

IN RE: PETITION FOR ADMIN. VARIANCE
N/ side of Maravoss Lane, 120' w of
c/l of Avondale Road
14th Election District
6th Councilmanic District

(8701 Maravoss Lane)

Kenneth J. Riefner
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 06-224-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, Kenneth J. Riefner. The variance request is for property located at 8701 Maravoss Lane in the Parkville area of Baltimore County. The variance request is from Sections 103 and III.C.4 . "45" of the Baltimore County Zoning Regulations (B.C.Z.R), to permit an existing single family dwelling with addition to have a rear yard of 3' in lieu of the required 15'. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1.

Zoning Advisory Committee

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on November 6, 2005, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

In this case, 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 Deputy

ORDER RECEIVED FOR FILING

Date 11-30-05

By [Signature]

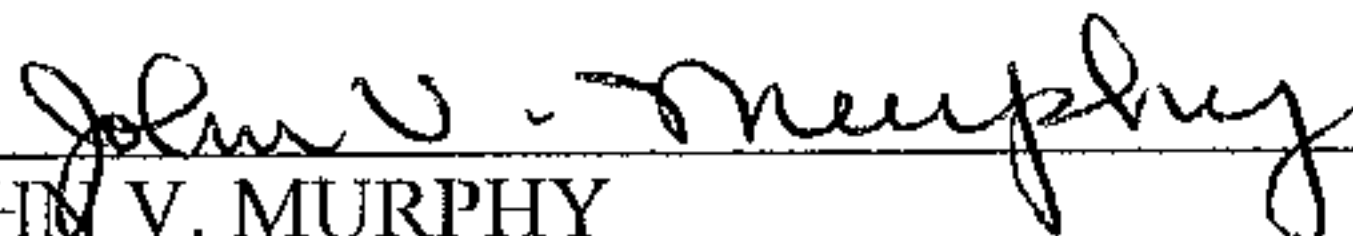
Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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 30 day of November, 2005, that a variance from Sections 103 and III.C.4. "45" of the Baltimore County Zoning Regulations (B.C.Z.R), to permit an existing single family dwelling with addition to have a rear yard of 3' in lieu of the required 15', be and is hereby GRANTED, subject, however, to the following restrictions 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.


JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:dlw

ORDER RECEIVED FOR FILING
Date 11-30-05
By Debra Wigg

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

November 22, 2005

Kenneth J. Riefner
8701 Maravoss Lane
Baltimore, Maryland 21234

Re: Petition for Administrative Variance
Case No. 06-224-A
Property: 8701 Maravoss Lane

Dear Mr. Riefner:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, reading "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:dlw
Enclosure

c: Warren Riefner, 7848 Vernon Ave., Baltimore, MD 21236
People's Counsel; Case File

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



Zoning Description for 8701 MARAVOSS Lane

Beginning at a point on the north side of MARAVOSS La. which is 50' wide @ the distance of 120' West of the center Line of Avondale Rd which is 60' wide.

Being Lot # 10, Block B, section # B, in the subdivision of Parkville, As recorded in Baltimore County Plat Book # 18, Folio 100 containing 8,341 square feet, Also known AS 8701 MARAVOSS Lane, Located in the 14th Election District, 6 Councilmanic District

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 448186

DATE 10/25/05 ACCOUNT RC00100664150

AMOUNT \$ 65.00

RECEIVED FROM: WARREN RIEFNER

FOR: 06-224-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ADDRESS 10/25/05 10:25 AM

RECEIVED BY WALKER JAC INC

RECEIPT # 25225 10/25/05

REPT 1 FOR JUDICIAL VERIFICATION

EX GR. JUDGE

Receipt for \$105.00

\$105.00

\$105.00

\$15.00

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 06-224-A

Petitioner/Developer: KENNETH

RIEFNER

Date of Hearing/Closing: 11/21/05

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: _____

8701 MARAVOSS LANE

The sign(s) were posted on _____

11/6/05

(Month, Day, Year)

Sincerely,

Robert Black
(Signature of Sign Poster)

11/9/05
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

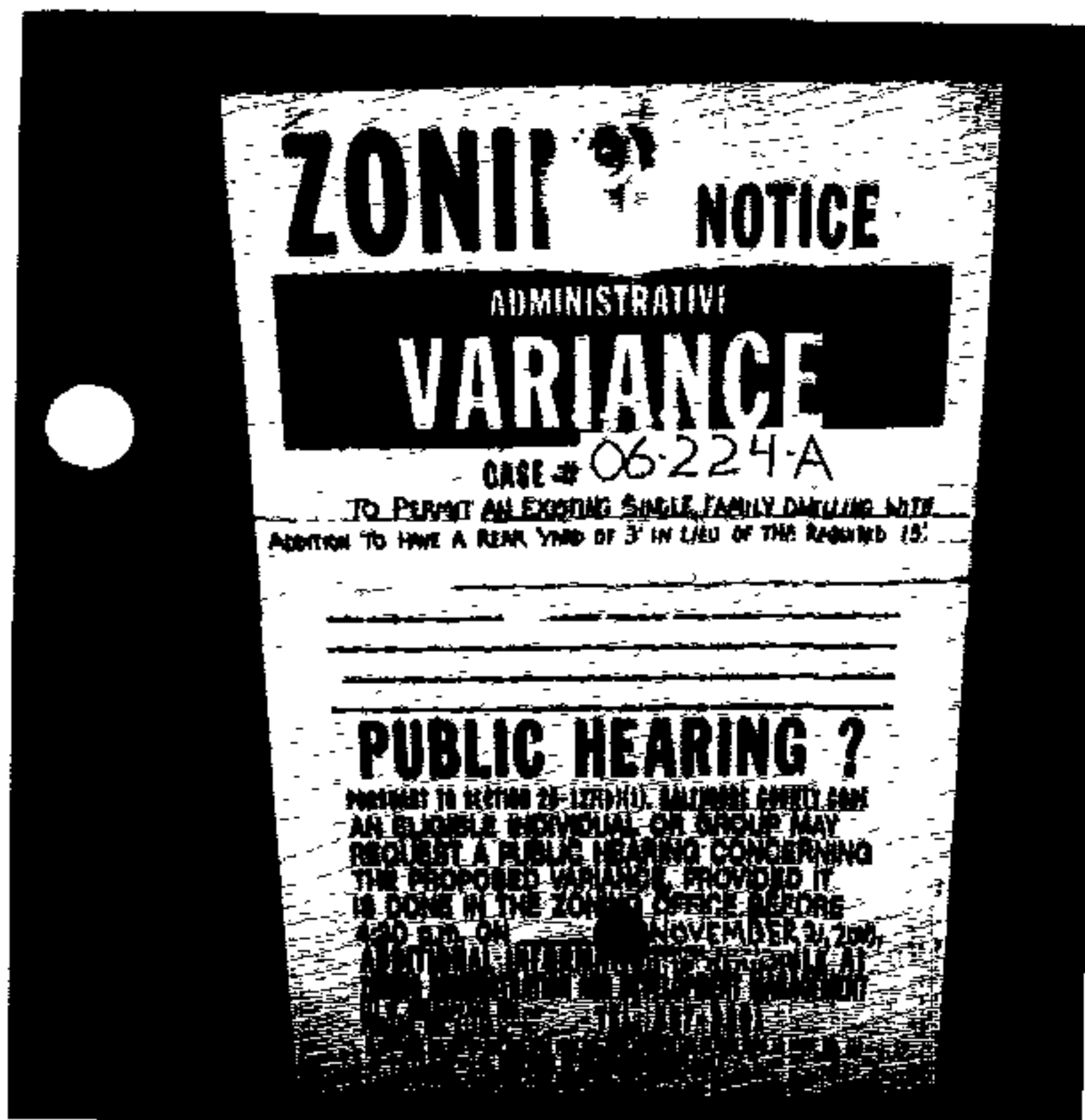
(Address)

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/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: 06-224-A
Petitioner: Kenneth John Riefner
Address or Location: 8701 MARAVOSS La. Balto Md 21234

PLEASE FORWARD ADVERTISING BILL TO:

Name: Kenneth John Riefner
Address: 8701 MARAVOSS La.
BALTO MD
21234
Telephone Number: 410-661-7459

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 224 -A

Address 8701 MARAVOSS LANE

Contact Person: LYOYD T. MOXLEY

Phone Number: 410-887-3391

Planner, Please Print Your Name

Filing Date: 10/25/05

Posting Date: 11/6/05

Closing Date: 11/21/05

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 06- 224 -A

Address 8701 MARAVOSS LANE

Petitioner's Name KEHNETH RIEFFER

Telephone 410 661-7459

Posting Date: 11/6/05

Closing Date: 11/21/05

Wording for Sign: To Permit AN EXISTING SINGLE FAMILY DWELLING
WITH ADDITION TO HAVE A REAR YARD OF 3' IN LIEU
OF THE REQUIRED 15'.

WCR - Revised 6/25/04

I HAVE RECEIVED POSTING 11/25/05



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8701 MARAVOSS LANE
which is presently zoned DR 5.5

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) 103 BCZR, III.C.4 BCZR "45"

TO PERMIT AN EXISTING SINGLE FAMILY DWELLING WITH
ADDITION TO HAVE A REAR YARD OF 3' IN LIEU OF THE
REQUIRED 15'

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 06-224-A

Reviewed By LTM Date 10/25/05

REV 10/25/01

Estimated Posting Date 11/6/05

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 874 Maravoss La.
City Seab. State MD. Zip Code 21234

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):

Mr. Riefner's intent is to be able to access his garage without going outside. After reviewing breezeway type options it would cost little more & look much nicer to add some additional storage & living space.

The fact that attaching to the entrance to the garage places the rear of the structure $\pm 3'$ from the rear property line requires this zoning variance.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Signature

Signature

Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21st day of OCTOBER, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

KENNETH J. RIEFNER
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Notary Public

My Commission Expires

ELAINE E. BAKER

NOTARY PUBLIC STATE OF MARYLAND

County of Baltimore

My Commission Expires March 1, 2008

**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*

November 21, 2005

Kenneth J. Riefner
8701 Maravoss Lane
Baltimore, Maryland 21234

Dear Mr. Riefner:

RE: Case Number: 06-224-A, 8701 Maravoss Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 25, 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, reading "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Warren Riefner 7848 Vernon Avenue Baltimore 21236

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 14, 2005

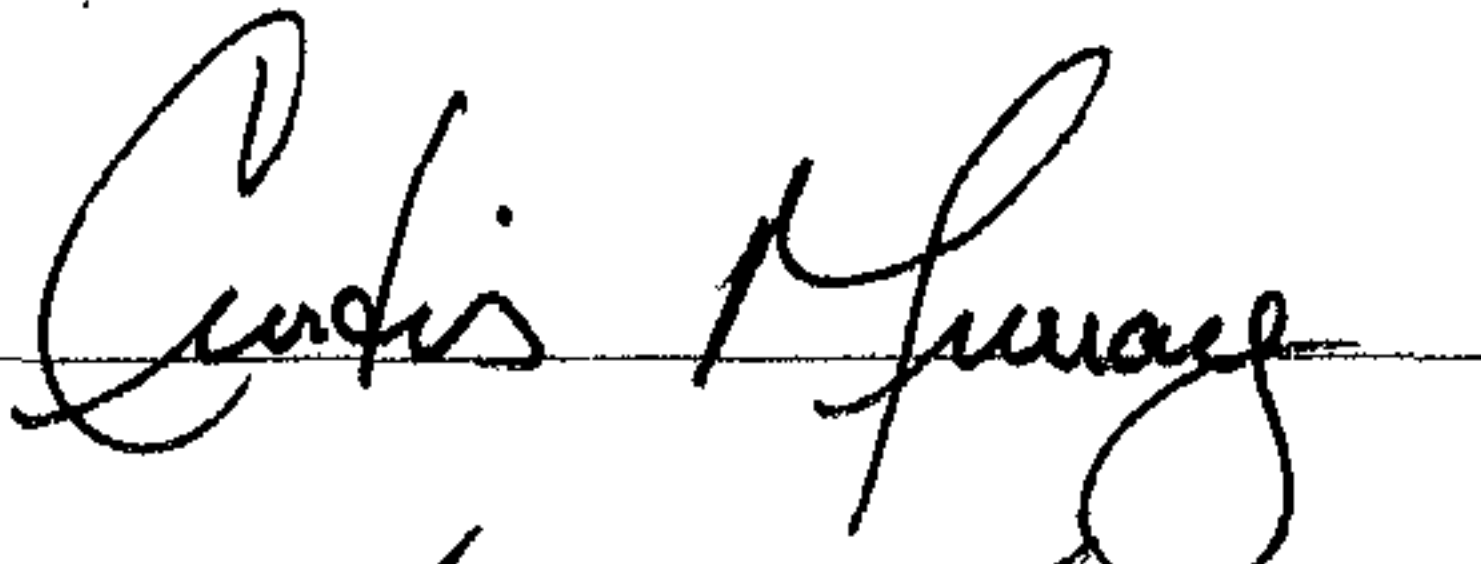
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 6-224- Administrative Variance**

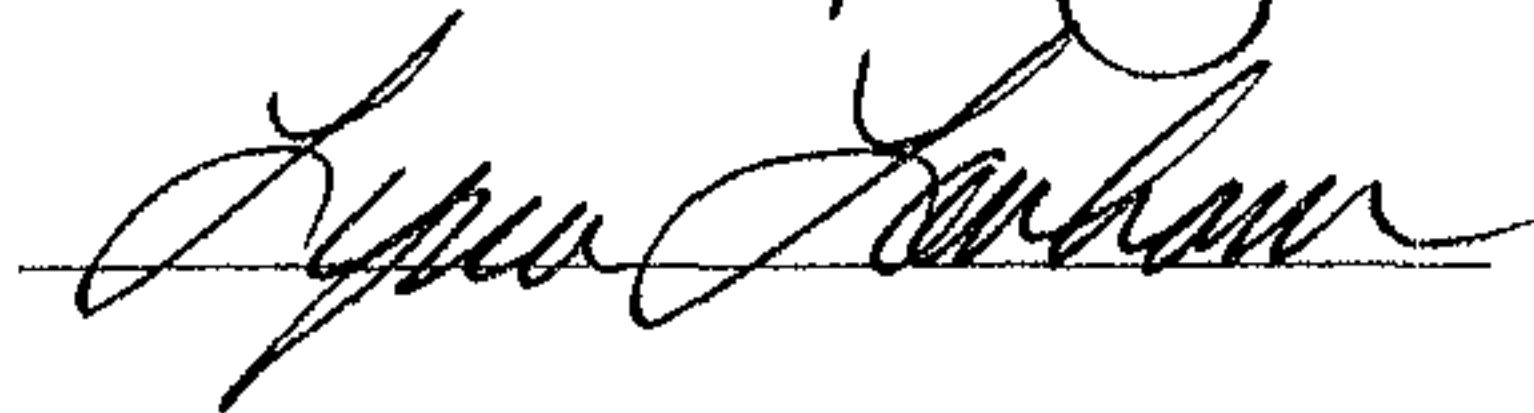
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Jeff Mayhew in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:



CM/LL

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

November 9, 2005

ATTENTION: Zoning Review Planners

Distribution Meeting of: October 31, 2005

Item No.: 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 233, 234,
235, 236, 237, 238, 239, 241 and 242

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
Fire Marshal's Office
410-887-4880
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: 11.15.05

RE: Baltimore County
Item No. 224 LTM

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

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, Chief
Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: November 16, 2005

FROM: Dennis A. Kennedy, ^{DAK}Supervisor
Bureau of Development Plans Review

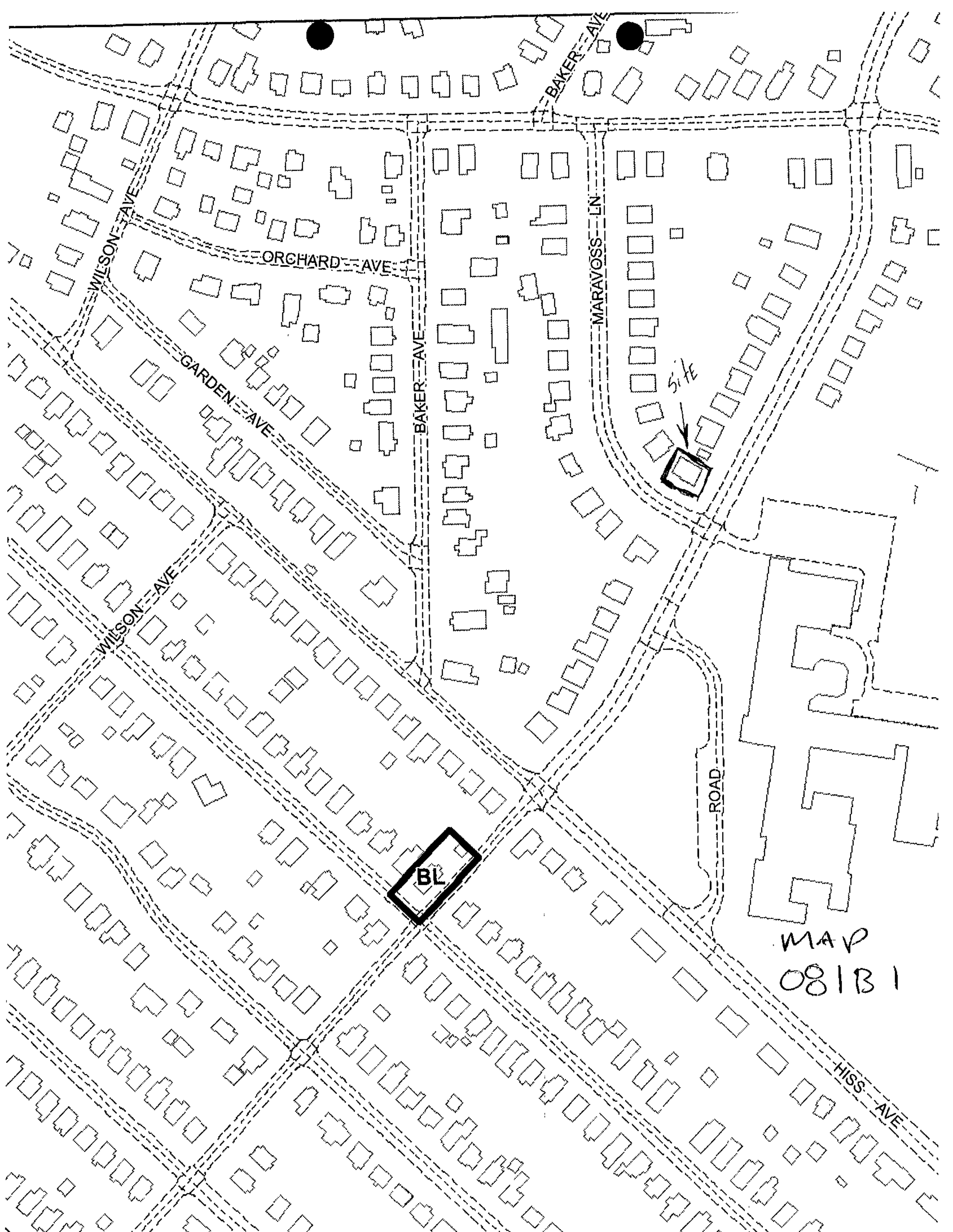
SUBJECT: Zoning Advisory Committee Meeting
For November 7, 2005
Item Nos. 223, 224, 225, 227, 228, 233,
234, 235, 236, 238, 239,

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

DAK:CEN:clw

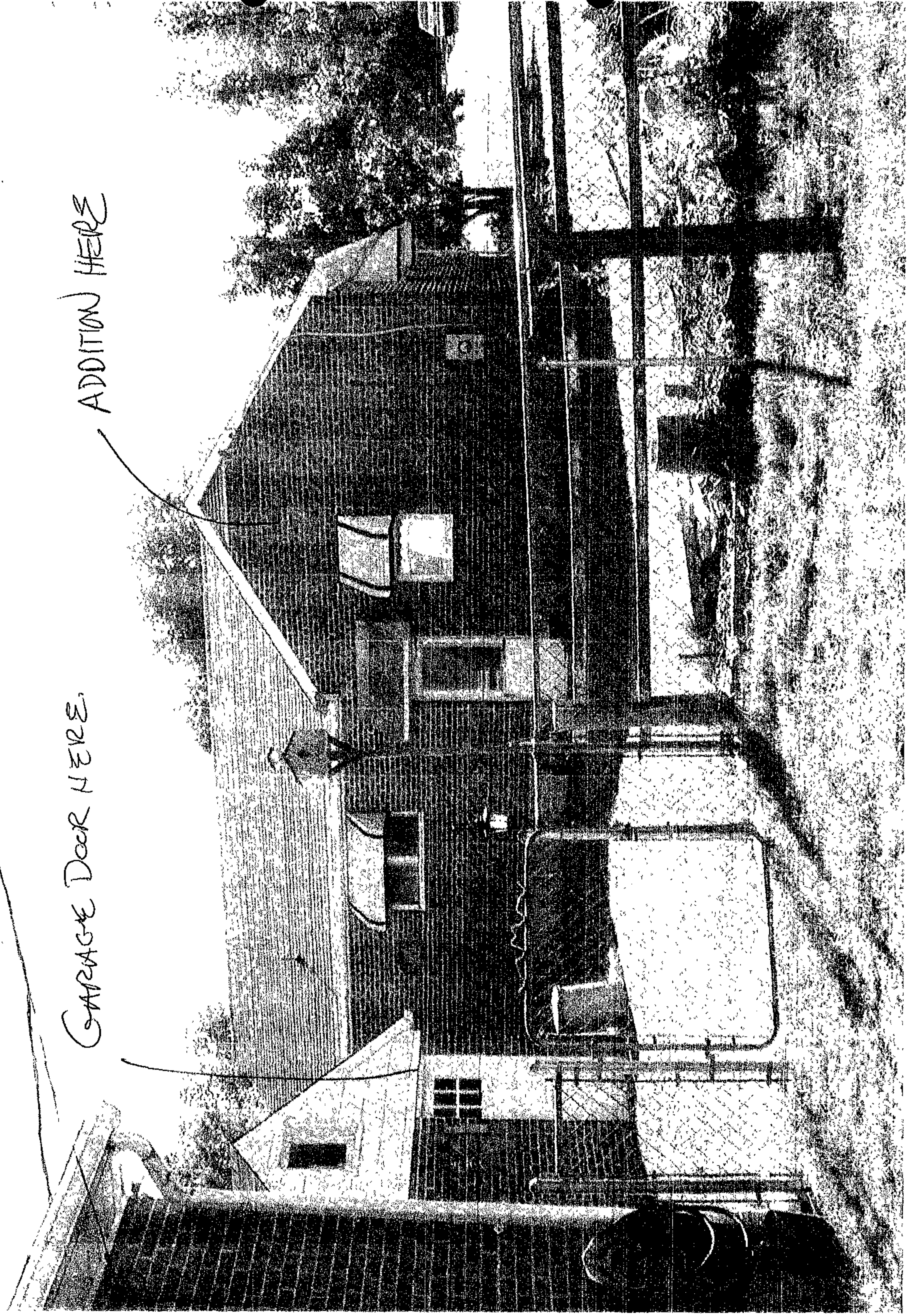
cc: File

ZAC-NO COMMENTS-11162005.doc



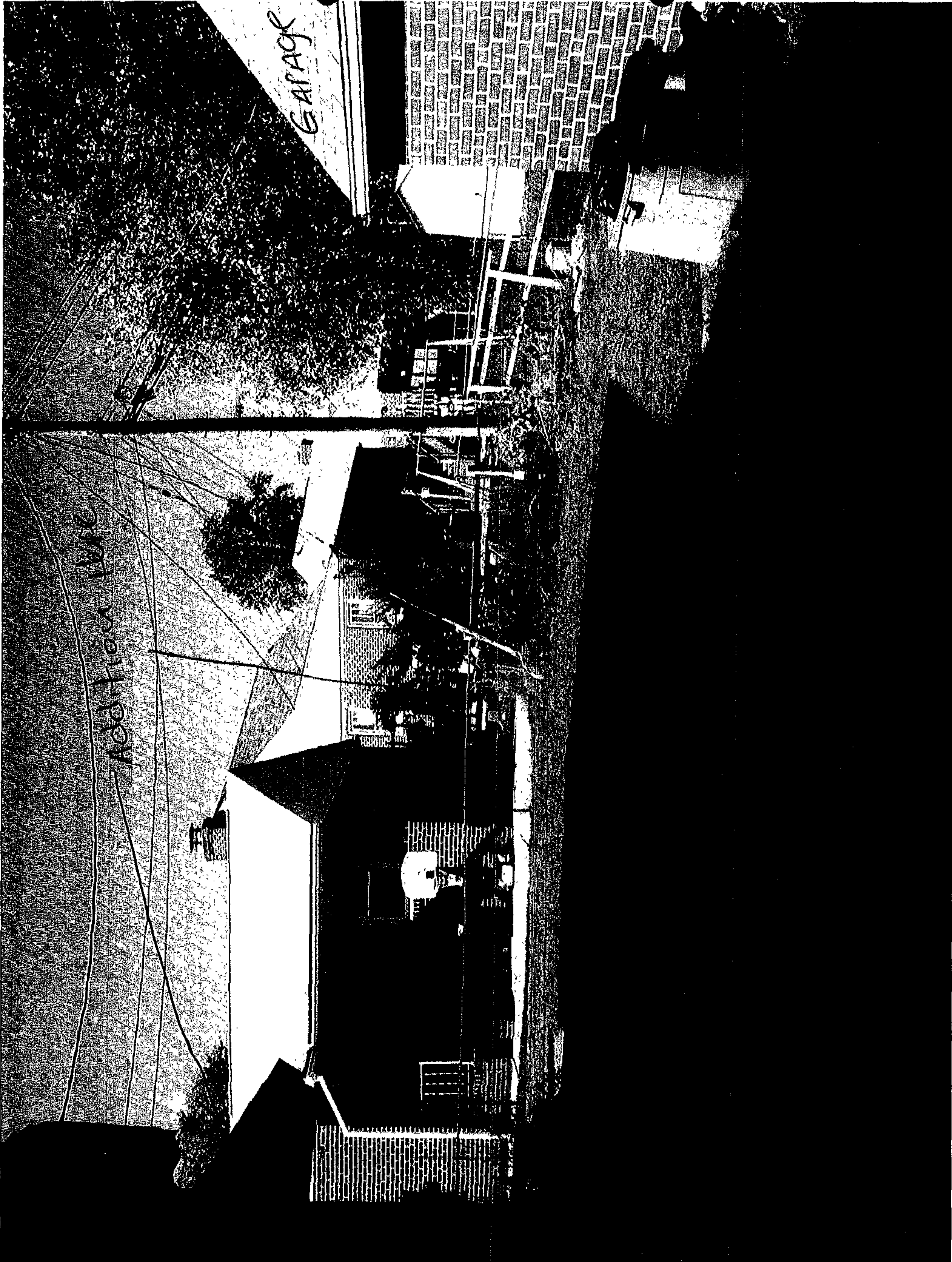
GARAGE DOOR HERE

ADDITION HERE



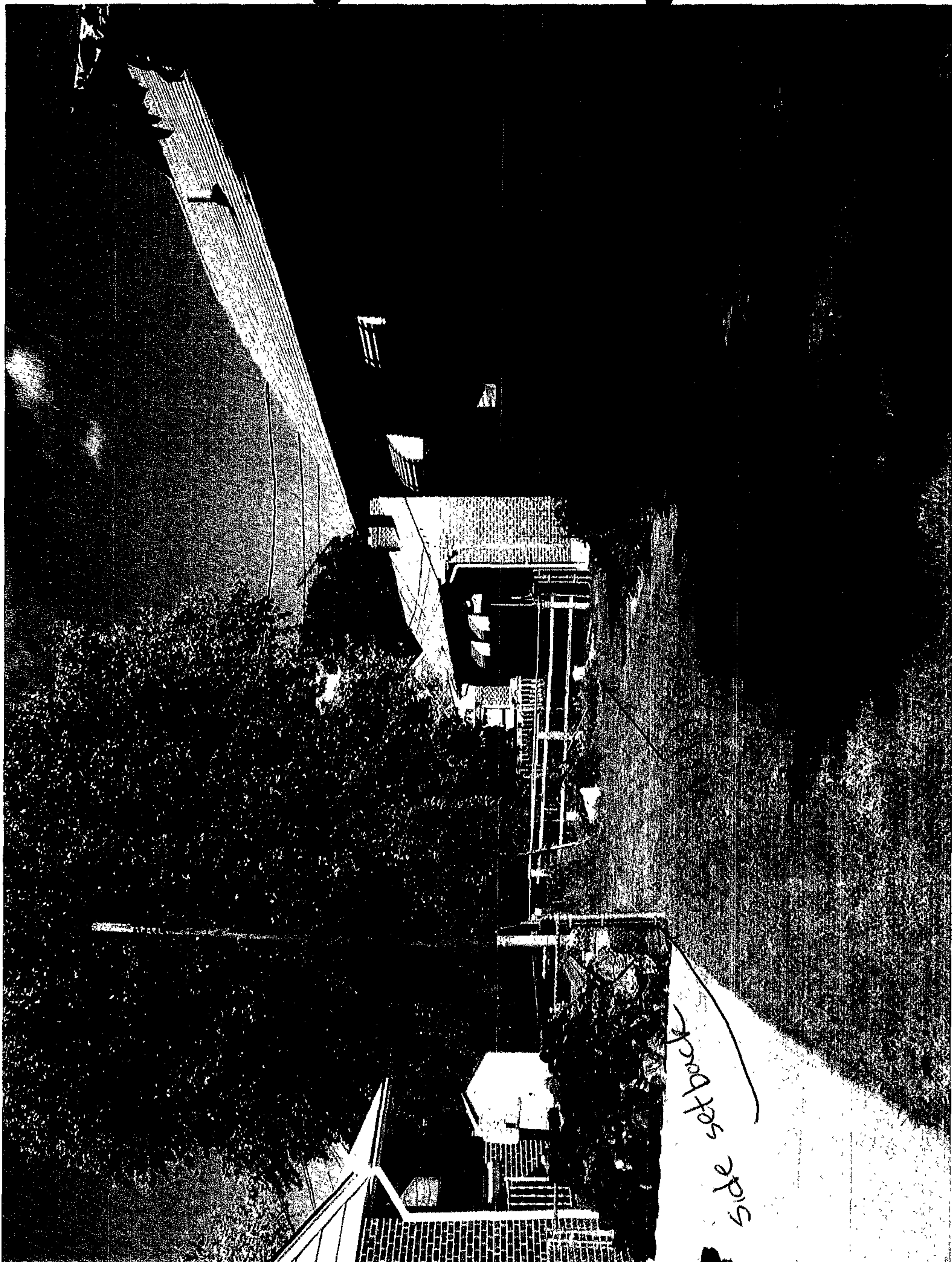
Addition Here





Garage

Add High Line



side set back

Adjacent
structure
on MARA



PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

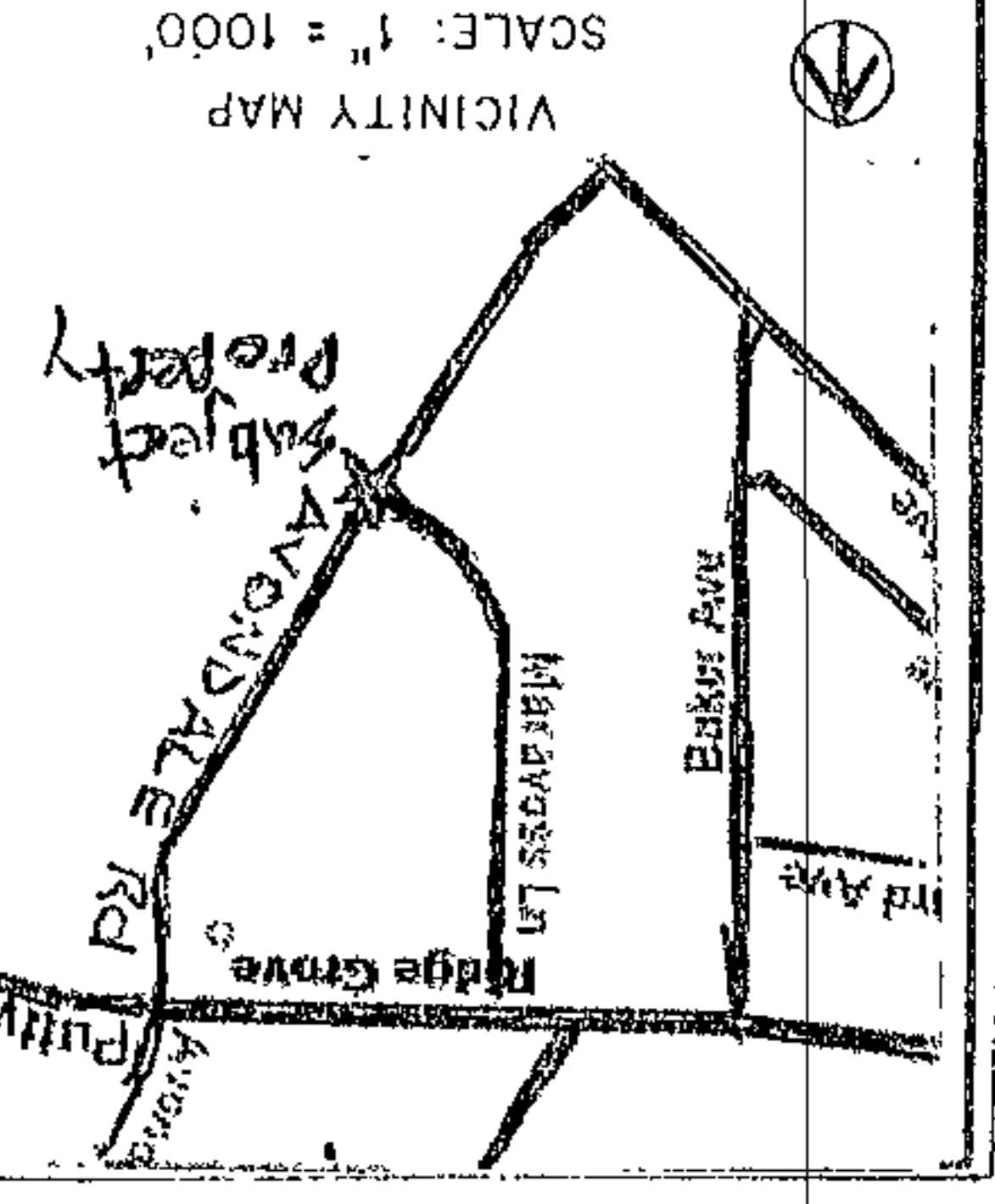
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

PROPERTY ADDRESS 8701 MARAVOSS LA.

SUBDIVISION NAME MARAVOSS

PLAT BOOK # 18 FOLIO # 100 LOT # 10 SECTION # 10

OWNER Kenneth John Riefler



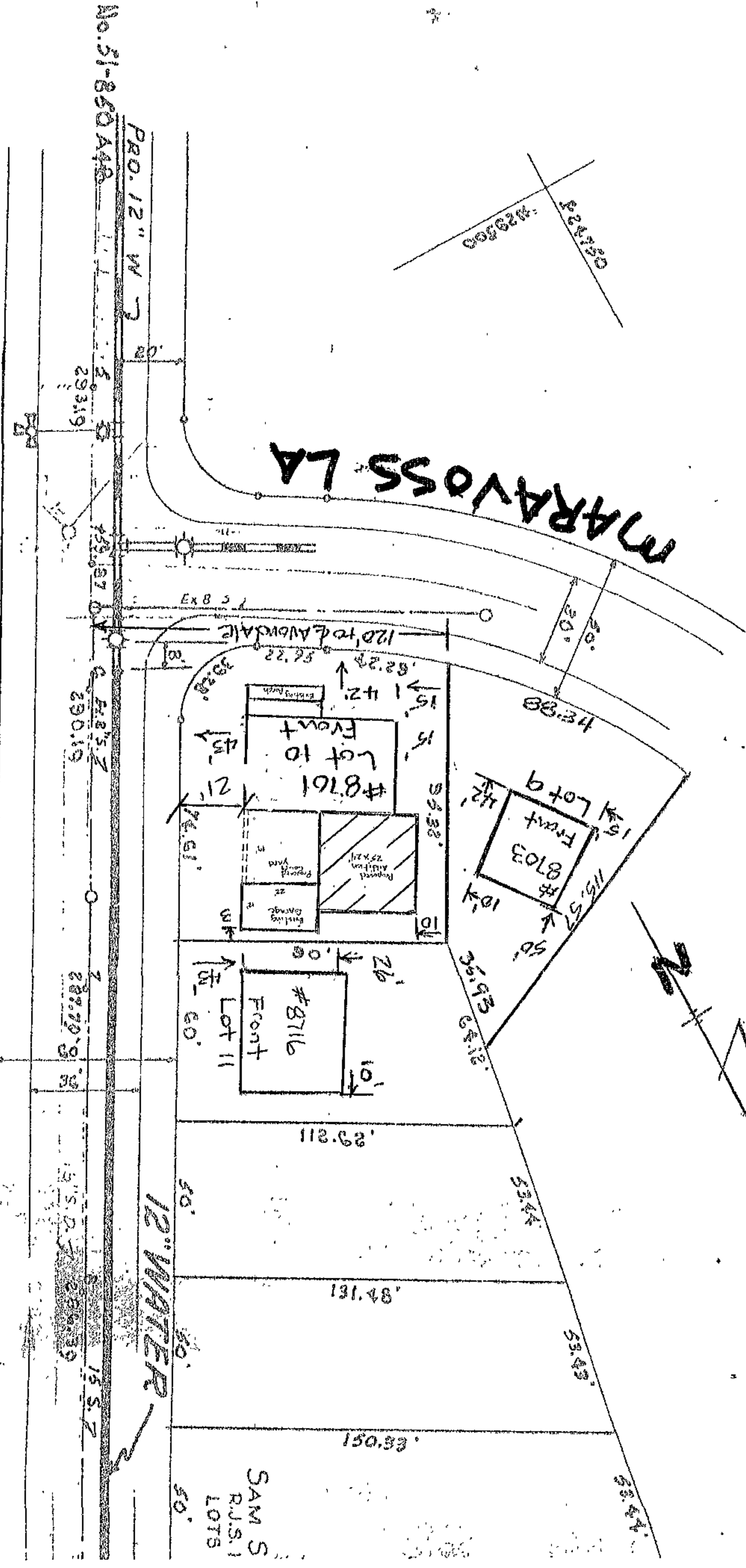
LOCATION INFORMATION
ELECTION DISTRICT 14
COUNCILMANIC DISTRICT 6
1" = 200' SCALE MAP # 8181

ZONING DR 5.5
LOT SIZE 1/5 ACREAGE
SQUARE FEET 8,550

CHESAPEAKE BAY
CRITICAL AREA
100 YEAR FLOOD PLAIN
HISTORIC PROPERTY/
BUILDING
PRIOR ZONING HEARING
NONE

REVIEWED BY
ZONING OFFICE USE ONLY
CASE #

0707070707





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8701 MARA JOSS LANE
which is presently zoned DR 5.5

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) 103 BCZR, III.C.4 BCZR
"45"

TO PERMIT AN EXISTING SINGLE FAMILY
DWELLING WITH ADDITION TO HAVE A REAR
YARD OF 3' IN LIEU OF THE REQUIRED 15'

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Telephone No.

Zip Code

Representative to be Contacted:

Name

Address

City

State

Telephone No.

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 LTM

Date

Estimated Posting Date

REV 10/25/01

CASE NO. 06-224-A

ORDER RECEIVED FOR FILING
Date 11-30-05
By [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 8701 MARAVOS Lk.
City Baltimore State MD. Zip Code 21234

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):

Mr Riefner's intent is to be able to access his garage without going outside. After reviewing breezeway type options it would cost little more & look much nicer to add some additional storage & living space. The fact that attaching to the entrance to the garage places the rear of the structure $\pm \frac{1}{3}$ from the rear property line requires this zoning variance.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Signature

Kenneth J. Riefner

Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21st day of OCTOBER, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Kenneth J. Riefner
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Elaine E. Baker
Notary Public

My Commission Expires

ELAINE E. BAKER
NOTARY PUBLIC STATE OF MARYLAND
County of Baltimore
My Commission Expires March 1, 2008