

IN RE: PETITION FOR ADMINISTRATIVE ZONING VARIANCE S/S Wooddale Road, 60 ft. x of c/l Lafayette Avenue 1005 Wooddale Road 1st Election District 1st Councilmanic District Louis W. Doyle, et ux Petitioners

• BEFORE THE ZONING COMMISSIONER • OF BALTIMORE COUNTY • Case No. 93-434-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Louis W. Doyle and Margaret R. Doyle, for that property known as 1005 Wooddale Road in the Catonsville Heights subdivision of Baltimore County. The Petitioners herein request a variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback of 3 ft. 4", in lieu of the required 10 ft., to enclose an existing porch, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a 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 Zoning Commissioner, the information, photographs, 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 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 7th day of July, 1993 that the Petition for a Zoning Variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback of 3 ft. 4", in lieu of the required 10 ft., to enclose an existing porch, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction 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.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmm

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

July 7, 1993

Mr. and Mrs. Louis W. Doyle
1005 Wooddale Road
Catonsville, Maryland 21228

RE: Petition for Administrative Zoning Variance
Case No. 93-434-A
1005 Wooddale Road

Dear Mr. and Mrs. Doyle:

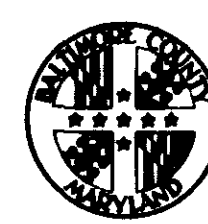
Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, in accordance with the attached Order.

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,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
encl.



Petition for Administrative Variance 93-434-A to the Zoning Commissioner of Baltimore County

for the property located at 1005 Wooddale Road, Catonsville, MD 21228

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(s) 1802.3.C.1; B.C.Z.R. to Permit a side yard setback of 3'4" to enclose an existing Porch in lieu of the required 10'.

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

(1) Porch already exists and (2) owner wants to repair and enclose to prevent further deterioration of the existing porch.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., 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.

Contact Purchaser/Lessee
(Type or Print Name)
Signature
Address
City
Attorney to Petitioner
(Type or Print Name)
Signature
Address
City
State
Zip Code

Legal Owner(s)
Louis W. Doyle, Owner
Margaret R. Doyle, Owner
1005 Wooddale Rd.
Catonsville, MD 21228
LOWMAN-TWIGG, INC.
By: GLEN LOWMAN
397 Stately Dr., Pasadena, Md. 21122
410-258-5846

REVIEWED BY: DATE: ITEM #: 443

Affidavit in support of 93-434-A Administrative Variance

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 that Affiant(s) were competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at 1005 Wooddale Rd.
Catonsville, MD 21228

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

1. That the existing porch has existed on the residence since 1982 with no objection from any of the adjoining property owners.

2. That repair and enclosure will prevent further deterioration.

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

Louis W. Doyle
Margaret R. Doyle

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, this 6th day of MAY, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared LOUIS W. DOYLE + MARGARET R. DOYLE

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.
6 MAY 93
My Commission Expires: 1/1/94

EXAMPLE 3 - Zoning Description - 3 copies 93-434-A

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

ZONING DESCRIPTION FOR 1005 WOODDALE RD.
Election District 1 Councilmanic District 1

Beginning at a point on the SOUTH side of WOODDALE RD.
(north, south, east or west)
which is 40' (number of feet of right-of-way width)
(street on which property fronts)
wide at a distance of 60' EAST (number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street LAFAYETTE AVE.
(name of street)
which is 40' wide. *Being Lots 9 & 10.
(number of feet of right-of-way width)

Block 16, Section 16 in the subdivision of CATONSVILLE HEIGHTS as recorded in Baltimore County Plat (name of subdivision)
Book 6, Folio 178, containing 12154 (square feet and acres)

*If your property is not recorded by Plat Book and Folio Number, then 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.67° 12' 13" E. 321.1 ft., S.18° 27' 03" E. 87.2 ft., S.62° 14' 00" W. 318 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 1st Date of Posting 6/24/93
Posted for: Denise
Petitioner: Louis & Margaret Doyle
Location of property: 1005 (SP) Wooddale Rd., av. E. Lafayette Ave.
Location of Sign: Property, 2nd Ave. N. Property of Petitioner
Remarks:
Posted by: Matthew
Number of Signs: 1 Date of return: 7/27/93

Baltimore County Government
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Date 6-9-93

LOUIS DOYLE - 1005 WOODDALE RD

Adm. V. (010) 50
Posting (080) 35

85

0340300007M1CHRC
Please Make Checks Payable To: Baltimore County 0002147PMD6-09-93

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

June 25, 1993

Mr. and Mrs. Louis W. Doyle
1005 Wooddale Road
Catonsville, MD 21228

RE: Case No. 93-434-A, Item No. 443
Petitioner: Louis W. Doyle, et ux
Petition for Administrative Variance

Dear Mr. and Mrs. Doyle:

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 June 9, 1992, 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.

Ms. Helene Kehring
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No. 443 (JCH)

Dear Ms. Kehring:

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,
John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is _____
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-452-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: June 28, 1993

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

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 420, 435, 441, 443, 444, 445, 446, 447, 448, 457, 458, 459 and 461.
93-434-A

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 887-3480.

Prepared by: Jeffrey W. Long
Division Chief: Gary L. Lewis

PK/JL:lw

435.ZAC/ZAC1

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee
Date: June 28, 1993

FROM: Captain Jerry Pfeifer, Fire Dept.

SUBJECT: June 28, 1993 Meeting

Revised #138- Building shall be in compliance with the 1991 Life Safety Code.

#441 - No comments

#442 - Standpipes in accordance with NFPA 303 are required where a hose lay from fire apparatus to the end of a pier exceeds 150'.

#443 - No comments

#444 - No comments

#445 - Building shall comply with the 1991 Life Safety Code and shall be equipped with smoke detectors in accordance with State Law.

#446 - No comments

#447 - No comments

#448 - No comments

#449 - No comments

93-434-A

BALTIMORE COUNTY
OFFICE OF ZONING ADMINISTRATION

To whom it may concern:

We, Jay Edwards and Marcie Edwards, now residing at 1007 Wooddale Rd., Catonsville, MD, wish to advise that we are aware of the side porch on the Doyle residence at 1005 Wooddale Rd., Catonsville, MD.

We are also aware that Mr. and Mrs. Doyle wish to repair and enclose the existing porch with windows to prevent further deterioration. It is our understanding that there will be no variation to the side lot set back from what now exists.

We, therefore, as a next adjoining property owner, have no present objection to the existing porch and have no objection to the enclosure of the porch.

Very truly yours,
Jay Edwards
Marcie Edwards

5-6-93
Date

5-6-93
Date

443

93-434-A

BALTIMORE COUNTY
OFFICE OF ZONING ADMINISTRATION

To whom it may concern:

We, Richard McQuay and Genevieve McQuay, now residing at 1003 Wooddale Rd., Catonsville, MD, wish to advise that we are aware of the side porch on the Doyle residence at 1005 Wooddale Rd., Catonsville, MD.

We are also aware that Mr. and Mrs. Doyle wish to repair and enclose the existing porch with windows to prevent further deterioration. It is our understanding that there will be no variation to the side lot set back from what now exists.

We, therefore, as a next adjoining property owner, have no present objection to the existing porch and have no objection to the enclosure of the porch.

Very truly yours,
Richard McQuay
Genevieve McQuay

May 6, 1993
Date

May 6, 1993
Date

443

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 18, 1993

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Louis and Margaret Doyle
1005 Wooddale Road
Catonsville, Maryland 21228

Re: CASE NUMBER: 93-434-A (Item 443)
1005 Wooddale Road
3/8 Wooddale Road, 60' E of c/1 Lafayette Avenue
1st Election District - 1st Councilmanic

Please be advised that your petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case, should reference the case number and be directed to 887-3393. This notice also serves as a reminder regarding the administrative process.

1) Your property will be posted on or before June 21, 1993. The closing date (July 6, 1993) 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. They 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 a Baltimore County newspaper. Charges related to the reporting and newspaper 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. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Glen Loomis

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1005 WOODDALE ROAD

Subdivision name: CATONSVILLE HEIGHTS

Plot book # 6, Volume 178, June 2, 1992, Section 16

OWNER: LOUIS & MARGARET DOYLES

93-434-A

30' DRAINAGE CULVERT

LOUIS & MARGARET DOYLES L 548 F. 0756

JOHN & MARCIA EDWARDS L 645 F. 0561

USE OF DWELLINGS IS RESIDENTIAL

* PROPOSE TO ENCLOSE 6'x12 COVERED PORCH

NOTES

LOCATION INFORMATION

Election District: 1

Consolidated District: 1

1"=200' scale map: SW 2F

Zoning: DR 55

Lot area: 0.1215 acreage

5,291 square foot

SEWER: ☒ WATER: ☒

Chesapeake Bay Critical Area: ☒

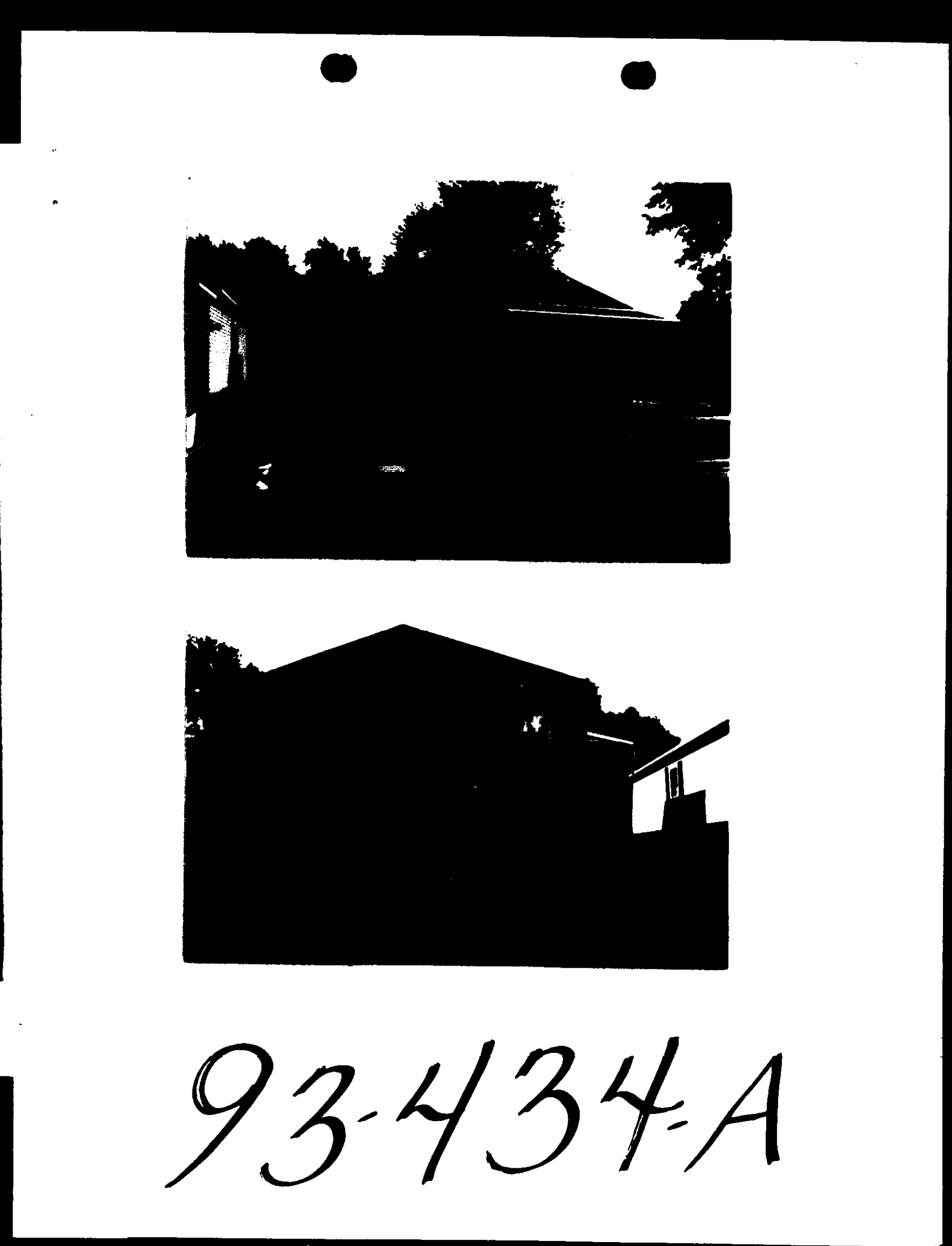
Prior Zoning Hearings:

Zoning Office USE ONLY!

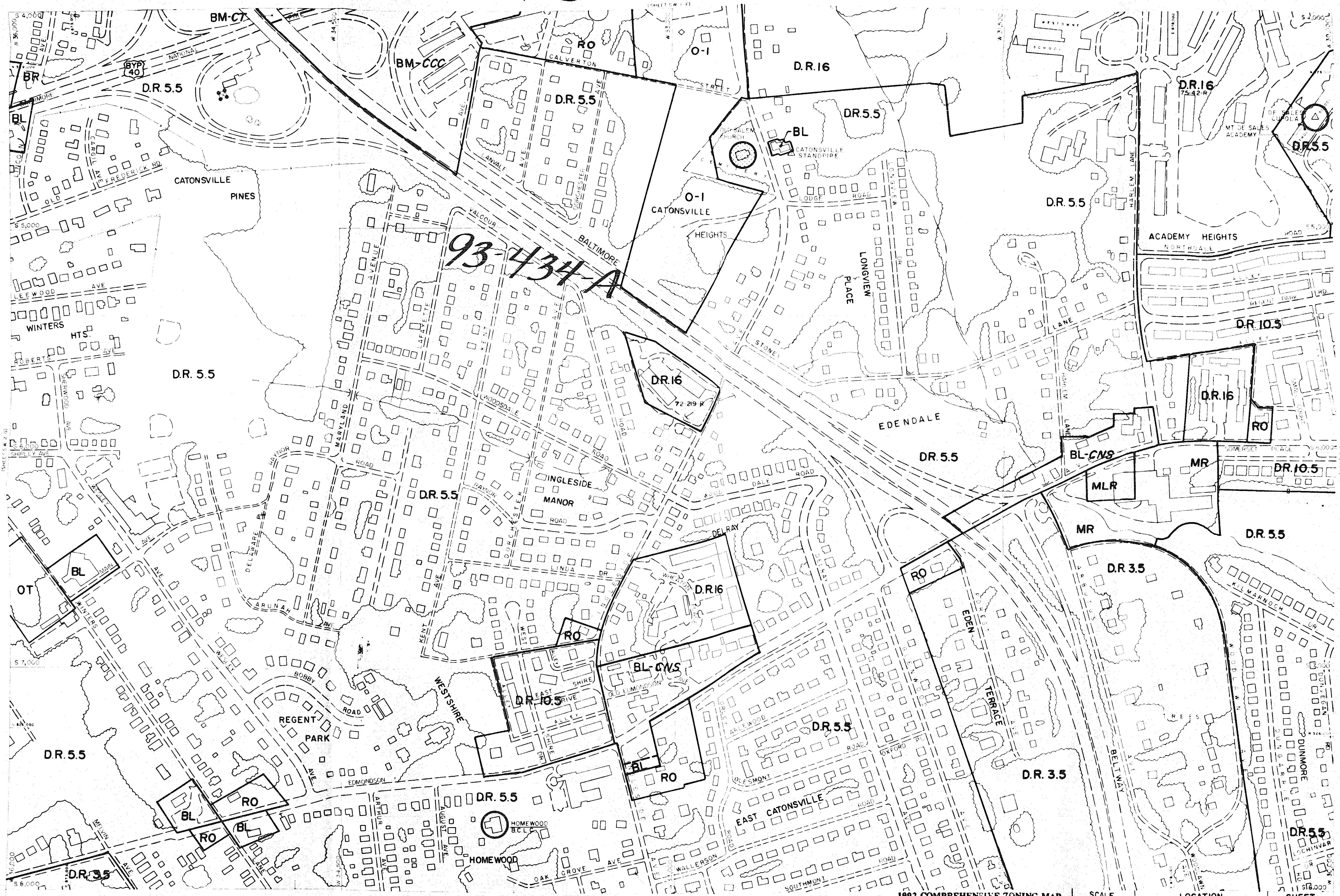
reviewed by: JCM

ITEM #: 443

CASE#:



443



H-NE G-NW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

Chairman, County Council

SCALE
1" = 200'
DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
CATONSVILLE

SHEET
S.W.
2-F