IN RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION AND VARIANCE

S/S Windsor Mill Road, 83' N of the Centerline St. Lukes Lane (7003 Windsor Mill Road)

2nd Election District

2nd Election District 4th Council District

Clarence Hawkins, Sr., et ux Petitioners BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

Case No. 06-496-SPHXA

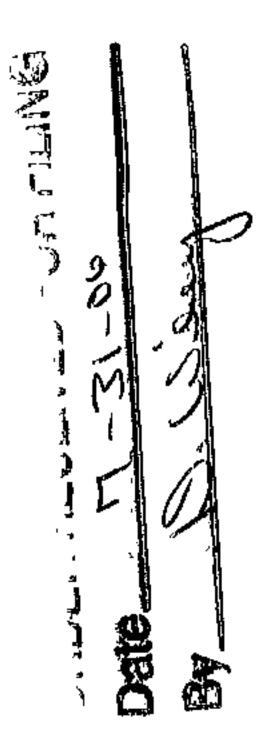
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FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing, Special Exception and Variance filed by the owners of the subject property, Clarence Hawkins, Sr., and his wife, Gladys Hawkins, through their attorney, Margaret S. Snoeren, Esquire. As filed, the Petitioners request a special hearing to approve a waiver pursuant to Sections 32-4-107(b), 32-4-233(8) and 32-4-416(a)(2) of the Baltimore County Code (BCC) to raze an existing building; a special exception for a community outreach building on the subject property; and finally, variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Sections 1B01.2.C.1.a, 409.4.A, and 1B01.1.B.1.E(2)(3) and (5) to allow a proposed community building (outreach center) with a rear yard setback of 14 feet in lieu of the required 30 feet, a two-way driveway width of 12 feet in lieu of the required 20 feet, and Residential Transition Area (RTA) building setbacks of 44 feet and 14 feet and a parking lot RTA setback of 13 feet and 21 feet with a cleared 10-foot buffer, in lieu of the required 75-foot setbacks with an uncleared 50-foot buffer for the building and parking lot, respectively. The subject property and requested relief are more particularly described on the amended site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 3.

Appearing at the requisite public hearing in support of the request were Clarence and Gladys Hawkins, owners of the subject property, Brian Dietz, the Land Surveyor who prepared the site plan for this property, and Margaret Snoeren, Esquire, attorney for the Petitioners.



Appearing as interested citizens were Christine B. Paylor, Deanna Wilson, and Madeline Underwood, nearby residents of the area. There were no Protestants or other interested persons present.

Testimony and evidence offered disclosed that the subject property is a rectangular shaped parcel located on the south side of Windsor Mill Road, just west of its intersection with St. Lukes Lane in Woodlawn. The property contains a gross area of 0.560 acres, more or less, zoned D.R.5.5, and is improved with a two-story dwelling, which is listed on the County Register of Historic Dwellings and identified as MHT #BA-2468. Testimony and evidence offered demonstrated that the house was constructed in 1921 and was used as two separate apartments for many years; however has been vacant for some time. It apparently has no historic value or significance.

The Petitioners purchased the property approximately one year ago and are desirous of redeveloping the site with a new single-family dwelling and a community outreach building. It was indicated that the existing house will be razed and a new single-family dwelling constructed in the front portion of the site as shown on the site plan. A one-story community building is proposed in the center portion of the property, with an accessory parking area for up to 11 vehicles provided to the rear of the site. In view of the proposed use of the property, the requested special exception and variance relief is necessary.

In support of the proposal, Ms. Hawkins testified that she has worked with the Department of Social Services for many years to help the less fortunate. She has been involved in nurturing and bringing families together, mentoring the youth and providing adult services, such as parenting skills and job training. Testimony indicated that the proposed community building will be used solely as an outreach center for families in need. It was emphasized that the building will not be used as a church and that there will be no religious worship services or athletic events taking place on the premises. The building will contain two rooms, one of which will be used for educational purposes. Ms. Hawkins hopes to have 4 or 5 computers installed to provide computer training classes for those interested in learning computer skills. It is anticipated

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that there would be no more than 25 people utilizing the building at any one time. It was also indicated that the proposed dwelling will be used for residential purposes, only, either by a family in transition, or by a permanent family. The house will not be used as a multi-family dwelling unit. There will be only one family to reside in the home at any one time.

Special hearing, special exception and variance relief are requested as set forth above to allow use of the subject property as proposed. Also at issue in the instant case is the fact that the existing building has been designated as "historic." As noted above, although not specifically requested within the Petition, the Petitioners propose to raze the existing structure and construct a new home in its place. Prior to the alteration or demolition of any historic structure in Baltimore County, the proposal must be considered by the County's Landmarks Preservation Commission (LPC). In this regard, a Zoning Advisory Committee (ZAC) comment was received from the Office of Planning, dated May 30, 2006, requesting certain documentation regarding the existing structure and proposed development be submitted for their review so that a determination could be made as to whether the project needed to proceed through the LPC. At the public hearing held on June 2, 2006, this Zoning Commissioner advised that a decision in this matter would be held in abeyance until such time as the Petitioners had submitted the requisite documentation to the Office of Planning. A subsequent comment from the Office of Planning, dated June 5, 2006, indicates that the requisite documentation had been submitted by the applicants and following its review, Preservation Services staff determined that the existing structure is of "low remaining historic integrity" and thus, the project need not proceed to the LPC for review. However, it was further requested that an amended Petition be filed and a sign posed on the property to reflect that a demolition permit will be requested, thereby meeting the requirements of Sections 32-4-416 and 32-4-223(8) of the Baltimore County Code, which relate to the preservation of historic structures. I believe this request to be reasonable as it provides the public an opportunity to be heard prior to the demolition of any structure. Thus, a decision in this matter was held in abeyance pending the reposting of the property and continuing the hearing to the new date of July 28, 2006. Subsequent to the reposting of the property and there

being no opposition to the razing of the existing dwelling or requests for further proceedings in this matter, the following decision is rendered.

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested relief. I find that the proposed use meets the special exception requirements set forth in Section 502.1 of the B.C.Z.R. and will not adversely impact the surrounding locale. The facts and circumstances do not show that the proposed use at this particular location will have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 291 Md. 1, 432 A2d, 1319 (1981) In fact, the Petitioners have shown that the proposed community building will provide a benefit to the community. Moreover, I find that the requested variances are appropriate in this instance and should be granted. The variances are necessitated given the narrow width of the property and its location in the D.R.5.5 zone. There were no adverse comments submitted by any County reviewing agency and the neighbors and surrounding community support the proposal as evidenced by letters contained within the case file. Thus, it appears that relief can be granted without detrimental impact to adjacent properties or the surrounding locale. However, within its ZAC comment, the Office of Planning requested that the driveway width at the entrance to the property be increased to at least 16 feet to allow sufficient passing room for vehicles entering or exiting the site onto Windsor Mill Road. The Petitioners agreed to this modification and as evidenced on the amended site plan (Exhibit 3) the plan was revised to provide a 24-foot wide two-way traffic drive isle.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the requested special hearing, special exception and variance relief shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 31 day of July 2006 that the Petition for Special Hearing, to approve a waiver pursuant to Sections 32-4-107(b), 32-4-233(8) and 32-4-416(a)(2) of the Baltimore County Code (BCC) to raze an existing building, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Special Exception, for a community outreach building on the subject property, in accordance with Petitioner's Exhibit 3, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Sections 1B01.2.C.1.a, 409.4.A, and 1B01.1.B.1.E(2)(3) and (5) to allow a proposed community building (outreach center) with a rear yard setback of 14 feet in lieu of the required 30 feet, a two-way driveway width of 12 feet in lieu of the required 20 feet, and Residential Transition Area building setbacks of 44 feet and 14 feet and a parking lot RTA setback of 13 feet and 21 feet with a cleared 10-foot buffer, in lieu of the required 75-foot setbacks with an uncleared 50-foot buffer for the building and parking lot, respectively, in accordance with Petitioner's Exhibit 3, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any permits, Petitioners shall submit building elevation drawings of the proposed community building and dwelling to the Office of Planning for review and approval.
- 3) The community building shall be limited to use as a community outreach center and not for residential purposes. There shall be no athletic events, or church or religious worship activities conducted therein.
- 4) The proposed dwelling shall be used as a single-family residence, only. There shall be only one family living in the residence at any one time.
- 5) The entire perimeter surrounding the community building and related parking area shall be landscaped to buffer its view from neighboring properties. A landscape plan shall be submitted for review and approval by the County's Landscape Architect prior to the issuance of any permits.

6) Driveway access to the proposed use shall be 24' wide to provide for the general public safety as indicated in the body of this Order.

7) When applying for any permits, the site plan filed must reference this Case as set forth and address the conditions and restrictions of this Order.

LIAM// WISEMAN, III

Zoning Commissioner
For Baltimore County



JAMES T. SMITH, JR. County Executive

July 31, 2006

WILLIAM J. WISEMAN III

Zoning Commissioner

Margaret Snoeren, Esquire Weinstock, Friedman & Friedman 4 Reservoir Circle Baltimore, Maryland 21208

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE

S/S Windsor Mill Road, 83' N of the c/l St. Lukes Lane

(7003 Windsor Mill Road)

2nd Election District – 4th Council District Clarence Hawkins, Sr., et ux - Petitioners Case No. 06-496-SPHXA

Dear Ms. Snoeren:

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

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

Very truly yours,

WILLIAM WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:bjs

cc: Mr. & Mrs. Clarence Hawkins, Sr., 7005 Brompton Road, Baltimore, Md. 21207

Mr. Brian Dietz, 8119 Oakleigh Road, Baltimore, Md. 21234

Ms. Christine Paylor, 3706 Sequoia Avenue, Baltimore, Md. 21215

Ms. Madeline Underwood, 3414 Eurora Lane, Baltimore, Md. 21207

Ms. Deanna Wilson, 5009 Curley Road, Baltimore, Md. 21207

Office of Planning; People's Counsel; Case File



MANUAL ARCHINED FL

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 7005 W	undsermilled
which is presently zo	Y

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

a waiver pursuant to Sections 32-4-107(b), BCC of Sections 32-4-223.(8) and Section 32-4-416(a)(2) -- To raze existing building.

The Preservation Services staff have assessed the property from photographs and have concluded that the existing building is "of low remaining historic integrity". Therefore, the committee supports demolishing of the existing building as requested.

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

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

·	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
	Clarence & Gladys Haw Rins
Name - Type or Print	Name-Type or Print Jaw Ring M.
Signature	Signature ON WA Hawkins
Address Telephone No.	Name - Type or Pint
City State Zip Code	5 ggalure 13 vm Oton 21 410-248623
Attorney For Petitioner:	Address Telephone No.
MARLARET 3, SNOEREN	City City Mul 2100 Zip Code
Name - Type or Print	Representative to be Contacted:
Signature SIGNATOCK FRIRPMAN FRIROMAN, INC	Brian Dietz
Company RESERSOIR CIRCLE 410-559-9000	8/19 Ogkleigh Rd 410-661-3160
Address Telephone No.	Address 134 Mel 21234
City State Zip Code	City State Zib Code
State Zip Code	OFFICE USE ONLY
	ESTIMATED LENGTH OF HEARING
Case No. 4/96 - SPHX Rev	UNAVAILABLE FOR HEARING
Rev	viewed By Date
2 22 9/15/98	



Petition for Special Exception

for the property located at MSUL

to the Zoning Commissioner of Baltimore County

which is presently zoned DX-5-5

This Petition shall be filed with the Department of Permowner(s) of the property situate in Baltimore County and which made a part hereof, hereby petition for a Special Exception herein described property for A Community	hits and Development Management. The undersigned, legal ch is described in the description and plat attached hereto and under the Zoning Regulations of Baltimore County, to use the
Property is to be posted and advertised as prescribed by the z I, or we, agree to pay expenses of above Special Exception, advertised as prescribed by the zoning regulations and restrictions of Baltimore County adopted pure	rising, nostring, etc. and fulfiller autee to and are to be bearings by any
Contract Purchaser/Lessee:	Legal Owner(s): Clarence Hawkins SR.
Name - Type or Print	Name - Type or Print
Address Telephone No. City State Zip Code Attorney For Petitioner: Mayagust Swelen Name - Type or Print	Signature Signature Name - Type of Print Signature Signature TOUS TOWN AUN AUN AUN AUN AUNT Telephone No. City State Zip Code
	Representative to be Contacted:
Signature Leinster & Friedman & Friedman Company Company Address Address City State State Signature Leinster & Friedman & Friedman Telephone No. State Zip Code	Name Name SN9 D9K1efgh P4 U10-661-3160 Address Telephone No. State Zip Code
Se No. 06-496 87	OFFICE USE ONLY ESTIMATED LENGTH OF HEARING 2



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property located at 1003 Windson Mill Rd

which is presently zoned PR-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)

1Bp1.2.C.1a, 409.4.A, 1B01.B.1.E (2) (3) & (5) To allow a proposed Community Building (Outreach Center) with a rear yard setback of 14 feet and a 2 way driveway width of 12 ft. and building RTA setbacks of 44 ft. and 14 feet and a parking lot RTA setbacks of 13 feet &21 ft. with a cleared 10 foot buffer in lieu of the required 30 ft., 20ft, and RTA setbacks of 75 fee with an un-cleared 50 foot buffer for the building and parking lot respectively.

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

To be discussed at the hearing.

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

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

Contract Purchaser/Lessee:	<u>Legal Owner(s):</u>
Name - Type or Print	Clarence Hawkins Se. Name - Type or Print
Signature	Signature Signature
Address Telephone No.	Namer-Type of Print Albert Resur
City State Zip Code	Signature A Huy Cur
Attorney For Petitioner:	7005 Blompton Rd 410-28-6238 Address Telephone No.
May gavet S. Smelen Name - Type or Print	Address Telephone No. 31307 City State Telephone No. Zip Code
Signature	Representative to be Contacted:
Company Stock Fredman & Friedman	Brian Dietz
Address Telephone No.	Name 9 9 9 9 9 9 9 9 9
State Zip Code	Address Telephone No. City State Zip Code
	OFFICE USE ONLY
Case 310. 06-496 XA	ESTIMATED LENGTH OF HEARING See 5%
Reviewed By	UNAVAILABLE FOR HEARING Date 4-11-07
GEVED/15X98	

Brian R. Dietz

Professional Land Surveyor #21080

7867 Oakdale Avenue, Baltimore, MD 21237 Phone 410-686-1198 Fax 410-682-6021

Zoning Description
For
7003 Windsor Mill Road

April 4, 2006

Beginning at a point on the South side of Windsor Mill Road, at the distance of 83'+/feet North of the centerline of Saint Lukes Lane, thence leaving said Windsor Mill Road and
running on the land of the herein petitioner the 4 following courses and distances viz.

- 1. South 48 degrees 30 minutes West 294.00 feet,
- 2. North 67 degrees 30 minutes west 76 feet,
- 3. North 45 degrees East 326.00 feet to the South side of Windsor Mill Road, and
- 4. South 42 degrees 45 minutes East, running and binding on said Road, 88.2 feet to the place of beginning.

Containing 0.560 Ac. of land more or less. Being known as 7003 Windsor Mill Road and located in the 2nd Election District, 4th Councilmanic District.

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- 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: #06-496-XA

7003 -7005 Windsor Mill Road South side of Windsor Mill Road, 83 feet +/- north of centerline of St. Lukes Lane

2nd Election District — 4th Councilmanic District

Legal Owner(s): Clarence & Gladys Hawkins, Sr.

Variance: to allow a proposed Community Building
(Outreach Center) with a rear yard setback of 14 feet and
a 2 way driveway width of 12 feet and building RTA
setbacks of 44 feet and 14 feet and a parking lot RTA
setbacks of 13 feet and 21 feet with a cleared 10 foot buffer in lieu of the required 30 feet, 20 feet and RTA setbacks of 75 feet with an uncleared 50 foot buffer for the building and parking lot respectively. Special Exception: for a Community Building.
Hearing: Friday, June 2, 2006 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

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. 5/187 May 18

CERTIFICATE OF PUBLICATION

5/18,2006
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
$\frac{518}{,200}$
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

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CERTIFICATE OF POSTING

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•				Petitioner/	Developer: <u>C</u>	AREXXE
				& GLAD	YS HAW	KINS SR
				Date of He	aring/Closing:	JUNE 2,20
Permits and D County Office	nty Department of evelopment Mana Building, Room 1 apeake Avenue land 21204	gement				
ATTN: Kriste	n Matthews {(410) 887-339	4}			•
Ladies and Ge	ntlemen:	4.30	•			
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				()	rint Name)	······································
				1508	Leslie Road	
				**************************************	(Address)	<u>.</u>
	•		•	Dundalk	, Maryland 212	222
	•			(City,	State, Zip Coc	le)
3	<i>p</i>			(41	0) 282-7940	•
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CERTIFICATE OF POSTING

RE: Case No.: 06-476-XA

Petitioner/Developer: CLARENCE N

GLADYS HAWKINS SR. Date of Hearing/Closing: JUNE 2, 2006

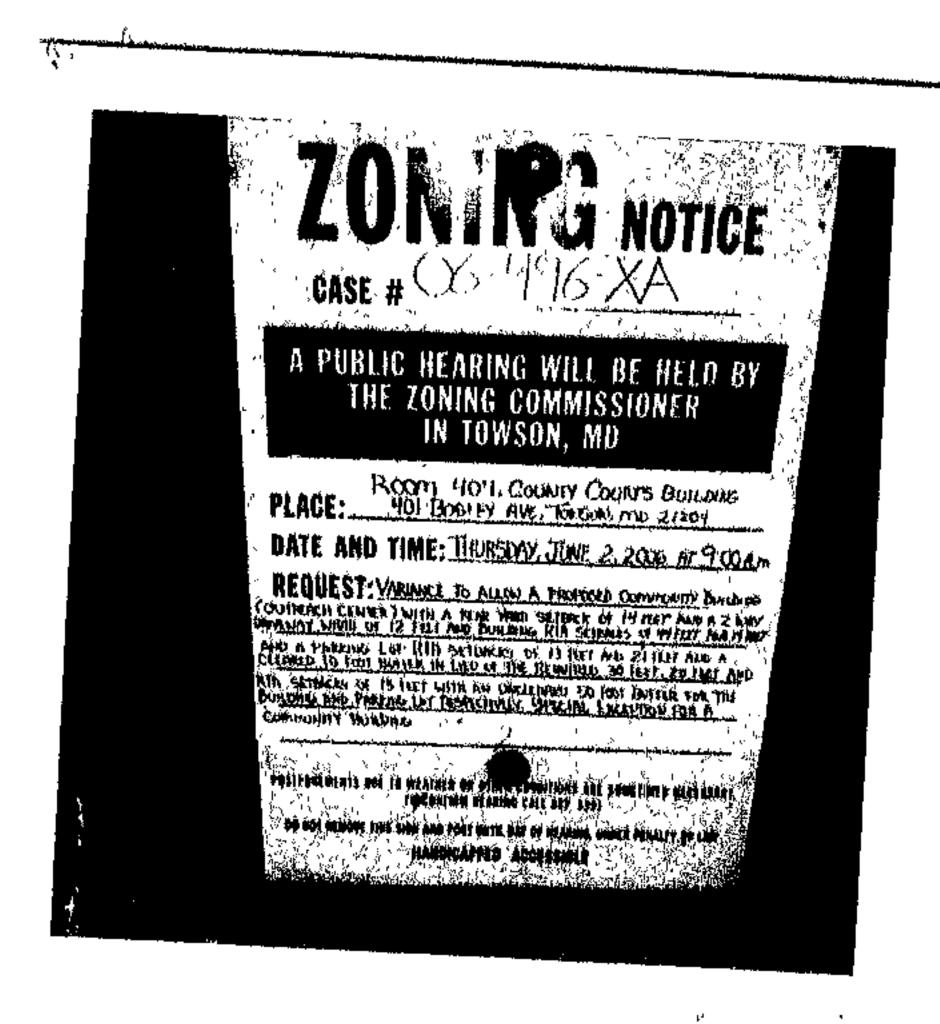
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204

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: 7003 . 7005 WINDSOR MILL ROAD (Month, Day, Year) The sign(s) were posted on

Sincerely,



Robert Black 5:16:06
(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)

Hi Kristen,

The picture is for the day change from Thursday to Friday June 2, 2006 is for case # 06-496-XA Mrs. Hawkins took the picture and sent it to me. I hope this is o.k..

Thank you,

Sgt. Robert Black

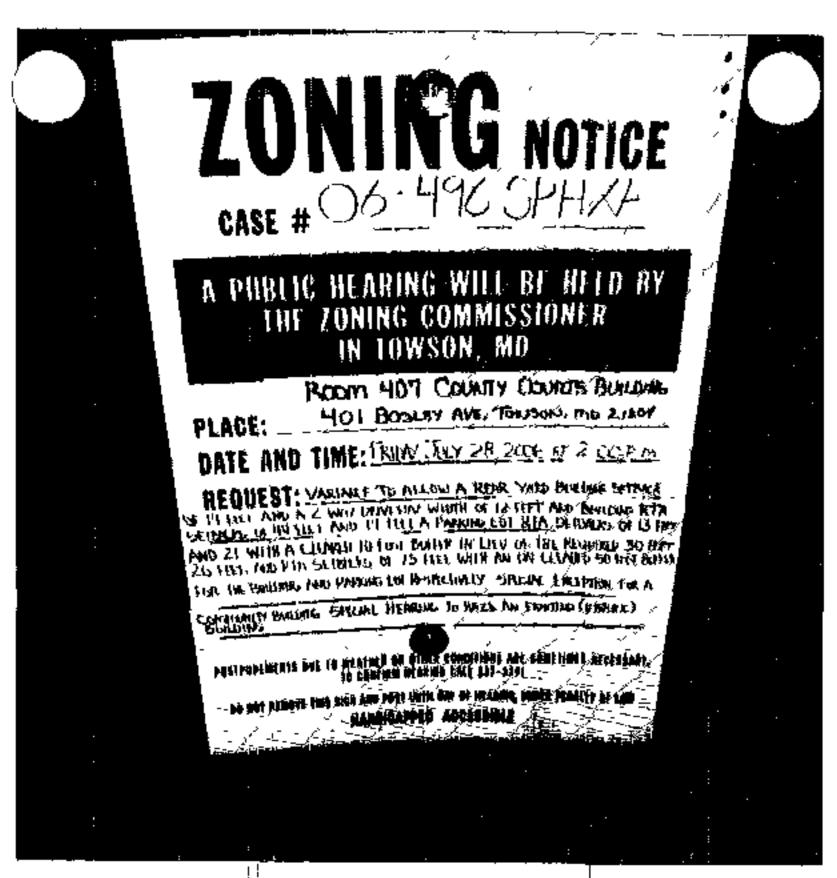
IN TOWSON, MD

PLACE: 401 BOSIEY AV

COURTS BUILDING 50N, MD 2/204

Friday JUNE 2, 2006 AT 9:00 A.m.

REQUEST: VARIANCE TO ALLOW A PROPOSED COMMUNITY BUILDING (OUTREACH CENTER) WITH A REAR YARD SETBACK OF 14 FEET AND A 2 WAY DRIVEWAY WIDTH OF 12 FEET AND BUILDING RTA SETBACKS OF 44 FEET AND 14 1887 AND A PARKING LOT RTA SETBACKS OF 13 FEET AND 21 FEET AND A CLEARED TO FOOT BUFFER IN LIEU OF THE REQUIRED 30 FEET, 20 FEET AND IRTA SETBACKS OF 75 FEET WITH AN UNCLEARED 50 FOOT BUFFER FOR THE BUILDING AND PARKING LOT DESPECTIVELY. SPECIAL EXCEPTION FOR A



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

May 11, 2006

CORRECTED 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: 06-496-XA

7003-7005 Windsor Mill Road

huthy Kotroco

South side of Windsor Mill Road, 83 feet +/- north of centerline of St. Lukes Lane

2nd Election District – 4th Councilmanic District

Legal Owners: Clarence & Gladys Hawkins Sr.

<u>Variance</u> to allow a proposed Community Building (Outreach Center) with a rear yard setback of 14 feet and a 2 way driveway width of 12 feet and building RTA setbacks of 44 feet and 14 feet and a parking lot RTA setbacks of 13 feet and 21 feet with a cleared 10 foot buffer in lieu of the required 30 feet, 20 feet and RTA setbacks of 75 feet with an uncleared 50 foot buffer for the building and parking lot respectively. <u>Special Exception</u> for a Community Building.

Hearing: Friday, June 2, 2006 at 9:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Margaret Snoeren, Weinstock, Friedman & Friedman, 4 Reservoir Circle, Baltimore 21208 Mr. & Mrs. Clarence Hawkins, Sr., 7005 Brompton Road, Baltimore 21207 Brian Dietz, 8119 Oakleigh Road, Baltimore 21234

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MAY 18, 2006.

- (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.



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

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 ubject 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 A Item Number or Ca		
TELLINULLIDE OF CE	ase Number: 00 476 A7	
Petitioner:	15. Hawkins	
اکے الک Address or Locatio	on: 7003-05 Windson Mill Rd.	
PLEASE FORWAR	RD ADVERTISING BILL TO:	
	RD ADVERTISING BILL TO:	
PLEASE FORWAR	RD ADVERTISING BILL TO:	
	Same	
Name:	Same 7005 BRAMPJON Rdi	
Name:	Same	

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

April 19, 2006

NOTICE OF ZONING HEARING

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CASE NUMBER: 06-496-XA

7003-7005 Windsor Mill Road

South side of Windsor Mill Road, 83 feet +/- north of centerline of St. Lukes Lane 2nd Election District – 4th Councilmanic District

Legal Owners: Clarence & Gladys Hawkins Sr.

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Hearing: Thursday, June 2, 2006 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Margaret Snoeren, Weinstock, Friedman & Friedman, 4 Reservoir Circle, Baltimore 21208 Mr. & Mrs. Clarence Hawkins, Sr., 7005 Brompton Road, Baltimore 21207 Brian Dietz, 8119 Oakleigh Road, Baltimore 21234

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MAY 18, 2006.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY

Thursday, May 18, 2006 Issue - Jeffersonian

Please forward billing to:

Mr. & Mrs. Hawkins 7005 Brompton Road Baltimore, MD 21207

410-298-6238

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: 06-496-XA

7003-7005 Windsor Mill Road

South side of Windsor Mill Road, 83 feet +/- north of centerline of St. Lukes Lane

2nd Election District – 4th Councilmanic District

Legal Owners: Clarence & Gladys Hawkins Sr.

<u>Variance</u> to allow a proposed Community Building (Outreach Center) with a rear yard setback of 14 feet and a 2 way driveway width of 12 feet and building RTA setbacks of 44 feet and 14 feet and a parking lot RTA setbacks of 13 feet and 21 feet with a cleared 10 foot buffer in lieu of the required 30 feet, 20 feet and RTA setbacks of 75 feet with an uncleared 50 foot buffer for the building and parking lot respectively. <u>Special Exception</u> for a Community Building.

Hearing: Thursday, June 2, 2006 at 9:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue, Towson 21204

WILLIAM J. WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

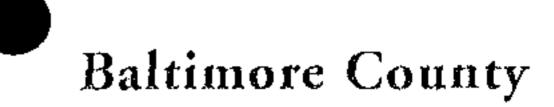
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Department of Permits an Development Management

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





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

May 25, 2006

Ms. Margaret S. Snoeren Weinstock, Friedman & Friedman 4 Reservoir Circle Baltimore, MD 21208

Dear Ms. Snoeren:

RE: Case Number: 06-496-XA, 7003-7005 Windsor Mill Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 11, 2006.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

Supervisor, Zoning Review

u. Callalal)

WCR:amf

Enclosures

People's Counsel C; Clarence Hawkins, Sr. Gladys Hawkins 7005 Brompton Road Baltimore, MD 21207 Brian Dietz 8119 Oakleigh Road Baltimore 21234



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: 4.21.06

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

RE:

Baltimore County

Item No. 4 36

15

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

1. 1. Soull

Engineering Access Permits Division

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

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

April 21,2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: April 24, 2006

Item Numbers: 491-515

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 Roland P Bosley Jr. Fire Marshal's Office 410-887-4881 (C)443-829-2946 MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: April 25, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 1, 2006 Item No. 496

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

Windsor Mill Road has an ultimate right-of-way width of 70-feet. The setback for the proposed 2-story dwelling should be revised to be measured off of this ultimate right-of-way.

SITE PLAN Correction

DAK:CEN:clw cc: File

ZAC-ITEM NO 496-04252006.doc

BALTIMORE COUNTY, MARYLAND

INTRA-OFFICE CORRESPONDENCE

HISTORIC PRESERVATION COMMENTS FOR ZAC

TO: Curtis Murray

DATE: June 5, 2006

RECEIVED

VIA: Lynn Lanham

FROM: Karin Brown

JUN 0 5 2006

PROJECT NAME: 7003 - 7005 Windsor Mill Road

ZONING COMMISSIONER

PROJECT #: 6-496 XA

The site is improved with a historic dwelling (County Register (MHT) # BA-2468). The applicant proposes demolishing the historic structure and constructing a "community building" in its place. Preservation Services staff requested photographs to assist in analyzing the proposal. The applicant submitted the photographs, which show a structure of low remaining historic integrity. For this reason, staff determined <u>not</u> to take the proposed demolition before the Baltimore County Landmarks Commission (LPC).

Staff supports the continuation of the Special Exception/Variance Hearing to allow for the Administrative Special Hearing, provided the language on the posted sign can be amended to reflect that the request has changed, and now includes a demolition request.



INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

The same of the sa

DATE: May 30, 2006

JUN 0 1 2006

COMMISSIONER

SUBJECT:

7003-7005 Windsor Mill Road

INFORMATION:

Item Number:

6-496

Petitioner:

Clarence and Gladys Hawkins

Zoning:

DR 5.5

Requested Action: Variance and Special Exception

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request. The site is improved with a historic dwelling (County Register (MHT) # BA-2468). The applicant proposes constructing a "community building" on the site with setback and driveway width relief. A substandard entrance could be detrimental to the ability of vehicles to enter and exit the site. A conflict of vehicles at this point could cause major traffic problems along Windsor Mill Road. Additionally the Office of Planning requires more information to further evaluate the petitioner's request with respect to the noted historic structure.

To assist in the Office of Planning's analysis, the applicant should:

- 1. Show the historic structure on the site plan and label with the respective MHT #;
- 2. Submit photographs of all sides of the existing historic building;
- 3. Photographs of the structures immediately abutting the site as viewed from Windsor Mill Road;

Elevation drawings of all sides of the proposed community building, or a note on the development plan, in **bold**, that the elevation of the proposed building is subject to review by Preservation Services.

Driveway access to the proposed use shall be from the existing driveway (there shall be no new curb cuts).





Should the petitioner demonstrate a hardship, practical difficulty and appropriate justification resulting in the Zoning Commissioner granting the variance and special exception, the Office of Planning respectfully requests that any decision be postponed until after review of the aforementioned by Preservation Services.

For further information concerning the matters stated here in, please contact Dave Green at 410-887-3480.

Prepared by:

Division Chief: AFK/LL: CM

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Prepared by:

AFK/LL: CM

BALTIMORE COUNTY, MARYLAND

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TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

RECEIVED

DATE: May 30, 2006

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Prepared by:

Division Chief: AFK/LL: CM

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE

AND VARIANCE

7003-7005 Windsor Mill Road; S/S Windsor* ZONING COMMISSIONER

Mill Road, 83' N c/line of St. Lukes Lane

2nd Election & 4th Councilmanic Districts * FOR

L.O.: Clarence, Sr. & Gladys Hawkins

Petitioner(s) * BALTIMORE COUNTY

* 06-496-XA

* * * * * * * * *

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 and all documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Vando Damilia

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 21st day of April, 2005, a copy of the foregoing Entry of Appearance was mailed to Brian Dietz, 8119 Oakliegh Road, Baltimore, MD 21234 and Margaret Snoeren, Esquire, Weinstock, Friedman & Friedman, 4 Reservoir Circle, Baltimore, MD 21208, Attorney for Petitioner(s).

RECEIVED

APR 2 1 2006

Per.....

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Click here for a plain text ADA compliant screen.



Maryland Department of Assessments and Taxation **BALTIMORE COUNTY Real Property Data Search**

Go Back View Map New Search **Ground Rent**

Account Identifier:

District - 02 Account Number - 0203370040

Owner Information

Owner Name:

HAWKINS CLARENCE, SR

HAWKINS GLADYS L

Use:

RESIDENTIAL

Mailing Address:

7005 BROMPTON RD

BALTIMORE MD 21207-5750

Principal Residence:

NO

Deed Reference:

1) /21622/ 477

Location & Structure Information

Premises Address

7003 WINDSOR MILL RD

Legal Description

7003 WINDSOR MILL RD SS

OPP ST LUKES LA

Sub District Map Grid Subdivision Section **Parcel** Block Lot **Assessment Area** Plat No: 88 Plat Ref: 13 518 Town

Special Tax Areas

Ad Valorem Tax Class

Primary Structure Built Enclosed Area Property Land Area County Use 22,630.00 SF 3,202 SF 1921 04 **Exterior** Stories **Basement** Type NO STANDARD UNIT SIDING 2

Value Information

Phase-in Assessments Base Value Value As Of As Of As Of 07/01/2006 01/01/2004 07/01/2005 33,400 Land: 41,650 Improvements: 80,050 85,230 126,880 122,402 **Total:** 113,450 126,880 **Preferential Land:**

Transfer Information

03/29/2005 Price: \$153,000 7003 WINDSOR MILL TRUST Date: Seller: Deed2: Deed1: /21622/ 477 IMPROVED ARMS-LENGTH

Type: 11/19/2004 Date: Price: HAWKINS TIANT R

\$95,000 Seller: **Deed1:** /21010/ 332 Deed2: IMPROVED ARMS-LENGTH Type:

\$85,000 08/14/1997 Price: Date: CURTO JOSEPH P, JR Seller:

Deed2: **Deed1:** /12327/ 185 NOT ARMS-LENGTH Type:

Exemption Information

07/01/2006 07/01/2005 Class **Partial Exempt Assessments**

000 0 County State 000 0 0 0 000 Municipal

Tax Exempt:

Exempt Class:

NO

Special Tax Recapture:

* NONE *



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

WISEMAN, III

Zoning Commissioner

for Baltimore County

June 2, 2006

Margaret S. Snoeren, Esquire Winestock, Friedman and Friedman 4 Reservoir Circle Baltimore, Maryland 21208

RE: PETITION FOR SPECIAL EXCEPTION & VARIANCE

(7003-7005 Windsor Mill Road)

Clarence and Gladys Hawkins - Petitioners

Case No. 06-496-XA

Dear Ms. Snoeren:

Following the public hearing in this matter on June 2, 2006, I reviewed Section 32-7-406 of the Baltimore County Code relative to properties within an historic district. While I appreciate that you have been discussing your proposal with Caren Hoffberger in the Office of Planning's Preservation Services, I believe that the dwelling on the property (County Register MHT #BA-2468) should be reviewed by the aforementioned Preservation Services, formerly known as the Landmarks Preservation Commission. My reading of this section of the code affirms that this matter is within the purview of that Commission. I agree with the Office of Planning's comment that my decision should be postponed until after their review is completed.

I trust that you will understand my reasoning in this matter, and should you have any questions on the subject please do not hesitate to contact me. Thank you for your consideration in this matter.

WJW:dlw

Tour Brown

c: Brian R. Dietz, Dietz Surveying, Inc., 7867 Oakdale Avenue, Baltimore, Md. 21237 Mr. and Mrs. Clarence Hawkins, Sr., 7005 Brompton Road, Baltimore, Md. 21207-5750

Caren Hoffberger, Office of Planning; People's Counsel; Case File

Com

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

E-MAIL: wwiseman@co.ba.md.us

FAX TRANSMISSION

TO: Margaret 5. SNOEREN Esq FAX: 410-559-9009

FROM: William J. Wiseman, III

PAGES:

RE: 1003-7005 Windson Mill RD

(including cover)

CONFIDENTIALITY NOTICE

The documents accompanying this telecopy transmission contain confidential information belonging to the sender which is legally privileged and confidential. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action based on the contents of this telecopy information is strictly prohibited. If you have received this telecopy in error, please immediately notify the sender to arrange for return of the original documents.

Message/Comments:

Enclosed Find Historic PRESERVATION
COMMENT ON YOUR CLIENTS PROPERTY. (LEASE

PROCED WITH HAVENG THE NECESSARY POSTING

Lequirement Satists.

Thank you

BALTIMORE COUNTY, MARYLAND

INTRA-OFFICE CORRESPONDENCE

HISTORIC PRESERVATION COMMENTS FOR ZAC

TO: Curtis Murray

DATE: June 5, 2006

VIA: Lynn Lanham

FROM: Karin Brown

JUN 0 5 2006

PROJECT NAME: 7003 – 7005 Windsor Mill Road

ZONING COMMISSIONER

PROJECT #: 6-496 XA

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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

E-Mail: wwiseman@co.ba.md.us

FAX TRANSMISSION

TO: 194/2

DATE: 6/06/06

FAX:

165116

William J. Wiseman, III

PAGES:

(including cover)

RE:

FROM:

06-476 XA

CONFIDENTIALITY NOTICE

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Message/Comments:

part your way. Looks with the LPC

"Must is in survence a mon wine".

Please feel see to vall the top transmis Attorney and

for my land the support Man Negrot.

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

n A

From:

Debra Wiley

To:

Matthews, Kristen

Date:

06/21/06 10:44:14 AM

Subject:

Case No. 06-496-SPHXA - Hawkins

Hi Kristen,

Just to make you aware if you aren't already of the following:

An additional petition for Special Hearing was taken for 06-496-XA, therefore, case number is now SPHXA.

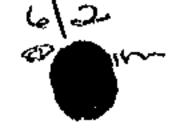
We have the file here.

Bill spoke to Brian Dietz to get a sign posted with the special hearing info. If you receive in your office, please forward to us ASAP since we have the file.

Bill spoke to Rose this AM and the two of them talked about a new hearing date of July 28th @ 2PM in Room 407.

Thank you!!

Per - Red to Marker of Mar



8119 Oakleigh Road Parkville, MD 21234 Phone: 410-661-3160 Fax: 410-661-3163

Dietz Surveying

Date: July 18, 2006

Baltimore County Zoning Commissioner's Office Attn: William Wiseman 401 Bosley Avenue Room 405 Towson, MD 21204

Par Carl Vina

JUL 1 9 2006

ZONNG COMMISSIONER

Subject: 7003 Windsor Mill Road

Dear Mr. Wiseman,

Attached please find the revised Plat to Accompany a Special Exception & Variance for a Community Center.

If you have any questions, please do not hesitate to call.

Sincerely,

Brian Dietz

PLEASE PRINT CLEARLY

CASE NAME HAWKINS P CASE NUMBER OG-486-> DATE G-2-06

LEHN ZI-ZULS SIEZOLLIZE

E- MAIL		WAREMETS @ WEINSTOCKLEGALE									
CITY, STATE, ZIP	3250 mo 2136	١.									
ADDRESS	2005 Brompton Pal	4 RESERVOIR "GIRCLE									
NAME	Gran Vers	MARGARET SNOFRED,									

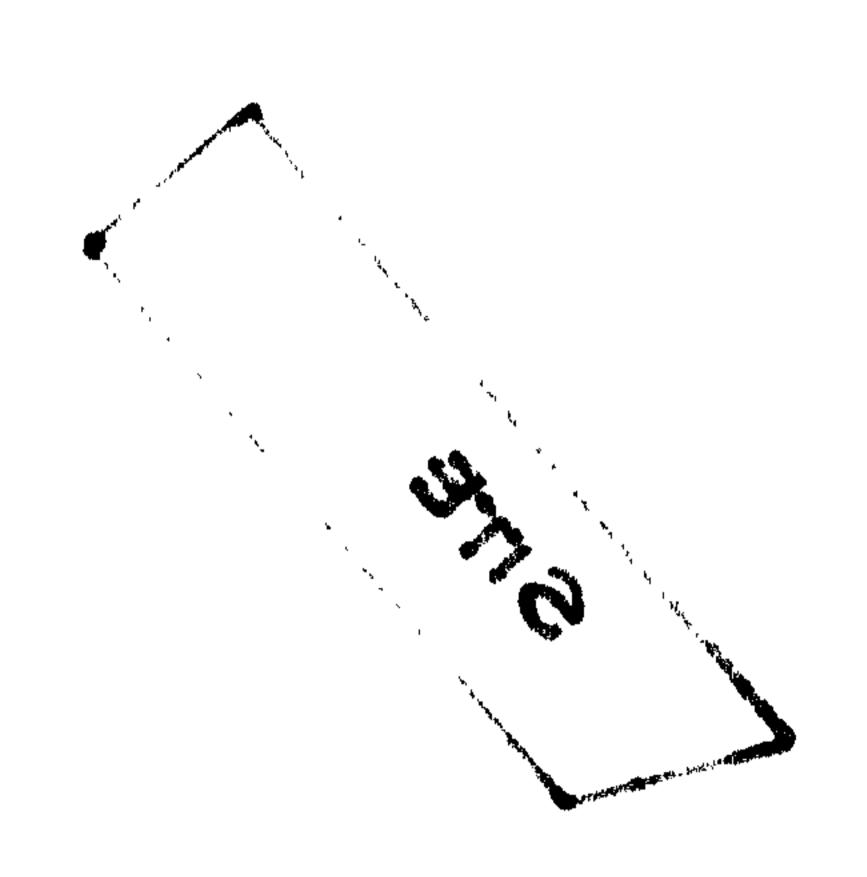
CASE NAME CASE NUMBER 06- 496-XA DATE

CITIZEN'S SIGN-IN SHEET

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								5009 Colley 21	134/4 Bassha hand	3706 Seavoin Ave.	LOOS BROMPTON Rd	ADDRESS
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* Hale



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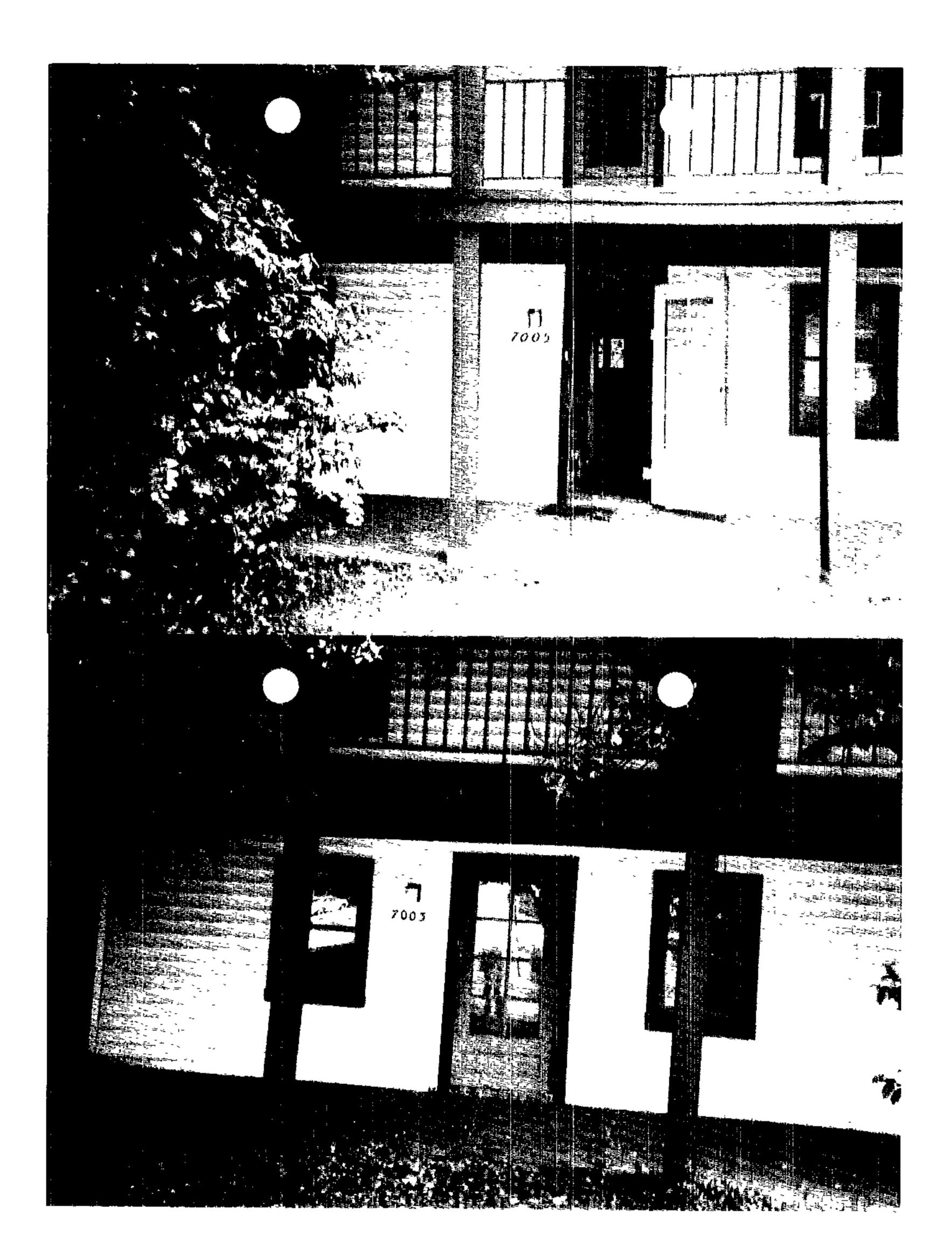
Case No.:	06-	496	XA	

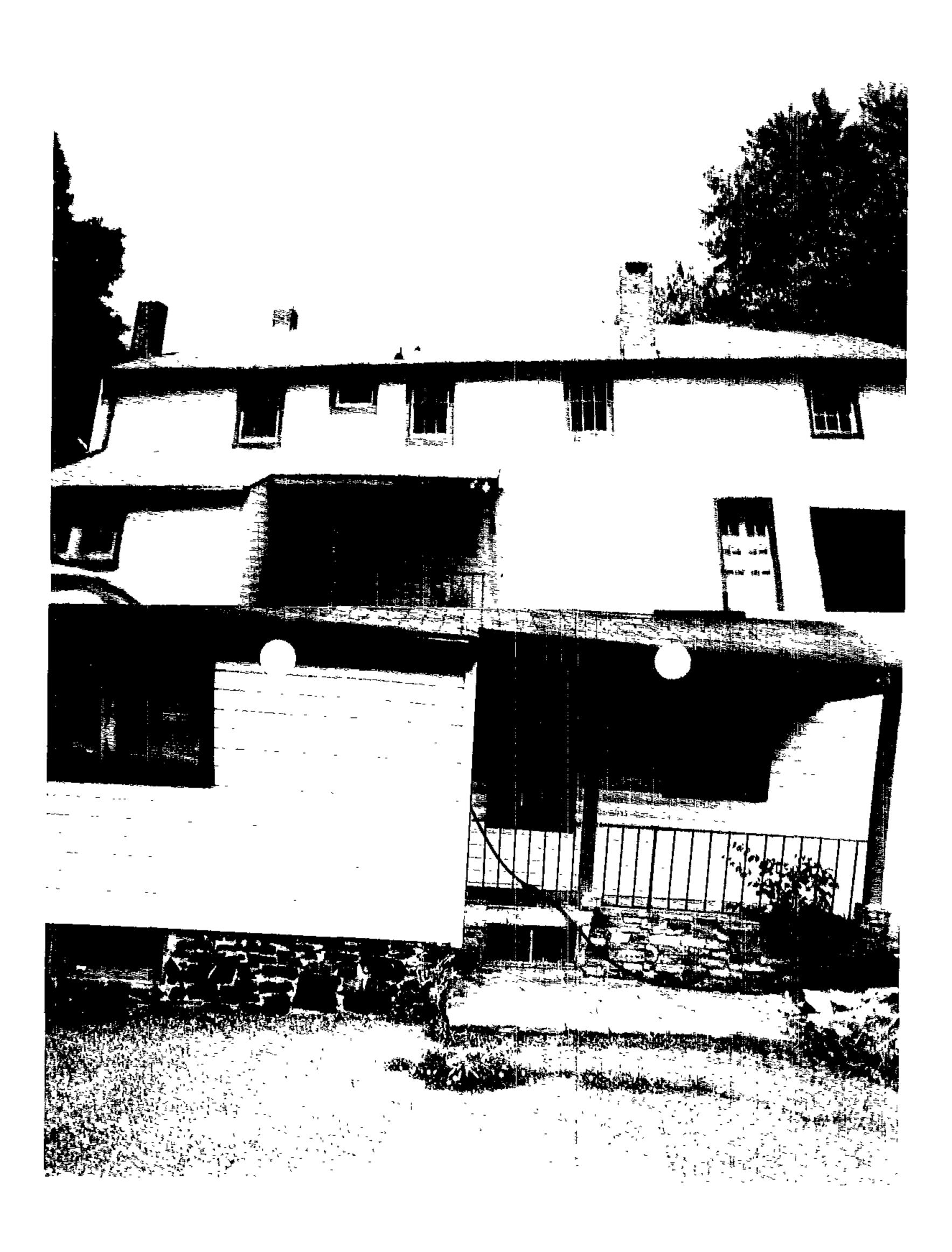
Exhibit Sheet

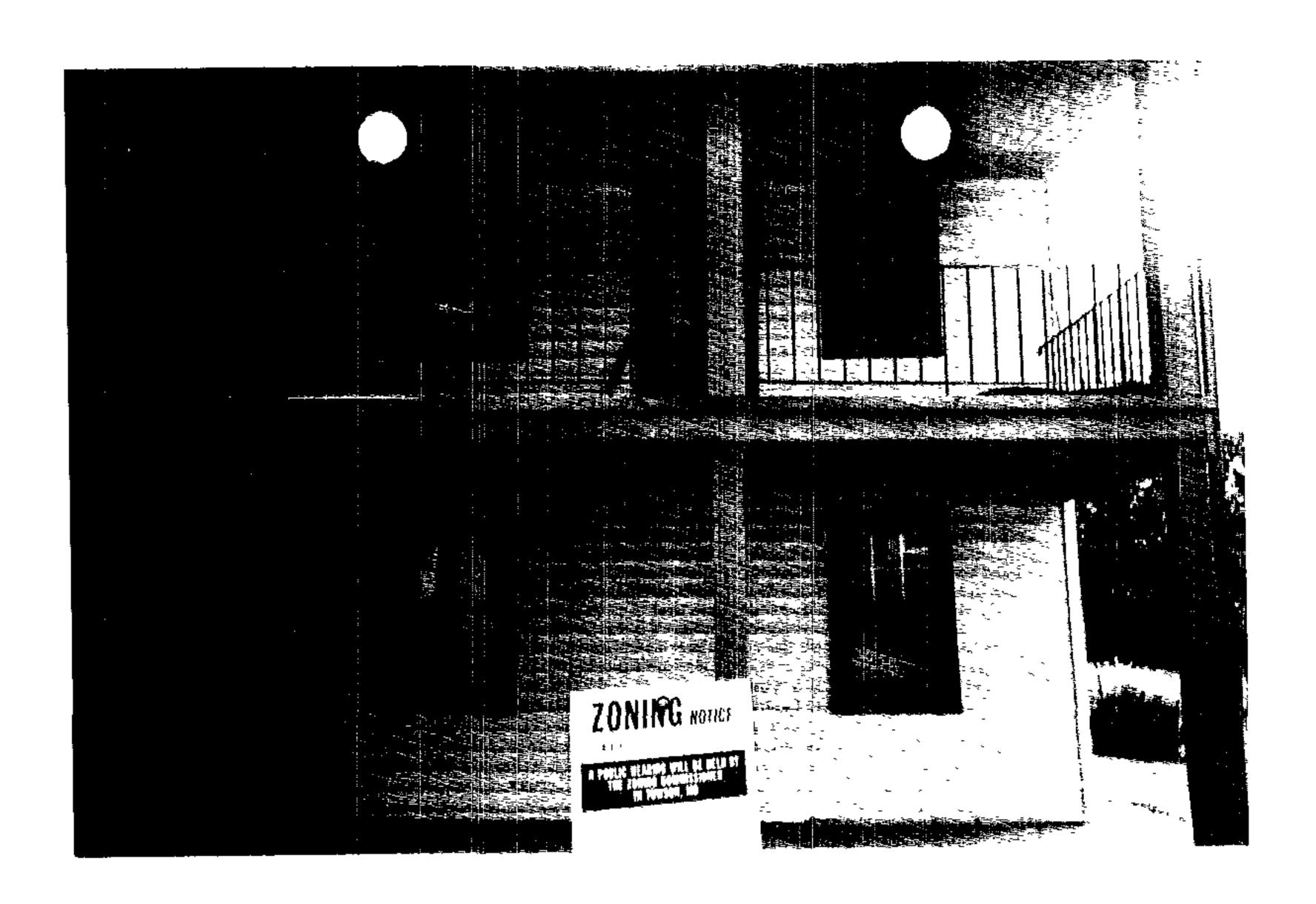
Petitioner/Developer

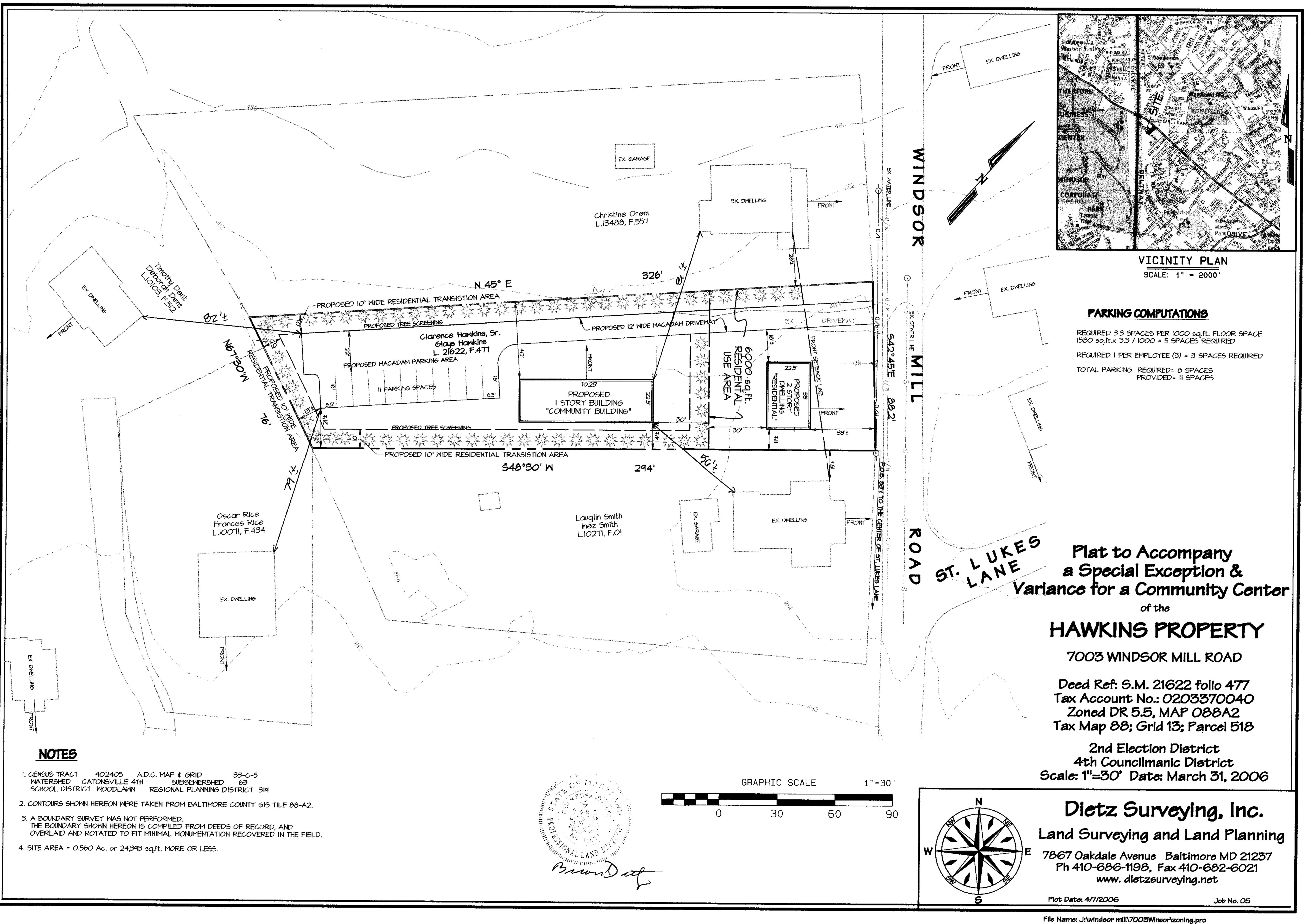
Protestant

No. 1	Line Dances Pa-Americal C
	SITE PANTANTEST ACCOMPANY PETITION
No. 2	PHOTOS OF HISTORIC Structures 7003 - 7005
No. 3	AMENDED SITE FLAN
No. 4	
No. 5	
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No. 11	
No. 12	









File Name: J:\windsor mill\7003

