

IN RE: PETITION FOR ADMIN. VARIANCE

W side of Gareridge Road; 95 feet N of the
c/l of Fire Oak Court
8th Election District
3rd Councilmanic District
(10504 Gateridge Road)

John B. and Kathleen M. Fowler
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2010-0117-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, John B. and Kathleen M. Fowler for property located at 10504 Gateridge Road. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a mudroom addition on side of existing dwelling with a side setback of 6.5 feet and a sum side setbacks of 18.5 feet in lieu of the required 10 feet and 25 feet, respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners wish to construct a small addition measuring 10 feet x 12.5 feet. There is no garage and the mudroom will provide additional storage for the family. The proposed mudroom will make it easier for the mother and young children to enter and exit the dwelling. There is an entrance to the home at this location; however, the pavement is uneven and there is no roof or awning over the doorway.

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.

11-2-09
pm

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on October 11, 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.

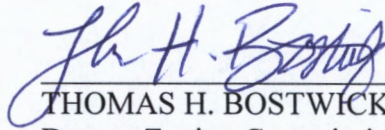
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 2nd day of November, 2009 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a mudroom addition on side of existing dwelling with a side setback of 6.5 feet and a sum side setbacks of 18.5 feet in lieu of the required 10 feet and 25 feet, respectively 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.

11.2.09

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



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

November 2, 2009

JOHN B. AND KATHLEEN M. FOWLER
10504 GATERIDGE ROAD
COCKEYSVILLE MD 21030

Re: Petition for Administrative Variance
Case No. 2010-0117-A
Property: 10504 Gateridge Road

Dear Mr. and Mrs. Fowler:

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 cursive script, appearing to read "John H. Bostwick".

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 10504 GATERIDGE RD 21030
which is presently zoned DR 3.5

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) 1B02.3c.1

TO PERMIT A MUDROOM ADDITION ON SIDE OF EXISTING DWELLING
WITH A SIDE SETBACK OF 6.5 FEET AND A SUM SIDE SETBACK OF
18.5 FEET IN LIEU OF THE REQUIRED 10 FEET AND 25 FEET
RESPECTIVELY.

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):

JOHN FOWLER

Name - Type or Print

Signature

KATHLEEN FOWLER

Name - Type or Print

Signature

10504 GATERIDGE RD.

Address

443.

318-4188

COCKEYSVILLE MD

City

State

21030

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.

2010-0117-A

Reviewed By

A-TSUI

Date

10/01/2009

REV 10/25/01

11-2-09

Estimated Posting Date

10/11/09 - 10/26/09

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

10504 GATERIDGE RD

Address

COCKEYSVILLE MD

City

State

21030

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. We currently do not have a garage + require the extra storage
2. 3 small children (including 1 infant) make it difficult for mother to bring in groceries + other supplies to house while watching children
3. More access to side of house + safer for children (currently an uneven concrete slab)

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.

Signature

JOHN FOWLER

Name - Type or Print

Signature

KATHLEEN FOWLER

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12 day of June, 2009, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

John Fowler + Kathleen Fowler

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



REV 10/25/01

Dana M. Horne

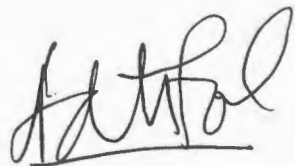
Notary Public

My Commission Expires

DANA M. HORNE
NOTARY PUBLIC OF
BALTIMORE COUNTY, MARYLAND
My Commission Expires Nov. 30, 2010

ZONING DESCRIPTION FOR 10504 GATERIDGE ROAD

Beginning at a point on the West side of Gateridge Road which is 50 feet wide at the distance of 95 feet North of the centerline of the nearest improved intersecting street Fire Oak Court which is 50 feet wide. Being Lot #3, Block C, Section # I in the subdivision of Springdale as recorded in Baltimore County Plat Book # 31, Folio # 146, containing 9,360 square feet. Also known as 10504 Gateridge Road, and located in the 8th Election District, 3rd Councilmanic District

 10/1/09

 10/1/09

2010-0117-A

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2010- 0117 -A Address 10504 GATERIDGE RD
Contact Person: AARON TSUI Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 10/01/2009 Posting Date: 10/11/09 Closing Date: 10/26/09

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 2010- 0117 -A Address 10504 GATERIDGE ROAD
Petitioner's Name JOHN FOWLER Telephone 443.318.4188

Posting Date: _____ Closing Date: _____

Wording for Sign: To Permit A MUDROOM ADDITION ON SIDE OF EXISTING DWELLING WITH A SIDE SETBACK OF 6.5 FEET AND A SUM. SIDE SETBACK OF 18.5 FEET IN LIEU OF THE REQUIRED 10 FEET AND 25 FEET RESPECTIVELY.

Revised 8/20/09

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

No. 45911

Date: 10.01.09

PAID RECEIPT

BALTIMORE COUNTY OFFICE OF BUDGET AND FINANCE
10/01/2009 10:01 AM 14:16:16 5

NO. 45911
DATE: 10/01/2009
AMOUNT: \$65.00

RECEIVED BY: [Signature]
DATE: 10/01/2009
AMOUNT: \$65.00

Recpt. Tot. \$65.00
\$65.00 00 1.00 00
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6152					65 -

Total: 65 -

Rec From:

JOHN FOWLER

For:

10504 GATERIDGE RD.

2010-0117-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 10/16/09

Case Number: 2010-0117

Petitioner / Developer: GRETCHEN GRAVES ~ROBERT ALARK

Date of Hearing (Closing): NOVEMBER 2, 2009

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

The sign(s) were posted on: OCTOBER 16, 2009



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 10/15/09

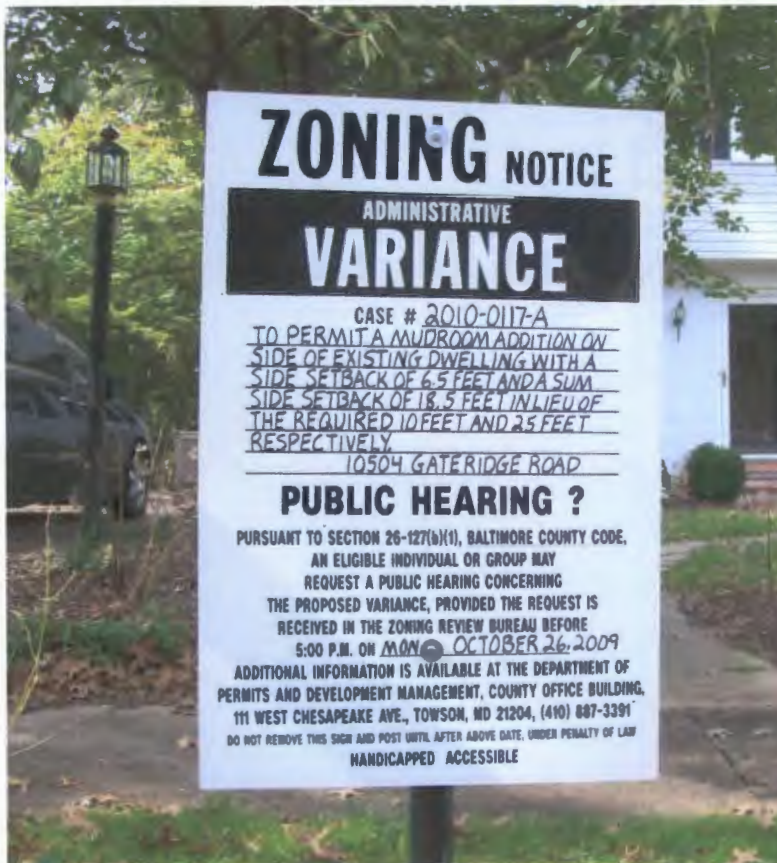
Case Number: 2010-0117-A

Petitioner / Developer: JOHN FOWLER

Date of Hearing (Closing): OCTOBER 26, 2009

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
10504 GATERIDGE ROAD

The sign(s) were posted on: OCTOBER 11, 2009



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



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 27, 2009

John & Kathleen Fowler
10504 Gateridge Rd.
Cockeysville, MD 21030

Dear: John & Kathleen Fowler

RE: Case Number 2010-0117-A, 10504 Gateridge Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 01, 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 21, 2009

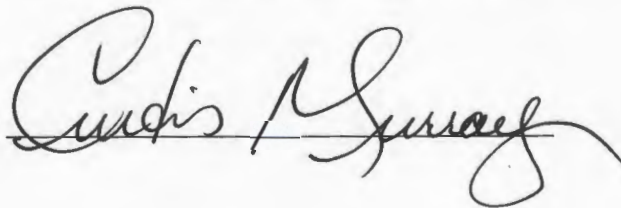
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 10-117- 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



RECEIVED

OCT 22 2009

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For October 26, 2009
Item Nos. 10-112, 114, 117, 118,
119, 120 and 121

DATE: October 13, 2009

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-10262009 -NO COMMENTS.doc



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

State Highway
Administration

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: Oct. 12, 2009

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

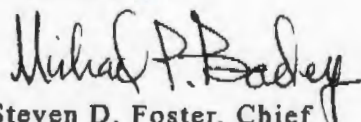
RE: Baltimore County
Item No. 2010-0117-A
1050A GATERIDGE RD
FOWLER PROPERTY
ADMIN. VARIANCE -

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 - 0117-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

AV
10-26-09

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

NOV 04 2009

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: November 4, 2009

SUBJECT: Zoning Item # 10-117-A
Address 10504 Gateridge Road
(Fowler Property)

Zoning Advisory Committee Meeting of October 12, 2009

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

Reviewer: JWJ

Date: 11/4/09

2010-0117-A



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw4.3d)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 08 Account Number - 0808006590

Owner Information

Owner Name: FOWLER JOHN B
 FOWLER KATHLEEN M
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 10504 GATERIDGE RD
 COCKEYSVILLE MD 21030-2806
Deed Reference: 1) /23864/ 354
 2)

Location & Structure Information

Premises Address 10504 GATERIDGE RD
Legal Description 10504 GATERIDGE RD
 SPRINGDALE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	I
52	1	104			1&	C	3	2	Plat Ref:	31/ 146

Special Tax Areas
 Town
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1969	2,120 SF	9,360.00 SF	04

Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2008	07/01/2009	07/01/2010
Land	101,360	129,360		
Improvements:	190,400	295,100		
Total:	291,760	424,460	380,226	424,460
Preferential Land:	0	0	0	0

Transfer Information

Seller: BARNES JAMES H,JR	Date: 05/18/2006	Price: \$455,000
Type: IMPROVED ARMS-LENGTH	Deed1: /23864/ 354	Deed2:
Seller: BARNES JAMES H,JR	Date: 02/05/2003	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /17496/ 338	Deed2:
Seller: O'DONNELL TIMOTHY F	Date: 04/09/1999	Price: \$235,000
Type: IMPROVED ARMS-LENGTH	Deed1: /13660/ 398	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

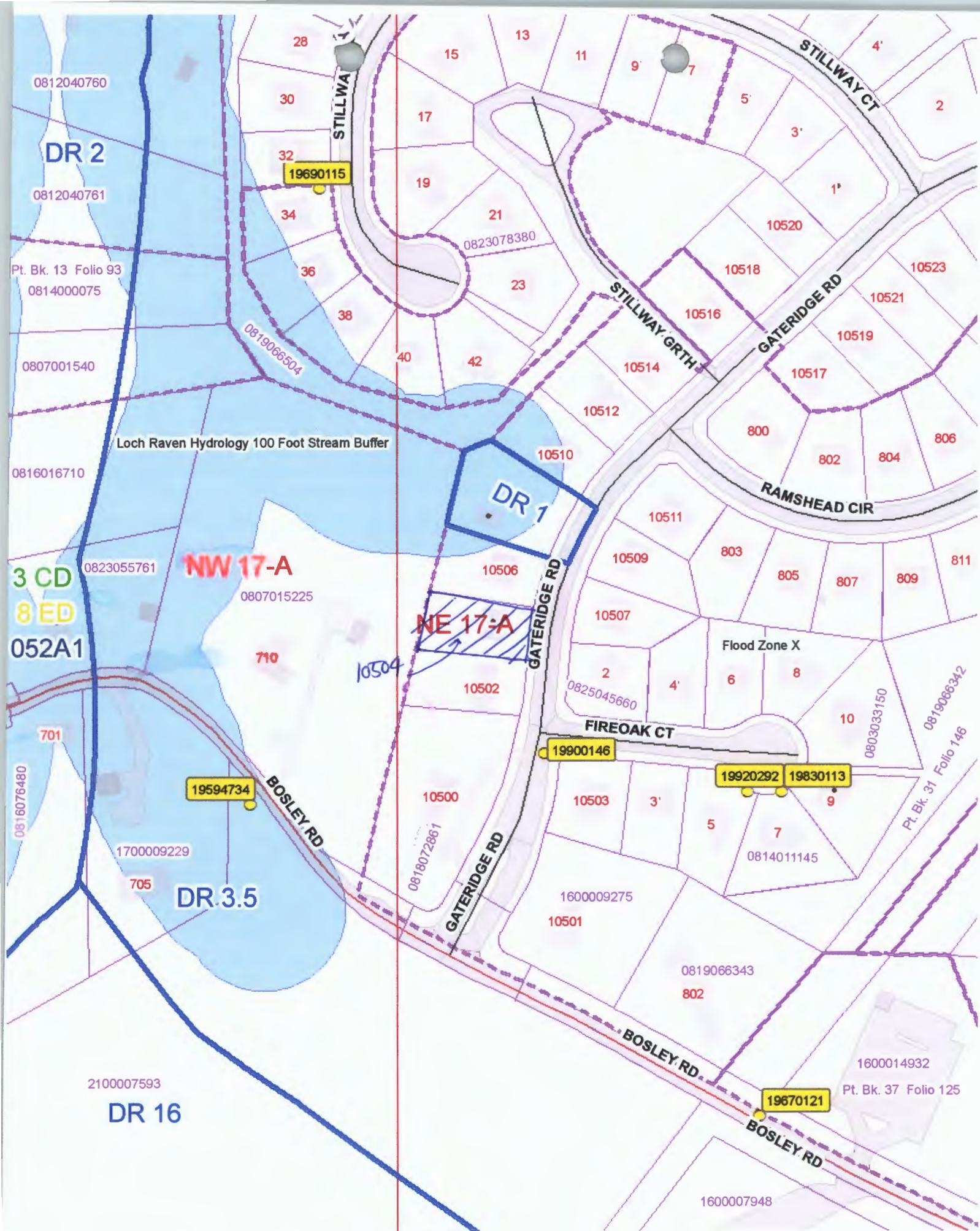
Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *







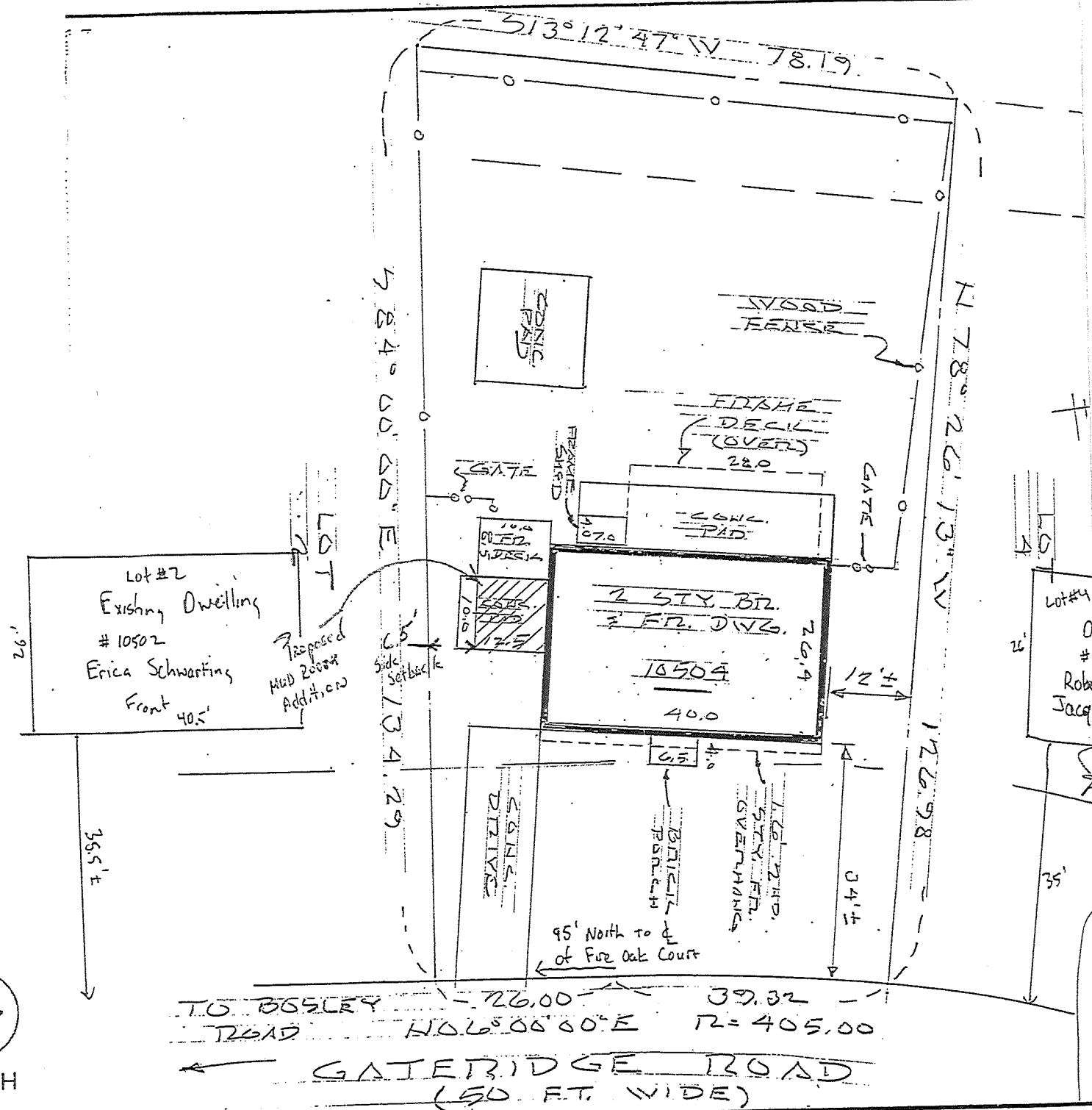


2010-0117-A

PROPERTY ADDRESS 10504 Gateridge Pl.

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

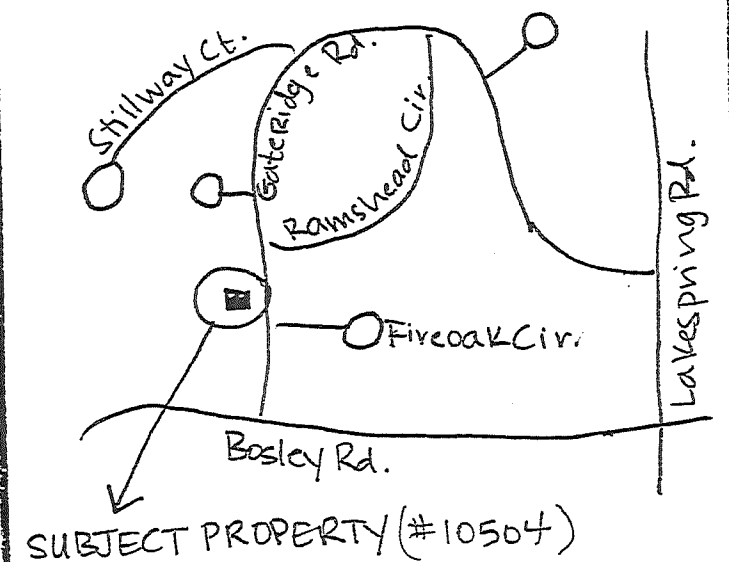
SUBDIVISION NAME Springdale
PLAT BOOK # 31 FOLIO # 146 LOT # 3 SECTION # I
OWNER John B. Fowler



PREPARED BY

JBF

SCALE OF DRAWING: 1" = 20'



VICINITY MAP
SCALE: 1" = 1000'

ELECTION DISTRICT 8th

COUNCILMANIC DISTRICT 3rd

1" = 200' SCALE MAP # 052A1

ZONING DR 3.5

LOT SIZE .21 9360
ACREAGE SQUARE FEET

SEWER PUBLIC PRIVATE
[X] []

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA

100 YEAR FLOOD PLAIN ☐ ☒

HISTORIC PROPERTY/
BUILDING ☐ ☒

PRIOR ZONING HEARING ☒

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

A. TSUI 0117 2010-0117-A