IN RE: PETITION FOR ADMIN. VARIANCE

E side of Ridgemoor Road; 230 feet NE of the the c/l of Riverside Road 15th Election District 5th Councilmanic District (12 Ridgemoor Road)

Stephanie L. Ferrari Petitioner

- * BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- * FOR BALTIMORE COUNTY
- * Case No. 2011-0166-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Stephanie L. Ferrari for property located at 12 Ridgemoor Road. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a 26.5 feet rear yard setback in lieu of the required 30 feet setback for an addition. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. Petitioner desires to construct an addition measuring 8 feet x 16 feet. The Petitioner's mother has Alzheimer's and has to move in with the family. The small sunroom needs to be extended to allow it to be converted into a bedroom and bathroom for her mother.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated December 6, 2010 which indicates that the size and location of the addition is compatible with the community. The Planning Office recommends approval of the request.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on November 14, 2010 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER REC	EIVED FOR FILING
Date	12-9-10

The Petitioner has 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, 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 Petitioner.

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

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this _______ day of December, 2010 that a Variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a 26.5 feet rear yard setback in lieu of the required 30 feet setback for an addition is hereby GRANTED, subject to the following:

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

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

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

2



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

December 9, 2010

STEPHANIE L. FERRARI 12 RIDGEMOOR ROAD ESSEX MD 21221

> Re: Petition for Administrative Variance Case No. 2011-0166-A Property: 12 Ridgemoor Road

Dear Ms. Ferrari:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted in accordance with the enclosed Order.

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.

Sincerely,

THOMAS H. BOSTWICK Deputy Zoning Commissioner for Baltimore County

THB:pz

Enclosure

e: Al Stearns, 143 Main Street, Reisterstown MD 21136

Petition for Administrative Variance



to the Zoning Commissioner of Baltimore County for the property located at 12 Ridge mad Rd, Baltimore, MD 2021

located at 12 Kidge mod Rd	- Baldinora MD 2021
which is presently zoned OR	. 5.5
Deed Reference:	/ Tax Account # 1507471750

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. I; BC ZR,

PERMIT A 26.5ft. REARYARD SETBACK IN LIEU OF THE REQUIRED 30ft. SETBACK FOR AN ADDITION.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Administrative 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 periury, that I/we are the legal owner(s) of the property which

Zoning Commissioner of Baltimore County

	is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
Name - Type or Print	Name Type or Print
Name - Type of Print	The state of the s
Signature	Signature Signature
Address Telephone No.	Name - Type or Print
City State Zip Code	Signature
Attorney For Petitioner:	Address Telephone No.
Name - Type or Print	City State Zip Code
FOR FILING	Representative to be Contacted:
Signature ORDER RECEIVED FOR FILING	Al Steams
Date Date	Name 43 Min St 410-833-1142
Address Telephone No.	Address Telephone No.
City State Zip Code	Roisterstock MO 21136 City State Zip Code
A Public Hearing having been formally demanded and/or found to be this day of that the subject matter regulations of Baltimore County and that the property be reposted.	required, it is ordered by the Zoning Commissioner of Baltimore County, of this petition be set for a public hearing, advertised, as required by the zoning

Estimated Posting Date

Rev 3/09

Case No. 2011-0166-A

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 own and reside at 12 Ridge Moon and that this address is the subject of this variance request as required by law. 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 the hardship or practical difficulty; attach an additional sheet if needed) The Homeocries mother has to move in with homeocrae do to the nother has Alzheimers. The only area available is a very small sunroom which needs to be extended at 85 to allow for to be noon to tem it into an adequate bedroom with bathroom room we must ancroach into the 30' rear setback 3'6". The setback will be 26'6" (near property line to addition) That the Affiant(s) acknowledge(s) that if a formal demand is filed, and the Affiant(s) desire to proceed with their variance request, they will be responsible for reposting the property and for payment of the advertising fees. They also understand that they may be required to provide additional information. Signature Signati Name- print or type A Notary Public must complete the following section prior to the filing appointment. STATE OF MARYLAND, BALTIMORE COUNTY, to wit: the State of Maryland, in and for the County aforesaid, personally appeared: nt(s) here): Stephanie Fewayı
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s). NOTARY PUBLIC STATE OF MARYLAND AS WITNESS my hand and Notarial Seal y Commission Expires September 2, 2012 Name of Notary Public Commission expires

PLACE SEAL HERE:



ZONING DESCRIPTION FOR 12 RIDGEMOOR RD, BALTIMORE, MD 21221-7032

Beginning at the point on the east side of Ridgemoor Rd which is 30 ft wide at the distance of 230ft Northeast of the centerline of the nearest improved intersecting street Riverside Rd which is 15ft wide. Being Lot # 9, Block C in the subdivision of Eastern Terrace as recorded in Baltimore County Plat Book # 12, Folio # 45 containing 5,000.00 square feet. Also known as 12 Ridgemoor Rd, Baltimore, MD and located in the Election District 15, Councilmanic District 5.

OFFIC	MORE CO E OF BUI ELLANEOU	DGET AN	DFINANC	E	*	No.	6103	15/10	1/08/2010 11/05/2010 10:	TIME INN 19135 2
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Rec From: 20/1-0/66-A										
Charles and the same of the sa	DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING PLEASE PRESS HARD!!!!						CASHIER'S VALIDATION			

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 11/15/10

Case Number: 2011-0166-A

Petitioner / Developer: STEPHANIE FERRARI~AL STEARNS of

MARYLAND REMODELING & DESIGN/BUILD

Date of Hearing (Closing): NOVEMBER 29, 2010

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: 12 RIDGEMOOR ROAD

The sign(s) were posted on: NOVEMBER 14, 2010



Sinds 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)

Clairs 11-29

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2011- 166 -A Address 12 RIDGEMOOR Rd						
Contact Person: Phone Number: 410-887-3391						
Filing Date: 11/5/10 Posting Date: 11/14 Closing Date: 11/29						
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. <u>POSTING/COST:</u> 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. <u>DEADLINE:</u> 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.						
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 2011-0166 -A Address 12 RIDGEMOOR Rd.						
Petitioner's Name STERMANIE FERRARI Telephone 410-686-596						
Posting Date: 1/14/10 Closing Date: 1/29/10						
Wording for Sign: To Permit A 26tt. REAR YARD SETBACK						
IN LIEU of The REQUIRED 30ft.						
SETBACK FOR AN ADDITION.						

WCR - Revised 7/7/08

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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		7	- 11 1		
Item Number or	Case Number: _	2011-	0166	H	
Petitioner:	STEPHO	vie FE	ZRAR!		
Address or Loca	tion: 12 12,	vie FEG	· RR. ES	SEY, Md.	2/22/
PLEASE FORW Name:	ARD ADVERTIS	SING BILL TO:			nice in the contract of the co
Address:		SA	me		
Telephone Num	ber:	410-8	33-1147	2_	



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and
Development Management

November 29, 2010

Stephanie Ferrari 12 Ridgemoor Road Essex, Maryland 21221

Dear Ms. Ferrari:

RE: 2011-0166-A Ridgemoor Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 5, 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,

U. Cal Rila D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:rjc Enclosures

c: People's Counsel

Al Sterns 143 Main St. Reisterstown, Md 21136



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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: Nov. 24, 2010

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

Baltimore County RE:

Item No. 25(1-0166-A 12 RIDGEMOOR RD

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. 20 11 SIDEA.

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 INTEROFFICE CORRESPONDENCE

DATE: November 26, 2010

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 November 29, 2010 Item Nos. 2011-0166A

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

DAK cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

George Klunk, (Acting) Director

Department of Permits and Development Management

FROM:

Jeff Mayhew

(Acting) Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 11-166- Administrative Variance

The Office of Planning has reviewed the above referenced case(s) and the size and location of the addition is compatible with the community. The Office of Planning recommends approval of the petitioner's request.

For further questions or additional information concerning the matters stated herein, please contact John Alexander in the Office of Planning at 410-887-3480.

Prepared By:

CM/LL

RECEIVED

DATE: December 6, 2010

DEC 082010

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

11-29

DATE: November 29, 2010

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 November 29, 2010

Item Nos. 2011- 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 173, 174, 175, 177, 178 and 179

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

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

DEC 23 2010

ZONING COMMISSIONER

TO:

Zoning Commissioner's Office

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

December 22, 2010

SUBJECT:

Zoning Item # 11-166-A

Address

12 Ridgemoor Road

(Ferrari Property)

Zoning Advisory Committee Meeting of November 15, 2010.

DEPRM has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

- 1. This lot is located within an Intensely Developed Area (IDA) of the Chesapeake Bay Critical Area (CBCA). Relief to the rear yard setback will not impact any of the Critical Area requirements for this lot. Mitigation in the form of tree planting may be required to minimize adverse impacts on water quality that resulting from development activities.
- 2. The zoning request will not result in any forest clearing or wetland impacts, and mitigation may be required for any new impervious surfaces on this lot. Therefore, the subject zoning petition will conserve fish, wildlife, and plant habitat.
- The CBCA regulations apply to development activities within the Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts. Any proposed development activities must meet all IDA regulations.

Reviewer:

Regina Esslinger

Date: December 15, 2010



BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

DATE: November 26, 2010

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For November 29, 2010 Item Nos. 2011-0166A

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

RECEIVED

NOV 2 9 2010

ZONING COMMISSIONER

DAK cc: File

Debra Wiley - Case No. 2011-0166A

From:

Dennis Kennedy

To:

Wiley, Debra

Date:

11/26/2010 3:35 PM

Subject:

Case No. 2011-0166A

CC:

Richards, Carl

Attachments:

ZAC-11262010 - NO COMMENTS.DOC

Debbie:

Attached is our comment on the referenced item. We did not receive the agenda in time to follow the normal channels. The agenda says that the closing date is 11/29/10, so I am short-circuiting the system by sending this. Please accept the attached and hopefully, the hard copy will be put in the file some time. **Dennis**

RECEIVED

NOV 2 9 2010

ZONING COMMISSIONER

Patricia Zook - Case 2011-0166-A - administrative variance - comments needed

From:

Patricia Zook

To:

Murray, Curtis

Date:

11/30/2010 11:30 AM

Subject: Case 2011-0166-A - administrative variance - comments needed

Hello Curtis -

This administrative variance closed November 29 and we need Planning comments:

CASE NUMBER: 2011-0166-A

12 Ridgemoor Road

Location: E side of Ridgemoor Road; 230 feet NE of the c/l of Riverside Road.

15th Election District, 5th Councilmanic District

Legal Owner(s): Stephanie L. Ferrari (and Angelo N Ferrari?)

Closing Date: 11/29/2010

ADMINISTRATIVE VARIANCE To permit a 26.5 feet rear yard setback in lieu of the required 30 feet setback for an addition.

Thanks for your help.

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

410-887-3868

pzook@baltimorecountymd.gov

2011-0166-A

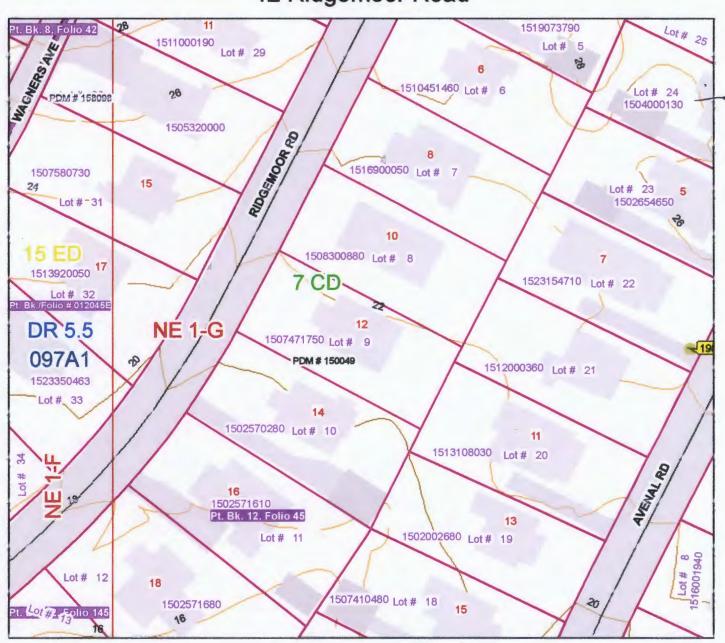
Maryland Department of Assessments and Taxation
Real Property Data Search (vw2.3)

BALTIMORE COUNTY

Go Back
View Map
New Search

District - 15 Account Number - 1507471750 Account Identifier: **Owner Information** Owner Name: FERRARI ANGELO N Use: RESIDENTIAL FERRARI STEPHANIE L Principal Residence: YES Mailing Address: 12 RIDGEMOOR RD **Deed Reference:** 1) /18173/ 441 **BALTIMORE MD 21221-7032** Location & Structure Information **Premises Address** Legal Description 12 RIDGEMOOR RD 12 RIDGEMOOR RD **EASTERN TERRACE** 1 Map Grid **Parcel Sub District** Subdivision Section Block Lot **Assessment Area** Plat No: 97 7 145 C 9 3 Plat Ref: 12/45 Town Special Tax Ad Valorem Areas Tax Class **Primary Structure Built Enclosed Area Property Land Area County Use** 1942 1,128 SF 5,000.00 SF 04 **Stories Basement** Exterior Type STANDARD UNIT 1 1/2 NO SIDING Value Information **Base Value** Value Phase-in Assessments As Of As Of As Of 01/01/2009 07/01/2010 07/01/2011 Land 53,000 53,000 86,700 Improvements: 105,750 Total: 139,700 158,750 152,400 158,750 Preferential Land: 0 0 0 Transfer Information **GOETZINGER MARTINA** Seller: Date: 06/11/2003 Price: \$104,900 IMPROVED ARMS-LENGTH /18173/441 Type: Deed1: Deed2: Seller: Date: Price: Type: Deed1: Deed2:

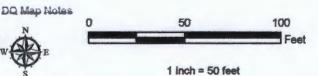
12 Ridgemoor Road

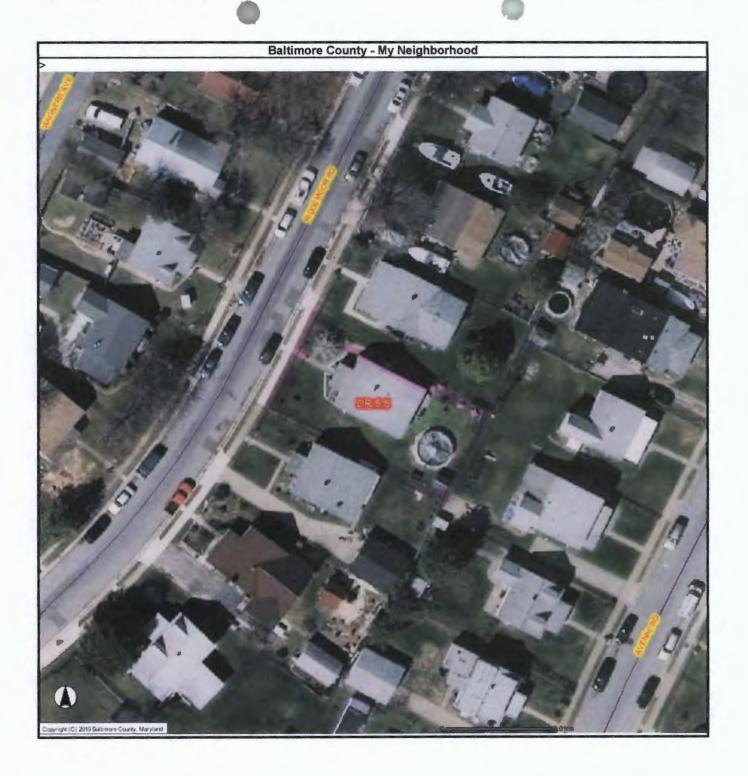




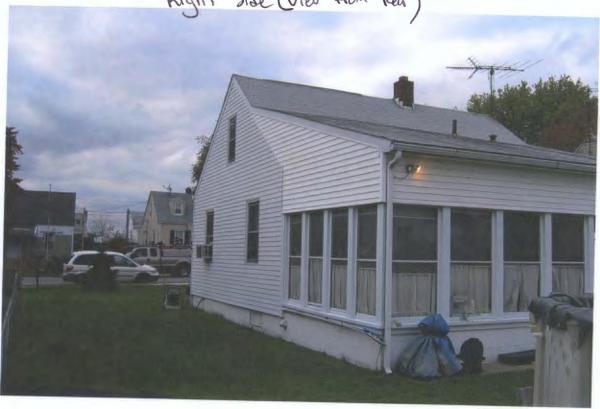
Publication Date: November 04, 2010 Publication Agency: Department of Permits & Development Management Projection/Datum: Maryland State Plane, FIPS 1900, NAD 1983/91 HARN, US Foot







Right Side (View from Rear)



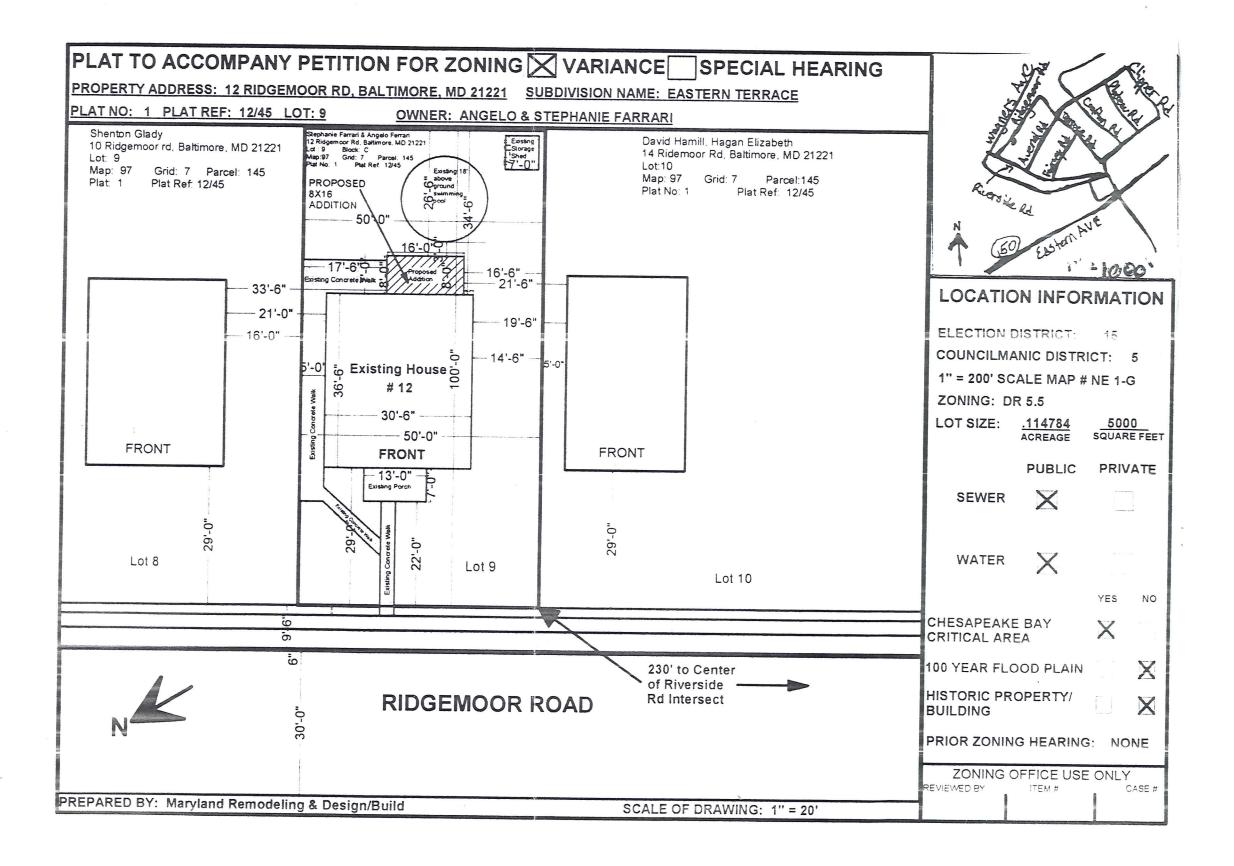
Pear of House



Right Side







2011-0166A