

IN RE: PETITION FOR SPECIAL HEARING
SW/S Carroll Street, 20' SE of the c/l
Landington Avenue
(5617 Carroll Street)
1st Election District
1st Council District

Bismarck G. Castaneda, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 04-303-SPH

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by Bismarck G. Castaneda, and his wife, Silvia Castaneda, owners of the subject property known as 5617 Carroll Street, located in the Catonsville Manor subdivision in western Baltimore County. The Petitioners request a special hearing seeking approval of an amendment to the site plans and Orders issued in prior Cases Nos. 04-140-SPH, 96-175-SPHA and 79-257-A to permit a fourth electric meter and a second existing in-law apartment (total of three kitchens within the dwelling). The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request was Bismarck G. Castaneda, property owner. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is located on the southeast corner of the intersection of Carroll Street and Landington Avenue near Ingleside Avenue and Maryland Route 40 in Catonsville. The property contains a gross area of 0.24 acres (10,500 sq.ft.), more or less, zoned D.R.5.5 and is improved with a single-family dwelling in which the Petitioners have resided for the past 30 years. Pursuant to the Order issued by the undersigned on December 29, 1995 in Case No. 96-175-SPH, the Petitioners were granted approval to construct an addition over an existing garage on the south side of the dwelling to

ORDER RECEIVED FOR FILING

Date

By

3/17/04

[Signature]

provide an in-law apartment for Mr. Castaneda's mother. She was apparently residing with other family members who were moving out of state at that time and the Petitioners proposed to provide living quarters for her within their home. Although the apartment is currently vacant, the Petitioner's father is in poor health and is in the process of moving back to the area from Jacksonville.

Recently, in Case No. 04-140-SPH, the Petitioners sought approval of a second electric meter for the existing in-law apartment, and confirmation that a proposed home office/sales business met the requirements of a "home occupation" as defined in the B.C.Z.R. In addition, the Petitioners sought approval of a third electric meter for the home office, if same were granted and an amendment to the previously approved site plan in Case No. 96-175-SPHA to reflect the proposed modifications. By Opinion and Order dated November 20, 2003, Deputy Commissioner John V. Murphy granted the requested relief. As noted therein, Mr. Castaneda is a professional engineer employed with Motion Industries, Inc., as a design and sales engineer specializing in hydraulic drives for heavy industry. Mr. Castaneda anticipates establishing a small office in his home upon retirement and keeping files, computer equipment, etc. to continue working as a consultant. There are no customers who will visit the site; no merchandise or sales will be made from the premises; and there will be no signs announcing the presence of the business. Separate electric meters were requested in order to keep expenses between the dwelling, the in-law apartment and home office separate.

The Petitioners now come before me seeking approval of a fourth electric meter. In this regard, the basement of the dwelling was recently converted to an apartment for the Petitioners' daughter, who apparently moved back home following a divorce. Mr. Castaneda indicated that he had improperly filed his request in the prior case (Case No. 04-140-SPH). That is, although all four meters have been anticipated for some time, he inadvertently requested approval for three, not realizing that his daughter's apartment downstairs would require a separate meter. Thus, relief is requested to amend the previously approved plan and Order.

ORDER RECEIVED FOR FILING

Date 3/17/04
By [Signature]

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested relief. There is no additional construction proposed and the house will remain in its present size and configuration. The separate living quarters for the in-laws and the Petitioner's daughter are already existing and each contains its own kitchen facilities. Mr. & Mrs. Castaneda will continue to occupy the original single family dwelling area as their residence and upon his retirement, Mr. Castaneda will establish his home office in the dwelling.

There were no Protestants or other interested persons from the neighborhood present. Moreover, there were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency. However, an informational comment was received from Jeff Perlow of the Zoning Review Division of the Department of Permits and Development Management. His comments are well taken and accurate. Mr. Castaneda was advised in open hearing that these comments would be attached as conditions to the relief granted. Specifically, he was advised that the primary purpose and principal use of the property must continue to be as a single-family dwelling and that all other uses on the property must be accessory thereto. Moreover, the additional living quarters shall be restricted to family members, only, and cannot be used as separate residential units. In addition, the Petitioners shall record a copy of the Order in the Land Records of Baltimore County within sixty (60) days of the date hereof to provide notice to potential purchasers and future occupants of the restrictions attached to the use of the property.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of March 2004 that the Petition for Special Hearing seeking approval of an amendment to the site plans and Orders issued in prior Cases Nos. 04-140-SPH, 96-175-SPHA and 79-257-A to permit a fourth electric meter and a second existing in-law apartment (total of three kitchens within the dwelling), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

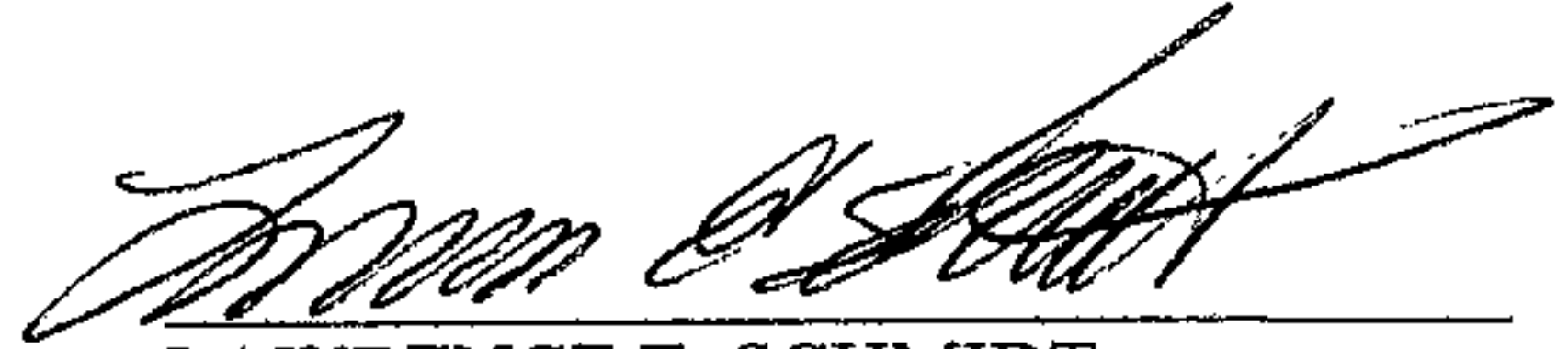
ORDER RECEIVED FOR FILING

Date

By

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 1A04.3.B.2 and 102.2 to permit a distance between said structures of 20 feet in lieu of the required 100 feet, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their use permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The primary purpose and principal use of the subject property is as a single-family dwelling. All living quarters must be occupied by family members, only.
- 3) A copy of this Order shall be recorded in the Land Records of Baltimore County within sixty (60) days of the date hereof to provide notice to potential purchasers and future occupants of the restrictions attached to the use of the subject property.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date

3/17/14

By



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

March 16, 2004

Mr. & Mrs. Bismarck G. Castaneda
5617 Carroll Street
Baltimore, Maryland 21207

RE: PETITION FOR SPECIAL HEARING
SW/S Carroll Street, 20' SE of the c/l Landington Avenue
(5617 Carroll Street)
1st Election District – 1st Council District
Bismarck G. Castaneda, et ux - Petitioners
Case No. 04-303-SPH

Dear Mr. & Mrs. Castaneda:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Jeff Perlow, Zoning Review, DPDM
People's Counsel; Case File

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





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 5617 CARROLL ST BALD.MD 21207
which is presently zoned DR S.S

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

AN AMENDMENT TO THE ORDERS AND SITE PLANS IN ZONING CASES 04-140-SPH, 96-175-SPHA & 79-257-A TO ALLOW A FOURTH ELECTRIC METER AND A SECOND EXISTING IN-LAW APARTMENT (TOTAL OF 3 KITCHENS WITHIN THE DWELLING).

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, 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

Case No. 04-303-SPH

Date 12/15/98

By [Signature]

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

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JNP Date 12/23/03

ORDER RECEIVED FOR FILING

Date 12/15/98
By [Signature]

ZONING DESCRIPTION

ZONING DESCRIPTION FOR: 5617 CARROLL ST. BALTIMORE MD. 21207

Beginning at a point on the Southwest side of Carroll St. Which is 40' wide
At the distance of 20 feet Southeast of the center line of the nearest improved
intersecting street Landington Ave. Which is 40 feet wide, being lot #s 23,24,25,
26 and 27, Block 18 in the Subdivision of Catonsville Manor as recorded in
Baltimore County Plat Book # 6, folio # 160 containing 10,500 Sq/Ft. Also known as
5617 Carroll Street, and located in the 1st. Election District 1 Councilmanic District
Zoned DR 5.5

04-303-SPH

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 30506

DATE 12/23/02 ACCOUNT 001-006-6150

AMOUNT \$ 65.00

RECEIVED FROM: Casteneda

FOR: Special Meeting (04-303-SPH)
5617 CARROLL STREET

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

RECEIVED BY: WALKIN KIM KIM 4
DATE: 12/23/2003 TIME: 12:04:07

REF NO: 122324 12/23/2003 OFLN

DEPT: 5 529 ZONING VERIFICATION
EX NO: 030506

Receipt for \$65.00
\$65.00 EA
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: #04-303-SPH

5617 Carroll Street

S/West side of Carroll Street, 20 feet east of Landington Avenue

1st Election District - 1st Councilmanic District

Legal Owner(s): Blsmarck and Silvia Castaneda

Special Hearing: to approve an amendment to the orders and site plans in zoning cases 04-140-SPH, 96-175-SPH, and 79-257-A to allow a fourth electric meter and a second existing in-law apartment (total of 3 kitchens within the dwelling)

Hearing: Wednesday, March 10, 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.

JT/2/806 Feb. 24

0651084

CERTIFICATE OF PUBLICATION

2/26/, 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 2/24/, 2004.

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



LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 04-303-SPH

Petitioner/Developer: BISMARCK & SILVIA
CASTANEDA

Date of Hearing/ Closing: MAR. 10, 2004

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 #5617 CARROLL STREET

The sign(s) were posted on FEB. 23, 2004
(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

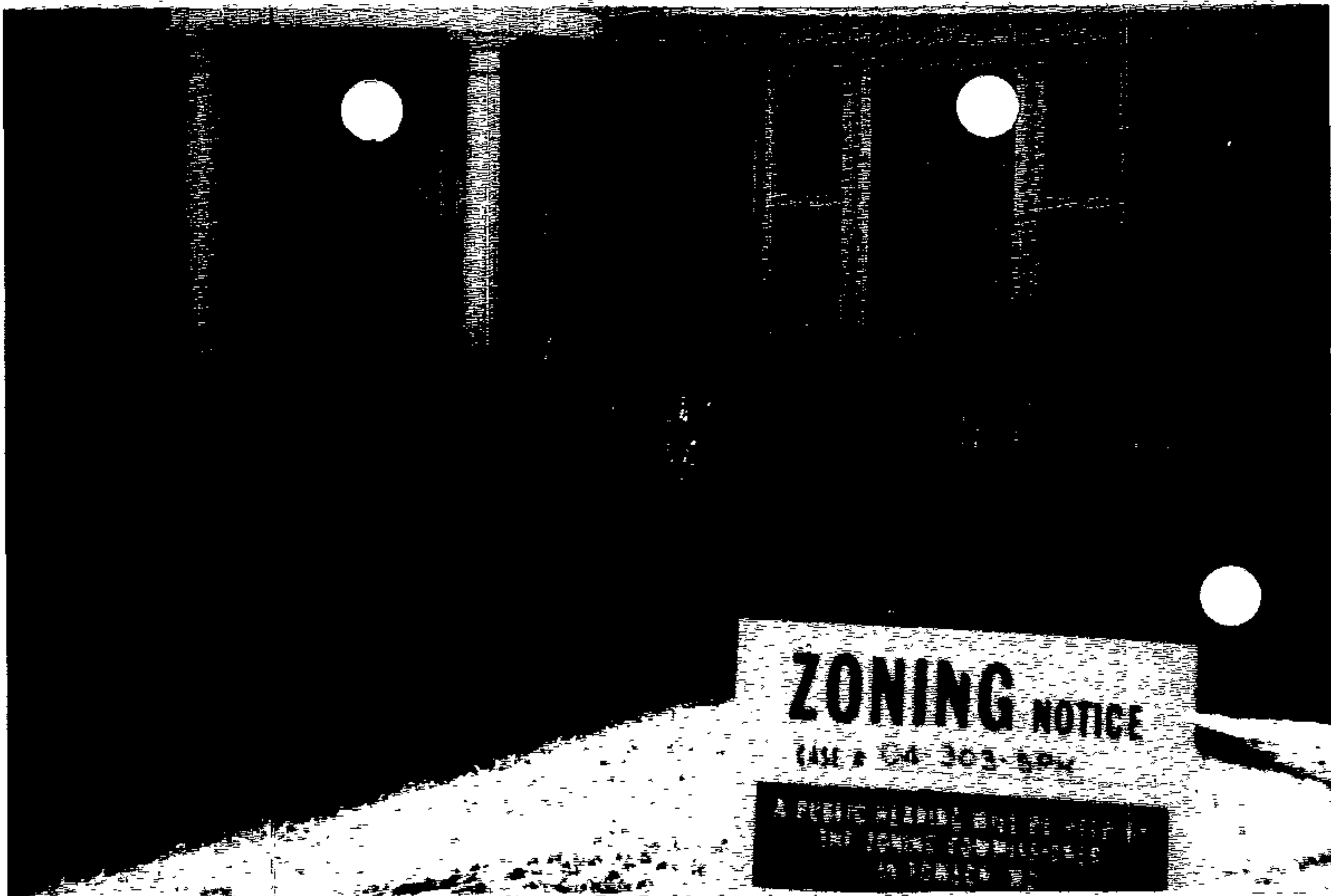
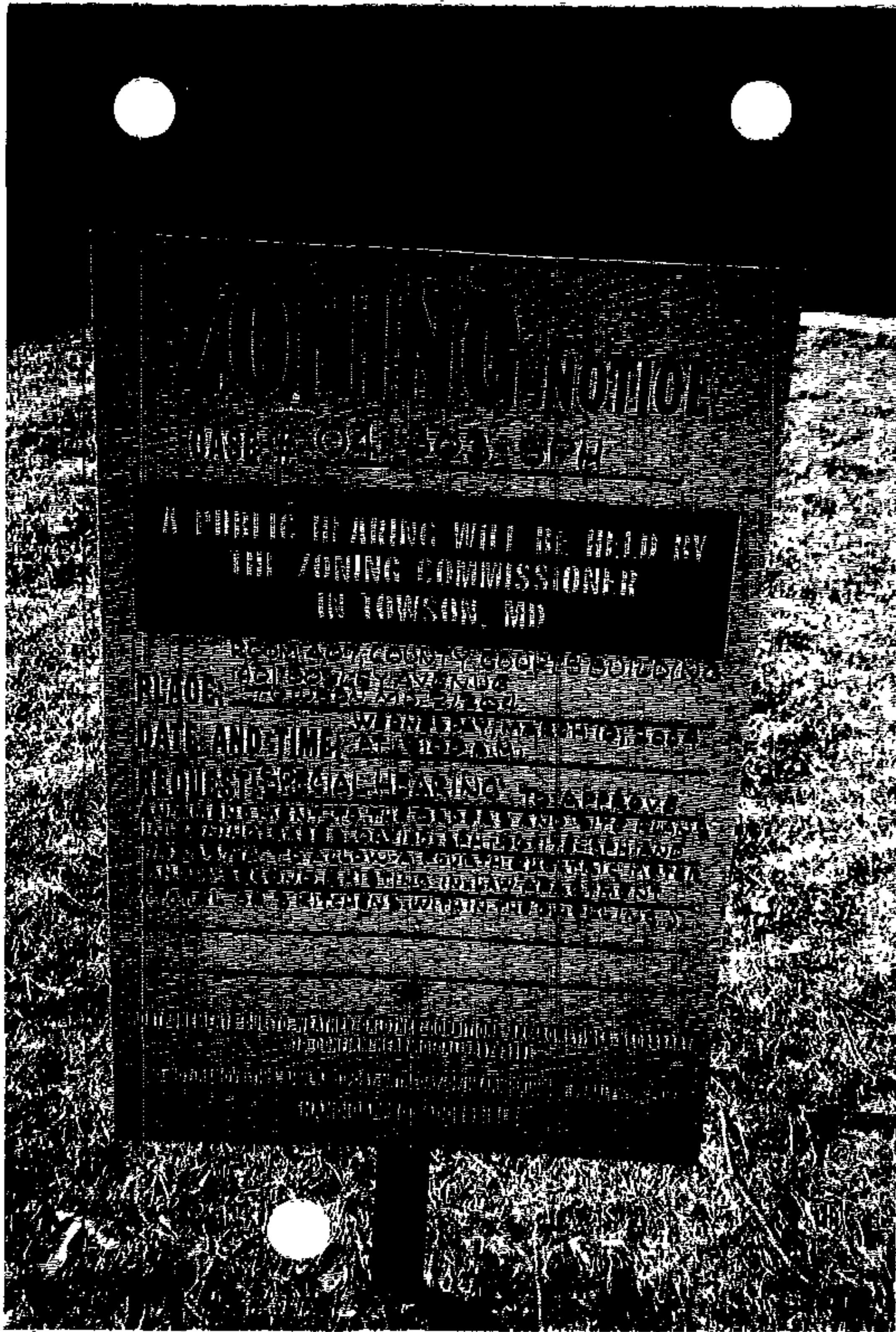
(Address)

BAUTINORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)





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

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

January 16, 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: 04-303-SPH

5617 Carroll Street
S/west side of Carroll Street, 20 feet s/east of Landington Avenue
1st Election District – 1st Councilmanic District
Legal Owners: Bismarck and Silvia Castaneda

Special Hearing to approve an amendment to the orders and site plans in zoning cases 04-140-SPH, 96-175-SPH, and 79-257-A to allow a fourth electric meter and a second existing in-law apartment (total of 3 kitchens within the dwelling).

Hearing: Wednesday, March 10, 2004, at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Bismarck and Silvia Castaneda, 5617 Carroll Street, Baltimore 21207

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, FEBRUARY 24, 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.



TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 24, 2004 Issue - Jeffersonian

Please forward billing to:

Bismarck and Silvia Castaneda
5617 Carroll Street
Baltimore, MD 21207

410-788-3182

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: 04-303-SPH

5617 Carroll Street
S/west side of Carroll Street, 20 feet s/east of Landington Avenue
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401 Bosley Avenue



Lawrence E. Schmidt

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
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: 04-303-SPH

Petitioner: CASTANEDA

Address or Location: 5617 CARROLL STREET

PLEASE FORWARD ADVERTISING BILL TO:

Name: BISHARCK & SILVIA CASTANEDA

Address: 5617 CARROLL ST

BALTIMORE, MARYLAND 21207

Telephone Number: (410) 700-3102

Revised 2/20/98 - SCJ

**Department of Permits and
Development Management**

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



Baltimore County

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

March 3, 2004

Bismarck G. Castaneda
Silvia Castaneda
5617 Carroll Street
Baltimore, Maryland 21207

Dear Mr. and Mrs. Castaneda:

RE: Case Number: 04-303-SPH, 5617 Carroll Street

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 23, 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

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



**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 14, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: January 12, 2004

Item No.: 300-303, 305-310

Dear Ms. Hart:

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

LIEUTENANT JIM MEZICK
Fire Marshal's Office
PHONE 887-4881
MS-1100F

cc: File



Printed with Soybean Ink
on Recycled Paper

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



State Highway
Administration

MARYLAND DEPARTMENT OF TRANSPORTATION

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

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

Date: 1.13.04

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

RE: Baltimore County
Item No. 303 JHP

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 1.800.201.7165 Statewide Toll Free

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

JS
3/10

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: R. Bruce Seeley *RB*
DATE: January 16, 2004
SUBJECT: Zoning Items # See List Below

RECEIVED
MAR 4 2004
ZONING COMMISSIONER

Zoning Advisory Committee Meeting of January 12, 2004

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

04-302

04-303

04-305

04-308

04-309

04-310

Reviewers: Sue Farinetti, Dave Lykens

fs
3/10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 5, 2004

RECEIVED

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

FEB - 5 2004

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case 4-303

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:

Kathy Schlabach

AFK/LL

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 20, 2004
Item Nos. 302, 303, 304, 305, 306, 308,
309, and 310

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

RWB:jrb

cc: File

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
5617 Carroll Street, SW/side Carroll Street, *
20' SE of Landington Avenue * ZONING COMMISSIONER
1st Election & 1st Councilmanic Districts
Legal Owner(s): Bismarck & Silvia Castaneda* FOR
Petitioner(s) *
* BALTIMORE COUNTY
* 04-303-SPH

* * * * *

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 and documentation filed in the case.

RECEIVED

JAN 15 2004

Per.....

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 15th day of January, 2004, a copy of the foregoing Entry of Appearance was mailed to Bismarck & Silvia Castaneda, 5617 Carroll Street, Baltimore, MD 21207, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

NOTE TO FILE

DATE: December 23, 2003

TO: Zoning Commissioner

FROM: Jeffrey Perlow, Planner II
Zoning Review

RE: 04-303-SPH, 5617 Carroll Street
Bismark and Silvia Castaneda, Petitioners
1st Election District, 1st Councilmanic District

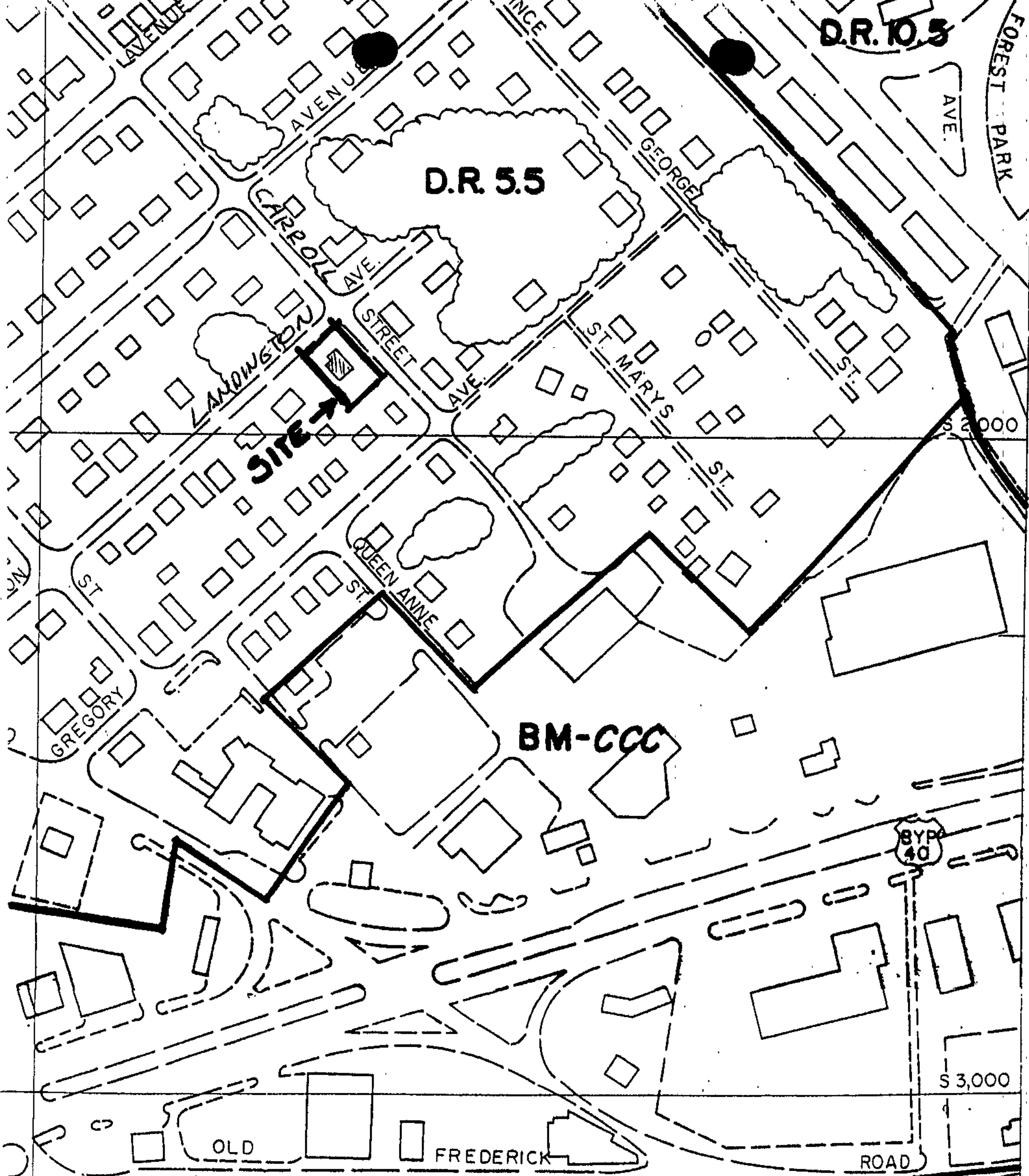
This office has no specific objections regarding the filing of this petition. However, if the petitioners/property owners are granted approval of the special hearing request, staff feels that the following restrictions (similar to the restrictions that we require for an administrative in-law "Declaration of Understanding" for just one in-law apartment) should be considered:

1. Any and all improvements now existing or to be constructed on the subject property shall be used only as a part of a principle use single-family dwelling. No such improvements shall ever be used as a separate living quarter or second residential unit.
2. The kitchen (or kitchens) for the in-law apartments will be constructed as part of the existing living space of the subject property and shall be accessory uses to the principle use of the property as a single-family dwelling. Living quarters for the in-law apartment shall be used only by the in-law and not as an independent residential unit, and shall not be used by any other person or for any other reason.
3. Upon the death of the in-law of either (or both) of the two approved in-law apartments, or if the in-law of either (or both) of the two in-law apartments leaves or otherwise vacates, or if the petitioners/property owners move or sell the subject property, whichever occurs first, the living space of either (or both) of the two in-law apartments shall be incorporated into the living space of the principle use single-family dwelling for the exclusive use of the petitioners/property owners or subsequent purchaser and the second and/or third in-law kitchen (or kitchens) shall be removed and the applicable electrical meters shall be eliminated.
4. A copy of this order shall be recorded in the Baltimore County Land Records Office referencing all restrictions, the petitioners'/property owners' names and the address of the subject property.
5. The granting of this order does not apply to subsequent property owners and/or purchasers and no transfer of the subject property may take place until compliance with the above restrictions is obtained.

ORDER RECEIVED FOR FILING

Date

By



(SHEET SW-1-E)

	SCALE	LOCATION	SHEET
	1" = 200'	CATONSVILLE MANOR	S-W 1-F

04-303-SPH

ODD FELLOWS
CEMETERY
N 530,000

D.R. 5.5

D.R. 10.5

RAMBLING
ACADEMY
OAKS

LANE

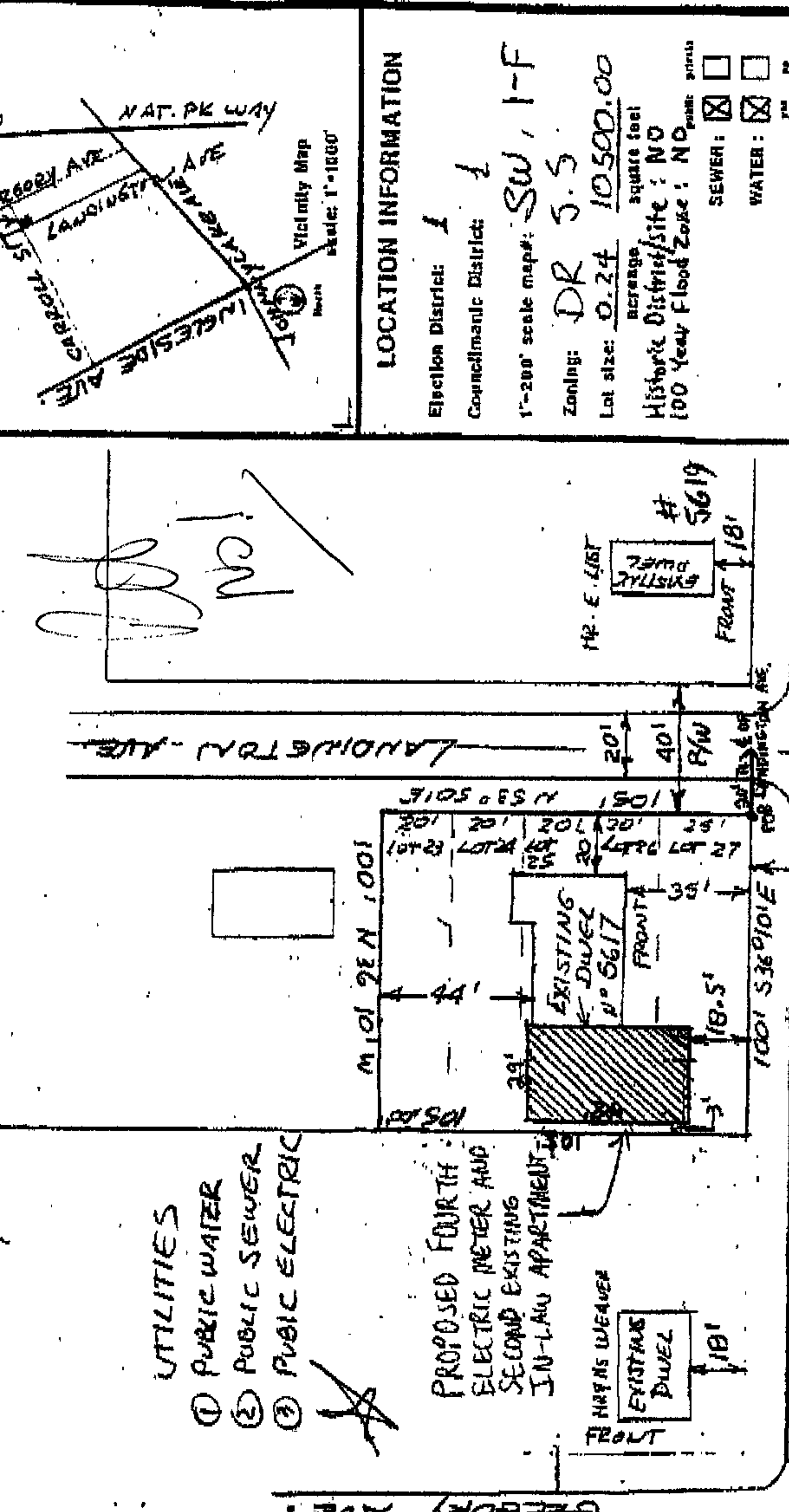
Plat to accompany Petition for Zoning ☐ Variance ☒ Special Hearing

PROPERTY ADDRESS: 5617 CARROLL ST see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: CATONSVILLE HANOR

plat book # 6, folios 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

OWNER: BISMARCK & SILVIA CASTANEDA



Scale of Drawing: 1" = 50'

North
date: 12-23-2003
prepared by: THE OWNER

LOCATION INFORMATION

Election District: 1
Councilmanic District: 1
1"-200" scale map: SW, 1-F
Zoning: DR 5.5
Lot size: 0.24 square feet 10500.00
Historic District/Zone: NO
100 Year Flood Zone: NO
SEWER: ☒
WATER: ☒
Chesapeake Bay Critical Area: ☒
Prior Zoning Hearings: YES
04-140-SFH, 96-175-SFHA, 79-257-SFH

Zoning Office USE ONLY
reviewed by: JNP
ITEM #: 303
CASE#:



FILE: 95-584