

IN RE: PETITION FOR ADMIN. VARIANCE

E/S Green Heather Court, 650' N
centerline of Garden View Road

3 ~~11~~th Election District
2nd Councilmanic District
(7 Green Heather Court)

Ira & Jean Fedder
Petitioners

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

OF BALTIMORE COUNTY

*

CASE NO. 02-525-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Ira and Jean Fedder, legal owners, of that property known as 7 Green Heather Court in the western area of Baltimore County. The Petitioners herein seek relief from Section 1A00.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a front yard setback of 42 ft. for and addition (enclosed porch) in lieu of the required 50 ft. and to amend the Final Development Plan for the "Garden View" subdivision. 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

7/8/02

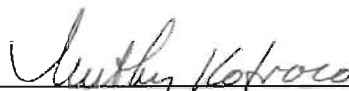
By

H. J. Gannon

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 8th day of July, 2002, that a variance from Section 1A00.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a front yard setback of 42 ft. for an addition (enclosed porch) in lieu of the required 50 ft. and to amend the Final Development Plan for the "Garden View" subdivision, 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 7/8/02
By R. Janusz



Baltimore County
Zoning Commissioner

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

July 8, 2002

Mr. & Mrs. Ira Fedder
7 Green Heather Court
Baltimore, Maryland 21208

Re: Petition for Administrative Variance
Case No. 02-525-A
Property: 7 Green Heather Court

Dear Mr. & Mrs. Fedder:

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

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



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 7 Green Heather Ct
which is presently zoned RC5

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) 1A00.3.B.3 (RDP) BCZR

to permit a front yard setback of 42 ft. for an enclosed porch in lieu of the required 50 ft. and to amend the Final Development Plan for the Garden View subdivision.

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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

Name

Address

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. 02-525-A

Reviewed By BR Date 5/23/02

REV 10/25/01

Estimated Posting Date 6/4/02

ORDER RECEIVED FOR FILING
7/8/02
By [Signature]

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 7 Green Heather Ct
Address
Balto MD 21208
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):

Enclosing porch will enhance insulation + reduce energy consumption.

Enclosing porch is part of overall plan to rehab house.

Enclosing porch will allow us to make entrance more accessible to our elderly parents by elimination of some steps + adding rails.

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.

Ira Fedder
Signature
Ira Fedder
Name - Type or Print

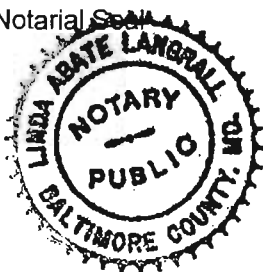
Jean M. Fedder
Signature
Jean Fedder
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 1ST day of May, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Jean M Fedder & Ira Fedder
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Linda Abate Langball
Notary Public
My Commission Expires 8/1/02



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 7 Green Heather Ct
which is presently zoned RC5

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to permit a front yard setback of 42 ft. for an enclosed porch in lieu of the required 50 ft. and to amend the Final Development Plan for the Garden View subdivision.

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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

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Zoning Commissioner of Baltimore County

CASE NO. 02-525-A

REV 10/25/01

Reviewed By BR Date 5/23/02

Estimated Posting Date 6/4/02

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Ira Fedder
Signature

Ira Fedder
Name - Type or Print

Jean M. Fedder
Signature

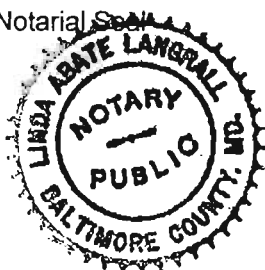
Jean Fedder
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 1ST day of May, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Jean M Fedder & Ira Fedder
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Linda Abate Langrell
Notary Public

My Commission Expires 8/1/02

Zoning description for 7 Green Heather Court.

Beginning at a point on the east side of Green Heather CT. which is 22 ft wide at the distance of 65.0 ft north of the centerline of the nearest improved intersecting street Gardenview Rd. which is 22 ft wide. Being Lot# 11 in the subdivision of "Amended Plat of Gardenview" "Plat of Gardenview" as recorded in Baltimore County Plat Book # EHK Jr. 37, Folio # 100, containing 0.92 acres. Also known as 7 Green Heather CT. and located in the 11th Election District, 2nd Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 12690

DATE 5/23/02 ACCOUNT Pool-006-6150
AMOUNT \$ 100.00

RECEIVED FROM: Jean Faller

FOR: Administrative Variance

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Item # 525

PAID RECEIPT

BUSINESS ACTUAL TIME
5/24/2002 5/23/2002 15:43:59
REG M305 MAIL ROOM LRD DRAWER 5
>> RECEIPT # 267743 5/23/2002 OFLN
Desc 5 528 ZONING VERIFICATION
CR NO. 012690

Receipt Tot \$100.00
100.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 02-525-A

Petitioner/Developer: _____

Ira & Jean FedderDate of Hearing/Closing: 6-19-02

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 7 Green Heather Ct.
Pikesville, MD 21208

The sign(s) were posted on May 29, 2002
(Month, Day, Year)

Sincerely,

Stacy Gardner 5-29-02
(Signature of Sign Poster and Date)

Stacy Gardner

(Printed Name)

SHANNON-BAUM SIGNS INC.
105 COMPETITIVE GOALS DR.
ELDERSBURG, MD. 21784

(City, State, Zip Code)

410.781.4000

(Telephone Number)

ZONING NOTICE

ADMINISTRATIVE

VARIANCE

CASE # _____
TO PERMIT A VARIANCE FROM THE ZONING ORDINANCE
FOR THE PROPOSED PROJECT OR USE IN THE ZONE.
PLEASE SEE THE ZONING OFFICE FOR MORE INFORMATION.
FOR THE "GARDEN VIEW" SUBDIVISION.

PUBLIC HEARING ?

FOR THE ZONING OFFICE TO REVIEW THE VARIANCE REQUEST
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE. PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON JUNE 17, 2002.
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 WEST CHESAPEAKE AVENUE
TOWSON, MD 21204
TEL. 887-3381



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

June 19, 2002

Mr. & Mrs. Ira Fedder
7 Green Heather Court
Baltimore MD 21208

Dear Ms. & Mrs. Fedder:

RE: Case Number: 02-525-A, 7 Green Heather Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 23, 2002.

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: People's Counsel

Come visit the County's Website at 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

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

June 5, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF June 3, 2002

Item No.: See Below

Dear Mr. Zahner:

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.

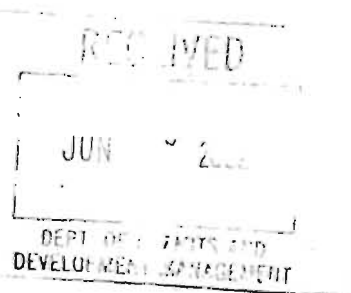
The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

525
524-534

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



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RB 1/26T*

DATE: July 15, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of June 3, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

511-514, 516, 517, 519-525, 527, 529-531, 533

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt. **DATE:** July 19, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For June 10, 2002
Item Nos. 524, 525, 528, 529, 530, 531,
532, and 534

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 24, 2002

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 02-525**

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

Section Chief: _____

Hyman Starkman

AFK/LL:MAC

JUN 24 2002



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 5.4.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 525 TR

Dear Mr. Zahner:

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

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

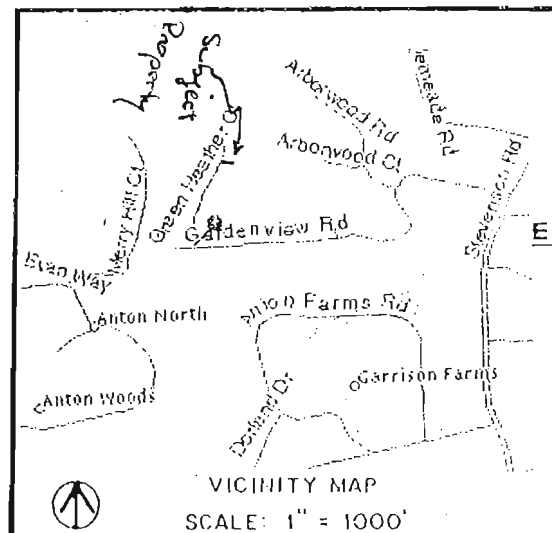
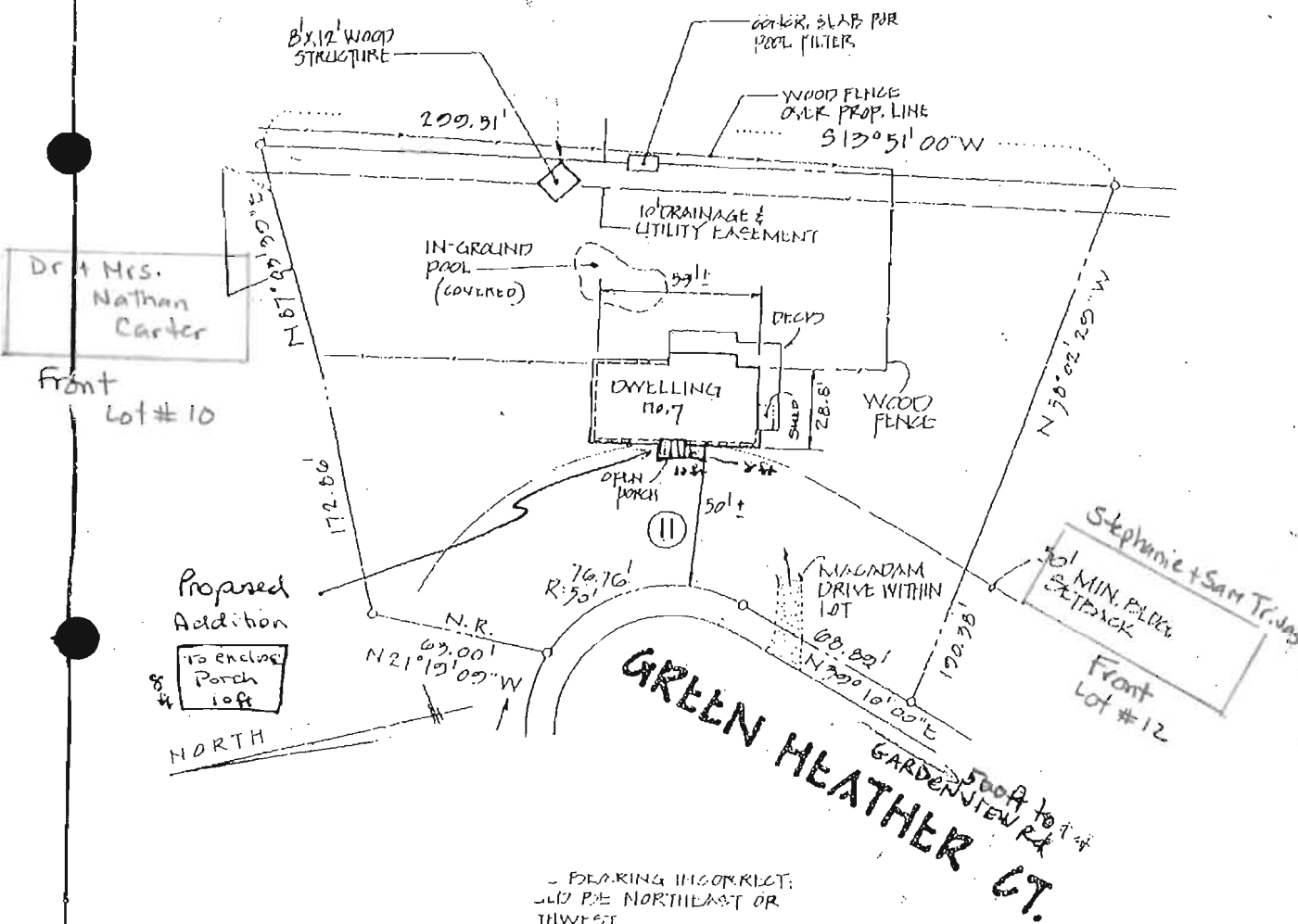
PROPERTY ADDRESS 7 Green Heather Ct
Baltimore County, MD

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Amended Plat of Gardenview 37/85 PLAT OF "Garden View"

PLAT BOOK # E11K³⁷ FOLIO # 100 LOT # 11 SECTION #

OWNER Ira and Jean Felder



LOCATION INFORMATION

ELECTION DISTRICT ~~1~~ 3

COUNCILMANIC DISTRICT 2

1" = 200' SCALE MAP # NW 10 E

ZONING R.C. 5

LOT SIZE $\frac{0.92}{\text{ACREAGE}}$ $\frac{40300}{\text{SQUARE FEET}}$

PUBLIC PRIVATE

SEWER. ☐ ☒

WATER ☒ ☐

CHESAPEAKE BAY
CRITICAL AREA

100 YEAR FLOOD PLAIN ☐ ☒

HISTORIC PROPERTY/
BUILDING ☐ ☒

PRIOR ZONING HEARING NO

ZONING OFFICE USE ONLY
REVIEWED BY _____ ITEM # _____ CASE # _____

STEVEN K. BROYLES - MD, REG. NO. 10860

PREPARED BY

SCALE OF DRAWING: 1" = 100'

BK | 525 | 02-525-A

Ret. Co. #1

W 30

R.C. 2

N 273,000

PRIVATE ROAD

GREEN HEATHER

N 39,000

CT



1" = 200'

NW 10 E

R.C. 5

R.C. 5

GARDENVIEW

GARDENVIEW

CT.

Rd.

ARBORWOOD CT.

ARBORWOOD

W 28

ROAD

#525



