

S side Carl Avenue, 125 feet W c/l Holder Avenue 2nd Election District 4th Councilmanic District (6803 Carl Avenue)

Melvin and Phyllis B. Watkins Petitioners

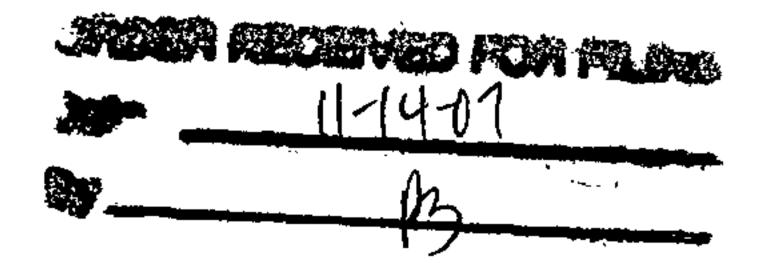
- * BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- * FOR BALTIMORE COUNTY
- * Case No. 08-162-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Melvin and Phyllis B. Watkins for property located at 6803 Carl Avenue. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 3 feet and a sum of side yards of 18 feet in lieu of the required 15 and 25 feet, respectively to construct a garage addition. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners wish to construct a two car garage addition measuring 18 feet x 24 feet in size. The Petitioners are retired and would like to have a garage for storage of their vehicles and keeping the vehicles out of inclement weather. At present, the Petitioners do not have a garage. The structure will be accessed via the existing driveway. The most affected property owner, Kenneth D. Jackson at 2122 Holder Avenue, submitted a letter in support of the Petitioners' request.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on October 13, 2007 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.



The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this day of November, 2007 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 3 feet and a sum of side yards of 18 feet in lieu of the required 15 and 25 feet, respectively to construct a garage addition is hereby GRANTED, subject to the following:

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

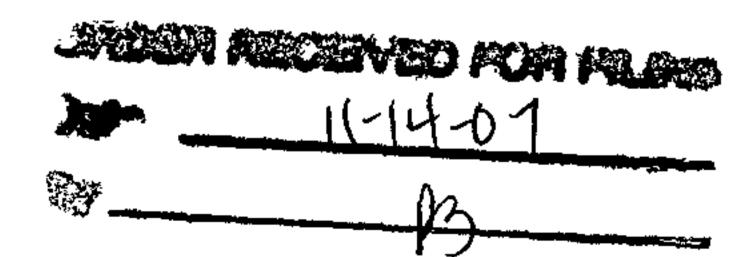
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz



2



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

November 14, 2007

MELVIN AND PHYLLIS B. WATKINS 6803 CARL AVENUE BALTIMORE MD 21207

Re: Petition for Administrative Variance

Case No. 08-162-A

Property: 6803 Carl Avenue

Dear Mr. and Mrs. DeNicolis:

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

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

Very truly yours,

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6803 Car/ Ave, which is presently zoned residential M3.5

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)

See attached

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessee: <u>Legal Owner(s):</u> Name - Type or Print Name Type or Print Signature Signature Address Telephone No. Name Type or Print City State Zip Code Signature Attorney For Petitioner: Address Telephone No. Name - Type or Print State Zip Code Representative to be Contacted: Signature Company Name Address Telephone No. **Address** Telephone No. City Zip Code State City State Zip Code A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted. Zoning Commissioner of Baltimore County CASE NO. Reviewed By __/3/ CDate REV 10/25/0 **Estimated Posting Date**

Affidavit in Support of Administrative Variance

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

That the Affiant(s) does/do presently reside at	6803 Carl Ave,	
	Battimore MD	21207
,	City	Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardship)	in ar practical difficults):	
My wife and I garage attached to the 19	would like to have	a two car
garage attached to the	e east side of our ho	me, The new
Structure will be 19	At and we have 23	5 ft, to wor
with, We are petite	oning for a . T ft. Va	Mance, We
are both petired to	acherelland would	love to Ree
our cars out of the	elements. The var	ance heaves
backs up to man ne	ighbor stoackyard,	He has betit
that he hopes our!	equest is granted.	Itwould
be nice not to ta	ve to clean prov	· and ice of
that he hopes our! be nice not to ha	wand pollen in g	pring and
pumper.		
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ormal demand is filed, Affiant(s) will be required	ed to pay a reposting and
∞ 0 \sim \sim \sim	Phyllis B.	7)20
Mellen Matkens Signature	Signature /	<u> </u>
Melvin Watkins	Phullis B. C	DatKins
Name - Type or Print	Name - Type or Print	
STATE OF MARYLAND, COUNTY OF BALTIN		
I HEREBY CERTIFY, this 26 day of of Maryland, in and for the County aforesaid, pe	sonally appeared , 200 (_, before me,	a Notary Public of the State
	_•	
the Affiant(s) herein, personally known or satisfa	actorily identified to me as such Affiant(s).	
AS WITNESS my hand and Notarial Seal		
	(In Mento	 }
Military of the second	Notary Public	
	My Commission Expires $3 - / -$	2010
REV 10/25/01		
		-
7.9/4		

1B02.3.C.1 to permit a side yard setback of 3 ft. and a sum of side yards of 18 ft. in lieu of the required 15 ft. and 25 ft., respectively to construct a garage addition.

Affidavit in Support of Administrative Variance

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

That the Affiant(s) does/do presently reside at

\$\begin{align*}
\text{\text{803} Carl Ave}
\text{\text{Address}}
\end{align*}

That the Affiant(s) does/do presently reside at	6803 Carl Ave,	
i stat tito i tiliant(o) documento producting recime at	Battmore, MD	21207
•	City State	Zip Code
1	wing are the facts upon which I/we base the request for practical difficulty):	
musile) and	would like to have a	two car
garage attached to the	et east side Down home, ft. and we have 25 ft	, The new
structure will be 19	ft and we have as ft	, to wor
with, We are petiti	oning for a 4 th. Varia	nce, We
are both petered the	achers and would love	2. Lo Ree
buck cars out of the	elements, The various ighbors & backyard, He	e) peques
that he hopes our !	equest is granted. It we to clean snow an and pollen in sprin	would
be nice not no ha	ve to clean mour an	d ice)
Summer.	and Journ in sprin	gand
•	rmal demand is filed, Affiant(s) will be required to panditional information.	ay a reposting and
Molvin natherns	Phyllis B. Wa	thins
Signature i	Signature	11/
Name - Type or Print	Name - Type or Print	-Kins
STATE OF MARYLAND, COUNTY OF BALTIM		Duble of the Otale
HEREBY CERTIFY, this 26 day of day of of Maryland, in and for the County aforesaid, per	<u>ソルター , 2007</u> , before me, a Notary sonally appeared	Public of the State
	•	<u>,,</u>
he Affiant(s) herein, personally known or satisfac	ctorily identified to me as such Affiant(s).	
AS WITNESS my hand and Notarial Seal		
ALL PARTY OF THE P	Que M. Stewart	
The state of the s	Notary Public My Commission Expires $3 - / - 20/0$	

RFV 10/25/01



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6803 Carl Ave, which is presently zoned residential OR3.5

I/We do solemnly declare and affirm, under the penalties of

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)

See attached

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

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

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): Name - Type or Print Name - Type or Print Signature Signature Address Telephone No. Name Type or Print City State Zip Code Signature Attorney For Petitioner: Telephone No. Name - Type or Print Zip Code State Representative to be Contacted: Signature Company Name Address Telephone No. Telephone No. Address City Zip Code City State State Zip Code A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, day of that the subject matter of this petition be set for a public hearing, edvertised, as required by the zoning regulations of Baltimore County and that the property be reposted. Baltimore County CASE NO. Reviewed By KR **Estimated Posting Date** REV 10/25/0

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 6803

Beginning at a point on the South side of Carl Ave which is 50 feet wide at a distance of 125 feet, west of the centerline of the nearest improved intersecting street Holder Ave. which is 50 feet wide. *Being Lot # 2, Block B, Section # (NA) in the subdivision of Charles Village as recorded in Baltimore Plat Book # 42, Folio # 7, containing 10,875 SF. Also known as 6803 Carl Ave and located in the 02 Election District, 04 Councilmanic District.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Address 6803 Carl

Case Number 08-

Conta	ct Person		Planner, Please Pr	— <u>; — </u>		Р	hone Numb	er: 41	0-887-3391
Filing	Date: _	10/4/07		Posting Dat	te:	14/07	Closing	Date:	10/29/07
Any c throug	ontact m h the con	ade with th tact person	is office reg (planner) us	arding the sing the case r	tatus of t number.	he admir	nistrative va	ariance	should be
	reverse s reposting is again	side of this must be do responsible	torm) and the one only by o for all association	must use one e petitioner is one of the significated costs. date noted at	s respons n posters The zon	ible for a on the application	Il printing/po oproved list e sian must	osting of and the be vis	costs. Any e petitioner sible on the
	a rormai	request for	a public he	the deadline tearing. Plea Process is not	se under	stand tha	it even if t	here is) feet to file no formal
	commissi order tha (typically	oner. He noted that the matter within 7 to 10 to	nay: (a) gra er be set in 10 days of th	the file will not the reques for a public ne closing dat The order	sted reliet hearing. :e) as to w	f; (b) den You wi vhether th	y the reque If receive v ne petition t	ested re vritten has bee	elief; or (c) notification en granted
; ;	(wnetner commissi changed	que to a roner), notification of	neighbor's fo cation will be of the hear	nd REPOST rmal request be forwarded ring date, time e and a photo	tor by or to you. and loca	rder of the The signation. As	he zoning in on the p when the s	or dep propert sign wa	uty zoning y must be is originally
				(Detach Along Dot	ted Line)				
Petitio	ner: This	Part of the	Form is for	r the Sign Po	ster Only	<i></i>			
		USE T	HE ADMINIS	STRATIVE VA	ARIANCE	SIGN FO	RMAT		
Case N	umber 0	8-162] -A	Address	6803	Carl	Aurh	د و	
Petition	er's Nam	e Melu	in Wat	cins		Telep	phone4	410-	608-6508
osting	g Date: _	10/14/	67		Closing [Date:	10/39/0	· ?	
Vordin	g for Sign	: <u>To Perm</u>	it a sid	e yard s	etheck	of 3	ft. and	<u>a su</u>	mat
side	yards	_af13	st.in	lienot	Ethe	require	·2 15 f	l. an Q	25 \$7.
resp	edively	<u> </u>	onstruct	a garage	ald	ition.			
, 	· 						\ A //	~ C ~	
							γγ.	ンス - 火6/	vised 6/25/04

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is 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: 08-162-A
Petitioner: Melvin Watkins
Address or Location: 6803 Carl Auc
•
PLEASE FORWARD ADVERTISING BILL TO:
Name: Molvin Watkins
Address: 6903 Car(Ave
Baltimore, MI) 21207
,
Telephone Number: 4/0-609-6508

WHITE - CASHIER DISTRIBUTION Rec From: BALTIMORE COUNT Fund OF BUDGET Agcy PINK .- AGENCY Sub MILITALIAN STATES SANGEN

CERTIFICATE OF POSTING

	RE: Case No: 08-162-A
	Petitioner/Developer:
***	Date Of Hearing/Closing: 19/29/07
Baltimore County Department Permits and Development Management County Office Building,Room 111 West Chesapeake Avenue	anagement m 111
Attention:	
	the penalties of perjury that the necessary posted conspicuously on the property
at	6803 CARL AVENUE
This sign(s) were posted on_	(Month, Day, Year) Sincerely, Water 10/13/07 (Signature of sign Poster and Date) Martin Ogle Sign Poster 16 Salix Court Address Balto. Md 21220 (443-629 3411)



HISTRATIVE

MUTICE

CASE IN CORNER OF THE PARTY AND A STANDARD OF THE POST OF THE POST

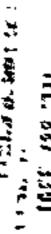
PUBLIC HEARING

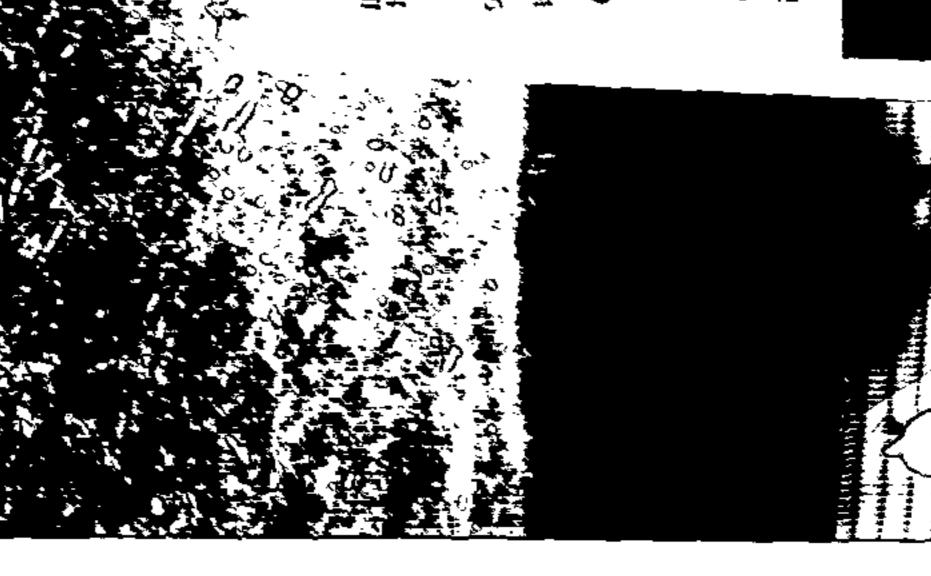
PUBLIC HEARING?

STEMPS OF A PUBLIC HEARING CONCERNATION OF CO

*

Mary.







JAMES T. SMITH, JR.
County Executive

October 29, 2007

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

Melvin and Phyllis B. Watkins 6803 Carl Avenue Baltimore, Maryland 21207

Dear Mr. & Ms. Watkins

RE: Case Number: 08-162-A 6803 Carl Avenue

The above referenced petition was accepted for processing ONLY by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 4, 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:rjc Enclosures

c: Peoples Council



INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

DATE: November 6, 2007

NOV 1 3 2007

BY:----

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-162- Administrative Variance

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

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

Reviewed By

CM/LL

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: November 6, 2007

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-162- Administrative Variance

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

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

Reviewed By

CM/LL



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor John D. Porcari, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: OCTOBER 17, 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. 08-162-A

6803 CARL AVENUE WATKINS PROPERTY

ADMINISTERTIVE YAKIANCE

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. 8-1624.

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,

Division

SDF/MB



JAMES T. SMITH, JR. County Executive

JOHN J. HOHMAN, Chief Fire Department

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 October 11, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: October 15, 2007

Item Number: Item Number 156,160, 162×163 , 164, 165, 166,167,168, 169,170

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 410-887-4880 (C)443-829-2946 MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director Department of Permits & Development

DATE: October 15, 2007

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 22, 2007

Item Nos. 08-156, 160, 162, 164, 165,

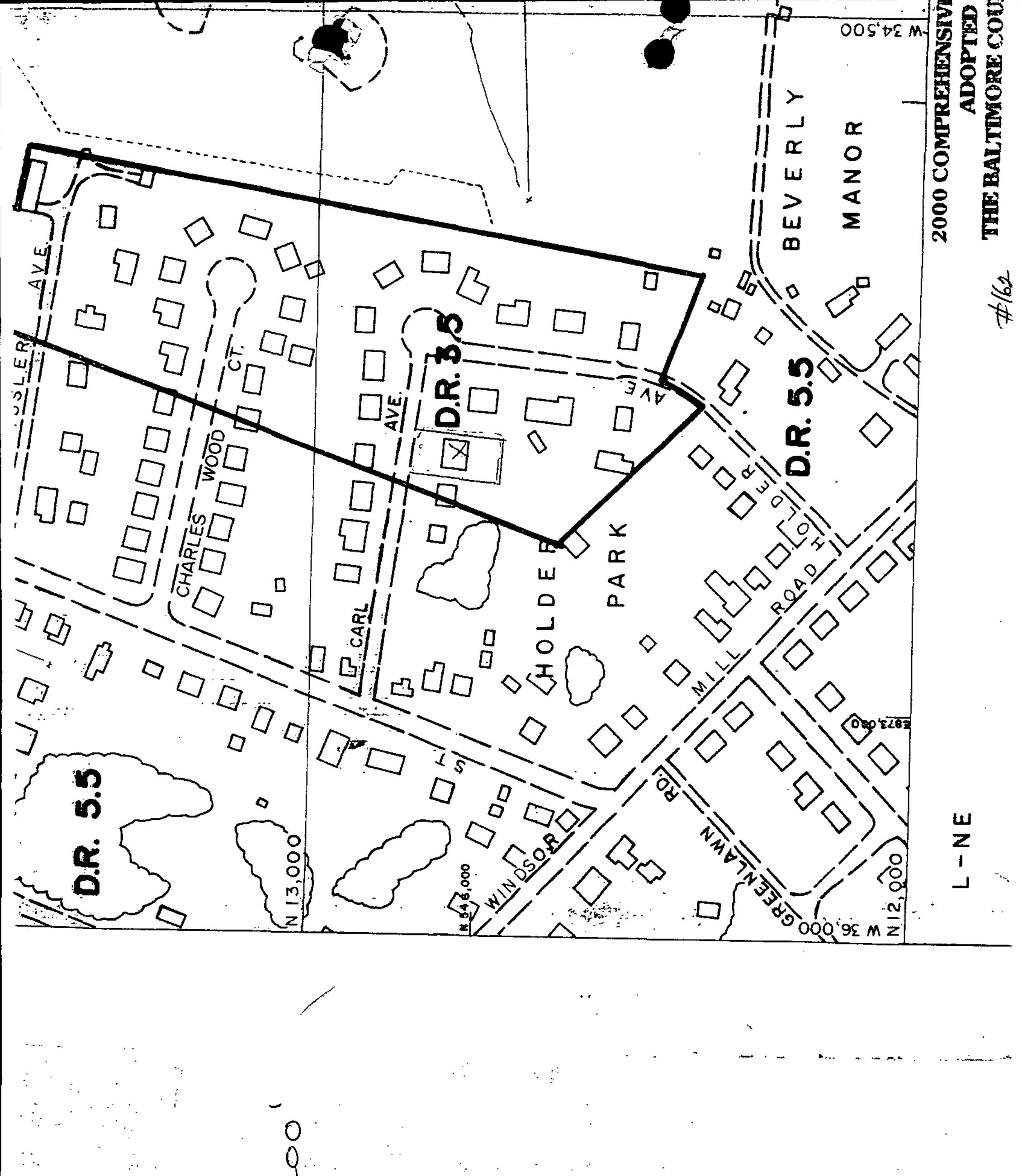
166, 167, 169, and 170

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

DAK:CEN:clw

cc: File

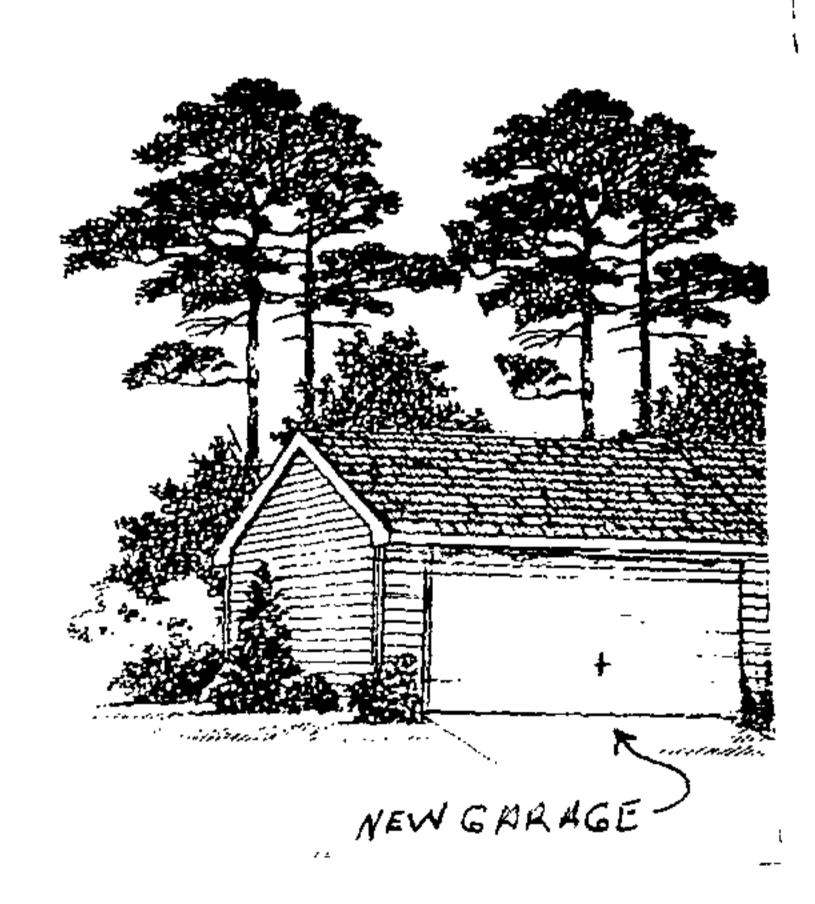
ZAC-NO COMMENTS-10152007.doc



CHARLES VILLAGE IF MOODLAWN, MO

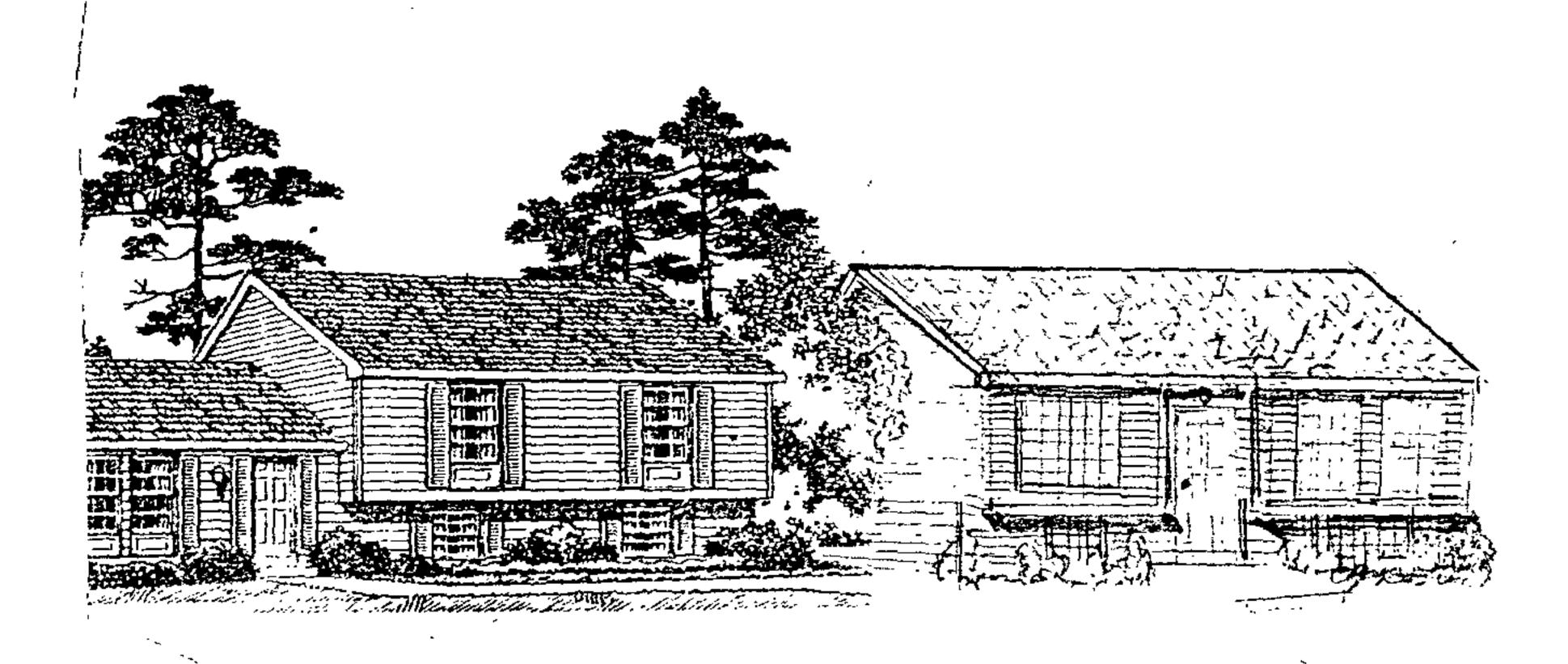
#2122
MILLY MACKSON

·—· }



MA

CAF



#6803 +MRS. MELVIN WATKINS #6805 MIL. RAYMOND PAYSOUR

LL AVE.

(62

August 8, 2007

Mr. Kenneth D. Jackson 2122 Holder Ave. Baltimore, Maryland 21207

To Whom It May Concern:

I, Kenneth D. Jackson, do not have any objection to Melvin and Phyllis Watkins of 6803 Carl Ave. having their garage constructed with a 4 foot set back (clearance) that is adjacent to my backyard.

Thanks in advance for your consideration in regards to allowing my neighbors to build a garage on their property.

Sincerely,

Kenneth D. Jackson





Patricia Zook - 08-162-A @ 6803 Carl Avenue

From:

Patricia Zook

To:

Murray, Curtis

Date:

11/9/2007 9:54:08 AM

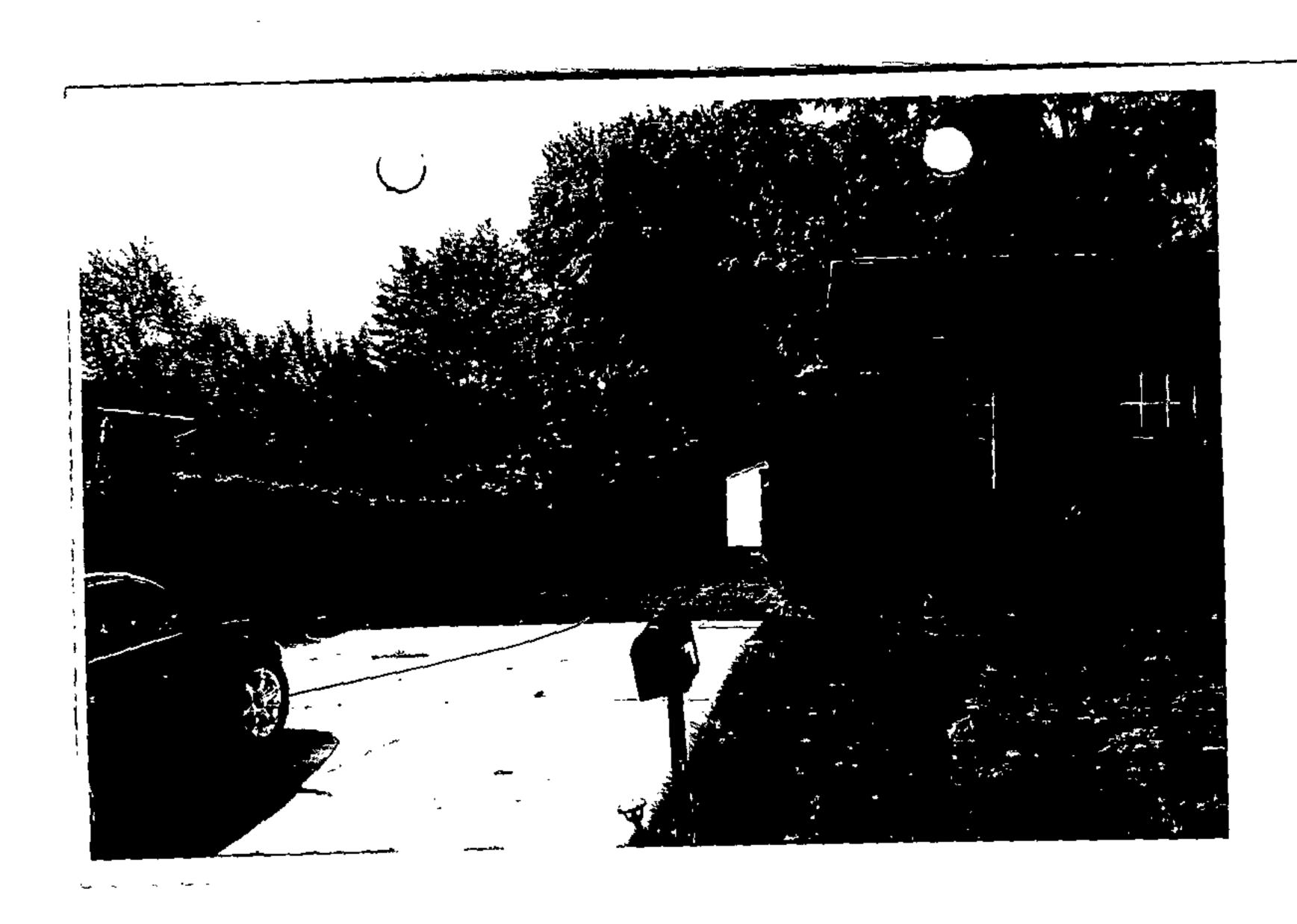
Subject: 08-162-A @ 6803 Carl Avenue

Hello Curtis -

We need comments from the Office of Planning for the above-referenced administrative variance case. The closing date was Monday, October 29, 2007.

Thank you.

Patti Zook **Baltimore County** Office of the Zoning Commissioner 410-887-3868 pzook@baltimorecountymd.gov







•

PLAT TO ACCOMPANY PETITION FOR ZONING PROPERTY ADDRESS 6803 CARL AVENUE SEE PAGES 5 1	G VARIANCE SPECIAL HEARING B 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION
SUBDIVISION NAME CHARLES VILLAGE II PLAT BOOK #42 FOLIO #7 LOT # 2 SECTION # BLOCK B OWNER ML & MAS. WIELVIN + PHYLLIS WATKINS	THE ST LUKES CHARLE
	CARL OAKSIDE OAKSIDE OAKSIDE VICINITY MAP SCALE: 1" = 1000'
PROPOSED 18 x 24 ADDITION (GARAGE) EXISTING DWELLING # 2122 \$ # 6803 \$ FRONT FRONT FRONT FRONT FRONT FRONT	LOT SIZE 10875 ACREAGE SQUARE FEET
HOLDER AVE-100' STLUKES LAND	CHESAPEAKE BAY CRITICAL AREA 100 YEAR FLOOD PLAIN HISTORIC PROPERTY/ BUILDING
NORTH CARL AVF. (50' K/W 30' PAVING PREPARED BY MORGAN KELLY BUILDER SCALE OF DRAWI	ZONING OFFICE USE ONLY REVIEWED BY ITEM # CASE # ING: 1" = 25