

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(198 German Hill Road)		
12 th Election District	*	OFFICE OF ADMINISTRATIVE
7 th Council District		
Douglas G. & Charlotte M. Karmasek	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	CASE NO. 2017-0212-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, Douglas G. and Charlotte M. Karmasek ("Petitioners"). The Petitioners are requesting Variance relief pursuant to §§ 102.2 and 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a 35 ft. dwelling to dwelling setback in lieu of the required 55 ft. and to permit a side yard setback of 8 ft. in lieu of the required 10 ft. for the dwelling in the rear. 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. There were no adverse ZAC comments submitted from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on February 19, 2017, 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 (B.C.C.). Based upon the information available, there is no evidence in

ORDER RECEIVED FOR FILING

Date 3-10-17

By [Signature]

the file to indicate that the requested variance would adversely affect the health, safety or general welfare of 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.

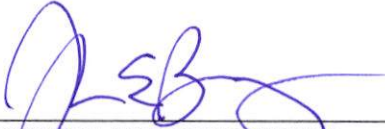
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 10th day of **March, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from §§ 102.2 and 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a 35 ft. dwelling to dwelling setback in lieu of the required 55 ft. and to permit a side yard setback of 8 ft. in lieu of the required 10 ft. for the dwelling in the rear, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for their appropriate permits 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.



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
ORDER RECEIVED FOR FILING

Date 3-10-17

By DW



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

March 10, 2017

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

RE: Petition for Administrative Variance
Case No. 2017-0212-A
Property: 198 German Hill Road

Dear Mr. and Mrs. Karmasek:

Enclosed please find a copy of the Order 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 Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", followed by a long horizontal flourish.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 198 German Hill Road

Currently zoned BL / DR 5.5

Deed Reference 25470 / 00117

10 Digit Tax Account # 1 2 0 4 0 2 3 8 8 1

Owner(s) Printed Name(s) Douglas G. Karmasek & Charlotte M. Karmasek

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the **Affidavit** on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. **X** **ADMINISTRATIVE VARIANCE** from Section(s)

Sections: 102.2; 1B02.3.C.1

To permit a 35 feet dwelling to dwelling setback in lieu of the required 55 feet and to permit a side yard setback of 8 feet in lieu of the required 10 feet for the dwelling in the rear.

of the Baltimore County Code, to the development law of Baltimore County.

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

I/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

Douglas G. Karmasek / Charlotte M. Karmasek

Name #1 – Type or Print

Name #2 – Type or Print

Douglas G. Karmasek Charlotte M. Karmasek

Signature #1

Signature #2

198 German Hill Road, Dundalk, MD

Mailing Address

City

State

21222

410-288-4610

dougnchar@comcast.net

Zip Code

Telephone #

Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name – Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this 21 day of September, 2017 that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2017-0212-A Filing Date 21.9.2017 Estimated Posting Date 21.9.2017 Reviewer LW

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

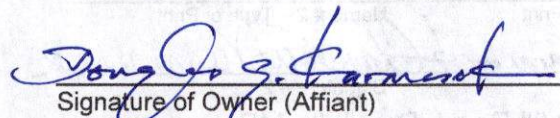
The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 198 German Hill Road Dundalk MD 21222
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

To permit a building to building setback of 35 feet in lieu of the required 55 feet and a side yard setback of 8 feet in lieu of the required 10 feet. The existing house was constructed in 1952 and the house was not subject to current setback requirements. The new addition was designed to match the existing configuration which in turn has resulted in the need for a variance in relief of the current zoning requirements. In March of 2016 a building permit was sought out and obtained in an effort to be compliant with current building code and zoning requirements. The proposed and now constructed addition was presented and approved by all reviewing departments on March 16, 2016, resulting in the issuance of the current building permit (Permit # B907153). The additional hardship is that if the variance is not granted then the newly constructed addition will have to be removed, even though the construction of the new addition was performed in good faith and to current building code requirements, because of the issuance of the referenced building permit and the approval of the various departments that reviewed the proposed design and current location of the new addition.

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)


Signature of Owner (Affiant)

Douglas G. Karmasek
Name- Print or Type


Signature of Owner (Affiant)

CHARLOTTE M. KARMASEK
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

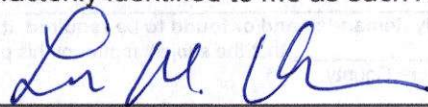
I HEREBY CERTIFY, this 4th day of FEBRUARY, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: DOUGLAS & CHARLOTTE KARMASEK

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

LENA M. DECKER
NOTARY PUBLIC
BALTIMORE CO., MD


Notary Public

11/8/2018
My Commission Expires

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 and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 198 German Hill Road Dundalk MD 21222
Print or Type Address of property City State Zip Code

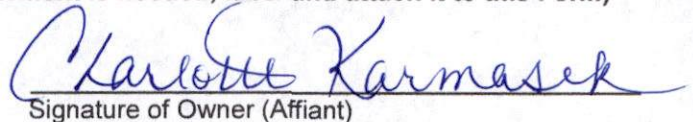
Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

To permit a building to building setback of 35 feet in lieu of the required 55 feet and a side yard setback of 8 feet in lieu of the required 10 feet. The existing house was constructed in 1952 and the house was not subject to current setback requirements. The new addition was designed to match the existing configuration which in turn has resulted in the need for a variance in relief of the current zoning requirements. In March of 2016 a building permit was sought out and obtained in an effort to be compliant with current building code and zoning requirements. The proposed and now constructed addition was presented and approved by all reviewing departments on March 16, 2016, resulting in the issuance of the current building permit (Permit # B907153). The additional hardship is that if the variance is not granted then the newly constructed addition will have to be removed, even though the construction of the new addition was performed in good faith and to current building code requirements, because of the issuance of the referenced building permit and the approval of the various departments that reviewed the proposed design and current location of the new addition.

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)


Signature of Owner (Affiant)

DOUGLAS G. FARNASEK
Name- Print or Type


Signature of Owner (Affiant)

CHARLOTTE M. FARNASEK
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

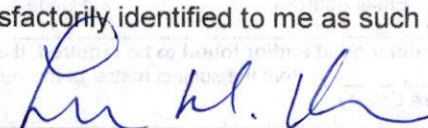
I HEREBY CERTIFY, this 4th day of FEBRUARY, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: DOUGLAS & CHARLOTTE FARNASEK

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

LENA M. DECKER
NOTARY PUBLIC
BALTIMORE CO., MD


Notary Public

My Commission Expires 11/8/2018



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 198 German Hill Road Currently zoned BL / DR 5.5
Deed Reference 25470 / 00117 10 Digit Tax Account # 1 2 0 4 0 2 3 8 8 1
Owner(s) Printed Name(s) Douglas G. Karmasek & Charlotte M. Karmasek

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the **Affidavit** on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. **X** **ADMINISTRATIVE VARIANCE** from Section(s)

Sections: 102.2; 1B02.3.C.1

To permit a 35 feet dwelling to dwelling setback in lieu of the required 55 feet and to permit a side yard setback of 8 feet in lieu of the required 10 feet for the dwelling in the rear

of the Baltimore County Code, to the development law of Baltimore County.

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

I/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

Douglas G. Karmasek / Charlotte M. Karmasek
Name #1 – Type or Print Name #2 – Type or Print

Douglas G. Karmasek Charlotte M. Karmasek
Signature #1 Signature #2

198 German Hill Road, Dundalk, MD

21222 410-288-4610 dougnchar@comcast.net
Mailing Address City State Zip Code Telephone # Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Name – Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this 3-10-17 day of March that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2017-0212A Filing Date 2/19/2017 Estimated Posting Date 2/19/17 Reviewer LW

Property Description

Beginning at a point on the southwest side of German Hill Road which is 60 feet wide at a distance of 64 feet west of the centerline of the nearest improved intersecting street, McComas Avenue, which is 30 feet wide.

Thence the following courses and distances: Point of Beginning – S 79°12'00" W 74.76'; 2nd POC – S 10° 48'00" E 195.00'; 3rd POC – S 79°12'00" W 83.00'; 4th POC – S 10°48'00" E 373.55'; 5th POC – N 70°00'00" E 159.81'; 6th POC – N 10°48'00" W 543.00' back to the point of beginning as recorded in Tax Map 103, Grid 6, Parcel 418, containing 1.64 acres. Located in the 12th Election District and the 7th Councilmanic District.

2017-0212-A

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

Nº 148660

Date: 2/9/17

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

Total: 75.00

Rec

From:

For:

198 German Hill Rd

2017-0212-A

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME ERW
2/10/2017 2/09/2017 09:48:48 3
REG WS03 WALKIN CAM
>>RECEIPT # 715466 2/09/2017 OFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 148660
Recpt Tot \$75.00
\$75.00 CR \$0.00 CA
Baltimore County, Maryland

**CASHIER'S
VALIDATION**

CERTIFICATE OF POSTING

CERTIFICATE OF POSTING

CASE NO: 2017-0212-A

PETITIONER/DEVELOPER

DOUGLAS & CHARLOTTE
KARMASEL

DATE OF HEARING/CLOSING:

3/6/17

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE
PROPERTY AT

198 GERMAN HILL RD

THIS SIGN(S) WERE POSTED ON February 19, 2017
(MONTH, DAY, YEAR)

SINCERELY,

 2/19/17
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE, MD 21220
(ADDRESS)
PHONE NUMBER: 443-629-3411



myadmiral 2/19/17

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2017- 0212 -A Address 198 GERMAN HILL ROAD

Contact Person: LEONARD WASILEWSKI Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 2/9/17 Posting Date: 2/19/17 Closing Date: 3/6/17

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

- 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.
- 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.
- 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.
- 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 2017- 0212 -A Address 198 GERMAN HILL ROAD

Petitioner's Name DOUGLAS & CHARLOTTE KARMASEK Telephone 410-288-4610

Posting Date: 2/19/17 Closing Date: 3/6/17

Wording for Sign To permit an existing second single family dwelling on a lot with a dwelling to dwelling setback of 35 feet in lieu of the required 55 feet and to permit a side yard setback of 8 feet in lieu of the required 10 feet for the dwelling in the rear.

Revised 7/6/16



KEVIN KAMENETZ
County Executive

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

March 7, 2017

Douglas G & Charlotte Karmasek
198 German Hill Road
Dundalk MD 21222

RE: Case Number: 2017-0212 A, Address: 198 German Hill Road

Dear Mr. & Ms. Karmasek:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 9, 2017. 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, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 2/13/17

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2012-0212-A

*Administrative Variance
Douglas G. & Charlotte M. Karmasek
198 German Hill Road*

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Wendy Wolcott".

Wendy Wolcott, PLA
Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: February 23, 2017

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

SUBJECT: Zoning Advisory Committee Meeting
For February 20, 2017
Item No. 2017-0205, 0206, 0207, 0209, 0210, 0211, 0212 and 0213

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

DAK:CEN
cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC02202017.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: February 15, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0212-A
Address 198 German Hill Road
(Karmasek Property)

Zoning Advisory Committee Meeting of February 20, 2017

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

Reviewer: Steve Ford

Date: 2-15-2017

M E M O R A N D U M

DATE: April 12, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0212-A – Appeal Period Expired

The appeal period for the above-referenced case expired on April 10, 2017. 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.'

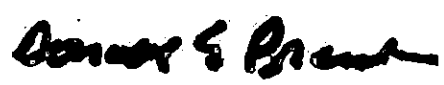
c: / Case File
Office of Administrative Hearings

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS, APPROVALS, AND INSPECTIONS


Arnold Jablon, Deputy Administrative Officer
& Director




Donald E. Brand, Building Engineer

BUILDING PERMIT

PERMIT #: B907153 CONTROL #: MR DIST: 12 PREC: 01
DATE ISSUED: 03/16/2016 TAX ACCOUNT #: 1204023881 CLASS: 04

PLANS: CONST 00 PLOT 2 R PLAT 0 DATA 0 ELEC YES PLUM NO
LOCATION: 198 GERMAN HILL RD
SUBDIVISION: 145 E OF EAST BRANCH RD

OWNERS INFORMATION

NAME: KARMASEK, DOUGLAS G AND CHARLOTTE M
ADDR: 198 GERMAN HILL RD 21222-1503

TENANT:

CONTR: OWNER

ENGR:

SELLR:

WORK: CONSTRUCT ONE-STORY ADD'N W/ONE HR FIRE RATED
WALL PER RESIDENTIAL BLDG CODE R302, ON FRONT
OF SFD, T/B ENTRANCE, BEDROOM & CLOSETS.
22'6"X14'=315SF. ALL ENCLOSURES REQUIRE FOOTERS
NOT IN F.P.-RH. WAIVE PLANS-PH

BLDG. CODE:

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD AND ADD'N
EXISTING USE: SFD

TYPE OF IMPRV: ADDITION

USE: ONE FAMILY

FOUNDATION:

SEWAGE: PUBLIC EXIST

BASEMENT:

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 1.64AC

FRONT STREET:

SIDE STREET:

FRONT SETB: 166'

SIDE SETB: NC/NC

SIDE STR SETB:

REAR SETB: NC

**THIS PERMIT EXPIRES
ONE YEAR FROM
DATE OF ISSUE**

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES

2017-0212-A

Real Property Data Search **Guide to searching the database**

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 12 Account Number - 1204023881			
Owner Information					
Owner Name:	KARMASEK DOUGLAS G KARMASEK CHARLOTTE M		Use: Principal Residence:	RESIDENTIAL YES	
Mailing Address:	198 GERMAN HILL RD BALTIMORE MD 21222- 1503		Deed Reference:	/25470/ 00117	
Location & Structure Information					
Premises Address:		198 GERMAN HILL RD 0-0000		Legal Description:	1.64 AC 198 GERMAN HILL RD NS 145 E OF EAST BRANCH RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0103	0006	0418		0000	
				Assessment Year:	Plat No:
				2015	Plat Ref:
Special Tax Areas:			Town:		
			NONE		
Ad Valorem:					
Tax Class:					
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1952	2,296 SF		1.6400 AC	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1 1/2	YES	STANDARD UNIT	BRICK	1 full	1 Detached
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2015	07/01/2016	07/01/2017
Land:		79,200	79,200		
Improvements		159,800	191,700		
Total:		239,000	270,900	260,267	270,900
Preferential Land:		0			0
Transfer Information					
Seller: HEATHCOTE CHARLES W, JR		Date: 04/09/2007		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /25470/ 00117		Deed2:	
Seller: DELLINGER JAMES L, JR		Date: 01/13/2006		Price: \$380,000	
Type: ARMS LENGTH IMPROVED		Deed1: /23225/ 00192		Deed2:	
Seller: HEPNER ROMAN & BERTHA		Date: 10/01/1962		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /04052/ 00227		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2016		07/01/2017	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 09/23/2009					

Prior Zoning

IN RE: PETITION FOR SPECIAL EXCEPTION *	BEFORE THE
N/S German Hill Road, 145' E of Branch Road	
(198 German Hill Road) *	ZONING COMMISSIONER
12 th Election District *	FOR
7 th Council District *	
	BALTIMORE COUNTY
Douglas G. Karmasek, et ux	
Petitioners *	Case No. 2008-0563-X
* * * * *	

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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

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

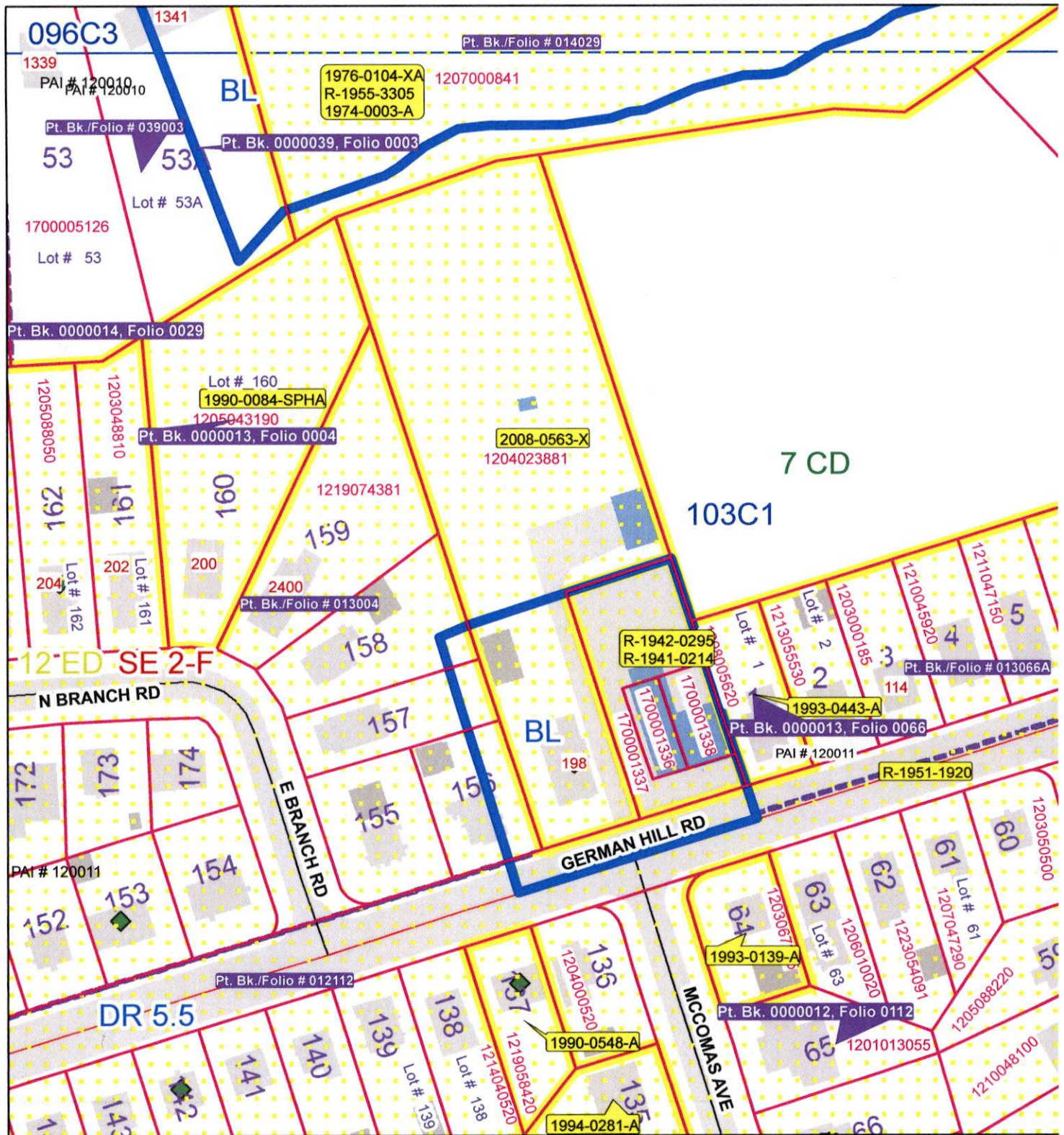
The subject property under consideration is an irregular shaped parcel located on the north side of German Hill Road, directly across from the intersecting street of McComas Avenue in Dundalk. The property contains a gross area of 1.64 acres, more or less, split-zoned B.L. and D.R.5.5. The B.L. portion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

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

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

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

198 German Hill Road 2017-0212-A



Publication Date: 2/9/2017



Publication Agency: Permits, Approvals & Inspections
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



0 25 50 100 150 200 Feet

1 inch = 100 feet

BALTIMORE COUNTY MARYLAND
DEPARTMENT OF PERMITS, APPROVALS AND INSPECTION

2017-0212-A

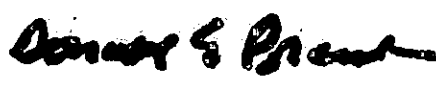


BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS, APPROVALS, AND INSPECTIONS


Arnold Jablon, Deputy Administrative Officer
& Director




Donald E. Brand, Building Engineer

BUILDING PERMIT

PERMIT #: B907153 CONTROL #: MR DIST: 12 PREC: 01
DATE ISSUED: 03/16/2016 TAX ACCOUNT #: 1204023881 CLASS: 04

PLANS: CONST 00 PLOT 2 R PLAT 0 DATA 0 ELEC YES PLUM NO
LOCATION: 198 GERMAN HILL RD
SUBDIVISION: 145 E OF EAST BRANCH RD

OWNERS INFORMATION

NAME: KARMASEK, DOUGLAS G AND CHARLOTTE M
ADDR: 198 GERMAN HILL RD 21222-1503

TENANT:

CONTR: OWNER

ENGR:

SELLR:

WORK: CONSTRUCT ONE-STORY ADD'N W/ONE HR FIRE RATED
WALL PER RESIDENTIAL BLDG CODE R302, ON FRONT
OF SFD, T/B ENTRANCE, BEDROOM & CLOSETS.
22'6"X14'=315SF. ALL ENCLOSURES REQUIRE FOOTERS
NOT IN F.P.-RH. WAIVE PLANS-PH

BLDG. CODE:

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD AND ADD'N
EXISTING USE: SFD

TYPE OF IMPRV: ADDITION

USE: ONE FAMILY

FOUNDATION:

SEWAGE: PUBLIC EXIST

BASEMENT:

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 1.64AC

FRONT STREET:

SIDE STREET:

FRONT SETB: 166'

SIDE SETB: NC/NC

SIDE STR SETB:

REAR SETB: NC

**THIS PERMIT EXPIRES
ONE YEAR FROM
DATE OF ISSUE**

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES

111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204



3-6

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: February 15, 2017

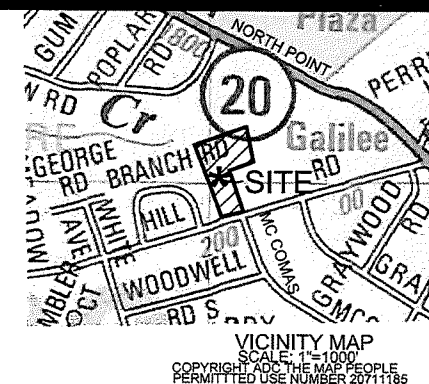
SUBJECT: DEPS Comment for Zoning Item # 2017-0212-A
Address 198 German Hill Road
(Karmasek Property)

Zoning Advisory Committee Meeting of **February 20, 2017**

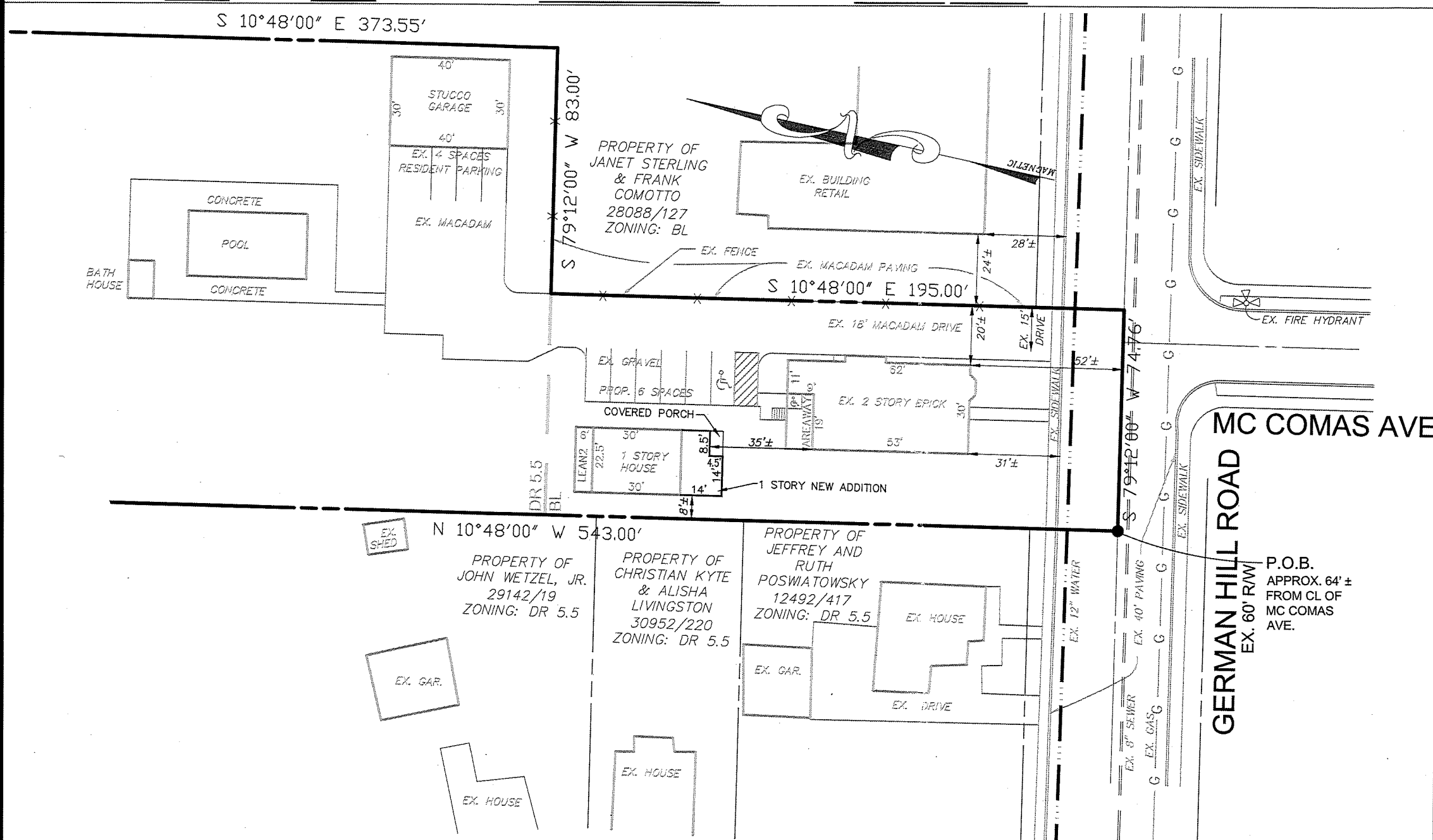
X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford Date: 2-15-2017

ZONING HEARING PLAN FOR VARIANCE x FOR SPECIAL HEARING
ADDRESS 198 GERMAN HILL ROAD OWNER(S) NAME(S) DOUGLAS & CHARLOTTE KARMASEK
SUBDIVISION NAME N/A LOT# N/A BLOCK# N/A SECTION# N/A
PLAT BOOK# N/A FOLIO# N/A 10 DIGIT TAX # 1204023881 DEED REF# 25470/ 117



VICINITY MAP
SCALE: 1"=1000'
COPYRIGHT 2007 THE MAP PEOPLE
PERMITTED USE NUMBER 20711186



ZONING MAP# 103C1
SITE ZONED: BL AND DR 5.5
ELECTION DISTRICT: 12TH
COUNCILMANIC DISTRICT: 7TH
LOT AREA ACREAGE: 1.64 ACRES
BL GROSS AREA: 0.33 ACRES
DR 5.5 GROSS AREA: 1.31 ACRES
HISTORIC? NO
IN CBCA? NO
IN FLOOD PLAIN? NO
UTILITIES:
WATER IS
PUBLIC x PRIVATE ____
SEWER IS:
PUBLIC x PRIVATE ____
PRIOR HEARING? YES
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW
CASE NO. 2008-0563-X
SPECIAL EXCEPTION
GRANTED

VIOLATION CASE INFO:

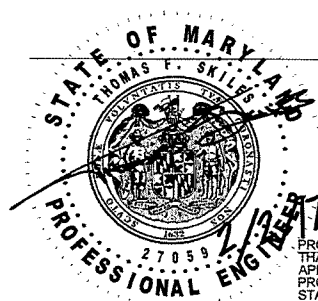
ADMINISTRATIVE VARIANCE

KARMASEK PROPERTY

198 GERMAN HILL ROAD
T.M. 103 GRID 6 P. 418
25470/117

SCALE: 1"=40' FEB. 2017
BALTIMORE COUNTY, MARYLAND

2017-0212-A



PROFESSIONAL CERTIFICATION: "I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 27059, EXPIRATION DATE: 1-25-18."

PLAN DRAWN BY THOMAS SKILES DATE 2/2/17 SCALE: 1 INCH = 40 FEET

Per. Exh. 1