IN RE: PETITION FOR ADMIN. VARIANCE

SW side of Carvel Grove Road, 250 feet NW of Anne Avenue 15th Election District 6th Councilmanic District (616 Carvel Grove Road)

Daniel and Margaret Sufczynski

Petitioners

- * BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- * FOR BALTIMORE COUNTY
- * Case No. 08-325-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, Daniel and Margaret Sufczynski for property located at 616 Carvel Grove Road. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed carport addition on side of existing dwelling with a side setback of 0 feet in lieu of the required side setback of 7.5 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners wish to construct a carport measuring 22 feet x 30 feet in size on the left side of the home. There is an existing side door at this location. A carport is needed to protect the vehicle during inclement weather. The carport will also protect the Petitioners during inclement weather. The carport will consist of a roof and support posts and will be accessed via the existing driveway. No neighbors voiced any objections to the request. There is an existing fence between the Petitioners' home and their neighbor's home.

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: ZAC comments were received from the Department of Environmental Protection and Resource Management dated February 12, 2008. The comments indicate that the property must comply with the Chesapeake Bay Critical Area Regulations, the



25% impervious surface limit for the lot cannot be exceeded by the carport, and that 15% tree cover must be maintained on-site.

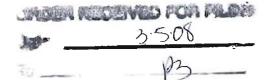
The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on February 3, 2008 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 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 Petitioners.

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

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this ______ day of March, 2008 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed carport addition on side of existing dwelling with a side setback of 0 feet in lieu of the required side setback of 7.5 feet is hereby GRANTED, subject to the following:

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 carport shall remain open on the three exposed sides and shall not be enclosed at any time.
- 3. Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004 and other Sections of the Baltimore County Code).
- 4. In accordance with Section 33-2-603(b)(3), the 25% impervious surface limit for the lot cannot be exceeded by the proposed carport.
- 5. In accordance with Section 33-2-603(c)(3), 15% tree cover must be maintained onsite.

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

THOMAS H. BOST WICK Deputy Zoning Commissioner for Baltimore County

THB:pz





JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

March 5, 2008

DANIEL AND MARGARET SUFCZYNSKI 616 CARVEL GROVE ROAD BALTIMORE MD 21221-1623

Re: Petition for Administrative Variance

Case No. 08-325-A

Property: 616 Carvel Grove Road

Dear Mr. and Mrs. Sufczynski:

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,

THOMAS H. BOSTWICK

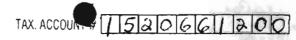
Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure







Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 616 CARVEL GROVE RD.
which is presently zoned DR 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) BCZK 1802.3 C.

TO PERMIT A PROPOSED CARPORT ADDITION ON SIDE OF EXISTING DIVELLING WITH A SIDE SETBACK OF ZERO FEET IN LIEU OF THE REQUIRED SIDE SETBACK OF 7.5 FEET.

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

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Signature			Nepresentative	to be contacted.	
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•	Zoning Commissione: of Baltimore County
CASE NO. 08-325-A	Reviewed By A-TSW Date 01/23/2008
35.08 m	Estimated Posting Date 02/03/08 - 02/18/08
	H .



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.

competent to testify thereto in the event that a p			/)		
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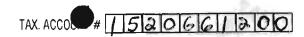


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That the Affiant(s) does/do presently reside at	616 CARVEL GROV	E Ro
	BALTIMORE MS	21271-1623
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DANIEL SUFCZYNS Name - Type or Print	Margaret E. S Name - Type or Print	ufezynski
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the Affiant(s) herein, personally known or satisfa	ISK: And Mayaret E actorily identified to me as such diffiant(s)	Sufcynski
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Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 616 CARVEL GROVE RD. which is presently zoned DR 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) BCZR + Bo2-3C-1

TO PERMIT A PROPOSED CARPORT ADDITION ON SIDE OF EXISTING DWELLING WITH A SIDE SETBACK OF ZERO FEET IN LIEU OF THE REQUIRED SIDE SETBACK OF 7.5 FEET.

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.

				declare and affirm, under ti re the legal owner(s) of the s Petition.	
Contract Purchase	r/Lessee:		Legal Owner(s	<u>):</u>	•
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City	State	Zıp Code	Signature	2 3000	3913694
Attorney For Petition	oner:		Address	N.	38467546 Telephone No
Name - Type or Print			City Representative	State e to be Contacted:	221-1623 Zip Code
Company			Name		
Address		Telephone No.	Address	-	Telephone No
City	State	Zıp Code	City	State	Zip Code
A Public Hearing having b this day of regulations of Baltimore Cou	th	at the subject matter of I	this petition be set for a pub	y the Zoning Commissioner of blic hearing, advertised, as re- nmissioner of Baltimore Coun	quired by the zoning
CASE NO	8-325-	Rev	riewed By A-	Date 01/2	3/2005
REV 10/25/01		Est	imated Posting Date	02/03/08- a	02/18/08

3.5.08

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 616 CARVEL GROVE RD BEGINNING AT A POINT ON THE South WEST SIDE OF CARVEL GROVE RD. WHICH IS 30 FEET WIDE AT THE DISTANCE OF 250 FEET NORTH-WEST OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET ANNE AUF. Which is 30 FEET WIDE. BEING LOT #12 IN THE SUBDIVISION OF CARVILLE GROVE AS RECORDED IN BALTIMORE COUNTY PLAT BOOK # 05 Folio#052 CONTAINING 20000 FT. ALSO KNOWN AS CARVEL GROVE RD. AND LUCATED IN THE 15 ELECTION DISTRICT 6 CONCILMANIC DISTRICT.

BALTIMORE COUNTY, MARYLAND No. 09754 OFFICE OF BUDGET AND FINANCE MISCELLANEOUS RECEIPT SEL WILKIN HIC HE EIFT # 362252 1/23/2008 Rept Sub Rev Sub BS 5 528 ZINNENS VERTIFICATION Fund Agcy Orgn Orgn Source Rev Catg Acct Amount 608754 Recet Tot \$65.00 EK \$.00 CA Baltimore County, Haryland Total: Rec From: For: **CASHIER'S VALIDATION** DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CERTIFICATE OF POSTING

	RE: Case No.: 08.325-A
All and the second seco	Petitioner/Developer: DANIEL.
	SUFCZYNSKI
	Date of Hearing/Closing: 2-18-0
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204	
ATTN: Kristen Matthews {(410) 887-3	394}
Ladies and Gentlemen:	
nosted conspicuously on the property lo	ies of perjury that the necessary sign(s) required by law were cated at:
61	6 CARVEL GROVE PD
,	A STATE OF THE STA
The sign(s) were posted on	2.3.08
	(Month, Day, Year)
	Sincerely,
and the same of th	(Signature of Sign Poster) (Date)
	SSG Robert Black
ONINGI NOTICE	(Print Name)
VARIANCE	1508 Leslie Road
O REPRIL A HOUSELD CREEGE ALERTON OF	(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08- 325 -A Address 616 CARVEL G	TROVE ROAD				
Contact Person: AARON TSUI Phone Number: 410-887-3391					
Filing Date: $01/23/2008$ Posting Date: $02/03/08$ Closing	Date: 02/18/2008				
Any contact made with this office regarding the status of the administrative value through the contact person (planner) using the case number.	ariance should be				
1. POSTING/COST: The petitioner must use one of the sign posters on the ap reverse side of this form) and the petitioner is responsible for all printing/preposting must be done only by one of the sign posters on the approved list is again responsible for all associated costs. The zoning notice sign must property on or before the posting date noted above. It should remain there the date.	t and the petitioner st be visible on the				
2. DEADLINE: The closing date is the deadline for an occupant or owner within a formal request for a public hearing. Please understand that even if the trequest for a public hearing, the process is not complete on the closing date.	there is no formal				
ORDER: After the closing date, the file will be reviewed by the zoning commissioner. He may: (a) grant the requested relief; (b) deny the requester that the matter be set in for a public hearing. You will receive to (typically within 7 to 10 days of the closing date) as to whether the petition is denied, or will go to public hearing. The order will be mailed to you by First Commissions.	uested relief; or (c) written notification has been granted,				
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to (whether due to a neighbor's formal request or by order of the zoning commissioner), notification will be forwarded to you. The sign on the changed giving notice of the hearing date, time and location. As when the sposted, certification of this change and a photograph of the altered sign must this office.	or deputy zoning property must be sign was originally				
(Detach Along Dotted Line)					
Petitioner: This Part of the Form is for the Sign Poster Only					
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT					
Case Number 08- 325 -A Address 616 CARVEL 6 Petitioner's Name DANIEL SUFCZYNSKI Telephone 44.	FROVE ROAD				
Petitioner's Name DANIEL SUFCZYNSKI Telephone 44.	3-846 7546				
Posting Date: Closing Date:	08				
Wording for Sign: To Permit A PROPOSED CARPORT ADDITION	ON SIDE				
OF EXISTING DWELLING WITH A SIDE SETBACK	OF ZERO				
Posting Date: Wording for Sign: To Permit A PROPOSED CARPORT ADDITION OF EXISTING DWELLING WITH A SIDE SETBACK FEET IN LIEU OF THE REQUIRED SIDE SETBACK	OF 7.5 FEE				



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

February 19, 2008

Daniel Sufczynski Margaret Sufczynski 616 Carvel Grove Road Baltimore, MD 21221

Dear Mr. and Mrs. Sugczynski:

RE: Case Number: 08-325-A, 616 Carvel Grove Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 23, 2008. This letter is not an approval, but only a **NOTIFICATION**.

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s): Case(s) 08-325- Administrative Variance

DATE: February 19, 2008

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 Laurie Hay in the Office of Planning at 410-887-3480.

Prepared By

CM/LL



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor

John D. Porcari, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: FEB. 4, 2008

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

Item No. 8-325-A 616 CARVEL GROVEROAD SUFCZYNGKI PROPERTY

SUFCZYNGKI PROPERTY ADMINISTRATIVE VARIANCE

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 8-325-A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

For Steven D. Foster, Chie

Division

SDF/MB



JAMES T. SMITH, JR. County Executive

JOHN J. HOHMAN, Chief Fire Department

County Office Building, Room 111, 2007 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 February 11, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: February 04, 2008

Item Number: 325, 326, 328, 329, 330, 331, 332, 333, 334, 335, 336, 338, 339

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.

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

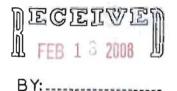
Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4880 (C)443-829-2946 MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence





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Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination JWL

DATE:

February 12, 2008

SUBJECT:

Zoning Item # 08-325-A

Address

616 Carvel Grove Road

(Sufczynski Property)

Zoning Advisory Committee Meeting of February 4, 2008

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

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

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

In accordance with Section 33-2-603(b)(3), the 25% impervious surface limit for the lot cannot be exceeded by the proposed carport.

In accordance with Section 33-2-603 (c)(3), 15% tree cover must be maintained onsite.

Reviewer:

Glenn Shaffer

Date: February 11, 2008

S:\Devcoord\I ZAC-Zoning Petitions\ZAC 2008\ZAC 08-325-A.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: February 7, 2008

TO:

Timothy M. Kotroco, Director

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For February 11, 2008

Item Nos. 07-456, 08-325, 326, 328, 329, 330, 331, 333, 334, 335, 336, 338, and 339

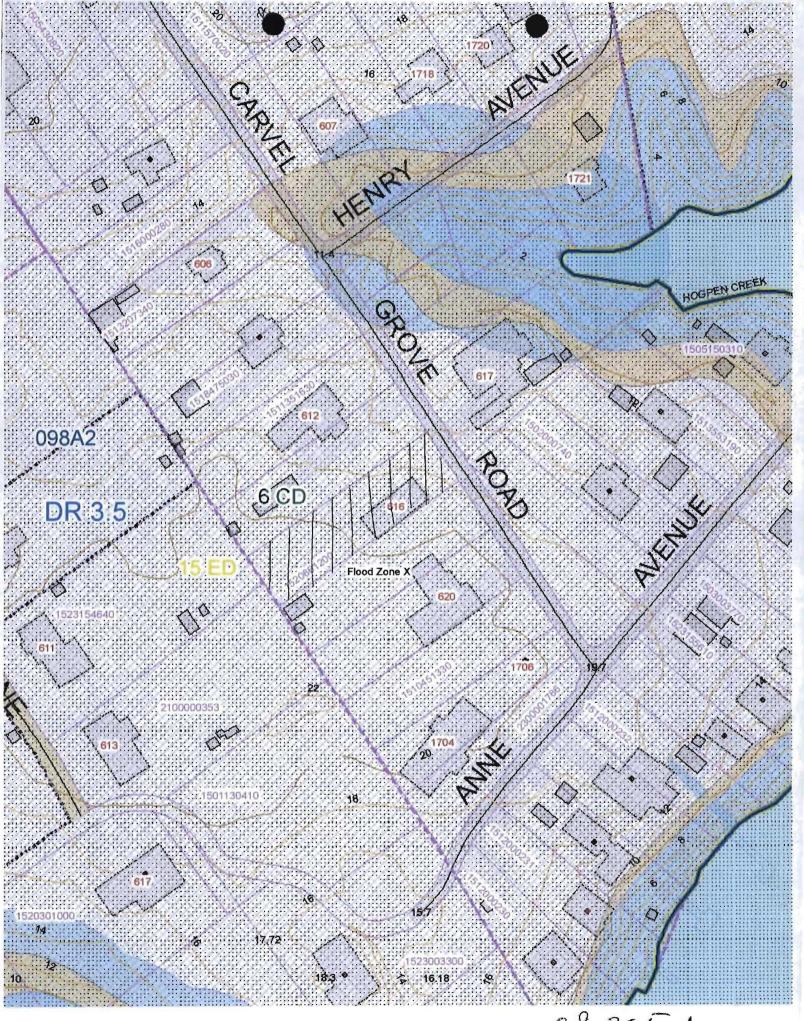
The Bureau of Development Plans Review has reviewed the subject zoning items and we have no comments.

DAK:CEN:clw cc: File

ZAC-NO COMMENTS- 02072008 doc

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PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE SPECIAL HEARING PROPERTY ADDRESS 616 CARVEL GROVE BY SEE PAGES & A 6 OF THE CHECK TO SEE PAGES BY A COST THE CHECK TO SEE PAGES BY A 6 OF THE CHECK TO				
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PLAT BOOK # 5 FOLIO #52 LOT #12-13 SECTION #		American Lander		
100'	Acct.*1511351630	SITE SITE		
Acct. 1510451330	LEON + MARY	CASE TE STANK		
DONALD + TRACEY	KIRKENDALL	, \\.		
WRIGHT 00		SCALE 1" = 1000"		
ProposeD 22x30	21 -	LOCATION INFORMATION		
CARPORT	Existing	ELECTION DISTRICT 15.		
EXISTING 30'	DWELLING	COUNCILMANIC DISTRICT		
DWELLING EXISTING	#G12	1": 200' SCALE MAP # 09842 ZON'NG D. R. 3,5		
#G20 DWELLING	FRONT			
FRONT 122 #616		LUT SIZE 0.45 20,000 ACREAGE SOLARE FEET		
46'	5 "	PUBLE PRIVATE SEWER [X] }		
22'		WATER 💢		
250' To ¢ OF Lot 12 +	Lot 10	CHESAPEAKE BAY = CRITICAL AREA		
ANNE AUE.		100 YEAR FLOOD PLAIN		
		BUILDING L.		
CARVEL GROVE RD. (NO COUNTY RI	cht of Way)	PRIOR ZONING HEARING NONE		
· ·		ZONING OFFICE USE ONLY REVIEWED BY ITEM # PASE #		
PREPARED BY DAN SUFCZYNSK) SCA	A-T811 325 08-325-A			



08-355-A



GIG CARVEL GROVE RD.

FRONT VIEW

> REAR VIEW

LEFT SIDE VIEW

08-325-A

620 CARVEL GROVE RD

ADJACENT PROPERTY LEFT SIDE



FRONT VIEW



Right SIDE VIEW

08-325-A