

## MEMORANDUM

DATE: September 9, 2014  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2015-0006-A - Appeal Period Expired

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The appeal period for the above-referenced case expired on September 8, 2014. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File  
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE \*

(900 Army Road)

9<sup>th</sup> Election District \*

2<sup>nd</sup> Council District \*

Ross P. and Sandra Flax \*

Petitioners \*

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2015-0006-A

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, Ross P. and Sandra Flax ("Petitioners"). The Petitioners are requesting Variance relief from §§ 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), as follows: (1) To permit a proposed detached accessory building (garage) to be located in the side and front yard of an existing dwelling in lieu of the required rear yard, and (2) To permit the proposed detached garage to be 22 ft. in height in lieu of the maximum allowed of 15 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments submitted from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on July 20, 2014, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 8-8-14

By [Signature]

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code (B.C.C.). 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.

Although the Department of Planning did not make any recommendations related to the detached accessory building (garage) height and usage, I will impose conditions that the garage not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes.

Pursuant to the posting of the property and the provisions of both the B.C.C. and the B.C.Z.R., and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 8<sup>th</sup> day of August, 2014, by the Administrative Law Judge for Baltimore County, that the Petition for Variance from §§ 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), as follows: (1) To permit a proposed detached accessory building (garage) to be located in the side and front yard of an existing dwelling in lieu of the required rear yard, and (2) To permit the proposed detached garage to be 22 ft. in height in lieu of the maximum allowed of 15 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

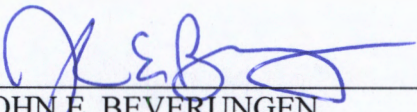
ORDER RECEIVED FOR FILING

Date 8-8-14

By [Signature]

1. Petitioners may apply for their appropriate permits 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, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners or subsequent owners shall not convert the subject garage into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
3. The garage shall not be used for commercial purposes.

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

  
\_\_\_\_\_  
JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 8-8-14

By EW



KEVIN KAMENETZ  
*County Executive*

LAWRENCE M. STAHL  
*Managing Administrative Law Judge*  
JOHN E. BEVERUNGEN  
*Administrative Law Judge*

August 8, 2014

Ross P. and Sandra Flax  
900 Army Road  
Baltimore, Maryland 21204

RE: Petition for Administrative Variance  
Case No. 2015-0006-A  
Property: 900 Army Road

Dear Mr. and Mrs. Flax:

Enclosed please find a copy of the decision rendered in the above-captioned matter

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,

  
JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB:dlw  
Enclosure

c: Patrick D. Jarosinski, P.O. Box 234, Riderwood, MD 21139





# ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 900 ARMY ROAD RUXTON, MD 21204 Currently zoned DR-1  
 Deed Reference 19707 / 00734 10 Digit Tax Account # 090 26 537 50  
 Owner(s) Printed Name(s) ROSS P. AND SANDRA FLAX

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the **Affidavit** on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

- ☒ **ADMINISTRATIVE VARIANCE** from Section(s) 400.1 of B.C.Z. R. to permit a proposed detached accessory building (garage) to be located in the side and front yard of an existing dwelling in lieu of the required in the rear yard, and, from section 400.3 of B.C.Z.R. to permit the proposed detached garage to be 22 feet in height in lieu of the maximum allowed of 15 feet.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

- ☐ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

I/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

## Owner(s)/Petitioner(s):

ROSS P. FLAX / SANDRA FLAX  
 Name #1 – Type or Print Name #2 – Type or Print  
[Signature] / [Signature]  
 Signature #1 Signature #2  
900 ARMY ROAD RUXTON MD  
 Mailing Address City State  
21204 / 410-823-8313 / rossflax@me.com  
 Zip Code Telephone # Email Address

## Attorney for Owner(s)/Petitioner(s):

N/A  
 Name- Type or Print  
 Signature  
 Mailing Address  
 City State  
 Zip Code Telephone # Email Address

## Representative to be contacted:

PATRICK D. JAROSINSKI  
 Name- Type or Print  
[Signature]  
 Signature  
PO BOX 234 RIDERWOOD MD  
 Mailing Address City State  
21139 / 410 494-1017 / patrick@pjassociates.com  
 Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this 8 day of August that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2015-0006-A Filing Date 7/9/14 Estimated Posting Date 7/20/14 Reviewer AT

~ 8/4/14



**Affidavit in Support of Administrative Variance**  
(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 900 ARMY ROAD ROXTON MD 21204  
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

See Attachment 'A'

Note prior variance request Case No. 07-468-A

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

ROSS P. FLAX  
Signature of Owner (Affiant)  
[Signature]  
Name- Print or Type

SANDRA FLAX  
Signature of Owner (Affiant)  
[Signature]  
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

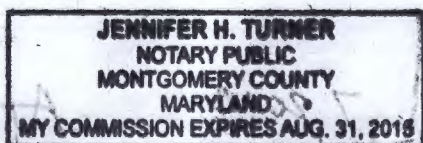
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 7th day of JULY, 2014, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Ross and Sandra Flax

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

AS WITNESS my hand and Notaries Seal



Jennifer Turner  
Notary Public  
8/31/2015  
My Commission Expires

**Attachment 'A' – 900 Army Road, Ruxton, Maryland 21204**

We request an administrative variance at the above noted address to build a detached garage which extends slightly into the front yard setback and is located in the side yard. It is 8 feet from the rear property line. Due to the topography and the citing of the house, the site is awkward in that you must drive through the rear of the yard to enter to the front of the house. We would like to locate the garage is the most obvious and convenient location based on the location of the existing driveway. We would like for the overall height of the garage to be taller than 15' allowed by the zoning laws in order to compliment the roof pitch and aesthetics of our house, as well as those houses that surround us.

2015-0006-A



**ZONING DESCRIPTION FOR 900 Army Road, Towson, Maryland 21204**

Beginning at a point on the North side of Army Road, which is 50' wide at the distance of 105 feet South of the centerline of the nearest improved street (Army Road) which is 50' wide, as recorded in Baltimore County Plat Book # 16, Folio # 76, containing 2.734 acres. Also known as 900 Army Road, Towson, Maryland 21204 and located in the 9<sup>th</sup> Election District, 2 Councilmanic District.

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS  
ZONING REVIEW

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 2015 0006 -A Address 900 ARMY ROAD

Contact Person: AARON TSUI Phone Number: 410-887-3391  
Planner, Please Print Your Name

Filing Date: 7/9/2014 Posting Date: 7/20/14 Closing Date: 8/4/14

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

**Petitioner: This Part of the Form is for the Sign Poster Only**

**USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**

Case Number 2015 0006 -A Address 900 ARMY ROAD

Petitioner's Name ROSS FLAX Telephone 410-823-8313

Posting Date: 7/20/14 Closing Date: 8/4/14

Wording for Sign: To Permit A DETACHED GARAGE IN THE FRONT AND  
SIDE YARD OF AN EXISTING DWELLING WITH A HEIGHT OF 22 FEET  
IN LIEU OF THE REQUIRED IN THE REAR YARD AND A  
MAXIMUM ALLOWED OF 15 FEET RESPECTIVELY.  
HEIGHT

Revised 7/06/11



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

No. **113836**  
 Date: **7/9/14**

| Fund   | Dept | Unit | Sub Unit | Rev Source/ Obj | Sub Rev/ Sub Obj | Dept Obj | BS Acct | Amount |
|--------|------|------|----------|-----------------|------------------|----------|---------|--------|
| 001    | 806  | 0000 |          | 6150            |                  |          |         | \$75-  |
|        |      |      |          |                 |                  |          |         |        |
|        |      |      |          |                 |                  |          |         |        |
|        |      |      |          |                 |                  |          |         |        |
|        |      |      |          |                 |                  |          |         |        |
| Total: |      |      |          |                 |                  |          |         | \$75-  |

Rec From: \_\_\_\_\_  
 For: **900 ARMY ROAD**  
**2015-0006-A**

**PAID RECEIPT**

NO. 113836  
 DATE 7/9/2014  
 TIME 10:13:35  
 BY: [Signature]  
 RECEIPT # 52089  
 7/9/2014  
 \$75.00  
 \$75.00 CA  
 Baltimore County, Maryland

**CASHIER'S  
 VALIDATION**

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





*Yadav 7/20/14*

RE: CASE NO: 2015-0006-A

PETITIONER/DEVELOPER

ROSS FLAT

DATE OF HEARING/CLOSING:

8/4/14

BALTIMORE COUNTY DEPARTMENT OF  
PERMITS AND DEVELOPMENT MANAGEMENT  
COUNTY OFFICE BUILDING, ROOM 111  
111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE  
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE  
PROPERTY AT \_\_\_\_\_

900 ARMY ROAD

THIS SIGN(S) WERE POSTED ON July 20, 2014  
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 7/20/14  
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE  
(SIGN POSTER)  
60 CHELMSFORD COURT  
BALTIMORE, MD 21220  
(ADDRESS)  
PHONE NUMBER: 443-629-3411



KEVIN KAMENETZ  
*County Executive*

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

August 5, 2014

Ross & Sandra Flax  
900 Army Road  
Ruxton MD 21204

RE: Case Number: 2015-0006 A, Address: 900 Army Road

Dear Mr. & Ms. Flax:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 9, 2014. 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." in a cursive style.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel  
Patrick D. Jarosinski, P.O. Box 234, Riderwood MD 21139



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



Maryland Department of Transportation

James T. Smith, Jr., Secretary  
Melinda B. Peters, Administrator

Date: 7/14/14

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

RE: Baltimore County  
Item No. 2015-0006-A,  
Administrative Variance  
Ross & Sandra Flax  
900 Army Road.

Dear Ms. Lewis:

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. 2015-0006-A.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely, —

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

Steven D. Foster, Chief/  
Development Manager  
Access Management Division

SDF/raz

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

**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

**TO:** Arnold Jablon, Director  
Department of Permits, Approvals  
And Inspections

**DATE:** July 28, 2014

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For July 14, 2014  
Item No. 2014-0288, 0289, 0293, 0294 and  
Item No. 2015-0004, 0006, 0007 and 0008

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

DAK:CEN  
cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC07282014 -.doc

C H E C K L I S T

| <u>Comment Received</u>         | <u>Department</u>                                                     | <u>Support/Oppose/ Conditions/ Comments/ No Comment</u> |
|---------------------------------|-----------------------------------------------------------------------|---------------------------------------------------------|
| <u>7-28</u>                     | DEVELOPMENT PLANS REVIEW<br>(if not received, date e-mail sent _____) | <u>NC</u>                                               |
| _____                           | DEPS<br>(if not received, date e-mail sent _____)                     | _____                                                   |
| _____                           | FIRE DEPARTMENT                                                       | _____                                                   |
| _____                           | PLANNING<br>(if not received, date e-mail sent _____)                 | _____                                                   |
| <u>7-14</u>                     | STATE HIGHWAY ADMINISTRATION                                          | <u>No objection</u>                                     |
| _____                           | TRAFFIC ENGINEERING                                                   | _____                                                   |
| _____                           | COMMUNITY ASSOCIATION                                                 | _____                                                   |
| _____                           | ADJACENT PROPERTY OWNERS                                              | _____                                                   |
| ZONING VIOLATION                | (Case No. _____)                                                      |                                                         |
| PRIOR ZONING                    | (Case No. <u>07-468-A</u> )                                           |                                                         |
| NEWSPAPER ADVERTISEMENT         | Date: _____                                                           |                                                         |
| SIGN POSTING                    | Date: <u>7-20-14</u> by <u>Ogle</u>                                   |                                                         |
| PEOPLE'S COUNSEL APPEARANCE     | Yes <input type="checkbox"/> No <input type="checkbox"/>              |                                                         |
| PEOPLE'S COUNSEL COMMENT LETTER | Yes <input type="checkbox"/> No <input type="checkbox"/>              |                                                         |

Comments, if any: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



## Real Property Data Search ( w2)

## Guide to searching the database

## Search Result for BALTIMORE COUNTY

| View Map                                          |                           | View GroundRent Redemption                |                                                        | View GroundRent Registration |                                                          |
|---------------------------------------------------|---------------------------|-------------------------------------------|--------------------------------------------------------|------------------------------|----------------------------------------------------------|
| Account Identifier:                               |                           | District - 09 Account Number - 0902653750 |                                                        |                              |                                                          |
| Owner Information                                 |                           |                                           |                                                        |                              |                                                          |
| Owner Name:                                       |                           | FLAX ROSS P<br>FLAX SANDRA                |                                                        | Use:                         | RESIDENTIAL                                              |
| Mailing Address:                                  |                           | 900 ARMY RD<br>BALTIMORE MD 21204-6703    |                                                        | Principal Residence:         | YES                                                      |
|                                                   |                           |                                           |                                                        | Deed Reference:              | /19707/ 00734                                            |
| Location & Structure Information                  |                           |                                           |                                                        |                              |                                                          |
| Premises Address:                                 |                           | 900 ARMY RD<br>0-0000                     |                                                        | Legal Description:           | LT 1,2,3 2.734 AC<br>MALVERN HILL                        |
| Map:                                              | Grid:                     | Parcel:                                   | Sub District:                                          | Subdivision:                 | Section: Block: Lot: Assessment Year: Plat No: Plat Ref: |
| 0069                                              | 0017                      | 0480                                      |                                                        | 0000                         | 1 2014 0016/0076                                         |
| Special Tax Areas:                                |                           |                                           | Town: NONE                                             |                              |                                                          |
|                                                   |                           |                                           | Ad Valorem: Tax Class:                                 |                              |                                                          |
| Primary Structure Built                           | Above Grade Enclosed Area | Finished Basement Area                    | Property Land Area                                     | County Use                   |                                                          |
| 1937                                              | 4,764 SF                  | 450 SF                                    | 2.7300 AC                                              | 04                           |                                                          |
| Stories                                           | Basement                  | Type                                      | Exterior                                               | Full/Half Bath               | Garage Last Major Renovation                             |
| 2.500000                                          | YES                       | STANDARD UNIT                             | STONE                                                  | 4 full/ 2 half               | 2 Attached                                               |
| Value Information                                 |                           |                                           |                                                        |                              |                                                          |
|                                                   | Base Value                | Value As of 01/01/2014                    | Phase-In Assessments As of 07/01/2013 As of 07/01/2014 |                              |                                                          |
| Land:                                             | 638,000                   | 638,000                                   |                                                        |                              |                                                          |
| Improvements                                      | 918,400                   | 715,000                                   |                                                        |                              |                                                          |
| Total:                                            | 1,556,400                 | 1,353,000                                 | 1,556,400                                              | 1,353,000                    |                                                          |
| Preferential Land:                                | 0                         |                                           |                                                        | 0                            |                                                          |
| Transfer Information                              |                           |                                           |                                                        |                              |                                                          |
| Seller: BROOKS W GILL                             |                           | Date: 03/09/2004                          |                                                        | Price: \$1,450,000           |                                                          |
| Type: ARMS LENGTH IMPROVED                        |                           | Deed1: /19707/ 00734                      |                                                        | Deed2:                       |                                                          |
| Seller:                                           |                           | Date:                                     |                                                        | Price:                       |                                                          |
| Type:                                             |                           | Deed1:                                    |                                                        | Deed2:                       |                                                          |
| Seller:                                           |                           | Date:                                     |                                                        | Price:                       |                                                          |
| Type:                                             |                           | Deed1:                                    |                                                        | Deed2:                       |                                                          |
| Exemption Information                             |                           |                                           |                                                        |                              |                                                          |
| Partial Exempt Assessments:                       | Class                     | 07/01/2013                                |                                                        | 07/01/2014                   |                                                          |
| County:                                           | 000                       | 0.00                                      |                                                        |                              |                                                          |
| State:                                            | 000                       | 0.00                                      |                                                        |                              |                                                          |
| Municipal:                                        | 000                       | 0.00 0.00                                 |                                                        | 0.00 0.00                    |                                                          |
| Tax Exempt:                                       |                           | Special Tax Recapture:                    |                                                        |                              |                                                          |
| Exempt Class:                                     |                           | NONE                                      |                                                        |                              |                                                          |
| Homestead Application Information                 |                           |                                           |                                                        |                              |                                                          |
| Homestead Application Status: Approved 06/07/2008 |                           |                                           |                                                        |                              |                                                          |

**New Search (<http://sdat.resiusa.org/RealProperty>)**

Order the **TAX MAP** [click here...](#)

(<http://imsweb05.mdp.state.md.us/website/mosp/>)

→



JM AV  
5-7-07

|                                       |   |                            |
|---------------------------------------|---|----------------------------|
| IN RE: PETITION FOR ADMIN. VARIANCE   | * | BEFORE THE                 |
| N side Army Road, 105 feet S of c/l   |   |                            |
| Of Army Road                          |   |                            |
| 9 <sup>th</sup> Election District     | * | DEPUTY ZONING COMMISSIONER |
| 2 <sup>nd</sup> Councilmanic District | * | BALTIMORE COUNTY           |
| (900 Army Road)                       |   |                            |
| Ross and Sandra Flax                  |   |                            |
| Petitioners                           | * | CASE NO. 07-468-A          |

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Ross and Sandra Flax. The variance request is for property located at 900 Army Road. The variance request is from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit accessory structures (proposed pool house and existing pool) in the side yard with a height of 22 feet in lieu of the maximum permitted 15 feet and required rear yard. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners would like proposed pool house roof to match the roof of the existing home in order for the structures to compliment each other. A sewer line is located in the rear yard which prevents placing the pool house at that location. Placing the pool house in the side yard takes advantage of the slope in the yard and enables the proposed pool house to have a walk out basement. The property is 2.73 acres in size and zoned DR 1.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: ZAC comments were received from the Office of Planning dated April 25, 2007 which contains restrictions and a copy of which is incorporated herein and made a part hereof the file.





View west towards proposed Garage from Army Road direction



View east from the proposed Garage towards Army Road



View towards house from proposed Garage



View east from proposed Garage towards side neighbor





View southeast from proposed Garage towards neighbor



View south from proposed Garage towards the side neighbor





View west from proposed Garage towards side neighbor



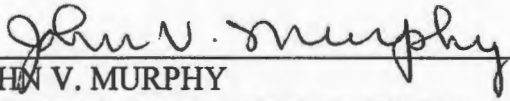




THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 22 day of May, 2007 that a variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit accessory structures (proposed pool house and existing pool) in the side yard with a height of 22 feet in lieu of the maximum permitted 15 feet and required rear yard be and is hereby GRANTED, subject to the following:

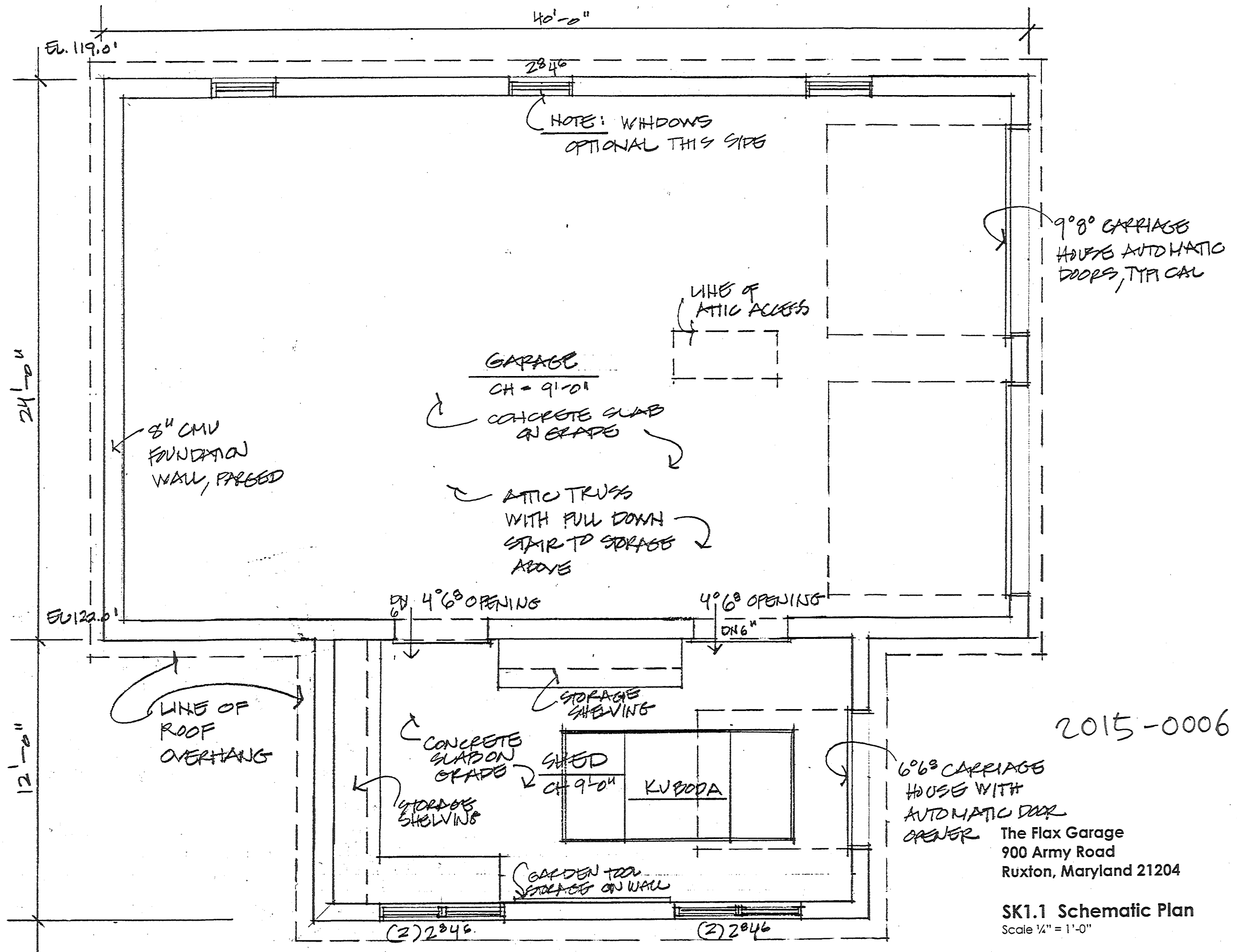
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area or kitchen facilities.
3. The accessory structure shall not be used for commercial purposes.

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

  
\_\_\_\_\_  
JOHN V. MURPHY  
DEPUTY ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

JVM:pz





2015-0006-A

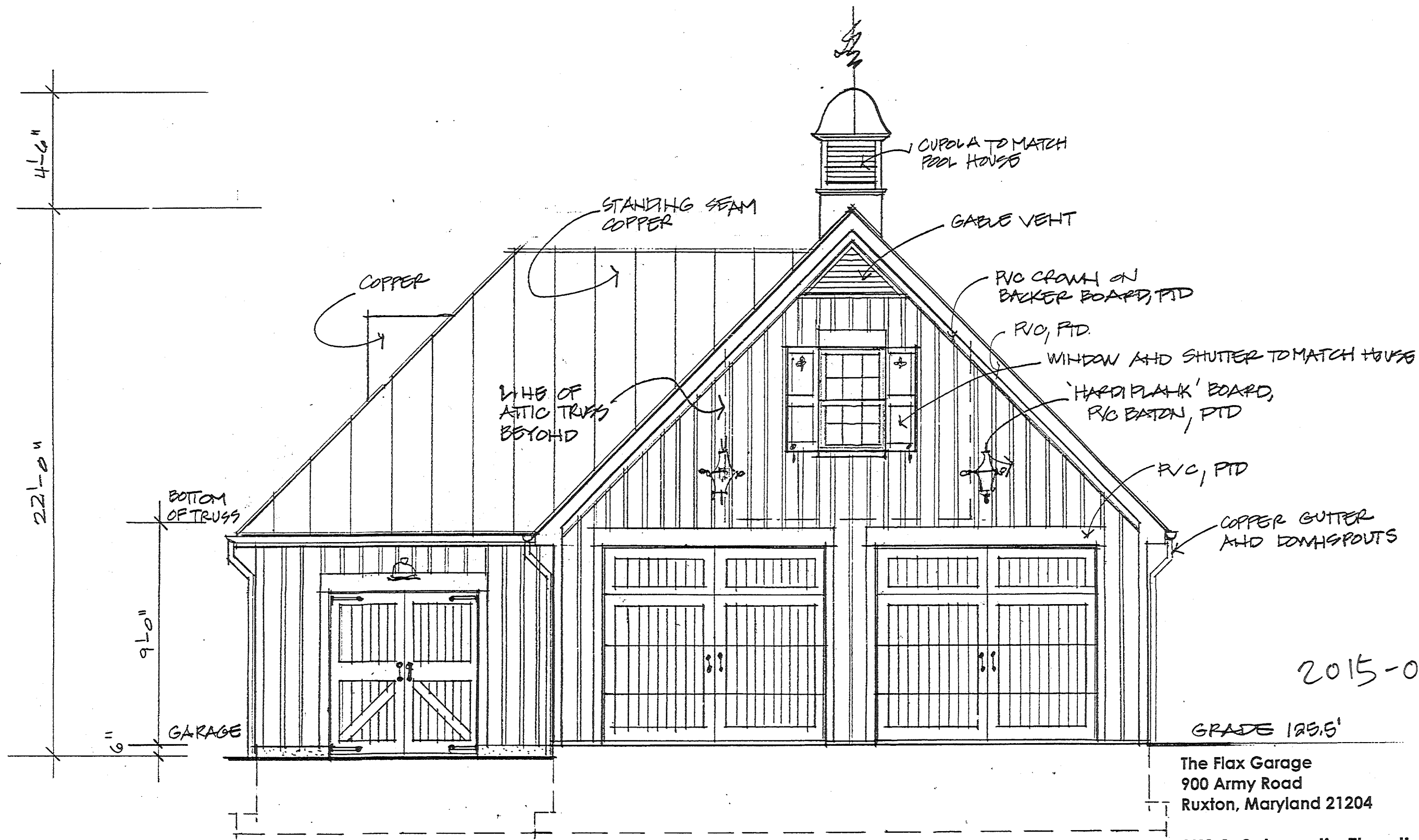
The Flax Garage  
900 Army Road  
Ruxton, Maryland 21204

SK1.1 Schematic Plan  
Scale 1/4" = 1'-0"

6/26/14

Patrick D Jarosinski & Associates  
PO Box 234  
Riderwood, Maryland 21139

410-262-6708



2015-0006-A

The Flax Garage  
900 Army Road  
Ruxton, Maryland 21204

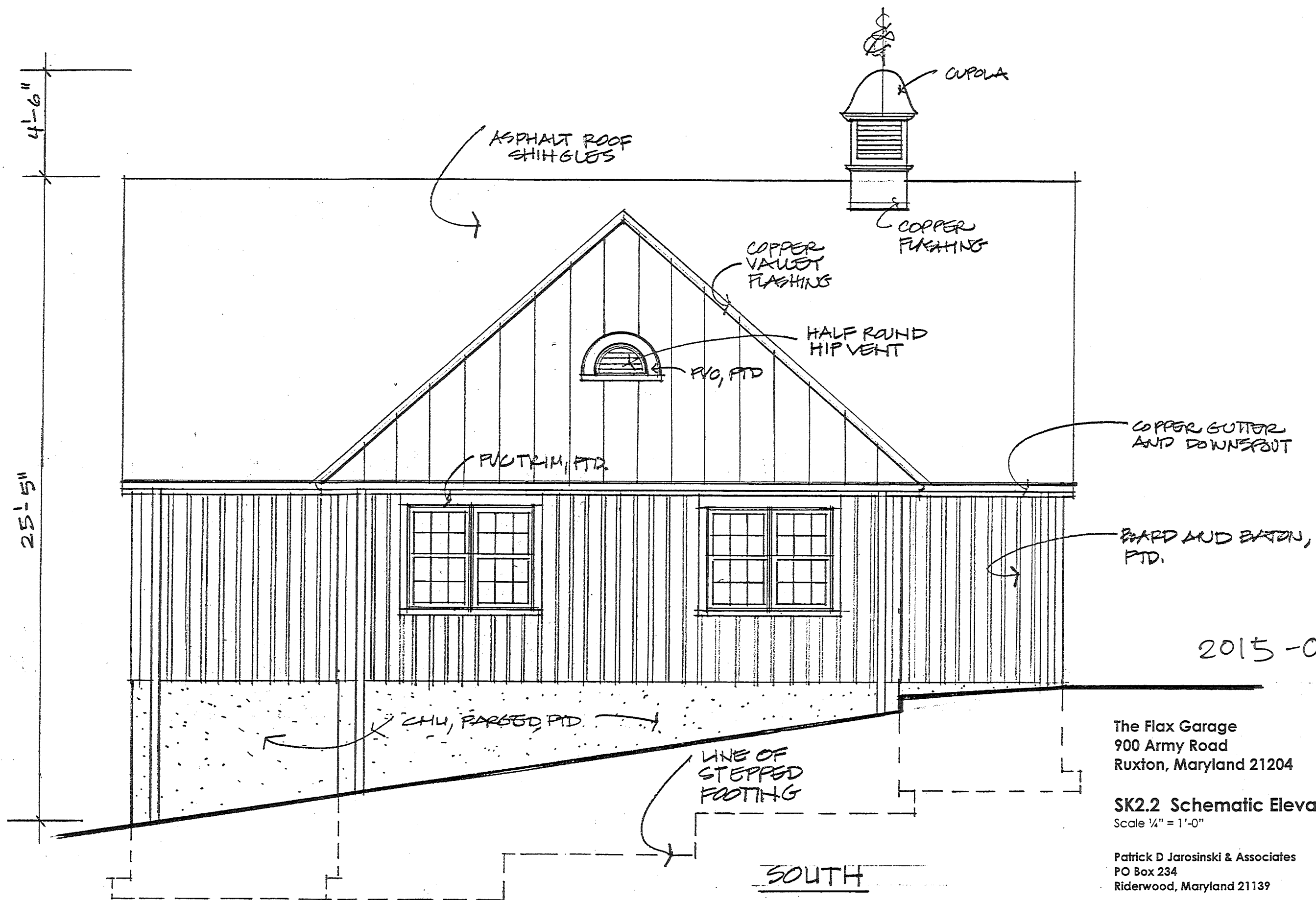
SK2.1 Schematic Elevations  
Scale 1/4" = 1'-0"

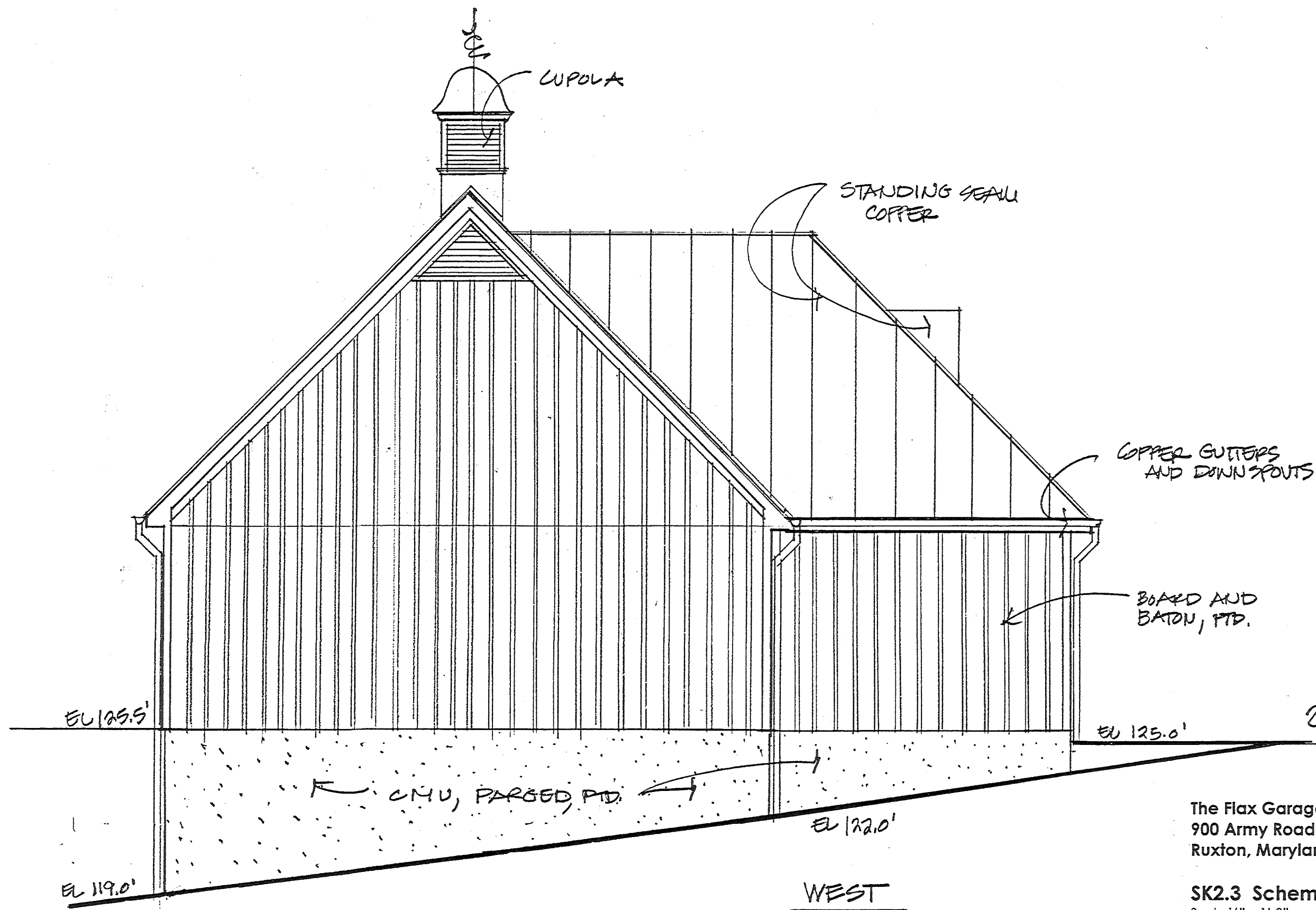
6/26/14

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PO Box 234  
Ridenwood, Maryland 21139

410-262-6708







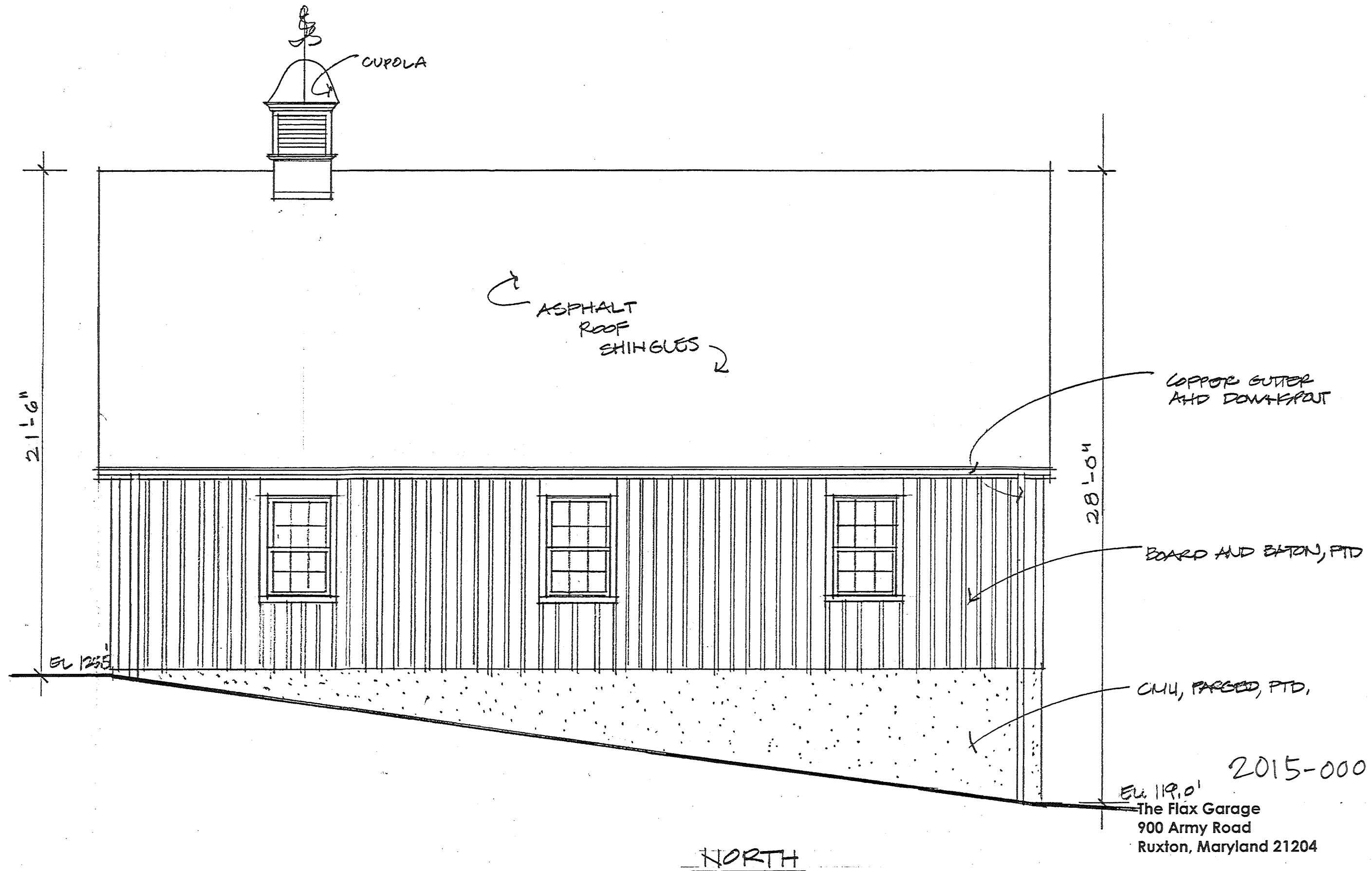
The Flax Garage  
900 Army Road  
Ruxton, Maryland 21204

SK2.3 Schematic Elevations  
Scale 1/4" = 1'-0"

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PO Box 234  
Riderwood, Maryland 21139

6/26/14

410-262-6708



# **SK2.4 Schematic Elevations**

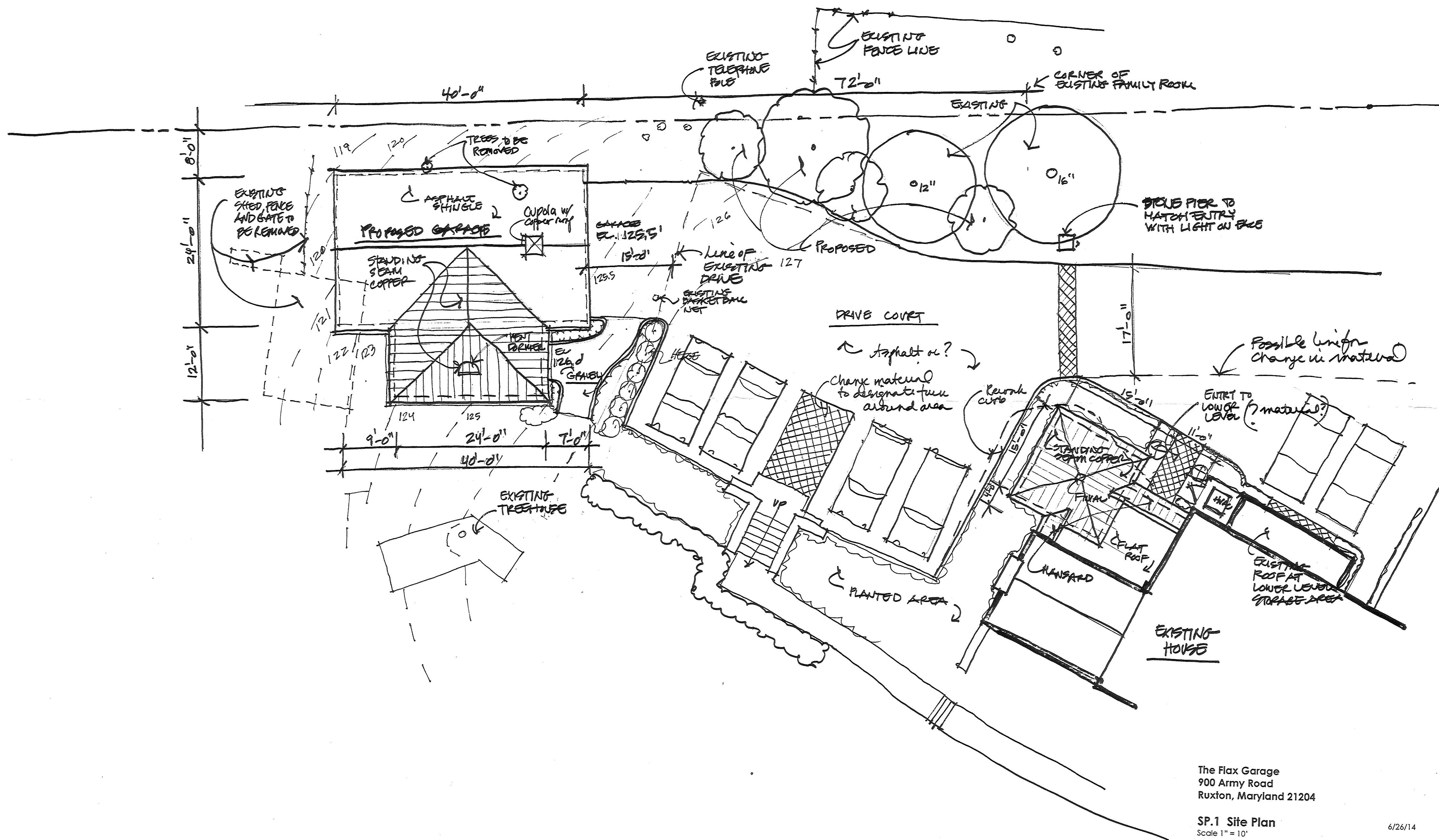
Scale 1/4" = 1'-0"

6/26/14

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PO Box 234  
Riderwood, Maryland 21139

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The Flax Garage  
900 Army Road  
Ruxton, Maryland 21204

SP.1 Site Plan  
Scale 1" = 10'

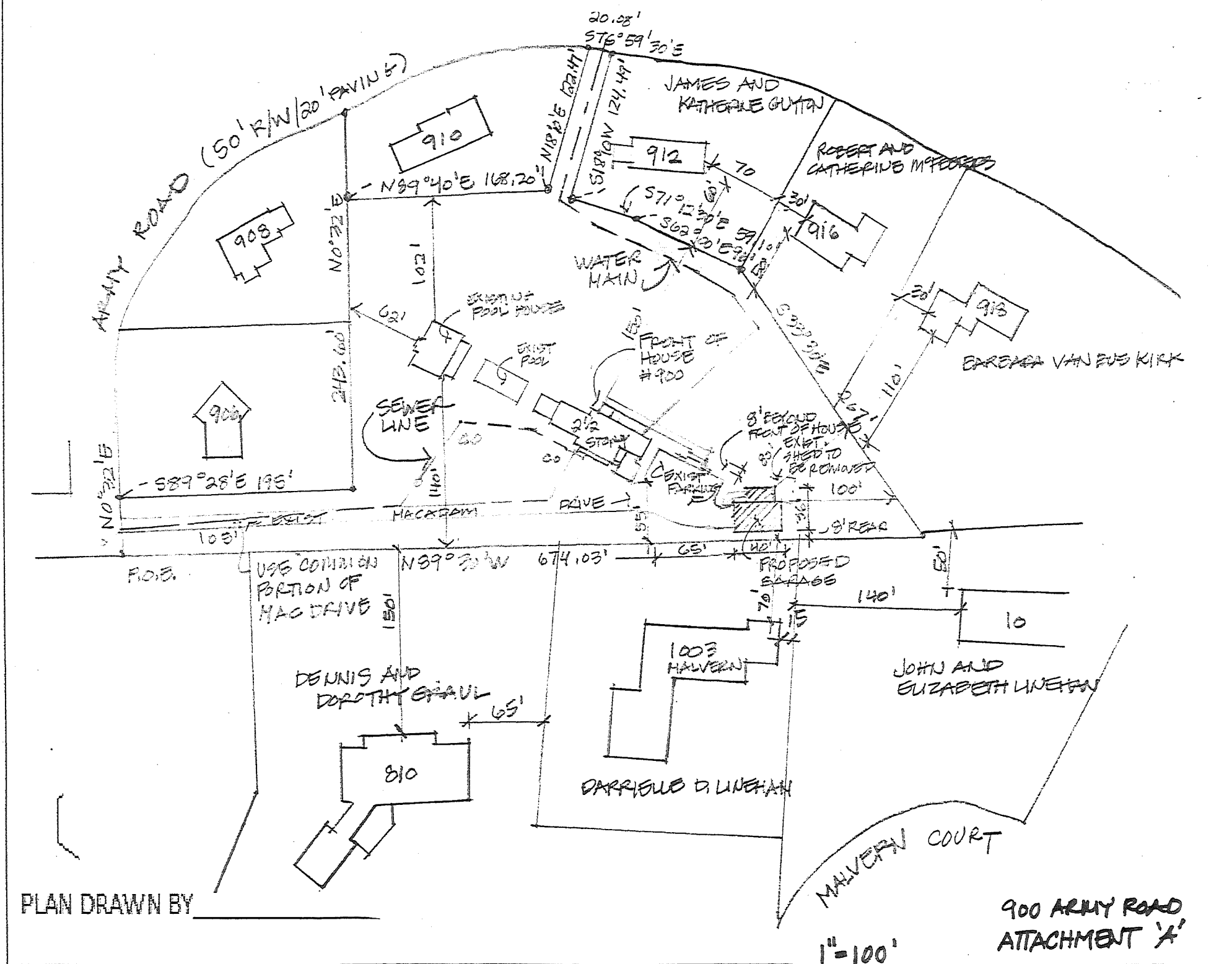
Patrick D Jarosinski & Associates  
PO Box 234  
Riderwood, Maryland 21139

6/26/14

410-262-6708

2015-0006-A

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING \_\_\_\_\_ (MARK TYPE REQUESTED WITH X)  
 ADDRESS 900 ARMY ROAD RUXTON, MD 21204 OWNER(S) NAME(S) ROSS AND SANDRA FLAX  
 SUBDIVISION NAME MALVERN HILL LOT # 1 BLOCK # — SECTION # —  
 PLAT BOOK # 16 FOLIO # 76 10 DIGIT TAX # 0902653750 DEED REF. # 19707 / 00734



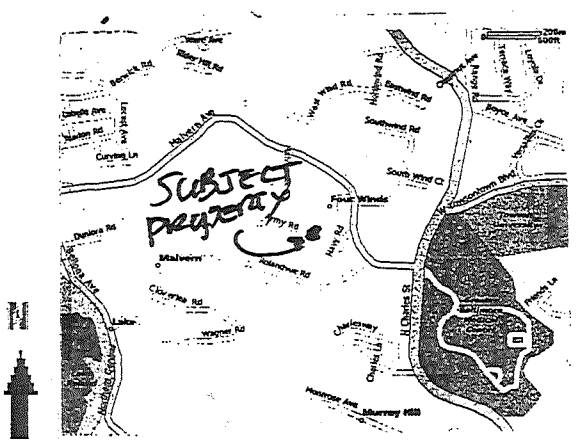
PLAN DRAWN BY \_\_\_\_\_

1"=100'

900 ARMY ROAD  
ATTACHMENT 'A'

2015-0006-A

# SITE VICINITY MAP



ZONING MAP# 069C-2  
 SITE ZONED DR-1  
 ELECTION DISTRICT 9  
 COUNCIL DISTRICT 2  
 LOT AREA ACREAGE 2.73  
 OR SQUARE FEET 123559.8  
 HISTORIC? NO  
 IN CBCA? NO  
 IN FLOOD PLAIN? NO  
 UTILITIES? MARK WITH X  
 WATER IS:  
 PUBLIC ☒ PRIVATE \_\_\_\_\_  
 SEWER IS:  
 PUBLIC ☒ PRIVATE \_\_\_\_\_  
 PRIOR HEARING? YES  
 IF SO GIVE CASE NUMBER  
 AND ORDER RESULT BELOW  
07-468-A - approved.

## VIOLATION CASE INFO:

NO

Pat.  
Ech.  
1