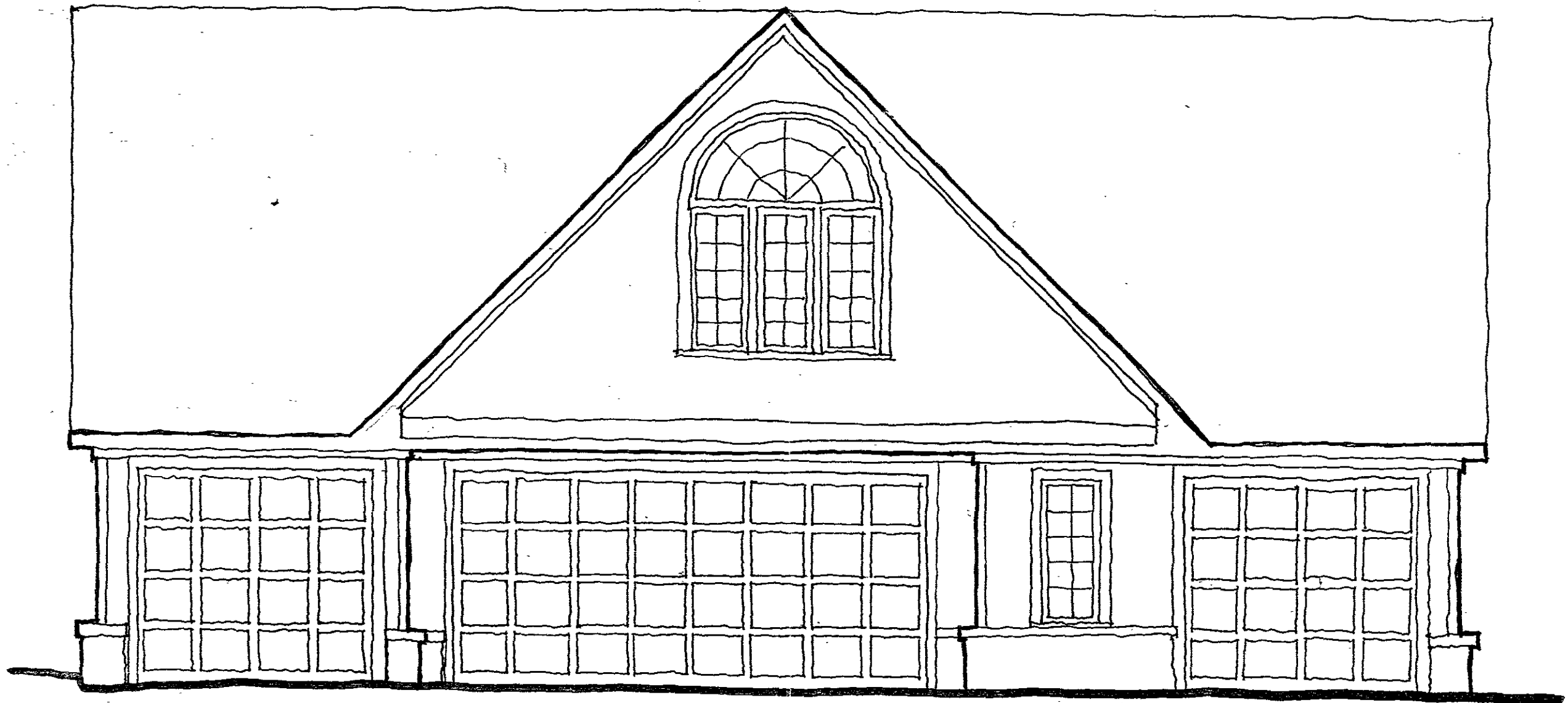


ELEVATION
 $\frac{1}{4}'' = 1'-0''$

20's
file

327

00-327-A



KRIKOWSKI GARAGE
7.20.99 SMDA ARCHITECTS

ELEVATION
 $\frac{1}{4}'' = 1'-0''$

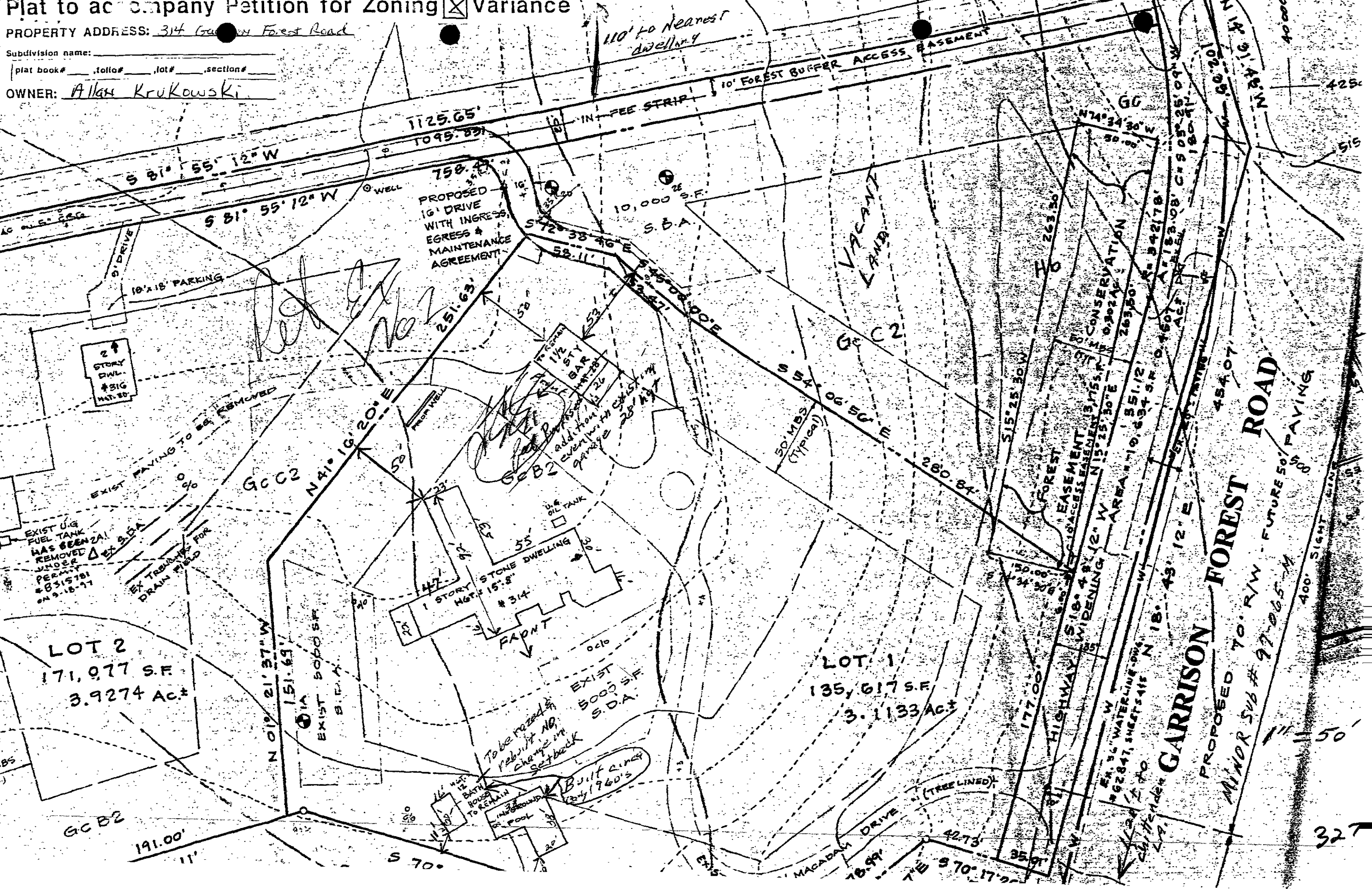
Plat to accompany Petition for Zoning ☒ Variance

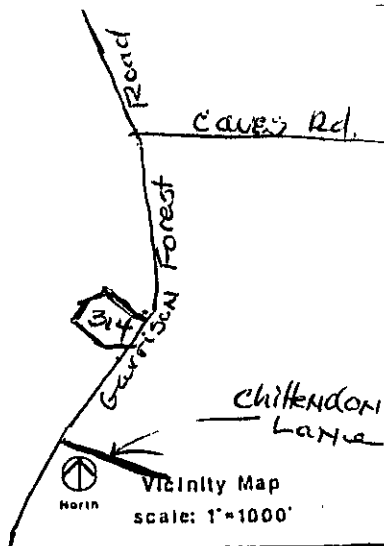
PROPERTY ADDRESS: 314 Green Forest Road

Subdivision name:

plat book# _____, folio# _____, lot# _____, section# _____

OWNER: Allen Krukowski





LOCATION INFORMATION

Election District: 3

Councilmanic District: 3

1"=200' scale map#: NW, 11-B

Zoning: RE-2

Lot size: 3.251 141,633.5
acres square feet

SEWER: ☐ public ☒ private

WATER: ☐ ☒

Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings:

NO

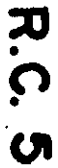
Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

RA | 327 |

00-327-A

$1 = 200$



minor subdivisions
- No. 97065
3/24/99

00-327-A

NW, 11-G



South end. Pool House w/ house in background. Pool to right.



Existing Pool House.

Pool House



Pool in foreground to left.



Pool House Back to House



House to pool House.

00-327-A

Garage



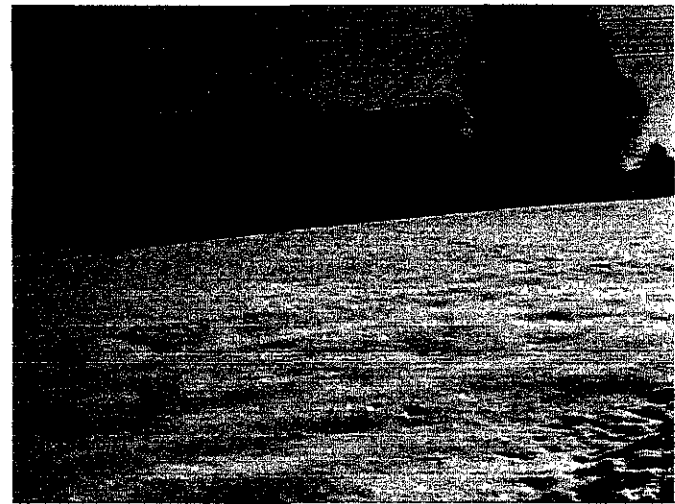
Private drive along north edge
of property line. View of Garage.



View of garage from front of
House.



Garrison Forest Rd to Garage.



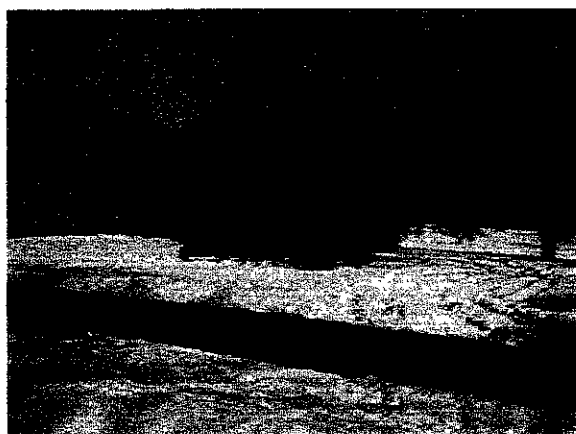
Garage as seen from nearest
Neighbor.

00-327-A

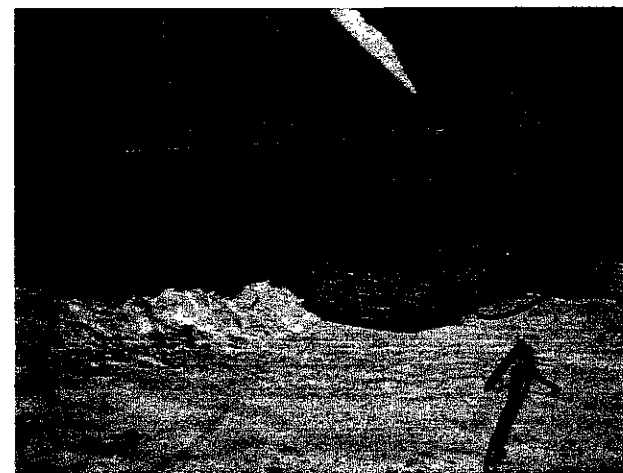
327



View from garage to House.



View from House to garage.



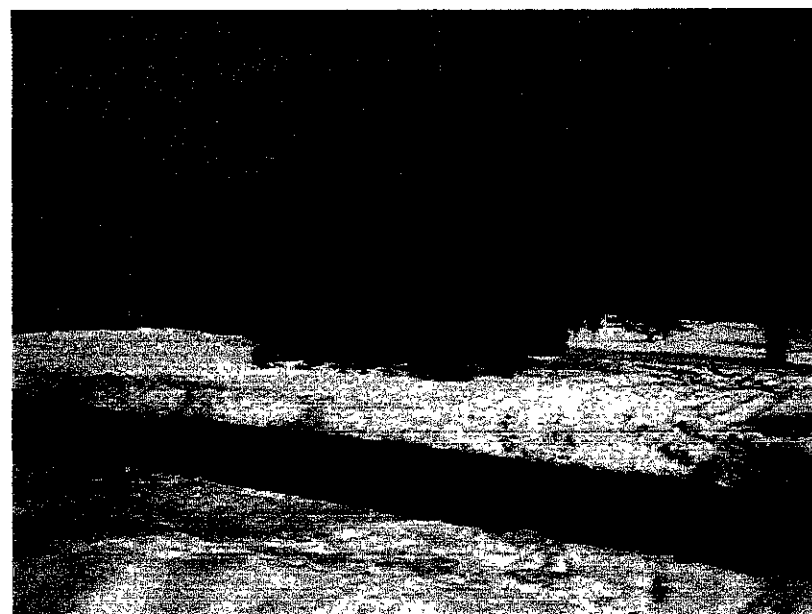
Proposed Addition to Right.

00-327-A

Garage



View of existing garage.



View from House to garage.

327

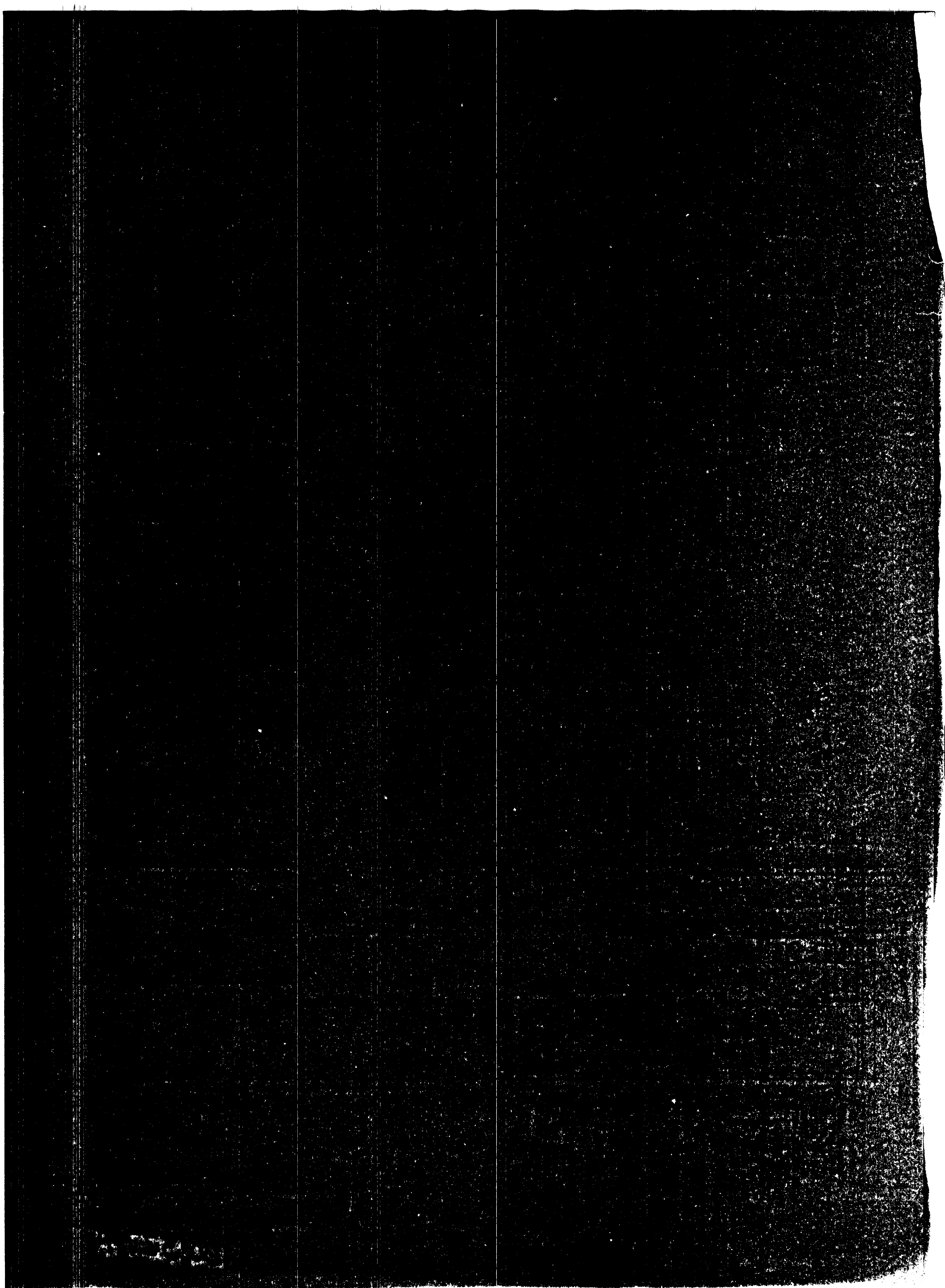


PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE		LOCATION		SHEET	
1" = 200' ±		CHATTOLANEE		N.W.	
DATE OF PHOTOGRAPHY		00-327-A		11-6	
JANUARY 1986					

MICROFILMED





Baltimore County
Department of Permits and
Development Management

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

April 14, 2000

Mr. Allen P. Krukowski
314 Garrison Forest Road
Owings Mills, MD 21117

Dear Mr. Krukowski:

RE: Zoning Case Number 00-327-A, 314 Garrison Forest Road

The purpose of this letter is to officially notify you that the demand for a public hearing has been withdrawn. As a result, your hearing scheduled for April 18, 2000 has been cancelled.

As Mrs. Jennings' indicated in her telephone call to your home today, you may contact the sign poster to remove the sign from your property.

The zoning file will be forwarded to the Zoning Commissioner and he will make a final determination in the case. You will be notified in writing by his office once the decision has been made.

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:scj

C: James Prince, Esquire, 210 N. Charles Street, Suite 800, Baltimore 21201



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us