

Dlm
8/18/20

M E M O R A N D U M

DATE: August 18, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0143-A- Appeal Period Expired

The appeal period for the above-referenced case expired on August 17, 2020. 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.'

/dlm

cc: Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
(5721 McCormick Avenue) *
14th Election District * OFFICE OF ADMINISTRATIVE
6th Council District * HEARINGS FOR
Mark & Heather Kendal *
Petitioners * BALTIMORE COUNTY
* CASE NO. 2020-0143-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 subject property, Mark and Heather Kendal (“Petitioners”). The Petitioners are requesting Variance relief pursuant to Baltimore County Zoning Regulations (“BZCR”) § 1B02.3.B to permit a garage addition to the principle structure that will have a rear setback of 18 ft. in lieu of the required 30 ft. rear setback. 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 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 28, 2020, 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 BCC. 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 the public and

ORDER RECEIVED FOR FILING

Date 7-16-2020

By [Signature]

should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts to comply with the requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would cause practical difficulty and/or unreasonable hardship for the Petitioners.

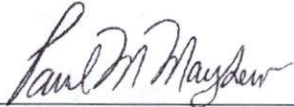
Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 16th day of **July, 2020**, by the Administrative Law Judge for Baltimore County, that the Petition for Administrative Variance seeking relief from BZCR § 1B02.3.B to permit a garage addition to the principle structure that will have a rear setback of 18 ft. in lieu of the required 30 ft. rear setback, 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.



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlw

ORDER RECEIVED FOR FILING

Date 7-16-2020

By [Signature]



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 5721 MCCORMICK AVE BALTO. MD 21206 Currently zoned DR-5.5
 Deed Reference 15098 1 00250 10 Digit Tax Account # 2300010131
 Owner(s) Printed Name(s) MARK & HEATHER KENDAL

(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) 1B02.3.B

(SEE ATTACHED)
EXHIBIT '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):

MARK KENDAL / HEATHER KENDAL
 Name #1 – Type or Print Name #2 – Type or Print
[Signature] [Signature]
 Signature #1 Signature #2
5721 MCCORMICK AVE. BALTIMORE MD
 Mailing Address City State
21206 410-245-0200 WESTINDIANNA@aol.com
 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:

WestIndianna@aol.com
SAME AS ABOVE
 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 17-18-2020 day of July, 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 2020-0143-A Filing Date 6/22/2020 Estimated Posting Date 6/28/2020 Reviewer RJ

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.

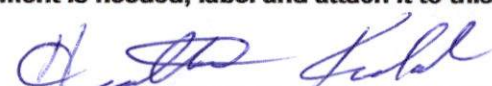
Address: 5721 MCCORMICK AVE. BALTIMORE MD 21206
Print or Type Address of property City State Zip Code

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)


Signature of Owner (Affiant)
MARK KENDAL
Name- Print or Type


Signature of Owner (Affiant)
Heather Kendal
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 15TH day of JUNE, 2020, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: HEATHER KENDAL & MARK KENDAL

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

AS WITNESS my hand and Notaries Seal

CHARMAINE HOPKINS
Notary Public
NOVEMBER 1, 2023
My Commission Expires



PRACTICAL DIFFICULTY OR HARDSHIP

The existing concrete parking pad is located where the garage should be. It is my desire to construct the garage on top of the parking pad. To do this the rear corner of the garage would be less than the required 30 ft set back to the rear property line. If the garage was to be constructed at the set back line it would require relocation of the existing concrete parking pad. That concrete parking pad relocation would require more money as well as reducing the driveway length due to the pad extending beyond the front of the existing dwelling. In addition there is no other place on this lot that is suited to construct a garage of this size. Therefore, I will like to acquire the variance to construct the garage so that the rear corner is 18ft from the rear property line instead of 30 ft.

Exhibit A

Variance Petition for 5721 McCormick Avenue—Case No. 2020-0143-A

A Variance from Section 1B02.3.B—to permit a garage addition to the principle structure that will have a rear setback of 18 ft. in lieu of the required 30 ft. rear setback.

THE ZONING PETITION PROPERTY DESCRIPTION

PART A

Zoning property description for 5721 McCormick Ave. Baltimore MD 21206.
Beginning at a point on the east side of McCormick Ave. which is 50 ft ± wide at a distance of 285 ft ± south of the centerline of Hazelwood Ave. which is 70 ft ± wide.

PART B

Thence the following courses and distance:

- (1) North $81^{\circ}-44'-49''$ East a distance of 153.46 feet;
- (2) North $46^{\circ}-22'-29''$ East a distance 37.42 feet;
- (3) North $19^{\circ}-45'-00''$ west a distance 118.00 feet;
- (4) North $78^{\circ}-44'-55''$ east a distance of 120.00 feet;
- (5) South $06^{\circ}-32'-11''$ east a distance of 139.27 feet to a capped pin now set; thence leaving said division line, and running through the aforementioned Bradshaw deed for three new lines division;
- (6) South $81^{\circ}-44'-49''$ west a distance of 97.00 feet to a capped pin now set;
- (7) South $46^{\circ}-22'-29''$ west a distance of 28.29 feet to a capped pin now set;
- (8) South $81^{\circ}-44'-89''$ west a distance of 156.98 feet to intersect the ultimate eastern right-of way line of McCormick Ave. (60 ft wide) at a point; thence binding on said right-of-way line;
- (9) North $03^{\circ}-47'-11''$ West a distance of 12.04 feet to a point; thence leaving said right-of-way line and running through aforementioned Bradshaw deed the following three new lines of division. Containing 0.379 acres of land more or less.

2020-0143-A

CERTIFICATE OF POSTING

2020-0143-A

RE: Case No.: _____

Petitioner/Developer: _____

Mark and Heather Kendal

July 13, 2020

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

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 located at: _____

5721 McCormick Avenue

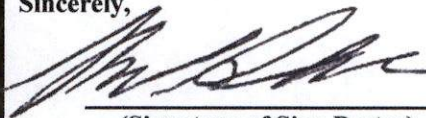
SIGN 1

June 28, 2020

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 June 28, 2020

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2020-0143-A

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Petitioner/Developer: _____

Mark and Heather Kendal

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Attn: Kristen Lewis:

Ladies and Gentlemen:

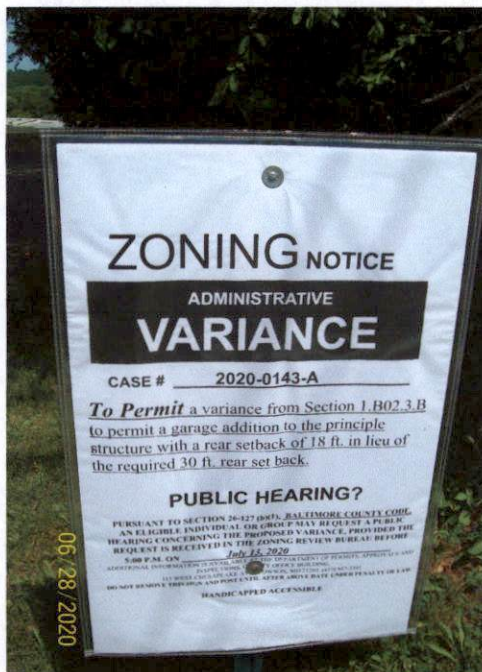
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

5721 McCormick Avenue

SIGN 2

June 28, 2020

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 June 28, 2020

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2020-0143-A

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Petitioner/Developer: _____

Mark and Heather Kendal

July 13, 2020

Date of Hearing/Closing: _____

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County Office Building, Room 111
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Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

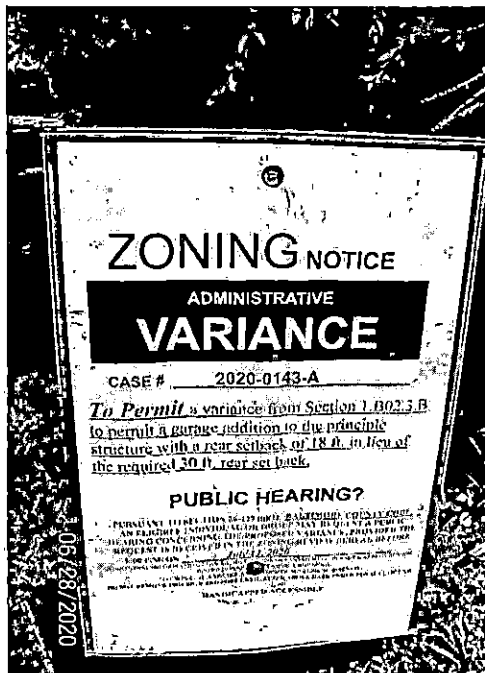
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5721 McCormick Avenue

SIGN 2

June 28, 2020

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(Month, Day, Year)



Sincerely,

June 28, 2020

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

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(City, State, Zip Code)

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RE: Case No.: _____

Petitioner/Developer: _____

Mark and Heather Kendal

July 13, 2020

Date of Hearing/Closing: _____

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Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

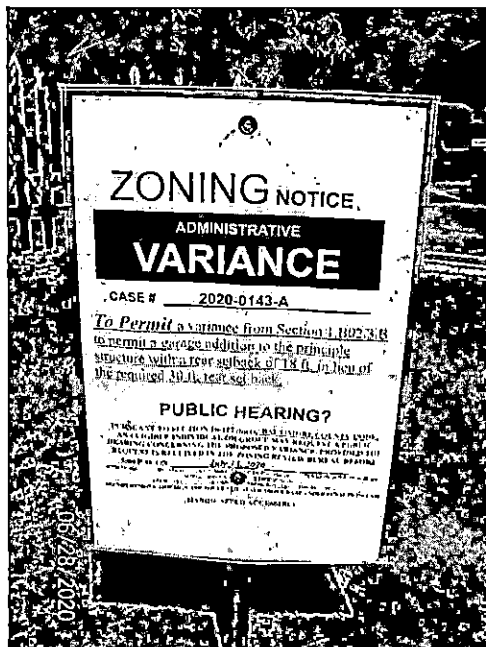
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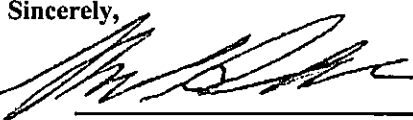
SIGN 1

June 28, 2020

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(Month, Day, Year)



Sincerely,

 June 28, 2020
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

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(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2020- 0143 -A Address 5721 McCORMICK AVE.

Contact Person: ROZ JOHNSON Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 6/22/2020 Posting Date: 6/28/2020 Closing Date: 7/13/2020

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 2020- 0143 -A Address 5721 McCORMICK AVENUE

Petitioner's Name MARK/HEATHER KENDAL Telephone 410-245-0200

Posting Date: 6/28/2020 Closing Date: 7/13/2020

Wording for Sign: To Permit A VARIANCE FROM SECTION 1802.3.B TO PERMIT
A GARAGE ADDITION TO THE PRINCIPLE STRUCTURE WITH A REAR
SETBACK OF 18 FT. IN LIEU OF THE REQUIRED 30 FT. REAR
SETBACK

Revised 2/20/2020

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

No. 195653

Date: 6/22/2020

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: MARK/HEATHER KENDAL

For: VARIANCE PETITION (ADMINISTRATIVE)

5721 MCCORMICK AVE.

CASE No. 2020-0143-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

MARK A. KENDAL
HEATHER G. KENDAL
5721 MCCORMICK AVE.
BALTIMORE, MD 21206

7-11
520 6443

1211

DATE 6/19/2020



PAY TO THE
ORDER OF

BALTIMORE COUNTY

\$ 75.00

SEVENTY FIVE

75 DOLLARS

Security Features
Include:
Details on Back

M&T Bank

South Charles Street Office

MyChoice Plus

MEMO FILING FEE 5721 MCCORMICK AVE

052000113

9130676561121

CERTIFICATE OF POSTING

2020-0143-A

RE: Case No.: _____

Petitioner/Developer: _____

Mark and Heather Kendal

July 13, 2020

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

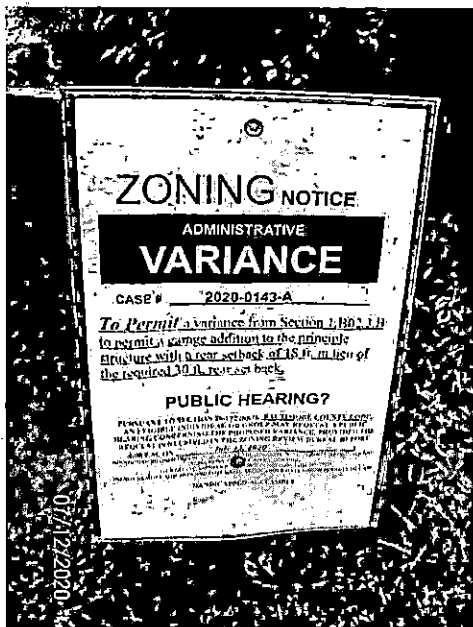
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

5721 McCormick Avenue

SIGN 2 Recertification

June 28, 2020

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 July 12, 2020
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

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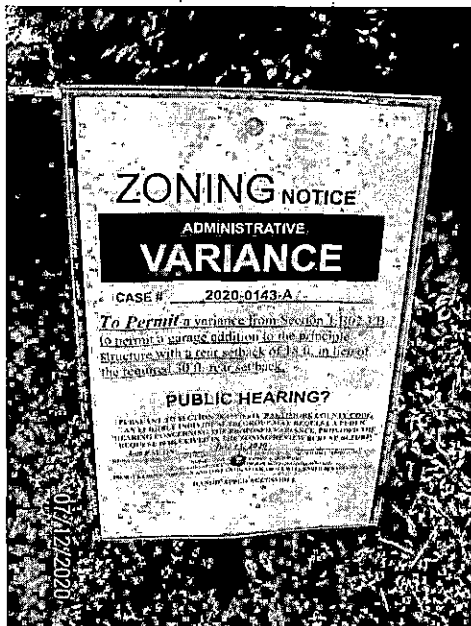
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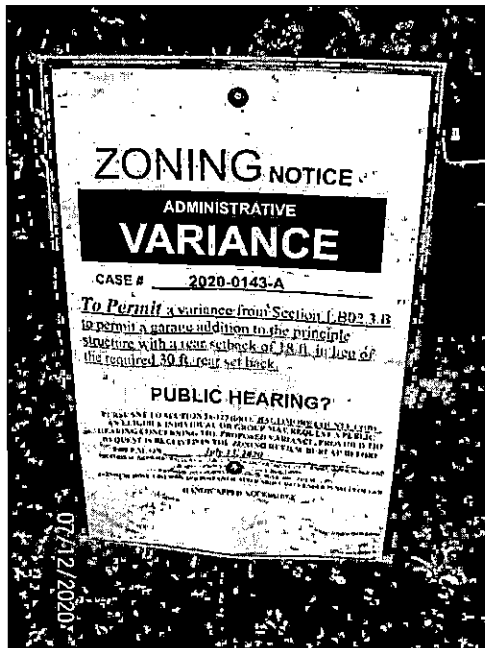
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5721 McCormick Avenue

SIGN 1 Recertification

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(Month, Day, Year)



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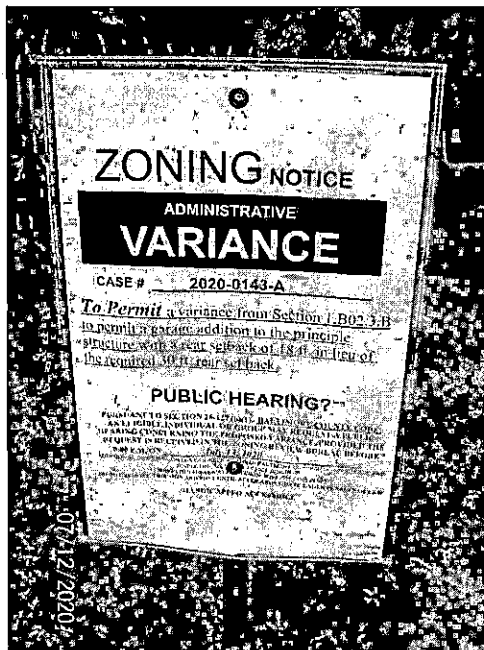
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(Month, Day, Year)



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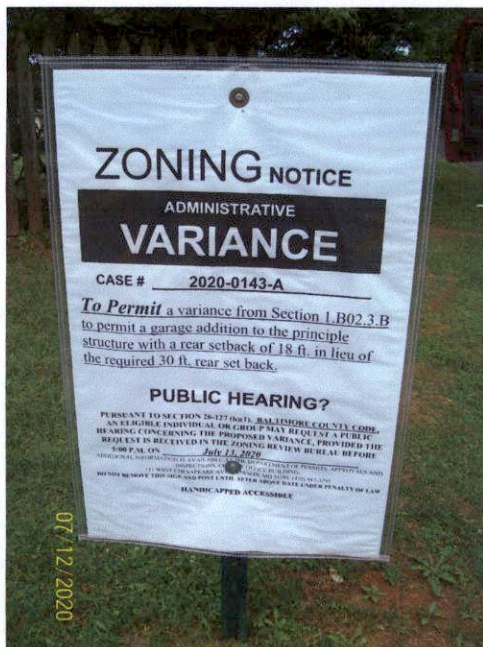
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SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



JOHN A. OLSZEWSKI, JR.
County Executive

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

July 13, 2020

Mark Kendal,
5721 McCormick Avenue
Baltimore MD 21206

RE: Case Number: 2020-0143-A, 5721 McCormick Avenue

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 22, 2020. 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, appearing to read "W. Carl Richards, Jr.", written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: July 1, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0143-A
Address 5721 McCormick Avenue
(Kendal Property)

Zoning Advisory Committee Meeting of **July 6, 2020.**

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

Reviewer: Steve Ford

Real Property Data Search (w1)

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration			
Special Tax Recapture: None									
Account Identifier:		District - 14 Account Number - 2300010131							
Owner Information									
Owner Name:		KENDAL MARK KENDAL HEATHER				Use:		RESIDENTIAL	
Mailing Address:		5721 MCCORMICK AVE BALTIMORE MD 21204				Principal Residence:		YES	
						Deed Reference:		/15098/ 00250	
Location & Structure Information									
Premises Address:		5721 MCCORMICK AVE 0-0000				Legal Description:		.379 AC LOT 2 5721 MCCORMICK AVE 150 FT S HAZELWOOD AVE	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No: MS
0089	0004	1195	14020016.04	0000			2	2018	Plat Ref:
Town: None									
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
2001		1,564 SF				16,509 SF		04	
Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements		
Split Foyer	YES	SPLIT FOYER	SIDING/	4	2 full		2000		
Value Information									
		Base Value		Value		Phase-in Assessments			
				As of		As of		As of	
				01/01/2018		07/01/2019		07/01/2020	
Land:		72,900		72,900					
Improvements		176,300		183,600					
Total:		249,200		256,500		254,067		256,500	
Preferential Land:		0						0	
Transfer Information									
Seller: HNS DEVELOPMENT LLC				Date: 04/05/2001		Price: \$176,900			
Type: ARMS LENGTH IMPROVED				Deed1: /15098/ 00250		Deed2:			
Seller: HNS DEVELOPMENT LLC				Date: 10/06/2000		Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /14739/ 00039		Deed2:			
Seller:				Date:		Price:			
Type:				Deed1:		Deed2:			
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2019		07/01/2020			
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00 0.00		0.00 0.00			
Special Tax Recapture: None									
Homestead Application Information									
Homestead Application Status: Approved 12/31/2012									
Homeowners' Tax Credit Application Information									
Homeowners' Tax Credit Application Status: No Application						Date:			

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

CASE No. 2020-0143-A

5721 MCCORMICK AVE

Tax Account Number	2300010131
Owner Name	KENDAL MARK KENDAL HEATHER
Premise Address	5721 MCCORMICK AVE
Tax Map	0089
Parcel	1195
Real Property Report	More info
StreetView	Click for StreetView
PermitReview	Permit Review Tool URL

ZONING INFORMATION

Zoning	DR 5.5
--------	------------------------

SCHOOL DISTRICTS

Elementary School District	McCormick ES
Middle School District	Golden Ring MS
High School District	Overlea HS

CIVIC - GOVERNMENT

Police Precinct	White Marsh
Councilmanic District	6
Congressional District	2
Legislative District	8
Election District	14
Voting Precinct	14-008

ECONOMIC

Commercial Revitalization District	No Feature Found
Enterprise Zone	No Feature Found
Economic Park Center Name	No Feature Found
Economic Park Center Type	No Feature Found

ENVIRONMENTAL

Watershed Name	Back River
River Basin Name	Patapsco River
Subshed Name	Redhouse Run
Soil Name	Russett-Urban land complex, 5 to 15 percent slopes

HISTORIC

National Register Historic District	No Feature Found
Baltimore County Historic District	No Feature Found
Landmark Name	No Feature Found
MIHP Number	No Feature Found

LAND MANAGEMENT

URDL Land Type	Urban
Growth Tier Description	Served by public sewer and inside URDL

ZONING CASE HISTORY

2020-0143-A

Zoning History Case Number

No Feature Found

§ 1B02.3. - Special regulations for certain existing or proposed developments or subdivisions and for small lots or tracts in D.R. Zones.

- A. In D.R. Zones, contrary provisions of this article notwithstanding, the provisions of or pursuant to this subsection shall apply to the use, occupancy and development of; alteration or expansion of structures upon; and administrative procedures with respect to:
1. Any lot which is in a recorded residential subdivision approved by the Baltimore County Planning Board or Planning Commission and which has been used, occupied or improved in accordance with the approved subdivision plan;
 2. Any land in a subdivision tract which was laid out in accordance with the regulations of residence zoning classifications now rescinded, for which a subdivision plan tentatively approved by the Planning Board remains in effect and which has not been used, occupied or improved in accordance with such plan;
 3. Any lot or tract of lots in single ownership which is not in an existing development or subdivision, as described in Subsection A.1 or A.2, and which is too small in gross area to accommodate six dwelling or density units in accordance with the maximum permitted density in the D.R. Zone in which such tract is located;
 4. Any lot or tract of lots in single ownership which is not in an existing development or subdivision, as described in Subsection A.1 or A.2, and which is less than one-half acre in area, regardless of the number of dwelling or density units permitted at the maximum permitted density in the zone in which it is located; or
 5. Any lot or tract of lots in single ownership which is in a duly recorded subdivision plat not approved by the Baltimore County Planning Board or Planning Commission.
- B. Standards applicable to existing developments, etc. The minimum standards for net area, lot width, front yard depth, single-side-yard width, sum of widths of both side yards, rear yard depth and height with respect to each use in a development described in Subsection A.1 above, shall be as prescribed by the zoning regulations applicable to such use at the time the plan was approved by the Planning Board or Commission; however, the same or similar standards may be codified under Section 504, and these standards shall thereupon control in such existing developments. Development of any subdivision described in Subsection A.2 shall be in accordance with the tentatively approved subdivision plan therefor. Standards for development of lots or tracts described in Subsection A.3, A.4 or A.5 shall be as set forth in Subsection C below.
- C. Development standards for small lots or tracts.
1. Any dwelling hereafter constructed on a lot or tract described in Subsection A.3 or A.4 shall comply with the requirements of the following table:

Zoning Classification	Minimum Net Lot Area per Dwelling Unit (square feet)	Minimum Lot Width (feet)	Minimum Front Yard Depth (feet)	Minimum Width of Individual Side Yard (feet)	Minimum Sum of Side Yard Widths (feet)	Minimum Rear Yard Depth (feet)
D.R.1	40,000	150	50	20	50	50
D.R.2	20,000	100	40	15	40	40

CASE No. 2020-0143-A

D.R.3.5	10,000	70	30	10	25	30
D.R.5.5	6,000	55	25	10	—	30
D.R.10.5	3,000	20	10	10	—	50
D.R.16	2,500	20	10	25	—	30

2. Other standards for development of small lots on tracts as so described shall be as set forth in provisions adopted pursuant to the authority of Section 504.
- D. An amendment to any part of a development plan involving only property subject to the provisions of this subsection shall not be subject to the provisions of Section 1B01.3.A.7.
 - E. Notwithstanding any provision of these regulations to the contrary, the bulk regulations and building setback requirements applicable to an approved development plan for a condominium regime shall be the only bulk regulations and building setback requirements applicable to a subsequent conversion of the entire condominium regime, or a portion thereof, to individual lots of record, so long as the approved condominium regime is located on a lot, tract, or parcel zoned D.R.3.5, D.R.5.5, D.R.10.5, and/or D.R.16 that is within the Chesapeake Bay Critical Area.

[Bill Nos. 78-2010; 71-2011]



Sent from my iPhone

FACING THE DWELLING FROM THE
WEST SIDE THE PROPOSED SITE
OF THE GARAGE.

2020-0143-A

After making all arrangements
Mr. Bishop left the
house and went to
the office.





2020-0143-A



THIS IS A VIEW FROM THE
SOUTH SIDE SHOWING THE
DISTANCE FROM THE GARAGE
TO THE POND.

2020-0143-14

After meeting with the
committee on the 21st of
April, the committee
has decided to hold
the meeting on the 21st of
April.



THIS IS THE VIEW FROM THE EAST
SIDE. THE BACK OF THE
GARAGE

2020-0143-A

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まゝのちのち

2020-0143-A

THIS A VIEW FROM THE
SOUTH EAST BACK OF THE
GARAGE



Fwd:

6/14/2020

2004-2005
2004-2005
2004-2005
2004-2005



THIS IS A VIEW FROM THE
SOUTH SIDE OF THE PAD

2020-0143-A

THIS IS A COPY FROM THE
SOUTH SIDE OF THE RIVER



THIS IS A FRONT VIEW OF
THE PARKING PAD

Fwd:

6/14/2020

1946
12-12-46
12-12-46
12-12-46

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 14 Account Number - 2300010131		
Owner Information		
Owner Name:	KENDAL MARK KENDAL HEATHER	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	5721 MCCORMICK AVE BALTIMORE MD 21204	Deed Reference: /15098/ 00250
Location & Structure Information		
Premises Address:	5721 MCCORMICK AVE 0-0000	Legal Description: .379 AC LOT 2 5721 MCCORMICK AVE 150 FT S HAZELWOOD AVE
Map: 0089	Grid: 0004	Parcel: 1195
Neighborhood: 14020016.04	Subdivision: 0000	Section: 2
Block: 2	Assessment Year: 2018	Plat No: MS
		Plat Ref:
Town: None		
Primary Structure Built: 2001	Above Grade Living Area: 1,564 SF	Finished Basement Area: 16,509 SF
		County Use: 04
Stories: Split Foyer	Basement: YES	Type: SPLIT FOYER
Exterior: SIDING/	Quality: 4	Full/Half Bath: 2 full
Garage:	Last Notice of Major Improvements: 2000	
Value Information		
	Base Value	Value
		As of 01/01/2018
Land:	72,900	72,900
Improvements	176,300	183,600
Total:	249,200	256,500
Preferential Land:	0	0
		Phase-in Assessments
		As of 07/01/2019
		As of 07/01/2020
		254,067
		256,500
Transfer Information		
Seller: HNS DEVELOPMENT LLC	Date: 04/05/2001	Price: \$176,900
Type: ARMS LENGTH IMPROVED	Deed1: /15098/ 00250	Deed2:
Seller: HNS DEVELOPMENT LLC	Date: 10/06/2000	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /14739/ 00039	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2019
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: Approved 12/31/2012		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

ZAC AGENDA

Case Number: 2020-0142-X **Reviewer:** Jason Seidelman
Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: SPECIAL EXCEPTION
Legal Owner: Nestor Peralta & Rosa Bravo
Contract Purchaser: No Contract Purchaser was set.

Critical Area: Yes **Flood Plain:** No **Historic:** No **Election Dist:** 15 **Council Dist:** 7

Property Address: 813 EASTERN BLVD
Location: South East side if Eastern BLVD (80'), 485' West of South Marlyn (40').

Existing Zoning: BL **Area:** 7,500 SQ FT
Proposed Zoning:
SPECIAL EXCEPTION:
To use second floor for a single living quarters in a commercial building first floor & basement BCZR 230.3.
Attorney: Not Available
Prior Zoning Cases: None
Concurrent Cases: None
Violation Cases: None
Closing Date:

Miscellaneous Notes:

Case Number: 2020-0143-A **Reviewer:** Rosalie Johnson
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Mark & Heather Kendal
Contract Purchaser: No Contract Purchaser was set.

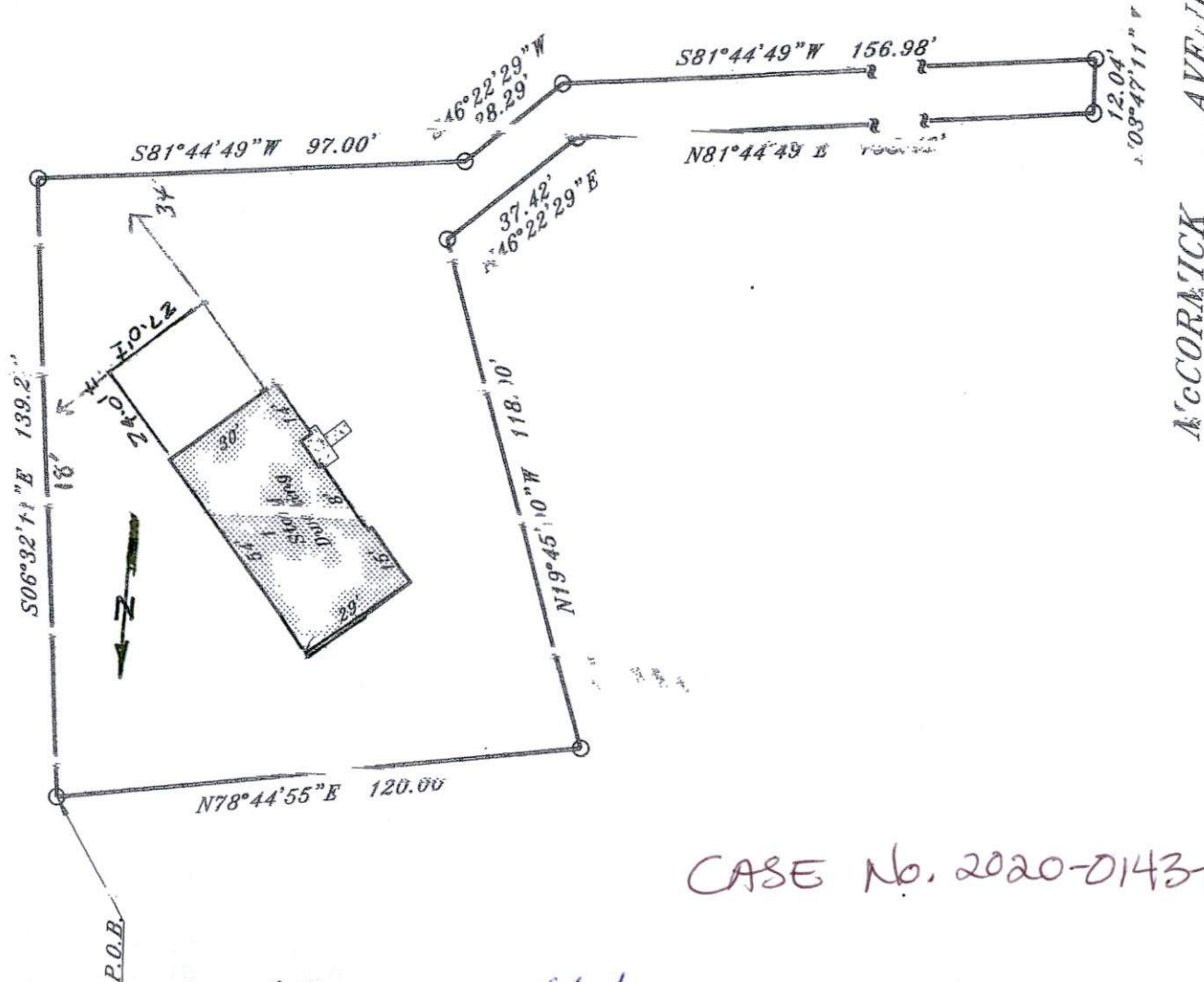
Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 14 **Council Dist:** 6

Property Address: 5721 MCCORMICK AVE
Location: South of Hazelwood Ave on East side of McCormick Ave.

Existing Zoning: DR 5.5 **Area:** 16,059 SQ FT
Proposed Zoning:
ADMINISTRATIVE VARIANCE:
Section 1B02.3.B To permit a garage addition to the principle structure that will have a rear setback of 18 feet in lieu of the required 30 feet rear setback.
Attorney: Not Available
Prior Zoning Cases: None
Concurrent Cases: None
Violation Cases: None
Closing Date: 07/13/2020

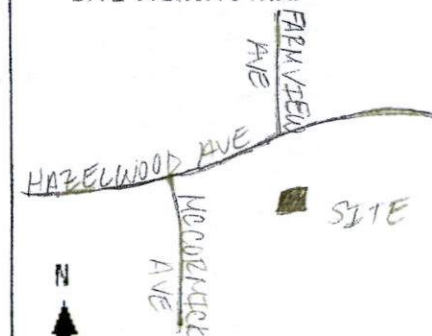
Miscellaneous Notes:

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 5721 MCCORMICK AVE OWNER(S) NAME(S) MARK + HEATHER KENDAL
 SUBDIVISION NAME MINOR SUBDIVISION OF BRADSTAW LOT # 2 BLOCK # _____ SECTION # _____
 PLAT BOOK # _____ FOLIO # _____ 10 DIGIT TAX # 2300010131 DEED REF. # 15098100250



PLAN DRAWN BY MARK KENDAL DATE 6/11/2020 SCALE: 1 INCH = 40 FEET

SITE VICINITY MAP

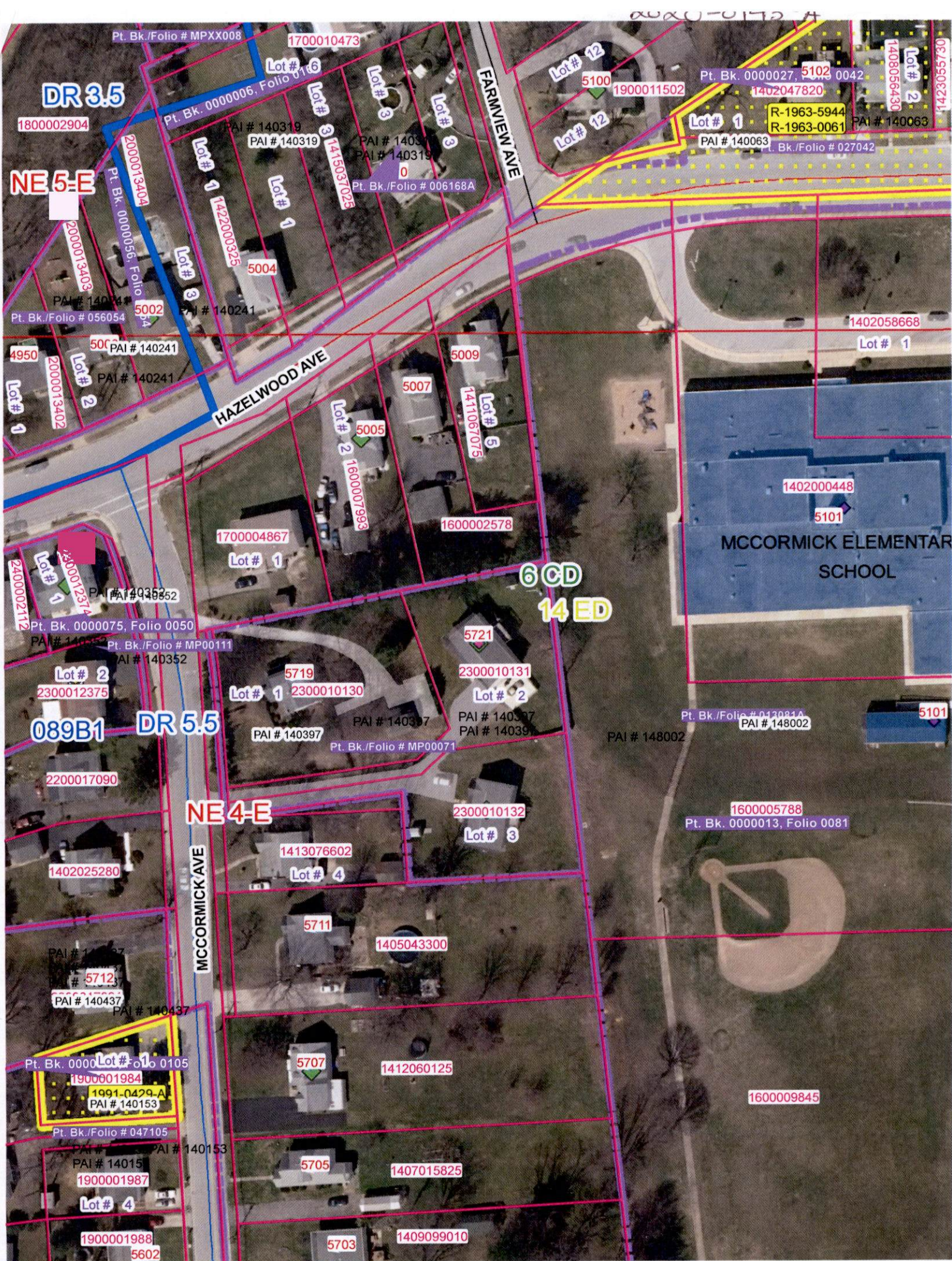


MAP IS NOT TO SCALE

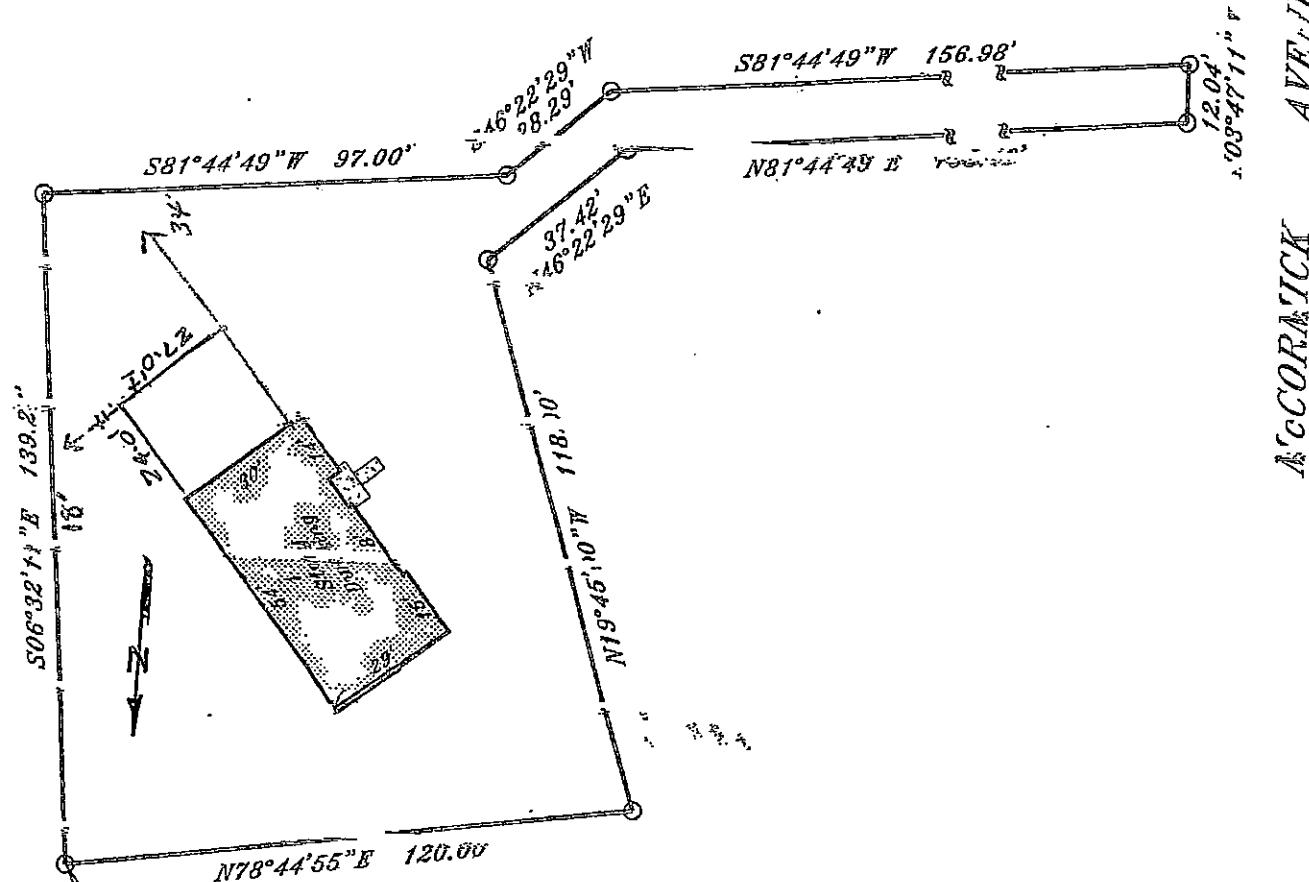
ZONING MAP# 089B1
 SITE ZONED DR 5.5
 ELECTION DISTRICT 14
 COUNCIL DISTRICT 6
 LOT AREA ACREAGE 0.379 AC.
 OR SQUARE FEET 16509
 HISTORIC? NO
 IN CBCA? NO
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC X PRIVATE _____
 SEWER IS:
 PUBLIC X PRIVATE _____
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

VIOLATION CASE INFO:

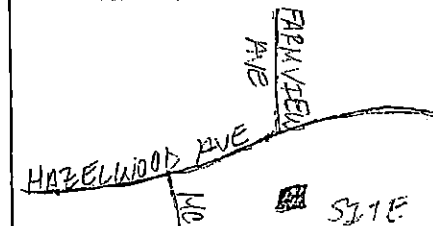
Pet. Ear. 1



ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 5721 MCCORMICK AVE OWNER(S) NAME(S) MARK KENDAL
 SUBDIVISION NAME MINOR SUBDIVISION OF BRADSHAW LOT # 2 BLOCK # _____ SECTION # _____
 PLAT BOOK # _____ FOLIO # _____ 10 DIGIT TAX # 230001013 DEED REF. # 15098100250



SITE VICINITY MAP



N
 MAP IS NOT TO SCALE

ZONING MAP# 089B1
 SITE ZONED DR 5.5
 ELECTION DISTRICT 14
 COUNCIL DISTRICT 6
 LOT AREA ACREAGE 0.379 AC.
 OR SQUARE FEET 16509
 HISTORIC? NO
 IN CBCA? NO
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC X PRIVATE _____
 SEWER IS:
 PUBLIC X PRIVATE _____
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

CASE No. 2020-0143-A

PLAN DRAWN BY MARK KENDAL DATE 6/11/2020 SCALE: 1 INCH = 40 FEET

VIOLATION CASE INFO: