IN RE: PETITION FOR ADMIN. VARIANCE

SW corner of E. Ridgely & Charmuth Roads

8th Election District

3rd Councilmanic District

(37 E. Ridgely Road)

BEFORE THE

DEPUTY ZONING COMMISSIONER

BALTIMORE COUNTY

Thomas Ray and Dawn Marie Hendricks

Petitioners

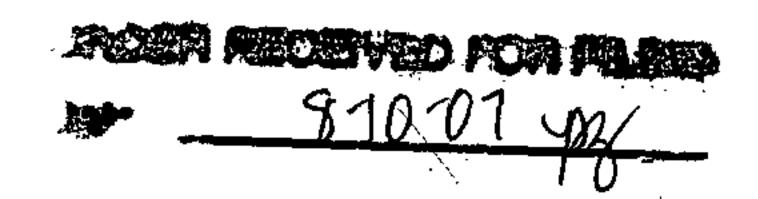
CASE NO. 08-018-A

*

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, Thomas Ray and Dawn Marie Hendricks for property located at 37 E. Ridgely Road. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side street setback of 20 feet in lieu of the required 25 feet for an addition. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners wish to construct an addition for their growing family. The property is a corner lot on E. Ridgely Road and Charmuth Roads. The dwelling is situated at an angle on the lot and any addition to existing structure will require a variance from the required setbacks. The Petitioners provided letters of support from their immediately adjacent neighbors at 35 Ridgely Road and 1722 Charmuth Road.

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: Comments were received from the Office of Planning dated July 17, 2007 which does not oppose the Petitioners' request. The comment further indicates that the proposal does not adversely impact the adjacent property, and that the Petitioners shall construct the proposed addition of materials that are consistent with that of the existing dwelling and surrounding community.



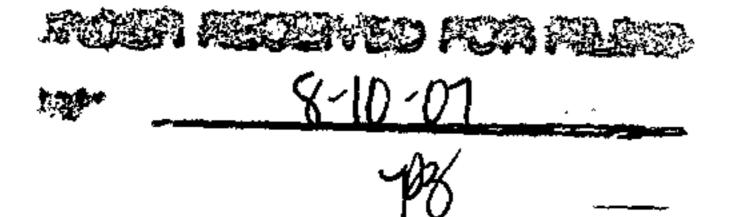
The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on July 22, 2007 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the 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 ________ day of August, 2007 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side street setback of 20 feet in lieu of the required 25 feet for an addition be and is hereby GRANTED, subject to the following:

- 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 building materials and design shall be consistent with that of the existing structure and surrounding community.



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

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

August 10, 2007

BAMBI GLENN PA BAMBI GLENN PA 403 W. ALLEGHENY AVENUE, SUITE 2 TOWSON MD 21204

> Re: Petition for Administrative Variance Case No. 08-018-A Property: 37 E. Ridgely Road

Dear Ms. Glenn:

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,

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure

c: Thomas Ray And Dawn Marie Hendricks, 37 E. Ridgely Road, Lutherville MD 21093



Petition for Administrative Variance

for the property located at 37 E. Bidgely Rood

to the Zoning Commissioner of Baltimore County

which is presently zoned DR 5.5

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REV 10/25/01			ed from a		Estima	ated Posti	ing Date	1123	<u></u>		

8-10-07

îs.

Affidavit in Support of Administrative Variance

Address

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

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.

State

<u>21093</u>

That based upon personal knowledge, the following are the Variance at the above address (indicate hardship or practic	he facts upon which I/we base the request for an Administrative cal difficulty):
I have lived in this neighborhood almost a	11 of my life. We love the neighborhood,
but as a result of a growing family req	vire additional storage space. Due to
the constraints of the lot there is no u	vay to place a garage in the rear
yard or elsewhere on the lot in comp	pliance with the zoning regulations.
	•
	•
That the Affiant(s) acknowledge(s) that if a formal demandant	and is filed, Affiant(s) will be required to pay a reposting and
advertising fee and may be required to provide additional in	itormation.
1 Am Rulland	Carl Mikh
Signature	Signature Signature
Thomas Ray Hendricks	JAWN MANIE HEWARICKS
. Name - Type or Print 7	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE, to w	rit:
I HEREBY CERTIFY, this 3 day of muy of maryland, in and for the County aforesaid, personally ap	, <u>るめ</u> , before me, a Notary Public of the State peared
Tom Hendricks and Dawn Hendricks the Affiant(s) herein, personally known or satisfactorily iden	ن ا
the Affiant(s) herein, personally known or satisfactorily iden	itified to me as such Affiant(s).
AS WITNESS my hand and Notarial Seal	
AS WITNESS my hand and Notarial Seal	
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REV 10/25/01 ONE COUNTY September 1, 2008	My Commission Expires _ 1/1
REV 10/25/01	•

Affida Vit 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

37 E. Ridgely Road

Address

Lutherville

MD

21093

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):

I have lived in this neighborhood almost all of my life. We love the neighborhood, but as a result of a growing Family require additional storage space.

Due to the constraints of the lot there is no way to place a garage in the rear yard or elsewhere on the lot in compliance with the zoning regulations.

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.

advertising ree and may be required to provide additional into	manon.
Signature Thomas Ray Hendricks Name - Type or Print	Signature Signature MACTE HENDRICKS Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: I HEREBY CERTIFY, this 31st day of May of May of May appear of Maryland, in and for the County aforesaid, personally appeared to the Affin May be a second by known or setime according to the May be a second by known or setime according to the land.	IN HENDRICK
the Affiant(s) herein, personally known or satisfactorily identification. AS: WITNESS my hand grid Notarial Seal BAMBI GLENN NOTARY PUBLIC BALTIMORE COUNTY, ND VBLIC VBLIC ORNALL 2008	Ranos
September 1, 2008My	Commission Exhaes - 11160



day of

CASE NO.

44.

REV 10/25/01

regulations of Baltimore County and that the property be reposted.

this

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

I/We do solemnly declare and affirm, under the penalties of

is the subject of this Petition.

that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning

Zoning Commissioner of Baltimore County-

perjury, that I/we are the legal owner(s) of the property which

for the property located at	37	E.	Bida	ely	Rd.		
which	ı is pr	esen	tly zon	ed _	DR	5.5	

permit a side street setbook of 20 Ft. in lieu of the required 25 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.

Contract Purchase	r/Lessee:		Legal Owner(<u>s):</u>	
			Thomas	Ray Hendric	ks
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Signature			Signature	0	
Address		Telephone No.	Name - Type or Prin	ARTE HENDR	ECES
City	State	Zip Code	Signature	Mun- Win	and a
Attorney For Petiti	oner:		37 E. R. Address	gely Rd. 4	10-252-1235 Telephone No.
Bumb Gunn Name - Type or Print			City	Le MD 210	273-5255 Zip Code
Signature 8		. 	-	re to be Contacte	<u>d:</u>
Bandoi Glenn	P. A.		Bambi	Slenn	·
403 W. Allean	emy Ave. 1910	- 23		Allegheny 1	W. (410) 825-2100
Address J	m	Telephone No.	Address	WD.	Telephone No.
City	State	Zip Code	City	State	
A Public Hearing having	been formally demand	ed and/or found to be	required, it is ordered	by the Zoning Commissi	oner of Baltimore County,

Reviewed By

Estimated Posting Date

Zoning Description for 37 Ridgely Road

Beginning for the same and being that lot located on the southwest corner of the intersection of Ridgely and Charmuth Roads, being known and designated as Lot No. 34 in Block B on the Plat entitled "Section III, Havenwood and Additions to Section I" recorded among the Land Records of Baltimore County in Plat Book No. 21, folio 38.

The improvements thereon being known as No. 37 Ridgely Road, Lutherville, MD 21093.

Tax ID # 08-19-087470 (District 8)

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CERTIFICATE OF POSTING

	Petitioner/Developer: 1HOMAS HENDRICKS
	1HOMAS HENDRICKS
	Date Of Hearing/Closing: 8/4/07
Baltimore County Department Permits and Development Ma County Office Building, Roor 111 West Chesapeake Avenue	nagement n 111
Attention:	
Ladies and Gentlemen:	
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sign(s) required by law were p	the penalties of perjury that the necessary osted conspicuously on the property 37 E. RIBGECY ROAD



Martin Ogl 1/22/07

<u>ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES</u>

Case Number 08-	018	-A	Address	31	£.	RIOGEL	Rol.	
Contact Person: _	Planner	Please Print Your N	ame		Phone	Number: 410	/ -887-3391	
Filing Date:	9-07	_ Postii	ng Date:	1/22	CI	osing Date:	8/6	
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.								
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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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 C	ase Number:	018		-
Petitioner:	romas HEM	ORICKS		
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PLEASE FORWA	RD ADVERTISING BI	LL TO:		
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		r Me.		
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JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

August 6, 2007

Bambi Glenn 403 W. Allegheny Avenue Towson, MD 21204

Dear Ms. Glenn:

RE: Case Number: 08-018-A, 37 E. Ridgely Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 9, 2007. This letter is not an approval, but only a **NOTIFICATION**.

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,

u. Calliball

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

Thomas Ray Hendricks Dawn Marie Hendricks 37 E. Ridgely Avenue Lutherville 21093





INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

DATE: July 17, 2007

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

37 E. Ridgely Road

INFORMATION:

Item Number:

8-018

Petitioner:

Thomas and Dawn Hendricks

Zoning:

DR 3.5

Requested Action:

Administrative Variance

JUL 2 0 2007

BY:----

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the requested variance to permit an addition (garage) with a side yard setback of 20 feet in lieu of the required 25 feet, provided that the building materials and design are consistent with the existing structure and surrounding community.

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

Reviewed by

Division Chief:

AFK/LL: CM

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

July 17, 2007

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

ATTENTION: Zoning Review planners

Distribution Meeting of: July 16, 2007

Item No.: 001, 003, 004, 007, 008, 009, 010, 011, 012, 013, 014, 016, 017, 018, 019

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

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.

> Acting Lieutenant William F. Connolly Jr. Fire Marshal's Office (O) 410-887-4881 (C) 443-829-29 MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits & Development

DATE: July 18, 2007

Management

FROM:

Dennis A. Kennedy, Supervisor W. Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 20, 2007

Item Nos. 07-470, 08-001, 002, 003, 004, 005, 006, 007, 008, 009, 011, 012, 013, 014,

015, 016, 017, 018 and 019

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

DAK:CEN:cab

cc: File

ZAC-NO COMMENTS-07202007.doc



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

Maryland Department of Transportation

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

Date: JUNY 16, 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. 8-18-A

37 E. RIDGELY RIAD

HENDRICKS PRODERTY 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.8-18-1.

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).

Veşy truly yours,

Steven D. Foster, Chief

Engineering Access Permits

Division

SDF/MB



Î

CONSENT TO ADMINISTRATIVE ZONING VARIANCE

I, DERTHA ZEA , reside at 35 Ridgely Road, Lutherville, MD 21093. I have reviewed the plans for the proposed garage addition at 37 E. Ridgely Road and have no objection to the grant of an administrative variance for the project.

35 Ridgely Road

Lutherville, MD 21093

(410)<u>560-1623</u>

CONSENT TO ADMINISTRATIVE ZONING VARIANCE

I, Jorge Zea, reside at 35 Ridgely Road, Lutherville, MD 21093. I have reviewed the plans for the proposed garage addition at 37 E. Ridgely Road and have no objection to the grant of an administrative variance for the project.

Jorge Zea//

35/Ridgely Road

Lutherville, MD 21093

(410) <u>560 - 1623</u>

CONSENT TO ADMINISTRATIVE ZONING VARIANCE

I, Jorge Zea, reside at 35 Ridgely Road, Lutherville, MD 21093. I have reviewed the plans for the proposed garage addition at 37 E. Ridgely Road and have no objection to the grant of an administrative variance for the project.

Jorge Zea/

35/Ridgely Road

Lutherville, MD 21093

(410) <u>560 - 1623</u>



I, Bambi Glenn, reside at 1722 Charmuth Road, Lutherville, MD 21093. I have reviewed the plans for the proposed garage addition at 37 E. Ridgely Road and have no objection to the grant of an administrative variance for the project.

Bambi Gleng

1722 Charmuth Road Lutherville, MD 21093

(410) 252-3012



I, Doris Glenn, reside at 1722 Charmuth Road, Lutherville, MD 21093. I have reviewed the plans for the proposed garage addition at 37 E. Ridgely Road and have no objection to the grant of an administrative variance for the project.

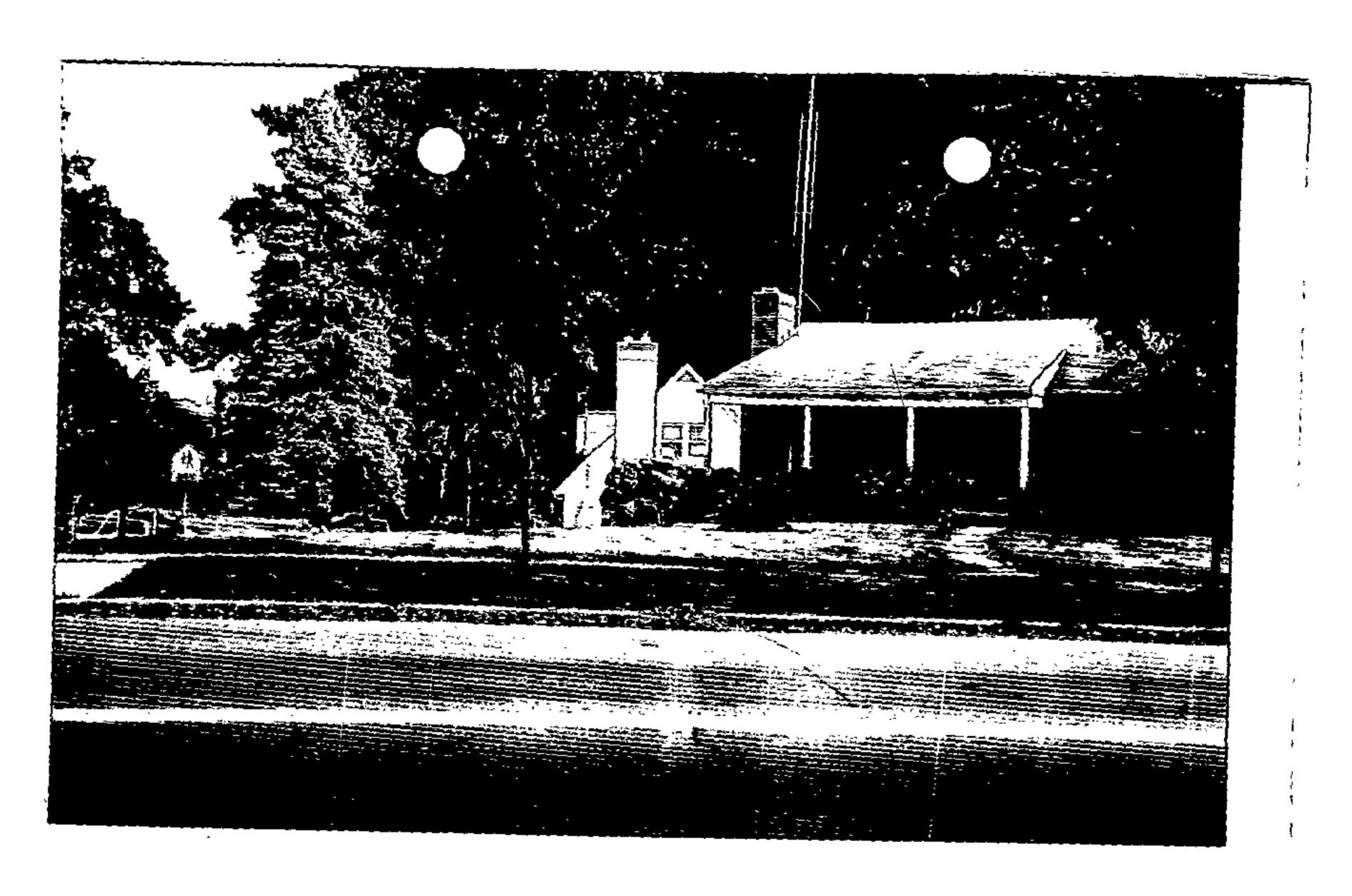
Doris Glenn

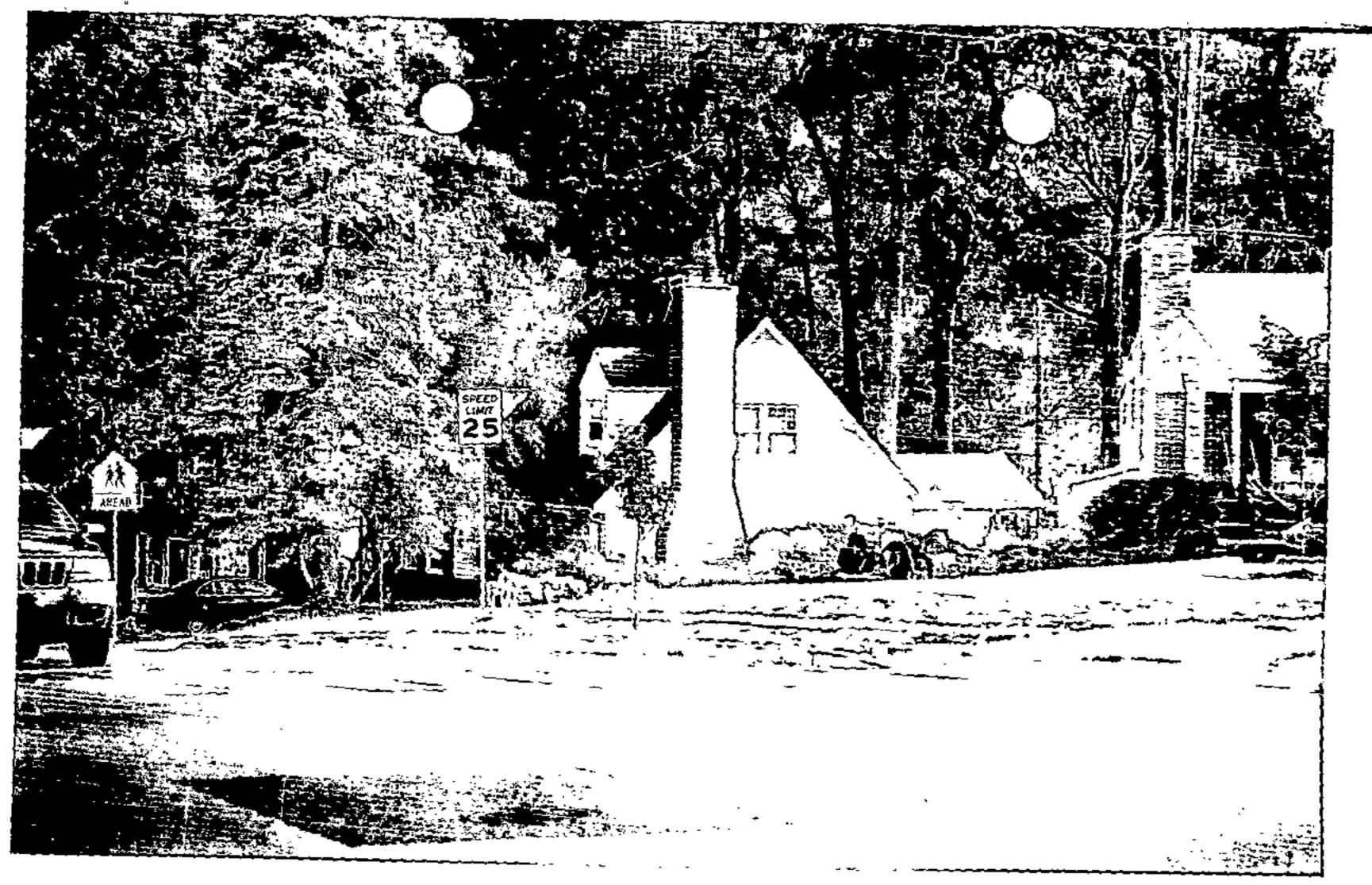
1722 Charmuth Road Lutherville, MD 21093

(410) 252-3012

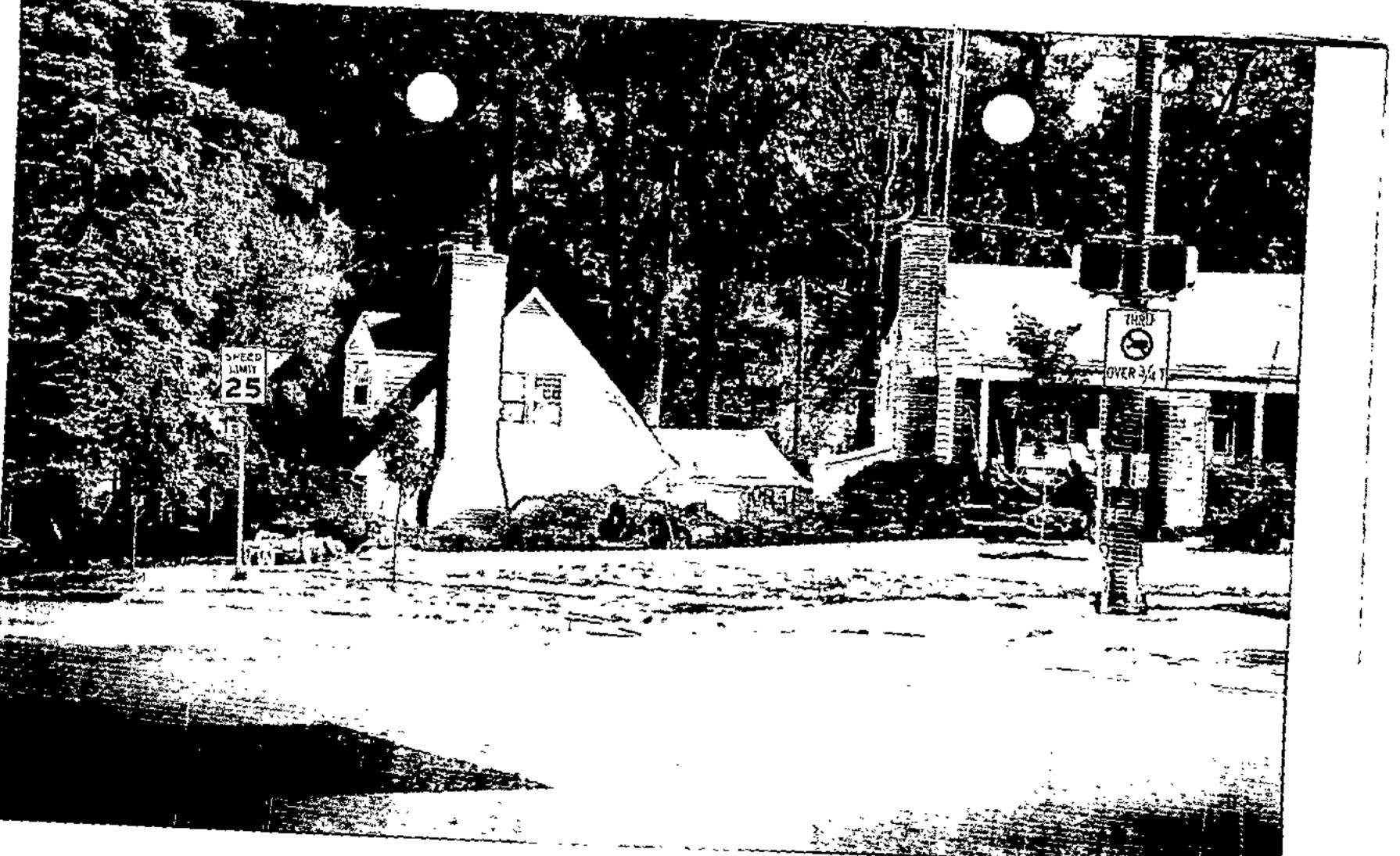




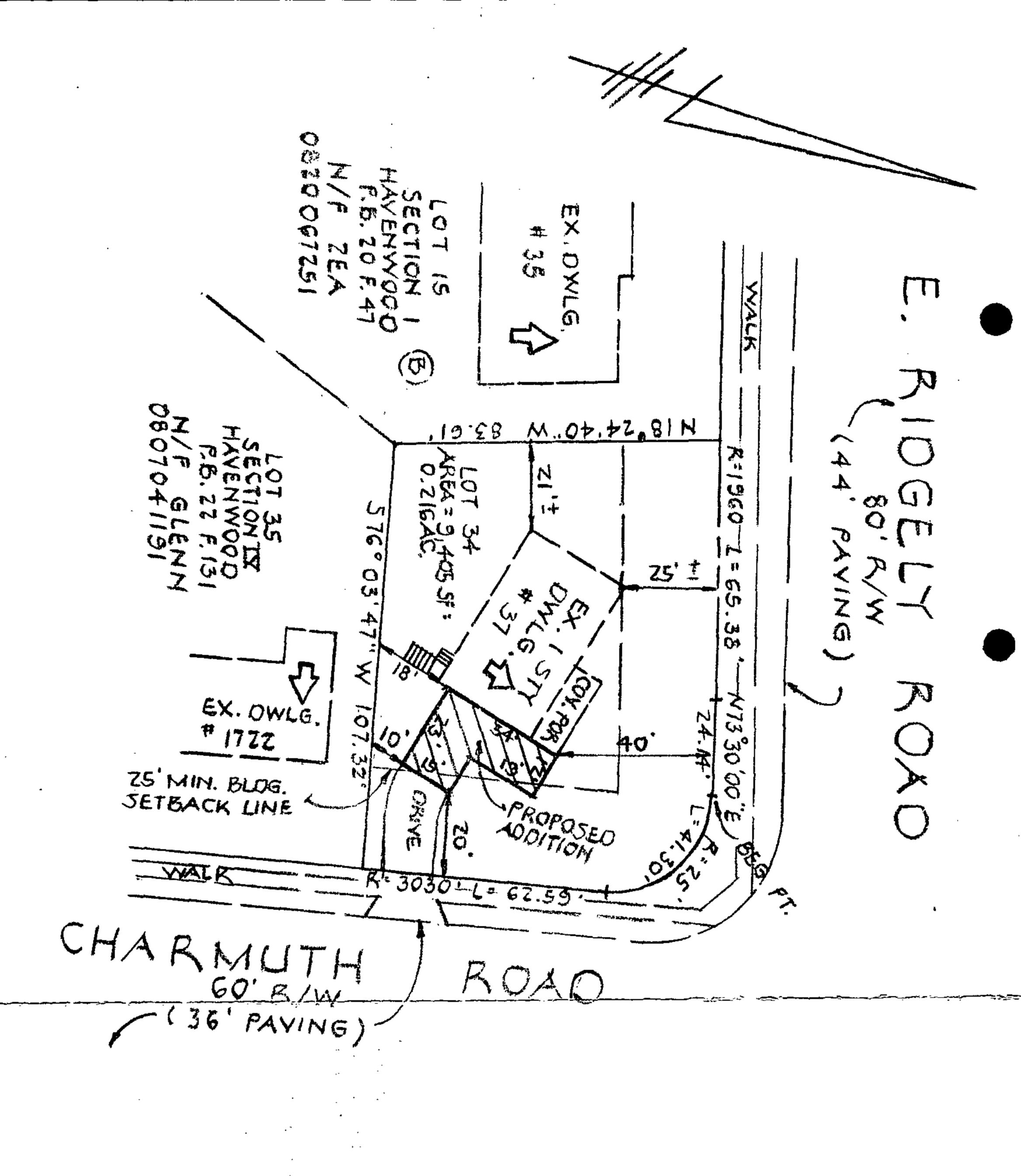








CENTRAL DRAFTING & DESIGN, INC. 601 CHARWOOD COURT EDGEWOOD, MD 21040 (410) 679-8719



OMAS R. AND DAWN M. HENDRICKS 37 E. RIDGELY ROAD LUTHERVILLE, MD. 21093 DEED REF. L.6489 F.143 PROP. NO. 0819087470

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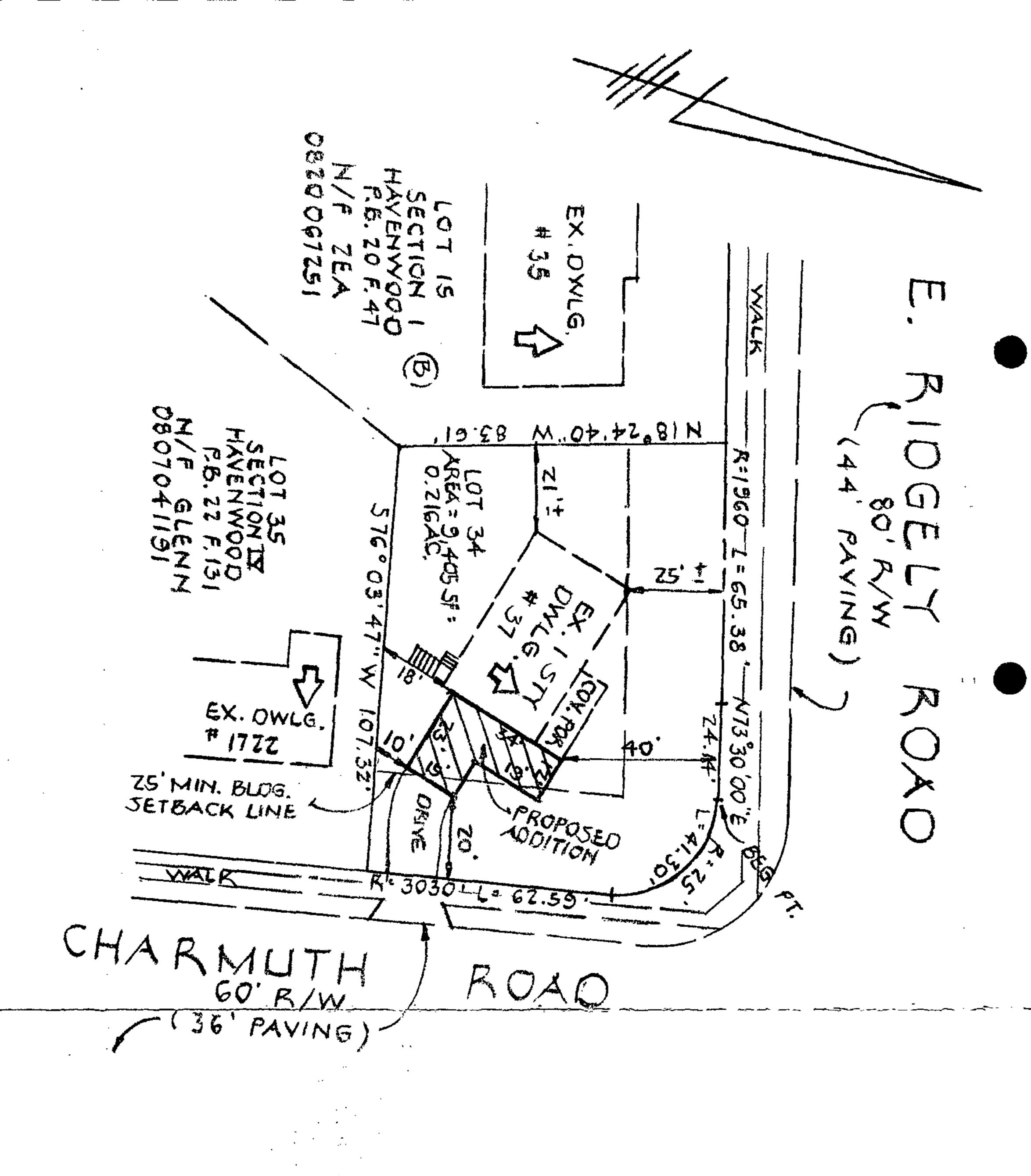
NOTES

- 1. ZONING.....DR 5.5 (MAP NO. 061A2)
- . AREA......9,405 S.F. = 0.216 ACRE
- . NO PREVIOUS ZONING HISTORY OR VIOLATIONS
- 4. NO CRITICAL AREAS, HISTORIC STRUCTURES OR FLOODPLAINS EXIST
- 5. PUBLIC WATER AND SEWER IS EXISTING

NOTE: THE SUBDIVISION PLAT FOR THIS PROPERTY WAS APPROVED BY THE BALTIMORE COUNTY PLANNING COMMISSION ON MARCH 30, 1955

ELECTION DISTRICT H ORE ENWOOD LE: CCOMPANY ISTRATIVE RIDGELY JUNE COUNTY ADDITION TO SECTION INCH = 28, 2007 P.B. <u>3</u>0 REQUEST ROAD MARYLAND ARIANCE FEET 21 F. 8C3 38 FOR

CENTRAL DRAFTING & DESIGN, INC. 601 CHARWOOD COURT EDGEWOOD, MD 21040 (410) 679-8719



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- ZONING. (MAP NO. 061A2)
- = 0.216 ACRE
- NO PREVIOUS ING HISTORY OR VIOLATIONS
- NO CRITICAL AREAS, HISTORIC FLOODPLAINS EXIST STRUCTURES OR
- PUBLIC WATER AND SEWER IS EXISTING

THE SUBDIVISION PLAT FOR THIS PROPERTY COMMISSION APPROVED BY ON MARCH 30, 1955 THE BALTIMORE COUNTY PLANNING

TIMORE CK B (A) LE: ECTION DISTRICT 8C3 ENWOOD CCOMPANY ISTRATIVE RIDGELY COUNTY, **ADDITION** INCH = 28, 2007 P.B. 30 MARYLAND ROAD REQUEST ARIANCE 21 F. FEET OT SEC'