IN RE: PETITION FOR ADMIN. VARIANCE

E side Ridgeway Road, 516.46 feet S of

Edmondson Avenue

1<sup>st</sup> Election District

1<sup>st</sup> Councilmanic District

(235 Ridgeway Road)

Dorothy T. Furnary

Petitioner

BEFORE THE

DEPUTY ZONING

\* COMMISSIONER

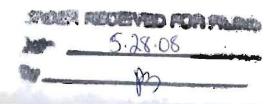
\* FOR BALTIMORE COUNTY

\* Case No. 08-482-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, Dorothy T. Furnary for property located at 235 Ridgeway Road. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed detached garage with a height of 20 feet in lieu of the allowed 15 foot height. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. The Petitioner desires to construct a new garage measuring 36 feet x 36 feet x 20 feet in height. This new garage will replace an old, smaller existing garage. A garage roof height of 20 feet will match the existing pitch of the home's roof and allow for more storage for the growing family. According to the Maryland Department of Assessments and Taxation, the subject property contains 26,752 square feet.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated May 2, 2008 which recommends that the accessory structure not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes.



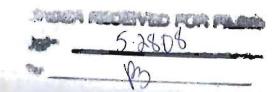
The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on April 26, 2008 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits 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 May, 2008 that a variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed detached garage with a height of 20 feet in lieu of the allowed 15 foot height 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.
- 2. The Petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
- 3. The accessory structure shall not be used for commercial purposes.



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

Deputy Zoning Commissioner for Baltimore County

THB:pz



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

May 28, 2008

DOROTHY T. FURNARY SARA GILL 235 RIDGEWAY ROAD CATONSVILLE MD 21228

> Re: Petition for Administrative Variance Case No. 08-482-A

Property: 235 Ridgeway Road

Dear Ms. Furnary and Mrs. Gill:

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

\* ORIGINAL WEILS

this \_\_\_\_ day of \_\_\_\_ that the subject n regulations of Baltimore County and that the property be reposted.

TAX. ACCOUNT 046161

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which



### Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 235 PIDGEWAY READ 21228

which is presently zoned DP-2

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) 40.3 (BCZR) 70 PERMIT A

PROPOSED BETACHED CLARACE WITH A HEIGHT OF 20 FT. IN LIEW OF THE ALLOWED 15 FT. HEIGHT.

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.

is the subject of this Petition. Contract Purchaser/Lessee: Legal Owner(s): Name - Type or Print Signature Address Telephone No. Name - Type or Print State Zip Code Signature Attorney For Petitioner: Address Name - Type or Print Representative to be Contacted: Signature Company Address Telephone No. City State Zip Code 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,

CASE NO. 2008 0482 A Reviewed By VL Date 4/15/08

REV 10/25/01 Estimated Posting Date 4/27/08

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

### 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.

competent to testify thereto in the event that a p	ublic hearing is scheduled in the	future with regard thereto.
That the Affiant(s) does/do presently reside at	235 RIDGEWAY A	ROAD
	Address	1
	CATOUSVILLE M.	State Zip Code
That based upon personal knowledge, the follovariance at the above address (indicate hardship)	wing are the facts upon which I/n p or practical difficulty):	we base the request for an Administrative
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- Mare STOPPYE FOR G dwelling not Senta dwelling Basement for Storage	ble for store acts wed n	age of scutable
for storage		
That the Affiant(s) acknowledge(s) that if a fo	rmal demand is filed Affiant(s)	will be required to pay a reposting and
advertising fee and may be required to provide a	dditional information.	will be required to pay a reposting and
Donley T Durany		
Signature T Durang Donothy T Fo: Now My	Signature	
Name - Type or Print	Name - Type or Pri	nt .
STATE OF MARYLAND, COUNTY OF BALTIM	ORE, to wit:	
of Maryland, in and for the County aforesaid, per	The second secon	_, before me, a Notary Public of the State
the Affiant(s) herein personally known or satisfa	ctorily identified to me as such A	ffiant(s).
AS WITNESS my hand and Notarial Seal	That's us	
	Notary Public	5-1-
	My Commission Expire	s 1/17/2012

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 Afriant(s) does/do presently reside at	Address	WAY KON	<u> </u>	
	CATONSVILLE	MD		21228
·	City	Sta	е	Zip Code
That based upon personal knowledge, the folk Variance at the above address (indicate hardsh	rip or practical difficulty	<b>)</b> :		an Administrative
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Name - Type or Print	Name	e - Type or Print	· · · · · · · · · · · · · · · · · · ·	
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STATE OF MARYLAND, COUNTY OF BALTIM	MODE to wit:	,		
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I HEREBY CERTIFY, this _/ day of of Maryland, in and for the County aforesaid, pe	ersonally appeared	, <u></u> , D	efore me, a Notary	Public of the State
Parath. Furnony				
the Affiant(s) herein, personally known or satisfa	actorily identified to me	as such Affian	t(s).	
10.111711700				
AS WITNESS my hand and Notarial Seal	1/2	ts Ul	12	
	Notary Public	C		
•	My Commiss	sion Expires	1/17/201	2
REV 10/25/01			/ '	



REV 10/25/01

### Petition for Administrative

### to the Zoning Commissioner of Baltimore County

for the property located at CARONSVILLE MD 21228

which is presently zoned

TAX. ACCOUNT # A 1-10

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) 400, 3 (BCZR) 10 PERMIT A

PROPOSED BETACHED GARACE WITH A HEWHT OF 20 FT. IN LIEW OF THE ALLOWED 15 FT HEIGHT

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: Legal Owner(s): Name - Type or Print Signature Signature Telephone No Name - Type or Print Address State Zip Code Signature Attorney For Petitioner: Name - Type or Print Representative to be Contacted: Signature Company Address Telephone No. Zip Code City A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County. 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

Estimated Posting Date



## ZONING NOTICE ADMINISTRATIVE

CASE # 08-482-

TO PERMIT A PROPOSED DETRCH GARAGE WITH A HEIGHT OF 20 FEE ALLOWED 15 FEET HEIGHT

AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED IT IS DONE IN THE ZONING OFFICE BEFORE S DONE 4:30 p.m AVAILABLE AT IDDITIONAL INFORMATION IS

TEL. 887-3391



0482

### **Zoning Description**

ZONING DESCRIPTION FOR 235 Ridgeway Road, Catonsville MD, 21228.

Beginning at a point on the EAST side of Ridgeway Road which is 102.59' wide at the distance of 516.46' South of the centerline of the nearest improved intersecting street EDMONDSON AVE which is 6' wide. \*Being Lot # 32, Block 2, Section # 1 in the subdivision of GRAHAM PLACE as recorded in Baltimore County Plan Book # W.P.C. NO7, Folio # 109, approximately 20,000 sq feet, Also know as 235 Ridgeway Road and located in the 1st Election District, 1st Councilmanic District.

OFFICE	MORE CO E OF BU LLANEO	DGET A	ND FINA		12	÷	No.	2142	PAID RECEIPT  BUSDESS ACTIVAL TOPE BRIS  4/16/2008 4/45/2000 104/25/40 2
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									825.00 Ok 0.00 Dk Haltimore County, Navyland
Rec From:		Tales Y	d,			Total:		6500	
For:  DISTRIBI WHITE -		TEIL	PINK - A		50	Rioly	YELLOW	2 P-/	CASHIER'S VALIDATION

#### CERTIFICATE OF POSTING

RE: Case No.: 08-482-A

CILL FOR

Petitioner/Developer: FURNIARY

Date of Hearing/Closing: MAY 12, 2008

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

Attention: Christen Matthews

Ladies and Gentlemen: This letter	is to certify under the penalties of perjury that the necessary sign(s)	
required by law were posted consp	icuously on the propery located at	
<u></u> # 235	RIDGEWAY ROAD	
The sign(s) were posted on	APRIL 76, 2008 (Month, Day, Year)	

Sincerely,

(Signature of Sign Poster and Date)

CTARLAGE, MOORE
(Printed Name)

3225 RYERSON CIRCLE (Address)

BALTIMORE, MD, 21227
(City, State, Zip Code)

(Telephone Number)

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. <u>DEADLINE:</u> 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.
- 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- 0482 -A Address 235 RIDGEWAY RD
Petitioner's Name Doncotty FURIVARY Telephone 410 74-7 474 Z
Posting Date: 4/27/00 Closing Date: 5/12/08
Wording for Sign: To Permit A PROPOSED DETACHED GARAGE WITH A HEIGHT OF
20 FT IN LIEW OF THE ALLOWED 15 FT. HEIGHT

### 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 Case Number: 0482
Petitioner: FURNARY
Address or Location: 235 Kidgway Rd
PLEASE FORWARD ADVERTISING BILL TO:
Name: Sally GIII
Address: 235 Ridgeway Rd
Catonsville, Nd
21228
Telephone Number: 4/0 - 747 - 4742

Revised 2/20/98 - SCJ



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

05-12-08

Dorothy T. Furnary 235 Ridgeway Rd. Catonsville, MD 21228

Dear Mrs. Dorothy Furnary:

RE: Case Number: 2008-0482-A, Address: 9618 Dixon Ave.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on 5/12/2008. 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 Sara A. Gill, 235 Ridgeway Rd., Catonsville, MD 21228

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: 8-482 – Administrative Variance

BY:----

**DATE:** May 2, 2008

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 20 feet in lieu of the maximum permitted 15 feet provided the following conditions are met:

- 1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
- 2. The accessory structure shall not be used for commercial purposes.

For further information concerning the matters stated herein, please contact Dennis Wertz at 410-887-3480.

AFK/LL: CM



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

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

Maryland Department of Transportation

Date: April 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. 8-482-A

235 RIDGEWAY ROAD FURNARY 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. 8-182-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,

Steven D. Foster, Chief Engineering Access Permits

SDF/MB

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** April 28, 2008

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 28, 2008

Item No.: 08-470, 471, 472, 474, 475, 476,

477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, and 488

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

DAK:CEN:lrk cc: File

ZAC-04282008-NO COMMENTS



JAMES T. SMITH, JR. County Executive

JOHN J. HOHMAN, Chief Fire Department

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 April 24, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: April 21, 2008

Trem Number: 470,471,472,473,474, 475,476,477,478, 479,480,481, 482,483,484,485,486 and 488

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.

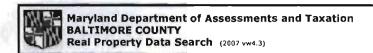
1The Fire Marshal's Office has no comments at this time.

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

cc: File

**Account Identifier:** 

**Exempt Class:** 



Go Back View Map New Search

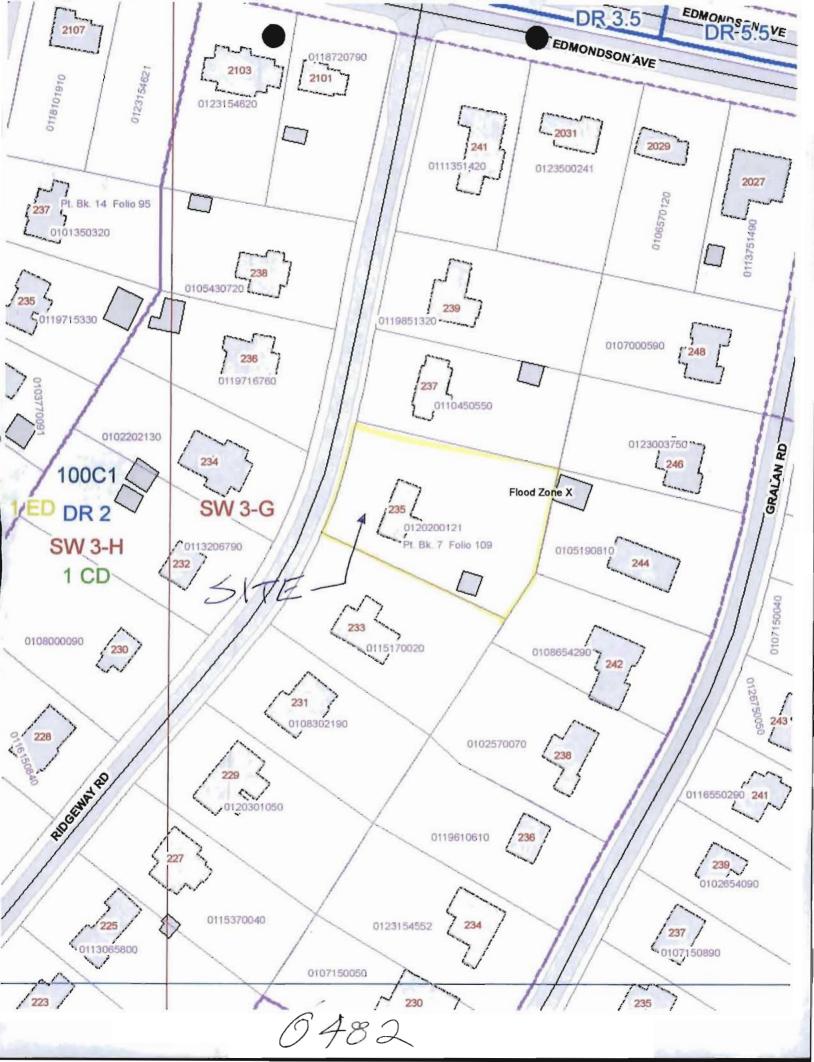
\* NONE \*

		Ov	vner Infor	mation				_		
Owner Name:	OSEPH C OROTHY T							RESIDENTIAL YES		
Mailing Address:	235 RIDGE	WAY ROAD MD 21228	<b>Deed Reference:</b> 1) / 9446/ 428							
	DALTIMORE		& Structur	- Inform			2)			
Premises Address		Location	& Structur	e Intorn	lation	Land Dan				
235 RIDGEWAY RD						Legal Des	cription			
						GRAHAM P	LACE			
•	Sub District	Subdivision	Section	Block		Assessme	nt Area	Plat No:		
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			nsfer Info			<u> </u>				
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Type: IMPROVED ARMS			_	Deed	L: / 944	•	Deed2	. ,		
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Туре:				Deed:	l:		Deed2			
Seller:				Date:			Price:			
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Partial Exempt Assessme	ents						/01/2008			
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State Municipal				00	0		0			
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District - 01 Account Number - 0120200121







PER APPLICATION

APPLICANT WILL

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ADVANCE DE

HEVARING CLOSING

DATE FOR INCLUSION

IN FILE

