



KEVIN KAMENETZ
County Executive

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

July 19, 2013

J. Neil Lanzi, Esquire
409 Washington Avenue
Suite 617
Towson, Maryland 21204

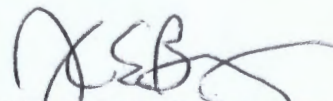
RE: Petition for Special Hearing
Case No.: 2013-0238- SPH
Property: 1335A Lafayette Avenue

Dear Mr. Lanzi:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

- c: Frank Federico, 7310 Esquire Ct., Elkridge, Maryland 21075
Rick Richardson, 30 E. Padonia Road, Suite 500, Timonium, Maryland 21093
Mary O'Neill, 1320 Lafayette Avenue, Baltimore, Maryland 21207
Winston Sherman, 6005 Harford Avenue, Gwynn Oak, Maryland 21207
Lillian Barnes, 6004 Harford Avenue, Gwynn Oak, Maryland 21207
Michael Matthews, 1338 Lafayette Avenue, Gwynn Oak, Maryland 21207
Kelly Williams, 6004 Harford Avenue, Gwynn Oak, Maryland 21207
Matt Baker, 1337 Lafayette Avenue, Gwynn Oak, Maryland 21207

Office of Administrative Hearings

105 West Chesapeake Avenue, Suite 103 | Towson, Maryland 21204 | Phone 410-887-3868 | Fax 410-887-3468

www.baltimorecountymd.gov

IN RE: PETITIONS FOR SPECIAL HEARING *

BEFORE THE

(1335 Lafayette Avenue) *

1st Election District *

1st Councilmanic District *

Kevin R. Yang *

Petitioner *

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2013-0238-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed by Kevin R. Yang, the legal owner of the subject property. A companion case (2013-0237-SPHA) involving the vacant lot adjoining this property was heard at the same time. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to approve an undersized lot with a width of 50 ft. in lieu of the required 55 ft. and confirm an existing side yard setback of 4.9 ft. in lieu of the required 10 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 2.

Appearing at the public hearing in support of the requests was Kevin R. Yang and Rick Richardson, from Richardson Engineering, LLC, the firm that prepared the site plan. Several citizens from the community attended the hearing and objected to the relief, primarily the approval of an undersized building lot, as sought in 2013-0237-SPHA. Neil Lanzi, Esquire, attended the hearing and represented the Petitioner. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

The only substantive Zoning Advisory Committee (ZAC) comment received was from the Department of Planning (DOP) dated May 2, 2013. That agency did not oppose the Petition, but

ORDER RECEIVED FOR FILING

Date 7/19/13

By Sen

requested Petitioner to submit building elevations to the DOP for approval prior to the issuance of any building permits and also noted that landscaping must be provided along the public road.

The subject property is 6,250 sq. ft. in size and is zoned DR 5.5. The property is improved with a single family dwelling constructed in 1940, and the Petition essentially seeks to "legitimize" the deficient lot width and side yard setback (that do not comply with current B.C.Z.R. requirements).

As noted, the house was constructed over 73 years ago, and this Petition was filed only to "tie up loose ends," so to speak, given the Petitioner was also seeking zoning relief to construct a new dwelling on the adjacent vacant lot, which is the subject of 2013-0237-SPHA. The Petition is uncontroversial; indeed, if it was denied the house would need to be razed, which is an untenable proposition.

Pursuant to the advertisement, posting of the property, and the public hearing, and after considering the testimony and evidence offered, I find that Petitioner's Special Hearing request should be granted.

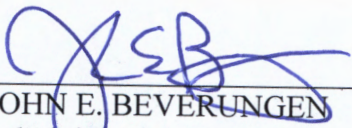
THEREFORE, IT IS ORDERED this 19th day of July 2013, by this Administrative Law Judge, that Petitioner's request for Special Hearing pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to approve an undersized lot with a width of 50 ft. in lieu of the required 55 ft. and confirm an existing side yard setback of 4.9 ft. in lieu of the required 10 ft., be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 7/19/13

By sen

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/sln

ORDER RECEIVED FOR FILING

Date 7/19/13
By sln



PETITION FOR ZONING HEARING(S)

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

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

Address 1335 Lafayette Avenue which is presently zoned DR 5.5
 Deed References: 32442/248 10 Digit Tax Account # 0119322201
 Property Owner(s) Printed Name(s) Kevin R. Yang

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

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☒ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve AN UNDERSIZED LOT WITH A WIDTH OF 50' IN LIEU OF THE REQUIRED 55' AND CONFIRM AN EXSTING SIDE YARD SETBACK OF 4.9' IN LIEU OF THE REQUIRED 10'
2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. ☐ a **Variance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
 (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

The location of the existing dwelling constructed in approximately 1940 does not conform to the existing zoning requirements and other information that will be presented at the hearing.

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

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

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Date BY Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2013-0238-SPH Filing Date 4/17/13

Legal Owners (Petitioners):

Kevin R. Yang /

Name #1 - Type or Print Name #2 - Type or Print

Signature #1 Signature #2

2705 Thornbrook Rd Ellicott City, MD
 Mailing Address City State

21042 / 410-736-3596 / kevin.yang@gmail.com
 Zip Code Telephone # Email Address

Representative to be contacted:

Richardson Engineering, LLC
 Name - Type or Print

Signature

30 E. Padonia Road, Suite 500 Timonium, Maryland
 Mailing Address City State

21093 / 410-560-1502 / Rick@RichardsonEngineering.net
 Zip Code Telephone # Email Address

Do Not Schedule Dates: Reviewer AT

**ZONING DESCRIPTION FOR
1335 LAFAYETTE AVENUE
1ST ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the **south** side right-of-way of **Lafayette Avenue** (40 feet) wide at a distance of **105** feet **west** of the nearest improved intersecting street **Harford Avenue** which is (40 feet) wide.

Being lot #57, and #58, Section 22 in the subdivision of **OLIVER BEACH** as recorded in Baltimore County Plat Book #6, Folio #128; & part of lot #1 Section 22 in the subdivision of **OLIVER BEACH** as recorded in Baltimore County Plat Book #6, Folio #116, containing a net area of 6,250 square feet. Located in the 1st Election District and 1st Councilmanic District.

2013-0238-SPH

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the 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.

For Newspaper Advertising:

Item Number or Case Number: 2013-0238-SPH
Petitioner: KEVIN YANG
Address or Location: 1335 LAFAYETTE AVE

PLEASE FORWARD ADVERTISING BILL TO:

Name: KEVIN YANG
Address: 2705 THORNBROOK RD
ELLCOTT CITY, MD 21042-7805
Telephone Number: 410-736-3596

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

No.

96141

Date:

4/17/13

PAID RECEIPT

BUSINESS ACRL TIME DRW
 4/18/2013 4/17/2013 09:34:40 2

W505 WALKIN HILL RD
 >>RECEIPT # 442414 4/17/2013 (FLH)

Dept 5 528 TONING VERIFICATION
 CT NO. 096141

Recpt Tot 475.00
 \$170.00 CR \$100.00 CA
 \$45.00 CB
 Baltimore County, Maryland

Rev Sub/
 Source/ Rev/

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$75-

Total:

\$75-

Rec

From:

For:

1335 LAFAYETTE AVE

7013-0238 SPH

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 05/21/2013

Case Number: 2013-0238-SPH

Petitioner / Developer: KEVIN YANG~ RICHARDSON ENGINEERING

Date of Hearing (Closing): JUNE 6, 2013

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:
1335 LAFAYETTE AVENUE

The sign(s) were posted on: MAY 17, 2013



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



KEVIN KAMENETZ
County Executive

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

May 2, 2013

NOTICE OF ZONING HEARING

The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2013-0238-SPH

1335 Lafayette Avenue

S/s Lafayette Avenue, 105 ft. W/of centerline of Harford Avenue

1st Election District – 1st Councilmanic District

Legal Owners: Kevin Yang

Special Hearing for an undersized lot with a width of 50 feet in lieu of the required 55 feet and confirm an existing side yard setback of 4.9 feet in lieu of the required 10 feet.

Hearing: Thursday, June 6, 2013 at 2:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Kevin Yang, 2705 Thornbrook Road, Ellicott City 21042
Richardson Engineering, 30 E. Padonia Rd., Ste. 500, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MAY 17, 2013.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 05/31/2013

Case Number: 2013-0238-SPH

Petitioner / Developer: KEVIN YANG~ RICHARDSON ENGINEERING

Date of Hearing (Closing): JUNE 6, 2013

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:
1335 LAFAYETTE AVENUE

The sign(s) were posted on: MAY 31, 2013



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 06/24/2013

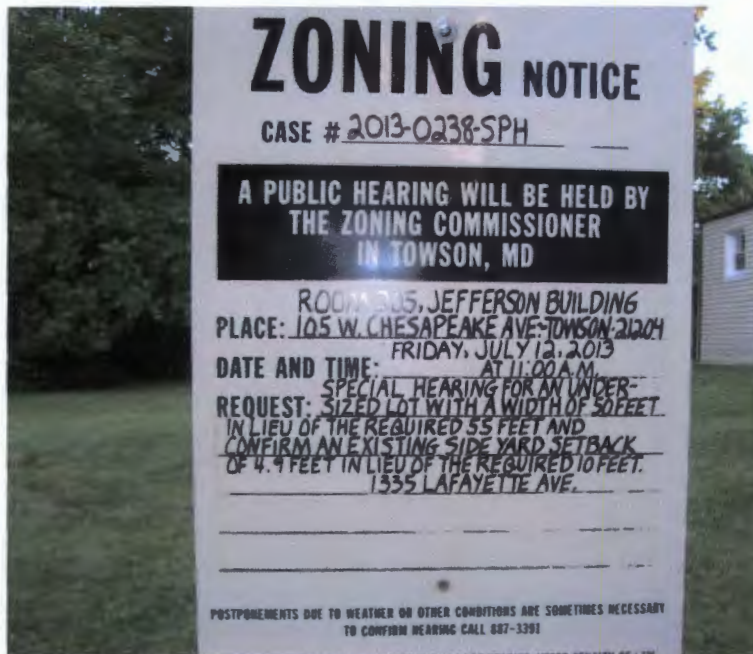
Case Number: 2013-0238-SPH

Petitioner / Developer: KEVIN YANG~ RICHARDSON ENGINEERING

Date of Hearing (Closing): JULY 12, 2013

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:
1335 LAFAYETTE AVENUE

The sign(s) were posted on: JUNE 21, 2013



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

June 20, 2013

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on June 20, 2013

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

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

NOTICE OF ZONING HEARING

The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: # 2013-0238-SPH

1335 Lafayette Avenue

S/s Lafayette Avenue, 105 ft. W/of centerline of Harford Avenue

1st Election District - 1st Councilmanic District

Legal Owner(s): Kevin Yang

Special Hearing: for an undersized lot with a width of 50 feet in lieu of the required 55 feet and confirm an existing side yard setback of 4.9 feet in lieu of the required 10 feet.

Hearing: Friday, July 12, 2013 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
6/25/2013 June 20 929544



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

May 16, 2013

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on May 16, 2013

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

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

NOTICE OF ZONING HEARING

The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #2013-0238-SPH

1335 Lafayette Avenue

S/s Lafayette Avenue, 105 ft. W/of centerline of Harford Avenue

1st Election District - 1st Councilmanic District

Legal Owner(s): Kevin Yang

Special Hearing: for an undersized lot with a width of 50 feet in lieu of the required 55 feet and confirm an existing side yard setback of 4.9 feet in lieu of the required 10 feet.

Hearing: Thursday, June 6, 2013 at 2:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
5/248 May 16

921814



KEVIN KAMENETZ
County Executive

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

June 10, 2013

NEW NOTICE OF ZONING HEARING

The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2013-0238-SPH

1335 Lafayette Avenue

S/s Lafayette Avenue, 105 ft. W/of centerline of Harford Avenue

1st Election District – 1st Councilmanic District

Legal Owners: Kevin Yang

Special Hearing for an undersized lot with a width of 50 feet in lieu of the required 55 feet and confirm an existing side yard setback of 4.9 feet in lieu of the required 10 feet.

Hearing: Friday, July 12, 2013 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Kevin Yang, 2705 Thornbrook Road, Ellicott City 21042
Richardson Engineering, 30 E. Padonia Rd., Ste. 500, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JUNE 22, 2013.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 16, 2013 Issue - Jeffersonian

Please forward billing to:

Kevin Yang
2705 Thornbrook Road
Ellicott City, MD 21042

410-736-3596

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2013-0238-SPH

1335 Lafayette Avenue

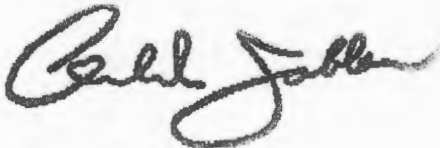
S/s Lafayette Avenue, 105 ft. W/of centerline of Harford Avenue

1st Election District – 1st Councilmanic District

Legal Owners: Kevin Yang

Special Hearing for an undersized lot with a width of 50 feet in lieu of the required 55 feet and confirm an existing side yard setback of 4.9 feet in lieu of the required 10 feet.

Hearing: Thursday, June 6, 2013 at 2:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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

MEMORANDUM

DATE: August 20, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0238-SPH -- Appeal Period Expired

The appeal period for the above-referenced case expired on August 19, 2013. 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

M E M O R A N D U M

TO: Kristen Lewis
Office of Zoning Review

FROM: Debra Wiley, Legal Administrative Secretary *DW*
Office of Administrative Hearings

DATE: June 4, 2013

SUBJECT: Case Nos. 2013-0237-SPHA - 1335A Lafayette Avenue AND
2013-0238-SPH - 1335 Lafayette Avenue
Hearing: June 6, 2013

As you are aware, the above-referenced cases were scheduled to come before Judge Beverungen on June 6, 2013 at 1:30 PM and 2:30 PM in Room 205 of the Jefferson Building. It was brought to our attention on June 3rd by Rick Richardson that the sign posting requirement for Case No. 2013-0238-SPH was not fulfilled in a timely manner (20 days). Per Judge Beverungen, the two (2) cases should be heard together. Mr. Richardson was advised that it would be beneficial to have the sign poster reflect that these cases have been postponed until the new hearing date has been acquired.

Therefore, these cases are now being returned to you for rescheduling and processing.
Thanks.

c: *File*

RE: PETITION FOR SPECIAL HEARING

1335 Lafayette Avenue; S/S Lafayette
Avenue, 105' W c/line Harford Avenue
1st Election & 1st Councilmanic Districts
Legal Owner(s): Kevin Yang
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2013-238-SPH

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED

APR 30 2013

.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of April, 2013, a copy of the foregoing Entry of Appearance was mailed to Richardson Engineering, LLC, 30 E. Padonia Road, Suite 500, Timonium, Maryland 21093, Representative for P'etitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NO. 2013-0238-SPH

C H E C K L I S T

Comment
Received

Department

Support/Oppose/
Conditions/
Comments/
No Comment

4/25/13

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

N/C

DEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

5/2/13

PLANNING
(if not received, date e-mail sent _____)

C

4/29/13

STATE HIGHWAY ADMINISTRATION

No Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 6/20/13

SIGN POSTING Date: 6/21/13 by O'Keefe

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

5/6/13
cg
JO WCL

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: May 2, 2013

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 1335 & 1335A Lafayette Avenue

INFORMATION:

Item Number: 13-237 & 13-238

Petitioner: Kevin R. Yang

Zoning: DR 5.5

Requested Action: Special Hearing and Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner seeks a variance and special hearing for a lot that is insufficient in area, width and has reduced side-yard setbacks. There is concern about the creation and construction of the subject 40-foot lot in addition to the adjacent reduced width lots. Nonetheless, the Department of Planning has determined that the petitioner does not own sufficient adjoining land to conform to the minimum width and area requirements and therefore does not meet the standards stated in Section 304.1.C of the BCZR. Additionally, there appears to be several existing undersized lots in the neighborhood. As such, this department does not oppose the petitioner's request.

If the petitioner's request is granted, the following conditions shall apply to the proposed dwelling:

1. Submit building elevations to this department for review and approval prior to the issuance any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings in the area.
2. Provide landscaping along the public road, if consistent with the existing streetscape.

For further information concerning the matters stated here in, please contact Donnell Zeigler at 410-887-3480.

Prepared By:

Division Chief:
AVA/LL:cjm

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: April 25, 2013

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

SUBJECT: Zoning Advisory Committee Meeting
For April 29, 2013
Item Nos. 2013-0211,0224, 0233,0234,0235,0237,0238,0239 and 0240.

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

DAK:CEN
Cc: file

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



Darrell B. Mobley, Acting Secretary
Melinda B. Peters, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 4-29-13

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

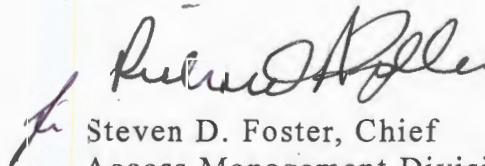
RE: Baltimore County
Item No 2013-0238-SPH
Special Hearing
Kevin R. Yang
1335 Lafayette Avenue

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2013-0238-SPH

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

Sincerely,


Steven D. Foster, Chief
Access Management Division

SDF/raz

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov



KEVIN KAMENETZ
County Executive

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

May 30, 2013

Kevin R. Yang
2705 Thornbrook Road
Ellicott City MD 21042

RE: Case Number: 2013-0238 SPH, Address: 1335 Lafayette Avenue

Dear Mr. Yang:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 17, 2013. 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.", is written over a faint circular stamp.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Richardson Engineering LLC, 30 E Padonia Road, Suite 500, Timonium MD 21093

Administrative Hearings - RE: Internet Inquiry

From: "Mary O'Neill" <mary@interproducers.net>
To: "'Administrative Hearings'" <administrativehearings@baltimorecountymd.gov>
Date: 7/8/2013 1:23 PM
Subject: RE: Internet Inquiry

Thank you very much!

Mary O'Neill

From: Administrative Hearings [mailto:administrativehearings@baltimorecountymd.gov]
Sent: Monday, July 08, 2013 10:14 AM
To: Mary O'Neill
Subject: Re: Internet Inquiry

Good Morning,

In reference to the two cases being heard on July 12th, there is no need to pre-register to speak. There will be a sign-in sheet at the hearing and you simply sign in; the judge will ask at the hearing if anyone wishes to speak and as far as time allowed to speak, that is the Judge's call at the hearing. At that time, you can present your case and put on the record (hearings are recorded) your concerns for one or both of the cases. It is not necessary or required to bring handouts, unless of course you wish to do so. And if so, one could be presented to the Judge and to the Petitioner and/or counsel for the Petitioner.

Thank you for contacting our office and hope this information was helpful.

>>> "Mary O'Neill" <mary@interproducers.net> 7/5/2013 7:01 PM >>>
Hello,

I am interested in two notices that have been posted in Catonsville Manor re special exceptions to build two single-family houses on undersized lots. The numbers are 2013-0238 and 0237 – SPH.

I am not familiar with this process, but I would like to make a statement at the hearing on Friday, July 12. How do I go about registering to speak, how long am I allowed to speak for, do I need to appear at both hearings, and can I bring one handout or do I need to bring multiple handouts? If so, how many?

My concerns are the size of the lots, the serious erosion and stormwater runoff problem we have in Catonsville Manor, the lack of sufficient storm drains, curbs, etc. Not to mention the many unsold and abandoned houses in our area.

You can reach me at home at 443-341-6875. I would appreciate whatever guidance you can provide in this matter.

Sincerely,

Mary J. O'Neill
1320 Lafayette Ave
Baltimore, MD 21207

Maryland Department of Assessments and Taxation
Real Property Data Search (vw2.1A)
BALTIMORE COUNTY

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Account Identifier: District - 01 Account Number - 0119322201

Owner Information

Owner Name: YANG KEVIN R **Use:** RESIDENTIAL
Principal Residence: NO
Mailing Address: 1335 LAFAYETTE AVE
BALTIMORE MD 21207 **Deed Reference:** 1) /32442/ 00248
2)

Location & Structure Information

Premises Address 1335 LAFAYETTE AVE
0-0000 **Legal Description** LT 57,58 PT 1
CATONSVILLE MANOR

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	3
0095	0008	0193		0000		22	1	1	Plat Ref:	0006/0128

Special Tax Areas **Town** NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1940	1,101 SF	6,250 SF	04

Stories	Basement	Type	Exterior
1.000000	NO	STANDARD UNIT	SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2013	07/01/2012	07/01/2013
Land	90,000	68,000		
Improvements:	55,800	49,000		
Total:	145,800	117,000	145,800	117,000
Preferential Land:	0			0

Transfer Information

Seller: SHERMAN URSULA	Date: 08/21/2012	Price: \$79,000
Type: ARMS LENGTH MULTIPLE	Deed1: /32442/ 00248	Deed2:
Seller: SHERMAN CHARLES D	Date: 02/24/1978	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /05858/ 00509	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt: **Special Tax Recapture:**
Exempt Class: HOMEOWNERS TAX CREDIT

Homestead Application Information

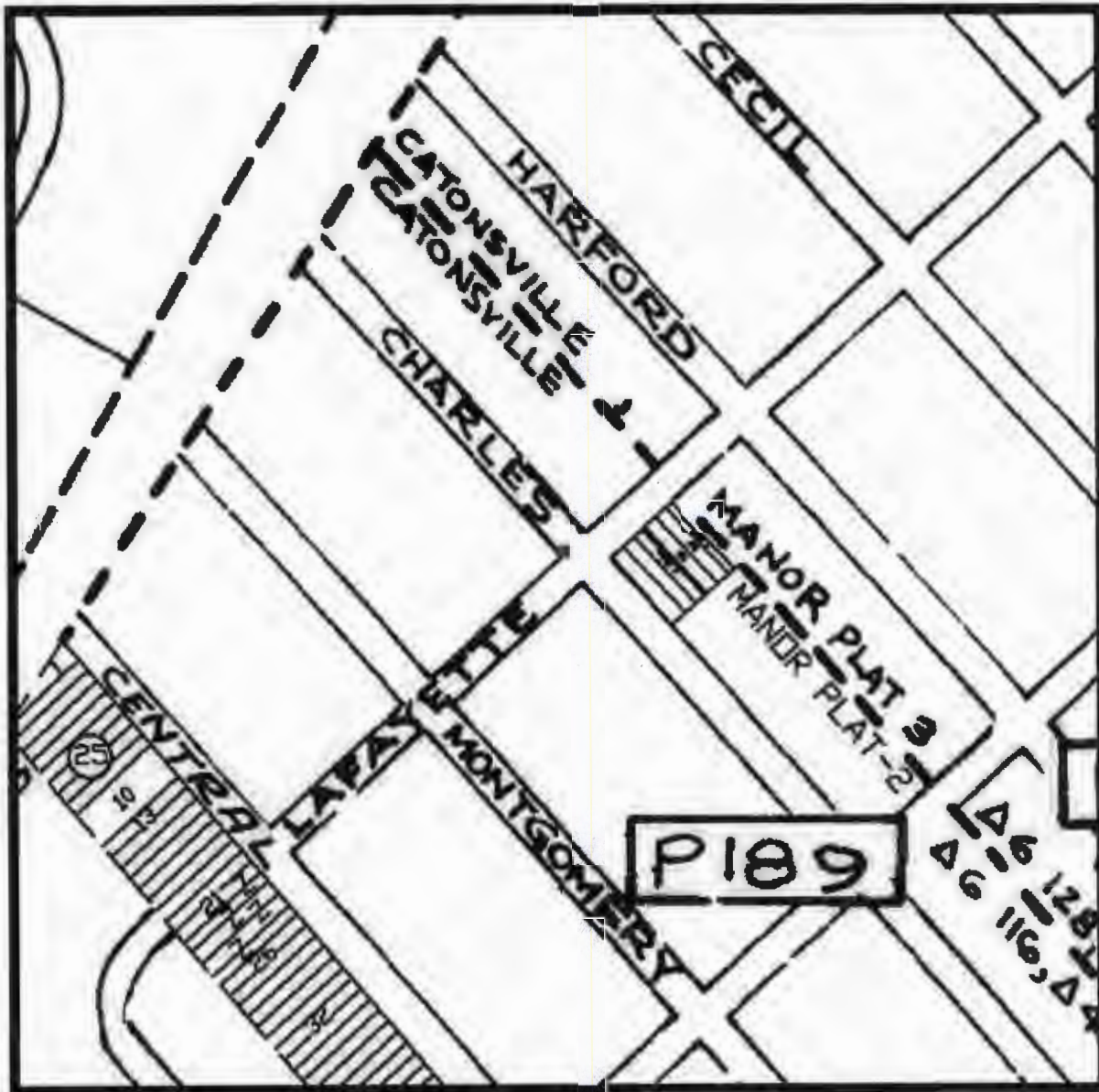
Homestead Application Status: No Application



**Maryland Department of Assessments and
Taxation
BALTIMORE COUNTY
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District - 01 Account Number - 0119322201



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Case No.: 2013 - 237 SPHA
2013 - 238 SPH

Exhibit Sheet

ser
7-19-13

Petitioner/Developer

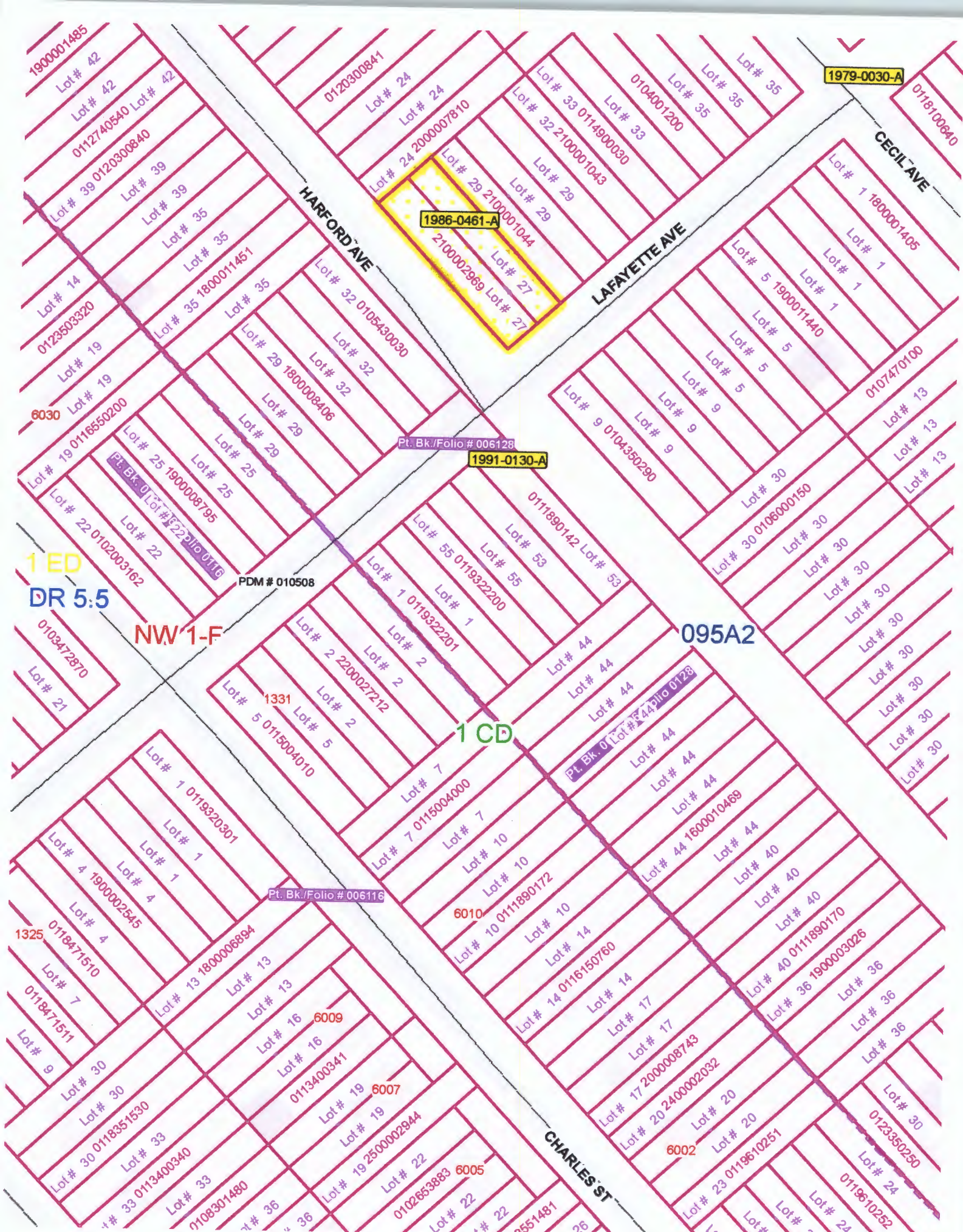
Protestant

No. 1	Site plan in 2013-237	Letters from neighbors
No. 2	Site plan in 2013-238	Letter from petitioners sent to Michael Matthews
No. 3	Plat-Catonsville Manor	
No. 4	Color photos	
No. 5	Exhibit showing variances granted in area	
No. 6	SDAT records	
No. 7	Deeds	
No. 8	Order in 91-130	
No. 9	My Neighborhood + Google Photos	
No. 10		
No. 11		
No. 12		

Exhibits

IN

2013-0237-
SPHA



1979-0030-A

1986-0461-A

1991-0130-A

PDM # 010508

Pt. Bk./Folio # 006116

Pt. Bk. 0 Lot # 44 Plio 0128

1 ED
DR 5:5

NW 1-F

1 CD

095A2

2013-0238-SPH

