

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
S/S of Ritchie Avenue, 70' W		
of centerline of McComas Road	*	DEPUTY ZONING COMMISSIONER
15 th Election District		
7 th Councilmanic District	*	OF BALTIMORE COUNTY
(2921 Ritchie Avenue)		
	*	CASE NO. 00-105-A
Richard & Madeline Alderson		
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Richard and Madeline Alderson. The variance request is for property located at 2921 Ritchie Avenue in the Edgemere/Lodge Forest area of Baltimore County. The Petitioners herein seek a variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a detached accessory structure of 17 ft. in lieu of the required 15 ft. in a D.R.5.5 zone and from Section 101 of the B.C.Z.R. to permit an accessory structure larger than the principle structure. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioners having filed a Petition for Administrative 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 variance 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, photographs, and affidavits submitted provide sufficient facts that comply with the

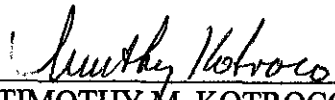
CASES RECEIVED FOR FILING
 11/16/99
 By: R. J. [Signature]

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 Deputy Zoning Commissioner for Baltimore County this 16th day of November, 1999 that a variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a detached accessory structure of 17 ft. in lieu of the required 15 ft. in a D.R.5.5 zone and from Section 101 of the B.C.Z.R. to permit an accessory structure larger than the principle structure, be and is hereby GRANTED, subject, however, to the following restrictions 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.
- 2) The Petitioners or subsequent owners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The structure shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
11/16/99
R. Jameson



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

November 16, 1999

Mr. & Mrs. Richard Alderson
2921 Ritchie Avenue
Baltimore, Maryland 21219

Re: Petition for Administrative Variance
Case No. 00-105-A
Property: 2921 Ritchie Avenue

Dear Mr. & Mrs. Alderson:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed 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 from 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 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2921 RITCHIE AVE
which is presently zoned DR 5-5

This Petition shall be filed with the Department of Permits and Development Management. 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) 400.3 TO PERMIT A DETACHED

ACCESSORY STRUCTURE OF 17 FT. IN LIGW OF THE REQUIRED
15 FT. IN A DR. 5-5. ZONE. AND FROM 101' BCLR, TO PERMIT
AN ACCESSORY STRUCTURE LARGER THAN THE PRINCIPLE STRUCTURE.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

RICHARD ALDERSON
Name - Type or Print

Richard Alderson
Signature

M Madeline Alderson
Name - Type or Print

Madeline Alderson
Signature

2921 RITCHIE AVE 410-477-3593
Address Telephone No.

BALTIMORE MD 21219
City State Zip Code

Representative to be Contacted:

NORMAN ANDERSON SR
Name

2925 SPARROWS POINT RD 410-477-5485
Address Telephone No.

BALTO. MD 21219
City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 11/16/99 day of NOV that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 00-105A

REV 9/15/98

Reviewed By JCM Date 9.9.99

Estimated Posting Date 9.19.99

Affidavit in Support of Administrative Variance

00-015-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 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 2921 RITCHIE AVE
Address
BALTIMORE MD 21219
City State Zip Code

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):

Due to the width of the proposed garage (30') and the ceiling height of 8' - 8", to maintain a roof pitch of 6/12 to conform to the existing residence, it is necessary to exceed the 15' height limit, the proposed height at the peak is 16' - 8".

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

X Richard Alderson
Signature

X RICHARD ALDERSON
Name - Type or Print

X Madeline Alderson
Signature

X Madeline Alderson
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 25 day of May, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Richard Alderson Madeline Alderson
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

5-25-99
Date

James L. Thompson Jr
Notary Public
MY COMMISSION EXPIRES
FEBRUARY 1, 2002
My Commission Expires

Affidavit in Support of Administrative Variance

00-105-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 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 2921 RITCHIE AVE.
Address
BALTIMORE MD 21219
City State Zip Code

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

X Richard Alderson
Signature

X RICHARD ALDERSON
Name - Type or Print

X Madeline Alderson
Signature

X Madeline Alderson
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 28th day of JUNE, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Richard ALDERSON + Madeline Alderson
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

June 28, 1999
Date

James L. Kesting
Notary Public

My Commission Expires MY COMMISSION EXPIRES
FEBRUARY



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 2921 RITCHIE AVE
which is presently zoned DR5-5

This Petition shall be filed with the Department of Permits and Development Management. 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) 400.3 TO PERMIT A DETACHED

ACCESSORY STRUCTURE OF 17 FT. IN LIEU OF THE REQUIRED
15 FT. IN A DR5-5 ZONE AND FROM 101, 1322, TO PERMIT
AN ACCESSORY STRUCTURE LARGER THAN THE EXISTING PRINCIPLE
STRUCTURE.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

RICHARD ALDERSON
Name - Type or Print

* Richard Alderson
Signature

MADELINE ALDERSON
Name - Type or Print

* Madeline Alderson
Signature

2921 RITCHIE AVE 410-477-3593
Address Telephone No.

BALTIMORE MD 21219
City State Zip Code

Representative to be Contacted:

NORMAN ALDERSON SR
Name

2925 SPARROWS POINT RD.
Address

BALTO MD 21219 410-477-5485
City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of , that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 00-105A

Reviewed By JCM Date 9-9-99

Estimated Posting Date 9-19-99

REV 9/15/98

ZONING DESCRIPTION FOR
2921 RITCHIE AVE.
BALTIMORE, MD. 21219

00-105-A

Beginning at a point on the SOUTH side of RITCHIE AVE., which is 40 feet wide at the distance of 70 feet west of the centerline of McCOMAS ROAD, which is 40 feet wide. Being lot # 48 & 49, block F, in the subdivision of CEDARCREST as recorded in Baltimore County Plat Book # 12, Folio # 31, containing 6600 sq. ft. Also known as 2921 Ritchie Ave, and located in the 15th election district, 7th councilmanic district.

105

CERTIFICATE OF POSTING

RE: CASE # 00-105-A
PETITIONER/DEVELOPER:
[Richard Alderson]
DATE OF Closing
[Oct. 4, 1999]

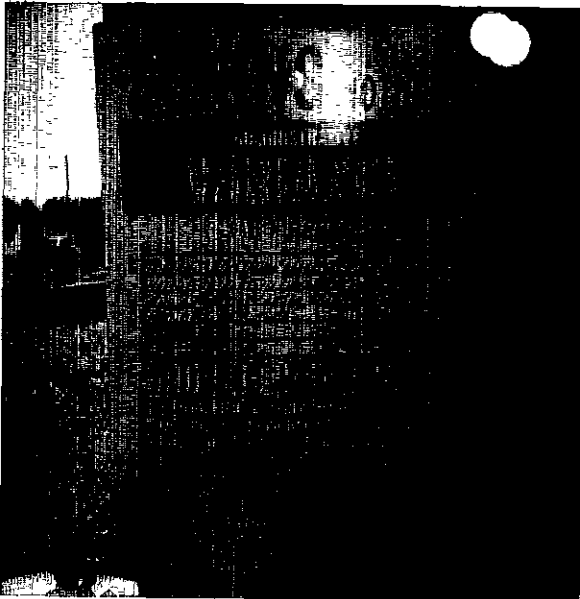
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property located at
2921 Ritchie Ave. Baltimore, Maryland 21219_____

The sign(s) were posted on_____ 9-17-99 _____
[Month, Day, Year]



Sincerely,


[Signature of Sign Poster & Date]

_____ Thomas P. Ogle, Sr. _____

_____ 325 Nicholson Road _____

_____ Baltimore, Maryland 21221 _____

_____ (410)-687-8405 _____
[Telephone Number]



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 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 newspaper advertising:

Item No.: 105

Petitioner: RICHARD & MADELINE ALDERSON

Location: 2921 RITCHIE AVE

PLEASE FORWARD ADVERTISING BILL TO:

NAME: RICHARD ALDERSON

ADDRESS: 2921 RITCHIE AVE

BALTIMORE, MD 21219

PHONE NUMBER: 410-477-3593

AJ:ggs

(Revised 09/24/96)

Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

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

Subdivision name: _____

plat book# _____, folio# _____, lot# _____, section# _____

OWNER: _____



Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200' scale map#: _____

Zoning: _____

Lot size: _____
 acreage square feet

	public	private
SEWER:	☐	☐
WATER:	☐	☐

Chesapeake Bay Critical Area: ☐ yes ☐ no

Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____



North

date: _____

prepared by: _____

Scale of Drawing: 1"= _____

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 105 -A Address 2921 Ritchie Ave.

Contact Person: J. Mennery Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 9.9.99 Posting Date: 9.19.99 Closing Date: 10.4.99

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He 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 of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing 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.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 00- 105 -A Address 2921 Ritchie Ave.

Petitioner's Name RICHARD ALDERSON Telephone (410) 477-3593

Posting Date: 9.19.99 Closing Date: 10.4.99
A VARIANCE

Wording for Sign: To Permit A DETACHED ACCESSORY STRUCTURE WITH
A HT. of 17ft. in lieu of the permitted 15ft.
AND A FOOTPRINT LARGER THAN ^{THAT OF} THE PRINCIPAL
STRUCTURE.



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

October 16, 1999

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1101
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRICTION MEETING OF October 12, 1999

Item No.: See Below

Dear Ms. Stephens:

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.

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

101, 102, 103, 104, 105, 106, 108, 109, 110, 111, 112
114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124
125, 126, 127, 128 and 129

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 227-4861, MS-1101F

cc: File

Come visit the County's Website at www.co.ba.md.us



AV

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

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

Date: October 7, 1999

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

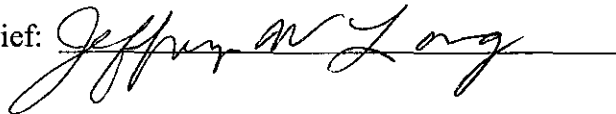
SUBJECT: Zoning Advisory Petitions

ITEM NO. 105

The Office of Planning supports the applicant's request subject to the following condition: The petitioners or subsequent owners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The structure shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:



AFK/JL

00-105-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

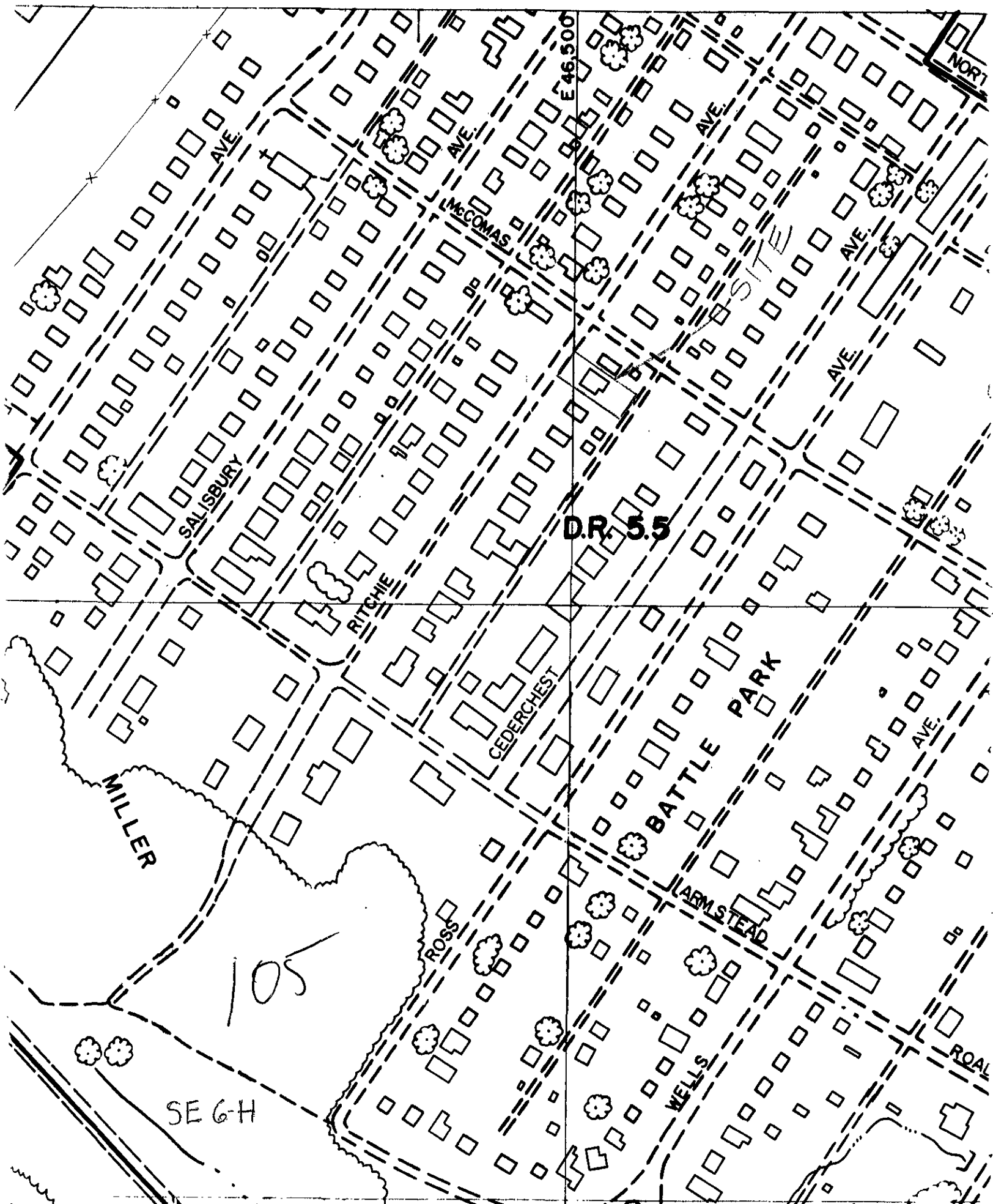
We, the undersigned, live next door to Mr. and Mrs. Richard Alderson.

We understand that the Alderson's have applied for an administrative variance to construct a garage with a maximum height of 16'-8" at the peak. We further understand that the maximum height permitted without a variance is 15'-0".

We have no objections to a height of 16'-8" at the peak

- 1) Beatrice Y. Ramage 7-16-99
SIGNATURE DATE
- 2) [Signature] 7-16-99
SIGNATURE DATE
- 1) 2923 Ritchie Ave Balto, MD 21219
ADDRESS
- 2) 2919 Ritchie Ave. Balto, MD 21219
ADDRESS

105



Subject Property

2921 Ritchie Ave.

00-105-A



FRONT



FRONT Looking North

105

2921 RITCHIE AVE

00-105-A



FRONT LOOKING SOUTH



REAR OF LOT

SUBJECT
PROP.

105

2921 RITCHIE AVE.

00-105-A



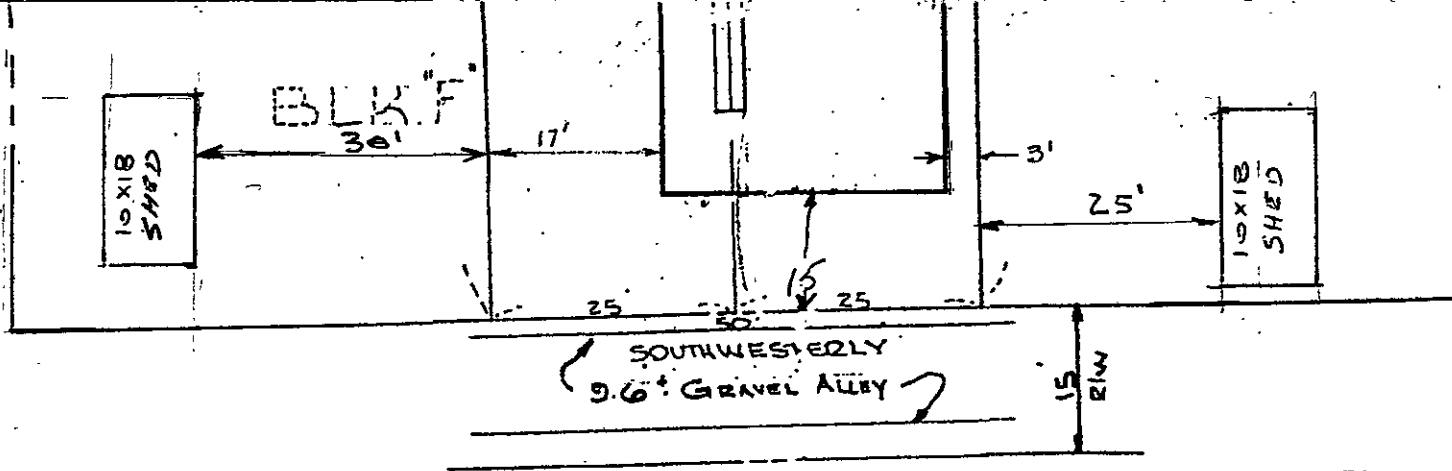
ALLEY LOOKING SOUTH



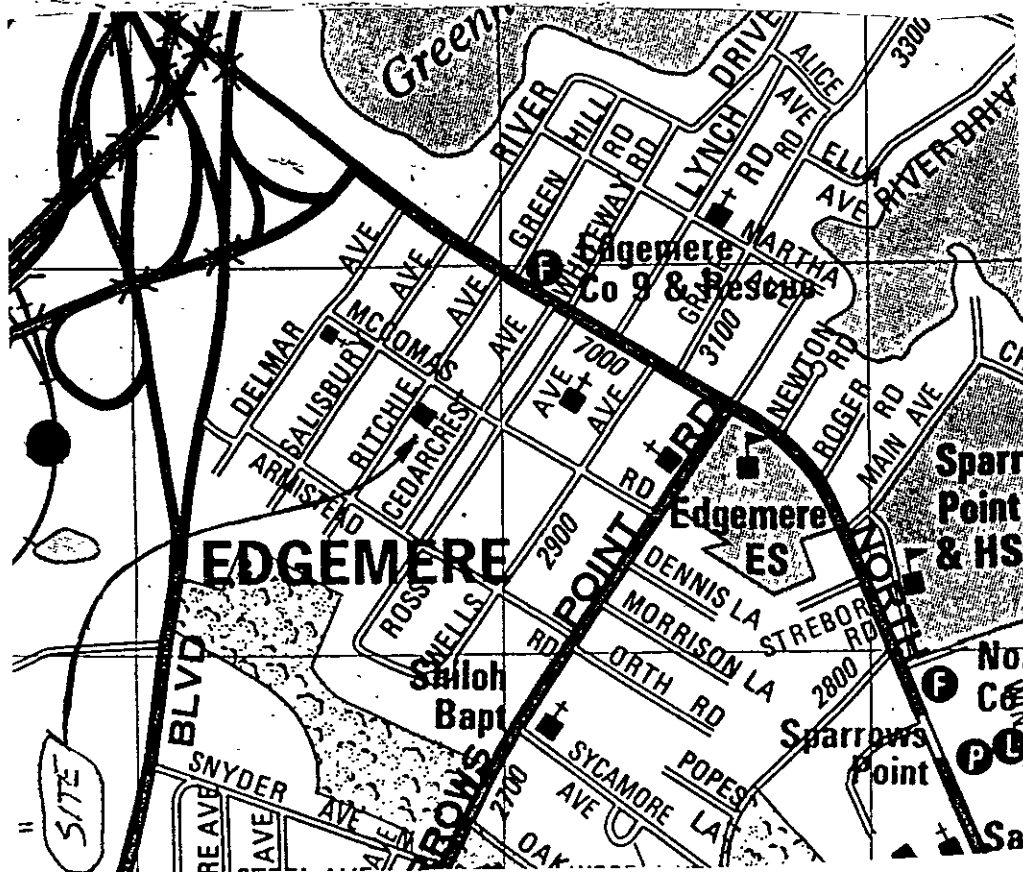
ALLEY LOOKING NORTH

105

SUBJECT
PROP.



SCALE: 1" = 20'



VICINITY MAP

1" = 1000'

PLAT TO ACCOMPANY PETITION
FOR ZONING VARIANCE AND BUILDING PERMIT

ADDRESS: 2921 Ritchie Ave.

SUBDIVISION: Cedar Crest

Plat Book 12, Folio 31, Lots 48 & 49, Block F

OWNER: Alderson, Richard and Madeline

2921 Ritchie Ave.

Balto. MD 21219

ELECTION DIST 15, COUNCIL. DIST. 7

1" = 200' Scale Map #SE-6H

ZONING: DR-5.5

LOT SIZE: 6600 S. F., 0.1515 Ac.

Public sewer and water exist on site

Site is not in the CBCA

No prior zoning hearings

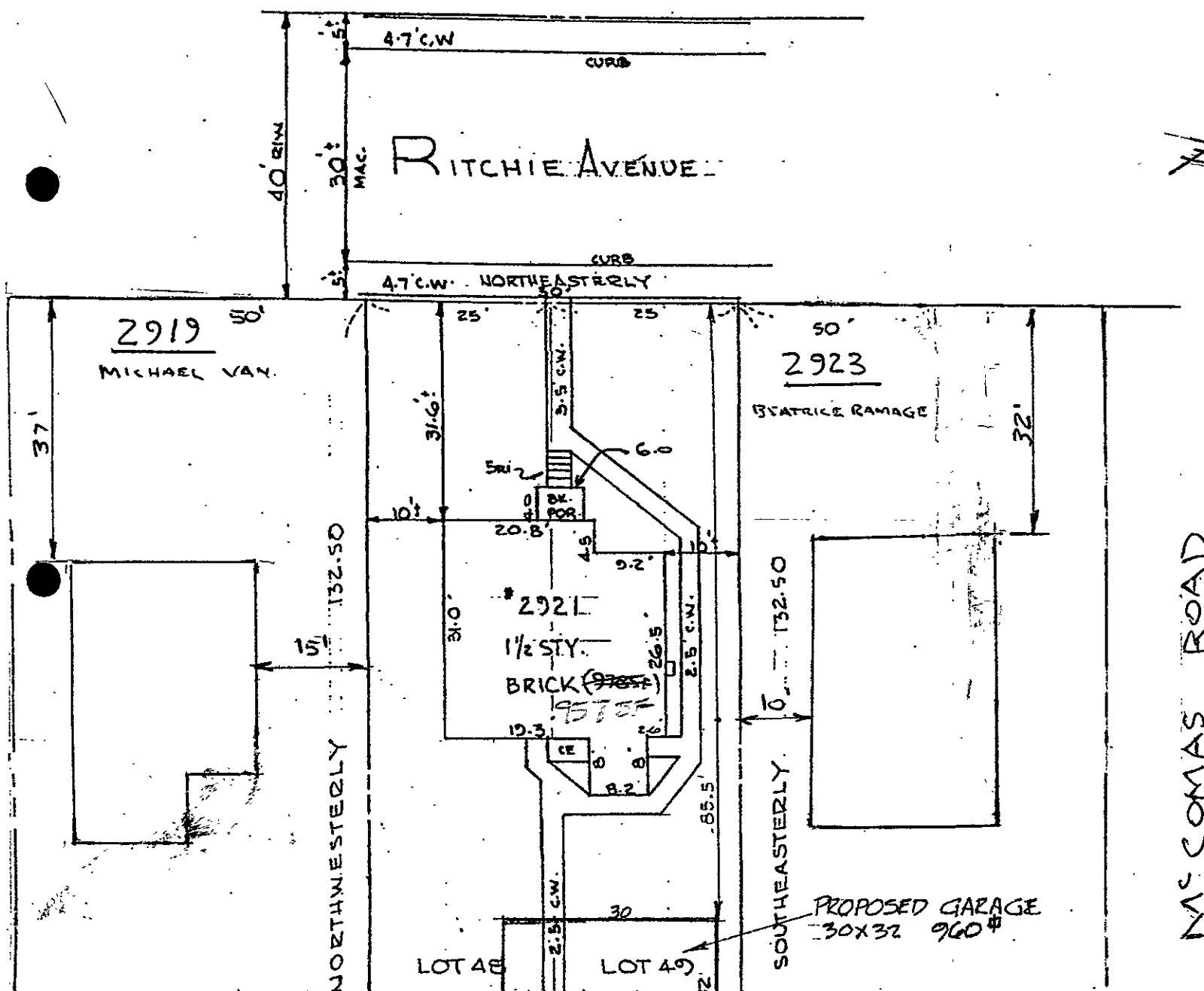
DATE: June 14, 1999

by: a. d. mcClelland 25 waterview rd. balto. 21222 410-477-9136

REVISED 7-20-99

105

Plat showing property known as # 2921 Ritchie Avenue, Baltimore County, Maryland. Also being known as Lot 48 and 49, Block F, as shown on a Plat entitled "Second Revised Plat Of Cedarcrest", which Plat is recorded among the Land Records of Baltimore County in Plat Book 12 folio 31.



NASCOMAS ROAD

00-105-A

PET. EX. #1



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

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

00-105-14

SCALE
1" = 200' ±
DATE
PHOTOGRAPHY
JANUARY
1986
EDGIE, IMMER, E.
LODGE, INC. FOR THE
COUNTY