

IN RE: PETITION FOR ADMIN. VARIANCE

SE of Claridge Avenue, 750 feet N
c/l Woodside Avenue
13th Election District
1st Councilmanic District
(1423 Claridge Avenue)

Thomas and Barbara A. Richardson
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 08-512-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 and Barbara A. Richardson for property located at 1423 Claridge Avenue. The variance request is from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition on rear of existing semi-detached dwelling with a rear setback of 24 feet in lieu of the required 30 feet; and to amend the Final Development Plan of "Claridge Manor" Lot #11 only. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners propose to construct an 11 foot x 11 foot addition on the existing 11 foot x 11 foot deck. The additional room will provide additional living space for the family. The subject property backs up to a forest buffer and drainage and utility easement.

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.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 11, 2008 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

RECEIVED FOR FILING
6-4-08
[Signature]

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 Petitioners.

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 June, 2008 that a variance from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition on rear of existing semi-detached dwelling with a rear setback of 24 feet in lieu of the required 30 feet; and to amend the Final Development Plan of "Claridge Manor" Lot #11 only 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.

APPROVED FOR FILING
6-4-08
pj

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
6.4.08
pz



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

June 4, 2008

THOMAS AND BARBARA A. RICHARDSON
1423 CLARIDGE AVENUE
HALETHORPE MD 21227

Re: Petition for Administrative Variance
Case No. 08-512-A
Property: 1423 Claridge Avenue

Dear Mr. and Mrs. Richardson:

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



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1423 CLARIDGE AVE.
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) * BCZR 1B01.2C.1-6

TO PERMIT AN ADDITION ON REAR OF EXISTING SEMI-DETACHED DWELLING WITH A REAR SETBACK OF 24 FEET IN LIEU OF THE REQUIRED 30 FEET; AND TO AMEND THE FINAL DEVELOPMENT PLAN OF "CLARIDGE MANOR" LOT #11 ONLY.

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

Name - Type or Print

Signature

Signature

Address

Telephone No.

City

State

Zip Code

Name - Type or Print

Signature

Attorney For Petitioner:

1423 CLARIDGE AVE

410-242-1772

Address

Telephone No.

HALETHORPE

MD

21227

City

State

Zip Code

Name - Type or Print

Signature

Representative to be Contacted:

Company

Name

Address

Telephone No.

Address

Telephone No.

City

State

Zip Code

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 ___ day of _____ 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. 2008-0512-A

Reviewed By A. Tsui Date 04/29/08

REV 10/25/01

Estimated Posting Date 05/11/08 - 05/26/08

6-4-08

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

1423 CLARIDGE AVE
Address
HALETHORPE MD 21227
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):

THE REAR BOUNDARY OF OUR LOT HAS AN IRREGULAR ANGLED SHAPE. THIS CREATES AN ANGLED SETBACK NEAR A FOREST BUFFER. PERMISSION TO REPLACE EXISTING DECK WITH A ROOM WOULD INCREASE OUR HOME'S FLOOR SPACE WHICH WILL BE A WELCOMED ADDITION AS WE ENTER OUR RETIREMENT YEARS.

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.

Thomas Richardson
Signature

THOMAS RICHARDSON
Name - Type or Print

Barbara A. Richardson
Signature

Barbara A. Richardson
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 24th day of April, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

THOMAS RICHARDSON AND BARBARA RICHARDSON
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

9/1/08



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1423 CLARIDGE AVE.
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) BCZR 1B01.2C1.6

TO PERMIT AN ADDITION ON REAR OF EXISTING SEMI-DETACHED DWELLING WITH A REAR SETBACK OF 24 FEET IN LIEU OF THE REQUIRED 30 FEET; AND TO AMEND THE FINAL DEVELOPMENT PLAN OF "CLARIDGE MANOR" LOT#11 ONLY.

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):

THOMAS RICHARDSON

Name - Type or Print

Signature

Barbara A. Richardson

Name - Type or Print

Barbara A. Richardson

Signature

1423 CLARIDGE AVE

Address

410-242-1712

Telephone No.

HALETHORPE

City

MD

State

21227

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 day of 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. 2008-0512-A

Reviewed By A. Tsui Date 04/29/08

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Thomas Richardson
Signature
THOMAS RICHARDSON
Name - Type or Print

Barbara A. Richardson
Signature
Barbara A. Richardson
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 24th day of April, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

THOMAS RICHARDSON AND BARBARA RICHARDSON
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

9/1/08

General Description

1423 CLARIDGE AVE,

BEGINNING AT A POINT ON THE SOUTH EAST
SIDE OF CLARIDGE AVE A 50' R/W. AT A DISTANCE
OF 750 FT. E NORTH OF WOODSIDE AVE,

BEING LOT # 11 IN THE SUBDIVISION OF CLARIDGE
MAJOR AS RECORDED IN PLAT BOOK 71, FOLIO 99
BEING 3,136 ~~sq~~ IN THE 13TH ED, 1ST C.D.

2008-0512-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **13944**

Date: **4/29/08**

PAID RECEIPT

BUSINESS ACTUAL TIME NOW

4/30/2008 4/29/2008 14:30:16

REC 01 WALKIN JRIC JHR

>>RECEIPT N 372631 4/29/2008 OFLJ

5 528 ZONING VERIFICATION

013944

Recpt Tot \$115.00

\$115.00 EX \$.00 CA

Baltimore County, Maryland

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			6150				\$115.00

Total: **\$115.00**

Rec From: **Thomas Richardson**

For: **1423 Clavidge Ave**

2008-0512-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: Case No.: 08-512-A

Petitioner/Developer: THOMAS

RICHARDSON

Date of Hearing/Closing: 5-26-08

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

ATTN: Kristen Matthews {(410) 887-3394}

Ladies and Gentlemen:

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

1423 CLARIDGE AVE

The sign(s) were posted on

5-11-08

(Month, Day, Year)

Sincerely,

Robert Black
(Signature of Sign Poster)

5-14-08
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08- 0512 -A Address 1423 CLARIDGE AVE

Contact Person: AARON TSUI Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 04/29/2008 Posting Date: 05/11/08 Closing Date: 05/26/08

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

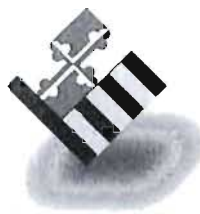
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 08- 0512 -A Address 1423 CLARIDGE AVE
Petitioner's Name THOMAS RICHARDSON Telephone 410-242-1772

Posting Date: _____ Closing Date: _____

Wording for Sign: To Permit AN ADDITION ON REAR OF EXISTING
SEMI-DETACHED DWELLING WITH A REAR SETBACK OF 24 FEET
IN LIEU OF THE REQUIRED 30 FEET

WCR - Revised 6/25/04



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.

County Executive

Thomas & Barbara A. Richardson

1423 Claridge Ave.

Halethope, MD 21227

TIMOTHY M. KOTROCO, *Director*

Department of Permits and

Development Management

May 27, 2008

Dear: Thomas & Barbara A. Richardson

RE: Case Number 2008-0512-A, Address: 1423 Claridge Ave.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 29, 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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 14, 2008

RECEIVED
MAY 14 2008

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

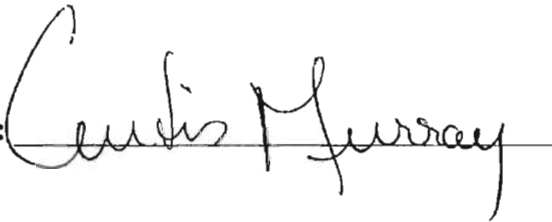
BY: _____

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-512- Administrative Variance**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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

Prepared By:
CM/LL



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 9, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For May 12, 2008
Item Nos. 08-504, 506, 507, 508, 509,
511, 512, 513, 515, 516, 517, and 519

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

DAK:CEN:lrk
ZAC-04092008-NO COMMENTS
cc: File



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

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

Maryland Department of Transportation

Date: MAY 5, 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. 8-512A
1423 CHARLIDGE AVENUE
RICHARDSON 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. 8-512-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,

¹
Fod Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com

DR 16

195-S

195 N

CLARIDGE AVE

2008 CZMP Permits Hold Layer (See Dev. Mgt. for Filing Date)

1315370130

Pl Bk 3 Folio 17

1408 1406

Flood Zone X'

SW 5-D 108C1

DR. 5.5

13 ED

1 CD

2300005844

2300005866

Pt. Bk. 71 Follo 99

2300005840

1427

1429
2300005839

1431
2300005838

1302570212

CLARIDGE AVE

131201020
PL BK 22 Follo 122
1319850170
15

200970

1320300520

2200023136
1512

WOODSIDE AVE

2008-0512-A

JFK I-95

CLARIDGE C
AVE 1 - 51

WOODSIDE AVE

VICINITY MAP
NTS

NATIONAL HIGHWAY I-95
(SRC PLAT NOS. 34793 & 48134)
6011/515

7501
TU
WOODSIDE
AVE

SITE

PROPOSED
11'X11'
ADDITION ON
AN EXISTING
11'X11' DECK
30.24' 102' 2.72'
39.43' 38.28'
30.106' 0-18'
39.951' 110'-53'
48.72'
112'
100'
R.W.S.E.L.
CENTRE
FOREST DRAINAGE B

FOREST BUFFER & UTILITY
DRAINAGE & EASEMENT
CHANNEL

OWNERS: THOMAS & BARBARA RICHARDSON
1423 CLARIDGE AVE.
HALETHORPE MD. 21227

SUBMISSION) CLARIDGE MANOR
LOT # 11

THE UNDERSIGNED OWNERS
ARE RESPONSIBILITY
OF THE INFORMATION
DRAWN/WITTEN FOR
THIS VARIANCE APPLICATION BY
BALTIMORE COUNTY
Thomas Rickard 4/22/08

ZONE DR 5.5
MAP# 108C1
ED 13
CO 1

LOT SIZE 3,136 A
PUBLIC WATER + SEWER
NOT HISTORIC
NOT CBCA
NO PRIOR ZONING HEARINGS

SCALE 1"=50'
12/08
572, 2008-0512-A

2008-0512-A

Barbara Packer - 4/22/08
A. Tsai, 0512, 2008-0512-A

#1425

#

1423



#1425

#1423

REAR
VIEW