

IN RE: PETITION FOR ADMIN. VARIANCE

N/S Eastern Avenue at
W/S Birdview Avenue
15th Election District
5th Councilmanic District
(13213 Eastern Avenue)

Patrick M. & Barbara J. Kelly
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 00-271-A

*

* * * * *

ORDER OF DISMISSAL

The Petitioner herein filed a Petition for Variance for the property located at 13213 Eastern Avenue in the Harewood area of Baltimore County. A petition for variance was requested from Section 1A04.3b2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow for a side street yard setback of 10 ft, in lieu of 25 ft. to build a house; and,

WHEREAS, a letter dated January 14, 2000 was received from the Petitioner, Barbara Kelly, requesting that this matter be dismissed.

IT IS THEREFORE, ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 22nd day of January, 2000, that the hereinabove Petition for Variance, be and is hereby DISMISSED, without prejudice.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

1/22/2000
R. Jameson



Baltimore County
Zoning Commissioner

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

January ²⁷24, 2000

Mr. & Mrs. Patrick M. Kelly
4111 Miller Road
Kingsville, Maryland 21087

RE: Case No. 00-271-A
Petition for Variance
Property: 13213 Eastern Avenue

Dear Mr. & Mrs. Kelly:

Enclosed herewith is a copy of an Order of Dismissal regarding the above captioned case. The matter has been dismissed, without prejudice.

Very truly yours,

A handwritten signature in black ink, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Encl.

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



Printed with Soybean Ink
on Recycled Paper



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 13213 Eastern Avenue

which is presently zoned DR5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3b2 to allow for a side STREET yard setback of 10' in lieu of 25'

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) This would allow for a thirty five foot wide house to be erected instead of a 20' house and would be more astetic to the area

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

Case No. 271
00-271-A

REC 9/15/98

Legal Owner(s):

Patrick M Kelly

Name - Type or Print

Patrick M Kelly

Signature

Barbara J Kelly

Name - Type or Print

Barbara J Kelly

Signature

4111 Miller Rd 410 529 5413

Address

Telephone No.

Kingsville Md 21087

City

State

Zip Code

Representative to be Contacted:

Thomas phelps

Name

945 Barron Ave 410 574 6744

Address

Telephone No.

Baltimore Md 21221

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By CTM

Date 12/23/90

Zoning Description

THOMAS E. PHELPS & ASSOCIATES, INC.

945 Barron Avenue
Baltimore, Maryland 21221-5202
(301) 574-6744

LAND SURVEYING

LAND PLANNING

ZONING DESCRIPTION FOR 13213 Eastern Avenue Ext
(address)

Beginning at a point on the North side of
(north, south, east or west)

Eastern Avenue which is 30
name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 0 West of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Biardwood Avenue
(name of street)

which is 30 wide. *Being Lot # P/o 533, 534, 535
(number of feet of right-of-way width)

Block _____, Section # A in the subdivision of Twin River Beach
(name of subdivision)

as recorded in Baltimore County Plat Book # 9, Folio # 33,

containing 6975 Sq ft Also known as 13213 Eastern Avenue
(square feet or acres) (property address)

and located in the 15 Election District, 5 Councilmanic District.

271

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. **076769**

DATE 12/23/99 ACCOUNT R001 6150

AMOUNT \$ 50.00

RECEIVED FROM: Tom Phelps

FOR: 010 VARIANCE

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PAYMENT ACTUAL TIME
12/23/1999 12/23/1999 13:36:08
REG #504 CASHIER JCAR JLK DRAWER 5
Dept 5 528 ZONING VERIFICATION
Receipt # 109154 OFLN
CR NO. 076769
Receipt Tot 50.00
50.00 CK
Baltimore County, Maryland

CASHIER'S VALIDATION

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. **076769**

DATE 12/23/99 ACCOUNT R001 6150

AMOUNT \$ 50.00

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Receipt # 109154 OFLN
CR NO. 076769
Receipt Tot 50.00
50.00 CK
Baltimore County, Maryland

CASHIER'S VALIDATION

60-271-A
Dismissed
1/22/00
JEP

CERTIFICATE OF PUBLICATION

TOWSON, MD, January 21, 2000

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 1 successive weeks, the first publication appearing on January 18, 2000.

S. William
THE JEFFERSONIAN,

LEGAL ADVERTISING

RECEIVED JAN 24 2000

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #00-271-A
13213 Eastern Avenue
N/S Eastern Avenue at
W/S Birdview Avenue
15th Election District
5th Councilmanic District
Legal Owner(s):
Barbara J. Kelly &
Patrick M. Kelly

Variance: to allow a side street setback of 10 feet in lieu of 25 feet.

Hearing: Wednesday, February 2, 2000 at 8:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations. Please Contact the Zoning Commissioners' Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3381.

JT/1/677 Jan. 18 0354497

RE: PETITION FOR VARIANCE
13213 Eastern Avenue, N/S Eastern Ave at
W/S of Birdview Ave
15th Election District, 5th Councilmanic

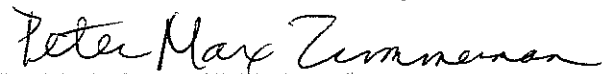
Legal Owner: Patrick M. & Barbara J. Kelly
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-271-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned 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.



PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



CAROLE S. DEMILIO

Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of January, 2000 a copy of the foregoing Entry of Appearance was mailed to Thomas Phelps, 945 Barron Avenue, Baltimore, MD 21221, representative for Petitioners.



PETER MAX ZIMMERMAN

January 14, 2000
Barbara & Patrick Kelly
4111 Miller Rd.
Kingsville, MD 21087
(H) 410-529-5413
(W) 301-713-2823

To: Sph
ok
1/18/00
na

Zoning Review Office,

Please cancel the hearing on CASE NUMBER: 00-271-A (see attached). Our plans have changed for this property. We must not have adequately conveyed our change in plans to Mr. Thomas Phelps, who was hired to handle this for us.

Thank You

Barbara Kelly

1/13/00
aj
SJ



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

January 6, 2000

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-271-A
13213 Eastern Avenue
N/S Eastern Avenue at W/S Birdview Avenue
15th Election District – 5th Councilmanic District
Legal Owner: Barbara J. Kelly & Patrick M. Kelly

Variance to allow a side street setback of 10 feet in lieu of 25 feet.

HEARING: Wednesday, February 2, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon", with a stylized flourish at the end.

Arnold Jablon
Director

c: Barbara & Patrick Kelly, 4111 Miller Road, Kingsville 21087
Thomas Phelps, 945 Barron Avenue, Baltimore 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JANUARY 18, 2000.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

R-111



RECEIVED

00-3383

JAN 13 2000

DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

January 6, 2000

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HEARING: Wednesday, February 2, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with a small "51" written below it.

Arnold Jablon
Director

c: Barbara & Patrick Kelly, 4111 Miller Road, Kingsville 21087
Thomas Phelps, 945 Barron Avenue, Baltimore 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JANUARY 18, 2000.**
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TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 18, 2000 Issue – Jeffersonian

Please forward billing to:

Patrick & Barbara Kelly
4111 Miller Road
Kingsville, MD 21087

410-529-5413

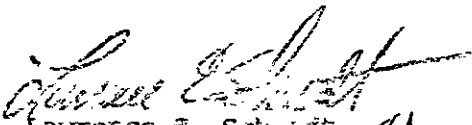
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HEARING: Wednesday, February 2, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt 34

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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**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/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 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: 00-271-A

Petitioner: Patrick & Barbara Kelly

Address or Location: 4111 Miller Road Kingsville Md 21087

PLEASE FORWARD ADVERTISING BILL TO:

Name: Patrick & Barbara Kelly

Address: 4111 Miller Road Kingsville Md 21087

Telephone Number: 410 529 5413

Revised 2/20/98 - SCJ

Heavy 2/2/00

B A L T I M O R E C O U N T Y, M A R Y L A N D

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
 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. 271

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

Birdwood Avenue is an existing road which shall ultimately be improved as a 30 foot street cross section on a 40 foot right-of-way.

Eastern Avenue Extended is an existing road which shall ultimately be improved as a 40 foot street cross section on a 60 foot right-of-way.

RWB:HJO:cab

cc: File

ZAC01170.271

Jim
9/2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 13, 2000

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

SUBJECT: 13213 Eastern Avenue

INFORMATION:

Item Number: 271

Petitioner: Kelly Property

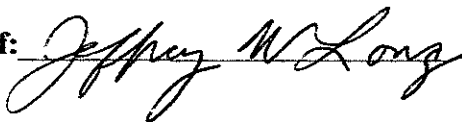
Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The staff requests that the applicant be required to submit elevation drawings for review and approval to the Office of Planning should the subject request be granted.

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. 271 L T M

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,

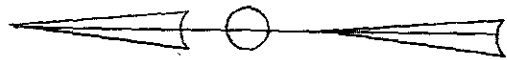
for

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

My telephone number is _____

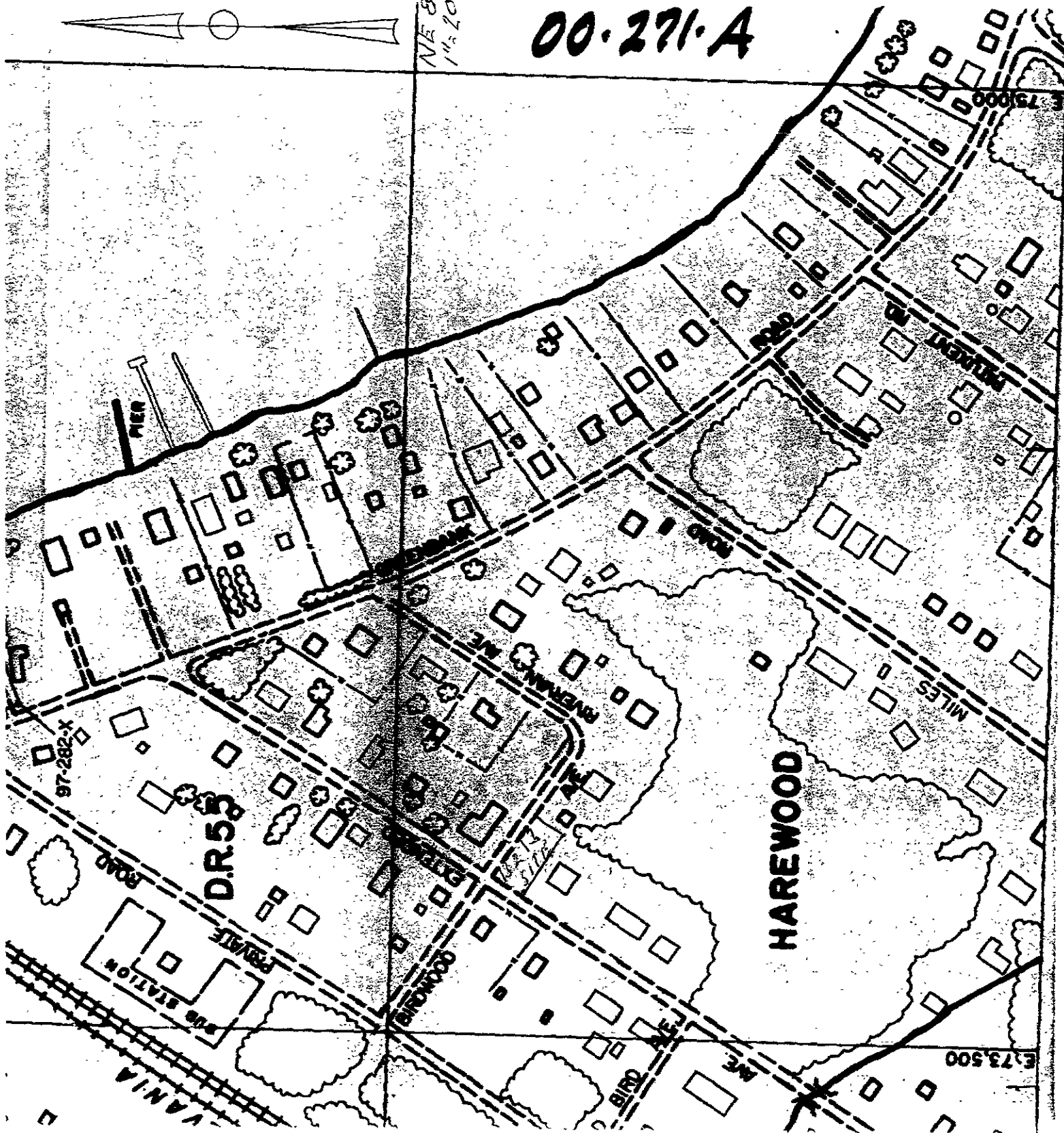
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

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

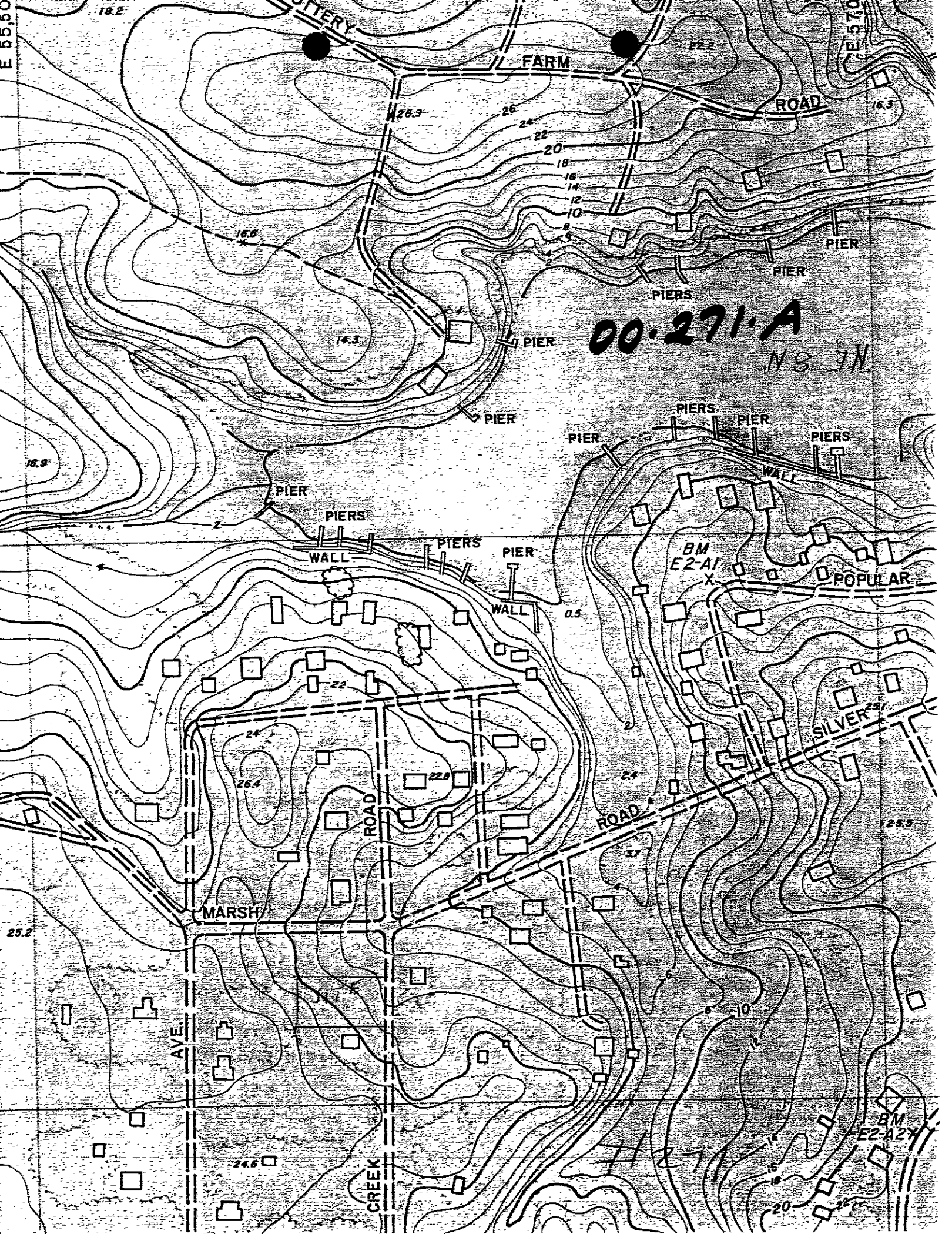


NE 3N
1" = 200'

00-271-A



11271



00-271-A

N 8 3 N



VIEW FROM LEFT REAR OF
LOT



VIEW FROM ROAD TO LEFT
OF LOT



HOUSE TO RIGHT OF LOT



FRONT TO REAR OF LOT

00-271-A

271