

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
E/S Debaugh Avenue, 690 ft.
N of North Bend Road
625 Debaugh Avenue
9th Election District
4rd Councilmanic District
Michael R. Ford, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 28 feet in lieu of the required 30 feet, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for a Residential Variance, the subject property, known as 625 Debaugh Avenue, consisting of 6700 sq. ft. +/-, zoned D.R.5.5, having been posted and there being no request for a public hearing, this matter is ready for determination. The Petitioners are requesting a variance to allow an addition to be located in the rear yard.

The Petitioners have filed the supporting affidavits, as required by Section 22-26 (b)(1) of the Baltimore County Code. There is no evidence in the file or record to indicate that the subject variance would adversely affect the health, safety and/or general welfare of the public.

In the opinion of the Zoning Commissioner, it is established that the information and affidavits 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. Based upon the information available, the relief should be granted.

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 Zoning Commissioner for Baltimore County this 21st day of July, 1990 that the Petition for a Zoning Variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 28 feet in lieu of the required 30 feet, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent the relief granted herein:

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 Petitioners shall not allow or cause the subject addition to be converted to a second dwelling unit and/or apartment.

3. Upon request and reasonable notice, the Petitioners shall permit a representative of the

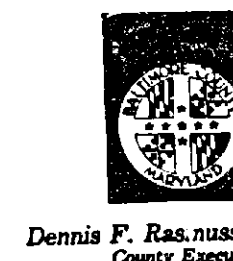
Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH/mm
cc: Peoples Counsel

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

July 24, 1990



Mr. and Mrs. Michael R. Ford
625 Debaugh Avenue
Towson, Maryland 21204

RE: Petition for Residential Zoning Variance
Case No. 90-545-A

Dear Mr. and Mrs. Ford:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
Zoning Commissioner

JRH/mm
encl.
cc: Peoples Counsel

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

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 1802.3.C.1 to permit a rear yard setback of 28' in lieu of the required 30' setback (FOR AN ADDITION)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason: (indicate hardship or practical difficulty) Growing family, need more space for toddler. Basement with sump pump and drains will reduce demand on existing pump - current pump now runs nearly continuously - house to the rear is at a 12' higher elevation and is shielded by pine trees - blocking their view of the back of the house and the addition - the addition will make the house more like others in the neighborhood - 12' depth of the proposed addition is much more livable and resalable than a 10' depth within the setback

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)

Signature

Address

Attorney's telephone number

Legal Owner(s):

Michael R. Ford

(Type or Print Name)

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

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City/State/Zip Code

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City/State/Zip Code

Beginning at a point on the East side of the Debaugh Avenue Right-of-way, which is 19 feet wide at the distance of 690 feet from the centerline of the intersection of North Bend Road and Debaugh Avenue which is 18 feet wide. Then proceeding N.E. 138 feet, then N.W. 103 feet, then S.W. 109 feet, then along the Debaugh Avenue Right-of-way 25 feet to the point of the Beginning. Containing 6700 square feet (.15 acres). Also known as 625 Debaugh Avenue and located in the 9th Election District. As recorded in deed #L-7437, F-223.

H.O.
This lot is not part of approved subdivision / therefore applied current DR 5.5 Rear setback regulations. I really don't see any problems with this one except it (in person) went to town with its active neighborhood associations. The petition stated he'd checked his proposal with neighbors and suggested that the documentation may be a good idea.
JRH 6/5/90

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: June 22, 1990
Posted for: Residential Variance
Petitioner: Michael R. Ford et ux
Location of property: E/S Debaugh Avenue, 690' N of North Bend Road
Location of signs: In front of 625 Debaugh Avenue
Remarks:
Posted by: S.J. Krata Date of return: June 29, 1990
Number of Signs: 1

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number:

receipt
No 2671

Date: 6/25/90

187406423

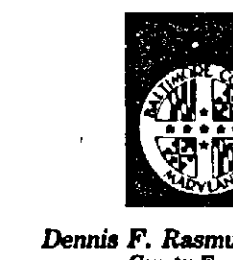
PUBLIC HEARING FEES
010 - ZONING VARIANCE (IFL) 1 135.00
080 - POSTING SIGNS / ADVERTISING 1 225.00
LAST NAME OF OWNER: FORD 1074 135.00

Cashier Validation:

Please make checks payable to: Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

June 12, 1990



Mr. & Mrs. Michael R. Ford
625 Debaugh Avenue
Towson, MD 21204

RE: CASE NUMBER: 90-545-A
ITEM NUMBER: 433
LOCATION: 625 Debaugh Avenue

Dear Petitioner:

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number.

Your property will be posted on or before June 26, 1990. After the closing date (July 12, 1990) for filing a request for hearing has passed, the file will be taken to the Zoning Commissioner for review. You will next receive from this office:

1) Notice that a formal request for hearing has been filed, taking the matter out of the administrative process. This will mean advertising of the public hearing and reposting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice.

OR

2) Notice that the matter has completed the administrative process and that you may return the sign/post and pick-up your Order.

Very truly yours,

Gwen G. Stephens / CER
Docket Clerk

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

July 5, 1990



Dennis F. Rasmussen
County Executive

Mr. & Mrs. Michael R. Ford
625 Debaugh Avenue
Towson, MD 21204

RE: Item No. 433, Case No. 90-545-A
Petitioner: Michael R. Ford, et ux
Petition for Residential Variance

Dear Mr. & Mrs. Ford:

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 WINIARSKI. 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 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner



Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this
5th day of June, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Michael R. Ford, et ux

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: June 19, 1990
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Michael R. Ford, Item No. 433

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

JUN 22 1990

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554



Dennis F. Rasmussen
County Executive

June 27, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 221, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, and 438.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lw

RECEIVED
JUL 3 1990

ZONING OFFICE

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(301) 887-4500

Paul H. Reincke
Chief

JUNE 27, 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: MICHAEL R. FORD
Location: #625 DEBAUGH AVENUE
Item No.: 433 Zoning Agenda: JUNE 26, 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. CHAPTER 22

REVIEWER: *John Kelly* 6-27-90 Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

JUL 05 1990

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

June 22, 1990

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING
FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES C.E.B.
SUBJECT: ZONING ITEM #: 433
PROPERTY OWNER: MICHAEL R. FORD, et ux
LOCATION: E/S Debaugh Ave., 690' N of North Bend Rd (#625 Debaugh road)
ELECTION DISTRICT: 9th
COUNCILMANIC DISTRICT: 4th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

() PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.

() PARKING LOCATION () RAMPS (degree slope)
() NUMBER PARKING SPACES () CURB CUTS
() BUILDING ACCESS () SIGNAGE

() PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.

() A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.

() A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.

() STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).

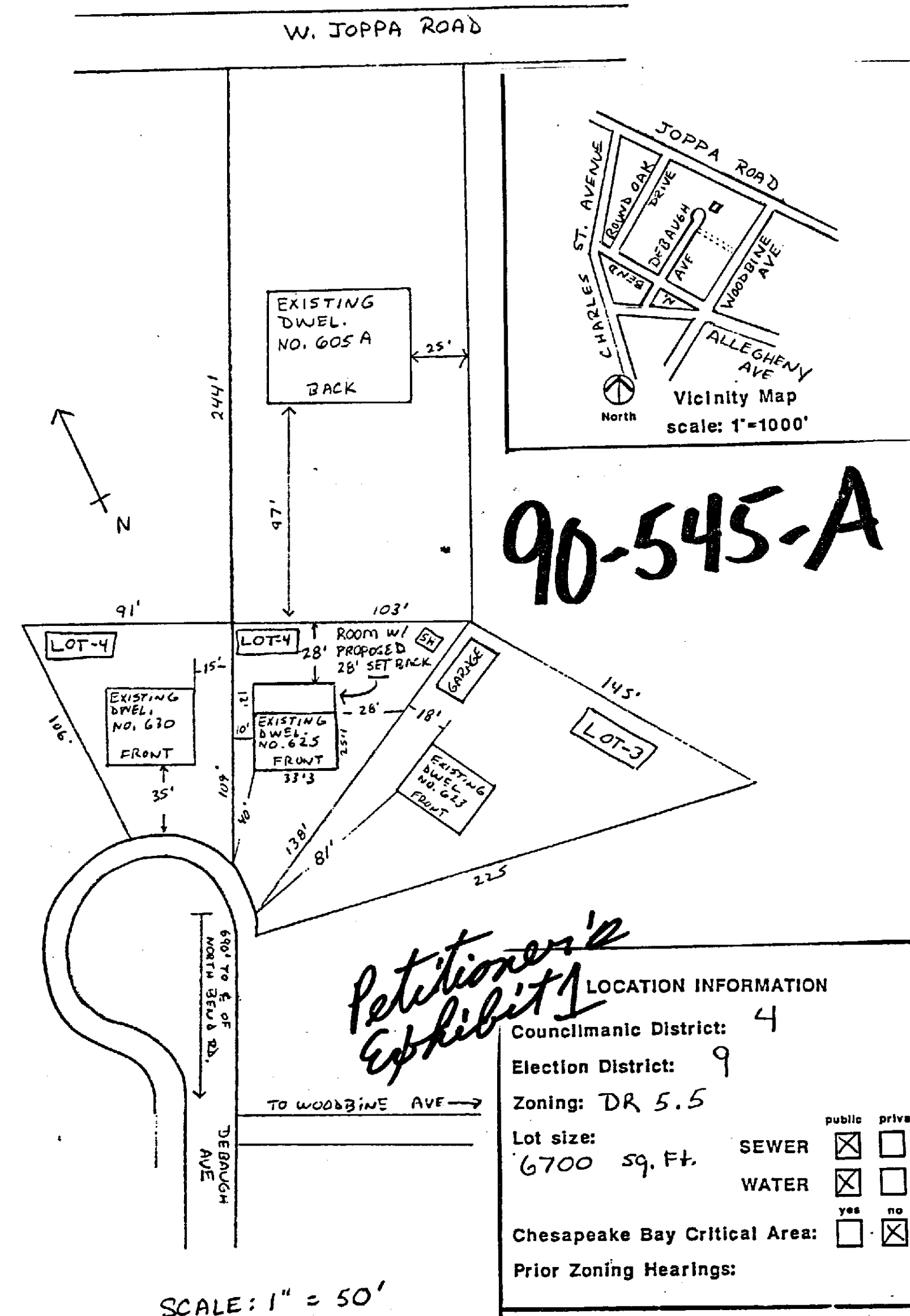
() OTHER - NO OTHER COMMENT

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN. A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

CHECK ITEM APPLICABLE TO THIS PLAN

Plat to accompany Petition for Zoning Variance 433
PROPERTY ADDRESS: 625 DEBAUGH AVENUE
OWNER: MICHAEL & SUSAN FORD



SCALE: 1" = 50'

625 Debaugh Avenue
Michael & Susan Ford

433



View from Debaugh Avenue (front)



Existing porch (rear)

Petitioner's Exhibit 2

