ORDER RECEI

IN RE: PETITION FOR ADMIN. VARIANCE W/S of Turtle Rock Court, 75 ft. S centerline of Skywood Court 9th Election District 3rd Councilmanic District (2 Turtle Rock Court)

> Christine & Giovanni Pierorazio Petitioners

- BEFORE THE
- DEPUTY ZONING COMMISSIONER
- OF BALTIMORE COUNTY
- CASE NO. 04-251-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 owners of the subject property, Christine and The variance request is for property located at 2 Turtle Rock Court in Giovanni Pierorazio. Baltimore County. The variance request is from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a rear yard setback of 8 ft. in lieu of the required 40 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for 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 $2 \sqrt{2}$ day of December, 2003, that a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a rear yard setback of 8 ft. in lieu of the required 40 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

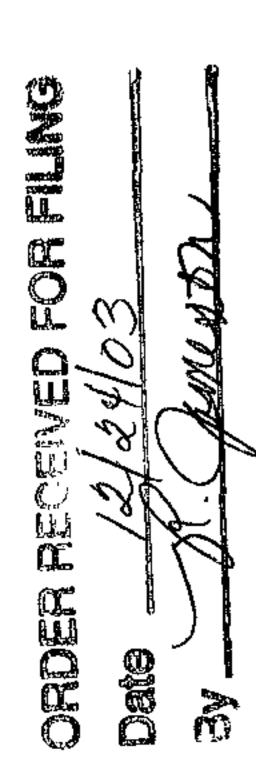
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this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

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM: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

24 December 23, 2003

Mr. & Mrs. Giovanni Pierorazio 2 Turtle Rock Court Baltimore, Maryland 21234

Re: Petition for Administrative Variance

Case No. 04-251-A

Property: 2 Turtle Rock Court

Dear Mr. & Mrs. Pierorazio:

Enclosed please find the decision rendered in the above-captioned case. The 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 & 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,

John V. Murphy

Deputy Zoning Commissioner

JVM:raj Enclosure



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



REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for t	he property	located at #	2 Tin He	Pock (a
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To parmit an addition	with a			& ' / †
of the zoning regulations of Baltimore Cour	-	law of Baltimore County	for the reasons indic	ated on the h
of this petition form.	nty, to the gonning	- Duning	, for the reasons indic	ated on the b
Property is to be posted and advertised as i, or we, agree to pay expenses of above Variategulations and restrictions of Baltimore County	nce, advertising, p	osting, etc. and further agreet to the zoning law for Baltin //We do solemnly de	nore County. clare and affirm, under t the legal owner(s) of the	he penalties of
Contract Purchaser/Lessee:		Legal Owner(s):		,
Name - Type or Print	 -	Name Type or Print		
Signature		Signature	therpages	
Address	Telephone No.	Nakoe Type or Print	0 ()	orazo
City	Zip' Code	Signature Signature	IE A. TIER	ORAZIO
Attorney For Petitioner:	=	Address	e Rock Ct	Telephone
Name - Type or Print	**************************************	City City	State	の1003 Zip Co
Signature		Representative t	o be Contacted:	
Company	· · · · · · · · · · · · · · · · · · ·	Name		<u> </u>
	-			r i
Address	Telephone No.	Address		Telephone N
State	Zip Code	City	State	Zip Coo
A hubic Hearing having been formally demanded day of that t	and/or found to be he subject matter of	required, it is ordered by the this petition be set for a public	ne Zoning Commissioner of Nearing, advertised, as rec	f Baltimore Cour uired by the zon
Regulations of Baltimore County and that the property i	be reposted.	`. . 5.	,	
Politics of Baltimore County and that the property is	be reposted.			

Estimated Posting Date

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 #2 Turtle Rock Court
Baltimore ala.34 City State
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):
Family is growing, the extra space is need
to accomadate this growth.
That the Afflant(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 Signature Signature
Signature Signature 1
X GIOVANNI PIEROEAZIO Name - Type or Print Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, this 6th day of November 1 day of November 1 day of Maryland, in and for the County aforesald, personally appeared
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).
AS WITNESS my hand and Notarial Seal
Room a. Rhoul Notary Public
My Commission Expires 7-1-2006

REV 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	## 2	Court	
•	Address Baltim	ore MD	21234
	City	State	Zip Code
That hased upon nersonal knowledge, the follo	wing are the facte	unon which I/wa haca the requir	ant for an Administrative

Variance at the above address (Indicate hardship or practical difficulty):

The family 15 9 00 wing. The extra 500 CP 15

The family is growing. The extra space is needed to accomadate this growth.

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
Signature
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Name - Type or Print

**Name - T



City

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

MARYLAND			
fo	r the property lo	eated at #2 Tun He Ro	
		which is presently zoned $_{_\{\mathcal{I}}}$	D.R. 2
made a part hereof, hereby petition for	nore County and which a Variance from Section	s and Development Management. The n is described in the description and plat at $an(s)$ BO 2, 3, B, BC Z and which are rear yard for the required. Uo.	tached hereto and R
of the zoning regulations of Baltimore Confidence of this petition form.	ounty, to the zoning la	w of Baltimore County, for the reasons ind	icated on the back
Property is to be posted and advertised I, or we, agree to pay expenses of above Varegulations and restrictions of Baltimore Co.	ariance, advertising, posi	ting, etc. and further agree to and are to be bou	unded by the zoning
		I/We do solemnly declare and affirm, under perjury, that I/we are the legal owner(s) of the is the subject of this Petition.	the penalties of he property which
Contract Purchaser/Lessee:		Legal Owner(s):	
	\ !	* GINIANNI PER DA ARIO	
Name - Type or Print	· · · · · · · · · · · · · · · · · · ·	Name - Type or Print	······································
Signature		Signature	a jo
Address	Telephone No.	Name - Type or Print	ERORAZIO
City	Zip Code	Signature A. # CE	" NO CON
Attorney For Petitioner:		## 2 Turtle Rock Ct	410 661 8386
		Balt. Md.	Telephone No.
Name - Type or Print		City	Zip Code
Signature	<u></u>	Representative to be Contacted:	
Company		Name	
Address	Telephone No.	Address	Telephone No.

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.

City

Zip Code

State

CASE NO. 04-251 A

	Reviewed By JRF	Date 11 /17/03
	Estimated Posting Date	11/30/03

Zoning Commissioner of Baltimore County

State

Zip Code

ZONING DESCRIPTION FOR #2 Turtle Rock Court.

Beginning at a point on the west side of turtle Rock Court which is 50; wide at the distance of 75; south of the centerline of the nearest improved intersecting street Skywood Court which is 50; wide. Being Lot # 15A, Block A, In the subdivision of Sylwood as recorded in Baltimore County Plat Book # 45, Folio # 114, containing .1932 acres/ Also known as # 2 Turtle Rock Court and located in the 9th Election District, 6th Councilmanic District.

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CERTIFICATE OF POSTING

	KE: Case No.: 04-251-1
	Petitioner/Developer:
	GIOVAUNI PIERORAZIO
	Date of Hearing/Closing: 12 15 位3
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Becky Hart	
Ladies and Gentlemen:	•
were posted conspicuously on the property lo	perjury that the necessary sign(s) required by law ocated at
The sign(s) were posted on	1130103 (Month, Day, Year)
CASE # 04-251-A	Sincerely, Signature of Sign Poster and Date) RICHARD E. HOFFMAN (Printed Name) 904 DELLWOOD DR. (Address) FALLS TONI, MO 21047 (City, State, Zip Code) (410) 879-3122 (Telephone Number)

2 TURTLE ROCK CT.

POSTED 11/30/03

Thele E32/11/30/03

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case N	lumber 🐠	251] -A	Address	2 Tur	Ve Roc	k ot.	· · · · · · · · · · · · · · · · · · ·
Contac	ct Person: _	Jun R. Planne	Fernando r, Pléase Print Your	Name		Phone	Number: 410	0-887-3391
Filing	Date: <u>[[</u>		! !		11-30-0	Old	osing Date:	12-15-03
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1.	reposting miss again res	ust be done ponsible for	etitioner must and the pet only by one o' all associated posting date	f the sign posts.	esponsible posters on the the zoning r	tor all prin he approv	nting/posting of the must be wis	costs. Any e petitioner sible on the
2.	a ioiiiiai ie	quest for a	date is the d public hearing ing, the proce	a. Please	: understand	d that evi	en if there is	D feet to file s no formal
3.	order that the order typically wi	the matter by thin 7 to 10 c	sing date, the (a) grant the e set in for days of the clo	ie request a public h osina date	ed relief; (b) learing. You) deny the ou will red her the no	e requested in ceive written	relief; or (c) notification
4.	commission changed give	ner), notificativing notice o	ARING AND hbor's formation will be for the hearing and his change	request orwarded date. time	or by order to you. The and location	r of the z ne sign o n. As wha	zoning or deponent or the proper sign was a sign w	puty zoning ty must be
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Petitio	oner's Name	Giova	nni Pier	0 1910		Telepho	ne <u>4/0-</u>	661-8336
Posti	ng Date: _	11/30/	৩১		Closing Da	te:/2	L-15-00) <u> </u>
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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

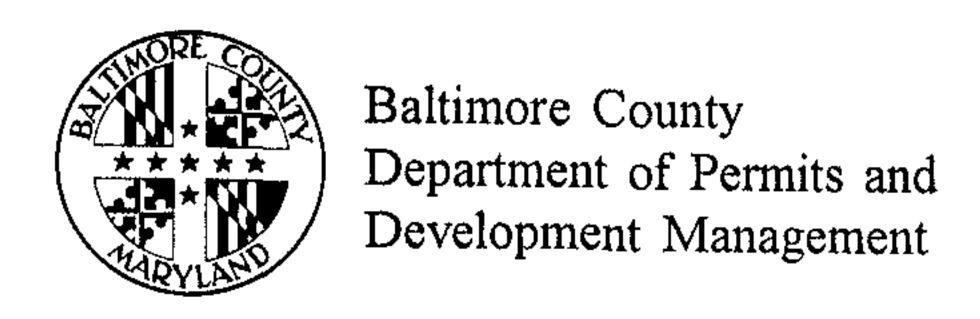
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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:	. 1
Item Number or Case Number 04-25/ - A	
Petitioner Giovanni + Christine Pierorazio	
Address or Location. 2 Turtle Rock C.	
PLEASE FORWARD ADVERTISING BILL TO Name: Giovanni Pierorazio	
Address 2 Turthe Rock ct.	
Balto, Mold. 21234	
······································	
Telephone Number: 410-661-8376	



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

December 15, 2003

Mr. Giovanni Pierorazio Ms. Christine A. Pierorazio 2 Turtle Rock Court Baltimore, MD 21234

Dear Mr. and Mrs. Pierorazio:

RE: Case Number:04-251-A, 2 Turtle Rock Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 17, 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,

U. Call Rilla ()

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:rlh

Enclosures

c: People's Counsel



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor

Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

JRF

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: //. 26.63

Baltimore County

Item No. 251

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

Dear. Ms. Hart:

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.

RE:

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,

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

1. J. Hoeld

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

DATE December 1, 2003

FROM:

SUBJECT:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

ZONING COMMISSIONER Zoning Advisory Petition(s): Case 04-239, 04-248, and 04-251

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.

Section Chief:

AFK/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: December 15, 2003

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For December 1, 2003

Item Nos. 234, 236, 237, 239, 240, 241, 242, 243, 244, 245, 251) 252, 253, 254,

and 255

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

RWB:CEN:jrb

cc: File

Baltimore County
Zoning Commissioners
Baltimore County Government
Towson, Maryland

October 27, 2003

To Whom It May Concern:

We are the immediate next door neighbors to Giovanni and Christine Pierorazio, 2 Turtlerock Court, Baltimore 21234. This letter is to state our approval for the addition to be added to their home on the side of the house closest to ours. We cannot find any reason to deny their request, as it will not impede on our property line.

Sincerely,

Patruk Dwelr

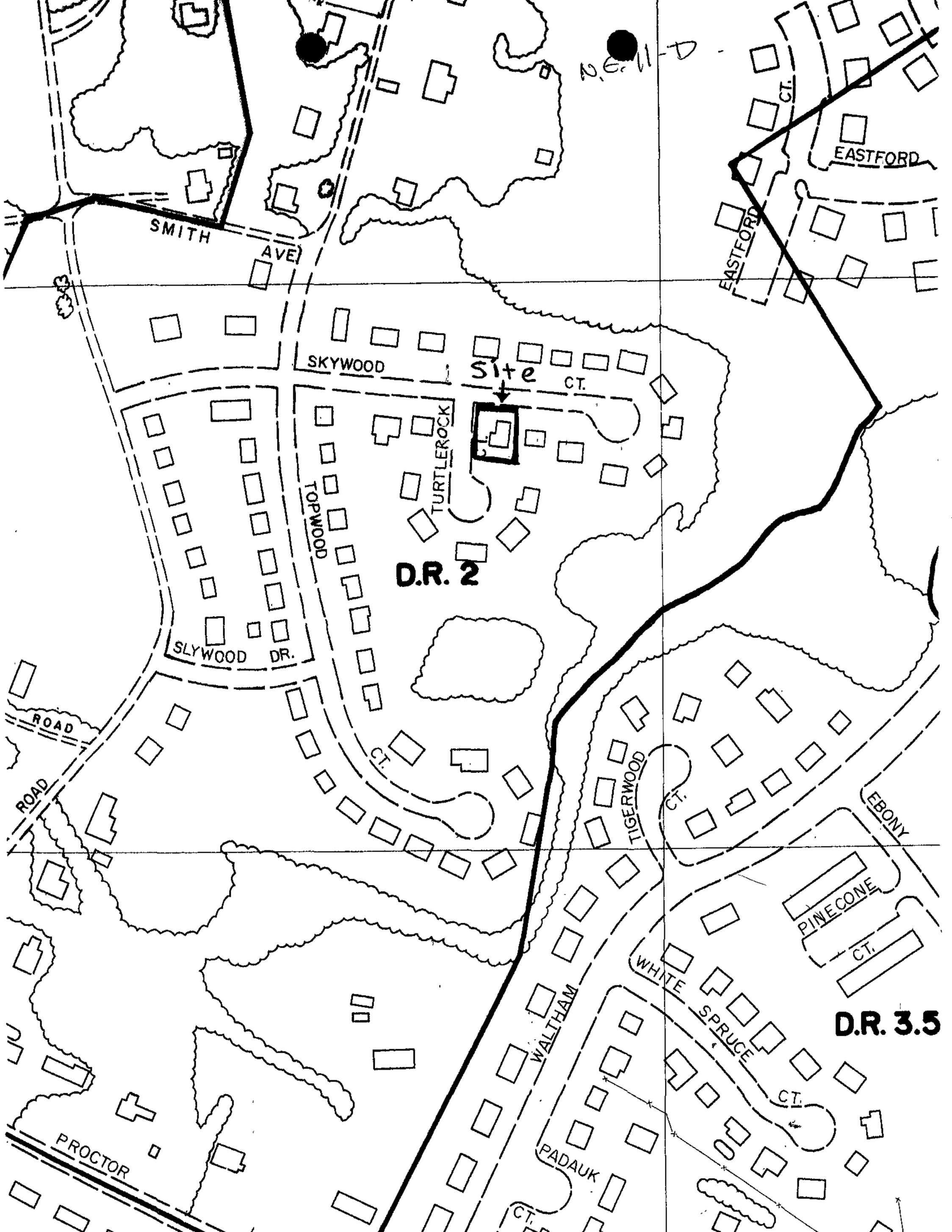
Selly Zwells

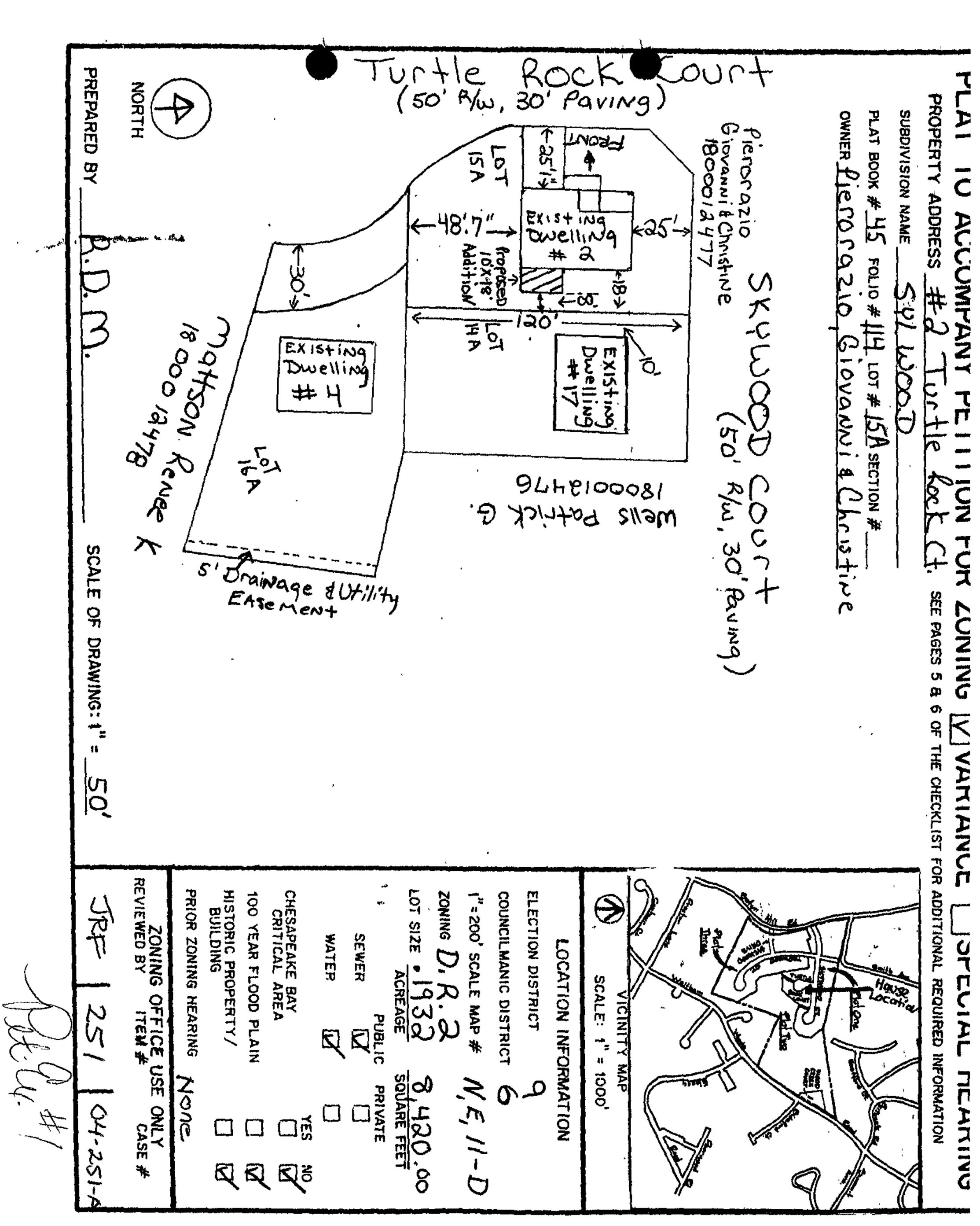
Patrick and Betty Wells

17 Skywood Court

Baltimore, Maryland 21234

#251





-15-





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