

IN RE: PETITION FOR ADMIN. VARIANCE *
(106 W. Chestnut Hill Lane)
4th Election District *
4th Councilmanic District *
Antonio G. Martinez *
Petitioner *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2014-0224-A

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

This matter comes before the Office of Administrative Hearings for Baltimore County as a Motion for Reconsideration filed by Petitioner Antonio G. Martinez. The Petitioner originally filed an Administrative Variance for property located at 106 W. Chestnut Hill Lane. The relief was requested from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a garage in the rear yard of an existing single family with a height of 24 feet in lieu of the required 15 feet.

By Opinion and Order dated May 28, 2014, the undersigned granted the Administrative Variance request, with conditions, in accordance with the site plan and documentation within the case file.

On June 3, 2014, Antonio G. Martinez, Petitioner, filed a timely Motion for Reconsideration of my Order dated May 28, 2014. In the Motion, he raised concern about Condition No. 2, in particular not being able to have a wash/slop sink in the garage. Mr. Martinez disclosed that the garage will be used for his personal needs and not for any other purpose. It is also his intention to use the garage as a studio/workshop for painting, woodworking, sculptures, and photography. The Petitioner stressed that the garage will in no way be used for living space.

ORDER RECEIVED FOR FILING

Date 6-9-14

By DW

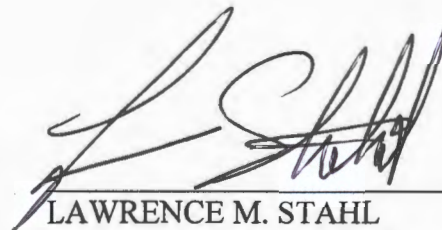
In addition, correspondence was received on June 7, 2014 from James Sage (a neighbor who resides at 114 W. Chestnut Hill Lane), who does not think he has a problem with adding the slop sink. However, he is concerned that once the plumbing is in place in the garage there is not much stopping the Petitioner or future residents from installing a bathroom or kitchen-like facility.

After due consideration of the argument raised by Mr. Martinez, I must deny the Motion. The petition in this case, as was proper, sought relief from the height restrictions set forth in B.C.Z.R. § 400.3. That is the extent of the relief permitted in a variance case. The decision to permit (or not) bathroom facilities must be made by the County's zoning, public works and (in the case of a property served by well and septic) environmental departments. While nothing in the May 28, 2014 Order prohibits the construction of a wash/slop sink in the proposed garage, approval for same must be sought from the aforementioned agencies.

THEREFORE, IT IS ORDERED, by the Administrative Law Judge for Baltimore County, this 9th day of June, 2014, that the Petitioner's Motion for Reconsideration, be and is hereby DENIED.

IT IS FURTHER ORDERED that all other terms and conditions of the Order granted on May 28, 2014 shall remain in full force and effect.

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



LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:dlw
ORDER RECEIVED FOR FILING

Date 6-9-14

By [Signature]

KEVIN KAMENETZ
County Executive



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

June 9, 2014

Antonio G. Martinez
106 W. Chestnut Hill Lane
Reisterstown, Maryland 21136

RE: **MOTION FOR RECONSIDERATION – PETITION FOR
ADMINISTRATIVE VARIANCE**
(106 W. Chestnut Hill Lane)
Case No. 2014-0224-A

Dear Mr. Martinez:

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.

Very truly yours,

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

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:dlw
Enclosure

c: James Sage, 114 W. Chestnut Hill Lane, Reisterstown, MD 21136

IN RE: PETITION FOR ADMIN. VARIANCE *
(106 W. Chestnut Hill Lane)
4th Election District *
4th Councilmanic District *
Antonio G. Martinez *
Petitioner *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2014-0224-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for Baltimore County as a Petition for Administrative Variance filed by the legal owner of the subject property, Antonio G. Martinez. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a garage in the rear yard of an existing single family with a height of 24 ft. in lieu of the required 15 ft. The subject property and requested relief are more particularly described on Petitioner's Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on May 6, 2014, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge,

ORDER RECEIVED FOR FILING

Date 5-28-14

By [Signature]

the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Although the Department of Planning did not make any recommendations related to the garage height and usage, I will impose conditions that the garage not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Administrative Law Judge for Baltimore County, this 28th day of May, 2014, that a Variance from Section 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a garage in the rear yard of an existing single family with a height of 24 ft. in lieu of the required 15 ft., be and is hereby GRANTED, subject to the following:

1. Petitioner may apply for his appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner or subsequent owners shall not convert the subject garage into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
3. The garage shall not be used for commercial purposes.

ORDER RECEIVED FOR FILING

Date 5-28-14

By [signature]

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



LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:dlw

ORDER RECEIVED FOR FILING

Date 5-28-14

By pw



KEVIN KAMENETZ
County Executive

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

May 28, 2014

Antonio G. Martinez
106 W. Chestnut Hill Lane
Reisterstown, Maryland 21136

RE: **PETITION FOR ADMINISTRATIVE VARIANCE**
(106 W. Chestnut Hill Lane)
Case No. 2014-0224-A

Dear Mr. Martinez:

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.

Very truly yours,

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

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:dlw
Enclosure

Copy of decision
sent to: on 5/28/14
James Sage
114 W. Chestnut
Hill Lane
Reisterstown Md.
21136

Office of Administrative Hearings

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



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 106 W CHESTNUT HILL LA REISTERSTOWN MD 21136 Currently zoned DR 3.5/DR 5.5

Deed Reference 26125 100389 10 Digit Tax Account # 0411089360

Owner(s) Printed Name(s) ANTONIO G MARTINEZ

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

For Administrative Variances, the **Affidavit** on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. **X** **ADMINISTRATIVE VARIANCE** from Section(s)

Section 400.3

To permit a garage in the rear yard of an existing single family with a height of 24 feet in lieu of the required 15 feet.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

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

Owner(s)/Petitioner(s):

Antonio G Martinez

Name #1 – Type or Print

Name #2 – Type or Print

[Signature]

Signature #1

Signature #2

106 W Chestnut Hill Lane Reisterstown MD

Mailing Address

City

State

21136 / 410-585-7794 / NRSTUDIO@yahoo.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name – Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney **By** for Owner(s)/Petitioner(s):

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2014-0224-A Filing Date 5/1/2014 Estimated Posting Date / / Reviewer [Signature]

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 100 W CHESTNUT HILL LA REISTERSTOWN MARYLAND 21136
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

The need to build a structure exceeding the 15' height restriction
is the result of the property not supporting a building with a
footprint greater than 24'. Additional storage is need as basement
is built in such away that no storage area exists.

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

Antonio G. Martinez
Signature of Owner (Affiant)

Antonio G. Martinez
Name- Print or Type

Signature of Owner (Affiant)

Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 27 day of April, 2014, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Antonio G. Martinez

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

James E. Wall
Notary Public
4/29/14
My Commission Expires

ZONING DESCRIPTION OF PROPERTY

Part A:

ZONING PROPERTY DESCRIPTION FOR 106 W Chestnut Hill Lane Reisterstown MD 21136

Beginning at a point on the Northeast side of W Chestnut Hill Lane which is 50' wide at the distance of 215' Southwest of the center of the nearest improved intersecting street Terry Town Drive which is 50' wide.

Part B:

Option 2 (Subdivision Lot):

Being Lot #7, Block B, Section N/A in the Subdivision of Hathaway as recorded in the Baltimore County Plat Book #30, Folio 128, containing 8,750 SF. Located in the 4 Election District and 4 Council District.

2014-0224A

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

109884

No.

Date:

5/1/14

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

Total:

75.00

Rec From: *Anthony Martinez*

For: *106 W Chestnut Hill Lane*

2014-0224

21136

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME
 5/05/2014 5/01/2014 11:59:04
 REG NO: 5 WALTON RDOS LAB
 RECEIPT # 735416 5/01/2014
 Dept 5 528 ZONING VERIFICATION
 NO. 109884
 Recpt Tot 175.00
 1.00 CA 180.00 CA
 15.00- CS
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 5/6/2014

Case Number: 2014-0224-A

Petitioner / Developer: ANTONIO G. MARTINEZ

Date of Hearing (Closing): MAY 26, 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:
106 W. CHESTNUT HILL LANE

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

MEMORANDUM

DATE: July 10, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0224-A – Appeal Period Expired

The appeal period for the above-referenced case expired on July 9, 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

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>55</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>55</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>5-6-14</u> by <u>O'Keefe</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2014- 0224 -A Address 106 W. Chestnut Hill Lane

Contact Person: Leonard Wasilewski Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 5/1/14 Posting Date: 5/11/14 Closing Date: 5/26/14

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2014- 0224 -A Address 106 W. Chestnut Hill Lane

Petitioner's Name ANTONIO G. MARTINEZ Telephone 410-585-7794

Posting Date: 5/11/14 Closing Date: 5/26/14

Wording for Sign: To permit a garage in the rear yard of an existing single family with a height of 24 feet in lieu of the required 15 feet.

Revised 7/06/11



KEVIN KAMENETZ
County Executive

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

May 27, 2014

Antonio G. Martinez
106 W Chestnut Hill Lane
Reisterstown MD 21136

RE: Case Number: 2014-0224 A, Address: 106 W Chestnut Hill Lane

Dear Mr. Martinez:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 1, 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: 5/5/14

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

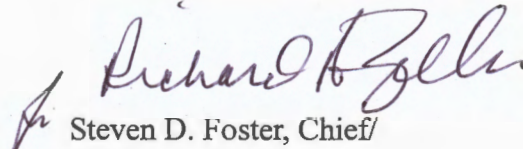
RE: Baltimore County
Item No 2014-0224-A.
Administrative Variance
Antonio G. Martinez
106 Chestnut Hill Lane

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. 2014-0224-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

Att: Judge Lawrence M. Stahl

To: Office of Administrative Hearings

Fax: 410-887-3468

From: Antonio G. Martinez

Fax: 410-470-8699

Motion for Reconsideration

Re: Petition for Administrative variance

(106 W. Chestnut Hill Lane)

Case No. 214-0224-A

RECEIVED

JUN 03 2014

OFFICE OF ADMINISTRATIVE HEARINGS

Antonio G Martinez

106 W Chostnut Hill Lane

Reisterstown, MD 21136

410-585-7794 email: nrstudios@yahoo.com

Send judge's decision to email address

Case # 2014-0224-A

Motion for Reconsideration

Re: Petition for Administrative variance

(106 W. Chestnut Hill Lane)

Case No. 214-0224-A

Dear Judge Lawrence M. Stahl,

I would like to file a Motion for Reconsideration concerning condition #2 of the ruling. The building will in no way be used for living space, but I would like to install a wash sink to be used to for brushes, rollers, etc. I will be using part of the space as my studios for painting, woodworking, sculptures, and photography. It is not possible to create the space and ventilation needed to accommodate the storage or the workspace inside my home. The building will be used as a studios and workshop for my personal needs and will not be used for any other purpose. I can send you pictures of the tools and equipment I plan to store in the building so you will be able to appreciate the volume of storage I need as well as why a slop sink would be needed.

Thank You,

Antonio G. Martinez

*Motion
forwarded
via email to
Mr. Sage @
14 W.
Chestnut
9-5-14
for
opportunity
to respond*

Debra Wiley - Re: Case No. 2014-0224-A (Motion for Reconsideration) - 106 W. Chesnut Hill Lane

From: James Sage <jsage@vt.edu>
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Date: 6/7/2014 6:15 AM
Subject: Re: Case No. 2014-0224-A (Motion for Reconsideration) - 106 W. Chesnut Hill Lane

Debra,

I do not think I have a problem with adding a slop sink. The only thing I worry about is once the plumbing is in place to the garage there is not much stopping him or future residents from installing a bathroom or kitchen like facility. As long as it goes into the file that the exception of a slop sink is to be the only plumbing. The other concern is the overall size of this area. I feel that the garage should not have much more of a footprint than about 500sqft. Much bigger and I feel like it is purposefully being built to have living quarters.

James

On Thu, Jun 5, 2014 at 12:06 PM, Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Mr. Sage,

Please find attached a copy of a "Motion for Reconsideration" received in our office from Mr. Martinez. Please let me know if you wish to respond to this Motion, and it can then be presented to Judge Stahl for his decision. Thanks in advance.

Debbie Wiley
 Legal Administrative Secretary
 Office of Administrative Hearings
 105 West Chesapeake Avenue, Suite 103
 Towson, Md. 21204
 410-887-3868
 410-887-3468 (fax)
dwiley@baltimorecountymd.gov

>>> <officeofhearings@baltimorecountymd.gov> 6/5/2014 11:47 AM >>>
 This E-mail was sent from "zoneprt1" (Aficio MP 2852).

Scan Date: 06.05.2014 11:47:51 (-0400)
 Queries to: officeofhearings@baltimorecountymd.gov

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

Debra Wiley - Case No. 2014-0224-A (Motion for Reconsideration) - 106 W. Chesnut Hill Lane

From: Debra Wiley
To: jsage@vt.edu
Date: 6/5/2014 12:06 PM
Subject: Case No. 2014-0224-A (Motion for Reconsideration) - 106 W. Chesnut Hill Lane
Attachments: 20140605114751335.pdf

Mr. Sage,

Please find attached a copy of a "Motion for Reconsideration" received in our office from Mr. Martinez. Please let me know if you wish to respond to this Motion, and it can then be presented to Judge Stahl for his decision.

Thanks in advance.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

>>> <officeofhearings@baltimorecountymd.gov> 6/5/2014 11:47 AM >>>
This E-mail was sent from "zoneprt1" (Aficio MP 2852).

Scan Date: 06.05.2014 11:47:51 (-0400)
Queries to: officeofhearings@baltimorecountymd.gov

Message Id: 53909576.112 : 38 : 53259
Subject: Case No. 2014-0224-A (Motion for Reconsideration) - 106 W. Chesnut Hill Lane
Created By: dwiley@baltimorecountymd.gov
Scheduled Date:
Creation Date: 6/5/2014 12:06 PM
From: Debra Wiley

Recipients:

Recipient	Action	Date & Time	Comment
 vt.edu	Pending		
To: jsage@vt.edu (jsage@vt.edu)			

Post Offices

Post Office	Delivered	Route
vt.edu		vt.edu

Files

File	Size	Date & Time
20140805114751335.pdf	58148	6/5/2014 12:02 PM
MESSAGE	1421	6/5/2014 12:06 PM
TEXT.htm	1153	6/5/2014 12:06 PM

Options

Auto Delete: No
Concealed Subject: No
Expiration Date: None
Notify Recipients: Yes
Priority: Standard
Reply requested by None
Security: Standard
To Be Delivered: Immediate

Record Id

Record Id: 53905D36.NCH_DOM.NCH_PO.100.1887076.1.1C385.1
Common Record Id: 53905D36.NCH_DOM.NCH_PO.200.2000026.1.4D27E.1

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For May 19, 2014
Item No. 2014-0221, 0222, 0223 and 0224

DATE: May 5, 2014

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

DAK
cc: file

From: James Sage <jsage@vt.edu>
To: <crichards@baltimorecountymd.gov>, <paizoning@baltimorecountymd.gov>
Date: 5/10/2014 8:44 PM
Subject: Public notice for zoning variance

To Whom It May Concern,

I recently noticed one of the houses in my neighborhood had a very large sign out front and I believe it said something about a zoning notice. However, the next day when I drove by the homeowner had covered the sign with a trash bag. Is there a website where I can search for request for zoning variance? If not can you give me any information about if there is anything going on with the zoning of 106 W Chestnut Hill Ln Reisterstown?
Thank you.

James

2014-0224 A
Administrative

5-28-14
Sent Mr. Sage
copy of decision.
D. Wiley

5-28-14 9:02 AM
Per Kristen, sign
poster indicated trash
bag was placed over
sign since sign
was put up too
early.

Per photo (certif of posting
from O'Keefe -
sign was posted on
5-16-14 -
15 day request =
5-12-14

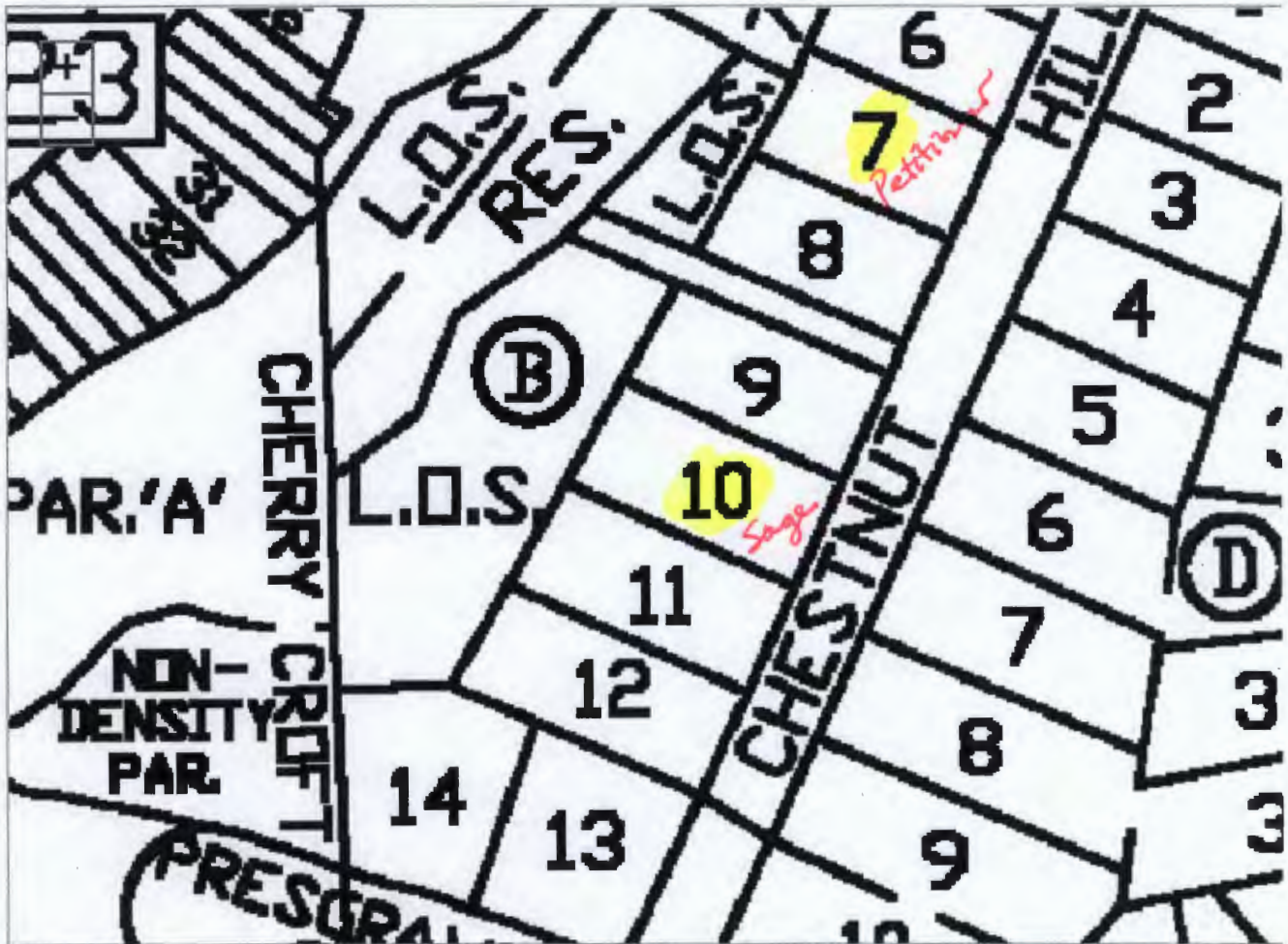
Real Property Data Search (w3)

[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 - 04 Account Number - 0403068440		
Owner Information		
Owner Name:	SAGE JAMES R	Use: RESIDENTIAL
Mailing Address:	114 W CHESTNUT HILL LN REISTERSTOWN MD 21136-3207	Principal Residence: YES Deed Reference: 1) /26748/ 00271 2)
Location & Structure Information		
Premises Address:	114 W CHESTNUT HILL LN 0-0000	Legal Description: 114 W CHESTNUT HILL LN HATHAWAY
Map: 0057	Grid: 0006	Parcel: 0324
Sub District:	Subdivision: 0000	Section:
Block: B	Lot: 10	Assessment Year: 2013
Plat No: 1	Plat Ref: 0030/ 0128	Town: NONE
Special Tax Areas:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
1966	1,294 SF	600 SF
Property Land Area	County Use	
10,325 SF	04	
Stories	Basement	Type
1.000000	YES	STANDARD UNIT
Exterior	Full/Half Bath	Garage
ASBESTOS SHINGLE	3 full	
Value Information		
Base Value	Value	Phase-in Assessments
	As of	As of
	01/01/2013	07/01/2013
Land:	79,300	
Improvements	146,400	
Total:	225,700	176,600
Preferential Land:	0	176,600
Transfer Information		
Seller: SEIBEL WERNER	Date: 03/07/2008	Price: \$270,000
Type: ARMS LENGTH IMPROVED	Deed1: /26748/ 00271	Deed2:
Seller: CRABBS ROBERT F,JR	Date: 04/23/1973	Price: \$32,000
Type: ARMS LENGTH IMPROVED	Deed1: /05352/ 00306	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: Approved 05/20/2008		

Baltimore County

[New Search \(http://sdat.resiusa.org/RealProperty/\)](http://sdat.resiusa.org/RealProperty/)District: **04** Account Number: **0403068440**

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

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

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

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



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

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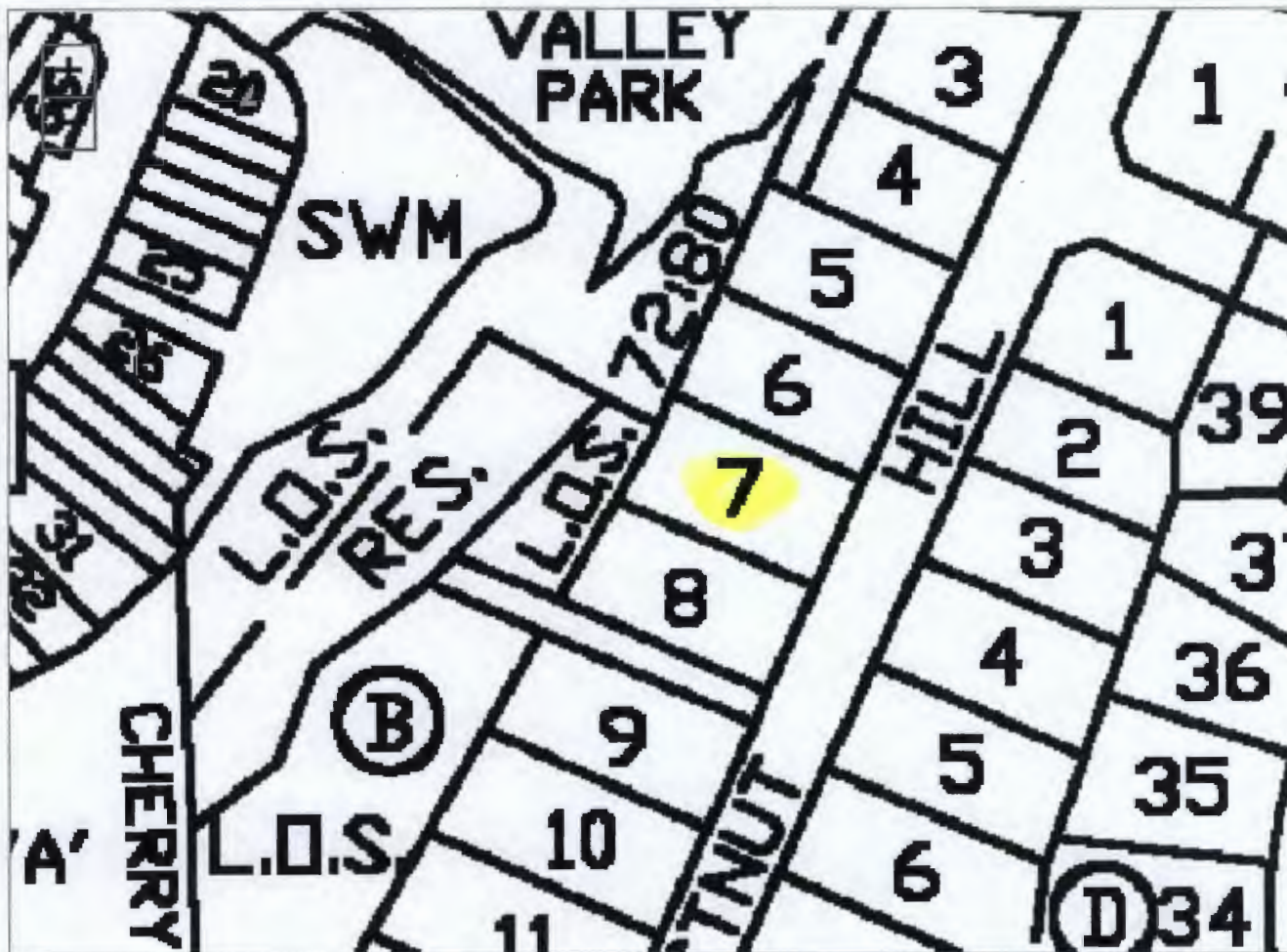
Real Property Data Search (w3)

[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 - 04 Account Number - 0411089360		
Owner Information		
Owner Name:	MARTINEZ ANTONIO G	Use: RESIDENTIAL
Mailing Address:	106 W CHESTNUT HILL LA REISTERSTOWN MD 21136-3207	Principal Residence: YES Deed Reference: 1) /26125/ 00389 2)
Location & Structure Information		
Premises Address:	106 W CHESTNUT HILL LN 0-0000	Legal Description: 106 W CHESTNUT HILL LA HATHAWAY
Map: 0057	Grid: 0006	Parcel: 0324
Sub District:	Subdivision: 0000	Section:
Block: B	Lot: 7	Assessment Year: 2013
Plat No: 1	Plat Ref: 0030/ 0128	Town: NONE
Special Tax Areas:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
1966	1,120 SF	750 SF
Property Land Area	County Use	
8,750 SF	04	
Stories	Basement	Type
1.000000	YES	SPLIT FOYER
Exterior	Full/Half Bath	Garage
SIDING	2 full	
Value Information		
Base Value	Value	Phase-in Assessments
	As of	As of
	01/01/2013	07/01/2013
Land:	78,700	59,400
Improvements	152,100	111,000
Total:	230,800	170,400
Preferential Land:	0	170,400
		0
Transfer Information		
Seller: MARTINEZ ANTONIO/CARITA Y	Date: 09/05/2007	Price: \$287,000
Type: ARMS LENGTH IMPROVED	Deed1: /26125/ 00389	Deed2:
Seller: WATTS DAVID C/HELENA B	Date: 07/12/1995	Price: \$116,500
Type: ARMS LENGTH IMPROVED	Deed1: /11125/ 00163	Deed2:
Seller: SUMMERS REBECCA	Date: 06/26/1992	Price: \$126,900
Type: ARMS LENGTH IMPROVED	Deed1: /09250/ 00725	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: Approved 02/23/2010		

Baltimore County

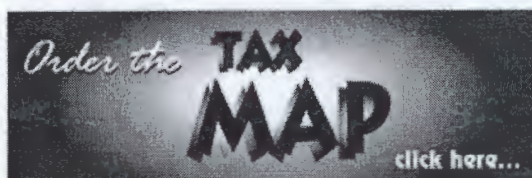
New Search (<http://sdat.resiusa.org/RealProperty>)District: **04** Account Number: **0411089360**

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

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2014-0224



2014-0224 A





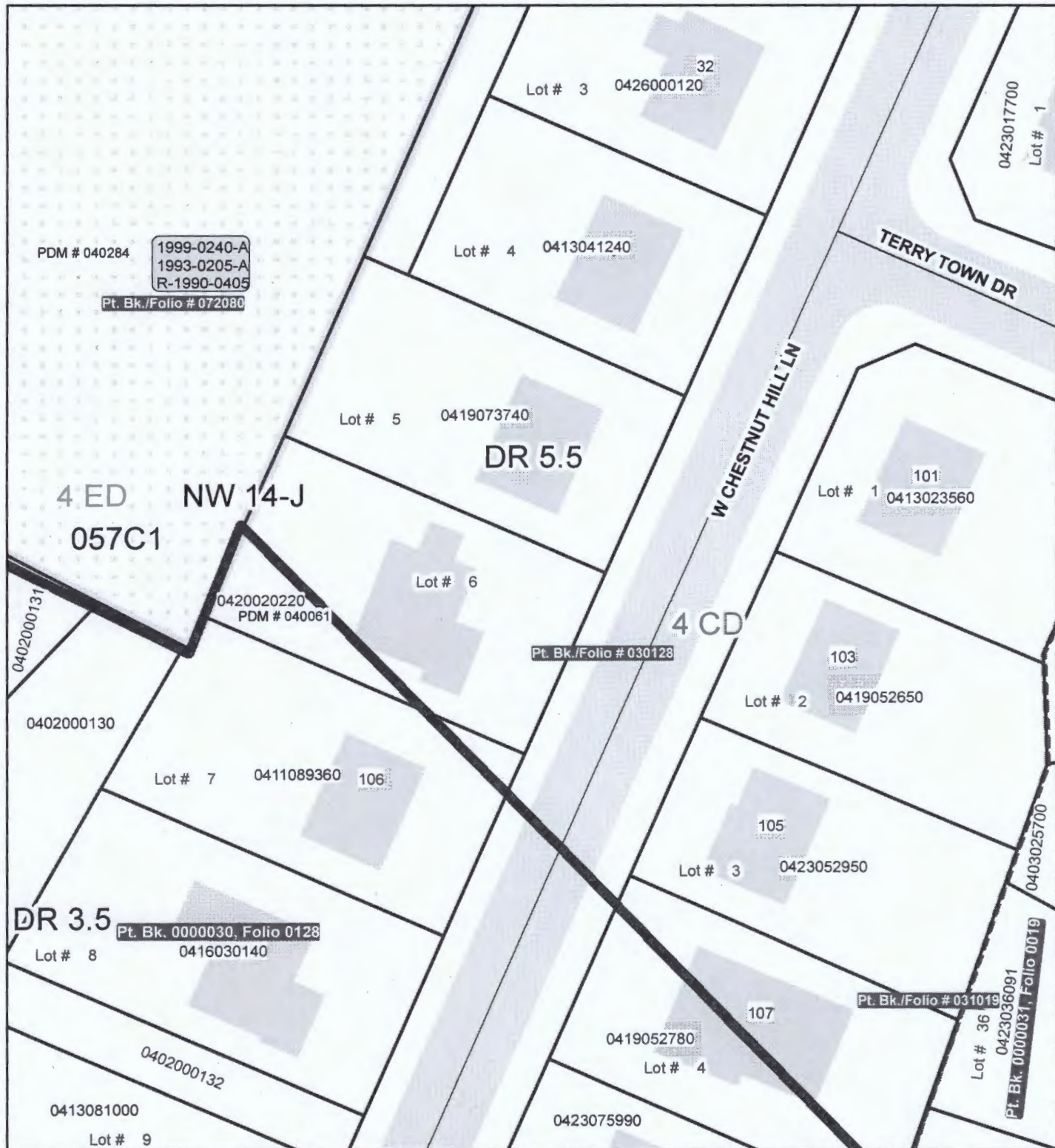
2014-0224-A



1220-102



106 W. ChesnutHall Lane 2014-0224-A



Publication Date: 5/1/2014



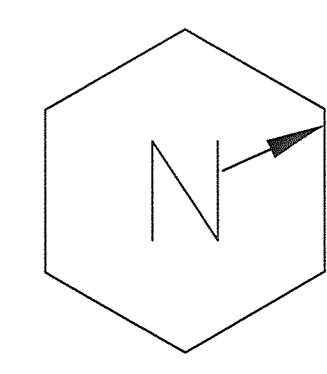
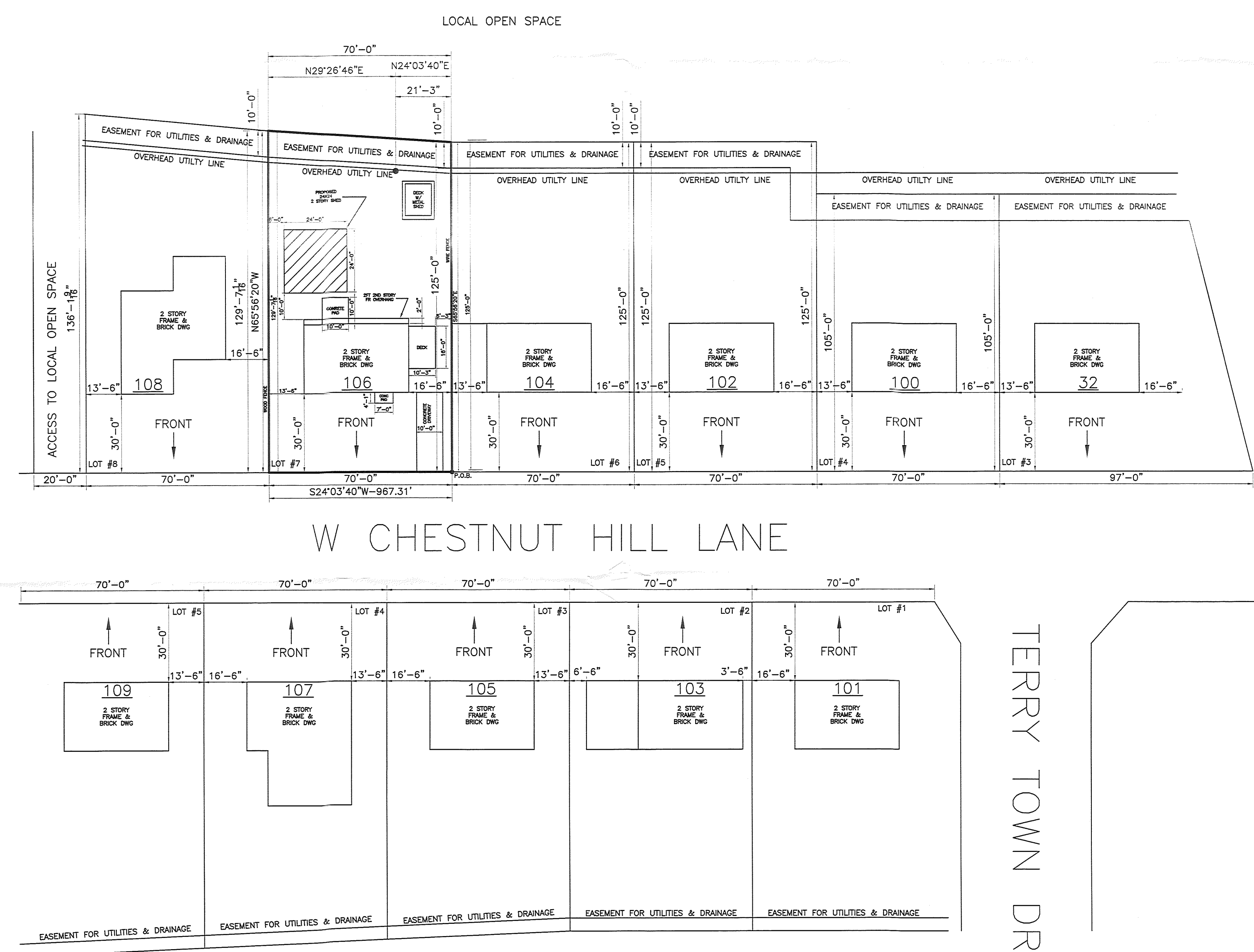
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 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



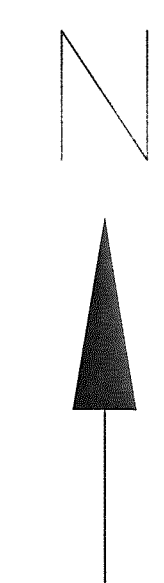
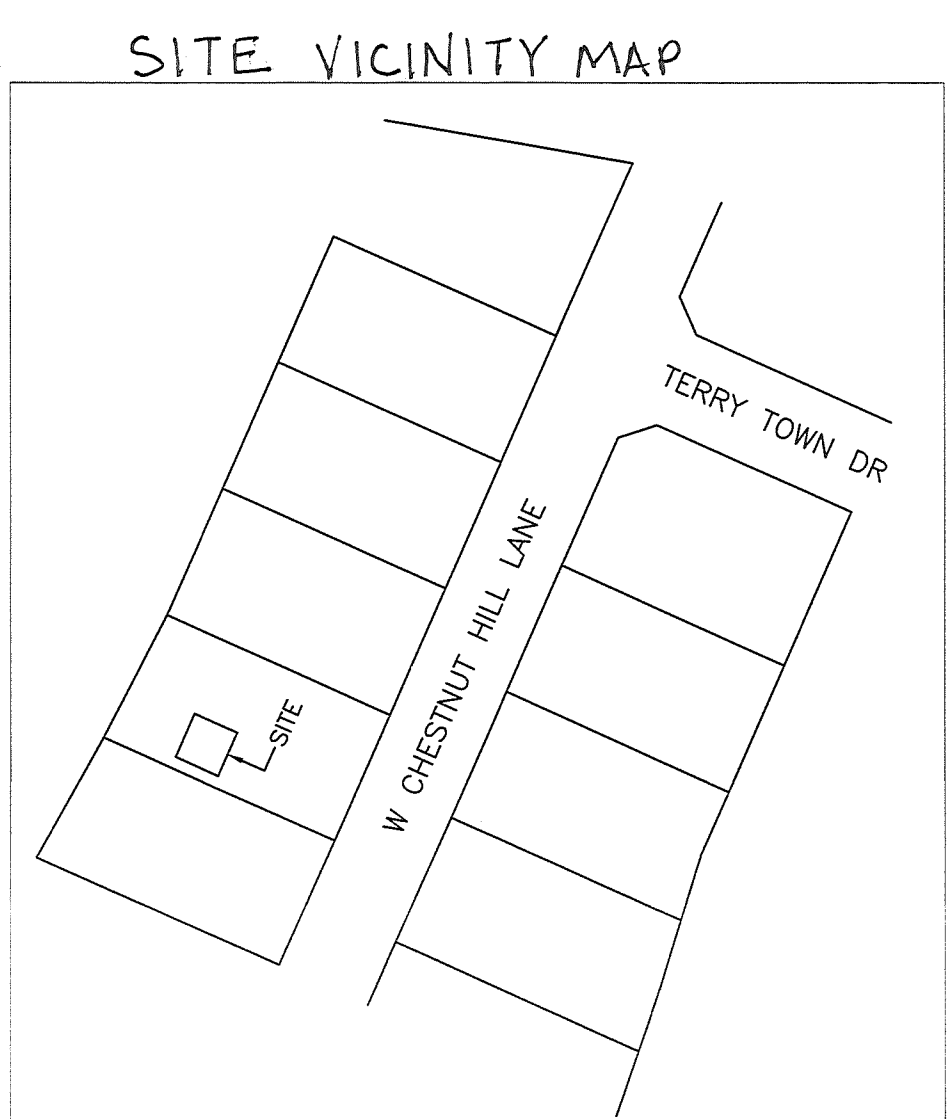
0 12.5 25 50 75 100 Feet

1 inch = 50 feet

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING (MARK TYPED REQUEST WITH X)
ADDRESS WEST CHESTNUT HILL LANE OWNER(S) NAME(S) ANTONIO G MARTINEZ
SUBDIVISION NAME HATHAWAY PLAT 1 LOT # 7 BLOCK # B SECTION # N/A
PLAT BOOK # 30 FOLIO # 128 10 DIGIT TAX # 0411089360 DEED REF # 26125/00389



PLAN DRAWN BY ANTONIO G MARTINEZ DATE 04/30/14 SCALE: 1 INCH = 30 FEET

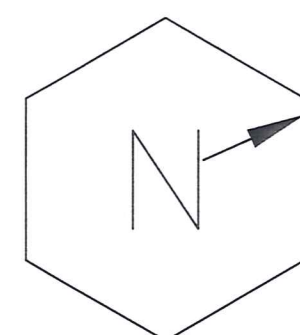
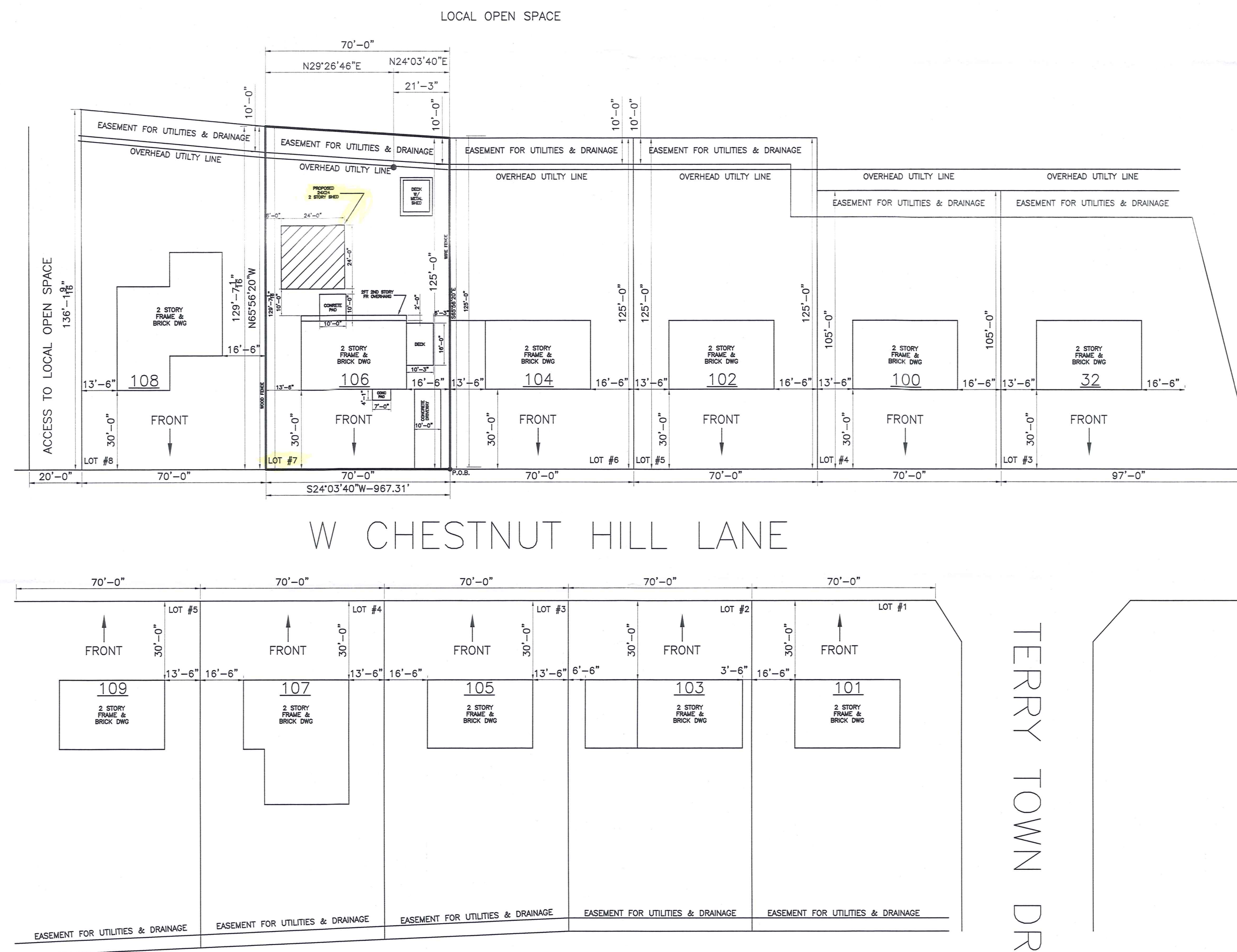


MAP IS NOT TO SCALE
ZONING MAP # 057C1
SITE ZONED DR3.5/5.5
ELECTION DISTRICT 4
COUNCIL DISTRICT 4
LOT AREA ACREAGE .20
OR SQUARE FEET 8,750
HISTORIC? NO
IN CBCA? NO
IN FLOOD PLAIN? NO
UTILITIES? MARK WITH X
WATER IS: SEWER IS:
PUBLIC X PRIVATE PUBLIC X PRIVATE
PRIOR HEARING? N/A
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

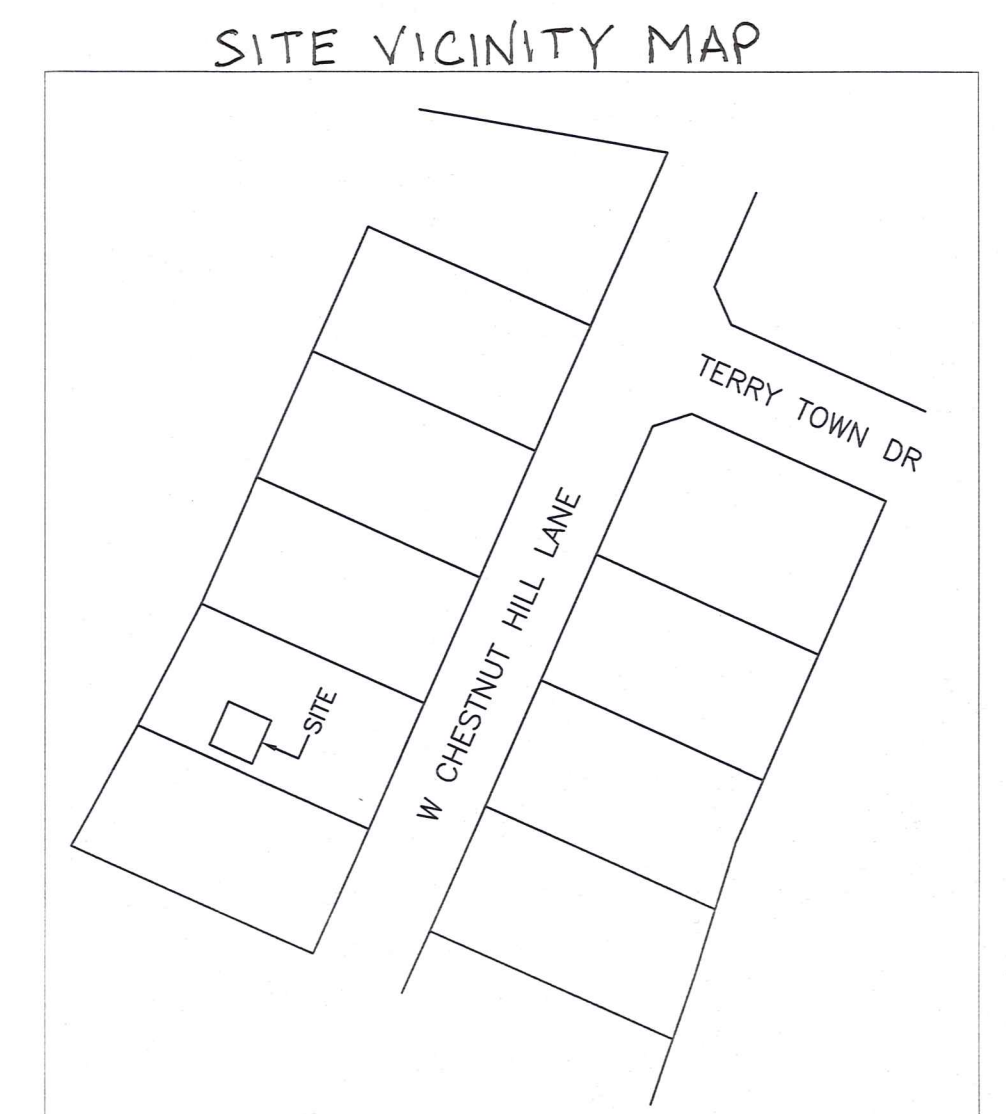
VIOLATION CASE INFO:

CASE NUMBER:
2014-0224-A

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING (MARK TYPED REQUEST WITH X)
 ADDRESS WEST CHESTNUT HILL LANE OWNER(S) NAME(S) ANTONIO G MARTINEZ
 SUBDIVISION NAME HATHAWAY PLAT 1 LOT # 7 BLOCK # B SECTION # N/A
 PLAT BOOK # 30 FOLIO # 128 10 DIGIT TAX # 0411089360 DEED REF # 26125/00389



PLAN DRAWN BY ANTONIO G MARTINEZ DATE 04/30/14 SCALE: 1 INCH = 30 FEET



MAP IS NOT TO SCALE

ZONING MAP # 057C1

SITE ZONED DR3.5/5.5

ELECTION DISTRICT 4

COUNCIL DISTRICT 4

LOT AREA ACREAGE .20

OR SQUARE FEET 8,750

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS: SEWER IS:

PUBLIC X PRIVATE PUBLIC X PRIVATE

PRIOR HEARING? N/A

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

CASE NUMBER:

2014-0224-A

Ret. Exh. A