

IN RE: PETITION FOR VARIANCE

NE corner of Fieldgreen and
Fieldchat Roads
11th Election District
5th Councilmanic District
(9015 Fieldchat Road)

John C. and Michele L. Wray
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 08-360-A**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owners of the subject property, John C. and Michele L. Wray. Petitioners are requesting variance relief from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition with a front yard setback of 14 feet and a rear yard setback of 15 feet in lieu of the required 25 feet and 30 feet, respectively. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the variance request were Petitioners John and Michele Wray. Also appearing in support of the requested relief was Petitioners' building contractor, Mark Wood, with Premier Home Improvement & Contracting, LLC. Appearing in opposition to the requested variance was Joe Schlicht, a nearby property owner. There were no other Protestants or other interested persons in attendance at the hearing, but Petitioners submitted several letters in support of the requested variance, which were marked and accepted into evidence as Petitioners' Exhibits 5A through 5E.

At the outset, it should be noted that this matter is currently the subject of an active violation case (Case No. 08-0034) in the Division of Code Inspections and Enforcement. A

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BY

Correction Notice was issued on January 16, 2008 in this matter for failure to properly account for setbacks on the plot plan submitted in connection with an application for building permit. As indicated by Mr. Wood, Petitioners' contractor, a proper building permit was applied for and received on December 10, 2007. A copy of the building permit, as well as a copy of the Correction Notice, were marked and accepted into evidence as Petitioners' Exhibits 2 and 3, respectively. The fact that a code violation is issued is generally not considered in a zoning case. Zoning enforcement is conducted by the Department of Permits and Development Management, which has the authority to issue Correction Notices and Citations, and to impose fines and other penalties for violation of law. Conversely, the role of this office in this matter is to decide the discreet legal issue of whether Petitioners are entitled to the requested variance relief pertaining to the subject property.

Testimony and evidence offered revealed that the subject property is an irregular-shaped lot containing approximately 10,300 square feet of land zoned D.R.5.5. The property is located near the intersection of Fieldgreen and Fieldchat Roads in the Nottingham area of Baltimore County and is improved with Petitioners' existing two-story single-family home. Petitioners submitted a zoning map of the surrounding area, which was marked and accepted into evidence as Petitioners' Exhibit 6. The subject property is a corner lot, and the existing home, which was constructed in the 1960's, was built on an angle with the front of the home facing the southwest corner of the property. Last year, Petitioners hired Mr. Wood and his contracting company to assist them with the construction of a garage addition to the northwest corner of the existing dwelling. Petitioners' submitted several photographs of homes in the surrounding neighborhood to show that a number of nearby dwellings have garages similar to what Petitioners envisioned. The photographs were marked and accepted into evidence as Petitioners' Exhibits 4A through 4E.

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Further evidence demonstrated that Petitioners received a building permit on December 10, 2007, and substantial construction has already taken place on the proposed garage. The garage is being constructed with white siding, similar to that of the existing home and a number of homes in the surrounding area. During construction, the property was cited for a code violation, and it was at that time Petitioners and their contractor became aware that they were building the garage in violation of the setback requirements in a D.R.5.5 zone and were required to seek variance relief. Thus, Petitioners have requested the instant variance to permit the garage addition with a front yard setback of 14 feet and a rear yard setback of 15 feet in lieu of the required 25 feet and 30 feet. At the hearing, Petitioners realized they had forgotten to bring photographs showing the current state of the property and, in particular, the placement and configuration of the proposed garage. As a result, the record was kept open for one week after the hearing to provide a chance for the Petitioners to submit their photographs. Later the same day following the hearing, Petitioners did take the opportunity to submit eight photographs, which were made a part of the record and are contained in the case file.

Joe Schlicht, a nearby property owner who has lived in the area for 38 years, appeared in opposition to the request for Variance. Mr. Schlicht submitted a number of documents which were marked and accepted into evidence as Exhibits including: An overhead printout showing the subject property (Exhibit 1), two plat drawings (Exhibits 2A and 2B), and three additional overhead printouts (Exhibits 3A through 3C). During the hearing, Mr. Schlicht showed photographs of Petitioners' property from his digital camera. Following the hearing, he also submitted copies of those photographs, which were made a part of the record and are contained in the case file. Mr. Schlicht expressed the primary concern that this case would set a precedent in the neighborhood for families to possibly circumvent the zoning regulations by applying for and

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receiving variances. While Mr. Schlicht's concerns are noted and appreciated, this Office has consistently taken the position that zoning matters -- especially variance requests -- are generally determined on a case-by-case basis, so the granting or denial of this Petition does not set a specific precedent for nearby residents to obtain variances. In addition, Mr. Schlicht expressed the belief that the setback requirements are important and should be adhered to as indicated in the regulations.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

Considering all the testimony and evidence presented, I am convinced that the requested relief should be granted. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. The subject property is a corner lot that is more irregularly shaped than any of the surrounding lots. The property is also unique in that Petitioners' home was constructed and placed at an angle, causing an exaggeration of the impact of the setback requirements. Hence, I find that the imposition of zoning on this property disproportionably impacts the subject property as compared to others in the zoning district. Another unique feature of the subject property is the steep grade to the east of the existing dwelling, which limits the potential location of the garage addition to that side of the property and essentially mandates its construction on the other side -- in the current location.

I further find that this variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. After viewing the photographs, the greatest concern that I had when considering this petition were the front sightlines and the impact that the addition would have on

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the closest neighbors to the new garage, who are located at 9017 Fieldchat Road. However, Jamie Michael, who resides next door to Petitioners at 9017 Fieldchat Road, submitted a letter in support of the requested variance. The letter stated that the garage "looks great and I have absolutely no problem with them having it built." In addition, the photographs show that the front sightline will not be inhibited or altered by the garage. After considering the letter in conjunction with the overall evidence and testimony presented at the hearing, I am convinced that the garage can be constructed without having any negative effect on the surrounding locale, and in such a manner as to meet the requirements of Section 307 of the B.C.Z.R, as established in *Cromwell v. Ward*, 102 Md.App. 691 (1995).

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered, I find that Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED this 12th day of May, 2008 by this Deputy Zoning Commissioner, that Petitioners' variance request from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition with a front yard setback of 14 feet and a rear yard setback of 15 feet in lieu of the required 25 feet and 30 feet, respectively, be and is hereby GRANTED, subject to the following:

1. Petitioners are advised that they may apply for any required building permits 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, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The outside wall of the garage shall include the same or similar rectangular attic vent as exists near the roof on the northwest corner of Petitioner's home.

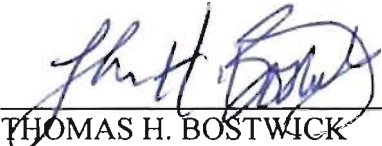
NOTED RECEIVED FOR FILE

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3. In order to lessen the impact of the exterior siding on the garage, Petitioners shall install a window on the outside wall of the garage with the same or similar style as the existing windows on the front of the home.

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
5.12.08
pz



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

May 12, 2008

JOHN C. AND MICHELE L. WRAY
9015 FIELDCHAT ROAD
NOTTINGHAM MD 21236

Re: Petition for Variance
Case No. 08-360-A
Property: 9015 Fieldchat Road

Dear Mr. and Mrs. Wray:

Enclosed please find the decision rendered 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 black ink, appearing to read "John H. Bostwick", written over the typed name.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Mark Wood, 350 Townsend Road, Essex MD 21221
Joe Schlicht, 4511 Fieldgreen Road, Baltimore MD 21236



TAX ACCOUNT # 1111012780

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9015 FIELDCHAT RD

which is presently zoned DR S.S

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) BO2.3.B PC2R

To permit an addition with a front yard setback of 14' and a rear yard setback of 15' in lieu of the required 25' and 30', respectively.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

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

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Case No. 08-360-A

REV 9/15/98

Reviewed By JP

Date 2/12/08

5.12.08

PM

EXAMPLE 3 -- Zoning Description

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - **DO NOT USE THIS FORM FOR "FILL-IN THE BLANK"**. Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 9015 FIELDCHAT RD.
(address)

Beginning at a point on the EAST side of
(north, south, east or west)
FIELDCHAT RD. which is 50'
(name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 53' NORTH of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street FIELDGREEN RD
(name of street)

which is 50' wide. *Being Lot # 1
(number of feet of right-of-way width)

Block E, Section # 1 in the subdivision of PARK PLACE
(name of subdivision)

as recorded in Baltimore County Plat Book # 32, Folio # 68.

containing 10,300 SQ FT. Also known as 9015 FIELDCHAT RD
(square feet or acres) (property address)

and located in the 11 Election District, 5 Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber __, Folio __" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87° 12' 13" E. 321.1 ft., S.18° 27' 03" E.87.2 ft., S.62° 19' 00" W. 318 ft., and N.08° 15' 22" W. 80 ft. to the place of beginning.

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #08-360-A
9015 Fieldchat Road
Neast corner of Fieldgreen
and Fieldchat Roads
11th Election District
5th Councilmanic District
Legal Owner(s): John &
Michelle Wray

Variance: to permit an addition with a front yard setback of 14 feet and a rear yard setback of 15 feet in lieu of the required 25 feet and 30 feet, respectively.

Hearing: Wednesday,
April 9, 2008 at 9:00 a.m.
In Room 106, County Office Building, 111 West
Chesapeake Avenue,
Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

(2) For Information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/3/826 Mar 25 167898

CERTIFICATE OF PUBLICATION

3/27/, 2008

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/25/, 2008.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **09794**

Date: **2-12-08**

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			6150				65.00

Total: **65.00**

Rec

From: **MR. WOOD**

For:

Detention for Variance
2015 FIELDCHAT AD

Case# 08-360-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

RECEIVED
 2/12/2008 2/12/2008 09:43:31
 0015 WARDEN OFF 200
 RECEIPT 04/02/07 2/12/2008
 5.00 FIELD VERIFICATION
 000794
 Receipt Tot 645.00
 1.00 00 600.00
 115.00
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

Certificate of Posting

RE: Case NO. 08-360-A

Petitioner/Developer _____

John & Michele Wray

Date of Hearing/Closing 4/9/08

Baltimore County
Department of Permits and Development Managements
County Office Building – Room 111
111 W. Chesapeake Ave.
Towson, Md. 21204

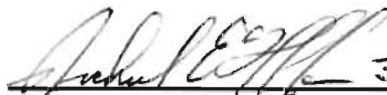
Attention:

This letter is to certify, under penalties of perjury, that the necessary sign(s) as required by law, were posted conspicuously on the property located at _____

9015 Fieldchat Rd.

The sign(s) were posted on 3/25/08
(Month, Day, Year)

Sincerely,

 3/25/08
(Signature of sign Poster and date)

Richard E. Hoffman
(Printed Name)

See Attached
Photograph

904 Dellwood Drive
(Address)

Fallston, Md. 21047
(City, State, Zip Code)

410-879-3122
(Telephone Number)

Certificate of Posting
Photograph Attachment

Re: 08-360-A

Petitioner/Developer: _____

John & Michele Wray

Date of Hearing/Closing: 4/9/08



9015 Fieldchat Road

Posting Date: 3/25/08



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

February 25, 2008
TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 08-360-A

9015 Fieldchat Road
N/east corner of Fieldgreen and Fieldchat Roads
11th Election District – 5th Councilmanic District
Legal Owners: John & Michelle Wray

Variance to permit an addition with a front yard setback of 14 feet and a rear yard setback of 15 feet in lieu of the required 25 feet and 30 feet, respectively.

Hearing: Wednesday, April 9, 2008 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204


Timothy M. Kotroco
Director

TK:klm

C: Mr. & Mrs. Wray, 9015 Fieldchat Road, Nottingham 21236
Mark Wood, 350 Townsend Road, Essex 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MARCH 25, 2008.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 25, 2008 Issue - Jeffersonian

Please forward billing to:
John Wray
9015 Fieldchat Road
Nottingham, MD 21236

410-529-1986

NOTICE OF ZONING HEARING

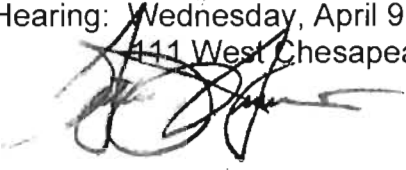
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9015 Fieldchat Road
N/east corner of Fieldgreen and Fieldchat Roads
11th Election District – 5th Councilmanic District
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Variance to permit an addition with a front yard setback of 14 feet and a rear yard setback of 15 feet in lieu of the required 25 feet and 30 feet, respectively.

Hearing: Wednesday, April 9, 2008 at 9:00 a.m. in Room 106, County Office Building,
411 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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: 08-360-A
Petitioner: JOHN & MICHELE WRAY
Address or Location: 9015 FIELDCHAT RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: JOHN WRAY
Address: 9015 FIELDCHAT RD.
NOTTINGHAM, MD 21236
Telephone Number: 410-529-1986



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 2, 2008

John C. Wray
Michele L. Wray
9015 Fieldchat Road
Nottingham, MD 21236

Dear Mr. and Mrs. Wray:

RE: Case Number: 08-360-A, 9015 Fieldchat Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 12, 2008. 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Mark Wood 350 Townsend Road Essex 21221

TB 4/9 9Am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 13, 2008

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

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MAR 14 2008

BY:.....

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-360- 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 Donnell Ziegler in the Office of Planning at 410-887-3480.

Prepared By: Curtis R. Murray

Division Chief: Stephen J. Fink

CM/LL

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: February 21, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For February 25, 2008
Item Nos. 08-337, 341, 348, 355, 356, 358,
359, 360, 361, 362, 363, 365, and 373

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-02212008.doc



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

County Office Building, Room 111
, 2007
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

February 25, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: February 18, 2008

Item Number: 337,348,355,356,357,359,360,361,362,363,364,365,366,367,368,369
373

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.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4880 (C)443-829-2946
MS-1102F

cc: File



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

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

Maryland Department of Transportation

Date: 2/21/2008

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

RE: Baltimore County
Item No. E-360-A
9015 FIELDCHARD
WEAY PROPERTY
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. E-360-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,

A handwritten signature in dark ink, appearing to read "Michael P. Bailey".

Steven D. Foster, Chief
For 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

CASE NAME _____
CASE NUMBER 08-360-A
DATE _____

[illegible]

CASE NAME _____
CASE NUMBER 00-360-A
DATE _____

[illegible]

RE: PETITION FOR VARIANCE
9015 Fieldchat Road; NE corner of
Fieldgreen & Fieldchat Roads
11th Election & 5th Councilmanic Districts
Legal Owner(s): John & Michele Wray
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 08-360-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of February, 2008, a copy of the foregoing Entry of Appearance was mailed to Mark Wood, 350 Townsend Road, Essex, MD 21221, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RECEIVED

FEB 21 2008

Per.....

Case No.:

08-360-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	site plan	Aerials
No. 2	corrected notice permit	
No. 3	site Corrected notice	
No. 4	photos of nearby homes (w/in 2 blocks) w/ grass for signposts	
No. 5	Letters of support from nearby neighbors	
No. 6	zoning map	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 9015 FIELDCHAT RD.

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

SUBDIVISION NAME PARK PLACE

PLAT BOOK # 32 FOLIO # 68 LOT # 1 SECTION # E

OWNER JOHN J MICHELE WRAY

JAMIE
MICHAEL

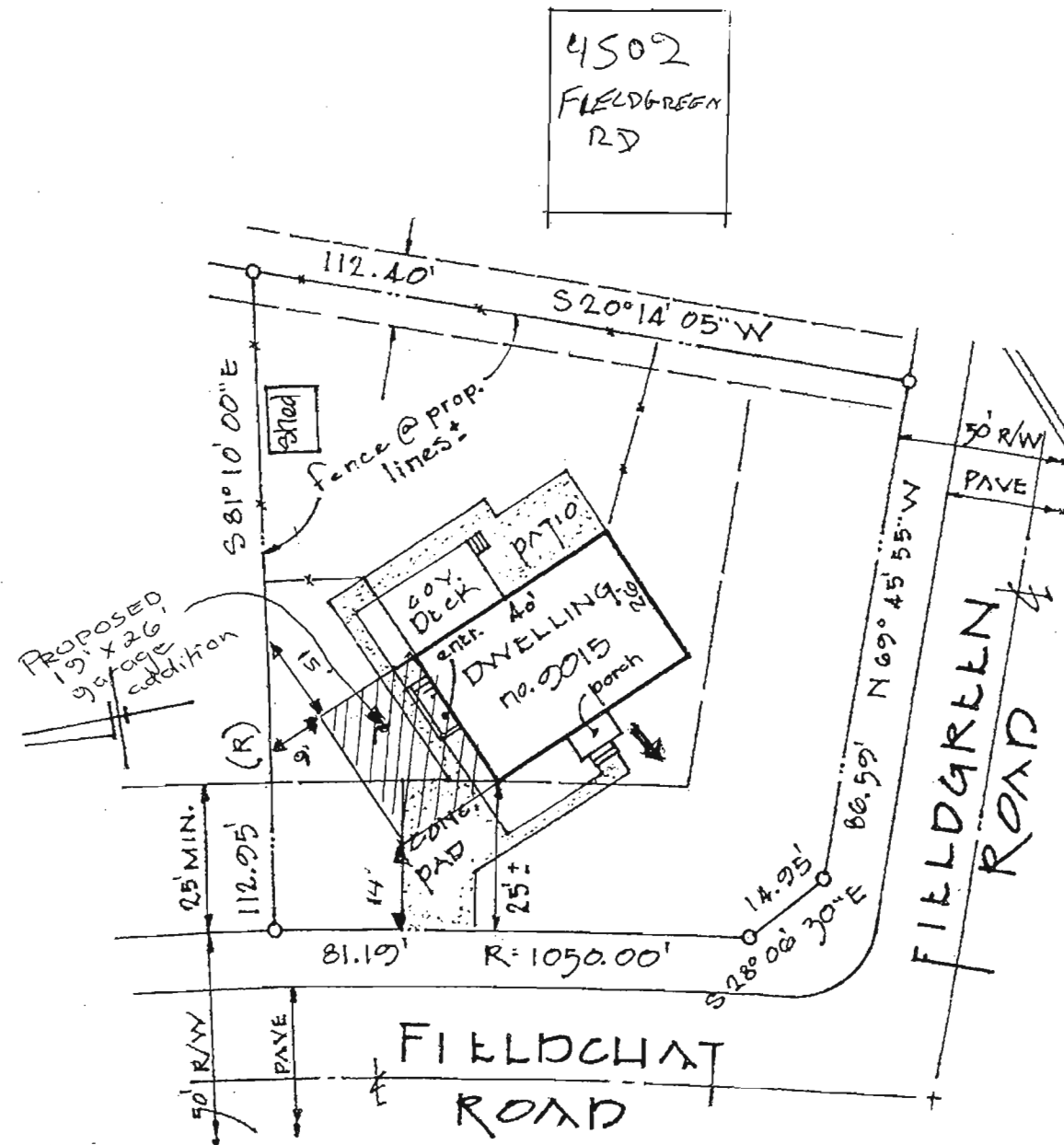
9017
LOT 2



NORTH

PREPARED BY M. WOOD

SCALE OF DRAWING: 1" = 30'



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 11

COUNCILMANIC DISTRICT S

1" = 200' SCALE MAP # 072B2

ZONING DR 5.5

LOT SIZE 10,300 ^{SQ. 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 VIOLATION # 080034 ☒ NONE

ZONING OFFICE USE ONLY
REVIEWED BY JF ITEM # 360 CASE # 08-360-A

PETITIONER'S

EXHIBIT NO. 1

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

Timothy M. Kotroco
TIMOTHY M. KOTROCO, Director



Donald E. Brand
DONALD E. BRAND, Buildings Engineer

BUILDING PERMIT

PERMIT #: B683667 CONTROL #: MR DIST: 11 PREC: 01
DATE ISSUED: 12/10/2007 TAX ACCOUNT #: 1111017780 CLASS: 04

PLANS: CONST 00 PLOT 2 R PLAY 0 DATA 0 ELEC YES PLUM NO
LOCATION: 9015 FIELDCHAT RD
SUBDIVISION: PARK PLACE

OWNERS INFORMATION

NAME: WRAY, JOHN
ADDR: 9015 FIELDCHAT RD

TENANT:

CONTR: PREMIER HOME IMPROVEMENTS

ENGR:

SELLP:

WORK: CONST. 1STY FRONT LOAD ATTACHED GARAGE ON SIDE
OF EX SFD. 19X26X18 '6"=4948F

BLDG. CODE:

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD W/GARAGE

EXISTING USE: SFD

TYPE OF IMPRV: ADDITION

USE:

FOUNDATION: BLOCK

BASEMENT: NONE

SEWAGE: PUBLIC EXIST

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 10300

FRONT STREET:

SIDE STREET:

FRONT SETB: 25

SIDE SETB: 12/NO

SIDE STR SETB:

REAR SETB: 40

PETITIONER'S

EXHIBIT NO. 2

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.



Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 08 0034	Property No. 1111 01 7780	Zoning:
------------------------------	------------------------------	---------

Name(s): John Wray Owner
Premier Home Improvements (Builder)

Address: 9015 Fieldchat

Violation Location: Same

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

International Residential Code
2006 Section 105.3

Plot plan submitted by builder
does not match field conditions -
submitted plot plan does not
show 9015 as corner lot
violation of set backs
Submit revised plot plan to
zoning for review

Variance may be required

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

On or Before:	Date Issued:
---------------	--------------

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name

INSPECTOR:

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:

On or Before: 1/24/08	Date Issued: 1/16/08
-----------------------	----------------------

INSPECTOR: Rodney Larrick

PETITIONER'S

EXHIBIT NO.

3



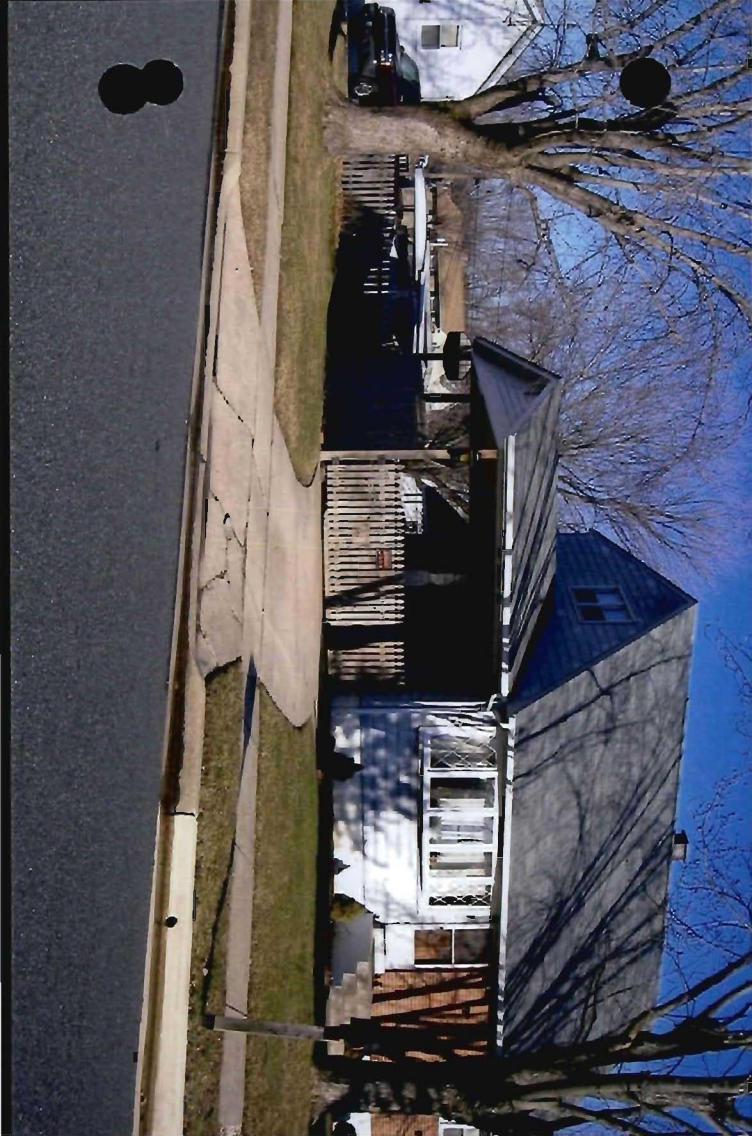
PETITIONER'S

EXHIBIT NO.

4A-E









2960

9017 FIELDCHAT ROAD

← 25' MIN. BUDG. SETBACK
(EXISTING)





4502

FIELDGREEN

ROAD

-BLDG. SETBACKS -

25' Min. →
(EXIST.)

14' NEW →
(PROPOSED)

#9015





FIELDCHAT ROAD

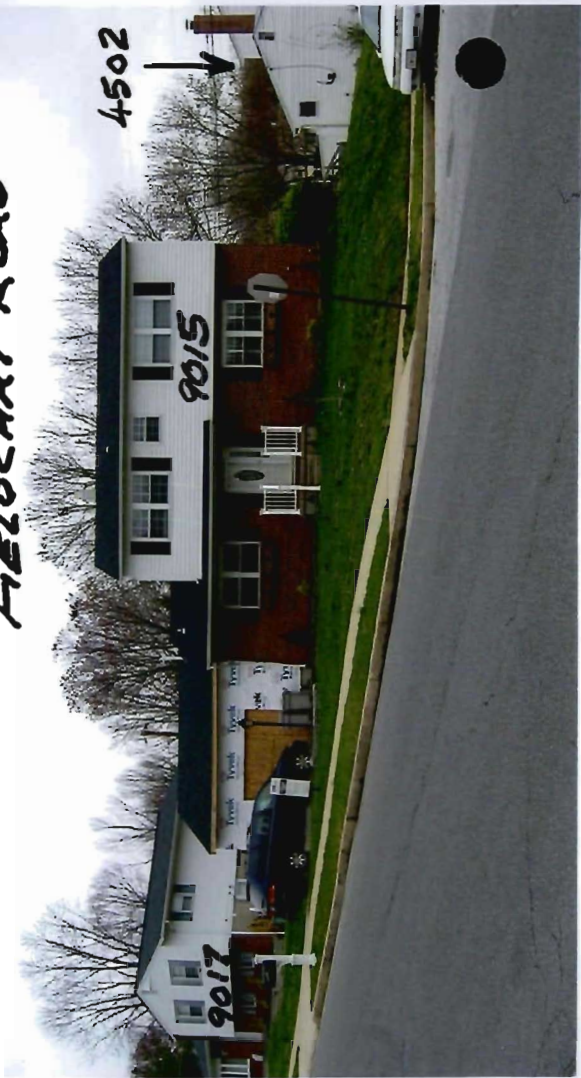
FELDCAT ROAD

4502



5105

9017





Delegacion LT,
Balti, Md. 21236-1802
February 6, 2008

To Whom It May Concern:

I do not object to the garage being
built at 9015 Trudelot Rd. The garage
does not detract the beauty of the
neighborhood.

It seems as if the owner and
builder have planned the addition (garage)
to look as a natural part of
the house.

Yours Truly,
Dorothy A. Copeland
410-256-8755

PETITIONER'S

EXHIBIT NO.

5A-E

2-3-08

TO Whom it may Concern,

My name is Jamie Michael,

I live at 9017 Fieldchat Rd, I am right next door to John and Michelle who are having a garage built onto their house. I think it looks great and I have absolutely no problem with them having it built. If you have any questions feel free to give me a call 410-529-3594.

Thank you!

Jamie Michael

February 6, 2008

To Whom It May Concern:

We have no objection to the garage being built at 9015 Fieldgreen Road, Baltimore, MD 21236. It will not disturb the beauty of the neighborhood-ParkPlace. The position of the garage will not hinder our turn from Fieldgreen Road onto Fieldchat Road.

Yours truly,

Tim + Jiri Elliott
410-256-8551

Barbara Jones #4508
410-256-6565

John + Delores Stalker
410 256 8635

Pat + Sam Cammarata
410-256-1070

February 5, 2008

Mr. and Mrs. Timothy Varricchio
3 Delgreen Court
Baltimore, MD 21236
410-248-0448

Department of Permits and Development
Baltimore County Office Building
111 West Chesapeake Ave
Towson, MD 21204

Dear Sir or Madam:

On behalf of our neighbors, Mr. and Mrs. John Wray residing at 9015 Fieldchat Road in Baltimore County (21236), we would like to express our opinion concerning their recently built garage. We do not have any obligations regarding their having added a garage to their home. In fact, given the manner in which it was built, we think it only adds to the appearance of the neighborhood and the well-kept nature of the homes within. Thank you for your time and attention.

Sincerely,

Timothy Varricchio
Christina Varricchio
2/5/08

Mr. Timothy Varricchio
Mrs. Christina Varricchio

January 31, 2008

TO WHOM IT MAY CONCERN:

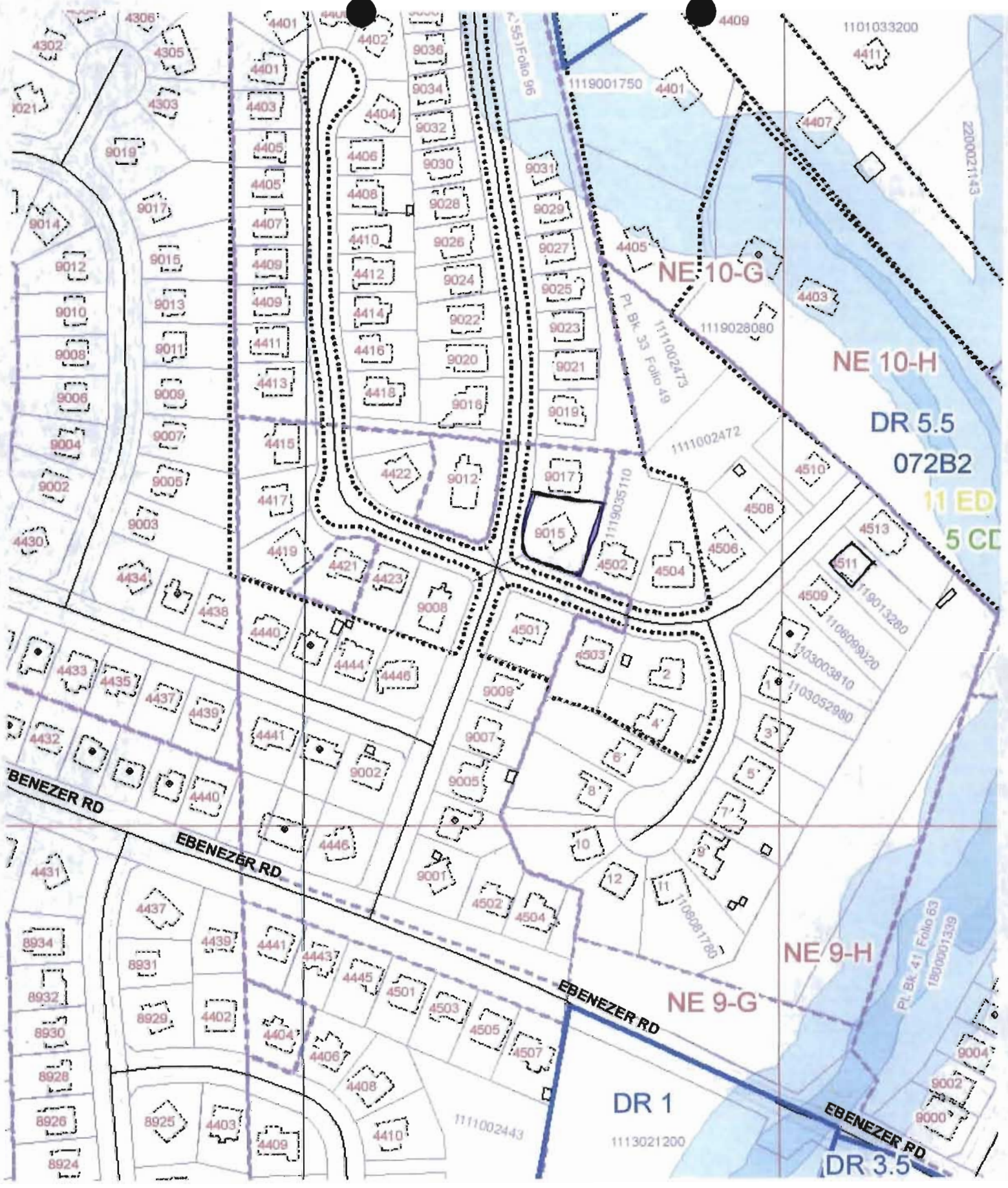
We, the undersigned, reside directly across the street from the property located at 9015 Fieldchat Road, Baltimore, Maryland.

We have no objections to the addition of a garage on the 9015 Fieldchat Road property.

Sincerely,

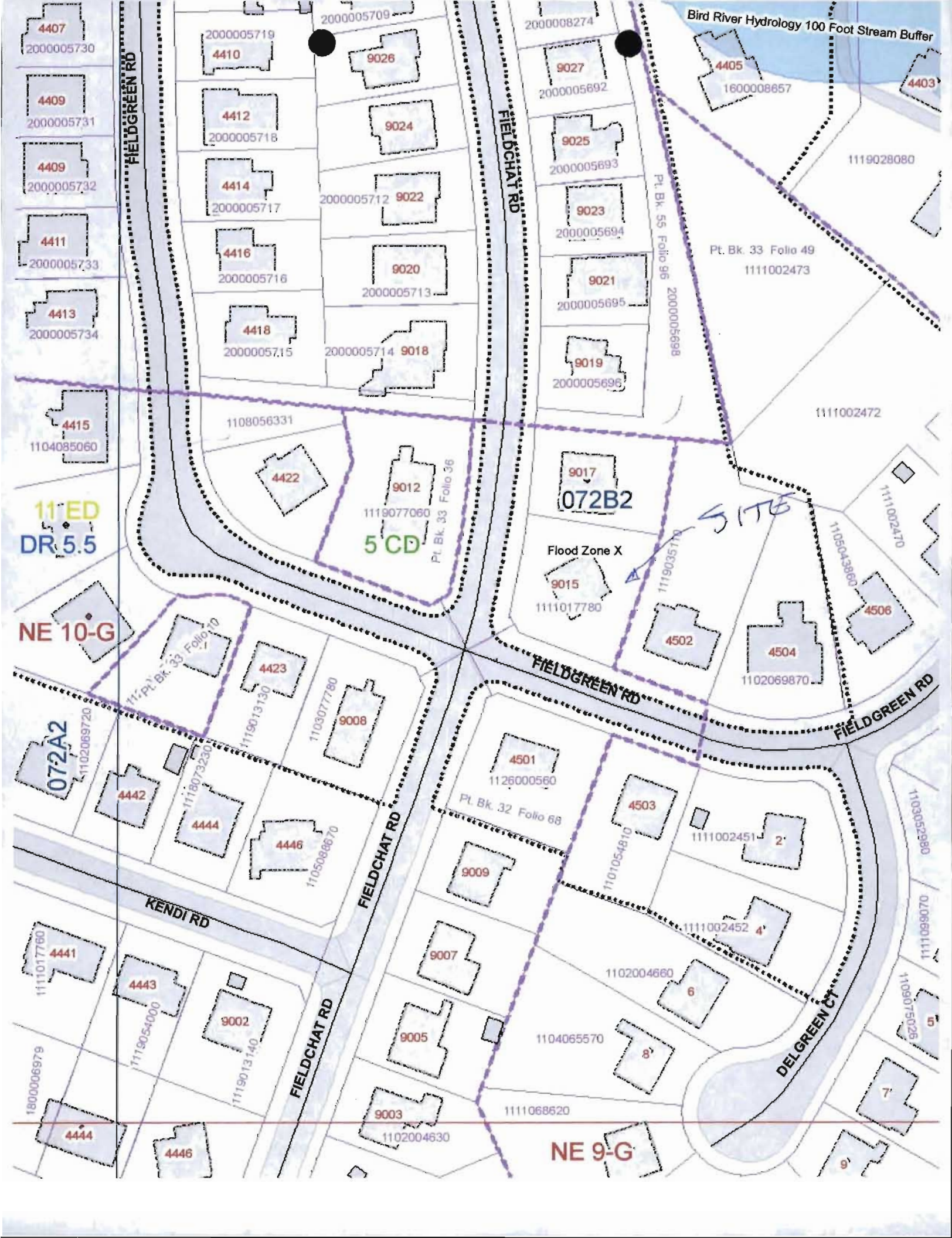
Handwritten signatures of Robert C. Ray and Cynthia A. Ray in blue ink.

Robert C. Ray and Cynthia A. Ray
9012 Fieldchat Road
Baltimore, Maryland



PETITIONER'S

EXHIBIT NO. 6



Case No.:

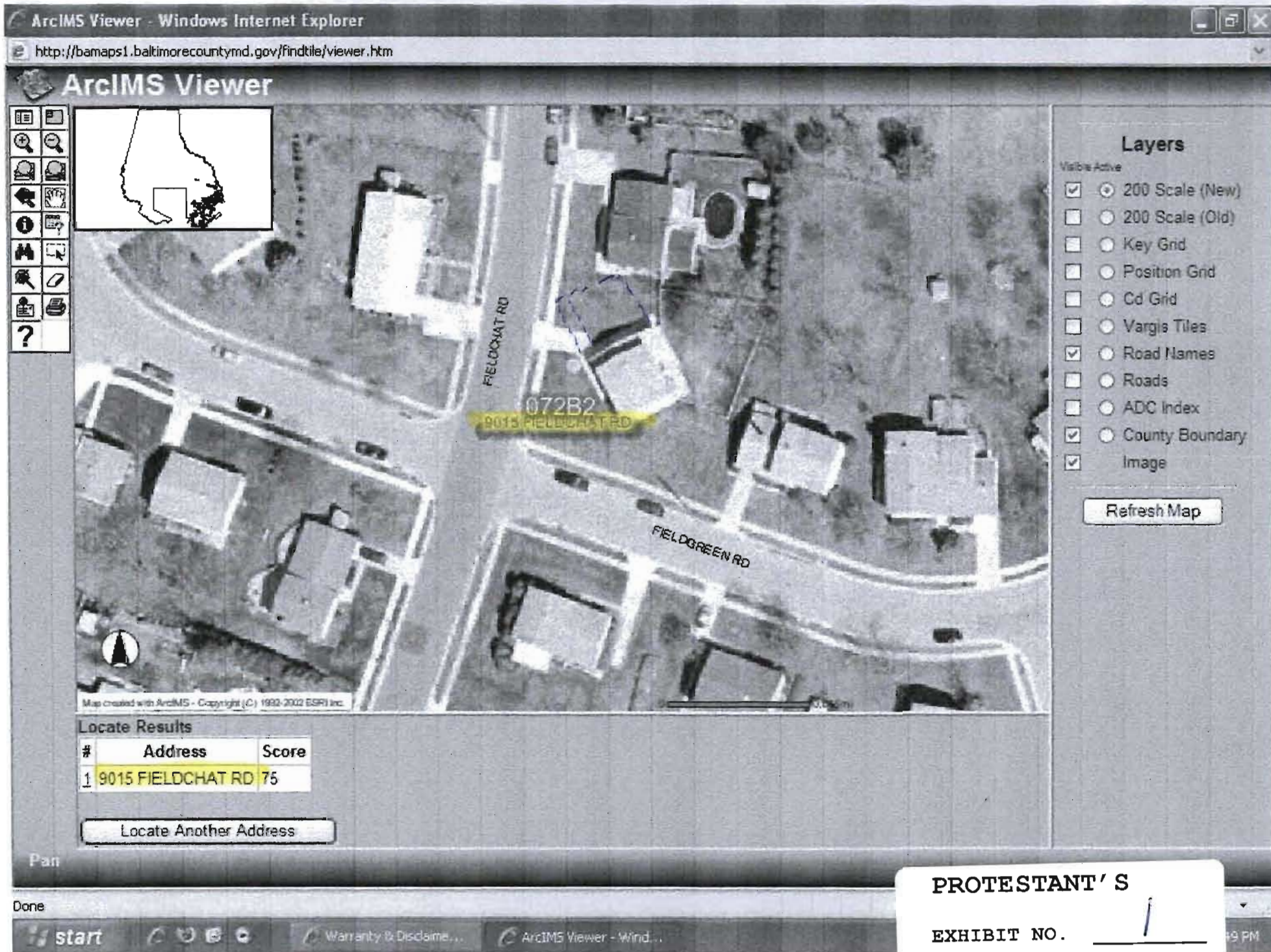
DS-360-A

Exhibit Sheet

Petitioner/Developer

Protestant

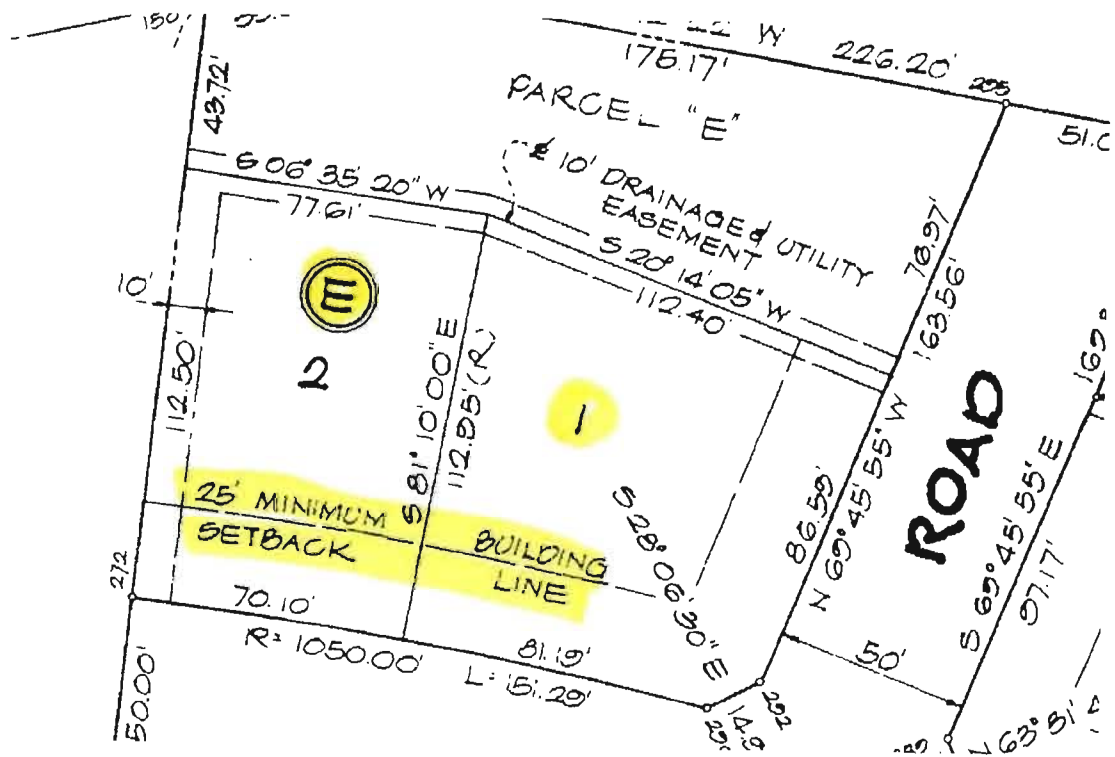
No. 1	site plan	Aerials
No. 2	correction notice permit	
No. 3	correction correction notice	
No. 4	photos of nearby homes (w/in 2 blocks) w/ grass	
No. 5	Letters of support from nearby neighbors	
No. 6	zoning map	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

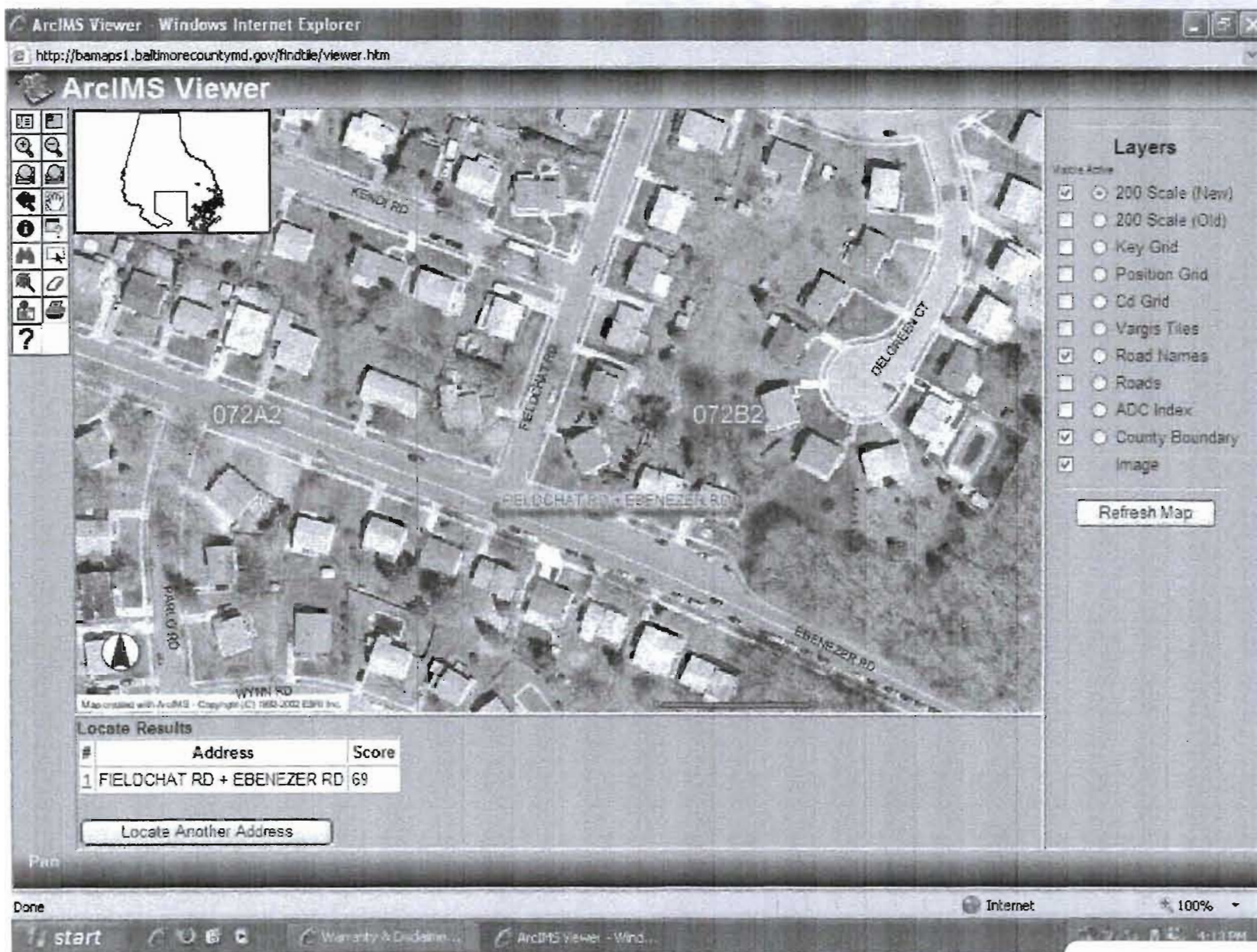


PROTESTANT' S

EXHIBIT NO. 1

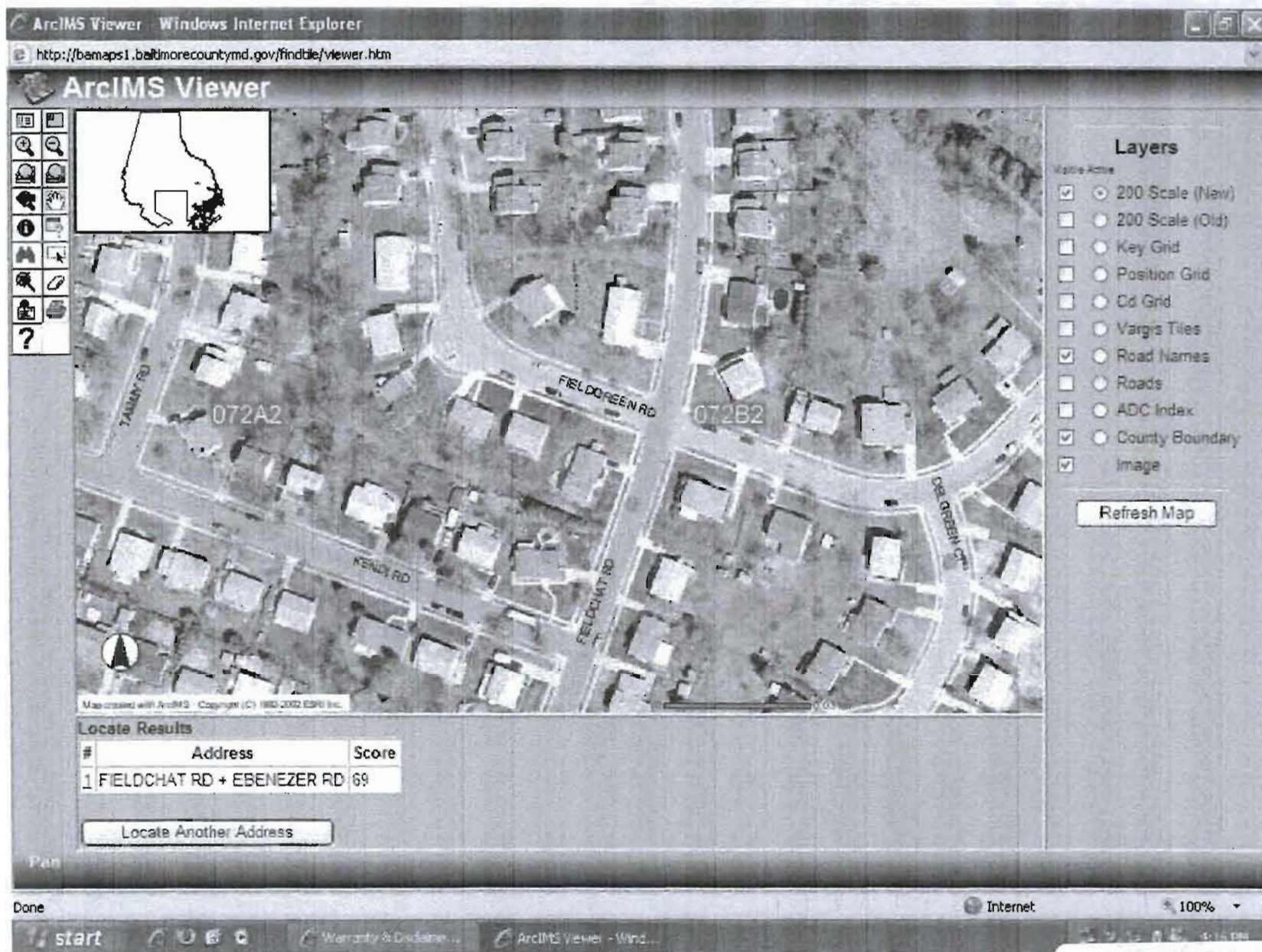
4:19 PM





PROTESTANT' S

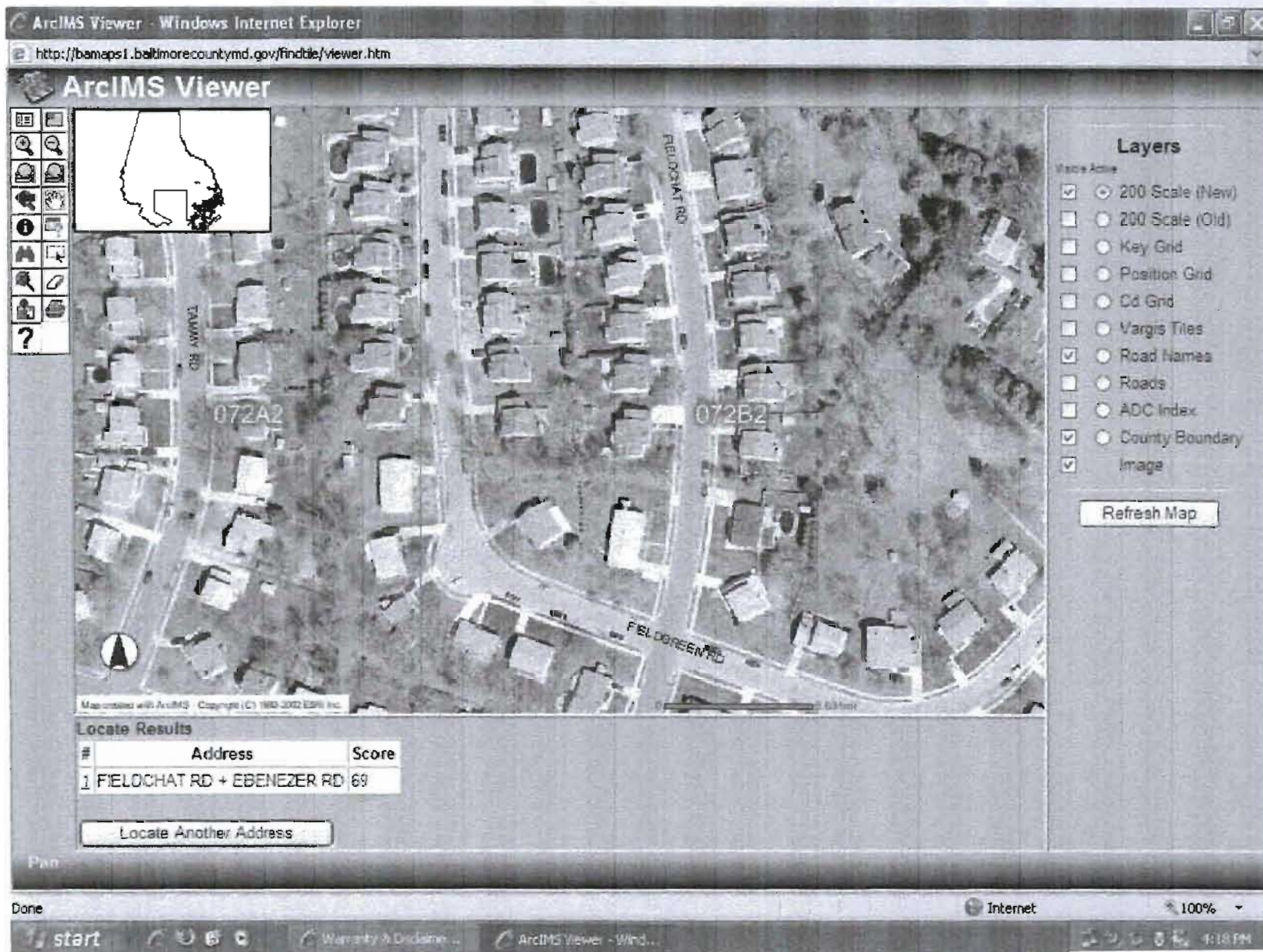
EXHIBIT NO. 3A



PROTESTANT' S

EXHIBIT NO.

30



PROTESTANT' S

EXHIBIT NO. 3C







9015
Fieldchat
Rd
#08-360-A
(from contactor)



