MEMORANDUM

DATE: May 9, 2019

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2019-0261-A- Appeal Period Expired

The appeal period for the above-referenced case expired on May 8, 2019. 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

AIN RE: PETITION FOR ADMIN. VARIANCE *

(10416 Vincent Road)

15th Election District 6th Council District

Robert J. & Eleanor Romadka

Petitioners

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

* BALTIMORE COUNTY

CASE NO. 2019-0261-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the subject property, Robert J. and Eleanor Romadka ("Petitioners"). The Petitioners are requesting Variance relief pursuant to § 1A02.3.B.4 of the Baltimore County Zoning Regulations ("BCZR"), to permit a side yard setback of 13' in lieu of the required 25' for a building addition. 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 received from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on March 16, 2019, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code ("BCC"). 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

ORDER R	CEIVED FOR FILING
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Date	.6)
Bv	

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 § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR 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 BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this <u>8</u>th day of **April**, **2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1A02.3.B.4 of the Baltimore County Zoning Regulations ("BCZR"), to permit a side yard setback of 13' in lieu of the required 25' for a building addition, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

• Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

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

2

Order.

JOHN E. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 4-8-19

By

ADMINISTRATIVE ZONING PETITION
FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

	epartment of Permits, Approvals and Inspections
	Hearings for Baltimore County for the property located at:
Address 104/6 Vincent Road, &	White Mash, and 21062 Currently zoned RC 3
Deed Reference 05335 / 00075	10 Digit Tax Account # 1 5 1 3 7 5 1 0 40
Owner(s) Printed Name(s) RosenT 1. Ros	nadku a Eleanon Romadku
(SELECT THE HEARING(S) BY MARKING \underline{X}	AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)
For Administrative Variances, the Affid	lavit on the reverse of this Petition form must be completed and notarized.
The undersigned, who own and occupy the propattached hereto and made a part hereof, hereby	perty situate in Baltimore County and which is described in the plan/plat y petition for an:
1. X ADMINISTRATIVE VARIANCE from Se	ection(s) 1202.3. B. 4 ED PERMIT aside YAND
setback OF 13' IN LI	en or required 25' For a solding
addition	J
of the zoning regulations of Baltimore County, to	o the zoning law of Baltimore County.
2 ADMINISTRATIVE SPECIAL HEARIN	NG to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore
County Code: (indicate type of work in this space	ce: i.e., to raze, alter or construct addition to building)
of the Baltimore County Code, to the developme	ent law of Baltimore County.
Property is to be posted and advertised as prescribed by the	
	g, posting, etc. and further agree to be bound by the zoning regulations and restrictions of
Baltimore County adopted pursuant to the zoning law for Ba	altimore County.
	Owner(s)/Petitioner(s):
	1 = 1 = 1 = 1 = 2 = 1/4
	Name #1 - Type or Print Name #2 - Type or Print Name #2 - Type or Print
- FILING	Name #1 – Type or Print Name #2 – Type or Print
ORDER RECEIVED FOR FILING	
ORDEM RECEIVE	Signature #1 Signature # 2
4-8-19	Mailing Address City State
Date	Mailing Address City State
(90)	
By	21062 1410-335-2610 1
Dy —	Zip Code Telephone # Email Address
Attorney for Owner(s)/Petitioner(s):	Representative to be contacted:
JoHal B. Gowlaum	()
Name- Type or Print	Name – Type or Print
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	Olematore
Sign á túre .	Signature
1 W. Penhsylvania Ase 1 wsm.	MO
Mailing Address City	State Mailing Address City State
21204 UNST-2018 11 T.	m ou Tolantiani
Zip Code Telephone # Email Addres	ess Zip Code Telephone # Email Address
ZIP Gode Telephone # Email Addres	219 Oode Telephone # Email Address
A PUBLIC HEARING having been formally demanded as	nd/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore
	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.	
Company of the Compan	

Administrative Law Judge for Baltimore County

CASE NUMBER 2019-0261-A Filling Date 3 1712019 Estimated Posting Date 3 11712019 Reviewer PT

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: 10416 Vincent Road white MARSh MARSh 21062 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 <u>practical difficulty or hardship</u> here)
VARIONCE is to extend a setback on an existing
was boilt before 1975 and The RE ZONES and had in
15' selbuck. The Topography of the lot is such that
a addition on the world side is not practical work is
a mone centered addition to the front on Reva.
(If additional space for the petition request or the above statement is needed, label and attach it to this Form) **Signature of Owner (Afflant)* **Signature of Owner (Afflant)* **Signature of Owner (Afflant)* **The petition request or the above statement is needed, label and attach it to this Form) **Signature of Owner (Afflant)* **Signature of Owner (Afflant)* **The petition request or the above statement is needed, label and attach it to this Form) **Signature of Owner (Afflant)* **Signature of Owner (Afflant)* **The petition request or the above statement is needed, label and attach it to this Form)
Robert J. Rangeles Glevron Romadles
Name- Print or Type 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
Print name(s) here: ELEANOR ROMADKA + ROBERT J. ROMADKA
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).
AS WITNESS my hand and Notaries Seal Notary Public 2/9/2/ F
My Commission Expires REV. 5/5/2016

JB (AV) 4-1-19

Debra Wiley

From: Sent: Marty Ogle <mert1114@aol.com> Sunday, March 31, 2019 6:59 PM

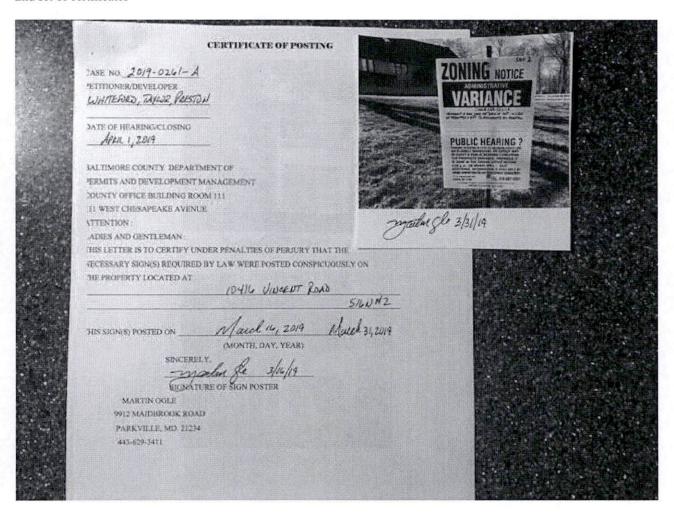
To:

Administrative Hearings

Subject:

2019-0261-A

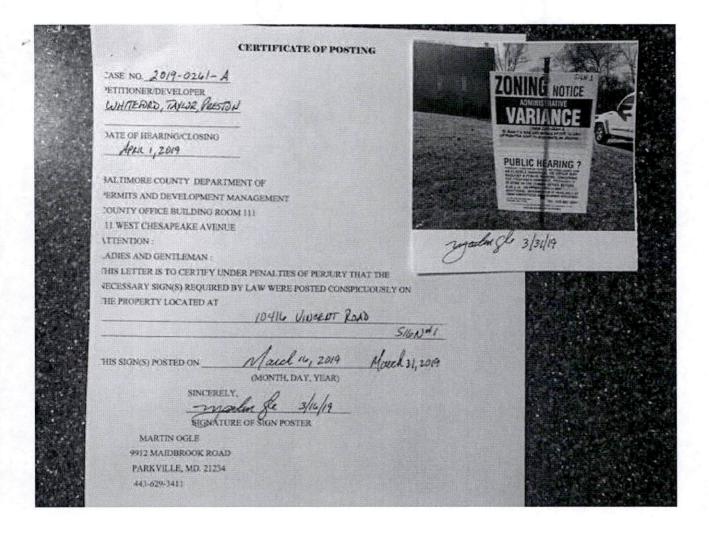
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OFFICE OF ADMINISTRATIVE HEARINGS



Sent from my iPhone

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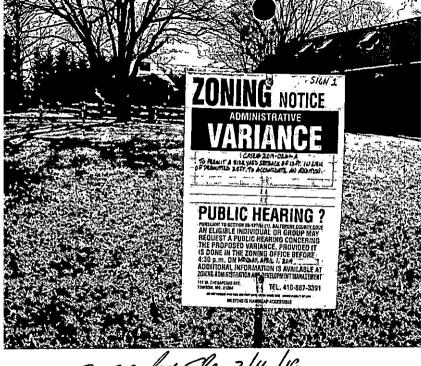
APR 01 2019

OFFICE OF ADMINISTRATIVE HEARINGS

ERTIFICATE OF POSTING.

CASE NO. 2019-0241-A
PETITIONER/DEVELOPER
WHITEFORD, TAYLOR, PRESTON
DATE OF HEARING/CLOSING
APFIL 1, 2019
BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION:
LADIES AND GENTLEMAN:
THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT
10416 VINCENT ROAD
S16N#1
THIS SIGN(S) POSTED ON March 16, 2019
(MONTH, DAY, YEAR)
SINCERELY, marker de 3/16/19
SIGNATURE OF SIGN POSTER
MARTIN OGLE

MARTIN OGLE 9912 MAIDBROOK ROAD PARKVILLE, MD. 21234 443-629-3411

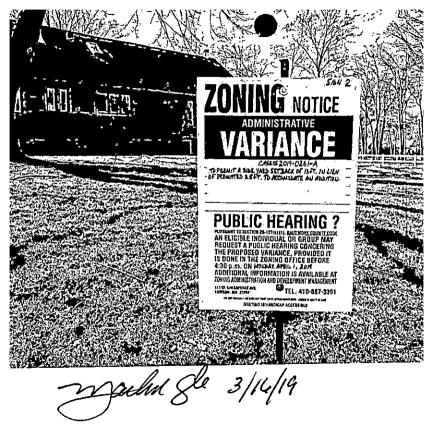


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RTIFICATE OF POSTING

CASE NO. 2019-0241-A	
PETITIONER/DEVELOPER	
WHITEFORD, TAYLOR, PRESTON	
DATE OF HEARING/CLOSING	
APRIL 1, 2019	
3ALTIMORE COUNTY DEPARTMENT OF	
PERMITS AND DEVELOPMENT MANAGEMENT	
COUNTY OFFICE BUILDING ROOM 111	
.11 WEST CHESAPEAKE AVENUE	
ATTENTION:	
LADIES AND GENTLEMAN:	
THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE	}
JECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSI	LY ON
THE PROPERTY LOCATED AT	
10416 VINCENT ROAD	
	516N#2
THIS SIGN(S) POSTED ON Nach 16, 2019	
(MONTH, DAY, YEAR)	
SINCERELY,	
montin Se 3/16/19	
SIGNATURE OF SIGN POSTER	

MARTIN OGLE
9912 MAIDBROOK ROAD
PARKVILLE, MD. 21234
443-629-3411



DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

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

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

For Newspaper Advertising:
Case Number: 2019-0261-A
Property Address: 10416-VINERT ROAD
Property Description: WEST SIDE OF VINCENT ROAD, South WEST
OF GAMBRILL ROAD,
Legal Owners (Petitioners): ROBERT & ELEAHOR ROMADKA
Contract Purchaser/Lessee:
PLEASE FORWARD ADVERTISING BILL TO:
Name: Rosert Romadkie
Company/Firm (if applicable):
Address: 104/6 Vincent Road
white orangly and 2/162
Telephone Number: 4/0-335-26/0

BALTIMORE COUNTY DEPARTMENT, OF PERMITS, APPROVALS AND INSPECTIONS . NING REVIEW OFFICE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0261 -A Address 10416 VINCENT ROAD
Contact Person: Planner, Please Print Your Name Phone Number: 410-887-3391
Filing Date: 3/7/2019 Posting Date: 3/17/19 Closing Date: 4/1/19
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 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. <u>DEADLINE:</u> The closing date is the deadline for a neighbor (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 Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written 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 Administrative Law Judge), 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 2019- 0261 -A Address 10416 VINCENT POAD
Petitioner's Name John Gontrum Telephone 410 832-2055
Posting Date: 3/17/2019 Closing Date: 4/1/2019
Wording for Sign: To Permit A SIDE YARD SETBACK OF 13 FT. IN LIEU OF
PERMITTED 25 FT. TO ACCOMODATE AN ADDITION!
Revised 6/30/2019

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PLEASE PRESS HARD!!!!													



JOHN A. OLSZEWSKI, JR. County Executive

MICHAEL MOHLER, Director Department of Permits, Approvals & Inspections

April 2, 2019

John B. Gowntrorn 1 W. Pennsylvania Ave Towson MD 21204

RE: Case Number: 2019-0261-A, 10416 Vincent Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 7, 2019. 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.

6. 11

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Robert & Eleanor Romadlew 10416 Vincent Road White Marsh MD 21062

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Michael Mohler, Acting Director

Department of Permits, Approvals

NO

FROM: Vishnu Desai, Supervisor

Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

For March 18, 2019

Item No. 2019-0253-SPHA, 0254-SPH, 0255-SPH, 0257-A, 0259-SPHA,

DATE: March 29, 2019

0260-SPHA, 0261-A, 0262-A, 0263-X & 0264-SPH

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

VKD: cen

(AV) 4-1-19

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

MAR 2 0 2019

OFFICE OF ADMINISTRATIVE HEARINGS



TO:

Hon. Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

March 20, 2019

SUBJECT:

DEPS Comment for Zoning Item

2019-0261-A

Address

10416 Vincent Road

(Ronadlew Property)

Zoning Advisory Committee Meeting of March 18, 2019.

X The Department of Environmental Protection and Sustainability has no comment on the above-referenced zoning item.

Reviewer:

Steve Ford

CHECKLIST

Comment Received	Department		Support/Oppose/ Conditions/ Comments/ No Comment
3-20	DEVELOPMENT PLANS RE		NO
3-20	DEPS (if not received, date e-mail ser	nt)	NO
	FIRE DEPARTMENT		
1	PLANNING (if not received, date e-mail ser	nt)	
	STATE HIGHWAY ADMINIS	STRATION	
	TRAFFIC ENGINEERING		7
	COMMUNITY ASSOCIATIO	N	
	ADJACENT PROPERTY OW	NERS	
ZONING VIOLA	ΓΙΟΝ (Case No		
PRIOR ZONING	(Case No)
NEWSPAPER AI	OVERTISEMENT Date:		
SIGN POSTING	(1 st) Date:	3-16-19	by Ogle
SIGN POSTING	(2 nd) Date:	3-31-19	by Ogle
PEOPLE'S COU	ISEL APPEARANCE	Yes No D	
PEOPLE'S COUR	ISEL COMMENT LETTER Y	Tes No D	
Comments, if any			

Real Property Data Search

Search Result for BALTIMORE COUNTY

	view Groundken	indkent Regis	tration						
-	Special Tax Recapture:								
:		NONE							
er:	District -	15 Account Numb	oer - 1513751	040					
		Owner In	formation				/		
						RESIDENTIAL			
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Homestead Application Status: Application 06/16/2011

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Date:

(V) 4-1

ZAC AGENDA

Case Number: 2019-0261-A Existng Use: COMMERCIAL

Reviewer: Rosalie Johnson Proposed Use: COMMERCIAL

Type: ADMINISTRATIVE VARIANCE Legal Owner: Robert & Eleanor Ronadlew

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No Flood Plain: No

Historic: No

Election Dist: 15 Council Dist: 6

Property Address: 10416 VINECENT RD

Location: W. on Vincent Road, S/W of Gambrill Road

Existing Zoning: RC 3

Area: .51

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To permit the side yard setback of 13' in lieu of the required 25' for a building addition.

Attorney: John B. Gotron Prior Zoning Cases: None Concurrent Cases: None Violation Cases: None Closing Date: 04/01/2019

Miscellaneous Notes:

Case Number: 2019-0262-A

Reviewer: Jason Seidelman

Existing Use: RESIDENTIAL Proposed Use: RESIDENTIAL

Type: ADMINISTRATIVE VARIANCE Legal Owner: Shawn & Paula Campbell

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No Flood Plain: No

Historic: No

Election Dist: 10 Council Dist: 3

Property Address: 12620 DULANEY VALLEY RD

Location: W/S of Dulaney Valley Road 70',649' SW of the centerline of Dance Mill Road.

Existing Zoning: RC 6

Area: 11.456

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To allow an accessory building (detached garage) in the side yard in lieu of the required rear yard. To allow an accessory building (detached garage) to have a height of 31' in lieu of the allow 15'.

Attorney: Not Available Prior Zoning Cases: None Concurrent Cases: None Violation Cases: None Closing Date: 04/01/2019

Miscellaneous Notes:

2/19/2019

Google Maps



Imagery ©2019 Google, Map data ©2019 Google

A P

Baltimore County - My Neighborhood

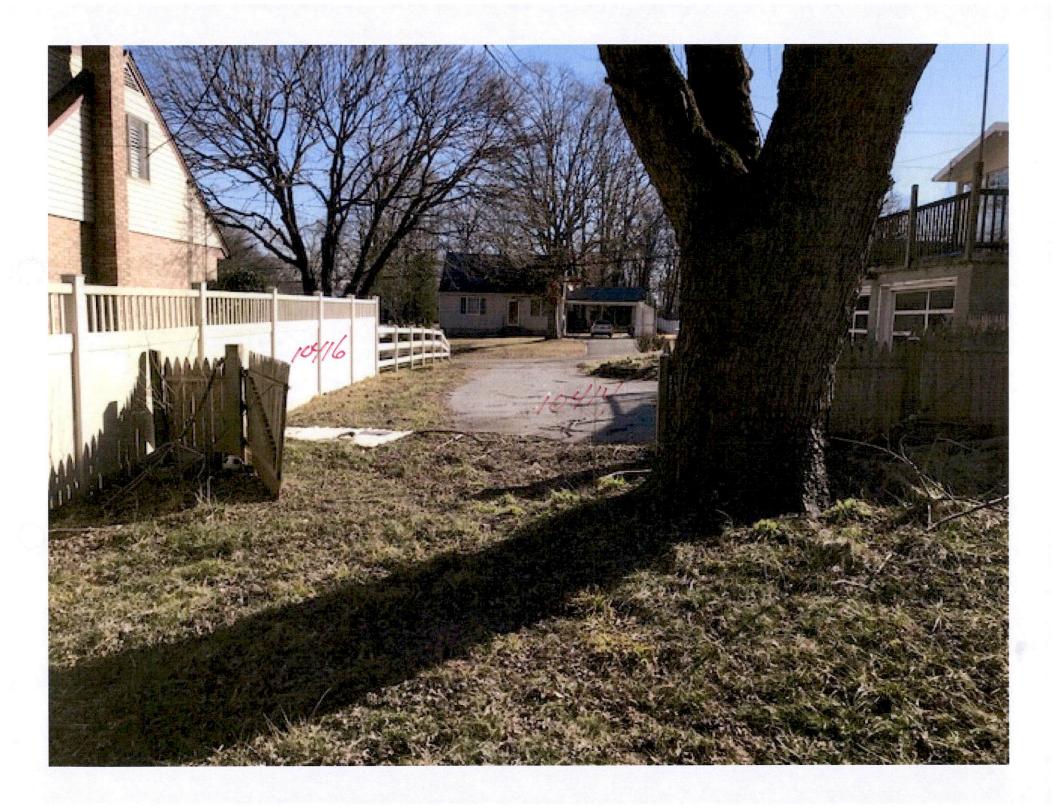


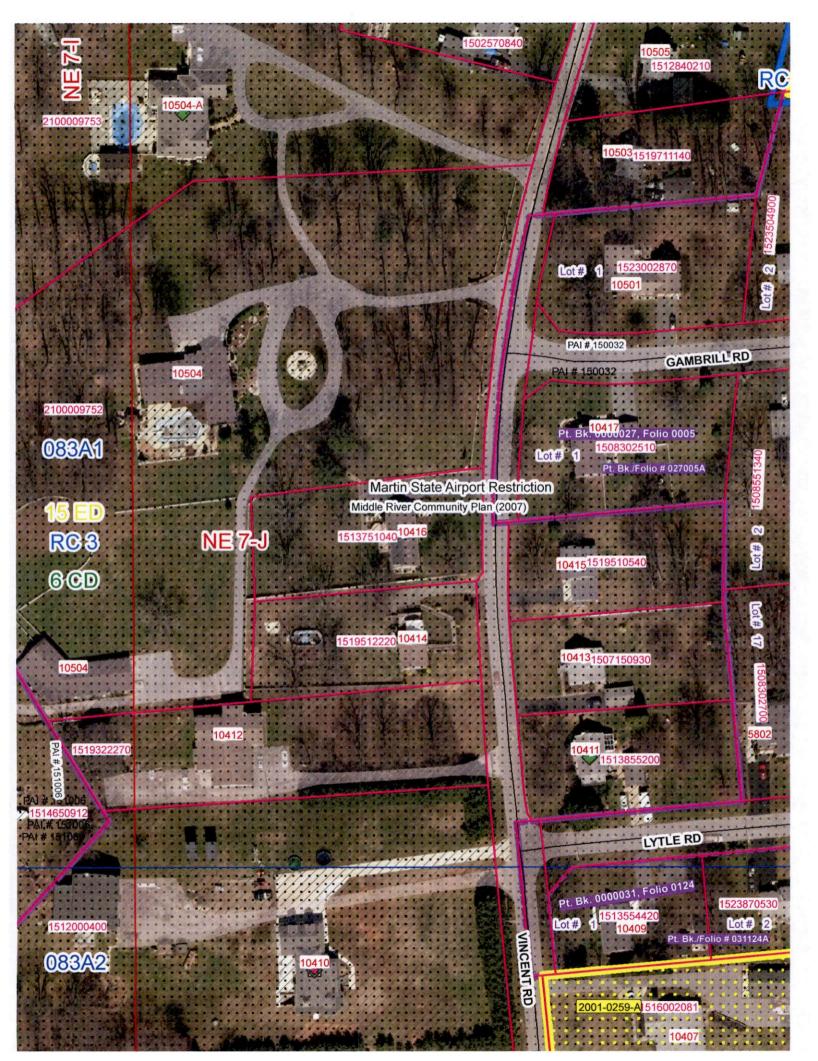
A DE

Baltimore County - My Neighborhood









ZONING UENDING	V 11 FOR VARIANCE	FOR OPECIAL HEADISIG	(h. a. a. m.)] SITE VICINITY MAP
	PLAN FOR VARIANCE <u>x</u>				/ t	berezen
ADDRESS 10416	VINCENT KOOK				•	lair G-lev)
SUBDIVISION NAME_			BLOCK #			
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2019-02	261-A	•				· :

ZONING HEARING	PLAN FOR VARIANCE	FOR SPECIAL HEARING	(MARK TYPE	REQUESTED \	WITH X)	SHE VICINITY MAP
ADDRESS_104/6	VINCENT KOK	OWNER(S) NAME(S) ROSE	RI & Elec	onon R	romadku	Herezerz
SUBDIVISION NAME		LOT#	BLOCK #	SECTI	ION#	horader)
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105.05/ 1/2.00/ 1/3, 25 W 38.00/	Robert 200° 283°	DATE 3/5/2015 SCALE: 1	#10504 # 10416 ** #10414	11 c/c pas 100 200 35 00 25 35 00 00	20025 20025	MAP IS NOT TO SCALE ZONING MAP# 0830/ SITE ZONED RC 3 ELECTION DISTRICT 6 LOT AREA ACREAGE 5/ OR SQUARE FEET 22,215 HISTORIC? ~0 IN CBCA? NARK WITH X WATER IS: PUBLIC PRIVATE SEWER IS: PUBLIC PRIVATE PRIOR HEARING? NO IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW
						VIOLATION CASE INFO:
2019-01	261-A			_		

