

|                                     |   |                            |
|-------------------------------------|---|----------------------------|
| IN RE: PETITION FOR ADMIN. VARIANCE | * | BEFORE THE                 |
| E/S Vicky Road, 14' N               |   |                            |
| Of Vicky Court                      | * | DEPUTY ZONING COMMISSIONER |
| 11th Election District              |   |                            |
| 5th Councilmanic District           | * | OF BALTIMORE COUNTY        |
| (4823 Vicky Road)                   |   |                            |
|                                     | * | CASE NO. 00-399-A          |
| Donald F. & Patricia C. Calvert     |   |                            |
| Petitioners                         | * |                            |

\* \* \* \* \*

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Donald and Patricia Calvert, property owners, for that property known as 4823 Vicky Road in the Perry Hall area of Baltimore County. The Petitioners herein seek a variance from Sections 1B02.3.B and 1B01.2.A.2.C.4 of the Baltimore County Zoning Regulations (B.C.Z.R), to allow a side yard setback of 5 ft. and a sum of side yard setbacks of 15 ft. in lieu of the minimum required 8 ft. and 20 ft. respectively. 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.

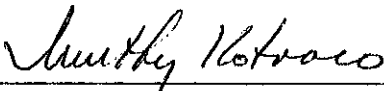
ORDER RECEIVED FOR FILING

Date 4/26/00  
By R. J. Jones

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 26<sup>th</sup> day of April, 2000, that a variance from Sections 1B02.3.B and 1B01.2.A.2.C.4 of the Baltimore County Zoning Regulations (B.C.Z.R), to allow a side yard setback of 5 ft. and a sum of side yard setbacks of 15 ft. in lieu of the minimum required 8 ft. and 20 ft. respectively, 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

ORDER RECEIVED FOR FILING  
Date 4/26/00  
By R. J. Gannon



Baltimore County  
Zoning Commissioner

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

April 26, 2000

Mr. & Mrs. Donald F. Calvert, Sr.  
4823 Vicky Road  
Baltimore, Maryland 21236

Re: Petition for Administrative Variance  
Case No. 00-399-A  
Property: 4823 Vicky Road

Dear Mr. & Mrs. Calvert:

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 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



Census 2000



For You, For Baltimore County



Census 2000



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on Recycled Paper

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3

3



# Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 4823 Vicky Road  
which is presently zoned PR-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) 1B02.3.B. (1B01.2.A.2.C.4)

*To allow a side yard setback of 5 ft. & a sum of side yard setbacks of 15 ft. in lieu of the minimum required 0 ft & 20 ft. respectively.*

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:

### Legal Owner(s):

Name - Type or Print

Name - Type or Print

Signature

Signature

Address Telephone No.

Name - Type or Print

City State Zip Code

Signature

### Attorney For Petitioner:

4823 Vicky Road (410) 250-8376 Home

Name - Type or Print

Address

Signature

Telephone No.

Company

City State Zip Code

Address Telephone No.

City State Zip Code

City State Zip Code

### Representative to be Contacted:

Name

Address Telephone No.

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 27 day of March 2000 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. 00-399-A

Reviewed By [Signature] Date 3-27-00

Estimated Posting Date 4-9-00

REV 9/15/95

1. We are adding an in law suite which includes full bath. We need more than 2 feet from existing dwelling to accomodate a full bath.

2. Plumbing & heating connections already exist on that side of the house.

# 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 4823 Vicky Rd  
Address  
Baltimore MD 21236  
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):

← See back of sheet #1

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.

Donald F Calvert  
Signature  
Donald F. Calvert  
Name - Type or Print

Patricia C. Calvert  
Signature  
Patricia C. Calvert  
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 25 day of March, 2000, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

DONALD F. CALVERT AND PATRICIA C. CALVERT  
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  
March 25, 2000  
Date

[Signature]  
Notary Public  
My Commission Expires Nov. 1, 2001  
Heidi Young Borden, Jr., Notary  
Baltimore County  
State of Maryland  
My Commission Expires Nov. 1, 2001

1. We are adding an in law suite which includes full bath. We need more than 2 feet from existing dwelling to accomodate a full bath.

2. Plumbing & heating connections already exist on that side of the house.

## ZONING DESCRIPTION 4823 Vicky Road

Beginning at a point on the ~~East~~ side of Vicky Road which is 50 feet wide at the distance of 164 feet ~~NORTH~~ of the nearest improved intersecting street ~~Vicky Court~~. Being Lot # 16, Block A, Section II in the subdivision of North Gate Hall as recorded in Baltimore County Plat Book # 40, Folio # 103, containing .27 acres. Also known as 4823 Vicky Road located in the 11<sup>th</sup> Election District, 5<sup>th</sup> Councilmanic District.

# 399

00-399-A



BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. 080416

DATE 8-27-00 ACCOUNT 2-001-6150

AMOUNT \$ 50.00

RECEIVED FROM: 1711 17th St. N.E.

FOR: Unincorporated Varnum Home Assn.

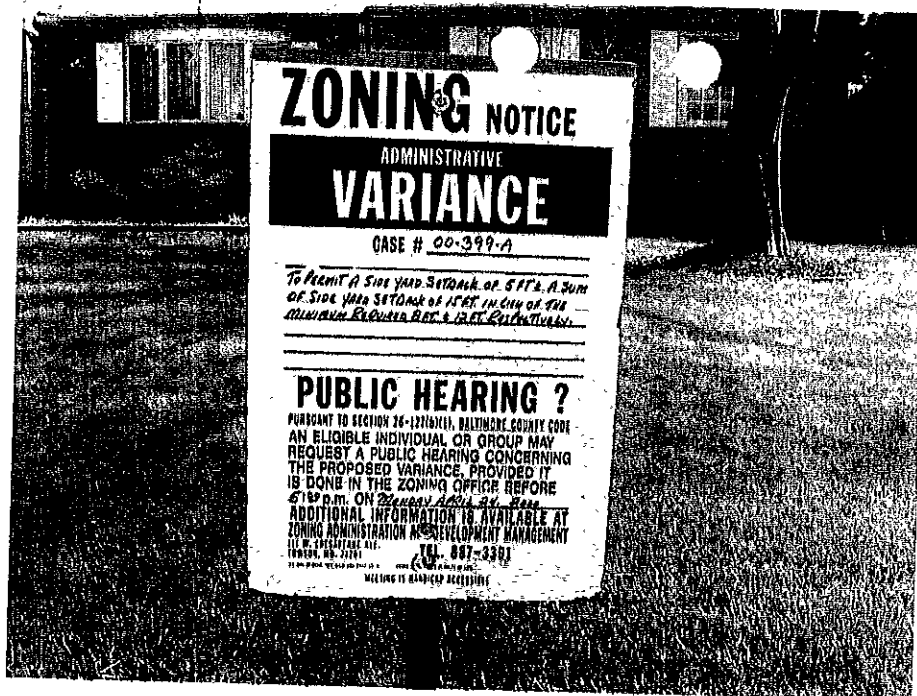
4823 Vicky Rd. (21236)

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

DATE 8/27/00 AMOUNT \$50.00  
BY MICHAEL CASHIER JESSICA J. JAMES  
FOR 1711 17th St. N.E.  
BALTIMORE COUNTY, MARYLAND  
BALTIMORE COUNTY, MARYLAND

00-399-A  
CASHIER'S VALIDATION



Posted at 4823 Vicky Rd.

**CERTIFICATE OF POSTING**

**RE: CASE # 00-399-A  
PETITIONER/DEVELOPER  
(Donald Calvert)  
DATE OF Closing  
( 4-24-00)**

**BALTIMORE COUNTY DEPARTMENT OF  
PERMITS AND DEVELOPMENT MANAGEMENT  
COUNTY OFFICE BUILDING, ROOM 111  
111 WEST CHESAPEAKE AVE.  
TOWSON, MARYLAND 21204**

**ATTENTION : MS. GWENDOLYN STEPHENS**

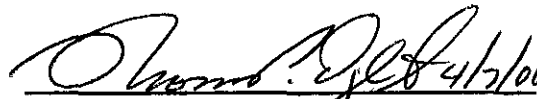
**LADIES AND GENTLEMEN:**

**THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY  
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

**4823 Vicky Road Baltimore, Maryland 21236\_\_\_\_\_**

**THE SIGN(S) WERE POSTED ON \_\_\_\_\_ 4-7-00 \_\_\_\_\_**  
**(MONTH, DAY, YEAR)**

**SINCERELY,**

  
**(SIGNATURE OF SIGN POSTER & DATE)**

**\_\_\_\_\_ THOMAS P. OGLE SR. \_\_\_\_\_**

**\_\_\_\_\_ 325 NICHOLSON ROAD \_\_\_\_\_**

**\_\_\_\_\_ BALTIMORE, MARYLAND 21221 \_\_\_\_\_**

**\_\_\_\_\_ 410-687-8405 \_\_\_\_\_**  
**(TELEPHONE NUMBER)**

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 00- 399 -A Address 4823 Vicky Rd.  
Contact Person: John Sullivan Phone Number: 410-887-3391  
Planner, Please Print Your Name  
Filing Date: 3-27-00 Posting Date: 4-9-00 Closing Date: 4-24-00

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- 399 -A Address 4823 Vicky Rd. (410) 256-8376 (H)  
Petitioner's Name Donald CALVERT Telephone 365-9095 (BUS)  
Posting Date: 4-9-00 Closing Date: 4-24-00  
Wording for Sign: To Permit a side yard setback of 5 ft. & a sum of side yard  
setbacks of 15 ft. in lieu of the minimum required 8 ft. & 12 ft.  
respectively.

**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: 00-399-A

Petitioner: Donald Calvert

Address or Location: 4823 Vicky Rd, Balto, md, 21236

**PLEASE FORWARD ADVERTISING BILL TO:**

Name: Donald and Patricia Calvert

Address: 4823 Vicky Road

Baltimore, MD 21236

Telephone Number: (410) 256-8376

Revised 2/20/98 - SCJ



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

April 24, 2000

Mr. Donald F. Calvert  
4823 Vicky Road  
BaltimoreMD 21236

Dear Mr. Calvert:

RE: Case Number 00-399-A , 4823 Vicky Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 27, 2000.

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.

Sincerely,

  
W. Carl Richards, Jr.  
Zoning Supervisor  
Zoning Review

WCR:ggs

Enclosures



Census 2000



For You, For Baltimore County



Census 2000



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Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



Baltimore County  
Fire Department

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

April 18, 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 **APRIL 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.

THE FIRE MARSHAL'S OFFICE HAS NO COMMENTS AT THIS TIME REGARDING THE FOLLOWING ITEM #'S.

398, 399, 401, 402, 403, 405, 406, 408, 409, 410,

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

cc: File



4/24/00

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** April 17, 2000

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

**SUBJECT:** 4823 Vicky Road

**INFORMATION:**

**Item Number:** 399

**Petitioner:** Donald F. Calvert, Sr.

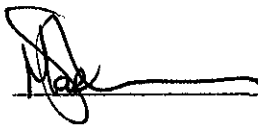
**Zoning:** DR5.5

**Requested Action:** Variance

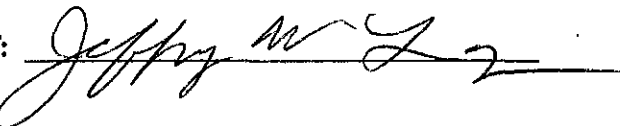
**SUMMARY OF RECOMMENDATIONS:**

The Office of Planning supports the variance request to allow a side yard setback of five (5) feet and a sum of side yard setback of fifteen (15) feet in lieu of the minimum required eight (8) feet and twenty (20) feet respectively.

**Prepared by:**



**Section Chief:**



**AFK:MAC:**



**Maryland Department of Transportation  
State Highway Administration**

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

Date: 4.10.00

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

RE: Baltimore County  
Item No. 399

JJS

Dear Ms. Jackson:

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,

*Kr* 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



N

# Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

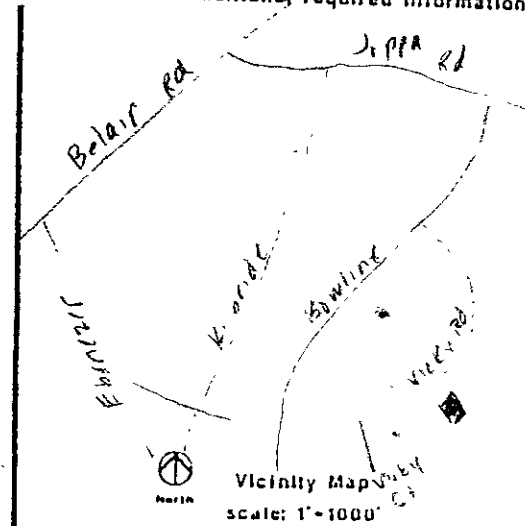
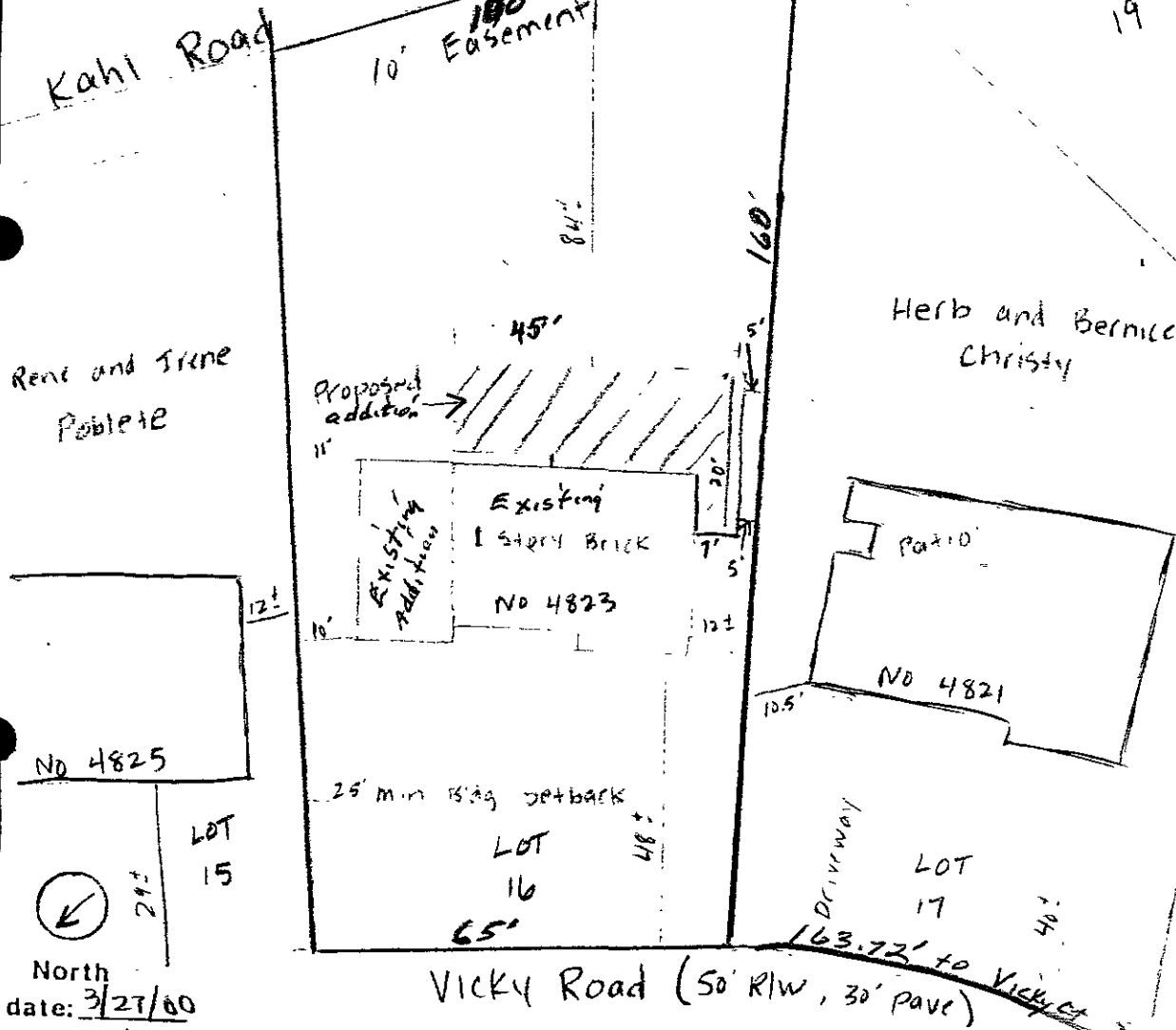
PROPERTY ADDRESS: 4823 Vicky Road

Subdivision name: North Gate Hall

plat book # 40, folio # 163, lot # 16, section # II

OWNER: Donald & Patricia Calvest

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



## LOCATION INFORMATION

Election District: 11  
Councilmanic District: 5  
1"=200' scale map #: NE 10 H  
Zoning: DR 5.5  
Lot size: .27 acreage 11761.20 ± square feet

SEWER: ☒ public ☐ private  
WATER: ☒ public ☐ private

Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings: N/A

## Zoning Office USE ONLY!

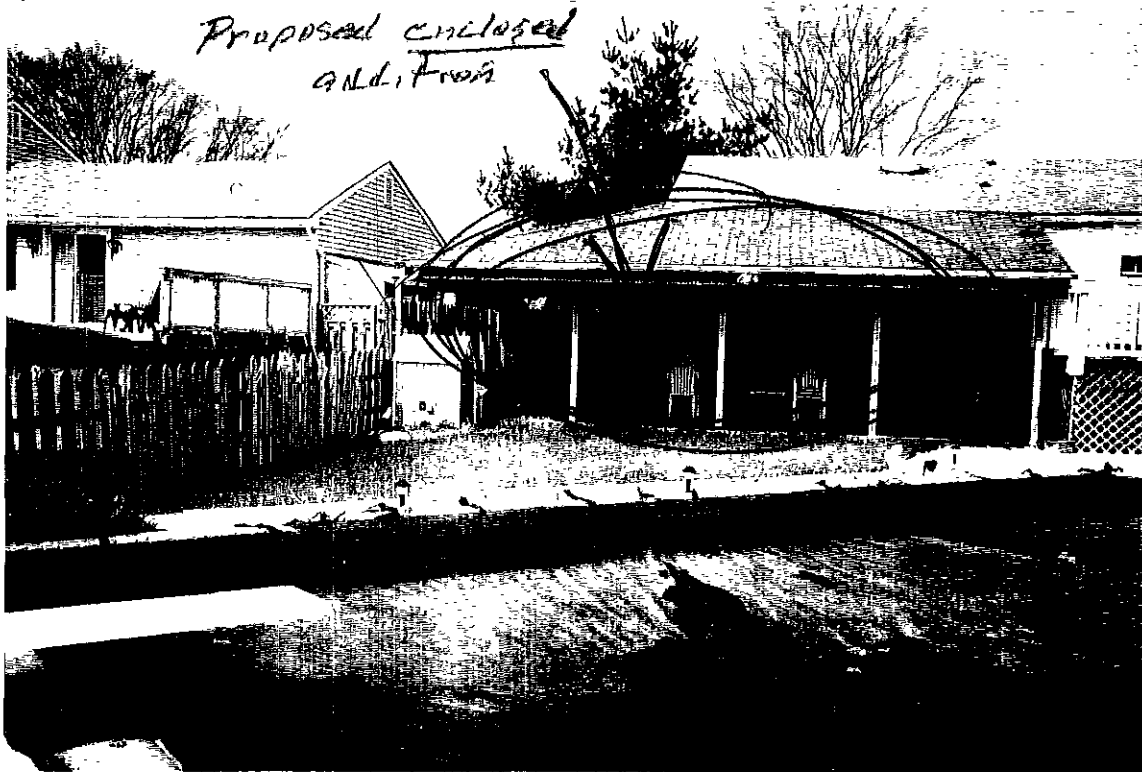
reviewed by: PA ITEM #: 399 CASE #:

00-399-A

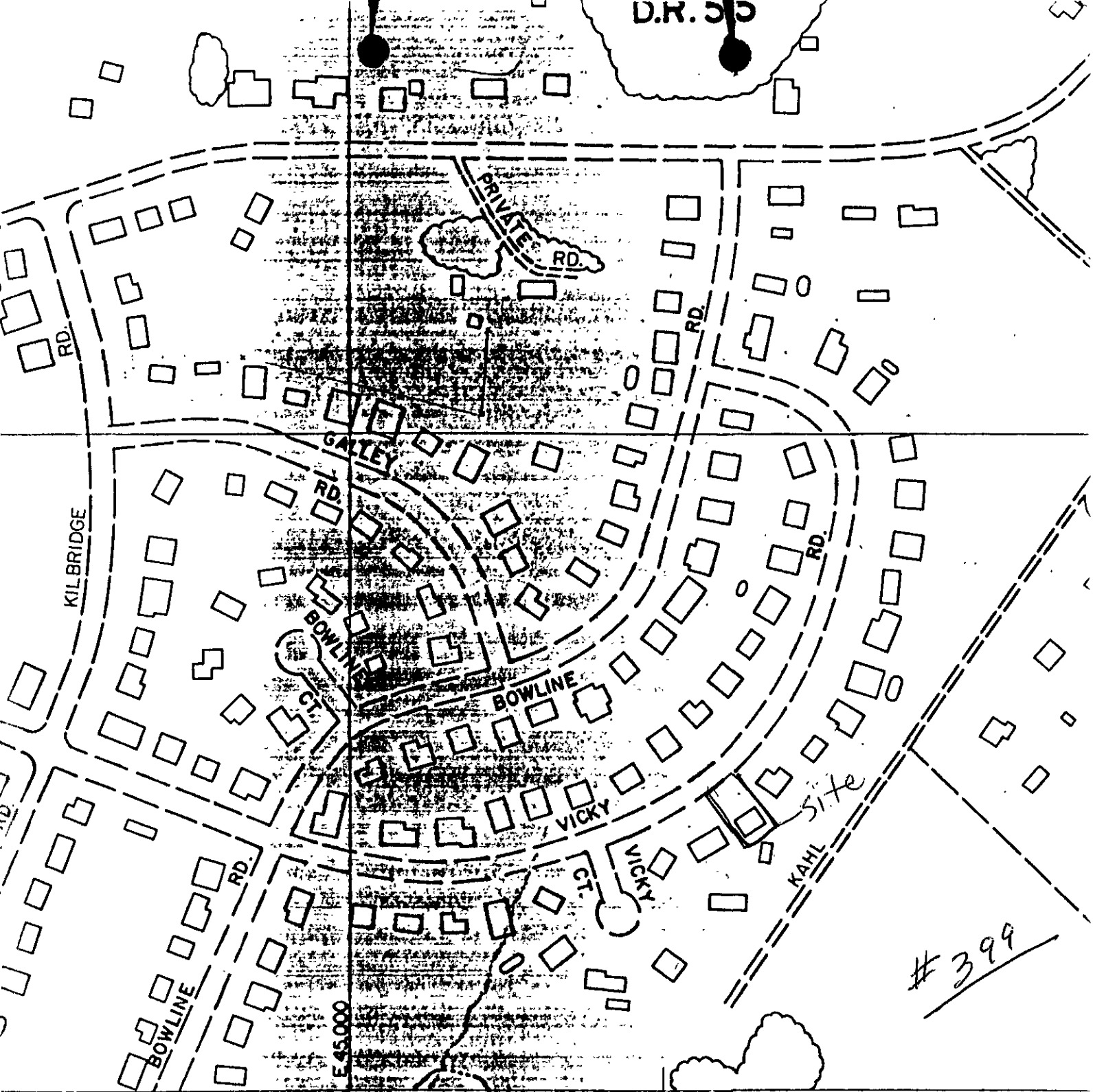


00-399-A

*Proposed enclosed  
and from*



**00-399-A**

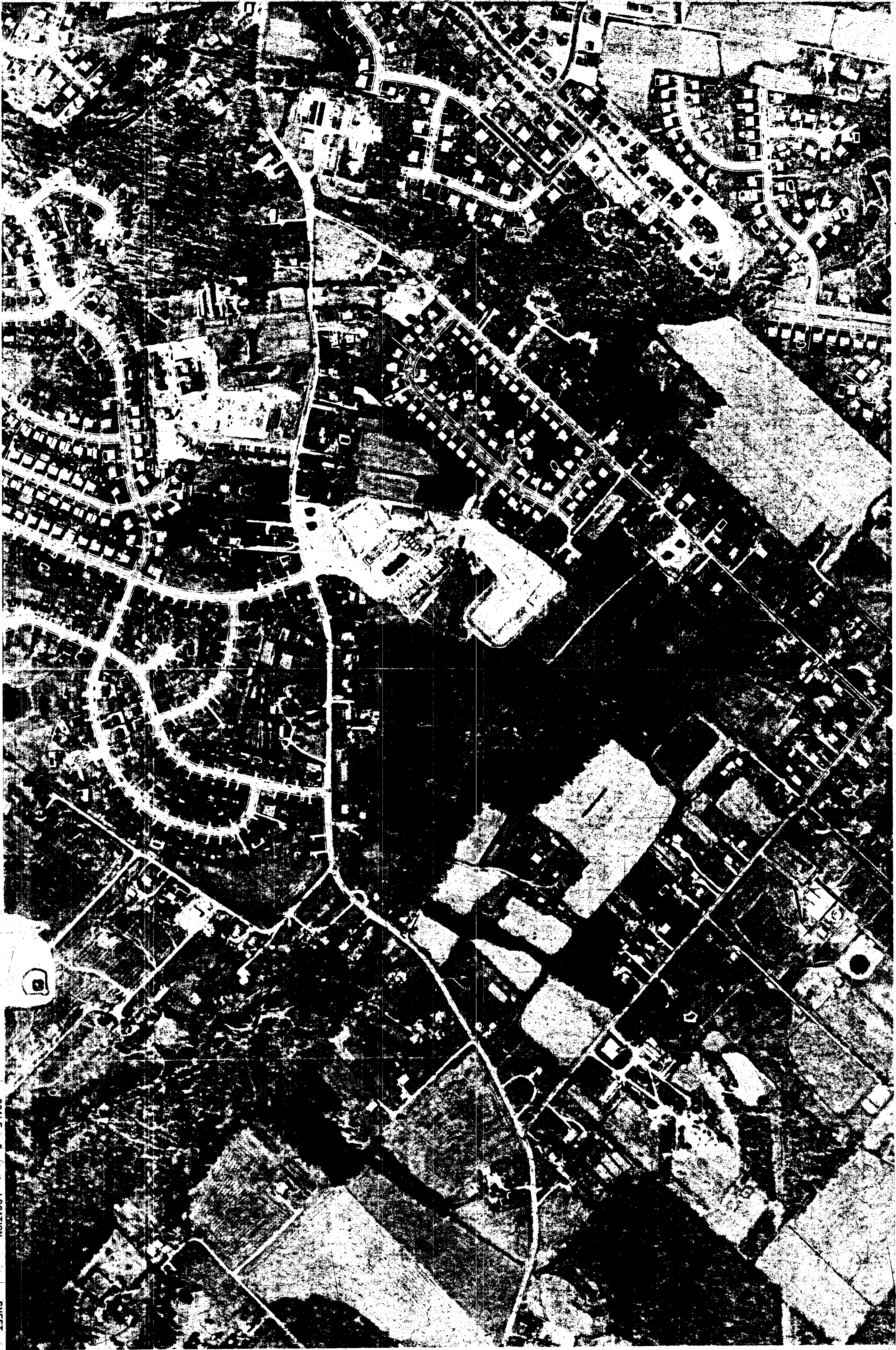


BALTIMORE COUNTY  
OF PLANNING AND ZONING  
SPECIAL ZONING MAP

LIE  
10-H 11' 200'

00-399-A





PREPARED BY AIR PHOTOGRAPHICS, INC.  
MAINTENANCE W. V. 2541

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

| SCALE                                        | LOCATION               | SHEET      |
|----------------------------------------------|------------------------|------------|
| 1" = 200' ±                                  | PERRY HALL<br>VICINITY | NE<br>10-H |
| DATE<br>OF<br>PHOTOGRAPHY<br>JANUARY<br>1986 | 00-399-A               |            |

399