

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

July 21, 2003

Mr. & Mrs. Bismark Castaneda 5617 Carroll Street Baltimore, MD 21207

RE: 2nd Electrical Meter, 5617 Carroll Street, Baltimore, MD 21207, 1st Election District (Case # 96-175-SPHA)

Dear Mr. & Mrs. Castaneda:

Your recent letter to Timothy Kotroco, Director, was forwarded to me for reply. Based on the information provided therein, my review of the available zoning records, and after consultation with Carl Richards, Zoning Review Supervisor, the following has been determined:

- 1. Installation of an additional electrical meter may <u>not</u> proceed without a Special Hearing before the Baltimore County Zoning Commissioner. This Special Hearing must address whether the proposed home office/sales business meets the requirements of a "Home Occupation" as defined in the Baltimore County Zoning Regulations (BCZR) <u>and</u> the hearing must confirm that no conflict is created with the order and site plan in Zoning Case # 96-175-SPHA.
- 2. This response applies to the zoning regulations (BCZR) and policies only and does not apply to regulations enforced by other County and State agencies.

By copy of this letter, the County's Electrical Inspection Office and its Permits Processing Office are being advised that this office is withholding approval of an additional electrical meter until such time as the Special Hearing order is issued.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely.

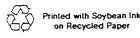
Jeffrey N. Perlow, Planner II

ffrey A. Perlow

Zoning Review

JNP

c: Vince Metallo, Electrical Inspection Doug Swam, Permit Processing Zoning Case File 96-175-SPHA File



1IN RE: PETITIONS FOR SPECIAL HEARING *

AND ZONING VARIANCE

NWC Carroll St. and Landington *

Avenue

5617 Carroll Street

1st Election District

1st Councilmanic District

Bismarck G. Castaneda, et ux

Petitioners

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 96-175-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as Petitions for Special Hearing and Zoning Variance for the property located at 5617 Carroll Street in the Catonsville Manor subdivision of Baltimore County. The Petition is filed by Bismarck G. Castaneda and Silvia A. Castaneda, his wife, property owners. Variance relief is requested from Section 402 of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 3 ft. and the sum of both sides of 23 ft. in lieu of the required 15 ft. and 40 ft., respectively. Special Hearing relief is requested to allow an in-law apartment and to amend the last approved plan and Order in case No. 79-257-A. The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 1., the plat to accompany the Petitions for Special Hearing and Variance.

Appearing at the public hearing held for this case was Bismarck G. Castaneda, property owner. There were no Protestants or other property owners present.

Testimony and evidence offered is that the subject property is 2.4 acres in area, zoned D.R.5.5. The site is located at the southern corner of the intersection of Carroll Street and Landington Avenue Catonsville. Presently, the property is improved with an existing dwelling known as 5617 Carroll Street. Apparently, in 1979, the Petitioners requested zoning relief to permit an attached garage. Relief was granted

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at that time under case No. 79-257-A. The relief granted allowed for the construction of the attached garage with a setback of 3 ft. from the side yard property line.

Mr. Castaneda now proposes constructing an addition over the garage. This addition will be 29 ft. x 48 ft. slightly larger than the garage. Specifically, although the addition will be the same width as the garage (29 ft.) it will be slightly deeper (48 ft. versus 44 ft.). The proposed addition will be 2 ft. deeper at each end. The addition is proposed to provide living quarters for Mr. Castaneda's mother. He indicated that she is elderly and presently resides with other family members. These family members are moving out of state and Mr. Castaneda proposes the subject addition to provide living quarters for her. The addition will contain a small bedroom, bath, living room and kitchen area. Access will be via steps from the garage.

It is to be noted that the addition will be no closer to the property line than the existing garage. Moreover, the height of the addition, over top of the garage, will not exceed the height of the house. Thus, it appears that the addition is in keeping with the present use of the subject property and the existing community. There were no Protestants present.

Based on the testimony and evidence offered, all of which is uncontradicted, I am persuaded to grant the relief requested. The testimony and evidence offered was sufficient to satisfy the standards contained within Section 307 of the BCZR, as to the variance. Moreover, I am persuaded that the proposed construction will not detrimentally affect the surrounding properties or the neighborhood at large.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 29 day of December, 1995 that a variance from Section 402 of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 3 ft. and the sum of both sides of 23 ft. in lieu of the required 15 ft. and 40 ft., respectively, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to Petition for Special Hearing relief approval to allow an in-law apartment and to amend the last approved plan and Order in case No. 79-257-A, be and is hereby GRANTED; subject, however, to the following conditions which are precedent to the relief granted herein:

- 1. The 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 occupancy of the in-law apartment shall be restricted to the Petitioner's mother, and/or other family members, and shall not be rented out to any non-members of the family.

LAWRENCE E. SCHMIDT

Zoning Commissioner

for Baltimore County

LES/mmn

Baltimore County Government Zoning Commissioner Office of Planning and Zoning



Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

January 3, 1996

Mr. and Mrs. Bismarck G. Castaneda 5617 Carroll Street Baltimore, Maryland 21207

> RE: Petitions for Special Hearing and Variance Property: 5617 Carroll St. Case No. 96-175-SPHA

Dear Mr. and Mrs. Castaneda:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing and Zoning Variance have been granted, with restrictions.

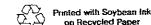
In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn att.







Revised 9/5/95

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

5617 Carroll St. Balto. Md. 21207

76-175-A

which is presently zoned

173

5.5

This Petition shall be filed with the Department of Permits & 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve 402.1

To convert a dwelling into two family (in-law apartment) sooner than the 5 years required for eligibility and to amend the last approved plan and order in case #79-257-A.

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

I, or we, agree to pay expenses of above Special Hearing 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.

			ALLOTHERC	ATE 10/23/95
			the following dates	Next Two Months
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(Type or Print Name)			City Name, Address and phone number of representati	State Zipcode ve to be contacted.
			Balto. Md.	21207
Attorney for Petitioner			Address	Phone No
			5617 Carroll St. (4	10) 788 – 3182
City	State	Zipcode	Selva Castan	oda
Address	· · · · · · · · · · · · · · · · · · ·		Silvia A. Castaneda	
Signature			Signature	tauda:
(Type or Print Name)			(Type of Frint Marie)	1>1
			Bismarck G. Castane	rd- a
Contract Purchaser/Lessee			legal owner(s).	of this Petition.

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 5617 Carroll St. Balto. Md. 21207

96-175-A

which is presently zoned

DR 5.5

This Petition shall be filed with the Department of Permits & 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) 402

To allow a side yard setback of 3 feet and sum of both sides of 23 feet in lieu of the required 15 feet and 40 feet, respectively.

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

I would like to build an "In-Law" apartament on a 2nd story addition over an Existing attached garage that was approved by Zoning Petition # 79-257A Item #177, petition was for variance for side yard setback at Southeast corner or Carroll st. And Landington ave.

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			Legat Owner(s)
			Bismarck G. Castaneda
(Type or Print Name)		Frèr	(Type or Print Name)
Signature	·		Signature
Address			Slivia A.Castaneda
			(Type or Print Name) Selve Castangola
Ciry	State	Zipcode	Signature
Attorney for Petitioner			5617 carroll st. (410)788-3182
(Type or Print Name)			Address Phone No
			Balto. Md. 21207
Signature	7		City State Zipcode Name, Address and phone number of representative to be contacted.
Address	Phone No.	A44,	Name
Crty	State	Zipcode	Address Phone No
			OFFICE USE ONLY
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Ð _			the following dates Next Two Months
Printed with Soybean Ink on Recycled Paper			ALLOTHER
Revised 9/5/95			REVIEWED BY:

ZONING DESCRIPTION - 96 - 175-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Townson, Maryland

Posted by Makedia Structure Data of return: 1/24	Remarks:	Location of Signa Person 200 & 14	Location of property: 5019 Carrell ST	Peditioner: Bismarch & Silvia Costando	Posted for: Special theorety & Variance Date of Posting //	
Data of return: 1/24/85		Location of Signa Packy 200 & 16hy an Draparty being from &	5/7	Ula Costando	Variance Date of Posting 1/17/95	

NOTICE OF HEARING

péake Avenue in Towson, Maryland 21204 of Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

ase: #96-175-SPHA

Sérir Carroli Street
NWC Carroli Street
NWC Carroli Street
Ist Election District
Ist Councilmanic
Logal Owner(s).
Ist Bismanck C. Castaneda and
Silvia A. Castaneda
Hearing: Montay, December
I 1986 at 10:00 am. in Rm.
18. Old Counthques.
Isperijal Hearing: to convert
a dwelling into two-family (inlaw apartment) sconier than
the 5 years required for eligibillity and to amend the fast epproyed plan and order in case
#79-257-A. Variance: to allow
a loide yard setback of 3 feet
and sum of both sides of 23
feet in lieu of the required 15
feet and 40 feet, respectively.
Lawriscoc E. SCHMIOT
Zoning Commissioner for
Bailtmore County
NOTES: (1) Hearings are
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(2) For Information society.

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CERTIFICATE OF PUBLICATION

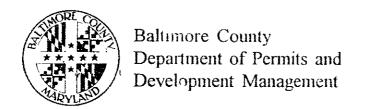
TOWSON, MD., __

weeks, the first publication appearing on 100 16, 1965. in Towson, Baltimore County, Md., once in each of ___ successive published in THE JEFFERSONIAN, a weekly newspaper published THIS IS TO CERTIFY, that the annexed advertisement was

THE JEFFERSONIAN,

1. Hamilan

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Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations 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 and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR
For newspaper advertising:
Item No.: 173 Petitioner: BISMARCK G. CASTANEDA
Location: 5617 CAPPOIL ST. BALTO. Hd. 21207
PLEASE FORWARD ADVERTISING BILL TO:
NAME: BISHAPCK G. CASTANEDA.
ADDRESS: 5617 CARROLL ST.
BALTIMORE, Hd. 21207
PHONE NUMBER: (410) 788-318>

70: PUTUXENT PUBLISHING COMPANY
November 16, 1995 Issue - Jeffersonian

Please foward billing to:

Bismarck G. Castaneda 5617 Carroll Street Baltimore, MD 21207 788-3182

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified berein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

OY

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-175-A Item 173

5617 Carroll Street

NWC Carroll Street and Landington Avenue 1st Election District - 1st Councilmanic

Legal Owner: Bismarck G. Castaneda and Silvia A. Castaneda

Special Hearing to convert a dwelling into two-family (in-law apartment) sooner than the 5 years required for eligibility and to amend the last approved plan and order in case #79-257-A.

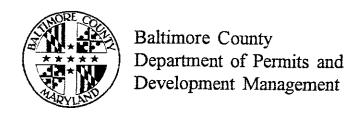
Variance to allow a side yard setback of 3 feet and sum of both sides of 23 feet in lieu of the required 15 feet and 40 feet, respectively.

HEARING: MONDAY, DECEMBER 4, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHNIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

November 7, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-175-A Item 173

5617 Carroll Street

NWC Carroll Street and Landington Avenue 1st Election District - 1st Councilmanic

Legal Owner: Bismarck G. Castaneda and Silvia A. Castaneda

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Variance to allow a side yard setback of 3 feet and sum of both sides of 23 feet in lieu of the required

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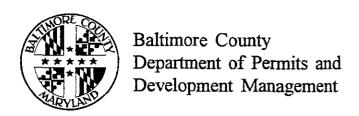
HEARING: MONDAY, DECEMBER 4, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon Director

cc: Bismarck and Silvia Castaneda

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
- (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

November 29, 1995

Mr. and Mrs. Castaneda 5617 Carroll Street Baltimore, MD 21207

RE: Item No.: 173

Case No.: 96-175-SPHA

Petitioner: S. A. Castaneda, et ux

Dear Mr. and Mrs. Castaneda:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 23, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure 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. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr

Zoning Supervisor

WCR/jw
Attachment(s)

\$

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon,	Director, PDM	DATE:	November	7, 1995
FROM: Pat Keller,	Director, OP			
SUBJECT: 5617 Carr	oll St.			
INFORMATION:				
Item Number:	173			
Petitioner:	Castaneda Property			
Property Size:				
Zoning:	DR-5.5			
Requested Action:	Special Hearing	<u> </u>		
Hearing Date:				
SUMMARY OF RECOMMEN	DATIONS:			
	se the applicant's request; however single-family residence at such time in-law apartment.			
Prepared by: Division Chief:	Any N. Day Sour C. Keins			

PK/JL

BALTIMORE COUNTY. MARYLAND INTEROFFICE CORRESPONDENCE

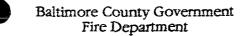
TO: Arnold Jablon, Director DATE: Nov. 16, 1995
Zoning Administration and Development Management

Robert W. Bowling, P.E., Chief Development Plans Review

RE: Zoning Advisory Committee Meeting for November 13, 1995
Items 172, (173,) 176, and 180

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:sw





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

(410) 887-4500

DATE: 11707795

Arnold Jablom
Director
Foring Administration and
Development Management
Baltimore County Office Building
Towson MD 21204
MAIL STOP 1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MELTING OF NOV. 6, 1995

(tem No.: OLF BELOW

- Zoninu 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

8. The Live Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:177 (173), 176 (175), 176.

REVIEWER: 11. ROBERT P. SAUFRWALD Fire Marshal Uffice. PHONE 887 4881, MS 11025



PDM



David L. Winstead Secretary Hal Kassoff Administrator

Baltimore County Item No. 173 (TRF)

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

RE:

Dear Ms. Watson:

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 affected by any State Highway Administration projects.

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

Ronald Burns, Chief

Engineering Access Permits

Division

BS/es

My telephone number is _

BEFORE THE RE: PETITION FOR SPECIAL HEARING PETITION FOR VARIANCE 5617 Carroll Street, NWC Carroll Street ZONING COMMISSIONER and Landington Ave. 1st Election District, OF BALTIMORE COUNTY 1st Councilmanic CASE NO. 96-175-SPHA Bismarck G. and Silvia A. Castaneda Petitioners

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

People's Counsel for Baltimore County

Retallar Timmerman

wells. Domilio

Max Timmerman

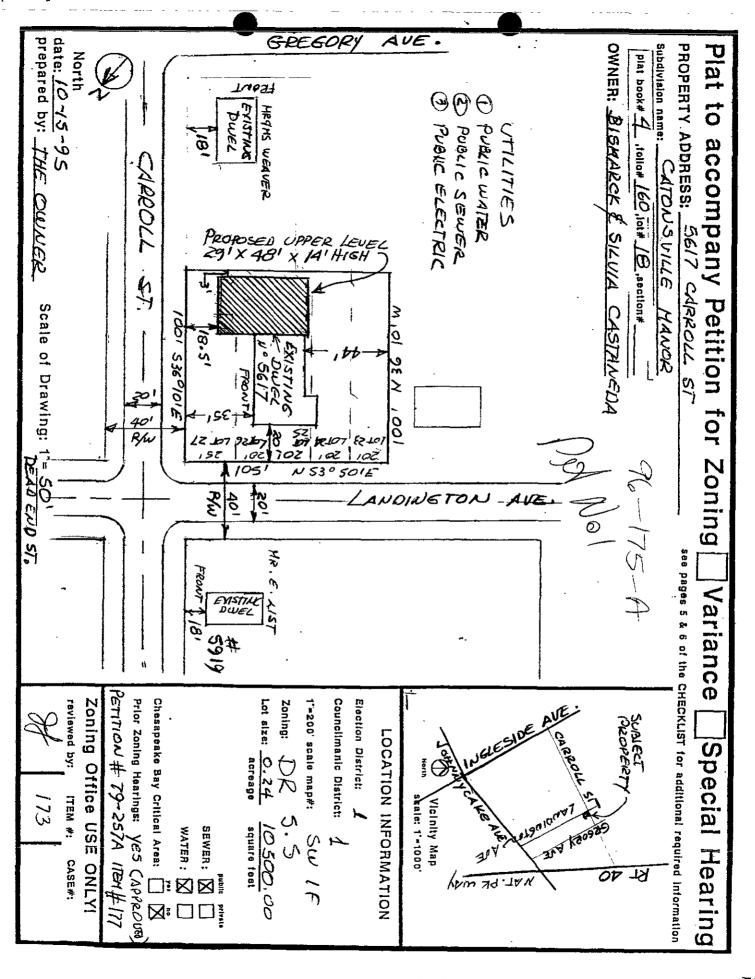
CAROLE S. DEMILIO

Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30day of November, 1995, a copy of the foregoing Entry of Appearance was mailed to Bismarck G. and Silvia A. Castaneda, 5617 Carroll Street, Baltimore, MD 21207, Petitioners.



1IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE AND ZONING VARIANCE ZONTING COMMISSIONER NWC Carroll St. and Landington * * OF BALTIMORE COUNTY 5617 Carroll Street 1st Election District * Case No. 96-175-SPHA 1st Councilmanic District Bismarck G. Castaneda, et ux Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * *

This matter comes before the Zoning Commissioner as Petitions for Special Hearing and Zoning Variance for the property located at 5617 Carroll Street in the Catonsville Manor subdivision of Baltimore County. The Petition is filed by Bismarck G. Castaneda and Silvia A. Castaneda, his wife, property owners. Variance relief is requested from Section 402 of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 3 ft. and the sum of both sides of 23 ft. in lieu of the required 15 ft. and 40 ft., respectively. Special Hearing relief is requested to allow an in-law apartment and to amend the last approved plan and Order in case No. 79-257-A. The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 1., the plat to accompany the Petitions for Special Hearing and Variance.

Appearing at the public hearing held for this case was Bismarck G. Castaneda, property owner. There were no Protestants or other property

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at that time under case No. 79-257-A. The relief granted allowed for the construction of the attached garage with a setback of 3 ft. from the side

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Based on the testimony and evidence offered, all of which is uncontradicted, I am persuaded to grant the relief requested. The testimony and evidence offered was sufficient to satisfy the standards contained within Section 307 of the BCZR, as to the variance. Moreover, I am persuaded that the proposed construction will not detrimentally affect the surrounding properties or the neighborhood at large.

Petition for Variance
to the Zoning Commission

This Petition shall be filed with the Department of Permits & 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) 402

for the property located at 5617 Carroll St. Balto. Md. 21207

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this $\frac{29}{\text{day}}$ of December, 1995 that a variance from Section 402 of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 3 ft. and the sum of both sides of 23 ft. in lieu of the required 15 ft. and 40 ft., respectively, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to Petition for Special Hearing relief approval to allow an in-law apartment and to amend the last approved plan and Order in case No. 79-257-A, be and is hereby GRANTED; subject, however, to the following conditions which are precedent to the relief granted herein:

> 1. The 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

2. The occupancy of the in-law apartment shall be restricted to the Petitioner's mother, and/or other family members, and shall not be rented out to any non-members of the family.

> Zoning Commissioner for Baltimore County

LES/mmn

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

January 3, 1996

Mr. and Mrs. Bismarck G. Castaneda 5617 Carroll Street Baltimore, Maryland 21207

> RE: Petitions for Special Hearing and Variance Property: 5617 Carroll St. Case No. 96-175-SPHA

Dear Mr. and Mrs. Castaneda:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing and Zoning Variance have been granted, with restrictions.

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 887-3353.

Zoning Commissioner

LES:mmn

Printed with Soybean Inl

MOTICE OF HEARING

Case #96-175-SPHA
(Rem 173)
Sorret
AMC Carroll Street and Landington Avenue
1st Election District
1st Councilmanic
Legal Owner(s):
Bismark G. Castaneda and
Sivia A. Castaneda

Petition for Special Hearing Petition for Special Hearing to the Zoning Commissioner of Baltimore County

for the property located at 5617 Carroll St. Balto. Md. 21207 which is presently zoned DR 5.5 This Petition shall be filed with the Department of Permits & 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County. to determine whether or not the Zoning Commissioner should approve 402.1

To convert a dwelling into two family (in-law apartment) sooner than the 5 years required for eligibility and to amend the last approved plan and order in case #79-257-A.

			legal owner(b) of the property which is the Legal Owner(s):	anolect or mus Leonour
ontract Purchaser/Lessee:			Bismarck G. Cast	aneda
ype or Print Name)			(Type of First Marie)	
•••			Y -	acauda.
onature			Sprike	
		.*	Silvia A. Castan	eda
Idress			(Type or Past Among	
			and the state of t	a voda
ty S	tate	Zocode -		
			5617 Carroll St.	(410) 788-318
tomey for Petitioner:			A	Phone No.
			Balto. Md.	21207
ype or Print Name)			City Name, Address and phone number of ret	
and the		······································		
	Phone No.		Addison	Phone No.

To allow a side yard setback of 3 feet and sum of both sides of 23 feet in lieu of the required 15 feet and 40 feet, respectively. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or I would like to build an " In-Law " apartament on a 2nd story addition over an Existing attached garage that was approved by Zoning Petition # 79-257A Item #177 , petition was for variance for side yard secback at Southeast corner of Carroll st. And Landington Ave. 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. Bismarck G. Castaned Silvia A.Castaneda Selvea Castaneda 5617 carroll st. (410)788-3182

ZONING DESCRIPTION - 96-175-A

ZONING DESCRIPTION FOR: 5617 Carroll St. Balto. Md. 21207 Beginning at a point on the S 36 10' E side of wide at the distance of: 100' S 36 10' E of the centerline of the nearest improved intersecting street Landington Ave. R/W wide Being Lot #s 23,24,25,26 and 27 in the subdivition of catonsville manor as recorded in Baltimore County Plat Book # 4, Folio # 160 containing 10500 Sq/Ft. Also known as 5617 Carroll St. and located in the 1st Election District | Councilmanic District Zoned DR 5.5

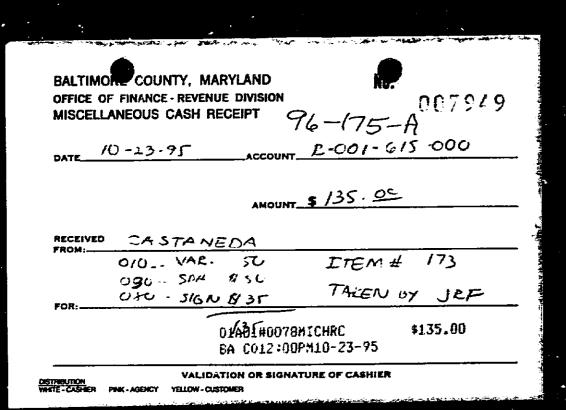
CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Posted for Special Hearing & Variance Petitioner: Bismarch & Silvia Costonedy Location of property 5617 Carrell St.

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of _____ weeks, the first publication appearing on 30.16, 1996.

THE JEFFERSONIAN

which is presently zoned DR 5.5



Baltimore County Department of Permits and Development Management

Development Processing County Office Building III West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations 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 and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

			ĀR	NOLD J	ABLON,	DIRECT	TOR
For newspa	per adve	tising:					
<pre>[tem No.:_</pre>	173	Petitioner:_	EUSMA	RCK	6?	<u> A</u>	STAVEDA
Location:_	5617	CAPPOLL	S7:	BAC	TO. H	1d.	21207
PLEASE FOR	WARD ADVE	RTISING BILL	TO:				
NAME:	BISHAD	CK 6: (ASTANE L)A ·			
ADDRESS:	5617	CARROLL	. SP,				
<u>.</u>	BALTI	HORE, HO	1. 2/2	207			
PHONE NUMBE	R: (4/6) <i>788-30</i>	18>	-			

Printed with Crybban link on Recycled Paper

70: PUTUKENT PUBLISHING COMPANY Wovember 16, 1995 Issue - Jeffersonian

Please foward billing to:

Bismarck G. Castaneda 5617 Carroll Street Ealtimore, MD 21207 788-3182

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public bearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenne, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-175-A Item 173 5617 Carroll Street NGC Carroll Street and Landington Avenue 1st Election District - 1st Councilmanic Legal Owner: Bismarck G. Castaneda and Silvia A. Castaneda

Special Hearing to convert a dwelling into two-family (in-law apartment) sooner than the 5 years required for eligibility and to assend the last approved plan and order in case #79-257-A. Variance to allow a side yard setback of 3 feet and sum of both sides of 23 feet in lieu of the required 15 feet and 40 feet, respectively.

HEARTNG: MONDAY, DECEMBER 4, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHNIDT ZONING COUNTSSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMPODATIONS PLEASE CALL 887-3353. (2) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

November 7, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-175-A Item 173 5617 Carroll Street NWC Carroll Street and Landington Avenue

1st Election District - 1st Councilmanic

15 feet and 40 feet, respectively.

Special Hearing to convert a dwelling into two-family (in-law apartment) sooner than the 5 years required for eligibility and to amend the last approved plan and order in case #79-257-A. Variance to allow a side yard setback of 3 feet and sum of both sides of 23 feet in lieu of the required

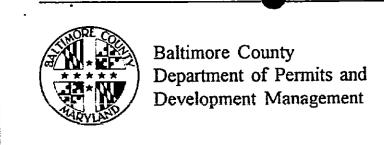
HEARING: MONDAY, DECEMBER 4, 1995 at 10:00 a.m. in Boom 118, Old Courthouse.

Legal Owner: Bismarck G. Castaneda and Silvia A. Castaneda

Arnold Jablon

cc: Bismarck and Silvia Castaneda

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE. (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMPODATIONS PLEASE CALL 887-3353. (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

November 29, 1995

Mr. and Mrs. Castaneda 5617 Carroll Street Baltimore, MD 21207

> RE: Item No.: 173 Case No.: 96-175-SPHA Petitioner: S. A. Castaneda, et ux

Dear Mr. and Mrs. Castaneda:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 23, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, intended to indicate the appropriateness of the Zoning action requested, but to assure 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. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (987-1391).

Zoning Supervisor

WCR/jw Attachment(s) BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: November 7, 1995

FROM: Pat Keller, Director, OP SUBJECT: 5617 Carroll St.

> INFORMATION: Item Number:

Petitioner:

Zoning:

Property Size:

SUMMARY OF RECOMMENDATIONS:

Staff does not oppose the applicant's request; however, the dwelling should once again function as a single-family residence at such time as a family member ceases to reside in the in-law apartment.

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Nov. 16, 1995 Zoning Administration and Development Management FROM Robert W. Bowling, P.E., Chief
Development Plans Review

Zoning Advisory Committee Meeting for November 13, 1995 Items 172, (173,) 176, and 180

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:sw

Baltimore County Government Fire Department

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

(410) 887-4500

DATE: 11/02/95

Armold Jabilan Director Zoning Administration and Development Management Haltimore County Office Building Towson, MD 21204 МАЛ. ВПІР ТЕОБ

RE: Property Owner: SEE BELOW

LUCATION: DISTRIBUTION MESTERNS OF NOV. 6, 1995.

Ctem No.: SLE BELOW Zonina Agenda:

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

8. The live Marshel's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING STEM NUMBERS: 177 (173), 179 170 , 176. 180 AND 183.5

REVIEWER: IT. ROHERT P. SAUERWALD

EGEIV

Lire Marshal Office. PHONE 887-4881. MS-110PF

