| | | |
|---|---|---|
| IN RE: **PETITION FOR ADMIN. VARIANCE**<br>SW/S Ivy Reach Court, 650' NW of the c/l<br>Happy Hollow Road<br>**(9 Ivy Reach Court)**<br>8th Election District<br>2nd Council District<br><br>Matthew T. Oros, et ux<br>Petitioners | *<br><br>*<br><br>*<br><br>*<br><br>*<br><br>* | BEFORE THE<br><br>ZONING COMMISSIONER<br><br>OF BALTIMORE COUNTY<br><br>Case No. 06-280-A |

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Matthew T. Oros, and his wife, Tam A. Oros. The Petitioners request variance relief from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a two-story addition (garage) with a lot line setback of 18 feet in lieu of the required 50 feet. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

The Petition was filed through the administrative variance process, pursuant to Section 32-3-303 of the Baltimore County Code. That Section allows an individual to seek variance relief for an owner-occupied residential property without the need for a public hearing. Under the Code, the property in question is posted for a period of 15 days during which time any property owner residing within 1,000 feet of the property may demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate. In this regard, a formal demand for public hearing was requested by the adjacent property owner, Thomas M. Wood, IV. Thus, the matter was scheduled for a public hearing before the undersigned on January 25, 2006.

Appearing at that hearing in support of the request was Matthew Oros, property owner. Also appearing was Scott Lindgren, the Professional Land Surveyor who prepared the site plan for this property. Appearing as an interested citizen/Protestant was Thomas M. Wood, IV, adjacent property owner. There were no other interested persons present.

ADEH RECEIVED FOR FILING
Date 2/3/06
By

Testimony and evidence offered disclosed that the subject property is a roughly square shaped parcel located on the south side of Ivy Reach Court, just west of Happy Hollow Road in Hunt Valley. The property contains a gross area of 1.470 acres, more or less, split zoned R.C.4 and R.C.5 and is improved with a two-story single family dwelling. The Petitioners have owned and resided on the property since 1998 and are in the process of making improvements to the existing home. In this regard, a raised patio and sunroom are currently under construction to the rear of the home. In conjunction with these improvements, the Petitioners propose the construction of a two-story garage addition at the end of the existing driveway. The addition will be connected to the house via a breezeway and a series of decks and walkways will be added to provide access between the two buildings, the sunroom and patio area. Due to the layout and location of the existing home and site constraints associated with the rear of the property, the garage will be located approximately 18 feet from the east side property line. In that the regulations require a minimum setback of 50 feet, the requested variance is necessary.

In support of the request, Petitioner testified that there is a severe drop-off at the rear of the property. In fact, a retaining wall was built at the end of the existing driveway where the proposed garage addition will be built to mitigate conditions. Moreover, a large septic reserve area is located to the rear of the home. Although the existing house features an attached two-car garage, the Petitioner testified that there are four drivers in the home and the existing garage is simply too small to accommodate all of the family's vehicles. It was indicated that the second floor of the garage will feature a bathroom and additional storage space and was designed with a roof pitch consistent with the existing home. Finally, Mr. Oros noted that Mr. Wood's wife is a member of the Architectural Committee, which reviewed his proposal and that both the Committee and Baltimore County approved his plans.

As noted above, the adjacent property owner, Thomas Wood, IV, appeared and testified in opposition to the request. Mr. Wood is generally opposed to the grant of any variance relief and argued that there was no uniqueness or practical difficulty associated with the subject lot that would warrant it. He testified that all of the lots in this vicinity are similar in nature and submitted aerial photographs demonstrating steep slopes and wooded conditions on adjacent lots. Mr. Wood objects

ORDER RECEIVED FOR FILING
Date 2/5/16
By

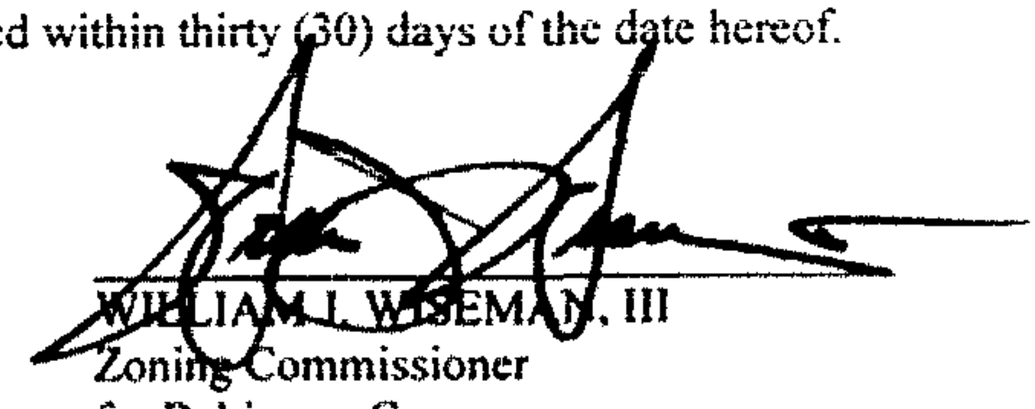
to the close proximity of the garage addition to his property and believes that the structure could be located closer to the Petitioner's home, in view of the planned breezeway connection and the large courtyard that will extend from the proposed improvements toward the existing driveway. Mr. Wood believes that the proposal is out of character with the theme of development in the neighborhood.

After due consideration of the testimony and evidence presented, I am persuaded to deny the variance. Although there were no adverse comments submitted by any County reviewing agency, I must consider the request in accordance with the mandate of Cromwell v. Ward, 102 Md. 691 (1995) and Section 307 of the B.C.Z.R. The Court interpreted the regulation to require that two tests be met in order for variance relief to be granted. First, it must be shown that the property is unique in some manner and that this uniqueness drives the need for variance relief. Second, upon the determination that the property is unique, then it must be considered whether compliance with the regulation would cause a practical difficulty upon the property owner and be unnecessarily burdensome. In my judgment, there was no evidence of unusual conditions or characteristics that are unique to this lot. Moreover, it was demonstrated at the hearing that the Petitioner has the option to reduce the size and scale of the proposed garage and shift it closer to his home. Thus, I am persuaded to deny the variance.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 8th day of February 2006 that the Petition for Administrative Variance seeking relief from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a two-story addition (garage) with a lot line setback of 18' in lieu of the required 50 feet, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

Any appeal of this decision shall be entered within thirty (30) days of the date hereof.



WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 2/8/06
By

WJW:bjs

BALTIMORE COUNTY

MARYLAND

JAMES T. SMITH, JR
*County Executive*

February 8, 2006

WILLIAM J. WISEMAN III
*Zoning Commissioner*

Mr. & Mrs. Matthew T. Oros
9 Ivy Reach Court
Cockeysville, Maryland 21030

RE: **PETITION FOR VARIANCE**
SW/S Ivy Reach Court, 650' NW of the c/l Happy Hollow Road
**(9 Ivy Reach Court)**
8th Election District – 2nd Council District
Matthew T. Oros, et ux - Petitioners
Case No. 06-280-A

Dear Mr. & Mrs. Oros:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been denied, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. & Mrs. Thomas M. Wood, IV
7 Ivy Reach Court, Cockeysville, Md. 21030
Mr. Scott Lindgren, Gerhold, Cross & Etzel
320 E. Towsontown Boulevard, Suite 100, Towson, Md. 21286
People's Counsel; Case File

# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 9 IVY REACH COURT
which is presently zoned RC 4 & RC5

**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.2.b: TO ALLOW A PROPOSED 2 STORY ADDITION (GARAGE) HAVING A LOT LINE SETBACK OF 18'± IN LIEU OF THE REQUIRED 50'

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

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

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

***Contract Purchaser/Lessee:***

Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

***Attorney For Petitioner:***

Name - Type or Print

Signature

Company

Address — Telephone No.

City — State — Zip Code

***Legal Owner(s):***

MATTHEW D. OROS
Name - Type or Print

Signature

TAM A. OROS
Name - Type or Print

Signature

9 IVY REACH COURT 410-453-6291
Address — Telephone No.

COCKEYSVILLE MD 21030
City — State — Zip Code

***Representative to be Contacted:***

GERHOLD, CROSS & ETZEL, LTD.
Name

SUITE 100
320 E. TOWSONTOWN BLVD. 410-823 4470
Address — Telephone No.

TOWSON MD 21286
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.** 06-280-A **Reviewed By** JF **Date** 11/28/05

REV 9/15/98 **Estimated Posting Date** 12/11/05

ORDER RECEIVED FOR FILING
Date 11/28/05
By

# 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 9 IVY REACH COURT
Address

COCKEYSVILLE MARYLAND 21030
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 STEEP GRADE, LOCATION OF THE EXISTING SEPTIC SYSTEM AND ADDITION UNDER CONSTRUCTION PROHIBIT LOCATING THE PROPOSED GARAGE WHERE IT WILL MEET THE REQUIRED 50' SETBACK.

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

MATTHEW T. OROS
Name - Type or Print

TAM A. OROS
Name - Type or Print

**STATE OF MARYLAND, COUNTY OF BALTIMORE,** to wit:

**I HEREBY CERTIFY,** this 26th day of NOVEMBER, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MATTHEW OROS AND TAM OROS

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

**AS WITNESS** my hand and Notarial Seal

November 26 2005
Date

Notary Public

My Commission Expires 04-01-07

RF V 09/15/98

**Gerhold, Cross & Etzel, Ltd.**
*Registered Professional Land Surveyors • Established 1906*
Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax (410) 823-4473 • www.gcelimited.com

November 21, 2005

ZONING DESCRIPTION
OROS RESIDENCE
#9 IVY REACH COURT

Beginning for the same at a point on the southwest side of Ivy Reach Court, 40' wide, 650' more or less northwesterly from the center of Happy Hollow Road, thence leaving Ivy Reach Court and running 1) South 18 degrees 32 minutes 06 seconds West 256.05 feet, 2) North 71 degrees 27 minutes 54 seconds West 250.05 feet, and 3) North 18 degrees 32 minutes 06 seconds East 256.05 feet to the southwest side of Ivy Reach Court, and thence running along the southwest side of said Ivy Reach Court, 4) South 71 degrees 27 minutes 54 seconds East 250.05 feet to the point of beginning.

Containing 1.470 Acres of land, more or less.

This description only satisfies the requirements of the Office of Zoning and should not be used for conveyance purposes.

STATE OF MARYLAND
SCOTT ALAN LINDEN
No. 21

11/21/05

# 280

**BALTIMORE COUNTY, MARYLAND**
**OFFICE OF BUDGET & FINANCE**
**MISCELLANEOUS RECEIPT**

No. 1044

DATE [illegible] ACCOUNT [illegible]

AMOUNT $ [illegible]

RECEIVED FROM [illegible]

FOR Formal Demand

[illegible]

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 1589

DATE 11-28-05 ACCOUNT 001-006-6150

AMOUNT $ 65.00

RECEIVED FROM: Matthew T. Ovus
9 Ivy Ranch Ct #280

FOR: Admin. Var.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

| BUSINESS DATE | TIME | DRW |
|---|---|---|
| 11/30/2005 | 11:08:00 AM 15412143 | 2 |

REF MSDA MALKIN DEV. DRV
TRANSACTION (41110) 11/30/2005 DFLH
Meth: S. TOB ZONING VERIFICATION
CR NO. 001SUP
Recpt Tot. $65.00
$65.00 CK $.00 CA
Baltimore County, Maryland

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: #06-280-A**
9 Ivy Reach Court
Southwest side of Ivy Reach Court at the distance of 650 feet northwest from the centerline of Happy Hollow Road
8th Election District
2nd Councilmanic District
Legal Owner(s): Tam A. & Matthew T. Oros
**Administrative Variance:** to allow a proposed 2-story addition (garage) having a lot line setback of 18 +/- feet in lieu of the required 50 feet.
**Hearing: Wednesday, January 25, 2006 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.**
WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

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

JT/1/701 Jan. 10 80505

# CERTIFICATE OF PUBLICATION

1/12/, 2006

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 1/10/, 2006.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

**Gerhold, Cross & Etzel, Ltd.**
*Registered Professional Land Surveyors • Established 1906*
Suite 100 • 320 East Towsontown Boulevard • Towson Maryland 21286
Phone (410) 823-4470 • Fax. (410) 823-4473 • www.gcelimited.com

## CERTIFICATE OF POSTING

**RE: CASE# 06-280-A**
**PETITIONER/DEVELOPER:**
**Matthew & Tam Oros**
**CLOSING DATE: December 26, 2005**

**BALTIMORE COUNTY DEPARTMENT OF**
**PERMITS AND DEVELOPMENT MANAGEMENT**
**COUNTY OFFICE BUILDING, ROOM 111**
**111 WEST CHESAPEAKE AVE.**
**TOWSON, MARYLAND 21204**

**ATTENTION: KRISTEN MATTHEWS**

**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**

**LOCATION:**
9 Ivy Reach Court

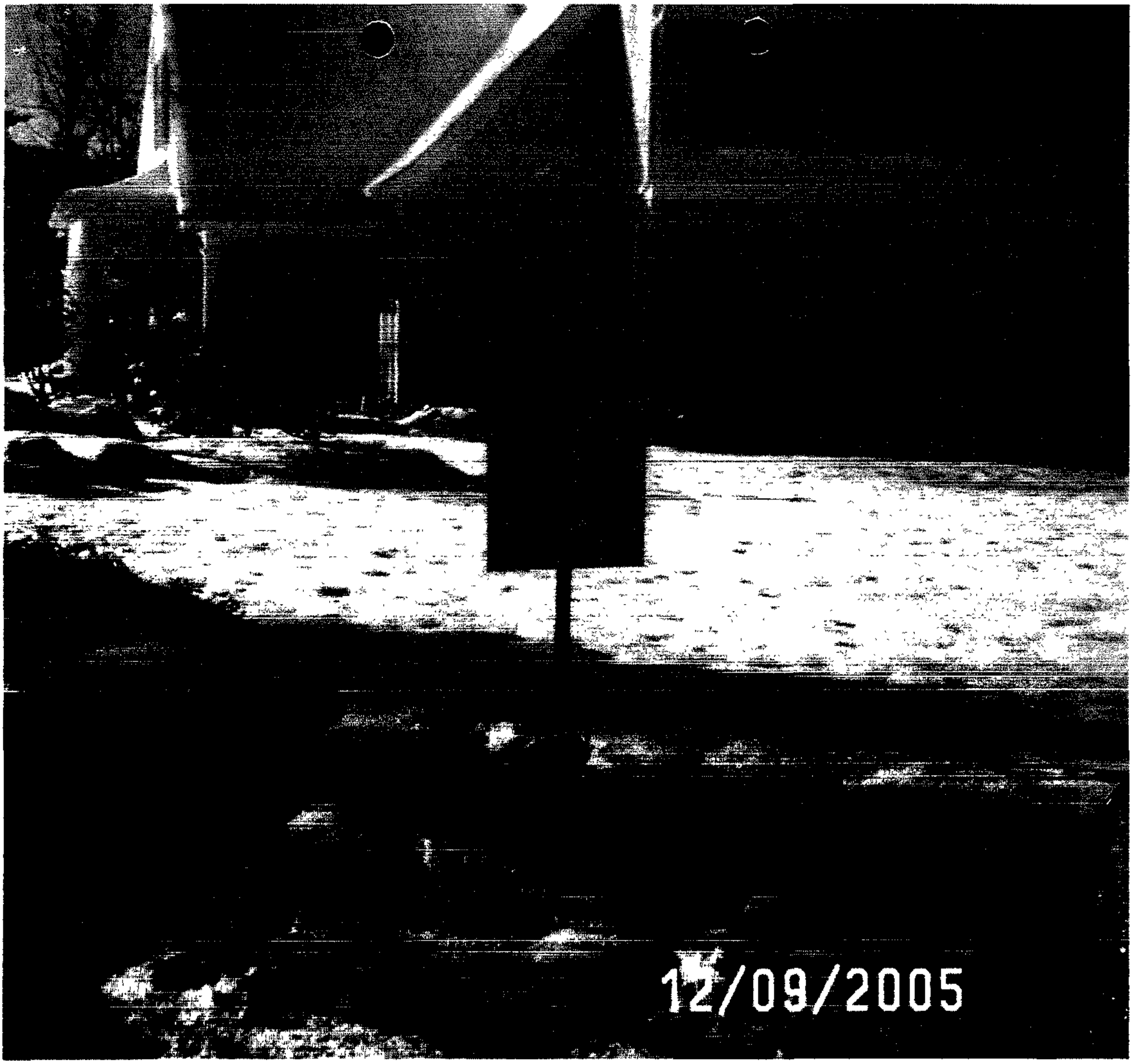
(see page 2 for full size photo)

**POSTED ON: December 9, 20005**

**SIGNATURE OF SIGN POSTER**

**John J. Dill**

**GERHOLD, CROSS & ETZEL, LTD**
**SUITE 100**
**320EAST TOWSONTOWN BLVD**
**TOWSON, MARYLAND 21286**
**410-823-4470 PHONE**
**410-823-4473 FAX**


12/09/2005

**Gerhold, Cross & Etzel, Ltd.**
*Registered Professional Land Surveyors • Established 1906*
Suite 100 • 320 East Towsontown Boulevard • Towson Maryland 21286
Phone (410) 823-4470 • Fax (410) 823-4473 • www.gcelimited.com

## CERTIFICATE OF POSTING

**RE: CASE# 06-280-A**
**PETITIONER/DEVELOPER:**
**Tam A. & Matthew T. Oros**
**DATE OF HEARING: January 25, 2006**

**BALTIMORE COUNTY DEPARTMENT OF**
**PERMITS AND DEVELOPMENT MANAGEMENT**
**COUNTY OFFICE BUILDING, ROOM 111**
**111 WEST CHESAPEAKE AVE.**
**TOWSON, MARYLAND 21204**

**ATTENTION: KRISTEN MATTHEWS**

**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**

**LOCATION:**
9 Ivy Reach Court

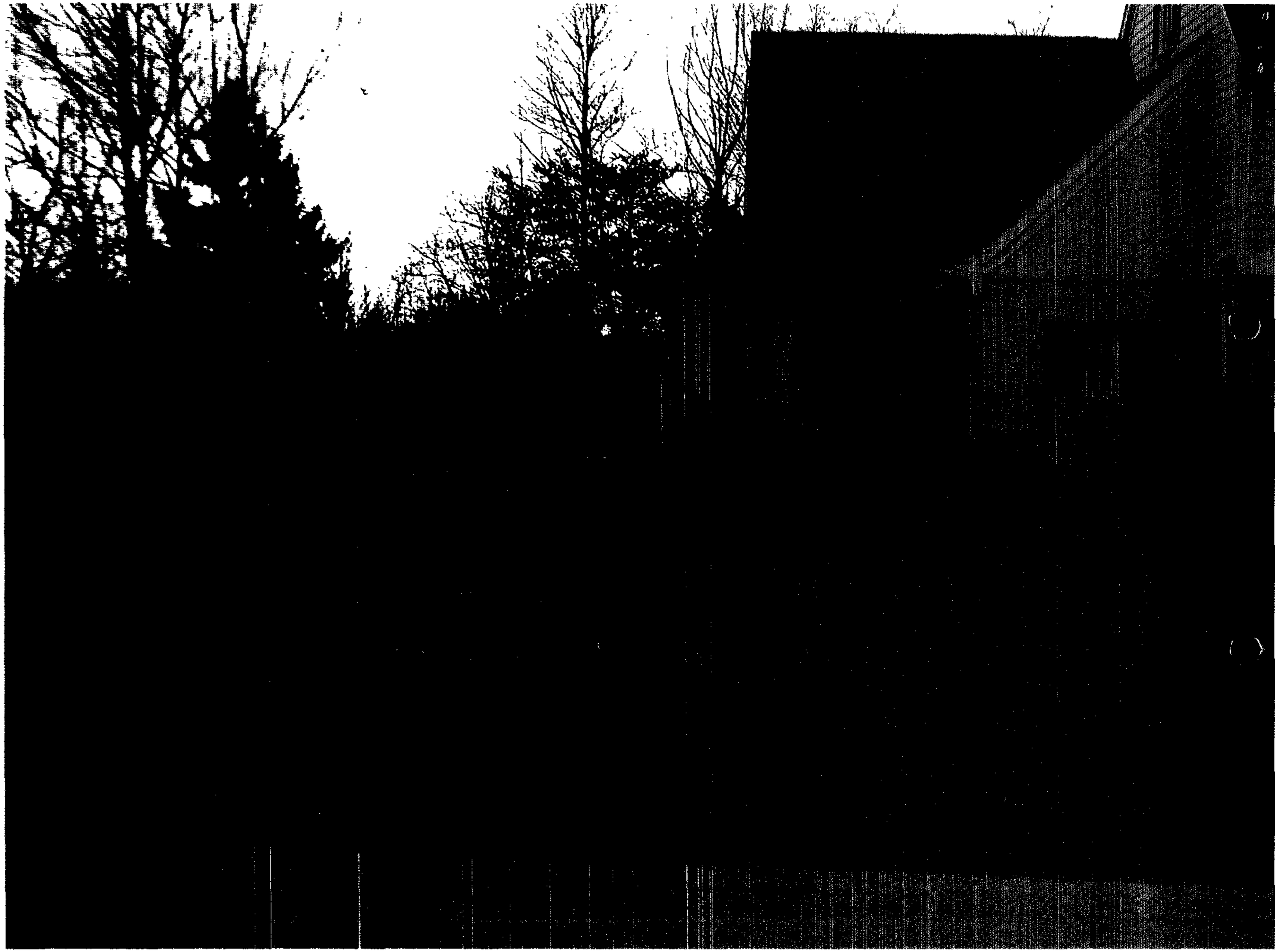
(see page 2 for full size photo)

**POSTED ON: January 9, 2006**

**SIGNATURE OF SIGN POSTER**

**John J. Dill**

**GERHOLD, CROSS & ETZEL, LTD**
**SUITE 100**
**320EAST TOWSONTOWN BLVD**
**TOWSON, MARYLAND 21286**
**410-823-4470 PHONE**
**410-823-4473 FAX**



TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 10, 2006 Issue - Jeffersonian

Please forward billing to: Matthew & Tam Oros (410-453-6291)
9 Ivy Reach Court
Cockeysville, MD 21030

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## 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: 06-280-A**
9 Ivy Reach Court
southwest side of Ivy Reach Court at the distance of 650 feet northwest from the centerline of Happy Hollow Road
8th Election District, 2nd Councilmanic District
Legal Owners: Tam A. & Matthew T. Oros

Administrative Variance to allow a proposed 2-story addition (garage) having a lot line setback of 18 +/- feet in lieu of the required 50 feet.

Hearing: Wednesday, January 25, 2006 @ 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson, MD 21204

WILLIAM J. WISEMAN, III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-3868.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**Department of Permits and 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*

December 27, 2005

# 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: 06-280-A**
9 Ivy Reach Court
southwest side of Ivy Reach Court at the distance of 650 feet northwest from the centerline of Happy Hollow Road
8th Election District, 2nd Councilmanic District
Legal Owners: Tam A. & Matthew T. Oros

Administrative Variance to allow a proposed 2-story addition (garage) having a lot line setback of 18 +/- feet in lieu of the required 50 feet.

Hearing: Wednesday, January 25, 2006 @ 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson, MD 21204

Timothy Kotroco

Timothy Kotroco
Director

TK:raj

C: Mr. & Mrs. Matthew T. Oros, 9 Ivy Reach Court, Cockeysville, MD 21030
Mr. & Mrs. Thomas M. Wood, IV, 7 Ivy Reach Court, Hunt Valley, MD 21030
John J. Dill, Gerhold, Cross & Etzel, Ltd., 320 E. Towsontown Blvd., Towson, MD 21286

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 10, 2006.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-3868.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

# ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06-280 -A Address 9 IVY REACH CT

Contact Person: JUN FERNANDO Phone Number: 410-887-3391
Planner, Please Print Your Name

**Filing Date:** 11/28/05 **Posting Date:** 12/11/05 **Closing Date:** 12/26/05

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.

2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.

3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.

4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

**Petitioner: This Part of the Form is for the Sign Poster Only**

**USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**

Case Number 06-280 -A Address 9 IVY REACH COURT, COCKEYSVILLE MD 21030

Petitioner's Name MATTHEW & TAM OROS Telephone 410-453-6291

**Posting Date:** 12/11/05 **Closing Date:** 12/26/05

Wording for Sign: To Permit A PROPOSED 2 STORY ADDITION (GARAGE) HAVING A LOT LINE SETBACK OF 18'± IN LIEU OF THE REQUIRED 50'.

WCR - Revised 6/25/04

# 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: 06-280-A

Petitioner: MATTHEW & TAM OROS

Address or Location: 9 IVY REACH COURT

PLEASE FORWARD ADVERTISING BILL TO:

Name: MATTHEW & TAM OROS

Address: 9 IVY REACH COURT

COCKEYSVILLE, MD 21030

Telephone Number: 410-453-6291

Revised 2/20/98 - SCJ

**Department of Permits and 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*

December 26, 2005

Matthew T. Oros
Tam A. Oros
9 Ivy Reach Court
Cockeysville, Maryland 21030

Dear Mr. and Mrs. Oros:

RE: Case Number: 06-280-A, 9 Ivy Reach Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 28, 2005.

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.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Gerhold, Cross & Etzel 320 East Towsontown Blvd, Towson 21286

**Department of Permits and 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*

January 23, 2006

Matthew Oros
Tam A. Oros
9 Ivy Reach Court
Cockeysville, Maryland 21030

*Dear Mr. and Mrs. Oros:*

RE: Case Number: 06-280-A, 9 Ivy Reach Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 28, 2005.

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: clb

Enclosures

c: People's Counsel
Gerhold, Cross & Etzel 320 E. Towsontown Blvd. Towson 21286



Printed on Recycled Paper

**Fire Department**

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

**Baltimore County**

*James T. Smith, Jr., County Executive*
*John J Hohman, Chief*

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

December 7, 2005

ATTENTION: Zoning Review Planners

Distribution Meeting of: November 28, 2005

Item No.: 265, 267, 271, 272, 273, 274, 275, 276, 277, 279, 280, 282, 283, 284, 285.

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

**The Fire Marshal's Office has no comments at this time.**

Acting Lieutenant Don W. Muddiman
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File

**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

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

**DATE:** December 20, 2005

**FROM:** Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting
For December 5, 2005
Item Nos. 251,267, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 282, 283, 284, 285

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

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-12202005 doc

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** December 20, 2005

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

**SUBJECT:** Zoning Advisory Petition(s): **Case(s) 6-280- 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 Diana Itter in the Office of Planning at 410-887-3480.

**Prepared By:** _____

**Division Chief:** _____

CM/LL

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

State Highway Administration
Driven to Excel
Maryland Department of Transportation

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

Date: 12.2.05

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

RE: Baltimore County
Item No. 280 JRF

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,

Steven D. Foster, Chief
Engineering Access Permits Division

**Department of Permits and 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*

December 27, 2005

Mr. & Mrs. Matthew T. Oros
9 Ivy Reach Court
Cockeysville, Maryland 21030

Dear Mr. & Mrs. Oros:

RE: Demand for Public Hearing, Administrative Variance, Case Number: 06-280-A

The purpose of this letter is to officially notify you that your administrative posting procedure has been superceded by a timely public hearing demand by Thomas M. Wood, IV concerning the above-proposed administrative procedure.

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

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 Jun Fernando at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.
Supervisor
Zoning Review

WCR:raj

C: Thomas M. Wood, IV, 7 Ivy Reach Court, Hunt Valley, MD 21030
John J. Dill, Gerhold, Cross & Etzel, Ltd., 320 E. Towsontown Blvd., Towson, MD 21286

To: Kristen Demand
Case# ?
12/22/05

LAW OFFICES
NEUBERGER, QUINN, GIELEN, RUBIN & GIBBER, P.A.
27TH FLOOR
ONE SOUTH STREET
BALTIMORE, MARYLAND 21202-3282
www.nqgrg com
(410) 332-8550

THOMAS M WOOD, IV
(410) 332-8523

FAX NO
(410) 332-8564
E-MAIL ADDRESS
TMW@NQGRG COM

December 21, 2005

Mr. Tim Kotroco
Director
Zoning Administration and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Requested Variance for 9 Ivy Reach Court, Baltimore County

06-280 - Closing 12-26-05

Dear Mr. Kotroco:

My wife and I own the property at 7 Ivy Reach Court in Baltimore County. Our neighbors Matt and Tam Oros have requested a variance in order to construct an addition to their house located at 9 Ivy Reach Court. We understand that we must request a hearing on this matter before December 26, 2005. Accordingly, we request a hearing on this variance and enclosed is my check in the amount of $50.00 which we understand is the hearing fee. While we have discussed this project with our neighbors, we were not aware of the need for a variance of the fifty foot set back and we are concerned about the potential removal of some trees.

If you need anything further please do not hesitate to call. Please notify me at the above address of the hearing date. We will be out of the country through January 3, 2006.

Very truly yours,

Thomas M. Wood, IV

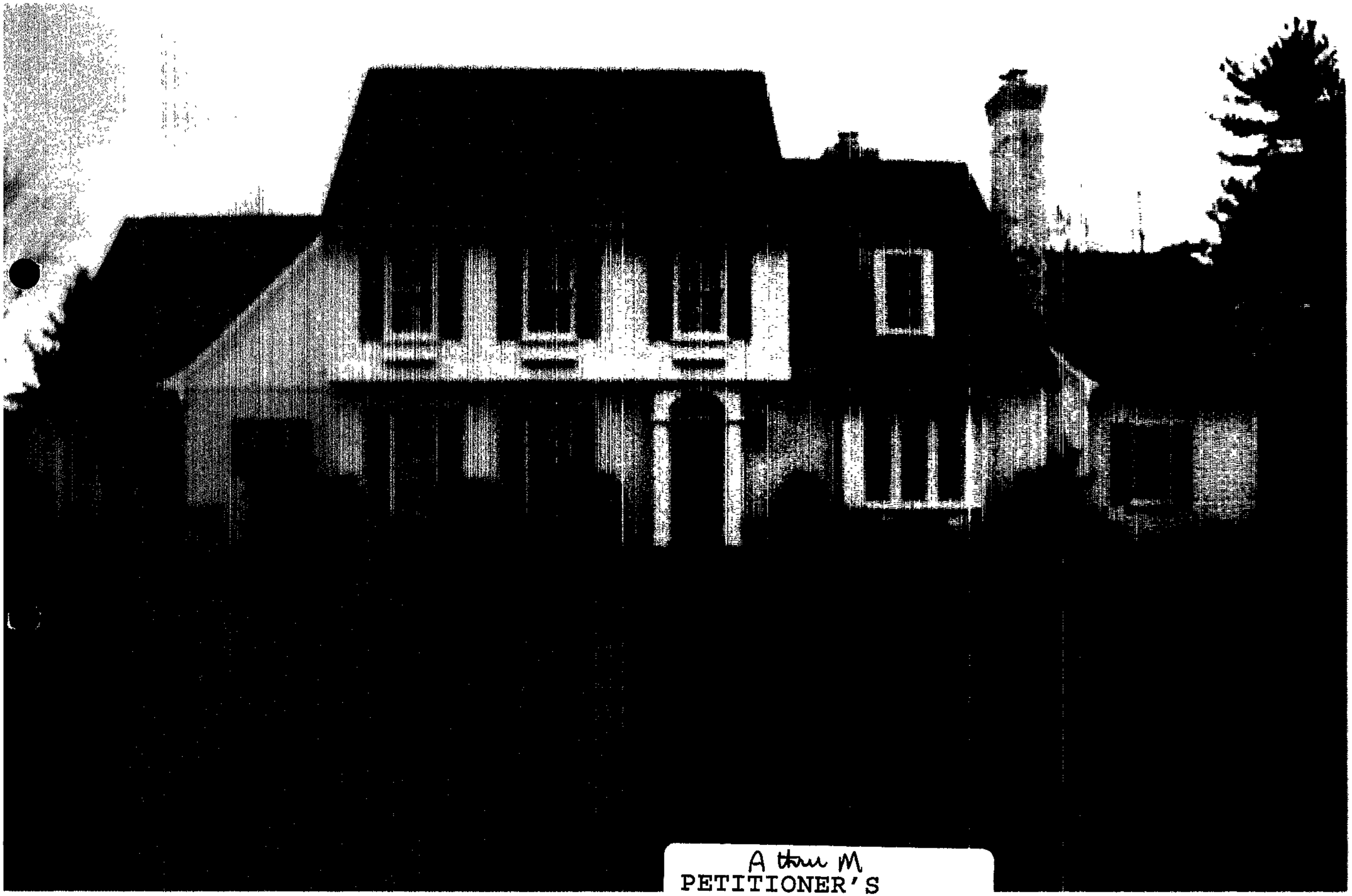
TMW:tem
Enclosure

[illegible]

Case No.: 06-280 A

Exhibit Sheet

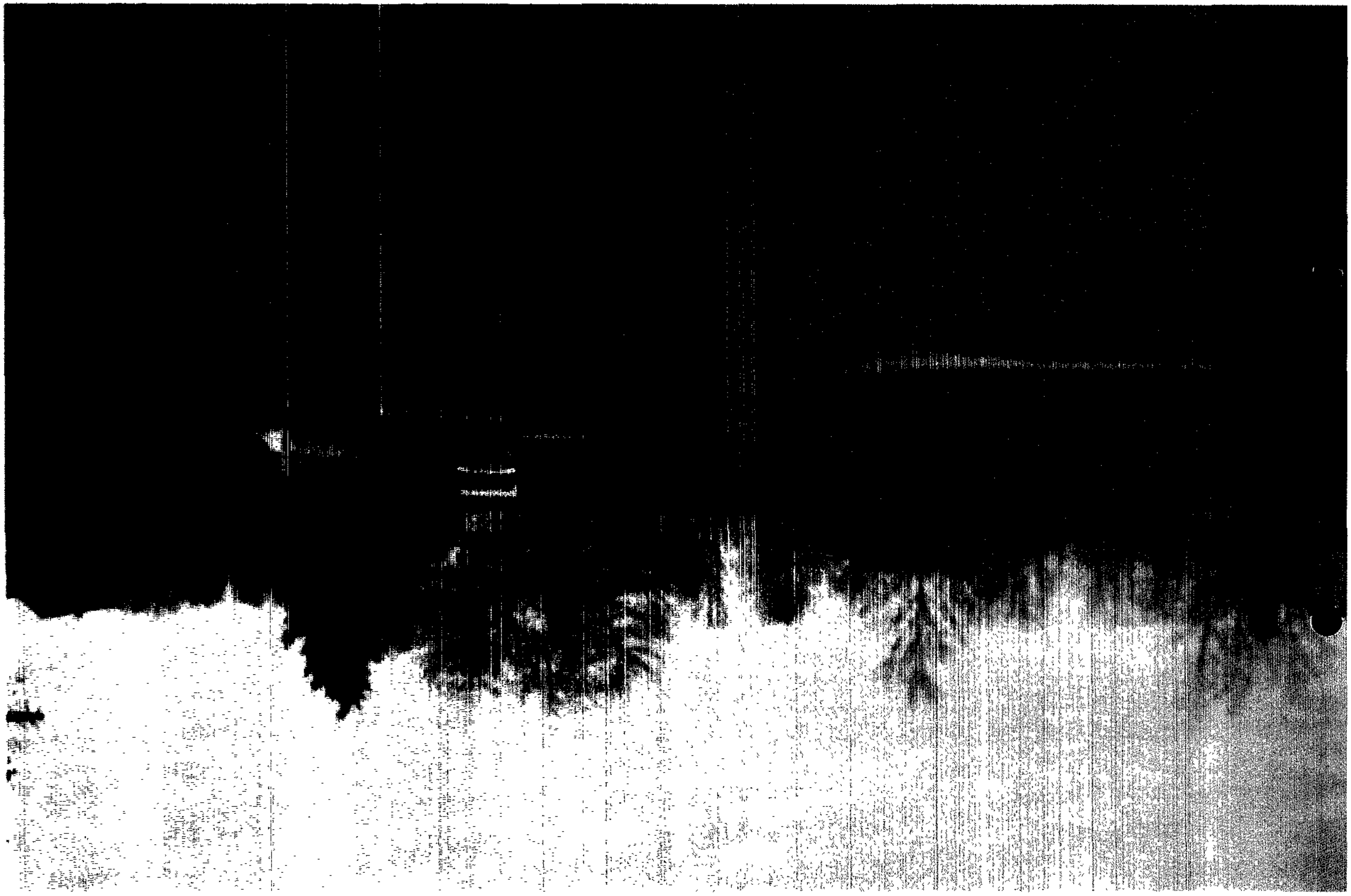
| | Petitioner/Developer | Protestant |
|---|---|---|
| No. 1 | SITE PLAN | BLDG PERMIT B 608418 |
| No. 2 | 13 PHOTO'S | GIS MAP THEME OF DEVELOPMENT |
| No. 3 | FLOOR PLAN | |
| No. 4 | | |
| No. 5 | | |
| No. 6 | | |
| No. 7 | | |
| No. 8 | | |
| No. 9 | | |
| No. 10 | | |
| No. 11 | | |
| No. 12 | | |

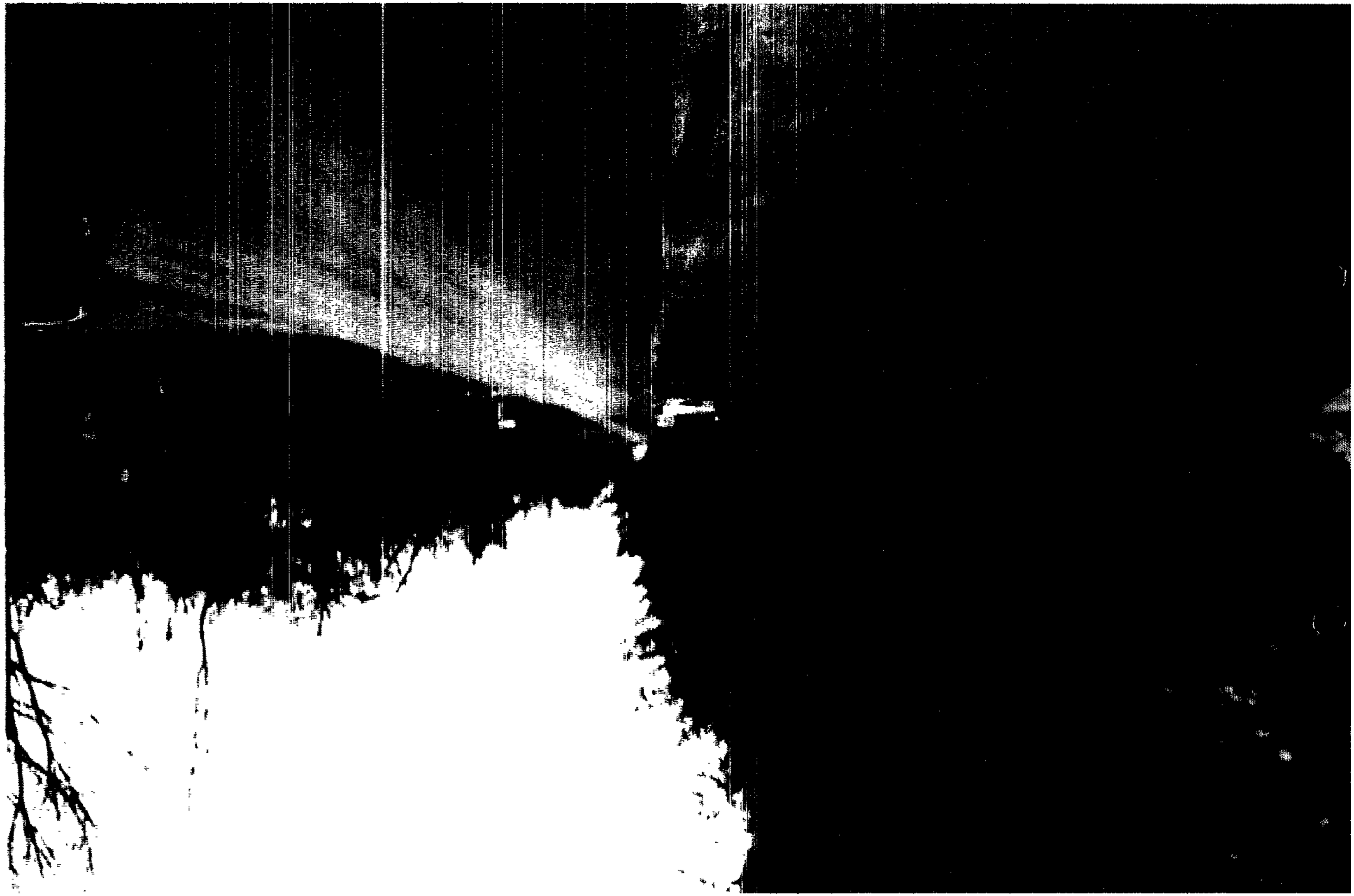


A thru M
PETITIONER'S

EXHIBIT NO. 2

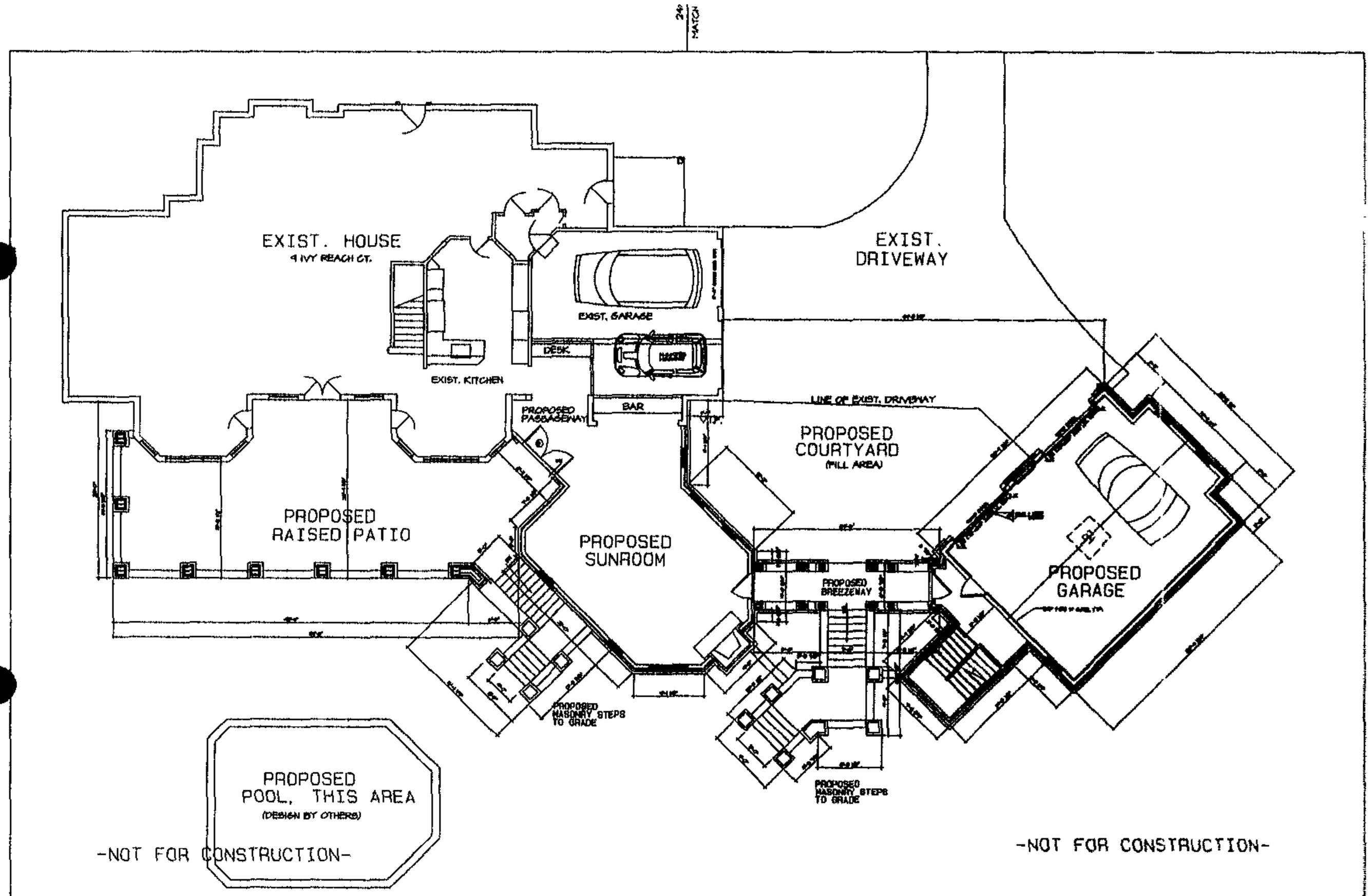
Petitioners #2 A





2E

2F




DESIGN DEVELOPMENT PLAN 1/4"=1'-0"

EXISTING HOUSE w/ PROPOSED IMPROVEMENTS 6/12/2009

OROS RESIDENCE
ADDITION
4 IVY REACH COURT
BALTIMORE COUNTY
COCKEYSVILLE, MARYLAND 21030-1759

NOTE:
THE INTENT OF THIS PLAN IS TO SERVE AS A PRELIMINARY LAYOUT FOR COORDINATION PURPOSES AMONGST THE DESIGN TEAM MEMBERS, AND TO ESTABLISH THE FOOTPRINT ON THE SITE PLAN. THIS PLAN IS NOT FOR CONSTRUCTION.

O'BRIEN DESIGN CONSULTING, INC.

Petitioner's 3

# BALTIMORE COUNTY, MARYLAND

## DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

## TOWSON, MARYLAND 21204

TIMOTHY M. KOTROCO
DIRECTOR

BUILDING PERMIT

JOHN R. REISINGER
BUILDINGS ENGINEER

PERMIT #: B608418 CONTROL #: MR DIST: 09 PREC: 24
DATE ISSUED: 10/12/2005 TAX ACCOUNT #: 2200026624 CLASS: 04

PLANS: CONST 0 PLOT 2 R PLAT 0 DATA 0 ELEC YES PLUM YES
LOCATION: 9 IVY REACH CT
SUBDIVISION: 2400 FT NW PADONIA RD

OWNERS INFORMATION
NAME: OPOS MATTHEW & TAM
ADDR: 9 IVY REACH CT COCKEYSVILLE MD 21030-1755

TENANT:
CONTR: C E WHEELER INC
ENGNR: O'BRIEN DESIGN CONSULTING
SELLR: CONST DWGS ON SITE, BY REG ARCHITECT.
WORK: CONST 1-STY ADDITION W/BASEMENT, EXTERIOR OPEN RAISED TERRACE & PATIO ON REAR OF EXISTING SFD 22X29'3" ADDITION, 46'X23'EXTERIOR TERRACE, BSMT TO BE USED AS EXERCISE RM, BATHROOM, 1ST FL-SUNROOM, W/FP (OUTSIDE PROJ NOT TO EXCEED 4' X10') 3,400SF. WAIVE CONST DWG:RSW
BLDG. CODE:
RESIDENTIAL CATEGORY: DETACHED OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD & ADDITION
EXISTING USE: SFD

TYPE OF IMPRV: ADDITION
USE: ONE FAMILY
FOUNDATION: BLOCK BASEMENT: FULL
SEWAGE: PRIV. EXISTS WATER: PRIV. EXISTS

LOT SIZE AND SETBACKS

SIZE: 1.470AC
FRONT STREET:
SIDE STREET:
FRONT SETB: NC
SIDE SETB: NC
SIDE SIDE SETB:
REAR SETB: 120'

PROTESTANT'S

EXHIBIT NO. 1

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.

PROTESTANT'S

EXHIBIT NO. 2A

RC 5
IVY REACH
RC 4
Copyright (C) 2005 Baltimore County, Maryland

2B

IVY REACH
RC 5
RC 4
Copyright (C) 2005 Baltimore County, Maryland

2C

IVY REACH
RC 5
RC 1
Copyright (C) 2005 Baltimore County, Maryland

2D

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER 06-280-A
DATE 01/23/06

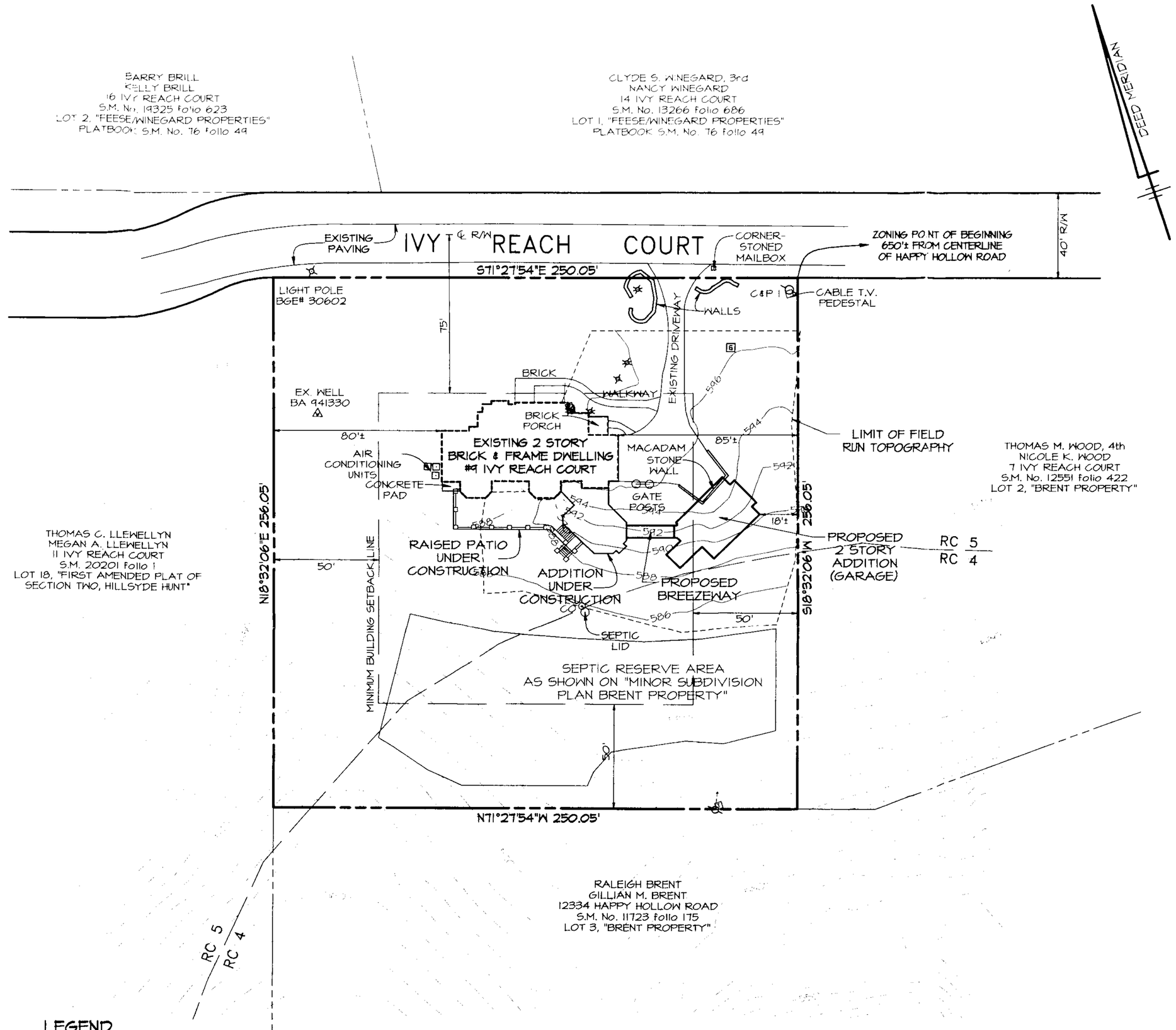
# CITIZEN'S SIGN-IN SHEET

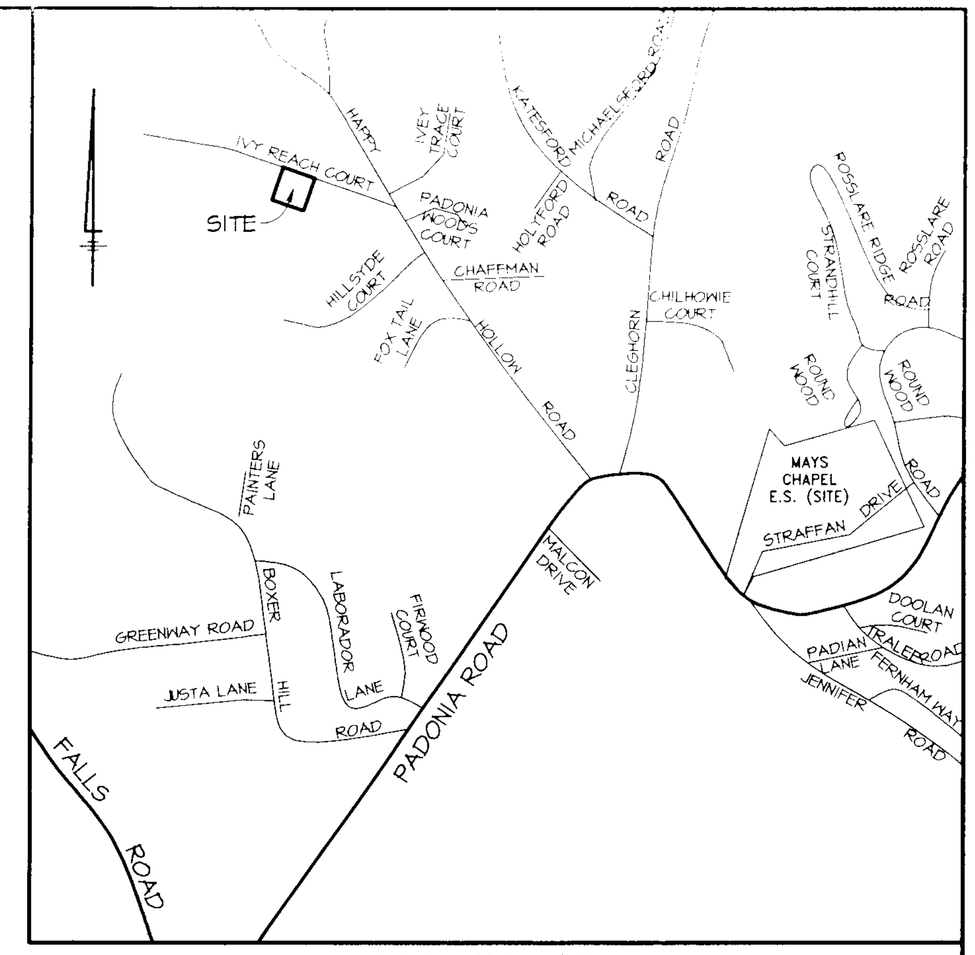
| NAME | ADDRESS | CITY, STATE, ZIP | E- MAIL |
|---|---|---|---|
| Thomas M. Wood | 7 Ivy Reach ct. | Hunt Valley, Md 2030 | tmw@nqgrg.com |
| | | | |
| | | | |


NQGRG
Neuberger • Quinn • Gielen • Rubin • Gibber • P.A.

email tmw@nqgrg.com
phone 410-332-8523
fax 410-332-8564
One South Street, 27th Floor
Baltimore, Maryland 21202-3282
www.nqgrg.com

**Thomas M. Wood IV**




VICINITY MAP
1"=1000'

## NOTES

1. THE EXISTING FEATURES SHOWN WERE FIELD LOCATED AND FLOATED TO MINIMAL PROPERTY MARKERS FOUND. A BOUNDARY SURVEY WAS NOT PERFORMED.
2. THE CONTOURS SHOWN WERE TAKEN FROM BALTIMORE COUNTY GIS TILE 50C2. IT APPEARS THAT IVY REACH COURT WAS RELOCATED AND THE EXISTING DWELLING WAS CONSTRUCTED AFTER THE COUNTY PREPARED THE TOPOGRAPHY.
3. THERE ARE NO KNOWN PRIOR ZONING HEARINGS.
4. THE SUBJECT PROPERTY IS NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
5. THE SUBJECT PROPERTY IS NOT LOCATED WITHIN A 100 YEAR FLOODPLAIN.
6. THE SUBJECT PROPERTY IS NOT HISTORIC OR LOCATED WITHIN A HISTORIC DISTRICT.
7. THE SUBJECT PROPERTY IS SERVED BY A PRIVATE WELL AND SEPTIC SYSTEM.

## LEGEND

- WELL
- CLEANOUT
- LIGHT POLE
- YARD LAMP
- ELECTRIC METER
- LP GAS METER
- UNDERGROUND LP GAS TANK
- UTILITY POLE
- TELEPHONE PEDESTAL
- EXISTING DWELLING
- EXISTING PAVING
- PROPERTY LINE

## VARIANCE REQUEST

SECTION 1A04.3.B.2.b:
TO ALLOW A PROPOSED 2 STORY ADDITION (GARAGE) HAVING A LOT LINE SETBACK OF 18'± IN LIEU OF THE REQUIRED 50'

# PLAT TO ACCOMPANY A PETITION FOR ADMINISTRATIVE VARIANCE

OF THE

# OROS RESIDENCE

## #9 IVY REACH COURT

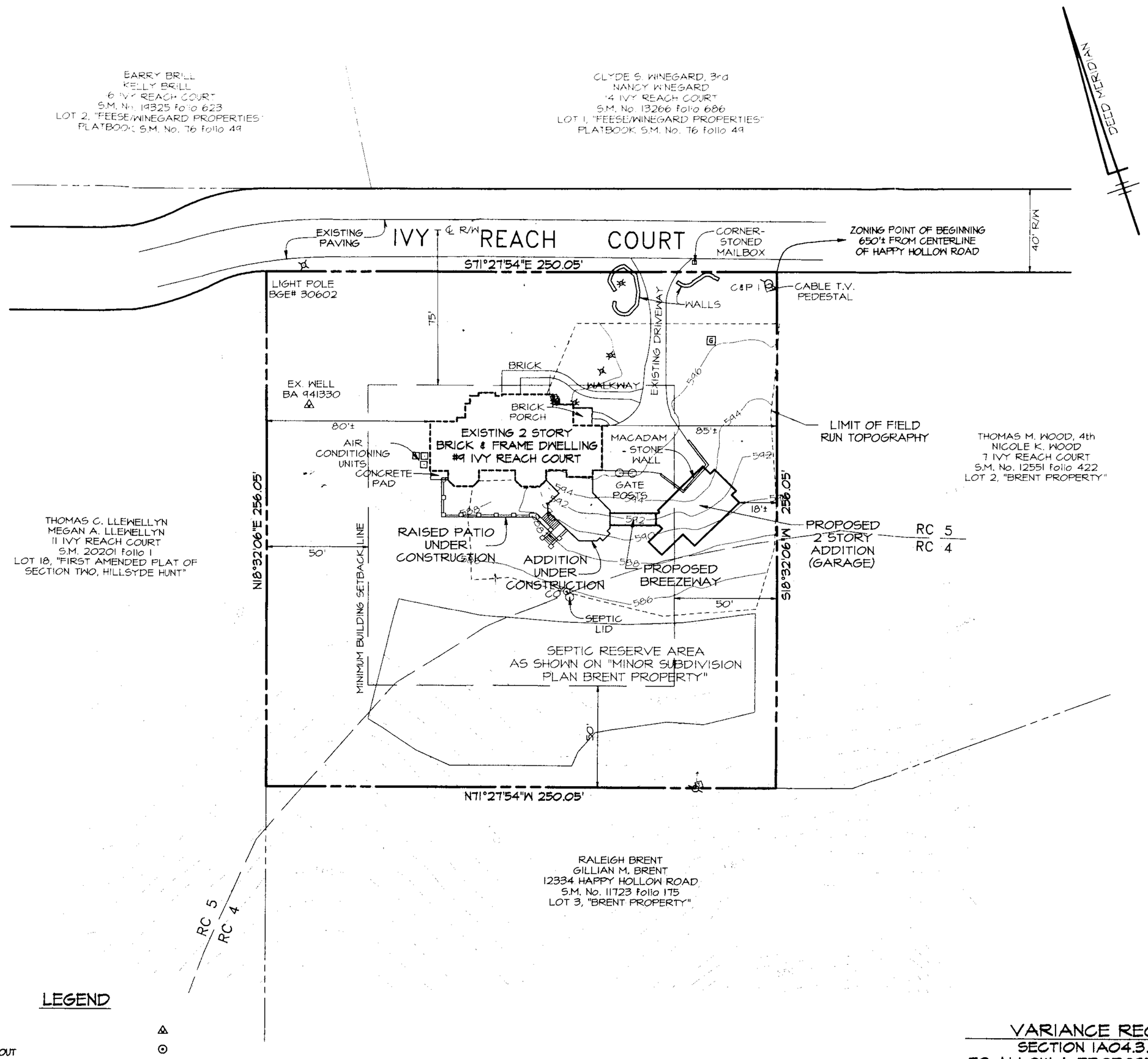
DEED REF.: S.M. No. 13242 folio 427
LOT 1, MINOR SUBDIVISION
"BRENT PROPERTY" PDM # 95-172-M
TAX ACCOUNT NUMBER: 22-00-026624
TAX MAP 50; GRID 18; PARCEL 471
ZONING: RC-4 & RC-5; GIS TILE 50C2
8th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

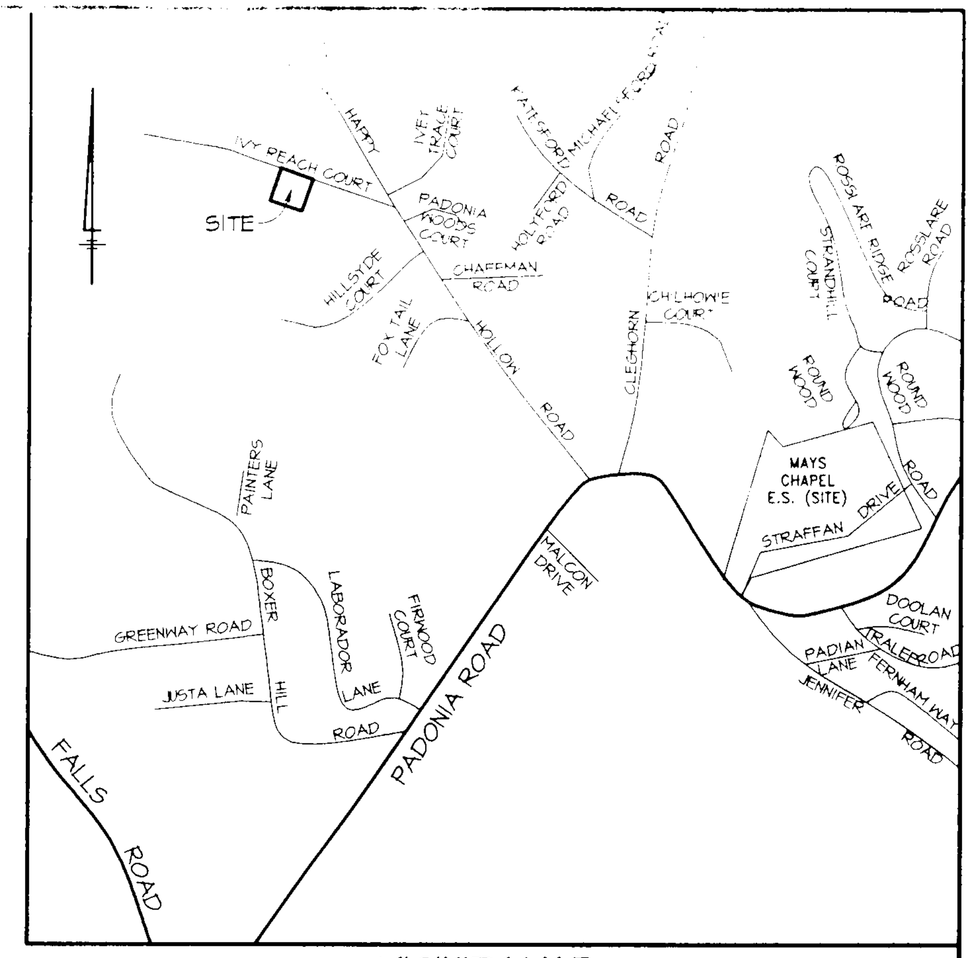
SCALE: 1"=40' DATE: NOVEMBER 18, 2005

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

DRAWN: C.J.S. | FIELD WORK: J.B.M. | CHECKED: S.A.L. | FILE: X:\Wheeler\oros\ZONING.pro

PETITIONER'S EXHIBIT NO. 1

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11/21/05

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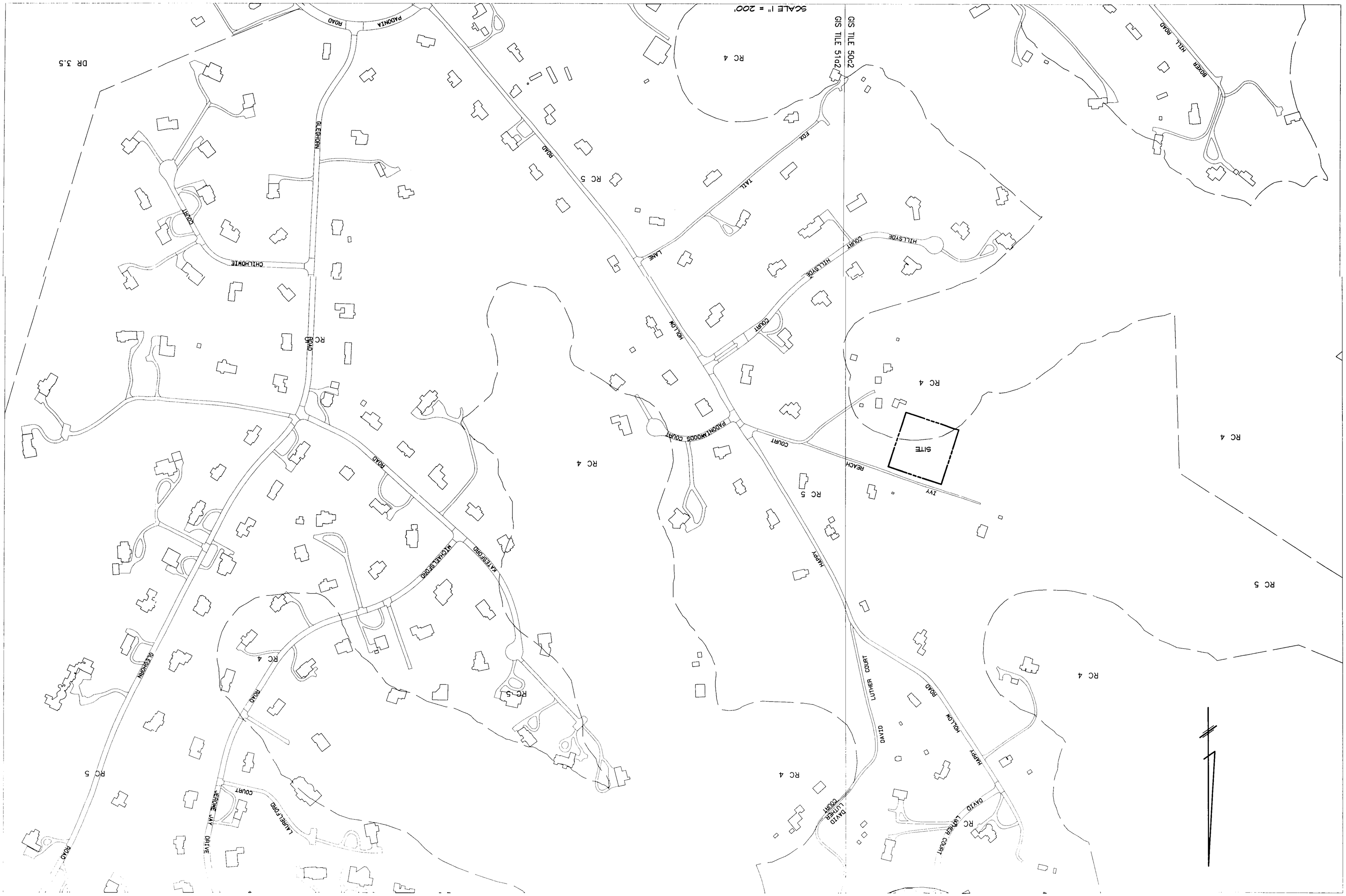
SCALE 1" = 200'
GIS TILE 50c2
GIS TILE 51a2
RC 4
RC 5
DR 3.5
PADONIA ROAD
GLEGHORN ROAD
CHILHOWIE COURT
RC 5
RC 4
ROAD
MICHAELSFORD
MATESFORD
RC 4
RC 5
ROAD
GLEGHORN
RC 5
ROAD
VERONE LAN
COURT
LAUREL FORD
DRIVE
RC 4
RC 5
FOX
TALL
LANE
HOLLOW
COURT
HILLSYDE
COURT
HILLSYDE
PADONIAWOODS COURT
COURT
BEACH
IVY
SITE
RC 4
RC 5
HAPPY
ROAD
DAVID
LUTHER COURT
DAVID
LUTHER
COURT
RC 4
HOLLOW
HAPPY
ROAD
DAVID
LUTHER COURT
RC 4
RC 5
BOXER
HILL ROAD