IN RE: PETITION FOR VARIANCE NE/S of Kavanagh Road, 320 ft. SE centerline of Jasmine Road 12th Election District 7th Councilmanic District **(8352 Kavanagh Road)** Katherine A. & Michael P. Callen *Petitioners*	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 04-281-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, Katherine A. and Michael P. Callen. The Petitioners are requesting variance relief for property located at 8352 Kavanagh Road in the eastern area of Baltimore County. The variance request is from (1) Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (shed) to be located in the side yard in lieu of the required rear yard and to be located 2 ft. in lieu of the required 2 ½ ft. from the side lot line; and from (2) Section 400.1.d (2)(A) (Policy Manual), to permit an accessory structure (carport) to be located 7 ft. in lieu of the required 18.75 ft. from the property line on a double frontage lot.

The property was posted with Notice of Hearing on February 8, 2004, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on February 5, 2004 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 307 of the B.C.Z.R. – ***Variances***.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area

regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None. However the Petitioner recognized that his home was located within the Chesapeake Bay Critical Area and therefore there may be further review by DEPRM.

Interested Persons

Appearing at the hearing on behalf of the variance request was Michael Callen, Petitioner. There were no protestants or others in attendance. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Findings of Fact and Conclusions of Law

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 2,700 sq. ft., more or less, zoned D.R.5.5. The subject property is improved by an end of group townhouse, which fronts on Kavanagh Road but has Sandy Plains Road as its rear boundary. The Petitioner testified that this case was triggered by a false report of someone living in the existing shed in the side yard of his home. The Petitioner reports that he replaced an

existing shed at that same location, which had been there for many years that had become in poor condition. He also testified that he could not move the shed to the rear yard because of the narrowing shape of his lot and the existing carport located there. See Petitioner's Exhibit No. 1. He further indicated that he could not move the shed closer his home and away from the property line even 6 inches because the area between the shed and his home is occupied by basement window wells, HVAC equipment, and bay windows on his home.

With regard to the carport, Petitioner reports that it was already there when he bought the home, which he estimates to be at least 10 years old. It is located to the rear of his yard and he could not move it to meet the rear yard setback requirements because of the carport concrete base and the existing porch on the rear of his home. Again, he had no idea that all these existing structures were in violation of the B.C.Z.R. and, but for the zoning inspection, would likely never have guessed there was a problem. The Petitioner submitted many photographs of the surrounding community, which showed similar sheds in the side yards of end of group townhouses, and sheds on the property boundaries. See Petitioner's Exhibit No. 2.

I find that there are special circumstances or conditions on the property that are peculiar to the land or structure, which is the subject of the variance request, such as the shape and narrowness of the lot and the existing structures which were there when the Petitioner bought the property. I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. There simply is no other place to put the carport or shed. Furthermore, I find that such a variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare.

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468

Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

February 24, 2004

Mr. & Mrs. Michael P. Callen
8352 Kavanagh Road
Dundalk, Maryland 21222

Re: Petition for Variance
Case No. 04-281-A
Property: 8352 Kavanagh Road

Dear Mr & Mrs. Callen:

Enclosed please find the decision rendered in the above-captioned case. The petition for 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,

John Murphy

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

CBCA

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8352 KAVANAGH ROAD

which is presently zoned _____

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 to permit an accessory structure (shed) be located in the side yard in lieu of the required rear yard and to be located 2' in lieu of the required 2½' from the side lot line; and Section 400.1d (2)(A) (Policy Manual) to permit an accessory structure (carport) be located 7' in lieu of the required 18.75' from the property line on a double frontage lot.

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

To be presented at the hearing.

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):

MICHEAL PATRICK CALLEN
Name - Type or Print

Signature

KATHERINE ANN CALLEN
Name - Type or Print

Katherine Callen
Signature

8352 KAVANAGH ROAD
Address Telephone No.

DUNDALK MARYLAND 21222
City State Zip Code

410-388-1078

Representative to be Contacted:

Name
SAME AS ABOVE

Address Telephone No.

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By BN Date 12/8/03

RECEIVED FOR FILING Date 12/8/03 By

Case No. 04-281-A

REV 9/15/98

ZONING DESCRIPTION

Zoning Description For 8352 Kavanagh Road

Beginning at a point on the northeast side of Kavanagh Road which is 60 feet wide at the distance of 320 feet southeast of the centerline of the nearest improved intersecting street Jasmine Road which is 60 feet wide. Being Lot # 35, Block 24 in the subdivision of West Inverness as recorded in Baltimore County Plat Book # 19, Folio 105, containing 2,700 square feet. Also known as 8352 Kavanagh Road and located in the 12th Election District, 7th Councilmanic District.

#281

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 31030

DATE 12/08/03 ACCOUNT R000-6150

AMOUNT $ 65.00

RECEIVED FROM: Michael Collen

FOR: Zoning Variance

Item # 281

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
BUSINESS ACTUAL TIME
2/08/2003 12/08/2003 15:56:32 5
REF 0805 WALKIN OWR CHK
RECEIPT # 34124 12/08/2003
Dept 5 528 ZONING VERIFICATION
CR NO. 051650
Recpt Int $65.00
$.00 CK $50.00 CK
$15.00 CA
Baltimore County, Maryland

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: # 04-281-A
8352 Kavanagh Road
NE/side of Kavanagh Road, 320 feet s/east centerline of Jasmine Road
12th Election District – 7th Councilmanic District
Legal Owner(s): Michael and Katherine Callen

Variance: *to permit an accessory structure to be located in the side yard in lieu of the required rear yard and to be located 2 feet in lieu of the required 2 ½ feet from the side lot line, and to permit an accessory structure be located 7 feet in lieu of the required 18.75 feet from the property line on a double frontage lot.*

Hearing: Tuesday, February 24, 2004 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.

2/017 Feb. 5 C648007

CERTIFICATE OF PUBLICATION

2/5/, 2004

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 2/5/, 2004.

- [X] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 04-281-A

Petitioner/Developer: MICHAEL & KATHERINE CALLEN

Date of Hearing/Closing: 2/24/04

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

ATTN: Kristen Matthews {(410) 887-3394}

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: 8352 KANANAGH RD

The sign(s) were posted on 2/8/04
(Month, Day, Year)

Sincerely,

Robert Black 2/8/04
(Signature of Sign Poster) (Date)

SSG Robert Black
(Print Name)

1508 Leslie Road
(Address)

Dundalk, Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(Telephone Number)

RE:	PETITION FOR VARIANCE 8352 Kavanagh Road; NE/side Kavanagh Rd, 320' SE c/line Jasmine Road 12th Election & 7th Councilmanic Districts Legal Owner(s):Michael Patrick & Katherine Ann Callan Petitioner(s)	* * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 04-281-A

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and 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
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
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 5th day of January, 2004, a copy of the foregoing Entry of Appearance was mailed to, Michael P & Katherine A Callen, 8352 Kavanagh Road, Dundalk, MD 21222, Petitioner(s).

RECEIVED
JAN 05 2004
Per.....

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY
Thursday, February 5, 2004 Issue - Jeffersonian

Please forward billing to:
Michael and Katherine Callen
8352 Kavanagh Road
Dundalk, MD 21222

410-388-1078

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: 04-281-A
8352 Kavanagh Road
NE/side of Kavanagh Road, 320 feet s/east centerline of Jasmine Road
12th Election District – 7th Councilmanic District
Legal Owners: Michael and Katherine Callen

Variance to permit an accessory structure to be located in the side yard in lieu of the required rear yard and to be located 2 feet in lieu of the required 2 ½ feet from the side lot line, and to permit an accessory structure be located 7 feet in lieu of the required 18.75 feet from the property line on a double frontage lot.

Hearing: Tuesday, February 24, 2004, 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 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.

Department of Permits and Development Management

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

Baltimore County

James T Smith, Jr., County Executive
Timothy M. Kotroco, Director

January 15, 2004

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: 04-281-A
8352 Kavanagh Road
NE/side of Kavanagh Road, 320 feet s/east centerline of Jasmine Road
12th Election District – 7th Councilmanic District
Legal Owners: Michael and Katherine Callen

Variance to permit an accessory structure to be located in the side yard in lieu of the required rear yard and to be located 2 feet in lieu of the required 2 ½ feet from the side lot line, and to permit an accessory structure be located 7 feet in lieu of the required 18.75 feet from the property line on a double frontage lot.

Hearing: Tuesday, February 24, 2004, at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Timothy Kotroco

Timothy Kotroco
Director

TK:klm

C: Michael and Katherine Callen, 8352 Kavanagh Road, Dundalk 21222

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, FEBRUARY 9, 2004.**
(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.

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: 04-281-A

Petitioner: Michael & Katherine Callen

Address or Location: 8352 Kavanagh Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Michael & Katherine Callen

Address: 8352 Kavanagh Rd.
Dundalk/ West Inverness Md. 22

Telephone Number: 410-388-1078(H) 410-977-6555(C)

Revised 2/20/98 - SCJ

copy of sign posters list given to applicant

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

February 20, 2004

Michael P. Callen
Katherine A. Callen
8352 Kavanagh Road
Dundalk Maryland 21222

Dear Mr. and Mrs. Callen:

RE: Case Number:04-281-A, 8352 Kavanagh Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 8, 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:clb

Enclosures

c: People's Counsel

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

January 5, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: December 29, 2003

Item No.: 280-285, 287-299

6. 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: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: February 2, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For January 5, 2004
Item Nos. 280, 281, 282, 284, 285, 286,
288, 289, 290, 291, 292, and 299

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

RWB:jrb

cc: File

Jack 2/24

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: January 6, 2004

RECEIVED
JAN 07 2004
ZONING COMMISSIONER

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

SUBJECT: Zoning Advisory Petition(s): **Case 04-281 and 04-287**

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: Mark A Cunningham

Section Chief: Lyn Lanham

AFK/LL

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

State Highway Administration
Driven to Excel

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 1·7·04

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

RE: Baltimore County
Item No. 281 BPR

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,

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

PLEASE PRINT CLEARLY

CASE NAME 8352 Kavanagh Rd
CASE NUMBER 04-281-A
DATE 2/24/04

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Michael Callen	8352 Kavanaugh Rd	Dundalk 21222	

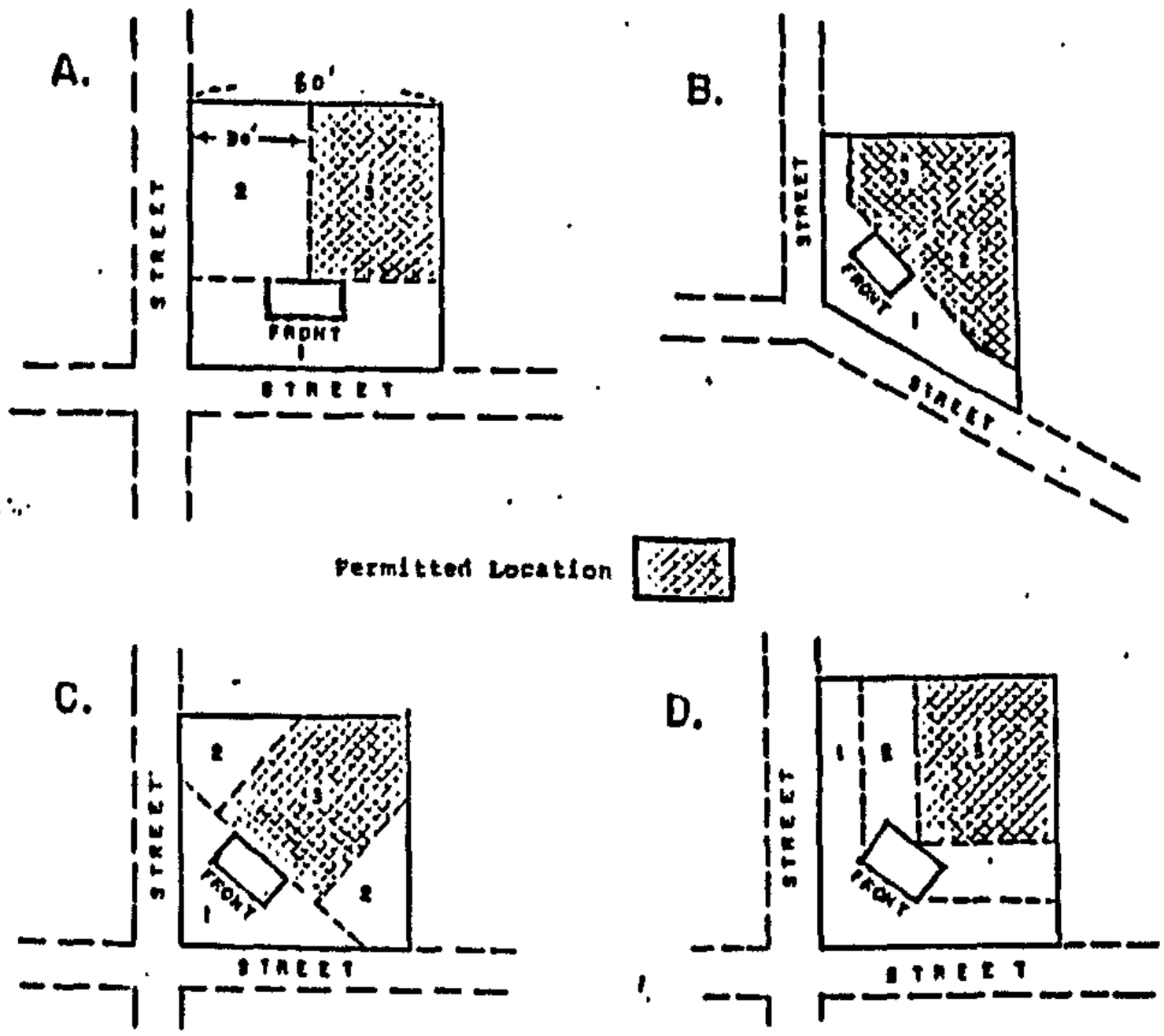
ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 04-281-A

Date Completed/Initials	
1-15-04	PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)
	DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)
	TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)
	UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)
	COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)
	POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)
	RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)
2/5/04	INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)
2/5/04 2/8/04	ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)
02/20/04 CLK	COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)
	FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

SECTION
400.1.d ACCESSORY STRUCTURES/USES

(1) Corner Lots - Location Diagrams:

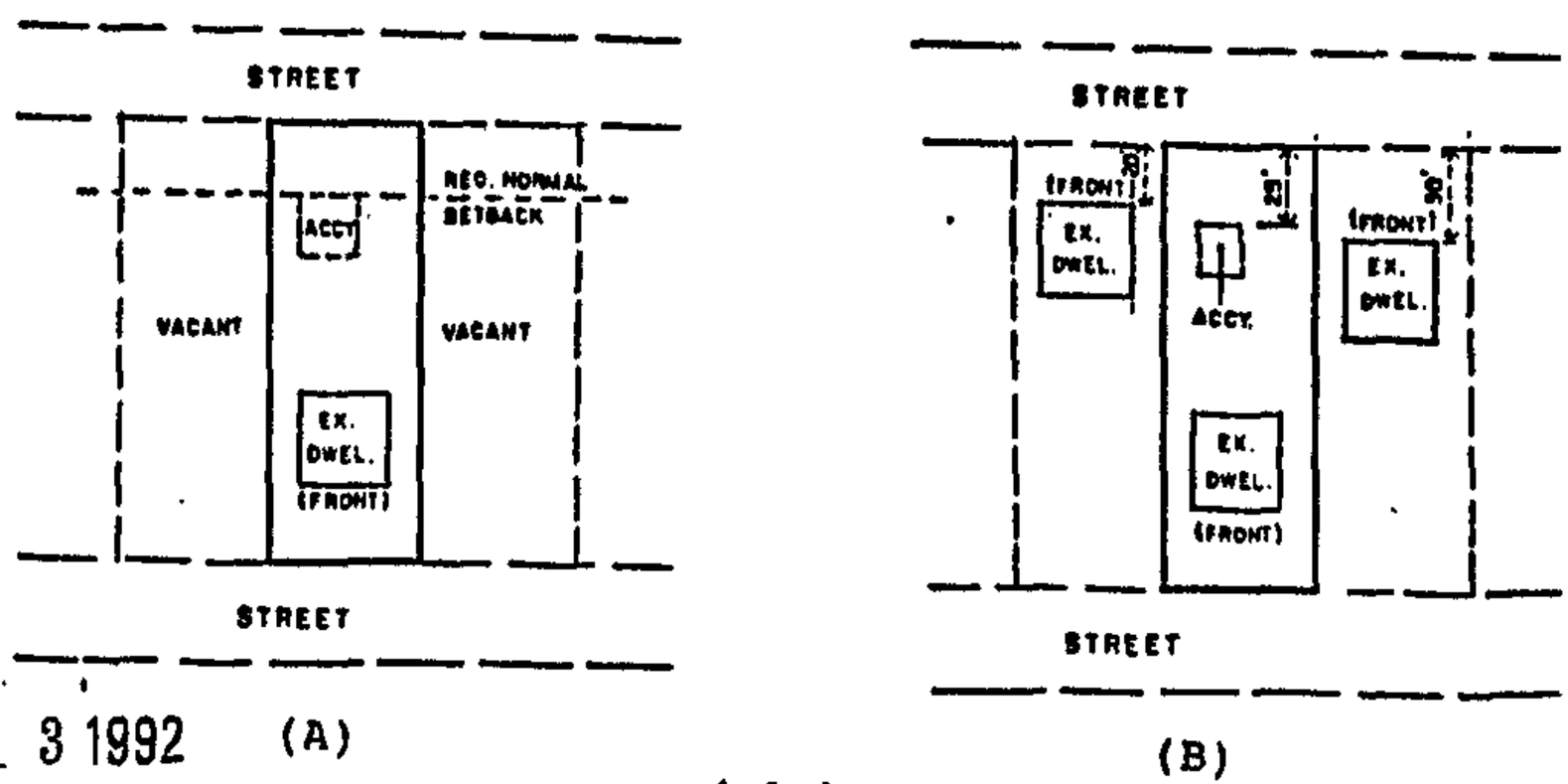


PERMITTED ACCESSORY BUILDING OR USE LOCATION

(2) Double Frontage Lots

(A) Accessory structures/uses on double-frontage lots shall not be closer to a street right-of-way line than the setback required for a principal dwelling.

(B) Where street setbacks have been established by existing dwellings on adjoining properties, Section 303.1 shall be utilized to determine the average setback.



(A) (B)

APPROVED MAY 1 3 1992

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

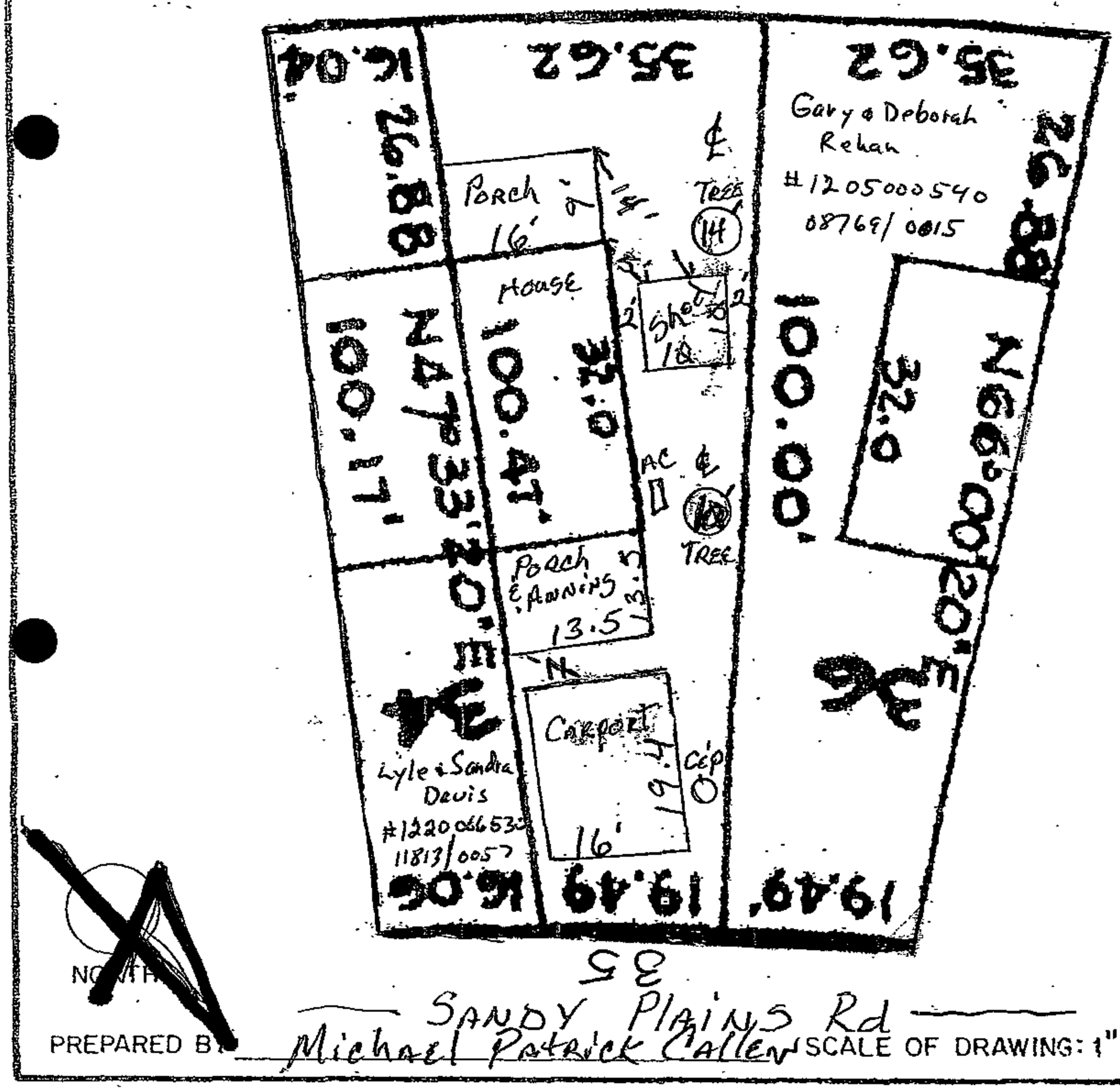
PROPERTY ADDRESS 8352 Kavanagh Rd.

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

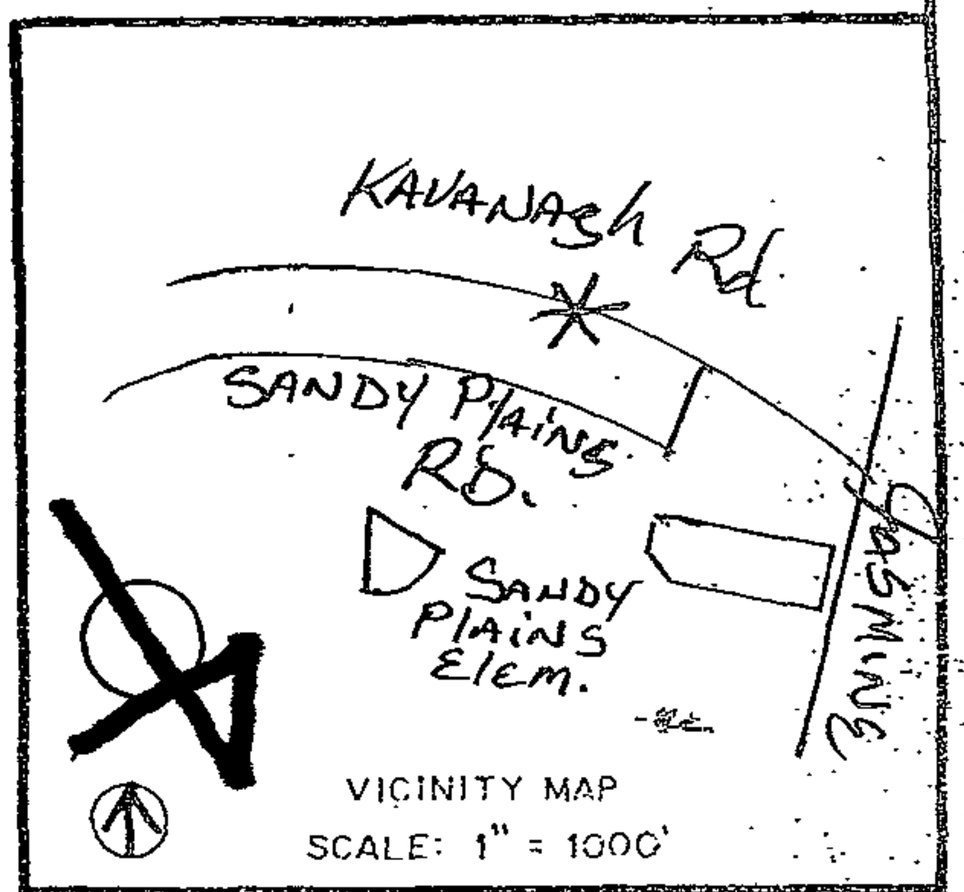
SUBDIVISION NAME West Inverness

PLAT BOOK # 19 FOLIO # 185 LOT # 35 SECTION # ____

OWNER Michael & Katherine Callen



PREPARED BY Michael Patrick Callen SCALE OF DRAWING: 1" = 20'



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 12

COUNCILMANIC DISTRICT 7

1"=200' SCALE MAP # SE4G

ZONING DR5.5

LOT SIZE ____ ACREAGE / 2700 SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☒	☐
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒

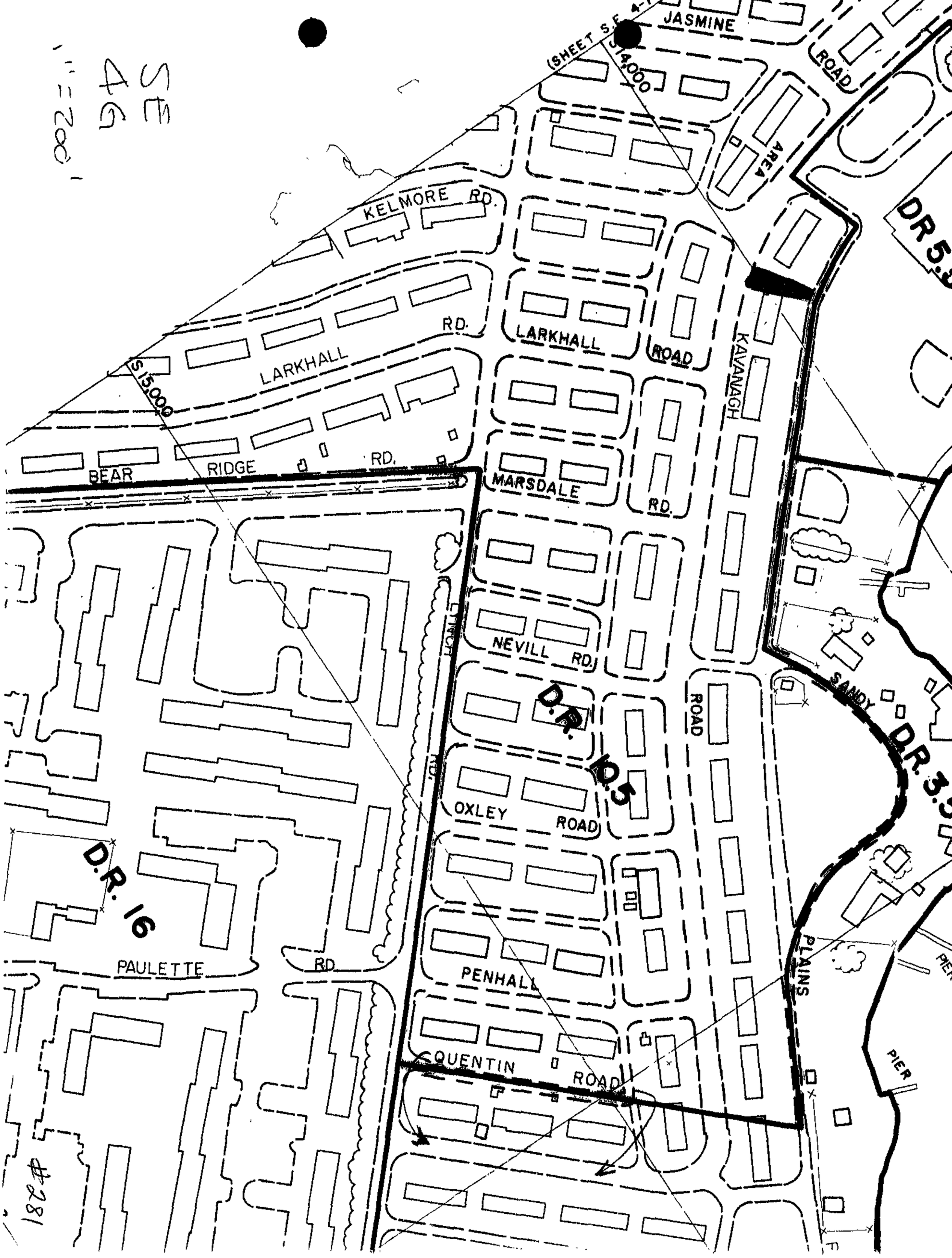
PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY

REVIEWED BY	ITEM #	CASE #
BK	281	04-281-A

-15-

Pet. Ex. #1


JASMINE
ROAD
(SHEET S.E. 4-1)
S 14,000
AREA
KELMORE RD.
DR 5.5
LARKHALL
RD.
LARKHALL
ROAD
KAVANAGH
S 15,000
BEAR
RIDGE
RD.
MARSDALE
RD.
NEVILL RD.
SANDY
D.R. 3.5
D.R. 10.5
ROAD
OXLEY
ROAD
D.R. 16
PAULETTE
RD
PENHALL
PLAINS
QUENTIN
ROAD
PIER

Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

Petitioner's
EXHIBIT
No. #2
04-281-A

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Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED, this 24 day of February, 2004, by this Deputy Zoning Commissioner, that the Petitioner's request for variance from (1) Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (shed) to be located in the side yard in lieu of the required rear yard and to be located 2 ft. in lieu of the required 2 ½ ft. from the side lot line; and from (2) Section 400.1.d (2)(A) (Policy Manual), to permit an accessory structure (carport) to be located 7 ft. in lieu of the required 18.75 ft. from the property line on a double frontage lot, be and it is hereby GRANTED.

IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.

John V. Murphy

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING
Date 2/24/04
By R. Jameson