

2/23/11  
IN THE MATTER OF  
THE APPLICATION OF  
LUBOMIR TODOROV  
-LEGAL OWNER FOR A VARIANCE  
ON PROPERTY LOCATED ON THE  
N/S OF JARRETTSVILLE PIKE.  
510 FT S/WHITESWORTH ROAD  
(14006 JARRETTSVILLE PIKE)

10<sup>TH</sup> ELECTION DISTRICT  
3<sup>RD</sup> COUNCILMANIC DISTRICT

\* BEFORE THE  
\* BOARD OF APPEALS  
\* OF  
\* BALTIMORE COUNTY  
\* CASE NO. 10-217-A

\*

\* \* \* \* \*

**RULING ON MOTION  
FOR RECONSIDERATION**

On January 19, 2011, the Board issued its decision in the above case, finding that upon the failure of Petitioner, nor Counsel on his behalf, to appear at the scheduled hearing time, the Board dismissed the appeal filed by Petitioner in this matter with prejudice. On February 22, 2011, a Motion for Reconsideration was filed by Lee R. Jacobson, Esquire, on behalf of Lubomir Todorov, Petitioner, relevant to the Order and Opinion of the Board issued January 19, 2011.

Rule 10 of the Board's Rules of Practice and Procedure requires that a party file a Motion for Reconsideration of an Order of the Board of Appeals within 30 days after the date of the original Order. The thirtieth (30<sup>th</sup>) day/date for filing the Motion would have been Friday, February 18, 2011. The Board was open on that date and the Motion could have been received by U.S. Mail or Hand Delivery to the Board's office.

The Board received the Motion for Reconsideration, by U.S. Mail delivery, on February 22, 2011. Therefore, the Board will deny the Motion for Reconsideration filed by the Petitioner/Legal Owner as being untimely filed.

**ORDER**

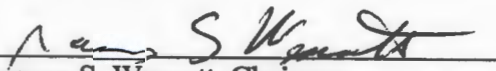
FOR THE ABOVE REASON, IT IS THEREFORE THIS 23<sup>rd</sup> day of February, 2011 by the Board of Appeals of Baltimore County

**ORDERED** that Motion for Reconsideration filed by the Petitioner herein be and is hereby **DENIED** as being untimely; and it is further

**ORDERED** that the previous Order of the Board dated January 19, 2011 be and is hereby **AFFIRMED**.

Any Petition for Judicial Review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules.

**BOARD OF APPEALS  
OF BALTIMORE COUNTY**

  
Lawrence S. Wescott, Chairman



County Board of Appeals of Baltimore County

JEFFERSON BUILDING  
SECOND FLOOR, SUITE 203  
105 WEST CHESAPEAKE AVENUE  
TOWSON, MARYLAND, 21204  
410-887-3180  
FAX: 410-887-3182

February 23, 2011

Lee R. Jacobson, Esquire  
Jacobson & Myerberg, P.A.  
502 Washington Avenue, Ste 320  
Towson, MD 21204

RE: *In the Matter of: Lubomir Todorov-Legal Owner/Petitioner*  
Case No.: 10-217-A

Dear Mr. Jacobson:

Enclosed please find a copy of the Ruling on Motion for Reconsideration issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **with a photocopy provided to this office concurrent with filing in Circuit Court. Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number.** If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

*Theresa Shelton/kc*

Theresa R. Shelton  
Administrator

TRS/klc  
Enclosure

c: Lubomir Todorov  
Bernard Mills  
Glen Thomas  
Bill Shaughnesey  
Mary Matra  
Office of People's Counsel  
Lawrence M. Stahl, Chief Administrative Law Judge  
Jeff Mayhew, Deputy Director/Office of Planning  
Arnold Jablon, Director/PAI  
Nancy C. West, Assistant County Attorney  
Michael Field, County Attorney

RECEIVED

FEB 22 2011

BALTIMORE COUNTY  
BOARD OF APPEALS

IN THE MATTER OF  
THE APPLICATION OF  
LUBOMIR TODOROV-LEGAL OWNER  
FOR A VARIANCE ON PROPERTY  
LOCATED ON N/S OF JARRETTSVILLE PIKE  
510 FT S/WHITESWORTH ROAD  
(14006 JARRETTSVILLE PIKE)

\* BEFORE THE  
\* BOARD OF APPEALS  
\* OF  
\* BALTIMORE COUNTY  
\* CASE NO.: 10-217-A  
\*

10<sup>TH</sup> ELECTION DISTRICT  
3<sup>RD</sup> COUNCILMATIC DISTRICT

\* \* \* \* \*

MOTION FOR RECONSIDERATION

Lubomir Todorov, Petitioner, by Lee R. Jacobson and Jacobson & Myerberg, P.A. his attorneys, pursuant to Rule 10 of the Rules of Practice and Procedure of the County Board of Appeals for Baltimore County respectfully moves for reconsideration of it's Order of Dismissal dated January 19, 2011 and for good cause states as follows:

1. A hearing was scheduled on January 18, 2011 on the Petitioner's appeal from a decision of the Deputy Zoning Commissioner dated July 8, 2010, in which a requested variance relief was denied.

2. On the date of said hearing, January 18, 2011, the Baltimore area experienced a ice/sleet storm which resulted in the closure of Baltimore County schools and the inability of the Petitioner from timely attending the scheduled hearing.

3. The Petitioner requested Bernard Emil Jr. to attend the hearing on his behalf and to advise the Board of the Petitioner's difficulty.

4. Unfortunately Mr. Emil had a difficult time locating the proper venue for the hearing, see Bernard Emil, Jr.'s letter dated February 15, 2011 attached hereto and prayed to be made a part hereof, and upon finding the locale of the hearing he was told that the case was being



February 22, 2011

Larry:

RE: Todorov / File Attached

Received a Motion for Reconsideration this date. I spoke with Mr. Jacobson the evening of the 1/18<sup>th</sup> (Hearing date). He said he thought he missed the hearing today – now what do I do???????? (really, your an attorney and asking me what you need to do) Unreal.

I suggested he file a Motion for Reconsideration (that was on 1/18), which he did, but it is LATE; he dated it the 2/18, but we received it 2/22/11.

I feel for his client, but we received a call at 8 AM on the hearing date on 1/18 that the hearing was going forward. The Board didn't even convene until 11 and the Petitioner said his lawyer would be here when I spoke to him at 10:30. Mr. Todorov was not coming, but a friend of his was supposed to come, which he did, after running all around the County.

Mr. Jacobson should know better.

Can the Board deny the Motion without the Deliberation, or do we have to Deliberate this?????????. The attorney did not copy anyone other than his client.

Let me know what you want to do.

#### **Rule 10. Motion for Reconsideration**

A party may file a motion for reconsideration of an order of the board of appeals. The motion shall be filed within thirty (30) days after the date of the original order. The motion shall state with specificity the grounds and reasons for the motion. The filing of a motion for reconsideration shall stay all further proceedings in the matter, including the time limits and deadlines for the filing of a petition for judicial review. After public deliberation and in its discretion, the board may convene a hearing to receive testimony or argument or both on the motion. Each party participating in the hearing on the motion shall be limited to testimony or argument only with respect to the motion; the board may not receive additional testimony with respect to the substantive matter of the case. Within 30 days after the date of the board's ruling on the motion for reconsideration, any party aggrieved by the decision shall file a petition for judicial review. The petition for judicial review shall request judicial review of the board's original order, the board's ruling on the motion for reconsideration or both. [Bill 50-05]

*Thank you.*

*T*

LAW OFFICES  
**JACOBSON & MYERBERG, P.A.**  
SUITE 320, NOTTINGHAM CENTRE  
502 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
410-828-7090  
FAX 410-828-7012

**RECEIVED**  
**FEB 22 2011**  
**BALTIMORE COUNTY**  
**BOARD OF APPEALS**

LEE R. JACOBSON  
HENRY J. MYERBERG

February 18, 2011

County Board of Appeals for Baltimore County  
Jefferson Building  
Second Floor, Suite 203  
105 West Chesapeake Avenue  
Towson, MD 21204

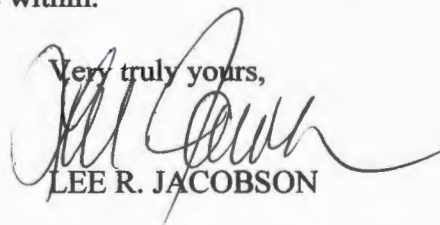
Re: In the Matter of Lubomir Todorov - Legal Owner/Petitioner  
Case No.: 10-217-A

Dear Sir/Madam:

Please find enclosed Motion for Reconsideration for filing in the above entitled matter.

Thank you for your kind attention to the within.

Very truly yours,



LEE R. JACOBSON

LRJ/bmh  
Enclosure

cc: Mr. Lubomir Todorov

February 15, 2011

Lubomir Todorov  
14006 Jarrettsville Pike  
Phoenix, MD

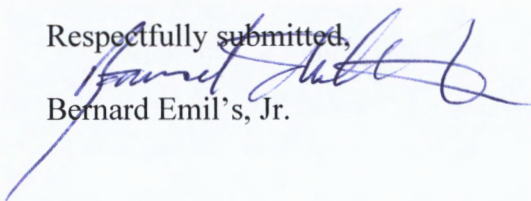
Dear Mr. Todorov,

Per your request I am providing you with a brief synopsis of the chain of events as I experienced them on January 18, 2001. I had at your request called the Board of Appeals on the morning of January 18, 2001 asking for a postponement or rescheduling due to weather events. My request was denied and I was told that the hearing would proceed as scheduled at the Jefferson Building. I arrived at the Jefferson Building on January 18, 2011 at approximately 9:50am. I inquired as to where the appeals hearings were being held to the two Security Guards at the front door, since there was no one available at the information desk. They told me there were no hearings scheduled in the Jefferson Building for this morning in particular.

The Security Guards sent me to the Code Enforcement Building next door. I went to the Code Enforcement Building only to be told by at least three different individuals, at various administrative levels, there were no appeal hearings scheduled here either. They suggested that I go to the Circuit Court or the District Court to see if the appeals hearings were being held there. After a number of trips back and forth between the Circuit Court and the District Court Buildings, a number of inquiries by the records and case scheduling offices, and speaking with at least six different individuals, I was again sent back to the Jefferson Building. By this time it was almost 11:15am and again I was told by the Security Guards there were no hearings scheduled. After insisting that I was told there were they sent into the back of the first floor offices to a lady who told me that there were no appeals hearings being held for Animal Control? When I told her that I was looking for the appeal hearing with the commissioners for a building structure, she finally directed me to the second floor, I believe, where I finally found the appeals hearing room. After waiting about fifteen minutes the commissioners appeared, said that since you were no there they were dismissing the case.

I tried to explain all of the confusion and misinformation given that morning to no avail, and they summarily dismissed the pending appeals case. I am still available to you as a witness for your appeal and am willing to testify on your behalf.

Respectfully submitted,

  
Bernard Emil's, Jr.

IN THE MATTER OF  
THE APPLICATION OF  
LUBOMIR TODOROV  
-LEGAL OWNER FOR A VARIANCE  
ON PROPERTY LOCATED ON THE  
N/S OF JARRETTSVILLE PIKE.  
510 FT S/WHITESWORTH ROAD  
(14006 JARRETTSVILLE PIKE)

10<sup>TH</sup> ELECTION DISTRICT  
3<sup>RD</sup> COUNCILMANIC DISTRICT

\* BEFORE THE  
\* BOARD OF APPEALS  
\* OF  
\* BALTIMORE COUNTY  
\* CASE NO. 10-217-A

\*

\* \* \* \* \*

### ORDER OF DISMISSAL

This matter comes to the Board on appeal from a decision of the Deputy Zoning Commissioner dated July 8, 2010, in which the requested variance relief was denied.

A hearing was scheduled to be held before this Board on Tuesday, January 18, 2011 at 10:00 a.m., for which proper notice was given. The Petitioner, did not appear.

At 10:30 a.m., Theresa R. Shelton, Administrator for the Board of Appeals telephoned and spoke to the Petitioner who indicated that his attorney would be appearing before the Board to represent him in this matter.

The Board convened for hearing at 11:00 a.m. The Petition/Appellant did not appear, nor did Counsel for the Appellant, but a friend did appear on his behalf.

Upon the failure of Petitioner, nor Counsel on his behalf, to appear at the scheduled hearing time, the Board dismisses the appeal filed by Petitioner in this matter with prejudice and will so order.

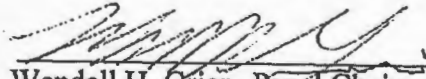
IT IS THEREFORE ORDERED this 19<sup>th</sup> day of January, 2011 by the Board of Appeals of Baltimore County that the appeal filed in Case No. 10-217-A be and



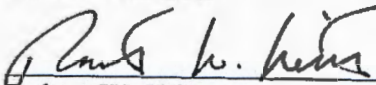
the same is hereby **DISMISSED with prejudice** for Failure to Appear. The decision of the Deputy Zoning Commissioner in which the subject Petition for Variance was denied therefore remains the final Order in this matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*. If no such petition is filed within 30 days from the date of this Order, the subject file will be closed.

**BOARD OF APPEALS  
OF BALTIMORE COUNTY**

  
Wendell H. Grier, Panel Chairman

  
Andrew M. Belt

  
Robert W. Witt



## County Board of Appeals of Baltimore County

JEFFERSON BUILDING  
SECOND FLOOR, SUITE 203  
105 WEST CHESAPEAKE AVENUE  
TOWSON, MARYLAND, 21204  
410-887-3180  
FAX: 410-887-3182

January 19, 2011

Lubomir Todorov  
3306 Paper Mill Road  
Phoenix, MD 21131

RE: *In the Matter of: Lubomir Todorov-Legal Owner/Petitioner*  
Case No.: 10-217-A

Dear Mr. Todorov:

Enclosed please find a copy of the Order of Dismissal issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **with a photocopy provided to this office concurrent with filing in Circuit Court. Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number.** If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

*Theresa Shelton/kc*

Theresa R. Shelton  
Administrator

TRS/klc  
Enclosure

c: Bernard Mills  
Glen Thomas  
Bill Shaughnesey  
Mary Matra  
Office of People's Counsel  
Lawrence M. Stahl, Chief Administrative Law Judge  
Jeff Mayhew, Deputy Director/Office of Planning  
Arnold Jablon, Director/PAI  
Nancy C. West, Assistant County Attorney  
Michael Field, County Attorney



## County Board of Appeals of Baltimore County

JEFFERSON BUILDING  
SECOND FLOOR, SUITE 203  
105 WEST CHESAPEAKE AVENUE  
TOWSON, MARYLAND, 21204  
410-887-3180  
FAX: 410-887-3182

Jefferson Building - Second Floor  
Hearing Room #2 - Suite 206  
105 W. Chesapeake Avenue

November 29, 2010

### **NOTICE OF ASSIGNMENT**

**CASE #: 10-217-A**

**IN THE MATTER OF: Lubomir Todorov**

**Legal Owner /Petitioner**

14006 Jarrettsville Pike / 10<sup>th</sup> Election District; 3<sup>rd</sup> Councilmanic District

Re: Petition for Administrative Variance to permit an accessory structure (carport) in the front yard in lieu of the required rear yard

7/8/10 - Findings of Fact and Conclusions of Law issued by Deputy Zoning Commissioner, DENYING the Petitioners' requested relief.

**ASSIGNED FOR: TUESDAY, JANUARY 18, 2011 AT 10:00 A.M.**

**NOTICE:** This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

**IMPORTANT:** No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

**Theresa R. Shelton, Administrator**

c: Petitioner/Legal Owner

: Lubomir Todorov

Bernard Mills  
Glen Thomas  
Bill Shaughnesey  
Mary Matra

William J. Wiseman, III, Zoning Commissioner  
Timothy Kotroco, Director/PDM  
Arnold F. "Pat" Keller, III, Director/Planning  
Office of People's Counsel  
Nancy C. West, Assistant County Attorney  
John Beverungen, County Attorney



**BALTIMORE COUNTY**  
MARYLAND

JAMES T. SMITH, JR.  
*County Executive*

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

November 18, 2010

Lubomir Todorov  
14006 Jarrettsville Pike  
Phoenix, MD 21131

Dear Mr. Todorov:

RE: Case: 2010-0217-A, 14406 Jarrettsville Pike

Please be advised that your appeal of the above-referenced case was filed in this office on August 9, 2010. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

Timothy Kotroco  
Director

TK:kl

c: William J. Wiseman III, Zoning Commissioner  
Timothy Kotroco, Director of PDM  
People's Counsel  
Bernard Mills, 607 South Union Avenue, Havre de Grace, 21078  
Glen Thomas, 3806 Donevin Way, Phoenix 21131  
Bill Shaughnessy, 14 Edgewood Court, Phoenix 21131  
Mary Matra, 14010 Jarrettsville Pike, Phoenix 21131



## APPEAL

Petition for Variance  
14006 Jarrettsville Pike  
N/side of Jarrettsville Pike, 510 feet south of Whitesworth Road  
10<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District  
Legal Owners: Lubomir Todorov

Case No.: 2010-0217-A

Petition for Variance (February 16, 2010)

Zoning Description of Property

Notice of Zoning Hearing (June 1, 2010)

Certification of Publication (The Jeffersonian – June 15, 2010)

Certificate of Posting (June 14, 2010) by Linda O'Keefe

Entry of Appearance by People's Counsel (March 3, 2010)

Petitioner(s) Sign-In Sheet – One Sheet

Protestant(s) Sign-In Sheet - None

Citizen(s) Sign-In Sheet – One Sheet

Zoning Advisory Committee Comments

### Petitioners' Exhibit

1. Site Plan
2. Zoning Map
3. Real Property Data Search
4. (A & B) Aerial Photographs of subject property
5. Affidavit/Letter from Petitioner
6. (A thru H) Photographs

### Protestants' Exhibits:

1. (A thru C) Photographs
2. Memorandum from Greater Jacksonville Association
3. Aerial Zoning Photograph/Map
4. Photographs

### Miscellaneous (Not Marked as Exhibit)

1. Letter dated May 25, 2010 from Mountain Manor
2. Active Violation Case Document

Deputy Zoning Commissioner's/Zoning Commissioner's Order (DENIED – July 8, 2010)

Notice of Appeal received on August 9, 2010 from Lubomir Todorov

c: People's Counsel of Baltimore County, MS #2010  
Zoning Commissioner/Deputy Zoning Commissioner  
Timothy Kotroco, Director of PDM  
See Cover Letter

*date sent November 18, 2010, kll*

## APPEAL

Petition for Variance  
14006 Jarrettsville Pike  
N/side of Jarrettsville Pike, 510 feet south of Whitesworth Road  
10<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District  
Legal Owners: Lubomir Todorov

Case No.: 2010-0217-A

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2. Active Violation Case Document

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Notice of Appeal received on August 9, 2010 from Lubomir Todorov

c: People's Counsel of Baltimore County, MS #2010  
Zoning Commissioner/Deputy Zoning Commissioner  
Timothy K. Korman, Director of BDM

August 4, 2010

Department of Permits and Development Management  
Jefferson Building  
105 West Chesapeake Avenue Ste. 103  
Towson, MD 21204

*Reed 8/2/10*

Re: Petition for Variance  
Case No. 2010-0217-A  
Property: 14006 Jarrettsville Pike

Mr. Lubomir Todorov does hereby request to enter an appeal to the decision for the Request for a Zoning Variance at 14006 Jarrettsville Pike issued by Mr. Thomas Bostwick, Deputy Zoning Commissioner for Baltimore County denying said petition.

First let us state for the record, that Mr. Todorov owns three properties in Baltimore County, and has been a resident and taxpayer in good stead for many years. Not once at the other two locations has Mr. Todorov had any complaints filed against him, nor has he been issued any code violations. It seems odd that his only problems with the Baltimore County Code Enforcement Office have been at this one address since he purchased the property.

It is apparent to us that the only difference is the neighbors and their hostile and blatant acts of discrimination which are the basis of these complaints. Mr. Todorov is often referred to by his neighbors on either side of him as, "The Russian Guy". Mr. Todorov has a name, it is Lubomir Todorov, and we have many witnesses including commercial vendors who have done work on his home to testify to this. At the initial hearing asking for a Grant for Variance, this bias was further exemplified by Ms. Marta's comments regarding the current tenant at 14006 Jarrettsville Pike. During the hearing Ms. Marta thought it necessary to bring to light that the tenant was an immigrant whose daughter was attending our public schools, "at the taxpayer's expense". It was apparent to everyone, or so we thought, that this was an inflammatory comment, and had nothing to do with the complaint at hand or the car port location.

This is further supported as a hostile community action due to lack of any communication or attempt from the Greater Jacksonville Association, Inc., even at the most cursory levels, with Mr. Todorov inviting him to join their organization and be accepted as a neighbor, and/or to discuss complaints by one of their members. Their argument regarding commercial activity at this residence has no substantiation, other than hearsay from hostile neighbors. There are no commercial vehicles being stored there, no equipment being stored there, and no chemicals being stored there. All of these items necessary to Mr. Todorov's business must be stored in climate controlled environments. As to commercial operations, within a thousand feet or less there are several commercial businesses being operated from homes. Insurance, daycare, and a residence with several



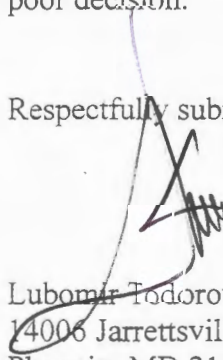
out buildings in the front yard selling plants, flowers, and meat kept in outside freezers. All members of the Association. Double standard? We think so.

As to the self inflicted hardship regarding the lot and grading of his property, how did he self inflict? This lot was inspected and approved by Baltimore County to be sold and allowed for a residence to be built upon it. I do not believe the lot was sufficiently viewed and inspected by the reviewing commissioners before reaching a decision. It is apparent that it was the county who approved the configuration, and the extreme grading, that placed undue hardship on the prospective owner to develop and/or improve their property to include such things as a carport. Conversations with Code Enforcement Officers have resulted in amazement that this decision was handed down as it was. They unilaterally remarked how much better the property looks after Mr. Todorov took over from his nephew, and how other homes on the same road had semi-detached and detached garages even with the façade of the homes and maybe a little in front of that façade. Members of the Association?

In response to the accusations of numerous Code Compliance complaints, all were from two neighbors who have openly displayed hostility and prejudice towards Mr. Todorov since the day he purchased the property. It was their complaints against, "that Russian guy" that necessitated the dumpster, which had to be held over to use after completing one project, because they immediately registered another false complaint about trees in poor condition that needed to be removed for fear they may fall on their property. If you check with the Code Enforcement Office you will find Mr. Todorov kept in constant communication, enforced the type and amounts of material placed in the dumpster, and that the extended amount of time was due to weather and approved by the Code Enforcement Office.

Overall, Mr. Todorov believes he was held to a different standard than many of his neighbors and was the victim of prejudice and discrimination. In addition the Deputy Commissioner offered how he understood the concerns of the Association from his own service in such organizations, clearly a conflict of interests due to a suggested personal relationship with the Association's officers. Therefore we believe an appeal should be granted with additional witnesses, and documentation to be presented. Please let it be known that Mr. Todorov has also contacted the NAACP, and legal counsel in an effort to proceed with possible legal action against any and all parties involved in this travesty of a poor decision.

Respectfully submitted,



Lubomir Todorov  
14006 Jarrettsville Pike  
Phoenix, MD 21131



**IN RE: PETITION FOR VARIANCE**

N side od Jarrettsville Pike; 510 feet S  
of Whitesworth Road  
10<sup>th</sup> Election District  
3<sup>rd</sup> Councilmanic District  
(14006 Jarrettsville Pike)

**Lubomir G. Todorov**  
*Petitioner*

\* BEFORE THE  
\* DEPUTY ZONING  
\* COMMISSIONER  
\* FOR BALTIMORE COUNTY  
\* CASE NO. 2010-0217-A

\* \* \* \* \*

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owner of the subject property, Lubomir G. Todorov. Petitioner is requesting Variance relief from Section III "A" Residence Zone A.13 (1945-1953 B.C.Z.R.) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an accessory structure (carport) in the front yard in lieu of the required rear yard.<sup>1</sup> The subject property and requested relief are more fully depicted on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the variance request was Petitioner Lubomir G. Todorov and Bernard E. Mills, a friend of Petitioner who assisted in preparation of the site plan and Petition for Variance. Appearing in opposition to the requested relief were Glen Thomas, President of the Greater Jacksonville Association, Inc. and Bill Shaughnesey, former President of the Greater Jacksonville Association, Inc. and current member of the Board of Directors of that organization. Also appearing in opposition to Petitioner's request was Mary Matra, adjacent neighbor of the subject property to the east, residing at 14010 Jarrettsville Pike. There were no other Protestants or interested citizens in attendance at the hearing.

<sup>1</sup> Although the Petition was filed for Variance relief pursuant to Section III "A" Residence Zone A.13 (1945-1953 B.C.Z.R.) of the Baltimore County Zoning Regulations (B.C.Z.R.), under today's Regulations, the Petition would be filed pursuant to Section 400.1 of the B.C.Z.R.

**ORDER RECEIVED FOR FILING**

Date 7-8-10

By PM

It should be noted that this matter came before me as a result of a complaint registered with the Code Enforcement Division of the Department of Permits and Development Management.<sup>2</sup> A Code Inspections and Enforcement Correction Notice was issued to Petitioner on November 17, 2009 for construction of the subject carport structure without obtaining a permit and placement in the front yard rather than the permitted rear yard. Hence, Petitioner filed the instant request for a variance.

Testimony and evidence offered revealed that the subject property is an irregular, triangularly shaped parcel consisting of approximately 1.19 acres, more or less, zoned R.C.6, and located in the Jacksonville area of Baltimore County, on the northwest side of Jarrettsville Pike with ingress/egress from same. The subject property is improved with a single-family dwelling built in 1956, according to the Real Property Data Search printout that was marked and accepted into evidence as Petitioner's Exhibit 3, and consists of an enclosed area of 992 square feet. The surrounding community is heavily wooded and predominantly residential. Aerial satellite images of the subject property and the surrounding community were marked and accepted into evidence as Petitioner's Exhibits 4A and 4B.

As background to the zoning relief requested, Petitioner Lubomir Todorov, testified that he relocated to the United States in 1991 and has since operated various cleaning and janitorial businesses. Mr. Todorov stated that the subject property was purchased with his nephew in 2005 and at the time of purchase was in a state of disrepair.<sup>3</sup> Mr. Todorov indicated that since the purchase of the subject property he has made significant and substantial improvements to the property. As part of this continued effort to renovate the subject property, Petitioner built a

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<sup>2</sup> Case No: CO-0071093

<sup>3</sup> The Deed evidencing this purchase is recorded as Liber-Folio 22079-493.

ORDER RECEIVED FOR FILING

Date 7-8-10

By P38

carport in the side/front yard of the subject property. The construction of this carport drives the need for variance relief.

Photographs of this metal-framed carport were marked and accepted into evidence as Petitioner's Exhibits 6A through 6H, as well as Protestant's Exhibits 1A through 1C that were submitted by Mr. Shaughnesey. Further testimony indicated that the carport was built to house additional personal and business vehicles of the Petitioner. Petitioner and Mr. Mills explained that relief in this instance is appropriate because in order to place the structure in the rear of the property, extensive excavation to level and grade the land would be required. Moreover, the rear yard of the property has several mature oak and pine trees that would need to be removed to place the carport in the rear of the house. Further, Petitioner indicated that the location of the septic system in the rear of property combined with the lot configuration and the aforementioned factors renders the property unique and that strict compliance with the Regulations would cause unreasonable hardship. The testimony given at the hearing echoed the contents of a letter of explanation from Mr. Todorov that was marked and accepted into evidence as Petitioner's Exhibit 5.

Testifying in opposition to Petitioner's request for relief was Glen Thomas of the Greater Jacksonville Association Inc., which is composed of approximately four-hundred homes. He testified that practically all the lots and parcels in the Jacksonville area contain mature trees. Moreover, Mr. Thomas stated that this is a residential community composed of modest homes with deep lots; moreover, there have been a series of complaints that the subject property was being used for commercial purposes and that the existing carport was for such a commercial use. Bill Shaughnesey similarly testified in opposition to Petitioner's petition for relief, indicating that the carport in dispute is incompatible with the neighborhood and out of character with the

ORDER RECEIVED FOR FILING

Date 7-8-10 3

By PS



community's pattern of development. As to the alleged uniqueness of the property, Mr. Shaughnesey pointed out that all properties in the neighborhood are serviced by well and septic and contain mature trees and that the existence of these elements on Petitioner's property is hardly sufficient to merit variance relief based on the applicable legal criteria. In addition, Mr. Shaughnesey testified that a self-created hardship does not qualify as proper grounds for variance relief. Testimony was also received from Mary Matra, an adjacent neighbor of Petitioner at 14010 Jarrettsville Pike. Ms. Matra stated that the existing carport was an eyesore and clearly visible from her property and the road. Moreover, Ms. Matra aired a concern regarding commercial activity on the property. Ms. Matra submitted photographs of the subject property which were marked and accepted into evidence as Protestant's Exhibits 4A and 4B. In sum, the Protestants do not believe that Petitioner has met the legal burden for granting the variance and also feel that the carport and its placement in the front/side yard location would have a negative impact on the community and surrounding area.

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 determination of a variance request from the Zoning Regulations is governed by Section 307.1 of the B.C.Z.R., as interpreted by the Court of Special Appeals of Maryland in *Cromwell v. Ward*, 102 Md. App. 691 (1995). As indicated by the Court in *Cromwell*, "The general rule is that variances and exceptions are to be granted sparingly, only in rare instances and under peculiar and exceptional circumstances." 102 Md. App. at 700. The two-part variance test involves finding that a property is unique and unusual and that if strict adherence to the regulations were required absent relief, an unreasonable hardship or practical difficulty would

ORDER RECEIVED FOR FILING

Date 7-8-10 4

By PM



result. Self-inflicted or created hardship is not considered proper grounds for a variance. *Id.* at 707.

After due consideration of the testimony and evidence presented, I find that Petitioner's request for variance should be denied. Although I recognize Petitioners' desire to have a carport for the benefit of his property, insufficient evidence was put forth to satisfy the substantial burden of proof required for a variance. While it is to be applauded that the efforts of Petitioner to renovate the subject property have been extensive and have significantly improved the aesthetics of the primary dwelling and the subject property, the property is not encumbered by special circumstances to render it unique in a zoning sense. While I am also appreciative of Petitioner's concerns regarding the removal of mature, specimen trees and notwithstanding the fact that the preservation of trees can be an appropriate justification for zoning relief depending on the circumstances of a particular property, the fact that most properties in the surrounding community have mature trees as well does not warrant zoning relief in this instance.<sup>4</sup> Moreover, the fact that the carport is already built does not present a case of unreasonable hardship. As declared by the Court of Special Appeals in *Cromwell*, "hardship, arising as a result of the act of the owner . . . will be regarded as having been self-created, barring relief." 102 Md. App. at 707. Therefore I do not find Petitioner's property to be sufficiently peculiar, unusual and unique to warrant variance relief, nor do I find that unreasonable hardship would result from strict adherence to the B.C.Z.R.

Further, I find that a variance cannot be granted in strict harmony with the spirit and intent of said regulations, and in such a manner as to grant relief without injury to the public health, safety and general welfare. On the contrary, in my judgment, the presence of the carport

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<sup>4</sup> See, *McLean v. Soley*, 270 Md. 208 (1973).

ORDER RECEIVED FOR FILING

Date 7-8-10

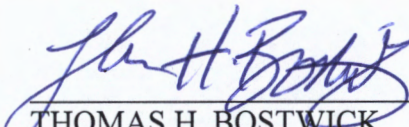
By PJ

in the front/side yard of the subject property does have a negative impact on the overall rural/residential character and appearance of this section of the Jacksonville community.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the parties, I find that Petitioner's Variance request should be denied.

THEREFORE, IT IS ORDERED this 8<sup>th</sup> day of July, 2010 by this Deputy Zoning Commissioner, that Petitioner's Variance request from Section III "A" Residence Zone A.13 (1945-1953 B.C.Z.R.) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an accessory structure (carport) in the front yard in lieu of the required rear yard be and is hereby **DENIED**.

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

ORDER RECEIVED FOR FILING

Date 7-8-10

By Pz



**BALTIMORE COUNTY**  
MARYLAND

JAMES T. SMITH, JR.  
*County Executive*

THOMAS H. BOSTWICK  
*Deputy Zoning Commissioner*

July 8, 2010

LUBOMIR G. TODOROV  
14006 JARRETTSVILLE PIKE  
PHOENIX MD 21131

Re: Petition for Variance  
Case No. 2010-0217-A  
Property: 14006 Jarrettsville Pike

Dear Mr. Todorov:

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,

THOMAS H. BOSTWICK  
Deputy Zoning Commissioner  
for Baltimore County

THB:pz

Enclosure

c: Bernard E. Mills, 607 South Union Avenue, Havre de Grace MD 21078  
Glen Thomas, 3806 Donevin Way, Phoenix MD 21131  
Bill Shaughnesey, 14 Edgewood Court, Phoenix MD 21131  
Mary Matra, 14010 Jarrettsville Pike, Phoenix MD 21131



(COMPLAINT BY NEIGHBOR)  
TO CODE ENFORCEMENT



ORIGINAL\*  
KEEP IN FILE

TAX. ACC. # 1026040201

# Petition for Variance

to the Zoning Commissioner of Baltimore County

✓ for the property located at 14006 Jarretttsville Pike  
✓ which is presently zoned RC6

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) III - "A" RESIDENCE ZONE A. 13 (1945-53) (BCZR)  
TO PERMIT AN ACCESSORY STRUCTURE IN THE FRONT YARD IN LIEU  
OF THE REQUIRED REAR YARD.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

To be discussed at hearing

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

## Attorney

Name - Type

Signature

Company

Address

City

Case No

## Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

## Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

## OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 hour

UNAVAILABLE FOR HEARING —

Reviewed By JL Date 2/16/10



**LEGAL PROPERTY DESCRIPTION**

**14006 JARRETTSVILLE PIKE**

**PHOENIX, MD 21131**

Lot or parcel of ground situated and lying in Baltimore County, Maryland and particularly described as follows and beginning at a point on the Northwest side of Jarrettsville Pike 510 feet South of Whitesworth Road. Being known and designated as Lot Number 12, as shown on the plat of "Dungannon", which Plat is recorded among the Land Records of Baltimore County in Plat Book GLB No 17, Folio 51. The improvements thereon being known as No. 14006 Jarrettsville Pike.

0217

# 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/neighbor 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 0217 A

Petitioner: TODOROV

Address or Location: 3306 PAPER MILL RD

PLEASE FORWARD ADVERTISING BILL TO

Name: MR TODOROV

Address: 3306 PAPER MILL RD  
B PHOENIX MD 21131

Telephone Number: 410 916 3577

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

No. \_\_\_\_\_

Date: \_\_\_\_\_

| Fund | Dept | Unit | Sub Unit | Rev     | Sub     | Dept | Obj | BS Acct | Amount |
|------|------|------|----------|---------|---------|------|-----|---------|--------|
|      |      |      |          | Source/ | Rev/    |      |     |         |        |
|      |      |      |          | Obj     | Sub Obj |      |     |         |        |
|      |      |      |          |         |         |      |     |         |        |
|      |      |      |          |         |         |      |     |         |        |
|      |      |      |          |         |         |      |     |         |        |
|      |      |      |          |         |         |      |     |         |        |
|      |      |      |          |         |         |      |     |         |        |
|      |      |      |          |         |         |      |     |         |        |

Total: \_\_\_\_\_

Rec

From: \_\_\_\_\_

For: \_\_\_\_\_

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S  
 VALIDATION**



**NOTICE OF ZONING  
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

**Case: # 2010-0217-A**

14006 Jarrettsville Pike  
N/side of Jarrettsville Pike,  
510 feet south of  
Whitesworth Road  
10th Election District  
3rd Councilmanic District  
Legal Owner(s):

Lubomir Todorov

**Variance:** to permit an accessory structure in the front yard in lieu of the required rear yard.

**Hearing:** Wednesday,  
March 24, 2010 at 10:00  
a.m. in Room 104, Jefferson  
Building, 105 West  
Chesapeake Avenue,  
Towson 21204.

WILLIAM J. WISEMAN, III  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are  
Handicapped Accessible;  
for special accommoda-  
tions Please Contact the  
Zoning Commissioner's Of-  
fice at (410) 887-4386.

(2) For information con-  
cerning the File and/or  
Hearing, Contact the Zoning  
Review Office at (410) 887-  
3391.

JT/3/793 Mar. 9 232294

# CERTIFICATE OF PUBLICATION

3/12/ 2010

THIS IS TO CERTIFY, that the annexed advertisement was published  
in the following weekly newspaper published in Baltimore County, Md.,  
once in each of 1 successive weeks, the first publication appearing  
on 3/9/ 2010.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

*J. Wilkinson*

LEGAL ADVERTISING

**NOTICE OF ZONING  
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

**Case: # 2010-0217-A**  
14006 Jarrettsville Pike  
N/side of Jarrettsville Pike,  
510 feet south of  
Whitesworth Road  
10th Election District  
3rd Councilmanic District  
Legal Owner(s):  
Lubomir Todorov  
**Variance:** to permit an accessory structure in the front yard in lieu of the required rear yard.  
**Hearing: Wednesday, May 5, 2010 at 9:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.**

WILLIAM J. WISEMAN, III  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/4/791Apr. 20 237005

# CERTIFICATE OF PUBLICATION

4/22, 2010

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/20, 2010.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

*S. Wilkinson*

LEGAL ADVERTISING

**NOTICE OF ZONING  
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

**Case: # 2010-0217-A**  
14006 Jarrettsville Pike  
N/side of Jarrettsville Pike,  
510 feet south of  
Whitesworth Road  
10th Election District  
3rd Councilmanic District  
Legal Owner(s):  
Lubomir Todorov

**Variance:** to permit an accessory structure in the front yard in lieu of the required rear yard.

**Hearing:** Wednesday,  
June 30, 2010 at 11:00  
a.m. in Room 104, Jefferson  
Building, 105 West  
Chesapeake Avenue,  
Towson 21204.

WILLIAM J. WISEMAN, III  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are  
Handicapped Accessible;  
for special accommoda-  
tions Please Contact the  
Zoning Commissioner's Of-  
fice at (410) 887-4386.

(2) For information con-  
cerning the File and/or  
Hearing, Contact the Zoning  
Review Office at (410) 887-  
3391.

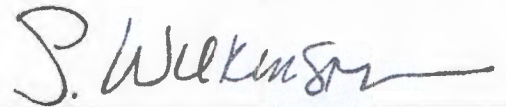
JT/6/784 June 15 244084

# CERTIFICATE OF PUBLICATION

6/17/, 2010

THIS IS TO CERTIFY, that the annexed advertisement was published  
in the following weekly newspaper published in Baltimore County, Md.,  
once in each of 1 successive weeks, the first publication appearing  
on 6/15/, 2010.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News



LEGAL ADVERTISING

# CERTIFICATE OF POSTING

**ATTENTION:** KRISTEN MATHHEWS

**DATE:** 06/16/2010

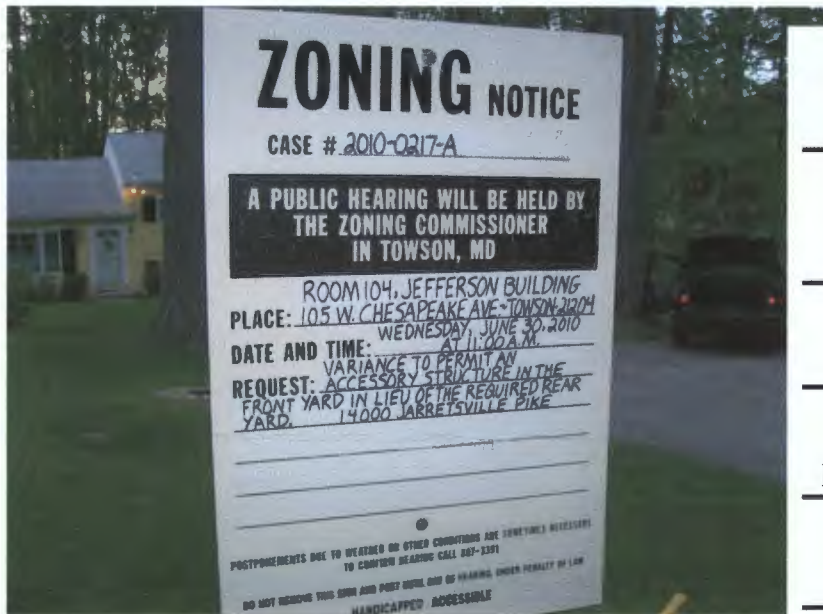
**Case Number:** 2010-0217-A

**Petitioner / Developer:** LUBOMIR TODOROV~BERNARD MILLS

**Date of Hearing (Closing):** JUNE 30, 2010

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:  
14006 JARRETTSVILLE PIKE

**The sign(s) were posted on:** JUNE 14, 2010



Linda O'Keefe  
(Signature of Sign Poster)

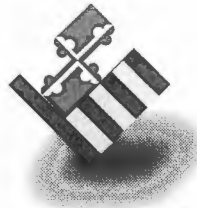
Linda O'Keefe  
(Printed Name of Sign Poster)

523 Penny Lane  
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030  
(City, State, Zip of Sign Poster)

410 - 666 - 5366  
(Telephone Number of Sign Poster)





**BALTIMORE COUNTY**  
MARYLAND

JAMES T. SMITH, JR.  
County Executive

TIMOTHY M. KOTROCO, Director  
March 4, 2010  
Department of Permits and  
Development Management

**NOTICE OF ZONING HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

**CASE NUMBER: 2010-0217-A**

14006 Jarrettsville Pike

N/side of Jarrettsville Pike, 510 feet south of Whitesworth Road

10<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Lubomir Todorov

Variance to permit an accessory structure in the front yard in lieu of the required rear yard.

Hearing: Wednesday, March 24, 2010 at 10:00 a.m. in Room 104, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

Handwritten signature of Timothy Kotroco in black ink.

Timothy Kotroco  
Director

TK:klm

C: Lubomir Todorov, 3306 Paper Mill Road, Phoenix 21131  
Bernard Mills, 613 N. Stokes St., Havre de Grace 21078

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MARCH 10, 2010.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY  
Tuesday, March 9, 2010 Issue - Jeffersonian

Please forward billing to:  
Mr. Todorov  
3306 Paper Mill Road  
Phoenix, MD 21078

410-916-3577

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## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

**CASE NUMBER: 2010-0217-A**

14006 Jarrettsville Pike  
N/side of Jarrettsville Pike, 510 feet south of Whitesworth Road  
10<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District  
Legal Owners: Lubomir Todorov

Variance to permit an accessory structure in the front yard in lieu of the required rear yard.

Hearing: Wednesday, March 24, 2010 at 10:00 a.m. in Room 104, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

WILLIAM J. WISEMAN III  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



**BALTIMORE COUNTY**  
MARYLAND

JAMES T. SMITH, JR.  
County Executive

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

April 8, 2010

**NEW NOTICE OF ZONING HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

**CASE NUMBER: 2010-0217-A**

14006 Jarrettsville Pike

N/side of Jarrettsville Pike, 510 feet south of Whitesworth Road

10<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Lubomir Todorov

Variance to permit an accessory structure in the front yard in lieu of the required rear yard.

Hearing: Wednesday, May 5, 2010 at 9:00 a.m. in Room 104, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

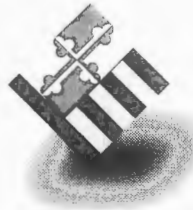
A handwritten signature in cursive script that reads "Timothy Kotroco".

Timothy Kotroco  
Director

TK:klm

C: Lubomir Todorov, 3306 Paper Mill Road, Phoenix 21131  
Bernard Mills, 613 N. Stokes St., Havre de Grace 21078  
Monty Matra, 10410 Jarrettsville Pike, Phoenix 21131

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 20, 2010.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



**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*

June 1, 2010

**NEW NOTICE OF ZONING HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

**CASE NUMBER: 2010-0217-A**

14006 Jarrettsville Pike

N/side of Jarrettsville Pike, 510 feet south of Whitesworth Road

10<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Lubomir Todorov

Variance to permit an accessory structure in the front yard in lieu of the required rear yard.

Hearing: Wednesday, June 30, 2010 at 11:00 a.m. in Room 104, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Timothy Kotroco".

Timothy Kotroco  
Director

TK:klm

C: Lubomir Todorov, 3306 Paper Mill Road, Phoenix 21131  
Bernard Mills, 613 N. Stokes St., Havre de Grace 21078  
Monty Matra, 10410 Jarrettsville Pike, Phoenix 21131

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JUNE 15, 2010.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY  
Tuesday, June 15, 2010 Issue - Jeffersonian

Please forward billing to:  
Mr. Todorov  
3306 Paper Mill Road  
Phoenix, MD 21078

410-916-3577

---

## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

**CASE NUMBER: 2010-0217-A**

14006 Jarrettsville Pike

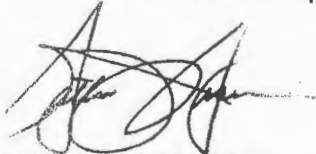
N/side of Jarrettsville Pike, 510 feet south of Whitesworth Road

10<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Lubomir Todorov

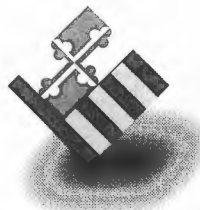
Variance to permit an accessory structure in the front yard in lieu of the required rear yard.

Hearing: Wednesday, June 30, 2010 at 11:00 a.m. in Room 104, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



**BALTIMORE COUNTY**  
MARYLAND

JAMES T. SMITH, JR.  
*County Executive*

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

March 17, 2010

Lubamir Todorev  
3306 Paper Mill Rd.  
Phoenix, MD 21131

Dear: Lubamir Todorev

RE: Case Number 2010-0217-A, 14006 Jarrettsville Pike

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 16, 2010. 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.".

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel  
Bernard Mills; 613 N. Stokes St.; Havre de Grace 21078

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

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

**DATE:** February 25, 2010

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For March 8, 2010  
Item Nos. 2010-192, 209, 210, 211,  
212, 214, 215, 216, 217 and 218

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-03082010 -NO COMMENTS.doc

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



MARYLAND DEPARTMENT OF TRANSPORTATION

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

Date: FEB. 25, 2010

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

RE: Baltimore County  
Item No. 2010-0217-A  
MD146 (JARRETTVILLE PIKE)  
14006 JARRETTVILLE PIKE  
LUBOMIR PROPERTY  
VARIANCE

Dear Ms. Matthews:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 2/24/2010. A field inspection and internal review reveals that an entrance onto MD146 is consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for 14006 JARRETTVILLE Case Number 2010-0217A.

Should you have any questions regarding this matter feel free to contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may email him at ([m Bailey@sha.state.md.us](mailto:m Bailey@sha.state.md.us)). Thank you for your attention.

Very truly yours,

A handwritten signature in black ink, appearing to read "Steven D. Foster".

Foster Steven D. Foster, Chief  
Engineering Access Permits  
Division

SDF/MB

Cc: Mr. David Malkowski, District Engineer, SHA  
Mr. Michael Pasquariello, Utility Engineer, SHA

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](http://www.sha.maryland.gov)



TB 3/24  
10am

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** March 9, 2010

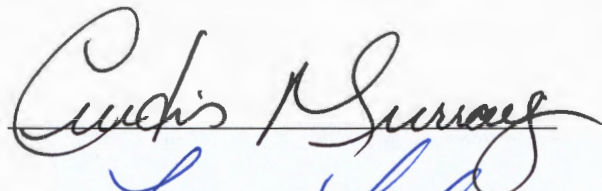
**FROM:** Arnold F. 'Pat' Keller, III  
Director, Office of Planning

**SUBJECT:** Zoning Advisory Petition(s): **Case(s) 10-217- Variance**

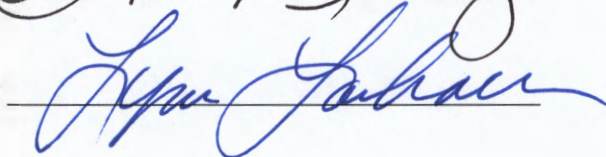
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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

**Prepared By:**



**Division Chief:**  
CM/LL



**RECEIVED**

**MAR 10 2010**

**ZONING COMMISSIONER**

TPB  
3-24-10

**BALTIMORE COUNTY, MARYLAND**

**Inter-Office Correspondence**



**RECEIVED**

**APR 12 2010**

**ZONING COMMISSIONER**

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: April 12, 2010

SUBJECT: Zoning Item # 10-217-A  
Address 14006 Jarrettsville Pike  
(Todorov Property)

Zoning Advisory Committee Meeting of February 22, 2010.

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

Reviewer: JWL

Date: 4/12/10

not posted  
- file  
returned

RE: PETITION FOR VARIANCE \* BEFORE THE  
14006 Jarrettsville Pike; N/S Jarrettsville Pike, \*  
510' South of Whitesworth Road \* ZONING COMMISSIONER  
10<sup>th</sup> Election & 3<sup>rd</sup> Councilmanic Districts \*  
Legal Owner(s): Lubomir Todorov \* FOR  
Petitioner(s) \*  
BALTIMORE COUNTY  
\*  
10-217-A

\* \* \* \* \*

**ENTRY OF APPEARANCE**

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED

MAR 03 2010

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

CAROLE S. DEMILIO  
Deputy People's Counsel  
Jefferson Building, Room 204  
105 West Chesapeake Avenue  
Towson, MD 21204  
(410) 887-2188

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 3rd day of March, 2010, a copy of the foregoing Entry of Appearance was mailed to Bernard Mills, 613 N. Stokes Street, Havre de Grace, MD 21076, Representative for Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

**DIVISION OF CODE INSPECTIONS AND ENFORCEMENT**

**ACTIVE VIOLATION CASE DOCUMENTS**



BALTIMORE COUNTY MARYLAND  
INTER-OFFICE CORRESPONDENCE

DATE: March 2, 2010

TO: W. Carl Richards, Jr.  
Zoning Review Supervisor

FROM: Rick Wisnom, Chief  
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 0217 A-2010  
Legal Owner/Petitioner Todorov, Lubomir  
Contract Purchaser: N/A  
Property Address: 14006 Jarrettsville Pk.  
Location Description: N side/Jarrettsville Pk; 510'  
S/Whitesworth Rd.

VIIOLATION INFORMATION: Case No. CO0071093  
Defendants: Lubomir Todorov/George Slavov

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

| NAME                        | ADDRESS                                       |
|-----------------------------|-----------------------------------------------|
| Monty Matra<br>410-667-1082 | 14010 Jarrettsville Pk.<br>Phoenix, Md. 21131 |

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

- ☐ 1. Complaint letter/memo/email/fax (if applicable)
- ☐ 2. Complaint Intake Form/Code Enforcement Officer's report and notes
- ☒ 3. State Tax Assessment printout
- ☐ 4. State Tax Parcel Map (if applicable)
- ☐ 5. MVA Registration printout (if applicable)
- ☐ 6. Deed (if applicable)
- ☐ 7. Lease-Residential or Commercial (if applicable)
- ☐ 8. Photographs including dates taken
- ☒ 9. Correction Notice/Code Violation Notice
- ☐ 10. Citation and Proof of Service (if applicable)
- ☐ 11. Certified Mail Receipt (if applicable)
- ☐ 12. Final Order of the Code Official/Hearing Officer (if applicable)
- ☐ 13. Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable)
- ☒ 14. Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable).

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

C: Code Enforcement Officer

DATE: 05/27/2008

## STANDARD ASSESSMENT INQUIRY (2)

TIME: 09:36:54

|                          |      |       |       |                              |          |      |           |
|--------------------------|------|-------|-------|------------------------------|----------|------|-----------|
| PROPERTY NO.             | DIST | GROUP | CLASS | OCC.                         | HISTORIC | DEL  | LOAD DATE |
| 10 26 040201             | 10   | 2-0   | 04-00 | H                            | NO       |      | 05/02/08  |
| TODOROV LUBOMIR G        |      |       |       | DESC-1.. IMPS                |          |      |           |
| SLAVOV GEORGI A          |      |       |       | DESC-2.. DUNGANNON           |          |      |           |
| 14006 JARRETTSVILLE PIKE |      |       |       | PREMISE. 14006 JARRETTSVILLE |          | PIKE |           |

00000-0000

PHOENIX

MD 21131-1409 FORMER OWNER: ZIMMERMAN MARY LINDA

|                 |         |          |                       |         |         |         |
|-----------------|---------|----------|-----------------------|---------|---------|---------|
| ----- FCV ----- |         |          | ----- PHASED IN ----- |         |         |         |
|                 | PRIOR   | PROPOSED |                       | CURR    | CURR    | PRIOR   |
| LAND:           | 127,370 | 183,420  |                       | FCV     | ASSESS  | ASSESS  |
| IMPV:           | 88,210  | 93,890   | TOTAL..               | 236,156 | 236,156 | 215,580 |
| TOTL:           | 215,580 | 277,310  | PREF...               | 0       | 0       | 0       |
| PREF:           | 0       | 0        | CURT...               | 236,156 | 236,156 | 215,580 |
| CURT:           | 215,580 | 277,310  | EXEMPT.               |         | 0       | 0       |
| DATE:           | 08/04   | 09/07    |                       |         |         |         |

|                           |          |
|---------------------------|----------|
| ----- TAXABLE BASIS ----- | FM DATE  |
| ASSESS: 236,156           | 11/10/07 |
| ASSESS: 215,580           |          |
| ASSESS: 0                 |          |

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF





Baltimore County  
Department of Permits and  
Development Management

Code Inspections and Enforcement  
County Office Building  
111 West Chesapeake Avenue  
Towson, MD 21204

OFFICE HOURS 7:30 am - 3:30 pm

Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620

Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

|                                     |                                   |                          |
|-------------------------------------|-----------------------------------|--------------------------|
| Citation Case No.<br><b>0071093</b> | Property No.<br><b>1026040201</b> | Zoning<br><b>DIST 10</b> |
|-------------------------------------|-----------------------------------|--------------------------|

Name(s): **TOBOROV Lubomir G. Slavov (Gargia)**

Address: **14006 Ipanatavilla Pk**

Violation Location: **same Phoenix Md. 21131**

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

**IBC SECTION 105. Permit Required**

**Secure Permit OR  
Remove CARPORT/STRUCTURE  
FROM FRONT OF PROPERTY.  
POTENTIAL FINE \$500,000  
IF ANY QUESTIONS. Please call  
410-887-3953**

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

|               |              |
|---------------|--------------|
| ON OR BEFORE: | DATE ISSUED: |
|---------------|--------------|

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name

INSPECTOR:

**STOP WORK NOTICE**

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NO LATER THAN:

|                                  |                                 |
|----------------------------------|---------------------------------|
| ON OR BEFORE:<br><b>11.28.09</b> | DATE ISSUED:<br><b>11.17.09</b> |
|----------------------------------|---------------------------------|

INSPECTOR: **Tim Kidd** **Tim Kidd**

Rev. 7/09

**R/C 12/16 R/C 1/11 AGENCY**



# Permits & Development Management Complaint Report

Report Criteria:  
Complaint Record ID: CO0071093

| Record ID | AS/400 Case | Assigned To    | Assigned Date | Scheduled Time | Received By         | Received Date | Status        | Hearing Date | ADC Grid |
|-----------|-------------|----------------|---------------|----------------|---------------------|---------------|---------------|--------------|----------|
| CO0071093 |             | Rodney Larrick | 03/02/2010    |                | Nichollette Shelton | 11/12/2009    | Open - Normal | 02/17/2010   | 13K12    |

Complaint Description: FRAMING UP STRUCTURE IN FRONT YARD

| Facility:                                                                    | Owner:                                                                            | Complainant:                                                   |
|------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|----------------------------------------------------------------|
| FA0237805<br>PDM 1026040201<br>14006 JARRETTSVILLE PIKE<br>PHOENIX, MD 21131 | TODOROV LUBOMIR G SLAVOV GEORGI A<br>14006 JARRETTSVILLE PIKE<br>PHOENIX MD 21131 | MARY MATRA<br>14010 JARRETTSVILLE PIKE<br><br>HOME: 4106671082 |

Daily Activity Details - No Data

Violation Details - No Data

## Comment Details

| Type                 | Date       | Comments                                                                                                                                                                                                                                                                                                                              |
|----------------------|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| BUILDING INSPECTIONS | 11/18/2009 | INSPECTION 11/17/09<br><br>November 18, 2009 02:18 PM - NSHELTON<br><br>STOPPED AT SITE TO FIND STRUCTURE IN FRONT OF PROPERTY. GAVE STOP WORK CORRECTION. WILL FOLLOW UP 11/28/09. FRIEND OF OWNER CALLED TO INFORM OF RECEIVING STOP WORK. HE SAID HE WOULD START PROCESS OF SECURING PERMIT IF POSSIBLE. P/U 11/30/09 T.KIDD/NS*** |
| BUILDING INSPECTIONS | 12/08/2009 | INSPECTION 12/7/09<br><br>December 08, 2009 10:12 AM - NSHELTON<br><br>WILL EXTEND TO 12/18/09. NEED TO CHECK W/ZONING. P/U 12/18/09 T.KIDD/NS***                                                                                                                                                                                     |
| BUILDING INSPECTIONS | 01/12/2010 | INSPECTION 01/11/10<br><br>January 12, 2010 08:04 AM - KHOPKINS<br><br>HEAR. SET FOR 02/17/10. ADDRESS POSTED & NOTICE MAILED. P/U 02/12/10. R.LARRICK/KH.                                                                                                                                                                            |
| BUILDING INSPECTIONS | 02/18/2010 | 2/18/10 INSPECTION<br><br>February 18, 2010 08:10 AM - KHOPKINS<br><br>VARIANCE FILED FOR (2010 0217-A) P/U 03/17/10. R.LARRICK/KH.                                                                                                                                                                                                   |
| BUILDING INSPECTIONS | 02/18/2010 | 02/16/10 INSPECTION<br><br>February 18, 2010 08:17 AM - KHOPKINS<br><br>OWNER HAS APPT. W/ZONING TO FILE FOR VARIANCE ON 02/16/10. CANCEL HEARING AT THIS TIME. P/U 03/02/10. R.LARRICK/KH.                                                                                                                                           |



**From:** Patricia Zook  
**To:** Matthews, Kristen  
**CC:** Bostwick, Thomas  
**Date:** 3/24/2010 11:37 AM  
**Subject:** Case 2010-0217-A not posted - reschedule hearing - file being returned  
**Attachments:** 10-0217-A AV- NOT POSTED; FILE RETURNED.doc

Kristen -

Please see Tom's memorandum regarding this case that was scheduled for a hearing today.

The memo also contains the name of an individual who needs to be notified when the hearing is rescheduled.

Patti Zook  
Baltimore County  
Office of the Zoning Commissioner  
105 West Chesapeake Avenue, Suite 103  
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

**From:** Patricia Zook  
**To:** bmills@mountainmanor.org  
**Date:** 3/24/2010 12:07 PM  
**Subject:** 10-0217-A Lubomir Todorov  
**Attachments:** 10-0217-A AV- NOT POSTED; FILE RETURNED.doc

Mr. Mills -

Please find attached the memorandum to the file.

Kristen Matthews of the Zoning Review Office can be contacted at 410 887 3391. She is the person to contact to reschedule the hearing and arrange for the posting and advertising.

The case file will be returned to the Zoning Review Office sometime next week.

Patti Zook  
Baltimore County  
Office of the Zoning Commissioner  
105 West Chesapeake Avenue, Suite 103  
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

## MEMORANDUM

DATE: March 24, 2010  
TO: To The File  
FROM: Thomas H. Bostwick  
Deputy Zoning Commissioner  
for Baltimore County  
SUBJECT: Case No. 2010-0217-A  
Legal Owner: Lubomir G. Todorov  
Property Address: 14006 Jarrettsville Pike

---

The above-referenced case was scheduled for a hearing on Wednesday, March 24, 2009 at 10:00 AM. A review of the case file and a telephone conversation with the Petitioner's representative, Bernard Mills, confirmed that the required posting for the hearing was not done.

I did not open the hearing or take any testimony. The Petitioner or Mr. Mills is to contact Kristen Matthews to have the matter rescheduled in the normal course. This matter can be assigned to either Bill Wiseman or myself once the public hearing is rescheduled. The property shall be posted and re-advertised at the Petitioner's expense.

Please notify the following individual when the hearing is scheduled:  
Monty Matra, 14010 Jarrettsville Pike, Phoenix MD 21131

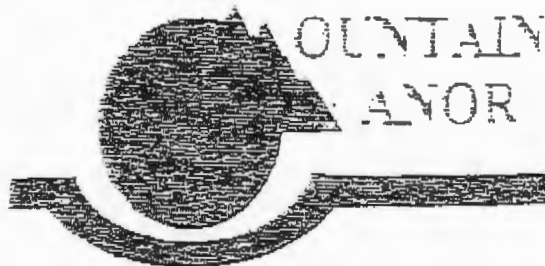
The case file is being returned to the Department of Permits and Development Management.

Attachment

c: Kristen Matthews, Baltimore County Zoning Review Office

410-916-3577





Fax Cover

MARYLAND TREATMENT CENTERS, INC.  
3800 Frederick Avenue  
Baltimore, Maryland 21229

Tel: 410-233-1400 Fax: 410-233-1666 / 410-645-8665

|        |                    |        |                          |
|--------|--------------------|--------|--------------------------|
| To:    | Kristen Lewis      | From:  | Barney Mills             |
| Fax:   | 410 887 3048       | Pages: | (Including Cover Page) 2 |
| Phone: | 410 887 3391       | Date:  | 05-28-10                 |
| Re:    | Case # 2010-0217-A | CC:    |                          |

☒ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

The information contained in this facsimile message is CONFIDENTIAL. This facsimile is intended only for the use of the individual name above, and said privileges are not waived by virtue of this communication having been sent by facsimile. If the person actually receiving this facsimile or any other reader of this facsimile is not the named recipient, you are hereby notified that any use, dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original facsimile to us at the above address via the U.S. Postal Service. Thank you.

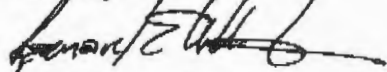
May 25, 2010

Zoning Review Board  
Case # 2010-0217-A  
14006 Jarrettsville Pike  
N/side of Jarrettsville Pike, 510 feet south of Whitesworth Road  
10<sup>th</sup> Election District - 3<sup>rd</sup> Councilman District  
Legal Owners: Lubomir Todorov

Dear Sirs / Mesdames,

First I want to thank you for your patience and all considerations extended to Mr. Todorov and me on your behalf. When I had originally asked you to reschedule our original Zoning Hearing Date due to my Father's stroke, you politely suggested I give it more time than I did for me to recover and gather my life back together. I did not listen and now I am wishing I had. It pains me to ask again for a rescheduled Hearing Date for Case #2010-0217-A. I let Mr. Todorov down and I feel he should not have to pay for my ignorance of what impact taking care of a 90 year old stroke victim will have on your life. I promise that this will be the last request and imposition on the Zoning Review Board and its staff. I have contacted Ms. Linda O'Keefe of Catonsville to provide the signage and am just waiting, hopefully, for you to provide a new hearing date. Please don't penalize Mr. Todorov for my shortcomings and lack of experience in providing intensive geriatric care for my Father. Please give him a chance to present to you his position and case for consideration. I thank you in advance for any consideration you may be able to extend to my request. Once again, I am sorry.

Sincerely,



Bernard E. Mills, Jr.  
Lubomir Todorov

CASE NAME \_\_\_\_\_  
CASE NUMBER 0217-A  
DATE 6/30/2010

[illegible]

PLEASE PRINT CLEARLY

CASE NAME \_\_\_\_\_  
CASE NUMBER 0217-A  
DATE 6/30/2010

## CITIZEN'S SIGN-IN SHEET

[illegible]



Case No.: 2010 - 0217 - A

Exhibit Sheet

Petitioner/Developer

Protestant

1A-C

|              |                                                   |                                                              |
|--------------|---------------------------------------------------|--------------------------------------------------------------|
| No. 1        | Site plan                                         | Photographs of Property                                      |
| No. 2        | Zoning map                                        | <del>A</del> memorandum from Greater Jacksonville Assoc.     |
| No. 3        | Real Property Data search                         | Aerial zoning photograph/map of Area around Subject property |
| No. 4<br>a-b | Aerial Photographs of Subject Property            | photographs of corner Area from Neighbors Property           |
| No. 5        | Affidavit/Letter of Petitioner                    |                                                              |
| No. 6<br>A-H | <del>Aerial</del> Photographs of subject property |                                                              |
| No. 7        |                                                   |                                                              |
| No. 8        |                                                   |                                                              |
| No. 9        |                                                   |                                                              |
| No. 10       |                                                   |                                                              |
| No. 11       |                                                   |                                                              |
| No. 12       |                                                   |                                                              |



**Maryland Department of Assessments and Taxation**  
**BALTIMORE COUNTY**  
**Real Property Data Search** (2007 vw5.1d)

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

**Account Identifier:** District - 10 **Account Number -** 1026040201

**Owner Information**

|                         |                                                   |                             |                      |
|-------------------------|---------------------------------------------------|-----------------------------|----------------------|
| <b>Owner Name:</b>      | TODOROV LUBOMIR G<br>SLAVOV GEORGI A              | <b>Use:</b>                 | RESIDENTIAL          |
| <b>Mailing Address:</b> | 14006 JARRETTSVILLE PIKE<br>PHOENIX MD 21131-1409 | <b>Principal Residence:</b> | YES                  |
|                         |                                                   | <b>Deed Reference:</b>      | 1) /22079/ 493<br>2) |

**Location & Structure Information**

|                          |                                       |
|--------------------------|---------------------------------------|
| <b>Premises Address</b>  | <b>Legal Description</b>              |
| 14006 JARRETTSVILLE PIKE | 14006 JARRETTSVILLE PIKE<br>DUNGANNON |

|            |             |               |                     |                    |                |              |            |                        |                         |
|------------|-------------|---------------|---------------------|--------------------|----------------|--------------|------------|------------------------|-------------------------|
| <b>Map</b> | <b>Grid</b> | <b>Parcel</b> | <b>Sub District</b> | <b>Subdivision</b> | <b>Section</b> | <b>Block</b> | <b>Lot</b> | <b>Assessment Area</b> | <b>Plat No:</b>         |
| 43         | 5           | 198           |                     |                    |                |              | 12         | 2                      | <b>Plat Ref:</b> 17/ 51 |

**Special Tax Areas**

|                  |
|------------------|
| <b>Town</b>      |
| Ad Valorem       |
| <b>Tax Class</b> |

|                                |                      |                           |                   |
|--------------------------------|----------------------|---------------------------|-------------------|
| <b>Primary Structure Built</b> | <b>Enclosed Area</b> | <b>Property Land Area</b> | <b>County Use</b> |
| 1956                           | 992 SF               | 1.19 AC                   | 04                |

|                |                 |               |                 |
|----------------|-----------------|---------------|-----------------|
| <b>Stories</b> | <b>Basement</b> | <b>Type</b>   | <b>Exterior</b> |
| 1              | YES             | STANDARD UNIT | STUCCO          |

**Value Information**

|                           | <b>Base Value</b> | <b>Value</b> | <b>Phase-in Assessments</b> |              |
|---------------------------|-------------------|--------------|-----------------------------|--------------|
|                           |                   | <b>As Of</b> | <b>As Of</b>                | <b>As Of</b> |
|                           |                   | 01/01/2008   | 07/01/2009                  | 07/01/2010   |
| <b>Land</b>               | 127,370           | 183,420      |                             |              |
| <b>Improvements:</b>      | 88,210            | 93,890       |                             |              |
| <b>Total:</b>             | 215,580           | 277,310      | 256,732                     | 277,310      |
| <b>Preferential Land:</b> | 0                 | 0            | 0                           | 0            |

**Transfer Information**

|                                      |                           |                         |
|--------------------------------------|---------------------------|-------------------------|
| <b>Seller:</b> ZIMMERMAN MARY LINDA  | <b>Date:</b> 06/22/2005   | <b>Price:</b> \$290,000 |
| <b>Type:</b> IMPROVED ARMS-LENGTH    | <b>Deed1:</b> /22079/ 493 | <b>Deed2:</b>           |
| <b>Seller:</b> ZIMMERMAN MARY EVELYN | <b>Date:</b> 08/05/2002   | <b>Price:</b> \$0       |
| <b>Type:</b> NOT ARMS-LENGTH         | <b>Deed1:</b> /16671/ 274 | <b>Deed2:</b>           |
| <b>Seller:</b> ZIMMERMAN JOSEPH A    | <b>Date:</b> 08/04/1999   | <b>Price:</b> \$0       |
| <b>Type:</b> NOT ARMS-LENGTH         | <b>Deed1:</b> /13937/ 58  | <b>Deed2:</b>           |

**Exemption Information**

|                                   |              |            |            |
|-----------------------------------|--------------|------------|------------|
| <b>Partial Exempt Assessments</b> | <b>Class</b> | 07/01/2009 | 07/01/2010 |
| <b>County</b>                     | 000          | 0          | 0          |
| <b>State</b>                      | 000          | 0          | 0          |
| <b>Municipal</b>                  | 000          | 0          | 0          |

**Tax Exempt:** NO  
**Exempt Class:**

**Special Tax Recapture:**  
 \* NONE \*

**PETITIONER' S**

**EXHIBIT NO.**

3





**Note from MapQuest:** Your web browser is not supported. Some of the features on the new MapQuest will not work on Internet Explorer 6. We encourage you to upgrade now. [Learn More »](#)

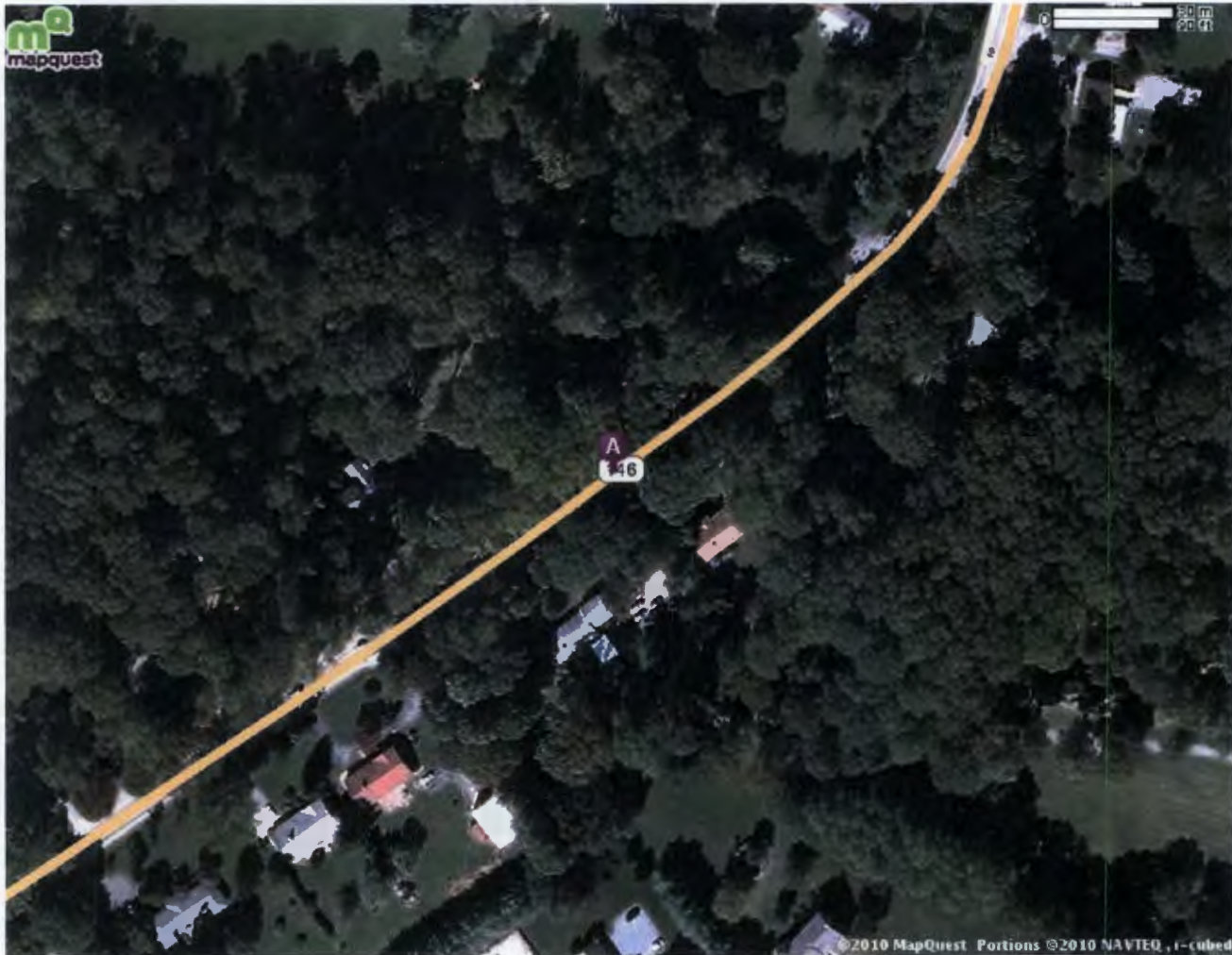
**Upgrade Now:** [Get Internet Explorer](#)

[Get Firefox](#)

**MAPQUEST.**

Sorry! When printing directly from the browser your directions or map may not print correctly. For best results, try clicking the Printer-Friendly button.

 **14006 Jarrettsville Pike**  
Phoenix, MD 21131-1409



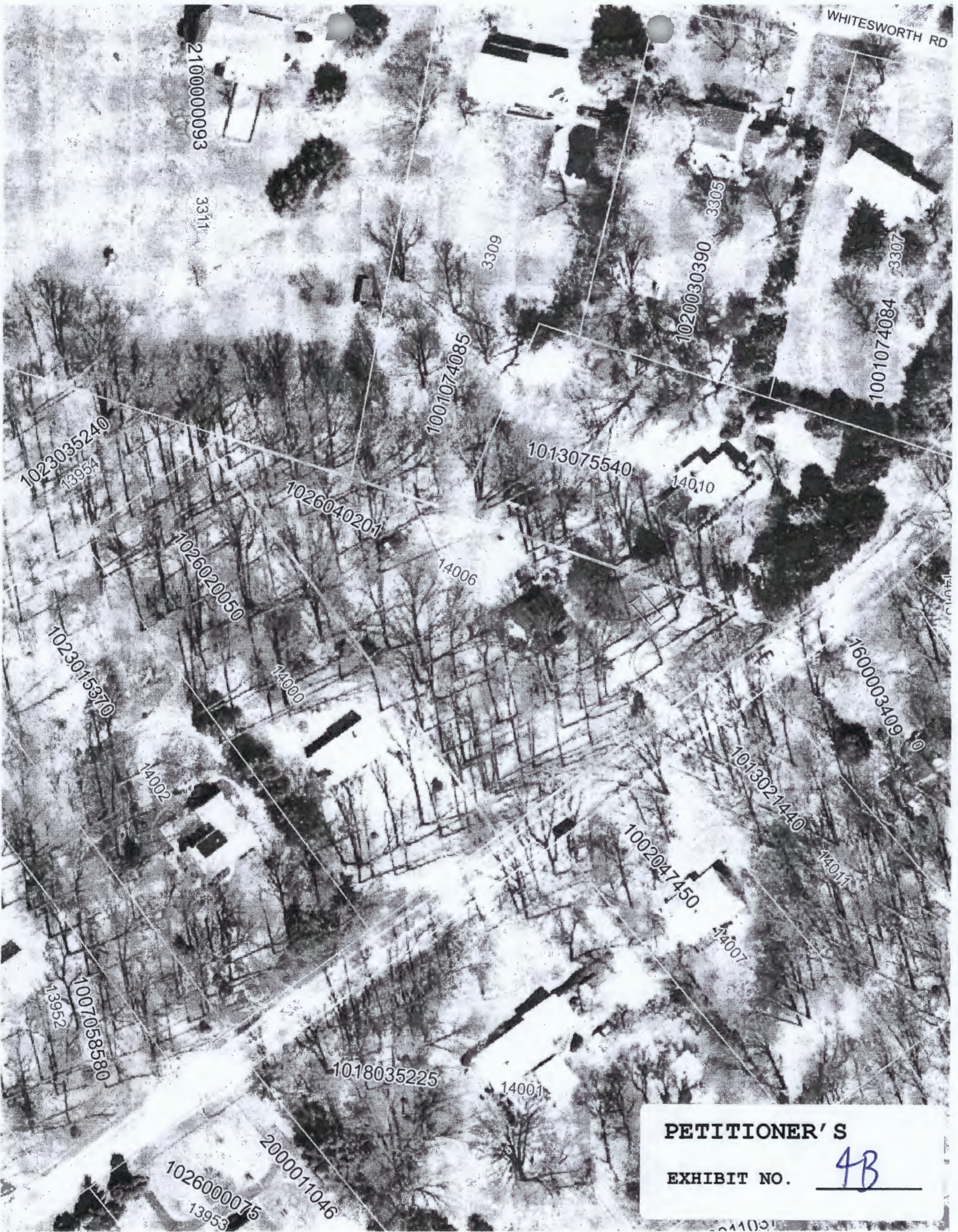
Directions and maps are informational only. We make no warranties on the accuracy of their content, road conditions or route usability or expeditiousness. You assume all risk of use. MapQuest and its suppliers shall not be liable to you for any loss or delay resulting from your use of MapQuest.

**PETITIONER' S**

**EXHIBIT NO.**

4A





WHITESWORTH RD

2100000093

3311

3309

3305

1020030390

3307

1001074084

1001074085

1013075540

14010

1026040201

14006

1026020050

14000

1023015370

14002

1600003409

1013021440

14017

1002047450

14007

13952

1007058580

1018035225

14001

200001046

1026000075

13953

PETITIONER'S

EXHIBIT NO.

4B



PET.  
EXHIBIT

February 9, 2010

Zoning Review  
Department of Permits and  
Development Management  
111 W. Chesapeake Ave., Room 111  
Towson, MD 21204

Re: 14006 Jarrettsville Pike, Phoenix, MD 21131

To Whom It May Concern,

Due to the location of the carport that has been erected on the property at 14006 Jarrettsville Pike, I am requesting a zoning variance.

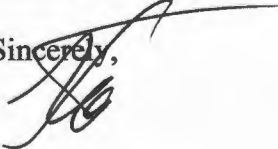
In order to place the structure to the rear of the property, extensive excavation would be necessary to level the land and several mature oak and pine trees would need to be removed. Also, the septic system is located in this area.

As it stands now, the carport has been placed between mature trees on the property. I have also planted several evergreen landscaping trees around the structure to further conceal it from the surrounding properties.

Also, I now realize the need to obtain a building permit. I had not completed this process due to the fact that the company I purchased the carport from indicated that a permit was not needed since the carport is considered a temporary structure.

Thank you for considering this request.

Sincerely,

  
Lubomir Todorov

0217

PETITIONER'S

EXHIBIT NO. 5



PETITIONER' S

EXHIBIT NO. 6A-H



6B

















WM



Case No.: 2010-0217-A

Exhibit Sheet

Petitioner/Developer

Protestant

1A-C

|              |                                                   |                                                              |
|--------------|---------------------------------------------------|--------------------------------------------------------------|
| No. 1        | Site plan                                         | Photographs of Property                                      |
| No. 2        | Zoning map                                        | * memorandum from Greater Jacksonville Assoc.                |
| No. 3        | Real Property Data search                         | Aerial zoning photograph/map of Area around subject property |
| No. 4<br>a-b | Aerial Photographs of Subject Property            | photographs of corner Area from Neighbors Property           |
| No. 5        | Affidavit/Letter of Petitioner                    |                                                              |
| No. 6<br>A-H | <del>Aerial</del> Photographs of subject property |                                                              |
| No. 7        |                                                   |                                                              |
| No. 8        |                                                   |                                                              |
| No. 9        |                                                   |                                                              |
| No. 10       |                                                   |                                                              |
| No. 11       |                                                   |                                                              |
| No. 12       |                                                   |                                                              |





PROTESTANT' S

EXHIBIT NO. 1A

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PROTESTANT' S

EXHIBIT NO. 1B





PROTESTANT' S

EXHIBIT NO.

1C

MEMORANDUM TO: Baltimore County Zoning Officer

FROM: The Greater Jacksonville Association, Inc.

DATE: June 30, 2010

REGARDING: Case #2010-0217-A

The Greater Jacksonville Association, Inc. is **Opposed** to the request for a variance to override existing zoning regulations in this matter, Case #2010-0217-A, regarding a variance request for 14006 Jarrettsville Pike, Phoenix, MD 21131.

This block of Jarrettsville Pike is a residential neighborhood, on a busy State Highway, Route 146, lined with modest homes on deep lots with plenty of space in the rear of each lot for accessory structures.

Each lot has mature trees in the front yards and elsewhere on the properties and each home is set back from the road approximately the same distance.

Property at 14006 Jarrettsville Pike has ample room in the rear of the house for this structure, and indeed has at least two existing accessory structures there now.

There is a valid, historical reason for those zoning regulations, and there should, therefore, be an overwhelming need for relief from those zoning laws before they are trampled on by variances and exceptions granted to uncaring property owners.

There is no demonstrable hardship to the owner to locate this structure in the rear of the lot in this case.

No hardship case can be made that is strong enough to trample the Baltimore County zoning laws and harm neighbors and the community by having this structure in the front of the house.

There is a history of this property being used for commercial purposes to the detriment of the community, and this appears to be another effort to continue such illegal use of the property.

Existing "carport" is of significant size and out of keeping with anything in the neighborhood, and was apparently erected without permits or size limitations. To now convert it, by a variance ruling, to an accessory structure in its current location would be inappropriate in this community.

**PROTESTANT' S**

**EXHIBIT NO.** 2











3311

3309

3305

3307

SANDLER PROPERTY (PDM File/Project # )

Lot # 4 2100000093

PDM # 100231 Pt. Bk. 58 Folio 146

PDM # 100040

Lot # 3 1001074085  
Pt. Bk. 31 Folio 35

Lot # 2 1020030390

Lot # 1 1001074084

1013075540

14010

1002000622

NE 20-C 043C1 -

3 CD -

Pt. Bk. 17 Folio 51

1026040201

Lot # 12

RC 6 -

10 ED -

#C217

1026020050

Lot # 11

PDM # 100001

14000

Lot # 10 1023015370

14002

1600003409 14011

1013021440

14007

1002047450

RC 4

1007058580

Lot # 9

19900183

14001

1018035225

2000011036

PDM # 100220

Lot # 5 2000011037

Pt. Bk. 55 Folio 73

1026000075

2000011046

PETITIONER'S

EXHIBIT NO.

2

OVERSHOT (PLAT 2) (PDM File/Project # )

MAP # 20000264

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

PROPERTY ADDRESS 14006 Jarrettsville Pike

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

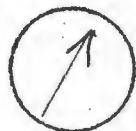
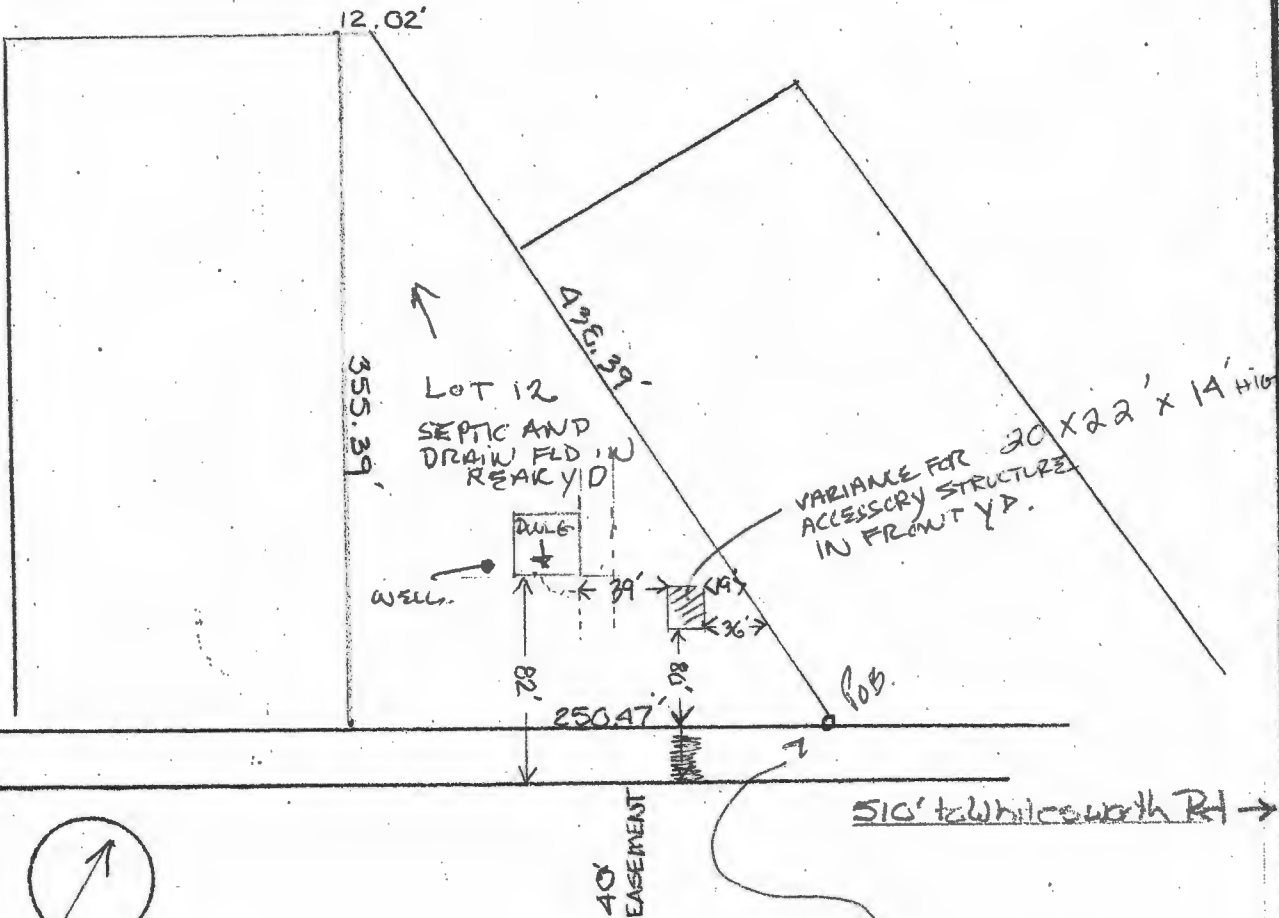
SUBDIVISION NAME Dungenon

PLAT BOOK # 17 FOLIO # 51 LOT # 12 SECTION #       

OWNER Lubomir Todorov

PETITIONER'S

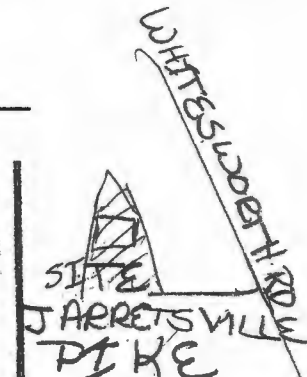
EXHIBIT NO. 1



NORTH

ROAD NAME Jarrettsville Pike

PREPARED BY Bernard & Karen Mills SCALE OF DRAWING: 1" = 100'



VICINITY MAP  
SCALE: 1" = 1000'

## LOCATION INFORMATION

ELECTION DISTRICT 10  
COUNCILMANIC DISTRICT 3  
1" = 200' SCALE MAP # 043C1  
ZONING RC6  
LOT SIZE 1.190  
ACREAGE SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE  
WATER ☐ PUBLIC ☒ PRIVATE

CHESAPEAKE BAY CRITICAL AREA YES ☐ NO ☒  
100 YEAR FLOOD PLAIN YES ☐ NO ☒  
HISTORIC PROPERTY/BUILDING YES ☐ NO ☒  
PRIOR ZONING HEARING

ZONING OFFICE USE ONLY  
REVIEWED BY JL ITEM # 2010-02-17-A CASE #