

IN RE: PETITION FOR VARIANCE
(1132 Susquehanna Avenue)
15th Election District
6th Councilman District
Paul Crist
Petitioner

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2013-0296-A**

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

Now pending is Petitioner's motion for reconsideration, concerning a condition that was imposed upon the relief granted in the Order dated September 3, 2013. The Petitioner was granted relief from the side yard setback requirements in order to construct a replacement dwelling on the property. The Petitioner seeks reconsideration to have removed from that Order a condition requiring the deck shown on the plan to remain unenclosed and uncovered.

The subject property is narrow and deep, and that was why the variance for the side yard setbacks was granted. But at the same time, the lot is small (0.386 Acres) and the setbacks will be just 6 feet on each side of the new dwelling, instead of the 10 feet/25 feet sum required by the Regulations. The existing home being razed had 858 SF of enclosed area, and the home proposed will be over twice that size. Finally, the site plan submitted with the petition shows a "deck" (8 feet deep x 30 feet wide).

In these circumstances, I believe the restriction was a reasonable one, and I will therefore deny the motion. The property is located in the Critical Area, and those regulations seek to limit the amount of impervious surfaces on building lots. The addition of a roof over the deck would cause there to be an additional 240 SF of impervious surface. Although "deck" is not defined in the Regulations, the common meaning and understanding is that such a structure is uncovered.

ORDER RECEIVED FOR FILING

Date

9/26/13

By

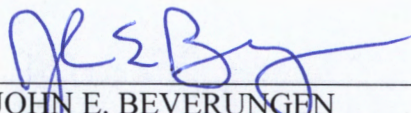
Sen

Indeed, BCZR § 260.2 refers to “unroofed additions, including patios and decks.”

WHEREFORE, for the foregoing reasons, it is this 26th day of September 2013 Ordered
the Motion for Reconsideration, be and is hereby, DENIED.

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

JEB:sln



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

ORDER RECEIVED FOR FILING

Date 9/26/13
By Den



KEVIN KAMENETZ
County Executive

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

September 26, 2013

Paul Crist
12 Shrewsbury Court
Baltimore, Maryland 21128

MOTION FOR RECONSIDERATION

RE: Petitions for Variance
Case No.: 2013-0296-A
Property: 1132 Susquehanna Avenue

Dear Mr. Crist:

Enclosed please find a copy of the decision rendered in the Motion for Reconsideration.

In the event any party finds the Motion for Reconsideration 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:sln
Enclosure

IN RE: PETITION FOR VARIANCE
(1132 Susquehanna Avenue)
15th Election District
6th Councilman District
Paul Crist
Petitioner

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2013-0296-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Bernadette Moskunus, on behalf of the legal owner, Paul Crist. The Variance was filed pursuant to Baltimore County Zoning Regulations ("B.C.Z.R") Section 1B02.3.C.1 to permit a side yard setback of 6' with a sum of 12' in lieu of the minimum setback of 10' with a sum of 25', respectively. 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 1.

Appearing at the public hearing in support of the requests was Paul Crist. Bernadette Moskunus from Site Rite Surveying, also appeared in support of the Petition. An adjoining neighbor (Michelle LaScola) attended the hearing and expressed certain concerns, which will be discussed below. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

Zoning Advisory Committee (ZAC) comments were received from the Department of Environmental Protection and Sustainability (DEPS) dated July 1, 2013 and the Bureau of Development Plans Review (DPR) dated June 17, 2013. DEPS indicated that the property is located within a Limited Development Area (LDA) and a Buffer Management Area (BMA) and is

ORDER RECEIVED FOR FILING

Date 9-3-13

By [Signature]

subject to Critical Area regulations. The Bureau of DPR indicated the Petitioner must comply with the County's flood plain requirements.

Testimony and evidence revealed that the subject property is approximately 16,818 square feet and zoned DR 3.5. The property is improved with a small single-family dwelling (approximately 850 sq. ft.) which the Petitioner proposes to raze. In its place, the Petitioner would like to construct a modern single-family dwelling as shown on the site plan. Exhibit 1. The house would be situated closer to Susquehanna Avenue than the existing home, but would require zoning relief given the narrow shape of the lot.

Ms. LaScola, who is planning to construct a new home on the lot next door to the Petitioner's (1134 Susquehanna Avenue), indicated she was concerned about whether the property boundary lines shown on the site plan (Exhibit 1) were accurate. As I explained at the hearing, only a circuit court has the authority to hear cases involving disputed property boundaries. Md. Real Prop. Code Ann. § 14-111(c). As such, for purposes of this case, I will assume the Petitioner's site plan, which was signed and sealed by a licensed surveyor, is accurate, and the relief granted herein is based upon that plan.

Based upon the testimony and evidence presented, I will grant the request for variance relief. Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

Petitioner has met this test. This waterfront parcel is narrow and deep, and is thus unique.

If the B.C.Z.R. were strictly enforced, the Petitioner would indeed suffer a practical difficulty, since he would be unable to construct a new dwelling on the lot. Finally, I find that the

ORDER RECEIVED FOR FILING

Date 9-3-13 2

By [Signature]

variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. The variance relief will be subject to certain conditions (enumerated below) designed to minimize any potential impact upon neighboring owners.

Pursuant to the advertisement, posting of the property and public hearing on this Petition, and for the reasons set forth above, the variance relief requested shall be granted

THEREFORE, IT IS ORDERED, this 3rd day of September, 2013, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to Baltimore County Zoning Regulations ("B.C.Z.R") Section 1B02.3.C.1 to permit a side yard setback of 6' with a sum of 12' in lieu of the minimum setback of 10' with a sum of 25', respectively (as depicted on the site plan marked as Exhibit 1), be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioner may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- The deck shown on the plan shall be open; i.e., it shall not be enclosed or covered with a roof.
- Any HVAC, propane tanks or other mechanical equipment shall not be installed or located in the side yard adjoining 1134 Susquehanna Avenue.

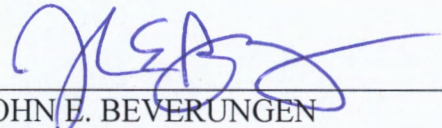
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JEB:dlw

ORDER RECEIVED FOR FILING

Date 9-3-13

By [Signature]


JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County



KEVIN KAMENETZ
County Executive

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

September 3, 2013

Paul Crist
12 Shrewsbury Court
Baltimore, Maryland 21128

RE: Petition for Variance
Property: 1132 Susquehanna Ave.
Case No.: 2013-0296-A

Dear Mr. Crist:

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,

A handwritten signature in black ink, appearing to read "JEB", is written over the printed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Bernadette Moskunus, Site Rite Surveying, 200 E. Joppa Rd., Room 101,
Towson, MD 21286
Michelle LaScola, 1306 Shore Drive, Edgewater, MD 21037

CBCA



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 1132 Sinsquehanna Ave. which is presently zoned D.R.3.5
 Deed References: 33662/314 10 Digit Tax Account # 1518102410
 Property Owner(s) Printed Name(s) Paul Crist

(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

2. a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. X a Variance from Section(s) 1B02.3.C.1 To permit a side yard set back of 6 feet with a sum of 12 feet in lieu of the minimum set back of 10 feet with a sum of 25 feet respectively.

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)

To be presented at 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

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Paul Crist

Name #1 - Type or Print

Name #2 - Type or Print

Paul Crist

Signature #1

Signature #2

12 Shrewsbury Court

Perry Hall, MD

Mailing Address

City

State

21228

443 564 0955

PaulieCrist@yahoo.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Bernadette Moskunias Site Rite Surveying

Name - Type or Print

Bernadette Moskunias

Signature

200 E. Joppa Road Rm 101 Towson, MD

Mailing Address

City

State

21286

410 828 9060

site@rite.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2013-0296-A Filing Date 6/5/13

Do Not Schedule Dates: _____

Reviewer G. H

ZONING DESCRIPTION
#1132 SUSQUEHANNA AVENUE

BEGINNING at a point on the west side of Susquehanna Avenue which is 40 feet wide at the distance of 65 feet north of the center line of Chesapeake Avenue which is 40 feet wide. Being part of Lots 34 and 35 in the subdivision of "Long Beach Estates" as recorded in Baltimore County Plat Book No. 3 Folio 178, containing 16,818 square feet. Located in the 15th Election District, 6th Councilmanic District.



Michael V. Moskunas

Michael V. Moskunas
Professional Land Surveyor
Reg. No. 21175

Site Rite Surveying, Inc.
200 E. Joppa Road
Suite 101
Towson MD 21286
(410) 828-9060

FILE: 1132 SUSQUEHANNA AVE.DOC\2013 ZONING DESC

2013-0296-A

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
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: 2013-0296-A

Petitioner: Paul Crist

Address or Location: 1132 Susquehanna Avenue

PLEASE FORWARD ADVERTISING BILL TO:

Name: Paul Crist

Address: 12 Shrewsbury Court
Perry Hall, MD 21228

Telephone Number: 443-564-0955

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

No. **099635**
 Date: **6/5/13**

PAID RECEIPT

BUSINESS ACTION TIME USER
 6/06/2013 6:05:20 14:06:10 2
 REC W502 WALTON JENN JEE
 >>RECEIPT # 82707 6/05/2013 0513
 Dept 3 328 ZENITH VERIFICATION
 CR NO. 099635
 Recpt for \$75.00
 \$75.00 12 1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	800	0000		6150					75.00

Total: **75.00**

Rec From: **GBL Custom Home Design Inc.**
 For: **Variance**
2013-0296-A

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

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING
CERTIFICATE OF POSTING

RE: CASE NO: 2013-0296-A

PETITIONER/DEVELOPER _____

SITE RTE SURVEYING INC

DATE OF HEARING/CLOSING: _____

8/19/13

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

ATTENTION:

LADIES AND GENTLEMEN:

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

1132 SUSQUEHANNA AVENUE

THIS SIGN(S) WERE POSTED ON _____

July 26/2013
(MONTH, DAY, YEAR)

SINCERELY

Martin Ogle 7/26/13
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE

(SIGN POSTER)

60 CHELMSFORD COURT

BALTIMORE, MD 21220

(ADDRESS)

PHONE NUMBER: 443-629-3411

ZONING NOTICE

CASE # 2013-0296-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

ROOM 205 JEFFERSON BUILDING 105 WEST

PLACE: CHESAPEAKE AVENUE TOWSON 21204

DATE AND TIME: MONDAY, AUGUST 19, 2013
AT 11:00 A.M.

REQUEST: VARIANCE TO PERMIT A SIDE YARD SETBACK
OF 6 FEET WITH A SUM OF 12 FEET IN LIEU OF THE
MINIMUM SETBACK OF 10 FT. WITH A SUM OF 25
FEET RESPECTIVELY.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SUBJECT TO BE NECESSARY.
TO CANCEL HEARING CALL 410-887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

myalun08 7/24/13



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

August 1, 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 July 30, 2013

☐ The Jeffersonian

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: # 2013-0296-A

1132 Susquehanna Avenue
W/s Susquehanna Avenue, 65 ft. N/of the centerline
of Chesapeake Avenue
15th Election District - 6th Councilmanic District
Legal Owner(s): Paul Crist

Variance: to permit a side yard setback of 6 feet with a sum of 12 feet in lieu of the minimum setback of 10 ft. with a sum of 25 feet respectively.

Hearing: Monday, August 19, 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.
JT 7/875 July 30

937210



KEVIN KAMENETZ
County Executive

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

July 8, 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: 2013-0296-A

1132 Susquehanna Avenue

W/s Susquehanna Avenue, 65 ft. N/of the centerline of Chesapeake Avenue

15th Election District – 6th Councilmanic District

Legal Owners: Paul Crist

Variance to permit a side yard setback of 6 feet with a sum of 12 feet in lieu of the minimum setback of 10 ft. with a sum of 25 feet respectively.

Hearing: Monday, August 19, 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".

Arnold Jablon
Director

AJ:kl

C: Paul Crist, 12 Shrewsbury Court, Perry Hall 21228
Bernadette Moskunias, 200 E. Joppa Rd., Rm. 101, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JULY 31, 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
Tuesday, July 30, 2013 Issue - Jeffersonian

Please forward billing to:

Paul Crist
12 Shrewsbury Court
Perry Hall, MD 21228

443-564-0955

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: 2013-0296-A

1132 Susquehanna Avenue

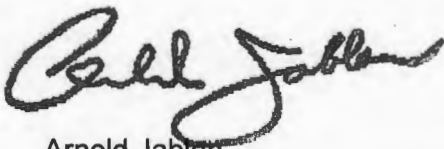
W/s Susquehanna Avenue, 65 ft. N/of the centerline of Chesapeake Avenue

15th Election District – 6th Councilmanic District

Legal Owners: Paul Crist

Variance to permit a side yard setback of 6 feet with a sum of 12 feet in lieu of the minimum setback of 10 ft. with a sum of 25 feet respectively.

Hearing: Monday, August 19, 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 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.

M E M O R A N D U M

DATE: October 8, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0296-A - Appeal Period Expired

The appeal period for the above-referenced case expired on October 3, 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

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
1132 Susquehanna Avenue; W/S Susquehanna	*	
Avenue, 65' N of c/line Chesapeake Avenue	*	OF ADMINSTRATIVE
15 th Election & 6 th Councilmanic Districts	*	
Legal Owner(s): Paul Crist	*	HEARINGS FOR
Petitioner(s)	*	BALTIMORE COUNTY
	*	2013-296-A

* * * * *

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

JUN 13 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 13th day of June, 2013, a copy of the foregoing Entry of Appearance was mailed to Bernadette Moskunas, Site Rite Surveying, 200 East Joppa Road, Towson, MD 21286, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

8/19 11a

CASE NO. 2013-0296-A

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
6/17/13	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	C
7/1/13	DEPS (if not received, date e-mail sent _____)	Comment
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
6/17/13	STATE HIGHWAY ADMINISTRATION	NO Obj
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION (Case No. _____)		
PRIOR ZONING (Case No. _____)		
NEWSPAPER ADVERTISEMENT	Date: 7/30/13	
SIGN POSTING	Date: 7/26/13 by Ogle	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED



JUL 02 2013

OFFICE OF ADMINISTRATIVE HEARINGS

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

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: July 1, 2013

SUBJECT: DEPS Comment for Zoning Item # 2013-0296-A
Address 1132 Susquehanna Avenue
(Crist Property)

Zoning Advisory Committee Meeting of June 10, 2013.

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA) and a Buffer Management Area (BMA) and is subject to Critical Area requirements. The applicant is proposing to allow a replacement single family dwelling and a driveway with reduced side yard setbacks. The lot is waterfront and is developed with a dwelling. The proposed dwelling is outside of the 100-foot buffer. Lot coverage on the entirety of this property is limited to 31.25% (5,255 square feet), with mitigation required for lot coverage above 25% (4,024 square feet). 15% afforestation, or 5 trees, is required in the LDA; existing trees may be counted towards this requirement. If the applicant can meet the lot coverage requirements and the 15% afforestation requirements, the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is waterfront. If lot coverage and afforestation requirements are met, that will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

Afforestation and lot coverage information was not included. Provided that the applicants meet the requirements stated above, the relief requested will be consistent with established land-use policies.

Reviewer: *Regina Esslinger – Environmental Impact Review (EIR)*

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For June 17, 2013
Item No. 2013-0296

DATE: June 17, 2013

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The base flood elevation for this site is 8.5 feet [NAVD 88].

The flood protection elevation is 9.5 feet.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood-resistant construction shall be in accordance with the Baltimore County Building Code which adopts, with exceptions, the *International Building Code*.

DAK: CEN.
Cc: file.
ZAC-ITEM NO 13-0296-06172013.doc

MODE = MEMORY TRANSMISSION

START=AUG-15 14:53

END=AUG-15 14:54

FILE NO.=003

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	a	94108289066	003/003	00:00:28

-ADMINHEARINGS

***** - 410 887 3468- *****

*FAXed
ZAC comments
to Bernadette moshunas*

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For June 17, 2013
Item No. 2013-0296

DATE: June 17, 2013

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The base flood elevation for this site is 8.5 feet [NAVD 88].

The flood protection elevation is 9.5 feet.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood-resistant construction shall be in accordance with the Baltimore County Building Code which adopts, with exceptions, the *International Building Code*.

DAK: CEN.
Cc: file.
ZAC-ITEM NO 13-0296-06172013.doc

Paul Crist
12 Shrewsbury Court
Baltimore, MD 21128

September 18, 2013

Office of Administrative Hearing
Mr. John E. Beverungen
Administrative Law Judge
105 W. Chesapeake Avenue
Suite 103
Towson, MD 21204

RECEIVED

SEP 25 2013

OFFICE OF ADMINISTRATIVE HEARINGS

RE: Case No. 2013-0296-A
Motion for Reconsideration

Dear Mr. Beverungen,

I am in receipt of the Order for the above referenced variance case. Where I greatly appreciate your favorable decision to the requested relief, given the circumstances surrounding the public hearing; I am requesting that you reconsider the second condition listed in said Order: "The deck shown on the plan shall be open; i.e., it shall not be enclosed or covered with a roof."

I feel this condition seriously restricts the use of my deck in the future for the following reasons:

- Limits the ability to add living space for family needs
- Limits the ability to retreat from the weather conditions while still being "outside"; i.e., intense heat, rain, humidity, etc
- Does not allow for a partial enclosure, as proposed by the concerned owner of #1134 Susquehanna Avenue (Ms. Michelle LaScola)

I feel as though I am being penalized by the concerns voiced, by said owner, at the public hearing. I understand the need to meet the current County regulations for my proposed dwelling; however, I do not understand how another property owner can dictate the appearance and use of my home. As it stands, the existing dwelling is clearly blocking the view for #1134 Susquehanna Avenue. I have physically moved the proposed conditions toward the road to lessen the environmental impacts and relief needed. As discussed at the hearing, the lot configuration reduces the ability to meet current regulations. I am trying to work with what I have while still being able to enjoy my "waterfront" property. Had the previous owner of #1134 Susquehanna Avenue, who signed the plan with "no opposition", not sold this property, the hearing may have lead to a favorable decision without the site specific conditions.

As discussed at the hearing, the property boundary concerns have no bearing on the variance. In addition, I had Site Rite Surveying, Inc. look into the property boundary for my own piece of mind and no conflict or encroachment was discovered.

I may move the house closer to the road at the time of construction; however, I do not want my neighbor dictating the "best" location for my home. As long as I am compliant with the 6' (sum of 12') sideyard setbacks granted, there should be no issue.

Thank you for your time and attention to this motion and I look forward to hearing from you at your earliest convenience.

Best regards,

Paul Crist

ORDER RECEIVED FOR FILING

Date

9/26/13

By

Sen

Debra Wiley - Re: 1132 Susquehanna Avenue 2013-0296-A

From: "Bernadette L. Moskunas" <siteriteinc@aol.com>
To: <jbeverungen@baltimorecountymd.gov>
Date: 8/27/2013 10:54 AM
Subject: Re: 1132 Susquehanna Avenue 2013-0296-A
CC: <dwiley@baltimorecountymd.gov>, <snuffer@baltimorecountymd.gov>

Thank you and have a very happy day!

-----Original Message-----

From: John Beverungen <jbeverungen@baltimorecountymd.gov>
 To: siteriteinc <siteriteinc@aol.com>
 Cc: Debra Wiley <dwiley@baltimorecountymd.gov>; Sherry Nuffer <snuffer@baltimorecountymd.gov>
 Sent: Tue, Aug 27, 2013 10:48 am
 Subject: Re: Fwd: 1132 Susquehanna Avenue 2013-0296-A

I will prepare an order and send to all parties.

>>> "Bernadette L. Moskunas" <siteriteinc@aol.com> 08/26/13 1:28 PM >>>

Mr. Beverungen,

I am writing on behalf of my client, Paul Crist. I prepared a drawing on his behalf based on the site plan dimensions provided by Michele's engineer (#1134). The owners met on site this past Sunday; however, did not reach an agreement. The adjacent property owners presented Paul with a document describing some restrictive demands. Needless to say, this document was not signed.

Paul would like you to move forward with your written order as your earliest convenience. He does not want to wait the two weeks as agreed.

I understand the property boundaries are not an issue for you to decide; however, we have confirmed his boundary based on field evidence and are confident he will meet his requested side yard relief.

Please confirm receipt of this email.

Thank you for your time and attention to this matter.

Best regards,
 Bernadette L. Moskunas
 Vice President
 Site Rite Surveying, Inc.

-----Original Message-----

From: Bernadette L. Moskunas <siteriteinc@aol.com>
 To: jbeverungen <jbeverungen@baltimorecountymd.gov>
 Sent: Mon, Aug 19, 2013 2:03 pm
 Subject: 1132 Susquehanna Avenue 2013-0296-A

Mr. Beverungen,

Thank you so much for your time this morning regarding the above hearing.

My client, Mr. Paul Crist and the owner of the contiguous lot have agreed to review her proposed site plan for house placement.

Mr. Dave Billingsley is to provide such within the week. Upon review, the said parties are to meet to determine an amicable agreement.

I understand if you do not have a reply at the end of the agreed two week allowance, you will be rendering the decision based on today's testimony.

I hope to have a decision to you promptly.

I hope your later cases are less demanding.

Best regards,
Bernadette L. Moskunas
Vice President
Site Rite Surveying, Inc.
200 E. Joppa Road
Shell Building, Room 101
Towson, MD 21286
(410)828-9060

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

John Beverungen - 1132 Susquehanna Avenue 2013-0296-A

From: "Bernadette L. Moskunas" <siteriteinc@aol.com>
To: <jbeverungen@baltimorecountymd.gov>
Date: 08/19/13 2:03 PM
Subject: 1132 Susquehanna Avenue 2013-0296-A

Mr. Beverungen,

Thank you so much for your time this morning regarding the above hearing.

My client, Mr. Paul Crist and the owner of the contiguous lot have agreed to review her proposed site plan for house placement. Mr. Dave Billingsley is to provide such within the week. Upon review, the said parties are to meet to determine an amicable agreement.

I understand if you do not have a reply at the end of the agreed two week allowance, you will be rendering the decision based on today's testimony.

I hope to have a decision to you promptly.

I hope your later cases are less demanding.

Best regards,
Bernadette L. Moskunas
Vice President
Site Rite Surveying, Inc.
200 E. Joppa Road
Shell Building, Room 101
Towson, MD 21286
(410)828-9060

JB 8-29
11 Am

August 28, 2013

MEMO TO: John E. Beverungen
Administrative Law Judge

FROM: Michelle LaScola

RE: 1134 SUSQUEHANNA AVENUE
CASE # 2013-0296-A

RECEIVED

AUG 29 2013

OFFICE OF ADMINISTRATIVE HEARINGS

Judge Beverungen:

This is to confirm my remaining concerns relative to the requested variance.

1. The dwelling and 8 foot waterfront deck will be no closer than six feet from my property line.
2. The 8 foot waterfront deck is to remain open.
3. Any tanks, including propane tanks, and any outside HVAC units will not be located in the side yard between the proposed dwelling and my property line.
4. Should the petitioner decide to reconfigure the proposed dwelling, the dwelling will not be located closer to the water than shown on the site plan presented at the hearing.

Provided the above conditions are made part of your order, I have no objection to the requested variance being granted.

Additionally, as requested, I have enclosed a copy of the site plan which will accompany my building permit application.

Thank you for your consideration in this matter.

Michelle LaScola

CASE NAME 1132 Sinsaychanna Ave.
CASE NUMBER 2013-0296A
DATE 8/19/2013

[illegible]

CASE NAME 1132 Susquehanna Ave.
CASE NUMBER 2013-296A
DATE 8/19/13

[illegible]

William Fell
1130 Susquehanna Avenue
Baltimore, MD 21220

3/3/14
so will
is this all
over?
To: Planner
who?
3/6/15 w
file

April 21, 2014

Zoning Review
County Office Building
Mr. Carl Richards, Chief
111 W. Chesapeake Avenue
Room 111
Towson, MD 21204

RE: #1132 Susquehanna Avenue
Paul Crist Property/Case No. 2013-0296-A

Mr. Richards,

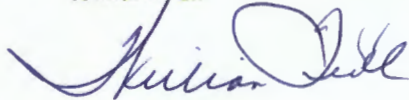
I am the owner of the property located at #1130 Susquehanna Avenue and bind on the northern property line of #1132 Susquehanna Avenue, Paul Crist Property. Mr. Crist sought and received approval for side yard setback relief of 6 feet, per the above referenced case. At that time, I signed the plan submitted for review and public hearing, that I was not opposed to his proposed house location or requested relief. Since that time he has razed the existing dwelling and applied for and received a building permit for the new dwelling.

Per the sketch provided, the proposed dwelling foundation has a side yard setback of 6 feet; however, the 2 foot overhang on the first floor has a side yard setback of 4.77 feet. Please accept this letter as confirmation that I have no opposition to this distance.

I appreciate your time and attention to this matter and hope that this meets with your satisfaction in order for Mr. Crist to move forward with the construction of his home.

Best regards,

William Fell



Enclosure

City/County of Baltimore
State of Maryland
The foregoing instrument was acknowledged before me
this 21st day of April, 2014
by William Fell
H. Renee Osborn Notary Public
My commission expires 7/23/14



H. Renee Osborn
NOTARY PUBLIC
Baltimore County
State of Maryland
My Commission Expires
July 23, 2014

#1130
WILLIAM
FELL

N51°53'48"W 338.46'

S41°27'E 338.80'

S48°14'27"E 311.80'

145
5.77
RBF FLUSH

#1132

144
8.83
GRINDER PUMP PUMP

PAUL
CRIST

143
7.29
RBCF MAI

City/County of Baltimore
State of Maryland
The foregoing instrument was acknowledged before me
this 21st day of April, 2014
by William Fell
H. Renee Osborn Notary Public
My commission expires 7/23/14



H. Renee Osborn
NOTARY PUBLIC
Baltimore County
State of Maryland
My Commission Expires
July 23, 2014

142
8.83
IPF NS

146
9.63
CL200

140
8.43
RBCF MAI

141
8.75
RBCF MAI

147
9.75
CL200 PC

Susquehanna Ave.

148
9.50
CL200 PDC

149
9.59
CL200



1230 Western

NW RD

My Neighborhood Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

Printed 3/28/2014

Pending lawsuits:

1. Court of Special Appeals: Rowe, Willis and Wachter appeals where Susanne is trying to order the Board of Appeals to hold a formal hearing to determine whether certain panel members should remove themselves from the panel.
 - a. Susanne lost at Circuit Court, dismissed the Board from the appeal so only R, W & W are still parties in the CSA
 - b. No hearing has been set for motion or argument in the CSA
2. Board of Appeals: Rowe, Willis and Wachter appeals from October 2013 letters informing them about a recalculation to their benefits.
 - a. This was the matter transferred from OAH upon Motion by Ginny.
 - b. I filed a Motion to Dismiss these actions arguing that they are moot
 - c. Hearing is set for April 9, 2014
3. OAH: same subject matter as #2, but this time the appeal is from an ERS decision that took place after Stahl determined that the October 2013 letters were not formal ERS decision.
 - a. Hearing is set for April 17

Preferred actions:

- The CBA should grant my motion to dismiss the now moot cases and should not hold any hearing on April 9.
- In the alternative, the CBA should stay my motion and any matter involving R,W&W until the Court of Special Appeals rules on the appeal (could take 6 months)
- OAH could postpone the April 17 hearing NOW in order to see what the CBA does with its April 9 hearing and my motion to dismiss that hearing.
 - It is very important to know whether the hearing will take place on April 17 because we have expert witnesses making travel plans and changing them costs the county money.
 - The goal is to have an OAH hearing before the CBA hearings, as is the point of Bill 7-13.
 - I don't care if Roddy is consolidated but if you do then I'm ok keeping separate.

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 6-17-13

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

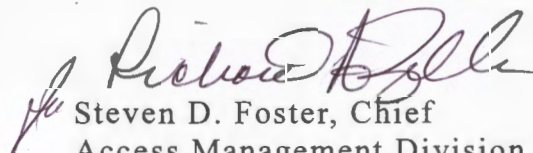
RE: Baltimore County
Item No. 2013-0296-A
Variance
Paul Crist
1132 Susquehanna Avenue

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. 2013-0296-A.

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



KEVIN KAMENETZ
County Executive

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

August 14, 2013

Paul Crist
12 Shrewsbury Court
Perry Hall MD 21228

RE: Case Number: 2013-0296 A, Address: 1132 Susquehanna Avenue

Dear Mr. Crist:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 5, 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Bernadette Moskunus, Site Rite Surveying Inc, 200 E Joppa Road, Suite 101, Towson MD 21286

Real Property Data Search (w4)

[Search Help](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 15 Account Number - 1518102410		
Owner Information		
Owner Name:	CRIST PAUL MICHAEL	Use: RESIDENTIAL
Mailing Address:	12 SHREWSBURY CT PERRY HALL MD 21128-	Principal Residence: NO
		Deed Reference: 1) /33662/ 00314 2)
Location & Structure Information		
Premises Address:	1132 SUSQUEHANNA AVE BALTIMORE 21220-4339 Waterfront	Legal Description: PT LT 34-35 LONG BEACH ESTATES
Map: 0098	Grid: 0004	Parcel: 0203
Sub District:	Subdivision: 0000	Section:
Block:	Lot: 34	Assessment Year: 2012
Plat No:	Plat Ref: 0003/ 0178	
Special Tax Areas:	Town:	NONE
	Ad Valorem:	
	Tax Class:	
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
1919	858 SF	16,818 SF
Property Land Area	County Use	
16,818 SF	34	
Stories	Basement	Type
1.000000	NO	STANDARD UNIT
Exterior	Full/Half Bath	Garage
FRAME	1 full	
Last Major Renovation		
Value Information		
	Base Value	Value
		As of
Land:	323,200	01/01/2012
Improvements	47,600	38,000
Total:	370,800	301,200
Preferential Land:	0	301,200
		0
	Phase-in Assessments	As of
		As of
		07/01/2012
		07/01/2013
Transfer Information		
Seller:	Date: 05/23/2013	Price: \$175,000
Type: ARMS LENGTH IMPROVED	Deed1: /33662/ 00314	Deed2:
Seller:	Date:	Price: \$0
Type:	Deed1: /07217/ 00293	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2012
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt:	Special Tax Recapture:	07/01/2013
Exempt Class:	NONE	0.00 0.00
Homestead Application Information		
Homestead Application Status: No Application		

Case No.: 2013-296-A

Exhibit Sheet

Petitioner/Developer

Protestant

EW 9-3-13

EW 10-8-13

No. 1	Site plan	
No. 2	SDAT sheet + deed	
No. 3	Plat - Long Beach Estates	
No. 4	Deed - Reinmuth (1986)	
No. 5	Environmental Map	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Real Property Data Search (w1)

[Search Help](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 15 Account Number - 1518102410		
Owner Information		
Owner Name:	CRIST PAUL MICHAEL	Use: RESIDENTIAL
Mailing Address:	12 SHREWSBURY CT PERRY HALL MD 21128-	Principal Residence: NO
		Deed Reference: 1) /33662/ 00314 2)
Location & Structure Information		
Premises Address:	1132 SUSQUEHANNA AVE BALTIMORE 21220-4339 Waterfront	Legal Description: PT LT 34-35 LONG BEACH ESTATES
Map: 0098	Grid: 0004	Parcel: 0203
Sub District:	Subdivision: 0000	Section:
Block: 34	Lot: 2012	Assessment Year:
Plat No:	Plat Ref: 0003/ 0178	Town: NONE
Special Tax Areas:		
Ad Valorem:	Tax Class:	
Primary Structure Built 1919	Above Grade Enclosed Area 858 SF	Finished Basement Area 16,818 SF
County Use 34		
Stories 1.000000	Basement NO	Type STANDARD UNIT
Exterior FRAME	Full/Half Bath 1 full	Garage
Last Major Renovation		
Value Information		
	Base Value	Value
		Phase-in Assessments
		As of
		As of
Land:	323,200	01/01/2012
Improvements	47,600	07/01/2012
Total:	370,800	07/01/2013
Preferential Land:	0	301,200
		301,200
		0
Transfer Information		
Seller:	Date: 05/23/2013	Price: \$175,000
Type: ARMS LENGTH IMPROVED	Deed1: /33662/ 00314	Deed2:
Seller:	Date:	Price: \$0
Type:	Deed1: /07217/ 00293	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2012
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt:	Special Tax Recapture:	0.00 0.00
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: No Application		

~~PROTESTANT'S~~
 Petitioner's 2
 EXHIBIT NO. _____

Stark and Keenan, P.A.
30 Office Street
Bel Air, Maryland 21014
410-879-2222
File No. 13-033EGC
Tax ID # 15-18-102410

This Deed, made this 14th day of May, 2013, by and between **ROBIN BARTENFELDER, PERSONAL REPRESENTATIVE OF THE ESTATE OF ERNEST C. REINMUTH, GRANTOR**, and **PAUL MICHAEL CRIST, GRANTEE**.

Witnesseth –

That in consideration of the sum of ONE HUNDRED SEVENTY FIVE THOUSAND DOLLARS 00/100 (\$175,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt of which is hereby acknowledged, the said Grantor does hereby grant and convey to the said Grantee, as sole owner, his personal representatives and assigns, in fee simple, all that lot of ground situate in the County of Baltimore, State of Maryland and described as follows, that is to say:

All that lot or parcel of land situate in the 15th Election District of Baltimore County lying on the northwesterly side of Susquehanna Avenue and running northwesterly to the waters of Frog Mortar Creek and described as follows:

Beginning for the same on the northwest side of Susquehanna Avenue at the dividing line between Lots 34 and 35, of Long Beach Estates, as shown on a plat filed among the Land Records of Baltimore County in Plat Book W.P.C. No. 3, folio 178, and running thence northeasterly by a curve to the left and binding along the northwest side of Susquehanna Avenue forty-six feet more or less to a point on the northwest side of Susquehanna Avenue where it would be intersected by a line drawn through the centers of two poles of the Consolidated Gas Electric Light and Power Company of Baltimore erected on Lot 34, thence northwesterly passing through the centers of said pole three hundred and thirty-four feet, more or less, to the water line of Frog Mortar Creek, thence binding along the water line of Frog Mortar Creek, thirty-five feet more or less, to intersect a line drawn parallel to and five feet southwesterly from the dividing line between said lots 34 and 35, thence southeasterly binding along said line parallel to said dividing line, three hundred and thirty feet, more or less, to the northwest side of Susquehanna Avenue, and thence northeasterly binding on the northeast side of Susquehanna Avenue, five feet to the place of beginning. Being and comprising parts of lots 34 and 35 of Long Beach Estates as shown on the above mentioned plat. The property being known as 1132 Susquehanna Avenue, Middle River, Maryland.
Property Tax Id No. 15-15-18-102410

Being the same property conveyed by and described in a deed from Sidney J. Williams, Jr., et al, unto Ernest C. Reinmuth and Carrie E. Reinmuth as tenants by the entireties, dated July 21, 1964 and recorded among the Land Records of Baltimore County at Liber R.R.G. No. 4332, folio 169. The northeasterly boundary there of having been fixed and confirmed by Agreement between Ernest C. Reinmuth and Carrie Reinmuth, and William

T. Fell, Jr. and Diana E. Fell, dated July 23, 1986 and recorded among the land records aforesaid at Liber E.H.K. No. 7217, folio 293 as shown on a plat attached thereto.

Together with the use in common with others entitle thereto of a Right of Way fifteen feet in width and one hundred sixty five feet in length running northwesterly from Susquehanna Avenue along the southwesterly line of the tract hereinabove described as described in Liber C.W.B. No. 1079, folio 61.

Together with all riparian rights appurtenant thereto and all the right title and interest in and to the muds, flats, bulkheads rip rap, pilings, piers, filled lands and lands beneath the waters of Frog Mortar Creek as far into said creek as such right title and interest extends, or should extend by law, custom or possessions.

The improvements being known as 1132 Susquehanna Avenue, Baltimore, MD

Ernest C. Reinmuth also known as Ernest Carroll Reinmuth died testate April 19, 2010 having survived Carrie E. Reinmuth. See Estate No. 159804 in the Orphans Court for Baltimore County in which Robin A. Bartenfelder was appointed Personal Representative.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said **PAUL MICHAEL CRIST**, as sole owner, his personal representatives and assigns, in fee simple.

And the Grantor hereby covenants that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he will warrant Generally the property hereby granted; and that he will execute such further assurances of the same as may be requisite.

THIS AGREEMENT, Made this 27th day of July, 1986, by and between ERNEST C. REINMUTH and SARIE E. REINMUTH, his wife, parties of the first part and WILLIAM T. FELL, JR., and DIANA E. FELL, his wife, parties of the second part.

WHEREAS, the parties of the first part are the owners in fee simple of parts of lots 34 and 35, as shown on the Plat entitled, "Long Beach Estates", which Plat is recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 3, folio 178, acquired by a Deed dated July 21, 1964 and recorded among the said Land Records in Liber R.R.G. 4332, folio 169 from SIDNEY J. WILLIAMS, SR., widower, et al.

WHEREAS, the parties of the second part are the owners in fee simple of the ground and described as follows, that is to say:

BEGINNING for the same on the northwest side of Susquehanna Avenue, at the dividing line between Lots 33 and 34 of Land Beach Estates, as shown on a Plat filed among the Land Records of Baltimore County in Plat Book W.P.C. No. 3, folio 178; and running thence southwesterly by a line curving toward the right and binding along the northwest side of Susquehanna Avenue fifty-four feet to a point on the northwest side of Susquehanna Avenue where it would be intersected by a line drawn through the centers of two poles of the Consolidated Gas Electric Light and Power Company of Baltimore erected on Lot 34 as shown on said Plat; thence northwesterly by a straight line passing through the centers of said poles three hundred thirty-four feet, more or less, to the water line of Frog Mortar Creek; thence northerly binding along the waterline of Frog Mortar Creek thirty-five feet, more or less, to the dividing line between Lots 33 and 34 as shown on said Plat; thence southeasterly binding along said dividing line three hundred thirty-eight feet, more or less, to

STATE DEPARTMENT OF
ASSESSMENTS & TAXATION -1-

JR 7-2486
CLERK DATE

TRANSFER TAX NOT REQUIRED
Director of Finance
BALTIMORE COUNTY, MARYLAND
Per *James J. [Signature]*
Authorized Signature
Date 7-24-86 Sec. 11-85.6

SIGNATURE JR DATE 7-24-86
AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

PROTESTANT'S
Petitioner's 4
EXHIBIT NO.

the place of beginning. BEING part of Lot 34 of Long Beach Estates, as shown on the above mentioned Plat. The improvements thereon being known as No. 1130 Susquehanna Avenue.

WHEREAS, the call to the dividing line between the parties makes reference to two (2) poles of the Consolidated Gas and Electric Light and Power Company of Baltimore erected on lot 34; and

WHEREAS, the C G E L & P C has since moved one or both of the telephone poles and no records can be found as to the exact position of the said poles.

WHEREAS, in order to fix the boundary line between the two (2) parcels of property and in order to agree on a true course and distance as a dividing line between the properties, these presents are executed by all the parties having an interest in said lots of ground.

NOW, THEREFORE, for and in consideration of the premises and the sum of One Dollar (\$1.00), paid by each of the parties hereto to the other, the receipt whereof is hereby acknowledged, the within parties of the first, ^{and} second ~~and third~~ parts, each in accordance with their respective interest, do hereby agree for themselves, their respective personal representatives, successors and assigns, that the division line existing between the two (2) properties shall be a call and distance of South 41 degrees 19 minutes 23 seconds East 339.13 feet as shown on the Plat showing line of Agreement between WILLIAM FELL and ERNEST REINMUTH as prepared by Frank S. Lee, registered property line surveyor, which is attached hereto.

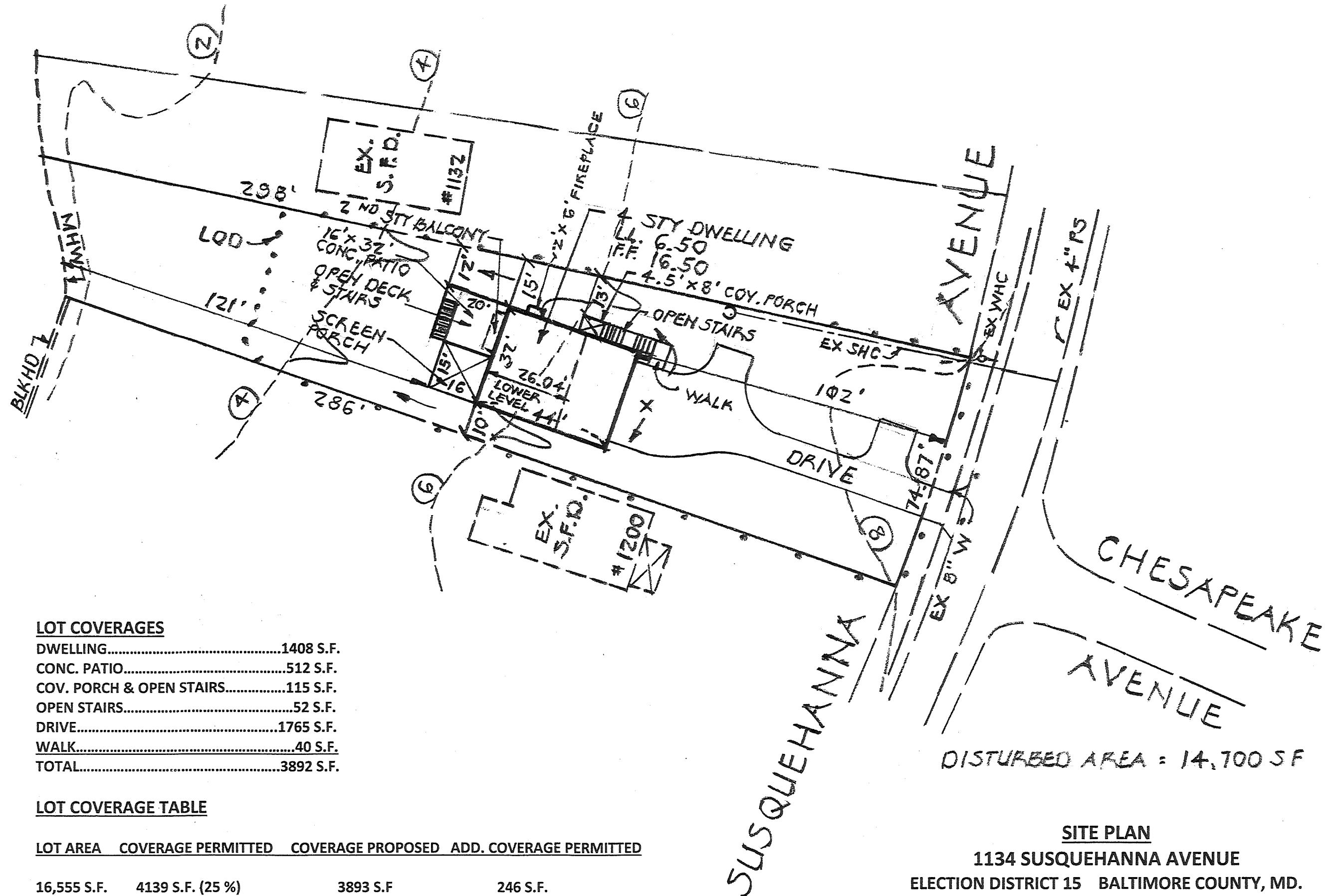
WITNESS: The hands and seals of the parties of the first and second parts.



FRANK S. LEE
1277 NEIGHBORS AVE.
BALTIMORE, MD. 21237



FROG MORTAR
CREEK



LOT COVERAGES

DWELLING.....	1408 S.F.
CONC. PATIO.....	512 S.F.
COV. PORCH & OPEN STAIRS.....	115 S.F.
OPEN STAIRS.....	52 S.F.
DRIVE.....	1765 S.F.
WALK.....	40 S.F.
TOTAL.....	3892 S.F.

LOT COVERAGE TABLE

LOT AREA	COVERAGE PERMITTED	COVERAGE PROPOSED	ADD. COVERAGE PERMITTED
16,555 S.F.	4139 S.F. (25 %)	3893 S.F.	246 S.F.
	5173 S.F. (31.25%)	3893 S.F.	1280 S.F. **
	** WITH MITIGATION		

SURVEYED AND PLATTED BY
REDING & HOWARD
CIVIL & LANDSCAPE ENGRS.
BALTIMORE, MD.

PLAN of LONG BEACH ESTATES.

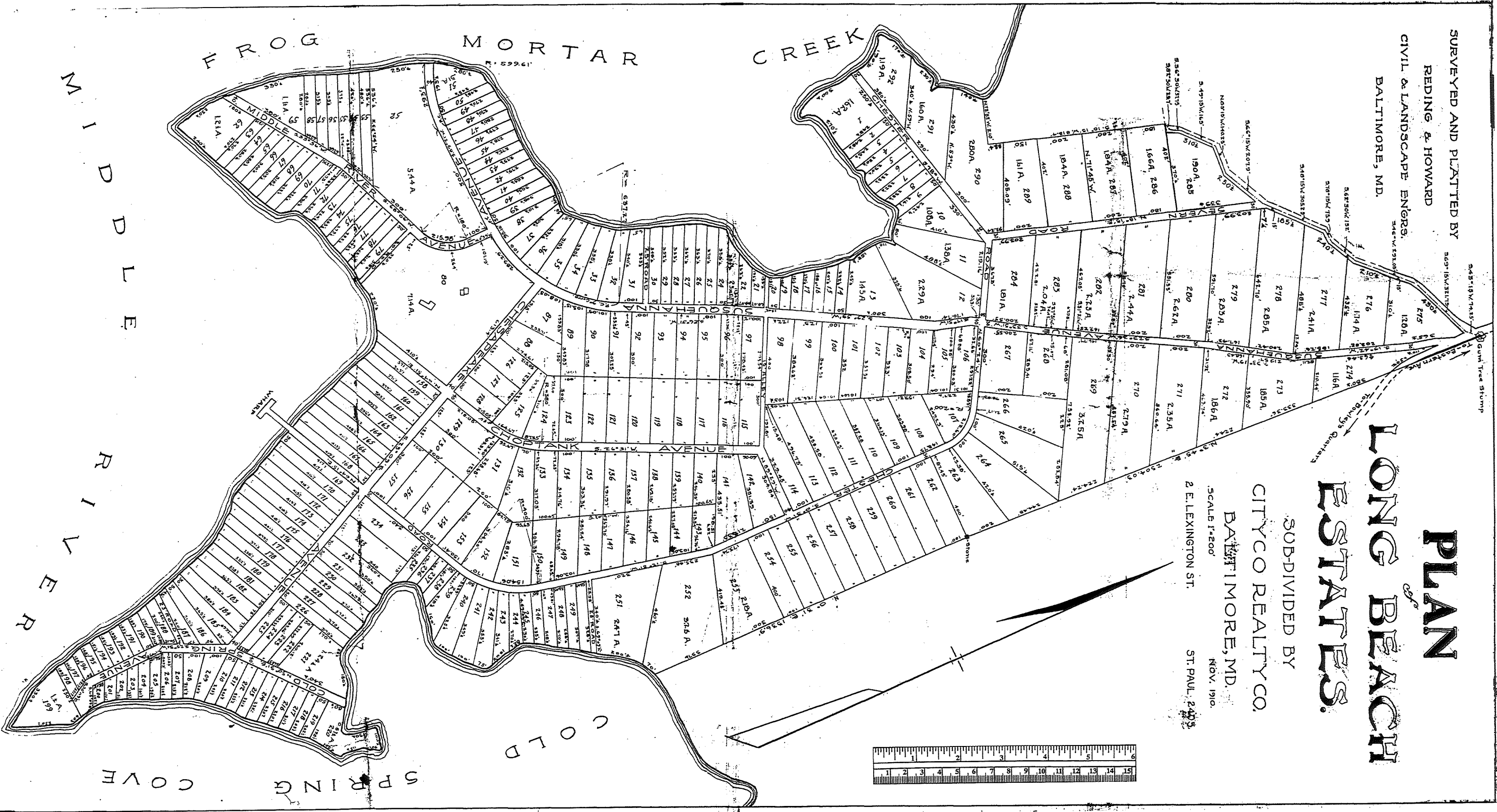
SUBDIVIDED BY
CITYCO REALTY CO.

BALTIMORE, MD.
SCALE 1"=200'

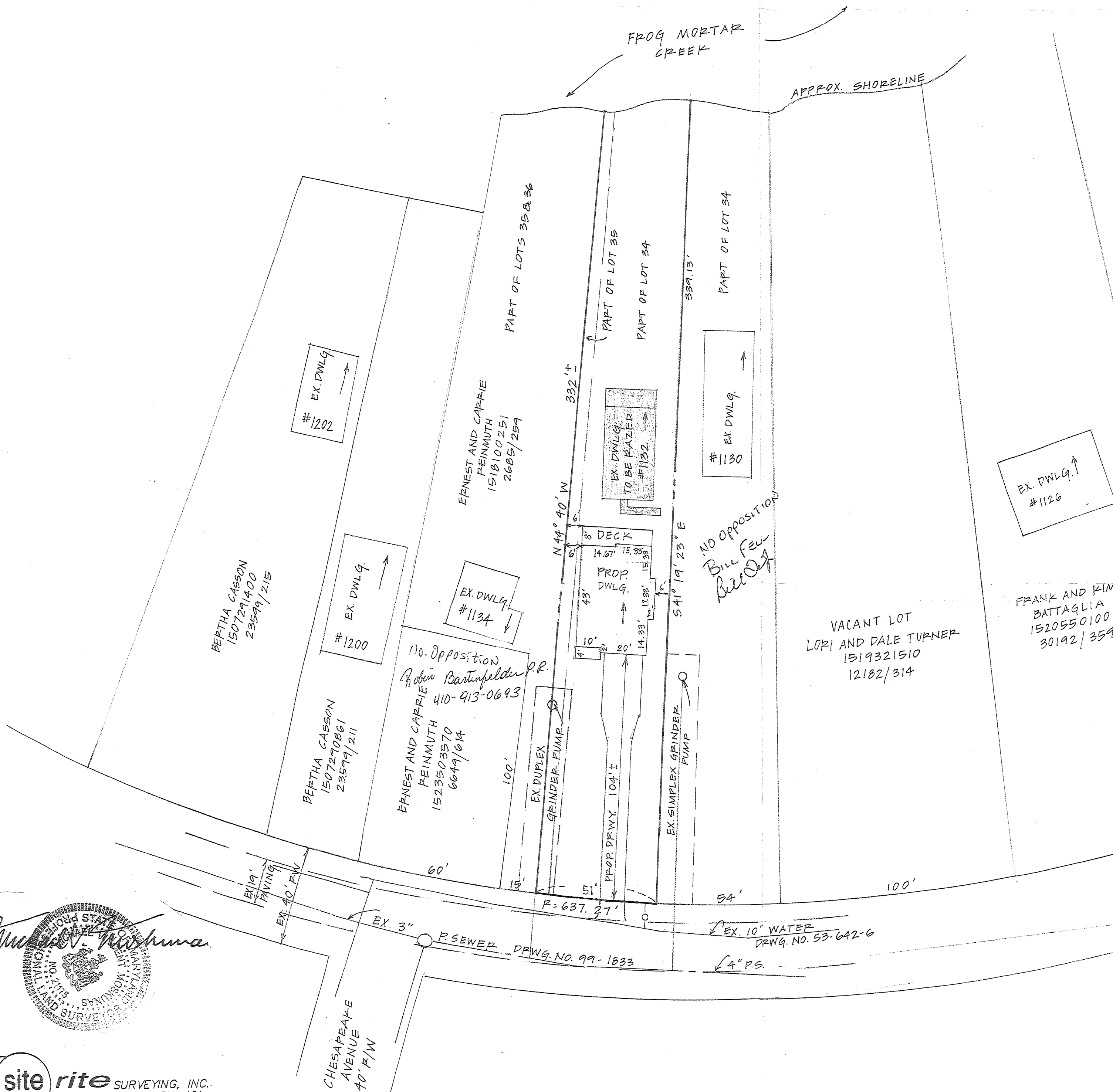
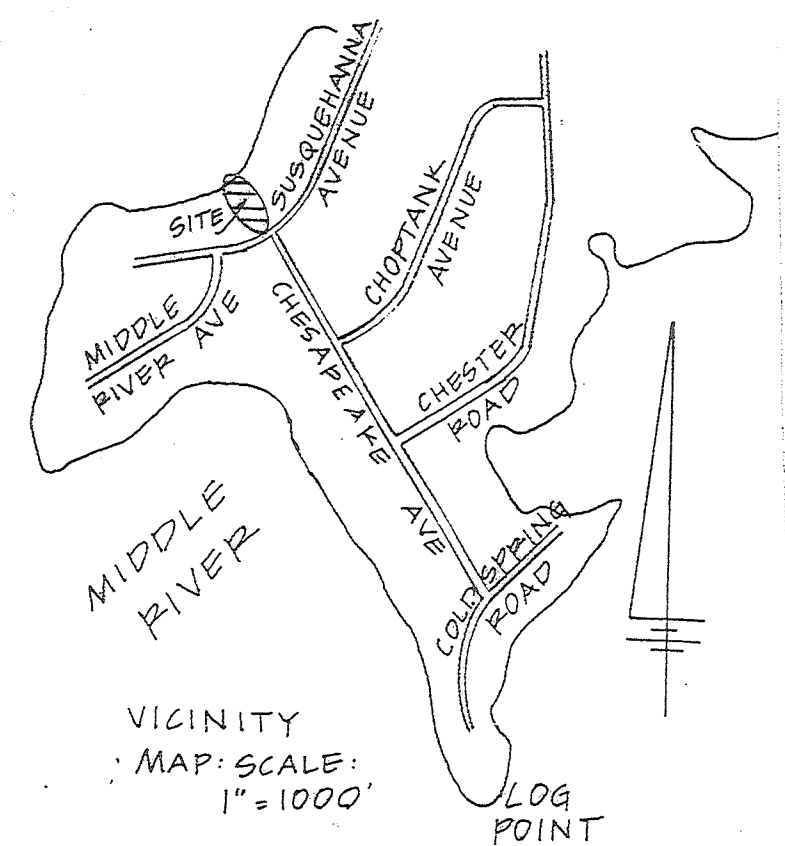
2 E. LEXINGTON ST.

ST. PAUL, PA. 2405

NOV. 1910.



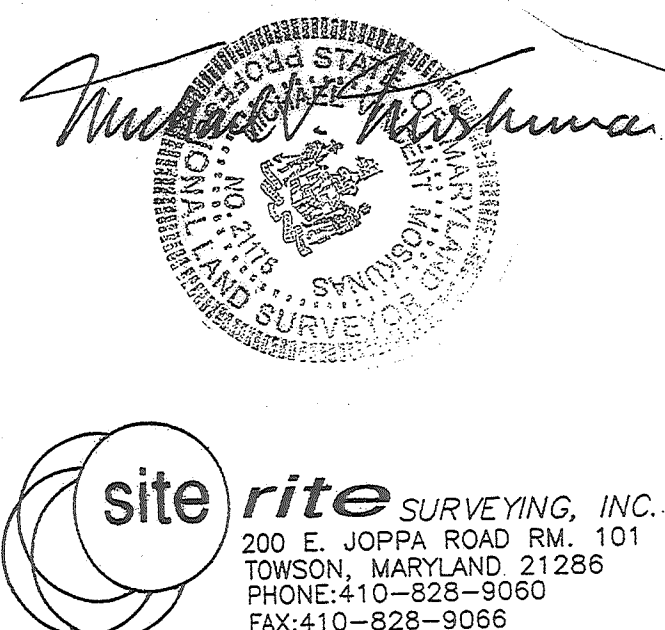
1. EXISTING ZONE: D.R. 3.5 (098B1)
2. LOT AREA: 16,818 S.F. or 0.386 Ac +/-
3. EXISTING USE: SINGLE FAMILY DWELLING TO BE RAZED
PROPOSED USE: REPLACEMENT SINGLE FAMILY DWELLING
4. LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA (LDA)
5. LOCATED IN THE 100 YEAR FLOOD PLAIN AREA (ENTIRE SITE)
COMMUNITY PANEL NO. 240010 0445F ZONE: "AE" (EL9)
6. NOT LOCATED IN AN HISTORIC DISTRICT
7. PROPERTY IS SERVICED BY PUBLIC WATER AND SEWER
8. THERE IS NO PRIOR ZONING HISTORY
9. LOTS ON A RECORD PLAT DATED 1910 – BEFORE THE ADOPTION OF THE 1945 ZONING REGULATIONS
10. THERE ARE NO CURRENT OR OUTSTANDING ZONING VIOLATIONS



OWNER: PAUL CRIST
12 SHREWSBURY COURT
PERRY HALL MD 21228
443-564-0955
TAX MAP: 98 GRID: 4 PARCEL: 203
TAX ACCT. NO. 1518102410
DEED REF: 33662/314

PLAN TO ACCOMPANY PETITION FOR VARIANCE
"CRIST PROPERTY"
#1132 SUSQUEHANNA AVENUE
PART OF LOTS 34 AND 35
"LONG BEACH ESTATES" 3 / 178
ELECTION DISTRICT NO. 15
COUNCILMANIC DISTRICT NO. 6
BALTIMORE COUNTY, MD
SCALE: 1" = 30"
MAY 20, 2013
JOB #10183

~~PROTESTANT~~
Petitioner's
EXHIBIT NO. 4



~~PROTESTANT'S~~
Petitioner's
EXHIBIT NO. 5



Environmental Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

Printed 8/19/2013

313 Feet



Environmental Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

Printed 8/19/2013

SURVEYED AND PLATTED BY
REDING & HOWARD
CIVIL & LANDSCAPE EN'GRS
BALTIMORE, MD.

PLAN "C" LONG BEACH ESTATES

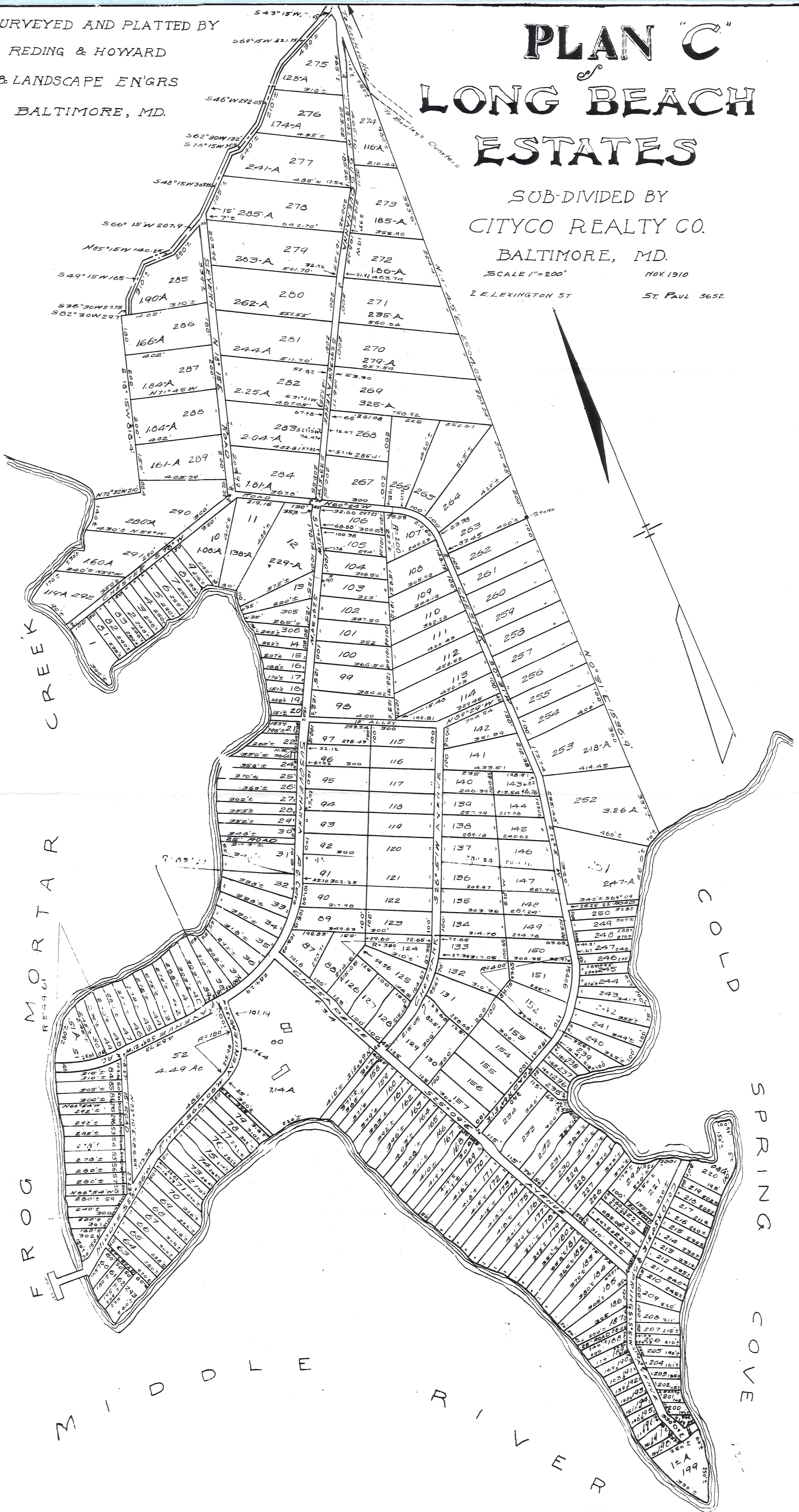
SUB-DIVIDED BY
CITYCO REALTY CO.
BALTIMORE, MD.

SCALE 1"=200'

NOV 1910

2 E. LEXINGTON ST

ST. PAUL 3652



Filed Aug 7th 1914
Test: Wm P Cole
Clerk

MIN. CH. 9156-4806

