

IN RE: PETITION FOR ADMIN. VARIANCE
E/S of Pfeffer Road, 145 ft. S
centerline of Old Long Calm Road
11th Election District
5th Councilmanic District
(10807 Pfeffer Road)

Matthew Friesser
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 03-107-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Matthew Friesser. The Petitioner requested administrative variance relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) for property at 10807 Pfeffer Road, which property is located in the Kingsville area of Baltimore County. The administrative variance relief was requested to permit an accessory structure (garage) with a height of 16 ft. in lieu of the required 15 ft. and to be located in the front yard in lieu of the required rear yard.

The above requested relief was originally filed as an administrative variance with a closing date of October 1, 2002. However, prior to the expiration of the closing, a request for hearing was received from a nearby property owner. A public hearing was called on October 25, 2002 and heard by Deputy Zoning Commissioner Timothy M. Kotroco. The property was posted with Notice of Hearing on October 10, 2002 and a Notice of Zoning Hearing was published in "The Jeffersonian" newspaper on October 10, 2002 to notify any interested persons

of the scheduled hearing date.

Applicable Law

Section 307 of the B.C.Z.R. – *Variances*.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where

ORDER RECEIVED FOR FILING
Date 9/9/04
By Ray

special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Zoning Advisory Committee Comments

The Zoning Advisory Committee Comments are made part of the record of this case and contain the following highlights: None.

Interested Persons

According to the Sign-In Sheets, the following persons attended the hearing. Appearing at the hearing on behalf of the requested variance relief was Matthew Friesser, the Petitioner. Attending the hearing in opposition to the Petitioner's request were Charles Zunk and Ken & Barbara Horanoff.

Testimony and Evidence

Testimony and evidence received at the hearing by Deputy Commissioner Kotroco indicated that the property, which is the subject of this variance request, consists of 3.09 acres and is zoned RC 5. Apparently, the protestants were not agreeable to either the location or the size of the garage. At the conclusion of the hearing, the protestants in this case indicated that they would not oppose the Petitioner's request for variance if the site plan was revised to relocate the garage on the property and to reduce the size from a three-car garage to a two-car garage. Mr. Friesser indicated that he would revise the plan and try to work out an agreeable solution

ORDER RECEIVED FOR FILING
Date 9/9/04
By [Signature]

with his neighbors concerning the proposed garage and resubmit new plans, etc. for this case in late spring 2003.

Thereafter, the file was returned to the Department of Permits & Development Management. This office put the file on diary until spring 2003. On August 27, 2003 this office retrieved the file from the Department of Permits & Development Management because we had not heard from Mr. Friesser and wrote a letter advising him that the case would be dismissed if we didn't hear from him within fifteen days from the receipt of the letter. This office received a facsimile from Mr. Friesser on September 9, 2003 with some of the information requested at the October, 2002 hearing.

The information was forwarded to Mr. Jun Fernando of the Department of Permits & Development Management in November, 2003 who later requested additional information from the Petitioner. Ultimately, in late April, 2004, Ms. Barbara Horanoff submitted written approval of the new site plan and two-car garage proposed by the Petitioner. Thereafter, the site plan was circulated to the appropriate County reviewing agencies for new ZAC comments pertaining to the new proposal and site plan.

The relevant County agencies reviewed the required paperwork and supported the Petitioner's proposal with their ZAC comments.

Findings of fact and conclusions of law

I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. I also find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship.

Finally, I find that this variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare.

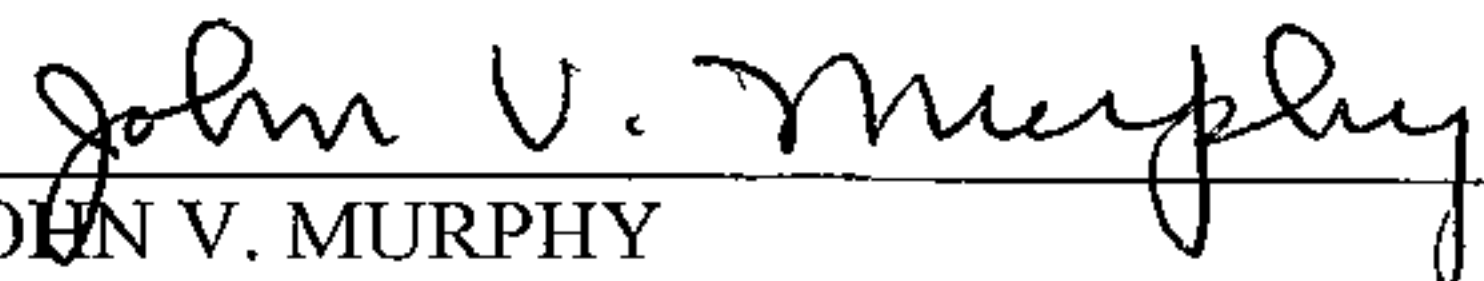
ORDER RECEIVED FOR FILING
Date 9/9/04
By [Signature]

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, this 9 day of September, 2004, by this Deputy Zoning Commissioner, that the Petitioner's request for variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (garage) with a height of 16 ft. in lieu of the required 15 ft. and to be located in the front yard in lieu of the required rear yard, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition;
2. The Petitioner or subsequent owners shall not convert the garage into a dwelling unit and/or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities;
3. The Petitioner shall not allow the accessory structure to be used for commercial purposes; and
4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.


JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING
Date 9/9/04
By Raj

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

September 9, 2004

Mr. Matthew Friesser
10807 Pfeffers Road
Kingsville, Maryland 21087

Re: Petition for Administrative Variance
Case No. 03-107-A
Property: 10807 Pfeffers Road

Dear Mr. Friesser:

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 that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Barbara & Ken Horanoff
12106 Philadelphia Road
Bradshaw, MD 21087

Charles Zunk
12110 Philadelphia Road
Bradshaw, MD 21087

Visit the County's Website at www.baltimorecountyonline.info





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 10807 Pletten Road
which is presently zoned PC-5

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) 400.1 AND 400.3 BCZR

To permit an accessory structure (garage) with a height of 16 feet
in lieu of the required 15 feet and to be located in the front yard
in lieu of the required rear yard.

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):

Matthew Frieser
Name - Type or Print

Matthew Frieser
Signature

Name - Type or Print

Signature

10807 Pletten Road 410-538-5334
Address Telephone No.

Kingville MD 21087
City State Zip Code

Representative to be Contacted:

Matthew Frieser
Name

10807 Pletten Road 410-218-3342
Address Telephone No.

Kingville MD 21087
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 9/19/02 day of September, 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. 03-107-A

Reviewed By JRF Date 9-5-02

Estimated Posting Date 9-16-02

RECEIVED 10/25/01

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.

That the Affiant(s) does/do presently reside at 10807 Pletten Road
Address
Kingville MD 21087
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):

As shown on the pictures the existing house has a built in swimming pool in the back yard, and is within 200 feet of other houses. There is a septic system on the east side of the house only 125' on the other side of the house. The largest area is in the front of the house to the left of the driveway. This area is also the flattest area, the rest of the property is on a down grade.

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

Mark Tripp
Signature

Name - Type or Print

Matthew Frieser
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29th day of AUGUST, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

ROBERT M. WOTKOWSKI, JR.
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires July 1, 2003

Robert M. Wotkowski, Jr.
Notary Public

My Commission Expires JULY 1 2003

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 1128

DATE 2-5-02 ACCOUNT 001-0000-157

AMOUNT \$ 50.00

RECEIVED McLhewy FROM: 10.4.07 PREPARED BY

FOR: 01 10.4.02 ITEM # 107
Taken by JRF

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS AGENCY

DATE 2/5/02 TIME 1:45 PM

RECEIVED BY 10.4.07

AMOUNT 50.00

RECEIVED BY 10.4.07

AMOUNT 50.00

RECEIVED BY 10.4.07

AMOUNT 50.00

RECEIVED BY 10.4.07

AMOUNT 50.00

CASHIER'S VALIDATION



FORMAL DEMAND FOR HEARING

CASE NUMBER: 03-107-A

Address: 10807 Pfeffers Rd

Petitioner(s): ~~Barbara~~ Horanoff ~~Hank~~

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We Barbara G. Horanoff
Name - Type or Print

☒ Legal Owner OR ☐ Resident of
12106 Philadelphia Rd
Address

Kingsville MD 21087
City State Zip Code

410-538-7214
Telephone Number

which is located approximately _____ feet from the
property, which is the subject of the above petition, **do hereby**
formally demand that a public hearing be set in this matter.
ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS
DEMAND.

M. Barbara G. Horanoff 9/30/02
Signature Date

Signature _____ Date _____
Revised 9/18/98 - wcr/scj

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 14200

DATE

ACCOUNT

\$70

RECEIVED
FROM:

AMOUNT

\$ 50.00

FOR:

James Henry

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

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: #03-107 A
10807 Pfeifers Road
E/side of Pfeifers Road at the distance of 145' south of the centerline of Old Long Calm Rd.
11th Election District
5th Councilmanic District
Legal Owner(s): Matthew Frieser

Administrative Variance: to permit an accessory structure (garage) with a height of 16 feet in lieu of the required 15 feet and to be located in the front yard in lieu of the required rear yard.

Hearing: Friday, October 25, 2002 at 11:00 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) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

10/172 Oct. 10 6567922

CERTIFICATE OF PUBLICATION

10/10/2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of _____ successive weeks, the first publication appearing on 10/10/2002.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkerson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 03-107-A

Petitioner/Developer: _____

MATTHEW FRIESSER

Date of Hearing/Closing: 10/1/02

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

MR. GEORGE SAHNER
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 _____

10807 PFEFFERS RD.

The sign(s) were posted on 9/16/02
(Month, Day, Year)

CASE # 03-107-A

Sincerely,

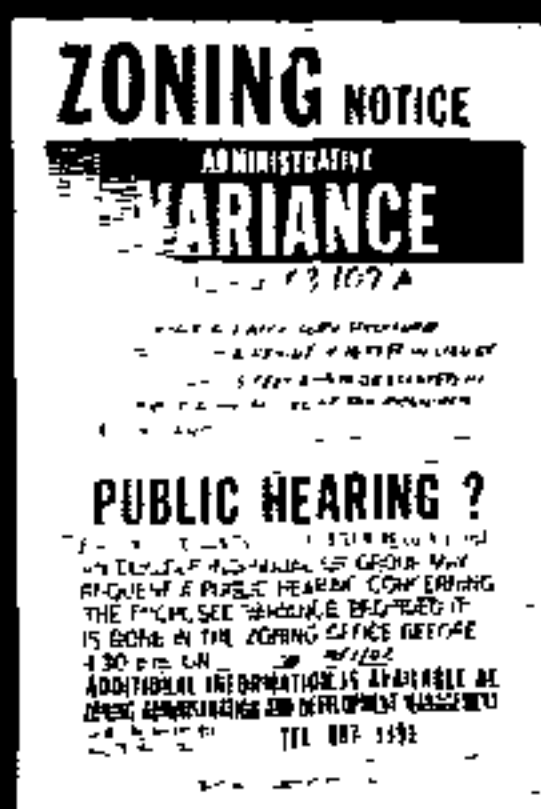
Richard E. Hoffman 9/16/02
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)



10807 PFEFFERS RD
POSTED 9/16/02
Richard E. Hoffman 9/16/02

CERTIFICATE OF POSTING

10/25

RE: Case No.: 03-107-A

Petitioner/Developer: _____

MATTHEW FRIESSER

Date of Hearing/Closing: 10/25/02

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

MR. GEORGE ~~SAHNER~~
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 _____

10807 PEEFFERS RD

The sign(s) were posted on 10/10/02
(Month, Day, Year)

CASE # 03-107-A

Sincerely,

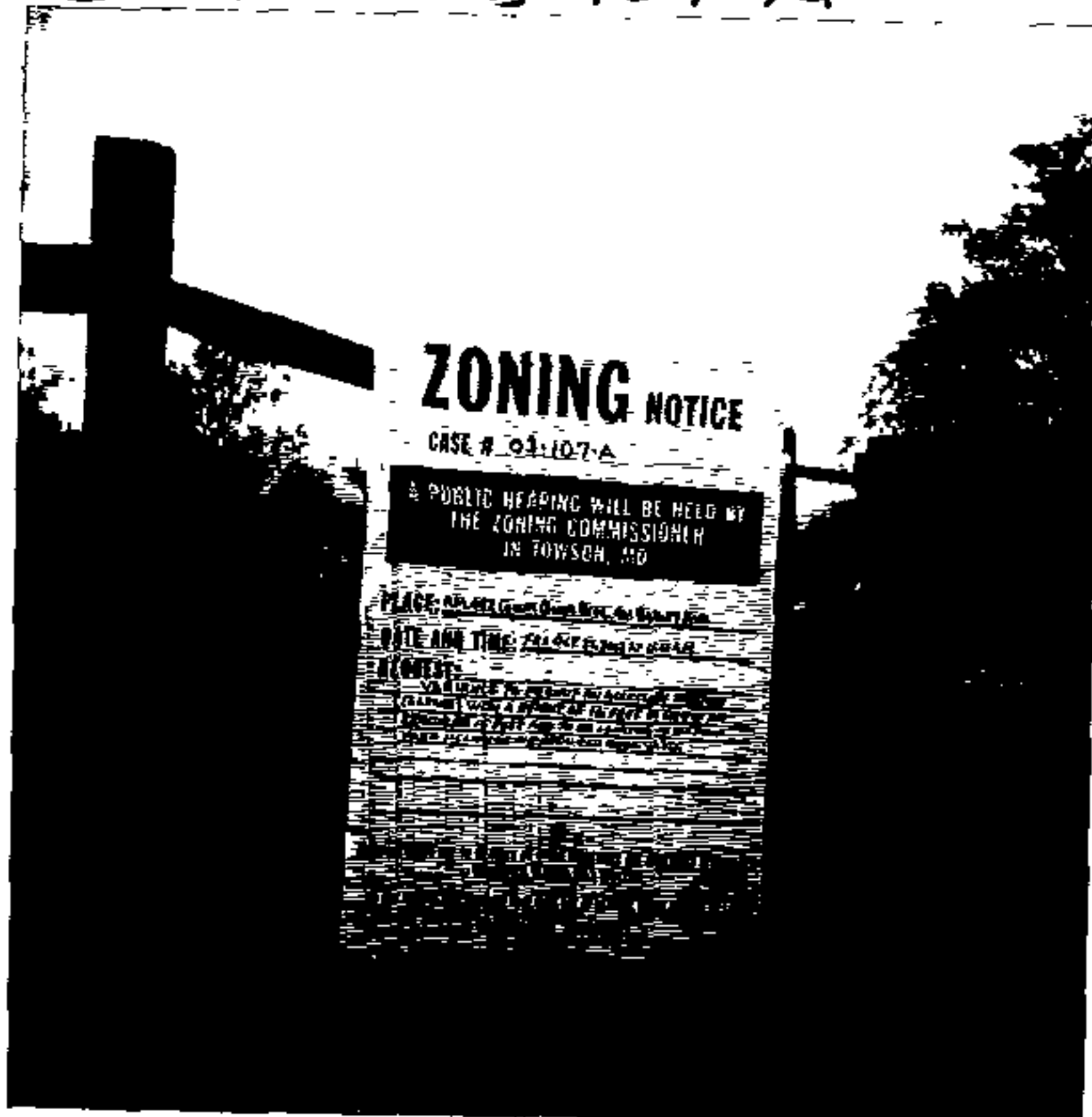
Richard E. Hoffman 10/10/02
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)



10807 PEEFFERS RD

POSTED 10/10/02

Richard E. Hoffman 10/10/02



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

October 1, 2002

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: 03-107 A

10807 Pfeffers Road

E/side of Pfeffers Road at the distance of 145' south of the centerline of Old Long Calm Rd.

Election District 11th - Councilmanic District 5th

Legal Owner: Matthew Friesser

ADMINISTRATIVE VARIANCE to permit an accessory structure (garage) with a height of 16 feet in lieu of the required 15 feet and to be located in the front yard in lieu of the required rear yard.

HEARING: Friday, October 25, 2002 at 11:00 a in Room 407, County Courts Building
401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

Cc: Matthew Friesser 10807 Pfeffers Road, Kingsville, MD 21087
Barbara G. Horanoff, 12106 Philadelphia Road, Kingsville, Md 21087

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY Thursday, October 10, 2002.**
(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.

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



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: # 107

Petitioner: Matthew Friesser

Address or Location: 10807 Pletters Road Kingville MD 21087

PLEASE FORWARD ADVERTISING BILL TO:

Name: Matthew Friesser

Address: 10807 Pletters Road Kingville MD 21087

Telephone Number: 410-538-5334

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 03- 107 -A

Address 10807 PFEFFERS RD.

Contact Person: Jun E. Fernando
Planner Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 9-5-02

Posting Date: 9-16-02

Closing Date: 10-1-02

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 03- 107 -A

Address 10807 PFEFFERS RD.

Petitioner's Name Matthew Friesser

Telephone 410-538-5334

Posting Date: 9-16-02

Closing Date: 10-1-02

Wording for Sign: To Permit an accessory structure (garage) with a height of 16 feet in lieu of the required 15 feet and to be located in the front yard in lieu of the required rear yard.

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

10807 Pletcher Road
Address
Kingsville MD 21087
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):

As shown on the pictures the existing house has a built in swimming pool in the back yard, and is within 200 feet of other houses. There is a septic system on the east side of the house & only 125' on the other side of the house. The largest area is in the front of the house to the left of the driveway. This area is also the flattest area, the rest of the property is on a down grade.

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

Matthew Friesse
Signature

Name - Type or Print

Matthew Friesse
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29th day of AUGUST, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

ROBERT M. WOTKOWSKI, JR.
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires July 1, 2003

Robert M. Wotkowski, Jr.
Notary Public

My Commission Expires July 1 2003



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 10807 Pletten Road
which is presently zoned RC-5

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) 400.1 AND 400.3 BCZR

To permit an accessory structure (garage) with a height of 10 feet
in lieu of the required 15 feet and to be located in the front yard
in lieu of the required rear yard.

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):

Matthew Frieser
Name - Type or Print _____

Matthew Frieser
Signature _____

Name - Type or Print _____

Signature _____

10807 Pletten Road 410-538-5334
Address Telephone No

Kingville MD 21087
City State Zip Code

Representative to be Contacted:

Matthew Frieser
Name _____

10807 Pletten Road 410-218-3392
Address Telephone No

Kingville MD 21087
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 _____ 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. 03-107-A

Reviewed By JRF Date 9-5-02

Estimated Posting Date 9-14-02



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

October 16, 2002

Matthew Friesser
10807 Pfeffers Road
Kingsville, MD 21087

Dear Mr. Friesser:

RE: Case Number: 03-107-A, 10807 Pfeffers Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 5, 2002.

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.
Supervisor, Zoning Review

WCR:rlh

Enclosures

c: People's Counsel

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





Baltimore County
Fire Department

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

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

September 16, 2002

ATTENTION: George Zahner

Property Owner:

Location:

Item No.:

Dear Mr. Zahner:

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.

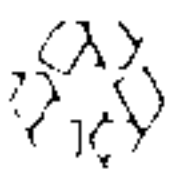
7. The Fire Marshal's Office has no comments at this time, in reference to the following items:

107
103-115

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
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *RBS /TGT*
DATE: 10/7/02
SUBJECT: Zoning Item 107
Address 10807 Pfeffers Road

Zoning Advisory Committee Meeting of September 9, 2002

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

The garage must be a minimum of 20 feet from the septic tank and septic reserve area.

Reviewer: Sue Farinetti

Date: 10/4/02

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: August 6, 2004

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

RECEIVED

AUG - 9 2004

SUBJECT: 10807 Pfeffer Road SECOND REVIEW

ZONING COMMISSIONER

INFORMATION:

Item Number: 03-107

Petitioner: Mathew Friesier

Zoning: RC 5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request to permit an accessory structure (garage) with a height of 16 feet to be located in the front yard in lieu of the required rear yard provided said garage is not used for dwelling purposes at any time.

Prepared by:



Division Chief:



AFK/LL:MAC:

Hearing Requested *AV 10/11 10/25*
BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 25, 2002

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

SUBJECT: 10807 Pfeffer Road

SEP 26 2002

INFORMATION:

Item Number: 03-107

Petitioner: Mathew Friesier

Zoning: RC 5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request to permit an accessory structure (garage) with a height of 16 feet to be located in the front yard in lieu of the required rear yard provided said garage is not used for dwelling purposes at any time.

Prepared by:

Maeb A. Cunniff

Section Chief:

Lynne J. Jankowski

AFK/LL:MAC:

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

TO: Mark Cunningham
Office of Planning

DATE: August 6, 2004

FROM:  Robin Jameson
Office of Zoning Commissioner

SUBJECT: Petition for Variance
Cause No. 03-107-A
Property: 10807 Pfeffer Road
Petitioners: Matthew Friesser

The above-captioned case file has been traveling back and forth between this office and Permits & Development Management (PDM) for over a year. I am attaching some correspondence, etc. and will try to explain the chronology of events below.

This case was originally heard on October 25, 2002. Several protestants appeared at the hearing and were opposed to the garage as originally proposed. At the conclusion of the hearing, Mr. Friesser said that he would revise his plans for the garage and submit them to this office in the late spring of 2003 along with the written approval of Barbara Horanoff, an adjacent property owner.

We did not hear from Mr. Friesser and wrote to him in August, 2003 informing him that we would dismiss the case if we didn't hear from him within approximately 2 weeks and returned the file to PDM. Thereafter, we received a site plan from Mr. Friesser and forwarded it to Jun Fernando at PDM with instructions from Jun that he send us 1) a letter from Ms. Horanoff withdrawing her opposition and demand for hearing, 2) pictures of the proposed garage, and 3) a new site plan of the proposed garage.

We received the requested information in April, 2004 but the file had apparently been misplaced somehow. We are now resubmitting a revised plan to your office and requesting that ZAC comments be prepared for the revised plan.

It would be appreciated if you would review this correspondence and site plan and forward your ZAC comments regarding this matter at your convenience.

Thank you for your attention and cooperation in this matter.

:raj
Attachments



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 9.16.02

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

RE: Baltimore County
Item No. 107

JRF

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,

1~

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

CASE NAME FRIESSER
CASE NUMBER #03-107-A
DATE 10/25/02

[illegible]



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 30, 2002

Matthew Friesser
10807 Pfeffers Road
Kingsville, MD 21087

Dear Mr. Friesser:

RE: Demand for Public Hearing, Administrative Variance, Case Number 03-107-A

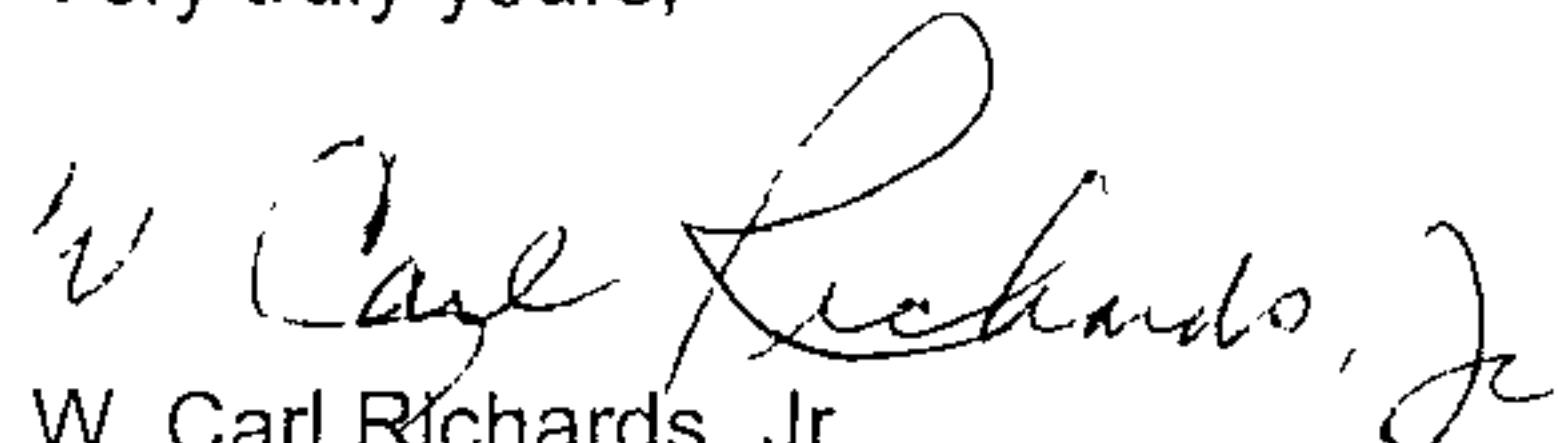
The purpose of this letter is to officially notify you that the posting of the subject property has resulted in a timely demand on September 30, 2002 for a public hearing concerning the above proposed administrative procedure.

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

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

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

Very truly yours,


W. Carl Richards, Jr.
Supervisor
Zoning Review

WCR:rjc

C: Barbara G. Horanoff 12106 Philadelphia Rd., Kingsville, MD 21087

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



Printed with Soybean Ink
on Recycled Paper



Baltimore County
Zoning Commissioner

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

August 27, 2003

Mr. Matthew Friesser
10807 Pfeffer Road
Kingsville, Maryland 21087

Re: Petition for Administrative Variance
Case No. 03-107-A
Property: 10807 Pfeffer Road

Dear Mr. Friesser:

It would be appreciated if you would notify this office as to whether you plan to proceed with your petition for administrative variance concerning the above-captioned case. If I do not hear from you within fifteen (15) days of receipt of this letter, I plan to prepare and sign an Order to Dismiss this case.

Thank you for your attention and cooperation in this matter.

Very truly yours,

A handwritten signature in black ink that reads "John V. Murphy". The signature is written in a cursive style.

John V. Murphy
Deputy Zoning Commissioner

JVM:raj

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



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on Recycled Paper

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

November 4, 2003

Mr. Matthew Friesser
10807 Pfeffer Road
Kingsville, Maryland 21087

Re: Petition for Administrative Variance
Case No. 03-107-A
Property: 10807 Pfeffer Road

Dear Mr. Friesser:

This office is in receipt of your most recent site plan concerning the above-captioned property and has forwarded it to Jun Fernando in Zoning Review for further processing. Jun is holding your file and has advised this office that you will need to provide the following items to his office:

1. A letter from Ms. Barb Horanoff stating that she is withdrawing the formal demand for hearing;
2. New pictures of the proposed garage; and
3. 12 new site plans of the proposed garage (Jun mentioned that he was unable to understand the latest site plan you submitted).

It is suggested that you call Jun Fernando (410-887-3391) regarding any questions you may have concerning this matter. He indicated that you would not have to re-file a petition for administrative variance if you follow the above instructions. Once he receives the new site plan, he can distribute same to various County agencies for their comments.

Thank you for your attention and cooperation in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj

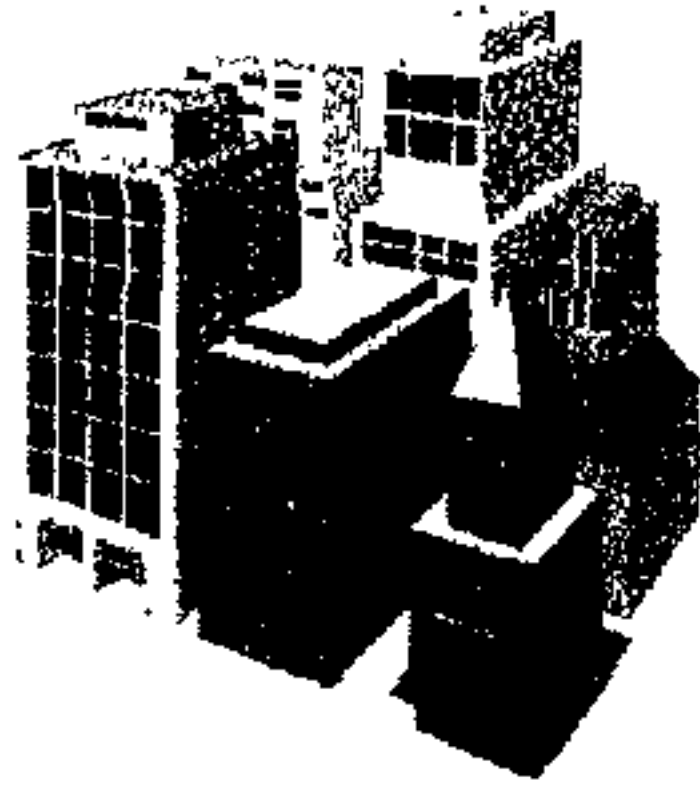
c: Jun Fernando, PDM

F.Y.I. Becky Hart, PDM

Visit the County's Website at www.baltimorecountyonline.info



Facsimile Cover Sheet



To: John V Murphy
Company: Baltimore County Zoning
Phone: 410-887-4386
Fax: 410-887-3468

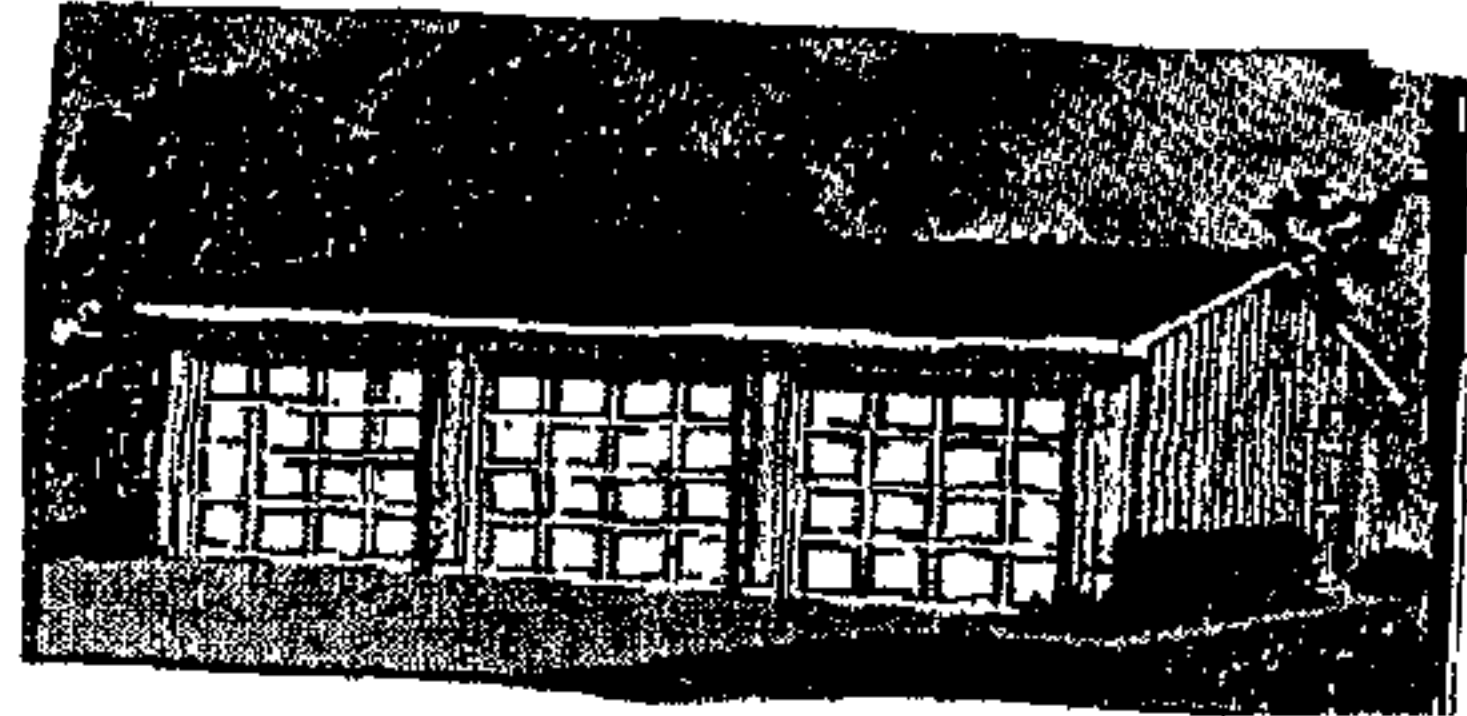
From: Matt Friesser
Company: PCS Contractors Inc.
Phone: 410-218-3392
Fax: 410-462-5220

Date: 09/09/03
**Pages including this
cover page:** 4

Comments: Petition for Administrative Variance
Case # 03-107-A
Property: 10807 Pfeffers Road

Matthew Friesser
10807 Pfeffers Road
Kingsville MD 21087
Dist 11
Case No: 03-107-A

Baltimore County
Zoning Commissioner
Suite 405, County Courts Building
410 Bosley Ave.
Towson, MD 21204
John V. Murphy



Dear Mr. Murphy,

We propose to erect a 3 car garage building in the front right area next to driveway of the existing house. We have petitioned the adjacent neighbors, and have their signatures of approval. Enclosed are a picture and a location of new garage.

Barbara J. Horanoff 12106 Philadelphia RD
Kent A. H. W. 12106 Philadelphia RD
Walter Zunk 12110 Philadelphia RD
Charles C. Zunk 12110 Philadelphia RD

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 10807 Pfeffers Road

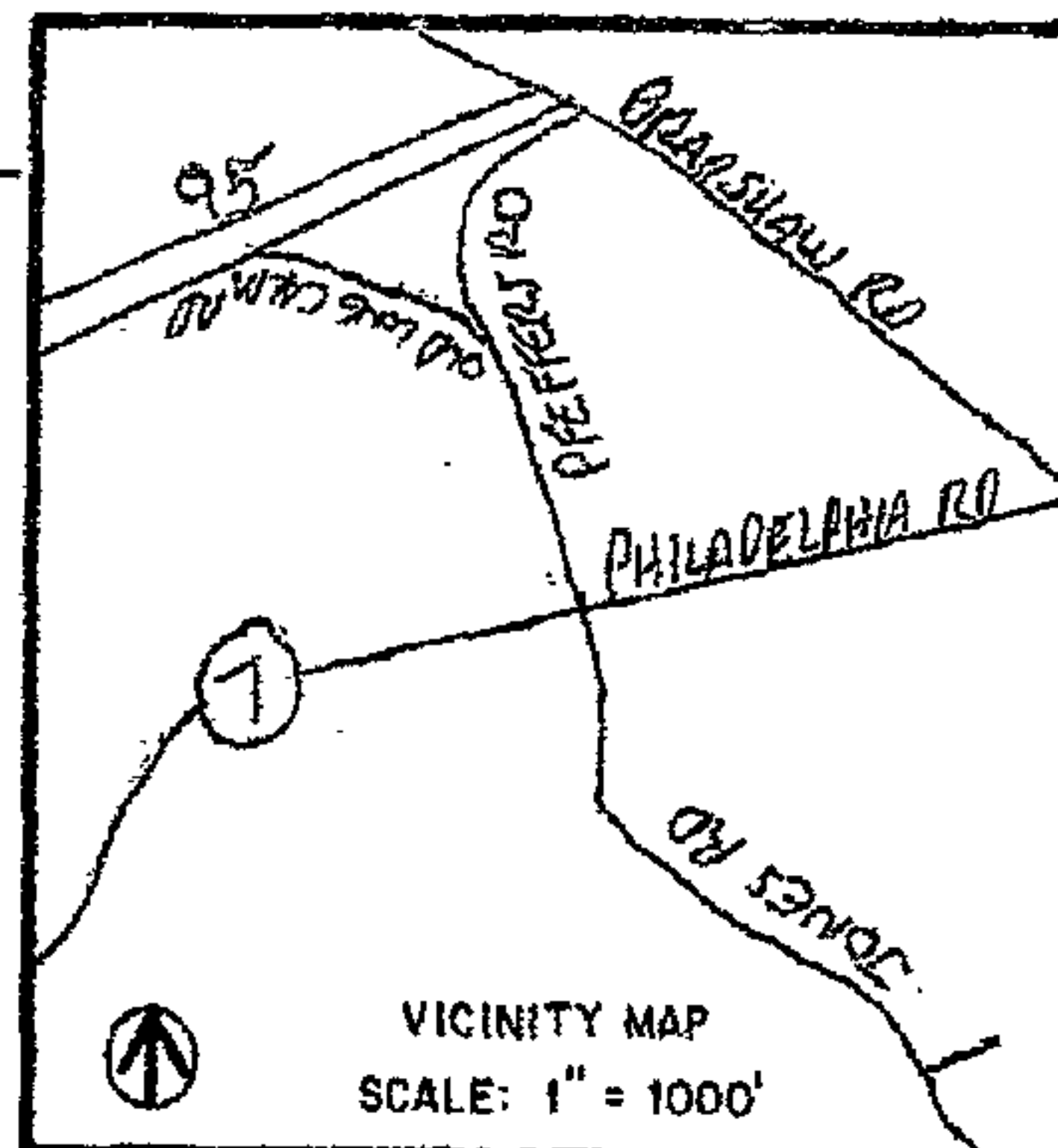
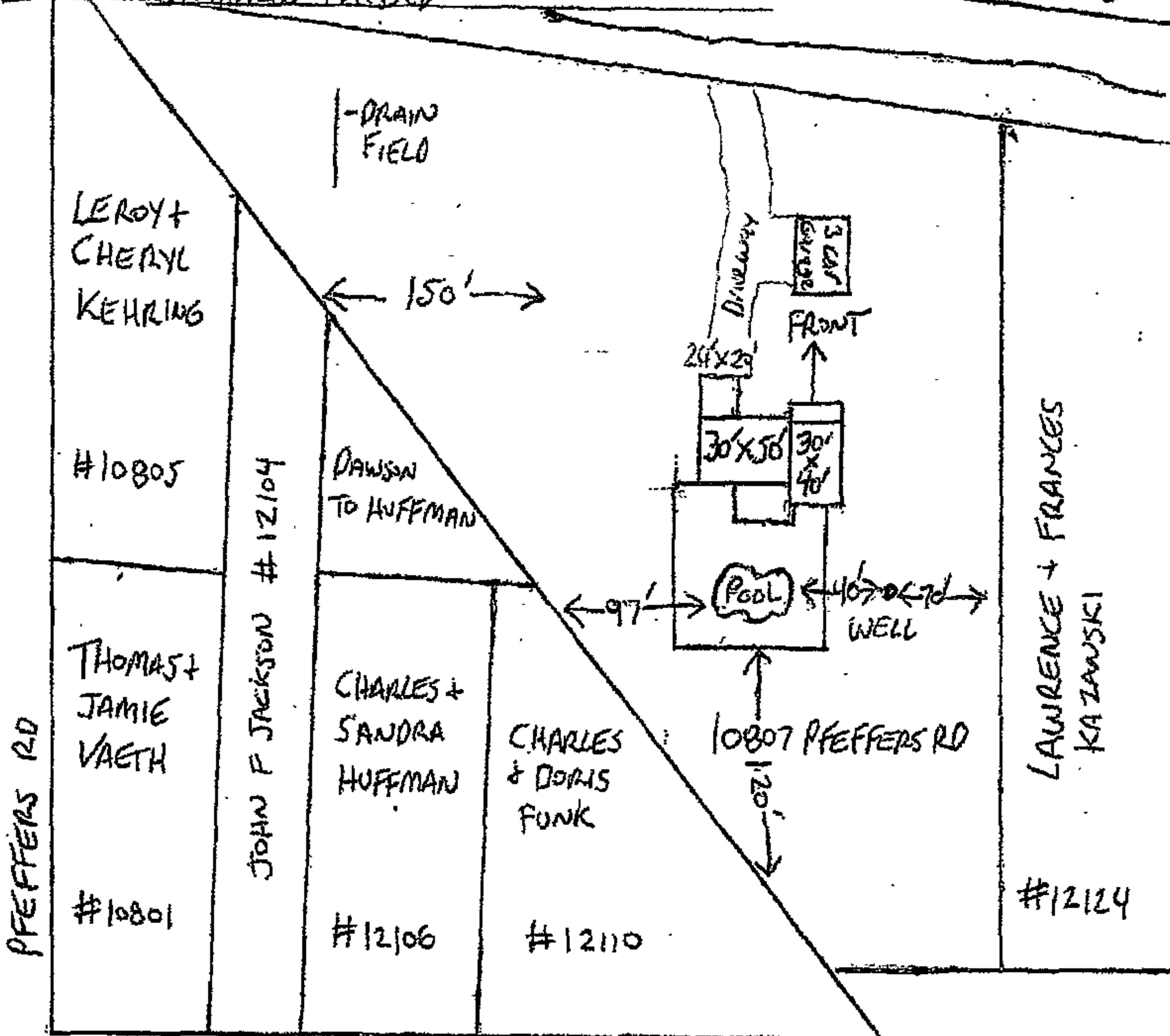
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME _____

PLAT BOOK # _____ FOLIO # _____ LOT # _____ SECTION # _____

OWNER Matthew Freser

BALTIMORE GAS + ELECTRIC



LOCATION INFORMATION

ELECTION DISTRICT 11

COUNCILMANIC DISTRICT 5

1" = 200' SCALE MAP # NE 12K

ZONING RC5

LOT SIZE 3.09

ACREAGE

SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☐	☒
WATER	☐	☒

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒

	YES	NO
100 YEAR FLOOD PLAIN	☐	☒

	YES	NO
HISTORIC PROPERTY/ BUILDING	☐	☒

PRIOR ZONING HEARING None

ZONING OFFICE USE ONLY

REVIEWED BY _____ ITEM # _____ CASE # _____

NORTH

PHILADELPHIA RD

PREPARED BY Matthew Freser

SCALE OF DRAWING: 1" = 100'

April 21, 2004

Barbara Horanoff
12106 Philadelphia Road
Kingsville MD 21087
Dist 11
Case No: 03-107-A

RECEIVED

APR 26 2004

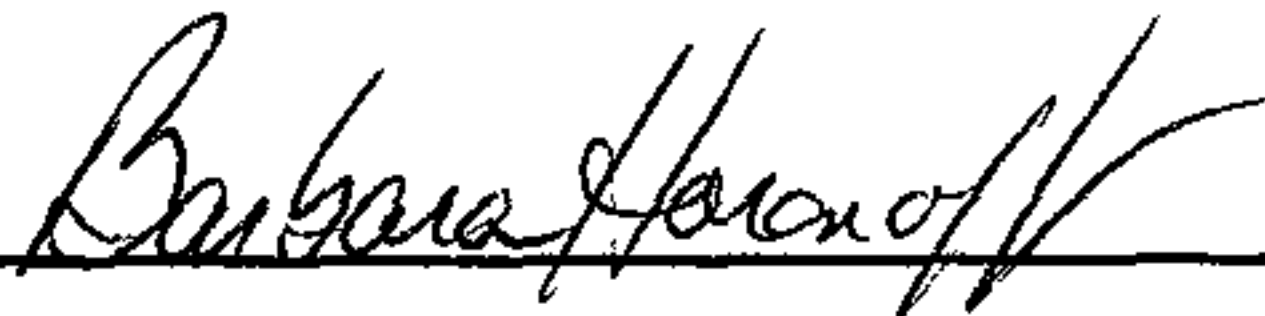
ZONING COMMISSIONER

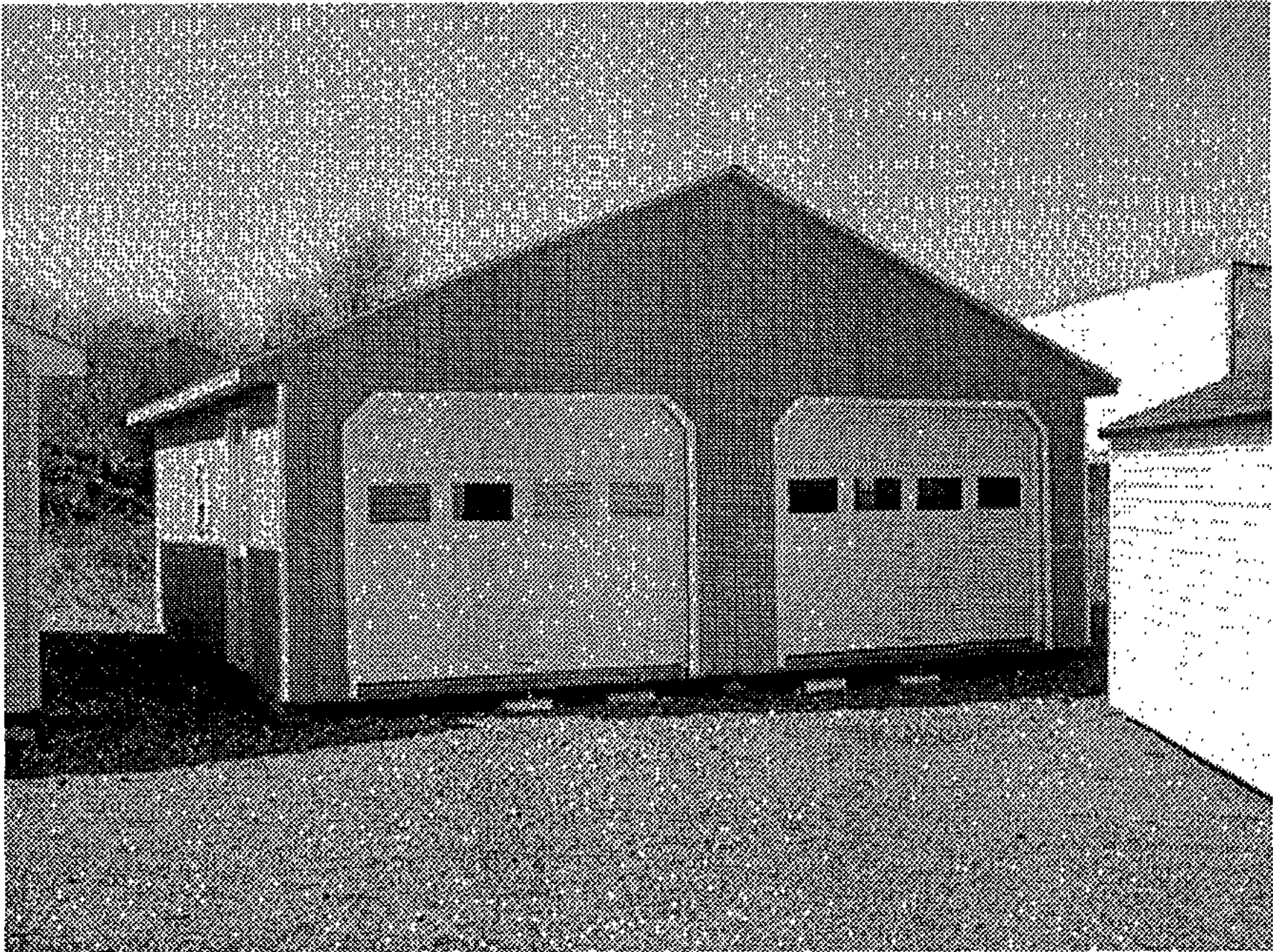
Baltimore County
Zoning Commissioner
Suite 405, County Courts Building
410 Bosley Ave.
Towson, MD 21204
John V. Murphy

Dear Mr. Murphy,

As per your request, Mr. Friesser has shown me the proposed 2 Car Garage Building in the front right area next to driveway of the existing house. I have also been shown a picture and new site plans showing the location of new Garage. I am satisfied with the new plan, and would like to withdraw my formal demand for the hearing for Case # 03-107-A.

Barbara Horanoff





ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 03-107-A

Date Completed/Initials

9-12-02

PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)

DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)

TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)

UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)

COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)

POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)

RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)

INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)

ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)

COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)

FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

9-30-02

10-25-02

GDZ

9-30-02

9-30-02

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 10807 Pfeffers Road

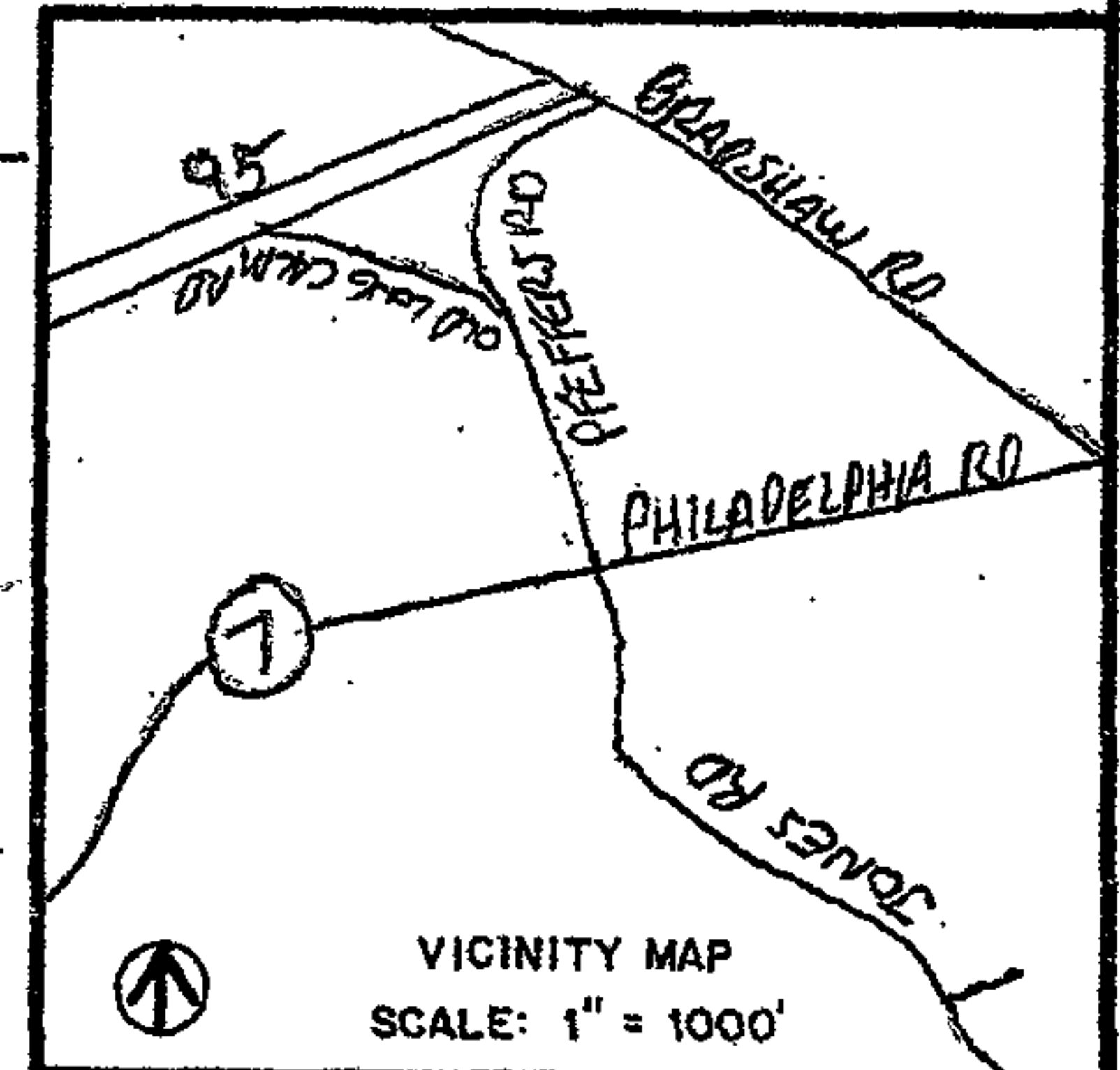
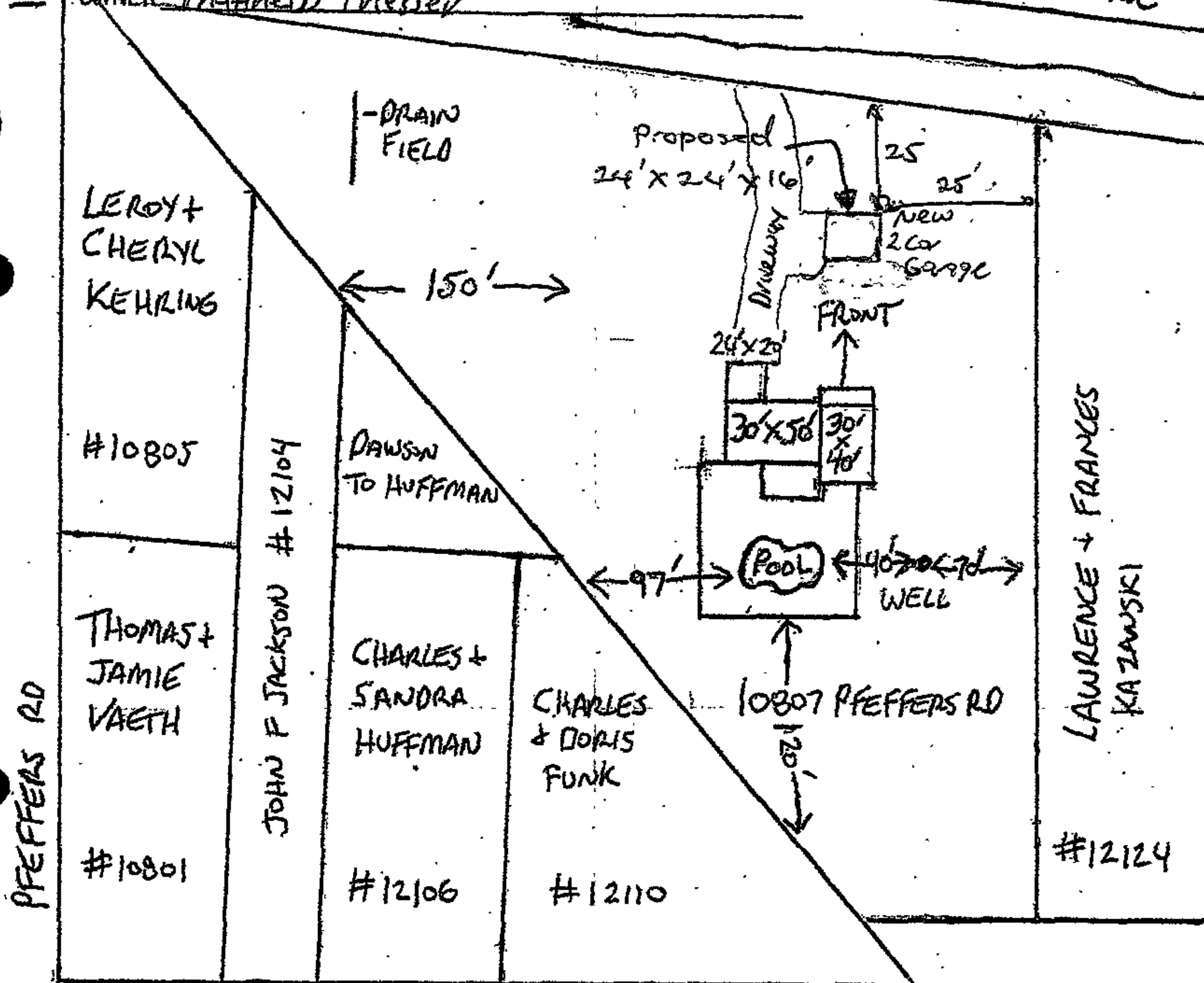
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME _____

PLAT BOOK # _____ FOLIO # _____ LOT # _____ SECTION # _____

OWNER Matthew Frieser

BALTIMORE GAS & ELECTRIC



LOCATION INFORMATION

ELECTION DISTRICT 11

COUNCILMANIC DISTRICT 5

1" = 200' SCALE MAP # NE 12 K

ZONING RLS

LOT SIZE 3.09

ACREAGE

SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☐	☒
WATER	☐	☒

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒

	YES	NO
100 YEAR FLOOD PLAIN	☐	☒

	YES	NO
HISTORIC PROPERTY/ BUILDING	☐	☒

PRIOR ZONING HEARING None

ZONING OFFICE USE ONLY

REVIEWED BY _____ ITEM # _____ CASE # _____

JF | 107 | 03-107-A

NORTH

PHILADELPHIA RD

PREPARED BY Matthew Frieser

SCALE OF DRAWING: 1" = 100'

REVISED PLAN 4-26-04

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 10807 Pfeffers Road

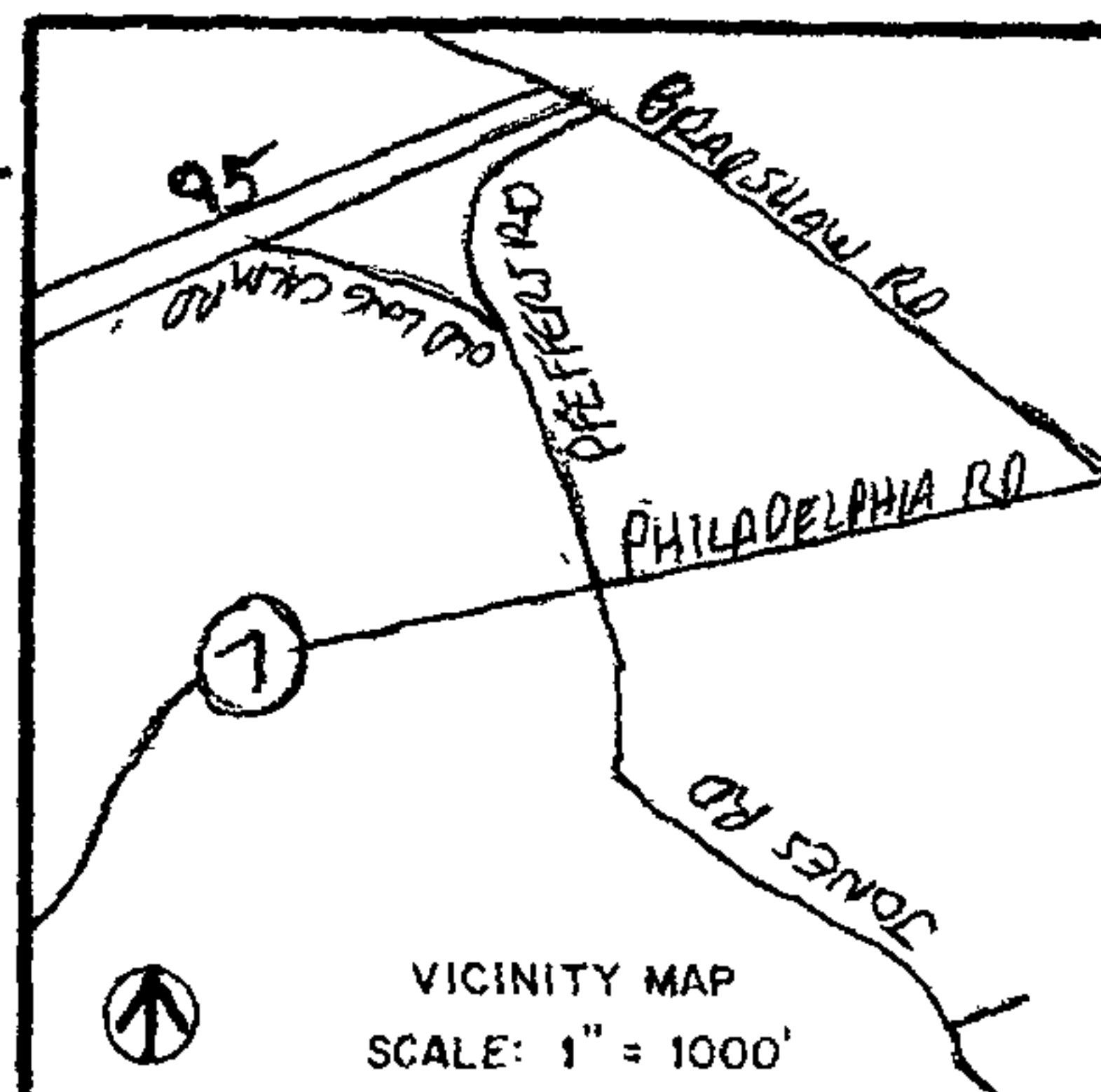
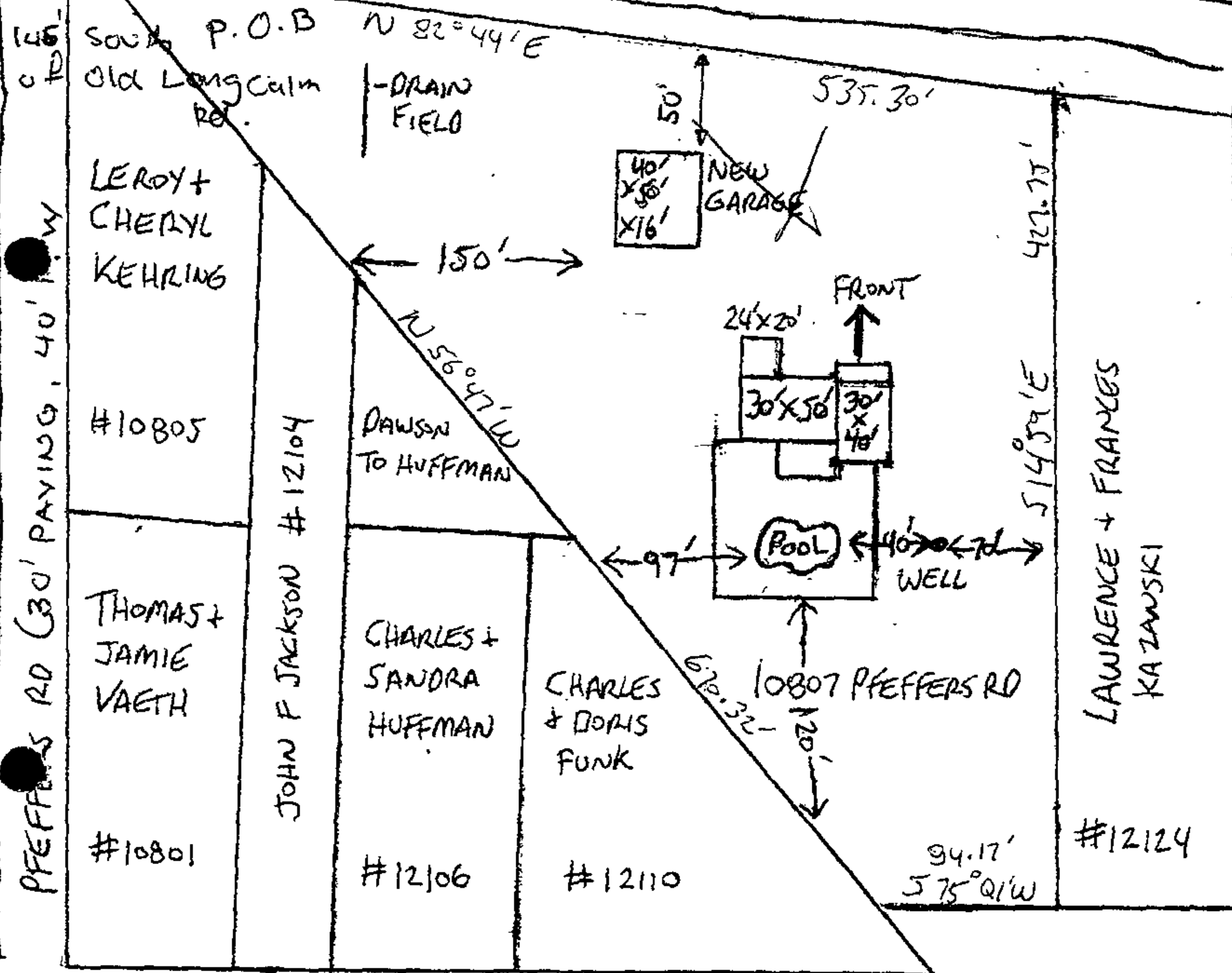
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME

PLAT BOOK # FOLIO # LOT # SECTION #

OWNER Matthew Frieser

BALTIMORE GAS + ELECTRIC



LOCATION INFORMATION

ELECTION DISTRICT 11th

COUNCILMANIC DISTRICT 5th

1" = 200' SCALE MAP # NE 12K

ZONING RLC5

LOT SIZE 3.09 Acres
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☐	☒
WATER	☐	☒

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒
PRIOR ZONING HEARING	<u>None</u>	

ZONING OFFICE USE ONLY
REVIEWED BY IRF ITEM # 107 CASE #

NORTH

PHILADELPHIA RD C30' PAVING, 40' R/W

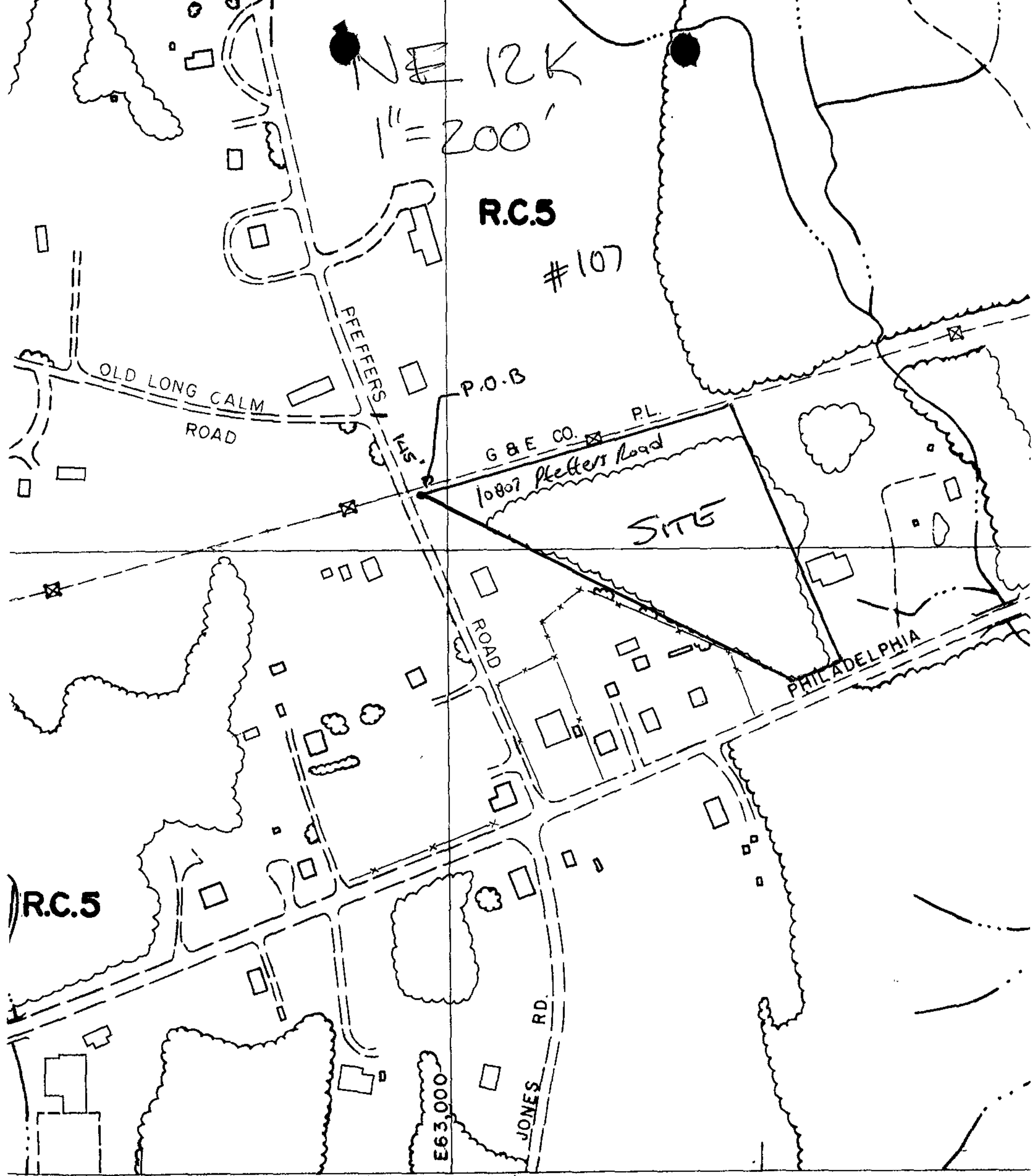
PREPARED BY Matthew Frieser

SCALE OF DRAWING: 1" = 100'

old plan

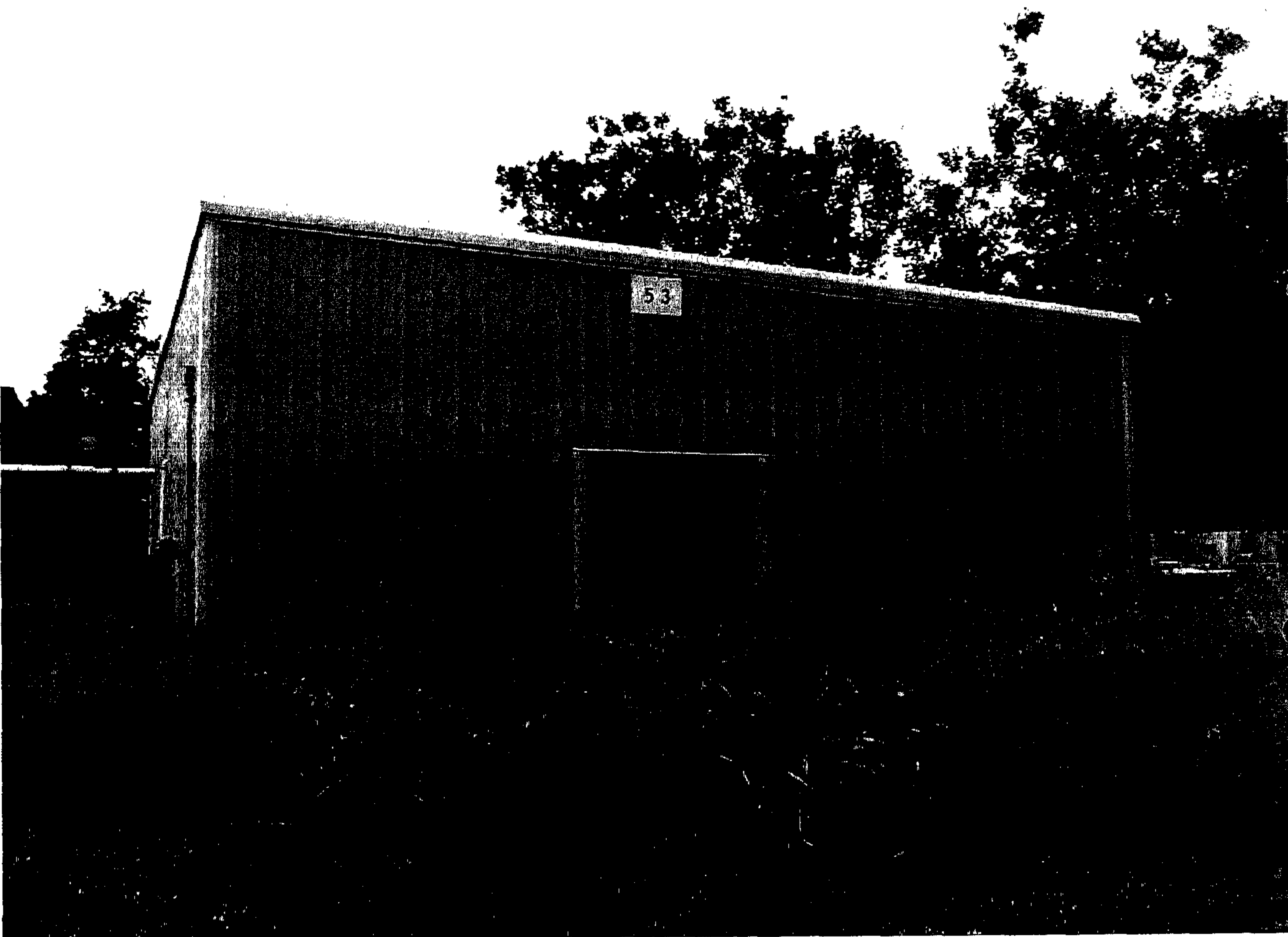
Pet. Ex. #1

original
9/5/02



(SHEET N.E. 11K)

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING



Building to be erected at 10207 Pletters Road 10207 Pletters Road

#107

2A



Side of house, showing septic tank + pumping tank 1007 Helder, Road #107



Side of house 10207 Plettenberg Rd

#107

20



Start of New Gauge outlined in red Pen 1000 Plettenburg Road

#107

2D



AUG 24 1962

Area where new garage will be located 10800 Plettenburg Road

#107

2E



Backyard of house 12807 Pletters Road

#107

28



Fig. 1 of 10012, new garage will be right of street butler driveway 10801 Plettenberg Road

#10012



Area cleared for Building of Garage

#107

D2H