

IN RE: PETITION FOR VARIANCE

(8027 Shore Road)

15th Election District

7th Council District

Chesapeake Custom Properties, LLC

Legal Owner

Petitioner

*

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*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2016-0008-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 Chesapeake Custom Properties, LLC, which owns 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 lot width of 50 ft. and a lot area of 5403 sq. ft. in lieu of the required 55 ft. and 6,000 sq. ft., respectively, for a new dwelling on existing lots of record. A site plan was marked as Petitioner's Exhibit 1.

Charles Wolinski appeared in support of the petition. David Billingsley, whose firm prepared the site plan, assisted the Petitioner. The Petition was advertised and posted as required by the B.C.Z.R. There were no Protestants or interested citizens in attendance. 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 5,403 square feet and is zoned DR 5.5. The property is comprised of two separate lots (known as Lot Nos. 168 & 169), each of which is 25 feet wide. The Petitioner proposes to construct one single family dwelling on both lots, but requires zoning relief to do so. The petition seeks variance relief (B.C.Z.R. §307) for the deficient lot width and

ORDER RECEIVED FOR FILING

Date 9-29-15

By Den

area, although it appears Petitioner could have also sought approval under B.C.Z.R. §304.1, which permits construction of a single family dwelling (in certain circumstances) on undersized lots with deficient width and/or area.

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 lots were created by plat ("Pennwood Terrace") recorded in 1923, long before adoption of the zoning regulations. As such, the property is unique. If the Regulations were strictly interpreted, Petitioner would experience a practical difficulty because it would be unable to construct a 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 29th 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 lot width of 50 ft. and a lot area of 5,403 sq. ft. in lieu of the required 55 ft. and 6,000 sq. ft., respectively, for a new dwelling on existing lots of record, 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 its 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.

ORDER RECEIVED FOR FILING

2 Date 9-29-15
By Sen

2. Petitioner must comply with flood protection and Critical Area regulations.

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 9-29-15

By sln

**CBCA****CORRECTED ADDRESS****F100D****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 8027 SHORE ROAD which is presently zoned DR5.5
 Deed References: L36319 E.366 10 Digit Tax Account # 1503470641
 Property Owner(s) Printed Name(s) CHESAPEAKE CUSTOM PROPERTIES LLC

(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. X a **Variance** from Section(s)

1802.3.C.1 TO PERMIT A LOT WIDTH OF 50 FEET & A LOT AREA OF 5403 SQUARE FEET IN LIEU OF THE REQUIRED 55 FEET AND 6000 SQUARE FEET RESPECTIVELY FOR A NEW DWELLING ON EX. LOTS OF RECORD.

Density will not be affected
 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):CHESAPEAKE CUSTOM PROPERTIES LLC
CHARLES S. YVOLINSKI, MEMBER

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

9019 CUCKOLD POINT RD. BALTO, MD.

Mailing Address City State

21219 (443) 850-9431, cwolinski@bcp.com

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 2016-0008-AFiling Date 7/10/2015

Do Not Schedule Dates: _____

Reviewer W

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

No. **127367**

Date: **7/10/15**

PAID RECEIPT

BUSINESS ACTUAL TIME DRN
 7/13/2015 7/10/2015 09:28:59 1

REL NS01 WALKIN LRAS LJR
 >> RECEIPT # 591375 7/10/2015 OFLN

Dept 5 528 ZONING VERIFICATION
 CR NO. 127367

Receipt Tot \$75.00
 \$150.00 CK \$1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
0001	816	000		6150				75.00

Total: **75.00**

Rec From: **CENTRAL**

For: **8079 Shore Rd.**

2016-0008-A

**CASHIER'S
 VALIDATION**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/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: 2016-0008-A
Property Address: 8029 SHORE ROAD
Property Description: LOTS 168 & 169 PENWOOD TERRACE
Legal Owners (Petitioners): CHESAPEAKE CUSTOM PROPERTIES LLC
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: CHARLES WOLINSKI
Company/Firm (if applicable): _____
Address: 9019 CUCKOLD POINT ROAD
BALTO, MD. 21219
Telephone Number: (443) 850-9431

Revised 5/20/2014

CERTIFICATE OF POSTING

Date: SEPTEMBER 4, 2015

RE: Project Name: 8027 SHORE ROAD
Case Number /PAI Number: 2016-0008-A
Petitioner/Developer: CHESAPEAKE CUSTOM PROPERTIES LLC
Date of Hearing/Closing: SEPTEMBER 28, 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 8027 SHORE ROAD

The sign(s) were posted on SEPTEMBER 4, 2015

(Month, Day, Year)

ZONING NOTICE

CASE NO. 2016-008-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 28, 2015 @ 1:30 PM

REQUEST: VARIANCE TO PERMIT A LOT WIDTH OF
50 FEET AND A LOT AREA OF 5403 SQ. FT. IN LIEU
OF THE REQUIRED 55 FEET AND 6000 SQ. FT.
RESPECTIVELY, FOR A NEW DWELLING ON AN
EXISTING LOT OF RECORD THAT DENSITY WILL NOT
BE AFFECTED.

Postponements due to weather or other conditions are sometimes
necessary. To confirm hearing or obtain additional information, contact
Department of Permits, Approvals and Inspections, 111 West Chesapeake
Avenue, Towson, Md. 21204 (410) 887-3393.
UNDER PENALTY OF LAW, DO NOT REMOVE THIS SIGN UNTIL THE
DAY OF THE HEARING. HEARINGS ARE HANDICAPPED ACCESSIBLE.

David W Billingsley
(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)



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 N

Sold To:

Charles Wolinski - CU00486508
9019 Cuckold Point Rd
Sparrows Point, MD 21219-1635

Bill To:

Charles Wolinski - CU00486508
9019 Cuckold Point Rd
Sparrows Point, MD 21219-1635

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

Sep 08, 2015

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: # 2016-0008-A
2027 Shore Road
S/s Shore Road, 140 ft w/ of centerline of Maple Road
15th Election District - 7th Councilmanic District
Legal Owner(s) Chesapeake Custom Properties, LLC,
Charles Wolinski, Member

Variance: to permit a lot width of 50 ft. and a lot area of 5403 sq. ft. in lieu of the required 55 ft. and 6000 sq. ft. respectively, for a new dwelling on existing lots of record that density will not be affected.

Hearing: Monday, September 28, 2015, at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

IT 9/658 Sept. 8 3553188

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising



KEVIN KAMENETZ
County Executive

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

August 3, 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: 2016-0008-A

8027 Shore Road

S/s Shore Road, 140 ft. w/of centerline of Maple Road

15th Election District – 7th Councilmanic District

Legal Owners: Chesapeake Custom Properties, LLC, Charles Wolinski, Member

Variance to permit a lot width of 50 ft. and a lot area of 5403 sq. ft. in lieu of the required 55 ft. and 6000 sq. ft. respectively, for a new dwelling on existing lots of record that density will not be affected.

Hearing: Monday, September 28, 2015 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over a horizontal line.

Arnold Jablon
Director

AJ:kl

C: Charles Wolinski, 9019 Cuckold Point Rd., 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, SEPTEMBER 8, 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.

RE: PETITION FOR VARIANCE
8027 Shore Road; S/S Shore Road, 140' W
of c/line of Maple Avenue
15th Election & 7th Councilmanic Districts
Legal Owner(s): Chesapeake Custom
Properties, LLC
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2016-008-A

* * * * *

ENTRY OF APPEARANCE

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

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

MEMORANDUM

DATE: October 30, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0008-A – Appeal Period Expired

The appeal period for the above-referenced case expired on October 29, 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

CASE NAME 8021 SHORE RD.
CASE NUMBER 2016-0008-A
DATE 9-28-15

[illegible]

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

7/27/15

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

C

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

FIRE DEPARTMENT

7/27/15

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

NO Obj

7/14/15

STATE HIGHWAY ADMINISTRATION

NO Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

9/8/15

SIGN POSTING

Date:

9/4/15

by

Billingsley

PEOPLE'S COUNSEL APPEARANCE

Yes

☐

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

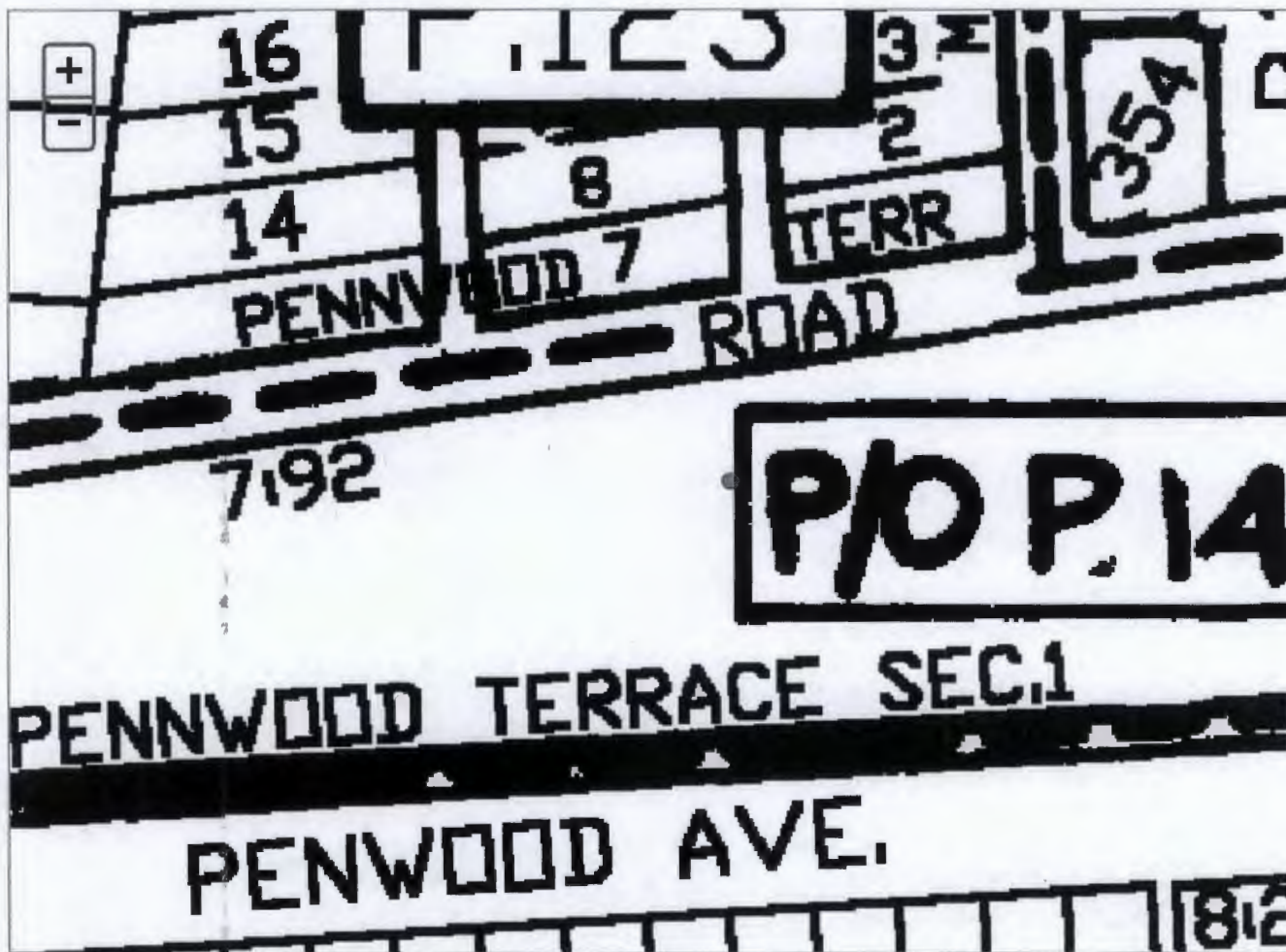
Real Property Data Search (w4)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration			
Account Identifier:		District - 15 Account Number - 1503470641							
Owner Information									
Owner Name:		CHESAPEAKE CUSTOM PROPERTIES LLC				Use:		RESIDENTIAL	
Mailing Address:		9005 MILLERS ISLAND BLVD BALTIMORE MD 21219-				Principal Residence:		NO	
						Deed Reference:		/36319/ 00366	
Location & Structure Information									
Premises Address:		PENWOOD AVE BALTIMORE 21219-				Legal Description:		LT 168,169	
								PENWOOD TERRACE	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0111	0024	0145		0000	1		168	2015	Plat Ref: 0007/0092
Special Tax Areas:					Town:		NONE		
					Ad Valorem:				
					Tax Class:				
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area		County Use	
						5,350 SF		04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
					1 Detached				
Value Information									
			Base Value		Value As of 01/01/2015		Phase-in Assessments As of 07/01/2015 As of 07/01/2016		
Land:			53,600		53,600				
Improvements			5,600		5,600				
Total:			59,200		59,200		59,200		
Preferential Land:			0						0
Transfer Information									
Seller: U S BANK TRUST N A TRUSTEE				Date: 06/18/2015			Price: \$84,900		
Type: ARMS LENGTH MULTIPLE				Deed1: /36319/ 00366			Deed2:		
Seller: ANDERSON BRIAN M				Date: 02/06/2014			Price: \$123,520		
Type: NON-ARMS LENGTH OTHER				Deed1: /34671/ 00219			Deed2:		
Seller: ANDERSON BRIAN MICHAEL				Date: 03/18/2005			Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /21578/ 00748			Deed2:		
Exemption Information									
Partial Exempt Assessments:		Class				07/01/2015		07/01/2016	
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									

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **15** Account Number: **1503470641**

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>).

[\(http://lmsweb05.mdp.state.md.us/website/mosp/\)](http://lmsweb05.mdp.state.md.us/website/mosp/)

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



KEVIN KAMENETZ
County Executive

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

September 23, 2015

Chesapeake Custom Properties LLC
Charles S Wolinski
9019 Cuckold Point Road
Baltimore MD 21219

RE: Case Number: 2016-0008 A, Address: 8027 Shore Road

Dear Mr. Wolinski:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 10, 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, reading "W. Carl Richards, Jr." in a cursive 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 2016-0008-A

Variance

Chesapeake Custom Properties
LLC, Charles S. Wolinski, Member
8029 Shore 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.

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 black ink, appearing to read "David W. Peake".

David W. Peake
Metropolitan District Engineer
Baltimore & Harford Counties

DWP/RAZ

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired or Speech 1-800-735-2258 Statewide Toll-Free

Street Address: 320 West Warren Road - Hunt Valley, Maryland 21030 - Phone 410-229-2300 or 1-866-998-0367 -

Fax 410-527-4685 - www.roads.maryland.gov

9/28

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: 8027 Shore Road

OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:

Item Number: 16-008

Petitioner: Charles S. Wolinski, Member, Chesapeake Custom Properties, LLC

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Variance to permit a lot width of 50 feet and a lot area of 5,403 square feet in lieu of the required 55 feet and 6,000 square feet respectively.

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

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

Division Chief: Katrina G. Salbach
AVA/KS
C:Bill Skibinski

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 27, 2015
Item No. 2016-0008

DATE: July 27, 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 16-0008-07272015.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For July 20, 2015
Item No. 2016-0008

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 16-0008-07202015.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: 8027 Shore Road

INFORMATION:

Item Number: 16-008

Petitioner: Charles S. Wolinski, Member, Chesapeake Custom Properties, LLC

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

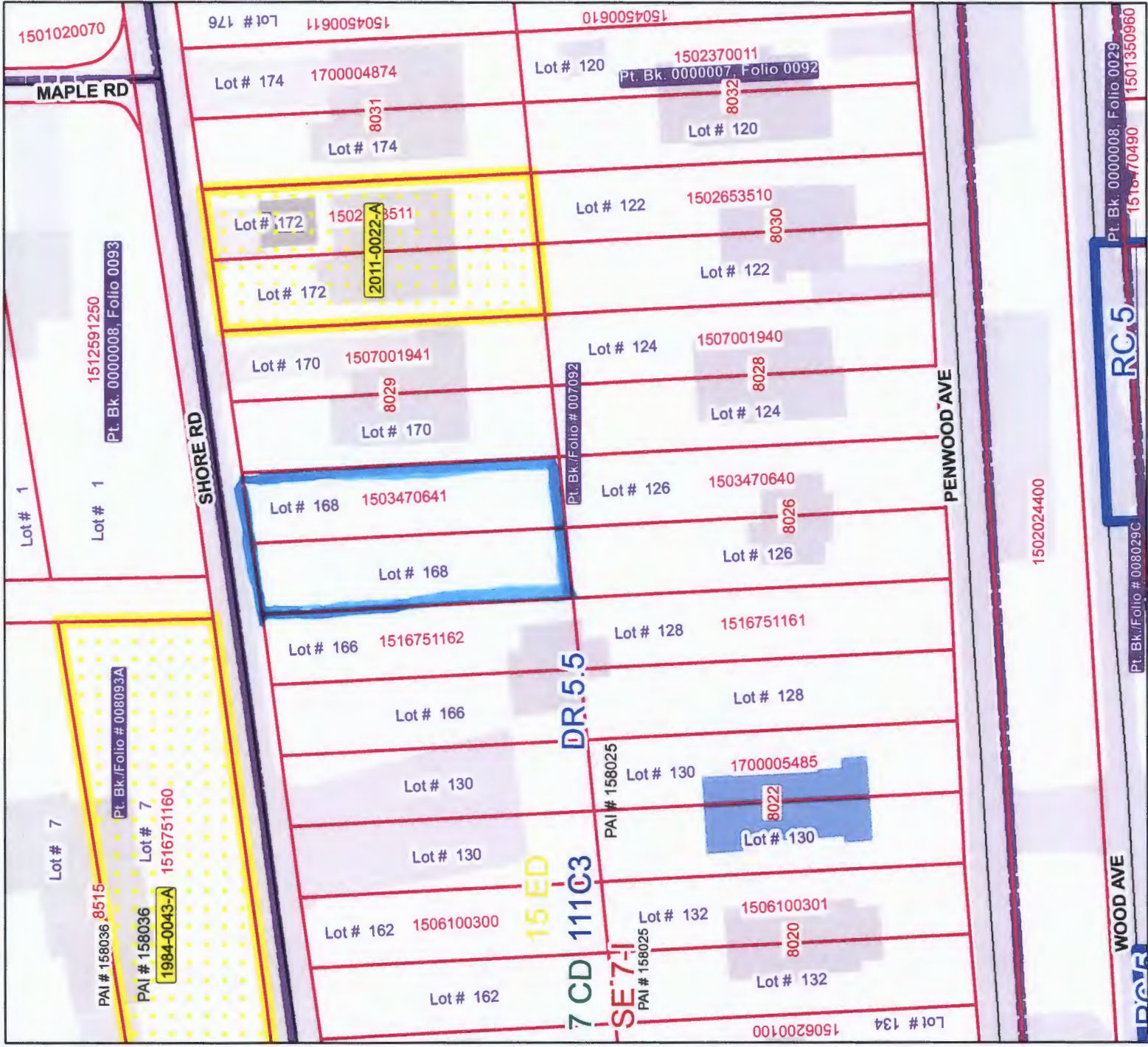
The Department of Planning has reviewed the Petition for Variance to permit a lot width of 50 feet and a lot area of 5,403 square feet in lieu of the required 55 feet and 6,000 square feet respectively.

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

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

Division Chief: Katrina Jablon
AVA/KS
C:Bill Skibinski

8024 Shore Road 2016-0008-A



Publication Date: 7/10/2015

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



1 inch = 50 feet

PW
10-30-15

PETITIONER'S EXHIBITS

8027 SHORE ROAD
CASE NO. 2016-0008-A

slw
9-29-15

1. PLAT TO ACCOMPANY VARIANCE PETITION DATED JULY 1, 2015 (NO CHANGES)
2. SDAT REAL PROPERTY SEARCH
3. TAX MAP 0111
4. DEED OF RECORD L. 36319 F. 366
5. PLAT OF PENWOOD TERRACE P.B. 7 F. 92
6. AERIAL PHOTO
- 7a – 7d. PHOTOS
8. BUILDING ELEVATIONS

Real Property Data Search (w1)

Guide to searching the database

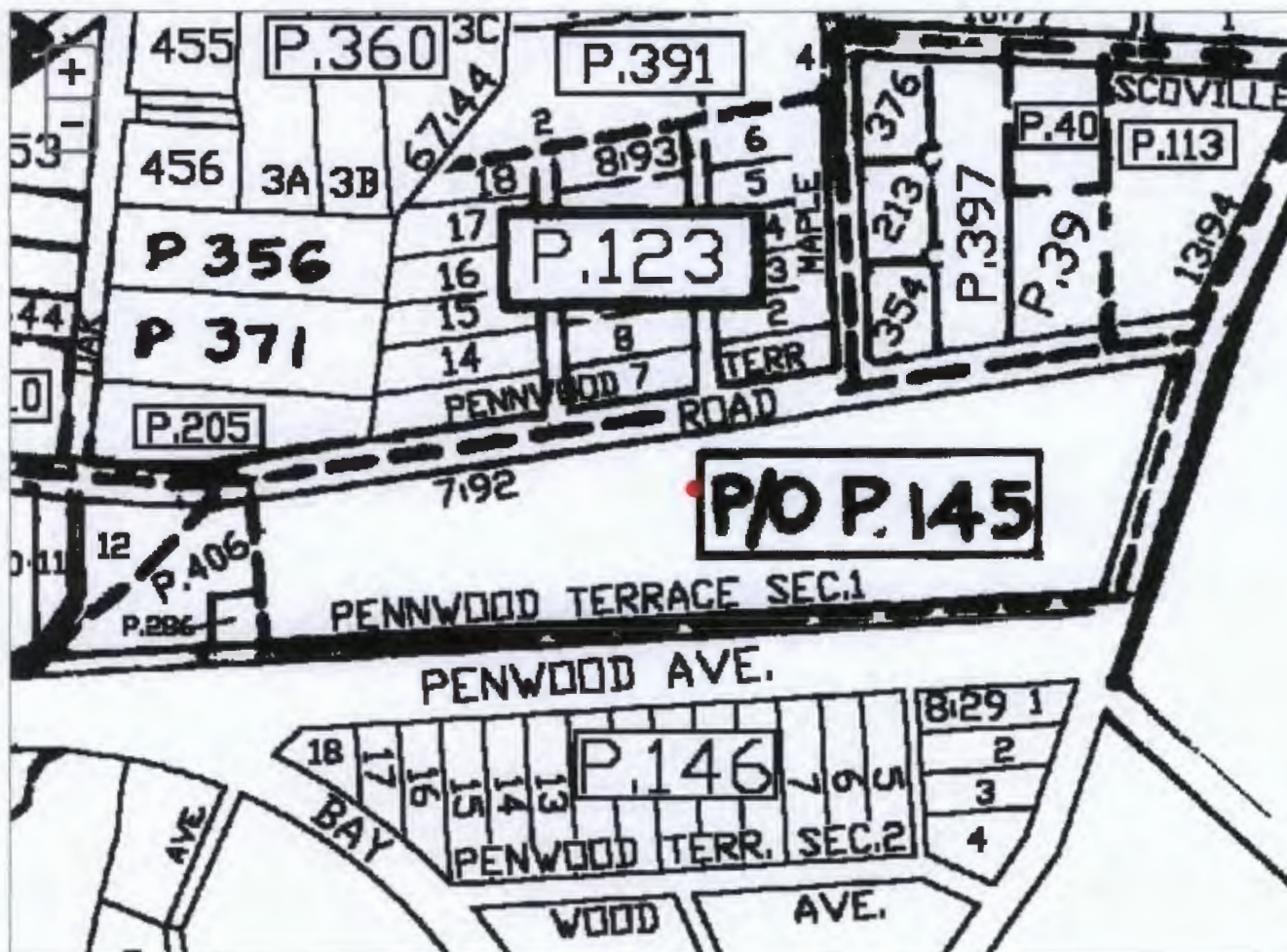
Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption				View GroundRent Registration			
Account Identifier:			District - 15 Account Number - 1503470641							
Owner Information										
Owner Name:		CHESAPEAKE CUSTOM PROPERTIES LLC				Use: Principal Residence:		RESIDENTIAL NO		
Mailing Address:		9005 MILLERS ISLAND BLVD BALTIMORE MD 21219-				Deed Reference:		/36319/ 00366		
Location & Structure Information										
Premises Address:		PENWOOD AVE BALTIMORE 21219-				Legal Description:		LT 168,169 PENWOOD TERRACE		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0111	0024	0145		0000	1		168	2015	Plat Ref:	0007/0092
Special Tax Areas:					Town: Ad Valorem: Tax Class:		NONE			
Primary Structure Built		Above Grade Enclosed Area			Finished Basement Area		Property Land Area 5,350 SF		County Use 04	
Stories	Basement	Type	Exterior	Full/Half Bath		Garage 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:			53,600		53,600					
Improvements			5,600		5,600					
Total:			59,200		59,200		59,200		59,200	
Preferential Land:			0						0	
Transfer Information										
Seller: U S BANK TRUST N A TRUSTEE					Date: 06/18/2015			Price: \$84,900		
Type: ARMS LENGTH MULTIPLE					Deed1: /36319/ 00366			Deed2:		
Seller: ANDERSON BRIAN M					Date: 02/06/2014			Price: \$123,520		
Type: NON-ARMS LENGTH OTHER					Deed1: /34671/ 00219			Deed2:		
Seller: ANDERSON BRIAN MICHAEL					Date: 03/18/2005			Price: \$0		
Type: NON-ARMS LENGTH OTHER					Deed1: /21578/ 00748			Deed2:		
Exemption Information										
Partial Exempt Assessments:		Class				07/01/2015		07/01/2016		
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 County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **15** Account Number: **1503470641**

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.

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>).

PETITIONER'S
EXHIBIT NO. 3

Advantage Title Company
 File No. AT-47648SP
 Tax ID# 15-1503470640 & 15-1503470641

This Deed, made made this 26th day of May, 2015, by y and
 between U.S. Bank Trust, N.A. as Trustee for LSF6 Bermuda MRA REO Trust, party of
 the first part, GRANTOR; and Chesapeake Custom Properties, LLC, party of the second
 part, GRANTEE.

- Witnesseth -

That in consideration of the sum of Eighty-Four Thousand Nine Hundred and
 00/100 Dollars (\$84,900.00), which includes the amount of any outstanding Mortgage or
 Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said GRANTOR
 does grant and convey to the said Chesapeake Custom Properties, LLC, 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 CERTAIN LOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING
 IN THE COUNTY OF BALTIMORE, MARYLAND.

BEING KNOWN AND DESIGNATED AS LOT NOS. 126, 127, 168 AND 169 ON THE PLAT
 OF THE PROPERTY KNOWN AS PENWOOD TERRACE WHICH PLAT IS RECORDED
 AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK W.P.C. NO. 7,
 FOLIO 93.

THE IMPROVEMENTS THEREON BEING COMMONLY KNOWN AS 8026 PENWOOD
 AVENUE, SPARROWS POINT, MD 21219.

BEING the fee simple property which, by Trustees Deed dated January 6,
 2014, and recorded February 6, 2014 in the Land Records of the County
 of Baltimore, Maryland, in Liber 34671, Folio 219, was granted and
 conveyed by Jeffrey B. Fisher, Martin S. Goldberg, Virginia S. Inzer, and
 Doreen A. Strothman, Substitute Trustees unto U.S. Bank Trust, N.A. as
 Trustee for LSF6 Bermuda MRA REO Trust.

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 Chesapeake Custom Properties, LLC, in fee
 simple.

Caliber Home Loans, attorney-in-fact, is signing on behalf of U.S. Bank Trust, N.A. as
 Trustee for LSF6 Bermuda MRA REO Trust by Limited Power of Attorney recorded in
 Baltimore County, Maryland, in Book 35208 at Page 371

This Deed is exempt from income tax withholding pursuant to Maryland Code Tax-
 General, Section 10-912(a)(7)(ii)(1), 10-912(a)(7)(ii)(2) and 10-912(d)(3)(i), and COMAR
 03-04-12.03B(5)(a).

PETITIONER'S
 EXHIBIT NO. 4

And the said party of the first part hereby covenants that it has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that it warrant specially the property hereby granted; and that it will execute such further assurances of the same as may be requisite.

In Witness Whereof, Grantor has caused this Deed to be properly executed and sealed the day and year first above written.

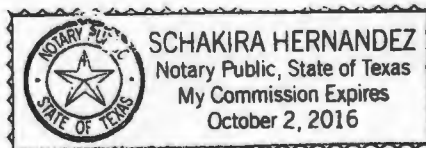
U.S. Bank Trust, N.A. as Trustee for LSF6
Bermuda MRA REO Trust

Paula Kelley
by Caliber Home Loans, Inc. as attorney in
fact **Paula Kelley**
Authorized Signatory

STATE OF TEXAS COUNTY OF DALLAS TO WIT:

I hereby certify that on this 7 day of May, 2015 before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Paula Kelley, who acknowledged himself/herself to be the Authorized Signatory of Caliber Home Loans, Inc., as attorney in fact for U.S. Bank Trust, N.A. as Trustee for LSF6 Bermuda MRA REO Trust, and that as such officer, being authorized to do so, executed the foregoing Deed for the purposes therein contained, by signing the name of the Grantor, by himself/herself as such officer and further, did certify that this conveyance is not part of a transaction in which there is a sale, lease, exchange or other transfer or all, or substantially all, of the property and assets of the Grantor, giving oath under penalties of perjury that the consideration recited herein is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

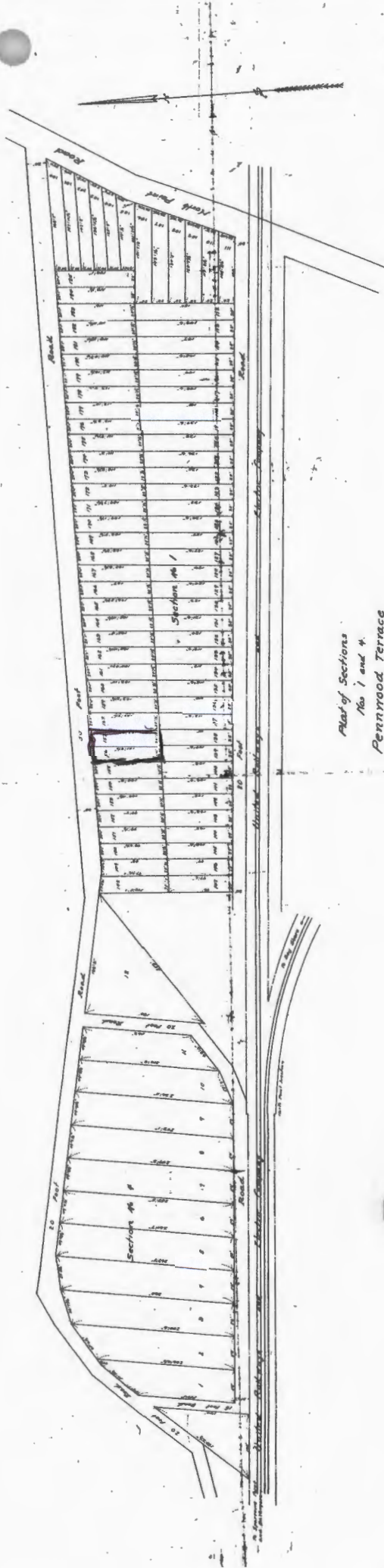


S. Hernandez
Notary Public
My commission expires: _____

THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

Kirsten Oliver
Kirsten Oliver, Attorney

AFTER RECORDING, PLEASE RETURN TO:
Advantage Title Company
2037 Liberty Road
Eldersburg, MD 21784



Plat of Sections
No. 1 and 4.
Pennwood Terrace
Made as per plat to one inch
of N.W. - N.E. 1/4 Sec. 4.
Range 10 N. - E. 1/4 Sec. 4.
Twp. 14 N. - E. 1/4 Sec. 4.

PETITIONER'S
EXHIBIT NO. 5

P.B. 7 F. 92
12/12/23





b



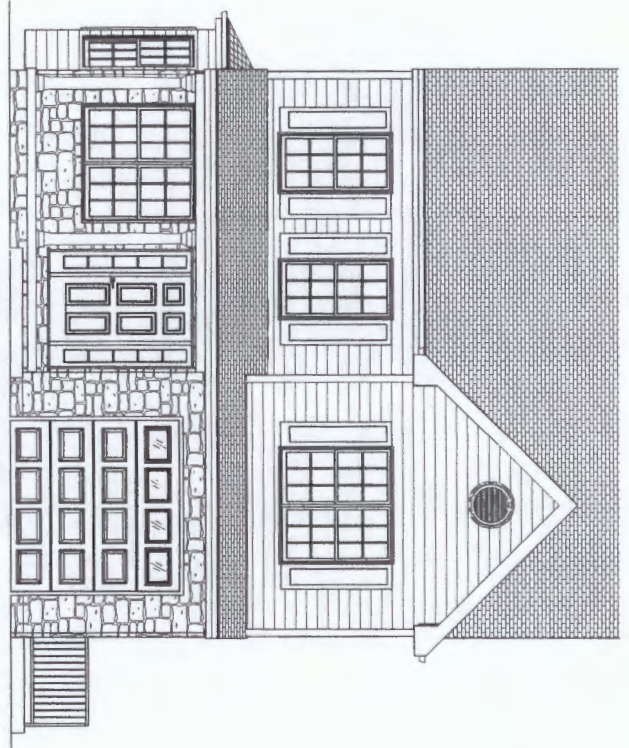
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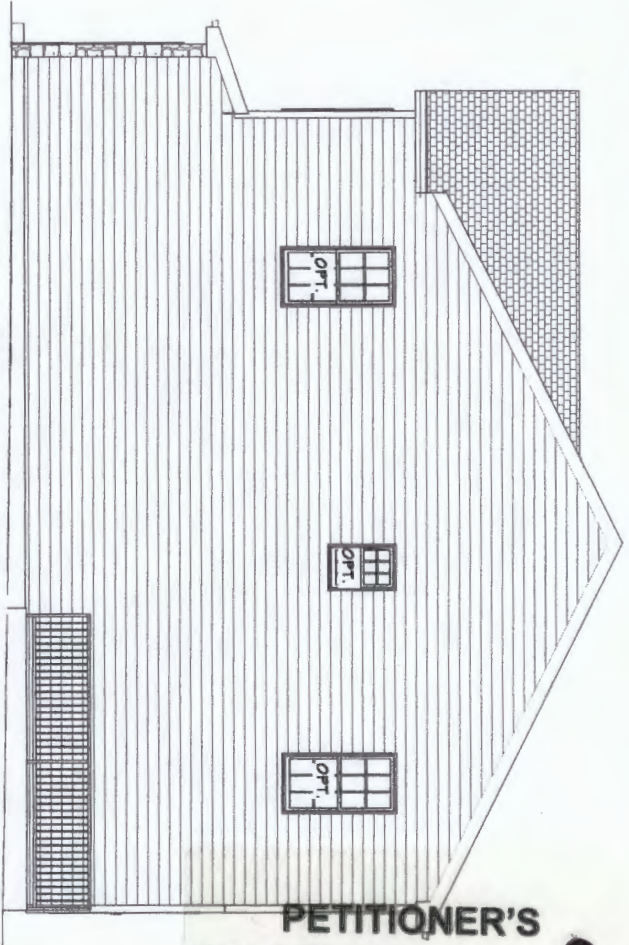
d



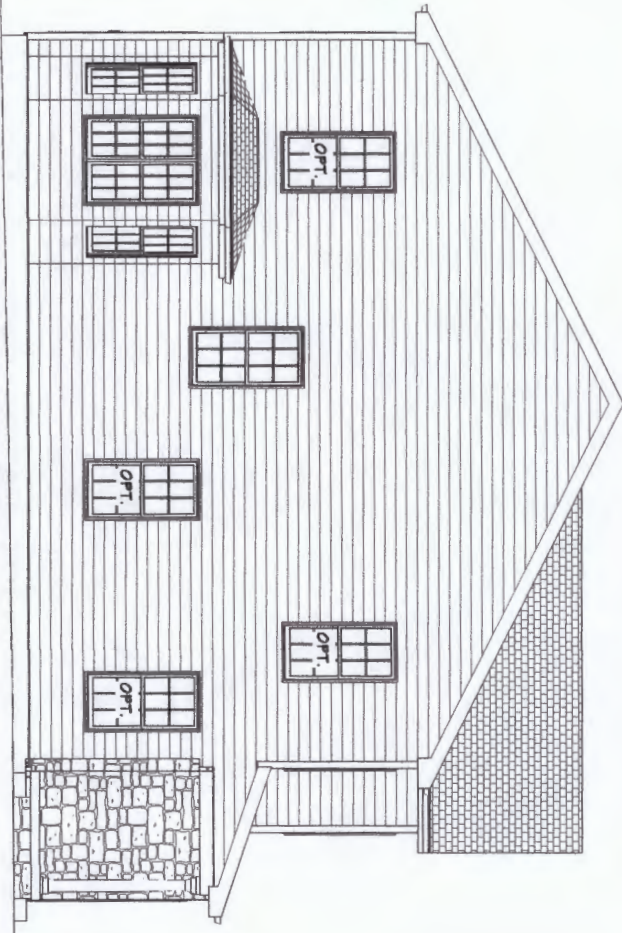
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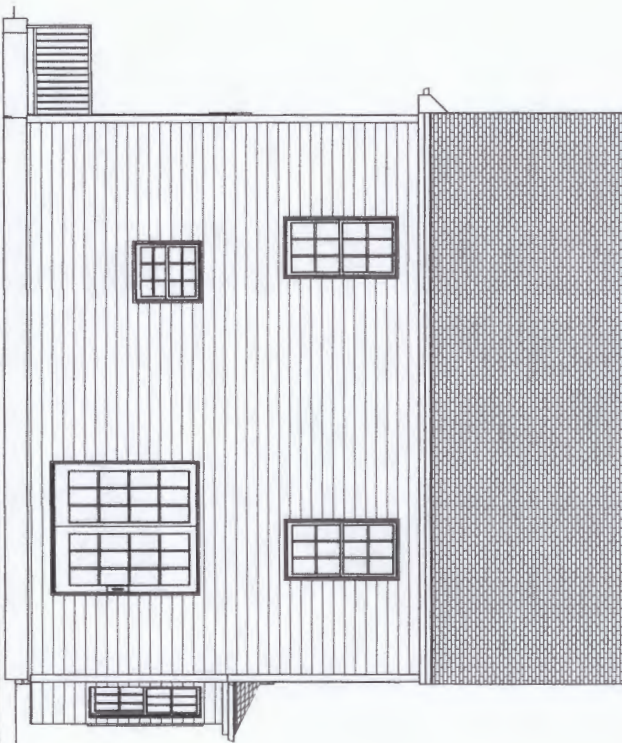
FRONT ELEVATION



RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION

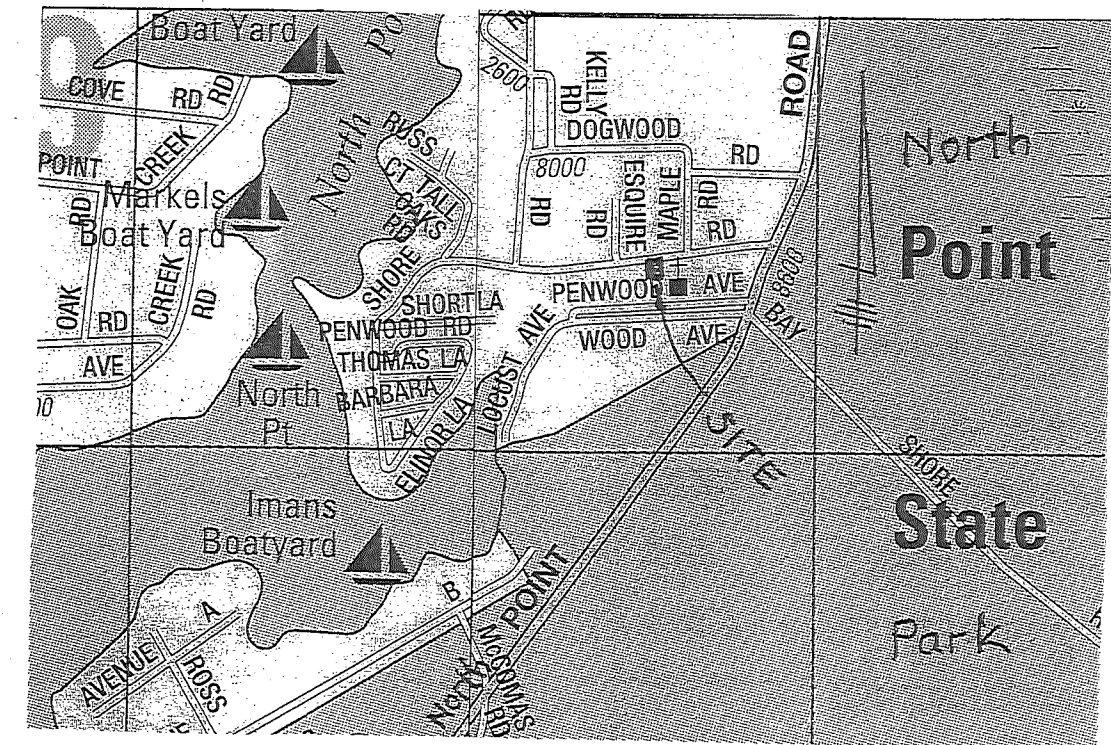
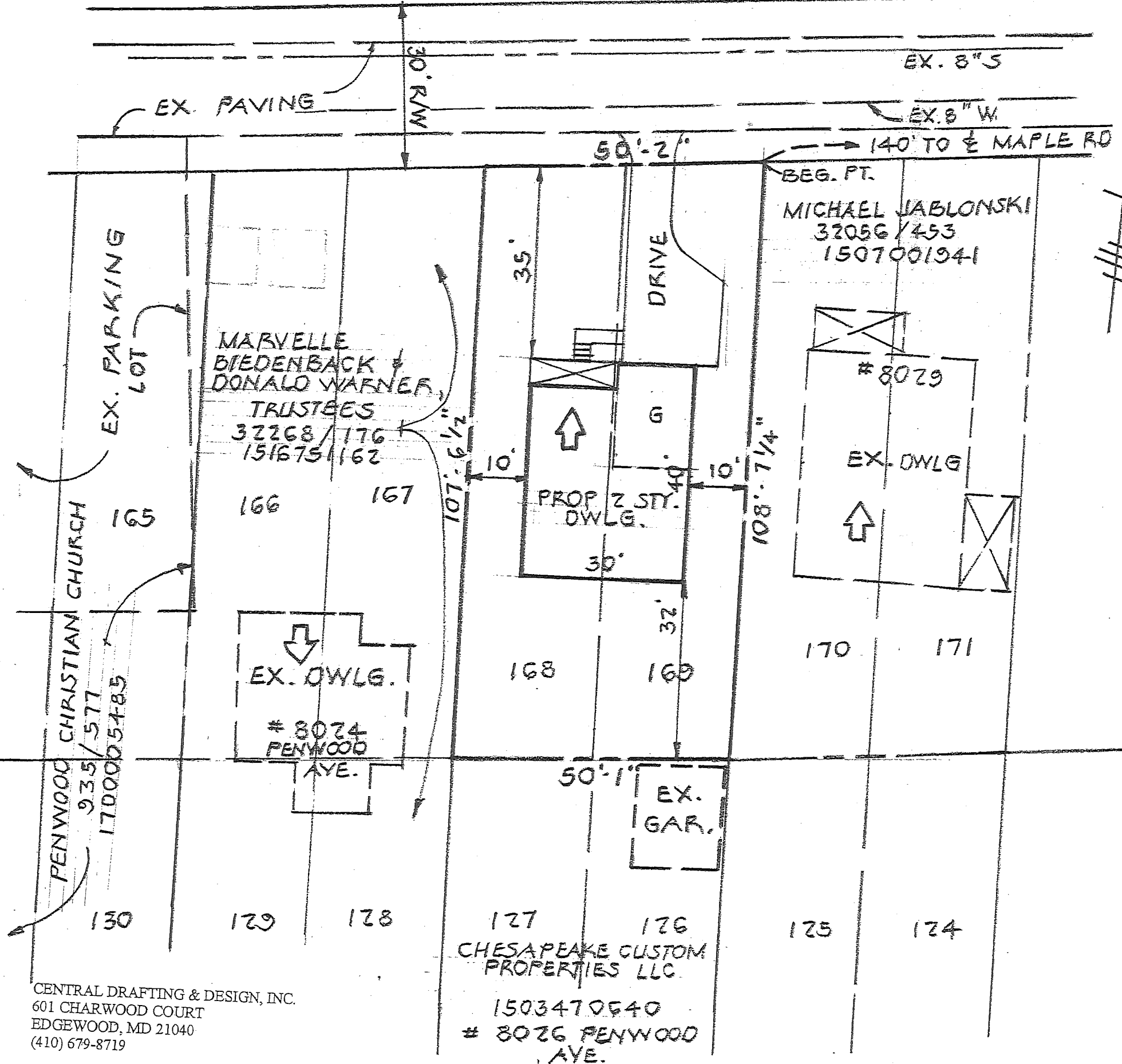


REAR ELEVATION

PETITIONER'S
EXHIBIT NO. **8**

A - 1	SHEET	SCALE 1/4" = 1'	DATE 4/23/2015	4TH GENERATION DESIGNS LLC 7603 OLD HARFORD ROAD BALTIMORE, MD. 21234 443-425-0941 WILLIAM (SKIP) STORM	BACKScape	THE LINWOOD	JENKINS BUILDERS LLC 8680 MAGNOLIA AVENUE PERRY HALL, MD. 21128 410-530-5844 mjenkinsbuilders.com	SHEET TITLE: ELEVATIONS
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SHORE ROAD



VICINITY MAP
SCALE: 1" = 1000'

NOTES

1. ZONING.....DR 5.5 (MAP NO. 111C3)
2. AREA.....5403 S.F. = 0.124 ACRE
3. SITE IS LOCATED IN THE CBCA
4. SITE IS NOT LOCATED IN THE FEMA 100 YEAR FLOOD ZONE BUT A PORTION OF THE SITE IS BELOW ELEVATION 7.7 AND IS SUBJECT TO REGULATIONS ESTABLISHED BY THE BALTIMORE COUNTY BUILDING CODE RELATIVE TO THE ELEVATIONS OF HABITABLE FLOOR LEVELS.
5. PUBLIC WATER AND SEWER
6. NO PREVIOUS ZONING HISTORY OR VIOLATIONS
7. NO HISTORIC STRUCTURES, ARCHEOLOGICAL SITES OR UNDERGROUND STORAGE TANKS EXIST

OWNER
CHESAPEAKE CUSTOM PROPERTIES LLC
9019 CUCKOLD POINT ROAD
BALTIMORE, MD 1219
DEED REF: L.36319 F. 366
PROPERTY ACCT. NO. 1503470641

2016-0008-A
PLAT TO ACCOMPANY VARIANCE PETITION
8027 SHORE ROAD
LOTS 168 AND 169 PENWOOD TERRACE PB 7 F 92
ELECTION DISTRICT 15C7 BALTIMORE COUNTY, MD
SCALE: 1 INCH = 20 FEET JULY 1, 2015

