

M E M O R A N D U M

DATE: August 19, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0338-A - Appeal Period Expired

The appeal period for the above-referenced case expired on August 14, 2019. 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.'

/dlw

c:  Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(6730 Charles St. Avenue)		
9 th Election District	*	OFFICE OF ADMINISTRATIVE
5 th Council District		
Craig F. Beauchamp & Kathryn E. Kelly	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	CASE NO. 2019-0338-A

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

Now pending is a Motion for Reconsideration filed by Petitioners in the above case. The motion seeks reconsideration with respect to one condition imposed in the June 20, 2019 order granting variance relief. Specifically, Restriction No. 2 provided (among other things) that the proposed addition shall not contain bathroom facilities.

In their motions Petitioners indicate the second floor of the proposed addition will have a game room. Petitioners included in their submission to the Office of Zoning Review ("OZR") a floorplan showing the second floor bathroom. In these circumstances, I believe it is appropriate to amend the order as requested by Petitioners.

THEREFORE, IT IS ORDERED, this 15th day of **July, 2019**, by the Administrative Law Judge for Baltimore County, that the Motion for Reconsideration, be and is hereby GRANTED.

IT IS FURTHER ORDERED that Restriction No. 2 in the order dated June 20, 2019, be and is hereby STRICKEN in its entirety, to be replaced with the following restriction:

2. Petitioners or subsequent owners shall not convert the proposed detached garage, or any part thereof, into a dwelling unit or separate apartment. The proposed detached garage shall not contain a kitchen and shall not be used as an independent dwelling unit.

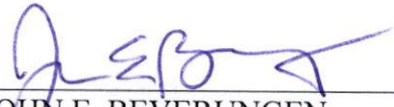
ORDER RECEIVED FOR FILING

Date 7-15-19

By 192

IT IS FURTHER ORDERED that all other terms and conditions contained in the June 20, 2019 order shall continue in full force and effect.

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 7-15-19

By lws

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(6730 Charles St. Avenue)		
9 th Election District	*	OFFICE OF ADMINISTRATIVE
5 th Council District		
Craig F. Beauchamp & Kathryn E. Kelly	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	CASE NO. 2019-0338-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, Craig F. Beauchamp and Kathryn E. Kelly (“Petitioners”). The Petitioners are requesting Variance relief pursuant to § 1B01.2.C.1 of the Baltimore County Zoning Regulations (“B.C.Z.R.”), to permit an addition (garage attached by breezeway) with a rear setback of 9 ft. in lieu of the required 30 ft., and to amend the previously approved site plan of Case No. 2008-0594-A. 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 by any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on June 2, 2019, 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 § 32-3-303 of the Baltimore County Code (“B.C.C.”). Based upon the information available, there is no evidence

ORDER RECEIVED FOR FILING

Date 6-20-19

By [Signature]

in 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 § 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.

Although the Department of Planning did not make any recommendations related to the proposed detached garage's height and usage, I will impose conditions that the garage shall not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, or used for commercial purposes.

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 20th day of **June, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1B01.2.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit an addition (garage attached by breezeway) with a rear setback of 9 ft. in lieu of the required 30 ft., and to amend the previously approved site plan of Case No. 2008-0594-A, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

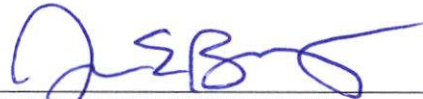
ORDER RECEIVED FOR FILING

Date 6-20-19

By LSJ

2. Petitioners or subsequent owners shall not convert the proposed detached garage into a dwelling unit or apartment. The proposed detached garage shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.
3. The proposed detached garage shall not be used for commercial purposes.

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 6-20-19

By 100



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 6730 Charles St. Ave

Currently zoned DR2

Deed Reference 1

10 Digit Tax Account # 2200021613

Owner(s) Printed Name(s) Craig Beauchamp & Kathryn Kelly

(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. ☒ ADMINISTRATIVE VARIANCE from Section(s) 1301.2.C.1.6 BCZR

To permit an addition (garage attached by breezeway) with a rear yard setbacks of 9' in lieu of the required 30'. And to amend the previously approved site plan of case #2008-0594-A. of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ☐ ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

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):

Craig Beauchamp, Kathryn Kelly
Name #1 - Type or Print Name #2 - Type or Print

Craig
Signature #1

K. Kelly
Signature #2

6730 Charles St. Ave Towson MD
Mailing Address City State

21204, 801-403-7782
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:

Joseph Donovan, American Contracting
Name - Type or Print

Signature

1620 Providence Rd. Towson MD
Mailing Address City State

21266, 410-494-0900 American-contracting.com
Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING
6-20-19
Date

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 19 day of June, 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 2019-0338-A

Filing Date 5/23/19

Estimated Posting Date 6/2/19

Reviewer JF

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: 6730 Charles Street Ave. Towson MD 21204
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)

See attached

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

Craig Beauchamp
Signature of Owner (Affiant)
CRAIG BEAUCHAMP
Name- Print or Type

K. Kelly
Signature of Owner (Affiant)
Kathryn Kelly
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 21st day of MAY, 2019, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: CRAIG BEAUCHAMP and Kathryn Kelly

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

AS WITNESS my hand and Notaries Seal

Christine A Lannon

Notary Public

05-24-2021

My Commission Expires

CHRISTINE ANNE LANNON
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND
MY COMMISSION EXPIRES MAY 24, 2021

REV. 5/5/2016

Affidavit in Support of Administrative Variance

Address: 6730 Charles Street Avenue, Baltimore, Maryland, 21204

Owners: Craig Beauchamp & Kathryn Kelly

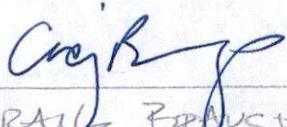
Description of Work:

Remove two existing wooden carport structurers and install new two-car garage with attached mudroom finished to match the existing building/s. Exterior finishes to include terra cotta tile roof with stucco exterior walls. Mudroom to be a condition spaced. Second floor of the garage to have a conditioned game room with 3-piece bathroom. Addition storage read to be finished on second floor above garage. Garage will not be a conditioned space. Rear wall of garage is to be structurally rated with 10' poured reinforced concrete steel and to resist 7' of unbalanced fill. Support wall at rear wall of existing structure to replace existing failed wall. Demolish existing block retaining wall at rear property line in area of proposed rework.

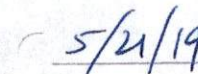
Reason for Variance:

Because the existing block retaining wall is failing and the existing carports will need to be removed so the existing wall can be re-built, we are proposing to remove the existing and install a replacement 2-car garage attached to the existing home.

As existing structures are within the existing setbacks, we propose to install new work per attached plans consistent with building footprint of case 2008-0594-A, which was filed on behalf of the prior property owners, David and Nancy McManns.



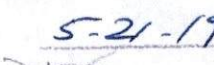
Craig Beauchamp



DATE

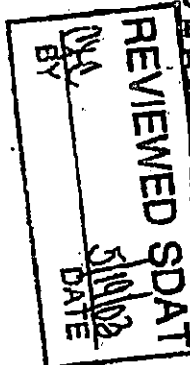


Kathryn Kelly



DATE

ZONING DESCRIPTION FOR 6730 Charles Street Avenue



BEGINNING FOR THE SAME AT A POINT ON THE NORTH SIDE OF THE RIGHT-OF-WAY OF TOWSONTOWN BOULEVARD (FORMERLY OLD CHARLES STREET), VARIABLE WIDTH, AS SHOWN ON THE BALTIMORE COUNTY BUREAU OF LAND ACQUISITION PLAT NO. HRW 62-108-17, SAID POINT OF BEGINNING BEING THE BEGINNING POINT OF THE LAND CONVEYED TO GARY G. DEWEY AND ELIZABETH C. DEWEY, HIS WIFE, BY GARY G. DEWEY BY DEED DATED MARCH 22, 1991, AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY, MARYLAND, IN LIBER 8743 PAGE 676, SAID POINT OF BEGINNING BEING DESIGNATED 400 ON THE PLAT ENTITLED MINOR SUBDIVISION PLAT OF DEWEY PROPERTY AND FILED WITH BALTIMORE COUNTY ZONING ADMINISTRATION IN FILE #93002MP, RUNNING THENCE BINDING ON SAID RIGHT-OF-WAY AND CONTINUING ON THE BALTIMORE COUNTY BUREAU OF LAND ACQUISITION PLAT NO. HRW 6210816 AND BINDING ON THE OUTLINES OF SAID LAND CONVEYED TO GARY G. DEWEY AND ELIZABETH C. DEWEY, HIS WIFE, AND REFERRING ALL COURSES OF THIS DESCRIPTION TO THE GRID MERIDIAN ESTABLISHED IN BALTIMORE COUNTY METROPOLITAN DISTRICT THE FOLLOWING FIVE (5) COURSES: (1) NORTH 77 DEGREES 32 MINUTES 19 SECONDS EAST 42.82 FEET, (2) NORTH 30 DEGREES 50 MINUTES 54 SECONDS EAST 93.83 FEET, (3) NORTH 16 DEGREES 23 MINUTES 52 SECONDS EAST 84.52 FEET, (4) NORTH 08 DEGREES 46 MINUTES 07 SECONDS WEST 34.50 FEET, AND (5) NORTH 20 DEGREES 21 MINUTES 42 SECONDS EAST 22.49 FEET TO THE CENTERLINE OF A 9.00 FOOT WIDE RIGHT AND USE THEREOF IN-COMMON EASEMENT, THENCE BINDING ON SAID CENTERLINE AND CONTINUING TO BIND ON THE OUTLINES OF SAID LAND CONVEYED TO GARY G. DEWEY AND ELIZABETH C. DEWEY THE FOLLOWING THREE (3) COURSES: (6) NORTH 68 DEGREES 48 MINUTES 46 SECONDS WEST 74.28 FEET, (7) NORTH 76 DEGREES 22 MINUTES 48 SECONDS WEST 60.03 FEET, AND (8) SOUTH 86 DEGREES 53 MINUTES 12 SECONDS WEST 62.23 FEET, THENCE LEAVING THE OUTLINES OF SAID LAND AND FOR NEW LINES OF DIVISION THE FOLLOWING FIVE (5) COURSES: (9) SOUTH 19 DEGREES 46 MINUTES 22 SECONDS WEST 125.31 FEET, (10) SOUTH 48 DEGREES 18 MINUTES 51 SECONDS WEST 44.78 FEET, (11) SOUTH 20 DEGREES 04 MINUTES 20 SECONDS WEST 90.84 FEET, (12) SOUTH 83 DEGREES 46 MINUTES 12 SECONDS WEST 75.09 FEET, AND (13) SOUTH 19 DEGREES 46 MINUTES 22 SECONDS WEST 289.81 FEET TO THE NORTH SIDE OF TOWSONTOWN BOULEVARD (FORMERLY KNOWN AS OLD CHARLES STREET), VARIABLE WIDTH, AS SHOWN ON THE STATE ROADS COMMISSION OF MARYLAND

RIGHT-OF-WAY PLAT #16387 AND TO A POINT ON THE TWENTY-FOURTH OR NORTH 62 DEGREES 04 MINUTES 50 SECONDS EAST 226.74 FOOT LINE OF THE AFORESAID LAND CONVEYED TO GARY G. DEWEY AND ELIZABETH C. DEWEY AND BEING DISTANT NORTH 62 DEGREES 01 MINUTES 22 SECONDS EAST 38.41 FEET FROM THE BEGINNING OF SAID TWENTY-FOURTH LINE, THENCE BINDING ON PART OF SAID TWENTY-FOURTH LINE AND CONTINUING TO BIND ON SAID LAND CONVEYED TO GARY G. DEWEY AND ELIZABETH C. DEWEY, ALSO BINDING ON SAID NORTH SIDE OF TOWSONTOWN BOULEVARD CONTINUING ON BALTIMORE COUNTY BUREAU OF LAND ACQUISITION PLAT HRW #62-107-17 THE FOLLOWING FIVE (5) COURSES: (14) NORTH 62 DEGREES 01 MINUTES 22 SECONDS EAST 188.46 FEET, (15) NORTH 23 DEGREES 40 MINUTES 52 SECONDS WEST 93.71 FEET, (16) SOUTH 89 DEGREES 37 MINUTES 49 SECONDS EAST 57.94 FEET, (17) NORTH 83 DEGREES 07 MINUTES 41 SECONDS EAST 160.35 FEET, AND (18) NORTH 77 DEGREES 15 MINUTES 01 SECONDS EAST 22.79 FEET TO THE PLACE OF BEGINNING.

CERTIFICATE OF POSTING

Date: 6-2-19

RE: Case Number: 2019-0338-A

Petitioner/Developer: Beauchamp

Date of Hearing/Closing: 6-17-19

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 6730 Charles St. Ave

The signs(s) were posted on 6-2-19
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

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

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

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2019-0338-A

TO PERMIT AN ADDITION (GARAGE ATTACHED BY
BREEZEWAY) WITH A REAR YARD SETBACK OF 9' IN
LIEU OF THE REQUIRED 30' AND TO AMEND THE PREVIOUS-
LY APPROVED SITE PLAN OF CASE # 2008-0594-A

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 THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
5:00 P.M. ON 6/17/19

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391
DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

ZONING NOTICE

#2

ADMINISTRATIVE VARIANCE

CASE # 2019-0338 -A

TO PERMIT AN ADDITION (GARAGE ATTACHED BY
BREEZEWAY) WITH A REAR YARD SETBACK OF 9' IN LIEU
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ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW
HANDICAPPED, ACCESSIBLE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0338 -A Address 6730 Charles Street Ave

Contact Person: JUN R. FERNANDO Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 5/23/19 Posting Date: 6/2/19 Closing Date: 6/17/19

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 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 a neighbor (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 Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written 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 Administrative Law Judge), 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 2019- 0338 -A Address 6730 CHARLES STREET AVE

Petitioner's Name CRAIG BEAUCHAMP Telephone 801-403-7782

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

Wording for Sign: To Permit an addition (garage attached by breezeway)
with a rear yard setbacks of 9' in lieu of the required 30'
And to amend the previously approved site plan of case #
2008-0594-A.

Revised 6/30/2019

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

Case Number: 2019-0338-A

Property Address: 6730 Charles Street Avenue, Baltimore, MD

Property Description: Single family home 21204

Legal Owners (Petitioners): Craig Beachamp + Kathryn Kelly

Contract Purchaser/Lessee: _____

Name: American Contracting Services Inc

BALTIMORE COUNTY, MARYLAND										PAID RECEIPT	
OFFICE OF BUDGET AND FINANCE											
MISCELLANEOUS CASH RECEIPT											
No. 183792										BUSINESS ACTUAL TIME DRW	
Date: 5/23/19										5/23/2019 5/23/2019 09:57:15 3	
Rev Sub Source/ Rev/										REG MS03 WALKIN CAM	
Telephone Number 510-217-2925										>>RECEIPT # 008505 5/23/2019 DFLN	
Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept	Obj	BS Acct	Amount	Dept 5 528 ZONING VERIFICATION 183792	
001	806	0000		6150					75.00	Receipt Tot \$ 75.00	
										Revenue 75.00 CK 0.00 CA	
										Baltimore County, Maryland	
Total: 75.00											
Rec From: CRAIG BEAUCHAMP											
For: Hearing Room # 2019-0338-A											
6730 Charles Street Ave.											
DISTRIBUTION											
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING											
PLEASE PRESS HARD!!!!											



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

June 18, 2019

Craig Beauchamp
Kathryn Kelly
6730 Charles Street
Towson, MD 21204

RE: Case Number: 2019-0338-A, 6730 Charles Street

To whom it may concern:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspections (PAI) on May 23, 2019.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. As of this date, we have not received any comments from any of these agencies

If you need further information or have any questions, please do not hesitate to contact Zoning Review at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", is written over a horizontal line.

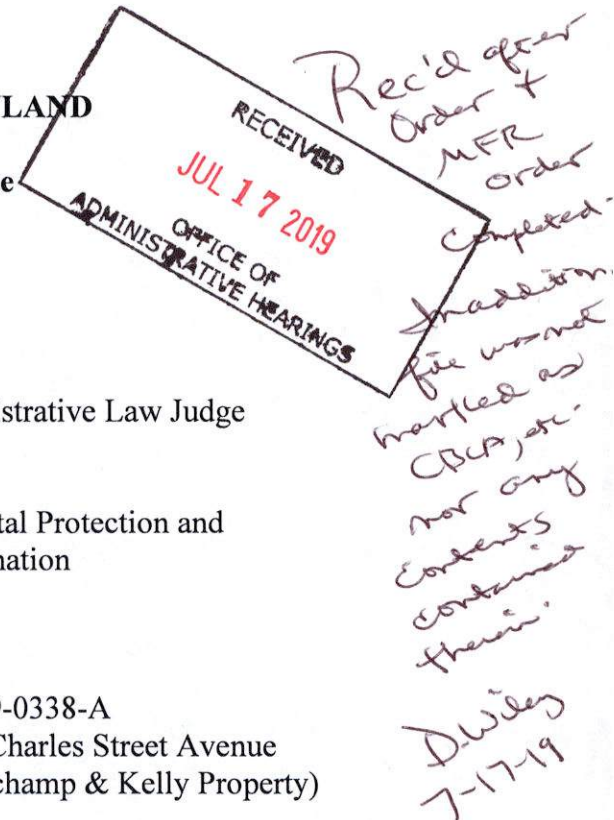
W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: kl

C: People's Counsel
Joseph Donovan, 1620 Providence Road, Towson 21286

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: July 17, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0338-A
Address 6730 Charles Street Avenue
(Beauchamp & Kelly Property)

Zoning Advisory Committee Meeting of **June 3, 2019**.

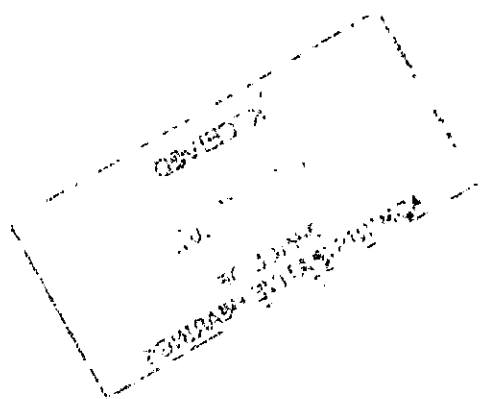
X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

This property is lot # 1 of the Dewey Property minor subdivision of 1994. The riparian forest buffers easements, forest conservation easements and/or forest buffer and forest conservation easements, that were established at that time and which are areas of non-disturbance will have to be reaffirmed and honored, prior to building permit approval.

Reviewer: Michael S. Kulis
Environmental Impact Review



SMITH, GILDEA & SCHMIDT^{LLC}

MICHAEL PAUL SMITH
DAVID K. GILDEA
LAWRENCE E. SCHMIDT
MICHAEL G. DEHAVEN
JASON T. VETTORI
MARIELA C. D'ALESSIO*
MELISSA L. ENGLISH**

*Admitted in MD, FL, PA

**Admitted in MD, NC

LAUREN D. BENJAMIN
SARAH A. ZADROZNY
CARMELO D. MORABITO
ZACHARY J. WILKINS

of counsel:

EUGENE A. ARBAUGH, JR.
DAVID T. LAMPTON
MARY G. LOKER
STEPHEN J. NOLAN

July 9, 2019

Via Hand Delivery

John E. Beverungen, Esquire
Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, MD 21204



Re: Petition for Administrative Variance
Case No.: 2019-0338-A
Property: 6730 Charles Street Avenue

Dear Judge Beverungen:

Kindly be advised that I have been retained by the Petitioners/Property Owners in the above captioned matter, namely, Craig F. Beauchamp and Kathryn E. Kelly. I have reviewed your Opinion and Order in this matter, dated June 20, 2019. That Order granted, with conditions, a petition for administrative variance to permit an addition (garage attached by breezeway) with a rear setback of 9 feet in lieu of the required 30 feet, and to amend the previously approved site plan in Case No. 2008-0594-A.

Please accept this correspondence as a Motion for Reconsideration of a portion of your order, filed pursuant to Rule K of the Zoning Commissioner's Rules of Practice and Procedure. Specifically, I am requesting your reconsideration of that restriction attached to your order that prohibits bathroom facilities in the proposed addition.

When this petition was originally filed with the Zoning Office, a cover letter of explanation and floor plan were submitted as part of the filing packet. These documents depicted and explained that the building would be a two story addition. The lower level will be used as a finished garage. The second floor/level will be improved with conditioned space (i.e. utilities) and is described as primarily a game room. However, the second level will also contain bathroom facilities. This request is for your reconsideration to permit the bathroom and conditional area, as depicted on the floor plan. For your reference, the floor plan and cover letter are attached hereto.

John E. Beverungen, Esquire

July 9, 2019

Page 2

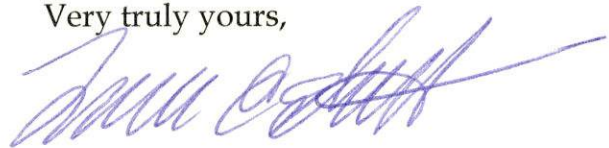
Your Opinion and Order notes that no one from the neighborhood expressed opposition to this request and that you did not receive any recommendation from the Planning Department. Thus, there has been no opposition to the petition and building as it has been proposed.

Finally, please note that my clients have no objection to a prohibition on the addition becoming a separate independent dwelling unit. My clients are aware of the provisions of BCZR § 400.4 as they relate to the permissibility and regulation of accessory (a/k/a in-law) apartments and it is not their intention to convert the addition (or any part thereof) into a separate independent dwelling unit. The proposed bathroom is solely for the use of the residents and guests of the occupants of the primary dwelling while they may be enjoying the amenities in the attached addition. Although the attached addition will be improved to the extent that the area is a conditioned space, there is no intention for it to become a separate independent apartment unit. Thus, I request that you strike restriction number 2 in your order, and in lieu thereof state:

"Petitioners or subsequent owners shall not convert the proposed detached garage, or any part thereof, into a dwelling unit or separate apartment. The proposed detached garage shall not contain a kitchen and shall not be used as an independent dwelling unit".

I would appreciate your favorable consideration of this request and please do not hesitate to contact me should you have any questions or require additional information.

Very truly yours,



Lawrence E. Schmidt

LES/am

Enclosures

cc: Craig F. Beauchamp and Kathryn E. Kelly
American Contracting Services, Inc.

Zoning Hearing Plan for Administrative Hearing

Address: 6730 Charles Street Avenue, Baltimore, Maryland, 21204

Owners: Craig Beauchamp & Kathryn Kelly

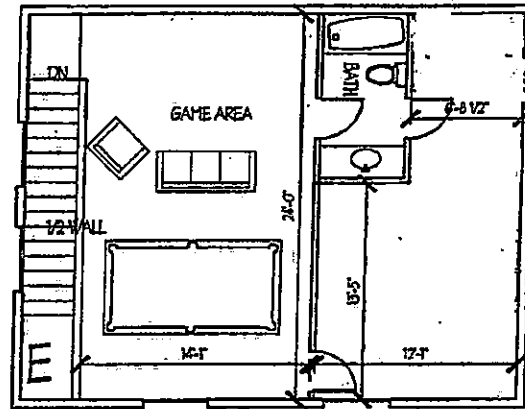
Description of Work:

Remove two existing wooden carport structures and install new two-car garage with attached mudroom finished to match the existing building/s. Exterior finishes to include terra cotta tile roof with stucco exterior walls. Mudroom to be a condition spaced. Second floor of the garage to have a conditioned game room with 3-piece bathroom. Addition storage read to be finished on second floor above garage. Garage will not be a conditioned space. Rear wall of garage is to be structurally rated with 10' poured reinforced concrete steel and to resist 7' of unbalanced fill. Support wall at rear wall of existing structure to replace existing failed wall. Demolish existing block retaining wall at rear property line in area of proposed rework.

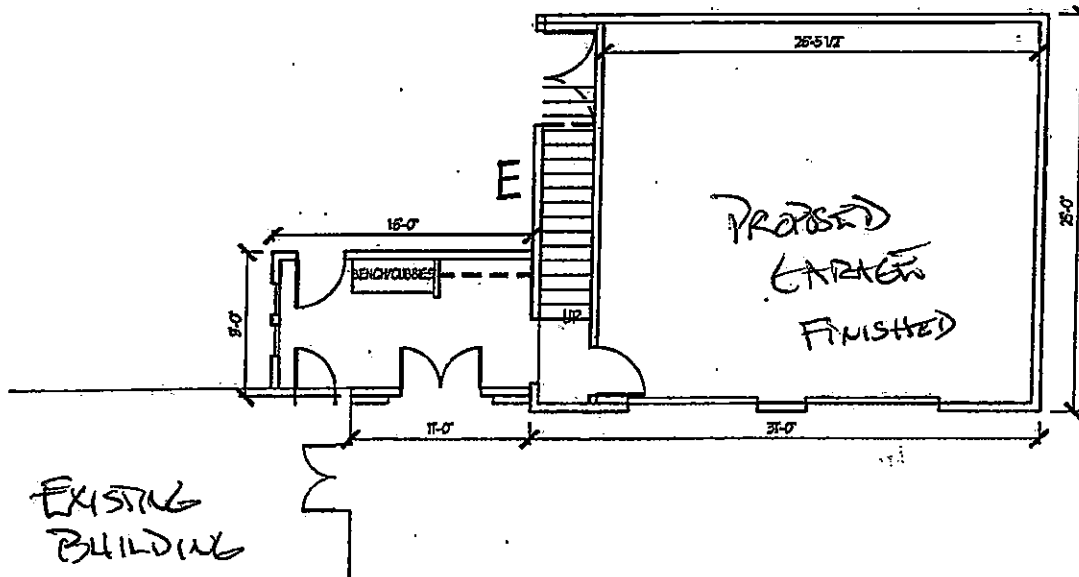
Reason for Variance:

Because the existing block retaining wall is failing and the existing carports will need to be removed so the existing wall can be re-built, we are proposing to remove the existing and install a replacement 2-car garage attached to the existing home.

As existing structures are within the existing setbacks, we propose to install new work per attached plans consistent with building footprint of case 2008-0594-A, which was filed on behalf of the prior property owners, David and Nancy McManns.



MATCH EXISTING FINISHES
 EXTERIOR STUCCO
 4
 TERRAZZO TILE
 STAIRS

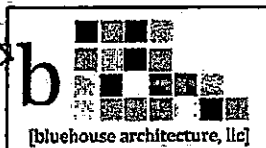


EXISTING BUILDING

DRAWING TITLE
 proposed plan

PROJECT NAME
 acs: beauchamp/kelly

6730
 Charles Street
 Ave



1993 Barley Road
 Marriottsville, Maryland 21104
 mclark@bluehouseARCH.com
 www.bluehouseARCH.com
 Phone: 410-549-3377
 Fax: 410-549-3377

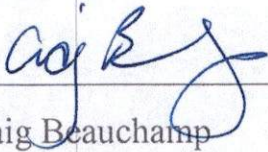
FOR DESIGN
 REVIEW ONLY -
 NOT FOR
 CONSTRUCTION

SCALE:
 3/32"=1'-0"
 DATE:
 03/28/2019
 FILE No.:
 19011-EX1

PROJ. NO.
 19011
 DRAWING NO.
 PL
 1 of XX

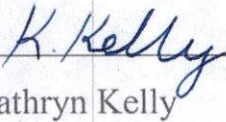
Owner Occupancy Affidavit

Craig Beauchamp and Kathryn Kelly the owners of the property 6730 Charles Street Avenue. Do hereby certify that we are the current owners and this property is our principal residence, Further that there are no active code enforcement violation cases on this property.



Craig Beauchamp

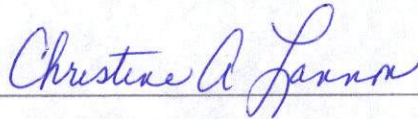
date 5/21/19



Kathryn Kelly

date 5-21-19

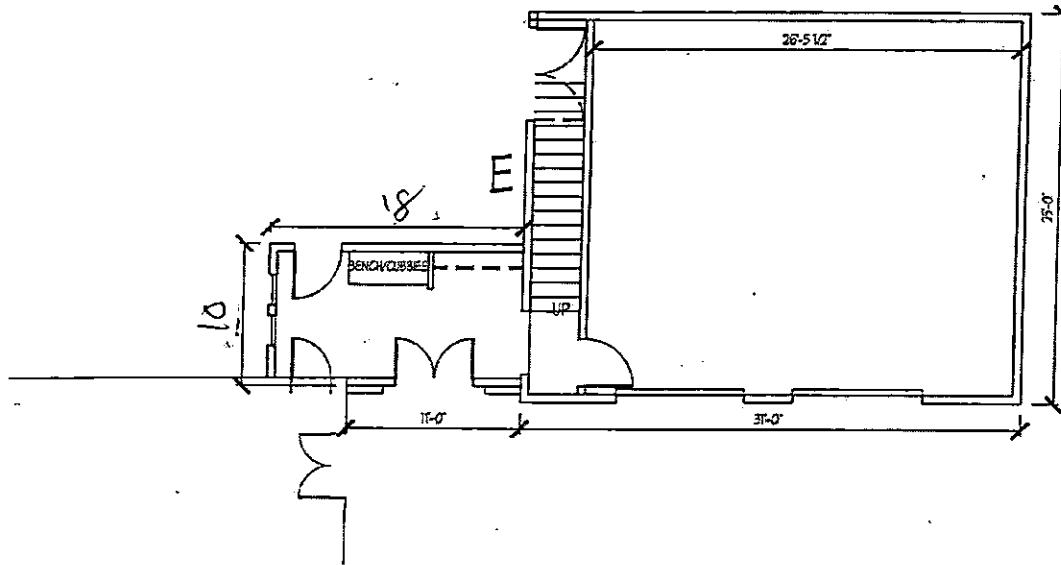
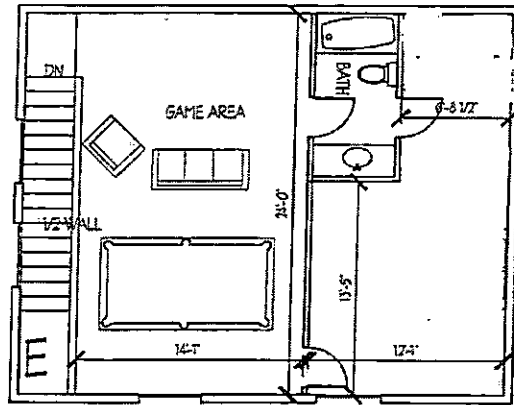
In witness Whereof, I hereunto set my hand and official seal,



Notary Public

My commission Expires 05/24/2021

CHRISTINE ANNE LANNON NOTARY PUBLIC BALTIMORE COUNTY MARYLAND MY COMMISSION EXPIRES MAY 24, 2021
--



DRAWING TITLE

proposed plan

PROJECT NAME

acs: beauchamp/kelly

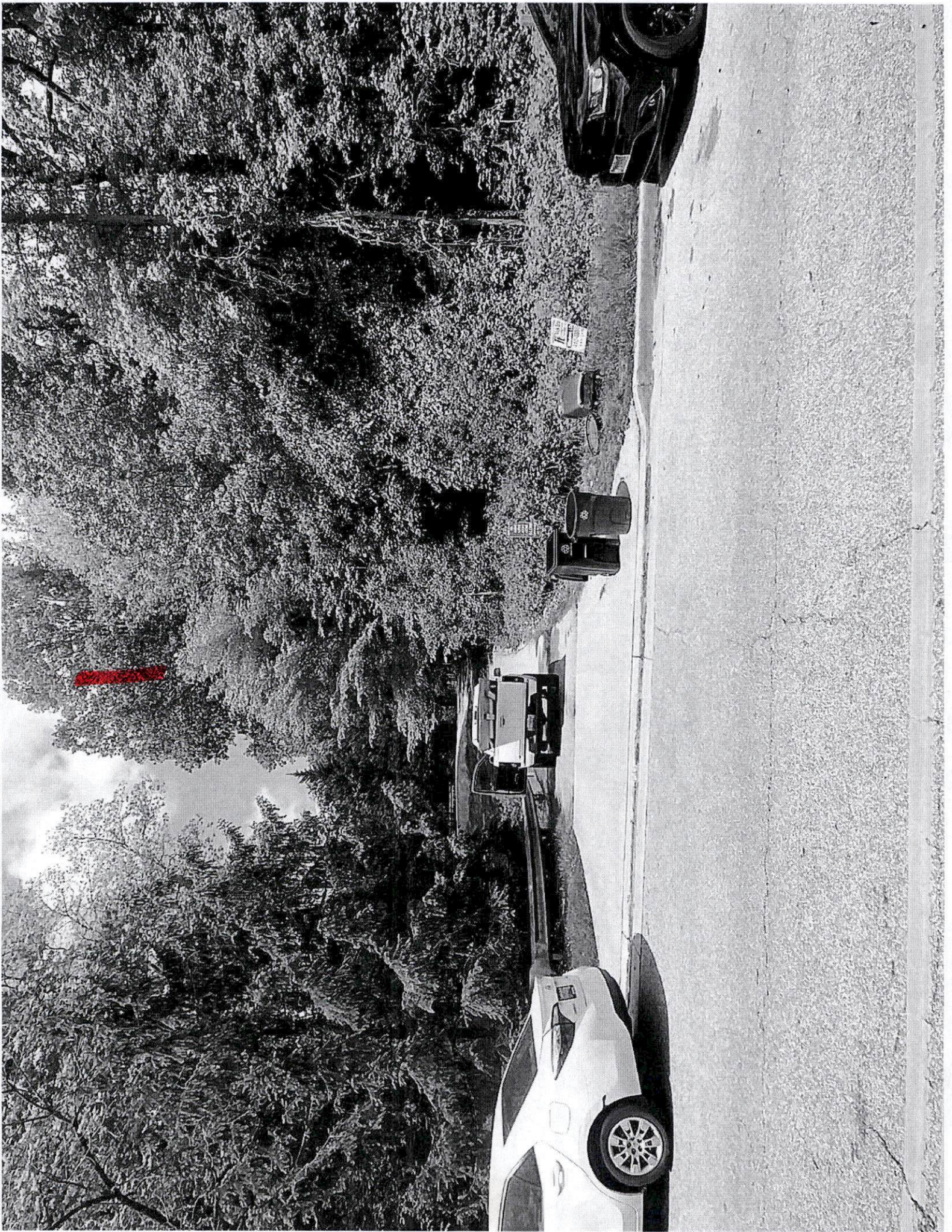


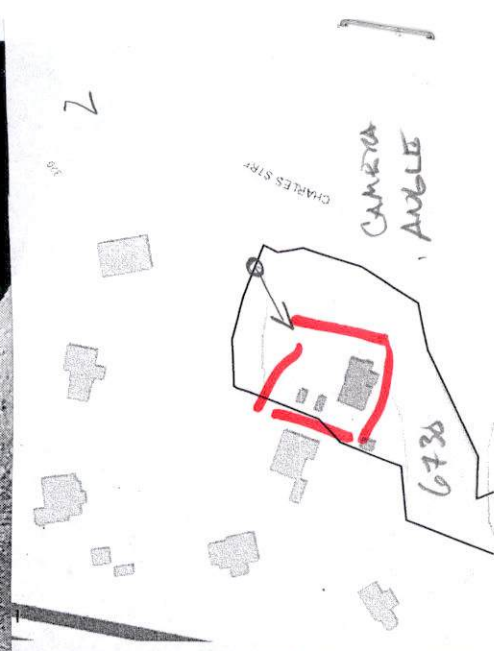
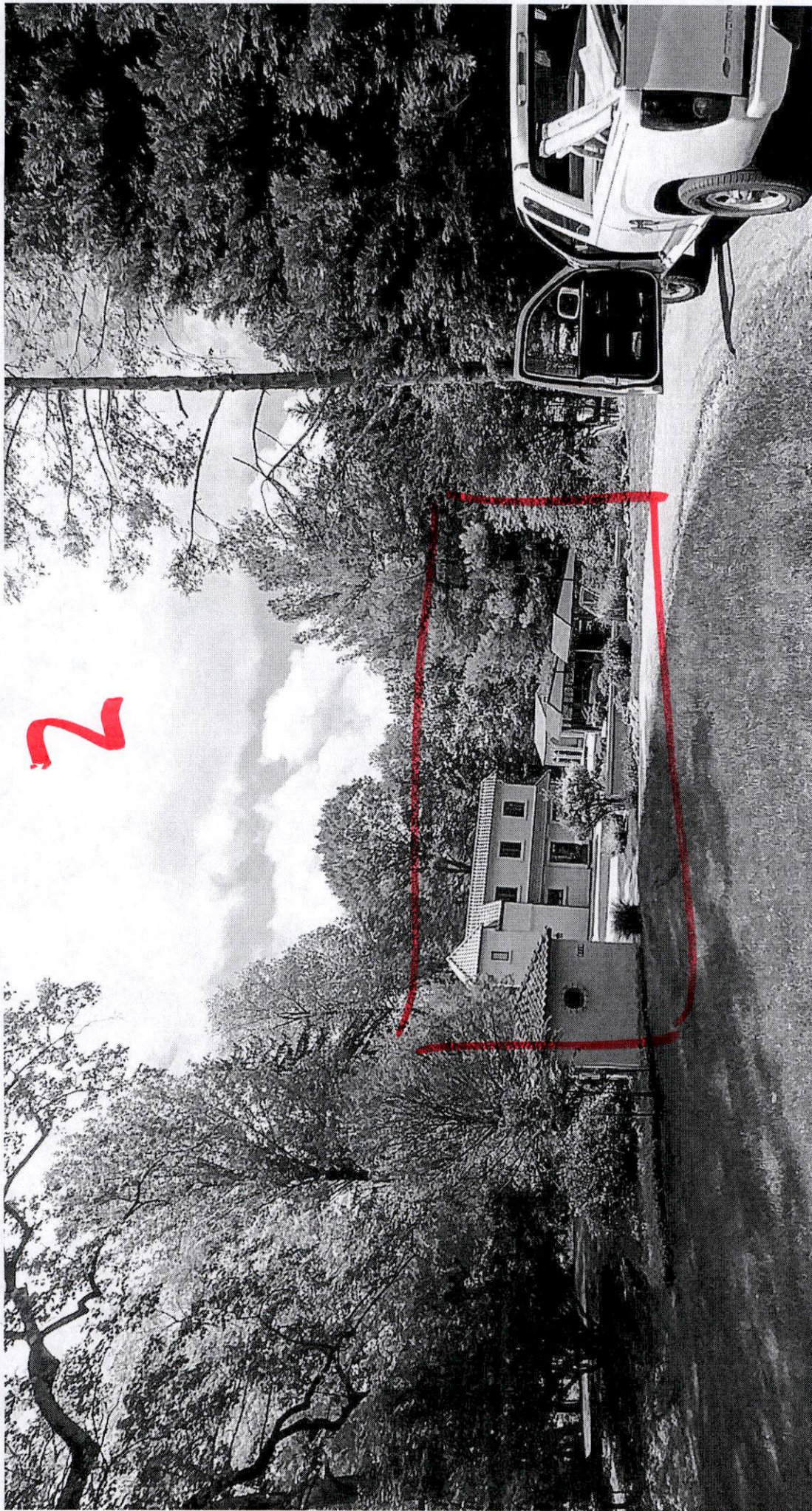
1993 Barley Road
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Fax: 410-549-3377

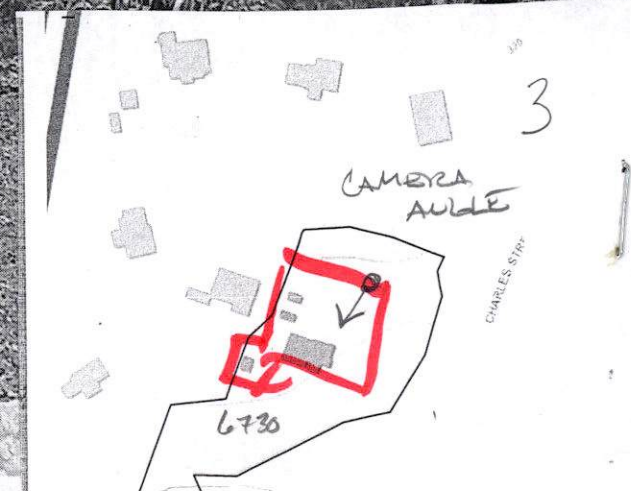
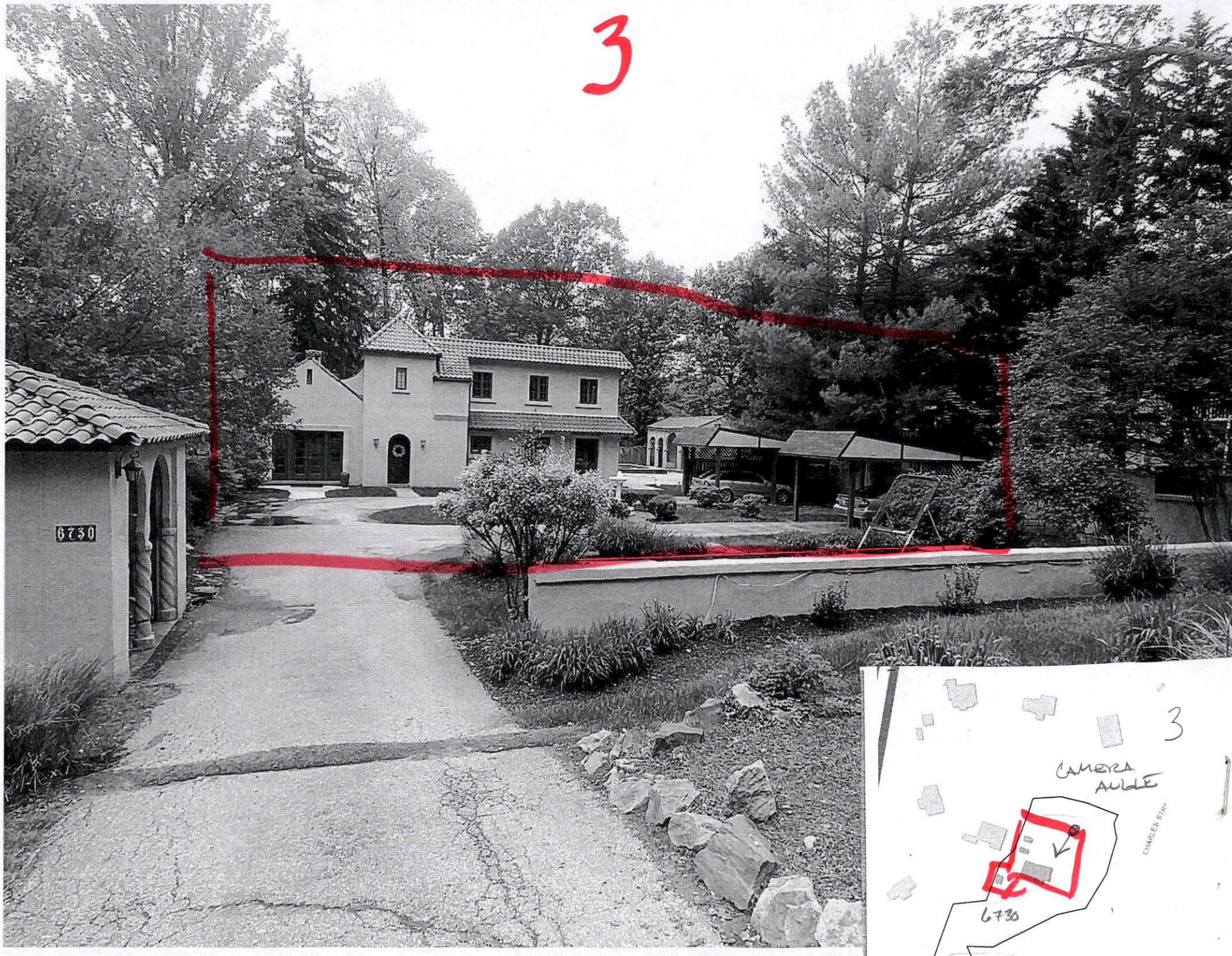
FOR DESIGN
REVIEW ONLY -
NOT FOR
CONSTRUCTION

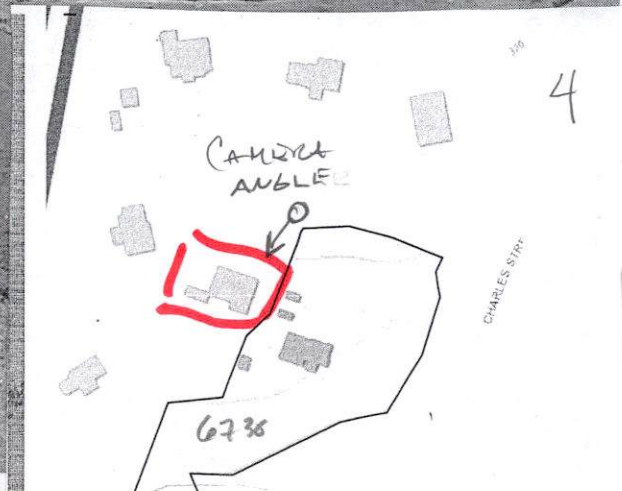
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DATE:
©03/28/2019
FILE No.:
19011-EX1

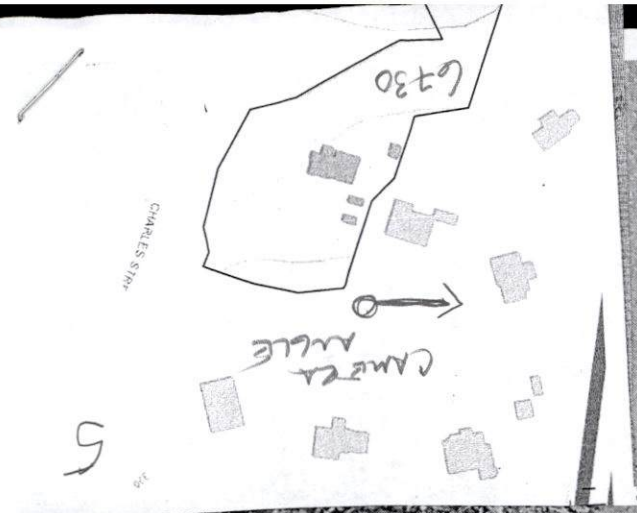
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DRAWING NO.
PL
1 of XX

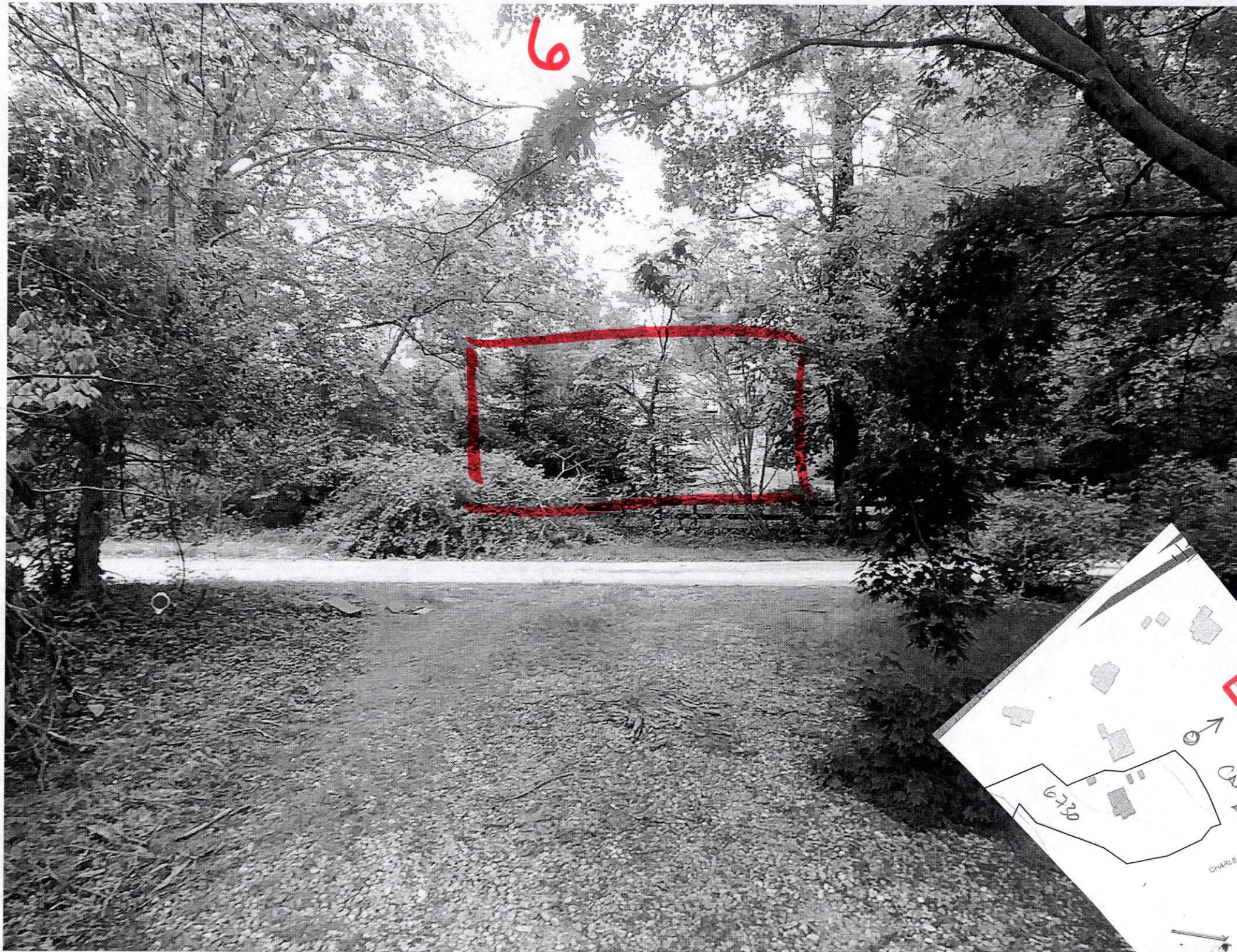


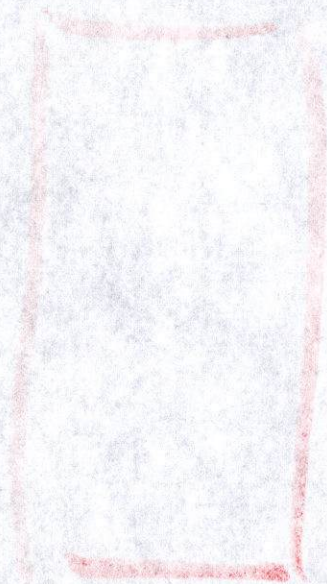




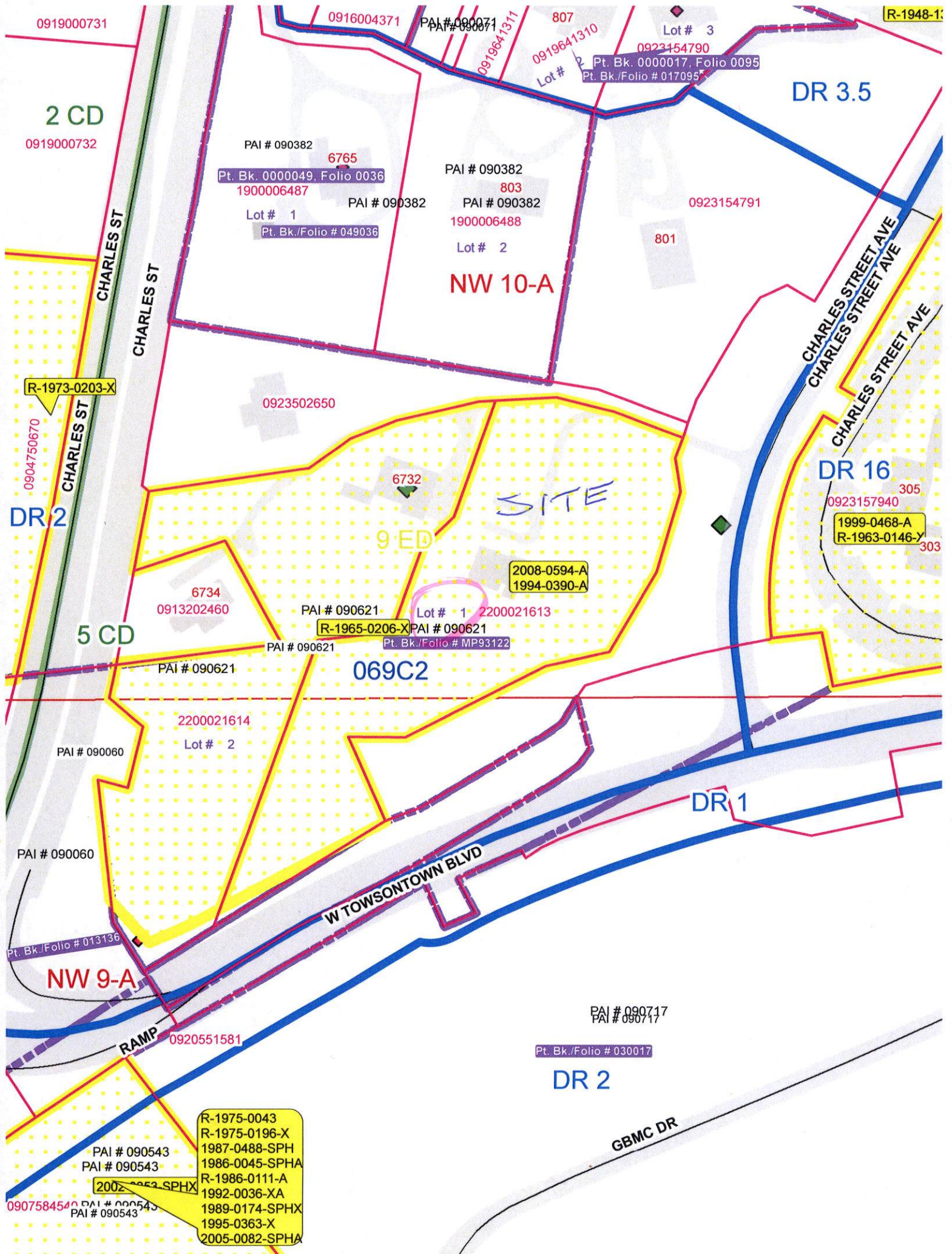








e



0919000731

0916004371

PAI # 090071

0919641310

Lot # 3

0923154790
Pt. Bk. 0000017, Folio 0095
Pt. Bk./Folio # 017095

R-1948-1

2 CD

0919000732

PAI # 090382

6765

Pt. Bk. 0000049, Folio 0036
1900006487

Lot # 1

Pt. Bk./Folio # 049036

PAI # 090382

PAI # 090382

803

PAI # 090382
1900006488

Lot # 2

0923154791

801

NW 10-A

0923502650

6732

9 ED

SITE

2008-0594-A
1994-0390-A

PAI # 090621

Lot # 1 2200021613

R-1965-0206-X
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Pt. Bk./Folio # MP93122

PAI # 090621

PAI # 090621

6734
0913202460

5 CD

PAI # 090060

2200021614

Lot # 2

069C2

PAI # 090060

Pt. Bk./Folio # 013136

NW 9-A

0920551581

RAMP

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PAI # 090717

Pt. Bk./Folio # 030017

DR 2

GBMC DR

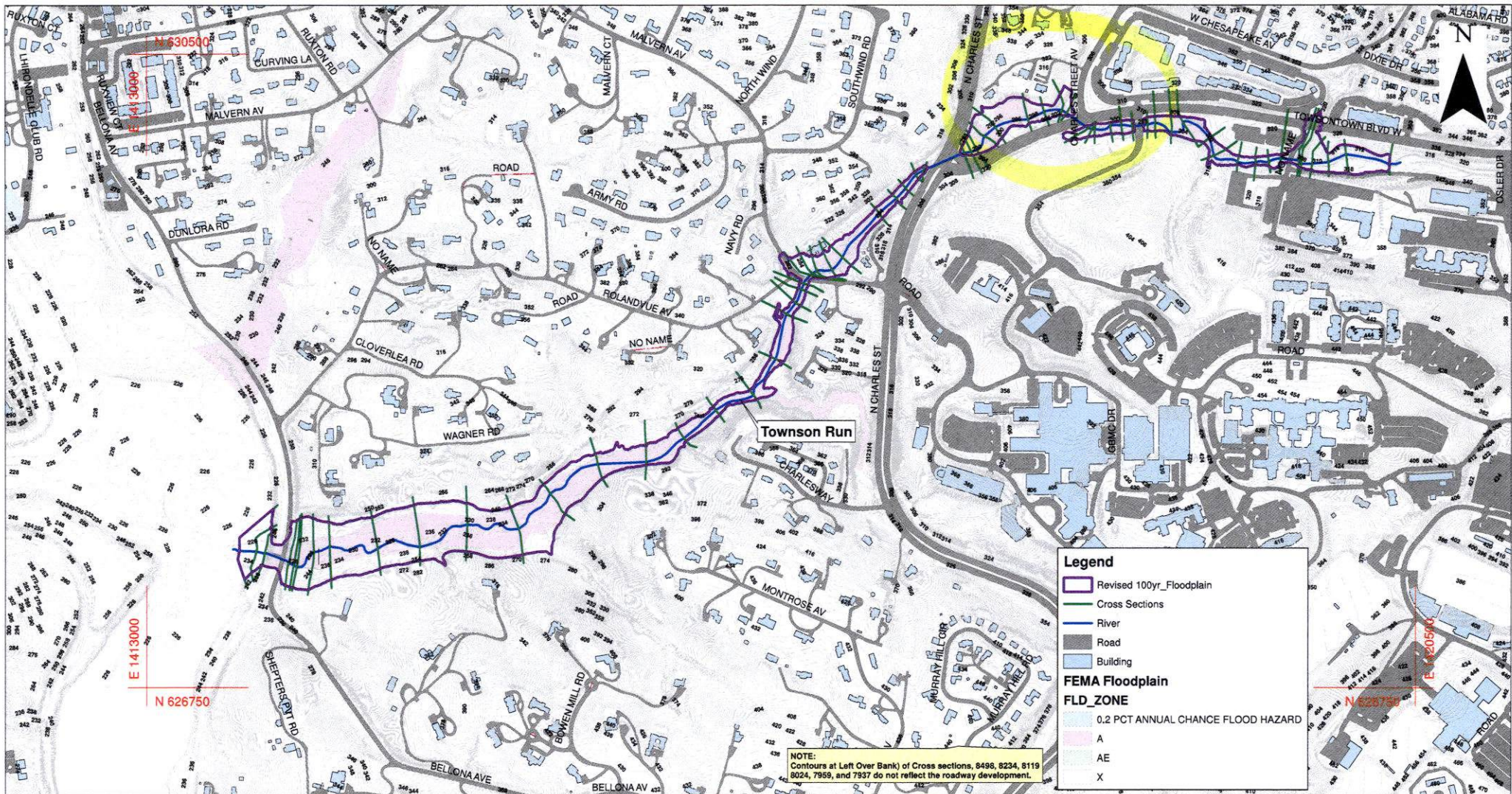
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1995-0363-X
2005-0082-SPHA

PAI # 090543
PAI # 090543

2002-0053-SPHX

090758454

PAI # 090543
PAI # 090543



BRIGGS & ASSOCIATES, INC.
9240 Rumsey Road; Suite C
Columbia, Maryland 21045
Phone 410-884-3607



BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS

TOPOGRAPHIC WORK MAP **TOWSON RUN** **FLOODPLAIN STUDY**



250 125 0 250 Feet

1 inch = 250 feet

ZAC AGENDA

Case Number: 2019-0337-A **Reviewer:** Christina Frink
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Richard L Fricker
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 6 **Council Dist:** 3

Property Address: 1313 DAIRY DR
Location: South side of Dairy Road 1500 feet East of Rayville Road

Existing Zoning: RC4 **Area:** 1.36 AC

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To approve a garage addition on the right side of house with a 17 feet setback in lieu of the required 25 feet setback.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 06/17/2019

Miscellaneous Notes:

Case Number: 2019-0338-A **Reviewer:** Jun Fernando
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Craig Beavchamo & Kathryn Kelly
Contract Purchaser: Joseph Donovan, American Contracting

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 9 **Council Dist:** 5

Property Address: 6730 CHARLES ST AVE
Location: North West corner of W. Towson Town Blvd and Charles Street Ave.

Existing Zoning: DR 2 **Area:** 2.02 AC

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To permit an addition (garage attached by breezeway) with a rear setback of 9' in lieu of the required 30', and to amend the previously approved site plan of case number 2008-0594-A

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 06/17/2019

Miscellaneous Notes:

(Ar) 6-17-19

CASE NO. 2019- 0338-A

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
_____	STATE HIGHWAY ADMINISTRATION	_____
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING (1 st)	Date: <u>6-2-19</u> by <u>P. Olson</u>	
SIGN POSTING (2 nd)	Date: _____ by _____	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Tax Exempt:		Special Tax Recapture:
Exempt Class:		NONE
Account Identifier:		District - 09 Account Number - 2200021613
Owner Information		
Owner Name:	BEAUCHAMP CRAIG FREDERICK KELLY KATHRYN ELIZABETH	Use: Principal Residence: RESIDENTIAL YES
Mailing Address:	6730 CHARLES STREET AVE BALTIMORE MD 21204-6943	Deed Reference: /37261/ 00092
Location & Structure Information		
Premises Address:	6730 CHARLES STREET AVE BALTIMORE 21204-6943	Legal Description: 2.0209 AC 6730 CHARLES STREET AVE NW COR TOWSONTOWN BLVD
Map:	Grid:	Parcel:
0069	0018	1005
Sub District:	Subdivision:	Section:
	0000	
Block:	Lot:	Assessment Year:
	1	2017
Plat No:	Plat Ref:	MS
Special Tax Areas:		Town: NONE
		Ad Valorem:
		Tax Class:
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1931	2,592 SF	
Property Land Area	County Use	
2.0200 AC	04	
Stories	Basement	Type
2	NO	STANDARD UNIT
Exterior	Full/Half Bath	Garage
STUCCO	3 full	2 Carport
Last Major Renovation		
Value Information		
	Base Value	Value
		As of 01/01/2017
Land:	231,400	231,400
Improvements	233,100	497,200
Total:	464,500	728,600
Preferential Land:	0	
		Phase-in Assessments
		As of 07/01/2018
		As of 07/01/2019
		640,567
		728,600
		0
Transfer Information		
Seller: MCMANUS DAVID J	Date: 03/10/2016	Price: \$765,000
Type: ARMS LENGTH IMPROVED	Deed1: /37261/ 00092	Deed2:
Seller: JORDAN GARY G	Date: 05/22/2003	Price: \$500,000
Type: ARMS LENGTH IMPROVED	Deed1: /18048/ 00251	Deed2:
Seller: DEWEY GARY G	Date: 12/06/1994	Price: \$395,000
Type: ARMS LENGTH IMPROVED	Deed1: /10856/ 00601	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt:	Special Tax Recapture:	

Exempt Class:

NONE

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application**Date:**

6
8/29/85

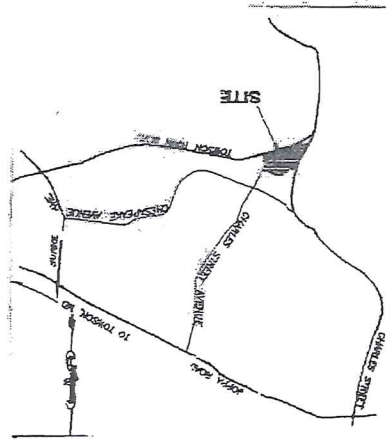
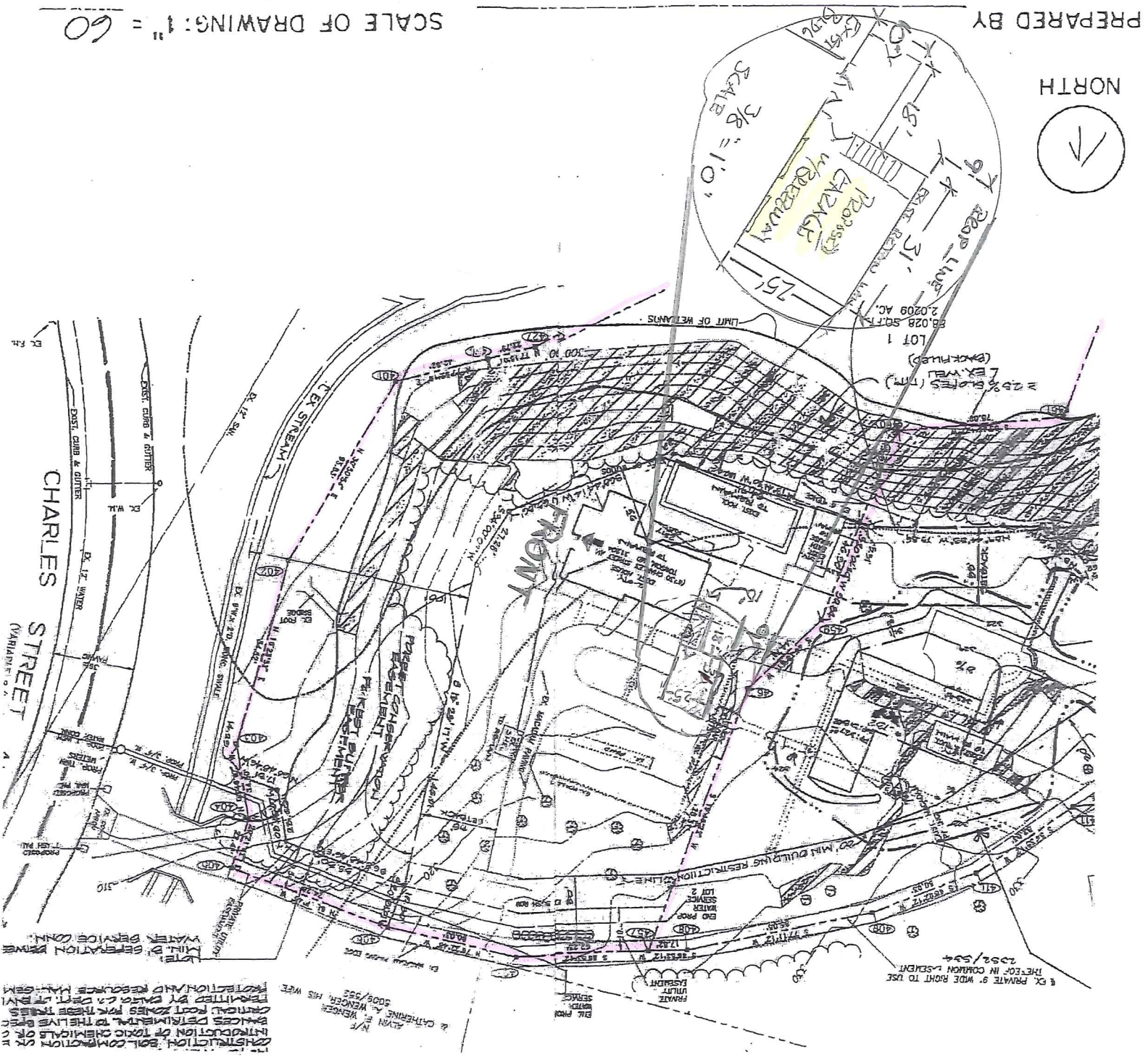
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 6730 Charles Street Avenue SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

Major SUBDIVISION NAME Dewey Property

PLAT BOOK # _____ LOT # _____ SECTION # _____

OWNER, CARL E. KATHRYN KELLY



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION
ELECTION DISTRICT 9
COUNCILMANIC DISTRICT 5
1" = 200' SCALE MAP # 069C2

ZONING DR2

LOT SIZE 2.02

ACREAGE
SQUARE FEET

SEWER PUBLIC PRIVATE

WATER

CHESAPEAKE BAY CRITICAL AREA

100 YEAR FLOOD PLAIN

HISTORIC PROPERTY/
BUILDING

PRIOR ZONING HEARING - 2008-0594A

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

12049-0338-1

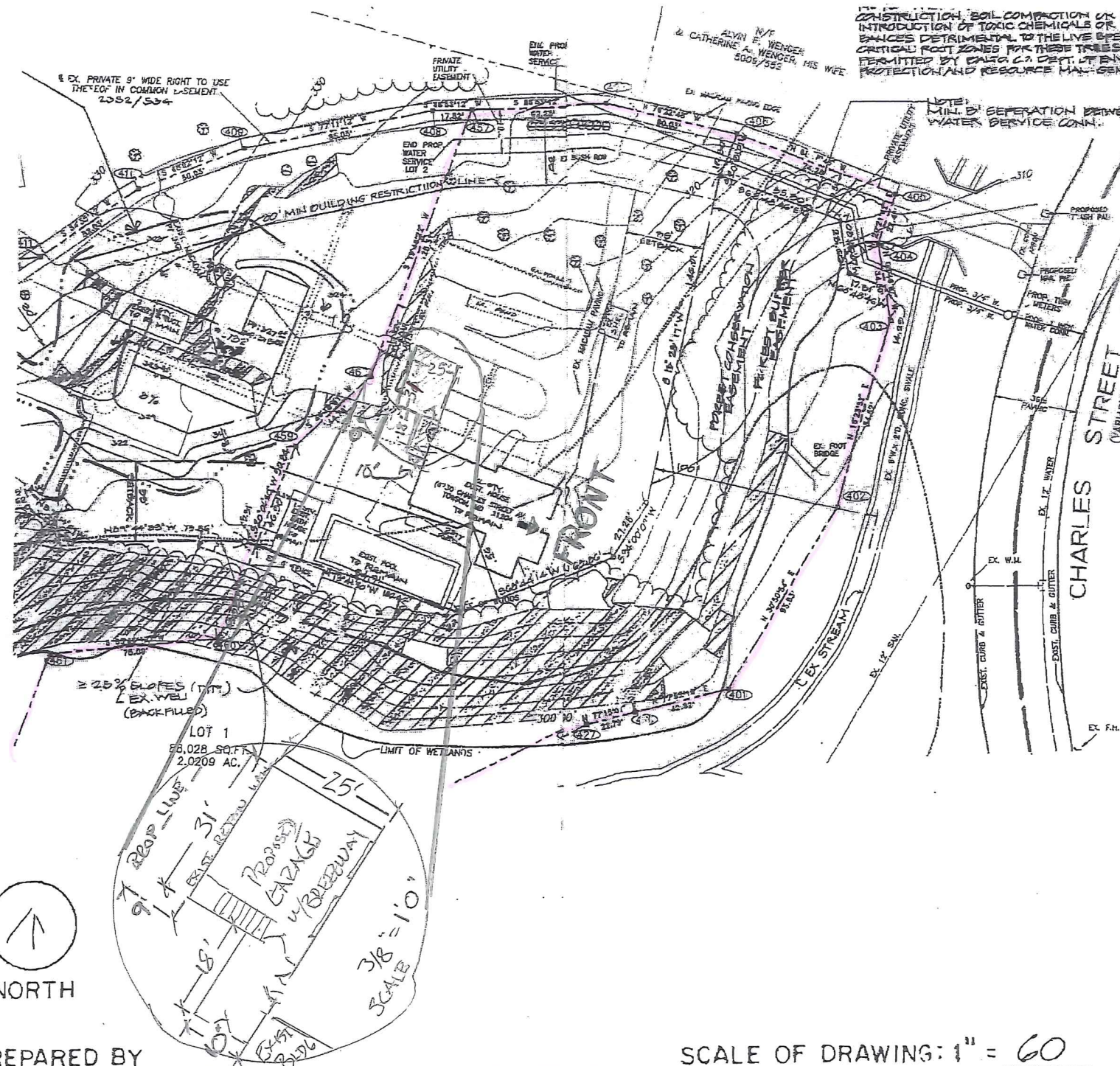
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 6730 Charles Street Avenue SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

MINOR SUBDIVISION NAME Dewey Property

PLAT BOOK # _____ FOLIO # _____ LOT # _____ SECTION # _____

OWNER CRAL BEACHAMP & KATHRYN KELLY



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 9

COUNCILMANIC DISTRICT 5

1" = 200' SCALE MAP # 069C2

ZONING DR 2

LOT SIZE 2.02
ACREAGE

SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒

	YES	NO
100 YEAR FLOOD PLAIN	☒	☐

	YES	NO
HISTORIC PROPERTY/BUILDING	☐	☒

PRIOR ZONING HEARING - 2008-0594A

ZONING OFFICE USE ONLY
REVIEWED BY _____ ITEM # _____ CASE # _____

2019-0338-A



NORTH

PREPARED BY _____

SCALE OF DRAWING: 1" = 60