

IN RE: PETITION FOR ADMIN. VARIANCE
N/S of Norris Lane at
NE/Corner of Torner Road
15th Election District
5th Councilmanic District
(618 Norris Lane)

Richard Franklin Riley
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 05-113-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, Richard Franklin Riley. The variance request is for property located at 618 Norris Lane in the eastern area of Baltimore County. The variance request is from Section 1B02.3C of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 1B02.3.C.1.a of the CMDP, to permit an addition (proposed garage) with a 3 ft. 9 in. setback and 21 ft. rear setback in lieu of the required 10 ft. and 50 ft. respectively. 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 on September 12, 2004, 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

RECEIVED FOR FILING
10/18/04
Ray

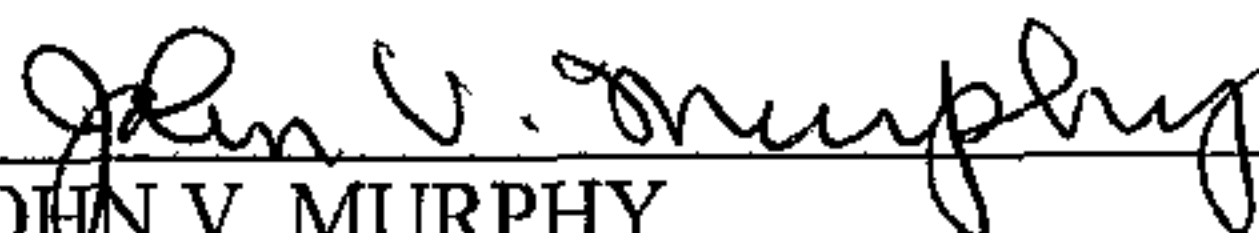
compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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 18 day of October, 2004, that a variance from Section 1B02.3C of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 1B02.3.C.1.a of the CMDP, to permit an addition (proposed garage) with a 3 ft. 9 in. setback and 21 ft. rear setback in lieu of the required 10 ft. and 50 ft. respectively, 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;

Any appeal of this decision must be made within thirty (30) days of the date of this Order.


JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING
10/18/04
Ray

Zoning Commissioner

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



Baltimore County *Shill*

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

October 13, 2004

Mr. Richard Franklin Riley
618 Norris Lane
Baltimore, Maryland 21221

Re: Petition for Administrative Variance
Case No. 05-113-A
Property: 618 Norris Lane

Dear Mr. Riley:

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 that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

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



Printed on Recycled Paper



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 618 NORRIS LANE
which is presently zoned D.R. 10.5

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) 1B02.3C.(BCZR), 1B02.3C.1a.(ZCPM)

To permit an addition (proposed garage) with a 3'-9" side street setback and 21' rear setback in lieu of the required 10' and 50' 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

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 10/15/04 day of October, 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.

Legal Owner(s):

RICHARD FRANKLIN RILEY
Name - Type or Print

Richard Franklin Riley
Signature

Name - Type or Print

Signature

618 NORRIS LANE (410) 686-6067
Address Telephone No.

BALTO. MD 21221
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

Zoning Commissioner of Baltimore County

CASE NO. 05-113-A

Reviewed By D. THOMPSON Date 8/30/04

Estimated Posting Date 9/12/04

ORDER RECEIVED FOR FILING
10/15/04

REV 12/25/01

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

Address 618 NORRIS LANE
City BALTO. State MD Zip Code 21221

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):

I NEED A FACILITY LARGE ENOUGH TO ACCOMMODATE MY CARS AND FOR STORAGE AREA. WITHOUT THE GARAGE, MY VEHICLES ARE VULNERABLE BECAUSE OF THE HIGH THEFT AREA I LIVE IN.

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.

Richard F. Riley
Signature

RICHARD FRANKLIN RILEY
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17th day of August, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

RICHARD F. RILEY
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Colleen M. Kelly
Notary Public

My Commission Expires 6-1-07

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 618 NORRIS LANE
Address
BALTO. MD 21221
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):

I NEED A FACILITY LARGE ENOUGH TO ACCOMODATE MY CARS AND FOR STORAGE AREA, WITHOUT THE GARAGE, MY VEHICLES ARE VULNERABLE BECAUSE OF THE HIGH THEFT AREA I LIVE IN.

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.

Richard F. Riley
Signature
RICHARD FRANKLIN RILEY
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17th day of August, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

RICHARD F. RILEY
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Colleen M. Kelly
Notary Public
My Commission Expires 6-1-07



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 618 NORRIS LANE
which is presently zoned D.R. 10.5

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) 1002.3C. (BCZR), 1002.3C.1a. (FCM)

To permit an addition (proposed garage) with a 3'-9" side street setback and 21' rear setback in lieu of the required 10' and 50' 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

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.

Legal Owner(s):

RICHARD FRANKLIN RILEY
Name - Type or Print

Richard Franklin Riley
Signature

Name - Type or Print

Signature

618 NORRIS LANE (410) 686-6067
Address Telephone No.

BALTO. MD 21221
City State Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

Zoning Commissioner of Baltimore County

CASE NO. 05-113-A

Reviewed By D. THOMPSON Date 8/30/04

Estimated Posting Date 9/12/04

Zoning Description for 618 NORRIS LANE

Beginning at a point on the north side of Norris Lane
which is 30-foot wide and the northeast corner of Torner Road
having a 60-foot wide right-of-way. Being recorded in Baltimore
County Liber 10725, Folio 064 containing 9,909 square feet. Also
known as 618 Norris Lane and located in the 15th Election District,
6th Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 39763

DATE 8/27/04 ACCOUNT 0010016150

AMOUNT \$ 65.00

RECEIVED FROM: ROBERT MAIOLATESI

FOR: ITEM# 113 05-113-A

618 NORRIS LANE BY D. THOMPSON

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTION	TIME	DRN
8/30/2004	8/30/2004	10:33:31	
RED MEDIA	WALKIN	WALKIN	
35 RECEIPT # 289927	8/30/2004		05/11
CR NO. 039743			
Receipt Tot		\$65.00	
\$65.00	CK	\$65.00	CA
Baltimore County, Maryland			

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 05-113-A

Petitioner/Developer: RILEY

Date of Hearing/Closing: 9/27/04

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

ATTN: Kristen Matthews {(410) 887-3394}

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: _____

618 MORRIS LANE

The sign(s) were posted on 9/12/04
(Month, Day, Year)

Sincerely,

Robert Black 9/13/04
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

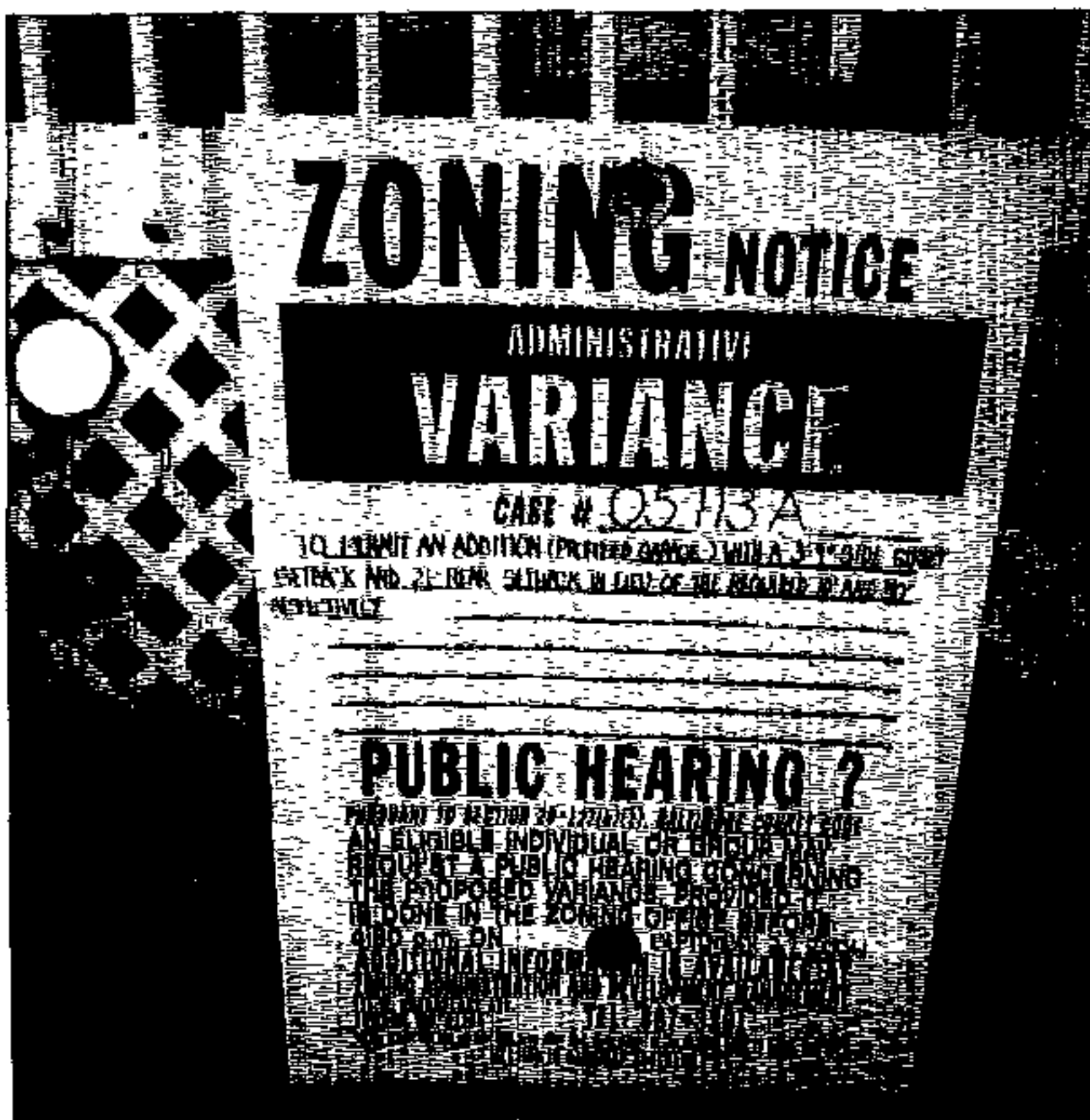
(Address)

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/neighbor 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: 05-113-A

Petitioner: RILEY

Address or Location: 618 NORRIS LANE

PLEASE FORWARD ADVERTISING BILL TO:

Name: RICHARD F. RILEY

Address: 618 NORRIS LANE

BALTO. MD 21221

Telephone Number: 410-686-1067

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05- 113 -A

Address 618 NORRIS LANE

Contact Person: DONNA THOMPSON
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 8/30/04

Posting Date: 9/12/04

Closing Date: 9/27/04

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 FORMAT

Case Number 05- 113 -A

Address 618 NORRIS LANE

Petitioner's Name RILEY

Telephone 410-686-6067

Posting Date: 9/12/04

Closing Date: 9/27/04

To permit an addition (proposed garage) with a 3'-9" side street setback and 21' rear setback in lieu of the required 10' and 50' respectively.

**Department of Permits and
Development Management**

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



Baltimore County

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

September 27, 2004

Richard Franklin Riley
618 Norris Lane
Baltimore, Maryland 21221

Dear Mr. Riley:

RE: Case Number: 05-113-A, 618 Norris Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 30, 2004.

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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

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

Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

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

September 7, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: September 7, 2004

Item No.: 101-103, 105-111, 113-115

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

2. The Fire Marshal's Office has no comments at this time.

LIEUTENANT JIM MEZICK
Fire Marshal's Office
PHONE 410-887-4881
MS-1102F

cc: File

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

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



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

Maryland Department of Transportation

Date: 5.7.04

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

RE: Baltimore County
Item No. 113 DT

Dear Ms. Matthews:

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,

Steven D. Foster, Acting Chief
Engineering Access Permits Division

*Robin
12/11*

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: John D. Oltman, Jr ^{JOV}
DATE: September 30, 2004
SUBJECT: Zoning Items # See List Below

RECEIVED

OCT - 1 2004

ZONING COMMISSIONER

Zoning Advisory Committee Meeting of September 7, 2004

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

05-101
04-103
04-105
04-106
04-107
04-109
04-110
04-112
04-113
04-114

Reviewers: Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: September 15, 2004

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-111 and 5-113
Administrative Variance

RECEIVED

SEP 17 2004

ZONING COMMISSIONER

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

Division Chief:

John J. Harbo

MAC/LL

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: September 14, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For September 13, 2004
Item Nos. 101, 102, 103, 104, 105, 106,
107, 109, 110, 111, 112, 113, 114, and
115

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

RWB:CEN:jrb

cc: File

(4 TRACKS ELECTRIFIED)

D.R.10.5

ROAD

ARNCLIFFE

CORBY

MARLYN

LANE

D.R.10.5

D.R.

ROAD

TORNER

RUN

BL

CAPITOL COURT

D.R. 10.5

ROAD

NORTH

SITE

BL

MCOTTE SQUARE

NE 3 H



Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

*Photographs
#05-113-A*









PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

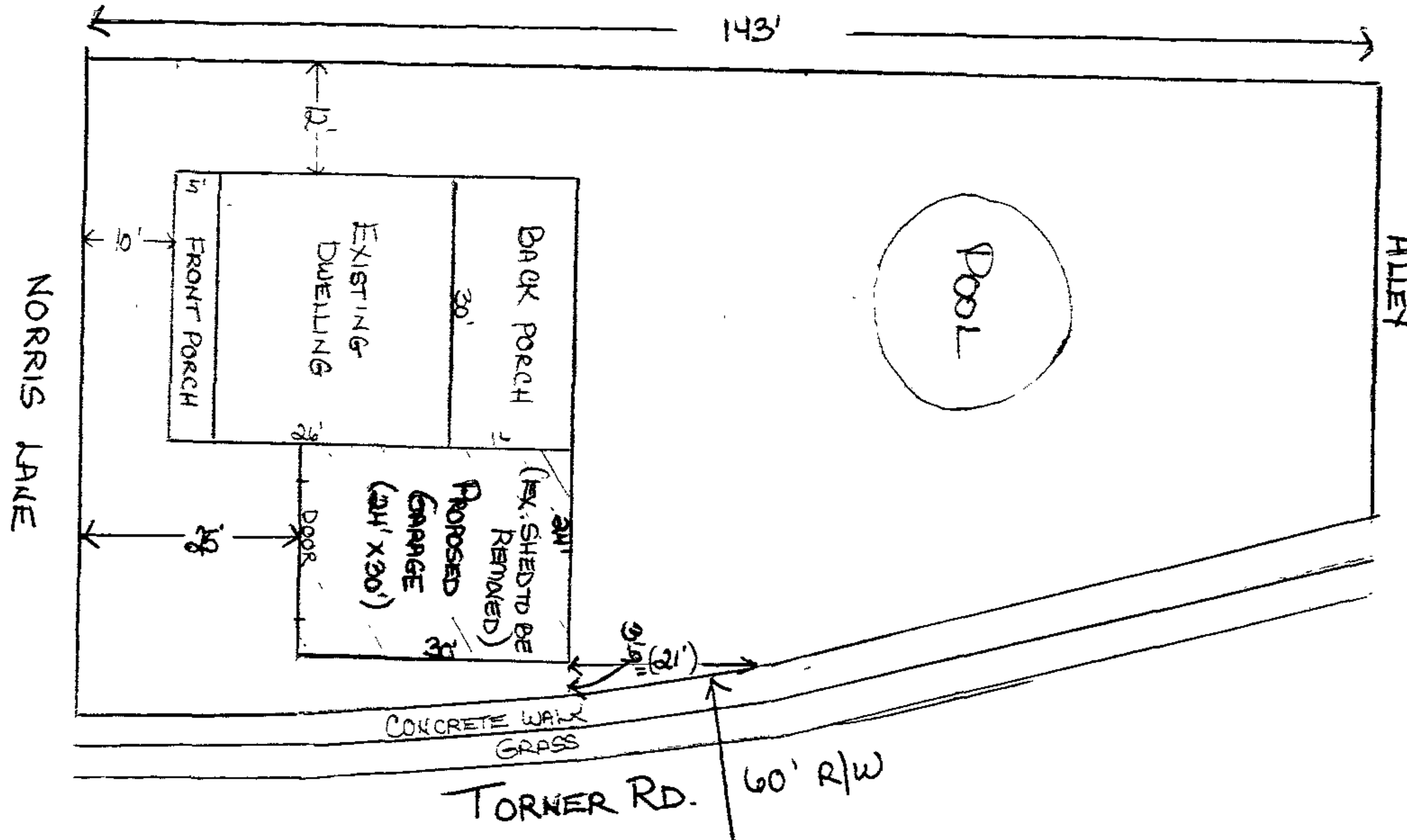
PROPERTY ADDRESS 618 NORRIS LANE

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

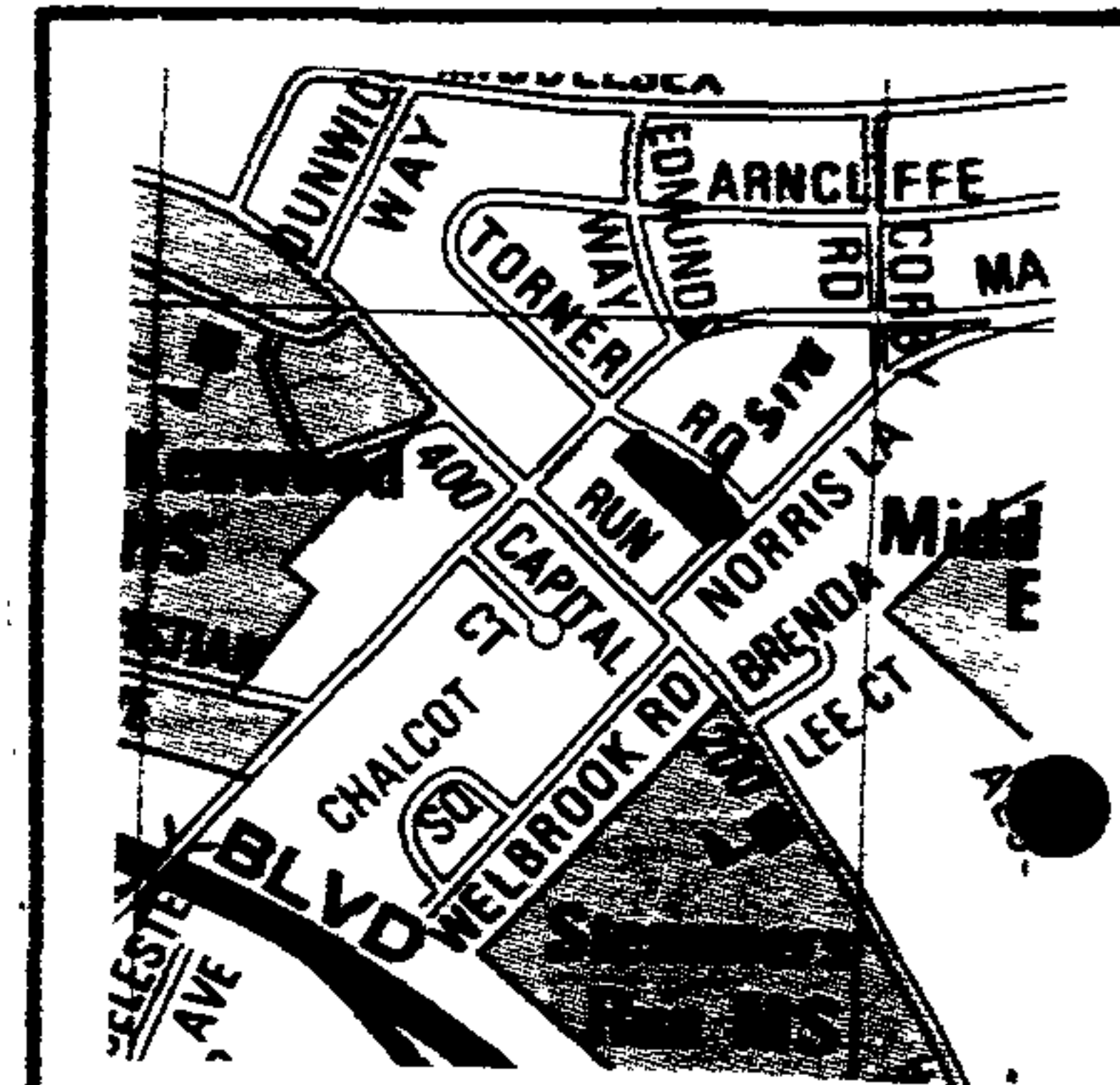
SUBDIVISION NAME _____

PLAT BOOK # _____ FOLIO # _____ LOT # _____ SECTION # _____

OWNER RICHARD F. RILEY SR.



SCALE OF DRAWING: 1" = 20'



LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 5

1"=200' SCALE MAP # NE 3 H

ZONING D.R. 10.5

LOT SIZE 9,909
ACREAGE 0.227 SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/BUILDING	☐	☒
PRIOR ZONING HEARING	NONE	

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

D.T. 113 05-113-A

Pet #1