

IN RE: **PETITION FOR ADMIN. VARIANCE** \* BEFORE THE  
W/S Oak Drive, 60' N of the c/l  
Gary Avenue \* ZONING COMMISSIONER  
**(120 Oak Drive)**  
13<sup>th</sup> Election District \* OF BALTIMORE COUNTY  
1<sup>st</sup> Council District \* **Case No. 06-296-A**  
  
Mark Zonarich, et ux  
Petitioners \*

\* \* \* \* \*

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Mark Zonarich, and his wife, Gina Zonarich. The Petitioners request variance relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a detached accessory structure (garage) height of 18 feet in lieu of the maximum allowed 15 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 case, the Petitioners have filed the supporting affidavits as required by Section 32-3-303 (a)(2)(i) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file.

ORDER RECEIVED FOR FILING  
Date 1/16/16  
By [Signature]

Based upon the evidence contained therein, I am persuaded to grant the requested variance. It was indicated that the existing home, which was built approximately 80 years ago, lacks sufficient storage space and that the additional garage height would provide an upper level storage area. As shown on the site plan, the Petitioners propose a two-car garage, 21' x 24' in dimension, with a height of 18'. It was also indicated that the proposed garage will replace an existing single-car garage that deteriorated due to termite infestation, and that the new structure has been designed to be architecturally compatible with the existing home. There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency and no one voiced any objection. It is also to be noted that all area setback requirements will be met. Thus, it appears that the relief requested can be granted without detrimental impact to adjacent properties or the surrounding locale.

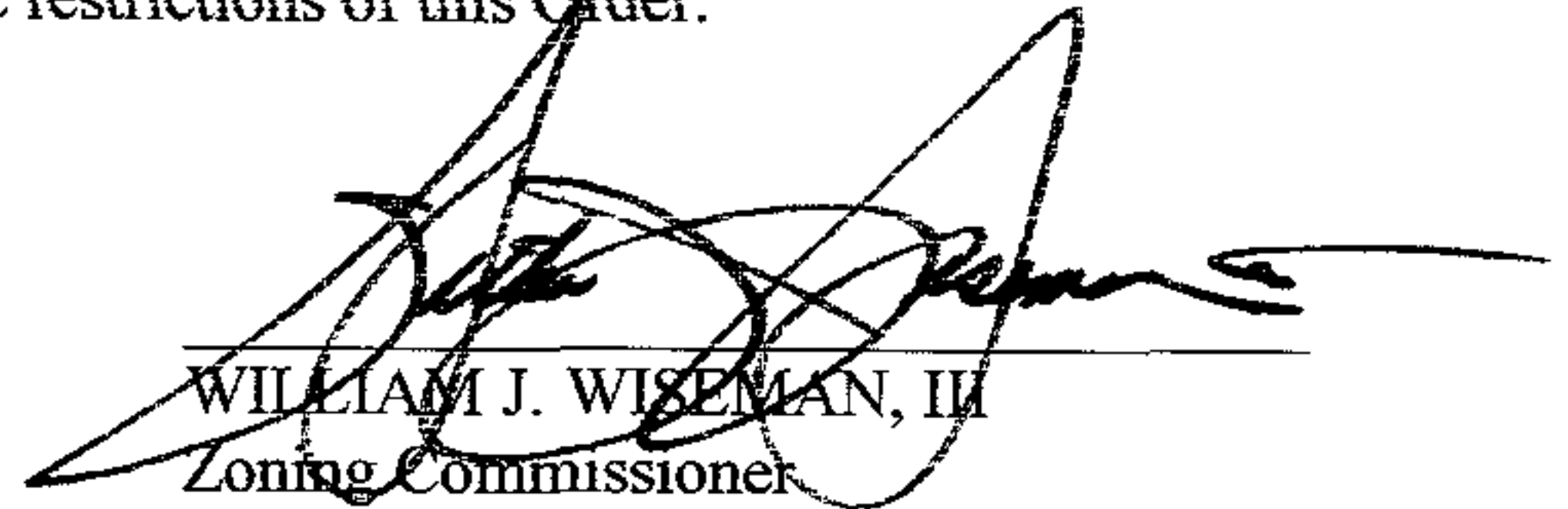
Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10<sup>th</sup> day of January 2006 that the Petition for Administrative Variance seeking relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a detached accessory structure (garage) with a height of 18 feet in lieu of the maximum allowed 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The garage shall be limited to uses accessory to the residential use of the property. It shall not be used for commercial or business purposes. Moreover, the Petitioners shall not allow or cause the garage to be converted to a second dwelling unit and/or apartments. There shall be no living quarters contained therein, and no kitchen or bathroom facilities.

OFFICE RECEIVED FOR FILING  
1/16/06  
dep

- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

  
WILLIAM J. WISEMAN, III  
Zoning Commissioner  
for Baltimore County

WJW:bjs

ORDER RECEIVED FOR FILING  
Date 11/14/06  
By [Signature]



**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

January 10, 2006

WILLIAM J. WISEMAN III  
*Zoning Commissioner*

Mr. & Mrs. Mark Zonarich  
120 Oak Drive  
Catonsville, Maryland 21228

RE: **PETITION FOR ADMINISTRATIVE VARIANCE**  
W/S Oak Drive, 60' N of the c/l Gary Avenue  
(120 Oak Drive)  
13<sup>th</sup> Election District – 1<sup>st</sup> Council District  
Mark Zonarich, et ux - Petitioners  
Case No. 06-296-A

Dear Mr. & Mrs. Zonarich:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, 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,

A handwritten signature in black ink, appearing to read "William J. Wiseman III", written over the typed name.

WILLIAM J. WISEMAN, III  
Zoning Commissioner  
for Baltimore County

WJW:bjs

cc: Office of Planning; People's Counsel; Case File



# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 120 OAK DRIVE, CATONSVILLE, MD  
which is presently zoned DR-2 21228

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) 400.3 to permit an

accessory structure (garage) with a height of 18 ft. in lieu of the required 15 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.

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):

MARK ~~ZONARICH~~ ZONARICH

Name - Type or Print

Signature

GINA ZONARICH

Name - Type or Print

Signature

120 OAK DRIVE

Address

CATONSVILLE

City

MD

State

21228

Zip Code

443-570-7732

410-218-4838

Telephone No.

### Representative to be Contacted:

MARK OR GINA ZONARICH

Name

120 OAK DRIVE

Address

CATONSVILLE

City

MD

State

21228

Zip Code

443-570-7732

410-218-4838

Telephone No.

\_\_\_\_\_  
Zoning Commissioner of Baltimore County

CASE NO. 06-296-A

Reviewed By BR Date 12/8/05

Estimated Posting Date 12/14/05

ORDER RECEIVED FOR FILING

FILED  
BY [Signature]  
DATE 12/25/01

# Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 120 OAK DRIVE  
Address  
CATONS VILLE MD 21228  
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):

SEE ATTACHED SHEET

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.

Mark Zonarich  
Signature  
MARK ZONARICH  
Name - Type or Print

Gina Zonarich  
Signature  
GINA ZONARICH  
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 9th day of November, 2005, 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

Belinda B. Berzins  
Notary Public  
My Commission Expires 12/10/08

REV 10/25/01



BELINDA B. BERZINS  
NOTARY PUBLIC  
HOWARD COUNTY, MD

My Commission Expires December 01, 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 120 OAK DRIVE  
Address  
CATONS VILLE MD 21228  
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):

SEE ATTACHED SHEET

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  
MARK ZONARICH  
Name - Type or Print

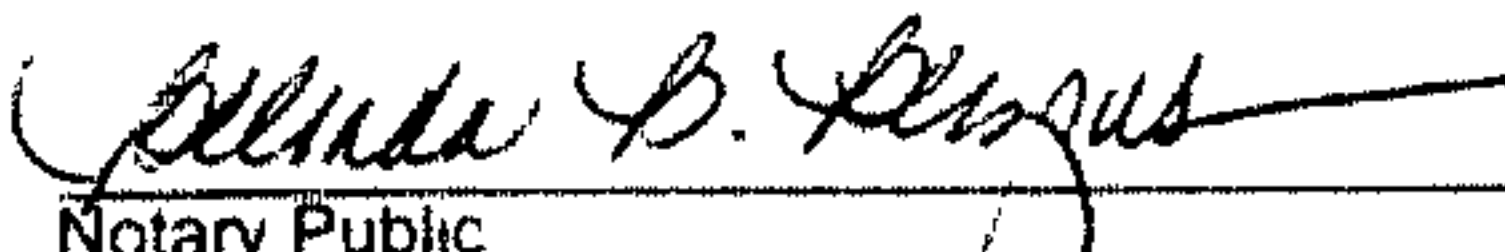
  
Signature  
GINA ZONARICH  
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 9th day of November, 2005, 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 12/10/08

REV 10/25/01



BELINDA B. BERZINS  
NOTARY PUBLIC  
HOWARD COUNTY MD

My Commission Expires December 01, 2008

**EXPLANATION OF HARDSHIP OR PRACTICAL DIFFICULTY  
120 OAK DRIVE, CATONSVILLE, MD 21228**

We are seeking a variance because we currently have very little storage space in our 80 year-old home and we would like to add a large storage space above our new garage. The current detached single garage is termite infested and dilapidated to the point that it has become structurally unsafe. We plan to remove the existing single garage in the spring (we have already received a permit from the county to do so) and would like to replace it with a detached double garage of the same materials and architectural style.

Since we have little storage space in our home we would like to add a space above the garage for storage. We have an unfinished wet cellar that floods every time it rains and is constantly damp even when it does not. Being such an old home, the closets which we do have in the house are extremely small and since we plan to add air conditioning this spring it will severely reduce the size of what little closets we have. We have noticed numerous examples of 1 ½ and 2 story garages in the neighborhood and would like to build a historically accurate structure that will conform to its context and relate to the architecture and materials of our house.

If we are not able to add this additional storage space above the garage we will have almost no closet or storage space.

# **ZONING DESCRIPTION**

## **Zoning Description For 120 Oak Drive**

Beginning at a point on the west side of Oak Drive, which is 40 feet wide at a distance of 60 feet north of the centerline of the nearest improved intersecting street Gary Drive which is 40 feet wide. Being Lot #16 in the subdivision of Summit Park as recorded in Baltimore County Plat Book #5, Folio# 71, containing 12,000 square feet. Also known as 120 Oak Drive and located in the 1<sup>st</sup> Election District, 1<sup>st</sup> Councilmanic District.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. 1566

DATE

12/21/21

ACCOUNT

Scopel 206616100

AMOUNT

65.00

RECEIVED

From

206616100

FOR

Administrative Expenses

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - SUPERVISOR

TH 4

PAID RECEIPT

NOTES: 6/10/21

12/21/21 12/21/21 07/21/21

12/21/21 12/21/21 07/21/21

12/21/21 12/21/21 07/21/21

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12/21/21 12/21/21 07/21/21

12/21/21 12/21/21 07/21/21

CASHIER'S VALIDATION

# CERTIFICATE OF POSTING

RE: Case No: 06-296-A

Petitioner/Developer: GINA &  
MARK ZONARICH

Date Of Hearing/Closing: 1/2/06

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue

Attention:

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  
at 120 OAK DRIVE

This sign(s) were posted on December 17, 2005  
(Month, Day, Year)

Sincerely,

Martin Ogle 12/17/05  
(Signature of sign Poster and Date)

Martin Ogle

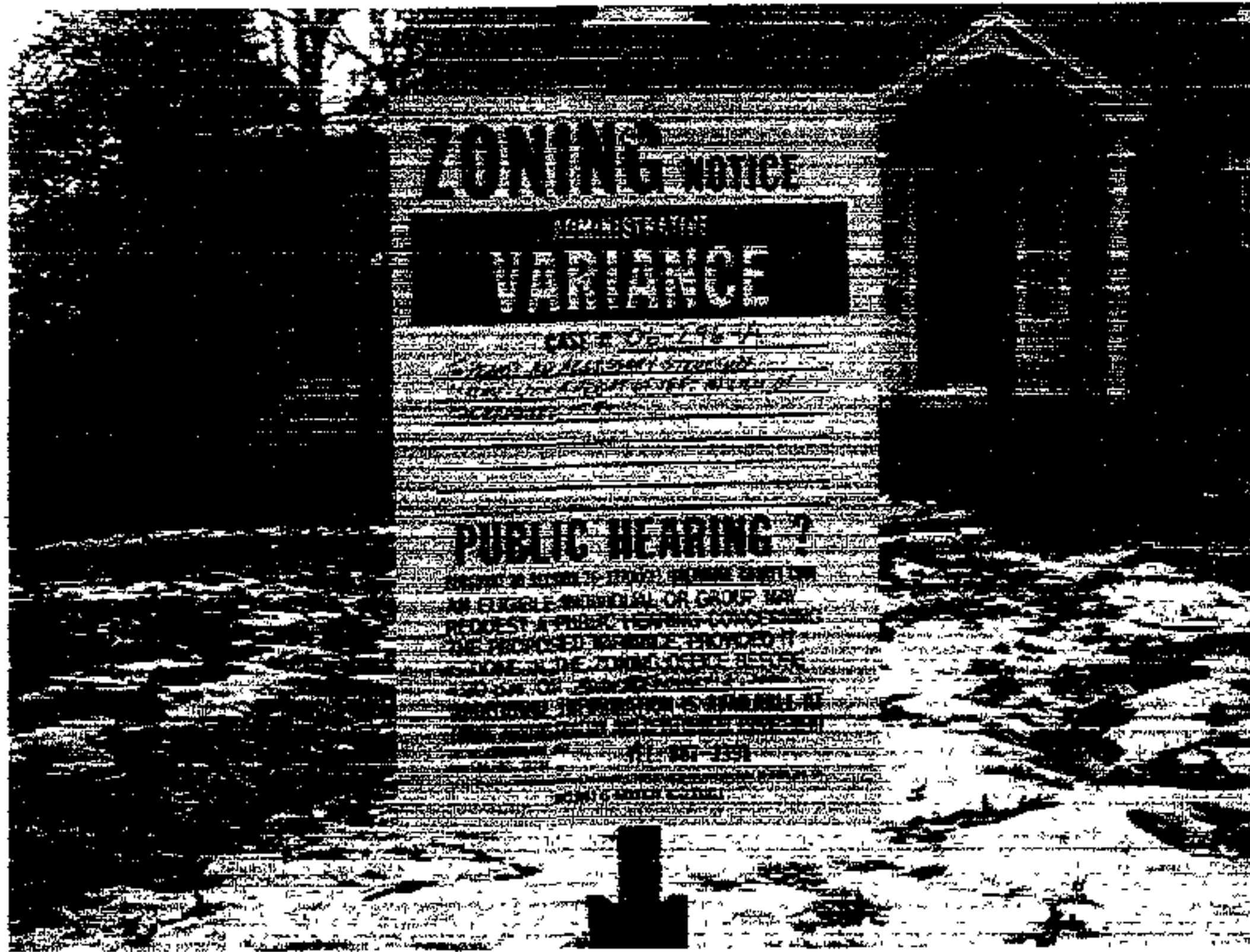
Sign Poster

16 Salix Court

Address

Balto. Md 21220

(443-629 3411)



*Martin* 12/17/05

# 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/neighborhood 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.

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#### For Newspaper Advertising:

Item Number or Case Number 06-296-A

Petitioner Gina Zonarrich

Address or Location. 120 Oak Drive  
Cutonsville MD 21228

PLEASE FORWARD ADVERTISING BILL TO

Name. Gina Zonarrich

Address 120 Oak Drive  
Cutonsville MD 21228

Telephone Number 410 318 4838

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 06- 296 -A Address 120 Oak Dr.

Contact Person: Bruno Rudaitis Phone Number: 410-887-3391  
Planner, Please Print Your Name

Filing Date: 12/8/05 Posting Date: 12/18/05 Closing Date: 1/2/06

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- 296 -A Address 120 Oak Dr.

Petitioner's Name Mark & Gina Zonarich Telephone 410-218-4838

Posting Date: 12/18/05 Closing Date: 1/2/06

Wording for Sign: To Permit an accessory structure (garage) with a height of 18 ft. in lieu of the required 15 ft.

WCR - Revised 6/25/04

**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 2, 2006

Mark Zonarich  
Gina Zonarich  
120 Oak Drive  
Catonsville, Maryland 21228

Dear Mr. and Mrs. Zonarich:

RE: Case Number: 06-296-A, 120 Oak Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 8, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over a faint, larger version of the same signature.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel



# YLAND

1946 200

**DATE:** December 30, 2005

Figure 1. The effect of the concentration of the *Agrobacterium* suspension on the transformation efficiency of *Agrobacterium* strains. The number of transformed cells was determined by the number of colonies obtained on the selective medium. The results are the mean of three independent experiments. Error bars represent the standard deviation.

Figure 1. The effect of the concentration of the *Agrobacterium* suspension on the transformation efficiency of *Agrobacterium* strains. The number of transformed cells was determined by the number of colonies obtained on the selective medium. The results are the mean of three independent experiments. Error bars represent the standard deviation.

- Figure 1. The effect of the concentration of the *Agrobacterium* suspension on the transformation efficiency of *Agrobacterium* strains. The number of transformed cells was determined by the number of colonies obtained on the selective medium. The results are the mean of three independent experiments. Error bars represent the standard deviation.

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Curtis Messer

Yours Truly

Figure 1. The effect of the concentration of the *Agrobacterium* suspension on the transformation efficiency of *Agrobacterium* strains. The number of transformed cells was determined by the number of colonies obtained on the selective medium. The results are the mean of three independent experiments. Error bars represent the standard deviation.

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

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

**DATE:** December 21, 2005

**FROM:** <sup>DAK</sup> Dennis A. Kennedy, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For *December* 19, 2005  
Item Nos. 267, 286, 295, 296, 298, 299,  
301, 302, 303, 304, and 305

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-12212005 doc



State Highway  
Administration

*Driven to Excel*

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

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

Maryland Department of Transportation

Date: 12.16.05

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

RE: Baltimore County  
Item No. 296 BPR

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

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

December 19, 2005

ATTENTION: Zoning Review Planners

Distribution Meeting of

Item No. 267, 286, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304  
and 305

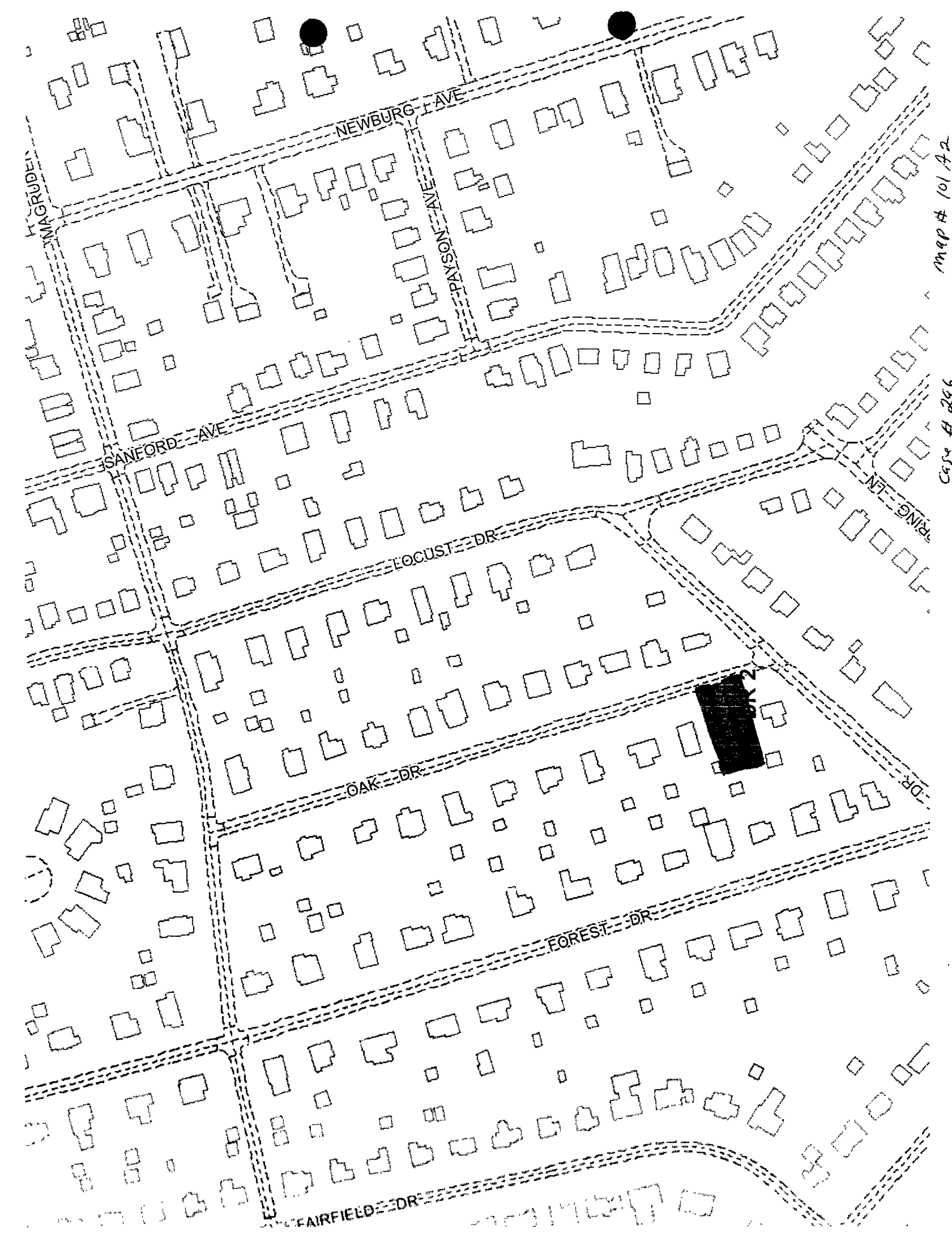
Pursuant to your request, the above referenced plan(s) have been reviewed by this Office and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

**The Fire Department has no comments at this time.**

If you have any questions contact my office.

Acting Lt. Warren T. Moffitt  
Fire Marshal's Office  
410-887-4880  
MS-1102F

Cc:file



map # 101 A2

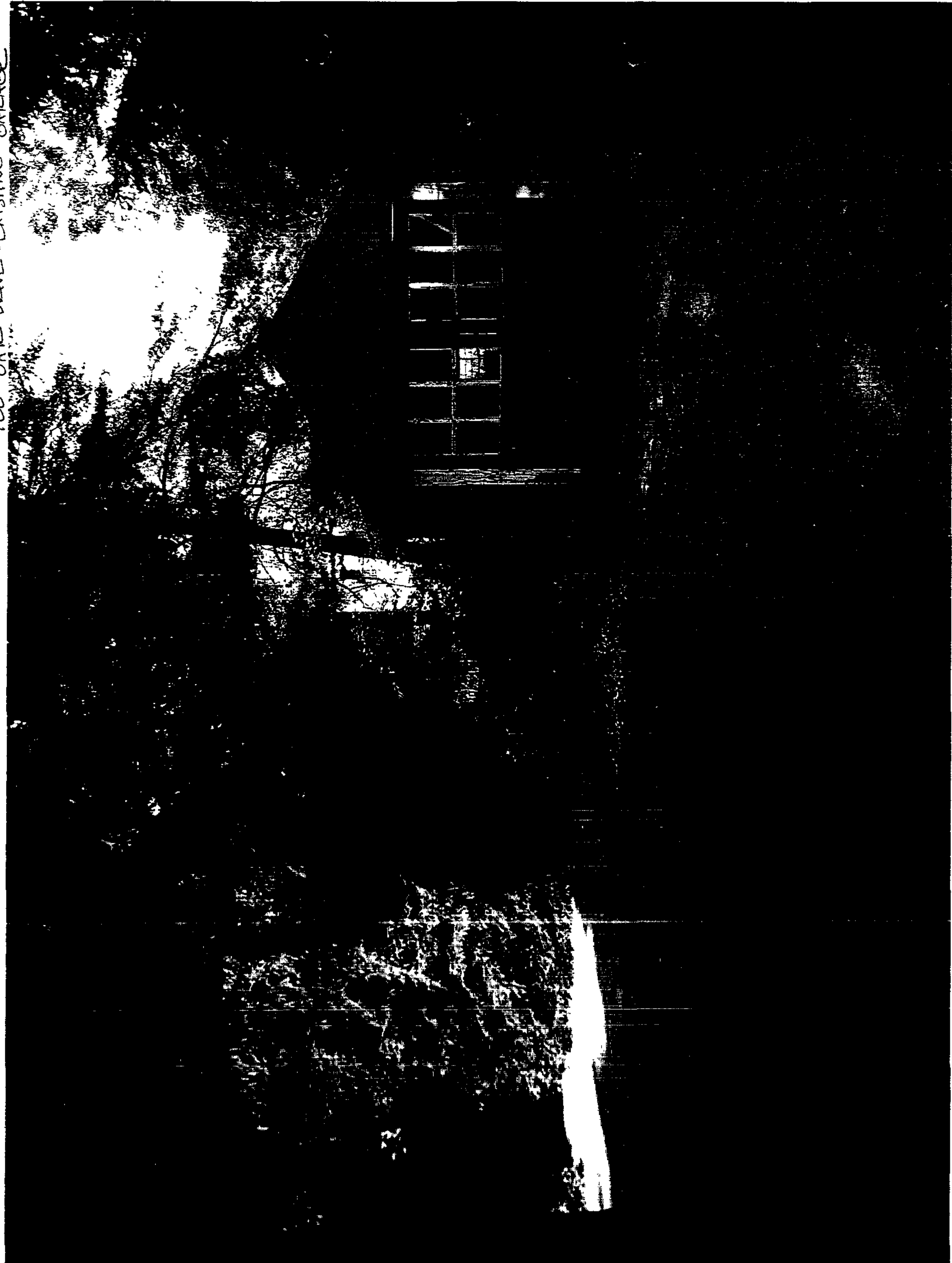
case # 266

PRECEDENT PHOTO ON OUR BLOCK



120 OAK DRIVE - EXISTING GARAGE

948 #



# PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 120 Oak Drive

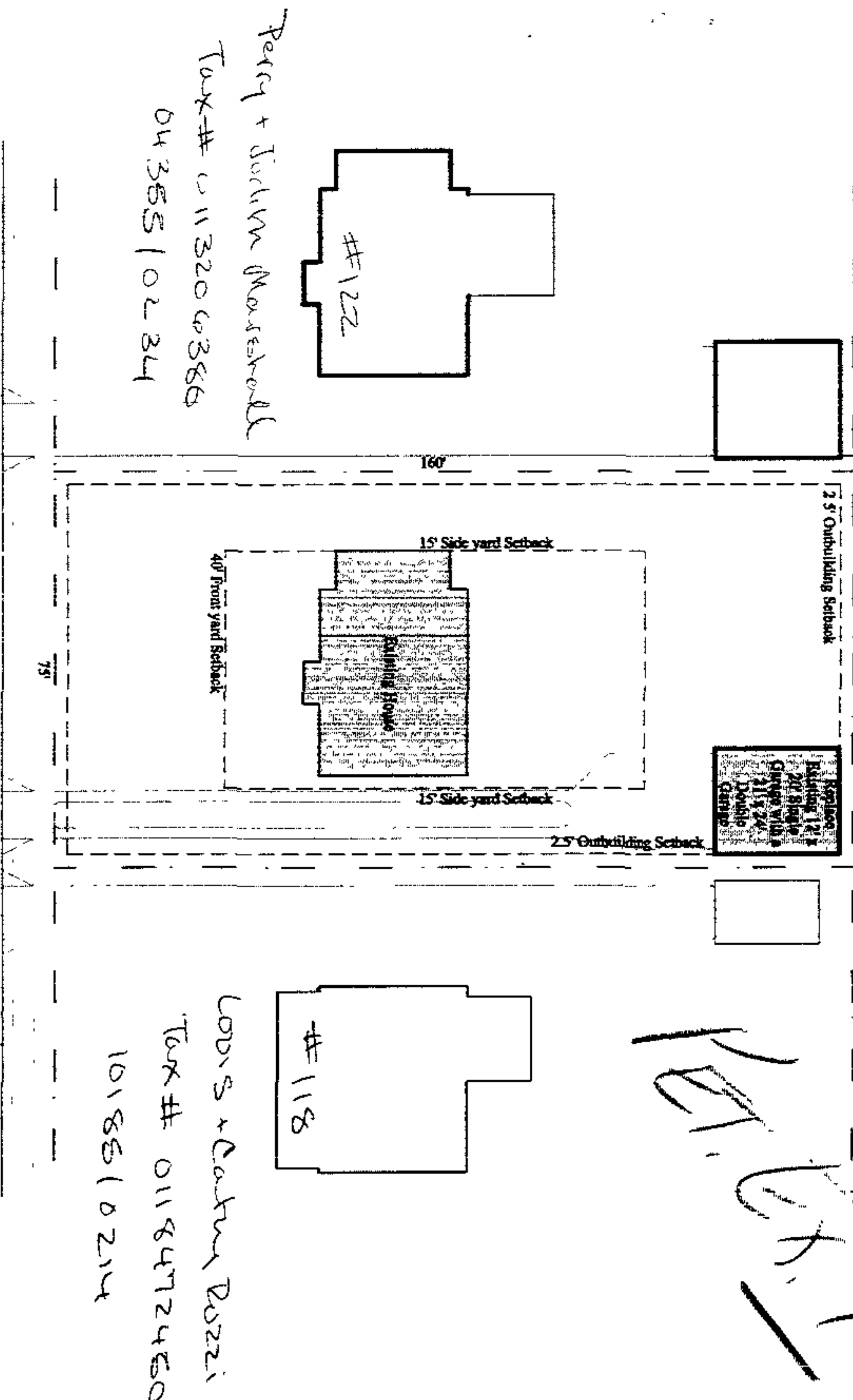
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Summit Park

PLAT BOOK # 5 FOLIO # 71 LOT # 16 SECTION # G

OWNER Mark and Gina Zonarich

**120 Oak Drive**  
Replace Existing Single Garage  
with a Double Garage

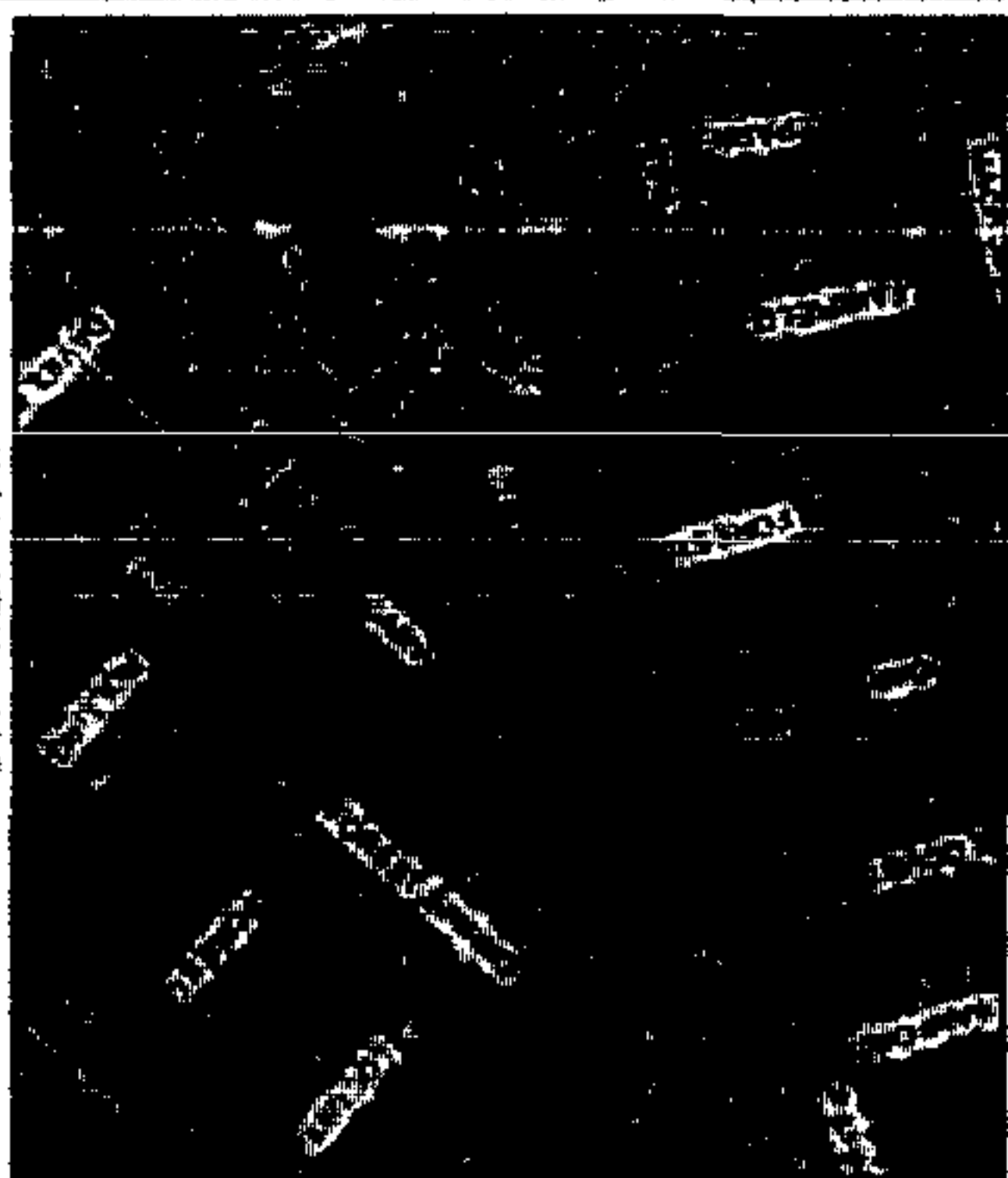


NORTH

PREPARED BY Mark Zonarich

SCALE OF DRAWING: 1" = 40'

Zoning: DR-2  
Owners: Mark and Gina Zonarich  
Contact: 443.570.7732 or 410.218.4838



VICINITY MAP  
SCALE 1" = 1000'

## LOCATION INFORMATION

ELECTION DISTRICT /

COUNCILMANIC DISTRICT /

1" = 200' SCALE MAP # 101A2

ZONING DR-2

LOT SIZE .275

12,000

ACREAGE

SQUARE FEET

PUBLIC PRIVATE

SEWER

☒

☐

WATER

☒

☐

CHESAPEAKE BAY  
CRITICAL AREA

☐

☒

100 YEAR FLOOD PLAIN

☐

☒

HISTORIC PROPERTY/  
BUILDING

☐

☒

PRIOR ZONING HEARING

☐

☒

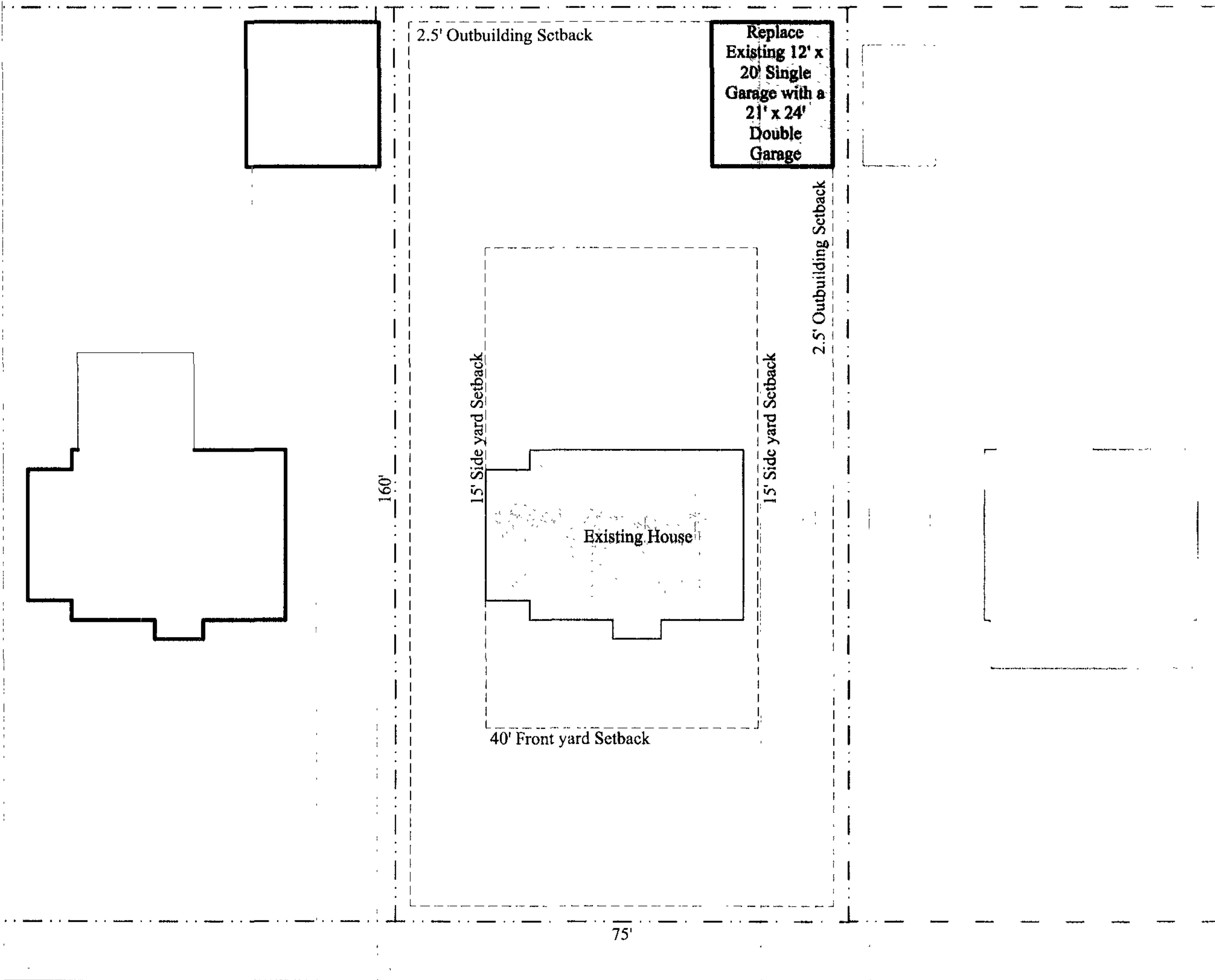
ZONING OFFICE USE ONLY  
REVIEWED BY ITEM # CASE #

MR

296

06-296-2

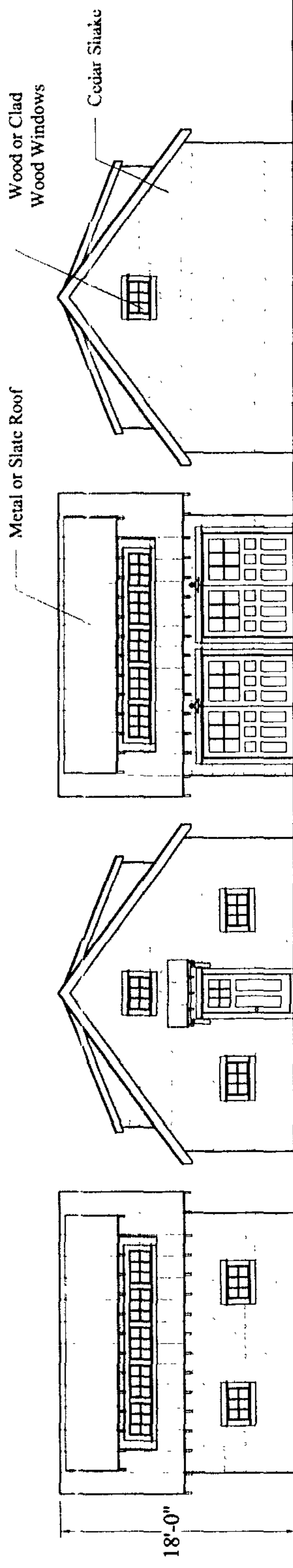
**120 Oak Drive**  
Replace Existing Single Garage  
with a Double Garage  
Scale: 1"=20'-0"



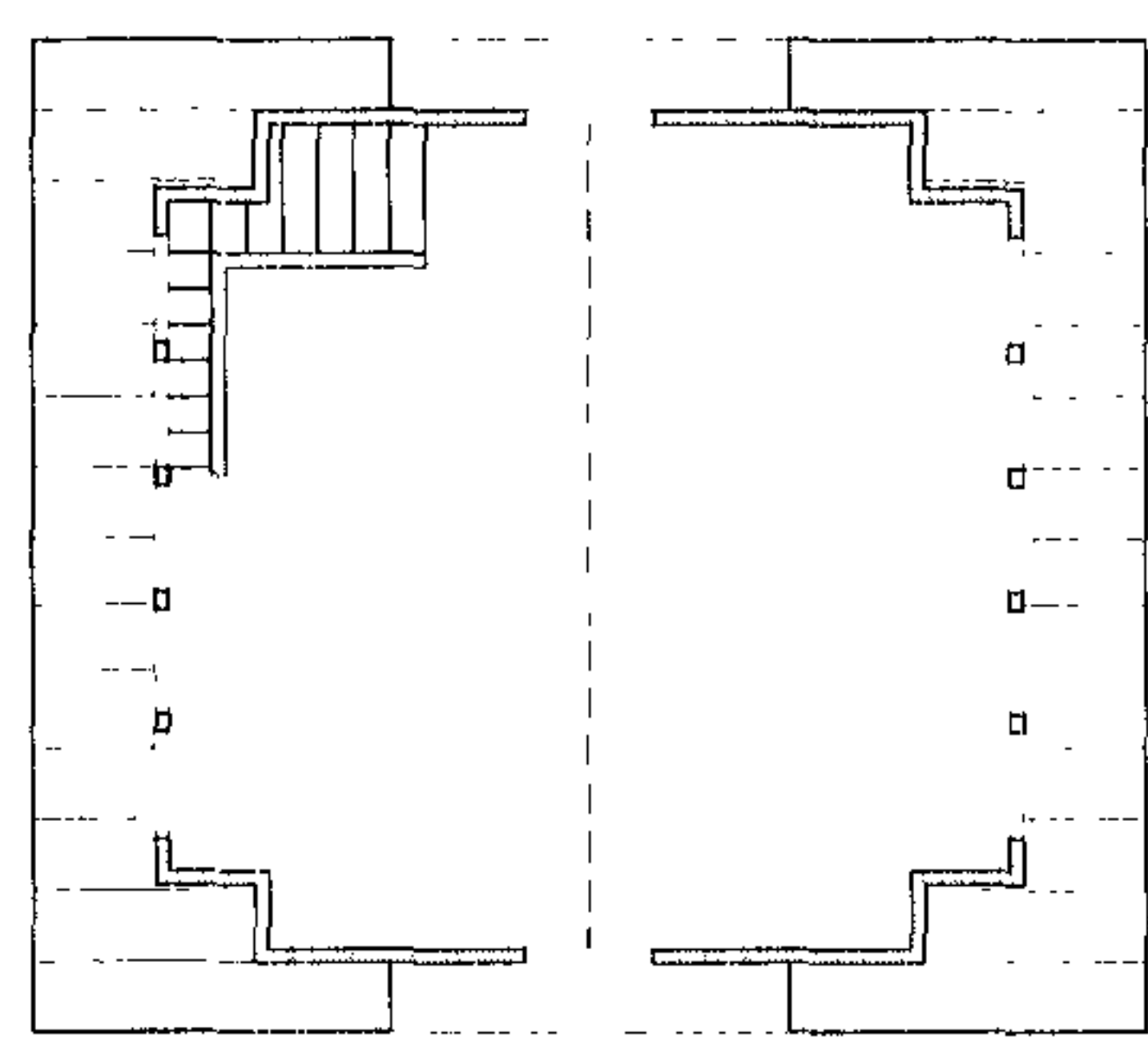
Oak Drive (40' R/W, 20' Paving)

Zoning: DR-2  
Owners: Mark and Gina Zonarich  
Contact: 443.570.7732 or 410.218.4838

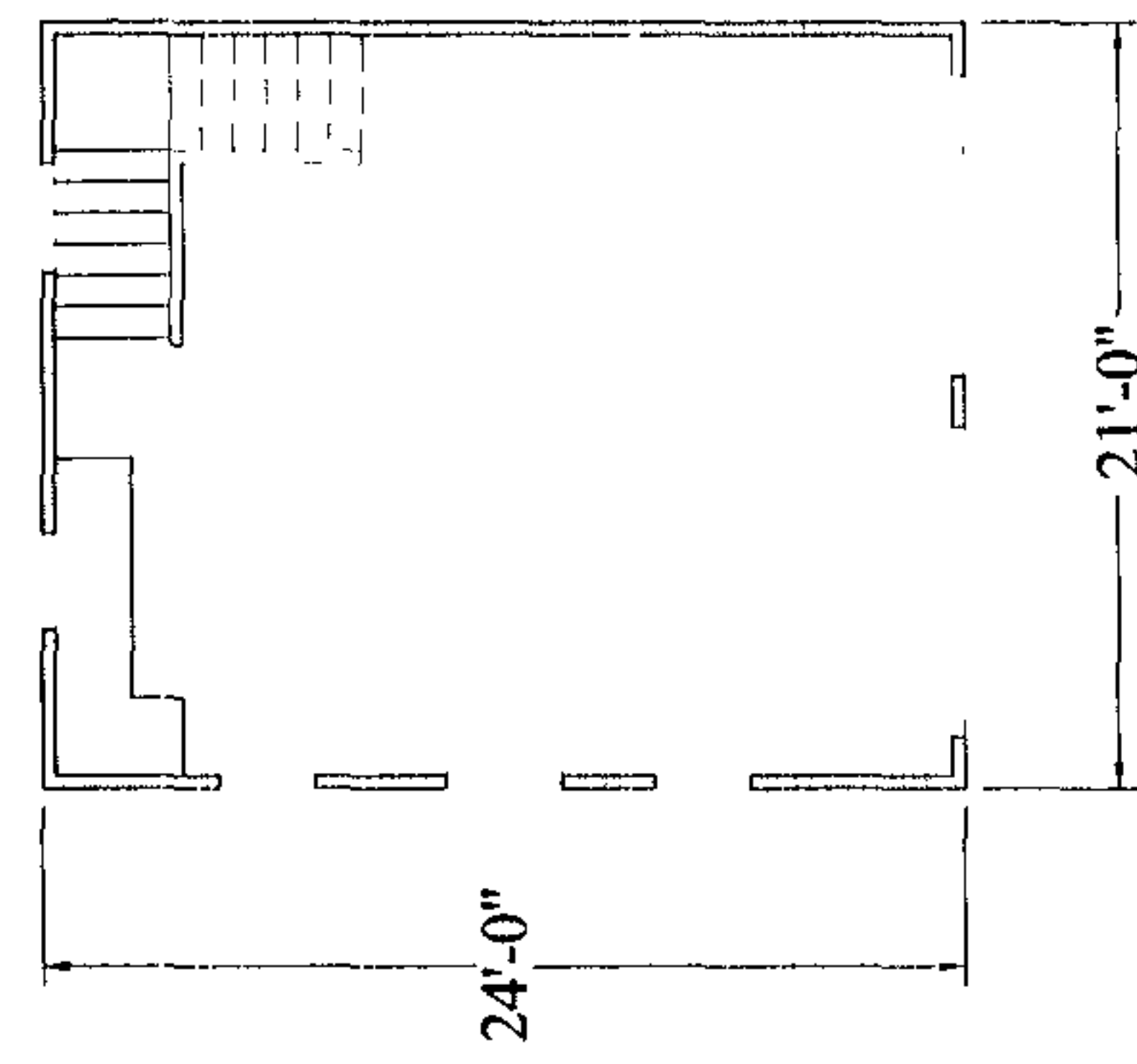
**120 Oak Drive**  
Replace Existing Single Garage  
with a Double Garage  
Scale: 1"=10'-0"



West Elevation      South Elevation      East Elevation      North Elevation



2nd Floor  
(Storage)



1st Floor

Zoning: DR-2  
Owners: Mark and Gina Zonarich  
Contact: 443.570.7732 or 410.218.4838