

IN RE: PETITION FOR ADMIN. VARIANCE

S side of Placid Avenue, 275 feet W of the
c/l of Montego Avenue
9th Election District
3rd Councilmanic District
(2715 Placid Avenue)

Raymond and Linda Reitenauer
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2009-0261-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, Raymond and Linda Reitenauer for property located at 2715 Placid Avenue. The variance request is from Section 205.3 (1963 B.C.Z.R. R-20 zone) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition on side of existing dwelling with a setback of 11 feet and a distance of 25 feet to other principal building in lieu of the required 15 feet and 30 feet respectively, and to permit an existing bedroom extension in rear with a 27 feet setback in lieu of the required 40 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The subject property is a modified pie shape and any increase in the dwelling's living area would require a variance. The proposed family room and kitchen extension will provide valuable additional living space for the family. A deck has existed at the proposed addition location since the house was constructed in 1993, and this deck will be demolished. The adjacent property owner at 2713 Placid Avenue does not object to the proposed addition. The variance request for 27 feet rear setback is added to 'clean up' the as-built rear addition (Case No. 99-055-A) together with this Petition for a proposed side addition.

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5-11-09
m

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 April 19, 2009 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

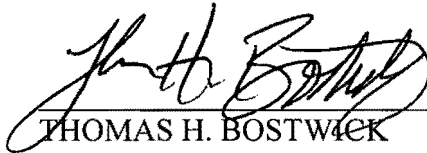
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 11th day of May, 2009 that a variance from Section 205.3 (1963 B.C.Z.R. R-20 zone) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition on side of existing dwelling with a setback of 11 feet and a distance of 25 feet to other principal building in lieu of the required 15 feet and 30 feet respectively, and to permit an existing bedroom extension in rear with a 27 feet setback in lieu of the required 40 feet is hereby GRANTED, subject to the following:

~~RECEIVED MAY 11 2009~~
5.11.09
PM

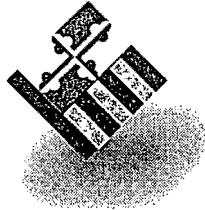
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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

~~RECEIVED~~
5-11-09
13



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

May 11, 2009

RAYMOND AND LINDA REITENAUER
2715 PLACID AVENUE
BALTIMORE MD 21234

Re: Petition for Administrative Variance
Case No. 2009-0261-A
Property: 2715 Placid Avenue

Dear Mr. and Mrs. Reitenauer:

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 "Thomas H. Bostwick", enclosed within a circular stamp or seal.

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 2715 PLACID AVENUE
which is presently zoned RESIDENTIAL

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) 205.3 OF 1963 BCZR (R 20

ZONE) TO PERMIT AN ADDITION ON SIDE OF EXISTING DWELLING WITH A SIDE SETBACK OF 11 FEET AND A DISTANCE OF 25 FEET TO OTHER PRINCIPAL BUILDING IN LIEU OF THE REQUIRED 15 FEET AND 30 FEET RESPECTIVELY; AND TO PERMIT

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. AN EXISTING BEDROOM EXTENSION IN REAR WITH A 27 FEET SETBACK IN LIEU OF THE REQUIRED 40 FEET.

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):

RAYMOND A. REITZNAUER, JR

Name - Type or Print

Signature

LINDA G. CURTIS-REITZNAUER

Name - Type or Print

Signature

2715 PLACID AVENUE 410-665-7078

Address

Telephone No.

BALTIMORE MARYLAND 21234

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 5-11-09 day of MAY 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. 2009-0261-A

REV 10/25/01

5-11-09

Reviewed By A. TSUI Date 04/06/2009

Estimated Posting Date 04/19/09 - 05/04/09

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

2715 PLACID AVENUE
Address
BALTIMORE MARYLAND 21234
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):

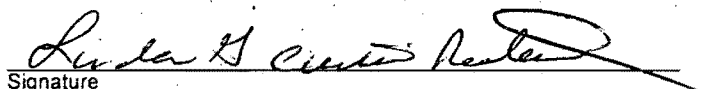
1. THE ASYMETRICAL DIMENSIONS OF MY PROPERTY PROHIBIT ME FROM MEETING THE PROPERTY LINE RESTRICTION. THE PROPOSED ADDITION TO EXPAND MY FAMILY ROOM AND KITCHEN FALLS SHORT (OF THE OUTER WALLS) OF THE PROPERTY LINE RESTRICTION.
2. THE PROPOSED FAMILY ROOM + KITCHEN ADDITION WOULD PROVIDE NEEDED LIVING SPACE INCREASE.
3. THE PROPOSED ADDITION WOULD BE A MUCH BETTER OPTION THAN HAVING TO SELL CURRENT RESIDENCE AND MOVING TO ANOTHER HOME AT A LARGER COST.

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.



RAYMOND A. REITENAUER, JR.

Name - Type or Print



LINDA G. CURTIS-REITENAUER

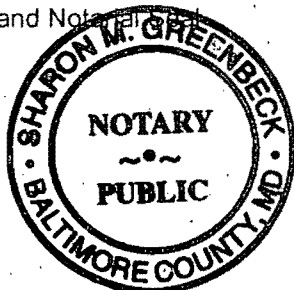
Name - Type or Print

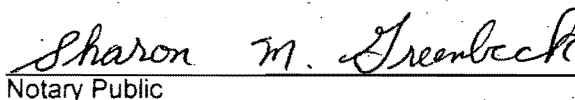
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 31 day of March, 2009, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Raymond A. Reitenauer Jr. and Linda G. Curtis-Reitenauer
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notary Seal





Notary Public

My Commission Expires

7/21/11

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 2715 PLACID AVENUE
Address
BALTIMORE MARYLAND 21234
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):

1. THE ASYMETRICAL DIMENSIONS OF MY PROPERTY PROHIBIT ME FROM MEETING THE PROPERTY LINE RESTRICTION. THE PROPOSED ADDITION TO EXPAND MY FAMILY ROOM AND KITCHEN FALLS SHORT (AT THE OUTER WALLS) OF THE PROPERTY LINE RESTRICTION.
2. THE PROPOSED FAMILY ROOM + KITCHEN ADDITION WOULD PROVIDE NEEDED LIVING INCREASE.
3. THE PROPOSED FAMILY ROOM + KITCHEN ADDITION WOULD BE A MUCH BETTER OPTION THAN HAVING TO SELL CURRENT RESIDENCE AND MOVING TO ANOTHER HOME AT A LARGER COST.

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.

Raymond A. Reitenauer, Jr.
Signature
RAYMOND A. REITENAUER, JR.
Name - Type or Print

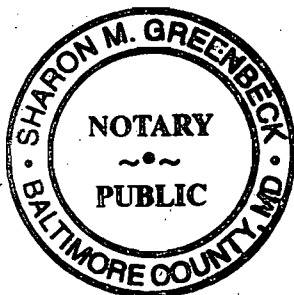
Linda G. Curtis-Reitenauer
Signature
LINDA G. CURTIS-REITENAUER
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 31 day of March, 2009, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Raymond A. Reitenauer Jr. & Linda G. Curtis-Reitenauer
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Sharon M. Greenbeck
Notary Public
My Commission Expires 7/21/11



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 2715 PLACID AVENUE
which is presently zoned RESIDENTIAL

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) 205.3 OF 1963 BCZR

(R 20 ZONE) TO PERMIT AN ADDITION ON SIDE OF EXISTING DWELLING WITH A SIDE SETBACK OF 11 FEET AND A DISTANCE OF 25 FEET TO OTHER PRINCIPAL BUILDING IN LIEU OF THE REQUIRED 15 FEET AND 30 FEET RESPECTIVELY; AND TO PERMIT 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. AN EXISTING BEDROOM EXTENSION IN REAR WITH A 27 FEET SETBACK IN LIEU OF THE REQUIRED 40 FEET

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):

RAYMOND A. REITENAUER, JR.

Name - Type or Print

Signature

LINDA G. CURTIS-REITENAUER

Name - Type or Print

Signature

2715 PLACID AVENUE 410-665-7078

Address

Telephone No.

BALTIMORE MARYLAND

21234

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 5.11.09 day of MAY 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.

2009-0261-A

REV 10/25/01

5.11.09

Reviewed By

A. TSUI Date 04/06/2009

Estimated Posting Date

04/19/09 - 05/04/09

ZONING DESCRIPTION FOR

2715 PLACID AVENUE

Beginning at a point on the SOUTH side of PLACID AVENUE which is 60 feet wide
at the distance 275 feet WEST of the centerline of the nearest improved
intersecting street MONTEGO AVENUE that is 50 feet wide. Being Lot # 2

Block A Section # 2 in the subdivision of Sunrise Hills in Mis-Jan Estates as

recorded in Baltimore County Plat Book # 31 Folio # 119 containing approximately

04/05/2009
11,700
14,000

square feet. Also known as 2715 PLACID AVENUE and located in the 9th

Election District, 3rd Councilman District.

2009-0261-A

CERTIFICATE OF POSTING

RE: 2009-0261-A

Petitioner/Developer: _____

Reitenauer Jr...

Date of Hearing/closing May4 , 2009

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

Attn : Kristin Matthews:

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, _____
2715 Placid Avenue

The sign(s) were posted on April 19 2009
(Month, Day, Year)

Sincerely,

Robert Black April 28, 2009
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE #2009-0261-A

TO PERMIT A PROPOSED ADDITION ON SIDE OF EXISTING DWELLING
WITH A SIDE SETBACK OF 11 FEET AND A DISTANCE OF 25 FEET TO
OTHER PRINCIPAL BUILDING IN LIEU OF THE REQUIRED 15 FEET AND 30
FEET RESPECTIVELY AND TO PERMIT AN EXISTING BEDROOM EXTENSION
IN REAR WITH A 27 FEET SETBACK IN LIEU OF THE REQUIRED 40
FEET.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
5:00 P.M. ON 5-4-09

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

**CASHIER'S
VALIDATION**

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2009- 0261 -A

Address 2715 PLACID AVENUE

Contact Person: AARON TSUI

Phone Number: 410-887-3391

Planner, Please Print Your Name

Filing Date: 04/06/2009

Posting Date: 04/19/09

Closing Date: 05/04/09

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, usually within 10 days of the closing date if all County agencies' comments are received, 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 2009- 0261 -A

Address 2715 PLACID AVENUE

Petitioner's Name REITENAUER JR.

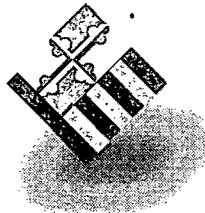
Telephone 410-665-7078

Posting Date: _____

Closing Date: _____

Wording for Sign: To Permit A PROPOSED ADDITION ON SIDE OF EXISTING DWELLING WITH A SIDE SETBACK OF 11 FEET AND A DISTANCE OF 25 FEET TO OTHER PRINCIPAL BUILDING IN LIEU OF THE REQUIRED 15 FEET AND 30 FEET RESPECTIVELY; AND TO PERMIT AN EXISTING BEDROOM EXTENSION IN REAR WITH A 27 FEET SETBACK IN LIEU OF THE REQUIRED 40 FEET.

WCR - Revised 7/7/08



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
May 5, 2009

Raymond & Linda Reitenauer Jr.
2715 Placid Ave.
Baltimore, MD 21234

Dear: Raymond & Linda Reitenauer Jr.

RE: Case Number 2009-0261-A, 2715 Placid Ave.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 6, 2009. 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.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: April 24, 2009

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

SUBJECT: Zoning Advisory Committee Meeting
For April 27, 2009
Item Nos. 2009-~~261~~ 265, 266, 267,
268 and 272

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

DAK:CEN:cab
cc: File
ZAC-04272009 -NO COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 27, 2009

RECEIVED

APR 28 2009

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

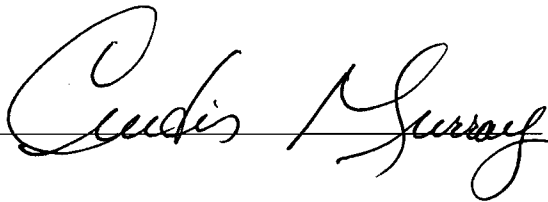
ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case(s) 09-261- 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 Jessie Bialek in the Office of Planning at 410-887-3480.

Prepared By:
CM/LL



BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

MAY 13 2009

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination JWL

DATE: May 4, 2009

SUBJECT: Zoning Item # 09-261-A
Address 2715 Placid Avenue
(Reitenauer Property)

Zoning Advisory Committee Meeting of April 20, 2009.

 X The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

Reviewer: JWL

Date: 5/4/09



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

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

Maryland Department of Transportation

Date: April 22, 2009

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

RE: Baltimore County
Item No 2009-0261-A
2715 PLACID AVENUE
REITENAUER 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. 2009-0261-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 black ink that reads "Michael P. Bailey".

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

SDF/MB



MEMO

From: Aaron Tsui, Planner II

April 14, 2009

To: Zoning Commissioner/File

Re: Variance Case no. 2009-0261-A
Proposed Addition on side of dwelling
2715 Placid Ave., 9th Election District

The prior zoning case no. 99-055A, as indicated by the petitioner on the plan, granted a 20 feet front setback in lieu of the required 30 feet for a side addition. The petitioner said that when he applied for the variance in 1999 he also requested a variance for a rear addition with a setback of 34 feet in lieu of the required 40 feet. Both side and rear additions were built under a building permit. My research of the zoning records reveals the following:

1. The request to variance a rear addition setback was not indicated in the original petition form, the zoning order 99-055A only granted a variance for the front setback. The plan did show a proposed rear addition with a 34 feet setback.
2. The subject property is on an approved record plat that was vested by the Planning Board on 9/29/1966. All setback requirements shall follow the 1964 BCZR (copies of the record plat and 1964 zoning reg. attached).
3. The 99-55A zoning petition, however, inadvertently quoted the incorrect section 208.2 of the 1964 BCZR. The correct section should be 205.3 of BCZR.
4. The petitioner Mr. Reitenauer also attached a note dated April 13, 2009 stating his original intention in the 99-55A zoning case, and, verified what is actually built. A variance for a 27 feet rear setback is added to 'clean up' the as built rear addition together with this petition for a proposed side addition.

April 13, 2009

Ref: Proposed 2009 addition for 2715 Placid Avenue requiring Admin Variance
(Case 2009-026A)

The Admin Variance (99-55A in 1998) granted additions on the side and rear of 2715 Placid Avenue. The variance should also have included a variance for the rear addition having 27' & 37' setbacks from the rear property line, vice the existing zoning 40' setback.

0261 Also, I discussed the proposed addition requiring Admin Variance (Case 2009-026A) with my neighbor at 2713 Placid Avenue. My neighbor has no objections to the addition having a side setback of 11 feet and a distance of 25 feet to her property in lieu of the required 15 feet and 30 feet respectively.

Regards,



Raymond A. Reitenauer

2009-0261-A

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 2715 PLACID AVENUE

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: MIS-JAN ESTATES

plat book# 31, folio# 119, lot# 2, section# 2

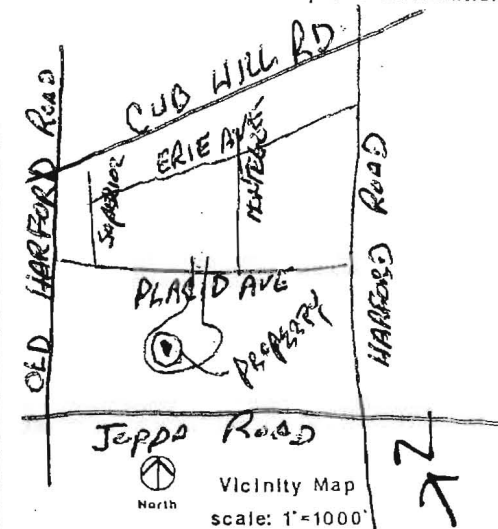
OWNER: RAYMOND A. REITENAUER JR.



99-55A = GRANTED ADDITION
ON SIDE WITH 20 FEET
FRONT SETBACK

RAR 04/06/2009

Scale of Drawing: 1" = 40'



LOCATION INFORMATION

Election District: 09

Councilmanic District: 3 RP

1"=200' scale map#: 071B

Zoning: DR 2

Lot size: 11,700 S.F.
acreage square feet

SEWER: ☒ public ☐ private

WATER: ☒ public ☐ private

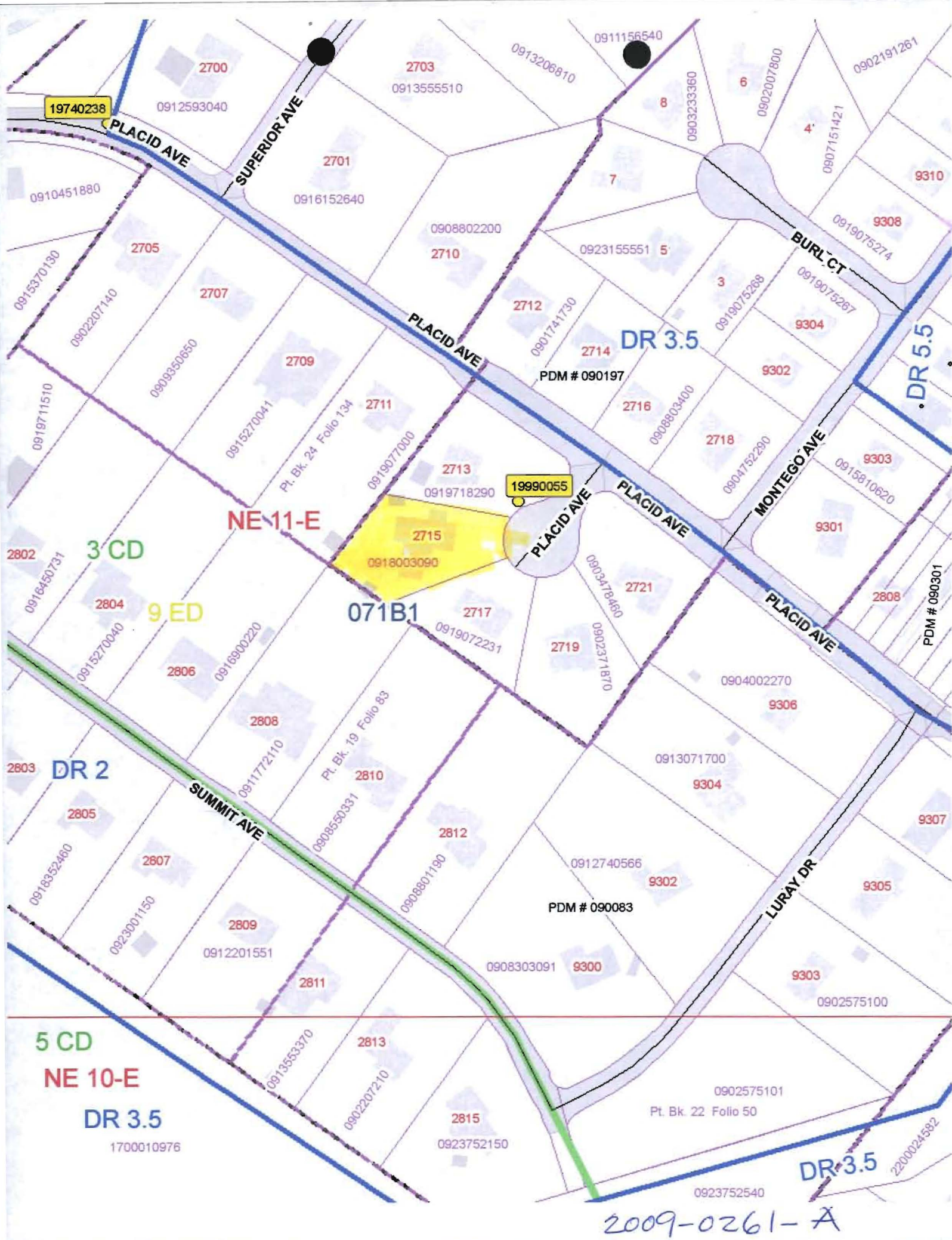
Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: 99-55A

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

ATJMI 0261 2009-0261-A





Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

September 3, 1998

Mr. Raymond A. Reitenauer, Jr.
2715 Placid Avenue
Baltimore, Maryland 21234

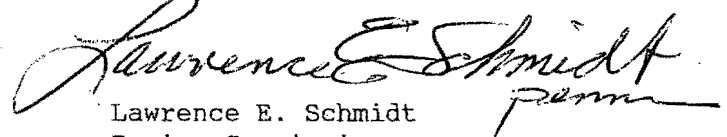
Property: 2715 Placid Avenue
Case No. 99-55-A

Dear Mr. Reitenauer:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restrictions, in accordance with the attached 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 of the~~ date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,


Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.



2009-0261-A

IN RE: PETITION FOR ADMINISTRATIVE * BEFORE THE
ZONING VARIANCE *
SW/S Placid Avenue, 170 ft. W * ZONING COMMISSIONER
of the c/l of Montego Avenue *
2715 Placid Avenue * OF BALTIMORE COUNTY
9th Election District *
6th Councilmanic District * Case No. 99-55-A
Raymond A. Reitenauer, Jr.
Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Raymond A. Reitenauer, Jr., for that property known as 2715 Placid Avenue in the Mis-Jan Estates subdivision of Baltimore County. The Petitioner herein seeks a variance from Section 208.2 of the Baltimore County Zoning Regulations (BCZR) to permit a front building addition setback of 20 ft., in lieu of 30 ft., to a front property line in a D.R.2 zone. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, 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 26-127 (b)(1) 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 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.

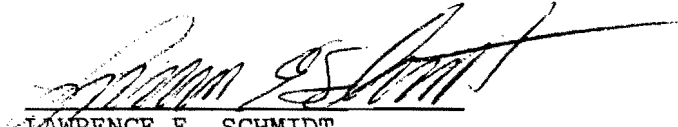
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 3rd day of September 1998 that the Petition for a Zoning Variance from Section 208.2 of the Baltimore County Zoning Regulations (BCZR) to permit a front building addition to allow a setback of 20 ft., in lieu of 30 ft., to a front property line, in a D.R.2 zone, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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. Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZAC), namely, Development Plans Review Division, dated August 21, 1998, (copy attached) are adopted in their entirety and made a part of this Order.

LES:mmn


LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

BALTIMORE COUNTY ZONING REGULATIONS

Adopted

March 30, 1955

in accordance with Title 30, Section 532(c) of the
Code of Public Local Laws of Baltimore County, (1955
Edition), with subsequent amendments through De-
cember, 1963.

First edition 1955

Second edition 1964

Provisions

General

R-40 Zone

R-20 Zone

R-10 Zone

R-8 Zone

R. 20 ZONE

205.2—Front Yard—For dwellings, the front building line shall be not less than 40 feet from the front lot line and not less than 65 feet from the center line of the street, except as specified in Section 303.1; for other principal buildings—60 feet from the front lot line and not less than 85 feet from the center line of the street, except as in Section 303.1.

205.3—Side Yards—For dwellings, 15 feet wide, except that for a corner lot the building line along the side street shall be not less than 40 feet from the side lot line and not less than 65 feet from the center line of the street; for other principal buildings—30 feet wide, except that for a corner lot the building line along the side street shall be not less than 50 feet from the side lot line and not less than 75 feet from the center line of the street.

205.4—Rear Yard—40 feet deep.



Average
205.1.1
Minimum
Minimum
Farm Bu

66 7/28/66
Mark. E. McO
9/19/66 7/14/66

APPROVED: BALTO. COUNTY HEALTH DEPARTMENT

BY: Richard J. Bates
DEPUTY STATE AND COUNTY HEALTH OFFICER
DATE: 10/5/66

APPROVED: BALTO. COUNTY PLANNING BOARD

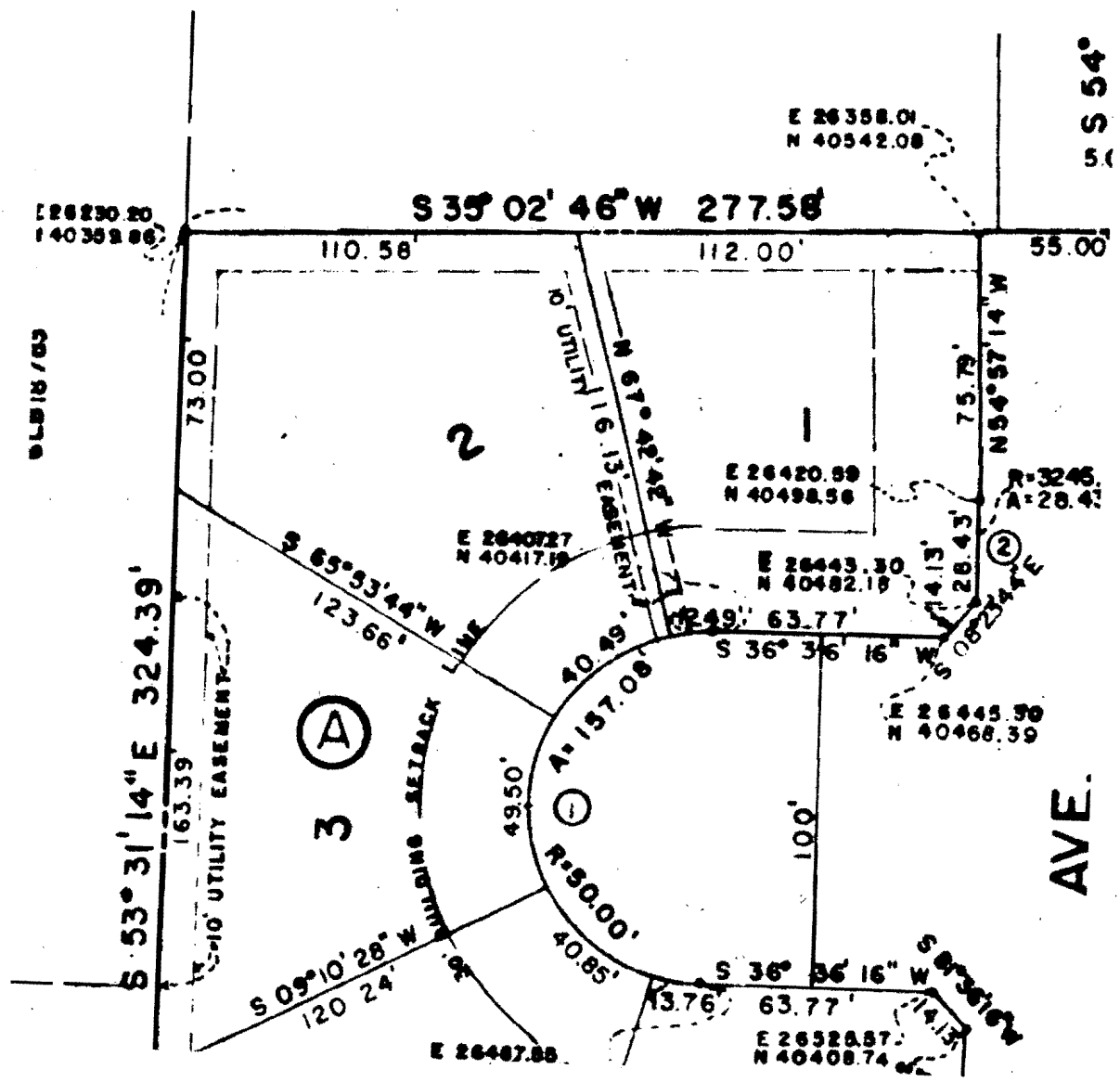
BY: George S. Pavrelis
DATE: 10/29/66 DIRECTOR

APPROVED: BALTO. COUNTY HIGHWAYS DEPT.

BY: Robert T. Manning
DATE: 9/29/66 HIGHWAYS ENGINEER

THE STRI
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Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

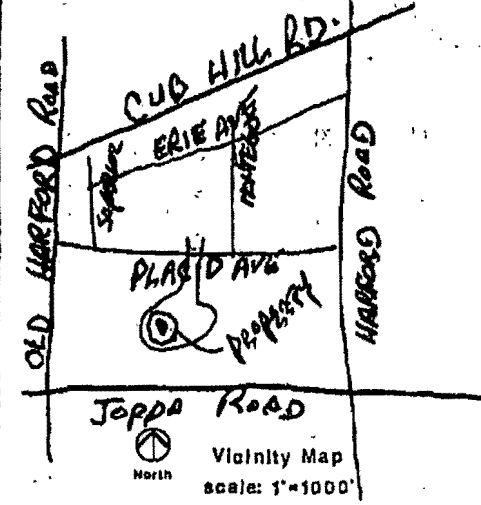
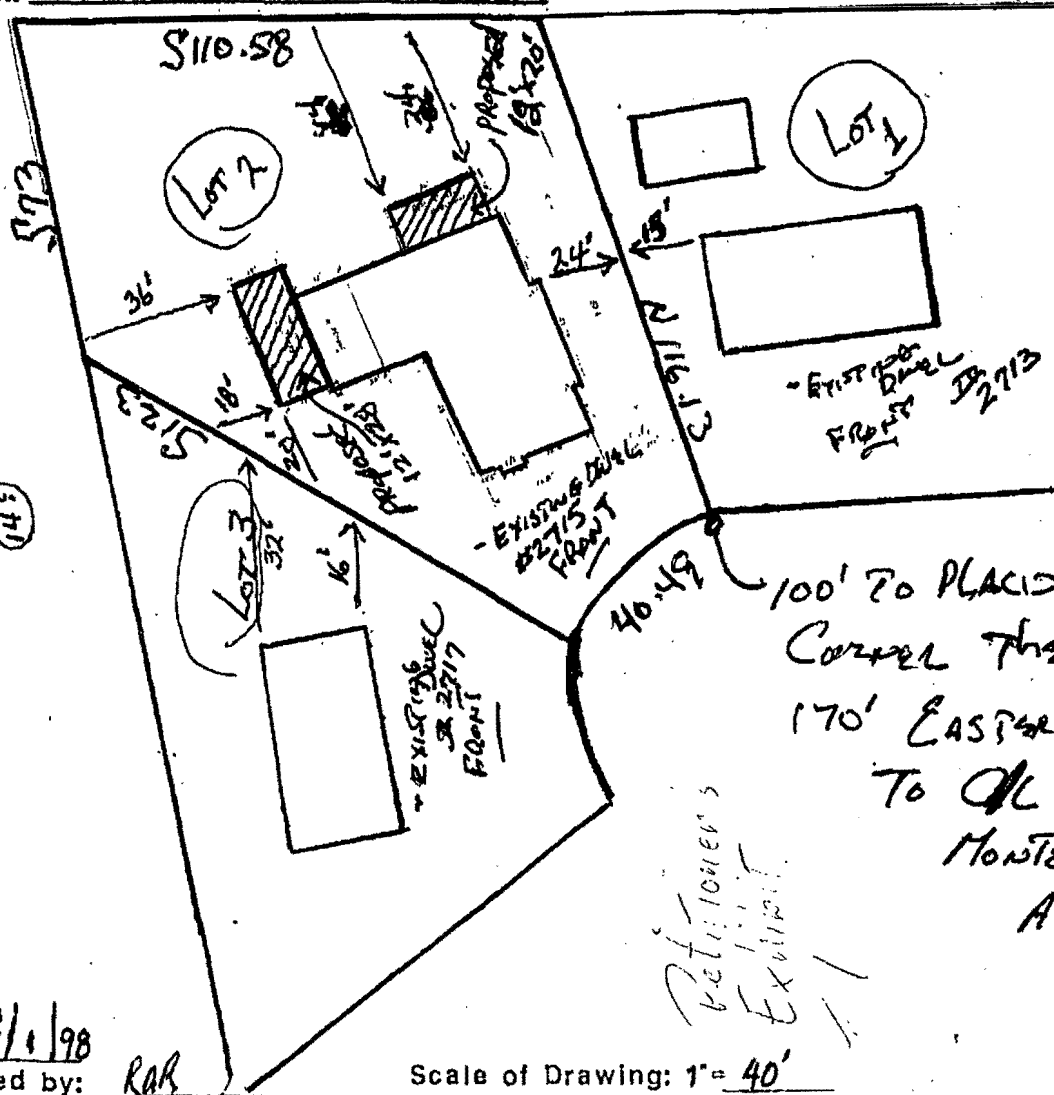
PROPERTY ADDRESS: 2715 PLACID AVENUE

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: MIS-JAN ESTATES

plat book # 31, folio # 119, lot # 2, section #

OWNER: RAYMOND A. REITENAUER JR.



LOCATION INFORMATION

Election District: 09

Councilmanic District: 6

1"=200' scale map #: NE-10E

Zoning: DR2

Lot size: 4.25 acreage square feet

SEWER: ☒ public ☐ private

WATER: ☒ public ☐ private

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings:

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE #:

12 | 55 |

North
date: 7/1/98
prepared by: RAR

Scale of Drawing: 1"= 40'

99-SS-A

(DECK TO BE DEMOLISHED)

Ⓢ ADDITION WOULD REPLACE DECK

Ⓢ NOTE: DECK EXISTED ATTACHED
OF HOUSE PURCHASE IN
1993.

→ PROPERTY LINE

→ REAR

2009-0261A

Decker
Horse

Decker
Horse

3-11-14
12-14-14

Deck to be demolished

10 ft gap
to property line

11 ft to property line

proposed addition
footing foundation

2009-0261-A

