IN RE: PETITION FOR ADMIN. VARIANCE
N/S of Oakdale Avenue, 75 ft. S
centerline of Beechdale Avenue

2nd Election District
7th Councilmanic District
(7870 Oakdale Avenue)

Charla E. & Ronald T. Fitch Petitioners BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

CASE NO. 03-606-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, Charla E. and Ronald T. Fitch. The variance request is for property located at 7870 Oakdale Avenue in the Rosedale area of Baltimore County. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit the extension of an existing side building setback for a front and rear addition to be 8 ft. in lieu of the permitted 10 ft. 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

7/2963 messon compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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 24 day of July, 2003, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit the extension of an existing side building setback for a front and rear addition to be 8 ft. in lieu of the permitted 10 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

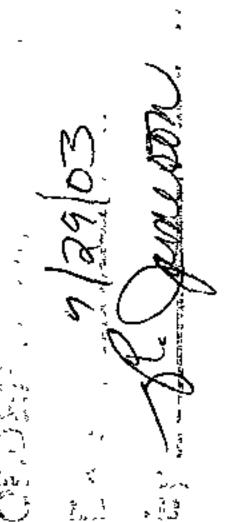
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

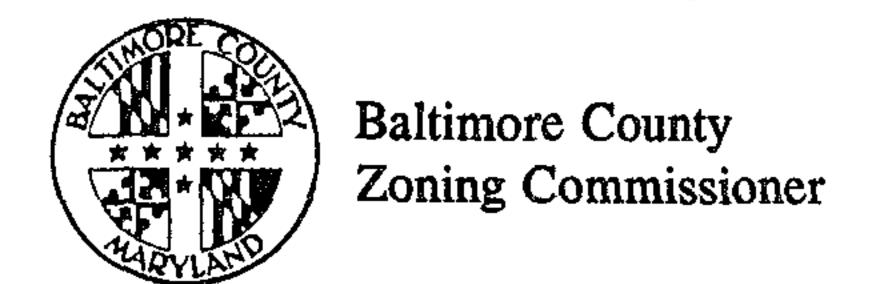
JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:raj





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

Fax: 410-887-3468

July 23, 2003

Mr. & Mrs. Ronald T. Fitch 7870 Oakdale Avenue Baltimore, Maryland 21237

Re: Petition for Administrative Variance

Case No. 03-606-A

Property: 7870 Oakdale Avenue

Dear Mr. & Mrs. Fitch:

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,

John V. Murphy

Deputy Zoning Commissioner

JVM:raj Enclosure

c: James Padgett 1810 Ellinwood Road Baltimore, MD 21237



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at)870	OAKE	BLALE	AL	
	s presentl				

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) | BOZ. 3. C. I TO PERMIT

THE EXTENSION OF AN EXISTING BUILDING SET BACK FOR A FRONT

AND REAR ADDITION TO BE 8 FT. IN LIEU OF 10 FT.

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.

				clare and affirm, under the the legal owner(s) of the Petition.	
Contract Purchaser/l	<u>Lessee:</u>		<u>Legal Owner(s):</u>		
Name - Type or Print			Name - Type or Print	J. FITCH	
			X JA		
Signature			Signature	E FITC	11
Address .	· _	Telephone No.	Name - Type of Print		/
City	State	Zip Code	Signature	1 Church	a Jutch
Attorney For Petition	er:	•		OAK DALE A	× 410 -68)699
	-		Address BALT.	mo.	Telephone No
Name - Type or Print	<u> </u>		City	State	Zip Code
Signature ,			Representative t	o be Contacted:	
	 		James P	1520 DA	
Company			Name 1810 ELL	NWOOD RD	410-866-1822
Address	<u> </u>	Telephone No.	Address		Telephone No
City	State	Zip Code	City M	State	2123) Zip Code
A Public Hearing having bee	n formally demand	ed and/or found to be i	required, it is ordered by th	ne Zoning Commissioner of	Baltimore County
regulations of Baltimore County	4111	a me somer madecia w	is petition be set for a public	hearing, advertised, as req	uired by the zoning
				•	
		^	Zoning Commi	issioner of Baltimore Count	y ,
CASE NO.	5 606	/ / Revi	ewed By	Date 6/2	7/03
REV 10/25/01		Estir	nated Posting Date	7/16/03	

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 2820	DAK DALE	ADE.	
Vacie	BALT	M N - State	2.123) Zip Code
That based upon personal knowledge, the following a Variance at the above address (indicate hardship or pro-	ractical difficulty):		
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TERMITE DAMAGE.	لمتعا	us tea	ge existing
TERMITE DAMAGE. EXTEND FRONT	they	Same. F	FRONT & REAR.
	of 40	DITION WILL	INCREASE BY
	10' F	00T.	
	() () ()	SUAL LOT SI	かと
That the Affiant(s) acknowledge(s) that if a formal advertising fee and may be required to provide addition		Affiant(s) will be requir	ed to pay a reposting and
X R.	✓	Q D	Odjoth Ditch
Signature	Signature		_` ,
Name - Type or Print	Name - 1	ト人RLA E) Type or Print	-11CH
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~			
STATE OF MARYLAND, COUNTY OF BALTIMORE,		) ~ .r~	
of Maryland, in and for the County aforesaid, personal	ly appeared	before me,	a Notary Public of the State
Kemald & CV	rula ha	th_	
the Affiant(s) herein, personally known or satisfactorily	identified to me as	s such Affiant(s).	
AS WITNESS my hand and Notarial Seal			
	Notary Public	Jack !	aaren
	My Commission	n Expires	104

REV 10/25/01

# 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	7870	OHK DAKE	AUE.
	Address City	M D.	2123) Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardship	wing are the facts	upon which I/we base	_
EXISTING. BOILDING.  TERMITE DAMAGE.  EXTEND FRONT	S C	IDE SET BA TAY THE GAME FADDITION FOOT.	SHAPE & EXISTING LOK OF & WHICH WILL  FRONT & REAR WILL INCREASE BY  UAL LOT SHAPE
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a Signature	additional informatio	ignature	n Ditch
Name - Type or Print		ame - Type or Print	S P1) aff
STATE OF MARYLAND, COUNTY OF BALTING  I HEREBY CERTIFY, this	rsonally appeared		re me, a Notary Public of the State
AS WITNESS my hand and Notarial Seal	Notary Hu	aus J. La	olg ett

My Commission Expires

REV 10/25/01



REV 10/25/01

## Petition for Administrative Variance

for the property located at  $\frac{300}{2}$ 

### to the Zoning Commissioner of Baltimore County

which is presently zoned <u>DR. 5.5</u>

OAF DAG HJE

This Petition shall owner(s) of the proposed made a part hereof.	<b>be filed with the De</b> perty situate in Baltima hereby petition for a	epartment of Permione County and which Variance from Section 1985	ts and Development I th is described in the de on(s)	Management. The unasscription and plat attac	dersigned, legal ched hereto and
THS EXTS	CALCINAL AF	HL EXIST 1	on(s)   Boz	J. C. 1. 10	FCRMIJ
) () <del></del>	70 570 57	ハヘヘ・エ・ジューグ	BE SET. 1	SET BACK FI	A A
FRONT AN	N KEAR I	71313110W 10	10 E 8 FT. 1	NLIEU OF ;	OFT.
; · . ~					
of the zoning regulat of this petition form.	tions of Baltimore Co	unty, to the zoning la	aw of Baltimore County,	, for the reasons indica	ted on the back
i, or we, agree to pay i	sted and advertised a expenses of above Var tions of Baltimore Cour	lance, advertising, pos	zoning regulations. sting, etc. and further agre the zoning law for Baltin	∍e to and are to be bound nore County.	led by the zoning
			I/We do solemnly dec perjury, that I/we are is the subject of this I	clare and affirm, under th the legal owner(s) of the Petition.	e penalties of property which
Contract Purchas	ser/Lessee:		<u>Legal Owner(s):</u>	, •	
			RONALD	T FITCH	
Name - Type or Print		· · · · · · · · · · · · · · · · · · ·	Name - Type of Print		, <del></del>
Signature	<del></del>	· · · · · · · · · · · · · · · · · · ·	Signature	7 <u>-</u>	
			CHARLA	15 FITCH	
Address		Telephone No.	Name - Type or Print	lu Ditch	<u> </u>
City	State	Zip Code	Signature		
Attorney For Peti	tioner:		<del></del>	OAK DALE AU	······································
			Address BAL7	MD 2	Telephone No.
Name - Type or Print		<del></del>	City	State	入)入ろう Zip Code
Signature		<del></del>	Representative t	to be Contacted:	·
			JAMES	PADGEH	
Company			Name	-LIN WOOD A	410-8166-150
Address	<del></del>	Telephone No.	Address		Telephone No
City	Chata	<del></del>	DALT,	MB.	入りるろう Zip Code
	State	Zip Code	City	State	•
us vavu	been formally demand that county and that the propert	ir ine cilliert motter at tr	required, it is ordered by the is petition be set for a public	he Zoning Commissioner of hearing, advertised, as requ	Baltimore County, uired by the zoning
	3606	$\triangle$	_	nissioner of Baltimore County	
JASE NU.	2000	77 Revi	ewed By	Date6 <u>} 2</u>	<u> </u>

Estimated Posting Date _

ZONING DESCRIPTION FOR 7870 WAR DAKE AUR.
BEGINNING AT A POINT ON THE NORTH SIDE OF

OAKDALE AUE. WHICH IS 30 WIDE AT THE

DISTANCE OF 75' SOOTH OF THE CENTERLINE

OF THE NEARCST IMPROVED INTERSECTING STREET

DEECH DAKE. AUE. WHICH IS 30 WIDE, BEING LOT 345

SECTION C IN THE RESUBDICISION OF ROESDALE

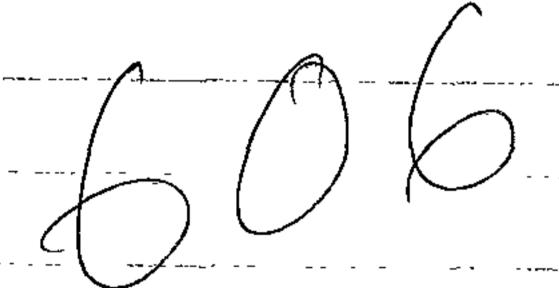
TERRACE AS RECCROED IN BALTIMORD COUNTY

PLAT BOOK # > FOLIO # 133

CONTAINING, 462 ACRES ALSO KNOWN AS 2870

OAKDALE AUE. AND LOCATED IN THE 15

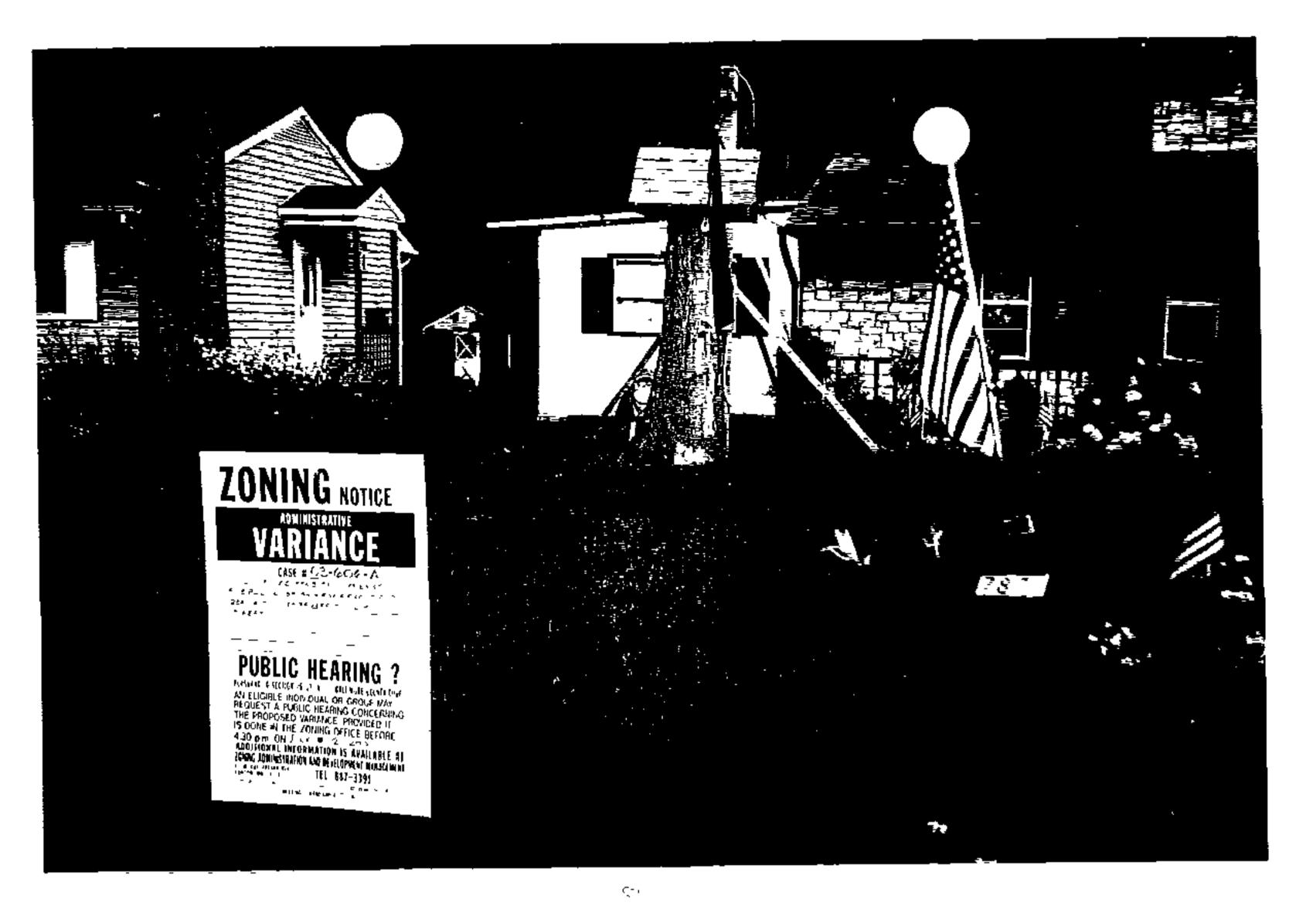
ELECTION DISTANCT > COUNCIL MANIE DISTANCT.

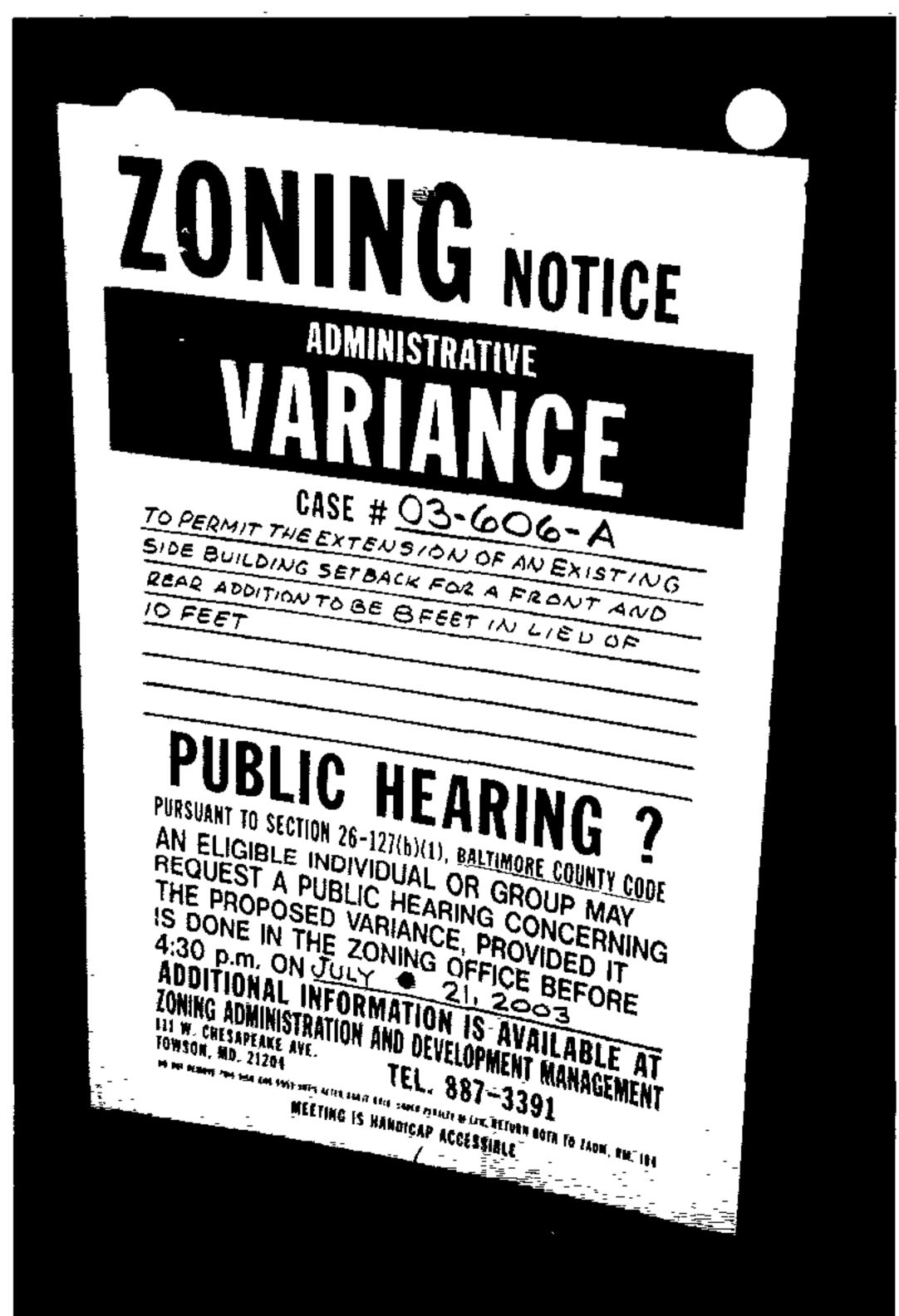


OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT
TIE 6/27/03 ACCOUNT 00/ 006 6/50
AMOUNT $$65.00$
RECEIVED FAMULET
FOR: LOS MANANCE SELLINA
7870 oak Jakobeleave.
TRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

	PAID RECEIPT		
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	6/21/2003 6/27/2003 0		4
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CR	ND. 025017		
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	65.00 CK	.00	CA:
	Baltimore County, W	aryland	

CASHIER'S VALIDATION





### CERTIFICATE OF POSTING

Baltimore County Department of

Permits and Development Management

County Office Building, Room 111 111 West Chesapeake Avenue	
Towson, MD 21204	•
Attention:	
	e penalties of perjury that the necessary sign(s) required by
law were posted conspicuously on the property located	at # 7870 OAKDACE AVE
	*
The sign(s) were posted on	7003
(Mor	nth, Day, Year)
•	Sincerely,
	Barland De Moore
	(Signature of Sign Poster and Date)
•	GARLANDE, Woors (Printed Name)
	3225 RYERSON CIRCLE
	FDA LTINIORE, MD. 21227
•	
•	(Telephone Number)
	(Address) (DA LTINIORE, MD. 21227 (City, State, Zip Code) (416) 242-4263

RE: Case No.: 03-606-A
RE: Case No.: 08-606-A
REMAINER FITCH

Date of Hearing/Closing: July 21, 2003

Petitioner/Developer: PADGETT CONSTRUCTION

## DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

### **ZONING REVIEW**

## ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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 <u>03 606 A</u>
Petitioner & ROMALD & CHARLA FITCH
Address or Location: x 7870 OAK DALE AVE. BALT. MD 2123)
PLEASE FORWARD ADVERTISING BILL TO
Name: x RONALU FITCH
Address x 7870 OAK DALE AUE.
A BALT MO 2123)
<u>/</u>
Telephone Number: x 410 - (68) - (6)90

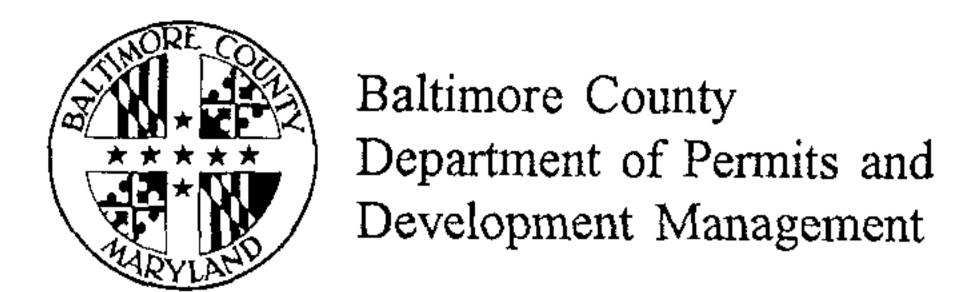
### ZONING REVIEW

### ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	lumber 03- 606 -A Address 7870 OAKDALE AVE,	
Conta	t Person: Vor Lewis Planner Please Print Your Name Phone Number: 410-887-3391	
Filing	Date: $6/27/03$ Posting Date: $7/06/03$ Closing Date: $7/21/0$	3
Any c throug	ntact made with this office regarding the status of the administrative variance should be 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.	
	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 equest for a public hearing, the process is not complete on the closing date.	
	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. Jenied, or will go to public hearing. The order will be mailed to you by First Class mail	
	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 his office.	
	Okuasin Aksing Duriya Ling	
Petitic	ner: This Part of the Form is for the Sign Poster Only	
	USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT	
Case N	umber 03- 606 - Address 7870 OAKDALE AVE,	
Petitio	er's Name <u>Rowald AND CHARLA FITCH</u> Telephone 410 687 6 790	3
Postin	Date: $\frac{7/66/03}{}$ Closing Date: $\frac{7/21/03}{}$	
Wording For	Date: 7/06/03 Closing Date: 7/21/03  Gior Sign To Permit THE EXTENSION OF AN EXISTING BUILDING SETBACK  FRONT AND REAR ADDITION TO BE BE OFT IN LIEU OF 10 FT.	
<del></del> -		

WCR - Revised 5/28/00

applicant given posters list



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

July 21, 2003

Ronald Fitch Charla Fitch 7870 Oakdale Avenue Baltimore, MD 21237

Dear Mr. and Mrs. Fitch:

RE: Case Number: 03-606-A, 7870 Oakdale Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 27, 2003.

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.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel James Padgett, 1810 Ellinwood Road, Baltimore 21237



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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

July 2, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: July 7, 2003

Item No.:

*©∂***€** 602-610

Dear Ms. Hart:

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.

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

cc: File

Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor



Robert L. Flanagan, Secretary Neil J. Pedersen, Acting Administrator

#### HARMAND DEPARTMENT OF TRANSPORTATION

Date: 7.7.03

Ms. Rebecca Hart Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204 RE: Baltimore County

Item No. 606 JL

Dear. Ms. Hart:

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,

J. J. Dul

/r

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

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**SUBJECT:** 

Zoning Advisory Petition(s): Case 03-604 and 03-606

Administrative Variance

**DATE:** July 8, 2003

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: Muel-A Cumba

Section Chief: Kathy Schlabach

AFK/LL:MAC

#### BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director Department of Permits &

Development Management

**DATE:** September 8, 2003

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

**SUBJECT:** 

Zoning Advisory Committee Meeting

For July 14, 2003 Item Nos. 602, 603, 604, 605/606,

607, 608, 609, and 610

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

RWB:CEN:jrb

cc: File

### ministrative Variances Check List

	Administrative V	ariances Ch
Case Number 03-606 A		
Location 7870	Doledala	Que
Zoning DR 5.6		
Request addit	Lón	8 Bt
Zoning Regs 1 - BOZ	.,3,C.1	
Verify sign posting	7/3/	Close

Verify sign posting  7/5/03	7/21	closing	OJ.
ZAC comments	•		

Reason for request ternite donnage? External from

oald strafed lot Existing 8 foot selback
Pictures

Pictures

Pictures

8 Bt instead 10 At

**Opinion** 

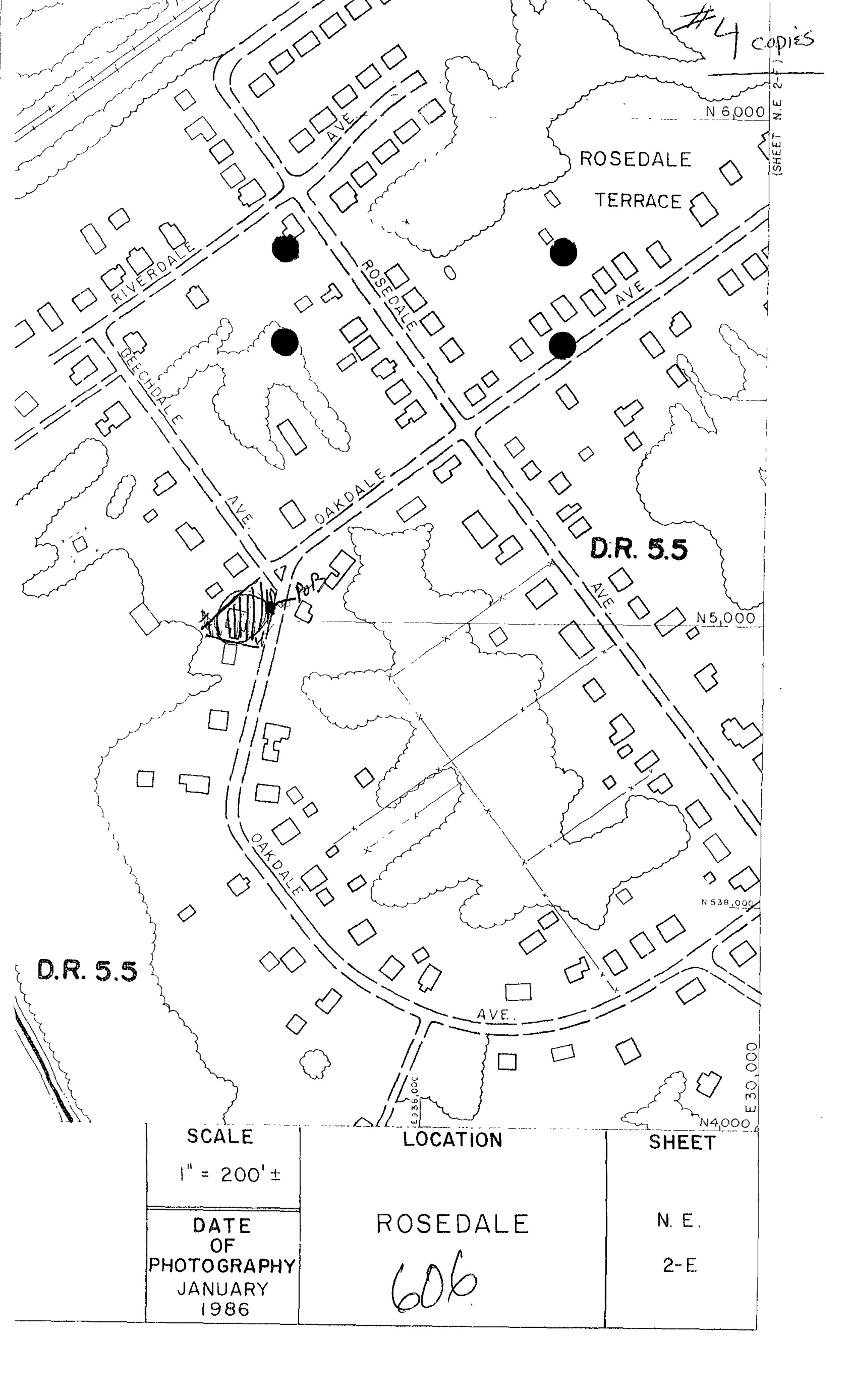
03606A

L JAMES PADGET UNDERSTAND
THAT PHOTOG ARE NEEDED TO PROCESS
UAR! ANCE! I WILL TAKE AND BRIND
CUPIES TO ZONING: 03 606 A-

Am 29th 03

7,

Mr Bill







## D870 - OAK DALE

EXISTING ADDITION EXISTING ADDITION EXISTING HOME. TAN. 12 WIDE X 20 LONG.

