

IN RE: PETITION FOR VARIANCE
S/S of Kriel Street, west of c/l of
Proctor Avenue
2nd Election District
4th Councilmanic District
(6505 Kriel Street)

Juan de la Cruz and Elonda Broadwater
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 06-659-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Juan de la Cruz and Elonda Broadwater. The Petitioners are requesting variance relief for property located at 6505 Kriel Street. Variance relief is requested from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 0.8 feet and 3.42 feet in lieu of 10 feet.

The property was posted with Notice of Hearing on August 2, 2006 for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief and time and date of the public hearing. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on August 1, 2006 to notify any interested persons of the scheduled hearing date and relief requested.

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

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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."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

Interested Persons

Appearing at the hearing on behalf of the variance request were Juan de la Cruz and Elonda Broadwater, Petitioners. No protestants or citizens attended the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Code Enforcement Comments

This matter is currently the subject of an active violation case (Case No. 06-1545) in the Division of Code Inspections and Enforcement. A citation for code violation has been issued in this matter due to the allegation that two additions are under construction without obtaining the required permits.

It should be noted, for the record, that the fact that a zoning violation is issued is simply ignored in this zoning case. This means that the Petitioner cannot use the fact that a structure has been built to set a precedent in order to allow it to continue. Nor does the fact that a structure may be costly to remove or modify come into consideration of the

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zoning case. The reason for this is that this condition is clearly self-imposed and as such cannot be a basis for the hardship or practical difficulty required by Section 307 of the B.C.Z.R. Conversely, the fact that something may have been done which could violate the law is not held against the Petitioner as some sort of an additional punishment. Zoning enforcement is conducted by the Department of Permits and Development Management, which has the authority to impose fines and other penalties for violation of law. This is not the province of this office.

Testimony and Evidence

Testimony and evidence indicated that the subject property is lot 415 of the Broad Acres subdivision which was recorded in the land records in Plat book 5 page 44. The subject property contains 6970 square feet zoned DR 5.5 and is improved by the Petitioner's home. The lot is 50 feet wide as shown on Petitioner's exhibit 1.

The Petitioners, who were not familiar with the zoning process, indicated that they believed the home was more than 50 years old but had no idea of the nature of or when the subdivision was recorded in the land records. They indicated that they had problems with the home during rainy weather when water came into their basement from an exposed outside stairwell as shown in exhibit 2. In response to this problem, the Petitioners extended their roof on the house to the east for approximately 6 feet covering the exposed stairwell. This left 3.42 feet to the eastern property line and the need for the first variance.

In addition the Petitioner extended the roof to the west to cover the kitchen door for the same reasons as above and to provide a place for the Petitioner's children to play during inclement weather. See exhibit 3. Neither the east or west roof extension resulted

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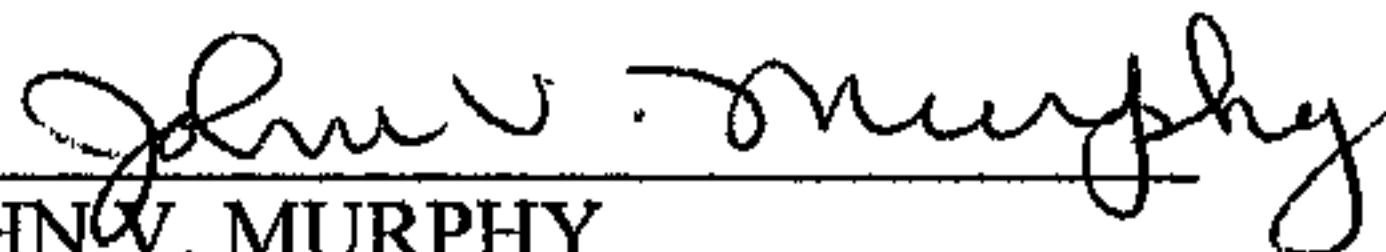
Finally, I find this variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. The house next door is only 7 feet from the property line. I do not see that extending the roof as described will change the pattern of development of the neighborhood. These additions are not enclosed structures.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED, this 18th day of August, 2006, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 0.8 feet and 3.42 feet in lieu of 10 feet is hereby GRANTED subject to the following condition:

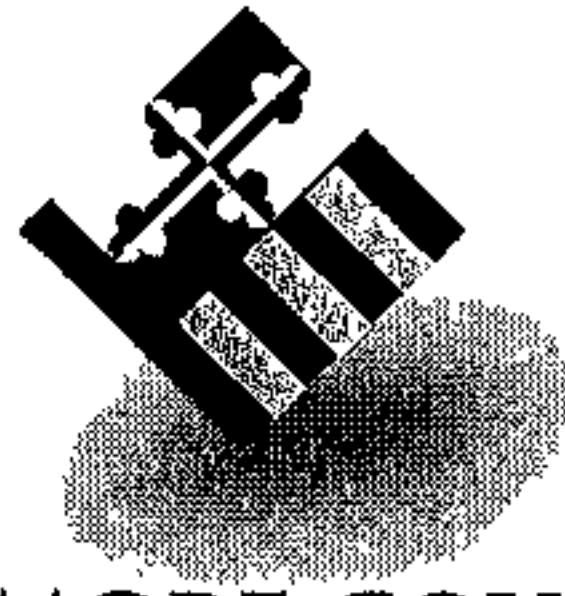
1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order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

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:pz

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8-18-06
PZ



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

August 18, 2006

JUAN DE LA CRUZ AND
ELONDA BROADWATER
6505 KRIEL STREET
BALTIMORE MD 21207

Re: Petition for Variance
Case No. 06-659-A
Property: 6505 Kriel Street

Dear Mr. De La Cruz and Mrs. Broadwter:

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

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

Very truly yours,

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

John V. Murphy
Deputy Zoning Commissioner

JVM:pz

Enclosure

RECEIVED FOR FILING
8-18-06
[Signature]



Petition for Variance

to the **Zoning Commissioner of Baltimore County**
for the property located at 6505 KRIEGL ST.
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) 1B02.3C.1 (CHART) TO FRONT
SIDE YARD SETBACKS OF 8 FT. & 3 FT. IN LIEU OF 10 FT.

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

SEE ATTACHED

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):

Juan de la Cruz
Name - Type or Print

Juan de la Cruz
Signature

Elanda Broadwax
Name - Type or Print

Elanda Broadwax
Signature

6505 Kriegl St. 4143-865-0241
Address Telephone No.

Baltimore MD 21207
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 06-659-A

REV 9/15/98

Reviewed By SM Date 06-21-06

ENCLOSURE OVER EXISTING ENTRANCE STEPS TO THE BASEMENT.

1. TO PROTECT FROM ELEMENTS.
2. TO PREVENT WATER DRAINAGE IN FROM VACANT LOT NEXT DOOR (LOT 414)
3. FOR ADDED SECURITY FOR HOUSE.

OPEN ROOF OVER DOOR TO KITCHEN:

1. TO PROTECT FROM ELEMENTS.
2. TO PROVIDE AN OUTDOOR COOKING AREA CONVENIENT TO THE KITCHEN.

LOCATION OF BOTH ADDITIONS REQUIRED BECAUSE OF EXISTING HOUSE & ENTRANCE LAYOUT.

Zoning description for 6505 Kriel Street

Beginning at a point on the south side of Kriel Street which is 40 feet wide at a distance of 120 feet (plus or minus) west of the centerline of the nearest improved intersecting street Proctor Avenue which is 40 feet wide. Being lot #415, in the subdivision of Broad Acres as recorded in Baltimore County Plat Book #5, Folio #44, containing 6970 square feet. Also known as 6505 Kriel Street and located in the 2nd Election District, 4th Councilmanic District.

BALTIMORE COUNTY, MARYLAND

OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 231

DATE 06-27-06 ACCOUNT RC01-206-6130

AMOUNT \$ 605.00

RECEIVED FROM SHANAN DE LA CRUZ

FOR Rec. (WALMART (DISTRIBUTION))

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

5037

PAID RECEIPT

RECEIVED BY WILL JEWETT TIME 10:00

DATE 6/27/2006 TIME 16:04:40 PAGE 2

RECEIPT # 400973 DATE 6/27/2006 TYPE FFLN

REPT 5 FOR JEWETT VERIFICATION

TR NO. 007231

REPT FOR REPT FOR \$55.00

1.00 OF \$50.00 IN

\$15.00 IN

Baltimore County, Maryland

CASHER'S VALIDATION

**NOTICE OF ZONING
HEARING**

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

Case: #00-859-A
6506 Kriel Street
Southside of Kriel Street,
120 feet west of centerline
of Proctor Avenue
2nd Election District
4th Councilmanic District
Legal Owner(s): Juan de la Cruz
& Elonda Broadwah
Variance: to permit side
yard setbacks of 8 feet and
3.42 feet in lieu of 10 feet.
Hearing: Thursday, Au-
gust 17, 2006 at 11:00
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 accommoda-
tions. Please Contact the
Zoning Commissioner's Of-
fice at (410) 887-3868.

(2) For information con-
cerning the file and/or
hearing, Contact the Zon-
ing Review Office at (410)
887-3391.

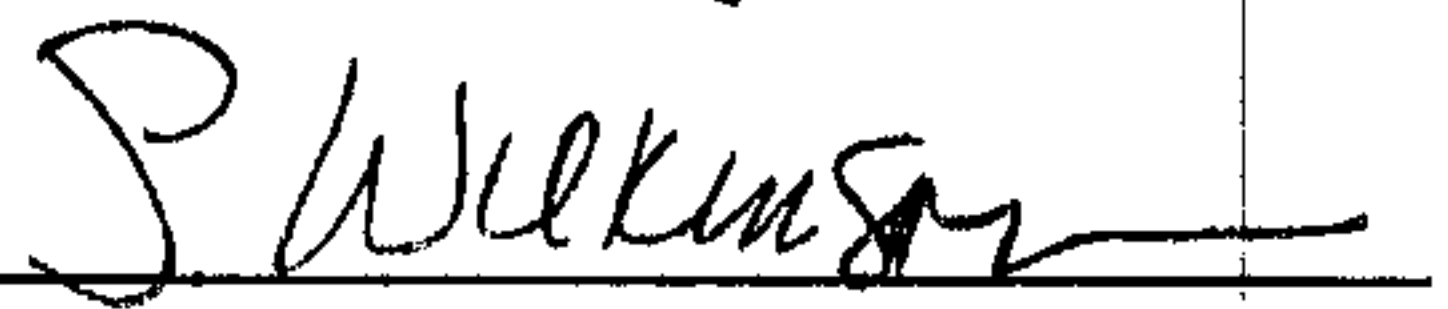
JT/8/607 Aug. 1 103946

CERTIFICATE OF PUBLICATION

8/3/, 2006

THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each of 1 successive weeks, the first publication appearing
on 8/1/, 2006.

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



LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No: 06-659-A

Petitioner/Developer: JUAN
DE LA CRUZ & FLORIDA BROADWAY

Date Of Hearing/Closing: 8/17/06

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

Attention:

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
at 6505 KRIEL AVE STREET

This sign(s) were posted on August 2, 2006
(Month, Day, Year)

Sincerely,

Martin Ogle 8/2/06
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

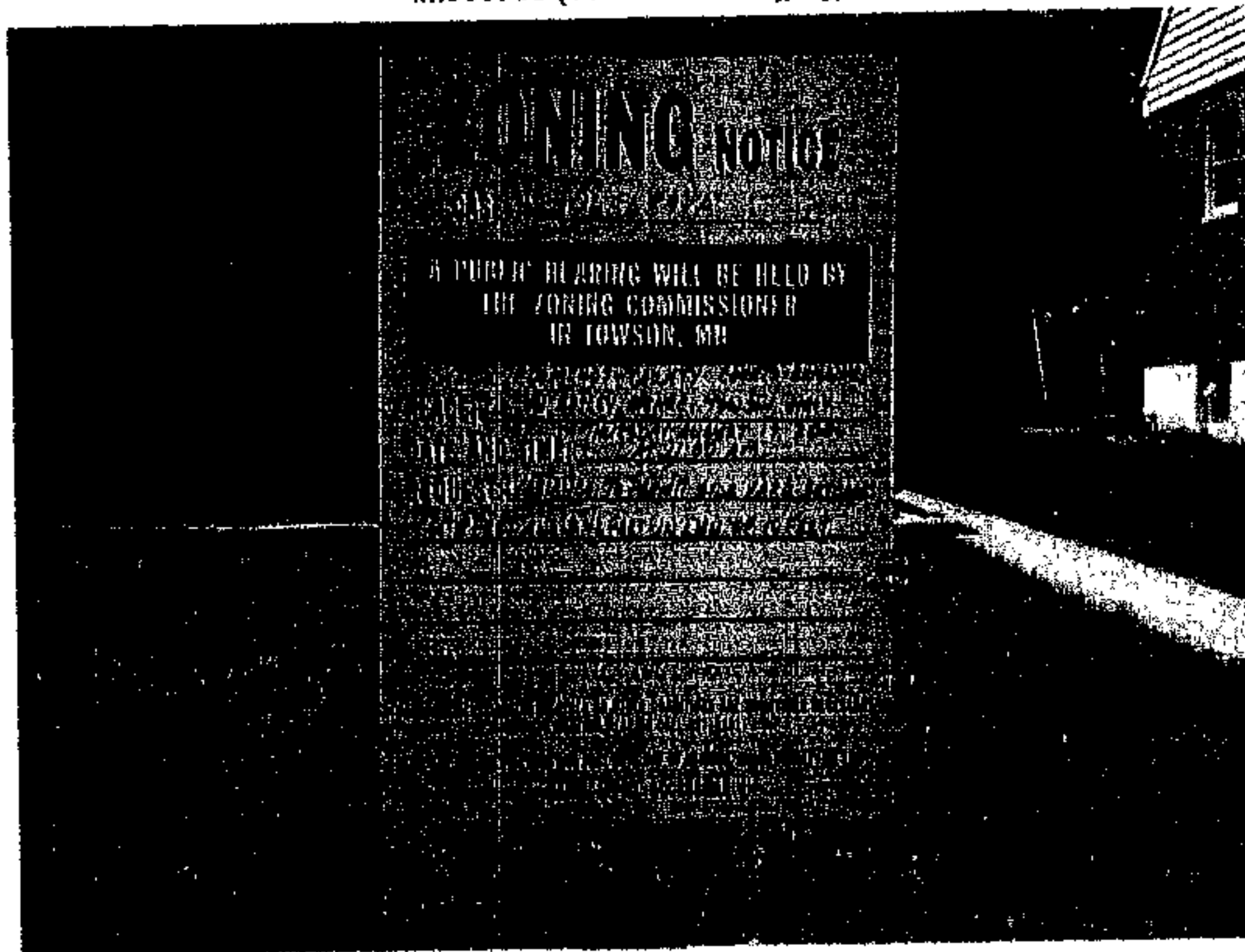
16 Salix Court

Address

Balto. Md 21220

(443-629 3411)

im000755 (1152x864x24b jpeg)



W. J. Carter 8/2/06



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

July 11, 2006

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: 06-659-A

6505 Kriel Street

Southside of Kriel Street, 120 feet west of centerline of Proctor Avenue

2nd Election District – 4th Councilmanic District

Legal Owners: Juan de la Cruz & Elonda Broadwah

Variance to permit side yard setbacks of 8 feet and 3.42 feet in lieu of 10 feet.

Hearing: Thursday, August 17, 2006 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Juan de la Cruz, Elonda Broadwah, 6505 Kriel Street, Baltimore 21202

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, AUGUST 2, 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
Tuesday, August 1, 2006 Issue - Jeffersonian

Please forward billing to:
Juan de la Cruz
6505 Kriel Street
Baltimore, MD 21207

410-865-0241

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: 06-659-A

6505 Kriel Street

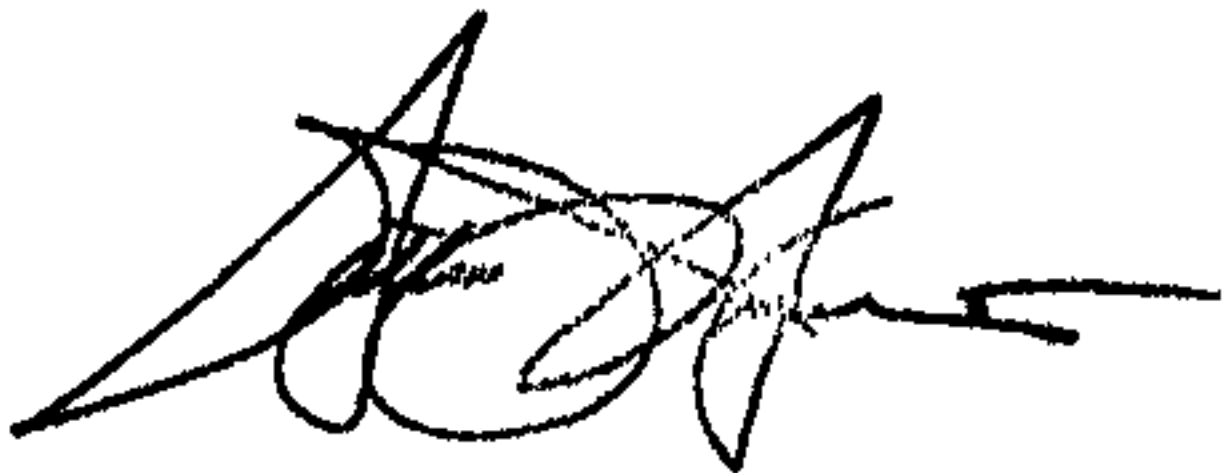
Southside of Kriel Street, 120 feet west of centerline of Proctor Avenue

2nd Election District – 4th Councilmanic District

Legal Owners: Juan de la Cruz & Elonda Broadwah

Variance to permit side yard setbacks of 8 feet and 3.42 feet in lieu of 10 feet.

Hearing: Thursday, August 17, 2006 at 11:00 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 ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 06-659-A
Petitioner: JUAN DE LA CRUZ & ELONDA BROADWATER
Address or Location: 6505 KRIEGER ST.

PLEASE FORWARD ADVERTISING BILL TO:

Name: JUAN DE LA CRUZ & ELONDA BROADWATER
Address: 6505 KRIEGER ST.
BALTIMORE MD. 21207.

Telephone Number: 410-865-0241.

ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 06-659-A

Date Completed/Initials

6/22/06

PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)

DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)

TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)

UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)

COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)

POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)

RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)

INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)

ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)

COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)

FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

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

July 5, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: July 10, 2006

Item Number(s): 657 through 673

659

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



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



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

Maryland Department of Transportation

Date: 6.30.06

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

RE: Baltimore County
Item No. 659 JRA

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
INTEROFFICE CORRESPONDENCE

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

DATE: July 10, 2006

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

SUBJECT: Zoning Advisory Committee Meeting
For July 10, 2006
Item Nos. 231, 657, 658, 659, 661, 662,
663, 664, 666, 670, 671, and 672

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-07072006.doc

RE: PETITION FOR VARIANCE
6505 Kriel Street; S/S Kriel Street,
120' W c/line Proctor Avenue
2nd Election & 4th Councilmanic Districts
Legal Owner(s): Juan De La Cruz &
Elonda Broadwater

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 06-659-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of July, 2006, a copy of the foregoing Entry of Appearance was mailed to, Juan de La Cruz & Elonda Broadwater, 6506 Kriel Street, Baltimore, MD 21207, Petitioner(s).

RECEIVED

JUL 07 2006

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: July 7, 2006

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Rick Wisnom, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 659
Legal Owner/Petitioner De La Cruz, Juan & Broadwater, Elonda
Contract Purchaser: N/A
Property Address: 6050 Kriel St.
Location Description: S/side Kriel St, 120' W. of centerline Proctor Av

VIIOLATION INFORMATION: Case No. 06-1545
Defendants: De La Cruz, & Broadwater, Elonda

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

NAME	ADDRESS
Michael Kane	443-803-2392

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

- ☐ 1. Complaint letter/memo/email/fax (if applicable)
- ☒ 2. Complaint Intake Form/Code Enforcement Officer's report and notes
- ☐ 3. State Tax Assessment printout
- ☐ 4. State Tax Parcel Map (if applicable)
- ☐ 5. MVA Registration printout (if applicable)
- ☐ 6. Deed (if applicable)
- ☐ 7. Lease-Residential or Commercial (if applicable)
- ☐ 8. Photographs including dates taken
- ☒ 9. Correction Notice/Code Violation Notice
- ☐ 10. Citation and Proof of Service (if applicable)
- ☐ 11. Certified Mail Receipt (if applicable)
- ☐ 12. Final Order of the Code Official/Hearing Officer (if applicable)
- ☐ 13. Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable)
- ☐ 14. Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable).

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/jk
C: Code Enforcement Officer

6-659-A

Code Enforcement - Daily Worksh

33 E7

LB

Inspector -

Area	Case #	Location	Apt	Zip	Date Rec	Reinsp Dt
017	06-1545	650 15 KRIEL St St		21207	5/05/2006	

Tax Acct #: 0000000000

0212400260

Owner:

Jana De Lacruz
Elinda Broadwater

Complainant Name: (Last) KANE

(First) MICHAEL

Addr:

Str #

Dir Street Name

Type

Apt

City

ST Zip

Phone: (Home) 443/803-2392 (Work)

Problem: ADD TO SIDE & PORCH-NO PERMIT

5/8/6 Site Insp - Observed Two
Add. being built. No Permits
on file. SWD handed to Mrs. Broadwater
RC 5/15/6 *[Signature]* Compl. Notified
of status *[Signature]*

LB

6-659-A



Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Code Enforcement: 410-887-3351 Plumbing Inspection: 410-887-3620
Building Inspection: 410-887-3953 Electrical Inspection: 410-887-3960
Any? Call me 7:30-8:00 AM or 2:30-3:25 PM

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 06-1545	Property No. 0212400260	Zoning:
------------------------------	----------------------------	---------

Name(s): Juan De La Cruz
Elonda Broadwater

Address: 6505 Kriel St. Balto. Md 21207

Violation Location: Same

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

IBC Sect. 105 "Permit Required";
BCC 7-70 "Fines for Construction w/o
permits"

Two Additions Constructed w/o
Permits. Please, Obtain permits
or remove additions.

Subject to \$1,000.00 Fine
plus \$200.00/Day Fine if not
brought into Compliance.

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

On or Before:	Date Issued:
---------------	--------------

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name

INSPECTOR:

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:

Not Later Than 5/15/06	Date Issued: 5/10/06
---------------------------	-------------------------

INSPECTOR: *[Signature]* (Jim Kamp)
AGENCY



Baltimore County
Department of Permits and
Development Management

Code Enforcement and Enforcement
County Office Building
111 West Street, Avenue
Baltimore, MD 21201

Code Enforcement: 410-337-3331
Building Inspection: 410-337-3331

Plumbing Inspection: 410-337-3360
Electrical Inspection: 410-337-3360

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT COMPLAINT

Case No.	Property No.	Subject
06-659-9	06-659-9	

Name	
------	--

Address	0605 RIVER ST. BALTIMORE, MD 21207
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Violation Location	
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DEEDENAVIOLATE 15' FROM FLOWING BALTIMORE COUNTY LAW

15' FROM FLOWING BALTIMORE COUNTY LAW

15' FROM FLOWING BALTIMORE COUNTY LAW

15' FROM FLOWING BALTIMORE COUNTY LAW

15' FROM FLOWING BALTIMORE COUNTY LAW

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15' FROM FLOWING BALTIMORE COUNTY LAW

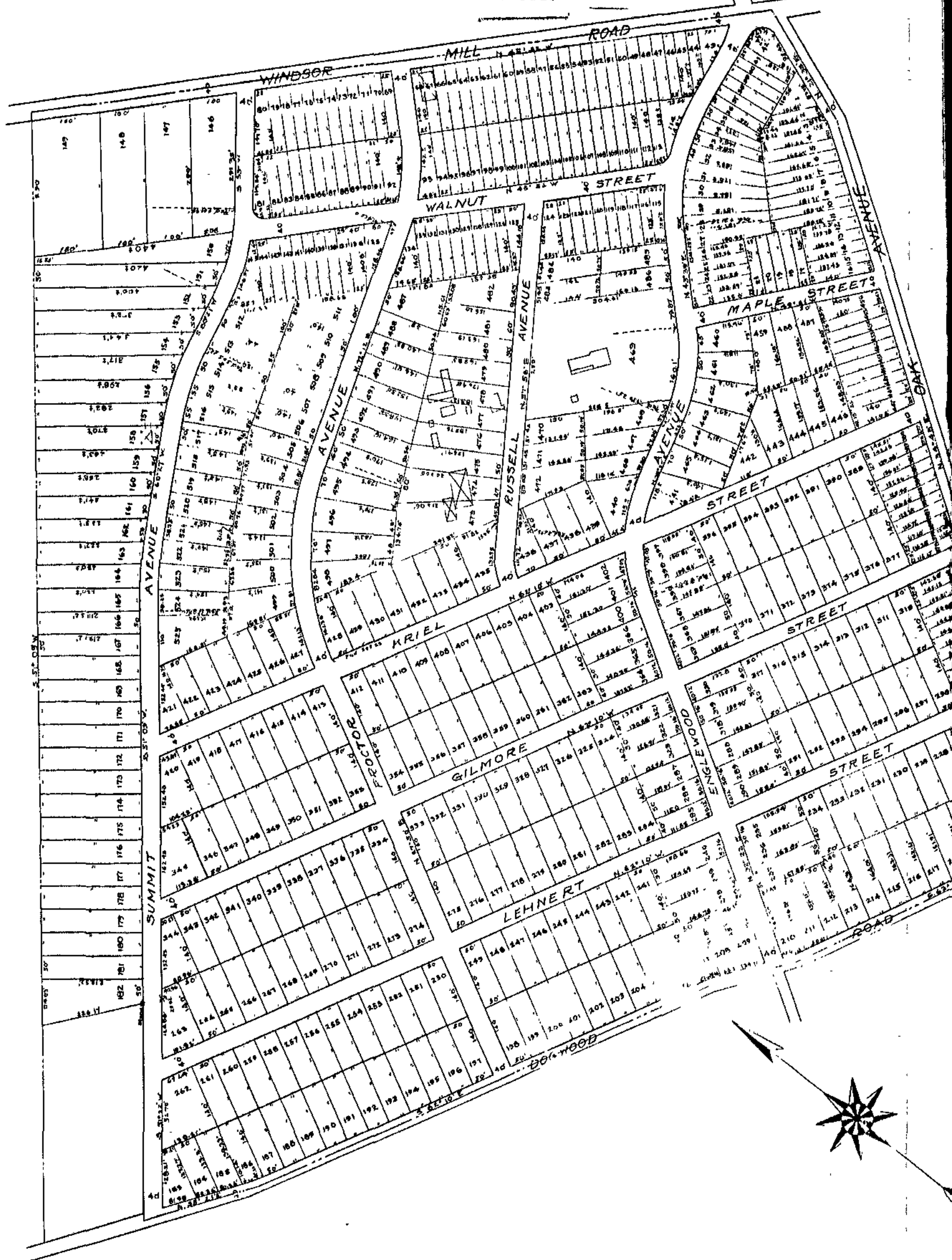
DATE _____

E-MAIL

[illegible]

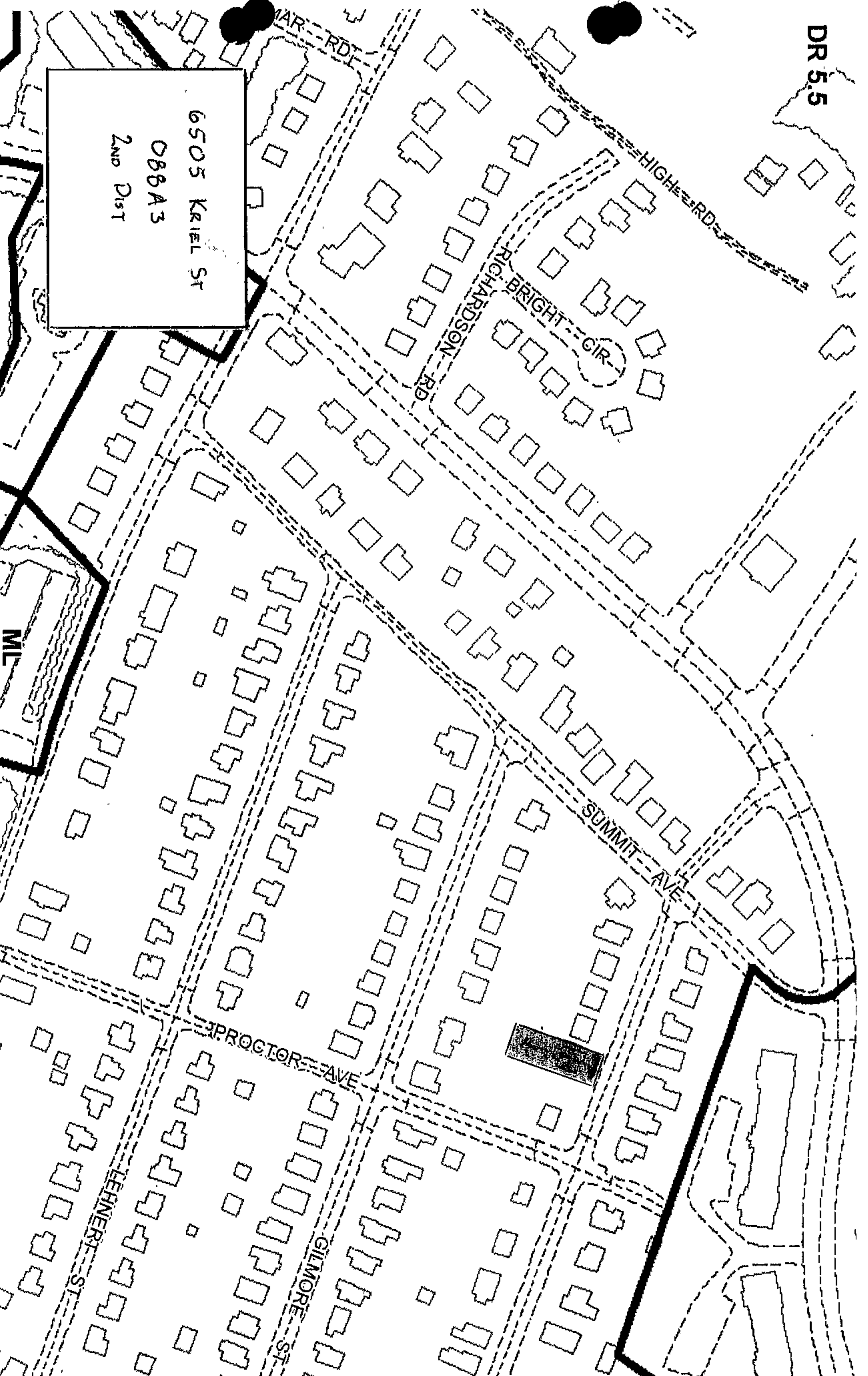
THIS PHOTO TAKEN FROM THE
RECORDS OF MOUNTAIN
COUNTY BALTIMORE
COUNTY SPUR OFFICIAL
USE ONLY - DO NOT BE
COPIED FOR SALE OR
GIFT

1734



06.659.A

DR 5.5



6505 KRIEL ST
088A3
2ND DIST

06659.7

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

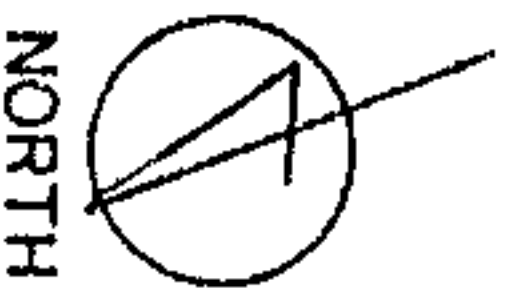
PROPERTY ADDRESS 6505 KRIEL ST

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME BROAD ACRES

PLAT BOOK # 5 FOLIO # 44 LOT # 415 SECTION #

OWNER JUAN DELACRUZ



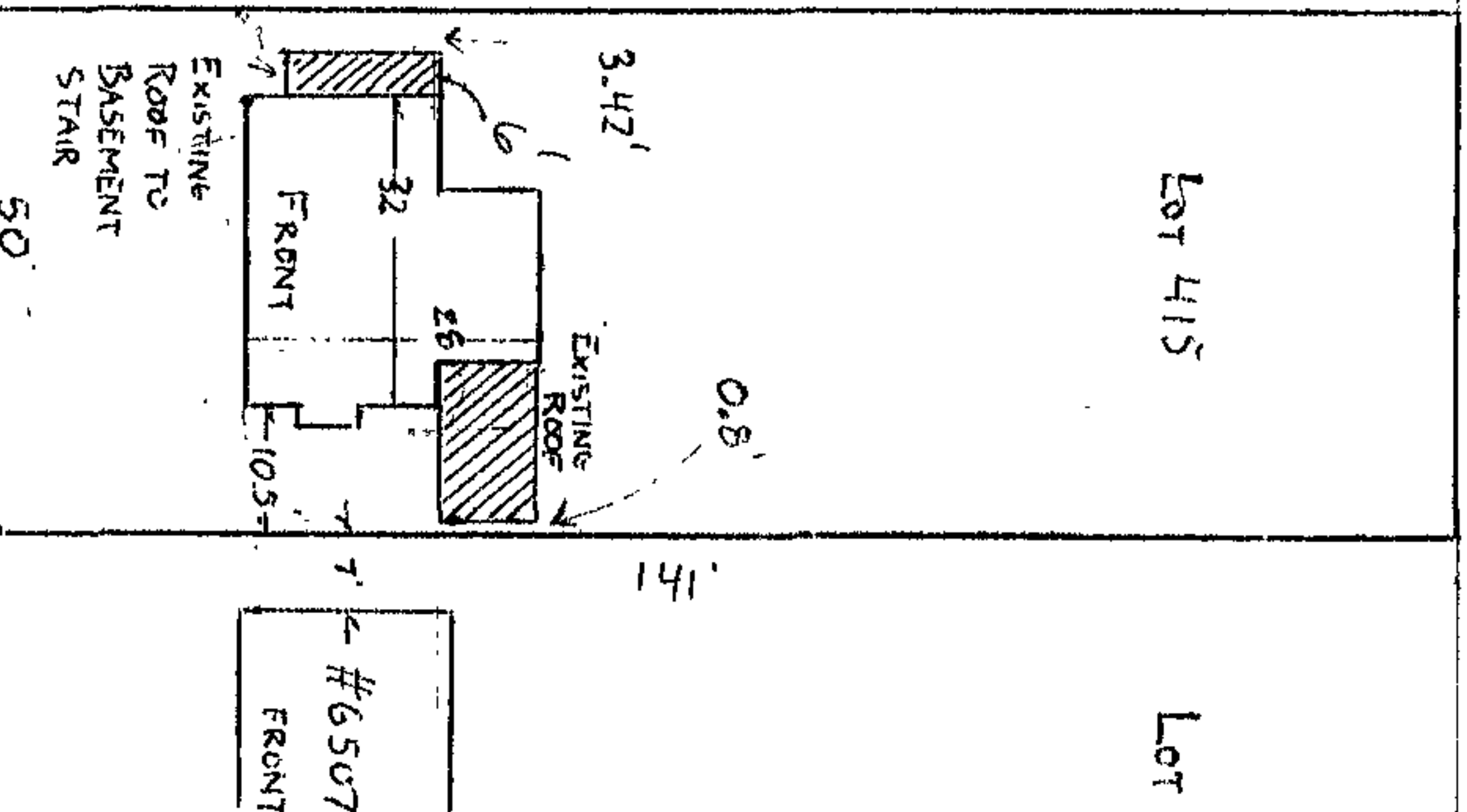
120' ± TO E
PROCTOR AVE

KRIEL STREET (40' R/W)

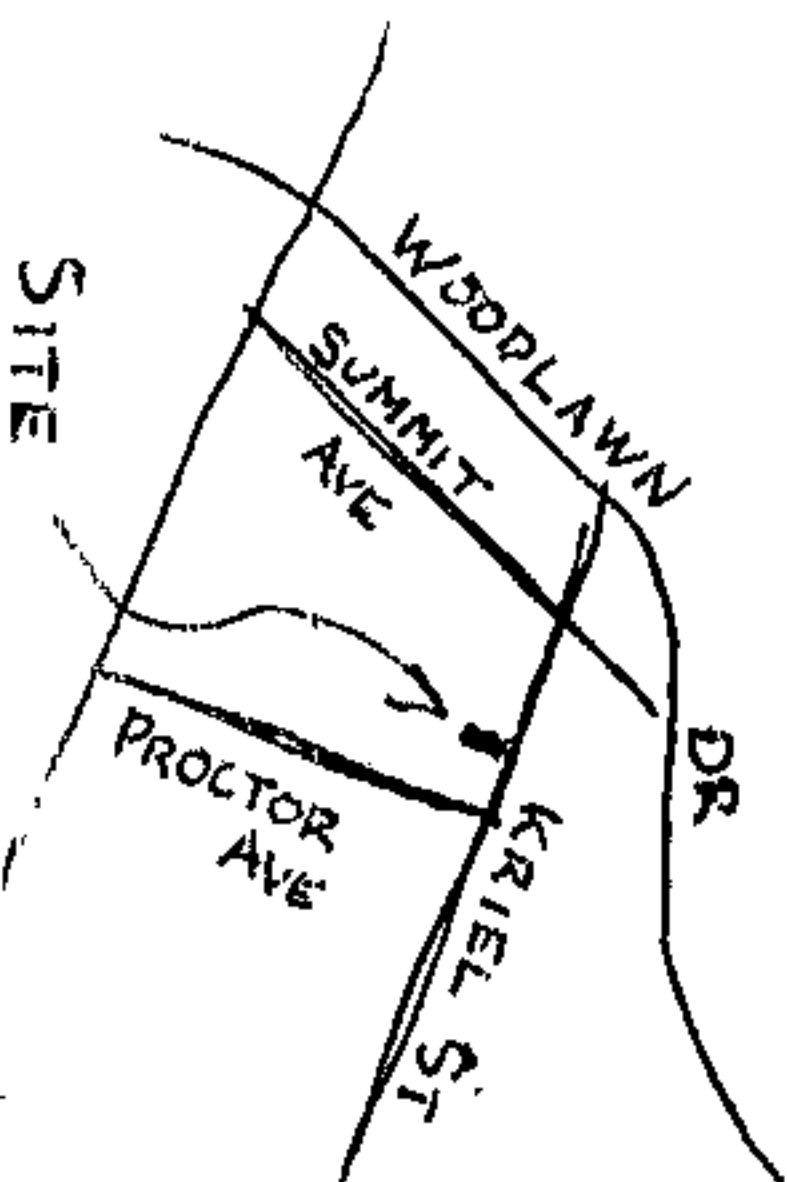
Lot 414
(VACANT)

Lot 415

Lot 416



NEIGHBORHOOD MAP
SCALE: 1" = 1000'



LOCATION INFORMATION

ELECTION DISTRICT 2ND

COUNCILMANIC DISTRICT 4TH

1" = 200' SCALE MAP # 08843

ZONING DR 5.5

LOT SIZE 0.016 ACREAGE 6970 SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO

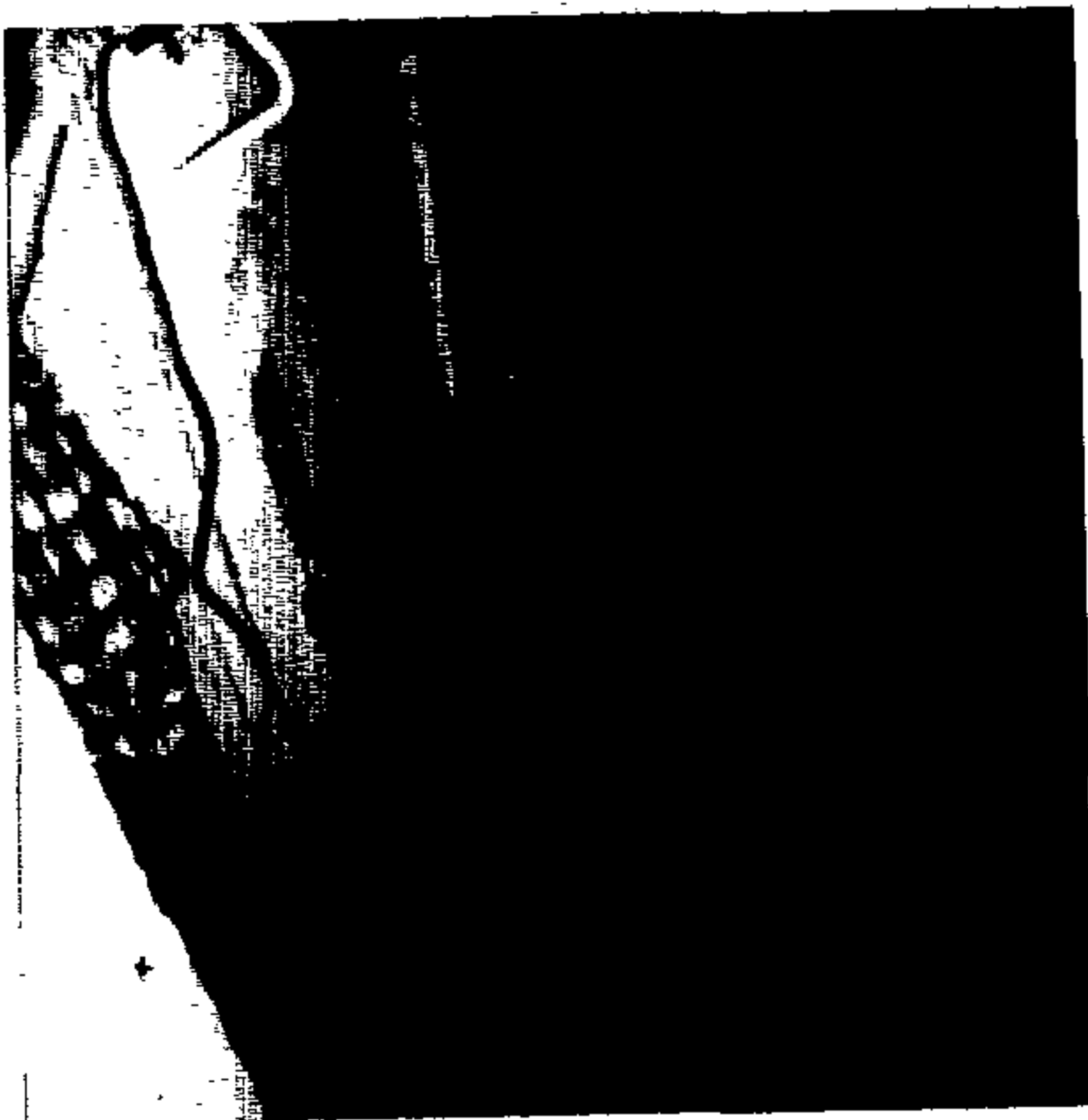
100 YEAR FLOOD PLAIN ☐ ☒

HISTORIC PROPERTY/BUILDING ☐ ☒

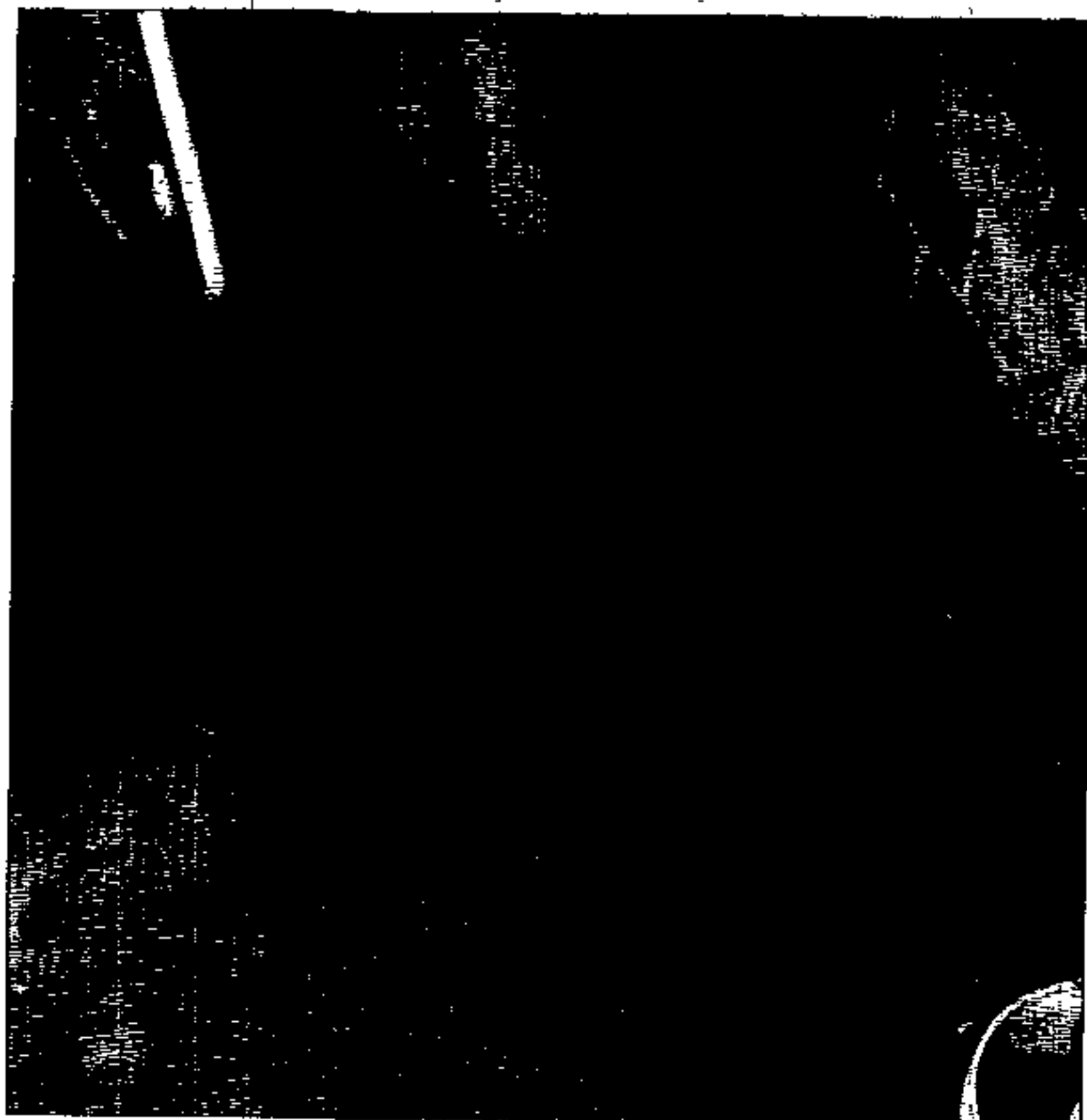
PRIOR ZONING HEARING ☐

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

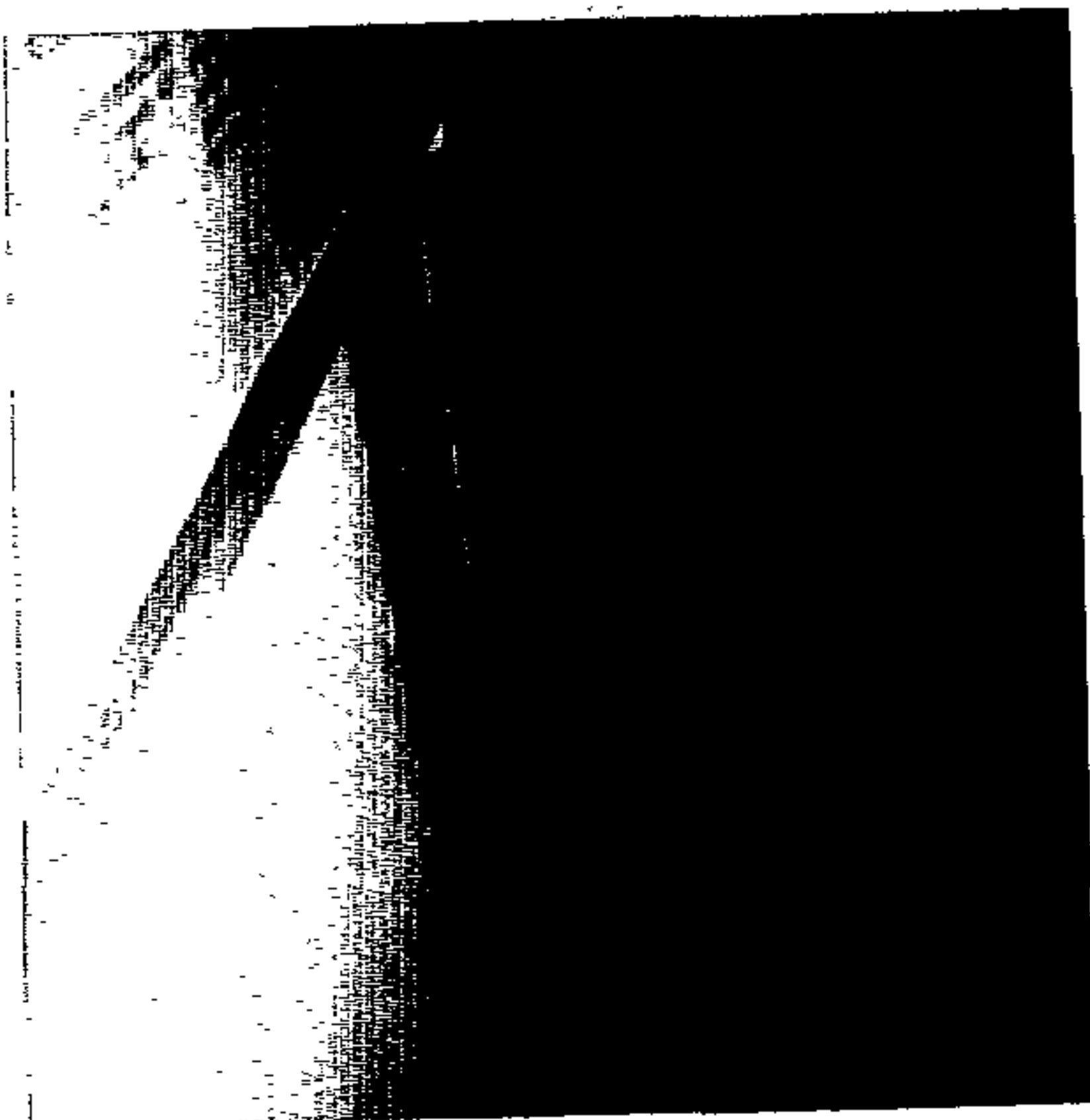
PREPARED BY DAVID DAVAL SCALE OF DRAWING: 1" = 30'



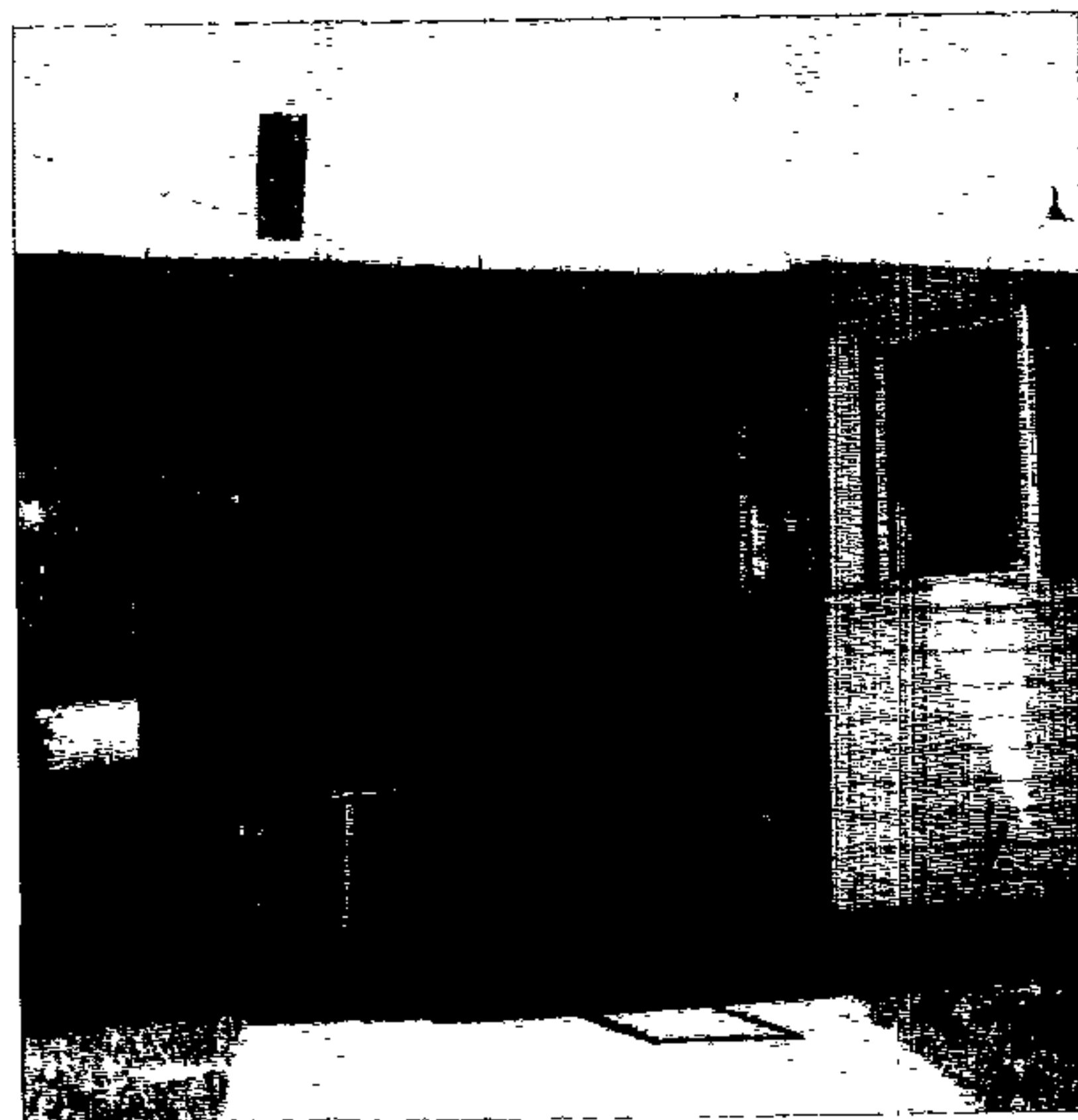
2A



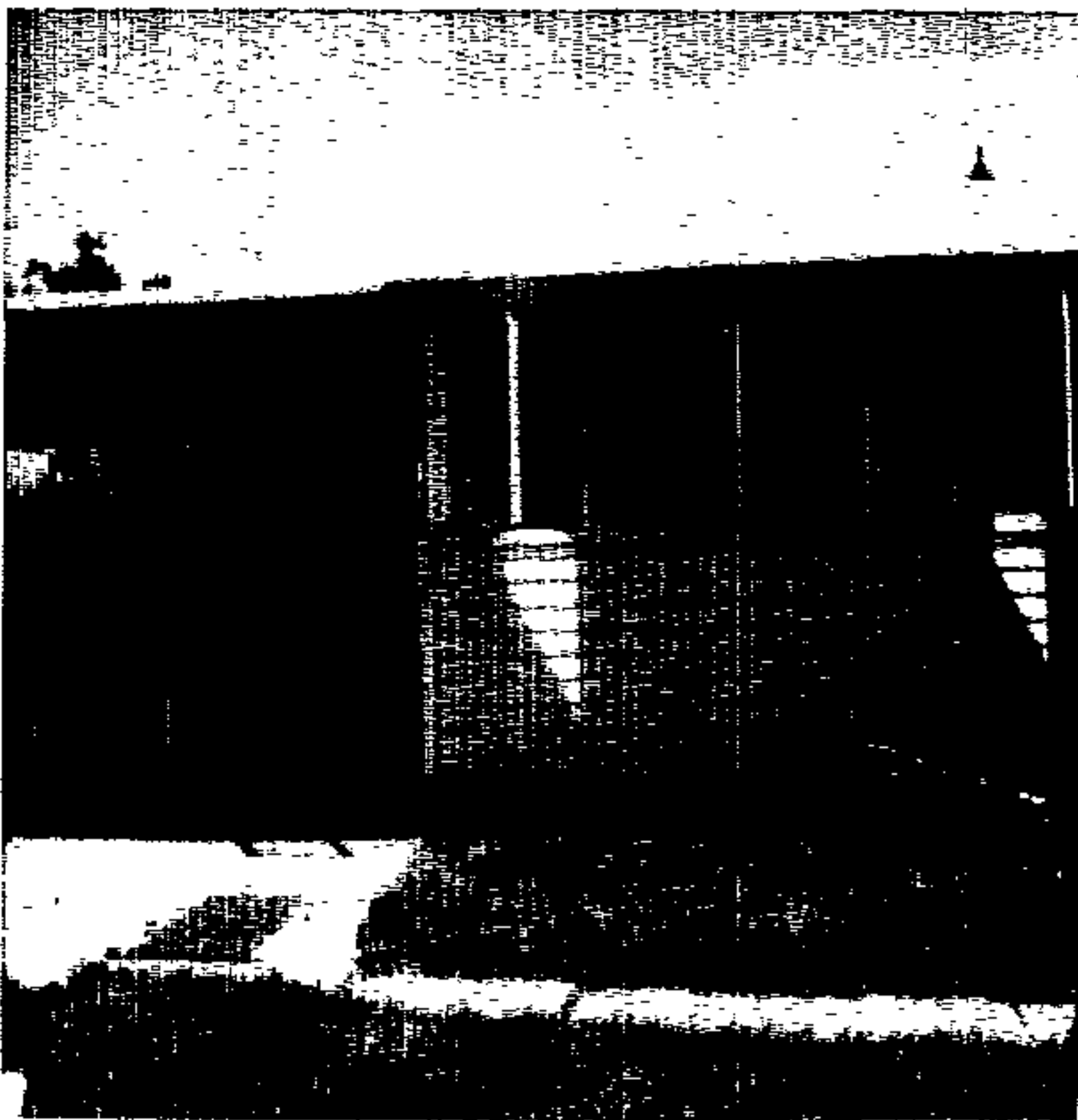
2B



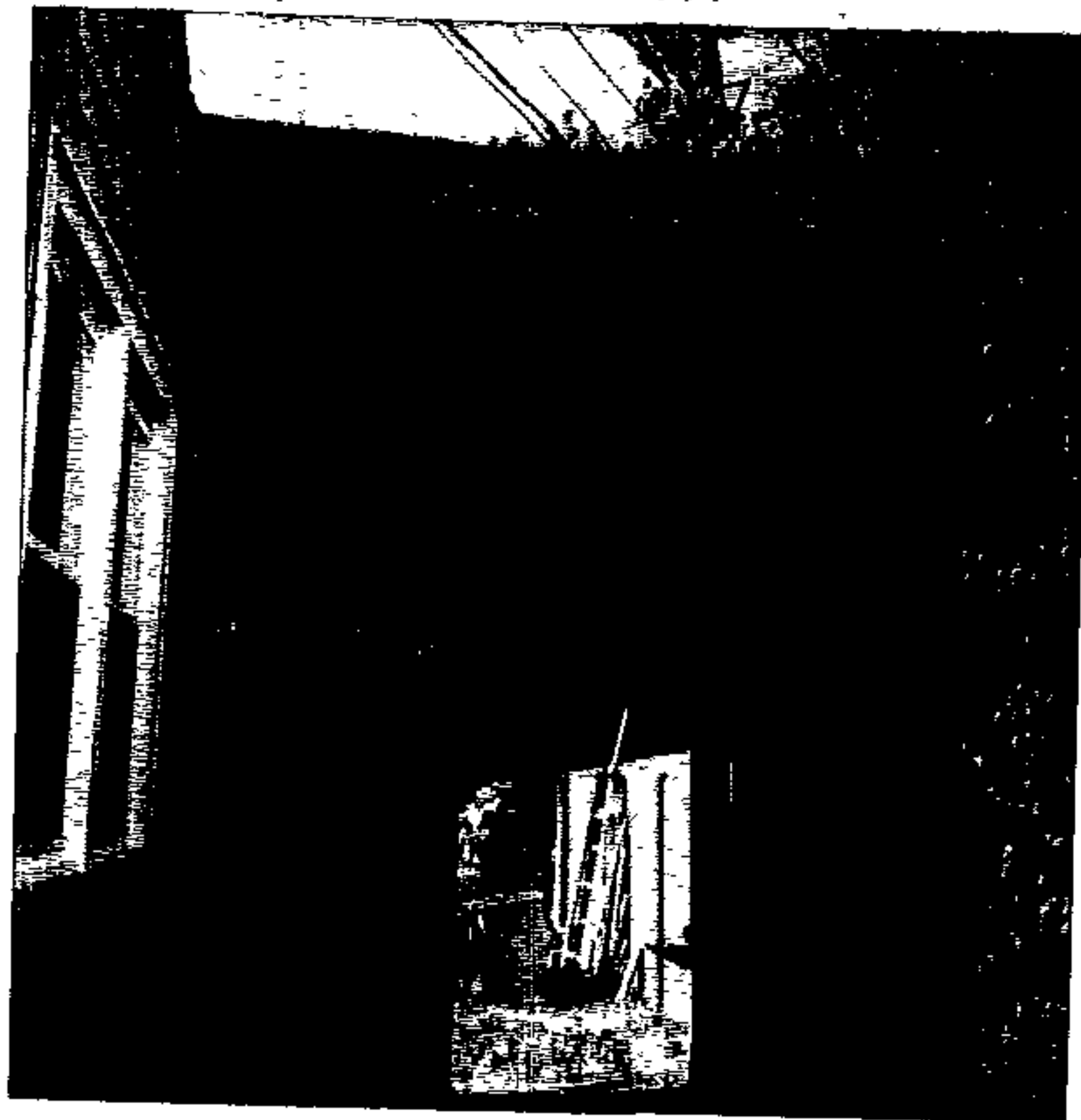
e
n



the new roof addition seen
from the back yard.
C6G59-A



Back of the House ^{3E}
OG-659-A



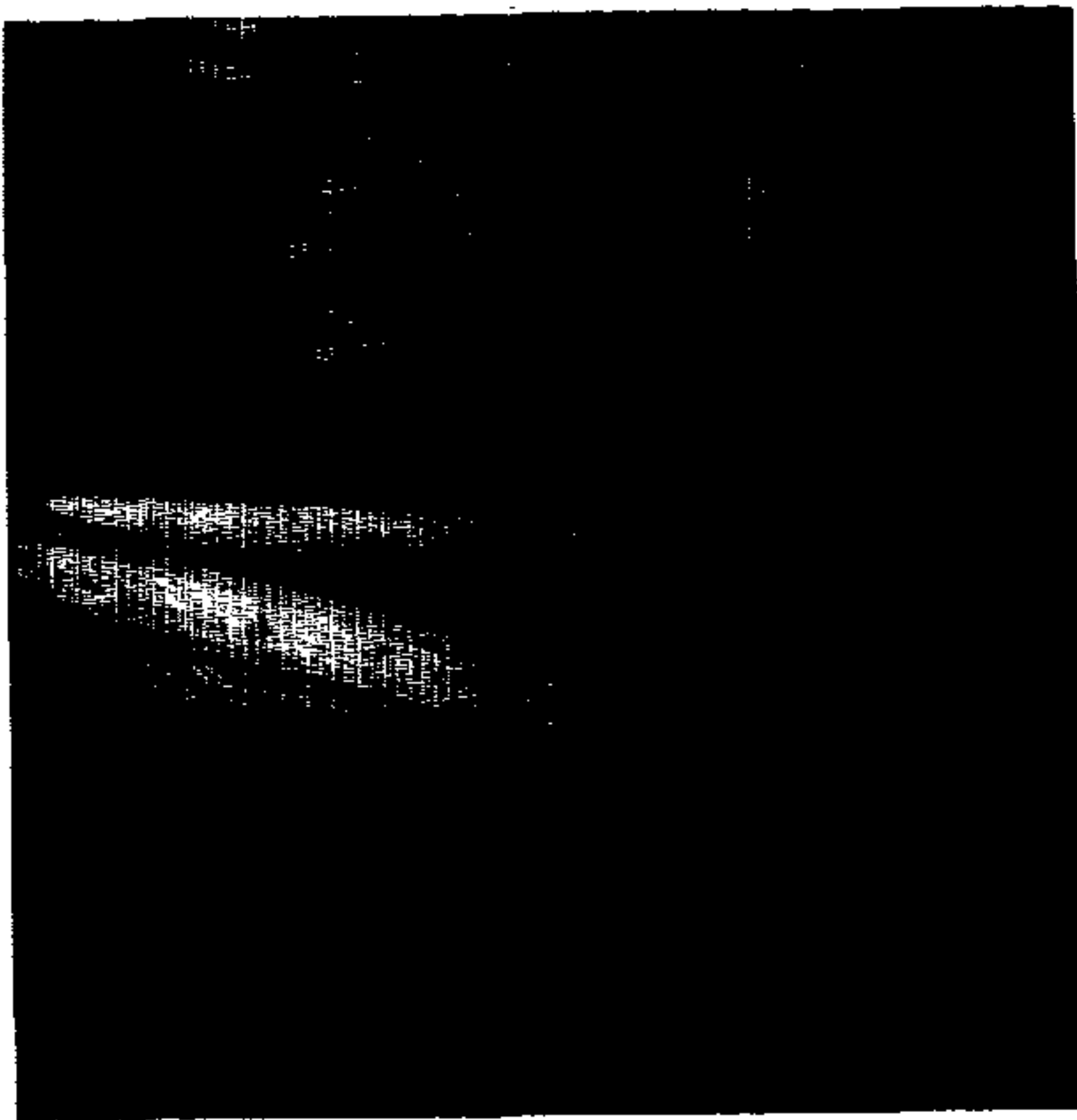
Front View of New OPEN
addition roof ^{3E}
OG-659-A



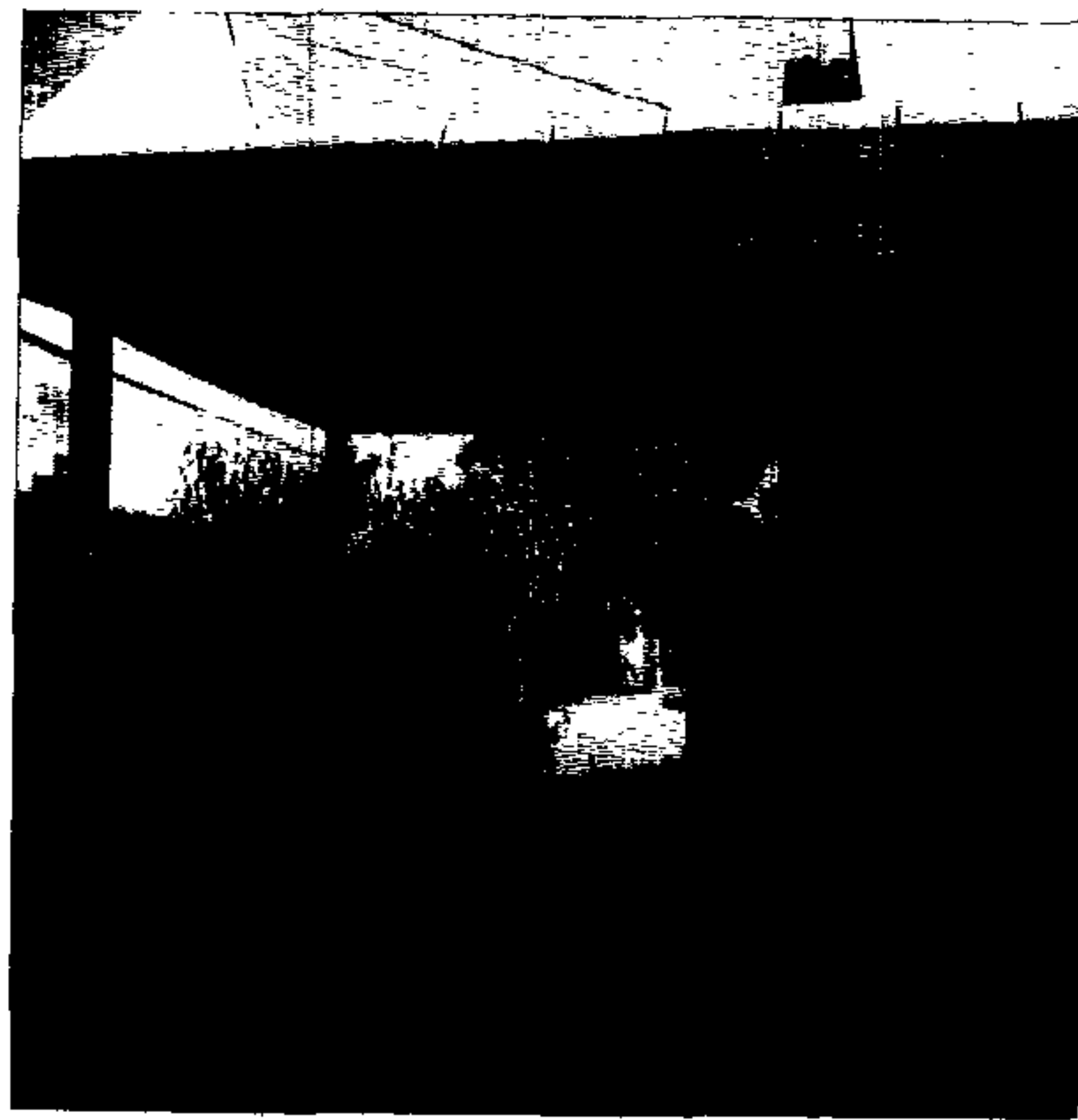
Black Step's Frame
the new addition's from
Inside the Basement ^{3D}
OG-659-A



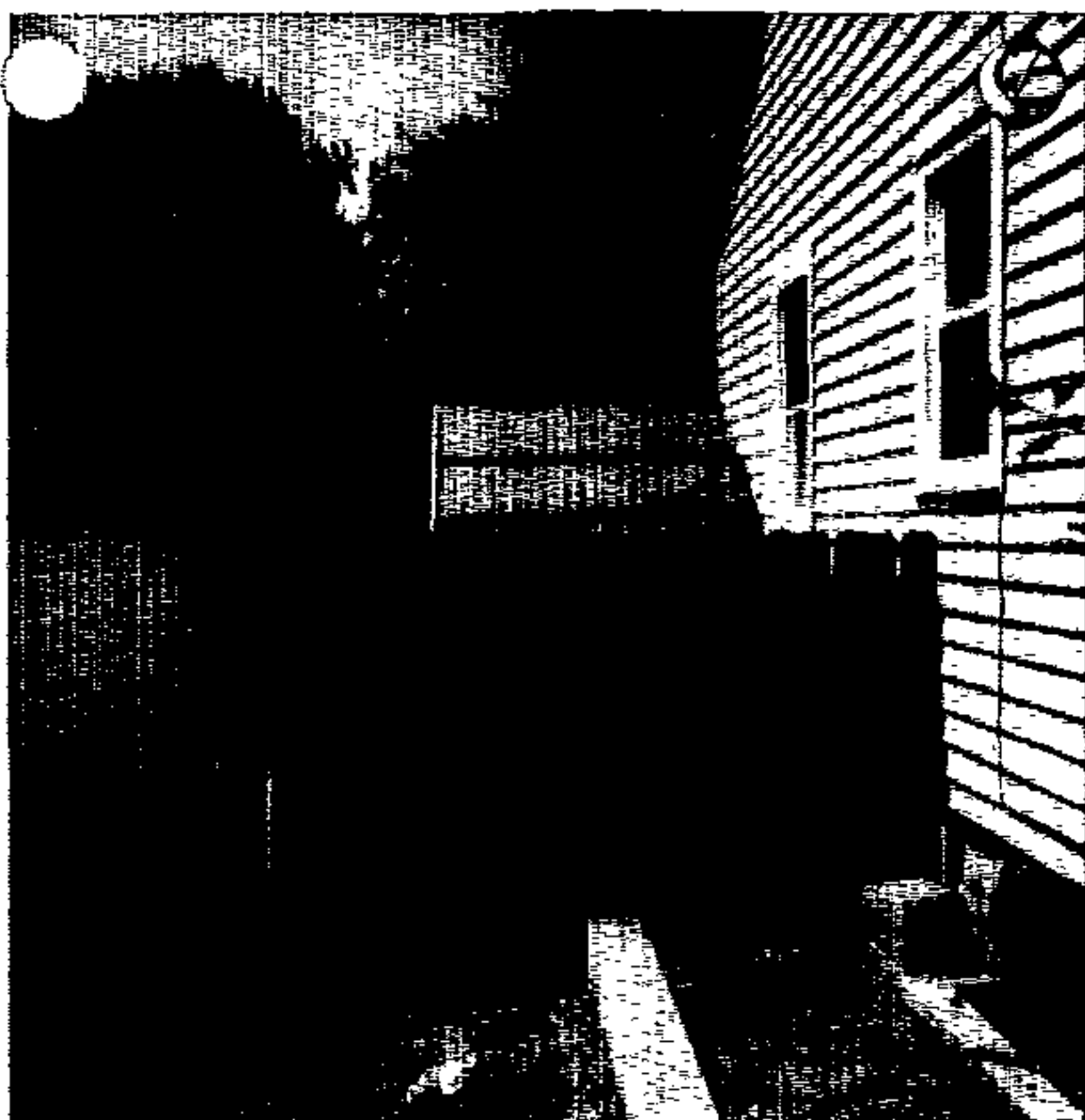
View of door to Basement ^{3E}
steps. From Back Yard.
OG-659-A



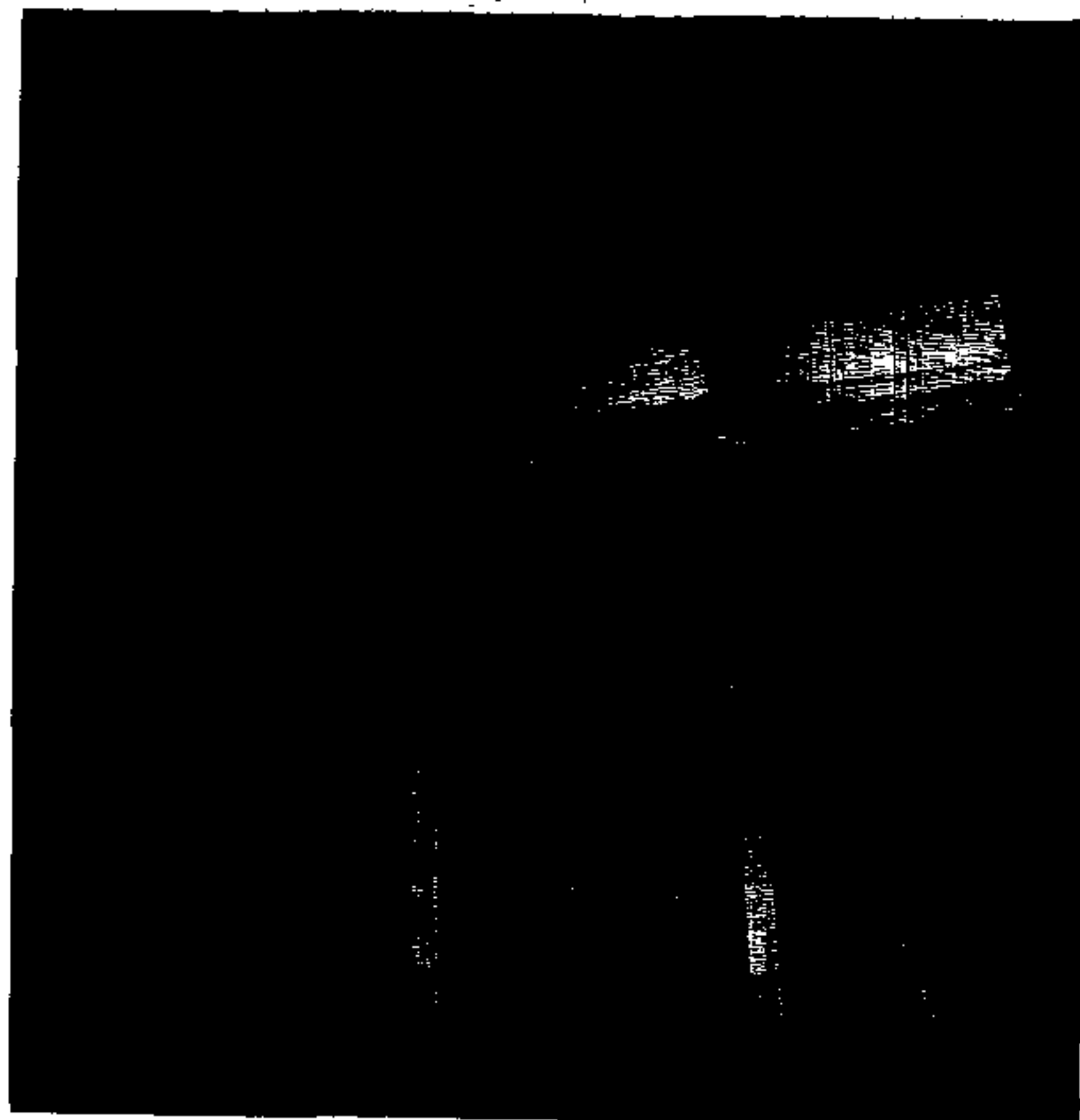
the new Roof Frame of the
addition in the Back. For the
Basement. OG-659-F



The Back View of the
addition Frame Back yard JP
OG-659-A



The Front View of the
Back steps to the
Basement. JP
OG-659-A



JP



BALTIMORE COUNTY
MARYLAND

Return Service Requested

06 659- A

Baltimore County Department of Permits and Development Management
111 West Chesapeake Avenue | Towson Maryland 21204

in an enclosed addition to the Petitioner's home. The resulting structure is 0.8 feet from the west property line necessitating the second variance requests. Petitioner's exhibit 1 shows the house on the adjoining lot to be 7 feet from the property line.

The Petitioner noted that given the 50 foot width of the lot, their existing house is built to the 10 foot side yard setback line. As a result any structure built on either side will require a variance. When asked about similar structures in the neighborhood they indicated that no one had as nice structures as they did. They spoke to the neighbor to the west who likely filed the complaint, but now has no objection to the variance request.

Findings of Fact and Conclusions of Law

Considering all the testimony and evidence presented, I find special circumstances or conditions exist which make the property unique from a zoning perspective. While the Petitioners do not know when the Broad Acres subdivision was recorded in the land records, I take notice of the very early plat book reference and find the lot was created before the DR 5.5 zoning regulations were imposed. I am supported in this by the fact that the lot is only 50 feet wide. As such I find the after imposed zoning regulations disproportionately impact the subject property as compared to other lots in the zoning district.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. The Petitioners have water in the basement and need protection of their kitchen and children which can be accomplished by extending the roofs as shown. Strict compliance would not allow this result.

RECEIVED FOR FILING
5-18-2016
PB