IN RE: PETITION FOR SPECIAL HEARING

W/S Harristown Road, 814' W centerline of Winters Lane 1st Election District

1st Councilmanic District (6035 Harristown Road)

Vanessa Lloyd Petitioner BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* CASE NO. 00-463-SPH

\* \* \* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owner of the subject property, Vanessa Lloyd. The special hearing request is for property located at 6035 Harristown Road. The Petitioner is requesting a special hearing to construct a second kitchen in the basement of her home in order to provide housing for her elderly parents.

Appearing at the hearing on behalf of the special hearing request was Vanessa Lloyd, property owner and her father, William Lloyd. There were no protestants in attendance.

Testimony and evidence indicated that the property, which is the subject of this request, consists of 0.2796 acres, more or less, split zoned DR 5.5 and DR 10.5. The property is improved with a split level, brick and framed dwelling wherein Ms. Lloyd resides. She has owned the subject property for the past 3 years. At this time, she is desirous of converting the basement into an apartment for the purpose of having her mother and father come to live with her. Her request is basically for an in-law apartment, to allow her to take care of her parents who are up in age. In order to proceed with the conversion of the basement, the special hearing request is necessary.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief

OPOSA RECEIVED FOR FILING
Date of Landson

requested will not be detrimental to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this day of June, 2000, that the Petitioner's Request for Special Hearing from Section 500.7 of the Baltimore County Zoning Regulations, to construct a second kitchen in the basement of her home in order to provide housing for her elderly parents, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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.
- 2. The conversion of the basement into a second apartment unit shall be for the purpose of allowing the Petitioner's mother and father, William and Jean Lloyd to reside in the dwelling. The second dwelling unit shall not be occupied by anyone other than the Petitioner's parents. In the event that the Petitioner, Vanessa Lloyd, or her parents cease to reside in the property located at 6035 Harristown Road, then the subject dwelling shall be converted back to a single family residential unit.
- 3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED, that any appeal of this decision must be filed within thirty (30) days from the date of this Order.

TIMOTHY M./KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:rai



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

Fax: 410-887-3468

June 21, 2000

Ms. Vanessa Lloyd 6035 Harristown Road Baltimore, Maryland 21228

> Re: Petition for Special Hearing Case No 00-463-SPH

> > Property: 6035 Harristown Road

Dear Ms. Lloyd:

Enclosed please find the decision rendered in the above-captioned case. The Request for Special Hearing 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,

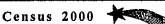
Timothy M. Kotroco

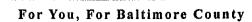
Deputy Zoning Commissioner

hutby lotroco

TMK:raj Enclosure













#### ZONING DESCRIPTION

ZONING DESCRIPTION FOR 6035 Harristown Road

Beginning at a point on the west side of a private road known as Harristown Road which is 12 feet wide at the distance of symplect west of the centerline of the nearest improved intersecting street Winters Lane which is 29 feet wide. As recorded in Deed Liber 7687, Folio 373. N.87 23' 27"E.125.20ft, in all, 145.20ft, S.5 58'51"E.70.66ft, S.87 23'27" 20ft, in all 150.70ft. N.1 30'58"W, 70.55ft to the place of beginning. Containing 12,178.10 square feet, (0.2796 Acres more or less). Also known as 6035 Harristown Road and located in the 1st Election District, 1st Councilmanic District.

VIE		ACCOUNT_	12001-	615	è
		AMOUNT \$	30.2	50	
ECEIVED ROM:	1/1/1/550	in the	y k		
)R:	( is \$ 63	<u>o</u>	Syran e	<u> </u>	Hear of

MINENT, ath TIME 5/14/2000 5/09/2000 14:38:54 ALONE LAND THE HES THAN Lest 5 522 JULIE VERSTONTIEN Pereict 1 使用是 OF M. COLSUS

Recet Tot

H.O 51.00 01

faltime fants, walled

463.5PH

**CASHIER'S VALIDATION** 

A2-E24-00

#### **CERTIFICATE OF POSTING**

RE: CASE #00-463-SPH PETITIONER/DEVELOPER (Vanessa Lloyd) DATE OF Hearing (6-19-00)

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

6035 Harristown Road Baltimore, Maryland 21228				
THE SIGN(S) WERE POSTED ON	6-2-00			
	(MONTH, DAY,YEAR)			
	SINCERELY,			
	Chomo Ight 1/2/00			
	(SIGNATURE OF SIGN POSTER & DATE)			
	THOMAS P. OGLE SR			
	325 NICHOLSON ROAD			
	BALTIMORE, MARYLAND 21221			
	410-687-8405			

(TELEPHONE NUMBER)

#### NOTICE OF ZOMING 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: #00-463-SPH 6035 Harristown Road W/S Harristown Road, 814' W of centerline Winters Lane

1st Election District 1st Councilmanic District Legal Owner(s): Vanessa Lloyd

Special Hearing: to permit the construction of a second kitchen in the basement.

Hearing Monday, June 19, 2000 at 11:00 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 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.

6/031 June 1 C395332

## CERTIFICATE OF PUBLICATION

6/1/2000
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing on6/1,2000
The Jeffersonian  Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News
S. Wilkingon
LEGAL ADVERTISING

RE: PETITION FOR SPECIAL HEARING 6035 Harristown Road, W/S Harristown Rd, 814' W of c/l Winters Ln
1st Election District, 1st Councilmanic

Legal Owner: Vanessa Lloyd Petitioner(s)

- BEFORE THE
- \* ZONING COMMISSIONER
- \* FOR
- \* BALTIMORE COUNTY
  - Case No. 00-463-SPH

\* \* \* \* \* \* \* \* \* \* \* \*

#### 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.

All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

Peter Max Cinnernan PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

idle S. Demilio

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

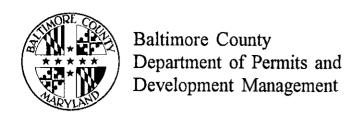
#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 24<sup>TH</sup> day of May, 2000 a copy of the foregoing Entry of Appearance was mailed to Vanessa Lloyd, 6035 Harristown Road, Baltimore, MD 21228, Petitioner.

Peter Max Zimmerman

2007-000/2007			
VERTIFICATION TO THE STATE OF T			
Application of the control of the co	TANING WATER	We would be the second	
THE PART OF THE PA	TAINING WALLAR	An and the second secon	
HONOR OF THE PERSON HANDS AND HONOR AND THE PROPERTY OF THE PERSON HANDS AND THE PERSON HAND THE PERSON HANDS AND	Case # :00.423-5P#		
	A PUBLIC MEARING WILL BE HELD BY THE ZONING COMMISSIONER		
	IN TOWSON , MD.		
	PLACE Provide Gently Courts Class Half Solar Ave.		
	The state of the s	5.	
	OF A SECOND RITCHEN IN THE BOSEMENTS.		
	of a Skiero Kifeke in in the		
	OF A SECOND KNEETE IN INC.		
	OF A SECOND KNEETE IN INC.		
	OF A SECOND KITCHEN IN LINE		
	OF A SECOND EXTERNO TO LINE OF THE CONDITION AND CONTINUE		
	OF A SECOND KITCHEN IN LINE		

Posted at 6035 Harristown Road



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

Fax: 410-887-5708

May 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 NUMBER: 00-463-SPH

6035 Harristown Road

W/S Harristown Road, 814' W of centerline Winters Lane

1<sup>st</sup> Election District – 1<sup>st</sup> Councilmanic District

Legal Owner: Vanessa Lloyd

Special Hearing to permit the construction of a second kitchen in the basement.

HEARING: Monday, June 19, 2000 at 11:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jablon

Director

C: Vanessa Lloyd, 6035 Harristown Road, Baltimore 21228

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JUNE 4, 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.

## 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.

For Newspaper Advertising:		
Item Number or Case Number: Petitioner:	00-463-58H	:
Address or Location: 6035 Has	eestour ed Balto, M	219-2f
PLEASE FORWARD ADVERTISING Name: United M. L.	The state of the s	
Address: 6035 Hazer 97	run Rd	
Telephone Number: 540 869		= (un)

#### **BALTIMORE COUNTY, MARYLAND**

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

**DATE:** July 14, 2000

Department of Permits & Development Mgmt.

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 29, 2000

Item Nos. 463, 464, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, and 476

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

RWB:HJO:jrb

cc: File

#### BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley MG

DATE:

June 1, 2000

SUBJECT:

**Zoning Petitions** 

Zoning Advisory Committee Meeting of May 22, 2000

DEPRM has no comments for the following zoning petitions:

Address		
6035 Harristown Road		
6701 Maxalea Road		
7329 Hughes Avenue		
19 Cody Avenue		
204 Parkwood Road		
7371 Edsworth Road		
6425 Baltimore National Pike		
5401 East Drive		

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

**DATE:** June 15, 2000

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

6035 Harristown Road

**INFORMATION:** 

Item Number:

463

Petitioner:

Vanessa Lloyd

Zoning:

D.R. 5.5

Requested Action:

Special Hearing

#### **SUMMARY OF RECOMMENDATIONS:**

The Office of Planning does not support the request to permit a second kitchen in the basement of a single family dwelling in order to provide housing for the petitioner's senior parents.

The property in question is located within a Community Conservation area as designated by the Baltimore County Master Plan 2010. The predominate land uses in the area known as the Harristown Road and Catonsville Pines are single family detached housing as well as some townhouses.

The Office of Planning has significant concerns that the second kitchen could lend itself to a future conversion of the single family dwelling to two apartments. The property fails to meet the lot width and setback requirements of Section 4022 of the Baltimore County Zoning Regulations for two apartments.

If the request is granted, this office recommends that the following conditions be apart of the approval:

- 1. A restriction should be placed upon its use for family members only.
- 2. The dwelling known as 6035 Harristown Road shall be used for single family residential purposes only.

3. In the event of the move or demise of the owner's parents, the second kitchen must be removed within one year of such move or demise.

Prepared by:

Section Chief:

AFK:MAC:



## Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date:

5.22.00

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

RE:

**Baltimore County** 

Item No.

443

BR

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,

f. f. Budh

for

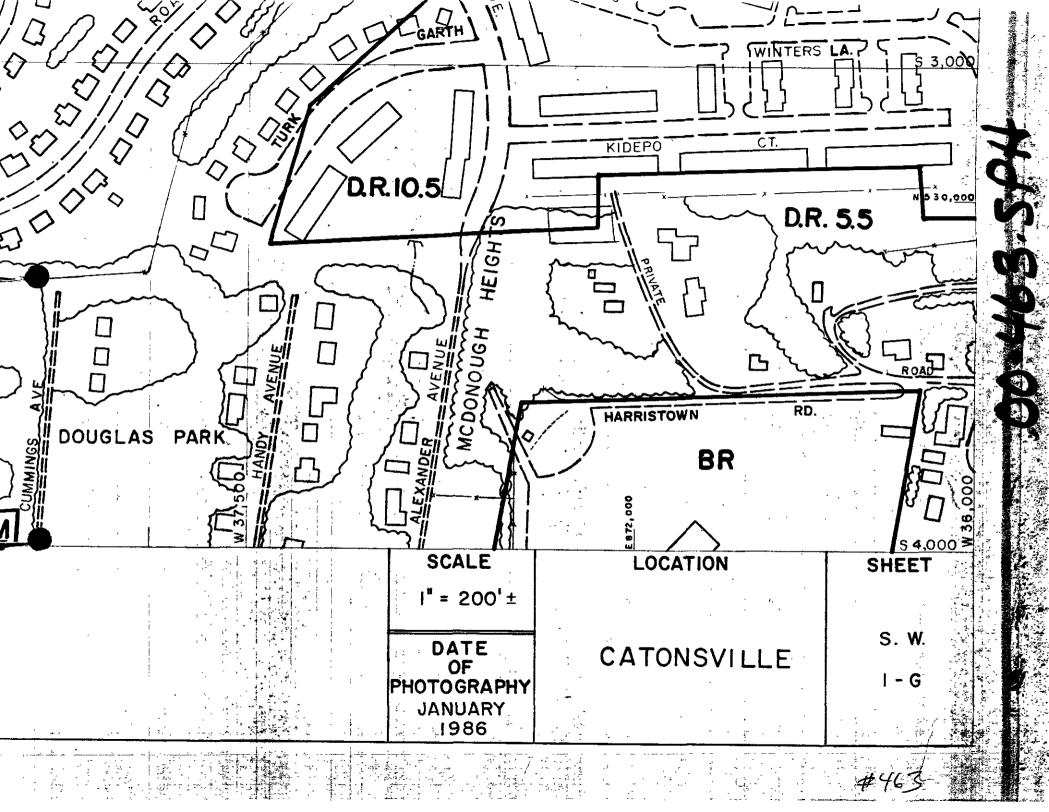
Kenneth A. McDonald Jr., Chief

**Engineering Access Permits Division** 

## Zoning Case No. <u>00-463-5PH</u>

Date Completed/Initials	
5/24/00 Scy	PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp or front of folder)
	DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)
	TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)
	UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)
	COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)
	POSTPONEMENTS (type postponement letter; make appropriate copies; mail origina and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)
	RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)
	INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)
	ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)
	COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)
*	FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

Plat to accompany Petition for Zoning Varianc	e XSpecial Hearing
PROPERTY ADDRESS: 635 HARRIS Town Rd see pages 5 & 6 of the C	CHECKLIST for additional required information
Subdivision name: Liber 7687, Folio 873	Wintelo
plat books,lotts,sections	<b>₹</b>
OWNER:    Control   Contro	Alowest Baltmore Mat Like  When the Scale: 1'=1000'  LOCATION INFORMATION  Election District:  Councilmanic District:  1'=200' scale map#: S.W. IS  Zoning: Scale Square feel  SEWER:
	15M 463 00-463-5PH





# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at _	6035	Harristown	Rd.
		coned D.R5.	

IMMe do solemnly declare and affirm under the negatives 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

second Kitchen in the besement of a single family dwelling to provide housing for senior parents.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, 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 is the subject of this F	the legal owner(s) of the p Petition.	property which
Contract Purchaser/Lessee:	:		Legal Owner(s):		
			Un.	a Hourd	
Name - Type or Print			Name - Type or Print	7 6 1000	
Signature			Signature	Sayol.	
Oignature			<u>Oignature</u>		
Address		Telephone No.	Name - Type or Print	4.4.1	3-11
City	State	Zip Code	Signature	WK	-410-402
•	Otato	Zip code	I apr Ha	and the united	1 411-866
Attorney For Petitioner:			Address	EISTOUM RE	Telephone
			Beltima	RE MI) D	1228
Name - Type or Print			City	State	Ztp Co
<u> </u>			Representative t	o be Contacted:	
Signature					
Company		· · · · · · · · · · · · · · · · · · ·	Name		· · · · · · · · · · · · · · · · · · ·
Address		Telephone No.	Address		Telephone N
CIVE	State	Zip Code	City	State	Zip Cod
3					
2			<u>OF</u>	FICE USE ONLY	
72			ESTIMATED LEN	GTH OF HEARING _	
Case No. 00 - 463 -	5811		UNAVAILABLE FO	OR HEARING	
140. <u>00 765</u>	70/1				1
		Rev	riewed By <u>BR</u>	Date <u>5 /9/</u>	/00
REU 19115198					

TO: PATUXENT PUBLISHING COMPANY

Thursday, June 1, 2000 Issue - Jeffersonian

Please forward billing to:

Vanessa Lloyd

410-869-8636

6035 Harristown Road

410-402-7235 (work)

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: 00-463-SPH

6035 Harristown Road

W/S Harristown Road, 814' W of centerline Winters Lane

1<sup>st</sup> Election District – 1<sup>st</sup> Councilmanic District

Legal Owner: Vanessa Lloyd

Special Hearing to permit the construction of a second kitchen in the basement.

HEARING: Monday, June 19, 2000 at 11:00 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.