IN RE: PETITION FOR VARIANCE S/S of Cliffvale Road, 651 ft. +- NW from centerline of Belair Road 11th Election District 5th Councilmanic District (4123 Cliffvale Road)

> Charles J. Kahl, III Petitioner

- BEFORE THE
- **DEPUTY ZONING COMMISSIONER**
- \* OF BALTIMORE COUNTY
- \* CASE NO. 04-554-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 owner, Charles J. Kahl, III. The Petitioner is requesting variance relief for property located at 4123 Cliffvale Road in the "Cliffvale" subdivision of Baltimore County. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a single-family dwelling on an undersize lot 50 ft. in width in lieu of the required 70 ft., combined sum of side yards of 22.5 ft. in lieu of the required 25 ft. and a side yard of 11.25 ft. in lieu of the required 13.75 ft.

The property was posted with Notice of Hearing on July 27, 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 July 27, 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,

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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.

### Interested Persons

Appearing at the hearing on behalf of the variance request were Michelle Miller and Charles Kahl III, Petitioner. No Protestants or citizens appeared at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

### **Testimony and Evidence**

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 8,600 sq. ft., more or less, and is zoned DR 3.5. The lot is presently vacant and the Petitioner would like to build a new home for himself and future family. The lot is a gift from his grandfather who lives next door.

The subject lot is No. 14 of the "Cliffvale" subdivision, which was recorded in the Land Records of Baltimore County in 1926. See Petitioner's Exhibit No. 4. As such, the lot is 50 ft. wide as are almost all other lots in the subdivision. The DR 3.5 zoning was imposed on the property in 1955 and consequently the lot does not meet the regulations.

Specifically, the lot is required to have 10,000 sq. ft. of area and has only 8600 sq. feet. Also, the lot is only 50 ft. wide and can not meet the 70 ft. width required. The Petitioner indicated that there was no property adjacent to the site that he could purchase to increase the width and area and thus meet the regulations. For example, Lot No. 13 is owned by his

grandfather whose home is already 8 ft. from the property line and therefore does not meet the 10 ft. minimum side yard setback. Any shift of property from his grandfather would make his own lot only more non conforming. Lot No. 15 is also owned by his grandfather but is promised to his siblings. Again, Lot No. 13 is 50 ft. wide and therefore can not contribute to avoid the variance.

In regard to the side yard setback, the Plat to Accompany (Petitioner's Exhibit No. 1) shows the proposed home meets the minimum side yard setback of 10 ft. The home selected by the Petitioner, after an extensive Internet search, is shown on Petitioner's Exhibit No. 2 and is 27.5 ft. wide. This is a standard modular home, which the Petitioner indicated was the minimum that he could use in order to meet his future needs for a family. The home is 27.5 ft. wide so that when centered on the lot the sum of the side yard setbacks is 22.5 ft. wide rather than the 25 ft. sum required. Otherwise, he indicated that the home met all other regulations. He also noted that he could not afford to build an individually designed home which might otherwise meet the sum of the side yard setback requirements.

The Petitioner presented 20 photographs of the subject lot and surrounding neighborhood which indicated that homes indicated on the south side of Cliffvale Road were generally built on 50 ft. wide lots. Thus, he indicated that the proposed home would not be out of character with the neighborhood. This is confirmed by the zoning map included in the case file.

### Findings of Fact and Conclusions of Law

I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. The subject lot is one located in the "Cliffvale" subdivision, which was recorded in the Land Records before the DR 3.5 regulations went into effect. This lot and all the lots in this subdivision were laid out to be 50 ft. wide and can not meet the size or width requirement of the later imposed regulations. As such, these lots are

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impacted differently by the regulations than lots in the area which were laid out in accord with the regulations and are therefore unique in a zoning sense.

In addition, I find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. There is no land on either side of this lot that the Petitioner can obtain to avoid the lot size or width regulations. No increase in residential density beyond that otherwise allowable by the Zoning Regulations will occur as a result of granting these variances.

Finally, I find that these 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. The testimony and evidence indicated that lots in this area have been developed as 50 ft. lots and not double 100 ft. lots. I find that the new home will not change the character of the neighborhood.

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 day of August, 2004, by this Deputy Zoning Commissioner, that the Petitioner's request for variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a single-family dwelling on an undersized lot of 8600 sq. feet in lieu of the 10,000 sq. feet required, a lot 50 ft. in width in lieu of the required 70 ft., and combined sum of side yards of 22.5 ft. in lieu of the required 25 ft is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition;

IT IS FURTHER ORDERED, that the Petitioner's request for a side yard of 11.25 ft. in lieu of the required 13.75 ft. is not needed as the new home meets the minimum 10 ft. side yard setback.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:raj

### 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

\frac{\lambda}{3} August 17, 2004

Mr. Charles J. Kahl, III 1302 Cooptown Road Forest Hill, Maryland 21050

Re: Petition for Variance
Case No. 04-554-A
Property: 4123 Cliffvale Road

Dear Mr. Kahl:

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 V. Murphy

Deputy Zoning Commissioner

JVM:raj Enclosure

c: Michelle H. Miller 344 Wye Road Baltimore, MD 21221





## Petition for Variance

### to the Zoning Commissioner of Baltimore County

for the property located at 4123 Cliffone Rd which is presently zoned DR 3.5

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) 304 1 1602.3. C. 1; BCZR To Devenit a Single-family dwelling on an UnderSIZd lot. 50 ft. in Width in lieu of the required 70 ft, combined 50m 9522 1955 to In lieus of the required 25 ft and a Side yard of 11.25 ft in lieu of the required 13.75 ft.

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

PREENTED @ 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.

is t	he subject of this Pe	etition.			
Contract Purchaser/Lessee:		<u>Legal Owne</u>	r(s):		
Charles J. Kahl III		Charle	es J. Kal	hl TII	
Name - Type or Print		Name - Type or P	Print		
Signature		Signature			
1302 Goptoma Rd (410)	668-0033	<del></del>			
Address	Telephone No.	Name - Type or P	Print		
rocest Hill MD City State	21050				
City	Zip Code	Signature		h	18/443) 271 - 4581
Attorney For Petitioner:		1302 Co	optown	Rd	(410) 668-0033
		Address	-		Telephone No.
		Forest	Hill	MD	21050
Name ppe of Print		City		State	Zip Code
		<u>Representat</u>	<u>tive to be</u>	Contacted:	
Signature		<	- AW-	2	
Company	· • · · · · · · · · · · · · · · · · · ·	Name	<del></del>		
Address	Telephone No.	Address			Telephone No.
City	Zip Code	City		State	Zip Code
			<u>OFFICE</u>	USE ONLY	
Cose No. 104-554A		ESTIMATED I	LENGTH C	OF HEARING	<del></del>
X I	<del>.</del>	UNAVAILABL	E FOR HE	ARING	
REV 9/15/98	Reviewed B	y <del>\ C</del> 4\\	Date _	5.28.0	<del></del>
INE V 3/ 13/30		<b>\( \)</b>			`

Zoning description for 4123 Cliffvale Rd.

Beginning at a point on the south side of Cliffvale Rd. which is 15ft. wide at the distance of 651ft west of the centerline of the nearest improved street Bel Air Rd. Which is 40ft. wide. Being lot #14, block N/A, section#N/A, in the subdivision of Cliffvale as recorded in the Baltimore County Plat Book #8, Folio #49, containing 8,600 square ft. Also known as 4123 Cliffvale Rd and located in the 11 Election District, 5 Councilman District.

BALTIMORE COUNTY, MARKLAND OFFICE OF BUDGET & MINANCEF MISCELLANGOUS RECEIPT ACCOUNT ACCOUNT	PHOWING CONTRACTOR OF THE PROPERTY OF THE PROP	FORI MENTER MANUEL MINK-LABENCY THE PROPERTY OF THE PROPERTY O	

The Zoning Commissioner of Baltimore County by authority of the Zoning Act and Regulations of Baltimore County will held a public hearing in Towson, Maryland on the property identified herein as follows:

Case #04-554-A
4123 Cliffvale Read

S/side of Cliffvale Road, 651 +/- n/west from centerline of Bel Air Road

11th Election District - 5th Councilmanic District
Legal Owner(s): Charles J. Kahl, III

Variance: to permit a single family dwelling on an undersize lot of 50 feet in width in fieu of the required 70 feet, combined sum of sideyards of 22.5 feet in fieu of the required 25 feet and a side yard of 11.25 feet in lieu of the required 13.75.

Hearing: Thursday, August 12, 2004 at 11:00 a.m. in Room 467, County Courts Building, 401 Bosley Avenue.

Ane.

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.

14533

### CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 727,20 <u>04.</u>
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News
Phino

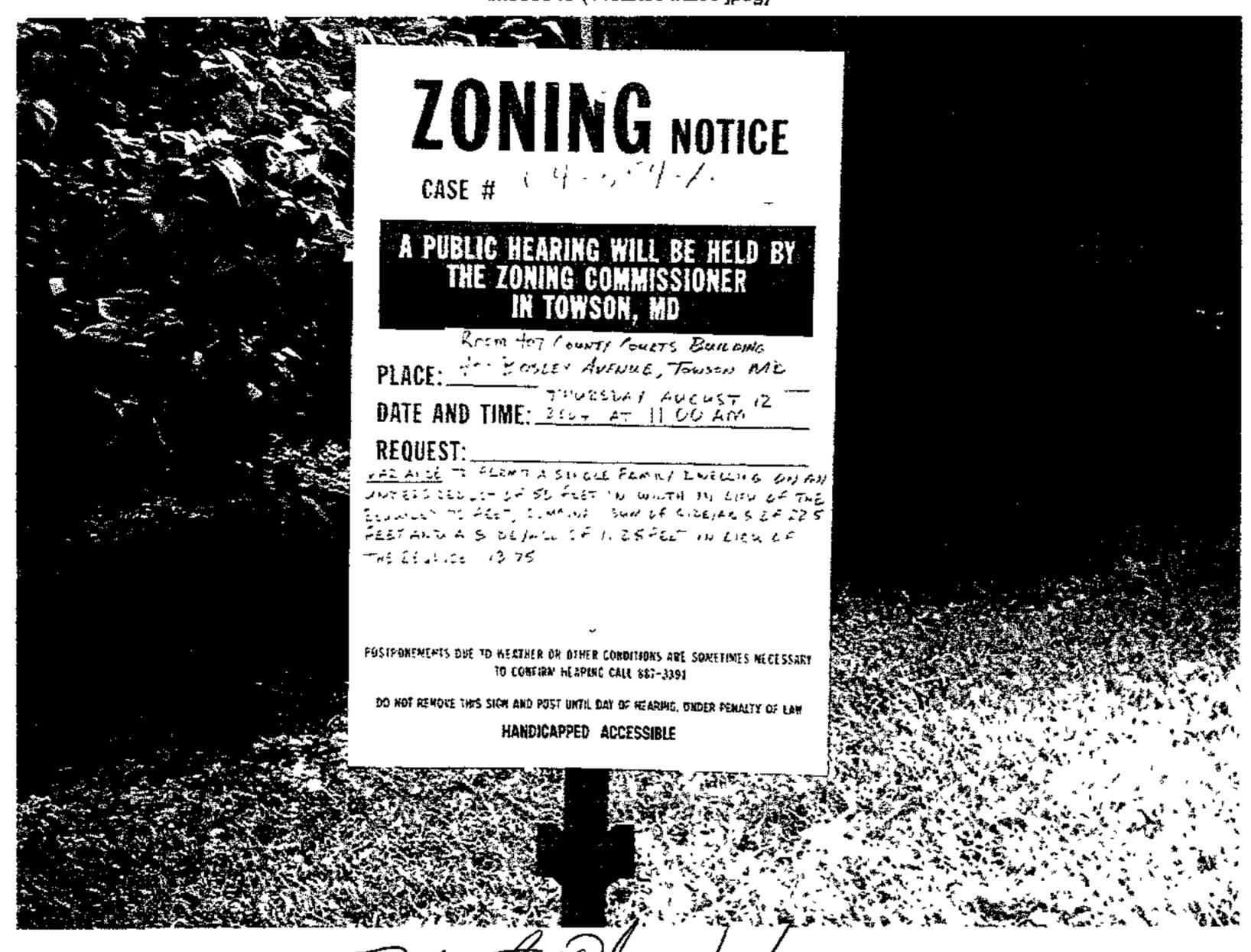
LEGAL ADVERTISING

### Certificate Of Posting

RE: Case NO.: 04 554-A

	Petitioner/Developer:
	Petitioner/Developer:
	Date of Hearing/Closing: 8/12/04
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	t
Attention:	
Ladies and Gentlemen:	
This letter is to certify under the penalt sign(s) required by law were posted con at 4/23 CC	
This sign(s) were posted on(Mor	7/26/04 nth, Day, Year)
Matter Dl 7/2404 Si	incerely,
(Signature of Sign Poster and Date)  Martin Ogle	
(Printed Name)	
5016 Castlestone Drive	
(Address)	
Balto, MD 21237	
(City,State,Zip Code)	
<u>(410)-933-9470</u>	
(Phone Number)	

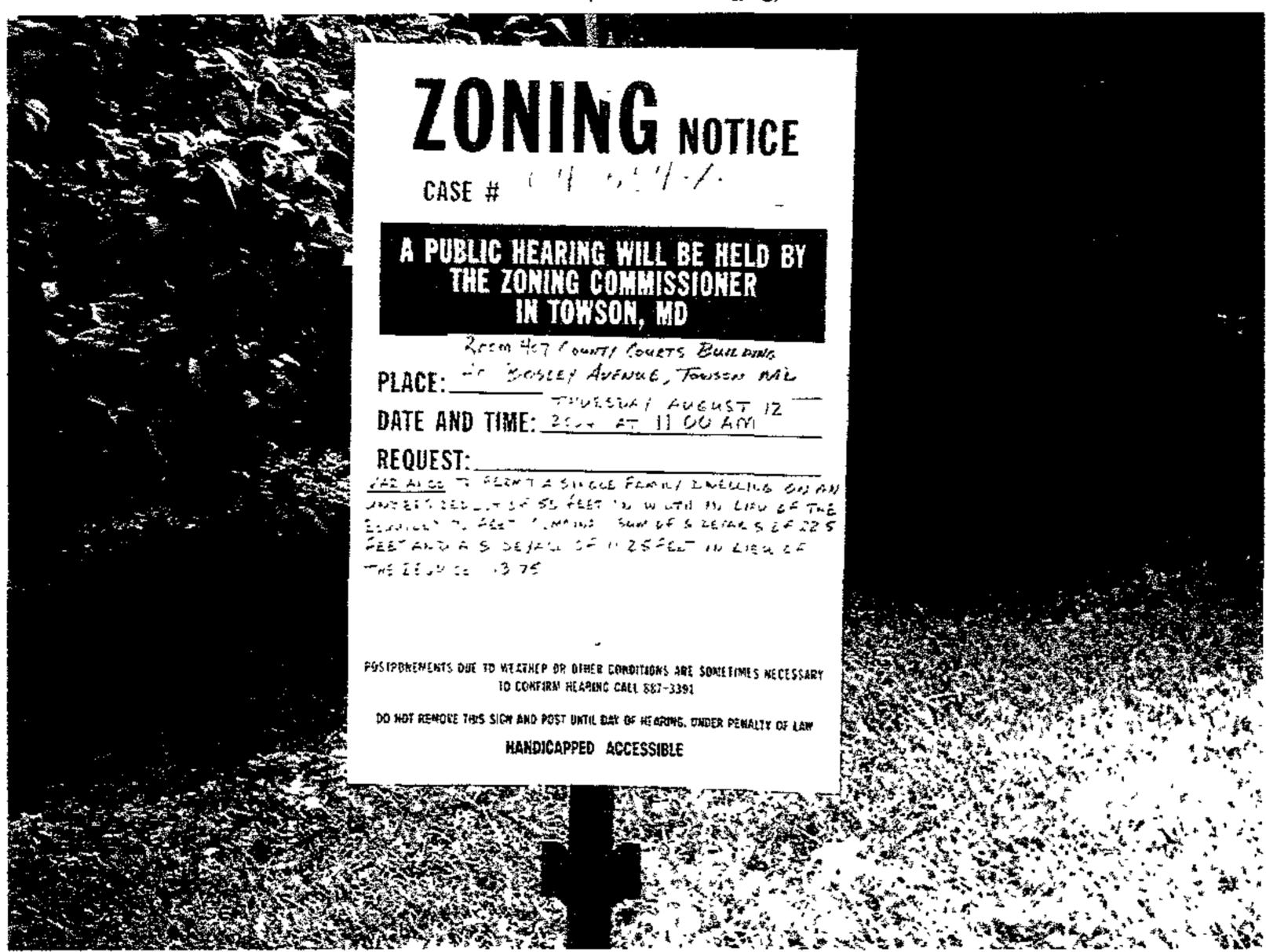
ım000040 (1152x864x256 jpeg)



### Certificate Of Posting

	RE: Case NO.: 04-554-A
	Petitioner/Developer:
	Date of Hearing/Closing: 8/12/04
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention:	
Ladies and Gentlemen:	
This letter is to certify under the penaltic sign(s) required by law were posted contat  at 4/23	
This sign(s) were posted on	/ 27 /04 th, Day, Year)
	icerely,
(Printed Name)	
5016 Castlestone Drive (Address)	
Balto, MD 21237	
(City,State,Zip Code) (410)-933-9470	
(Phone Number)	

ım000040 (1152x864x256 jpeg)



Matin 0 7/27/04

RE: PETITION FOR VARIANCE \* BEFORE THE

4123 Cliffvale Road; S/side of Cliffvale Rd,

651' NW c/line of Belair Road \* ZONING COMMISSIONER

11<sup>th</sup> and 5<sup>th</sup> Councilmanic Districts

Legal Owner(s): Charles J Kahl, III \* FOR

Petitioner(s)

\* BALTIMORE COUNTY

\* 04-554-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

People's Counsel for Baltimore County

RECEIVED 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 23<sup>rd</sup> day of June, 2004, a copy of the foregoing Entry of Appearance was mailed to, Charles Kahl, III, 1302 Cooptown Road, Forest Hill, MD 21050, Petitioner(s).

EFER MAX ZIMMERMAN

People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY

Tuesday, July 27, 2004 Issue - Jeffersonian

Please forward billing to:

Charles J. Kahl, III 1302 Cooptown Road Forest Hill, MD 21050

443-271-4581

### **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: 04-554-A

4123 Cliffvale Road

S/side of Cliffvale Road, 651 feet +/- n/west from centerline of Bel Air Road

11<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

Legal Owner: Charles J. Kahl, III

<u>Variance</u> to permit a single family dwelling on an undersize lot of 50 feet in width in lieu of the required 70 feet, combined sum of sideyards of 22.5 feet in lieu of the required 25 feet and a side yard of 11.25 feet in lieu of the required 13.75.

Hearing: Thursday, August 12, 2004, at 11:00 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

June 14, 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: 04-554-A

4123 Cliffvale Road

S/side of Cliffvale Road, 651 feet +/- n/west from centerline of Bel Air Road

11<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

Legal Owner: Charles J. Kahl, III

<u>Variance</u> to permit a single family dwelling on an undersize lot of 50 feet in width in lieu of the required 70 feet, combined sum of sideyards of 22.5 feet in lieu of the required 25 feet and a side yard of 11.25 feet in lieu of the required 13.75.

Hearing: Thursday, August 12, 2004, at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Timothy Kotroco

Director

TK:klm

C: Charles Kahl, III, 1302 Cooptown Road, Forest Hill 21050

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 27, 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 <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.

For Newspaper Advertising:
Item Number or Case Number: <u>554</u> Petitioner: <u>Charles Joseph Kahl III</u>
Address or Location: 4123 Cittuale Road Baltimore Mi) 2123
PLEASE FORWARD ADVERTISING BILL TO:  Name: Charles Joseph Kahl III.
Address: 1302 Cooptown Rd Forest Hill MD 21050
Telephone Number: 443 · 271 · 4581
Telephone Number: <u>143 レリオット</u>



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





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

August 3, 2004

Charles J. Kahl, III 1302 Cooptown Road Forest Hill, Maryland 21050

Dear Mr. Kahl:

RE: Case Number:04-554-A, 4123 Cliffvale Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 28, 2004.

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, U. Callinal Callinal

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: db

**Enclosures** 

c: People's Counsel



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



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

June 17, 2004

ATTENTION: Kristen Mathews

Distribution Meeting of: June 14, 2004

Item No.:

3550, **\$**5**\$**\-557, 559-571

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.

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

**DATE:** July 2, 2004

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

**SUBJECT:** 

Zoning Advisory Committee Meeting

For June 21, 2004 Item Nos. 550, 554, 555, 556, 557, 559, 560, 561, 562, 563, 564, 565, 566, 568,

and 569

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 DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

John D. Oltman, Jr Joo

DATE:

July 2, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of June 14, 2004

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

04-554

04-555

04-557

04-559

04-562

04-564

04-565

04-568

04-571

Reviewers: Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

**DATE:** June 18, 2004

TO: Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM: Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case 4-554

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:

**Division Chief:** 

MAC/LL



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

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

### MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 6.15.04

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

RE:

**Baltimore County** 

Item No. 554

JUM

Dear. Ms.Matthews:

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

1. Halle



Director, Office of Planning & Community Conservation

TO:

	Attention: Jettrey Long County Courts Building, Room 406	
	401 Bosley Avenue Towson, MD 21204	Residential Processing Fee Paid (\$50.00)
FROM:	Arnold Jablon, Director Department of Permits & Development Management	Accepted by
RE:	Undersized Lots	Date
Pursuant the Offic	t to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office of Planning and Community Conservation prior to this office's approval of a dwelling per	ce is requesting recommendations and comments from mit.
MINIMU	JM APPLICANT SUPPLIED INFORMATION:	
	Charles J. Kahl III 1302 Cooptown' Rd Fores	HII MD 21050 (410) 668 - 0033 Telephone Number
	Lot Address 4123Election District 11 _Co	uncilmanic District 5 Square Feet 8,600
Lot Loc	eation: NESW/side/corner of Cliffvale (2) ,_651 feet	from NESW corner of Belair (street)
Land O		Account Number 23000 12736
Address	s: 1302 Cooptown Rd Forest Hill MD 21050 Te	wert(443) 271 - 4581 lephone Number (410) 668 - 0033
	LIST OF MATERIALS (to be submitted for design review by the Office of Planning and C	ommunity Conservation)
то в	E FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT	MANAGEMENT ONLY!
	YES	PROVIDED?
1. This !	Recommendation Form (3 copies)	<del>_</del>
2. Perm	it Application	
3. Site F		
·	perty (3 copies)	
4. Build	ling Elevation Drawings	
	ographs (please label all photos clearly)  Long Buildings	<u> </u>
·	unding Neighborhood	
	ent Zoning Classification: D23.5	
	TO BE FILLED IN BY THE OFFICE OF PLANN	ING ONLY!
RECOM	MENDATIONS / COMMENTS:	
	Approval Disapproval Approval conditioned on required modifications of the	e application to conform with the following recommendations
Signed by		Date
organed by	for the Director Office of Planning and Community Conservation	<del></del>

Revised 2/05/02

# Department of Permits and Development Malement (PDM) County Office Building 111 West Chesapeake Avevnue Towson, Maryland 21204

The application for your proposed Building Permit application has been filing by	reviewed and is accepted for
	Date (A)
A sign indicating the proposed building must be posted on the property decision can be rendered. The cost of filing is \$50.00. This fee is scurrent fees prior to filing the application.	for fifteen (15) days before a ubject to change. Confirm all
In the absence of a request for public hearing during the 15-day post expected within approximately four weeks. However, if a valid demand then the decision shall only be rendered after the required public special	is received by the closing date,
*SUGGESTED POSTING DATE	D (15 Days Before C)
DATE POSTED	-
HEARING REQUESTED? YES NO DATE	
CLOSING DAY (LAST DAY FOR HEARING DEMAND)	C (B-3 Work Days)
TENTATIVE DECISION DATE	B (A + 30 Days)
*Usually within 15 days of filing	
CERTIFICATE OF POSTING	
District:	
Location of Property:	······································
Posted by: Date of Posting: Signature	
Number of Signs:	

# Department of Permits and Development Massagement (PDM) County Office Building 111 West Chesapeake Avevnue Towson, Maryland 21204

The application for your proposed Building Permit ap filing by	plication has been reviewed and on	l is accepted for
(name of planner)	Date	(A)
A sign indicating the proposed building must be posted decision can be rendered. The cost of filing is \$50. current fees prior to filing the application.	ed on the property for fifteen (15 .00. This fee is subject to chan	5) days before a ige. Confirm all
In the absence of a request for public hearing durin expected within approximately four weeks. However, then the decision shall only be rendered after the requi	if a valid demand is received by	decision can be the closing date,
*SUGGESTED POSTING DATE	D (15 Days B	efore C)
DATE POSTED		
HEARING REQUESTED? YES NO DA	TE	<del></del>
CLOSING DAY (LAST DAY FOR HEARING DEMAND	) C (B-3	3 Work Days)
TENTATIVE DECISION DATE	B (A	+ 30 Days)
*Usually within 15 days of filing		
CERTIFICATE OF POSTING	·===±==+++=============================	·
District:		
Location of Property:		· · · · · · · · · · · · · · · · · · ·
Posted by:Signature	Date of Posting:	, <u></u>
Number of Signs:		



Lot Address 4123	TO:	Director, Office of Planning & Community Conservation	Permit or Case No
401 Bosley Avenue Towson, MD 21204 Residential Processing Fee Pald (\$50.00)  FROM: Arnold Jablon, Director Department of Permits & Development Management  RE: Undersized Lots  Pursuant to Section 304.2 (Battimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments the office of Planning and Community Conservation prior to this office's approval of a dwelling permit.  MINIMUM APPLICANT SUPPLIED INFORMATION:  MINIMUM APPLICANT SUPPLIED INFORMATION:  Lot Address UPPLIED INFORMATION:  Election District 15 Square Feet 8, 600  Lot Address UPPLICANT SUPPLIED INFORMATION:  Election District 11 Councilmanic District 5 Square Feet 8, 600  Lot Address UPPLICANT SUPPLIED INFORMATION:  Election District 11 Councilmanic District 5 Square Feet 8, 600  Lot Address UPPLICANT SUPPLIED INFORMATION:  Election District 11 Councilmanic District 5 Square Feet 8, 600  Lot Address 14123  Election District 11 Councilmanic District 5 Square Feet 8, 600  Lot Location: NE® Number 2000 12736  Lot Location: New Number 2000 12736  Lot Location:		Attention: Jeffrey Long	
401 Bosley Avenue Towson, MD 21204 Residential Processing Fee Pald (\$50.00)  FROM: Arnold Jablan, Director Department of Permits & Development Management  RE: Undersized Lots  Pursuant to Section 304.2 (Bastimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments the office of Planning and Community Conservation prior to this office's approval of a dwelling permit.  MINIMUM APPLICANT SUPPLIED INFORMATION:  Charles J. Kath III   302 Coopton L.J. Feeth Hill MA 20050   666 0033 Telephone Number   100   666 0033 Tolephone Numb		County Courts Building, Room 406	
Towson, MD 21204  FROM: Amold Jablon, Director Department of Permits & Development Management  RE: Undersized Lots  Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit.  MINIMUM APPLICANT SUPPLIED INFORMATION:  Lot Address J. Lah. III			
FROM: Amold Jablon, Director Department of Permits & Development Management  RE: Undersized Lots  Pursuant to Section 30.4 (Sattimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments the Office of Panning and Community Conservation prior to this office's approval of a dwelling permit.  MINIMUM APPLICANT SUPPLIED INFORMATION:  Prof. Name of Applicant  Lot Address  Prof. Name of Applicant  Lot Address  Prof. Name of Applicant  Lot Address  Prof. Name of Application  Charles J. Kahl III. 1302. (Goddon J. B. Becton District III. Councilmanic District S. Square Feet S. 600  (atreet)  Gisteet)  Charles J. Kahl III. 1302. (Goddon J. B. Becton District III. Councilmanic District S. Square Feet S. 600  Lot Location: N E@Wildingtonomer of Charles J. Kahl III. 1302. (Gisteet)  Tax Account Number 23,00012236  (atreet)  Tax Account Number 23,00012236  Telephone Number (Apr.) 1268 - 0033  CHECKLIST OF MATERIALS. (to be submitted for design review by the Office of Planning and Community Conservation)  TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!  PROVIDED?  NO  1. This Recommendation Form (3 copies)  2. Permit Application  3. Sile Plan Property (copies)  4. Building Elevation Drawings  5. Photographs (please label all photos clearly)  Approved Community Conservation of the application to conform with the following recommendation of the application to conform with the following recommendation of the application to conform with the following recommendation of the application to conform with the following recommendation of the application to conform with the following recommendation of the application to conform with the following recommendation of the application to conform with the following recommendation of the application to conform with the following recommendation of the application to conform with the following recommendation of the application to conform with the following recommendation of the application to conform wi		•	Residential Processing Fee Paid
Department of Permits & Development Management  RE: Undersized Lots  Re:		701100x1, 1112 = 120 1	(\$50.00)
Department of Permits & Development Management  RE: Undersized Lots  Pursuant to Section 304 2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments the Office of Palaning and Community Conservation prior to this office's approval of a dwelling permit.  MINIMUM APPLICANT SUPPLIED INFORMATION:  Chacks J. Halb. III. 1302. (acabour 15 forty Hr.11 MN 2050. (b) (667-0033 Fint Management). (active of June 24, 1992). (acabour 15 forty Hr.11 MN 2050. (b) (667-0033 Fint Management). (active of June 14, 1992). (acabour 15 forty Hr.11 MN 2050. (active of June 14, 1992). (active of J	FROM.	Amold Jablon Director	
RE: Undersized Lots  Pursuant to Section 304.2 (Battimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit.  MINIMUM APPLICANT SUPPLIED INFORMATION:    Charles J. Kahl III	, 10m.	·	Accepted by
Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit.  MINIMUM APPLICANT SUPPLIED INFORMATION:  Charks J. Kahl III. 1302. Goden Ld. Forth Hill. MM3. 21050. (66 - 2033. Telephone Number. Lot Address. 4/12.3. Election District II. Councilmanic District. 5. Square Feet. 8, 600.  Lot Address. 4/12.3. Election District. II. Councilmanic District. 5. Square Feet. 8, 600. (68 - 2003.)  Lot Location: N.E. SWIEGO comer of Cliffuele Leb. 651. feet from N.E. Sopomer of Bell Air Leb. ((alreat))  Land Owner: Charles J. Lahl III. Tax Account Number 23,000,127.35.  Address: 130.2. Goodson Leb. Tax Abit III. Tax Account Number 23,000,127.35.  CHECKLIST OF MATERIALS. (to be submitted for design review by the Office of Planning and Community Conservation)  TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY! PROVIDED?  YES NO  1. This Recommendation Form (3 copies)  2. Permit Application  3. Site Plan Property (3 copies)  4. Building Elevation Drawings  5. Photographs (please label all photos clearly) Adjorning Buildings  Surrounding Neighborhood  6. Current Zoning Classification:  TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!  RECOMMENDATIONS / COMMENTS:  Approval Disapproval Approval conditioned on required modifications of the application to conform with the following recommendation.		Department of Crimits & Development Menagement	
Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit.  MINIMUM APPLICANT SUPPLIED INFORMATION:  Charles I	DE.	Undersized Late	
MINIMUM APPLICANT SUPPLIED INFORMATION:    Charles   Abh   III   1302   Cocton   Lot Forty   Brill   MN   2,050   Get Forty   Brill	KE:	Undersized Lots	• • •
Pint Name of Applicant  Lot Address 4123	Pursuant the Office	to Section 304.2 (Baltimore County Zoning Regulations) effective June 2 of Planning and Community Conservation prior to this office's approval of	25, 1992, this office is requesting recommendations and comments from of a dwelling permit.
Print Name of Applicant  Lot Address 4123	MINIMU	M APPLICANT SUPPLIED INFORMATION:	,
Land Owner: Charles J. Lah. III Tax Account Number 23000 1276 [street]  Land Owner: Charles J. Lah. III Tax Account Number 23000 1276 [street]  Address: 302 Copphon R. Forest hill MD 2059 Telephone Number (410) 668 - 00 33  CHECKLIST OF MATERIALS. (to be submitted for design review by the Office of Planning and Community Conservation)  TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY! PROVIDED?  YES NO  1. This Recommendation Form (3 copies)  2. Permit Application  3. Site Plan Properly (3 copies)  4. Building Elevation Drawings  5. Photographs (please label all photos clearly) Adjanning Buildings  Surrounding Neighborhood  6. Current Zoning Classification:  TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!  RECOMMENDATIONS / COMMENTS:  Description of the application to conform with the following recommendation of the application to conform with the following recommendation.		Charles J. Kahl III 1302 Gooptown Ld F Print Name of Applicant Address	Forest Hill MD 21050 (10) 668-0033 Telephone Number
Land Owner: Charles J. Kah st		Lot Address 4123Election	District   Councilmanic District 5 Square Feet 8,600
Address:/30 2 Gophown	Lot Loca	ation: NESWiside comer of <u>Cliffvale Ld</u>	651 feet from N E S@comer of <u>Bel Air_La</u>
CHECKLIST OF MATERIALS (to be submitted for design review by the Office of Planning and Community Conservation)  TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY! PROVIDED? YES NO  1. This Recommendation Form (3 copies) 2. Permit Application 3. Site Plan Property (3 copies) 4. Building Elevation Drawings 5. Photographs (please label all photos clearly) Adjoining Buildings Surrounding Neighborhood 6. Current Zoning Classification:  TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!  RECOMMENDATIONS / COMMENTS:  Approval Disapproval Approval conditioned on required modifications of the application to conform with the following recommendation.	Land Ov	wner: Charles J. Kahl III	Tax Account Number 2300012736
TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY! PROVIDED? YES NO  1. This Recommendation Form (3 copies)  2. Permit Application 3. Site Plan Property (3 copies) 4. Building Elevation Drawings 5. Photographs (please label all photos clearly) Adjoining Buildings Surrounding Neighborhood 6. Current Zoning Classification:  TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!  RECOMMENDATIONS / COMMENTS:  Approval Disapproval Approval conditioned on required modifications of the application to conform with the following recommendation.	Address	: 1302 Goptown Rd Forest Hil MD 2105	Telephone Number (410) 668 - 0033
TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY! PROVIDED? YES NO  1. This Recommendation Form (3 copies)  2. Permit Application 3. Site Plan Properly (3 copies) 4. Building Elevation Drawings 5. Photographs (please label all photos clearly) Adjoining Buildings Surrounding Neighborhood 6. Current Zoning Classification:  TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!  RECOMMENDATIONS / COMMENTS:  Approval Disapproval Approval conditioned on required modifications of the application to conform with the following recommendation.	CHECKL	IST OF MATERIALS (to be submitted for design review by the Office of	f Planning and Community Conservation)
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Date:	RECOIVIN	ENDATIONS / COMMENTS.	
Staned by:		Approval Disapproval Approval conditioned on required	I modifications of the application to conform with the following recommendations
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Stanod bus			
Date:			
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Canad but			
	Signed by	•	Date:

Revised 2/05/02

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2

PLAT TO ACCOMPANY PETITION FOF PROPERTY ADDRESS 4123 (1950)	R ZONING X VARIANC SEE PAGES 5 & 6 OF THE CHECKLIST F		
SUBDIVISION NAME Cliff vale	SEE PAGES S & OF THE CHECKLIST P	OR ADDITIONAL RECOIRED INFORMATION	7.
PLAT BOOK # 8 FOLIO # 49 LOT # 14 SECTION #		337 o e coler	
Lc: 13 Plat cef 8/49, 4123	103 65	RY RY	
1125 Deedter/15645/64 68)	17102 Ref 8/49 Arc # 2300012737	Co Kan Co	\ '.
500	Der 1 Ret / 15 645/67	Barre Barre Par Contract Contr	1
Porch		Chareles	
95		VICINITY MAP  SCALE: 1" = 1000'	•
27.5'	Lok	LOCATION INFORMATION	
		ELECTION DISTRICT 1	
z ichina z		1"=200' SCALE MAP #NE 11-14	
Derling Consol Saint		ZONING DR 3.5 LOT SIZE .197 8.600	
		ACREAGE SQUARE FEET PUBLIC PRIVATE	
256		SEWER V	
C) min 5 1/40.	<u> </u>	CHESAPEAKE BAY CRITICAL AREA	
Charles J. Kahl Sr Louisa Kahl	Sever	100 YEAR FLOOD PLAIN	
Cliffrois ()		PRIOR ZONING HEARING	
NORTH	lando — gant —qualiforma como es quello que e una e equal e vanda lagram quell'interiore	ZONING OFFICE USE ONLY REVIEWED BY ITEM # CASE #	
PREPARED BY NOTALL SCA	ALE OF DRAWING: 1" = 25'		,

AUNT





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### Home Plan 10436

**NEW SEARCH** JUMP TO PLAN **BEST SELLING PLANS FEATURED PLANS HELP DESK** 

Living square 2123

876 main:

upper: 1245 4 bedrooms, 2.5

baths, 2 car attached garage 27'6" wide x 64'0" deep

Roof height: 32' **Exterior wall** framing: 2x6

### Foundation(s):

Crawispace

### my cart my account REGISTER

### **About This House Plan**

- Detailed room specifications.
- Download a printable copy of this plan in Adobe Acrobat format.
- View this plan in mirror reverse format.
- Modify this house plan.
- **View** additional plans by this designer.
- Compare to another plan.
- Estimate the cost to build this plan.
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Classic Steel Frame Homes







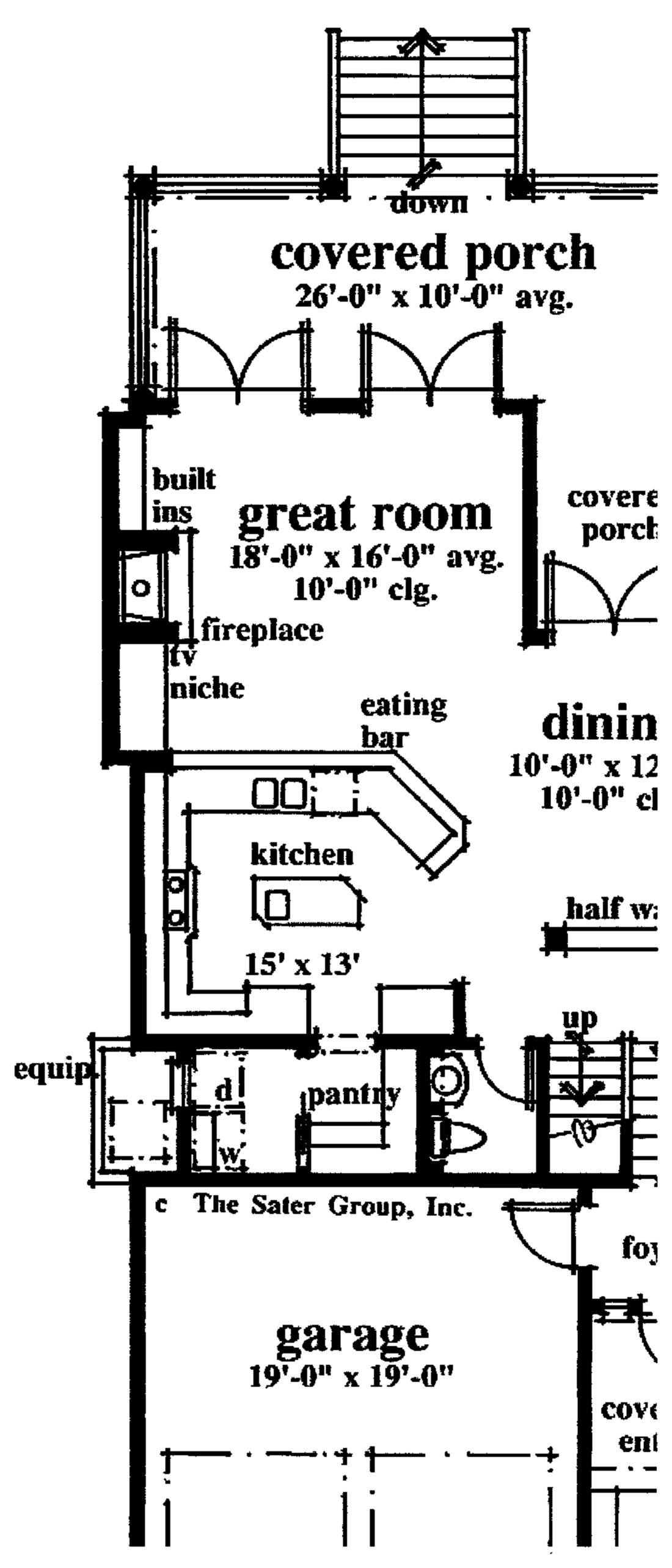


### Pricing & Ordering

 Price this plan.

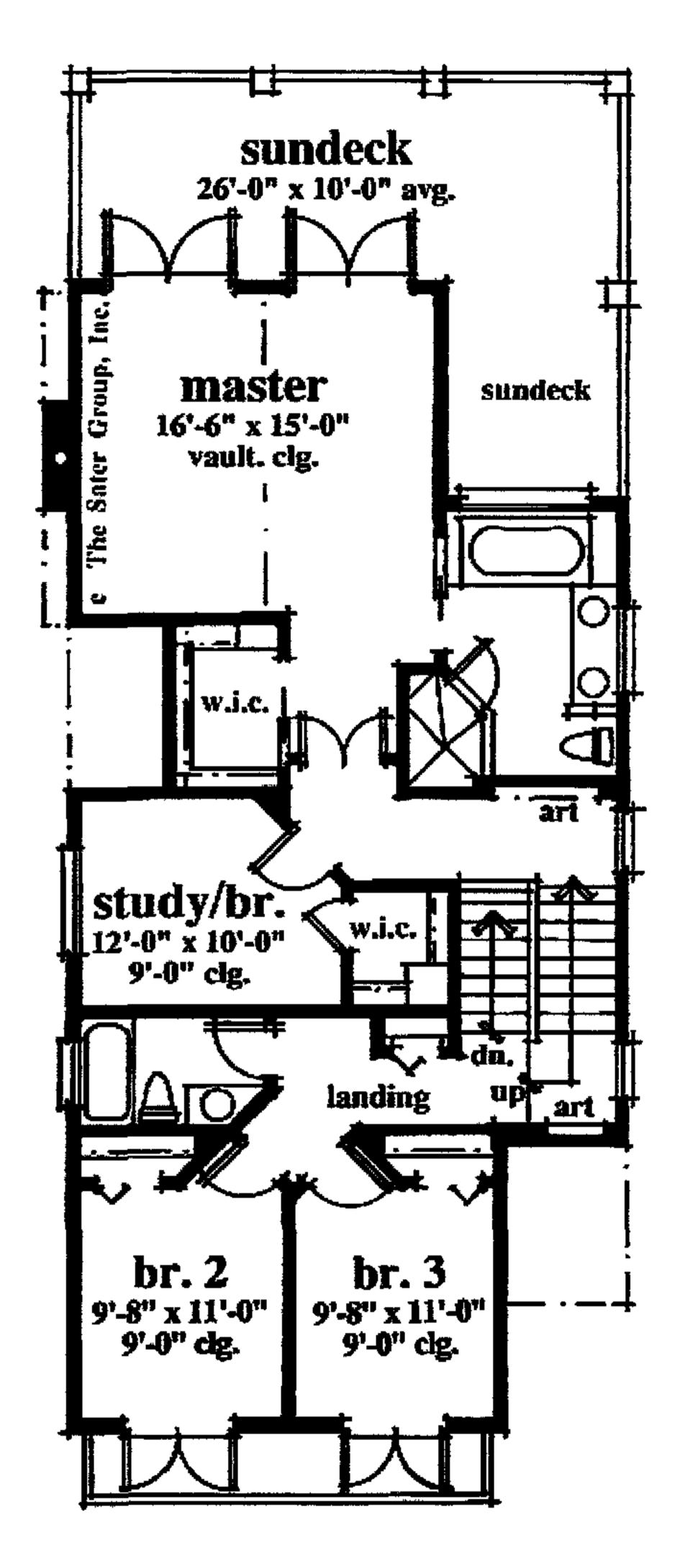


View larger front image



http://www.dreamhomesource.com/Plan.asp?PlanID=10436&PlanNumber=10436&SortB...

View larger main floor image



View larger second floor image

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



















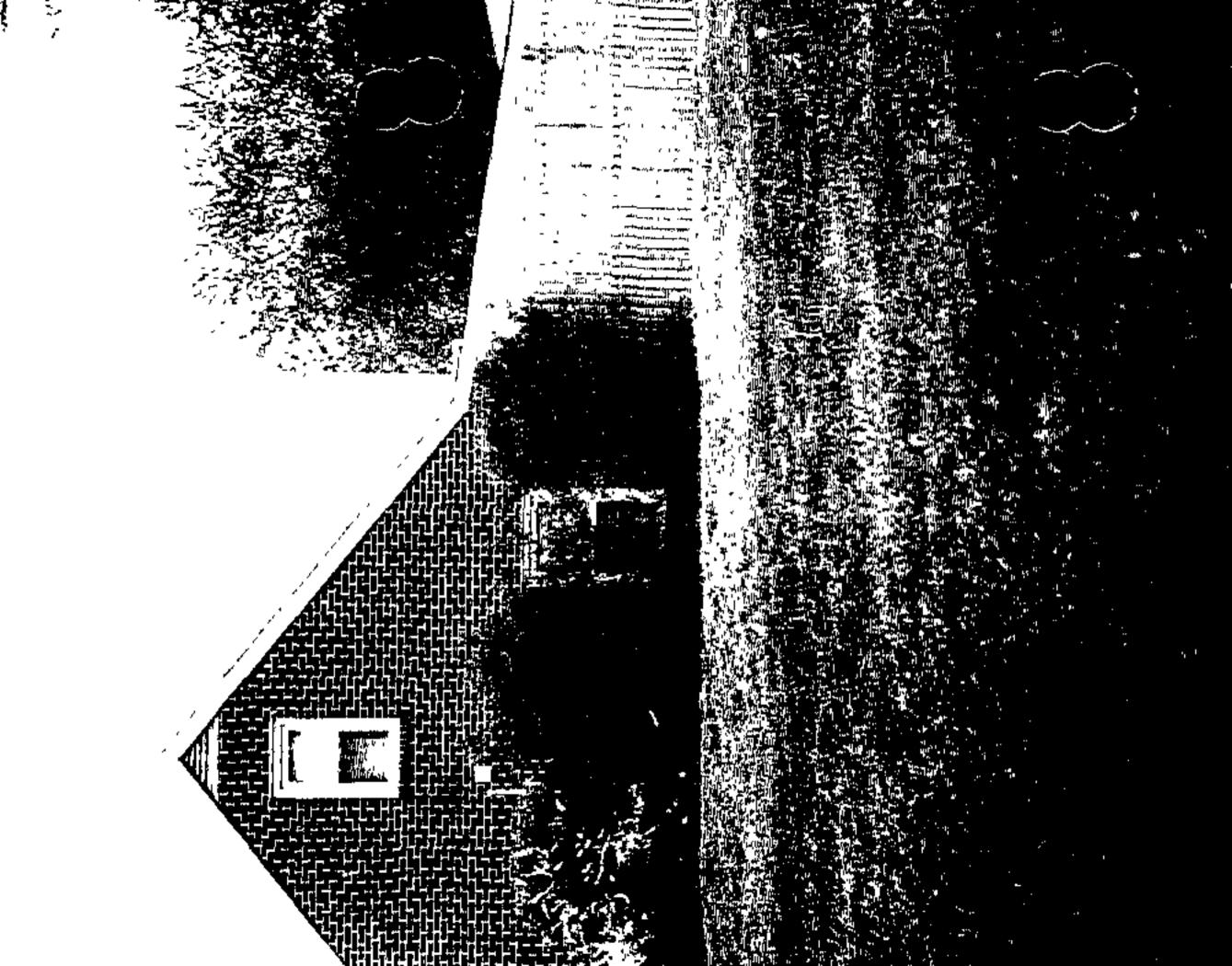
























CASE NAME 4/23 Chymrele CASE NUMBER 04-554-A DATE 8-12-04

## PETITIONER'S SIGN-IN SHEET

										Michelle H. Willer	Charles J. Kerl III	NAME
										344 Wy Rock	1302 Coppyon Pe	ADDRESS
									Ì	Britmone 4D 21221		CITY, STATE, ZIP
												E-MAIL

