

IN RE: PETITION FOR VARIANCE

(1 Holmes Avenue)

1st Election District

1st Councilman District

Stuart N. Foote

Petitioner

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2014-0199-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Stuart N. Foote, the legal owner of the subject property. The Petitioner is requesting variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §415A.1.A to permit a recreational vehicle (small boat on trailer) to be stored in the side yard driveway up to 15 ft. forward of the front foundation line of the dwelling in lieu of the required minimum distance of at least 8 ft. behind the front foundation line of the dwelling. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the request was Stuart N. Foote. The Petition was advertised and posted as required by the B.C.Z.R. There were no Protestants in attendance and the file does not contain any letters of opposition. In fact, all of the Petitioner's adjacent neighbors signed a statement indicating support for the request. Petitioner's Exhibit 3. There were no substantive Zoning Advisory Committee (ZAC) comments received.

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

ORDER RECEIVED FOR FILING

Date 5-30-14

By SW

To obtain variance relief requires a showing that:

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

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

Petitioner has met this test. As seen on the plan, the property is irregularly shaped and is therefore unique. If the B.C.Z.R. were strictly interpreted, the Petitioner would suffer a practical difficulty, given he would be required to rent storage space for the boat, since there is no alternate location available at the subject property. 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. This is demonstrated by the support of Petitioner's neighbors, and the lack of County opposition.

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 30th day of May, 2014, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §415A.1.A to permit a recreational vehicle (small boat on trailer) to be stored in the side yard driveway up to 15 ft. forward of the front foundation line of the dwelling in lieu of the required minimum distance of at least 8 ft. behind the front foundation line of the dwelling, be and is hereby GRANTED.

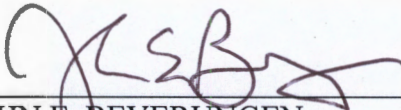
ORDER RECEIVED FOR FILING

Date 5-30-14

By [signature]

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

JEB:slh



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

ORDER RECEIVED FOR FILING

Date 5-30-14

By PD

KEVIN KAMENETZ
County Executive



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

May 30, 2014

Stuart N. Foote
1 Holmes Avenue
Catonsville, Maryland 21228

RE: Petition for Variance
Property: 1 Holmes Avenue
Case No. 2014-0199-A

Dear Mr. Foote:

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 Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,

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

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: C. Raynor, Code Inspector, Baltimore County Division of Code Inspections
and Enforcement, Department of Permits, Approvals and Inspections,
111 W. Chesapeake Avenue, Towson, MD 21204



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 1 HOLMES AVE which is presently zoned RES.
 Deed References: 15258 / 00745 10 Digit Tax Account # 0123154380
 Property Owner(s) Printed Name(s) STUART N. FOOTE

(SELECT THE HEARING(S) BY MARKING ☒ 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. ☒ a Variance from Section(s)
 BCZR: 415A.1.A → To permit a recreational vehicle (small boat on trailer) to be stored in the side yard driveway up to 15 feet forward of the front foundation line of the dwelling in lieu of the required minimum distance of at least 8 feet behind the front foundation line of the dwelling.
 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:

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):

STUART N. FOOTE
 Name #1 - Type or Print Name #2 - Type or Print

[Signature]
 Signature #1 Signature #2

1 HOLMES AVE CATONSVILLE MD
 Mailing Address City State

21228 / 443 677 5617 / Stu.foote@gmail.com
 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 2014-0199-A Filing Date 3/26/14 Do Not Schedule Dates: _____ Reviewer JS

ZONING PROPERTY DESCRIPTION FOR 1 HOLMES AVENUE

Beginning at a point on the northeast side of Holmes Avenue which is 50 feet wide at a distance of 376' east of the centerline of the nearest improved intersecting street (BLOOMSBURY AVE) which is 50 feet wide.

Being Lot # 36, Block (N/A), Section # (N/A) in the subdivision of Toneydale (0000) as recorded in the Baltimore County Plat Book #16, Folio #97, containing 11,627 square feet (0.266 acres). Located in Election District #01-015 and Council District #1.

2014-0199-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/neighborhood 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: 2014-0199-A

Petitioner: STUART N. FOOTE

Address or Location: 1 HOLMES AVE, CATONSVILLE, MD 21228

PLEASE FORWARD ADVERTISING BILL TO:

Name: STUART N. FOOTE

Address: 1 HOLMES AVE
CATONSVILLE, MD 21228

Telephone Number: 443-677-5617

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

No. **109834**

Date: **3/26/14**

PAID RECEIPT

BUSINESS ACTUAL TIME
 3/26/2014 3/26/2014 14:09:02

REG 0502 MALKIN JEAN JEE
 RECEIPT # 873936 3/26/2014 OFLN

Dept 5 528 ZONING VERIFICATION

NO. 109834

Receipt Tot \$75.00
 \$75.00 OK \$1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$75.00

Total: **\$ 75.00**

Rec From: **FOOTE**

For: **2014-0199-A**

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 5/3/2014

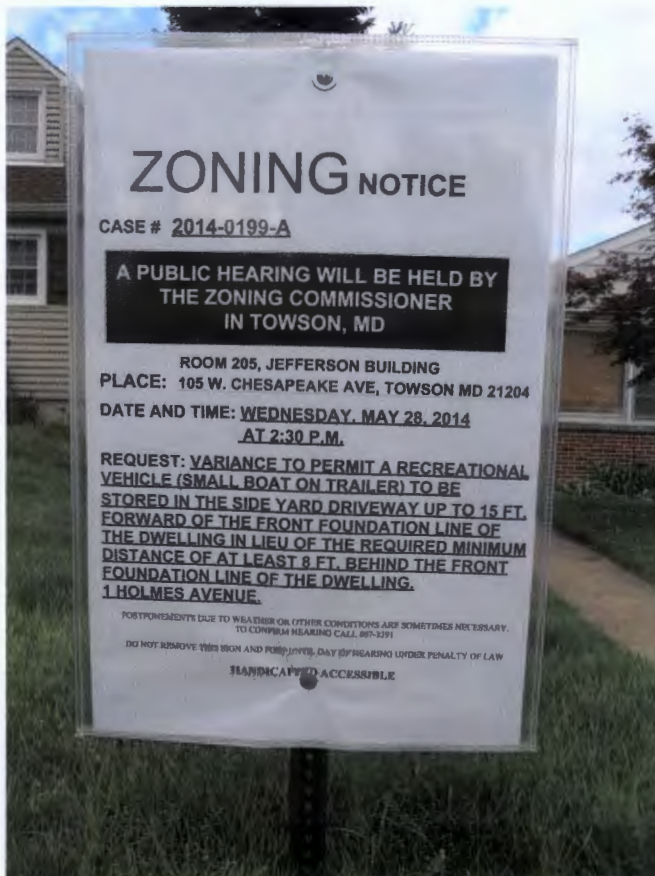
Case Number: 2014-0199-A

Petitioner / Developer: STUART FOOTE

Date of Hearing (Closing): MAY 28, 2014

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:
1 HOLMES AVENUE

The sign(s) were posted on: MAY 2, 2014



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

May 8, 2014

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, the publication appearing on May 8, 2014.

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

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

NOTICE OF ZONING HEARING

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

Case: # 2014-0199-A

1 Holmes Avenue

NE/s Holmes Avenue, 376 ft. e/of centerline of intersection with Bloomsbury Avenue

1st Election District - 1st Councilmanic District

Legal Owner(s): Stuart Foote

Variance: to permit a recreational vehicle (small boat on trailer) to be stored in the side yard driveway up to 15 ft. forward of the front foundation line of the dwelling in lieu of the required minimum distance of at least 8 ft. behind the front foundation line of the dwelling.

Hearing: Wednesday, May 28, 2014 at 2:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

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

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

5/146 May 8

978608



KEVIN KAMENETZ
County Executive

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

April 18, 2014

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: 2014-0199-A

1 Holmes Avenue

NE/s Holmes Avenue, 376 ft. e/of centerline of intersection with Bloomsbury Avenue

1st Election District – 1st Councilmanic District

Legal Owners: Stuart Foote

Variance to permit a recreational vehicle (small boat on trailer) to be stored in the side yard driveway up to 15 ft. forward of the front foundation line of the dwelling in lieu of the required minimum distance of at least 8 ft. behind the front foundation line of the dwelling.

Hearing: Wednesday, May 28, 2014 at 2:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Stuart Foote, 1 Holmes Avenue, Catonsville 21228

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MAY 8, 2014.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 8, 2014 Issue - Jeffersonian

Please forward billing to:
Stuart Foote
1 Holmes Avenue
Catonsville, MD 21228

443-677-5617

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: 2014-0199-A

1 Holmes Avenue

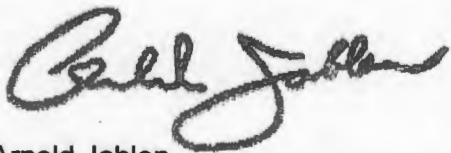
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1st Election District – 1st Councilmanic District

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105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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

MEMORANDUM

DATE: July 1, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0199-A - Appeal Period Expired

The appeal period for the above-referenced case expired on June 30, 2014. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
1 Holmes Avenue; NE/S Holmes Avenue, 376' E	*	
of c/line of intersection Bloomsbury Avenue	*	OF ADMINSTRATIVE
1 st Election & 1 st Councilmanic Districts	*	
Legal Owner(s): Stuart N. Foote	*	HEARINGS FOR
Petitioner(s)	*	BALTIMORE COUNTY
	*	2014-199-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

APR 01 2014

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 1st day of April, 2014, a copy of the foregoing Entry of Appearance was mailed to Stuart Foote, 1 Holmes Avenue, Catonsville, MD 21228, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NO. 2014-

0199-A

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>4/19/14</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>N/C</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
<u>4/25/14</u>	PLANNING (if not received, date e-mail sent _____)	<u>N/C</u>
<u>4/1/14</u>	STATE HIGHWAY ADMINISTRATION	<u>No Obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. <u>0141439</u>)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>5/8/14</u>	
SIGN POSTING	Date: <u>5/2/14</u> by <u>O'Keefe</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____



CODE ENFORCEMENT

CORRECTION NOTICE

CASE NUMBER 0141439	FA NUMBER 0008590	PROP. TAX ID 01-23-154380	ZONE B2
NAME(S): Stuart N Foote			
MAILING ADDRESS: 1 Holmes Ave			
CITY Baltimore	STATE MD	ZIP CODE 21228	
VIOLATION ADDRESS: 5AW AS Above			
CITY Baltimore	STATE MD	ZIP CODE 21228	
MARYLAND			

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

BALTIMORE COUNTY ZONING REGULATIONS (B.C.Z.R.)

- | | |
|---|---|
| ☐ 431: Improper parked/ illegal commercial vehicle(s) | ☐ 415A: License/ remove untagged recreation vehicle |
| ☐ 450: Non permitted sign(s) | ☒ 415A: Improperly parked recreation vehicle |
| ☐ 428: License/ Remove all untagged/ inoperative or damaged/ disabled motor vehicle(s) in residential zone | ☒ 415A: One recreational vehicle per property |
| ☐ 1B01.1D: Remove open dump/ junk yard | ☐ 100.6: Non permitted livestock / fowl / poultry |
| ☐ 102.5: Residential site line violation /obstruction | ☐ 408B: Non permitted rooming/ boarding house |
| ☐ 101; 102.1: Remove contractors equip. storage yard | ☐ 1B01: Non permitted private kennel. Limit 3 dogs |
| ☐ 1B01.1, ZCPM: Cease service garage activities | ☐ 101; 102.1; ZCPM: Illegal home occupation |
| ☐ 402: Illegal conversion of dwelling | ☐ 500.9 BCZR; ZCPM; BCC: 32-3-102: |
| ☐ 400: Illegal accessory structure | Violation of commercial site plan and/or zoning order |
| | ☐ 410A: Non permitted class II Trucking Facility |

BALTIMORE COUNTY CODE (B.C.C.)

- | | |
|---|--|
| ☐ 13-4-201(b)(d): Store garbage in containers w/tight lids | ☐ 35-2-301: Obtain building/ fence/ sign permit |
| ☐ 13-7-309; 13-7-310: Remove animal feces daily | ☐ 35-6-105: Obtain rental housing license |
| ☐ 13-7-310(a): Remove all trash & debris from property | ☐ 18-2-608: Exceeding time limit, Temp. Storage Unit |
| ☐ 13-7-312: Remove accumulations of debris, materials, etc | ☐ 35-2-206: Install address numbers to rear of home |
| ☐ 13-7-310(c): Cease all outside feeding of animals/birds | ☐ IBC 115; BCBC 121: Remove/ Repair unsafe structure board and secure all openings to premise |
| ☐ 13-7-306: Cease rat harborage on premise | ☐ 13-7-401; 13-7-402; 13-7-403: Cut & remove all tall grass and weeds to three (3) inches in height |
| ☐ 13-7-305: Eradicate all rat infestation on premise | |
| ☐ 13-7-112: Remove graffiti | |

RENTAL LIVABILITY CODE (B.C.C.)

- | | |
|--|---|
| ☐ 35-5-203: Condemnation of structure / equipment | ☐ 35-5-212: Repair heating / cooking equipment |
| ☐ 35-5-208(a): Repair exterior structure | ☐ 35-5-213: Provide fire and safety protection |
| ☐ 35-5-209(a): Repair interior structure | ☐ 35-5-231.1: Provide Carbon Monoxide detectors |
| ☐ 35-5-210 (a)(c): Provide proper lighting in structure | ☐ 35-5-214: Remove all accumulations & storage blocking egress, stairwells, passageways; doors, windows, etc |
| ☐ 35-5-211(c): Repair plumbing defects to structure | |

INVESTMENT PROPERTY (B.C.C.)

- | | |
|--|---|
| ☐ 35-2-404(a)(1)(i): Remove hazardous / unsafe condition | ☐ 35-2-404(a)(1)(ii): Repair ext. walls / vertical members |
| ☐ 35-2-404(a)(1)(iii): Repair roof / horizontal members | ☐ 35-2-404(a)(1)(iv): Repair exterior chimney |
| ☐ 35-2-404(a)(1)(v): Repair ext. plaster / masonry | ☐ 35-2-404(a)(1)(vi): Waterproof walls/ roof / foundations |
| ☐ 35-2-404(a)(1)(vii): Repair ext. construction (see below) | ☐ 35-2-404(a)(1)(2): Remove trash, rubbish, & debris |
| ☐ 35-2-404(a)(1)(3): Repair / remove defective ext. sign(s) | ☐ 35-2-404(a)(1)(ii): Board & secure openings |

OTHER VIOLATIONS OR REMARKS:

30 DAYS to move heat
must be 8 ft. Back from front
Foundation

Failure to comply with this correction notice, may result in a \$ 100 fine / penalty per day pursuant to BCC: 1-2-217; 32-3-602 and/or the County sending a contractor to correct the violation(s) at your expense. Call the assigned inspector below for more info. (See reverse side for important information)

COMPLIANCE DATE: 2, 8, 14

INSPECTOR NAME: C. Raynor
(PRINT NAME)

1, 8, 14
ISSUED DATE

2014-0199-A



KEVIN KAMENETZ
County Executive

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

May 21, 2014

Stuart N. Foote
1 Holmes Avenue
Catonsville MD 21208

RE: Case Number: 2014-0199 A, Address: 1 Holmes Avenue

Dear Mr. Foote:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 26, 2014. 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

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



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

Date: 4/1/14

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

RE: Baltimore County
Item No 2014-0199-A
Variance
Stuart N. Foote
2 Holmes 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. 2014-0199-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
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For April 7, 2014
Item No. 2014-0197, 0199 and 0200

DATE: April 9, 2014

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\ZAC04072014 -.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 25, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: Zoning Advisory Petition(s) for
Item Nos: 2014-199,

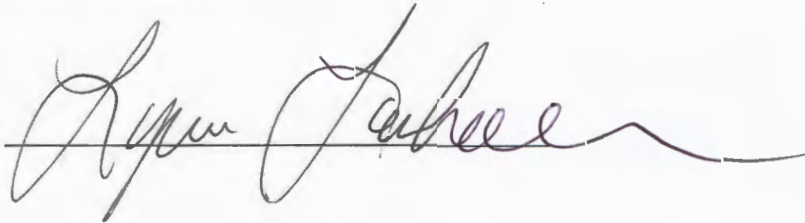
MAY 22 2014

OFFICE OF ADMINISTRATIVE HEARINGS

The Department of Planning has reviewed the above referenced zoning items and has no comments.

For further questions or additional information concerning the matters stated herein, please contact Lynn Lanham at 410-887-3480.

Prepared By:



LL/ka

c: John Beverungen, ALJ
Peter Max Zimmerman

Real Property Data Search (w3)

[Search Help](#)Your feedback is important to us. [Please take our short survey.](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 01 Account Number - 0123154380		
Owner Information		
Owner Name:	FOOTE STUART N	Use: RESIDENTIAL
Mailing Address:	1 HOLMES AVENUE BALTIMORE MD 21228-5210	Principal Residence: YES Deed Reference: 1) /15258/ 00745 2)
Location & Structure Information		
Premises Address:	1 HOLMES AVE BALTIMORE 21228-5210	Legal Description: PT LT 36 1 HOLMES AVE TONEYDALE
Map: 0101	Grid: 0014	Parcel: 0514
Sub District:	Subdivision: 0000	Section: 36
Block:	Lot: 2013	Assessment Year:
Plat No:		Plat Ref: 0016/ 0097
Special Tax Areas:		Town: NONE
Ad Valorem:		Tax Class:
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
1954	962 SF	600 SF
Property Land Area	County Use	
11,627 SF	04	
Stories	Basement	Type
1.000000	YES	STANDARD UNIT
Exterior	Full/Half Bath	Garage
SIDING	1 full/ 1 half	
Value Information		
Base Value	Value	Phase-in Assessments
	As of	As of
	01/01/2013	07/01/2013
Land:	103,100	78,100
Improvements	118,900	109,400
Total:	222,000	187,500
Preferential Land:	0	187,500
		0
Transfer Information		
Seller: JOHNSON LAURA A	Date: 06/04/2001	Price: \$130,000
Type: NON-ARMS LENGTH OTHER	Deed1: /15258/ 00745	Deed2:
Seller: WELCH GOLDSBOROUGH J	Date: 02/06/2001	Price: \$122,000
Type: ARMS LENGTH IMPROVED	Deed1: /14960/ 00566	Deed2:
Seller: KIBLER MATTHEW P & PAUL P	Date: 12/03/1954	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /02603/ 00485	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:	07/01/2014
Exempt Class:	NONE	0.00 0.00
Homestead Application Information		
Homestead Application Status: Approved 02/08/2012		

New Search (<http://sdat.resiusa.org/RealProperty>)

The map shows a residential area with the following details:

- Streets:** Cinnamon Tree Ct, Spring Grove Rd, Bloomingbury Fields, Hilltop, P.2145, P.304, P.2078, P.1289, P.1762, P.511.
- Highlighted Addresses:** P.583, P.363, P.1597, P.365, P.514, P.513.
- Other Labels:** SWM, P.3676, P.1289, P.1762, P.511, P.2145, P.2078, P.304, P.1289, P.1762, P.511.
- Lot Numbers:** 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.
- Other Features:** A cemetery area labeled "BLOOMINGBURY FIELDS" is shown at the bottom. A road labeled "P.2145" runs along the right side. A road labeled "P.304" runs along the top left. A road labeled "P.2078" runs along the left side. A road labeled "P.1289" runs along the bottom left. A road labeled "P.1762" runs along the bottom left. A road labeled "P.511" runs along the bottom left. A road labeled "P.2145" runs along the right side. A road labeled "P.304" runs along the top left. A road labeled "P.2078" runs along the left side. A road labeled "P.1289" runs along the bottom left. A road labeled "P.1762" runs along the bottom left. A road labeled "P.511" runs along the bottom left.

Order the **TAX MAP** [click here...](#)

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

Loading... Please Wait.

DATE May 28, 2014

Stu. Foote @ gmail. com
ascbanne @ gmail. com

Case No.: 2014-0199-A

Exhibit Sheet

Petitioner/Developer

DW
7-1-14

Respondent

5-30-14
DW

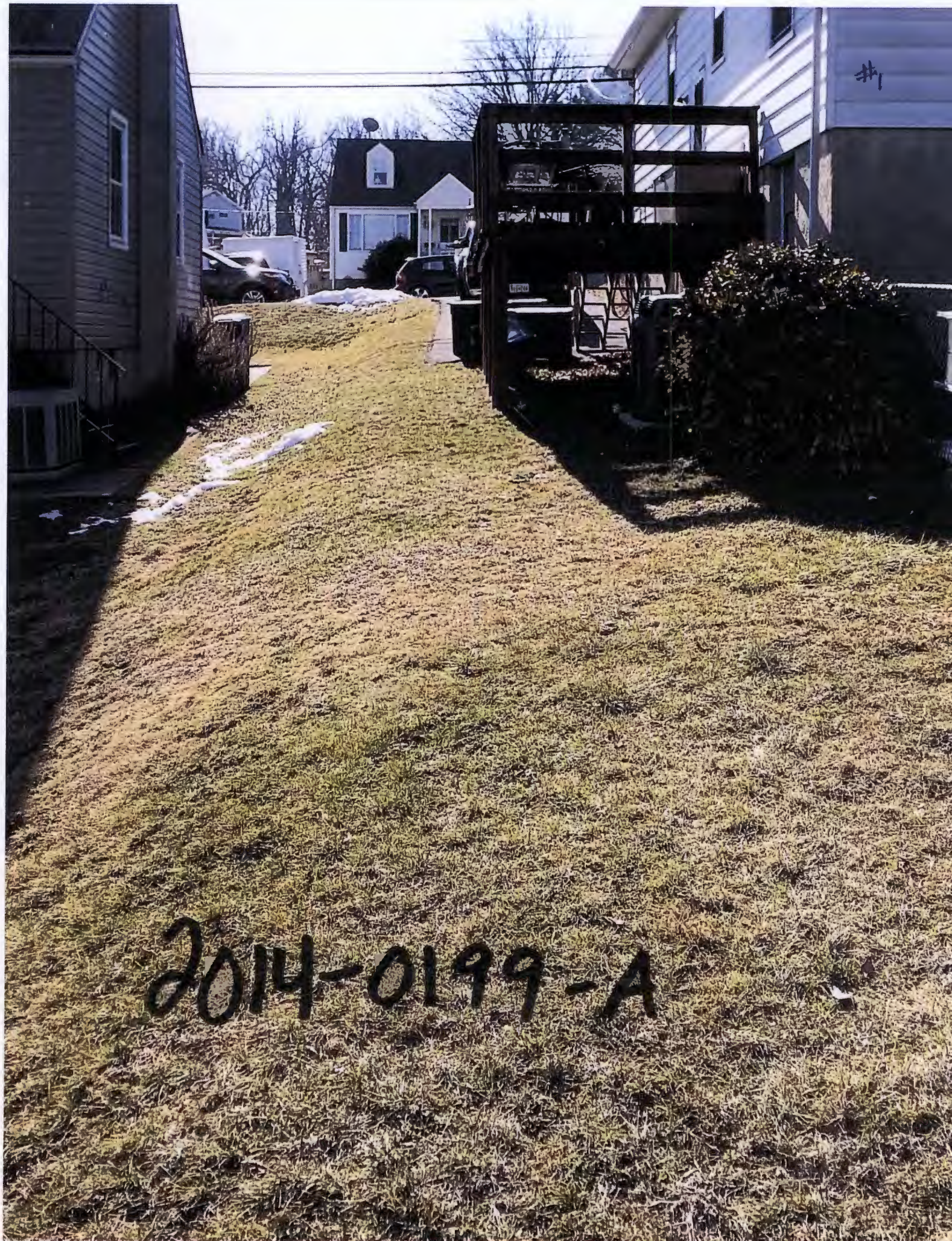
No. 1	Plan	
No. 2	Photos	
No. 3	Letters of Support from neighbors	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



PETITIONER'S

EXHIBIT NO. 2

2014-0199-A





2014-0199-A



2014-0199-A

I do attest that I reside @ 6 Holmes Ave. and that I have no objection to the resident @ 1 Holmes Ave. parking his 16' Aluminum Fishing boat on a trailer in the driveway of that property despite it being in violation of Section 415A.1

paragraph A. "On a lot occupied by a single-family detached or semi-detached dwelling, one such vehicle may be stored 2 1/2 feet from any rear or side lot line; however, when in a side yard it must be situated at least eight feet to the rear of a lateral projection of the front foundation line of the dwelling. Such vehicle may be stored in any garage."

Jody M. Roesler
Signature

Jody M. Roesler
Printed Name

15 Mar 14
Date

State of Maryland
County of Baltimore

Subscribed and Sworn to before me this 15th day of March 2014

Notary Public:

My Commission Expires:

GLORIA M. FANGMAN
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires December 16, 2014

PETITIONER'S

EXHIBIT NO. 3

2014-0199-A

I do attest that I reside @ 3 Holmes Ave. and that I have no objection to the resident @ 1 Holmes Ave. parking his 16' Aluminum Fishing boat on a trailer in the driveway of that property despite it being in violation of Section 415A.1

paragraph A. "On a lot occupied by a single-family detached or semi-detached dwelling, one such vehicle may be stored 2 1/2 feet from any rear or side lot line; however, when in a side yard it must be situated at least eight feet to the rear of a lateral projection of the front foundation line of the dwelling. Such vehicle may be stored in any garage."

Kimberly L. Turner, Spencer D. Coleman Jr

Signature

Kimberly L. Turner Spencer D. Coleman, Jr

Printed Name

March 16, 2014

Date

State of Maryland
County of Baltimore

Subscribed and Sworn to before me this 16th day of March 2014

Notary Public:

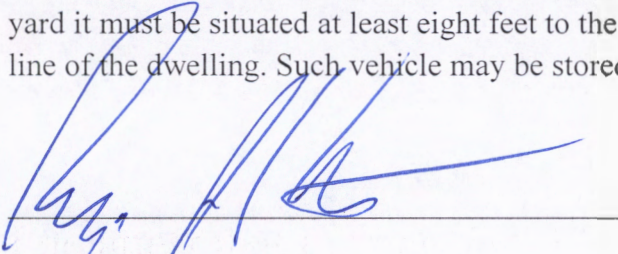
My Commission Expires:

GLORIA M. FANGMAN
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires December 16, 2014

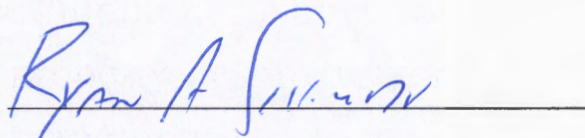
2014-0199-A

I do attest that I reside @ 4 Holmes Ave. and that I have no objection to the resident @ 1 Holmes Ave. parking his 16' Aluminum Fishing boat on a trailer in the driveway of that property despite it being in violation of Section 415A.1

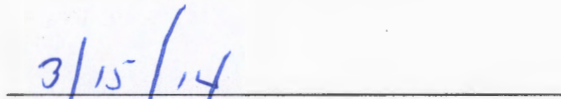
paragraph A. "On a lot occupied by a single-family detached or semi-detached dwelling, one such vehicle may be stored 2 1/2 feet from any rear or side lot line; however, when in a side yard it must be situated at least eight feet to the rear of a lateral projection of the front foundation line of the dwelling. Such vehicle may be stored in any garage."



Signature



Printed Name

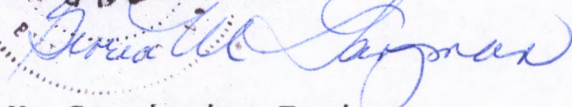


Date

State of Maryland
County of Baltimore

Subscribed and Sworn to before me this 15th day of March 2014

Notary Public:



My Commission Expires:

GLORIA M. FANGMAN
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires December 18, 2014

2014-0199-A

I do attest that I reside @ 1A Holmes Ave. and that I have no objection to the resident @ 1 Holmes Ave. parking his 16' Aluminum Fishing boat on a trailer in the driveway of that property despite it being in violation of Section 415A.1

paragraph A. "On a lot occupied by a single-family detached or semi-detached dwelling, one such vehicle may be stored 2 1/2 feet from any rear or side lot line; however, when in a side yard it must be situated at least eight feet to the rear of a lateral projection of the front foundation line of the dwelling. Such vehicle may be stored in any garage."

James B. Miller
Signature

James B. Miller
Printed Name

3/15/14
Date

State of Maryland
County of Baltimore

Subscribed and Sworn to before me this 15th day of March 2014

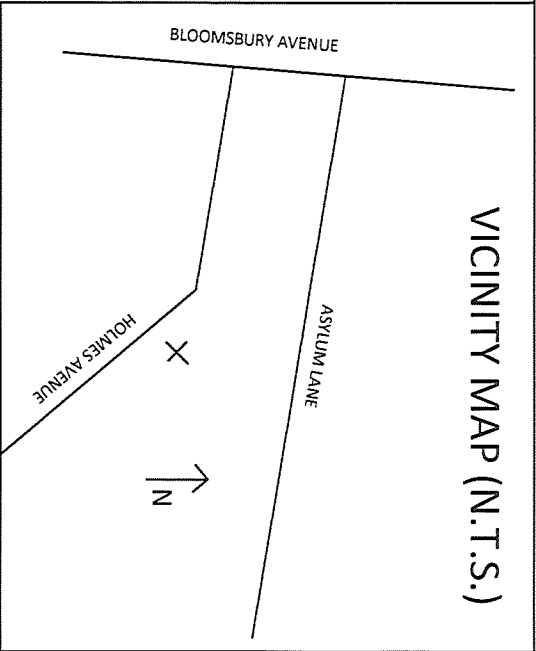
Notary Public:

Gloria M. Fangman
My Commission Expires:

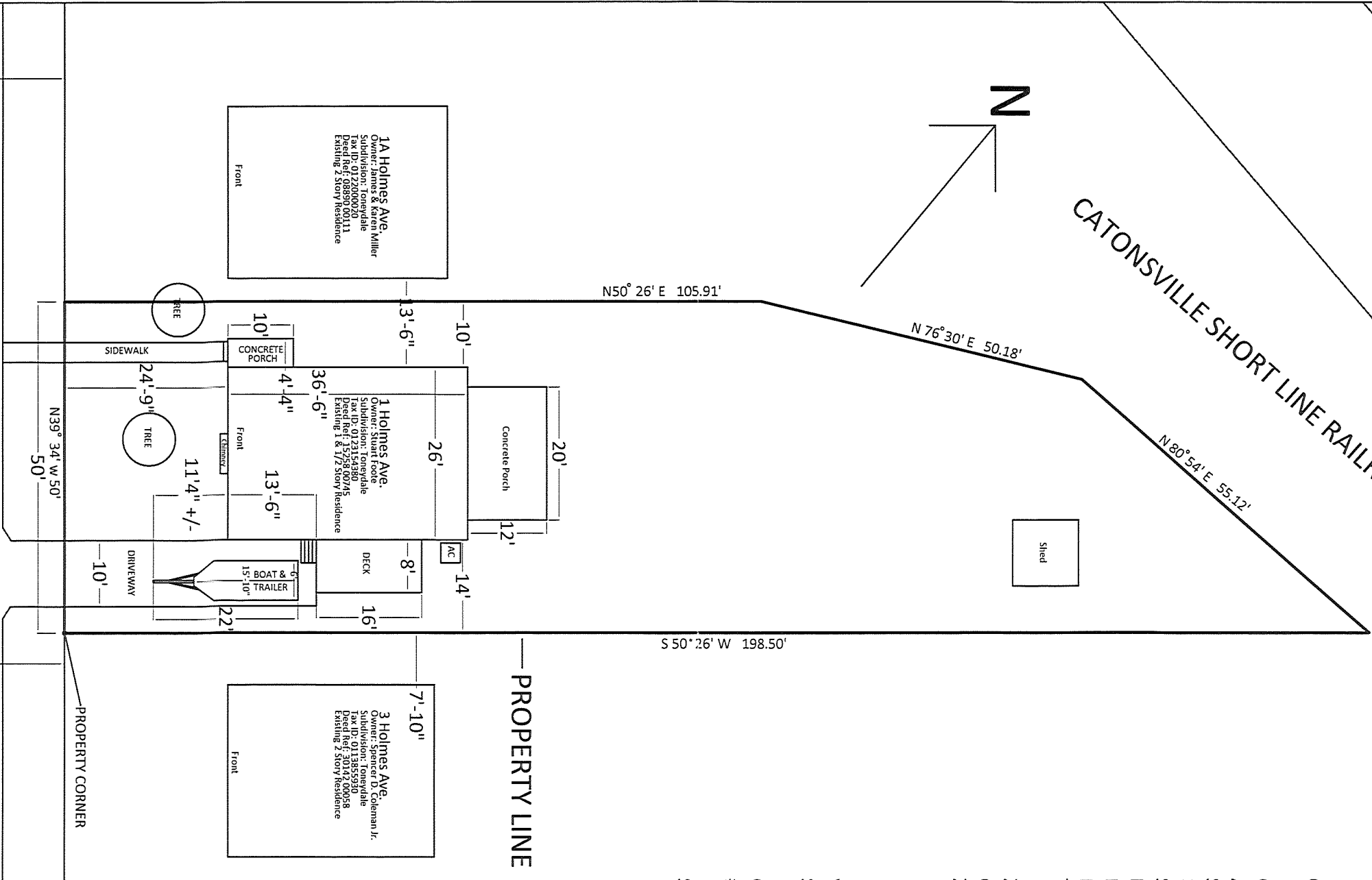
GLORIA M. FANGMAN
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires December 16, 2014

2014-0199-A

[illegible]



Election Dist.: 01-015
Councilman Dist.: 1
Hearing Type: Variance
Owner: Stuart N. Foote
Address: 1 Holmes Avenue
Subdivision: 0000 (Toneydale)
Lot # 36
Section: N/A
Block: N/A
Plat Book: 16
Folio: 97
Tax ID: 0123154380
Deed Ref: Liber 15258 Folio 00745
Zoning Map: 0101
Grid: 0014
Zoning: Residential
Lot Acreage: 0.266 (11,627 SF)
Historic: No
In CBCA: No
In Flood Plain: No
Water: Public
Sewer: Public
Prior Hearing: No
Current Correction Notice:
#0141439 Improperly parked boat/trailer
Date: 3/23/14
Scale: 1" = 20'
Drawn By: Stuart Foote



50' RIGHT OF WAY

HOLMES AVE

30' PAVED

PETITIONER'S

EXHIBIT NO. 1

2014-0199-A