

IN RE: PETITION FOR VARIANCE
SW/Corner of Stansbury Mill Road
and Manor Road
10th Election District
3rd Councilmanic District
(3729 Stansbury Mill Road)

Barbara D. & Donald P. Rock
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 04-537-A

*
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Barbara D. and Donald P. Rock.. The original petition was filed for an administrative variance but was ultimately set in for hearing upon receiving a letter dated June 10, 2004 from Dana Vlk, an adjacent property owner. Consequently, the case was set in for hearing.

The Petitioners are requesting variance relief for property located at 3729 Stansbury Mill Road in the Phoenix area of Baltimore County. The variance request is from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a front yard setback of 47 ft. and a side yard setback of 45 ft. in lieu of the required 50 ft. respectively and to amend Lot #6 of the Final Development Plan for "Stansbury" to permit construction outside the designated building envelope.

The property was posted with Notice of Hearing on July 29, 2004, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on August 17, 2004 to notify any interested persons of the scheduled hearing date.

Applicable Law

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

ORDER RECEIVED FOR FILING

Date 9/8/04

By [Signature]

"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 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 (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from the Department of Environmental Protection & Resource Management (DEPRM) dated June 16, 2004 stating that "should the proposed addition be less than 30 ft. to the well, a Well Variance Request must be submitted to the Ground Water Management Division of DEPRM", a copy of which is attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the variance request were Donald and Barbara Rock. There were no Protestants or citizens at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 1.001 acres of land, more or less, zoned RC 5. The subject property is improved by a single-family residence, which the Petitioners have owned for the past 16 years. They would like to add a master bedroom and family room to the first floor of their home and

ORDER RECEIVED FROM NURS
Date 9/18/04
By Ray

consulted an architect to advise them how best to accomplish this goal. They considered adding the rooms to the side of the home where the garage is located, but found that this would not be architecturally correct as it would unbalance the features of the house. They would also need a substantial variance to build on this side of the house, as the end of the garage is close to the building envelope dimension.

They are limited in building towards the rear by the location of their septic reserve area, although they are planning to build the family room addition in that direction. However, they indicated that they could not build the master bedroom as well in the rear.

This left them to build the master bedroom on the side adjacent to Ms. Vlk's property. In order to have a functional master bedroom, the architect recommended a 16 ft. wide room. This meant the addition would enter the 50 ft. setback area required by the RC 5 zone by 3 ft. on the front and 5 ft. on the side. This was the minimum variance that they could request and still build a functioning master bedroom. Petitioners' photograph Exhibit No. 2B shows the distance to the Vlk home. They noted that several other neighbors in the immediate area had been granted variances for similar additions within the last two years.

The Petitioners pointed out that this problem arises primarily because the house was situated at an angle from the adjacent roads. The building envelope parallels the roads and so there is very little room to build any addition.

In regard to the issues raised by Ms. Vlk's letter, the Petitioners indicated that they understood that they must move the shed, which until now was located in their driveway. They intend to move the shed shortly to the farthest corner of the rear yard as required by the zoning code. They also indicated that the dirt bicycle, which was the source of another complaint, had been stolen several years ago and not replaced. Finally, in regard to the Stansbury covenants, they noted that there is no architectural committee to review their plan, but also recognized that

these covenants are not enforceable by the County unless specifically incorporated into the subdivision approval process.

Findings of Fact and Conclusions of Law

I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. The house is situated at an angle from the roads and so the house virtually fills the permitted building envelope. I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. There is no other location for an addition on the property, as the garage side of the home is nearly at the edge of the envelope and they cannot build in the septic reserve area in the rear. No increase in residential density beyond that otherwise allowable by the Zoning Regulations will occur as a result of granting these variances. Finally, I find that these variances can be granted in strict harmony with the spirit and intent of the regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance requests should be granted.

THEREFORE, IT IS ORDERED, this 8 day of September, 2004, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1A04.3.B.3 of the ~~Baltimore County Zoning Regulations (B.C.Z.R.)~~, to permit a front yard setback of 47 ft. and a side yard setback of 45 ft. in lieu of the required 50 ft. respectively and to amend Lot #6 only of the Final Development Plan for "Stansbury" to permit construction outside the designated building envelope, 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 must comply with the ZAC comments received from DEPRM dated June 16, 2004, a copy of which is attached hereto and made a part hereof;
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.



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING
Date 9/8/04
By Raj



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 3729 STANSBURY MILL RD 21131
which is presently zoned R.C. 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)

See attached

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

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

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Legal Owner(s):

DONALD P. ROCK

Name - Type or Print

Signature

BARBARA D. ROCK

Name - Type or Print

Signature

3729 STANSBURY MILL RD 4106676342

Address

Telephone No.

PHOENIX MARYLAND

21131

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

Zoning Commissioner of Baltimore County

Reviewed By SK Date 5/20/04

Estimated Posting Date 5/30/04

FILE NO. 04-537-A

REV 1/25/01

ORDER RECEIVED FOR FILING

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 3729 STANSBURY MILL RD PHOENIX MD 21131
Address
PHOENIX MARYLAND 21131
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):

THE REASONS THAT ZONING REGULATIONS CAN NOT BE MET ARE THAT THE SEPTIC RESERVE AND DRAIN FIELD AREA PROHIBIT EXPANSION IN THE REAR OF THE PROPERTY. IN ADDITION, ANY EXPANSION TO EITHER SIDE OR TO THE FRONT OF THE EXISTING HOUSE WILL REQUIRE A VARIANCE.

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

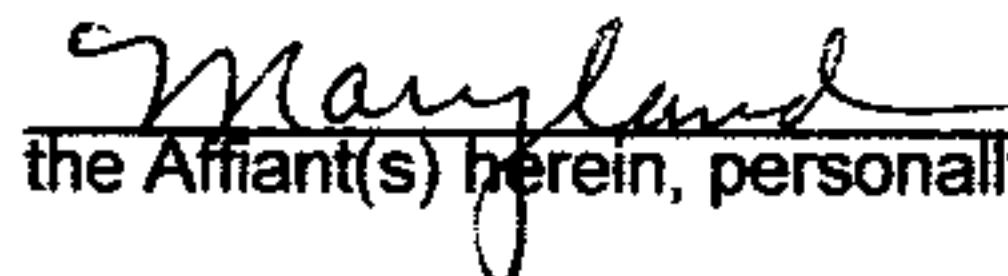
DONALD P. ROCK
Name - Type or Print


Signature

BARBARA D. ROCK
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 20th day of MAY, 2004, 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


Notary Public

My Commission Expires March 1, 2008

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 3729 STANSBURY MILL ROAD
Address
PHOENIX MARYLAND 21131
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):

THE REASONS THAT ZONING REGULATIONS CAN NOT BE MET ARE THAT THE SEPTIC RESERVE AND DRAIN FIELD AREA PROHIBIT EXPANSION IN THE REAR OF THE PROPERTY. IN ADDITION, ANY EXPANSION TO EITHER SIDE OR TO THE FRONT OF THE EXISTING HOUSE WILL REQUIRE A VARIANCE

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.

Donald P. Rock
Signature
DONALD P. ROCK
Name - Type or Print

Barbara D. Rock
Signature
BARBARA D. ROCK
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 20TH day of MAY, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

Frank G. Clary
Notary Public
My Commission Expires March 1, 2008



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 3729 STANSBURY MILL RD 21131
which is presently zoned R.C. 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)

see attached

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.

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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):

DONALD P. ROCK

Name - Type or Print

Signature

BARBARA D. ROCK

Name - Type or Print

Barbara D. Rock

Signature

3729 STANSBURY MILL RD. 4106676342

Address

Telephone No

PHOENIX

MARYLAND

21131

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ___ 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. 04-537-A

Reviewed By Bh Date 5/20/04

REV 10/25/01

Estimated Posting Date 5/30/04

Section 1A04.3.B.3 to permit a front yard setback of 47 feet and a side yard setback of 45 feet in lieu of the required 50 feet respectively, and to amend lot #6 of the Final Development Plan for Stansbury to permit construction outside the designated building envelope.

ZONING DESCRIPTION

Zoning Description For 3729 Stansbury Mill Road

Beginning at a point on the south west corner of Stansbury Mill and Manor Roads, which are 30 feet and 70 feet wide respectively. Being Lot #6, in the subdivision known as Stansbury as recorded in Baltimore County Plat Book #56, Folio# 50, containing 1. 001 acres. Also known as 3729 Stansbury Mill Road and located in the 10th Election District, 3rd Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 100011

DATE

ACCOUNT

RECEIVED FROM

AMOUNT

FOR

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

RECEIVED

DATE

BY

6/21/2014 5/20/2014

REG. NO. 141111001100

RECEIVED 1/26/2013 5/20/2014

REG. NO. 3 028 201415 VERIFICATION

CR. NO. 013641

RECEIVED

DATE

6/21/2014

BY

REG. NO. 3 028 201415 VERIFICATION

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: #04-537-A

3729 Stansbury Mill Road

S/west corner of Stansbury Mill and Manor Roads

10th Election District — 3rd Councilmanic District

Legal Owner(s): Donald and Barbara Rock

Administrative Variance: to permit a front yard setback of 47 feet and a side yard setback of 45 feet in lieu of the required 50 feet respectively, and to amend lot #6 of the Final Development Plan for Stansbury and to permit construction outside the designated building envelope.

Hearing: Wednesday, September 1, 2004 at 9:00 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.

JT 8/7/14 August 17

17514

CERTIFICATE OF PUBLICATION

8/19/2004

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/17/2004.

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

S. Wilkinson

LEGAL ADVERTISING

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: #04-537-A

3729 Stansbury Mill Road

S/west corner of Stansbury Mill and Manor Roads

10th Election District - 3rd Councilmanic District

Legal Owner(s): Donald and Barbara Rock

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JT/7/12 July 27

14529

CERTIFICATE OF PUBLICATION

7/28/2004

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/27/2004.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

Date

May 27, 2004

RE: Case Number 04-537-A

Petitioner/Developer DONALD ROCK

Date of Hearing/Closing JUNE 14, 2004

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 3729 STANSBURY MILL RD

The sign(s) were posted on

May 27, 2004

ZONING NOTICE

ADMINISTRATIVE

VARIANCE

Linda O'Keefe
(Signature of Sign Poster)

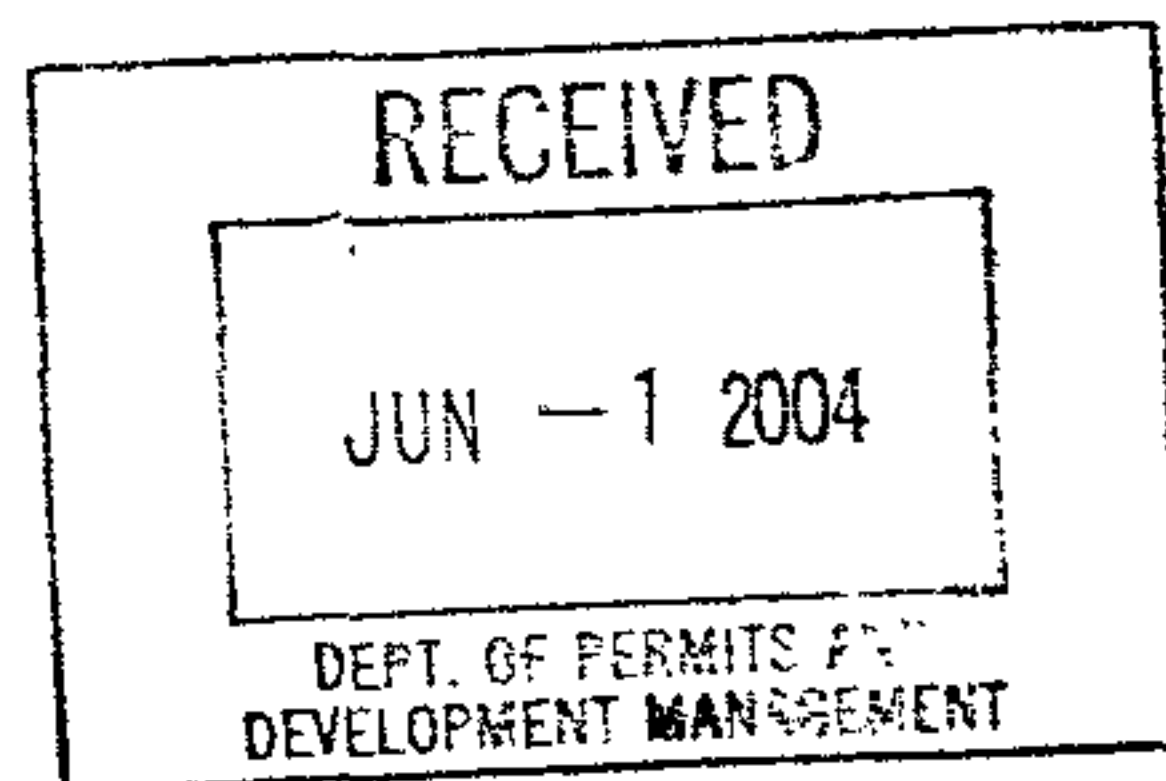
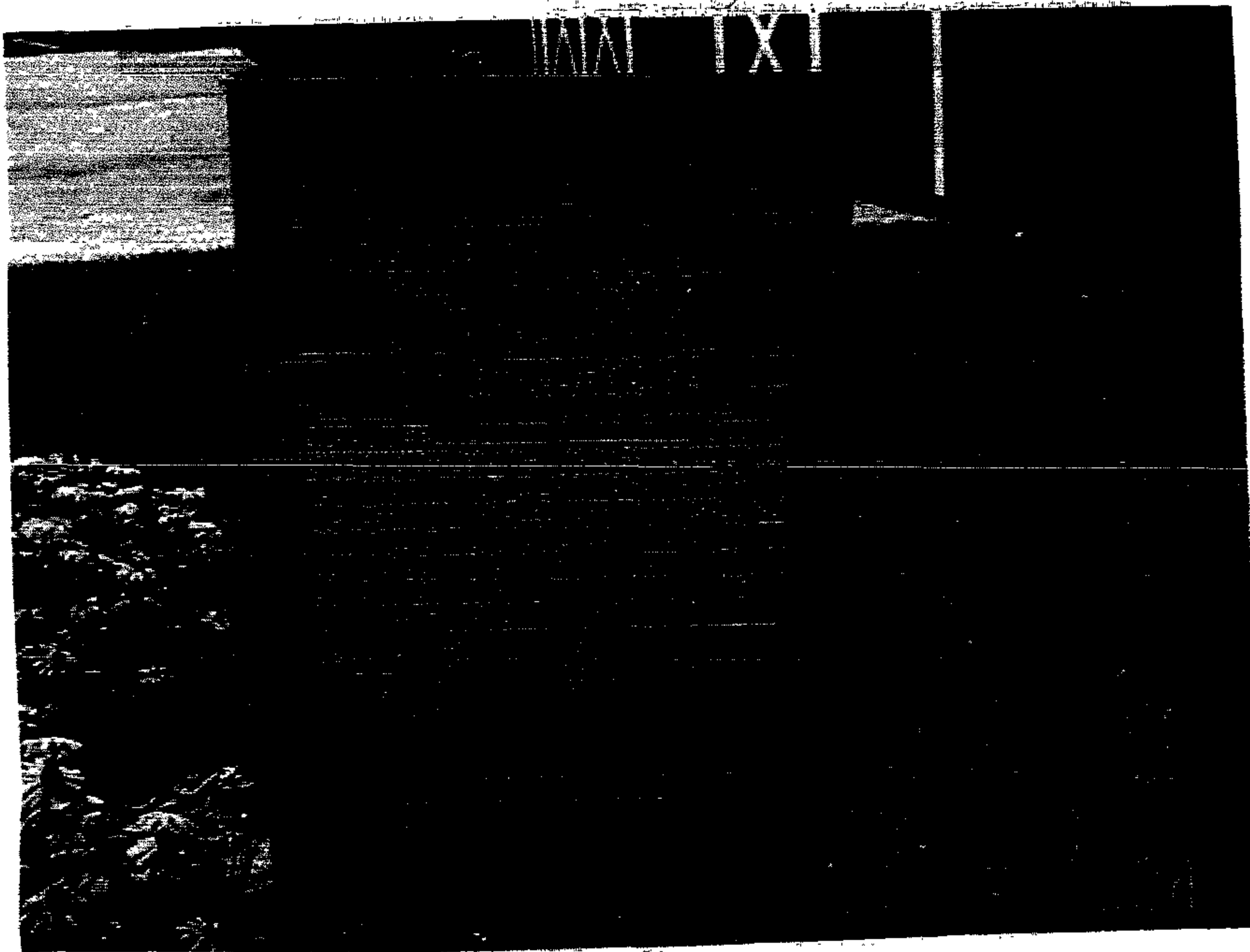
Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley Maryland 21030
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

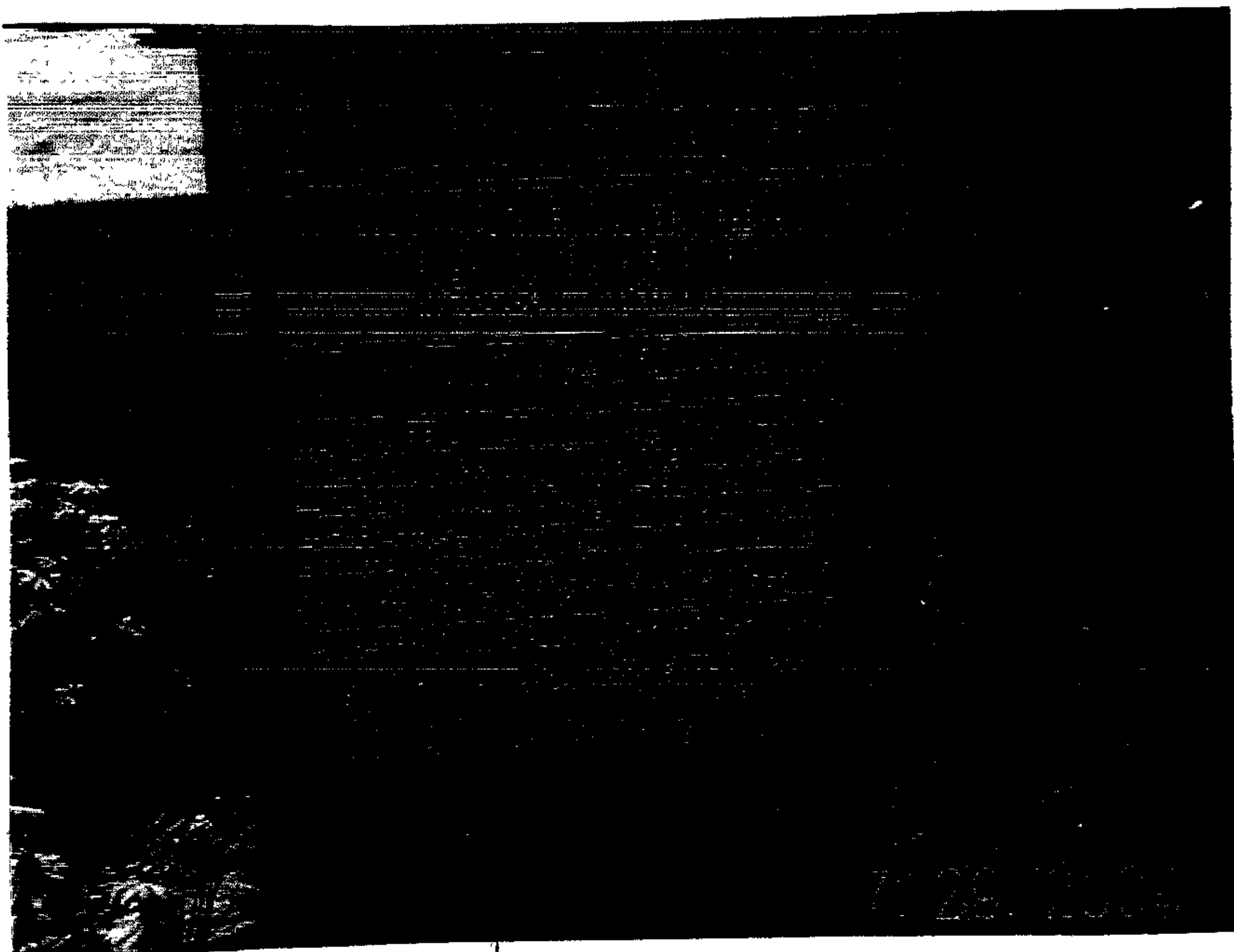
CERTIFICATE OF POSTING



PHOTOGRAPHIC RECORD

Citation/Case No.: 04-537-A 3729 Stansbury Mill

Date of Photographs: 7-29-04



I HEREBY CERTIFY that I took the _____ photographs set out above, and that these photographs
(number of photos)
fairly and accurately depict the condition of the property that is the subject of the above-referenced
citation/case number on the date set out above.

SC JENNINGS
Enforcement Officer
SC JENNINGS

**Department of Permits and
Development Management**



Baltimore County

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

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Tel: 410-887-3353 • Fax: 410-887-5708

June 28, 2004

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: 04-537-A

3729 Stansbury Mill Road
S/west corner of Stansbury Mill and Manor Roads
10th Election District – 3rd Councilmanic District
Legal Owners: Donald and Barbara Rock

7. Administrative Variance to permit a front yard setback of 47 feet and a side yard setback of 45 feet in lieu of the required 50 feet respectively, and to amend lot #6 of the Final Development Plan for Stansbury and to permit construction outside the designated building envelope.

Hearing: Wednesday, September 1, 2004, at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

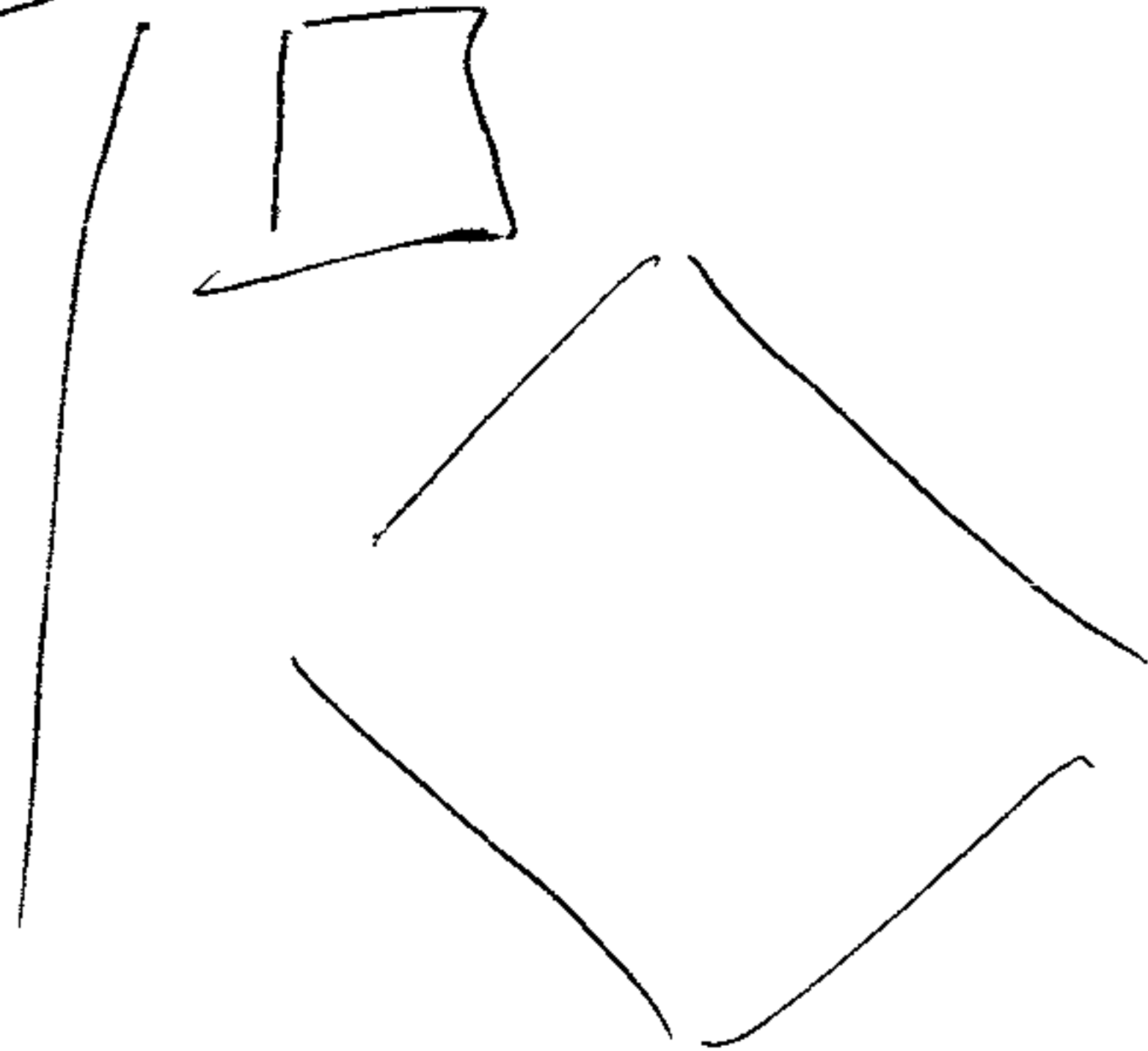
TK:klm

C: Donald & Barbara Rock, 3729 Stansbury Mill Road, Phoenix 21131
Dana Vlk, 14714 Manor Road, Phoenix 21131

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 17, 2004.**
- (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.

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

9m



MANOR



June 14, 2004

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: 04-537-A

3729 Stansbury Mill Road
S/west corner of Stansbury Mill and Manor Roads
10th Election District – 3rd Councilmanic District
Legal Owners: Donald and Barbara Rock

Administrative Variance to permit a front yard setback of 47 feet and a side yard setback of 45 feet in lieu of the required 50 feet respectively, and to amend lot #6 of the Final Development Plan for Stansbury and to permit construction outside the designated building envelope.

Hearing: Tuesday, August 10, 2004, at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue


Timothy Kotroco
Director

TK:klm

POSTED 7/23
10:30 AM
GF

C: Donald & Barbara Rock, 3729 Stansbury Mill Road, Phoenix 21131
Dana Vlk, 14714 Manor Road, Phoenix 21131

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JULY 26, 2004.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
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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

June 28, 2004

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: 04-537-A

3729 Stansbury Mill Road
S/west corner of Stansbury Mill and Manor Roads
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Hearing: Wednesday, September 1, 2004, at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Donald & Barbara Rock, 3729 Stansbury Mill Road, Phoenix 21131
Dana Vlk, 14714 Manor Road, Phoenix 21131

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 17, 2004.**
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Visit the County's Website at www.baltimorecountyonline.info

TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 17, 2004 Issue - Jeffersonian

Please forward billing to:
Catherine Burger
111 W. Chesapeake Avenue
Towson, MD 21204

410-887-3353

NOTICE OF ZONING HEARING

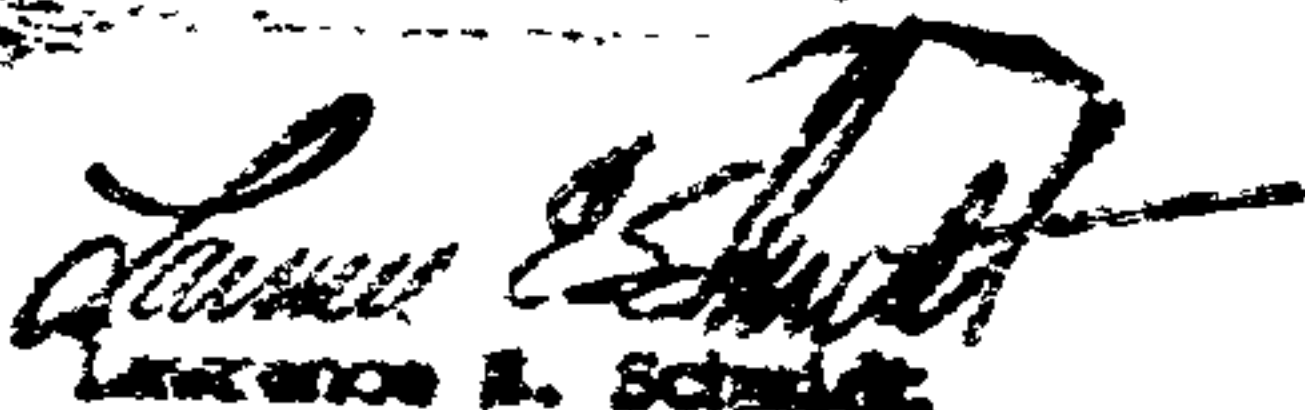
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CASE NUMBER: 04-537-A

3729 Stansbury Mill Road
S/west corner of Stansbury Mill and Manor Roads
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Hearing: Wednesday, September 1, 2004, at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**Department of Permits and
Development Management**

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County Office Building
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Baltimore County

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

June 28, 2004

Donald Rock
Barbara Rock
3729 Stansbury Mill Road
Phoenix, MD 21131

Dear Mr. and Mrs. Rock:

RE: Case Number: 04-537-A, 3729 Stansbury Mill Road

The above matter, previously scheduled for August 10, 2004, has been postponed. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that the responsibility of the appropriate posting of the property is with the Petitioners. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with the notice of the original hearing date, as quickly as possible after you have been notified, the new hearing date should be affixed to the sign(s).

Very truly yours,

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Dana Vlk, 14714 Manor Road, Phoenix 21131

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





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

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

June 14, 2004

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: 04-537-A

3729 Stansbury Mill Road
S/west corner of Stansbury Mill and Manor Roads
10th Election District – 3rd Councilmanic District
Legal Owners: Donald and Barbara Rock

Administrative Variance to permit a front yard setback of 47 feet and a side yard setback of 45 feet in lieu of the required 50 feet respectively, and to amend lot #6 of the Final Development Plan for Stansbury and to permit construction outside the designated building envelope.

Hearing: Tuesday, August 10, 2004, at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Donald & Barbara Rock, 3729 Stansbury Mill Road, Phoenix 21131
Dana Vlk, 14714 Manor Road, Phoenix 21131

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JULY 26, 2004.**
(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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 27, 2004 Issue - Jeffersonian

Please forward billing to:

Catherine Burger
111 W. Chesapeake Avenue
Towson, MD 21204

410-887-3353

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Hearing: Tuesday, August 10, 2004, at 9:00 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~~
ACCOMODATIONS, 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.

**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*

June 14, 2004

Donald Rock
Barbara Rock
3729 Stansbury Mill Road
Phoenix, MD 21131

Dear Mr. & Mrs. Rock:

RE: Demand for Public Hearing, Administrative Variance, Case Number: 04-537-A

The purpose of this letter is to officially notify you that your administrative posting procedure has been superceded by public hearing demand by the zoning commissioner concerning the above proposed administrative variance.

The hearing has been scheduled, and attached is the notice of public hearing indicating the date, time and location of the hearing.

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 Bruno Rudaitis at 410-887-3391.

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor
Zoning Review

WCR:klm

C: Dana Vlk, 14714 Manor Road, Phoenix 21131

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: 04- 537- A

Petitioner: DONALD ROCK

Address or Location: 3729 STANSBURY MILL ROAD PHOENIX MD
21131

PLEASE FORWARD ADVERTISING BILL TO:

Name: DONALD ROCK

Address: 3729 STANSBURY MILL ROAD
PHOENIX, MD 21131

Telephone Number: 410- 667- 6342

**Department of Permits
Development Management**

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



Baltimore County

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

August 25, 2004

Donald P. Rock
Barbara D. Rock
3729 Stansbury Mill Road
Phoenix, Maryland 21131

Dear Mr. and Mrs. Rock:

RE: Case Number:04-537-A, 3729 Stansbury Mill Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 20, 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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is stylized with a large, looped "R" and a trailing flourish.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

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



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 8, 2004

Mr. & Mrs. Donald P. Rock
3729 Stansbury Mill Road
Phoenix, Maryland 21131

Re: Petition for Administrative Variance
Case No. 04-537-A
Property: 3729 Stansbury Mill Road

Dear Mr. & Mrs. Rock:

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: Dana A. Vlk
14714 Manor Road
Phoenix, MD 21131

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



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Handwritten notes: 8/10 P.P. and 9/11

TO: Tim Kotroco

FROM: John D. Oltman, Jr. *JDO*

DATE: June 16, 2004

SUBJECT: Zoning Item # 04- 537
Address 3729 Stansbury Mill Road

RECEIVED

JUN 16 2004

ZONING COMMISSIONER

Zoning Advisory Committee Meeting of June 1, 2004.

☐ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

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

Should the proposed addition be less than 30 feet to the well, a Well Variance Request must be submitted to the GroundWater Management Division of DEPRM

Reviewer: Keith Kelley, Sue Farinetti

Date: June 14, 2004

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

ORDER RECEIVED FOR FILING
Date 9/8/04
By Ray

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 1, 2004

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

SUBJECT: Zoning Advisory Petition(s): Case 4-534 and 4-537

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:



Division Chief:



MAC/LL

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: July 1, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For June 8, 2004
Item Nos. 526, 531, 532, 533, 534,
536, 537, 538, and 539

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

RWB:CEN:jrb

cc: File

3729 Stansbury Mill Road
Phoenix, Maryland 21131
(410) 667-6342

June 23, 2004

Department of Permits and Development Management
ATTN: Kristen Matthews
County Office Building
111 W. Chesapeake Avenue
Towson, MD 21204

6/25/04
OK to move
to new date.
T-K

RE: Public Hearing, Administrative Variance, Case Number 04-537-A

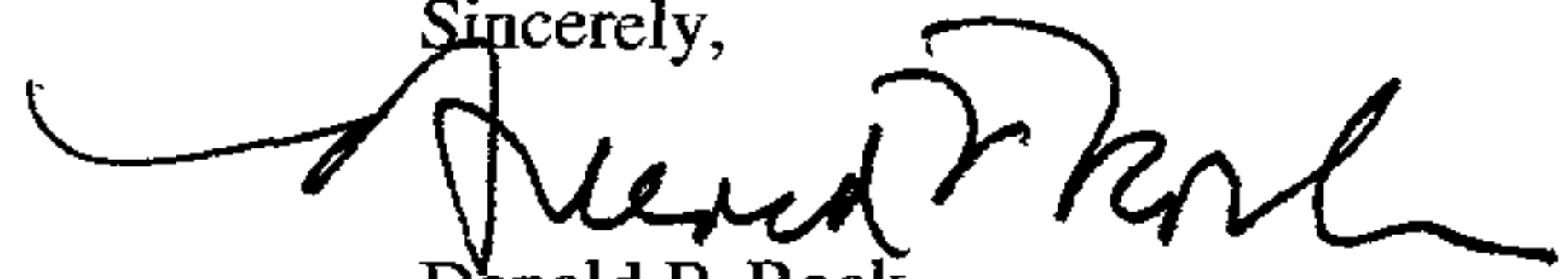
Dear Ms. Matthews,

We are requesting a new date most probably in September, 2004 for the indicated hearing as we will be out of town on August 10, 2004. If there is a date in July, we would most likely be available, but, the middle to end of August is very busy as we have two children in College and a high school student!

Also, please send us a copy of the concerns as cited by Dana Vlk so that we can address as many of these as possible prior to the hearing date.

Thank you in advance for your prompt attention and please contact me if you have any questions (410-771-1772 – office, 443-695-0672 cell).

Sincerely,


Donald P. Rock

RECEIVED

JUN 23 2004

Per *Ken*.....



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

June 14, 2004

A large, stylized handwritten signature, likely of Timothy M. Kotroco, written in black ink.

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401 Bosley Avenue

A handwritten signature of Timothy Kotroco in black ink.

Timothy Kotroco
Director

TK:klm

C: Donald & Barbara Rock, 3729 Stansbury Mill Road, Phoenix 21131
Dana Vlk, 14714 Manor Road, Phoenix 21131

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JULY 26, 2004.**
- (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.



8/10
P.P.
9/11
Jm

FAX COVER SHEET

Date: June 14, 2004

To: Bette / Robin

Fax number: 3468

From: Kristen

Fax number: _____

Number of pages
(including this
cover sheet): 11

Message: Tim gave this to me on Friday
afternoon, he wants this set for
a hearing, he wanted me to fax a
copy of this to your office. I
will set it in for a hearing.

If any part of this fax transmission
is missing or not clearly received
please call:

Name: Kristen

Phone number: 408-887-3391

June 10, 2004

Baltimore County Office Building, Room 111,
111 West Chesapeake Avenue
Towson, MD 21204

Attn: Mr. Timothy Kotroco

Mr. Kotroco,

I am writing in reference to Administrative Variance Case Number 04-537-A for the property located at the corner of Manor Road and Stansbury Mill Road. My property is located directly next door to this property, in the direction of the proposed construction. At this time I have several concerns regarding this construction. I will outline below the concerns that I have and would like to note that these concerns have been addressed to Mr. Donald Rock (owner). I would be interested in addressing my concerns in a manner that is favorable to both my family as well as the Rock family; however, during a recent conversation with Mr. Rock regarding these issues I was not lead to believe that any changes would be made on their part to address my concerns.

Currently a storage shed is located on the Rock's property in the approximate area of the proposed construction. Additionally, the Rock's have a second, larger storage shed located in their driveway. I was initially concerned about the relocation of the storage shed that is located in the area of the proposed construction; specifically where it would be placed in relation to my property. Mr. Rock addressed this by indicating that this storage shed would be moved and placed near the storage shed in their driveway.

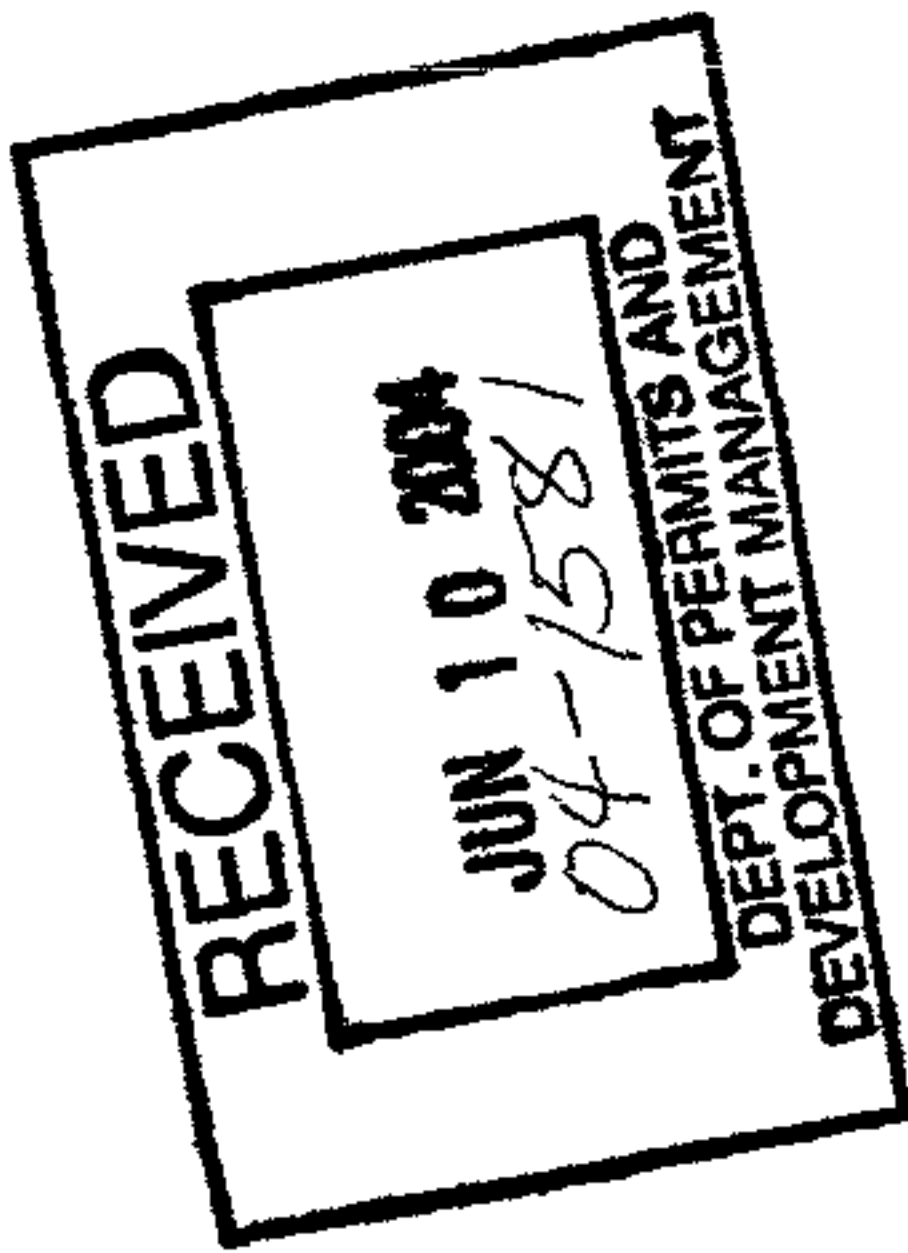
I have a great concern about adding a second storage shed in or near the driveway as I believe this will create a more unsightly situation than what already exists in their driveway, causing a negative impact on the appearance of our subdivision. Currently their driveway houses a storage shed, a trailer for motorbikes, as well as disassembled parts for a skateboard ramp, and several vehicles that will not fit in the existing two car garage. It is my understanding that in Baltimore County if one owns property located on a corner lot, a storage shed "must be situated in the one-half of the lot furthest from the side street. In the case of the Rock's home, this side street would be Stansbury Mill Road, which is the access road to their driveway. This information, taken from the Baltimore County website: (<http://www.co.ba.md.us/Agencies/permits/pdmfaq.html#code>), would indicate that the storage shed located in their driveway does not meet Baltimore County code.

I would like to suggest that prior to a variance being granted that the Rock's agree to move the storage shed and trailer that is located in their driveway as well as the storage shed that is located in the area of the proposed construction, to a place on their property that would meet the code that is required by Baltimore County, which also indicates that storage sheds "must be located in the rear yard behind the rear foundation wall line".

My second concern regarding this variance is that this construction would bring not only the physical building closer to my home, but that it will elevate the level of sound that transmits onto my property as entertaining on the property will move in the direction of a new porch that is a part of the addition. An additional noise concern is that the path for riding their motorbikes will now be closer to my home.

When our neighborhood was constructed, each family that purchased property received a copy of the "Declaration of Covenants and Restrictions" that pertained to our development. I have attached a copy of this document. Although items in this document that pertain to architectural review may no longer be relevant (as the Gaylord Brooks

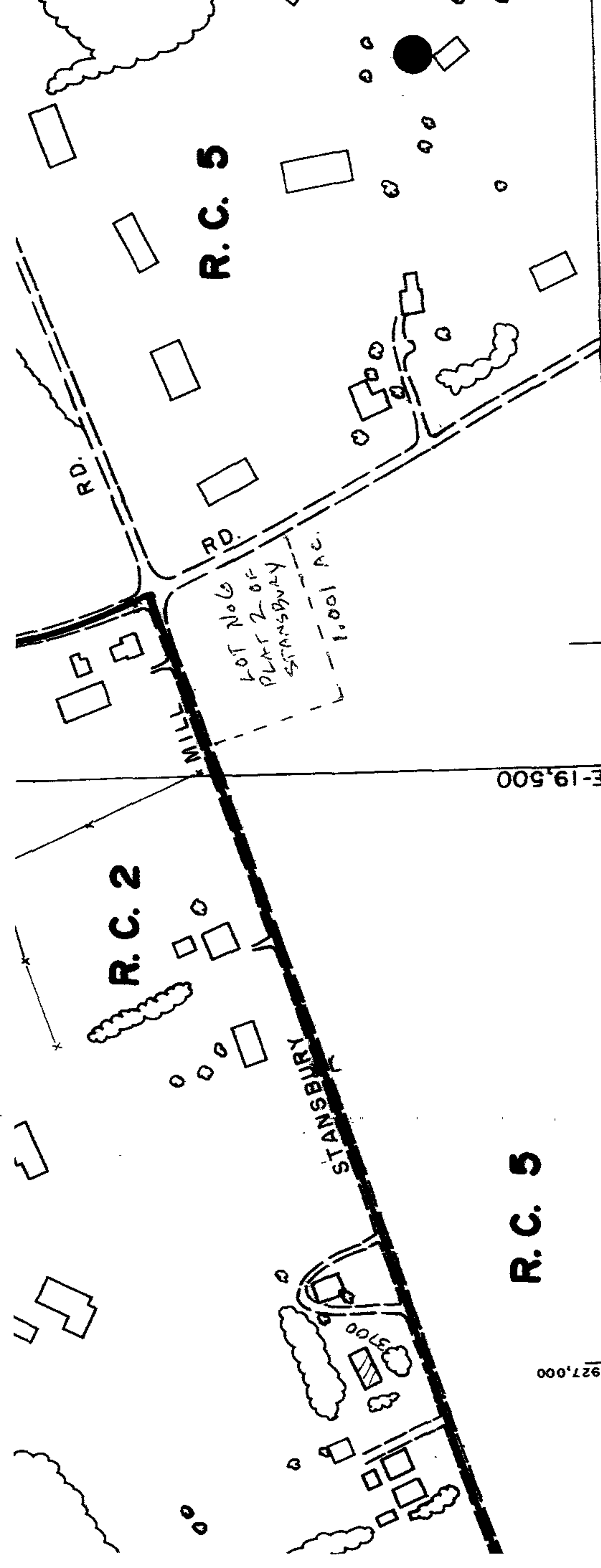
Kristen
Set this case in for
a public hearing at
my request. Make
sure this letter goes
over to the
Zoning Commissioner
Li



CASE NAME _____
CASE NUMBER _____
DATE 9-1-04 _____

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
DONALD BAKBATH ROCK	3729 STANBURY MILL RD	PITENH MD 21131	drock1@comcast.net



2000 COMPREHENSIVE ZONING MAP

ADOPTED by

THE BALTIMORE COUNTY COUNCIL

OCTOBER 10, 2000

Rolls Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00.

Joseph B. Smith
Chairman, County Council

MADE IN SELECTED AREAS.
BY PHOTOGRAMMETRIC METHODS
BALTIMORE, MD. 21210

BALTIMORE
OFFICE OF
OFFICE

NE 22D
1" = 200'

SPECIAL HEARING

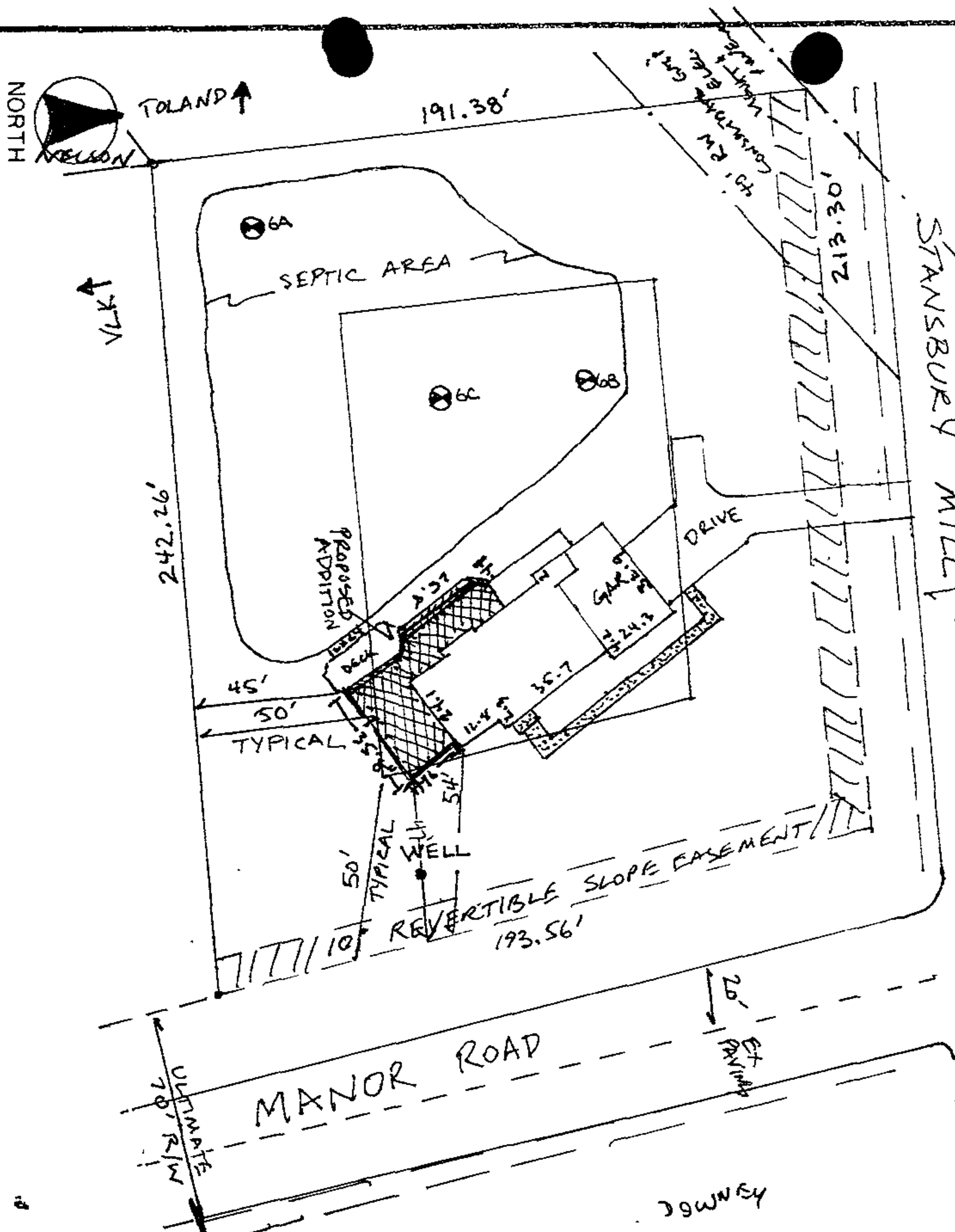
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

STANSBURY

OK # 56 FOLIO # 50 LOT # 6 SECTION # 1

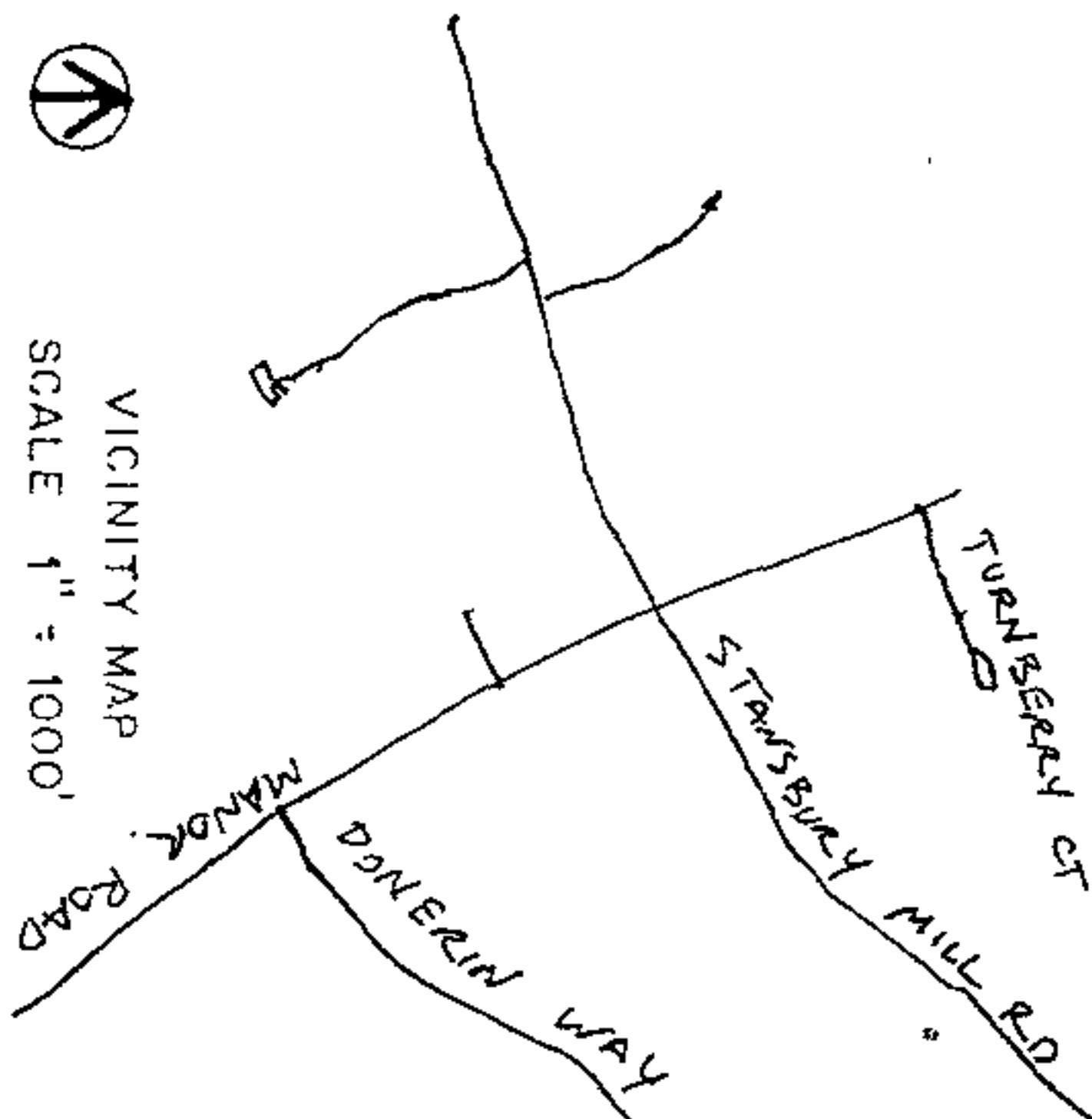
DONALD E BARBARA ROCK

04, Paddy Venter



PREPARED BY DPK

SCALE OF DRAWING: 1" = 50'



LOCATION INFORMATION

ELECTION DISTRICT 10

COUNCILMANIC DISTRICT 3

1"=200' SCALE MAP # NE 22-D

ZONING KC 5

LOT SIZE 1.001

[illegible]

PUBLIC PRIVATE

SEWER ☐WATER ☐

WATER

CHESAPEAKE BAY
CRITICAL AREA

100 YEAR FLOOD PLAIN

HISTORIC PROPERTY/
CULTURAL

PRIOR ZONING HEARING

ZONING OFFICE USE ONLY

REVIEWED BY	ITEM #	CASE #

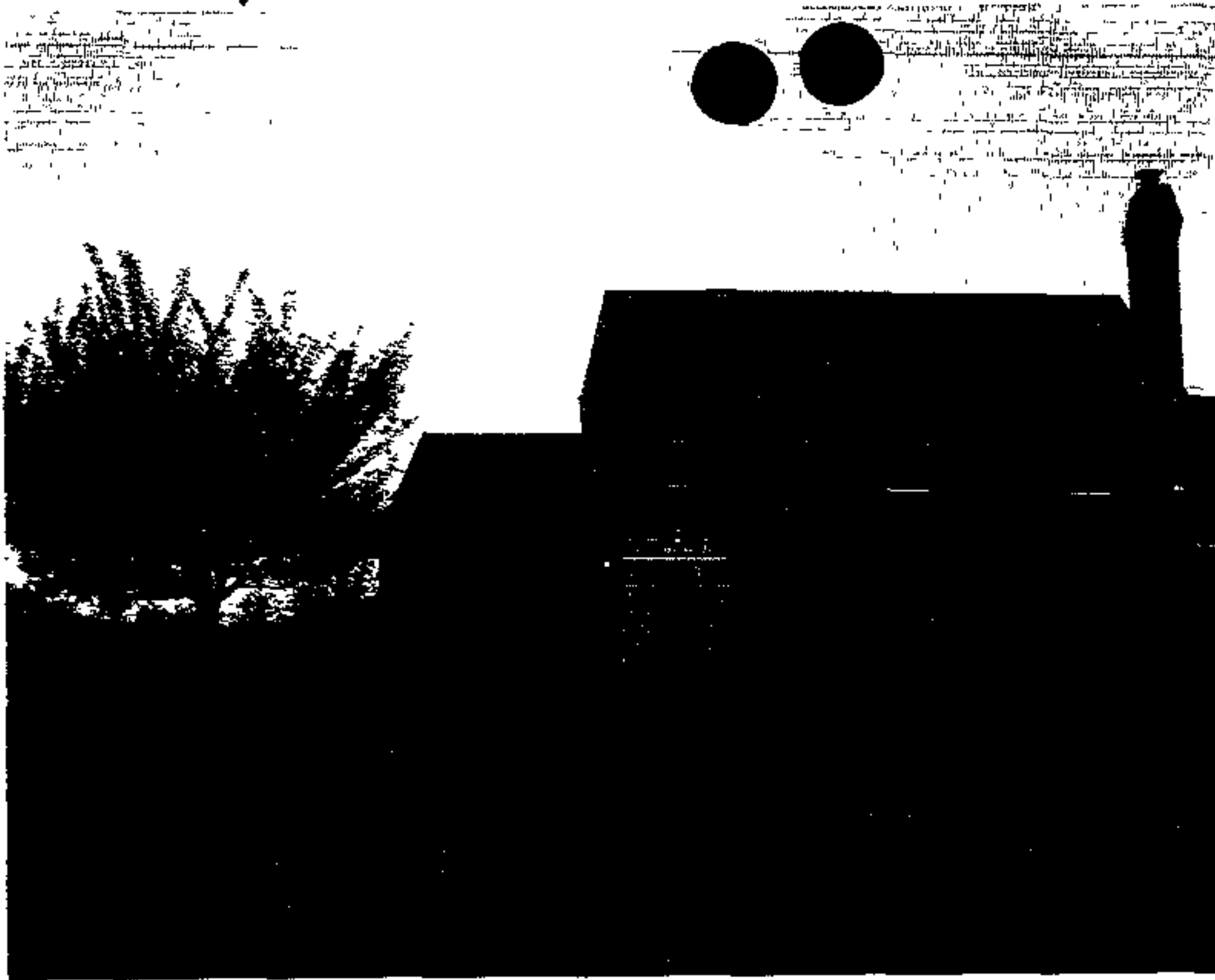
3k	537	04-537-A
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-15-

ROCK, DONALD & BARBARA

3729 STANBURY MIL RD 21131

NE22D



A



B



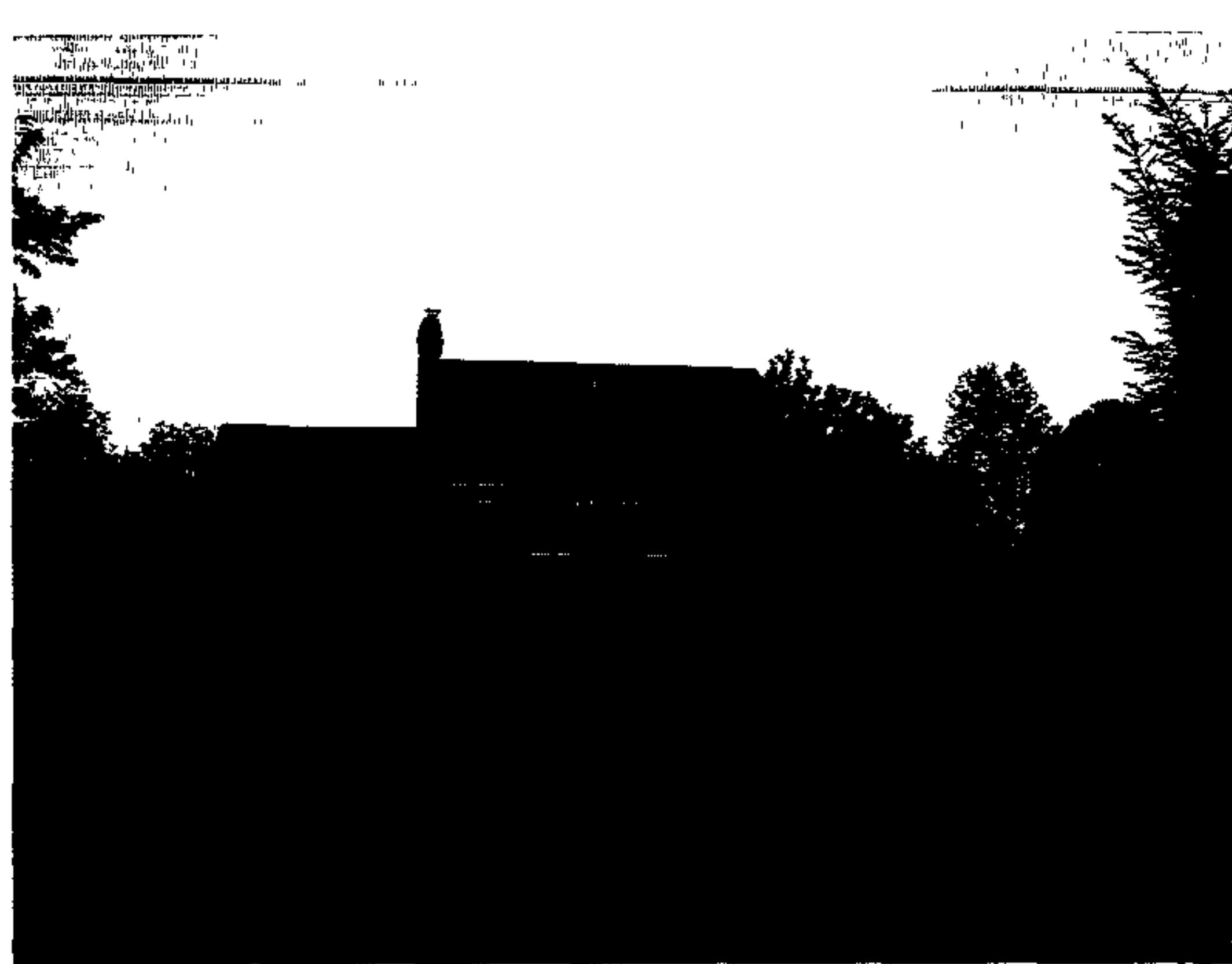
C



D



E



F

#537 pet

ROCK, DONALD & BARBARA

3729 STANSBURY MIL RD 21131

NE22D



#537



ROCK, DONALD & BARBARA
3729 STANSBURY MILL RD 21131

Pet #31A

#537



Copyright (C) 2003 Baltimore County, Maryland

3B

#537

Subject Property:

Donald & Barbara Rock
3729 Stansbury Mill Road

To West of Property:

William & Karen Toland
3725 Stansbury Mill Road

To North of Property:

Fredrick & Carol Obrigkeit
3736 Stansbury Mill Road

To East of Property:

Sam Downey
14723 Manor Road

To South of Property:

James & Dana Vlk
14714 Manor Road

To South – West of Property:

Bruce & Roberta Nelson
14712 Manor Road

