#### MEMORANDUM

DATE:

August 23, 2012

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2012-0326-A - Appeal Period Expired

The appeal period for the above-referenced case expired on August 22, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File

Office of Administrative Hearings

#### ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING To be filed with the Department of Permits, Approvals and Inspections

Deed Reference / 11715 / 00314  Property Owner(s) Printed Name(s) David P. 5 Cong	10 Digit Tax Account # 0 1 0 8 6 52 1 9 1
(SELECT THE HEARING(S) BY MARKING $\underline{X}$ AT THE APPRIANCE Administrative Variances require that the Affidavit	OPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST) ton the reverse of this Petition Form be completed / notarized.
plat attached hereto and made	Baltimore County and which is described in the description and a part hereof, hereby petition for a
1. X ADMINISTRATIVE VARIANCE from section(s) / Regulations) to permit a proposed addition (emlore is sum of side yard setbacks of 15 Feet, and a 1801 y 8 Feet, 20 Feet and 30 Feet, respectively.  of the zoning regulations of Baltimore County, to the zoning	302,3.8 BCZR (Section 211.3 and 211.4 05 the 1958 20 existing porch/deck) with a side yard setback of 45ect as and setback of 205cet, in lieu of the minimum regained law of Baltimore County.
2 ADMINISTRATIVE SPECIAL HEARING to approve Section 32-4- 416(a)(2): (indicate type of work in this space	ve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and to raze, alter or construct addition to building)
restrictions of Baltimore County adopted pursuant to the zoning law for Ba	Legal Owners:
Name- Type or Print	Name #1 - Type or Print Name #2 - Type or Print
Signature	Signature #1 Signature #2  13 South Beaums + Air Catorswille MD
Mailing Address City State	Mailing Address City State 21228 , 410-744-0845 , dave@crashman.og
Zip Code Telephone # Email Address  Attorney for Petitioner:	Representative to be contacted:  David P. Warshaw
Name- Type or Print ORDER RECEIVED FOR FILING Signature	Name Type or Print  Aud F Valy Jahr  Signature
Date	13 South Beaumont Are Carposiville MO
Mailing Address City State  / By /  Zip Code Telephone # Email Address	Mailing Address  City State  21228
A PUBLIC HEARING having formally demanded and/or found to be rethisday of,that the subject matter or regulations of Baltimore County and that the property be reposted.	equired, it is ordered by the Office of Administrative Law, of Baltimore County, of this petition be set for a public hearing, advertised, as required by the zoning

CASE NUMBER 2012-0326-A Filing Date 6,29 2012 Estimated Posting Date 7,1,2012 Reviewer JNV 6H

Rev 10/12/11

# Affidavit in Support of Administrative Variance (THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the 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 property is not under an active zoning violation citation and Affiant(s) is/are the resident home

owner(s) of this residential lot, or is/are the purchase, reside at the existing dwelling on	said property loca	ated at:	ial lot, who will, upon
Address: 13 South Beaumont Avenue Print or Type Address of property	Catonsville	MS	21228
Print or Type Address of property	City	State	Zip Code
Based upon personal knowledge, the follow Administrative Variance at the above addre			
The existing deck is unusable in warn full sun exposure for much of the day proposed porch would allow use of th	, and in extreme or	inclement weather.	_
If the proposed porch was built within unreasonably small. The side variance access to the side yard and front of the	e is also needed to		
The proposed design makes only mine proposes a porch roof that will blend no impact on the neighborhood or cor integral and original part of the house	seamlessly into the nnecting properties.	existing roof line an The porch will app	nd will have
Af additional space for the petition request of		nature of Affiant	1 /
Signature of Affiant	Sig	nature of Affiant	1
David P. Washan		Say L. Wars	haw
Name- Print or Type	Na	me- Print or Type	
The following information is to be	completed by a Nota	ary Public of the State	of Maryland
STATE OF MARYLAND, COUNTY OF BA			
I HEREBY CERTIFY, this day of and for the County aforesaid, personally appear	Jane 2	0 2 before me a	Notary of Maryland, in
the Affiant(s) herein, personally known or satisf	Gay La factorily identified to	me as such Affiant(s	(Print name(s) here)
AS WITNESS my hand and Notaries Seal	0.	0 11:	

Notary Public

My Commission Expires

MOTARY PUBLIC MARYLAND

eion Expires April 30, 2016

REV. 10/12/11

IN RE: PETITION FOR ADMIN. VARIANCE

E side of Beaumont Avenue; 410 feet

S of the c/l of Frederick Road

1<sup>st</sup> Election District

1<sup>st</sup> Council District

(13 South Beaumont Avenue)

David P. and Gay L. Warshaw *Petitioners* 

BEFORE THE

OFFICE OF ADMINISTRATIVE

\* HEARINGS FOR

\* BALTIMORE COUNTY

\* CASE NO. 2012-0326-A

#### ORDER AND OPINION

This matter comes before the Administrative Law Judge as a Petition for Administrative Variance filed by the legal owners of the property, David P. and Gay L. Warshaw. The Petitioners are requesting Variance relief from Section 1B02.3.B (Sections 211.3 and 211.4 of the 1958 zoning regulations) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition (enclose existing porch/deck) with a side yard setback of 4 feet and a sum of side yard setbacks of 15 feet, and a rear yard setback of 20 feet in lieu of the minimum required 8 feet, 20 feet and 30 feet, respectively. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

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

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on July 1, 2012, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of

OLIDELL		
Date	7-23-12	
	^	
D.,	( )	

ORDER RECEIVED FOR FILING

the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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

THEREFORE, IT IS ORDERED, this \_\_\_\_\_\_ day of July, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Variance from Section 1B02.3.B (Sections 211.3 and 211.4 of the 1958 zoning regulations) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition (enclose existing porch/deck) with a side yard setback of 4 feet and a sum of side yard setbacks of 15 feet, and a rear yard setback of 20 feet in lieu of the minimum required 8 feet, 20 feet and 30 feet, respectively, respectively, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

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

LAWRENCE M. STAHL
Managing Administrative Law Judge for
Baltimore County

ORDER F	RECEIVED FOR FILING	à
Date	7-23-12	
Ву	m	



KEVIN KAMENETZ County Executive

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

July 23, 2012

DAVID P. AND GAY L. WARSHAW 13 SOUTH BEAUMONT AVENUE CATONSVILLE MD 21228

RE: Petition For Administrative Variance

Case No. 2012-0326-A

Property: 13 South Beaumont Avenue

Dear Mr. and Mrs. Warshaw:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

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 Office of Administrative Hearings at 410-887-3868.

A WIDENICE & STATE

Managing Administrative Law Judge

for Baltimore County

LMS:pz

Enclosure

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS **ZONING REVIEW** 

## ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2012- 03) 6 -A Address 13 S. Beaumont Avenue
Contact Person: Jeffrey Perlow Gary Hucik Phone Number: 410-887-3391
Case Number 2012- 0326 -A Address 13 S, Beaumont Avenue  Contact Person: Jeffvey Perlow Gary Hucik Phone Number: 410-887-3391  Planner, Please Print Your Name  Posting Date: 7/16/2012 Closing Date: 7/16/2012
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. <u>POSTING/COST:</u> 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.
<ol> <li>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.</li> </ol>
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 2012- 0326 -A Address 13 S. Beaumont Avenue
Petitioner's Name David & Gay Warshaw Telephone
Posting Date: 7 1 2012 Closing Date: 7/16/2012
Wording for Sign: To Permit a proposed addition (enclose existing deck/porch) with a side ya
setback of 4 feet, a sum of side yard setbacks of 15 feet, and a rear yard
setback of 20 feet in lieu of the minimum required 8 feet, 20 feet and 30 fee
respectively.
Revised 7/06/11

#### ZONING DESCRIPTION FOR 13 South Beaumont Avenue, Catonsville, MD 21228.

Beginning at a point on the east side of South Beaumont Avenue, which is 50 feet wide at the distance of 410 feet south of the centerline of the nearest improved intersecting street, Frederick Road, which is 66 feet wide.

Being Lot #11 in the subdivision of Beaumont Gardens, as recorded in Baltimore County Plat Book # GLB-25, Folio #72, containing 0.157 acres. Located in the 1<sup>st</sup> Election District and the 1<sup>st</sup> Council District.

#### ZONING DESCRIPTION FOR 13 South Beaumont Avenue, Catonsville, MD 21228.

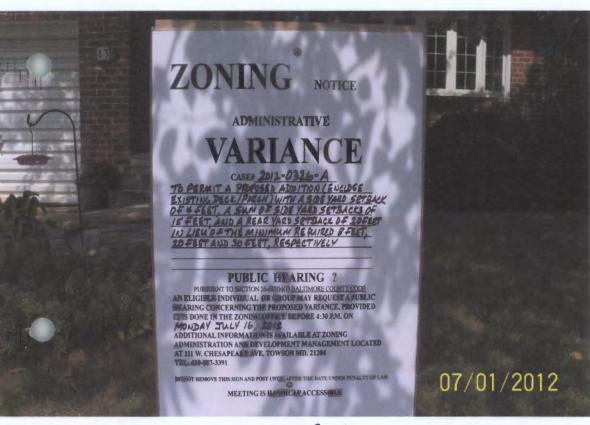
Beginning at a point on the east side of South Beaumont Avenue, which is 50 feet wide at the distance of 410 feet south of the centerline of the nearest improved intersecting street, Frederick Road, which is 66 feet wide.

Being Lot #11 in the subdivision of Beaumont Gardens, as recorded in Baltimore County Plat Book # GLB-25, Folio #72, containing 0.157 acres. Located in the 1<sup>st</sup> Election District and the 1<sup>st</sup> Council District.

OFFICE	E OF BUD	GET AND	IARYLAN D FINANC RECEIPT	E		No.		695 /20/2012	PAID RECEIPT  MIGHESS ACTUAL TIME DRW  A/20/2012 4/20/2012 10:41:49 5
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WHITE -			ENCY	The state of the s		R	GOLD - AC	COUNTING	
	Sv. Bu Sv.	PLEA	SE PRES	S HAKU!					

### CERTIFICATE OF POSTING

RI	E: Case No 2012-0324- A
Pe	etitioner/Developer DAVI & &
Da	te Of Hearing/Closing: 7/14/12
Baltimore County Departn Permits and Development County Office Building,Ro 111 West Chesapeake Av	t Management oom 111
Attention:	
Ladies and Gentlemen	
	er penalties of perjury that the necessary ere posted conspicuously on the property  13 S. BEAUMONT AVENUE
This sign(s) were posted o	Month, Day, Year Sincerely,  Signature of Sign Poster and Date Martin Ogle 60 Chelmsford Court Baltimore, Md, 21220 443-629-3411



- 1/1/2 1/1/2



KEVIN KAMENETZ County Executive

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

July 16, 2012

David P. & Gay L. Warshaw 13 South Beaumont Avenue Catonsville MD 21228

RE: Case Number: 2012-0326 A, Address: 13 South Beaumont Avenue, 21228

Dear Mr. & Ms. Warshaw:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 20, 2012. 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. Cal Richal D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaf

**Enclosures** 

c: People's Counsel

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



Beverley K. Swaim-Staley, Secretary Melinda B. Peters, Administrator

Date: 6-27-17

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

RE: Baltimore County

Item No 2012-0326-A

Administrative Varionce

David P. & Gay L. Warshur

13 S. Beaumont Avenue

Dear Ms. Lewis:

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. 2012 - 0326 - 4.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

Steven D. Foster, Chief

Access Management Division

SDF/raz

#### **BALTIMORE COUNTY, MARYLAND**

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

**DATE:** June 29, 2012

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 09, 2012

Item Nos. 2012-0276, 0285, 0317, 0324, 0325 and 0326.

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

DAK:CEN cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-07092012-NO COMMENTS.doc

Case No.: 2012-0326-A

### **Exhibit Sheet**

4-22-23 ps

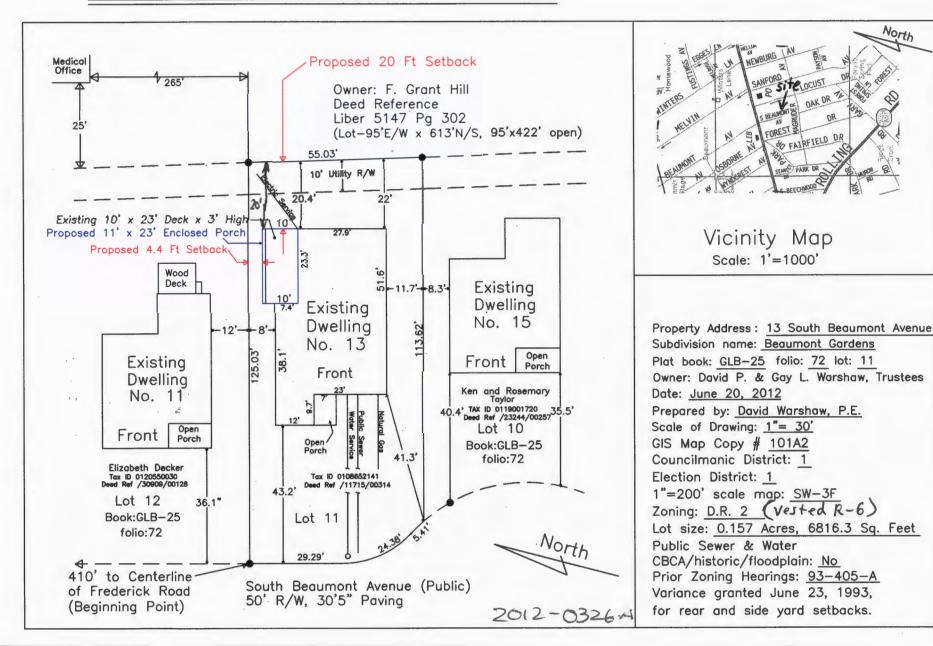
# Petitioner/Developer

Protestant

		0 •
No. 1	Sete plan	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12	•	

# Exhibit 1

### Hearing Plan for Administrative Zoning Variance



# CHECKLIST

Comment Received	<u>Department</u>	Support/Oppose/ Conditions/ Comments/ No Comment
10-29	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	- N C
	DEPS (if not received, date e-mail sent)	
	FIRE DEPARTMENT	
	PLANNING (if not received, date e-mail sent)	· · · · · · · · · · · · · · · · · · ·
6-27	STATE HIGHWAY ADMINISTRATION	NC
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION  ADJACENT PROPERTY OWNERS	
ZONING VIOLATI	ON (Case No.	
PRIOR ZONING	(Case No.	
NEWSPAPER ADV	ERTISEMENT Date:	
SIGN POSTING	Date: 7-1	by Ogle
PEOPLE'S COUNSE	EL APPEARANCE Yes No C	
Comments, if any: _		

<u>Photographs to Accompany Administrative Variance Request - 13 South Beaumont</u> Avenue Catonsville, MD 21228 - Petitioners: David P. and Gay L. Warshaw

#### **Existing Deck and Area of Proposed Covered Porch**



**Existing Deck and Area of Proposed Covered Porch** 



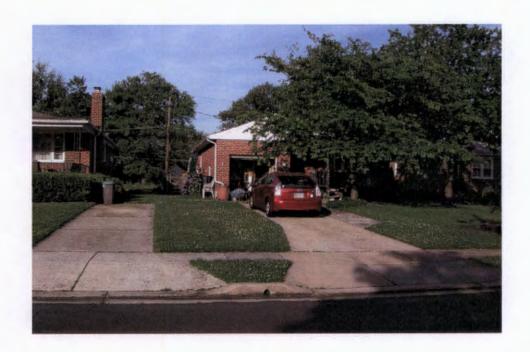
View of Rear showing Existing Deck and 15 South Beaumont Ave to Left



View of Rear showing Existing Deck and 11 South Beaumont Ave to Right

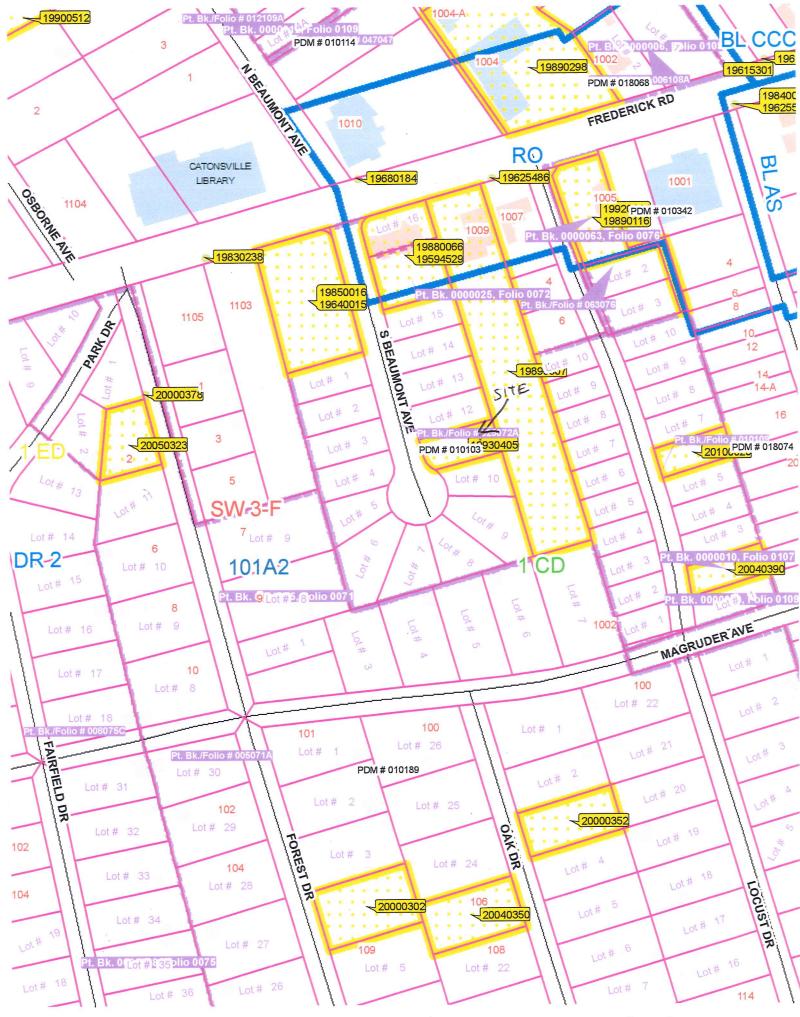


### View from Front - 13 South Beaumont to Right, 11 South Beaumont to Left



Maryland Department of Assessments and Taxation Real Property Data Search (vw5.1A) BALTIMORE COUNTY Go Back
View Map
New Search
GroundRent Redemption
GroundRent Registration

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20/2-0326-4

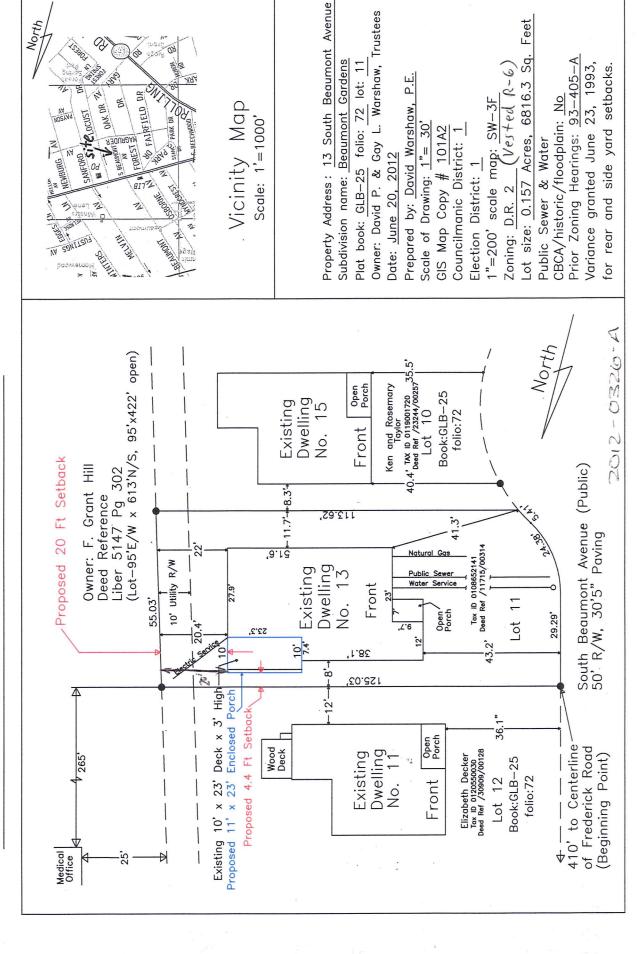
Maryland Department of Assessments and Taxation Real Property Data Search (vw5.1A) BALTIMORE COUNTY Go Back
View Map
New Search
GroundRent Redemption
GroundRent Registration

Account	Identifier	<u>:</u>	. I	District - 01 Accou	nt Number -	0108652141					
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Maryland Department of Assessments and Taxation Real Property Data Search (vw5.1A) BALTIMORE COUNTY Go Back
View Map
New Search
GroundRent Redemption
GroundRent Registration

Acçount	Identifier	<u>:</u>		District - 01 Accou	ınt Number -	- 0108652141					
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<u>Map</u> 0101	<u>Grid</u> 0007	Parcel 0253	Sub District	Subdivision 0000	Section	Block	<u>Lot</u>	Assessment	Area	Plat No: Plat Ref:	0025/ 007
			Т	own	NONE		*				
Special T	ax Areas			d Valorem ax Class							
Primary	Structure	Built	•	Enclosed Area		Property	Land A	rea		County Use	<del>,</del>
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<u>Seller:</u> Type:						<u>Date:</u> <u>Deed1:</u>			Price: Deed2:		
				<del></del>	Exemption In	formation					*
Partial E	xempt As	sessmen	t <u>s</u>			Class	·	07/01/2011		07/01/2012	
County			<del></del>			000		0.00		<del>-</del>	
<u>State</u>			•		•	000		0.00		. '	•
Municipa				· · · · · · · · · · · · · · · · · · ·		000		0.00		0.00	
Tax Exen Exempt (									Γax Reca NONE	pture:	
			<del></del>	Homes	tead Applicat	ion Informatio	n		_	•	
Homester	ad Applic	ation Ste	ntus:	No Applicatio							

Hearing Plan for Administrative Zoning Variance



Hearing Plan for Administrative Zoning Variance

