This matter comes before the Zoning Commissioner as an administrative variance filed by Louis A. Fritz, M.D., and Rosemarie R. Fritz, his wife, for that property known as 37 Windemere Parkway, in the Windemere subdivision of Baltimore County. The Petitioner/property owners herein seek a variance from Section 1A03.4.8.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 40 ft. front setback and a 65 ft. street centerline setback, in lieu of the required 50 ft. and 75 ft., respectively. for an addition, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

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

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 variance 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

94-287-4

Section 307.1 of the B.C.E.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship

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.

TREPORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15th day of March. 1994 that the Petition for a Zoning Variance from Section 1A03.4.B.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 40 ft. front setback and a 65 ft. street centerline setback, in lieu of the required 50 ft. and 75 ft., respectively, for an addition, 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:

The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate processor from this Order has been supported by the processor and the requirement of the processor of the petitioner sould be required to return, and be responsible for returning, said property to its original condition.

**EXAMPLE 3 - Zoning Description** 

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 in 1s sheet.

ZONING DESCRIPTION FOR 37 WINDEMPAR PARKWAY

Election District 1176 Councilmanic District 6

(atreet on which property fronts) (number of feet of right-of way width

centerline of the nearest improved intersecting street Ques ALFIAL RA.

(number of feet of right-of-way width)

94-287-4

Suite 113 Courthouse

(410) 887-4386

Dr. and Mrs. Louis A. Fritz 37 Windemere Parkway Phoenix, Maryland 21131

RE: Petition for Administrative Variance Case No. 94-287-A Property: 37 Windomere Parkway, Phoenix

Dear Dr. and Mrs. Fritz:

Enclosed please find the decision rendered in the above captione case. The Petition for 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 (3D) 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 807-3391.

February 28, 1994

THE TITLE DOE DOES TO DOUGH AND EXTRACTION OF THE ENTITY MATERIAL PROPERTY OF THE ENTITY AND THE PROPERTY OF THE ENTITY OF THE E Why do notice by decise and affect, under the populate of paying, that then are the LOUIS A. FRITZ, M.D. Louis a fat no. ROSEMARIE R. FRITZ. Thumaru & Fritz 37 WINDEMEDE PARK WAY STOLL PHOENIX MD. 2/13/ B ---- 9# - 1/21/94 TEM 0: 287

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

B.C.Z.R. 1A03.4B.4 (R. 40. 1964) To permit a 40' front methack and a 65' street centerline setback and a 65' street centerline setback in lieu of the required 50' and 75' respectively.

for the property located at 37 WINDEMERE PARK WAY PHOENING AN White to presently most \$50.4 2/131

111 West Chesapeake Avenue Towson, MD 21204

(A10) 887-3353

## Affidavit Administrative Variance

herein given is within the personal knowledge of the Affant(s) and that Affant(s) later aren that a nable hearing in scheduled in the fature with regard thereto. demote presently reside as 37 WINNEMEDE PARK WHY

PHOEMY That based upon personal knowledge, the following are the facts upon Variance at the above address: treatment sension or matter afficial-

I. IT IS PROPOSED TO BUILD AN EXTENSION TO THE EXISTING MASTER BEDROOM TO ARCOMODATE THERAPEUTIC EQUIPMENT FOR TREATMENT OF HUSSAND AND WIFE WHO BOTH HAVE CHRENIC LOW BACK PAIN REQUIRING LONG TERM THERAPY.

2. THE EXISTING BEDROUT IS LOCATED ON THE WEST SIDE OF THE HOUSE. IT IS NOT POSSIBLE TO BOILD THIS ADDITION ON THEE MIT SIDE SINCE THE CHEME IS LOCKED HERE. ON THE SOUTH SIDE THERE IS A SEPTIC SYSTEM AND ON THE WEST SIDE THERE

Bernary R. Fritz LOUIS A. FRITZ, M. J.

I MERCHY CERTIFY, the 1974 day of January Louis a. Fritz, M.D. & Rosemarie R. Fritz

Jan. 12, 1994

Sugar J. Dass

\_\_\_\_\_ in the subdivision of (name of subdivision) \_\_ as recorded in Baltimore County Plat Book # 70 , Polio #\_ (square feet and acres) "If your property is not recorded by Plat Book and Pollo Number them DO NOT attempt to use the Lot, Slock and Mabdivision description as shown, instead state: "Ma recorded in Deed Liber \_\_, Pollo \_\_" and include the measurements and directions (suches and bounds only) here and on the plat in the Example of metes and bounds: M.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and H.08 15' 22' W. 80 ft. to the place of becimning.

ORDER RECEIVED FOR FILING

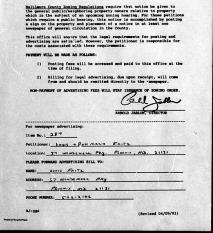
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By

The Act

Post to Verrie - Louis T. Rose Way Frila Level of pages 37 Wind more Play sty sir of at Main A come a san traing . The state of the fatherly being march. 2/1/94





ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

10

February 15, 1994

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

(410) 887-3353

Doctor and Mrs. Louis A. Fritz 37 Windomere Parkway Phoenix, Maryland 21131

RE: Case No. 94-287-A, Item No. 287 Petitioner: Louis A. Fritz, et ux. Petition for Administrative Variance

Dear Doctor and Mrs. Fritz:

The Sound Floor Adoptory Comuttee (26c) has reviewed the plans and total with the above referenced politics. The attached comments from each reviewing above year not intended to indicate the appropriations of the zoning action respected, but to assure that all parties, i.e., zoning action respected, but to assure that all parties, i.e., zoning commissioner, attorney and or the pertitioner, are and assure of plans or problems with repard to the proposed improvements that may have a beauting out this case.

Enclosed are all comments admitted thus far from the members of ZMC offer or respect information on your printing control of the control of t

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

the director of Zonine Administration and Development Recommends has instituted a system of the control of the comply when the system of the comply with a system of filing pertitions that comply with a requirement can file their petitions with this office without the necessity of a preliminary creim by zoning personnel.

Maryland Departme State Highway Administration

1-26.94

Re: Baltiriore County Item No.: \* 267 (JEF)

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

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 project.

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, Dob Small DAVID M. RAYDEY, ACTING CHIEF

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 - Baltimore, MD 21203-0717

700 East Joppa Road Suite 901 Towson, MD 21286-5500

(410) 887-4500

DATE: 01/27/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Townon, MD 21204
MAIL STOP-1105

RE: Property Owner: LOUIS A. FRITZ MD. & ROSEMARIE R. FRITZ LOCATION: S/S WINDEMERE PARKWAY,567'E OF CENTERLINE GLEN ALPINE RD. (37 WINDEMERE PARKWAY)

Item No.: 287 (JRF) Zoning Agenda: ADMINISTRATIVE VARIANCE

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

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD Fire Prevention, PHONE 887-4881, M3-1102F cc: File

ZAC.277/PZONE/ZAC1

PK /.TL : 14

Baltimore County Government Office of Zoning Administration and Development Management

10 111 West Chesapeake Avenue Towson, MD 21204 94-287-A

NATION OF CASE NAMED ASSESSMENT

Louis and Rossegue in Fritz 37 Windowere Parkway Thomas, Maryland 20131

37 Windowere Formay 5/5 Windowere Road, 563° E of c/l Glen Alpise Road 11th Florian Diritiot - 6th Councilments

Flows to whiched that your relation for Abstractivative Ensing Stationer has been assigned the above case names. Stated made with this office reposition the ration of this case whould reference the case names and to discuss to 257-3331. This notice also serves as a referable respecting the abstractative process.

In the present will be peried or or before features 5, 1996. The closing date (federary 22, 1996) is the deathline for a weighter to fill a fermal request for a public hearing. After the closing date, for this per-turbation of the control of the

2) In cases requiring public hearing (neither 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 is a baltimore County sempager. Charges related to the reporting and newspaper obsertining are people by the patitioner(s).

Please be obtained 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 \$60,000 charge.

PLEASE UNDERSTAND THAT ON THE DATK AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MOST OD THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP, MHEN READY, THE ORDER WILL BE FORMA







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287



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

The Office of Planning and Zoning has no comments on the following petition(s):

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.

DATE: January 28, 1994

ZONING COMMISSIONER

Arnold Jablon, Director Zoning Administration and

SUBJECT: Petitions from Zoning Advisory Committee

Prepared by: Officery W Long
Division Chief: Own Keins

94-287-A



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