

IN RE: PETITION FOR VARIANCE
S/S of Hazelwood Avenue, 205' W
centerline of Cynthia Terrace
14th Election District
6th Councilmanic District
(5201 Hazelwood Avenue)

Wesley and Kimberlee Cator
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 02-460-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Wesley and Kimberlee Cator. The Petitioners are requesting variance relief for property they own at 5201 Hazelwood Avenue. The variance is to permit an accessory structure (garage) to have a building footprint larger than the principal dwelling.

Appearing at the hearing on behalf of the variance request were Wesley and Kimberlee Cator, owners of the property. Appearing in opposition to the Petitioners' request was Florence Knox, a nearby resident.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 8,250 sq. ft., zoned D.R.5.5. The subject property is improved with a 1 1/2-story brick and frame dwelling. The subject dwelling has been in the Cator family for many decades. Mr. Cator testified that he grew up in the subject dwelling and has inherited same due to the passing of his father. He is interested in constructing a 32 ft. x 36 ft. garage in the rear yard of the property in order to house various cars that he collects. In addition to the two every day cars that the Cator's drive, Mr. Cator also has four other vehicles which he hopes to store within the subject garage. In order to proceed with a garage of this size, the variance request is necessary, given that the footprint of the garage exceeds the dwelling on the property.

ORDER RECEIVED FOR FILING

Date

7/30/02

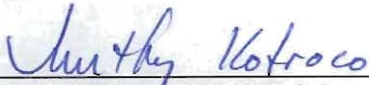
By

W. P. Jamerson

As stated previously, Ms. Florence Knox appeared in opposition to the Petitioners' request. Ms. Knox believes the garage in question is too large, given the size of the homes in this community and the size of other garages in this neighborhood. Her property is situated to the rear of the subject site. She is also concerned over the manner in which Mr. Cator will use the garage. She fears that the Petitioner will work on other people's automobiles in the subject garage and will eventually run a business therefrom. In addition to her objections, a letter was presented at the hearing from an adjacent property owner, Ms. Menninger who also opposes this request. Also in the file was a letter of opposition from the Hazelwood Park East Civic Association, as well as Mr. Phil Kmiecik, a nearby resident.

After considering the testimony and evidence offered at the hearing, I find that the requested variance for this garage should be denied. The denial of the Petitioners' variance is based on the opposition testimony presented at the hearing and the letters contained within the file.

THEREFORE, IT IS ORDERED this 30th day of July, 2002, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 400.1 of the Baltimore County Zoning Regulations, to allow an accessory structure to have a building footprint larger than the principal dwelling, be and is hereby DENIED.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj



Baltimore County
Zoning Commissioner

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

July 30, 2002

Mr. & Mrs. Wesley Cator
5201 Hazelwood Avenue
Baltimore, Maryland 21206

Re: Petition for Variance
Case No. 02-460-A
Property: 5201 Hazelwood Avenue

Dear Mr. & Mrs. Cator:

Enclosed please find the decision rendered in the above-captioned case. The petition for variance has been denied 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 cursive script, reading "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

Copies to:

Ms. Florence Knox
5126 Farnsworth Place
Baltimore, MD 21206

Shirley Menninger
5128 Farnsworth Place
Baltimore, MD 21206

Mr. & Mrs. Phil Kmiecik
5127 Hazelwood Avenue
Baltimore, MD 21206

Harlee A. Russ, President
Hazelwood-Park East Civic Assoc., Inc.
5525 Daybreak Terrace
Baltimore, MD 21206



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 5201 HAZELWOOD AVE., 21206
which is presently zoned D.R.S.5

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 (GARAGE) TO HAVE A
BUILDING FOOTPRINT LARGER THAN THE PRINCIPAL STRUCTURE.

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.

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 ___ day of ___ 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. 02-460-A

Reviewed By D. THOMPSON Date 4/18/02

Estimated Posting Date 4/29/02

REV 10/25/01

ORDER RECEIVED FOR FILING

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

5201 HAZELWOOD AVE
Address
BALTIMORE MD 21206
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):

OUR RESIDENCE IS LOCATED ON A MAIN STREET IN BALTIMORE COUNTY WHICH IS ALSO A SNOW EMERGENCY ROUTE. DUE TO THE FACT THAT WE RESIDE ON A HIGH VOLUME TRAFFIC STREET, OUR REQUEST FOR THIS SIZE GARAGE IS BECAUSE WE OWN SEVERAL VEHICLES AND PARKING IS A HUGE PROBLEM. SOME OF OUR VEHICLES ARE COLLECTIBLE AND WE NEED SAFE STORAGE AND PARKING FOR THEM. OUR STREET IS A TWO LANE STREET WITH ONE LANE GOING IN EACH DIRECTION. PARKING CURBSIDE HERE IS HIGH RISK AND MAY CAUSE ACCIDENTS FOR SEVERAL REASONS:

- 1) OBSTRUCTION TO DRIVERS VIEW.
- 2) PEDESTRIAN SAFETY (ALSO A SCHOOL CROSSING)
- 3) RESIDENCE ENTERING + EXITING ONTO THE MAIN THOROUGHFARE.

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.

Wesley W Cato
Signature

Wesley W Cato
Name - Type or Print

Kimberlee A Cato
Signature

KIMBERLEE A CATO
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15th day of April, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

MAURICE LYNN MAHADY
NOTARY PUBLIC STATE OF MARYLAND

Maurice Lynn Mahady
Notary Public

My Commission Expires 6-1-03

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

5201 HAZELWOOD AVE
Address
BALTIMORE MD 21206
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):

OUR RESIDENCE IS LOCATED ON A MAIN STREET IN BALTIMORE COUNTY, WHICH IS ALSO A SNOW EMERGENCY ROUTE. DUE TO THE FACT THAT WE RESIDE ON A HIGH VOLUME TRAFFIC STREET, OUR REQUEST FOR THIS SIZE GARAGE IS BECAUSE WE OWN SEVERAL VEHICLES AND PARKING IS A HUGE PROBLEM. SOME OF OUR VEHICLES ARE COLLECTIBLE AND WE NEED SAFE STORAGE AND PARKING FOR THEM. OUR STREET IS A TWO LANE STREET WITH ONE LANE GOING IN EACH DIRECTION. PARKING CURBSIDE HERE IS HIGH RISK AND MAY CAUSE ACCIDENTS FOR SEVERAL REASONS:

- 1) OBSTRUCTION TO DRIVERS VIEW.
- 2) PEDESTRIAN SAFETY (ALSO A SCHOOL CROSSING)
- 3) RESIDENCE ENTERING + EXITING ONTO THE MAIN THOROUGHFARE.

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.

Wesley W. Cator
Signature
Wesley W. Cator
Name - Type or Print

Kimberlee A. Cator
Signature
KIMBERLEE A. CATOR
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15th day of April, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

MAURICE LYNN MAHADY
NOTARY PUBLIC STATE OF MARYLAND
Maurice Lynn Mahady
Notary Public
My Commission Expires 6-1-03



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 5201 HAZELWOOD AVE., 21206
which is presently zoned D.R. 5.5

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 (GARAGE) TO HAVE A
BUILDING FOOTPRINT LARGER THAN THE PRINCIPAL STRUCTURE.

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.

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 ___ day of _____ 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. 02-460-A

Reviewed By D. THOMPSON Date 4/18/02

Estimated Posting Date 4/29/02

ZONING DESCRIPTION FOR **5201 HAZELWOOD AVENUE**

Beginning at a point on the south side of Hazelwood Avenue which is 30 feet wide at the distance of 205 feet west of the centerline of Cynthia Terrace which has a right-of-way width of 50 feet. Being Lot #7, Block "B", Section II in the subdivision of Hazelwood Acres as recorded in Baltimore County Plat Book #26, Folio #24 containing 8,250 square feet. Also known as 5201 Hazelwood Avenue and located in the 14th Election District , 6th Councilman District.

CERTIFICATE OF POSTING

RE: Case No.: 02-460-A

Petitioner/Developer: WESLEY

+ Tim CATOR

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 5201 HAZELWOOD
AVE

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)



CERTIFICATE OF POSTING

RE: Case No.: 02-460-A

Petitioner/Developer: WESLEY

CATOR

Date of Hearing/Closing: 7/29/02

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 5201 HAZELWOOD
AVENUE

The sign(s) were posted on 7/13/02
(Month, Day, Year)

Sincerely,

[Signature] 7/13/02
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

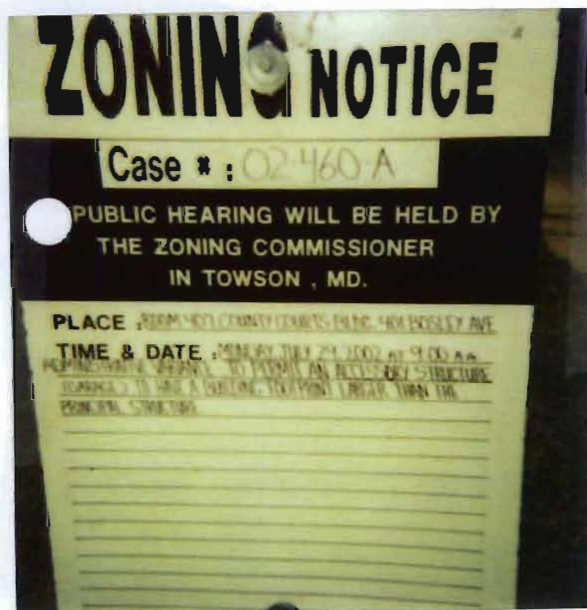
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



**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: #02-460-A
5201 Hazelwood Avenue
S/S Hazelwood Avenue,
205' W of centerline of
Cynthia Terrace
14th Election District
6th Councilmanic District
Legal Owner(s): Wesley Cator
Administrative Variance: to
permit an accessory structure
(garage) to have a
building footprint larger
than the principal structure.
**Hearing: Monday, July 29,
2002 at 9:00 a.m. in Room
407, County Courts Building,
401 Bosley Avenue.**

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special 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.

7/089 July 11 C549429

CERTIFICATE OF PUBLICATION

7/11/2002

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 7/11/2002.

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

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 13306

DATE 4/18/02 ACCOUNT R0010066150
AMOUNT \$ 50.00

RECEIVED FROM: MR & MRS. CATOR

FOR: ITEM # 460 .02-460-A 5201 HAZELWOOD AVE.

ADM. VAR. BY D. THOMPSON

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME
4/19/2002	4/18/2002	14:31:33
REC M506	WALKIN KCH KCH DRAWER	4
>>RECEIPT #	077304	4/18/2002 OFLN
Dept	5	520 ZONING VERIFICATION
CR NO.	013306	

Recpt Tot \$50.00
50.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

**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: 02-460-A

Petitioner: WESLEY CATOR + KIMBERLEE CATOR

Address or Location: 5201 HAZELWOOD AVE., BALTO. MD 21206

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. + MRS. WESLEY CATOR

Address: 5201 HAZELWOOD AVE.

BALTO. MD 21206

Telephone Number: 410-866-8189

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 460 -A Address 5201 HAZELWOOD AVE.

Contact Person: DONNA THOMPSON Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 4/18/02 Posting Date: 4/29/02 Closing Date: 5/14/02

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- 460 -A Address 5201 HAZELWOOD AVE.

Petitioner's Name CATOR Telephone 410-866-8189

Posting Date: 4/29/02 Closing Date: 5/14/02

Wording for Sign: To Permit AN ACCESSORY STRUCTURE (GARAGE) TO HAVE
A BUILDING FOOTPRINT LARGER THAN THE PRINCIPAL STRUCTURE.



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

June 13, 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: 02-460-A
5201 Hazelwood Avenue
S/S Hazelwood Avenue, 205' W of centerline of Cynthia Terrace
14th Election District – 6th Councilmanic District
Legal Owner: Wesley Cator

Administrative Variance to permit an accessory structure (garage) to have a building footprint larger than the principal structure.

HEARING: Monday, July 29, 2002 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

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

Arnold Jablon 002
Director

C: Mr. & Mrs. Wesley Cator, 5201 Hazelwood Avenue, Baltimore 21206

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JULY 13, 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.

TO: PATUXENT PUBLISHING COMPANY
Thursday, July 11, 2002 Issue – Jeffersonian

Please forward billing to:
Mr. & Mrs. Wesley Cator
5201 Hazelwood Avenue
Baltimore MD 21206

410 866-8189

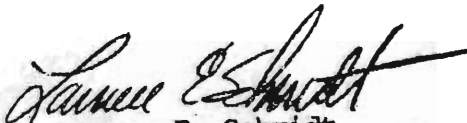
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Legal Owner: Wesley Cator

Administrative Variance to permit an accessory structure (garage) to have a building footprint larger than the principal structure.

HEARING: Monday, July 29, 2002 at 9:00 a.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

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

May 13, 2002

Mr. & Mrs. Wesley Cator
5201 Hazelwood Avenue
Baltimore MD 21206

Dear Mr. & Mrs. Cator:

RE: Case Number: 02-460-A, 5201 Hazelwood Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 18, 2002.

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. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel

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





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

July 24, 2002

Mr. & Mrs. Wesley Cator
5201 Hazelwood Avenue
Baltimore MD 21206

Dear Mr. & Mrs. Cator:

RE: Case Number: 02-460-A, 5201 Hazelwood Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 18, 2002.

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,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr.".

W. Carl Richards, Jr. 672
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel

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



Printed with Soybean Ink
on Recycled Paper

TK
7/29

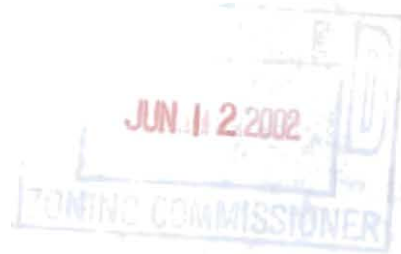


Baltimore County
Department of Permits and
Development Management

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

June 11, 2002

Mr. & Mrs. Wesley Cator
5201 Hazelwood Avenue
Baltimore MD 21206



Dear Mr. & Mrs. Cator:

RE: Demand for Public Hearing, Administrative Variance, Case Number 02-460-A

The purpose of this letter is to officially notify you that the posting of the subject property has resulted in a timely demand on 5201 Hazelwood Avenue for 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. G.D.Z.
Supervisor
Zoning Review

WCR:

C: Mr. & Mrs. Phil Kmiecik, 5127 Hazelwood Avenue, Baltimore 21206
Mr. & Mrs. Leo A Meninger, 5128 Farnsworth Place, Baltimore 21206
Ms. Florence Knox, 5126 Farnsworth Place, Baltimore 21206
Harlee A Russ, President, Hazelwood-Park East Civic Association, Inc,
5525 Daybreak Terrace, Baltimore 21206

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



TK
7/29

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

TO: George Zahner
DEPRM

DATE: June 10, 2002

FROM: Timothy M. Kotroco
Deputy Zoning Commissioner

TMK

SUBJECT: Case No. 02-460-SPH
Petition for Administrative Variance
Petitioner: Wesley & Kimberlee Cator
Property: 5201 Hazelwood Avenue

This memo is to request that the above-captioned matter, which was previously filed as an administrative variance with a closing date of May 13, 2002, be scheduled for a hearing. Correspondence has been received from various neighborhood residents who oppose the Petitioners' request. Please set this case in on the next available hearing date.

Thank you for your attention and cooperation in this matter.

TMK:raj

AV
5/13

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 20, 2002

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

SUBJECT: 5201 Hazlewood Avenue

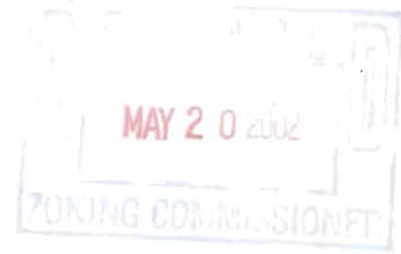
INFORMATION:

Item Number: 00-460

Petitioner: Kimberly Parker

Zoning: DR 5.5

Requested Action: Variance



SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request contingent upon the following:

1. The proposed garage shall not be used for dwelling purposes at any time.
2. The design and construction of the subject garage shall be in accordance with the attached elevations.

Prepared by: Mark A. Coughlin

Section Chief: Lynne Spalding

AFK:MAC:



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

May 7, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 6, 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:

460-462, 464-468, 470 & 471

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



Printed with Soybean Ink
on Recycled Paper

AY
5/13

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 29, 2002

FROM: *RWB* Robert W. Bowling
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for May 6, 2002
Item No. 460, 461, 462, 463, 464, 465, 466, 467, 468, 469
and 471.

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

MAY 31 2002

RWB:CEN
Cc: file



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 5.2.01

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

RE: Baltimore County
Item No. 460 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,

1- 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

JK
AV

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS / TGT*

DATE: June 6, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of May 6, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

460,462,465-469,471

AN
5/13

Phil Kmiecik
5127 Hazelwood Avenue
Baltimore, MD 21206
(410) 866-8820

MAY 14 2002

May 10, 2002

VIA FACSIMILE/MAIL
FAX NO. 410-887-3468

Commissioner Lawrence Schmidt
Baltimore County Zoning Commissioner
401 Bosley Avenue
Towson, MD 21204

Re: Variance No. 02460A
5201 Hazelwood Avenue

Dear Commissioner Schmidt:

I would like to note my strong opposition to Variance No. 02460A. The owner of the house at 5201 Hazelwood Avenue wants to construct a garage that would be larger than the house itself. This house is next door to me.

The resident at this address repairs cars for a living and I suspect that he intends to use this very large structure to repair cars. Obviously, this would be extremely detrimental to the integrity of my neighborhood, which is strictly residential.

My main concern is how this will affect my property value and the values of my neighbors' properties. I am afraid that if this is permitted, others will follow suit and this would have a terrible affect on the neighborhood. This project, if approved, could cause deterioration of the neighborhood. Because this is strictly a residential neighborhood, the approval of this variance would be most unwelcome.

Thank you for your consideration of our strong concerns. I look forward to hearing from you regarding your position.

Very truly yours,

Phil Kmiecik

Phil Kmiecik
Constance Kmiecik
5127 Hazelwood Ave
Balt Md 21206

Shirley Meninger
Leo A. Meninger
5128 Farnsworth Place - 21206
Florence Knox
5126 Farnsworth Place 21206



Hazelwood - Park East Civic Association, Inc.

Incorporated the 10th Day of October 1963

AV
5/13

MAY 14

May 10, 2002

VIA FACSIMILE/MAIL

FAX NO. 410-887-3468

Commissioner Lawrence Schmidt
Baltimore County Zoning Commissioner
401 Bosley Avenue
Towson, MD 21204

**Re: Variance No. 02460A
5201 Hazelwood Avenue**

Dear Commissioner Schmidt:

The Officers and Board of Directors of the Hazelwood-Park East Civic Association met on May 8, 2002 to discuss Variance No. 02460A, wherein the owner of the house at 5201 Hazelwood Avenue wants to construct a garage which will be larger than the principal structure.

Please be advised that our Association strongly opposes the variance. Not only do we have major concerns about the proposed structure being used for commercial purposes, we also want you to be aware of the following objections:

- A peripheral structure of this size would not conform with the architecture of our community;
- The values of neighboring homes would be adversely affected;
- Such a structure could set a precedent, opening up the possibility of similar variances which would further serve to diminish property values.
- We take great pride in the appearance, stability and integrity of our community. A project of this magnitude, if approved, could have a negative impact on community pride and cause deterioration of the neighborhood.

Commissioner Lawrence Schmidt

May 10, 2002

Page 2

- We live in a residentially-zoned neighborhood. A structure of this size would give the appearance of a commercial area.

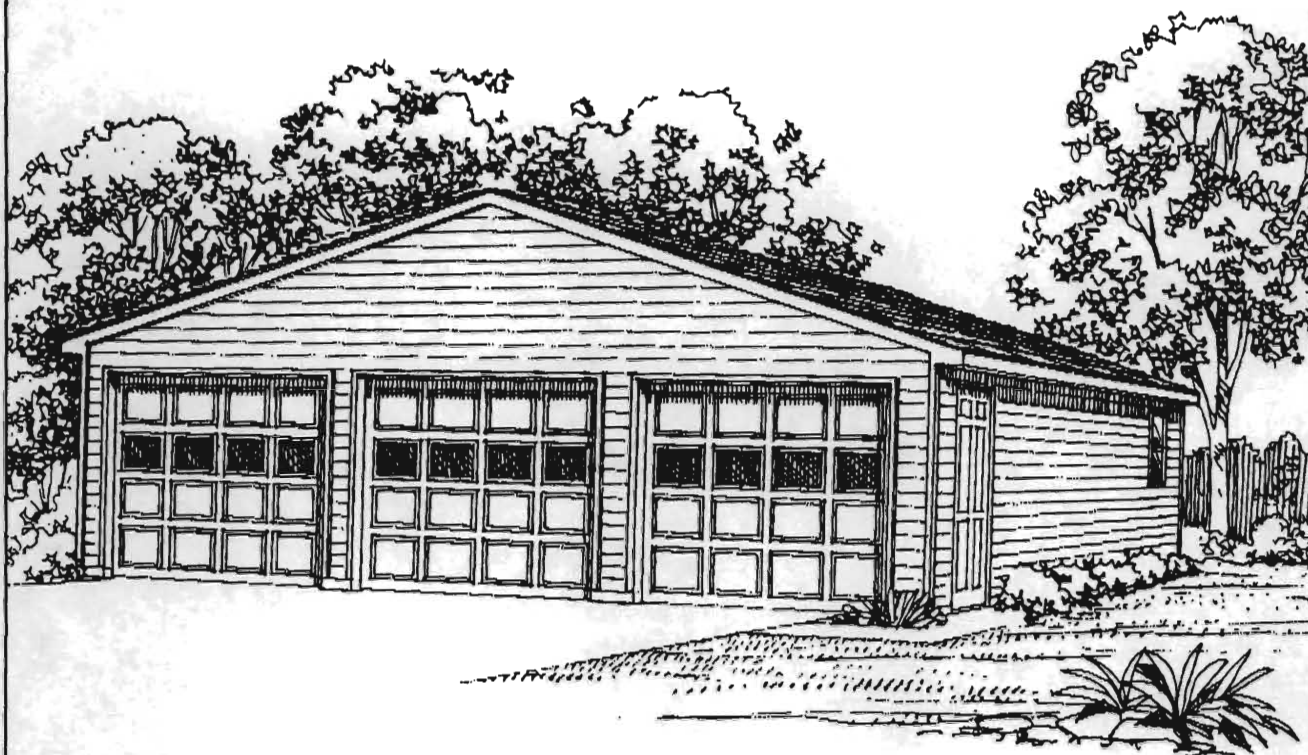
We urge you to reject the variance. If you have any questions or would like to meet with us, please let me know. We look forward to receiving your response to our position.

Very truly yours,

A handwritten signature in black ink that reads "Harlee A. Russ /smc". The signature is written in a cursive, flowing style.

Harlee A. Russ, President
(410) 866-4712

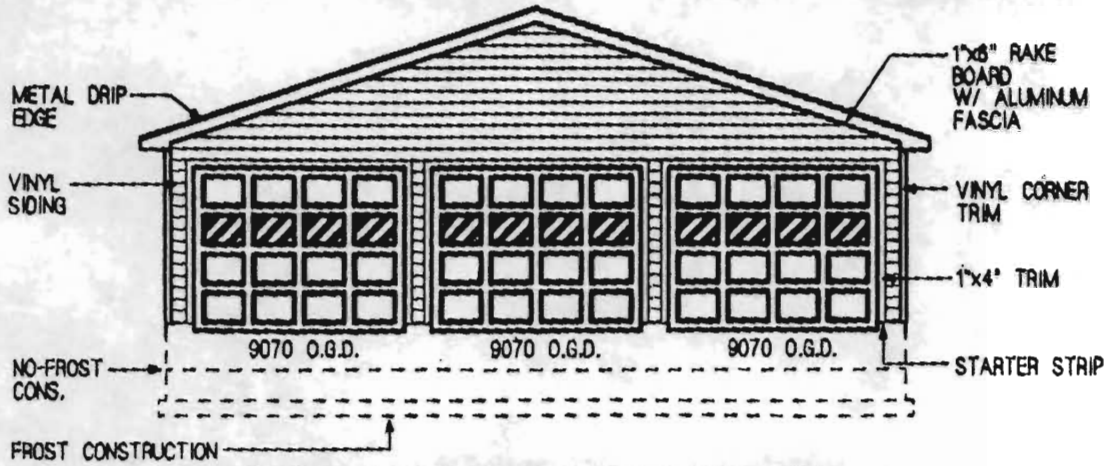
HAR:smc

84**32' WIDE GARAGES****\$5.84**
50345**ELEVATION "A"****With Pre-Engineered Roof Trusses****EVERYTHING YOU NEED**

- 2 Siding Options
- 3 Depths
- Elevations
- Framing Layouts
- Materials List



EXTERIOR ELEVATIONS



FRONT ELEVATION

SCALE: 1/8"=1'-0"

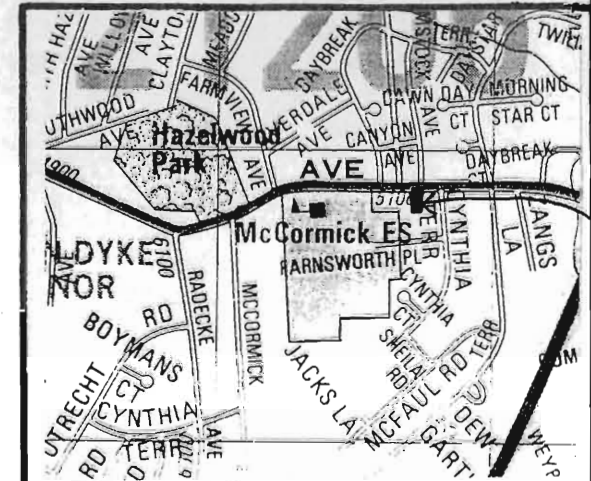
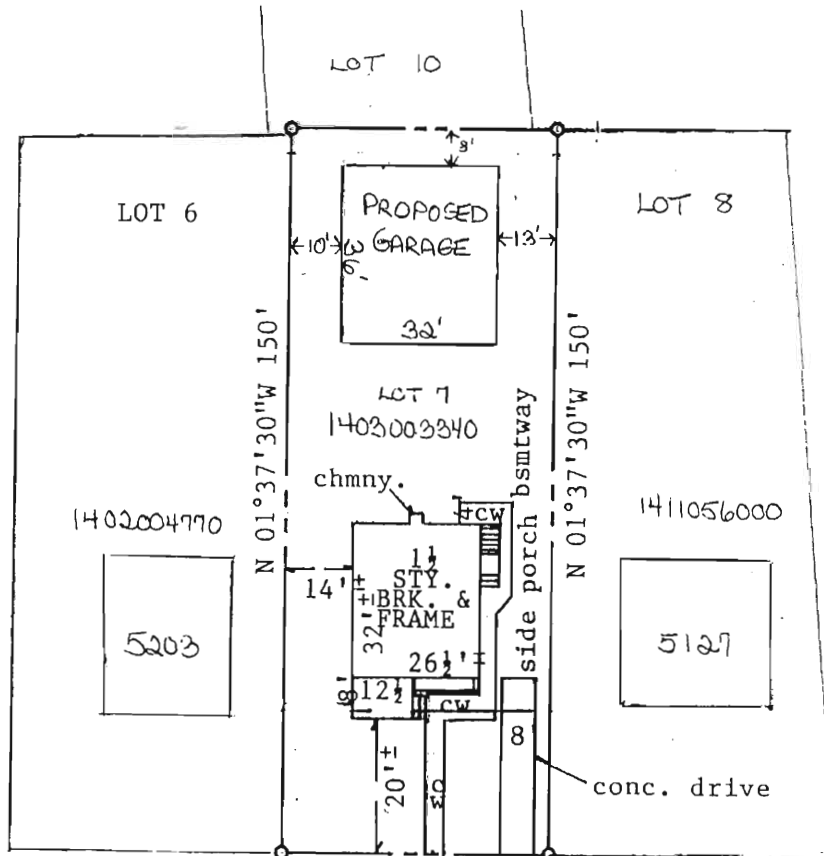
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 5201 HAZELWOOD AVE., 2206 SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME HAZELWOOD ACRES

PLAT BOOK # 26 FOLIO # 24 LOT # 7 SECTION # II

OWNER WESLEY CATOR + KIMBERLEE CATOR



LOCATION INFORMATION

ELECTION DISTRICT 14

COUNCILMANIC DISTRICT 6

1"=200' SCALE MAP # NESE + NE4E

ZONING D.R.5.5

LOT SIZE 8250
ACREAGE 0.188 SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

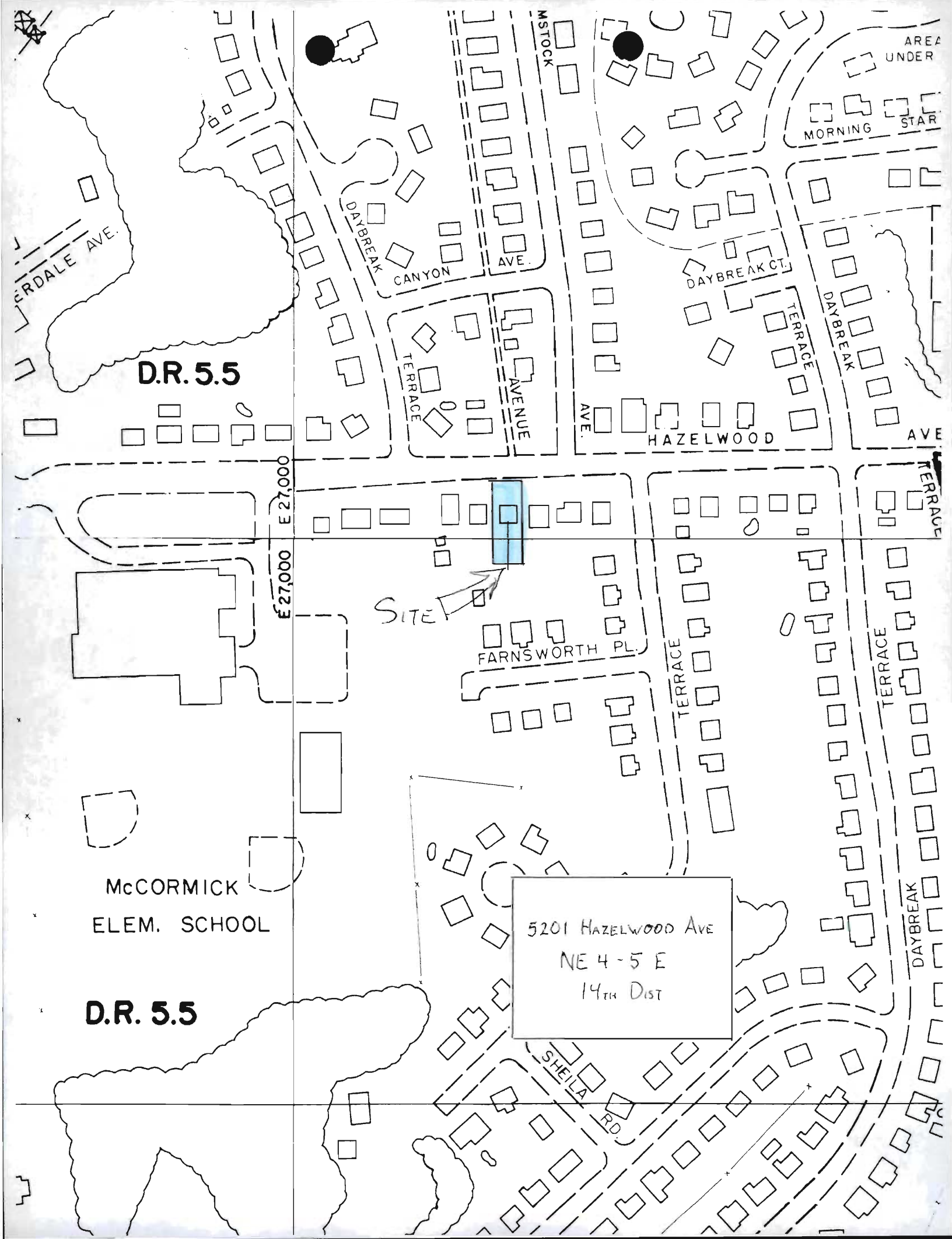
	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒
PRIOR ZONING HEARING	<u>NONE</u>	

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

D. Thompson 460 02-460-A

PREPARED BY W.C./D.T.

SCALE OF DRAWING: 1" = 40'



D.R. 5.5

E 27,000

McCORMICK
ELEM. SCHOOL

D.R. 5.5

SITE

5201 HAZELWOOD AVE
NE 4-5 E
14TH DIST

FARNSWORTH PL.

SHEILA RD.

HAZELWOOD AVE.

DAYBREAK CT.

HAZELWOOD AVE.
TERRACE

DAYBREAK TERRACE

TERRACE

DAYBREAK TERRACE

AREA UNDER

MORNING STAR

100. P
100

To Whom It May Concern: 7/29/02

This note is in regard to the he-
coming notice for the house on Hagerland
Avenue, which sits directly in back of
my house.

I certainly have no objection to anyone
wanting to build a garage, however,
I am concerned about the size and
placement of the garage. As I understand
it the construction will go across the
back yard obstructing the house
on that property and any view of
the main street. Also, what effect
will a structure the size of
proposed have on the value of
the surrounding properties.
I think you are considering my note
as I could not attend the hearing
because of work.

Shirley Jennings
5138 Hagerland Pl.
Baltimore, MD 21206



SEVERAL OF OUR VEHICLES
PARKED IN OUR DRIVEWAY;
HARD TO GET OUT.



SITE OF GARAGE
BACKYARD OF 5201
HOLZELWOOD



DIFFICULTY COMING OUT
OF DRIVEWAY; OBSTRUCTION OF
VIEW.



HEAVY TRAFFIC; HARD TO
SEE WITH CARS PARKED ON
STREET.



SUN EMERGENCY ROUTE
AND SCHOOL CROSSING



WE HAVE TO MOVE SEVERAL
VEHICLES TO GET THE ONE
WE NEED OUT.



SHOWING HEAVY TRAFFIC
DRIVING OVER POSTED SPEED
LIMIT.

