IN RE: PETITION FOR ADMIN. VARIANCE
E/S Northeast Avenue, 1,150' N +/centerline of Spring Avenue
13th Election District
1st Councilmanic District
(2021 Northwest Avenue)

(2021 Northeast Avenue)

Desiree & Otis Collins

Petitioners

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 03-398-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Desiree M. and Otis D. Collins, the legal owners of the subject property. The variance request is for property located at 2021 Northeast Avenue in the Woodlawn area of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a side yard setback of 7 ft. and to allow the sum of side yards of 14 ft. in lieu of the required 15 ft. and 40 ft. respectively for an attached two-car garage. 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

3/28/03

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 day of March, 2003, that a variance from Section 1B02.3.C.1 of the B.C.Z.R., to allow a side yard setback of 7 ft. and to allow the sum of side yards of 14 ft. in lieu of the required 15 ft. and 40 ft. respectively for an attached two-car garage, 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.

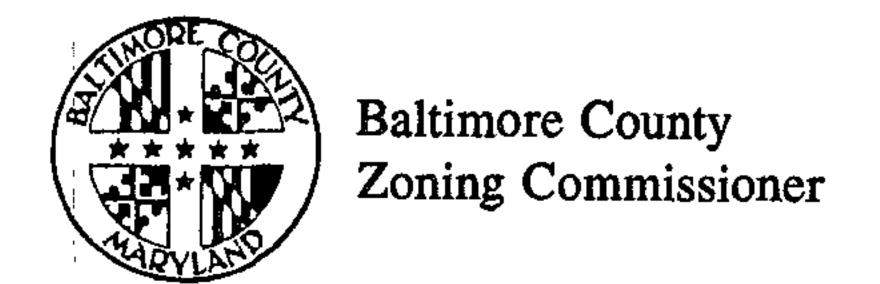
TIMOTHY'M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj





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

Fax: 410-887-3468

March 28, 2003

Mr. & Mrs. Otis D. Collins 2021 Northeast Avenue Baltimore, Maryland 21227

> Re: Petition for Administrative Variance Case No. 03-398-A Property: 2021 Northeast Avenue

Dear Mr. & Mrs. Collins:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

Muthy Horroco

TMK:raj Enclosure

c: Paul Lee, P.E. Century Engineering, Inc. 32 West Road Towson, MD 21204



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	2021	NORTHEAST	AVENUE	
–	pres	ently zoned	DR-2	·

I/We do solemnly declare and affirm, under the penalties of

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C.1 OF THE BCZR TO ALLOW A SIDE YARD SETBACK OF 7' AND TO ALLOW THE SUM OF THE SIDE YARD OF 14' IN LIEU OF THE REQUIRED 15' AND 40', RESPECTIVELY.

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.

		is the subject of this Petition.	i owner(s) or th	e property wnich
Contract Purchaser/Lessee:		Legal Owner(s):		
Name - Type or Print		OTIS DEVAUGHN COLLII	NS J	/
Signature		Signature Value	- "(0/)	
, oldinardie		DESIREE MUNDELL COLI	LTNS	
Address	Telephone No.	Name - Type or Print Alexine Mundel	O Callens	<i>J</i>
City	Zip Code	Signature		2-708-0614
Attorney For Petitioner:		2021 NORTHEAST AVENU		0-247-6792
		Address		Telephone No.
		BALTIMORE	MD	21227
Name - Type or Print		City	State	Zip Code
Signature		PAUL LEE, CENTURY EN		
Address	Telephone No.	32 WEST ROAD Address	410)-823-8070 Telephone No.
	relephone no.	TOWSON	MD	21204
State	Zip Code	City	State	Zip Code
A Rublic Hearing having been formally demanded this day of that the regulations of Baltimore County and that the property to	he subject matter of t	required, it is ordered by the Zoning his petition be set for a public hearing,	Commissioner of advertised, as rec	of Baltimore County, quired by the zoning
		Zoning Commissioner of	f Baltimore Coun	ty
SENO. 03-398-A	Rev	riewed By <u>JRF</u> Da	ate <u>2-2</u> °	7-03
REV 10/25/01	Esti	mated Posting Date3	9-03	<u> </u>

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.

BALTIMORE

Address

2021 NORTHEAST AVENUE

21227

That the Affiant(s) does/do presently reside at

REV 10/25/01

•			City	•	200			ch cone
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Address

That the Affiant(s) does/do presently reside at

REV 10/25/01

2021 NORTHEAST AVENUE

•	BALTIMORE	MD	21227
•	City	State	Zip Code
That based upon personal knowledge, the Variance at the above address (indicate har	following are the facts upor dship or practical difficulty):	n which I/we base the requ	uest for an Administrative
SEE ACCOMPANYING LETTER	•		
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That the Affiant(s) acknowledge(s) that if advertising fee and may be required to provi	1/	arie Mundell Chi	•
	_	IREE MUNDELL COLLINS	3
OTIS DEVAUGHN COLLINS Name - Type or Print		Type or Print	
STATE OF MARYLAND, COUNTY OF BAL	TIMORE, to wit:		
I HEREBY CERTIFY, this 25 day of of Maryland, in and for the County aforesaid,	6 7 7	, <u>200</u>	
the Affiant(s) herein, personally known or sat	isfactorily identified to me as	Lenn Mendel souch Affiant(s).	O-Collens
AS WITNESS my hand and Notarial Seal		•	
	Les la	W). Hasaos	
JANITA W.	Notary Public		حسسید

My Commission Expires _____

2021 Northeast Avenue Halethorpe, MD 21227

February 20, 2003

The Zoning Commissioners of Baltimore County 111 West Chesapeake Avenue Room 111 Towson, MD 21204

Re: Request for an Administrative Variance Waiver

Dear Community Leaders:

This is a request for an administrative variance waiver for property located at 2021 Northeast Avenue, Halethorpe, MD. We have live at this property for over ten years. The waiver request is made for the purpose of constructing an attached two-car garage to our property.

The proposed garage is being constructed to contain a personal treasured automobile I purchased after completing my undergraduate studies at the University of Maryland. The automobile, a 1986 BMW 325 is a significant personal treasure of accomplishment for us.

Because of the age of this automobile and the region harsh weather elements, we are committed to keeping this automobile in its original condition as heirloom for our family. The commitment for protecting this treasure is for our children and its appreciating market value. The protection of this personal treasure is important to us, it has provided us with a great sense of accomplishments and will continue to provide strength and peace of mind for our family as it has for the past sixteen years.

As a result of our commitment for this personal treasure we'll began a historic restoration program. Over the past eight years we have invested thousand of dollars for the restoration of this automobile. Your support an approval of this garage request would provide us with continual protection and assurance for our family heirloom.

Current county zoning policy doesn't permit the construction of this type garage because of setback requirements. Our property is only a few feet short of this requirement. We respectfully request an approval of this waiver—the approval of this variance waiver would give provide us the pleasure of an American tradition of peace, liberty and happiness.

We pray and hope that the leadership authority of this commission will concur with this request. We would like to thank you in advance for your time and consideration concerning this request.

Finally, we have spoken with our next-door neighbor Ms. Louise Williams who adjoins our property and she does not oppose our request. Enclosed please find a letter of support from Ms. Williams.

Sincerely,

Desireé Mundell-Collins

Mundell - Callera

Otis Collins

DESCRIPTION #2021 NORTHEAST AVENUE ELECTION DISTRICT 13 CI BALTIMORE COUNTY, MD

CEI Project No. 23050.00

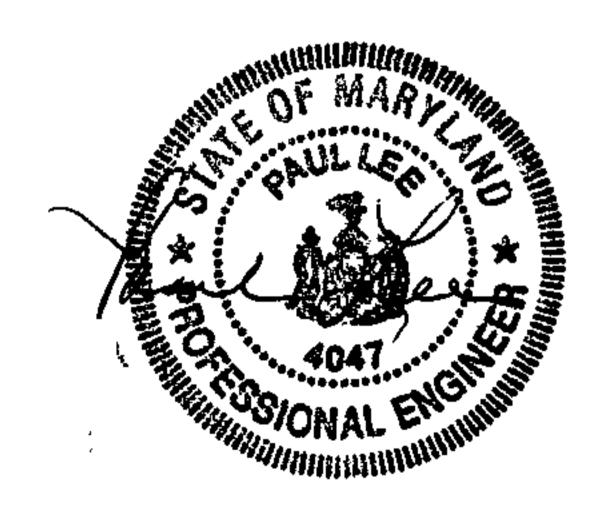
BEGINNING FOR THE SAME on the East side of Northeast Avenue, said point also being located Northeasterly 1150'± from the center of Spring Avenue; thence running with and binding on the East side of Northeast Avenue 1) North 03° East- 75.00', thence leaving said East side and running for the three following courses and distances, viz:

- 2) South 87° East 218.00'
- 3) South 03° West 75.00", and
- 4) North 87° West 218.00' to the East side of Northeast Avenue and said point of beginning.

Containing 16,350 sq. ft. (0.375 Ac.) of land, more or less.

Wfile\Login2\Land-Dev\LD03\desc\NortheastAve-pl-2-12-03

Wfile\Login2\Land-Dev\LD02\desc\DogwoodRd-p]-6-26-02



BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT

PINK - AGENCY

DISTRIBUTION

WHITE - CASHIER

No. 22325

RECEIVED OTIS DE COLLINS

2021 Northeast Ave. ITEM#398

FOR: VARIANCE Taken by: JRF

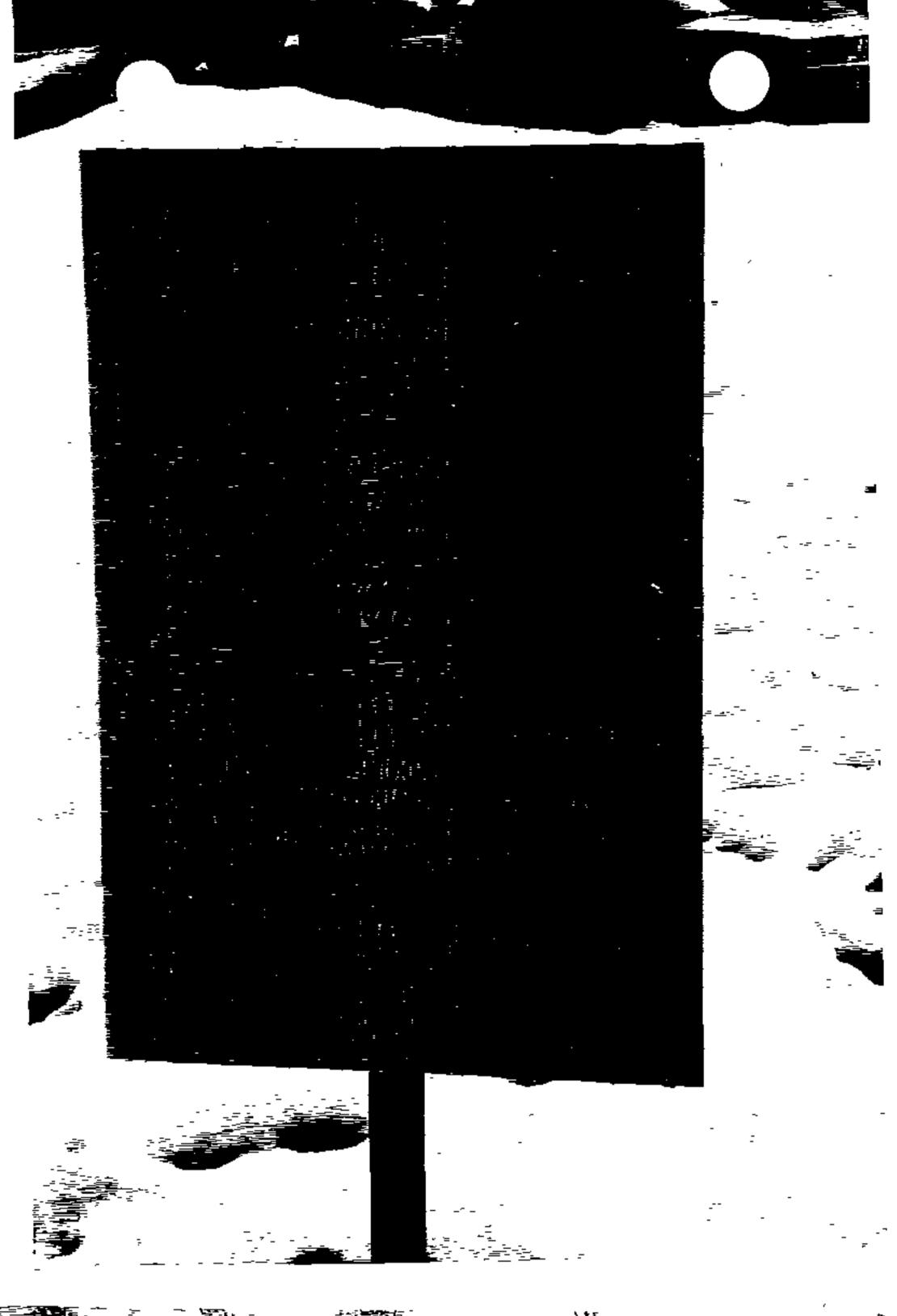
YELLOW - CUSTOMER

PATTO NELLET COUNTY, Naryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

	RE: Case No.: 03-398-A
	Petitioner/Developer: OTIS & DESERGE COULAIS
•	Date of Hearing/Closing: MAN. 24, 7003
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Mr. George Zahner	
· ·	nder the penalties of perjury that the necessary sign(s) required by
law were posted conspicuously on the property l	ocated at # 2021 MONTHEAST AVENUE
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	2,7,7003
The sign(s) were posted on/\(\frac{1}{\infty}\)	(Month, Day, Year)
f.	
· · · · · · · · · · · · · · · · · · ·	Sincerely,
	(Signature of Sign Poster and Date)
	CARLANDE. MODIZE (Printed Name)
	3225 RYERSON CIRCLE (Address)
	BACTIMORE, MD. 21227 (City, State, Zip Code)
!	(4(0) 242-4263 (Telephone Number)
!	





DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Any contact made with this office regarding the status of the administrative variance should be

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

JUN R. FERNANDO

ъĄ

Filing Date: **2**-27-03 Posting Date: 3-9-03

through the contact person (planner) using the case number.

Planner Please Print Your Name

Address 2021 NORTHEAST AVE.

Phone Number: 410-887-3391

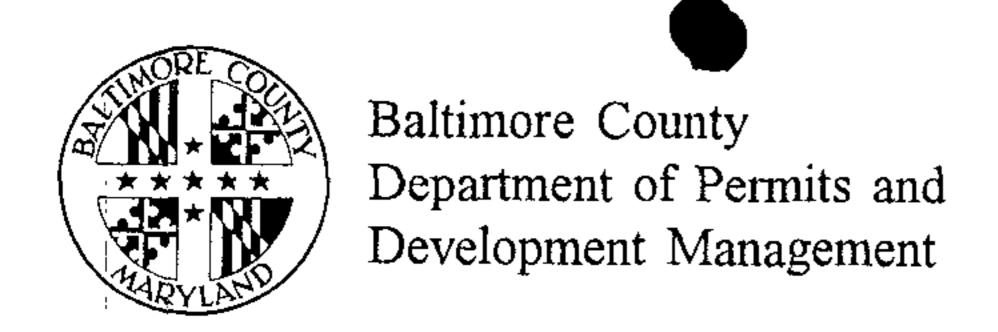
Closing Date: 3-24-03

Case Number 03- 398

Contact Person:

date.

DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet to fil 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.	e Il
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.)
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.)
Unitable Along Domest English	
Petitioner: This Part of the Form is for the Sign Poster Only	
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT	
Case Number 03- 398 -A Address 2021 NORTHEAST AVE.	
Petitioner's Name OTIS DESIREE COLLING Telephone 410-247-679.	2
Posting Date: 3-9-03 Closing Date: 3-24-03	
Nording for Sign: To Permit an addition with a side yard setback of)
7' and to allow the sum of the side yard of 14' in	
he required 15' and 40', respectively.	
, 	
WCR - Revised 6/28/00	



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

March 24, 2003

Mr. and Mrs. Collins 2021 Northeast Avenue Baltimore, MD 21227

Dear Mr. and Mrs. Collins:

RE: Case Number: 03-398-A, 2021 Northeast Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 9, 2003.

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:klm

Enclosures

c: People's Counsel Paul Lee, Century Engineering, Inc., 32 West Road, Towson MD 21204



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

County Office Building, Room 111
Mail Stop #1105

March 20, 2002

Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

ATTENTION: Rebecca Hart

Distribution Meeting of: March 17, 2003

Item No.:

396 - 406

398

Dear Ms. Hart:

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.

7. The Fire Marshal's Office has no comments at this time.

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

cc: File



MARYLAND DEPARTMENT OF TRANSPORTATION

Robert L. Ehrlich, Jr., Governor · Michael S. Steele, Lt. Governor · Trent M. Kittleman, Acting Secretary

Date: 3.18.63

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

RE: Balti

Baltimore County

Item No. 398

JRF

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,

R

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDE MONTH COMMISSIONER

TO:

Arnold Jablon, Director

DATE: March 26, 2003

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-398 – Administrative Variance

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Section Chief:

AFK/LL:MAC

A)24

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

MAR 2 8 2003

TO:

Arnold Jablon, Director

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor
Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 24, 2003_

Item Nos. 396, 397, 398, 400, 401,

403, 404, 405, and 406

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

RWB:CEN:jrb

cc: File

CENTURY ENGINEERING, IN

32 West Road Towson, Maryland 21204

LETTER OF TRANSMITTAL

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February 19, 2003

Baltimore County Zoning Commissioner 111 West Chesapeake Ave. Room 111 Towson, MD 21204

Dear Sir or Madam,

Based on the details provided by our neighbors, the Mundell-Collins family at 2021 Northeast Ave, Baltimore, MD 21227, I have no objections to their proposed garage addition. Should you have any questions, please feel free to contact me.

Sincerely,

Francine Chambers 2020 Northeast Ave. Baltimore, MD 21227

Francine Phone at this time

February 14, 2003

Baltimore County Zoning Commissioner 111 West Chesapeake Ave. Room 111 Towson, MD 21204

Dear Sir or Madam,

Based on the details provided by our neighbors, the Mundell-Collins family at 2021 Northeast Ave, Baltimore, MD 21227, I have no objections to their proposed garage addition. Should you have any questions, please feel free to contact me.

Sincerely,

Louise Williams 2019 Northeast Ave. Baltimore, MD 21227

#395

CENTURY ENGINEERING, C.

32 West Road Towson, Maryland 21204

LETTER TRANSMITTAL

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If enclosures are not as noted, kindly notify us at once.

Hobert L. Ehrlich Ja Governor

Michael S. Steela Lt. Governor



Andrey E Scott Socretary

Florence E. Burlan Deputy Secretary

March 18, 2003

Ms. Rebecca Hart Baltimore County Department of Permits and Development Management County Office Building 111 West Chesapeake Avenue Room 111, Mail Stop # 1105 Towson MD 21204

Zoning Advisory Committee Agenda, 03/24/03 re: case numbers 03-396-SPHXA, 03-397-Re: SPHXA/03-398-A, 03-400-A, 03-401-A, 03-402-SPHA, 03-403-A, 03-404-A, 03-405-A, 03-406-<u>SPHA</u>

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 03/17/03. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

James R. Gatto

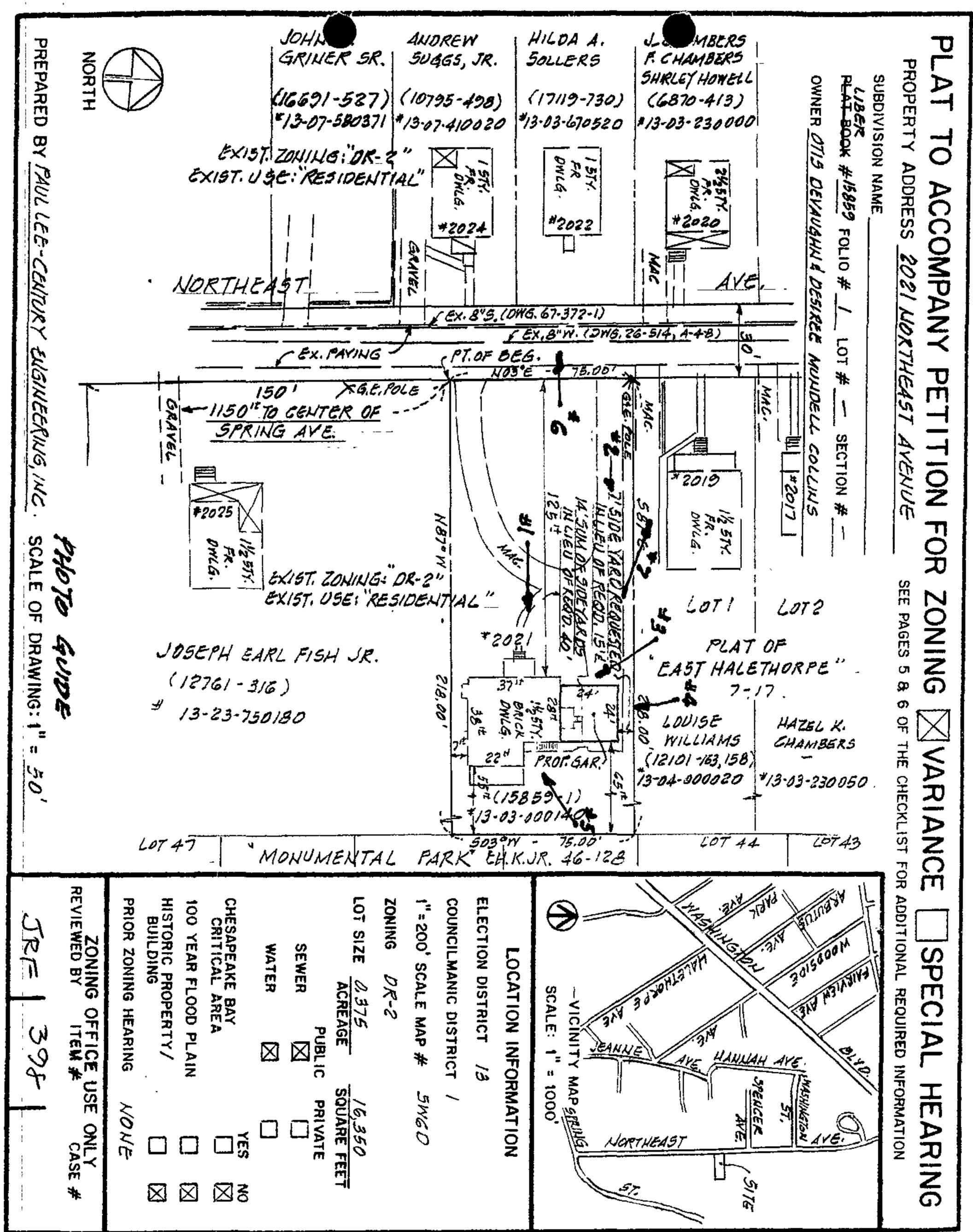
Manager

Metropolitan Planning

Local Planning Assistance Unit

Mike Nortrup CC:

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