

IN RE: **PETITION FOR VARIANCE**
S/S South Lake Way, 450' E of c/line
South Lake Court
(19B South Lake Way)
2nd Election District
4th Council District

Andrew S. Mullins, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF
* BALTIMORE COUNTY
* **Case No. 2010-0036-A**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Andrew S. Mullins, and his wife, Lisa J. Mullins. The Petitioners seek relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (detached garage) to be located in the side yard (east side) in lieu of the required rear yard, and with a height of 25 feet in lieu of the maximum allowed 15 feet. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the request was Andrew Mullins, co-owner of the property. Appearing as an interested person was Steven R. Bowers, an adjacent neighbor residing at 21 South Lake Way.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located on the south side of South Lake Way just east of South Lake Court in Reisterstown. The property is identified as Lot 20A, Section 1 of the Folly Quarters subdivision and contains a gross area of 2.080 acres, more or less, zoned R.C.4, and is being improved with a two-story, four bedroom, single-family dwelling. The Petitioners have owned the property since 2008 and propose to construct a detached garage, 40' x 25' in dimension, in the rear side yard of their property as part of the improvements. Testimony indicated that the garage is desired to

COPIES RECEIVED FOR FILING

Date 10-2-09

By 1933

provide additional storage for the Petitioners' cars and personal property. Testimony and photographs submitted show that the property is heavily wooded and just north of the Liberty Reservoir that is adjacent to the southern property line. Thus, the proposed garage cannot be located in the rear yard as required by the regulations due to environmental constraints and wildlife sanctuary, well location(s) and area illustrated as "Limits of Disturbance" on the site plan. Moreover, due to the configuration of the property, the topography that slopes to the rear, and the orientation of the house thereon, the proposed garage will be located in the side yard, behind the front foundation wall of the house. Mr. Mullins indicated the proposed location would be most appropriate. It was indicated that the neighboring property owner's residence is located a significant distance away. As to the height variance, Petitioners submitted photographs of other accessory structures in the community featuring pitched roofs and dormers that required height variances.

Testimony indicated that the garage would be used to provide storage for family automobile as well as provide much needed storage space above. The garage will be built to resemble the Petitioners home and feature a pitched roof with dormer windows, thereby requiring a variance from the height regulations. The Petitioners also requested that the building have a sink for their convenience. As noted above, Mr. Bowers attended not in opposition to the location or height of the garage, but to determine its intended use. Apparently, Mr. Mullins owns a cleaning/janitorial services company and Mr. Bowers would be vehemently opposed if the accessory structure would be used for commercial purposes. Following discussion on this issue, the Petitioner assured Mr. Bowers that his company vehicles and equipment would not be kept on the property but off site. Mr. Bowers's primary concern was satisfactorily addressed. There is no intention of utilizing the building for any purpose other than residential and it will not be converted as a dwelling unit. He (Bowers) indicated his support of the proposal following his review of the building elevations for the garage. (Petitioners' Exhibit 3).

After due consideration of the testimony and evidence presented, I am persuaded that the Petitioners have met the requirements of Section 307 of the B.C.Z.R. for relief to be

COPIES RECEIVED FOR FILING

Date 10-2-09

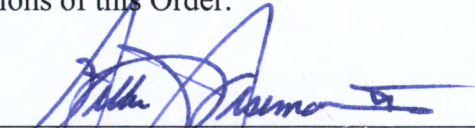
By [Signature]

granted. Strict compliance with the regulations would result in a practical difficulty and unreasonable hardship for the Petitioners. As noted above, the neighbors do not oppose this proposal and there were no adverse comments from any County reviewing agency. Thus, I am persuaded that relief can be granted, subject to the restrictions set forth hereinafter.

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 should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2nd day of October 2009 that the Petition for Variance seeking relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (detached garage) to be located in the rear/side yard (east side) in lieu of the required rear yard, and with a height of 25 feet in lieu of the maximum allowed 15 feet, in accordance with Petitioners' Exhibits 1 and 3, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permits 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.
- 2) The garage shall be limited to uses accessory to the residential use of the property. It shall not be used for commercial or business purposes. Moreover, the Petitioners shall not allow or cause the garage to be converted to a second dwelling unit and/or apartments. There shall be no living quarters contained therein, and no kitchen/cooking, or bathroom facilities.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

ORDER RECEIVED FOR FILING
Date 10-2-09
By [Signature]



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

October 2, 2009

WILLIAM J. WISEMAN III
Zoning Commissioner

Andrew S. Mullins
Lisa J. Mullins
2875 Talbert Road
Finksburg, Maryland 21048

RE: PETITION FOR VARIANCE

S/S South Lake Way, 450' E of c/line South Lake Court
(19B South Lake Way)
2nd Election District - 4th Council District
Andrew S. Mullins, et ux – Petitioners
Case No. 2010-0036-A

Dear Mr. and Mrs. Mullins:

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

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

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Steven R. Bowers, 21 South Lake Way, Baltimore, MD 21236
People's Counsel; DEPRM; Office of Planning; File



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 19B SOUTH LAKE WAY
which is presently zoned R.C.4

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) + 400.3

TO PERMIT AN ACCESSORY STRUCTURE (DETACHED GARAGE) TO BE LOCATED IN THE SIDE YARD WITH A HEIGHT OF 25-FEET IN LIEU OF THE REQUIRED REAR YARD AND HEIGHT OF 15-FEET.

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

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Andrew S Mullins
Name - Type or Print _____
Andrew S Mullins
Signature _____
Lisa J. Mullins
Name - Type or Print _____
Lisa J. Mullins
Signature _____
2875 Talbert Rd 410 491-7549
Address _____ Telephone No. _____
Finksburg MD 21048
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

OFFICE USE ONLY

Case No. 2010-0036-A

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____
D.T. _____ Date 7/30/09

ORDER RECEIVED FOR FILING

Date 10-2-09
By aw

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 own and reside at Lot 20A South Lake Way (under construction)
Address number Road or Street name
and that this address is the subject of this variance request as required by law.

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate the hardship or practical difficulty; attach an additional sheet if needed) We would like to locate our detached garage next to our house (under construction) rather than behind it:

- Due to the grade of the property. The location of the house is more level and the area behind slopes away from the back of the house.
- To reduce the amount of blacktop area required.
- To reduce water run-off and facilitate drainage.
- To lessen the environmental impact by reducing the areas of disturbance.
- To keep construction away from the wooded section of the lot that is adjacent to a Wildlife Sanctuary.
- For esthetics.

This configuration is common to other homes in the neighborhood and can be seen at: 21 South Lake Way, 20 South Lake Way, 9 South Lake Way.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, and the Affiant(s) desire to proceed with their variance request, they will be responsible for reposting the property and for payment of the advertising fees. They also understand that they may be required to provide additional information.

Andrew S. Mullins
Signature

Andrew S. Mullins
Name- print or type

Lisa J. Mullins
Signature

Lisa J. Mullins
Name- print or type

A Notary Public must complete the following section prior to the filing appointment.

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, this 28th day of July, 2009, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared:

(Name Affiant(s) here): Andrew S. Mullins - Lisa J. Mullins
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Nancy K. Hooper 4-1-2010
Name of Notary Public Commission expires
Nancy K. Hooper

PLACE SEAL HERE:

Zoning Description

Zoning Description for LOT 20A / 19B South Lake Way, Reisterstown MD 21136.

Beginning at a point on the South side of South Lake Way which is 50' wide at a distance of 450' East of the centerline of the nearest improved intersecting street South Lake Court which is 50' wide. Being Lot# 20A, Block B, Section 1 in the subdivision of Folly Quarter as recorded in Baltimore County Plat Book #2, Folio # 83, containing 2.080 acres. Also known as 19 ½ or 19B and located in the 2nd Election District, ⁴~~2-21~~ Councilmanic District.

2010-0036-A

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

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

For Newspaper Advertising:

Item Number or Case Number: 2010-0036-A

Petitioner: MULLINS

Address or Location: 19B SOUTH LAKE WAY

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. + MRS. ANDREW S. MULLINS

Address: 2875 TALBERT RD.

FINKSBURG, MD 21048

Telephone Number: 410-491-7549 (c)

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. 43257

Date: 7/30/09

PAID RECEIPT

09/28/09 7/30/2009 7/30/2009 10:58:34
 REC 0004 WALKIN JCAR JIC
 >> RECEIPT # 472654 7/30/2009
 5 550 MISCELLANEOUS - IN
 NO. 043257
 Recpt Tot 665.00
 665.00 CR \$1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					65.00

Total: 65.00

Rec. From: ANDREW MULLINS

For: 2010-0036-A
190 SOUTH LAKE WAY

D. THOMPSON

**CASHIER'S
 VALIDATION**

DISTRIBUTION
 WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

CERTIFICATE OF PUBLICATION

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: # 2010-0036-A

19B South Lake Way
S/side of South Lake Way, 450 feet east of centerline of South Lake Court

2nd Election District — 4th Councilmanic District
Legal Owner(s): Andrew & Lisa Mullins

Variance: to permit an accessory structure (detached garage) to be located in the side yard with a height of 25 feet in lieu of the required rear yard and height of 15 feet.

Hearing: Wednesday, September 30, 2009 at 10:00 a.m.
In Room 104, Jefferson Building, 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.

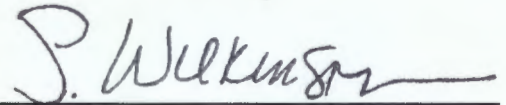
JT 9/755 Sept. 15

213635

9/15, 2009

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 9/15, 2009.

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



LEGAL ADVERTISING

CERTIFICATE OF POSTING

Date: 9-13-09

RE: Case Number: 2010-0036-A

Petitioner/Developer: Andrew Mullins

Date of Hearing/Closing: 9/30/09 10AM

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 19 B South Lake Way

The signs(s) were posted on 9-13-09
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

ZONING NOTICE

CASE # 2010-0036-A

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

PLACE: JEFFERSON BUILDING-71104
105 W. CHESAPEAKE AVE., TOWSON 21204

DATE AND TIME: SEPT. 30, 2009 10 AM WED

REQUEST: A VARIANCE TO PERMIT
AN ACCESSORY STRUCTURE (DETACHED

GARAGE) TO BE LOCATED IN THE SIDEYARD
WITH A HEIGHT OF 25 FEET IN LIEU OF THE
REAR YARD AND HEIGHT OF 15 FEET

ARE SOMETIMES NECESSARY.

CERTIFICATE OF POSTING

Date: 9-25-10

RE: Case Number: 2011-0036-A

Petitioner/Developer: Cheremoshnyuk

Date of Hearing/Closing: 10/6/10 11AM

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 6801 Hunt Ct

The signs(s) were posted on 9/25/10
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

ZONING NOTICE

CASE # 2011-0036-A

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

JEFFERSON BUILDING - ROOM 104

PLACE: 105 W. CHESAPEAKE AVE. TOWSON MD 21284

DATE AND TIME: OCT. 6, 2010, 11:AM WED.

REQUEST: TO PERMIT AN

OPEN PROJECTION (DECK) WITH A

2-FOOT REAR YARD SETBACK IN

LIEU OF THE REQUIRED 22.5 FEET

ARRANGEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 877-3333
POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
ACCESSIBLE



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
August 26, 2009

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: 2010-0036-A

19B South Lake Way

S/side of South Lake Way, 450 feet east of centerline of South Lake Court

2nd Election District – 4th Councilmanic District

Legal Owners: Andrew & Lisa Mullins

Variance to permit an accessory structure (detached garage) to be located in the side yard with a height of 25 feet in lieu of the required rear yard and height of 15 feet.

Hearing: Wednesday, September 30, 2009 at 10:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Andrew & Lisa Mullins, 2875 Talbert Road, Finksburg 21048

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, SEPTEMBER 15, 2009.**
- (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, September 15, 2009 Issue - Jeffersonian

Please forward billing to:
Mr. & Mrs. Mullins
2875 Talbert Road
Finksburg, MD 21048

410-491-7549

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: 2010-0036-A

19B South Lake Way

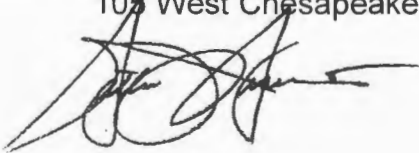
S/side of South Lake Way, 450 feet east of centerline of South Lake Court

2nd Election District – 4th Councilmanic District

Legal Owners: Andrew & Lisa Mullins

Variance to permit an accessory structure (detached garage) to be located in the side yard with a height of 25 feet in lieu of the required rear yard and height of 15 feet.

Hearing: Wednesday, September 30, 2009 at 10:00 a.m. in Room 104, Jefferson Building,
108 West Chesapeake 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.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

September 24, 2009

Andrew & Lisa Mullins
2875 Talbert Rd.
Finksburg, MD 21048

Dear: Andrew & Lisa Mullins

RE: Case Number 2010-0036-A, 19B South Lake Way

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 30, 2009. 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:lnw

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 26, 2006

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

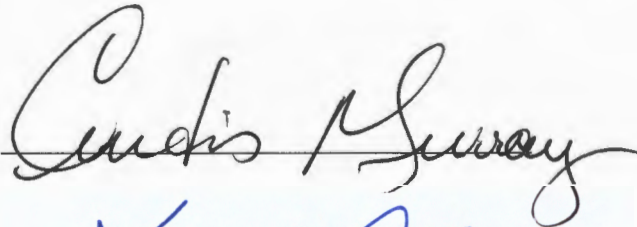
SUBJECT: 10-036 -Variance

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 25 feet in lieu of the maximum permitted 15 feet provided the following conditions are met:

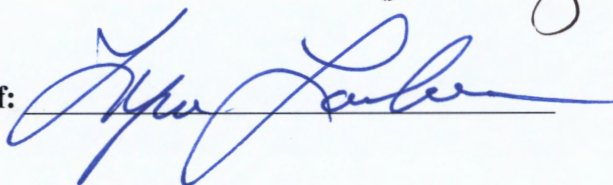
1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
2. The accessory structure shall not be used for commercial purposes.

For further information concerning the matters stated herein, please contact Dave Green at 410-887-3480.

Prepared by:



Division Chief:



AFK/LL: CM

RECEIVED

SEP 20 2009

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: August 13, 2009

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

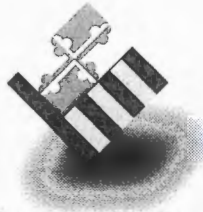
SUBJECT: Zoning Advisory Committee Meeting
For August 10, 2009
Item Nos. 2009-0326, 2010-032, 034, 036, 037,
038, 039 and 040

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

DAK:CEN:kmt

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-08132009 (2) -NO COMMENTS.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
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

August 21, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: August 10, 2009

Item Numbers 0325,0328,0032,0034,0036,0037,0038,0040

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

RE: PETITION FOR VARIANCE
19b South Lake Way; S/S Lake Way,
450' E of c/line of South Lake Court
2nd Election & 4th Councilmanic Districts
Legal Owner(s): Andrew & Lisa Mullins
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 10-036-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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.

RECEIVED
AUG 13 2009

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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 13th day of August, 2009, a copy of the foregoing Entry of Appearance was mailed to Andrew & Lisa Mullings, 2875 Talbert Road, Finksburg, MD 21048, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

From: Debra Wiley
To: Livingston, Jeffrey
Date: 9/25/2009 3:36 PM
Subject: Comment Needed for Hearing on Wed. 9/30

DEPRM

Hi Jeff,

In reviewing the case files for next week, it appears we need a comment from your office for the following:

CASE NUMBER: 2010-0036--A

19 B South Lake Way

Location: S side of South Lake Way; 450 feet E of the c/l of South Lake Court.

2nd Election District, 4th Councilmanic District

Legal Owner: Andrew and Lisa Mullins

VARIANCE To permit an accessory structure (detached garage) to be located in the side yard with a height of 25 feet in lieu of the required rear yard and height of 15 feet.

Hearing: Wednesday, 9/30/2009 at 10:00:00 AM Jefferson Building, 105 West Chesapeake Avenue, Room 104

Thanks and have a wonderful weekend !

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

From: Debra Wiley
To: Murray, Curtis
Date: 9/25/2009 3:34 PM
Subject: Comments Needed for Hearings on Wed., 9/30

Hi Curtis,

In reviewing the case files for next week, it appears we need comments from your office for two cases as follows:

CASE NUMBER: 2010-0036--A

19 B South Lake Way

Location: S side of South Lake Way; 450 feet E of the c/l of South Lake Court.

2nd Election District, 4th Councilmanic District

Legal Owner: Andrew and Lisa Mullins

VARIANCE To permit an accessory structure (detached garage) to be located in the side yard with a height of 25 feet in lieu of the required rear yard and height of 15 feet.

Hearing: Wednesday, 9/30/2009 at 10:00:00 AM Jefferson Building, 105 West Chesapeake Avenue, Room 104

CASE NUMBER: 2010-0037--A

323 Elinor Avenue

Location: South side of Elinor Avenue; 300 feet east of the c/l of Lyndale Avenue.

614 Election District, 6th Councilmanic District

Legal Owner: John Wamhoff

VARIANCE To permit an existing deck, pool and shed addition with a rear setback of 0 feet in lieu of the required 22.5 feet, and have 42% rear coverage in lieu of the permitted 35% per 1953-1955 Zoning Regulations.

Hearing: Wednesday, 9/30/2009 at 11:00:00 AM Jefferson Building, 105 West Chesapeake Avenue, Room 104

Thanks and have a wonderful weekend !

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

CC: Are, Kathy

Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search (2007 vw4.3d)	Go Back View Map New Search
---	---

Account Identifier: District - 02 **Account Number -** 0206450272

Owner Information			
Owner Name:	MULLINS ANDREW MULLINS LISA	Use:	RESIDENTIAL
		Principal Residence:	NO
Mailing Address:	2875 TALBERT RD FINKSBURG MD 21048-1943	Deed Reference:	1) /27318/ 515 2)

Location & Structure Information	
Premises Address SOUTH LAKE RD	Legal Description 2.080 AC 434 SE SOUTH LAKE COURT FOLLY QUARTER

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
56	12	9			1	B	20A	1	Plat Ref: 24/ 83

Special Tax Areas	Town	Ad Valorem	Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		2.08 AC	04

Stories	Basement	Type	Exterior

Value Information					
	Base Value	Value	Phase-in Assessments		
			As Of	As Of	As Of
			01/01/2007	07/01/2009	07/01/2010
Land	166,200	166,200			
Improvements:	0	0			
Total:	166,200	166,200	166,200	NOT AVAIL	
Preferential Land:	0	0	0	NOT AVAIL	

Transfer Information			
Seller:	GORN ARLENE	Date:	09/11/2008
Type:	UNIMPROVED ARMS-LENGTH	Deed1:	/27318/ 515
Seller:	BAUHOF ROBERT E	Date:	01/04/1999
Type:	UNIMPROVED ARMS-LENGTH	Deed1:	/13416/ 632
Seller:	FOLLY FARM ONE I NC	Date:	06/13/1972
Type:	IMPROVED ARMS-LENGTH	Deed1:	/ 5274/ 443

Exemption Information			
Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO **Special Tax Recapture:**
* NONE *

Case No.: 2010-0036-A 19B SOUTH LAKE WAY

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Petitioner/Developer	Protestant
No. 2	SITE PLAN	
No. 3	PHOTO'S OF OTHER ACCESSORY STRUCTURES	
No. 4	BLDG ELEVATIONS OF GARAGE (not in file)	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



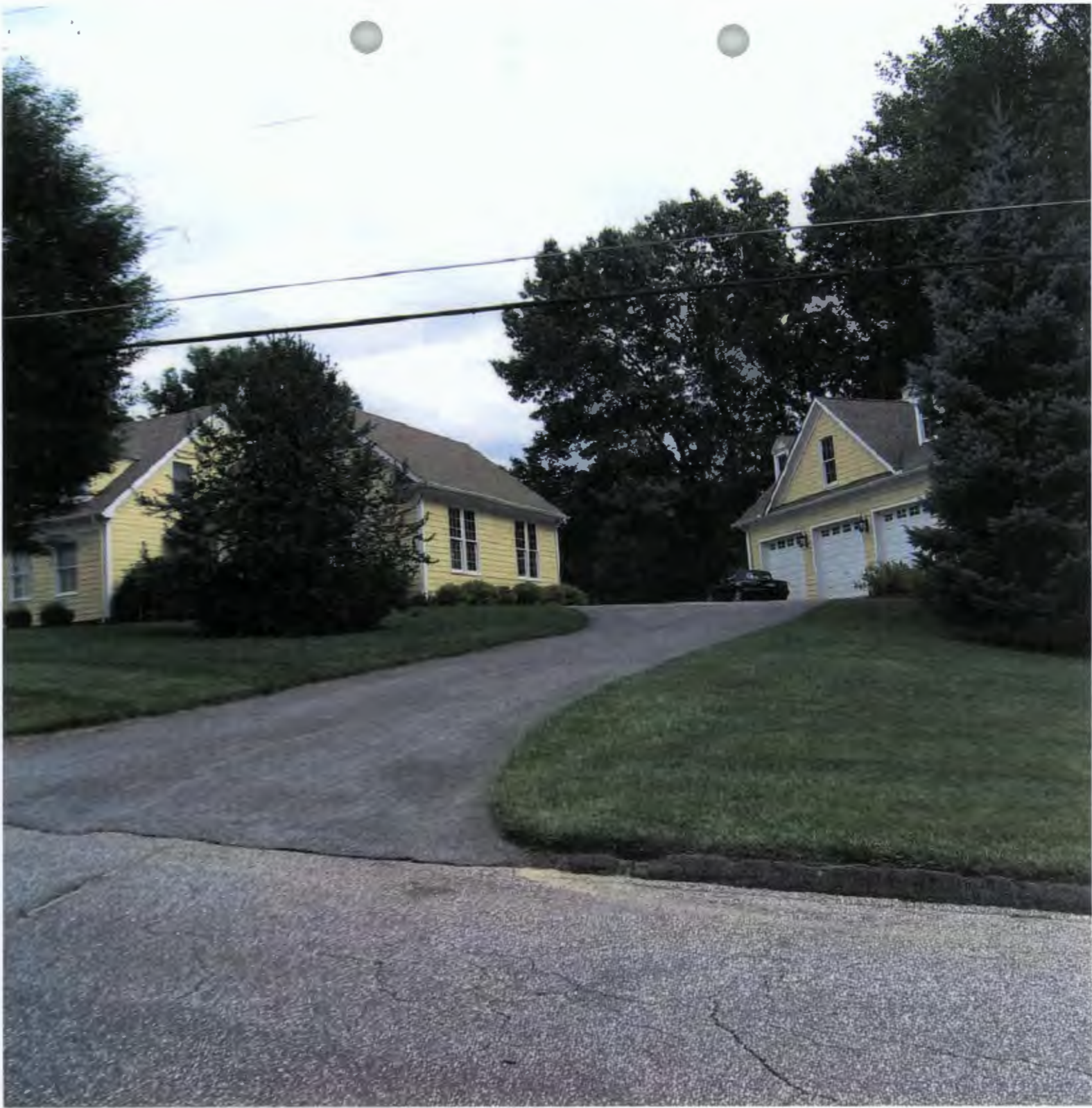
3 HOUSES DOWN

PETITIONER'S

EXHIBIT NO. 2

9 LAKE WAY

2010-0036-A



3 HOUSES DOWN

9 LAKE WAY

2010-0036-A



10 ft in Back yard

BACK YARD

2010-0036-A



10 feet in ~~Backyard~~

BACK YARD

2010-0036-A



Plot 21A

21 LAKE WAY

2010-0036-A



PLOT
2-1

20 LAKE WAY

2010-0036-A

020645

24000015

26

0206450330

24

0202651031

22

0202470401
Pt. Bk. 23 Folio 99

0206450248

20

0208003200

16

0206450250

SOUTH LAKE WAY

RC 4

0206450370

0206450380

21

4 CD

2 ED

0206450272

SITE

19B

NW 13-M

056C2

Rural Side of URDL

0202001791 19

Pt. Bk. 24 Folio 83

0211670690

0213202848

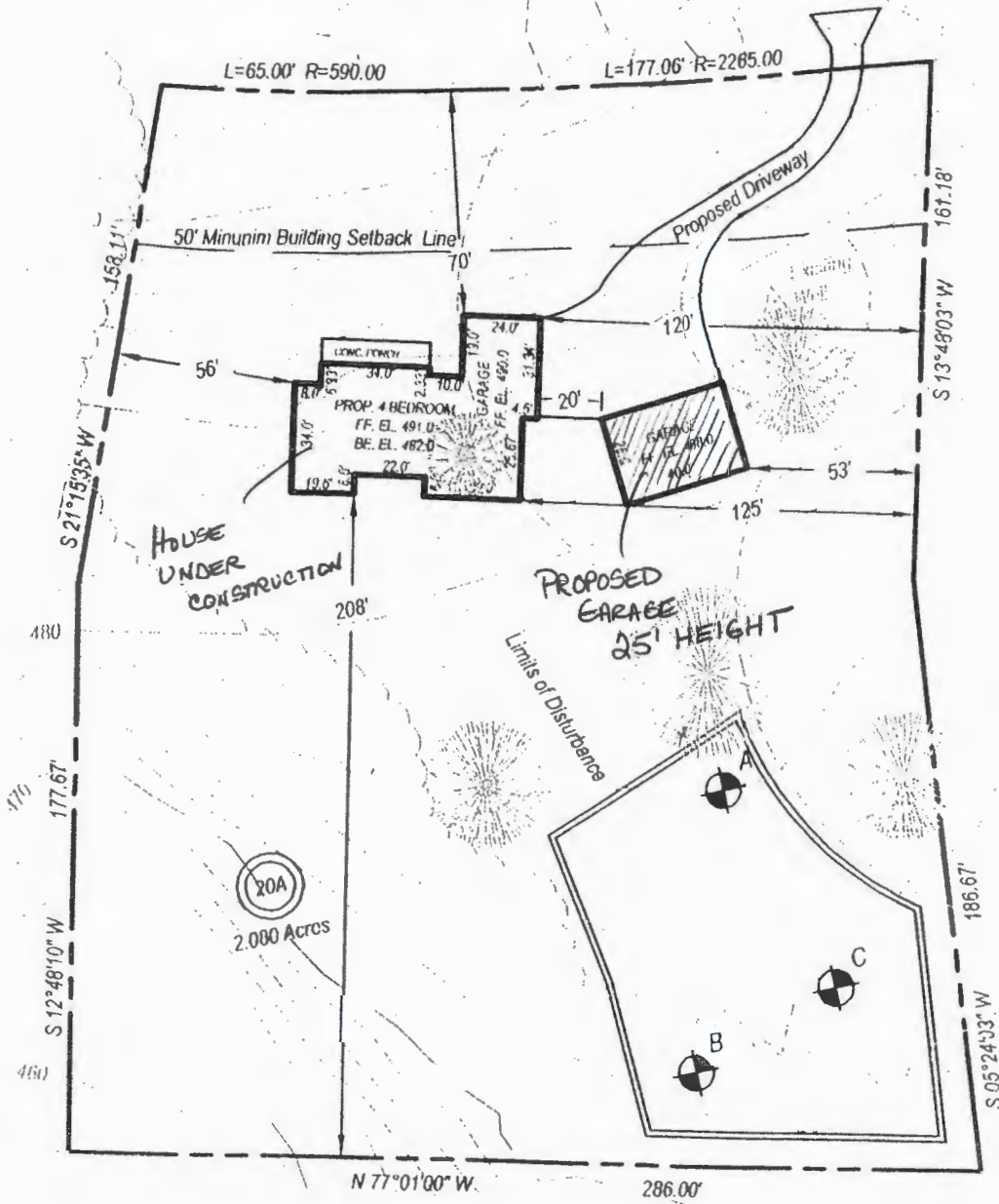
RC 7

NW 12-M

2010-0036-A

South Lake Wak

0206450380



19

0202001791

PETITIONER'S

EXHIBIT NO. 1

1" = 60'

DEER

L

ELECTION

COUNCIL

1" = 200'

ZONING

LOT SIZE

SE

WA

CHESAPE

CRITI

100 YEAR

HISTORIC

BUILD

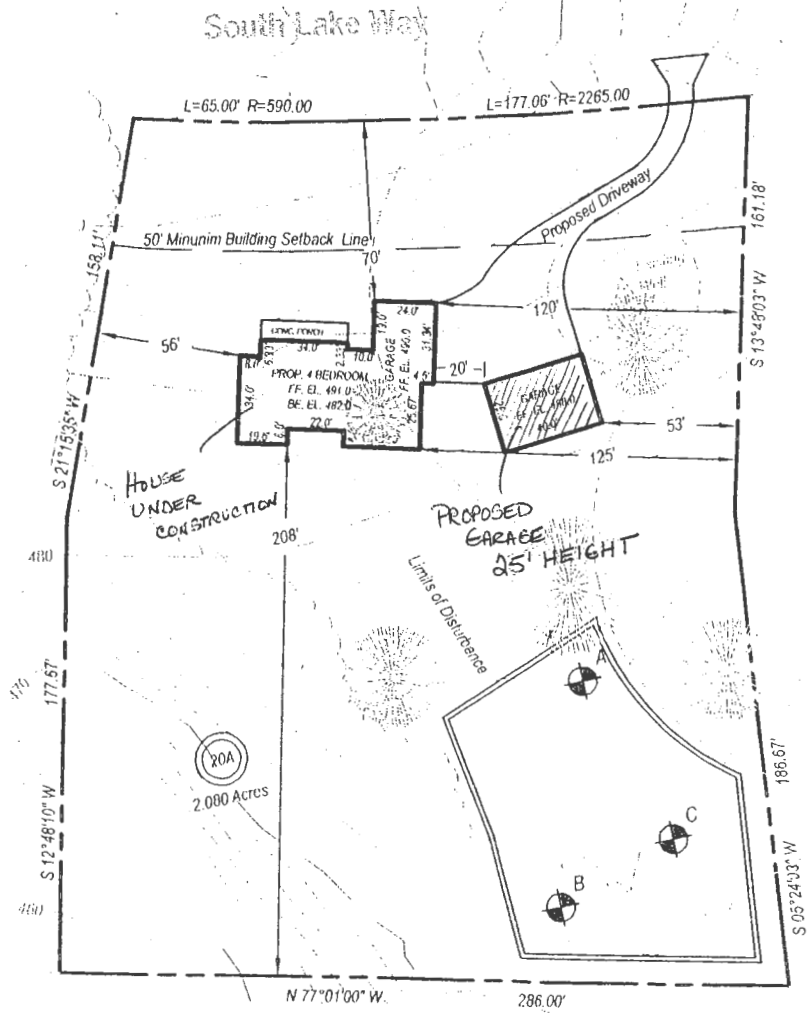
PRIOR Z

ZO

REVIEWED

D.T.

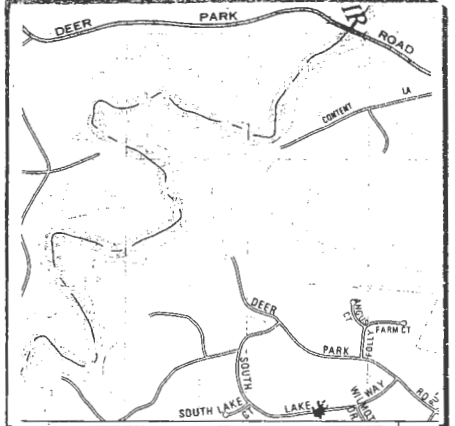
0206450380



19

0202001791

1" = 60'



LOCATION INFORMATION

ELECTION DISTRICT 2 ED
 COUNCILMANIC DISTRICT 4 CD
 1"=200' SCALE MAP # 056C2
 ZONING R.C.4
 LOT SIZE 2.080 ACREAGE SQUARE FEET
 SEWER PUBLIC PRIVATE
 WATER PUBLIC PRIVATE
 CHESAPEAKE BAY CRITICAL AREA YES NO
 100 YEAR FLOOD PLAIN
 HISTORIC PROPERTY/BUILDING
 PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
 REVIEWED BY ITEM # CASE #
 D.T. | 0036 | 2010-0036-A