IN RE: PETITION FOR ADMIN, VARIANCE W/S of Troyer Road, 955 feet south of the centerline of McComas Road 10th Election District 6th Councilmanic District (17400 Troyer Road)

Craig C. and Elizabeth Longenecker Petitioners BEFORE THE

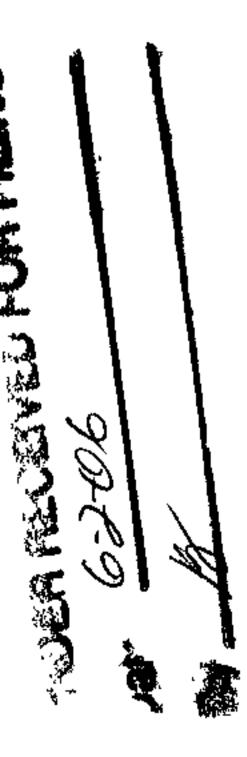
ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 06-554-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Craig C. and Elizabeth Longenecker. The variance request is for property located at 17400 Troyer Road in the Getting MFP Property subdivision area of Baltimore County. The variance request is from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a detached garage and pool house in the side yard in lieu of the rear yard; to permit both structures to be 25 feet high in lieu of the allowed 15 feet.. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners state that although the property is 18 acres in size, the building envelope, septic reserve area, forest conservation buffer line, and topography have required them to place the detached garage, pool and pool house in the side yard. Wishing to keep a Colonial Williamsburg style, the 12 12 pitched roof has caused them to exceed the height requirement. The size of the detached garage is due to the fact that an oversized garage is necessary in order to park a truck. The attic pace will be used for storage of family antique furniture. The pool house is meant for entertainment purposes only and will not be lived in and Petitioners are willing to place this restriction in the deed. The partial basement will provide space for pool equipment and pool mechanical room. The attached tractor shed will provide space for lawn and garden



equipment and take the place of a separate outbuilding. Since their house has no attic space and limited basement the additional storage will be very helpful. Finally, Petitioners state their covenants require them to garage all vehicles, trailers, and tractors/equipment. Since Petitioners maintain such a large property and timber a limited number of trees each year for firewood, the additional storage/garage space are necessary to comply with their covenants. Attaching a storage shed on the pool house helps to create the look of a Williamsburg environment, which the Petitioners want. The proposed pool houses measures 40 feet x 50 feet. The proposed garage measures 30 feet x 32 feet. Both buildings measure 30 feet in height.

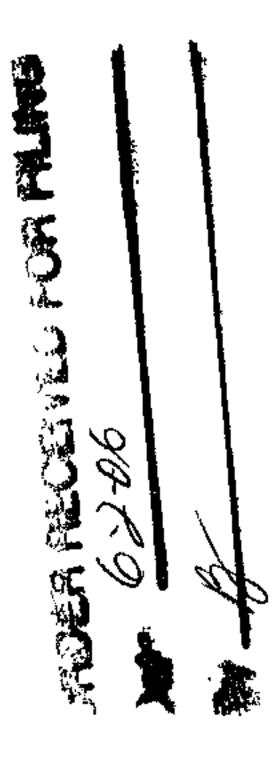
Zoning Advisory Committee Comments

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 Office of Planning dated May 16, 2006, a copy of which is attached hereto and made a part hereof.

Applicable Law

Section 307 of the B.C.Z.R. - Variances.

"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."



The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 14, 2006, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits and photographs as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be GRANTED.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 2nd day of June, 2006, that a variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a detached garage and pool house in the side yard in lieu of the rear yard; to permit both structures to be 25 feet high in lieu of the allowed 15 feet.

- 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 or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, or kitchen facilities.
- 3. The accessory structure shall not be used for commercial purposes.

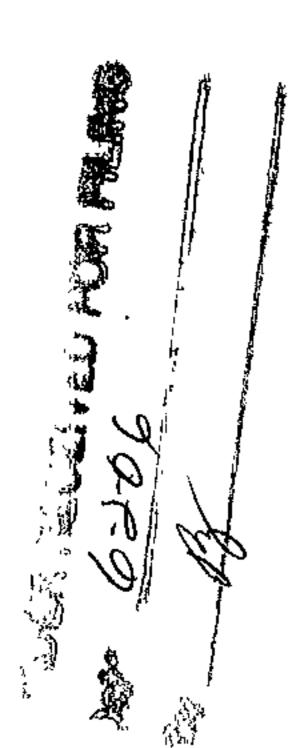
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:pz





JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

June 2, 2006

CRAIG C. AND ELIZABETH LONGENECKER 17400 TROYER ROAD MONKTON, MD 21111

> Re: Petition for Administrative Variance Case No. 06-554-A Property: 17400 Troyer Road

Dear Mr. and Mrs. Longenecker:

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,

John V. Murphy

Deputy Zoning Commissioner

JVM:pz Enclosure

THE PERSON



JAMES T. SMITH, JR.

County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

June 2, 2006

CRAIG C. AND ELIZABETH LONGENECKER 17400 TROYER ROAD MONKTON MD 21111

Re: Petition for Administrative Variance

Case No. 06-554-A

Property: 17400 Troyer Road

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Very truly yours,

John V. Murphy

Deputy Zoning Commissioner

JVM:pz Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County Monkton for the property located at 17400 Troger RO which is presently zoned 2

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

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400. 1 7 400. 3 76 Fermit A.

DE-MEGER GARAGE AND POCKHOUSE IN THE SUR LAND IN LIEW OF THE REAR YARD, "BOTH ZS FT. HIGH IN CHOW OF IS FT.

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

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

perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. <u>Legal Owner(s):</u> Contract Purchaser/Lessee: RAIL C. LONGENEZKER Name - Type or Print Name - Type or Print Signature Signature ongenecte Telephone No. Name - Type or Prin Address Zip Code 410 3578507 City State Signature Attorney For Petitioner: Telephone No. State Name - Type or Print Representative to be Contacted: Signature Name ompany Telephone No. Address Address Telephone No. Zip Code City Zip Code State State 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 day of Regulations of Baltimore County and that the property be reposted. Zoning Commissioner of Baltimore County 06.5 SU() ASE NO. Reviewed By ______

Estimated Posting Date ____

Affidavit in Support of Administrative Variance

That the Affiant(s) does/do presently reside at

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.

7400 TROYER RD.

	1	MONKTON	MD	21111
		City	State	Zip Gode
That based Variance at	l upon personal knowledge, the fo t the above address (indicate hard	ollowing are the facts upor ship or practical difficulty):	n which I/we base the	request for an Administrative
	JUSTIFICATION Although this is a conservation/buffer line, and topography yard. Wishing to keep with a Colonial V requirement. The size of the detached g my truck. The attic space will be use for entertainment purposes only and will no will provide space for pool equipment at lawn and garden equipment and take the exception of one area that will be used for our own separate businesses. Both of our and limited basement storage this will be and tractors/equipment. Since I maintain firewood the additional storage/garage storage house helps to create the look of the pool house helps to create the look of the pool house helps to create the look of the storage helps to create the look of the pool house helps to create the look of the storage helps to create the look of the pool house helps to create the look of the storage helps to create the look of the pool house helps to create the look of the storage helps to creat	Williamsburg style, the 12-12 pit arage is due to the fact that an or storage of family antique furnit be lived in. We are willing to ad pool mechanical room. The applace of a separate outbuilding or storage. The reason we need it places of business don't allow every helpful. Finally, our cover such a large property and timb pace are necessary to comply with	tached garage, pool and pote thed roof has caused us to versized garage is necessar ture. The pool house is me place this in the deed. The attached tractor shed will put and the attic is unusated to storage space is because my for storage. Since our house nants require us to garage for a limited number of tree for a limited number of tree.	ol house in the side exceed the height y in order to park ant for partial basement rovide space for ble with the y wife and I have use has no attic space all vehicles, trailers, s each year for
That the A advertising	ffiant(s) acknowledge(s) that if a fee and may be required to provide	formal demand is filed, le additional information.	Affiant(s) will be req	uired to pay a reposting and
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Signature	Longenecken	Signate Signate	izabethL	ongenecken
Name - Type	pr Print	name .	- Type or Print	
	MARYLAND, COUNTY OF BAL		2006 hefore me	
Cofa	CERTIFY, this 2 day of	Ebraleth Lengen	e vicas	e, a Notary Public of the State
the Affiant(s) herein, personally known or sati	isfactorily identified to me	as such Affiant(s).	i !
ASWITNE	SS my hand and Notarial Seal		j	; ! !
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Zoning description for 17400 Troyer Road, Monkton Maryland 21111

Beginning at a point on the west side of Troyer Road which is 16ft wide at the distance of 955 feet south of the centerline of the nearest improved intersecting street Mc Comas Rd to intersecting private drive at Troyer Rd 1,100 feet south west with is 16 feet wide. Being Lot #1 in the subdivision of Gerting MFP Property as recorded in Baltimore County Plat Book #13947, Folio #418, containing 1,253,657 square feet. Also known as 17400 Troyer Rd. and located in the 10 election District, 6 Councilmanic District.

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CERTIFICATE OF POSTING

· · · · · · · · · · · · · · · · · · ·	Petitioner/Developer:
	CRAIG/ ECIZABETH CONGENIE
	Date of Hearing/Closing: 5/29/06
Baitimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention:	•
Ladies and Gentlemen:	•
This letter is to certify under the penalties of pewere posted conspicuously on the property local 17400	• `
The sign(s) were posted on	5/14/06
	Month, Day, Year)
17400 TROVER RD.	Sincerely, (Signature of Sign Poster and Date) RICHARD E. HOFFMAN (Printed Name) 904 DELLWOOD DR. (Address) [City, State, Zip Code) (A10) 879-3127 (Telephone Number)
1700STED 5/14/06 Dulle 1811/06	

RE: Case No.: 06-554-A

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

		1 " April - Al] ,	Address	174	(a/x)((A)
Case	Number 06	2094	-A	Address	1 2 - 5		4 LD 205C	7100
Contact Person: Sound KHOSANDON Phone Number: 410-887-3391 Planner, Please Print Your Name								
Filing	Date:	5-020	•	ting Date: 🥥	5 1400	≤ Clos	ing Date:	<u>05-39-0</u>
		e with this of ct person (plan				ministrativ	e variance	should be
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.								
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3.	commission order that (typically wi	After the closiner. He may: the matter be the thin 7 to 10 de vill go to public	(a) grant the set in for ays of the cl	he requested a public hea osing date) as	relief; (b) or ring. You sto whether	deny the r will recei er the petit	equested i ve written ion has be	relief; or (c) notification en granted,
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TRANSMISSION VERIFICATION REPORT

TIME : 05/02/2006 15:09

NAME : ZONING

FAX : 4108873048 TEL :

SER.# : BROB4J281084

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

05/02 15:08 94103062261 00:00:48 02 OK STANDARD ECM

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

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

Case Number 06-	554A	Address 1740	ال تمصري آکين
Contact Person:	Planner, Please F		Phone Number: 410-887-3391
Filing Date:	502 06	Posting Date: (25 /4/20)	Closing Date: ②テスコーロG

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. <u>POSTING/COST:</u> 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. <u>DEADLINE:</u> 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.
- 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.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: OG. 554-A
Petitioner: <u>Crang Longeneuker</u> Address or Location: 17400 Trayer Rd.
Address or Location: 17400 Trayer Rd.
PLEASE FORWARD ADVERTISING BILL TO: Name: Craig Longeraler
Address: 17400 Troyer Ré.
Monkton M2. 21111
Telephone Number: <u>4ω-357-8527</u>

Revised 7/11/05 - SCJ

06-554-A

Department of Permits and Development Management

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



Baltimore County

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

May 30, 2006

Craig C. Longenecker Elizabeth Longenecker 17400 Troyer Road Monkton, MD 21111

Dear Mr. and Mrs. Longenecker:

RE: Case Number: 06-554-A, 17400 Troyer Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 2, 2006.

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:amf

Enclosures

c: People's Counsel



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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: May 16, 2006

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

6-554 – Administrative Variance

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (pool house) to be located in the side yard in lieu of the required rear yard with a height of 25 feet in lieu of the maximum permitted 15 feet provided the following conditions are met:

- 1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, or kitchen facilities.
- 2. The accessory structure shall not be used for commercial purposes.

For further information concerning the matters stated herein, please contact Bill Hughey at 410-887-3480.

Prepared by:

MAY 2 % 2008

La Company ()

Section Chief:

AFK/LL: CM

W \DEVREV\ZAC\6-554.doc

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

May 8,2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: May 15,2006

Item Numbers: 537 thru 557

55Y

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.

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

Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4881 (C)443-829-2946 MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: May 12, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 15, 2006

Item Nos: 441, 537, 538, 539, 540, 542, 544, 547, 548, 549, 550, 551, 552, 553, 554) 555, 556, and 557

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-05102006.doc



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

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

JRA

Maryland Department of Transportation

Date: 5.5.01

Item No.

Baltimore County

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

Dear. Ms. Matthews:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

RE:

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief

1. 1. Delle

Engineering Access Permits Division



Gaylord Brooks Architectural Committee, Inc.

P. O. Box 400, 3312 Paper Mill Road, Phoenix, Maryland 21131 • 410-667-0800 • FAX 410-667-0078

October 25, 2005

Dr. & Mrs. Craig C. Longnecker 17400 Troyer Road Monkton, MD 21111-1314

> Re: Pool House & Detached Garage Approval Morocco Property, Lot 1

Dear Dr. & Mrs. Longnecker,

Please be advised that the plans and specifications for the proposed detached garage and pool house on the above referenced property have been approved by the Gaylord Brooks Architectural Committee.

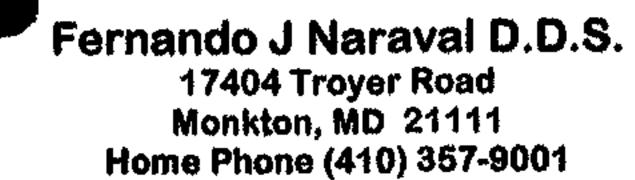
Thank you for your cooperation in this matter and best wishes with the construction of your garage and pool house.

Very truly yours,

Thomas O. Moore

TOM/rb

06.55 4. A



April 09, 2006

To Whom It May Concern,

My neighbor, Dr. Longenecker, has told me he would like to build a detached garage and pool house on his property. My wife and I have reviewed the plans for these structures. We have no complaints or objections to the proposed plans.

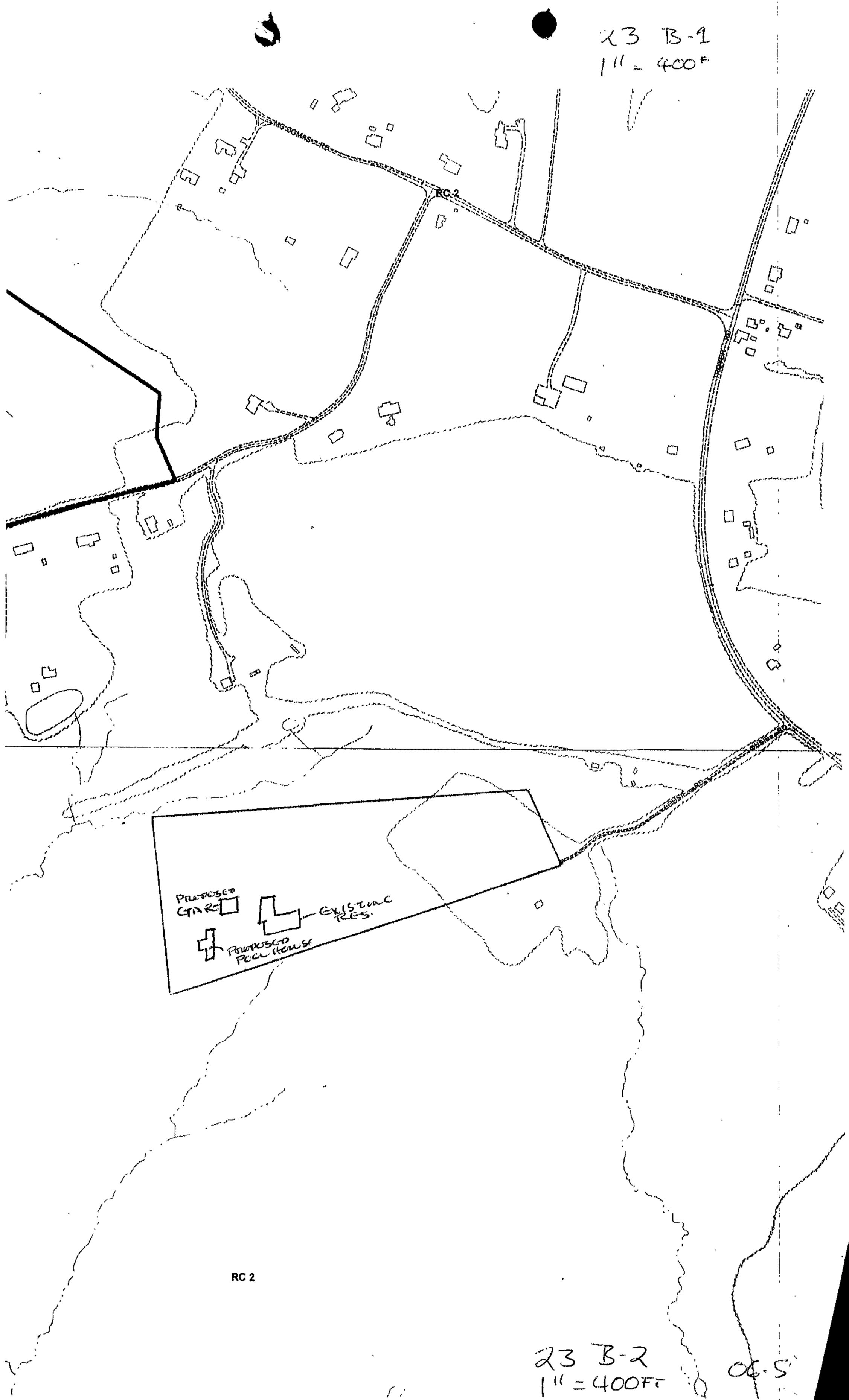
Sincerely,

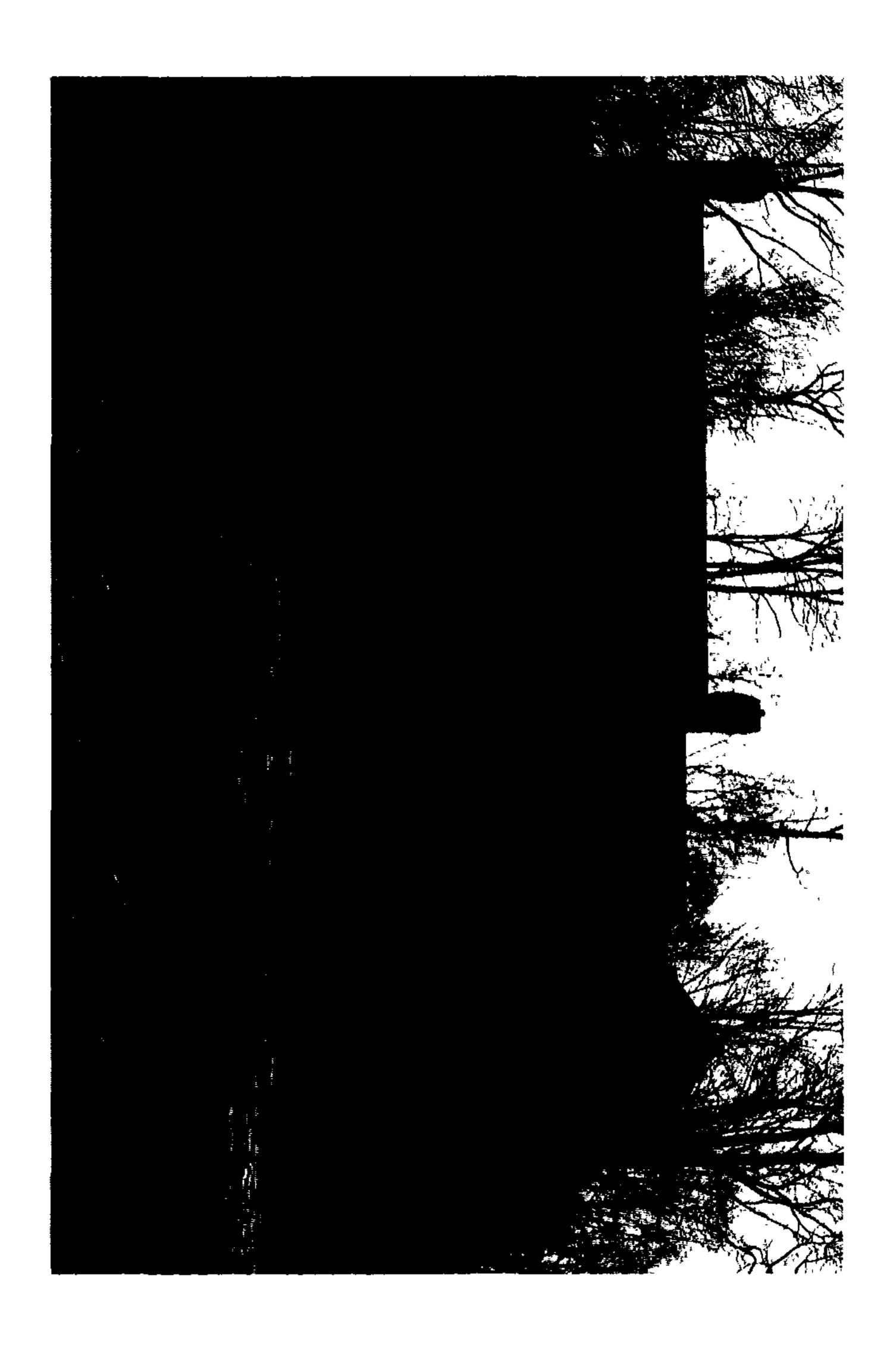
Fernando J. Naraval D. D. S.

Susan S. Naraval

Swan J. Daraval

06-554-F



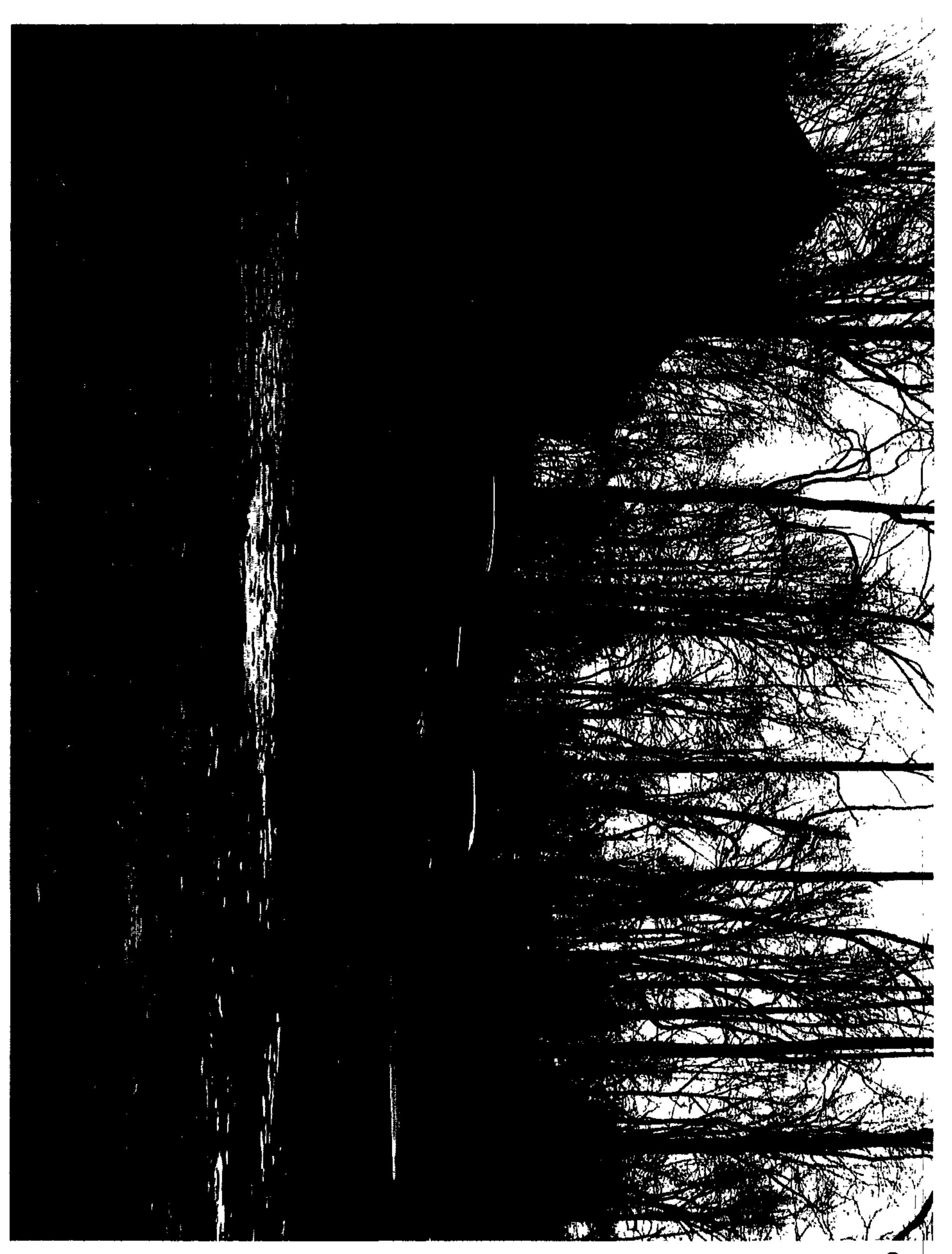


06-554-A

Howard and its Colonial Williams burg style

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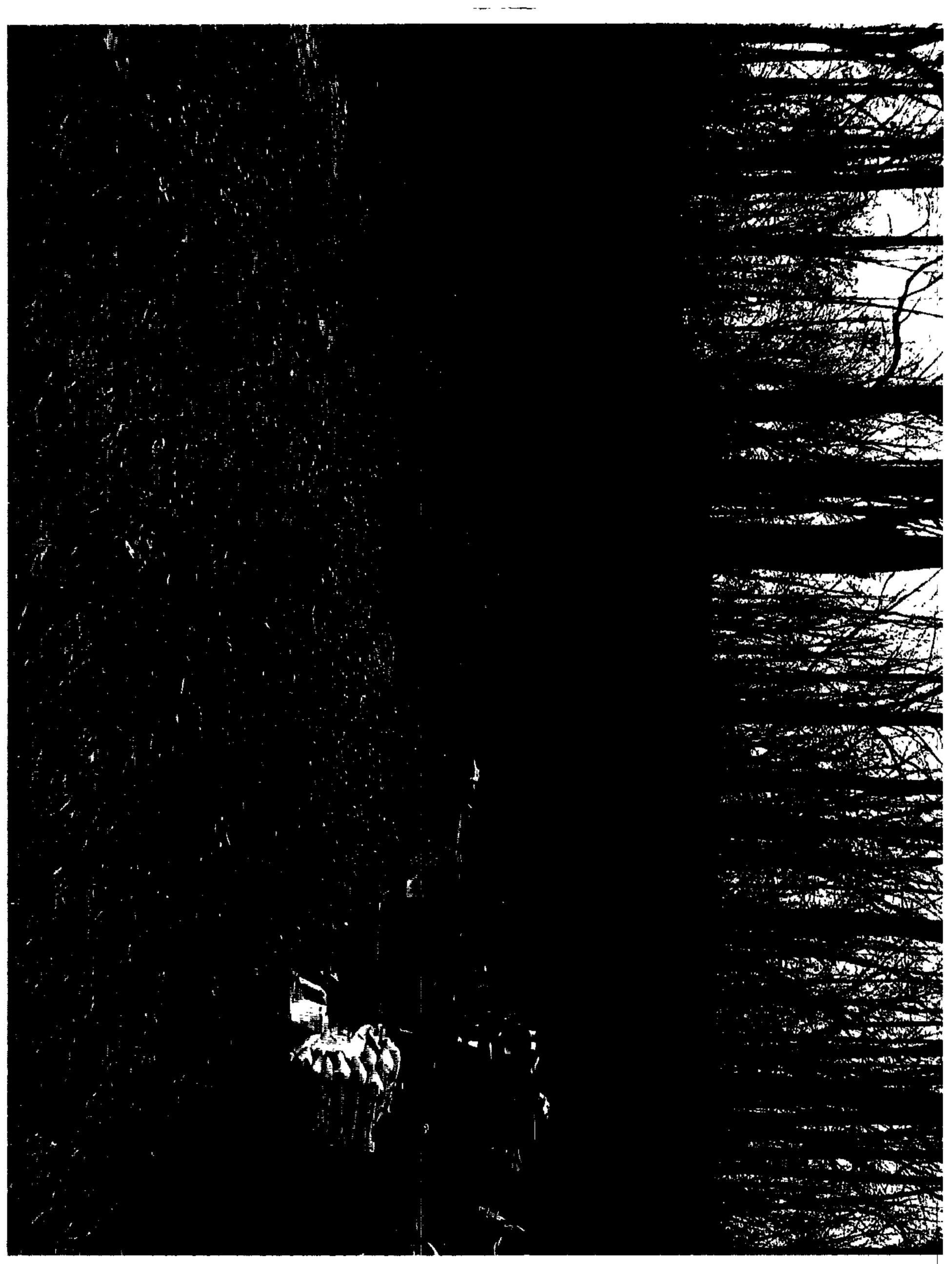
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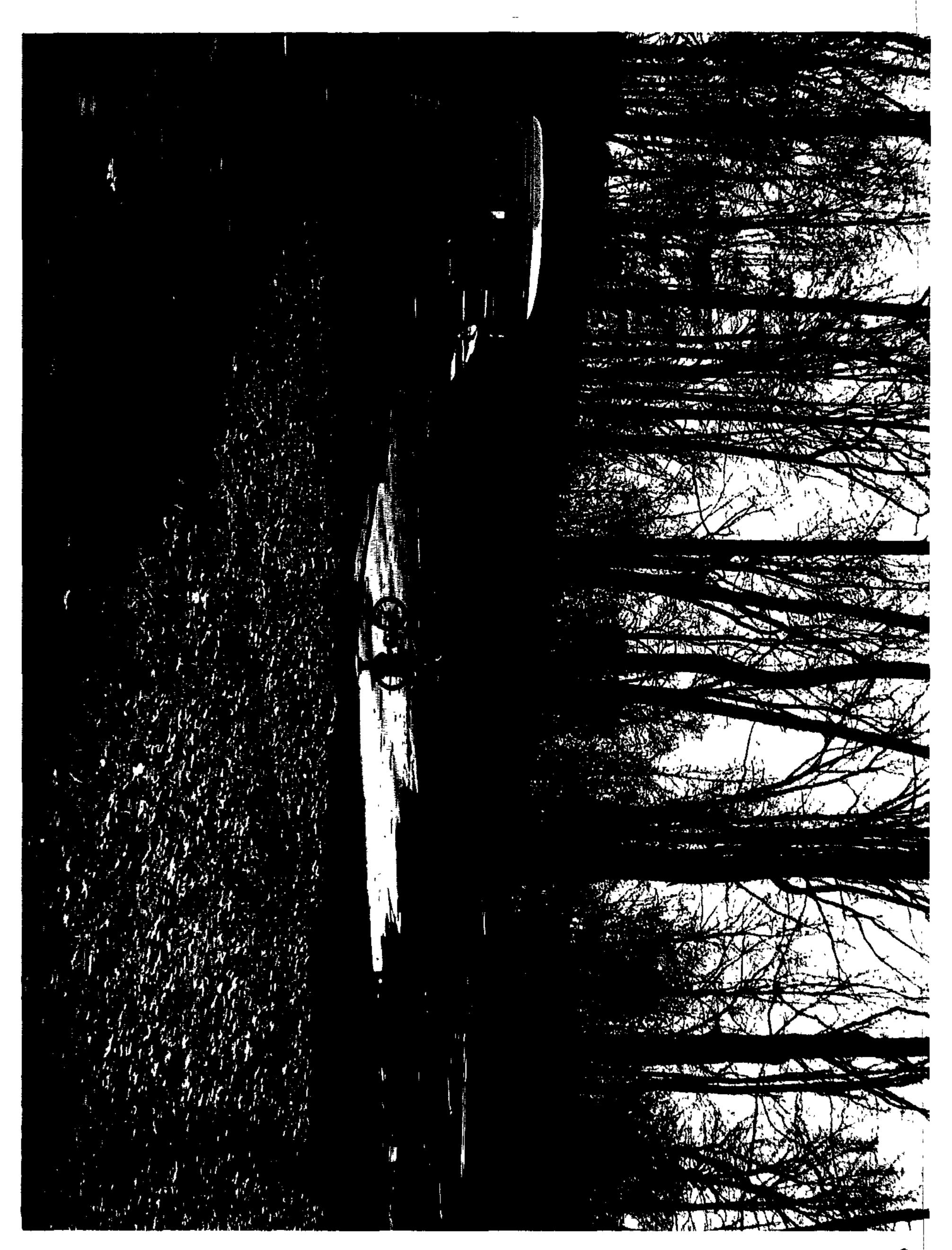
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0G-554-A

View of proposed poul + poul house from side of house house also in view is detailed garage



06-55 4-A

View tot detailled garage from fort yard

