IN RE: PETITION FOR VARIANCE

NE side of Oliver Beach Road, 229.51 feet SE of Eastern Avenue 15<sup>th</sup> Election District 6<sup>th</sup> Councilmanic District (13000 Oliverwood Road)

Thomas A. Reynolds, Jr. Petitioner

- \* BEFORE THE
- \* DEPUTY ZONING
- \* COMMISSIONER
- \* FOR BALTIMORE COUNTY
- \* Case No. 07-593-A

# FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owner of the subject property, Thomas A. Reynolds, Jr. Petitioner is requesting variance relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing detached accessory structure (carport) to be located in the front yard in lieu of the permitted rear yard only, in the third of the lot farthest removed from any side street. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

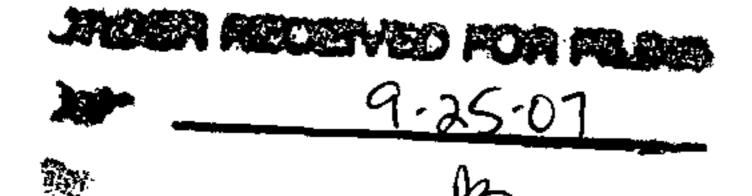
Appearing at the requisite public hearing in support of the variance request was Petitioner Thomas A. Reynolds, Jr. Also appearing as an interested citizen was James L. Seigle of 63 Alberge Lane in Middle River, MD. Mr. Seigle also indicated that he is part of the Precinct 11 Community Relations Council. There were no other interested persons or Protestants in attendance.

It should be noted that this matter stems partly from an investigation by the Code Enforcement Division of the Department of Permits and Development Management (Violation Case No. 07-8782), relative to the recent erection of the accessory structure (carport) without a building permit. Although Petitioner's decision to construct the carport without first verifying

9-25-01 20-25-01 that the proper zoning requirements had been met is certainly not the preferred logistical method, it shall not be considered or held against Petitioner in deciding this matter, nor shall the possible time and expense to Petitioner of removing the structure be considered as a mitigating factor. The sole issue to be decided in this case is whether Petitioner is legally entitled to the relief sought.

Testimony and evidence offered revealed that the subject property contains 7,824 square feet or .18 acre, more or less, and zoned D.R.2 and D.R.5.5. The majority of Petitioner's property is D.R.2, with a small sliver in front zoned D.R.5.5. The subject property is improved with a two-story dwelling and attached two car garage and is located in the Middle River area of Baltimore County. It is also improved with a concrete driveway wide enough for two vehicles, and extends from the overhead garage door to Oliverwood Road.

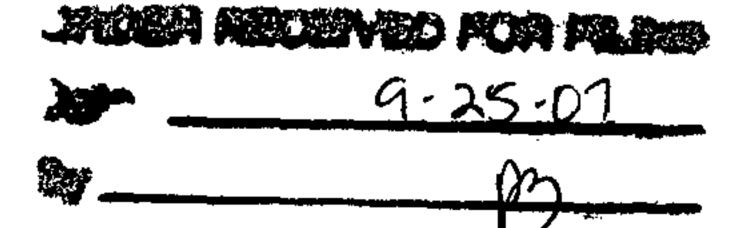
The home was built in 1993 and Petitioner purchased the property in 2000. The attached garage was built in 1996 and was part of a variance request that was granted by this Commission (Case No. 96-219-A). The garage has not been used for vehicles for some time, but rather has been used as a recreation and exercise room for Petitioner's son. Petitioner also has four teenagers currently living in the home with four cars owned by the family. In order to protect the cars parked in the driveway, Petitioner looked into purchasing a carport and found Newmart Builders, Inc. in South Hill, VA, a company that offered the sale and installation of carports. Petitioner purchased a carport measuring 18 feet wide by 41 feet long, primarily because it fit the width and length measurements of his existing driveway perfectly, and because it would completely cover the four cars parked in the driveway. Petitioner offered photographs of the subject property, which were marked and accepted into evidence as Petitioner's Exhibits 3 and 4, to show that the carport could not practically be placed at any other location. Additional



photographs which were marked and accepted into evidence as Petitioner's Exhibits 5A and B, 6A and B, and 9 showed the appearance and location of the carport, as described above. The carport was erected in the first week of May 2007. When questioned as to why he erected the carport without first checking the building permit or zoning requirements, Petitioner indicated he was not familiar with requirements and did not believe a "cover" for the cars necessitated a building permit or zoning review.

Testifying as an interested citizen was Mr. Seigle. Mr. Seigle indicated that he represented the interests of a number of nearby neighbors who were opposed to the overall length of the carport. In addition to opposition to the aesthetic appearance of the carport, extending to the edge of the driveway near the street, Mr. Seigle also indicated that the length of the carport obstructed the view of the stop sign at the corner of Oliver Beach Road and Oliverwood Road. Mr. Seigle submitted photographs of the carport and the obstructed view of the stop sign, which were marked and accepted into evidence as Protestant's Exhibits 1A through 1H.

The Zoning Advisory Committee (ZAC) comments were received and are contained in the case file. The ZAC comment received from the Office of Planning dated July 26, 2007 indicates that the Office does not support Petitioner's request as it may have a negative impact on the overall design scheme of the neighborhood and is not consistent with the existing neighborhood pattern. Granting the variance request could set a negative precedent for the neighborhood. As an alternative, Planning recommended that Petitioner revise the request to propose a carport that is 18 feet by 20 feet instead of the proposed 18 feet by 41 feet. In addition, the ZAC comment from the Bureau of Development Plans Review dated July 9, 2007



indicated that the length of the carport should be shortened such that none of the structure, including the roof, overhangs the future right-of-way.

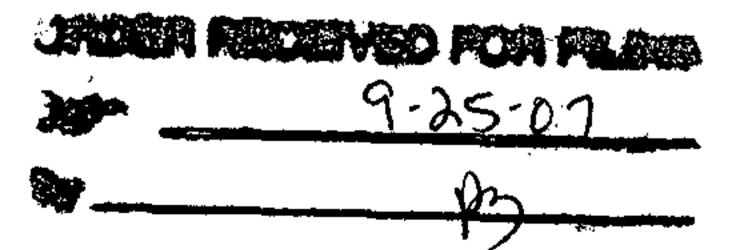
Based on the testimony and evidence, it is clear that Petitioner's lot is configured differently than others nearby. His is a corner lot with Oliver Beach Road on one side and a vacant, wooded area on the other side. Although part of a minor subdivision, Petitioner's property is not part of the larger Oliver Beach subdivision, with homes traditionally on smaller lots clustered closer together. Therefore I find the property unique in a zoning sense.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. Petitioner has shown that there is no other location for the proposed carport and has demonstrated a necessity for the carport in order to protect his family's vehicles from sun damage and rain.

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. I am concerned, however, with the length of the carport, not only from an aesthetic viewpoint, but from the possible placement of the carport in a future County right-of-way and from a safety concern as well. As such, I will grant the requested relief with the condition that Petitioner reduce the length of the carport.

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

THEREFORE, IT IS ORDERED, this \_\_\_\_\_\_ day of September, 2007 by this Deputy Zoning Commissioner, that Petitioner's variance request from Section 400.1 of the Baltimore County Zoning Regulations to permit an existing detached accessory structure



(carport) to be located in the front yard in lieu of the permitted rear yard only, in the third of the lot farthest removed from any side street is hereby GRANTED.

The granting of the relief herein shall be subject to the following:

- 1. 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, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2. Based on the photographs of the detached accessory structure (carport) accepted into evidence, the carport roof appears to rest on nine aluminum rafters, which in turn sit on nine aluminum poles on each side of the carport anchored into the concrete driveway. This visually separates the carport framing into eight "sections" from where it is attached to the garage to the end of Petitioner's driveway. As a condition of the relief granted herein, and in order to address the visual aesthetics of the locale, the safety concerns associated with the aforementioned stop sign, and the ZAC comments, Petitioner shall shorten the carport by removing the last three poles on each side of the carport closest to the end of the driveway, and by removing the carport roof from the last three "sections" of the carport closest to the end of the driveway. Failure of Petitioner to comply with this condition within sixty (60) days of the date of this Order shall invalidate the relief granted herein, and could subject Petitioner to further sanctions from the Code Enforcement Office.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

for Baltimore County

THB:pz

# 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: # 07-593-A

13000 Oliverwood Road N/east side of Oliver Beach Road, 229.51 feet s/east of Eastern Avenue
15th Election District 6th Councilmanic District 6th Councilmanic District Legal Owner. Mr. Thomas A. Reynolds, Jr.

Variance: to permit an existing detached accessory structure (carport) to be located in the front yard in lieu of the permitted rear yard only, in the third of the lot faithest removed from any side street.

Hearing: Thursday, August 30, 2007 at 9:00 a.m. In Room 407, County Courts Building, 401 Bostey Avenue, Towson 21204.

WILLIAM J. WISEMAN, III Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the

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.

5T 8/648 Aug. 14 145277

# CERTIFICATE OF PUBLICATION

8/16/2007

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of \_\_\_\_\_\_ successive weeks, the first publication appearing on \_\_\_\_\_\_ \( \frac{5}{14} \) \_ 2007

Arbutus Times

Arbutus Times

Catonsville Times

Towson Times

NE Booster/Reporter

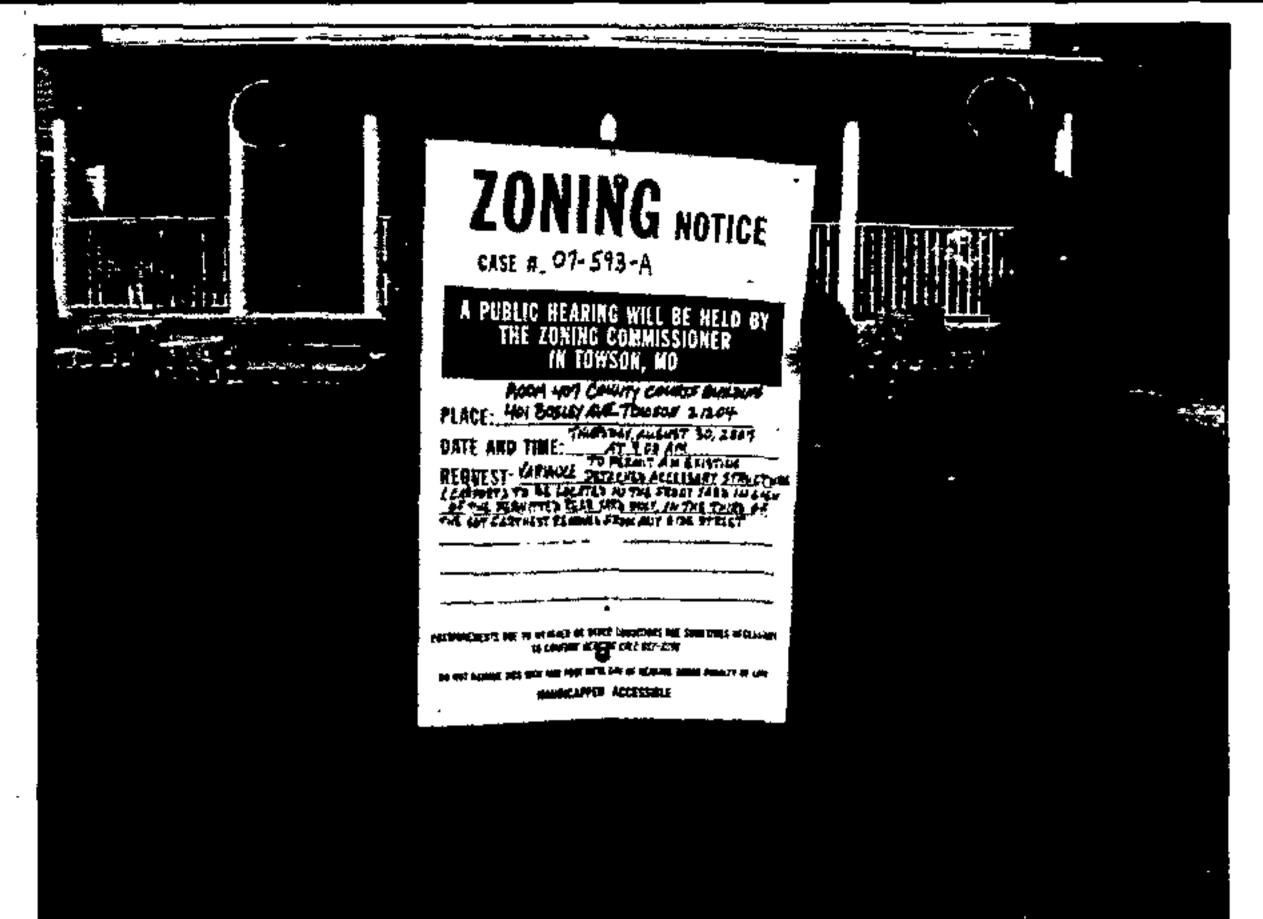
North County News

D. Wellinger

LEGAL ADVERTISING

# CERTIFICATE OF POSTING

	RE: Case No: 07-593-A
•	Petitioner/Developer:
	THOMAS A. REYNOLOS IR.
	Date Of Hearing/Closing: 8/3>/07
Baltimore County Department of Permits and Development Mana, County Office Building, Room 1 111 West Chesapeake Avenue	gement
Attention:	
Ladies and Gentlemen:	
sign(s) required by law were pos	penalties of perjury that the necessary ted conspicuously on the property  OO OLIVERWOOD ROAD
······································	
This sign(s) were posted on A	(Month, Day, Year)
<b>•</b>	Sincerely,  Martin 8/14/07
•	(Signature of sign Poster and Date)
	Martin Ogle
	Sign Poster
	16 Salix Court
	Address Rolto Md 21220
	Balto. Md 21220 (443-629 3411)
	7 1-12 047 2-111



martin 8/14/07

.

.

:



# Petition for Variance

# to the Zoning Commissioner of Baltimore County

for the property located at 13000 Oliverwood which is presently zoned DR 2 4085.5

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 Dev mit an existing detached accessory structure (carport) to be located in the front yard in lieu of the permitted rear yard only, in the third of the lot farthest removed from any side street.

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 Presented At 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:		Legal Owner(s):		<b>1</b>
Name - Type or Print		·	Name - Type or Print	s A. Reynol	ds Jr
Signature			Signature	<b>3</b>	<del></del>
Address	<del></del>	Telephone No.	Name - Type or Print	<del></del>	
City	State	Zip Code	Signature		
<b>Attorney For Petition</b>	<u>ner:</u>		13000 Olive	rwood 1.4d	410-335-1218
			Middle Rh	res MD	Telephone No.
Name - Type or Print		<del></del>	City	State	Zip Code
Signature		······································	Representative	to be Contacted:	
Company	<del></del>	<del></del>	Name	<del></del>	<del></del>
Address	<del>,</del>	Telephone No.	Address		Telephone No.
City	State	Zip Code	City	State	Zip Code
•	•		<u>OF</u>	FICE USE ONLY	
Case No.	)-593-A	7	ESTIMATED LENG	STH OF HEARING	
	RECEIVED		UNAVAILABLE FO	*	
REV 9/15/98	9-25-0	7 Reviewed B	y <u>JNP</u> D	ate _6/28/07	
	m				



# Petition for Variance

# to the Zoning Commissioner of Baltimore County

for the property located at 13000 Oliverwood Road which is presently zoned DR 2 4 DR S. 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) 40011, BCZR, to permit an existing 1 a ccess or y structure (carport) to be located in the front yard in lieu of the permitted rear yard only in the third of the lot farthest removed from any side street.

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 Presented At Heaving

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:	•	Legal Owner(s):		
			Mr. Thomas	1. 02	de Jr.
Name - Type or Print		<del></del>	Marge - Type or Print	2 rayre	
			anno	•	
Signature		<u> </u>	Signature		- · · · · · · · · · · · · · · · · · · ·
Address		Telephone No.	Name - Type or Print	<del></del>	<del></del>
City	State	Zip Code	Signature	<del></del>	
Attorney For Petition	ner:		13000 Oliverue	and Rd 4	10-335-1218
•			Middle Rher	MD	Telephone No.
Name - Type or Print	<del></del>	<del></del>	City	State	Zip Code
Signature	<del></del>	<del> </del>	Representative to be	Contacted:	
Olgriditure:				•	
Company		_ <del></del>	Name	<del></del>	<u></u>
Address	<del></del>	Telephone No.	Address	<del></del>	Telephone No.
City	State	Zip Code	City	State	Zip Code
	•		OFFICE	USE ONLY	
Case No 07-	-593-1	4	ESTIMATED LENGTH	OF HEARING	·
	MECEVED		UNAVAILABLE FOR HE	ARING,	
REV 9/15/98	9-25		Date_	6/28/07	
Dave	Ør <sub>2</sub>	· · · · · · · · · · · · · · · · · · ·			



# Petition for Variance

# to the Zoning Commissioner of Baltimore County

		for the property located at 13000 Oliv	erwood Road
	-	which is presently zoned	0000000
'hin Makkian a	hali ha éllad méth tha B		

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 an existing detached access ory structure (carport) to be located in the front yard in lieu of the permitted rear yard only, in the third of the lot farthest removed from any side street.

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 Presented At 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:		Legal Owner(s):	
			Mc. Thomas A. Reynolds Ja	
Name - Type or Print	·· <u>·····</u> ····		Name - Type or Pript	
1	:	•		
Signature		····	Signature	•
Address	· •	Telephone No.	Name - Type or Print	
City:	Clata	7:- 0-4-		
	State	Zip Code	Signature 13000 Oliverwood Rd. 410-335-12	) ic
Attorney For Petition	<u> er:</u>		Address Tolophore No.	-1
	Y,		Address Telephone No. 21220	
Name - Type or Print	-		City State Zip Code	•
·	<del></del>		Representative to be Contacted:	
Signature				
Company		· <del></del>	Name	1
Address	<u> </u>	Telephone No.	Address Telephone No.	ı
City	State	Zip Code	City State Zip Code	
			OFFICE USE ONLY	
$C_{\text{near}} N_{\text{o}}$	1-593-A		ESTIMATED LENGTH OF HEARING	
Case No.	A COUNTY OF SERVICE SHEET AND A SERVICE SERVIC	TA FELDED	UNAVAILABLE FOR HEARING	
REV 9/15/98	9-25	07 Reviewed B		
TIEV 3/13/30	()222	<u> </u>	, , , , , , , , , , , , , , , , , , ,	

# ZONING DESCRIPTION FOR 13000 Oliverwood Road

Beginning for the same on the Northeast side of Oliverwood Road which is 60 feet wide at a point distant of 229.51 feet, measured Southeasterly along the Northeast side of said Oliverbeach Road from its intersection with the Southeast side of Eastern Avenue, 60 feet wide, both roads as now proposed to be widened as shown on the minor subdivision plat of Diegert Property, thence leaving said place of beginning and running and binding on the Northeast side of Oliverbeach Road, referring all courses of this description to the grid meridian as established by the Baltimore County Metropolitan District, the 2 following courses and distances, VIZ: 1) South 59 degrees 22 minutes 42 seconds East 103.28 feet and 2) North 77 degrees 17 minutes 39 seconds East 14.55 feet to the Northwest side of Oliverwood Road 50 feet wide, as now widened and shown on said minor sub-division plan of Diegert Property, thence running and binding on said Oliverwood Road, 3) North 33 degrees 58 minutes 00 seconds East 55.76 feet to intersect the division line betweeen lots 109 and 110 as shown on the Plat of Twin River Beach, recorded among the land records of Baltimore County in Plat Book W.P.C. No. 8, Folio 11, thence runnning and binding on a part hereof, 3) North 56 degrees 25 minutes 42 seconds West 117.27 feet, thence leaving said division line and running for a new line of division thru said Lot No. 109, 4) South 30 degrees 37 minutes 18 seconds West 71.68 feet to the place of begining. Containing 7.824 Square feet or 0.1796 acres of land. Being subject however, to a 10 foot revertible slope easement along the 1st thru the 3rd lines of the above described parcel, as shown on the minor sub-division plan of Diegert Property. Being Lot No. 3 as laid out and shown on the minor sub-division plan of Diegert Property, that is recorded as part of a deed dated April 15, 1993 from Puritan Contruction, Inc. and recorded among the Land Records of Baltimore County at Liber 9862, Folio 207. Saving and excepting therefrom all that parcel of ground described in a Deed dated May 31, 1994 from Puritan Construction, Inc. and Theresa Nikol and Gregory G. Nikol to Baltimore County, Maryland and recorded among the Land Records of Baltimore County at Libert 10395, Folio 62.

Rec MISCELL BALTIMORE COUNTY, MARYL From: OFFICE DISTRIBUTION WHITE - CASHIER OF BUDGET ANEOUS RECEIP PINK - AGENO Orga Sub ROYAN

PREPARED BY NORTH PHOPERTY 3MAN NOISIVIDBUS OWNER PLAT BOOK 71-68 ADDRESS Q 28 40 PAULTUCA 271 EASTERNAUE, ROAD 10' Revertible Str SO'RHW 30' PAVING REVIEWED BY ELECTION ZONING 2 FORMATION Î INFORMATION USE 1000 MARING  $\times \times \times \times$ 

PREPARED BY 10m Payrolds	NORTH	· 🛣	103.28 Proceded Detached Carport	1.62 14.5 The strong of the st	17.27' May 30'	Woods (No Immediately) was	PLAT TO ACCOMPANY PETITION FOR JOHN PROPERTY ADDRESS 13000 Olivernal Red SEE PAGES 5 MILLOR SUBDIVISION NAME DIE BERT Property Minor Subdivision PLAT BOOK # FOLIO # LOT # 3 SECTION # OWNER Thamas A Reynols Tr
N3: 1" = 30			OL.	VERWOOD PRIW 30	PAVING		A 6 OF THE CHECKLIST
JNP 1593 107-	PRIOR ZONING OFFICE USE ONLY	<b>2</b>	LOT SIZE OITTOLE SOLIARE FEET PHIBLIC PRIVATE SEWER NITTO	ELECTION DISTRICT IS COUNCILMANIC DISTRICT &  1"=200" SCALE MAP # 7 R4 A	SCALL 1 - 1000		FOR ADDITIONAL REQUIRED INFORMATION

RE: PETITION FOR VARIANCE
13000 Oliverwood Road; NE/S Oliver
Beach Rd, 229.51' SE Eastern Avenue
15<sup>th</sup> Election & 6<sup>th</sup> Councilmanic Districts
Legal Owner(s): Thomas Reynolds, Jr.
Petitioner(s)

BEFORE THE BOARD

OF APPEALS

\* FOR

\* BALTIMORE COUNTY

\* 07-593-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

People's Counsel for Baltimore County

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 16th day of July, 2007, a copy of the foregoing Entry of Appearance was mailed to, Thomas Reynolds, Jr., 13000 Oliverwood Road, Middle River, MD 21220, Petitioner(s).

RECEIVED

JUL 1 6 2007

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per



JAMES T. SMITH, JR. County Executive

July 16, 2007

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: 07-593-A

13000 Oliverwood Road

N/east side of Oliver Beach Road, 229.51 feet s/east of Eastern Avenue

15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District

Legal Owners: Mr. Thomas A. Reynolds, Jr.

Variance to permit an existing detached accessory structure (carport) to be located in the front yard in lieu of the permitted rear yard only, in the third of the lot farthest removed from any side street.

Hearing: Thursday, August 30, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco Director

TK:klm

C: Thomas A. Reynolds, Jr., 13000 Oliverwood Road, Middle River 21220

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, AUGUST 15, 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, August 14, 2007 Issue - Jeffersonian

Please forward billing to:

Thomas Reynolds, Jr. 13000 Oliverwood Road Baltimore, MD 21220

410-335-1218

# 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: 07-593-A

13000 Oliverwood Road

N/east side of Oliver Beach Road, 229.51 feet s/east of Eastern Avenue

15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District

Legal Owners: Mr. Thomas A. Reynolds, Jr.

<u>Variance</u> to permit an existing detached accessory structure (carport) to be located in the front yard in lieu of the permitted rear yard only, in the third of the lot farthest removed from any side street.

Hearing: Thursday, August 30, 2007 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 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

# <u>ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS</u>

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 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: 07-593-A
Petitioner:
Address or Location: 13000 Oliverwood Road
PLEASE FORWARD ADVERTISING BILL TO:
Name: Thomas Keynolds 5r.
Address: 13000 Oliverwood Rd.
Address: 13000 Oliverwood Rd. Paltimore, Md. 21220
<del></del>
Telephone Number: 410-335-1218



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

August 22, 2007

Mr. Thomas A. Reynolds, Jr. 13000 Oliverwood Road Middle River, MD 21220

Dear Mr. Reynolds:

RE: Case Number: 07-593-A, 13000 Oliverwood Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 28, 2007. This letter is not an approval, but only a **NOTIFICATION**.

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

WCR:amf

**Enclosures** 

c: People's Counsel

# BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** July 9, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

**SUBJECT:** 

Zoning Advisory Committee Meeting

For July 9, 2007 Item No. 07-593

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

The length of the carport must be shortened such that none of the structure, including the roof, overhangs the future right-of-way. The revertible slope easement shown appears to be superfluous and the structure may be placed within it.

DAK:CEN:clw cc: File

ZAC-ITEM NO 07-593-07052007.doc



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: June 2, 2007

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

RE:

**Baltimore County** 

Item No.7-593-A

BEYNOLDS PROPERTY

VARIANCE PROPERTY

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.7-503-4.

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,

Steven D. Foster, Chief Engineering Access Permits

Division

SDF/MB

130 m

# 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 July 3, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: July 2, 2007

593

Item Number: 573 through 578 and 580 through 594

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

# INTER-OFFICE CORRESPONDENCE

**DATE:** July 26, 2007

**TO**:

Timothy M. Kotroco, Director

Department of Permits and

Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

13000 Oliver Beach Road

INFORMATION:

Item Number:

7-593

Petitioner:

Mr. Thomas A Reynolds Jr.

Zoning:

DR 2 and DR 5.5

Requested Action:

Variance

# SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan. This office does not support the petitioner's request, as it may have a negative impact on the overall design scheme of the neighborhood and is not consistent with the existing neighborhood pattern. Granting this variance request could set a negative precedent for the neighborhood.

As an alternative the applicant can revise their request to propose a carport that is  $18^{\circ} \times 20^{\circ}$  instead of the proposed  $18^{\circ} \times 41^{\circ}$ .

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

Reviewed by:

Division Chief:

AFK/LL: CM

J13 8/30

# BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

**DATE:** July 26, 2007

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

13000 Oliver Beach Road

INFORMATION:

**Item Number:** 

7-593

Petitioner:

Mr. Thomas A Reynolds Jr.

Zoning:

DR 2 and DR 5.5

Requested Action:

Variance

# SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan. This office does not support the petitioner's request, as it may have a negative impact on the overall design scheme of the neighborhood and is not consistent with the existing neighborhood pattern. Granting this variance request could set a negative precedent for the neighborhood.

As an alternative the applicant can revise their request to propose a carport that is 18' x 20' instead of the proposed 18' x 41'.

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

Reviewed by:

Division Chief:

AFK/LL: CM

Code En roement - Daily Worksheet

Inspector -

Area Case # Location

Reinsp Dt Date Rec Zip Apt

07-8782 13000

Problem:

OLIVERWOOD RD

8/14/2007 21220

Tax Acct #: 2200015990

THOMAS REYNOLDS Owner:

Complainant Name: (Last)

(First) REX

Addr:

CHASEMD21220@WMCONNECT.CO

Str #

Street Name Dir

Apt

City

Zip (Work)

Phone: (Mome)

CARPORT CONSTRUCTED W/OUT PERMIT

07-593-A

Hug 30: - 4:00 AM

8-15-07 Visited site again.

E Mail - Corport es a Temporary structure under defention by +40 dept. They have

applied for a youing Variance as ported

of the front of these property 07.593-A to.
Athe front of these property 07.593-A to.
Be lead 8/30/07 @ 9:00 AM. Fune had
been a proor complaint several numbers ago.

Deen a proor complaint peneral numbers ago.

enterd G E ENFORCEMENT RE	POKI	
DATE: 5 14 0 7 INTAKE BY: CASE #:		C:
COMPLAINT 13000 OLIVETWOOD Pd		
	ZIP CODE:	DIST: 15
COMPLAINANT NAME: Chasemd 2/2 ZD(g) wm CONNECT. COMPHONE #: (H)	(W)(W	)
ADDRESS:	ZIP C	DDE:
PROBLEM: CAPPORT CONSTRUCTED W/O	Permi	
	-	
IS THIS A RENTAL UNIT?  YES NO IF YES, IS THIS SECTION 8?  YES NO	,	
OWNER/TENANT INFORMATION:		
		·
TAX ACCOUNT #:	ZONING:	
·	<u> </u>	<u> </u>
INSPECTION:	·	
; 	<u>,</u>	<u></u>
	<del></del>	·
<u> </u>	<u>-</u>	<del></del>
REINSPECTION:		<del></del>
· 		
	·	<u></u>
	,	_ · · · · · · · · · · · · · · · · · · ·
REINSPECTION:	<u></u>	
· 	·	<u> </u>
·	<u></u>	· ·
REINSPECTION:	<u></u>	
·	<u></u>	<u>,                                      </u>
· 		
	<u></u>	

UNV

# John Altmeyer - Web-Code Enforcement Complaint

From:

<webform@baltimorecountymd.gov>

To:

<pdmenforce@baltimorecountymd.gov>

Date:

8/12/2007 2:16 PM

Subject: Web-Code Enforcement Complaint

Complaint

13000 Oliverwood

Location:

Complaint

Location Zip

21220

Code:

Description .

a carport was recently installed, it is too big and extends to the end of the

property line at the street. of Problem:

Email:

chasemd21220@wmconnect.com

Name:

Rex

Address:

Zip Code:

**Home Phone** 

Number:

Work Phone

Number:

Additional

Information:

I would appreciate an e-mail response, thank you

Elect/Ct/Documents and Settings\ialtmeyer\Local Settings\Temp\XPgrpwise\46C17C53CO... 8/14/2007

DATE: 08/14/2007

STA. DARD ASSESSMENT INQUIRY (1)

TIME: 10:43:27

GROUP CLASS OCC. HISTORIC PROPERTY NO. DIST

04-00

LOAD DATE DEL

04/18/07

22 00 015990 15 3-0 REYNOLDS THOMAS

DESC-1.. IMPS0.1796 AC

DESC-2.. TWIN RIVER BEACH

RĎ

13000 OLIVERWOOD RD

PREMISE. 13000 OLIVERWOOD

ИО

00000-0000

BALTIMORE

MD 21220-1192 FORMER OWNER: REYNOLDS THOMAS

	MED AND E			PHASED	TN	
	FCV			CURR	CURR	PRIOR
	PRIOR	PROPOSED		-, -	ASSESS	ASSESS
LAND:	34,820	55,820		FCV		178,520
IMPV:	120,390	169,320	TOTAL	201,830	201,830	T10,524
	- · · · · · -	225,140	PREF	0	0	
$\mathtt{TOTL}:$	155,210	_		201,830	201,830	178,520
PREF:	0	Q	CURT	201,000	Ω	0
CURT:	155,210	225,140	EXEMPT.		•	
4		5 E / 6 E				

DATE: 09/02 06/05

---- TAXABLE BASIS ----ASSESS: 201,830 08/19/06

178,520

ASSESS: ASSESS:

PF7-CROSS REF PA1-PRINT PF4-MENU PF5-QUIT ENTER-INQUIRY2

FM DATE

From

PDM Inspect

To:

chasemd21220@wmconnect.com

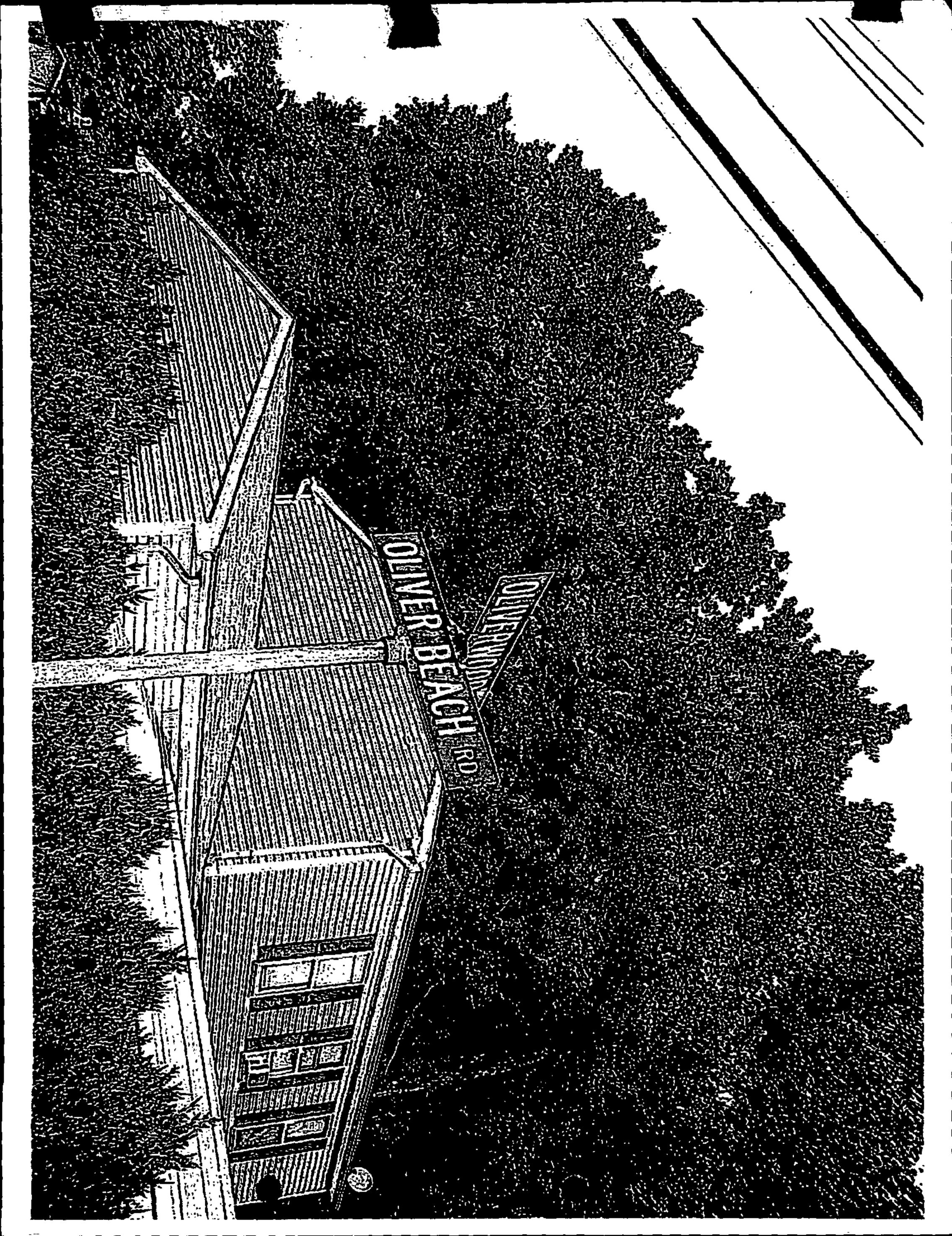
Subject:

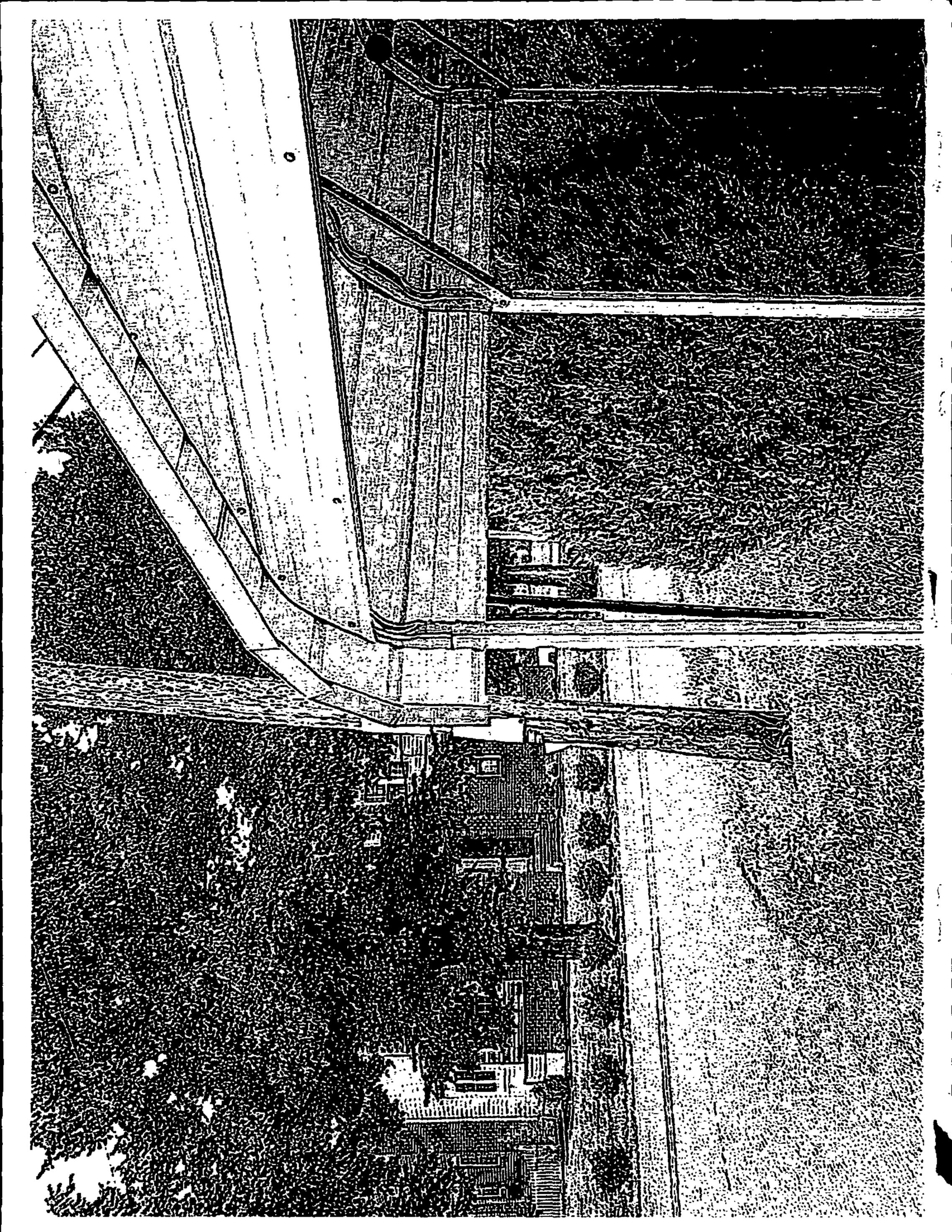
13000 Oliverwood

On 08/15/07 I visited the site again. The carport is a temporary structure under definition by this dept. They have applied for a zoning variance as posted on the front of their property (07-593-a) to be heard on 08/30/07 at 9 am. There had been a prior complaint several months ago. I will be checking on it again on 10/01/07.

Building Inspector Errol Ecker 6/08/07 11-01

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET AND FINANCE MISCELLANEOUS RECEIPT							No. Date:		THE RELEASE SHE SHE SHE SHE SHE SHE SHE SHE SHE S		
Fund	Agcy	Orgn	Sub Orgn		Sub Rev	Rept Catg	BS Acct	Amount (1885)	the one of Research and American		
	0 %			6/50				61,00	- 1.00 (1) 4.05.100 4.05.100 4.000 (1) 4.000 (1) 4.005.100		
Rec					······································	Total:		65.00			
From:		<u> </u>	Reg	ndd.	<u>;</u>	· · · · · · · · · · · · · · · · · · ·		·	·		
For Volania 13000 Oliverwood Road  O7-543. A (Reynolds)									CASHIER'S		
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER							VALIDATION				

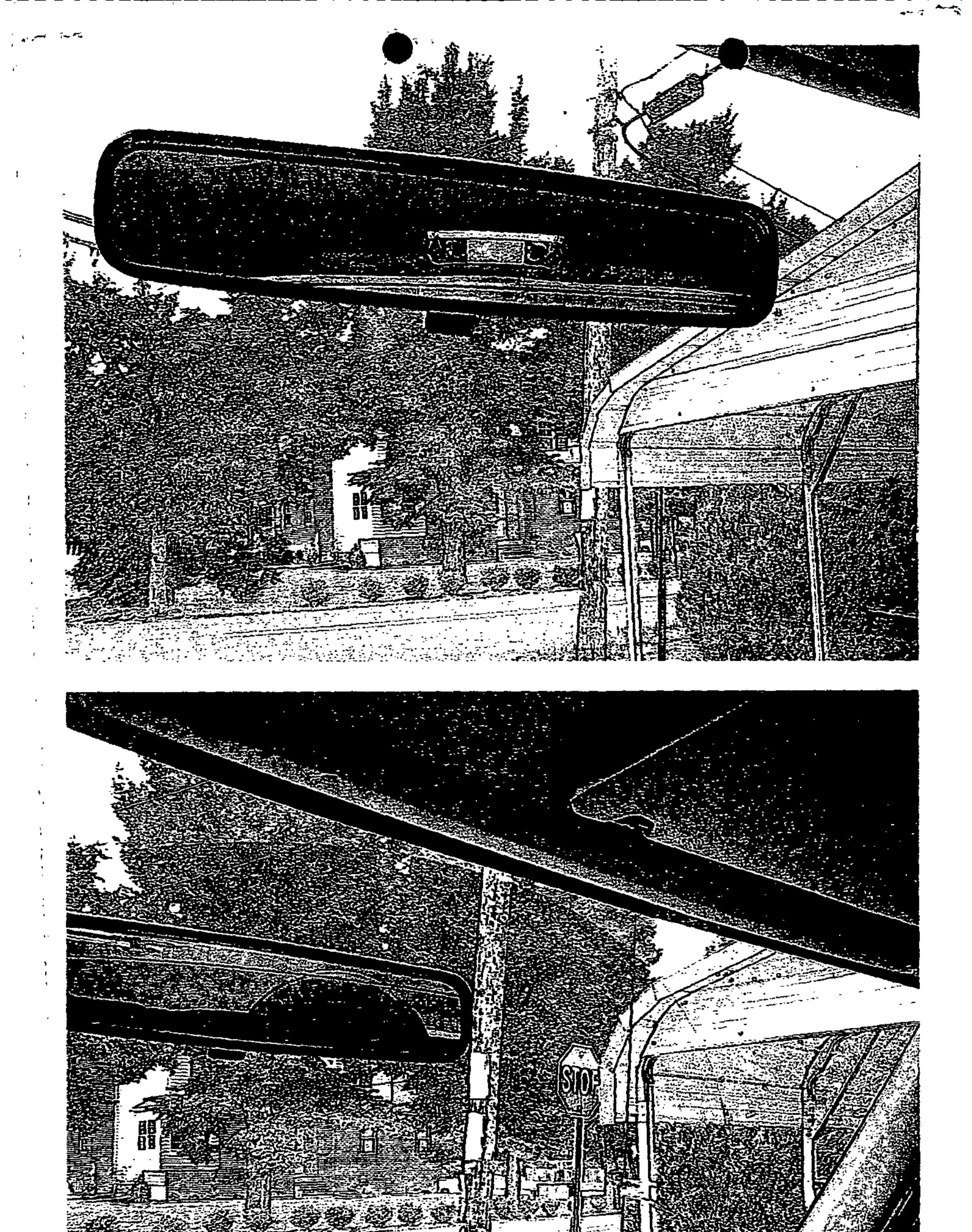


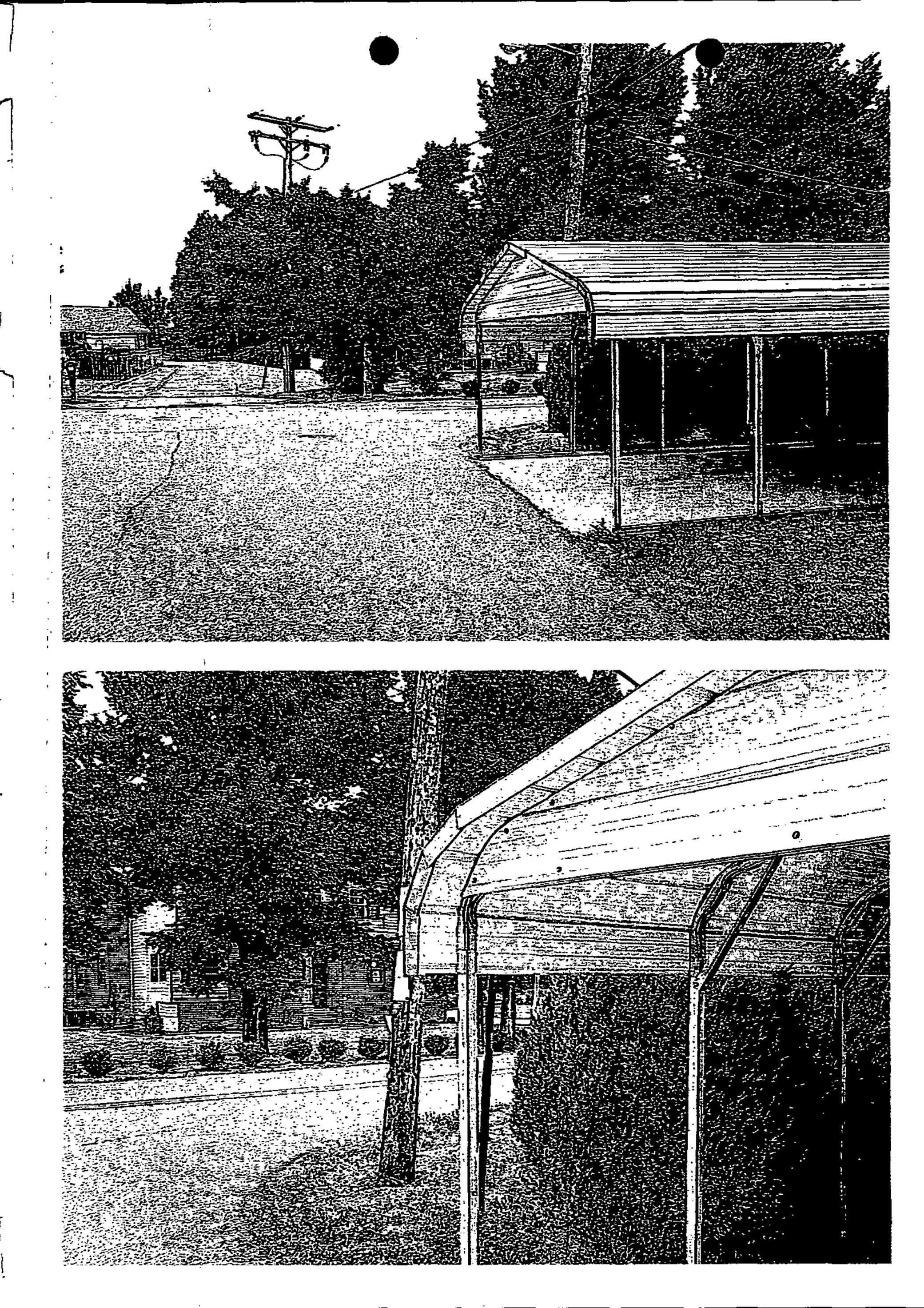


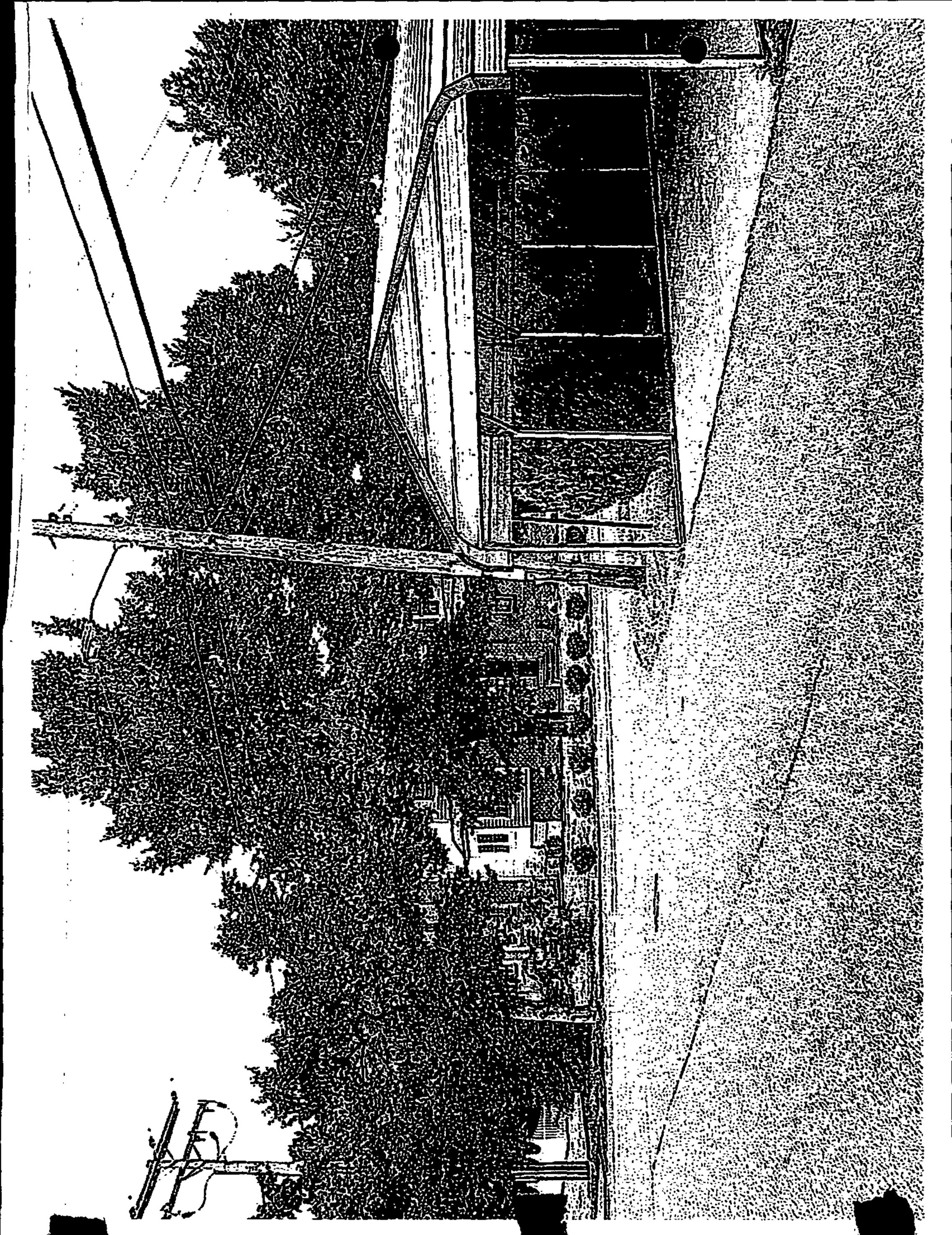


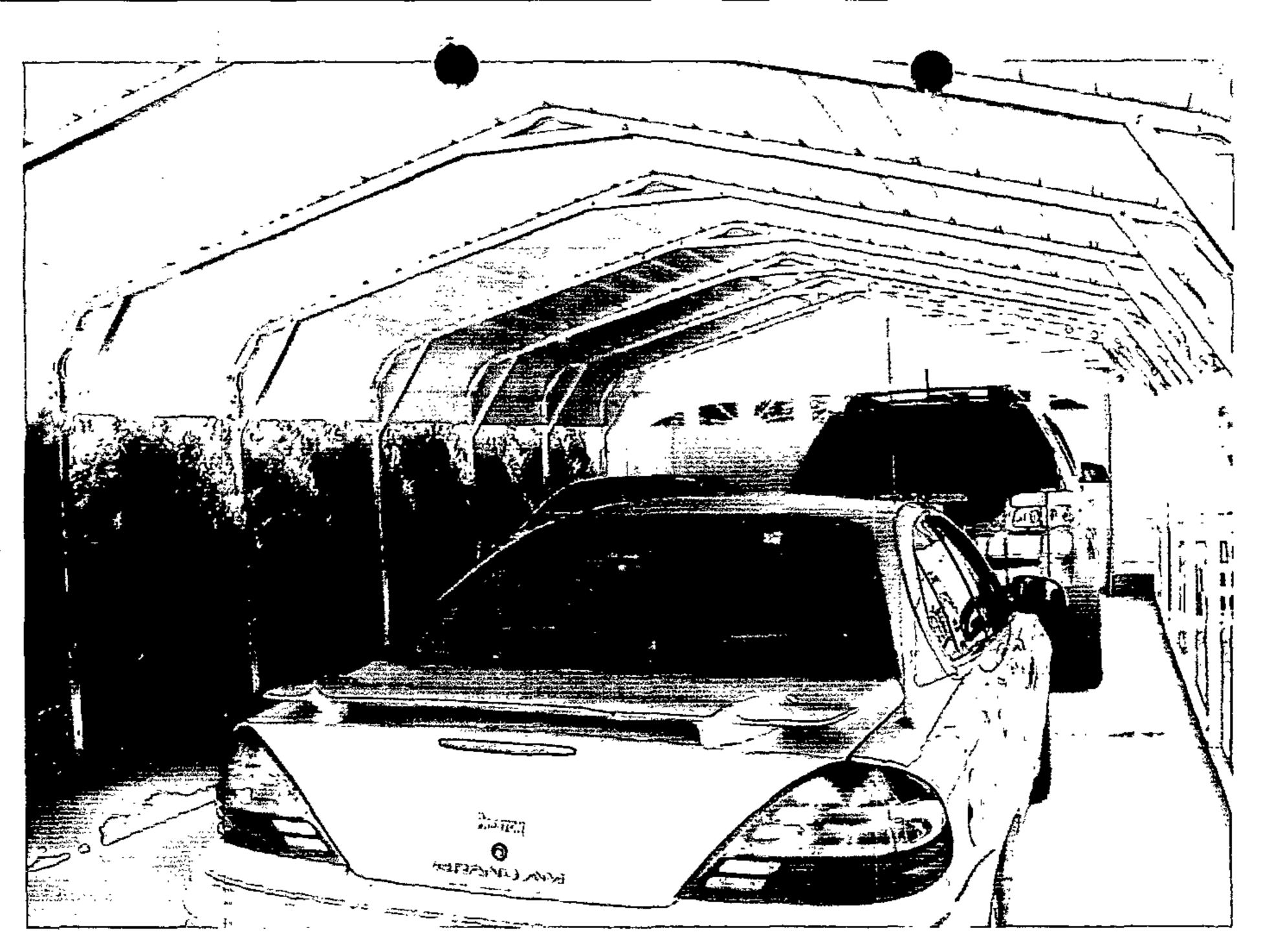
~

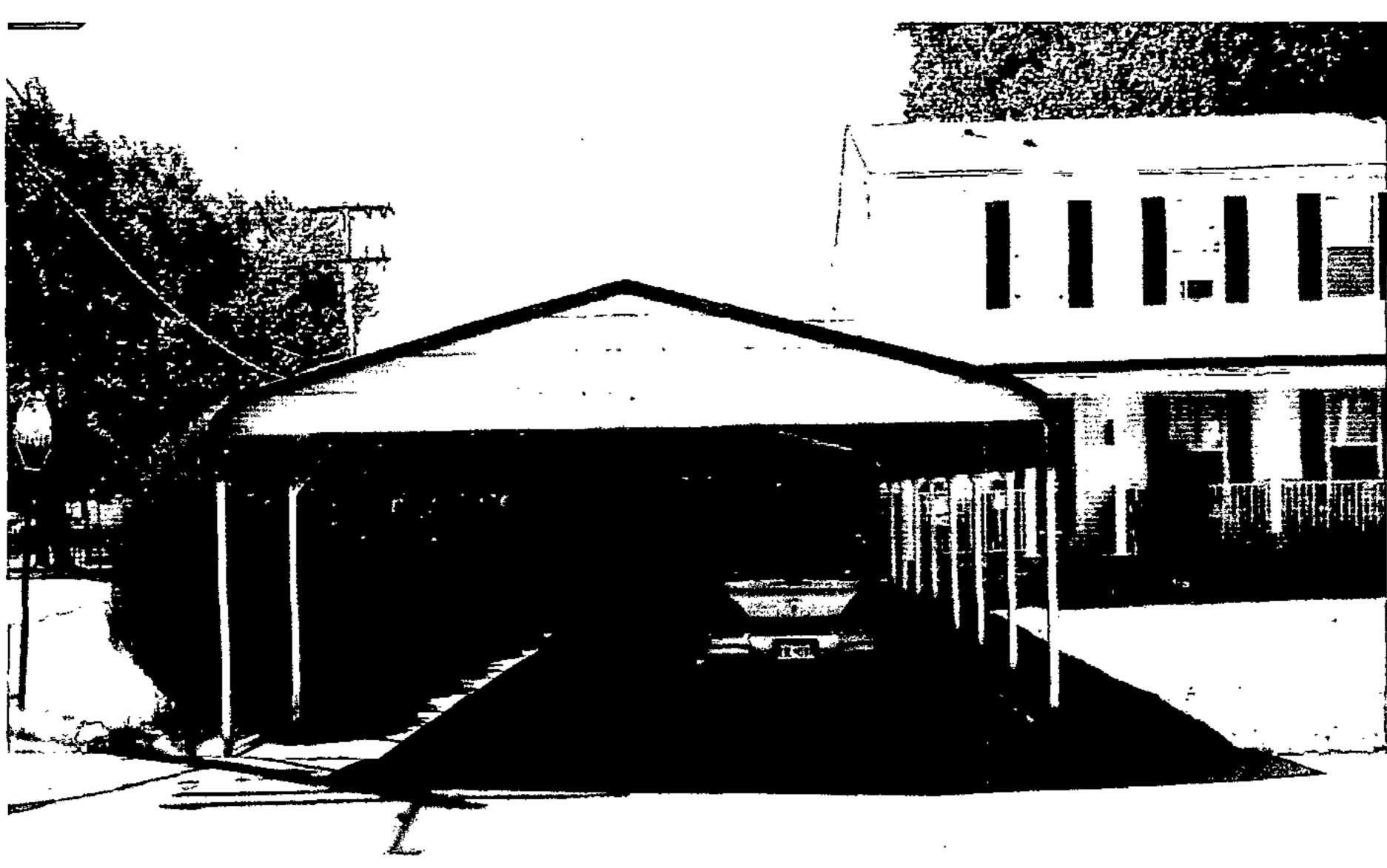
L'ary v



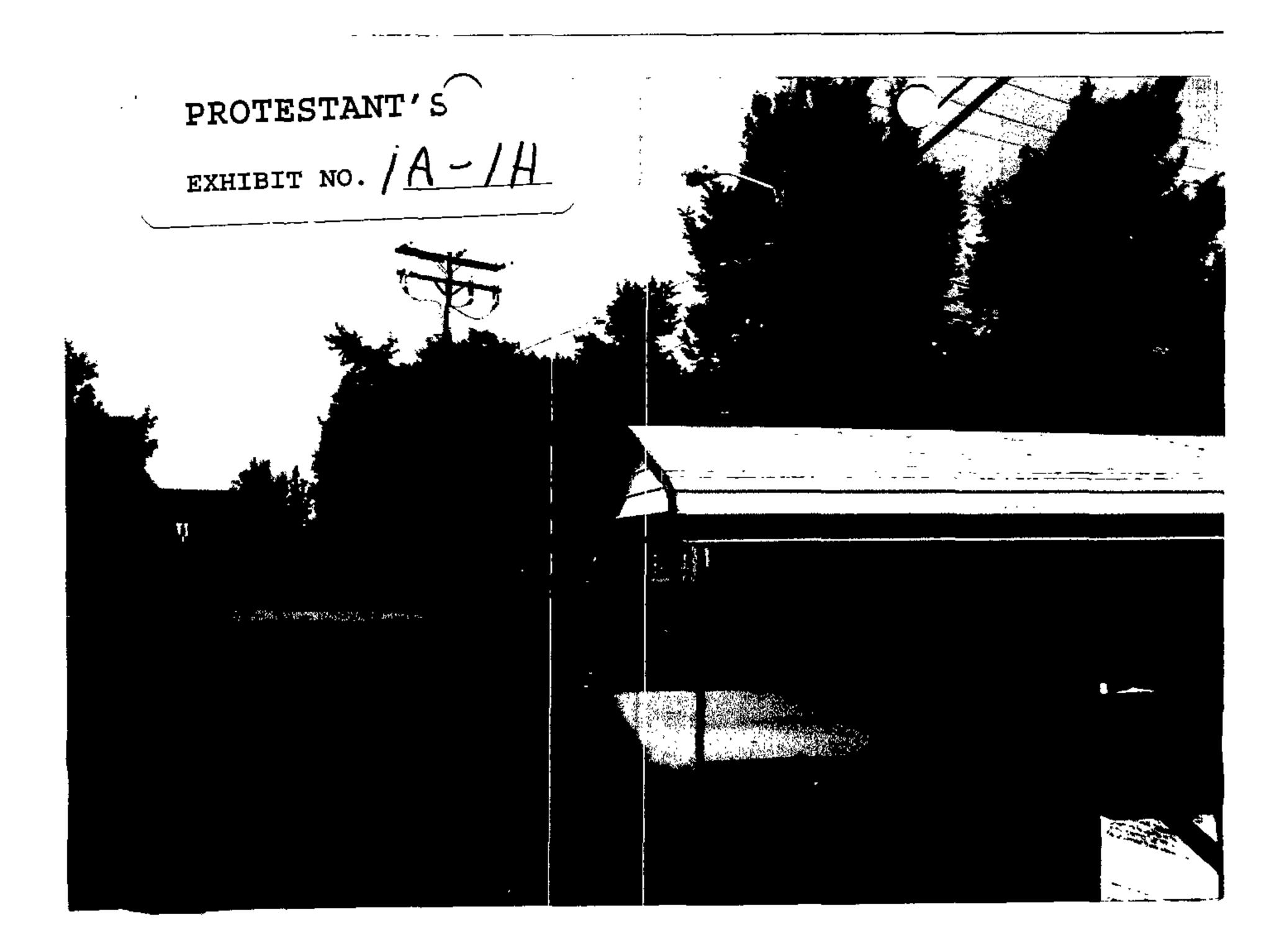








PETITIONER'S



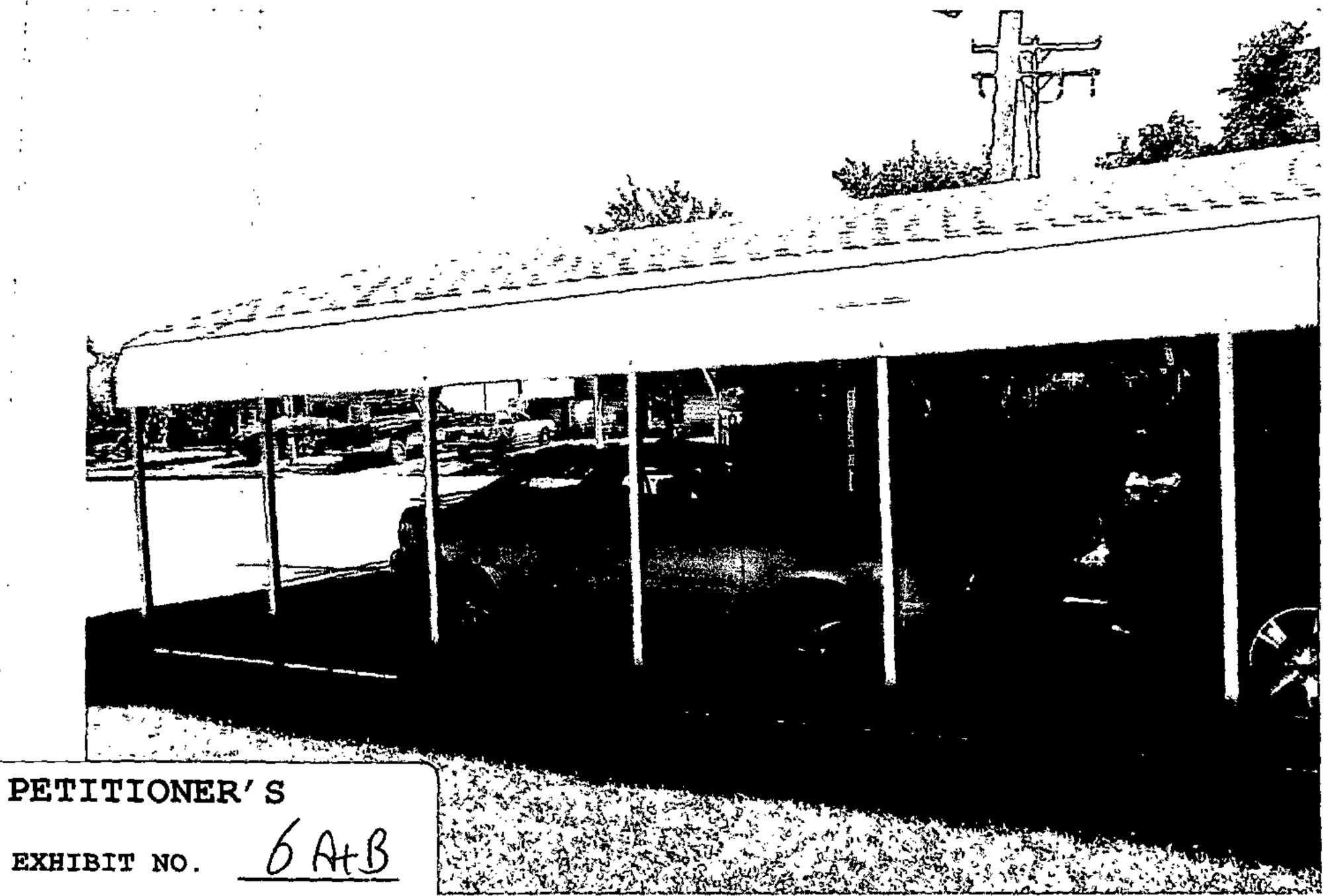


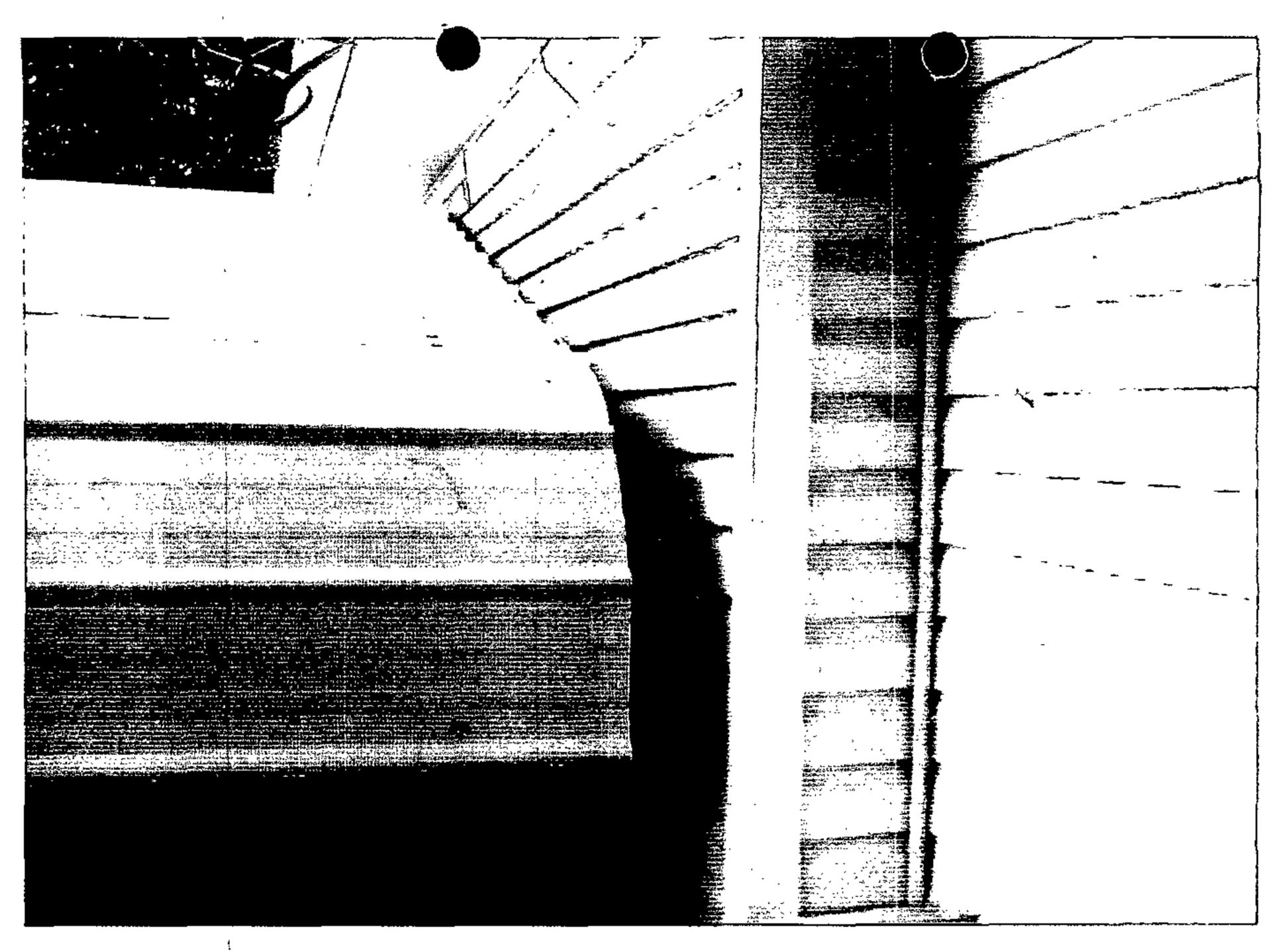
PETITIONER'S

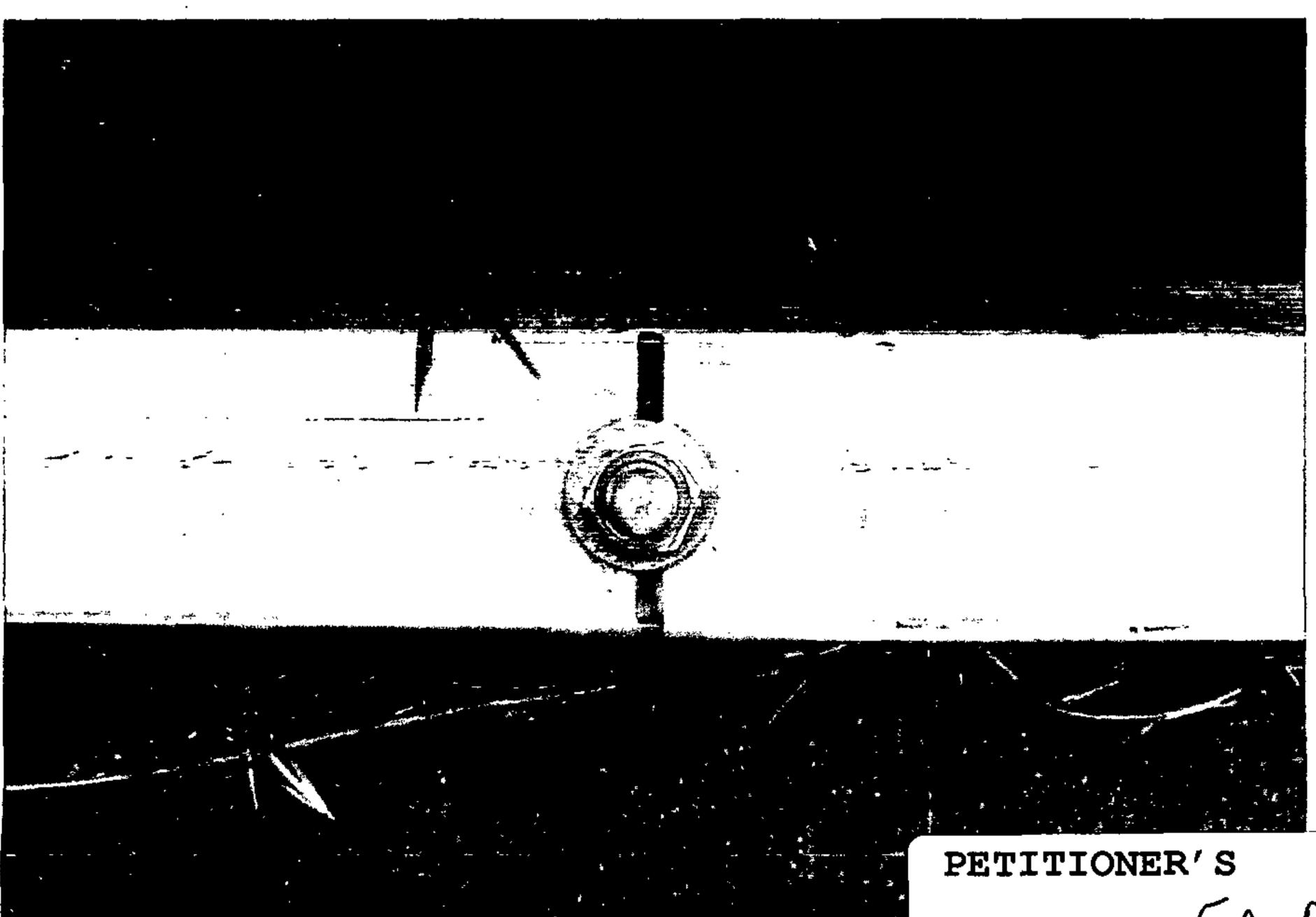
		For Sales Outside	Your State Cor	ntact Our Office	1003 PLANK	
		Dealer 1	HE LOT	NA IQLI	SOUTH HILL,	
TEWNA	THE REDGE	Dealei	110 201	11107	PHONE (434)	
THE MENUA	III NAIPNEVO	Invoice		<del></del>	FAX (434) 44	
	INC.	Date	5/1/07	-	TOLL FREE 1-80	
	1	01	<del></del>	<del></del>		
NAME	10m Ken	not de	<del></del>	<i>A</i>	<u> </u>	Bent I
ADDRESS _		00 Oliver	wood Ke	<u> </u>		Day.
CITY	BALTO	<del></del>	STATE_	211 ZII	2/220	Bow
PHONE (Day	1 410 3351	218 (Evening)		(Cell)		Only
COLOR	IVORY		TRIM	Poren		Oilly
	W	W L	W L	W L	WL	
CARPORT	12 X 21 \$ 795	☐ 12 X 26 \$ 995 ☐	] 12 X 31 \$1,195	12 X 36 \$1,39	5 12 X 41 \$1,590	WXL,
SIZES	18 X 21 \$ 895	18 X'26 \$1,125	] 18 X 31 \$1,350	18 X 36 \$1,570		
8 8	20 X 21 \$1,095 22 X 21 \$1,495	20 X 26 \$1,370	] 20 X 31 \$1,650	20 X 36 \$1.92		i
PRICES	24 X 21 \$1,695	22 X 26 \$1,920 L 24 X 26 \$2,120 L	22 X 31 \$2,245 24 X 31 \$2,545	22 X 36 \$2,625 24 X 36 \$2,976		
LEG HEIGHT	21 LONG	26 LONG	31 LONG	36 LONG	41 (LONG	^
6 FEET	STANDARD	STANDARD [	STANDARD	STANDARD	STANDARD	6 1992
7 FEET BAISE	\$ 40.00	[ \$ 50.00 {	\$ 60.00	\$ 70.00	\$ 80.00	NIC
9 FEET HEIGHT	\$120.00	\$100.00 \$150.00	\$120.00 \$180.00	\$140.00 \$210.00	\$160.00	
10 FEET	<b>\$160.00</b>	\$200.00	\$240.00	\$280.00	\$240.00 \$320.00	
LEG LIEIGUE	NOTE: We recomm	nend roof braces for 20 v	vide & up. 24"roof bra	aces are \$10 and 40"	braces are \$15 each	\$
LEG HEIGHT 6 FEET	21 LONG \$300.00	26 LONG \$375.00	31 <u>LONG</u> \$450.00	36 <u>LONG</u> \$525.00	41 LONG	27 - 211 4.4
7 FEET	\$350.00	\$440.00	\$525.00	\$615.00	\$ 600.00 \$ 700.00	27-24 Ma
8 FEET CLOSE	\$375.00	\$465.00	\$550.00	\$640.00	\$ 725.00	00
9 FEET SIDES	\$400.00	\$500.00	\$600.00	<b>5700.00</b>	\$ 800.00	270
10 FEET	S525.00 NOTE: We recomme	] \$660.00 nd cornerbraces for leg to	\$790.00 Beights 8' & up. 24" c	\$920.00	[_] \$1,050.00	1, ~ '
LEG HEIGHT	12 WIDE	18 WIDE	20 WIDE	22 WIDE	·	\\$
6 FEET	\$400.00	\$475.00	\$500.00	\$600.00	\$700.00	Solle land
7 FEET CLOSE	\$400.00	\$475.00 <b>[</b> \$500.00	\$500.00	\$600.00	\$700.00	15000
9 FEET END	\$420.00 \$475.00	\$575.00	\$550.00 \$600.00	\$625.00 \$700.00	\$725.00 \$800.00	1 1 ) (
10 FEET	\$590.00	\$690.00	\$790.00	\$890.00	\$990.00	}
GABLE ONLY	\$125.00	<b>V</b> \$150.00	\$150.00	\$175.00	\$200.00	
	**************************************	UBLE PRICE TO CLOS		<del></del>	[Δ] Ψεσσ.σσ	
	5 X 6 \$250.00	9 X 7 \$375.0		<del></del>	cie (do or don't) & Total	\$ 100
DOORS &	8 X 7 \$325.00	9 X 8 \$400.0	0 🔲 10 X 8 \$4	<del>1</del> 00,00	do, don't) want bile Home Anchors	andu to
WINDOW OPTIONS	8 X 8 \$350.00	4'x6' Walk-in-\$2	استا	500.00 B. (	do, don't) want	Conve
	36' Walk-in-Door\$1	0"BRACES ADD \$15 EAC		4 x 39\$125.00	Roof Braces do, don't) want	200
ADD \$25	PER MOBILE HOME AN	CHOR. ADD \$25 FOR AN	CHORING TO CONC	RETE	Corner Braces	\$ 25
Things	The sold Manager CTAR				<del></del>	
CERTIFIED	D BUILDINGS BY SPEC	DARD BUILDINGS ARE	UNDER NO WARRAI OUR LOCAL CODE	NTY Master Card	VISA* Subtotal	$3335^{\circ}$
We are not respond	onsible for permits, co	venant searches, restric	tions, or acts of God	(such Masterca	rd & Visa	11175
Building Inspector	r or Homeowner Assoc	ow, earthquakes, etc)		(3% fee o	י אסוכט ואו	
Customers resp	ponsibility to check wi	th Miss Utility or application agents are not responsi	able service compan	PRICES SU	BJECT TO TOTAL	0240115
		alled "As Is" on lot_Bata		CHANGE V	MITHOUT Deposit	<u>dans.50</u>
			TITIONER'	1 ]	ICE Boposit	(10% Subtotal)
1	~36			7	(BALANCE)	1123.25
I have read and cor	nnistaly understand the	EXI	HIBIT NO.			1. 25.00

, now was an a second of the s





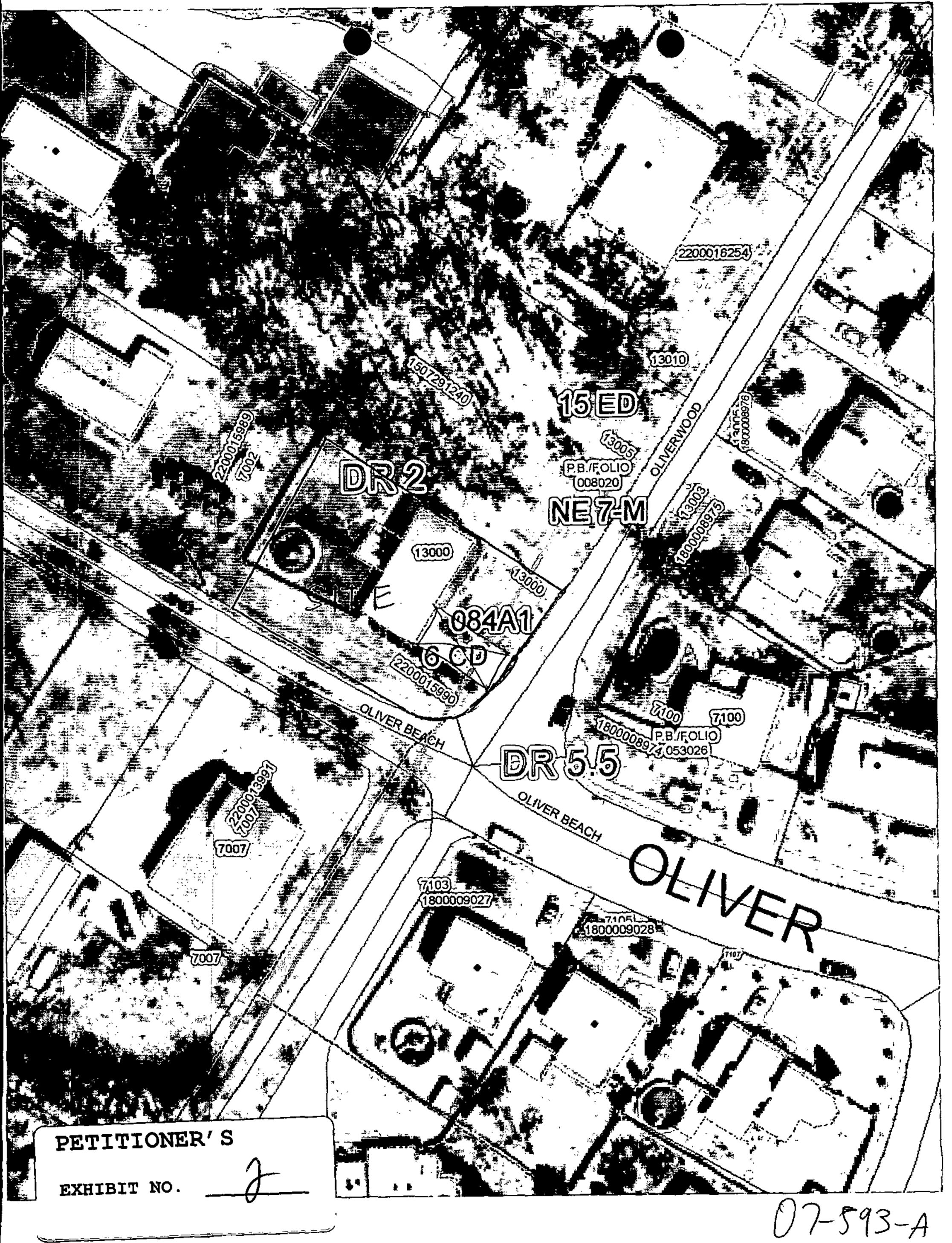






PETITIONER'S

PREPARED BY 10m Payrolds	NORTH	OLIVER REACH PLOAD  OLIVER REACH PLOAD  LO' R/W 40' PAVING  EXHIBIT NO	55.76 ×	PLAT TO ACCOMPANY PETITION FOR ZONIN
N3:1" = 30		NER'S	SO'RIW 30' PAVING	S S S S S S S S S S S S S S S S S S S
JUP 1593 107-593-A	REVIEWED BY ITEM & CASE #	AREA OOD P	COUNCIL MANIC DISTRICT IS  COUNCIL MANIC DISTRIC	DE DE MEN



<i>&gt;</i>
$\simeq$
$\alpha$
A
Шì
C
$\cup$
H
`>
$\leq$
O
ă
Щ
111
S
V
EA
ח

## CITIZEN'S SIGN-IN SHEET

E- MAIL	12122 in the Scyclamosom, a										
CITY, STATE, ZIP	XX.										
ADDRESS	63 Alberge Lane										
NAME 1	James & Say le										

## PLEASE PRINT CLEARLY

CASE NAME CASE NUMBER 07-593-A DATE

## PETITIONER'S SIGN-IN SHEET

E-MAIL THE-1424@concastinet								
Ba Hunde, MYS 2122								
Bon DIVERSE Pol.								
Tow Keynelds								



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

September 25, 2007

THOMAS A. REYNOLDS, JR. 13000 OLIVERWOOD ROAD MIDDLE RIVER MD 21220

Re: Petition for Variance
Case No. 07-593-A
Property: 13000 Oliverwood Road

Dear Mr. Reynolds:

Enclosed please find the decision rendered in the above-captioned case.

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,

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure

c: James L. Seigle, 63 Alberge Lane, Middle River MD 21220