IN RE: PETITION FOR VARIANCE

(2417 Estelle Avenue)

15^h Election District

7th Council District

Cynthia & Richard Detorie

Legal Owners

Kevin R. Ralston

Contract Purchaser

Petitioners

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2015-0218-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 Cynthia & Richard Detorie, legal owners and Kevin R. Ralston, contract purchaser ("Petitioners"). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §1B02.3.C.1 to permit a new single family dwelling with a rear setback of 14 ft. in lieu of the required 30 ft. A site plan was marked and admitted as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the request was Kevin Ralston and Bernadette Moskunas, whose firm prepared the plan. A neighbor (Justin Jones) who resides at 2416 Estelle Avenue attended the hearing and expressed support for the request. 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) and the Department of Environmental Protection and Sustainability (DEPS). These will be discussed below.

The subject property is approximately 6,541 square feet and is zoned D.R. 5.5. The property is unimproved, and is shown as Lot #60 on the plat of Waterview (Exhibit 2) from 1926.

To obtain variance relief requires a showing that:

(1) The property is unique; and CR DER RECEIVED FOR FILING

5 - 29 - 6

By______

(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).

Petitioners have met this test. The property is of irregular dimensions and has an unusual shape. It is therefore unique. Petitioners would experience a practical difficulty if the regulations were strictly interpreted, since they would be unable to construct the new residence at the site. I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare.

DEPS indicated the property is situated within the Critical Area. As such, the Petitioners will need to comply with the Critical Area Regulations, and Mr. Ralston acknowledged this requirement. The DOP opposed the request and noted the lot is "substandard," which is of course correct. That agency indicated that the current scenario (i.e., the unimproved lot) is "more in keeping with the established pattern of the neighborhood." I respectfully disagree. Ms. Moskunas submitted a My Neighborhood Map (Exhibit 4) showing the lot sizes of nearby properties improved with a single family dwelling. This exhibit reveals that several of the homes in the immediate vicinity are situated on lots no larger than the one owned by Petitioners, and the overall pattern of the neighborhood reflects the majority of the homes are constructed on the 50' wide lots created by the 1926 plat. Mr. Jones, who resides immediately across the street from the subject property, stated he was in favor of the proposal and believed a new home would be a benefit to the area, which is comprised of many small and old cottage-type homes.

THEREFORE, IT IS ORDERED, this 29th day of May, 2015, 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 a new single family dwelling with a rear setback of 14 ft. in lieu of the required 30 ft., be and is hereby GRANTED.

ORDER	RECEIVED FOR FILING	
Date	5-29-15	2
Ву	190	

The relief granted herein shall be subject to the following:

- 1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
- 2. Petitioners must comply with the Chesapeake Bay Critical Area (CBCA) Regulations.
- 3. Prior to issuance of a building permit, Petitioners must submit for approval by the DOP architectural elevations of the proposed dwelling, to ensure the design, size and scale of the structure are in keeping with homes in the community.

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

JOHN E. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:sln

ORDER RECEIVED FOR FILING

Date 5-2(-1)

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: which is presently zoned D.R.S.S Address # 2417 Estelle Avenue 10 Digit Tax Account # \ 5 0 3 6 Deed References: 3/2/10/173

Detoric and Richard Detoric Property Owner(s) Printed Name(s) WNYMA

(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		ing Regulations of	of Baltimore	County,	to determine whether
or not the Zoning Commissioner should	approve				

a Variance from Section(s)

Section: 1B02.3.C.1

To permit a new single family dwelling with a rear set back of 14ft in lieu of the required 30 feet.

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

Property is to be posted and advertised as prescribed by the zoning regulations. i, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property

which is the subject of this / these Petition(s).	
Contract Purchaser/Lessee:	Legal Owners (Petitioners):
Kevin R Ralston o.	Cynthia Detone , Richard Detorie
Name: Type or Print	Name #1 – Type or Print Name #2 – Type or Print
made.	Signature #1 Signature #2
Signature	
rais Ritchic Ave. Ralt. MD	2415 Estelle Avenue Bathmori MD
Mailing Address City State	Mailing Address City State
21219 ,410-412-0843,	2(219)
Zip Code Telephone # Email Address	Zip Code Telephone # Email Address
Zip Code Telephone # Email Address Attorney for Petitioner: Name- Type or Print ENED FOR FILING Signature RECENED 19	Representative to be contacted:
TO FOR!	Bernadettel Moskunas - Site Rote Surveying, 14
Name- Type or Print ENED 9	Name - Type or Ffrint
TO RECE G	Samadethic Mohiman
Signature	Signature
	200 E. Jopph Road Rm lot Towson, Mo Mailing Address City State
Mailing Address City State	Mailing Address City State
Land I	21286, 410.828.9060, siteritainca ad. com
Zip Co Telephone # Email Address	Zip Code Telephone # Email Address
CASE NUMBER 2015-0218-A Filing Date 413120	Do Not Schedule Dates: Reviewer

ZONING PROPERTY DESCRIPTION #2417 ESTELLE AVENUE

BEGINNING at a point on the south side of Estelle Avenue which is 30 feet wide at the distance of 422 feet, more or less, east of the center line of Masseth Avenue which is 35 feet wide. Being Lot No. 60 in the subdivision of "Water View" as recorded in Baltimore County Plat Book No. 8, folio 71, containing 6,541 square feet, more or less and located in the 15th Election District, 7th Councilmanic District.

OF MAS

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

MEMORANDUM

DATE:

July 1, 2015

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2015-0218-A - Appeal Period Expired

The appeal period for the above-referenced case expired on June 30, 2015. There being no appeal filed, the subject file is ready for return to the Zpming Review Office and is placed in the 'pick up box.'

C:

Case File

Office of Administrative Hearings

Debra Wiley

From: John E. Beverungen

Sent: Friday, May 29, 2015 2:17 PM

To: Debra Wiley Subject: 2015-218

Attachments: 2015-0218-A.docx

This is the final order....only needs to be sent to moskunis...no attachments. Thanks.

PLEASE PRINT CLEARLY

CASE NAME 2417 Estelle Avenue CASE NUMBER 2015 - 0218 - A DATE 5 27 2015

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Levin Ralton. Justin Jones Bernaduth Moskunas	2915 R. thic Ave. 2416 Estelle Ave. 200 E. Joppa Poad Room 101	Baltimore mD, 21219. Edgemere MD, 21219	Justin. Jones 2309 @GMAIL. a Sitevite inc@ gol. com.
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CASE NO. 2015-0218-A

CHECKLIST

Comment Received	<u>Department</u>	Support/Oppose/ Conditions/ Comments/ No Comment
413/15	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	NIC
5/15/15	DEPS (if not received, date e-mail sent)	
	FIRE DEPARTMENT	
HK8/12	PLANNING (if not received, date e-mail sent)	
4/13/15	STATE HIGHWAY ADMINISTRATION	mo Obj
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLA	TION (Case No.	
PRIOR-ZONING	(Case No.	
NEWSPAPER AI	OVERTISEMENT Date: 5/4/15	
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Comments, if any:		



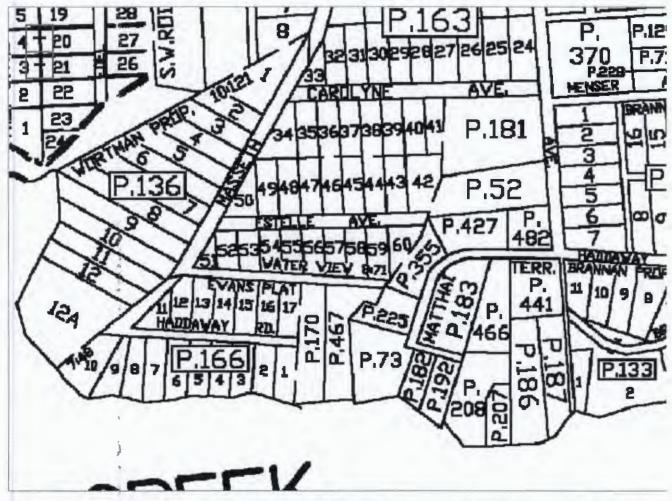


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Baltimore County

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

District: 15 Account Number: 1503670750



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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KEVIN KAMENETZ
County Executive

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

May 21, 2015

Cynthia & Richard Detorie 2415 Estelle Avenue Baltimore MD 21219

RE: Case Number: 2015-0218 A, Address: 2417 Estella Avenue

Dear Mr. & Ms. Detorie:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 3, 2015. 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,
U. Call Ribal D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaw

Enclosures

People's Counsel
 Kevin Ralston, 2915 Ritchie Avenue, Baltimore MD 21219
 Bernadette Moskunas, Site Rite Surveying Inc., 200 E Joppa Road, Rm 101, Towson MD 21286



Larry Hogan, Governor Boyd Rutherford, Lt. Governor

Pete K. Rahn, Secretary Melinda Peters, Administrator

Date: 4/13/15

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

RE:

Baltimore County
Item No ZO15-0218-4

Vianouse Cyxthia & Richard Detorie 2415 Estelle 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. 2015-0218-1

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon

DATE: April 28, 2015

Deputy Administrative Officer and

Director of Permits, Approvals and Inspections

FROM:

Andrea Van Arsdale

Director, Department of Plan

SUBJECT:

2415 Estelle Avenue

INFORMATION: Item Number:

15-218

OFFICE OF ADMINISTRATIVE HEARINGS

RECEIVED

MAY 0 4 2015

Petitioner:

Cynthia and Richard Detorie

Zoning:

DR 5.5

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning (Department) has reviewed the Petition for a Variance to allow a proposed single family detached dwelling with a rear yard setback of 14' in lieu of the required 30'.

The Department does not support the granting of the requested variance relief. The Department recognizes the existence of the subject property as an individual lot first recorded in the land records for Baltimore County in 1926, apparently having never been improved with a principal structure since that date. The Department recommends that the antique lot on its own is substandard as evidenced by the requested zoning relief necessary to construct even a modest dwelling. Further, an intermittent stream and wet areas on the south lot line limit the ability of the lot to provide usable yards in support of the principal dwelling. The Department recommends the current situation on the ground to be more in keeping with the established pattern of the neighborhood.

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

Deputy Director:

AVA/JM

c: Dennis Wertz

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

MAY 1 5 2015



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:

May 15, 2015

SUBJECT:

DEPS Comment for Zoning Item

2015-0218-A

Address

2417 Estelle Avenue

(Detorie Property)

Zoning Advisory Committee Meeting of April 16, 2015.

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

 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 allow a new single family dwelling on a vacant lot with a reduced rear yard setback. The lot is not waterfront and contains no buffers. Lot coverage is limited to a maximum of 2,135 square feet, with mitigation required for lot coverage between 1,635 square feet and 2,135 square feet. Based on the information provided, lot coverage proposed will be below the limit. 15% afforestation, or 2 trees, is required in the LDA; existing trees to remain may count toward this requirement. If the proposal can meet the afforestation requirement, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is not waterfront. If the afforestation requirement will be met, it will 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;

If all Critical Area requirements can be met, then the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger – Environmental Impact Review (EIR)



BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: April 13, 2015

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 13, 2015

Item No. 2015-0212, 0213 and 0218

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\ZAC04132015.doc





BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

RECEIVED 4 2015 DEPARTMENT OF PERMITS

TO:

Arnold Jablon

DATE: April 28, 2015

Deputy Administrative Officer and

Director of Permits, Approvals and Inspections

FROM:

Andrea Van Arsdale

Director, Department of Plan

SUBJECT:

2415 Estelle Avenue

INFORMATION:

Item Number:

15-218

Petitioner:

Cynthia and Richard Detorie

Zoning:

DR 5.5

Requested Action:

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

Deputy Director:

AVA/JM

c: Dennis Wertz

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	PETITIONER/DEVELOPER	
	SITE DITE SURVEYING INC	
	DATE OF HEARING/CLOSING:	
	MAY 87, 2015	
PERMIT'S AND I	UNTY DEPARTMENT OF DEVELOPMENT MANAGEMENT E BUILDING,RQOM 111 SAPEAKE AVENUE	
ATTENTION:		
LADIES AND GE	'NTLEMEN:	
	S TO CERITFY UNDER THE PENALTIES OF PERJURY THAT THE N(S)REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON	
	2417 ESTELLE AVENUE	
THIS SIGN(S) W.	ERE POSTED ON May 7, 2015 (MONTH, DAY, YEAR)	
	SINCERELY, Le 5/7/15	
	SIGNATURE OF SIGN POSTER AND DATE:	

CASE NO: 2015-0218-A

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



machar 8 5/7/15



501 N. Calvert St., P.O. Box 1377 Baltimore, Maryland 21278-0001 tel: 410/332-6000 800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3255825

Sold To:

Kevin Ralston - CU00440532 2915 Ritchie Ave Sparrows Point, MD 21219

Bill To:

Kevin Ralston - CU00440532 2915 Ritchie Ave Sparrows Point, MD 21219

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

May 07, 2015

The Baltimore Sun Media Group

By S. Wilkinson
Legal Advertising

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: # 2015-0218-A
2417 Estelle Avenue
S/side Estelle Avenue, 422 ft. e/of Masseth Avenue
15th Election District - 7th Councilmanic District
Legal Owner(s) Cynthia & Richard Detorie
Contract Purchaser(s): Kevin Ralston
Variance: to permit a new single family dwelling witha rear set back of 14 ft. in lieu of the required 30 ft.
Hearing: Wednesday, May 27, 2015 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY
NOTES: (1) Hearings are Handicapped Accessible; for special 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.

/001 May 7



KEVIN KAMENETZ County Executive

April 9, 2015

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

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: 2015-0218-A

2417 Estelle Avenue S/s Estelle Avenue, 422 ft. e/of Masseth Avenue 15th Election District – 7th Councilmanic District Legal Owners: Cynthia & Richard Detorie Contract Purchaser: Kevin Ralston

Variance to permit a new single family dwelling with a rear set back of 14 ft. in lieu of the required 30 ft.

Hearing: Wednesday, May 27, 2015 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon Director

AJ:kl

C: Kevin Ralston, 2915 Ritchie Highway, Baltimore 21219
Mr. & Mrs. Detorie, 2415 Estelle Avenue, Baltimore 21219
Bernadette Moskunas, 200 E. Joppa Road, Rm. 101, Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MAY 7, 2015

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

TO: PATUXENT PUBLISHING COMPANY

Thursday, May 7, 2015 Issue - Jeffersonian

Please forward billing to:

Kevin Ralston 2915 Ritchie Highway Baltimore, MD 21219 410-412-0843

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: 2015-0218-A

2417 Estelle Avenue

S/s Estelle Avenue, 422 ft. e/of Masseth Avenue 15th Election District – 7th Councilmanic District

Legal Owners: Cynthia & Richard Detorie

Contract Purchaser: Kevin Ralston

Variance to permit a new single family dwelling with a rear set back of 14 ft. in lieu of the required 30 ft.

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Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR VARIANCE
2415 Estelle Avenue; S/S Estelle Avenue, 422'
E of c/line Masseth Avenue
15th Election & 7th Councilmanic Districts
Legal Owner(s): Cynthia & Richard Detorie
Contract Purchaser(s): Kevin Ralston

Petitioner(s)

BEFORE THE OFFICE

OF ADMINSTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

2015-218-A

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

APR 22 015

Peter Max Zummerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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 **26**th day of April, 2015, a copy of the foregoing Entry of Appearance was mailed to Bernadette Moskunas, Site Rite Surveying, Inc, 200 East Joppa Road, Room 101, Towson, Maryland 21286, Representative for Petitioner(s).

Peter Max Zimmerman

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People's Counsel for Baltimore County



DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

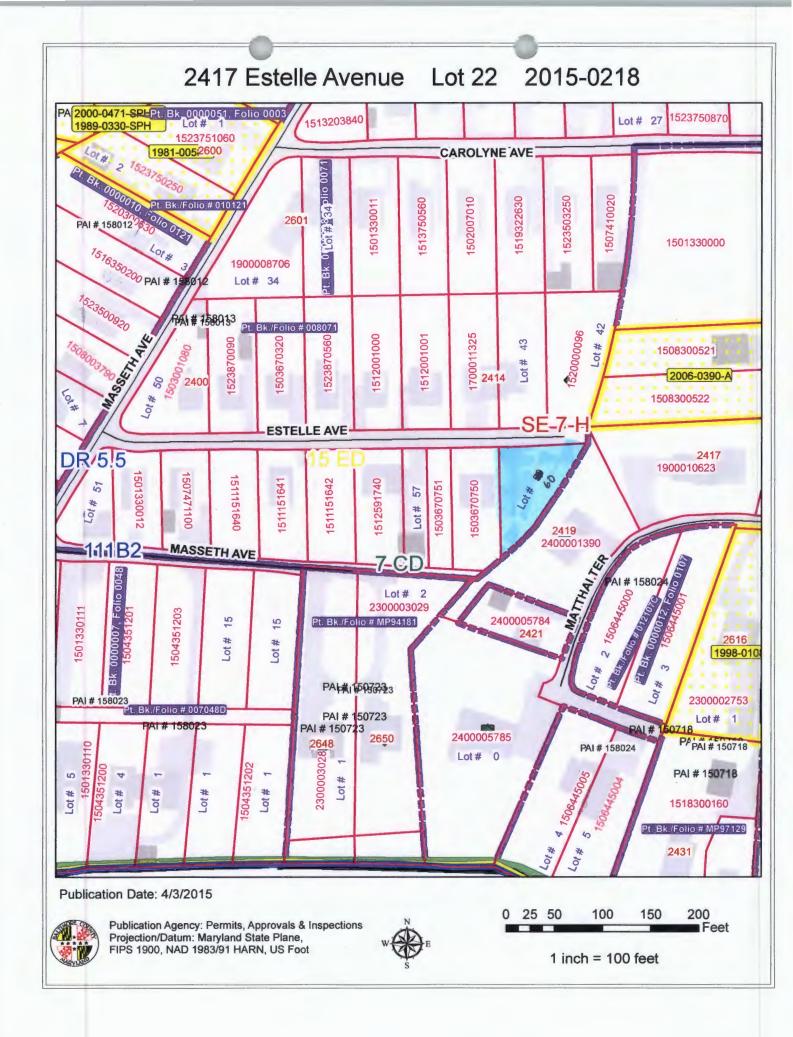
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign 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:
Property Address: 2417 Estelle Avenue
Property Description: South side of Estalle Avenue, 422' east of Masset
Avenue.
Legal Owners (Petitioners): MNHMA and Richard Detovic
Contract Purchaser/Lessee: Kevin Ralston, Jr.
PLEASE FORWARD ADVERTISING BILL TO:
Name: Kevin Ralston
Company/Firm (if applicable):
Address: 2915 Ritchie Avenue
Baltimore, MD 21219
Telephone Number: (410)412 - 0843

Revised 5/20/2014



Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

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- 1. This screen allows you to search the Real Property database and display property records.
- 2. Click here for a glossary of terms.
- 3. Deleted accounts can only be selected by Property Account Identifier.
- 4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

THIS DEED and AGREEMENT and RELEASE, Made this 30 - day of vec, in the year Nineteen Hundred and Sixty-seven, by and between WALTER w. CROSSETT and EARLENE S. CROSSETT, his wife, of Baltimore County, State of Maryland, parties of the first part; and BALTIMORE COUNTY, MARYLAND, a municipal corporation, party of the second part.

WHEREAS, by a Deed and Agreement dated October 6, 1964 and recorded among the Land Hacords of Baltimore County in Liber R.R.G. No. 4364, folio 494, the said Walter W. Crossett and Earlene S. Crossett, his wife, granted and conveyed unto Baltimore County, Maryland, its successors and assigns, a 10 foot right-of-way as therein defined and as shown on the Baltimore County Bureau of Land Acquisition Drawing No. RW 63-200-3, Revised September 25, 1964, which was attached thereto and made a part thereof; and

WHERMAS, Raltimore County, Maryland, desires to release and relinquish all of its right, title and interest in and to a portion of said 10 foot right-of-way as hereinafter described.

NOW, THEREFORE, THIS DEED and AGREEMENT and RELEASE WITNESSETH, that in consideration of the premises and the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, the said parties of the first part do grant and convey unto Baltimore County, Maryland, its successors and assigns, the right to lay, construct and maintain sewers, drains, water pipes and other municipal utilities and services in and through the land of the parties of the first part, situate in Baltimore County, State of Haryland, said sewers, drains, water pipes and other municipal utilities and services to be laid in the right-of-way which is described as follows:

Situate in the Pifteenth Election District of Baltimore County.

BEING a right-of-way, a portion of which is 10 feet wide and a portion of which is of irregular dimensions, across Lot No. 60, Plat of "MATERVIEW", which Plat is recorded among the Plat Records of Baltimore County in Liber w. 2.0. No. 6, folio 71, as shown shaded and indicated "Utility Easement" on the Baltimore County Bureau of Land Acquisition Drawing No. Rw 63-200-3A, which is attached hereto and made a part hereof.

TOWTHER with a 15 foot Temporary Easement for construction purposes over the property of the Grantors, as shown indicated "15" Temporary Construction Area" on the aforesaid Drawing No. Ew 63-200-3A, which is attached hereto and made a part hereof.

PARSE TAX NOT REQUIRED POPULATION W. WOOD

Derector of Finance

-1-

part alpen M. Apella

Patitioner No. 8

12/13/2005. Printed 11/12/2014 4636. Date available CE62 MSA 0046. d OTG 4781, Records) (Land COURT CIRCUIT COUNTY BALTIMORE FOR TIPLE: See Deed dated April 1h, 19h6 and recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1657, folio 161, from Edith Ziegler, unmarried, to Walter W. Crossett and Earlene S. Crossett, his wife.

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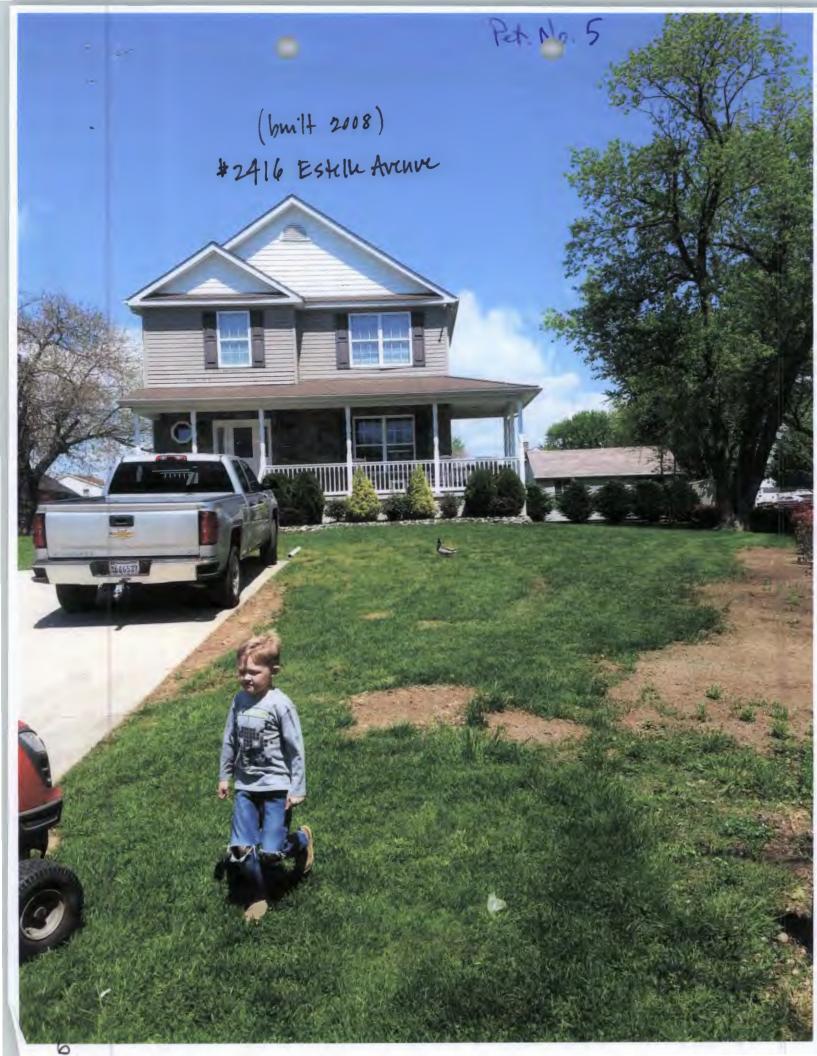
IT IS MUTUALLY AGREED between the parties hereto that upon completion of the installation of Utility facilities in the easement hereinabove described, the Temporary Easement above described shall become null and void, and the Grantors herein shall hold the property over which the said Temporary Easement runs free and clear of said Temporary Easement.

AND the parties of the first part do hereby agree that Baltimore County, Maryland, its successors and assigns, shall have the right and privilege of entering upon the aforesaid land, whenever it may be necessary, to make openings and excavations, and to lay, construct and maintain said municipal utilities and appurtenances, provided, however, that the ground shall be restored and left in good condition; and it is further agreed that no buildings or similar structures of any kind shall be erected in, on or over the said right-of-way by any of the parties hereto, their heirs, successors and assigns.

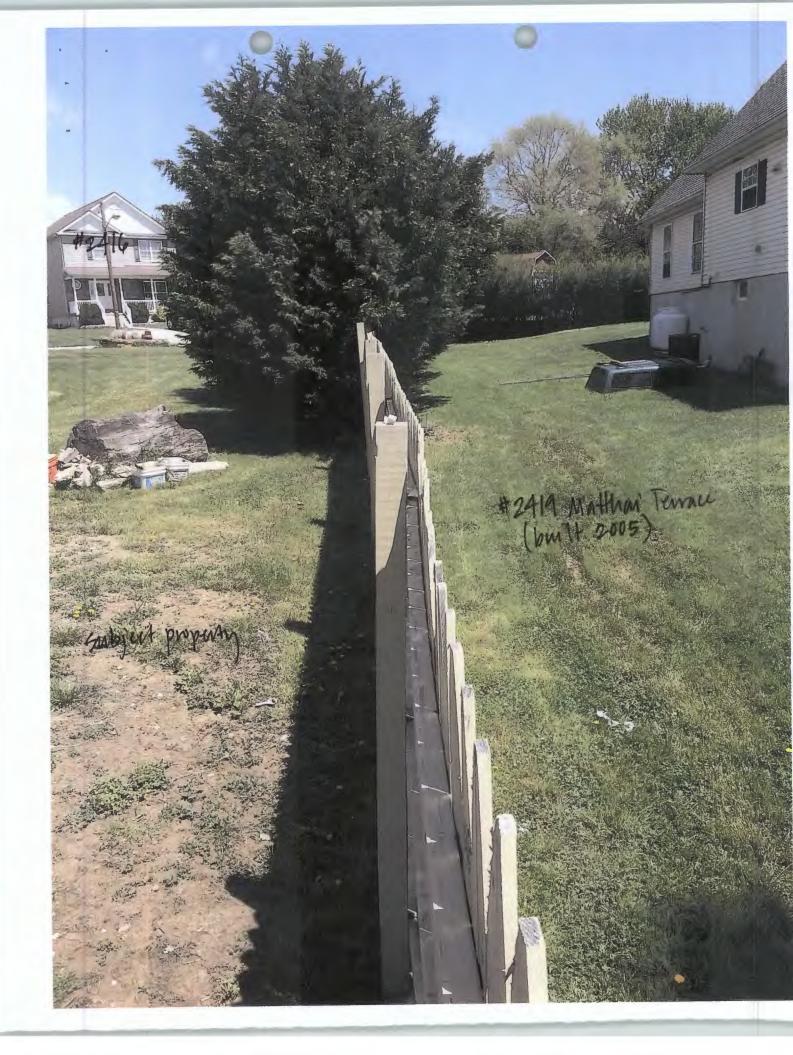
AND NOW, THEREFORE, THIS BEED and AGREEMENT and RELEASE FURTHER WITNESSETH, that in consideration of the premises and the conveyance to Baltimore County, Maryland, the easements hereinabove described, the said Baltimore County, Maryland, a municipal corporation, acting under and by virtue of the power and authority contained in Section 32-13, and Atendments thereto, of the Baltimore County Code, 1958 Edition, does release, relinquish, quit-claim, grant and convey unto the said Walter W. Crossett and Earlene S. Crossett, his wife, their heirs and assigns, all its right, title and interest, and especially the right to lay, construct and maintain sewers, drains, water pipes and other municipal utilities and services in and through that portion of the property of the parties of the first part, which is described as follows:

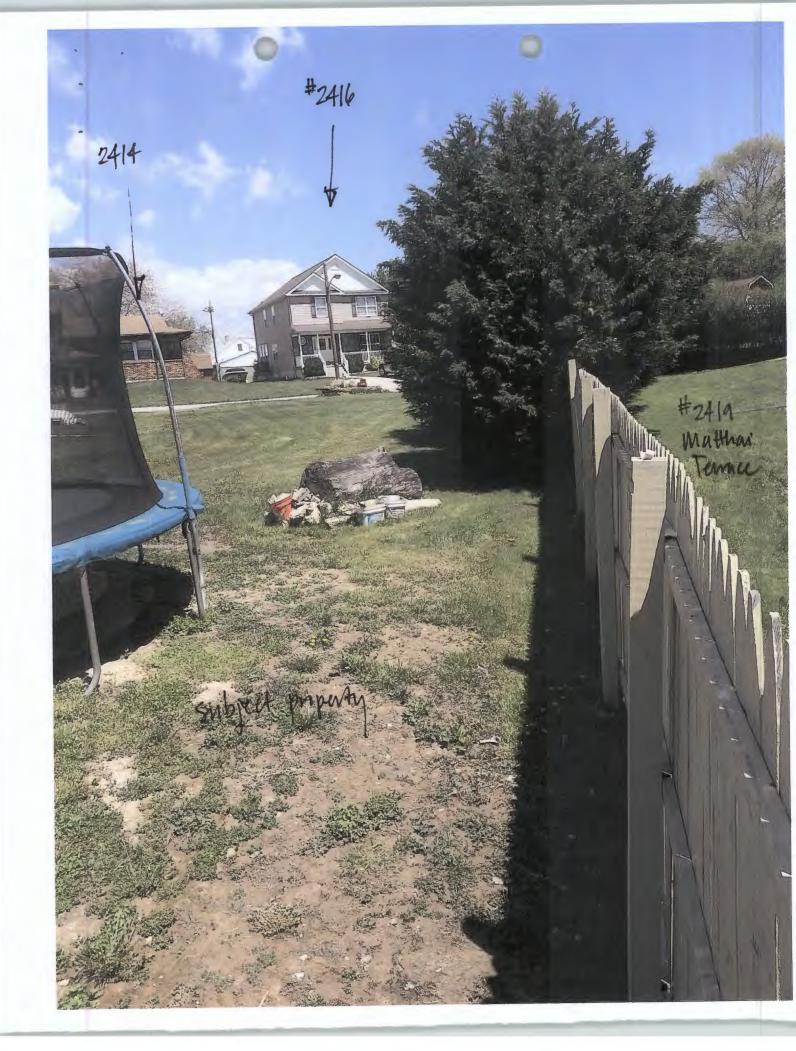
BEING a right-of-way 10 feet wide across Lot No. 60, Plat of "WAIERVIEW", which Plat is recorded among the Plat Records of Baltimore County in Liber W.P.C. No. 8, folio 71, as shown crosshatched and indicated "Area to be Released" on the Baltimore County Bureau of Land Acquisition Drawing No. Rw 63-200-3A, which is attached hereto and made a part hereof.

FOR TITLE: See Deed dated October 6, 196h and recorded among the Land Records of Baltimore County in Liber R.M.G. No. 438h, folio 49h, from Walter W. Crosbett, et ux, to Baltimore County, Maryland.



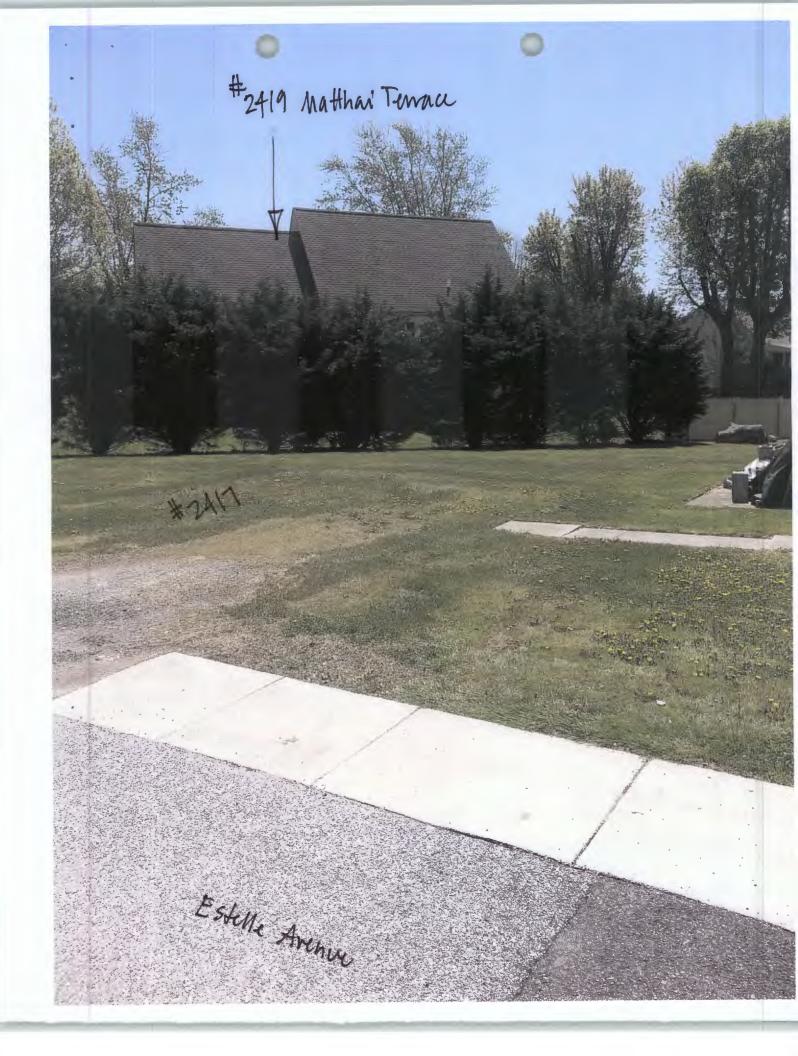








Estelle Avenue

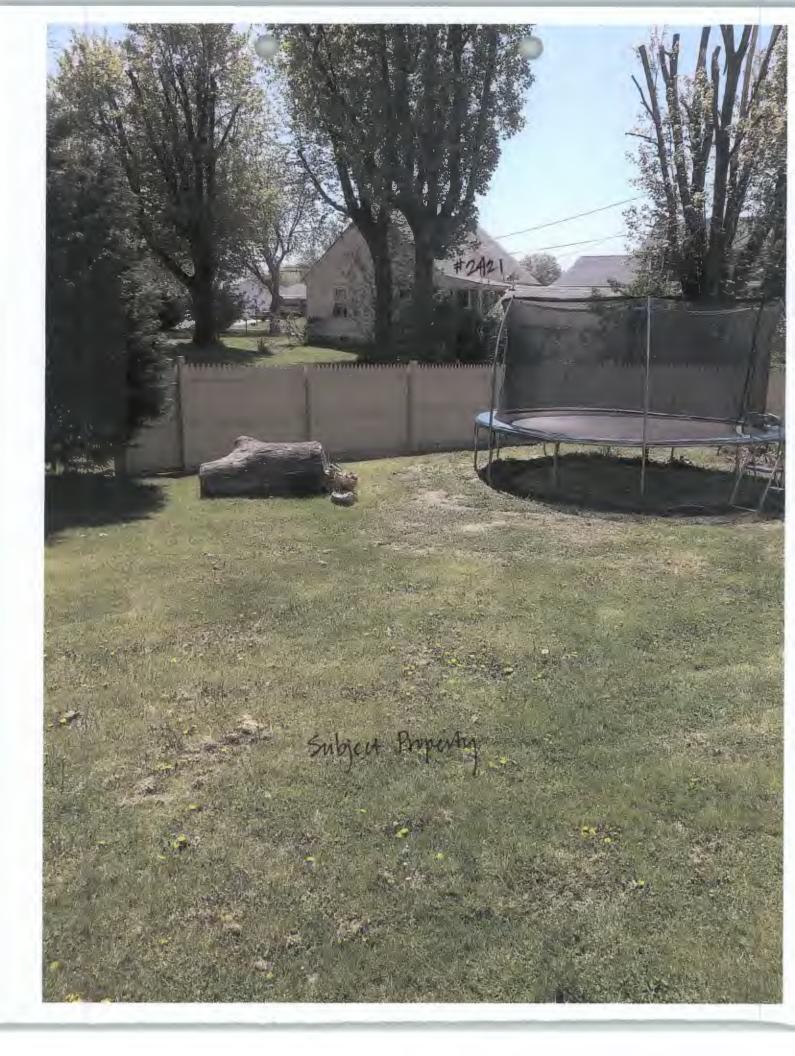






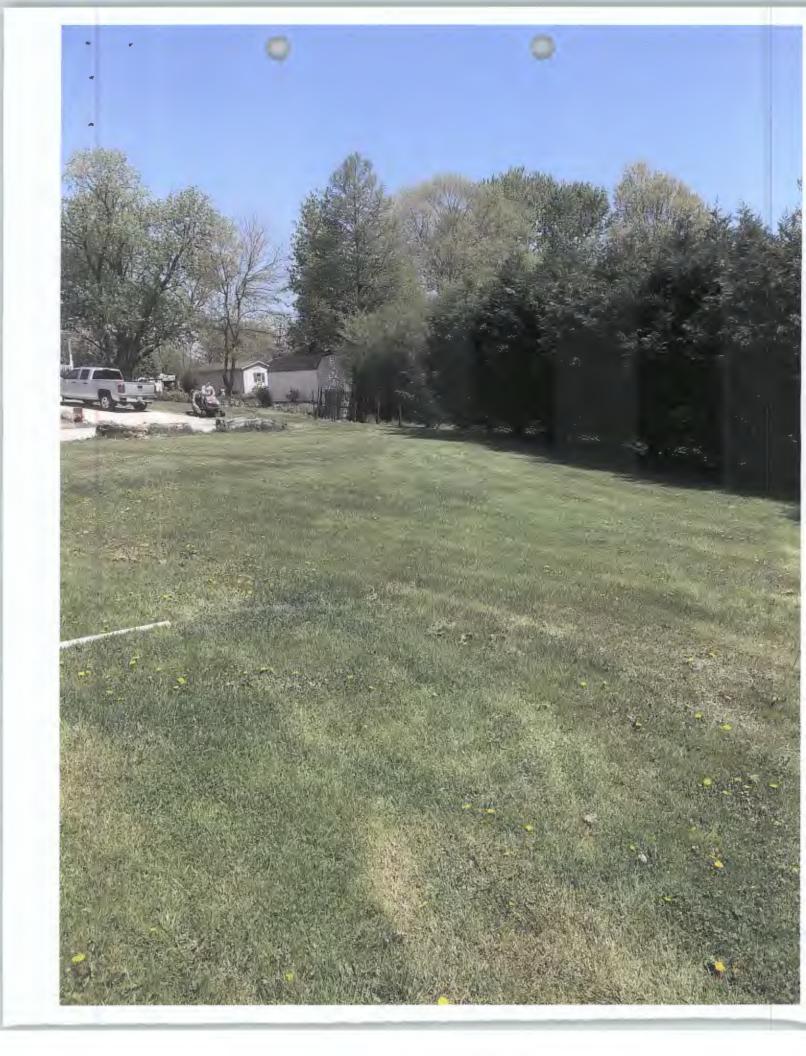












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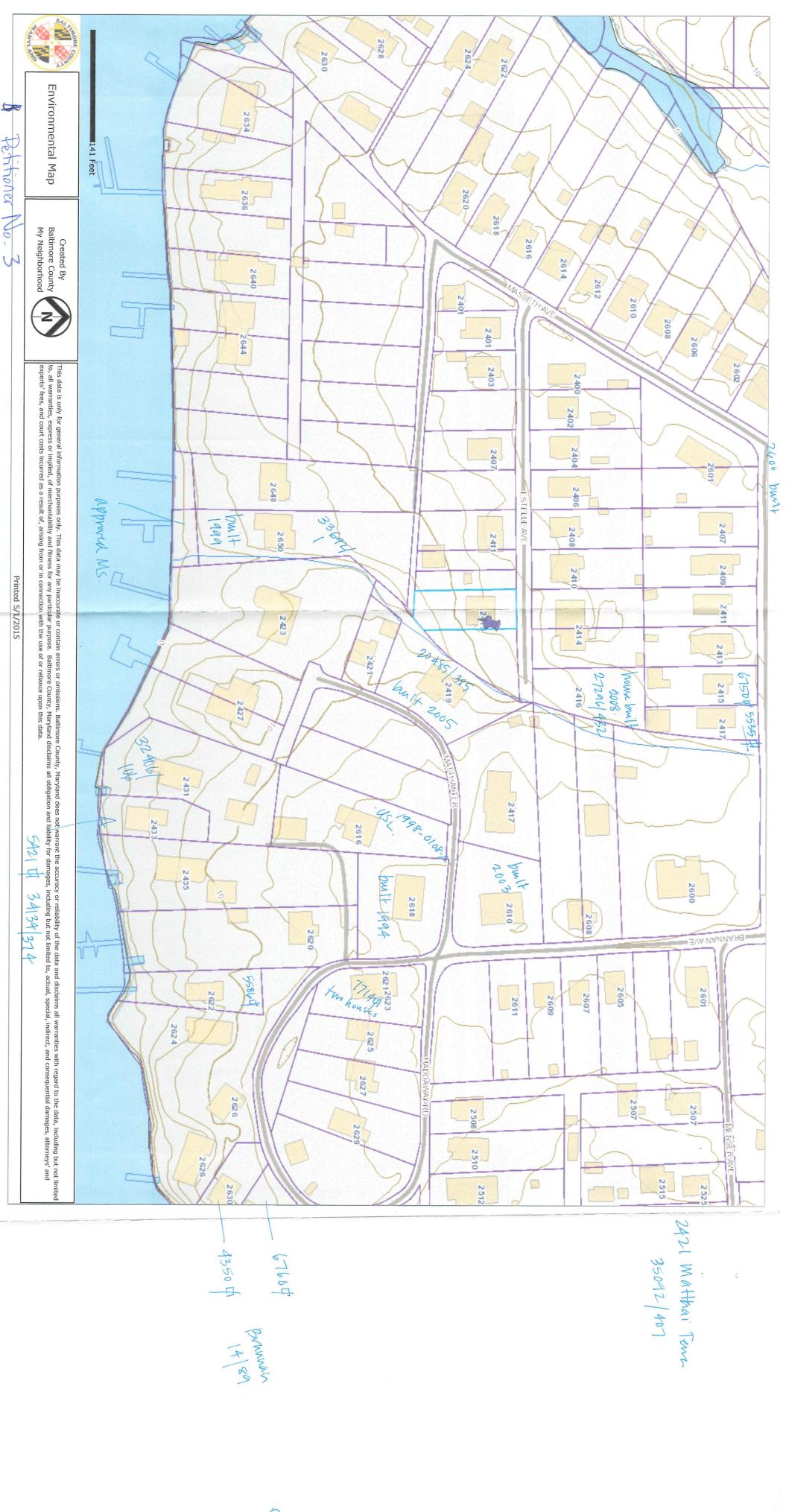
Case No.:

Exhibit Sheet

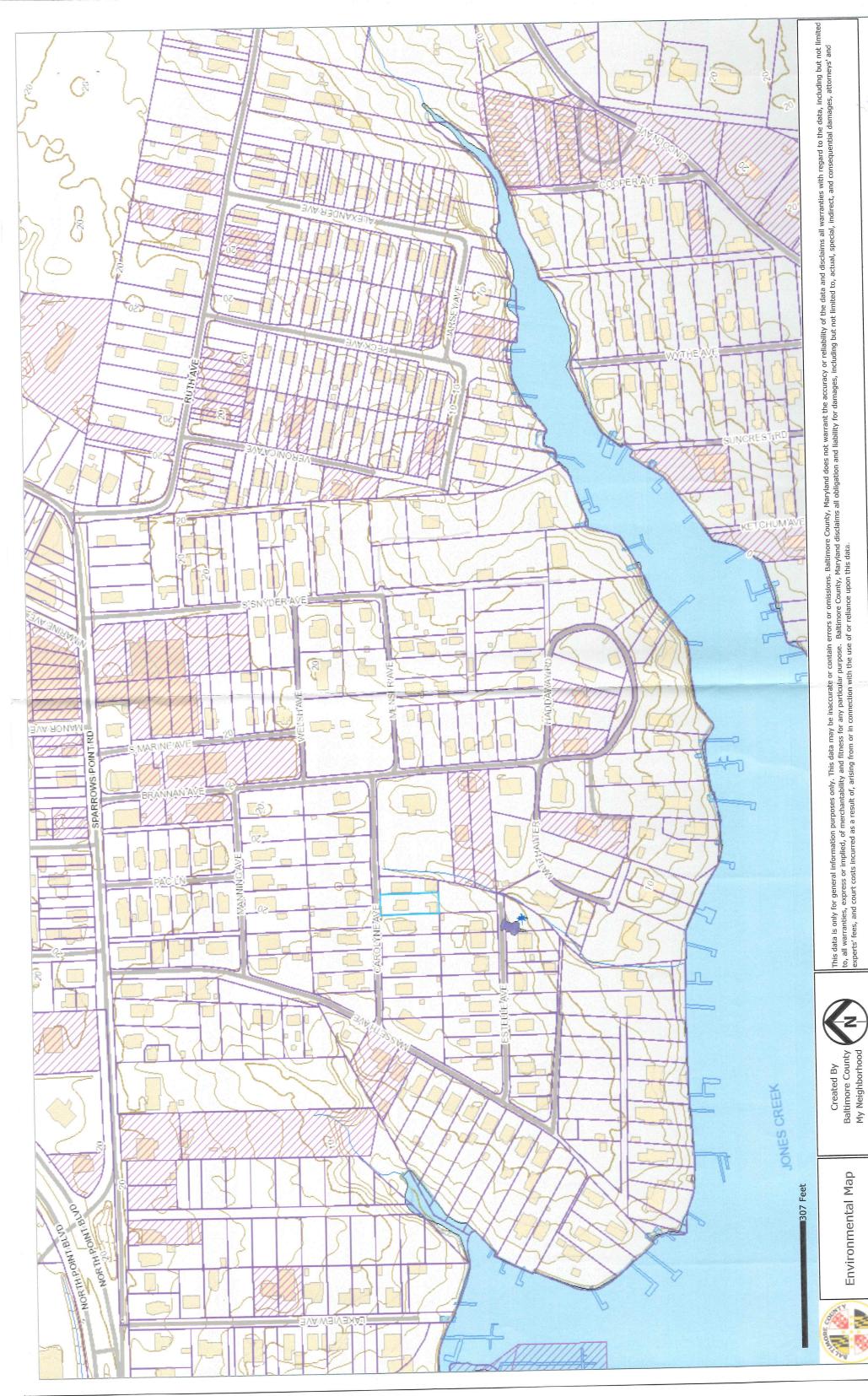
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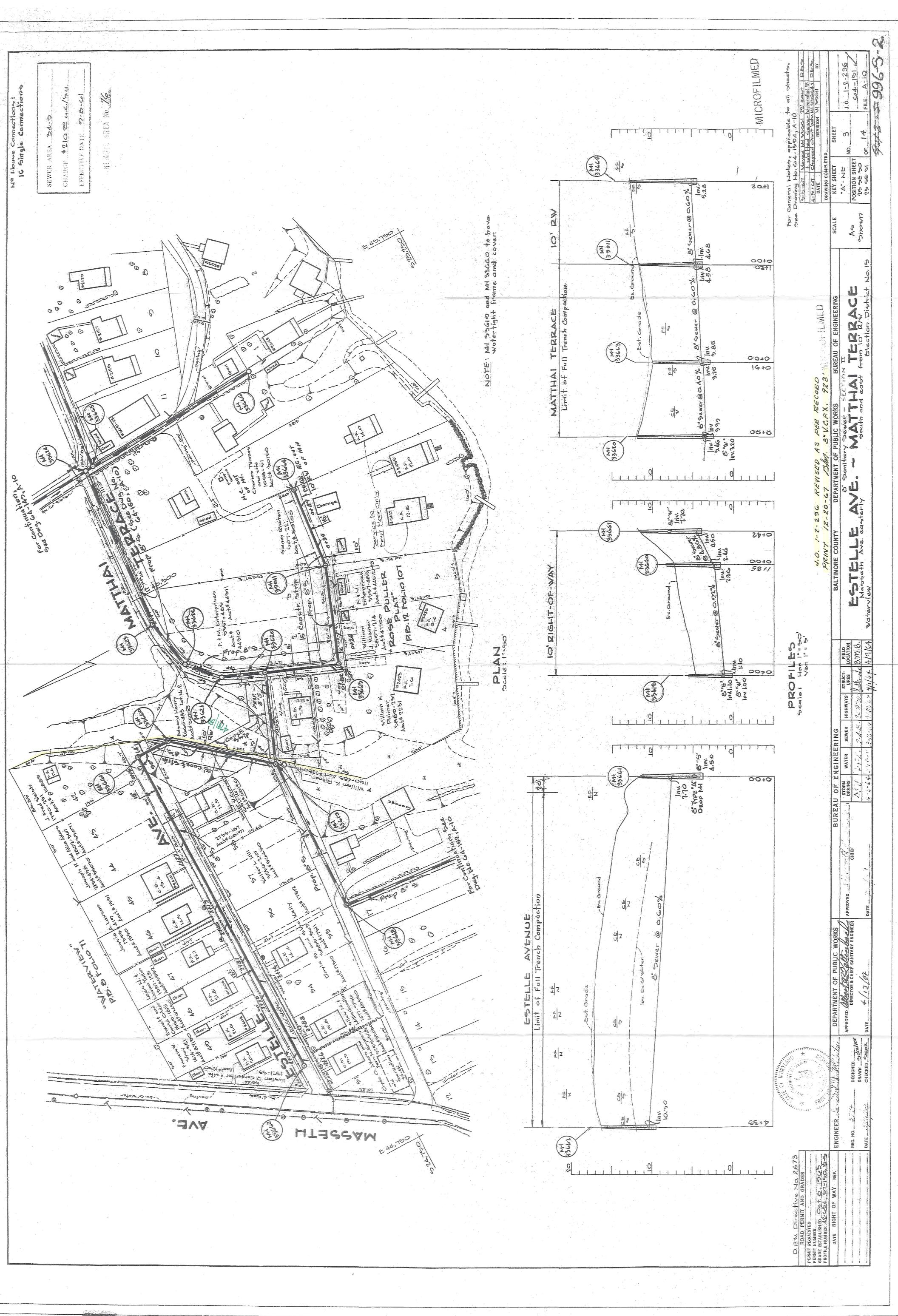
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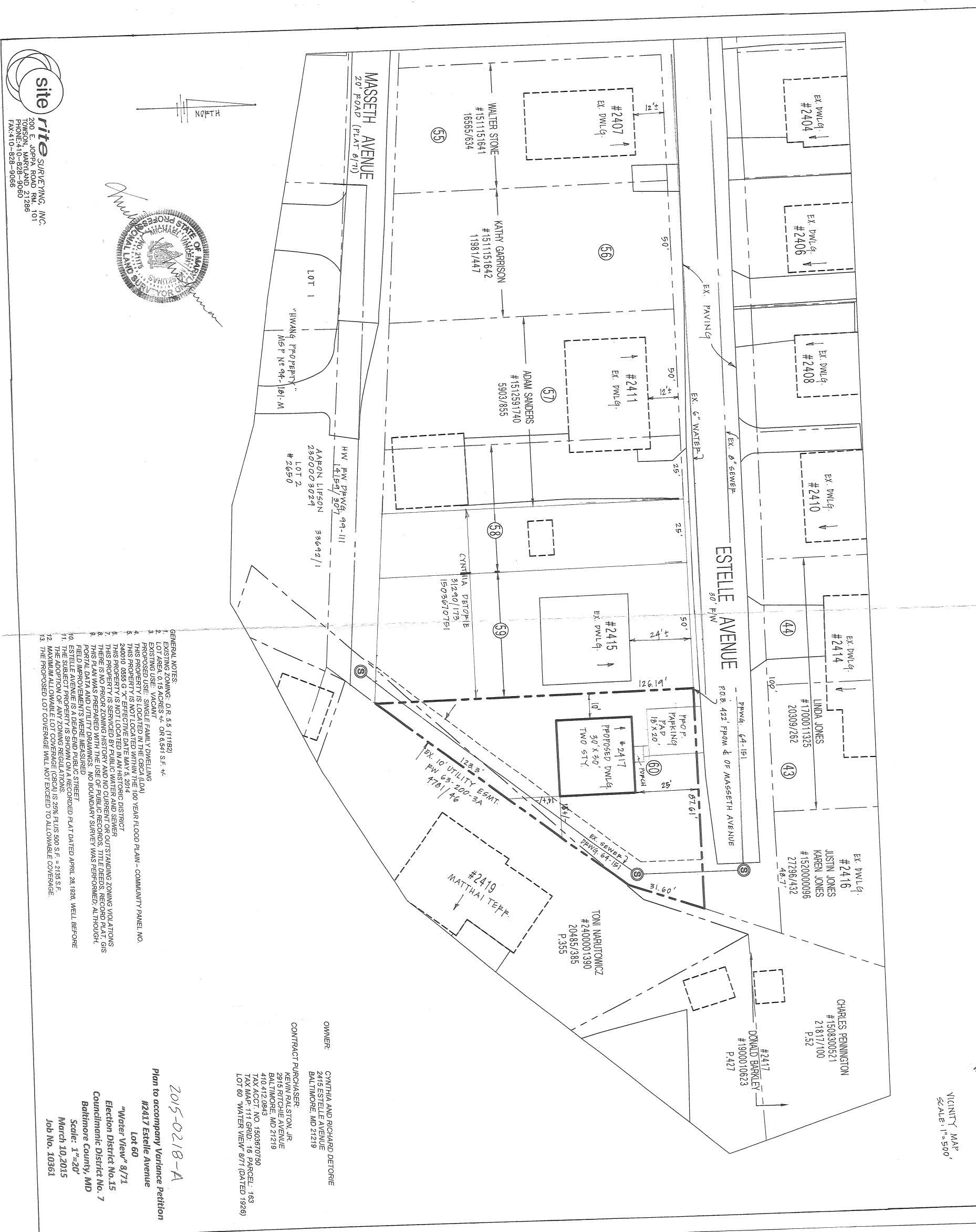


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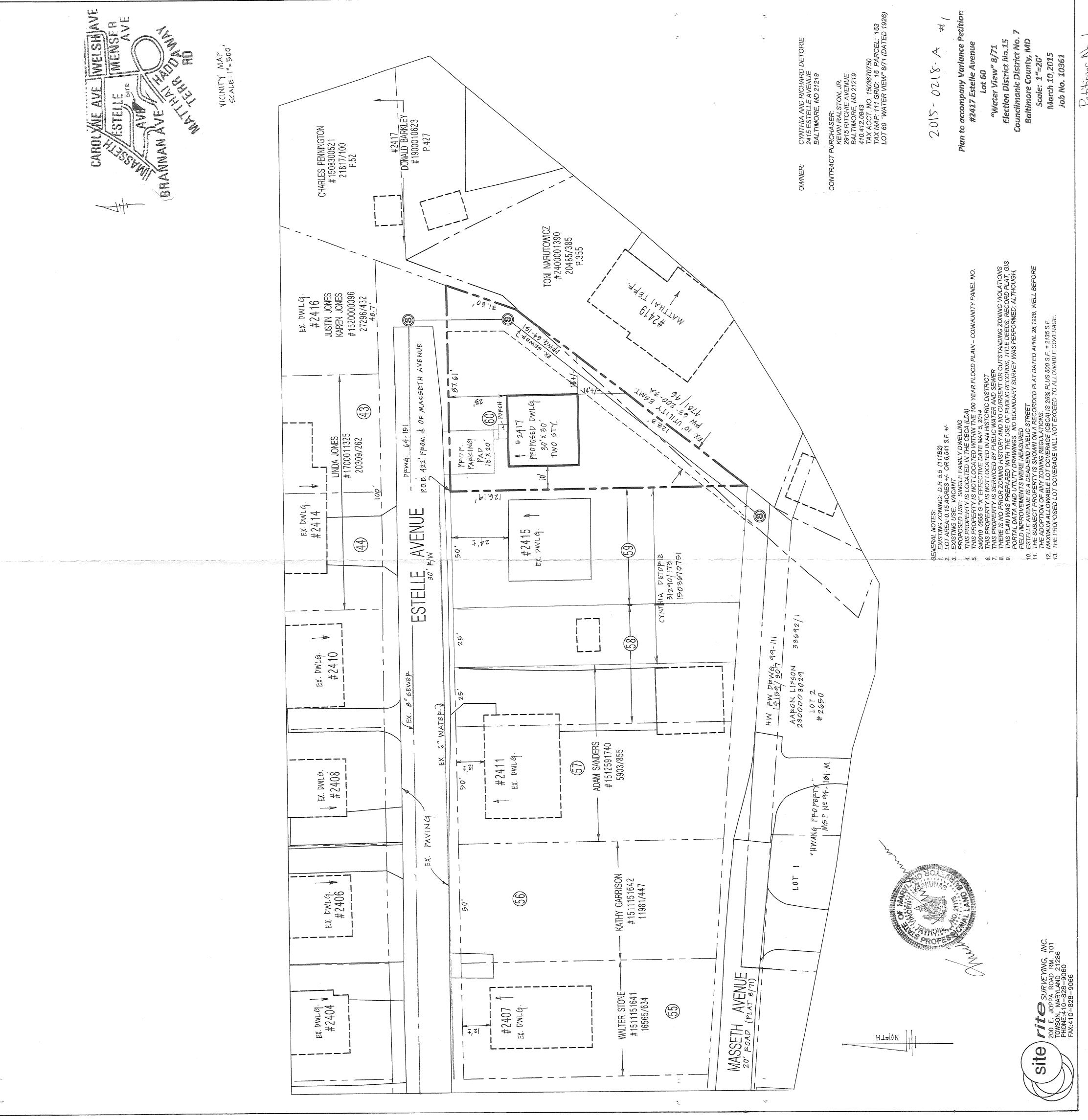
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Petitioner No. 1