IN RE: PETITION FOR ADMIN. VARIANCE NW/S of McCormick Avenue, 556' SE centerline of Kenwood Avenue 8th Election District 6th Councilmanic District

6th Councilmanic District (10 McCormick Avenue)

Kimberly and Edward Parker Petitioners BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 01-241-A

: * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Kimberly and Edward Parker. The variance request is for property located at 10 McCormick Avenue in the Overlea area of Baltimore County. The Petitioners herein seek a variance from Sections 400.2 and 101 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure with a footprint larger than the existing principal dwelling and to permit a setback from the centerline of alley of 10 ft. in lieu of the required 15 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioners 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 Petitioners have 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 Petitioners.

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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 Aday of January 2001, that a variance from Sections 400.2 and 101 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure with a footprint larger than the existing principal dwelling and to permit a setback from the centerline of alley of 10 ft. in lieu of the required 15 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 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 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 Petitioners or subsequent owners shall not allow or cause the garage to be converted to a second dwelling unit and/or apartment. The structure shall contain no living or sleeping quarters, and no kitchen or bathroom facilities. In addition, the accessory structure should not be used for commercial purposes.
- 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

IMOTHY 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

January 25, 2001

Mr. & Mrs. Edward Parker 10 McCormick Avenue Baltimore, Maryland 21206

Re: Petition for Administrative Variance

Case No. 01-241-A

Property: 10 McCormick Avenue

Dear Mr. & Mrs. Parker:

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,

Timothy M. Kotroco

Deputy Zoning Commissioner

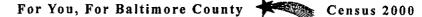
lunthy llotrow

TMK:raj Enclosure

Mrs. G. S. Brice 14 McCormick Avenue Baltimore, MD 21206



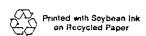












Affidavit in Support of Administrative Variance

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.

competent to testify thereto in the event that a	public hearin	g is scheduled	in the future with	n regard thereto	. Amant(s) is/are
That the Affiant(s) does/do presently reside at	// Address	Mc COR	MICK A	ie.	
	·	timore,	MD.		21206
That based upon personal knowledge, the fol Variance at the above address (indicate hards	City lowing are th	e facts upon w	State hich I/we base t	he request for	Zip Code an Administrative
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That the Affiant(s) acknowledge(s) that if a advertising fee and may be required to provide Signature Name - Type or Print	formal dema radditional in Walf	iformation. Signature	fiant(s) will be re wad fall	equired to pay	a reposting and
STATE OF MARYLAND, COUNTY OF BALT			2000		
I HEREBY CERTIFY, this 12 14 day of Dr of Maryland, in and for the County aforesaid, p	ersonally ap	peared ,	before	me, a Notary H	ublic of the State
the Affiant(s) herein, personally known or sat law that the matters and facts hereinabove set	isfactorily ide	ntified to me a	s such Affiant(s)), and made oa ner/their knowle	th in due form of dge and belief.
AS WITNESS my hand and Notarial Seal				/	
Date (NOTAF	RY N	otary Public	Expires	nty -5-04	
REN 09/15/98		•			



CASE NO.

REU 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at which is presently zoned 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) 400.2, 101, DCZR, To PORMIT AN ALLESSORY STRUCTURE WITH A FOOTPRINT LARGOR

THAN THE EXISTING PRINCIPAL DWELLING AND TO PERMIT
A SETBACK FROM THE CENTERLINE OF ALLEY OF 10 FEET IN LIEU OF

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back

of this patition form.

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 de perjury, that I/we are is the subject of this	eclare and affirm, under tle the legal owner(s) of the Petition.	ne penalties of e property which
Contract Purchaser/Le	<u>essee:</u>		Legal Owner(s)	i laskon	(WOIF)
Name - Type or Print			Name Type or Print	le Parker	(west
Signature			Signature E)	ARX PARKE	
Address		Telephone No.	Name - Type or Print	Darde.	(W) 410-337-179
City	State	Zip Code	Signature	N	1 . (U) 410 331 171
Attorney For Petitione	<u>r:</u>		Address /	CORMICK 14	1 2 (418)882 -820 Telephone No.
Name - Type or Print	<u> </u>		BALTIMOR	E M). State	3 /206 Zip Code
Signature	/		Representative	to be Contacted:	
Company			Name #11/	16	
Address		Telephone No.	Address		Telephone No.
City	State	Zip Code	City	State	Zip Code
A Public Hearing having been this day of regulations of Baltimore County a	. If	ial the subject matter of ti	required, it is ordered by his petition be set for a public	the Zoning Commissioner of c hearing, advertised, as red	f Baltimore County, quired by the zoning
			Zoning Comp	nissioner of Baltimore Coun	hv

Estimated Posting Date

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 10 McCormick Avenue
NoRTH South west side of
10 McCormick Avenue which is 50 feet
wide at the distance of556 feetOf the
centerline of the nearest improved intersecting street Kenwood Ave.
which is
Block N/A , Section # N/A in the subdivision of Pinehurst
as recorded in Baltimore County Plat Book # 4 , Folio # 94
containing 12,000 square feet . Also known as 10 McCormick Ave.
and located in the <u>8th</u> Election District, <u>3rd</u> Councilmanic District.

SALTIMORE COUNTY, MARYL. DEFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	Ño.	90120	213/3 213/3 213/3	CASTLES INT. U.	IIH. PESTER UVIER
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FOR:				CASHIER'S VA	LIDATION

CERTIFICATE OF POSTING

RE: CASE # 01-241-A
PETITIONER/DEVELOPER
(Edward Parker)
DATE OF Closing
(1-8-01)

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

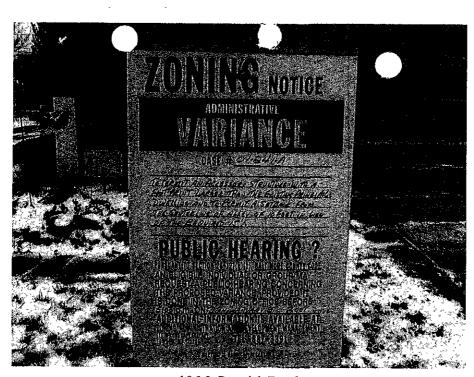
ATTENTION: MS. GWENDOLYN STEPHENS

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

10 McCormick Ave. Baltimore , Maryland 21206				
THE SIGN(S) WERE POSTED ON	12-22-00			
	(MONTH, DAY,YEAR)			
	SINCERELY,			
	(SIGNATURE OF SIGN POSTER & DATE)			
	THOMAS P. OGLE SR			
	325 NICHOLSON ROAD			
	BALTIMORE, MARYLAND 21221			
	410-687-8405			

(TELEPHONE NUMBER)



10 McCormick Road

TO: PATUXENT PUBLISHING COMPANY

Tuesday February 6, 2001 Issue – Jeffersonian

Please forward billing to:

Kimberly Parker 10 McCormick Avenue

Baltimore MD 21206

410 882-8260

NOTICE OF ZONING HEARING

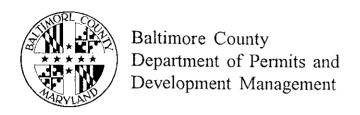
The Zoning Commissioner of Baltimore County, by authority of the Zoning Regulations of Baltimore County, will hold a public hearing in Towson, Manager	oning Act and aryland on the
8th Election District + 3rd Councilmanic District	
Kimperly & Edward Parker	
Administrative Variance to permit an accessory structure with a footput	arger than the
existing principal dwelling and to permit a setback from the conterline of a	alley of 10 feet
in lieu of the required 15 feet/	mey or to leet
\mathcal{A}	
HEARING: Tuesday February 20, 2201, 9:00 a.m. in Room 407, 0	County Courts
HEARING: Tuesday February 20, 2001, 9:00 a.m. in Room 407, C Building, 401 Bosley Ayehue	rounty Counto
Jaliet 7-19-01	
Name Estaint	7
Lawrence E. Schmidt	

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

622

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.



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

Fax: 410-887-5708

January 16, 2001

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: 01-241-A
10 McCormick Avenue
SW/S McCormick Avenue, 556' SE of Kenwood Avenue
8th Election District -- 3rd Councilmanic District
Kimberly & Edward Parker

Administrative Variance to permit an accessory structure with a footprint larger than the existing principal dwelling and to permit a setback from the centerline of alley of 10 feet in lieu of the required 15 feet.

HEARING: Tuesday, February 20, 2001, 9:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jablon Director

C: Kimberly & Edward Parker, 10 McCormick Avenue, Baltimore 21206

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, FEBRUARY 5, 2001.

(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.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number	01-	241		-A	Address	10MCC	ormic	Y AVE.
			7	rianner,	Please Print Your N	ame			mber: 410-887-3391
Filing	Date: _	12/	13/00)	Post	ing Date:	12/24/00) Closin	ng Date: <u>//8/o/</u>
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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:
Petitioner: NIMBERLY PARKER (WOIF) + EDWARD PARKER Address or Location: 10 Mc. CORMICK WE. BAHO, MD. 212
PLEASE FORWARD ADVERTISING BILL TO: Name:
Address: 10 MC WRM ICK AVE, BAHO, MD. 21206
Telephone Number: 40-882-8260

Plat to	acco	mpan	y Petiti	on fo	r Zoning	g []	Varianc	e Special Hearing
PROPERTY	ADDRESS	3:				see pa	ages 5 & 6 of the C	CHECKLIST for additional required information
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Jen, # 01-241-A
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Planning stricture language

ensual restricture language

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Shid about objections of 18101

Kim Wolf-Olanzal A



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

December 27, 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 December 26, 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.

The Fire Marshal's Office has no comments at this time, 8. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

231, 233, 234, 235, 236, 237, 238, 240, 241, 243, 244, 245, 246, 247, 249, and 250

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 A/RBS

DATE:

January 18, 2001

SUBJECT:

Zoning Petitions

Zoning Advisory Committee Meeting of December 26, 2000

DEPRM has no comments for the following zoning petitions:

Address
8100 Salt Lake Drive
1305 Lincoln Woods Drive
3 Arrowhead Court
1223 Lake Falls Road
Oak Grove Parcel B
Crondall Corner
10 McCormick Avenue
1324 & 1325 Chippendale Road
Pikesville Giant
4800 Mt. Carmel Road
6 Aston Court
3700 Essex Road
7163 E. Baltimore Street
113 Westminster Road
10002 & 10002A Lodge Road

H/8

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: January 2, 2001

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

JAN 3

SUBJECT:

10 McCormick Avenue

INFORMATION:

Item Number:

01-241

Petitioner:

Kimberly Parker

Zoning:

DR 5.5

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request providing the proposed garage is not used for dwelling purposes at any time.

Prepared by:

AFK·MAC.



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

Administrator

Date: 1.3.01

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

RE: Baltimore County

Item No. 241

LTM

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 (Igredlein@sha.state.ind.us).

Very truly yours,

J. J. Soll

/w Kenneth A. McDonald Jr., Chiet Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: January 18, 2001

Department of Permits & Development Mgmt.

FROM:

R bert W. Bowling, Supervisor ureau of Development Plans Review

SUBJECT:

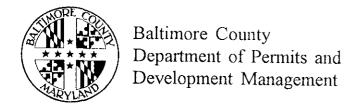
Zoning Advisory Committee Meeting For January 2, 2001

Item Nos. 233, 234, 235, 236, 238, 239, 240, 241, 244, 246, 247, 248, 249, and 250

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

RWB:HJO:jrb

cc: File



Permits and Licenses County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 (410) 887-3900

Fax: (410) 887-2824

January 11, 2001

Kimberly & Edward Parker 10 McCormick Avenue Baltimore MD 21206

Dear Mr. & Mrs. Parker:

RE: Demand for Public Hearing, Administrative Variance, Case Number 01-241-A

The purpose of this letter is to officially notify you that the Deputy Zoning Commissioner is requiring a public hearing concerning the above-proposed administrative procedure.

As soon as the hearing has been scheduled, you will receive a notice of public hearing indicating the date, time and location of the hearing. This notice will also contain the date that the sign must be reposted with the hearing information.

As a result of the above, the property must be reposted with the hearing date, time and location. This notification will be published in the Jeffersonian and you will be billed directly by Patuxent Publishing for this.

If you need any further explanation or additional information, please feel free to contact me at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.
W. Carl Richards, Jr.

Supervisor Zoning Review

WCR: gdz

9:12 Am 1-19 Da La

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admi

TALKED TO TIM

1-19 9; 20 SAID TD RETURN CASE FOR ADMIN

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Baltimore County, Maryland

Date_

From: _

☐ Please Note & Return ☐ For Your Information ☐ Please Note & File

☐ To be Signed
☐ Please Comment
☐ Please See Me
☐ Investigate & Report

Z Please Handle

Please answer, Sending me Copy of your letter □ Please Prepare reply for my Signature

Remarks:

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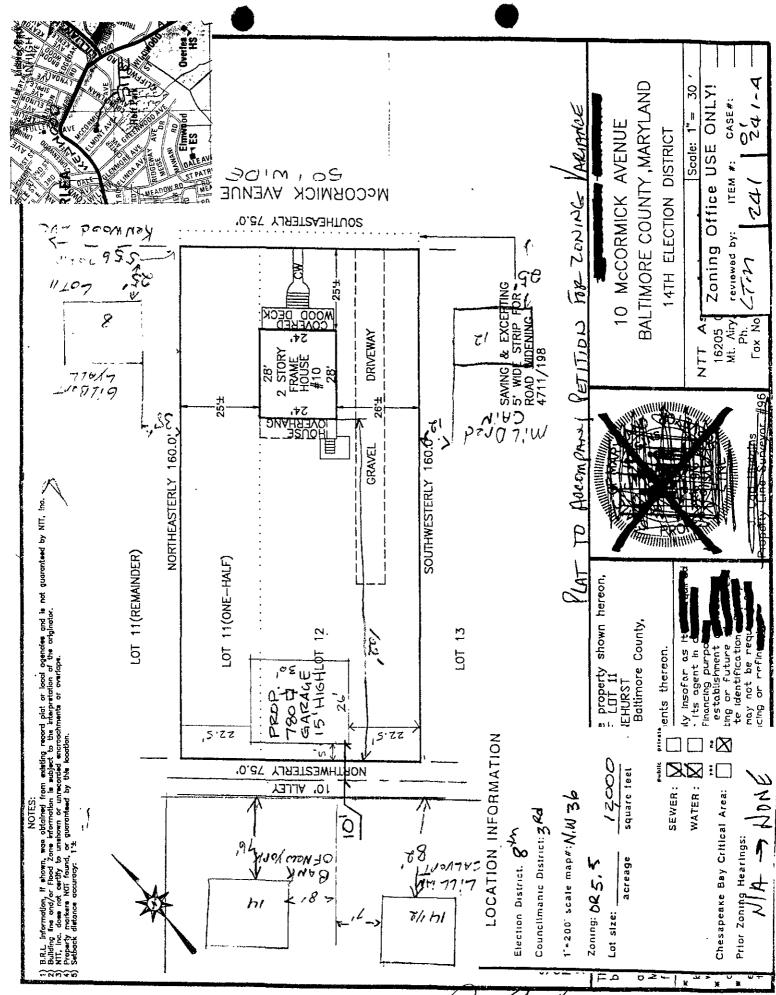
AV/9 Dec. 3.9, 2000

JAN - 2

Baltimore bounty governg Commissione 401 Bosley Cire. Yoursen, MO. 21204

Dear Sin: I strongly object to any change in the going of the property at 10 mc onnick are. (01-04/-A) The residental appearance of our neighborhood would be affected by this and the value of our homes lowered. I am sure that againgte for the owner's car or two would be permissible. So it should, be very clear what the owners were clear what the owner commercial was intentions are for your consideration Thank you for your consideration to the powers. to the above. I ery truly yours. I S. Brice 14 mcConnich Are.

P.lerue 410 - 665-3639



Net. Ex. 41







