

IN RE: PETITION FOR VARIANCE

N side of Old Frederick Road, 110 feet
W of Commonwealth Avenue
1st Election District
1st Councilmanic District
(6034-A Old Frederick Road)

Razia and Usman Jamil
Petitioner
Morgan C. Kelly
Contract Purchaser

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
*
* **CASE NO. 08-299-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 contract purchaser, Petitioner Morgan C. Kelly, on behalf of the legal owner of the subject property, Razia and Usman Jamil. Petitioner is requesting variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 43.16 feet, a lot area of 5,250 square feet and side setbacks on each side of 8.58 feet in lieu of the required 55 feet width, 6,000 square feet area, 10 foot side setbacks, respectively. The subject property and requested relief are more fully depicted 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 Morgan C. Kelly, the contract purchaser. There were no Protestants or other interested persons in attendance at the hearing.

Testimony and evidence offered revealed that the subject property is a rectangular-shaped parcel containing 5,250 square feet or 0.12 acre, and zoned DR 5.5. The property is currently unimproved and is located on the north side of Old Frederick Road in the Catonsville area of Baltimore County. Petitioner Mr. Kelly indicated he is a small contractor, known as Morgan Structures, Inc. He typically builds entry level and medium-sized single-family homes for his

STAMP RECEIVED FOR FILED
3-14-08
m

clients. In this matter, he was contacted by a real estate agent who indicated that the agent's clients desired a single-family dwelling in the Catonsville area. The agent also informed Mr. Kelly that a lot (the subject property) had been located that was for sale. Mr. Kelly indicated he went to the subject property and observed the lot and at the time, thought the lot was narrower than most of the lots in the area. He indicated he was told by the seller's agent that the lot was of "average" size. As a result, a contract was placed on the lot; however, when Mr. Kelly sought permits from Baltimore County, he became aware at that time that the lot is only 43 feet wide, far less than the minimum 55 foot width required by Section 1B02.3.C.1. The lot also does not meet the minimum area requirements and as a result, the home that is proposed for the lot will encroach too far into the side yard setbacks, thus Petitioner is requesting the instant variance relief. Petitioner was unable to offer any additional evidence in support of the requests for relief.

The Zoning Advisory Committee (ZAC) comments were received and are contained within the case file. The ZAC comment received from the Office of Planning dated February 29, 2008 which indicates that Petitioner does not own sufficient adjoining land to conform to the minimum width and area requirements and therefore does not meet the standards stated in Section 304.1.C of the B.C.Z.R. There appears to be several existing undersized lots in the neighborhood. As such, the Planning Office does not oppose the Petitioner's request. The comments further indicate that building elevations should be reviewed and approved prior to building permit issuance, the proposed dwelling should be compatible with existing dwellings in the area, and landscaping should be provided along the street.

Section 304.1 of the B.C.Z.R. states that a one family detached or semidetached dwelling *may* be erected on a lot having an area or width less than that required by the area regulations if the lot was duly recorded either by deed or in a validly approved subdivision prior to March 30, 1955, all other requirements of the height and area regulations are complied with, and the owner of the lot

ORDER RECEIVED FOR FILING

3-14-08

ps

does not own sufficient adjoining land to conform to the width and area requirements. (emphasis added). Considering the testimony and evidence presented, it appears the subject property meets the requirements of Section 304.1 of the B.C.Z.R.; however, in viewing the size of the subject property, I am not persuaded to grant the requested relief. The minimum width and area requirements in the D.R.5.5 zone are 55 feet and 6,000 square feet, respectively. The subject lot is only 43 feet wide and 5,250 square feet in size. This amounts to a shortage of approximately 22% in the width and 13% in the area requirements. In my view, by virtue of the limitations posed by the narrowness of the lot, the proposed dwelling will not be appropriate -- on the basis of the proposed building size, lot coverage, building orientation and location on the lot. Hence, this request is not within the spirit and intent of the zoning regulations, and I decline to grant the requested relief.

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

THEREFORE, IT IS ORDERED this 14th day of March, 2008 by this Deputy Zoning Commissioner, that Petitioner's variance requests from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 43.16 feet, a lot area of 5,150 square feet and side setbacks on each side of 8.58 feet in lieu of the required 55 feet width, 6,000 square feet area, 10 foot side setbacks, respectively, be and are hereby DENIED.

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

COPIES PRESERVED FOR FILE
3.14.08
pz



ORIGINAL
KEEP
IN
FILE

TAX. ACCOUNT # 0103231400

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6034-A OLD FREDERICK RD.

which is presently zoned 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) 1 B02.2.1 TO PERMIT A LOT WIDTH OF

48.16 FT, IN A LOT AREA OF 5250 SQ FT AND SIDE SIDEBACKS ON EACH SIDE OF 8.58' IN LIEU OF THE REQUIRED 35 FT WIDTH, 6000 SQ FT AREA, 10 FT SIDE SET BACKS RESPECTIVELY

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

TO CONSTRUCT A SINGLE FAMILY DWELLING (SFD) ON THIS UNDER SIZES LOT- TO BE DETERMINED AT HEARING

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

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:

MORGAN C. KELLY
Name - Type or Print
Morgan C. Kelly
Signature
9259 BROKEN TIMBER WAY 443-742-8402
Address Telephone No.
COLUMBIA, MARYLAND 21045
City State Zip Code

Attorney For Petitioner:

N/A
Name - Type or Print
Signature
Company
Address Telephone No.
City State Zip Code

Legal Owner(s):

RAZIA JAMIL
Name - Type or Print
Raziel
Signature
USMAN JAMIL
Name - Type or Print
Usman
Signature
13225 Sherwood Forest Dr. 301-637-2055
Address Telephone No.
SILVER SPRING MD 20904
City State Zip Code

Representative to be Contacted:

MORGAN C. KELLY
Name
9259 BROKEN TIMBER WAY 443-742-8402
Address Telephone No.
COLUMBIA, MARYLAND 21045
City State Zip Code

OFFICE USE ONLY

Case No. 08-299-A

Reviewed By C.M.

ESTIMATED LENGTH OF HEARING 1 HR

UNAVAILABLE FOR HEARING

Date 1/10/08

EV 9/15/98

FILED RECEIVED FOR FILING

299 3-14-08



TAX. ACCOUNT # 0103231400

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 6034-A OLD FREDERICK RD.
which is presently zoned 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) 1. B. 2. 3. 1 TO PERMIT A LOT WIDTH OF

48.16 FT. IN A LOT AREA OF 5250 SQ FT AND SIDE SIDEBACKS ON EACH SIDE OF 8.58' IN LIEU OF THE REQUIRED 55 FT WIDTH, 6000 SQ FT AREA, 10 FT SIDE SET BACKS RESPECTIVELY

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

TO CONSTRUCT A SINGLE FAMILY DWELLING (SFD) ON THIS UNDER SIZES LOT- TO BE DETERMINED AT HEARING

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

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:

MORGAN C. KELLY
Name - Type or Print
Morgan C. Kelly
Signature
9259 BROKEN TIMBER WAY 443-742-8402
Address Telephone No.
COLUMBIA, MARYLAND 21045
City State Zip Code

Attorney For Petitioner:

N/A
Name - Type or Print
Signature
Company
Address Telephone No.
City State Zip Code

Legal Owner(s):

RAZIA JAMIL
Name - Type or Print
Razia
Signature
USMAN JAMIL
Name - Type or Print
Usman
Signature
13225 Sherwood Forest Dr. 301-657-2655
Address Telephone No.
Silver Spring MD 20904
City State Zip Code

Representative to be Contacted:

MORGAN C. KELLY
Name
9259 BROKEN TIMBER WAY 443-742-8402
Address Telephone No.
COLUMBIA, MARYLAND 21045
City State Zip Code

OFFICE USE ONLY

Case No. 08-299-A

ESTIMATED LENGTH OF HEARING 1 HR

UNAVAILABLE FOR HEARING
Reviewed By CM Date 1/16/09

REV 9/15/98

299 314.08
JMS

Land Description

6034-A OLD FREDERICK RD

BEGINNING AT A POINT ON THE NORTH SIDE
OF OLD FREDERICK RD WHICH IS A LOT
FOOT RIGHT OF WAY AT A DISTANCE OF 110 FT
WEST OF THE CENTER LINE OF COMMONWEALTH
AVENUE BEING LOTS 445 IN THE SUBDIVISION
OF McDONOUGH HEIGHTS AS RECORDED IN PLAT
BOOK 5 FOLIO #69 CONTAINING 5250 SQ FT IN THE
1ST ED, 1ST CD

Gregory C. Kelly 1/19/08

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: #08-299-A

6034-A Old Frederick Road
N/side of Old Frederick Road, 110 feet west of Commonwealth Avenue
1st Election District - 1st Councilmanic District
Legal Owner(s): Razia & Usman Jamil
Contract Purchaser: Morgan C. Kelly

Variance: to permit a lot width of 43.16 feet, a lot area of 5150 square feet and side setbacks on each side of 8.58 feet in lieu of the required 55 feet width, 6000 square feet area, 10 foot side setbacks, respectively.

Hearing: Thursday, March 13, 2008 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.

JT/2/806 Feb. 26

164806

CERTIFICATE OF PUBLICATION

2/28/2008

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 2/26/2008.

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

S. Wilkins

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **09727**

Date: **1/10/08**

PAID RECEIPT

BUSINESS ACTUAL (DE) DRN
 1/11/2008 1/10/2008 15:44:23 Y
 RECEIPT # 356277 1/10/2008 OFLJ
 5.00 JUDICIAL VERIFICATION
 09727
 Receipt Tot 165.00
 \$130.00 CF 4.00 CA
 Baltimore County, Maryland

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
101	106			6151				65.00

Total: **65.00**

Rec From: **M. Kelly**

For: **RV Filing 6134 M DIA FIDELITY B**

CASE # DE-799-4

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
 VALIDATION**

ZONING NOTICE

CASE # 08-299-A

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

REGIM 407 CONSTITUTIONS BUILDING

PLACE: 401 BOSLEY AVENUE, TOWSON 21204

DATE AND TIME: THURSDAY, MARCH 13, 2008
AT 10:00 AM

REQUEST: VARIANCE TO PERMIT A LOT WIDER
OF 3750 SQUARE FEET, AND 50 FEET ALLOT AREA
SIDE OF 8.50 FEET IN LIEU OF THE REQUIRED 55 FEET
WIDE, 1,000 SQUARE FEET AREA, IN LOT SIDE SETBACK
RESPECTIVELY.

POLYGRAPH WILL BE USED TO VERIFY THE CONTENTS OF THIS NOTICE AND ANY OTHER INFORMATION.
FOR FURTHER INFORMATION, CALL 410-336-1000

THE CITY REQUESTS THAT YOU AND YOUR FAMILY ATTEND THE HEARING, UNDER PENALTY OF LAW.

HANDICAPPED ACCESSIBLE

CERTIFICATE OF POSTING

RE: Case No: 08-299-A

Petitioner/Developer: MORGAN
KELLY

Date Of Hearing/Closing: 3/13/08

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

Attention:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 6034-A OLD FREDERICK RD

This sign(s) were posted on February 26, 2008

(Month, Day, Year)

Sincerely,

Martin Ogle 2/26/08
(Signature of sign Poster and Date)

Martin Ogle

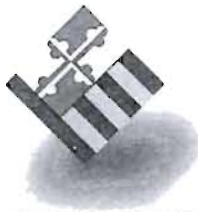
Sign Poster

16 Salix Court

Address

Balto. Md 21220

(443-629 3411)



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

January 28, 2008
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: 08-299-A

6034-A Old Frederick Road

N/side of Old Frederick Road, 110 feet west of Commonwealth Avenue

1st Election District – 1st Councilmanic District

Legal Owners: Razia & Usman Jamil

Contract Purchaser: Morgan C. Kelly

Variance to permit a lot width of 43.16 feet, a lot area of 5150 square feet and side setbacks on each side of 8.58 feet in lieu of the required 55 feet width, 6000 square feet area, 10 foot side setbacks, respectively.

Hearing: Thursday, March 13, 2008 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Razia & Usman Jamil, 13225 Sherwood Forest Drive, Silver Spring 20904
Morgan Kelly, 9259 Broken Timber Way, Columbia 21045

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., FEBRUARY 27, 2008**
- (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, February 26, 2008 Issue - Jeffersonian

Please forward billing to:
Morgan Kelly
9259 Broken Timber Way
Columbia, MD 21045

443-742-8402

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: 08-299-A

6034-A Old Frederick Road
N/side of Old Frederick Road, 110 feet west of Commonwealth Avenue
1st Election District – 1st Councilmanic District
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Hearing: Thursday, March 13, 2008 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM J. WISEMAN II
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighborhood 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.

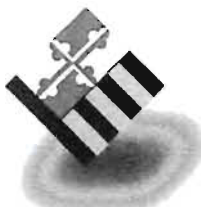
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 08-299-A
Petitioner: RAZIA JAMIL
Address or Location: 6034-A OLD FREDERICK RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: MORGAN C KELLY
Address: 9259 BROKEN TIMBER LANE
COLUMBIA MD 21045
Telephone Number: 443-742-8402



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

March 5, 2008

Morgan C. Kelly
9259 Broken Timber Way
Columbia, Maryland 21045

Dear Ms. Kelly:

RE: Case Number: 08-299-A, 6034-A Old Frederick Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 10, 2008. 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
Razia Jamil Usman Jamil 13225 Sherwood Forest Drive Silver Spring 20904

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: February 1, 2008

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

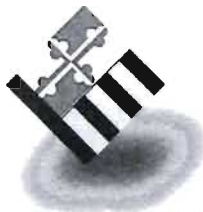
SUBJECT: Zoning Advisory Committee Meeting
For February 4, 2008
Item Nos. 08-298, 299, 300, 301, 302, 304,
306, 307, 308, 309, 310, 311, 312, 313, 314,
316, 317, 318, 319, 320, 321, 322 and 323

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

DAK:CEN:cab

cc: File

ZAC-NO COMMENTS- 02042008.doc



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

January 29, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: January 29, 2008

Item Number:

298, 299, 300, 301, 302, 303, 305, 306, 307, 308, 309, 310, 311, 312, 314, 315,
316, 317, 318, 319, 320, 322, 323, 324

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.

. 1The 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



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

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

Maryland Department of Transportation

Date: JAN. 30, 2008

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

RE: Baltimore County
Item No. 8-299-A
6034-A OLD FREDERICK RD
JAMIL PROPERTY
VARIANCE

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. 8-299-A.

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 29, 2008

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 8-299 Variance**

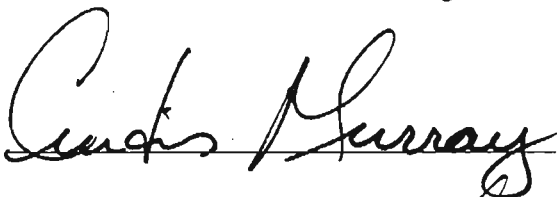
The Office of Planning has reviewed the subject request and has determined that the petitioner does not own sufficient adjoining land to conform to the minimum width and area requirements and therefore does not meet the standards stated in Section 304.1.C of the BCZR. Additionally, there appears to be several existing undersized lots in the neighborhood. As such, this office does not oppose the petitioner's request.

If the petitioner's request is granted, the following conditions shall apply to the proposed dwelling:

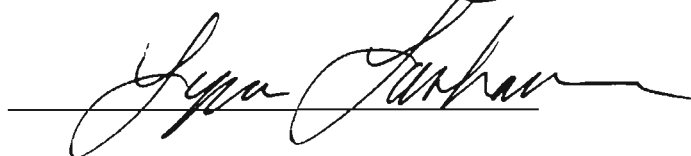
1. Submit building elevations to this office for review and approval prior to the issuance any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings in the area.
2. Provide landscaping along the public road.

For further questions or additional information concerning the matters stated herein, please contact Dennis Wertz with the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:



CM/LL

RE: PETITION FOR VARIANCE * BEFORE THE
6034-A Old Frederick Rd; N/S Old Frederick *
Road, 110' W of Commonwealth Avenue * ZONING COMMISSIONER
1st Election & 1st Councilmanic Districts *
Legal Owner(s): Razia & Usman Jamil * FOR
Petitioner(s) *
* BALTIMORE COUNTY
*
* 08-299-A

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of January, 2008, a copy of the foregoing Entry of Appearance was mailed to, Morgan C. Kelly, 9259 Broken Timber Way, Columbia, MD 21045, Representative for Petitioner(s).

RECEIVED

JAN 25 2008

Per.....

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Note to File; No merger with adjoining lots Item No. 299

keep in file until after hearing


Craig McGraw
Planner II

MAIL ADVERTISING TO CONTRACT PURCHASER

MORGAN C. KELLY
9259 BROKEN TIMBER WAY
COLUMBIA WAY MD
21045

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]



PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

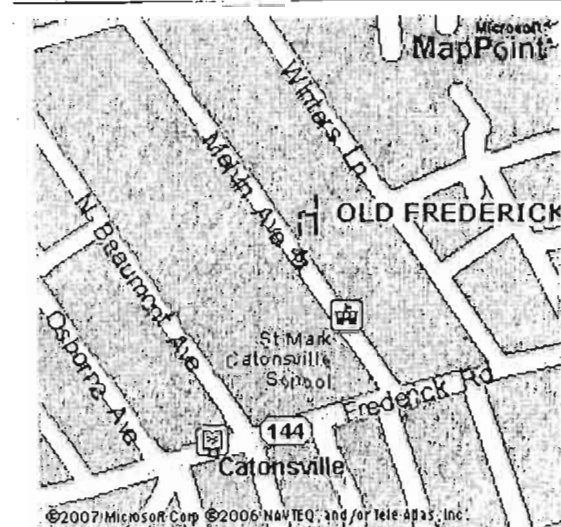
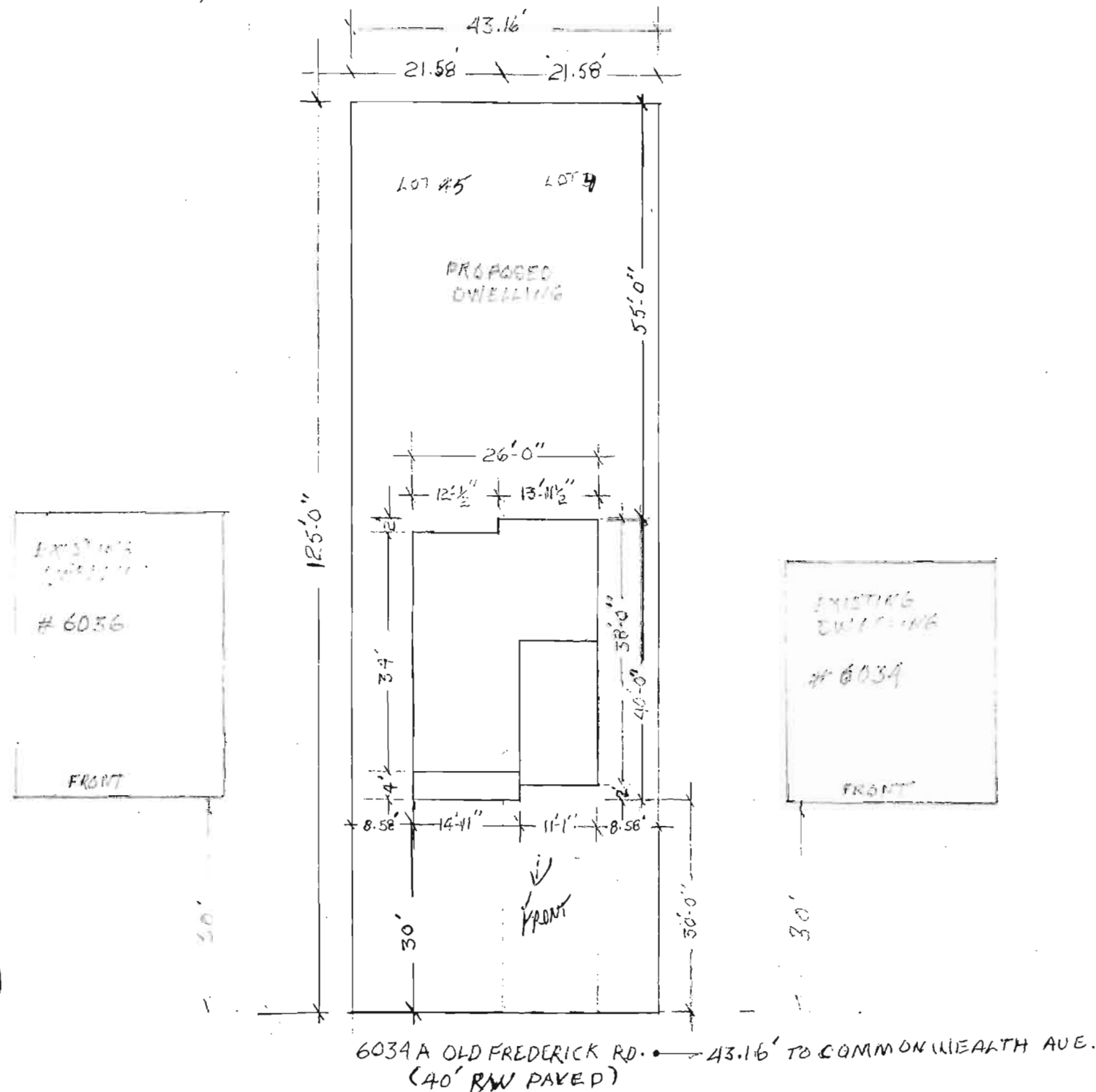
PROPERTY ADDRESS 6034 - A OLD FREDERICK RD.

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

SUBDIVISION NAME MCDONOUGH HEIGHTS

PLAT BOOK # 5 FOLIO # 69 LOT # 44 SECTION # D

OWNER RAZIA, JAMIL



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 01
 COUNCILMANIC DISTRICT 1
 1"=200' SCALE MAP # 088A2
 ZONING DR5.5
 LOT SIZE 0.12 5250
 ACREAGE SQUARE FEET
 PUBLIC PRIVATE
 SEWER ☒ ☐
 WATER ☒ ☐
 CHESAPEAKE BAY CRITICAL AREA YES NO ☐ ☒
 100 YEAR FLOOD PLAIN ☐ ☒
 HISTORIC PROPERTY/ BUILDING ☐ ☒
 PRIOR ZONING HEARING

PETITIONER'S

EXHIBIT NO. 1

ZONING OFFICE USE ONLY
 REVIEWED BY ITEM # CASE #

CM 299 08-299-A

PREPARED BY TIMOTHY KELLY - BUILDER SCALE OF DRAWING: 1" = 20'-0"