

M E M O R A N D U M

DATE: October 19, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0005-A – Appeal Period Expired

The appeal period for the above-referenced case expired on October 15, 2015. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE
(2624 Masseth Avenue)
15th Election District
7th Council District
Robert F. Wozniak, Jr.
Petitioner

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2016-0005-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 Robert F. Wozniak, Jr., the legal owner of the subject property ("Petitioner"). The Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) § 1B02.3.C.1 to permit a side yard setback of 6.5 ft. in lieu of the required 10 ft. for a replacement dwelling. The subject property and requested relief is more fully depicted on the site plan that was marked as Petitioner's Exhibit 1.

Builder Norman Anderson, Sr. appeared in support of the petition. David Billingsley, whose firm prepared the site plan, appeared on behalf of the Petitioner. The Petition was advertised and posted as required by the B.C.Z.R. There were no Protestants who attended the hearing. A substantive Zoning Advisory Committee (ZAC) comment was received from the Bureau of Development Plans Review (DPR), indicating that any new construction will need to comply with flood protection regulations.

The subject property is approximately 13,248 square feet and is zoned DR 5.5. The property is improved with a single family dwelling constructed in 1951. That home has fallen into disrepair, and Petitioner proposes to raze it and construct a new single family dwelling in essentially the same footprint. To do so, variance relief is required.

ORDER RECEIVED FOR FILING

Date 9/15/15
By Sen

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).

Petitioner has met this test. The property is waterfront and the Petitioner must contend with existing site conditions. As such, the property is unique. If the Regulations were strictly interpreted, Petitioner would experience a practical difficulty because he would be unable to construct a suitable dwelling on the lot. Finally, 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. This is demonstrated by the lack of Baltimore County and/or community opposition.

THEREFORE, IT IS ORDERED, this 15th day of September, 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 side yard setback of 6.5 ft. in lieu of the required 10 ft. for a replacement dwelling, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his 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, Petitioner would be required to return the subject property to its original condition.
2. Petitioner must comply with flood protection and Critical Area regulations.

ORDER RECEIVED FOR FILING

Date 9/15/15

By SD

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:slh

ORDER RECEIVED FOR FILING

Date 9/15/15

By slh



C3CA

PETITION FOR ZONING HEARING(S)

FLOOD

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 2624 MASSETH AVENUE which is presently zoned DR5.5
 Deed References: L34848 F88 10 Digit Tax Account # 1520301271
 Property Owner(s) Printed Name(s) ROBERT F. WOZNIAK JR.

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

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

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. ✓ a **Variance** from Section(s)

1B02.3.C.1 TO PERMIT A SIDE YARD SETBACK OF 6.5 FEET IN LIEU OF THE REQUIRED 10 FEET FOR A REPLACEMENT DWELLING.

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

TO BE PRESENTED AT HEARING

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):ROBERT F. WOZNIAK, JR.

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

2402 CAROLYNE AVE BALTO, MD.

Mailing Address

City

State

21219 (410) 428-8642

Zip Code

Telephone #

Email Address

Representative to be contacted:DAVID BILLINGSLEY

Name - Type or Print

Signature

601 CHARWOOD CT. EDGEWOOD, MD.

Mailing Address

City

State

21040 (410) 679-8719, dwb0209@yahoo.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2016-0015-AFiling Date 7/9/2015

Do Not Schedule Dates: _____

Reviewer 2u



CBCA

PETITION FOR ZONING HEARING(S)

F1001

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 7624 MASSETH AVENUE which is presently zoned DR 5.5
Deed References: L 34848 F 88 10 Digit Tax Account # 1520301271
Property Owner(s) Printed Name(s) ROBERT F. WOZNIAK JR.

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

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

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. ✓ a **Variance from Section(s)**

1B02.3.C.1 TO PERMIT A SIDE YARD SETBACK OF 6.5 FEET IN LIEU OF THE REQUIRED 10 FEET FOR A REPLACEMENT DWELLING.

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

TO BE PRESENTED AT HEARING

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

ROBERT F. WOZNIAK, JR.

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

2402 CAROLYN AVE BALTO, MD.

Mailing Address City State

21219 (410) 428-8642

Zip Code Telephone # Email Address

Representative to be contacted:

DAVID BILLINGSLEY

Name - Type or Print

Signature

601 CHARWOOD CT. EDGEWOOD, MD.

Mailing Address City State

21040 (410) 679-8719, dwb0209@yahoo.com

Zip Code Telephone # Email Address

CASE NUMBER 2016-0005-A

Filing Date 7/9/2015

Do Not Schedule Dates: _____

Reviewer JA



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 3513297

Sold To:

Robert Wozniak Jr - CU00481828
2402 Carolyne Ave
Sparrows Point, MD 21219-1802

Bill To:

Robert Wozniak Jr - CU00481828
2402 Carolyne Ave
Sparrows Point, MD 21219-1802

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

Aug 25, 2015

The Baltimore Sun Media Group

By *S. Wilkinse*

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: # 2016-0005-A	
2624 Masseith Avenue	
NW/s Masseith Avenue, 205 ft. s/w of Estelle Avenue	
15th Election District - 7th Councilmanic District	
Legal Owner(s): Robert Wozniak, Jr.	
Variance: to permit a side yard setback of 6.5 ft. in lieu of the required 10 ft. for a replacement dwelling.	
Hearing: Monday, September 15, 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.	
IT 8/786 August 25	3513297

CERTIFICATE OF POSTING

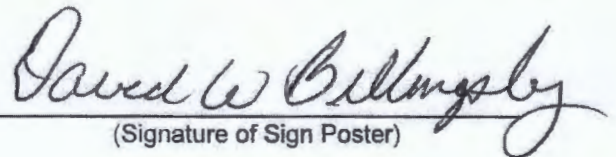
Date: AUGUST 22, 2015

RE: Project Name: 2624 MASSETH AVENUE
Case Number /PAI Number: 2016-0005-A
Petitioner/Developer: ROBERT WOZNAK, JR
Date of Hearing/Closing: SEPTEMBER 14, 2015

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at _____
2624 MASSETH AVENUE

The sign(s) were posted on AUGUST 22, 2015

(Month, Day, Year)


(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)

ZONING NOTICE

CASE NO. 2016-0005-A

A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE

PLACE: ROOM 205 JEFFERSON BUILDING, 105 WEST
CHESAPEAKE AVENUE, TOWSON, MD. 21204

TIME: MONDAY, SEPTEMBER 14, 2015 @ 11 AM

REQUEST: VARIANCE TO PERMIT A SIDE YARD
SETBACK OF 5.5 FEET IN LIEU OF THE REQUIRED
10 FEET FOR A REPLACEMENT DWELLING

Please refer to the zoning ordinance for other information and the zoning
department's website for more information. If you have any questions, contact
the zoning department at 410-679-8719 or the planning department at 410-679-8719.
(410) 679-8719 (410) 679-8719

UNOFFICIAL COPY - NOT FOR REPRODUCTION OR DISTRIBUTION
BY ANY OTHER AGENCY OR INDIVIDUAL



KEVIN KAMENETZ
County Executive

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

July 22, 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: 2016-0005-A

2624 Masseth Avenue
NW/s Masseth Avenue, 205 ft. s/w of Estelle Avenue
15th Election District – 7th Councilmanic District
Legal Owners: Robert Wozniak, Jr.

Variance to permit a side yard setback of 6.5 ft. in lieu of the required 10 ft. for a replacement dwelling.

Hearing: Monday, September 14, 2015 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Robert Wozniak, Jr., 2402 Carolyne Avenue, Baltimore 21219
David Billingsley, 601 Charwood Court, Edgewood 21040

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 25, 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
Tuesday, August 25, 2015 Issue - Jeffersonian

Please forward billing to:
Robert Wozniak, Jr.
2402 Carolyne Avenue
Baltimore, MD 21219

410-382-8642

NOTICE OF ZONING HEARING

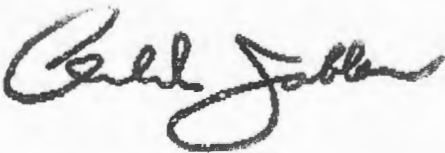
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2016-0005-A

2624 Masseth Avenue
NW/s Masseth Avenue, 205 ft. s/w of Estelle Avenue
15th Election District – 7th Councilmanic District
Legal Owners: Robert Wozniak, Jr.

Variance to permit a side yard setback of 6.5 ft. in lieu of the required 10 ft. for a replacement dwelling.

Hearing: Monday, September 14, 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 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.

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
2624 Masseth Avenue; NW/S Masseth Avenue,	*	OF ADMINSTRATIVE
205' SW of c/line Estelle Avenue	*	HEARINGS FOR
15 th Election & 7 th Councilmanic Districts	*	BALTIMORE COUNTY
Legal Owner(s): Robert F. Woznaik, Jr.	*	2016-005-A
Petitioner(s)		

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED
JUL 23 2015

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of July, 2015, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, 601 Charwood Court, Edgewood, MD 21040, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor 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: 2016-0005-A
Property Address: 2624 MASSETH AVE
Property Description: LOT 12 - PROPERTY OF SUSAN
WORTMAN P.B. 10 F. 121
Legal Owners (Petitioners): ROBERT F. WOZNAK, JR.
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: ROBERT F WOZNAK JR.
Company/Firm (if applicable): _____
Address: 2462 CAROLYNE AVE
BALTO, MD. 21219
Telephone Number: (410) 382-8642

CASE NAME 2624 MASSETH XYE
CASE NUMBER 2016-0005-A
DATE 9/14/15

CASE NAME 2624 MASSETH XYE
CASE NUMBER 2016-0005-A
DATE 9/14/15

[illegible]

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>7-17</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>C</u>
_____	DEP <u>stressing</u> (if not received, date e-mail sent <u>9-10</u>)	_____
_____	FIRE DEPARTMENT	_____
<u>7-30</u>	PLANNING (if not received, date e-mail sent _____)	<u>No objection</u>
<u>7-14</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>8-25-15</u>	
SIGN POSTING	Date: <u>8-22-15</u> by <u>Billingley</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 15 Account Number - 1513203835		
Owner Information		
Owner Name:	WOZNAK ROBERT FRANK WOZNAK RITA JANE	Use: Principal Residence: RESIDENTIAL YES
Mailing Address:	2402 CAROLYNE AVE BALTIMORE MD 21219-1802	Deed Reference: /05444/ 00829
Location & Structure Information		
Premises Address:	2402 CAROLYNE AVE 0-0000	Legal Description: 70 E MASSETH AV WATERVIEW
Map:	Grid:	Parcel:
0111	0016	0163
Sub District:	Subdivision:	Section:
	0000	
Block:	Lot:	Assessment Year:
	32	2015
Plat No:	Plat Ref:	0008/0071
Special Tax Areas:	Town:	NONE
	Ad Valorem:	
	Tax Class:	
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
1951	2,020 SF	
Property Land Area	County Use	
6,160 SF	04	
Stories	Basement	Type
2	YES	STANDARD UNIT
Exterior	Full/Half Bath	Garage
SIDING	1 full	1 Detached
Last Major Renovation		
Value Information		
Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2015
		As of 07/01/2016
Land:	72,100	
Improvements	141,200	
Total:	213,300	217,033
Preferential Land:	0	220,767
		0
Transfer Information		
Seller: MAHONEY THOMAS J	Date: 05/10/1974	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /05444/ 00829	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2015
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: Approved 03/25/2011		

Debra Wiley

From: Debra Wiley
Sent: Thursday, September 10, 2015 2:38 PM
To: Jeffery Livingston
Subject: ZAC Comment Needed for 9/14 @ 11 AM

Jeff,

Please find below a case description for a hearing on 9/14 @ 11 AM that's needed --- CBCA. Thanks.

CASE NUMBER: 2016-0005-A

2624 MASSETH AVE.

Location: NW/S of Masseth Avenue, 205 ft. SW of the c/line of Estelle Avenue
15th Election District, 7th Council District

Legal owner: Robert F. Wozniak, Jr.

VARIANCE To permit a side yard setback of 6.5 ft. in lieu of the required 10 ft. for a replacement dwelling.

Hearing: Monday, 9/14/2015, 11:00 AM, Jefferson Building, 105 West Chesapeake Avenue, Room 205, Towson, MD 21204

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

9/14

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: July 27, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

JUL 30 2015

SUBJECT: 2624 Masseth Avenue

INFORMATION:

OFFICE OF ADMINISTRATIVE HEARINGS

Item Number: 16-005

Petitioner: Robert F. Wozniak, Jr.

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Variance to permit a side yard setback of 6.5 feet in lieu of the required 10 feet.

The Department of Planning has no objection to the granting of the petitioned relief.

For further information concerning the matters stated herein, please contact Bill Skibinski at 410-887-3480.

Division Chief: Kathy Schalken
AVA/KS
C: Bill Skibinski



KEVIN KAMENETZ
County Executive

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

September 9, 2015

Robert F. Wozniak Jr.
2402 Carolyne Avenue
Baltimore MD 21219

RE: Case Number: 2016-0005 A, Address: 2624 Masseth Avenue

Dear Mr. Wozniak:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 1, 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 written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
David Billingsley, 601 Charwood Court, Edgewood MD 21040

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Douglas H. Simmons, Acting Administrator

Date: 7/14/15

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

RE: Baltimore County
Item No 2016-0005-A
Variance
Robert F. Wlozniak, Jr.
2624 Masseth 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. 2016-0005-A

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in dark ink, appearing to read "David W. Peake".

David W. Peake
Metropolitan District Engineer
Baltimore & Harford Counties

DWP/RAZ

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For July 20, 2015
Item No. 2016-0005

DATE: July 17, 2015

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment.

Prior to building permit application, the petitioner must contact the office of the Director of Public Works to determine the flood protection elevation so that the floor elevation can be set.

* * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 16-0005-07202015.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: July 27, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 2624 Masseth Avenue

INFORMATION:

Item Number: 16-005

Petitioner: Robert F. Wozniak, Jr.

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Variance to permit a side yard setback of 6.5 feet in lieu of the required 10 feet.

The Department of Planning has no objection to the granting of the petitioned relief.

For further information concerning the matters stated herein, please contact Bill Skibinski at 410-887-3480.

Division Chief: Kathy C. Healy
AVA/KS
C: Bill Skibinski

PETITIONER'S EXHIBITS
2624 MASSETH AVENUE

Sen
9-15-15

Sen
10-19-15

- 1. PLAT TO ACCOMPANY VARIANCE PETITION**
- 2. SDAT REAL PROPERTY SEARCH**
- 3. PORTION OF TAX MAP 0111`**
- 4. DEED OF RECORD L.34848 F.88**
- 5. PLAT OF SUSAN W. WORTMAN P.B. 10 F. 121**
- 6. AERIAL PHOTO**
- 7a – 7c. PHOTOS**

Real Property Data Search (w3)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 1520301271			
Owner Information					
Owner Name:		WOZNAK ROBERT F JR		Use:	RESIDENTIAL
Mailing Address:		2624 MASSETH AVE BALTIMORE MD 21219-1809		Principal Residence:	YES
				Deed Reference:	/34848/ 00088
Location & Structure Information					
Premises Address:		2624 MASSETH AVE 0-0000 Waterfront		Legal Description:	
				SUSAN W WORTMAN	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0111	0016	0136		0000	12 2015 0010/0121
Special Tax Areas:				Town:	NONE
				Ad Valorem:	
				Tax Class:	
Primary Structure Built	Above Grade Enclosed Area		Finished Basement Area	Property Land Area	County Use
1948	1,080 SF			13,248 SF	34
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
		STANDARD UNIT	STUCCO	1 full	
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2015	07/01/2014	07/01/2015
Land:		162,800	162,800		
Improvements		82,600	85,000		
Total:		245,400	247,800	245,400	246,200
Preferential Land:		0			0
Transfer Information					
Seller: THOMAS EDWARD DANIEL		Date: 04/10/2014		Price: \$175,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /34848/ 00088		Deed2:	
Seller: THOMAS EDWARD		Date: 06/24/1982		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /06406/ 00740		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2014		07/01/2015	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:	Special Tax Recapture:				
Exempt Class:	NONE				
Homestead Application Information					
Homestead Application Status: No Application					

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.

PETITIONER'S
EXHIBIT NO. 2

Baltimore CountyNew Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **15** Account Number: **1520301271**

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

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

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

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



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

☒ Loading... Please Wait. Loading... Please Wait. -->

PETITIONER'S
EXHIBIT NO. 3

KG Title, Inc.
File No. 14-4383
Tax ID # 15-1520301271

This Deed, made this 2nd day of April, 2014, by and between **EDWARD GRAY** PERSONAL REPRESENTATIVE OF THE ESTATE OF **FRANCES T. GRAY**, GRANTOR, and **ROBERT F. WOZNIAK, Jr.**, GRANTEE.

Witnesseth —

That in consideration of the sum of One Hundred Seventy-Five Thousand and 00/100 Dollars (\$175,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt of which is hereby acknowledged, the said Grantor does hereby grant and convey to the said Grantee, as sole owner, in fee simple, all that lot of ground situate in the County of Baltimore, State of Maryland and described as follows, that is to say:

ALL THAT LOT OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE FIFTEENTH ELECTION DISTRICT OF BALTIMORE COUNTY, STATE OF MARYLAND, AND DESCRIBED AS FOLLOWS:

LOT #12, AS LAID OUT AND SHOWN ON A PLAT OF THE PROPERTY OF SUSAN W. WORTMAN, SAID PLAT BEING RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK NO. 10, FOLIO 121.

THE IMPROVEMENTS THEREON BEING KNOWN AS 2624 MASSETH AVENUE, BALTIMORE, MARYLAND - 21219.

THE SAID ELIZABETH WARLICK HAVING SINCE DEPARTED THIS LIFE ON OR ABOUT MAY 5, 2001 THEREBY LEAVING FRANCES GRAY, AS SOLE SURVIVING REMAINDERMAN.

THE SAID EDWARD DANIEL THOMAS HAVING SINCE DEPARTED THIS LIFE ON OR ABOUT NOVEMBER 6TH 2010 THEREBY VESTING SOLE TITLE UNTO FRANCES GRAY.

THE SAID FRANCES GRAY HAVING SINCE DEPARTED THIS LIFE ON OR ABOUT AUGUST 17, 2013 AND THE SAID EDWARD GRAY HAVING BEEN APPOINTED AS PERSONAL REPRESENTATIVE IN ESTATE NO. 174989 BEFORE THE REGISTER OF WILLS FOR BALTIMORE COUNTY.

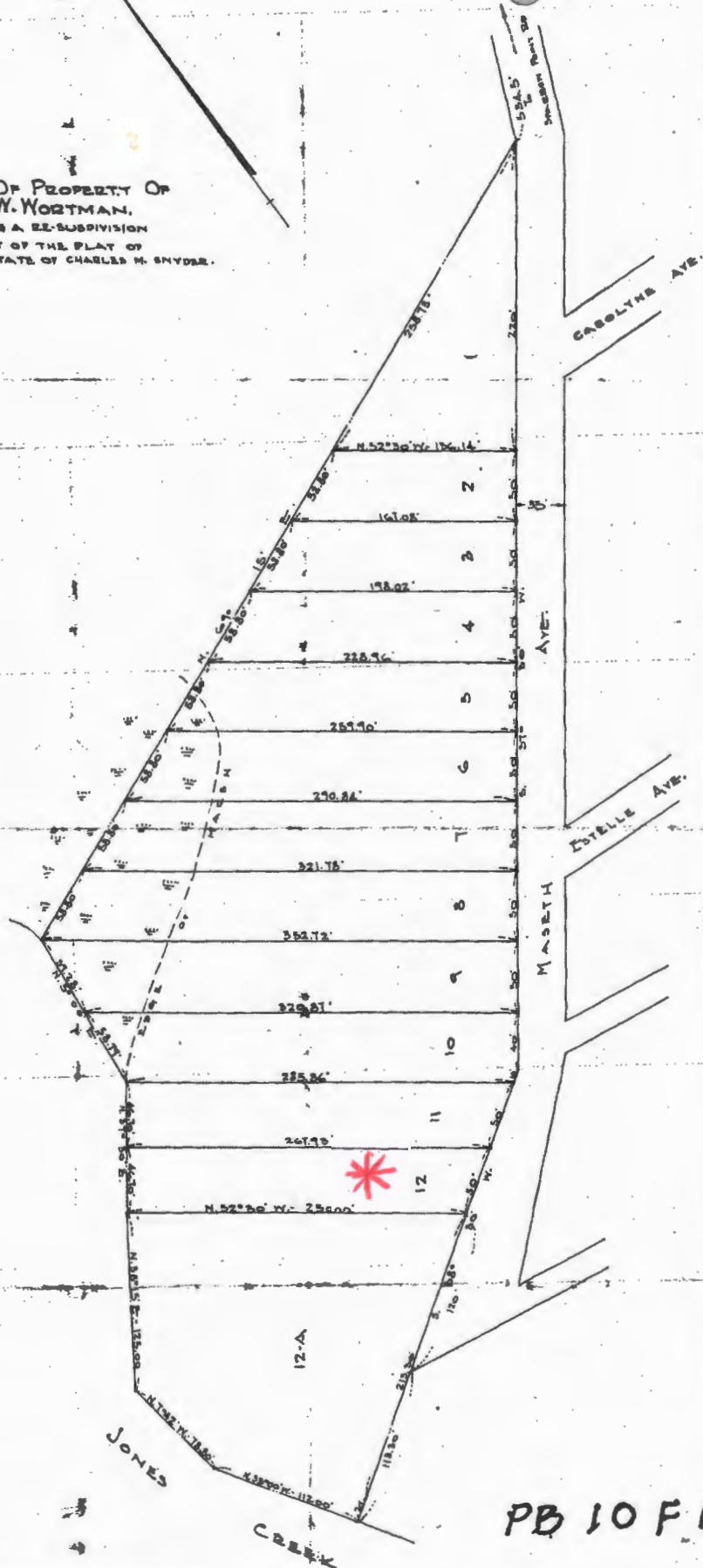
BEING the fee simple property which, by DEED dated December 21, 1981, and recorded in the Land Records of the County of Baltimore, Maryland, in Liber 6406, Folio 740, was granted and conveyed by RAY WARLICK AND CHARLES GRAY, PERSONAL REPRESENTATIVES OF THE ESTATE OF EDWARD THOMAS, DECEASED unto EDWARD DANIEL THOMAS, LIFE TENANT AND ELIZABETH WARLICK AND FRANCES GRAY, AS JOINT TENANTS, REMAINDERMAN.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said ROBERT F. WOZNIAK, JR., as sole owner, in fee simple.

PETITIONER'S
EXHIBIT NO. _____

4



PETITIONER'S
EXHIBIT NO. 5

SCALE 1"=60'. JUNE 17, 1937.
E. V. COONAN & CO.,
SURVEYORS & CIVIL ENGRS.
231 ST. PAUL PLACE.
BALTO., MD.

PB 10 F 121



PETITIONER'S
EXHIBIT NO. 6



8



9



U

2624 Masseth Avenue 2016-0005-A



Publication Date: 7/9/2015

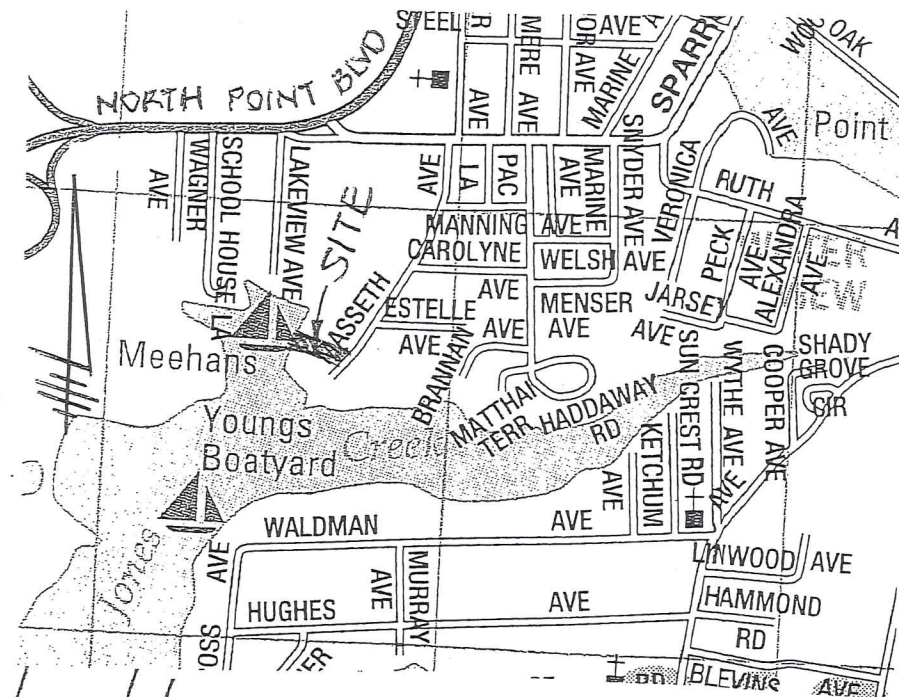
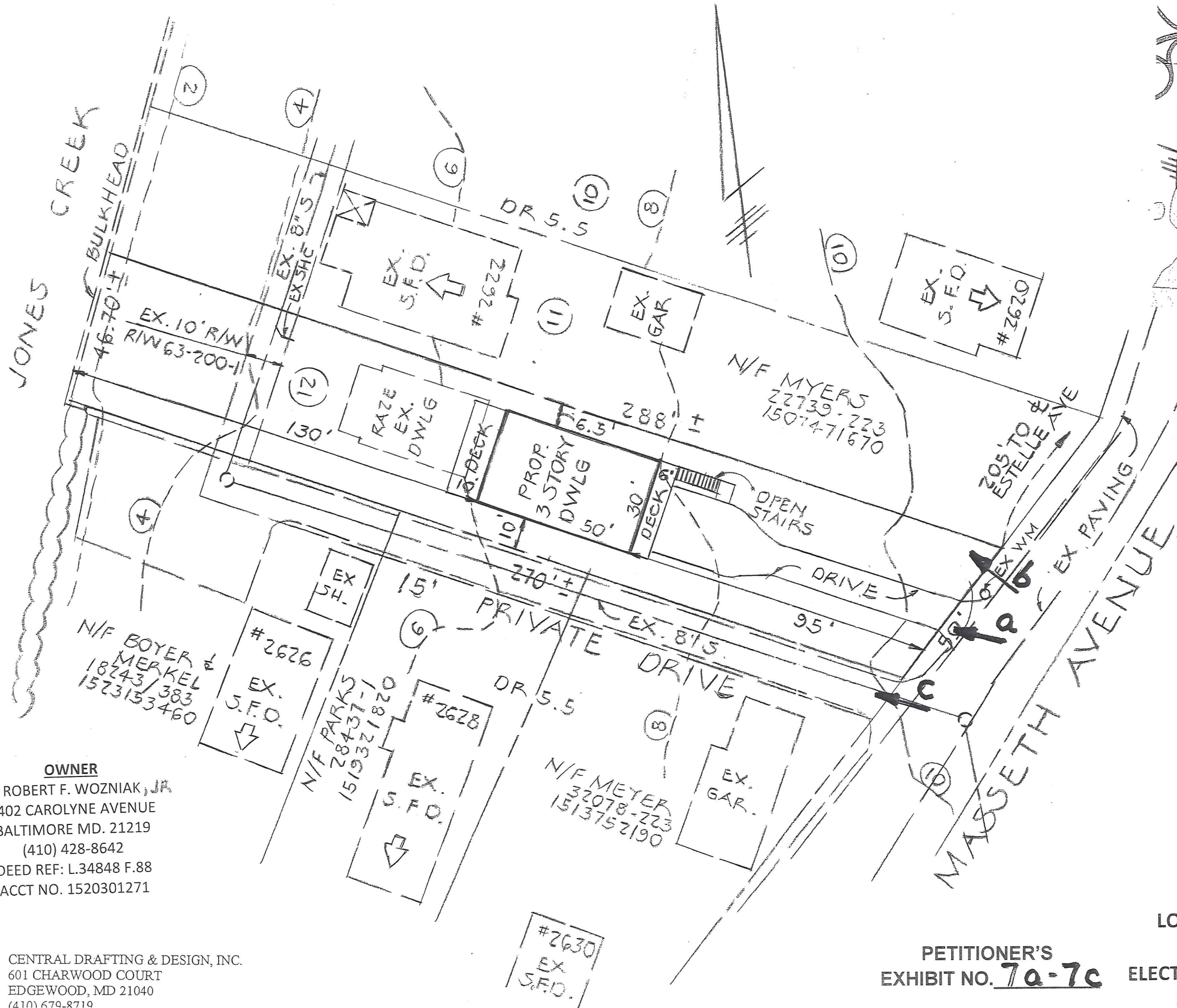


Publication Agency: Permits, Approvals & Inspections
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



0 12.5 25 50 75 100 Feet

1 inch = 50 feet



NOTES

1. ZONING.....DR 5.5 (MAP NO. 111B2)
2. AREA.....13248 S.F. = 0.299 ACRE +/-
3. PUBLIC WATER AND SEWER
4. NO PREVIOUS ZONING HISTORY OR VIOLATIONS
5. SITE IS LOCATED IN THE CBCA
6. A PORTION OF THE SITE IS LOCATED IN THE 100 YEAR FLOOD ZONE
7. TO THE PREPARER'S KNOWLEDGE, NO ARCHEOLOGICAL SITES, HISTORIC STRUCTURES OR UNDERGROUND STORAGE TANKS EXIST

PHOTOS

PLAT TO ACCOMPANY PETITION FOR VARIANCE

2624 MASSETH AVENUE

LOT 12 – PROPERTY OF SUSAN W. WORTMAN

P.B. 10 F. 121

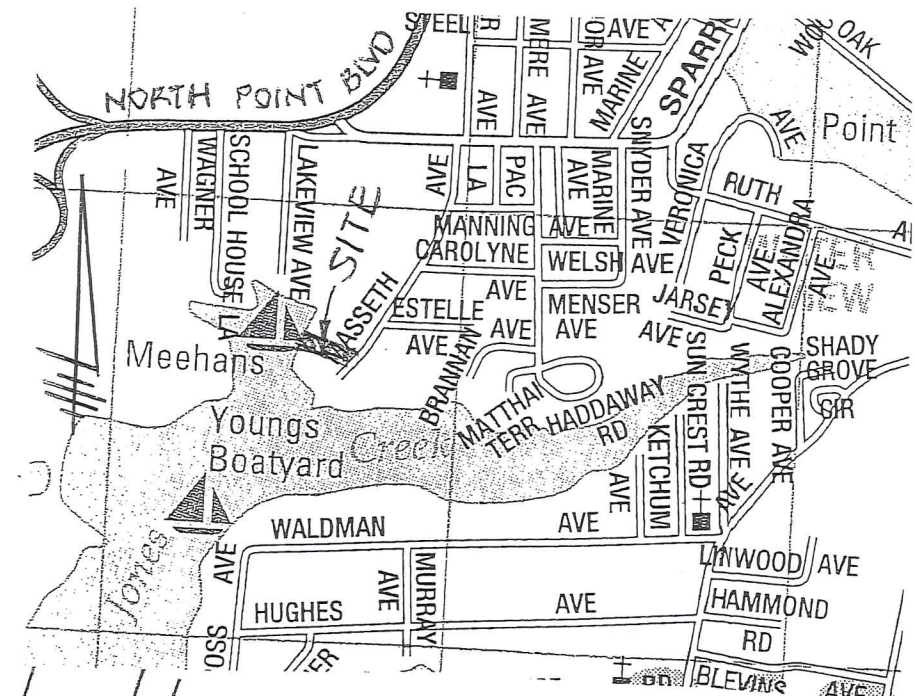
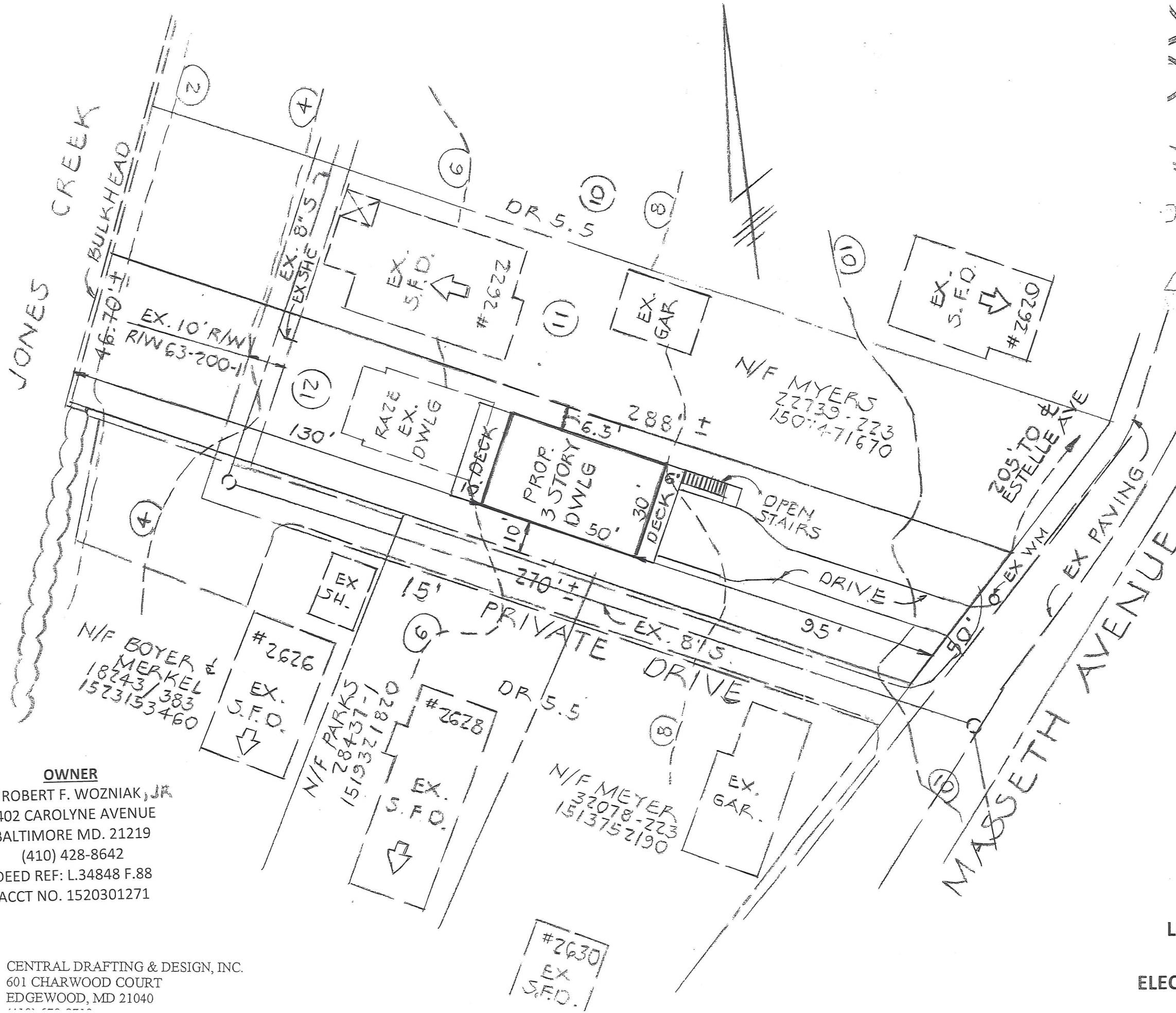
ELECTION DISTRICT 15C7 BALTIMORE COUNTY, MD.

SCALE: 1 INCH = 30 FEET APRIL 13, 2015

PETITIONER'S
EXHIBIT NO. 7a-7c

OWNER
ROBERT F. WOZNAK, JR.
2402 CAROLYNE AVENUE
BALTIMORE MD. 21219
(410) 428-8642
DEED REF: L.34848 F.88
ACCT NO. 1520301271

CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719



VICINITY MAP
SCALE: 1" = 1000'

PETITIONER'S
EXHIBIT NO. 1

NOTES

1. ZONING.....DR 5.5 (MAP NO. 111B2)
2. AREA.....13248 S.F. = 0.299 ACRE +/-
3. PUBLIC WATER AND SEWER
4. NO PREVIOUS ZONING HISTORY OR VIOLATIONS
5. SITE IS LOCATED IN THE CBCA
6. A PORTION OF THE SITE IS LOCATED IN THE 100 YEAR FLOOD ZONE
7. TO THE PREPARER'S KNOWLEDGE, NO ARCHEOLOGICAL SITES, HISTORIC STRUCTURES OR UNDERGROUND STORAGE TANKS EXIST

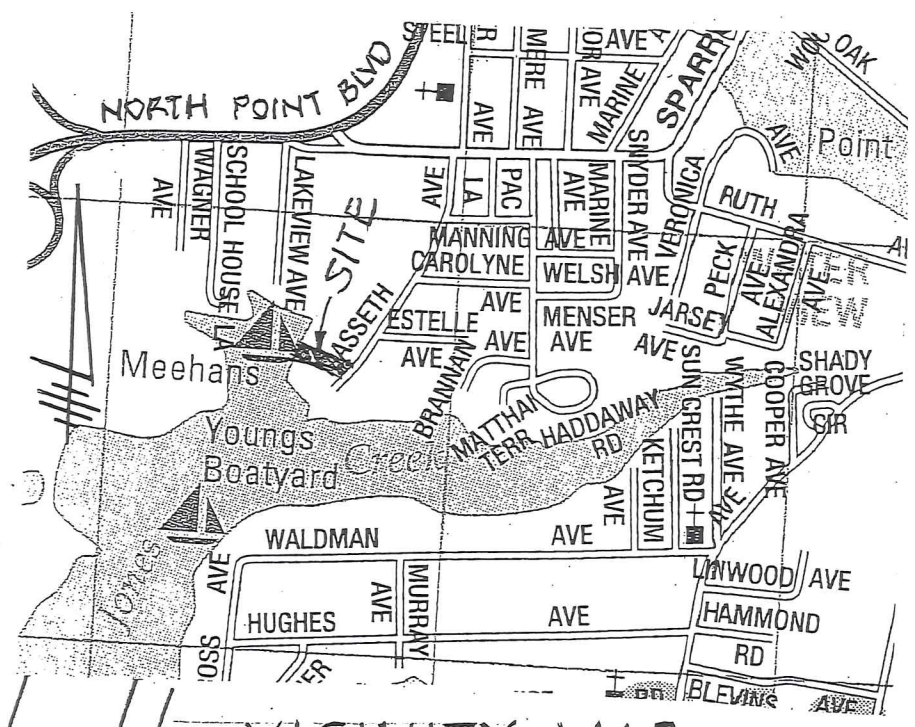
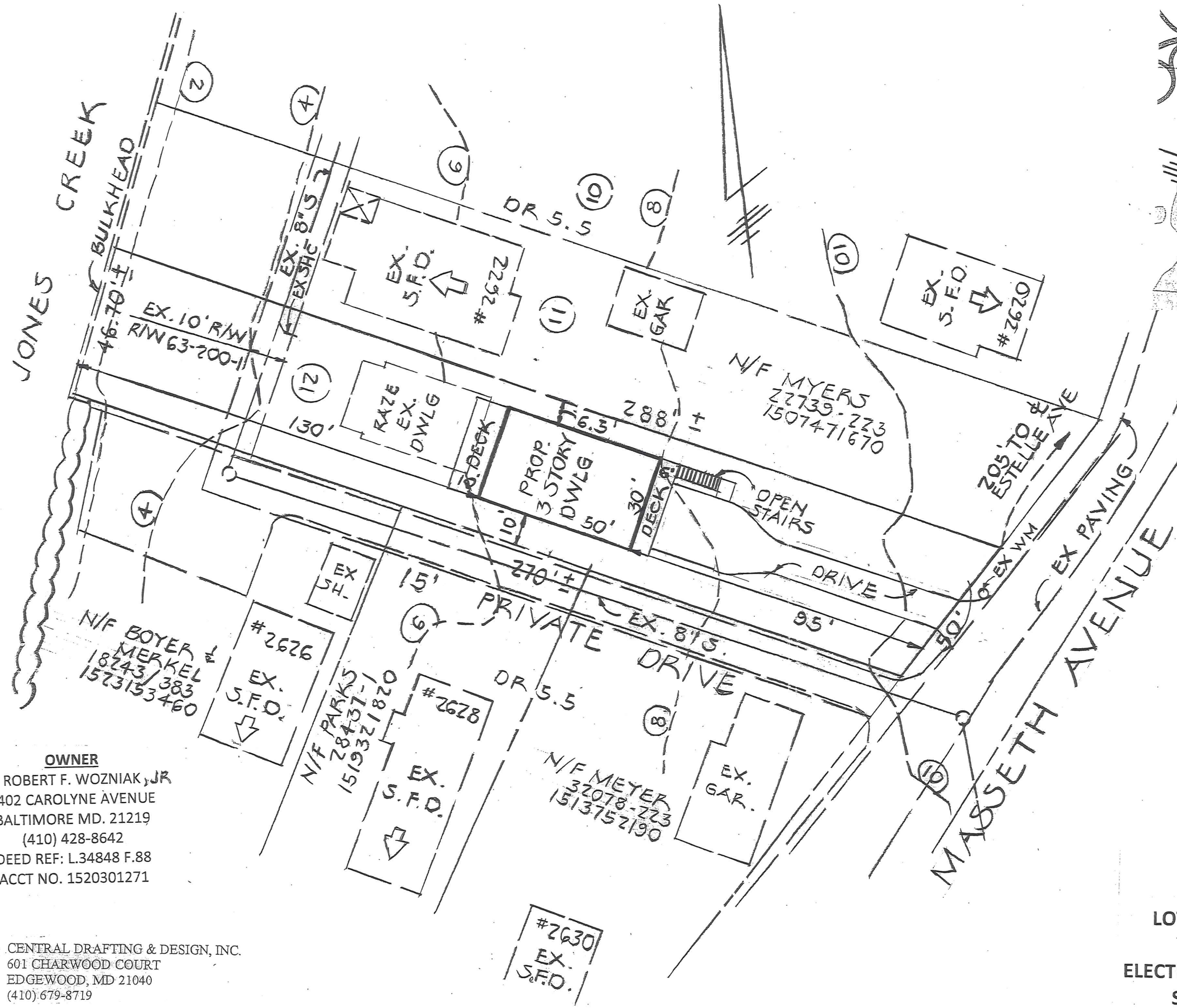
**PLAT TO ACCOMPANY
PETITION FOR VARIANCE
2624 MASSETH AVENUE**

**LOT 12 – PROPERTY OF SUSAN W. WORTMAN
P.B. 10 F. 121**

**ELECTION DISTRICT 15C7 BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 30 FEET APRIL 13 2015**

OWNER
ROBERT F. WOZNAK, JR.
2402 CAROLYN AVENUE
BALTIMORE MD. 21219
(410) 428-8642
DEED REF: L.34848 F.88
ACCT NO. 1520301271

CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040



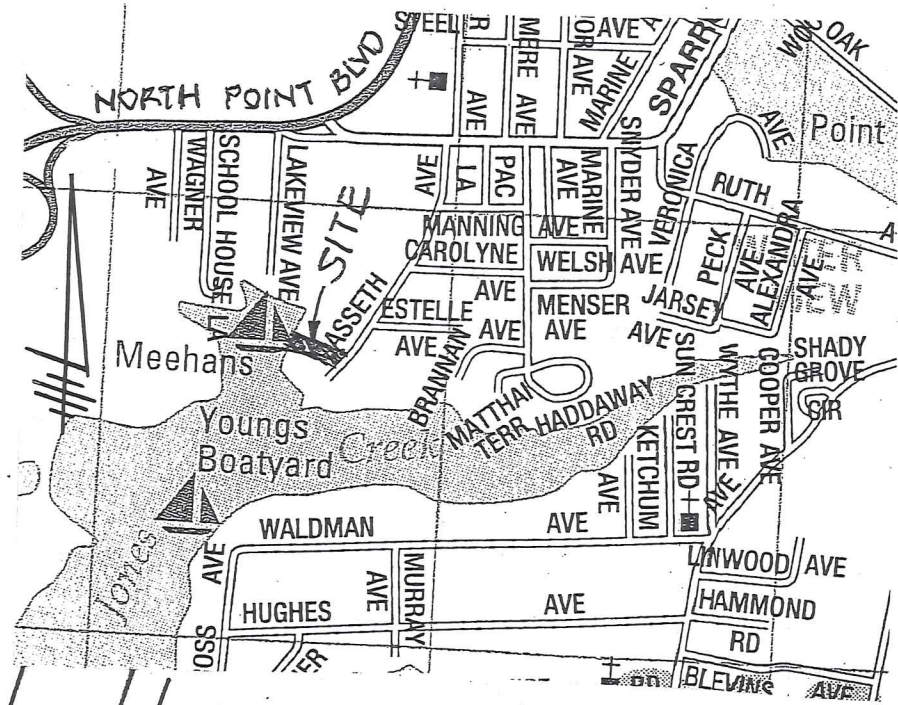
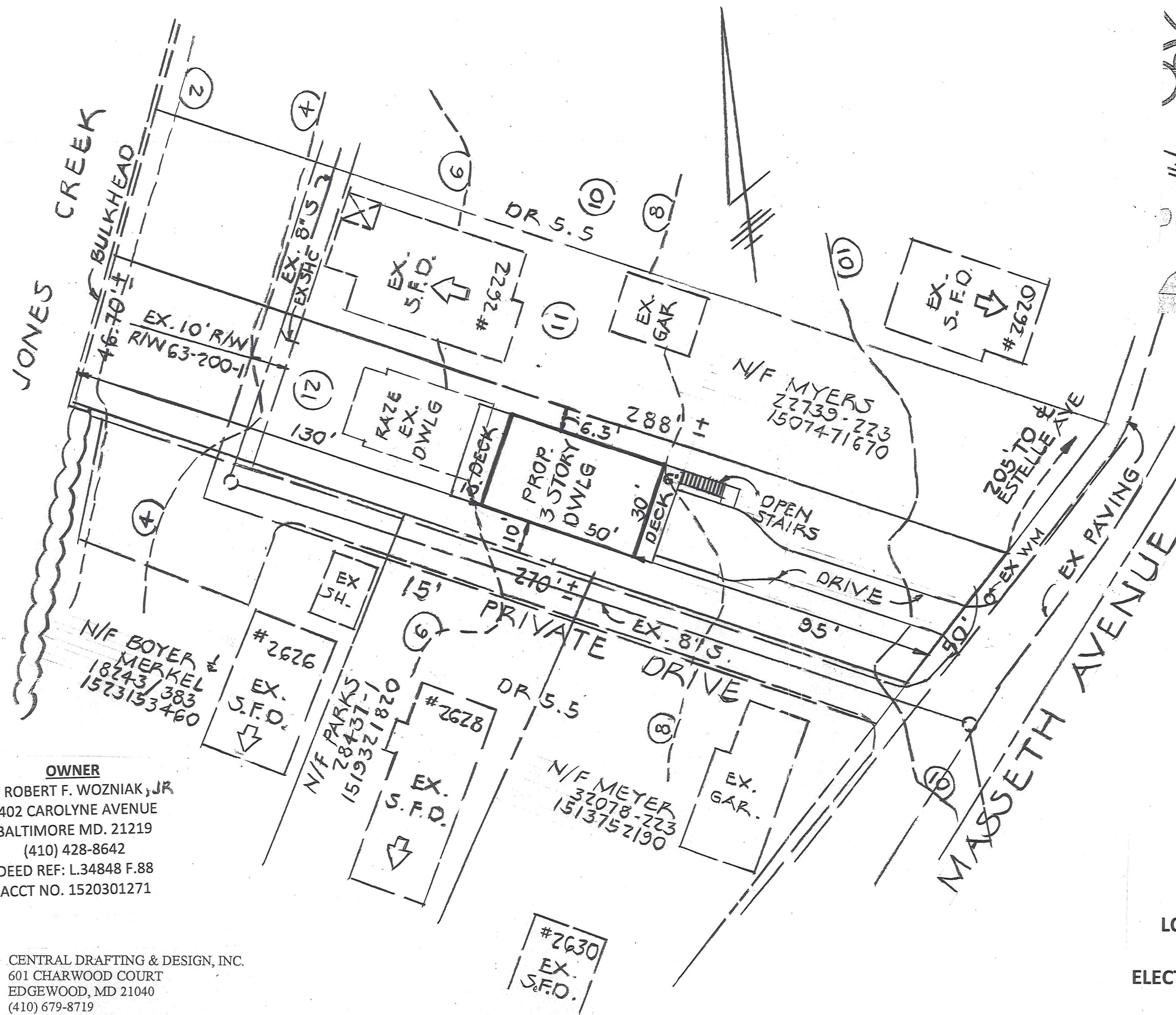
NOTES

1. ZONING.....DR 5.5 (MAP NO. 111B2)
2. AREA.....13248 S.F. = 0.299 ACRE +/-
3. PUBLIC WATER AND SEWER
4. NO PREVIOUS ZONING HISTORY OR VIOLATIONS
5. SITE IS LOCATED IN THE CBCA
6. A PORTION OF THE SITE IS LOCATED IN THE 100 YEAR FLOOD ZONE
7. TO THE PREPARER'S KNOWLEDGE, NO ARCHEOLOGICAL SITES, HISTORIC STRUCTURES OR UNDERGROUND STORAGE TANKS EXIST

OWNER
 ROBERT F. WOZNAK, JR
 2402 CAROLYNE AVENUE
 BALTIMORE MD. 21219
 (410) 428-8642
 DEED REF: L.34848 F.88
 ACCT NO. 1520301271

CENTRAL DRAFTING & DESIGN, INC.
 601 CHARWOOD COURT
 EDGEWOOD, MD 21040
 (410).679-8719

2016-0005-A
**PLAT TO ACCOMPANY
 PETITION FOR VARIANCE
 2624 MASSETH AVENUE
 LOT 12 - PROPERTY OF SUSAN W. WORTMAN
 P.B. 10 F. 121
 ELECTION DISTRICT 15C7 BALTIMORE COUNTY, MD.
 SCALE: 1 INCH = 30 FEET APRIL 13, 2015**



VICINITY MAP
SCALE: 1" = 1000'

NOTES

1. ZONING.....DR 5.5 (MAP NO. 111B2)
2. AREA.....13248 S.F. = 0.299 ACRE +/-
3. PUBLIC WATER AND SEWER
4. NO PREVIOUS ZONING HISTORY OR VIOLATIONS
5. SITE IS LOCATED IN THE CBCA
6. A PORTION OF THE SITE IS LOCATED IN THE 100 YEAR FLOOD ZONE
7. TO THE PREPARER'S KNOWLEDGE, NO ARCHEOLOGICAL SITES, HISTORIC STRUCTURES OR UNDERGROUND STORAGE TANKS EXIST

2016-0005-A

**PLAT TO ACCOMPANY
PETITION FOR VARIANCE
2624 MASSETH AVENUE**

LOT 12 – PROPERTY OF SUSAN W. WORTMAN

P.B. 10 F. 121

ELECTION DISTRICT 15C7 BALTIMORE COUNTY, MD.

SCALE: 1 INCH = 30 FEET APRIL 13, 2015

OWNER
ROBERT F. WOZNAK, JR
2402 CAROLYNE AVENUE
BALTIMORE MD. 21219
(410) 428-8642
DEED REF: L.34848 F.88
ACCT NO. 1520301271

CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719