

IN RE: PETITION FOR VARIANCE
NW/Corner Kittyhawk Road and
Old Eastern Avenue
(1838 Kittyhawk Road)
15th Election District
5th Council District

Carlos Kay Collins
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 02-402-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 owner of the subject property, Carlos Kay Collins. The Petitioner seeks relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (carport) in the front yard in lieu of the required rear yard. The subject property and requested relief 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 in support of the request were Carlos K. Collins, property owner, his wife, Beverly Collins, and their son, Carlos F. Collins, all of who reside on the subject property. Appearing as Protestants in the matter were Joseph Blackburn and Gene Kleman, adjacent and nearby property owners.

Testimony and evidence offered revealed that the subject property is a corner lot, located adjacent to the intersection of Kittyhawk Road and Old Eastern Avenue in Essex. The property contains a gross area of 5,400 sq.ft., more or less, zoned D.R.5.5 and is improved with a single family dwelling, which faces Kittyhawk Road, and a 14' x 15' shed in the northwest corner of the rear yard. Testimony indicated that Mr. Collins has owned the property for a number of years and resides therein with his wife and son. The younger Mr. Collins testified that he recently purchased a pre-fabricated carport from an out-of-state company. Apparently he was assured that the carport met all local codes and regulations and same was ultimately installed in the front yard

ORDER RECEIVED FOR FILING

Date 6/3/12
By [Signature]

of the property, over an existing driveway and adjacent to the dwelling. Photographs of the structure were submitted at the hearing and a subsequent site inspection revealed that the carport is a large structure, approximately 18' x 20' in dimension, and is large enough to cover two cars. The structure has a pitched roof and visually dominates the entire front yard. Although indeed, beauty is in the eyes of the beholder, the large scale of this structure makes it incompatible with the subject property and neighborhood.

Variance relief is requested from Section 400.1 to permit an accessory structure in the front yard in lieu of the required rear yard. Under the B.C.Z.R., an accessory structure is considered a freestanding, detached building, which is smaller than the principal building. For example, the existing shed in the Petitioner's rear yard is an accessory structure in that same is not connected to the house and stands alone. Apparently, after the carport was installed the Petitioner then constructed a wooden overhang, which connects the carport to the front wall of the house. Assuming that this is a permanent connection, the carport is therefore considered part of the principal structure and is no longer an accessory building.

Nonetheless, in either event, variance relief would be necessary. If the overhang connection were to be removed, the carport would be considered an accessory building, which must be located in the rear yard, pursuant to the B.C.Z.R. If the carport remains connected and thus, considered part of the dwelling, a variance from front yard setback requirements is necessary. Specifically, the D.R.5.5 zoning of the subject property requires that the front portion of the building be located at least 25 feet from the front property line. In that the front wall of the dwelling meets that setback precisely, the connected carport would require variance relief from the front yard setback requirement.

The grant of variance relief must be considered pursuant to Section 307 of the B.C.Z.R. That Section has been construed by the appellate courts of this state, most notably in Cromwell v. Ward, 102 Md. App. 691 (1995). The statute reported in Cromwell requires that variance relief can be granted only for compelling reasons. A variance cannot be granted to accommodate the

6/3/12
[Signature]

mere convenience of the property owner. Moreover, relief can be granted only if there would be no adverse impact on adjacent properties.

During my site inspection, I noted that access to the rear yard of the property would be available from Old Eastern Avenue. The subject property is a corner lot, with frontage on both Kitty Hawk Road and Old Eastern Avenue. Although the dwelling fronts Kitty Hawk Road, a garage or carport could be constructed in the rear yard and accessed from Old Eastern Avenue.

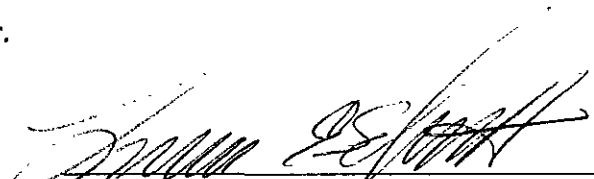
Moreover, testimony was received from the Protestants that the carport blocks their view. As noted above, I believe that the location of the carport detracts from the aesthetics of the neighborhood and is out of character.

For all of these reasons the Petition for Variance shall be denied. The Petitioner offered no legally compelling reason why variance relief should be granted. Moreover, the present location of the structure is inappropriate. Thus, the relief requested shall be denied.

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 denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 3rd day of June, 2002 that the Petition for Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (carport) in the front yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

IT IS FURTHER ORDERED that the Petitioner shall remove the carport from the front yard within sixty (60) days of the date of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date

By



Baltimore County
Zoning Commissioner

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

June 3, 2002

Mr. Carlos K. Collins
1838 Kitty Hawk Road
Baltimore, Maryland 21221

RE: PETITION FOR VARIANCE
NW/Corner Kitty Hawk Road and Old Eastern Avenue
(1838 Kitty Hawk Road)
15th Election District – 5th Council District
Carlos K. Collins - Petitioner
Case No. 02-402-A

Dear Mr. Collins:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been denied, 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 Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Gene Kleman, 1807 Kitty Hawk Road, Baltimore, Md. 21221
Mr. Joseph Blackburn, 1834 Kitty Hawk Road, Baltimore, Md. 21221
Code Enforcement Division, DPDM; People's Counsel; Case File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1838 KITTHAWK RD.
which is presently zoned D.R.S.S

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 (B.C.Z.R.).

TO PERMIT AN ACCESSORY STRUCTURE (CARPORT) IN THE FRONT YARD IN LIEU OF THE REQUIRED REAR YARD.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

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):

CARLOS KAY COLLINS
Name - Type or Print

Carlos K. Collins
Signature

Name - Type or Print

Signature

1838 KITTYHAWK RD. 410-686-3727
Address Telephone No.

ESSEX Md. 21221
City State Zip Code

Representative to be Contacted:

CARLOS F. COLLINS
Name

1838 KITTYHAWK RD 410-686-3727
Address Telephone No.

ESSEX Md. 21221
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING
Reviewed By D. THOMPSON Date 3/21/02

ORDER RECEIVED FOR FILING

Date 4/3/02
By [Signature]
RE 9/15/98

Case No. 02-402-A

ZONING DESCRIPTION FOR
1838 KITTYHAWK ROAD
ESSEX, MARYLAND 21221

Beginning at a point on the North side of Kittyhawk Road which is 30 feet wide at the corner of Old Eastern Avenue which is 40 feet wide. Being Lot #1, Section #1 in the subdivision of Edgewater Addition as recorded in Baltimore County Plat Book #13, Folio #24, Section #1 containing 5,400 square feet. Also known as 1838 Kittyhawk Road and located in the 15th Election District, 5th Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **10168**

DATE 5/21/02 ACCOUNT R0010066150

AMOUNT \$ 50.00

RECEIVED FROM: CARLOS K. COLLINS

FOR: FILING FOR PETITION 02-402-A

1838 KITTY HAWK RD. BY D. THOMPSON

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

**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: #02-402-A
1838 Kittyhawk Road
NE/S Kittyhawk Road, corner
NW/S of Old Eastern Avenue
15th Election District.
5th Councilmanic District
Legal Owner(s): Carlos Kay
Collins

Variance: to permit an accessory structure (carport) in the front yard in lieu of the required rear yard.

Hearing: Tuesday, May 14, 2002 at 2:00 p.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.

JT4/794 Apr. 30 C535502

CERTIFICATE OF PUBLICATION

5/3/, 2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/30/, 2002.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News



LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 02-402-A

Petitioner/Developer: CARLOS

KAY COLLINS

Date of Hearing/Closing: 5/14/02

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 1838 KITTYHAWK RD

The sign(s) were posted on 4/28/02
(Month, Day, Year)

Sincerely,

[Signature] 4/28/02
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

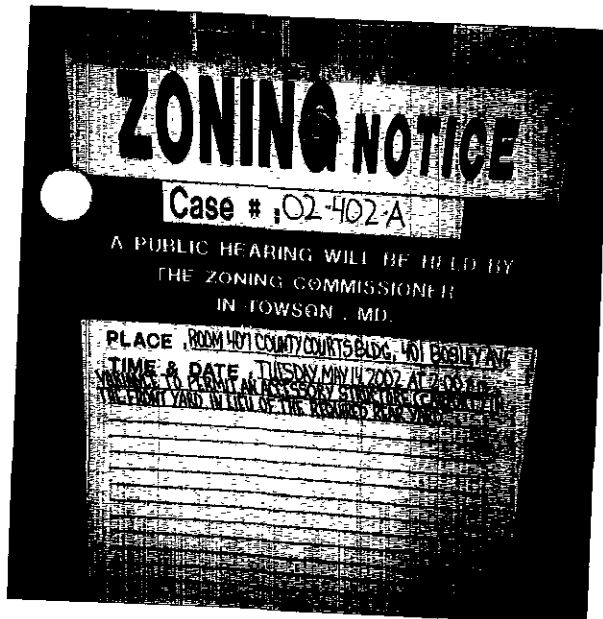
(Address)

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: 02-402-A

Petitioner: COLLINS

Address or Location: 1838 KITTY HAWK RD., 21221

PLEASE FORWARD ADVERTISING BILL TO:

Name: CARLOS KAY COLLINS

Address: 1838 KITTY HAWK RD.

BAKTO. MD 21221

Telephone Number: 410-686-3727

TO: PATUXENT PUBLISHING COMPANY
Tuesday April 30, 2002 Issue – Jeffersonian

Please forward billing to:
Carlos Kay Collins
1838 Kittyhawk Road
Essex MD 21221

410 686-3727

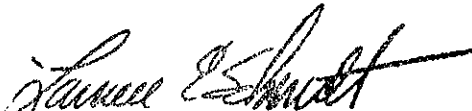
NOTICE OF ZONING HEARING

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: 02-402-A
1838 Kittyhawk Road
NE/S Kittyhawk Road, corner NW/S of Old Eastern Avenue
15th Election District – 5th Councilmanic District
Legal Owner: Carlos Kay Collins

Variance to permit an accessory structure (carport) in the front yard in lieu of the required rear yard.

HEARING: Tuesday, May 14, 2002 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G.D.Z.
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.



Baltimore County
Department of Permits and
Development Management

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

April 11, 2002

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: 02-402-A
1838 Kittyhawk Road
NE/S Kittyhawk Road, corner NW/S of Old Eastern Avenue
15th Election District – 5th Councilmanic District
Legal Owner: Carlos Kay Collins

Variance to permit an accessory structure (carport) in the front yard in lieu of the required rear yard.

HEARING: Tuesday, May 14, 2002 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon G D Z
Director

C: Carlos Kay Collins, 1838 Kittyhawk Road, Essex 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 30, 2002.**
- (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.





Baltimore County
Department of Permits and
Development Management

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

May 10, 2002

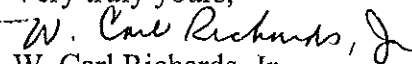
Carlos Kay Collins
1838 Kittyhawk Road
Essex, Maryland 21221

Dear Mr. Collins:
RE: Case Number 02-402-A 1838 Kittyhawk Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on 3/21/02

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.
Supervisor, Zoning Review

WCR:rjc

Enclosures

C: People's Counsel

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



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 1, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For April 8, 2002
Item Nos. 401, 402, 404, 405, 406,
407, 408, 409, 410, 411, 413, 414,
415, 416, 417, 418, 419, 420, 421,
422, 423 and 425

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

RWB:CEN:cab

cc: File



Baltimore County
Fire Department

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

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

April 12, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF April 8, 2002

Item No.: See Below

Dear Mr. Zahner:

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,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:
401, 402, 404-417, 419-425

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

cc: File

COUNTY REVIEW GROUP MEETING{PRIVATE }

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



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

DATE: May 1, 2002

TO: Arnold Jablon

FROM: R. Bruce Seeley *RS HLT*

DATE: May 1, 2002

SUBJECT: Zoning Item 402
Address 1838 Kittyhawk Road (Collins Property)

Zoning Advisory Committee Meeting of 4/08/02

- ☐ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- ☐ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- ☒ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- ☐ If streams or wetlands occur on or within 200 feet of the property, the development of the property may need to comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
- ☐ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
- ☒ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

Reviewer: Keith Kelley

Date: 5/1/02

APR 17 2002

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 17, 2002

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

APR 17 2002

SUBJECT: 1838 Kittyhawk Road

INFORMATION:

Item Number: 02-402

Petitioner: Carlos Kay Collins

Zoning: DR 5.5

Requested Action: Variance

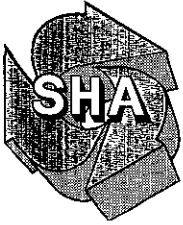
SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request to allow an accessory structure (carport) in the front yard in lieu of the required rear yard.

Prepared by: Mark A. Cunningham

Section Chief: Jeffrey W. Long

AFK/LL:MAC:



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: March 27, 2002

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 403
Case No. R-02-403
NW Hengemihle Avenue,
400-500' SW Golden Ring Rd.

Dear Mr. Zahner:

This office has reviewed the referenced Zoning Reclassification Petition and we have no objection to approval.

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



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 4.12.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 462 DT

Dear Mr. Zahner:

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

RE: PETITION FOR VARIANCE
1838 Kittyhawk Road, NE/S Kittyhawk Rd,
cor NW/S Old Eastern Ave
15th Election District, 5th Councilmanic

Legal Owner: Carlos Kay Collins
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-402-A

* * * * *

ENTRY OF APPEARANCE

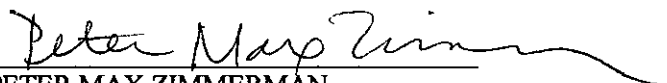
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**


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 17th day of April, 2002 a copy of the foregoing Entry of Appearance was mailed to Carlos Kay Collins, 1838 Kittyhawk Road, Baltimore, MD 21221, Petitioner.


PETER MAX ZIMMERMAN

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: April 19, 2002

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Rick Wisnom, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 402
Legal Owner/Petitioner Carlos Kay Collins
Contract Purchaser: N/A
Property Address: 1838 Kittyhawk Rd.
Location Description: N/E side Kittyhawk Rd. corner N/W side Eastern Ave.

VIOLATION INFORMATION: Case No. 02-0221
Defendants: Carlos Kay Collins

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

NAME	ADDRESS
Mr. Blackburn 410-388-6269	1834 Kittyhawk Rd. Baltimore, Md. 21221-1438

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

- X 1. Complaint letter/memo/email/fax (if applicable)
- X 2. Complaint Intake Form/Code Enforcement Officer's report and notes
- X 3. State Tax Assessment printout
- ☐ 4. State Tax Parcel Map (if applicable)
- ☐ 5. MVA Registration printout (if applicable)
- ☐ 6. Deed (if applicable)
- ☐ 7. Lease-Residential or Commercial (if applicable)
- ☐ 8. Photographs including dates taken
- X 9. Correction Notice/Code Violation Notice
- ☐ 10. Citation and Proof of Service (if applicable)
- ☐ 11. Certified Mail Receipt (if applicable)
- ☐ 12. Final Order of the Code Official/Hearing Officer (if applicable)
- ☐ 13. Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable)
- ☐ 14. Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable).

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/ec
C: Code Enforcement Officer

Code Enforcement - Daily Worksheet

Inspector - _____

Area	Case #	Location	Apt	Zip	Date Rec	Reinsp Dt
015	02-0221	1838 KITTYHAWK RD		21221	1/22/2002	4/29/2002

Tax Acct #: 1516000900

Complainant Name: (Last) ANONYMOUS (First) LETTER
 Addr:

Str #	Dir	Street Name	Type	Apt

City ST Zip
 Phone: (Home) (Work)

Problem: CARPORT/GARAGE W/O PERMITS

Notes:

1/23/02 VISITED SITE, STRUCTURE IN FRONT YARD. WROTE SWO INS
 TRUCTED HOMEOWNER TO OBTAIN PERMIT OR REMOVE WITHIN 7 D
 AYS. P/U 1/30/02 E. ECKER/JM*** 1/28/02 VARIANCE MEETIN SCH
 EDULED FOR 2/7/02, P/U ON 4/7/02 AFTER ZONING HEARING
 AND 30-DAY APPEAL PROCESS. P/U 4/7/02 E. ECKER/JM***
 4/8/02 VISITED SITE. TALKED TO H/O HE HAS APPLIE
 D FOR VARIANCE. HE HAS HAD ALL HIS MEETINGS & WAS TOLD HE WO
 ULD BE NOTIFIED OF A VARIANCE IN 4-6 WEEKS. ITS BEEN 3 WKS N
 OW. MR BLACKBURN CALLED ME TO COMPLAIN THAT THERE HAD BEEN N
 O ZONING VAR. SIGN POSTED YET. I TOLD HIM THAT THEY ARE IN T
 HE PROCESS BUT THE ORIGINAL COMPLAINT HAD BEEN ANONYMOUS. MR
 S. BLACKBURNS NO IS 410-388-6269. P/U 4/29/02 E.ECKER/NS***



Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Code Enforcement: 410-887-3351
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 02-0221	Property No. 15-16-000900	Zoning: Res.
Name(s):	CARLOS AND ANITA COLLINS	
Address:	BALTO MD 21221-1438	
Violation Location:	1838 KITTYHAWK RD.	
Violation Location:	SAL	

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

INT BUILDING CODE 105.01
B.C.C. 7-36 b2 . Obtain necessary
Permit for Structure in front yard.
Obtain Permit or Remove structure.
Violation is subject to \$200.00/Day
fine if not abated in allotted
time.

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

On or Before:	Date Issued:
FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.	
Print Name	

INSPECTOR:

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:

Not Later Than: 1/31/02	Date Issued: 1/23/02
INSPECTOR: <i>C. Ecker</i> (CEROL ECKER)	
AGENCY	



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Department of Permits and
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AGENCY	

RA1001B

01/22/2002

STANDARD ASSESSMENT INQUIRY (1)

TIME: 11:03:56

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 16 000900	15	3-3	04-00	H	NO		12/12/01

COLLINS CARLOS K

DESC-1.. IMPS

COLLINS ANITA C

DESC-2.. EDGEWATER

1838 KITTY HAWK RD

PREMISE. 01838 KITTYHAWK

RD

00000-0000

BALTIMORE

MD 21221-1438

FORMER OWNER: OAKHAM MARGARET IRENE

FCV		PHASED IN			
PRIOR	PROPOSED	CURR	CURR	PRIOR	
		FCV	ASSESS	ASSESS	
LAND:	24,730	24,730			
IMPV:	92,480	93,510			
TOTL:	117,210	118,240	TOTAL..	118,240	117,896
PREF:	0	0	PREF...	0	0
CURT:	117,210	118,240	CURT...	118,240	117,896
DATE:	10/96	05/99	EXEMPT.	0	0

TAXABLE BASIS		FM DATE
02/03 ASSESS:	118,240	09/30/00
01/02 ASSESS:	117,896	06/01/01
00/01 ASSESS:	47,020	06/01/00

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

RA1001B

01/22/2002

STANDARD ASSESSMENT INQUIRY (1)

TIME: 11:03:56

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BALTIMORE

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PRIOR	PROPOSED	CURR	CURR	PRIOR
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IMPV: 92,480	93,510	TOTAL.. 118,240	118,240	117,896
TOTL: 117,210	118,240	PREF... 0	0	0
PREF: 0	0	CURT... 118,240	118,240	117,896
CURT: 117,210	118,240	EXEMPT. 0	0	0
DATE: 10/96	05/99			

TAXABLE BASIS		FM DATE
02/03 ASSESS: 118,240		09/30/00
01/02 ASSESS: 117,896		06/01/01
00/01 ASSESS: 47,020		06/01/00

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

To
Baltimore County
Department of Permits and
Code Enforcement

Dear Sirs,

I am inquiring about a carport, the size of a 2 car garage and as high as the house next door.

This structure was installed recently at 1838 Kittyhawk Rd, Baltimore Md. 21221

I would like to know if this structure complies with the local building/zoning code.

Although I was an opponent of the bill 509, which was supposed to improve the appearance of this community, I do agree that the neighborhoods should do everything possible to keep a nice appearance.

Something the size of this carport ruins the appearance of the whole street. I would be very grateful if you could check into this matter.

A concerned citizen

FAX 410 - 887 - 2824

NCF

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NCF

CODE ENFORCEMENT REPORT

DATE: 1/22/02 INTAKE BY: KW CASE #: 02-0221 INSPEC: 15

COMPLAINT LOCATION: 1838 Kittyhawk Rd.

ZIP CODE: 21221 DIST: _____

COMPLAINANT NAME: Anthony. Lehto PHONE #: (H) _____ (W) _____

ADDRESS: _____ ZIP CODE: _____

PROBLEM: Car port / Garage w/o permits.

IS THIS A RENTAL UNIT? YES _____ NO _____
 IF YES, IS THIS SECTION 8? YES _____ NO _____
 OWNER/TENANT INFORMATION: _____

TAX ACCOUNT #: 15-16-007900 ZONING: _____

INSPECTION: 1/23/02, visited site, structure in front yard. wrote s.w.o. Presented to homeowner, instructed homeowner to obtain permit or remove within 7 days. P/O 1-30-02
Carol Cole

REINSPECTION: 1/28/02 Variance "Meeting" scheduled for 2/1/02. Rebuttal on 4/1/02 after zoning hearing and 30-day appeal process.
Carol Cole

REINSPECTION: _____

REINSPECTION: _____

CODE ENFORCEMENT REPORT

DATE: 1/22/02 INTAKE BY: KW CASE #: 02-0221 INSPEC: 15

COMPLAINT LOCATION: 1838 Kittyhawk Rd.

ZIP CODE: 21221 DIST: _____

COMPLAINANT NAME: Anony. Letter PHONE #: (H) _____ (W) _____

ADDRESS: _____ ZIP CODE: _____

PROBLEM: Carport / Garage w/o permits.

IS THIS A RENTAL UNIT? YES _____ NO _____
 IF YES, IS THIS SECTION 8? YES _____ NO _____
 OWNER/TENANT INFORMATION: _____

TAX ACCOUNT #: 15-16-007900 ZONING: _____

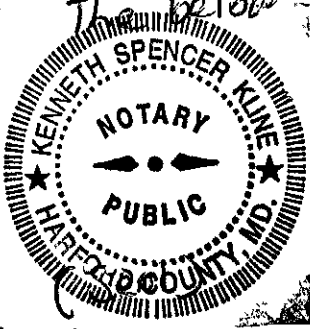
INSPECTION: 1/23/02, visited site, structure in front yard, wrote sw. Presented to homeowner, instructed homeowner to obtain permit or remove within 7 days. P/O 1-30-02
Carol Ellis

REINSPECTION: 1/28/02 Variance "Meeting" scheduled for 2/7/02, held on 4/7/02 after zoning hearing and 30-day appeal process.
Carol Ellis

REINSPECTION: _____

REINSPECTION: _____

I, Kenneth Spencer Kline Sworn before me have identified
The below Signatures To be Those of The Signers.




Kenneth Spencer Kline
My Commission Expires: 6/30/02

February 05, 2002

To Whom it May Concern:

I am not opposed to my neighbors car port at 1838 Kittyhawk Road.

Stephen Kumpatuck 1836 Kitty Hawk Rd
Roger + Patt. Zigel 1909 Old Eastern Ave
Mark Weh 1902 OLD EASTERN AVE 21221
Charles Becker 1827 KITTY HAWK ROAD 21221
James Waugh 1910 Old Eastern Ave 21221
Arthur Kravitz 1908 Old Eastern Ave 21221
Therese J. Tramm 1908 Old Eastern 21221
Robert Hudgins 1928 KITTY HAWK 21221

Case Number _____

PLEASE PRINT LEGIBLY

PETITIONER'S SIGN-IN SHEET

[illegible]

Case Number _____

PLEASE PRINT LEGIBLY

PROTESTANT'S SIGN-IN SHEET

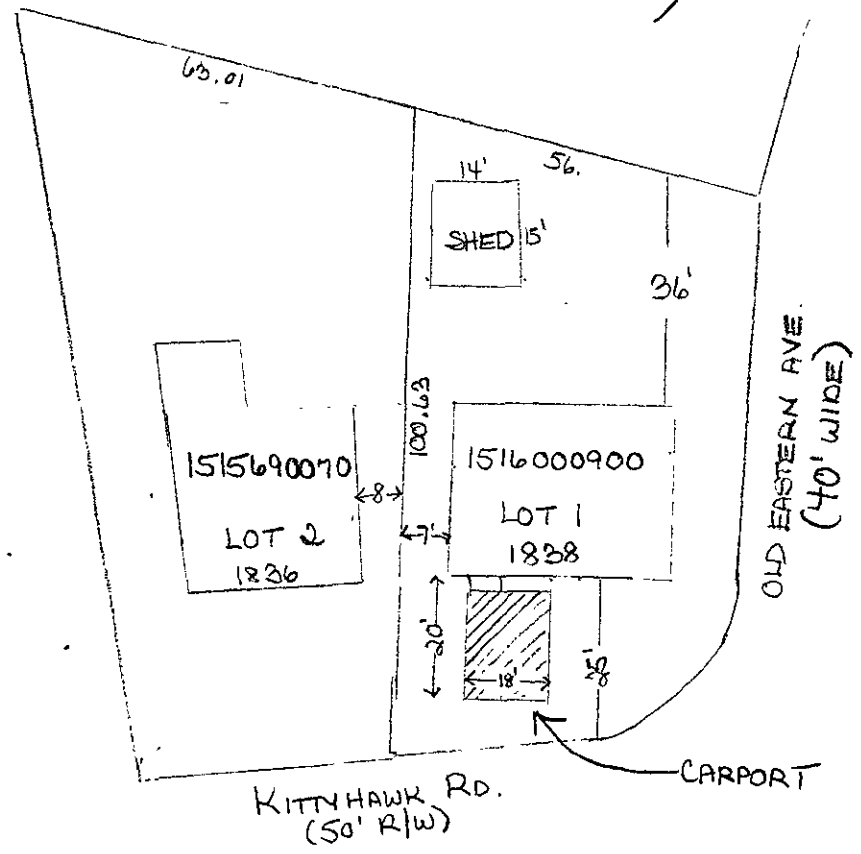
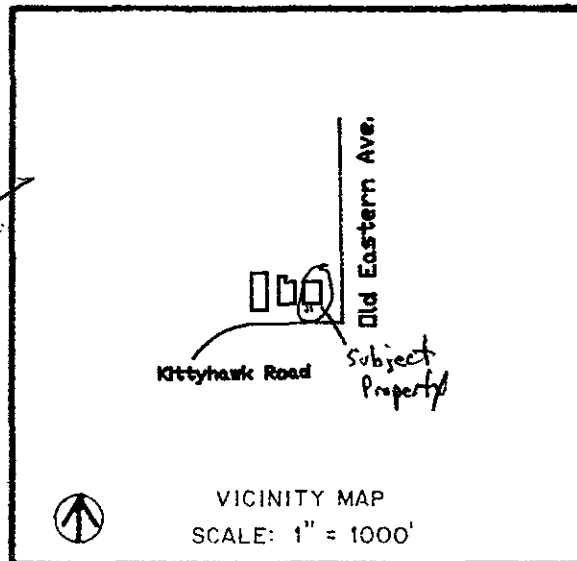
[illegible]

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

-15-

PROPERTY ADDRESS 1838 KITTYHAWK ROAD
 SUBDIVISION NAME EDGEWATER ADDITION
 PLAT BOOK #13 FOLIO #24 LOT #1 SECTION #1
 OWNER CARLOS COLLINS

Ad No 1



LOCATION INFORMATION			
ELECTION DISTRICT	15		
COUNCILMANIC DISTRICT	5		
1" = 200' SCALE MAP #	NE 3 I		
ZONING	D.R. 5.5		
LOT SIZE	ACREAGE	5400 SQUARE FEET	
	PUBLIC	PRIVATE	
SEWER	☒	☐	
WATER	☒	☐	
CHESAPEAKE BAY CRITICAL AREA	YES ☒	NO ☐	
100 YEAR FLOOD PLAIN	☐	☒	
HISTORIC PROPERTY/ BUILDING	☐	☒	
PRIOR ZONING HEARING	NONE		

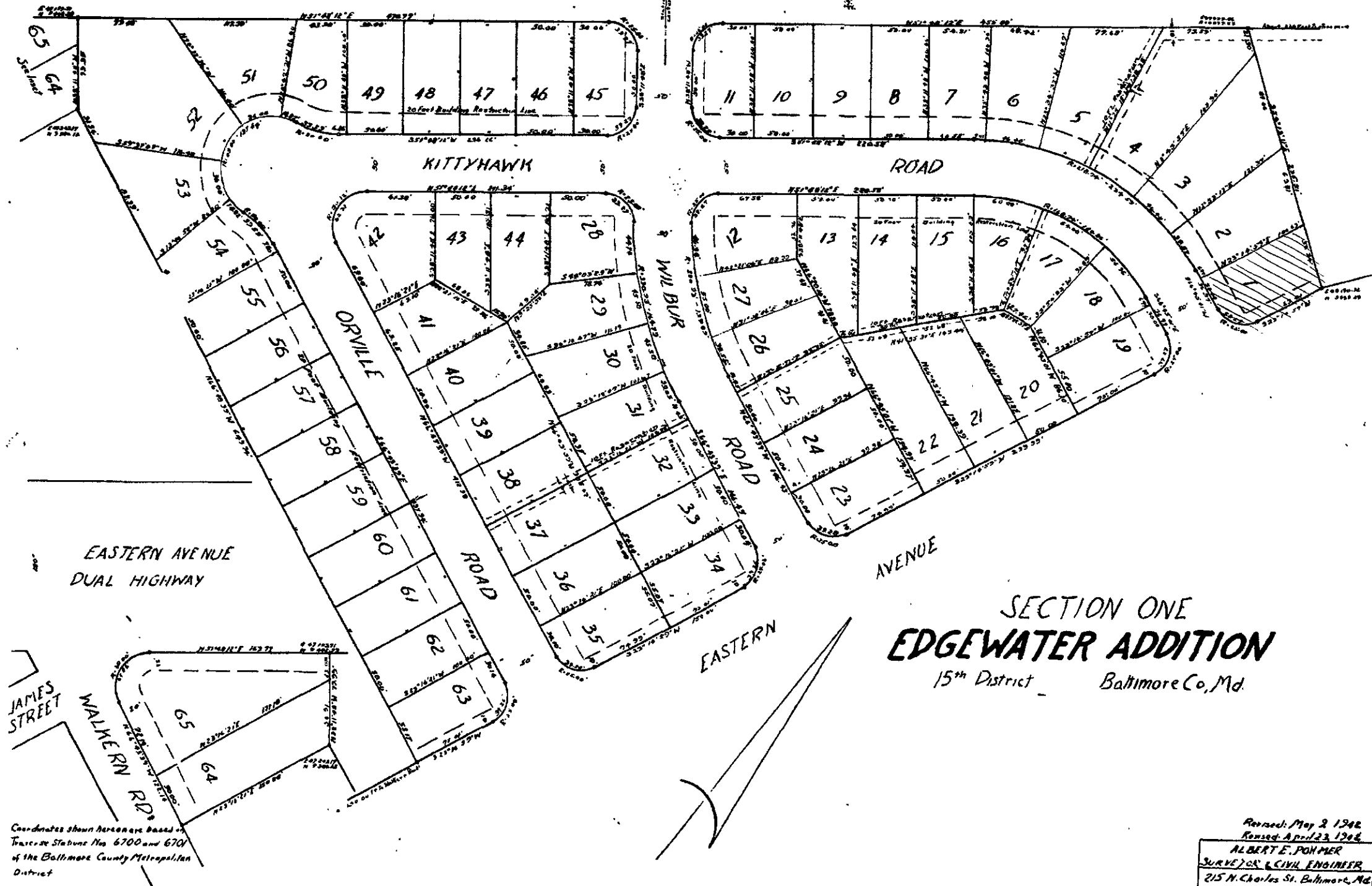
ZONING OFFICE USE ONLY		
REVIEWED BY	ITEM #	CASE #
DTHompson	402	02-402-A

PREPARED BY CARLOS COLLINS SCALE OF DRAWING: 1" = 30'

EASTERN AVENUE - DUAL HIGHWAY

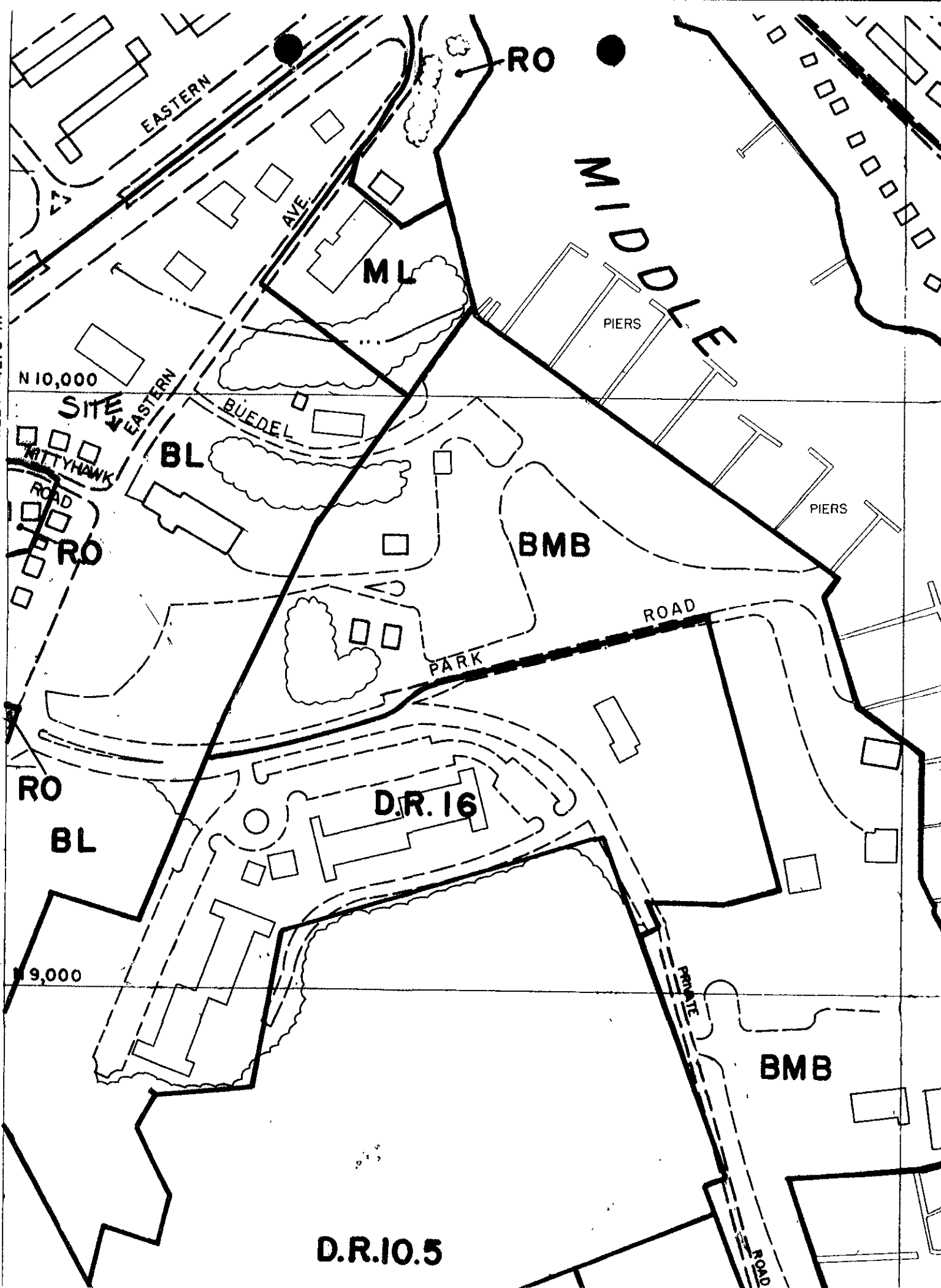
C.H.K.-13-24

Filed for Record with Deed
from Middle River Homes Inc.
to Bernard H. Feustman
May 21, 1942
Test: *Charles H. Hall*
Clerk



NE 31

(SHEET N.E. 3-H)



D.R. 10.5

