

IN RE: PETITION FOR ADMIN. VARIANCE *

W side of Knollwood Road, 240' S of
Aigburth Road
9th Election District
5th Council District
(7512 Knollwood Road)

James C. Turner
Petitioner

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2011-0353-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for Baltimore County for consideration of a Petition for Administrative Variance filed by James C. Turner, legal owner of the above property. The Petitioner is requesting Variance relief under Section 1B02.3.B (Section III.A.13.a. of the 1945 Zoning Regulations) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed accessory structure (detached carport) to be located in the side yard with a ½ foot side yard setback in lieu of the required rear yard only location with a side yard setback of between ½ foot and 2 feet in lieu of the required rear yard only location. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

This matter was originally filed as an Administrative Variance, with a closing date of July 4, 2011. On July 7, 2011, Lawrence M. Stahl, Managing Administrative Law Judge, called for a formal hearing on this matter based on a review of the file and correspondence received from a neighborhood resident, Aaron Tsui. The hearing was subsequently scheduled for Wednesday, August 3, 2011 at 11:00 AM in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson, Maryland. In addition, a sign was posted at the property and an advertisement was published in *The Jeffersonian* newspaper, giving neighbors and interested citizens notice of

ORDER RECEIVED FOR FILING

Date 8-11-11

By [Signature]

the hearing.

Appearing at the public hearing in support of the variance request was Petitioner James Turner. There were no Protestants or other interested persons in attendance.

Testimony and evidence revealed that the subject property is located in the Knollwood community. The Petitioner seeks to install a prefabricated carport on the east side of his lot. The Petitioner currently has a garage and shed in the rear of his home, and he explained that this carport will most likely be a temporary addition, which is why he decided to purchase a freestanding, prefabricated unit.

The carport would be located next to 7514 Knollwood Road, and the Petitioner testified he has a friendly relationship with that neighbor, and that he did not object to the variance. In addition, Petitioner presented letters of support from four adjoining neighbors. See Exhibit 3. According to tax records, the dwelling was constructed in 1952 and contains approximately 1,436 square feet.

Zoning Advisory Committee (ZAC) comments were received and are made a part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies.

Based upon the testimony and evidence presented, I am persuaded to grant the request for variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. I also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship upon Petitioner.

Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

ORDER RECEIVED FOR FILING

Date 8-11-11

2

By [Signature]

Trinity Assembly of God v. People's Counsel, 407 Md 53, 80 (2008).

The Petitioner has met this test when the subject property is compared to the other lots in this and the adjoining subdivision (Donnybrook). Indeed, Petitioner's rear yard contains two accessory structures, which creates a unique scenario whereby the side yard is the only possible location for the carport.

If the B.C.Z.R. were strictly enforced, the Petitioner would indeed suffer a practical difficulty and/or hardship.

Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is amply demonstrated by the strong showing of support from Petitioner's neighbors.

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

THEREFORE, IT IS ORDERED, this 11 day of August, 2011 by this Administrative Law Judge that Petitioner's Variance request from Section 1B02.3.B (Section III.A.13.a. of the 1945 Zoning Regulations) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed accessory structure (detached carport) to be located in the side yard with a side yard setback of between ½ and 2 feet, in lieu of the required rear yard only location, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. The Petitioner may apply for a building permit and may be granted same upon receipt of this Order. However the Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the thirty (30) day appellate process from this Order has expired. If for whatever reason this Order

ORDER RECEIVED FOR FILING

Date 8-11-11

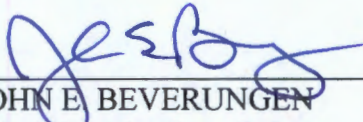
Rv PZ

is reversed, the Petitioner will be required to return and be responsible for returning said property to its original condition.

2. Access to Petitioner's rear and side yards is to be provided by the existing driveway, and Petitioner shall not be permitted to install a second driveway (with associated curb cut) on the premises.

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

Order.

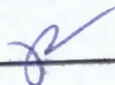


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:pz

ORDER RECEIVED FOR FILING

Date 8-11-11

By 



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

August 11, 2011

JAMES C. TURNER
7512 KNOLLWOOD ROAD
TOWSON MD 21286

Re: Petition for Administrative Variance
Case No. 2011-0353-A
Property: 7512 Knollwood Road

Dear Mr. Turner:

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the typed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

THB:pz

Enclosure

c: Aaron Tsui, 303 Oak Lane Court, Towson MD 21286



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County for the property located at 7512 Knollwood Road, Towson, MD 21286 which is presently zoned DR 5.5 (Vested "A" Residential)

Deed Reference: 218871138 Tax Account # 0919002920

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)

1B02, 3.B, BC2R (Section III, A.13.a of the 1945 Zoning Regulations) to permit a proposed accessory structure (detached carport) to be located in the side yard with a $\frac{1}{2}$ foot side yard setback in lieu of the required rear yard only location with a 2 feet side yard setback.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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

I, or we, agree to pay expenses of above Administrative 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

Date

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 8-11-11 day of August, 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.

Legal Owner(s):

James C. Turner

Name - Type or Print

Signature

Name - Type or Print

Signature

7512 Knollwood Rd.

443-801-6308

Address

Telephone No.

Towson

MD

21286

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

Case No. 2011-0353A

Reviewed By JNP

Date 6/8/2011

Estimated Posting Date 6/19/2011

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 7512 Knollwood Road
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) This request is for permission to install an unattached metal frame carport on the northeast side of the house, set behind an existing fence that is six feet high. The fence has a nine-foot wide matching gate that faces the street. The carport would be surrounded by the fence facing the street and along the property line, mostly hidden except for the roof which would extend approximately three feet above the fence. The base of the carport, while inside the fence and not visible, would rest approximately one half foot to one and a half feet from the property line on the northeast side of the house. A carport located on the opposite or southwest side of the house would limit access of tree-trimming equipment to large trees in the back yard which require, for safety considerations, occasional trimming of dead branches. There is also no place to locate a carport behind the house. For these reasons, the proposed location offers the most favorable visual and practical benefits. 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.

James C. Turner
Signature

James C. Turner
Name- print or type

Signature

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 7th day of June, 2011, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared:

(Name Affiant(s) here): James C. Turner
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Sandra J. Bruner
Name of Notary Public

7/18/2014
Commission expires

PLACE SEAL HERE:

Zoning Description

Beginning at a point on the west side of Knollwood Road which is sixty (60) feet wide at the distance of two hundred forty (240) feet south of the centerline of the nearest improved intersecting street, Aigburth Road, which is sixty (60) feet wide. Being Lot #4, Block G, Section #3 in the subdivision of Knollwood as recorded in Baltimore County Plat Book #17, Folio #88, containing nine thousand two hundred forty six (9,246) square feet. Also known as 7512 Knollwood Road, Towson, Maryland and located in the Ninth Election District, Fifth Council District.

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

No. **65997**

Date: **6/8/2011**

PAID RECEIPT

BUSINESS ACTUAL TIME
 6/09/2011 6/08/2011 10:49:34

REC: 0005 WALKIN DOOL DND
 >> RECEIPT # 578179 6/08/2011 (PL)

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150						75.00

Dept 5 528 ZONING VERIFICATION
 CR NO. 065977

Recpt Tot \$5.00
 \$75.00 01 \$5.00 02
 Baltimore County, Maryland

Total: **75.00**

Rec From: **James C. Turner**

For: **Adam Variance - 7512 Krollwood Road**
2011-0353-A (Turner)

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

**NOTICE OF ZONING
HEARING**

The Administrative Law Judges 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: # 2011-0353-A

7512 Knollwood Road
W/side of Knollwood Road,
240 feet south of Algburth
Road

9th Election District
5th Councilmanic District
Legal Owner(s): James Turner

Variance: to permit a pro-
posed accessory structure
(detached carport) to be lo-
cated in the side yard with

a 1/2 foot side yard setback
in lieu of the required rear
yard only location with a 2
foot side yard setback.

**Hearing: Wednesday, Au-
gust 3, 2011 at 11:00 a.m.
in Room 205, Jefferson
Building, 105 West Ches-
apeake Avenue, Towson
21204.**

ARNOLD JABLON, DIRECTOR
OF PERMITS, APPROVALS
AND INSPECTIONS FOR
BALTIMORE COUNTY

NOTES: (1) Hearings are
Handicapped Accessible;
for special accommoda-
tions Please Contact the
Administrative Hearings Of-
fice at (410) 887-3868.

(2) For information con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391.

JT 07/674 July 19 281717

CERTIFICATE OF PUBLICATION

7/21/ 2011

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 7/19/ 2011.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No. 2011-0353 - A

Petitioner/Developer JAMES
C. TURNER

Date Of Hearing/Closing: 7/4/11

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 penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 7512 KNOLLWOOD ROAD

This sign(s) were posted on June 19, 2011

Month, Day, Year

Sincerely,

Martin Ogle 6/19/11
Signature of Sign Poster and Date

Martin Ogle
60 Chelmsford Court
Baltimore, Md, 21220
443-629-3411

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2011-0353-A

TO PERMIT A PROPOSED ACCESSORY STRUCTURE (DETACHED
GARAGE) TO BE LOCATED IN THE SIDE YARD WITH A 1/2 FOOT
SIDE YARD SETBACK IN LIEU OF THE REQUIRED REAR YARD
ONLY LOCATION WITH A 2 FOOT SIDE YARD SETBACK

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1) BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC
HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED
IT IS DONE IN THE ZONING OFFICE BEFORE 4:30 P.M. ON

MONDAY, JULY 4, 2011

ADDITIONAL INFORMATION IS AVAILABLE AT ZONING
ADMINISTRATION AND DEVELOPMENT MANAGEMENT LOCATED
AT 111 W. CHESAPEAKE AVE. TOWSON MD. 21204
TEL. 410-887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER THE DATE UNDER PENALTY OF LAW
MEETING IS HANDICAP ACCESSIBLE

06/19/2011

Myra Ogle 6/19/11

Dave,
Please make
sign for this.

KEVIN KAMENETZ
County Executive



ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

July 14, 2011

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2011-0353-A

7512 Knollwood Road

W/side of Knollwood Road, 240 feet south of Aigburth Road

9th Election District – 5th Councilmanic District

Legal Owners: James Turner

Variance to permit a proposed accessory structure (detached carport) to be located in the side yard with a ½ foot side yard setback in lieu of the required rear yard only location with a 2 foot side yard setback.

Hearing: Wednesday, August 3, 2011 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: James Turner, 7512 Knollwood Road, Towson 21286

- NOTES: (1) **THE ZONING OFFICE WILL HAVE THE ZONING SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 19, 2011.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



ZONING NOTICE

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWNSHIP, MARYLAND

Case # 2011-0353-A

PLACE 3001 1/2 L. EPPERSON BLVD.

FOR WEST CHESTER, MARYLAND

TIME & DATE WED, AUGUST 3, 2011 AT 11:00 A.M.

VARIANCE TO PERMIT A FENCED ACCESSORY

STRUCTURE DETACHED GARAGE TO BE LOCATED

IN THE REAR YARD WITH A 10' SIDE SETBACK

SETBACK, 10' SIDE OF THE REAR YARD, 10' SIDE

ONLY LOCATED WITH A REAR YARD SETBACK

DO NOT REMOVE THIS SIGN
UNTIL THE DAY OF THE HEARING.
UNDER PENALTY OF LAW

BY ORDER OF THE ZONING COMMISSIONER

07.19.2011 11:56

TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 19, 2011 Issue - Jeffersonian

Please forward billing to:
Deborah Kendall-Sipple
Permits, Approvals & Inspections
111 West Chesapeake Avenue
Towson, MD 21204

410-887-4587

NOTICE OF ZONING HEARING

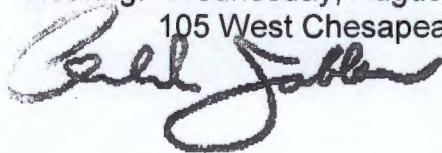
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CASE NUMBER: 2011-0353-A

7512 Knollwood Road
W/side of Knollwood Road, 240 feet south of Aigburth Road
9th Election District – 5th Councilmanic District
Legal Owners: James Turner

Variance to permit a proposed accessory structure (detached carport) to be located in the side yard with a ½ foot side yard setback in lieu of the required rear yard only location with a 2 foot side yard setback.

Hearing: Wednesday, August 3, 2011 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

July 14, 2011

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2011-0353-A

7512 Knollwood Road

W/side of Knollwood Road, 240 feet south of Aigburth Road

9th Election District – 5th Councilmanic District

Legal Owners: James Turner

Variance to permit a proposed accessory structure (detached carport) to be located in the side yard with a ½ foot side yard setback in lieu of the required rear yard only location with a 2 foot side yard setback.

Hearing: Wednesday, August 3, 2011 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: James Turner, 7512 Knollwood Road, Towson 21286

NOTES: (1) THE ZONING OFFICE WILL HAVE THE ZONING SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 19, 2011.

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(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2011- 0353 -A Address 7512 Knollwood Road

Contact Person: Jeffrey Perlow Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 6/8/2011 Posting Date: 6/19/2011 Closing Date: 7/4/2011

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2011- 0353 -A Address 7512 Knollwood Road

Petitioner's Name James C. Turner Telephone 443-801-6308

Posting Date: 6/19/2011 Closing Date: 7/4/2011

Wording for Sign: To Permit a proposed accessory structure (detached carport) to be located in the side yard with a 1/2 foot side yard setback in lieu of the required rear yard only location with a 2 foot side yard setback.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
*Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections*

July 27, 2011

James Turner
7512 Knollwood Road
Towson, MD 21286

RE: Case Number 2011-0353-A, 7512 Knollwood Road

Dear Mr. Turner,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 19, 2011. 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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel



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

State Highway
Administration

Beverly K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: 6-22-2011

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

RE: Baltimore County
Item No. 2011-0353-A
7512 KNOLLWOOD RD
JAMES TURNER
ADMIN. 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. 2011-0353-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
Access Management Division

SDF/mb

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide toll free

Street address: 707 North Calvert Street - Baltimore, Maryland 21202 - Phone 410.545.0300 - www.marylandroads.com



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

June 28, 2011

County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Zoning Review

Distribution Meeting of: **June 20, 2011**

Item No.:

Special Hearing: 2011-0355-SPHA, 2011-0357-SPHA

Administrative Variance: 2011-0352A – 0354A

353

Variance: 2011-0355-SPHA, 2011-0356A, 2011-0357-SPHA, 2011-0358A

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Don W. Muddiman, Inspector
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: June22, 2011

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

SUBJECT: Zoning Advisory Committee Meeting
For July 05, 2011
Item Nos. 2011-138, 352, 353, 354, 355, 356, 357
And 358.

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-07052011 -NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUL 01 2011

OFFICE OF ADMINISTRATIVE HEARINGS

TO: Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: June 30, 2011

SUBJECT: DEPS Comment for Zoning Item # 11-353-A
Address 7512 Knollwood Road
(Turner Property)

Zoning Advisory Committee Meeting of July 5, 2011.

X The Department of Environmental Protection and Sustainability has no
comments on the above-referenced zoning item.

Reviewer: *Jeff Livingston; Development Coordination*

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: July 7, 2011

TO: Kristen Matthews
Dept. of Permits and Development Management

FROM: Patricia Zook, Legal Secretary to
Lawrence M. Stahl, Managing Administrative Law Judge
Office of Administrative Hearings

RE: **Petition for Administrative Variance – Closing Date of 7-4-11**
Case No. 2011-0353-A located at 7512 Knollwood Road
Hearing Is Required

After the review of the above-captioned case file, Larry Stahl has determined that this case shall be set in for a formal hearing. The file contains a letter from an adjacent property owner expressing concerns about the proposed carport.

We are returning the file to you for further processing, i.e., notifying the Petitioners, posting of the hearing notice, advertising, etc. Per Larry, the County is to post and advertise the hearing.

Thank you for your attention and cooperation in this matter.

c: Rose Campbell, Zoning Review Office
Debbie Wiley, Office of Administrative Hearings

Debra Wiley - Re: ZAC Comments

From: Dennis Kennedy
To: Wiley, Debra
Date: 6/24/2011 2:22 PM
Subject: Re: ZAC Comments

Deb:

These are just going to the Zoning Office today.
Dennis

>>> Debra Wiley 6/23/2011 3:48 PM >>>
Good Afternoon,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

Thanks and feel free to contact me should you have any questions or concerns.

2011-0138-SPHA - 9601 Liberty Road
(REMANDED back to OAH from Board of Appeals)

2011-0352-A (Administrative Variance) - 13 Campitelli Court (Closing Date 7/4/10)
2011-0353-A (Administrative Variance) - 7512 Knollwood Rd. (Closing Date 7/4/10)
2011-0354-A (Administrative Variance) - 5701 Emory Rd. (Closing Date 7/4/10)

2011-0355-SPHA - 14425-14423 Thornton Mill Road
(No Hearing Date reflected in data base as of today)

2011-0356-A - 68 Del Rio Road
(No Hearing Date reflected in data base as of today)

2011-0357-SPHA - 1407 Vesper Ave.
(No Hearing Date reflected in data base as of today)

2011-0358-A - 802 Overbrook Rd.
(No Hearing Date reflected in data base as of today)

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

RECEIVED

JUN 29 2011

June 29, 2011

Zoning Commissioner
Zoning Office
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Sir:

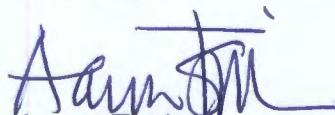
Re: Zoning Variance Case No. 2011-0353-A
7512 Knollwood Road, 9th Election District

As a Knollwood neighborhood resident, I do not object to the variance petition for a proposed carport on the side of the existing dwelling. I do have a concern as a previous similar variance (Case no 2007-540-A) has been granted for an attached carport with a zero setback on the opposite side of the dwelling.

The zoning case file indicated that the subject property has a driveway leading to an existing detached garage and a storage shed in the rear yard. The proposed carport granted by Case 2007-540-A has never been built as noted. Knollwood Road always provides plenty parking spaces. Further, the subject variance for a second carport will likely require a curb cut along Knollwood Road, eliminating at least one on street parking space. This petition, if granted and constructed, will result the dwelling to have two car porches, two driveways and curb cuts, stretching the entire lot width facing Knollwood Road in addition to the existing detached garage. Such additions will likely make the subject property peculiar in shape, size, or use in contrast with other properties in the neighborhood.

I appreciate your consideration of my concerns in making your decision for the requested variance.

Sincerely,



Aaron Tsui
303 Oak Lane Court
Towson, Maryland 21286

c.c. Knollwood Donnybrook
Neighborhood Improvements Association

Maryland Department of Assessments and Taxation
Real Property Data Search (vw1.1A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier:

District - 09 Account Number - 0919002920

Owner Information

Owner Name: TURNER JAMES **Use:** RESIDENTIAL
Mailing Address: 7512 KNOLLWOOD RD **Principal Residence:** YES
BALTIMORE MD 21286-7931 **Deed Reference:** 1) /23912/ 00599
2)

Location & Structure Information**Premises Address**

7512 KNOLLWOOD RD
0-0000

Legal Description

7512 KNOLLWOOD RD
DONNYBROOK

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0070	0015	0766		0000	3	G	4	2	Plat Ref: 0017/0088

Special Tax Areas
Town NONE
Ad Valorem Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1952	1,436 SF	9,246 SF	04

Stories	Basement	Type	Exterior
	NO	STANDARD UNIT FRAME	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2010	07/01/2011
Land	110,310	110,300		
Improvements:	187,640	147,300		
Total:	297,950	257,600	297,950	257,600
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
STOUT JACK N	05/30/2006	\$315,000
Type: ARMS LENGTH IMPROVED	Deed1: /23912/ 00599	Deed2:
Seller: SANIDAS BASIL N	Date: 05/18/2005	Price: \$173,000
Type: NON-ARMS LENGTH OTHER	Deed1: /21887/ 00138	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County			0.00
State			0.00
Municipal			0.00
Tax Exempt:	Special Tax Recapture:		
Exempt Class:	* NONE *		

Prior zoning
June 2007
AV

IN RE: PETITION FOR ADMIN. VARIANCE
W side Knollwood Road, 240 feet S
c/l Aigburth
9th Election District
5th Councilmanic District
(7512 Knollwood Road)

BEFORE THE

DEPUTY ZONING COMMISSIONER

BALTIMORE COUNTY

James C. Turner
Petitioner

CASE NO. 07-540-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 owner of the subject property, James C. Turner. The variance request is for property located at 7512 Knollwood Road. The variance request is from Sections 1B02.3.8 and III C.3 (1945-1955) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing single family dwelling with open projection (carport) to have a 0 foot setback in lieu of the required 7 feet. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. The Petitioner wishes to add a carport attached to the side of the house to provide shade, protect automobiles and provide covered access from the living area to the utility room. The carport will be built over the existing driveway which is approximately 10 feet wide. The posts to support the outer edge of the carport roof will be located on the property line.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: ZAC comments were received from the Office of Planning dated June 25, 2007. That Office does not oppose the Petitioner's request provided the

Google maps

Address 7517 Knollwood Road

Address is approximate

EXISTING
GARAGE

Save trees. Go green!

Download Google Maps on your
phone at google.com/gmm



Google maps

Address 7517 Knollwood Road

Address is approximate

Save trees. Go green!

Download Google Maps on your phone at google.com/gmm



PROPOSED
CARPORT
&
DRIVEWAY

Google maps

Address 7517 Knollwood Road

Address is approximate

Save trees. Go green!

Download Google Maps on your phone at google.com/gmm



PROPOSED
CARPORT
LOCATION

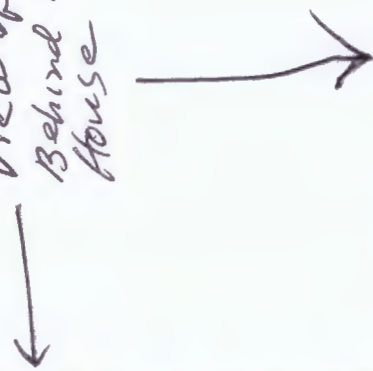


Front of House - Proposed Carport Right Side



Photos taken 6/7/2011
Address: 7512 Knollwood Road
Towson, MD 21286

View of Proposed Carport Area
Behind Fence and Next to
House





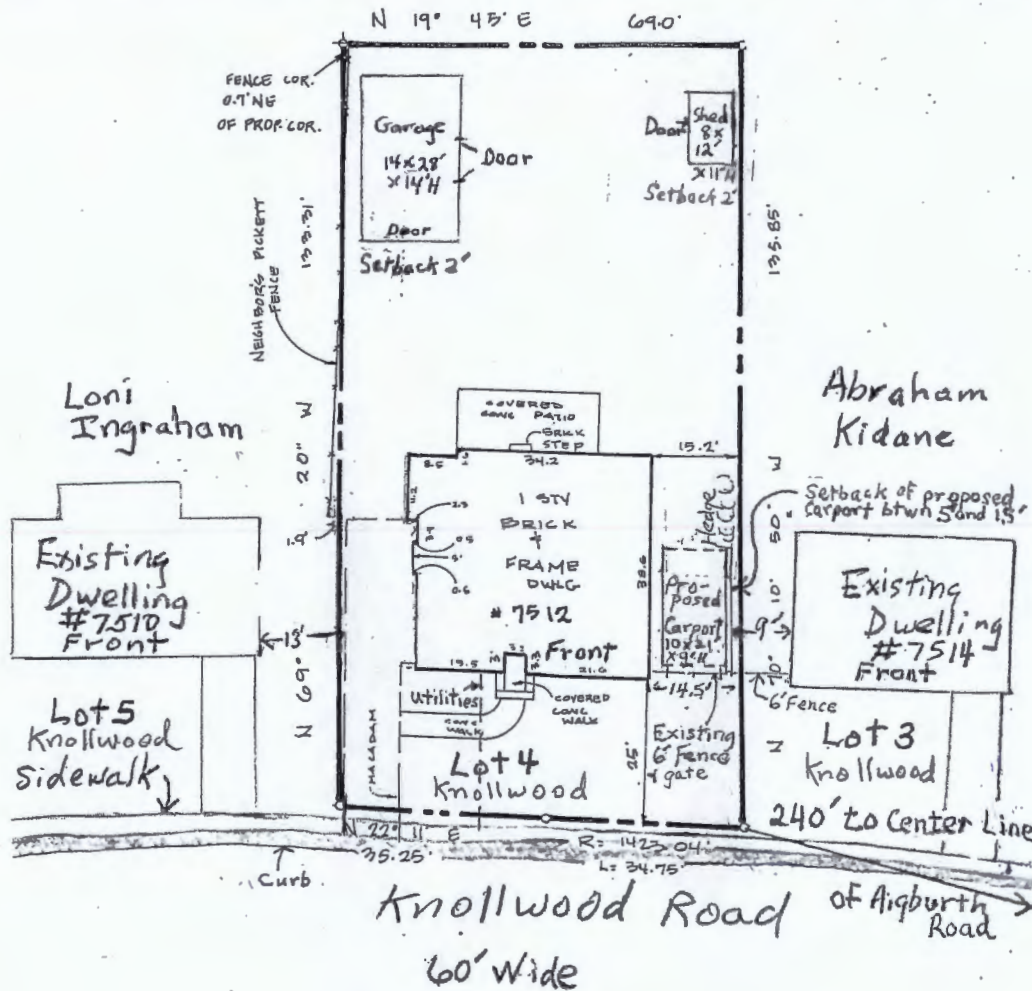
2011-0353-A

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

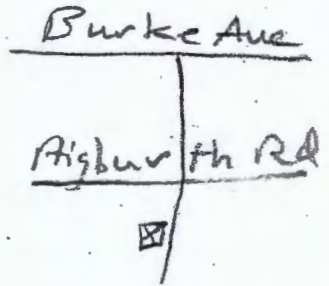
ADDRESS 7512 Knollwood Road, Towson, MD 21286 OWNER(S) NAME(S) James C. Turner

SUBDIVISION NAME Knollwood LOT # 4 BLOCK # 6 SECTION # 3

PLAT BOOK # 17 FOLIO # 88 10 DIGIT TAX # 0919002920 DEED REF. # 218871-138



SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 070B3

SITE ZONED D.R. S.5

ELECTION DISTRICT 9

COUNCIL DISTRICT 5

LOT AREA ACREAGE _____

OR SQUARE FEET 9,246

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? Yes

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

07-540-A - Approved

variance for carport on

other side of house. (Not

built.)

VIOLATION CASE INFO:

Pet. #1

PLAN DRAWN BY James C. Turner

DATE 6/3/2011 SCALE: 1 INCH = 3.3 FEET

(NOT STANDARD SCALE)

2011-0353-A