

IN RE: PETITION FOR VARIANCE

(2919 Virginia Avenue)

13th Election District

1st Councilman District

Robert L. & Lois J. Donaldson

Legal Owners

2919 Virginia Avenue, LLC

Contract Purchaser

Petitioners

*

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*

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BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2014-0026-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Robert L. and Lois J. Donaldson, owners, and 2919 Virginia Avenue, LLC, contract purchaser. The Petitioners are requesting Variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 ft. in lieu of the required 55 ft. minimum. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the requests was Bryan Helmstetter and Michael Trice. The file reveals that the Petition was properly advertised and posted as required by the Baltimore County Zoning Regulations. There were no Protestants or interested citizens in attendance, and the file does not contain any letters of protest or opposition.

Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP). DOP requested that the Petitioners submit building elevations to their department for review and approval prior to the issuance of any building permits and to provide landscaping along the public road, if applicable.

Testimony and evidence revealed that the subject property is approximately 6,250 square

ORDER RECEIVED FOR FILING

Date 10/1/13

By ADD

feet and is zoned DR 5.5. The property is improved with a two story frame dwelling, which is in poor condition. The Petitioners propose to raze this dwelling and construct in its place a new dwelling (30' x 42').

Based upon the testimony and evidence presented, I will grant the petition for variance.

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).

Petitioners have met this test. The property is comprised of two (2) 25' wide lots shown on a plat which is over 100 years old, long before the adoption of the B.C.Z.R. As such, the property is unique.

If the B.C.Z.R. were strictly enforced, the Petitioners would indeed suffer a practical difficulty, given they would be unable to construct the proposed dwelling. Finally, I find that the 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. As noted by the DOP, many homes in the area are situated on 50' wide lots, and thus the proposed dwelling will be compatible with the neighborhood.

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 1st day of October, 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") to permit a lot width of 50 ft. in lieu of the required 55 ft. minimum, be and is hereby GRANTED.

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Date 10/1/13

By den

The relief granted herein shall be subject to the following:

- Petitioners may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- Petitioners must submit for approval by DOP building elevations of the proposed single family dwelling, prior to the issuance of building permits.

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:slh

ORDER RECEIVED FOR FILING

Date 10/14/13

By slh



KEVIN KAMENETZ
County Executive

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

October 1, 2013

Robert L. and Lois J. Donaldson
2919 Virginia Avenue
Baltimore, Maryland 21227

RE: Petition for Variance
Property: 2919 Virginia Avenue
Case No.: 2014-0026-A

Dear Mr. and Mrs. Donaldson:

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 of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

C: Bryan Helmstetter, 6225 Medora Road, Linthicum, Maryland 21090
Michael Trice, 6212 Groveland Road, Linthicum, Maryland 21090



PETITION FOR ZONING HEARING(S)

To be filed in the Department of Permits, Approval and Inspections

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

Address 2919 Virginia Avenue

which is presently zoned Dr. S. S

Deed References: 4649/018

10 Digit Tax Account # 1304500780

Property Owner(s) Printed Name(s) Robert L Donaldson

(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) BOZ. 3.C.1 To permit a lot width of 50 feet in lieu of the required 55 feet minimum.

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)

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:

2919 VIRGINIA AVENUE LLC

Name- Type or Print

Signature

6225 MEIRA RD CATHICUM MD

Mailing Address

City

State

21090 410-627-5200

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Date

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

ROBERT L. DONALDSON LOIS J. DONALDSON

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

2919 VIRGINIA AVE BALTO. MD.

Mailing Address

City

State

21227 443-513-3224

Zip Code

Telephone #

Email Address

Representative to be contacted:

BANK C. METTEMA SR., INC.

Name - Type or Print

Signature

5409 EAST DR BALTO MD.

Mailing Address

City

State

21227 410-247-7488

Zip Code

Telephone #

Email Address

CASE NUMBER 2014-0026-A

Filing Date 8/2/13

Do Not Schedule Dates: _____

Reviewed G.H.

**JOHN C. MELLEMA SR., INC.
LAND SURVEYORS**

5409 EAST DR. BALTO., MD. 21227
PHONE: 410-247-7488 FAX: 410-247-2507

(2919 Virginia Ave)

ZONING DESCRIPTION
LOT 46 & 47 VIRGINIA AVENUE

BEGINNING AT A POINT ON THE SOUTHWEST SIDE OF VIRGINIA AVENUE WHICH IS A 50 FOOT RIGHT OF WAY, AT THE DISTANCE OF 150 FEET SOUTHWESTERLY OF THE CENTERLINE OF WASHINGTON AVENUE WHICH IS A 50 FOOT RIGHT OF WAY.

BEING LOTS 46 AND 47 IN THE SUBDIVISION OF BALTIMORE HIGHLANDS AS RECORDED IN BALTIMORE COUNTY PLAT BOOK 2 FOLIO 379, CONTAINING 6,250 SQUARE FEET OR 0.14 ACRES. LOCATED IN ELECTION DISTRICT 13 AND COUNCIL DISTRICT 1.



2014-0026-A

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: 2014-0027-A

Petitioner: ~~Butler~~ Robert L. Donaldson

Address or Location: 2921 Virginia Avenue

PLEASE FORWARD ADVERTISING BILL TO:

Name: Robert L. Donaldson

Address: 2921 Virginia Avenue

Telephone Number: 443-517-3224

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

No. **101597**

Date: **8/2/13**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
8/02/2013 8/02/2013 10:20:45 8

DES WSD4 WALKIN SHIL SAN
>>RECEIPT # 582166 8/02/2013 OFLN

Dept 5 528 ZONING VERIFICATION
CR NO. 101597

Recpt Tot \$75.00
\$150.00 CK \$0.00 CA
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		0150				75.00

Total: **75.00**

Rec From: **Michael J Trice**

For: **Variance**

Rec # 2014-0026-A

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 09/08/2013

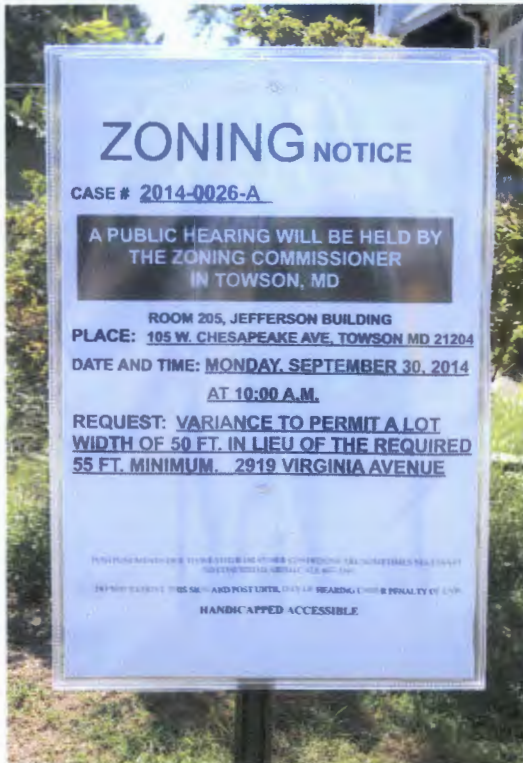
Case Number: 2014-0026-A

Petitioner / Developer MR. & MRS. DONALDSON~
2919 VIRGINIA AVENUE, LLC ~ JOHN MELLEMA, SR.

Date of Hearing (Closing): SEPTEMBER 30, 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:
2919 VIRGINIA AVENUE

The sign(s) were posted on: SEPTEMBER 6, 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

September 12, 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 September 10, 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: #2014-0026-A

2919 Virginia Avenue

Being lots 46 & 47 (2919 Virginia Ave.) SW/s Virginia Ave.,

150 ft. SW of Washington Avenue

13th Election District - 1st Councilmanic District

Legal Owner(s): Robert & Lois Donaldson

Contract Purchaser: 2919 Virginia Avenue, LLC

Variance: to permit a lot width of 50 ft in lieu of the required 55 ft. minimum.

Hearing: Monday, September 30, 2013 at 10:00 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 9/667 September 10 945755



KEVIN KAMENETZ
County Executive

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

August 15, 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: 2014-0026-A

2919 Virginia Avenue

Being Lots 46 & 47 (2919 Virginia Avenue) SW/s Virginia Ave., 150 ft. SW of Washington Ave.

13th Election District – 1st Councilmanic District

Legal Owners: Robert & Lois Donaldson

Contract Purchaser: 2919 Virginia Avenue, LLC

Variance to permit a lot width of 50 ft. in lieu of the required 55 ft. minimum.

Hearing: Monday, September 30, 2013 at 10:00 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: Mr. & Mrs. Donaldson, 2919 Virginia Avenue, Baltimore 21227
2919 Virginia Avenue, LLC, 6225 Medra Rd., Linthicum 21090
John Mellema, Sr., Inc., 5409 East Dr., Baltimore 21227

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUE., SEPTEMBER 10, 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, September 10, 2013 Issue - Jeffersonian

Please forward billing to:
Robert Donaldson
2921 Virginia Avenue
Baltimore, MD 21227

443-517-3224

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: 2014-0026-A

2919 Virginia Avenue

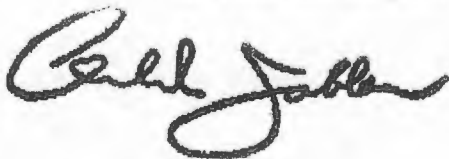
Being Lots 46 & 47 (2919 Virginia Avenue) SW/s Virginia Ave., 150 ft. SW of Washington Ave.
13th Election District – 1st Councilmanic District

Legal Owners: Robert & Lois Donaldson

Contract Purchaser: 2919 Virginia Avenue, LLC

Variance to permit a lot width of 50 ft. in lieu of the required 55 ft. minimum.

Hearing: Monday, September 30, 2013 at 10:00 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: November 1, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0026-A - Appeal Period Expired

The appeal period for the above-referenced case expired on October 31, 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
2919 Virginia Ave; Being lots 46 & 47, SW/S
Virginia Ave, 150' SW of c/line Washington Ave*
13th Election & 1st Councilmanic Districts
Legal Owner(s): Robert L. & Lois J. Donaldson*
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2014-026-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

AUG 16 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 16th day of August, 2013, a copy of the foregoing Entry of Appearance was mailed to John Mellema, Sr, Inc, 5409 East Drive, Baltimore, MD 21227, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>8/20/13</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>N/C</u>
<u>8/21/13</u>	DEPS (if not received, date e-mail sent _____)	<u>N/C</u>
<u>8/29/13</u>	FIRE DEPARTMENT PLANNING (if not received, date e-mail sent _____)	<u>C</u>
<u>8/14/13</u>	STATE HIGHWAY ADMINISTRATION TRAFFIC ENGINEERING	<u>NO Obj</u>
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>9/10/13</u>	
SIGN POSTING	Date: <u>9/6/13</u> by <u>O'Keefe</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____



KEVIN KAMENETZ
County Executive

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

September 25, 2013

Robert L. & Lois J. Donaldson
2919 Virginia Avenue
Baltimore MD 21227

RE: Case Number: 2014-0026 A, Address: 2919 Virginia Avenue

Dear Mr. & Ms. Donaldson:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 2, 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
John C. Meilema Sr. Inc., 5409 East Drive, Baltimore MD 21227
2919 Virginia Avenue LLC, 6225 Medra Road, Linthicum MD 21090

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



James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 8-14-13

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

RE: Baltimore County
Item No 2014-0026-A.
Variance
Robert L. & Lois J.
Donaldson
2919 Virginia 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. 2014-0026-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,

for Steven D. Foster, Chief/
Development Manager
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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: August 20, 2013

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

SUBJECT: Zoning Advisory Committee Meeting
For August 19, 2013
Item Nos. 2014- 0025, 0026, 0027, 0030 and 0013.

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

DAK:CEN
Cc: file

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 29, 2013

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 2919 and 2921 Virginia Avenue

INFORMATION:

Item Number: 14-026 and 14-027

Petitioner: Robert and Lois

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

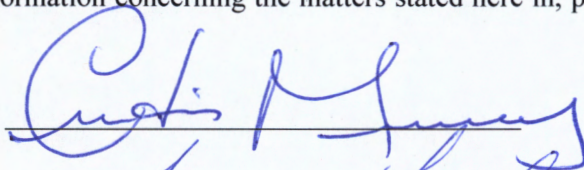
The Department of Planning has reviewed the petitioner's request and accompanying site plan. This department has determined that the petitioner owns sufficient adjoining land to conform to the minimum width and area requirements and therefore does not meet the standards stated in Section 304.1.C of the BCZR. However, 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 of any building permits. 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 applicable.

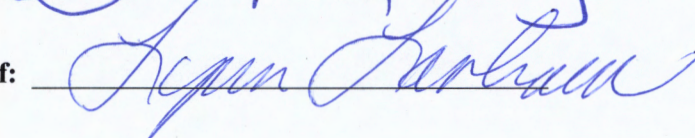
For further information concerning the matters stated here in, please contact Donnell Zeigler at 410-887-3480.

Prepared By:



Division Chief:

AVA/LL:cjm



RECEIVED

SEP 03 2013

OFFICE OF ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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: August 21, 2013

SUBJECT: DEPS Comment for Zoning Item # 2014-0026-A
Address 2919 Virginia Avenue
(Donaldson Property)

Zoning Advisory Committee Meeting of August 12, 2013.

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

Reviewer: *Jeff Livingston – Development Coordination*

RECEIVED

AUG 21 2013

OFFICE OF ADMINISTRATIVE HEARINGS

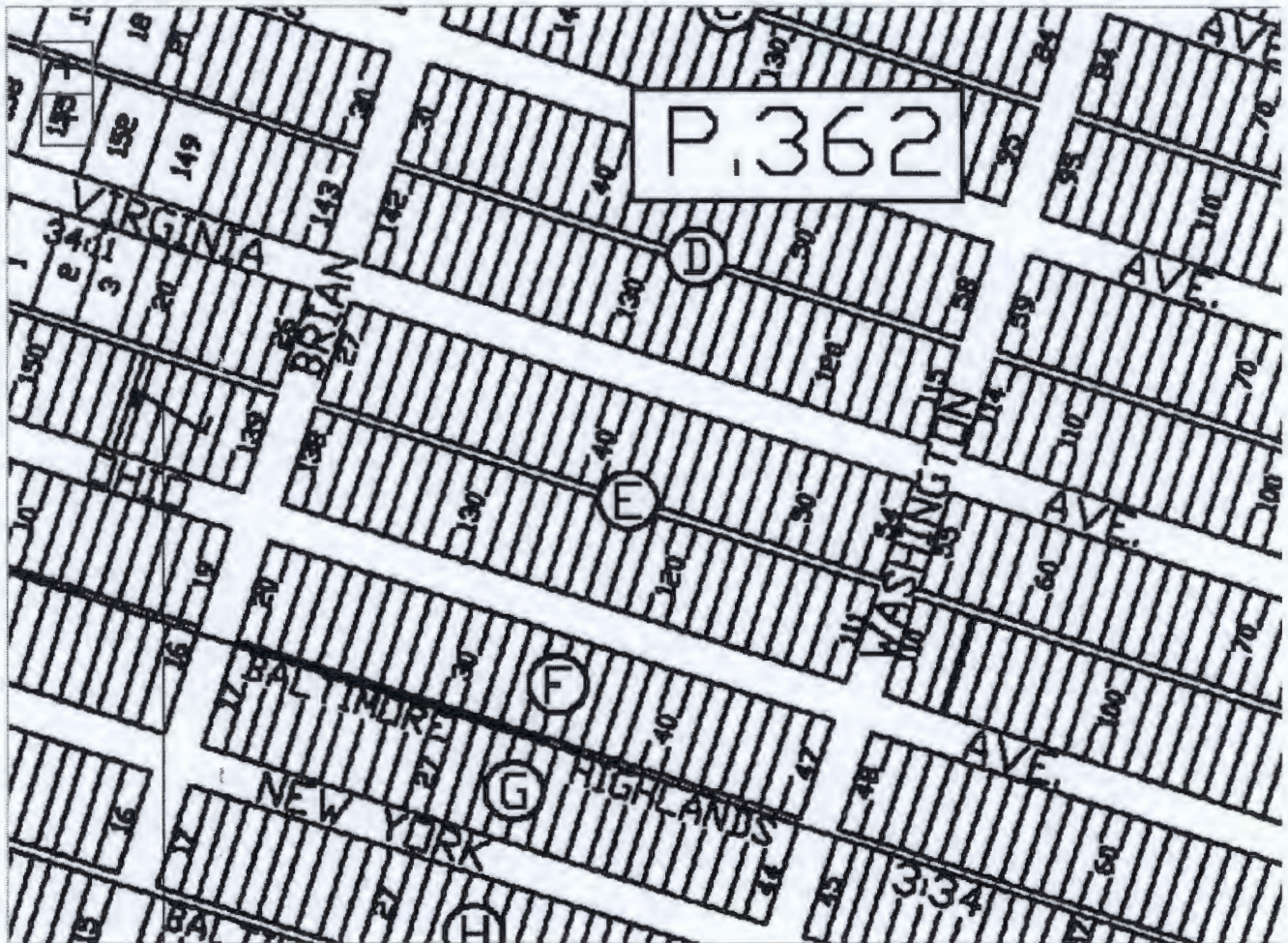
Real Property Data Search (w1)

[Search Help](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier:	District - 13 Account Number - 1304500780	
Owner Information		
Owner Name:	DONALDSON ROBERT L DONALDSON LOIS J	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	2919 VIRGINIA AV BALTIMORE MD 21227	Deed Reference: 1) /04699/ 00018 2)
Location & Structure Information		
Premises Address:	2919 VIRGINIA AVE 0-0000	Legal Description: LT 46-49 BALTIMORE HIGHLANDS
Map: 0109	Grid: 0011	Parcel: 0362
Sub District:	Subdivision: 0000	Section:
Block: E	Lot: 46	Assessment Year: 2013
Plat No:	Plat Ref: 0002/ 0379	Town: NONE
Special Tax Areas:	Ad Valorem:	Tax Class:
Primary Structure Built 1914	Above Grade Enclosed Area 1,662 SF	Finished Basement Area
Property Land Area 12,500 SF	County Use 04	
Stories 2.000000	Basement YES	Type STANDARD UNIT
Exterior ASBESTOS SHINGLE	Full/Half Bath 1 full	Garage
Last Major Renovation		
Value Information		
	Base Value	Value
		As of
		01/01/2013
Land:	78,700	59,800
Improvements	114,000	76,600
Total:	192,700	136,400
Phase-in Assessments		As of
		07/01/2013
As of		07/01/2014
Land:		
Improvements		
Total:		
Preferential Land:	0	0
Transfer Information		
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status:	Approved	02/14/2012

Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty>)District: **13** Account Number: **1304500780**

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 (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



(<http://imsweb05.mdp.state.md.us/website/mosp/>)

☒ Loading... Please

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Maryland Department of Assessments and Taxation
Real Property Data Search (vw4.1A)
BALTIMORE COUNTY

[Go Back](#)
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[GroundRent Redemption](#)
[GroundRent Registration](#)

Account Identifier: District - 13 Account Number - 1304500780

Owner Information

Owner Name: DONALDSON ROBERT L
DONALDSON LOIS J
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 2919 VIRGINIA AV
BALTIMORE MD 21227
Deed Reference: 1) /04699/ 00018
2)

Location & Structure Information

Premises Address
2919 VIRGINIA AVE
0-0000
Legal Description
LT 46-49
BALTIMORE HIGHLANDS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	Plat Ref:
0109	0011	0362		0000		E	46	1		0002/ 0379

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1914	1,662 SF	12,500 SF	04

Stories	Basement	Type	Exterior
2.000000	YES	STANDARD UNIT	ASBESTOS SHINGLE

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2013	07/01/2012	07/01/2013
Land	78,700	59,800		
Improvements:	114,000	76,600		
Total:	192,700	136,400	192,700	136,400
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	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: NONE

Homestead Application Information

Homestead Application Status: Approved 02/14/2012

2014-0026-A

CASE NAME

CASE NUMBER 2014-0026+27-

DATE 9-30-13

A

PETITIONER'S SIGN-IN SHEET

[illegible]

1311670530

Lot # 124

Lot # 124

1303670280

Lot # 124

Lot # 122

1302200760

Lot # 122

1319710740

Lot # 120

Lot # 120

VIRGINIA AVE

Lot # 42
1313201390

2915

2917

2919

PDM # 130056

Pt. Bk./Folio # 002379

1 CD

DR 5.5

SW 6-B 109C2

13 ED

SITE

Pt. Bk. 0000002, Folio 0379

1319071320

Lot # 51

Lot # 51

1319070831

Lot # 120

Lot # 120

Lot # 118

1319070830

1320300330

Lot # 118

Lot # 116

1989-0435

1323153730

Lot # 116

Lot # 114

1600005771

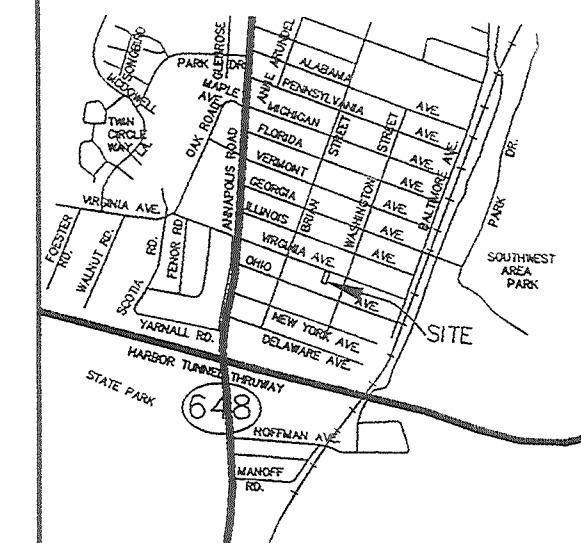
Lot # 114

1988-0214

1600005770

PLAT TO ACCOMPANY SPECIAL HEARING

VARIANCE: TO PERMIT A LOT HAVING A WIDTH OF 50 FEET IN-LIEU OF 55 FEET



VICINITY MAP
SCALE: 1"=2000'

LOCATION INFORMATION

COUNCILMANIC DISTRICT: 1
ELECTION DISTRICT: 13
ZONING: D.R. 5.5
1"=200' SCALE MAP: 109C2

LOT SIZE: 6,250 SQ. FT.

	YES	NO
PUBLIC SEWER	☒	☐
PUBLIC WATER	☒	☐

CHESAPEAKE BAY CRITICAL AREA	YES	NO
	☐	☒

Not Historic

SUBDIVISION NAME: PLAT OF BALTIMORE HIGHLANDS
P.B. 2 FOLIO 379

PRIOR ZONING HEARING: N/A
DEED REFERENCE: 4699/018

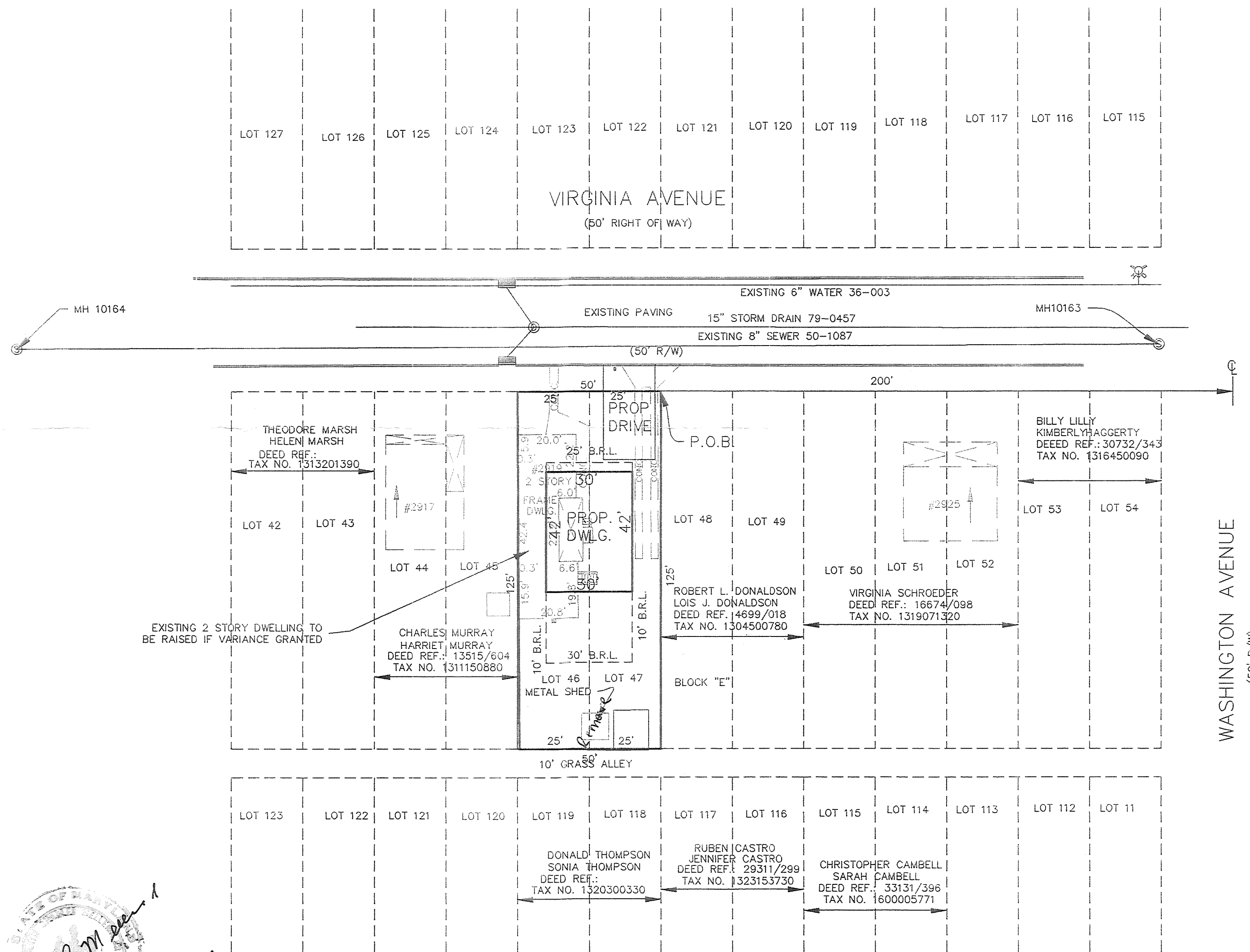
OWNER: ROBERT L. DONALDSON
LOIS J. DONALDSON
2919 VIRGINIA AVENUE
BALTIMORE, MD. 21227

TAX NO. 1320660101
PHONE NO. 443-517-3224

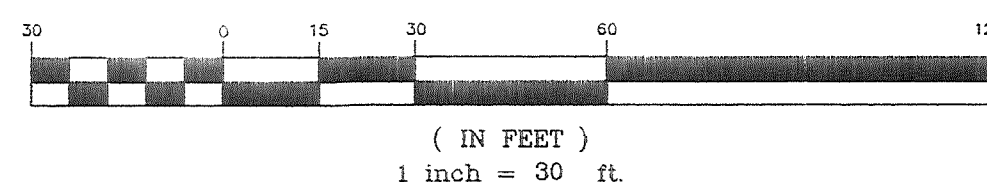
DATE: JULY, 2013
SCALE: 1"=30'

CONTRACT PURCHASER
2919 VIRGINIA AVENUE, LLC.
6225 MEDRA ROAD
LINTHICUM MD. 21090
PHONE: 410-627-5202

LOT 46 & 47, BLOCK "E"
BALTIMORE HIGHLANDS
BALTIMORE COUNTY, MARYLAND
TAX MAP 109 GRID 11 PARCEL 362
SCALE: 1"=30' DATE: JULY, 2013



GRAPHIC SCALE



D.R.5.5 REGULATIONS
MINIMUM LOT AREA 5,000 SQ. FT.
MINIMUM LOT WIDTH 55'
MINIMUM FRONT YARD SETBACK 25'/AVERAGE
MINIMUM SIDE YARD SETBACK 10'
MINIMUM REAR YARD SETBACK 30'

PREPARED BY:
JOHN C. MELLEMA SR., INC.
LAND SURVEYORS
5409 EAST DR. BALTO., MD. 21227
PHONE: 410-247-7488 FAX: 410-247-2507

2014-0026-4

Petitioners' Ex. 1