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IN RE: PETITION FOR ADMIN. VARIANCE NW/S of Baublitz Road, 210 ft. SW centerline of Dover Road 4th Election District 2nd Councilmanic District

(2506 Baublitz Road)

Mona & Jacob Sarid

Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 04-379-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, Mona & Jacob Sarid. The variance request is for property located at 2506 Baublitz Road in the Reisterstown area of Baltimore County. The variance request is from Section 1A04.3.B.4 (1A003.B.3, RDP) of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 20 ft. in lieu of the required 50 ft. for an addition (garage). 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 on February 29, 2004, 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, 2004, that a variance from Section 1A04.3.B.4 (1A003.B.3, RDP) of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 20 ft. in lieu of the required 50 ft. for an addition (garage), be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

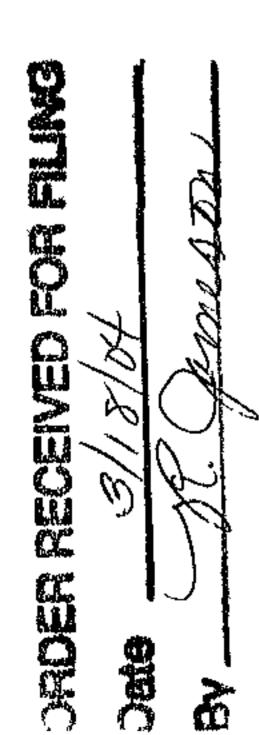
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this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

OHN 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

March 18, 2004

I. William Chase, Esquire 1190 W. Northern Parkway Baltimore, Maryland 21210

Re: Petition for Administrative Variance Case No. 04-379-A

Property: 2506 Baublitz Road

Dear Mr. Chase:

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,

Jøhn V. Murphy

Deputy Zoning Commissioner

JVM:raj Enclosure

c: Mr. & Mrs. Jacob Sarid 2506 Baublitz Road Reisterstown, MD 21136



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	2506	Baubli	+z	Rd.
	s presently		RC	5

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

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)

1A04.3.B.4 (IA003.B.3, RDP) to permit a 20-FT Side Sctback in lieu of 50 FT

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

	perjury, 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	Jacob Sarid Name-Type of Print
Signature	Signature
Address Telephone No.	Name - Type or Print
City State Zip Code	Signature 4/0-252
Attorney For Petitioner:	2506 Baublitz RL 5757
T Williams Chase Name Type or Print	Address Reisters town, MD 21136 City State Telephone No Reist Zip Code
*/ 1//	
Signature	Representative to be Contacted:
Chase & Chese	I. William Chase
1/90 W Northern Pky 410-433-4100	Name 1/90 W. Northern PKwy 410-433-416
Address Telephone No. 21210	Address Telephone No 2/2/0
City State Zip Code	City State Zip Code
A Fublic Hearing having been formally demanded and/or found to be day of that the subject matter of the day of that the property be reposted.	required, It is ordered by the Zoning Commissioner of Baltimore County, his petition be set for a public hearing, advertised, as required by the zoning
Marie Company of the	Zoning Commissioner of Baltimore County
CASE NO. 04-379-A Rev	iewed By JPF Date 2-19-04
	mated Posting Date 2-29-04

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

	Address	_	
	Reisterstown	MD	21136
That based upon personal knowledge, the Variance at the above address (indicate had	following are the facts upon which	h I/we hase the reque	Zip Code
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No area for front or	side expansion of	ducilling.	Functionally
the garage needs to	be on side of.	lucking	
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(see auttorchel /	c-tter)		
That the Affiant(s) acknowledge(s) that if a advertising fee and may be required to provide	a formal demand is filed Affiant	(s) will be required to	Day a reposting and
auvertising lee and may be required to provid	de additional information.)	pay a reposing and
. Muse S			
Signature	Signature		
* Alma Saria		DAZ SORIN	
Name - Type or Print	Name - Type or		
STATE OF MARYLAND, COUNTY OF BALT	TIMORE, to wit:		
I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid,	ebeyaly ,200	before me, a Nota	ary Public of the State
$MOM \leq pid \qquad 0$	personally appeared]	any a manufacture of the officer
the Affiant(s) herein, personally known or satis	sfactorily identified to me as such	Affiant(s).	
AS WITNESS my hand and Notarial Seal			
	of bridge	MACA	
	Notary Public		
	My Commission Expire	s D1204	b
REV 10/25/01			



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	2506	Baub	1, +2	Rd.
	s presently	•	RC	5

is the subject of this Petition.

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

perjury, that I/we are the legal owner(s) of the property which

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)

1A04.3.B.4 (IA003.B.3, RDP) to permit a 20-FT Side setback in lieu of 50 FT

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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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.

Contract Purchaser/	<u>Lessee:</u>		<u>Legal Owner(s):</u>		
			Jacob Name - Type of Frint	Sarid	
Name - Type or Print	······································	, , , , , , , , , , , , , , , , , , , ,	L/W		· · · · · · · · · · · · · · · · · · ·
Signature			Signature Signature 5	/	
Address		Telephone No.	Name Type or Print	sarid /	
City	State	Zip Code	Signature		410-252
Attorney For Petition	<u> 1er:</u>		2506 Ba	ublitz 1	Rd 5757
I William (Chase		Address	lan o	Telephone No
Name - Type or Print		- 	Reisters town	n MD Stat	21136 E Zip Code
()			Representative t		'
Chasc & Ches	ے ا		I. Willia	n Chase	
Company	hern Pkuy 416	-423 -4/00	Name 1/90 W. Norther	, PKuy	1110 427 - 410
Address	mer property mo	Telephone No.	Address Norther	n VKWY	410 - 433 - 410 Telephone No
Balto MD	2121	10	Balto MO	212	10
City	State	Zip Code	City	State	
A Public Hearing having beathis day of regulations of Baltimore Count	, that t	the subject matter of the	required, it is ordered by the his petition be set for a public	ne Zoning Commission hearing, advertised,	oner of Baltimore County, as required by the zoning
			Zoning Comm	issioner of Baltimore	County
CASE NO. 04-	379-A	Rev	iewed By JPF	Date2	-19-04
REV 10/25/01		Esti	mated Posting Date	2-20-04	

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That the Affiant(s) does/do presently reside at	2506	Baublitz	Rd
	Rcistcisto.	wn MD State	21136 Zip Code
That based upon personal knowledge, the follow Variance at the above address (Indicate hardship Existing house built near No area for front or side the garage needs to be see anti-achel let	50 ft fromt le expansion on side	on which I/we base	the request for an Administrative
That the Affiant(s) acknowledge(s) that if a formation and may be required to provide acceptance of the second sec	Signa		
HEREBY CERTIFY, this 5 day of 60 day	RUQUEL/ onally appeared		me, a Notary Public of the State
AS WITNESS my hand and Notarial Seal	Notary\Public My Commiss	te Bayunion Expires Dia	2106

REV 10/25/01

Zoning Description (2506 Baublitz Road)

Beginning on the northwest side of
Baublitz Road (variable right-of-wilth), at
the distance of 210 feet southwest the
centerline of Dover Road. Being Lot
Number 3 of the Worthington Ridge
subdivision and containing 1.60 acres
as recorded in Plut Book 37, Folio 106.
Also Known as 2506 Baublitz Road
within the 4th Election District and 2
Councilmanic District

#379

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CERTIFICATE OF POSTING

RE: Case No.: 04-379-A

Petitioner/Developer: JACOB Date of Hearing/Closing: 3 **Baltimore County Department of** Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204 **ATTN: Kristen Matthews {(410) 887-3394}** 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: _ 2506 BAUBLITZ The sign(s) were posted on _ (Month, Day, Year) Sincerely, (Signature of Sign Poster) **SSG Robert Black** (Print Name) **ADMINISTRATIVE** 1508 Leslie Road CASE # 04 379 A (Address) TO PERMIT AN ADDITION WITH A SIDE YARD SETDACK OF 20 PT IN LIEU OF THE REQUIRED 50 FT. Dundalk, Maryland 21222 (City, State, Zip Code) PURSUANT TO SECTION 24-127(6)(1), EALTIMOTE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
18 DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON MINE IT TO THE AVAILABLE AT
10000 ADMINISTRATION AND VELOCITY MARKACHERT (410) 287-7940 RECEIVED (Telephone Number) MAR DEPT, OF PERMITS AND

DEVELOPMENT MANAGEMENT

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:
Item Number or Case Number: 379 Petitioner: Vacob + Monk Sarik Address or Location: 2506 Backlitz Rl
PLEASE FORWARD ADVERTISING BILL TO: Name: Chasc
Address: 1190 W. Northern Parkway Balto. MD
2/2/0
Telephone Number: 410-433-4100

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

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Filing	Date: _	2-1	9-04	<i>†</i>	P	osting D	ate: _	2-29	-04	Closing	Date:	3-15-09
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Department of Permits and Development Management

Director's Office County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Tel: 410-887-3353 • Fax: 410-887-5708



Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

March 15, 2004

I. William Chase Chase & Chase 1190 W. Northern Parkway Baltimore, Maryland 21210

Dear Mr. Chase:

RE: Case Number: 04-379-A, 2506 Baublitz 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, 2004.

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

U. Callabal Da

WCR: clb

Enclosures

c: People's Counsel Jacob and Mona Sarid 2506 Baublitz Road Reisterstown 21136



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

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

JRF

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 2.27.04

Baltimore County

Item No. 379

RE:

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

Dear. Ms.Matthews:

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,

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

Granded 8/04.

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

R. Bruce Seeley M/5

DATE:

March 25, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of March 1, 2004

<u>X</u> The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

04-376

04-377

04-378

04-379

04-380

04-382

04-384

04-386

04-388

Reviewers:

Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and

Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

DATE: March 2, 2004

RECEIVED

MAR

3 2004

ZONING COMMISSIONER

SUBJECT:

Zoning Advisory Petition(s): Case 4-379 and 4-385

A 3-1-1-4-- 41-- 37--1---

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: March 25, 2004

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 March 8, 2004 Item Nos. 349, 376, 377, 378, 379 380, 381, 382, 384, 385, 388, and 389

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

RWB:CEN:jrb

ce: File

4104150989

Mona and Jacob Sarid 2506 Baublitz Road Reisterstown, MD 21136 (410) 252-5757

January 10, 2004

To Whom It May Concern:

This letter is to explain the reason for construction of a two and a half car garage at our home. I (Mona Sarid) sustained a back injury recently and was treated in the medical offices of Drs. Feirtag & Ramos, PA and Towson Orthopedic Associates. Specifically, I herniated three disks in my lower back and a surgery was recommended. Currently I am restricted in any weight lifting and the type of physical activity involved in shoveling snow. Support documentation is available upon request. As our neighborhood does not offer any street parking, when our vehicles can be garaged, no manual snow shoveling will be required. Rather a snow plow can clear the driveway.

Additionally, while currently our dwelling only has a single car garage, there are 2 adult drivers, each owning a vehicle. Our son will be driving in less then 2 years and will be needing to garage a third car.

Sincerally yours

Mona and Jacob Sarid

379

February 23, 2004

RE: Addition to 2506 Baublitz Road

Dear Neighbors of 2506 Baublitz Road

I am planning to add an addition on to the garage end of my home located at 2506 Baublitz Road. If you do not have any issues or concerns with the addition please sign below.

Thank you,

Jacob and Monai Sarid

Homeowner!

Property Address

February 23, 2004

RE: Addition to 2506 Baublitz Road

Dear Neighbors of 2506 Baublitz Road

I am planning to add an addition on to the garage end of my home located at 2506 Baublitz Road. If you do not have any issues or concerns with the addition please sign below.

Thank you,

Jacob and Monai Sarid

Homeowner

12002 Worthington Kidge Rd Property Address

February 23, 2004

RE: Addition to 2506 Baublitz Road

Dear Neighbors of 2506 Baublitz Road

I am planning to add an addition on to the garage end of my home located at 2506 Baublitz Road. If you do not have any issues or concerns with the addition please sign below.

Thank you,

Homeowner

Jacob and Monai Sarid

Homeowner 2512 BAUBLITZ ROAD
Property Address

