

IN RE: PETITION FOR ADMIN. VARIANCE

W side of Brookbend Road, 25 feet NE
of the c/l of Baker Lane
11th Election District
5th Councilmanic District
(9600 Brookbend Road)

Catalin and Anca Frujinoiu
Petitioners

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* **Case No. 2011-0253-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings as a Petition for Administrative Variance filed by the legal owners of the subject property, Catalin and Anca Frujinoiu for property located at 9600 Brookbend Road. The variance request is from Section 1B02.3.B of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed addition with a front street setback of 20 feet in lieu of the required 25 feet, and an open projection with a front street setback of 15 feet in lieu of the required 18 ¾ feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners' property is a corner lot and the dwelling was constructed at an angle on the lot. Any addition of reasonable size will require a variance. The addition will allow the Petitioners to have an additional bedroom and dining room.

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

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on March 6, 2011, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 3-29-11

By PS

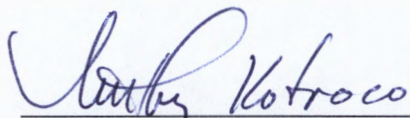
The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public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

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

THEREFORE, IT IS ORDERED, by the Administrative Law Judge for Baltimore County, this 29th day of March, 2011 that a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed addition with a front street setback of 20 feet in lieu of the required 25 feet, and an open projection with a front street setback of 15 feet in lieu of the required 18 ¾ feet be and is hereby GRANTED, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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


TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK/pz

ORDER RECEIVED FOR FILING

Date

3-29-11



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

March 29, 2011

CATALIN AND ANCA FRUJINOIU
9600 BROOKBEND ROAD
BALTIMORE MD 21236

Re: Petition for Administrative Variance
Case No. 2011-0253-A
Property: 9600 Brookbend Road

Dear Mr. and Mrs. Frujinoiu:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted in accordance with the enclosed Order.

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

Sincerely,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:pz

Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9600 Brookbend Road
which is presently zoned DR S.5 (R6)

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) 1B02.3.B - BCZR (Sections 211.2

and 301.1 of 1963 Zoning Regs) - to permit a proposed addition with a front street setback of 20 feet in lieu of the required 25 and an open projection with a front street setback of 15 feet in lieu of the required 18 $\frac{3}{4}$

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

Property is to be posted and advertised as prescribed by the zoning regulations.

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Date _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

ORDER RECEIVED FOR FILING
3-29-11

Legal Owner(s):

Catalin Frayinoiu
Name - Type or Print _____
Signature C. Frayinoiu
Name - Type or Print _____
Signature Alex Frayinoiu
9600 Brookbend Rd. 443-452-7610
Address _____ Telephone No. _____
Baltimore, MD 21236
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

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

CASE NO. 2011-0253-A

REV 10/25/01

Zoning Commissioner of Baltimore County
Reviewed By [Signature] Date 2/26/11
Estimated Posting Date 3/6/11

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 9600 Brookbend Rd.
Address Baltimore MD 21236
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

We need a proper dinning room. Besides, our parents may move to live with us. Thus, an additional bedroom suite is needed. However, we experience a difficult situation generated by the unique location of our property (on the corner of two streets, so with additional restrictions).

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

C. Frum
Signature
Catalin Frum
Name - Type or Print

A
Signature
Anca Frum
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5 day of February, 2011, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Catalin and Anca Frum
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Kelly Nicole Uhlhorn
Notary Public
My Commission Expires 7/8/2014

Zoning Description

Owners:

Catalin & Anca Frujinoiu
9600 Brookbend Road
Baltimore/Nottingham, Maryland 21236-1046

Zoning description for the address of 9600 Brookbend Road.

Beginning at the point on the West side of Brookbend, which is 50' (fifty feet) wide at the distance of 25' (twenty five feet), North East of the centerline of the nearest intersecting street, Baker Lane, which is 50' (fifty feet) wide. Being Lot # 9, block C, Section #7, in the subdivision of Perry Hall Estates, as recorded in Baltimore County Plat Book #30, Folio #87, with the lot containing 10, 647 square feet. Also known as 9600 Brookbend Road, Baltimore/Nottingham, Maryland 21236-1046, and the location in the 11 (eleven) Election District, 5 (five) Councilmanic District.

Michael A. Boyer, Architect
862 Doris Drive
Arnold , Maryland 21012-1446
410-349-1876 Office
410-960-4774 Cell
January, 2011



Item #0253

Front view from Baker Ln.



Back view from our yard



View from inside car port.



Front view Item #0253



PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

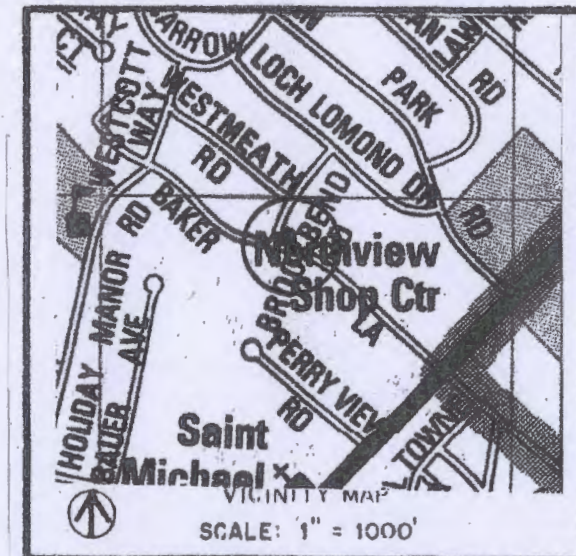
PROPERTY ADDRESS 9600 BROOKBEND RD.

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

SUBDIVISION NAME PERRY HALL ESTATES

PLAT BOOK # 30 FOLIO # 87 LOT # 9 SECTION # 7

OWNER CATALIN & ANCA FRUJINOIU



LOCATION INFORMATION

ELECTION DISTRICT 11

COUNCILMANIC DISTRICT 5

1" = 200' SCALE MAP # 063B3

ZONING DRS.5 (R6)

LOT SIZE .24 ACRES 10,647 SQ. FT.

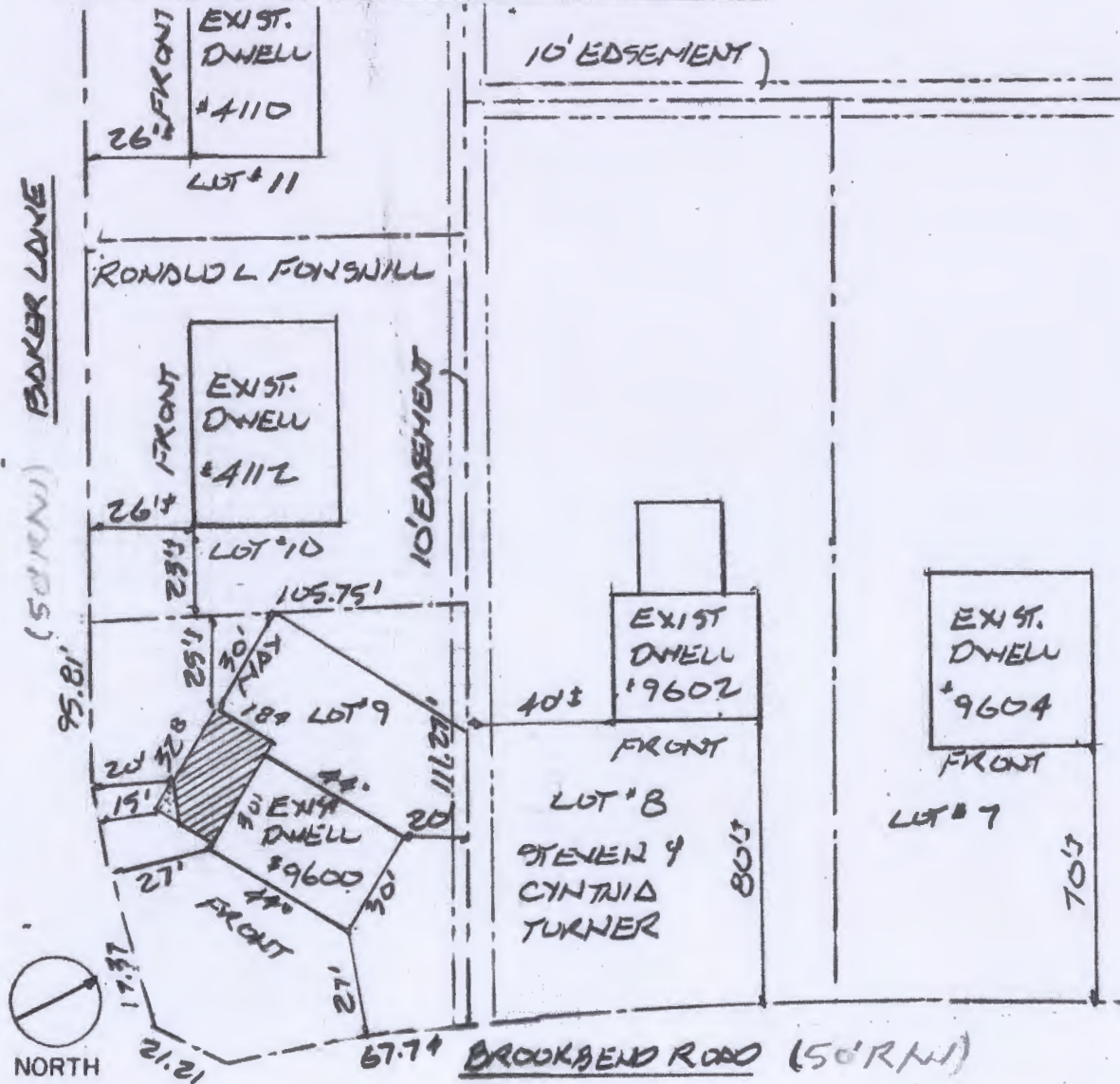
	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO

100 YEAR FLOOD PLAIN ☐ YES ☒ NO

HISTORIC PROPERTY/BUILDING ☐ YES ☒ NO

PRIOR ZONING HEARING



PREPARED BY MICHAEL A. BOYER, R.S.

SCALE OF DRAWING: 1" = 50'

ZONING OFFICE USE ONLY

REVIEWED BY [Signature] ITEM # 2011- CASE # 0253-A