

IN RE: PETITION FOR VARIANCE

SE side of Providence Road, 69 feet NE
of the c/l of Ellendale Drive
9th Election District
3rd Councilmanic District
(1429 A Providence Road)

Ralph H. and Judy A. Weidel
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* CASE NO. 2010-0179-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owners of the subject property, Ralph and Judy Weidel. Petitioners are requesting Variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a minimum lot width of 100 feet in lieu of the 150 feet required in the D.R.1 Zone. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the variance request were Petitioners Ralph and Judy Weidel, and J. Michael Diegel, Petitioners' builder. Also in attendance representing a nearby property owner was John B. Gontrum, Esquire. There were no Protestants or other interested persons in attendance.

Testimony and evidence offered revealed that the subject property is rectangular in size and consists of 1.25 acres, more or less, zoned D.R.1, with a small portion zoned D.R.2. The property is located on the southeast side of Providence Road, adjacent to Ellendale Drive on the northwest wide of Providence Road, on the outskirts of Towson in Baltimore County. As shown on the zoning map that was marked and accepted into evidence as Petitioners' Exhibit 2, the

ORDER RECEIVED FOR FILING

Date 3.8.10

By [Signature]

subject property does not have direct frontage on Providence Road; rather, access to the property is by way of an existing macadam driveway. The property is presently unimproved.

Petitioners purchased the property in 2008. According to Mr. Gontrum, the property has been held as a separate, intact parcel since at least the 1930's, prior to the adoption of the Zoning Regulations on the property; however, the property is landlocked so as part of a resubdivision that occurred in 1992, the property owners -- the Deinlein family -- created an in-fee strip/easement in order to provide access to the subject property from Providence Road. This is delineated as Parcel "A" and shown on the resubdivision plat that was marked and accepted into evidence as Petitioners' Exhibit 3. This parcel is also owned by Petitioners. In fact, Mr. Gontrum questioned the need for a variance in this case, suggesting that a special hearing might have been more appropriate to confirm that the subject property is permitted as an undersized lot; however, in order to comply with the County's Zoning Review Office, Petitioners filed the instant request for variance relief to permit a minimum lot width of 100 feet in lieu of the required 150 feet.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Department of Environmental Protection and Resources Management dated February 2, 2010 indicating that development of the property must comply with the Forest Conservation Regulations. Comments were received from the Bureau of Development Plans Review dated January 13, 2010 indicating that Note #6 of the site plan indicates that public sewer will be used but the plan shows septic reserve areas. Note #6 should be revised. Comments were also received from the Office of Planning dated February 3, 2010 indicating that the office does not oppose Petitioners' request for variance to permit the minimum lot size of 100 feet in lieu of the required 150 feet, provided that

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Date 3.8.10

By [Signature]

architectural elevations of the proposed structure are submitted to the Office of Planning for review and approval prior to the application for building permit.

Considering all the testimony and evidence presented, I am persuaded to grant the variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. The property has been held as an intact, lot of record since before the adoption of the Zoning Regulations and has been a buildable lot since that time. More recently, in 1992, the prior owners created access to the property from Providence Road. The property also meets all other zoning requirements. I also find that Petitioners would suffer practical difficulty and undue hardship if the variance were to be denied in that Petitioners would be deprived of a beneficial use of the property otherwise permitted by the Regulations.

Finally, I find that the variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. I note that there were no Protestants at the hearing and Petitioners submitted a letter dated January 19, 2010 signed by four adjacent neighbors in support of Petitioners' plans to build a home on the subject property, which was marked and accepted into evidence as Petitioners' Exhibit 4.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered, I find that Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED this 8th day of March, 2010 by this Deputy Zoning Commissioner, that Petitioners' Variance request from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a minimum lot width of 100 feet in

ORDER RECEIVED FOR FILING

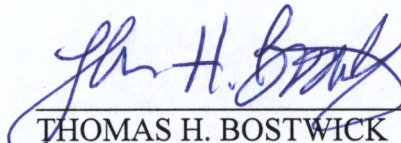
Date 3.8.10

By [Signature]

lieu of the 150 feet required in the D.R.1 Zone be is hereby **GRANTED**, subject to the following:

1. Petitioners are advised that they may apply for any required building permits 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, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code). Please contact Environmental Impact Review at 410-887-3980 to discuss.
3. Note #6 indicates that public sewer will be used, but the site plan shows septic reserve areas; therefore Note #6 should be revised to accurately reflect whether the property has access to public water and sewer services, or whether the property will utilize a well and septic.
4. Petitioners shall submit architectural elevations of the proposed structure to the Office of Planning for review and approval prior to the application for building permit.

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING

Date 3.8.10

By ps



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

March 8, 2010

RALPH H. AND JUDY A. WEIDEL
518 WYNGATE ROAD
LUTHERVILLE MD 21093

Re: Petition for Variance
Case No. 2010-0179-A
Property: 1429 A Providence Road

Dear Mr. and Mrs. Weidel:

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 "Th. H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

Enclosure

c: J. Michael Diegel, Diegel Builders, 3807 Ady Road, Street MD 21154
Jeffrey Deegan, Wilson Deegan & Associates, 2309 Belair Road, Suite C, Fallston MD 21047
John B. Gontrum, Esquire, Whiteford, Taylor & Preston LLP, Towson Commons, Suite 300,
One West Pennsylvania Avenue, Towson, MD 21204-5025



TAX. ACCOUNT # 2100004043

Petition for Variance

to the **Zoning Commissioner of Baltimore County**
for the property located at 1429 A PROVIDENCE ROAD
which is presently zoned DR-1 & DR-2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner 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)

SEE ATTACHED

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

SEE ATTACHED

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):

RALPH H. WEIDEL
Name - Type or Print _____
Signature Ralph H. Weidel
JUDY A. WEIDEL
Name - Type or Print _____
Signature Judy A. Weidel
518 WYNGATE RD. 410-241-7477
Address _____ Telephone No. _____
LUTHERVILLE TIMONIUM MD 21093
City _____ State _____ Zip Code _____

Representative to be Contacted:

JEFFREY DEEGAN, P.E., WILSON DEEGAN & ASSOC., I
Name _____
2309 BELAIR RD. SUITE C 410-893-3700
Address _____ Telephone No. _____
FALLSTON MD 21047
City _____ State _____ Zip Code _____

OFFICE USE ONLY

Case No. 2210-0179-A
ORDER RECEIVED FOR FILING

REV 9/15/09

Date

3.8.10

Reviewed By

UNAVAILABLE FOR HEARING

Date

12/18/09

By

B

ATTACHMENT #1
to
PETITION FOR VARIANCE

Case No. _____

Property Address: 1429A Providence Road, Baltimore, MD 21286

Property Owner: Ralph H. & Judy A. Weidel
518 Wyngate Road
Lutherville Timonium, MD 21093

Present Zoning: DR-1 & DR-2

Requested Relief:

A Variance from BCZR § 1B02.3.C.1 to permit a **Minimum Lot Width** of 100 feet in lieu of the 150 feet required in the DR-1 Zone.

Hardship or Practical Difficulty:

1. Lot was created prior to Zoning requirements.

Item #0179

OK to
refund \$50
TMK



FORMAL DEMAND FOR HEARING

CASE NUMBER: UNDERSIZED LOT

Address: 1429A PROVIDENCE ROAD

Petitioner(s): WEIDEL

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We Robert E. + Mary V Hood
Name - Type or Print

(☒) Legal Owner OR (☐) Resident of

1408 Midmeadow Rd
Address

Towson
City

MD
State

21286
Zip Code

410-494-8860

Telephone Number

which is located approximately ZERO (0) feet from the property, which is the subject of the above petition, **do hereby formally demand that a public hearing be set in this matter. ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS DEMAND.**

Mary V Hood
Signature

12/11/09
Date

Signature
Revised 9/18/98 - wcr/scj

Date

Refund address

1408 Midmeadow Rd
Towson MD 21286

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

No.

48114

Date:

12/11/09

PAID RECEIPT

BUSINESS ACTUAL TIME DRAW
 12/15/2009 12/11/2009 16:27:22 5

Rev Sub
 Source/ Rev/

REG 8503 MAIL RBOS LRB
 >>RECEIPT # 435589 12/11/2009 OFLN

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				50

5 528 ZONING VERIFICATION
 048114
 Recpt Tot \$50.00
 \$50.00 CK \$1.00 CA
 Baltimore County Maryland

Total:

\$50

Rec From:

MARY HOOD OF 1408 MIDMEADOW RD

For:

1429A PROVIDENCE RD

RE: DEMAND FOR HEARING

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

ZONING DESCRIPTION OF PROPERTY
for
1429A PROVIDENCE ROAD, BALTIMORE, MD 21286

Beginning at a point on the south side of Providence Road which is a 45' wide R/W, at the distance of 69' northeast of the centerline of the nearest improved intersecting street; Ellendale Dr. which is 50' wide. Being Parcel "A" shown on a Plat known as the "Deinlein Subdivision", which Plat is recorded in the Land records of Baltimore County in Plat Book S.M. No. 65, Folio 37. This Parcel is designated as a means of ingress, egress, maintenance, and utilities for the Building Lot described below, and recorded along with the above described Parcel "A", in Deed Liber 27419, Folio 343, including the following courses and distances:

N 49° E	100.00'
S 41° E	544.50'
S 49° W	100.00'
N 41° W	544.50' to the place of beginning

containing 1.25 ac. more or less. Also being known as 1429A Providence Road, Baltimore, MD 21286 and located in the 9th Election District, and 3th Councilmanic District.

Item #0179

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 2010-0179-A
Petitioner: R+J Weidel
Address or Location: 1429A Providence Rd

PLEASE FORWARD ADVERTISING BILL TO:

Name: Ralph H Weidel
Address: 518 Wyngate Rd
Lutherville/Timonium Md
21093
Telephone Number: 410 241 7477

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

No. 1

Date: 1/11/93

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/ Obj	Rev/ Sub Obj				

Total: 2,100.00

Rec

From: W

For: 2,100.00 - 1/11/93

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: Case No 2010-0179-A

Petitioner/Developer WILSON
DEEGAN & ASSOC.

Date Of Hearing/Closing 2/8/10

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 1429A PROVIDENCE RD

This sign(s) were posted on January 23, 2010

Month, Day, Year

Sincerely,

Martin Ogle 1/23/10
Signature of Sign Poster and Date

Martin Ogle
60 Chelmsford Court
Baltimore, Md, 21220
443-829-3411

ZONING NOTICE

CASE # 2010-0179-A

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

ROOM 104 JEFFERSON BUILDING 105
PLACE: WEST CHESAPEAKE AVENUE, TOWSON 21204
DATE AND TIME: MONDAY, FEBRUARY 8, 2010
AT 9:00 A.M.
REQUEST: VARIANCE TO PERMIT A MINIMUM LOT
WIDTH OF 100 FEET IN LIEU OF THE 150 FEET
REQUIRED IN THE DR-1.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONTINUE HEARING CALL 881 3331

DO NOT REMOVE THIS SIGN AND POST UNTIL REP OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE



THE DAILY RECORD

Baltimore, January 22, 2010

Case #2010-0179-A - Notice
of Zoning Hearings - 1429A
Providence Road

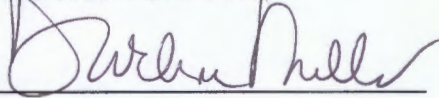
Inv:# 30437223

We hereby certify that the annexed advertisement of Case #2010-0179-A - Notice of Zoning Hearings - 1429A Providence Road was published in THE DAILY RECORD, a daily newspaper published in the City and County of Baltimore on 01/22/2010.

First insertion January 22, 2010

THE DAILY RECORD COMPANY

Per



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: 2010-0179-A

1429A Providence Road

S/east side of Providence Road, 60 feet n/east of the centerline of Ellendale Drive

9th Election District - 3rd Councilmanic District

Variance to permit a minimum lot width of 100 feet in lieu of the 150 feet required in the DR-1.

Hearing: Monday, February 8, 2010 at 9:00 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.

ja22

TO: THE DAILY RECORD COMPANY
Friday, January 22, 2010 Issue

Please forward billing to:
Ralph Weidel
518 Wyngate Road
Lutherville, MD 21093

410-241-7477

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:

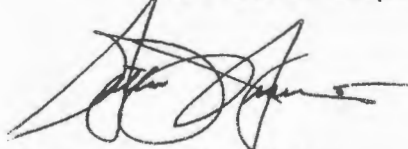
CASE NUMBER: 2010-0179-A

1429A Providence Road

S/east side of Providence Road, 69 feet n/east of the centerline of Ellendale Drive
9th Election District – 3rd Councilmanic District

Variance to permit a minimum lot width of 100 feet in lieu of the 150 feet required in the DR-1.

Hearing: Monday, February 8, 2010 at 9:00 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

January 15, 2010

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: 2010-0179-A

1429A Providence Road

S/east side of Providence Road, 69 feet n/east of the centerline of Ellendale Drive
9th Election District – 3rd Councilmanic District

Variance to permit a minimum lot width of 100 feet in lieu of the 150 feet required in the DR-1.

Hearing: Monday, February 8, 2010 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Ralph Weidel, 518 Wyngate Road, Lutherville 21093
Jeffrey Deegan, 2309 Belair Rd., Ste. C, Fallston 21047

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JANUARY 23, 2010.**
- (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.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

February 1, 2010

Ralph & Judy Weidel
518 Wyngate Rd.
Lutherville, Timonium, MD 21093

Dear: Ralph & Judy Weidel

RE: Case Number 2010-0179-A, 1429A Providence Rd.

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Jeffrey Deegan; 2309 Belair Rd. Ste. C; Fallston, MD 21047



BALTIMORE COUNTY

M A R Y L A N D

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

January 20, 2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: January 11 2010

Item Numbers: 0179, 0183, 0185, 0186, 0187 and 0188

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

INTER-OFFICE CORRESPONDENCE

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

DATE: February 3, 2010

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

RECEIVED

SUBJECT: 1429A Providence Road

FEB 17 2010

INFORMATION:

Item Number: 10-179

ZONING COMMISSIONER

Petitioner: Ralph and Judy Weidel

Zoning: DR 1 and DR 2

Requested Action: Variance

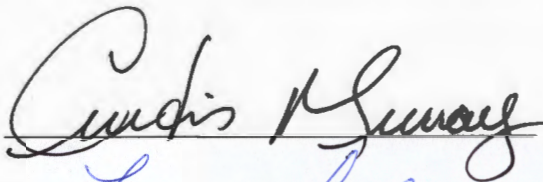
The petitioner requests a variance from Section 1B02.3.C.1 of the BCZR to permit a minimum lot size of 100 feet in lieu of the 150 feet required in the DR 1 zone.

SUMMARY OF RECOMMENDATIONS:

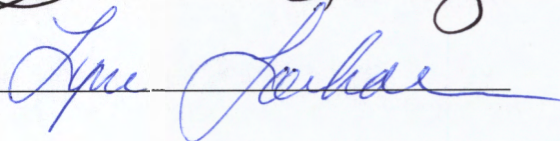
The Office of Planning does not oppose the petitioner's request for a variance from Section 1B02.3.C.1 of the BCZR to permit a minimum lot size of 100 feet in lieu of the 150 feet required in the DR 1 zone, provided that architectural elevations of the proposed structure are submitted to the Office of Planning for review and approval prior to the application for building permit.

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

Prepared by:



Division Chief:
AFK/LL: CM



BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: February 2, 2010
SUBJECT: Zoning Item # 10-179-A
Address 1429A Providence Road
(Weidel Property)

Zoning Advisory Committee Meeting of January 11, 2010

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code). Please contact Environmental Impact Review at 410-887-3980 to discuss.

Additional Comments:

Reviewer: Paul Dennis

Date: January 15, 2010

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: January 13, 2010

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

SUBJECT: Zoning Advisory Committee Meeting
For January 25, 2010
Item No.: 2010-179

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

We wish to point out that Note #6 indicates that public sewer will be used but the plan shows septic reserve areas. Note #6 should be revised.

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC - Comments\ZAC-ITEM NO 2010-0179-01252010.doc

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: JAN. 11, 2010

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

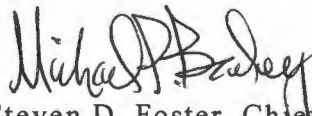
RE: Baltimore County
Item No. 2010-0179A
1429A PROVIDENCE RD
WEIDEL PROPERTY
VARIANCE -

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. 2010-0179A.

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
1429A Providence Road; SE/S of Providence *
Road, 69' NE of c/line Ellendale Drive * ZONING COMMISSIONER
9th Election & 3rd Councilmanic Districts *
Legal Owner(s): Ralph and Judy Weidel * FOR
Petitioner(s) *
* BALTIMORE COUNTY
*
* 10-179-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

JAN 15 2010



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 15th day of January, 2010, a copy of the foregoing Entry of Appearance was mailed to Jeffrey Deegan, P.E., Wilson Deegan & Associates, I, 2309 Belair Road, Suite C, Fallston, MD 21047, Representative for Petitioner(s).

Peter Max Zimmerman

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People's Counsel for Baltimore County

Patricia Zook - 2010-0179-A and 2010-0178-A-hearings next week-comments needed

From: Patricia Zook
To: Murray, Curtis
Date: 2/4/2010 12:59 PM
Subject: 2010-0179-A and 2010-0178-A-hearings next week-comments needed
CC: Bostwick, Thomas

Curtis -

The below-described cases are scheduled for hearings next week and we need Planning comments:

CASE NUMBER: 2010-0179-A

1429 A Providence Road

Location: SE side of Providence Road, 69 feet NE of the c/l of Ellendale Drive.

9th Election District, 3rd Councilmanic District

Legal Owner: Ralph and Judy Weidel

VARIANCE To permit a minimum lot width of 100 feet in lieu of the 150 feet required in the DR-1 zone.

Hearing: Monday, 2/8/2010 at 9:00:00 AM, Jefferson Building, 105 West Chesapeake Avenue, Room 104, Towson, MD 21204

CASE NUMBER: 2010-0178-A

8021 Lansdale Road

Location: S side of Lansdale Road; 199.72 feet E of 54th Street.

15th Election District, 7th Councilmanic District

Legal Owner: Wendy and Michael Piniecki

VARIANCE To permit a front 1 story frame addition with a front property line setback and a street centerline setback of 10 feet and 40 feet respectively in lieu of the required 25 feet and 55 feet.

Hearing: Thursday, 2/11/2010 at 10:00:00 AM, County Office Building, 111 West Chesapeake Avenue, Room 106, Towson, MD 21204

Your help is appreciated.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov



BALTIMORE COUNTY
MARYLAND

BALTIMORE COUNTY
OFFICE OF THE ZONING COMMISSIONER
JEFFERSON BUILDING, SUITE 103
105 WEST CHESAPEAKE AVENUE
TOWSON, MD 21204

Phone: 410-887-3868

Fax: 410-887-3468

F A X C O V E R S H E E T

DATE: 3-8-10

NO. OF PAGES INCLUDING COVER SHEET: 6

TO:

Mike Diegel

FROM:

Patti

PHONE: _____

FAX NO.: 410-893-7009

MESSAGE:

Case 2010-0179-A

REMARKS: ☐ URGENT ☐ FOR REVIEW ☐ REPLY ASAP ☐ PLEASE COMMENT
☐ PLEASE REPLY ☐ PLEASE RECYCLE

Patricia Zook - case#2010-0179-A Feb 08, 2010

From: mike diegel <diegelbuilders@gmail.com>
To: <pzook@baltimorecountymd.gov>
Date: 2/21/2010 12:02 PM
Subject: case#2010-0179-A Feb 08, 2010

To whom it may concern. I am requesting a copy of the Zoning Commisioners written order concerning Ref. case # 2010-0179-A Feb. 08, 2010, 1429 A, Providence Road. Please E-mail to diegelbuilders@gmail.com.
Thank You,
J. Michael Diegel (Pres.)

TIME: 09:36:33 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 03/10/2010
DATE: 04/21/2010 GENERAL PERMIT APPLICATION DATA PDM 11:08:54

PERMIT #: B734208 PROPERTY ADDRESS
RECEIPT #: A618568 1429A PROVIDENCE RD
CONTROL #: NR SUBDIV: 150 E ELLENDALE DR
XREF #: B734208 TAX ACCOUNT #: 2100004043 DISTRICT/PRECINCT 09 01

OWNERS INFORMATION (LAST, FIRST)

FEE: 230.00 NAME: WEIDEL, RALPH H AND JUDY A
PAID: 230.00 ADDR: 518 WYNGATE RD; LUTHERVILLE 21093-2842
PAID BY: APPL

DATES

APPLICANT INFORMATION

APPLIED: 03/10/2010 NAME: J MICHAEL DIEGEL
ISSUED: 04/16/2010 COMPANY: J DIEGEL BUILDERS INC
OCCPNY: ADDR1: 3807 ADY RD
FINAL INSPECT: ADDR2: STREET, MD 21154
INSPECTOR: 09R PHONE #: 410-893-7044 LICENSE #: MHBR-938
NOTES: AF/AF

PASSWORD :

ENTER - PERMIT DETAIL PF3 - INSPECTIONS PF7 - DELETE PF9 - SAVE
PF2 - APPROVALS PF4 - ISSUE PERMIT PF8 - NEXT PERMIT PF10 - INQRY

TIME: 09:36:44 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 03/10/2010
DATE: 04/21/2010 BUILDING DETAIL 1 PDM 11:12:27

DRC#

PERMIT # B734208 PLANS: CONST 02 PLOT 9 PLAT 0 DATA 0 EL 1 PL 1
TENANT

BUILDING CODE: CONTR: J DIEGEL BUILDERS INC

IMPRV 1 ENGNR:

USE 01 SELLR:

FOUNDATION BASE WORK: CONST 2-STRY W/FULL BSMNT SFD. 3 BDRMS, GAS F/P
3 1 (NO O/S PROJ), FRONT PORTICO (8'X10'), REAR

CONSTRUC FUEL SEWAGE WATER PORCH (16'X13.5'), 2-CAR F/L GARAGE.

2 1 2E 1P 50'X104.3'X28'=7027SF

CENTRAL AIR 1 PER VARIANCE CASE #2010-0179-A, APPRV'D 3/8/10

ESTIMATED COST

568K PROPOSED USE: SFD

OWNERSHIP: 1 EXISTING USE: VACANT

RESIDENTIAL CAT: 1

#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS:

1 FAMILY BEDROOMS: 3 PASSWORD:

ENTER - NEXT DETAIL PF2 - APPROVALS PF7 - PREV. SCREEN PF9 - SAVE
PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU

TIME: 09:36:49
DATE: 04/21/2010

AUTOMATED PERMIT TRACKING SYSTEM
BUILDING DETAIL 2

LAST UPDATE 03/10/2010
PDM 11:12:27

PERMIT #: B734208

BUILDING SIZE

LOT SIZE AND SETBACKS

FLOOR: 7027SF

SIZE: 1.250AC

WIDTH: 50'

FRONT STREET:

GARBAGE DISP: 2

DEPTH: 104.3'

SIDE STREET:

POWDER ROOMS: 1

HEIGHT: 28'

FRONT SETB: 107'

BATHROOMS: 3+R

STORIES: 2+BSMT

SIDE SETB: 20'/30'

KITCHENS: 1

SIDE STR SETB:

LOT NOS:

REAR SETB: 335'

CORNER LOT: 2

ZONING INFORMATION

ASSESSMENTS

DISTRICT:

BLOCK:

LAND: 0116250.00

PETITION:

SECTION:

IMPROVEMENTS: 0000000.00

DATE:

LIBER: 000

TOTAL ASS.:

MAP:

FOLIO: 000

CLASS: 04

PLANNING INFORMATION

MSTR PLAN AREA:

SUBSEWER:

CRIT AREA:

PASSWORD:

ENTER - NEXT DETAIL

PF2 - APPROVALS

PF7 - PREV. SCREEN

PF9 - SAVE

PF1 - GENERAL PERMIT

PF3 - INSPECTIONS

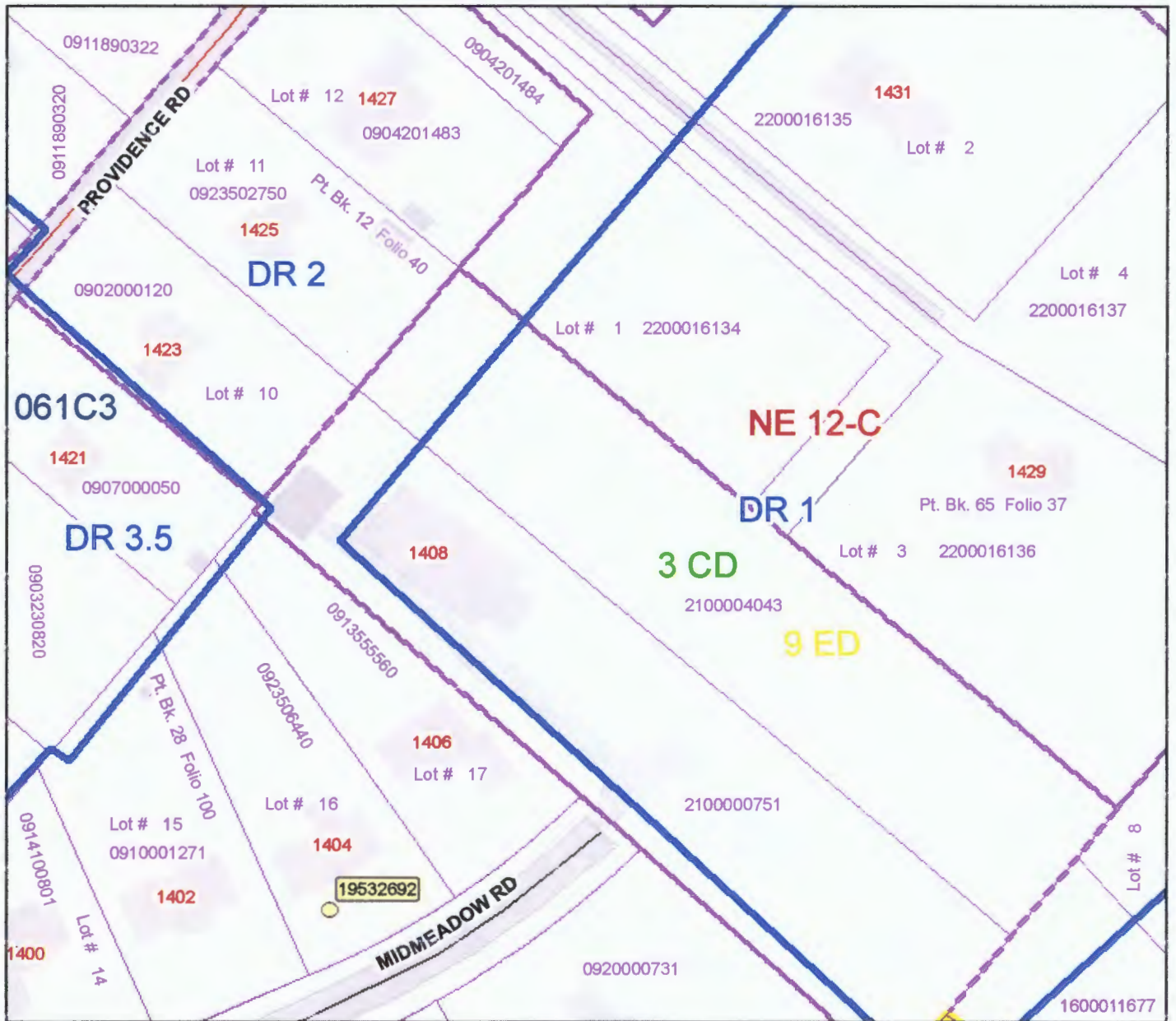
PF8 - NEXT SCREEN

CLEAR - MENU

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]

1429A Providence Road



Publication Date: December 18, 2009
 Publication Agency: Department of Permits & Development Management
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



100 0 100
 Feet
 1 inch equals 100 feet

Item #0179

Case No.: 2010-0179-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	Zoning Map	
No. 3	Record Plat	
No. 4	Letter of Support	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PETITIONER'S

January 19, 2009

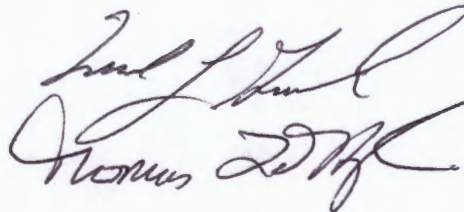
EXHIBIT NO. 4

To Whom it may concern:

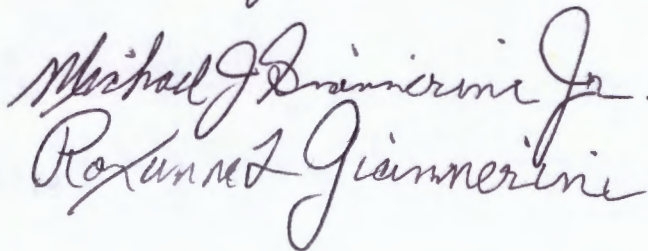
We, the community members who make up the Deinlein Home Owner's Association, and who surround the property in question would like to formally submit our support for the building of a home located at 1429 A Providence Rd, Towson MD 21286. As members of this Community Association we have reviewed the building plans, and we are in full support of the land being used for this purpose. We welcome our new neighbors and anticipate that the construction of their new home will bring an increased value to our neighborhood.

Sincerely,

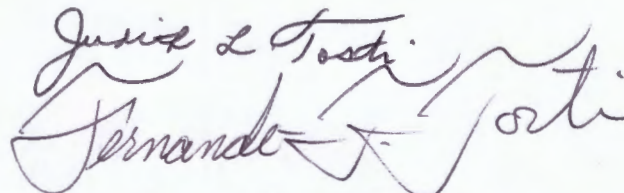
Thomas L. O'Hara Jr.
Michael J. Gerardo
1427 Providence Rd



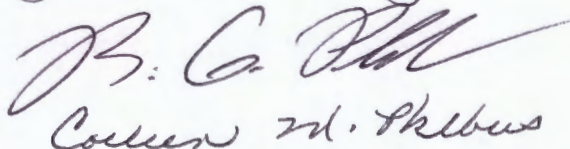
Mr. and Mrs. Michael Giannerini
1431 Providence Rd



Mr. and Mrs. Fernando Tosti
1429B Providence Rd



Mr. and Mrs. Brian Phebus
1429C Providence Rd



Mr. and Mrs. John McDermit
1429 Providence Rd

3

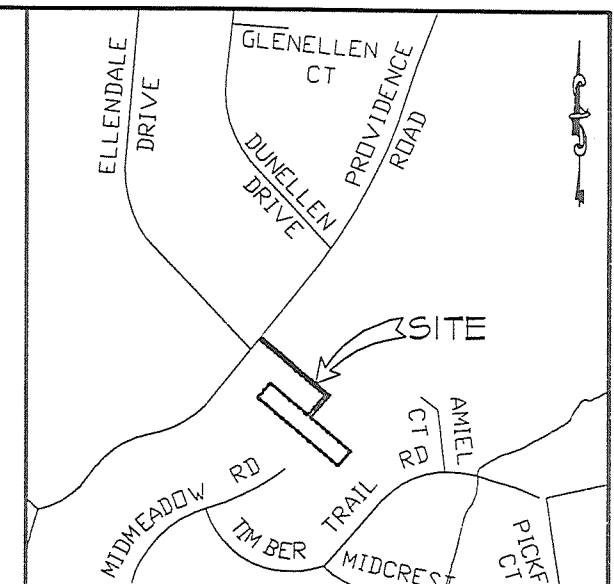
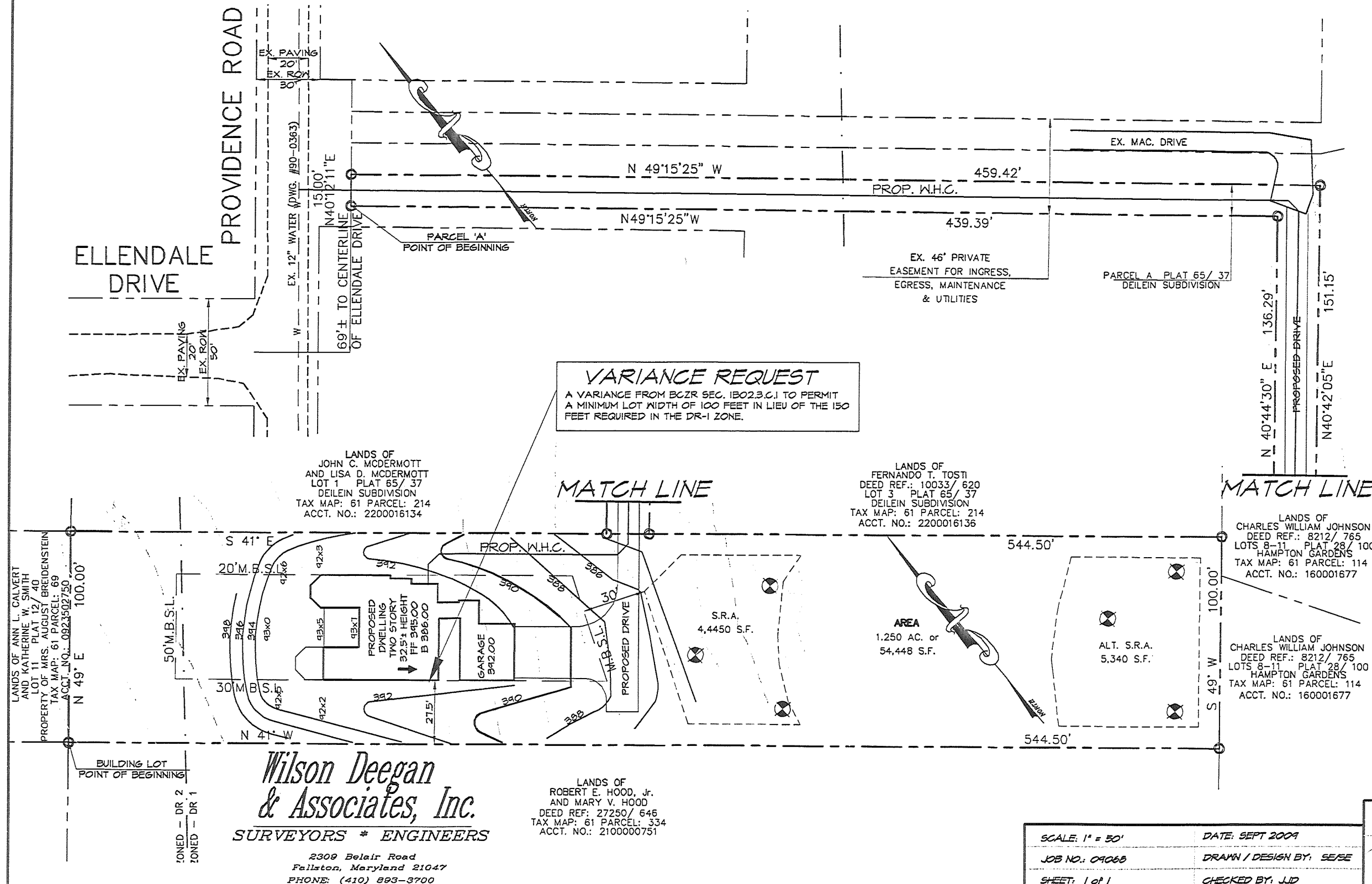
Item #0179

1. PROPERTY ADDRESS: 1429A PROVIDENCE ROAD
BALTIMORE, MARYLAND 21286

2. SUBDIVISION NAME: DEINLEIN SUBDIVISION

3. PLAT BOOK: 65 FOLIO: 37 LOT: PARCEL A
4 DEED REFERENCE: 27419/ 343

4. OWNER: RALPH H. and JUDY A. WEIDEL
518 WYNGATE ROAD
LUTHERVILLE-TIMONIUM, MD. 21093



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

1. ELECTION DISTRICT: 9
2. COUNCILMANIC DISTRICT: 3
3. 1" = 200' SCALE MAP #6103
4. ZONING: D.R.1 & D.R.2
5. LOT SIZE: 1.25 54,450
ACREAGE SQUARE FEET
PLUS PARCEL A (ACCESS) OF 9605±
OR 0.22 AC.±. TOTAL AREA: 1.47 AC.±
- 6.
- | | PUBLIC | PRIVATE |
|-------|--------|---------|
| SEWER | X | |
| WATER | X | |
- 7.
- | | YES | NO |
|---------------------------------|-----|----|
| CHESAPEAKE BAY
CRITICAL AREA | | X |
| 100YEAR FLOODPLAIN | | X |
| HISTORIC PROPERTY/
BUILDING | | X |
| PRIOR ZONING HEARING | | X |

PETITIONER' S

EXHIBIT NO. 1

ZONING OFFICE USE ONLY

REVIEWED BY:

ITEM #

CASE #

SCALE: 1" = 50'

DATE: SEPT 2009

JOB NO.: 09068

DRAWN / DESIGN BY: SESE

SHEET: 1 of 1

CHECKED BY: JLD