

KEVIN KAMENETZ
County Executive



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

September 10, 2014

Benjamin L. Polakoff, Esquire
1777 Reisterstown Road, Suite 204
Baltimore, Maryland 21208

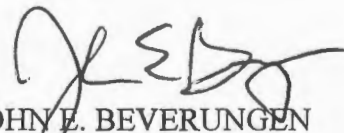
RE: Petition for Variance
Property: 321 & 323 Townsend Road
Case No. 2015-0021-A & 2015-00220A

Dear Mr. Polakoff:

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,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

IN RE: PETITION FOR VARIANCE
(321 & 323 Townsend Road)
15th Election District
7th Council District
KFI Statutory Trust
Petitioner

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* CASE NOS. 2015-0021-A
* & 2015-0022-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance on behalf of the legal owner of the subject properties. This matter involves two (2) adjoining 50' wide lots, and the cases were consolidated for hearing. The Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) § 1B02.3.C.1 to permit an existing dwelling on a lot of record (321 Townsend Road) having a lot width of 50 ft. in lieu of the required 55 ft., and to permit a proposed single family dwelling on a lot (323 Townsend Road) having a width of 50' in lieu of required 55'. The subject property (zoned DR 5.5) 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 Thomas Kane and Bernadette Moskunus, whose firm prepared the site plan. Benjamin L. Polakoff, Esquire, represented the Petitioner. The Petition was advertised and posted as required by the B.C.Z.R. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP) dated August 18, 2014.

To obtain variance relief requires a showing that:

- (1) The property is unique; and

ORDER RECEIVED FOR FILING

Date 9/10/14

By Sen

- (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. These lots (one of which is improved with a single family dwelling constructed in 1924) were platted in 1911, long before the adoption of the B.C.Z.R. As such, they are unique.

If the B.C.Z.R. were strictly interpreted, the Petitioner would suffer a practical difficulty, given it would be unable to construct a dwelling on the unimproved lot. I also 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. Most of the homes in the community are situated on 50' wide lots, and thus this proposal will be consistent with the neighborhood.

The DOP's ZAC comment identified three issues, all of which have been addressed by Petitioner. As requested by the DOP, the existing dwelling is being remodeled, and the Petitioner has removed the dilapidated shed/garage that was situated on the unimproved lot. Finally, the Petitioner has removed the fence that ran along Townsend Road at the front of the properties, and the neighbor at 325 Townsend submitted a letter indicated the fence in her side yard is needed to contain her dogs.

THEREFORE, IT IS ORDERED, this 10th day of September, 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.") §1B02.3.C.1 to permit an existing dwelling (known as 321 Townsend Road) on a lot of record having a lot width of 50 ft. in lieu of the required 55 ft., and to permit a proposed single family dwelling (to be known as 323 Townsend) to be constructed on a 50' wide lot in lieu of the required 55', be and is hereby

ORDER RECEIVED FOR FILING

2

Date

9/10/14

By

Sen

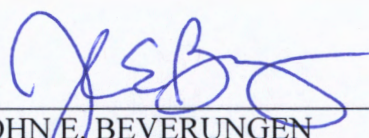
GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its 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.

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 9/10/14

3 By Den



CBCA

PETITION FOR ZONING HEARING(S)

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

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

Address 321 Townsend Road

which is presently zoned

Deed References: 35049 | 051

10 Digit Tax Account # 1 5 0 4 5 0 0 7 6 0

Property Owner(s) Printed Name(s) KFI Statutory Trust

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

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

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

3. ☒ a Variance from Section(s)

1B02.3.C.1 to permit an existing dwelling on a lot of record, having a lot width of 50 feet in lieu of the required 55 feet and to approve an undersized lot.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

To be presented at hearing

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City Balto

State MD

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

2015-0021-A

Filing Date

7/29/14

Do Not Schedule Dates:

Reviewer

AT

ORDER RECEIVED FOR FILING

REV. 10/4/11

Date

9/10/14

By

Sen

ZONING PROPERTY DESCRIPTION
#321 Townsend Road

BEGINNING at a point on the south side of Townsend Road which is 50 feet wide at the distance of 625 feet east of the center line of Riverside Road which is 50 feet wide. Being Lot No. 32, Block "F" in the subdivision of "Back River Highlands" as recorded in Baltimore County Plat Book No. 4, folio No. 64, containing 10,000 square feet, more or less. Located in the 15th Election District, 7th Councilmanic District.



Michael V. Moskunas

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

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

2015-0021-A

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

No. 115513
 Date: 7/29/14

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 7/29/2014 7/29/2014 10:21:06 5
 RBS H505 WALKIN R005 LRB
 RECEIPT # 752294 7/29/2014 OFLN
 Dept 5 528 ZONING VERIFICATION
 NO. 115513
 Recpt Tot \$75.00
 \$75.00 CX 1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000				6150				\$75-

Total: \$75-

Rec From: KFI STATUTORY TRUST
 For: 321 TOWNSEND RD
2015-0021-A

**CASHIER'S
 VALIDATION**

DISTRIBUTION

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

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/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 legal owner/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:

Case Number: 2015-0021-A
Property Address: #321 Townsend Road
Property Description: South side of Townsend Road, east of
Riverside Road
Legal Owners (Petitioners): KFI Statutory Trust
Contract Purchaser/Lessee: n/a

PLEASE FORWARD ADVERTISING BILL TO:

Name: Tom Kane
Company/Firm (if applicable): KFI Statutory Trust
Address: 19 Eastport Court
Lutherville, MD 21093
Telephone Number: 410-236-2582

TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 19, 2014 Issue - Jeffersonian

Please forward billing to:
Tom Kane
KFI Statutory Trust
19 Eastport Court
Lutherville, MD 21093

410-236-2582

NOTICE OF ZONING HEARING

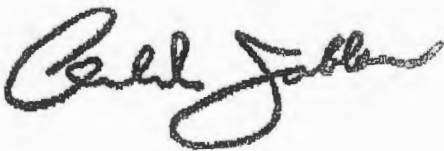
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2015-0021-A

321 Townsend Road
S/s Townsend Road, 625 ft. e/of centerline of Riverside Road
15th Election District – 7th Councilmanic District
Legal Owners: KFI Statutory Trust, Thomas Kane, Trustee

Variance to permit an existing dwelling on a lot of record, having a lot width of 50 feet in lieu of the required 55 feet and to approve an undersized lot.

Hearing: Monday, September 8, 2014 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

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



KEVIN KAMENETZ
County Executive

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

July 30, 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: 2015-0021-A

321 Townsend Road

S/s Townsend Road, 625 ft. e/of centerline of Riverside Road

15th Election District – 7th Councilmanic District

Legal Owners: KFI Statutory Trust, Thomas Kane, Trustee

Variance to permit an existing dwelling on a lot of record, having a lot width of 50 feet in lieu of the required 55 feet and to approve an undersized lot.

Hearing: Monday, September 8, 2014 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Benjamin Polakoff, 1777 Reisterstown Road, Ste. 204, 21208
Thomas Kane, KRI Statutory Trust, 19 Eastport Court, Lutherville 21093
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 TUESDAY, AUGUST 19, 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.**



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

August 21, 2014

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on August 19, 2014

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

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: #2015-0021-A

321 Townsend Road

G/s Townsend Road, 435 ft. o/of contourline of

Riverside Road

15th Election District - 7th Councilmanic District

Legal Owner(s): KFI Statutory Trust, Thomas Kane, Trustee
Variance to permit an existing dwelling on a lot of record, having a lot width of 50 feet in lieu of the required 55 feet and to approve an undersized lot.

Hearing: Monday, September 8, 2014 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

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

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT 8/736 August 19 990839

CERTIFICATE OF POSTING

CASE NO: 2015-0021-A

PETITIONER/DEVELOPER

SITE RITE SURVEYING INC

DATE OF HEARING/CLOSING:

SEPTEMBER 8, 2014

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

ATTENTION:

LADIES AND GENTLEMEN:

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

321 TOWNSEND RD

THIS SIGN(S) WERE POSTED ON August 19, 2014
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 8/19/14
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE, MD 21220
(ADDRESS)
PHONE NUMBER: 443-629-3411



myadingle 8/19/14

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
321 Townsend Road; S/S Townsend Road,	*	OF ADMINSTRATIVE
625' E of c/line of Riverside Road	*	HEARINGS FOR
15 th Election & 7 th Councilmanic Districts	*	BALTIMORE COUNTY
Legal Owner(s): KFI Statutory Trust,	*	2015-021-A
Thomas J. Kane, III Trustee		
Petitioner(s)		

* * * * *

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 06 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 6th day of August, 2014, a copy of the foregoing Entry of Appearance was mailed to Bernadette Moskunus, Site Rite Surveying, Inc, 200 E. Joppa Road, Room 101, Towson, MD 21286 and Benjamin Polahoff, Esquire, 1777 Reisterstown Road, Suite 204, Baltimore, MD 21208, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

M E M O R A N D U M

DATE: October 14, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0021-A & 2015-0022-A
Appeal Period Expired

The appeal period for the above-referenced case expired on October 10, 2014. There being no appeal filed, the subject files are ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

CASE NAME 2015-0021-A
CASE NUMBER _____
DATE 9-8-2014

CASE NAME 2015-0021-A
CASE NUMBER _____
DATE 9-8-2014

[illegible]

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment8/17DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)N/c

DEPS
(if not received, date e-mail sent 9/5/14)8/18FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)C7/31STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERINGNO Obj

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

8/19/14

SIGN POSTING

Date:

8/19/14

by

Agfe

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

Real Property Data Search (w3)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration				
Account Identifier:		District - 15 Account Number - 1504500760								
Owner Information										
Owner Name:		KFI STATUTORY TRUST				Use:		RESIDENTIAL NO		
Mailing Address:		19 EASTPORT CT LUTHERVILLE TIMONIUM MD 21093-				Deed Reference:		/35049/ 00051		
Location & Structure Information										
Premises Address:		321 TOWNSEND RD BALTIMORE 21221-8635				Legal Description:		LT 31.32 1450 W MACE AVE BACK RIVER HIGHLANDS		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0097	0001	0364		0000	F		31	2015	Plat Ref:	0004/0064
Special Tax Areas:					Town:		NONE			
					Ad Valorem:					
					Tax Class:					
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area		County Use		
1924		1,568 SF				20,000 SF		04		
Stories	Basement	Type		Exterior		Full/Half Bath		Garage	Last Major Renovation	
1 1/2	YES	STANDARD UNIT		ASBESTOS SHINGLE		1 full				
Value Information										
		Base Value		Value As of 01/01/2012		Phase-in Assessments As of 07/01/2014		As of 07/01/2015		
Land:		77,500		77,500						
Improvements		62,100		62,100						
Total:		139,600		139,600		139,600				
Preferential Land:		0								
Transfer Information										
Seller: MCDONOUGH EDWARD GEORGE				Date: 06/09/2014				Price: \$75,000		
Type: ARMS LENGTH IMPROVED				Deed1: /35049/ 00051				Deed2:		
Seller: SPANGLER MARIE				Date: 10/11/2013				Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /34328/ 00251				Deed2:		
Seller: DOBIHAL MARIE A				Date: 08/18/1971				Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /05210/ 00915				Deed2:		
Exemption Information										
Partial Exempt Assessments:		Class		07/01/2014		07/01/2015				
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: No Application										

Baltimore County

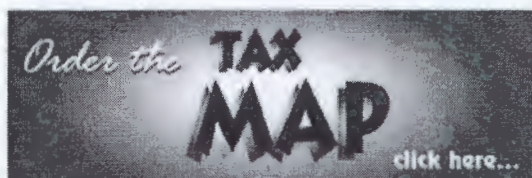
New Search (<http://sdat.resiusa.org/RealProperty>)District: **15** Account Number: **1504500760**

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

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

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

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



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

☐ Loading... Please Wait. Loading... Please Wait.

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KEVIN KAMENETZ
County Executive

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

September 3, 2014

KFI Statutory Trust
Thomas J Kane Trustee
19 Eastport Court
Lutherville MD 21093

RE: Case Number: 2015-0021 A, Address: 321 Townsend Road

Dear Mr. Kane:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 29, 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." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Benjamin L Polakoff, Esquire, 1777 Reisterstown Road, Suite 204, Baltimore MD 21208
Bernadette Moskunus, 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: 7/31/14

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

RE: Baltimore County
Item No 2015-0021-A
Variance
ISFI Statutory Trust
Thomas J. Kane, Trustee
321 Towson Road.

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. 2015-0021-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,

A handwritten signature in blue ink, appearing to read "Richard Zeller".
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

9/8

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Carl Richards
Permits, Approvals and Inspections

DATE: August 18, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 321 Townsend Road

RECEIVED

INFORMATION:

Item Number: 15-021

AUG 26 2014

Petitioner: KFI Statutory Trust et al

OFFICE OF ADMINISTRATIVE HEARINGS

Zoning: DR 2

Requested Action: Variance

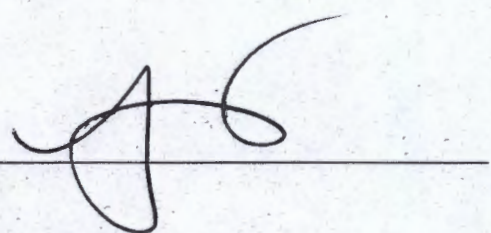
SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan and has the following comments:

1. Remove or rehabilitate the existing dwelling located on platted lot 32.
2. Remove the existing garage located on platted lot 31.
3. Remove or replace all fencing that is owned by the petitioner.

For further information concerning the matters stated here in, please contact Dennis Wertz with the Department of Planning at 410-887-3480.

Prepared by:
AVA/LM



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For August 11, 2014
Item No. 2015- 0020, 0021 and 0022

DATE: August 7, 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\ZAC 08112014 -.doc

8/28/14
WCI



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Carl Richards
Permits, Approvals and Inspections

DATE: August 18, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 321 Townsend Road

INFORMATION:

Item Number: 15-021

Petitioner: KFI Statutory Trust et al

Zoning: DR 2

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan and has the following comments:

1. Remove or rehabilitate the existing dwelling located on platted lot 32.
2. Remove the existing garage located on platted lot 31.
3. Remove or replace all fencing that is owned by the petitioner.

For further information concerning the matters stated here in, please contact Dennis Wertz with the Department of Planning at 410-887-3480.

Prepared by:
AVA/LM

A handwritten signature in black ink, consisting of a stylized 'A' and 'L' with a horizontal line through them, positioned over a horizontal line.

Case No.: 2015-0021-A

Exhibit Sheet

Petitioner/Developer

Protestants

DW
10-14-14

sen
9-10-14

No. 1	Plan	
No. 2	Plot - Back River Highlands	
No. 3	Photos	
No. 4	Letter of Support	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PETITIONER'S

EXHIBIT NO. 3



TO: Baltimore County

FROM: Cathy Szymanik

ADDRESS: 325 Townsend Rd

SUBJECT: 321 & 323 Townsend Road, Essex, MD 21221

DATE: 9/6/2014

To whom it may concern,

We have reviewed the zoning variance request, and are in support of these requests to allow the undersized lots.

Also, we request that you please allow us to keep the side yard fences against our property. We have several dogs and we want to keep the fences in place for our pets.

Sincerely,

Cathy Szymanik
Owner, 325 Townsend Road, Essex, MD 21221

PETITIONER'S

EXHIBIT NO. 4

Sherry Nuffer - Re: just received the files for scheduled hearings on Monday September 8, 2014. Case No.: 2015-0021-A and Case No.: 2015-0022-A, both are in CBCA and there are no DEPS ZAC comment. Please advise.

From: David Lykens
To: Nuffer, Sherry
Date: 9/5/2014 1:22 PM
Subject: Re: just received the files for scheduled hearings on Monday September 8, 2014. Case No.: 2015-0021-A and Case No.: 2015-0022-A, both are in CBCA and there are no DEPS ZAC comment. Please advise.

Workin on it.

David Lykens, Manager
Development Coordination
Baltimore County, DEPS
111 W. Chesapeake Ave.
Towson, Maryland 21204
Phone 410-887-5859
Fax 410-887-4804

>>> Sherry Nuffer 09/05/14 12:37 PM >>>

just received the files for scheduled hearings on Monday September 8, 2014. Case No.: 2015-0021-A and Case No.: 2015-0022-A, both are in CBCA and there are no DEPS ZAC comment. Please advise.

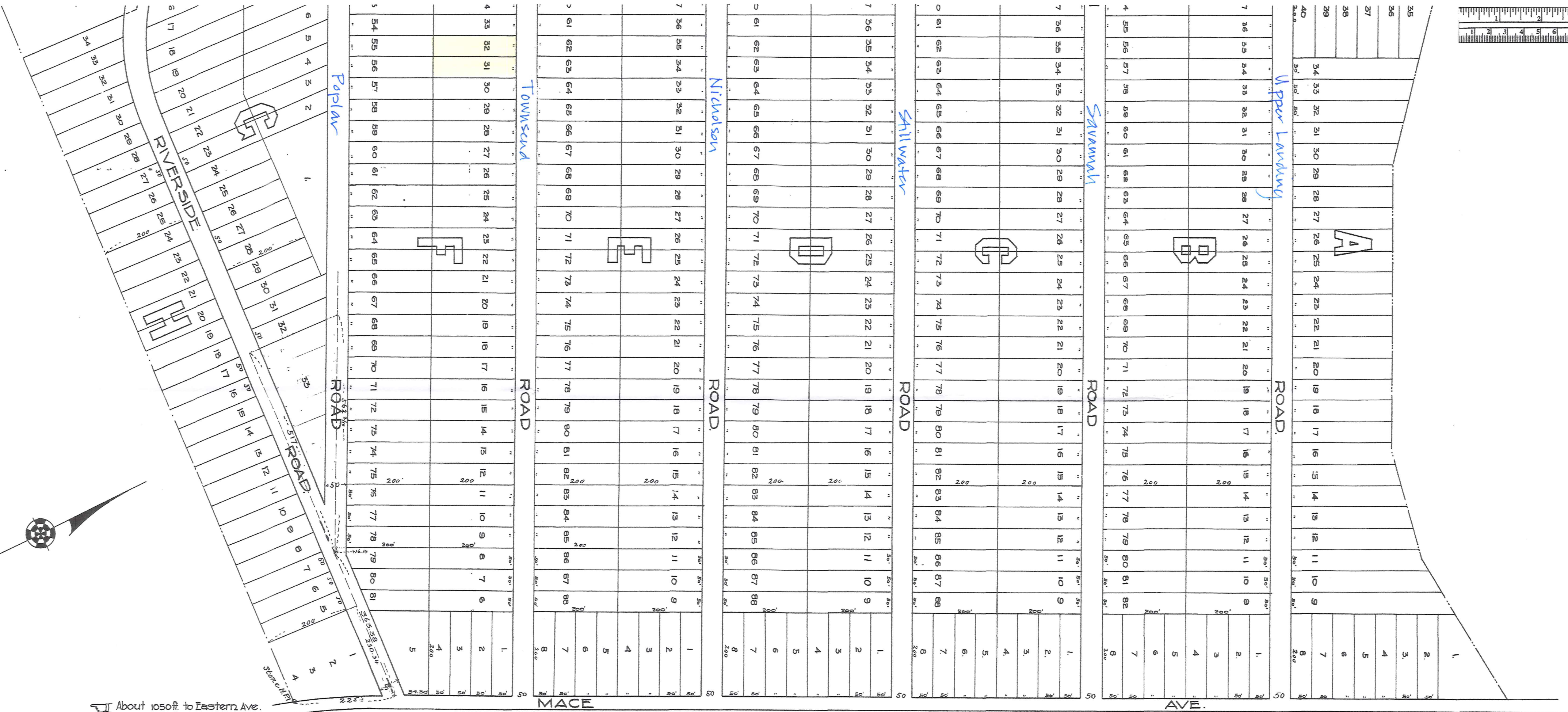
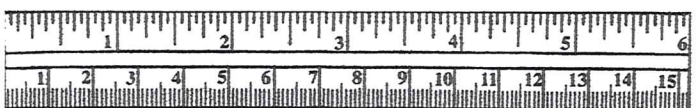
Wasn't sure which one to send the e-mail to so I sent it to both of you.

Thank you,

Sherry

Sherry Nuffer
Legal Assistant
Office of Administrative Hearings
105 W. Chesapeake Avenue
Room 103
Towson, Maryland 21204
410-887-3868
Fax: 410-877-3468





Filed March 28th 1913.
J. W. P. Cole
Chk.

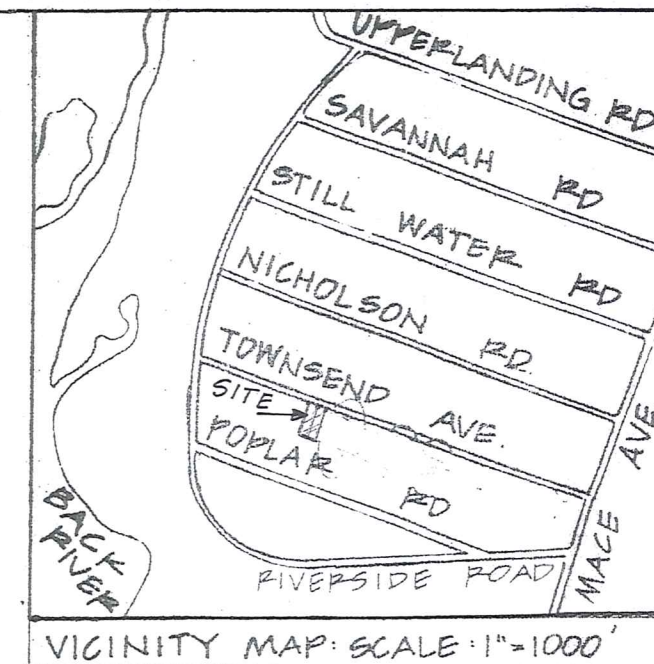
133 HIGHLANDS.

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DOUGLAS & SONS
REAL ESTATE AGENTS
1210 MURPHY BUILDING
BALTIMORE, MD.

Edward V. Cooper & Co.
Surveyors & Civil Engineers.
Baltimore, Md.
Scale 1/2"=100 ft. Jan., 1911.



GENERAL NOTES: #323 TOWNSEND ROAD

- Existing Zoning: D.R. 5.5 (097A1)
- Lot Area: 10,000 square feet / 0.23 Ac +/-
- Existing Use: Vacant
- Proposed Use: SFD
- This property is not located within the Historic District or 100 Year Flood Plain Area (2400100430G & 2400100440G "X")
- This property is located within the Chesapeake Bay Critical Area (Intensely Developed Area)
- This property is serviced by public water and sewer
- There are no current or outstanding violations for this property
- There is no prior zoning history
- This property is a lot of record on the Back River Highlands Plat dated 1913. Said subdivision was created prior to the adoption of 1945 Zoning Regulations
- This plan was prepared with the use of public records: title deeds, record plat, GIS portal data and utility drawings. The improvements for the subject property were field located; although no boundary survey was completed.

Plan to Accompany Petition for Variance
#323 Townsend Road
Lot 31 Block "F"
"Back River Highlands" 4/64
Tax Map: 97 Grid: 1 Parcel: 364
Tax Account No.: 1504500760
Deed ref.: 35049/51
Election District No. 15 C7
Baltimore County, MD
Scale: 1"=30'
July 1, 2014
Job No. 10310

GENERAL NOTES: #321 TOWNSEND ROAD

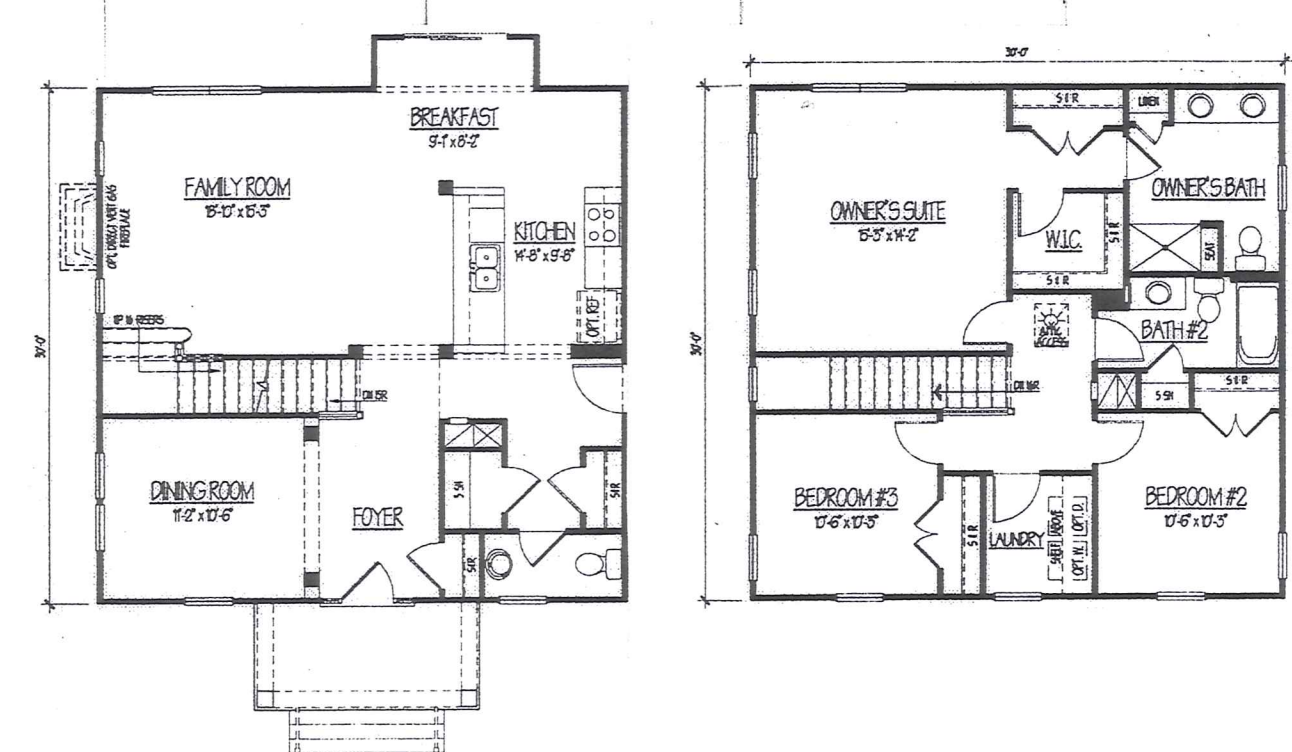
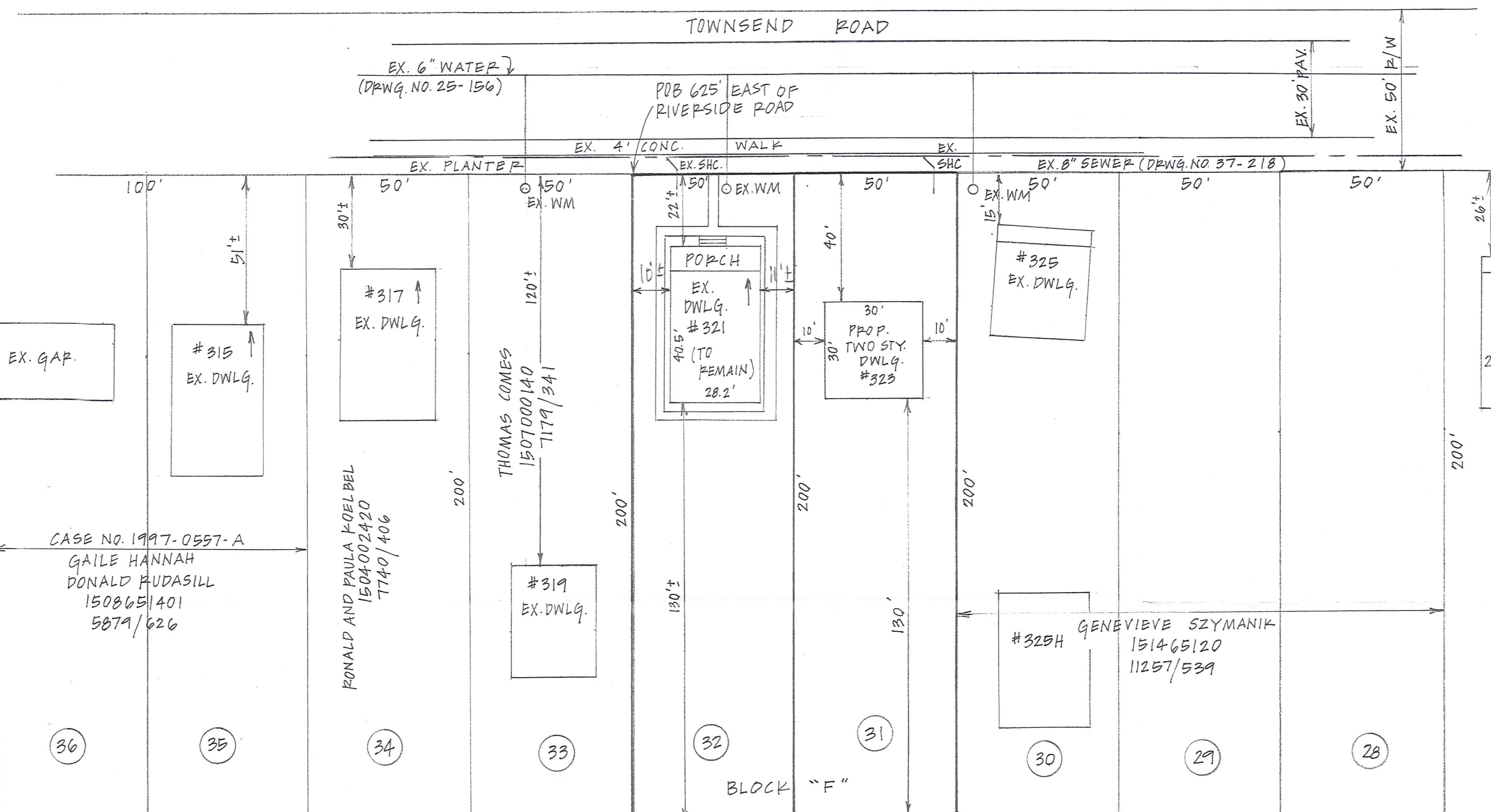
- Existing Zoning: D.R. 5.5 (097A1)
- Lot Area: 10,000 square feet / 0.23 Ac +/-
- Existing Use: Single Family Dwelling to remain
- Proposed Use: SFD
- This property is not located within the Historic District or 100 Year Flood Plain Area (2400100430G & 2400100440G "X")
- This property is located within the Chesapeake Bay Critical Area (Intensely Developed Area)
- This property is serviced by public water and sewer
- There are no current or outstanding violations for this property
- There is no prior zoning history
- This property is a lot of record on the Back River Highlands Plat dated 1913. Said subdivision was created prior to the adoption of 1945 Zoning Regulations
- This plan was prepared with the use of public records: title deeds, record plat, GIS portal data and utility drawings. The improvements for the subject property were field located; although no boundary survey was completed.
- The existing structure was built in 1924.

Plan to Accompany Petition for Variance
#321 Townsend Road
Lot 32 Block "F"
"Back River Highlands" 4/64
Tax Map: 97 Grid: 1 Parcel: 364
Tax Account No.: 1504500760
Deed ref.: 35049/51
Election District No. 15 C7
Baltimore County, MD
Scale: 1"=30'
July 1, 2014
Job No. 10310

2015-0021-A

OWNER: KFI Statutory Trust
c/o Tom Kane
19 Eastport Court
Lutherville, MD 21093
410-236-2582

PETITIONER'S
EXHIBIT NO.



HOUSE PLANS FOR #323 TOWNSEND ROAD
(NOT TO SCALE)

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

