

IN RE: PETITION FOR ADMIN. VARIANCE

S/S Caledonia Avenue, 248' W
of centerline of Kessler Court
13th Election District
1st Councilmanic District
(415 Caledonia Avenue)

Edward & Gail Ridgely
Petitioners

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

OF BALTIMORE COUNTY

*

CASE NO. 00-168-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Edward & Gail Ridgely, property owners, for that property known as 415 Caledonia Avenue in the Baltimore Highlands area of Baltimore County. The Petitioners herein seek a variance from Sections 1B02.3.B (214.1.b, 1955 Regs) and 301 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a front yard setback of 16 ½ ft. for an open deck in lieu of the minimum required 18 ¾ ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for 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 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.

11/19/99
R. J. [Signature]
B. [Signature]

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 17th day of November, 1999 that a variance from Sections 1B02.3.B (214.1.b, 1955 Regs.) and 301 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a front yard setback of 16 ½ ft. for an open deck in lieu of the minimum required 18 ¾ ft, be and is hereby GRANTED, subject, however, to the following restriction which is a condition 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, Petitioner is 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.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 11/17/99
By R. J. Jenson



Baltimore County
Zoning Commissioner

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

November 17, 1999

Mr. & Mrs. Edward Ridgely
415 Caledonia Avenue
Baltimore, Maryland 21227

Re: Petition for Administrative Variance
Case No. 00-168-A
Property: 415 Caledonia Avenue

Dear Mr. & Mrs. Ridgely:

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

Affidavit in Support of 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

415 CALEDONIA AVE

Address

BALTIMORE M.D.

City

State

21227

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):

I purchased this residence with an existing 8 1/2' x 10' open deck and roof as seen in the enclosed photographs. One of the most appealing features of the house was having a deck right off my kitchen (Front of house) where I could watch the stove and my children at the same time play on the deck as well as watch from the front of my house while they played at the elementary school across Caledonia Avenue. Our front deck offers a northern exposure which completely blocks overhead sun all of the warm spring, summer and fall months. To rebuild our deck at only 6' 3" wouldn't offer much room, that is why I Sincerely wish my petition would be granted.

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.

Edward Ridgely

Signature

EDWARD RIDGELY

Name - Type or Print

Gail Ridgely

Signature

GAIL RIDGELY

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 19 day of Oct, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MARYLAND

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

Date

10/19/99

Notary Public

Susan B. Donley

Susan B. Donley, Notary Public Commission Expires

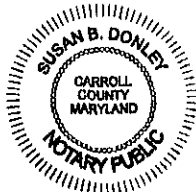
Carroll County

State of Maryland

My Commission Expires Feb. 1, 2003

2-1-3

REV 09/15/98





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 415 CALEDONIA AVE
which is presently zoned DR-10.5

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) 1B02.3.B (214.1.6, 1453 Regs), 301.6
To allow a front yard setback of 16 1/2 ft for an open deck in lieu of
the minimum required 18 3/4 ft.

as watch from the front of my house while they played at the elementary school across Caledonia Avenue.
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):

EDWARD RIDGELY
Name - Type or Print _____
Signature Edward Ridgely
GAIL RIDGELY
Name - Type or Print _____
Signature Gail Ridgely
HM (410) 247-9151
415 CALEDONIA AVE WK (410) 910-7561
Address _____ Telephone No. _____
BALTIMORE MD. 21227
City _____ State _____ Zip Code _____

Representative to be Contacted:

GARY BLACK % DELEV CONSTRUCTION
Name _____ OFF (410) 788-5399
21 CHRYSLER PLACE CEL (410) 324-5861
Address _____ Telephone No. _____
CATONSVILLE MD. 21229
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. 00-168-A

REV 9/15/98

Reviewed By [Signature] Date 10-22-99

Estimated Posting Date 10-31-99

ZONING DESCRIPTION FOR 415 CALEDONIA AVENUE

Beginning at a point on the south side of

Caledonia Avenue which is 60 feet

wide at the distance of 248 feet west of the

centerline of the nearest improved intersecting street of Kessler Court

which is 72 feet wide. Being Lot # 8,

Block 7, Section # in the subdivision of Riverview

as recorded in Baltimore County Plat Book # GLB23, Folio 102,

containing 1,596 square feet. Also know as 415 Caledonia Avenue

and located in the 13th Election District, 1st Councilmanic District.

00-168-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Case No. 00-168-4
073235

DATE 10-22-99 ACCOUNT R-001-6150

AMOUNT \$ 50.00

RECEIVED FROM: Deper Construction Co, Inc

FOR: Residential Services Filing Fee
at # 415 Calvernia Ave,

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

DATE RECEIVED
FILED RECEIPT
PRECEDENT ACTION IN
10/22/1999 10/22/1999 10/22/1999
PLR 1500 CASHIER DSG EAC LKAC
DEPT 5 528 JOURNAL VERIFICATION
PAGE OF 1003
OR # 073235
RECEIVED DEPT 528
10/22/99 10/22/99
Baltimore County, Maryland

CASHIER'S VALIDATION

ZONING NOTICE

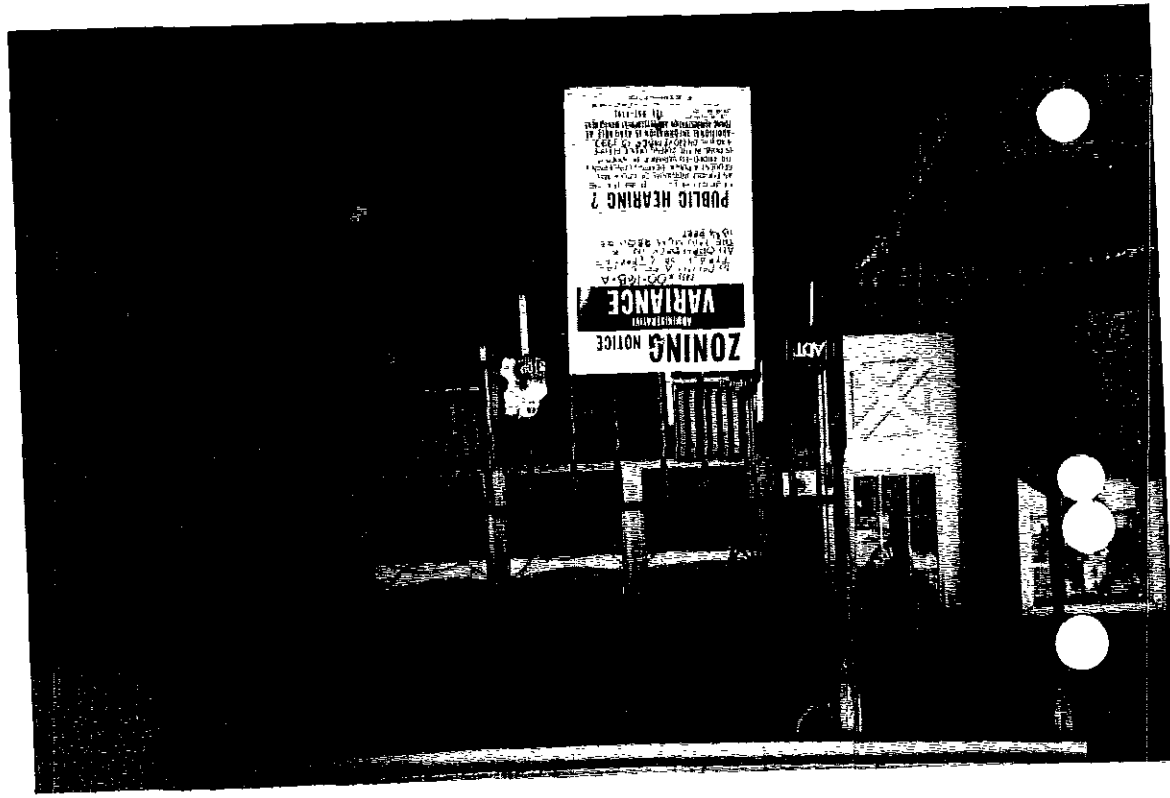
ADMINISTRATIVE VARIANCE

CASE # 00-168-1
 TO PERMIT A FRONT Y. 2
 SETBACK OF 16 1/2 FEET 2
 AN OPEN DECK 10' LIE 2
 THE MINIMUM REQUL 2
 16 1/2 FEET 2

PUBLIC HEARING ?

NOTICE: IN ORDER TO OBTAIN A VARIANCE, AN APPLICANT MUST FIRST REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE. PROVIDED IT IS DONE IN THE ZONING OFFICE BEFORE 4:00 P.M. ON NOVEMBER 15, 1999. THE PUBLIC HEARING IS HELD IN THE ZONING OFFICE, 100 N. 1ST STREET, SUITE 101, CHICAGO, IL 60602. FOR MORE INFORMATION, CALL 312-443-1100.

ZONING NOTICE
 ADMINISTRATIVE VARIANCE
 CASE # 00-168-1
 TO PERMIT A FRONT Y. 2
 SETBACK OF 16 1/2 FEET 2
 AN OPEN DECK 10' LIE 2
 THE MINIMUM REQUL 2
 16 1/2 FEET 2
 PUBLIC HEARING ?



CERTIFICATE OF POSTING

RE: Case No.: 00-168-A

Petitioner/Developer: _____

EDWARD & GAIL RIDGELY

Date of Hearing/Closing: 11-15-99

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 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 _____

415 CALLEDONIA AVE.

The sign(s) were posted on OCT. 29, 1999
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: #00-168-A
Petitioner: EDWARD & GAIL RIDGELY
Address or Location: 415 CALEDONIA AVENUE

PLEASE FORWARD ADVERTISING BILL TO:

Name: EDWARD & GAIL RIDGELY
Address: 415 CALEDONIA AVENUE
BALTIMORE, MD. 21227
Telephone Number: (410) 247-9151

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 00- 168 -AAddress 415 Caledonia Ave.Contact Person: John Sullivan
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 10-22-99Posting Date: 10-31-99Closing Date: 11-15-99

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 FORMATCase Number 00- 168 -AAddress 415 Caledonia Ave.Petitioner's Name Edward & Gail RidgelyTelephone (410) 247-9151 - Home
910-1561 - BUSPosting Date: 10-31-99Closing Date: 11-15-99

Wording for Sign: To Permit a front yard setback of 16'12" in lieu of an open deck in lieu of the minimum required 18 3/4 ft.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

November 16, 1999

Mr. Edward Ridgely
415 Caledonia Avenue
Baltimore, MD 21227

Dear Mr. Ridgely:

RE: 00-168-A , 415 Caledonia Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on .

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." followed by a stylized flourish.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:rsj

Enclosure



11/15/99 → PV
Granted 11/17/99

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: November 8, 1999

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

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):
Item No(s): 168 and 182

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:

Jeffrey W. Long

AFK/JL

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 415 CALEDONIA AVENUE

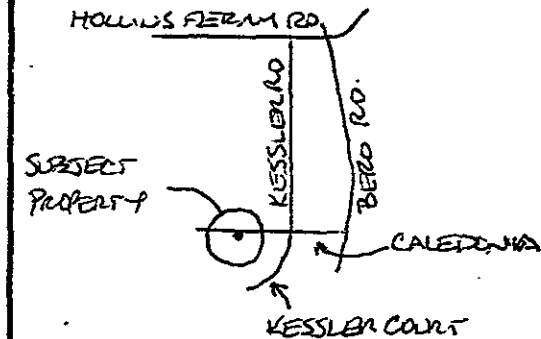
see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: RIVERVIEW

plat book # 23, folio # 102, lot # 8, section # block 7

OWNER: EDWARD & GAIL RIDGELY

ACCORDING TO DEED REF 7/33/84 & PLAT REF 23/102
THERE ARE NO OTHER EASEMENTS FROM CALEDONIA
AVE BUT A 30' FROM CENTRALMS.



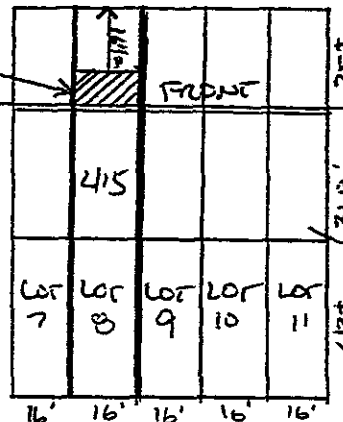
Vicinity Map
scale: 1"=1000'

CALEDONIA AVENUE

248' to E of Kessler
ct.

PROPOSED DECK
WITH ROOF BOTH
8.5' X 16'
= 16 1/2' front setback

LOTS
5,6
EMPTY



25' SETBACK
LINE

2 STORY
BRICK + FRAME
ROW DWELLINGS

10' DRAINAGE
EASEMENT



North
date: 10/21/99
prepared by: GLB

Scale of Drawing: 1"= 50'

LOCATION INFORMATION

Election District: 13

Councilmanic District: 1

1"=200' scale map #: SW6-B

Zoning: DR 10.5

Lot size: .0366 acreage 1596 square feet

SEWER: ☒ public ☐ private

WATER: ☒ public ☐ private

Chesapeake Bay Critical Area: ☐ yes ☒ no

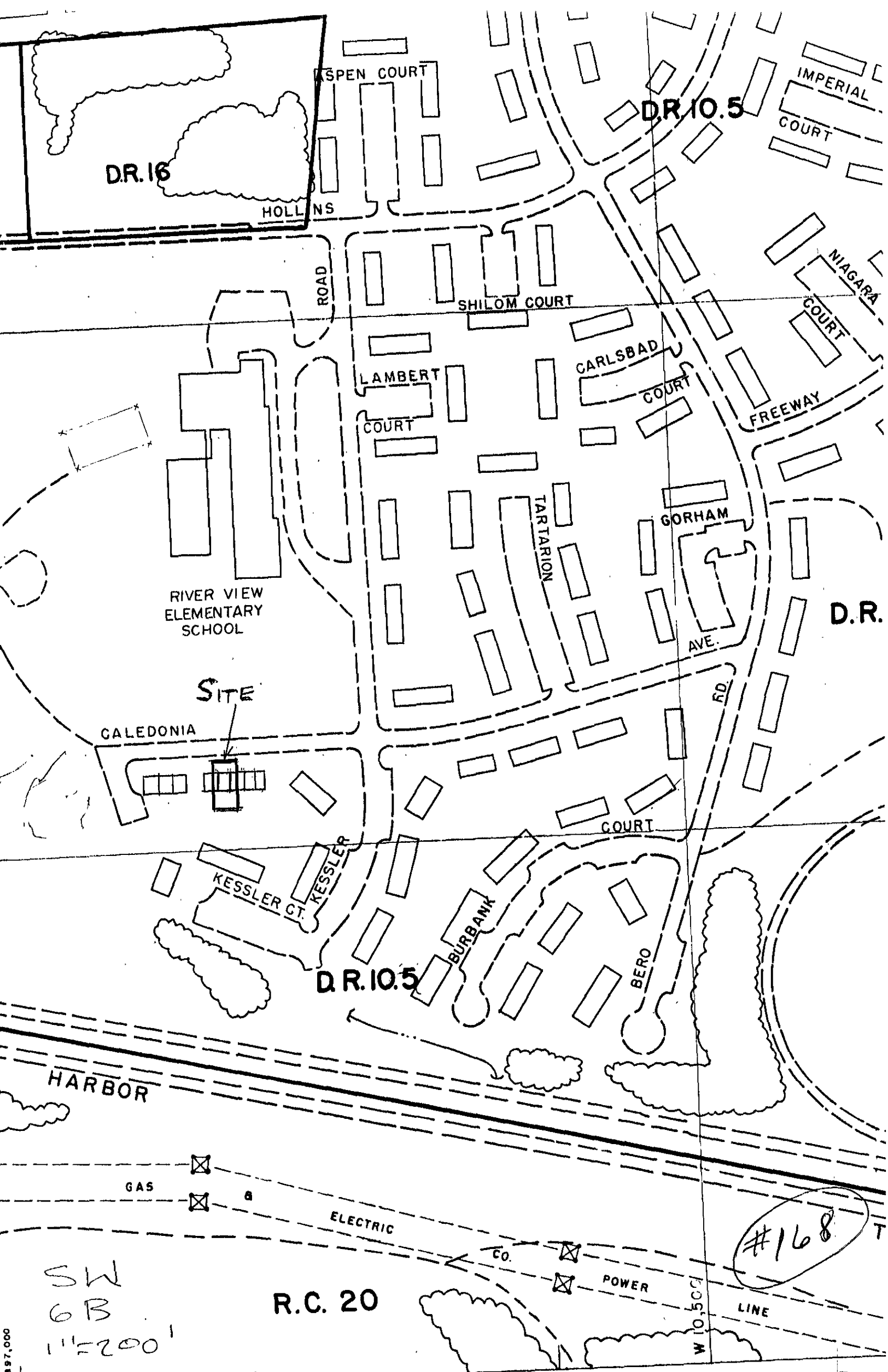
Prior Zoning Hearings:

NONE

Zoning Office USE ONLY!

reviewed by: [Signature] ITEM #: 168 CASE #:

PET. EX. #1

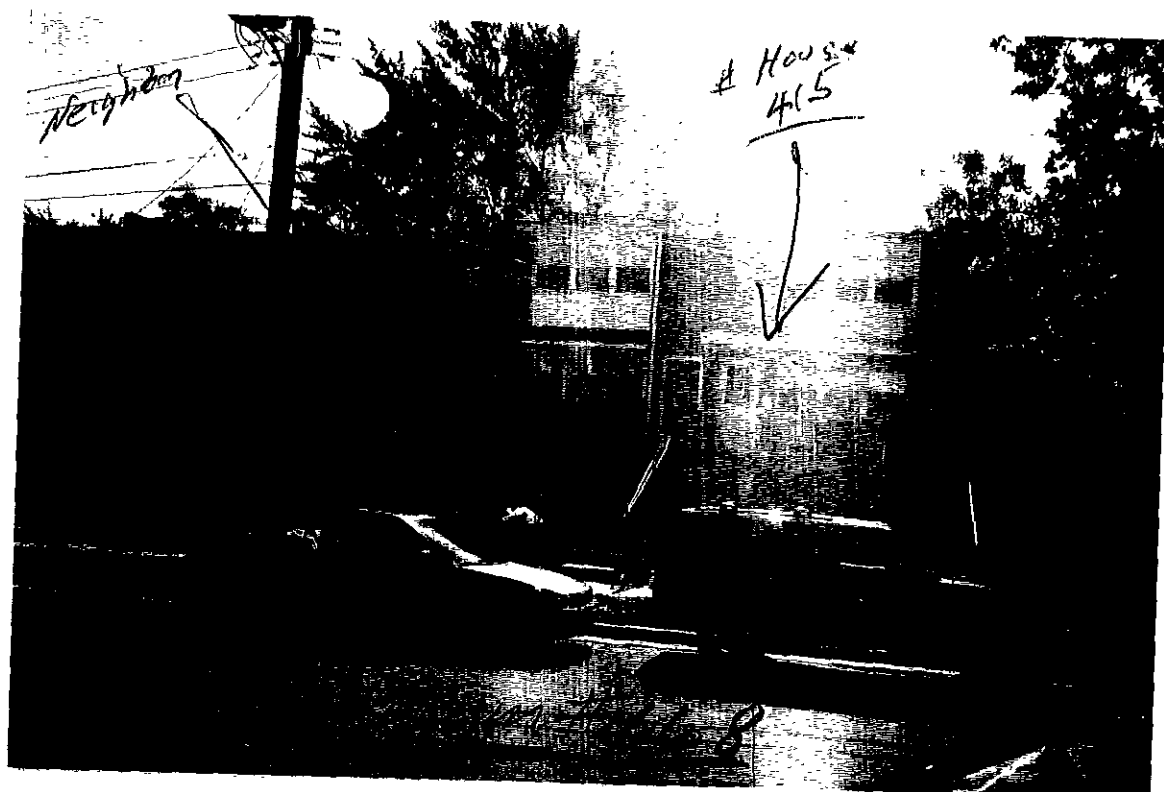


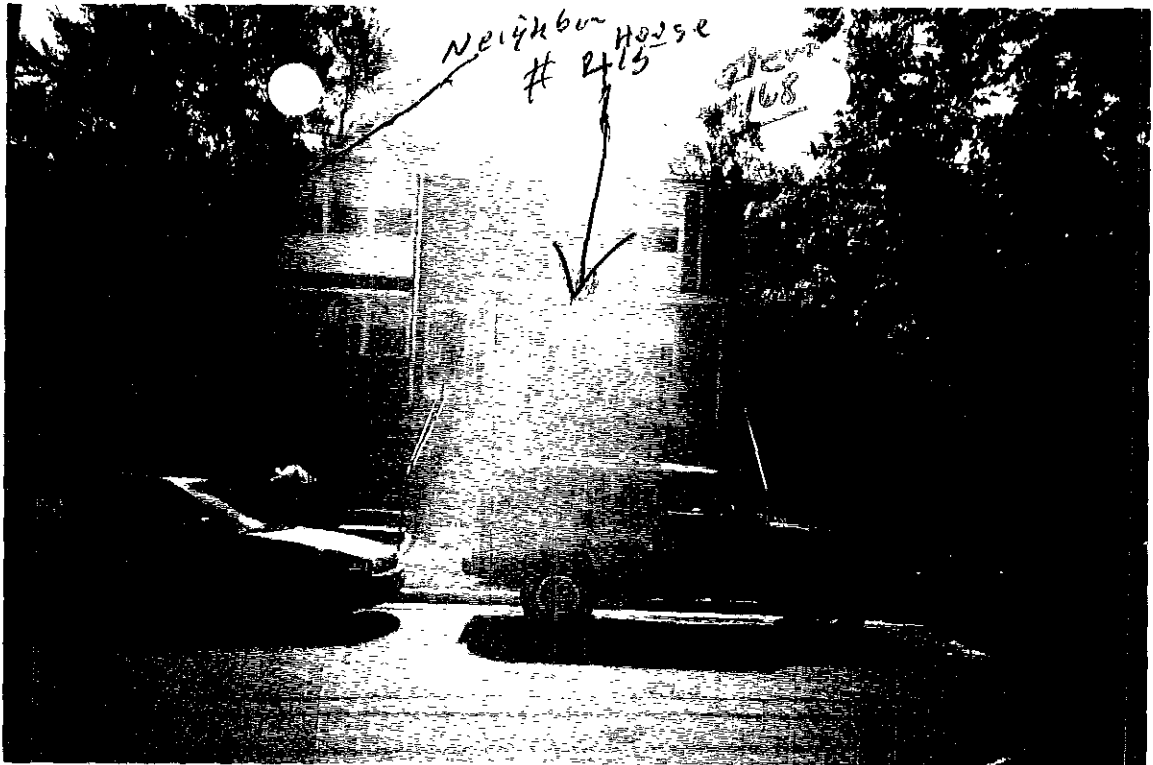
E 897,000

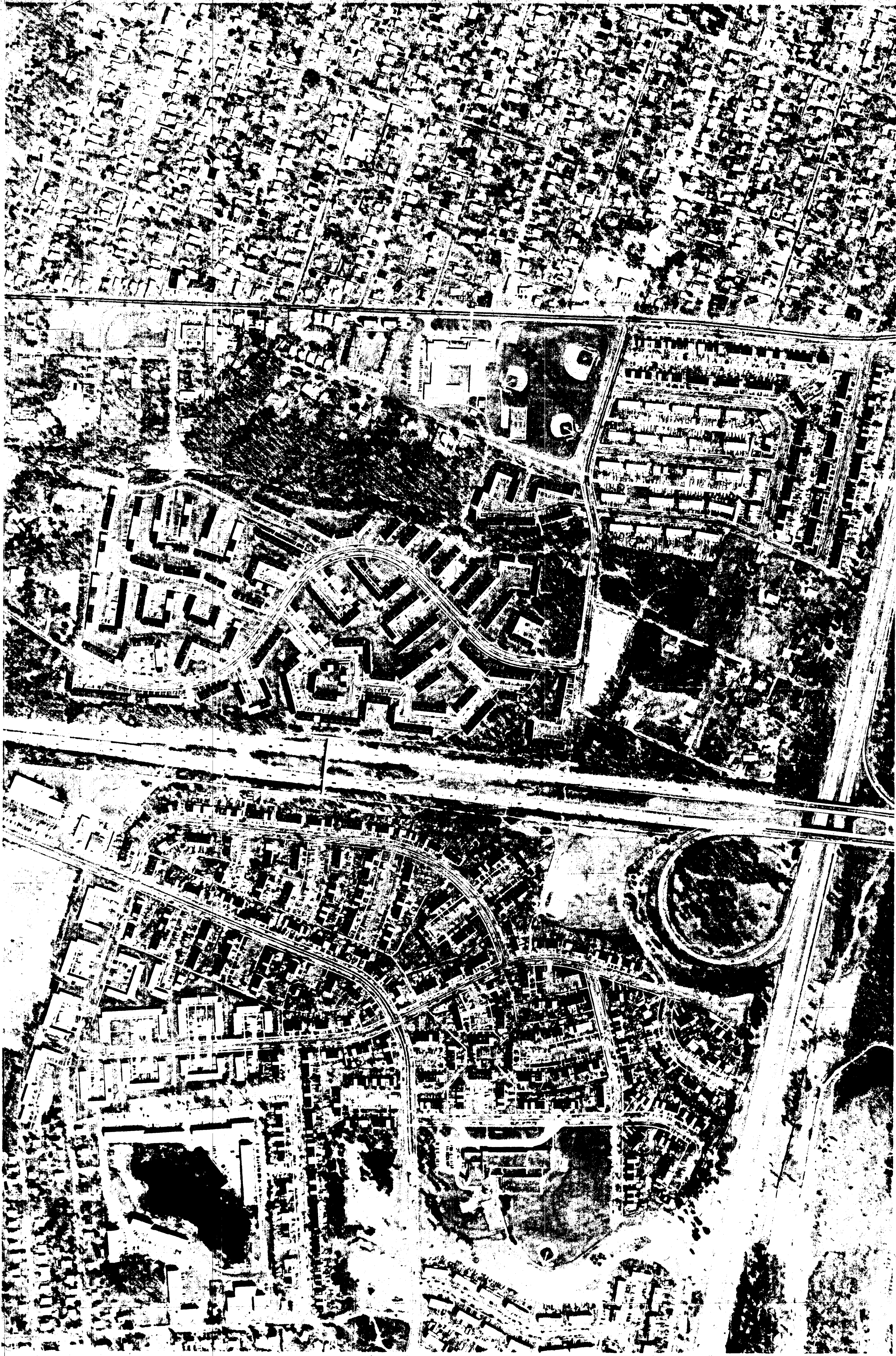
SE
NE

SW
6B
1"=200'

00-168-A







BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200' ±

LOCATION
MONUMENTAL
BALTIMORE
HIGHLANDS

DATE
OF
PHOTOGRAPHY
JANUARY
1986

SHEET
00-168-A
SW
6-B