

IN RE: PETITION FOR ADMIN. VARIANCE

NS Pleasant View Avenue, 8' E
of c/l Valley Crest Avenue
3rd Election District
2nd Councilmanic District
(6205 Pleasant View Avenue)

Robert Booth
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 00-268-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Robert Booth, property owner, for that property known as 6205 Pleasant View Avenue in the Lake Roland area of Baltimore County. The Petitioner herein seeks a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side street setback of 20 ft. in lieu of the required 30 ft., and Section 303.1 to permit a front yard average setback of 34 ft. in lieu of the required 38 ft. average in order to convert an existing garage to a family room and adding a new garage thereto. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioner having filed a Petition for Administrative 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 Petitioner has 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 Deputy 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 Petitioner.

ORDER RECEIVED FOR FILING

Date

1/21/2000

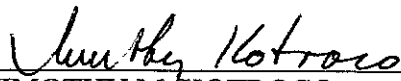
By

R. J. Jenson

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21st day of January, 2000, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side street setback of 20 ft. in lieu of the required 30 ft., and Section 303.1 to permit a front yard average setback of 34 ft. in lieu of the required 38 ft. average, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

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


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

APPROVED FOR THE BOARD OF ZONING ADJUDICATORS
DATE 1/21/2000
BY J. J. JAMESON



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

January 21, 2000

Mr. Robert Booth
6205 Pleasant View Avenue
Baltimore, Maryland 21209

Re: Petition for Administrative Variance
Case No. 00-268-A
Property: 6205 Pleasant View Avenue

Dear Mr. Booth:

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

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6205 Pleasant View Ave.
which is presently zoned DR 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1B02.3.C.1 to permit a side street
setback of 20 ft. in lieu of the required 30 ft., and Section 303.1 to
permit a front yard average setback of 34 ft. in lieu of the
required 38 ft. average.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Robert Booth

Name - Type or Print

Signature

Name - Type or Print

Signature

6205 Pleasant View Ave 410-494-0421

Address

Telephone No.

Baltimore Maryland 21209

City

State

Zip Code

Representative to be Contacted:

Robert Booth

Name

6205 Pleasant View Ave 410-494-0421

Address

Telephone No.

Baltimore Maryland 21209

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 12 day of December that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 00-268-A

Reviewed By BR

Date 12/22/99

Estimated Posting Date 1/2/2000

REU 9/15/98

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 6205 Pleasant View Ave.

Address

Baltimore

Maryland

21209

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):

I wish to convert an existing garage to a family room/dining room by adding 8 feet to the width of this existing garage. I then wish to add a garage on the side of this addition to the size of 28 feet wide and 32 feet deep. The reason for the width is that I wish to be able to store items in the garage along with two vehicles. I further wish to have room to work on these vehicles. The reason for the depth is that I wish to put a laundry/mud room in the rear of the garage that measures 8x14 feet. This will allow me to have the room in the garage needed to still park two vehicles. Because of the setup of the house with the kitchen next to this addition, and the gradual slope in front, this is the best place to put this addition. The other side of the house has the bedrooms and a very steep slope. This does not make a good location for the family room/dining room, and the garage/mud room.

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

Robert M. Booth

Signature

Robert Michael Booth

Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15th day of December, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

ROBERT BOOTH

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

Date

15 December 1999

Notary Public

My Commission Expires

1 May 2002

00-268-A

ZONING DESCRIPTION FOR 6205 Pleasant View Ave.

Beginning at a point on the North side of
Pleasant View Ave which is 16 feet
wide at the distance of 8 feet east of the
centerline of the nearest improved intersection street Valley Crest Ave.
which is 16 feet wide. Being Lot # 35&36
Block _____, Section # _____ in the subdivision of Barre Hills
as recorded in Baltimore County Plat Book # 10, Folio # 82,
containing 15,000 square feet. Also known as 6205 Pleasant View Ave
and located in the 3rd Election District, 2nd Councilmanic District.

#268

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **076766**

DATE 12/22/99 ACCOUNT 8001 6150

AMOUNT \$ 52.00

RECEIVED FROM: Robert B...

FOR: Call on Alvin...

DESCRIPTION: ...

YELLOW - CUSTOMER 11-268

PINK - AGENCY

WHITE - CASHIER

PAID RECEIPT

PAYMENT ACTUAL DATE
 12/23/1999 12/22/1999 10:21:44
 PER MODE CASHIER INTL MES DRAGER 5
 1999 5 528 ZONING VERIFICATION
 RECEIPT # 137621
 PR NO. 076766

Receipt Tot 50.00
 50.00 PK 00 131
 Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No. 00-268-A

Petitioner/Developer. VBH, ETAL

C/O MARTIN

Date of Hearing/Closing 1/18/00

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

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 located at #6205 PLEASANT
VIEW AVE

The sign(s) were posted on 1/1/00
(Month, Day, Year)

Sincerely,

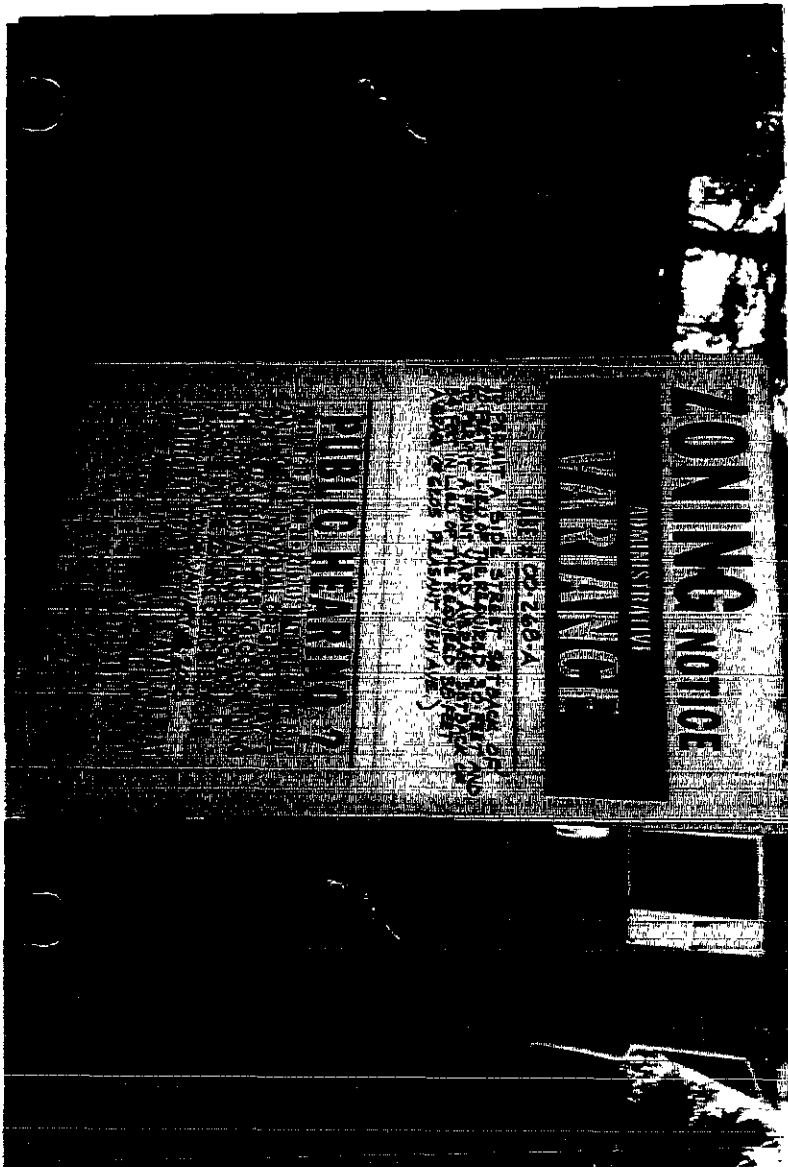
Patrick M. O'Keefe 1/6/00
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
(Telephone Number)



CERTIFICATE OF POSTING

RE: Case No.: 00-268-X

Petitioner/Developer: ALI/MARYAM, ETAL
C/O MICHAEL LIMSKY, ESQ

Date of Hearing/Closing: 1/28/00

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

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 located at # 8215 PULASKI HWY.

The sign(s) were posted on

1/13/00
(Month, Day, Year)



Sincerely,

Patrick M. O'Keefe 1/22/00
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571

It's Fax Note 7671		Date	# of pages <u>1</u>
To <u>ROBIN</u>	From <u>O'KEEFE</u>		
Co./Dept. <u>ZONING COMM.</u>	Co.		
Phone # <u>410-666-5366</u>	Phone # <u>410-905-8571</u>		
Fax # <u>887-3468</u>	Fax # <u>512-324-4100</u>		

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 00-268-A

Petitioner: ROBERT BOOTH

Address or Location: 6205 PLEASANT VIEW AVE.

PLEASE FORWARD ADVERTISING BILL TO:

Name: ROBERT BOOTH

Address: 6205 PLEASANT VIEW AVE
BALTO. MD 21209

Telephone Number: 410-494-0421

Revised 2/20/98 - SCJ



Baltimore County
Department of Permits and
Development Management

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

January 14, 2000

Mr. Robert M. Booth
6205 Pleasant View Avenue
Baltimore MD 21209

Dear Mr. Booth:

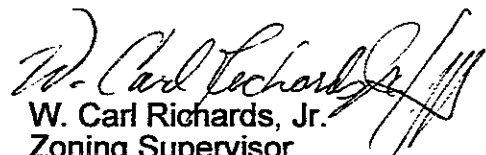
RE: Case Number 00-268-A , 6205 Pleasant View Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 22, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County 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.

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures



Closing 1/17/00

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: January 20, 2000

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

RECEIVED JAN 24 2000

SUBJECT: Zoning Advisory Committee Meeting
for January 17, 2000
Item No. 268

The Bureau of Development Plans Review has reviewed the subject zoning item.

Valley Crest Avenue is an existing road which shall ultimately be improved as a 30 foot street cross section on a 50 foot right-of-way with 10 foot revertible slope easement to support the slopes along the roadway. See Baltimore County record Drawing No. 90-0401 (B-5) for details.

The proposed building addition should be modified to eliminate the conflict with ultimate road right-of-way and slope easement.

RWB:HJO:cab

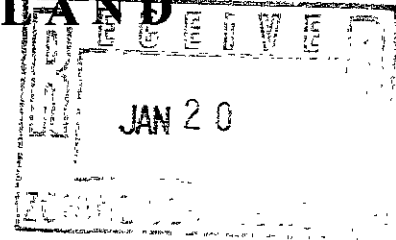
cc: File

ZAC01170.268

AV
1/17

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE



TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: January 20, 2000

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):

Item No(s): 268 and 269

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

AFK/JL



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 1.6.00

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

RE: Baltimore County
Item No. 268 B2

RECEIVED JAN 10 2000

Dear Ms Stephens:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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

00-268-A

SITE PLAN TO BE USED IN DETERMINING FRONT YARD DEPTHS IN RESIDENCE ZONES WHEN THE IMMEDIATE ADJOINING LOTS ARE NOT IMPROVED Reference - Section 303.1 Baltimore County Zoning Regulations

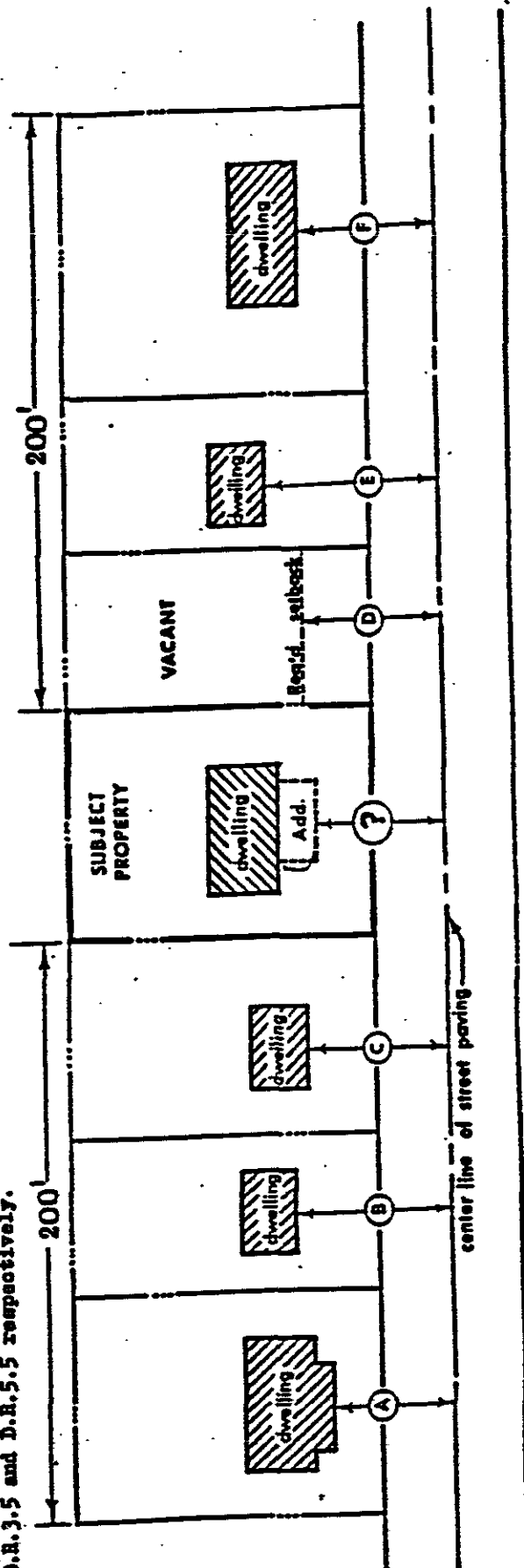
applicant's name Robert Booth
building address 6205 Pleasant View Ave
date 12/22/99

A	_____	ft.
B	_____	ft.
C	<u>33</u>	ft.
D	_____	ft.
E	<u>42</u>	ft.
F	<u>38</u>	ft.

TOTAL (75) ÷ (2) = 38
of dwellings
REQUIRED FRONT SETBACK (averaged)

NORMAL REQUIRED SETBACKS
D.R.2 - 65 ft.
D.R.3.5- 55 ft.
D.R.5.5- 50 ft.

303.1 --In D.R.2, D.R.3.5 and D.R.5.5 Zones the front yard depth of any building or other structure hereafter erected shall be the average of the front yard depths of the lots immediately adjoining on each side provided such adjoining lots are improved with principal buildings situate within 200 feet of the joint side property line, but where said immediately adjoining lots are not both so improved, then the depth of the front yard of any building hereafter erected shall be not less than the average depth of the front yards of all improved lots within 200 feet on each side thereof, provided that no dwelling shall be required to be set back more than 60 feet in D.R.2 zones, 50 feet in D.R.3.5 zones and 40 feet in D.R.5.5 zones. In no case, however, shall nonresidential principal buildings have front yards of less depth than those specified therefrom in the area regulations for D.R.2, D.R.3.5 and D.R.5.5 respectively.



#298

D.R. 5.5

~~D.R. 3.5~~

D.R. 3.5

D.R. 3.5

D.R. 2

OR-2

D.R. 2

AREA UNDER ~~CONSTRUCTION~~

BARE HILLS

MLR

ELECTRIC

ELECTRIC

FALL 2

EXPRESSWAY

D.R. 2

POWER SUB STATION
TRANSFORMERS

D.R. 2

97-266-SPH

N 31,000

~~50,000~~

133

[illegible]

133

MLR

MLR

ELECTRIC

ELECTRIC

FALL 2

EXPRESSWAY

D.R. 2

POWER SUB STATION
TRANSFORMERS

D.R. 2

OR-2

D.R. 2

10-268-A



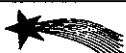


Baltimore County
Department of Permits and
Development Management

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



Census 2000



For You, For Baltimore County



Census 2000



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on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

00-268-A



Revise Document [F1] [Adapted] [F3]
SARA, ZADM/TXTGGS |Typestyle 86 (12p) |Ln 64
<2...T:...T3...T:...T4...T:...T5...Tv...T6...T:...T7...T:...T8...T:...T9>....
- Occupation: Driver. Years known: Four.-
-
- Michael Lynch, 410-823-8400-
- Occupation: Principal. Years known: Five.-
-
- Elizabeth -Wissinger-, 410-931-2929-
- Occupation: Student Accounts Assistant (-JHU-). Years known: Ten.-
-



PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

00-268-A

#268

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	LAKE ROLAND AREA	N.W. 8-B
DATE OF PHOTOGRAPHY JANUARY 1986		

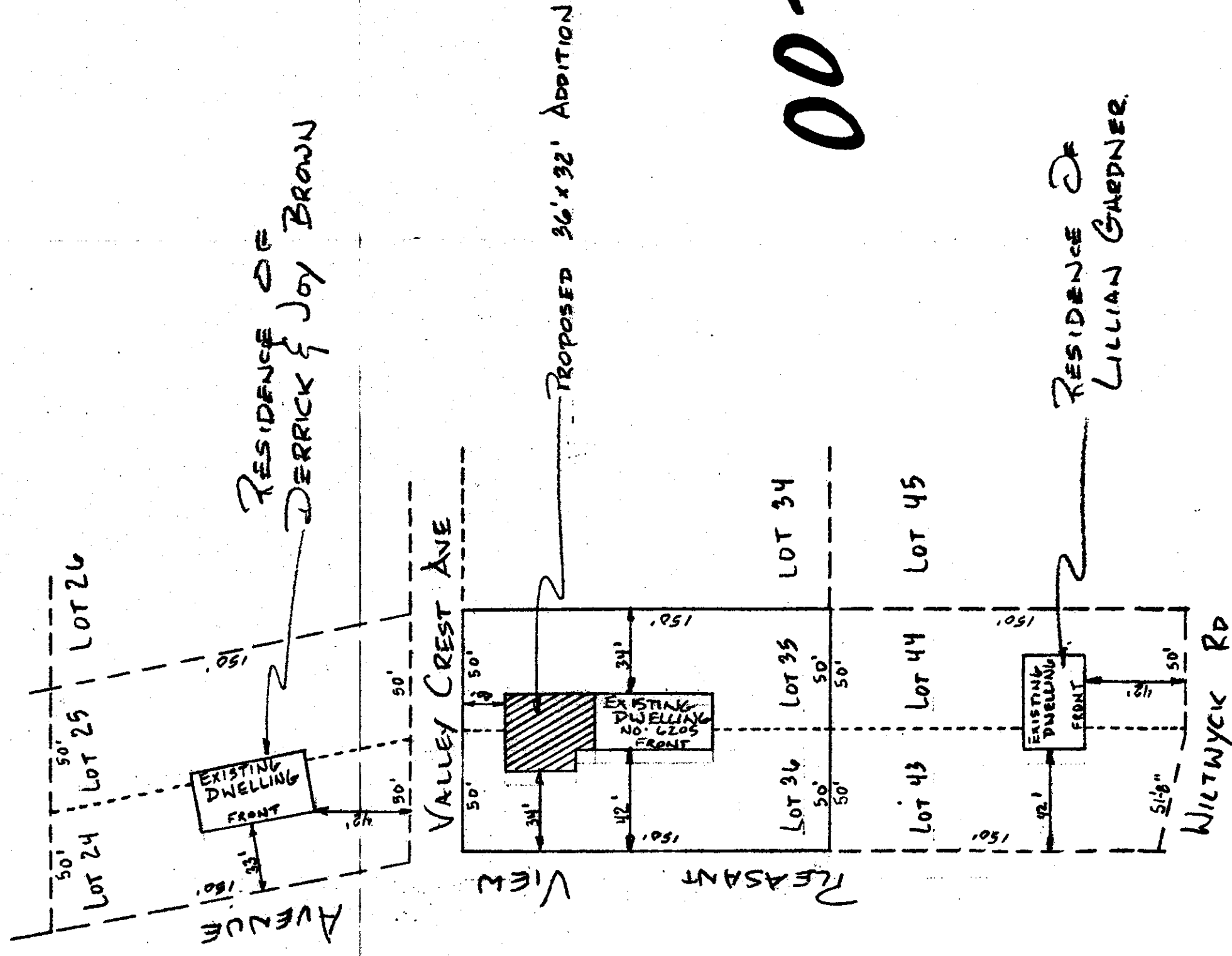
MICROFILMED

Plat to accompany Petition for Zoning X Variance Special Hearing

PROPERTY ADDRESS: 6205 PLEASANT VIEW AVENUE

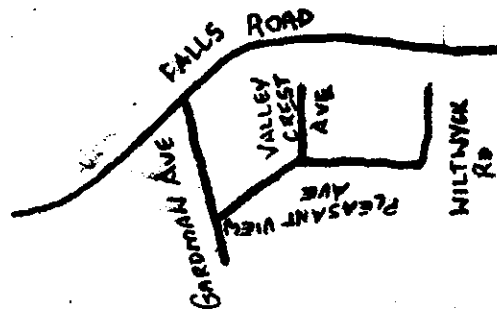
Subdivision name: Barre Hills
Plat Book #: 0010, folio #: 0082, lot #: 3530, section #:

Owner: ROBERT BOOTH



North

Date: 10-1-99 prepared by: [Signature] Scale of Drawing: 1" = 50'



North

Vicinity Map
Scale 1" = 1000 feet

LOCATION INFORMATION

Councilmanic District: 2

Election District: 3

1" = 200' scale map #: NW-88

Zoning: DR-3.5

Lot Size: .33 acreage 15000 Square feet

Sewer: X Public X Private
Water: X

Chesapeake Bay Critical Area: Yes No X
Prior Zoning Hearings: NONE

Zoning Office Use Only

Reviewed by: BK Item #: 268 Case #: 00-268-A

6205 PLEASANT VIEW AVE.

SCALE: 1" = 50' APPROVED BY: [Signature] DRAWN BY: DOC
DATE: 10-1-99 REVISED

SITE PLAN

DRAWING NUMBER

1

PET. EX. #1