

IN RE: PETITION FOR RESIDENTIAL
ZONING VARIANCE
NEC Carroll Manor and
Devonbrook Roads
4501 Carroll Manor Road
11th Election District
6th Councilmanic District
Richard K. George, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-142-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Richard K. George and Frances C. George, his wife, for that property known as 4501 Carroll Manor Road in the Baldwin section of Baltimore County. The Petitioner/property owners herein seek a variance from Section 1A04.3.B.5 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 45 ft. in lieu of the minimum required 50 ft. for an attached garage, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, 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 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

ORDER RECEIVED FOR FILING
Date 11/10/94
By M. Sharak

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B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

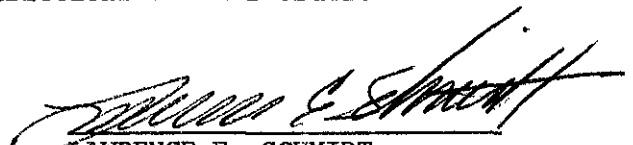
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of November, 1994 that the Petition for a Zoning Variance from Section 1A04.3.B.5 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 45 ft., in lieu of the minimum required 50 ft., for an attached garage, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restrictions 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.

2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING
Date 11/10/94
By Sh. P. [unclear]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

November 9, 1994

Mr. and Mrs. Richard K. George
4501 Carroll Manor Road
Baldwin, Maryland 21013

RE: Petition for Administrative Variance
Case No. 95-142-A
Property: 4501 Carroll Manor Road

Dear Mr. and Mrs. George:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached 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 of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.





Petition for Administrative Variance

95-142-A

to the Zoning Commissioner of Baltimore County

for the property located at 4501 Carroll Manor Rd.
which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & 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.5 (old regs 202.4)

To allow a side yard setback of 45 feet in lieu of the minimum required 50 feet (for an attached garage).

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

See reverse side!

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound 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:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner.

(Type or Print Name)

Signature

Address

Phone No.

City State Zipcode

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of ___, 19___ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: *[Signature]*

DATE: 10-14-94

ESTIMATED POSTING DATE: 10/23



Printed with Soybean Ink on Recycled Paper

ITEM #: 141

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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 4501 Carroll Manor Rd
address
Baldwin Md 21013
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)

In order to build a 2 car attached garage, the new building will be 45' ± from 1 property line instead of 50. My neighbors on both sides are aware of these plans and have given their written approval.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Richard K. George
(signature)
Richard K. George
(type or print name)



Frances C. George
(signature)
Frances C. George
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13th day of October, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Richard K. George by Frances C. George

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

October 13, 1994
date

Claudia J. [Signature]
NOTARY PUBLIC

My Commission Expires: 9/1/98

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95-142-A

141

Property description for 4501 Carroll Manor Rd., Baldwin, Md. 21013.

Beginning at a point on the south side of Carroll Manor Rd. which is 50' wide, at the intersection with the east side of Devonbrook Road which is also 50' wide.

Being lot number 0003, folio 031, plat book 36, subdivision Carroll Manor 1966, containing .66 acres. Also known as 4501 Carroll Manor Rd., Baldwin Md. 21013, and located in the election district 11 and council district 6.

WILSON

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 95-142-A
Town, Maryland

District: 11th Date of Posting: 10/23/94

Posted for: Varlanco

Petitioner: Richard & Francis George

Location of property: 7501 Carroll Manor Rd, NE/cor Devon brook

Location of Signs: Facing roadway on property being zoned

Remarks: _____

Posted by: [Signature] Date of return: 10/28/94
-Signature

Number of Signs: 1

[Handwritten note]





Baltimore County
 Zoning Administration &
 Development Management
 111 West Chesapeake Avenue
 Towson, Maryland 21204

receipt

95-142-A

Account: R-001-6150

Date 10-14-94

Item Number 141

Taken in by: JSP

Owner: Richard K. George

site: 4501 Carroll Manor Rd.

010

Residential Variance (ADMN) filing fee \$ 50.⁰⁰

080

sign & posting \$ 35.⁰⁰

\$ 85.⁰⁰

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DIADLH01E2MTCARL

\$85.00

BA 0010:17AM10-14-94

Please Make Checks Payable To: Baltimore County

Cashier Validation

Closed
11-7

CASE NUMBER: 95-142-A (Item 141)
4501 Carroll Manor Road
NEC Carroll Manor and Devonbrook Roads
11th Election District - 6th Councilmanic
Petitioner(s): Richard K. George and Frances C. George

Administrative Variance to allow a side yard setback of 45 feet in lieu of the minimum required 50 feet (for an attached garage).

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Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Richard K. George
4501 Carroll Manor Road
Baldwin, Maryland 21013

NOV. 7 1994

RE: Case No. 95-142A , No Item 141
Petitioner: Richard & Frances George

Dear Mr. and Mrs. George:

The Zoning Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on October 14, 1994 and scheduled for a hearing accordingly. Any attached comments from a reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

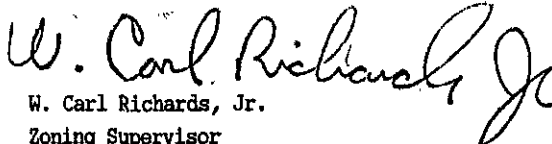
Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

The following is related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office:

1. The director of the Office of Zoning Administration and Development Management has instituted a system whereby zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions' filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.
2. Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is the possibility that another hearing will be required or the zoning commissioner will deny the petition due to errors or incompleteness.
3. Those individuals who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72-hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e., 72 hours, will result in the forfeiture loss of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Joyce Watson in the zoning office at 887-3391 or the commenting agency.

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/jnw
Enclosure(s)

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BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

October 31, 1994

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson *JLP*
Development Coordinator, DEPRM

SUBJECT: Zoning Item #141 - George Property
4501 Carroll Manor Road
Zoning Advisory Committee Meeting of October 24, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Ground Water Management

The existing gasoline pump on this lot should be removed along with the underground storage tank if no longer in use. If it is the applicant's intent to use the pump, the tank should be tightness tested.

If there are any questions, applicant should contact Mr. Thomas Ernst at 887-2762.

✓
JLP:TE:sp

GEORGE/DEPRM/TXTSBP

MICROFILMED

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: October 31, 1994
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for October 31, 1994
Items 138, 140, 141, 142 and 145

The Developers Engineering Section has reviewed
the subject zoning items and we have no comments.

RWB:sw

1000 01 01 1994

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: October 20, 1994

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 138, (141), 142, 145.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Kern

PK/JL

RECEIVED



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

10-21-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: X 141 (JJS)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

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Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 10/26/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF 10/24/94

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 138, 140, 141, 142 AND 145.

RECEIVED

OCT 28 1994

ZADM

REVIEWER: LT. ROBERT P. CALERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Zoning Commissioner
Deputy Zoning Commissioner

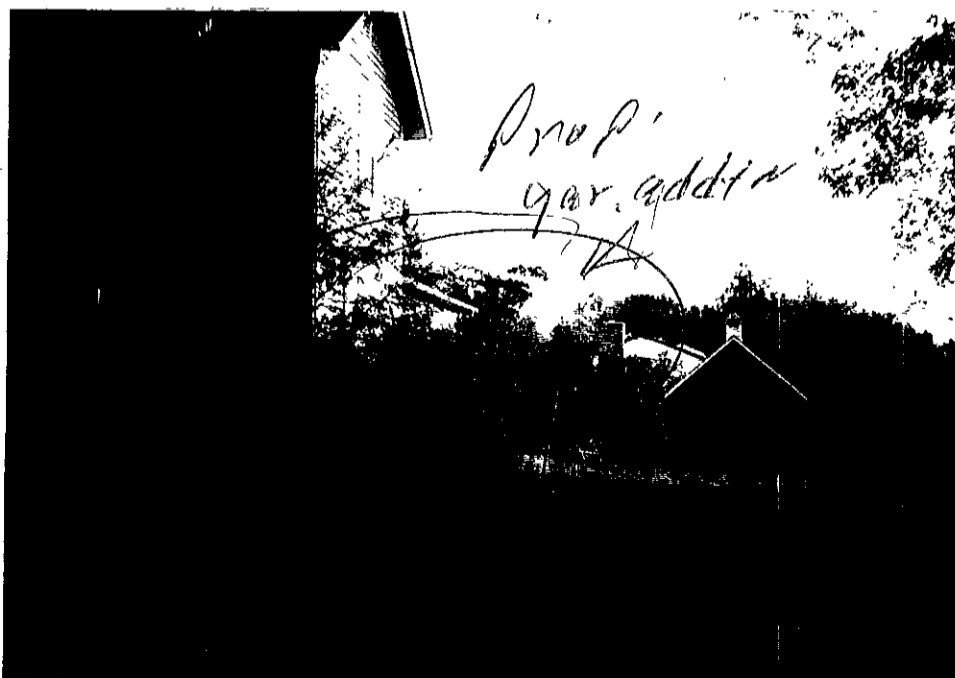
October 14, 1994

FROM: John J. Sullivan, Jr.
Planner II

SUBJECT: Variance Petition
Item #141

During Mr. George's 9:45 a.m. petition appointment (and review) today, I informed Mr. George that his plans were very light and somewhat difficult to read. Mr. George wished the petition to proceed.

JJS:scj





Prop. 921
Address

95-142-H

ME NE Aerial
1982

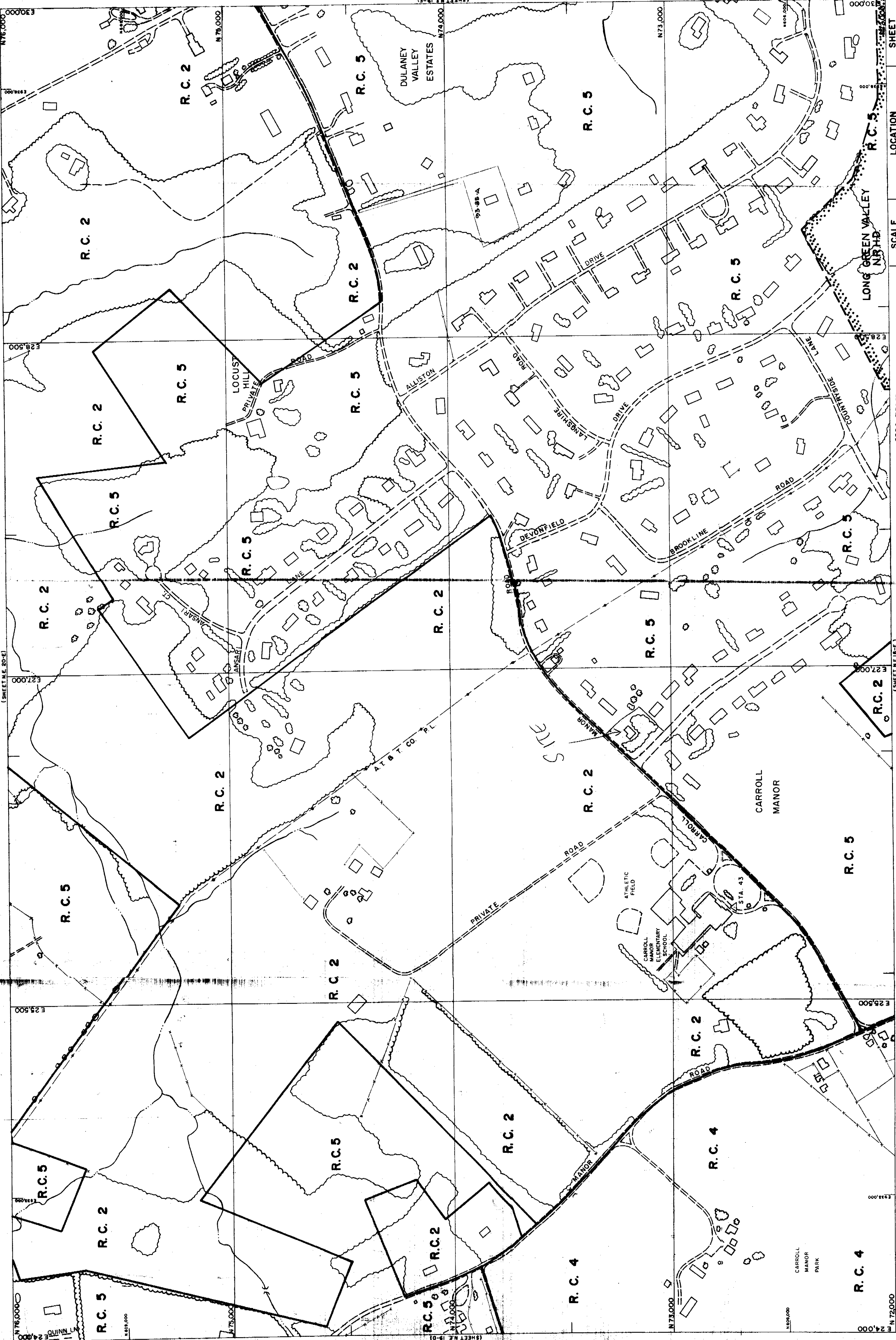
#14



SCALE 1" = 200'
DATE OF PHOTOGRAPHY JANUARY 1986
LOCATION EAST OF BLENHEIM 19-E
SHEET MICROFILMED

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

95-142-H #141



1988 COMPREHENSIVE ZONING MAP Adopted by the Baltimore County Council Oct. 13, 1988 Bill No. 144-88, 145-88, 146-88, 147-88, 148-88, 150-88	1992 COMPREHENSIVE ZONING MAP Adopted by the Baltimore County Council Oct. 15, 1992 Bill No. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92	SCALE 1" = 200' ±	LOCATION EAST OF BLENHEIM	SHEET N. E. 19-E
	DATE OF PHOTOGRAPHY JANUARY 1986		Chairman, County Council <i>Edmund Howard IV</i>	

U-NE UU-NW
 THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
 TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
 BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

MICROFILMED