

IN RE: PETITION FOR ADMIN. VARIANCE
W/ S L'Hirondelle Club Road, 42' +/- S
& opposite centerline of Ruxton Court
9th Election District
4th Councilmanic District
(7620 L'Hirondelle Club Road)

Margaret S. & James C. Ricely
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 03-194-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Margaret S. and James C. Ricely. The variance request is for property located at 7620 L'Hirondelle Club Road in the Ruxton area of Baltimore County. The variance request is from Sections 1B02.3.B (205.3, 1955 Regs.) and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a proposed addition with a side yard setback of 10 ft. and to permit an existing detached garage in the front yard in lieu of the minimum required 15 ft. and required rear yard 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

11/25/02
A. P. [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.

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.

TMK:raj

6/25/62
R. Jensen



Baltimore County
Zoning Commissioner

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

November 25, 2002

Mr. & Mrs. James C. Ricely
7620 L'Hirondelle Club Road
Ruxton, Maryland 21204

Re: Petition for Administrative Variance
Case No. 03-194-A
Property: 7620 L'Hirondelle Club Road

Dear Mr. & Mrs. Ricely:

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 black ink, 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 Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7620 L'Hirondelle Club Rd.

which is presently zoned DR-20

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) B02, 3.B (205.3, 1955 Regs) 400.1

To allow a proposed addition with a side yard setback of 10 ft. and an existing to permit an existing detached garage in the front yard in lieu of the minimum required 15 ft. & required rear yard 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

James C. Ricely (410-339-7910W)

Signature

Name - Type or Print

Signature

Address Telephone No.

Margaret Swain Ricely (410-583-0688W)

City State Zip Code

Name - Type or Print

Signature

Attorney For Petitioner:

7620 L'Hirondelle Club Rd.

Name - Type or Print

Address

Telephone No.

Signature

Ruxton, MD 21204 410-583-8014

Company

City

State

Zip Code

Address Telephone No.

Representative to be Contacted:

City State Zip Code

Name

Address

Telephone No.

City State Zip Code

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 11/25/02 day of November, 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. 03-194-7

Reviewed By [Signature]

Date 10-21-02

REV 10/25/01

Estimated Posting Date 11-04-02

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 7620 L'Hirondelle Club Road
Address
Ruxton, Maryland 21204
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):

As our family has grown and our professional lives have flourished, we find that we need more space in our home, to accommodate our private and business lives. The existing structure has become too small, as we now must utilize part of our home for an office, (residential) with requisite computer equipment and other business materials. While we have used the basement for this for the past several years, that space is no longer sufficient. For the proposed addition to be used for the purposes for which it was planned, we need, and hereby request, a variance. We have spoken with our immediate neighbors, and they have no objection to the granting of such a variance.

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.

James C. Ricely
Signature
James C. Ricely
Name - Type or Print

Margaret S. Ricely
Signature
Margaret Swain Ricely
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17th day of Sept, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

James C. Ricely and Margaret Swain Ricely
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Katherine Peperon
Notary Public

My Commission Expires 10-01-03

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 7620 L'Hirondelle Club Road
Address
Ruxton, Maryland 21204
City State Zip Code

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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.

James C. Ricely
Signature
James C. Ricely
Name - Type or Print

Margaret Swain Ricely
Signature
Margaret Swain Ricely
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17th day of Sept., 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

James C. Ricely and Margaret Swain Ricely
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Katherine Pickett
Notary Public

My Commission Expires 10-01-03



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7620 L'Hirondelle Club Rd.

which is presently zoned DR 2

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) 1B02.3B(205.3, 1955 Regs) 400.1

To allow a proposed addition with a side yard set back of 10 ft and to permit an existing detached garage in the front yard in lieu of the minimum required 15 ft. & required rear yard 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:

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):

James C. Ricely (410-339-7910 W)

Name - Type or Print

Signature

Margaret Swain Ricely (410-583-0688 W)

Name - Type or Print

Signature

7620 L'Hirondelle Club Rd.

Address

Telephone No.

Ruxton, MD 21204 410-583-8014

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 _____ 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. 03-194-A

Reviewed By [Signature]

Date 10-31-02

REV 10/25/01

Estimated Posting Date 11-04-02

Zoning Description

7620 L' Hirondelle Club Rd.

Beginning at a point on the west side
of L' Hirondelle Club Rd., 42 ft. $\pm$ south of
and opposite the centerline of Ruxton Ct.,
Being known as Lot No 4 in the Subdivision of
Wilmer Estate as recorded in Balto. County
Plat Book WJR 27 folio 45 containing .5
acre $\pm$ and located in the 9th Election District

194

~~Handwritten scribbles and signatures at the bottom left corner.~~

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Card No. **14553**

03-194-A

DATE 10-21-02 ACCOUNT R-001 306-6150

AMOUNT \$ 50.⁰⁰

RECEIVED FROM: Mrs. Margaret S. Murphy

FOR: Resident of Virginia-Long 7-00
1620 L Howard Ave. #105 Fed.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT
THIS RECEIPT
ISSUED BY THE
OFFICE OF THE
TREASURER
BALTIMORE COUNTY
RECEIVED BY THE
CASHIER
DATE
10/21/02
AMOUNT
\$50.00
TOTAL
\$50.00
BALANCE
\$0.00
RECEIVED BY
MRS. MARGARET S. MURPHY
1620 L HOWARD AVE. #105
FEDERAL
BALTIMORE, MD 21201
10/21/02

CERTIFICATE OF POSTING

RE: Case No.: 03-194-A

Petitioner/Developer: MR + MRS

RICELY

Date of Hearing/Closing: 11/19/02

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 7620 L'HIRONDELLE

CLUB RD

The sign(s) were posted on

11/2/02
(Month, Day, Year)

Sincerely,

 11/2/02
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

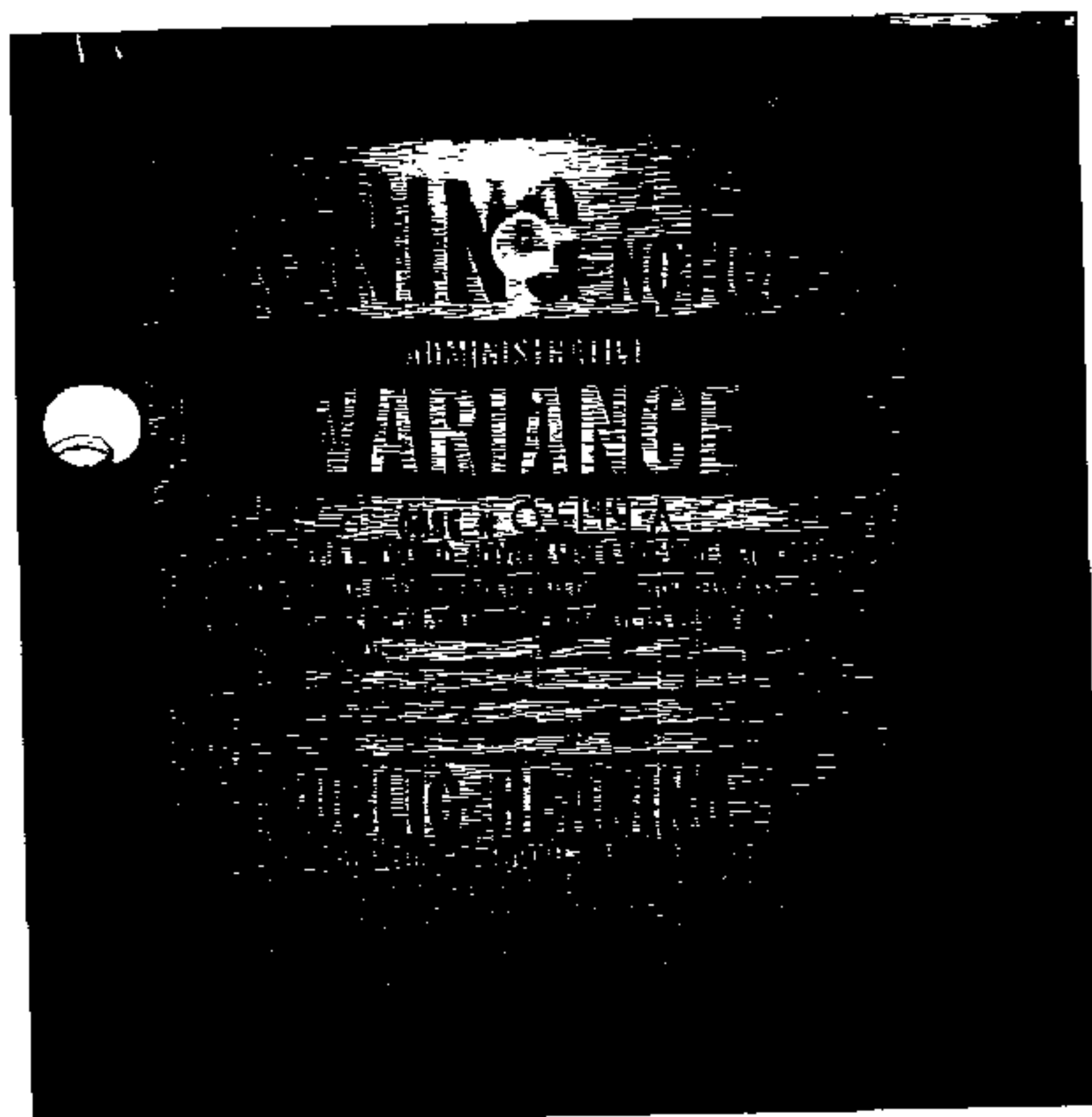
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(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: 03-194-A
Petitioner: Mr. & Mrs. Ricely
Address or Location: 7620 L'Herendelle Club Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____
Address: Suite
Roxton, Md. 21204
Telephone Number: 410-583-8014

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 03- 194 -AAddress 7620 L' Hirondelle Club Rd.Contact Person: John Sullivan
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 10-21-02Posting Date: 11-04-02Closing Date: 11-19-02

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 03- 194 -AAddress 7620 L' Hirondelle Club Rd.Petitioner's Name MR. & MRS. RicelyTelephone 410-583-8014Posting Date: 11-04-02Closing Date: 11-19-02

Wording for Sign: To Permit ^{a proposed} addition with a side yard setback of 10ft and to permit an existing detached garage to be located in the front yard in lieu of the minimum required 15ft and required rear yard respectively.

WCR - Revised 6/28/00



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 18, 2002

James C. Ricely
Margaret S. Ricely
7620 L'Hirondelle Club Road
Ruxton, MD 21204

Dear Mr. and Mrs. Ricely:

RE: Case Number: 03-194-A, 7620 L'Hirondelle Club Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 21, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rlh

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

November 7, 2002

ATTENTION: George Zahner

Property Owner: Distribution Meeting of November 4, 2002

Location:

Item No.:

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.

7. The Fire Marshal's Office has no comments at this time, in reference to the following items:

193-202

194

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

cc: File



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: November 29, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For November 12, 2002
Item Nos. 193, 194, 195, 196, 197, 198,
199, 200, 201, and 202

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: November 25, 2002

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

25

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-193 & 03-194
Administrative Variances

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:



Section Chief:



AFK/LL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 11.6.02

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

RE: Baltimore County
Item No. 194 JJS

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,

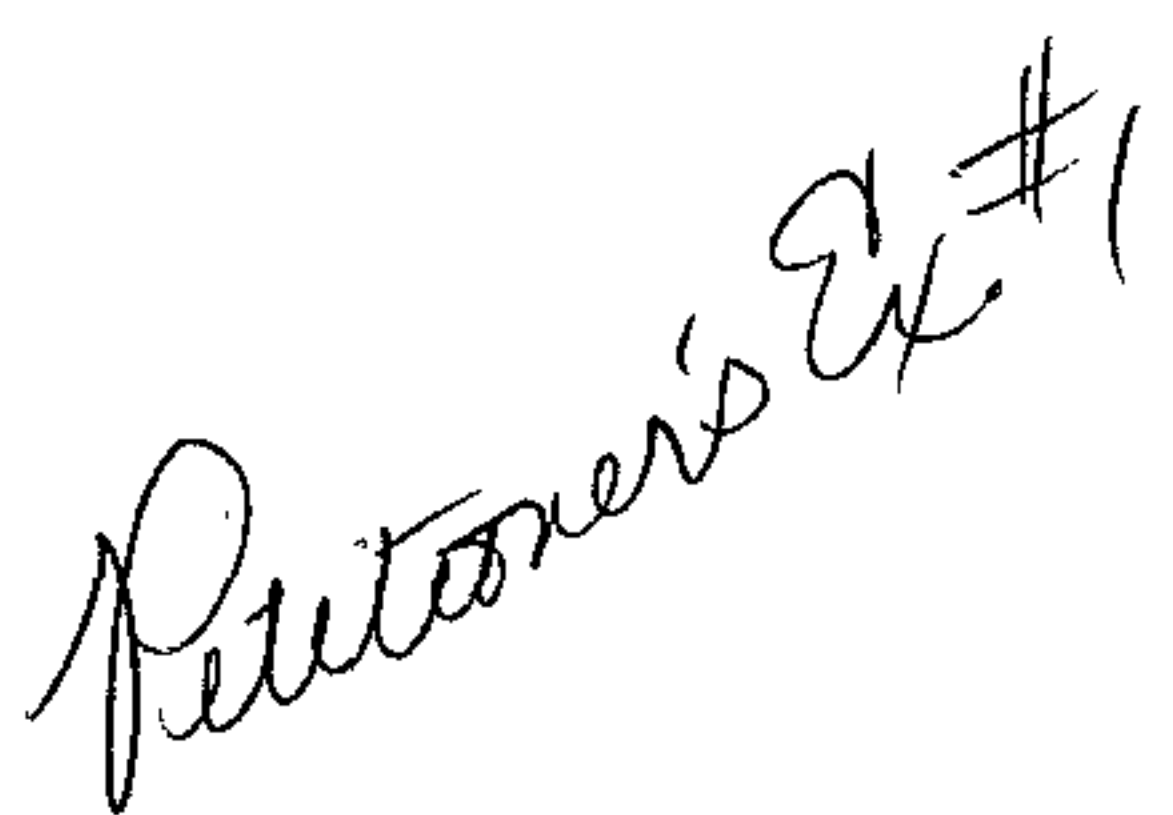
Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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

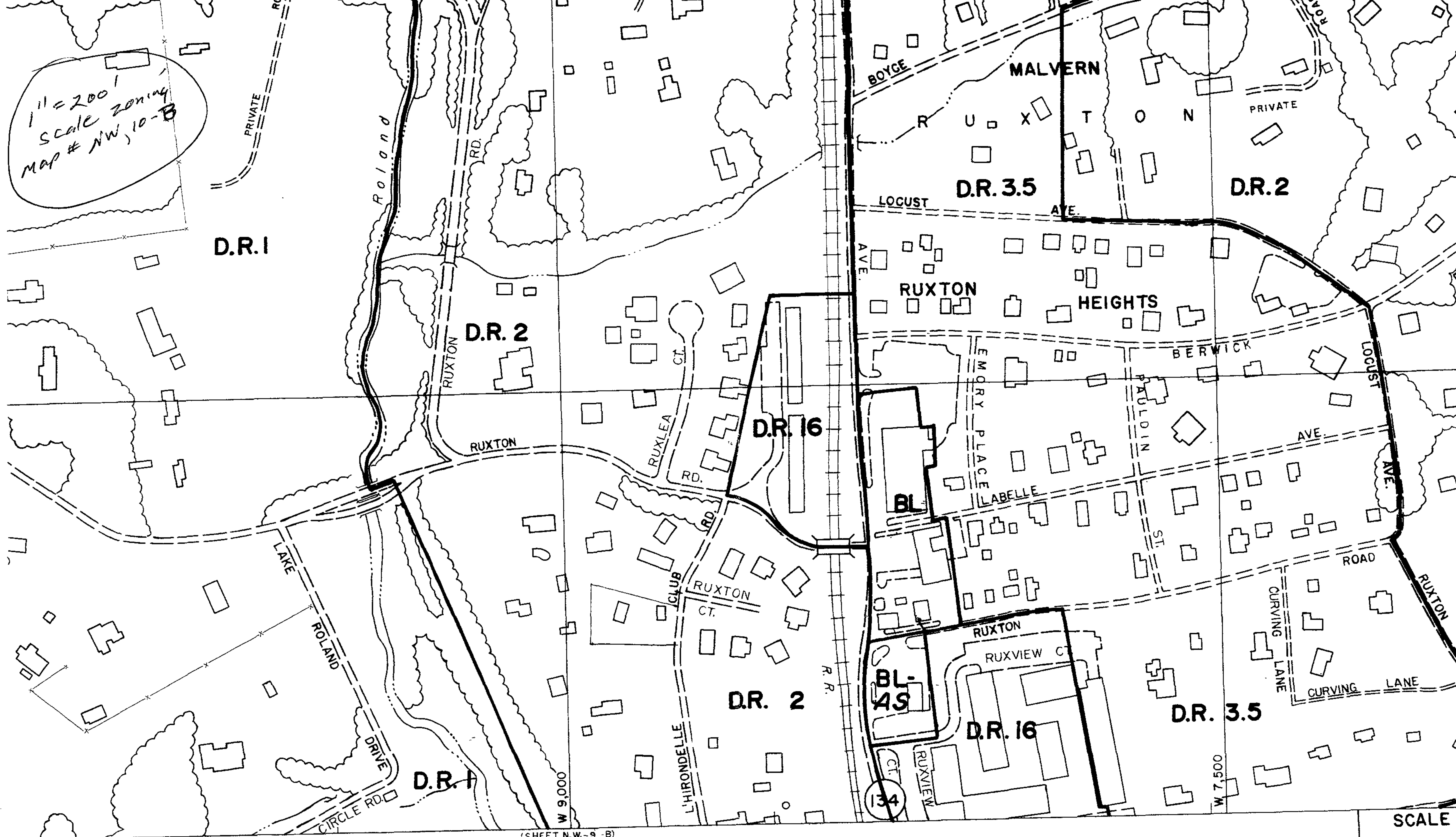
衆



Not in Chesapeake Bay
Critical Area.
Not in 100 year Flood plain
= 30' Zoning: DR-2.
(old R-30)

Scale: 1" = 30' Zoning: DR-2.
(old R-30)
200' scale map # NW, 10-B

Item # 194 JLF,



7620 L'Hirondelle Club Rd.

Ricely

Depicted: Front of house, facing street, to right is existing
addition

#194



7620 L'Hirondelle Club Rd.

Ricely

Depicted: Back of house showing site of proposed addition

#194



7620 L'Hirondelle Club Rd.

Ricely

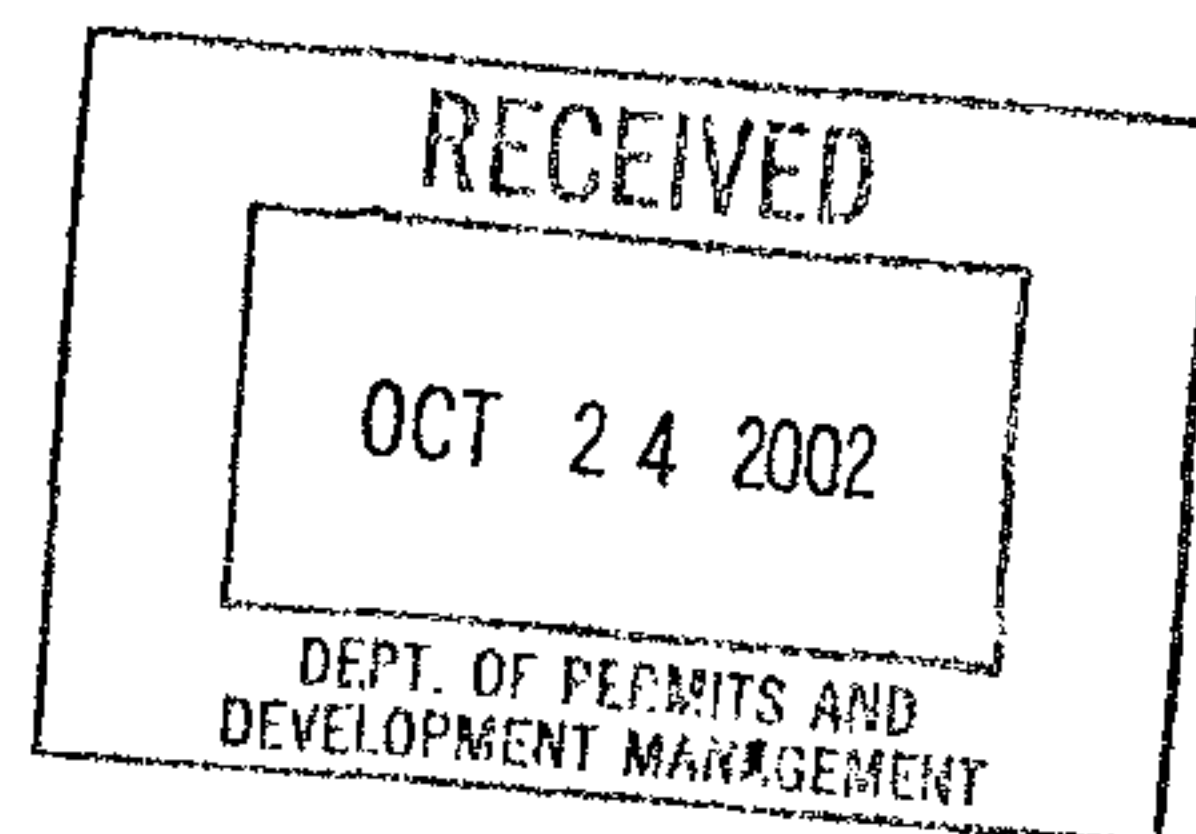
Depicted: House at angle, facing street

#194



#194

Mr Sullivan



7620 L'Hirondelle Club Rd.

Ricely

Depicted: Left side of house, site of proposed addition,
front of house, facing street

194

