

IN RE: PETITION FOR RESIDENTIAL VARIANCE* BEFORE THE
E/S Admiral Boulevard, 20' N of
Portship Road
(51 Admiral Boulevard)
12th Election District
7th Councilmanic District
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-136-A
Ida F. Fogle
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 7 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 26-127 (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 Deputy Zoning Commissioner, the information, pictures, 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.

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 Deputy Zoning Commissioner for Baltimore County this 5th day of November, 1991 that the Petition for Residential Variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 7 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.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjjs

RECEIVED FOR FILING
11/26/91
by

- 2 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

847-3353

November 5, 1991

Ms. Ida Fogle
51 Admiral Boulevard
Baltimore, Maryland 21222

RE: PETITION FOR RESIDENTIAL VARIANCE
E/S Admiral Boulevard, 20' N of Portship Road
(51 Admiral Boulevard)
12th Election District - 7th Councilmanic District
Ida F. Fogle - Petitioner
Case No. 92-136-A

Dear Ms. Fogle:

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,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjjs

cc: People's Counsel

File

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

92-136-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 reside at 51 ADMIRAL BLVD, BALTIMORE, MD 21222
(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)
PHYSICAL IMPEDIMENT RESTRICTS OWNER FROM EASY ACCESS TO REAR YARD AND BASEMENT (ADDITION IS FOR 4th BATHROOM AND BATHROOM) DETACHMENT RESTRICTION
DEPT. ZONING - 7th DIST VARIANCE

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.

Ida F. Fogle
AFFIANT (Handwritten Signature)
Ida F. Fogle
AFFIANT (Printed Name)
AFFIANT (Handwritten Signature)
AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 25th day of September, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Ida F. Fogle

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.

James L. L. L.
NOTARY PUBLIC
My Commission Expires: July 1, 1992

ZONING DESCRIPTION
51 ADMIRAL BLVD 92-136-A

BEGINNING AT A POINT ON THE EAST SIDE OF ADMIRAL BLVD WHICH IS 80 FEET WIDE AT THE DISTANCE OF 20 FEET NORTH OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET, PORTSHIP ROAD, WHICH IS 40 FEET WIDE. BEING LOT #13, BLOCK 19, SECTION 1 IN THE SUBDIVISION OF DUNDALK AS RECORDED IN BALTIMORE COUNTY PLAT BOOK #5, FOLIO #56 CONTAINING 2596 SQUARE FEET. ALSO KNOWN AS 51 ADMIRAL BOULEVARD AND LOCATED IN THE 12TH ELECTION DISTRICT.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 12th Date of Posting: 10/19/91
Posted for: Variance
Petitioner: Ida F. Fogle
Location of property: 51 Admiral Blvd, 12th N of Portship
5th Councilmanic Dist.
Location of Sign: Facing Admiral Blvd, approx. 20' E. of Portship
on property of Ida F. Fogle
Remarks: Property of Ida F. Fogle
Posted by: Ida F. Fogle Date of return: 10/19/91
Number of Signs: 1

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

receipt

Date

9/25/91

Account R-001-4150
Number

119200149

	QTY	PRICE
PUBLIC HEARING FEES		
010 - ZONING VARIANCE (TRL)	1 X	\$35.00
020 - POSTING SIGNS	1 X	\$25.00
TOTAL:		\$60.00

LAST NAME OF OWNER: FOGLE

Please Make Check Payable to Baltimore County \$60.00

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

92-136-A

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plot attached hereto and made a part hereof, petition for a Variance from Section 1802.3.C.1 - to allow a rear yard setback of 7' in lieu of the required 50'.

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

PHYSICAL IMPEDIMENT RESTRICTS OWNER FROM EASY ACCESS TO REAR YARD AND BASEMENT (ADDITION IS FOR 4th BATHROOM AND BATHROOM) DETACHMENT RESTRICTION
DEPT. ZONING - 7th DIST VARIANCE

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 Petitioners:

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

Phone

ORDERED by the Zoning Commissioner of Baltimore County, this 25th day of Sept, 1991, that the subject matter of this petition be posted on the property on or before the 15th day of Oct, 1991.

ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this ____ day of ____, 19__, 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 Commissioner of Baltimore County in Room 109, County Office Building in Towson, Baltimore County.

REVIEWED BY: CAM DATE: 9/26/91



ZONING COMMISSIONER OF BALTIMORE COUNTY

RECEIVED FOR FILING

11/26/91

by

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

October 23, 1991

847-3353

Ms. Ida F. Fogle
51 Admiral Blvd
Baltimore, MD 21222

RE: Item No. 149, Case No. 92-136-A
Petitioner: Ida F. Fogle
Petition for Residential Variance

Dear Ms. Fogle:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

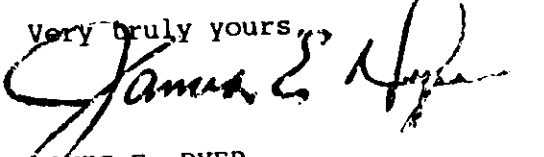
Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition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

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys and/or engineers who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

Very truly yours,

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

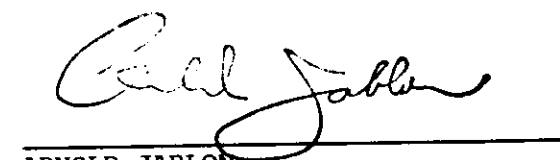
JED:jw

Enclosures

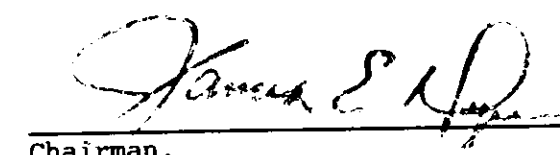
111 West Chesapeake Avenue
Towson, MD 21204

SN7-3553

Your petition has been received and accepted for filing this
26th day of September, 1991.


ARNOLD JABLON
DIRECTOR

Received By:


Chairman,
Zoning Plans Advisory Committee

Petitioner: Ida F. Fogle

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: October 9, 1991
Zoning Administration and
Development Management

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

SUBJECT: Budziak Property, Item No. 144
Armstrong Property, Item No. 145
Fogle Property, Item No. 149
Chiabrera Property, Item No. 151
Rau Property, Item No. 157
Ogundeji Property, Item 158

In reference to the petitioners' 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/rdn

ITMNO144/TXTROZ

DATE: October 23, 1991

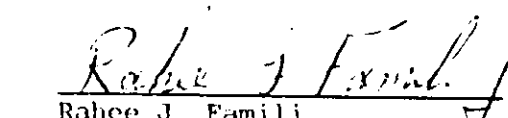
TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: October 8, 1991

This office has no comments for item numbers 144, 145, 147, 149, 150, 151, 152, 157 and 158.


Rahee J. Famili
Traffic Engineer II

RJF/lvd

700 East Joppa Road, Suite 901
Towson, MD 21204-5500

OCTOBER 17, 1991

(301) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: IDA F. FOGLE

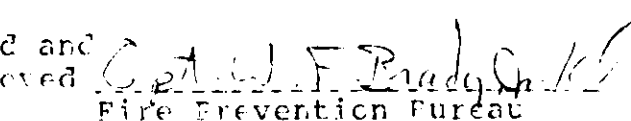
Location: 51 ADMIRAL BOULEVARD

Item No.: 149 Zoning Agenda: OCTOBER 8, 1991

Comments:

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.

7. The Fire Prevention Bureau has no comments at this time.

Reviewed and Approved: 
Gerald F. Brado
Fire Prevention Bureau
Special Inspection Division

JF/BR

111 West Chesapeake Avenue
Towson, MD 21204

October 3, 1991

SN7-3553

Ida F. Fogle
51 Admiral Boulevard
Baltimore, Maryland 21222

Re: CASE NUMBER: 92-136-A
LOCATION: 51 Admiral Boulevard
85 Admiral Boulevard
12th Election District - 7th Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

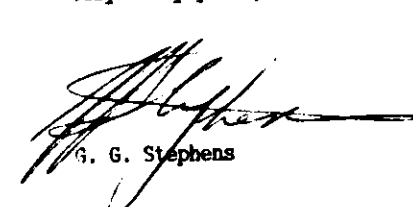
1) Your property will be posted on or before October 13, 1991. The closing date is October 28, 1991. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

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,


G. F. Brado

COPY

297/102
8
OCT. 1, 1991
I have no objection to
issuing a sign on the rear of
Ida Fogle's house at 51
Admiral Blvd.
Case # 92136 A

RECEIVED
NOV 4 1991
ZONING OFFICE

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

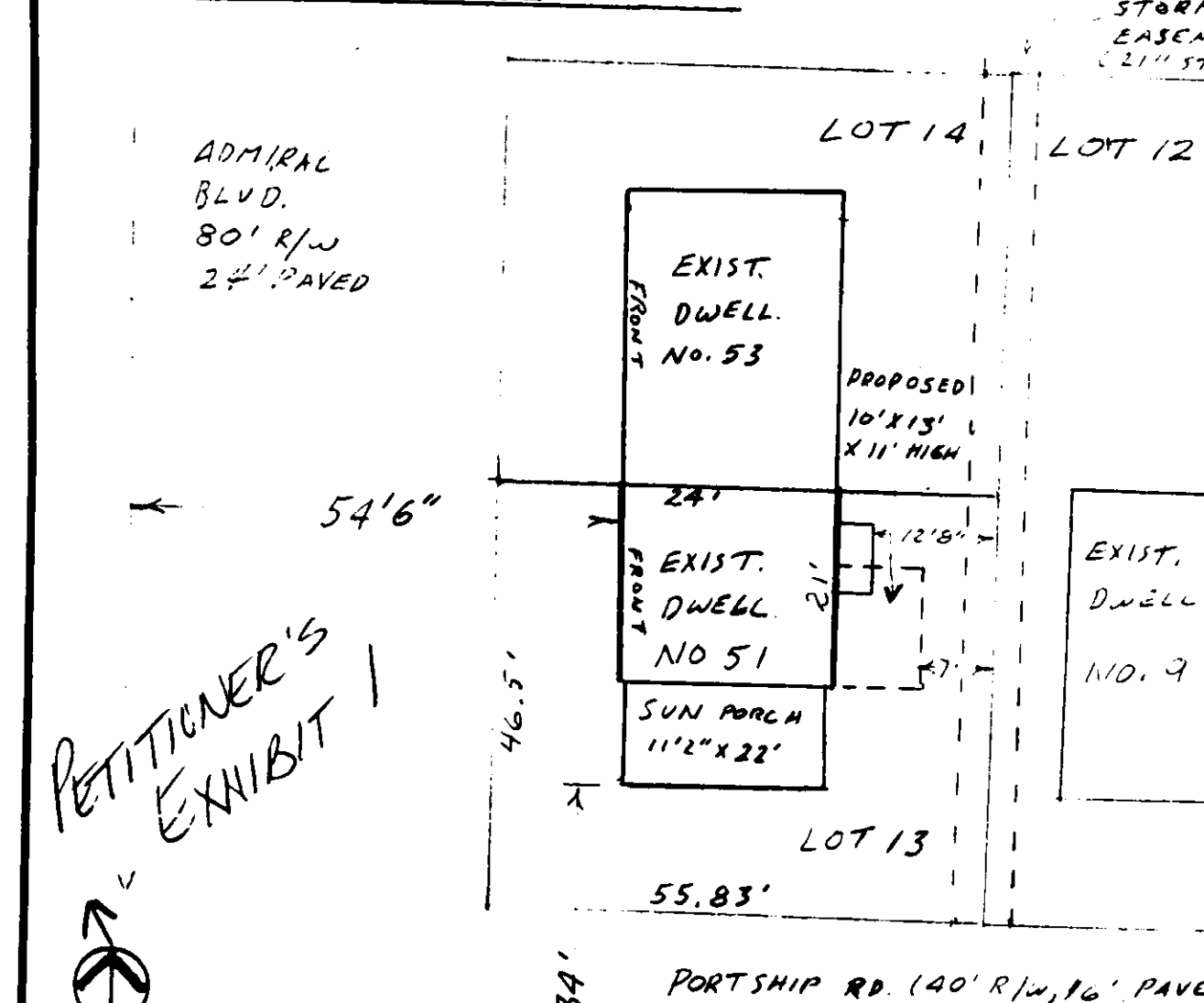
PROPERTY ADDRESS: 51 ADMIRAL BLVD

Subdivision name: DUNDALK
plat book: L, folio 36, into 13, section 9

OWNER: IDA F. FOGLE

see pages 5 & 6 of the CHECKLIST for additional required information

92-136-A



North
date: _____
prepared by: JWF
Scale of Drawing: 1" = 20'

LOCATION INFORMATION

Councilmanic District: 7

Election District: 12

1"=200' scale map: SE 4 E

Zoning: DR10.5

Lot size: 0.06 2540

acreage square feet

6" SEWER

6" WATER

Chesapeake Bay Critical Area:

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: _____

ITEM #: _____

CASE#: _____

149

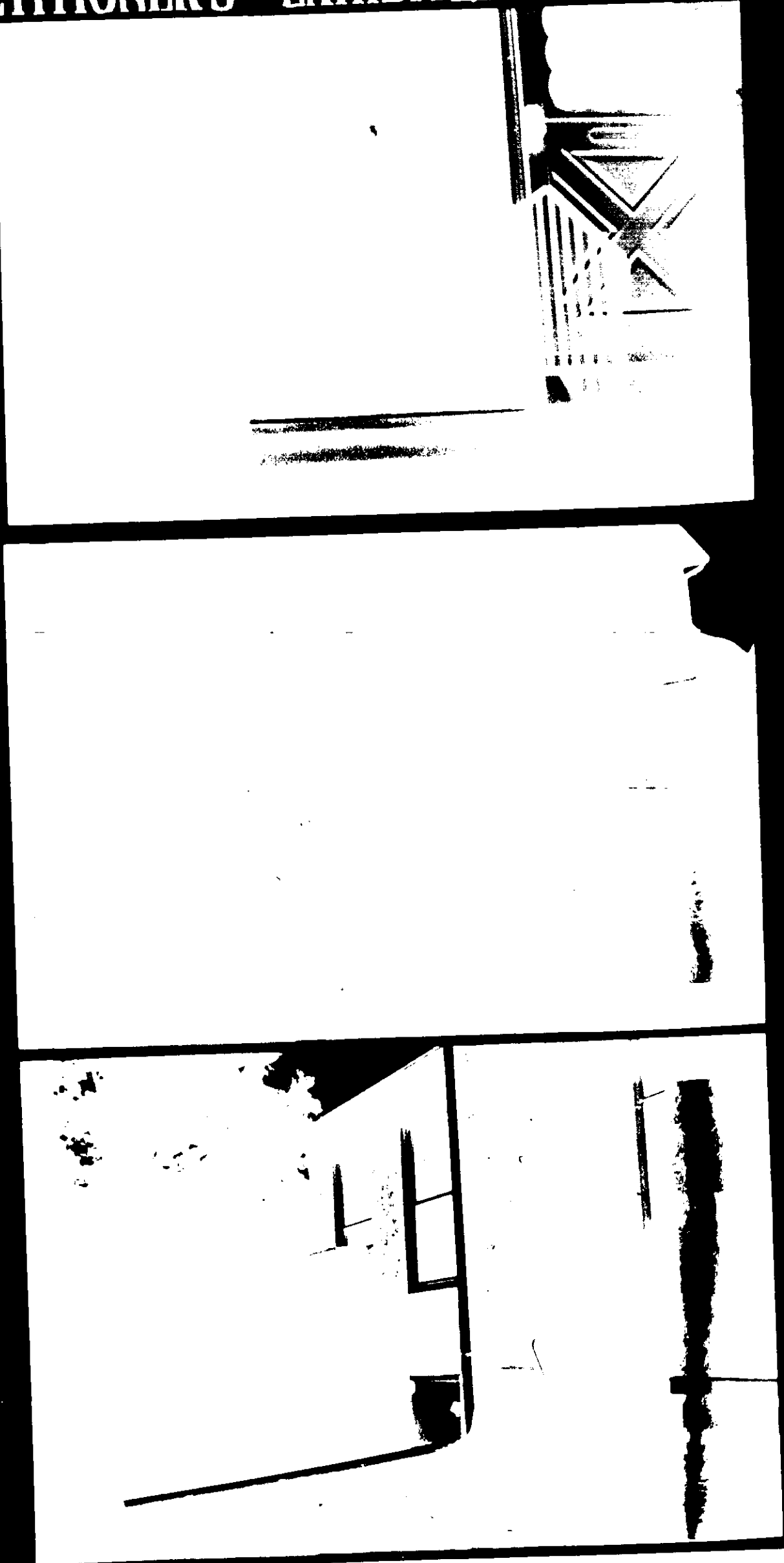
CASE NUMBER 92-136-A

PETITIONER'S EXHIBIT # _____



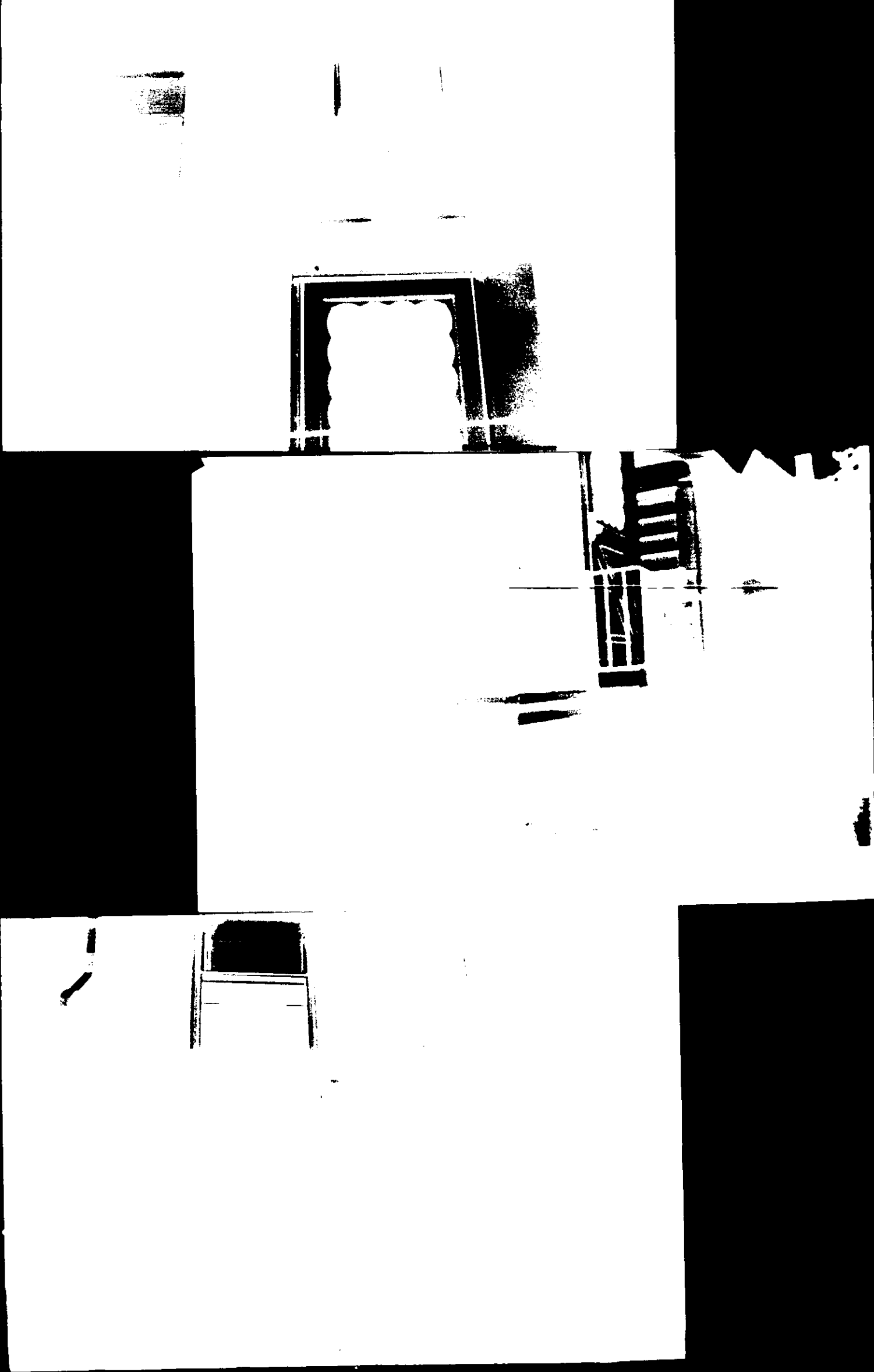
CASE NUMBER 92-136-A

PETITIONER'S EXHIBIT # _____



CASE NUMBER 92-136-A

PETITIONER'S EXHIBIT # _____



CASE NUMBER 92-136-A

PETITIONER'S EXHIBIT # _____



92-136-A

Plat filed for Record
December 1919
City of Baltimore
Clark

W.P.C. No 5 ~ 56



TRACED FROM ORIGINAL MAY 1963

W.P.C. #5 ~ 56



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	DUNDALK	S.E. 4-E
DATE OF PHOTOGRAPHY JANUARY		

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401