IN RE: PETITION FOR VARIANCE
W/S Beaumont Avenue, 125' N of

Herd Court

(323 N. Beaumont Avenue)

1st Election District

1st Councilmanic District

Frank A. Seicke, et ux Petitioners

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 00-374-A

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Frank A. and Dolores B. Seicke. The Petitioners seek relief from Section 415.A.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a recreational boat to be stored on a trailer, one foot from the side property line in lieu of the minimum required setback of 2 ½ feet, and to permit a lateral projection of 3 feet out from the front foundation line of the dwelling in lieu of the required setback of 8 feet back from the front foundation line. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing held was Frank Seicke, property owner. There were no Protestants or other interested persons present; however, the Petition was filed as the result of an anonymous complaint registered with the Code Enforcement Division of the Department of Permits and Development Management (PDM) relative to the subject boat.

Testimony and evidence offered revealed that the subject property consists of a gross area of 7,888 sq.ft., more or less, zoned D.R.5.5 and is improved with a single family dwelling. Other improvements on the property include an attached deck to the rear of the dwelling, a storage shed in the rear yard, a macadam-paved driveway in the front, and a fence which extends out from either side of the rear of the dwelling, down each side yard and across the rear of the property. The

ORDER RECEIVED FOR FILING
Date

By

ORDER RECEIVED FOR FILING Date 3/1/1/1

Petitioners have owned and resided on the property for the past 18 years. Mr. Seicke testified that he currently owns a 25-foot recreational boat which he keeps on a 30-foot trailer and stores in the side yard next to the house. He indicated that prior to this boat, he had another boat which he stored in the same location for approximately seven years. Mr. Seicke testified that he only stores the boat on his property from approximately November until March, after which it is kept in the water. Testimony indicated that strict compliance with the zoning regulations would require the removal of the existing fence, and the extension of the existing driveway another 30 feet back. Thus, variance relief as described above is being requested to allow the continued storage of the boat in its present location. In further support of his request, the Petitioner submitted a letter from the adjacent property owner on the affected side which indicates that they have no objections.

Based upon the testimony and evidence presented, I am persuaded to grant the variance. I find that a practical difficulty and unreasonable hardship would result if strict compliance with the zoning regulations were required. Moreover, there were no Protestants present at the hearing and the Petitioner has the support of the adjoining property owner on the affected side. In addition, there were no adverse comments submitted by any Baltimore County reviewing agency. Thus, it appears that relief can be granted without detrimental impact to the surrounding locale.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

- 2) The relief granted herein is limited to the existing 25-foot boat on the 30-foot trailer. In the event the Petitioner replaces this boat, the new recreational vehicle shall not extend any further than 5 feet from the front foundation line of the dwelling.
- 3) When applying for a building permit, the site plan and landscaping 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:bjs



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

May 5, 2000

Mr. & Mrs. Frank A. Seicke 323 N. Beaumont Avenue Baltimore, Maryland 21228

RE: PETITION FOR VARIANCE
W/S Beaumont Avenue, 125' N of Herd Court
(323 N. Beaumont Avenue)

1st Election District -- 1st Councilmanic District
Frank A. Seicke, et ux - Petitioners
Case No. 00-374-A

Dear Mr. & Mrs. Seicke:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner

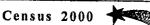
for Baltimore County

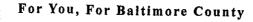
LES:bjs

cc:

Code Enforcement Division, PDM; People's Counsel; Case File















9115198

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 323 N. BEAUMONT AVENUE which is presently zoned

I/We do solemnly declare and affirm, under the penalties of

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)

415A.I. A to permit a projection to the front from a lateral projection of the Count foundation line of the dwelling in lieu of the required 2½' and 8' rear projection respectively.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) WE have kept numerous boats at this location for the past 8 years. We would have to

extend our driveway 30 ft, to back of property, In order to comply

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.

perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessee: Legal Owner(s): Name - Type or Print Name - Type or Print Signature Address Telephone No. City State Zip Code 744-5827 Attorney For Petitioner: 21228 Zip Code Name - Type or Print Representative to be Contacted: Signature Company Name Address Telephone No. Telephone No. Address Zip Code Zip Code State State OFFICE USE ONLY ESTIMATED LENGTH OF HEARING Case No. 00-374-AUNAVAILABLE FOR HEARING Reviewed By

ZONING DESCRIPTION FOR 323 N. BEAUMONT AVE.

BEGINNING AT A POINT ON THE WEST SIDE OF BEAUMONT AVE. WHICH IS 50 FEET WIDE AT THE DISTANCE OF 125 FEET NORTH OF HERD CT. WHICH IS 40 FEET WIDE. BEING LOT#1 BLOCK B IN THE SUBSECTION OF BEAUMONT PARK AS RECORDED IN BALTIMORE COUNTY PLAT BOOK #42, FOLIO #88,. ALSO KNOWN AS 323 N. BEAUMONT AVE. AND LOCATED IN THE 1ST, ELECTION DISTRICT, 1ST COUNCILMANIC DISTRICT.

00.374-A

NOTICE OF ZONING HEARING

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

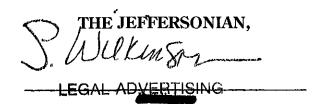
Case: #00-374-A

323 North Beaumont Avenue
W/S Beaumont Avenue, 125' N of centerline Herd Court
1st Election District — 1st Councilmanic District
Legal Owner(s): Dolores B. & Frank A. Selcke
Warlance: to permit a recreational boat to be stored 1 foot
from the side lot line and to permit a 3-foot projection to the
front from a lateral projection of the front foundation line of
the dwelling in lieu of the required 2-1/2-foot and 8-foot year
projection, respectively.
Hearing: Wednesday, April, 26, 2000 at 8:00 a.m. in
Room 407, County Courts Building, 401 Bosley Avenue.

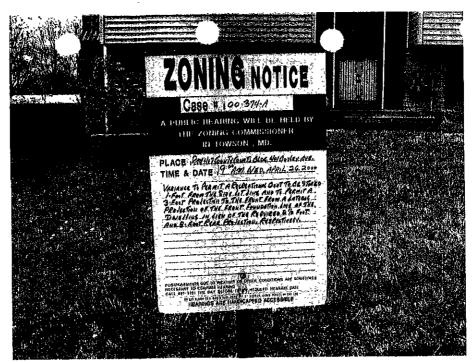
LAWRENCE É. SCHMIDT
Zoning Commissioner for Baitimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Piesse, Contact the Zoning Commissioner's Office at (410) 887-4386.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT 4/653 April 11 C383033

CERTIFICATE OF PUBLICATION

, 1	
TOWSON, MD, 414	, 20
THIS IS TO CERTIFY, that the annexed adv	ertisement was
published in THE JEFFERSONIAN, a weekly newspa	per published in
Towson, Baltimore County, Md., once in each of	successive
weeks, the first publication appearing on	, 20 <u>00</u>



BALTIMORE COUNTY, MARYLAN ^F OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No. 078968	The State of the S
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1	Contract of the Contract of th	3.374-A
Pon:	O)·) / ¬ · ·
	USTOMER 3	CASHIER'S VALIDATION



Posted at 323 North Beaumont Ave.

CERTIFICATE OF POSTING

RE: CASE # 00-374-A
PETITIONER/DEVELOPER
(Frank A. Seicke)
DATE OF Hearing
(4-24-00)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 111 WEST CHESAPEAKE AVE. TOWSON, MARYLAND 21204

ATTENTION: MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

323 North Beaumont Ave. Baltimore, Maryland 21228		
THE SIGN(S) WERE POSTED ON	4-7-00(MONTH, DAY,YEAR)	
	SINCERELY,	
	(SIGNATURE OF SIGN POSTER & DATE)	
	THOMAS P. OGLE SR	
	325 NICHOLSON ROAD	
	BALTIMORE, MARYLAND 21221	
	410-687-8405	

(TELEPHONE NUMBER)

RE: PETITION FOR VARIANCE
323 N. Beaumont Avenue, W/S Beaumont Ave,
125' N of c/l Herd Ct
1st Election District, 1st Councilmanic

Legal Owner: Frank A. & Dolores B. Seicke Petitioner(s)

- BEFORE THE
- * ZONING COMMISSIONER
- * FOR
- * BALTIMORE COUNTY
- * Case No. 00-374-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

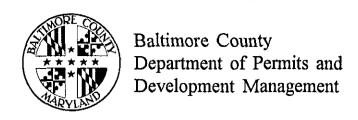
Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of April, 2000 a copy of the foregoing Entry of Appearance was mailed to Frank A. & Dolores B. Seicke, 323 N. Beaumont Avenue, Baltimore, MD 21228, Petitioners.

PETER MAX ZIMMERMAN



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

Fax: 410-887-5708

March 28, 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: 00-374-A
323 North Beaumont Avenue
W/S Beaumont Avenue, 125' N of centerline Herd Court
1st Election District – 1st Councilmanic District
Legal Owner: Dolores B. & Frank A. Seicke

<u>Variance</u> to permit a recreational boat to be stored 1 foot from the side lot line and to permit a 3-foot projection to the front from a lateral projection of the front foundation line of the dwelling in lieu of the required 2-1/2-foot and 8-foot rear projection, respectively.

HEARING: Wednesday, April 26, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon Director

C: Dolores & Frank Seicke, 323 N. Beaumont Avenue, Baltimore 21228

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY APRIL 11, 2000.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

الله الله الما الواج الأول الواقع الميلان. التي الا الله الما الواج الأول الواقع الميلان.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Tuesday, April 11, 2000 Issue – Jeffersonian

Please forward billing to:

Frank A. Seicke 323 N. Beaumont Avenue 410-313-4953 (day) 410-744-5827 (evening)

Baltimore, MD 21228

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: 00-374-A 323 North Beaumont Avenue

W/S Beaumont Avenue, 125' N of centerline Herd Court

1st Election District – 1st Councilmanic District Legal Owner: Dolores B. & Frank A. Seicke

<u>Variance</u> to permit a recreational boat to be stored 1 foot from the side lot line and to permit a 3-foot projection to the front from a lateral projection of the front foundation line of the dwelling in lieu of the required 2-1/2-foot and 8-foot rear projection, respectively.

HEARING: Wednesday, April 26, 2000 at 9:00 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 ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

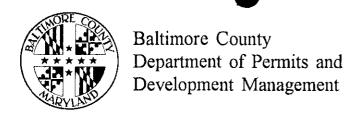
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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.

	aper Advertising:
Item Numbe	r or Case Number: 00 - 374- A
Petitioner: _	FRANK A. Seroke
Address or L	ocation: 323 N. BEAUMONT AVE CATCHSVILLE Md. 21228
•	RWARD ADVERTISING BILL TO:
Name:	FRANK A. Sercke
Address:	323 N. Benumant HUS
	BALTO. MD. 21225:
Telephone N	lumber: DAY - 410 313-4953 Even - 410-744-5827



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

April 21, 2000

Mr. & Mrs. Frank & Dolores Seicke 323 N. Beaumont Avenue Baltimore MD 21228

Dear Mr. & Mrs. Seicke:

RE: Case Number 00-374-A, 323 N. Beaumont Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 14, 2000.

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, Ji Zoning Supervisor

Zoning Review

WCR:ggs

Enclosures



Printed with Soybean Ink

on Recycled Paper











Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

March 30, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF MARCH 27, 2000

Item No.: See Below

Dear Ms. Stephens:

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 Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

371, 372, 374) 375, 376, 377, 378, AND 379

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley My

DATE:

April 10, 2000

SUBJECT:

Zoning Petitions

Zoning Advisory Committee Meeting of March 27, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
370	103 Riverton Road
372	1 Woods Court
374	323 N. Beaumont Road
375	5701 & 5709 Trumps Mill Road
376	301 Golf Course Road
378	2 Forest Drive
379	1603 Dennis Avenue
380	10324 S. Dolfield Road
334	8741-8771 Mylander Lane

BALTIMORE COUNTY, MARYLA

INTER-OFFICE CORRESPONDENCE

Date: March 24, 2000

TO: Arnold Jablon, Director

Department of Permits

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

Zoning Advisory Petitions SUBJECT:

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

Item No(s): 371, 374, 376, 378, and 379

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: 3.27.00

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

RE: Baltimore County

Item No. 374 BZ

Dear. Ms. Jackson:

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,

S.J. Dredl

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division Azs. Theodore A. Mina 325 Beuumont Aze. Catonsville, Maryland 21228

APRIL 13, 2000

Mr. + Mrs. Al Seike 323 Beaumont Ove Catonwille, Md. 21228

Dear Al + Dree,
I am writing to confirm that we have
no objections to the youing variance
that you have requested. Further,
we have no objection to you
storing your boat anywhere
on your property.

Sweerely, Mehsik Ming Paleik March 5, 2000

To Whom it May Conern:

We have no objections to Mr. Al Seicke keeping his boat in the yard beside his home at 323 Beaumont Avenue, Catonsville, Maryland 21228. We live directly across the street from Mr. Seicke and we find nothing offensive about the boat being stored in this location. Feel free to contact us at 410 788 8942 if any further information is required.

Singerely,

Robert and Robin Dowell 318 Beaumont Avenue

Catonsville, Maryland 21228

March 6, 2000

To whom it may concern:

We have no objection to Frank (Al) and Delores Seicke who live at 323 N. Beaumont Ave parking their boat and trailer (one unit) on the side of their house.

They have been parking a boat on the side of their house for the last nine years.

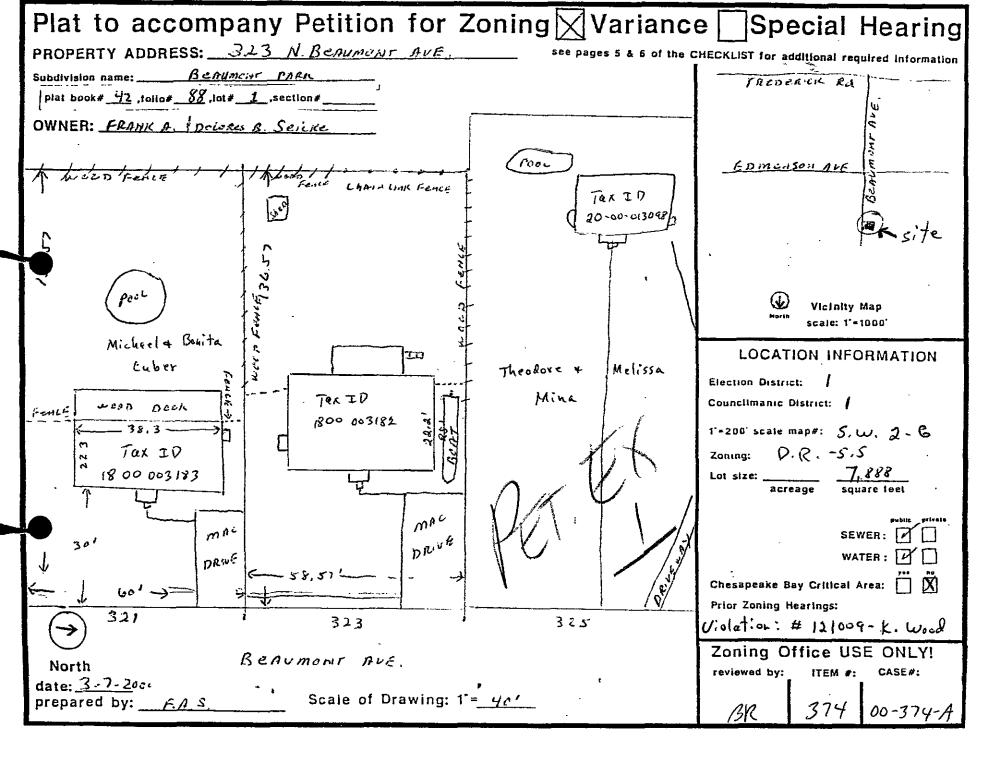
Bonita A. Cuber

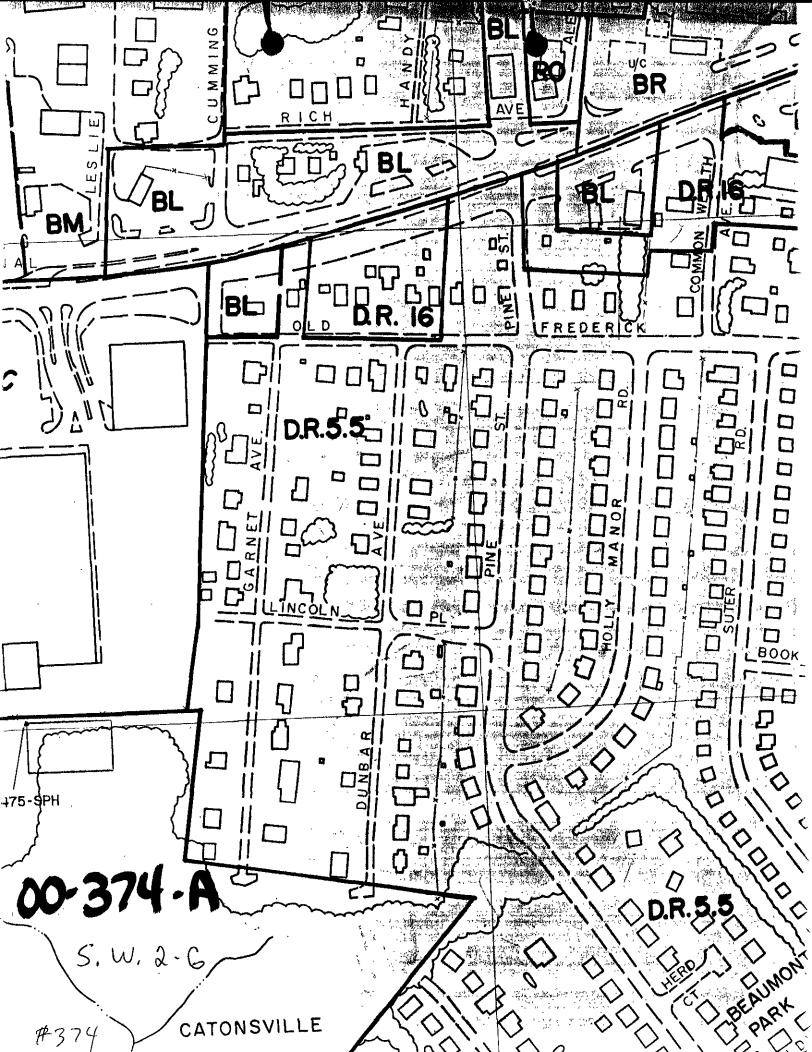
Sincerely,

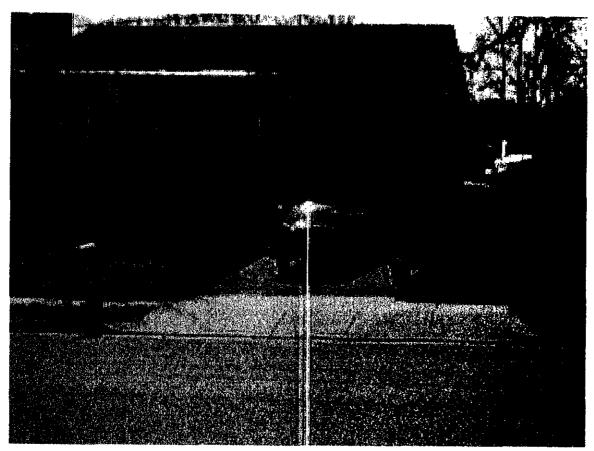
Michael Cuber

321 N. Beaumont Ave Catonsville MD 21228

Telephone number 410-788-1236







323 N. BEAUMONT AUE