

|                                     |   |                     |
|-------------------------------------|---|---------------------|
| IN RE: PETITION FOR ADMIN. VARIANCE | * | BEFORE THE          |
| N/S of Ridge Road, 670 ft. W        |   |                     |
| centerline of Rolling Road          | * | ZONING COMMISSIONER |
| 1st Election District               |   |                     |
| 1st Councilmanic District           | * | OF BALTIMORE COUNTY |
| (1326 Ridge Road)                   |   |                     |
|                                     | * | CASE NO. 05-428-A   |
| Carrie D. & Matthew N. O'Ferrall    |   |                     |
| Petitioners                         | * |                     |

\* \* \* \* \*

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Carrie D. and Matthew N. O'Ferrall. The variance request is for property located at 1326 Ridge Road in the Catonsville 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 allow a side yard setback of 3 ½ ft. and a sum of side yard setbacks of 7 ½ ft. for a proposed addition in lieu of the minimum required 15 ft. and 40 ft. 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 on March 10, 2005, 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 32-3-303 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 Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

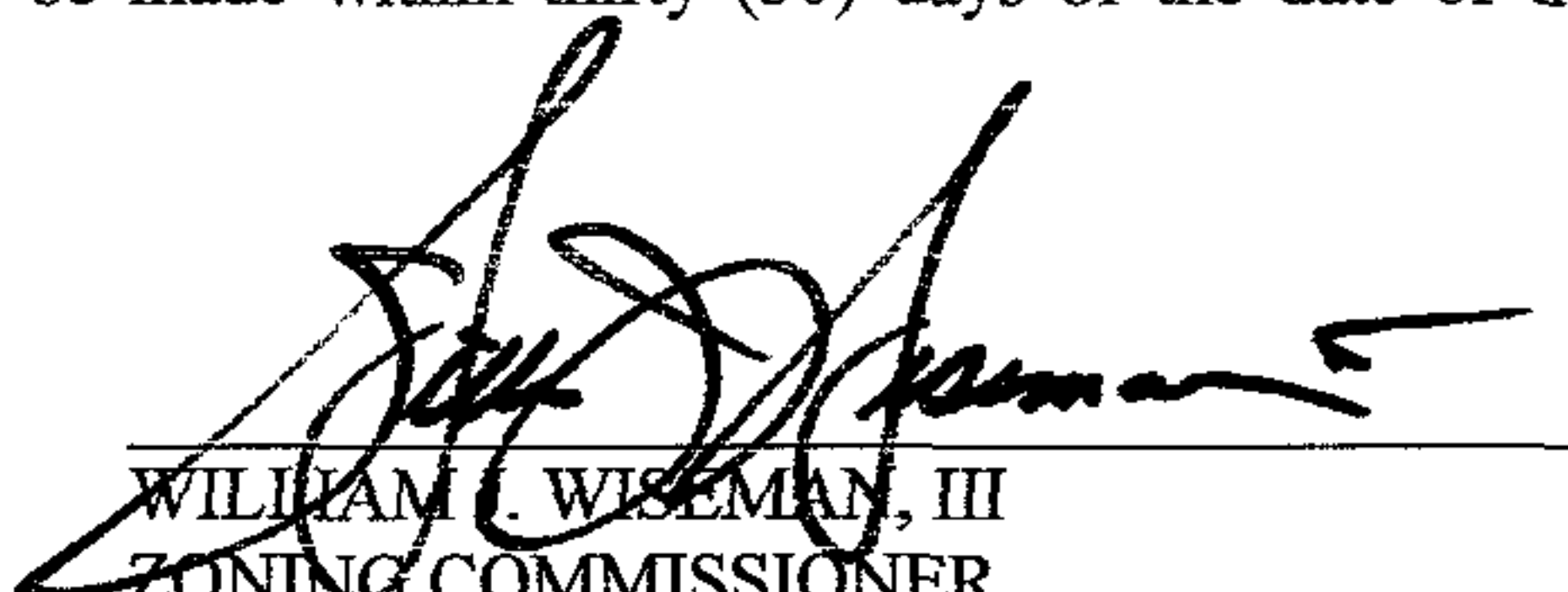
ORDER RECEIVED FOR FILING  
 Date 4/8/05  
 By [Signature]

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.

THEREFORE, IT IS ORDERED, by the Zoning Commissioner for Baltimore County, this <sup>8<sup>th</sup></sup> day of April, 2005, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a side yard setback of 3 ½ ft. and a sum of side yard setbacks of 7 ½ ft. for a proposed addition in lieu of the minimum required 15 ft. and 40 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 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.

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

  
WILLIAM J. WISEMAN, III  
ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

WJW,III:raj

ORDER RECEIVED FOR FILING  
Date 4/8/05  
By Raj

## 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*  
*William J. Wiseman III, Zoning Commissioner*

April 8, 2005

Mr. & Mrs. Matthew N. O'Ferrall  
1326 Ridge Road  
Catonsville, Maryland 21228

Re: Petition for Administrative Variance  
Case No. 05-428-A  
Property: 1326 Ridge Road

Dear Mr. & Mrs. O'Ferrall:

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, appearing to be "W. J. Wiseman III", is written over the typed name.

William J. Wiseman, III  
Zoning Commissioner

WJW,III:raj  
Enclosure





# Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1326 Ridge Road  
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) 1B02.3.C.1. To allow a side

yard setback of 3 1/2 ft. & a sum of side yard setbacks of 7 1/2 ft.  
for a proposed addition in lieu of the minimum required  
15 ft & 40 ft. 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 Purchase/Lessee:

Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

## Attorney For Petitioner:

Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Company \_\_\_\_\_ Telephone No. \_\_\_\_\_  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

## Legal Owner(s):

Name - Type or Print Matthew Nevin O'Ferrall  
Signature [Signature]  
Name - Type or Print Carrie O'Ferrall  
Signature [Signature]  
Address 1326 Ridge Road Telephone No. 410-788-1254  
City Catonsville State MD Zip Code 21228

## Representative to be Contacted:

Name \_\_\_\_\_ Telephone No. \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, 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

Reviewed By [Signature] Date 3-01-05  
Estimated Posting Date 3-13-05

CASE NO. 05-428 A  
REV 10/25/01

ORDER RECEIVED FOR FILING

4/8/05  
[Signature]

# Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

Address 1326 Ridge Road City Baltimore State MD Zip Code 21228

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):

- ① Move space for growing family. We currently have two adults one 11 mnth. old and 2nd on way.
- ② Existing house is currently 940 square feet with one small bathroom.
- ③ No storage space
- ④ Contractor advises to build off side of house due to angle of backyard.

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.

X [Signature]  
Signature  
Matthew Nevin O'Ferrall  
Name - Type or Print

[Signature]  
Signature  
Carrie O'Ferrall  
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

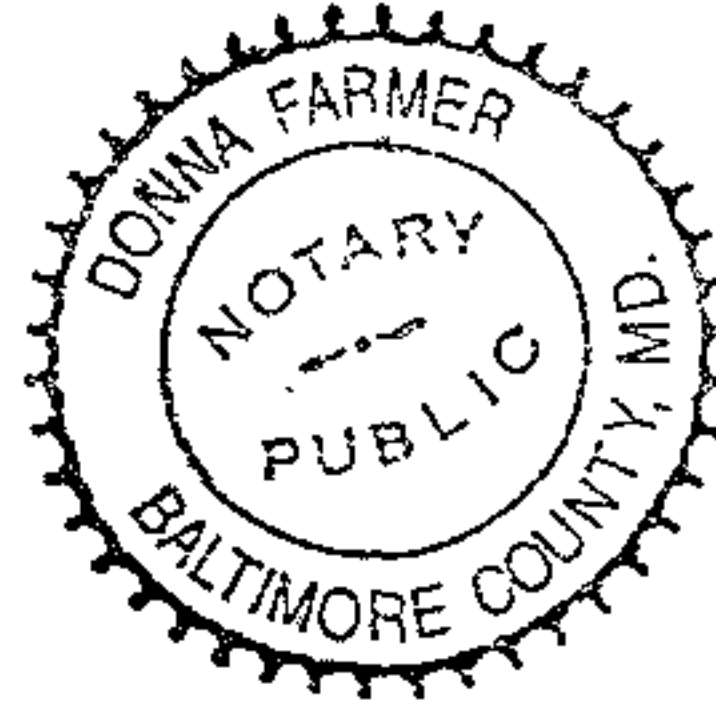
I HEREBY CERTIFY, this 14th day of February, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Matthew N. O'Ferrall and Carrie O'Ferrall  
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

[Signature]  
Notary Public  
My Commission Expires 12/1/05

REV 10/25/01



#428

## ZONING DESCRIPTION

### ZONING DESCRIPTION FOR 1326 RIDGE ROAD

Beginning at a point on the north side of Ridge Road which is 17 feet wide at the distance of 670 feet ~~West~~ of the centerline of the nearest improved intersecting street, Rolling Road, \*Being Lot # 214, Block ---, Section# ---, in the subdivision of Ridge Brook as recorded in Baltimore County Plat Book #9, Folio#18, containing .25 acres. Also known as 1326 Ridge Road and located in the 1<sup>st</sup> Election District, 1<sup>st</sup> Councilmanic District.

# 428

170' W of Rolling Rd

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

Chk No. 442712  
65428A

DATE 3-01-05 ACCOUNT R-001-006-6150

AMOUNT \$ 65.00

RECEIVED  
FROM

MS D Ferrall

FOR

Presidential Vantage Chapter  
1326 Ridge Rd

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

RECEIVED BY MS D Ferrall DATE 3-01-05

FOR MS D Ferrall AMOUNT 65.00

RECEIPT # 442712 DATE 3-01-05

BY MS D Ferrall AMOUNT 65.00

DATE 3-01-05 AMOUNT 65.00

DATE 3-01-05 AMOUNT 65.00

DATE 3-01-05 AMOUNT 65.00

CASHIER'S VALIDATION

# ZONING NOTICE

## ADMINISTRATIVE VARIANCE

CASE # 05-428-A

TO PERMIT A SIDE YARD SETBACK OF 30 FEET  
AND A SIDE YARD SETBACK OF 10 FEET  
FOR A PROPOSED ADDITION TO THE  
EXISTING 15 FEET AND 10 FEET  
RESPECTIVELY.

## PUBLIC HEARING ?

PURSUANT TO SECTION 76-122(3)(1), BALTIMORE COUNTY CODE  
AN ELIGIBLE INDIVIDUAL OR GROUP MAY  
REQUEST A PUBLIC HEARING CONCERNING  
THE PROPOSED VARIANCE PROVIDED IT  
IS DONE IN THE ZONING OFFICE BEFORE  
4:30 p.m. ON March 20, 2005

ADDITIONAL INFORMATION IS AVAILABLE AT  
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT  
TELEPHONE 837-3391



CERTIFICATE OF POSTING

RE: Case No.: 05-428-A

Petitioner/Developer: MATTHEW & CARRIE O'FERRALL

Date of Hearing/ Closing: MARCH 28, 2005

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

Attention: Becky Hart

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 #1326 RIDGE ROAD

CATONSVILLE 21228

The sign(s) were posted on MARCH 10, 2005  
(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

(Address)

BAUTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 05- 428 -A

Address 1324 Ridge Rd.

Contact Person: John Sullivan  
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 3-01-05

Posting Date: 3-13-05

Closing Date: 3-28-05

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- 428 -A

Address 1324 Ridge Rd.

Petitioner's Name Matthew & Carrie O'Ferrall

Telephone 410-788-1254

Posting Date: 3-13-05

Closing Date: 3-28-05

Wording for Sign: To Permit a side yard setback of 3 1/2 ft. & a sum of side-  
yard setbacks of 7 1/2 ft. for a proposed addition in lieu of  
the minimum required 15 ft. & 40 ft. respectively.

WCR - Revised 6/25/04

**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: 05-428 A  
Petitioner: Matthew & Carrie O'Fell  
Address or <sup>Site</sup> Location: 1326 Ridge Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Same

Address: \_\_\_\_\_

Catonsville, Md, 21228

Telephone Number: 410-788-1254

**Department of Permits and  
Development Management**



**Baltimore County**

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

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

March 28, 2005

Matthew Nevin O'Ferrall  
Carrie O'Ferrall  
1326 Ridge Road  
Catonsville, Maryland 21228

Dear Mr. and Mrs. O'Ferrall:

RE: Case Number: 05-428-A, 1326 Ridge Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 1, 2005.

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 that reads "W. Carl Richards, Jr." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

Visit the County's Website at [www.baltimorecountyonline.info](http://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

March 9, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: March 14, 2005

Item No.: 418, 419, 420, 422, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433.

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.

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

Acting Lieutenant Don W. Muddiman  
Lieutenant Franklin J. Cook  
Fire Marshal's Office  
(O) 410-887-4881 (C) 443-829-2946  
MS-1102F

cc: File

Visit the County's Website at [www.baltimorecountyonline.info](http://www.baltimorecountyonline.info)



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

**State Highway**  
Administration

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

Maryland Department of Transportation

Date: 3.8.05

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

RE: Baltimore County  
Item No. 428 JJS

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 Grädlein at 410-545-5606 or by E-mail at (lgradlein@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief  
Engineering Access Permits Division

My telephone number/toll-free number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech. 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • [www.marylandroads.com](http://www.marylandroads.com)

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco  
FROM: John D. Oltman, Jr *JD*  
DATE: April 13, 2005  
SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of March 7, 2005

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

05-416  
05-417  
05-418  
05-420  
05-421  
05-422  
05-424  
05-425  
05-426  
05-428  
05-431  
05-432  
05-433

Reviewers: Sue Farinetti, Dave Lykens

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

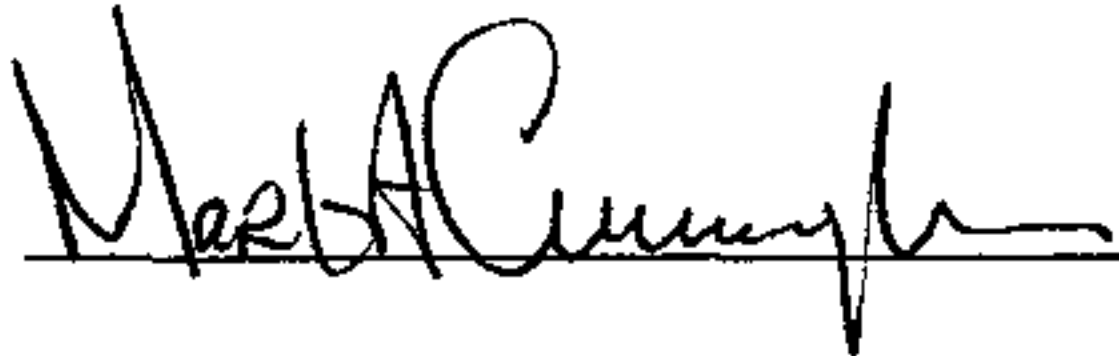
**DATE:** March 14, 2005

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

**SUBJECT:** Zoning Advisory Petition(s): Case(s) 5-428 – 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 Cunningham in the Office of Planning at 410-887-3480.

**Prepared By:**

\_\_\_\_\_

**Division Chief:**

\_\_\_\_\_

MAC/LL

RECEIVED

MAR 15 2005

ZONING COMMISSIONER

**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

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

**DATE:** March 23, 2005

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For March 14, 2005  
Item Nos. 417, 418, 420, 421, 422, 425,  
426, 427, 428, 429, 430, 431,  
432, 433

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

RWB:CEN:cp

cc. File

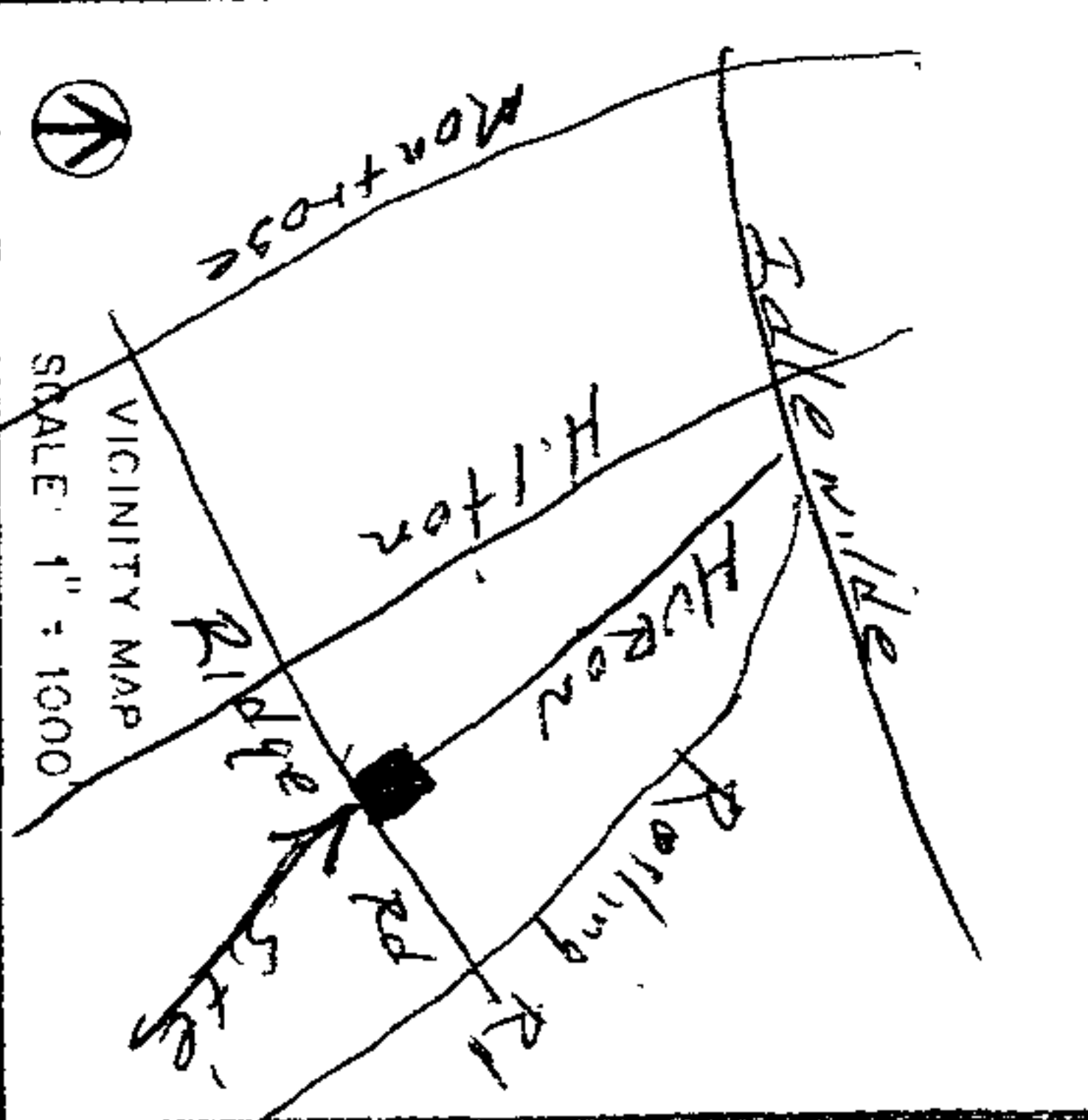
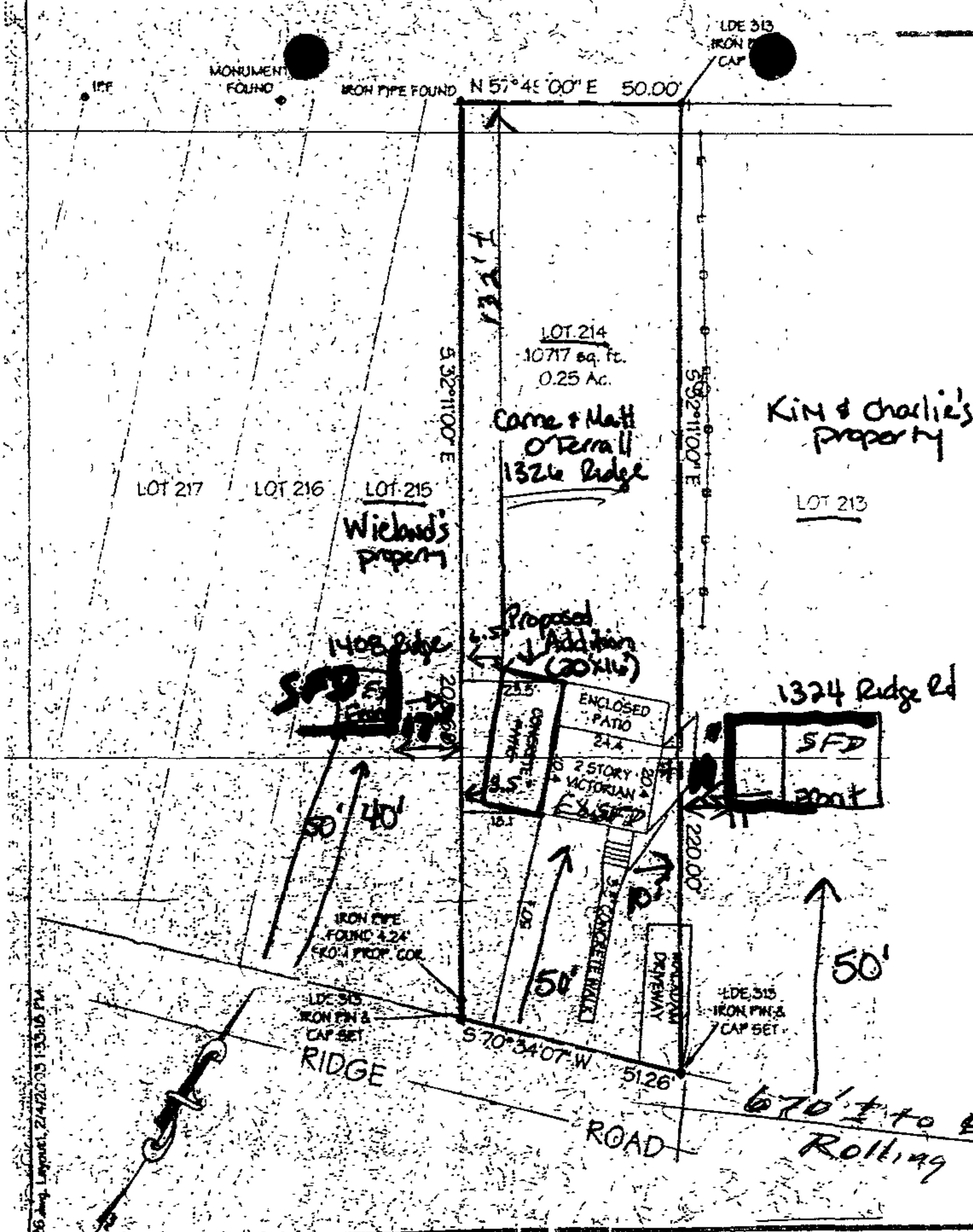
PROPERTY ADDRESS 1546 Ridge Road

SUBDIVISION NAME K167E 12560N

PLAT BOOK # 9 FOLIO # 18 LOT # 317 SECTION # 1

OWNER Carrie & Matthew O'Ferra

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



LOCATION INFORMATION

ELECTION DISTRICT

COUNCILMANIC DISTRICT

1"=200' SCALE MAP # 271

ZONING JK

LOT SIZE 10000 SQUAD FEET

PUBLIC PRIVATE

SEWER

WALKER

CRITICAL AREA

100 YEAR FLOOD PLAIN

HISTORIC PROPERTY  
BILLING

PRIOR ZONING HEARING

ZONING OFFICE USE ONLY  
REVIEWED BY ITEM # CASE #

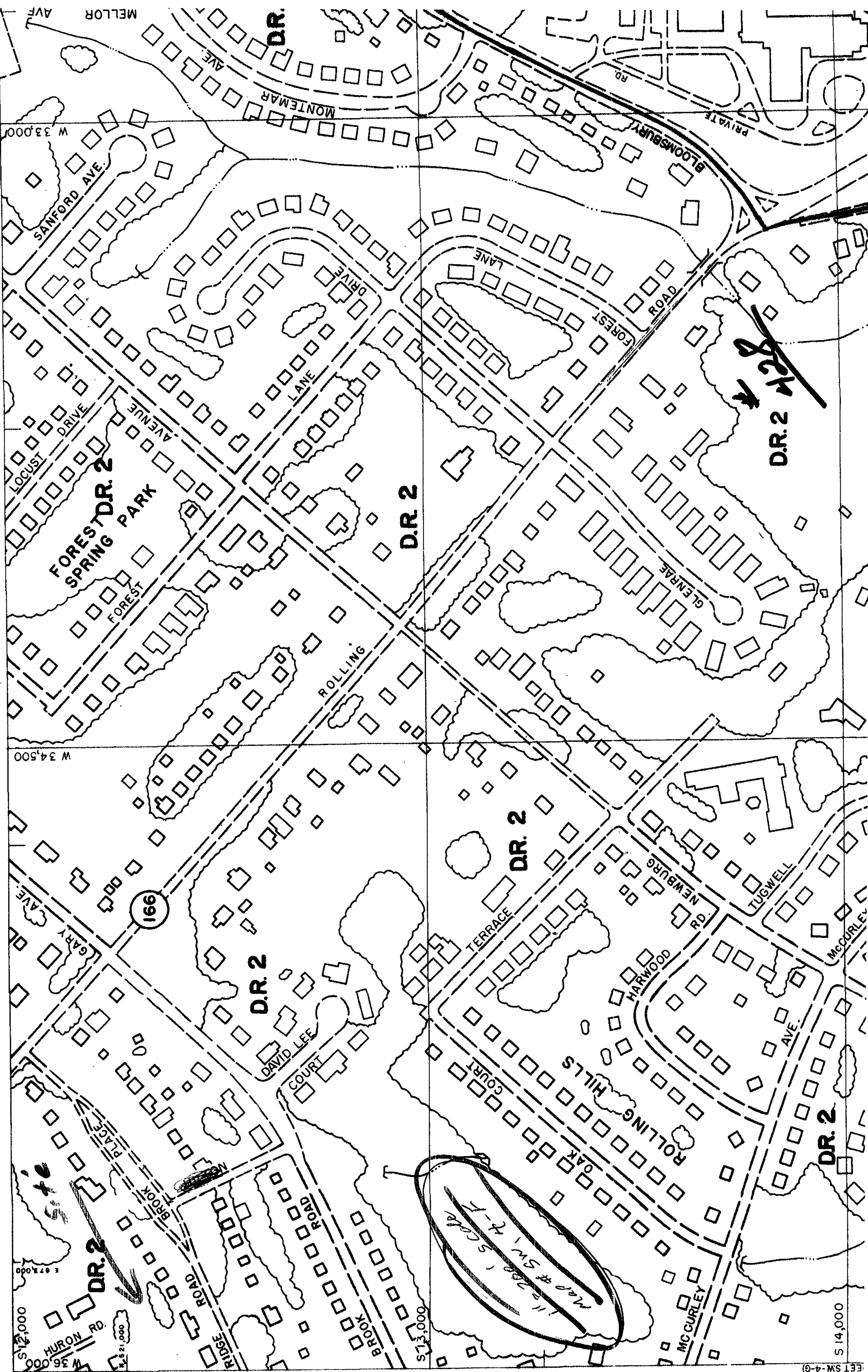
PREPARED BY

SCALE OF DRAWING: 1" = 40'

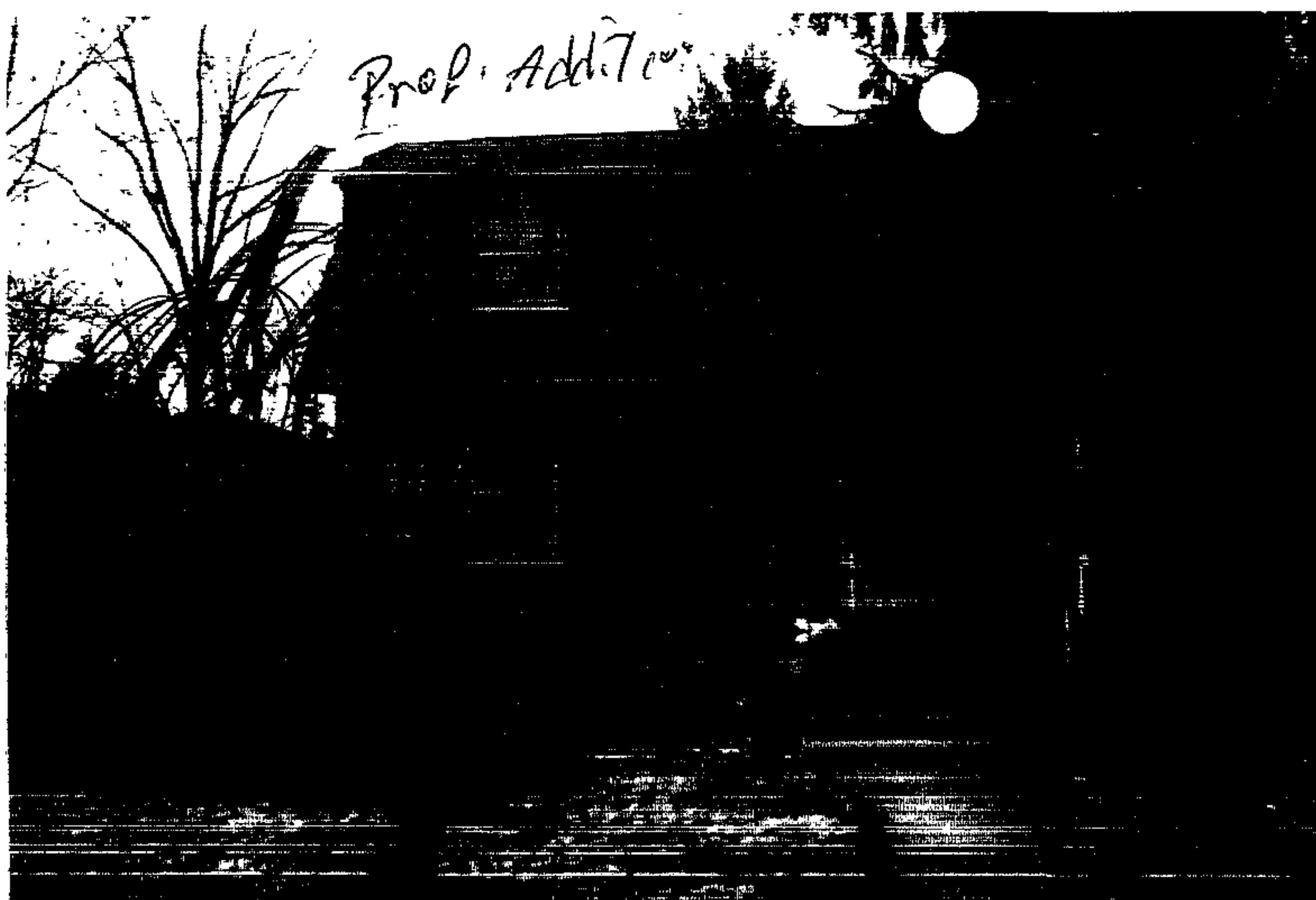
428

428

Pat Q#



05-428-A



A-854-20



05-428-A