

IN RE: PETITION FOR VARIANCE
N/S Weddel Avenue, 90' S
Centerline of Mactavish Avenue
13th Election District
1st Councilmanic District
(1203 Weddel Avenue)

Interstate Ventures, Inc.
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 02-093-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the property, Interstate Ventures, Inc. The Petitioners are requesting a variance for property at 1203 Weddel Avenue, located in the Catonsville area of Baltimore County. The variance request is to allow a front yard setback of 23 ft. in lieu of the required 25 ft.

Appearing at the hearing on behalf of the variance request were Ted Snovell, who prepared the site plan of the property and Patrick Malloy, attorney at law. There were no others in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, is a single-family residential lot, comprising 0.17 acres, more or less, zoned DR 5.5. The subject property is improved at this time with a poured concrete foundation. After the installation of the foundation, the Petitioners realized that the front entry way to the house to be constructed on this lot is situated 23 ft. from the front property line and not the required 25 ft. The remainder of the front foundation of the house in question is situated approximately 26 ft. from the front property line and does meet required setbacks. However, as a result of this front porch bump out, which was not taken into consideration when the foundation was staked out on this property, the variance request is necessary.

ORDER RECEIVED FOR FILING
Date 10/24/01
By [Signature]

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to 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).

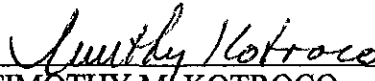
After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of 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 Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED this 24th day of October, 2001, by this Deputy Zoning Commissioner, that the variance requested by Petitioners, pursuant to Section 1B02.3.C.1 of the

Baltimore County Zoning Regulations, to allow a front yard setback of 23 ft. in lieu of the required 25 ft., be and is hereby GRANTED.

IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty (30) days of the date of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED OCT 11 AM
Date 10/22/10
By R. J. J. J.



Baltimore County
Zoning Commissioner

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

October 24, 2001

Patrick Malloy
Malloy & Malloy
3685 Park Avenue
Ellicott City, Maryland 21043

Re: Petition for Variance
Case No. 02-093-A
Property: 1203 Weddel Avenue

Dear Mr. Malloy:

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 Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Interstate Ventures, Inc.
12116 Arbie Road
Silver Spring, MD 20904

Ted Snovell
10 Briarleaf Court
Catonsville, MD 21228

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





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1203 WEDDEL 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) 1B02.3.C.1 D.C.Z.R.

To permit a front yard setback of 23' in lieu of the required 25'.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

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
MALLOY & MALLOY

Signature
John D. Malloy

Company
MALLOY & MALLOY

Address
3685 PARK AVE 410-465-1560

City State Zip Code
ELICOTT CITY MD 21043

Legal Owner(s):

Name - Type or Print
INTERSTATE VENTURES, INC

Signature
James R. Roney, Inc

Name - Type or Print

Signature

Address
12116 ARBIE RD.

City State Zip Code
SILVER SPRING MD. 20904

Representative to be Contacted:

Name
TED SNOVELL

Address
10 BRIARLEAF CT. 410-788-1733

City State Zip Code
BALTIMORE MD. 21228

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING
Reviewed By JRF Date 9/5/01

Case No. 02-093-A

Date 9/15/98

ORDER RECEIVED FOR FILING

Date 10/24/01

By [Signature]

ZONING DESCRIPTION FOR 1203 WEDDEL AVENUE

BEGINNING AT A POINT ON THE NORTH SIDE OF WEDDEL AVENUE
WHICH IS 50 FEET WIDE AT THE DISTANCE OF 90 FEET SOUTH
OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET
MACTAVISH AVENUE WHICH IS 50 FEET WIDE.BEING LOT # 47
BLOCK SECTION IN THE SUBDIVISION OF WHITTMORE PARK
AS RECORDED IN BALTIMORE COUNTY PLAT BOOK # 52 FOLIO # 100
CONTAINING 7405 SQUARE FEET / 0.17 AC. ALSO KNOWN AS
1203 WEDDEL AVENUE AND LOCATED IN THE 13TH.ELECTION DISTRICT,
1 ST. COUNCILMANIC DISTRICT.

#093

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

5723

DATE 9-5-01 ACCOUNT 01-006-6150

AMOUNT \$ 50.00

RECEIVED
FROM:

Ted Snovell

FOR:

1203 WEODEL AVE ITEM # 093
01-VARIANCE TAKEN BY: JRF

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
9/05/2001 9/05/2001 10:35:29

REF WSO6 CASHIER KNCH KXM DRAWER 4
RECEIPT # 048290 OFLN

DEPT 5 528 ZONING VERIFICATION
CR NO. 005723

Recpt Tot 50.00

50.00 CK .00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

**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: #02-093-A
1203 Weddel Avenue
N/S Weddel Avenue, 90' S
centerline of Mactavish Ave.
13th Election District
1st Councilmanic District
Legal Owner(s): C.Y. Rosenberg
Interstate Ventures, Inc.
Variance: to permit a front
yard setback of 23 feet in
lieu of the required 25 feet.
Hearing: Wednesday, Oc-
tober 24, 2001 at 9:00
a.m. in Room 407, County
Courts Building, 401 Bos-
ley 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) 887-4386.

(2) For information con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391.

JT/10/675 Oct 9 C498771

CERTIFICATE OF PUBLICATION

10/11, 2001

THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each of 1 successive weeks, the first publication appearing
on 10/9, 2001.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE Case No 02-093-A

Petitioner/Developer SNOVELL, ETAL

Date of Hearing/Closing 10/24/01

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens / GEORGE ZAHNER

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 #1203 - WEDDEL AVE

The sign(s) were posted on 10/4/01
(Month, Day, Year)

Sincerely,
Patrick M. O'Keefe 10/6/01
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

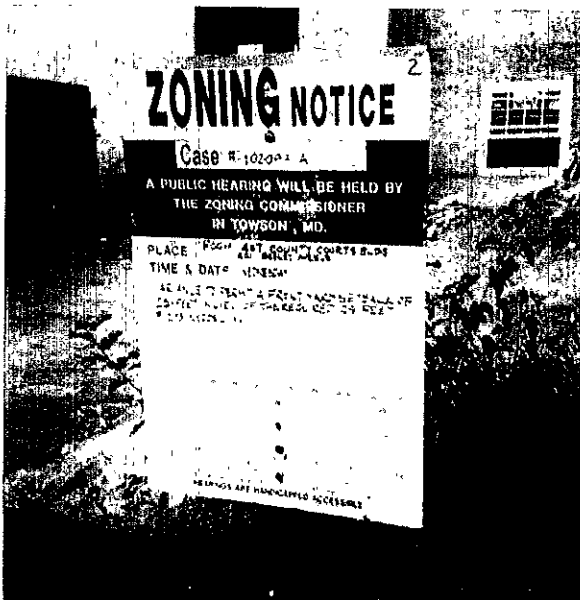
HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571

(Telephone Number)

ATM brand fax transmittal memo 7671		# of pages ▶ 1
To	From	
BETTY ROBIN	O'KEEFE	
Co.	Co.	
ZONING-COMM		
Dept.	Phone #	
	512-4621	
Fax #	Fax #	
410-887-3468		



02-093-A
1203-WEDDEL AVE. C9AM
10/24/01

**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: 02-093-A
Petitioner: INTERSTATE VENTURES, INC. CROSBURG)
Address or Location: 1203 WEDDEL AVE.

PLEASE FORWARD ADVERTISING BILL TO:

Name: TED SNOVELL
Address: 10 BRIARLEAF CT.
BALTO. MD. 21228
Telephone Number: 410-788-1733

TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 9, 2001 Issue – Jeffersonian

Please forward billing to:
Ted Snovell
10 Briarleaf Court
Baltimore MD 21228

410 788-1733

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: 02-093-A
1203 Weddel Avenue
N/S Weddel Avenue, 90' S centerline of Mactavish Avenue
13th Election District – 1st Councilmanic District
Legal Owner: C. Y. Rosenberg, Interstate Ventures Inc

Variance to permit a front yard setback of 23 feet in lieu of the required 25 feet.

HEARING: Wednesday, October 24, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G.D.Z.
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.



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

September 27, 2001

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: 02-093-A
1203 Weddel Avenue
N/S Weddel Avenue, 90' S centerline of Mactavish Avenue
13th Election District – 1st Councilmanic District
Legal Owner: C. Y. Rosenberg, Interstate Ventures Inc

Variance to permit a front yard setback of 23 feet in lieu of the required 25 feet.

HEARING: Wednesday, October 24, 2001 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".

Arnold Jablon G D Z
Director

C: Malloy & Malloy, 3685 Park Avenue, Ellicott City 21043
Cy Rosenberg, Interstate Ventures Inc, 12116 Arbie Road, Silver Spring 20904
Ted Snovell, 10 Briarleaf Court, Baltimore 21228

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 9, 2001.**
(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.



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

October 19, 2001

Arthur D Malloy
Malloy & Malloy
3685 Park Avenue
Ellicott City MD 21043

Dear Mr. Malloy:

RE: Case Number: 02-093-A, 1203 Weddel Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 5, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Cy Rosenberg, Interstate Ventures Inc, 12116 Arbie Road, Silver Spring 20904
Ted Snovell, 10 Briarleaf Court, Baltimore 21228
People's Counsel



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: October 25, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For October 1, 2001
Item Nos. 086, 087, 088, 089, 090, 092,
093, 094, 095, 096, 098, and 099

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

RWB:HJO:jrb

cc: File



**Baltimore County
Fire Department**

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

September 27, 2001

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 SEPTEMBER 24, 2001

Item No.: See Below

Dear Ms. Stephens:

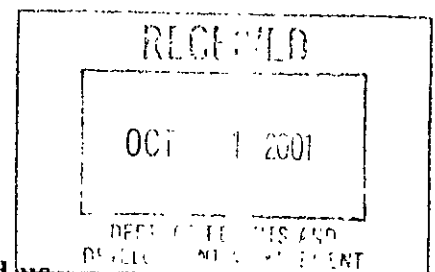
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

086, 087, 088, 089, 090, 091, 092, 093, 094, 095, 096, 097,
098, 099, AND 100

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

cc: File



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



Jim
10/24

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 1, 2001

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-090, 02-093, & 02-097

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Mark A. Cunningham

CT - 2

Section Chief:

Jeffrey W. Ly

AFK/JL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 10.1.01

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

RE: Baltimore County
Item No. 093 JRF

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,

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

RE: PETITION FOR VARIANCE
1203 Weddel Avenue, N/S Weddel Ave,
90' S of c/l Mactavish Ave
13th Election District, 1st Councilmanic

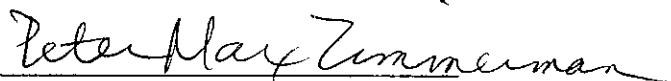
Legal Owner: Interstate Ventures, Inc.
Petitioner(s)

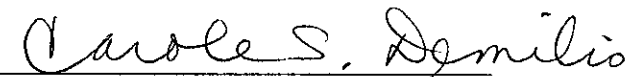
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-93-A

* * * * *

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. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

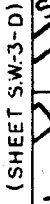

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of October, 2001 a copy of the foregoing Entry of Appearance was mailed to Patrick D. Malloy, Esq., Malloy & Malloy, 3685 Park Avenue, Ellicott City, MD 21043, attorney for Petitioner(s).


PETER MAX ZIMMERMAN

#003



(SHEET SW-5-D)

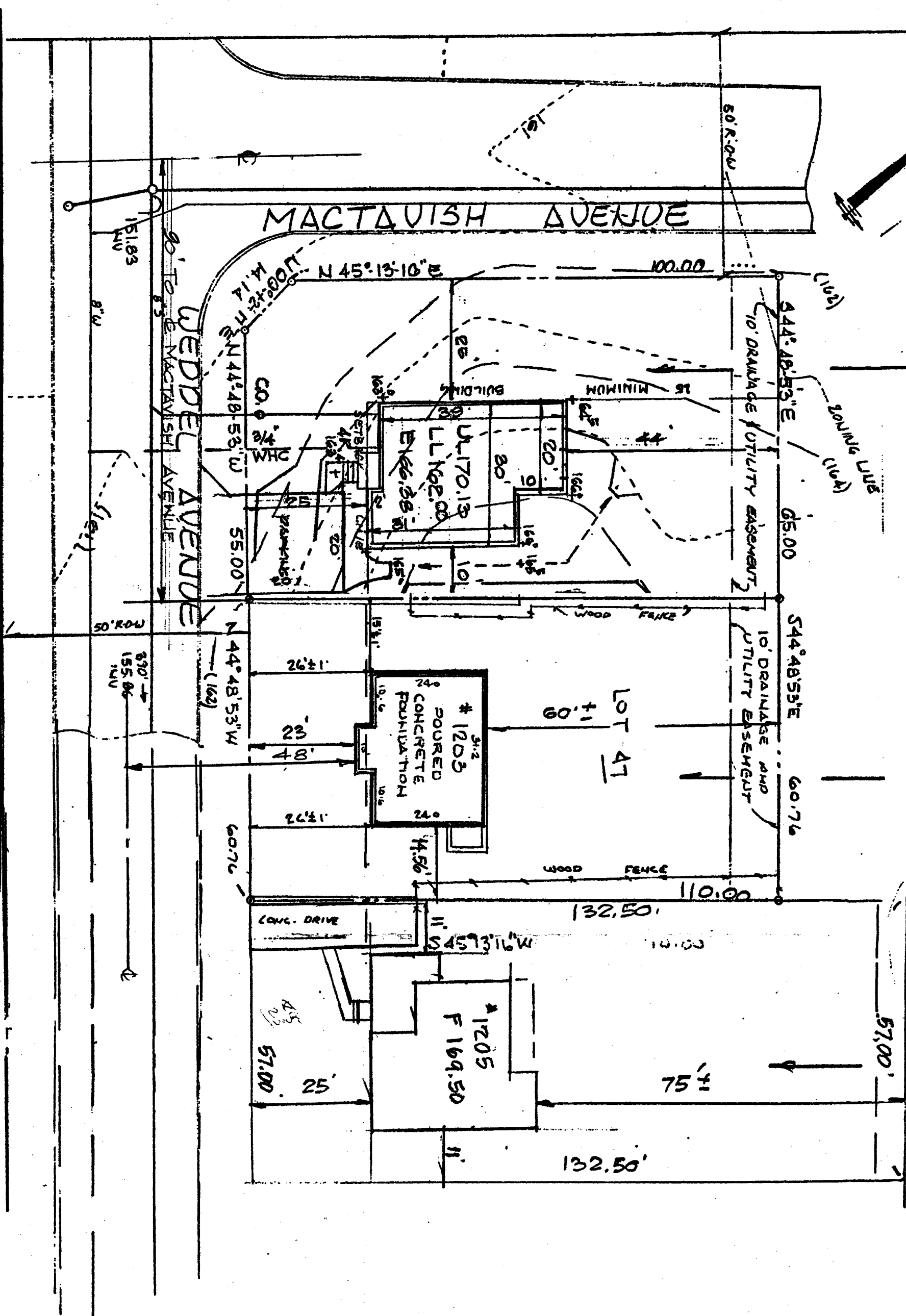
G - SW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

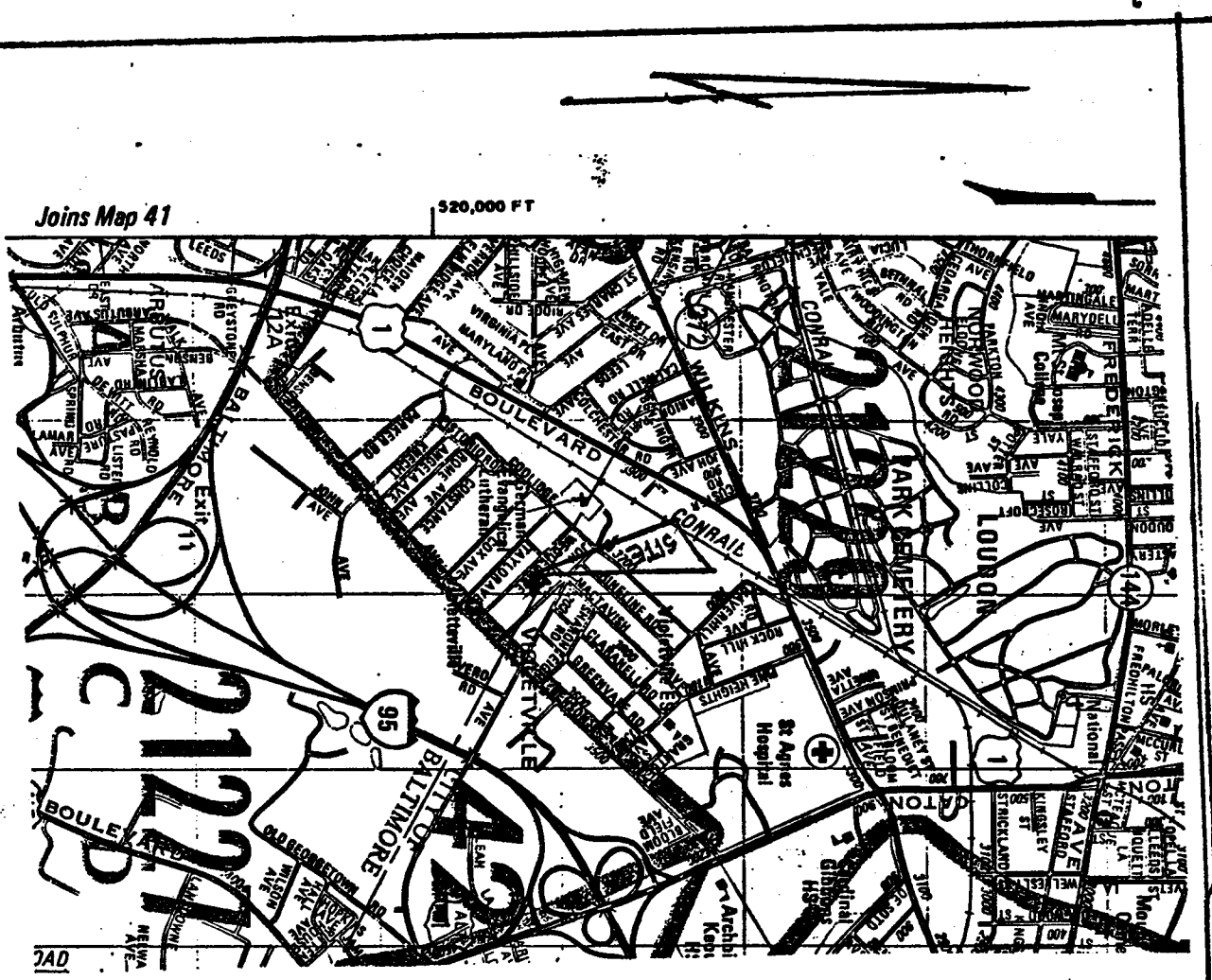
Owner Name: ROLOFF ROBERT M
ROLOFF SUELEND
1201 WEDDEL AVE
BALTIMORE MD 21227
Mailing Address:
Transferred
From: INTERSTATE VENTURES INC
Deed Reference: 1/1984/548

Owner Name: INTERSTATE VENTURES INC
12116 ARBIE RD
SILVER SPRING MD 20904
Mailing Address:
Transferred
From:
Deed Reference: 1/

Owner Name: BAKER JAMES P BAKER BRENDA M
GREEN JOSEPH W
1205 WEDDEL AVE
BALTIMORE MD 21227-1032
Mailing Address:
Transferred
From: C D JULIO INC
Deed Reference: 1/11339/98



PLAN
SCALE: 1"=20'



VICINITY MAP
SCALE: 1"=200'

MAP 42 B.S.

LOCATION INFORMATION

COUNCIL DIST. 1
ELECTION DIST. 13TH
1"=200 MAP S.W. 4-D
ZONING D.R. 5.5
LOT SIZE .217AC / 7405 #
PUBLIC WATER & SEWER
CHESAPEAKE BAY CRITIAL AREA (NO)
PRIORITY ZONING HEARINGS - NONE

ZONING OFFICE USE ONLY		
REVIEWED BY	DATE	CASE #
JF	09/3	

PLAT TO ACCOMPANY

VARIANCE REQUEST
#1203 WEDDEL AVENUE
WHITMORE PARK,
PLAT 1500K 52 FOLIO 100
LOT 47
OWNER: INTERSTATE VENTURES INC

6-21-2012 PLAT BY TRS SCALE: 1"=20'