

IN RE: PETITION FOR ADMIN. VARIANCE
SE corner of Warwick and Fordham
Roads
1st Election District
1st Councilmanic District
(4311 Fordham Road)

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

BALTIMORE COUNTY

Marilyn A. Maitland
Petitioner

*

CASE NO. 07-410-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, Marilyn A. Maitland. The variance request is for property located at 4311 Fordham Road. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 21.5 feet for an addition in lieu of the required 30 feet, a rear yard setback of 14.1 feet for a deck in lieu of the required 22.5 feet, and a side street setback of 12.4 feet in lieu of the required 30 feet for an addition. The Petitioner has developed physical limitations which would be greatly assisted by expanding the home to permit additional living space. She has reviewed the plans for the house expansion with adjacent property owners and they do not object to her plans for the property. In fact, the adjacent property owners have provided letters of support. The Petitioner proposes to convert a small existing porch into a 204 square foot livable room. There will also be a new covered wood front porch. The addition at the rear of the home will contain 420 square feet on the first floor and 546 square feet on the second floor. A new carport measuring 10 feet x 21 feet will be erected. A new wood deck will be installed at the rear of the home.

Zoning Advisory Committee Comments

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

Applicable Law

Section 307 of the B.C.Z.R. – *Variances*.

“The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance.”

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on March 21, 2007 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits and photographs 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 18th day of April, 2007, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 21.5 feet for an addition in lieu of the required 30 feet, a rear yard setback of 14.1 feet for a deck in lieu of the required 22.5 feet, and a side street setback of 12.4 feet in lieu of the required 30 feet for an addition be and is hereby GRANTED, subject to the following:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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


JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:pz

IN RE: PETITION FOR ADMIN. VARIANCE
SE corner of Warwick and Fordham
Roads
1st Election District
1st Councilmanic District
(4311 Fordham Road)

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

BALTIMORE COUNTY

Marilyn A. Maitland
Petitioner

*

CASE NO. 07-410-A

* * * * *

AMENDED FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a request by the Petitioner to amend the Order issued April 18, 2007, to include the carport measuring 21 feet x 10 feet wide. The original Petition for Administrative Variance should have included an additional variance request for a side yard setback of 0.5 feet in lieu of the required 10 feet.

Original Case

This matter originally came before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Marilyn A. Maitland. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 21.5 feet for an addition in lieu of the required 30 feet, a rear yard setback of 14.1 feet for a deck in lieu of the required 22.5 feet, and a side street setback of 12.4 feet in lieu of the required 30 feet for an addition. The Petitioner's request was granted in this Commission's April 18, 2007 Order.

Findings of Fact and Conclusions of Law

The Plat to Accompany, exhibit 1, showed the carport extending to nearly the adjoining property line and so clearly would need a side yard setback variance. In addition the Petitioner's verbal description of the requested variances referred to the carport. However apparently by oversight the carport variance was not specifically noted by the intake technician when

ORDER RECEIVED FOR FILE

6-26-07
[Signature]

processing the Petition and so was missed in the order by this Commission. This problem was not the Petitioner's and she should not be penalized for this oversight.

Amended Order

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 26th day of June, 2007, that the April 18, 2007 Order is amended to include an additional variance of Section 1B02.3.C.1 of the BCZR for a side yard setback of 0.5 feet in lieu of the required 10 feet be and is hereby GRANTED.

IT IS FURTHER ORDERED that all other terms and conditions of this Commission's April 18, 2007 Order shall remain in full force and effect.

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:pz0

ORDER RECEIVED FOR FILING

6-26-07
[Signature]



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

June 26, 2007

MARILYN A. MAITLAND
6159 CAMPFIRE
COLUMBIA MD 21045

Re: Petition for Administrative Variance (Amended Order)
Case No. 07-410-A
Property: 4311 Fordham Road

Dear Ms. Maitland:

Enclosed please find an Amended Order in the above-captioned case.

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

Very truly yours,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:pz

Enclosure

Marilyn A. Maitland
6159 Campfire
Columbia, MD 21045
June 28, 2007

Deputy Commissioner John V. Murphy
County Office Building
Towson, MD 21204
Fax: 410.887.3468

RE: Case Number: 07-410-A, 4311 Fordham Road Amended Order Request

Dear Commissioner Murphy:

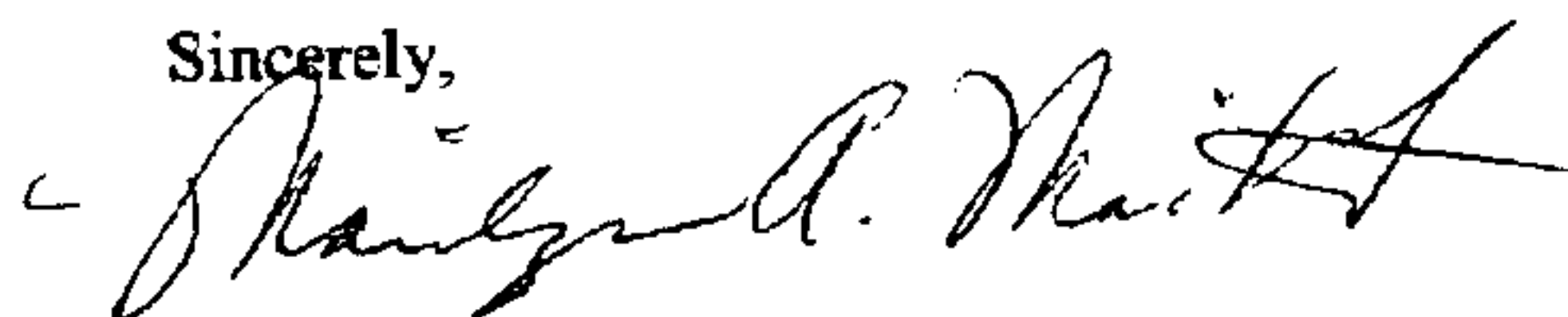
I am writing to request an amended order for the 4311 Fordham property case. The carport variance in the case needs to be six (6) inches from the existing fence on the property.

This amendment will be in support of the previous decision for this property dated April 18, 2007.

I appreciate the effort that will be made as a result of this request.

Should you have any questions please contact me at 410.995.0086.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Marilyn A. Maitland', with a small mark to the left.

Marilyn A. Maitland

Marilyn A. Maitland
6159 Campfire
Columbia, MD 21045
May 29, 2007

Mr. Carl Richards
Supervisor, Zoning Review
County Office Building
111 West Chesapeake Avenue
Room 111
Towson, MD 21204

RE: Case Number: 07-410-A, 4311 Fordham Road

Dear Mr. Richards,

I am writing this "spirit and intent" letter at the direction of your staff in the zoning office. On May 24, 2007 I was issued *only a partial permit* in the case listed above. This, despite the fact that Deputy Commissioner Murphy *denied no portion of my request* in his decision dated April 18, 2007.

Regrettably, during my May 24 visit to Permits no permit was issued for the carport portion of this plan. I am herein requesting that I be able to receive a permit for the remainder of my variance request to include the carport.

It was my full understanding from the writings of Commissioner Murphy that his intent was to include the carport. This is an essential element in meeting my needs to live successfully in the home. I believe permission for erecting it was in the spirit of this decision.

However, in the final paragraph of Commissioner Murphy's decision the carport is not specifically referenced. When your staff reviewed it they were reluctant to sign off until there was clarification via this "spirit and intent" correspondence.

I appreciate every effort you will make to resolve this contradiction. I am told that this matter can be expedited and resolution can be reached in short order so that I may secure the remaining permit required for the completion of this important project.

Should you have any questions please contact me at 410.995.0086.

Sincerely,

Marilyn A. Maitland

✓ CC: Deputy Commissioner John V. Murphy
Enclosure



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

April 18, 2007

MARILYN A. MAITLAND
6159 CAMPFIRE
COLUMBIA MD 21045

Re: Petition for Administrative Variance
Case No. 07-410-A
Property: 4311 Fordham Road

Dear Ms. Maitland:

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

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

Very truly yours,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:pz

Enclosure

IN RE: PETITION FOR ADMIN. VARIANCE
SE corner of Warwick and Fordham
Roads
1st Election District
1st Councilmanic District
(4311 Fordham Road)

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* BALTIMORE COUNTY
*
* CASE NO. 07-410-A

Marilyn A. Maitland
Petitioner

* * * * *

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, Marilyn A. Maitland. The variance request is for property located at 4311 Fordham Road. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 21.5 feet for an addition in lieu of the required 30 feet, a rear yard setback of 14.1 feet for a deck in lieu of the required 22.5 feet, and a side street setback of 12.4 feet in lieu of the required 30 feet for an addition. The Petitioner has developed physical limitations which would be greatly assisted by expanding the home to permit additional living space. She has reviewed the plans for the house expansion with adjacent property owners and they do not object to her plans for the property. In fact, the adjacent property owners have provided letters of support. The Petitioner proposes to convert a small existing porch into a 204 square foot livable room. There will also be a new covered wood front porch. The addition at the rear of the home will contain 420 square feet on the first floor and 546 square feet on the second floor. A new carport measuring 10 feet x 21 feet will be erected. A new wood deck will be installed at the rear of the home.

Zoning Advisory Committee Comments

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

4-18-07
[Signature]

Applicable Law

Section 307 of the B.C.Z.R. – *Variances*.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on March 21, 2007 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits and photographs 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 18th day of April, 2007, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 21.5 feet for an addition in lieu of the required 30 feet, a rear yard setback of 14.1 feet for a deck in lieu of the required 22.5 feet, and a side street setback of 12.4 feet in lieu of the required 30 feet for an addition be and is hereby GRANTED, subject to the following:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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


JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:pz



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

April 18, 2007

MARILYN A. MAITLAND
6159 CAMPFIRE
COLUMBIA MD 21045

Re: Petition for Administrative Variance
Case No. 07-410-A
Property: 4311 Fordham Road

Dear Ms. Maitland:

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

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

Very truly yours,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:pz

Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4311 Fordham Rd
which is presently zoned Residential DR-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) 1 B02.3, C.1, B&ER, To permit

a rear yard setback of 21.5 ft for an addition in lieu of the required 30 ft, ~~for an addition~~, a rear yard setback of 14'-1" for a deck in lieu of the required 22.5" and a side street setback of 12'-4" in lieu of the required 30 ft. ~~for an addition~~

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

Zip Code

Representative to be Contacted:

Name

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, this 14-18-09 day of April 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. 4-18-09

REV 10/25/01

Reviewed By CIA

Estimated Posting Date 3/25

Date 3-13-07

Affidavit in Support of Administrative Variance

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

That the Affiant(s) does/do presently reside at 6159 Camphire
Address
Columbia MD 21045
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):

See attached

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

Signature

Marilyn A. Maitland
Name - Type or Print

Signature

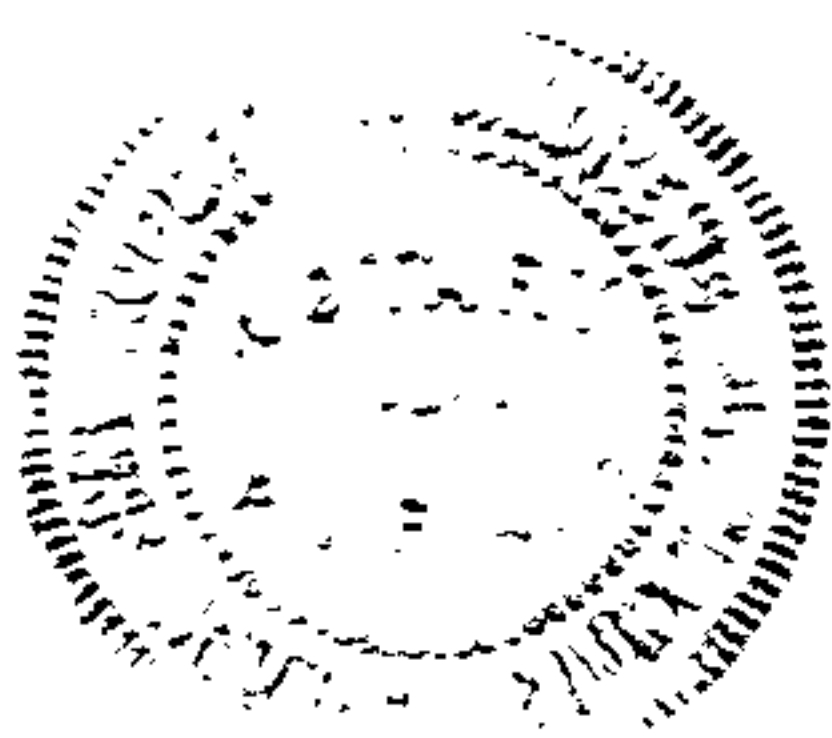
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5 day of MARCH, 2007, before me, a Notary Public in the State of Maryland, in and for the County aforesaid, personally appeared

Marilyn A. Maitland
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Robert T. Andrews
Notary Public

My Commission Expires 9-25-2007



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4311 Fordham Rd
which is presently zoned Residential DR5.5

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, BC22, TO PERMIT

A REARYARD SETBACK OF 21.5ft. FOR AN ADDITION IN LIEU OF THE REQUIRED 30ft. ~~FOR AN ADDITION~~ A REARYARD SETBACK OF ~~14'-1"~~ 14'-1" FOR A DECK IN LIEU OF THE REQUIRED 22.5" AND A SIDE STREET SETBACK OF 12'-4" IN LIEU OF THE REQUIRED 30ft. ~~FOR AN ADDITION~~

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

Zip Code

Representative to be Contacted:

Name

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, this 10 day of April 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. 07-410-A

REV 10/25/01

Reviewed By [Signature]

Date 3.13.07

Estimated Posting Date 3/25

Marilyn A. Maitland
6159 Campfire
Columbia, MD 21045

February 2007

Zoning Commissioner
Baltimore County
Towson, MD

Dear Sir/Mam:

This letter is intended to assist in explaining the need for the variance I am seeking for the property at 4311 Fordham Road, Baltimore 21229.

This house was purchased when my husband became quite ill and we anticipated the need to be near family to assist with his care. We further knew that with some expansion and modification the home would serve both our needs as we are retired and in our senior years. Regrettably just one week after the purchase of the property my husband passed away.

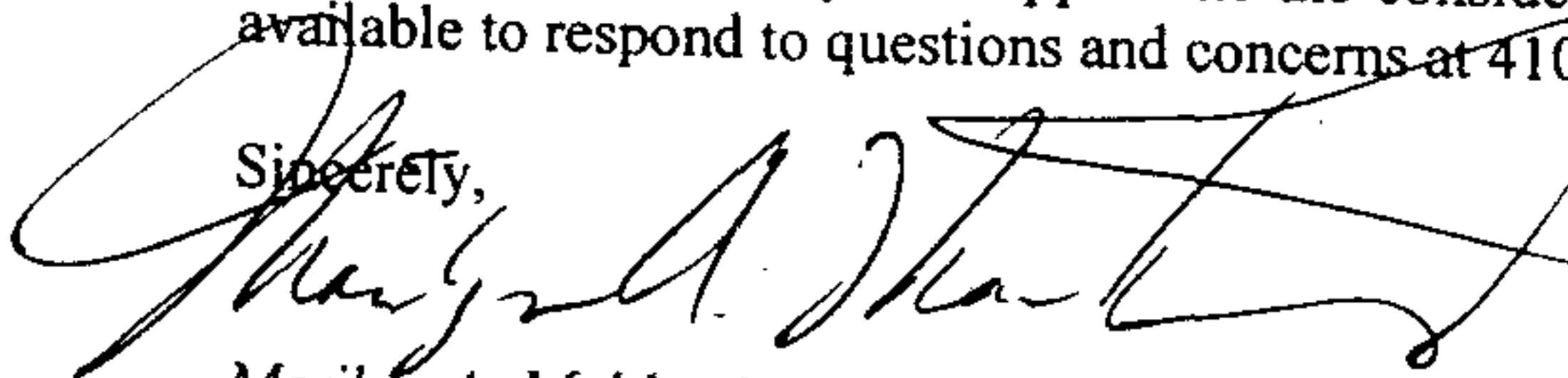
My needs for expanding the home however remain the same. In the past few years I have developed physical limitations that would be greatly assisted by expanding the property and permitting greater living space.

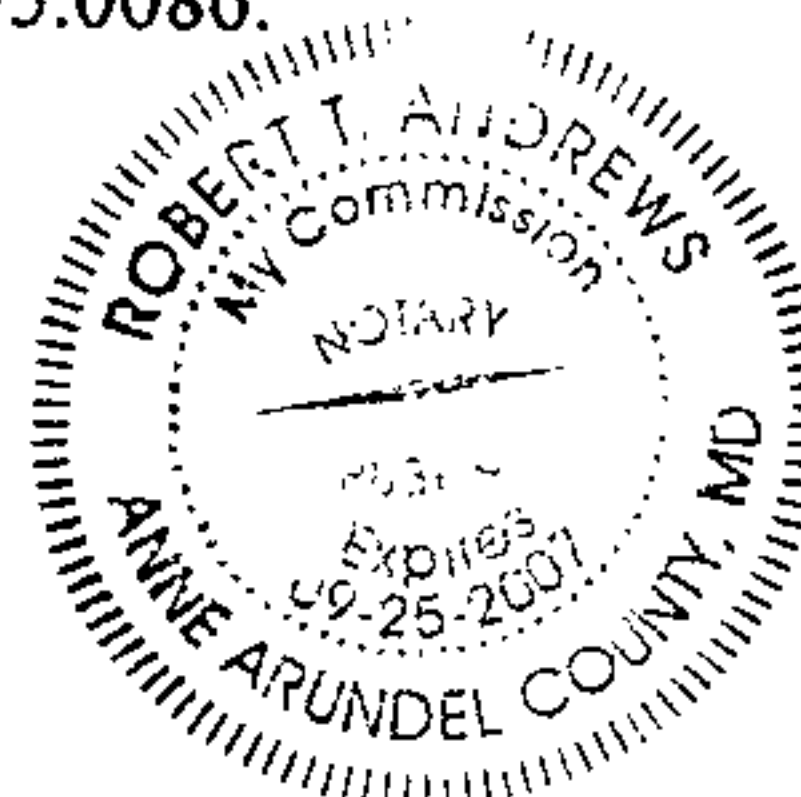
I have reviewed the plans for the extension with the appropriate bordering property owners and many more neighbors who could be affected with the visual transformation. To a person they have all been extremely supportive.

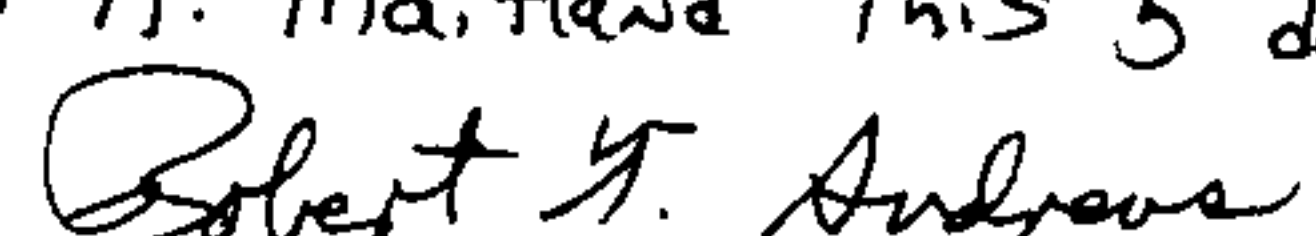
The property is a corner lot and only directly affects the lot to the left. The back of the property adjoins a rather wooded sloped area of another property which is virtually inaccessible from my property. The right side has a somewhat dramatic slope that drops to the public walk way and impacts no other property.

It is my fervent hope that you will find in favor of this expansion as it will ultimately make my remaining years more comfortable and position me near family who can more easily support me if necessary. I appreciate the consideration you will give this matter. I am available to respond to questions and concerns at 410.995.0086.

Sincerely,


Marilyn A. Maitland



I, Robert T. Andrews, Notary, witnessed the above signature of Marilyn A. Maitland this 5 day of March in the year 2007. 

ZONING DESCRIPTION FOR 4311 FORDHAM ROAD

Beginning at a point on the north side of Fordham Road which is 54 feet wide at the distance of 12.5' west of the centerline of the nearest improved intersecting street Warwick Road which is 25' wide. Being lots # 18, 19, 20, Block 3, in the subdivision of Kensington as recorded in Baltimore County Plat Book # 8 , Folio # 46, containing 6048 square feet. Also known as 4311 Fordham Road and located in the 1st Election District, 1st Councilmanic District.

40

No. 100-10723

DATE 3-13-07

ACCOUNT

FD01-006-615D

AMOUNT \$

69B

RECEIVED
FROM: _____

M. M. Land

32

1990

FOR:

10

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

THE

6

SECRET
0714

THE

16

14-00000

3/13/2007 14:40:26

SECRET

100-443881-1

1

SECRET - 3/13/87

許門

THE JOURNAL OF THE

4

THE

1

Index for

35

政 府

三

De la Torre Society Fund

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

Baltimore County Dept. of Permits &
Development Management
111 W. Chesapeake Avenue, Rm. 111
Towson, MD 21204

Date: March 22, 2007
MAI Job No : SP-016

Attention: Mr. Joe Merrey / Mrs. Kristen Matthews

RE: Case Number : 07-410-A

Petitioner/Developer: Marilyn Maitland

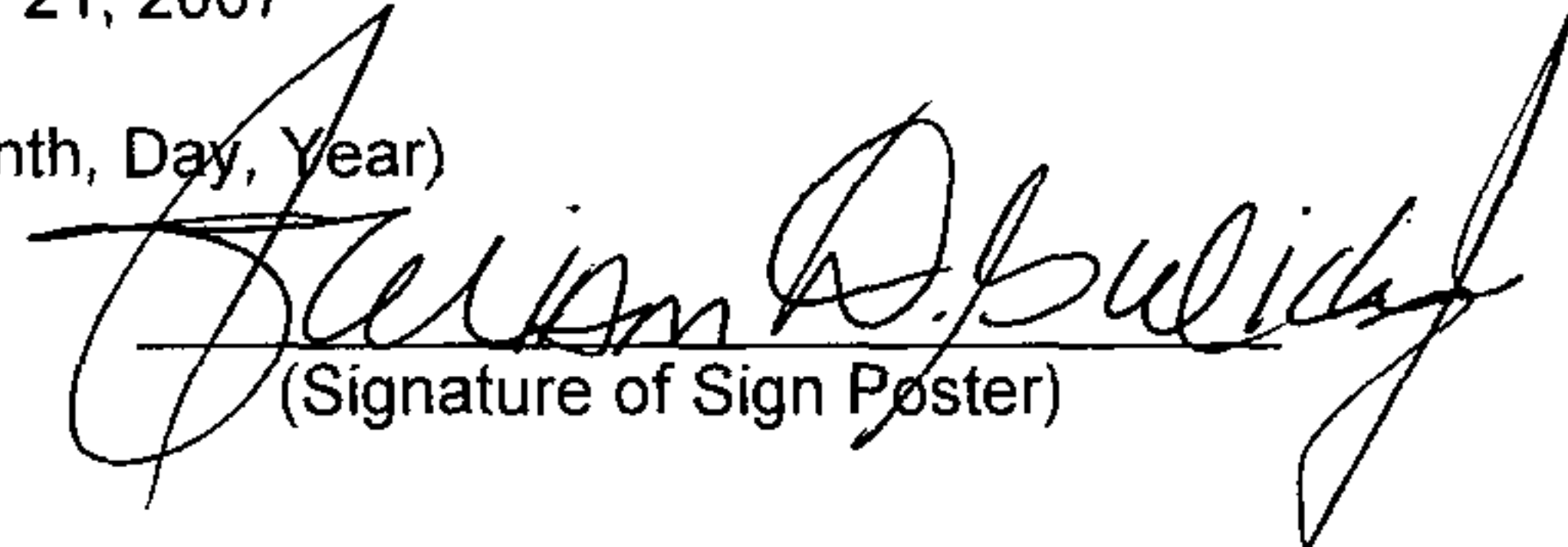
Date of Hearing/Closing: Monday, April 9, 2007

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at #4311 Fordham Road

The sign(s) were posted on

March 21, 2007

(Month, Day, Year)


(Signature of Sign Poster)

William D. Gulick, Jr.

(Printed Name of Sign Poster)

McKee and Associates, Inc.

5 Shawan Road, Suite 1

(Street Address of Sign Poster)

Cockeysville, MD 21030

(City, State, Zip Code of Sign Poster)

(410) 527-1555

(Telephone Number of Sign Poster)

Revised 3/1/01 - SCJ

SEE
**ATTACH PHOTOGRAPH
OF
SIGN POSTED ON
PROPERTY**

ZONING NOTICE

ADMINISTRATIVE VARIANCE

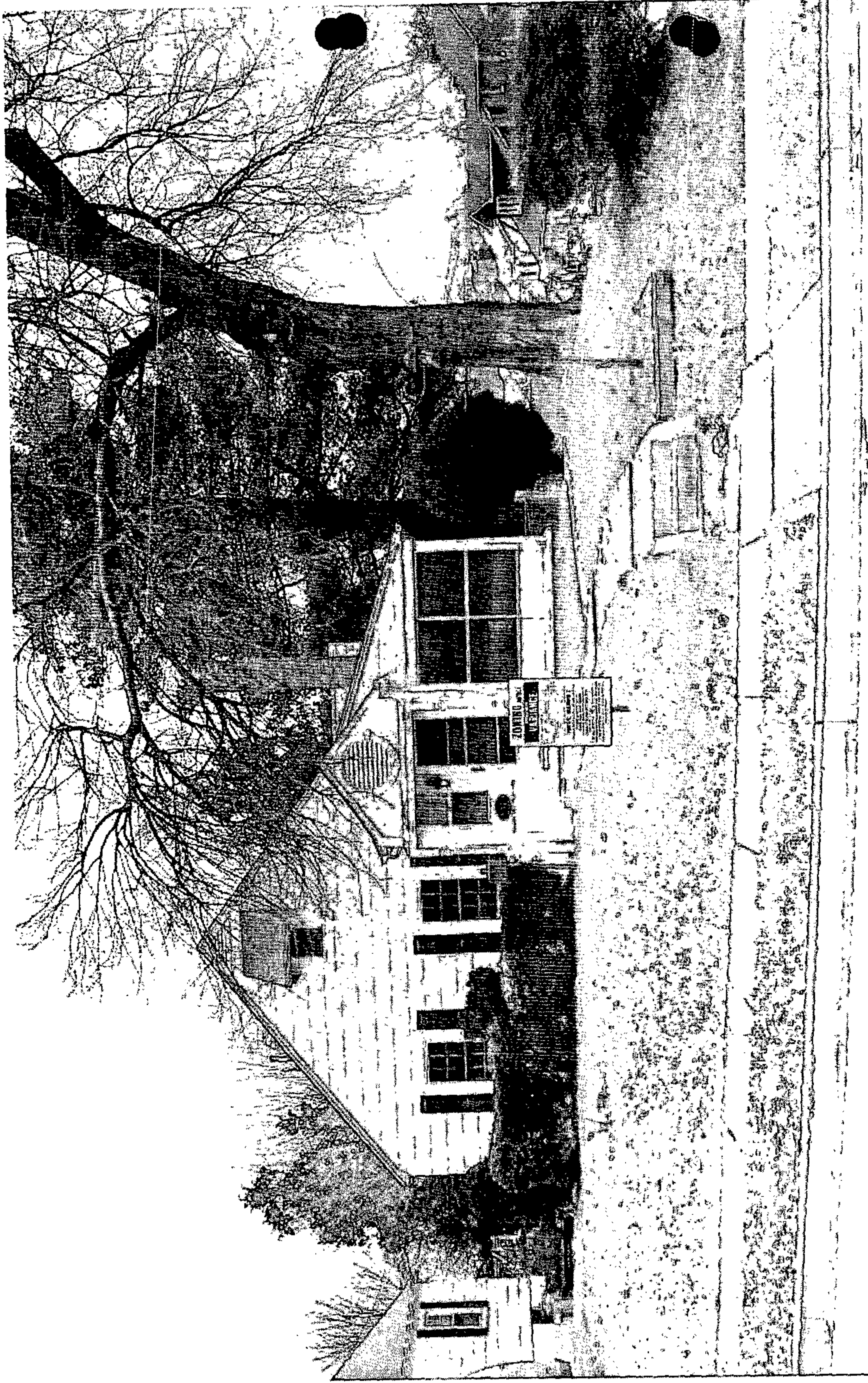
A VARIANCE CASE # 07-410-A
TO PERMIT A REAR YARD SETBACK OF 21.5 FT.
FOR AN ADDITION IN LIEU OF THE REQUIRED 30 FT., A
REAR YARD SETBACK OF 14'-1" FOR A DECK IN LIEU OF
REQUIRED 22.5 FT., AND A SIDE STREET SETBACK OF
12'-4" IN LIEU OF THE REQUIRED 30 FT.
FOR AN ADDITION.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
5:00 P.M. ON APRIL 9, 2007

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391
DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

03-21-2007



FORDHAM

03.21.2007

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 07- 410 -A

Address 4311 FORDHAM Rd.

Contact Person: J. Merrey
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 3.13.07

Posting Date: 3/25

Closing Date: 4/9

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 07- 410 -A

Address 4311 FORDHAM Rd.

Petitioner's Name MARILYN MAILAND

Telephone 410-995-0086

Posting Date: 3/25

Closing Date: 4/9

Wording for Sign: A VARIANCE To Permit A REARYARD SETBACK of 21.5ft for an

ADDITION IN LIEU of the REQUIRED 30ft, A REARYARD SETBACK of
14'-1" for A DECK IN LIEU of the REQUIRED 22.5", AND A SIDE STREET
SETBACK OF 12'-4" IN LIEU of the REQUIRED 30ft for
AN ADDITION.

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: 410

Petitioner: MARILYN MAITLAND

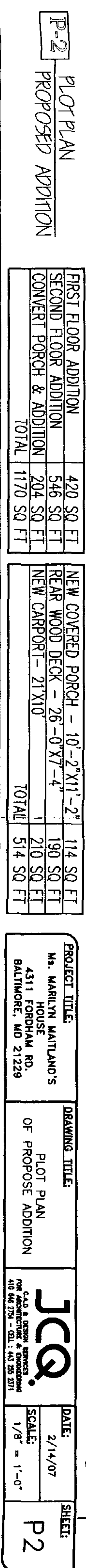
Address or Location: 4311 FORDHAM Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: MARILYN MAITLAND

Address: 6159 CAMPFIRE
COLUMBIA, Md. 21045

Telephone Number: 410-995-0086





BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

April 9, 2007

Marilyn A. Maitland
6159 Campfire
Columbia, MD 21045

Dear Ms. Maitland:

RE: Case Number: 07-410-A, 4311 Fordham Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 13, 2007.

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:amf

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

March 28, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 26, 2007

Item Number: 410 through 426

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.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File



Martin O'Malley, Governor
Anthony Brown, Lt. Governor



John D. Porcari, Secretary Designate
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: APRIL 2, 2007

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

RE: Baltimore County
Item No. 7-410A
4311 FORDHAM ROAD
MAITLAND PROPERTY
ADMINISTRATIVE VARIANCE

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 7-410A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 5, 2007

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

RECEIVED
APR 10 2007

BY:.....

SUBJECT: Zoning Advisory Petition(s): Case(s) 07-410- 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 Dennis Wertz in the Office of Planning at 410-887-3480.

Prepared By:

Curtis Perry

Division Chief:

Pat Keller

CM/LL

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: March 29, 2007

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

SUBJECT: Zoning Advisory Committee Meeting
For April 2, 2007
Item Nos. 07-230, 410, 411, 413, 414, 415, 416,
417, 418, 419, 420, 423, 424, 425, and 426

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-03282007.doc

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

DATE:

OE:

HISTORIC DISTRICT/BLDG.

PERMIT #:
RECEIPT #:
CONTROL #:
XREF #:

PROPERTY ADDRESS 4311 Fordham Rd
SUITE/SPACE/FLOOR
SUBDIV:
TAX ACCOUNT #:

☐ YES ☒ NO
☐ DO NOT KNOW
DISTRICT/PRECINCT

FEE:
PAID:
PAID BY:
INSPECTOR:

OWNER'S INFORMATION (LAST, FIRST)
NAME: Marilyn A. Maitland
ADDR: 4311 Fordham Road, Baltimore 21229

DOES THIS BLDG.
HAVE SPRINKLERS
YES — NO —

I HAVE CAREFULLY READ THIS APPLICATION
AND KNOW THE SAME IS CORRECT AND TRUE,
AND THAT IN DOING THIS WORK ALL PROVI-
SIONS OF THE BALTIMORE COUNTY CODE AND
APPROPRIATE STATE REGULATIONS WILL BE
COMPLIED WITH WHETHER HEREIN SPECIFIED
OR NOT AND WILL REQUEST ALL REQUIRED
INSPECTIONS.

APPLICANT INFORMATION
NAME: Marilyn A. Maitland
COMPANY:
STREET 6159 Campfire
CITY, ST, ZIP Columbia, MO 21045
PHONE # MHIC #
APPLICANT
SIGNATURE: DRC#
PLANS: CONST PLOT PLAT DATA EL PL
TENANT
CONTR:
ENGR:
SELLR:

TYPE OF IMPROVEMENT

1. NEW BLDG CONST
2. ☒ ADDITION
3. ALTERATION
4. REPAIR
5. WRECKING
6. MOVING
7. OTHER

DESCRIBE PROPOSED WORK:

TYPE OF USE

RESIDENTIAL

01. ☒ ONE FAMILY
02. TWO FAMILY
03. THREE AND FOUR FAMILY
04. FIVE OR MORE FAMILY
(ENTER NO UNITS)
05. SWIMMING POOL
06. GARAGE
07. OTHER

TYPE FOUNDATION

1. SLAB
2. BLOCK
3. CONCRETE

BASEMENT

1. FULL
2. PARTIAL
3. NONE

NON-RESIDENTIAL

08. AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
09. CHURCH, OTHER RELIGIOUS BUILDING
10. FENCE (LENGTH HEIGHT)
11. INDUSTRIAL, STORAGE BUILDING
12. PARKING GARAGE
13. SERVICE STATION, REPAIR GARAGE
14. HOSPITAL, INSTITUTIONAL, NURSING HOME
15. OFFICE, BANK, PROFESSIONAL
16. PUBLIC UTILITY
17. SCHOOL, COLLEGE, OTHER EDUCATIONAL
18. SIGN
19. STORE MERCANTILE RESTAURANT
SPECIFY TYPE
20. SWIMMING POOL
SPECIFY TYPE
21. TANK, TOWER
22. TRANSIENT HOTEL, MOTEL (NO. UNITS)
23. OTHER

TYPE OF CONSTRUCTION

1. MASONRY
2. ☒ WOOD FRAME
3. STRUCTURE STEEL
4. REINF. CONCRETE

TYPE OF HEATING FUEL

1. GAS 3. ☒ ELECTRICITY
2. OIL 4. COAL

TYPE OF SEWAGE DISPOSAL

1. ☒ PUBLIC SEWER EXISTS PROPOSED
2. PRIVATE SYSTEM EXISTS PROPOSED
 SEPTIC EXISTS PROPOSED
 PRIVY EXISTS PROPOSED

CENTRAL AIR: 1. ☒ 2.
ESTIMATED COST: \$
OF MATERIALS AND LABOR

1. PUBLIC SYSTEM EXISTS PROPOSED
2. PRIVATE SYSTEM EXISTS PROPOSED

PROPOSED USE:

EXISTING USE:

OWNERSHIP

1. PRIVATELY OWNED 2. PUBLICLY OWNED 3. SALE 4. RENTAL

RESIDENTIAL CATEGORY: 1. DETACHED 2. SEMI-DET. 3. GROUP 4. TOWNHSE 5. MIDRISE
#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS/CONDOS 6. HIRISE
1 FAMILY BEDROOMS

GARBAGE DISPOSAL 1. 2. BATHROOMS CLASS
POWDER ROOMS KITCHENS LIBER FOLIO

BUILDING SIZE
FLOOR
WIDTH
DEPTH
HEIGHT
STORIES
LOT #'S
CORNER LOT
1. YES 2. NO ZONING

LOT SIZE AND SETBACKS
SIZE
FRONT STREET
SIDE STREET
FRONT SETBK
SIDE SETBK
SIDE STR SETBK
REAR SETBK

APPROVAL SIGNATURES

DATE

BLD INSP : :
BLD PLAN : :
FIRE : :
SEDI CTL : :
ZONING : :
PUB SERV : :
ENVRMNT : :
PLANNING : :
PERMITS : :

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED

March 19, 2007

William J. Wiseman, III, Zoning Commissioner
John V. Murphy, Deputy Zoning Commissioner
Baltimore County Government
Baltimore County Office Building Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Dear Sirs:

This correspondence is prepared to support the Administrative Variance Application 07-410-A for 4311 Fordham Road Baltimore 21229 submitted on March 13, 2007 and reviewed by Mr. Joseph Merrey on that same date.

During the review with Mr. Merrey, I became aware that some additional information may be helpful in securing the variances which are so very fundamental to my ability to live productively in this home.

There are three setbacks requested. Two relate to the rear of the property. One relates to the side of the property.

There is a variance requested for the Warwick Road side of the home. As this is a corner lot, there is no property adjacent to this side of the residence. Currently there is a three season porch that is 15'7" x 8'2". Along side this porch is a walkway which is intended to be eliminated. To the right of that private pathway the landscape is steep and plummets to the public walkway. This makes the side yard virtually unusable. (Please see enclosed pictures.)

This same porch houses the back side of the home's living room fire place. This flipside structure intrudes into the porch approximately 2+ feet. This contributes significantly to limiting the internal usable space of the room. The 15'7" x 8'2" porch, as a practical matter, becomes only about five and one half feet deep. In order to correct this situation we are requesting the porch be extended. This extension will not exceed the boundaries of the existing pathway on the property. This alteration will provide a visual symmetry with the left side of the home providing an enhanced exterior aesthetic. This addition will not impact the hillside or the public walkway below. It will not adversely affect the public safety or welfare of passers by.

The rear variance is requested to provide necessary internal space. Currently the kitchen is particularly small. This addition would permit modernization of the kitchen as well as accompanying eating and family space. This change makes the home more viable for both current and future needs.

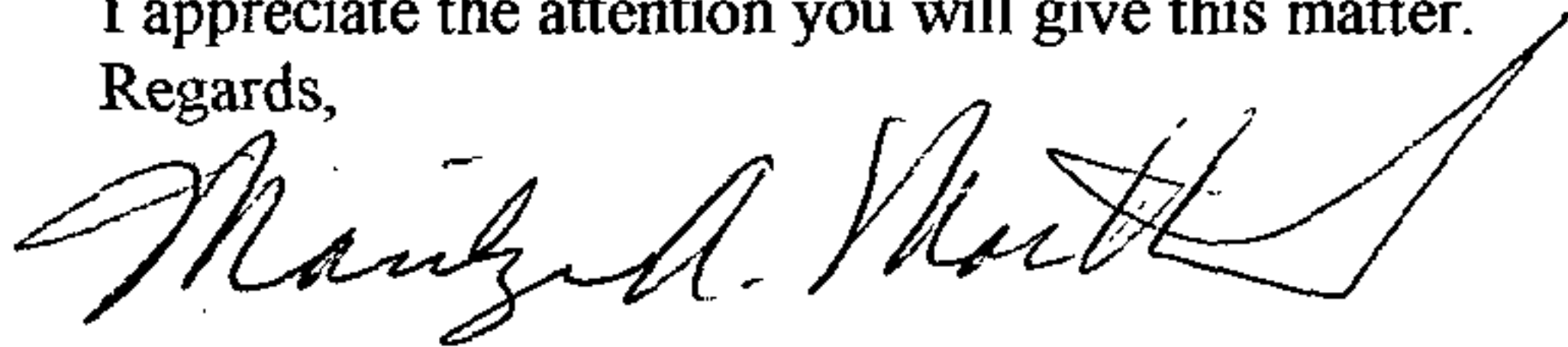
This addition is in alignment with the existing lines of the home on both sides. This addition will not unfavorably impinge on the adjoining property to the rear as there is a significant drop to the neighboring property. That slope is filled with trees and other vegetation as well as a shed and garage (please see attached pictures) that are at the rear property line of the 4311 Warwick property.

I have tried here to effectively describe the need for these changes. There are several homes in the neighborhood that have completed similar additions. The additions I am requesting are in harmony with the neighborhood and will present no difficulty to the vicinity.

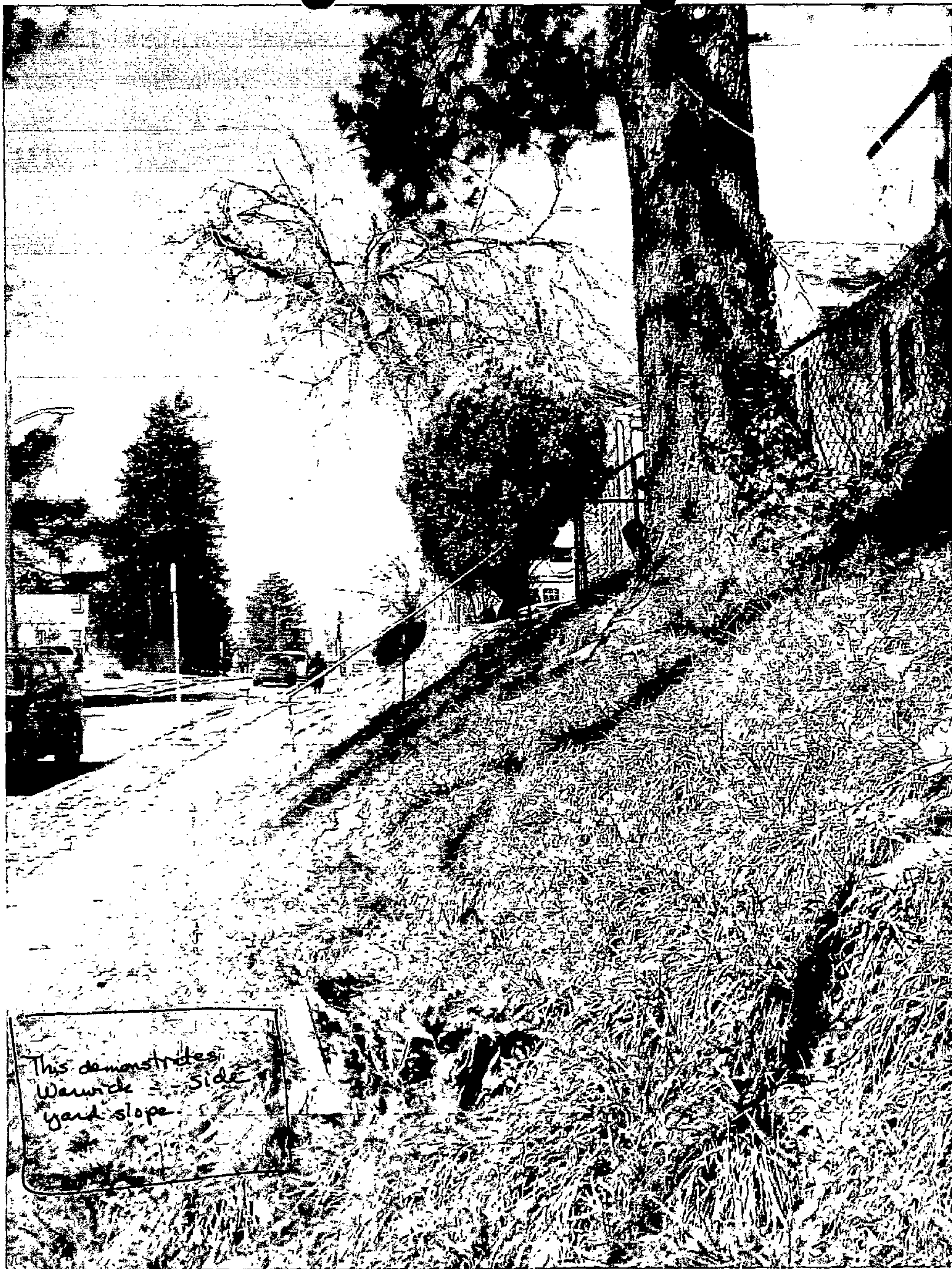
These changes are extremely important to me as they will significantly benefit my life financially, physically and psychologically as I prepare for my senior years.

I appreciate the attention you will give this matter.

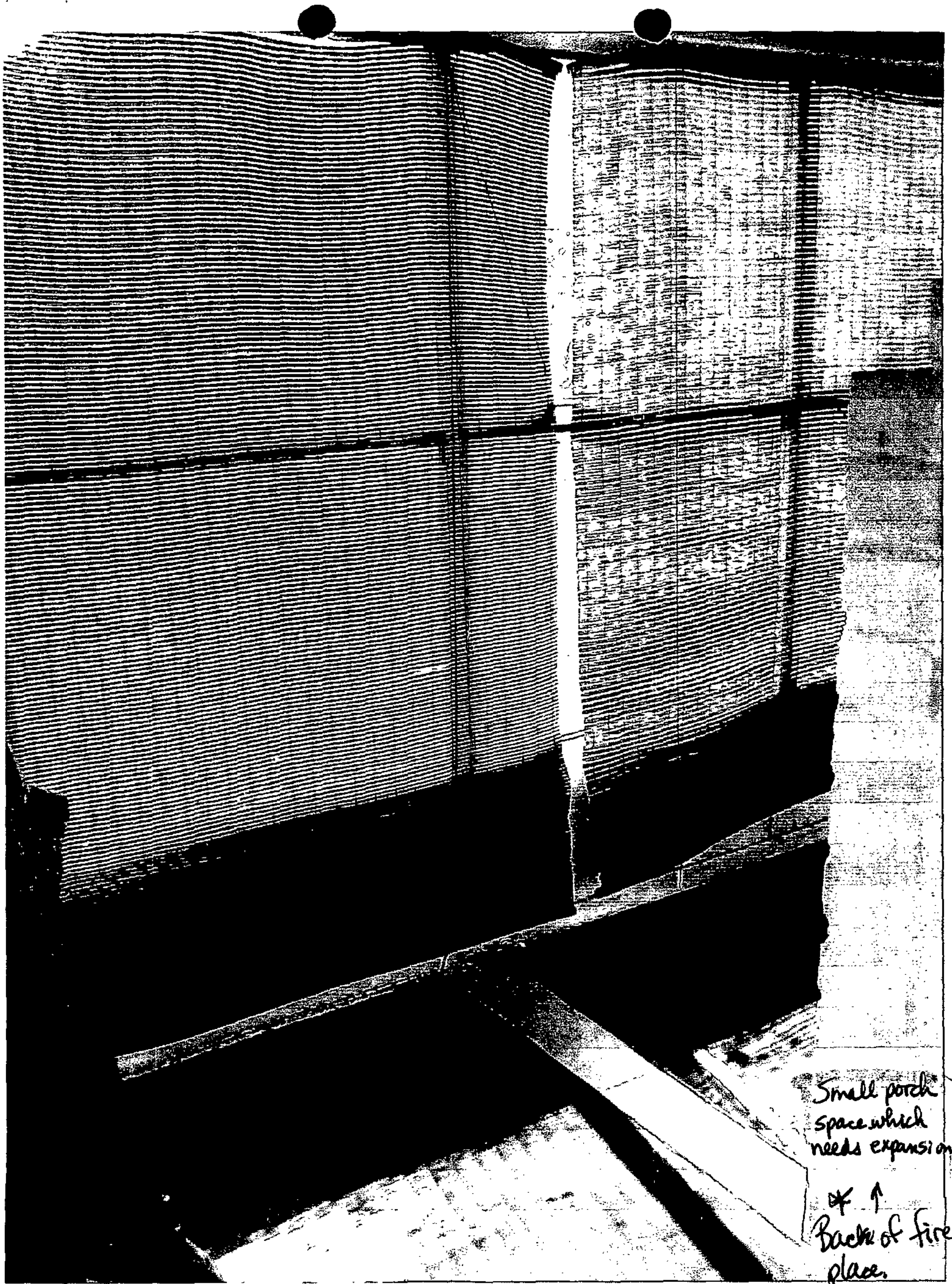
Regards,

A handwritten signature in cursive script, appearing to read "Marilyn A. Maitland", with a large, sweeping flourish at the end.

Marilyn A. Maitland



This demonstrates
Ward's Side
Yard slope.

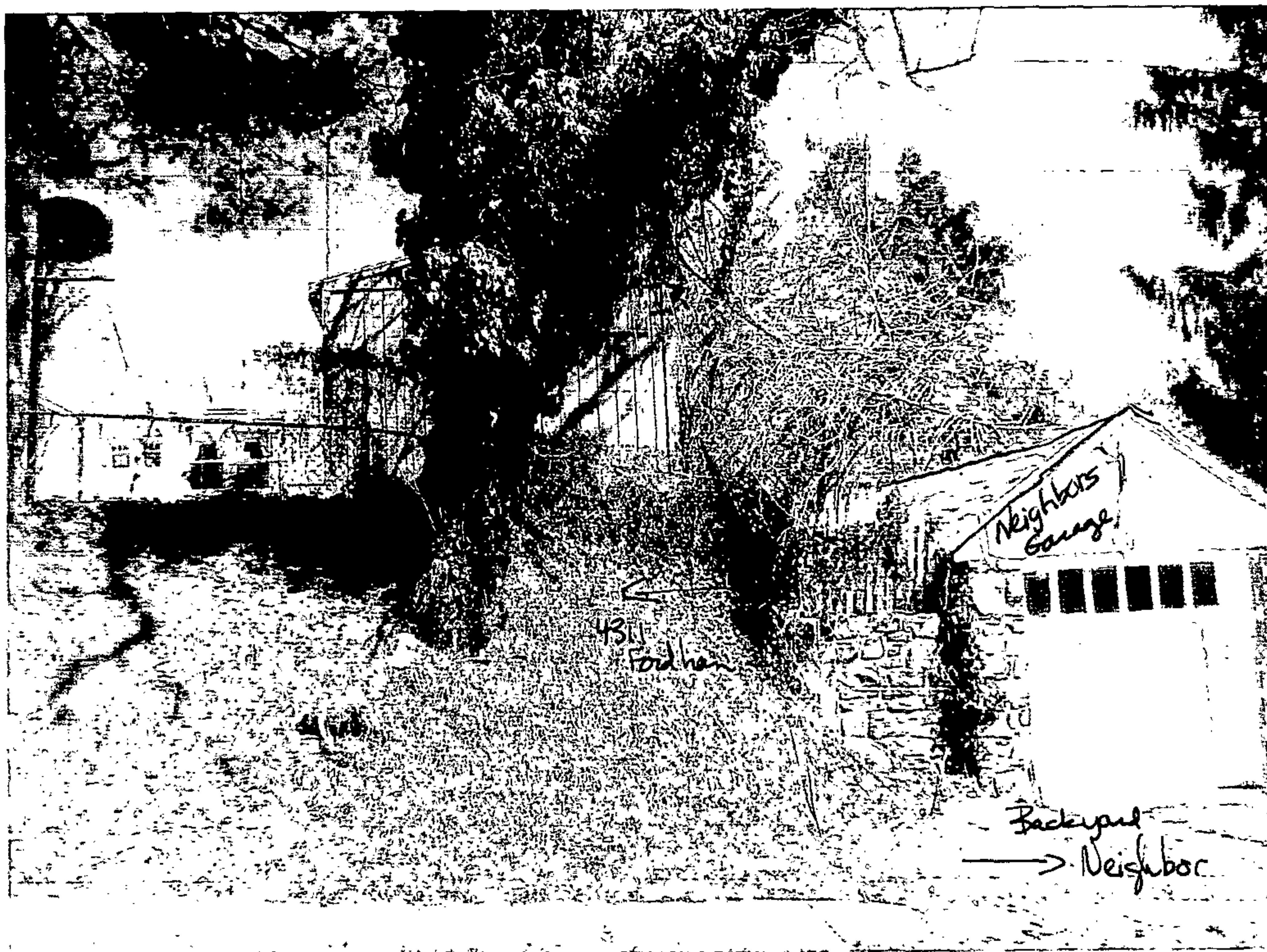


Small porch
space which
needs expansion

✕ ↑
Back of fire
place.



↑ * This is back
of living room fire
place. By expanding
this room - the
room becomes livable
space.



Shows Drop down to bordering ^{back} neighbor's back yard.



Baltimore, Date: 2-11-07

TO:

Zoning Commissioner of Baltimore County
County Office Building
111 West Chesapeake Avenue,
Townson, MD 21204
410-887-3391

RE:

For the property located at 4311 on Fordham Road, Baltimore MD 21229; which is presently zoned DR.5.5

I/We Will Chetelat and Kathy Chetelat am/are the owner/s of the property located at 4309 FORDHAM RD., which is adjoining to the side of the property in case. I/We are aware of the scope of the proposed construction and Agree ☒ Disagree ☐ with the future addition. I/We believe that such construction will ☐ will not ☒ create any hardship to my/our property.
If you need to contact me/us regarding this letter please call to (410) 242-8156
Thanks.

Owner(1) Signature [Signature] Date 2-11-07

Owner(2) Signature Kathy Chetelat Date 2-11-07

Baltimore, Date: Feb. 11, 2007

TO:

Zoning Commissioner of Baltimore County
County Office Building
111 West Chesapeake Avenue,
Townson, MD 21204
410-887-3391

RE:

For the property located at 4311 on Fordham Road, Baltimore MD 21229; which is presently zoned DR.5.5

I/~~We~~ Beverly B. Sanderson am/~~are~~ the owner/s of the property located at 732 Warwick Rd., which is adjoining to the road of the property in case. I/~~We~~ are aware of the scope of the proposed construction and Agree ☒ Disagree ☐ with the future addition. I/~~We~~ believe that such construction will ~~not~~ ☒ create any hardship to my/our property.

If you need to contact me/us regarding this letter please call to 410-247-2780

Thanks.

Owner(1) Signature Beverly B. Sanderson Date 2/11/07

Owner(2) Signature _____ Date _____

Baltimore, Date: 2/11/07

TO:

Zoning Commissioner of Baltimore County
County Office Building
111 West Chesapeake Avenue,
Townson, MD 21204
410-887-3391

RE:

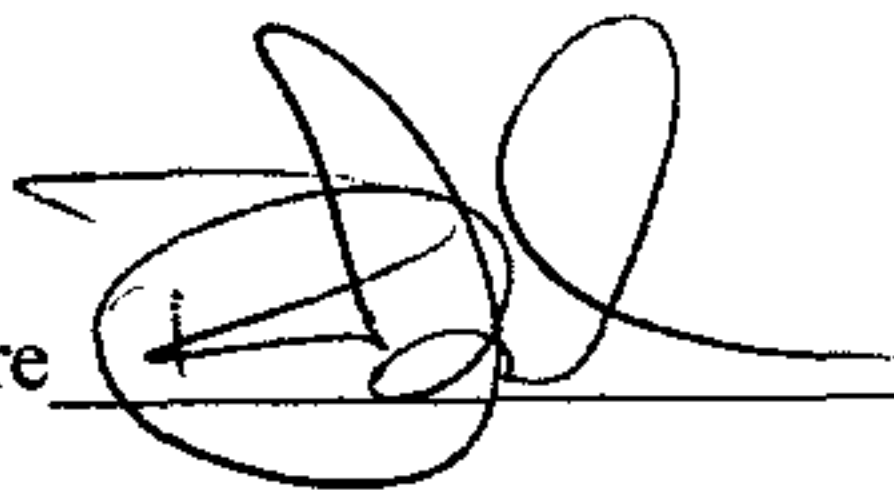
For the property located at 4311 on Fordham Road, Baltimore MD 21229; which is presently zoned DR.5.5

I/We Margaret and Kevin Barnard am/are the owner/s of the property located at 4312 Fordham Road, which is adjoining to the ACROSS of the property in case. I/We are aware of the scope of the proposed construction and Agree ☒ Disagree ☐ with the future addition. I/We believe that such construction will ☐ will not ☒ create any hardship to my/our property.

If you need to contact me/us regarding this letter please call to (410) 242-4508

Thanks.

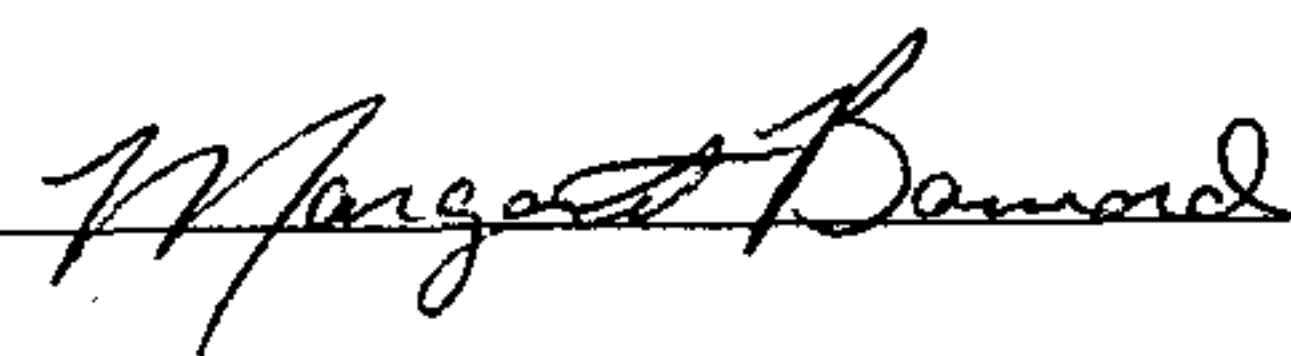
Owner(1) Signature



Date

2/11/07

Owner(2) Signature



Date

2/11/07

Baltimore, Date: 2/11/07

TO:
Zoning Commissioner of Baltimore County
County Office Building
111 West Chesapeake Avenue,
Townson, MD 21204
410-887-3391

RE:

For the property located at 4311 on Fordham Road, Baltimore MD 21229; which is presently zoned DR.5.5

I/We Lisa M. de Hernandez and _____ am/are the owner/s of the property located at 4314 Fordham Rd, which is adjoining to the _____ of the property in case. I/We are aware of the scope of the proposed construction and Agree ☒ Disagree _____ with the future addition. I/We believe that such construction will _____ will not ☒ create any hardship to my/our property.

If you need to contact me/us regarding this letter please call to 413-722-3666

Thanks.

Owner(1) Signature _____

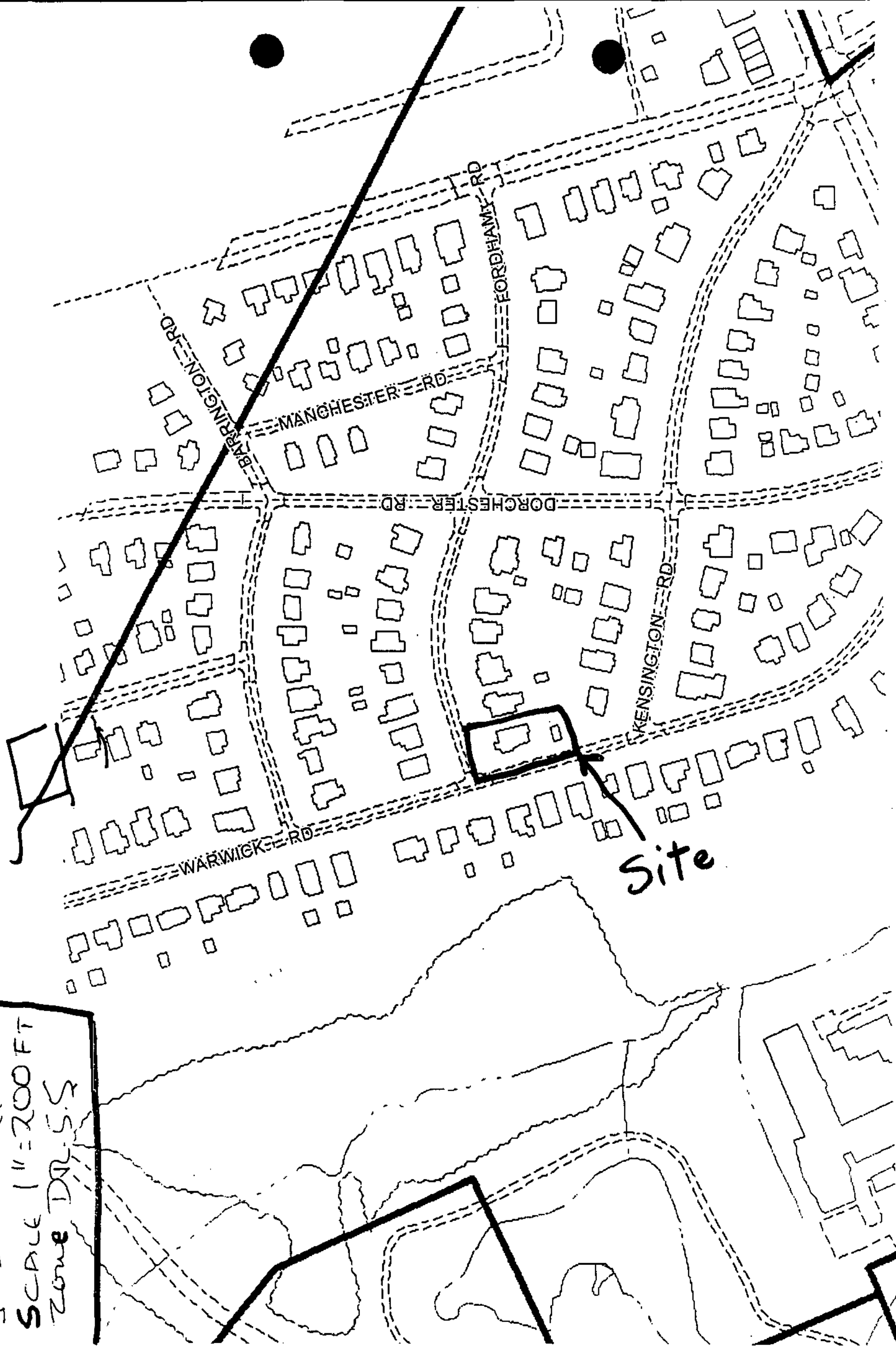
Date

2/11/07

Owner(2) Signature _____

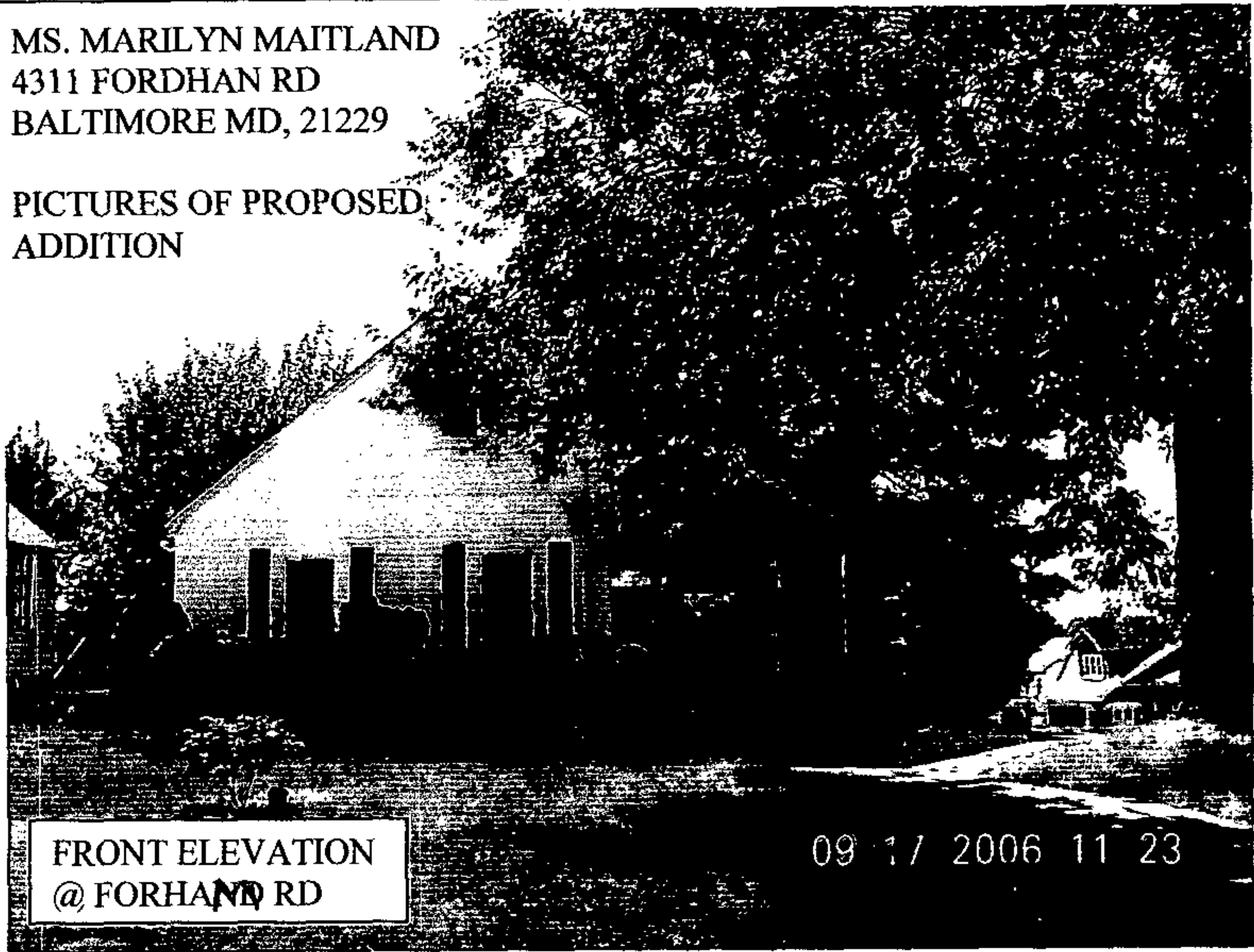
Date _____

101-C-2
SCALE 1"=200 FT
Zone DR-SS



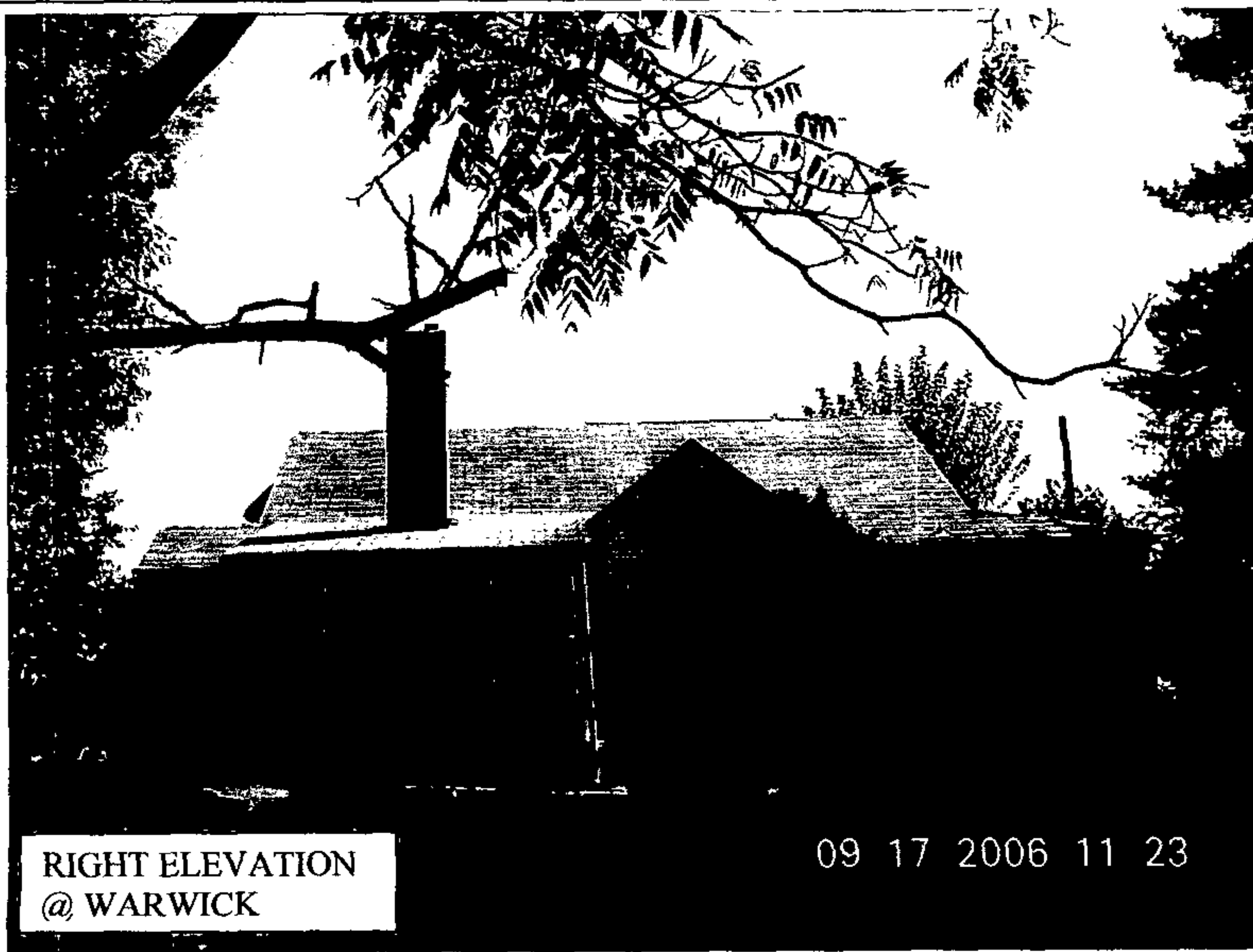
MS. MARILYN MAITLAND
4311 FORDHAN RD
BALTIMORE MD, 21229

PICTURES OF PROPOSED
ADDITION



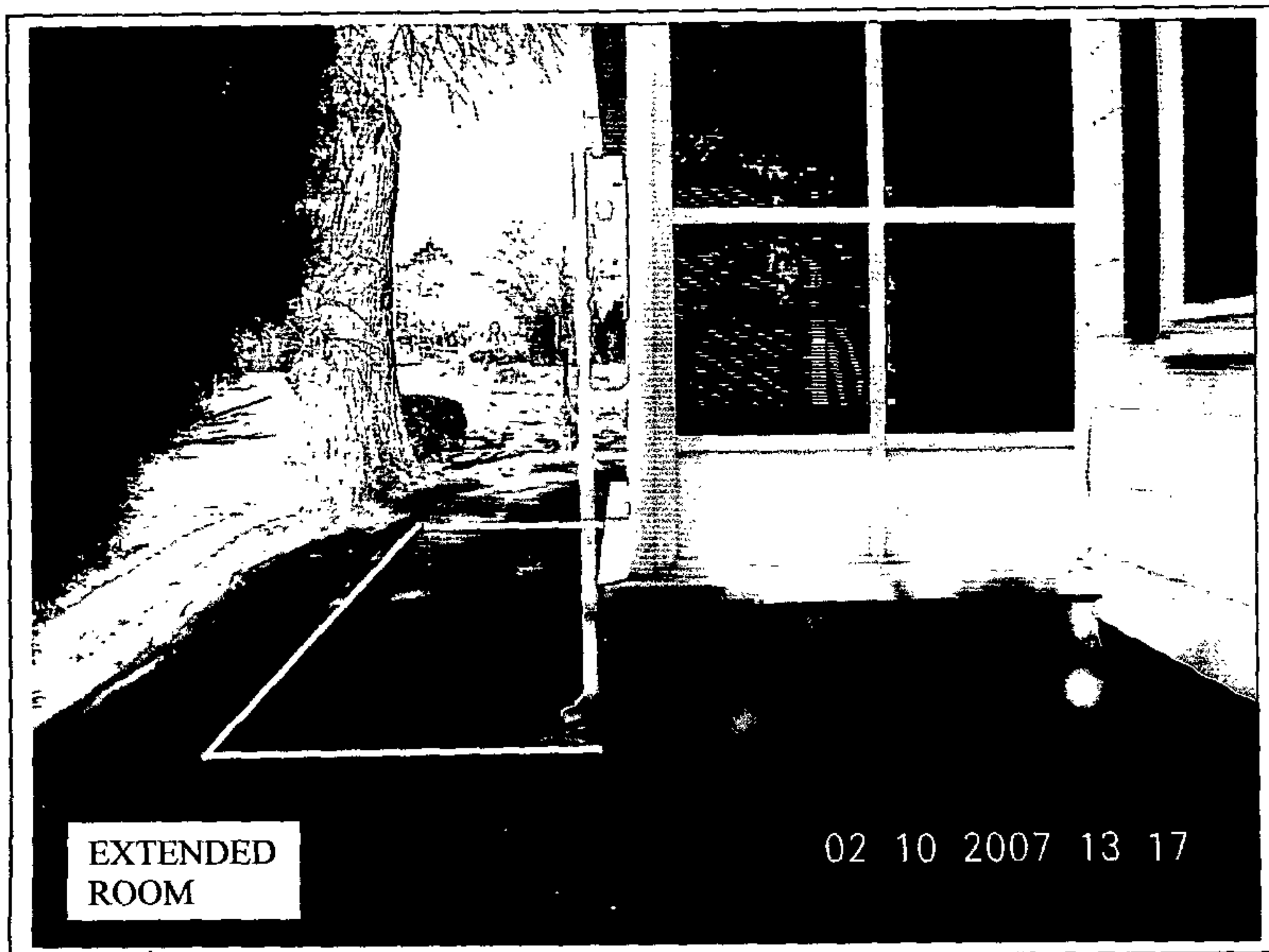
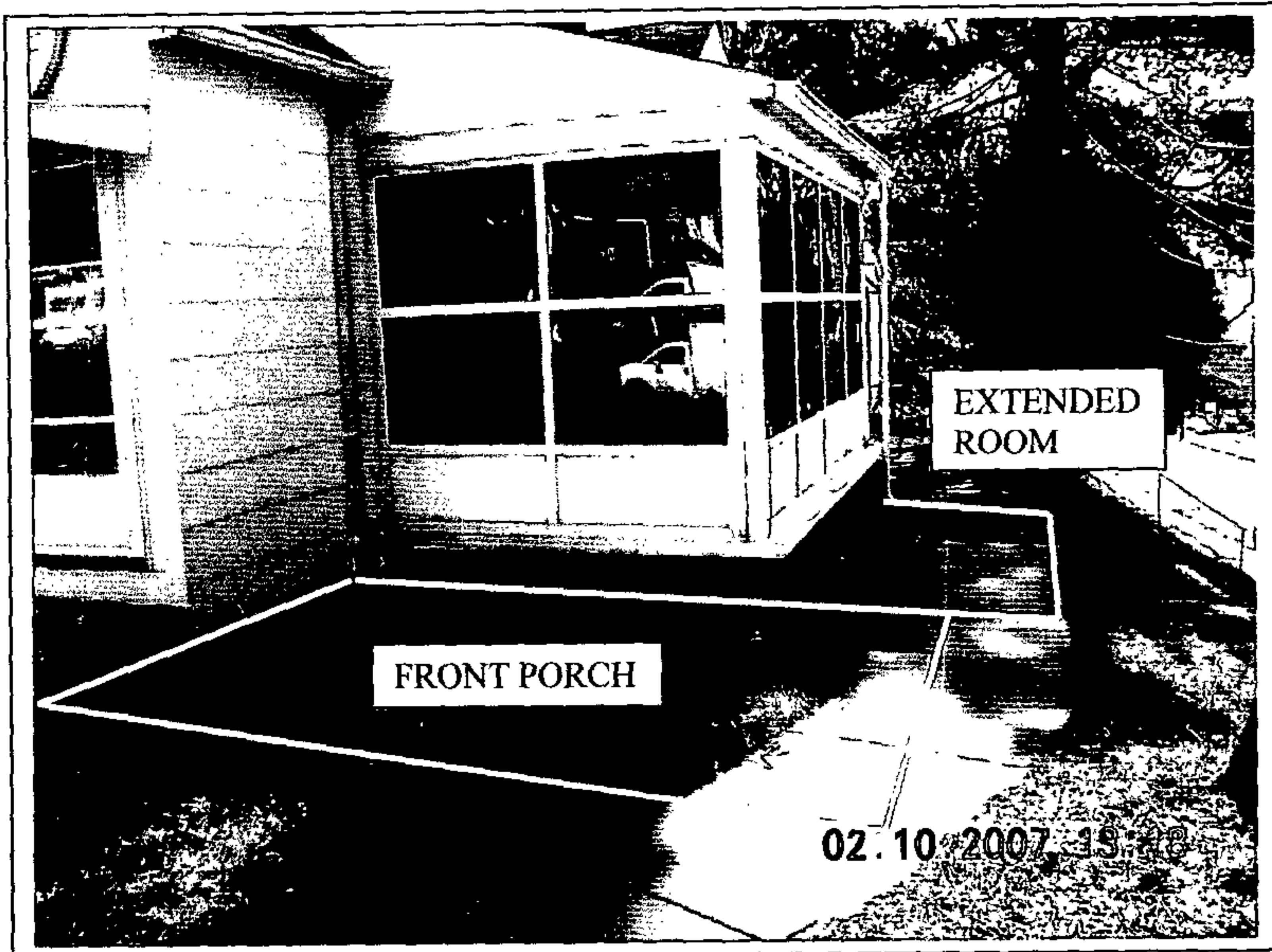
FRONT ELEVATION
@ FORHANN RD

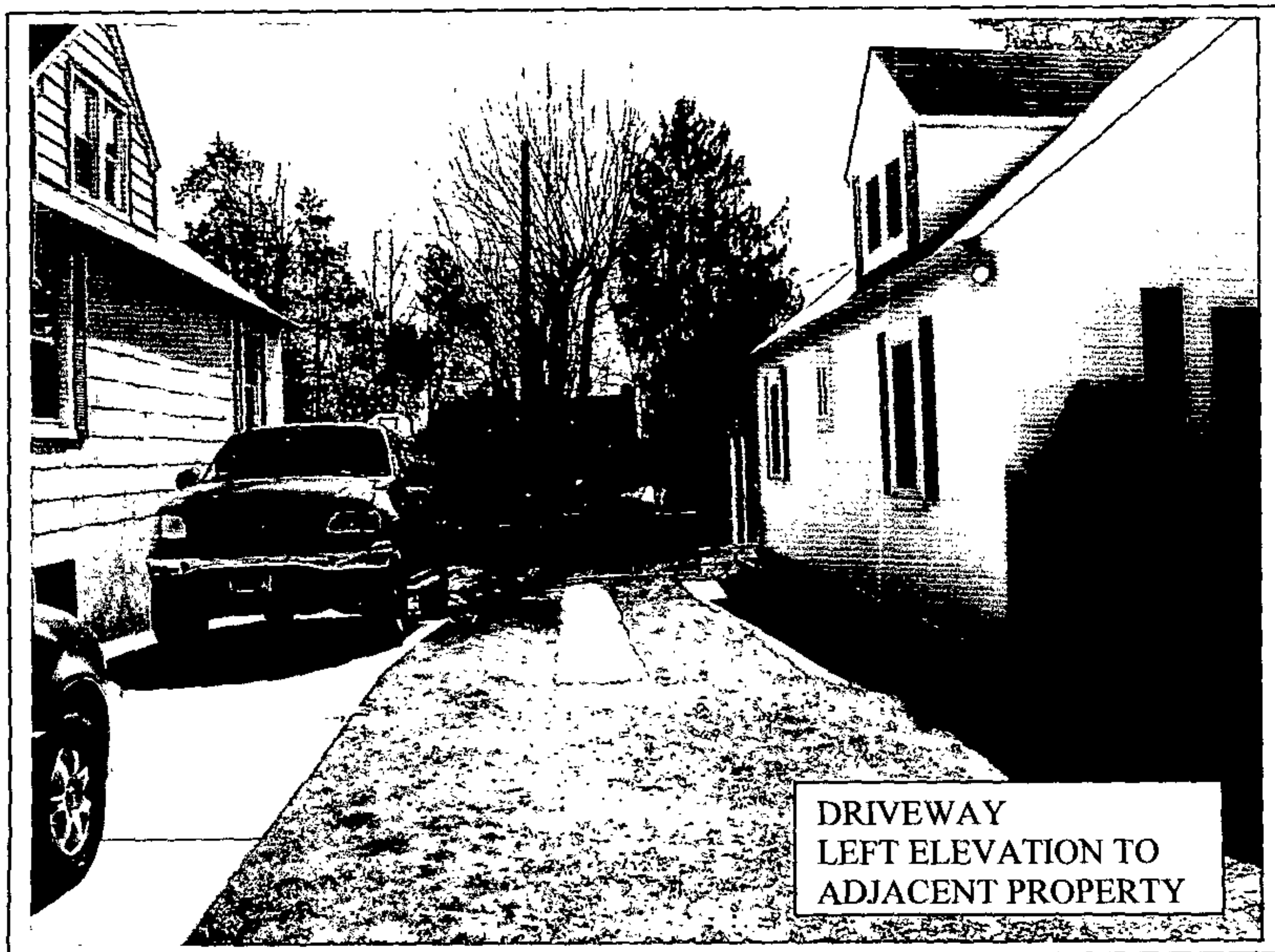
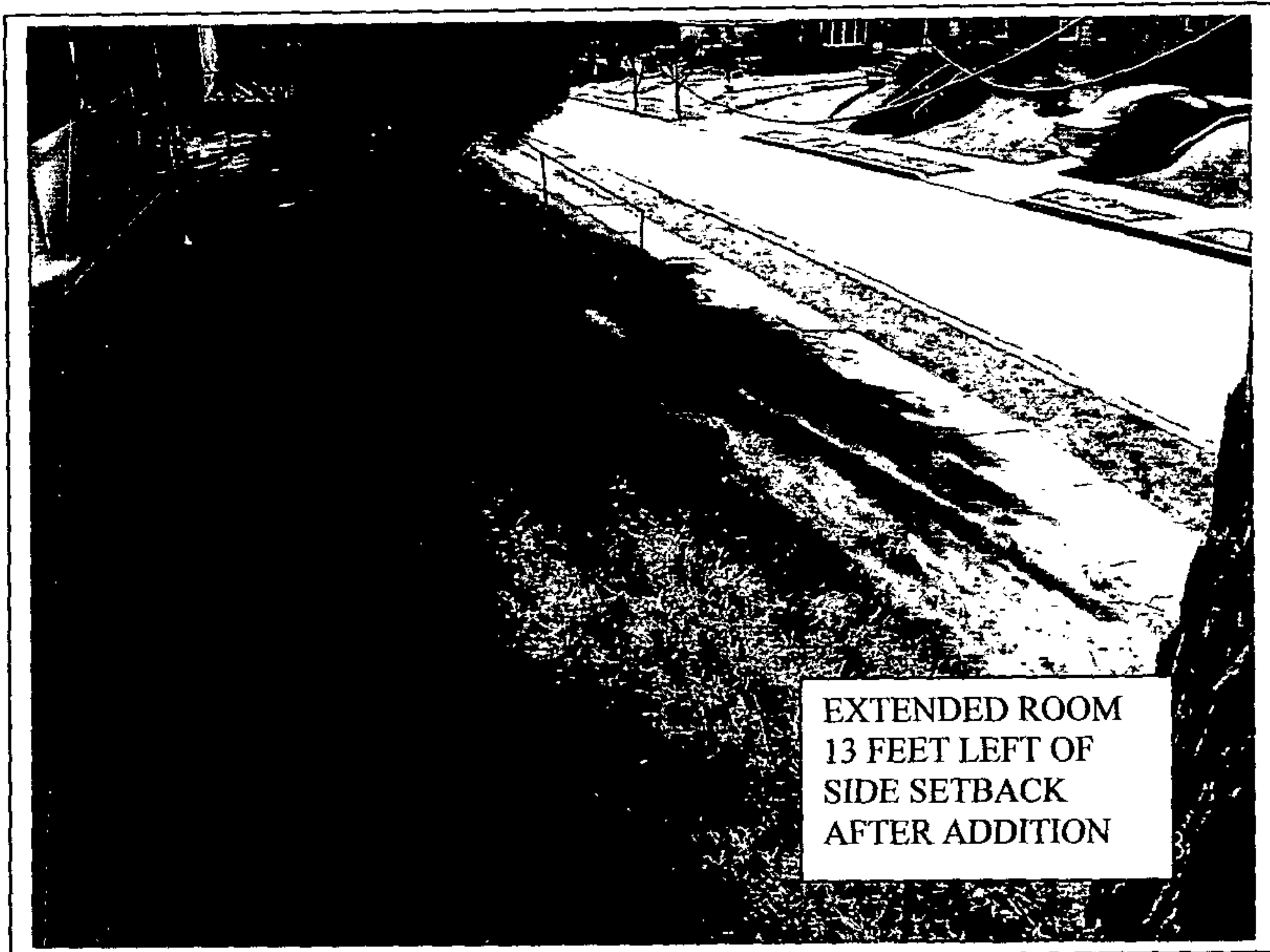
09 17 2006 11 23

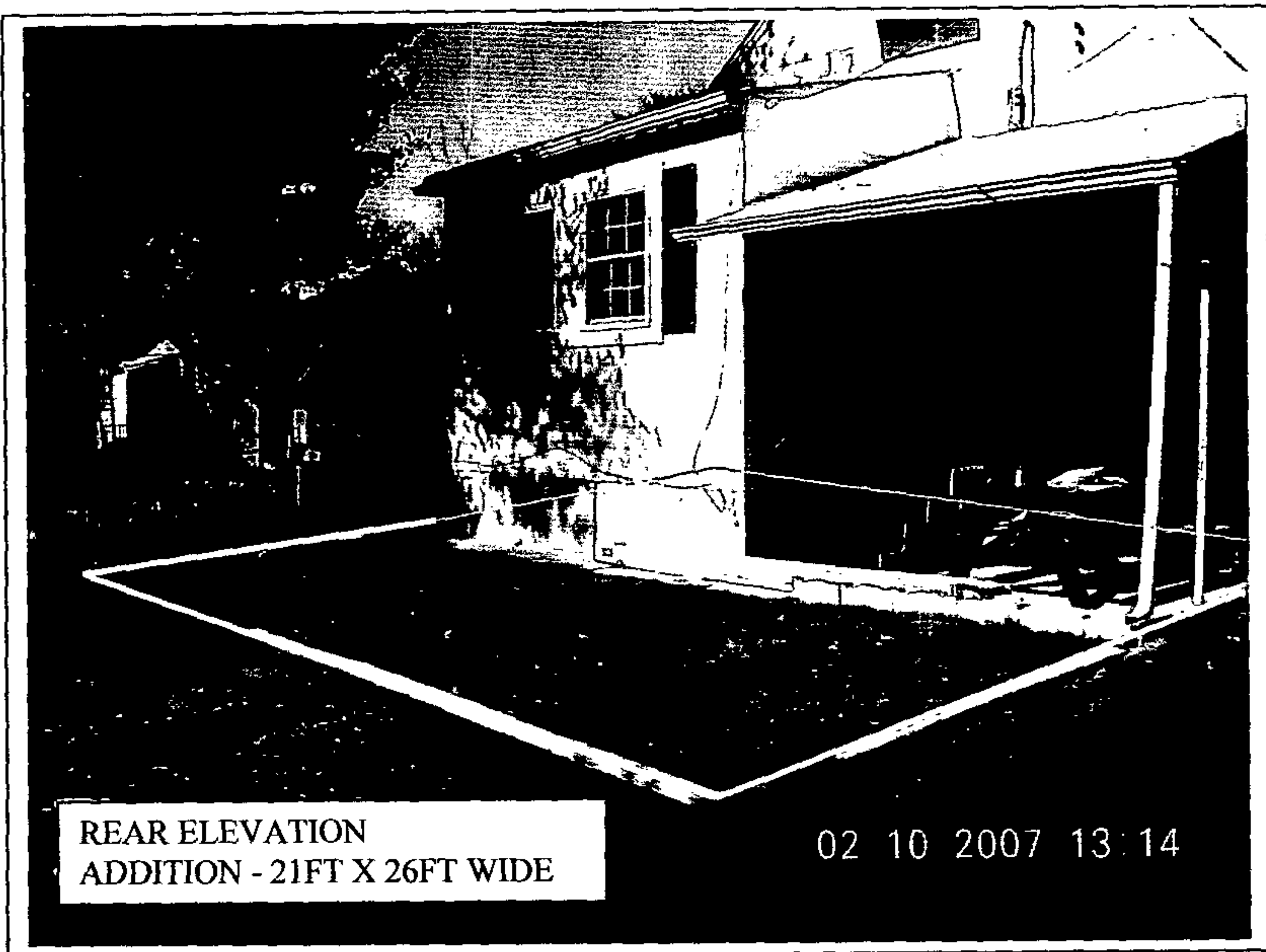


RIGHT ELEVATION
@ WARWICK

09 17 2006 11 23

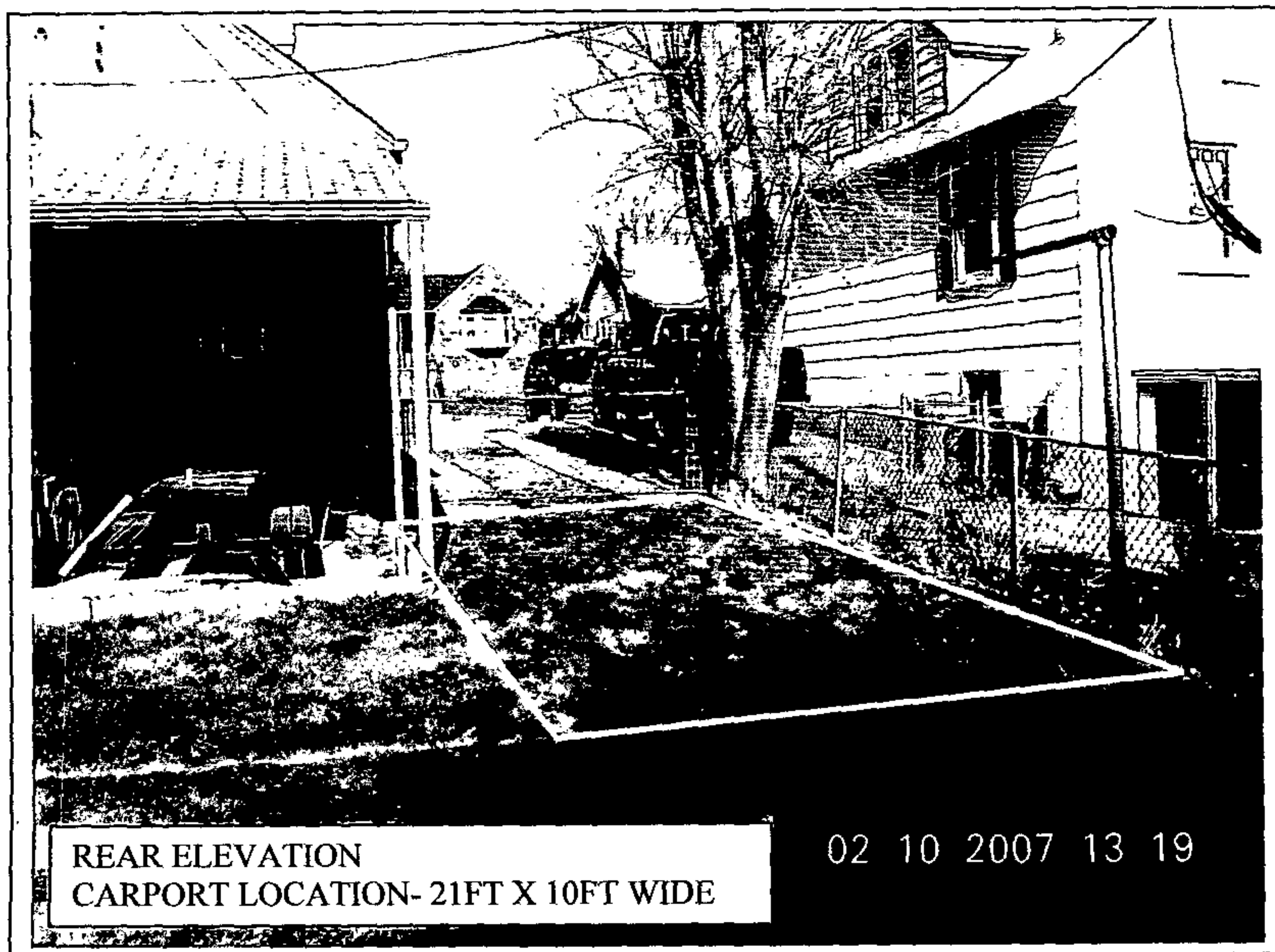






REAR ELEVATION
ADDITION - 21FT X 26FT WIDE

02 10 2007 13:14



REAR ELEVATION
CARPORT LOCATION- 21FT X 10FT WIDE

02 10 2007 13:19

