

IN RE: PETITION FOR ADMIN. VARIANCE
North Side of Redwood Avenue, 90' East
Of c/l of Water Oak Road
9th Election District
5th Councilmanic District

(1738 Redwood Avenue)

Kellie E. Moran
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 06-323-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, Kellie E. Moran. The variance request is for property located at 1738 Redwood Avenue in the Ridgeleigh 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 permit a proposed addition (sunroom) with a rear yard setback of 23 feet in lieu of the minimum required 50 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: A ZAC comment was received from the Office of Planning dated January 17, 2006, a copy attached hereto and made a part hereof.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on January 8, 2006, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 1-26-06

By [Signature]

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 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.

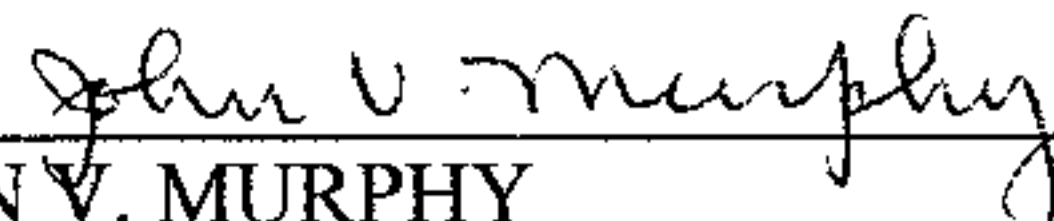
THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 26 day of January, 2006, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit a proposed addition (sunroom) with a rear yard setback of 23 feet in lieu of the minimum required 50 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.
2. The Petitioners must be in compliance with the ZAC comments submitted by the Office of Planning dated January 17, 2006, a copy of which is attached hereto and made a part hereof.

ORDER RECEIVED FOR FILING
Date 1-26-06
By [Signature]

3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

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

COPIES RECEIVED FOR FILING
Date 1-26-06
By [Handwritten Signature]



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

January 26, 2006

Kellie E. Moran
1738 Redwood Avenue
Baltimore, Maryland 21234

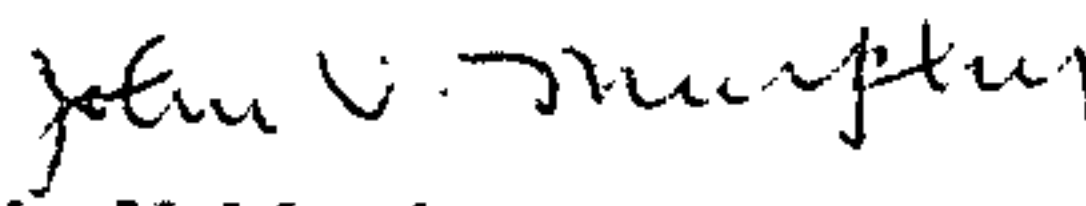
Re: Petition for Administrative Variance
Case No. 06-323-A
Property: 1738 Redwood Avenue

Dear Ms. Moran:

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

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

Very truly yours,


John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:dlw
Enclosure

c: People's Counsel; Case File

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 1738 Redwood Avenue
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):

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):

To the Zoning Board:

I am requesting a zoning approval from a 50' variance to a 23' variance based on the fact that with three growing teenagers and aging parents to assist with, it has become necessary to add additional living space to my townhouse. With the astronomical prices of real-estate, it is just not feasible for me to relocate.

Based on the fact that neighbors have had similar situations, and approved variances, I am requesting the grant for this approval.

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 Kellie E. Moran
Name - Type or Print Kellie E. Moran

Signature _____
Name - Type or Print _____

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29th day of December, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Kellie E. Moran
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Glenda A. Propst
Notary Public GLEND A PROPST

My Commission Expires _____



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1738 Redwood Avenue
which is presently zoned DR. 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) 1802.3.C.1, BC2R, to permit a

proposed addition (sunroom) with a rear yard setback of 23 feet in lieu of the minimum required 50 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):

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 12/29/05 day of December, 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. 06-323-A

Reviewed By JNP

Date 12/29/05

Estimated Posting Date 1/8/06

ORDER RECEIVED FOR FILING
Date 1-29-06
By [Signature]

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 1738 REDWOOD AVENUE.

Beginning at a point on the ^{north}~~south~~ side of Redwood Avenue which is 60 feet wide at the distance of approximately 90 feet east of the centerline of the nearest improved intersecting street Water Oak Road which is 60 feet wide. *Being Lot #4, Block 7, ~~Section # 1/4~~ in the subdivision of Ridgleigh as recorded in Baltimore County Plat Book #16, Folio # 8, containing 2,726 square feet. Also known as 1738 Redwood Avenue located in the 9th Election District, 5th Council manic District.

06-323-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 2825

DATE 12/29/05

ACCOUNT R-001-006-6150

AMOUNT \$ 25.00

RECEIVED FROM Nellie Moran

FOR Adm Van - 1738 Redwood Ave

06-323-A (Moran)

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS

ALUM

THE

ISS

12/29/2005

12/29/2005 05:19:01

9

ED USDC MILKIN PER YIP

RECEIPT # 100057 12/29/2005

0514

DATE 5 508 2005 VERIFICATION

IN AM. 00005

Receipt for

\$25.00

\$25.00

\$25.00

Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 449180

DATE 8/22/05 ACCOUNT 001-006 C155

AMOUNT \$ 40.00

RECEIVED
FROM:

W. Anderson & Sons

FOR:

1738 Edgewood Lane (Adm. Use)

(Moran) 82A

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

06-323-A

PAID RECEIPT

RECEIVED

DATE

TIME

BY

6/27/2005

4:23 PM

10:11

40

RECEIVED

DATE

TIME

BY

6/27/2005

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CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No: 06-323-A

Petitioner/Developer: Kellie Monar

Date Of Hearing/Closing: 1/23/06

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 1738 REDWOOD AVENUE

This sign(s) were posted on January 8, 2006
(Month, Day, Year)

Sincerely,

Martin Ogle 1/8/06
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

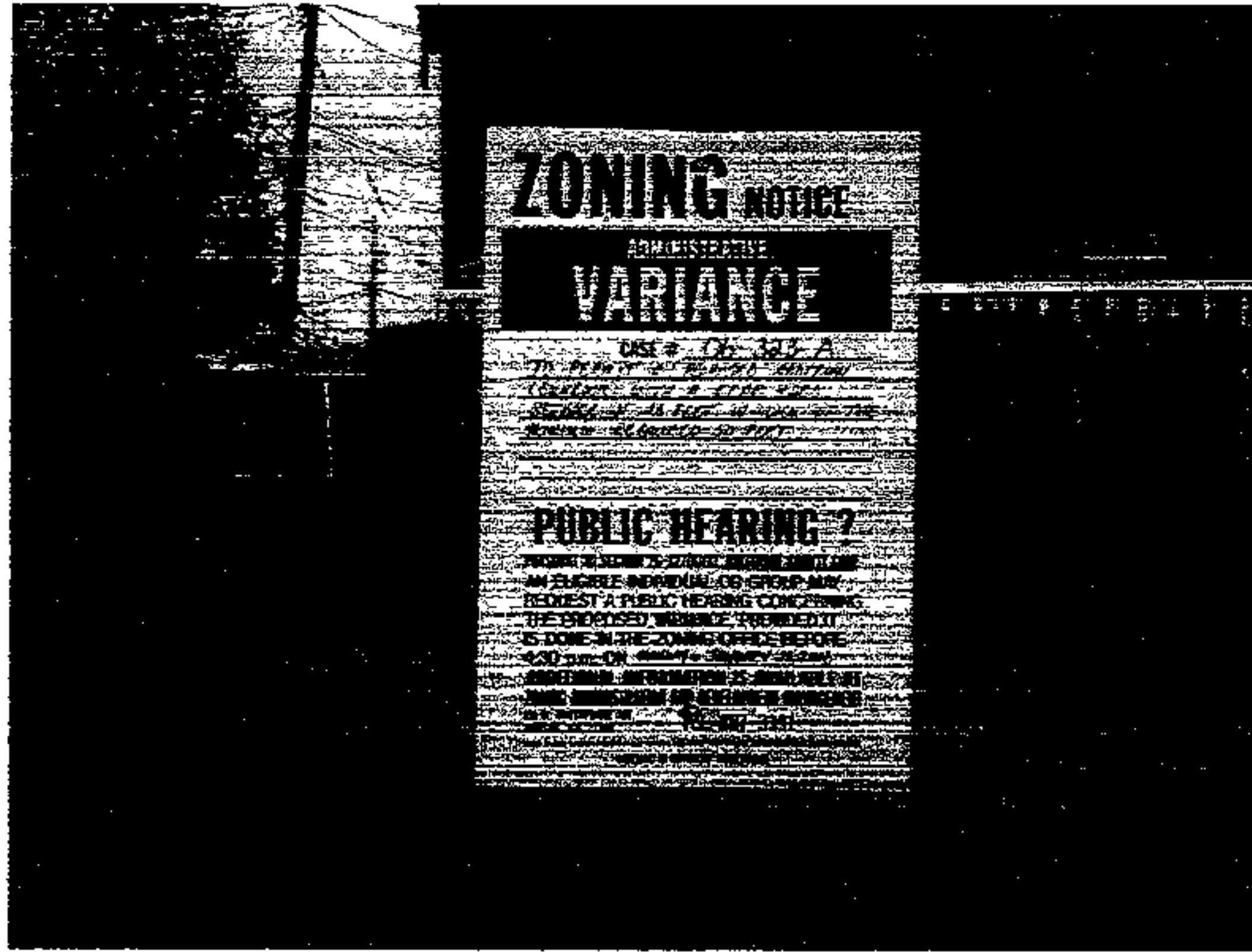
16 Salix Court

Address

Balto. Md 21220

(443-629 3411)

im000526 (1152x864x24b jpeg)



W. J. Smith 1/8/06

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 323 -A

Address 1738 Redwood Avenue

Contact Person: Jeffrey Perlow
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 12/29/05

Posting Date: 1/8/06

Closing Date: 1/23/06

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- 323 -A

Address 1738 Redwood Avenue

Petitioner's Name Kellie E. Moran

Telephone 410-665-9404

Posting Date: 1/8/06

Closing Date: 1/23/06

Wording for Sign: To Permit a proposed addition (sunroom) with a rear yard setback of 23 feet in lieu of the minimum required 50 feet.

WCR - Revised 6/25-04

**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*

January 23, 2006

Kellie E. Moran
1738 Redwood Avenue
Baltimore, Maryland 21234

Dear Ms. Moran:

RE: Case Number: 06-323-A, 1738 Redwood Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 29, 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



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

January 10, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: January 9, 2006

Item No.: 321, 322, 323, 324, 325, 327.

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For January 16, 2005
Item Nos. 321, 322, 323, 324, 325 and 326

DATE: January 17, 2006

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-01172006.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 17, 2006

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

SUBJECT: 1738 Redwood Avenue

INFORMATION:

Item Number: 6-323

Petitioner: Kellie Moran

Zoning: DR 10.5

Requested Action: Administrative Variance

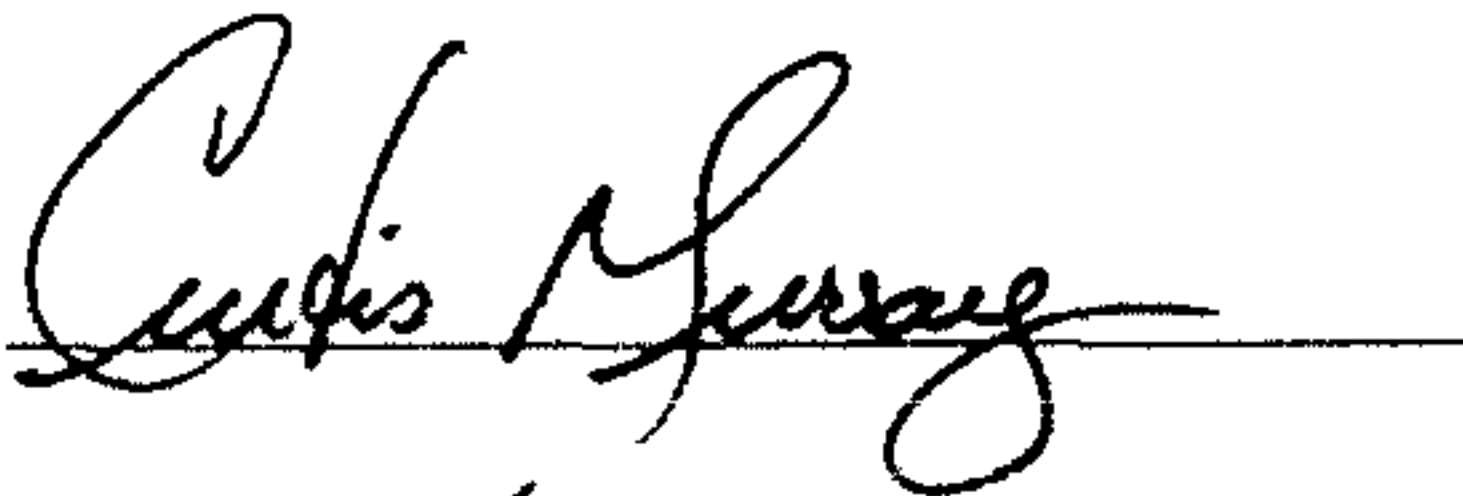
SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request provided the following conditions are met:

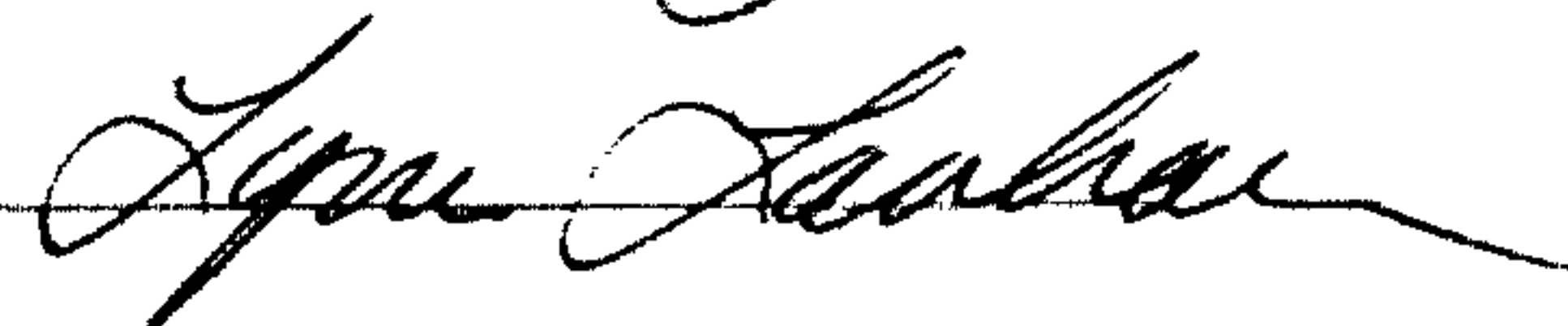
1. Submit building elevations to the Office of Planning prior to the issuance of any building permits. Building materials shall be consistent with that of the existing dwelling.
2. It is advised that the petitioner use building materials such as brick and/or Hardiplank for all facades of the proposed addition. Architectural elements such as roof pitch and window shutters shall match or compliment that of the existing dwelling.

For further information concerning the matters stated here in, please contact Kevin Gambrell at 410-887-3480.

Prepared by:



Division Chief:



AFK/LI: CM

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



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

Maryland Department of Transportation

Date: 1.9.06

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

RE: Baltimore County
Item No. 323 JAP

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

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 1738 Redwood Ave

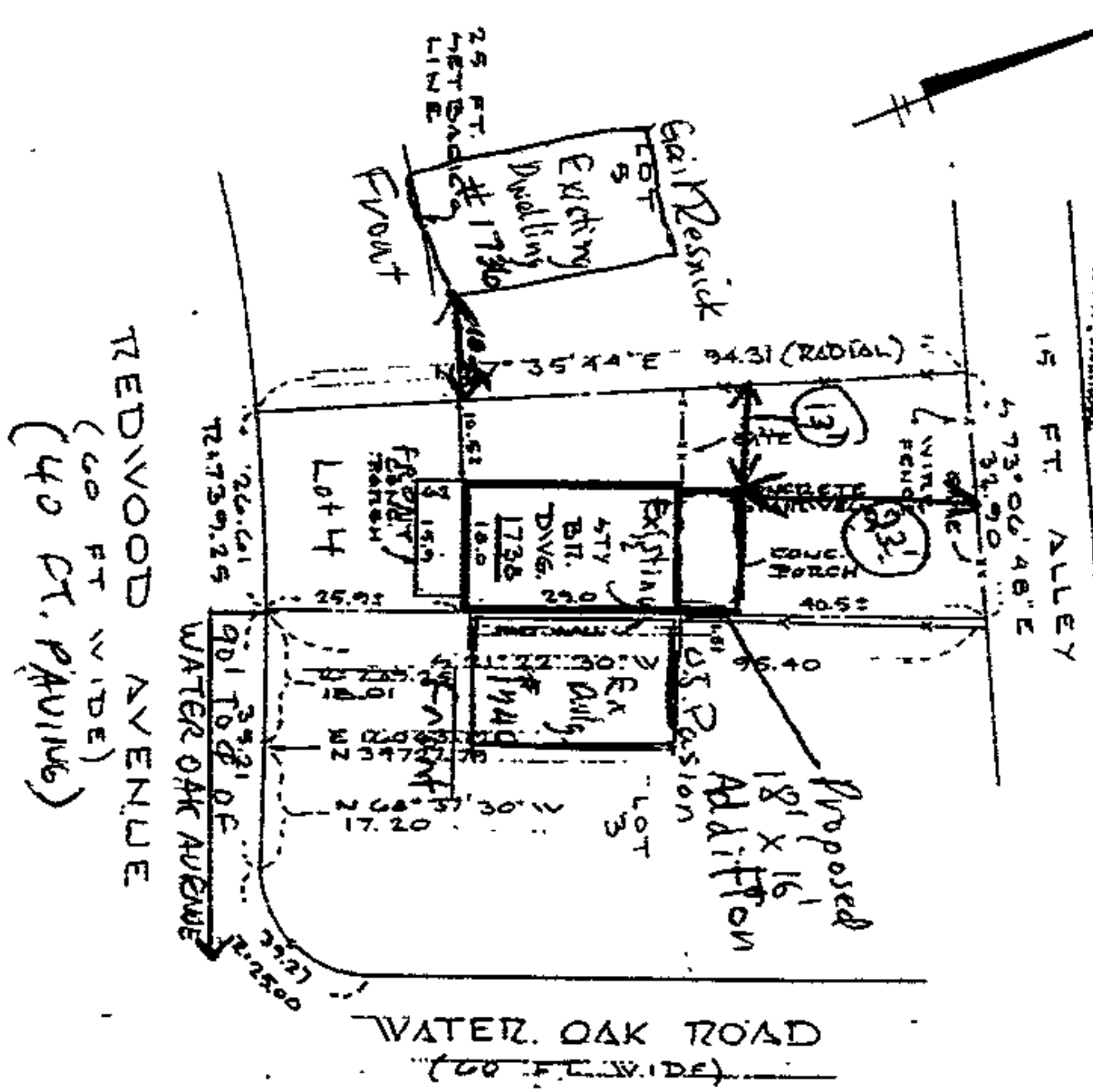
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Ridgeleigh

PLAT BOOK # 14 FOLIO # 8 LOT # 4 SECTION # Block 7

OWNER Kellie E. Moran

This property is not located in a HLLB, identified Special Flood Hazard Area, Flood Hazard Map for information through the National Flood Insurance Program.



This reproduction subject to 1% reduction in scale.
I hereby certify that I have made a survey of this lot for the purpose of locating the improvements thereon and that they are located as shown.
6/5/89
R.M.D. NO. 8675

This plat is not to be used for the establishment of property lines.

LOCATION SURVEY

SCALE

40' / 1"



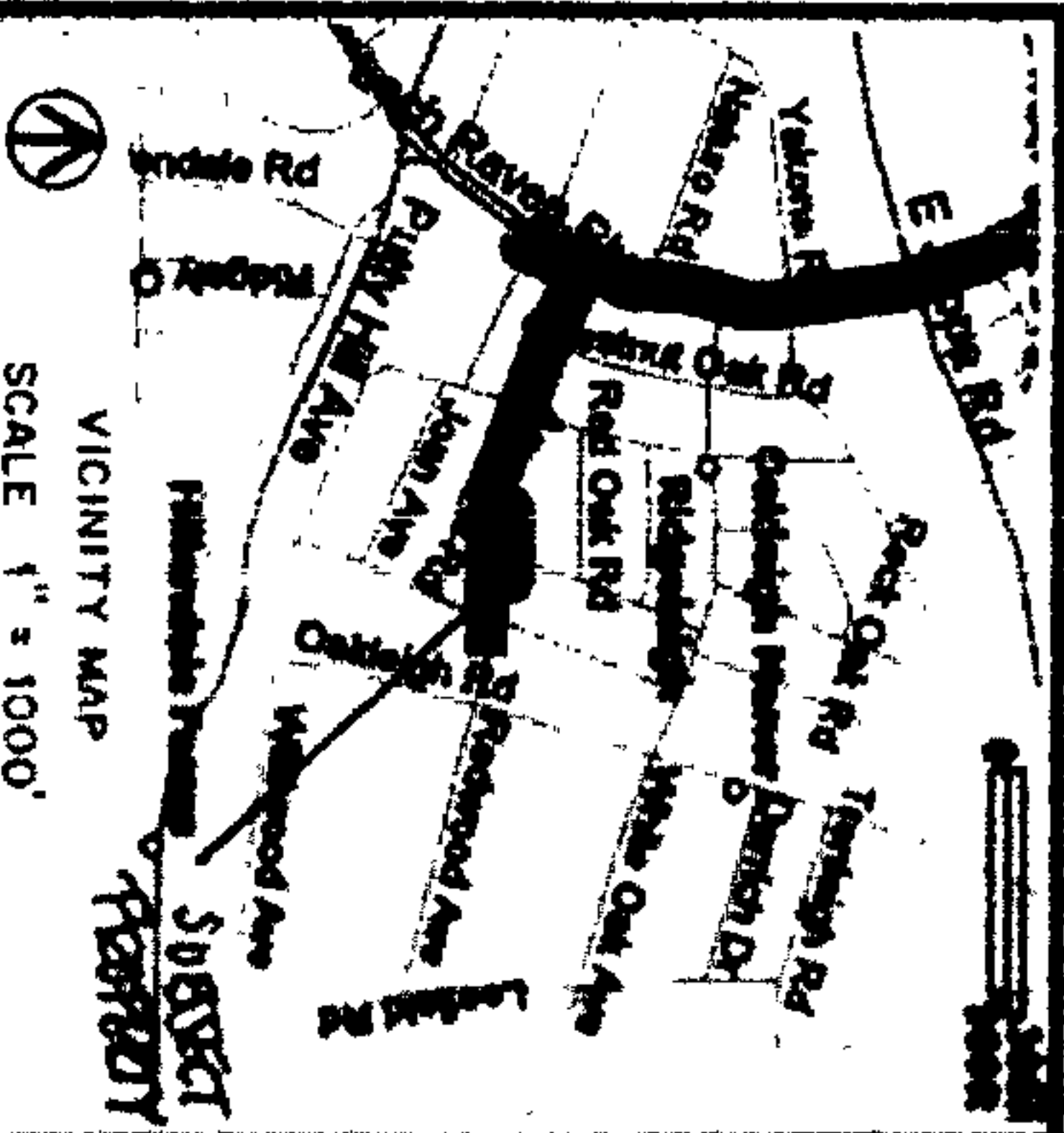
NORTH

PREPARED BY

Kellie Moran

SCALE OF DRAWING: 1" =

40' / 1"



LOCATION INFORMATION

ELECTION DISTRICT 9

COUNCILMANIC DISTRICT 5

1" = 200' SCALE MAP #07082

ZONING DR 10.5

LOT SIZE .0635 ACRES 2726 SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE

WATER ☒

CHESAPEAKE BAY CRITICAL AREA ☐

100 YEAR FLOOD PLAIN ☐

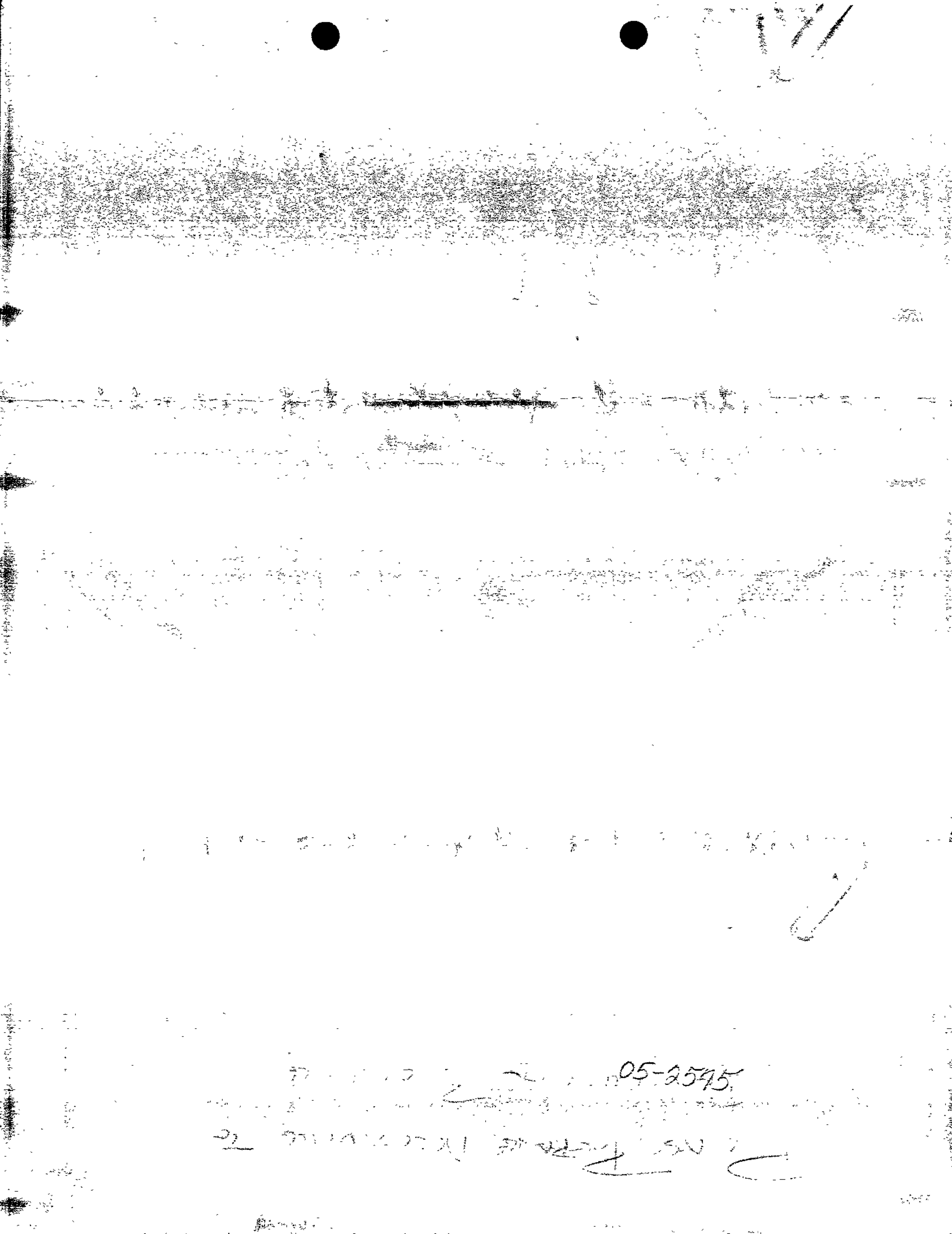
HISTORIC PROPERTY / BUILDING ☐

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY

REVIEWED BY ITEM #

JMP 323 DE-323-A



05-2545

25-1-1945



Front of Property
1738 Redwood Ave.
Baltimore, MD
21234-



Looking AT Rear

1738 Redwood Ave

BALTIMORE MD 21234



REAR of House

1738 Redwood AVE
BALTIMORE MD 21234



Looking AT
BACK YARD

1738 Redwood
BALTIMORE MD 21234



Pictures of
Addition with Less
THEN 50 Ft from

Alley



Pictures of
Addition less than
50 Ft From Alley



Pictures of
Addition Less
THEN 50 Ft From
Alley



Pictures of Additions
with LESS THAN 50⁺
TO Alley



Pictures of

Addition with Less

THEN 50 Ft to

Alley