IN RE: PETITION FOR ADMIN. VARIANCE SW/Corner of Tredegar Avenue

and Thackery Avenue 1st Election District 1st Councilmanic District

(1601 Tredegar Avenue)

Chao Wan-Cheng Petitioner

**BEFORE THE** 

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

\* CASE NO. 04-171-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 owner of the subject property, Chao Wan-Cheng. The variance request is for property located at 1601 Tredegar Avenue in the Catonsville area of Baltimore County. The variance request is from Sections 303.1, 1B02.3.C.1 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a front yard setback of 18 ft. for an open projection in lieu of the required front average setback of 21.75 ft. for a proposed open porch and to allow a rear yard setback of 15 ft. in lieu of the minimum required 40 ft. for an enclosed deck. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioner 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 Petitioner has 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 Petitioner.

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 29 day of October, 2003, that a variance from Sections 303.1, 1B02.3.C.1 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a front yard setback of 18 ft. for an open projection in lieu of the required front average setback of 21.75 ft. for a proposed open porch and to allow a rear yard setback of 15 ft. in lieu of the minimum required 40 ft. for an enclosed deck, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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 Petitioner 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

. WM:rai

#### Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



### **Baltimore County**

James T. Smith, Jr., County Executive Lawrence E. Schmidt, Zoning Commissioner

October 29, 2003

Mr. Chao Wan-Cheng 1601 Tredegar Avenue Baltimore, Maryland 21228

Re: Petition for Administrative Variance

Case No. 04-171-A

Property: 1601 Tredegar Avenue

Dear Mr. Wan-Cheng:

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: Christopher L. Sebald 1836 Montevideo Road Jessup, MD 20794



Visit the County's Website at www.baltimorecountyonline.info



CASE NO.

REV 10/25/01

## Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at 1601 TREDEGAR AND BALT, MD 21228 which is presently zoned DR-2

I/We do solemnly declare and affirm, under the penalties of

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)

303.1, 1802.3.C.1, 301.1 TO ALLOW A FRONT YARD SETBACK OF 18 FEET for an Projection IN LIEU OF THE REQUIRED FRONT AVERAGE SETBACK OF 21.75 FEET.

FOIR A PROPOSED OPEN PORCH AND TO ALLOW A REAR YARD SETBACK OF 15FT.

IN LIEW OF THE MINIMUM REQUIRED 40 FT FOR AN ENCLOSED DECK.

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.

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 Zip Code State Signature 1601 Attorney For Petitioner: Address Telephone No 21228 Name - Type or Print Zip Code State Representative to be Contacted: Signature CHRISTOPHER Company Name 1836 MONTENIDEO RO Address Telephone No. Address JESSUP MARYLAND 20794 City State Zip Code City Zip Code Rubille Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning day of egulations of Baltimore County and that the property be reposted. Zoning Commissioner of Baltimore County

Reviewed By

Estimated Posting Date

## 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 resid	de at	1601 TR	TREDEGAR AVE		
	Adare	BALTIMORN	E. MARYLAND State	21228	
That based upon personal knowledge, the Variance at the above address (indicate h	ne following :	are the facts upon	•	Zip Code st for an Administrativ	
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That the Affiant(s) acknowledge(s) that advertising fee and may be required to provide Signature	ovide addition	demand is filed, A		pay a reposting and	
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the Affiant(s) herein, personally known or	satisfactoril	y identified to me a	s such Affiant(s).	<u></u>	
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REV 10/25/01					

10/27

## 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

1601 TREDEGAR AVE

	BALTIMORE	MARYLAND	21228
That based upon personal knowledge, the follo	City	State	Zip Code Lest for an Administrative
Variance at the above address (indicate hardshi	p or practical difficulty)		
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Name - Type or Print	ivante	- Type or Print	
STATE OF MARYLAND, COUNTY OF BALTIN	HORE, to wit:		·
I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, per	roseR rsonally appeared	_, <u>১৩০3</u> , before me, a N	Notary Public of the State
the Affiant(s) herein, personally known or satisfa	ctorily identified to me	as such Affiant(s).	· · · · · · · · · · · · · · · · · · ·
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	Notary Public	1	\ A 43 <sup>9-7</sup>
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REV 10/25/01			1



CASE NO.

REV 10/25/01

## Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at 1601 TRISPEGAR AVE, BALT, Mo ZIZZY
which is presently zoned DR-2

Zoning Commissioner of Baltimore County

Estimated Posting Date 10-12-03

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)

PROJECTION LIEU OF THE REQUIRED FRONT AVERAGE SETBACK OF 21.75 FRET.

TO ALLOW A REAR YARD SETBACK

OF 15 FT IN LIEU OF THE MINIMUM REQUIRED FOR AN ENCLOSED DECK.

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): WAN-CHENG Name - Type or Print Signature Address Telephone No. Name - Type or Print City State Zip Code Signature 1601 TREDEGAR AVE **Attorney For Petitioner:** 410-719-8839 Address Telephone No. Name - Type or Print Zip Code Representative to be Contacted: Signature CHRISTOPHER L. SEBALD Company MONTEN, DED RD 410-799-4546 Address Telephone No. Address Telephone No MARYLAND VESSUP 20794 City State Zip Code 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.

Reviewed By

# ZONING DESCRIPTION FOR 1601 TREDEGAR AVENUE BALTIMORE, MD 21228

Occupying the southwest corner of the intersection of Tredegar Avenue with a 60-foot right-of-way and Thackery Avenue with a 40-foot right-of-way, being known and designated as Lots numbered Three Hundred Ninety-One (391), Three Hundred Ninety-Two (392) and Three Hundred Ninety-Three (393), shown on the Plat of OAK FOREST PARK, which Plat is duly recorded among Land Records of Baltimore County in Plat Book W.P.C. Book No. 5, folio 90 and 91, and placed on Zoning Sheet #SW, 4-G, containing 11,250 square feet. Also known as 1601 Tredegar Avenue, Baltimore, Maryland 21228 and located in the First Election District, First Councilmanic District.

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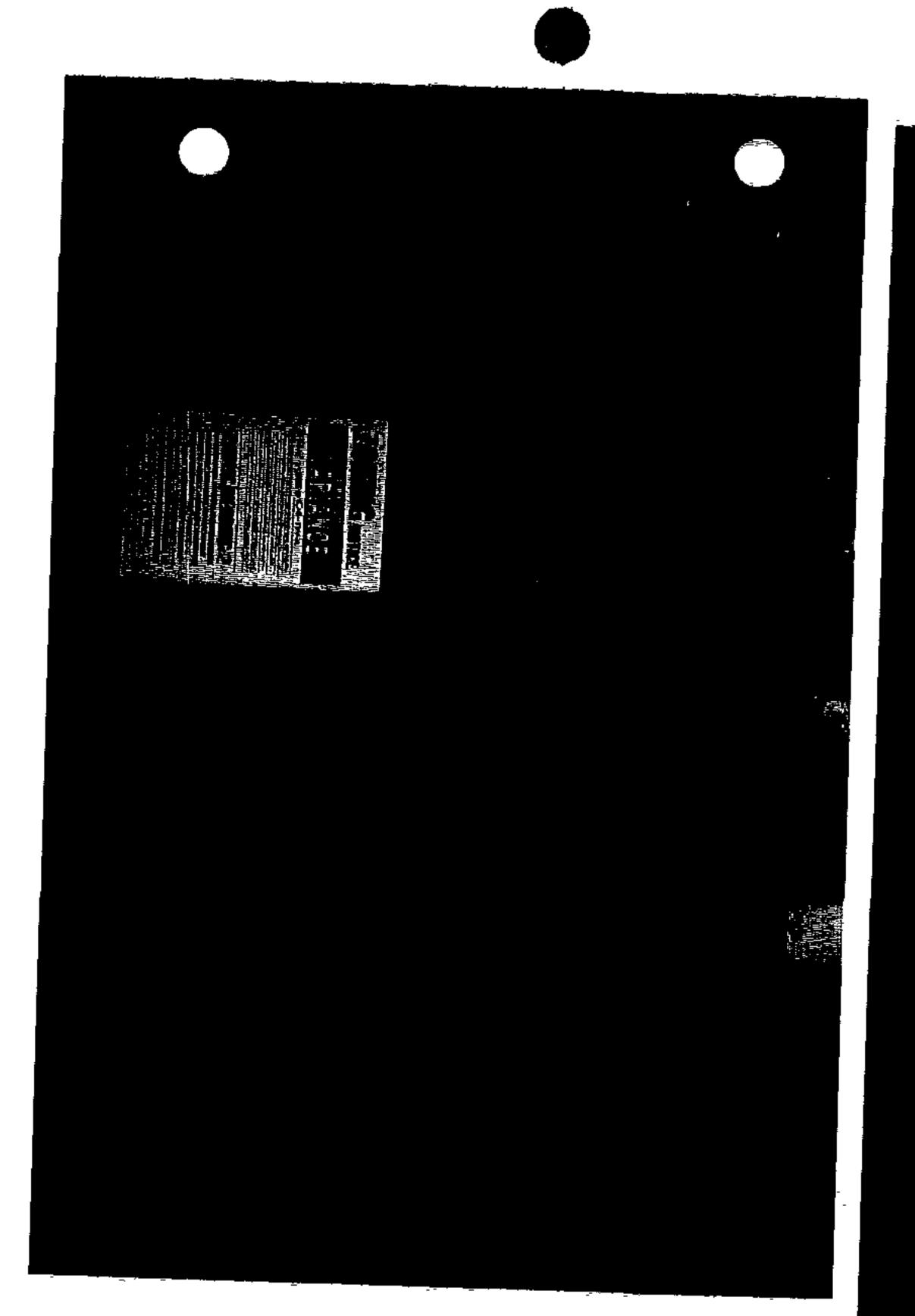
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ADMINISTRATIVE

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CASE # 04-171-A

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FOR AN OPEN PROJECTION (PORCH) IN CIEU
OF THE MINIMUM REQUIRED FRONT AVERAGE
SETBACK OF 21.75 FT. AND A REAR YARD SETBACK OF IS FT. FOR AN ENCLOSED STRUCTURE
IN LIEU OF THE MINIMUM REQUIRED 40 FT.

## PUBLIC HEARING ?

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ADDITION OF THE PROPOSED VARIANCE PROVIDED IT

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### CERTIFICATE OF POSTING

<b>-</b>	RE: Case No.: 04-171-A
	Petitioner/Developer: CNOIC - WON CHENC
••• •	Date of Hearing/Closing: Oct. 27, 2003
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altimore County Department of armits and Development Manager ounty Office Building, Room 111	nent
1 West Chesapeake Avenue wson, MD 21204	
WSULL, WILL ZIZUM	- 1
tention: BECKY HAR'	$\Gamma$
	s to certify under the penalties of perjury that the necessary sign(s) required by
w were posted conspicuously on	the property located at #1601 TRED ECTAR AVE
· — · · · · · · · · · · · · · · · · · ·	} 
	Oct. 11, 2003
e sign(s) were posted on	(Month, Day, Year)
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	Darland Le Ploore
	(Signature of Sign Poster and Date)
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	3225 RYERSON CIRCLE
•	(Address)
	PAUTINIARE, MD. 2122' (City, State, Zip Code)
	(410) 242-4263
	(Telephone Number)
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ZONING REVIEW

## ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

rae Mullipel O	7/ -A	Address	1605	Tredegan	AVE
ntact Person:	John S. Planner Please P	rint Your Name	<del></del>	Phone Number:	410-887-3391
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BALTIMORE COUNT! DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

# 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.

Item Number o	or Case Number: 94-17/-9
Petitioner	MS. Chao War-Cheng
چ Address or Lo	MS. Chao Wan-Cheng ite cation: 1601 Tredegan Ave (21228)
PLEASE FOR	WARD ADVERTISING BILL TO
Name:	Same
Address:	
	mber: 410-719-8839

### Department of Permits and Development Management

Development Processing County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204





James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

October 27, 2003

Chao Wan-Cheng 1601 Tredegar Avenue Baltimore, MD 21228

Dear Mr. Wan-Cheng:

RE: Case Number: 04-171-A, 1601 Tredegar Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 3, 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

u. Callibal)

WCR:klm

Enclosures

c: People's Counsel Christopher Sebald, 1836 Montevideo Road, Jessup 20794



Visit the County's Website at www.baltimorecountyonline.info



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

October 22, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: October 20, 2003

1

Item No.:

170-175, 177-181

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

### 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 04-171 and 04-178

Administrative Variance

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

RECEIVED

**DATE:** October 28, 2003

OCT 2 8 2003

ZONING COMMISSIONER



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

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

#### MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 10.23.03

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

RE:

**Baltimore County** 

Item No. 17/

115

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,

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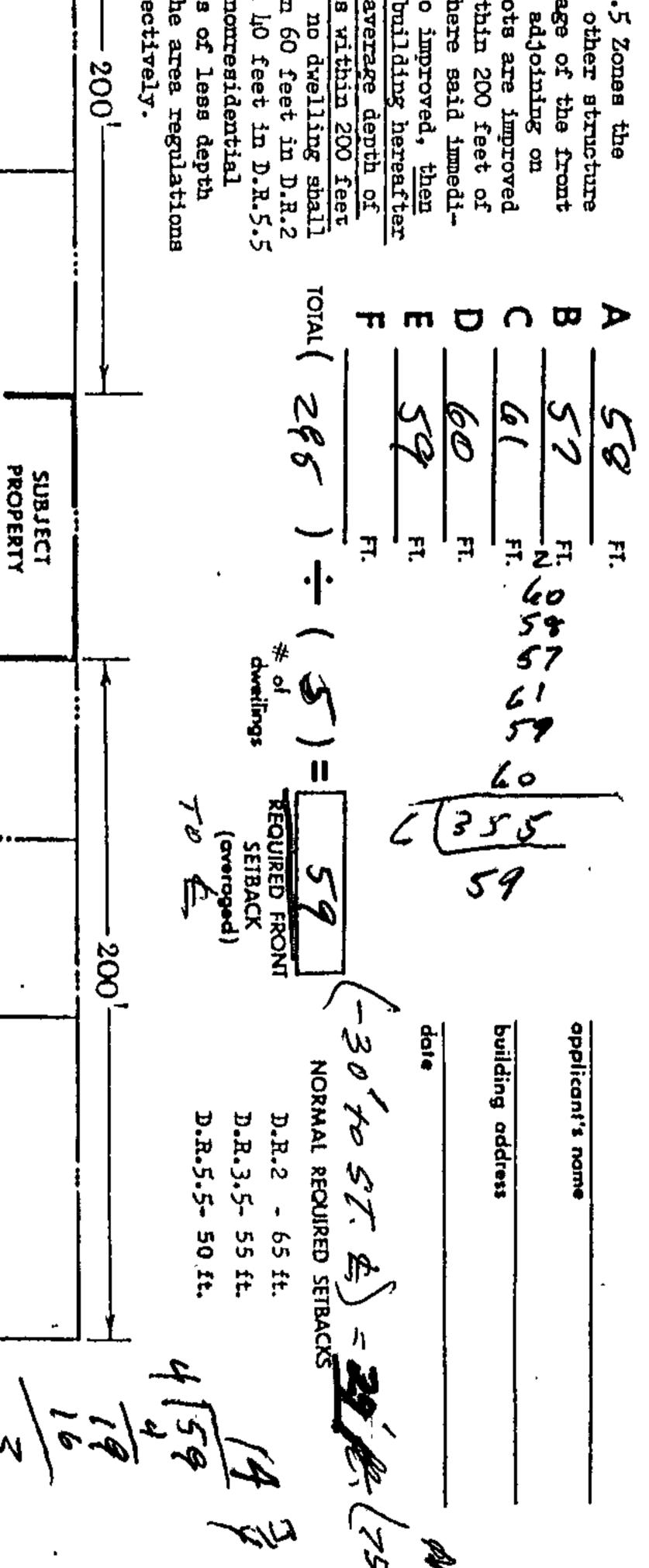
Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

Manual Ma

SITE PLAN or 田田 USED WHEN HH 岁 ヒガイガス IMEDIATE MINING ADJOINING LOTS FRONT YARD ARE NOT IMPROVED Zoning DEPTHS Regulations 呈 RESILENCE ZONES

Reference - Section 303.1 Baltimore County

zones, 50 feet 303.1 yezd front yard depth of any hereafter erected shall HOH 6 principal the depth of the front yard of a erected shall be not less than the front yards of all improved yard depths of the 5. 43 required joint side p D.R.2, those principal Bide tu buildings D.R.2. D.R. 3.5 specified therefrom D.R.3.5 and D.R.5.5 thereor, case, the lots ided such property buildings in D.R. 3.5 lots D.R. 3.5 and D.R. 5.5 **₽**₽₽€ however, 210 back more provided line, ve bu adjoining lots be the average of the immediately adjoining building or front situate Zones shall f any bullows depth of the average depth of ed lots within 200 for that no dwelling si respectively. <u> प्रत्यम्ब</u> Ħ. abd than within t where the nonresidential other 5 g 60 feet improved, Zones are feet said 200 feet less depth the front **structure** improved regulations ed, then hereafter depth of 200 feet 탏 Ħ immedi-D.R.5.5 D.R.2 ဋ TOTAL **>** Ø **(**) D ш



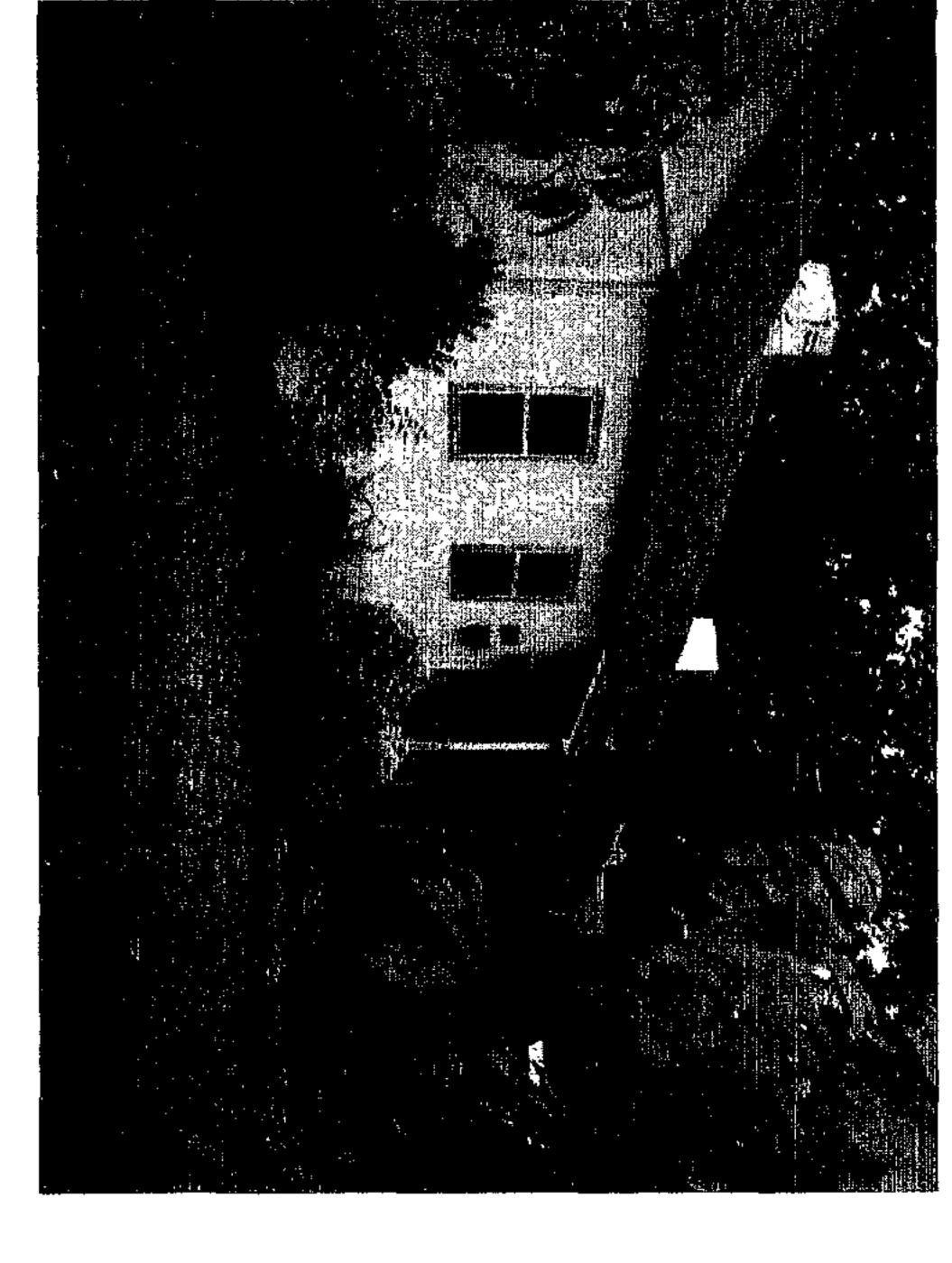
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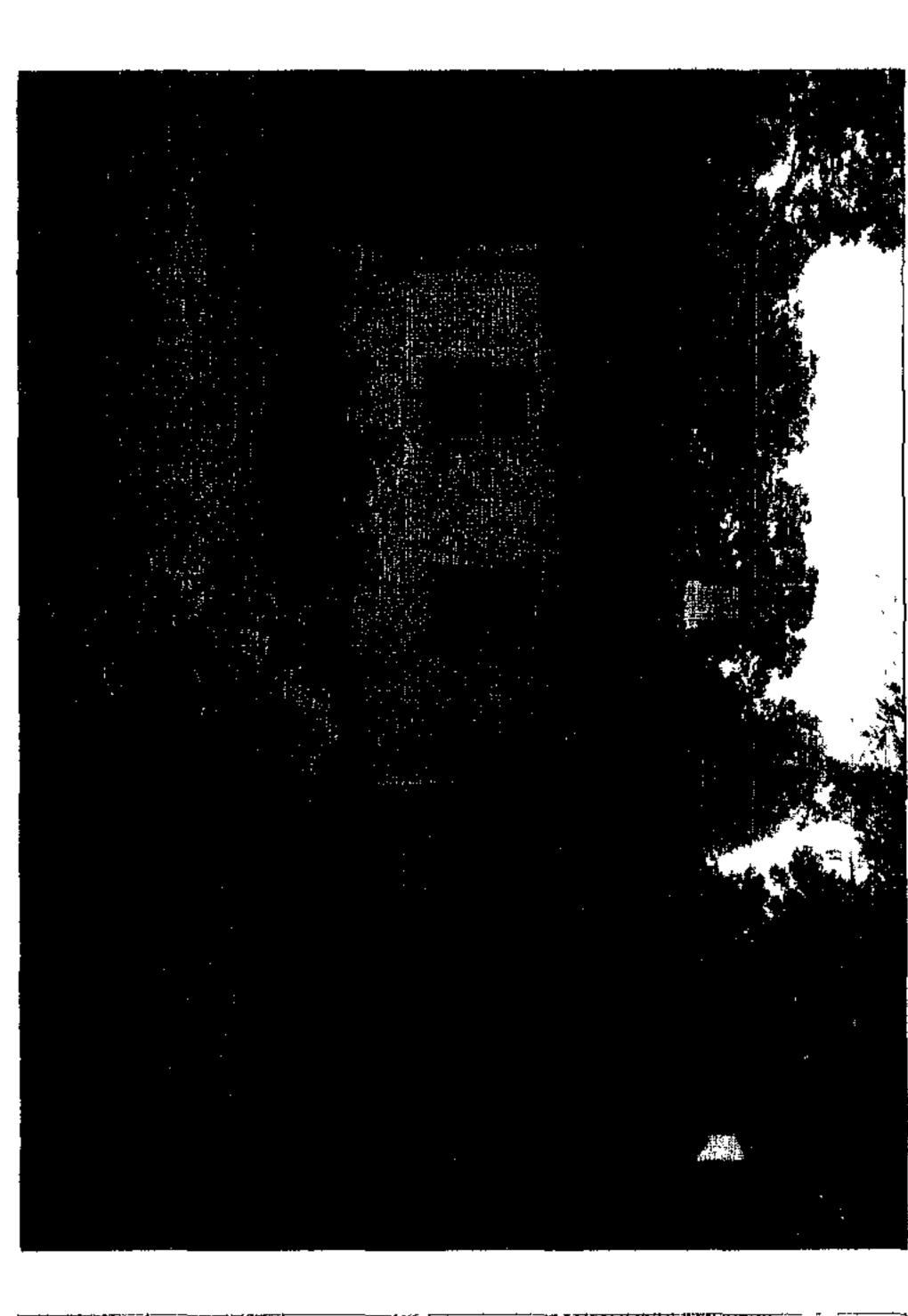
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PREPARED BY THACKEN RY AVE 40' R/W PRECISION HOME DESIGN SE 50'-0" OWNER: #18 24'-0" -EBOML RVICES 25'-0" **#405** 18'-0" 15'-0" SCALE 26'-0" 10'-0" DRAWING: GARAGE **EXIZING EXISTING** GARAGE 30'-0" LOCATION DONTRODE ZONING HEARING FLOOD PROPERTY/ SCALE VICINITY MAP ,250 SF ET #SW, 200 FT OFFICE ITEM# RC#D INFORMATION = 1000 FT THUTCH AVE O CASE#

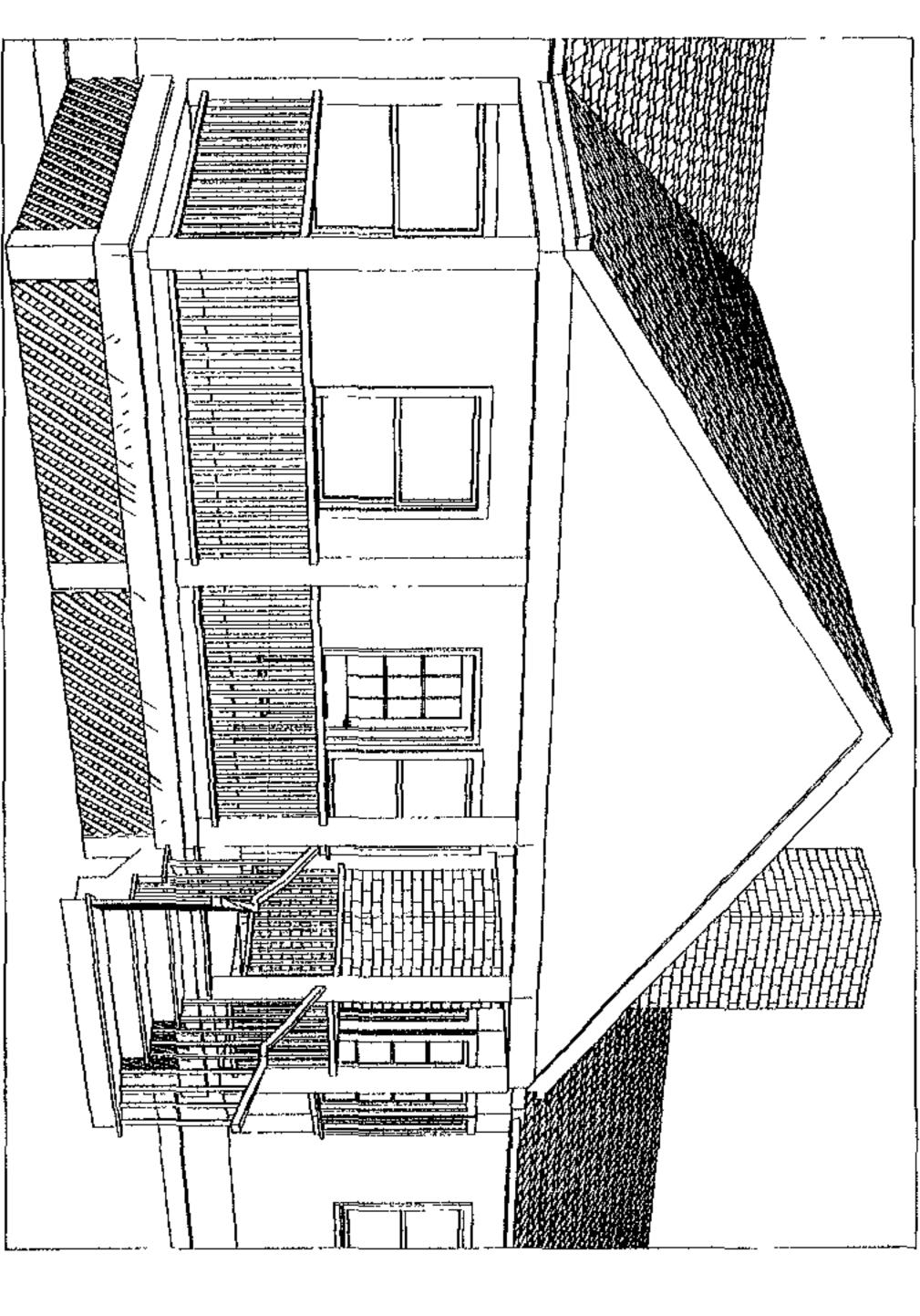




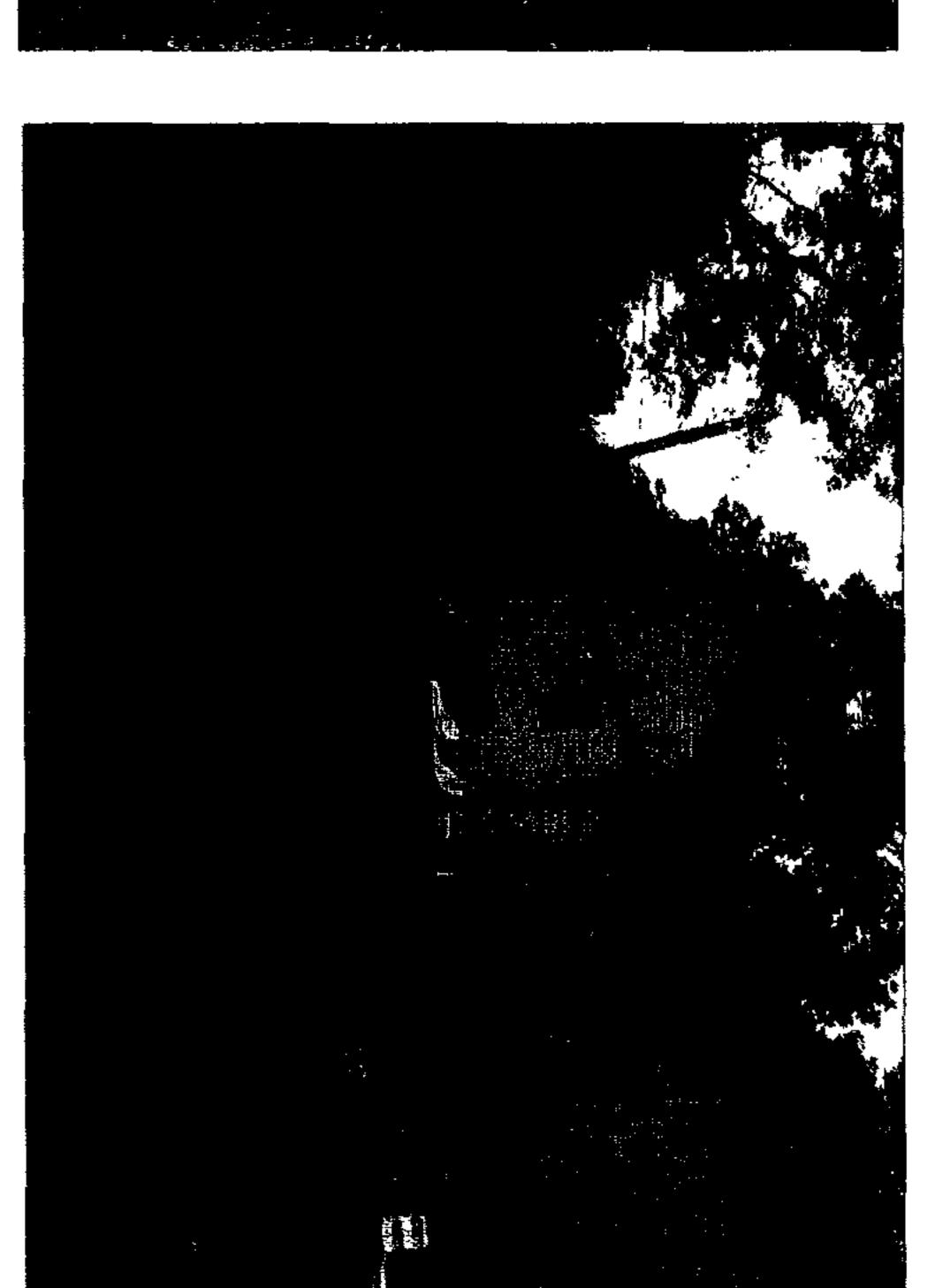
Front Perspective showing existing porch to



Front Elevation showing existing porch

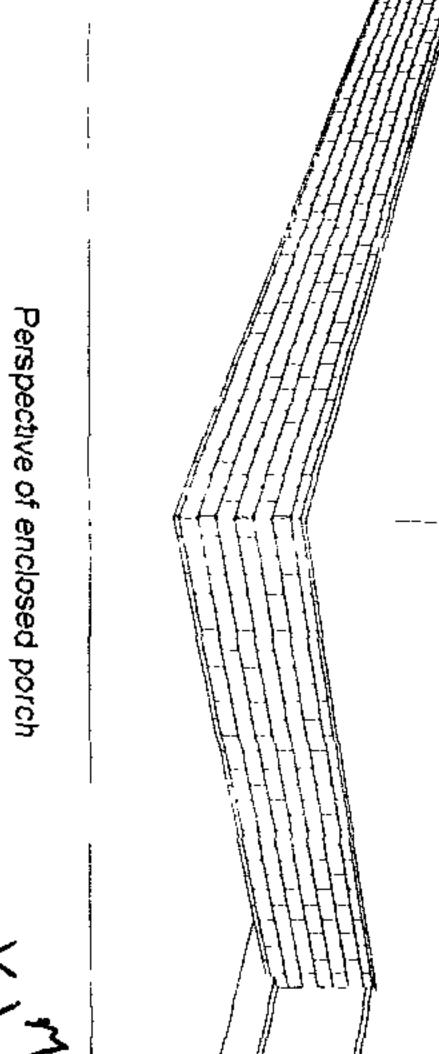


Perspective ₽, 먹 roposed porch



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Rear perspective showing existing deck



perspective



showing existing **feck**