

IN RE: PETITION FOR ADMIN. VARIANCE
SW/side of S. Beechfield Ave., 100' n of
c/l of Ridge Drive
13th Election District
1st Councilmanic District

(908 S. Beechfield Avenue)

Daniel W. and Eleanor G. Dudley
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 06-227-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Daniel W. and Eleanor G. Dudley. The variance request is for property located at 908 S. Beechfield Avenue in the southwestern area of Baltimore County. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit a proposed accessory building (garage) with a height of 18 feet in lieu of the maximum allowed 15 feet. 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 5, 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 11-22-05

By Debra V. [Signature]

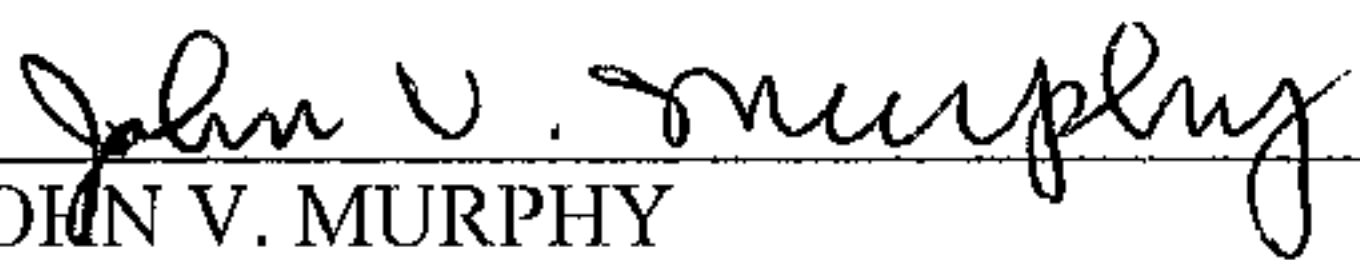
Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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 22 day of November, 2005, that a variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit a proposed accessory building (garage) with a height of 18 feet in lieu of the maximum allowed 15 feet, 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 11-22-05

By 

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

Daniel W. Dudley
Eleanor G. Dudley
908 Beechfield Avenue
Baltimore, Maryland 21229

Re: Petition for Administrative Variance
Case No. 06-227-A
Property: 908 Beechfield Avenue

Dear Mr. and Mrs. Dudley:

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 that reads "John V. Murphy". The signature is written in a cursive style.

John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:dlw
Enclosure

c: People's Counsel; Case File

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





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 908 S Beechfield Ave
which is presently zoned DR S.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) 400.3, BCZR, to permit a proposed accessory building (garage) with a height of 18 feet in lieu of the maximum allowed 15 feet.

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 11 day of October, 2005, 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):

Daniel W. Dudley

Name - Type or Print

Daniel W. Dudley

Signature

Eleanor G. Dudley

Name - Type or Print

Eleanor G. Dudley

Signature

908 Beechfield Ave 247-0919

Address

Telephone No.

Baltimore MD.

City

State

Zip Code 21229

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

Zoning Commissioner of Baltimore County

Reviewed By INF

Date 10/27/05

Estimated Posting Date 11/6/05

CASE NO. 06-227-A

REV 10/25/01

ORDER RECEIVED FOR FILING

Date 11-1-05
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 908 Beechfield Ave
Address Baltimore MD 21229
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):

Because of the vandalism in our area, we want to rebuild the garage to store our boat. The boat needs 18 feet to accommodate the height

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.

Daniel W Dudley
Signature
Daniel W. Dudley
Name - Type or Print

Eleanor G. Dudley
Signature
Eleanor G Dudley
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 3rd day of August, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Daniel W Dudley and Eleanor G. Dudley
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notary Seal



Leslie McCullough
Notary Public
My Commission Expires Oct 27, 2008

ZONING DESCRIPTION FOR 908 S.Beechfield Ave

Beginning at a point on the South West side of ^{S.} Beechfield Ave.
which is 24' 10" wide at the distance of 100 foot North
West of the centerline of the nearest improved intersecting
street Ridge Drive which is 19' 10" wide . Being lot #'s
26 thru 28 Block #2 as shown on the Plat of Ridgewood
was recorded in Baltimore County Plat Book #07, Folio #69
containing 7800 sq. ft. Also known as 908 S.Beechfield
Avenue and located in the 13th Election District, 1st
Councilmanic District

06-227-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 1125

DATE 12/27/05

ACCOUNT 2-001-006-6150

AMOUNT \$ 65.00

RECEIVED FROM:

Daniel & Eleanor Dudley

FOR:

1400 W. 90th St. Beachfield Ave.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

06-227-A (Dudley)

PAID RECEIPT

ISSUED 01/04

THE

199

INSTRUMENT 10/27/05 10:23:07

RECEIVED 12/27/05 10:23:07

RECEIVED 12/27/05 10:23:07

011

RECEIVED 12/27/05 10:23:07

RECEIVED 12/27/05 10:23:07

Receipt To:

40.00

40.00

4.00

01

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No: 06-227-A

Petitioner/Developer: DANIEL W.
ELEANOR DUDLEY

Date Of Hearing/Closing: 11/21/05

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

Attention:

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
at 908 SOUTH BEECHFIELD AVENUE

This sign(s) were posted on November 5, 2005

(Month, Day, Year)

Sincerely,

Martin Ogle 11/5/05
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

16 Salix Court

Address

Balto. Md 21220

(443-629 3411)



Yaelin Ogle 11/5/05

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 227 -A Address 908 S. Beechfield Avenue
Contact Person: Jeffrey Perlow Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 10/27/05 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- 227 -A Address 908 S. Beechfield Avenue
Petitioner's Name Daniel & Eleanor Pudley Telephone 410-247-0919
Posting Date: 11/6/05 Closing Date: 11/21/05
Wording for Sign: To Permit a proposed accessory building (garage) with a height of 18 feet in lieu of the maximum allowed 15 feet.

WCR - Revised 6/25/04



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 908^S Beechfield Ave
which is presently zoned DR S.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) 400.3, BCZR, to permit a proposed accessory building (garage) with a height of 18 feet in lieu of the maximum allowed 15 feet.

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):

Daniel W Dudley

Name - Type or Print

Daniel W Dudley

Signature

Eleanor Dudley

Name - Type or Print

Eleanor G. Dudley

Signature

908 Beechfield Ave

Address

Balto Co

City

Md

State

21229

Zip Code

247-0919

Telephone No.

Representative to be Contacted:

Name

Address

City

State

Zip Code

Telephone No.

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.

06-227-A

Reviewed By

JNF

Date

10/27/05

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

908 Beechfield Ave
Address
Baltimore MD 21229
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):

Because of the vandalism in our area, we want to rebuild the garage to store our boat. The boat needs 18 feet to accommodate the height.

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.

Daniel W Dudley
Signature
Daniel W. Dudley
Name - Type or Print

Eleanor G. Dudley
Signature
Eleanor G Dudley
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 3rd day of August, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Daniel W Dudley and Eleanor G Dudley
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Leslie M McCullough
Notary Public
My Commission Expires Oct 27, 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

Daniel W. Dudley
Eleanor G. Dudley
908 Beechfield Avenue
Baltimore, Maryland 21229

Dear : Mr. and Mrs. Dudley

RE: Case Number: 06-227-A, 908 Beechfield Avenue

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

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

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

RE: Baltimore County
Item No. 227

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 15, 2005

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

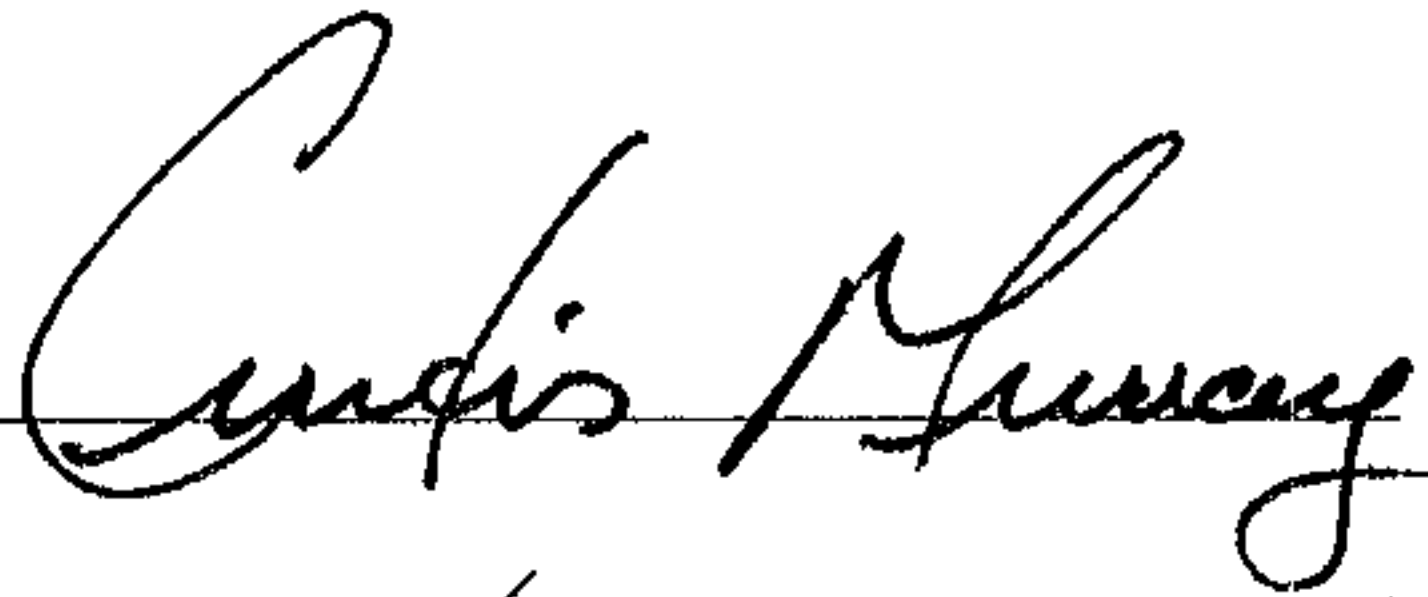
SUBJECT: 6-227 – Administrative Variance

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 18 feet in lieu of the maximum permitted 15 feet provided the following conditions are met:

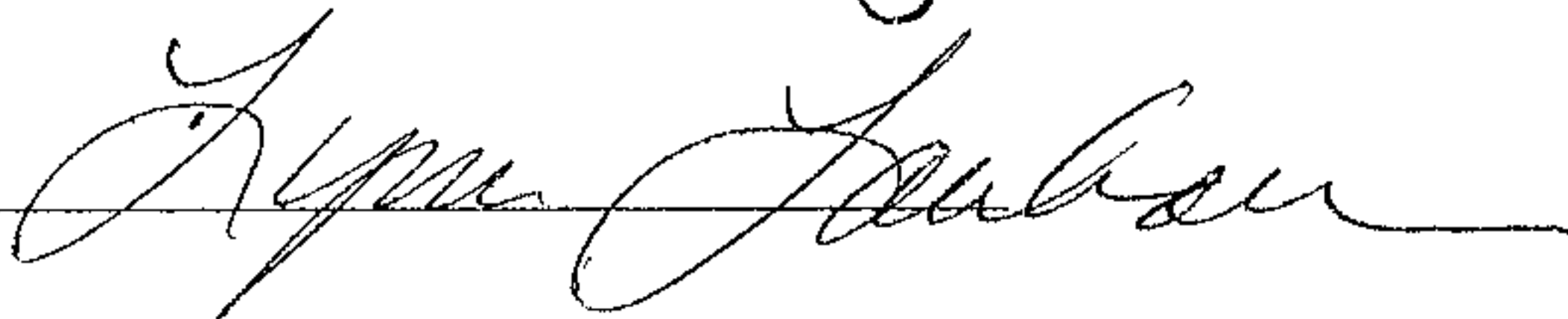
1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
2. The accessory structure shall not be used for commercial purposes.

For further information concerning the matters stated herein, please contact Dennis Wertz at 410-887-3480.

Prepared by:



Section Chief:



AFK/LL: CM

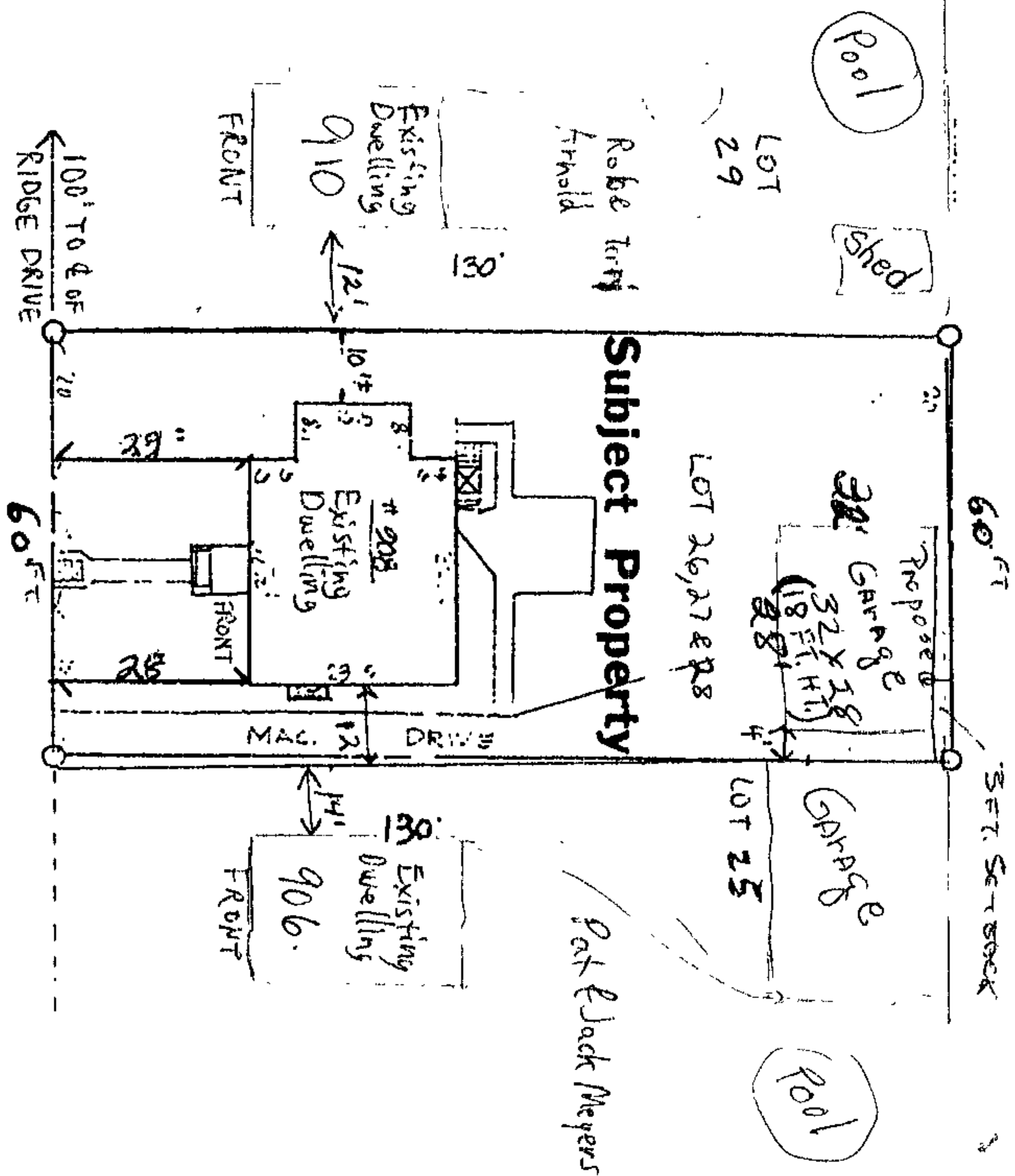
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 908 South Beechfield SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME RIDGEWOOD

PLAT BOOK # 07 FOLIO # 69 LOT # 27 SECTION # 2 BLOCK 2

OWNER Daniel & Eleanor Dudley



Subject Property

Pat & Jack Meyers

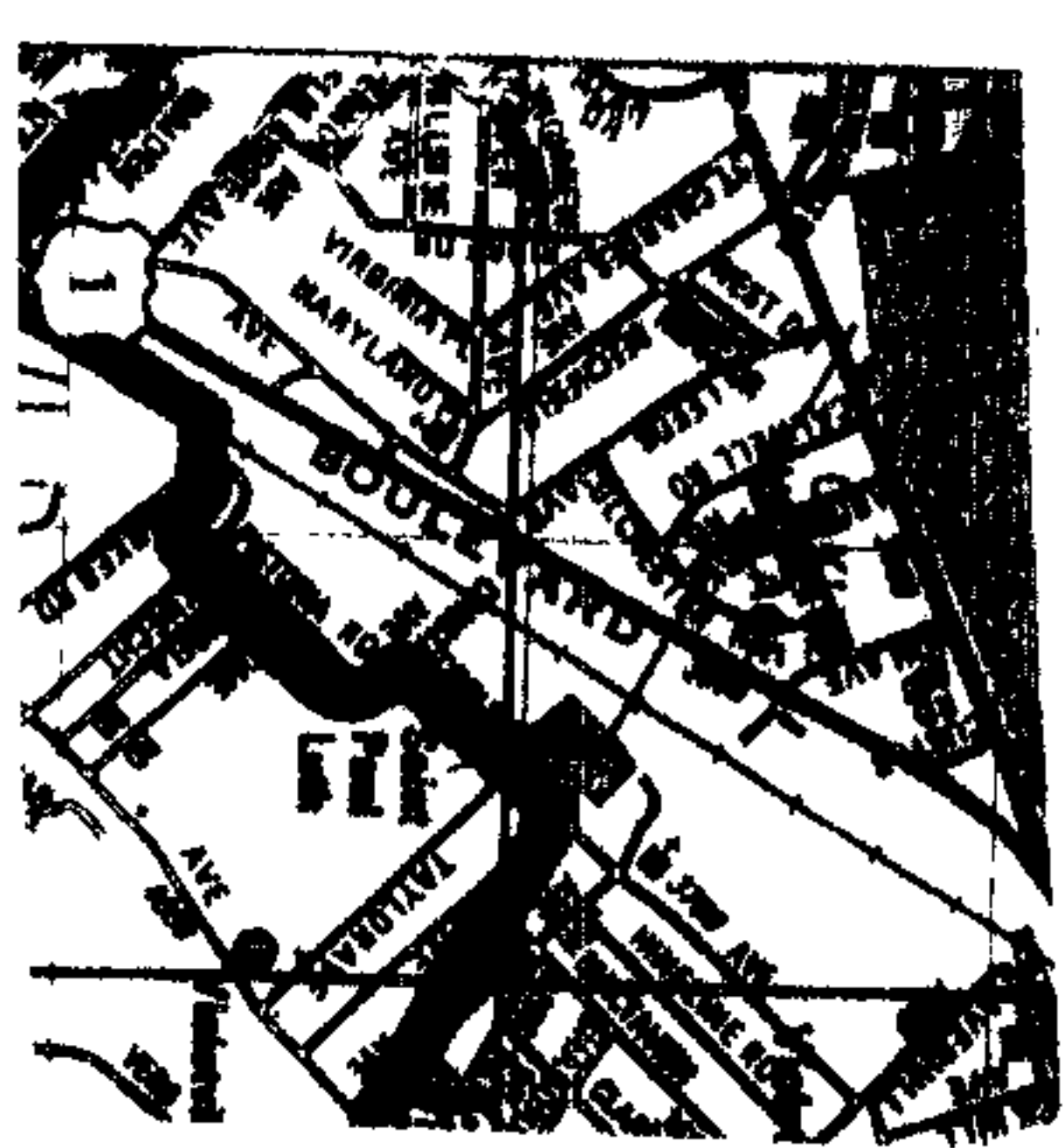
BEECHFIELD AVENUE

(24'10" R/W, 20' PAVING)



NORTH

PREPARED BY Daniel & Eleanor Dudley SCALE OF DRAWING: 1" = 30'



VICINITY MAP
SCALE: 1" = 2000'

LOCATION INFORMATION

ELECTION DISTRICT 13

COUNCILMANIC DISTRICT 1

1" = 200' SCALE MAP # 101-C-2

ZONING DR-5.5

LOT SIZE .179 7800 SQ. FT.

ACREAGE SQUARE FEET

PUBLIC PRIVATE

SEWER ☒ ☐

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO

100 YEAR FLOOD PLAIN ☐ YES ☒ NO

HISTORIC PROPERTY / BUILDING ☐ YES ☒ NO

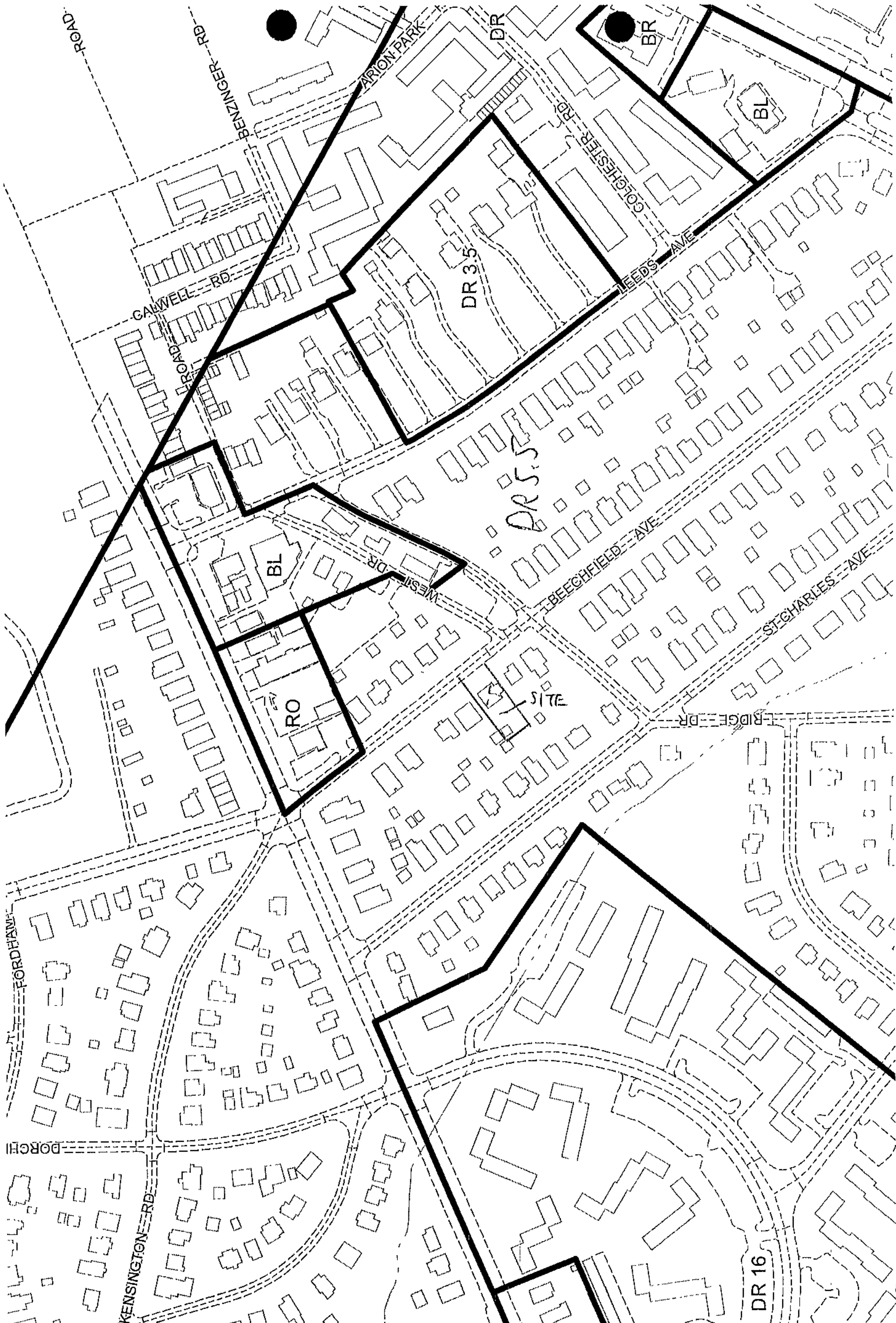
PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

JMP 227 06-227-A

Pat. Sec. 1





ROAD

BENINGER RD

CARWELL RD

ARION PARK DR

DR

BR

BL

COLCHESTER RD

LEEDS AVE

DR 3.5

DR 5.5

BL

DR

RO

SITE

BEECHFIELD AVE

ST CHARLES AVE

BRIDGE DR

FORDHAM

BORCH

KENSINGTON RD

DR 16

06-227-A

We the undersigned neighbors
of Dan & Eleanor Dudley,
908 Beechfield Ave.
Balto Md 21229

Have no objections for their
garage to be 18 foot in
height

Name	Address	Date
Jack M Meyer	906 Beechfield Ave	8-1-05
Patricia Meyer	906 Beechfield Ave	8-1-05
Mary Jane Dorr	904 S. Beechfield Ave. 21229	8-1-05
Clifford A. Dorr	904 S. BEECHFIELD AVE 21229	8-1-05
Michael Ferrante	902 Beechfield Ave	8/1/05
Alice Ferrante	902 Beechfield Ave.	8-1-05
Mr. & Mrs. Samuel Wood	900 S. Beechfield Ave. Balto Md 21229	8/1/05

Name Rolf Arnold
Address 910 Beechfield Ave

8-1-05

Name Leri Arnold
Address 910 Beechfield Ave

8-1-05

Name Ellen Daeng
Address 917 St Charles Ave.

8-1-05

Name Sarah Emerson
Address 909 Beechfield Ave

8-1-05

Name Megan Bieley
Address 915 St Charles Ave

8-1-05

Name William W. Bierley
Address 915 St Charles Ave

8-1-05

Name George Mikuzis & Binette Mikuzis
Address 905 - Beechfield Ave

21229

8-2-05

Name Sammy Eldin
Address 907 Beechfield Ave



8-2-05

Name
Address

06-227-A

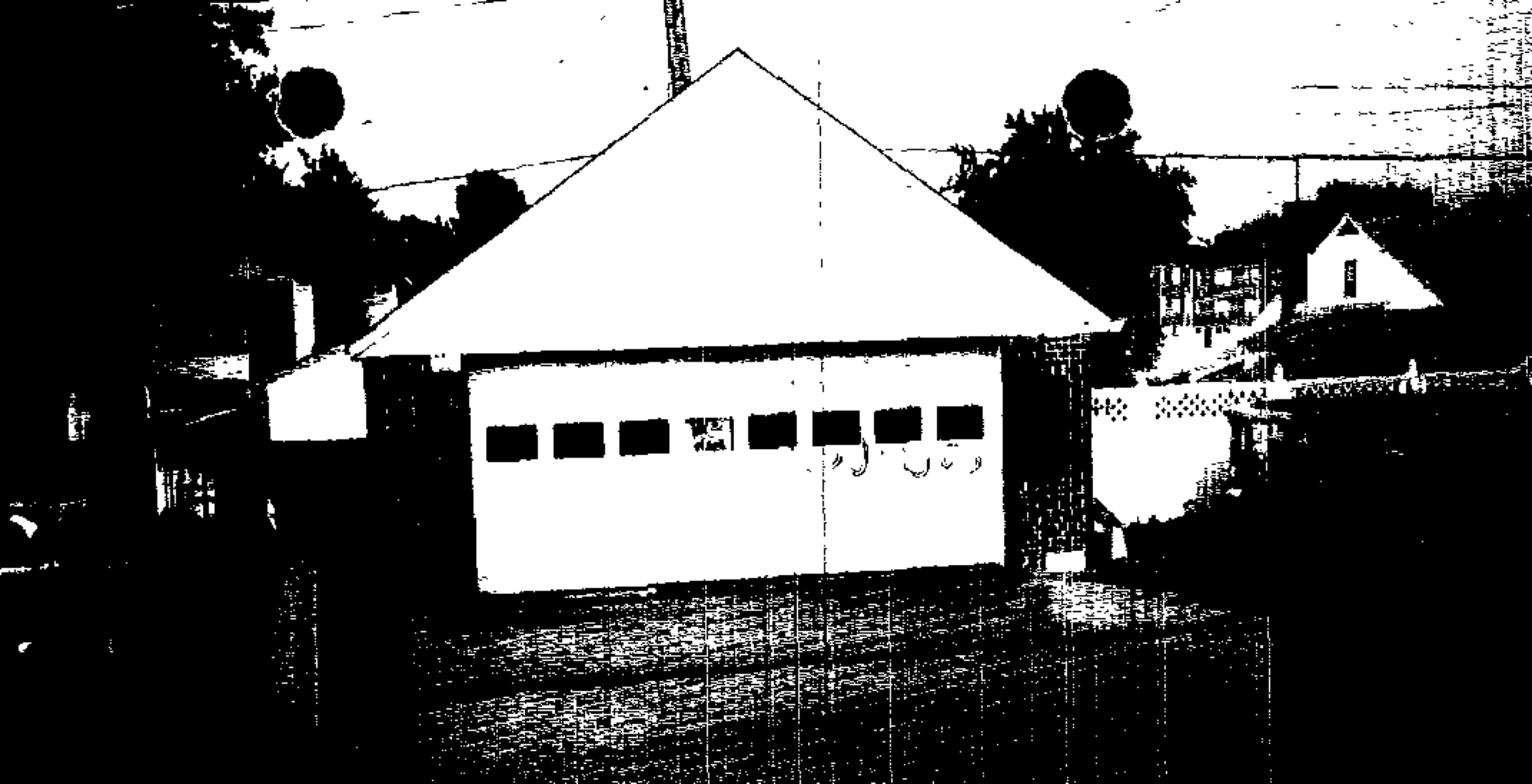


06-227-A

Left side

neighbors home

910



06-227-A

Neighbors Gannage

906



06-227-A

Attached driveway

906



06-227-A

Right side
Attached drive ways

906



● 06-227-A

Proposed site

908



06-227-A

Proposed site
IN REAR of Lot

908



06-227-A

Gavage site

908



06-227-A

Proposed site

908



06-227-A

Proposed site
from upstairs
house window

908