

IN RE: PETITION FOR ADMIN. VARIANCE  
SW side of intersection of Doe Ridge Drive  
and Mayfield Avenue  
2<sup>nd</sup> Election District  
4<sup>th</sup> Councilmanic District  
(7809 Doe Ridge Drive)

Matthew and Susan Kolarosky  
*Petitioners*

\* BEFORE THE  
\* DEPUTY ZONING  
\* COMMISSIONER  
\* FOR BALTIMORE COUNTY  
\* Case No. 2010-0050-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, Matthew and Susan Kolarosky for property located at 7809 Doe Ridge Drive. The variance request is from Sections 1B01.2.C.1.b and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed open deck addition with a rear yard setback of 16 feet in lieu of the permitted 22½ feet and amend the last approved Final Development Plan for Deer Run at Mayfield, Section 2, Lot 66 only. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners wish to construct a deck measuring 14 feet x 19 feet in size which will be of sufficient size to allow for a table, chairs and grill to fit comfortably. Currently, the only way to access the backyard is to use the basement door. Petitioners point out that the majority of homes in Deer Run at Mayfield have decks similarly sized to the one they are requesting to build. In fact, both neighbors have decks which are similar to the one Petitioners propose.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

SPOT RECEIVED FOR FILE  
9.14.09  
PJ

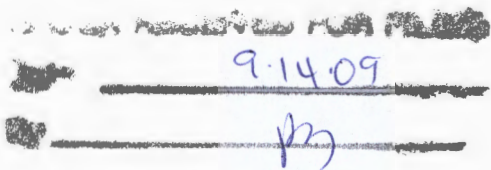
The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on August 23, 2009 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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.

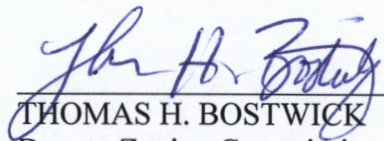
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 14<sup>th</sup> day of September, 2009 that a variance from Sections 1B01.2.C.1.b and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed open deck addition with a rear yard setback of 16 feet in lieu of the permitted 22½ feet and amend the last approved Final Development Plan for Deer Run at Mayfield, Section 2, Lot 66 only 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.

 9.14.09  
M

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

  
\_\_\_\_\_  
THOMAS H. BOSTWICK  
Deputy Zoning Commissioner  
for Baltimore County

THB:pz

RECEIVED FOR FILING  
9.14.09  
pz



**BALTIMORE COUNTY**

M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

THOMAS H. BOSTWICK  
*Deputy Zoning Commissioner*

September 14, 2009

MATTHEW AND SUSAN KOLAROSKY  
7809 DOE RIDGE DRIVE  
WINDSOR MILL MD 21244

Re: Petition for Administrative Variance  
Case No. 2010-0050-A  
Property: 7809 Doe Ridge Drive

Dear Mr. and Mrs. Kolarosky:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Thomas H. Bostwick".

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 7809 DOE RIDGE DR.  
which is presently zoned DR 5.5

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) 1301.2.C.1.b AND 301.1 BC2R

TO PERMIT A PROPOSED OPEN DECK ADDITION WITH A REAR YARD  
SETBACK OF 10 FT. IN ~~W~~ LIEU OF THE PERMITTED 22 1/2 FT.  
AND TO AMEND THE LAST APPROVED FINAL DEVELOPMENT PLAN  
FOR DEER RUN AT MAYFIELD, LOT 66, SECT. 2

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 KOLAROSKY  
Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
SUSAN KOLAROSKY  
Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
7809 DOE RIDGE DR. (410) 922-4876  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
WINDSOR MIL MD 21244  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### Representative to be Contacted:

Name \_\_\_\_\_  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

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

Zoning Commissioner of Baltimore County

CASE NO. 2010 0050 A Reviewed By JL Date 8/14/09  
REV 10/25/01 9.14.09 Estimated Posting Date 8/23/09



# 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

7809 Doe Ridge Drive  
Address  
Windsor Mill MD 21244  
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):

- please see attached -

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.

Matthew Kolarosky  
Signature

Matthew Kolarosky  
Name - Type or Print

Susan Kolarosky  
Signature

Susan Kolarosky  
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12 day of August, 2009 before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

Linda Marie Bennett-Rugg  
Notary Public

My Commission Expires

LINDA MARIE BENNETT-RUGG  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires March 1, 2010

# **Affidavit in Support of Administrative Variance**

**For 7809 Doe Ridge Drive, Windsor Mill, MD 21244**

This property is unique for two reasons:

1) It is on a corner lot with a home adjacent to *and* behind it. Because it has a home behind it, the property line is significantly shorter than that of the majority of the homes in Deer Run at Mayfield, which poses a problem in building a practically sized deck.

2) The home is designed to have a deck come off of the main floor from the kitchen. Currently, if one were to open the sliding glass door from the kitchen, he/she would fall one story to the backyard, posing a safety risk especially to small children.

We would like to have a 14'x19' deck built (rather than a 7.5' x 19' deck-which is what is acceptable without a variance) to allow for room for our child and future children to play, while in view of a parent from the kitchen area. Secondly, when barbequing, eating, etc. on the deck, 7.5' does not allow for safe and easy mobility with our growing family. Third, the only way to access the backyard at this time is to use the basement door. For safety reasons, it is important for us to be able to get to our child(ren), should an accident or emergency necessitate immediate attention. Having to run down to the basement in order to get to our child(ren) from the main living area is a concern, as our child will not be in view while having to go through the house to get to her.

Other information that may be helpful:

- 1) The significant majority of the homes in Deer Run at Mayfield have decks similarly sized (many actually larger) to the one we are requesting to have built.
- 2) Both neighbors have decks extending from their homes, which are very similar in design to our home.
- 3) The design of our prospective deck will blend in nicely with the development.



0050

ZONING DESCRIPTION FOR 7809 DOE RIDGE DRIVE, WINDSOR MILL, MD 21244

Beginning at a point on the SW side of Doe Ridge Drive which is 50 feet wide at the intersection of Mayfield Ave (SE side) which is 50 feet wide. Being lot 66, Section 2 of the subdivision Deer Run at Mayfield as recorded in Balt. Co. plat book #73, folio #90, containing 0.2 acres, also 8929 sq.ft. Also known as 7809 Doe Ridge Drive and located in the second Election District, Fourth Councilmanic District.



**BALTIMORE COUNTY, MARYLAND**  
**OFFICE OF BUDGET AND FINANCE**  
**MISCELLANEOUS CASH RECEIPT**

No. **43314**

Date: **8/14/09**

**PAID RECEIPT**

BUSINESS ACTUAL TIME DRW  
8/17/2009 8/14/2009 10:52:19 2

REC NO: 1411 JEVA JEE  
RECEIPT # 448910 7/31/2009 OFLN  
5 528 ZONING VERIFICATION

| Fund | Dept | Unit | Sub Unit | Rev Source/Obj | Sub Rev/Sub Obj | Dept Obj | BS Acct | Amount |
|------|------|------|----------|----------------|-----------------|----------|---------|--------|
| 001  | 806  | 0000 |          | 6154           |                 |          |         | 115.00 |
|      |      |      |          |                |                 |          |         |        |
|      |      |      |          |                |                 |          |         |        |
|      |      |      |          |                |                 |          |         |        |
|      |      |      |          |                |                 |          |         |        |
|      |      |      |          |                |                 |          |         |        |
|      |      |      |          |                |                 |          |         |        |
|      |      |      |          |                |                 |          |         |        |

Total: **115.00**

Rec  
From:

For:

*RVare July + Annual FDP*  
*7809 DOE RIDGE DR*

**DISTRIBUTION**

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S  
VALIDATION**

CERTIFICATE OF POSTING

RE: Case No 2010-0050-A

Petitioner/Developer SUSAN  
KARLESKY

Date Of Hearing/Closing: 9/7/09

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 penalties of perjury that the necessary  
sign(s) required by law were posted conspicuously on the property  
at 7805 DOE RIDGE DRIVE

This sign(s) were posted on August 23, 2009

Month, Day, Year

Sincerely,

Martin Ogle 8/23/09  
Signature of Sign Poster and Date

Martin Ogle

60 Chelmsford Court

Baltimore, Md, 21220

443-629-3411



08/23/2009



Zoning APP HAS ORIGIN +  
POST LIST

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number <sup>2010</sup> **0050** -A Address **7809 DOE RIDGE DR.**

Contact Person: John Lewis Phone Number: 410-887-3391  
Planner, Please Print Your Name

Filing Date: 8/14/09 Posting Date: 8/23/09 Closing Date: 9/07/09

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 <sup>2010</sup> **0050** -A Address **7809 DOE RIDGE DR**  
Petitioner's Name ~~MATT~~ **MATTHEW & SUSAN KOLAROSKY** Telephone **410 922 4876**  
Posting Date: 8/23/09 Closing Date: 9/07/09  
Wording for Sign: To Permit A PROPOSED OPEN DECK ADDITION WITH A REAR  
YARD SETBACK OF 16 FT. IN LIEU OF THE PERMITTED 22 1/2 FT.  
AND TO AMEND THE LAST APPROVED FINAL DEVELOPMENT PLAN FOR  
DEER RUN AT MAYFIELD, LOT 66, SECTION 2

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.**

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**For Newspaper Advertising:**

Item Number or Case Number: 2010 0050 A

Petitioner: KOLAROSKY

Address or Location: 7809 Doe Ridge Dr. Windsor Mill MD 21244

**PLEASE FORWARD ADVERTISING BILL TO:**

Name: Susan Kolarosky

Address: 7809 Doe Ridge Dr.  
Windsor Mill, MD 21244

Telephone Number: 410 922 4876





**BALTIMORE COUNTY**  
MARYLAND

JAMES T. SMITH, JR.  
*County Executive*

TIMOTHY M. KOTROCO, *Director*  
*Department of Permits and*  
*Development Management*

September 8, 2009

Matthew & Susan Kolarosky  
7809 Doe Ridge Dr.  
Windsor Hill, MD 21244

Dear: Matthew & Susan Kolarosky

RE: Case Number 2010-0050-A, 7809 Doe Ridge Dr.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 14, 2009. 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:lnw

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

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

**DATE:** August 31, 2009

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For September 7, 2009  
Item Nos. 10-007, 048, 049, 050,  
051, 052, 054 and 055

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

DAK:CEN:kmt

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-09072009 -NO COMMENTS.doc



AV  
9/7

**BALTIMORE COUNTY, MARYLAND**

**Inter-Office Correspondence**



**RECEIVED**

**SEP 29 2009**

**ZONING COMMISSIONER**

**TO:** Timothy M. Kotroco  
**FROM:** Dave Lykens, DEPRM - Development Coordination  
**DATE:** September 29, 2009  
**SUBJECT:** Zoning Item # 10-050-A  
Address 7809 Doe Ridge Drive  
(Kolarosky Property)

Zoning Advisory Committee Meeting of August 24, 2009

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

Reviewer: JWL

Date: 9/29/09

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** September 10, 2009

SEP 10 2009

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

ZONING COMMISSIONER

**SUBJECT:** Zoning Advisory Petition(s): **Case(s) 10-050- Administrative Variance**

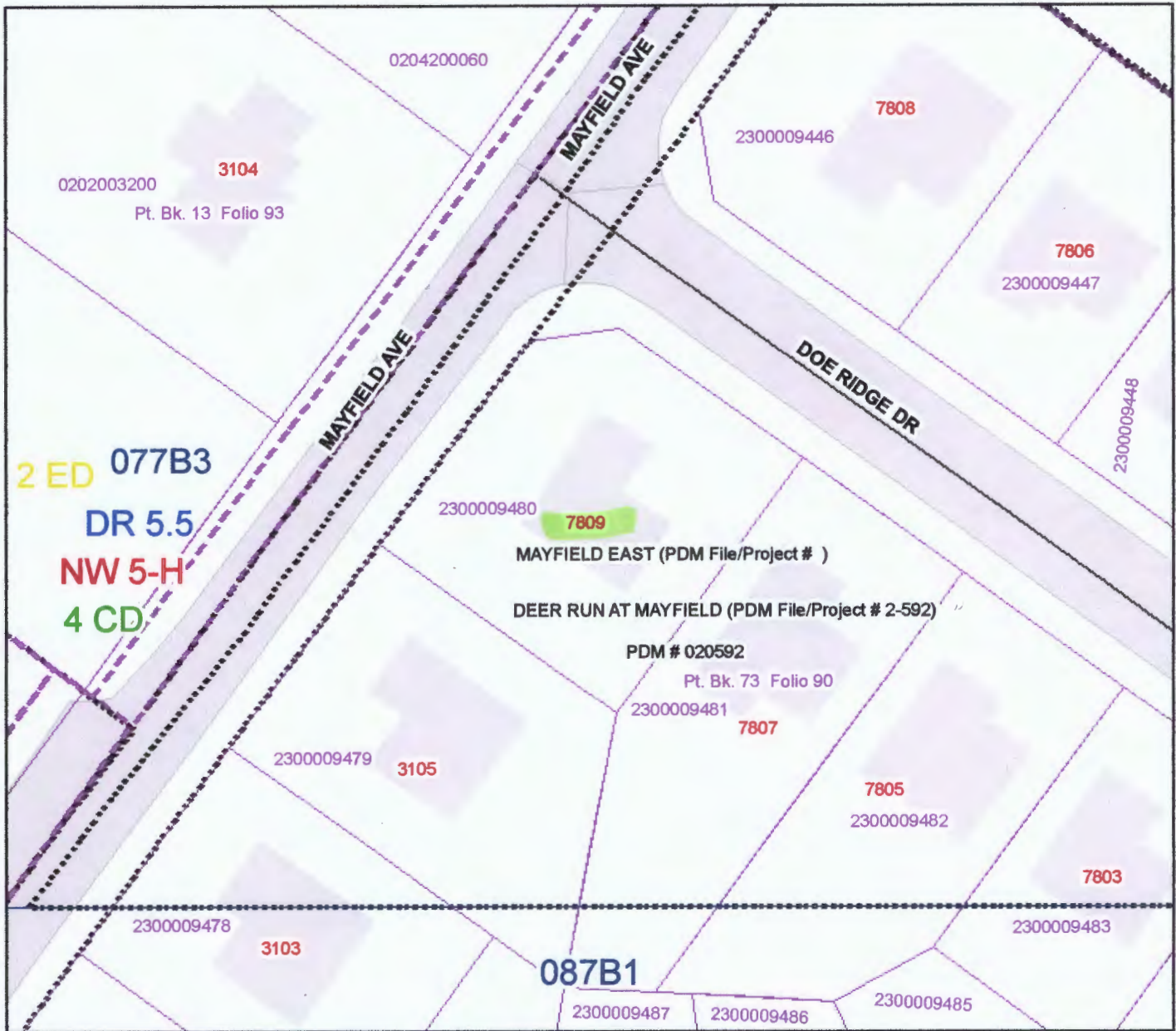
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Dave Green in the Office of Planning at 410-887-3480.

**Prepared By:**  
CM/LL



# 7809 Doe Ridge Drive

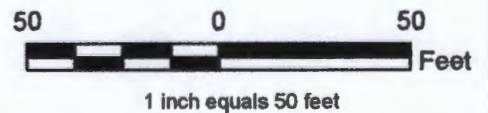


0050



Publication Date: August 04, 2009  
Publication Agency: Department of Permits & Development Management  
Projection/Datum: Maryland State Plane,  
FIPS 1900, NAD 1983/91 HARN, US Foot

DQ Map Notes







# PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

SCALE 1"=20'

ADDRESS: 7809 DOE RIDGE DRIVE; WINDSOR MILL, MD 21244

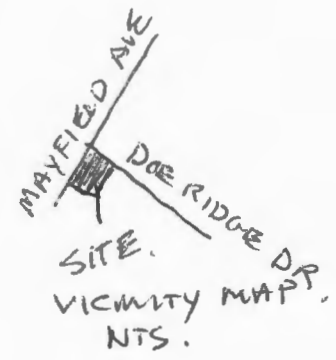
SUBDIVISION NAME: DEER RUN AT MAYFIELD LOT #66

PLAT BOOK # 73 FOLIO # 90 SECTION 2-DEER RUN AT MAYFIELD

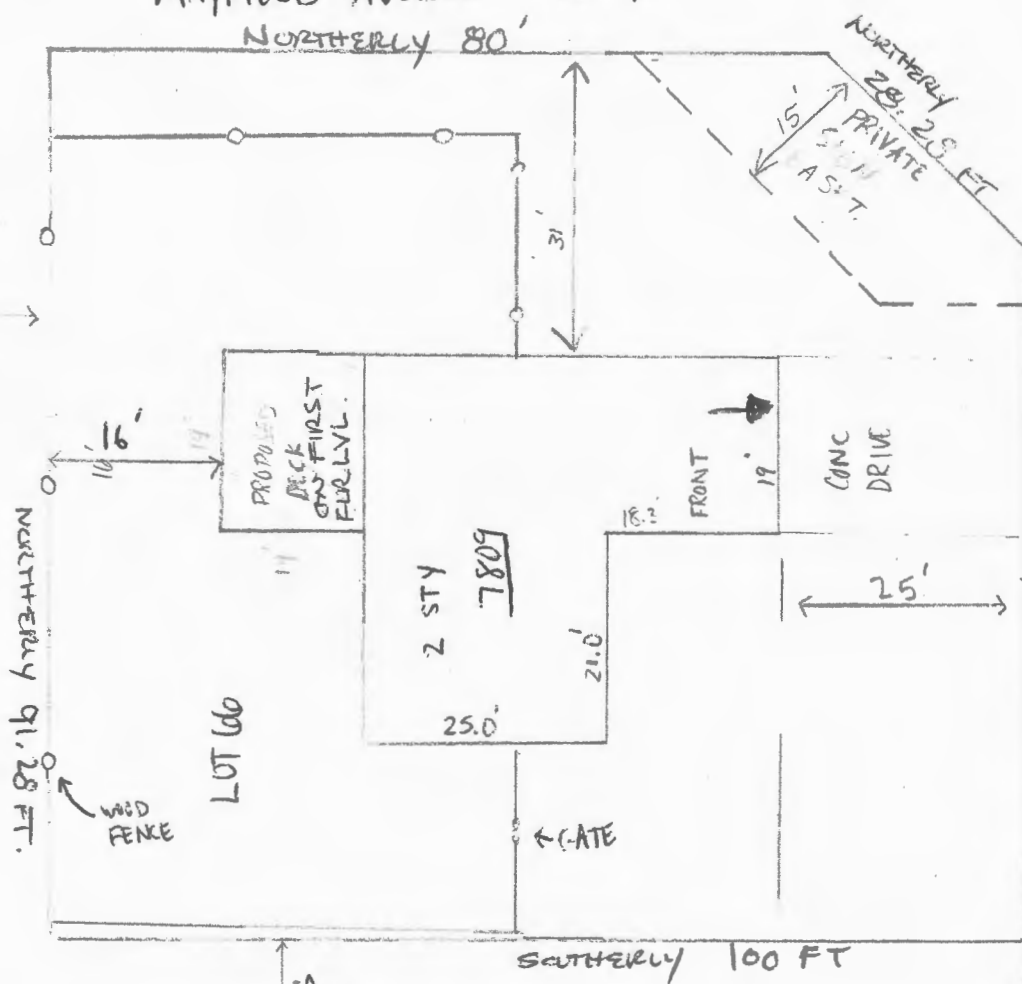
## LOCATION INFO:

- ELECTION DISTRICT #2
- COUNCILMANIC DISTRICT #4TH
- ZONING DR 5.5
- LOT SIZE - 0.2 ACRES; 8929 sq ft.
- SEWER + WATER - PUBLIC
- CHESAPEAKE BAY CRITICAL AREA - NO
- 100 YEAR FLOOD PLAIN - NO
- HISTORIC PROPERTY - NO

OWNERS:  
SUSAN Y. MATTHEW  
KOLARSKI  
7809 DOE RIDGE DR.



MAYFIELD AVENUE 50' R/W  
NORTHERLY 80'



SIDE 20.2' TO NBR SIDE OF DWLG.

LOT 67 SIDE 11' TO NBR SIDE OF DWLG.

118'2"12' LINDSEY SQUARE  
DOE RIDGE DRIVE  
(50 FEET WIDE)