

IN RE: PETITION FOR ADMIN. VARIANCE
W side of Ridgeway Avenue South; 980' NE
of the terminus of Ridgeway Avenue South
3rd Election District
2nd Councilmanic District
(11206 Ridgeway Avenue South)

Gary Lee and Karen Allen Williams
Petitioners

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* **Case No. 2012-0229-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings as a Petition for Administrative Variance filed by the legal owners of the subject property, Gary Lee and Karen Allen Williams. The variance request is from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a side setback of 10 feet in lieu of the required 50 feet for an attached garage. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1.

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.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on March 29, 2012, 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 Administrative Law Judge, the

ORDER RECEIVED FOR FILING

Date 4-26-12
123

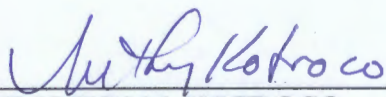
information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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 Administrative Law Judge for Baltimore County, this 26th day of April, 2012 that the Variance request from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a side setback of 10 feet in lieu of the required 50 feet for an attached garage, be and 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.

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


TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK/pz

ORDER RECEIVED FOR FILING

Date 4-26-12

By ym



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

April 26, 2012

GARY LEE AND KAREN ALLEN WILLIAMS
11206 RIDGEWAY AVENUE SOUTH
LUTHERVILLE MD 21093

RE: Petition For Administrative Variance
Case No. 2012-0229-A
Property: 11206 Ridgeway Avenue South

Dear Mr. and Mrs. Williams:

Enclosed please find a copy of the decision rendered in the above-captioned matter

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in cursive script, appearing to read "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:pz

Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 11206 Ridgeway Ave South
which is presently zoned RC 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) 1A04.3.B.2b; BCZR, To

PERMIT A SIDE SETBACK OF 10 FT. IN LIEU OF the
Required 50 ft. for AN ATTACHED GARAGE

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

City

State

Zip Code

Legal Owner(s):

Gary Lee Williams

Name - Type or Print

Gary Lee Williams

Signature

Karen Allen Williams

Name - Type or Print

Karen Allen Williams

Signature

11206 Ridgeway Ave South 410-252-0043

Address

Telephone No.

Lutherville Maryland 21093

City

State

Zip Code

Representative to be Contacted:

Gary Lee Williams

Name

11206 Ridgeway Ave South 410-252-0043

Address

Telephone No.

Lutherville Maryland 21093

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. 2012-0229-A

REV 10/25/01

Reviewed By JCM Date 3/27/12

Estimated Posting Date 4/11/12

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 11206 Ridgeway Ave South
Address
Lutherville, Maryland 21093
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):

We would like to make our home more accessible from the garage in inclement weather through the addition of the breezeway. Also, to be able to park our cars as well as store our lawn and garden equipment in one central location. With this addition, we feel the house will be more esthetically pleasing to our neighborhood.

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.

Gary Lee Williams
Signature
Gary Lee Williams
Name - Type or Print

Karen A. Williams
Signature
Karen A. Williams
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13 day of March, 2012, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Gary Lee and Karen A. Williams
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Victor E. Border
Notary Public

My Commission Expires 12-11-12

Zoning Description for 11206 Ridgeway Ave. South

Beginning at a point on the West side of Ridgeway Ave. South which is 40 wide the distance ^{1 A T A OF}
980' ^{NE} 1550 +/- S/W of the centerline of the nearest improved intersecting street Ridgeway Ave. which
is 16 feet wide. ~~TERMINUS OF RIDGEWAY AVE. SOUTH.~~

1 acre and located in the 3 Election District, 2 Councilmanic District.

BEGINNING for the same on the West side of a 16 foot road at the end of the North $87\frac{3}{4}$ degrees East 443 feet line of the tract of land described in a Deed dated August 22, 1935 and recorded among the Land Records of Baltimore County in Liber C.W.B. Jr. No. 961 folio 122 from Diofebo Gallerani to the said George W. Bond an wife and running thence South $2\frac{3}{4}$ degrees East binding on the West side of a 16 foot right of way referred to in said deed with the use thereof in common 100 feet, thence South $87\frac{3}{4}$ degrees West 468 feet , more or less, to the North $16\frac{1}{4}$ degrees East 506 $\frac{1}{2}$ feet line of the said deed for Gallerani to Bond, thence North $16\frac{1}{4}$ degrees East 103 feet, more or less, to the end of said line and thence North $87\frac{3}{4}$ degrees East 443 feet to the place of beginning.

Containing one (1) acre of land, more or less

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

No. **81367**

Date: **3/22/12**

PAID RECEIPT

BUSINESS ACTUAL TIME DOW
 3/23/2012 3/22/2012 14:31:55 5

REG NO: WALKIN REGS LRS
 RECEIPT # 591755 3/22/2012 OFLA
 Dept 3 528 ZONING VERIFICATION
 NO. 881367

Receipt Tot \$75.00
 \$1.00 OK \$80.00 CA
 \$5.00- CG
 Baltimore County, Maryland

		Rev	Sub														
		Source/	Rev/														
Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct										
001	806	000		615													

Total: **75.00**

Rec From: **11200 Ridge way Ave (Gary Williams)**
 For: **Administrative Variance**

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

(AN) TK 4-16-12

Granted 4-26-12

MEMORANDUM

DATE: June 4, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0229-A - Appeal Period Expired

The appeal period for the above-referenced case expired on May 28, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings

Maryland Department of Assessments and Taxation
Real Property Data Search (vw4.2A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent Redemption](#)
[GroundRent Registration](#)

Account Identifier:

District - 03 Account Number - 0323052150

Owner Information

Owner Name:	WILLIAMS GARY LEE WILLIAMS KAREN ALLEN	Use:	RESIDENTIAL
Mailing Address:	11206 RIDGEWAY AVE LUTHERVILLE TIMONIUM MD 21093-1422	Principal Residence:	YES
		Deed Reference:	1) /06387/ 00162 2)

Location & Structure Information

Premises Address	Legal Description
11206S RIDGEWAY AVE 0-0000	1 AC SS RIDGEWAY AV 1700 SW GREENSPRING AV

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0059	0010	0297		0000				2	
									Plat Ref:

Special Tax Areas	Town	NONE
	Ad Valorem	
	Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1953	2,200 SF	1.0000 AC	04

Stories	Basement	Type	Exterior
1.500000	YES	STANDARD UNIT SIDING	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2011	07/01/2012
Land	170,000	110,000		
Improvements:	223,170	195,000		
Total:	393,170	305,000	305,000	305,000
Preferential Land:	0			0

Transfer Information

Seller:	WILLIAMS GARY LEE	Date:	04/20/1982	Price:	\$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/06387/ 00162	Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:	Special Tax Recapture:
Exempt Class:	NONE

Homestead Application Information

Homestead Application Status:	Approved 07/29/2009
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CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>4-10</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>nc</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>4-3</u>	STATE HIGHWAY ADMINISTRATION	<u>nc</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	<u>-</u>
_____	ADJACENT PROPERTY OWNERS	<u>-</u>
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>3-29</u>	by <u>O'Leary</u>
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____







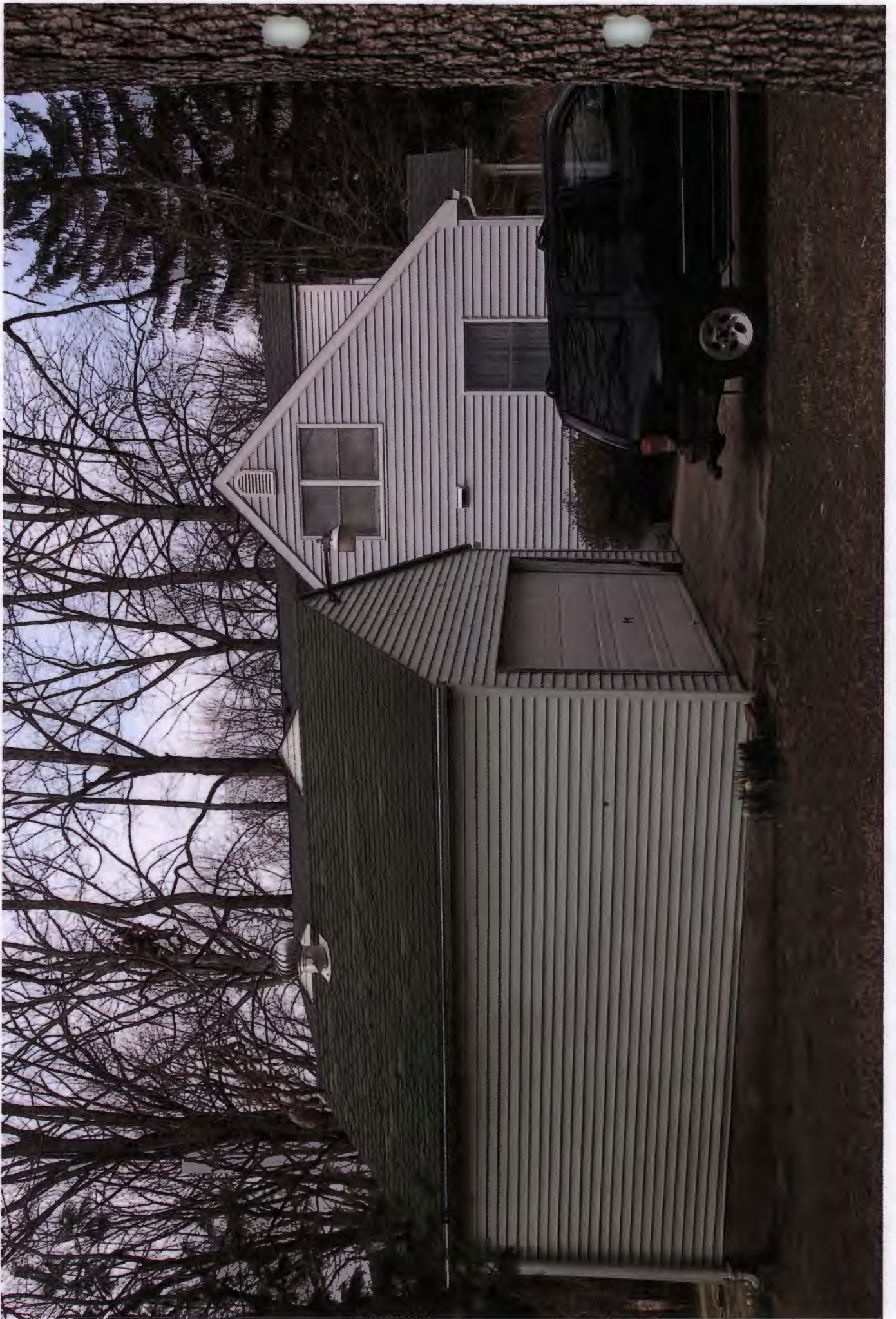
















Debra Wiley - ZAC Comments - Distribution Meeting of March 26, 2012

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 4/4/2012 1:55 PM
Subject: ZAC Comments - Distribution Meeting of March 26, 2012

Good Afternoon,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

2012-0229-A - 11206 Ridgeway Avenue South Avenue
Administrative Variance - Closing Date: No closing date reflected in data base 4/4

2012-0230-XA - 6216 Ebenezer Road
No date reflected in data base 4/4

2012-0231-SPHA - 1655 Belmont Avenue
No date reflected in data base 4/4

2012-0232-A - 2420 Bulls-Sawmill Road
No date reflected in data base 4/4

2012-0233-X - 6709 White Stone Road
No date reflected in data base 4/4

2012-0234-A - 311 Railroad Avenue
No date reflected in data base 4/4

2012-0235-A - 1218 Elm Ridge Avenue
No date reflected in data base 4/4

2012-0236-SPHA - 16928 York Road
No date reflected in data base 4/4

Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

Attorney:

Prior Zoning Cases

Violation Cases:

Miscellaneous:

Case Number: 2012-0230-

Type: SPECIAL EXCEPTION

Legal Owner: James H & Rot

Contract Purchaser:

Critical Area: NO Flood Plain

Property Address: 6216 Ebenezer

Location: N/E side of Ebenezer Rd, 82.

Existing Zoning: RC 2

Proposed Zoning: SPECIAL EXCEPTION

VARIANCE To allow a g,
allow parking spaces with

Attorney: John B Gontrum, Esq., 1 W Pennsylvan

nd Settings\dwiley.BA210786\Local Setting
ing date



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

April 24, 2012

Gary Lee & Karen Allen Williams
11206 Ridgeway Avenue South
Lutherville, Maryland 21093

RE: Case Number: 2012-0229, Address: 11206 Ridgeway Avenue South, 21093

Dear Mr. & Ms. Conner:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 22, 2012. 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." The signature is stylized with a large, flowing "W" and a prominent "J" at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel

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



Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 4-3-12

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

RE: Baltimore County
Item No 2012-0229-A
Administrative Variance
Gary Lee & Karen Allen Williams
11206 Ridgeway Avenue South.

Dear Ms. Lewis:

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. 2012-0229-A.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in blue ink, appearing to read "Steven D. Foster".
Steven D. Foster, Chief
Access Management Division

SDF/raz

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.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: April 10, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For April 09, 2012
Item Nos. 2012-218, 229, 231, 232, 233, 235
And 236

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-04092012-NO COMMENTS.doc

(Telephone Number of Sign Poster)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2012- 0229 -A Address 11206 RIDGEWAY AVE SOUTH

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

Filing Date: 3/22/12 Posting Date: 4/1 Closing Date: 4/16

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

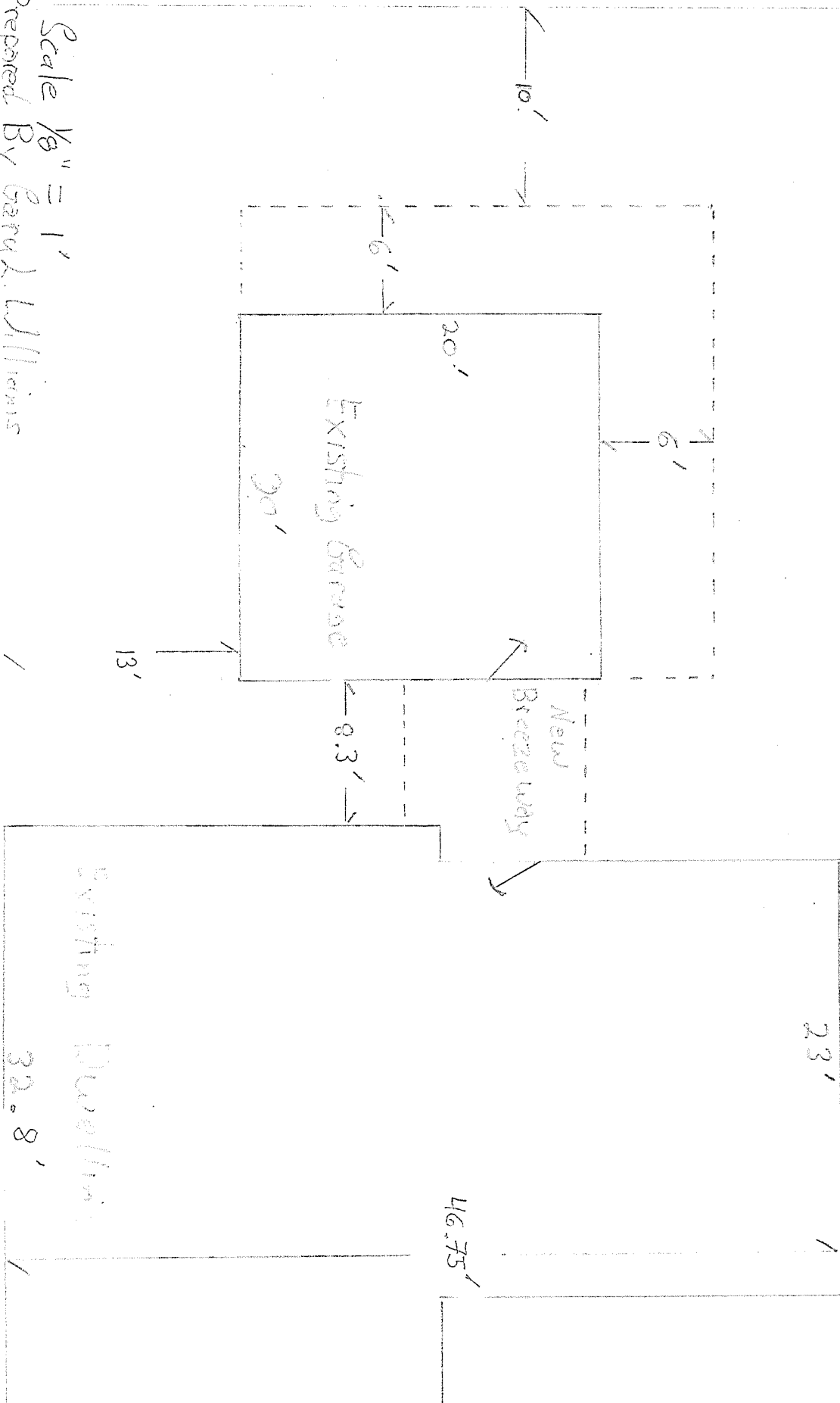
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2012- 0229 -A Address 11206 RIDGEWAY AVE SOUTH
Petitioner's Name GARY WILLIAMS Telephone 410-252-0043
Posting Date: 4/1 Closing Date: 4/16
Wording for Sign: To Permit A SIDE SETBACK OF 10FT. IN
LIEU OF THE REQUIRED 50FT. FOR AN
ATTACHED GARAGE.

Revised 7/06/11

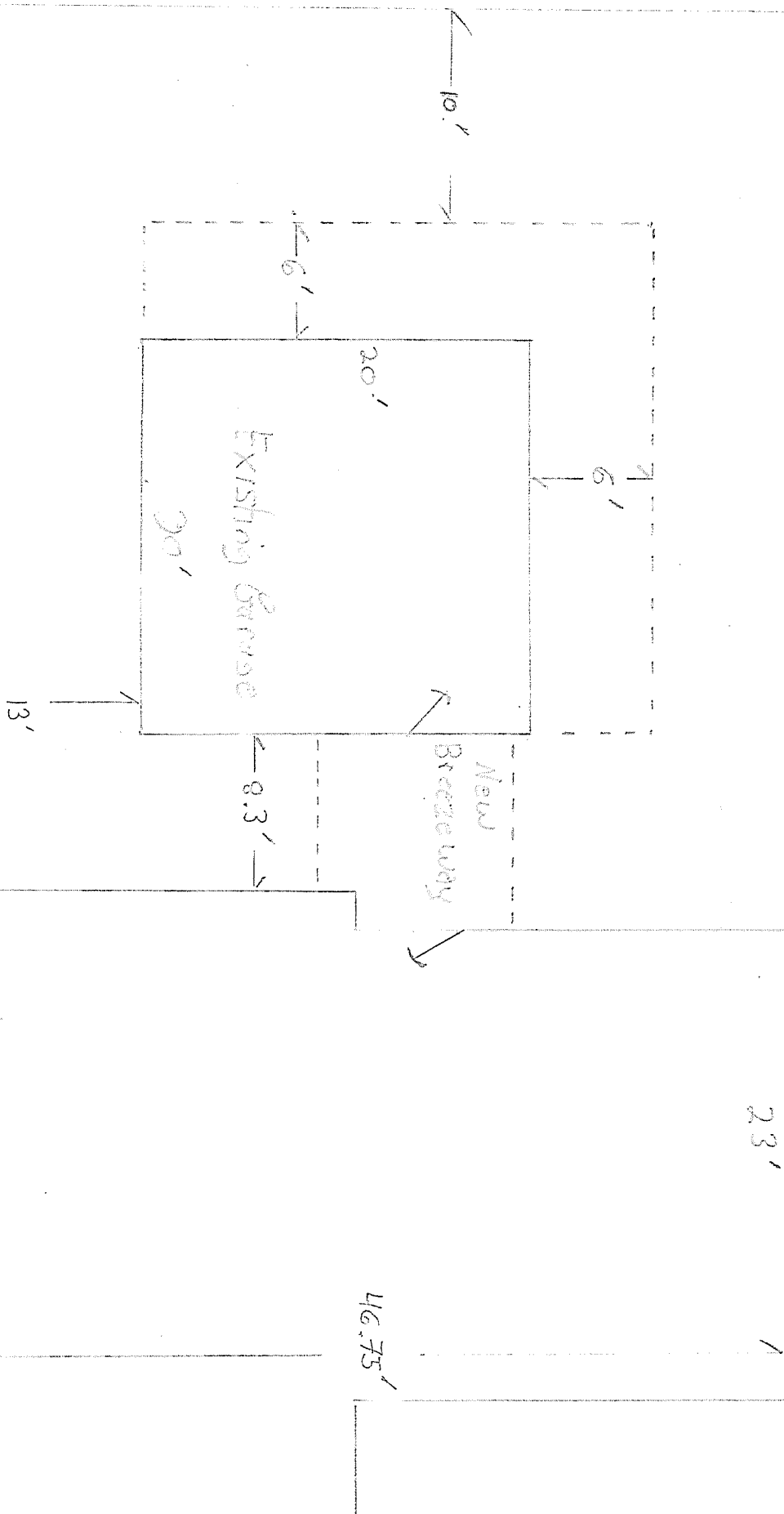
Property Line

Scale $\frac{1}{8}" = 1'$
Prepared By Gary L. Williams

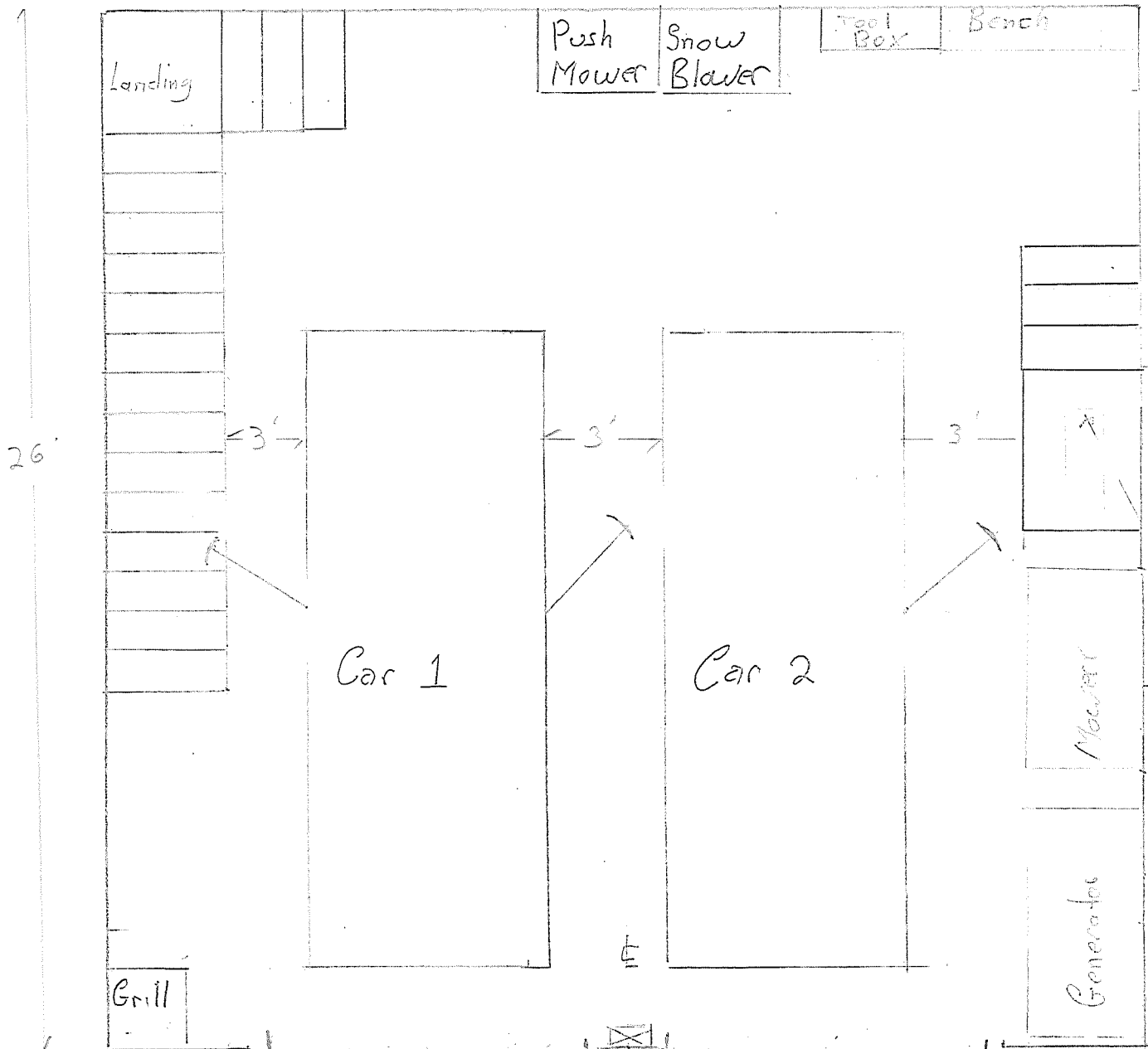


Property Line

Scale $\frac{1}{8}" = 1'$
Prepared By Gary L. Williams



26'



PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 11206 Ridgeway Ave South

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

SUBDIVISION NAME: _____

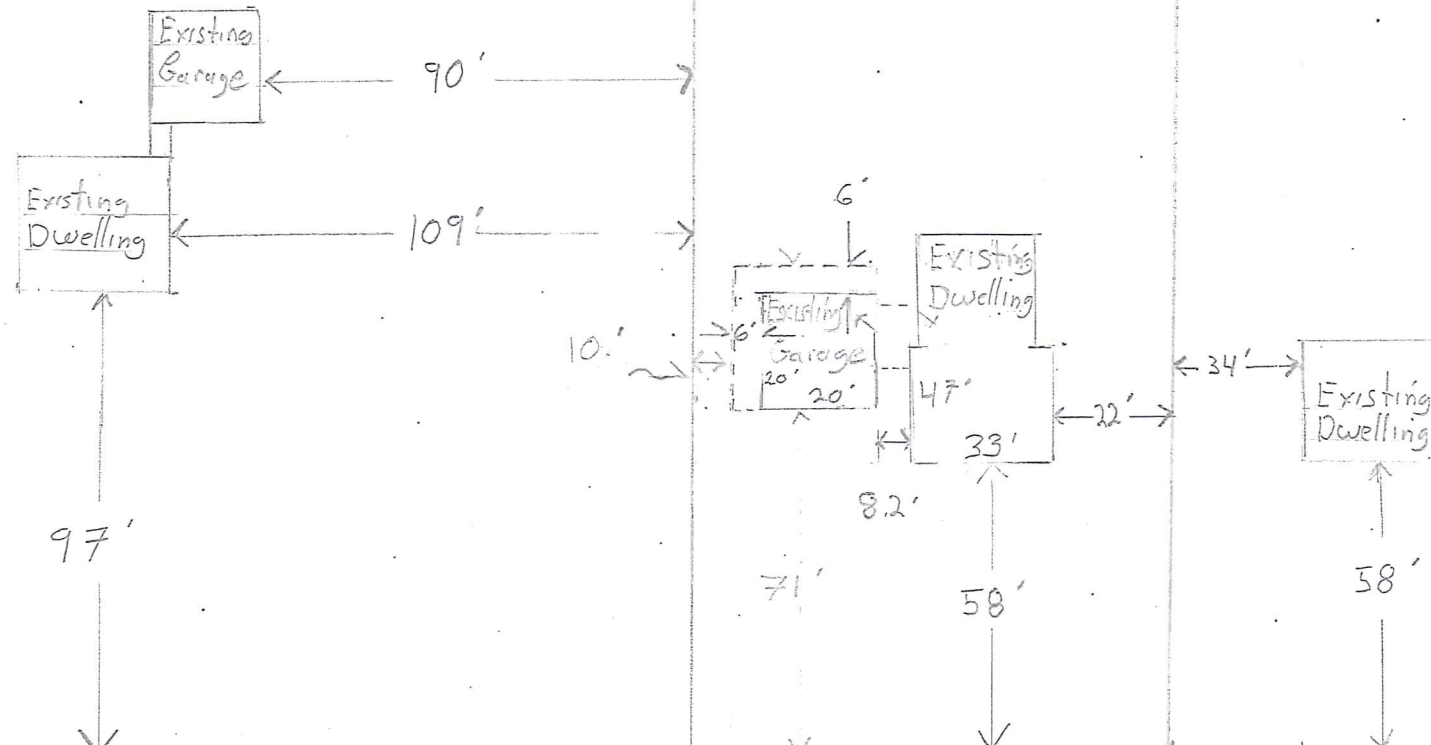
PLAT BOOK # FOLIO # 122 LOT # SECTION #

OWNER Gara Lee & Karen Allen Williams

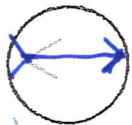
Robert & Susan Gallagher

Greg & Karen Williams

Betty Lever



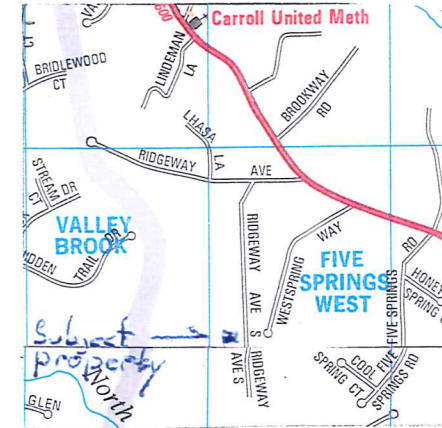
Ridgeway Ave South



NORTH

PREPARED BY Gary L. Williams

SCALE OF DRAWING: 1" = 40'



VICINITY MAP

SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 3

COUNCILMANIC DISTRICT 2

1" = 200' SCALE MAP # 05932

ZONING RC 5

LOT SIZE 1 ACREAGE SQUARE FEET

PUBLIC PRIVATE

SEWER ☐ ☒

WATER ☐ ☒

CHESAPEAKE BAY
CRITICAL AREA

YES: ☐ NO: ☒

100 YEAR FLOOD PLAIN ☐ ☒

HISTORIC PROPERTY/
BUILDING ☐ ☒

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY

REVIEWED BY ITEM # CASE #