

IN RE: PETITION FOR ADMIN. VARIANCE
S/W corner of Miller Road
and Cuba Road
8th Election District
3rd Councilmanic District
(1801 Miller Road)

Marcia M. & Carroll M. Zink
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 02-187-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Marcia M. and Carroll M. Zink, the legal owners of the subject property. The variance request is for property located at 1801 Miller Road in the Cockeysville area of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition (garage) with a side yard setback of 12 ft. in lieu of the required 20 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

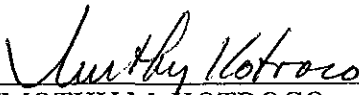
12/10/01
R. Quinn

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 10th day of December, 2001, that a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations, to permit an addition (garage) with a side yard setback of 12 ft. in lieu of the required 20 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.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

12/10/01
R. J. Jenson



Baltimore County
Zoning Commissioner

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

December 10, 2001

Mr. & Mrs. Carroll M. Zink
1801 Miller Road
Cockeysville, Maryland 21030

Re: Petition for Administrative Variance
Case No. 02-187-A
Property: 1801 Miller Road

Dear Mr. & Mrs. Zink:

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,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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



Flood PLAN



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1801 Miller Rd
which is presently zoned RC-Z
(formerly R-40)

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) 1002.3B. (BCZR) + 202.3 (1963-BCZR)

TO PERMIT AN ADDITION (GARAGE) WITH A SIDE YARD SETBACK
OF 12 FEET IN LIEU OF THE REQUIRED 20 FEET.

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

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 12/16/01 day of December, 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.

Legal Owner(s):

Carroll M. Zink
Name - Type or Print

Carroll M. Zink
Signature

Marcia M. Zink
Name - Type or Print

Marcia M. Zink
Signature

1801 Miller Rd
Address

Cockeysville MD
City State Zip Code

410 584-2775-H
410 366-5500
Telephone No.

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

Zoning Commissioner of Baltimore County

Reviewed By DT Date 11/07/01

Estimated Posting Date 11/18/01

CASE NO. 02-187-A

REV 9/15/98

ORDER RECEIVED FOR FILING

DATE 11/15/01
BY [Signature]

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

1801 Miller Rd
Address
Cockeysville MD 21030
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):

We the legal owners of 1801 Miller Rd. request for an administrative variance so that we can have a two car garage. We would like both cars to be put into the garage. The cars would be an eyesore to the public if they were left out. Also our cars are older and they need protection from the weather. We are building the garage on the western side of the house because of the location of the driveway. If we were to have the garage in the rear of the property, we would need to remove older established trees.

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.

Carroll M. Zink
Signature
CARROLL M. ZINK
Name - Type or Print

Marcia M. Zink
Signature
Marcia M. Zink
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 26th day of October, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Carroll Zink and Marcia Zink

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

10-26-01
Date

Alana J. Rigney
Notary Public

My Commission Expires 04-04-05

Zoning Description

Zoning description for 1801 Miller Rd

Beginning at a point on the west side of Miller Road which is 46.61 wide at the distance of 156 ft north of the centerline of the nearest improved intersecting street Cuba Road which is 60 ft wide. "Being lot 11 of Plat book 32 folio 56 in the subdivision of Falls Ridge containing .86 acres. Also known as 1801 Miller Road

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 07871

DATE 11/7/01 ACCOUNT R001C066150
AMOUNT \$ 50.00

RECEIVED FROM: MAISIE INK

FOR: FILE FOR ADM. VARIANCE

ITEM #187 801 MILLER RD. (02-187-A)

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

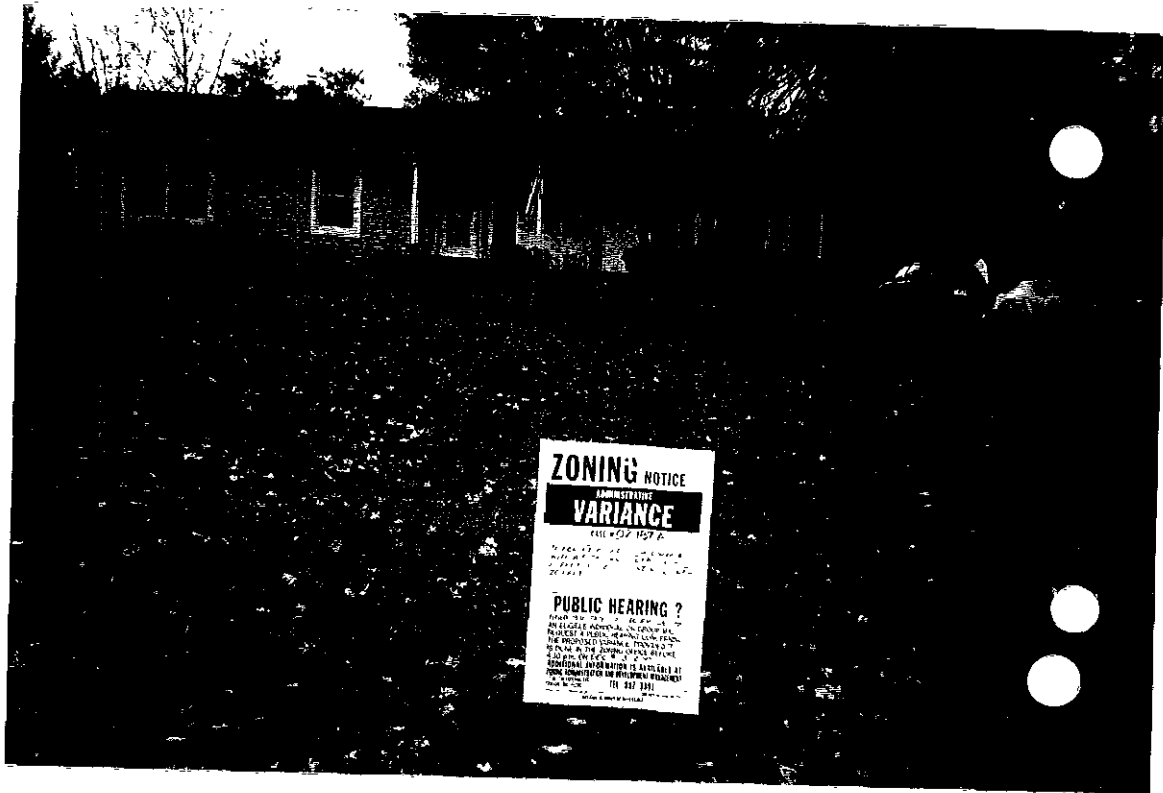
YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
11/07/2001 11/07/2001 14:16:15
RECEIVED CASHIER G001 DMD SPWNER C
RECEIPT # 160668 OPEN
DATE 5 50.00 CASH VERIFICATION
OR NO. 007871

Receipt for 50.00
50.00 OK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION



CERTIFICATE OF POSTING

RE: Case No.: 02-187-A

Petitioner/Developer: _____

CARROLL & MARCIA ZINK

Date of Hearing/Closing: DEC. 3, 2001

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

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #1801 MILLER ROAD

The sign(s) were posted on Nov. 15, 2001
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

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/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: 02-187-A

Petitioner: CARROLL M. ZINK + MARCIA M. ZINK

Address or Location: 1801 MILLER RD., COCKEYSVILLE, MD 21030

PLEASE FORWARD ADVERTISING BILL TO:

Name: CARROLL M. ZINK + MARCIA M. ZINK

Address: 1801 MILLER RD.

COCKEYSVILLE, MD 21030

Telephone Number: 410-584-2775

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 187 -A Address 1801 MILLER RD., 21030

Contact Person: DONNA THOMPSON Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 11/7/01 Posting Date: 11/18/01 Closing Date: 12/03/01

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 02- 187 -A Address 1801 MILLER RD., 21030

Petitioner's Name CARROLL & MARCIA ZINK Telephone 410-584-2775

Posting Date: 11/18/01 Closing Date: 12/03/01

Wording for Sign: To Permit AN ADDITION (GARAGE) WITH A SIDE YARD
SETBACK OF 12 FEET IN LIEU OF THE REQUIRED 20 FEET.

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt. **DATE:** December 26, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For December 10, 2001
Item Nos. 176, 177, 178, 179, 181, 184,
185, 186, 187, 188, 189, 193, 190, 191,
193, 194, 195, 196, 197, 198, 199, and
223

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

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

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

December 12, 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 December 3, 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:

176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187,
188, 190, 191, 192, 193, 195, 198, 199, 223

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

cc: File

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



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

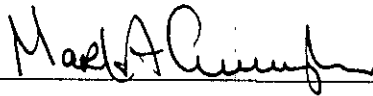
DATE: December 12, 2001

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

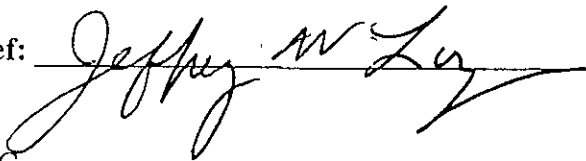
SUBJECT: Zoning Advisory Petition(s): Case(s) 02-178, 02-181, 02-185, 02-187, 02-192,
02-193, 02-198, & 02-199

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



**Maryland Department of Transportation
State Highway Administration**

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

Date: 12.11.01

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 67 DT

Dear Mr. Zahner:

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,

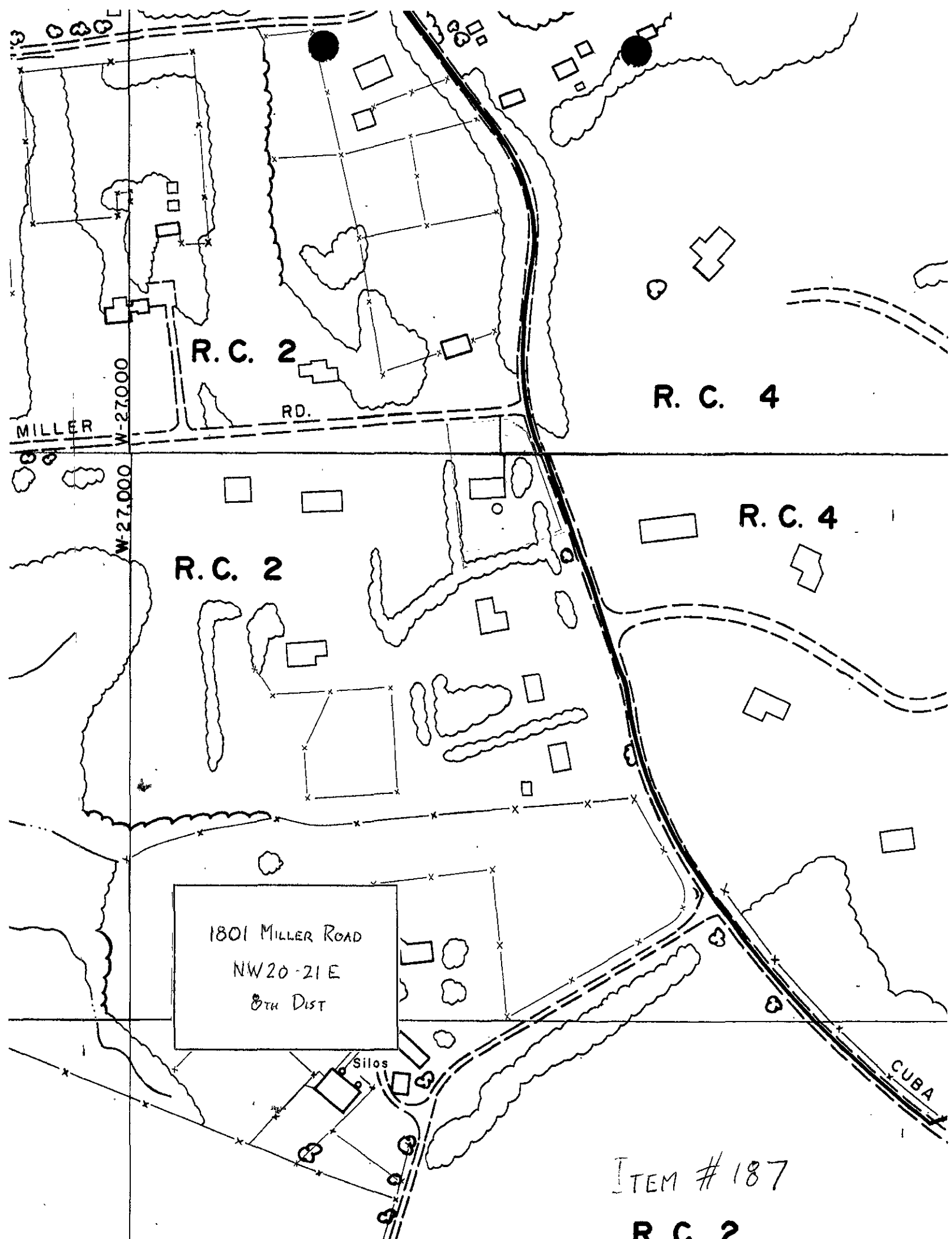
Dr

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



ITEM # 187

R.C. 2

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1801 Miller Rd

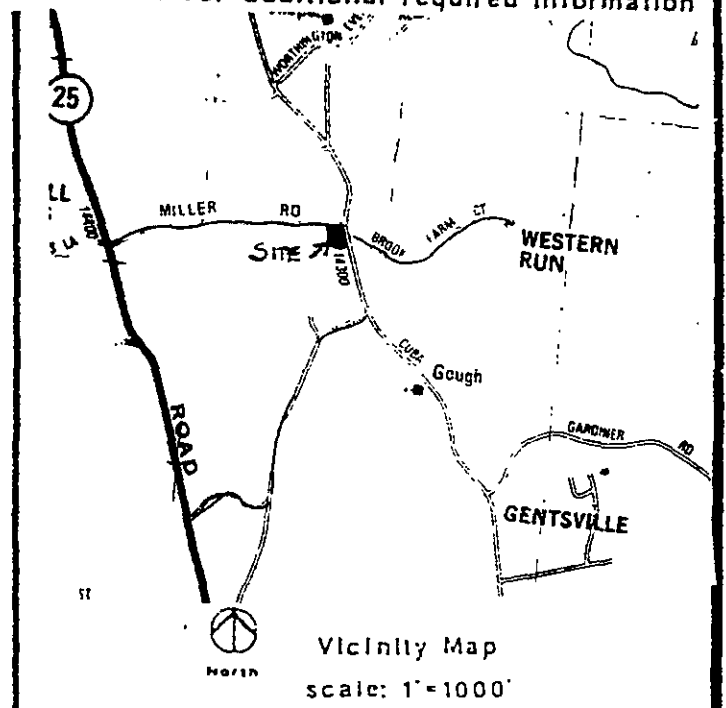
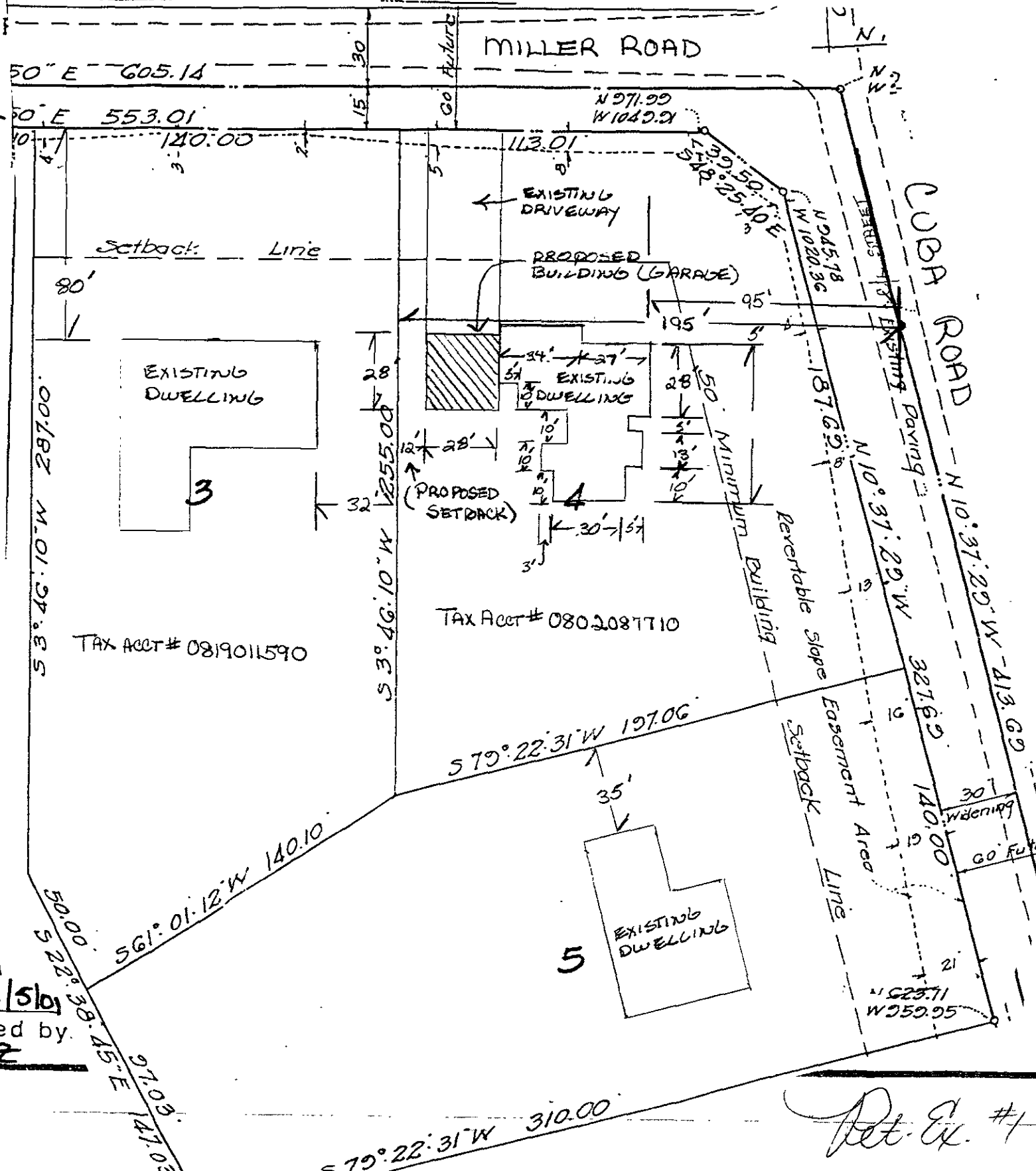
see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Falls Ridge

plat book # 32, folio # 56, lot # 4, section #

OWNER

OWNER:
Carroll and Marcia Zink



LOCATION INFORMATION

Election District: 8 Flood zone C
Councilmanic District: 3

1"=200 scale map#: NE 20E + NE 21E

Zoning: R.C. 2

Lot size: .86 acreage 37,461 square feet

SEWER: ☐ public ☒ private

WATER: ☐ public ☒ private

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings:

None

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE #:

D.T.

187

02-187-A

1" = 50' SCALE



