

IN RE: PETITION FOR ADMIN. VARIANCE
NE/Side of Central Ave., east of c/l of
Dorchester Avenue
2nd Election District
4th Councilmanic District
(5928 Central Avenue)

Murthy Bangalorevekatappa and
Murthy Sree Devi,
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 06-195-A

*

* * * * *

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, Murthy Bangalorevekatappa and Murthy Sree Devi, Petitioners. The variance request is for property located at 5928 Central Avenue in the Catonsville area 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 an addition with a side yard setback of 3 feet in lieu of the required 10 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on October 15, 2005, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 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

FILED FOR FILING

Date 11-9-05

By [Signature]

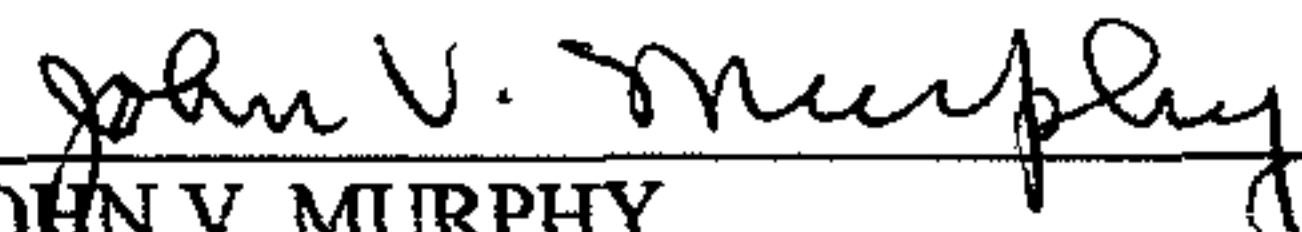
compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 9 day of November, 2005, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a side yard setback of 3 feet in lieu of the required 10 feet, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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:dlw

RECEIVED FOR FILING
Date 11-9-05
By [Signature]

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

November 8, 2005

Mr. Murthy Bangalorevekatappa
Mr. Murthy Sree Devi
5928 Central Avenue
Baltimore, Maryland 21207

Re: Petition for Administrative Variance
Case No. 06-195-A
Property: 5928 Central Avenue

Dear Mr. Bangalorevekatappa and Mr. Devi:

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
for Baltimore County

JVM:dlw
Enclosure

c: Mr. Dan Dutton, 7110 Golden Ring Road, Baltimore, MD 21221
People's Counsel; Case File

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



Printed on Recycled Paper



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 5928 Central Ave.
which is presently zoned DR 5.5

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) 1802.3.C.1 BCZR

To permit an addition with a side yard setback of 3' in lieu of the required 10'

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):

Murthy Bangalorevekatappa

Name - Type or Print

Signature

Murthy Sree Devi

Name - Type or Print

Signature

5928 Central Ave. 410-719-9388

Address Telephone No.

Baltimore MD 21207

City State Zip Code

Representative to be Contacted:

Dan Dutton

Name

7110 Golden Ring Road 410-780-0062

Address Telephone No.

Baltimore MD 21221

City State Zip Code

Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, is 10 day of October 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. 06-195-A

Reviewed By JA Date 10-6-05

Estimated Posting Date 10-16-05

REV 10/25/01

Affidavit in Support of Administrative Variance

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

That the Affiant(s) does/do presently reside at 5928 Central Ave.
Address
Baltimore MD 21207
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):

The Problem we have with the construction of the patio room is the only place to build the room is on the left side of our house, with this we would only have a 3 ft. side set back in lieu of the required 10 ft. side setback. The reason for constructing the room here is because there is an existing door that lends into the dinning room, the rear of the house is the location of the bathroom and bedrooms. This is also the side of the property of out existing drive way where we also plan to build a handicap ramp lending to the sunroom from our driveway. This would be mostly used by our grandmother who is confined to a wheel chair

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.

Sree Devi murthy
Signature

Murthy Sree Devi
Name - Type or Print

TSVS Murthy
Signature

Murthy Bangalorevekatappa
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2 day of Oct, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Sree Devi & Bangalorevekatappa Murthy
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Delores A. Scott
Notary Public
DELORES A. SCOTT
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires My Commission Expires November 26, 2005

Zoning Description for 5928 Central Ave.

Beginning at a point on the north-east side of central Ave. which is 50 ft. wide at the distance of 325 ft. east of the centerline of the nearest improved intersecting street Dorchester Ave which is 50 ft. wide. *Being lot #53, Block# 20 in the subdivision of Catonsville manor as recorded in the Baltimore county Plat Book #2, Folio #116, containing 6,250 sq. ft. Also known as 5928 Central Ave. and located in the 2nd election district, 4th Councilmanic District.

#195

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 00220

DATE 7-16-05

ACCOUNT 00000000000000000000

AMOUNT \$ 65.00

RECEIVED FROM CHAMBERLAIN

5924 CENTRAL AVE
FOR: Acquiring Var. ITM # 1911

DISTRIBUTION WHITE CASHIER

PINK AGENCY

YELLOW CUSTOMER

PAID RECEIPT

DATE 7/16/05

TIME 10:45 AM

BY MICHAEL

FOR 5924 CENTRAL AVE

AMOUNT \$ 65.00

DATE 7/16/05

TIME 10:45 AM

BY MICHAEL

FOR 5924 CENTRAL AVE

AMOUNT \$ 65.00

DATE 7/16/05

TIME 10:45 AM

BY MICHAEL

FOR 5924 CENTRAL AVE

AMOUNT \$ 65.00

DATE 7/16/05

TIME 10:45 AM

BY MICHAEL

FOR 5924 CENTRAL AVE

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 06-195-A

Petitioner/Developer: MURTHY

SREE DEVI

Date of Hearing/Closing: 10-31-05

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

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

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

5928 CENTRAL AVE

The sign(s) were posted on 10-15-05
(Month, Day, Year)

Sincerely,

Robert Black 10-17-05
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

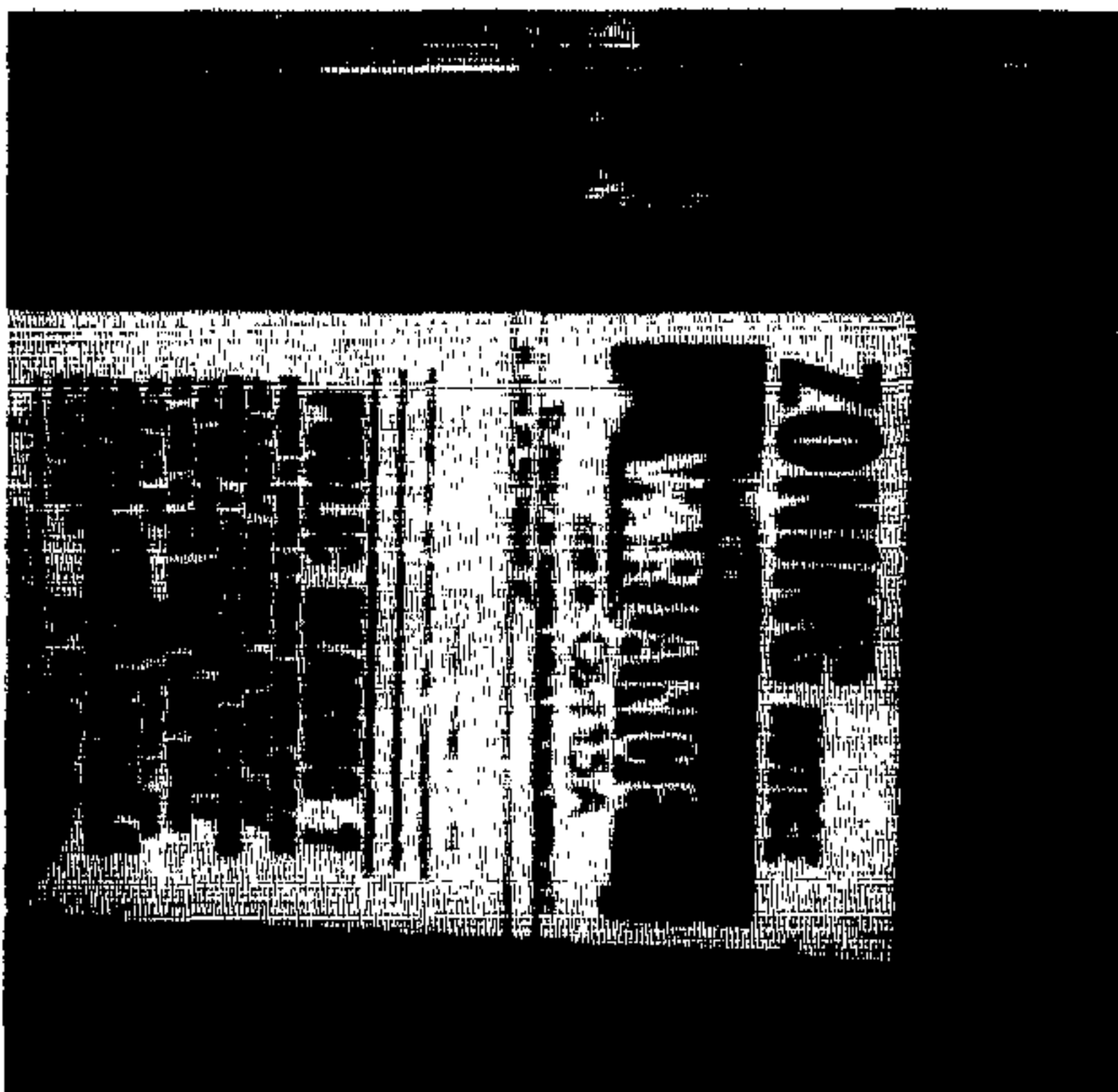
Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

5928 CENTRAL AVE



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: OG-195-A

Petitioner: Murthy Sreedevi

Address or Location: 5928 Central Ave

PLEASE FORWARD ADVERTISING BILL TO.

Name: Champion

Address: 7110 Golden Ring Rd
Balto MD 21221

Telephone Number: (410) 780-0062

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 195 -A Address 5928 CENTRAL AVE.

Contact Person: JUN FERNANDO Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 10-6-05 Posting Date: 10-16-05 Closing Date: 10-31-05

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 06- 195 -A Address 5928 CENTRAL AVE.

Petitioner's Name Murthy Sree Devi Telephone 410-719-9388

Posting Date: 10-16-05 Closing Date: 10-31-05

Wording for Sign: To Permit an addition with a side yard setback
of 3' in lieu of the required 10'

WCR - Revised 6/25/04

**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

October 31, 2005

Murthy Bangalorevekatappa
Murthy Sree Devi
5928 Central Avenue
Baltimore, Maryland 21207

Dear Mr. Bangalorevekatappa and Mr. Devi:

RE: Case Number: 06-195-A, 5928 Central Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 6, 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 that reads "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Dan Dutton 7110 Golden Ring Road Baltimore 21221

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



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

October 18, 2005

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

ATTENTION: Zoning Review planners

Distribution Meeting of: October 17, 2005

Item No.: 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197
198, 199, 200, 201, 202, 203

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

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

Acting Lieutenant William F. Connolly, Jr.
Fire Marshal's Office
(O) 410-887-4880
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: 10.14.05

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

RE: Baltimore County
Item No. 195 RF

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

RECEIVED
DATE: October 21, 2005

OCT 25 2005

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

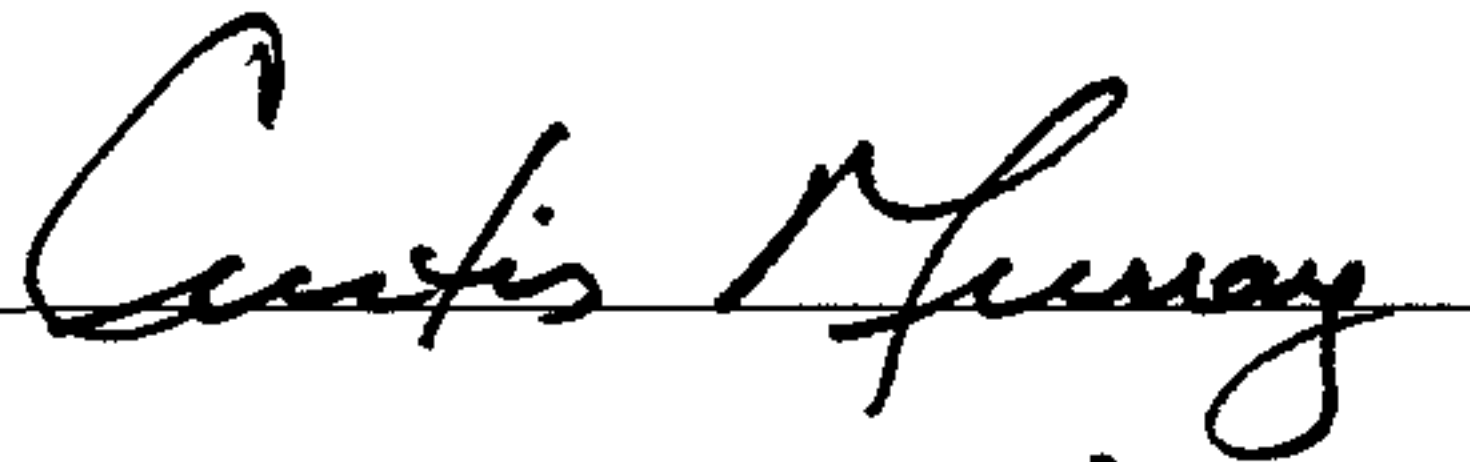
ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 6-195- Administrative Variance

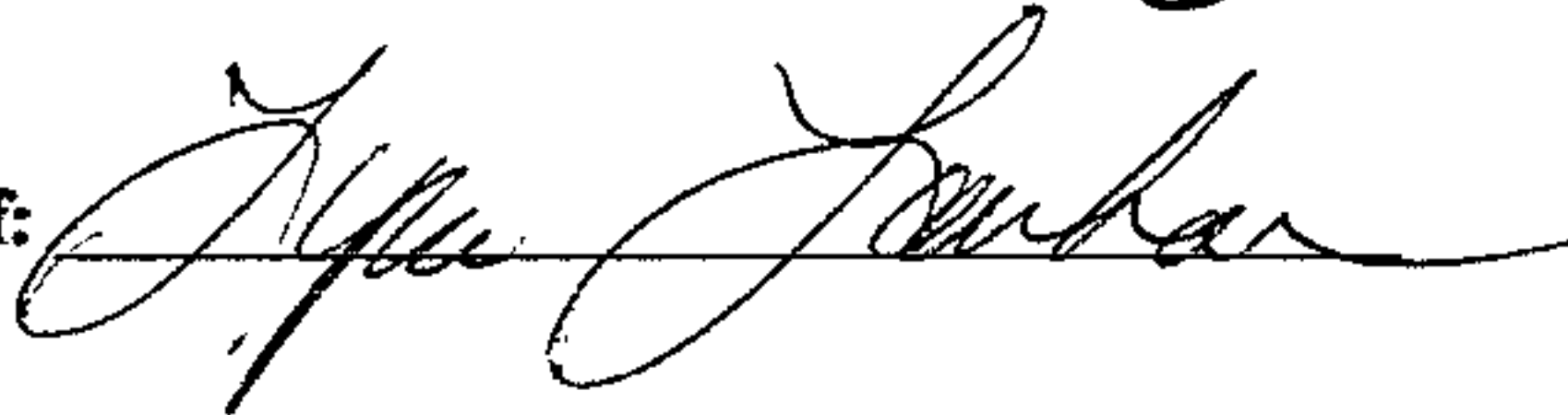
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Dave Green in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:



CM/LL

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For October 24, 2005
Item Nos. 186, 187, 188, 189, 191, 192,
193, 194, 195, 196, 197, 199, 201 and 202

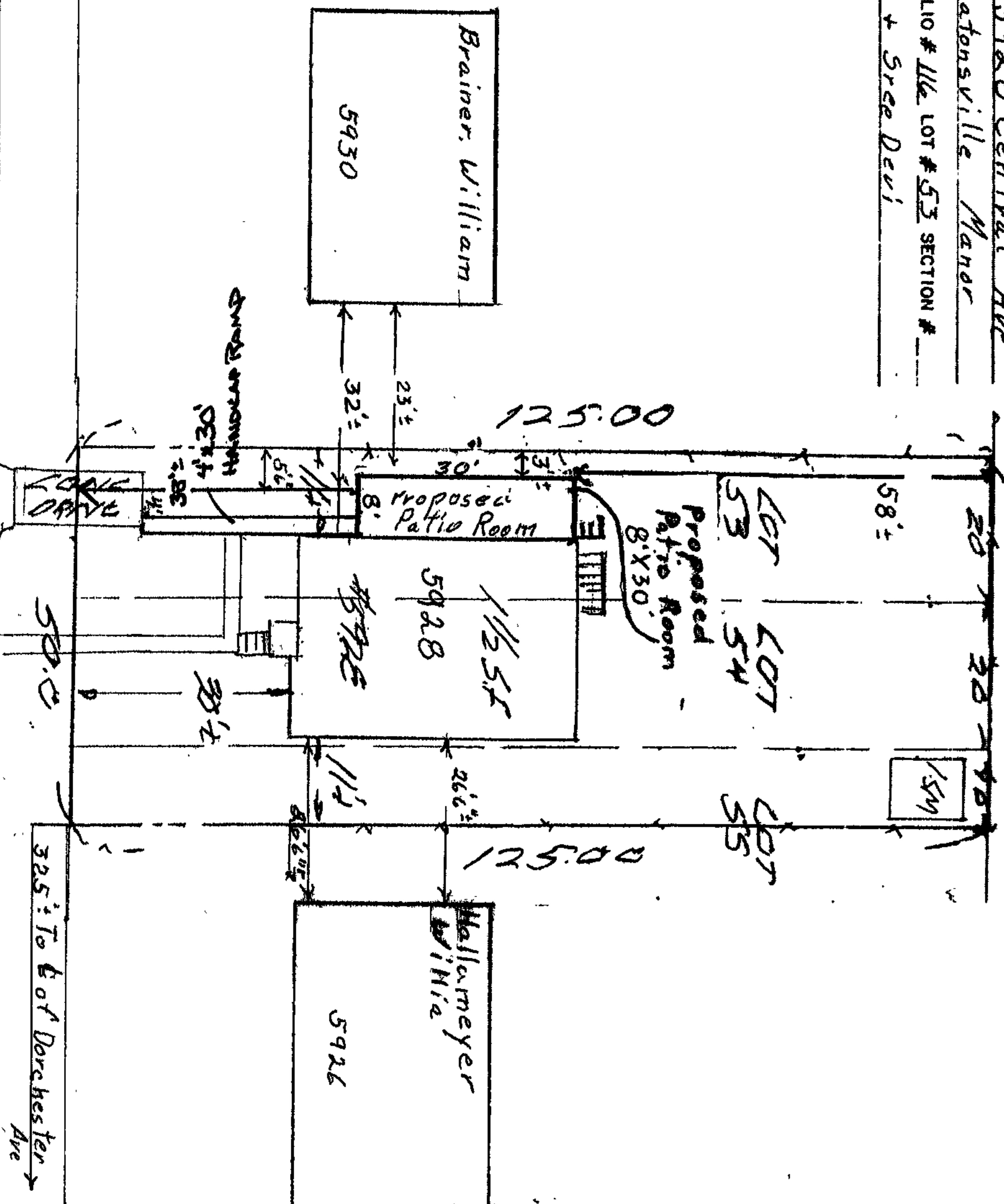
DATE: October 27, 2005

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

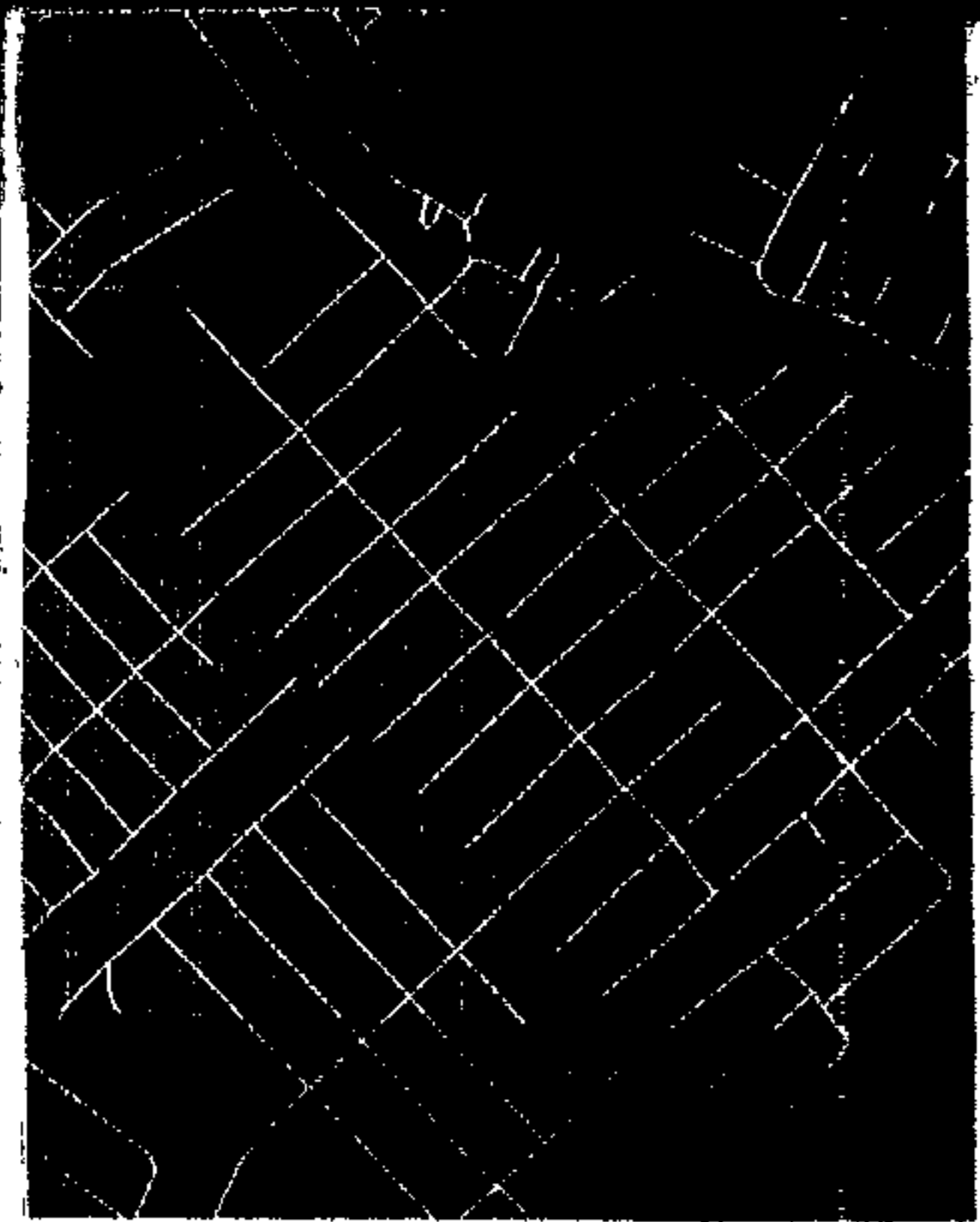
DAK:CEN.clw
cc: File
ZAC-NO COMMENTS-10272005.doc

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

PROPERTY ADDRESS 5928 Central Ave
SUBDIVISION NAME Catonsville Manor
PLAT BOOK # 2 FOLIO # 116 LOT # 53 SECTION #
OWNER Murthy, B + Sree Devi



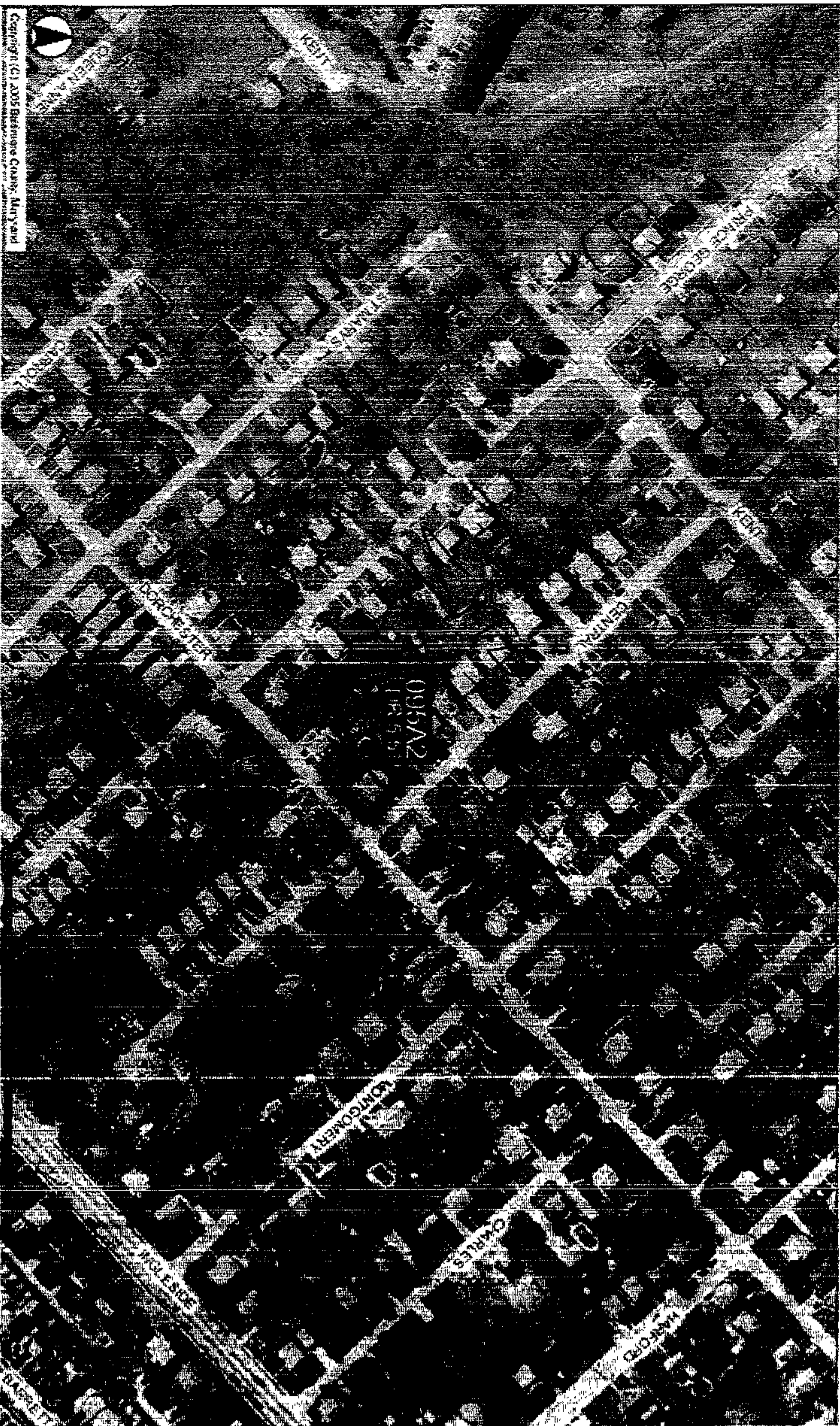
NORTH 
PREPARED BY Gerard Andersen
SCALE OF DRAWING: 1" = 20'



LOCATION INFORMATION

ELECTION DISTRICT 2
COUNCILMANIC DISTRICT 4
1"=200' SCALE MAP # 095A2
ZONING DR 5.5
LOT SIZE 6,250
ACREAGE SQUARE FEET
SEWER PUBLIC PRIVATE
WATER ☒ ☐
CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO
100 YEAR FLOOD PLAIN ☐ ☒
HISTORIC PROPERTY/ BUILDING ☐ ☒
PRIOR ZONING HEARING

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #
JF 195



5928 Central

#195



*Location of Proposed
8'x30' Patio Room.*



5928 Central Ave.

#195