IN RE: PETITION FOR ADMIN. VARIANCE

W side of Ridge Road, 94 feet N of the c/l of Manor Court 8th Election District 2nd Councilmanic District (2020 Ridge Road)

John Ross Germano
Petitioner

- * BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- * FOR BALTIMORE COUNTY
- * Case No. 2011-0259-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, John Ross Germano for property located at 2020 Ridge Road. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an existing accessory structure (garage) in the side yard of a single family dwelling, after a proposed addition is added, in lieu of the required rear yard. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. Petitioners desire to construct an addition onto the rear of their house which would place the existing garage partially in the side yard. They need additional living space for their growing family. The existing garage is over 300 feet from Ridge Road. The property contains 2.1700 acres zoned RC 5.

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 Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on March 13, 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	4-1-11	_
Ву		_

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

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

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this ______ day of April, 2011 that a variance from Section 400.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an existing accessory structure (garage) in the side yard of a single family dwelling, after a proposed addition is added, in lieu of the required rear yard is hereby GRANTED, subject to the following:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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 Petitioner 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.

TIMOTHÝ M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:pz

ORDER RECEIVED FOR FILING

Date 4-1-11

2



KEVIN KAMENETZ County Executive LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

April 1, 2011

JOHN ROSS GERMANO 2020 RIDGE ROAD REISTERSTOWN MD 21136

> Re: Petition for Administrative Variance Case No. 2011-0259-A

Property: 2020 Ridge Road

Dear Mr. Germano:

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.

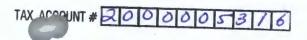
In the event the decision rendered is unfavorable to any party, please be advised that any party may file with the Department of Permits, Applications and Inspections an appeal within thirty (30) days from the date of this Order. If you require additional information concerning filing an appeal, please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

Sincerely,

TIMOTHY M. KOTROCO Administrative Law Judge for Baltimore County

TMK:pz

Enclosure





REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2020 Roose Rows which is presently zoned RC-5

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

Sections 400.1

To permit existing accessory structure (garage) in the side yard of a single family dwelling, after a proposed addition is added, in lieu of the required rear yard.

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:	Legal Owner(s):				
Name - Type or Print	Name - Type or Print) Name - Type or Print) MM				
Signature	Signature				
Address Telephone No.	Name - Type or Print				
City State Zip Code	Signature				
Attorney For Petitioner:	2020 Ridge Rd 410-925-0436 Address Telephone No.				
Name - Type or Print	Reisterstown MD 21/36 City State Zip Code				
Signature ORDER RECEIVED FOR FILING	Representative to be Contacted: - Vohn Ross Germano				
Company	Name				
Address Telephone No.	Address Ridge Rd 410 925 043 k				
City State Zip Code	Reisterstown MD 21136 City State Zip Code				
A Public Hearing having been formally demanded and/or found to be this day of that the subject matter of regulations of Baltimore County and that the property be reposted.	required, it is ordered by the Zoning Commissioner of Baltimore County, this petition be set for a public hearing, advertised, as required by the zoning Zoning Commissioner of Baltimore County				
CASE NO. 2011-0259-A Rev	viewed By Date 3/3/1/				

Affidavit in Support of Administrative Variance

TMHO

REV 10/25/01

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 202	o Ridge Rd.
Rel.	sterstonin MD 2/136 State Zip Code
That based upon personal knowledge, the following are the Variance at the above address (indicate hardship or practic	e facts upon which I/we base the request for an Administrative al difficulty):
•	AN ADDITION ON TO TOO BACK
OF THE House, which work	D PUT THE EXHISTING GARAGE
PARTIALLY IN THE SIDE	JAND, WE NOW MORE SPACE
FOR A GROWING FAMILY.	JAND, WE NOOD MORE SPACE
Day of the Landson	
That the Affiant(s) acknowledge(s) that if a formal dema advertising fee and may be required to provide additional in	and is filed, Affiant(s) will be required to pay a reposting and formation.
Jas Jan	
Signature //	Signature
John Ross Germano Name - Type or Print	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE, to w	W THE HEWASTER
I HEREBY CERTIFY, this 25 th day of <u>Februar</u> of Maryland, in and for the County aforesaid, personally app	
Tohn Ross Germano the Affiant(s) herein, personally known or satisfactorily iden	
AS WITNESS my hand and Notarial Seal	
AS WITH LOS MY HAND AND HOLD THE A. GERRALE	Atanhani A Rangualo
E Sound	ary Public
2 0/2	Commission Expires 10-31-2012

Affidavit in Support of Administrative Variance

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

competent to testify thereto in the event that a p	public hearing is scheduled in the future with regard thereto.
That the Affiant(s) does/do presently reside at	2020 Ridge Rd.
the Partie of Control of Control	Keisterstown MD 21/36 City State Zip Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardsh	owing are the facts upon which I/we base the request for an Administrative
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That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ormal demand is filed, Affiant(s) will be required to pay a reposting and additional information.
ma from	
Signature	Signature
John Ross Germano	
Name - Type or Print	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIN	
of Maryland, in and for the County aforesaid, per	oruany .20// , before me, a Notary Public of the State
Tohn Boss German the Affiant(s) herein, personally known or satisfa	actorily identified to me as such Affiant(s).
AS WITNESS my hand and Notarial Seaturn	
TOTALE A. GERA	with Atropa 11. Old
STATIONAL	Notary Public Notary Public
	My Commission Expires 10-31-2012
REV 10/25/01	751

EXHIBIT "A"

BEGINNING FOR THE SAME at a point in the center of Ridge Road in the 17th or South 9 degrees 43 minutes 00 seconds West 944.80 foot line of the first parcel of land which by Deed dated January 28, 1950 and recorded among the Land Records of Baltimore County in Liber TBS 1814, folio 216, was conveyed by Adella Q. Smith et al to Charles V. Akeley and Elinor A. Akeley, his wife, at a distance of 697.82 feet from the beginning of said 17th line running thence in the center of Ridge Road and binding on part of said 17th and part of the 18th line as now surveyed, South 9 degrees 06 minutes 15 seconds West 246.98 feet and South 8 degrees 29 minutes 15 seconds West 12.00 feet, thence leaving the center of Ridge Road and the 18th line of the aforesaid Deed and running for lines of division now made through the lands of the grantor and five following courses and distances:

- 1) South 79 degrees 19 minutes 23 seconds West 338.79 feet;
- 2) North 18 degrees 00 minutes 10 seconds West 187.83 feet;
- 3) North 73 degrees 48 minutes 04 seconds East 92.23 feet;
- 4) North 12 degrees 49 minutes 43 seconds West 64.67 feet;
- 5) North 81 degrees 52 minutes 11 seconds East 361.26 feet to the place of beginning.

Containing 2.179 Acres of land more or less.

Subject to a strip of land 30 feet wide containing 0.179 acre along the first and second lines of the above described parcel as shown on the plat attached to a Deed dated December 31, 1985 and recorded in Liber No. 7068, folio 790 to be conveyed to Baltimore County upon demand and at no cost for the purposes of widening of Ridge Road.

The improvements thereon being now or formerly known as 2020 Ridge Road, Reisterstown, Maryland 21136.

CASO # 2011-0259-A



ZONIN'S NOTICE

CASE # 2011-0259-A TO PERMIT AN EXISTING BARAGE
IN THE SIDEYARD OF A SWIGLE FAMILY
DWELLING AFTER AN ADDITION IS ADDED IN LIEU OF THE REAR YARD

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZORING REVIEW BUREAU BEFORE ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF ADDITIONAL INFORMATION IS AVAILABLE AT TWE DEPARTMENT OF 111 WEST CHESAPEAKE AVE., TOWSON, MD 2120.4



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 21, 2011

Item Nos. 2011-259, 260, 261, 262,

263 and 266

DATE: March 22, 2011

Hearing 3128 adm. V.

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-03212011 -NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO:

Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

David Lykens, Department of Environmental Protection and Sustainability

(DEPS) - Development Coordination

DATE:

March 18, 2011

SUBJECT:

DEPS Comment for Zoning Item

11-259-A

Address

2020 Ridge Road (Germano Property)

Zoning Advisory Committee Meeting of March 14, 2011.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

1. The proposed building permit for an addition will need Groundwater Mgmt. Section review, to check setbacks to the septic & well.

Reviewer: <u>Dan Esser</u>; Groundwater Management

RECEIVED

MAR 18 2011

OFFICE OF ADMINISTRATIVE HEARINGS



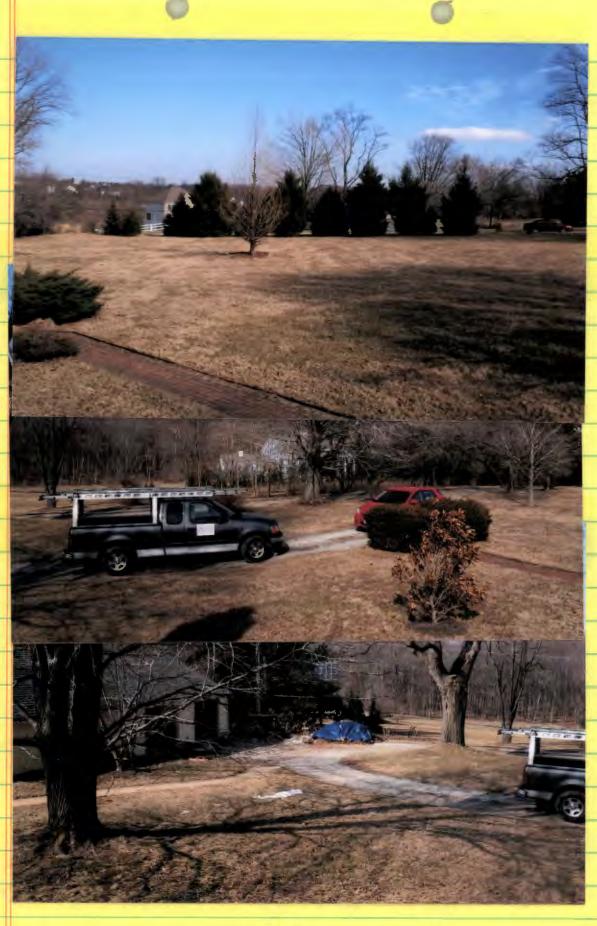


Maryland Department of Assessments and Taxation Real Property Data Search (vw5.1A) BALTIMORE COUNTY Go Back
View Map
New Search
GroundRent Redemptio
GroundRent Registratio

Account 1	dentifier:		District - 08 Acc	count Number	- 2000005310)		
				Owner Info	rmation			
Owner Na		2020 RID	O JOHN ROSS GE RD STOWN MD 21136	5-5622		cipal Residence: l Reference:		RESIDENTIAL YES 1) /10895/ 00542 2)
			Loc	cation & Structu	re Information	1		
Premises 2020 RIDG 0-0000		2		Lega 2.179 2020 I	Description	3		
Map 0050	Grid Pa 0008 041	rcel Sub Dist	rict Subdiv	ision Sec	tion Blo	ock Lot	Assessment Are	a Plat No: Plat Ref:
Special Ta	ax Areas	Town Ad Valorem Tax Class	NONE					
Primary S 1953	Structure Buil		Enclosed Are 2,074 SF	ea	Property 2.1700 AC	Land Area	County Use 04	
Stories 1.500000	Basement YES	Type STANDARD UNI	Exterior I SIDING					
				Value Infor	mation			
Land		279,250	Value As Of 01/01/2011 195,400	Phase-in As As Of 07/01/2010	As Of 07/01/20	011		
Improven Total: Preferent		196,440 475,690 0	177,400 372,800	475,690	372,800 0			
	The State of			Transfer Info	ormation			
Seller: Type:		BROOKE EDELEN TH IMPROVED			Date: Deed1:	01/05/I995 /10895/ 00542	Price: Deed2:	\$170,000
Seller: Type:	BEAVERBRO ARMS LENGT	OK LAND TH IMPROVED			Date: Deed1:	11/06/1992 /09450/ 00356	Price: Deed2:	\$128,000
Seller: Type:	KIPNES CRAI	IG I'H IMPROVED			Date: Deed1:	04/17/1990 /08456/ 00026	Price: Deed2:	\$270,000
				Exemption In	formation			
Partial Ex County State Municipa	kempt Assessn	nents			Class	07/01	/2011	07/01/2012 0.00 0.00 0.00
Tax Exen Exempt C						SI	pecial Tax Recapt * NONE *	ure:



2011-0259-A



7011-0259-A



2011-0259-A



KEVIN KAMENETZ County Executive

JOHN J. HOHMAN, Chief
Fire Department

March 15,2011

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

ATTENTION: Zoning Review

Distribution Meeting of: March 14, 2011

Item No.:

Administrative Variance: 2011-0259A-0260A,

Special Hearing: 2011-0263-SPHXA, 2011-0264-SPH

Special Exception: 2011-0257-XA

Variance: 2011-0257-XA, 2011-0261A-0262A, 2011-0263-SHPXA, 2011-0266A

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Don W. Muddiman, Inspector Baltimore County Fire Marshal's Office 700 E. Joppa Road, 3RD Floor Towson, Maryland 21286 Office: 410-887-4880

dmuddiman@baltimorecountymd.gov

cc: File



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

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

Maryland Department of Transportation

Date: MARCH 14, 2011

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

RE: Baltimore County
Item No 2011-0260-A
4557 BENNERTON DRIVE

FORD PROPERTY ADMIN. VARIANCE -

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2011-0260-A.

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

Very truly yours,

Steven D. Foster, Chief

Access Management Division

SDF/mb



KEVIN KAMENETZ County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

March 23, 2011

Mr. & Mrs. Ford 4557 Bennerton Drive Nottingham, MD 21236

RE: Case Number: 2011-0260 A, 4557 Bennerton Drive

Dear Mr. & Mrs. Ford,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 3, 2011. 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,

U. Carl Rich

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel

CERTIFICATE OF POSTING

Date: 3-13-11

RE: Case Number: 2011-0259-A Petitioner/Developer: John Garmano Date of Hearing/Closing: 3.28-11 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 2620 Relge Rl The signs(s) were posted on (Month, Day, Year) (Signature of Sign Poster) J. LAWRENCE PILSON (Printed Name of Sign Poster) ATTACH PHOTGRAPH 1015 Old Barn Road (Street Address of Sign Poster) Parkton, MD 21120 (City, State, Zip Code of Sign Poster) 410-343-1443 (Telephone Number of Sign Poster)

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES
Case Number 2011- 0259 -A Address Z020 Ridge Rd Contact Person: LEONBRD WASILCUSKI Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 3/3/11 Posting Date: 3/13/11 Closing Date: 3/28/11 Any contact made with this office regarding the status of the administrative variance should be
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
1. POSTING/COST : The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
 DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 2011- 0259 -A Address 2020 Ridge Rd
Petitioner's Name John R. Germano Telephone 410-560-5938
Posting Date:
Wording for Sign: To Permit AN EXISTING GARAGE IN the side YARd of A single family dwelling affect AN Addition is Added

Revised 2/17/11



#.0005 Ac. Lot #1 EALCH SHILEUIT 3 Ashquer WAY 22000 17158 DIST 8 DEED REF 109 DEED REF 10906/001+1 FOR HALEN IE PLAT TO ACCOMPANY PETITION FOR ZONING XVARIANCE SPECIAL HEARING PROPERTY ADDRESS JOZO RIDGO RD. SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION SUBDIVISION NAME OWNER John Ross GERMAND STORM WATER 2200017159 SUBJECT MANAGEMENT PROPERTY BRUCE + JUY KATZENBERG 5 Ash grown WAY DIST 8 DED REF 11247/00382 AN 2.0107 AC. FOX HAVEN I 150' AWAY VICINITY MAP SCALE: 1" = 1000 LOCATION INFORMATION ELECTION DISTRICT 844 1 STORY FRAME ADD. 11'-3"x 14'-0"x 16'high COUNCILMANIC DISTRICT LNd 1"=200' SCALE MAP # 050BZ FOX HAVEN I ZONING RC 5 BRIAN & STEPHANIL LOT SIZE 2179 94525,20 AHERN DIST & LEF -ACREAGE SQUARE FEET PUBLIC PRIVATE DAVID - SHERRI 13094/00+87 区 SEWER SILBIGER LOT# 25 7 AshgRown y X WATER STONERIDGE 150/AWAY ACCT# 20014345 YES V810 CHESAPEAKE BAY X 2020 RIDGE RO 1671 AC. CRITICAL AREA #200000 5316 22000/7160 100 YEAR FLOOD PLAIN DEED RET 10895/0054Z MAP 640050 GRD 6008 HISTORIC PROPERTY/ X BUILDING PARCEL 0415 4.679 OA PRIOR ZONING HEARING None 30' WIDENING STRIP EDGE OF / ZONING OFFICE USE ONLY PAULMA NORTH REVIEWED BY ITEM # CASE # TO GREASPRIM 0259-A SCALE OF DRAWING: 1" = 50 PREPARED BY ROS GERMAND 2011