

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
SW/S of Locust Avenue, 100 ft. +/- W		
centerline of Birch Avenue	*	DEPUTY ZONING COMMISSIONER
13th Election District		
1st Councilmanic District	*	OF BALTIMORE COUNTY
(1211 Locust Avenue)		
	*	CASE NO. 03-460-A
Grace E. and James W. Keatts, III	*	
<i>Petitioners</i>		

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Grace E. and James W. Keatts, III. The variance request is for property located at 1211 Locust Avenue in the Arbutus area of Baltimore County. The variance request is from Amended Section III of the 1953 Zoning Regulations "A" Residence Zone Section 3C, to permit a side yard setback of 3 ft. instead of the required 7 ft. and to permit a rear yard depth of as close as 8 ft. in lieu of the required 15 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for 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

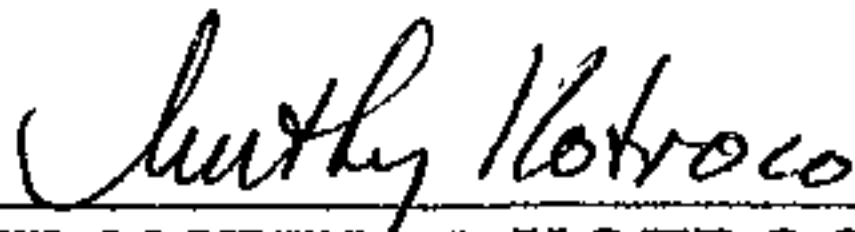
5/3/03
R. Cameron

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 3rd day of May, 2003, that a variance from Amended Section III of the 1953 Zoning Regulations "A" Residence Zone Section 3C, to permit a side yard setback of 3 ft. instead of the required 7 ft. and to permit a rear yard depth of as close as 8 ft. in lieu of the required 15 ft., 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

5/3/03
J.R. Gannon



Baltimore County
Zoning Commissioner

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

May 3, 2003

Mr. & Mrs. James W. Keatts, III
1211 Locust Avenue
Arbutus, Maryland 21227

Re: Petition for Administrative Variance
Case No. 03-460-A
Property: 1211 Locust Avenue

Dear Mr. & Mrs. Keatts:

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

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

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1211 Locust Avenue
which is presently zoned DRS.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) AMENDED SECTION III ~~SECTION III~~ 1953 REG. "A" RESIDENCE ZONE

Section 3 ~~to~~ to permit Inside setback of 3' instead
of the required 7' AND FRONT SETBACK TO PERMIT A REAR YARD DEPTH OF AS CLOSE AS 8 FT. IN LIEU
TEMPORARY OF 15 FT HPK

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

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 5/3/03 day of May 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.

Legal Owner(s):

James Whittle Keatts III
Name - Type or Print

James Whittle Keatts III
Signature

Grace Edna Keatts
Name - Type or Print

Signature

1211 Locust Avenue
Address

City

Arbutus, Maryland
State

Telephone No.

21227
Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

Zoning Commissioner of Baltimore County

Reviewed By JL

Date 4/03/03

Estimated Posting Date 4/13/03

CASE NO. 03 460 A

REV 10/25/01

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

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

1211 Locust Avenue
Address
Arbutus, Maryland 21227
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):

- 1- To enclose existing 40' x 13' carport
 - 2- To build a second story on existing carport
 - 3- Property Line is 3' on outside edge of existing carport
 - 4- Need a Variance to do above work
 - 5 FUTURE SECOND STORY IS FOR LIVING AREA FOR DAUGHTER WHO WILL NEEDED TO HELP ME AS MY CONDITION WORSENING
- SEE ACCOMPANYING LTR
DATED 3/13/03 FROM DR. MURPHY

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.

James Whittle Keatts III
Signature
James Whittle Keatts III
Name - Type or Print

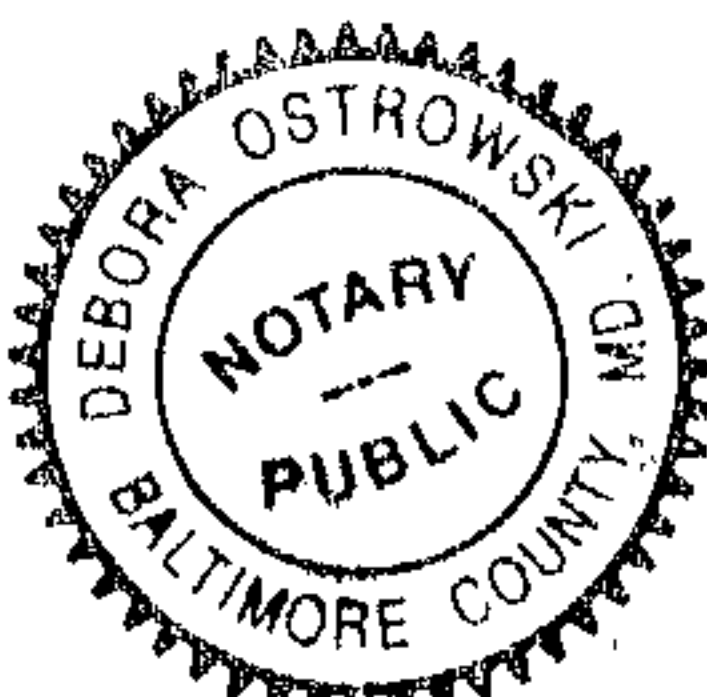
Grace Edna Keatts
Signature
Grace Edna Keatts
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 31st day of April, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

JAMES WHITTLE KEATTS III AND GRACE EDNA KEATTS
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Debora Ostrowski
Notary Public
My Commission Expires 7/1/04

460

JAMES C. MURPHY III, MD, P.A.
3449 Wilkens Avenue, Suite 107
Seton Professional Building
Baltimore, MD 21229
Phone: 410-644-5390 Fax: 410-644-5393

March 13, 2003

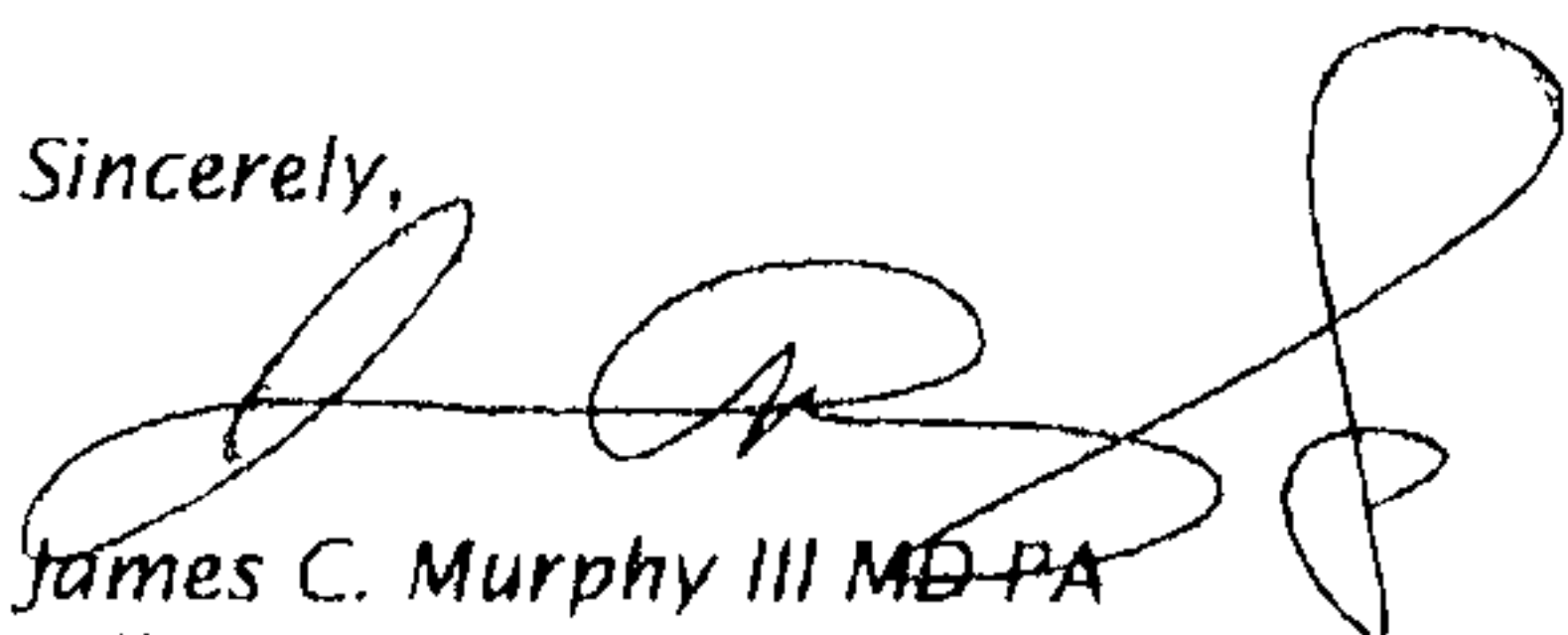
RE: Grace E. Keatts

To Whom It May Concern:

Mrs. Keatts is a patient of mine who suffers from several orthopedic problems that make it very difficult for her to climb stairs. She has been diagnosed with spondylolysis of the lumbar spine along with degenerative disc disease, degenerative joint disease of both knees, left greater than right, and degenerative disc disease of the cervical spine. She has had previous surgery and injections of the left knee with continued chronic back and knee pain. As stated previously all of these make it very difficult for her to climb stairs to get the second floor of her home for her daily living. It is recommended that she stay on one floor and not climb stairs at all.

If you have any questions, feel free to call 410-644-5390.

Sincerely,



James C. Murphy III MD PA
Adb

Zoning Description for 1211 Locust Avenue, Baltimore, MD 21227

AK

Beginning at a point on the S.~~W~~ side of Locust Avenue which is 50' wide at the distance of 100' +/- West of the centerline of the nearest improved intersecting street Birch Avenue, which is 30' wide. *Being Lot #6 Block B, Section #1 in the subdivision of Teipewood Subdivision as recorded in Baltimore County Plat Book # G.L.B. #18, Folio #117 containing ^{5,000 SQ. FT. ±} ~~1/4 acre~~. Also known as 1211 Locust Avenue and located in the 13th Election District, 1 Councilmanic District.

460

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 23681

DATE 4/03/03

JL # 460
ACCOUNT 001 006 6150

AMOUNT \$ 65.00

RECEIVED
FROM:

KEATTS

FOR:

RES VAR.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
4/04/2003	4/03/2003	14:52:22	4
REG WS06	WALKIN	KHDM KXM	
>> RECEIPT #	146340	4/04/2003	OFLN
Dept	5	528 ZONING VERIFICATION	
CR NO.	023681		

Recpt Tot \$65.00
65.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 03-460-A

Petitioner/Developer: JAMES & EDNA KEATTS

Date of Hearing/ Closing: APRIL 28, 2003

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: BECKY HART

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 _____

1211 LOCUST AVE,

The sign(s) were posted on APRIL 12, 2003
(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

(Address)

BAUTIMORE, MD. 21227

(City, State, Zip Code)

C410) 242-4263

(Telephone Number)

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # Q3-460-A

TO PERMIT A SIDE YARD SETBACK OF 3 FEET
AND A REAR YARD SETBACK OF 3 FEET IN
LIEU OF THE REQUIRED 7 FEET AND 15 FEET
RESPECTIVELY FOR A CARPORT ENCLOSURE
WITH 2ND STORY ADDITION

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON APRIL 28, 2003

ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT

111 W. GREENPARK AVE.
TOWSON, MD 21204

TEL. 887-3391

FOR MORE INFORMATION, VISIT OUR WEBSITE: www.baltimorecountymd.gov OR CALL 800-388-1000
OFFICES ARE HANDICAP ACCESSIBLE

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: 03 - 460 - A
Petitioner: Keatts
Address or Location: 1211 Locust Ave, Arbutus, Md. 21227

PLEASE FORWARD ADVERTISING BILL TO:

Name: James W. Keatts
Address: 1211 Locust Ave
Arbutus
Maryland 21227
Telephone Number: 410-242-2585

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 03- 460 -A Address 1211 LOCUST AVE
Contact Person: JOHN LEWIS Phone Number: 410-887-3391
Planner Please Print Your Name

Filing Date: 4/03/03 Posting Date: 4/13/03 Closing Date: 4/28/03

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.

Do not Alter; Do not Add

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 03- 460 -A Address 1211 LOCUST AVE
Petitioner's Name JAMES AND EDNA KEATTS Telephone 410-242-2585
Posting Date: 4/13/03 Closing Date: 4/28/03
Wording for Sign: To Permit A SIDE YARD SETBACK OF 3 FT. AND A REAR
YARD SETBACK OF 8 FT. IN LIEU OF THE REQUIRED 7 FT. AND 15 FT.
RESPECTIVELY FOR A PROPOSED CARPORT ENCLOSURE WITH 2ND STORY ADDITION,



Baltimore County
Department of Permits and
Development Management

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

May 1, 2003

James and Edna Keatts
1211 Locust Avenue
Arbutus, MD 21227

Dear Mr. and Mrs. Keatts:

RE: Case Number: 03-460-A, 1211 Locust Avenue

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

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel

Visit the County's Website at www.baltimorecountyonline.info



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on Recycled Paper



**Baltimore County
Fire Department**

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

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

April 17, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: April 14, 2003

Item No.: 456 - 464

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



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: April 29, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For April 21, 2003
Item Nos. 456, 458, 460, 461, 462,
463, and 464

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

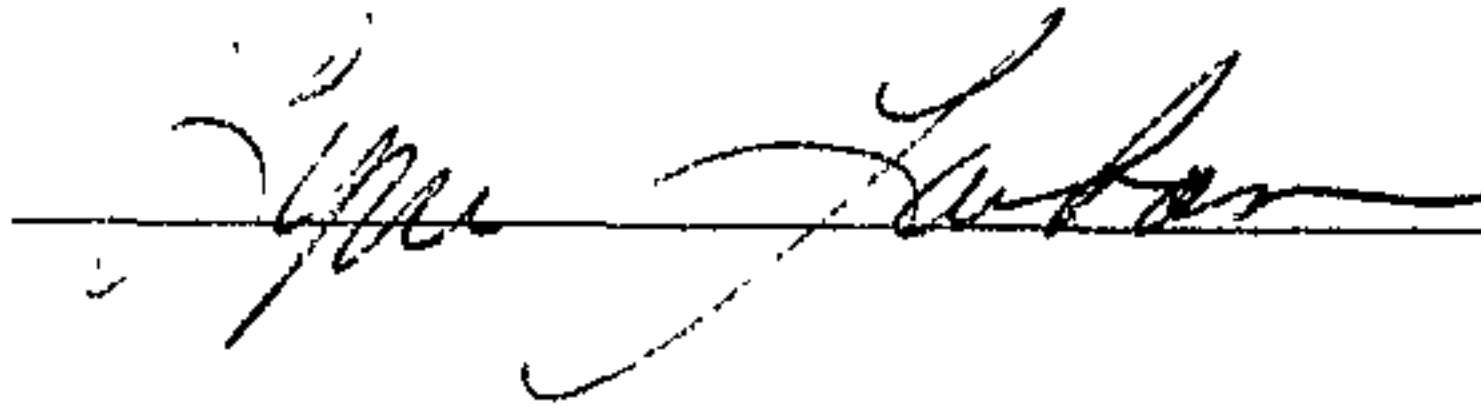
DATE: April 16, 2003

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 03-460**

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

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*



Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Acting Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 4 . 11 . 03

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

RE: Baltimore County
Item No. 460 JLL

Dear Ms. Hart:

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/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com

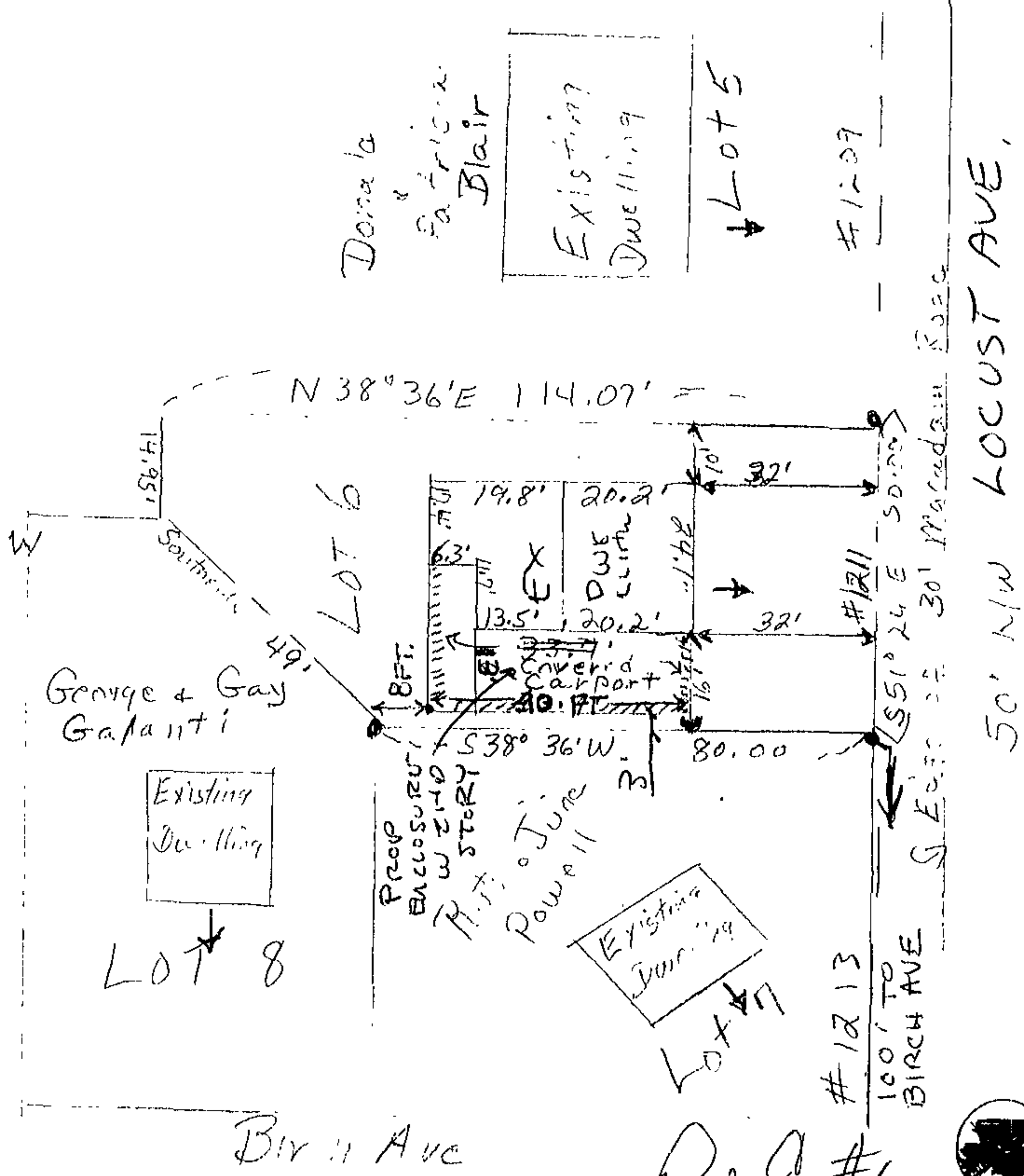
SPECIAL HEARING

PROPERTY ADDRESS 11 Locust Avenue

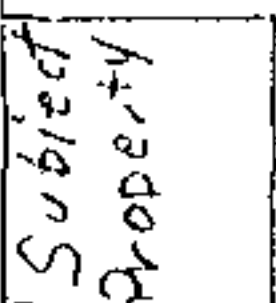
Telephone

SECTION # /

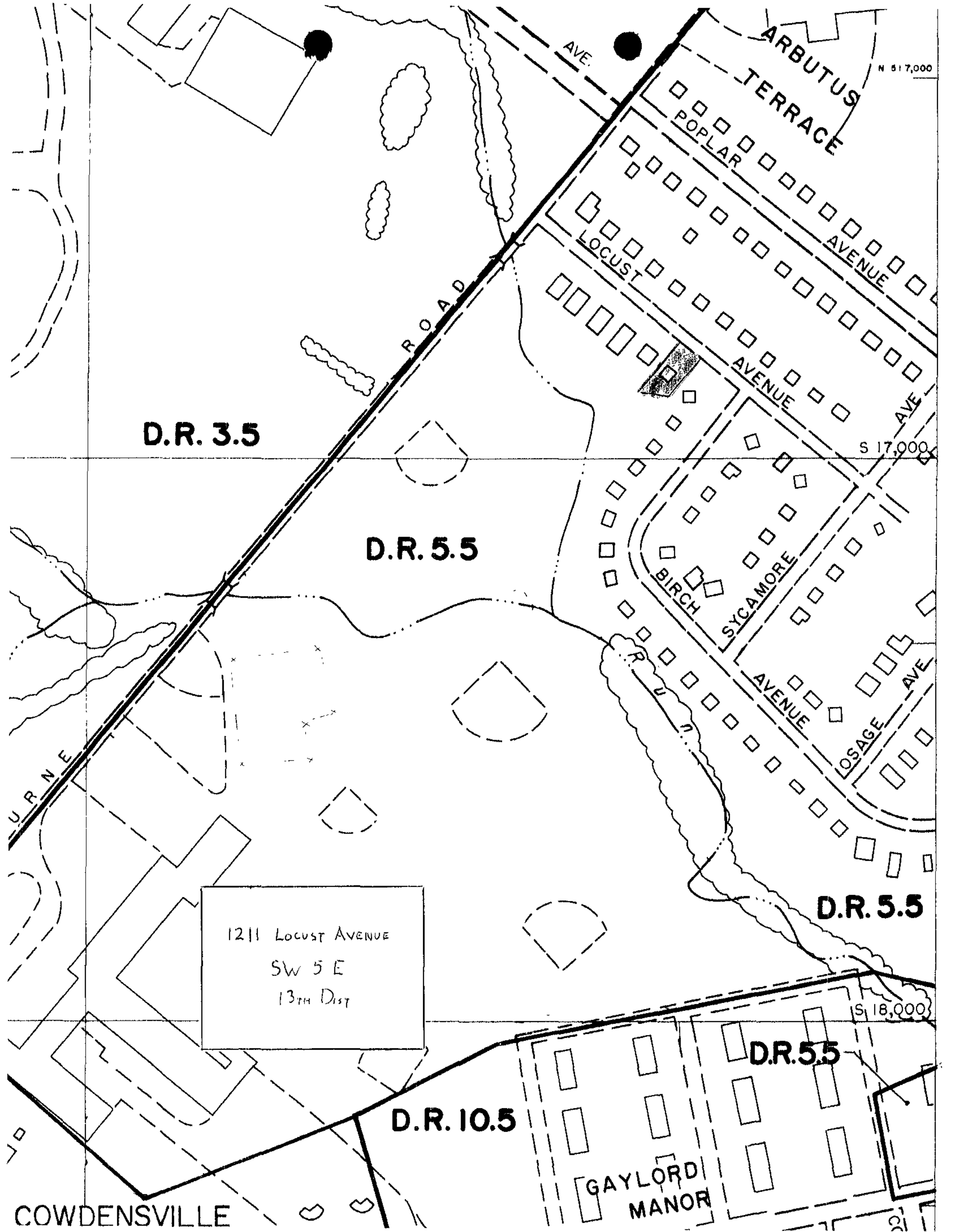
James Whittle + Grace Edna Keatts IIII



SCALE OF DRAWING: 1" = 30'

<u>Poplar Ave</u> <u>Shelbourne Rd</u>	<u>Sycamore Ave</u> <u>Birch Ave</u>	 VICINITY MAP SCALE: 1" = 1000'
		
LOCATION INFORMATION ELECTION DISTRICT / 3 COUNCILMANIC DISTRICT / SW 1" = 200' SCALE MAP # 14 33'SE ZONING RES-1 DRS-5		
LOT SIZE <u>3/4</u>	ACREAGE	SQUARE FEET
SEWER ☒	PUBLIC ☐	PRIVATE ☐
WATER ☒	YES ☐	NO ☒
CHESAPEAKE BAY CRITICAL AREA		
100 YEAR FLOOD PLAIN		
HISTORIC PROPERTY / BUILDING		
PRIOR ZONING HEARING		
ZONING OFFICE USE ONLY REVIEWED BY _____ ITEM # _____ CASE # _____		

JL 03-4601A



D.R. 3.5

D.R. 5.5

D.R. 5.5

D.R. 10.5

D.R. 5.5

1211 LOCUST AVENUE
SW 5 E
13TH DIST

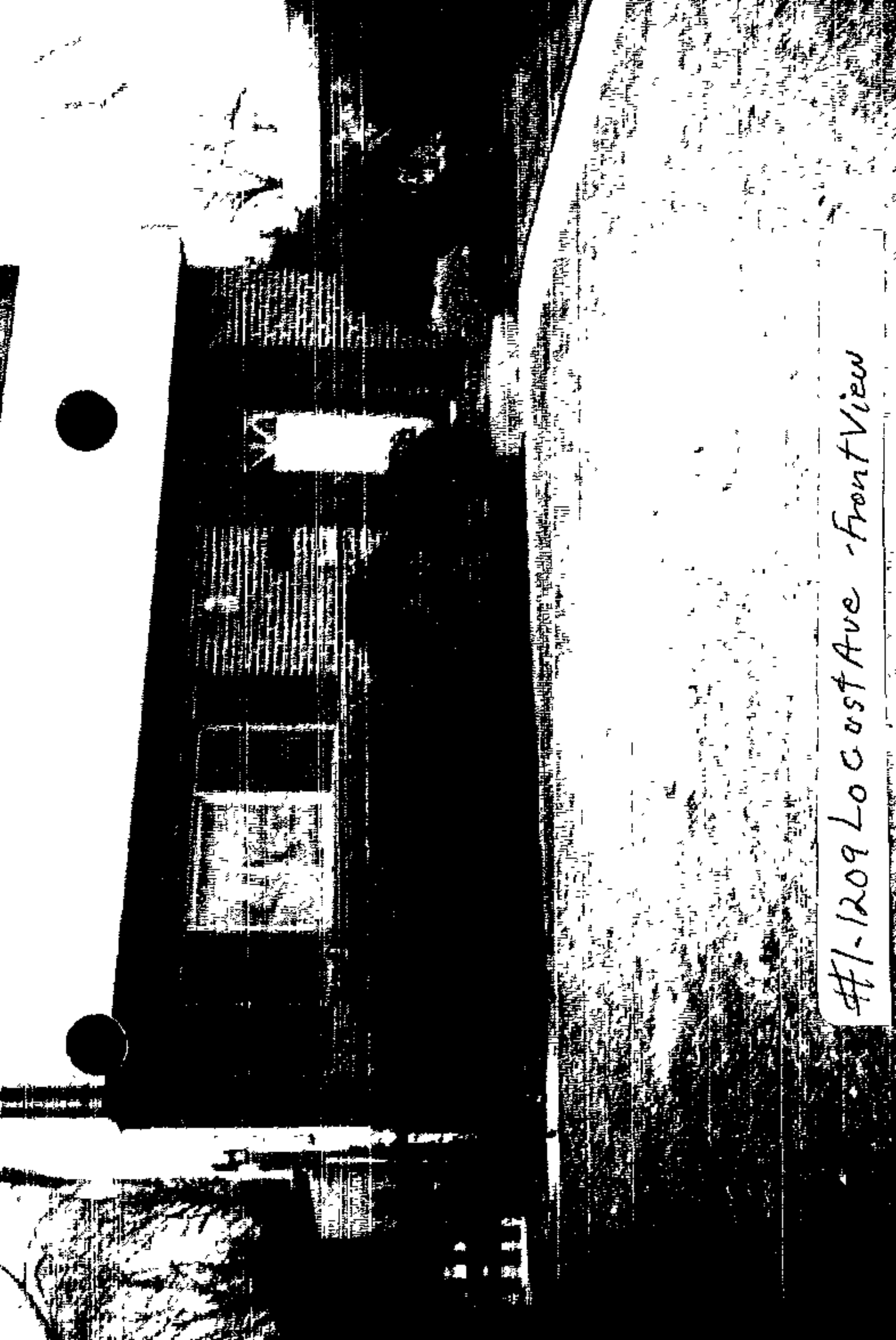
COWDENSVILLE

GAYLORD
MANOR

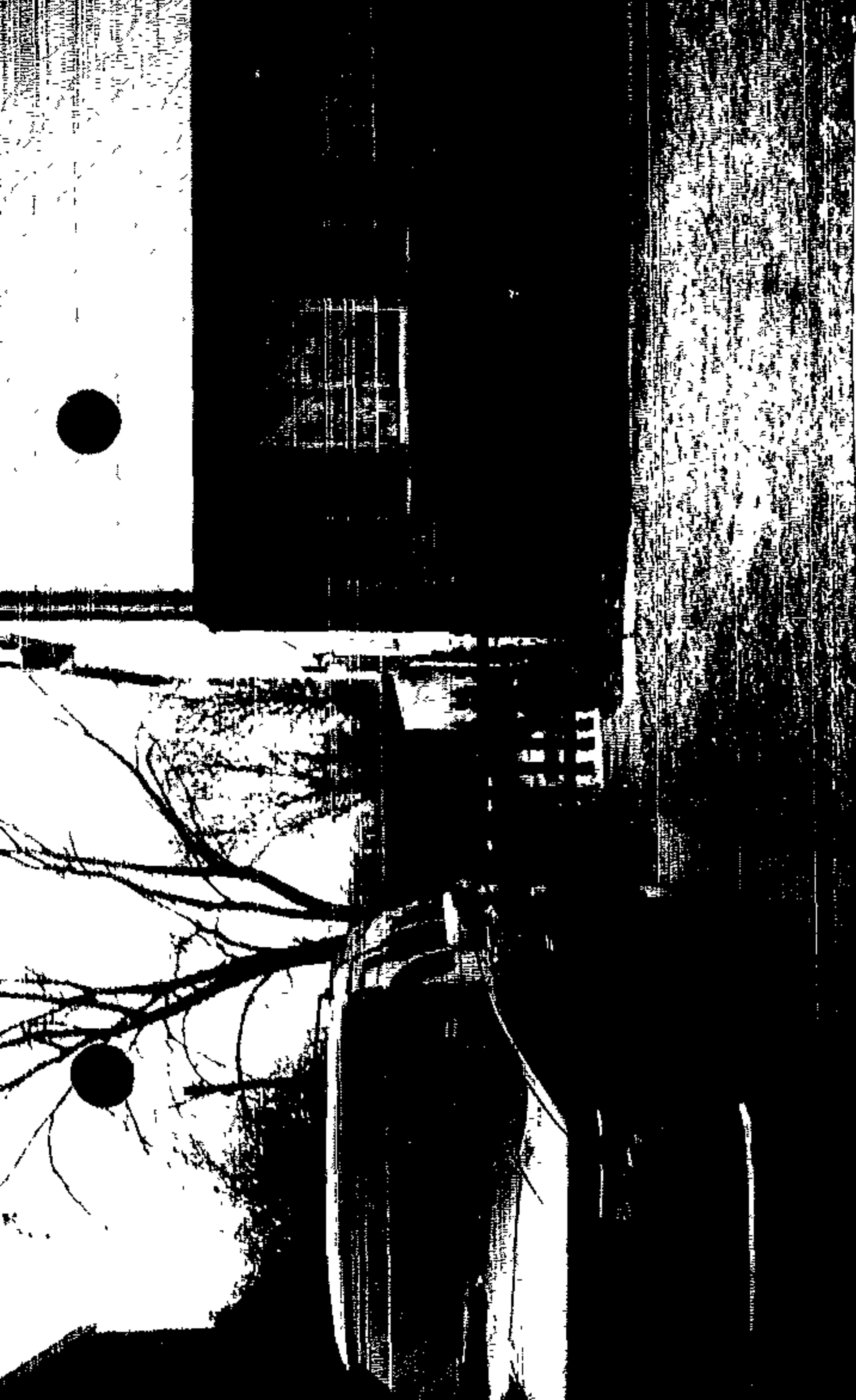
N 517,000

S 17,000

S 18,000



#1-1209 Locust Ave - front View



#2-1209 Locust Ave. Side View-Left



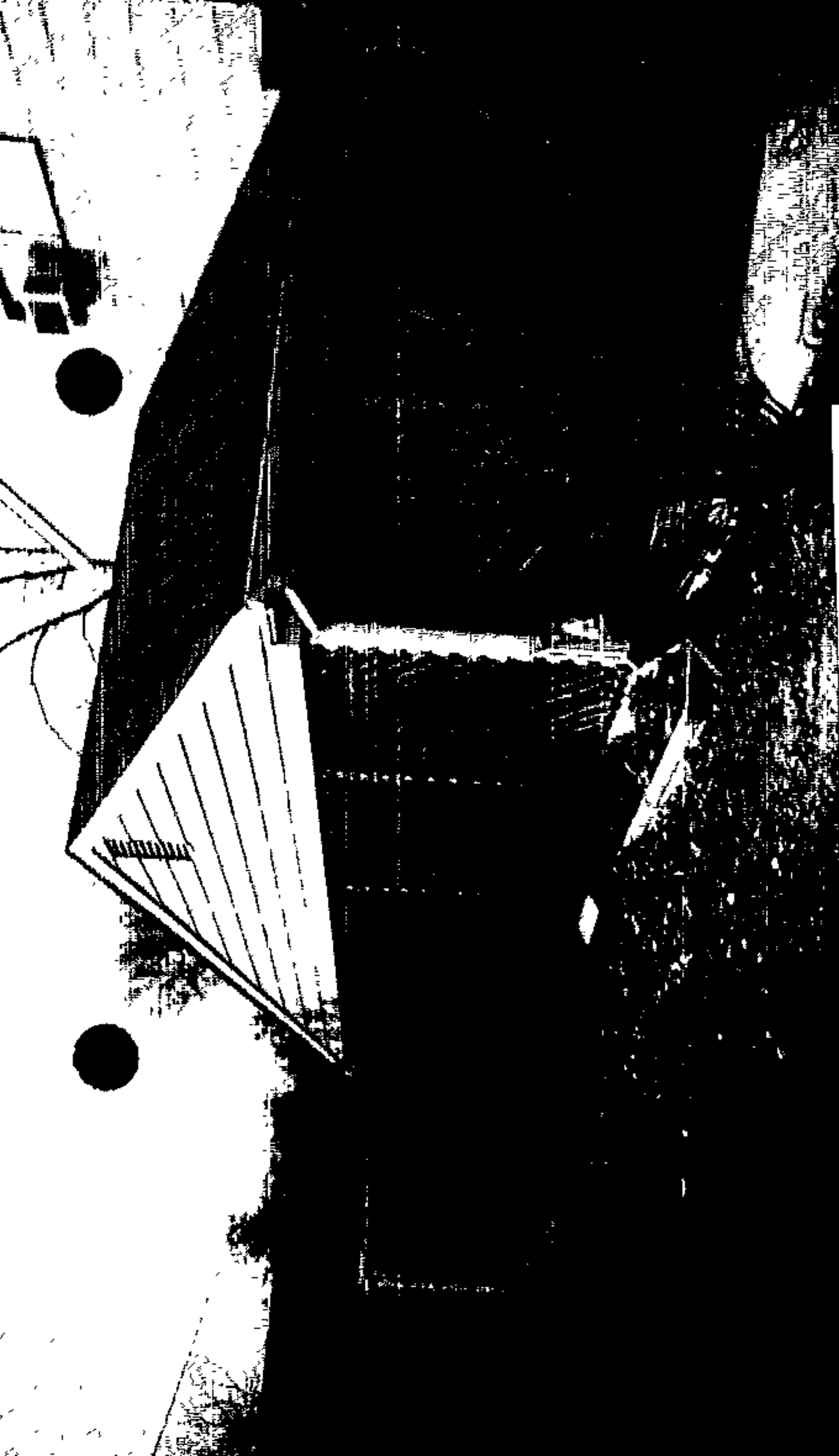
#3-1211 Locust Ave-Right Side View



#4-1211 Locust Ave- Front View



#5-1211 Locust Ave.
Carport Front View



#6-1211 Locust Ave-Carport View



#7-1211 Locust Ave--Carport Side View

Area between
1211 Locust Ave
And
1213 Locust Ave

7-1211 Locust Ave - Left Side View
Carport

Area between
1211 Locust Ave
and

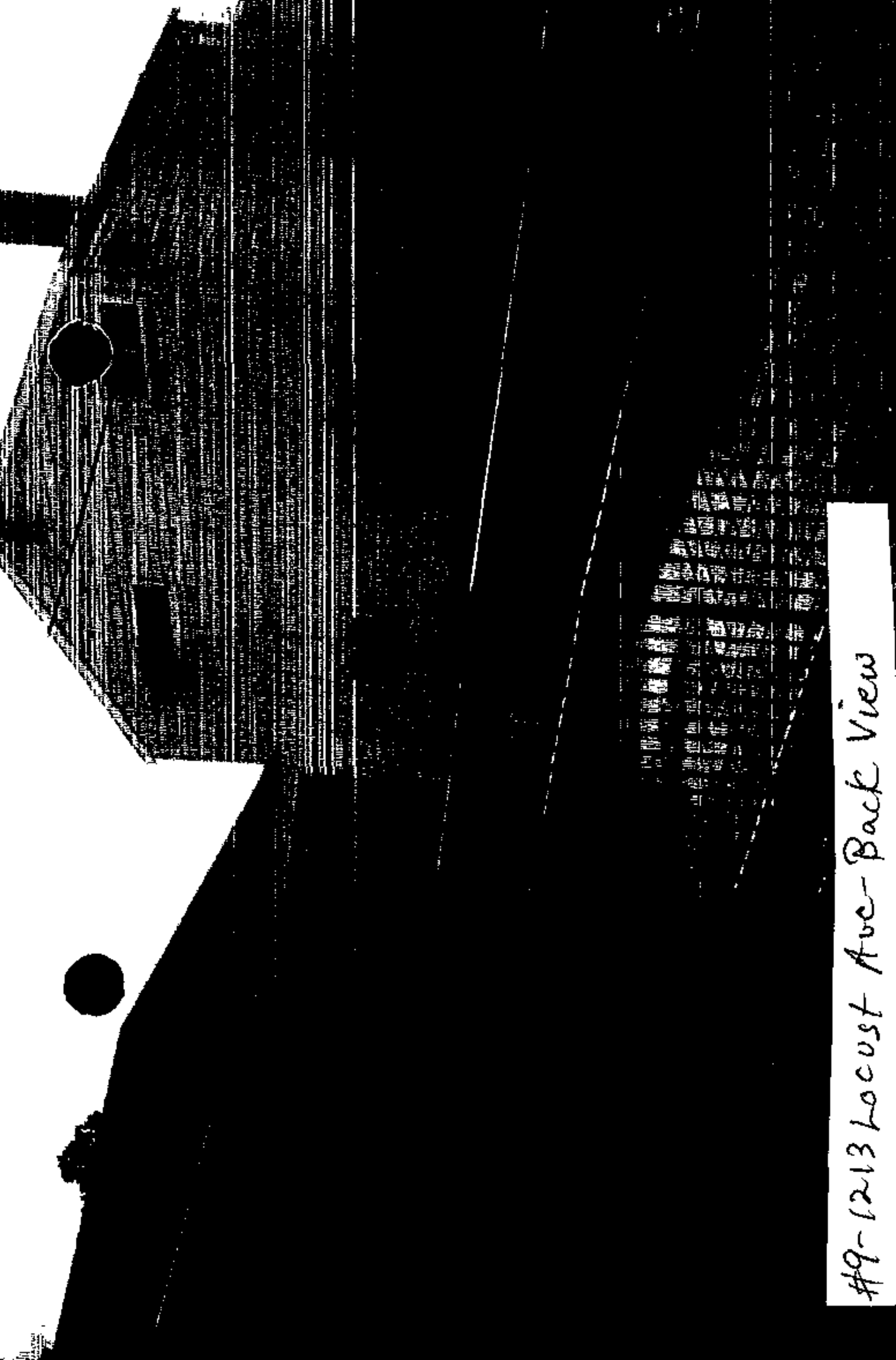
1213 Locust Ave



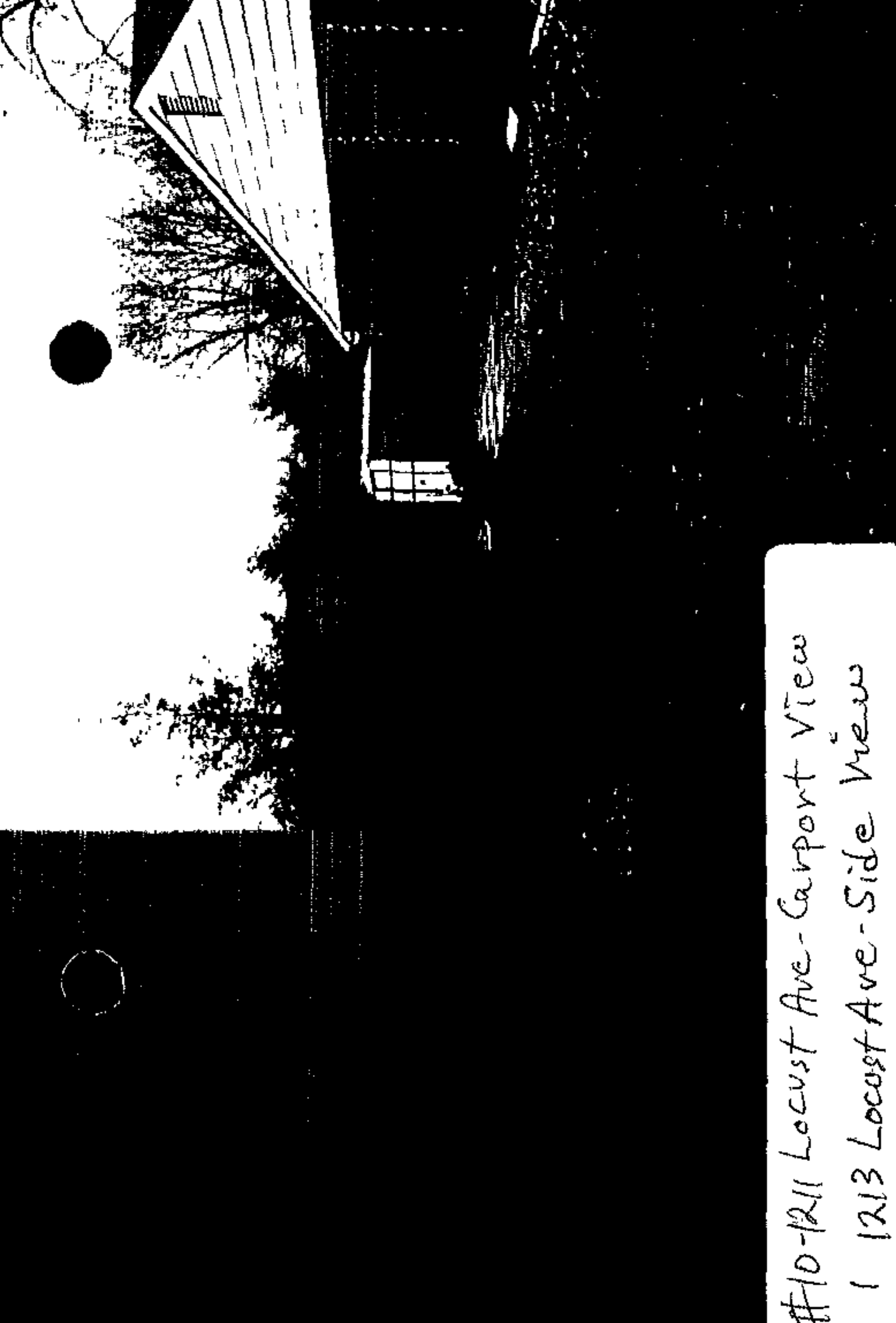
#6-1211 Locust Ave - Carport View



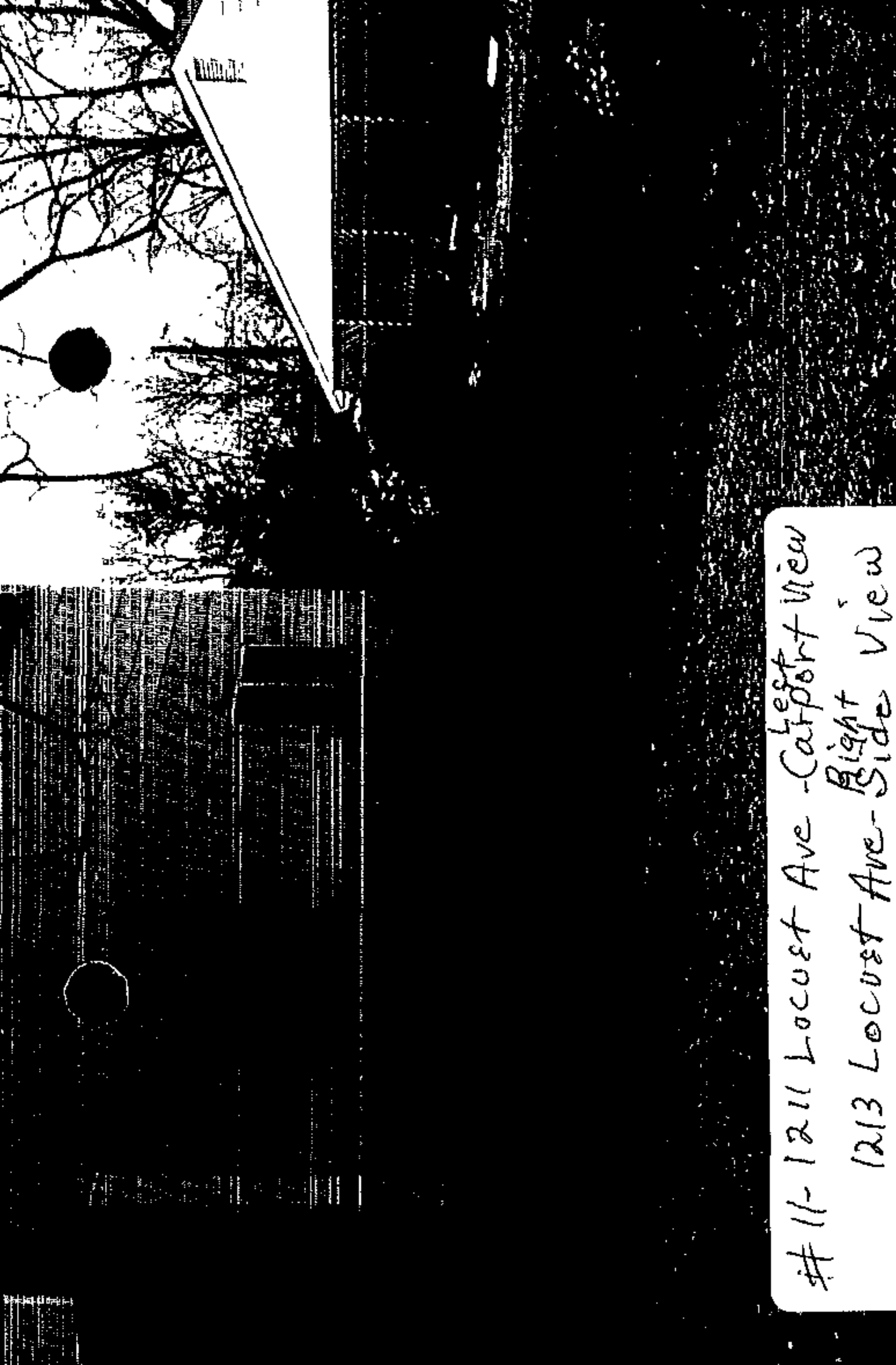
#8-1213 Locust Ave- Back View



#9-1213 Locust Ave-Back View

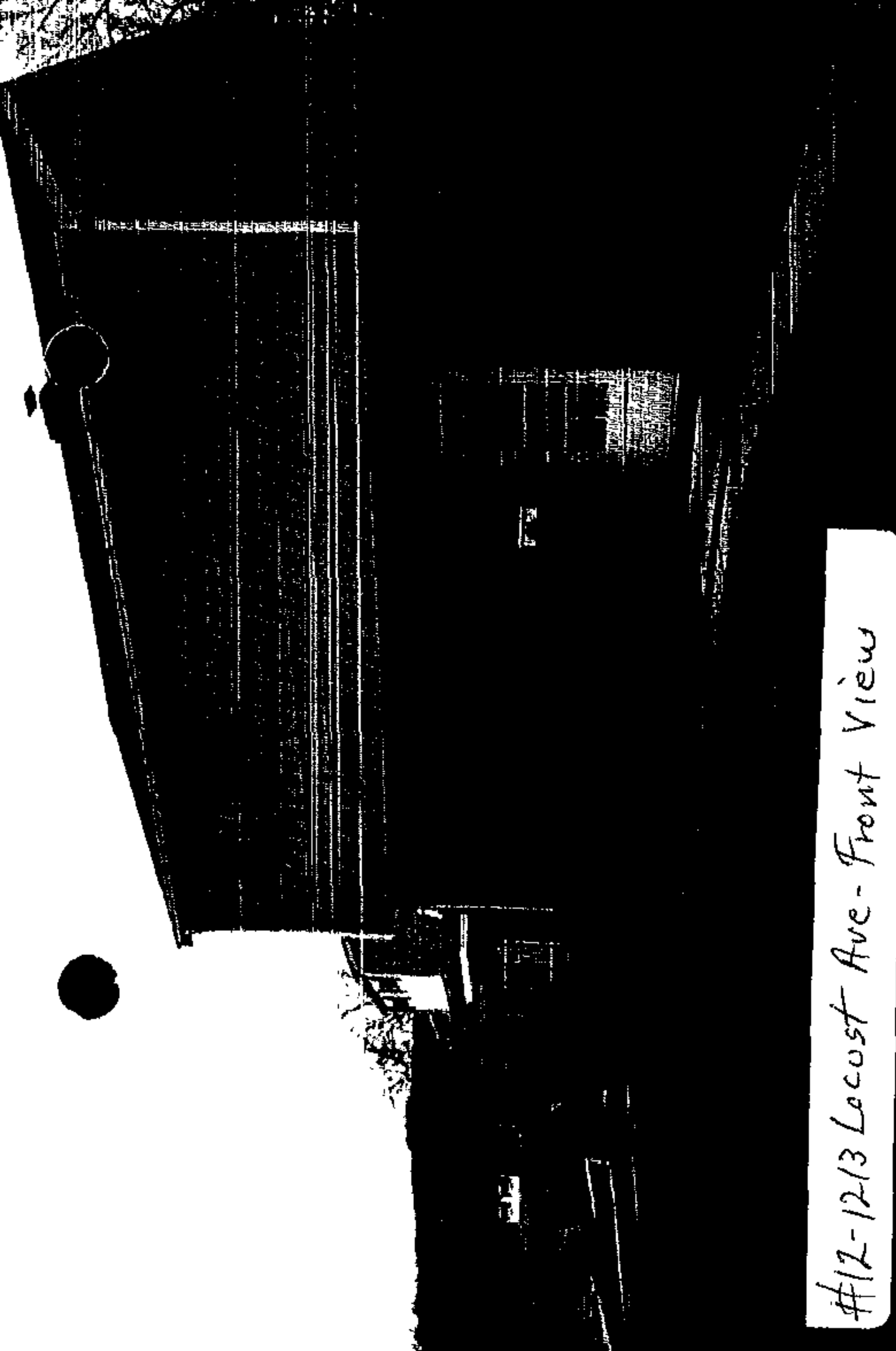


#10-1211 Locust Ave - Carport View
1 1213 Locust Ave - Side View

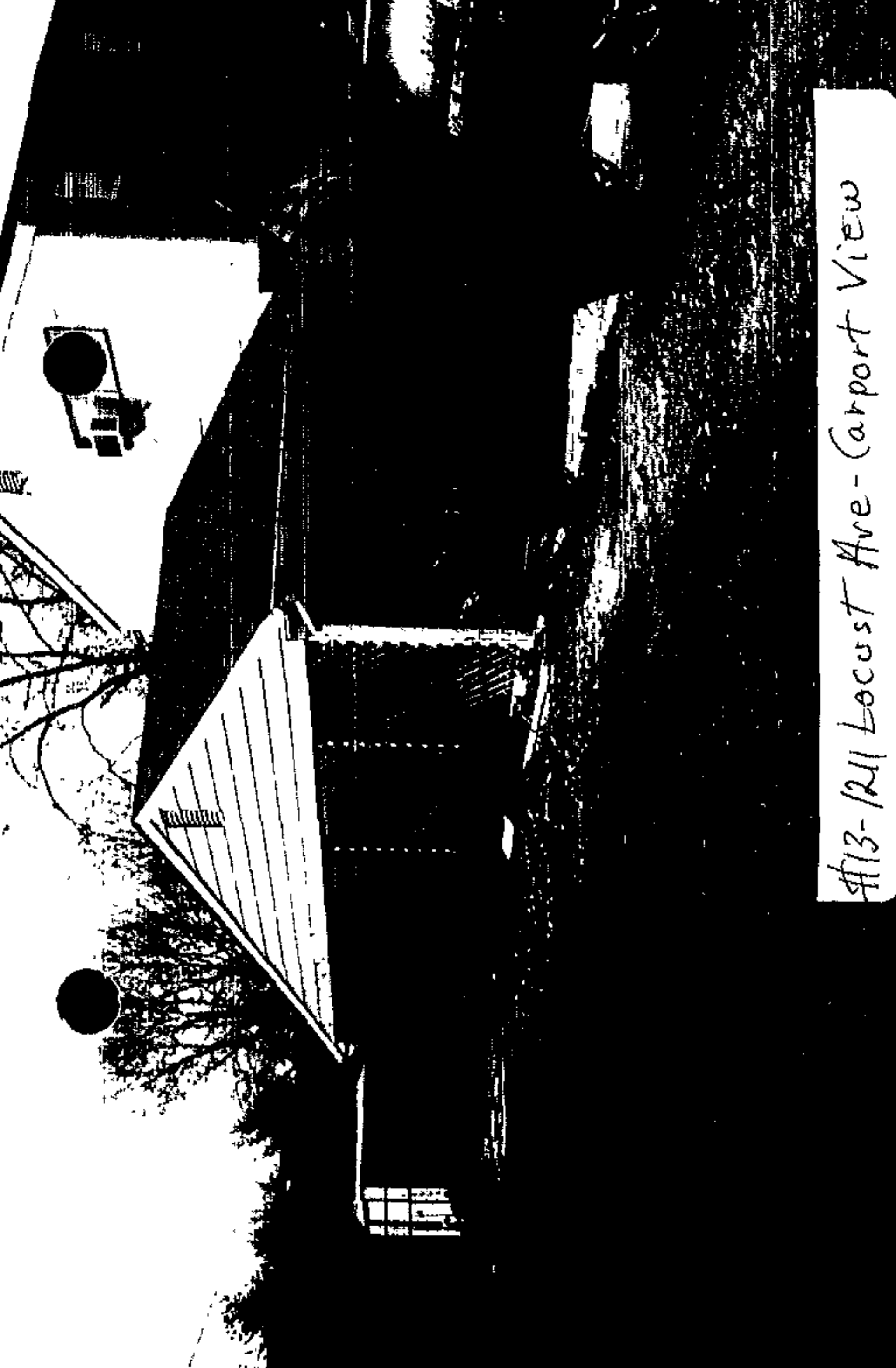


#11-1211 Locust Ave - Carport View

1213 Locust Ave - Right Side View



#12-1213 Locost Ave - Front View



#13-1241 Locust Ave - Carport View