

IN RE: PETITION FOR ADMIN. VARIANCE

N side of Old Oak Road; 67 feet W of
Kenleigh Road
9th Election District
5th Councilmanic District
(910 Old Oak Road)

William P. and Laura T. Siciliano
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* Case No. 2010-0091-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, William P. and Laura T. Siciliano for property located at 910 Old Oak Road. The variance request is from Section 1B02.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear setback of 27 feet in lieu of the required 30 feet for an addition. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners desire to construct an addition measuring 20 ½ feet x 17 feet to accommodate the growing family. The dwelling was constructed farther back on the property than neighboring homes.

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.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on September 20, 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

10-8-09
[Signature]

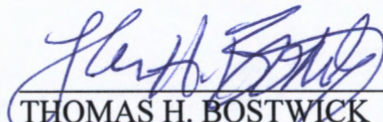
indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements 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 8th day of October, 2009 that a variance from Section 1B02.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear setback of 27 feet in lieu of the required 30 feet for an addition 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.

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 PLANNING
10-8-09




BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

October 8, 2009

WILLIAM P. AND LAURA T. SICILIANO
910 OLD OAK ROAD
BALTIMORE MD 21212

Re: Petition for Administrative Variance
Case No. 2010-0091-A
Property: 910 Old Oak Road

Dear Mr. and Mrs. Siciliano:

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 910 Old Oak Rd 21212
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) 1802.C.1; BCZR, TO

* PERMIT A REAR SETBACK OF 27ft. IN LIEU OF THE REQUIRED 30ft. FOR AN ADDITION.

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):

* William Siciliano
Name - Type or Print

Signature

Laura Siciliano
Name - Type or Print

Signature

910 Old Oak Road 410-245-2912
Address Telephone No.

Baltimore MD 21212
City State Zip Code

Representative to be Contacted:

Name Same.

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 10-8-09 day of October, 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. 2010-0091-A

Reviewed By JCM Date 9-11-09

REV 10/25/01

Estimated Posting Date 9-20-09

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 910 Old Oak Road
Address
Baltimore MD 21212
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):

1. Growing family requires additional living space.
2. Due to odd shaped lot, planned addition requires a request for administrative variance.
3. Proposed design is minimum size required to accommodate planned renovations

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.

William P. Siciliano
Signature
William P. Siciliano
Name - Type or Print

Laura T. Siciliano
Signature
Laura Siciliano
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 10th day of September, 2009, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

William P. Siciliano + Laura T. Siciliano
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Manuel Leber
Notary Public

My Commission Expires 7/1/2010

ZONING DESCRIPTION FOR: 910 OLD OAK ROAD, BALTIMORE, MD, 21212

BEGINNING for the same on the north side of Old Oak Road, at the distance of 67 feet west from the west side of Kenleigh Road, running thence west along the north side of Old Oak Road, 58 feet to the westernmost outline of Lot No. 23 in Block 18, as shown on the Plat of Stoneleigh recorded among the Land Records of Baltimore County in Liber W.P.C. No. 8 folio 85, running thence northerly along the westernmost outlines of Lots 23, 24, 25 and 26, in Block 18, as shone on said plat, and running thence easterly along said north outline 58 feet and running thence south 109 feet to the place of beginning. The improvements thereon being known as No. 910 Old Oak Road.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2009-¹⁰ 0091 -A Address 910 OLD OAK Rd.

Contact Person: J. MARRON Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 9-11-09 Posting Date: 9/20 Closing Date: 10/5

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, usually within 10 days of the closing date if all County agencies' comments are received, 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 2009-¹⁰ 0091 -A Address 910 OLD OAK Rd.

Petitioner's Name W. SICILIANO Telephone 410-245-2912

Posting Date: 9/20/09 Closing Date: 10/5/09

Wording for Sign: To Permit A REAR YARD SETBACK OF 27 ft.
IN LIEU OF THE REQUIRED 30ft. FOR AN
ADDITION.

WCR - Revised 7/7/08

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 0091

Petitioner: William Siciliano

Address or Location: 910 Old Oak Road, Baltimore, MD 21224

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____

Address: _____

Telephone Number: 410-245-2912

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

No. 44784

Date: 9.11.09

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
001	006	0000		6150					65.00

Total: 65.00

Rec From: W. Siciliano

For: 2010-0091-A

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS ACTION TIME DATE
 9/14/2009 9/11/2009 09:10:35 2
 106 WSO2 WALKIN JENA JEE
 RECEIPT # 65340 9/11/2009 OPEN
 5 528 BIDDING VERIFICATION
 Recpt Tot 65.00
 4.00 CR 65.00 CR
 65.00 CR
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

William D. Gulick, Jr.
Baltimore County Approved Sign Poster
Notary Public
2944 Edgewood Avenue
Baltimore, MD 21234
410-530-6293

LETTER OF TRANSMITTAL

TO: Baltimore County, PDM
Zoning Office

DATE: September 21, 2009
JOB NO.: 2009-034
RE: Case No. 2010-0091-A
910 Old Oak Road

ATTENTION: Ms. Kristen Matthews

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover the following items:

☐ Copy of letter ☐ Prints ☒ Documents ☐ Other ☐

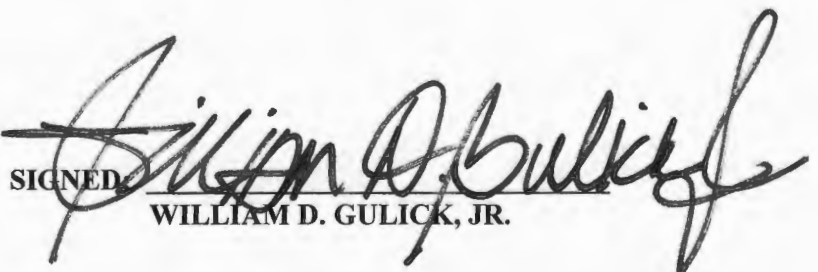
No. of Copies	Date	Description
1	Sep. 20, 2009	Certificate of Posting
2	Sep. 20, 2009	Site Photos

TRANSMITTALS are as checked below:

☐ For approval ☒ For your use ☐ As requested ☐ For review & comment

☐ Other ☐

REMARKS:

SIGNED 
WILLIAM D. GULICK, JR.

cc:



OLD OAK ROAD



CERTIFICATE OF POSTING

Department of Permits & Development Management
Baltimore County
111 W. Chesapeake Avenue
Room 111
Towson, MD 21204

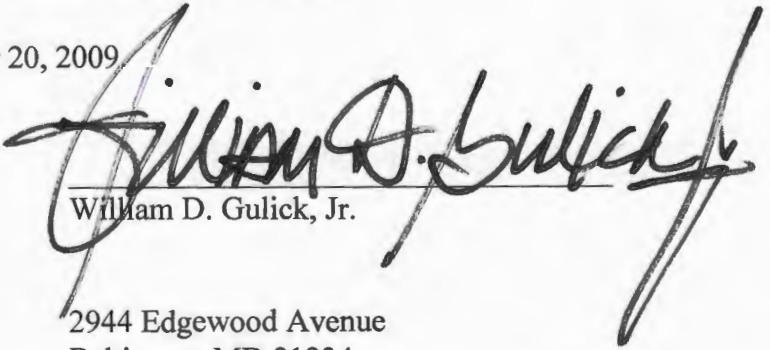
Date: September 21, 2009

Zoning Office
Attention: Ms. Kristen Matthews

Re: Case Number: 2010-0091-A
Petitioner/Developer: W. Siciliano
Date of Hearing/Closing: October 5, 2009

This is to certify under the penalties of perjury that the necessary sign (s) required by law were posted conspicuously on the property located at: 910 Old Oak Road.

The sign (s) were posted on: September 20, 2009



William D. Gulick, Jr.

2944 Edgewood Avenue
Baltimore, MD 21234
(410) 530-6293

SEE ATTACHED SITE PHOTOS

RECEIVED

DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

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

October 5, 2009

William & Laura Siciliano
910 Old Oak Rd.
Baltimore, MD 21212

Dear: William & Laura Siciliano

RE: Case Number 2010-0091-A, 910 Old Oak Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 20, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

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

FROM: Dennis A. Kennedy^{DAK}, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For October 5, 2009
Item Nos. 10-087, 088, 089, 090,
091, 092, 093, 095 and 096

DATE: September 25, 2009

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-10052009 -NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 29, 2009

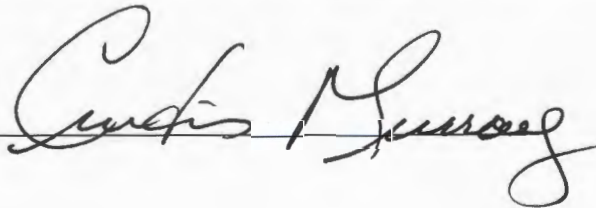
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 10-091- 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 Donnell Zeigler in the Office of Planning at 410-887-3480.

Prepared By:
CM/LL



RECEIVED

SEP 29 2009

ZONING COMMISSIONER



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

October 2, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: September 21. 2009

Item Numbers 0087,0088,0090,0091,0092,0093,0094,0095 and 0096

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



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

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: SEPT. 29, 2009

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

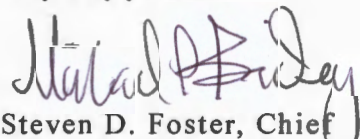
RE: Baltimore County
Item No. 2010-0091-A
910 OLD OAK ROAD
SIGILLANO PROPERTY
ADMIN. VARIANCE -

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. 2010-0091-A.

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

Very truly yours,


Steven D. Foster, Chief
For Engineering Access Permits
Division

SDF/mb

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.sha.maryland.gov



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vvw2.3d)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 09 Account Number - 0922250060

Owner Information

Owner Name:	SICILIANO WILLIAM P SICILIANO LAURA	Use:	RESIDENTIAL
Mailing Address:	910 OLD OAK RD BALTIMORE MD 21212-1912	Principal Residence:	YES
		Deed Reference:	1) /28420/ 379 2)

Location & Structure Information

Premises Address	Legal Description
910 OLD OAK RD	PT LTS 23,24,25,26 910 OLD OAK RD STONELEIGH

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
80	2	131				18	23	2	Plat Ref: 8/ 85

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1941	1,715 SF	6,322.00 SF	04

Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	1/2 BRICK FRAME

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2008	07/01/2009	07/01/2010
Land	132,320	180,320		
Improvements:	228,560	246,450		
Total:	360,880	426,770	404,806	426,770
Preferential Land:	0	0	0	0

Transfer Information

Seller: VENABLES ROBERT	Date: 07/22/2009	Price: \$440,000
Type: IMPROVED ARMS-LENGTH	Deed1: /28420/ 379	Deed2:
Seller: VENABLES ROBERT	Date: 12/30/2004	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /21199/ 564	Deed2:
Seller: PRESTER GAYLE B	Date: 10/07/1955	Price: \$24,500
Type: IMPROVED ARMS-LENGTH	Deed1: / 2792/ 561	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *



Lot # 1
0902571460
Pt. Bk. 8 Folio 85

STONELEIGH
ELEMENTARY
SCHOOL

070A3

NE 8-A

DR 5.5

9 ED

5 CD

080A1

BEHIND KIMWAY

BEHIND KIMWAY

BANBURY RD



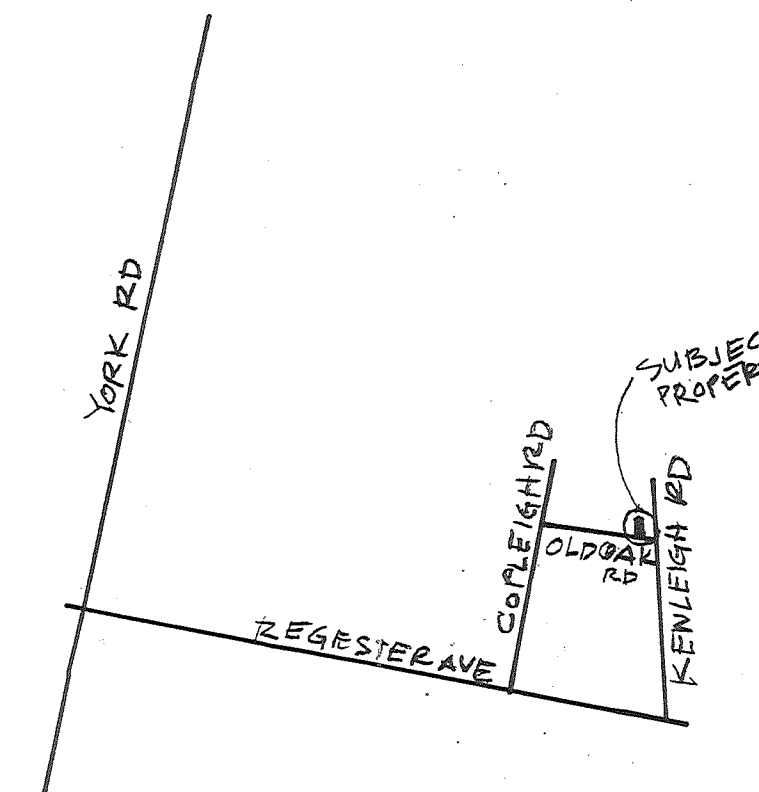
PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

PROPERTY ADDRESS: 910 OLD OAK ROAD

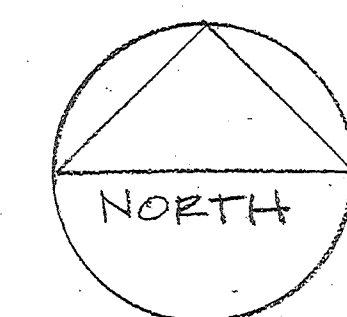
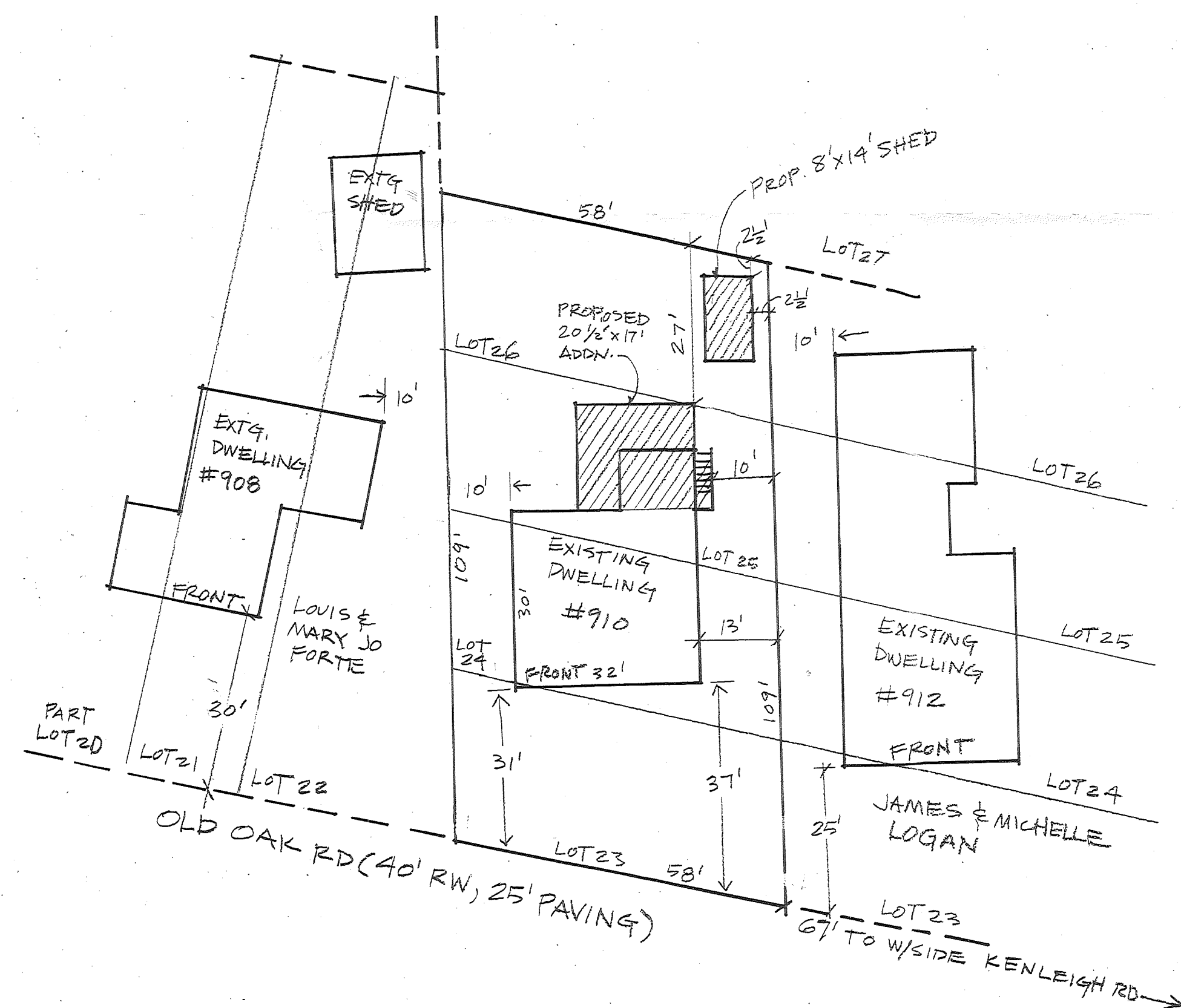
SUBDIVISION NAME: STONELEIGH

PLAT BOOK # 8 FOLIO # 85 LOT # PART LOTS 23, 24, 25 & 26

OWNER: WILLIAM & LAURA SICILIANO



VICINITY MAP SCALE: 1" = 1000'



PREPARED BY:
ADR BUILDERS LTD
16928 YORK RD
MONKTON, MD 21111
(410) 561-0221

SCALE: 1" = 20'

LOCATION INFORMATION

ELECTION DISTRICT # 9

COUNCILMANIC DISTRICT # 5

1" = 200' SCALE MAP # 080A1 (NEB-A)

ZONING DZ 5.5

LOT SIZE 0.145 ACRE 6322 SQ. FT.

SEWER - PUBLIC

WATER - PUBLIC

CHESAPEAKE BAY CRITICAL AREA - NO

100 YR FLOODPLAIN - NO

HISTORIC PROPERTY/BUILDING - NO

PRIOR ZONING HEARING - NONE

ZONING OFFICE USE ONLY

REVIEWED BY

ITEM #

CASE #