

IN RE: **PETITION FOR VARIANCE**

E corner of Patapsco and
Walnut Avenue
(602 Patapsco Avenue)
15th Election District
7th Council District

Ronald Ashton
Petitioner

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BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 07-230-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the legal owner of the subject property, Ronald Ashton. The Petitioner requests variance relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 2 existing sheds and above-ground pool to remain in the front and side yard in lieu of the required rear yard as indicated on the site plan. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the February 1, 2007 hearing in support of the request were Ronald Ashton, Petitioner, and his father, Darren Weaver. Attending as interested citizens were Charles Holland, Herb Lindsay and Lloyd Clark, Sr., all adjacent property owners.

The Petitioner was cited with a zoning violation (Case No. 06-8583 for inoperable vehicles in the front yard, working on cars, a motor hanging from a tree, motor parts in the yard, and a shed located in the side yard). Later inspections revealed that the trash and vehicles were removed and the property cleaned. However, accessory structures still remain in the front and side yard, and the Petitioner was advised to file the instant Petition.

5-16-07
P3

Evidence at the hearing revealed that the property was posted and advertised to indicate the front yard shed only. The case was continued so that the property could be reposted to reflect the variance relief necessary to address the zoning enforcement citation. This required a revised petition and amended site plan.

To accommodate the Petitioner and adjacent neighbors who took time to attend the February hearing, limited testimony was taken and exhibits received. The community members indicated that they had no objection to the above-ground swimming pool or existing shed, which existed prior to the time the Petitioner purchased the property. Their concern was the front yard shed. After discussion, they agreed that if the shed was moved back 8.5 feet in line with the front building line setback of the existing homes on Patapsco, Avenue, they had no objection. The Petitioner agreed to amend his site plan to reflect the shed in that location and further moved the shed prior to the continued hearing date. Additionally, the Petitioner agreed that the variance relief requested for these 3 structures would be for his use only and would not run with the land, but would terminate upon his ceasing to reside or own the property at 604 Patapsco Avenue.

Testimony and evidence offered at the hearing disclosed that the subject property is located at the east corner of Patapsco and Walnut Avenue in the Chesaco Park area of the County. The property is a rectangularly shaped parcel zoned DR 5.5 and is improved with an existing single family dwelling, 2 sheds and an above-ground swimming pool. The Petitioner's home is set farther back on the lot than the adjacent homes, which is why the 2 sheds and the above-ground pool are located where they are. There is no rear yard.

May 7, 2007 reconvened hearing

At the May 7, 2007, reconvened hearing, the Petitioner presented a revised site plan (Petitioner's exhibit 1) and photographs (Petitioner's exhibit 2) demonstrating that the shed located in the front yard has been moved. The photographs also indicated that debris has been removed from the site. The revised site plan shows that the shed now has been moved back an additional 8.5 feet from 36 feet 6 inches to 45 feet from Patapsco Avenue. The shed has also been turned around and placed parallel to Patapsco Avenue so that it now lines up with the houses on adjacent lots. The revised site plan was shared with the adjacent neighbors and they now have no problems with the placement of the sheds or the above-ground pool.

A Zoning Advisory Committee (ZAC) comment from the Department of Environmental Protection and Resource Management (DEPRM) was submitted which states the property is subject to the Chesapeake Bay Critical Area regulations. A ZAC comment was received from the Office of Planning which says that Office does not support the Petitioner's request. The Planning Office typically does not support sheds to be located in the front yard in lieu of the rear yard in DR zones. As was explained to Ms. Mantay, the community planner who submitted the comment, the Petitioner has relocated and repositioned the shed and the adjacent neighbor most affected is satisfied with the shed's location and does not object.

After due consideration of all of the testimony and evidence presented, I am persuaded to grant the petition. I find that the Petitioner would suffer a practical difficulty and unreasonable hardship if strict compliance with the regulations were required. Additionally, strict compliance with the regulations would cause a practical difficulty upon the Petitioner in that a reasonable use of the land would not be permitted. The uniqueness of the property is its rectangular shape, corner location, and the placement of the dwelling on the lot. The existing dwelling is placed

much farther back on the property than existing dwellings in the area. Thus, it appears that the relief requested should be granted. Moreover, I do not believe that the granting of relief will be detrimental to adjacent properties. In my view, the relief requested will not result in any detriment to the health, safety, and general welfare of the surrounding locale and shall therefore be granted.

However, in granting the relief, I shall impose conditions/restrictions to the approval. First, the Petitioner is reminded that he needs to maintain the property in good order and repair. Second, if the property is sold, the Petitioner shall either remove the front yard shed from its present location or relocate the shed to the rear of the property.

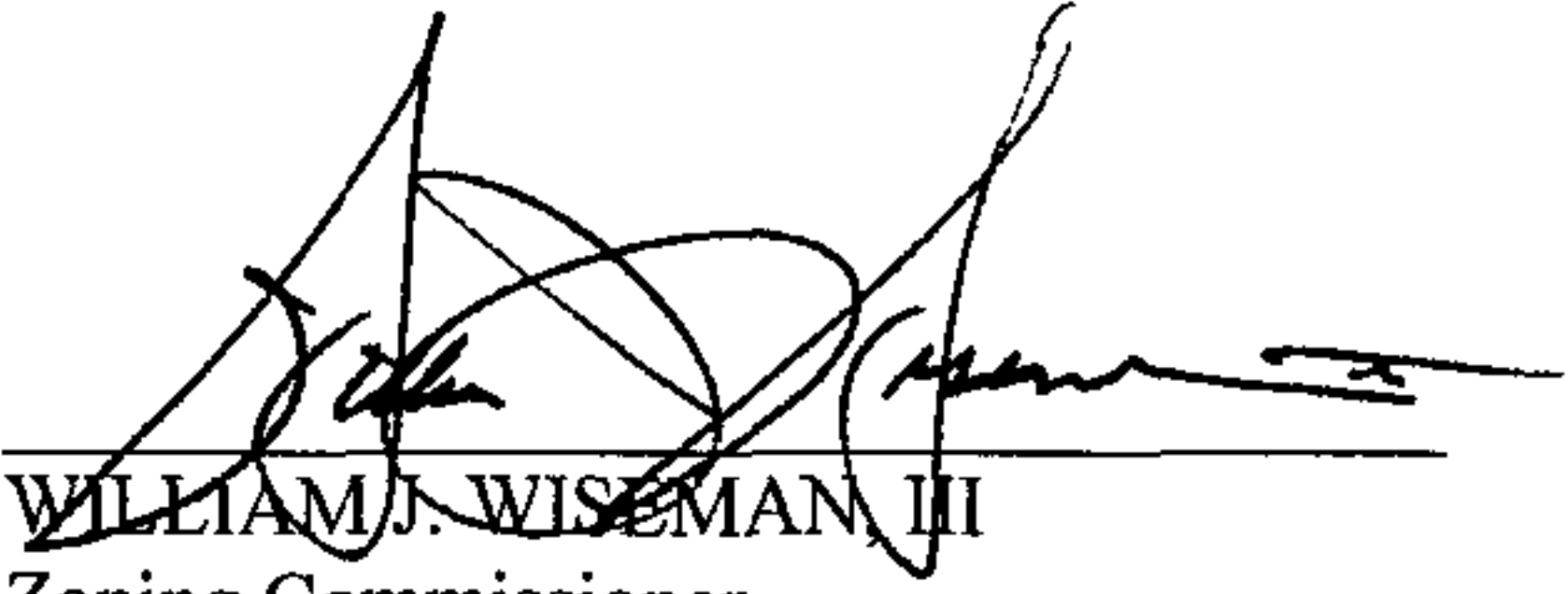
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 16th day of May, 2007 that the Petition for Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 2 existing sheds and above-ground pool to remain in the front and side yard in lieu of the required rear yard as indicated on the amended site plan, be and the same is hereby GRANTED, subject to the following restrictions:

- 1) Compliance with the ZAC comment submitted by DEPRM dated December 13, 2006 relative to Chesapeake Bay Critical Area regulations. Copy of this comment is attached hereto and are made a part hereof.
- 2) Petitioner shall maintain the property in good order and repair.

RECEIVED FOR FILE
5-16-07
P3

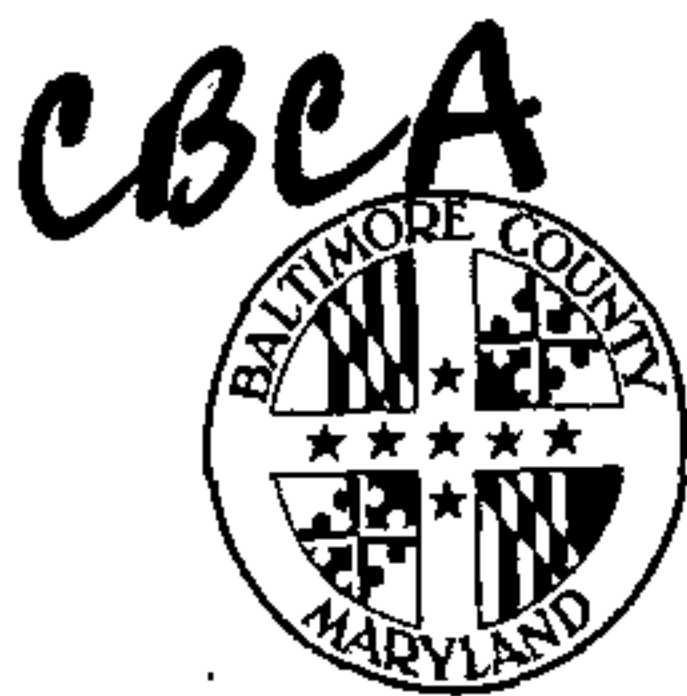
- 3) At such time as the subject property is sold, or within ten (10) years of the date hereof, Petitioner shall either remove the shed from its present location or relocate same to the rear side yard of the property reducing the number of sheds to one.



WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:pz

RECEIVED FOR FILE
5-16-07
PZ



REVISED 2/13/07

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 602 PATAPSCO 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) 400.1 BCZR

To permit 2 existing sheds and pool to remain in the front and side yard in lieu of the required rear yard as indicated on the site plan.

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

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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Telephone No.

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

Case No. 07-230-A

REV 9/15/98

Reviewed By

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Date 2/13/07

**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: #07-230-A

602 Patapsco Avenue
East corner of Patapsco
and Walnut Avenues
15th Election District - 7th Councilmanic District
Legal Owner(s): Ronald Ashton

Variance: to permit 2 existing sheds and pool to remain in the front and side yard in lieu of the required rear yard as indicated on the site plan.

Hearing: Monday, May 7, 2007 at 10:00 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) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

4/23/07 Apr. 19

132308

CERTIFICATE OF PUBLICATION

4/19/, 2007

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 4/19/, 2007.

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



LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 24087

DATE 2-13-07

ACCOUNT

001-006-6155

AMOUNT

\$ 70.00

RECEIVED
FROM:

Ronald Ashton

FOR:

Ret. for Unions 07-230-A
REVISION 07-230-A

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS RETURN
2/14/2007 2/13/2007 13:00:17
REG 0512 MAIL JEN JEE
RECEIPT # 304031 2/13/2007 OFFLN

Dept 50323 JEN JEE VERIFICATION
CR NO. 0220037

Receipt Tot \$70.00 CR \$0.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

ZONING DESCRIPTION: 602 PATAPSCO AVENUE

BEGINNING AT A POINT ON THE EAST SIDE OF
602 PATAPSCO AVENUE WHICH IS 75' WIDE AT THE
RIGHT OF WAY. LENGTH OF PROPERTY IS 100' NORTHERLY
BEING LOTS # 617, 618, 619 IN THE SUBDIVISION OF CHESACO PARK
AS RECORDED IN BALTIMORE CO. PLAT BOOK # 6, FOLIO # 164.
THIS PROPERTY CONTAINING 7500^{sq} FT ALSO KNOWN AS
602 PATAPSCO AVENUE AND IS LOCATED IN THE 15TH
ELECTION DISTRICT CD 7TH

RONALD ASATON

**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: # 07-230-A
602 Patapsco Avenue
East Corner of Patapsco
and Walnut Avenues
15th Election District
7th Councilmanic District
Legal Owner(s): Ronald
Ashton
Variance: To permit a shed
to be located in the front
yard in lieu of the required
rear yard.
Hearing: Thursday, Febru-
ary 1, 2007 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
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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 1/701 Jan. 16 121655

CERTIFICATE OF PUBLICATION

1/18, 2007

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 1/16, 2007.

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



LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 22716

DATE 11-16-05 ACCOUNT F001-006-6150

AMOUNT \$ 65.00

RECEIVED FROM: R. ASLTON 602 BATMDSCO
VAR AX

FOR: _____

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTION TIME DEPT
11/17/2005 11/16/2005 15:45:01 2
REG #002 MAIL JARA JER
>>>RECEIPT # 490013 11/16/2005 OFLN
Dept 5 528 ZERLINS VERIFICATION
CR NO. 022714

Receipt Tot 105.00
4.00 CR 105.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 07-230-A

Petitioner/Developer: RONALD

ASHTON

Date of Hearing/Closing: 5-7-07

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:

602 PATAPSCO AVE.

The sign(s) were posted on

4-21-07

(Month, Day, Year)

Sincerely,

Robert Black 4-23-07
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

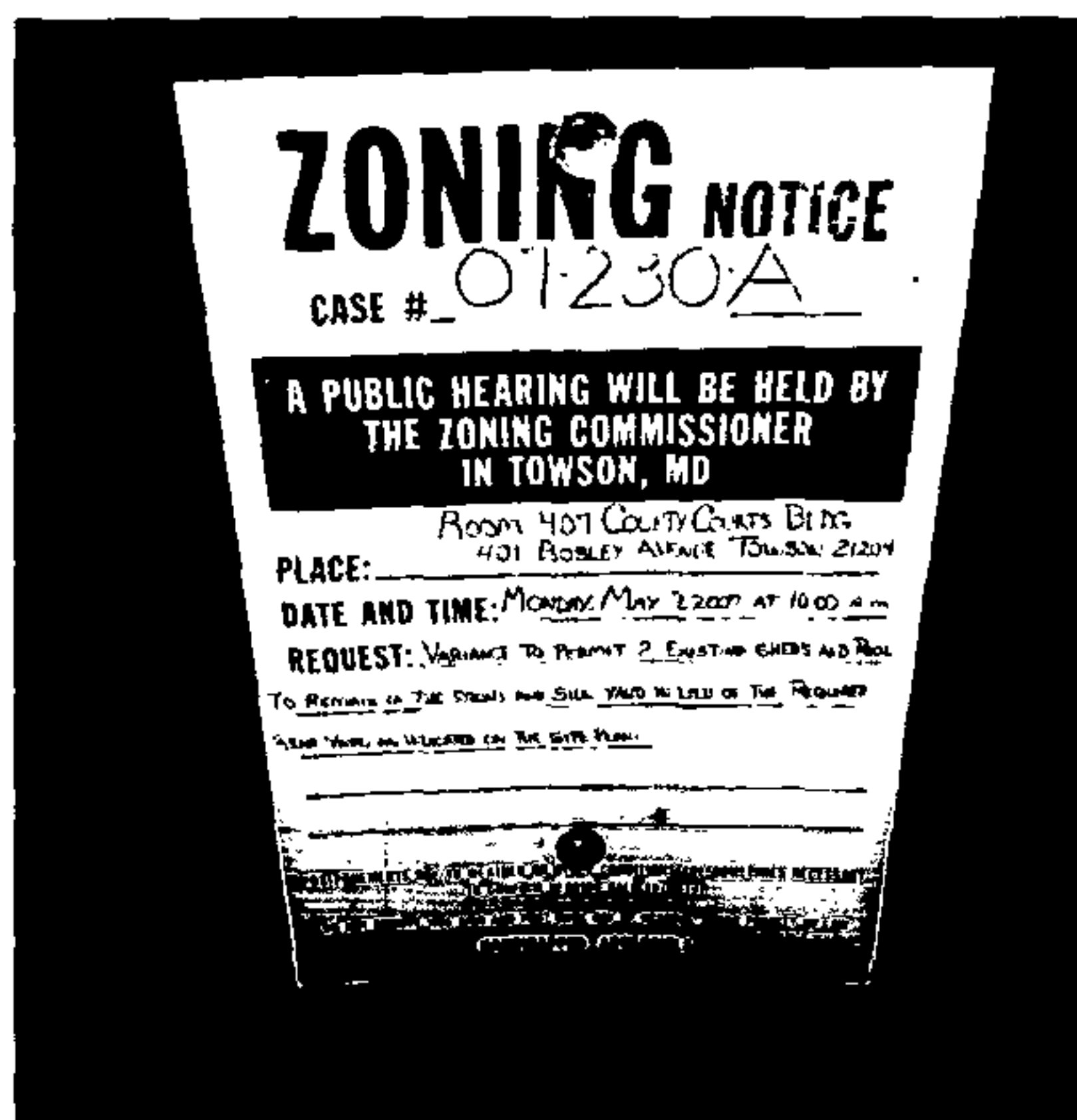
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



RECEIVED

APR 24 2007

07-664

DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

CERTIFICATE OF POSTING

RE: Case No.: 07-230-A

Petitioner/Developer: RONALD

ASHTON

Date of Hearing/Closing: 2-1-07

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: _____

602 PATAPSCO AVE

The sign(s) were posted on 1-15-07
(Month, Day, Year)

Sincerely,

Robert Black 1-17-07
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

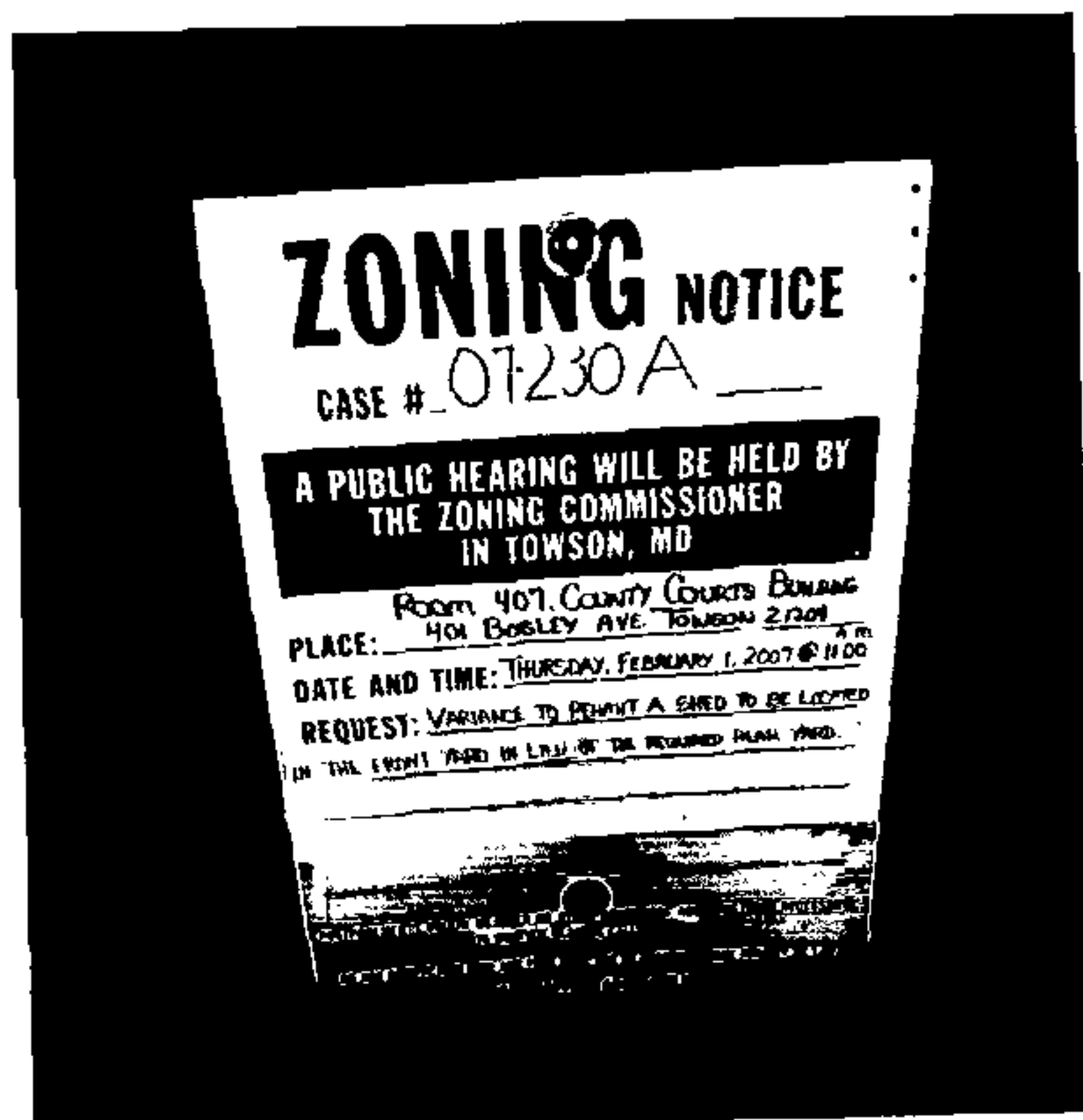
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

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: 07-230-A

602 Patapsco Avenue
East corner of Patapsco and Walnut Avenues
15th Election District – 7th Councilmanic District
Legal Owner: Ronald Ashton

Variance to permit 2 existing sheds and pool to remain in the front and side yard in lieu of the required rear yard as indicated on the site plan.

Hearing: Monday, May 7, 2007 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Ronald Ashton, 602 Patapsco Avenue, Baltimore 21237
Darren Weaver, 915 Kinwall Avenue, Baltimore 21221
Charles Holland, 604 Patapsco Avenue, Baltimore 21237
Herb Lindsay, 607 Patapsco Avenue, Baltimore 21237
Lloyd Clark, 606 Patapsco Avenue, Baltimore 21237

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, APRIL 21, 2007.**
- (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, April 19, 2007 Issue - Jeffersonian

Please forward billing to:

Ronald Ashton
602 Patapsco Avenue
Baltimore, MD 21237

443-740-0842

NOTICE OF ZONING HEARING

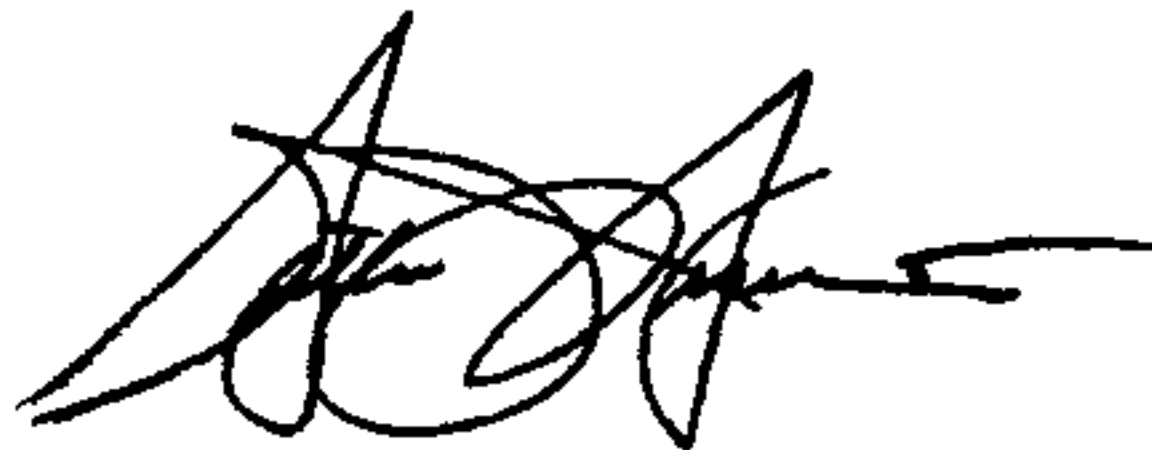
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Hearing: Monday, May 7, 2007 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THURSDAY, FEBRUARY 1, 2007
TIMOTHY KOTROCO, Director
Department of Permits and
Development Management

NOTICE OF ZONING HEARING

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CASE NUMBER: 07-230-A

602 Patapsco Avenue
East corner of Patapsco and Walnut Avenues
15th Election District – 7th Councilmanic District
Legal Owner: Ronald Ashton

Variance to permit a shed to be located in the front yard in lieu of the required rear yard.

Hearing: Thursday, February 1, 2007 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

Handwritten signature of Timothy Kotroco in black ink.

Timothy Kotroco
Director

TK:klm

C: Ronald Ashton, 602 Patapsco Avenue, Baltimore 21237

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JANUARY 17, 2007.**
- (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, January 16, 2007 Issue - Jeffersonian

Please forward billing to:
Ronald Ashton
602 Patapsco Avenue
Baltimore, MD 21237

443-740-0842

NOTICE OF ZONING HEARING

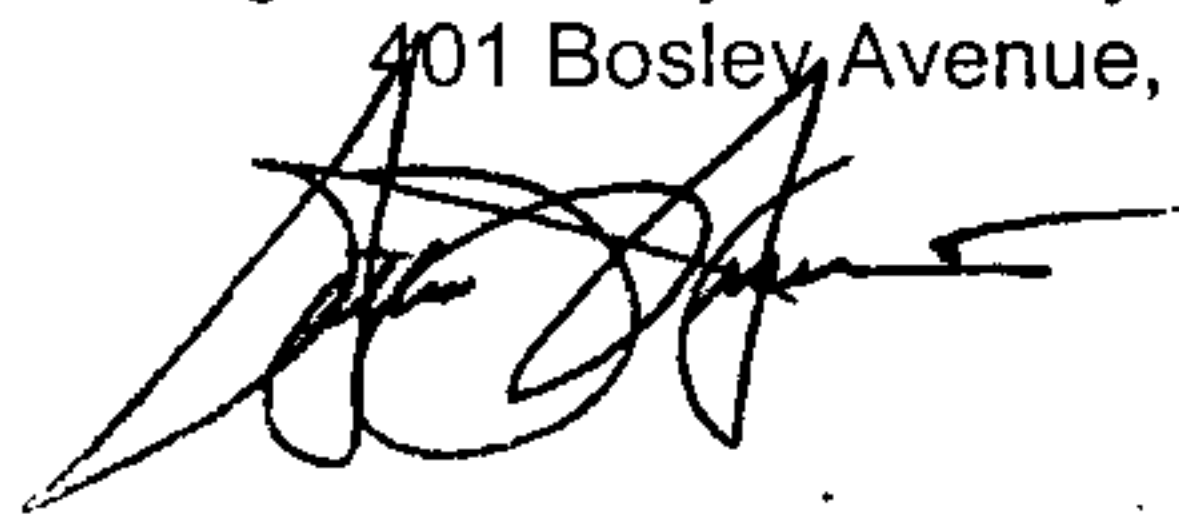
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WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- 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.

RE: PETITION FOR VARIANCE
602 Patapsco Avenue; E corner Patapsco
& Walnut Avenues
15th Election & 7th Councilmanic Districts
Legal Owner(s): Ronald W. Ashton
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 07-230-A

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

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 28th day of November, 2006, a copy of the foregoing Entry of Appearance was mailed to, Ronald Ashton, 602 Patapsco Avenue, Baltimore, MD 21237, Attorney for Petitioner(s).

RECEIVED

NOV 28 2006

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

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: 230
Petitioner: RONALD ASHTON
Address or Location: 602 PATAPSCO Ave. BALD. MD. 21237

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____
Address: Same

Telephone Number: 443-740-0842



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

May 2, 2007

Ronald W. Ashton
602 Patapsco Avenue
Baltimore, MD 21237

Dear Mr. Ashton:

RE: Case Number: 07-230-A, 602 Patapsco Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 13, 2007.

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

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

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

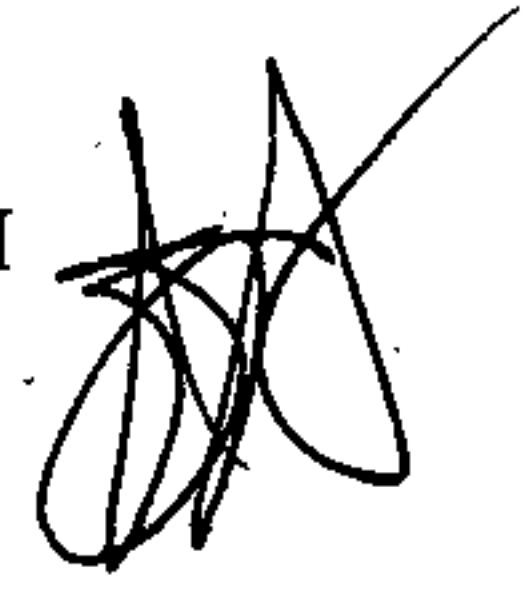
Enclosures

c: People's Counsel

517

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Kristen Matthews, DPDM
File**DATE:** February 1, 2007**FROM:** William J. Wiseman, III
Zoning Commissioner**SUBJECT:** Petition for Variance
602 Patapsco Avenue
Case No. 07-230-A

This memo is placed in the file and will serve the purpose of housecleaning. On February 1, 2007 at 11:00 A.M., the Petitioner (Ron Ashton) appeared with his father, Darren Weaver, to provide testimony in support of a shed to be located in the front yard due to the subject property having insufficient backyard area. It became evident that this was a violation case and upon producing the violation and reading the wording of same, may have been issued to address three (3) violations on the subject property -- that being two sheds, one in the side yard, one in the front yard and an above-ground swimming pool also located in the side yard. As the file will reflect, the Petition was filed prior to receiving the violation notice. The property was posted and advertised to indicate the front yard shed only. The case has to be continued and the property reposted to reflect the Variance relief necessary to address the Zoning Enforcement citation. This will require an Amended Petition and Amended site plan.

An adjacent neighbor, Charles Holland, 604 Patapsco Avenue, appeared as well as two other individuals, Herbert Lindsay, 607 Patapsco Avenue, who lives directly across the street from the Petitioner's property, and Lloyd Clark, Sr., 606 Patapsco Avenue, who had given up time to attend the hearing. To accommodate these individuals, limited testimony was taken and exhibits received. One by one, the community members indicated they had no objection to the swimming pool or existing shed (existing prior to the time the Petitioner purchased the property). Their concern was with the front yard shed and after discussion, they agreed that if the shed was moved back 8-1/2 feet behind the front building line setback of the existing homes on Patapsco Avenue, they had no objection. The Petitioner agreed to amend his site plan to reflect the shed in that location and further agreed that he would move the shed within thirty (30) days of the Zoning Commissioner's Order. Additionally, the Petitioner agreed that the Variance relief requested for these three structures would be for his use only and would not run with the land but would terminate upon his ceasing to reside or own the property at 604 Patapsco Avenue. Limited exhibits were received and are attached to this Memorandum for safekeeping in the file.

Following the proper posting of the property, this case can be rescheduled to my calendar for further proceedings.

WJW:dlw
Attachment

5/7
10Am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Kristen Matthews, DPDM
File

DATE: February 6, 2007

FROM: William J. Wiseman, III
Zoning Commissioner

SUBJECT: Petition for Variance
602 Patapsco Avenue
Case No. 07-230-A (2/1/07)

Please make certain that a copy of the attached comments (DEPRM, dated 12/13/06 and Office of Planning, dated 1/25/07) are placed in the file and are mailed to the Petitioner, Mr. Ashton, as they may have a great deal of influence on what happens with his case.

As always, thank you for your cooperation.

WJW:dlw
Attachments

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 25, 2007

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

SUBJECT: 602 Patapsco Avenue

INFORMATION:

Item Number: 7-230

Petitioner: Ronald W. Ashton

Zoning: DR 5.5

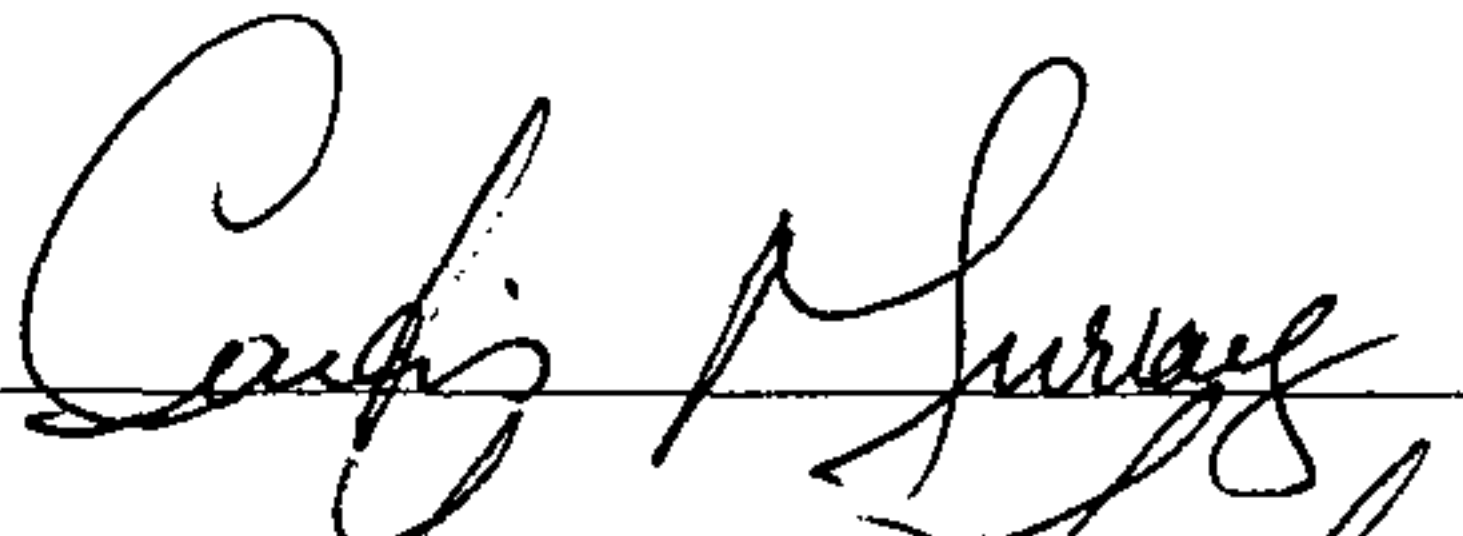
Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not support the petitioner's request. This office does not typically support sheds to be located in the front yard in lieu of the rear yard in DR zones. Additionally the petitioner already has one existing shed on the subject property in the side yard. As stated the Office of Planning recommends the petitioner's request be denied.

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

Reviewed by:



Division Chief:
AFK/LL: CM



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: March 29, 2007

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

SUBJECT: Zoning Advisory Committee Meeting
For April 2, 2007
Item Nos: ~~07-230~~, 410, 411, 413, 414, 415, 416,
417, 418, 419, 420, 423, 424, 425, and 426

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-03282007.doc



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 12/5/2006

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

RE: Baltimore County
Item No. 7-230-A
602 PATAPSCO AVENUE
RONALD ALSTON PROPERTY
VARIANCE - PERMIT A SHED
IN FRONT YARD

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 7-230A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____

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

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



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

November 28, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: November 27, 2006

Item No.: 230, 231, 232, 233, 234, 235, 236, 237, 238, 239.

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.

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

Acting Lieutenant Don W. Muddiman
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File

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



Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



2-1-07
21
RECEIVED

DEC 2 2006

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination JWL

DATE: December 13, 2006

SUBJECT: Zoning Item # 07-230-A
Address 602 Patapsco Avenue
Baltimore, MD 21237

Zoning Advisory Committee Meeting of November 27, 2006

- _____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- _____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- _____ Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).
- X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

This property is within the Limited Development Area (LDA) of the CBCA. Any development on this property must comply with LDA regulations.

Reviewer: Kevin Brittingham

Date: December 13, 2006

5-16-07
P3



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

May 16, 2007

WILLIAM J. WISEMAN III
Zoning Commissioner

Ronald Ashton
602 Patapsco Avenue
Baltimore MD 21237

RE: Petition for Variance
N/S Blackhead Road, 160' W c/line Crooks Road
(602 Patapsco Avenue)
Case No. 07-230-A

Dear Mr. Ashton:

Enclosed please find a copy of the decision rendered in the above-captioned matter. 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,

A handwritten signature in black ink, appearing to read "William J. Wiseman, III", written over a horizontal line.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:pz
Enclosure

c: Charles Holland, 604 Patapsco Avenue, Baltimore MD 21237
Herb Lindsay, 607 Patapsco Avenue, Baltimore MD 21237
Lloyd Clark, Sr., 606 Patapsco Avenue, Baltimore MD 21237

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Kristen Matthews, DPDM

DATE: February 6, 2007

✓ File

FROM: William J. Wiseman, III WJW
Zoning Commissioner

SUBJECT: Petition for Variance
602 Patapsco Avenue
Case No. 07-230-A (2/1/07)

Please make certain that a copy of the attached comments (DEPRM, dated 12/13/06 and Office of Planning, dated 1/25/07) are placed in the file and are mailed to the Petitioner, Mr. Ashton, as they may have a great deal of influence on what happens with his case.

As always, thank you for your cooperation.

WJW:dlw
Attachments

2-1-07
211

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

DEC 2 2006

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination JWL

DATE: December 13, 2006

SUBJECT: Zoning Item # 07-230-A
Address 602 Patapsco Avenue
Baltimore, MD 21237

Zoning Advisory Committee Meeting of November 27, 2006

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

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

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

This property is within the Limited Development Area (LDA) of the CBCA. Any development on this property must comply with LDA regulations.

Reviewer: Kevin Brittingham

Date: December 13, 2006

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Kristen Matthews, DPDM
File

DATE: February 1, 2007

FROM: William J. Wiseman, III
Zoning Commissioner



SUBJECT: Petition for Variance
602 Patapsco Avenue
Case No. 07-230-A

This memo is placed in the file and will serve the purpose of housecleaning. On February 1, 2007 at 11:00 A.M., the Petitioner (Ron Ashton) appeared with his father, Darren Weaver, to provide testimony in support of a shed to be located in the front yard due to the subject property having insufficient backyard area. It became evident that this was a violation case and upon producing the violation and reading the wording of same, may have been issued to address three (3) violations on the subject property -- that being two sheds, one in the side yard, one in the front yard and an above-ground swimming pool also located in the side yard. As the file will reflect, the Petition was filed prior to receiving the violation notice. The property was posted and advertised to indicate the front yard shed only. The case has to be continued and the property reposted to reflect the Variance relief necessary to address the Zoning Enforcement citation. This will require an Amended Petition and Amended site plan.

An adjacent neighbor, Charles Holland, 604 Patapsco Avenue, appeared as well as two other individuals, Herbert Lindsay, 607 Patapsco Avenue, who lives directly across the street from the Petitioner's property, and Lloyd Clark, Sr., 606 Patapsco Avenue, who had given up time to attend the hearing. To accommodate these individuals, limited testimony was taken and exhibits received. One by one, the community members indicated they had no objection to the swimming pool or existing shed (existing prior to the time the Petitioner purchased the property). Their concern was with the front yard shed and after discussion, they agreed that if the shed was moved back 8-1/2 feet behind the front building line setback of the existing homes on Patapsco Avenue, they had no objection. The Petitioner agreed to amend his site plan to reflect the shed in that location and further agreed that he would move the shed within thirty (30) days of the Zoning Commissioner's Order. Additionally, the Petitioner agreed that the Variance relief requested for these three structures would be for his use only and would not run with the land but would terminate upon his ceasing to reside or own the property at 604 Patapsco Avenue. Limited exhibits were received and are attached to this Memorandum for safekeeping in the file.

Following the proper posting of the property, this case can be rescheduled to my calendar for further proceedings.

WJW:dlw
Attachment

CASE NAME _____
CASE NUMBER 07-230-A
DATE Feb 1, 2004

PETITIONER'S SIGN-IN SHEET

[illegible]

CASE NAME _____
CASE NUMBER _____
DATE _____

E-MAIL

[illegible]

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 30, 2006

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

SUBJECT: Zoning Advisory Committee Meeting
For December 4, 2006
Item Nos. 07-229, 230, 231, 232, 233, 234,
235, 237, 238, and 239

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-11292006.doc

07-230-A
11/16/06

Note to File:

Applicant was advised to include the existing shed located on the side of his home on this variance request and he declined.

JCM

DIVISION OF CODE INSPECTIONS AND ENFORCEMENT

VIOLATION CASE DOCUMENTS

VIOLATION CASE: 06-8583

602 Patapsco Avenue

**ZONING CASE: 07-230-A
602 PATAPSCO AVENUE**

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

DATE: December 18, 2006

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

FROM: Rick Wisnom, Hearing Officer
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 230
Legal Owner/Petitioner: Ronald W. Ashton
Contract Purchaser:
Property Address: 602 Patapsco Avenue
Location Description: East corner of Patapsco and Walnut Avenues

VIOLATION INFORMATION: **Case No.: 06-8583**
Defendants: Ronald W. Ashton

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:

**Genevieve Holland
604 Patapsco Avenue
Baltimore, MD 21237**

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:

Other: data entry sheet

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Lisa Henson in Room 213 in order that the appropriate action may be taken relative to the violation case.

RSW/
c: Dennis Rioux

Case Entry/Update
Format : GASREC

Mode . . . : CHANGE
File . . . : PDLV0001

Dt Rec: 9272006 Intake: GF/CP Act: _____ Case #: 06-8583
Insp: RIOUX Insp Grp: ENF Insp Area: 15 Tax Acct: 1900006050
Address: 602 PATAPSCO AVE Apt #: _____ Zip: 21237
Owner: RONALD ASHTON

Problem Descript.: INOP VEHS IN FRONT YARD, WORKING ON CARS, MOTOR HANGING FROM
TREE, MOTOR PARTS IN YARD, SHED IN SIDE YARD

Complainant Name (Last): HOLLAND (First): GENEVIEVE
Complainant Addr: 604 PATAPSCO AVE
Complainant City: BALTIMORE State: MD Zip: 21237
Complainant Phone (H): 4103375771 (W): _____
Date of Reinspection: 1242007 Date Closed: _____ Delete Code (P):

F3=Exit
F9=Insert

F5=Refresh
F10=Entry

F6=Select format
F11=Change

Case Entry/Update
Format : CASREC

Mode . . . : CHANGE
File . . . : PDLV0001

Notes: 9/28/06 INSPECTED SITE, 3 UTVS, OLD CAR PARTS. ISSUED A NOTICE, P/U 10/2
2/06 UPDATED COMPL. BY V-MAIL. DR/SS

**10/23/06 INSPECTED SITE, TRASH & VEHICLES REMOVED, SHED IN FRONT YARD. ISSUED
NOTICE FOR THAT, MAILED COPY. P/U 11/24/06. COMPL. UPDATED. DR/SS

**11/27/06 INSPECT SITE, ACCESSORY STRUCTURE STILL REMAINS IN FRONT YARD. TOOK
7 PHOTOS. ISSUED CITATION. P/U 1/24/07 DR/SS

F3=Exit
F9=Insert

F5=Refresh
F10=Entry

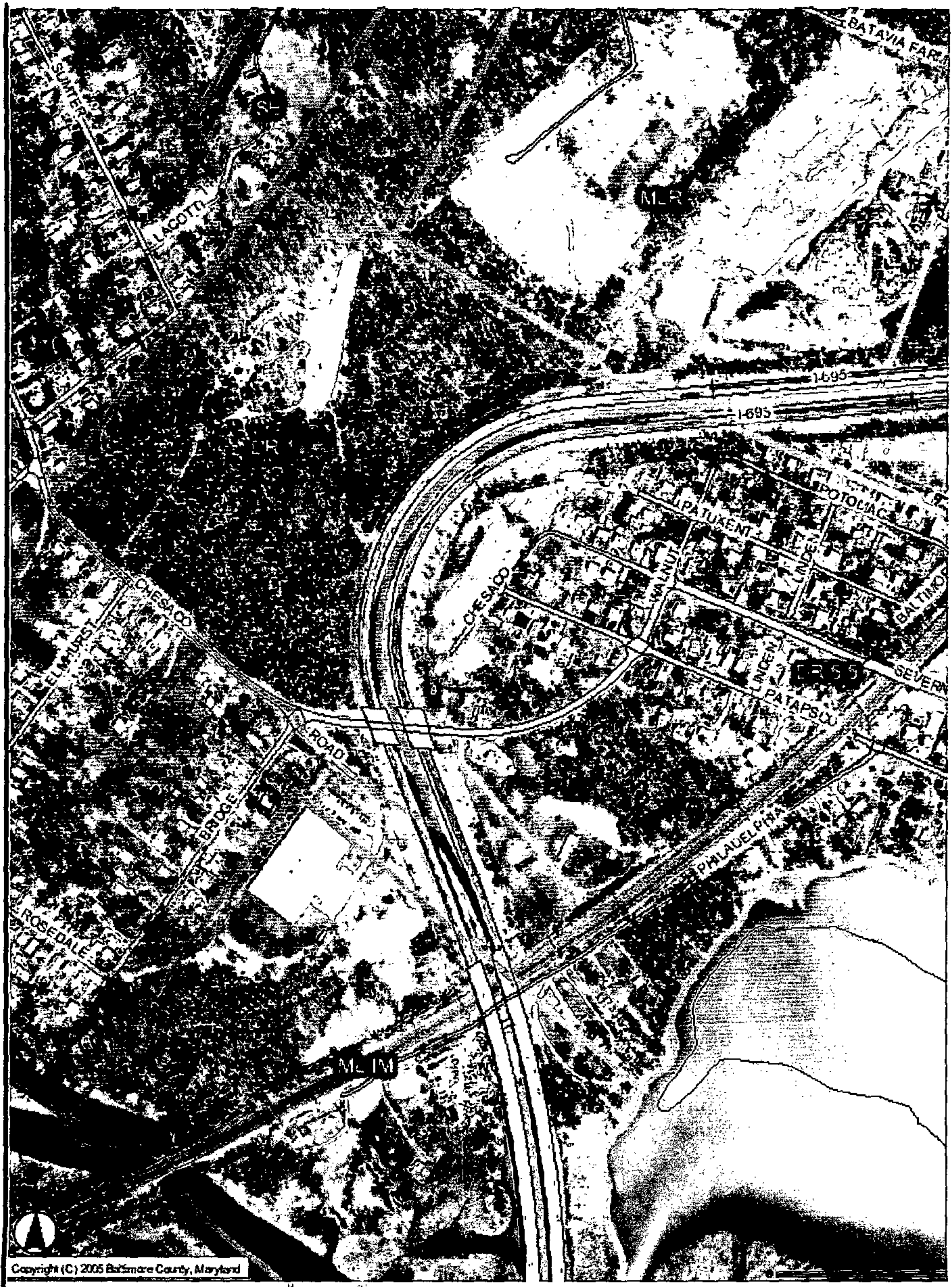
F6=Select format
F11=Change

CASE NAME	CASE NUMBER	DATE
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PETITIONER'S SIGN-IN SHEET

[illegible]

096C



Case No.:

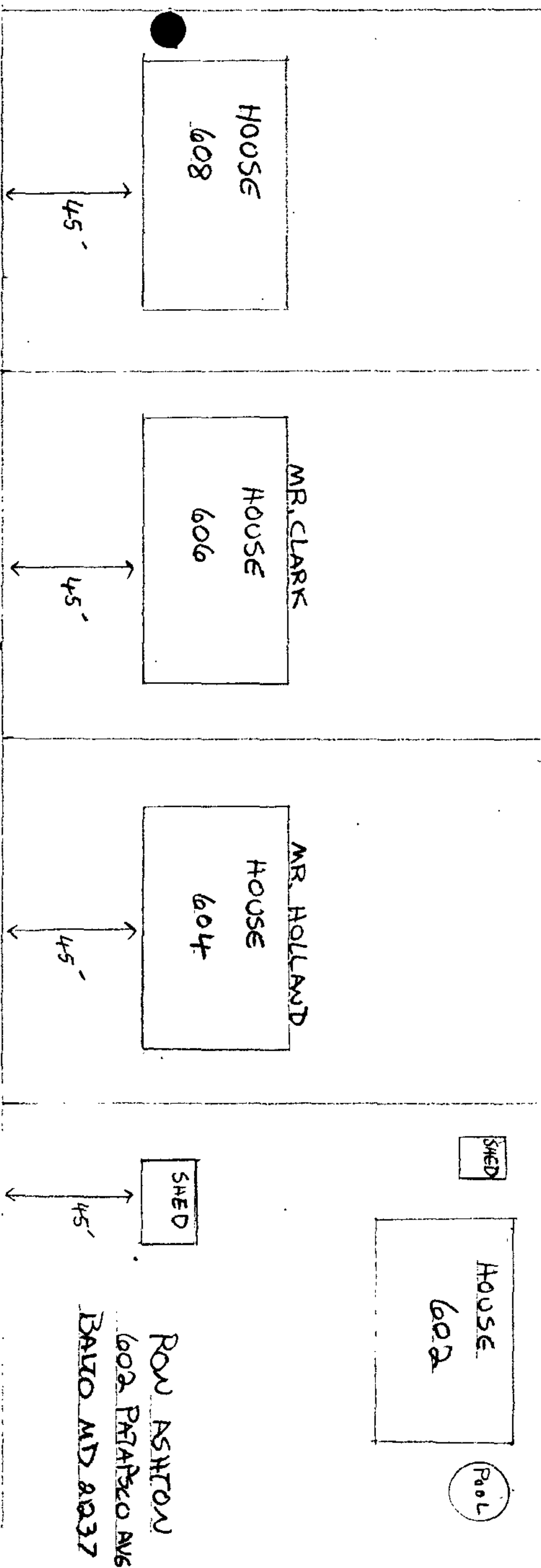
07-230 A

Exhibit Sheet

Petitioner/Developer

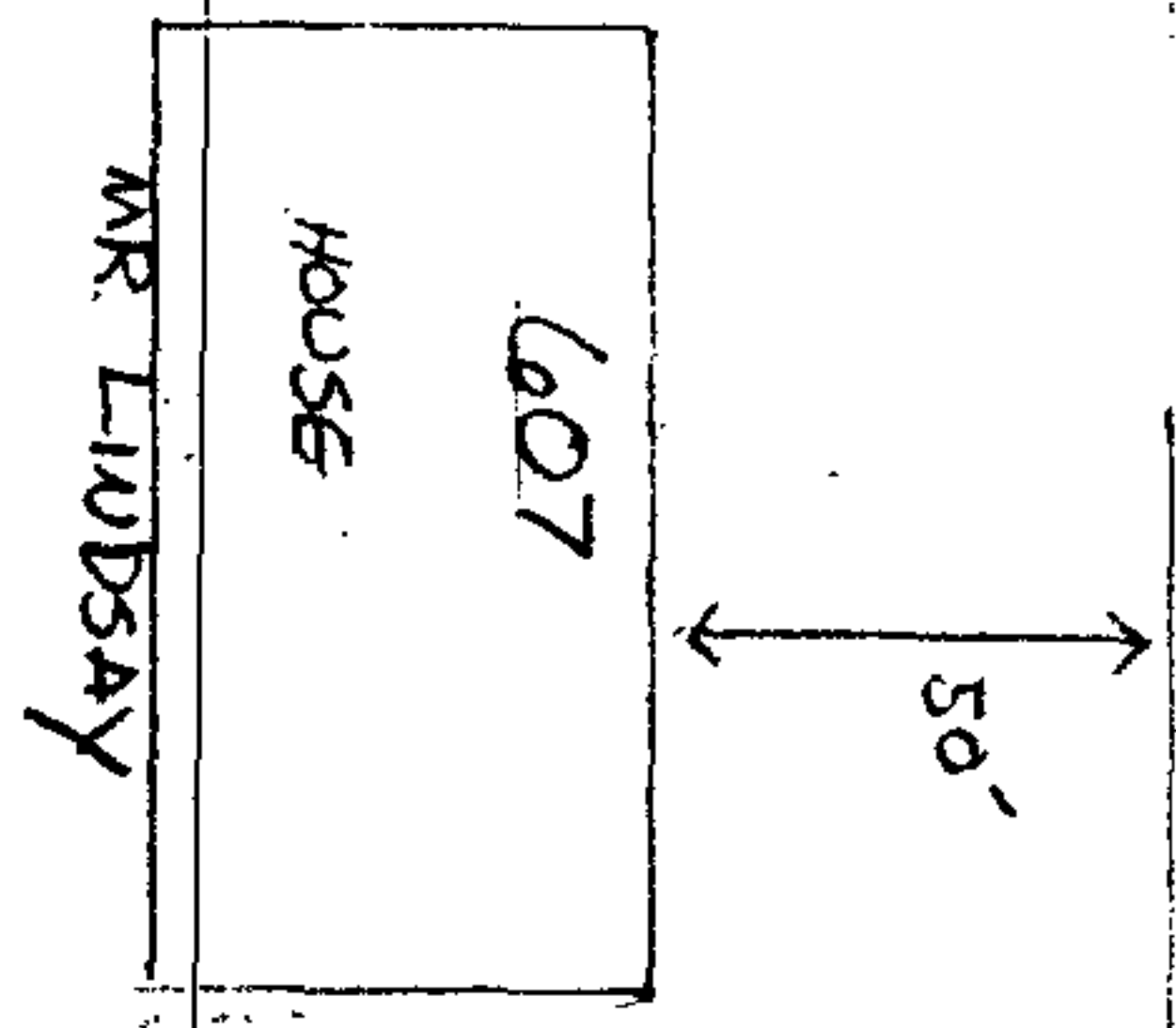
Protestant

No. 1	AMENDED SITE PLAN	PHOTO'S DENOTING SHED'S LOCATION ON 2/1/07 "NOW MOVED" - SEE PETITIONER'S #2
No. 2	PHOTO'S - EXISTING CONDITIONS 5/05/07	
No. 3	PHOTO'S - DEPICTING SHED'S LOCATION ON 2/1/07 - SHED HAS BEEN MOVED	
No. 4	OLD SITE PLAN NOTING LOCATION BEFORE PETITION AMENDS	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



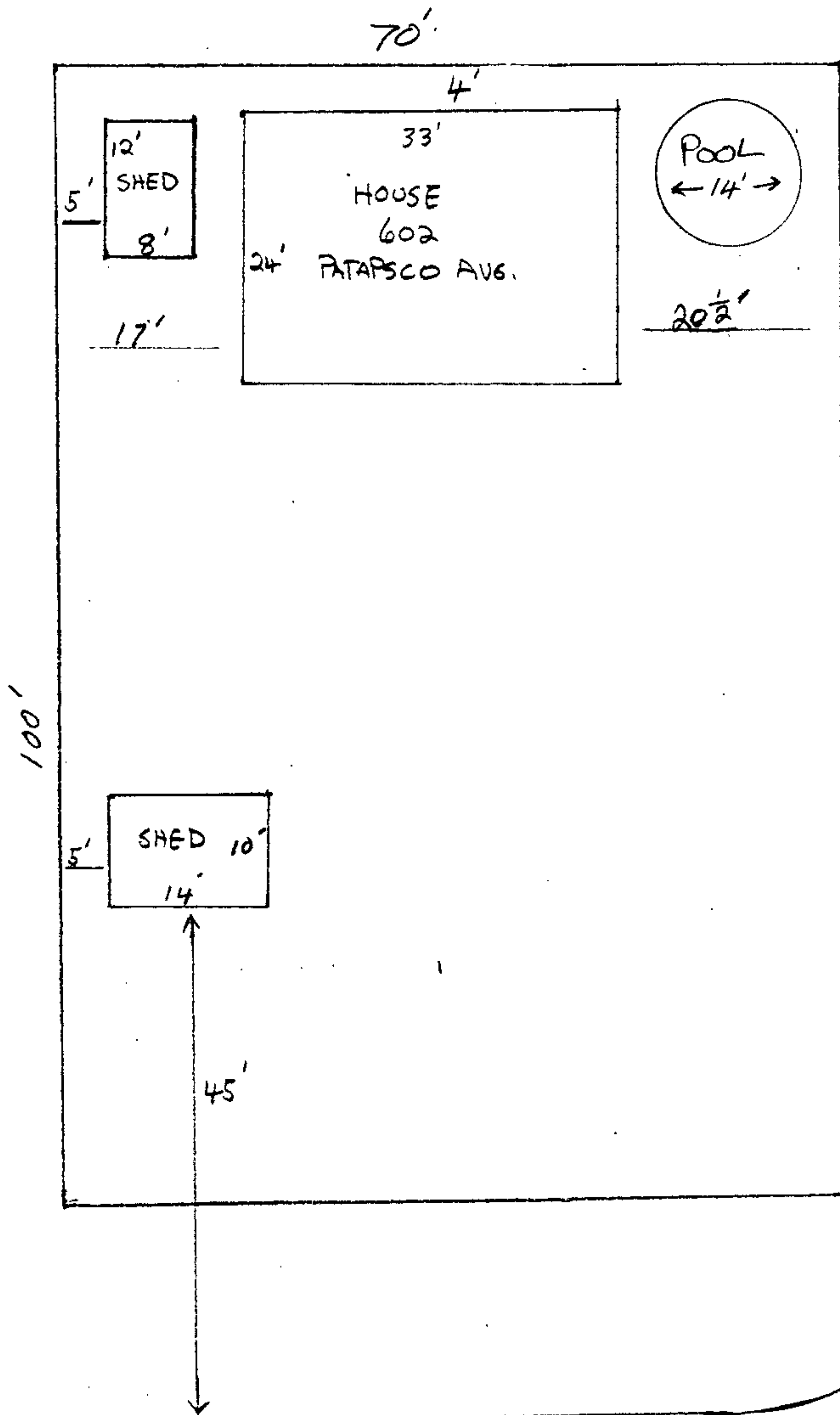
600 BLOCK PATAPSCO AVE.

8 1/2 feet back from where it was originally



PETITIONER'S
EXHIBIT NO. 1

PETITION FOR VARIANCE



WALNUT AVE

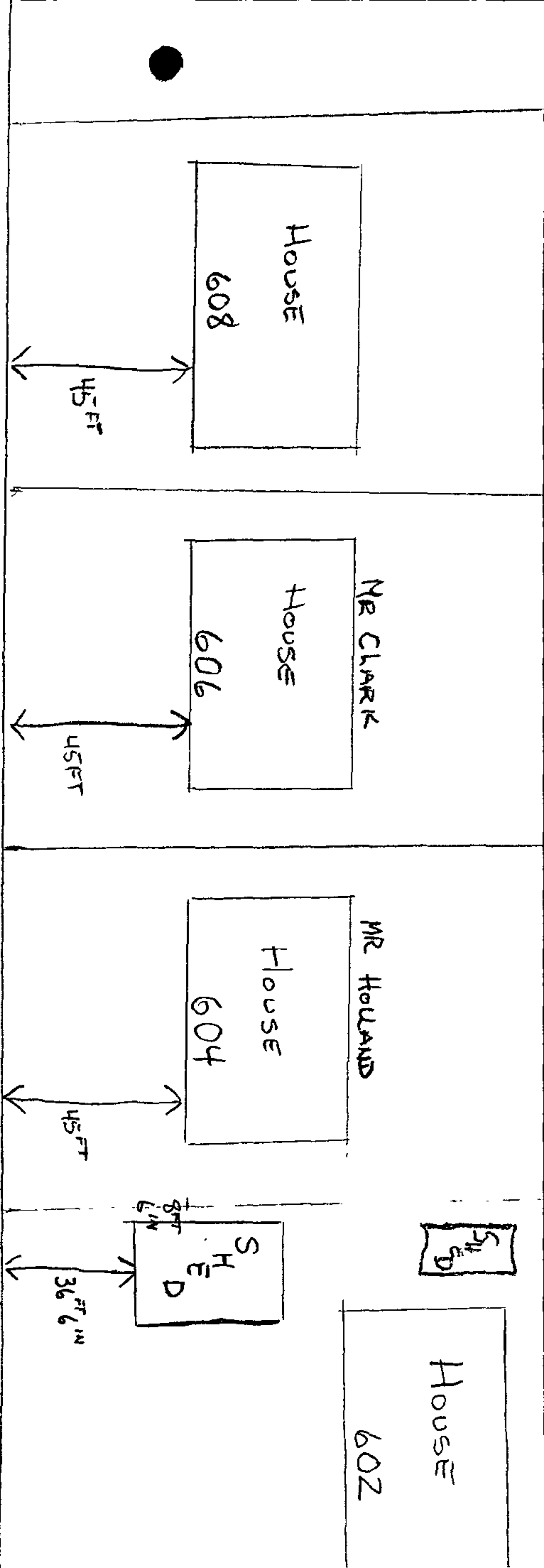
RONALD ASHTON
602 PATAPSCO AVE
BALTO. MD. 21237
LOTS #617 618 619
PLAT 6 FOLIO 164

LOT SIZE: 7500 ϕ
ZONING: DR 5.5
MAP: 096C1
PUBLIC: H₂O & SEWER
CBCA: YES
ED: 15TH CD: 7TH

PATAPSCO AVE

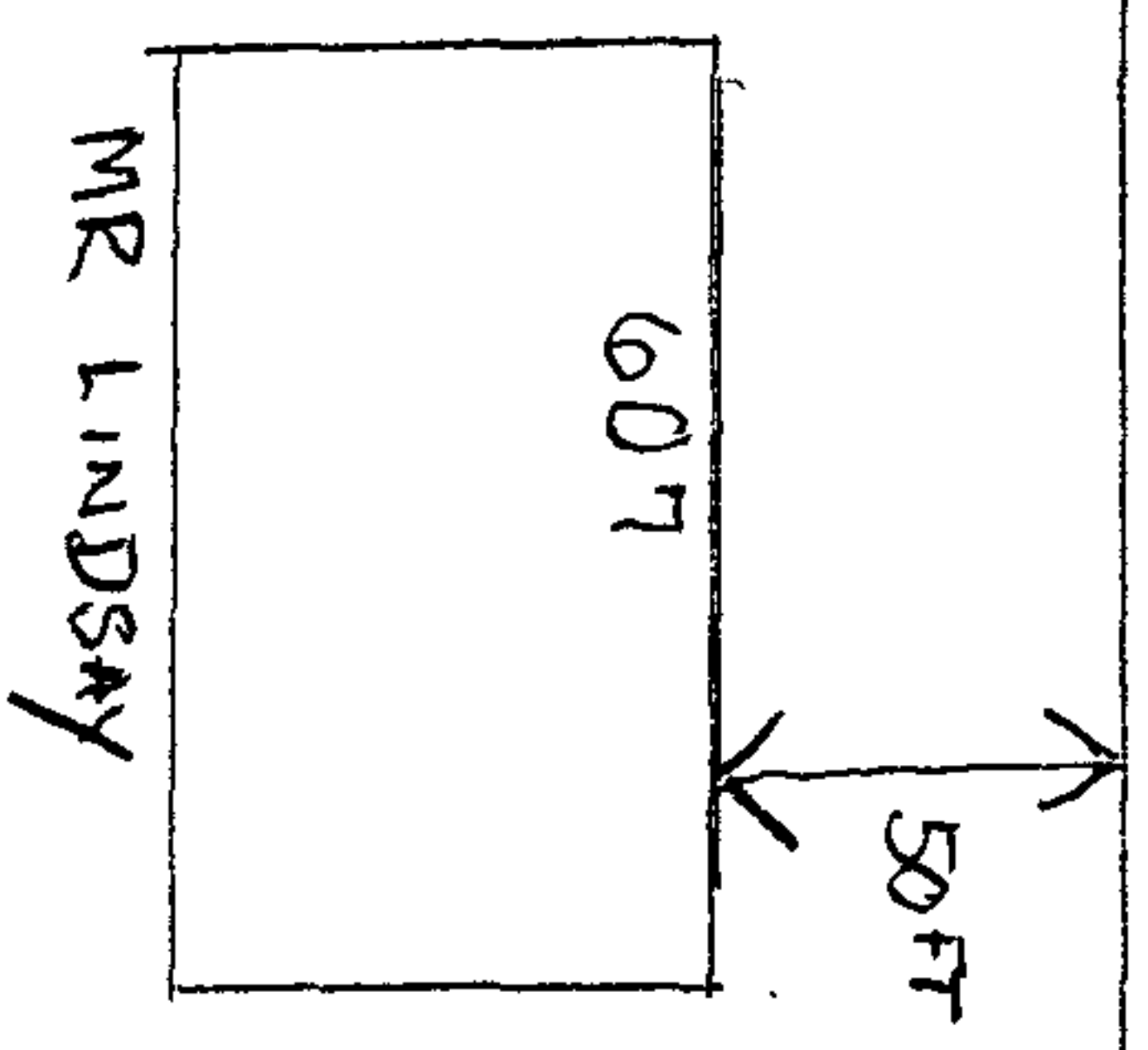
REVISED PLAN

2/13/07



600 BLOCK PATAPASCO AVE

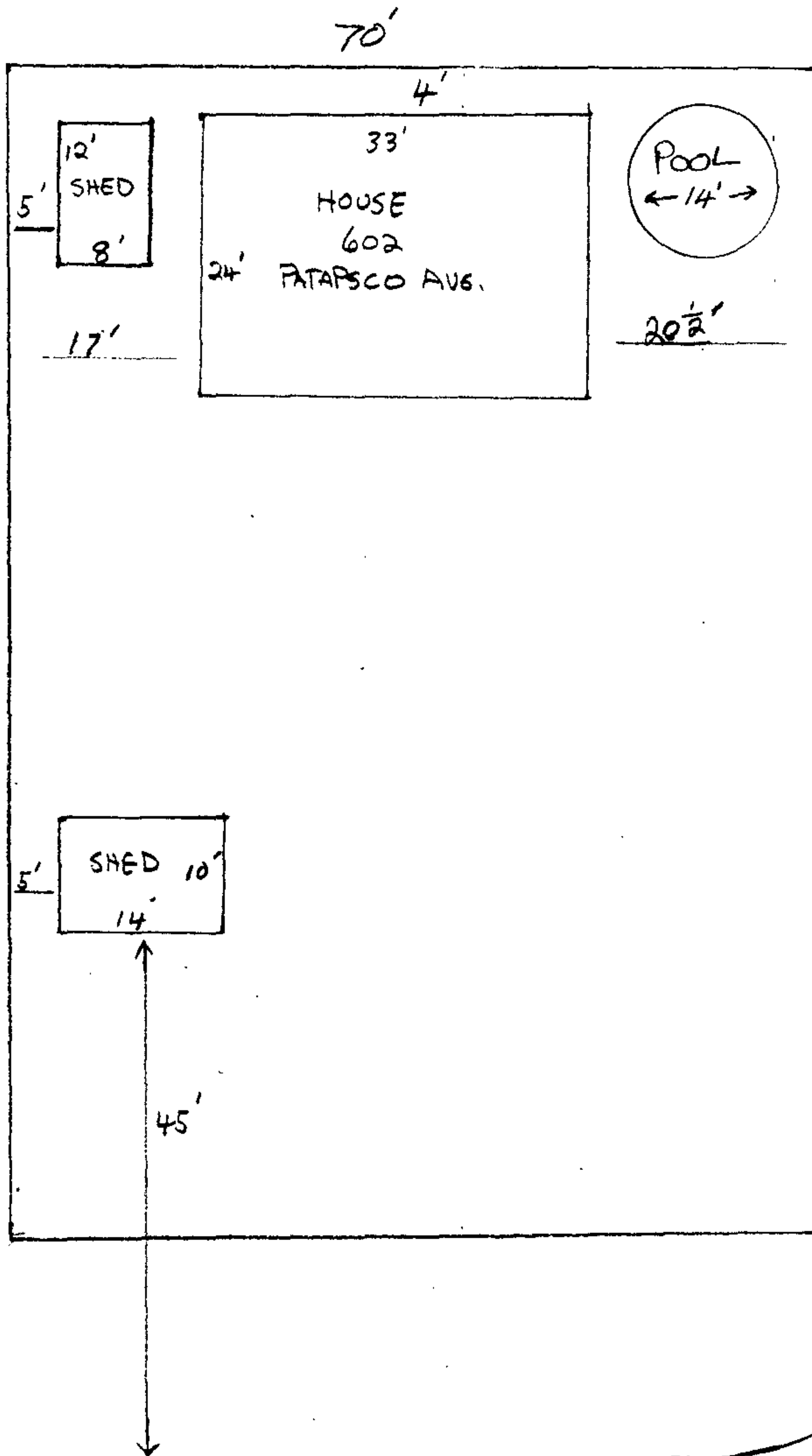
R O A D



OCID *revised*
 MEASUREMENTS
 ARE
 APPROXIMATE

FEB 1, 07

PETITION FOR VARIANCE



WALNUT AVE

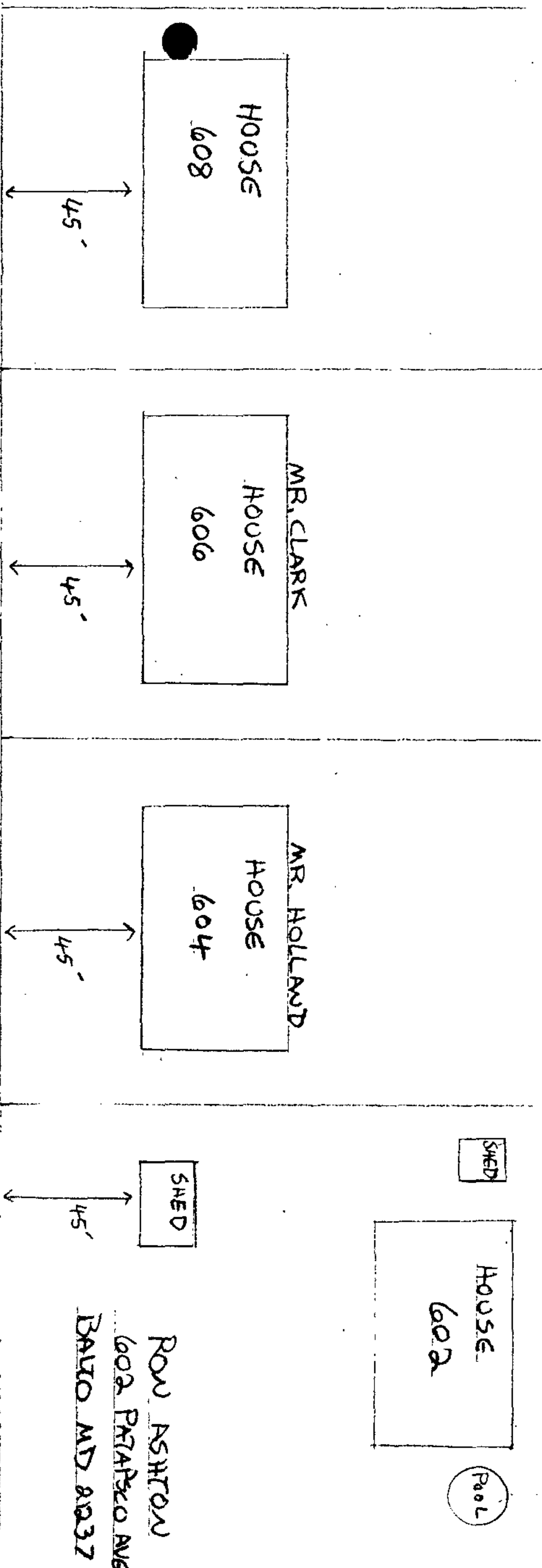
RONALD ASHTON
602 PATAPSCO AVE
BALTO. MD. 21237
LOTS # 617 618 619
PLAT 6 FOLIO 164

LOT SIZE: 75000
ZONING: DR 5.5
MAP: 096C1
PUBLIC: H₂O & SEWER
CBCA: YES
ED: 15TH CD: 7TH

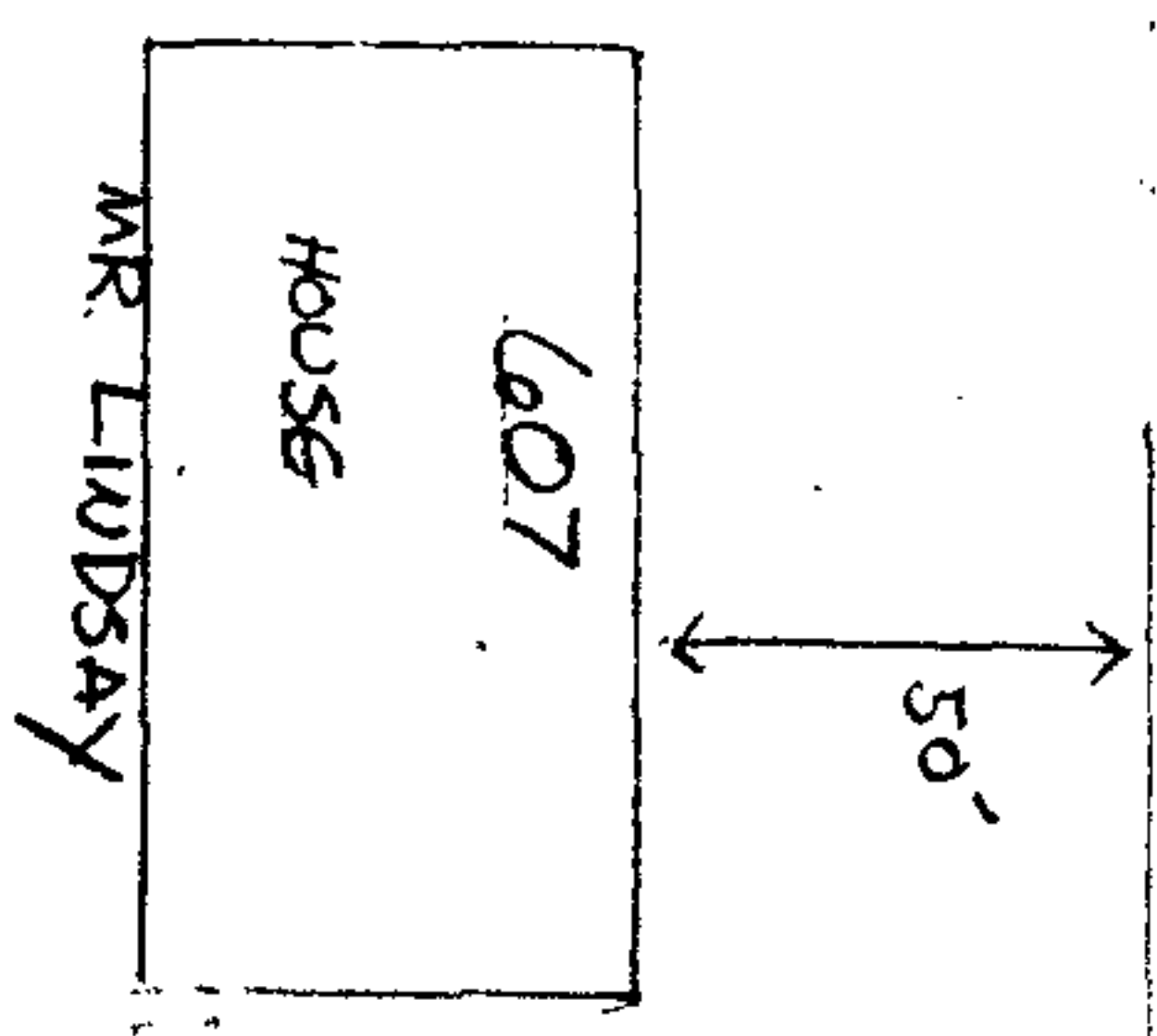
PATAPSCO AVE

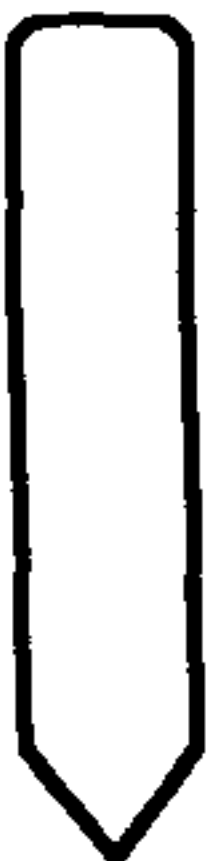
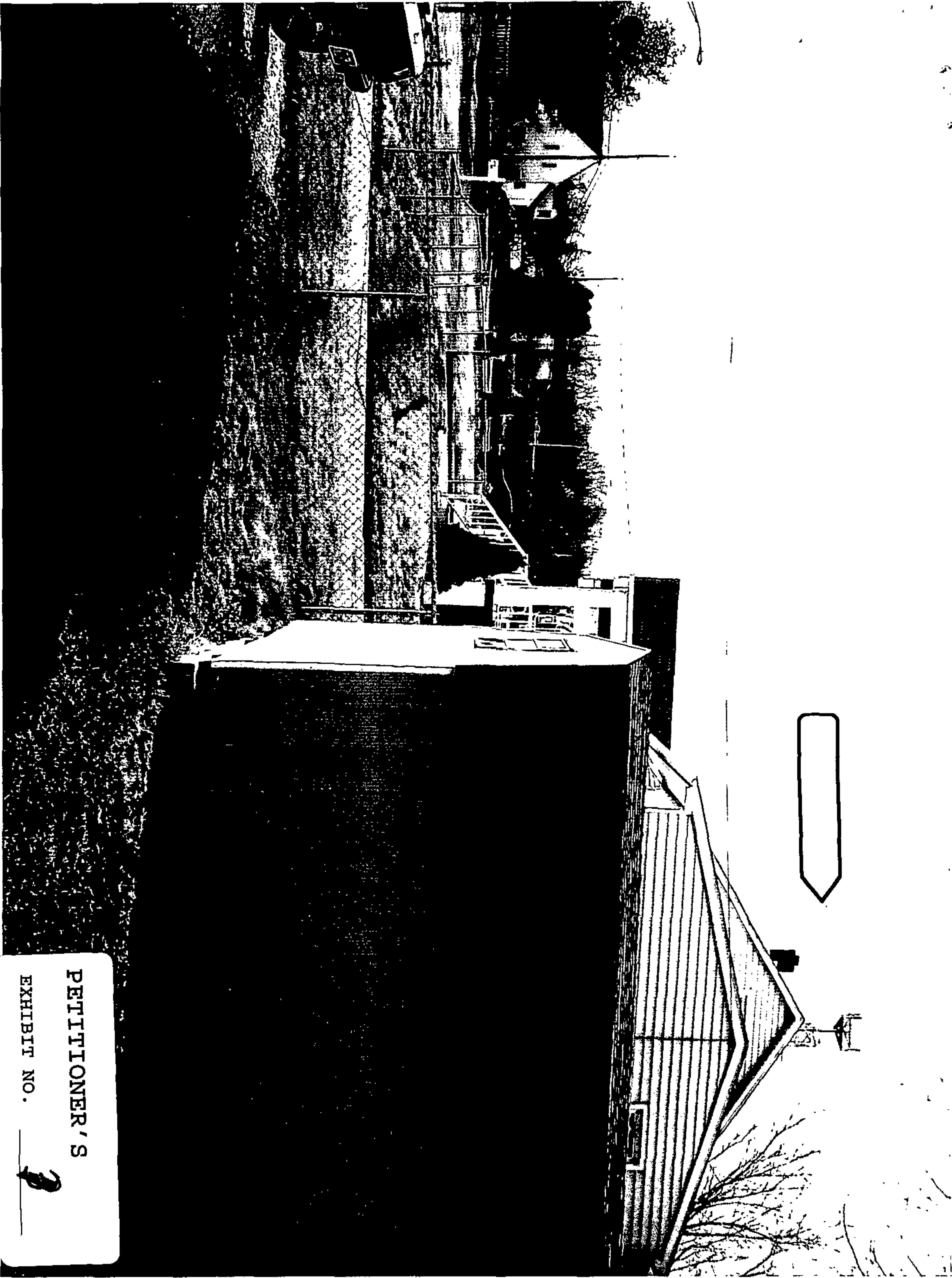
REVISED PLAN

2/13/67



600 BLOCK PATAPSCO AVE.

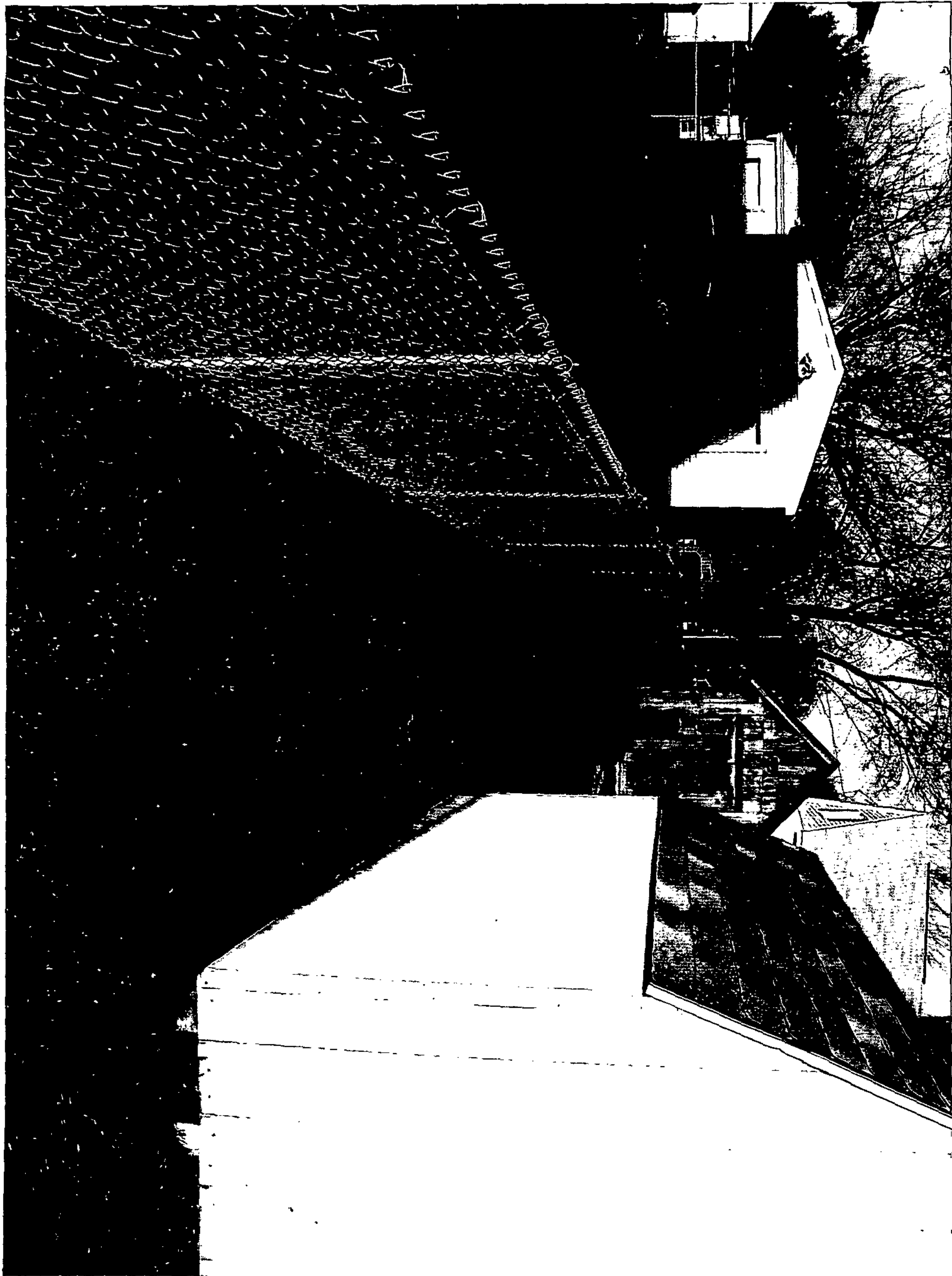




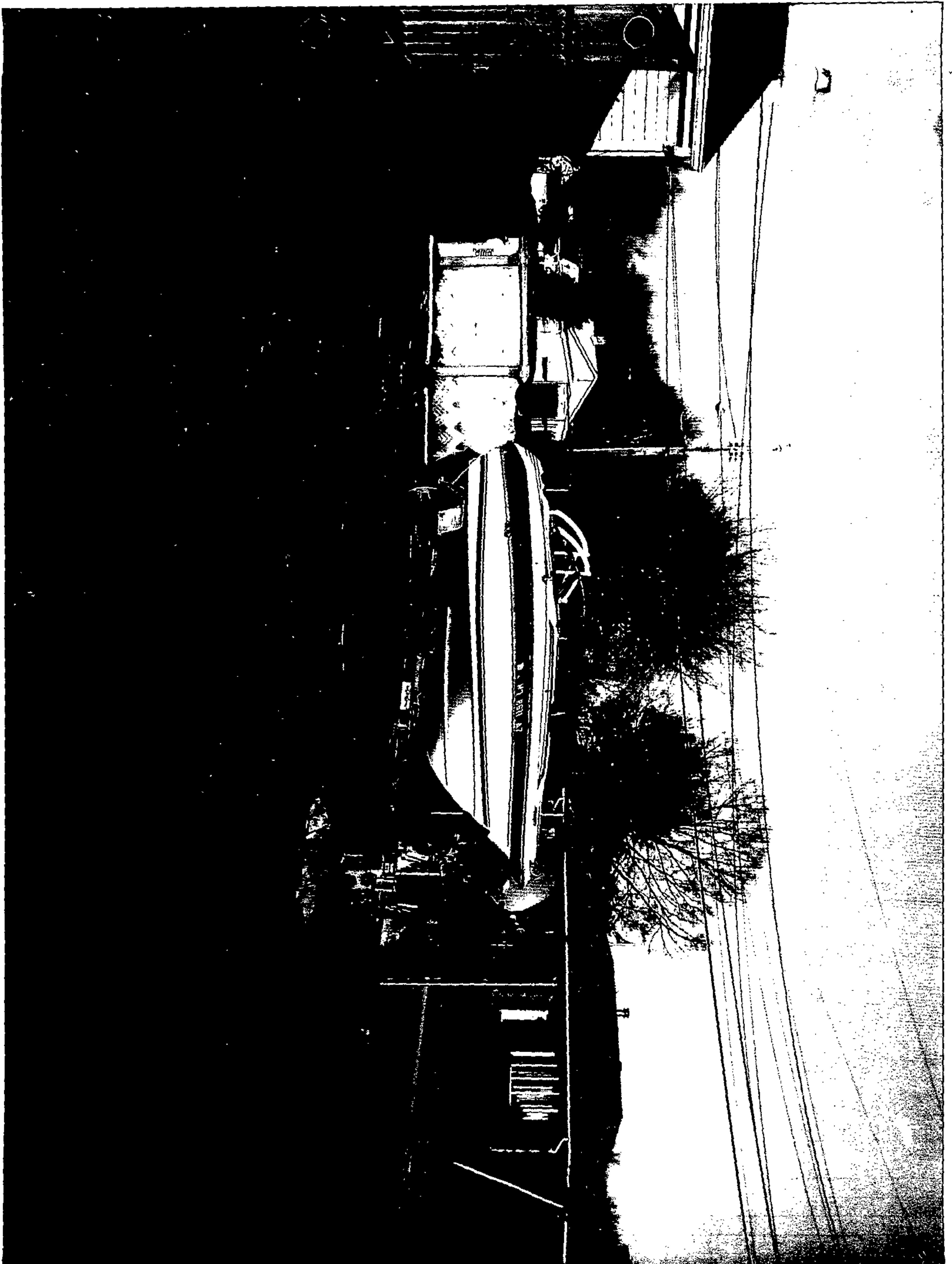
PETITIONER'S

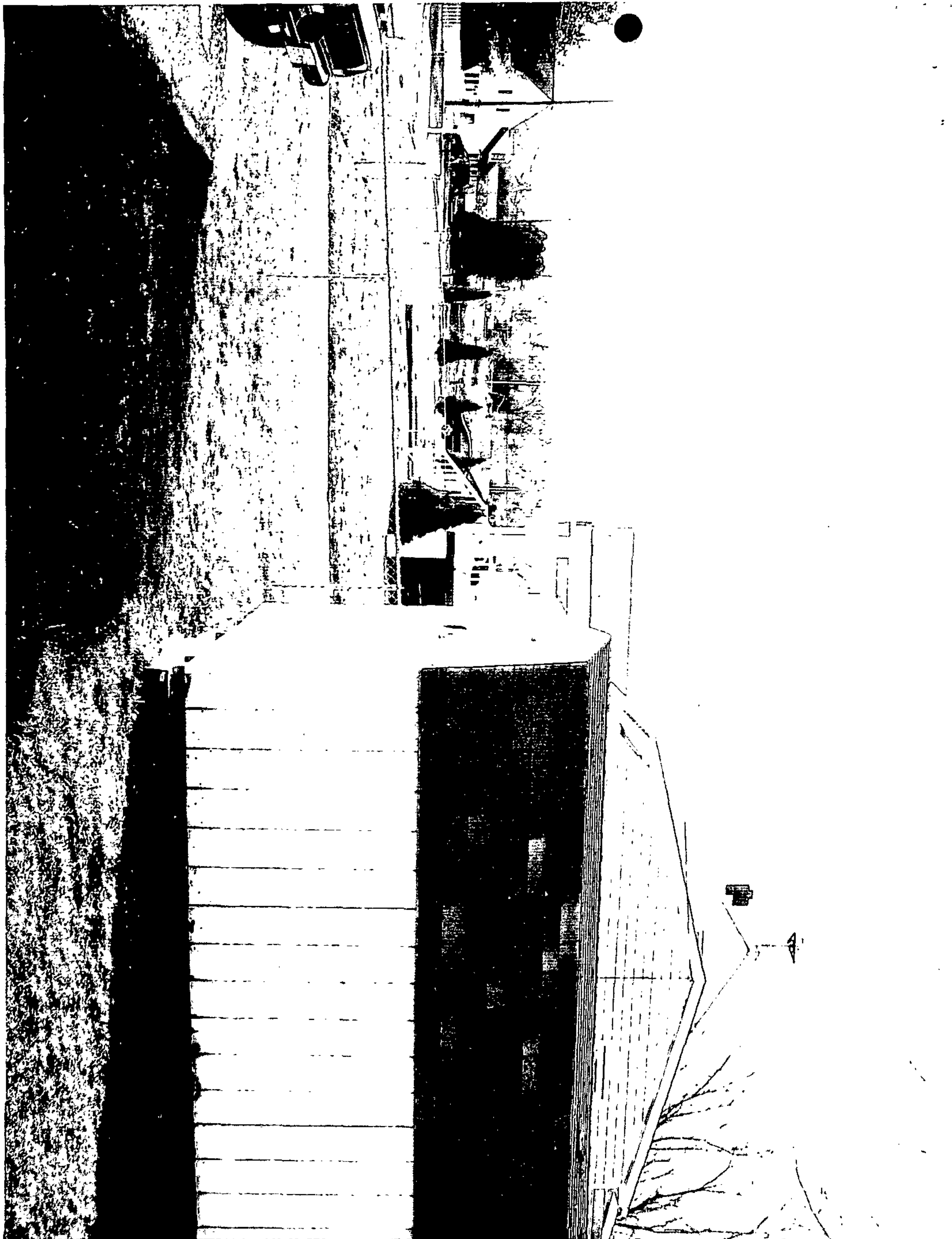
EXHIBIT NO. _____

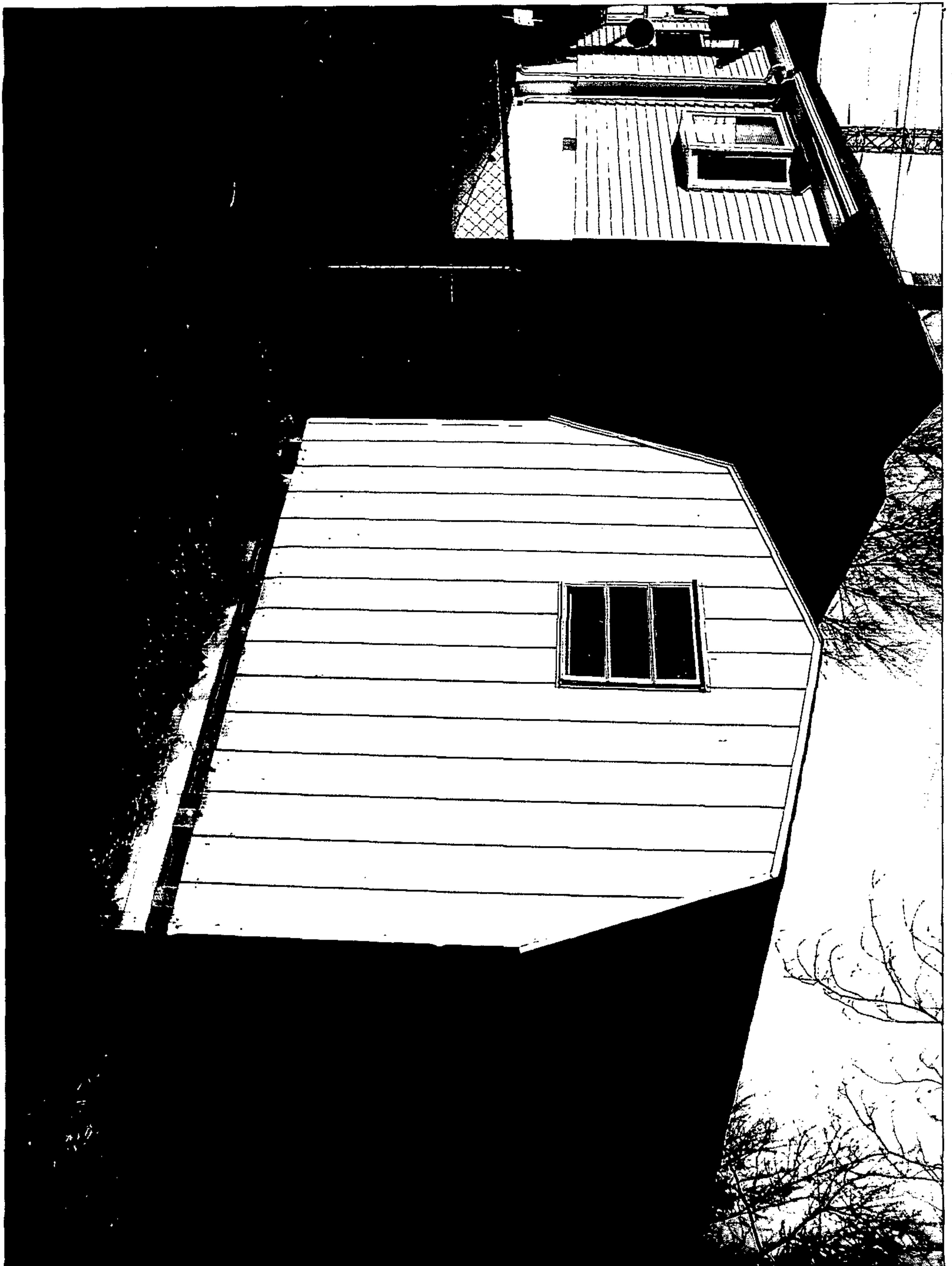
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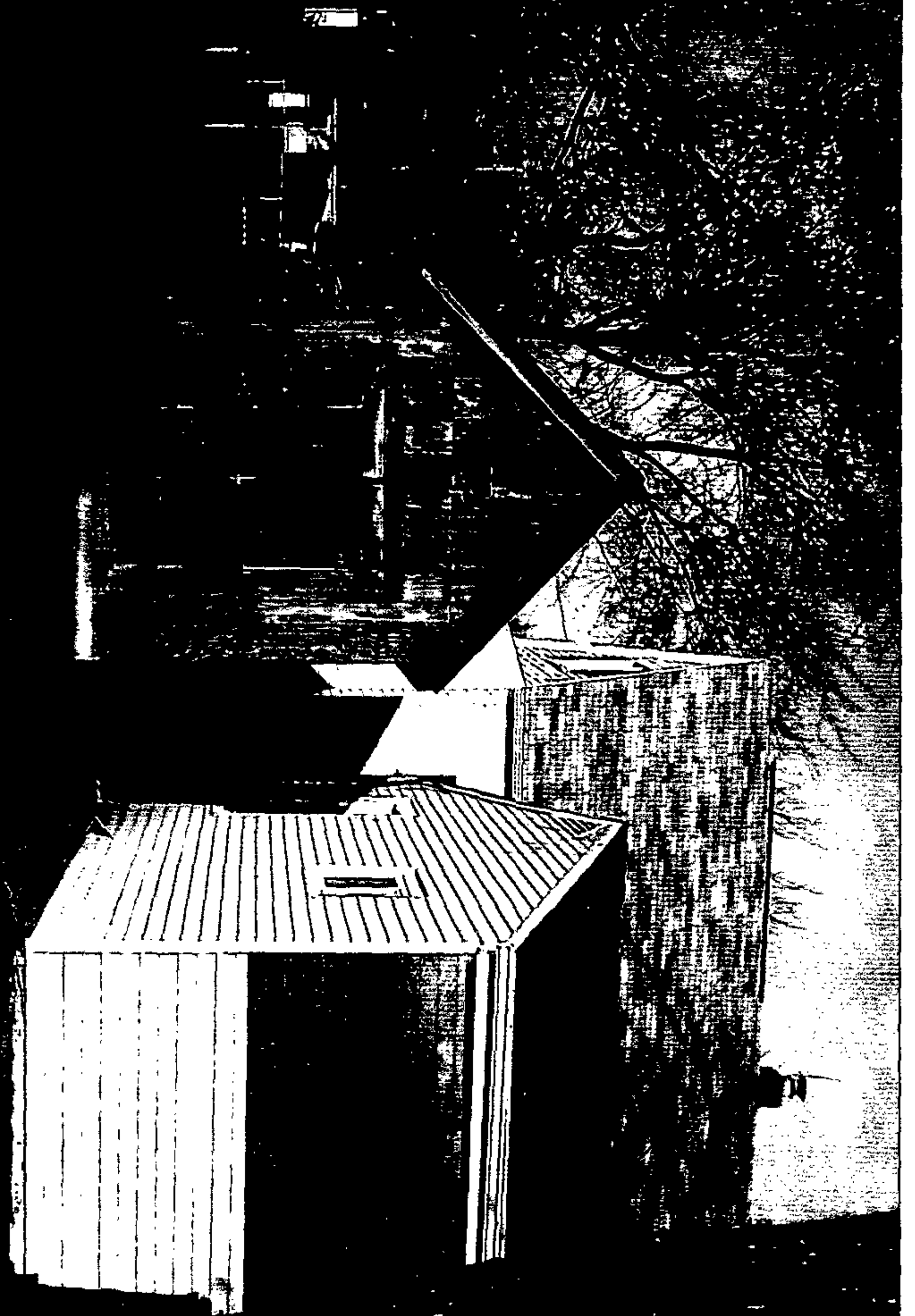


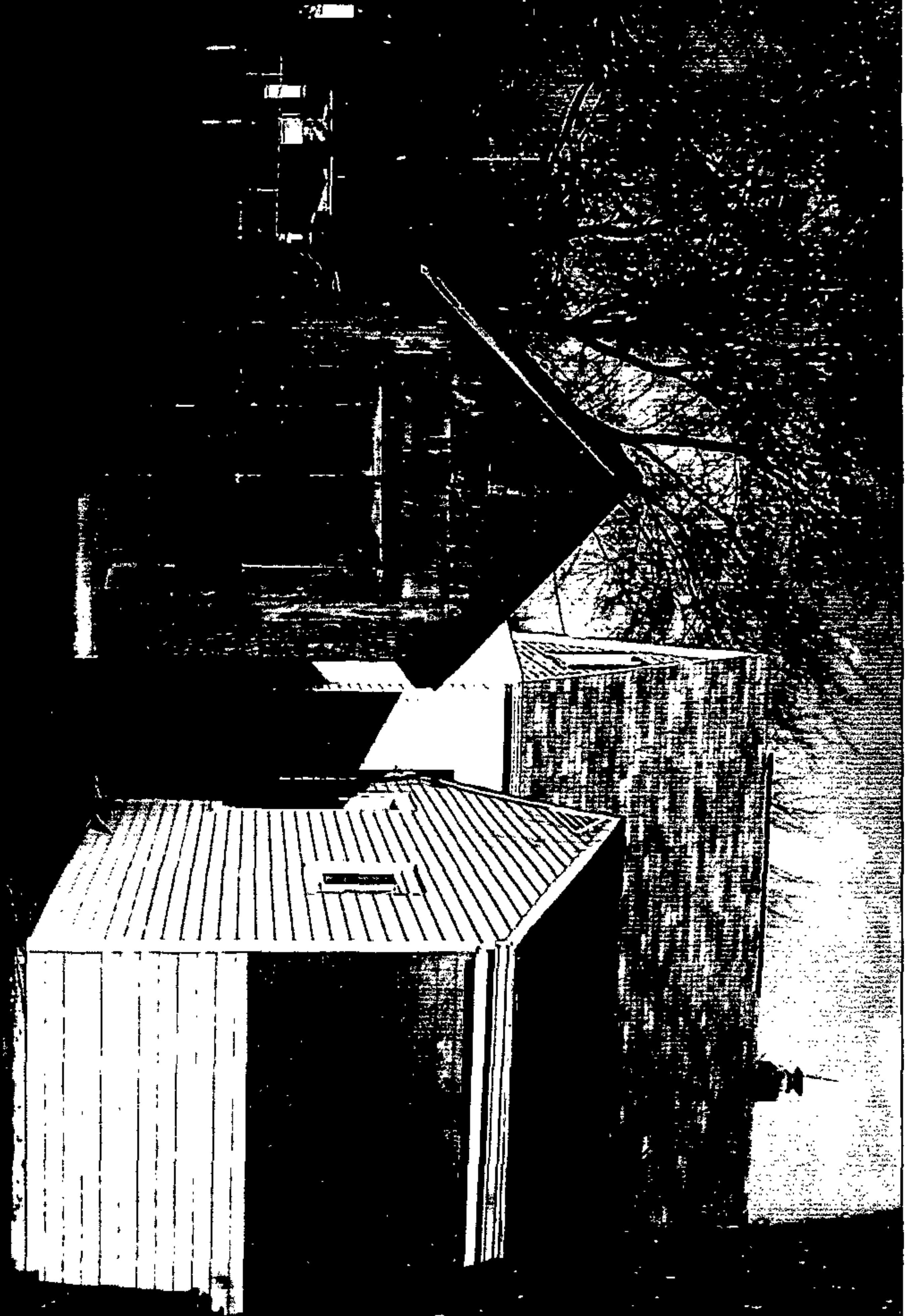












ZONING NOTICE

CASE # 07-230-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

Room 407, County Courts Building
PLACE: 401 Bosley Ave. Towson 21204

DATE AND TIME: THURSDAY, FEBRUARY 1, 2007 @ 1:00 P.M.

REQUEST: VARIANCE TO PERMIT A SHED TO BE LOCATED
IN THE FRONT YARD IN LIEU OF THE REQUIRED REAR YARD.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 867-3391

DO NOT REMOVE THIS SIGN AND POST WITH DAY OF HEARING, UNDER PENALTY OF LAW.
HANDICAPPED ACCESSIBLE

PETITIONER'S

EXHIBIT NO.

2



05/06/2007

ZONING NOTICE

CASE # 07-230-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: Room 407 COUNTY COURTS BLDG
401 BOSLEY AVENUE TOWSON 21204

DATE AND TIME: MONDAY, MAY 7, 2007 AT 10:00 A.M.

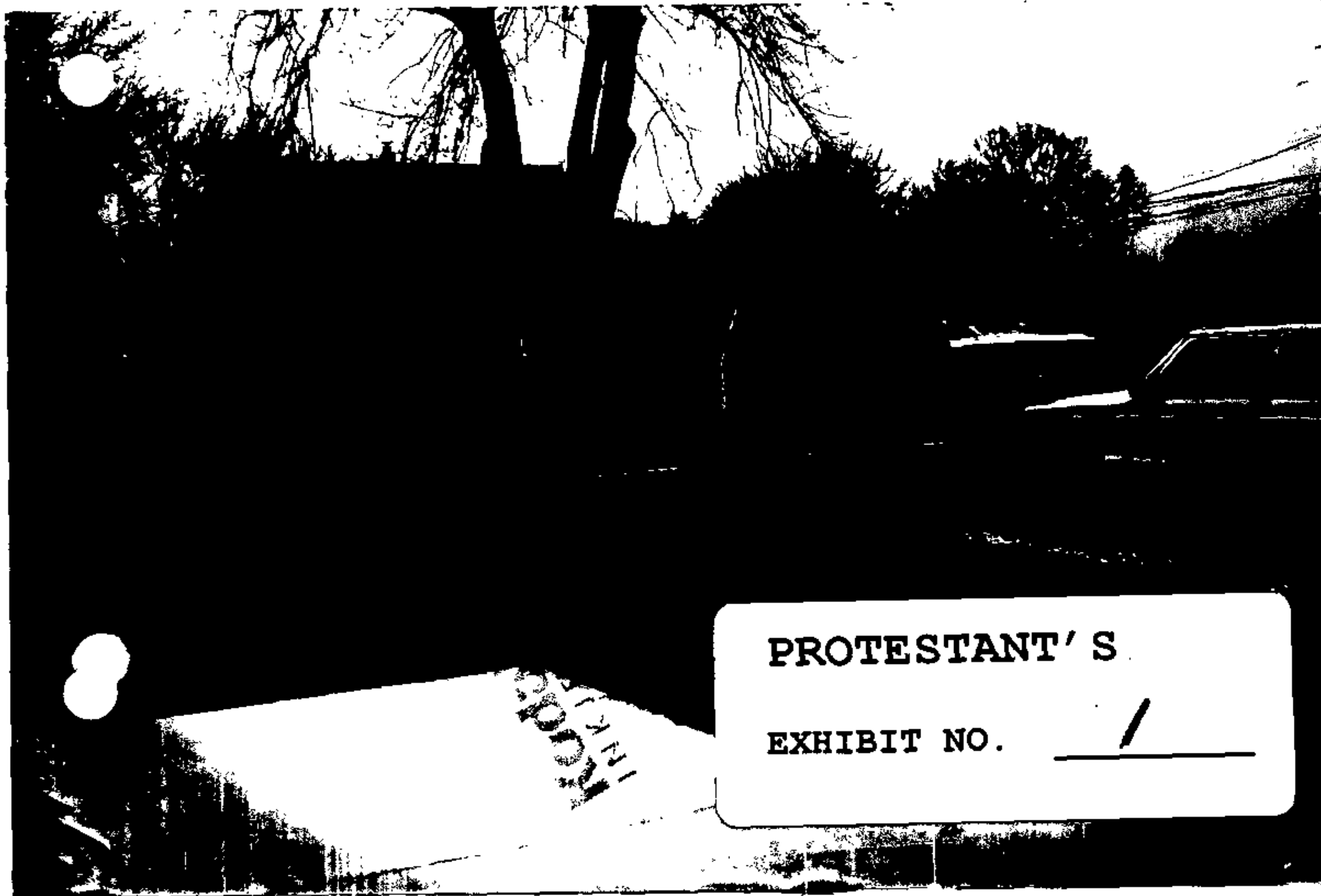
REQUEST: VARIANCE TO PERMIT 2 EXISTING GHEDS AND POOL

TO REMAIN IN THE FRONT AND SIDE YARD IN LIEU OF THE REQUIRED
REAR YARD AS INDICATED ON THE SITE PLAN.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

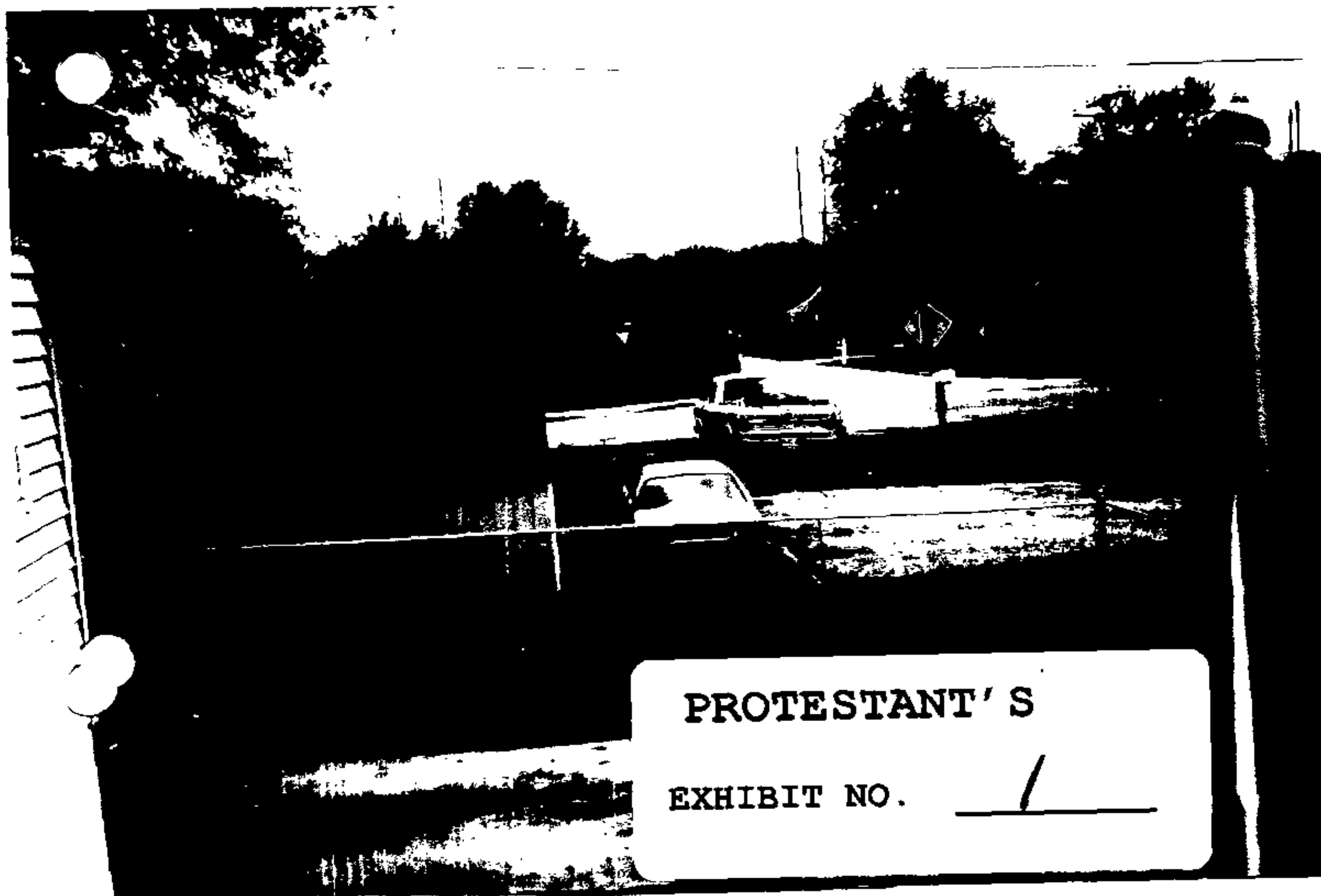
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

5/2007



PROTESTANT' S

EXHIBIT NO. 1



PROTESTANT' S

EXHIBIT NO. 1





