

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
S/S Lytle Road, 300' E		
centerline of Vincent Road	*	DEPUTY ZONING COMMISSIONER
15th Election District		
5th Councilmanic District	*	OF BALTIMORE COUNTY
(5805 Lytle Road)		
	*	CASE NO. 02-060-A
Ruth D. and Kenneth N. Carroll, Sr.		
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by, Ruth D. & Kenneth N. Carroll, Sr., the legal owners of the subject property. The variance request is for property located at 5805 Lytle Road in the White Marsh area of Baltimore County. The Petitioners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an accessory structure (detached garage) to be located in the side yard in lieu of the required rear yard. 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

ORDER RECEIVED FOR FILING

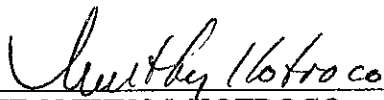
Date 9/18/01
By [Signature]

compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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 18th day of September, 2001, that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an accessory structure (detached garage) to be located in the side yard in lieu of the required rear yard, be and is hereby GRANTED, subject, however, to the following restriction which is a condition 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.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING

Date

9/18/01

By

R. Jameson



Baltimore County
Zoning Commissioner

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

September 18, 2001

Mr. & Mrs. Kenneth Carroll, Sr.
5805 Lytle Road
White Marsh, Maryland 21162

Re: Petition for Administrative Variance
Case No. 02-060-A
Property: 5805 Lytle Road

Dear Mr. & Mrs. Carroll:

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 black ink, appearing to read "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 5805 LYTHE ROAD
which is presently zoned R.C. 3

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) 400.1

To allow an accessory structure (detached garage) to be located in the side yard in lieu of the required rear yard.

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):

KENNETH N CARROLL SR
Name - Type or Print

Kenneth N Carroll
Signature

TRUTH DORIS CARROLL
Name - Type or Print

Truth Doris Carroll
Signature

5805 LYTHE RD 410-335-8558
Address Telephone No.

WHITE MARSH MD 21162
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

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 9/18/01 day of September 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

Reviewed By [Signature] Date 8-07-01

Estimated Posting Date 8-19-01

CASE NO. 02-060-A

RECEIVED
9/15/01

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 5805 LYTLE RD
Address
WHITEMARSH MD 21162
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 WOULD LIKE TO HAVE GARAGE NEXT TO THE HOUSE FOR SAFETY REASONS. I AM A SENIOR CITIZEN AGE 67 AND WOULD LIKE TO WALK TO AND FROM THE HOUSE AND NOT FALL IN SNOW AND ICE AND BAD WEATHER. WALKING AND MY LEG'S ARE NOT WHAT THEY USE TO BE

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.

Kenneth N Carroll SA
Signature
KENNETH N CARROLL SA
Name - Type or Print

Ruth Doris Carroll
Signature
RUETH DORIS CARROLL
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5 day of August 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared
Kenneth CARROLL Ruth CARROLL

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

08/05/01
Date

[Signature]
Notary Public
My Commission Expires 08/02/01

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

5805 LYTHER RD
Address
WHITEMARSH MD 21162
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 WOULD LIKE TO HAVE GARAGE NEXT TO THE HOUSE FOR SAFETY REASONS. I AM A SENIOR CITIZEN AGE 67 AND WOULD LIKE TO WALK TO AND FROM THE HOUSE AND NOT FALL IN SNOW AND ICE AND BAD WEATHER. WALKING AND MY LEGS ARE NOT WHAT THEY USE TO BE

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.

Kenneth N Carroll Sr
Signature

KENNETH N CARROLL SR
Name - Type or Print

Ruth Doris Carroll
Signature

RUTH DORIS CARROLL
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5 day of August, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Kenneth CARROLL Ruth CARROLL

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

08/05/01
Date

Paul Hutchinson
Notary Public

My Commission Expires 08/01/02



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 5805 LYTLE ROAD
which is presently zoned R. C. 3.

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) 400.1 To allow an accessory structure (detached garage) to be located in the side yard in lieu of the required rear yard.

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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address Telephone No.

Address Telephone No.

City State Zip Code

City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

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 02 day of 06 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. 02-060-A

Reviewed By [Signature] Date 8-07-01

Estimated Posting Date 8-19-01

REV 9/15/98

ZONING DESCRIPTION FOR 5805 LYTLE RD.

BEGINNING AT A POINT ON THE SOUTH
SIDE OF LYTLE ROAD WHICH IS 50 FEET
WIDE AT THE DISTANCE OF 300 FEET EAST
OF THE CENTERLINE OF THE NEAREST IMPROVED
INTERSECTING STREET VINCENT ROAD
WHICH IS 40 FEET WIDE. BEING LOT # 2
BLOCK C PLAT 4 IN THE SUBDIVISION OF
GAMBRIAN'S VINCENT FARM AS RECORDED
IN BALTIMORE COUNTY PLAT BOOK # 27 FOLIO
5. CONTAINING 25000 SQUARE FEET
ALSO KNOWN AS 5805 LYTLE ROAD
AND LOCATED IN THE 15 ELECTION DISTRICT.
5TH COUNCIL MANIC DISTRICT

060

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Use No.

4026

02-060-A

DATE 8-07-01 ACCOUNT E-001-006-6150

AMOUNT \$ 50.00

RECEIVED FROM: MR. K. Carroll

FOR: Residential Variance Filing Fee

5805 Lytle Rd. 2102

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
8/07/2001 8/07/2001 09:24:43

PLN WS05 CASHIER NSTR NEST DRAMER 5

RECEIPT # 226740 OFLN

Ver. 5 528 ZOWING VERIFICATION

CR NO. 004026

Receipt To 50.00

.00 OK 50.00 OK

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 02-060-A

Petitioner/Developer: KENNETH

CARROLL SR.

Date of Hearing/Closing: 9/3/01

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 5805 LYTLE RD

The sign(s) were posted on 8/19/01
(Month, Day, Year)

Sincerely,

[Signature] 8/19/01
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

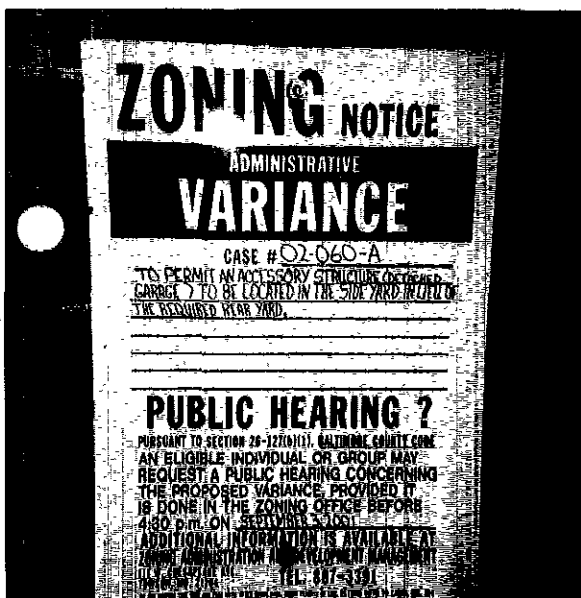
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



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: 02-060-A

Petitioner: KENNETH N CARROLL SR

Address or Location: 5805 LYTLE RD. WHITEMARSH MD

PLEASE FORWARD ADVERTISING BILL TO:

Name: KENNETH N CARROLL SR

Address: 5805 LYTLE ROAD

WHITEMARSH MARYLAND 21162

Telephone Number: 410-335-8558

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 060 -A Address 5805 Lytle Rd.

Contact Person: John Sullivan Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 8-07-01 Posting Date: 8-19-01 Closing Date: 9-03-01

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 02- 060 -A Address 5805 Lytle Rd.

Petitioner's Name Kenneth Carroll SR. Telephone (410) 335-8558

Posting Date: 8-19-01 Closing Date: 9-03-01

Wording for Sign: To Permit an accessory structure (detached garage)
to be located in the side yard in lieu of the required
rear yard.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 13, 2001

Ruth & Kenneth Carroll Sr
5805 Lytle Road
White Marsh MD 21162

Dear Mr. & Mrs. Carroll:

RE: Case Number: 02-060-A, 5805 Lytle Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 7, 2001.

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

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. G D Z
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: October 15, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For September 4, 2001
Item Nos. 027, 056, 058, 060, 061,
062, 063, 064, 065, 068

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

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

September 4, 2001

RECEIVED SEP 5 2001

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 August 27, 2001

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:

027, 056, 058, 060, 061, 062, 065, 068, 069

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

cc: File

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

9/4/01

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 7, 2001

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

SUBJECT: 5805 Lyle Road

SEP - 7

INFORMATION:

Item Number: 02-060

Petitioner: Kenneth N. Carroll, Sr.

Zoning: RC 3

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to permit an accessory structure (detached garage) to be located in the side yard in lieu of the required rear yard.

Prepared by: Maeta Cunniff

Section Chief: Jeffrey W. Long

AFK:MAC:



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 5.5.01

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

RE: Baltimore County
Item No. ~~1060~~ JSS

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,

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

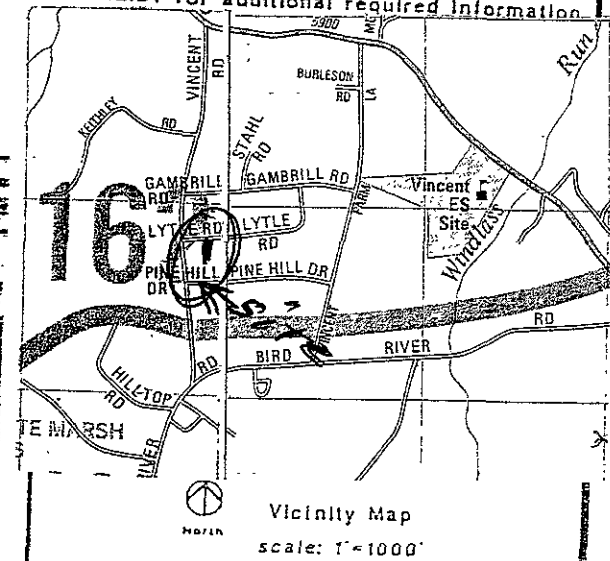
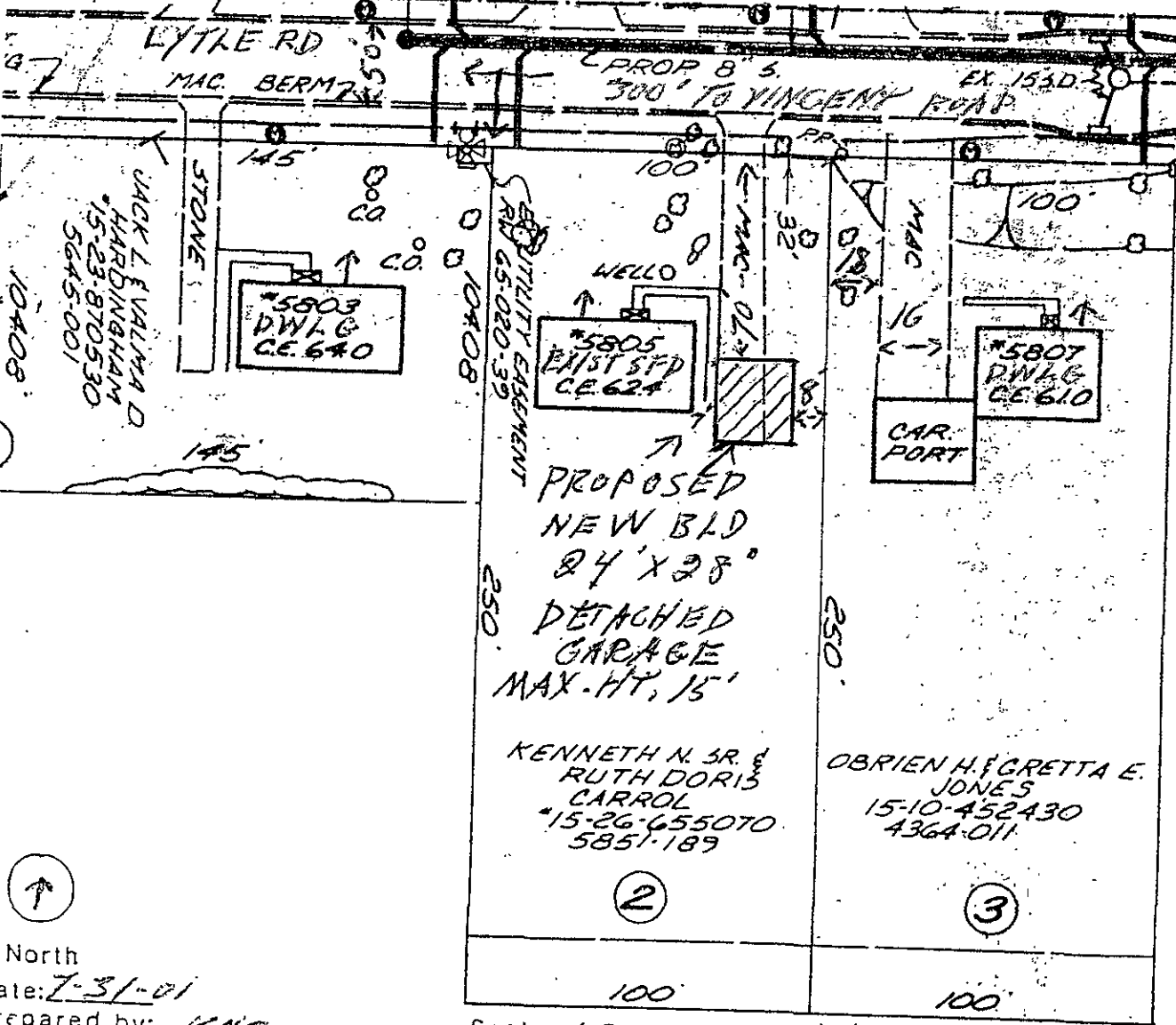
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 5805 LYTLE ROAD
 Subdivision name: GAMBRILL'S VINCENT FARM
 plat book # 27, folio # 5, lot # 2, section # 4

see pages 5 & 6 of the CHECKLIST for additional required information.

OWNER: KENNETH N CARROLL SR



LOCATION INFORMATION

Election District: 15TH
 Councilmanic District: 5TH
 1"-200" scale map#: NETJ
 Zoning: RC3
 Lot size: 5740 25000
 acreage square feet
SITE 13 — 15NOT X
IN 100YEAR
FLOOD PLAIN

SEWER: ☒ PUBLIC ☐ PRIVATE
 WATER: ☒ ☐
 Chesapeake Bay Critical Area: ☐ ☒
 Prior Zoning Hearings: ☐ ☒

Zoning Office USE ONLY!

reviewed by: [Signature] ITEM #: 060 CASE #:

North
 Date: 7-31-01
 Prepared by: KNC

Scale of Drawing: 1" = 50'

Pet. #1

R.C. 5

GAMBRILL

ROAD

LYTLE

R.C.3

PINE HILL ROAD

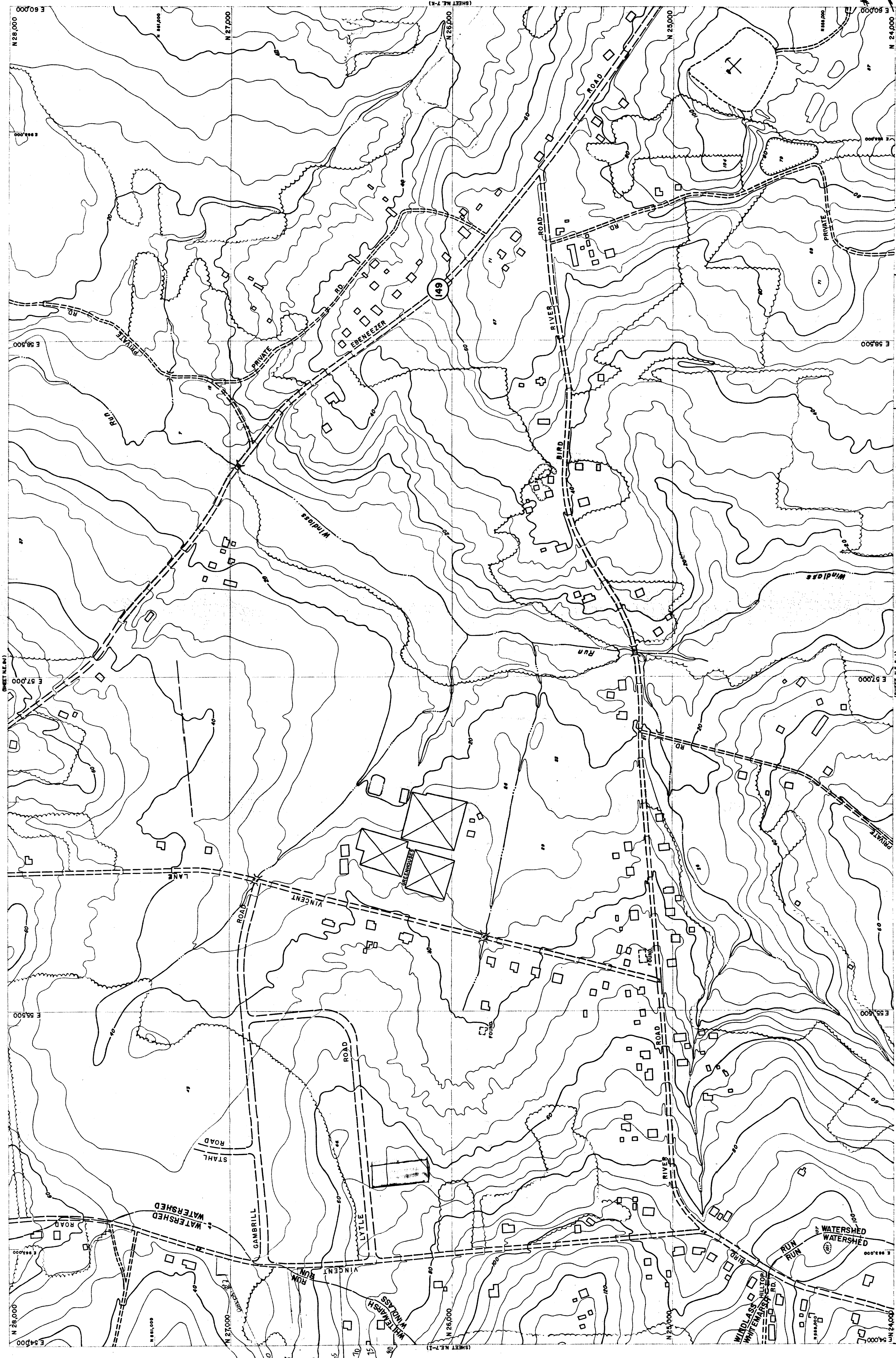
NE 7 J

~~# 060~~



Proposed detached
garage

060



REVISIONS		SCALE	LOCATION	SHEET
BY	DATE	1" = 200'	COWENTON	N.E.
			VICINITY	7-J
DATE OF PHOTOGRAPHY APRIL 1953				
Topography Compiled By Photogrammetric Methods AERO SERVICE CORPORATION - PHILADELPHIA, PA.				

PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

M-SE MM-SW