

IN RE: PETITION FOR ADMIN. VARIANCE *

(2331 Lincoln Avenue)

15th Election District

7th Council District

Christopher A. Peterson

Petitioner

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2015-0103-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Administrative Variance filed by the legal owner of the subject property, Christopher A. Peterson ("Petitioner"). The variance request is from § 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a proposed accessory structure (shed) with a height of 18 ft. in lieu of the maximum height of 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. A ZAC comment was received from the Department of Environmental Protection and Sustainability (DEPS) dated December 16, 2014, indicating Petitioner must comply with Critical Area regulations.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on November 8, 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 § 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, the

ORDER RECEIVED FOR FILING

Date 12-16-14

By

[Signature]

information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 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.

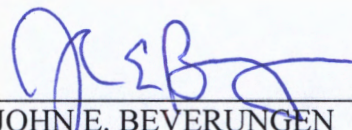
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Administrative Law Judge for Baltimore County, this 16th day of December, 2014, that the Petition for Variance seeking relief from § 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a proposed accessory structure (shed) with a height of 18 ft. in lieu of the maximum height of 15 ft., be and is hereby GRANTED.

The relief granted herein shall be 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 must comply with the ZAC comments received from the Department of Environmental Protection and Sustainability (DEPS) dated December 16, 2014; a copy of which is attached and made a part thereof.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 12-16-14

2

By EW



KEVIN KAMENETZ
County Executive

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

December 16, 2014

Christopher A. Peterson
2331 Lincoln Avenue
Baltimore, Maryland 21219

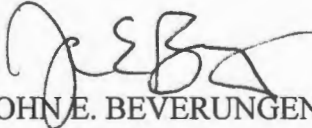
RE: Petition for Administrative Variance
Case No. 2015-0103-A
Property: 2331 Lincoln Avenue

Dear Mr. Peterson:

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:dlw
Enclosure

c: George McClelland, 25 Waterview Road, Baltimore, MD 21222

BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

DEC 16 2014



OFFICE OF ADMINISTRATIVE HEARINGS

TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: December 16, 2014

SUBJECT: DEPS Comment for Zoning Item # 2015-103-A
Address 2331 Lincoln Avenue
(Peterson Property)

Zoning Advisory Committee Meeting of Oct 27, 2014.

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA) and is subject to Critical Area requirements. The applicant is proposing to permit a shed with greater height than permitted. The lot is not waterfront. Lot coverage on the entirety of this property is limited to 5,445 square feet, with mitigation required for lot coverage over 15% (4,201 square feet). Lot coverage information provided indicates the new lot coverage (5,466 square feet) will exceed the allowable limits. The shed is proposed in a wooded portion of the lot; no information was provided as to how the applicant will address the reforestation requirements. As currently proposed, the relief requested by the applicant will not result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is not waterfront. However, lot coverage limits are not met and reforestation requirements have not been addressed. Therefore, the proposal does not help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

ORDER RECEIVED FOR FILING

C:\Users\dwiley\AppData\Local\Microsoft\Windows\Temporary Internet
Files\Content.Outlook\DXWB6LKP\ZAC 15-0103-A-EIR.doc

Date 12-16-14

By SW

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

Lot coverage will exceed the allowable limits. Reforestation information was not included. Therefore, the relief requested will not be consistent with established land-use policies.

Reviewer: Regina Esslinger

Date: 12/15/14

ORDER RECEIVED FOR FILING

Date 12-16-14

By REW



CBCA

ADMINISTRATIVE ZONING PETITION

FLOOD

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 2331 LINCOLN AVE Currently zoned DR 5.5
Deed Reference 30964 1 00001 10 Digit Tax Account # 2 0 0 0 0 0 4 8 7 6
Owner(s) Printed Name(s) CHRISTOPHER A. PETERSON

(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) 400-3 BCZE To permit a proposed accessory structure (Shed) with a height of 18 feet in lieu of the maximum height of 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):

CHRISTOPHER A PETERSON

Name #1 – Type or Print

Name #2 – Type or Print

[Signature]

Signature #1

Signature #2

2331 LINCOLN AVE BALTIMORE MD

Mailing Address

City

State

21219 / 410-952-1498 /

Zip Code

Telephone #

Email Address

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

Name- Type or Print

Signature

Mailing Address

Zip Code

Telephone #

Email Address

ORDER RECEIVED FOR FILING
12-16-14

Representative to be contacted:

George McClelland

Name – Type or Print

[Signature]

Signature

25 Waterview Rd Baltimore MD

Mailing Address

City

State

21222 / 410-477-9136

Zip Code

Telephone #

Email Address

chesapeake.designs@gmail.com

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 2015-0103-A Filing Date 10/29/14 Estimated Posting Date 11/9/14 Reviewer G.H.

Rev 5/8/2014

Affidavit in Support of Administrative Variance

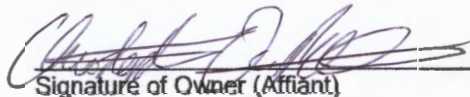
(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

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: 2331 Lincoln Ave Baltimore MD 21219
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)

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


Signature of Owner (Affiant)

CHRISTOPHER A. PETERSON
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

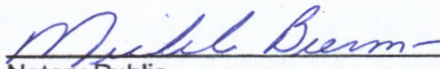
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15 day of October, 2014, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Christopher A. Peterson

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

AS WITNESS my hand and Notaries Seal


Notary Public
11-23-2015
My Commission Expires

REV. 5/8/2014

Michele Blermann
Notary
My Commission Expires 11-23-2015

ZONING PROPERTY DESCRIPTION FOR 2331 LINCOLN AVE.

Beginning at a point on the Southeast side of Lincoln Ave. which is 50 feet wide at a distance of 483' South West to the Centerline of Waldman Ave. which is 50' wide.

Being Lot #5, in the subdivision of "Lincoln Estates" as recorded in Baltimore

County Plat Book # 54, Folio 15, containing 28,009 square feet.

Located in the 15th Election District, and 7th Council District.

2015-0103-X

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

No. **118385**

Date: **10/29/14**

PAID RECEIPT

BUSINESS ACTUAL TIME
 10/30/2014 10/29/2014 14:04:36 5

RES MS05 WALKIN R005 L68

>> RECEIPT # 769263 10/29/2014 OFLN

Det 5 528 ZONING VERIFICATION

NO. 118385

Recpt Tot \$75.00

\$75.00 CR \$1.00 CA

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	200	0000		6.150						75.00

Total: **75.00**

Rec From:

George McClelland

For:

2331 - Lincoln Ave

2015 0103 A

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 17, 2014

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

SUBJECT: Zoning Advisory Committee Meeting
For November 03, 2014
Item No. 2015-0080, 0098, 0100, 0102 and 0103

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\ZAC11102014 -.doc

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2015- 0103 -A Address 2331 Lincoln Ave

Contact Person: Gary Huak Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 10/29/14 Posting Date: 11/9/14 Closing Date: 11/24/14

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 2015- 0103 -A Address 2331 Lincoln Ave

Petitioner's Name Christopher A Peterson Telephone 410-952-1498

Posting Date: 11/9/14 Closing Date: 11/24/14

Wording for Sign: To permit a proposed accessory structure
(shed) with a height of 18 feet in lieu of maximum
height of 15 feet.

Revised 7/18/14

CERTIFICATE OF POSTING

CASE NO: 2015-0103-A

PETITIONER/DEVELOPER

GEORGE McLELLAND

CHESAPEAKE DESIGN CO.

DATE OF HEARING/CLOSING:

11/24/14

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

ATTENTION:

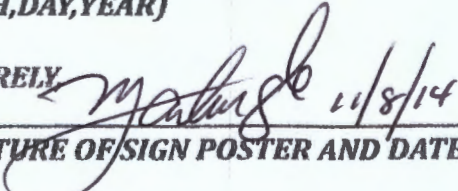
LADIES AND GENTLEMEN:

**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**

2331 LINCOLN AVE

THIS SIGN(S) WERE POSTED ON November 8, 2014
(MONTH, DAY, YEAR)

SINCERELY

 11/8/14
SIGNATURE OF SIGN POSTER AND DATE:

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



Malinda 11/8/14

MEMORANDUM

DATE: January 26, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0103-A - Appeal Period Expired

The appeal period for the above-referenced case expired on January 15, 2015. 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

2331 LINCOLN AVE



FRONT OF SITE



FRONT OF SITE LOOKING NORTHEAST ALONG LINCOLN AVE

2015-003-A

23312 LINCOLN AVE



FRONT OF SITE LOOKING SOUTHWEST ALONG LINCOLN AVE



LEFT SIDE LOOKING TOWARD REAR

2015-0103-X

2331 LINCOLN AVE



RIGHT SIDE LOOKING TOWARD REAR



RIGHT SIDE LOOKING TOWARD REAR SHOWING SHEDS TO BE RAZED OR SOLD

2015-0103-X

2331 LINCOLN AVE



REAR OF DWELLING



RIGHT REAR YARD LOOKING TOWARD STREET

2331 LINCOLN AVE



DWELLING ON RIGHT (2329 LINCOLN AVE.)



DWELLING ON LEFT BEHOND TREES (2415 LINCOLN AVE.)

2015 0103-

BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

DEC 16 2014



OFFICE OF ADMINISTRATIVE HEARINGS

TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: December 16, 2014

SUBJECT: DEPS Comment for Zoning Item # 2015-103-A
Address 2331 Lincoln Avenue
(Peterson Property)

Zoning Advisory Committee Meeting of Oct 27, 2014.

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA) and is subject to Critical Area requirements. The applicant is proposing to permit a shed with greater height than permitted. The lot is not waterfront. Lot coverage on the entirety of this property is limited to 5,445 square feet, with mitigation required for lot coverage over 15% (4,201 square feet). Lot coverage information provided indicates the new lot coverage (5,466 square feet) will exceed the allowable limits. The shed is proposed in a wooded portion of the lot; no information was provided as to how the applicant will address the reforestation requirements. As currently proposed, the relief requested by the applicant will not result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is not waterfront. However, lot coverage limits are not met and reforestation requirements have not been addressed. Therefore, the proposal does not help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

Lot coverage will exceed the allowable limits. Reforestation information was not included. Therefore, the relief requested will not be consistent with established land-use policies.

Reviewer: Regina Esslinger

Date: 12/15/14

Debra Wiley

From: Debra Wiley
Sent: Monday, December 15, 2014 11:24 AM
To: Jeffery Livingston
Subject: CORRECTION - AV Needed is Case No. 2015-103-A (Closing date 11/24)

Jeff,

Please disregard the subject line in my last email. We are still waiting for the above-referenced ZAC comment. We initially contacted you on 11/25 and then reminded on 12/2.

Please submit ASAP; we need to get this done.

Thanks.

Debra Wiley
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

Debra Wiley

From: Debra Wiley
Sent: Monday, December 15, 2014 11:20 AM
To: Jeffery Livingston
Subject: FW: REMINDER - CBCA ZAC Comment Needed - AV 2015-0095-A - Closing date: 11/17

Hi Jeff,

Please submit. Thanks.

From: Debra Wiley
Sent: Tuesday, December 02, 2014 9:38 AM
To: Jeffery Livingston
Subject: FW: REMINDER - CBCA ZAC Comment Needed - AV 2015-0095-A - Closing date: 11/17

Jeff,

Just a reminder ... we still need. Thanks.

From: Debra Wiley
Sent: Monday, November 24, 2014 9:55 AM
To: Jeffery Livingston
Subject: CBCA ZAC Comment Needed - AV 2015-0095-A - Closing date: 11/17

Hi Jeff,

Zoning Review marked Petition as CBCA and it appears there's none received from DEPS. I've included a case description for your convenience.

Please provide comment ASAP. Thanks in advance.

CASE NUMBER: 2015-0095-A

318 TOWNSEND RD.

Location: N Easterly/S of Townsend Road, 1041 ft. +/- SE of the c/line of Riverside Road
15th Election District, 7th Council District

Legal owner: Joseph J. Balas Jr.

ADMINISTRATIVE VARIANCE To permit a garage in the rear yard of an existing single family with a height of 20 ft. in lieu of the required 15 ft.

Debra Wiley
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204

Debra Wiley

From: Debra Wiley
Sent: Tuesday, December 02, 2014 9:39 AM
To: Jeffery Livingston
Subject: FW: REMINDER- 2015-0103-A - Admin. Var. - Closing date: 11/24

Jeff,

Just a reminder ... we still need. Thanks.

From: Debra Wiley
Sent: Tuesday, November 25, 2014 2:25 PM
To: Jeffery Livingston
Subject: 2015-0103-A - Admin. Var. - Closing date: 11/24

Jeff,

It appears that the Office of Zoning Review has indicated the above-referenced item is located in the CBCA, and we don't have a ZAC comment from DEPS. I have provided you a case description for your convenience. Please provide ASAP.

Thanks.

CASE NUMBER: 2015-0103-A

2331 LINCOLN AVE.

Location: SE/S of Lincoln Avenue, 483 ft. SW to the c/line of Waldman Avenue

15th Election District, 7th Council District

Legal owner: Christopher A Peterson

ADMINISTRATIVE VARIANCE To permit a proposed accessory structure (shed) with a height of 18 ft. in lieu of the maximum height of 15 ft.

Debra Wiley
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

Debra Wiley

From: Debra Wiley
Sent: Tuesday, November 25, 2014 2:25 PM
To: Jeffery Livingston
Subject: 2015-0103-A - Admin. Var. - Closing date: 11/24

Jeff,

It appears that the Office of Zoning Review has indicated the above-referenced item is located in the CBCA, and we don't have a ZAC comment from DEPS. I have provided you a case description for your convenience. Please provide ASAP.

Thanks.

CASE NUMBER: 2015-0103-A

2331 LINCOLN AVE.

Location: SE/S of Lincoln Avenue, 483 ft. SW to the c/line of Waldman Avenue

15th Election District, 7th Council District

Legal owner: Christopher A Peterson

ADMINISTRATIVE VARIANCE To permit a proposed accessory structure (shed) with a height of 18 ft. in lieu of the maximum height of 15 ft.

Debra Wiley
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment11-25

DEVELOPMENT PLANS REVIEW

(if not received, date e-mail sent 11-25)12-16

DEPS

(if not received, date e-mail sent 11-25, 12-2)

FIRE DEPARTMENT

PLANNING

(if not received, date e-mail sent _____)

11-3

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: _____

SIGN POSTING

Date: 11-8by: Ogle

PEOPLE'S COUNSEL APPEARANCE

Yes

☐

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 2000004876			
Owner Information					
Owner Name:		PETERSON CHRISTOPHER A		Use:	RESIDENTIAL
Mailing Address:		2331 LINCOLN AVE BALTIMORE MD 21219-2019		Principal Residence:	YES
				Deed Reference:	/30964/00001
Location & Structure Information					
Premises Address:		2331 LINCOLN AVE 0-0000		Legal Description:	.643 AC 2331 LINCOLN AVE LINCOLN ESTATES
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0111	0016	0041		0000	5 2015 0054/0015
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1988	1,158 SF	575 SF	28,009 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
Split Foyer	YES	SPLIT FOYER	SIDING	2 full	1 Attached
Value Information					
		Base Value	Value As of 01/01/2012	Phase-in Assessments As of 07/01/2014 As of 07/01/2015	
Land:		79,000	79,000		
Improvements		149,200	149,200		
Total:		228,200	228,200	228,200	
Preferential Land:		0			
Transfer Information					
Seller: DICKY ARTHUR M		Date: 06/28/2011		Price: \$290,000	
Type: ARMS LENGTH IMPROVED		Deed1: /30964/ 00001		Deed2:	
Seller: DICKY ARTHUR M		Date: 11/26/2001		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /15789/ 00618		Deed2:	
Seller: DICKY ARTHUR M		Date: 01/16/1997		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /11991/ 00627		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: Approved 02/07/2012					

Debra Wiley

From: Dennis A Kennedy
Sent: Tuesday, December 02, 2014 9:30 AM
To: Vishnubhai K Desai; Debra Wiley
Subject: Re: 2015-0103-A - Admin. Var. - Closing date: 11/24 (next year)

Debbie:

I double checked and found out that the property is not in the tidal flood plain. I don't know where Zoning got that idea.

Dennis

>>> Vishnubhai Desai 11/25/2014 3:11 PM >>>

Debra,

Please find attached for the above subject case.

Thanks,

Vishnu Desai

Vishnu K. Desai, P.E.

Project Engineer
Development Plans Review
Department of Permits, Inspections and Approvals
111 West Chesapeake Ave. Room 119
Towson, MD 21204
410.887.3751 W
410.887.2877 F
vdesai@baltimorecountymd.gov

-----Original Message-----

From: Dennis A Kennedy
Sent: Tuesday, November 25, 2014 2:31 PM
To: Debra Wiley
Subject: Re: 2015-0103-A - Admin. Var. - Closing date: 11/24 (next year)

I will be out of the office until Dec.2, 2014. Contact Vishnu Desai at vdesai@baltimorecountymd.gov or Geoff Rice at grice@baltimorecountymd.gov or call 410-887-3751 for assistance.

>>> Debra Wiley <dwiley@baltimorecountymd.gov> 11/25/14 14:31 >>>

Dennis,

It appears that the Office of Zoning Review has indicated the above-referenced item is located in the floodplain, and we don't have a ZAC comment from DPR. I have provided you a case description for your convenience. Please provide ASAP.

Thanks for your usual cooperation; it is appreciated.

CASE NUMBER: 2015-0103-A

2331 LINCOLN AVE.

Location: SE/S of Lincoln Avenue, 483 ft. SW to the c/line of Waldman Avenue

15th Election District, 7th Council District

Legal owner: Christopher A Peterson

ADMINISTRATIVE VARIANCE To permit a proposed accessory structure (shed) with a height of 18 ft. in lieu of the maximum height of 15 ft.

Debra Wiley

Baltimore County Office of Administrative Hearings

105 West Chesapeake Avenue, Suite 103

Towson, Maryland 21204

410-887-3868

Debra Wiley

From: Debra Wiley
Sent: Tuesday, November 25, 2014 2:25 PM
To: Jeffery Livingston
Subject: 2015-0103-A - Admin. Var. - Closing date: 11/24

Jeff,

It appears that the Office of Zoning Review has indicated the above-referenced item is located in the CBCA, and we don't have a ZAC comment from DEPS. I have provided you a case description for your convenience. Please provide ASAP.

Thanks.

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Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

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 November 03, 2014
Item No. 2015-0080, 0098, 0100, 0102 and 0103

DATE: November 17, 2014

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

RECEIVED

NOV 25 2014

OFFICE OF ADMINISTRATIVE HEARINGS

DAK:CBN
cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC11102014 -.doc

Debra Wiley

From: Vishnubhai K Desai
Sent: Tuesday, November 25, 2014 3:11 PM
To: Debra Wiley
Cc: Dennis A Kennedy
Subject: 2015-0103-A - Admin. Var. - Closing date: 11/24 (next year)
Attachments: 201411251500.pdf

Debra,
Please find attached for the above subject case.
Thanks,

Vishnu Desai

Vishnu K. Desai, P.E.

Project Engineer
Development Plans Review
Department of Permits, Inspections and Approvals
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Baltimore County Office of Administrative Hearings

105 West Chesapeake Avenue, Suite 103

Towson, Maryland 21204

410-887-3868

Debra Wiley

From: Debra Wiley
Sent: Tuesday, November 25, 2014 2:33 PM
To: Vishnubhai K Desai
Subject: FW: 2015-0103-A - Admin. Var. - Closing date: 11/24 (next year)

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410-887-3868

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410-887-3868



KEVIN KAMENETZ
County Executive

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

November 25, 2014

Christopher A Peterson
2331 Lincoln Avenue
Baltimore MD 21219

RE: Case Number: 2015-0103 A, Address: 2331 Lincoln Avenue

Dear Mr. Peterson:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on October 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
George McClelland, 25 Waterview Road, Baltimore MD 21222

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



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

Date: 11/3/14

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

RE: Baltimore County
Item No. 2015-0103-A.
Administrative Variance
Christopher Peterson
2331 Lincoln 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. 2015-0103-A.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-545-5598 or 1-800-876-4742 (in Maryland only) extension 5598, or by email at (rzeller@sha.state.md.us).

Sincerely,

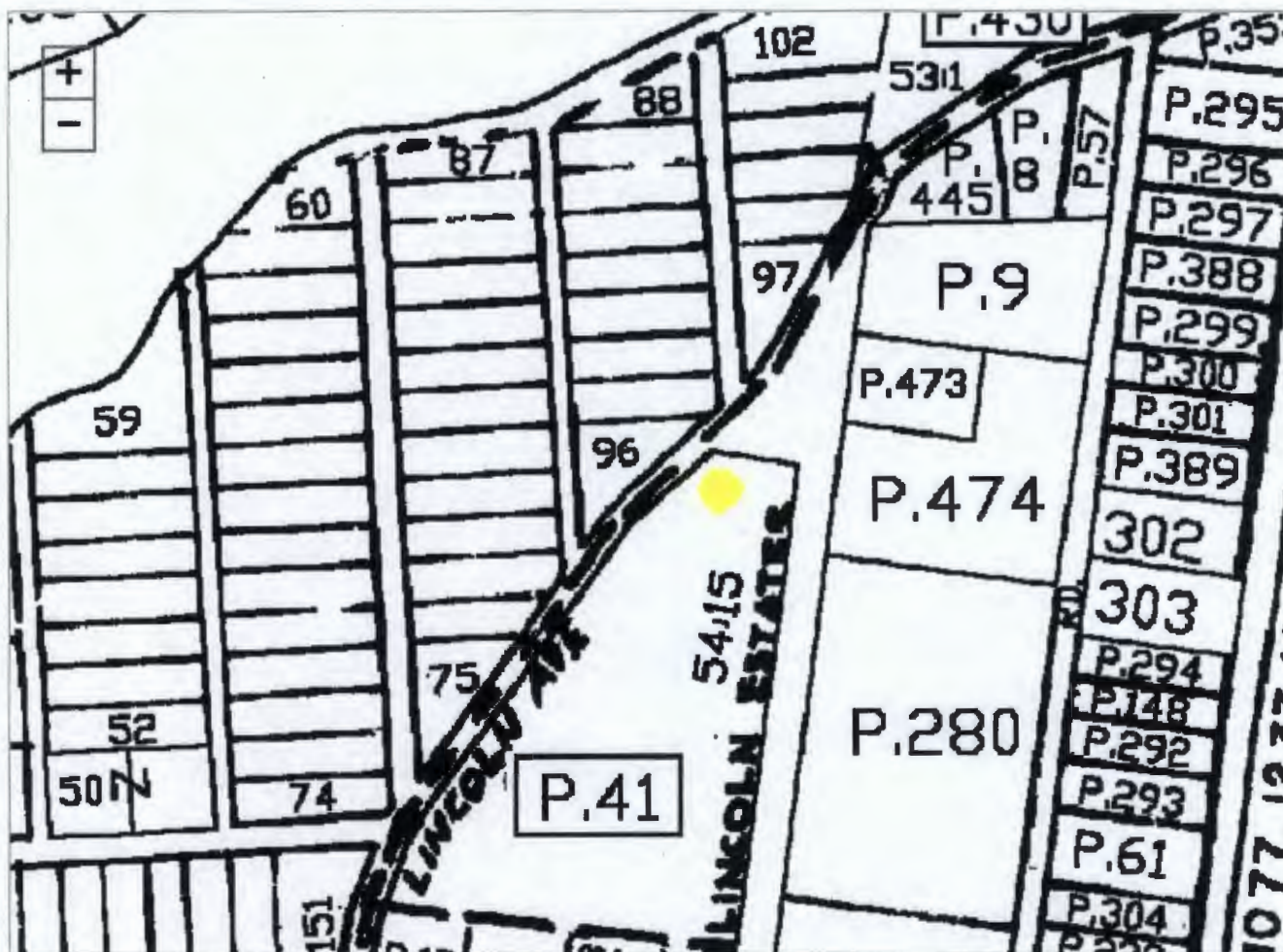
Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz



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

District: 15 Account Number: 2000004876



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/>)

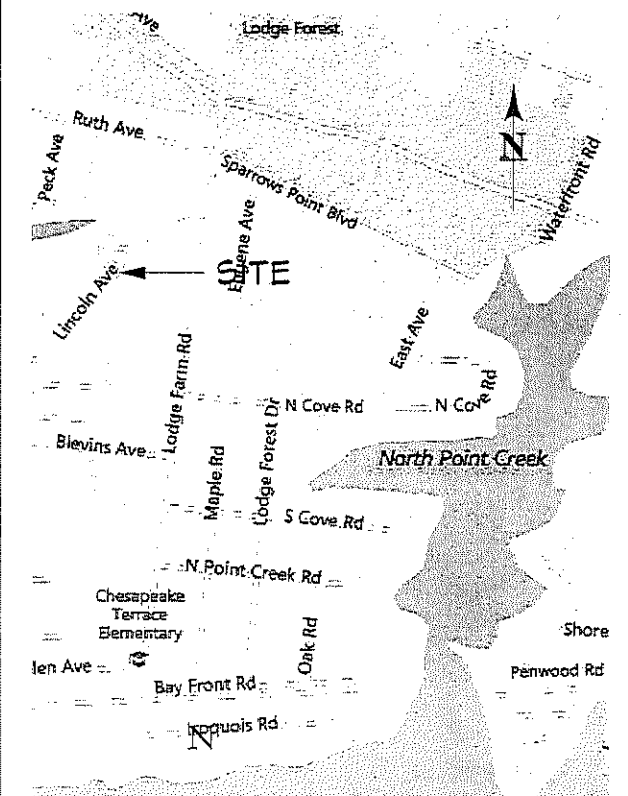
 Loading... Please

Loading... Please Wait.

ZONING HEARING PLAN FOR VARIANCE

ADDRESS: 2331 LINCOLN AVE OWNER: CHRISTOPHER A. PETERSON
 SUBDIVISION NAME: LINCOLN ESTATES. LOT#: 5 BLOCK#: N/A SECTION #: N/A
 PLAT BOOK#: 54 FOLIO #: 15 10 DIGIT TAX #: 2000004876 DEED REF#: 30964/00001

SITE VICINITY MAP



ZONING MAP # 111C2
 SITE ZONED: DR-5.5
 ELECTION DISTRICT: 15
 COUNCIL DISTRICT: 7
 LOT AREA: 28,009 S.F.
 HISTORIC? NO
 IN CBCA? YES
 IN FLOOD PLAIN? C
 UTILITIES: WATER IS PUBLIC
 SEWER IS PUBLIC
 PRIOR HEARING? R-1966-0190-X
 VIOLATION CASE INFO:

2015-0103-A

Pet. Encl. 1



LINCOLN AVE (50' R/W)

IMPERVIOUS CALC.
 LOT AREA: 28,009 S.F.
 EXIST. IMPERVIOUS: 4,841 S.F.
 PROP. IMPERVIOUS: 5,466 S.F.

JAMES M. & DELORES L. CURBEAM
 2415 LINCOLN AVE.
 I.D. 2500001000
 LOT 3

LOT 5

EXISTING DWELLING
 1,484 S.F.

CONC PAD

MACADAM DRIVE

POB

483' TO CIL WALDMAN AVE
 BILLY D. & SHEILA D. WEBER
 2329 LINCOLN AVE.
 I.D. 2000004875
 LOT 4

SITE PLAN

SCALE: 1" = 30'

EXISTING 8' x 12' & 11' x 13' SHEDS
 TO BE REMOVED

PROPOSED 1 STY
 ACCESSORY BLDG
 32' x 40' x 18' - T" HIGH
 1,280 S.F.

SITE PLAN DRAWN BY: GEORGE MCCLELLAND 410.477.9136 DATE: OCTOBER 13, 2014 SCALE: 1 INCH = 30 FEET

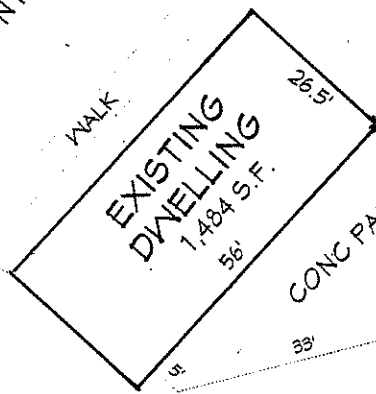
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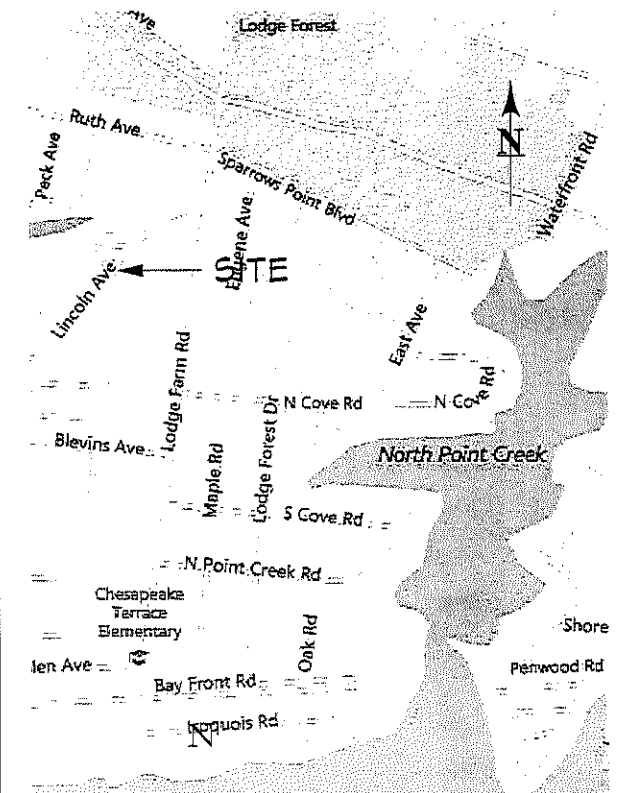
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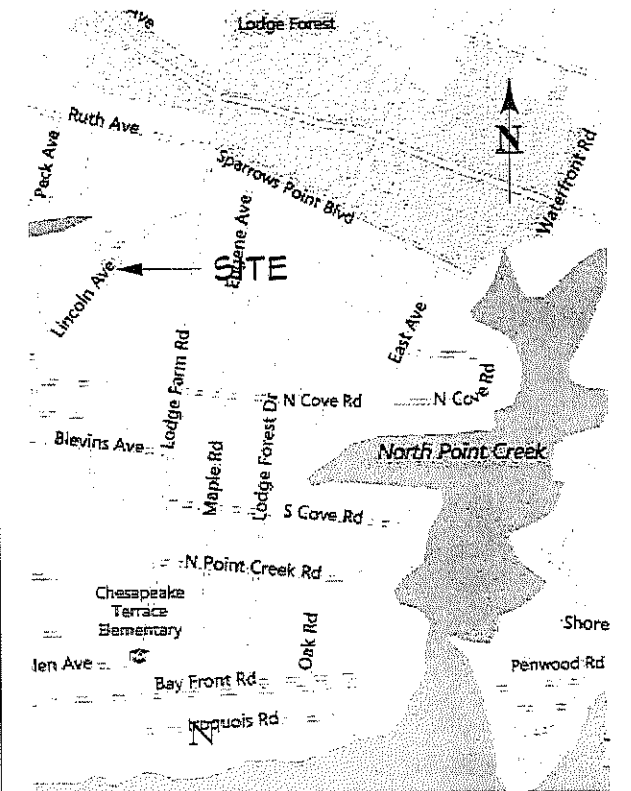
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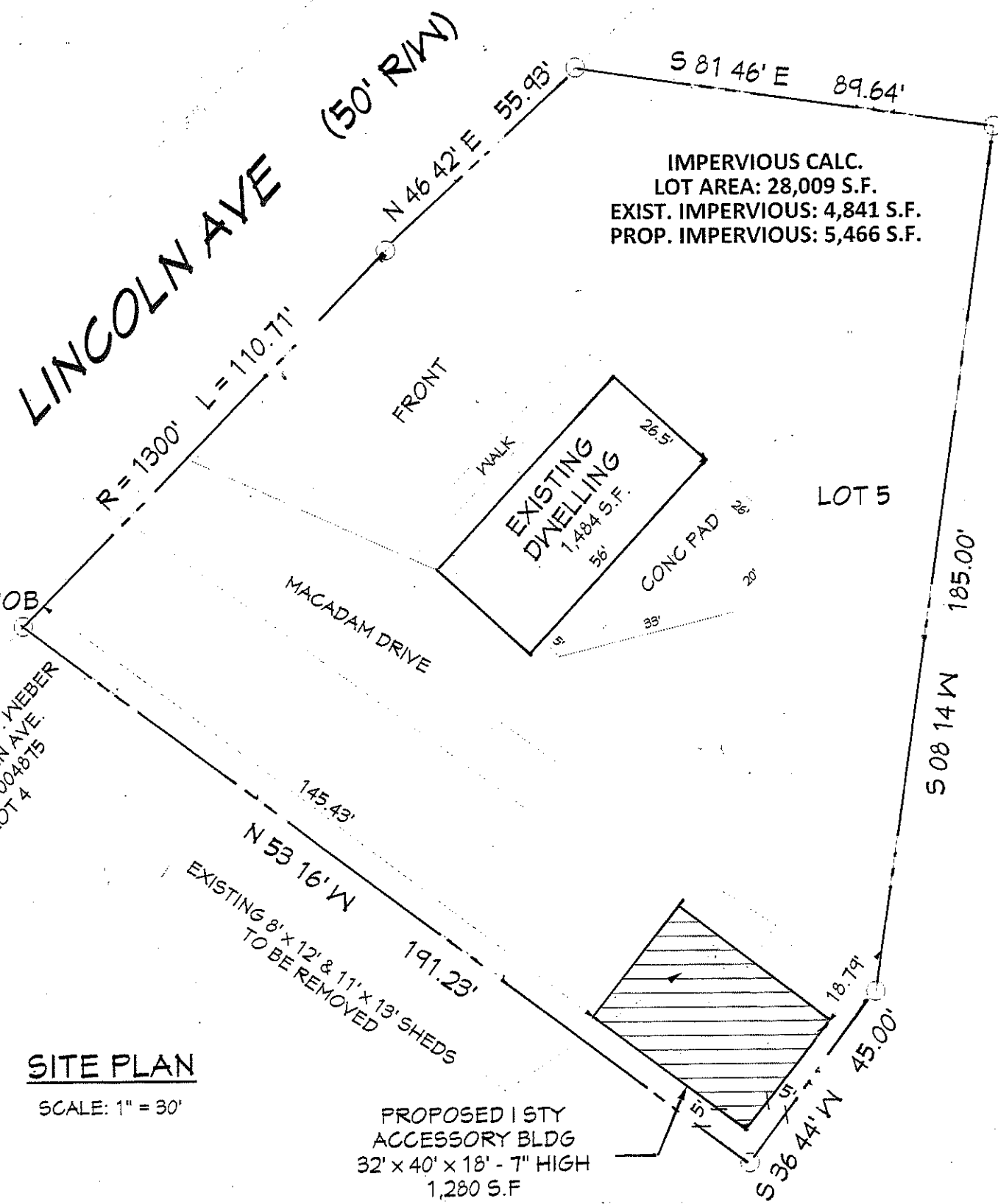
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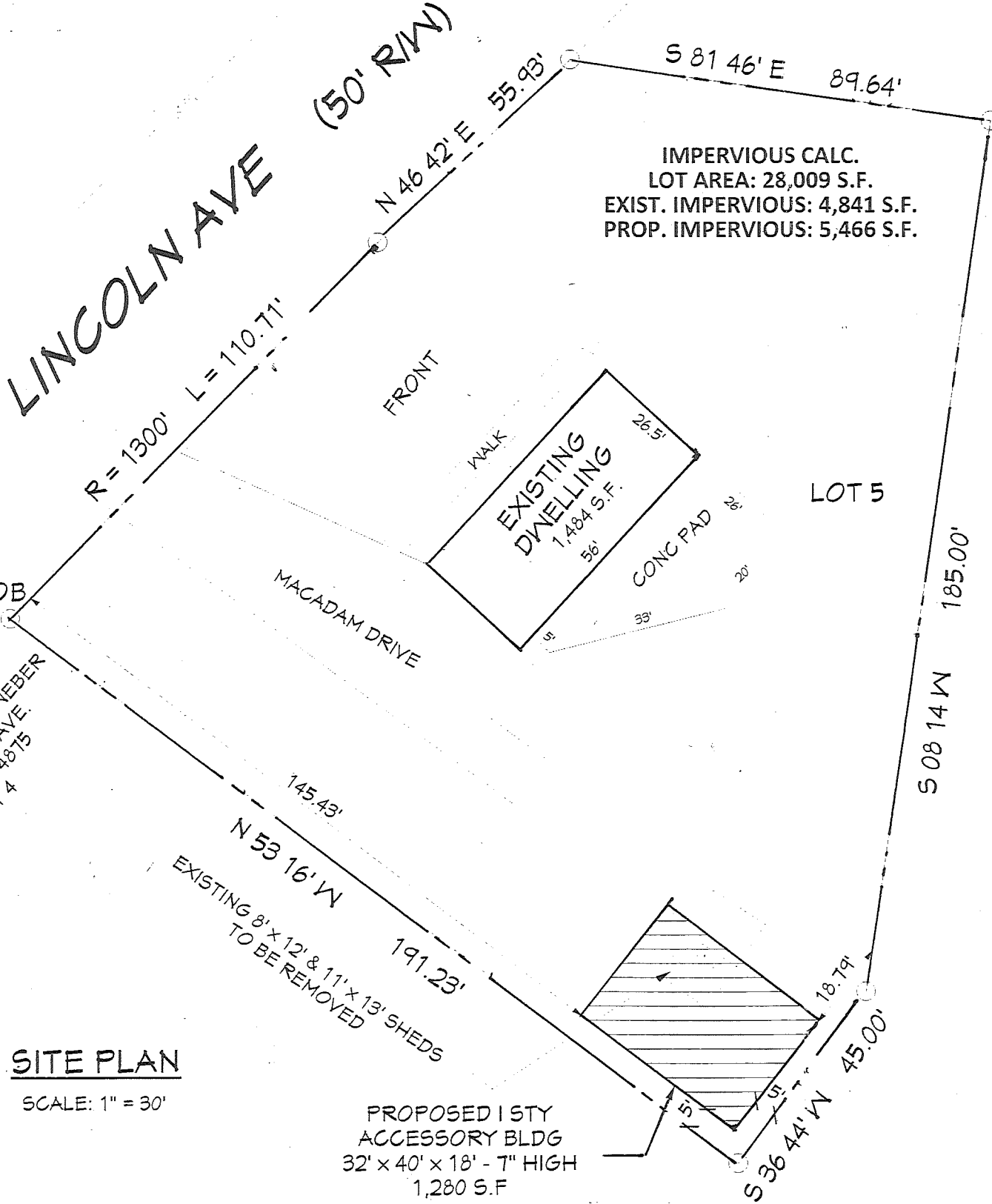
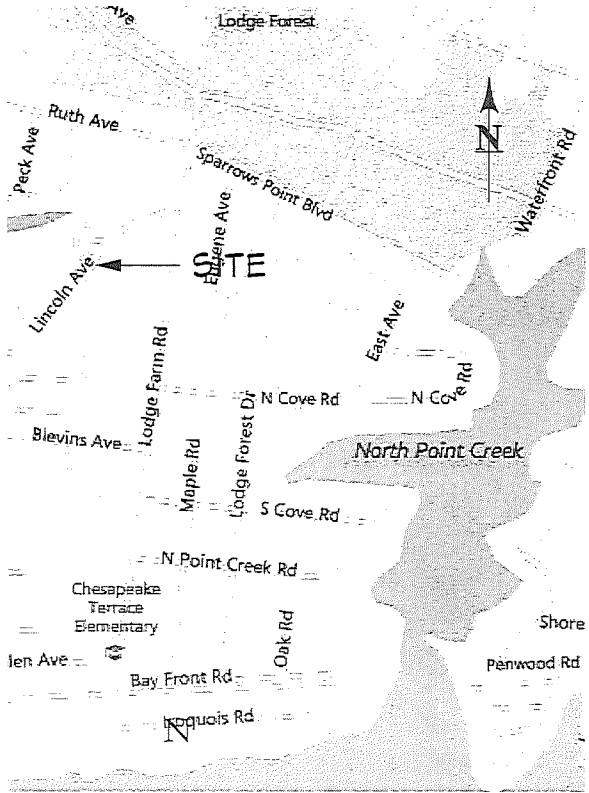
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Per. Enr. 1