IN RE: PETITION FOR ADMIN. VARIANCE

NE/Corner Grovehill Road and

Braxfield Road

(1020 Grovehill Road) 13th Election District 1st Councilmanic District

Peter A. Fettig, Sr., et ux

Petitioners

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 97-490-A

*

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance for that property known as 1020 Grovehill Road, located in the vicinity of Selford Road and I-95 in Halethorpe. The Petition was filed by the owners of the property, Peter Alan Fettig, Sr., and his wife, Ann Neubauer Fettig. The Petitioners seek relief from Section 1B01.2.C.1 to permit a side yard setback of 11.5 feet in lieu of the minimum required 25 feet, and a street centerline setback of 41.5 feet in lieu of the required 55 feet, for a proposed one-story, 14' x 24' addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. 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 surrounding community and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide

ORDER RECEIVED FOR FILING

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 Ogy day of May, 1997 that the Petition for Administrative Variance seeking relief from Section 1B01.2.C.1 to permit a side yard setback of 11.5 feet in lieu of the minimum required 25 feet, and a street centerline setback of 41.5 feet in lieu of the required 55 feet, for a proposed one-story, 14' x 24' addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

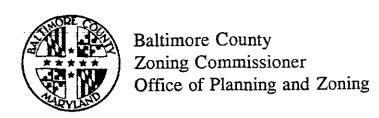
1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

TIMOTHY M. KÓTROCÓ

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs



Suite 112, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-4386

May 29, 1997

Mr. & Mrs. Peter A. Fettig, Sr. 1020 Grovehill Road Baltimore, Maryland 21227

RE: PETITION FOR ADMINISTRATIVE VARIANCE

NE/Corner Grovehill Road and Braxfield Road

(1020 Grovehill Road)

13th Election District - 1st Councilmanic District

Peter A. Fettig, Sr., et ux - Petitioners

Case No. 97-490-A

Dear Mr. & Mrs. Fettig:

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

Very truly yours,

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

cc: People's Counsel

File



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1020 Grovehill Road

which is presently	residentia DR 10-S
tent Management.	DR 10-5

This Petition shall be filed with the Office of Zoning Administration & Developm

The undersigned, legal owner(s) of the property situate 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) their 41.6

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) Require ground floor bathroom and living quarters for elderly parent with arthritis and emphysema. Zoning advises that setback on side of dwelling is variance would allow for a 14' wide addition to run parallel to dwelling. Dwelling is located at end of group and on a corner; therefore, such addition would not be an obstruction to neighbors.

(Addition dimensions: 14'w x 24'l) 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.

			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/Lessee			Legal Owner(s)
(Type or Print Name)	40-91		Peter Alan Fettig, Sr. (Type or Pont Name)
Signature	<u></u>		Signisture Jeffly J
			Ann Neubauer Fettig
Address			(Type or Print Name) Anger Mars harrow Lotten
City Attorney for Petitioner	State	Zipcode	Sagrature (Home & Work)
(Type or Print Name)			1020 Grovehill Rd. 410-242-5691 Address Phone No
			Baltimore, MD 21227
Signature			City State Zipcode Name, Address and phone number of representative to be contacted
Address .	Phone No		Name
City	State	Zpcode	Address Phone No
			

A Public Hearing having been requested and/or found to be required it is ordered by the Zoning Commissioner of Baltimore County this that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation, throughout Baltimore County, and that the property be reposted

on Recycled Paper

Zoning Commissioner of Baltimore County

R.1. DATE: 4.29.97



Affidavit in support of 97-490-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) 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	1020	Grovehill	Road	
That the Atlantico) does do pressur, verse at	address			
		imore	MD State	21227 Zip Code
	City			
That based upon personal knowledge, the followariance at the above address: (indicate hardship or			we base the reque	st for an Administrative
Require ground floor h	pathro	oom and liv	ving quar	ters for
elderly parent with a	thri	tis and em	ohysema.	Zoning advises
that setback on side of	of dw	elling is	15'. A 3	¹' variance
would allow for a 14'				
dwelling. Dwelling is	loca	ated at end	d of grou	p <u>and</u> on a
corner; therefore, suc	h ado	dition wou	ld not be	an obstruction
to neighbors.		•		
(Addition dimensions:	14'w	x 24'1)		
That Affiant(s) acknowledge(s) that if a prote may be required to provide additional informat (signature) Peter Alan Fettig, Sr. (type or print name) STATE OF MARYLAND, COUNTY OF BAL	ion.	ADVIAGO	mm Leu nn Neubau ype or print name)	bauer Felly er Fettig
of Maryland, in and for the County aforesaid, p Potter Q. Fetting &	ersonally:	appeared		_
the Affiants(s) herein, personally known or satthat the matters and facts hereinabove set forth	isfactorily	identified to me as su	ich Affiantt(s), and	made oath in due form of law
AS WITNESS my hand and Notarial Seal.			<i>\psi}</i> ,	
4/15/97		Kare	м Д. У	highest
date *		My Commission	Expires: 11/0	1/98

ZONING DESCRIPTION

97-490-4

Zoning Description for 1020 Grovehill Road

Beginning at a point on the North side of Grovehill Road
which is 60 feet wide at the distance of 41 feet East of
the centerline of the nearest improved intersecting street

Braxfield Road which is 60 feet wide. Being Lot # 17,

Block B, Section 1 in the subdivision of Huntsmoor Village

North, as recorded in Baltimore County Plat Book # 30,

Folio # 8, containing 5,235 square feet. Also known as

1020 Grovehill Road and located in the 13th Election District,

1st Councilmanic District.

035816 04/29/50 02 5 JM R 2736 Dert 5 513 ZONING UERIFTCOLITIN SFO.00 CK P-A-1-D Raltimur County Naryland Office Of Budget & Firmice		CASHIER'S VALIDATION
BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE OFFICE OFF	HECEIVED FETTICO FROM: ON-Adm. Variance FOR JOSO GIROVETIC CD.	DISTRIBUTION WHITE - CASHIER PINK - AGENCY VELLOW - CUSTOMER

CERTIFICATE OPOSTING

E: Case No.: 97-490-A
Petitioner/Developer:
PETE FETTIG
Date of Hearing/Closing: 5-27-97
NAX 1 2 1997 PDM
•
i at 1020 GROVEHILL ROAD
onth, Day, Year)
Sincerely, Calcula Dellace (Signature of Sign Poster and Date) CARLAND E. MOORE (Printed Name) 3225 RYERSONI CINCLE (Address) BACTIMONE, MD. 2127) (City, State, Zip Code) (410) 247-4263



ZONING NOTICE ARIANCE

CASE # 97-490-A

VARIANCE TO ALLOW A SUPEYARD

SETDACK OF 11.5 T. IN LIEU OF THE

LEQUIRED 250" ID PROPERTY LINE

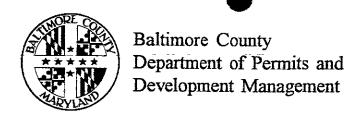
AND TO PERMIT A STREET CENTER

LINE SETBACK OF 41.5 F. IN LIEU

OF THE REQUIRED 55 FT.

PUBLIC HEARING?

PRESENT TO SECTION TO -127(DITL) METHORS COURT COME
AN ELECTRIC TO HEARING CONCERNAME
REQUEST A PURIC HEARING CONCERNAME
THE PROPOSED MARRANCE PROVIDED IT
IS DONE IN THE ZORNING OFFICE SEFORE
4.300 (D.M. ON) -1464(M.S.2.7. (19.9.7.
ADDITIONAL MEDICAL TO SERVEMENT MEDICAL TO SERVEMENT MADERIAL TO SERVEMENT MADERI



Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 12, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-490-A
1020 Grovehill Road

NEC Grovehill Road and Braxfield Road
13th Election District - 1st Councilmanic
Legal Owner(s): Peter Alan Fettig, Sr. and Ann Neubauer Fettig
Post by Date: 05/12/97

Closing Date: 05/27/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

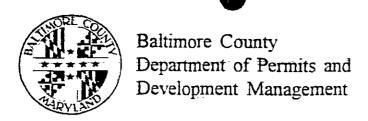
- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE **PROCESS** IS NOT MUST GO THROUGH FINAL REVIEW. ORDERS NOT COMPLETE. THE FILE DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon Director

cc: Peter and Ann Fettig





Development Processing County Office Building
111 West Chesapeake Avenue
Towson, Marviand 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

	ARNOLD JABLON, DIRECTOR
For newspape	r advertising:
Item No.:	490
Petitioner:_	Peter Alan Fettig, Sr. and Ann Neubabuer Fettig
Location:	1020 Grovehill Rd., Baltimore, MD 21227
PLEASE FORWA	RD ADVERTISING BILL TO:
NAME:	Peter Alan Fettig, Sr.
ADDRESS:	1020 Grovehill Road
	Baltimore, MD 21227
PHONE NUMBER	:410-242-5691 (Home & Work)

Printed with Soybean in

AJ:ggs

(Revised 09/24/96)

*PLANNERS FILL IN THE PUSITING AN

CLOSING DATES.

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than _ * 5-12-97

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 97.490 A

VARIANCE TO ALLOW A SIDE Yard setback of 11.5 FT IN USU OF THE REQUIRED 25 FT. To property line AND TO PETEMIT A STREET CENTER UNE SETBACK OF 41.5 FT. IN LIEU OF THE REQUIRED 55 FT.

PUBLIC HEARING?

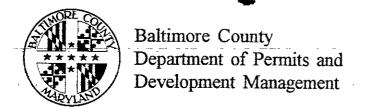
PURSUANT TO SECTION 26-127(b) (1), <u>BALTIMORE COUNTY CODE</u>. AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON

* 5-27-97

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

May 28, 1997

Mr. and Mrs. Peter Fettig 1020 Grovehill Road Baltimore, MD 21227

> RE: Item No.: 490

> > Case No.: 97-490-A

Petitioner: Peter Fettig, et ux

Dear Mr. and Mrs. Fettig:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 29, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

Richardy / W. Carl Richards, Jr. Zoning Supervisor

Attachment(s)



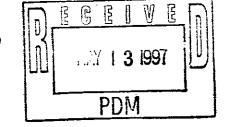
WCR/re

rinted with Soybean in on Recycled Paper



Baltimore County Government Fire Department





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

(410) 887-4500

May 12, 1997

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

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 12. . 997

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Burgau and the domments below are applicable and reduired to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Offlie has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

488, 489, 490, 491, 402, 493, 494, 485, 486, 497, and 499

PEVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



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8 101RHE

BALTIMORE COUNTY, MARYLAN

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Department of Permits and Development Management

DATE: May 8, 1997

FROM: Arnold F. "Pat" Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petitions (s):

Sary L. Keins

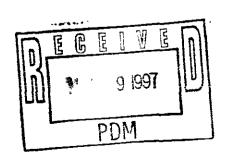
Item Nos. 488, 489, 490, 491, 492, 493, 494, and 499

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3495

Prepared by:

Division Chief: /

AFK/JL



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

PDM

FROM:

R. Bruce Seeley . Posi/y

Permits and Development Review

DEPRM

SUBJECT:

Meeting Date:

Zoning Advisory Committee +h Meeting Date: Man 12 +h

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 493

RBS:sp

BRUCE2/DEPRM/TXTSBP



David L. Winstead Secretary Parker F Williams Administrator

Ms. Roslyn Eubanks Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

Baltimore County 5.9.97 RE:

Item No.

Dear Ms. Eubanks:

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 affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

L. J. Dull Ponald Burns, Chief

Engineering Access Permits

Division

L.G

Notes Written ZONING EMPLOYEE 08-800800 Lot 17 Record (30/8) BLOCK B Appril. by
Plan Ed = 8-12-64

Plan Ed = 8-12-64 sect 1 Hunt's MOOR (Ne prior Jent (25) F= Avq R= 50' 5. des = 15 each

DR10-5.

17EM # 490

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5235:SQ.FT. #490 IS TO CERTIFY that I have located the improvements on the	MARIAN MARIANTAN		•		•	· · · · · · · · · · · · · · · · · · ·

-, -,

Special Hearing Plat to accompany Petition for Zoning X Variance Special Hearing Property Address: 1020 Grovehill Road 2127 see pages 5 & 6 of the CHECKLIST for additional required information zoning: residential DR10-5 LOCATION INFORMATION Zoning Office USE ONLY! SEWER: K WATER: K 5235 square feet 1'*200' scale map#; 56 6 Chesapeake Bay Critical Area; scale: 1'=1000' ITEM #: Councilmanic District: Prior Zoning Hearings: Election District: reviewed by: ス 7-06K-16 3 (0) 089 Treal Real GROVEHILL ROAD 60'R|W 36'+MBC 16'T CONCRETE affached Scale of Drawing: 1'= 40 R 3643.5 ムナンのク 105 71 TC 733.10.20. 733.10.20.1 Subdivision name: Hunts moor plat book# 30,10110# 8,101#11, prepared by: See OWNER: Per North date:___

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From back yard/view of neighbors back yards on each side



97-490-A

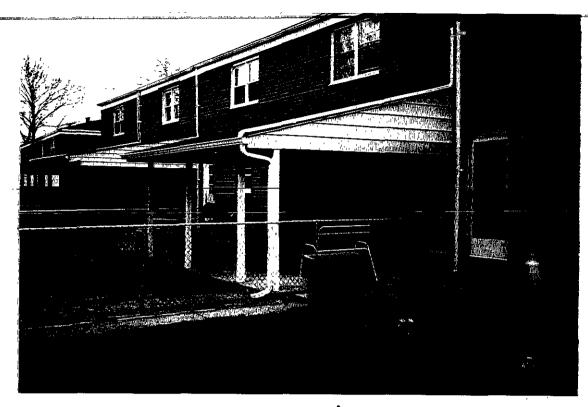
ITE : 490



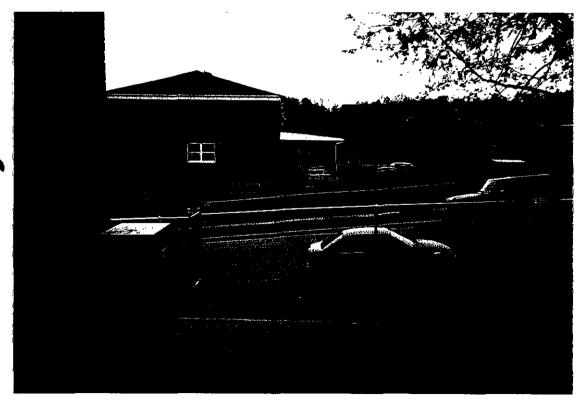
Side view from side (where proposed addition to be built)



Side view from rear

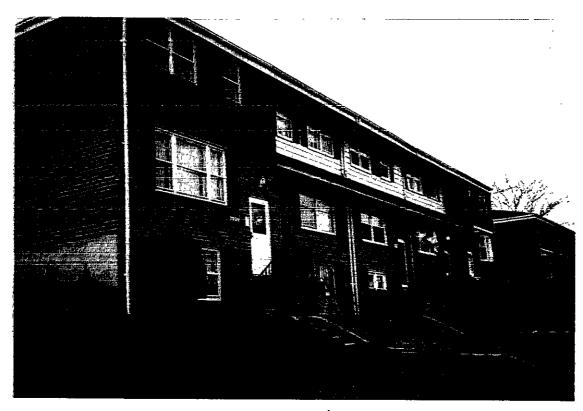


rear view of entire group

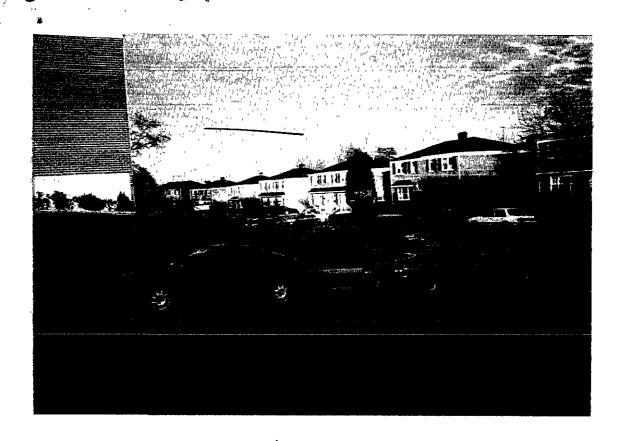


rear view across Braxfield Rd

1020 6 Grovehill Road



Front to right/entire group

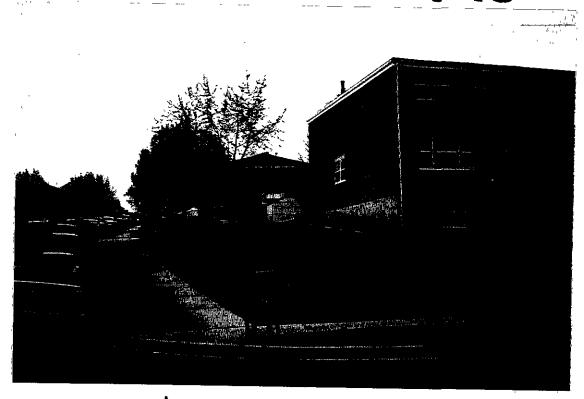


view across street from Front Growhill Rd. 175m # 490 1020 Gracehill

Rd.



Front View 97-490-A



side Front View