

IN RE: PETITION FOR VARIANCE
E/S Ridge Road, 120' +/- NW of
centerline Bennerton Road
14th Election District
6th Councilmanic District
(4544 Ridge Road)

Keith R & Elizabeth A. Slater
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 00-263-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Keith and Elizabeth Slater. The Petitioners are requesting a variance for property they own at 4544 Ridge Road, located in the Fullerton area of Baltimore County. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an accessory structure (a shed) to be located in the front yard in lieu of the required rear yard.

Appearing at the hearing on behalf of the variance request were Keith and Elizabeth Slater, the property owners. There were no other citizens in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.415 acres, more or less, zoned D.R.3.5. The subject property is improved with an existing single family dwelling. Recently, Mr. Slater constructed a 12 ft. x 10 ft. shed which is located in his front yard at the end of his paved parking pad. The Slaters positioned the shed at this location due to the sloping rear yard and the existence of a flood zone behind their home. The present location of the shed was the only practical place to situate the accessory structure so that it may be easily accessible by the Slaters. The Petitioners discussed the location of the shed with 7 of their immediate neighbors, all of whom had no objection to their request

2/1/00
J. R. Slater
Elizabeth A. Slater

and approved of the location of the shed. Therefore, having considered the testimony and evidence offered at the hearing and the support of the Petitioners' neighbors, I shall approve the variance and allow the shed to be located in the front yard.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioners' variance request should be granted.

FILED
2/1/2000
R. J. JAMESON

THEREFORE, IT IS ORDERED this 1st day of February, 2000, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an accessory structure (a shed) to be located in the front yard in lieu of the required rear yard, 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, 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.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

RECEIVED
2/1/2000
R. J. JAMESON



Baltimore County
Zoning Commissioner

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

February 1, 2000

Mr. & Mrs. Keith R. Slater
4544 Ridge Road
Baltimore, Maryland 21236

Re: Petition for Variance
Case No. 00-263-A
Property: 4544 Ridge Road

Dear Mr. & Mrs. Slater:

Enclosed please find the decision rendered in the above-captioned case. The Petition for 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 Department of Permits and Development Management. 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 Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4544 Ridge Rd
which is presently zoned DR-3.5

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) 400.1 To allow an accessory structure (shed) in the front yard in lieu of the required rear yard.

- * of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) The majority of my yard is in a flood zone. The rest of my yard is so uneven that I cannot put my shed anywhere. The only logical spot for me to put my shed was in my driveway.

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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1.00 hr

UNAVAILABLE FOR HEARING
Reviewed By [Signature] Date 12-20-99

Case No. 00-263-A

Zoning Description for 4544 Ridge Rd.

Beginning at a point on the north side of Ridge which is 40' wide at the distance of 120' north-west of the center line of the nearest improved intersecting Street, Bennerston Rd. which is 29' wide.

Thence the following courses and distances:
Westerly along the northern right of way of Ridge Rd. a distance of 112 ft., then North Easterly 159.3 ft. Thence South Easterly 113 ft. Then South westerly 164.5 ft. back to the point of beginning. Being .415 AC in the 14th EA., 6th CD.

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #00-263-A
4544 Ridge Road, 120'
E/S Ridge Road, 120'
+/- NW of centerline
Bennett Road
14th Election District
8th Councilmanic District
Legal Owner(s):
Elizabeth Ann Slater &
Keith Ryan Slater

Variance: to allow an accessory structure (shed) to be located in the front yard in lieu of the required rear yard.

Hearing: Friday, January 28, 2000 at 9:00 a.m. in Room 407 County Courts Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations. Please Contact the Zoning Commissioner's Office at (410) 867-4986.

(2) For information concerning the file and/or hearing, contact the Zoning Hearing Office at (410) 867-8381.

1/138 January 13 6363435

CERTIFICATE OF PUBLICATION

TOWSON, MD, 1-13, 2000

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1-13, 2000.

THE JEFFERSONIAN,
S. Williams

LEGAL ADVERTISING

RECEIVED JAN 14 2000

TIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Item No. **075704**
263

DATE 12-20-99 ACCOUNT R-001-60150
 AMOUNT \$ 50.00

RECEIVED FROM: Mr. Keith Slater
 FOR: Rounded Varies T.ington
at 45 Mt Ridge Rd (21536)

DISTRIBUTION
 WHITE - CASHIER
 PINK - AGENCY
 YELLOW - CUSTOMER

PAID RECEIPT
 PROCESS ACTION TIME
 12/20/1999 12/20/199 10:25:47
 REF 4803 CASHIER PAID PER MONITOR
 Dept 5 500 ZONING CERTIFICATION
 Receipt # 107324
 CR NO. 075704
 Receipt Tot 50.00
 50.00 CR
 Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: CASE #00-263-A
PETITIONER/DEVELOPER
[Keith Ryan Slater]
DATE OF Hearing
[Jan 28, 2000]

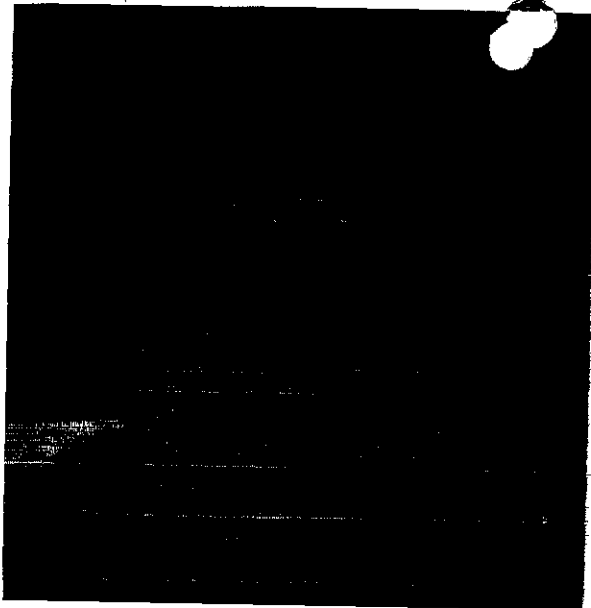
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

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
4544 Ridge Road Baltimore, Maryland 21236_____

The sign(s) were posted on_____ 1-13-00 _____
[Month, Day, Year]



Sincerely,

Thomas P. Ogle, Sr. 1/13/00
(Signature of Sign Poster & Date)

_____ Thomas P. Ogle, Sr. _____

_____ 325 Nicholson Road _____

_____ Baltimore, Maryland 21221 _____

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

RE: PETITION FOR VARIANCE
4544 Ridge Road, E/S Ridge Rd,
120' +/- NW of c/l Bennerton Rd
14th Election District, 6th Councilmanic

Legal Owner: Keith R. & Elizabeth A. Slater
Petitioner(s)

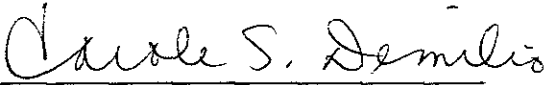
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-263-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of January, 2000 a copy of the foregoing Entry of Appearance was mailed to Keith R. & Elizabeth A. Slater, 4544 Ridge Road, Baltimore, MD 21236, Petitioners.


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

January 4, 2000

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-263-A

4544 Ridge Road

E/S Ridge Road, 120' +/- NW of centerline Bennerton Road

14th Election District – 6th Councilmanic District

Legal Owner: Elizabeth Ann Slater & Keith Ryan Slater

Variance to allow an accessory structure (shed) to be located in the front yard in lieu of the required rear yard.

HEARING: Friday, January 28, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon", with a small "SJ" monogram to the right.

Arnold Jablon
Director

c: Elizabeth & Keith Slater, 4544 Ridge Road, Baltimore 21236

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JANUARY 13, 2000.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**



TO: PATUXENT PUBLISHING COMPANY
Thursday, January 13, 2000 Issue – Jeffersonian

Please forward billing to:

Keith Slater 410-665-8258
4544 Ridge Road
Baltimore, MD 21236

NOTICE OF ZONING HEARING

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4544 Ridge Road
E/S Ridge Road, 120' +/- NW of centerline Bennerton Road
14th Election District – 6th Councilmanic District
Legal Owner: Elizabeth Ann Slater & Keith Ryan Slater

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HEARING: Friday, January 28, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt 54

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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: 00-263-A

Petitioner: Keith Slater

Address or Location: 4544 Ridge Rd, Balt, Md 21236

PLEASE FORWARD ADVERTISING BILL TO:

Name: Keith Slater

Address: 4544 Ridge Rd
Balt, Md 21236

Telephone Number: 410-665-8258

Revised 2/20/98 - SCJ

1/28/00

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: January 20, 2000

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

RECEIVED JAN 24 2000

SUBJECT: Zoning Advisory Committee Meeting
for January 17, 2000
Item Nos. 262, 263, 264, 269, 270
and CR 99-411 (Vandermaast Property)

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comment.

RWB:HJO:cab

cc: File

ZAC01170.NOC



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

January 21, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JANUARY 10, 2000

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.

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

262, 263, 266, 270, 271,

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File



*Seni
1/98*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: January 14, 2000

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): 263

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 M. Long*

AFK/JL



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 1-6-00

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

RE: Baltimore County
Item No. 263 JJS

RECEIVED JAN 10 2000

Dear Ms Stephens:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Ken
Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

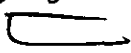
My telephone number is _____

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
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

We, Residents of Ridge Rd., have no objections
to the Shed that Mr. Staten built on his front
yard at 4544 Ridge Rd.

Dorothy Heikman
4542 Ridge Road

4538 RIDGE RD
BALTIMORE MD 21236
Charles B. Nothnitch Jr
Michael Mar  4540 Ridge Rd.

4548 Ridge Rd.
Baltimore MD 21236
Tara M. (Karl)

4558 Ridge Rd
Baltimore, MD 21236
Laura Cook

ROBIN M FROMM
4558 RIDGE RD.

Elizabeth Forsch
4549 Ridge Rd.

Geffrey D. Hollie
4536 Ridge Road

Julia Emberton
4553 Ridge Rd
Baltimore, MD 21236 665-4198

ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 00-263-A

Date Completed/Initials

1/9 AP

PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)

DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)

TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)

UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)

1/12 AP

COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)

POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)

RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)

INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)

Rec 1-14

ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)

COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)

FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 4544 RIDGE RD.

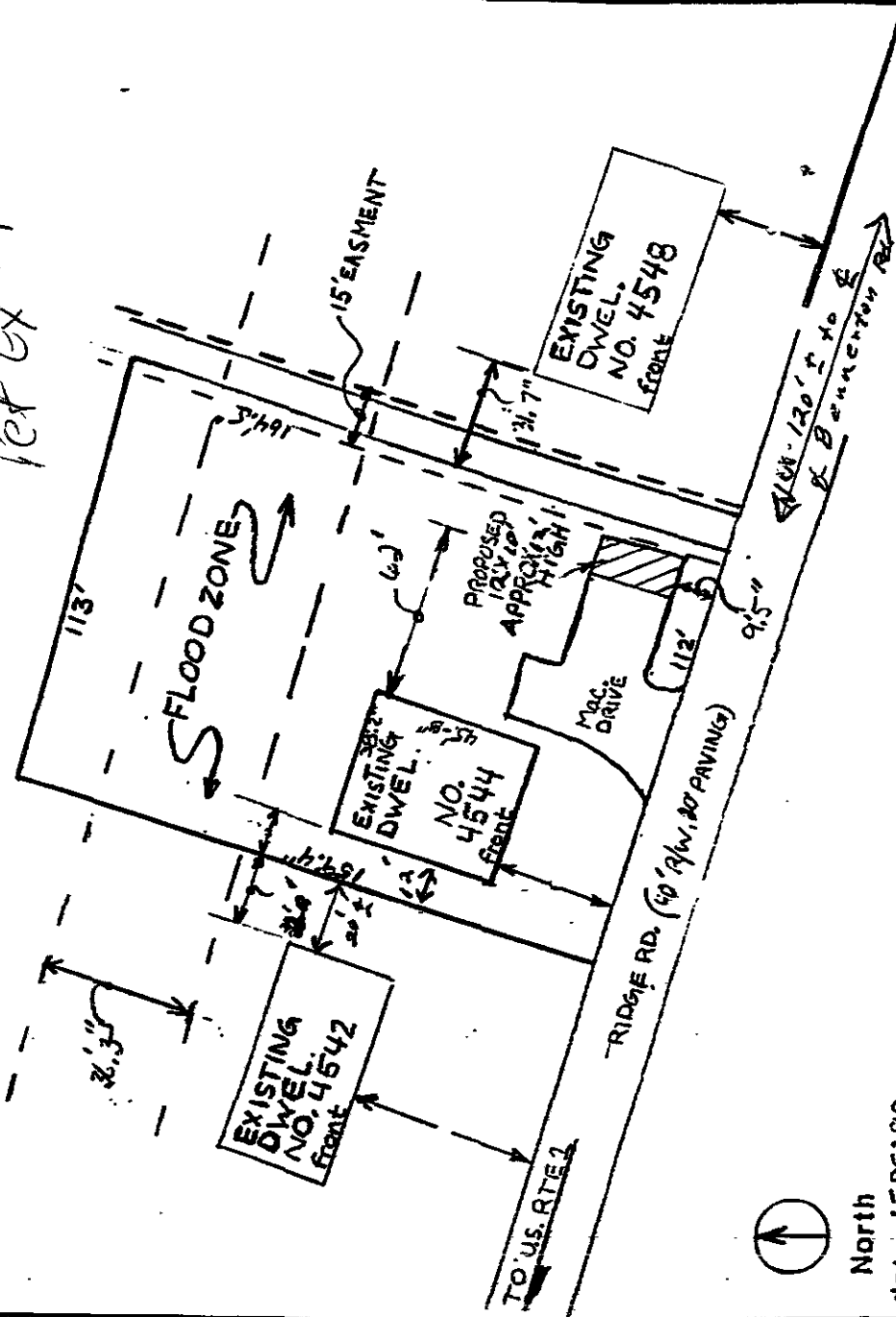
see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____
_____ , lot # _____ , section # _____
| plat book# _____

OWNER: Keith & Elizabeth Slater

00-263-A

Ref Ex #1



North

date: 15 DEC 99

prepared by: KFM

Scale of Drawing: 1" = 50'

Copy 0

LOCATION INFORMATION

Election District: 14

Councilman District: 6

1'-200' scale map: 057-7-370:adw a1cs .002=1

Zoning: DR 3.5

Lot size: 0.415 18077
square feet

SEVER: ☒ ☐

WATER:

Chesapeake Bay Critical Area:

Prior Zoning Hearings: ADOPTED

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

263



D.R. 3.5

D.R. 3.5

DR 3.5

DR. 3.5

DR 3.5

D.R. 3.5

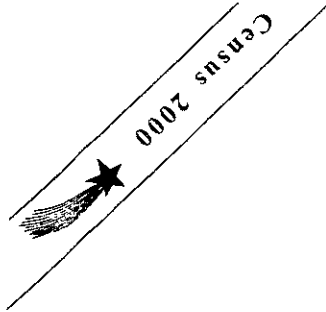
R. 3.5

BAL

00-263-1



Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204



Photographs

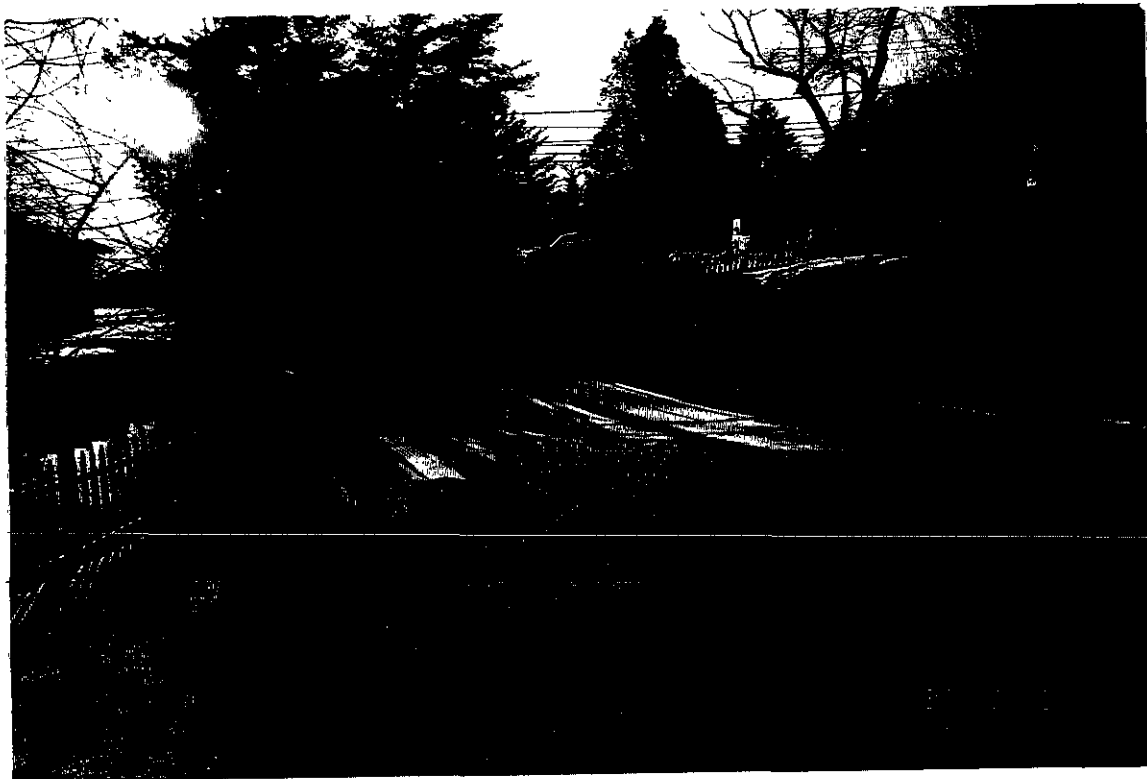
#00-26B-A

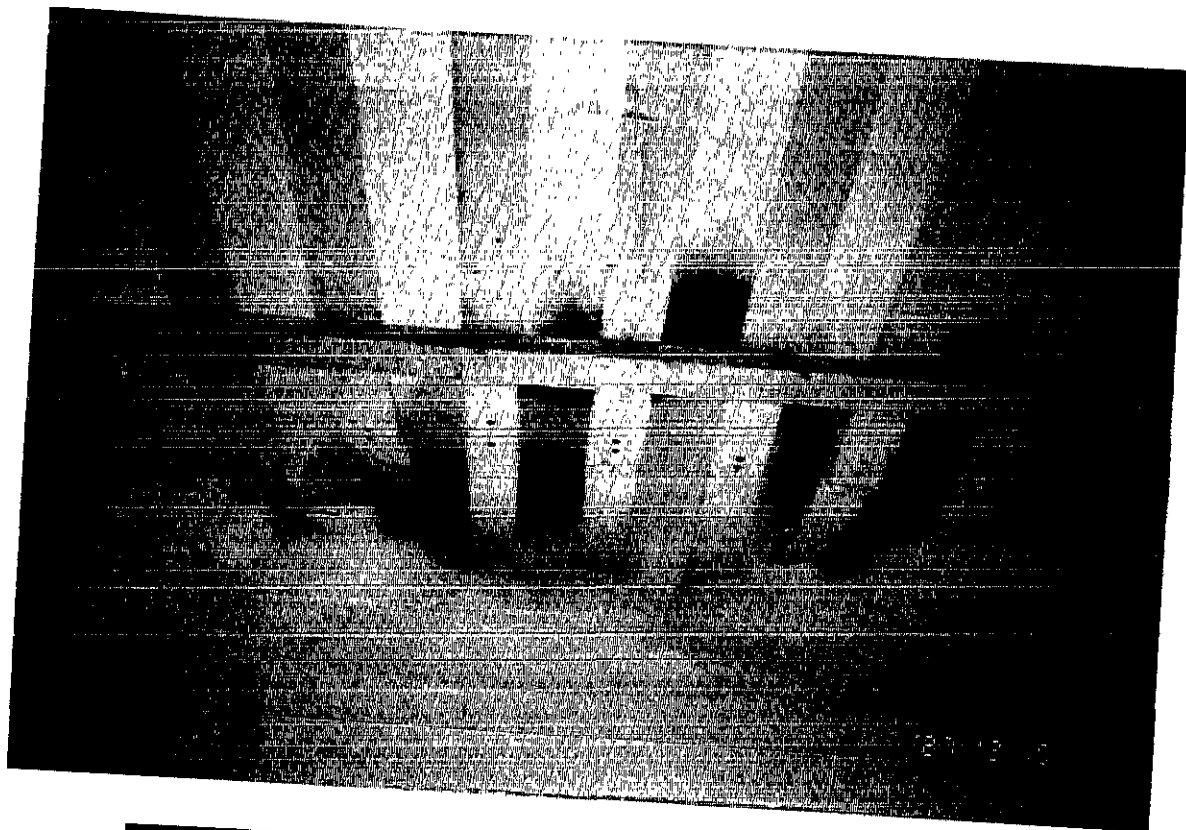














00-263-A

For ZC's
File

Site in a flood zone ???
263

John Sullivan

12-20-99

