

1/15/15

IN THE MATTER OF
THE APPLICATION OF
JOHN AND KELLY SCHUIT -LEGAL OWNER/
PETITIONER FOR SPECIAL HEARING ON
PROPERTY LOCATED SW/S FIRST AVENUE
180' S OF C/L BUTLER ROAD
(122 FIRST AVENUE)

4TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 14-044-A

* * * * *

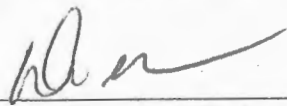
ORDER OF DISMISSAL

This matter comes to the Board of Appeals by way of an appeal filed by Vincent Moskuñas, Sr. of Site Rite Surveying, Inc. on behalf of Petitioners, John M. and Kelly J. Schuit, from a final decision of the Administrative Law Judge dated November 7, 2013, in which the requested zoning relief was denied. A Motion for Reconsideration was filed by Petitioners/Appellant on December 4, 2013 and was denied by Order of the Administrative Law Judge on December 9, 2013.

WHEREAS, the Board is in receipt of a letter of voluntary withdrawal of appeal received on December 19, 2014, by John Mark Schuit, Petitioner/Appellant (a copy of which is attached hereto and made a part hereof); and therefore,

IT IS ORDERED this 15th day of January, 2015 by the Board of Appeals of Baltimore County that the appeal taken in Case No. 14-044-A be and the same is hereby **DISMISSED**.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**



David L. Thurston, Chairman



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182



January 15, 2015

Mr. John Mark Schuit
Ms. Kelly J. Schuit
112 Hanover Road
Reisterstown, Maryland 21136

RE: In the Matter of: John and Kelly Schuit
Case No: 14-044-A

Dear Mr. and Ms. Schuit:

Enclosed please find a copy of the Order of Dismissal issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **WITH A PHOTOCOPY PROVIDED TO THIS OFFICE CONCURRENT WITH FILING IN CIRCUIT COURT.** Please note that all **Petitions for Judicial Review filed from this decision should be noted under the same civil action number.** If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Krysundra "Sunny" Cannington
Administrator

KLC/tam
Enclosure

c: Vincent Moskunus, Sr./Site Rite Surveying, Inc.
Victoria Snyder
Pamela M. Wilson
Miriam and Leo Reiss
Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Law Judge
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney/Office of Law



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

December 9, 2014

John and Kelly Schuit
112 Hanover Road
Reisterstown, MD 21136

Re: In the Matter of: John and Kelly Schuit – Legal Owners/Petitioners
Case No.: 14-044-A

Dear Mr. and Mrs. Schuit:

On March 5, 2014 we granted your request for postponement to allow time for you to retain an attorney. A letter was sent to you in July to which you indicated by telephone that you did not wish to pursue this matter. At that time, I requested that you send a letter to this office indicating your intent.

To date, the Board of Appeals has not been contacted with regards to re-scheduling the matter, nor has a Petition to Withdrawal the Appeal/Petition been received. This matter is still pending before the Board. Please contact this office upon receipt of this letter if you intend to proceed. If there is no response filed to this letter after the expiration of 30 days from the date of this Notice, an Order of Dismissal of Petition for lack of prosecution will be entered in the above-captioned matter. Upon receipt of a request filed at any time before 30 days after date of this Notice, the Board, for good cause, may defer entry of the Order of Dismissal for the period and on the terms it deems proper.

Should you have any questions, please call me at 410-887-3180.

Very truly yours,

Sunny Cannington
Krysundra "Sunny" Cannington
Administrator

c: Vincent Moskunus, Sr. President/Site Rite Surveying, Inc.
Office of People's Counsel

Mark

Phone: 443-244-2195 • E-Mail: markschuit17@gmail.com

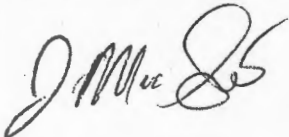
Date: August 4, 2014

Sunny Cannington
Baltimore County Board of Appeals
105 W Chesapeake Ave
Suite 203
Towson, MD 21204

Dear Sunny:

We have decided not to continue with the appeal for Case #14-044A. Please accept this letter as our formal withdrawal to any further pursuit of this appeal.

Sincerely,



John Mark Schuit

DEC 19 2014

BALTIMORE COUNTY
BOARD OF APPEALS



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

July 15, 2014

John and Kelly Schuit
112 Hanover Road
Reisterstown, MD 21136

Re: In the Matter of: John and Kelly Schuit – Legal Owners/Petitioners
Case No.: 14-044-A

Dear Mr. and Mrs. Schuit:

On March 5, 2014 we granted your request for postponement to allow time for you to retain an attorney.

To date, the Board of Appeals has not been contacted with regards to re-scheduling the matter, nor has a Petition to Withdrawal the Appeal/Petition been received. This matter is still pending before the Board. Please contact this office upon receipt of this letter if you intend to proceed. If there is no response filed to this letter after the expiration of 30 days from the date of this Notice, an Order of Dismissal of Petition for lack of prosecution will be entered in the above-captioned matter. Upon receipt of a request filed at any time before 30 days after date of this Notice, the Board, for good cause, may defer entry of the Order of Dismissal for the period and on the terms it deems proper.

Should you have any questions, please call me at 410-887-3180.

Very truly yours,

Sunny Cannington
Krysundra "Sunny" Cannington
Administrator

c: Vincent Moskunus, Sr. President/Site Rite Surveying, Inc.

KEVIN KAMENETZ
County Executive



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

January 14, 2014

John and Kelly Schuit
112 Hanover Road
Reisterstown, Maryland 21136

RE: APPEAL TO BOARD OF APPEALS
Case No. 2014-0044-A
Location: 122 First Avenue

RECEIVED
JAN 15 2014

BALTIMORE COUNTY
BOARD OF APPEALS

Dear Mr. and Mrs. Schuit:

Please be advised that an appeal of the above-referenced case was filed in this Office on January 8, 2014. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Stahl", is written over the word "Sincerely,".

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:slh

c: Baltimore County Board of Appeals
People's Counsel for Baltimore County
Vincent Moskunus, 200 E. Joppa Road, Room 101, Towson, Maryland 21286
Victoria Snyder, 6 Butler Road, Reisterstown, Maryland 21136
Pamela Wilson, 114 2nd Avenue, Reisterstown, Maryland 21136

APPEAL

**Petition for Variance
(122 First Avenue)
4th Election District – 3rd Councilmanic District
Legal Owner: John & Kelly Schuit
Case No. 2014-0044-A**

- ✓ Petition for Variance (August 22, 2013)
- ✓ Zoning Description of Property
- ✓ Notice of Zoning Hearing (September 18, 2013)
- ✓ Certificate of Publication (The Jeffersonian – N/A)
- ✓ Certificate of Posting (October 16, 2013) by Martin Ogle
- ✓ Entry of Appearance by People's Counsel (August 29, 2013)
- ✓ Petitioner(s) Sign-in Sheet – One (1) Sheet
- ✓ Citizen(s) Sign-in Sheet- One (1) Sheet
- ✓ Zoning Advisory Committee Comments

RECEIVED
JAN 15 2014
**BALTIMORE COUNTY
BOARD OF APPEALS**

Petitioner(s) Exhibits

- ✓ 1. Site Plan
- ✓ 2. Deed
- ✓ 3. My Neighborhood Environmental Map
- ✓ 4. Site plan showing proposed landscape buffer

✓ **Protestant(s) Exhibits**

- ✓ 1. Color Photos (2)

- ✓ Miscellaneous (Not Marked as Exhibits) – Letter from Miriam and Leo Reiss (4 Butler Road) opposing variance.
- ✓ Administrative Law Judge Order (DENIED – November 7, 2013)
- ✓ Request for Motion for Reconsideration from: Vince Moskunas on December 4, 2013
- ✓ Order on Motion for Reconsideration- (Denied- December 9, 2013)
- ✓ 2nd Request for Motion for Reconsideration from: Vince Moskunas on December 26, 2013
- ✓ Administrative Law Judge Response to 2nd Request for Motion for Reconsideration- (December 31, 2013)
- ✓ Notice of Appeal received on January 8, 2014 from Vincent J. Moskunas, Sr.

Address List

Petitioner

John and Kelly Schuit
112 Hanover Road
Reisterstown, MD 21136

Vincent Moskunas, Sr., President
Site Rite Surveying, Inc.
200 E. Joppa Road, Room 101
Towson, MD 21286

Interested Persons

Victoria Snyder
6 Butler Road
Reisterstown, MD 21136

Pamela M. Wilson
114 Second Avenue
Reisterstown, MD 21136

Miriam and Leo Reiss
4 Butler Road
Reisterstown, MD 21136

Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Law Judge
Andrea Van Arsdale, Director/Department of Planning
Arnold Jablon, Director/PAI
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law

KEVIN KAMENETZ
County Executive



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

December 31, 2013

Vincent Moskunas
200 E. Joppa Road
Room 101
Towson, Maryland 21286

RE: **Motion for Reconsideration**-Petition for Variance
Property: 122 First Avenue
Case No.: 2014-0044-A

Dear Mr. Moskunas:

I am in receipt of your correspondence dated 12-23-2013 concerning the above case. You have indicated the submission is a "2nd Motion for Re-Consideration."

However, the Rules of the Zoning Commissioner do not provide for the filing of successive motions for reconsideration. As such, I am unable to entertain your request.

Sincerely,

A handwritten signature in cursive script, appearing to read "J. Beverungen", is written over the typed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh

C: John and Kelly Schuit, 112 Hanover Road, Reisterstown, Maryland 21136
Victoria Snyder, 6 Butler Road, Reisterstown, Maryland 21136
Pamela Wilson, 114 2nd Avenue, Reisterstown, Maryland 21136



December 23, 2013

200 E. Joppa Road
Shell Building, Suite 101
Towson, MD 21286

tel. 410.828.9060

fax. 410.828.9066

email. siteriteinc@aol.com

Office of Administrative Hearings
Attn: John E. Beverungen
Administrative Law Judge
105 W. Chesapeake Avenue, Suite 103
Towson MD 21204

Re: 2nd Motion for Re-Consideration
Property: 122 First Avenue
Case No. 2014-0044-A

Dear Mr. Beverungen:

Site Rite Surveying, Inc. is acting on behalf of the owners, John Mark and Kelly Janes Schuit, his wife to file this 2nd motion. Our Motion for Reconsideration dated December 4, 2013 was denied by you via a letter dated December 9, 2013. Because there was no evidence to justify our mathematical calculation as stated was not correct. Although over the years the area of the taxes has not been challenged until now. Enclosed is a plat entitled "PARCEL AREA CALCULATION" for the said property.

This plat was prepared by our licensed Professional Land Surveyor to show how he determined the discrepancy was calculated by the assessment personal. The individual used the front dimension from the record plat for the two (2) lots 44 and 45 which when combined add up to 43.3 feet. When multiplied by the depth of 200 feet this equals 8,660 square feet. The plat shows a hatched area which would complete the area for the remainder of Lot 45. However, this area was not included into the assessment. As shown on the plat, this area equals 1,720 square feet, more or less. When totaling the two (2) areas, it amounts to 10,380 square feet.

We hope this plat, which was prepared, signed and sealed by a Professional Land Surveyor, will justify the discrepancy about the area. We do meet the minimum lot size requirement for the DR. 3.5 Zone.

Sincerely yours,

Vincent J. Moskunas, Sr.
President

12/9/13

IN RE: PETITION FOR VARIANCE

(122 First Avenue)

4th Election District

3rd Councilman District

John & Kelly Schuit

Legal Owners

Petitioners

*

*

*

*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2014-0044-A

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

Now pending is the Petitioners' Motion for Reconsideration, filed on or about December 4, 2013. The Motion contends that the Order dated November 7, 2013 in the above matter is erroneous, specifically with regard to the determination of the area of Lots 44 & 45.

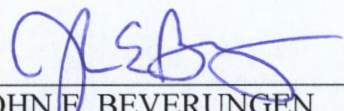
The Order indicated that the lot size was determined by reference to the State tax records for the property, which are presumptively accurate and reliable. Md. Cts. & Jud. Proc. Code Ann. §10-204. Those records show that Lots 44 & 45 have a "land area" of 8,660 SF. The Petitioners argue there is a "discrepancy" in the tax record, but other than this allegation there is no evidence to indicate the record is inaccurate in any way. Indeed, I would imagine that this land area figure has remained unchanged in the tax records for many years (no evidence to the contrary was presented), and the taxes which have been paid on the lots are based on 8,660 square feet of land.

The Petitioners also contend that the plan submitted at the hearing (Exhibit 1) represents (at note 2) the lot area as 10,380 SF, which is in excess of the 10,000 square feet minimum lot size requirement for the DR 3.5 zone. But the plan was not signed and sealed, and cannot as a matter of law rebut the presumptive accuracy of the state records. Bus. Occup. & Prof. Code Ann. §15-502(b). According to Petitioners, the lot is nearly 25% larger than the figure used in the state records. This is a rather large "discrepancy," and without any satisfactory explanation or evidence

addressing the point, I do not believe the Motion can be granted.

THEREFORE, IT IS ORDERED, this 9th day of December, 2013, by the Administrative Law Judge for Baltimore County, that Petitioners' 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.



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:sln

KEVIN KAMENETZ
County Executive



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

December 9, 2013

John and Kelly Schuit
112 Hanover Road
Reisterstown, Maryland 21136

RE: **Motion for Reconsideration**-Petition for Variance
Property: 122 First Avenue
Case No.: 2014-0044-A

Dear Mr. and Mrs. Schuit:

Enclosed please find a copy of the Motion for Reconsideration Opinion and Order 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 a horizontal line.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

C: Vincent Moskunus, 200 E. Joppa Road, Room 101, Towson, Maryland 21286
Victoria Snyder, 6 Butler Road, Reisterstown, Maryland 21136
Pamela Wilson, 114 2nd Avenue, Reisterstown, Maryland 21136

11/7/13
IN RE: PETITION FOR VARIANCE

(122 First Avenue)

4th Election District

3rd Councilman District

John & Kelly Schuit

Legal Owners

Petitioners

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2014-0044-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by John & Kelly Schuit, legal owners of subject property. The Petitioners are requesting Variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.): (1) to permit a lot width of 52 ft. in lieu of the required 70 ft.; (2) to permit side setbacks of 10 ft. and 8 ft. in lieu of the required 10 ft. and 15 ft.; and (3) to permit a sum of side setbacks to be 18 ft. in lieu of the required 25 ft. 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 John Schuit and Vincent Moskunus of Site Rite Surveying, Inc., the firm that prepared the site plan. Two adjoining neighbors (Victoria Snyder and Pamela Wilson) attended the hearing and opposed the petition. The file reveals that the Petition was posted as required by the Baltimore County Zoning Regulations.

The only substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP), which did not oppose the petition, but believed that screening was required if relief was granted.

ORDER RECEIVED FOR FILING

Date

11/7/13

By

Sen

According to the site plan (which was not signed and sealed), the subject property is approximately 10,380 square feet and is zoned DR 3.5. The Petitioners have owned the property since 2009, and propose to construct a single family dwelling on the lot. To do so requires variance relief.

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

While I believe the property is unique given its irregular dimensions, I do not believe the Petitioners would experience a hardship or practical difficulty if the regulations were strictly interpreted. As an initial matter, state tax records (which, like all public agency records, are presumed to be accurate and reliable) indicate the lot is 8,660 square feet, not 10,380 square feet as shown on the plan. As such, the Petitioners fail to satisfy the minimum lot size (10,000 square feet) required in the DR 3.5 zone. B.C.Z.R. §1B02.3.C.1. The state records also show that the property assessment is just \$2,100.00, meaning that the Petitioners have paid little or no taxes on this property. In my opinion, the property is assessed and taxed as unimproved land without development potential. In these circumstances, I do not believe variance relief is justified.

Pursuant to the advertisement, posting of the property and public hearing on this Petition, and for the reasons set forth above, the Petition for Variance shall be denied.

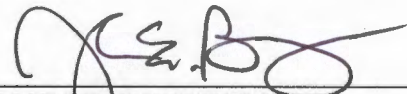
THEREFORE, IT IS ORDERED, this 7th day of November, 2013, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to Baltimore County Zoning Regulations ("B.C.Z.R"): (1) to permit a lot width of 52 ft. in lieu of

ORDER RECEIVED FOR FILING

Date 11/7/13
By Den

the required 70 ft.; (2) to permit side setbacks of 10 ft. and 8 ft. in lieu of the required 10 ft. and 15 ft.; and (3) to permit a sum of side setbacks to be 18 ft. in lieu of the required 25 ft., be and is hereby DENIED.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:sln

ORDER RECEIVED FOR FILING

Date 11/7/13
By Den

KEVIN KAMENETZ
County Executive



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

November 7, 2013

John and Kelly Schuit
112 Hanover Road
Reisterstown, Maryland 21136

RE: Petition for Variance
Property: 122 First Avenue
Case No.: 2014-0044-A

Dear Mr. and Mrs. Schuit:

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:sln
Enclosure

C: Vincent Moskunus, 200 E. Joppa Road, Room 101, Towson, Maryland 21286
Victoria Snyder, 6 Butler Road, Reisterstown, Maryland 21136
Pamela Wilson, 114 2nd Avenue, Reisterstown, Maryland 21136



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 #122 First Avenue which is presently zoned D.R. 3.5
 Deed References: 28258/1 10 Digit Tax Account # 0413021076
 Property Owner(s) Printed Name(s) John and Kelly Schuit

(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

1B02.3.C.1

3. X a **Variance** To permit a lot width of 52 feet in lieu of the required 70 feet, to permit side setbacks of 10 and 8 feet in lieu of the required 10 and 15 feet and to permit a sum of sides to be 18 feet in lieu of the permitted 25 feet. Additionally, to permit any other relief deemed necessary by the Hearing Officer.

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 time of hearing

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER

2014-0044-A

Filing Date

6/22/2013

Do Not Schedule Dates:

Reviewer

**ZONING DESCRIPTION
PROPERTY LOCATED AT #122 FIRST AVENUE**

BEGINNING at a point on the southwest side of First Avenue which is 50 feet of right of way wide at the distance of 180 feet to the southerly from the center line of Butler Road which is 60 feet of right of way wide.

Being Lot numbers 44 and 45 Plat "2", Section "A: in the subdivision of "Goshen"; as recorded in Baltimore County Plat Book #7, folio 156, containing 10,380 S.F., 0.238 acre, more or less. Located in the 4th Election District and the 3rd Councilmanic District.



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: 122 FIRST AVENUE.DOC2013 ZONING

2014-0044-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)~~ ^{twenty (20)} 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: 2014-0044-A
Petitioner: John and Kelly Schuit
Address or Location: 122 First Avenue

PLEASE FORWARD ADVERTISING BILL TO:

Name: John and Kelly Schuit
Address: 112 Hanover Road
Rustertown, MD 21136
Telephone Number: 443-244-2175

Revised 2/20/98 - SCJ

To permit a lot width of 52 feet in lieu of the required 70 feet, to permit side setbacks of 10 and 8 feet in lieu of the required 10 and 15 feet and to permit a sum of sides to be 18 feet in lieu of the permitted 25 feet. Additionally, to permit any other relief deemed necessary by the Hearing Officer.

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

No. **94627**
 Date: **1/8/14**

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	000		6/50				

Total: **265.00**

Rec From: **Vincent Moshunas**
 For: **122 First Avenue**
2014-0044-A
CK# 0094

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL DATE 1/08/2014
 1/08/2014 2:10 PM 94627-50
 REC 1602 JAN 10 2014
 RECEIPT # 009444-A 265.00
 DEPT 5 SUB 0000000000000000
 001 094627
 Recpt 160 265.00
 4265.00 OK \$1.00 CA
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

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

No. **102558**

Date: **8/22/13**

PAID RECEIPT

BUSINESS ACTUAL TIME TRK
 8/22/2013 8/22/2013 09:24:54 5

RE US05 MARYLND FUND 100

> RECEIPT # 102558 8/22/2013 09:24

Dept 5 520 JUDICIAL VERIFICATION

CR NO. 102558

Recpt Tot \$75.00

\$75.00 13 1.00 CA

Baltimore County, Maryland

Rev Sub
 Source/ Rev/

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				75.00

Total: **75.00**

Rec From: **VINECA MOSKUNAS**

For: **122 First Ave**
21136

2014-0044-A

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: Case No 2014-0044-A

Petitioner/Developer
SITE RITE SURVEYING

Date Of Hearing/Closing: 11/6/13

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 penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at

122 FIRST AVENUE

This sign(s) were posted on October 14, 2013

Month, Day, Year

Sincerely,

Martin Ogle 10/14/13

Signature of Sign Poster and Date

Martin Ogle

60 Chelmsford Court

Baltimore, Md, 21220

443-629-3411

ZONING NOTICE

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

CASE # 2014-0044-A

PLACE: ROOM 206, STEFFERSON BUILDING 105 WEST
CHESAPEAKE AVENUE, TOWSON MD 21204
DATE: WEDNESDAY, NOVEMBER 6, 2013
TIME: AT 1:30 P.M.

REQUEST: VARIANCE TO PERMIT A LOT WIDTH OF 52 FEET
IN LIEU OF THE REQUIRED 70 FEET, TO PERMIT SIDE
SETBACKS OF 10 FEET AND 8 FEET IN LIEU OF THE REQUIRED
10 FEET AND 15 FEET AND TO PERMIT A SUM OF SIDES TO BE
18 FEET IN LIEU OF THE PERMITTED 25 FEET. ADDITIONALLY,
TO PERMIT ANY OTHER RELIEF DEMAND NECESSARY BY THE
HEARING OFFICER

ADDITIONAL INFORMATION IS AVAILABLE AT ZONING
ADMINISTRATION AND DEVELOPMENT MANAGEMENT LOCATED
AT 111 W. CHESAPEAKE AVE. TOWSON MD. 21204
TEL. 410-807-3371

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER THE DATE UNDER PENALTY OF LAW

MEETING IS HANDICAP ACCESSIBLE.

Yachin Gb 10/14/13

TO: PATUXENT PUBLISHING COMPANY
Thursday, October 17, 2013 Issue - Jeffersonian

Please forward billing to:
John & Kelly Schuit
112 Hanover Road
Reisterstown, MD 21136

443-244-2195

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: 2014-0044-A

122 First Avenue

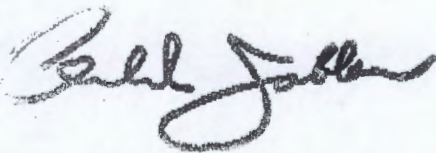
SW/s First Avenue, 180 ft. S/of centerline of Butler Road

4th Election District – 3rd Councilmanic District

Legal Owners: John & Kelly Schuit

Variance to permit a lot width of 52 feet in lieu of the required 70 feet, to permit side setbacks of 10 feet and 8 feet in lieu of the required 10 and 15 feet and to permit a sum of sides to be 18 feet in lieu of the permitted 25 feet. Additionally, to permit any other relief deemed necessary by the Hearing Officer.

Hearing: Wednesday, November 6, 2013 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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



KEVIN KAMENETZ
County Executive

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

September 18, 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: 2014-0044-A

122 First Avenue
SW/s First Avenue, 180 ft. S/of centerline of Butler Road
4th Election District – 3rd Councilmanic District
Legal Owners: John & Kelly Schuit

Variance to permit a lot width of 52 feet in lieu of the required 70 feet, to permit side setbacks of 10 feet and 8 feet in lieu of the required 10 and 15 feet and to permit a sum of sides to be 18 feet in lieu of the permitted 25 feet. Additionally, to permit any other relief deemed necessary by the Hearing Officer.

Hearing: Wednesday, November 6, 2013 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Schuit, 112 Hanover Road, Reisterstown 21136
Bernadette Moskunus, 200 E. Joppa Road, Rm. 101, Towson 21286

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



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

January 24, 2014

NOTICE OF ASSIGNMENT

IN THE MATTER OF: **JOHN & KELLY SCHUIT**
 SW/S FIRST AVENUE, 180' S OF C/L BUTLER ROAD
 122 FIRST AVENUE
 4TH ELECTION DISTRICT; 3RD COUNCILMANIC DISTRICT

Re: Petition for Variance to:
 1. Permit a lot width of 52 feet in lieu of required 70 feet;
 2. Permit side setbacks of 10 and 8 feet in lieu of the required 10 and 15 feet;
and
 3. Permit a sum of side yards to be 18 feet in lieu of the required 25 feet.

11/7/13 Opinion and Order issued by the Administrative Law Judge wherein the requested relief was
 DENIED.

ASSIGNED FOR: **WEDNESDAY, MARCH 19, 2014, AT 10:00 A.M.**

LOCATION: Hearing Room #2, Second Floor, Suite 206
 Jefferson Building, 105 W. Chesapeake Avenue, Towson

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Krysundra "Sunny" Cannington
Administrator

c: Petitioner/LO : John and Kelly Schuit

Vincent Moskunas, Sr., President/Site Rite Surveying, Inc.
Victoria Snyder

Pamela M. Wilson

Miriam and Leo Reiss

Office of People's Counsel
Arnold Jablon, Director/PAI
Nancy West, Assistant County Attorney

Lawrence M. Stahl, Managing Administrative Law Judge
Andrea Van Arsdale, Director/Department of Planning
Michael Field, County Attorney, Office of Law

March 4, 2014

RECEIVED
MAR 4 2014
BALTIMORE COUNTY
BOARD OF APPEALS

Board of Appeals of Baltimore County
Jefferson Building
Second Floor, Suite 203
Attention: Ms. Krysundra Cannington
105 West Chesapeake Avenue
Towson MD 21204

Re: Postponement
Case # 2014-0044-A
122 First Avenue

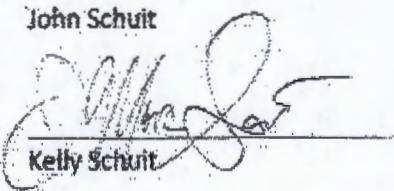
Dear Ms. Krysundra Cannington:

We are requesting a postponement of the above project until we and the purchaser have hired legal counsel to represent our case. It was understood that Site Rite Surveying, Inc. would present the case but per Vincent Moskun's conversation with Peter Zimmerman of the People's Counsel for Baltimore County, he was advised an attorney should present the case.

We are in the process of hiring an attorney at this time. Under these circumstances, we hope this request is approved and the Hearing can be rescheduled at a later date.

Very truly yours,

John Schuit


Kelly Schuit

CC: Site Rite Surveying, Inc.
200 E. Joppa Road, #101
Towson MD 21286
410 - 828 - 9060



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

March 5, 2014

John and Kelly Schuit
112 Hanover Road
Reisterstown, MD 21136

Re: In the Matter of: John and Kelly Schuit – Legal Owners/Petitioners
Case No.: 14-044-A

Dear Mr. and Mrs. Schuit:

I am in receipt of your request for postponement dated March 4, 2014. This letter is to advise you that your request for a postponement of the hearing scheduled for March 19, 2014 has been granted.

Enclosed is the Notice of Postponement. Pursuant to our conversation, I kindly request that you have your attorney contact me to reschedule this matter upon retainer.

Should you have any questions, please call me at 410-887-3180.

Very truly yours,

Sunny Cannington
Krysundra "Sunny" Cannington
Administrator

Encl.: Notice of Postponement

c (w/Encl.): Vincent Moskunas, Sr. President/Site Rite Surveying, Inc. (via U.S. Mail and Facsimile)



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

March 5, 2014

NOTICE OF POSTPONEMENT

IN THE MATTER OF:

14-044-A

JOHN & KELLY SCHUIT
SW/S FIRST AVENUE, 180' S OF C/L BUTLER ROAD
122 FIRST AVENUE
4TH ELECTION DISTRICT; 3RD COUNCILMANIC DISTRICT

Re: Petition for Variance to:

1. Permit a lot width of 52 feet in lieu of required 70 feet;
2. Permit side setbacks of 10 and 8 feet in lieu of the required 10 and 15 feet;
- and
3. Permit a sum of side yards to be 18 feet in lieu of the required 25 feet.

11/7/13

Opinion and Order issued by the Administrative Law Judge wherein the requested relief was DENIED.

This matter was assigned for Wednesday, March 19, 2014 and has been postponed. It will be rescheduled to a later date.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

For further information, including our inclement weather policy, please visit our website www.baltimorecountymd.gov/Agencies/appeals/index.html

Krysundra "Sunny" Cannington
Administrator

c: Petitioner/LO

: John and Kelly Schuit

Vincent Moskunus, Sr., President/Site Rite Surveying, Inc.

Victoria Snyder

Pamela M. Wilson

Miriam and Leo Reiss

Office of People's Counsel
Arnold Jablon, Director/PAI
Nancy West, Assistant County Attorney

Lawrence M. Stahl, Managing Administrative Law Judge
Andrea Van Arsdale, Director/Department of Planning
Michael Field, County Attorney, Office of Law



KEVIN KAMENETZ
County Executive

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

October 30, 2013

John & Kelly Schuit
112 Hanover Road
Reisterstown MD 21136

RE: Case Number: 2014-0044 A, Address: 122 First Avenue

Dear Mr. & Ms. Schuit:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 22, 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 Moskunas, Site Rite Surveying Inc., 200 E Joppa Road, Room 101, Towson MD 21286

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



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

Date: 8-28-13

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

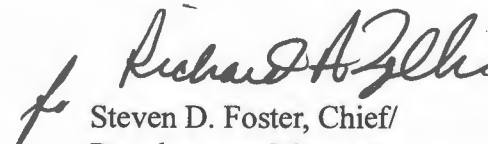
RE: Baltimore County
Item No 2014-0044-A
Variance
John & Kelly Schait
122 First Avenue

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. 2014-0044-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/
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

INTER-OFFICE CORRESPONDENCE

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

DATE: September 13, 2013

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 122 First Avenue

INFORMATION:

Item Number: 14-044

Petitioner: John and Kellt Schmit

Zoning: DR 3.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The Department of Planning does not oppose the petitioner's variance request. There are several other undersized lots throughout the subject neighborhood. Should the Administrative Law Judge grant this request, there does not appear to be any negative impacts on adjacent lots. However, the Department of Planning does recommend that the northern property line be landscaped and screened to provide rear yard privacy from the adjacent lots. Screening can include fencing.

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 18 2013

OFFICE OF ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

SEP 13 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: September 13, 2013

SUBJECT: DEPS Comment for Zoning Item # 2014-0044-A
Address 122 First Avenue
(Schuit Property)

Zoning Advisory Committee Meeting of August 26, 2013.

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

Reviewer: *Jeff Livingston - Development Coordination*

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: September 04, 2013

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

SUBJECT: Zoning Advisory Committee Meeting
For September 02, 2013
Item Nos. 2014- 0039, 0041, 0043, 0044, 0045 and 0046.

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

DAK:CEN
Cc: file

G:\DevPlanRev\ZAC -No Comments\ZAC09022013 - NO COMMENTS.doc

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
122 First Avenue; SW/S First Avenue, 180' S	*	
c/line of Butler Road	*	OF ADMINSTRATIVE
4 th Election & 3 rd Councilmanic Districts	*	
Legal Owner(s): John & Kelly Schuit	*	HEARINGS FOR
Petitioner(s)	*	BALTIMORE COUNTY
	*	2014-044-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 29 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 29th day of August, 2013, a copy of the foregoing Entry of Appearance was mailed to Bernadette Moskunas, Site Rite Surveying, 200 East Joppa Road, Room 101, Towson, MD 21286, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



200 E. Joppa Road
Shell Building, Suite 101
Towson, MD 21286

tel. 410.828.9060
fax. 410.828.9066
email. siteriteinc@aol.com

January 6, 2014

RECEIVED

JAN 08 2014

OFFICE OF ADMINISTRATIVE HEARINGS

County Board of Appeals
105 W. Chesapeake Avenue, Suite 103
Towson MD 21204

Re: ~~Motion~~ **APPEAL**
Property: 122 First Avenue
Case No. 2014-0044-A

To Whom It May Concern:

Site Rite Surveying, Inc. is acting on behalf of the owners, John Mark and Kelly Janes Schuit, his wife to file this appeal. Our Motion for Reconsideration dated December 4, 2013 was denied via a letter dated December 9, 2013. Because there was no evidence to justify our mathematical calculation as stated was not correct.

Sincerely yours,

Vincent J. Moskunas, Sr.
President

Enclosure: Check in the amount of \$265.00

JB 11-6-13
Motion for
Reconsideration

SITE RITE SURVEYING, INC.

200 East Joppa Road, Suite 101
Towson Maryland 21286
(410) 828-9060 FAX: (410) 828-9066
Small Business Reserve Program Certification
SBE Certification No. SB11-4761

December 4, 2013

RECEIVED

DEC 04 2013

OFFICE OF ADMINISTRATIVE HEARINGS

Office of Administrative Hearings
Attn: John E. Beverungen
Administrative Law Judge
105 W. Chesapeake Avenue, Suite 103
Towson MD 21204

Re: ~~Motion to Appeal~~
Property: 122 First Avenue
Case No. 2014-0044-A

Dear Mr. Beverungen:

Site Rite Surveying, Inc. is acting on behalf of the owners, John Mark and Kelly Janes Schuit, his wife to file this motion. The owner's primary residence is located on Lot 5 and 6 known as No. 112 Hanover Road. They also own the property adjacent to the rear known as Lots 44 and 45 as shown on the Plat of "Goshen" Plat No. 2 in Section "A" recorded in Baltimore County in Plat Book Liber WPC No. 7, Folio 156, Tax I..D.#04-0413021076. A copy of said plat is enclosed and marked Exhibit No. 1. Also a blowup marked Exhibit No. 2 which is a copy of said plat showing the lots in question a lot clearer. It shows the boundary dimensions that can be read for the calculation for the intent of the area to be transferred by the lots that were conveyed to Mr. and Mrs. Schuit in deed, Liber 28258, Liber 001 which is the second parcel described and a copy enclosed marked Exhibit No. 3 shown highlighted.

By using the mathematical formulas to determine the area of a rectangle which is Lot #44, you multiple the width 25 feet by the length 200 feet which would calculate to 5,000 S.F. Lot #45 is an irregular size so the computations are different. Using the mathematical formula, you need to average the front dimension of 18.3 feet add this to the rear dimension of 35.5 feet and divide for the midpoint of the figure; thusly, 18.3 ft. + 35.5 ft. equals 53.8 ft. divided by 2 then the (midpoint dimension) equals to 26.9 feet then multiply by the length of 200 feet which equals 5,380 S.F. You now add the areas of Lots #44 and #45 which are 5,000 S.F. plus 5,380 S.F. for a total of 10,380 S.F. as indicated on the Exhibit filed at the time of the hearing and logged in as Evidence Petitioner's Exhibit 1. As a result of these calculations, it indicates that the tax records have a discrepancy as to the area and it is not 8,660 S.F. The area meets the requirements of zoning regulations for the DR 3.5 zoning of a minimum of 10,000 S.F.

As a result of the title company, who prepared the deed, it indicates that no out conveyances were deeded out of these lots as shown on the said recorded plat. First Avenue has a fifth foot right of way and it is improved with public utilities (water main and sanitary sewer). This would be the required width for Development Plans Review Section to comment on if there were a deficiency from the Design Standards of Baltimore County.

As to your Second Opinion as to the assessment and taxes on the second parcel, you are correct that Lots 44 and 45 are unimproved; however, the assessment is not based on the fact that it is taxed this rated because it was classified without development potential. The Baltimore County and State of Maryland Department of Assessment and Taxation have three (3) conditions that they based their rates on property in this state.

1. Primary assessment value for Lots 5 and 6

This area includes the principal dwelling and improvements. The assessment was based on the portion of the lot area. In this case, 6,000 S.F. (as shown on Exhibit #2 highlighted in orange)

2. Secondary assessment value for remainder of Lot area of Lots 5 and 6

This assessment is the rear portion of the lots (as shown on Exhibit #2 highlighted in green)

3. Tertiary assessment value, Lots 44 and 45

This assessment is low because there are no improvements on the property; however, they are adjacent in the rear of the owners principle dwelling located in Lots 5 and 6; therefore, they are taxed at this low rate.

This Department does not have the authority to classify any lot as not having developmental rights, nor is there any evidence in their file that would not allow Lots 44 and 45 to be improved with a dwelling. The approval or denial is generated through Baltimore County Departments which includes Development Plans Review, Zoning, and Planning Department. The Zoning Advisory Committee (ZAC) did not oppose the variances.

The above information for assessment of land was furnished by Mr. Chuck Rettaliata, Supervisor for the above mention Department for Taxation. His contact information is as follows:

Hampton Plaza
300 E. Joppa Road, Suite 602
Towson MD 21286-3020
(410) 512-4952 (Direct Line)

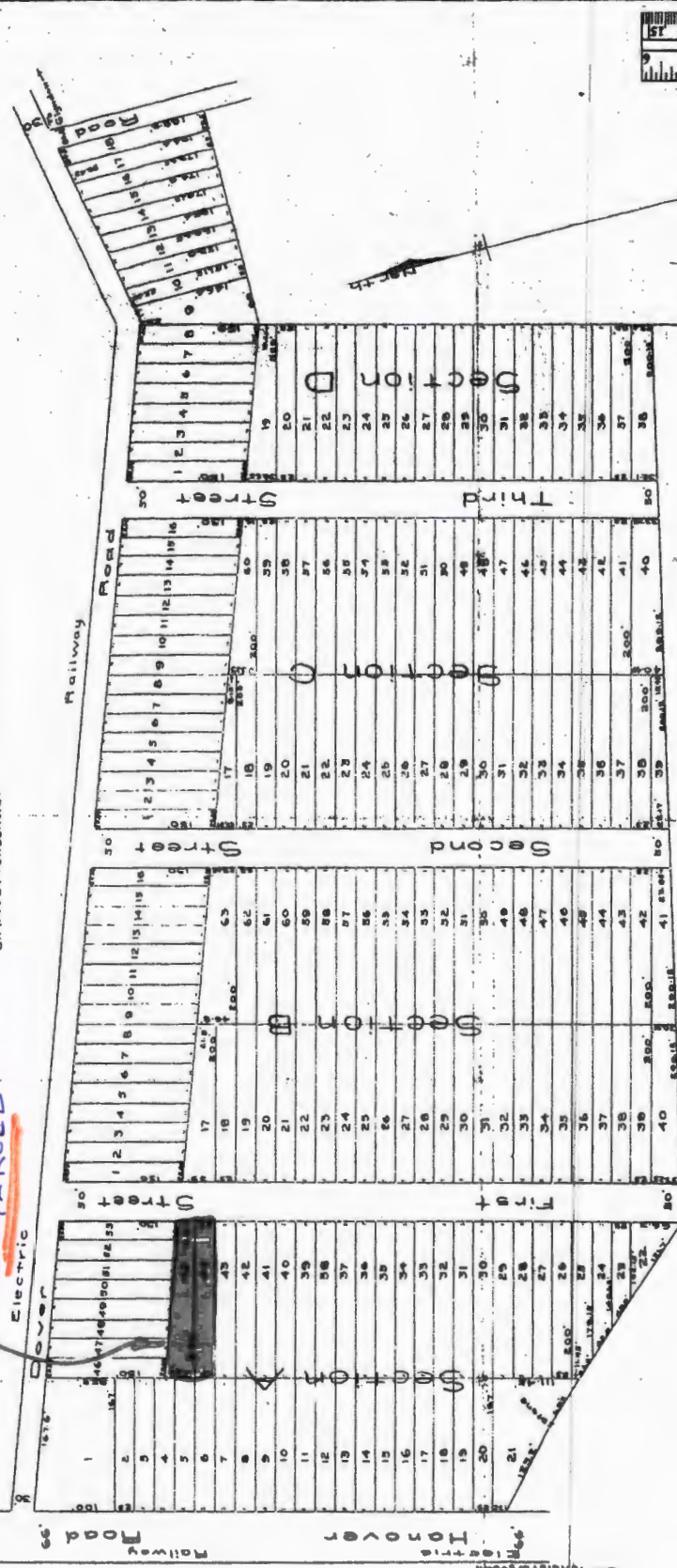
EXHIBIT # 1

GOSHEN

Plat 2

SITE FOR VARIANCE
209 PARCEL

H. Hammond
J.W. Wolf
C.R. Wattenscheidt
Owners & Developers.



Streets shown are for
purpose of description only.
Reference to streets, not
intended for dedication or public use.

Scale, 100 feet per inch.

Thomas H. Dineen, Surveyor
July, 1922.

Granite Title Associates, Inc.

File No. 09-04-3050NF

Tax ID # 04-0413021075 / 04-0413021076

0028258 001

1012

EXHIBIT # 3

This Deed, made this 29th day of May, 2009, by and between STEVEN M. DANILLER and ANGELA EVANS, parties of the first part, Grantors; and JOHN MARK SCHUIT and KELLY JANES SCHUIT, parties of the second part, Grantees.

- Witnesseth -

That for and in consideration of the sum of Three Hundred Thirty Nine Thousand Dollars 00/100 (\$339,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantors do grant and convey to the said JOHN MARK SCHUIT and KELLY JANES SCHUIT, as tenants by the entirety unto the survivor of them, his or her heirs 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:

BEGINNING FOR THE FIRST:

BEING KNOWN AS LOTS NOS. FIVE AND SIX (5) AND (6) AS SHOWN ON THE PLAT OF GOSHEN PLAT NO. 2 IN SECTION "A" HEREOF WHICH PLAT IS RECORDED IN BALTIMORE COUNTY IN PLAT BOOK LIBER WPC NO. 7, FOLIO 156.

THE IMPROVEMENTS THEREON BEING COMMONLY KNOWN AS 112 HANOVER ROAD. TAX I.D. #04-0413021075.

BEGINNING FOR THE SECOND:

BEING SITUATE ON THE WEST SIDE OF FIRST AVENUE, IN REISTERSTOWN, BALTIMORE COUNTY, MARYLAND, AND BEING KNOWN AND DESIGNATED AS LOTS NOS. 44 AND 45 IN SECTION "A", AS SHOWN ON THE PLAT OF GOSHEN NO. 2, AS RECORDED AMONG THE PLAT RECORDS OF BALTIMORE COUNTY IN PLAT BOOK W.P.C. NO. 7, FOLIO 156.

TAX I.D. #04-0413021076.

BEING the same property conveyed from David A. Elizalde to Steven M. Daniller and Angela Evans, by Deed dated June 30, 2005, and recorded on July 20, 2005, in Liber 22218, Folio 001 among the Land Records of Baltimore County, Maryland.

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 JOHN MARK SCHUIT and KELLY JANES SCHUIT, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, in fee simple.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property

October 27, 2013

4 Butler Road

Reisterstown, MD

Dear Sir or Madam:

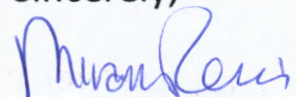
We oppose variance 2014-0044-A on the grounds of historical precedence. Many decades ago zoning regulations were created to prevent overcrowding and other haphazard or unattractive development. These regulations have kept parts of Reisterstown looking spacious and beautiful.

One of the regulations specifies a 70 foot width for a lot with a house. There is no good reason to alter that regulation in order to squeeze a house into a lot that is merely 50 feet wide. Asking for a variance for 1 or 2 feet is one thing; for 20 feet seems a little bit extreme.

It will ruin the look of the neighborhood, crowd out our spacious yards, and probably require cutting of some beautiful old trees.

I'm sure a lot of people would like to make a couple of bucks by selling off a part of their yard. But is that in the best interests of the neighborhood and the town? We think not.

Sincerely,



Miriam and Leo Reiss

Mark



Phone: 443-244-2195 • E-Mail: markschuit17@gmail.com

Date: August 4, 2014

Sunny Cannington
Baltimore County Board of Appeals
105 W Chesapeake Ave
Suite 203
Towson, MD 21204

Dear Sunny:

We have decided not to continue with the appeal for Case #14-044A. Please accept this letter as our formal withdrawal to any further pursuit of this appeal.

Sincerely,

John Mark Schuit

RECEIVED
DEC 19 2014

BALTIMORE COUNTY
BOARD OF APPEALS



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

December 9, 2014

John and Kelly Schuit
112 Hanover Road
Reisterstown, MD 21136

Re: In the Matter of: John and Kelly Schuit – Legal Owners/Petitioners
Case No.: 14-044-A

Dear Mr. and Mrs. Schuit:

On March 5, 2014 we granted your request for postponement to allow time for you to retain an attorney. A letter was sent to you in July to which you indicated by telephone that you did not wish to pursue this matter. At that time, I requested that you send a letter to this office indicating your intent.

To date, the Board of Appeals has not been contacted with regards to re-scheduling the matter, nor has a Petition to Withdrawal the Appeal/Petition been received. This matter is still pending before the Board. Please contact this office upon receipt of this letter if you intend to proceed. If there is no response filed to this letter after the expiration of 30 days from the date of this Notice, an Order of Dismissal of Petition for lack of prosecution will be entered in the above-captioned matter. Upon receipt of a request filed at any time before 30 days after date of this Notice, the Board, for good cause, may defer entry of the Order of Dismissal for the period and on the terms it deems proper.

Should you have any questions, please call me at 410-887-3180.

Very truly yours,

Sunny Cannington

Krysundra "Sunny" Cannington
Administrator

c: Vincent Moskunus, Sr. President/Site Rite Surveying, Inc.
Office of People's Counsel

Real Property Data Search (w4)

[Search Help](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 04 Account Number - 0413021075		
Owner Information		
Owner Name:	SCHUIT JOHN MARK SCHUIT KELLY JANES 112 HANOVER RD REISTERSTOWN MD 21136-1021	Use: RESIDENTIAL Principal Residence: YES Deed Reference: 1) /28258/ 00001 2)
Location & Structure Information		
Premises Address:	112 HANOVER RD 0-0000	Legal Description: LTS 5,6 112 HANOVER RD GOSHEN PLAT
Map: 0048	Grid: 0005	Parcel: 0471
Sub District:	Subdivision: 0000	Section: A
Block:	Lot: 5	Assessment Year: 2013
		Plat No: 2 Plat Ref: 0007/ 0156
Special Tax Areas:		Town: NONE Ad Valorem: Tax Class:
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
1922	1,722 SF	500 SF
Property Land Area	County Use	
8,350 SF	04	
Stories	Basement	Type
2.000000	YES	STANDARD UNIT
Exterior	Full/Half Bath	Garage
FRAME	2 full	1 Detached
Value Information		
	Base Value	Value
		As of
		01/01/2013
Land:	92,000	62,000
Improvements	196,300	158,300
Total:	288,300	220,300
Preferential Land:	0	220,300
		0
Phase-in Assessments		
	As of	As of
	07/01/2013	07/01/2014
Transfer Information		
Seller: DANILLER STEVEN M	Date: 06/18/2009	Price: \$339,000
Type: ARMS LENGTH MULTIPLE	Deed1: /28258/ 00001	Deed2:
Seller: ELIZALDE DAVID A	Date: 07/20/2005	Price: \$324,900
Type: ARMS LENGTH MULTIPLE	Deed1: /22218/ 00001	Deed2:
Seller: MARTIN PAUL	Date: 08/03/1999	Price: \$135,000
Type: NON-ARMS LENGTH OTHER	Deed1: /13932/ 00559	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	
County:	000	07/01/2013
State:	000	0.00
Municipal:	000	0.00
		0.00 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: No Application		

Real Property Data Search (w3)

Search Help

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration								
Account Identifier: District - 04 Account Number - 0413021076										
Owner Information										
Owner Name:	SCHUIT JOHN MARK SCHUIT KELLY JANES 112 HANOVER RD REISTERSTOWN MD 21136-1021	Use: RESIDENTIAL Principal Residence: NO Deed Reference: 1) /28258/ 00001 2)								
Location & Structure Information										
Premises Address:	FIRST AVE 0-0000	Legal Description: LTS 44,45 FIRST AVE GOSHEN PLAT								
Map: 0048	Grid: 0005	Parcel: 0471	Sub District:	Subdivision: 0000	Section: A	Block:	Lot: 44	Assessment Year: 2013	Plat No: 2	Plat Ref: 0007/ 0156
Special Tax Areas:					Town: Ad Valorem: Tax Class:		NONE			
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area 8,660 SF		County Use 04		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation				
Value Information										
	Base Value		Value As of 01/01/2013		Phase-in Assessments As of 07/01/2013		As of 07/01/2014			
Land:	2,100		2,100							
Improvements	0		0							
Total:	2,100		2,100		2,100		2,100			
Preferential Land:	0						0			
Transfer Information										
Seller: DANILLER STEVEN M				Date: 06/18/2009				Price: \$339,000		
Type: ARMS LENGTH MULTIPLE				Deed1: /28258/ 00001				Deed2:		
Seller: ELIZALDE DAVID A				Date: 07/20/2005				Price: \$324,900		
Type: ARMS LENGTH MULTIPLE				Deed1: /22218/ 00001				Deed2:		
Seller: MARTIN PAUL				Date: 08/03/1999				Price: \$135,000		
Type: ARMS LENGTH MULTIPLE				Deed1: /13932/ 00559				Deed2:		
Exemption Information										
Partial Exempt Assessments:		Class				07/01/2013		07/01/2014		
County:		000				0.00				
State:		000				0.00				
Municipal:		000				0.00 0.00		0.00 0.00		
Tax Exempt:				Special Tax Recapture:						
Exempt Class:				NONE						
Homestead Application Information										
Homestead Application Status: No Application										

CASE NAME 122 FIRST AVE.
CASE NUMBER 2014-0044-A
DATE 11-6-13

[illegible]

PLEASE PRINT CLEARLY

CASE NAME 122 FIRST AVE.
CASE NUMBER 2014-0044-A.
DATE 11-6-13

CITIZEN'S SIGN-IN SHEET

[illegible]

Case No.:

2014-0044-A

Exhibit Sheet

Petitioner/Developer

Protestants

slw
11-7-13

No. 1	Site plan	Color photos (#2)
No. 2	Deed	
No. 3	My Neighborhood Environmental Map	
No. 4	Site plan showing proposed landscape buffer	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Granite Title Associates, Inc.
 File No. 09-04-3050NF
 Tax ID # 04-0413021075 / 04-0413021076

0028258 001

10f2

This Deed, made this 29th day of May, 2009, by and between STEVEN M. DANILLER and ANGELA EVANS, parties of the first part, Grantors; and JOHN MARK SCHUIT and KELLY JANES SCHUIT, parties of the second part, Grantees.

- Witnesseth -

That for and in consideration of the sum of Three Hundred Thirty Nine Thousand Dollars 00/100 (\$339,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantors do grant and convey to the said JOHN MARK SCHUIT and KELLY JANES SCHUIT, as tenants by the entirety unto the survivor of them, his or her heirs 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:

BEGINNING FOR THE FIRST:

BEING KNOWN AS LOTS NOS. FIVE AND SIX (5) AND (6) AS SHOWN ON THE PLAT OF GOSHEN PLAT NO. 2 IN SECTION "A" HEREOF WHICH PLAT IS RECORDED IN BALTIMORE COUNTY IN PLAT BOOK LIBER WPC NO. 7, FOLIO 156.

THE IMPROVEMENTS THEREON BEING COMMONLY KNOWN AS 112 HANOVER ROAD. TAX I.D. #04-0413021075.

BEGINNING FOR THE SECOND:

BEING SITUATE ON THE WEST SIDE OF FIRST AVENUE, IN REISTERSTOWN, BALTIMORE COUNTY, MARYLAND, AND BEING KNOWN AND DESIGNATED AS LOTS NOS. 44 AND 45 IN SECTION "A", AS SHOWN ON THE PLAT OF GOSHEN NO. 2, AS RECORDED AMONG THE PLAT RECORDS OF BALTIMORE COUNTY IN PLAT BOOK W.P.C. NO. 7, FOLIO 156.

TAX I.D. #04-0413021076.

BEING the same property conveyed from David A. Elizalde to Steven M. Daniller and Angela Evans, by Deed dated June 30, 2005, and recorded on July 20, 2005, in Liber 22218, Folio 001 among the Land Records of Baltimore County, Maryland.

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 JOHN MARK SCHUIT and KELLY JANES SCHUIT, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, in fee simple.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property

Case No.:

2014-0044-A

Exhibit Sheet

Petitioner/Developer

Protestants

11-7-13

No. 1	Site plan	Color photos (#2)
No. 2	Deed	
No. 3	My Neighborhood Environmental Map	
No. 4	Site plan showing proposed landscape buffer	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



Prot. No. 1

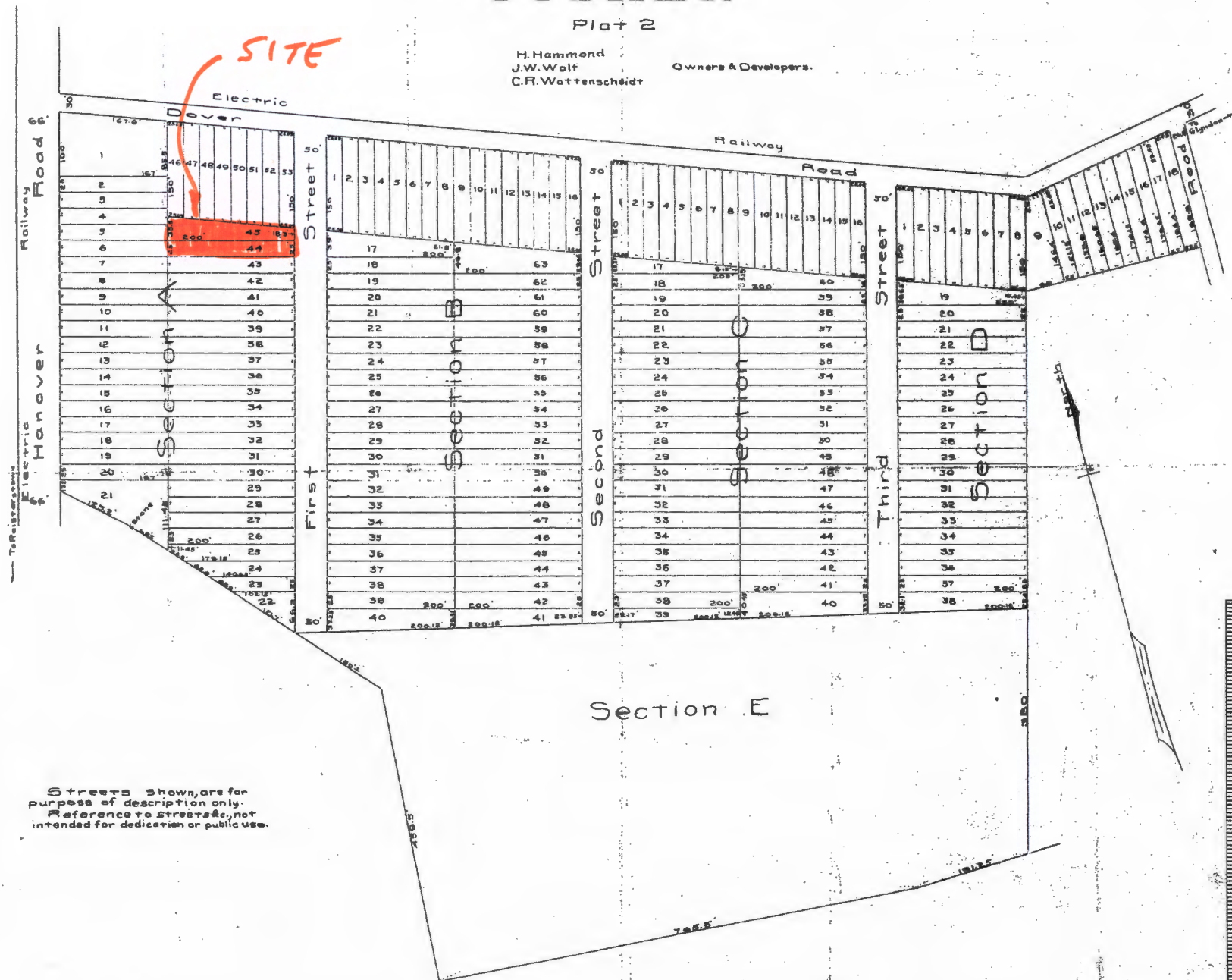


GOSHEN

Plat 2

H. Hammond
J.W. Wolf
C.R. Wattenscheidt

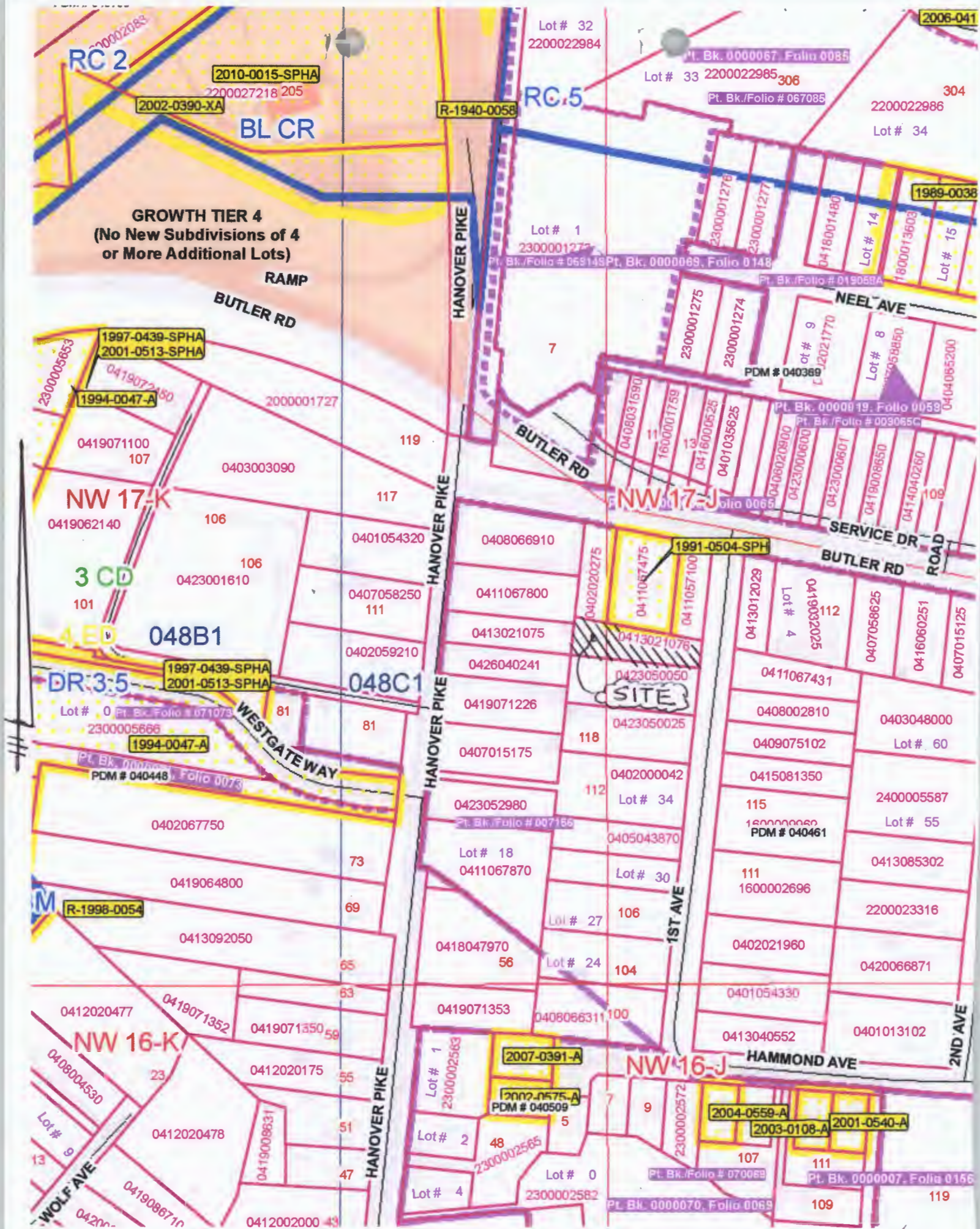
Owners & Developers.



Streets shown, are for
purpose of description only.
Reference to streets &c., not
intended for dedication or public use.

Scale, 100 feet per inch.

THOS. H. O'NEAL, Surveyor
July, 1924.



ZONING MAP 048C1 2014-0044-A



Environmental Map

SCALE 1" = 151'

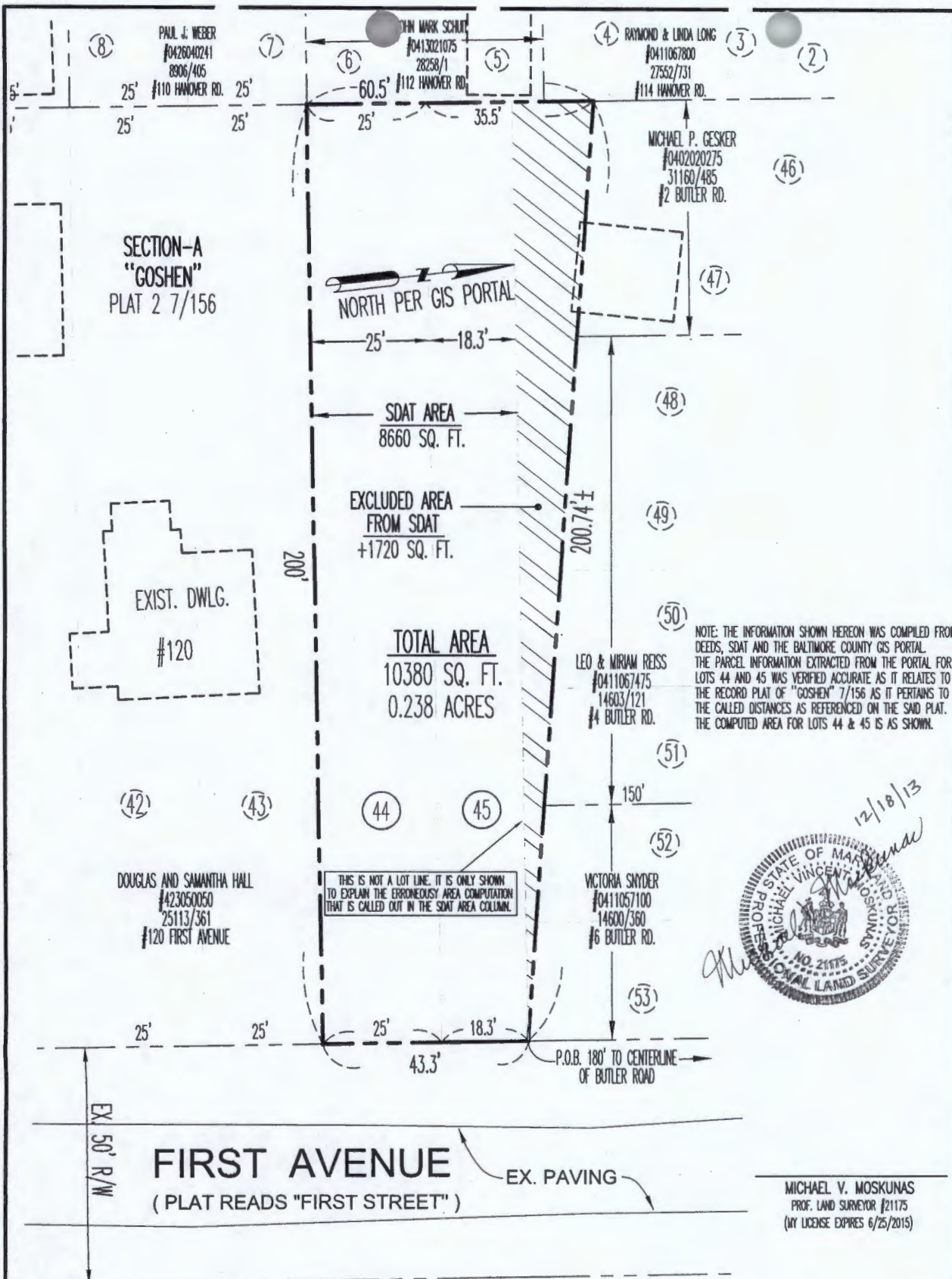
Created By
Baltimore County
My Neighborhood



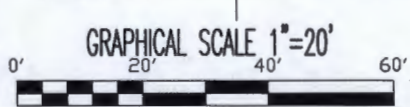
This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, 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.

EXHIBIT #2



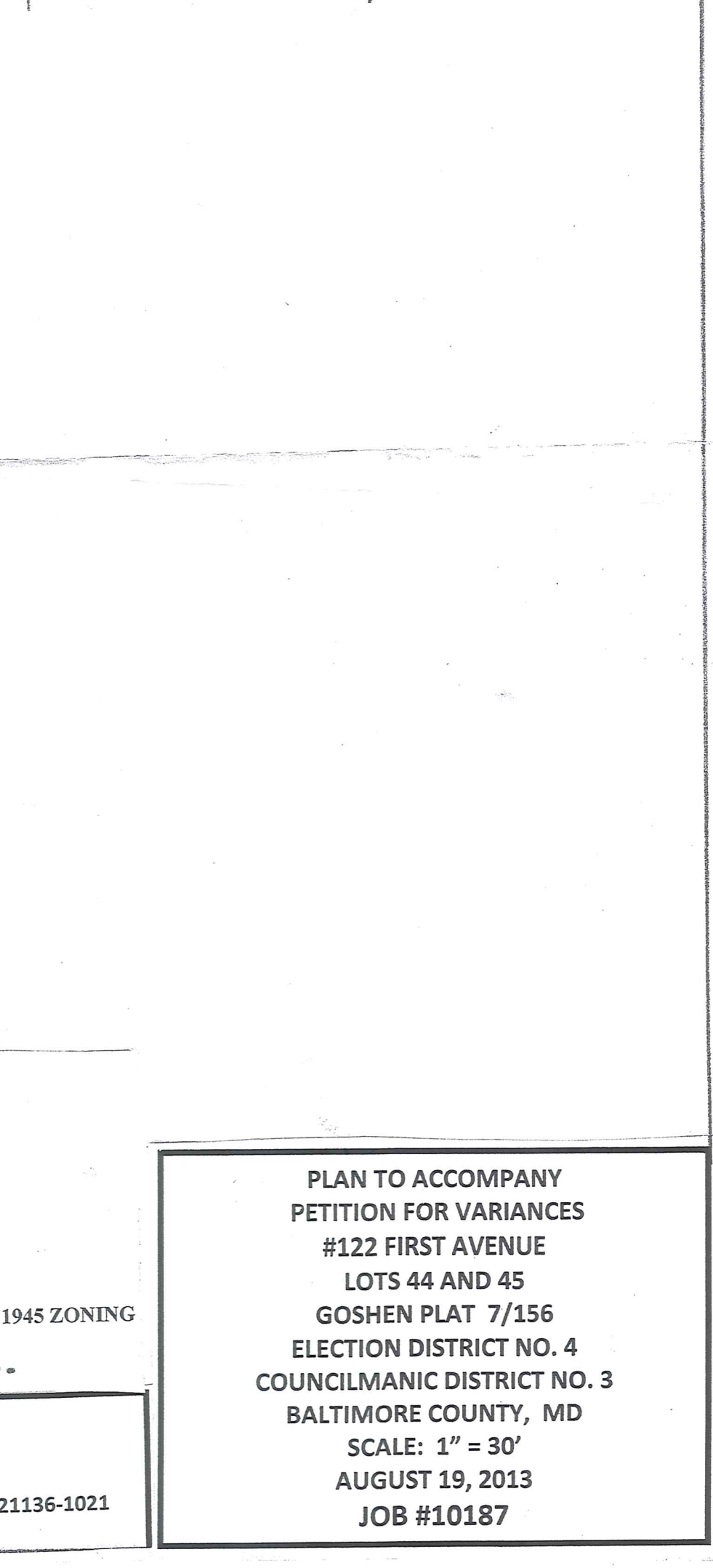
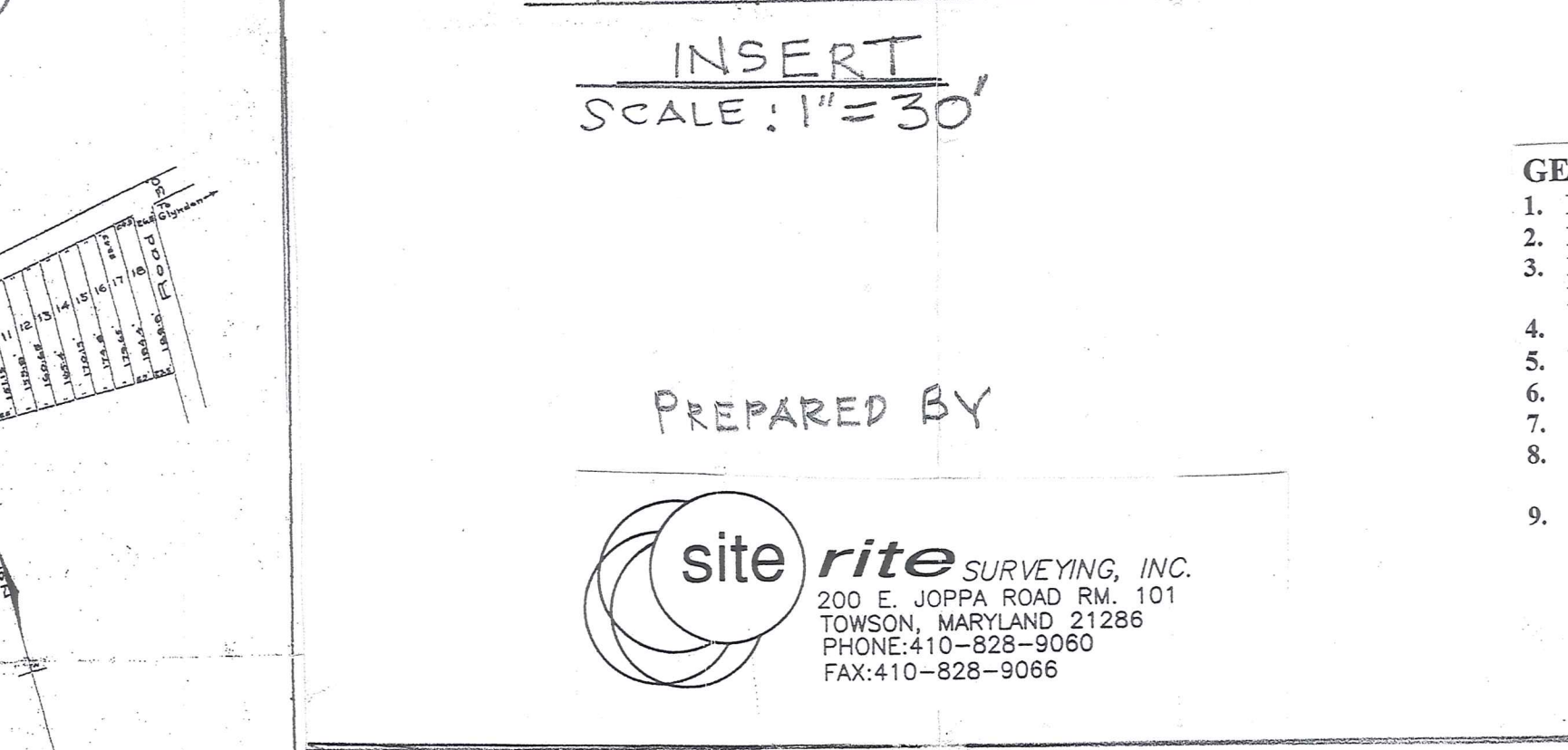
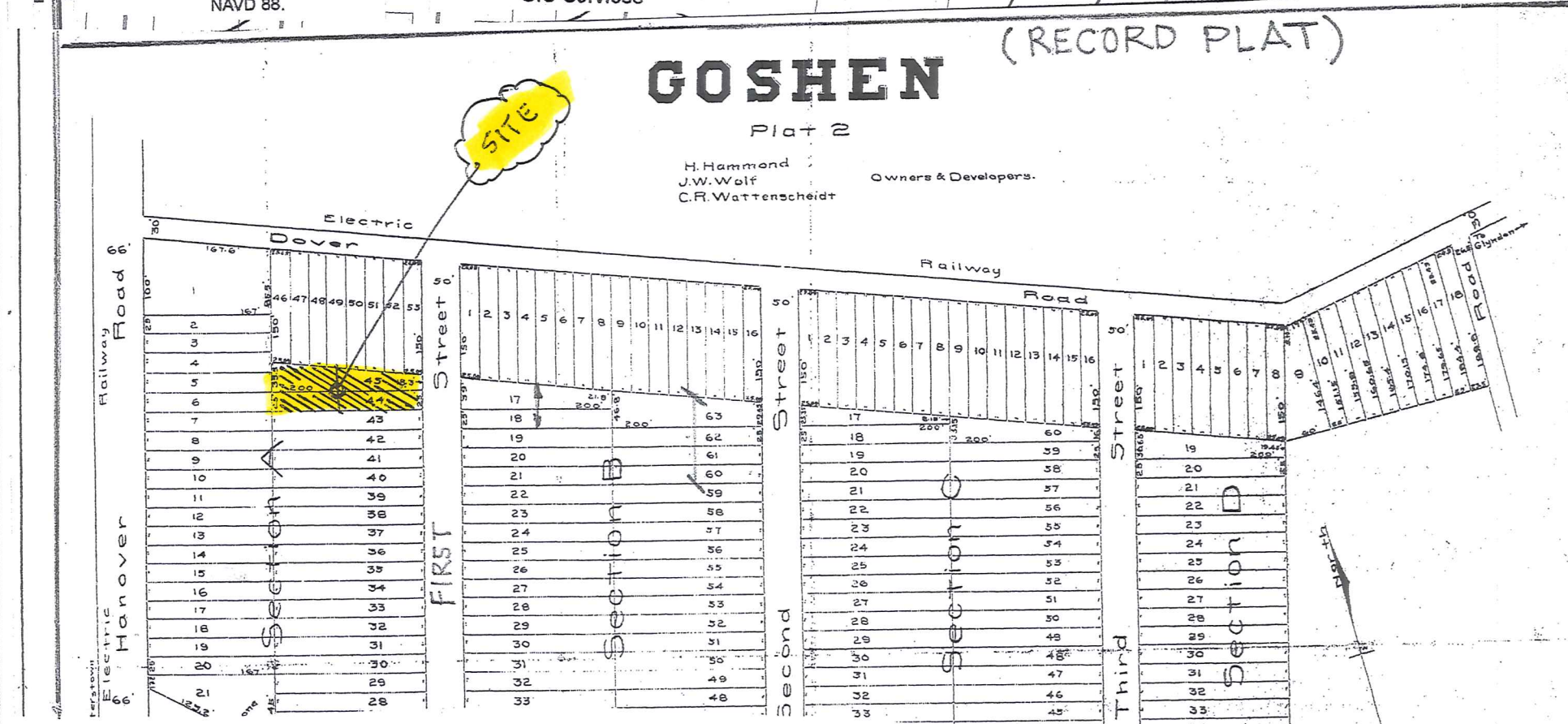


NOTE: THE INFORMATION SHOWN HEREON WAS COMPILED FROM DEEDS, SDAT AND THE BALTIMORE COUNTY GIS PORTAL. THE PARCEL INFORMATION EXTRACTED FROM THE PORTAL FOR LOTS 44 AND 45 WAS VERIFIED ACCURATE AS IT RELATES TO THE RECORD PLAT OF "GOSHEN" 7/156 AS IT PERTAINS TO THE CALLED DISTANCES AS REFERENCED ON THE SAID PLAT. THE COMPUTED AREA FOR LOTS 44 & 45 IS AS SHOWN.



PARCEL AREA CALCULATION		
#122 FIRST AVENUE		
LOTS 44 & 45 OF PLAT 2 SECTION-A		
"GOSHEN" 7/156		
3RD. COUNCILMANIC DISTRICT		
4TH ELECTION DISTRICT		
BALTIMORE COUNTY, MARYLAND		
Scale: 1"=20'	Date: 12/18/13	JOB #10187
Drawn: MYM	Checked: VJM	COMPUTED: MYM

SITERITE
SURVEYING INC.
200 E. JOPPA ROAD
SHELL BUILDING, SUITE 101
TOWSON, MD. 21286
410-828-9060

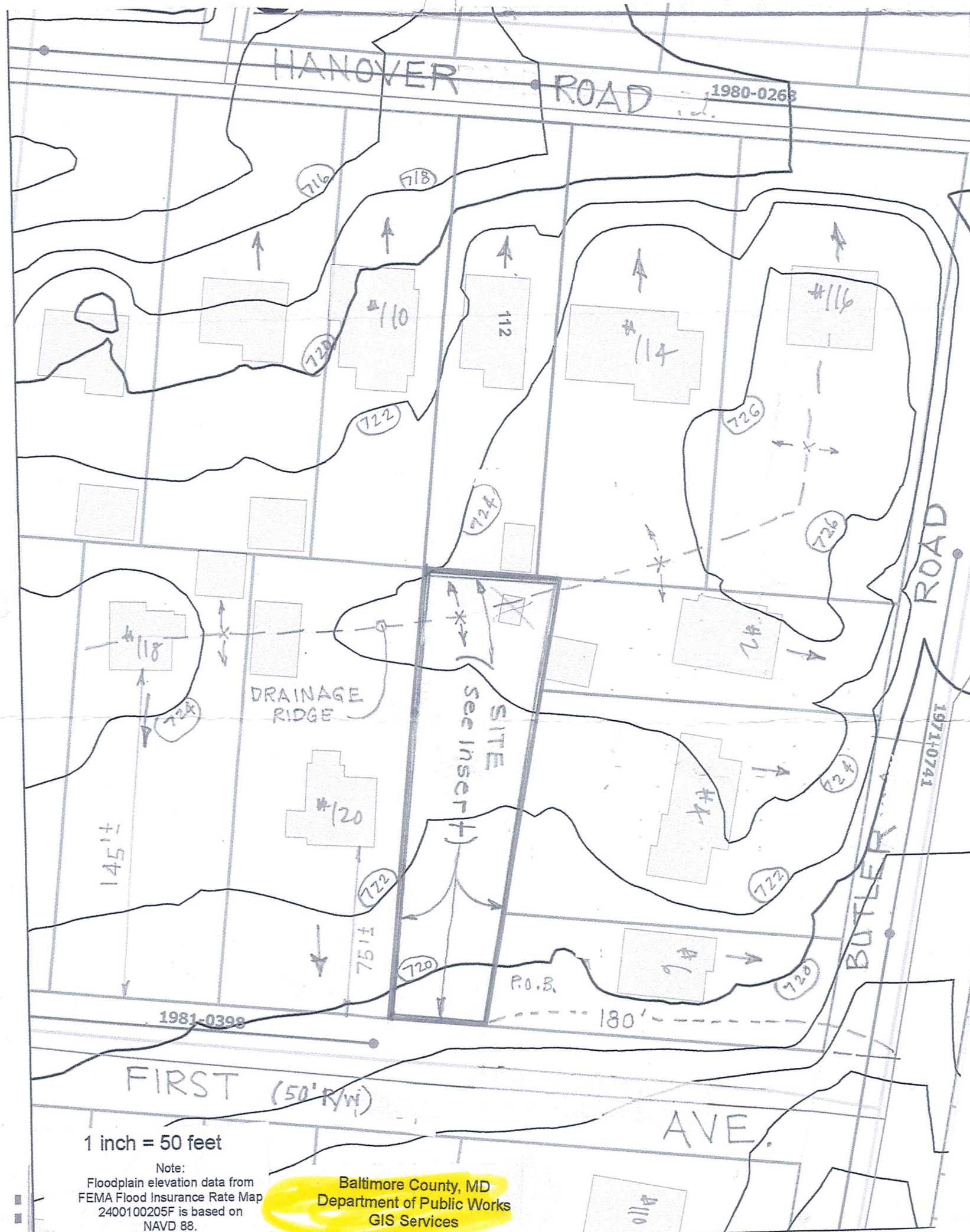


GENERAL NOTES:

1. EXISTING ZONE: D.R.3.5 (048C1)
2. LOT AREA: 10,380 S.F. OR 0.238 Acre +/-
3. EXISTING USE: VACANT
PROPOSED USE: SINGLE FAMILY DWELLING
4. NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
5. NOT LOCATED IN AN HISTORIC DISTRICT.
6. PROPERTY IS SERVICED BY PUBLIC WATER AND SEWER.
7. THERE IS NO PRIOR ZONING HISTORY.
8. LOTS ON A RECORD PLAT DATED BEFORE THE ADOPTION OF THE 1945 ZONING REGULATIONS.
9. THERE ARE NO CURRENT OR OUTSTANDING ZONING VIOLATIONS.

OWNER: JOHN MARK SCHUIT
KELLY JANES SCHUIT
112 HANOVER ROAD
REISTERSTOWN MD 21136-1021
PHONE: 443 - 244 - 2195

**PLAN TO ACCOMPANY
PETITION FOR VARIANCES
#122 FIRST AVENUE
LOTS 44 AND 45
GOSHEN PLAT 7/156
ELECTION DISTRICT NO. 4
COUNCILMANIC DISTRICT NO. 3
BALTIMORE COUNTY, MD
SCALE: 1" = 30'
AUGUST 19, 2013
JOB #10187**



Acct. No. 0426040241
Paul J. Weber
Thomas J. Lockhart
Deed: 08906 / 00405
110 Hanover Road

ACCOUNT #0413021075
NAME: JOHN MARK SCHUIT
DEED: 28258 / 00001
ADDRESS: 112 HANOVER ROAD

Acct. No. 0411067800
Raymond and Linda Long
Deed: 27552 / 00731
114 Hanover Road

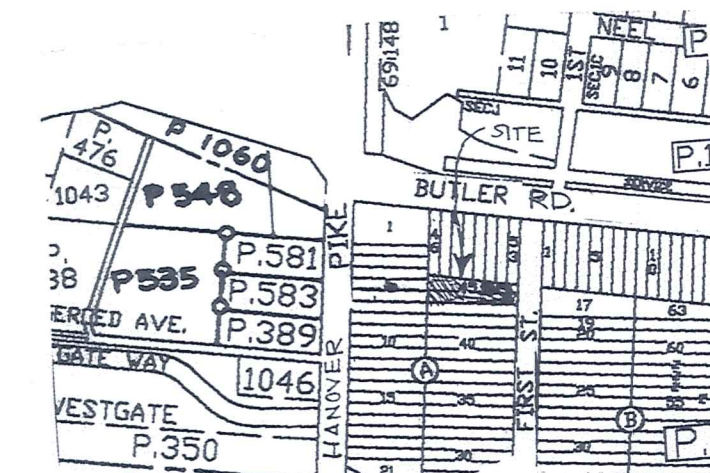
ACCT. #0402020275
NAME: MICHAEL P. GESKER
DEED: 31160 / 00485
2 BUTLER ROAD
REISTERSTOWN MD 21136-1007

Acct. No. 0423050025
Jennifer & Jonathan Bailey
Deed: 22565 / 00159
118 First Avenue

Acct. No. 423050050
Douglas and Samantha Hall
Deed: 25113 / 00361
120 First Avenue

Acct. No. 0411067475
Leo and Miriam Reiss
Deed: 14603 / 00121
4 Butler Road

Acct. No. 0411057100
Victoria Snyder
Deed: 14600 / 00360
6 Butler Road



GOSHEN

Plat 2

H. Hammond
J.W. Wall
C.R. Wattenscheidt
Owners & Developers

INSERT
SCALE: 1" = 30'

PREPARED BY

site rite SURVEYING, INC.
200 E. JOPPA ROAD RM. 101
TOWSON, MARYLAND 21286
PHONE: 410-828-9060
FAX: 410-828-9066

GENERAL NOTES:

1. EXISTING ZONE: D.R.3.5 (048C1)
2. LOT AREA: 10,380 S.F. OR 0.238 Acre +/-
3. EXISTING USE: VACANT
PROPOSED USE: SINGLE FAMILY DWELLING
4. NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
5. NOT LOCATED IN AN HISTORIC DISTRICT.
6. PROPERTY IS SERVICED BY PUBLIC WATER AND SEWER.
7. THERE IS NO PRIOR ZONING HISTORY.
8. LOTS ON A RECORD PLAT DATED BEFORE THE ADOPTION OF THE 1945 ZONING REGULATIONS.
9. THERE ARE NO CURRENT OR OUTSTANDING ZONING VIOLATIONS.
10. NOT IN FLOOD PLAIN.

OWNER: JOHN MARK SCHUIT
KELLY JANES SCHUIT
112 HANOVER ROAD
REISTERSTOWN MD 21136-1021
PHONE: 443-244-2195

PLAN TO ACCOMPANY
PETITION FOR VARIANCES
#122 FIRST AVENUE
LOTS 44 AND 45
GOSHEN PLAT 7/156
ELECTION DISTRICT NO. 4
COUNCILMANIC DISTRICT NO. 3
BALTIMORE COUNTY, MD
SCALE: 1" = 30'
AUGUST 19, 2013
JOB #10187

CASE NO 2014-0044A.

Pct. No. 1