

IN RE: PETITION FOR RESIDENTIAL VARIANCE* BEFORE THE
S/S Long Green Road, 370' E of Manor Road
4511 Long Green Road
11th Election District
6th Councilmanic District
Robert J. Rigger, et ux
Petitioners

* ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 90-502-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 39 feet in lieu of the required 50 feet for a proposed addition in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 22-26 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information submitted provides 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 B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 11th day of July, 1990 that the Petition for Residential Variance to permit a side yard setback of 39 feet in lieu of the required 50 feet for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 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) Petitioner shall not allow or cause the proposed addition to be converted to a second dwelling unit and/or apartments. The addition shall contain no kitchen or bathroom facilities.
- 3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21284

Account: R-001-6150
Number

rece

No 24
332

Date	Account	QTY	PRICE
5/08/90	H9000389		
		010 - ZONING VARIANCE (IRL)	1 X \$35.00
		LAST NAME OF OWNER: RIGGER	TOTAL: \$35.00

PAID PER HAND-WRITTEN RECEIPT
#2321

Cashier Validation: Please make checks payable to: Baltimore County
Account: R-001-6150
Number

No 23
243

Date: 5-8-90
Robert + Rigger
4511 Long Green Rd.
Long Green, Md. 21092
Res. Zoning Variance - Administrative
\$35.00 filing fee + \$25.00 sign : Total \$60.00

Please make checks payable to: Baltimore County

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th Date of Posting: 5/9/90
Posted for: Variance
Petitioner: Robert J. Rigger, et ux
Location of property: 4511 Long Green Rd., 370' E/Manor Rd.
4511 Long Green Rd.
Location of Sign: Four (4) Long Green Rd., approx. 10' E
no sign on property of Petitioner
Remarks: 11/11/90
Posted by: [Signature] Date of return: 6/1/90
Number of Signs: 4

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21284
(301) 887-3353

J. Robert Haines
Zoning Commissioner

July 11, 1990



Dennis F. Rasmussen
County Executive

Mr. & Mrs. Robert J. Rigger
4511 Long Green Road
Long Green, Maryland 21092

RE: PETITION FOR RESIDENTIAL VARIANCE
S/S Long Green Road, 370' E of Manor Road
(4511 Long Green Road)
11th Election District - 6th Councilmanic District
Robert J. Rigger, et ux - Petitioners
Case No. 90-502-A

Dear Mr. & Mrs. Rigger:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Residential Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: People's Counsel

File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21284
(301) 887-3353

J. Robert Haines
Zoning Commissioner

DATE:



Dennis F. Rasmussen
County Executive

Mr. & Mrs. Robert J. Rigger
4511 Long Green Road
Long Green, Maryland 21092

Re: CASE NUMBER: 90-502-A
ITEM NUMBER: 389
LOCATION: 4511 Long Green Road

Dear Petitioner(s):

No hearing having been requested by your neighbors or by the Zoning Commissioner, the above matter has completed the Administrative process.

Please bring the sign and post to 111 W. Chesapeake Avenue, Towson, Maryland, Room 113 at your earliest convenience. When you return the sign and post, you will be given a copy of the written Order relative to this case.

Thank you for your cooperation.

Very truly yours,

G. G. Stephens
G. G. Stephens
(301)887-3391

#389
PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: **90-502-A**

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, petition for a Variance from Section 22-26 of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason(s) (Indicate hardship or practical difficulty):
Section 1A03.3B3 To permit a side set back of 39 feet in lieu of the required 50 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason(s) (Indicate hardship or practical difficulty)

- To expand our living room to accommodate our growing family numbering 19 in date.
- To balance the Victorian style with a bay window which will extend 4 ft. beyond the present enclosed porch.
- To enhance the appearance in keeping with the community properties.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound 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:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioner:

(Type or Print Name)

Address

City/State/Zip Code

Signature

Address

Attorney's telephone number

Legal Owner(s):

(Type or Print Name)

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

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City/State/Zip Code

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City/State/Zip Code

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City/State/Zip Code

Signature

Address

#389
90-502-A

ZONING DESCRIPTION

Beginning at a point on the South side of Long Green Road at the distance of 370 feet East of Manor Road; thence running South 83 degrees 30 minutes East 182.55 feet; thence South 36 degrees 30 minutes West 350.47 feet; thence North 83 degrees 30 minutes West 224.69 feet; thence North 83 degrees 30 minutes West 99.46 feet; thence North 28 degrees 30 minutes East 30 feet; thence North 28 degrees 30 minutes East 348.00 feet to the point of beginning. Also known as No. 4511 Long Green Road and located in the 11th Election District. Containing 2.02 acres +/-.

A-502 AFFIDAVIT

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 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/so presently or upon settlement will reside at
4511 Long Green Rd., Long Green Maryland 21092
 (Address)

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

To expand our living room to accommodate our growing family numbering 19 to date.
 To balance the Victorian style with a bay window which will extend 4 ft. beyond the present enclosed porch.
 To enhance the appearance in keeping with the community properties.

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

Robert J. Rigger
 AFFIANT (Handwritten Signature)

Dennis F. Rasmussen
 AFFIANT (Handwritten Signature)

Robert J. Rigger
 AFFIANT (Printed Name)

Eleanor C. Rigger
 AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2nd day of May, 1990, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Robert J. Rigger and Eleanor C. Rigger

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

May 4th 1990
 DATE

Palma Jane Sutphen
 NOTARY PUBLIC

My Commission Expires: July 1, 1990

Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21284
 (301) 887-3333

J. Robert Haines
 Zoning Commissioner

May 18, 1990

Mr. & Mrs. Robert J. Rigger
 4511 Long Green Road
 Long Green, MD 21092

RE: Item No. 389, Case No. 90-502-A
 Petitioner: Robert J. Rigger, et ux
 Petition for Residential Variance

Dear Mr. & Mrs. Rigger:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE MINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
 JAMES E. DYER
 Chairman
 Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21284
 (301) 887-3333

J. Robert Haines
 Zoning Commissioner

Your petition has been received and accepted for filing this 15th day of June, 1990.

J. Robert Haines
 J. ROBERT HAINES
 ZONING COMMISSIONER

Received By:

James E. Dyer
 Chairman,
 Zoning Plans Advisory Committee

Petitioner: Robert J. Rigger, et ux

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
 INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: May 22, 1990
 Zoning Commissioner

FROM: Pat Keller, Deputy Director
 Office of Planning and Zoning

SUBJECT: Robert J. Rigger, et ux, Item No. 389

The Petitioners request a Variance to side yard setback requirements.

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

Baltimore County
 Fire Department
 700 East Joppa Road, Suite 901
 Towson, Maryland 21284-5000
 (301) 887-4300
 Paul H. Reincke
 Chief

MAY 23, 1990

Dennis F. Rasmussen
 County Executive

J. Robert Haines
 Zoning Commissioner
 Office of Planning and Zoning
 Baltimore County Office Building
 Towson, MD 21204

RE: Property Owner: ROBERT J. RIGGER
 Location: #4511 LONG GREEN ROAD
 Item No.: 389 Zoning Agenda: EAY 29, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: Paul H. Reincke Noted and Approved
 Planning Group Fire Prevention Bureau
 Special Inspection Division

JK/KEK

Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 4511 LONG GREEN RD. see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____
 plat book # 389, folio 011, lot # _____ section # _____

OWNER: ROBERT & ELEANOR RIGGER

90-502A

2.03 Ac ±

Petitioner's Exhibit 1

date: 5-4-90 Scale of Drawing: 1" = 60'

prepared by: R.J. RIGGER

LOCATION INFORMATION

Councilmanic District: 6
 Election District: 11
 1"=200' scale map: NE-16E
 Zoning: R.C.5
 Lot size: 2.03 acreage
 square feet

SEWER:
 WATER:
 Chesapeake Bay Critical Area:
 Prior Zoning Hearings:

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: 90-502A
 date: _____ CASE #: 389

