IN RE: PETITION FOR ADMIN. VARIANCE *
S/S of a private road, 490' W of Phoenix Rd.
at a point 490' +/- of Highland Ridge Rd. *
8th Election District
3rd Councilmanic District *

3rd Councilmanic District (14102 Phoenix Road)

Kathryn F. Croswell, Co-Trustee and Candace L. Szabad, Co-Trustee

*Petitioners**

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 03-370-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

*

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Kathryn F. Croswell, Co-Trustee and Candace L. Szabad, Co-Trustee, the legal owners of the subject property. The variance request is for property located at 14102 Phoenix Road in the Phoenix area of Baltimore County. The Petitioners herein seek a variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an accessory structure (detached garage) to be located in the side yard and with a height of 24 ft. in lieu of the required rear yard and maximum allowed 15 ft. height respectively. 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 March, 2003, that a variance from Sections 400.1 and 400.3 of the B.C.Z.R., to allow an accessory structure (detached garage) to be located in the side yard and with a height of 24 ft. in lieu of the required rear yard and maximum allowed 15 ft. height respectively, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

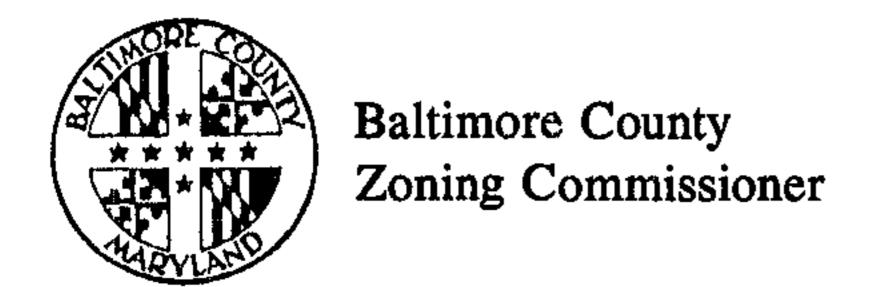
- 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2. The Petitioners or subsequent owners shall not allow or cause the garage to be converted to a second dwelling unit and/or apartment.
- 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.

ГІМОТНҮ М. КОТROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj



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

Fax: 410-887-3468

March 12, 2003

Ms. Kathryn F. Croswell Ms. Candace L. Szabad 14102 Phoenix Road Phoenix, Maryland 21131-1020

Re: Petition for Administrative Variance Case No. 03-370-A

Property: 14102 Phoenix Road

Dear Ms. Croswell & Ms. Szabad:

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

buthy llotroco

TMK:raj Enclosure



の前に

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 14102 Phonix Road which is presently zoned ___

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) μ_{00} , $\mu_{$

To allow an accessory structure (detached garage) to be located in the side yard & with a height of 24 pt. in, lieuge the required reary and & maximum allowed 15 pt height 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:		Legal Owner(s):
Name - Type or Print		Name	- Type or Print To F. Croswell Co-trustee
Signature		 	Signature Control
Address		Telephone No.	Candace L. Szabad Co-Truster Name-Type of Print Candal Gadad
City	State	Zip Code	Signature
Attorney For Petition	<u>ier:</u>		14102 Phoenil Road 410.785-1822. Address Telephone No.
Name - Type or Print		City	Phoenia mo 21131-1020 State Zip Code
			Representative to be Contacted:
Signature			0 1 5 - 1 5 - 1
Company			Cardace L. Szaload
, ,			14102 Phoenill Road 410-887-3778
Address	· · · · · · · · · · · · · · · · · ·	Telephone No.	Address Telephone No.
City	State	Zip Code	Phoepid MD State Zip Code
A Public Hearing having bee	n formally demande	d and/or found to be re	quired, it is ordered by the Zoning Commissioner of Baltimore County, this
of Batimore County and that the	, that the s property be reposted.	ubject matter of this petition	on be set for a public hearing, advertised, as required by the zoning regulations
			Zoning Commissioner of Baltimore County
CASE NO. $\bigcirc 3$	- 5 m		
CASE NO	-370~	Reviewed By	12/ Date 2-19-03 (Revised)
REV 1715/98		Estim	ated Posting Date 2 - 24 - 0 3

Zoning Description 14102 Phoenix Rd. Beginning at a posit on the South side of a private voud, 490 At West of Phoenx Rd at a point #90 ft & South of Highland Ridge Rd being Known 45 let #2 in the subdivision of Northcore as Recorded in Bultimone County Flat Book Liber 57 tolo 149 containing 3.003 acros and located in the 8th Election & 3rd Councilmatic pistricts.

OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT BALTIMORE COUNTY, MARYL

DATE. N) ACCOUNT

AMOUNT 47

RECEIVED FROM:

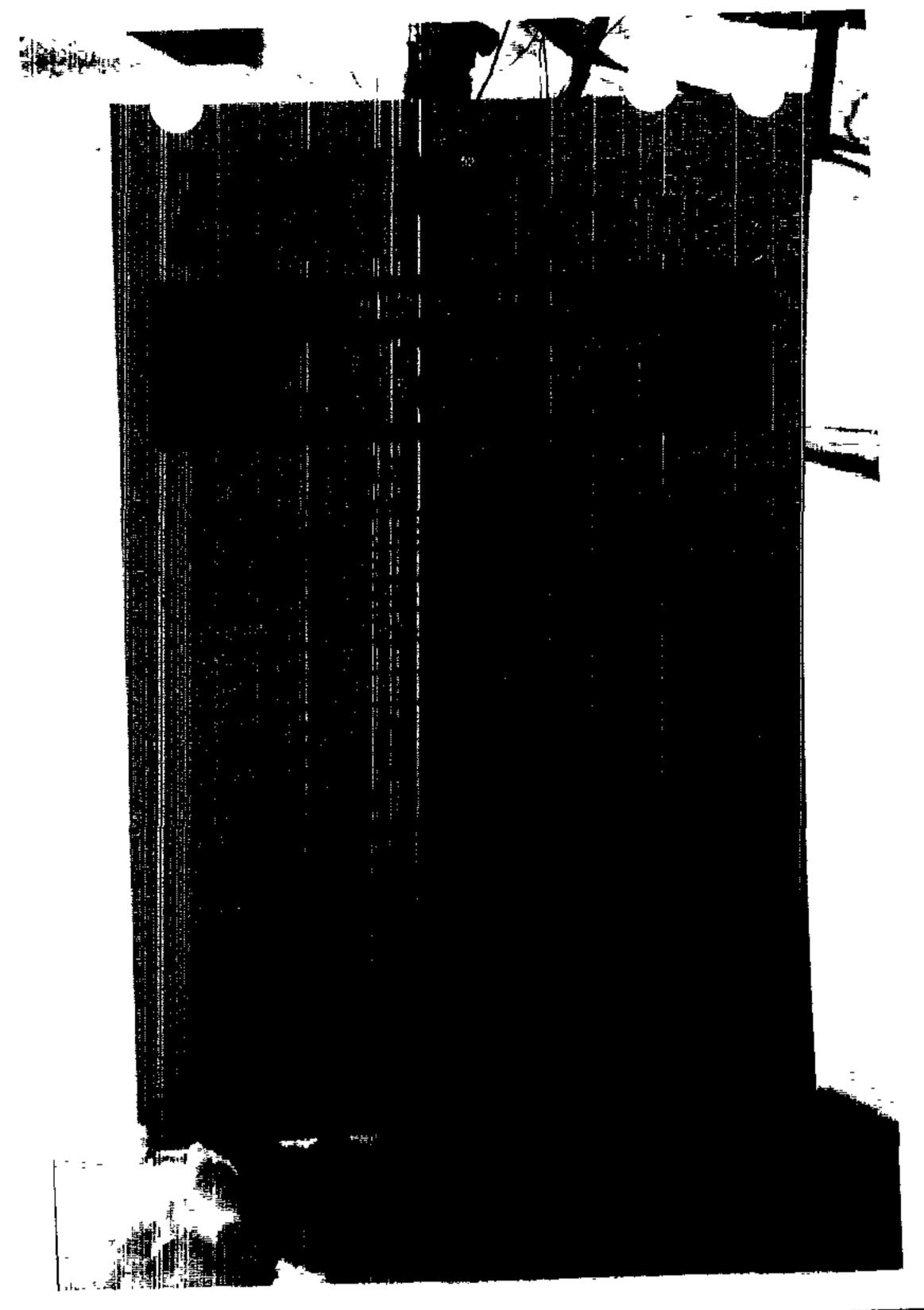
N. W. F 375

DISTRIBUTION WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

WHITE -FOR: DISTRIBUTION RECEIVED FROM: DATE. MISCELLANEOUS OFFICE OF BUDGET & FINANCE BALTIMORE COUNTY, MARY CASHIER W PINK - AGENCY RECEIPT · 187 AMOUNT ACCOUNT YELLOW - CUSTOMER AND 40 EFF # 2 Respiration 10.00 or Bultime Cualty, HE WALL AND THE WINE THE TOTAL OF THE TABLE OF TABLE **AND THE** HAMI





CERTIFICATE OF POSTING

	RE: Case No.: 03-370-A
	l'etitioner/Developer: Croscu & SZABAD
	Date of Hearing/Closing: MAR, 11, 2003
altimore County Department of crmits and Development Management ounty Office Building, Room 111 11 West Chesapeake Avenue owson, MD 21204	
Attention: Mr. George Zahner	
adies and Gentlemen: This letter is to certify ur	ider the penalties of perjury that the necessary sign(s) required by
w were posted conspicuously on the property l	ocated at # 14102 PHOERIX POAD
	, <u>, , , , , , , , , , , , , , , , , , </u>
he sign(s) were posted on FES, 21	2003 (Month, Day, Year)
	Sincerely,
	(Signature of Sign Poster and Date)
	CARLANDE, MO0125 (Printed Name)
	3225 RYERSON CIRCLE. (Address)
	BAUTIMORE, M.D. 21227 (City, State, Zip Code)
	(4(0) 242-4263 (Telephone Number)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

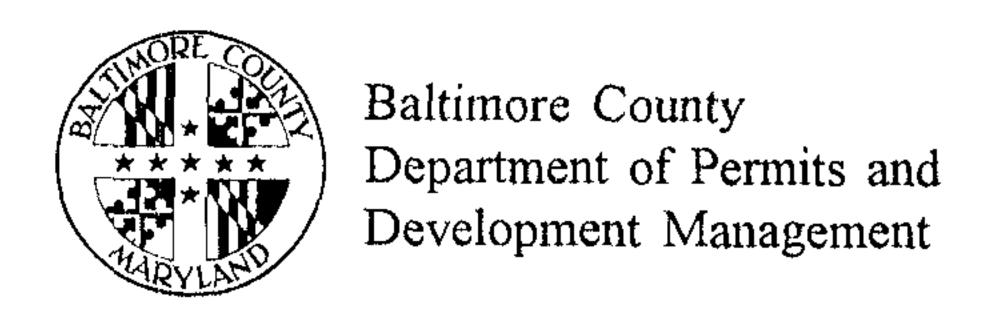
ZONING REVIEW

<u>ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES</u>

Case	Number 0	3- 37	<i>P</i> -A		Address_	14102	Phoe	iz IX Ro	<u>/</u> ·
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Filing	Date:	2 -1/.	-03	Posti	ng Date: =	224-03	Clos	sing Date:	3-11-00
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2	a formal i	request	tor a publi	c hearing.	. Please i	in occupant understand iplete on the	that ever	ı if there i	00 feet to file s no formal
	order that (typically v	ner. He the ma vithin 7 t	e may: (a) atter be se to 10 days	grant the ting for a of the close	requested public hea sing date) a	relief; (b) d aring. You	deny the will rece	requested ive written tion has be	puty zoning relief; or (c) notification en granted, nail.
	commission changed g	ner), no iving no	neighbor otification witice of the l	s tormal i vill be for hearing da	request or warded to ite, time an	by order or you. The d location.	of the zor sign on As when	ning or de the prope the sian w	puly zoning rty must be as originally orwarded to
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									7-3778
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be.	locuteo	Las	40 5,00	= yard	in hei	g the	reauin	ed rea	ryord.
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<u>ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES</u>

Case	Number	03-	370	-A	Addre	ess	14102	Phoenix	Rdi
Contact Person: John Sullivan Phone Number: 410-887-3391									
Filing	Date:	2-	10-0	3	Posting Dat	e: 2 = 2	24-03	Closing Date: .	3 11-03
Any c throug	ontact me h the co	nade ntact	with this person (pl	office reg anner) us	garding the st ing the case r	tatus of number.	the admini	strative variance	should be
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2	a forma	. req	uest for a	public h	the deadline tearing. Plea process is not	se unde	erstand that	wner within 1,000 even if there is sing date.) feet to file no formal
	order the typically	sione at th with	r. He ma ne matter nin 7 to 10	y: (a) gra be set in days of th	ant the reque for a public he closing dat	sted reli hearing te) as to	ief; (b) deny g. You will whether the	the requested receive written e petition has been by First Class m	elief; or (c) notification en granted,
	commission changed	r due sione I givii certif	e to a nei r), notifica ng notice c	ghbor's fo tion will l of the hea	ormal request be forwarded ring date, time	t or by to you e and lo	order of the Signoration. As a	must go to a puber zoning or deponent on the propert when the sign was design must be fo	uty zoning y must be is originally
		4 			(Detach Along Do	tted Line)			
Petitioner: This Part of the Form is for the Sign Poster Only									
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT									
Case N	Number	03-[370	-A	Address	1410	2 Pho	enix Ed	·
Petitio	ner's Nar	ne 🗸	K.C ross	well à	Candree 5	zabid	Telep	hone 410 887	7-3778
Postin	g Date:		2-24-	-03		Closing	g Date:	3-11-03	
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Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

March 10, 2003

Kathryn F. Croswell, Co-Trustee Candace L. Szabad, Co-Trustee 14102 Phoenix Road Phoenix, MD 21131-1020

Dear Ms. Croswell & Ms. Szabad:

RE: Case Number: 03-370-A, 14102 Phoenix Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 19, 2003.

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,

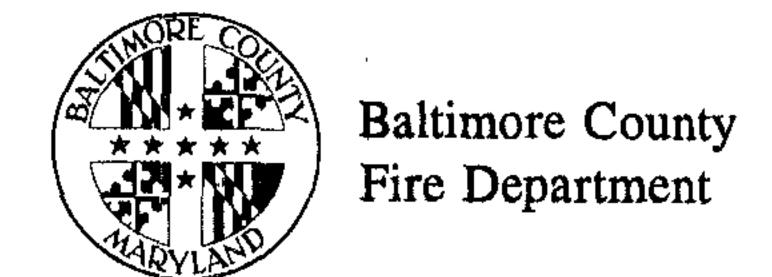
W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel



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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

February 14, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: February 18, 2003

Item No.:

361-364, 367 & 368, (370 & 371

Dear Ms. Hart:

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,

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F





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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

March 11, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: March 3, 2003

Item No.:

359, 369, (379), 374-380, 382, 383, 386

Dear Ms. Hart:

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.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: February 27, 2003

TO: Arnold Jablon, Director

Department of Permits & Development Management

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

Review

Zoning Advisory Committee Meeting SUBJECT:

For February 24, 2003

Item Nos. 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, and 371

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

RWB:CEN:jrb

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits &

Development Management

DATE: March 14, 2003

FROM

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 10, 2003

Item Nos. 359, 369 REVISED, 370 REVISED, 372, 373, 374, 375, 376, 377, 378, 379, 380,

381, 382, 383, and 386

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

RWB:CEN:jrb

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

REGE: Funty 24, 2003

FEB 2 4 2003

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-370 – Administrative Variance
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/LL:MAC



MARYLAND DEPARTMENT OF TRANSPORTATION Robert L. Ehrlich, Jr., Governor · Michael S Steele, Lt. Governor · Trent M. Kittleman, Acting Secretary

Date: 2.19.03

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

RE:

Baltimore County

Item No. 3707

115

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



MARYLAND DIFFERENCE OF TRANSPORTATION Robert L. Ehrlich, Jr., Governor • Michael S. Steele, Lt. Governor • Trent M. Kittleman, Acting Secretary

RE:

Date: 3 · 4 · 07 3

Baltimore County

Item No. 370 R.V.

772

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

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,

de

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division Robert L. Ehrlich, Jr.

Michael S. Steele

Lt. Governor



Audrey E. Scott Secretary

Florence E. Burtan Deputy Secretary

February 21, 2003

Ms. Rebecca Hart
Baltimore County Department of Permits and Development Management
County Office Building
111 West Chesapeake Avenue, Room 111
Mail Stop # 1105
Towson MD 21204

Re: Zoning Advisory Committee Agenda, 02/24/03 re: case numbers 03-361-A, 03-362-SPHA, 03-363-A, 03-364-SPHA, 03-365-SPHXA, 03-366-SPH, 03-367-SPHA, 03-368-A, 03-369-A, 03-371-SPH

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 02/21/03. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

James R. Gatto

Manager

Metropolitan Planning

Local Planning Assistance Unit

cc: Mike Nortrup



County Council of Baltimore County

Court House Towson, Maryland 21204

> 410-887-3196 Fax: 410-887-5791

S.G. Samuel Moxley FIRST DISTRICT

Kevin Kamenetz SECOND DISTRICT

T. Bryan McIntire
THIRD DISTRICT

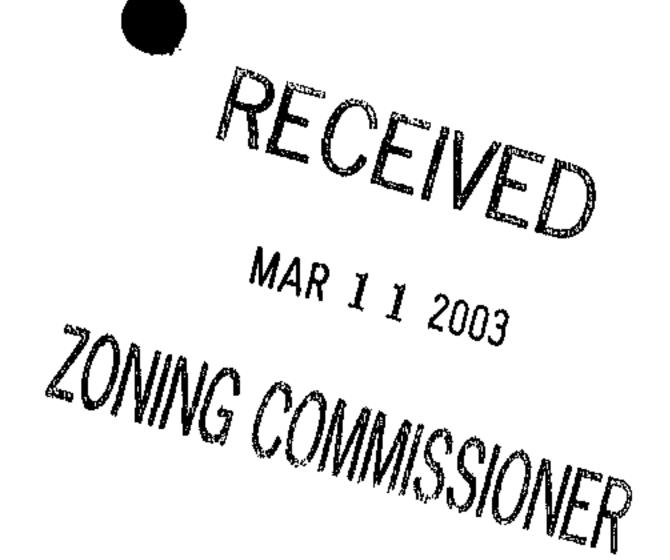
Kenneth N. Oliver FOURTH DISTRICT

Vincent J. Gardina
FIFTH DISTRICT

Joseph Bartenfelder SIXTH DISTRICT

John Olszewski, Sr. SEVENTH DISTRICT

Thomas J. Peddicord, Jr. LEGISLATIVE COUNSEL SECRETARY



March 5, 2003

Lawrence E. Schmidt, Zoning Commissioner Courts Building 401 Bosley Avenue Towson, Maryland 21204

Dear Mr. Schmidt:

Attached please find a copy of Resolution 26-03 concerning the public disclosure of Candace L. Szabad, an employee of the Baltimore County Department of Environmental Protection and Resource Management.

This Resolution was approved by the County Council at its March 3, 2003 meeting and is being forwarded to you for appropriate action.

Sincerely,

Thomas J. Peddicord, Jr. Legislative Counsel/Secretary

Thum fadelles 1

TJP:dp Enclosure

cc: Candace L. Szabad

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND Legislative Session 2003, Legislative Day No. <u>5</u>

Resolution No. <u>26-03</u>

Mr. <u>T. Bryan McIntire</u>, Councilman By the County Council, <u>March 3, 2003</u>

A RESOLUTION concerning the public disclosure of Candace L. Szabad, an employee of the Baltimore County Department of Environmental Protection and Resource Management.

WHEREAS, Candace L. Szabad, an employee of Baltimore County, has applied for a variance to construct a garage at a height of 24 feet in the side yard of her property at 14102 Phoenix Road, Phoenix, Maryland 21131; and

WHEREAS, this Resolution is intended to provide full disclosure under Section 26-3(e) of the Baltimore County Code.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the application filed by Candace L. Szabad does not contravene the public welfare and is hereby authorized.

r02603.wpd

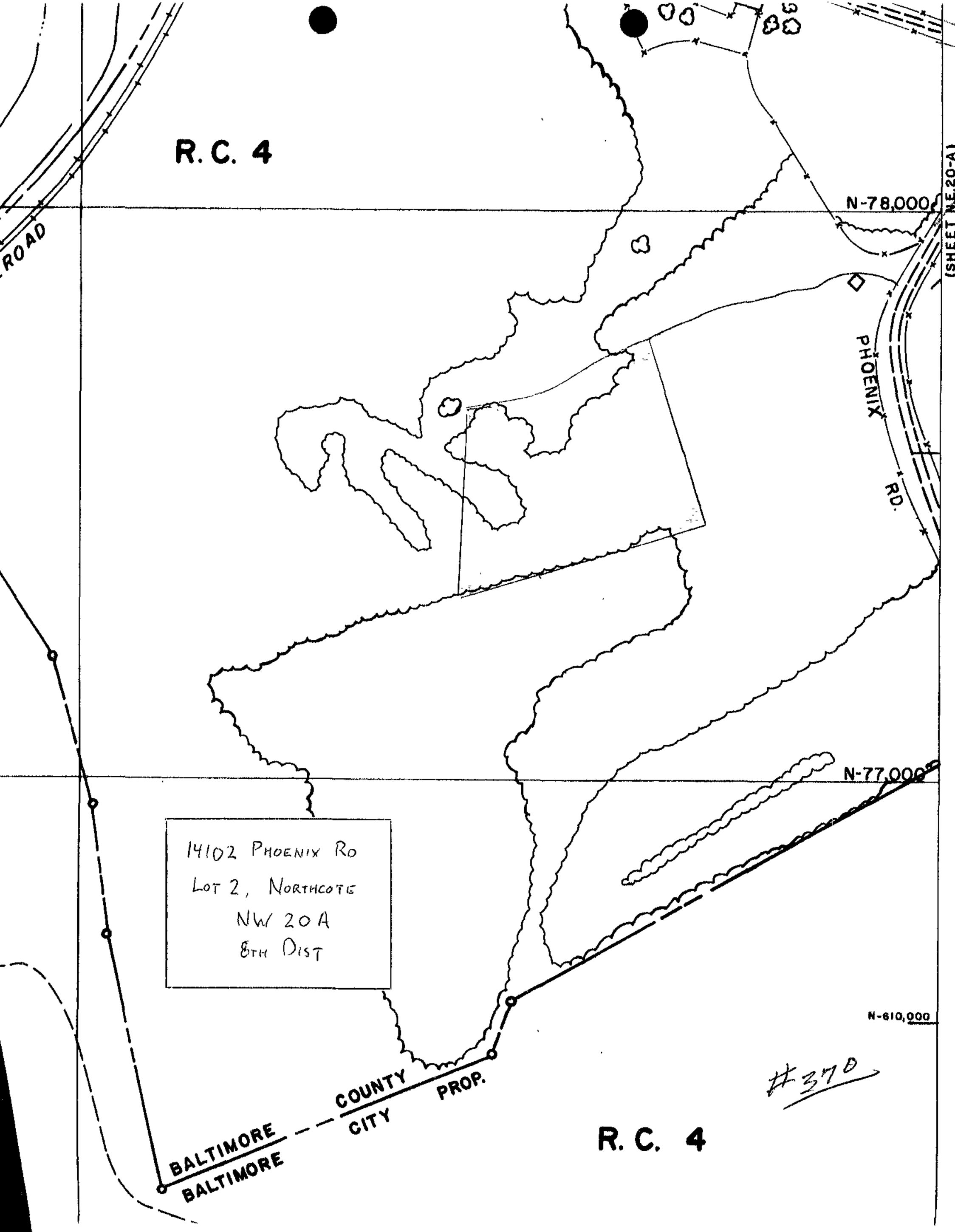
READ AND PASSED this <u>3rd</u> day of <u>March</u>, 2003.

BY ORDER

Thomas J. Peddicord, Jr.

Secretary

ITEM: RESOLUTION 26-03



Rear-yard





Proposed Barage

1410a Phoenix Rd

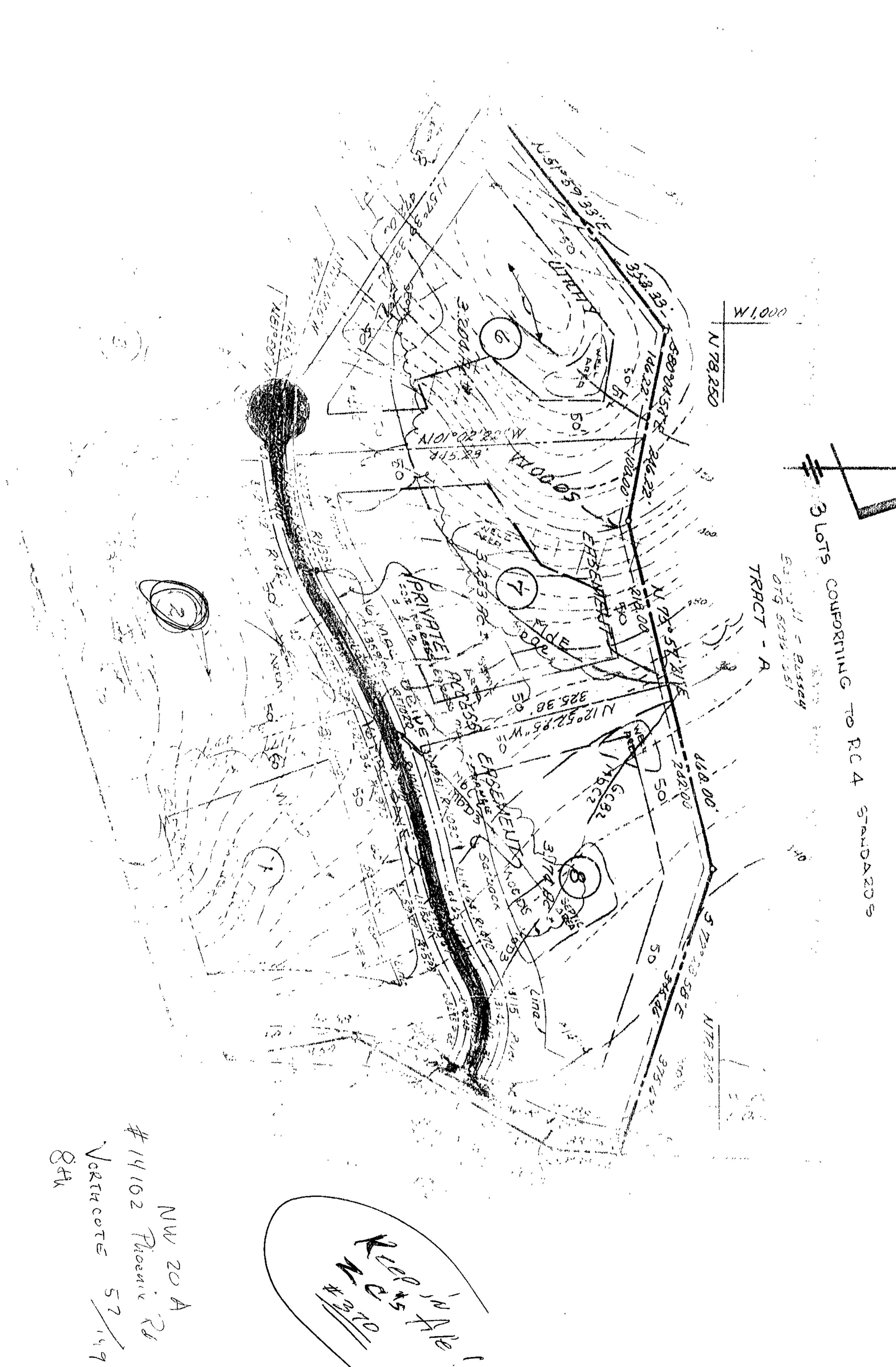
#370

14102 PHOENIX ROAD





#370



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