

IN RE: PETITION FOR ADMIN. VARIANCE
NW corner of Thurkill Court and Farmstead
Road
8th Election District
3rd Councilmanic District
(2 Thurkill Court)

Ira C. F. Rigger Jr. and Pamela J. Rigger
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2010-0310-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, Ira C. F. Rigger Jr. and Pamela J. 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 side yard setback of 4 feet in lieu of the required 10 feet and for a sum of the side yard setback of 16 feet in lieu of the required 25 feet and for a rear setback of 11 feet in lieu of the required 30 feet for an addition. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners are proposing a number of improvements to their property including a two story 517 square feet addition, a 4 feet x 8 feet second story deck, a 12 feet x 13 feet concrete patio, one story 130 square feet addition, and an existing 130 square feet one story addition that will be removed and rebuilt as 130 square feet one story addition. The property is pie shaped and any additions must be constructed at the rear of the dwelling. None of the neighbors expressed any concerns about the proposed additions.

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 7-6-10

By [Signature]

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on June 11, 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 6th day of July, 2010 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 4 feet in lieu of the required 10 feet and for a sum of the side yard setback of 16 feet in lieu of the required 25 feet and for a rear setback of 11 feet in lieu of the required 30 feet for an addition is hereby GRANTED, subject to the following:

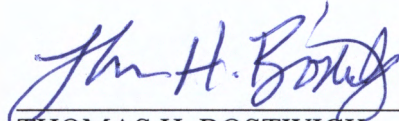
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this 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 7-6-10

By [Signature] 2

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 7-6-10

By [Signature]



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

July 6, 2010

IRA C. F. RIGGER JR. AND PAMELA J. RIGGER
2 THURKILL COURT
COCKEYSVILLE MD 21030

Re: Petition for Administrative Variance
Case No. 2010-0310-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,

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 2 Thurgill Ct Cockeysville
which is presently zoned DR3.5

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; BC2R, TO PERMIT

A SIDE YARD SETBACK OF 4' IN LIEU OF THE REQUIRED 10' & FOR A SUM OF THE SIDE YARD SETBACKS OF 16' IN LIEU OF THE REQUIRED 25' AND FOR A REAR SETBACK OF 11' IN LIEU OF THE REQUIRED 30' FOR AN ADDITION.

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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ___ 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.

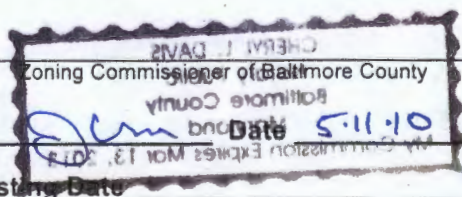
CASE NO.

2010-0310-A

REV 10/25/01

Reviewed By

Estimated Posting Date



5/23/10

New Closing Date: 5/23/10

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.

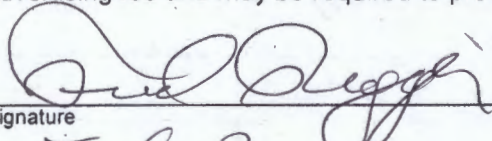
That the Affiant(s) does/do presently reside at

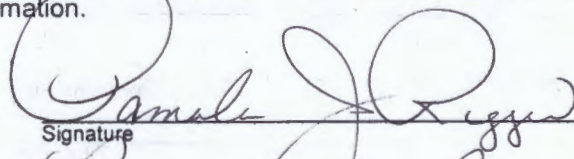
2 Thurkill Ct.
Address
Cockeysville Md 21030
City State Zip Code

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):

NEED ADDITIONAL STORAGE SPACE.
ROOM FOR ENTERTAINING.

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
Fred Rigger
Name - Type or Print

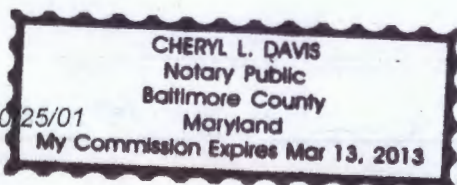

Signature
Pamela J. Rigger
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

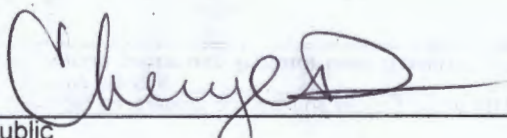
I HEREBY CERTIFY, this 11 day of May, 2010, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Fred Rigger and Pamela Rigger
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


Notary Public
My Commission Expires March 13, 2013

Zoning Description for: 2 Thurkill Court, Cockeysville, Maryland 21030

Beginning at a point West side of Thurkill Court, which is 50 feet wide at the distance of 109 feet South of the centerline of the nearest improved intersecting street Farmstead Road which is 50 feet wide. Being Lot # 55, Block P, Section # 4, in the subdivision of Springdale as recorded in Baltimore County Plat 11, Book # 33, Folio # 080, containing 11,007 square feet or 0.253 acre. Also known as 2 Thurkill Court, Cockeysville, Maryland and located in 8th Election District, 3rd Councilmanic District.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2010- 0310 -A Address 2 THURKILL CT.

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

Filing Date: 5/11/10 Posting Date: 5/23 Closing Date: 6/28

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- 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.
- 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.
- 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.
- 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- 0310 -A Address 2 THURKILL CT.

Petitioner's Name IRA RIGER Telephone 410-666-3389

Posting Date: 5/23 Closing Date: 6/7

Wording for Sign: To Permit A SIDE YARD SETBACK OF 4ft.
IN LIEU OF THE REQUIRED 10ft. AND A SUM
OF THE SIDE YARD SETBACKS OF 16ft. IN LIEU OF
THE REQUIRED 25ft AND FOR A REAR YARD SET-
OF 11ft. IN LIEU OF THE REQUIRED 30ft.

Revised 8/20/09

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

No. 53922

Date: 5/11/10

PAID RECEIPT

AMOUNT \$
 DATE
 BY

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

Total: _____

Rec From: _____

For: _____

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

Certificate of Posting

RE: Case NO. 2010-0310-A

Petitioner/Developer _____

Ira Rigger

Date of Hearing/Closing 6/28/10

Baltimore County
Department of Permits and Development Managements
County Office Building – Room 111
111 W. Chesapeake Ave.
Towson, Md. 21204

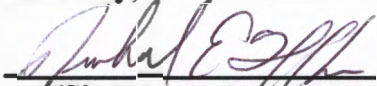
Attention:

This letter is to certify, under penalties of perjury, that the necessary sign as required by law, was posted conspicuously on the property located at _____

2 Thurkill Court

The sign(s) were posted on 6/11/10
(Month, Day, Year)

Sincerely,

 6/11/10
(Signature of sign Poster and date)

Richard E. Hoffman

(Printed Name)

904 Dellwood Drive

(Address)

Fallston, Md. 21047

(City, State, Zip Code)

410-879-3122

(Telephone Number)

See Attached
Photograph

Certificate of Posting
Photograph Attachment

Re: 2010-0310-A

Petitioner/Developer: _____

Ira Rigger

Date of Hearing/Closing: 6/28/10



2 Thurkill Court

Posting Date: 6/11/10

Ira Rigger 6/11/10
(Signature and date of sign poster)



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

June 28, 2010

Ira and Pamala Rigger
2 Thurkill Ct.
Cockeysville, MD 21030

Dear: Ira and Pamala Rigger

RE: Case Number 2010-0310-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 23, 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.

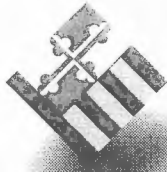
Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel



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

310

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: June 21, 2010

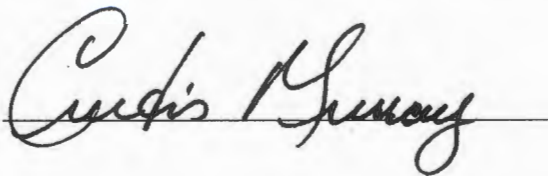
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 10-310- 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

JUN 22 2010

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For June 28, 2010
Item Nos. 2010- 310, 338, 339, 340,
342, 343, and 344

DATE: June 17, 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-06282010 -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: 6-17-2010

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

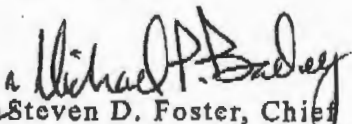
RE: Baltimore County
Item No. 2010-0310-A
2 THURKILL CT
RIGGEE PROPERTY
ADMIN. VARIANCE -

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. 2010-0310 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

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUN 29 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: June 28, 2010

SUBJECT: Zoning Item # 10-310-A
Address 2 Thurkill Court
(Rigger Property)

Zoning Advisory Committee Meeting of June 14, 2010.

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

Reviewer: JWL Date: 6/28/10



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw2.3d)

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

Account Identifier: District - 08 Account Number - 0819066965

Owner Information

Owner Name: RIGGER I C, JR
 RIGGER PAMALA JANE
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 2 THURKILL CT
 COCKEYSVILLE MD 21030-2823
Deed Reference: 1) / 7150/ 717
 2)

Location & Structure Information

Premises Address
 2 THURKILL CT

Legal Description

NW COR FARMSTEAD RD
 SPRINGDALE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	Plat Ref:
52	1	37			4	P	55	2	11	33/ 80

Special Tax Areas
 Town
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1974	2,348 SF	12,753.00 SF	04

Stories	Basement	Type	Exterior
2	NO	SPLIT LEVEL	FRAME

Value Information

	Base Value	Value As Of 01/01/2008	Phase-in Assessments As Of 07/01/2009	As Of 07/01/2010
Land	102,680	130,680		
Improvements:	172,210	233,070		
Total:	274,890	363,750	334,130	363,750
Preferential Land:	0	0	0	0

Transfer Information

Seller: RIGGER IRA C F RIGGER ELIZABETH R	Date: 05/02/1986	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 7150/ 717	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	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 *

CHECKLISTComment
ReceivedDepartmentSupport/Oppose
No Comment6-17-10

DEVELOPMENT PLANS REVIEW

nc6-28-10

DEPRM

nc5-27-10

FIRE DEPARTMENT

nc6-21-10

PLANNING

nc

(if not received, date e-mail sent _____)

6-12-10

STATE HIGHWAY ADMINISTRATION

nc—

TRAFFIC ENGINEERING

——

COMMUNITY ASSOCIATION

——

ADJACENT PROPERTY OWNERS

—

ZONING VIOLATION

(Case No. —)

PRIOR ZONING

(Case No. —)

NEWSPAPER ADVERTISEMENT

Date: _____

SIGN POSTING

Date: 6-11-10

PEOPLE'S COUNSEL APPEARANCE

Yes

☐

No

☒

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☒

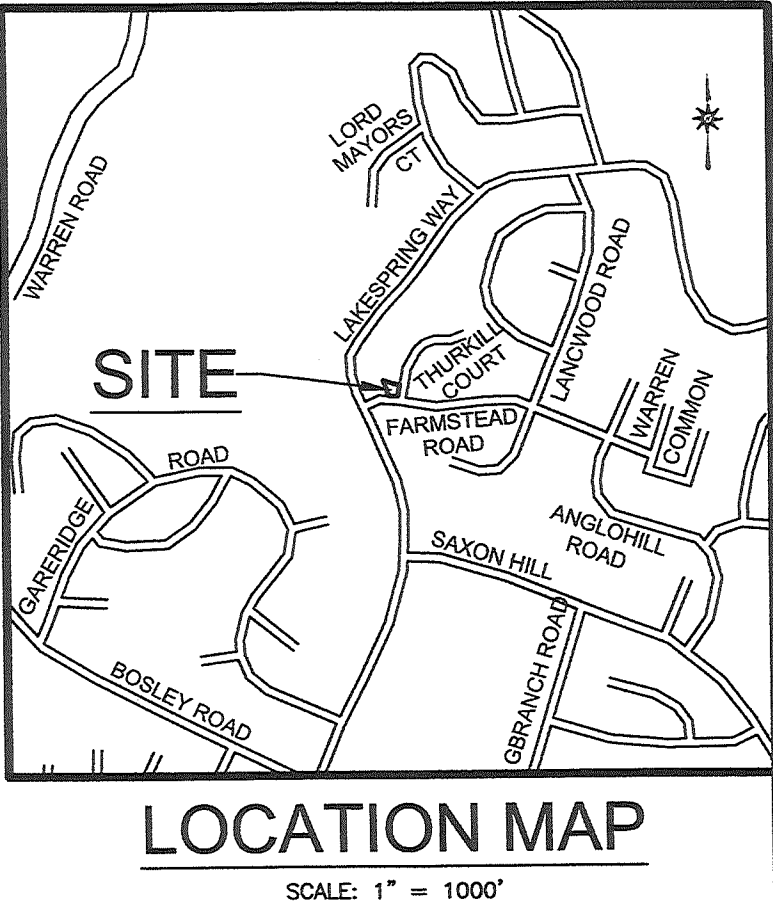
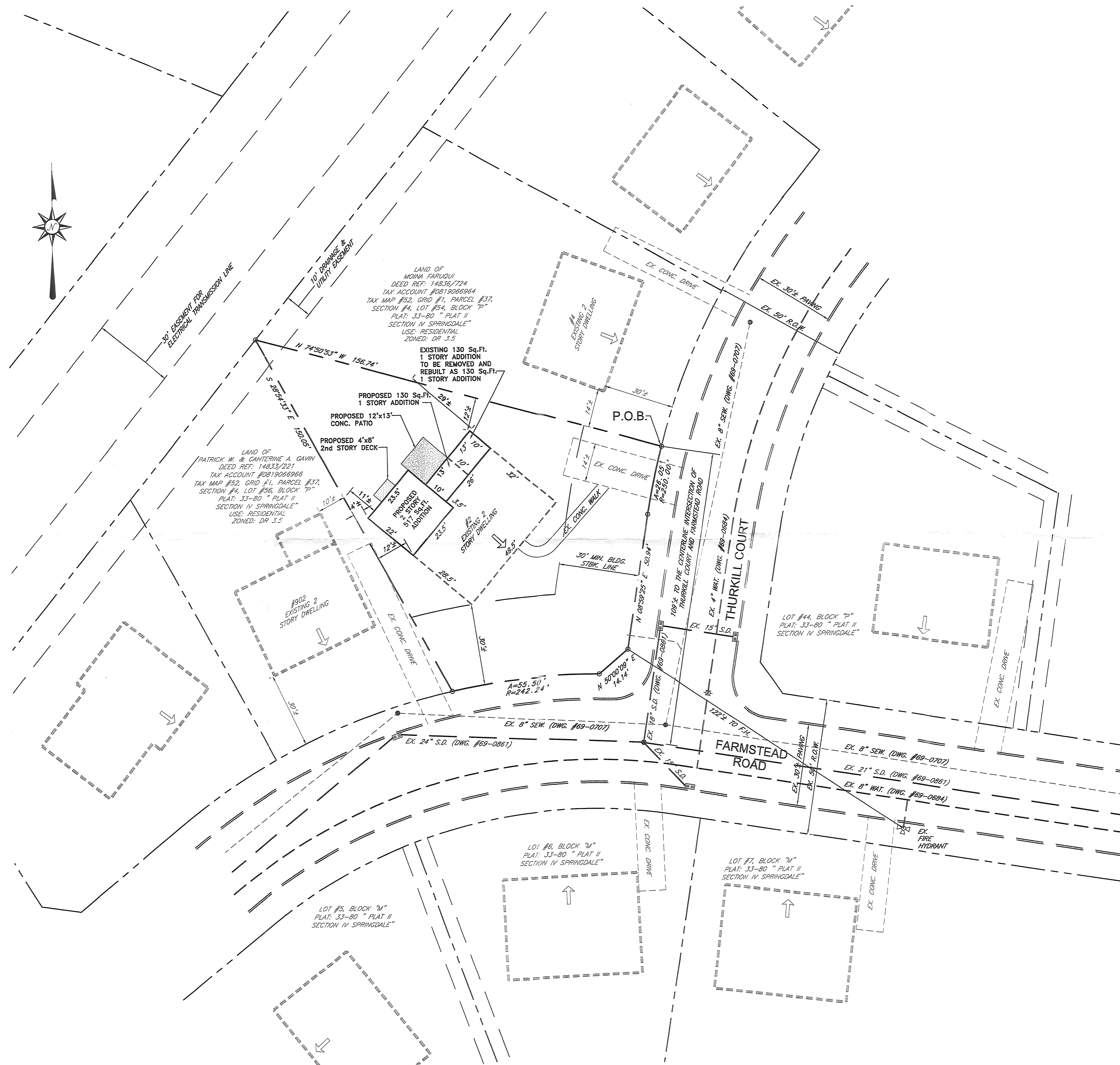
Comments, if any: _____



ZONING MAP #052 A-1
SCALE: 1" = 200'







GENERAL NOTES:

- OWNER: C. I. RIGGER, JR. & PAMALA J. RIGGER
2 THURKILL COURT
COCKEYSVILLE, MARYLAND 21030
 - SITE AREA:
11,007 Sq. Ft. or 0.253 Ac.±
 - UTILITIES:
WATER: PUBLIC SEWER: PUBLIC
 - SITE LIES WITHIN ZONES "X" OF FLOOD INSURANCE
RATE MAP (FIRM) PANEL #2400100255 F PANEL
255 OF 580 DATED SEPT. 26, 2008.
ZONE "X" IS AREAS DETERMINED TO BE OUTSIDE THE 0.2%
ANNUAL CHANCE FLOODPLAIN.
 - THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY
CRITICAL AREA
 - DEED REF: 7150/717
 - TAX ACCOUNT #0819066965
 - COUNCILMANIC DISTRICT: 3rd
 - ZONING: DR 3.5
(PER 1"=200' ZONING MAP 052A1)
 - TAX MAP #52, GRID #1, PARCEL #37, SECTION #4,
BLOCK "P", LOT #55.
 - PLAT REF: 33-80 ENTITLED "PLAT II-SECTION IV-SPRINGDALE"
 - NO KNOWN PREVIOUS ZONING CASES ON FILE.
 - THE EXISTING PROPERTY AND BUILDING ARE NOT HISTORIC.
 - NO KNOWN PREVIOUS PERMITS ON FILE.
 - SETBACKS FOR DR 3.5
REQUIRED PROVIDED
FRONT: 30' 30'±
SIDE: 10' (TOTAL OF 25') 4'± (TOTAL OF 16'±)*
REAR: 30' 11'±
- *VARIANCE REQUIRED FOR A SIDE YARD SETBACK OF 4' IN LIEU
THE REQUIRED 10' & FOR A SUM OF THE SIDE YARD
SETBACKS OF 16' IN LIEU OF THE REQUIRED 25' AND FOR
A REAR SETBACK OF 11' IN LIEU OF THE REQUIRED 30'.

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY
ZONING PETITION FOR VARIANCE
FOR THE

RIGGER RESIDENCE
2 THURKILL COURT

8TH ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

REVISIONS	DRAWN BY:	DESIGNED BY:	SCALE:
	CND	PCR	1" = 20'
	DATE:	JOB NO.:	SHEET NO.:
	04-30-10	10025	1 OF 1