

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE  
420 Chestnut Court, 176-48 ft. NW of 211 Chestnut Street  
420 Chestnut Court, Baltimore City, Baltimore County  
17th Comm. District  
Oliver and Hattie Kiddick  
Petitioners

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY  
Case No. 91-343-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance, pursuant to Section 22-76(b)(1) of the Baltimore County Code and Sections 1B02.J.C.1 and 1J01.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a rear yard setback of 17 ft. in lieu of the required 50 ft. and to allow an existing carport to remain at a rear setback of 1 ft. in lieu of the required 37.5 ft., as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners have filed a Petition for a Residential Variance on the subject property, known as 420 Chestnut Court, zoned D.R. 10.5, and same having been posted and there being no request for a public hearing, this matter is ready for determination. The Petitioners are requesting a variance in the rear of the house to allow an addition to the bathroom and living space in their one story inside row house.

The Petitioners have filed the supporting affidavits, as required by Section 22-76 (b)(1) of the Baltimore County Code. There is no evidence in the file or record to indicate that the 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 evidence and facts that the proposed variance request would comply with the requirements of Section 107.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R.

would result in a 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 13<sup>th</sup> day of April, 1991 that the Petition for a Zoning Variance, pursuant to Section 22-76(b)(1) of the Baltimore County Code and Sections 1B02.J.C.1 and 1J01.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a rear yard setback of 17 ft. in lieu of the required 50 ft. and to allow an existing carport to remain at a rear setback of 1 ft. in lieu of the required 37.5 ft., in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to 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. 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:mmn  
encl.  
cc: Peoples Counsel

ORDER RECEIVED FOR FILING  
Date 4/13/91  
By M. Haines

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

91-343-A

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/do presently or upon settlement will reside at 420 CHESTNUT COURT BALTIMORE, MD 21226 (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)

SEE ATTACHED DRAWINGS

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.

Oliver W. Riddick  
AFFIANT (Handwritten Signature)  
Hattie M. Riddick  
AFFIANT (Handwritten Signature)  
Oliver W. Riddick  
AFFIANT (Printed Name)  
Hattie M. Riddick  
AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:  
I HEREBY CERTIFY, this 13<sup>th</sup> day of April, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Oliver and Hattie Riddick

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.  
2-20-91  
Lencie Crawley  
NOTARY PUBLIC  
My Commission Expires: April 11, 1992

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21284

887-3353

April 9, 1991

Mr. and Mrs. Oliver Riddick  
420 Chestnut Court  
Baltimore, Maryland 21222

RE: Petition for Residential Zoning Variance  
Case No. 91-343-A

Dear Mr. and Mrs. Riddick:

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:mmn  
encl.  
cc: Peoples Counsel

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

91-343-A

The undersigned, legal owner(s) of the property situated 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

1B02-3.C.1 TO ALLOW A REAR YARD SETBACK OF 17' IN LIEU OF THE REQUIRED 50' AND 37.5' TO ALLOW AN EXISTING CARPORT TO REMAIN AT A REAR SETBACK OF 1' IN LIEU OF THE REQUIRED 37.5'.

THE ORIGINAL UNITS HAVE ONLY 2nd FLOOR BATH ROOMS. THIS ADDITION TO HAVE A 1st FLOOR BATH FOR OLIVER'S MEDICAL REASONS. I (OLIVER RIDDICK) WOULD WALK 2 BAY FORT HOWARD OUT PATIENT # C-14951358-5 REQUESTED BUT DR. CLAUD TO CLIMB STEPS AS LITTLE AS POSSIBLE. (SEE ATTACHED DRAWINGS)  
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:  
Legal Owner(s):  
Signature: Oliver W. Riddick  
Signature: Hattie M. Riddick  
Address: 420 CHESTNUT COURT  
City/State/Zip Code: BALTO MD 21222  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted:  
Name: Oliver W. Riddick  
Address: 420 CHESTNUT COURT  
City/State/Zip Code: BALTO MD 21222  
Phone: 284-3047

ORDERED by the Zoning Commission of Baltimore County, this 13<sup>th</sup> day of April, 1991, that the subject matter of this petition be posted on the property on or before the 13<sup>th</sup> day of April, 1991.

J. Robert Haines  
ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commission of Baltimore County, this 13<sup>th</sup> day of April, 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be held before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 13<sup>th</sup> day of April, 1991, at 10:00 o'clock, a.m.

ORDER RECEIVED FOR FILING  
Date 4/13/91  
ZONING COMMISSIONER OF BALTIMORE COUNTY

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ATTACHMENT  
# 2 COULD, (OLIVER) ALSO OUTPATIENT AT LOCH RAVEN V.A. HOSPITAL FOR PROSTRATE CONDITION.  
# 3 = MY WIFE (HATTIE M. RIDDICK) FORCED RETIREMENT FROM BALTO. COUNTY SCHOOLS. PHYSICAL HEALTH CONDITIONS. HAS BAD RIGHT LEG. REQUESTED NOT TO CLIMB STEPS IF POSSIBLE. DR. VOGELSTEIN, BALTO. COUNTY # 4 NOT TO CONSTRUCT THIS ADDITION ALSO WOULD LEAVE A HOLE AND NOT TO LIVE WITH ADJOINING HOUSES.  
# 5 REMAINING SPACE IN ADJITION AFTER TONET TO BE USED FOR WAXNER, REFRIGERATOR, CABINET AND STORAGE BECAUSE OF LACK OF SPACE IN SMALL EXISTING KITCHEN.

91-343-A

all the following-described property in Baltimore County, State of Maryland, to wit:

BEGINNING for the same on the northwest side of Chestnut Court at the distance of two hundred and forty-nine and forty-one one-hundredths feet measured northwesterly and northeasterly from the intersection of the northwest side of Chestnut Street as laid out fifty feet wide and the southwest side of Chestnut Court, said point of beginning being in line with the center line of a partition wall there erected; and running thence and binding on the northwest side of Chestnut Court north seventy-five degrees, one minute, twenty seconds east, fourteen feet to a point in line with the center line of another partition wall there erected; thence to and through the center of said second mentioned partition wall north fourteen degrees, fifty-eight minutes, forty seconds west eighty and twenty one-hundredths feet to the south side of a fifteen foot alley there laid out; thence westerly binding on the south side of said fifteen foot alley with the line thereof in common fourteen and seventy-nine one-hundredths feet to a point in line with the center line of the partition wall first herein referred to; and thence to and through the center of said first mentioned partition wall south fourteen degrees, fifty-eight minutes, forty seconds east, eighty-four and ninety-five one-hundredths feet to the place of beginning. The improvements thereon being known as No. 420 Chestnut Court. Block 434.

BEING the same lot of ground conveyed by Deed dated December 27, 1948, from Baltimore Federal Savings and Loan Association, a body corporate, to Carl R. Gray, Jr., former Administrator of Veterans Affairs, and recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1711, Folio 86.

This conveyance subject to any and all conditions, restrictions, covenants and liens existing. PER ORDER OF THE BALTIMORE COUNTY BOARD OF APPEALS, APRIL 11, 1992, 1144 04 FT - PER ORDER OF THE BALTIMORE COUNTY BOARD OF APPEALS, APRIL 11, 1992.

91-343-A

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CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 12th Date of Posting: 4/18/91  
Posted for: Oliver W. Riddick et al  
Petitioner: Oliver W. Riddick et al  
Location of property: 420 Chestnut Court, Baltimore, MD 21222  
Location of Sign: 420 Chestnut Court, Baltimore, MD 21222  
Remarks: As per party of Baltimore  
Posted by: M. Haines Date of return: 4/18/91  
Number of Signs: 1

receipt

Baltimore County Zoning Commissioner  
County Office Building  
100 West Monument Street  
Towson, Maryland 21286

PUBLIC HEARING FEES  
010 - ZONING VARIANCE (IRL) \$25.00  
080 - POSTING SIGNS / ADVERTISING \$25.00  
LAST NAME OF OWNER: RIDDICK

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning  
111 West Chesapeake Avenue  
Towson, MD 21284  
887-3353  
March 26, 1991

Mr. & Mrs. Oliver W. Riddick  
420 Chestnut Court  
Baltimore, MD 21222  
RE: Item No. 327, Case No. 91-343-A  
Petitioner: Oliver W. Riddick, et al  
Petition for Residential Variance

Dear Mr. & Mrs. Riddick:  
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,  
*J. Robert Haines*  
J. ROBERT HAINES  
Chairman  
Zoning Plans Advisory Committee

JED:jw  
Enclosures

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning  
111 West Chesapeake Avenue  
Towson, MD 21284  
887-3353

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

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By:  
*Jane A. ...*  
Chairman  
Zoning Plans Advisory Committee

Petitioner: Oliver W. Riddick, et ux  
Petitioner's Attorney:

Baltimore County Government  
Fire Department  
300 East Fopp Road, Suite 901  
Towson, MD 21286-3500  
FAX: 26, 1100  
887-3300

TO: Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
111 West Chesapeake Avenue  
Towson, MD 21284  
FROM: Property Owner: OLIVER W. RIDDICK  
Description: RESIDENTIAL USE  
Item No.: 327  
Filing Agency: BALCO 19, 1991

Re: Your request, the referenced property has been conveyed by this Bureau and the comments below are applicable and required to be accepted or incorporated into the final plans for the property.  
7. The fire inspector does not have comments at this time.

RECEIVED: *Robert Haines* dated and received by *Robert Haines* Fire Department  
Special Inspector Division

JH/EH

RECEIVED  
3/27/91

BALTIMORE COUNTY, MARYLAND  
INTERSUBJECT CORRESPONDENCE  
TO: Zoning Advisory Committee - BALCO - March 14, 1991  
FROM: Robert M. Bowling, P.E.  
RE: Zoning Advisory Committee Meeting for March 14, 1991

The Developer's Engineering Division has reviewed the subject zoning items and we have no comments for items 327, 334, 335, 336, 339, 339 and 345.

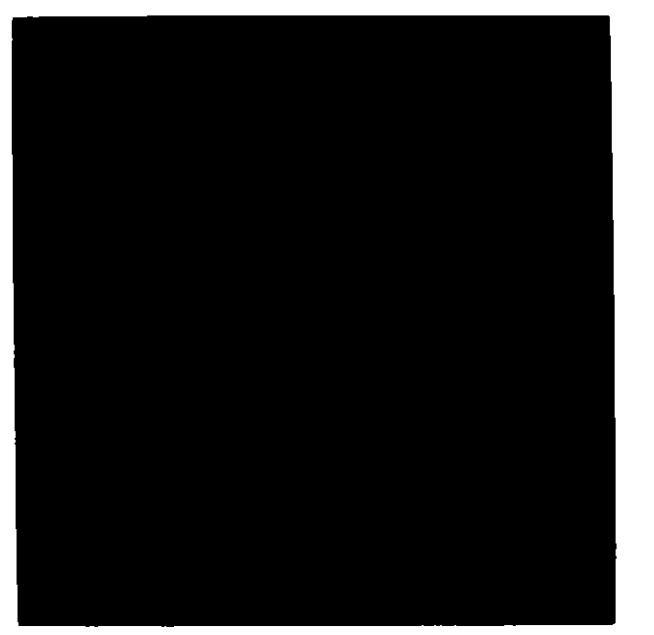
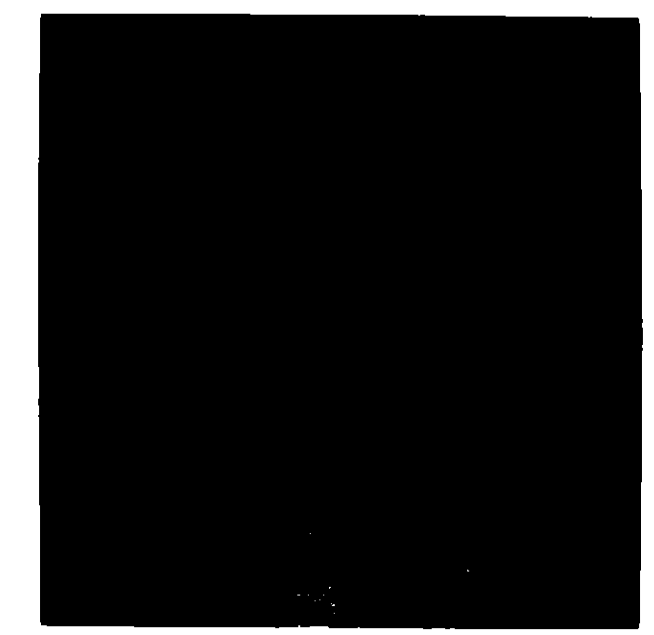
For Item 327, a County Review Group Meeting may be required for these additions.  
For Item 330, a County Review Group Meeting is required for this site.

For Item 345, the previous minor subdivision comments supplied for this site will apply.

*Robert M. Bowling*  
ROBERT M. BOWLING, P.E., Chief  
Developer's Engineering Division

RWB:rs

CASE NUMBER 91-343-A



PETITIONER'S EXHIBIT # 2

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning  
111 West Chesapeake Avenue  
Towson, MD 21284  
887-3353  
March 12, 1991

Oliver and Hattie Riddick  
420 Chestnut Court  
Baltimore, Maryland 21222  
RE: CASE NUMBER: 91-343-A  
LOCATION: NW/4 Chestnut Court, 126-48' W/4 of c/1 Chestnut Street  
420 Chestnut Court

Dear Petitioner(s):  
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. This letter also serves as a read-rear regarding the administrative process.

1) Your property will be posted on or before March 20, 1991. The last date (closing date) on which a neighbor may file a formal request for hearing is April 4, 1991. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reporting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your Order to be held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,  
*J. G. Stephens*  
J. G. STEPHENS  
(301) 887-3391

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning  
111 West Chesapeake Avenue  
Towson, MD 21284  
887-3353  
February 27, 1991

Oliver W. Riddick  
Hattie M. Riddick  
420 Chestnut Court  
Baltimore, MD 21222

RE: Petition Filed in Zoning Office  
Item Number 327

**91-343-A**

Dear Petitioner:  
This letter is to inform you that, due to a technical problem, your Petition for Residential Variance has not been placed on the agenda for the week of March 5, 1991. According to our records, this Petition was filed on February 22, 1991 with Catherine A. Milton.

In order for this Petition to be placed on the next agenda, you must contact Catherine Milton at 887-3391 to rectify the problem.

Very truly yours,  
*J. Robert Haines*  
J. Robert Haines  
Zoning Commissioner

JRH:scj

