

MEMORANDUM

DATE: December 15, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0103-A- Appeal Period Expired

The appeal period for the above-referenced case expired on December 14, 2016. 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

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(610 Fuselage Avenue)		
15 th Election District	*	OFFICE OF ADMINISTRATIVE
6 th Council District		
George U. McFadden, Jr. &	*	HEARINGS FOR
Mary R. McFadden		
Petitioners	*	BALTIMORE COUNTY
	*	CASE NO. 2017-0103-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, George U. McFadden, Jr. and Mary R. McFadden ("Petitioners"). The Petitioners are requesting Variance relief from § 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard addition with a rear setback of 17 ft. in lieu of the required 30 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments submitted by any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on October 22, 2016, 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 (B.C.C.). 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

ORDER RECEIVED FOR FILING

Date 11-14-16

By [Signature]

welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, 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.

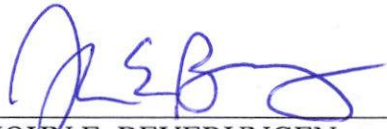
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 14th day of **November, 2016**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from § 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard addition with a rear setback of 17 ft. in lieu of the required 30 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 11-14-16

By (signature)



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 610 FUSELAGE AVE Currently zoned DR 5.5
 Deed Reference 08297 / 00366 10 Digit Tax Account # 1900014487
 Owner(s) Printed Name(s) GEORGE AND MARY McFADDEN

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. ☒ ADMINISTRATIVE VARIANCE from Section(s) _____

BCZR: 1b01.2.C.1.b. → To permit a rear yard addition with a rear setback of 17 feet in lieu of the required 30 feet.

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

2. _____ ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

I/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

GEORGE McFADDEN, MARY McFADDEN
 Name #1 - Type or Print Name #2 - Type or Print

Signature #1 _____ Signature #2 _____
610 FUSELAGE AVE BALT MD
 Mailing Address City State
21221 / 667 214 1259 / MMCFADDEN@
 Zip Code Telephone # Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

CHRISTIAN CLIFTON
 Name - Type or Print
Chris Clifton
 Signature
5635 ASHBURNE RD BALTO. MD
 Mailing Address City State
21227 / 4438656500 / INFO@CARONAL
 Zip Code Telephone # Email Address
MARYLAND - 16th

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2017-0103-A Filing Date 10/13/16 Estimated Posting Date 10/23/16 Reviewer JS

Rev 5/8/2014

ORDER RECEIVED FOR FILING

Date 11-14-16

By [Signature]

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 610 FUSELAGE AVE BALTIMORE MD 21321
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

CONSTRUCT A FIRST FLOOR ADDITION 17' WIDE X 14' DEEP

CONSTRUCT A SECOND FLOOR DECK W/STEPS TO GRADE

(SPLIT LEVEL HOME) 20' WIDE X 12' DEEP

WE SEEK TO EXPAND LIVING SPACE BOTH OUTDOOR + INDOOR

OUR HOME HAS NO BASEMENT SPLIT LEVEL

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

George McFadden
Signature of Owner (Affiant)

GEORGE MCFADDEN
Name- Print or Type

Mary McFadden
Signature of Owner (Affiant)

MARY MCFADDEN
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6th day of OCTOBER, 2016, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: George & Mary McFadden

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

AS WITNESS my hand and Notaries Seal

Mary J. Johnson
Notary Public

My Commission Expires 7/21/9

Zoning Property Description for 610 Fuselage Avenue

Beginning at a point on the south side of Fuselage Avenue 50 feet wide at a distance of 378.87 foot west of the right of way of Sandhill Road 60 foot wide being Lot # 408, Plat 2 Section 4 of the subdivision of Goldentree recorded in Baltimore County Plat Book # 51, Folio # 86, containing 8,198 square feet located in the 15th Election District and 6th Council District.

2017-0103-A

CERTIFICATE OF POSTING

CERTIFICATE OF POSTING

CASE NO: 2017-0103-A

PETITIONER/DEVELOPER

MC FADDEN

DATE OF HEARING/CLOSING:

11/7/16

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 THE PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE
PROPERTY AT _____

610 FUSELAGE AVE

THIS SIGN(S) WERE POSTED ON October 22, 2016
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 10/22/16
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE, MD 21220
(ADDRESS)
PHONE NUMBER: 443-629-3411

ZONING NOTICE
ADMINISTRATIVE VARIANCE

CASE # 2017-0103-A

TO PERMIT A REAR YARD ADDITION WITH A REAR
SETBACK OF 17 FEET IN LIEU OF THE REQUIRED 30 FEET

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON ~~Monday November 7, 2016~~
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT

111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204

TEL. 410-887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER DATE. VIOLATION PENALTY OF LAW.
MEETING IS HANDICAPPED ACCESSIBLE

yzabue 10/22/16

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2017- 0103 -A Address 610 FUSELAGE AVE., 21221
Contact Person: JASON SEIDELMAN Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 10/13/16 Posting Date: 10/23/16 Closing Date: 11/7/16

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 2017- 0103 -A Address 610 FUSELAGE AVE., 21221
Petitioner's Name McFADDEN Telephone 667-214-1259
Posting Date: 10/23/16 Closing Date: 11/7/16
Wording for Sign: TO PERMIT A REAR YARD ADDITION WITH A REAR SETBACK OF
17 FEET IN LIEU OF THE REQUIRED 30 FEET

Revised 7/6/16

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighborhood 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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2017-0103-A

Property Address: 610 FUSCLAGE AVE, 21221

Property Description: _____

Legal Owners (Petitioners): MARY + GEORGE McFADDEN

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: MARY & GEORGE McFADDEN

Company/Firm (if applicable): _____

Address: 610 FUSCLAGE AVE

BAITMORE MD 21221

Telephone Number: 667 214 1259

Revised 7/9/2015

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

No. **141429**

Date: **10/13/16**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 10/17/2016 10/13/2016 11:41:04 1

REC 0801 WALKIN LJR
 >> RECEIPT # 686147 10/13/2016 DFLW

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					\$ 75.00

Total: **\$ 75.00**

Rec From: **McFADDEN**

For: **2017-0103-A**

Dept 5 528 ZONING VERIFICATION
 CR NO. 141429

Recpt Tot \$75.00
 \$75.00 CK \$1.00 CA
 Baltimore County, Maryland

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**



KEVIN KAMENETZ
County Executive

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

November 9, 2016

George & Mary McFadden
610 Fuselage Avenue
Baltimore MD 21221

RE: Case Number: 2017-0103 A, Address: 610 Fuselage Avenue

Dear Mr. & Ms. McFadden:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on October 13, 2016. 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, reading "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Christian Clifton, 5625 Ashbourne Road, Baltimore MD 21227

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 10/19/16

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2017-0103-A.

Administrative Variance
George & Mary McFadden
610 Fuse 1/2g Avenue

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

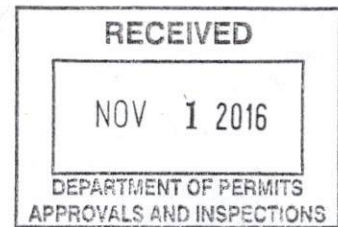
Sincerely,

A handwritten signature in blue ink, appearing to read 'Wendy Wolcott', is written over a horizontal line.

Wendy Wolcott, PLA
Acting Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE



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

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

SUBJECT: Zoning Advisory Committee Meeting
For October 24, 2016
Item No. 2017-0099, 0102, 0103 and 0106

DATE: October 28, 2016

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\ZAC10242016.doc

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>10-28</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>10-19</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. <u>92-303-A</u>)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>10-22-16</u> by <u>Ogle</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 1900014487			
Owner Information					
Owner Name:	MCFADDEN GEORGE U JR MCFADDEN MARY R		Use:	RESIDENTIAL	
Mailing Address:	610 FUSELAGE AVE BALTIMORE MD 21221-3127		Principal Residence:	YES	
			Deed Reference:	/08297/ 00366	
Location & Structure Information					
Premises Address:		610 FUSELAGE AVE 0-0000		Legal Description:	8198 SQ FT .1882 AC GOLDENTREE
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0090	0009	1277		0000	4 408
					Assessment Year: 2015
					Plat No: 2 Plat Ref: 0051/0086
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area		Finished Basement Area		Property Land Area
1985	1,568 SF				8,198 SF
County Use					
04					
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
2	NO	SPLIT LEVEL	SIDING	1 full	1 Carport
Last Major Renovation					
Value Information					
		Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2016 As of 07/01/2017	
Land:		77,600	77,600		
Improvements		118,100	115,900		
Total:		195,700	193,500	193,500	193,500
Preferential Land:		0			0
Transfer Information					
Seller: HEINERICH DONALD WALTER, SR		Date: 10/13/1989		Price: \$116,000	
Type: ARMS LENGTH IMPROVED		Deed1: /08297/ 00366		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2016		07/01/2017	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 02/03/2009					

Prev. Order
1992

IN RE: PETITION FOR RESIDENTIAL
ZONING VARIANCE
S/S Fuselage Avenue, 400 ft. W
of c/l Sandhill Road
610 Fuselage Avenue
15th Election District
6th Councilmanic District

George U. McFadden, Jr., et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-303-A
*
*

* * * * *
FINDINGS OF FACT AND CONCLUSIONS OF LAW

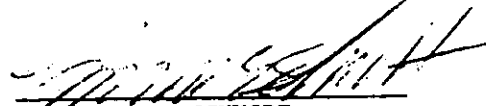
The Petitioners herein request a variance from Sections 504 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and V.B.6.b. (CMDP) to allow a 1 ft. 6 inch setback, in lieu of the required 11 ft. 4 inch setback, for a proposed carport and to amend the last approved final development plan for Golden Tree Section 4, Lot #408, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) 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 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 Zoning Commissioner for Baltimore County this 12th day of March, 1992 that the Petition for a Zoning Variance from Sections 504 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and V.B.6.b. (CMDP) to allow a 1 ft. 6 inch setback, in lieu of the required 11 ft. 4 inch setback, for a proposed carport and to amend the last approved final development plan for Golden Tree Section 4, Lot #408, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

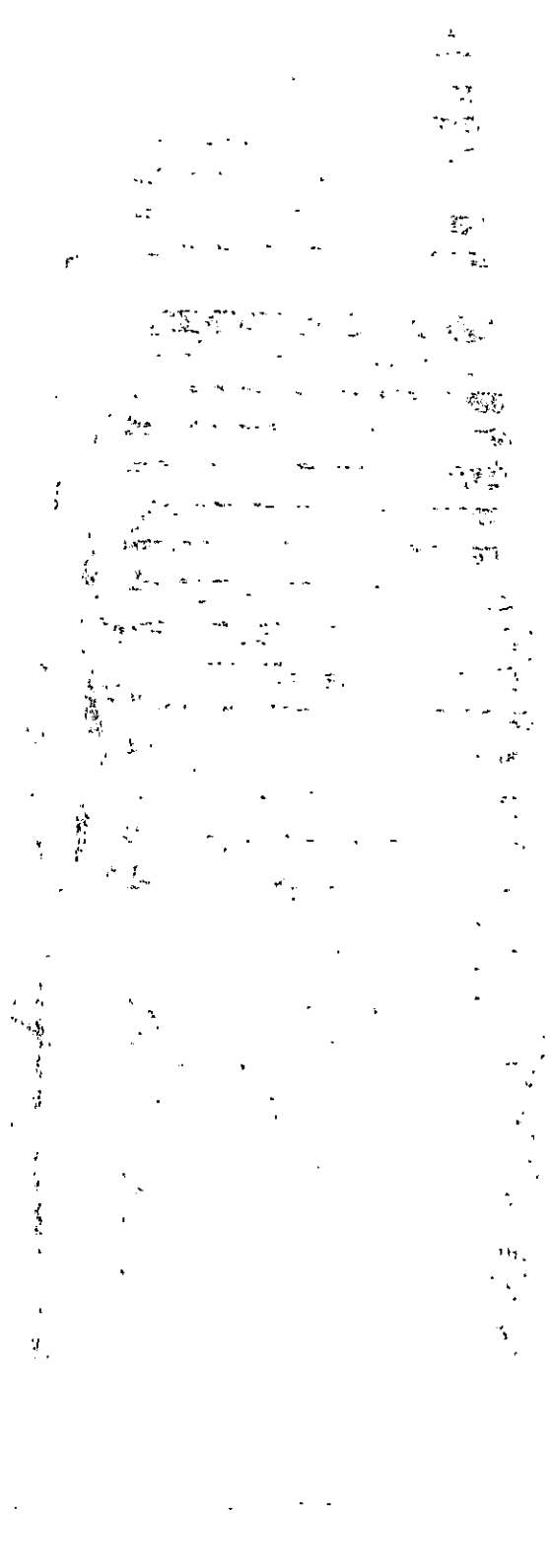
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this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


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmnn







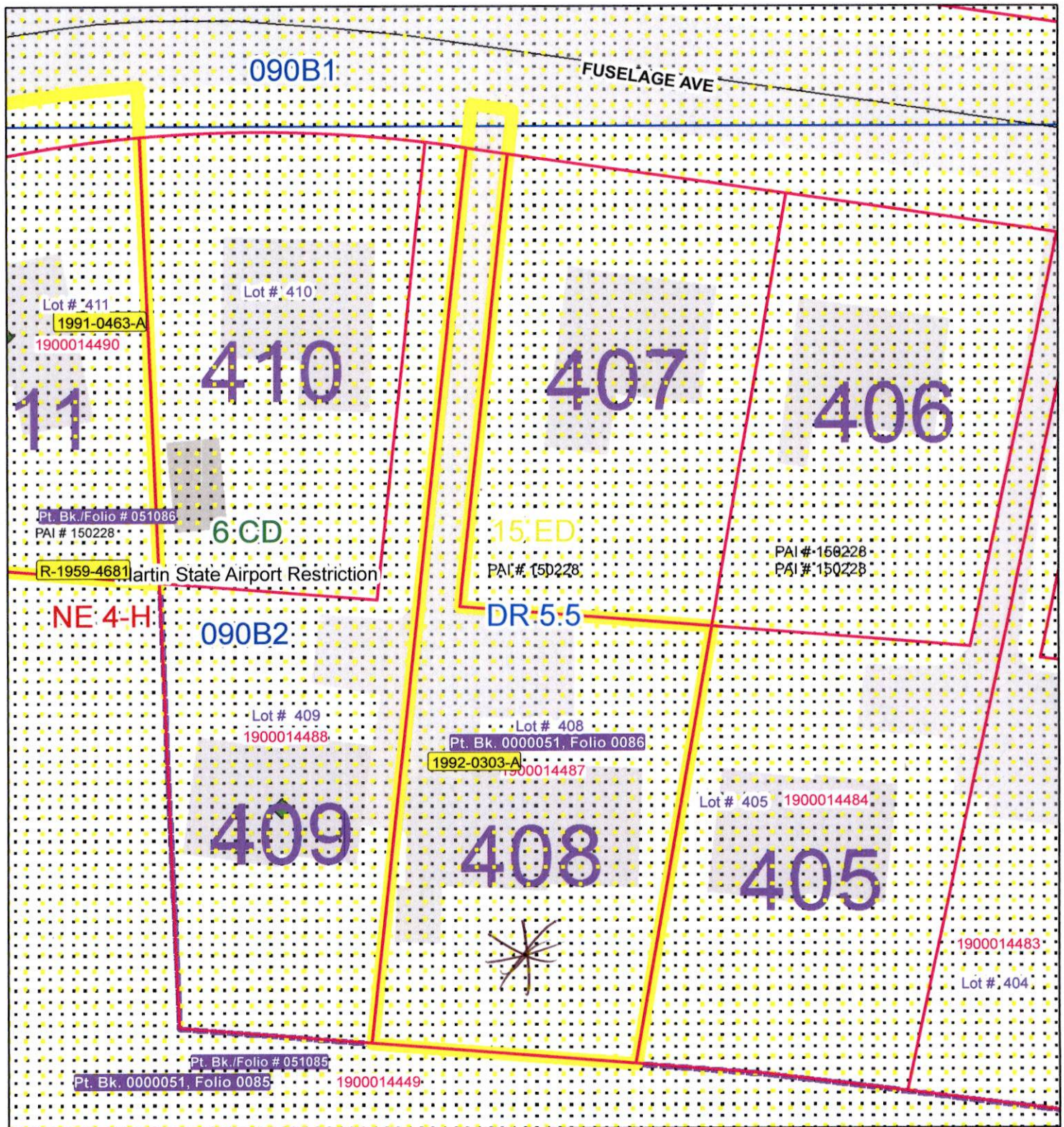




1. The first part of the document
describes the general situation
of the country and the
state of the economy.
It also mentions the
main problems that
the government is facing.
The second part of the
document discusses the
measures that the
government has taken
to solve these problems.
The third part of the
document discusses the
results of these measures.
The fourth part of the
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010 Fuselage Avenue



Publication Date: 10/6/2016



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 5 10 20 30 40
Feet

1 inch = 33.333333 feet

M E M O R A N D U M

DATE: December 15, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0103-A- Appeal Period Expired

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c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(610 Fuselage Avenue)		
15 th Election District	*	OFFICE OF ADMINISTRATIVE
6 th Council District		
George U. McFadden, Jr. &	*	HEARINGS FOR
Mary R. McFadden		
Petitioners	*	BALTIMORE COUNTY
	*	CASE NO. 2017-0103-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, George U. McFadden, Jr. and Mary R. McFadden ("Petitioners"). The Petitioners are requesting Variance relief from § 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard addition with a rear setback of 17 ft. in lieu of the required 30 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments submitted by any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on October 22, 2016, 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 (B.C.C.). 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

ORDER RECEIVED FOR FILING

Date 11-14-16

By [Signature]

welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, 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, this 14th day of **November, 2016**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from § 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard addition with a rear setback of 17 ft. in lieu of the required 30 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 11-14-16

By (signature)



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 610 FUSELAGE AVE Currently zoned DR 5.5
 Deed Reference 08297 / 00366 10 Digit Tax Account # 1900014487
 Owner(s) Printed Name(s) GEORGE AND MARY McFADDEN

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plot attached hereto and made a part hereof, hereby petition for an:

1. ☒ ADMINISTRATIVE VARIANCE from Section(s) _____

BCZR: 1b01.2.C.1.b. → To permit a rear yard addition with a rear setback of 17 feet in lieu of the required 30 feet.

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

2. _____ ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (Indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

I/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

GEORGE McFADDEN / MARY McFADDEN
 Name #1 - Type or Print Name #2 - Type or Print

Signature #1 _____ Signature #2 _____
610 FUSELAGE AVE BALTO MD
 Mailing Address City State
21221 / 667 214 1259 / MMCFADDEN@
 Zip Code Telephone # Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print _____
 Signature _____
 Mailing Address _____ City _____ State _____
 Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted: MMCP.V.M.M. COV
CHRISTIAN CLIFTON
 Name - Type or Print
Chris Clifton
 Signature
5635 ASHBORNE RD BALTO MD
 Mailing Address City State
21227 / 4438656500 / INFO@CAROMAL
 Zip Code Telephone # Email Address
MARYLAND.COM

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2017-0103-A Filing Date 10/13/16 Estimated Posting Date 10/23/16 Reviewer JS

Rev 5/8/2014

ORDER RECEIVED FOR FILING

Date 11-14-16

By [Signature]

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 610 FUSELAGE AVE BALTIMORE MD 21321
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

CONSTRUCT A FIRST FLOOR ADDITION 17' WIDE X 14' DEEP

CONSTRUCT A SECOND FLOOR DECK W/STEPS TO GRAD

(SPLIT LEVEL HOME) 20' WIDE X 12' DEEP

WE SEEK TO EXPAND LIVING SPACE BOTH OUTDOOR + INDOOR

OUR HOME HAS NO BASEMENT SPLIT LEVEL

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

George McFadden
Signature of Owner (Affiant)

GEORGE MCFADDEN
Name- Print or Type

Mary McFadden
Signature of Owner (Affiant)

MARY MCFADDEN
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6th day of OCTOBER, 2016, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: George & Mary McFADDEN

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

AS WITNESS my hand and Notaries Seal

Mary McFadden
Notary Public
My Commission Expires 7/21/9

Zoning Property Description for 610 Fuselage Avenue

Beginning at a point on the south side of Fuselage Avenue 50 feet wide at a distance of 378.87 foot west of the right of way of Sandhill Road 60 foot wide being Lot # 408, Plat 2 Section 4 of the subdivision of Goldentree recorded in Baltimore County Plat Book # 51, Folio # 86, containing 8,198 square feet located in the 15th Election District and 6th Council District.

2017-0103-A

CERTIFICATE OF POSTING

CERTIFICATE OF POSTING

CASE NO: 2017-0103-A

PETITIONER/DEVELOPER

MC FADDEN

DATE OF HEARING/CLOSING:

11/7/16

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 THE PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE
PROPERTY AT _____

610 FUSELAGE AVE

THIS SIGN(S) WERE POSTED ON October 22, 2016
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 10/22/16
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE, MD 21220
(ADDRESS)
PHONE NUMBER: 443-629-3411

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2017-0103-A

TO PERMIT A REAR YARD ADDITION WITH A REAR
SETBACK OF 17 FEET IN LIEU OF THE REQUIRED 30 FEET

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(N) (1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON ~~Monday November 7, 2016~~
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT

111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204

TEL. 410-887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL THE MEETING DATE. VIOLATION SUBJECT TO FINE.
MEETING IS HANDICAPPED ACCESSIBLE

yzaburg 10/22/16

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2017- 0103 -A Address 610 FUSELAGE AVE., 21221
Contact Person: JASON SEIDELMAN Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 10/13/16 Posting Date: 10/23/16 Closing Date: 11/7/16

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 2017- 0103 -A Address 610 FUSELAGE AVE., 21221
Petitioner's Name McFADDEN Telephone 667-214-1259
Posting Date: 10/23/16 Closing Date: 11/7/16
Wording for Sign: TO PERMIT A REAR YARD ADDITION WITH A REAR SETBACK OF
17 FEET IN LIEU OF THE REQUIRED 30 FEET

Revised 7/6/16

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2017-0103-A

Property Address: 610 FUSCLAGE AVE, 21221

Property Description: _____

Legal Owners (Petitioners): MARY + GEORGE McFADDEN

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: MARY & GEORGE McFADDEN

Company/Firm (if applicable): _____

Address: 610 FUSCLAGE AVE

BAITMORE MD 21221

Telephone Number: 667 214 1259

Revised 7/9/2015

No.

141429

Date:

10/13/16

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
1	1	1	1
2	2	2	2
3	3	3	3
4	4	4	4
5	5	5	5
6	6	6	6
7	7	7	7
8	8	8	8
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98	98	98	98
99	99	99	99
100	100	100	100

10/17/2016 10/13/2016 11:41:04

REF: HQ01 WALKIN: LJR

>>RECEIPT # 686147 10/13/2016 OFLW

Dept 5 528 ZONING VERIFICATION

U. NO. 141429

Recpt Tot \$75.00

175.00	OK	4.00	CA
--------	----	------	----

Baltimore County, Maryland

Total:

\$ 75.00

Rec From: MCFADDEN

For: 2017-0103-A

DISTRIBUTION

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



KEVIN KAMENETZ
County Executive

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

November 9, 2016

George & Mary McFadden
610 Fuselage Avenue
Baltimore MD 21221

RE: Case Number: 2017-0103 A, Address: 610 Fuselage Avenue

Dear Mr. & Ms. McFadden:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on October 13, 2016. 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, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Christian Clifton, 5625 Ashbourne Road, Baltimore MD 21227

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 10/19/16

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2017-0103-A

Administrative Variance
George & Mary McFadden
610 Fuse 1/2g Avenue

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

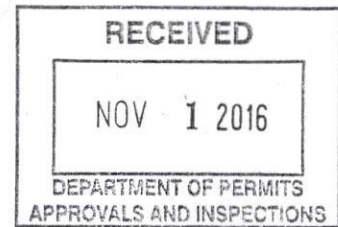
Sincerely,

A handwritten signature in blue ink, appearing to read 'Wendy Wolcott'.

Wendy Wolcott, PLA
Acting Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE



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

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

SUBJECT: Zoning Advisory Committee Meeting
For October 24, 2016
Item No. 2017-0099, 0102, 0103 and 0106

DATE: October 28, 2016

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\ZAC10242016.doc

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>10-28</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>10-19</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. <u>92-303-A</u>)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>10-22-16</u> by <u>Ogle</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any: _____		

Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 1900014487			
Owner Information					
Owner Name:		MCFADDEN GEORGE U JR		Use:	RESIDENTIAL
		MCFADDEN MARY R		Principal Residence:	YES
Mailing Address:		610 FUSELAGE AVE BALTIMORE MD 21221-3127		Deed Reference:	/08297/ 00366
Location & Structure Information					
Premises Address:		610 FUSELAGE AVE 0-0000		Legal Description:	8198 SQ FT .1882 AC GOLDENTREE
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref: 2
0090	0009	1277		0000	4 408 2015 0051/0086
Special Tax Areas:				Town:	NONE
				Ad Valorem:	
				Tax Class:	
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area	Property Land Area
1985		1,568 SF			8,198 SF
County Use					
04					
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
2	NO	SPLIT LEVEL	SIDING	1 full	1 Carport
Last Major Renovation					
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2015	07/01/2016	07/01/2017
Land:		77,600	77,600		
Improvements		118,100	115,900		
Total:		195,700	193,500	193,500	193,500
Preferential Land:		0			0
Transfer Information					
Seller: HEINERICHS DONALD WALTER,SR		Date: 10/13/1989		Price: \$116,000	
Type: ARMS LENGTH IMPROVED		Deed1: /08297/ 00366		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class	07/01/2016		07/01/2017
County:		000	0.00		
State:		000	0.00		
Municipal:		000	0.00 0.00		0.00 0.00
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 02/03/2009					

Prev. Order
1992

IN RE: PETITION FOR RESIDENTIAL
ZONING VARIANCE
S/S Fuselage Avenue, 400 ft. W
of c/l Sandhill Road
610 Fuselage Avenue
15th Election District
6th Councilmanic District

George U. McFadden, Jr., et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-303-A
*
*

* * * * *
FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Sections 504 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and V.B.6.b. (CMDP) to allow a 1 ft. 6 inch setback, in lieu of the required 11 ft. 4 inch setback, for a proposed carport and to amend the last approved final development plan for Golden Tree Section 4, Lot #408, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) 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 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 Zoning Commissioner for Baltimore County this 12th day of March, 1992 that the Petition for a Zoning Variance from Sections 504 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and V.B.6.b. (CMDP) to allow a 1 ft. 6 inch setback, in lieu of the required 11 ft. 4 inch setback, for a proposed carport and to amend the last approved final development plan for Golden Tree Section 4, Lot #408, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

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.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/rmn





1-10-74
1-11-74
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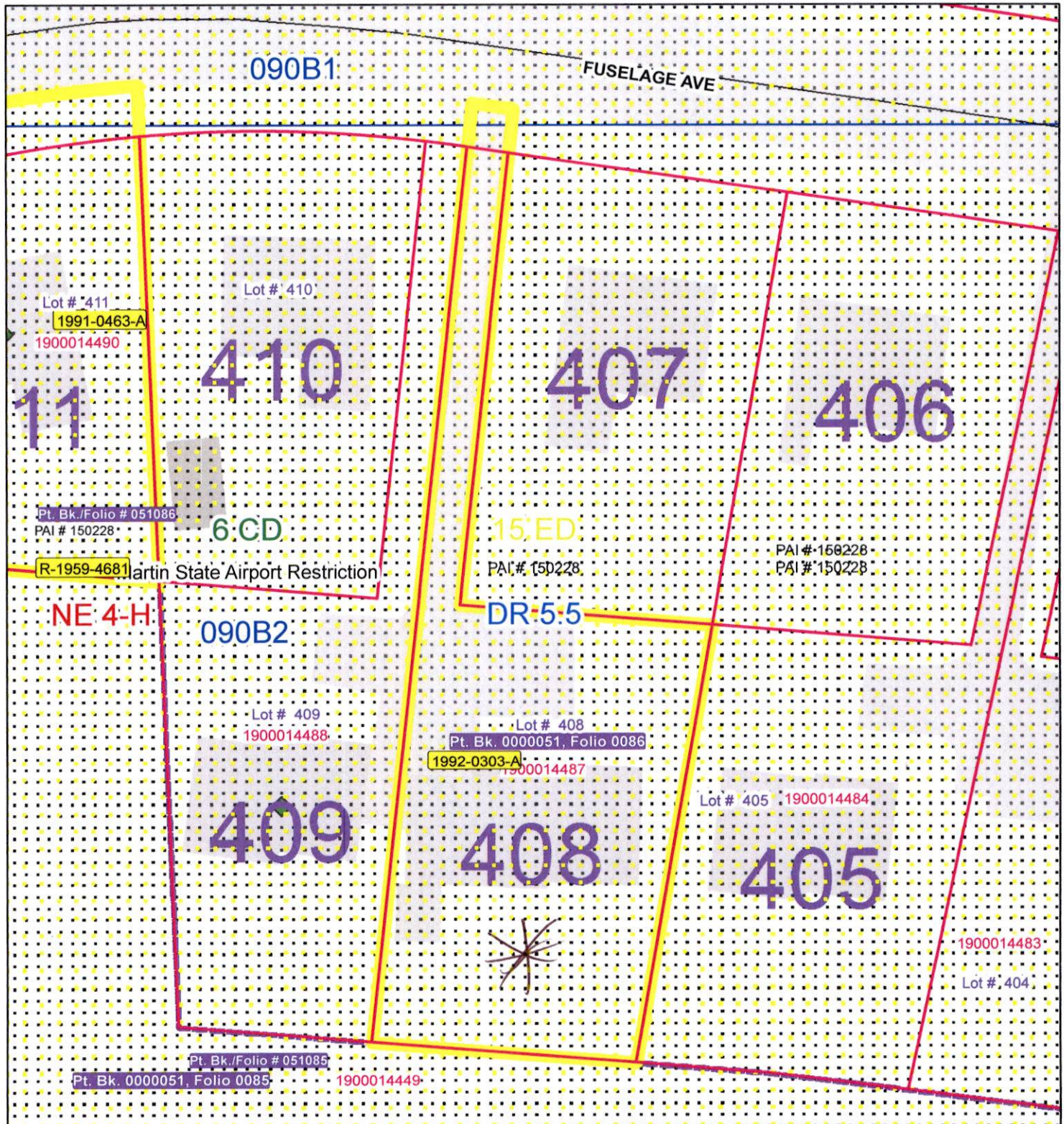




1. The first part of the document
describes the general situation
of the country and the
population. It also mentions
the main cities and the
climate. The second part
describes the economy and
the main industries. The
third part describes the
culture and the main
festivals. The fourth part
describes the history and
the main events. The fifth
part describes the future
and the main goals.

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010 Fuselage Avenue



Publication Date: 10/6/2016



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 5 10 20 30 40
Feet

1 inch = 33.33333 feet

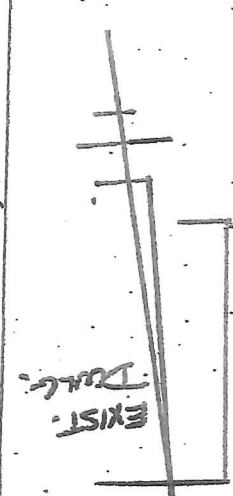
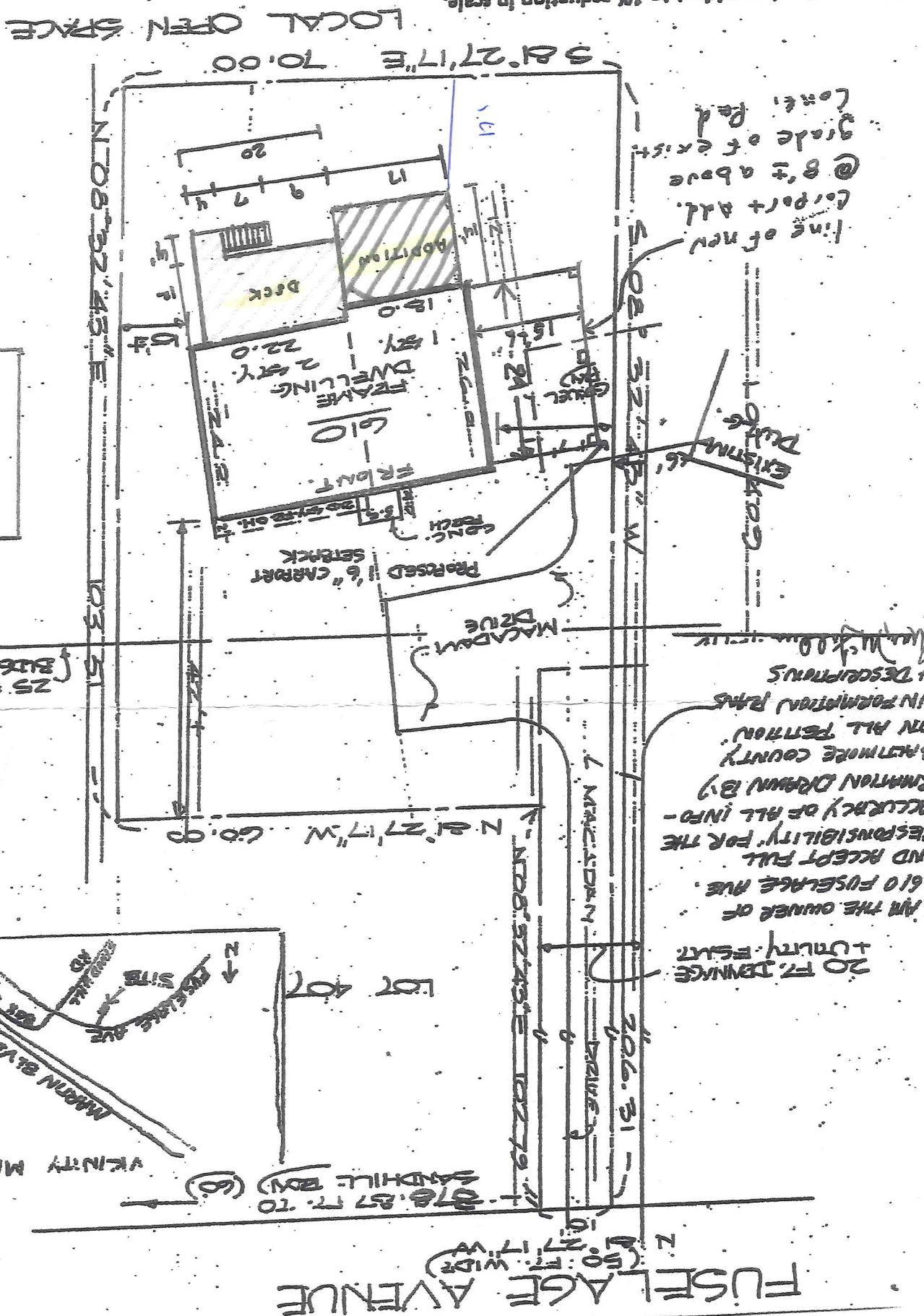
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)

ADDRESS 610 FUSSELL AVENUE 21221 OWNER(S) NAME(S) Mary + George McFadden

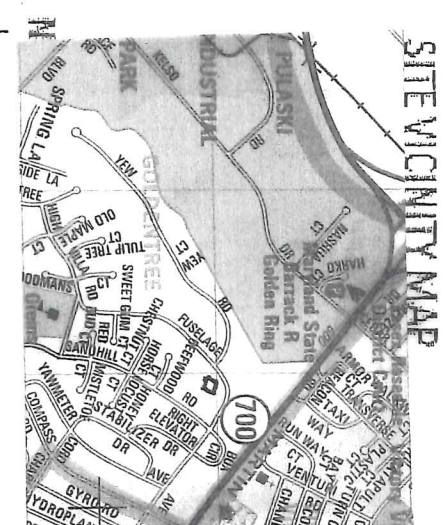
SUBDIVISION NAME Golden Tree LOT # 408 BLOCK # SECTION # 4

PLAT BOOK # 0051 FOLIO # 0086 10 DIGIT TAX # 1900014482 DEED REF. # 08297100366

This reproduction subject to 1% reduction in scale.
... that I have made a survey of this lot Lot No. 408, Plat Entitled "Plat 2, at number" Plat Book



20 FT. TENNAGE + Utility. EASE
AND ACCEPT FULL RESPONSIBILITY FOR THE ACCURACY OF ALL INFO - REMITON DRAWING BY BATHMORE COUNTY ON ALL PORTION IN FORMATION PLANS + DESCRIPTIONS



MAP IS NOT TO SCALE

ZONING MAP# 09082

SITE ZONED DR 5.5

ELECTION DISTRICT 15

COUNCIL DISTRICT 6

LOT AREA ACREAGE -

OR SQUARE FEET 8,198

HISTORIC? No

IN CBCA? No

IN FLOOD PLAIN? No

UTILITIES? MARK WITH X

WATER IS: PUBLIC ✓ PRIVATE

SEWER IS: PUBLIC ✓ PRIVATE

PUBLIC ✓ PRIVATE

PRIOR HEARING? Yes

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

Variance 92-303-A

Reavers for CARPORT

APPROVED

VIOLATION CASE INFO:

2017-0103-A

Pet. 428.1

PLAN DRAWN BY MARK J KUNST DATE 1-28-92 SCALE: 1 INCH = 20 FEET

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)

ADDRESS 610 FUSELAGE AVENUE 21221 OWNER(S) NAME(S) MARY + GEORGE McFADDEN

SUBDIVISION NAME Golden Tree LOT # 408 BLOCK # SECTION # 4

PLAT BOOK # 0051 FOLIO # 0086 10 DIGIT TAX # 1900014487 DEED REF. # 08297/00366

This reproduction subject to 1% reduction in scale.

... that I have made a survey of this lot Lot No. 408, Plat Entitled "Plat 2, ... Plat Book

FUSELAGE AVENUE

20 FT. DRAINAGE
+ UTILITY EASEMENT

"AM THE OWNER OF
610 FUSELAGE AVE.
AND ACCEPT FULL
RESPONSIBILITY FOR THE
ACCURACY OF ALL INFO-
RMATION DRAWN BY
BALTIMORE COUNTY
ON ALL PETITION
INFORMATION PLANS
+ DESCRIPTIONS
Mary McFadden

line of new
carport + add.
@ 8' ± above
grade of exist.
cont. pad

EXISTING
DRAINAGE

MACADAM DRIVE

PROPOSED 16' CARPORT
SETBACK

FRONT

610
FRAME
DWELLING

1 STY. 22.0
2 STY. 22.0

DECK

ADDITION

17 9 7 4
20

58'27'17"E 70.00

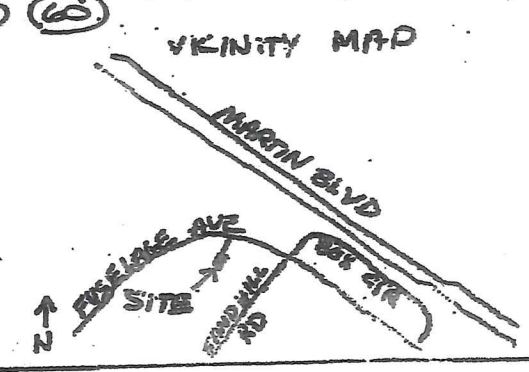
LOCAL OPEN SPACE

LOT 407

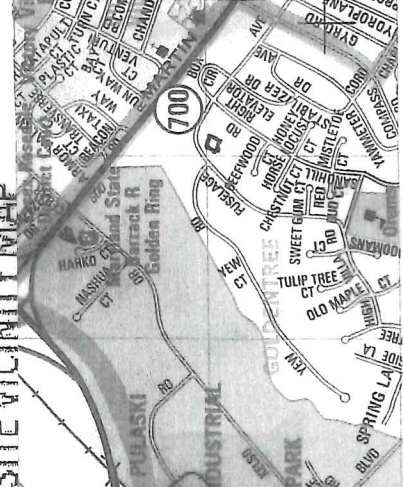
N 81°27'17"W 60.00

25 FT. MIN.
BLDG SETBACK LINE

EXIST.
DRAINAGE



SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 09082

SITE ZONED DR 5.5

ELECTION DISTRICT 15

COUNCIL DISTRICT 6

LOT AREA ACREAGE -

OR SQUARE FEET 8,198

HISTORIC? No

IN CBCA? No

IN FLOOD PLAIN? No

UTILITIES? MARK WITH X

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SEWER IS: PUBLIC ✓ PRIVATE

PRIOR HEARING? Yes

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VARIANCE 92-303-A

Requester FOR CARPORT

APPROVED

VIOULATION CASE INFO:

PLAN DRAWN BY MANK + KUNST DATE 1-28-92 SCALE: 1 INCH = 20 FEET

2017-0103-A