

IN RE: **PETITION FOR VARIANCE**

NW/S Norris Lane, 26' SW of c/line of
Torner Road
(618 Norris Lane)

15th Election District
7th Council District

Richard F. Riley, Sr.
Petitioner

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BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 2010-0098-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Richard F. Riley, Sr. The Petitioner requests a variance from Sections 1B02.3.A.5 and 1B02.3B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition (sunroom) with a 4-foot side yard setback (northwest side)¹ in lieu of the maximum required 10 feet. The subject property and requested relief are more particularly described on the site plan and building elevation drawings submitted which were accepted into evidence and marked as Petitioner's Exhibits 1 and 3, respectively.

Appearing at the requisite public hearing in support of the request were Richard F. Riley, Sr., and his fiancé, Leslie C. Walker, who resides at the subject property. There were no Protestants present; however, the matter came before me as a result of a complaint registered by a nearby resident, John Schepleng, with the Code Enforcement Division of the Department of Permits and Development Management (DPDM) relative to construction of the sunroom without a building permit. Reportedly, Mr. Schepleng later denied that he made a complaint. In any

¹ In Case No. 05-113-A, Petitioner received a Variance to place an attached garage on the northeast side of his single-family dwelling. By his Order, dated October 18, 2004, then Deputy Zoning Commissioner John V. Murphy granted a 3 foot, 9 inch side yard setback and a 21-foot rear yard setback in lieu of the required 10 feet and 50 feet, respectively. See site plan for the garage addition received as Petitioner's Exhibit 8.

ORDER RECEIVED FOR FILING

Date

11-30-09

RV

event, the Petitioner was cited with a code violation and advised to file the instant Petition to resolve the matter. Additionally, it should be noted that a letter was received from the Petitioner's adjacent neighbor, Michael Ranere (616 Norris Lane) as well as a petition from those nearby residents (nine) who have any visibility of the subject hot tub/sunroom enclosure. All support the proposal (See Petitioner's Exhibits 2 and 7).

Testimony and evidence offered revealed that the subject property is an irregular shaped corner lot with frontage on Norris Lane at the intersection of Norris Lane and Torner Road just east of Stemmers Run Road in the Essex community of eastern Baltimore County. The property contains a gross area of 9,909 square feet, more or less, zoned D.R.10.5 and is improved with a single-family dwelling built in 1948 with an attached garage. The Petitioner testified that the property has been in his family for decades. He grew up in the home and following his father's death in 1994, he purchased the property from the estate. The subject request relates to an 8' wide x 14' deep glass enclosed sunroom that Mr. Riley and Ms. Walker wish to build around the hot tub which has for years been located in the side yard next to the open deck at the rear of the home. Mr. Riley stated that the hot tub and the planned enclosure are located in the side yard in the spirit of saving the mature trees located behind the home that have sentimental value. See photographic exhibit 6 of the rear yard.

After due consideration of the testimony and evidence presented, I am persuaded to grant the variance. I must consider the request in accordance with the mandate of *Cromwell v. Ward*, 102 Md. 691 (1995) and Section 307 of the B.C.Z.R. The Court interpreted the regulation to require that two tests be met in order for variance relief to be granted. First, it must be shown that the property is unique in some manner and that the uniqueness drives the need for variance relief. Secondly, upon the determination that the property is unique, then it must be considered whether compliance with the regulation would cause a substantial difficulty upon the property

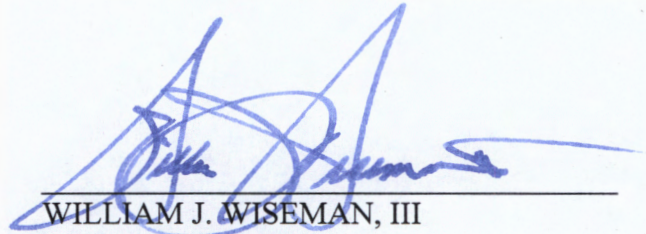
owner and be unnecessarily burdensome. In my judgment, there has been evidence of unusual conditions or circumstances that are unique to this corner lot, namely, the preservation of the property's mature trees. It was demonstrated at the hearing that the largest tree would need to be sacrificed if the placement of the addition was located in the rear yard next to the open porch. An area variance may be granted where strict application of the zoning regulations would cause practical difficulty or undue hardship to the Petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). After due consideration of the testimony and evidence presented, I am convinced that practical difficulty or unreasonable hardship will result if the Variance is not granted. It has been established that the addition is small in nature (8' x 14') and consists in large part of transparent glass panels. Special circumstances exist in this case and the relief requested will not cause any injury to the public health, safety or general welfare, and otherwise meets the spirit and intent of the Baltimore County Zoning Regulations. Thus, I am persuaded to grant the variance.

Pursuant to the advertisement, posting of the property and public hearing on this petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 30th day of November, 2009 that the Petition for Variance seeking relief from Section 1B02.3B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition (sunroom) with a 4-foot side yard setback in lieu of the maximum required 10 feet, in accordance with Petitioner's Exhibits 1 and 3, respectively, be and is hereby GRANTED, subject to the following restriction:

1. The Petitioner may apply for any permits necessary but is hereby made aware that proceeding at this time is at his own risk until the thirty (30) day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

Any appeal of this decision shall be entered within thirty (30) days of the date
hereof.



WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

APR 11 2009
Date: 11-30-09
By: [Signature]



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

November 30, 2009

Richard F. Riley, Sr.
618 Norris Lane
Baltimore, Maryland 21221

RE: PETITION FOR VARIANCE
NW/S Norris Lane, 26' SW of c/line of Torner Road
(618 Norris Lane)
15th Election District - 7th Council District
Richard F. Riley, Sr. - Petitioner
Case No. 2010-0098-A

Dear Mr. Riley:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted with a restriction, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Leslie C. Walker, 618 Norris Lane, Baltimore, MD 21221
People's Counsel; Code Enforcement Division, DPDM; File



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 618 NORRIS LANE
which is presently zoned D.R. 10.5

Deed Reference: 10725/064 Tax Account # 1518351010

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) 1802.3A.5., 1802.3B. (BCZR)

TO PERMIT AN ADDITION (SUNROOM) WITH A 4-FOOT SIDE YARD
SETBACK IN LIEU OF THE MINIMUM REQUIRED 10-FEET.

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

618 NORRIS LANE

Address

410-746-6909

Telephone No.

BALTO. MD

City

21221

State

Zip Code

Representative to be Contacted:

Name

Address

City

State

Telephone No.

Zip Code

Case No. 2010-0098-A

Office Use Only

Estimated Length of Hearing
Unavailable For Hearing

Reviewed by

D.T.

Date

9/18/09

REV 8/20/07

ORDER RECEIVED FOR FILING

Date

11-30-09

By

DW

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 618 Norris Lane

Beginning at a point on the Northwest side of

Norris Lane which is 60 feet

wide at the distance of 26 feet Southwest of the

centerline of the nearest improved intersecting street Torner Road

which is 60 feet wide

containing 9,909 sf. Also known as 618 Norris Lane

and located in the 15th Election District, 7th Councilmanic District.

As recorded in **Deed Liber: 10725 Folio: 064**

**Tax Account #'s 1518351010
 1518351011**

2010-0098-A

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: 2010-0098-A

Petitioner: RILEY

Address or Location: 618 NORRIS LANE

PLEASE FORWARD ADVERTISING BILL TO:

Name: RICHARD F. RILEY SR.

Address: 618 NORRIS LANE

BALTO. MD 21221-2137

Telephone Number: 410-746-6909

010725.069

SCHEDULE A

PARCEL A:

BEGINNING for the same at a point on the south side of a 16 foot alley, said point being distant South 18° 41' 00" West 32.84 feet from the intersection of said alley with the south side of Torner Road as further shown on the Baltimore County Bureau of Rights-of-Way Drawing BRW 53-043 recorded among the Plat Records of Baltimore County in Highways, Liber 15-A, folio 175; thence binding on the south side of said alley North 18° 41' 00" East 32.84 feet to a point on the southernmost side of Torner Road; thence binding on the southernmost side of Torner Road South 71° 19' 00" East 42.77 feet to a point, thence by a curve to the right with a radius of 214.69 feet and a chord bearing South 58° 19' 00" East 96.59 feet, a distance of 97.42 feet to a point; thence still binding on the south side of Torner Road South 45° 19' 00" East 5.00 feet to a point; thence by a curve to the right with a radius of 20 feet and a chord bearing South 00° 19' 00" East 28.28 feet, a distance of 51.42 feet to intersect the North side of Morris Lane at a point distant North 45° 19' 00" West 30.0 feet (as now surveyed) from the end of the last or South 37° 11' 00" East 140.00 feet line of that parcel of ground which by Deed dated October 8, 1952, and recorded among the Land Records of Baltimore County in Liber C.L.B.No. 2136, folio 256, was granted and conveyed by Ernest A. Horton, Jr., et al, to William A. Riley and Virginia L. Riley, his wife, thence still binding reversely on a part of said last line and all of the third line of the hereinbefore mentioned parcel of ground from Ernest C. Horton, Jr. to William A. Riley and Virginia L. Riley, his wife, recorded as aforesaid, North 45° 19' 00" West 110.0 feet to a point, and South 44° 41' West 50.0 feet to a point, thence leaving the outline of the above mentioned parcel of land and running for a new line of division North 45° 19' 00" West 33.17 feet to the place of beginning. Containing .084 of an Acre of land, more or less.

PARCEL B:

BEGINNING for the same in the center line of Morris Lane at a point distance South 52° 49' West 98.95 feet measured along the center line of said lane from the beginning of a parcel of land firstly described in a Deed dated November 27, 1946 and recorded among the Land Records of Baltimore County in J.W.B. No. 1524, folio 346 which was conveyed by John Sparheimer and H. Gerald Mueller and Mary F. Mueller, his wife, and running thence and binding on the center line of Morris Lane and on a part of the first line of said parcel of land South 52° 49' West 50 feet thence leaving said land and outline and running for lines of division the three (3) following courses and distances that is to say; North 37° 11' West 140 feet North 52° 49' East 50 feet and South 37° 11 minutes East 140 feet to the place of beginning.

BEING the same lot or parcel of ground which by Deed dated October 15, 1992, recorded among the Land Records of Baltimore County in Liber 6446, folio 55, was granted and assigned by and between Virginia L. Riley, unto Richard Franklin Riley and Marty Kelly Riley, as tenants by the entireties.

Subject to an annual ground rent of \$9000 payable semi-annually on the 29th days of MARCH and September in each and every year, as to parcel B.

THE BORROWER(S) HEREBY CERTIFY they are the original borrower(s), that the property which is subject to this Deed of Trust is their principal residence, and the amount secured by this Deed of Trust has been borrowed for the purpose of refinancing an existing Deed of Trust with Baltimore County recorded in Liber 7323, Folio 11, and the principal balance due under that Deed of Trust as of this date herewith is \$ 14,584.62.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. 65738

Date: 9/12/07

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
001	206	0000		1150					65.00

Total: 65.00

Rec

From: RICHARD F. NILE

For: 2010-0018-A

618 MORRIS - HNE

D. THOMPSON

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

**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: # 2010-0098-A

618 Norris Lane
N/west side of Norris Lane,
26 feet s/west of the
centerline of Torner Road
15th Election District
7th Councilmanic District
Legal Owner(s): Richard
Riley, Sr.

Variance: to permit an addition (sunroom) with a 4 foot side yard setback in lieu of the minimum required 10 feet.

Hearing: Tuesday, November 24, 2009 at 11:00 a.m. in Room 104, Jefferson Building, 105 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) 887-4386.

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

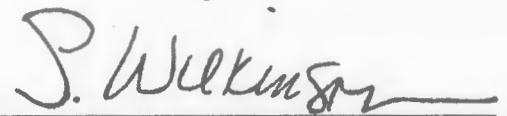
JT 11/28 Nov. 10 220816

CERTIFICATE OF PUBLICATION

11/12/2009

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 11/10/2009.

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



LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No 2010-0098-A

Petitioner/Developer RICHARD
RILEY SR.

Date Of Hearing/Closing: 11/24/09

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

Attention:

Ladies and Gentlemen

This letter is to certify under penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 618 MORRIS LAKE

This sign(s) were posted on November 8, 2009

Month, Day, Year

Sincerely,

Martin Ogle 11/8/09
Signature of Sign Poster and Date

Martin Ogle
60 Chelmsford Court
Baltimore, Md, 21220
443-629-3411

Martin Ogle 11/8/09





BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

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

October 21, 2009

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: 2010-0098-A

618 Norris Lane

N/west side of Norris lane, 26 feet s/west of the centerline of Torner Road

15th Election District – 7th Councilmanic District

Legal Owner: Richard Riley, Sr.

Variance to permit an addition (sunroom) with a 4 foot side yard setback in lieu of the minimum required 10 feet.

Hearing: Tuesday, November 24, 2009 at 11:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Richard Riley, Sr., 618 Norris Lane. Baltimore 21221-2137

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, NOVEMBER 9, 2009.**
- (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, November 10, 2009 Issue - Jeffersonian

Please forward billing to:
Richard Riley, Sr.
618 Norris Lane
Baltimore, MD 21221-2137

410-746-6909

NOTICE OF ZONING HEARING

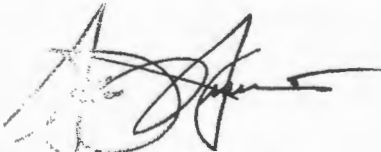
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CASE NUMBER: 2010-0098-A

618 Norris Lane
N/west side of Norris lane, 26 feet s/west of the centerline of Torner Road
15th Election District – 7th Councilmanic District
Legal Owner: Richard Riley, Sr.

Variance to permit an addition (sunroom) with a 4 foot side yard setback in lieu of the minimum required 10 feet.

Hearing: Tuesday, November 24, 2009 at 11:00 a.m. in Room 104, Jefferson Building,
105 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.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

November 17, 2009

Richard F. Riley
618 Norris Ln.
Baltimore, MD 21221

Dear: Richard F. Riley

RE: Case Number 2010-0098-A, 618 Norris Ln.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 18, 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, reading "W. Carl Richards, Jr." in a cursive style.

W: Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

BW 11/24
11AM

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

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

DATE: October 14, 2009

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

SUBJECT: 618 Norris Lane

INFORMATION:

Item Number: 10-098

Petitioner: Richard F. Riley, Sr.

Zoning: DR 10.5

Requested Action: Variance

RECEIVED

OCT 22 2009

ZONING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

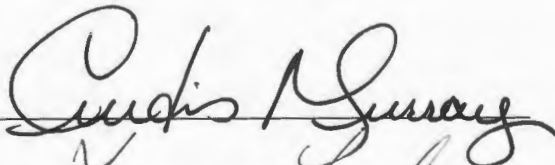
The subject structure has several additions. The site plan indicates two previous case numbers. The Zoning Commissioner's order and conditions shall be shown on the plan.

Construction of the proposed addition appears to have begun. Nevertheless, The Office of Planning recommends relocating the proposed sunroom to the rear of the porch. The site has a rear yard that will accommodate the structure well within the setback requirements.

Show the side and rear elevations, and list materials to be used that are compatible with the existing structure.

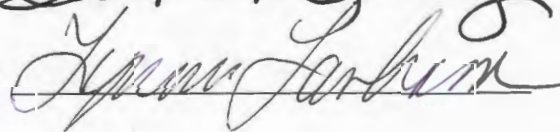
For further information concerning the matters stated here in, please contact John Alexander at 410-887-3480.

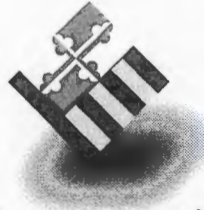
Prepared by:



Division Chief:

AFK/LL: CM





BALTIMORE COUNTY
MARYLAND

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

October 8, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: October 5. 2009

ItemNumbers

0006,0034,0088,0096,0097,0098,0099,0100,0102,0103,0104,0106,0107,0108,0109,0111,0113 and 0115

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.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 9, 2009

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

SUBJECT: Zoning Advisory Committee Meeting
For October 19, 2009
Item Nos. 10-006, 034, 096, 097, 098, 099, 100, 101,
102, 103, 104, 105, 106, 107, 108, 109, 113 and 115

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

DAK:CEN:kmt
cc: File
G:\DevPlanRev\ZAC -No Comments\ZAC-10192009.b -NO COMMENTS.doc



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

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: OCTOBER 7, 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. 2010-0098-A
618 NORRIS LANE
RICHARD RILEY 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. 2010-0098-A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

for Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

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.sha.maryland.gov

RE: PETITION FOR VARIANCE * BEFORE THE
618 Norris Lane; NW/S Norris Lane, 26' SW * ZONING COMMISSIONER
c/line of Torner Road *
15th Election & 7th Councilmanic Districts *
Legal Owner(s): Richard Riley * FOR
Petitioner(s) * BALTIMORE COUNTY
* 10-098-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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.

RECEIVED

OCT 14 2009

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 14th day of October, 2009, a copy of the foregoing Entry of Appearance was mailed to Richard Riley, 618 Norris Lane, Baltimore, MD 21221, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: November 3, 2009
SUBJECT: Zoning Item # 10-098-A
Address 618 Norris Lane
(Riley Property)

Zoning Advisory Committee Meeting of October 5, 2009

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

Reviewer: JWL

Date: 11/3/09

RECEIVED

NOV 04 2009

ZONING COMMISSIONER

DIVISION OF CODE INSPECTIONS AND ENFORCEMENT

ACTIVE VIOLATION CASE DOCUMENTS

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: 10/16/09

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Rick Wisnom, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 2010-0098A
Legal Owner/Petitioner: Riley, Richard Franklin
Contract Purchaser: N/A
Property Address: 618 Norris La
Location Description: NW side of Norris La., 26' SW of
Centerline of Torner Rd

VIIOLATION INFORMATION: Case No. CO0067734 / FA0174258
Defendants: Riley, Richard Franklin

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

NAME	ADDRESS
John Schepleng	410-686-8617
Gary Hucik	410-887-3953

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

- X 1. Complaint letter/memo/email/fax (if applicable)
- X 2. Complaint Intake Form/Code Enforcement Officer's report and notes
- X 3. State Tax Assessment printout
- ☐ 4. State Tax Parcel Map (if applicable)
- ☐ 5. MVA Registration printout (if applicable)
- ☐ 6. Deed (if applicable)
- ☐ 7. Lease-Residential or Commercial (if applicable)
- ☐ 8. Photographs including dates taken
- X 9. Correction Notice/Code Violation Notice
- ☐ 10. Citation and Proof of Service (if applicable)
- ☐ 11. Certified Mail Receipt (if applicable)
- ☐ 12. Final Order of the Code Official/Hearing Officer (if applicable)
- ☐ 13. Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable)
- ☐ 14. Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable).

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/gh
C: Code Enforcement Officer



Permits & Development Management Complaint Report

Report Criteria:
Complaint Record ID: CO0067734

<u>Record ID</u>	<u>AS/400 Case</u>	<u>Assigned To</u>	<u>Assigned Date</u>	<u>Received By</u>	<u>Received Date</u>	<u>Status</u>	<u>Hearing Date</u>	<u>ADC Grid</u>
CO0067734			09/08/2009	Karen Hopkins	09/08/2009	Open - Normal		37E7

Complaint Description: BLDG AN ADD. W/O PERMIT

<u>Facility:</u> FA0174258 PDM 1518351010 618 NORRIS LN FSSEX, MD 21221	<u>Owner :</u> RILEY RICHARD FRANKLIN 618 NORRIS LN BALTIMORE MD 21221	<u>Complainant:</u> JOHN SCHEPLENG HOME: 4106868617
---	---	---

Daily Activity Details - No Data
Violation Details - No Data

Comment Details - No Comments

Lien Information - None

Inspected property on 9/10/09. Issued a stop work order notice and stated that owner needs to obtain a valid permit for new addition. Complainant updated
Recheck 9/17/09 Gary Ahl
KN

CODING ENFORCEMENT REPORT

DATE: 9 / 8 / 09 INTAKE BY: Hopkins, K CASE #: CO 0067734 INSPEC: FAO 174258

COMPLAINT LOCATION: 618 Norris La

ZIP CODE: DIST:

COMPLAINANT NAME: John Schepleng PHONE #: (H) 410 686 8617 (W)

ADDRESS: ZIP CODE:

PROBLEM: bldg add. w/o permit

IS THIS A RENTAL UNIT? YES NO
IF YES, IS THIS SECTION 87 YES NO
OWNER/TENANT INFORMATION:

TAX ACCOUNT #: ZONING:

INSPECTION:

REINSPECTION:

REINSPECTION:

REINSPECTION:



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. 67734	Property No. 1518351010	Zoning: DE
-----------------------------------	-----------------------------------	----------------------

Name(s): **Richard Franklin Riley**

Address: **618 Norris Ln Essex MD 21221**

Violation Location: **618 Norris Ln Essex MD 21221**

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

**BCBC 114.3 Stop all work
until a valid building permit is
obtained**

\$500.00 fine

**BCC 35-2-304
New addition requires a valid building
permit**

*** Failure to comply will result in
a \$1000.00 fine**

Posted on Site

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

On or Before: 9/17/09	Date Issued: 9/10/09
------------------------------	-----------------------------

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 **Gary Hucik**

INSPECTOR: **Gary Hucik**

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: Immediately	Date Issued: 9/10/09
----------------------------------	-----------------------------

INSPECTOR: **Gary Hucik**

AGENCY

CASE NAME Riley
CASE NUMBER 2010-0098-17
DATE 11-24-09

[illegible]

Case No.:

2010-0098-A

618 Norris Lane

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	SITE PLAN	
No. 2	NEIGHBORS LETTER OF SUPPORT	
No. 3	BLDG DRAWINGS "SUN ROOM"	
No. 4	EXISTING CONDITIONS PHOTO	
No. 5	5A - ZONING MAP 5B - AERIAL PHOTO	
No. 6	REAR YARD PHOTO TREES OFF PORCH	
No. 7	PETITION - NEIGHBORS WHO CAN SEE SUBJECT PROPERTY & IMPROVEMENTS	
No. 8	CASE NO 05-113-A SITE PLAN	
No. 9		
No. 10		
No. 11		
No. 12		

Michael & Dianna Ranere
616 Norris Lane
Essex, MD 21221

September 15, 2009

To Whom It May Concern;

We, the occupants of 616 Norris Lane, Michael and Dianna Ranere, have no grievance or complaint in regards to the addition currently under construction at 618 Norris Lane. We hope our neighbor is able to resume work on his addition as soon as possible before colder weather sets in.

Sincerely,



Michael Ranere
616 Norris Lane
Essex, MD 21221

PETITIONER' S

EXHIBIT NO. 2

FRONT VIEW

Front

HOUSE

4x4

3"

30"

24"

8'
33
9 1/2"

28"

7'-6"
6'-3"

GLASS

PETITIONER'S

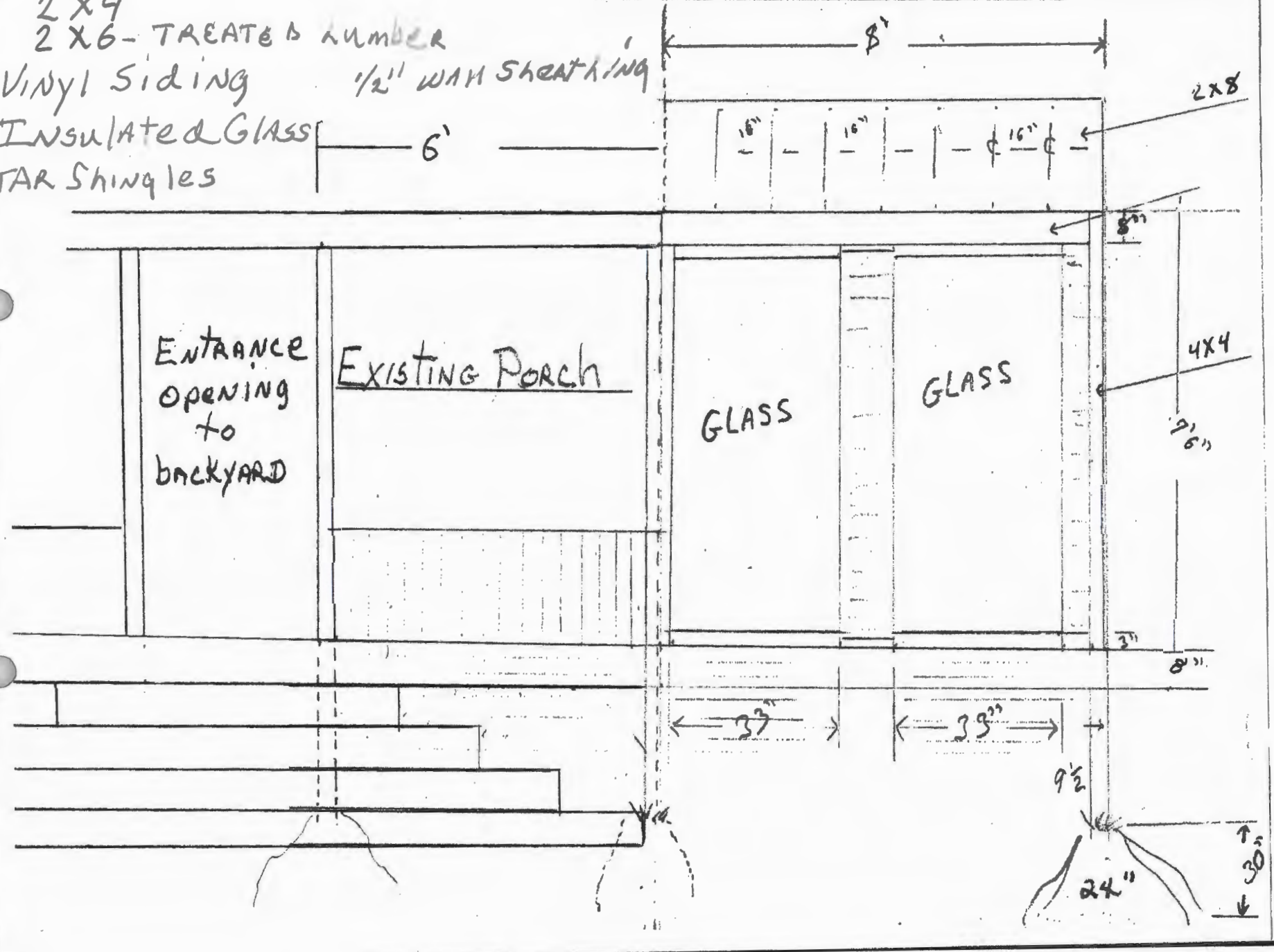
EXHIBIT NO.

3

Rear Elev -

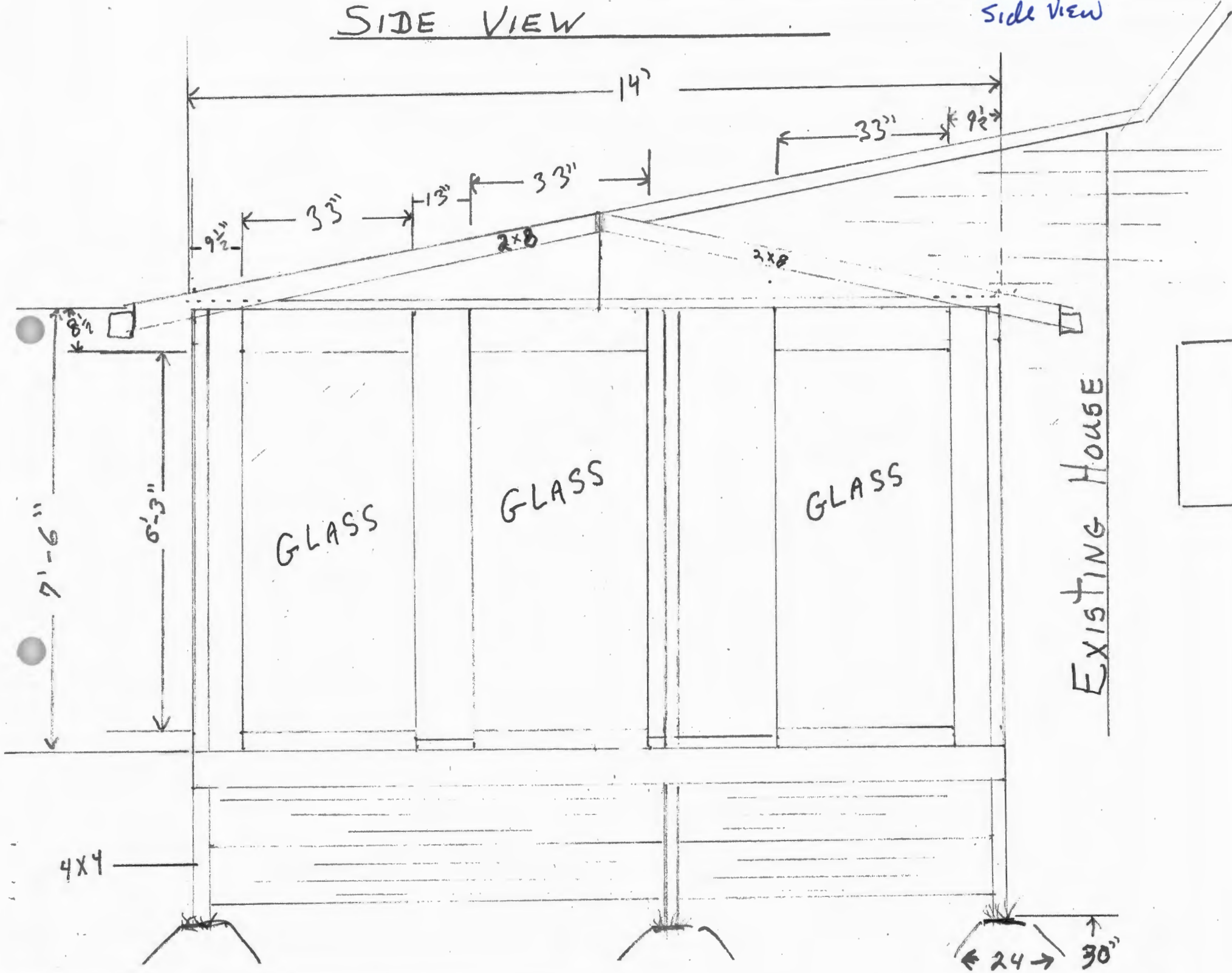
2X8 - TREATED LUMBER
2X4
2X6 - TREATED LUMBER
Vinyl Siding
Insulated Glass
TAR Shingles
1/2" W/TH SHEATHING

PLAN VIEW



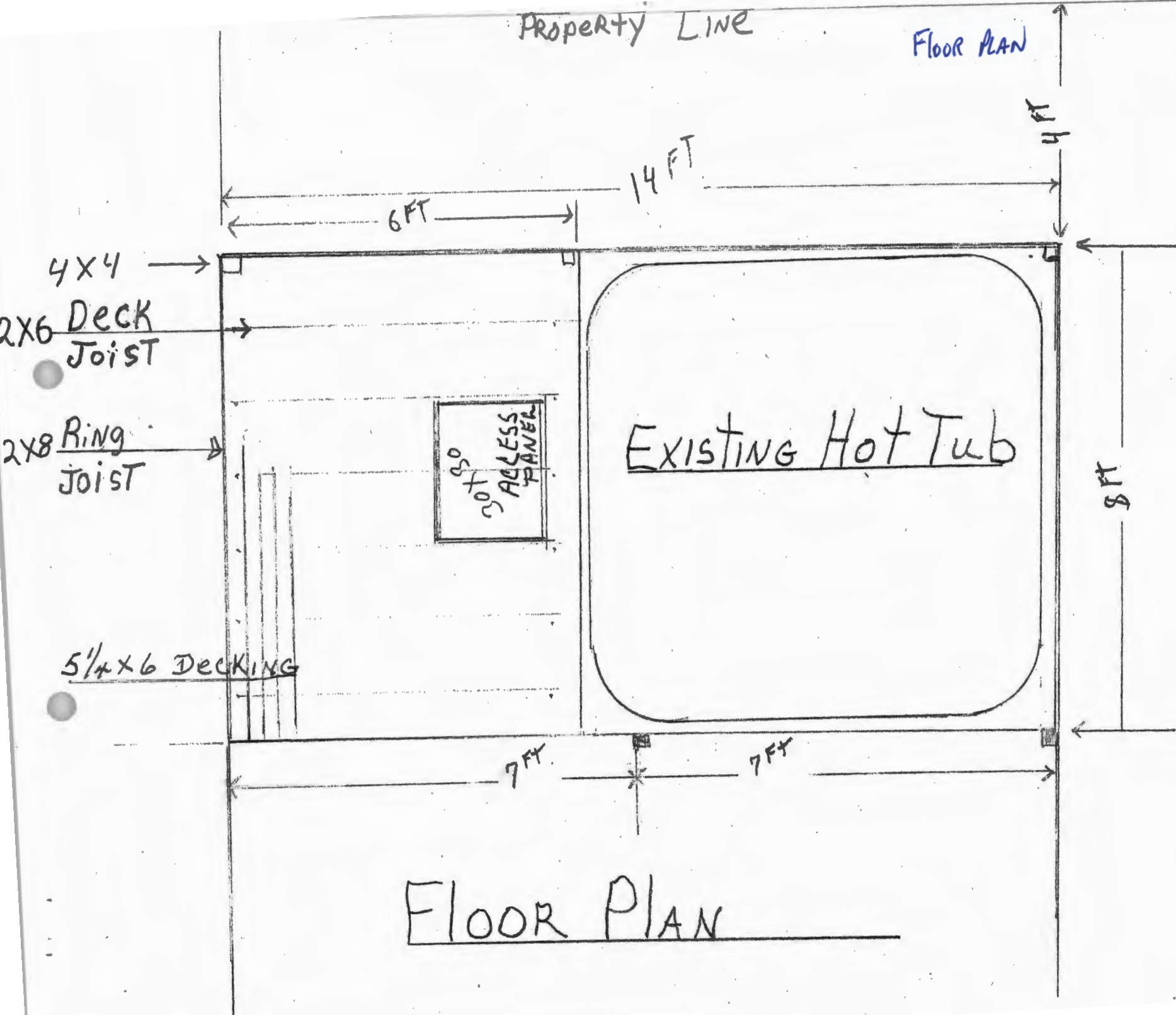
SIDE VIEW

Side View



PROPERTY LINE

Floor Plan





PETITIONER'S

EXHIBIT NO.

4

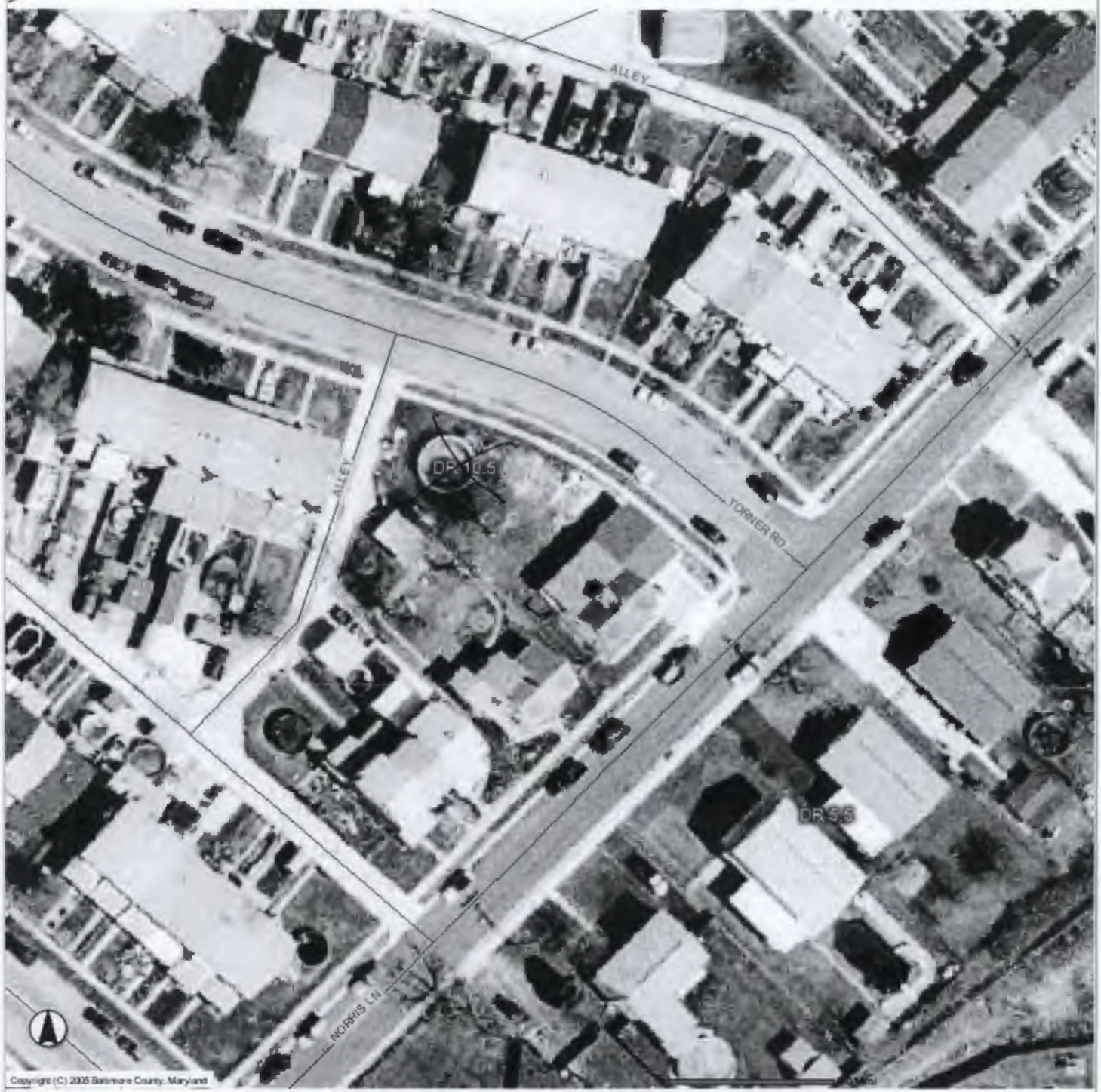


2010-0098-A



2010-0098-A

Baltimore County - My Neighborhood



PETITIONER'S

EXHIBIT NO.

5B

Subject: 618 Norris Lane

Item Number: 10-098

Petitioner: Richard F. Riley, Sr.

Zoning: DR 10.5

Requested Action: Variance



This tree was just trimmed this year to allow
for proper growth and expansion of
the other tree

Both of these trees were placed to protect the house in the summer and allow the sun to heat in the winter.
Both trees' branches extend to within a few feet of the house.

PETITIONER' S

EXHIBIT NO. 6

Subject: 618 Norris Lane

Item Number: 10-098
Petitioner: Richard F. Riley, Sr.
Zoning: DR 10.5
Requested Action: Variance

This is an acknowledgement of NO GRIEVANCE OR ISSUE with the proposed Hot Tub Enclosure that is now under a requested variance petition by Richard F. Riley, 618 Norris Lane, Baltimore, Maryland 21221. We are neighbors to the petitioner, are aware and have seen the proposed hot tub enclosure and make this acknowledgement of no grievance or issue of our own free will in hope that Mr. Riley gets his variance and can complete his hot tub enclosure without further delay.

Case Number 2010-0098-A, 618 Norris Ln.

Jean D. Heflin
Name

John E. Harner Jr.
Name

Jean Crease
Name

Sharon R. Wells
Name

Nicholas W. Shuchman
Name

Richard P. Wyatt
Name

Harry D. Lang
Name

Shawellyn B. Scott
Name

Laurie Freeman
Name

615 Norris Lane
Address

312 TORNER RD
Address

314 Torner Rd. 21221
Address

316 Torner Rd.
Address

312 Stemmers Run Rd.
Address

317 Torner Rd.
Address

315 Torner Rd 21221
Address

614 Norris Lane
Address

324 Torner Rd 21221
Address

PETITIONER'S

EXHIBIT NO.

7

IN RE: PETITION FOR ADMIN. VARIANCE

N/S of Norris Lane at
NE/Corner of Torner Road
15th Election District
5th Councilmanic District
(618 Norris Lane)

Richard Franklin Riley
Petitioner

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 05-113-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, Richard Franklin Riley. The variance request is for property located at 618 Norris Lane in the eastern area of Baltimore County. The variance request is from Section 1B02.3C of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 1B02.3.C.1.a of the CMDP, to permit an addition (proposed garage) with a 3 ft. 9 in. setback and 21 ft. rear setback in lieu of the required 10 ft. and 50 ft. respectively. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on September 12, 2004, 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 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

RECEIVED FOR FILING
10/18/04
Raj

2010-0098-A

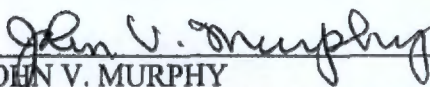
compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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 18 day of October, 2004, that a variance from Section 1B02.3C of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 1B02.3.C.1.a of the CMDP, to permit an addition (proposed garage) with a 3 ft. 9 in. setback and 21 ft. rear setback in lieu of the required 10 ft. and 50 ft. respectively, be and is hereby GRANTED, subject, however, to the following restriction which is a condition 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;

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


JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING

Date 10/18/04
Raj



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw1.1d)

Go Back
View Map
New Search
GroundRent Registration

Account Identifier: District - 15 Account Number - 1518351010

Owner Information

Owner Name: RILEY RICHARD FRANKLIN Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 618 NORRIS LN Deed Reference: 1) /10725/ 64
BALTIMORE MD 21221-2137 2)

Location & Structure Information

Premises Address Legal Description
618 NORRIS LA 0.143 AC
252 NE STEMMERS RUN RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
90	16	928						3	

Special Tax Areas Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1949	1,366 SF	6,250.00 SF	04

Stories	Basement	Type	Exterior
1 1/2	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value As Of 01/01/2009	Phase-in Assessments As Of 07/01/2009	As Of 07/01/2010
Land	38,060	54,060		
Improvements:	83,130	166,690		
Total:	121,190	220,750	154,376	187,562
Preferential Land:	0	0	0	0

Transfer Information

Seller: RILEY RICHARD FRANKLIN	Date: 08/29/1994	Price: \$1,500
Type: MULT ACCTS ARMS-LENGTH	Deed1: /10725/ 64	Deed2:
Seller: RILEY WILLIAM A	Date: 10/20/1982	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 6446/ 55	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
* NONE *

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

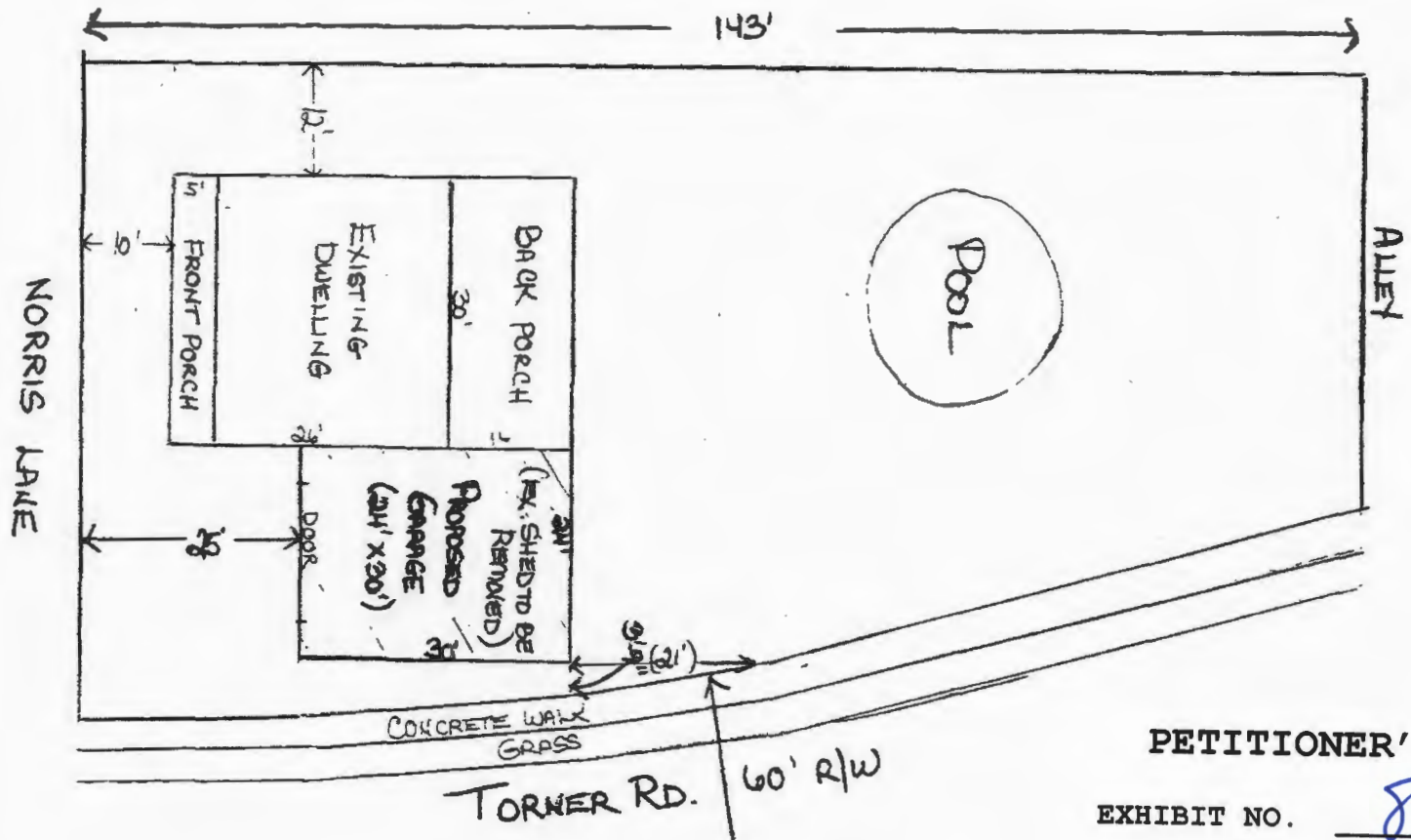
PROPERTY ADDRESS 618 NORRIS LANE

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

SUBDIVISION NAME _____

PLAT BOOK # _____ FOLIO # _____ LOT # _____ SECTION # _____

OWNER RICHARD F. RILEY SR.



PETITIONER' S

EXHIBIT NO.



NORTH

SCALE OF DRAWING: 1" = 20'

Ref #1

TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

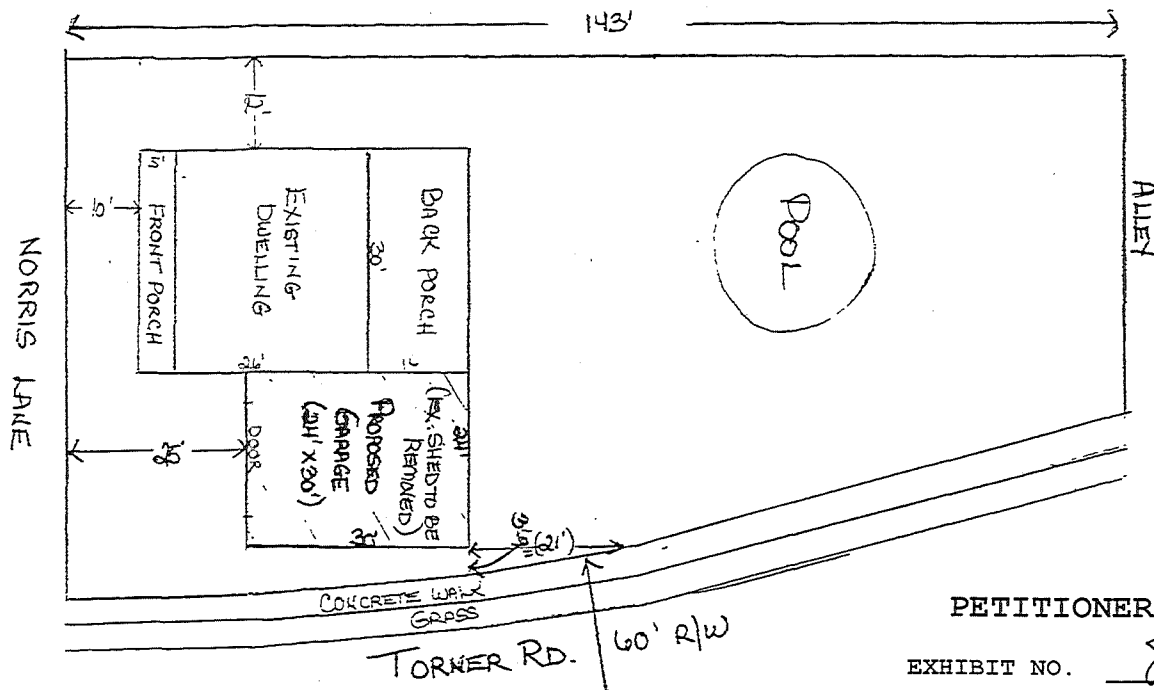
PROPERTY ADDRESS 618 NORRIS LANE

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

SECTION NAME _____

BOOK # _____ FOLIO # _____ LOT # _____ SECTION # _____

RICHARD F. RILEY SR.

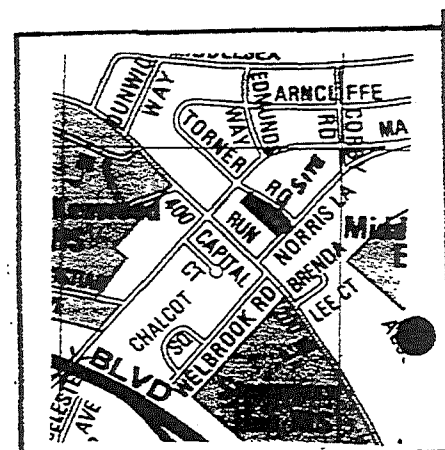


SCALE OF DRAWING: 1" = 20'

PETITIONER'S

EXHIBIT NO. 8

Det Ex #1

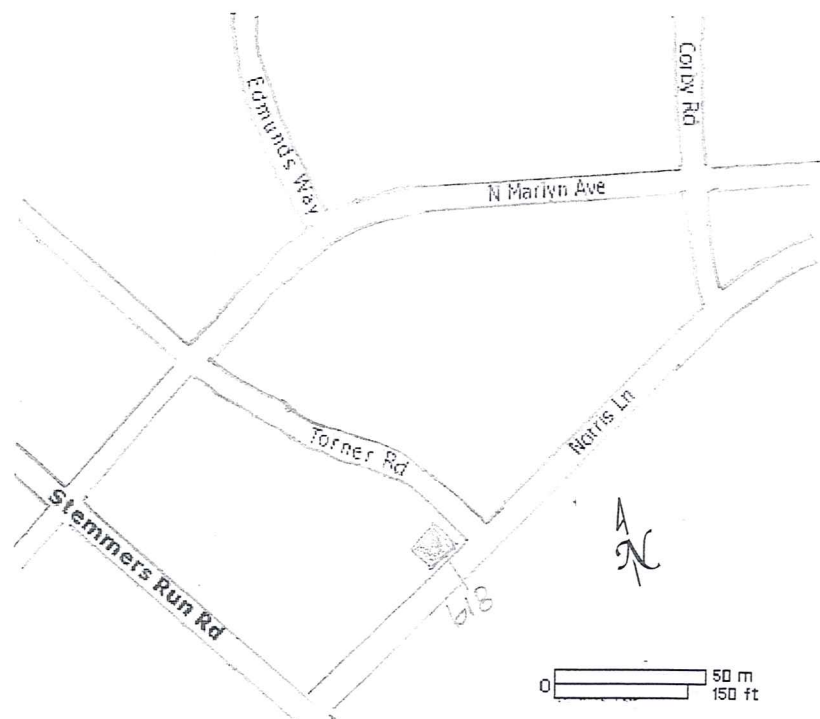
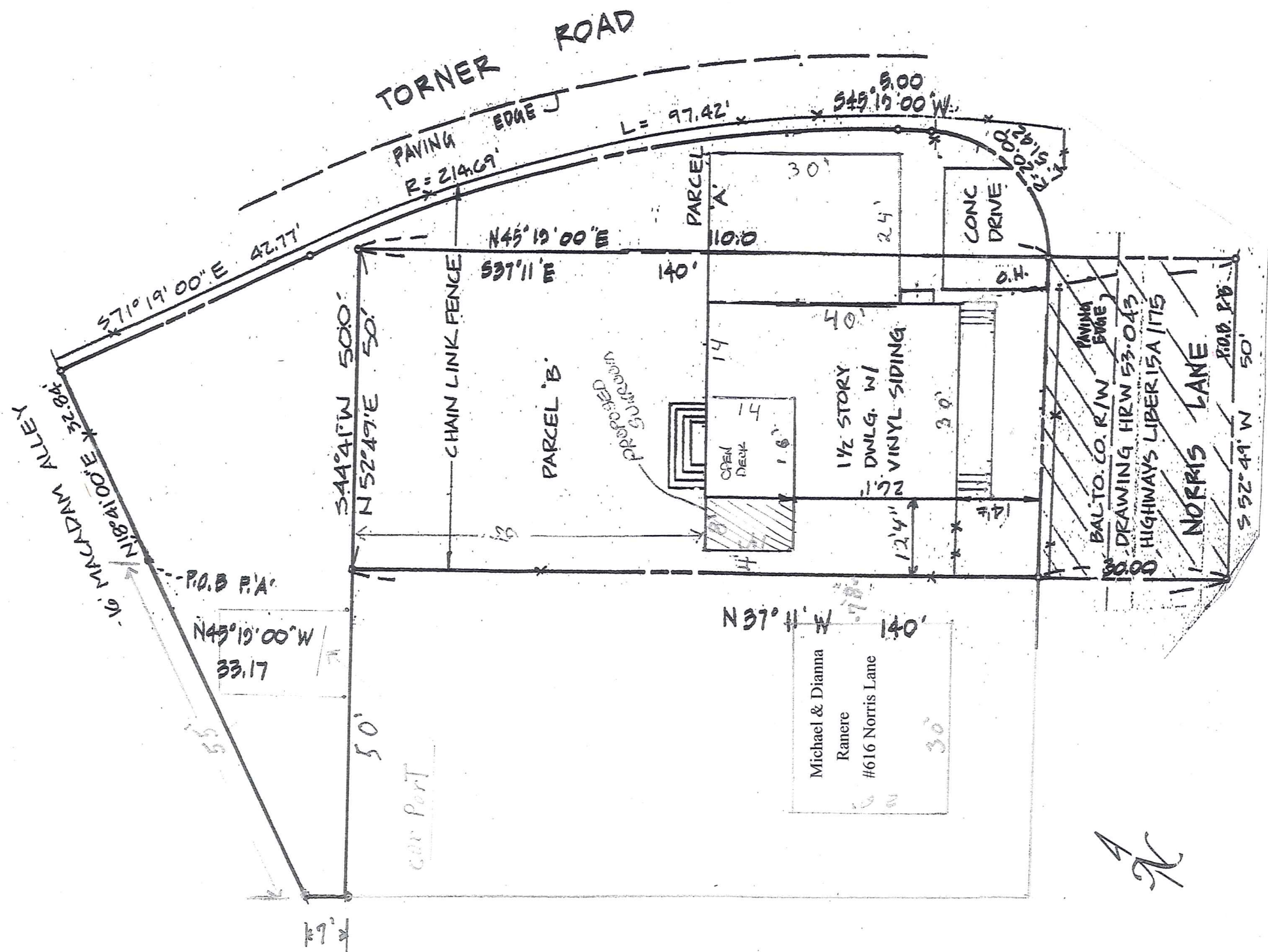


LOCATION INFORMATION

ELECTION DISTRICT 15
 COUNCILMANIC DISTRICT 5
 1" = 200' SCALE MAP # NE 3 H
 ZONING D.R. 10.5
 LOT SIZE 9.909
 ACREAGE SQUARE FEET
 SEWER ☒ PUBLIC ☐ PRIVATE
 WATER ☒ ☐
 CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO
 100 YEAR FLOOD PLAIN ☐ ☒
 HISTORIC PROPERTY/BUILDING ☐ ☒
 PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
 REVIEWED BY _____ ITEM # _____ CASE # _____
 D.T. 113 05-113-A

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE
PROPERTY ADDRESS: 618 NORRIS LANE - OWNER: RICHARD F. RILEY, SR.



LOCATION INFORMATION:

ELECTION DISTRICT:	15
COUNCIL DISTRICT:	7
MAP#:	090B3
ZONING:	DR10.5
LOT SIZE:	9,909 SF
PARCEL A PROPERTY #:	1518351010
PARCEL B PROPERTY #:	1518351011
PRIOR CASE #:	19522284
PRIOR CASE #:	20050113
SEWER:	PUBLIC
WATER:	PUBLIC
CHESAPEAKE BAY	
CRITICAL AREA:	NO
100 YR. FLOOD PLAIN:	NO
HISTORIC PROP./BLDG.:	NO
PRIOR ZONE HEARING:	YES
SCALE:	1"=20

PETITIONER'S

EXHIBIT NO. 1

2010-0098-A