

IN RE: PETITION FOR VARIANCE

(7506 Bay Front Road)

15th Election District

7th Council District

Mary Ellen Meeker &

Anthony Meeker (Deceased)

Legal Owners

Petitioner

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BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2016-0039-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 the legal owners of the subject property. The Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §1B02.3.C.1 to permit a proposed dwelling to be located on an existing lot of record with a lot width of 50 ft. in lieu of the required 55 ft. width. A site plan was marked as Petitioner's Exhibit 1.

Bernadette Moskunas from Site Rite Surveying, Inc. appeared in support of the petition. There were no Protestants or interested citizens in attendance. The Petition was advertised and posted as required by the B.C.Z.R. There were no substantive Zoning Advisory Committee (ZAC) comments received.

The subject property is approximately 9,226 square feet and is zoned DR 5.5. Petitioner would like to construct a single family dwelling on the unimproved lot but requires zoning relief to do so.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity necessitates variance

ORDER RECEIVED FOR FILING

Date 10/9/15

By Sen

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

Cromwell v. Ward, 102 Md. App. 691 (1995).

Petitioner has met this test. The lot was created in 1924, long before adoption of the B.C.Z.R. As such it is unique. If the B.C.Z.R. were strictly interpreted, Petitioner would experience a practical difficulty, given she 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 9th day of October, 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 proposed dwelling to be located on an existing lot of record with a lot width of 50 ft. in lieu of the required 55 ft. width, 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 her 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

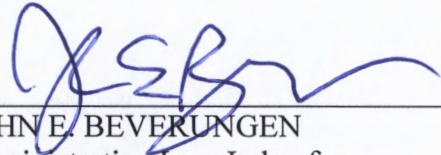
Date

10/9/15

Ely

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

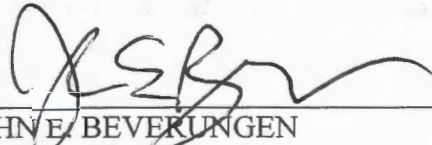
JEB: sln

ORDER RECEIVED FOR FILING

Date 10/9/15

By sln

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

11. ↑ CASE NAME 2016-0039-A
CASE NUMBER 7506 Bay Front Road
DATE 10/8/2015

[illegible]

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
8/20	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	N/C
_____	DEPS (if not received, date e-mail sent _____)	_____
9/1	FIRE DEPARTMENT PLANNING (if not received, date e-mail sent _____)	no obj
8/17	STATE HIGHWAY ADMINISTRATION	no obj
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION (Case No. _____)		
PRIOR ZONING (Case No. _____)		
NEWSPAPER ADVERTISEMENT	Date: 9/17/15	
SIGN POSTING	Date: 9/17/15 by Ogle	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any: _____		

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 - 2000000915			
Owner Information					
Owner Name:		MEEKER ANTHONY G C MEEKER MARY ELLEN		Use:	RESIDENTIAL NO
Mailing Address:		7540 BAY FRONT RD BALTIMORE MD 21219- 2119		Principal Residence:	/06856/ 00125
Deed Reference:					
Location & Structure Information					
Premises Address:		BAY FRONT RD 0-0000		Legal Description:	.2118 AC LODGE FOREST
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0111	0017	0098		0000	1000 2015 0010/0076
Special Tax Areas:			Town: NONE Ad Valorem: Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
			9,226 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage 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:		49,100	49,100		
Improvements		0	0		
Total:		49,100	49,100	49,100	49,100
Preferential Land:		0			0
Transfer Information					
Seller: BETHLEHEM STEEL CORP		Date: 01/17/1985		Price: \$7,000	
Type: ARMS LENGTH IMPROVED		Deed1: /06856/ 00125		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		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					

New Search (<http://sdat.dat.maryland.gov/RealProperty>)

65+

CHESAPEAKE TERRACE ELEM

P.37

LODGE FARM RD.

BAY FRONT RD.

P.92

3981

P.775

P.18

P.24

P.115

P.31

P.30

P.29

P.82

P.83

P.26

P.160

P.1138

P.1125

P.1124

P.1123

P.1027

P.1026

P.1023

P.1033

P.1055

P.1056

P.1001

P.1002

P.904

P.905

P.158

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>).



KEVIN KAMENETZ
County Executive

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

September 30, 2015

Mary Ellen Meeker
7540 Bay Front Road
Baltimore MD 21219

RE: Case Number: 2016-0039 A, Address: 7506 Bay Front Road

Dear Ms. Meeker:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 13, 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
Bernadette Moskunus, Site Rite Surveying Inc., 200 E Joppa Road, Towson MD 21286

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



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

Date: 8/17/15

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

RE: Baltimore County
Item No 2016-0039A
Variance
Mary Ellen Meeker/Anthony
Meeker (Deceased)
7506 Bay Front 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. 2016-0039A.

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

10/8

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 1, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: 7506 Bay Front Road

SEP 03 2015

INFORMATION:

OFFICE OF ADMINISTRATIVE HEARINGS

Item Number: 16-039

Petitioner: Mary Ellen Meeker & Anthony Meeker (Deceased)

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Variance to permit a proposed single family dwelling to be located on an existing lot of record with a lot width of 50 feet in lieu of the required 55 feet.

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 Krystle Patchak at 410-887-3480.

Division Chief: K. Schlebach
AVA/KS

C: Krystle Patchak

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 August 24, 2015
Item No. 2016-0034, 0035, 0037, 0038 and 0039

DATE: August 20, 2015

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\ZAC08242015.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 1, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 7506 Bay Front Road

INFORMATION:

Item Number: 16-039

Petitioner: Mary Ellen Meeker & Anthony Meeker (Deceased)

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

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

Division Chief:
AVA/KS

K. Patchak

C: Krystle Patchak



THE BALTIMORE SUN MEDIA GROUP

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 3576676

Sold To:

Mary Ellen Meeker - CU00488879
7540 Bay Front Rd
Sparrows Point, MD 21219-2119

Bill To:

Mary Ellen Meeker - CU00488879
7540 Bay Front Rd
Sparrows Point, MD 21219-2119

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

Sep 17, 2015

NOTICE OF ZONING HEARING
The Administrative Law Judge of Baltimore County, by
County will hold a public hearing in Towson, Maryland on the property identified herein as follows:
Case: # 2016-0039-A
7506 Bay Front Road
N/s Bay Front Road, 90 ft. west of the centerline of Maple Road
15th Election District - 7th Councilmanic District
Legal Owner(s) Mary Ellen Meeker
Variance: to permit a proposed dwelling to be located on an existing lot record with a lot width of 50 ft. in lieu of the required 55 ft. width.
Hearing: Thursday, October 8, 2015 at 10:00 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.
9/24/5 Sept. 17 3576676

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising



CBCA

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 7506 Bay Front Road which is presently zoned D.P. 5.5
 Deed References: 6856/125 10 Digit Tax Account # 2000000915
 Property Owner(s) Printed Name(s) Anthony (Deceased) and Mary Ellen Mecker

(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(s)

BCZR: 1B02.3.C.1 → To permit a proposed dwelling to be located on an existing lot of record with a lot width of 50 feet in lieu of the required 55 feet width.

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

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

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

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

Contract Purchaser/Lessee:

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):

Mary Ellen Mecker , Anthony Mecker (Deceased)
 Name #1 - Type or Print Name #2 - Type or Print

Mary Ellen Mecker
 Signature #1

Signature #2

7540 Bay Front Road Baltimore, MD
 Mailing Address City State

21219 , 443-742-1440 , tonymecker@comcast.net
 Zip Code Telephone # Email Address

Representative to be contacted:

Bernadette Moskunus Site Rite Surveying, Inc.
 Name - Type or Print

Bernadette Moskunus
 Signature

200 E. Joppa Road Baltimore MD
 Mailing Address City State

21286 (410)828-9060 , siteriteinc@aol.com
 Zip Code Telephone # Email Address

CASE NUMBER 2016-0039-A Filing Date 8/13/15

Do Not Schedule Dates: _____

Reviewer JS

ZONING PROPERTY DESCRIPTION FOR #7506 BAY FRONT ROAD

BEGINNING at a point on the north side of Bay Front Road which is a variable right of way at the distance of 60 feet West of the center line of Maple Road which is 40 feet wide. Being Lot No. 1000 in the Subdivision of "Lodge Forest" as recorded in Baltimore County Plat Book No. 10, folio No. 76. Containing 9,226 S.F., more or less located in the 15th Election District and 7th Councilmanic District.



MICHAEL V. MOSKUNAS
PROFESSIONAL LAND SURVEYOR
REG. NO. 21175

Site Rite Surveying, Inc.
200 E. Joppa Road
Suite 101
Towson MD 21286
(410) 828-9060

2016-0039-4

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

No. **128716**

Date: **8/13/15**

PAID RECEIPT

BUSINESS ACTUAL TIME DWN
8/13/2015 8/13/2015 10:13:43 1
W501 WALKIN LRS LJR
>> RECEIPT # 604952 8/13/2015 OFLN
Dept 5 528 ZONING VERIFICATION
CR 128716
Recpt Tot \$75.00
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$ 75.00
Total:								\$ 75.00

Rec From: **MEEKER**

For: **2016-0039-A**

DISTRIBUTION

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

**CASHIER'S
VALIDATION**

ZONING NOTICE

CASE # 2016-0039-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

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

DATE AND TIME: THURSDAY, OCTOBER 8, 2015

REQUEST: AT 10:00 A.M.

VARIANCE TO PERMIT A PROPOSED DWELLING TO BE LOCATED
ON AN EXISTING LOT RECORDED WITH A LOT WIDTH OF 50 FT.
IN LIEU OF THE REQUIRED 55 FT. WIDTH

POSTPONEMENTS DUE TO WEATHER AND OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONFIRM HEARING: CALL 410-387-3791

DO NOT REMOVE THIS SIGN AND POST UNTIL HEARING DATE UNDER PENALTY OF LAW
MEETING IS HANDICAP ACCESSIBLE

mycabin 9/17/15



KEVIN KAMENETZ
County Executive

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

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2016-0039-A

7506 Bay Front Road
N/s Bay Front Road, 90 ft. west of the centerline of Maple Road
15th Election District – 7th Councilmanic District
Legal Owners: Mary Ellen Meeker

Variance to permit a proposed dwelling to be located on an existing lot record with a lot width of 50 ft. in lieu of the required 55 ft. width.

Hearing: Thursday, October 8, 2015 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Mary Ellen Meeker, 7540 Bay Front Road, Baltimore 21219
Bernadette Moskunas, 200 E. Joppa Road, Baltimore 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, SEPTEMBER 18, 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, September 17, 2015 Issue - Jeffersonian

Please forward billing to:
Mary Ellen Meeker
7540 Bay Front Road
Baltimore, MD 21219

443-742-1440

NOTICE OF ZONING HEARING

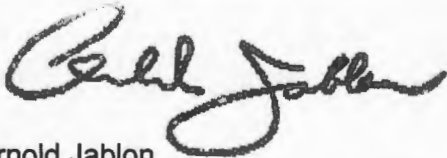
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Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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RE: PETITION FOR VARIANCE
7506 Bay Front Road; N/S Bay Front Road,
90' W of c/line Maple Road
15th Election & 7th Councilmanic Districts
Legal Owners: Mary Ellen Meeker
& Anthony Meeker (deceased)
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2016-039-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
AUG 17 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 17th day of August, 2015, a copy of the foregoing Entry of Appearance was mailed to Bernadette Moskunus, Site Rite Surveying, Inc, 200 East Joppa Road, Towson, Maryland 21286, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

MEMORANDUM

DATE: November 10, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0039-A – Appeal Period Expired

The appeal period for the above-referenced case expired on November 9, 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

Sherry Nuffer

From: Sherry Nuffer
Sent: Monday, October 26, 2015 2:01 PM
To: 'Bernadette L. Moskunas'
Attachments: 20151026140100859.pdf

Bernadette,

E-mailing this to you. I put it in the mail and it was returned Attempted Not Known.

Thank you,

Sherry



KEVIN KAMENETZ
County Executive

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

October 9, 2015

Mary Ellen Mecker
7540 Bay Front Road
Baltimore, Maryland 21219

RE: Petition for Variance
Case No. 2016-0039-A
Property: 7506 Bay Front Road

Dear Mrs. Mecker:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", with a long horizontal line extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: Bernadette Moskunus, 200 E. Joppa Road, Baltimore, Maryland 21286

IN RE: PETITION FOR VARIANCE

(7506 Bay Front Road)

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Anthony Meeker (Deceased)

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BALTIMORE COUNTY

CASE NO. 2016-0039-A

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

Cromwell v. Ward, 102 Md. App. 691 (1995).

Petitioner has met this test. The lot was created in 1924, long before adoption of the B.C.Z.R. As such it is unique. If the B.C.Z.R. were strictly interpreted, Petitioner would experience a practical difficulty, given she 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 9th day of October, 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 proposed dwelling to be located on an existing lot of record with a lot width of 50 ft. in lieu of the required 55 ft. width, 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 her 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.

Case No.: 2016-0039-A

Exhibit Sheet

Petitioner/Developer

11-10-15

Protestants

Sen
10-9-15

No. 1	Plan	
No. 2	Plat - Lodge Forest	
No. 3	SDAT records	
No. 4	Floorplans	
No. 5	zoning map + aerial photo	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

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 - 2000000915			
Owner Information					
Owner Name:		MEEKER ANTHONY G C MEEKER MARY ELLEN		Use: Principal Residence:	
Mailing Address:		7540 BAY FRONT RD BALTIMORE MD 21219-2119		Deed Reference: /06856/ 00125	
Location & Structure Information					
Premises Address:		BAY FRONT RD 0-0000		Legal Description: .2118 AC LODGE FOREST	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0111	0017	0098		0000	
Block:	Lot:	Assessment Year:	Plat No:	Plat Ref:	County Use
	1000	2015		0010/0076	04
Special Tax Areas:			Town: Ad Valorem: Tax Class:		
			NONE		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area 9,226 SF	County Use 04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
					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:		49,100	49,100		
Improvements		0	0		
Total:		49,100	49,100	49,100	49,100
Preferential Land:		0			0
Transfer Information					
Seller: BETHLEHEM STEEL CORP		Date: 01/17/1985		Price: \$7,000	
Type: ARMS LENGTH IMPROVED		Deed1: /06856/ 00125		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		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.

EX. 3

STATE DEPARTMENT OF
ASSESSMENTS & TAXATION
CLERK 221 DATE 1/17/85

AGRICULTURAL TRANSFER ACT
NOT APPLICABLE
SIGNATURE 221 DATE 1/17/85

THIS DEED made this 7th day
of January, in the year one
thousand nine hundred and eighty-five
(1985), between BETHLEHEM STEEL
CORPORATION, a body corporate of the
State of Delaware, of the first part,
Grantor, and ANTHONY C. MEEKER and MARY
ELLEN MEEKER, his wife, residing at 7540
Bay Front Road, Edgemere, Maryland
21219, of the second part, Grantees.

Witnesseth: that in consideration of the sum of Seven
Thousand Dollars (\$7,000), the receipt whereof is hereby
acknowledged, the said Grantor does hereby grant, convey and
assign unto Grantees, as tenants by the entireties, their heirs
and assigns, in fee simple, all that certain tract of land
situate in Baltimore County, in the State of Maryland, and
described as follows, that is to say:

BEING known and designated as Lot No. 1000 on that
certain Plat entitled "LODGE FOREST", dated March, 1929
(redrawn February, 1933), and recorded among the Land
Records of said Baltimore County, Maryland, in Plat Book
W.P.C. No. 10, folios 76 and 77.

Said tract of land hereby conveyed is a portion of the
premises which were conveyed by Lodge Forest Realty Corporation
to Bethlehem Steel Company, a former Pennsylvania corporation,
by Indenture dated November 20, 1953, and recorded among said
Land Records in Liber G.L.B. No. 2408, folio 360, and described
therein under the heading "TRACT NO. 3". Said Bethlehem Steel
Company merged with and into said Grantor by Plan and Agreement
of Merger effective midnight, December 31, 1964, and recorded
among said Land Records in Liber R.R.G. No. 4411, folio 120, and
also recorded among the Corporation Records of said Baltimore
County, Maryland, in Liber R.R.G. No. 76, folio 539.

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 - 1504001460			
Owner Information					
Owner Name:		MEEKER MARY ELLEN		Use:	RESIDENTIAL
Mailing Address:		7540 BAY FRONT RD BALTIMORE MD 21219-2119		Principal Residence:	YES
				Deed Reference:	/06006/ 00374
Location & Structure Information					
Premises Address:		7540 BAY FRONT RD 0-0000		Legal Description: NW COR MAPLE RD LODGE FOREST	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0111	0017	0098		0000	1001 2015 0010/0076
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1951	1,700 SF		11,160 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
1	YES	STANDARD UNIT	FRAME	1 full	
Value Information					
		Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2015 As of 07/01/2016	
Land:		74,700	74,700		
Improvements		114,400	115,300		
Total:		189,100	190,000	189,400	189,700
Preferential Land:		0			0
Transfer Information					
Seller: SCHLOER JOHN E		Date: 04/05/1979		Price: \$42,000	
Type: ARMS LENGTH IMPROVED		Deed1: /06006/ 00374		Deed2:	
Seller: MEEKER ANTHONY C SR		Date:		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: //		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		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:		HOMEOWNERS TAX CREDIT			
Homestead Application Information					
Homestead Application Status: Approved 06/12/2012					

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0005 1374

This Deed,

made this

day of

in the year one thousand nine hundred and seventy-nine, by and between JOHN E. SCHLOER and ELIZABETH S. SCHLOER, his wife, of Baltimore County, in the State of Maryland, Grantors; and ANTHONY C. MEEKER, SR. and MARY ELLEN MEEKER, his wife, of Baltimore County, in the State of Maryland, Grantees.

Witnesseth, that in consideration of the sum of FORTY-TWO THOUSAND DOLLARS (\$42,000.00), the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and convey unto the said Grantees, as tenants by the entireties, their assigns, the survivor of them and the survivor's

personal representatives and assigns, in fee simple, all

t h a t

lot of

ground situate in

Baltimore County

, in the State of Maryland, and described

as follows, that is to say:

BEGINNING FOR THE SAME and being known and designated as Lot No. 1001, of Lodge Forrest, as laid down on a revised plat of said property prepared by J. Spence Howard, Civil Engineer, which plat is duly recorded among the Plat Records of Baltimore County in Plat Book WPC, No. 8, folios 86 and 87. The improvements thereon being known as No. 7540 Bay Front Road.

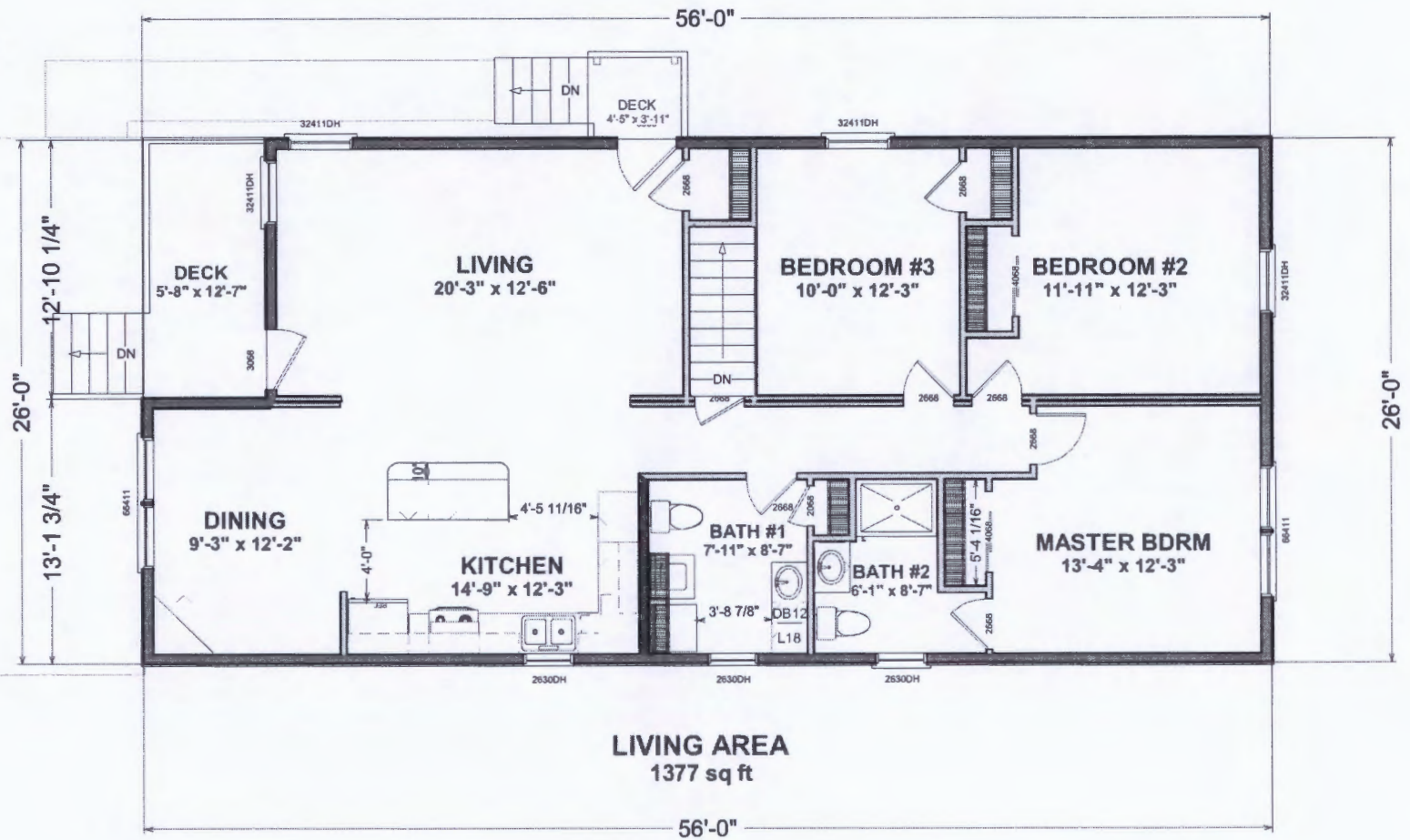
BEING the same lot of ground which by Deed dated September 3, 1970, and recorded among the Land Records of Baltimore County in Liber OTG, No. 5128, folio 104, was granted and conveyed by Bessie David, widow, unto John E. Schloer and Elizabeth S. Schloer, his wife, the Grantors herein.

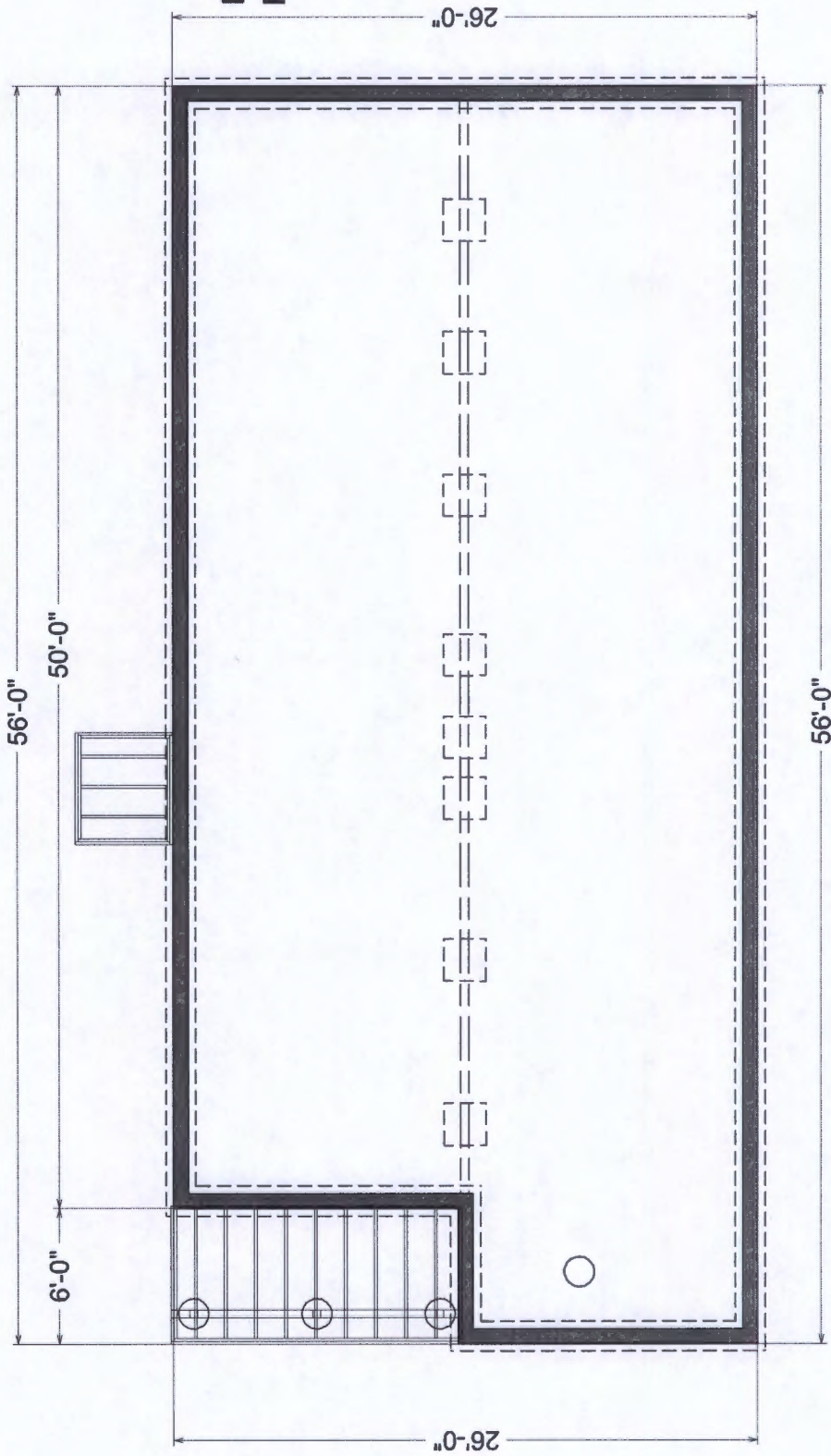
0001444	0005002	6L-5-45
0001244	0005002	6L-5-45
0001444	0005002	6L-5-45
0001444	0005002	6L-5-45

EX. 4

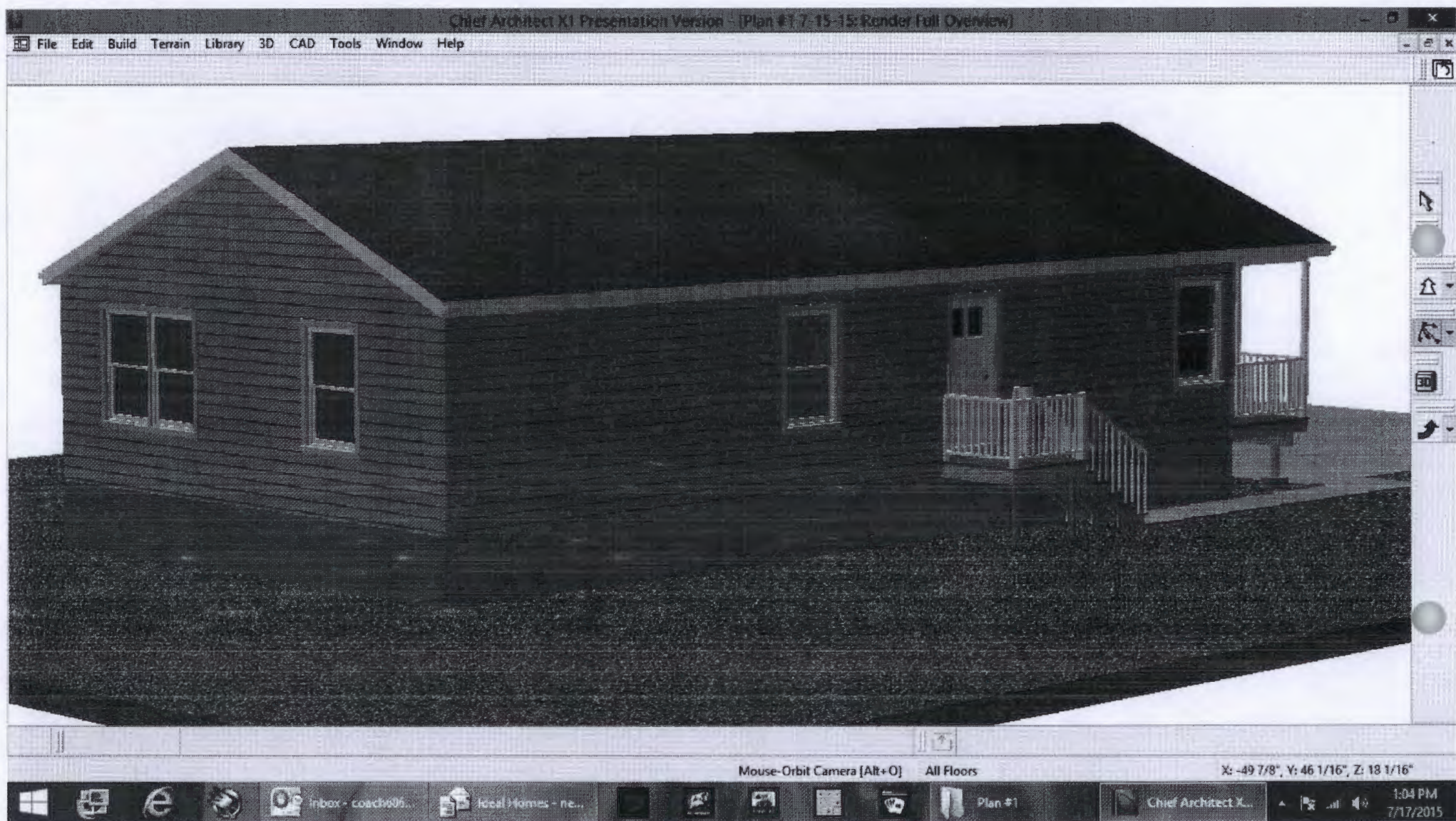
MEEKER, Mary Ellen
Plan #1
7-17-15

NEW DRIVEWAY





MEEKER
proposed foundation









My Neighborhood Map

Created By
Baltimore County
My Neighborhood

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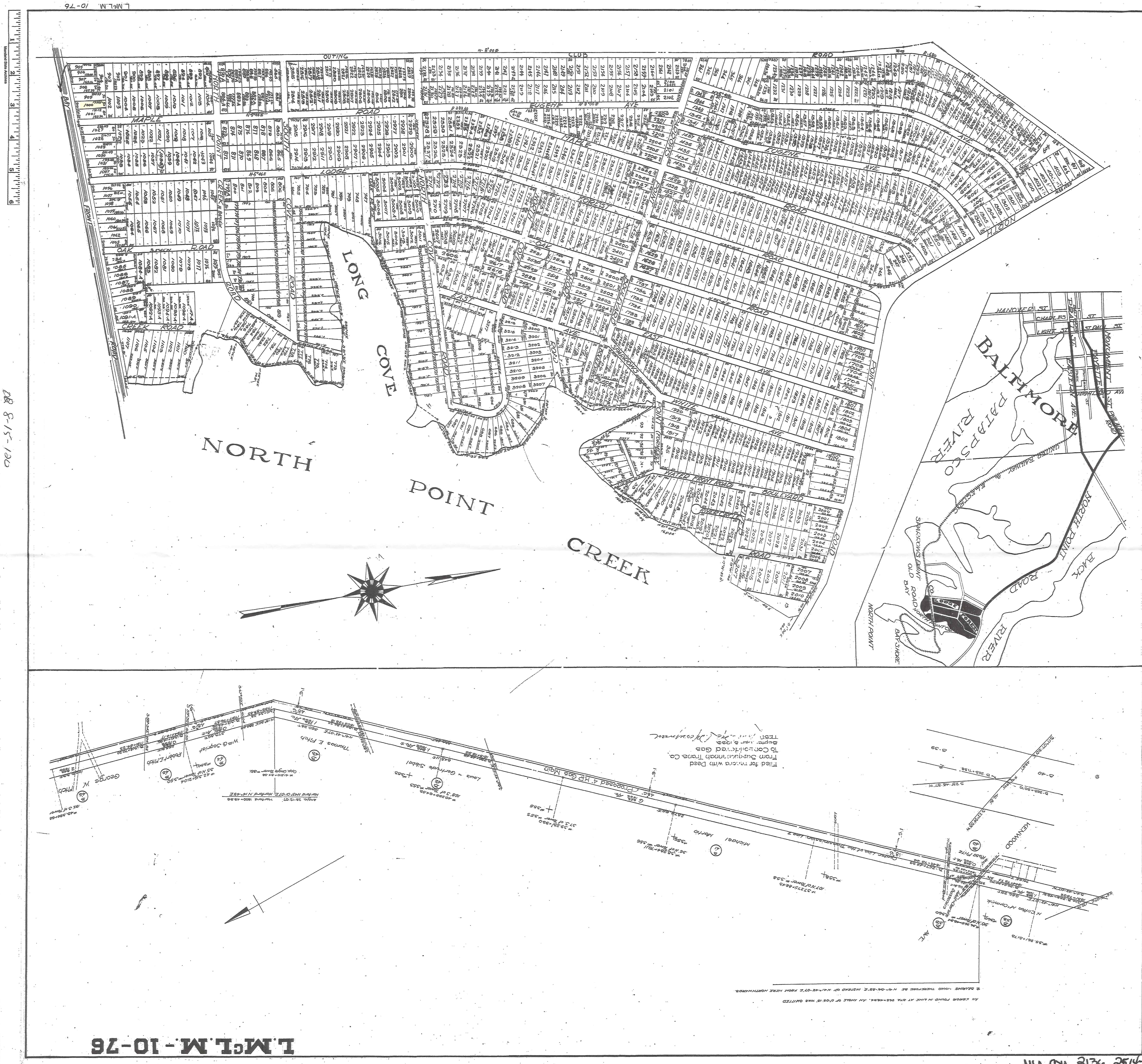
My Neighborhood Map

Created By
Baltimore County
My Neighborhood



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EX. 5

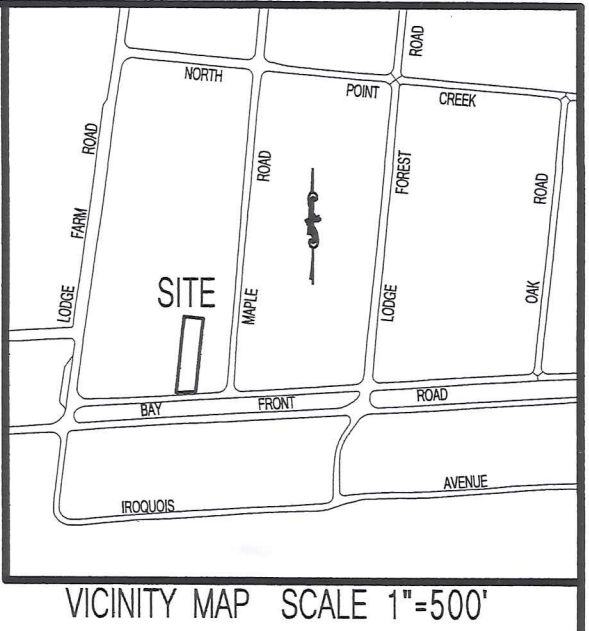
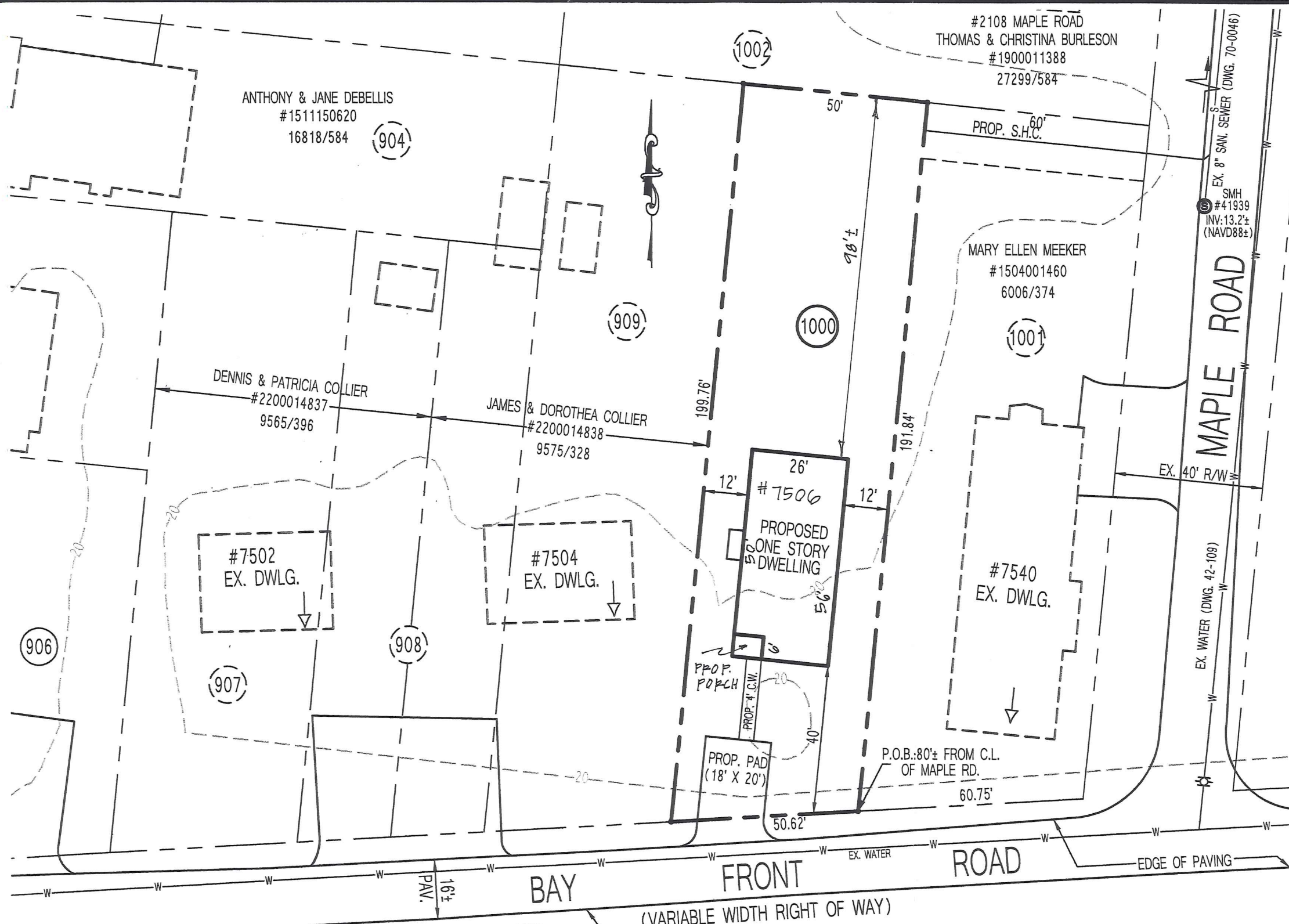


1
2
3
4
5
6

DB 8-15-130

1-1155 2136 2814 P100099

EX.2



GENERAL NOTES

1. EXISTING ZONING: D.R. 5.5 (111C3)
2. LOT AREA: 9226 S.F.± /
3. EXISTING USE- VACANT
PROPOSED USE: SINGLE FAMILY DWELLING
4. PROPERTY IS SERVICED BY PUBLIC UTILITIES.
5. PROPERTY IS NOT LOCATED IN AN HISTORIC OR 100 YEAR FLOOD PLAIN AREA.
6. LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA (LDA)
7. LOT OF RECORD ON A PLAT DATED APRIL 1924.
8. DRAWING WAS PREPARED USING PUBLIC RECORDS AND THE GIS PORTAL DATABASE. THERE WAS NO BOUNDARY SURVEY COMPLETED ON THIS SITE.
9. PROPOSED LOT COVERAGE:
ALLOWABLE LOT COVERAGE: (GRANDFATHERED PARCEL) 31.25%.
LOT COVERAGE BETWEEN 25% - 31.25% WILL REQUIRE MITIGATION.
(2306.5 S.F.± - 2883.13 S.F.±) RESPECTIVELY

2016-0039-A

SITERITE
SURVEYING INC.
200 E. JOPPA ROAD
SHELL BUILDING, SUITE 101
TOWSON, MD. 21286
410-828-9060

STATE OF MARYLAND
VINCENT MOSKUNAS
PROFESSIONAL LAND SURVEYOR
NO. 21176
08/05/15
M. Moskeana

OWNER
ANTHONY MEEKER (DECEASED)
MARY ELLEN MEEKER
#7540 BAY FRONT ROAD
BALTIMORE, MD. 21219
TAX ACCT.#2000000915
DEED REF.:6856/125
PHONE: 443-742-1440

PLAN TO ACCOMPANY VARIANCE PETITION

LOT-1000
MAP:111 GRID:17 PARCEL:98
"LODGE FOREST"
DEED REF.: 6856/125
15TH ELECTION DISTRICT 7C
BALTIMORE COUNTY, MARYLAND

Scale: 1"=30'	Date: 08/05/2015	JOB #10384
Drawn: M.V.M.	Checked: B.L.M.	SURVEY'D: M.V.M.