

IN RE: PETITION FOR VARIANCE  
N/S Frye Road, 310' W of  
Old Hanover Road  
(5014 Frye Road)  
4th Election District  
3rd Councilmanic District  
Patricia C. Ledson  
Petitioner

- BEFORE THE
- DEPUTY ZONING COMMISSIONER
- OF BALTIMORE COUNTY
- Case No. 93-347-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance filed by the owner of the subject property, Patricia Celeste Ledson. The Petitioner requests relief from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a west side lot line setback of 17 feet in lieu of the required 35 feet for a proposed garage addition in accordance with Petitioner's Exhibit 1.

The Petitioner, Patricia C. Ledson, appeared and testified on her own behalf. There were no Protestants.

Testimony indicated that the subject property, known as 5014 Frye Road, consists of .60 acres, zoned R.C. 2 and is improved with a two-story dwelling. The Petitioner is desirous of constructing a two-story garage addition on the west side of the existing dwelling. Patricia Ledson testified that she purchased the subject property from her parent's estate and that the proposed improvements are necessary to provide additional living space as well as to replace an old dilapidated garage that had to be torn down due to its poor condition. She testified that she has spoken with her neighbors who have no objections to her plans. Testimony indicated the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community.

An appropriate variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property, Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 208 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 4th day of June, 1993 that the Petition for Variance requesting relief from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a west side lot line setback of 17 feet in lieu of the required 35 feet for a proposed garage addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at her 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 Petitioner 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:bjg

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21284

June 4, 1993

(410) 887-4386

Ms. Patricia C. Ledson  
41 Brookshire Drive  
Reisterstown, Maryland 21136

RE: PETITION FOR VARIANCE  
N/S Frye Road, 310' W of Old Hanover Road  
(5014 Frye Road)  
4th Election District - 3rd Councilmanic District  
Patricia C. Ledson - Petitioner  
Case No. 93-347-A

Dear Ms. Ledson:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

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

TMK:bjg

cc: People's Counsel

File

ORDER RECEIVED FOR FILING  
Date 6/10/93  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 6/10/93  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 6/10/93  
By [Signature]



**Petition for Variance**  
to the Zoning Commissioner of Baltimore County

for the property located at 5014 Frye Road, Bowie, MD 21020  
which is presently zoned RC-2

This Petition shall be filed with the Office of Zoning Administration & Development Management. 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, hereby petition for a Variance from Section 1A01.3.B.3 to permit A (Side) Lot Line Setback of 17ft. (for a Proposed Attached Garage) in lieu of the Required 35 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)  
To be testified as at hearing

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertisement, posting, etc., upon filing of this petition, and further agree to and use to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Current Purchased Owner:  
Type or Print Name: Patricia Celeste Ledson  
Signature: [Signature]  
Address: 4 Brookshire Dr, Reisterstown, MD 21136  
City: Reisterstown State: MD Zip: 21136  
Attorney for Petitioner:  
Type or Print Name: Patricia Ledson  
Address: 4 Brookshire Dr, Reisterstown, MD 21136  
City: Reisterstown State: MD Zip: 21136  
Signature: [Signature]  
Date: 6/10/93

**EXAMPLE 3 - Zoning Description**

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format whenever possible; otherwise, type or print on 8 1/2" x 11" sheet.

ZONING DESCRIPTION FOR 5014 Frye Rd, Bowie, MD 21020  
(address)  
Election District 04 Councilmanic District 3

Beginning at a point on the North side of Frye Road  
(north, south, east or west)

which is 12 FT OF PAVING wide at a distance of 310 FT ± WEST of the  
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street OLD HANOVER RD  
(name of street)

which is 15 FT ± OF PAVING wide. \*Being Lot # 1  
(number of feet of right-of-way width)

Block Fairview in the subdivision of  
(name of subdivision)

as recorded in Baltimore County Plat Book # 10, Folio # 143, containing

.60 Acres (square feet, and acres)

\*If your property is not recorded by Plat Book and Folio Number, they DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber #, Folio #, and include the measurements and directions (metes and bounds only) here and on the plat in the correct location."

Example of metes and bounds: N. 89° 12' 13" E. 321.3 ft., S. 18° 03' 03" E. 87.2 ft., S. 62° 19' 00" W. 338 ft., and N. 08° 15' 22" W. 80 ft. to the place of beginning.

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: Hd Date of Posting: 5/11/93  
Posted for: Variance  
Petitioner: Patricia Ledson  
Location of property: 5014 Frye Rd, N/S, 310' W of Old Hanover Rd  
Location of Sign: Along road way on property of Petitioner  
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/22, 1993  
THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/22, 1993

THE JEFFERSONIAN,  
*S. Zafe Orlov*  
Publisher

receipt  
Baltimore County Zoning Administration & Development Management  
211 West Chesapeake Avenue  
Towson, Maryland 21286  
Account: 8-001-4180  
Number: 358  
Date: 4/8/93 93-347-A  
NAME: PAMELA LEDSON  
ADDRESS: 5014 FRYE RD.  
BALTIMORE, MD 21286  
FOR OVO VARIANCE FILING 50.00  
OBO SIGN POSTING (1) 35.00  
85.00 TOTAL  
83A0390142HICRC PA 001040A04-08-93 985.00  
Please Make Checks Payable To: Baltimore County  
Cashier Validation

ORDER RECEIVED FOR FILING  
Date 6/10/93  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 6/10/93  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 6/10/93  
By [Signature]

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21284 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21284 as follows:

CASE NUMBER: 93-347-A (Item 358)  
5014 Frye Road  
N/S Frye Road, 310' +/- W of Old Weaver Road  
4th Election District - 3rd Councilmanic  
Petitioner(s): Pamela Celeste Ledsoe  
HEARING: MONDAY, MAY 24, 1993 at 2:00 p.m. in Rm. 118, Old Courthouse.

Variance to permit a (side) lot line setback of 17 feet (for a proposed attached garage) in lieu of the required 35 feet.

*Call Jablon*

Arnold Jablon  
Director

cc: Pamela C. Ledsoe

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Ms. Pamela Celeste Ledsoe  
41 Brookshire Drive  
Reisterstown, MD 21136

RE: Case No. 93-347-A, Item No. 358  
Petitioner: Pamela Celeste Ledsoe  
Petition for Variance

Dear Ms. Ledsoe:

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 indicate the appropriateness of the zoning action requested, but 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 April 8, 1993, and a hearing was 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 preliminary review by zoning personnel.

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*  
for John Contestabile, Chief  
Engineering Access Permits  
Division

My telephone number is 410-333-1350

Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 585-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

TO: Arnold Jablon, Director  
Zoning Administration &  
Development Management

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

DATE: April 22, 1993

SUBJECT: 5014 Frye Road

INFORMATION:

Item Number: 358

Petitioner: Pamela Celeste Ledsoe

Property Size: \_\_\_\_\_

Zoning: R.C. 2

Requested Action: \_\_\_\_\_

Hearing Date: \_\_\_\_\_

SUMMARY OF RECOMMENDATIONS:

Should the applicant's request be granted, staff recommends that approval of the request be subject to a condition that any improvement be generally compatible with the built environment of the neighborhood.

Prepared by: *Jeffrey M. Long*

Division Chief: *Carol K. Lewis*

PK/JL:lw

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: April 16, 1993

FROM: Jerry L. Pfeifer, Captain  
Fire Department

SUBJECT: Zoning Petitions

- #352B No comments
- #353 No comments
- #354 No comments
- #355 No comments
- #356 Building shall comply with the applicable provisions of the Life Safety Code and the Baltimore County Fire Prevention Code.
- #357 No comments
- #358 No comments
- #359 No comments
- #360 Building shall comply with the applicable provisions of the Life Safety Code and the Baltimore County Fire Prevention Code.

JLP/dal  
cc: File

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

June 8, 1993

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

FROM: J. Lawrence Pilson  
Development Coordinator, DEPRM

SUBJECT: Zoning Item #358, Ledsoe Property 93-347-A  
5014 Frye Road  
Zoning Advisory Committee Meeting of April 19, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

The builder, Fred Schaefer was notified by Thomas Ernst of this Department, that the owner should request a variance from the State Well Regulations in order to construct the deck over the well.

You may contact Mr. Ernst at 887-2762 if you have any questions regarding this matter.

JLP:sp  
LEDSOME/TXTSBP

Plat to accompany Petition for Zoning  Variance  Special Hearing

PROPERTY ADDRESS: 5014 Frye Rd, Bowie, Md 21020 \*\*\* pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: FAIRVIEW

plat books 10, 10A, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

OWNER: Pamela C. Ledsoe 93-347-A

APPLICANT'S EXHIBIT #1

Scale of Drawing: 1" = 50'

LOCATION INFORMATION

Election District: 04  
Councilmanic District: 3  
1"-200' scale map: NW22 J  
Zoning: RC-2  
Lot size: 26,136 square feet

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

Zoning Office USE ONLY!  
Reviewed by: \_\_\_\_\_ ITEM #: 358  
CASE#: \_\_\_\_\_

