IN RE: PETITION FOR ADMIN. VARIANCE

E/S Sweet Air Road, 580' E Centerline of Carroll Ridge Road 10th Election District

3rd Councilmanic District (4905 Sweet Air Road)

Lynn & Steve Hogan Petitioners

\* BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* CASE NO. 02-083-A

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

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Lynn and Steve Hogan, the legal owners of the subject property. The variance request is for property located at 4905 Sweet Air Road in the Baldwin area of Baltimore County. The Petitioners herein seek a variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 21 ft. for an attached garage in lieu of the required 35 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

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

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

compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this day of September, 2001, that a variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 21 ft. for an attached garage in lieu of the required 35 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

ГІМОТНУ М. КОТРОСО

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

September 28, 2001

Mr. & Mrs. Steve Hogan 4905 Sweet Air Road Baldwin, Maryland 21013

Re: Petition for Administrative Variance

Case No. 02-083-A

Property: 4905 Sweet Air Road

Dear Mr. & Mrs. Hogan:

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

Sunthy Kotrono

TMK:raj Enclosure

c: R. P. Williams Construction 4047 Ganford Court Jarrettsville, MD 21084



## Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at	4905	SWEET AIR Road
whic	h is present	tly zoned PC-2

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

This Petition shall be filed with the Department of Permits and	d Developm	ent Man	agement.	The un	dersianed.	legal
OWNER(S) at the property situate in Raltimore County and which is de	acadhad in H	<u></u>	- <del>-</del>		_     T 4.	
made a part hereof, hereby petition for a Variance from Section(s)	1A01.3.	B. 3:	8022	TD	0 = 2 m/2	7

A SIDEMARD SETBACK OF 21ft. FOR AN ATTACKED GARAGE

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.

Signature  LYNN HOGAN  Name Type or Print  HOGAN  Signature  410 887 - 6431  Address  Telephone No.
LYNN HOGAW  Name Type or Print  Hende Hogan  Signature  410 897-6451  Address  Telephone No.
Name Type or Print  Hende Hogen  Signature  4905 SXIEET AIR ROAD 410-817-676  Address  Telephone No.
4905 SXIEET AIR ROAD 410-817-676 Address Telephone No.
4905 SXIEET AIR ROAD 410-817-676 Address Telephone No.
BALDWIN MARYHADD 21013  City State 7in Code
otate zip coto
Representative to be Contacted:
R.P. Williams Const.
Name
VOUT GANFORD (+ 4/10/690.5573 Address Telephone No.  VARRETTS VILLE, Md. 21884 City State Zip Code
City State Zip Code
red, it is ordered by the Zoning Commissioner of Baltimore County,
ition be set for a public hearing, advertised, as required by the zoning
Zoning Commissioner of Baltimore County
d By Scm Date 8-27-01
ed Posting Date 9.9.01

# 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.

competent to testify thereto in the event that a p	oublic hearing	is sched	fuled in the future with	regard thereto.
That the Affiant(s) does/do presently reside at	4905 Address	SWE	PET AIR ROAL	>
	BAldy	in,	Md,	21013 Zip Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardsh	wing are the	facts up	on which I/we base th	e request for an Administrative
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That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ormal demanadditional info	d is filed ormation.	, Affiant(s) will be red	quired to pay a reposting and
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Signature		Signa	ature	V
STEVE HOMAN  Name - Type or Print		Nam	VNN HOGAN	
STATE OF MARYLAND, COUNTY OF BALTIN	-			
I HEREBY CERTIFY, this 44 day of Awoof Maryland, in and for the County aforesaid, pe	gust Sonally appe	eared	,2002, before rr	ne, a Notary Public of the State
STEVE HOGAN AND LYN	N HOG	AN		
the Affiant(s) herein, personally known or satis law that the matters and facts hereinabove set f	factorily ident orth are true	tified to r and corre	ne as such Affiant(s), ect to the best of his/he	and made oath in due form of er/their knowledge and belief.
AS WITNESS my hand and Notarial Seal				
8-24-0/ Date		Alle	N J Ross	ELEN J. ROSS
Date	Not M.	ary Publi	c // sion Expires &	1-2002 NOTARY PUBLIC
REV 09 15 98, ``	iviy	COHILINS	on Exhires O	TO STORY PUBLIC S

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competent to testify thereto in the event that a p	public hearing is scheduled in the future with regard	thereto.
That the Affiant(s) does/do presently reside at	4905 SWEET AIR Rd. Address	
	BAIDWIN, Md.	2/0/3 7in Code
	wing are the facts upon which I/we base the requ	Zip Code est for an Administrative
That the Affiant(s) acknowledge(s) that if a fo advertising fee and may be required to provide a Signature  STEVE HOPAN Name - Type or Print	ormal demand is filed, Affiant(s) will be required additional information.  Lude Hogan Signature  Lynn Hogan Name - Type or Print	to pay a reposting and
STATE OF MARYLAND, COUNTY OF BALTIM I HEREBY CERTIFY, this 24th day of 40 of Maryland, in and for the County aforesaid, per	±	lotary Public of the State
STEVE HOGAN AND L the Affiant(s) herein, personally known or satisf	rsonally appeared  YNN LOGAN  factorily identified to me as such Affiant(s), and morth are true and correct to the best of his/her/their	nade oath in due form of knowledge and belief.
AS WITNESS my hand and Notarial Seal		
8-24-01 Date	Notary Public  My Commission Expires 8-1-2	HE EN J ROSS
	My Commission Expires $8-1-2$	OV 2 / NOTARY DUBLIC

REU 09/15/98



CASE NO. 02.083/7

REU 9115198

## **Petition for Administrative Variance**

### to the Zoning Commissioner of Baltimore County

for the property located at	4905	SWEET	AIR	Road
which	P.C-	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) / A01.3.13.3; BCZR, TO

Permit A Sidey Ard Settack of 21 Ft for Attached garage

in Lieu of the Reguired 35 Ft.

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, t	solemnly declare hat I/we are the I oject of this Petiti	and affirm, under egal owner(s) of the on.	the penalties of ne property which
Contract Purchaser	/Lessee:		<u>Legal (</u>	<u> Dwner(s):</u>		
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Signature		·	Signature	M HOGAN		
Address	•	Telephone No.	Name - Ty	pe or Print	1000	1
City	State	Zip Code	Signature	1		4/08876421 V
Attorney For Petition	ner:		490 Address	5 SWEE	TAIRA.	4/10-817-6767 Telephone No.
Name - Type or Print			City	MIN 1	Λ₫· State	<u> </u>
Signature			Repres	entative to be	e Contacted:	
Company			Name	17 GAN	FORD (4	4/06925573
Address		Telephone No.	Address ARR	ETTSYILLE.	Md.	Telephone No.
City	State	Zip Code	City		State	Zip Code
A Public Hearing having be this day of regulations of Baltimore Count	, tha	at the subject matter of t	his petition be se	et for a public heari	ning Gommissioner ing, advertised, as re	equired by the zoning

Estimated Posting Date

4047 Ganford Court Jarrettsville, MD 21084

(410) 692-5573 • Fax (410) 557-9497 MHIC # 25925 and 25926



Lowing Description FOR 4/905 SWEET AIRRS.

BEGINNING AT A point ON the EAST SIDE

OF SWEET AIR Road which is 60' wide at the distance of 580 feet EAST of the center/we of the Nealest improved intersecting street

Carloll Ridge Court which is so feet wide. Being LOT # 3 in the subdivision Sweet Air Farms as recorded in Balf. County Plat Book E.H.K. Sz.

NO. 40-73 CONTAINS 1.25 ACRES. Also KNOWN AS 1905 SWEET AIR Pd. and LOCATED IN the 10th ELECTION SISTRICT.

083

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FOR. (010) Ad. U.			
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07/01/2001 54

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HOGAN STEVEN V SHUGARS LINDA J 4905 SWEET AIR RD BALDWIN MD 21013

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18-00-002481

2002 FY BILL DATE

MAIL TO: BALTIMORE COUNTY P.O. BOX 64281 BALTO, MD. 21264-4281

07/01/2001

OWNER'S NAME AND ADDRESS

CUTAX

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OR INTEREST 2,150.84 20.18-10.09-2,160.94

DISCOUNT

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9/30 10/31

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HUGAN STEVEN V SHUGARS LINDA J 4905 SWEET AIR RD BALDWIN MD 2101 21013

GROSS TO THE STATE OF THE STATE

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# CERTIFICATE OF POSTING

8 48 K V

	RE: Case No.: <u>02-083-Д</u>
	Petitioner/Developer:
	3. HOGAH
	Date of Hearing/Closing: 9/24/01
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	
were posted conspicuously on the proper	s of perjury that the necessary sign(s) required by law ty located at  Sweet Air Ro
The sign(s) source most in the	9   9   01
The sign(s) were posted on	(Month, Day, Year)
ZORING MARE  ZORING MARE  ZORING MARE  TORING MARE  TORIN	Sincerely,  Sincerely,  Signature of Sign Poster and Date)  RICHARD E. HOFFMAN  (Printed Name)  904 DELLWOOD DR.  (Address)  FALLS TON, MO 21047  (City, State, Zip Code)  (410) 879-3127  (Telephone Number)

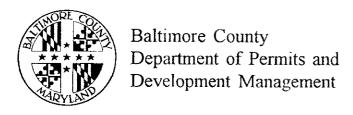
4905 SWEET AIR ROAD POSTED 9/9/01 Opelud 129/4 9/9/01

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

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Filing	J Date: _	8-2	701		Posting	g Date:	9.9	.01	C	losing	Date:	9.24.0
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WCR - Revised 6/28/00

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

September 26, 2001

Lynn & Steve Hogan 4905 Sweet Air Road Baldwin MD 21013

Dear Mr. & Mrs. Hogan:

RE: Case Number: 02-083-A, 4905 Sweet Air Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 27, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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.

Very truly yours,

W. Carl Richards, Jr. Gラス Supervisor, Zoning Review

W. Carl Ruchards, Jr.

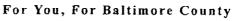
WCR: gdz

**Enclosures** 

c: R. P. Williams Const., 4047 Ganford Court, Jarrettsville 21084 People's Counsel













#### **BALTIMORE COUNTY, MARYLAND**

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits & Development Mgmt.

**DATE:** October 16, 2001

FROM.

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting For September 24, 2001

It m Nos. 071, 072,073, 074, 075, 076, 077, 078, 079, 081, 082, 083, 084, and

085

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

RWB:HJO:jrb

cc: File



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

September 19, 2001

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

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF September 17, 2001

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.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

071, 072, 075, 076, 077, 079, 080, 081, 082, 083, and 084

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File

AV 9/24

### 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

SEP 2 4

DATE: September 24, 2001

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-076 & 02-083

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Section Chief:

AFK/JL:MAC

To: Zoning Commissioner, Baltimore County

Re: Proposed garage addition to 4905 Sweet Air Rd.

I/We the undersigned have no objection to the proposed addition of a garage to the residence listed above.

Mark S. Stustini Mary Stersbuc .
Signature

083

*B|23|01* **Date** 

4909 Sweet ALL ROAD BALDWIN MTD 21013 Address

To: Zoning Commissioner, Baltimore County

Re: Proposed garage addition to 4905 Sweet Air Rd.

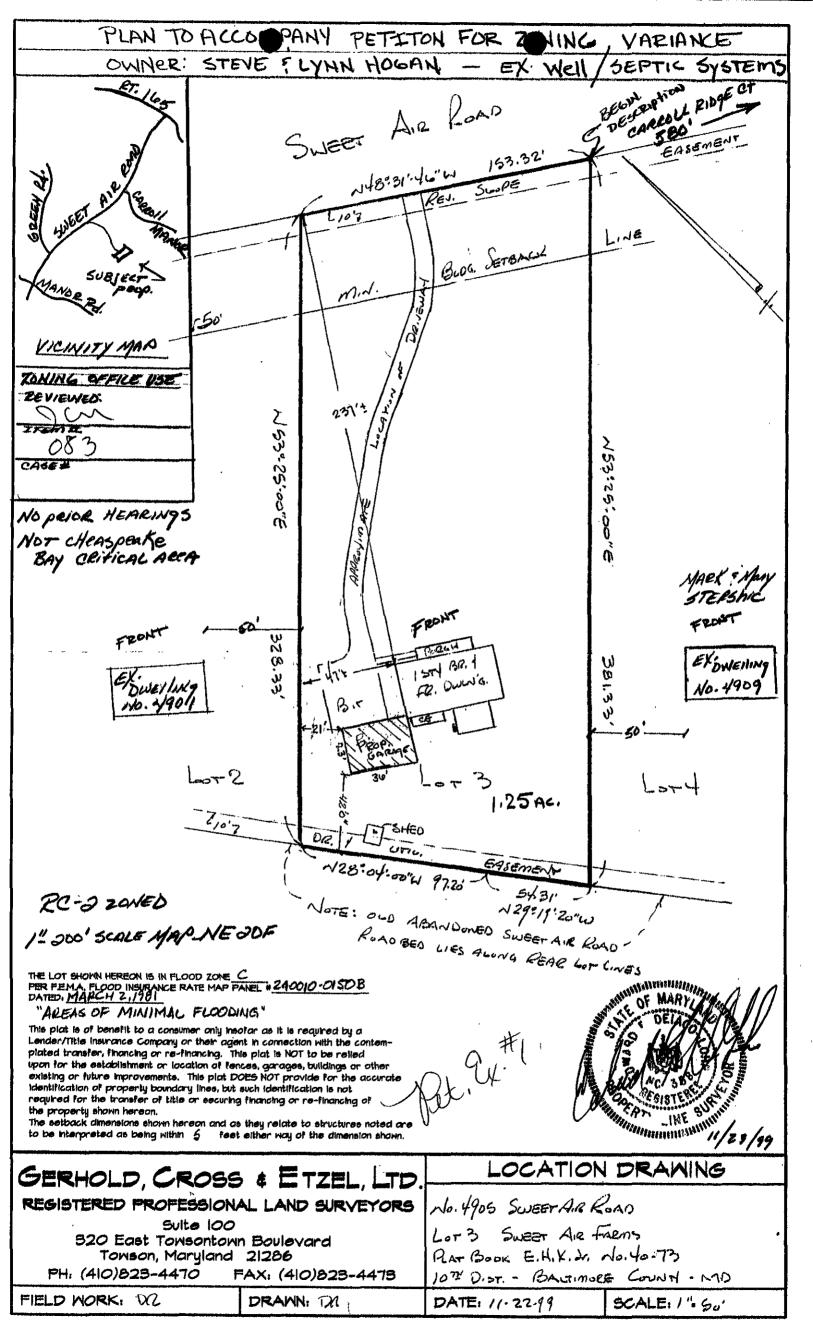
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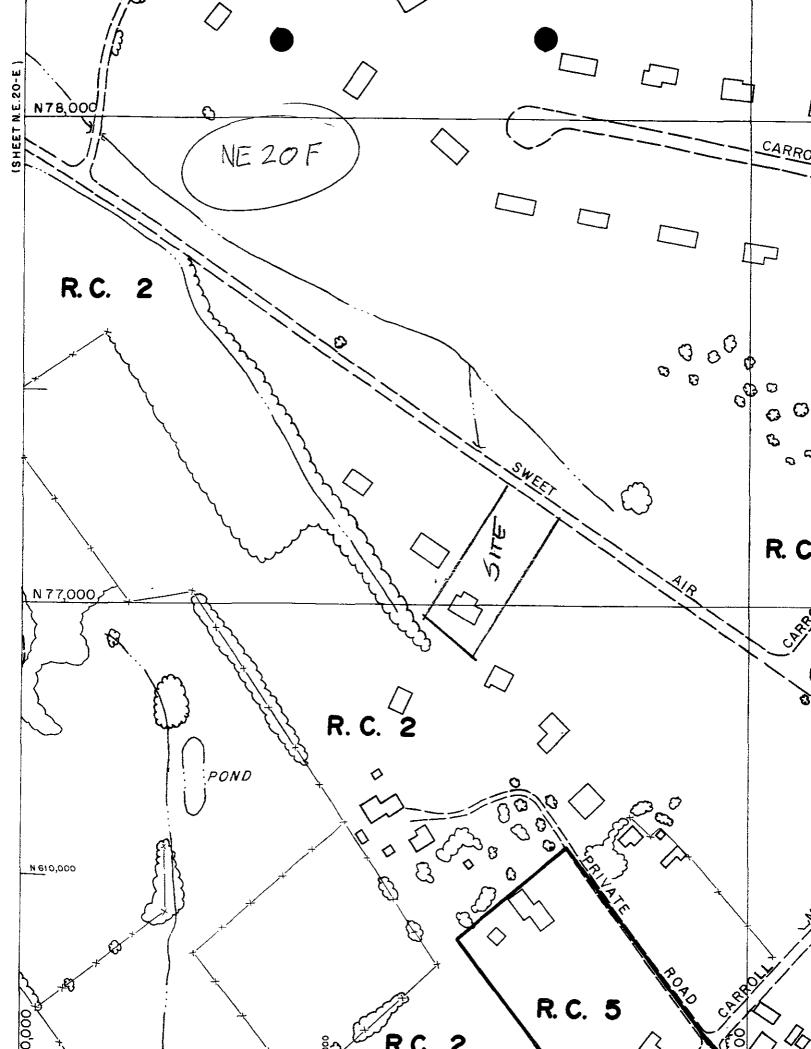
Signature School

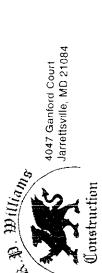
083

8-25-2001 Date

4901 SWEET AIR BD.







083

Horos









