

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
N/S of Westchester Avenue, 2,640 ft. E		
centerline of Frederick Road	*	DEPUTY ZONING COMMISSIONER
1st Election District		
1st Councilmanic District	*	OF BALTIMORE COUNTY
(2642 Westchester Avenue)		
	*	CASE NO. 05-612-A
Carrie Zimmerman-Wilson & Mark Wilson	*	
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Carrie Zimmerman-Wilson and Mark Wilson. The administrative variance is requested for property located at 2642 Westchester Avenue in the western area of Baltimore County. The administrative variance request is from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (garage) with a height of 18 ft. in lieu of the permitted 15 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on June 4, 2005, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from the Bureau of Development Plans Review dated June 6, 2005, a copy of which is attached hereto and made a part hereof. In addition, a ZAC comment was received from the Office of Planning dated June 9, 2005, a copy of which is attached hereto and made a part hereof. Finally, a ZAC comment was

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6/29/05
J. Ray

received from the Department of Environmental Protection & Resource Management (DEPRM) dated June 14, 2005, a copy of which is attached hereto and made a part hereof.

Having received a copy of the Planning Office comments regarding use of the structure for living quarters or for commercial purposes, the Petitioner responded by letter dated June 29, 2005 indicating he agreement in general with the comments but requesting bathroom facilities for his family's convenience.

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.”

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

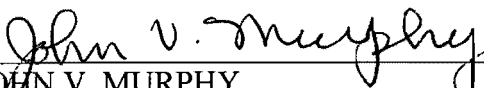
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6/29/05
J. Ray

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, I find that the requested variance should be GRANTED.

THEREFORE, IT IS ORDERED, this 29 day of June, 2005, by this Deputy Zoning Commissioner, that the Petitioner's request for administrative variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (garage) with a height of 18 ft. in lieu of the permitted 15 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition;
2. The Petitioners shall comply with the ZAC comments was submitted by the Office of Planning dated June 9, 2005, a copy of which is attached hereto and made a part hereof except that the petitioner may include bathroom facilities in this structure.
3. The Petitioners shall comply with the ZAC comments submitted by the Department of Environmental Protection & Resource Management (DEPRM) dated June 14, 2005, a copy of which is attached hereto and made a part hereof to the extent applicable.
4. When applying for a building permit, the site plan field must reference this case and set forth and address the restrictions of this Order.

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

ORDER RECEIVED FOR FILING
6/29/05
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
William J. Wiseman III, Zoning Commissioner

29
June 23, 2005

Mr. & Mrs. Mark Wilson
2642 Westchester Avenue
Ellicott City, Maryland 21043

Re: Petition for Administrative Variance
Case No. 05-612-A
Property: 2642 Westchester Avenue

Dear Mr. & Mrs. Wilson:

Enclosed please find the decision rendered in the above-captioned case. The petition for administrative variance has been granted in accordance with the enclosed Order.

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

Very truly yours,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

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





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

2642 WESTCHESTER AVE
for the property located at ELLICOTT CITY, MD 21043
which is presently zoned DR-2

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) 400.3 (BCZR)

TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) WITH A HEIGHT
OF 18-FEET IN LIEU OF THE PERMITTED 15-FEET.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

MARK WILSON
Name - Type or Print _____
Signature _____
CARRIE ZIMMERMAN - WILSON
Name - Type or Print _____
Signature _____
2642 WESTCHESTER AVE 410-203-0584
Address Telephone No.
ELLICOTT CITY MD 21043
City State Zip Code

Representative to be Contacted:

MARK WILSON
Name _____
2642 WESTCHESTER AVE 410-203-0584
Address Telephone No.
ELLICOTT CITY MD 21043
City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 05-612-A

Reviewed By D.T. Date 5/22/05

Estimated Posting Date 6/5/05

REV 10/25/04

Affidavit in Support of Administrative Variance

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

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

2642 WESTCHESTER AVE
Address
ELLICOTT CITY MD 21043
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

WE DESIRE TO CONSTRUCT A DETACHED HOME OFFICE AND STORAGE BUILDING. OUR HOME IS A LATE 19TH CENTURY VICTORIAN WITH AN 11/12 PITCH ROOF. WE WANT TO BUILD THE DETACHED STRUCTURE IN A MANNER CONSISTENT WITH THE HOUSE. THE PROPOSED HEIGHT OF THE NEW STRUCTURE IS APPROXIMATELY 17'. WE REQUEST A VARIANCE OF 2' OVER THE 15' LIMIT.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

[Signature]
Signature
MARK WILSON
Name - Type or Print

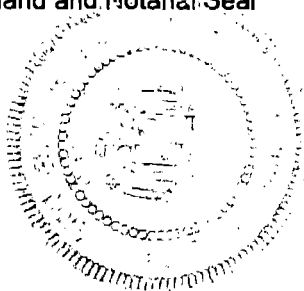
[Signature]
Signature
CARRIE ZIMMERMAN-WILSON
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 22nd day of MAY, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MARK WILSON & CARRIE ZIMMERMAN-WILSON
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



[Signature]
Notary Public
My Commission Expires 5/1/07

Affidavit in Support of Administrative Variance

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

That the Affiant(s) does/do presently reside at 2642 WESTCHESTER AVE
Address
ELLICOTT CITY MD 21043
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

WE DESIRE TO CONSTRUCT A DETACHED HOME OFFICE AND STORAGE BUILDING. OUR HOME IS A LATE 19TH CENTURY VICTORIAN WITH AN 11/12 PITCH ROOF. WE WANT TO BUILD THE DETACHED STRUCTURE IN A MANNER CONSISTENT WITH THE HOUSE. THE PROPOSED HEIGHT OF THE NEW STRUCTURE IS APPROXIMATELY 17'. WE REQUEST A VARIANCE OF 2' OVER THE 15' LIMIT.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Signature

MARK WILSON
Name - Type or Print

Signature

CARRIE ZIMMERMAN-WILSON
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 22nd day of MAY, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MARK WILSON - CARRIE ZIMMERMAN-WILSON
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Notary Public

My Commission Expires

5/1/07



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

2642 WESTCHESTER AVE
for the property located at ELLICOTT CITY, MD 21043
which is presently zoned PR-2

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) 400.3 (BCZR)

TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) WITH A HEIGHT OF 18-FEET IN LIEU OF THE PERMITTED 15-FEET.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

MARK WILSON

Name - Type or Print

Signature

CARRIE ZIMMERMAN - WILSON

Name - Type or Print

Signature

2642 WESTCHESTER AVE 410-203-0584

Address

Telephone No.

ELLICOTT CITY

MD

21043

City

State

Zip Code

Representative to be Contacted:

MARK WILSON

Name

2642 WESTCHESTER AVE 410-203-0584

Address

Telephone No.

ELLICOTT CITY

MD

21043

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 05-612-A

Reviewed By D.T. Date 5/23/05

REV 10/25/01

Estimated Posting Date 6/5/05

Zoning Description for **2642 WESTCHESTER ROAD**

Beginning at a point on the north side of Westchester Road which is 20-feet wide at a distance of 2640-feet east of Frederick Road. Being Parcel 384 on Map 100 as recorded in Deed No. 4268, Folio 449 containing 3.48 acres.

Also known as 2642 Westchester Road located in the 1st Election District and 1st Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 445395

DATE

5/23/05

ACCOUNT

0010066150

AMOUNT \$

45.00

RECEIVED
FROM

MARK WILSON

FOR

ITEM # 612 05-W12-A

21642 WESTCHESTER AVE

D.T.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS

ACTUAL

TIME

DATE

5/24/2005

5/23/2005

11:14:44

2

REQ NO

WALKIN

DOOR

DOOR

RECEIPT # 114275

5/23/2005

0013

REQ

5 528 ZONING VERIFICATION

OR NO

445395

Recpt Tot

45.00

45.00

00

00

00

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 05-612-A

Petitioner/Developer: MARK WILSON

Date of Hearing/ Closing: JUNE 20, 2005

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 # 7642 WESTCHESTER AVE.

The sign(s) were posted on

JUNE 4, 2005

(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

(Address)

BAUTIMORE, MD. 21227

(City, State, Zip Code)

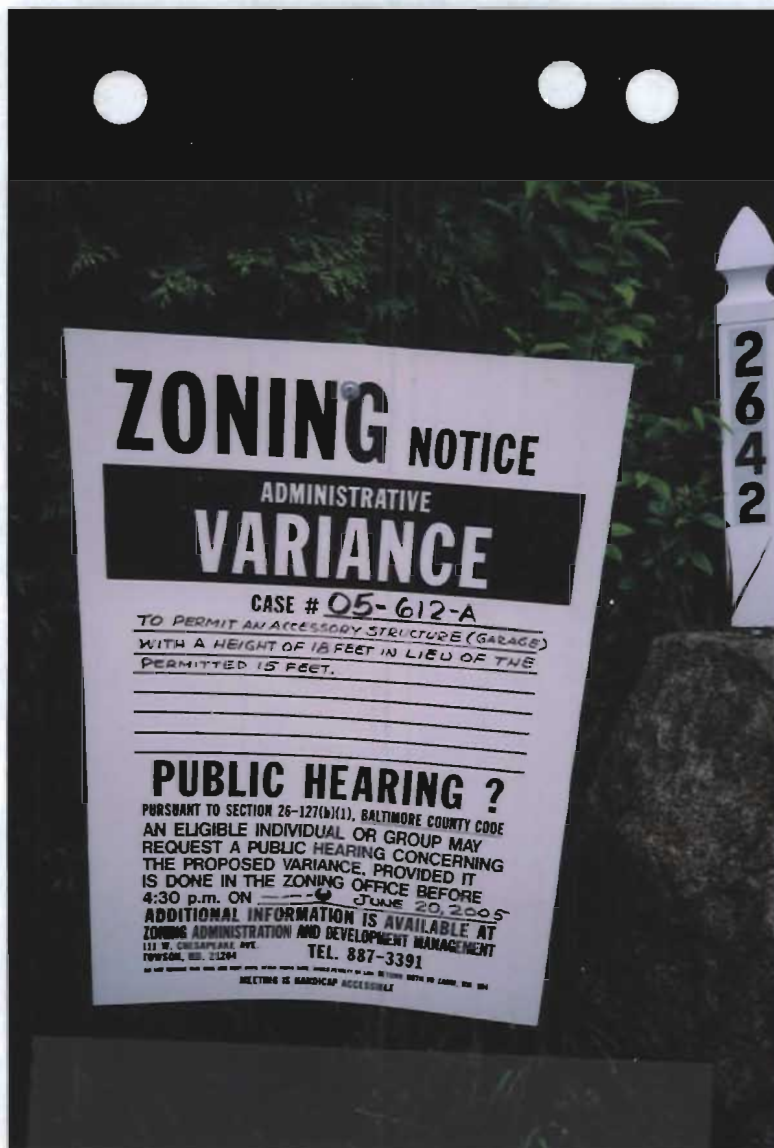
(410) 242-4263

(Telephone Number)



ZONING NOTICE
ADMINISTRATIVE VARIANCE

PUBLIC HEARING ?



ZONING NOTICE
ADMINISTRATIVE VARIANCE

CASE # 05-612-A

**TO PERMIT AN ACCESSORY STRUCTURE (GARAGE)
WITH A HEIGHT OF 18 FEET IN LIEU OF THE
PERMITTED 15 FEET.**

PUBLIC HEARING ?

**PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON JUNE 20, 2005
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
TEL. 887-3391**

ALL NEW BUILDINGS MUST BE ACCESSIBLE TO THE HANDICAPPED. SEE 28 CFR 35.104

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05- 612 -A

Address 2642 WESTCHESTER AVE.

Contact Person: DONNA THOMPSON

Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 5/23/05

Posting Date: 6/5/05

Closing Date: 6/20/05

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number:

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 05- 612 -A

Address 2642 WESTCHESTER AVE.

Petitioner's Name WILSON

Telephone 410-203-0584

Posting Date: 6/5/05

Closing Date: 6/20/05

Wording for Sign: To Permit AN ACCESSORY STRUCTURE (GARAGE)

WITH A HEIGHT OF 18-FEET IN LIEU OF THE PERMITTED 15-FEET.

**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: 05-612-A

Petitioner: WILSON

Address or Location: 2642 WESTCHESTER AVE.

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. & MRS. MARK WILSON

Address: 2642 WESTCHESTER AVE.

ELLICOTT CITY, MD 21043

Telephone Number: 410-203-0584

**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

June 20, 2005

Mark Wilson
Carrie Zimmerman-Wilson
2642 Westchester Avenue
Ellicott City, Maryland 21043

Dear Mr. and Mrs. Wilson:

RE: Case Number: 05-612-A, 2642 Westchester Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 23, 2005.

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.", is written over a faint, larger version of the same signature.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

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



AV
6/20

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
PDM

FROM: John D. Oltman, Jr. *JDO*
DEPRM

DATE: June 14, 2005

RECEIVED

JUN 14 2005

ZONING COMMISSIONER

SUBJECT: Zoning Item # 05-612
Address 2642 Westchester Ave.

Zoning Advisory Committee Meeting of June 6, 2005

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

A Single Lot Declaration of Intent submittal may be required to satisfy the Forest Conservation Requirement in association with this property's proposed improvements. For additional information, please contact the Environmental Impact Review Section of this Department.

Reviewer: John Russo, Sue Farrinetti

Date: June 14, 2005

FILED RECEIVED FOR FILING
6/29/05
Jay

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

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

SUBJECT: 5-612 – Administrative Variance

DATE: **RECEIVED**
June 9, 2005

JUN 10 2005

ZONING COMMISSIONER

The Office of Planning does not oppose the petitioner's request to permit an accessory structure with a height of 17 or 18 feet in lieu of the maximum permitted 15 feet provided the following conditions are met:

1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
2. The accessory structure shall not be used for commercial purposes.
3. Submit elevations (all sides) of the proposed accessory structure to his office for review and approval prior to the issuance of any building permit.

For further information concerning the matters stated herein, please contact Dennis Wertz at 410-887-3480.

Prepared by: Curtis Murray

Section Chief: Lynn Stuber

AFK/LL: CM

FILED
6/29/05
Ray

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: June 6, 2005

FROM: Dennis A. Kennedy^{DAK}, Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 13, 2005
Item No. 612

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The minimum right of way width for Westchester Avenue is 40-foot. Setbacks must be adjusted accordingly.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 612-06062005.doc

Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

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

June 2, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: June 6, 2005

Item No.: 595, ~~608-632~~

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

Lieutenant J.D. Mezick
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

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



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



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

Maryland Department of Transportation

Date: 6-3-05

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

RE: Baltimore County
Item No. 612

DT

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,

Steven D. Foster, Chief
Engineering Access Permits Division

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco; Director
Department of Permits & Development
Management

DATE: June 6, 2005

FROM: Dennis A. Kennedy, Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 13, 2005
Item No. 612

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The minimum right of way width for Westchester Avenue is 40-foot. Setbacks must be adjusted accordingly.

DAK:CEN:clw
cc: File
ZAC-ITEM NO 612-06062005.doc

From: Roberta Jameson
To: Oltman, John
Subject: 05-612-A

Jack Murphy reviewed the above-captioned admin. variance and noted that your comments indicate that this property is located in the CBCA. Because he lives in Catonsville near this property (2642 Westchester Ave.), he is aware that it is situated up on a hill and cannot possibly be located in a critical area.

He has requested that I request some revised ZAC comments from you for this case.

The additional comments relating to the forest conservation requirement are okay.

Thanks.

Robin
6/24/05

2642 Westchester Ave
Ellicott City, MD 21043
443-562-3571

RECEIVED

JUN 29 2005

June 29, 2005

Commissioner Wiseman :

ZONING COMMISSIONER

I have requested an administrative variance for an accessory structure's roof height. I am asking for 18 feet as opposed to the permitted 15 feet. On Friday June 24th I received a set of comments from the Department of Permits and Development Management. The case number is 05-612-A, 2642 Westchester Ave. The purpose for the increase height is to accommodate an 11/12 pitch roof which is the pitch of our old Victorian home we have restored. The 18 feet is a maximum, the height is probably closer to 17 feet.

One of the restrictions being placed on the structure by the Office of Planning is that it shall not include bathroom facilities. I would like to request that this restriction be removed. I understand that the major concern is that accessory structures not be modified to become secondary living quarters. I am perfectly content with the structure not being used as sleeping or living quarters and I have no desire to include kitchen facilities. This structure will not be used for commercial purposes. My office is only a few minutes from our home. Also, my wife is a fulltime mom and does not need a place of employment and since she is at home we do not require a nanny or au-pair. I also have no problem with the living and/or sleeping quarters restrictions extending to a future owner of the property.

The structure is mainly for storage, home office activities (bill paying, etc) and our children's art projects. The basement of the structure is for garden/lawn equipment storage. Having a bathroom, at a minimum a toilet and sink, would make the structure more convenient. We are on county water and sewer. If you have any questions please feel free to contact me at 443-562-3571.

Sincerely,



Mark Wilson

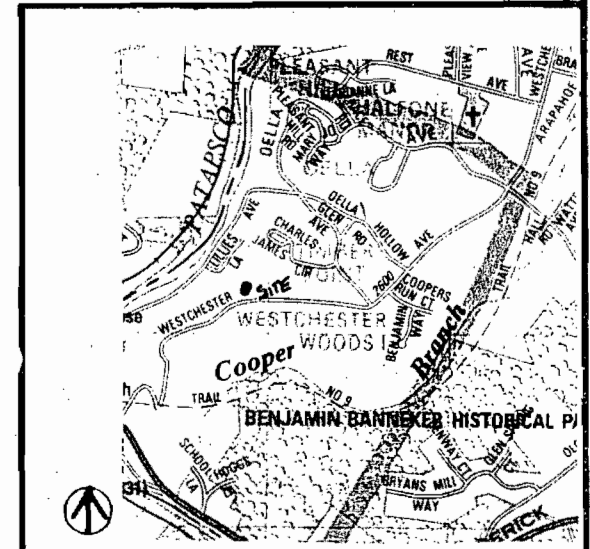
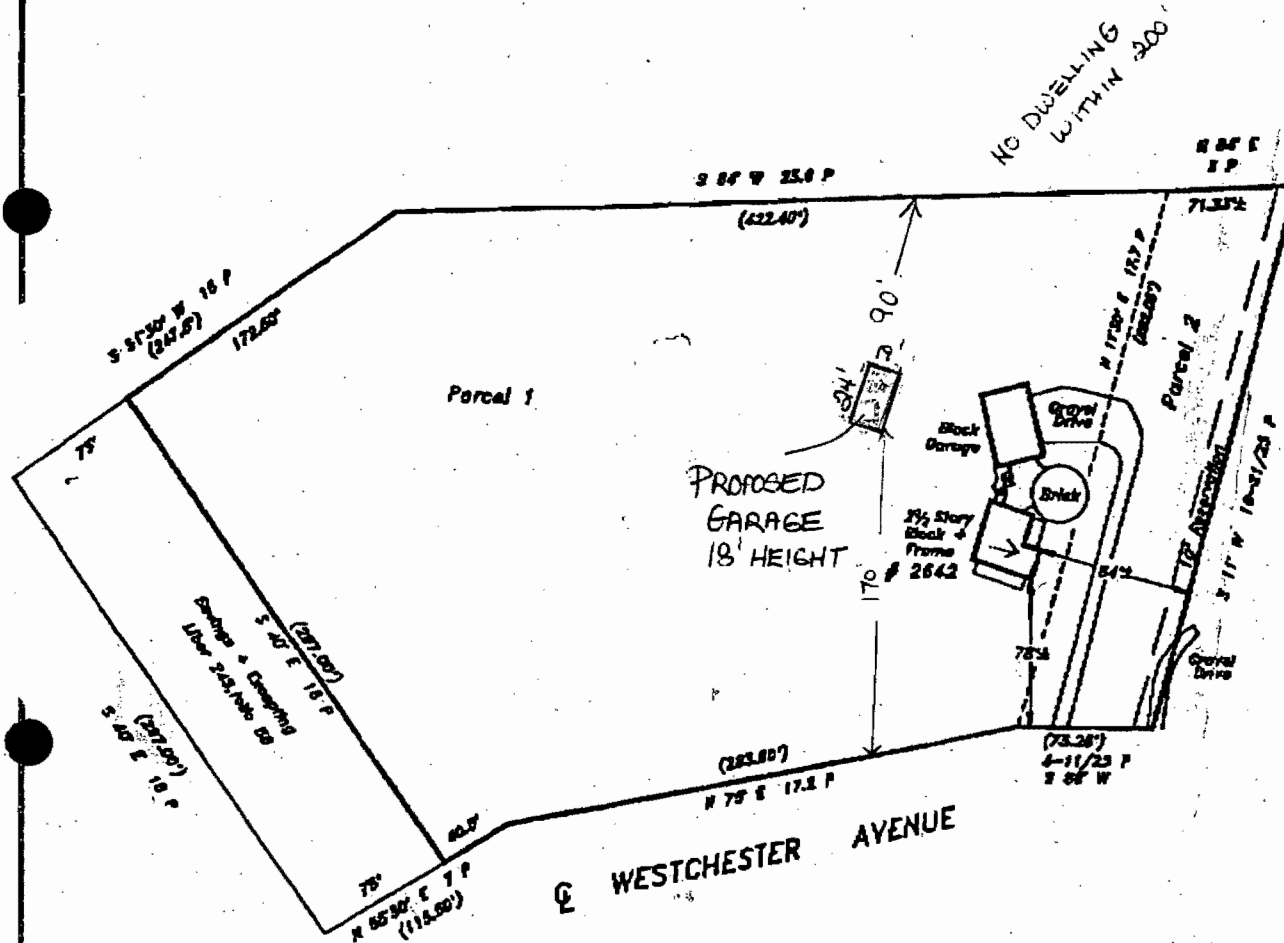
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 2642 WESTCHESTER AVE. SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME _____

PLAT BOOK # _____ FOLIO # _____ LOT # _____ SECTION # _____

OWNER MARK WILSON + CARRIE ZIMMERMAN WILSON



LOCATION INFORMATION

ELECTION DISTRICT 1st

COUNCILMANIC DISTRICT 1st

1" = 200' SCALE MAP #

ZONING D.R. 2

LOT SIZE 3.48

ACREAGE 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 # _____

D.T. | 612 | 05-612-A



PREPARED BY M.W. / D.T.

SCALE OF DRAWING: 1" = 100'

