

IN RE: PETITION FOR ADMIN. VARIANCE

W side Oxford Road, 150 feet N c/l

Hatherleigh Road

9th Election District

5th Councilmanic District

(7200 Oxford Road)

Robert W. and Shelley N. Wiglesworth

Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* Case No. 08-123-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, Robert W. and Shelley N. Wiglesworth for property located at 7200 Oxford 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 10 feet for a proposed addition in lieu of the required 30 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners wish to construct an addition onto the rear of their home to accommodate a growing family of four children. Due to health reasons, Mrs. Wiglesworth's mother is expected to move in with the family. The subject property is bordered on the left side and the rear by 12 foot wide alleys. The Petitioners presented a letter of support from their neighbors residing at 7202 Oxford 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 September 20, 2007, which recommends that the Petitioner submit elevations of the proposed addition.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on September 14, 2007 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILE

10-4-07

pm

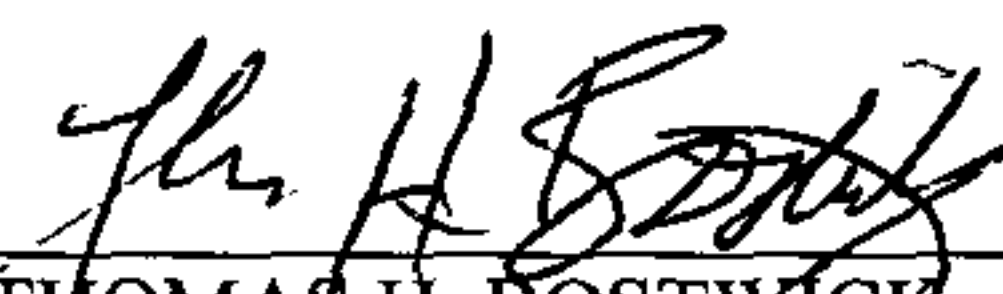
The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public 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 4th day of October, 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 10 feet for a proposed addition in lieu of the required 30 feet 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. Building elevations of the proposed addition shall be submitted to the Office of Planning for review and approval prior to issuance of any building permit.

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

ORDER RECEIVED FOR FILING

10-4-07

13



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

October 4, 2007

ROBERT W. AND SHELLEY N. WIGLESWORTH
7200 OXFORD ROAD
BALTIMORE MD 21212

Re: Petition for Administrative Variance
Case No. 08-123-A
Property: 7200 Oxford Road

Dear Mr. and Mrs. Wiglesworth:

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

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Th. H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7200 Oxford Road
which is presently zoned DR-5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.C.1 to permit a rear

yard setback of 10 ft. for a proposed addition in lieu of the required 30 ft.

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 08-123-A day of 10-4-07 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. 08-123-A

Reviewed By BN Date 9/6/07

Estimated Posting Date 9/16/07

REV 10/25/01



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

7200 Oxford Road
Address
Baltimore Maryland 21212
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):

We are requesting this variance due to the expansion of our family. We currently have three children and are expecting a fourth child in February 2008. It is also expected that Shelley's mother may need to move in with us due to health reasons. Our house is currently too small to accommodate seven people and a dog. This house has been in the Wigglesworth family for thirty five years and we would like to keep it in the family.

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.

Robert W. Wigglesworth
Signature

Shelley Wigglesworth
Signature

Robert W. Wigglesworth
Name - Type or Print

Shelley N. Wigglesworth
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

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

ROBERT + SHELLEY WIGGLESWORTH

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

AS WITNESS my hand and Notarial Seal

[Signature]
Notary Public

My Commission Expires 7-8-08

Zoning Description

Zoning description for 7200 Oxford Road, Baltimore, Maryland 21212.

Beginning at a point on the west side of Oxford Road distant 277-52/100 feet southerly measured along said west side of Oxford Road from the intersection of the said west side of Oxford Road and the south side of Stevenson Lane; and running thence binding on said west side of Oxford Road south 29 degrees 14 minutes west 20 feet; thence southwesterly still binding on said west side of Oxford Road by a line curving to the left with a 14-6/100 feet radius the distance of 16-42/100 feet to the north side of a twelve foot alley there situate; thence binding on the north side of said alley with the use thereof in common with others north 86 degrees 31 minutes west 79-99/100 feet and north 37 degrees 13 minutes west 11-72/100 feet to the east side of a twelve foot alley there situate; thence binding on the east side of said last mentioned alley with the use thereof in common with others north 12 degrees 4 minutes east 69-45/100 feet; thence south 60 degrees 46 minutes east 102-38/100 feet to the place of beginning. Recorded in Baltimore County Folio # 407, containing 0.12 acreage or 5227.20 square feet. In area known as Stonleigh and in the 9th Election District, 5th Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. 05301

Date: 9/10/13

PAID RECEIPT

BUSINESS NO. 001
DATE 9/10/2013
TIME 17:55

RECEIPT # 05301
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TIME 17:55

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CASHIER'S
VALIDATION

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Item # 123

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

DATE: 09/18/07

Case Number: 08-123-A

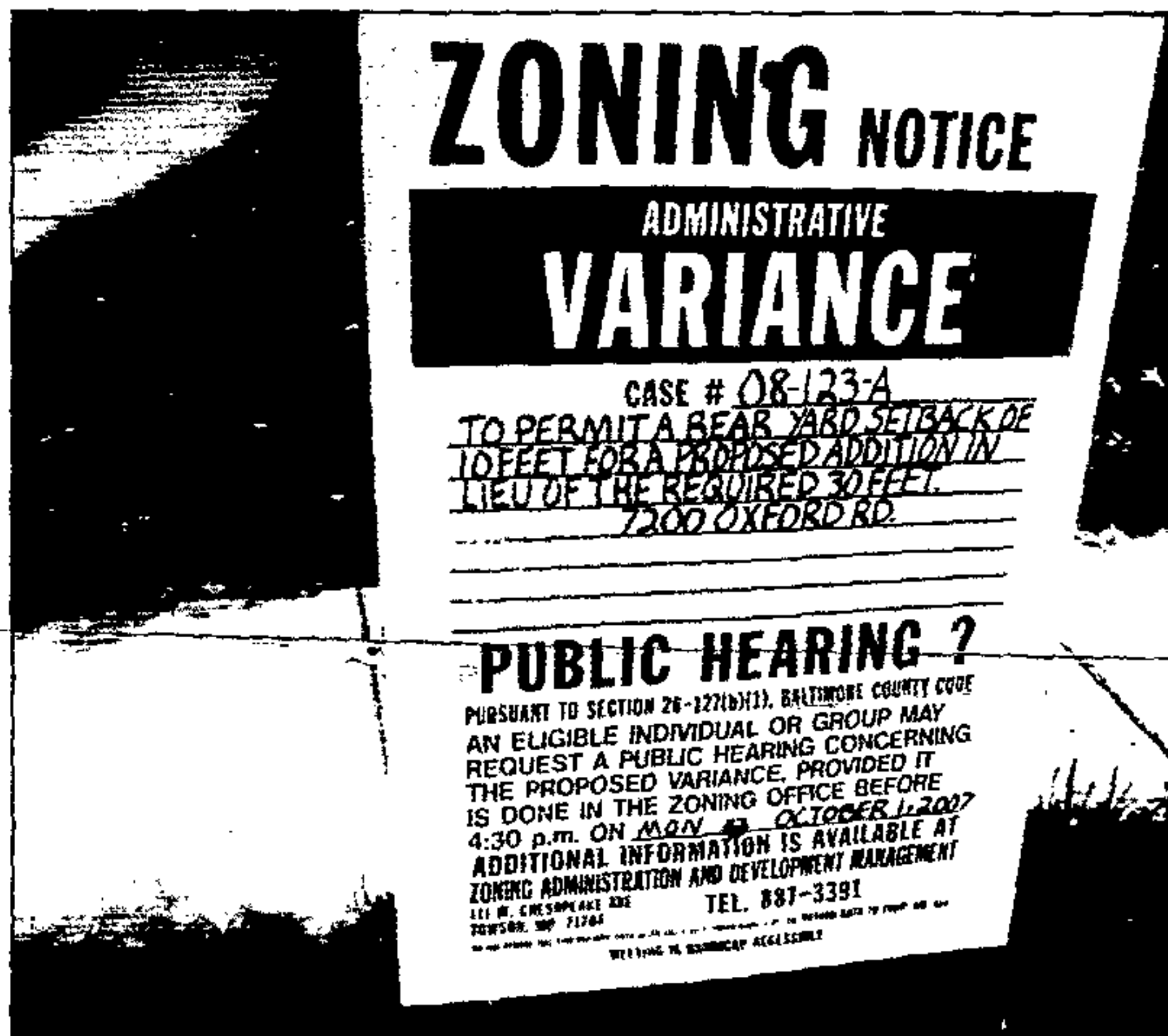
Petitioner / Developer: ROBERT WIGLESWORTH

Date of Hearing (Closing): OCTOBER 1, 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:

7200 OXFORD ROAD

The sign(s) were posted on: 09/14/07



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



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

October 1, 2007

Robert W. Wigglesworth
Shelley N. Wigglesworth
7200 Oxford Road
Baltimore, MD 21212

Dear Mr. and Mrs. Wigglesworth:

RE: Case Number: 08-123-A, 7200 Oxford Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 6, 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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: September 17, 2007

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

SUBJECT: Zoning Advisory Committee Meeting
For September 17, 2007
Item Nos. 08-069, 082, 105, 106, 107, 108,
109, 111, 113, 114, 115, 117, 118, 119, 120,
122 and 123

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- 09172007.doc

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



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

Maryland Department of Transportation

Date: SEPT. 10, 2007

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

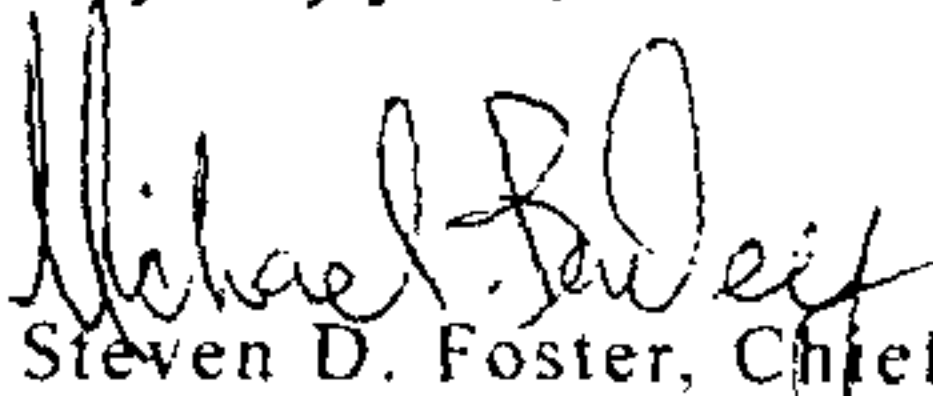
RE: Baltimore County
Item No. 8-123-A
7200 OXFORD ROAD
WIGLESWORTH PROPERTY
ADMINISTRATIVE VARIANCE . . .

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. 8-123-A.

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: December 3, 2007

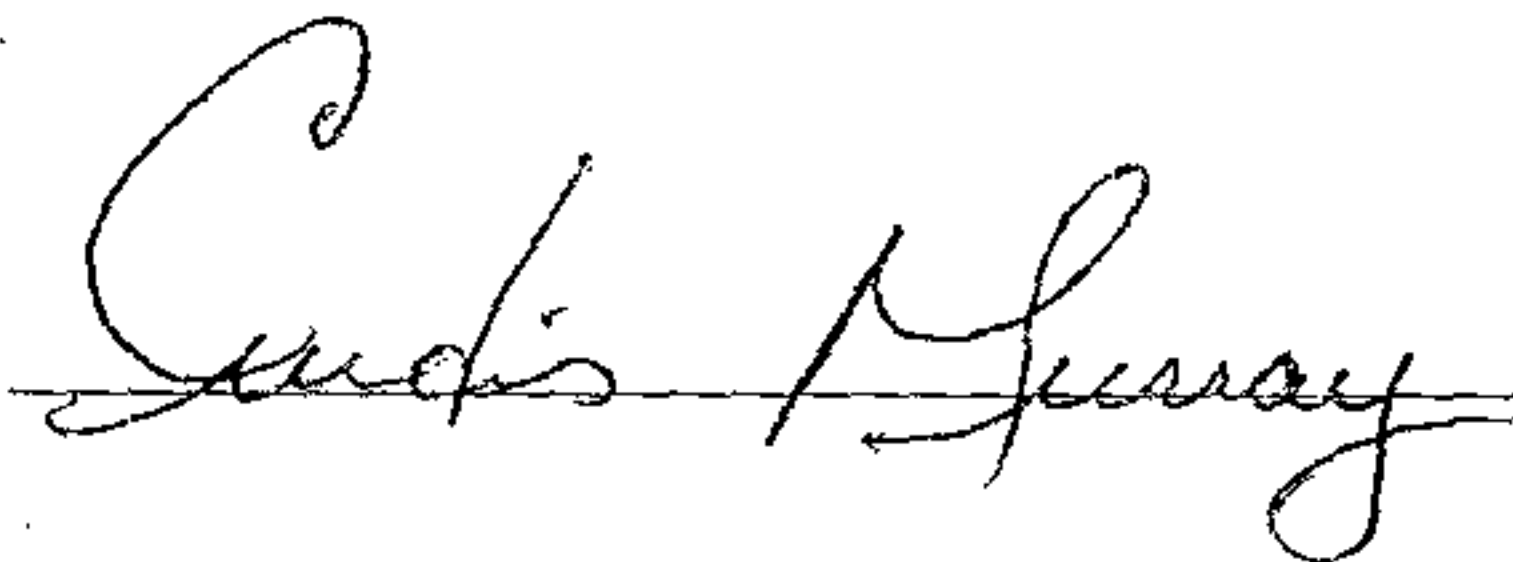
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-123- Administrative Variance (*revised*)

The Office of Planning has reviewed the above referenced case(s) and does not oppose the petitioner's request.

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

Prepared By:

A handwritten signature in cursive script, appearing to read "Sandra Murray", written over a horizontal line.

CM/LL

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 20, 2007

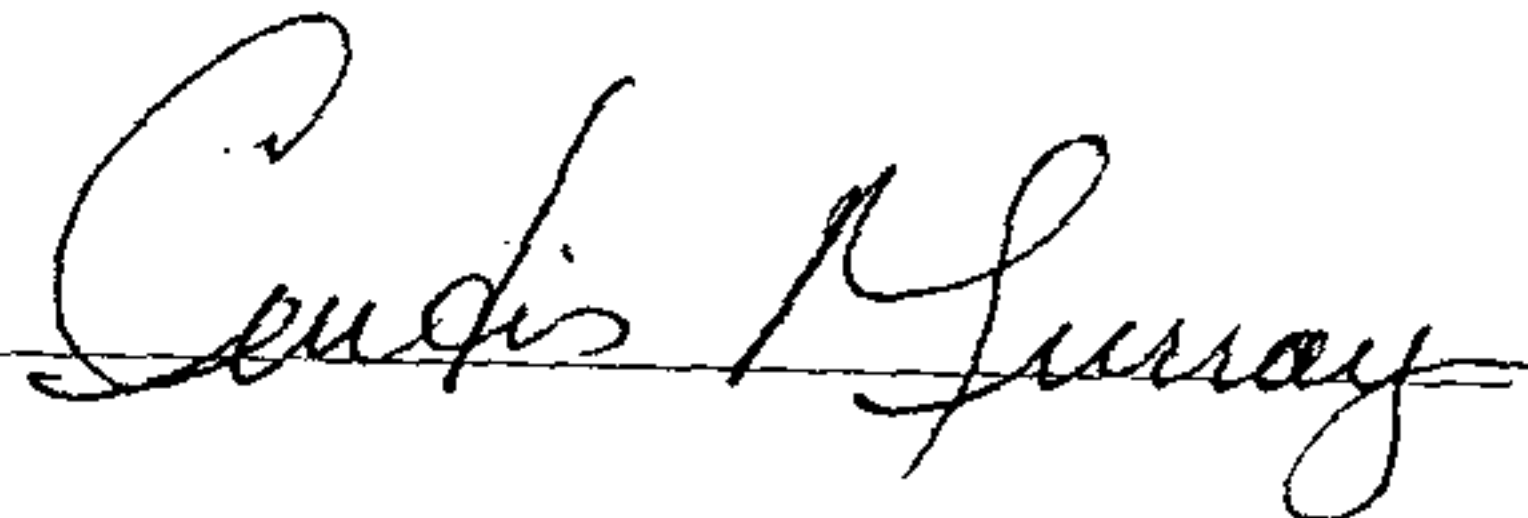
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-123- Administrative Variance**

The Office of Planning has reviewed the above referenced case(s) and requests that the petitioner submit building elevations of the proposed addition to the Office of Planning for review and approval prior to the Zoning Commissioner rendering a decision on the referenced case.

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

Reviewed By:



CM/LL

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08- 123 -A Address 7200 Oxford Rd.
Contact Person: Bruno Rudaitis Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 9/6/07 Posting Date: 9/16/07 Closing Date: 10/1/07

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 08- 123 -A Address 7200 Oxford Rd.
Petitioner's Name Robert & Shelly Wieglerworth Telephone 443-506-7836
Posting Date: 9/16/07 Closing Date: 10/1/07
Wording for Sign: To Permit a rear yard setback of 10 ft. for a proposed addition in lieu of the required 30 ft.

WCR - Revised 6/25/04

Lee & Karen Fireman
7202 Oxford Road
Baltimore, MD 21212

Zoning Review
Department of Permits & Development Management
111 West Chesapeake Avenue
Room 111
Towson, MD 21204

RE: Variance Request for 7200 Oxford Road
Bob & Shelley Wiglesworth

To Whom It May Concern:

Please be advised that we are aware of the Variance Request that Bob & Shelley Wiglesworth are applying for on 7200 Oxford Road.

They have discussed these plans with us and we do not have any objections to what they want to do regarding their addition.

Please contact us if you have any additional questions.

Sincerely,

A handwritten signature in black ink, appearing to be 'Lee & Karen Fireman', written in a cursive style.

Lee and Karen Fireman

**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.

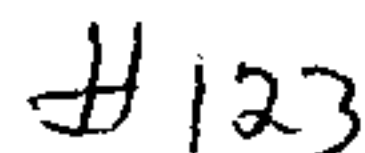
For Newspaper Advertising:

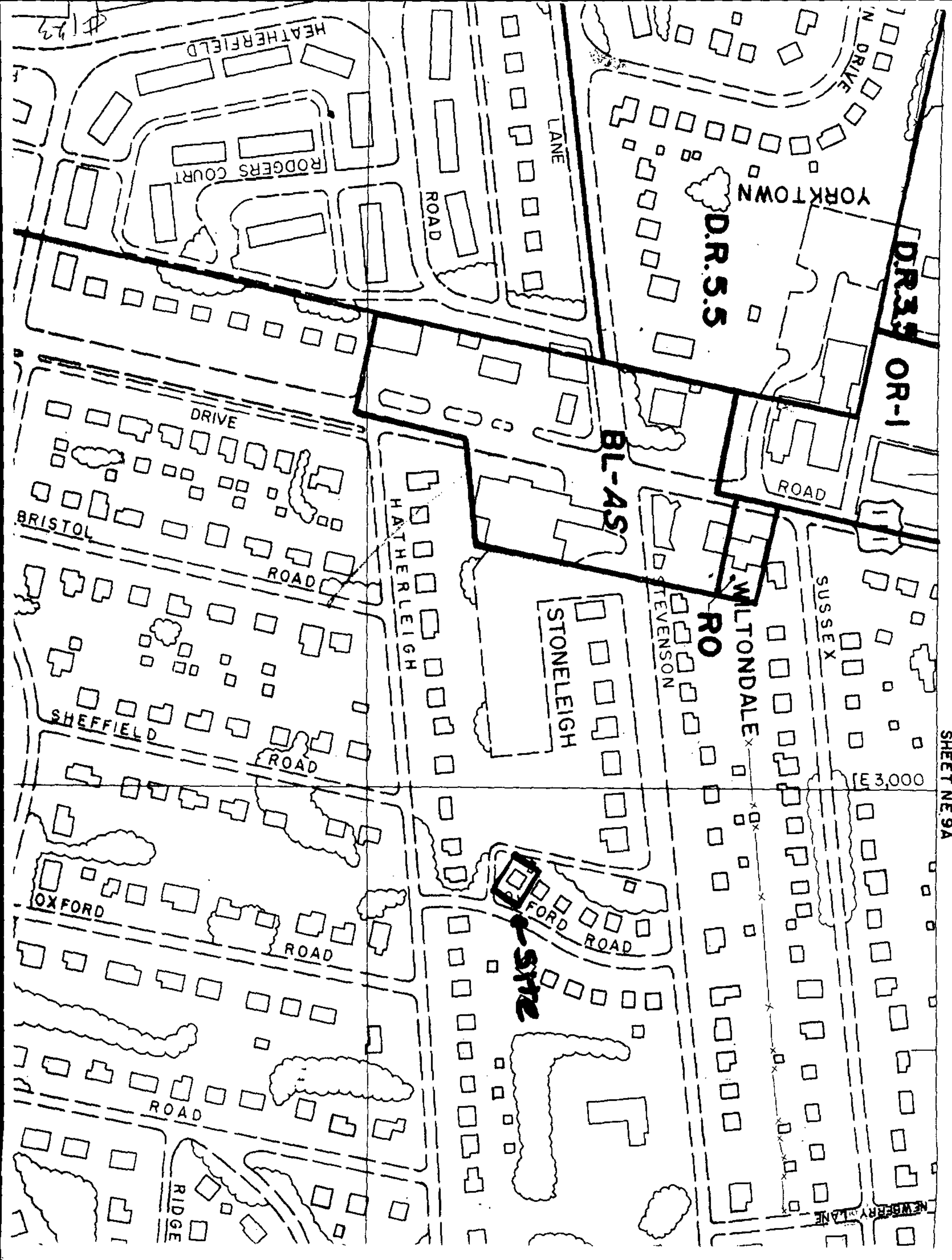
Item Number or Case Number: 88-123-A
Petitioner: Robert W. Wigglesworth
Address or Location: 7200 Oxford Road, Baltimore MD 21212

PLEASE FORWARD ADVERTISING BILL TO:

Name: Robert Wigglesworth
Address: 7200 Oxford Rd.
Baltimore, MD 21212

Telephone Number: 410-823-2869





SHEET NE 9A

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

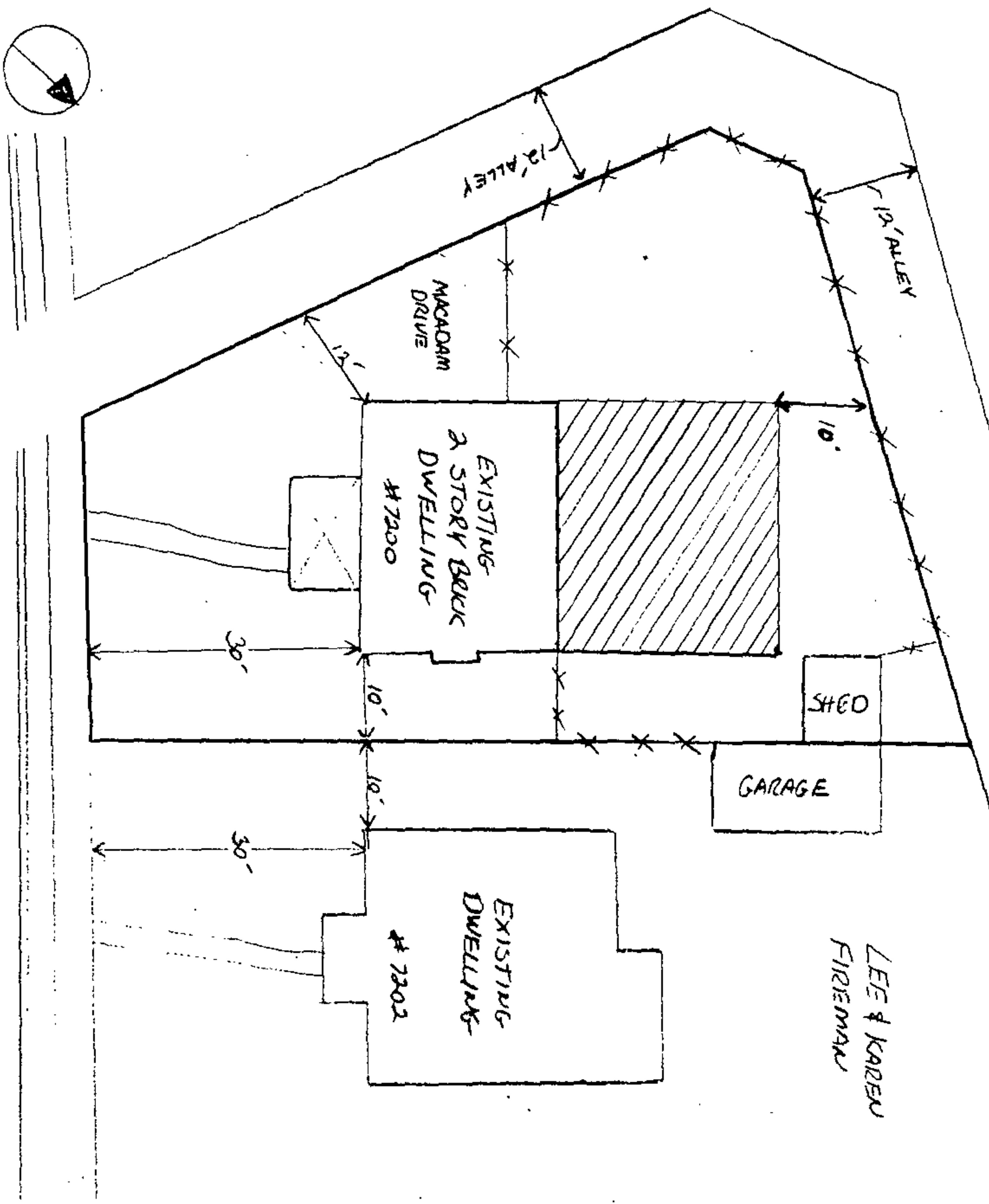
PROPERTY ADDRESS 7200 OXFORD ROAD

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

SUBDIVISION NAME STOWELL/616/14

PLAT BOOK # FOLIO # 467 LOT # SECTION #

OWNER ROBERT & SHELLEY WIGGLESWORTH

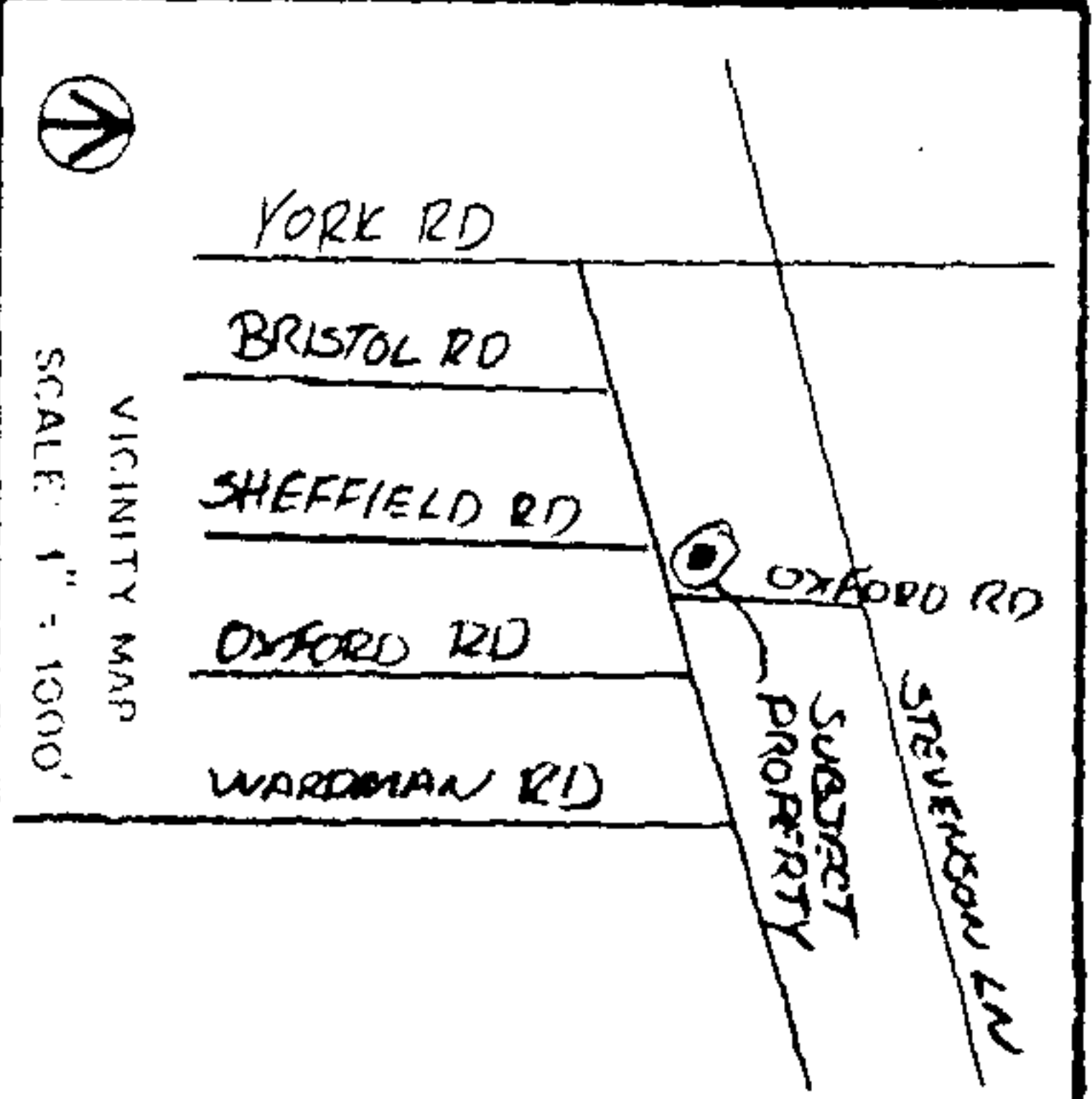


NORTH

OXFORD ROAD

PREPARED BY ROBERT WIGGLESWORTH

SCALE OF DRAWING: 1" = 20'



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 9

COUNCILMANIC DISTRICT 5

1" = 200' SCALE MAP # 070A3

ZONING D125.5

LOT SIZE 0.12 ACRES 5227.20 SQUARE FEET

PUBLIC PRIVATE

SEWER ☒

WATER ☒

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO

100 YEAR FLOOD PLAIN ☐ YES ☒ NO

HISTORIC PROPERTY / BUILDING ☐ YES ☒ NO

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY AW ITEM # 123 CASE # 08-123-A

