

IN RE: PETITION FOR ADMIN. VARIANCE

W side of Thurkill Court; 25 feet N of the.
c/l of Farmstead Road
8th Election District
3rd Councilmanic District
(2 Thurkill Court)

Pamela and Ira Rigger
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2010-0301-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, Pamela and Ira Rigger for property located at 2 Thurkill Court. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 25 feet in lieu of the required 30 feet for a sunroom. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners desire to construct a sunroom measuring 10 feet x 26 feet 3 inches for their growing family. An old addition and deck will be removed to accommodate the new sunroom. The proposed sunroom can only be constructed on the dwelling as indicated on the site plan. Petitioners are expanding the existing sunroom by 10 feet. Placing the sunroom in a different area would require significant changes to the existing dwelling. The rear of the dwelling contains stairs to the basement which also limits where the sunroom can be located. The subject property is pie shaped which further limits the location of the sunroom.

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.

ORDER RECEIVED FOR FILING

Date 6-3-10

By PZ

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 16, 2010 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 3rd day of June, 2010 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 25 feet in lieu of the required 30 feet for a sunroom is hereby GRANTED, subject to the following:

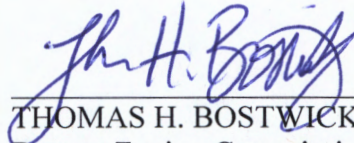
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this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

ORDER RECEIVED FOR FILING

Date 6-3-10

By PJ

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



THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

June 3, 2010

PAMELA AND IRA RIGGER
2 THURKILL COURT
COCKEYSVILLE MD 21030

Re: Petition for Administrative Variance
Case No. 2010-0301-A
Property: 2 Thurkill Court

Dear Mr. and Mrs. Rigger:

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, reading "TH. H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Jeremy Clancy, 7051 Macbeth Way, Eldersburg MD 21784



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2 Thurkill Ct Cockeysville
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) 1802.3.C.1; BCZR TO

PERMIT A REARYARD SETBACK OF 25ft IN LIEU OF
THE REQUIRED 30ft. FOR A SUNROOM.

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 _____ Date 6-3-10

Address _____ By [Signature] Telephone No. _____

City _____ State _____ Zip Code _____

Legal Owner(s):

Pamela Rigger
Name - Type or Print _____

Pamela Rigger
Signature _____

P. Rigger
Name - Type or Print _____

[Signature]
Signature _____

2 Thurkill Ct 410-876-2165
Address _____ Telephone No. _____

Cockeysville Md 21030
City _____ State _____ Zip Code _____

Representative to be Contacted:

Jerome Clancy
Name _____

7051 Macbeth way 443-340-1229
Address _____ Telephone No. _____

Eldersburg Md 21784
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. 2010-0301-A

REV 10/25/01

Reviewed By [Signature] Date 5-6-10

Estimated Posting Date 5/16

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 2 Thurgill Ct
Address
Cockeysville Md 21030
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

See attached

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.

Pamela Rigger
Signature
Pamela Rigger
Name - Type or Print

Tru Rigger
Signature
Tru Rigger
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5th day of May, 2010, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

[Signature]
Notary Public
My Commission Expires 12/27/2012

Justification

We are requesting this variance because we really need the additional living space. It is not economical for us to move right now and improving our home is our only option. The location we chose on the house has an existing sliding glass door and other than our front door, is the only other existing exit on the main floor. If we were to move the addition, it would require significant structural changes to the house at a cost we cannot afford. The proposed addition is 10' x 26'-3". We are taking the existing family room and bumping it out 10' essentially. We felt that this was a modest addition. However, because of the unique shape of our lot, even this would require a variance. Our lot is a pie shape and the side property lines slant inward to a point. To the actual rear we are very far away. But because the rear is measured from the room straight back to where it hits this slanted side yard, we are too close. Please consider the unique shape as justification for such a modest addition. We thank you in advance for your consideration.

Pamela & Ira Rigger

Zoning Description

Zoning Description For 2 Thurkill Court, Cockeysville Md. 21030

Beginning at a point on the West side of Thurkill Court which has a 50' wide at the distance of 25' North of the centerline of the nearest improved intersecting street, Farmstead Road which is 50' wide. Being Lot # 55, Block P, Section # 4 in the subdivision of Sprindale as recorded in Baltimore County Plat Book # 33, Folio # 80, containing 12,753 square feet. Also known as 2 Thurkill Ct, and located in the 8th Election District, 3rd Councilmanic District.

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2010- 0301 -A Address 2 THURKILL CT.

Contact Person: J. MERREY Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 5.6.10 Posting Date: 5/16 Closing Date: 5/31

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- 0301 -A Address 2 THURKILL CT.

Petitioner's Name Pamela Riccardi Telephone 410-876-2165

Posting Date: 5/16/10 Closing Date: 5/31/10

Wording for Sign: To Permit A REAR YARD SETBACK
of 25ft. in lieu of The Required
30ft. for A SUNROOM.

Revised 8/20/09

**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: 2010-0301-A

Petitioner: IRA. Pamela Rigger

Address or Location: 2 Thunkill Ct Cockeysville Md 21036

PLEASE FORWARD ADVERTISING BILL TO:

Name: Remodel USA c/o Dan Moore

Address: 605 Hampton park Blvd
Capitol Heights Md 20743

Telephone Number: 301-343-0821

Revised 7/11/05 - SCJ

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

No. 53913

Date: 5.6.10

PAID RECEIPT

AMOUNTS ACTUAL TIME WORK
10/6/2010 5:06:20 PM 05:18:02 1

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	800	0000		615					85.00

Total: 85.00

Rec From: F. F. - 66

For: 2-10-13-1-A

DISTRIBUTION

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

CASHIER'S
VALIDATION

CERTIFICATE OF POSTING

RE: Case No 2010-0301-A

Petitioner/Developer PAMELA
RIGLER

Date Of Hearing/Closing: 5/31/10

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 2 THURKILL COURT

This sign(s) were posted on May 16, 2010
Month, Day, Year
Sincerely,

Martin Ogle 5/16/10
Signature of Sign Poster and Date
Martin Ogle
60 Chelmsford Court
Baltimore, Md, 21220
443-629-3411

Martin Ogle 5/16/10



05/16/2010



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

June 1, 2010

Pamela and Ika Rigger
2 Thurkill Ct.
Cockeysville, MD 21030

Dear: Pamela and Ika Rigger

RE: Case Number 2010-0301-A, 2 Thurkill Ct.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 06, 2010. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Jeremy Cloney; 7051 Maebeth Way. Eldersburg, MD 21784

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 May 31, 2010
Item Nos. 2010- 176, 230, 295, 296,
297, 298, 299, 301, 303, 304, 306, 307
311 & 312

DATE: May 18, 2010

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

DAK:CEN:elm

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-05312010 -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: May 19, 2010

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

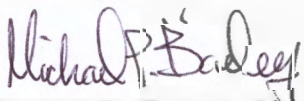
RE: Baltimore County
Item No. 2010-0301-A
2 THURKILL COURT
RIGGER PROPERTY
ADMIN. VARIANCE -

Déar 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. 2010-0301-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,


Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 25, 2010

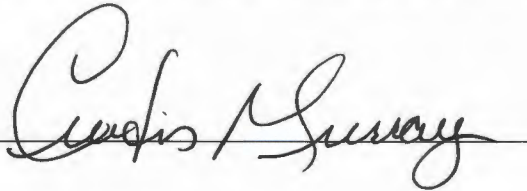
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 10-301- 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

MAY 25 2010

ZONING COMMISSIONER

AV
5-31-10

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

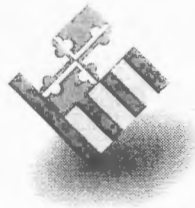


TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: June 11, 2010
SUBJECT: Zoning Item # 10-301-A
Address 2 Thurkill Court
(Rigger Property)

Zoning Advisory Committee Meeting of May 17, 2010.

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

Reviewer: JWL Date: 6/11/10



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

May 27, 2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: May 17th, 2010

Item Numbers: 0176, 0230, 0295, 0296, 0297, 0298, 0299, 0300, 0301, 0303, 0304, 0306
and 0307-0312

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

Location of
addition
(Removing Deck
and old addition)



#902
Farmstead.

Rear

Left prop line (from road)

Right prop line
From Road

this is where new addition
going (in place of ex addition / deck)



Rear property

Left prop line
From Road

Farmstead Rd.

Removing - this is where new addition going



Front (Thurkell ct.)
←

Right property line

Rear →

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

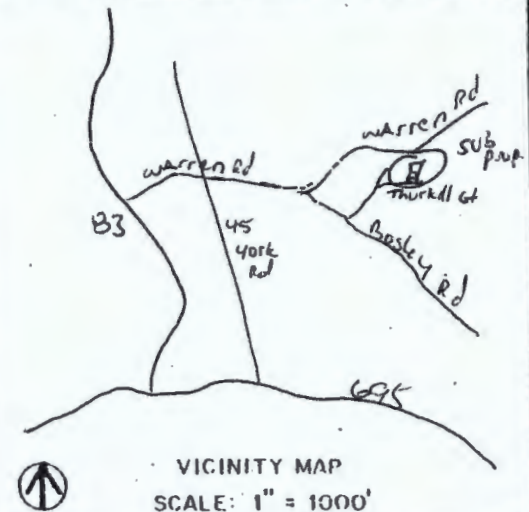
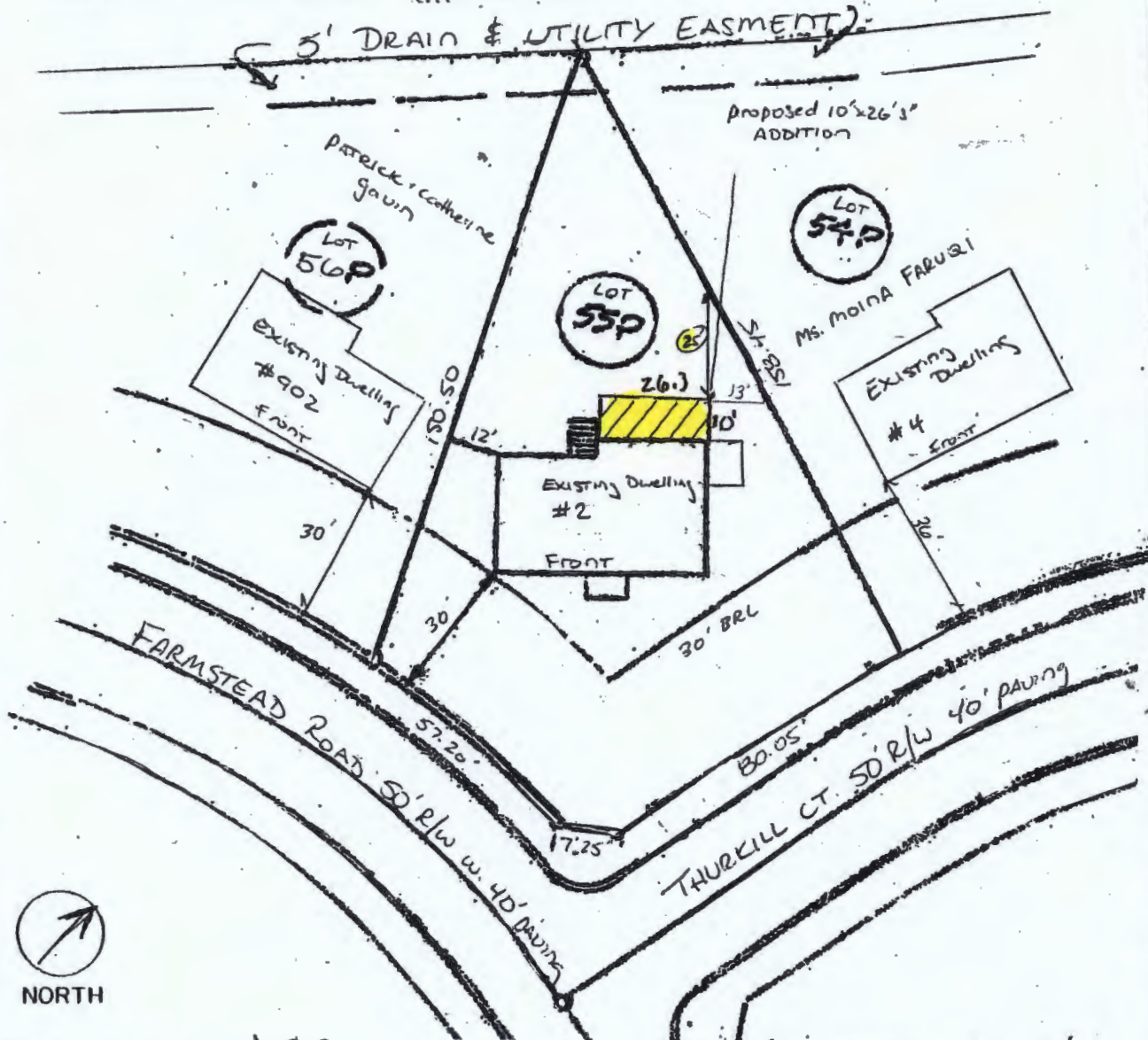
PROPERTY ADDRESS 2 Thurkill Ct Cockeysville

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

SUBDIVISION NAME Springdale

PLAT BOOK # 33 FOLIO # 80 LOT # 55 SECTION # 4

OWNER Pamela IRA Rigger



LOCATION INFORMATION

ELECTION DISTRICT 08

COUNCILMANIC DISTRICT 3rd

1" = 200' SCALE MAP # 052A1

ZONING DR 3.5

LOT SIZE .29 12,753
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒

	YES	NO
100 YEAR FLOOD PLAIN	☐	☒

	YES	NO
HISTORIC PROPERTY/BUILDING	☐	☒

PRIOR ZONING HEARING

ZONING OFFICE USE ONLY

REVIEWED BY _____ ITEM # _____ CASE # _____



PREPARED BY JSC

SCALE OF DRAWING: 1" = 40'