USE PERMIT



T IS ORDERED by	the Director	of the Baltin	nore County	Department
f Permits and Development	Management, th	is <u>16th of Ma</u>	erch, 2	0 <u>/(</u> , that
188 German Hill (street address)	Road :	should be and t	he same is he	reby granted
permission to operate a H				
2008 -0563-X			,	
			,	
	· 	16	21 5	Mary .
65860	_			
Permit No.		D	irector	
		_		-

IN RE: PETITION FOR SPECIAL EXCEPTION *
N/S German Hill Road, 145' E of Branch Road
(198 German Hill Road) *

12th Election District *
7th Council District

Douglas G. Karmasek, et ux Petitioners **BEFORE THE**

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

Case No. 2008-0563-X

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Exception filed by the legal owners of the subject property, Douglas G. Karmasek, and his wife, Charlotte M. Karmasek. The Petitioners request a special exception to permit living quarters in a commercial building, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and requested relief are more particularly described on the site plan and floor plan drawings which were accepted into evidence and marked as Petitioners' Exhibits 1 and 2 respectively.

Appearing at the requisite public hearing in support of the request was Douglas Karmasek. There were no other interested persons present.

The subject property under consideration is an irregular shaped parcel located on the north side of German Hill Road, directly across from the intersecting street of McComas Avenue in Dundalk. The property contains a gross area of 1.64 acres, more or less, split-zoned B.L. and D.R.5.5. The B.L. portion of the property (0.33 acres) is 75 feet wide with frontage on German Hill Road and 195 feet deep improved with an existing two-story brick residential home (62' x 30' wide) positioned on the front of the lot and a one-story building (30' deep x 22.5' wide) to the rear of this home. Six (6) paved parking spaces are proposed and will be located on the north



east side behind the home and adjacent to the one-story building. The larger D.R.5.5 portion of the lot (1.31 acres) is north and behind the Business, Local piece and measures 160' wide x 375' deep. This Density Residential zoned area is improved with a 30' x 40' garage with a macadam parking lot for four (4) vehicles and an in-ground pool and bathhouse. As noted by the Office of Planning in its Zoning Advisory Committee (ZAC) comments, dated June 25, 2008, the property is meticulously maintained. The Petitioners acquired the property two (2) years ago with the intention that Mrs. Karmasek would be able to work out of the house and operate a beauty salon, a permitted use (B.C.Z.R. Section 230.9) in the B.L. zone. In view of the proposed use in the family's residence, the requested special exception relief is necessary.

Mr. Karmasek described the proposed operation. Initially, his wife plans to operate the

Mr. Karmasek described the proposed operation. Initially, his wife plans to operate the salon three (3) days a week and hopefully increase the business. The floor plan (Petitioners' Exhibit 2) shows an "L" shaped salon, 30' x 26' – 800 square feet, that is immediately adjacent to the residence. It is clear that the proposal is well thought out and that the Petitioners have given great care to the proposed design and operation of the salon. There were no Protestants present and testimony indicated that the Petitioners contacted their surrounding neighbors to advise them of the proposal and obtain feedback. Moreover, the reviewing agencies' ZAC comments contained within the file do not oppose the addition of a beauty salon use in this residence. It is noted that an existing retail - liquor store operates on the east side of the Petitioners property and on the adjacent west side are the residential properties of the Poswiatowsky, Gomez and Gladys families.

Based upon the testimony and evidence presented, I am easily persuaded to grant the relief requested. I am impressed with the Petitioners attention to detail and the very clean and well-kept condition of the property. The proposed special exception use appears appropriate

here and will not cause detrimental impacts to the health, safety and general welfare of the locale. Section 230.13 of the B.C.Z.R. requires approval to permit living quarters in a commercial building. The proposal before me is persuasive to a finding that it meets the requirements of Section 502.1 of the B.C.Z.R. and should be approved. Living quarters have existed on this property for many years. The beauty salon will generate little impact to the surrounding uses and will not be detrimental.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this

day of August 2008 that the Petition for Special Exception to permit living quarters in a commercial building, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

• The Petitioners may apply for its use permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code (B.C.C.).

WILLIAM J. WISEMAN, III Zoning Commissioner

for Baltimore County



JAMES T. SMITH, JR. County Executive

August 18, 2008

WILLIAM J. WISEMAN III

Zoning Commissioner

Douglas G. Karmasek Charlotte M. Karmasek 198 German Hill Road Dundalk, Maryland 21222

RE: PETITION FOR SPECIAL EXCEPTION

N/S German Hill Road, 145' E of Branch Road (198 German Hill Road)

12th Election District - 7th Council District Douglas G. Karmasek, et ux – Petitioners

Case No. 2008-0563-X

Dear Mr. and Mrs. Karmasek:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted with a restriction, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

WILLIAM J. WISEMAN, III Zoning Commissioner

for Baltimore County

WJW:dlw Enclosure

c: People's Counsel; Office of Planning; File



Petition for Special Exception

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal

to the Zoning Commissioner of Baltimore County

which is presently zoned BL/DE

for the property located at 198 GERMAN HILL

owner(s) of the prope made a part hereof, h herein described prop	nereby petition for a	ore County and what Special Exception	nich is described in the n under the Zoning Re	e description and plat a egulations of Baltimore	ttached hereto and County, to use the
Seggor					
· To po	ermit living	quarters:	N A COMMERC	ial building	
Property is to be poste I, or we, agree to pay ex zoning regulations and re	penses of above Spe	ecial Exception, adve	zoning regulations. rtising, posting, etc. and rsuant to the zoning law (further agree to and are t for Baltimore County.	to be bounded by the
			I/We do solemnly de perjury, that I/we are is the subject of this	eclare and affirm, under the the legal owner(s) of the Petition.	ne penalties of e property which
Contract Purchase	r/Lessee:		Legal Owner(s)) <u>:</u>	
Name - Type or Print			Name Type or Print	Comment.	
Signature		Telephone No.	Name - Type or Print	M. KARMASEK	- A
City Attorney For Petiti	State	Zip Code	Signature USB SERMAN Address		288-4610 Telephone No.
Name - Type or Print			DMMPCK- City	State to be Contacted:	Zip Code
Signature			Nepresentative	TO NO COMMONDE	
Company			Name		
Address		Telephone No.	Address		Telephone No.
City	State	Zip Code	City	State	Zip Code
			<u>o</u>	FFICE USE ONLY	
Case No. <u>2008</u>	-0563-X		ESTIMATED LE UNAVAILABLE		
REV 09 15 98	The state of the s	IVED FOR FILI - 18 - 08	Reviewed By	M Date	6/4/08

ZONING DESCRIPTION

Location: 198 German Hill Road

Zoning Type: B/L / DR5.5

Beginning at a point at the centerline of German Hill Road which is 40 feet wide at the distance of 64 feet west of the centerline of the nearest improved intersecting street, McComas Avenue which is 40 feet wide. Thence the following courses and distances:

Typical metes and bounds: N 10° 48'00" W 543.00', N 70° 00'00" E 159.81', S 10° 48'00" E 373.55'; S 79° 12'00" W 83.00', S 10° 48'00" E 195.00', S 79° 12'00" W 74.76' to the place of beginning as recorded in Deed Liber 23225, Folio 197.



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: # 2008-0663-X

Case: # 2008-0563-X 198 German Hill Road W/side of German Hill Road, 64 feet south of the centerline of McCornas Avenue 12th Election District

7th Councilmanic District Legal Owner(s): Douglas & Charlotte Karmasek Special Exception: to permit

Special Exception: to permit living quarters in a commercial building.

Hearing: Thursday, August 7, 2008 at 9:08 a.m. in Jefferson Bulliding, 1st Floor, 105 West Chesapeake 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) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT 7/651 July 22 178856

CERTIFICATE OF PUBLICATION

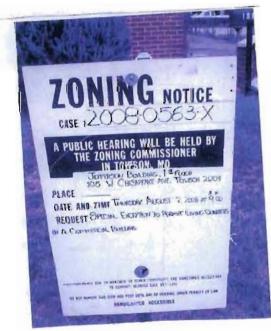
7/23/,2008
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing on,20_08
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET AND FINANCE MISCELLANEOUS RECEIPT Date: Sub Rev Sub BS Rept Fund Agcy Orgn Orgn Source Rev Catg Acct Amount D15369 -Recpt. Tot 1000.00 \$,00 G \$398,00 Oc Saltimore County, Natyliget Total: 380,00 Rec From: For: 21772 CASHIER'S VALIDATION DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CERTIFICATE OF POSTING

	RE: Case No.: <u>2008-0563 X</u>
quintant 25	Petitioner/Developer: DOUGLAS
	+ CHARLOTTE KARMASEK
	Date of Hearing/Closing: AUG 7, 2005
Baltimore County Department of Permits and Development Management County Office Building, Room 111 11 West Chesapeake Avenue Towson, Maryland 21204	
ATTN: Kristen Matthews {(410) 887-	3394}
Ladies and Gentlemen:	
oosted conspicuously on the property k	
. 198	GERMAN HILL RD
. *	
The sign(s) were posted on	7-23-08
	(Month, Day, Year)
	Sincerely,
	(Signature of Sign Poster) (Date)
NING NOTICE	SSG Robert Black
	CON T. A DY



6.

(Signature of Sign Poster) (Date)
SSG Robert Black
(Print Name)
1508 Lestie Road
(Address)
Dundalk, Maryland 21222
(City, State, Zip Code)
(410) 282-7940
(Telephone Number)

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: 2008-0563-X
Petitioner Douglas KARMASEK, Charlotte KARMASEK
Address or Location: 198 GERMAN Hill
PLEASE FORWARD ADVERTISING BILL TO:
Name: Jouglas KARMASEK
Address: 198 GERMAN HILLRY.
Baltimore Mcl 21222
Telephone Number: 4/0-288-46/0



JAMES T. SMITH, JR. County Executive

June 23, 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: 2008-0563-X

198 German Hill Road

W/side of German Hill Road, 64 feet south of the centerline of McComas Avenue

12th Election District – 7th Councilmanic District

Legal Owners: Douglas & Charlotte Karmasek

Special Exception to permit living quarters in a commercial building.

Hearing: Thursday, August 7, 2008 at 9:00 a.m. in Jefferson Building, 1st Floor,

105 Wn Chesapeake Avenue, Towson 21204

Timothy Kotroco Director

TK:klm

C: Douglas & Charlotte Karmasek, 198 German Hill Road, Dundalk 21222

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JULY 23, 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, July 22, 2008 Issue - Jeffersonian

Please forward billing to:

Douglas Karmasek 198 German Hill Road Baltimore, MD 21222 410-288-4610

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: 2008-0563-X

198 German Hill Road
W/side of German Hill Road, 64 feet south of the centerline of McComas Avenue
12th Election District – 7th Councilmanic District
Legal Owners: Douglas & Charlotte Karmasek

Special Exception to permit living quarters in a commercial building.

Hearing: Thursday, August 7, 2008 at 9:00 a.m. in Jefferson Building, 1st Floor,

105 W. Chosapeake Avenue, Towson 21204

WÎLLIAM 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.



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

July 30, 2008

Douglas & Charlotte Karmasek 198 German Hill Rd. Dundalk, MD 21222

Dear: Douglas & Charlotte Karmasek

RE: Case Number 2008-0563-X, Address: 198 German Hill Rd.

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

U. Carl Richa

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

BW 9AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

DATE: June 25, 2008

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

198 German Hill Road

INFORMATION:

Item Number:

8-563

Petitioner:

Douglas and Charlotte Karmasek

Zoning:

BL & DR 5.5

Requested Action:

Special Exception

The petitioner seeks to add a beauty salon in the front residence, which is located in a BL zone.

SUMMARY OF RECOMMENDATIONS:

The property is very clean and well kept. There will be no sign and no external alteration to any structures on the site. The Office of Planning does not oppose the petitioner's request.

For further information concerning the matters stated here in, please contact John Alexander at 410-887-

3480.

Reviewed by:

Division Chief:

AFK/LL: CM

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: June 19, 2008

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For June 23, 2008

Item Nos. 08-456, 0531, 0543, 0558, 0559, 0560, 0561, 0562, 0563, 0566, 0567, 0568, and 0571

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

DAK:CEN:lrk cc: File ZAC-06192008-NO COMMENTS



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

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

Maryland Department of Transportation

Date: 6-20-2008

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

RE: **Baltimore County**

Item No 2008 -0563-X 198 GERMANHILLRD KARMAGEK PROPERTY SPECIAL EXCEPTION

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. 2008-0563-X

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

SDF/MB

RE: PETITION FOR SPECIAI EXCEPTION *
198 German Hill Road; W/S German Hill
Road, 64' S c/line of McComas Avenue *
12th Election & 7th Councilmanic Districts
Legal Owners: Douglas & Charlotte Karmasek*
Petitioner(s)

RECEIVED

JUN 27 2008

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

* 08-563-X

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 documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Cook S Jentes

CAROLE S. DEMILIO Deputy People's Counsel Jefferson Building, Room 204 105 West Chesapeake Avenue Towson, MD 21204 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of June, 2008, a copy of the foregoing Entry of Appearance was mailed to Douglas & Charlotte Karmasek, 198 German Hill Road, Dundalk, MD 21222, Petitioner(s).

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RAMIN 7 - MARINAN

PLEASE PRINT CLEARLY

CASE NAME Karmesek CASE NUMBER 2008-0563-X DATE 8-7-08

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Doub Kanmasok	198 GERMAN HILL RD	DWDALK, MD 21222	Lougnchar Q Juna com
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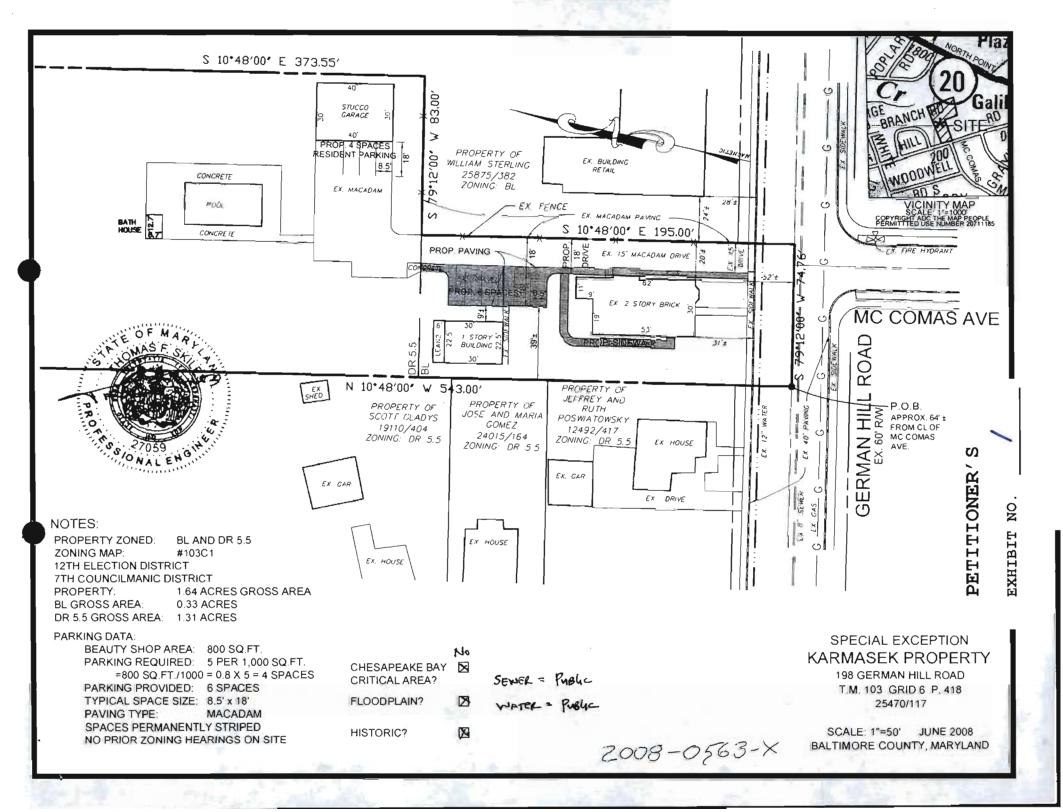
Case No.: 2008-0563-X 198 GERMAN HILL ROAD

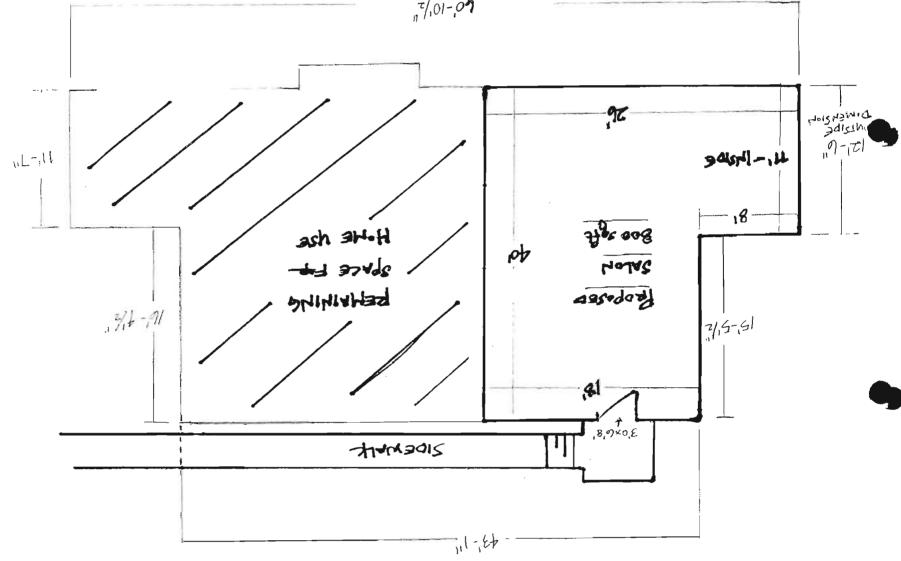
Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	SITE PLAN	
No. 2	SITE PLAN BIG ELEV.	
No. 3		
No. 4		
No. 5		_
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		





PETITION FOR SPECIAL EXCEPTION ASI

1203048810 202

