

**IN RE: PETITION FOR VARIANCE**  
**(123 Oakmere Road)**  
4<sup>th</sup> Election District  
4<sup>th</sup> Council District  
Lusine Ayrapetian  
Petitioner

\* BEFORE THE  
\* OFFICE OF ADMINISTRATIVE  
\* HEARINGS FOR  
\* BALTIMORE COUNTY  
\* **CASE NO. 2015-0253-A**

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed by the legal owner, Lusine Ayrapetian, for property located at 123 Oakmere Road. The Petitioner is requesting variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition with a front yard setback of 25 ft. in lieu of the required front yard average of 37.3 ft. A revised petition was filed to permit a front setback of 31.6 feet in lieu of the required 37.3 ft. front average.

This matter was originally filed as an Administrative Variance, with a closing date of June 8, 2015. On June 4, 2015, Donald Wheeler (neighbor) requested a formal hearing on this matter. The hearing was subsequently scheduled for Thursday, July 16, 2015 at 11:00 AM in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. No substantive Zoning Advisory Committee comments were received.

The subject property is approximately 16,926 square feet, and is improved with a small single family dwelling. The present zoning is DR 3.5, although the home was constructed in 1955 and is part of the Cedarmere subdivision. The plat for the subdivision was approved by the Baltimore County Planning Commission in 1955, at which time the zoning was R6. Under the

ORDER RECEIVED FOR FILING

Date 7/23/15

By DLN

B.C.Z.R., it is the 1955 regulations that are applicable here. B.C.Z.R. §1B02.3.A.1. Under those regulations the required front yard setback is determined by averaging the setbacks of the adjoining dwellings. According to the plan, 125 Oakmere has a 35' setback, while 121 Oakmere has a setback of 53'. The average of those figures is 44', which is the required setback. County staff determined that the required setback was 37.3', but I believe that figure was obtained by averaging the front yards of all dwellings within 200' of the subject property, instead of only the adjoining improved lots.

To obtain variance relief requires a showing that:

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

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

I do not believe Petitioner has satisfied the requirements under Maryland law for variance relief. No evidence was presented that the property itself is unique, and the lot is similar in size and shape to the many others in this large subdivision. In addition, while the relief would be economically advantageous for Petitioner, the law requires more than inconvenience or increased expenses.

THEREFORE, IT IS ORDERED, this 23<sup>rd</sup> day of July, 2015 by the Administrative Law Judge for Baltimore County, that the Petition for Variance from Section 1B02.3.C.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition with a front yard setback of 25 ft. in lieu of the required front yard average of 44 ft., be and is hereby DENIED.

ORDER RECEIVED FOR FILING

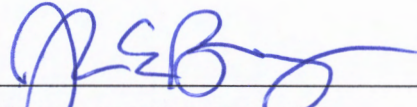
Date

7/23/15

By

Sen

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 7/23/15

By sln



# ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING  
To be filed with the Department of Permits, Approvals and Inspections

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

Address 123 Oakmere Rd., Owings Mills, MD 21117 Currently zoned DR 3.5 (vested R6)  
Deed Reference 35652 1 00260 10 Digit Tax Account # 0413040910  
Owner(s) Printed Name(s) Lusine Ayrapetian

(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)

Sections 1B02.3.C.2 and 504 (Sections 211.2 and 303.1, 1955 regs) – to permit a proposed addition with a front yard setback of 25 feet in lieu of the required front yard average of 37.3 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):

Lusine Ayrapetian  
Name #1 – Type or Print Name #2 – Type or Print  
[Signature]  
Signature #1 Signature #2  
123 Oakmere Rd., Owings Mills, MD  
Mailing Address City State  
21117 (410) 318-9020 LAyrapetian@gmail.com  
Zip Code Telephone # Email Address

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

Name- Type or Print  
Signature  
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

ORDER RECEIVED FOR FILING  
MAY 23 11 55 AM '15  
DEN

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 2015-0253-A Filing Date 5/14/15 Estimated Posting Date 5/24/15 Reviewer [Signature]



# Affidavit in Support of Administrative Variance

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

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

Address: 123 Oakmere Rd. Owings Mills MD 21117  
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)

SEE ATTACHED

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

Signature of Owner (Affiant)

Name- Print or Type

Lusine Ayrapetian

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 13th day of May, 2015, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here:

Lusine Ayrapetian

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

AS WITNESS my hand and Notaries Seal

Notary Public

My Commission Expires

Kimberly Shorn  
January 10, 2017

## 123 OAKMERE ROAD

I would like to make an old house suitable for a family with children by building a 20ft addition to add missing spaces, enlarge the bathroom, improve flow and correct expensive damp basement problem. There are several special circumstances that are pertinent to the land and the dwelling that make the property unusual and favor the addition in the front. The location of the existing power lines and a very large tree in the back of the yard make the construction of rear addition more cumbersome. The power lines run in the back of the house and supply both the house and the neighboring properties. An addition in the back would require these power lines to be moved. There is also a very large tree behind the property with minimally 2 ft in diameter that provides shade and would be cumbersome to remove. Building an addition in the back would severely damage the roots and kill the tree. The property is located on the flat plat with improper water grading leading to a wet basement. There is fungus in the walls and on the walls of the basement. A paid 3<sup>rd</sup> party wet basement specialist recommended rubberizing the outside of the cinder block walls of the basement as a means to waterproofing it fundamentally. This wetness is more pronounced in the front of the house and the back right corner when facing the front. Also, the building is over 60 years old and does not meet the current needs of a growing family. It has no dining room, no full sized bathroom, no closets, it has impractically small closets in the bedrooms and a very small kitchen with no pantry. It needs additional space to meet the current needs and to make it flow better. It was built under old area regulation requirements for R 6 Zone. Even this laxer regulation is observed in buildings nearby already. For example, according to the old regulation a minimum of 8 ft width of side yard and a minimum sum of side yard widths of 20ft are required. However, according to the GIS Map Copy obtained from the zoning review counter, the property adjacent to my property, property #125, labeled D, has a side width of 7.5 ft and property #127, next to #125, has a side width of 5 ft. In addition, the property is located at the trough of the main street's curve, giving the plot a trapezoid shape with narrowing towards the front of the house, thus naturally reducing the width of the side yard. Even under these circumstances, the current addition maintains the side yard setbacks of 10 ft on one side and 12 ft on the other, which would be alright under the old R 6 Zone requirements, are much better than the existing setbacks of neighboring properties and only differ by 3 ft from the current requirement for the sum of both sides to be 25 when it is 22. Similarly, the front yard depths vary from 20 to 53 feet within 400 ft of my property already. Also, the minimum lot width of 70 ft is not met by all properties observable on the GIS map.

Without the addition it would not be possible for me to live in this home and building the addition in the back would be much more difficult. Both the power lines and the tree are cumbersome and expensive to remove. Also the tree makes the house more energy efficient by shielding a considerable portion of the house from the sun. A front addition would expose the front basement wall and will automatically solve the waterproofing problem of the front and side walls, since they would be included in the price of the addition. Otherwise, waterproofing alone would be too expensive to complete in addition to building an addition in the back and would be out of reach financially, leaving a major fundamental problem unsolved. An addition in the front would increase the size of the very small living room, allow for a larger bathroom, a closet space at the entrance, a linen closet, ensure a proper flow from the living room to a dining room, where as the one in the back would leave the small bathroom problem, as well as the lack of closets problem.

It should be noted that the owners of adjacent lots do not have any objection to the proposed addition. The addition will improve the appearance and the average property values in the neighborhood. The general welfare and the enjoyment of the view and or property of the neighbors are not affected; therefore the proposal currently presented is consistent with the spirit and intent of the current area regulations. Also, the proposed addition will be designed to blend architecturally with the existing dwelling and the neighborhood.

# ZONING PROPERTY DESCRIPTION FOR 123 OAKMERE ROAD

Beginning at a point on the south side of Oakmere Road, which has a 50-foot right of way, at the distance of 230 feet (+/-) east of the centerline of the nearest improved intersecting street Cedarmere Road, which has a 50-foot right of way. Being Lot #9, Block G, Section D, in the subdivision of Cedarmere as recorded in Baltimore County Plat Book #21, Folio #41, containing 16,926 square feet. Located in the 4<sup>th</sup> Election District and the 4<sup>th</sup> Councilmanic District.

Item #0253

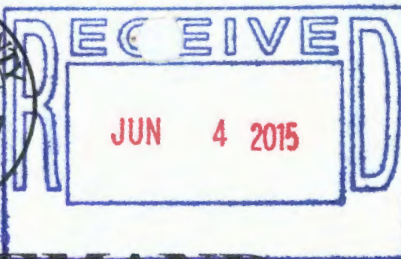


# CERTIFICATE OF POSTING

RE: Case No. 2015-0253-A

Petitioner: Lusine Ayrapietian

Hearing / Closing Date: 6/8/15



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R

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## FORMAL DEMAND FOR HEARING

CASE NUMBER: 2015-0253 A

Address: 123 Oakmere Rd

Petitioner(s): LUSINE Ayrapietian

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We Donald Wheeler  
Name - Type or Print

☒ Legal Owner OR ☐ Resident of

125 Oakmere Rd  
Address

Cowings Mills md 21117  
City State Zip Code

443 326 6515  
Telephone Number

which is located approximately \_\_\_\_\_ feet from the property, which is the subject of the above petition, **do hereby formally demand that a public hearing be set in this matter.**  
**ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS DEMAND.**

[Signature] 6/4/15  
Signature Date

Signature \_\_\_\_\_ Date \_\_\_\_\_  
Revised 9/18/98 - wcr/scj

Signature(s)

5/24/15

man

Drive

21047

1360

# Certificate of Posting

Case No. 2015-0253-A



123 Oakmere Road

(posted 5/24/15)

*Richard E. Hoffman* 5/24/14  
Richard E. Hoffman

904 Dellwood Drive  
Fallston, Md. 21047  
(443-243-7360)



**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 2015- 0253 -A Address 123 Oakmere Rd

Contact Person: David Duvall Phone Number: 410-887-3391  
Planner, Please Print Your Name

Filing Date: 5/14/15 Posting Date: 5/24/15 Closing Date: 6/8/15

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

- 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.
- 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.
- 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.
- 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- 0253 -A Address 123 Oakmere Rd

Petitioner's Name Lusine Ayrapetian Telephone 410 318 9020

Posting Date: 5/24/15 Closing Date: 6/8/15

Wording for Sign: To Permit a proposed addition with a front yard  
setback of 25 feet in lieu of the required front yard  
average of 35.3 feet

Revised 7/18/14

# DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

## ZONING REVIEW

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/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 petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

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#### For Newspaper Advertising:

Item Number or Case Number: 2015-0253-A

Petitioner: Lusine Ayrapietian

Address or Location: 123 Oakmere Rd

#### PLEASE FORWARD ADVERTISING BILL TO:

Name: Lusine Ayrapietian

Address: 123 Oakmere Rd

Owings Mills MD

21117

Telephone Number: 410.318.9020





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 3373787

**Sold To:**

Lusine Ayrapetian - CU00452302  
123 Oakmere Rd  
Owings Mills, MD 21117-2418

**Bill To:**

Lusine Ayrapetian - CU00452302  
123 Oakmere Rd  
Owings Mills, MD 21117-2418

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

Jun 25, 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: # 2015-0253-A**  
123 Oakmere Road  
S/s Oakmere Road, 230 ft. SE of Cedarmere Road  
4th Election District - 4th Councilmanic District  
Legal Owner(s) Lusine Ayrapetian

**Variance:** to permit a proposed addition with a front yard setback of 25 feet in lieu of the required front yard average of 37.3 feet.

**Hearing: Thursday, July 16, 2015 at 11:00 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.

6/336 June 25 3373787

## CERTIFICATE OF POSTING

RE: Case No. 2015-0253-A

Petitioner: Lusine Ayrapietian

Hearing / Closing Date: 7/16/15

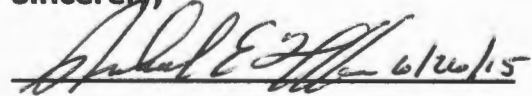
Baltimore County Department of  
Permits and Development Management  
Room 111, County Office Building  
111 W. Chesapeake Ave.  
Towson, Md. 21204

This letter is to confirm, under penalties of perjury, that the necessary sign(s)  
were posted conspicuously on the property located at \_\_\_\_\_

123 Oakmere Road

on 6/26/15

Sincerely,

 6/26/15

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

# Certificate of Posting

Case No. 2015-0253-A



123 Oakmere Road

(Posted 6/26/15)

*Richard E. Hoffman* 6/26/15

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360





KEVIN KAMENETZ  
County Executive

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

June 10, 2015

## 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: 2015-0253-A**

123 Oakmere Road  
S/s Oakmere Road, 230 ft. SE of Cedarmere Road  
4<sup>th</sup> Election District – 4<sup>th</sup> Councilmanic District  
Legal Owners: Lusine Ayrapetian

Variance to permit a proposed addition with a front yard setback of 25 feet in lieu of the required front yard average of 37.3 feet.

Hearing: Thursday, July 16, 2015 at 11:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon  
Director

AJ:kl

C: Lusine Ayrapetian, 123 Oakmere Road, Owings Mills 21117  
Donald Wheeler, 125 Oakmere Road, Owings Mills 21117

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JUNE 26, 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, June 25, 2015 Issue - Jeffersonian

Please forward billing to:  
Lusine Ayrapietian  
123 Oakmere Road  
Owings Mills, MD 21117

410-318-3020

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### NOTICE OF ZONING HEARING

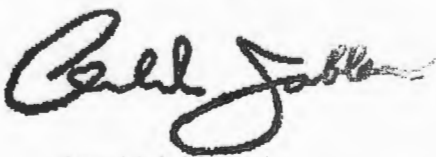
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

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123 Oakmere Road  
S/s Oakmere Road, 230 ft. SE of Cedarmere Road  
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Legal Owners: Lusine Ayrapietian

Variance to permit a proposed addition with a front yard setback of 25 feet in lieu of the required front yard average of 37.3 feet.

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105 West Chesapeake Avenue, Towson 21204

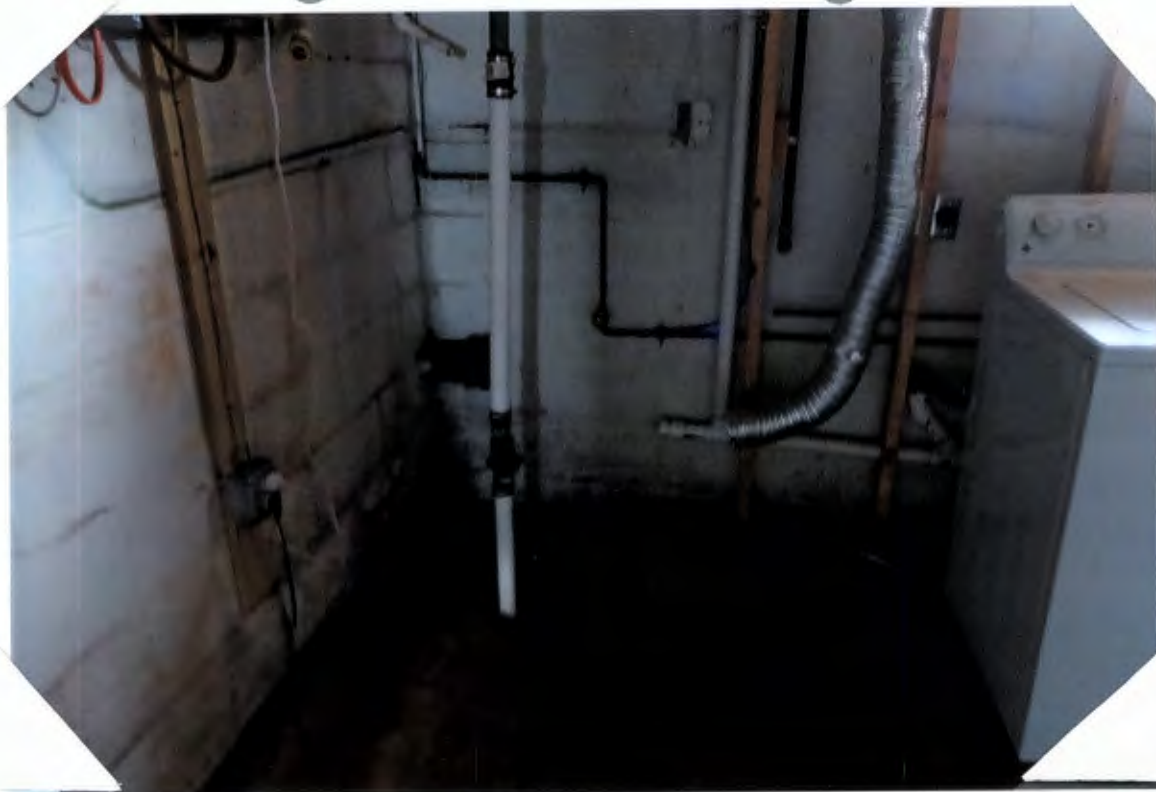


Arnold Jablon  
Director of Permits, Approvals and Inspections for Baltimore County

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

Basement Back Right  
Corner

Fungal  
Wall →



Basement Front Right  
Corner

Fungal wall  
↓





Right



Left





# 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 123 Oakmere Rd. Owings Mills, MD 21117 which is presently zoned DR 3.5/Vested R6

Deed References: 35652/00260 10 Digit Tax Account # \_\_\_\_\_

Property Owner(s) Printed Name(s) Lusine Ayrapietian

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

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

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

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

3. ☒ a Variance from Section: 1B01.2.C.2. and 504 (Sections 211.2; 303.1; 1955 Regulations)

To permit an addition and an open front porch with a front setback of 31.6feet in lieu of the required 37.3feet front average.

5.7 Foot Set Back

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)

(2)

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

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

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

## Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

## Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

## Legal Owners (Petitioners):

Lusine Ayrapietian

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

123 Oakmere Rd. Owings Mills, MD

Mailing Address City State

21117 , (410) 318-9020 , LAyrapietian@gmail.com

Zip Code Telephone # Email Address

## Representative to be contacted:

Name - Ty

Signature

Mailing Address

Zip Code Telephone # Email Address

PETITIONER'S

EXHIBIT NO. 2

CASE NUMBER 2015-0253-A

Filing Date      /      /     

Do Not Schedule Dates: \_\_\_\_\_

Reviewer \_\_\_\_\_

Revised

Case No.:

2015-253-A

Exhibit Sheet

Petitioner/Developer

DW  
8-25-15

Protestants

slu  
4-23-15

|        |                                       |                    |
|--------|---------------------------------------|--------------------|
| No. 1  | Site plan                             | Photos of setbacks |
| No. 2  | revised site plan                     |                    |
| No. 3  | photos of interior + exterior of home |                    |
| No. 4  |                                       |                    |
| No. 5  |                                       |                    |
| No. 6  |                                       |                    |
| No. 7  |                                       |                    |
| No. 8  |                                       |                    |
| No. 9  |                                       |                    |
| No. 10 |                                       |                    |
| No. 11 |                                       |                    |
| No. 12 |                                       |                    |





Prop Cor,

PROTESTANT' S

EXHIBIT NO. 1



Prop line



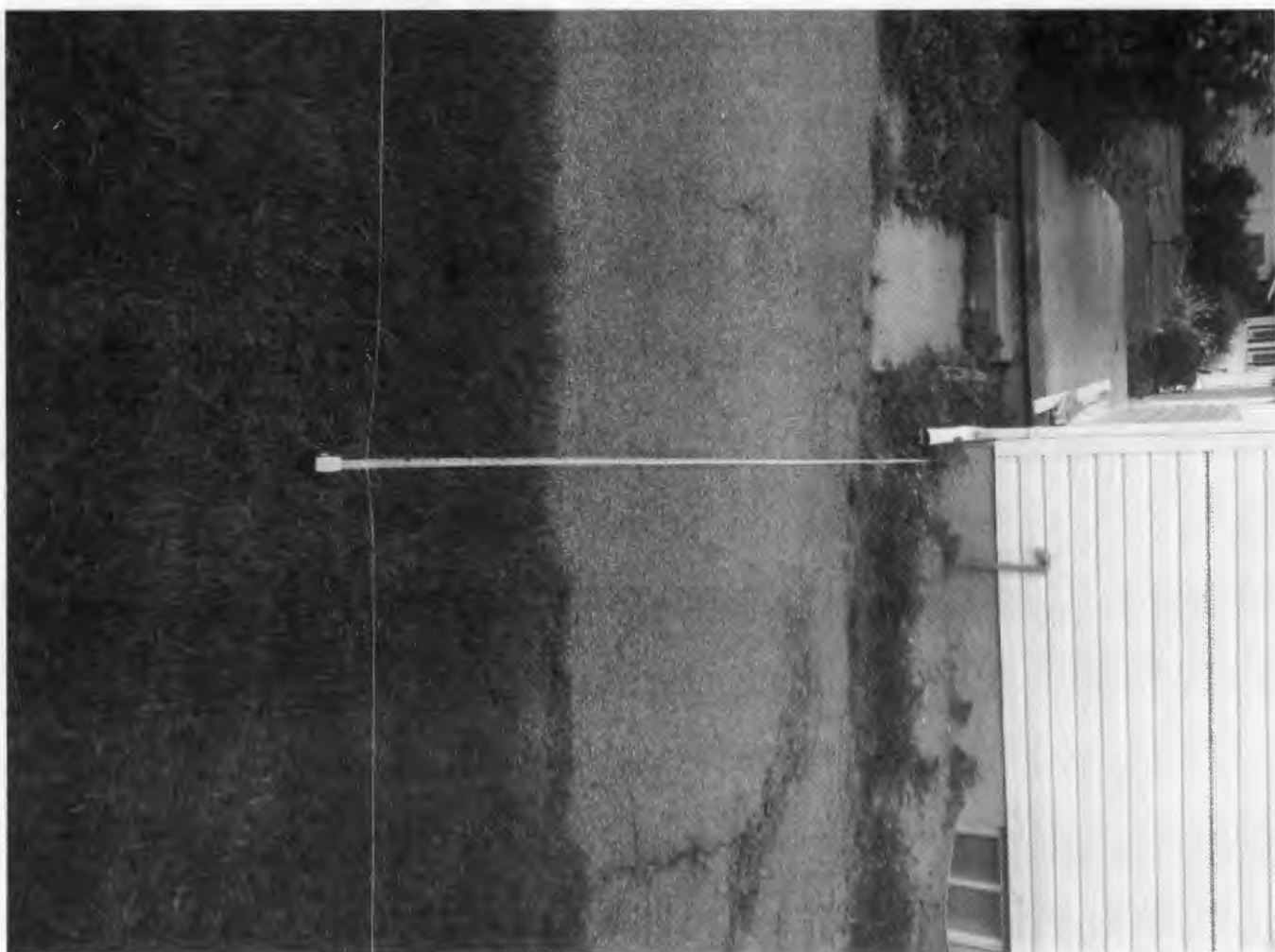
Front to  
Drag Car





Prop line

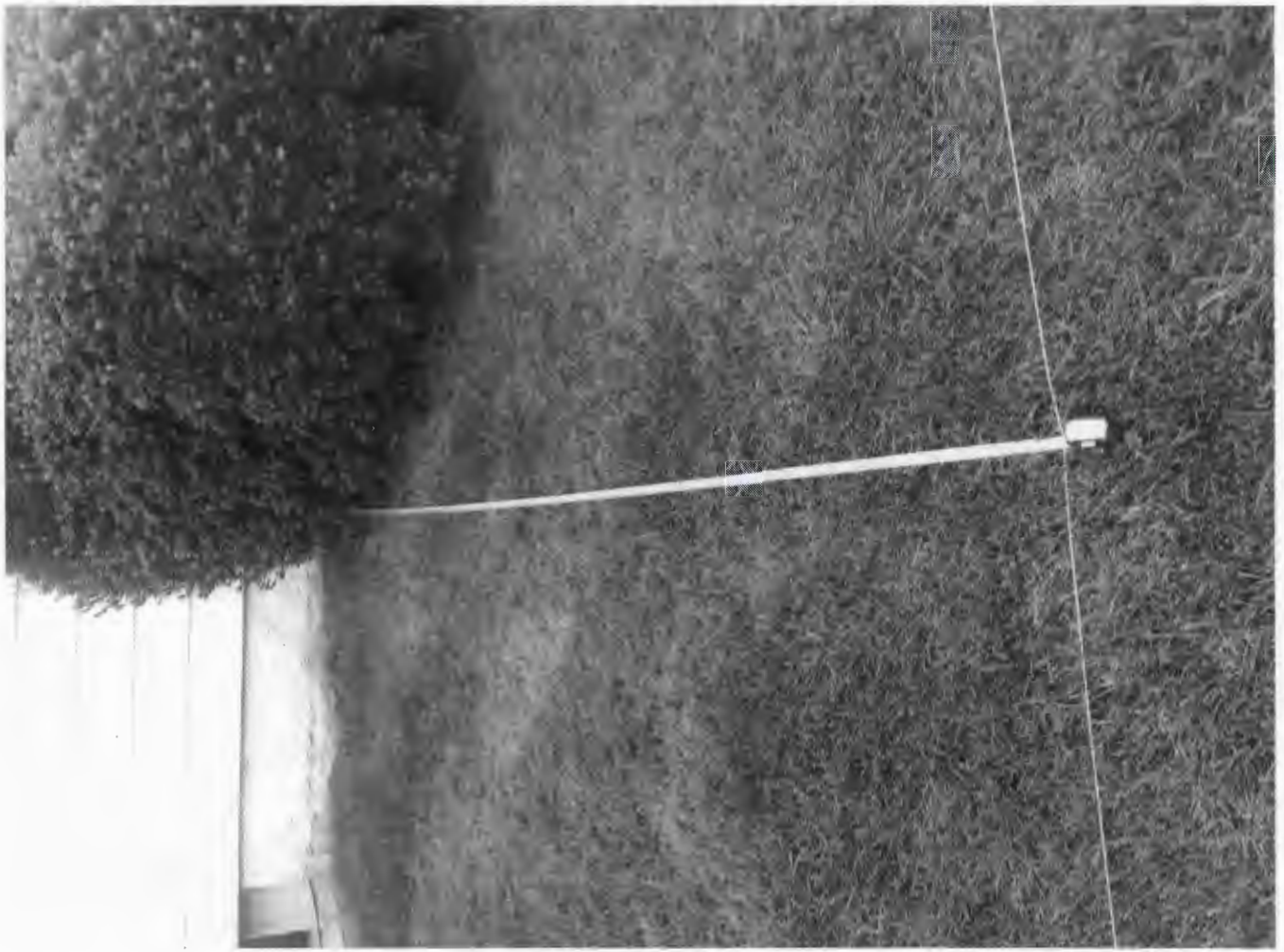
123 To line





123 New to line

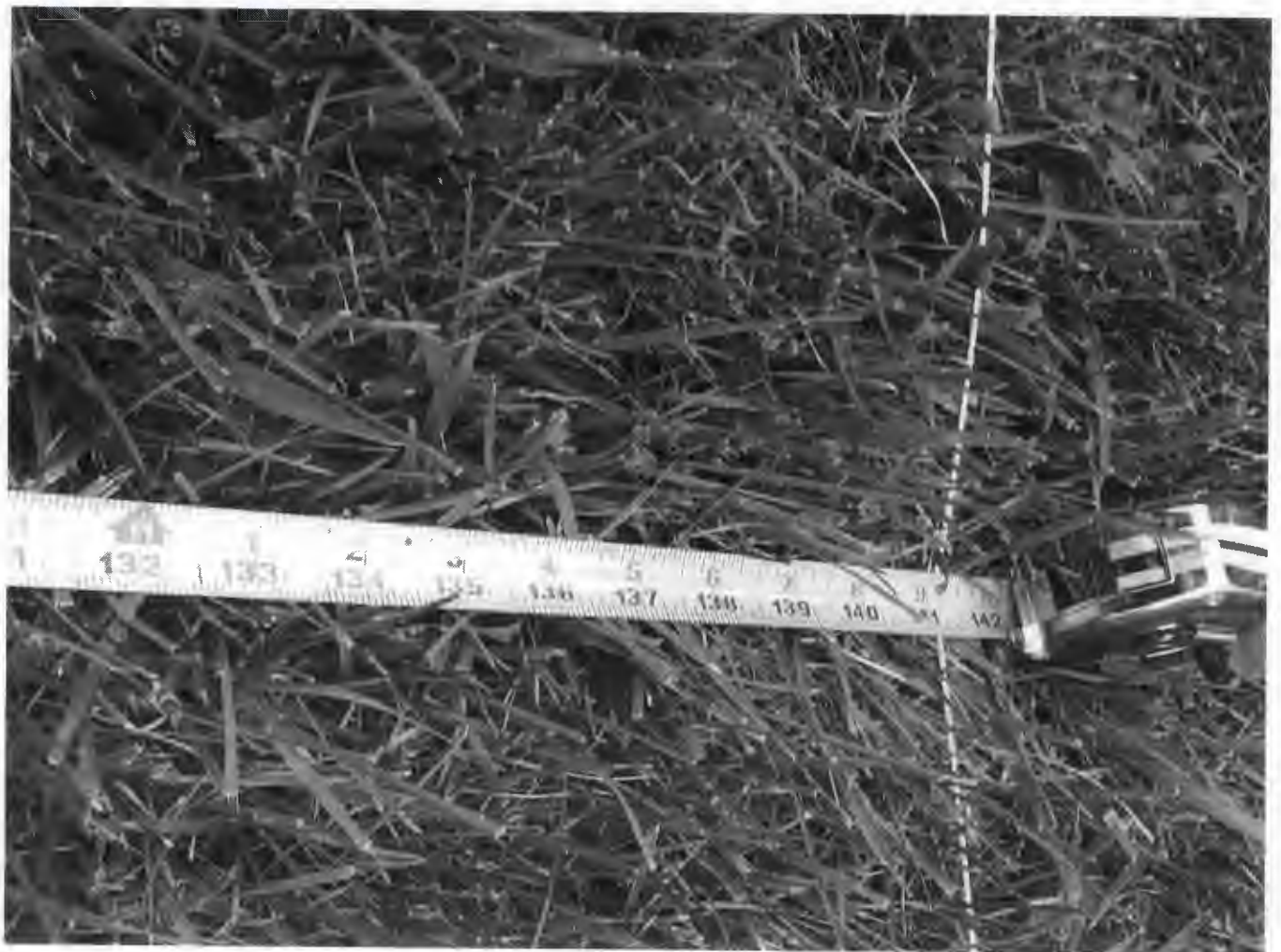




my House to line

125 to line

125 to prog line New



410.470.6713

bge.com

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**From:** Big Don [mailto:dw6607@verizon.net]**Sent:** Wednesday, July 08, 2015 8:49 AM**To:** King, Kristin L:(BGE)**Subject:** RE: Contact Information

Good morning

I spoke with you about concerns of a easement on a utility poll between the propertys of 125 & 123:Oakmere rd  
owings mills 21117.

This pole provides power to 123 & 123 Oakmere rd.

The lines to 121 Oakmere stretch across the property of 123 Oakmere rd

Can you provide me with information to how close 121 Oakmere lines can be to the dwelling of 123 Oakmere.

And if a pole in put between 123 & 121 Oakmere does the create a new easement as well

Thank you

Don Wheeler

A

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: "King, Kristin L:(BGE)"

Date:06/30/2015 1:51 PM (GMT-05:00)

To: dw6607@verizon.net

Subject: Contact Information

Mr. Wheeler,

It was nice to talk to you this afternoon. Should you have any additional questions or concerns do not hesitate to reach out to me.

**Kristin King**  
Real Estate Specialist  
Real Estate

1068 N. Front Street  
Room 302  
Baltimore, Maryland 21202  
Phone 410.470.6713  
bge.com

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## MEMORANDUM

DATE: August 25, 2015  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2015-0253-A – Appeal Period Expired

---

The appeal period for the above-referenced case expired on August 24, 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

PLEASE PRINT CLEARLY

CASE NAME

CASE NUMBER 2015-253

DATE 7/16/2015

## PETITIONER'S SIGN-IN SHEET

[illegible]

PLEASE PRINT CLEARLY

CASE NAME \_\_\_\_\_

CASE NUMBER 2015-253

DATE 7-16-2015

# CITIZEN'S SIGN - IN SHEET

NAME \_\_\_\_\_

ADDRESS

CITY, STATE, ZIP

## E - MAIL

[illegible]



CASE NO. 2015- 0253-A

CHECKLIST

Comment  
Received

Department

Support/Oppose/  
Conditions/  
Comments/  
No Comment

5/29

DEVELOPMENT PLANS REVIEW  
(if not received, date e-mail sent \_\_\_\_\_)

N/C

DEPS  
(if not received, date e-mail sent \_\_\_\_\_)

FIRE DEPARTMENT

PLANNING  
(if not received, date e-mail sent \_\_\_\_\_)

5/20

STATE HIGHWAY ADMINISTRATION

No Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. \_\_\_\_\_)

PRIOR ZONING (Case No. \_\_\_\_\_)

NEWSPAPER ADVERTISEMENT Date: 6/25

SIGN POSTING Date: 6/26

by Hoffman

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                 |                              |                             |                 |          |           |
|-----------------------------------------------------|-----------------|--------------------------------------------------|----------------------|-------------------------------|-----------------------|----------------------------------------------|------------------------------|-----------------------------|-----------------|----------|-----------|
| <b>Account Identifier:</b>                          |                 | <b>District - 04 Account Number - 0413040910</b> |                      |                               |                       |                                              |                              |                             |                 |          |           |
| <b>Owner Information</b>                            |                 |                                                  |                      |                               |                       |                                              |                              |                             |                 |          |           |
| <b>Owner Name:</b>                                  |                 | AYRAPETIAN LUSINE                                |                      |                               |                       | <b>Use:</b>                                  |                              | RESIDENTIAL                 |                 |          |           |
| <b>Mailing Address:</b>                             |                 | 123 OAKMERE RD<br>OWINGS MILLS MD 21117-2418     |                      |                               |                       | <b>Principal Residence:</b>                  |                              | YES                         |                 |          |           |
|                                                     |                 |                                                  |                      |                               |                       | <b>Deed Reference:</b>                       |                              | /35852/ 00260               |                 |          |           |
| <b>Location &amp; Structure Information</b>         |                 |                                                  |                      |                               |                       |                                              |                              |                             |                 |          |           |
| <b>Premises Address:</b>                            |                 | 123 OAKMERE RD<br>0-0000                         |                      |                               |                       | <b>Legal Description:</b>                    |                              | 123 OAKMERE RD<br>CEDARMERE |                 |          |           |
| <b>Map:</b>                                         | <b>Grid:</b>    | <b>Parcel:</b>                                   | <b>Sub District:</b> | <b>Subdivision:</b>           | <b>Section:</b>       | <b>Block:</b>                                | <b>Lot:</b>                  | <b>Assessment Year:</b>     | <b>Plat No:</b> | <b>A</b> |           |
| 0058                                                | 0007            | 0085                                             |                      | 0000                          | D                     | G                                            | 9                            | 2013                        |                 |          | 0021/0041 |
| <b>Special Tax Areas:</b>                           |                 |                                                  |                      |                               |                       | <b>Town:</b>                                 |                              | NONE                        |                 |          |           |
|                                                     |                 |                                                  |                      |                               |                       | <b>Ad Valorem:</b>                           |                              |                             |                 |          |           |
|                                                     |                 |                                                  |                      |                               |                       | <b>Tax Class:</b>                            |                              |                             |                 |          |           |
| <b>Primary Structure Built</b>                      |                 | <b>Above Grade Enclosed Area</b>                 |                      | <b>Finished Basement Area</b> |                       | <b>Property Land Area</b>                    |                              | <b>County Use</b>           |                 |          |           |
| 1955                                                |                 | 925 SF                                           |                      | 287 SF                        |                       | 16,926 SF                                    |                              | 04                          |                 |          |           |
| <b>Stories</b>                                      | <b>Basement</b> | <b>Type</b>                                      |                      | <b>Exterior</b>               | <b>Full/Half Bath</b> | <b>Garage</b>                                | <b>Last Major Renovation</b> |                             |                 |          |           |
| 1                                                   | YES             | STANDARD UNIT                                    |                      | SIDING                        | 1 full                |                                              |                              |                             |                 |          |           |
| <b>Value Information</b>                            |                 |                                                  |                      |                               |                       |                                              |                              |                             |                 |          |           |
|                                                     |                 | <b>Base Value</b>                                |                      | <b>Value As of 01/01/2013</b> |                       | <b>Phase-in Assessments As of 07/01/2014</b> |                              | <b>As of 07/01/2015</b>     |                 |          |           |
| <b>Land:</b>                                        |                 | 87,900                                           |                      | 66,900                        |                       |                                              |                              |                             |                 |          |           |
| <b>Improvements</b>                                 |                 | 74,300                                           |                      | 69,900                        |                       |                                              |                              |                             |                 |          |           |
| <b>Total:</b>                                       |                 | 162,200                                          |                      | 136,800                       |                       | 136,800                                      |                              | 136,800                     |                 |          |           |
| <b>Preferential Land:</b>                           |                 | 0                                                |                      |                               |                       |                                              |                              | 0                           |                 |          |           |
| <b>Transfer Information</b>                         |                 |                                                  |                      |                               |                       |                                              |                              |                             |                 |          |           |
| <b>Seller: ARGUETA JOSE M ARGUETA ELSA</b>          |                 |                                                  |                      | <b>Date: 12/12/2014</b>       |                       |                                              |                              | <b>Price: \$170,000</b>     |                 |          |           |
| <b>Type: ARMS LENGTH IMPROVED</b>                   |                 |                                                  |                      | <b>Deed1: /35652/ 00260</b>   |                       |                                              |                              | <b>Deed2:</b>               |                 |          |           |
| <b>Seller: RTM LLC</b>                              |                 |                                                  |                      | <b>Date: 12/07/2006</b>       |                       |                                              |                              | <b>Price: \$259,900</b>     |                 |          |           |
| <b>Type: ARMS LENGTH IMPROVED</b>                   |                 |                                                  |                      | <b>Deed1: /24880/ 00172</b>   |                       |                                              |                              | <b>Deed2:</b>               |                 |          |           |
| <b>Seller: MERRYMAN BETTY ANN</b>                   |                 |                                                  |                      | <b>Date: 01/05/2006</b>       |                       |                                              |                              | <b>Price: \$150,000</b>     |                 |          |           |
| <b>Type: NON-ARMS LENGTH OTHER</b>                  |                 |                                                  |                      | <b>Deed1: /23182/ 00048</b>   |                       |                                              |                              | <b>Deed2:</b>               |                 |          |           |
| <b>Exemption Information</b>                        |                 |                                                  |                      |                               |                       |                                              |                              |                             |                 |          |           |
| <b>Partial Exempt Assessments:</b>                  |                 | <b>Class</b>                                     |                      | <b>07/01/2014</b>             |                       | <b>07/01/2015</b>                            |                              |                             |                 |          |           |
| <b>County:</b>                                      |                 | 000                                              |                      | 0.00                          |                       |                                              |                              |                             |                 |          |           |
| <b>State:</b>                                       |                 | 000                                              |                      | 0.00                          |                       |                                              |                              |                             |                 |          |           |
| <b>Municipal:</b>                                   |                 | 000                                              |                      | 0.00 0.00                     |                       | 0.00 0.00                                    |                              |                             |                 |          |           |
| <b>Tax Exempt:</b>                                  |                 |                                                  |                      | <b>Special Tax Recapture:</b> |                       |                                              |                              |                             |                 |          |           |
| <b>Exempt Class:</b>                                |                 |                                                  |                      | NONE                          |                       |                                              |                              |                             |                 |          |           |
| <b>Homestead Application Information</b>            |                 |                                                  |                      |                               |                       |                                              |                              |                             |                 |          |           |
| <b>Homestead Application Status: No Application</b> |                 |                                                  |                      |                               |                       |                                              |                              |                             |                 |          |           |

Baltimore County

[New Search \(http://sdat.resiusa.org/RealProperty\)](http://sdat.resiusa.org/RealProperty)District: **04** Account Number: **0413040910**

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) (<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://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

July 9, 2015

Lusine Ayrapetian  
123 Oakmere Road  
Owings Mills MD 21117

RE: Case Number: 2015-0253 A, Address: 123 Oakmere Road

Dear Ms. Ayrapetian:

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

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is fluid and cursive.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

Larry Hogan, Governor  
Boyd Rutherford, Lt. Governor



Pete K. Rahn, Secretary

Date: 5/20/15

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

RE: Baltimore County  
Item No 2015-0253-A  
*Administrative Variance*  
*Lusine Apartments*  
*123 Oakmere 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. *2015-0253-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,

A handwritten signature in black ink, appearing to read "Brian Romanowski".  
Brian Romanowski, Chief  
Access Management Division

BR/raz

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

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

**DATE:** May 29, 2015

**FROM:** <sup>DAK</sup> Dennis A. Kennedy, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For May 25, 2015  
Item No. 2015-0248, 0249, 0252, 0253, 0254 and 0255

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\ZAC05252015.doc





**Home inspection, Restoration and  
Assessment, Home Repairs,  
Recommendation, Waterproofing and  
Scope of Work**

**123 Oakmere Rd OM 21117**

Provided by MJ Home Services & Flood Restoration  
4367 Hollins Ferry Rd Baltimore MD 21225 Suite 3B  
MHIC #131827

*Item #0253*



Customer Name: Lucy Ayrapetian

Contact Information: 410-318-9020

Date of Inspection: 4-11-15

Customer Address: 123 Oakmere Rd OM 21117

*MJ Home Services representative* performed an inspection at the property address listed. The following deficiencies and conditions were found:

Recommendations and Findings and Report.

- **Customer has a rental property that she is trying to get it rent ready.**
- **Basement has structure cracks inside and outside that is caused seepage in and caused mold to grow**
- **There is a sump pump system with waffle board that needs to be sealed up as this is allowing moisture to come up through ground through waffle board and into home. Unless this is sealed up and home is waterproofed from outside there will be more continual problems with molds**
- **Customer already started removal process and was not done right and there is damaged moldy drywall laying on floor in piles contaminating the house**
- **We need to do this job in stages, with gutting basement and any damaged areas, waterproofing, mold treatment and then we can give accurate quote for improvement**



**SCOPE OF WORK:**

- Seal of all areas with a barrier before starting work in living room and dining room to contain any molds/dust
- Remove all damaged drywall in basement basically total gut to be able to treat and start over
- All debris will be removed.
- Remove waffle board in basement floor and seal up with rubber patch
- Seal sump pump and waterproof to prevent moisture from escaping into home
- Crack repair inside of home any cracks that could be potential problems for future will be sealed with Hydraulic cement.
- Prep basement for treatment clean up all debris and dust
- Treat entire basement (floors, wood, ceiling) and any other areas that area damaged in home with Micro Ban mold treatment using a low pressure spray to treat and prevent molds and mildew. Wipe down all other areas, floors etc with Microbial treatment
- Leave air movers to dry out treatment for about 1-2 days
- Outside- Cracks repair, any areas that area gathering water and cracks we will dig down on the outside and seal up the foundation with rubber patch and this will waterproof home from the outside. With the waterproofing you will get a 10 year guarantee on all work.
- Also due to the mold in the home the vents also need to be treated so we will treat the base unit and also all the vents will be cleaned and treated with Micro ban treatment to ensure that all molds are gone.
- All debris will be removed from property.

So John said you want us to the home improvement. We do things in stages so we will have to work on the demo, treatment and waterproofing first. Usually to waterproof demo and treat all areas of this home normally quoted price would be close to \$22,000.00 but if you want us to do the work we can do all the demo, treatment and waterproofing for \$14500.00 and that will leave you with \$35000,00 to use for the home improvement which we should be able to do it all for that. But we will need to do this part first.

### **Limited Service Warranty:**

MJ Home Services ("Company"), after full payment of amount listed below under "service agreement", shall warranty that in areas serviced by Company (see *scope of work*) within **10 years** of contract date, Company will return at no charge to Customer and perform any/or all of the remediation processes as stated in this agreement.

This warranty will be considered null and void if serviced property is at any time:

- 1) Abandoned for a period of 30 days or more.
- 2) Neglected or has undergone a failure in maintenance and/or conditioning

### **Recommendations**

Other than what is offered above, no other warranty is made or implied by Company. Customer hereby releases Company from all causes of action and claims, whether now known or unknown, arising now or in the future, from mold or mold related matters, which result in any damages or injuries. Customer assumes the risk of all damages or injuries to properties or persons even if caused by company.

Customer hereby acknowledges that Company has not made any representations to Customer regarding mold that may result from Services nor the consequences of mold conditions that may result in or from mold, and this Agreement is to assure Company that it is without liability for any known or unknown conditions that may result in or from mold.

Customer acknowledges and represents to Company that it is legally authorized to enter into this Agreement and it is binding on Customer who has the authority to execute this Agreement for Services performed.

The terms of this Agreement are contractual and not merely recitals.

Customer warrants that Customer is of legal age and legally competent to execute this Agreement without reliance on any representation of any kind from Company, and has chosen Services rendered by Company.

This Agreement shall be construed in accordance with the laws of the state in which the property is located.

If any provision of this Agreement is held invalid or unenforceable, the remaining provisions shall nonetheless still be valid and enforceable and remain in effect.

This Agreement shall be binding upon Customer and Company and their respective heirs, administrators, successors, and assigns.

This Agreement constitutes the sole and entire agreement between Customer and Company, superseding any prior agreements between Customer and Company, and no modifications of this Agreement are binding unless in writing and signed by both Customer and Company.

## **SERVICE AGREEMENT:**

This service agreement is entered into by and between Customer and MJ Home Services for contracting and 123 Oakmere Rd OM 21117 (410-318-9020) Lucy Ayrapetian

In consideration of the services to be provided as described in the attached detailed *scope of work* and referred herein as "Services", Customer agrees to make payment in the amount of **\$14,500.00 (plus drain \$2000.00) \$16,500.00** to Company on the following terms: **\$7,000.00 down to start, then \$5,500.00 on day we start towards end of day, then \$4,000.00 upon completion.**

For French drain install also would be extra \$2350.00 but we can do it for a even \$2000.00

- All materials and labor included in the job
- All debris will be removed
- Job will take 3-4 days to complete

## **Authorization:**

*With this signature I authorize MJ Home Services to do the work as described in detail in the 'scope of work' portion of this proposal, and agree to all the terms and conditions set forth in this agreement. I agree to pay the total amount stated in the 'service agreement' portion of this proposal upon completion of the work.*

**Customer Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**Proposal may be withdrawn if not accepted within 10 business days.**





**CONTACT INFORMATION:**

Direct Number: **443.716.6277**  
Toll Free **866.752.7352**  
E-Mail: ***support@waterdamageservicemd.com***  
Office Address: **4367 Hollins Ferry Rd Baltimore MD 21225 Suite 3B**  
Delaware Office **302.444.6994**  
Web: **www.waterdamageservicemd.com**

Insurance ID# **APP-36390112**  
MHIC # **131827**  
LLC Lic. # **45-3215288**



# ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING

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

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

Address 123 Oakmere Rd., Owings Mills, MD 21117 Currently zoned DR 3.5/Vested R6

Deed Reference 35652 1 00260 10 Digit Tax Account # 0413040910

Owner(s) Printed Name(s) Lusine Ayrapietian

(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)

Sections 1802.3.C.2 and 504 (Sections 211.2 and 303.1, 1955 regs) - to permit a proposed addition with a front yard setback of 25 feet in lieu of the required front yard average of 37.3 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):

Lusine Ayrapietian

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

123 Oakmere Rd., Owings Mills, MD

Mailing Address

City

State

21117, (410) 318-9020, LAyrapietian@

Zip Code

Telephone #

Email Address

gmail.com

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

Name- Type or Print

Signature

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

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 2015-0253-A

Filing Date 5/14/15

Estimated Posting Date 5/24/15

Reviewer [Signature]





Lusine Ayrapietian &lt;simansaz@gmail.com&gt;

## ValueDry Proposal

Russell Smith <rsmith@valuedrywaterproofing.com>  
To: Simansaz <simansaz@gmail.com>

Tue, Apr 28, 2015 at 8:25 AM

Hi there Lucy, don't know why you didn't get them, resending now:

- 1) Replace sump pump and well, tie in existing system \$2803.00
- 2) WE do not do regarding, and this will not solve water issues you are having.
- 3) Install new drain in exterior stairway, tie in to new sump pump, well and new 20lf buried discharge \$4507.00
- 4) new exterior French drain full perimeter 120lf, does not include removing porch, deck etc, \$40000+ 10 year warranty.
- 5) new exterior French drain rear wall only, does not include replacing concrete pad, deck, stairway, 10 year warranty see below:

|    |      |                                                                                       |                   |
|----|------|---------------------------------------------------------------------------------------|-------------------|
| 0  |      | \$                                                                                    | 30,354.83         |
| 0  |      |                                                                                       |                   |
|    |      | <u>Scope of Work</u>                                                                  | <u>Investment</u> |
| 1  | EA   | Full Containment w/ Negative Air of work area; apply fosters 40/80 antimicrobial      |                   |
| 60 | SQFT | Remove & Haul Concrete Pad / Sidewalk / Walkway up to 4" thick* - no replacement      |                   |
| 30 | LF   | Outside Excavation Waterproofing (4'-8' deep) including Clean/Scrape/Brush, Coat with |                   |
| 30 | LF   | Additional trenching / pipe for shallow outside excavation (above)                    |                   |
| 1  | EA   | Footer breakthrough OR tunnel under                                                   |                   |
|    | EA   | Pump and Well                                                                         |                   |
|    | EA   | *** Flood Alarm                                                                       |                   |
| 80 | LF   | Additional trenching / pipe for outside excavation up to 8' deep                      |                   |
| 1  | EA   | Speed drain up to 36"                                                                 |                   |
| 18 | LF   | Subfloor Pressure Relief System                                                       |                   |
|    |      | Install price with sump pump \$14825                                                  |                   |
|    |      | install price with drainage run to end of yard \$24283                                |                   |

[Quoted text hidden]

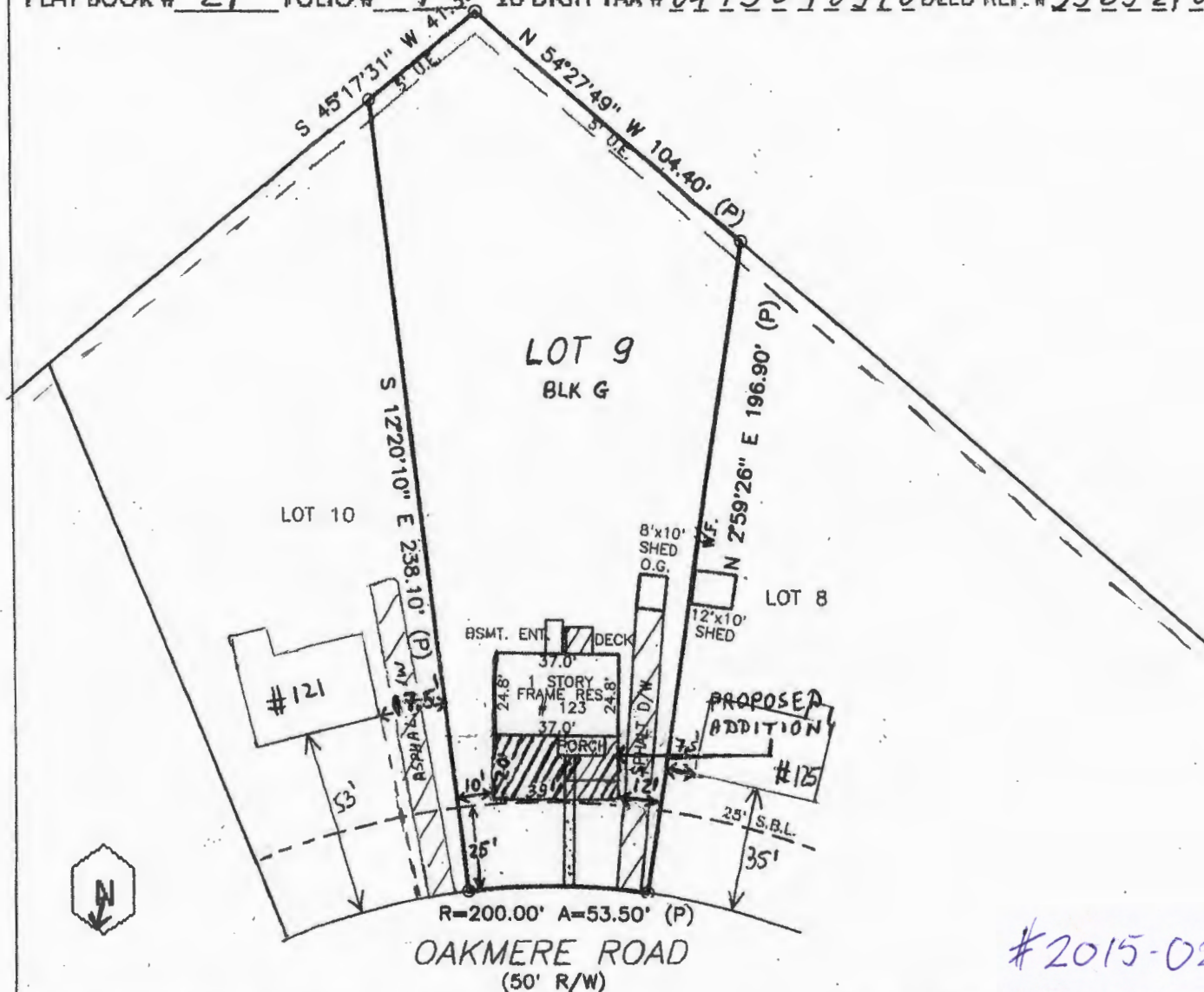
Item #0253







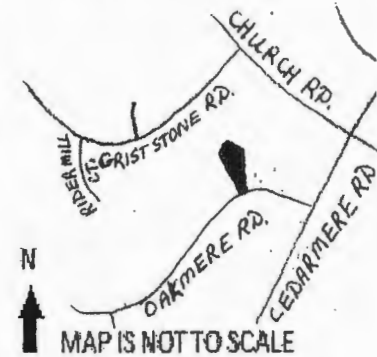
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)  
 ADDRESS 123 OAKMERE ROAD OWNER(S) NAME(S) LUSINE AYRAPETIAN  
 SUBDIVISION NAME SECTION D - CEDARMERE PLAT A LOT # 9 BLOCK # G SECTION # N/A  
 PLAT BOOK # 21 FOLIO # 1 10 DIGIT TAX # 04 13 04 09 10 DEED REF. # 35652100260



PLAN DRAWN BY LUSINE AYRAPETIAN DATE 3/26/15 SCALE: 1 INCH = 50 FEET

#2015-0253-A

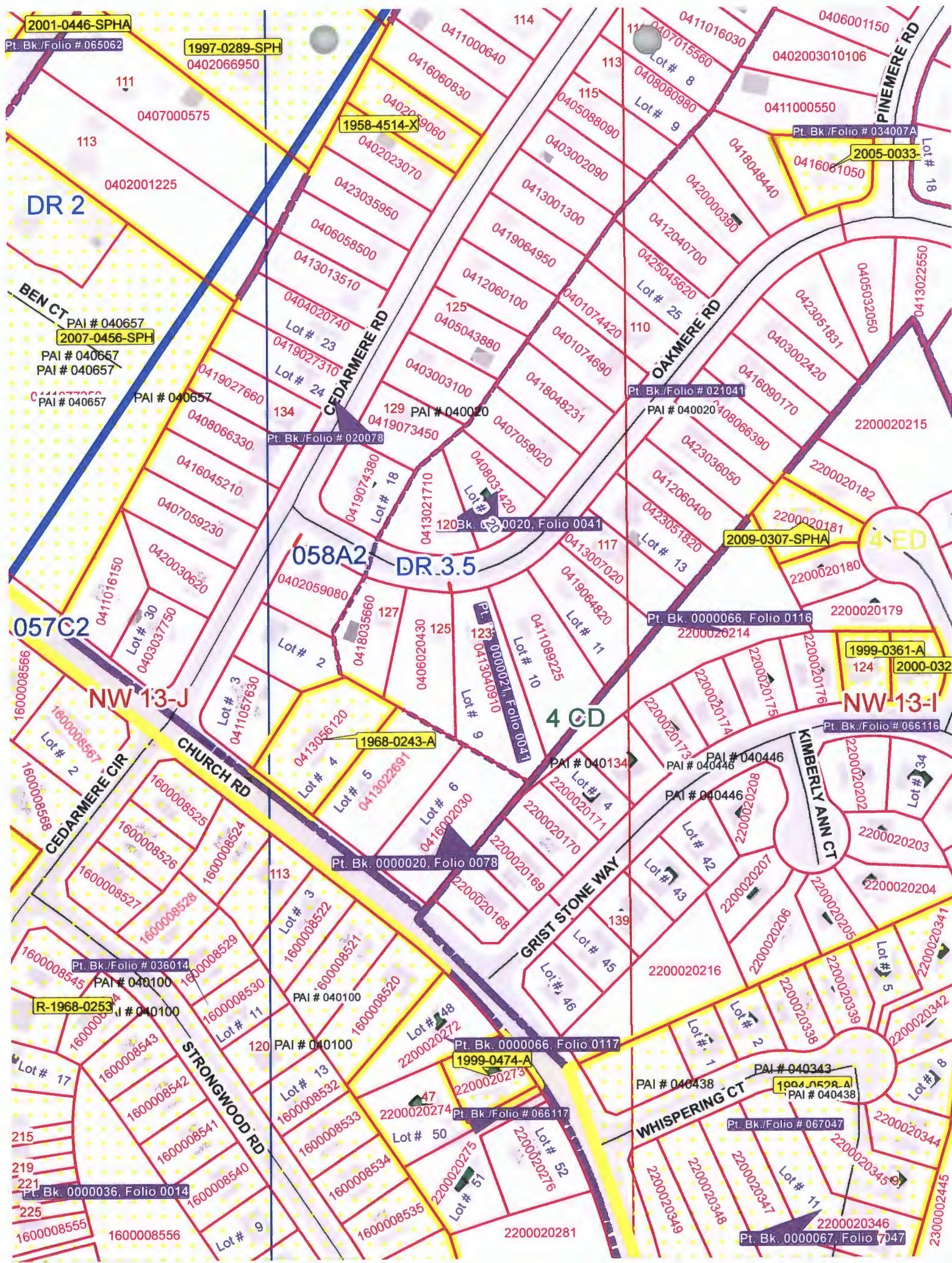
# SITE VICINITY MAP



ZONING MAP# 058 A  
 SITE ZONED DR 3.5 (vested 36)  
 ELECTION DISTRICT 4th  
 COUNCIL DISTRICT 4th  
 LOT AREA ACREAGE \_\_\_\_\_  
 OR SQUARE FEET 16,926  
 HISTORIC? No  
 IN CBCA? No  
 IN FLOOD PLAIN? No  
 UTILITIES? MARK WITH X  
 WATER IS:  
 PUBLIC X PRIVATE \_\_\_\_\_  
 SEWER IS:  
 PUBLIC X PRIVATE \_\_\_\_\_  
 PRIOR HEARING? \_\_\_\_\_  
 IF SO GIVE CASE NUMBER  
 AND ORDER RESULT BELOW

VIOLATION CASE INFO:





DR 2

DR 3.5

058A2

057C2

NW 13-J

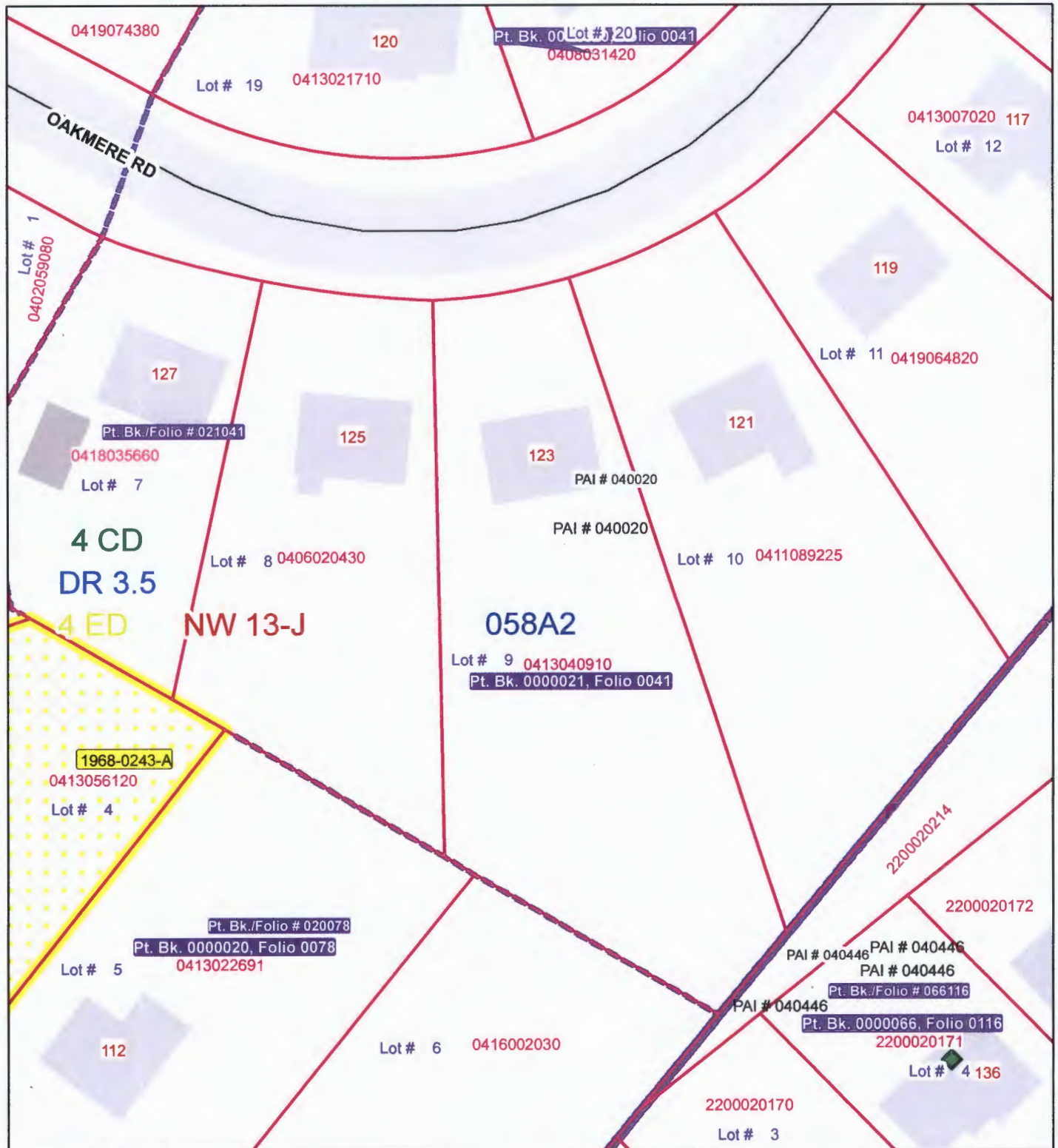
4 CD

NW 13-I

4 ED



# 123 Oakmere Road



Publication Date: 5/14/2015



Publication Agency: Permits, Approvals & Inspections  
Projection/Datum: Maryland State Plane,  
FIPS 1900, NAD 1983/91 HARN, US Foot



0 12.5 25 50 75 100  
Feet

1 inch = 50 feet

Item # 0253



July 15, 2015

RE: Case # 2015-0253-A

Zoning Notice Hearing for July 16, 2015 @ 11:00

To Whom It May Concern:

I am placing my concerns in writing as I am unable to attend the hearing set for July 16 due to work schedules. Please make note of my concerns as my property is directly located cross the street from the property of 123 Oakmere Rd.

The current posted zoning notice states:

*"Variance to proposed addition with an open front porch with a front yard setback of 31.6 feet in lieu of the required front yard average of 37.3 feet"*

- The plan drawn on 6-23-15 proposes a 14 ft addition. (See attachment #1)
- Which is correct? (This reflects an 8 ft difference)
- She states in drawn plan, "125 Oakmere has a side width of 7.5 ft which is inaccurate, it is accurately measured at 11.9 ft. (See attachment #1)
- In a statement submitted by Ms. Lusine Ayrapetion, R6 zoning requires 10 ft on one side and 12 ft on the other (minimums), **proposed drawing shows 8 ft in 2 places.** (See attachment #2, note #1, yellow)

She claims this addition will cure a wet basement problem, but the most efficient way to do that is to properly install drain tile and a sump pump, this, along with proper grading and drainage of the gutters. (See attachment #2, note #1, in pink)

She claims moving the electric line would be cumbersome but the water, sewer and gas lines all need to be disconnected and meters moved for a front located addition. (See attachment #2, note #1, pink)



The back tree she references is half dead. This tree needs to come down and provides little sun or electric conservation. The tree removal will provide optimal additional building space without infringing on the front/neighbors. (See attachment #2, note #1, pink)

Lastly, it is noted that the neighbors have no objections. All my notifications of this addition have been by "reading the zoning hearing signs", how could this be?

I personally do not wish to have this as my view each day going and coming from my house, which I have owned for 20 years. I think this will take away from the consistent structure of the neighborhood and front yards. I believe there is plenty of room to make a "rear addition" without any influence on the front of the yard; this should be considered an eyesore.

Sincerely,

Tammy Gilmartin Olney

Richard Olney

120 Oakmere Rd

410-292-2488 (cell)

410-328-4336 (work)

Please feel free to call with any questions.

*Tammy Gilmartin Olney*  
*Richard Olney*

*Personally appeared before  
Tammy Gilmartin Olney and  
Richard Olney on this 15<sup>th</sup> day  
of July 2015.*

*JoAnn Ritchie McGinnis, Notary Public*  
*JoAnn Ritchie McGinnis commission expires 7/16/2018*

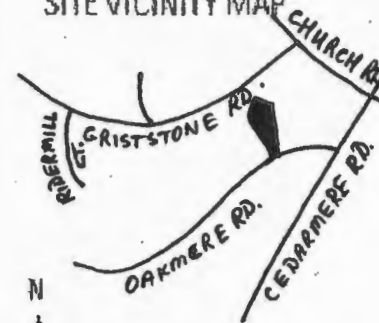
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING \_\_\_\_\_ (MARK TYPE REQUESTED WITH X)

ADDRESS 123 Oakmere Rd. OWNER(S) NAME(S) Lusine Ayrapetian

SUBDIVISION NAME Section D-Cedarmere Plat A LOT # 9 BLOCK # G SECTION # N/A

PLAT BOOK # 21 FOLIO # 1 10 DIGIT TAX # 0413040910 DEED REF. # 35652/00260

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 058 A 2

SITE ZONED DR 3.5 (vested)

ELECTION DISTRICT 4th

COUNCIL DISTRICT 4th

LOT AREA ACREAGE \_\_\_\_\_

OR SQUARE FEET 16,926

HISTORIC? No

IN CBCA? No

IN FLOOD PLAIN? No

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE \_\_\_\_\_

SEWER IS:

PUBLIC X PRIVATE \_\_\_\_\_

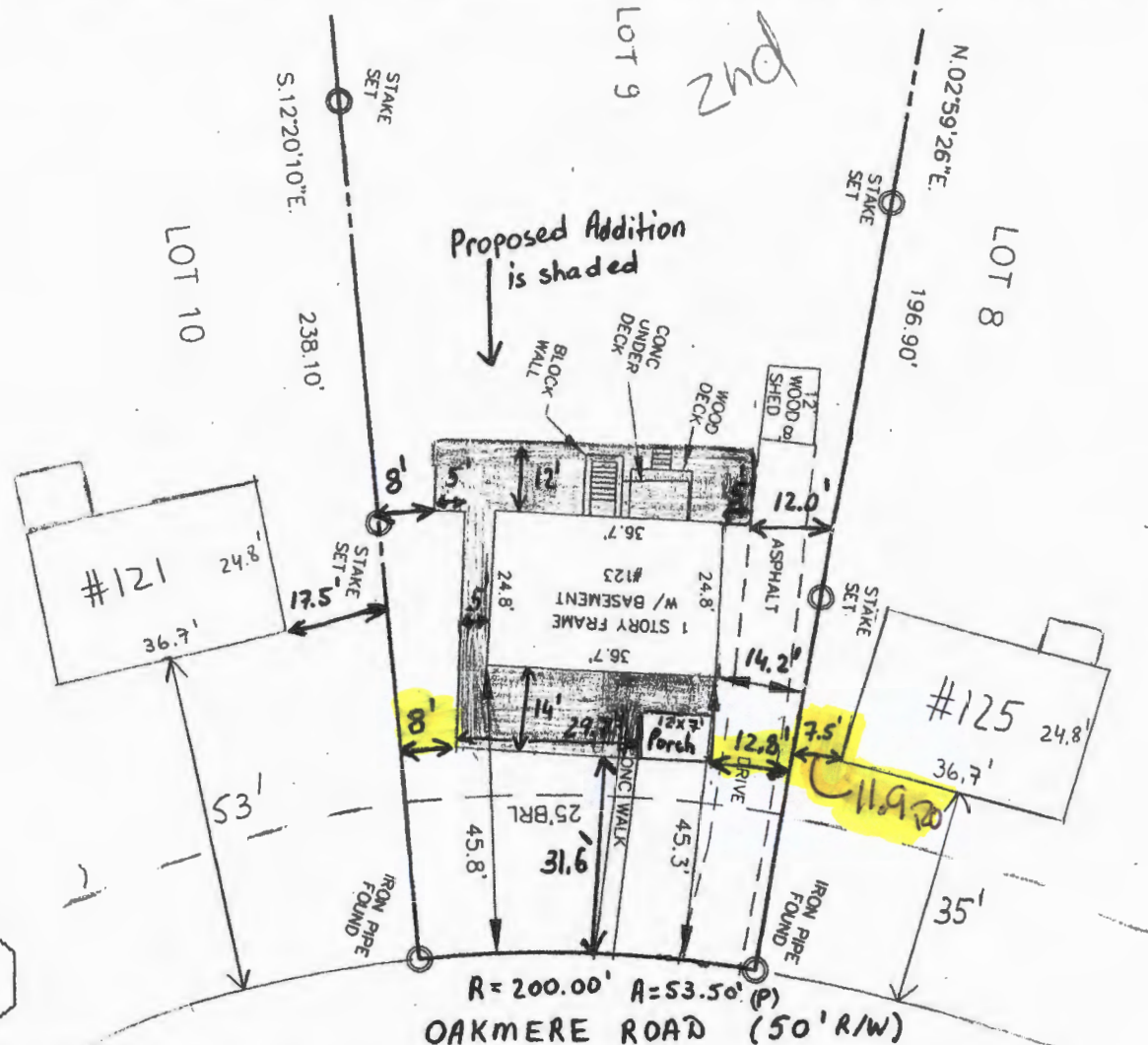
PRIOR HEARING? \_\_\_\_\_

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

2015-0253-A Revision

VIOLATION CASE INFO:



PLAN DRAWN BY Lusine Ayrapetian DATE 6/23/15 SCALE: 1 INCH = 30 FEET

ATTACHMENT # 1



2nd 13<sup>th</sup> (a) 11 AM

## 123 OAKMERE ROAD

I would like to make an old house suitable for a family with children by building a 20ft addition to add missing spaces, enlarge the bathroom, improve flow and correct expensive damp basement problem. There are several special circumstances that are pertinent to the land and the dwelling that make the property unusual and favor the addition in the front. The location of the existing power lines and a very large tree in the back of the yard make the construction of rear addition more cumbersome. The power lines run in the back of the house and supply both the house and the neighboring properties. An addition in the back would require these power lines to be moved. There is also a very large tree behind the property with minimally 2 ft in diameter that provides shade and would be cumbersome to remove. Building an addition in the back would severely damage the roots and kill the tree. The property is located on the flat plat with improper water grading leading to a wet basement. There is fungus in the walls and on the walls of the basement. A paid 3<sup>rd</sup> party wet basement specialist recommended rubberizing the outside of the cinder block walls of the basement as a means to waterproofing it fundamentally. This wetness is more pronounced in the front of the house and the back right corner when facing the front. Also, the building is over 60 years old and does not meet the current needs of a growing family. It has no dining room, no full sized bathroom, no closets, it has impractically small closets in the bedrooms and a very small kitchen with no pantry. It needs additional space to meet the current needs and to make it flow better. It was built under old area regulation requirements for R 6 Zone. Even this laxer regulation is observed in buildings nearby already. For example, according to the old regulation a minimum of 8 ft width of side yard and a minimum sum of side yard widths of 20ft are required. However, according to the GIS Map Copy obtained from the zoning review counter, the property adjacent to my property, property #125, labeled D, has a side width of 7.5 ft and property #127, next to #125, has a side width of 5 ft. In addition, the property is located at the trough of the main street's curve, giving the plot a trapezoid shape with narrowing towards the front of the house, thus naturally reducing the width of the side yard. Even under these circumstances, the current addition maintains the side yard setbacks of 10 ft on one side and 12 ft on the other, which would be alright under the old R 6 Zone requirements, are much better than the existing setbacks of neighboring properties and only differ by 3 ft from the current requirement for the sum of both sides to be 25 when it is 22. Similarly, the front yard depths vary from 20 to 53 feet within 400 ft of my property already. Also, the minimum lot width of 70 ft is not met by all properties observable on the GIS map.

note #2

note #1

ATTACHMENT #2



Without the addition it would not be possible for me to live in this home and building the addition in the back would be much more difficult. Both the power lines and the tree are cumbersome and expensive to remove. Also the tree makes the house more energy efficient by shielding a considerable portion of the house from the sun. A front addition would expose the front basement wall and will automatically solve the waterproofing problem of the front and side walls, since they would be included in the price of the addition. Otherwise, waterproofing alone would be too expensive to complete in addition to building an addition in the back and would be out of reach financially, leaving a major fundamental problem unsolved. An addition in the front would increase the size of the very small living room, allow for a larger bathroom, a closet space at the entrance, a linen closet, ensure a proper flow from the living room to a dining room, where as the one in the back would leave the small bathroom problem, as well as the lack of closets problem.

It should be noted that the owners of adjacent lots do not have any objection to the proposed addition. The addition will improve the appearance and the average property values in the neighborhood. The general welfare and the enjoyment of the view and or property of the neighbors are not affected; therefore the proposal currently presented is consistent with the spirit and intent of the current area regulations. Also, the proposed addition will be designed to blend architecturally with the existing dwelling and the neighborhood.

ATTACHMENT # 2

**SITE PLAN TO BE USED IN DETERMINING FRONT YARD DEPTHS IN RESIDENCE ZONES**  
**WHEN THE IMMEDIATE ADJOINING LOTS ARE NOT IMPROVED**  
**Reference - Section 303.1 Baltimore County Zoning Regulations**

303.1 —In D.R.2, D.R.3.5 and D.R.5.5 Zones the front yard depth of any building or other structure hereafter erected shall be the average of the front yard depths of the lots immediately adjoining on each side provided such adjoining lots are improved with principal buildings situate within 200 feet of the joint side property line, but where said immediately adjoining lots are not both so improved, then the depth of the front yard of any building hereafter erected shall be not less than the average depth of the front yards of all improved lots within 200 feet on each side thereof, provided that no dwelling shall be required to be set back more than 60 feet in D.R.2 zones, 50 feet in D.R.3.5 zones and 40 feet in D.R.5.5 zones. In no case, however, shall nonresidential principal buildings have front yards of less depth than those specified therefrom in the area regulations for D.R.2, D.R.3.5 and D.R.5.5 respectively.

|   |      |     |
|---|------|-----|
| A | 33   | FT. |
| B | 37.5 | FT. |
| C | 53   | FT. |
| D | 35   | FT. |
| E | 28   | FT. |
| F |      | FT. |

TOTAL  $(186.50) \div (5) = 37.30$

# of dwellings

REQUIRED FRONT SETBACK (averaged)

*Lusine Ayrapietian*

applicant's name

123 Oakmere Rd, Om, MD 21117

building address

5/11/15

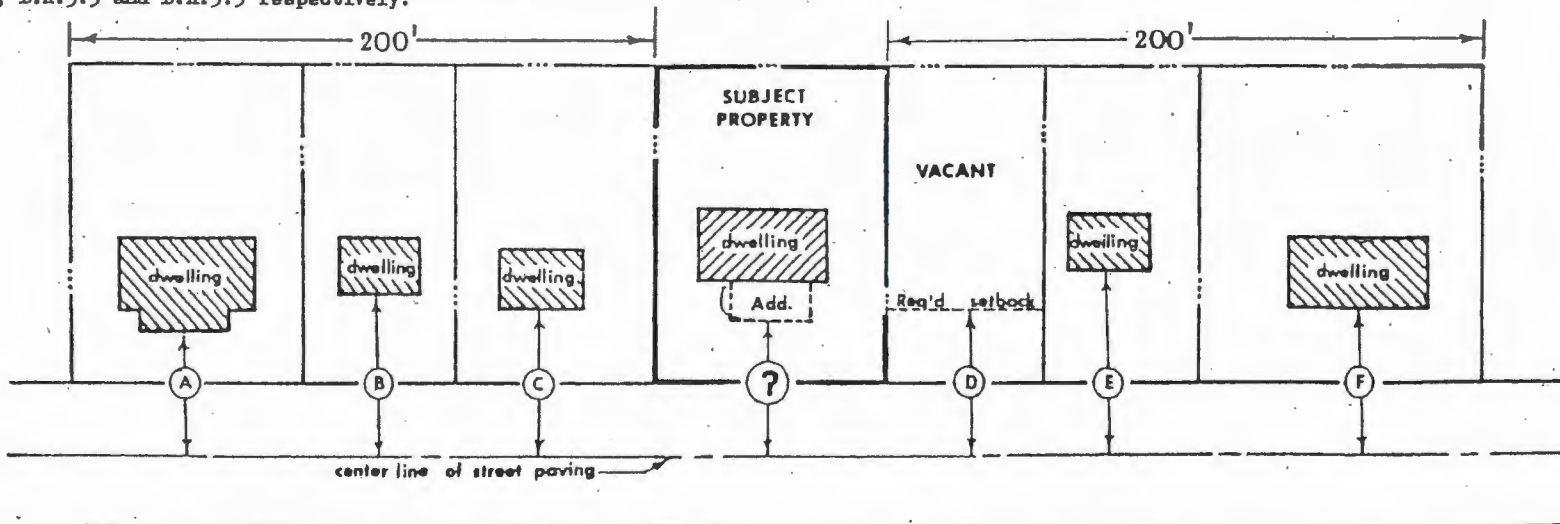
date

**NORMAL REQUIRED SETBACKS**

D.R.2 - 65 ft.

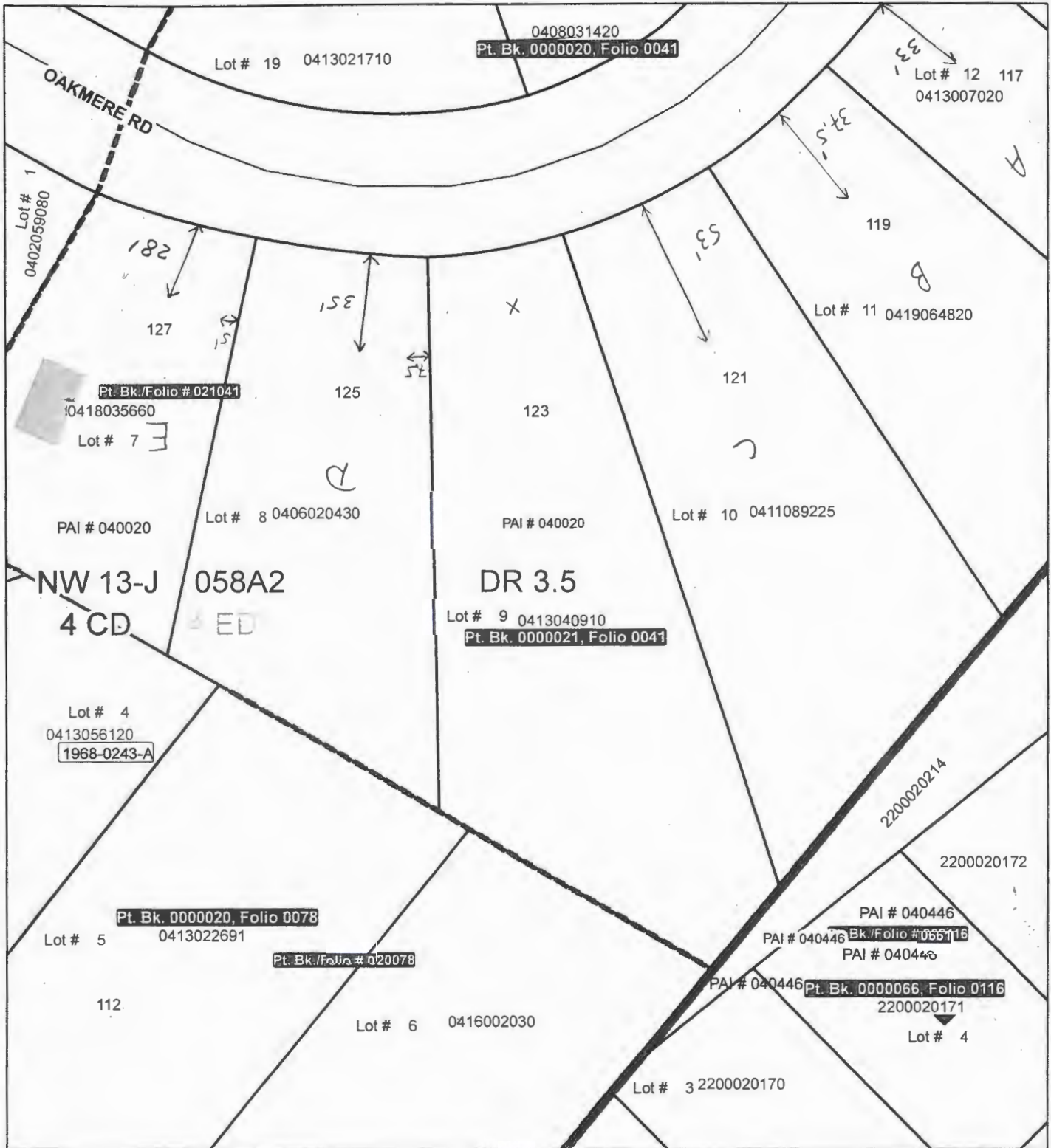
D.R.3.5- 55 ft.

D.R.5.5- 50 ft.



Item #0253

123 Oakmere Road



Publication Date: 5/11/2015



Publication Agency: Permits, Approvals & Inspections  
Projection/Datum: Maryland State Plane,  
FIPS 1900, NAD 1983/91 HARN, US Foot



0 12.5 25 50 75 100 Feet

1 inch = 50 feet

Item # 0253

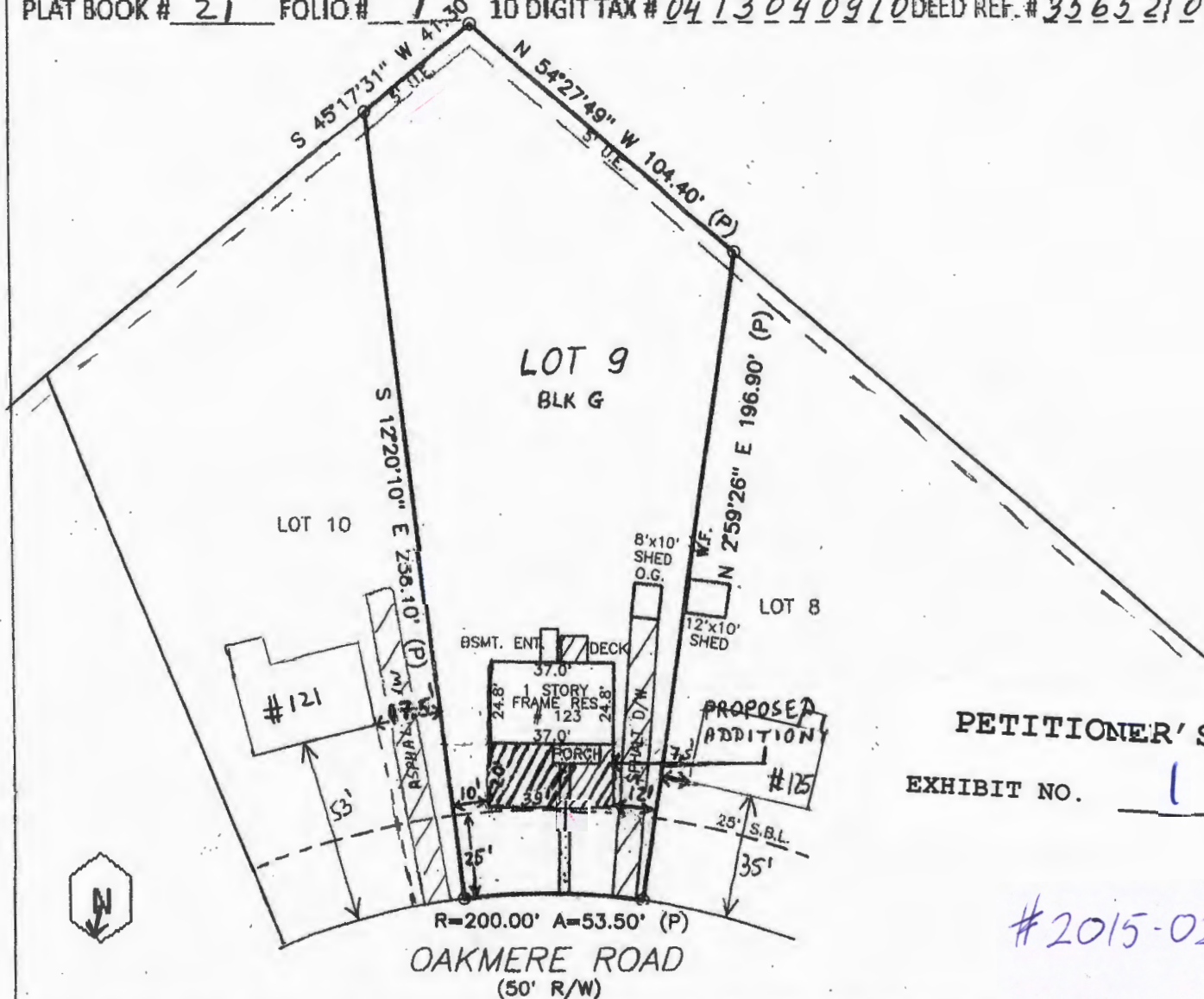


ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)

ADDRESS 123 OAKMERE ROAD OWNER(S) NAME(S) LUSINE AYRAPETIAN

SUBDIVISION NAME SECTION D - CEDARMERE PLAT A LOT # 9 BLOCK # G SECTION # N/A

PLAT BOOK # 21 FOLIO # 130 10 DIGIT TAX # 0413040910 DEED REF. # 35652100260



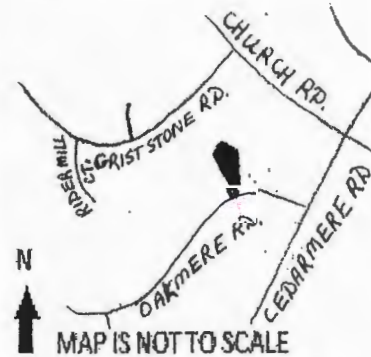
PETITIONER'S

EXHIBIT NO. 1

#2015-0253-A

PLAN DRAWN BY LUSINE AYRAPETIAN DATE 3/26/15 SCALE: 1 INCH = 50 FEET

SITE VICINITY MAP



ZONING MAP# 058A

SITE ZONED DR 3.5 (Yes/No) Yes B6

ELECTION DISTRICT 4th

COUNCIL DISTRICT 4th

LOT AREA ACREAGE

OR SQUARE FEET 16,926

HISTORIC? No

IN CBCA? No

IN FLOOD PLAIN? No

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE

SEWER IS:

PUBLIC X PRIVATE

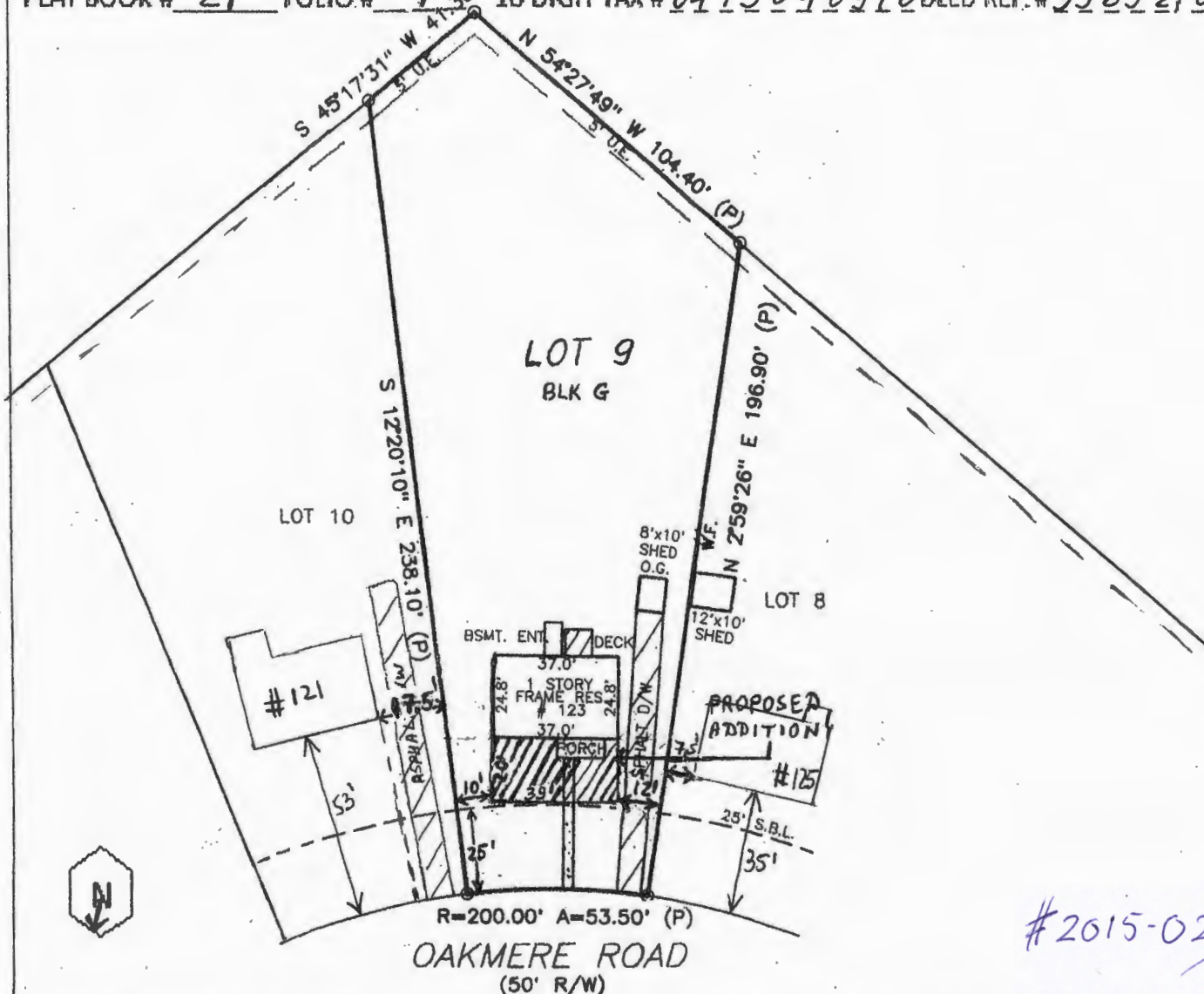
PRIOR HEARING?

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

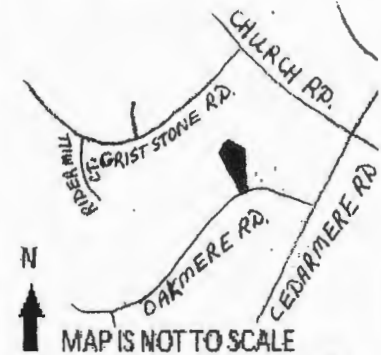
VIOLATION CASE INFO:

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)  
 ADDRESS 123 OAKMERE ROAD OWNER(S) NAME(S) LUSINE AYRAPETIAN  
 SUBDIVISION NAME SECTION D - CEDARMERE PLAT A LOT # 9 BLOCK # G SECTION # N/A  
 PLAT BOOK # 21 FOLIO # 130 10 DIGIT TAX # 0413040910 DEED REF. # 35652100260



PLAN DRAWN BY LUSINE AYRAPETIAN DATE 3/26/15 SCALE: 1 INCH = 50 FEET

SITE VICINITY MAP



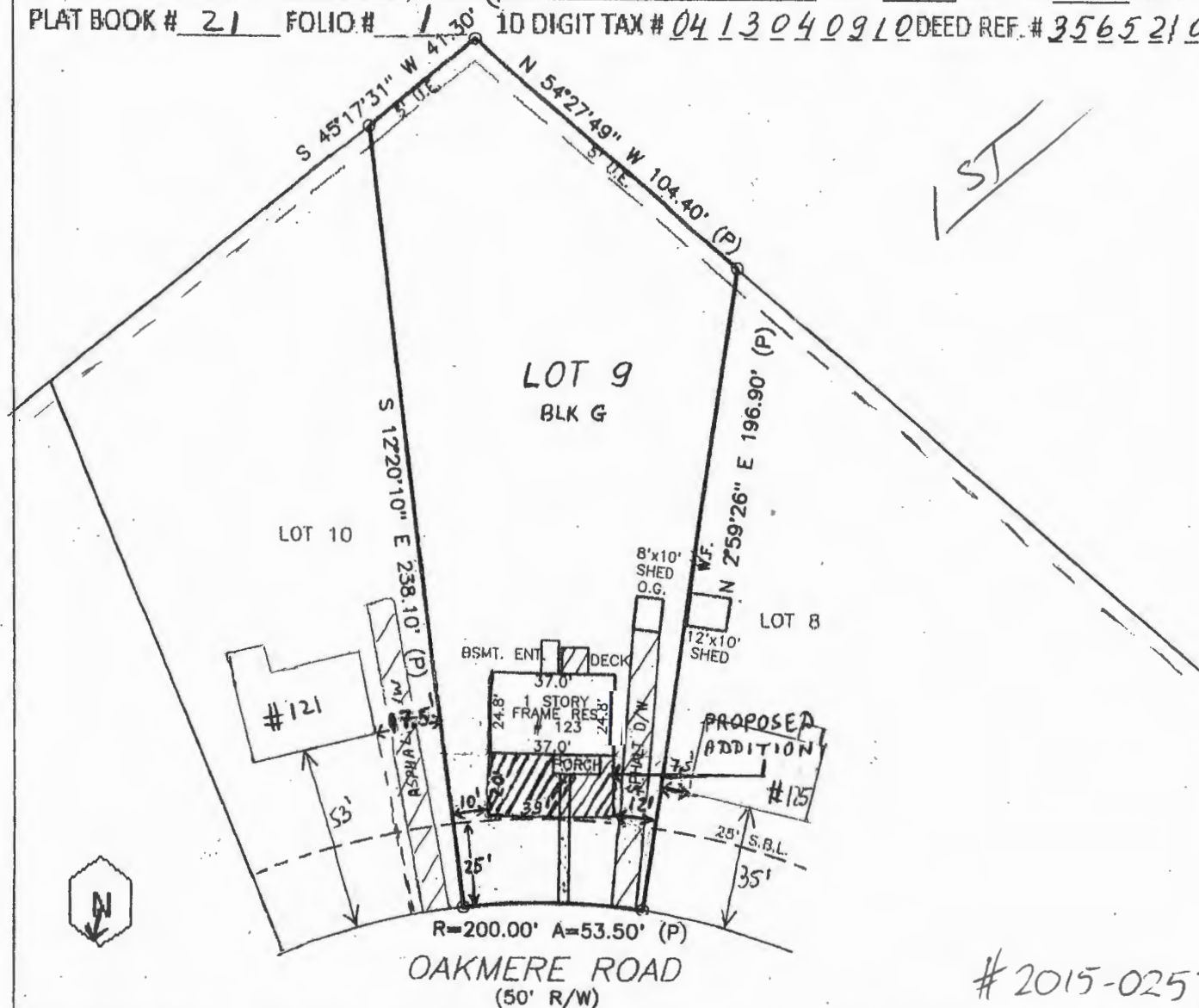
ZONING MAP# 058A  
 SITE ZONED DR 3.5 (vested R6)  
 ELECTION DISTRICT 4th  
 COUNCIL DISTRICT 4th  
 LOT AREA ACREAGE \_\_\_\_\_  
 OR SQUARE FEET 16,926  
 HISTORIC? No  
 IN CBCA? No  
 IN FLOOD PLAIN? No  
 UTILITIES? MARK WITH X  
 WATER IS: \_\_\_\_\_  
 PUBLIC X PRIVATE \_\_\_\_\_  
 SEWER IS: \_\_\_\_\_  
 PUBLIC X PRIVATE \_\_\_\_\_  
 PRIOR HEARING? \_\_\_\_\_  
 IF SO GIVE CASE NUMBER  
 AND ORDER RESULT BELOW

VIOLATION CASE INFO:

#2015-0253-A  
 R.D.

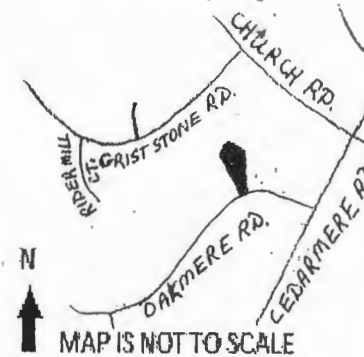


ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING \_\_\_\_\_ (MARK TYPE REQUESTED WITH X)  
ADDRESS 123 OAKMERE ROAD OWNER(S) NAME(S) LUSINE AYRAPETIAN  
SUBDIVISION NAME SECTION D - CEDARMERE PLAT A LOT # 9 BLOCK # G SECTION # N/A  
PLAT BOOK # 21 FOLIO # 130 10 DIGIT TAX # 0413040910 DEED REF. # 35652100260



PLAN DRAWN BY LUSINE AYRAPETIAN DATE 3/26/15 SCALE: 1 INCH = 50 FEET

### SITE VICINITY MAP



ZONING MAP# 058A  
 SITE ZONED DR 3.5 (vested R)  
 ELECTION DISTRICT 4th  
 COUNCIL DISTRICT 4th  
 LOT AREA ACREAGE \_\_\_\_\_  
 OR SQUARE FEET 16,926  
 HISTORIC? No  
 IN CBCA? No  
 IN FLOOD PLAIN? No  
 UTILITIES? MARK WITH X  
 WATER IS:  
 PUBLIC X PRIVATE \_\_\_\_\_  
 SEWER IS:  
 PUBLIC X PRIVATE \_\_\_\_\_  
 PRIOR HEARING? \_\_\_\_\_  
 IF SO GIVE CASE NUMBER  
 AND ORDER RESULT BELOW

**VIOLATION CASE INFO:**

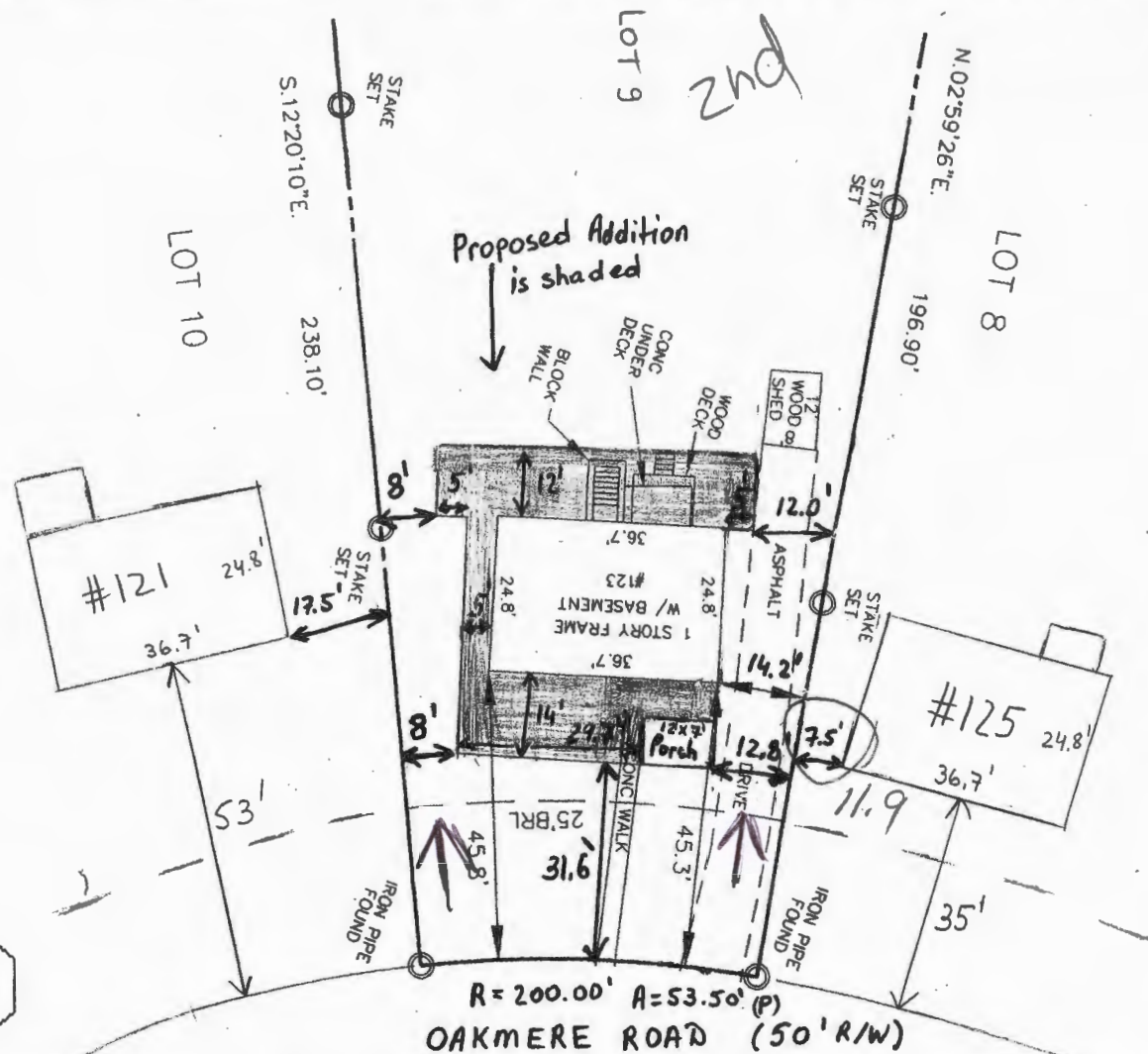


ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING \_\_\_\_\_ (MARK TYPE REQUESTED WITH X)

ADDRESS 123 Oakmere Rd. OWNER(S) NAME(S) Lusine Ayrapetian

SUBDIVISION NAME Section D - Cedarmere Plat A LOT # 9 BLOCK # G SECTION # N/A

PLAT BOOK # 21 FOLIO # 1 10 DIGIT TAX # 0413040910 DEED REF. # 3565200260



PLAN DRAWN BY Lusine Ayrapetian DATE 6/23/15 SCALE: 1 INCH = 30 FEET

SITE VICINITY MAP



N

MAP IS NOT TO SCALE

ZONING MAP# 058 A 2

SITE ZONED DR 3.5 (vested RC)

ELECTION DISTRICT 4th

COUNCIL DISTRICT 4th

LOT AREA ACREAGE \_\_\_\_\_

OR SQUARE FEET 16,926

HISTORIC? No

IN CBCA? No

IN FLOOD PLAIN? No

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE \_\_\_\_\_

SEWER IS:

PUBLIC X PRIVATE \_\_\_\_\_

PRIOR HEARING? \_\_\_\_\_

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

2015-0253-A Revision

VIOLATION CASE INFO:

[illegible]

NOTES:

The aforesaid and/or modes as shown herein and the manner in which the same are not intended to be dedicated to public use; the fee simple title thereto is reserved in the grantors of the deed to which this plat is attached, their heirs and assigns.

Coded/indicated shown on this plat are assumed to be based on traverses as established by F.T. Gower & Associates.

Code of Md. (1951 Edition) (Title: Clerks of Court, Subtitle: Clerks of Circuit Courts) as far as they pertain to the making of this plat and setting the markers have been complied with.

DEVELOPMENT CONSTRUCTION CO.  
Baltimore, Md., Chesapeake Bay, Md.

Filed for record  
Date APR 5 1955  
Test:  
George L. Byrly  
Clark  
D.L.B. No. 21 Folio 41

Scale: 1"=50'

17th Election District

NATIONWIDE CONSTRUCTION COMPANY

A DEVELOPMENT OF

CEDARMEIRE

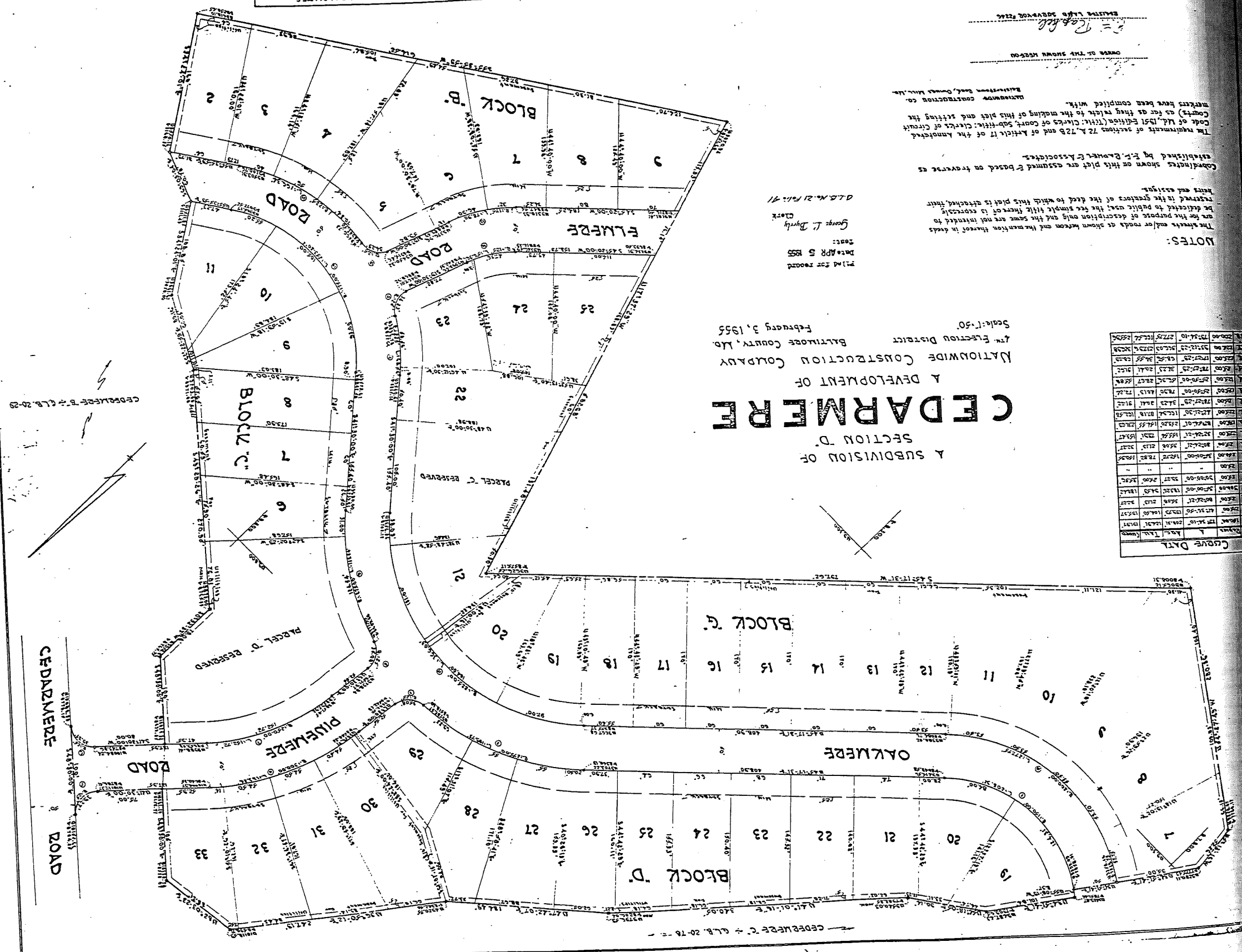
A SUBDIVISION OF  
SECTION D.

Baltimore County, Md.

February 3, 1955

NATIONWIDE CONSTRUCTION COMPANY  
12th Election District  
Baltimore County, Md.  
February 3, 1955  
Scale: 1"=50'

Scale: 1:50



|                                                                                                            |                                                                       |                                                                    |                                                                                                  |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|--------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| HIGHWAYS DEPARTMENT OF BALTIMORE COUNTY<br>APPROVED FOR STREET ALLOCATION AND LOCATION<br>DATE: 11/11/1955 | APPROVED FOR BALTIMORE COUNTY PLANNING COMMISSION<br>DATE: 11/11/1955 | APPROVED<br>BALTIMORE COUNTY HEALTH DEPARTMENT<br>DATE: 11/11/1955 | E.F. DAPHER & ASSOCIATES<br>REGISTERED LAND SURVEYORS<br>25 WEST CALVERT AVE<br>BALTIMORE 1, MD. |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|--------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|