

M E M O R A N D U M

DATE: February 4, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0074-A- Appeal Period Expired

The appeal period for the above-referenced case expired on February 3, 2016. 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 ADMIN. VARIANCE *

(6624 Aaron Mee Way)

14th Election District *

6th Council District *

Son T. Doan *

Petitioner *

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2016-0074-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owner of the property, Son T. Doan. The Petitioner is requesting Variance relief from §§ 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.), as follows: (1) to permit a proposed open projection (deck) to have a rear yard setback of 13.5 ft. in lieu of the required 22.5 ft.; and (2) to amend the Final Development Plan (FDP) of Lennings Crossing, Lot 24 only. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

This matter was originally filed as an Administrative Variance, with a closing date of October 19, 2015. On November 2, 2015, neighbors Arnel and Dyleen Abesamis requested a hearing. The hearing was held on Monday, December 28, 2015 at 11:00 AM in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. There were no substantive ZAC comments received from any of the County reviewing agencies.

The subject property is approximately 6,207 square feet and is zoned DR 3.5. The property is improved with a single family dwelling which was constructed in 2005 and the Petitioner is the original owner. Petitioner would like to construct a deck in the rear yard which would provide

ORDER RECEIVED FOR FILING
Date

1/4/16

By

SEN

additional living space and an area for his children to play. Petitioner explained that his rear yard slopes downward, and that a deck would be the only way to provide a flat and safe area for his children to play.

The neighbors whose lot adjoins the rear of Petitioner's property object to the request. Mr. and Mrs. Abesamis, who reside at 6623 Kelly Ann Way, stated the proposed deck is too large and they feared it would infringe on their privacy and enjoyment of their home. According to County records, Mr. & Mrs. Abesamis obtained a variance (Case No. 2007-0159-A) for a deck in 2007, permitting a 17 ft. setback in lieu of the required 22.5 ft. In addition, Petitioner's neighbor obtained a variance for a deck in 2006 (Case No. 2006-0603-A) permitting an 18 ft. setback in lieu of the required 22.5 ft.

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 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 property has irregular dimensions and a sloped rear yard. As such, it is unique. If the regulations were strictly interpreted Petitioner would experience a practical difficulty in that he could not construct a deck of sufficient size. I also believe the grant of variance relief will not negatively impact the community's health, safety, and welfare. I am however mindful of the concerns raised by the neighbors, and the Order below will grant variance relief, although not to the extent requested by Petitioner.

THEREFORE, IT IS ORDERED, this 4th day of January, 2016, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from §§ 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.), as follows: (1) to permit a

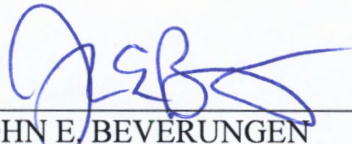
ORDER RECEIVED FOR FILING

proposed open projection (deck) to have a rear yard setback of 17 ft. in lieu of the required 22.5 ft.; and (2) to amend the Final Development Plan (FDP) of Lennings Crossing, Lot 24 only, in accordance with the terms of this Order, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioner may apply for permits and be granted same upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appeal period from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- Petitioner must construct an opaque fence or panel along the rear portion of the deck to screen the view to and from 6623 Kelly Ann Way.

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:slm

ORDER RECEIVED FOR FILING

Date 1/4/16
By slm



KEVIN KAMENETZ
County Executive

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

November 3, 2015

Son T. Doan
6624 Aaron Mee Way
Baltimore, Maryland 21237

RE: **RESCINDED ORDER AND FORMAL DEMAND**

Petition for Administrative Variance
Case No. 2016-0074-A
Property: 6624 Aaron Mee Way

Dear Mr. Doan:

By Order dated October 26, 2015, this Office granted an administrative variance in the above case, permitting construction of a deck with a rear yard setback of 13.5 ft. in lieu of 22.5 ft. I regret to inform you that Order was issued in error, and is hereby rescinded. The Baltimore County Code (B.C.C.) requires a property to be posted for a 15-day period prior to the grant of an administrative variance. In this case, the sign was posted on October 18, 2015 and the Order was issued on October 26, 2015, prior to the expiration of the required 15 day period.

Please be further advised a request for public hearing was filed on November 2, 2015 by the owners of property at 6623 Kelly Ann Way. As such, you must contact Ms. Kristen Lewis in the Office of Zoning Review, Department of Permits, Approvals and Inspections (PAI) at 410-887-3391 to schedule a hearing in this case.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

c: Kristen Lewis, Office of Zoning Review, PAI
Arnel Abesamis, 6623 Kelly Ann Way, Baltimore, MD 21232



\$60

FORMAL DEMAND FOR HEARING

CASE NUMBER: 2016-0074-A

Address: 6624 AARON MEE WAY

Petitioner(s): ARNEL ABESAMUS / DYLEEN ABESAMUS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We ARNEL ABESAMUS / DYLEEN ABESAMUS
Name - Type or Print

() Legal Owner OR (☒) Resident of

6623 KELLY ANN WAY
Address

BALTIMORE MD 21237
City State Zip Code

410-682-7175
Telephone Number

which is located approximately FEAR 0 feet from the
property, which is the subject of the above petition, **do hereby**
formally demand that a public hearing be set in this matter.
ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS
DEMAND.

[Signature]
Signature

11/2/15
Date

Signature
Revised 9/18/98 - wcr/scj

Date



\$60

FORMAL DEMAND FOR HEARING

CASE NUMBER: 2016-0074-A

Address: 6624 AARON MEE WAY

Petitioner(s): ARNEL ABESAMIS / DYLEEN ABESAMIS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We ARNEL ABESAMIS / DYLEEN ABESAMIS
Name - Type or Print

() Legal Owner OR ☒ Resident of

6623 KELLY ANN WAY
Address

BALTIMORE MD 21237
City State Zip Code

410-682-2125
Telephone Number

which is located approximately FEAR 0 feet from the property, which is the subject of the above petition, **do hereby formally demand that a public hearing be set in this matter.**

ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS DEMAND.

[Signature]
Signature

11/2/15
Date

Signature
Revised 9/18/98 - wcr/scj

Date

IN RE: PETITION FOR ADMIN. VARIANCE *
(6624 Aaron Mee Way)
14th Election District *
6th Council District *
Son T. Doan *
Petitioner *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2016-0074-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owner of the property, Son T. Doan. The Petitioner is requesting Variance relief from §§ 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.), as follows: (1) To permit a proposed open projection (deck) to have a rear yard setback of 13.5 ft. in lieu of the required 22.5 ft., (2) To amend the Final Development Plan (FDP) of Lennings Crossing, Lot 24 only. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on October 18, 2015, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law

ORDER RECEIVED FOR FILING

Date 10-26-15

By [Signature]

Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

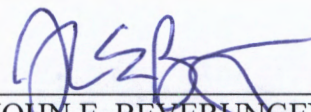
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 26th day of **October, 2015**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from §§ 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.), as follows: (1) To permit a proposed open projection (deck) to have a rear yard setback of 13.5 ft. in lieu of the required 22.5 ft., (2) To amend the Final Development Plan (FDP) of Lennings Crossing, Lot 24 only, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioner may apply for his appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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:dlw ORDER RECEIVED FOR FILING

Date 10-26-15 2
By [Signature]



ADMINISTRATIVE ZONING PETITION

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

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

Address 6624 Aaron Mee Way Rosedale MD 21237 Currently zoned DR 3.5
Deed Reference 21581 1 0274 10 Digit Tax Account # 2400003810
Owner(s) Printed Name(s) SON DOAN

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. ☒ **ADMINISTRATIVE VARIANCE** from Section(s)

Sections 1B02.3.C.1 and 301.1.A – to permit a proposed open projection (deck) to have a rear yard setback of 13½ feet in lieu of the required 22½ feet, and to amend the Final Development Plan of Lennings Crossing, lot 24 only.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ☐ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

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

Owner(s)/Petitioner(s):

SON DOAN
Name #1 – Type or Print Name #2 – Type or Print

[Signature]
Signature #1 Signature #2

6624 Aaron Mee Way Rosedale MD
Mailing Address City State
21237 4107362945 lindseydoan@yahoo.com
Zip Code Telephone # Email Address

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

Name- Type or Print
Signature
Mailing Address City State
Zip Code Telephone # Email Address

Representative to be contacted:

Name – Type or Print
Signature
Mailing Address City State
Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2016-0074-A Filing Date 9/23/15 Estimated Posting Date 10/4/15 Reviewer RDD

Affidavit in Support of Administrative Variance

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

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

Address: 6624 Aaron Mee Way Rosedale MD 21237
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

Properties are too close to each other, not enough
room to build a usable deck. Lots of our
neighbors had a Variance permit also.

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

~~Sean Doan~~ [Signature]
Signature of Owner (Affiant)

Signature of Owner (Affiant)

Sean Doan
Name- Print or Type

Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

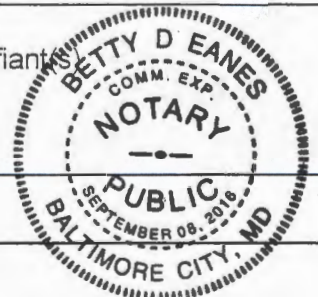
I HEREBY CERTIFY, this 9 day of September, 2015, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Sean Doan

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

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public
September 8, 2016
My Commission Expires



ZONING PROPERTY DESCRIPTION FOR: 6624 Aaron Mee Way Rosedale, MD 21237

Beginning at a point on the southwest side of Aaron Mee Way which is 50 feet of right of way width wide at the distance of 155 feet ^{southeast} ~~northeast~~ of the centerline of the nearest improved intersecting street Kelly Ann Way which is 50 feet of right of way width wide.

SUBDIVISION LOT:

Being lot #24 in the subdivision of Lennings Crossing as recorded in Baltimore County Plat book #76, Folio #23, containing 6,207 square feet. Located in the 14 Election District and 6 Council District.

Item #0074

ZONING PROPERTY DESCRIPTION FOR: 6624 Aaron Mee Way Rosedale, MD 21237

Beginning at a point on the southwest side of Aaron Mee Way which is 50 feet of right of way width wide at the distance of 155 feet ^{southeast}~~northeast~~ of the centerline of the nearest improved intersecting street Kelly Ann Way which is 50 feet of right of way width wide.

SUBDIVISION LOT:

Being lot #24 in the subdivision of Lennings Crossing as recorded in Baltimore County Plat book #76, Folio #23, containing 6,207 square feet. Located in the 14 Election District and 6 Council District.

Item #0074

RECEIVED

FEB 08 2016

January 25th, 2016

OFFICE OF ADMINISTRATIVE HEARINGS

To whom this may concern:

My name is Sean Doan. I am the owner of the property at 6624 Aaron Mee Way. I am writing this letter for you to reconsider for my deck project. I was requested to have my deck built with a setback of 13 and half feet from my property line. As we discussed at the hearing, the neighbors' concern are their privacy. So I agree to put up a fence to block out the view from my house to his house. And that solved his concern. So I don't believe it is necessary to make the setback of 17 feet to 13 and a half feet from my property line. I have a big family and I do need the outdoor space to ensure safety for my child. And the ground is very stiff, so the large deck is necessary for outdoor activities. My house is uphill and his is downhill just like the whole neighborhood. It is out of my control to block out the privacy but I will do as promised to build the fence to divide the property between mine and the surrounding neighbors.

Thank you for your understanding and reconsideration. If you have any concerns, feel free to contact me at (410) 736-2945 or (410) 446-1507.

CASE# 2016-0074-A.

Sincerely,



Sean Doan

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

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

For Newspaper Advertising:

Item Number or Case Number: 2016-0074-A

Petitioner: SON DOAN

Address or Location: 6624 Aaron Mee Way Ba Rosedale MD 21237

PLEASE FORWARD ADVERTISING BILL TO:

Name: SON DOAN

Address: 6624 Aaron Mee Way Rosedale MD 21237

Telephone Number: 410 736 2945

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2016- 0074 -A Address 6624 Aaron Mee Way

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

Filing Date: 9/22/15 Posting Date: 10/4/15 Closing Date: 10/19/15

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

- POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
- DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
- ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
- POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2016- 0074 -A Address 6624 Aaron Mee Way

Petitioner's Name Son Doan Telephone 410 736 2945

Posting Date: 10/4/15 Closing Date: 10/19/15

Wording for Sign: To Permit a proposed open projection (deck) to have a rear yard setback of 13 1/2 feet in lieu of the required 22 1/2 feet, and to amend the final development plan of Hennings Crossing, lot 24 only

Revised 7/18/14



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 3795621

Sold To:

Son Doan - CU00507458
6624 Aaron Mee Way
Rosedale, MD 21237-4339

Bill To:

Son Doan - CU00507458
6624 Aaron Mee Way
Rosedale, MD 21237-4339

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

Dec 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: # 2016-0074-A	
6624 Aaron Mee Way	
SW/s Aaron Mee Way, 155 ft. SE of centerline of Kelly Ann Way	
14th Election District - 6th Councilmanic District	
Legal Owner(s) Son Doan	
Variance: to permit a proposed open projection (deck) to have a rear yard setback of 1.5 ft. in lieu of the required 22.5 ft.; to amend the Final Development Plan of Lennings Crossing, Lot 24 only.	
Hearing: Monday, December 28, 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.	
JT 12/679 Dec. 8	3795621

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2016-0074-A
TO PERMIT A PROPOSED OPEN PROJECTION
(DECK) TO HAVE A REAR YARD SETBACK OF
13 1/2 FEET IN LIEU OF THE REQUIRED 22 1/2 FEET
AND TO AMEND THE FINAL DEVELOPMENT
PLAN OF LENNINGS CROSSING, LOT 24 ONLY,
1624 AARON MEE WAY.

PUBLIC HEARING?

PURSUANT TO ORDINANCE 27.000, BALTIMORE COUNTY CODE, ANY ERIKIAN INDIVIDUAL OR ORGANIZATION MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE PROVIDED THE REQUESTING PARTY OBTAINS APPROVAL FROM THE BUREAU OF ZONING AND PLANNING, 10000 BAYVIEW BLVD, BALTIMORE, MD 21244, BY THE DEADLINE DATE OF 11/15/2015. ADDITIONAL INFORMATION IS AVAILABLE AT THE OFFICE OF THE PLANNING AND DEVELOPMENT DEPARTMENT, 10000 BAYVIEW BLVD, BALTIMORE, MD 21244, OR BY CALLING 410-386-2200. THE PUBLIC HEARING WILL BE HELD ON 11/22/2015 AT 7:00 PM AT THE BALTIMORE COUNTY PLANNING AND DEVELOPMENT DEPARTMENT, 10000 BAYVIEW BLVD, BALTIMORE, MD 21244.



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: 2016-0074-A

6624 Aaron Mee Way
SW/s Aaron Mee Way, 155 ft. SE of centerline of Kelly Ann Way
14th Election District – 6th Councilmanic District
Legal Owners: Son Doan

Variance to permit a proposed open projection (deck) to have a rear yard setback of 1.5 ft. in lieu of the required 22.5 ft.; to amend the Final Development Plan of Lennings Crossing, Lot 24 only.

Hearing: Monday, December 28, 2015 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Son Doan, 6624 Aaron Mee Way, Baltimore 21237
Arnel Abesamis, 6623 Kelly Ann Way, Baltimore 21232

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, December 8, 2015 Issue - Jeffersonian

Please forward billing to:

Son Doan
6624 Aaron Mee Way
Baltimore, MD 21237

410-736-2945

NOTICE OF ZONING HEARING

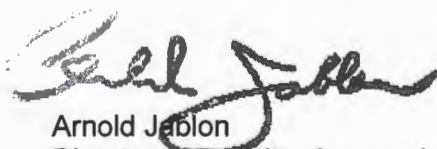
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SW/s Aaron Mee Way, 155 ft. SE of centerline of Kelly Ann Way
14th Election District – 6th Councilmanic District
Legal Owners: Son Doan

Variance to permit a proposed open projection (deck) to have a rear yard setback of 1.5 ft. in lieu of the required 22.5 ft.; to amend the Final Development Plan of Lennings Crossing, Lot 24 only.

Hearing: Monday, December 28, 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.

Debra Wiley

From: Abesamis, Arnel <Arnel.Abesamis@va.gov>
Sent: Monday, November 02, 2015 2:58 PM
To: Debra Wiley
Subject: RE: Administrative Variance 2016-0074-A - 6624 Aaron Mee Way

Thanks,ill be there!

From: Debra Wiley [mailto:dwiley@baltimorecountymd.gov]
Sent: Monday, November 02, 2015 2:28 PM
To: Abesamis, Arnel; arabes24@aol.com
Cc: Kristen L Lewis; June Wisnom; Sherry Nuffer
Subject: [EXTERNAL] Administrative Variance 2016-0074-A - 6624 Aaron Mee Way

Good Afternoon,

The Office of Administrative Hearings (OAH) has received your email concerning the above case. You are indeed correct, and the time frame for filing a request for hearing expires today at 4:30 PM. As such, if you would like to do so, you must file the request and pay the associated fee at the County Office of Zoning Review (111 W. Chesapeake Avenue, Room 111, Towson, MD, 410-887-3391) by close of business today.

Thank you.



CONNECT WITH BALTIMORE COUNTY



Debra Wiley

From: Debra Wiley
Sent: Monday, November 02, 2015 2:28 PM
To: 'Arnel.Abesamis@va.gov'; 'arabes24@aol.com'
Cc: Kristen L Lewis; June Wisnom; Sherry Nuffer (snuffer@baltimorecountymd.gov)
Subject: Administrative Variance 2016-0074-A - 6624 Aaron Mee Way

Good Afternoon,

The Office of Administrative Hearings (OAH) has received your email concerning the above case. You are indeed correct, and the time frame for filing a request for hearing expires today at 4:30 PM. As such, if you would like to do so, you must file the request and pay the associated fee at the County Office of Zoning Review (111 W. Chesapeake Avenue, Room 111, Towson, MD, 410-887-3391) by close of business today.

Thank you.

Carl Richards Jr

From: Abesamis, Arnel <Arnel.Abesamis@va.gov>
Sent: Monday, November 02, 2015 12:15 PM
To: Carl Richards Jr; 'paizoning@baltimorecountymd.gov'; John E. Beverungen
Subject: FW: 2016-0074-A
Attachments: 20151029_190649.jpg

To whom it may Concern,

I called today to oppose for the open projection proposal (deck) that my neighbor wanted to build. As a homeowner on the same property, I am confused since the zoning notice said that I can request for public hearing concerning the variance. But I was told that the closing date had passed (Oct 19) and has been approved. According to the zoning notice (pls see attached picture of 6624 Aaron Mee way) an eligible individual or group may request a public hearing concerning the proposed variance, provided the request in the zoning review before 430pm on Monday, November 2, 2015.

I was told by the zoning department that the request is for administrative variance and that a public hearing is not necessary and the only thing I can do is to file for motion for reconsideration. Just wanted to verify that all of these information that I was given is true.

I was opposing the proposal since building the deck with a rear yard setback of 13 ½ instead of 22 ½ feet will be too close to our property. Our house is backing their house and on the hilly area with their house on the top part and ours on the bottom. We are concern about safety as well as privacy since I have 3 children that I am worried. Please reconsidered the decision.

Thank you

Arnel. R. Abesamis RN, MSN, CMSRN

Case Manager, Sleep Program VAMHCS
Phone: 410 605 7000 ext 6095
Beeper: 410 447 0145
Fax: 410 605 7705

From: arabes24 [mailto:arabes24@aol.com]
Sent: Monday, November 02, 2015 10:00 AM
To: arabes24@aol.com; Abesamis, Arnel
Subject:

Sent via the Samsung GALAXY S@4, an AT&T 4G LTE smartphone

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>10-2</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
<u>10-7</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>9-30</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: _____	
SIGN POSTING	Date: <u>10-18-15</u> by <u>O'Keefe</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Guide to searching

DISTRICT 14
 District - 14 Account
 District - 14 Account

View GroundRent Registration

View Map
Account Identifier
- Name
Address:

DOAN SON T
6624 AARON MEE WAY
BALTIMORE MD 21237-
4339

Use:
Principal Residence:
Deed Reference:

RESIDENTIAL
YES
/21581/ 00274

Parcel:
0289

Sub District:

Section:

Block:

24

Assess
Year:
2015

1425 AC
6624 AAR
LENNING

Plat No:
Plat
Re

00761
0023

Above Grade Enclosed
Area
184 SF

Primary Structure
Built
2005

Basement
YES

Type
STAN

Base Value

**Exterior
SIDING**

Full/Half Bath
Full/ 1 half

Garage
Attac

ched

Assessments As of 07/01/2016

373,26
0

Land:
Improvements
Total:
Preferential Land:

Seller: LENNINGS CROSSING LLC
Type: ARMS LENGTH VACANT

Type:
Seller:
Type:
Seller:
Type:

Type:

Partial Exempt Assessments:

County:

State:

Municipal:

Exempt:

Tax Exempt:
 Exempt Class:

Principal:
Tax Exempt:
Exempt Class:
Homestead Application Status: Denied

Class
000
000
000

Special Tax Recapture:
HOMEOWNERS TAX C
Instead Application

Special Tax Recapture:
HOMEOWNERS TAX CREDIT
instead Application Informa

0.00
0.00
0.00/0.00

Price: \$167
Deed2:
Price:
Deed2:
Price:
Deed:

land.gov/RealProperty/Pages/default.aspx

Debra Wiley

From: Debra Wiley
Sent: Wednesday, October 21, 2015 1:10 PM
To: June Wisnom
Subject: Admin. Variances -Closed 10/19

Hi June,

Case No. 2016-0073-A is missing all 3 site plans

Case No. 2016-0074-A is missing the posting

✓ rec'd 10/22 or 10/23

Thanks.

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

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 10/18/2015

Case Number: 2016-0074-A

Petitioner / Developer: SEAN DOAN

Date of Hearing (Closing): NOVEMBER 2, 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:
6624 ARRON MEE WAY

The sign(s) were posted on: OCTOBER 18, 2015



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

*Rec'd
10-22-02
10-23
Deb-out
Not
Stamped
in
by
S.M.*

BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

OCT 07 2015

OFFICE OF ADMINISTRATIVE HEARINGS



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: 10-7-2015

SUBJECT: DEPS Comment for Zoning Item # 2016-0074-A
Address: 6624 Aaron Mee Way
(Son Doan)

Zoning Advisory Committee Meeting of 09-28-2015.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.



KEVIN KAMENETZ
County Executive

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

October 20, 2015

Son Doan
6624 Aaron Mee Way
Rosedale MD 21237

RE: Case Number: 2016-0074 A, Address: 6624 Aaron Mee Way

Dear Ms. Doan:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 22, 2015. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 9/30/15

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

RE: Baltimore County
Item No. 2016-0074-A
Administrative Variance
Son Doan
6624 Aaron Mee Way

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. 2016-0074-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 – District 4
Baltimore & Harford Counties

DWP/RAZ

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: October 2, 2015

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

SUBJECT: Zoning Advisory Committee Meeting
For October 5, 2015
Item No. 2016-0071, 0073, 0074, 0075 and 0076

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\ZAC10052015.doc

PLEASE PRINT CLEARLY

CASE NAME

CASE NUMBER

DATE

2016-0074-A

12/28/15

CITIZEN'S SIGN - IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E - MAIL

ARNEL ABESAMIS

6623 KELLY ANN WAY

BALTIMORE, MD 21237

ARNEL.ABESAMIS@VA.GOV

DYLEEN ABESAMIS

6623 KELLY ANN WAY

BALTIMORE, MD 21237

dyleen27@yahoo.com

Erwin

6630 Kelly Ann Way

Baltimore, MD 21237

erwin315@yahoo.com

SEAN DEAN

6624 ARON MEE WAY

BALTIMORE MD. 21237

LINDSEY DEAN @ YAHOO.COM

Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 14 Account Number - 2400003810			
Owner Information					
Owner Name:		DOAN SON T		Use:	RESIDENTIAL
Mailing Address:		6624 AARON MEE WAY BALTIMORE MD 21237-4339		Principal Residence:	YES
				Deed Reference:	/21581/ 00274
Location & Structure Information					
Premises Address:		6624 AARON MEE WAY 0-0000		Legal Description:	.1425 AC 6624 AARON MEE WAY SS LENNINGS CROSSING
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0090	0001	0289		0000	24
				Assessment Year:	Plat No:
				2015	0076/0023
Special Tax Areas:				Town:	NONE
				Ad Valorem:	
				Tax Class:	
Primary Structure Built	Above Grade Enclosed Area		Finished Basement Area		Property Land Area
2005	2,484 SF				6,207 SF
County Use					
04					
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
2	YES	STANDARD UNIT	SIDING	2 full/ 1 half	1 Attached
Last Major Renovation					
Value Information					
		Base Value	Value As of	Phase-in Assessments	
			01/01/2015	As of	As of
				07/01/2015	07/01/2016
Land:		168,200	168,200		
Improvements		160,800	227,200		
Total:		329,000	395,400	351,133	373,267
Preferential Land:		0			0
Transfer Information					
Seller:		LENNINGS CROSSING LLC		Date:	03/18/2005
Type:		ARMS LENGTH VACANT		Deed1:	/21581/ 00274
				Price:	\$167,000
				Deed2:	
Seller:				Date:	
Type:				Deed1:	
				Price:	
				Deed2:	
Seller:				Date:	
Type:				Deed1:	
				Price:	
				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: Denied					

Baltimore County

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

District: 14 Account Number: 2400003810



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>).

Case No.: 2016-0074-A

Exhibit Sheet

1-H-16
Sew

Petitioner/Developer

DW
2-A-16

Protestant

No. 1	site plan	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Item #0074

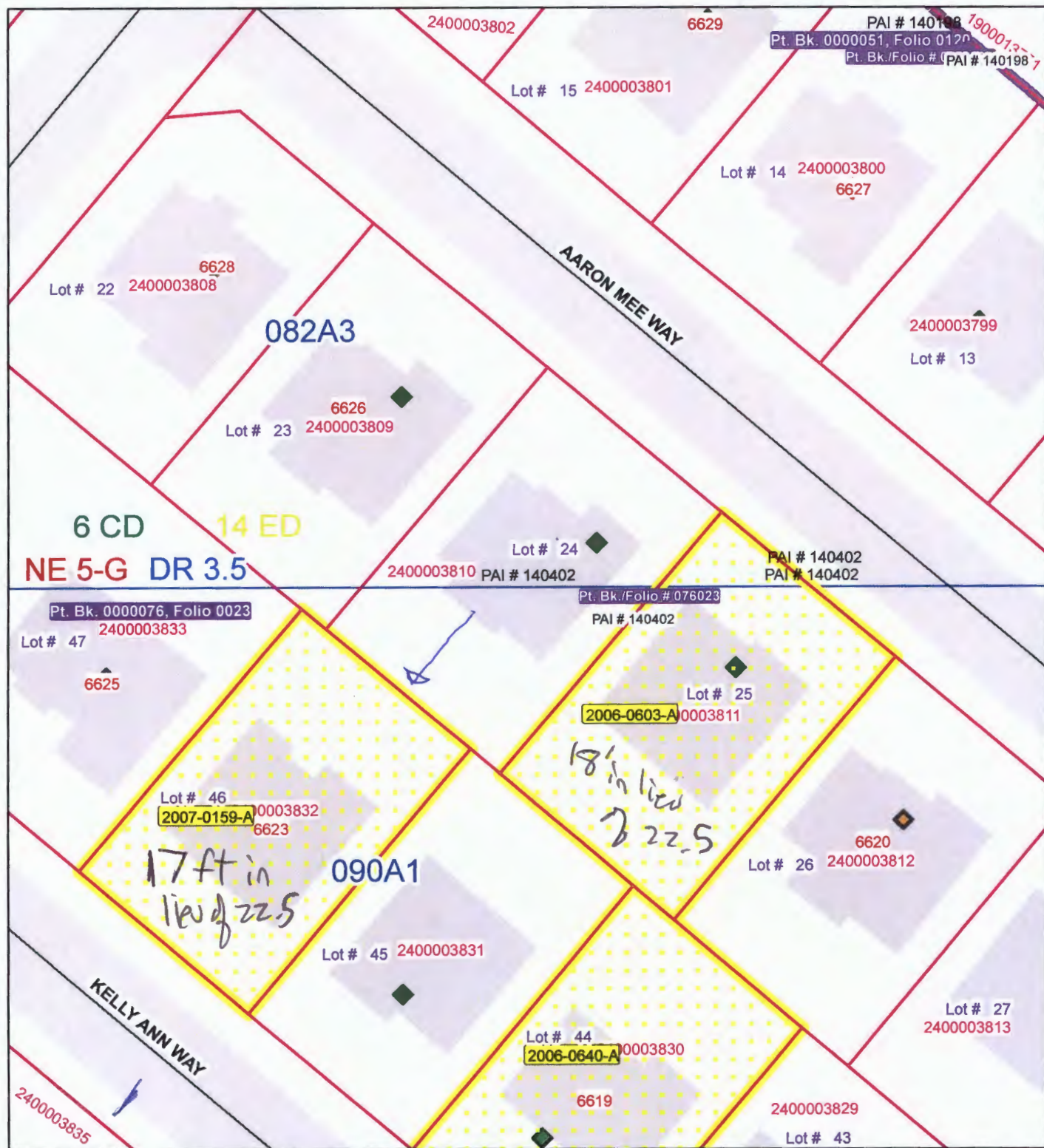








6624 Aaron Mee Way



Publication Date: 9/17/2015



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



1 inch = 40 feet

Item # 0074

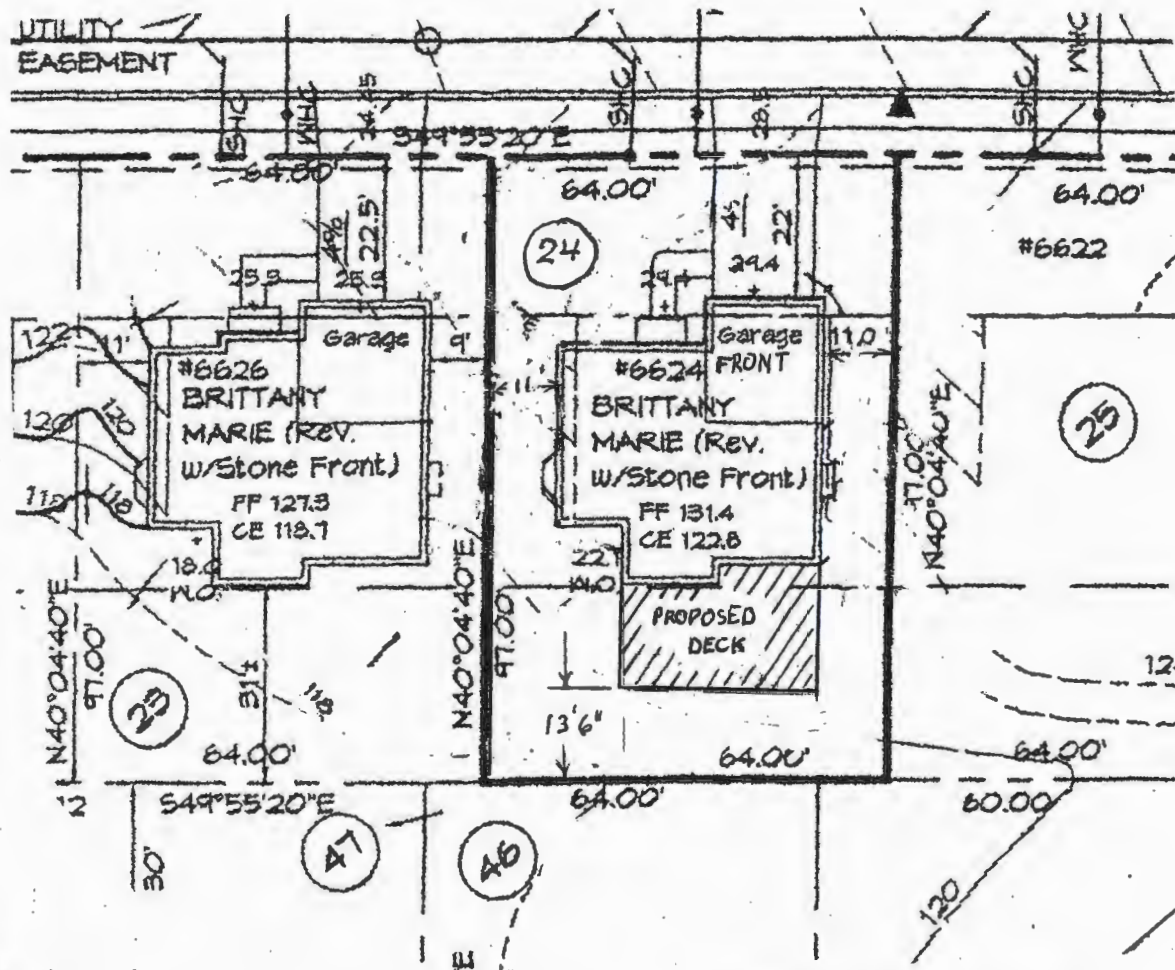
ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)

ADDRESS 6624 Aaron Mee Way OWNER(S) NAME(S) San T Doan

SUBDIVISION NAME Lennings Crossing LOT# 24 BLOCK# SECTION#

PLAT BOOK# 76 FOLIO# 23 10 DIGIT TAX# 2400003810 DEED REF.# 21681/00274

AARON MEE WAY (50' R/W)



PLAN DRAWN BY

DATE

SCALE: 1 INCH = 30 FEET



MAP IS NOT TO SCALE

ZONING MAP# 082A3+090A1

SITE ZONED PR 3.5

ELECTION DISTRICT 14th

COUNCIL DISTRICT 6th

LOT AREA ACREAGE

OR SQUARE FEET 6207

HISTORIC? No

IN CBQA? No

IN FLOOD PLAIN? No

UTILITIES? MARK WITH X

WATER IS:

PUBLIC ☒ PRIVATE

SEWER IS:

PUBLIC ☒ PRIVATE

PRIOR HEARING?

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

PETITIONER'S

EXHIBIT NO. 1

VIOLATION CASE INFO:

2016-0074-A

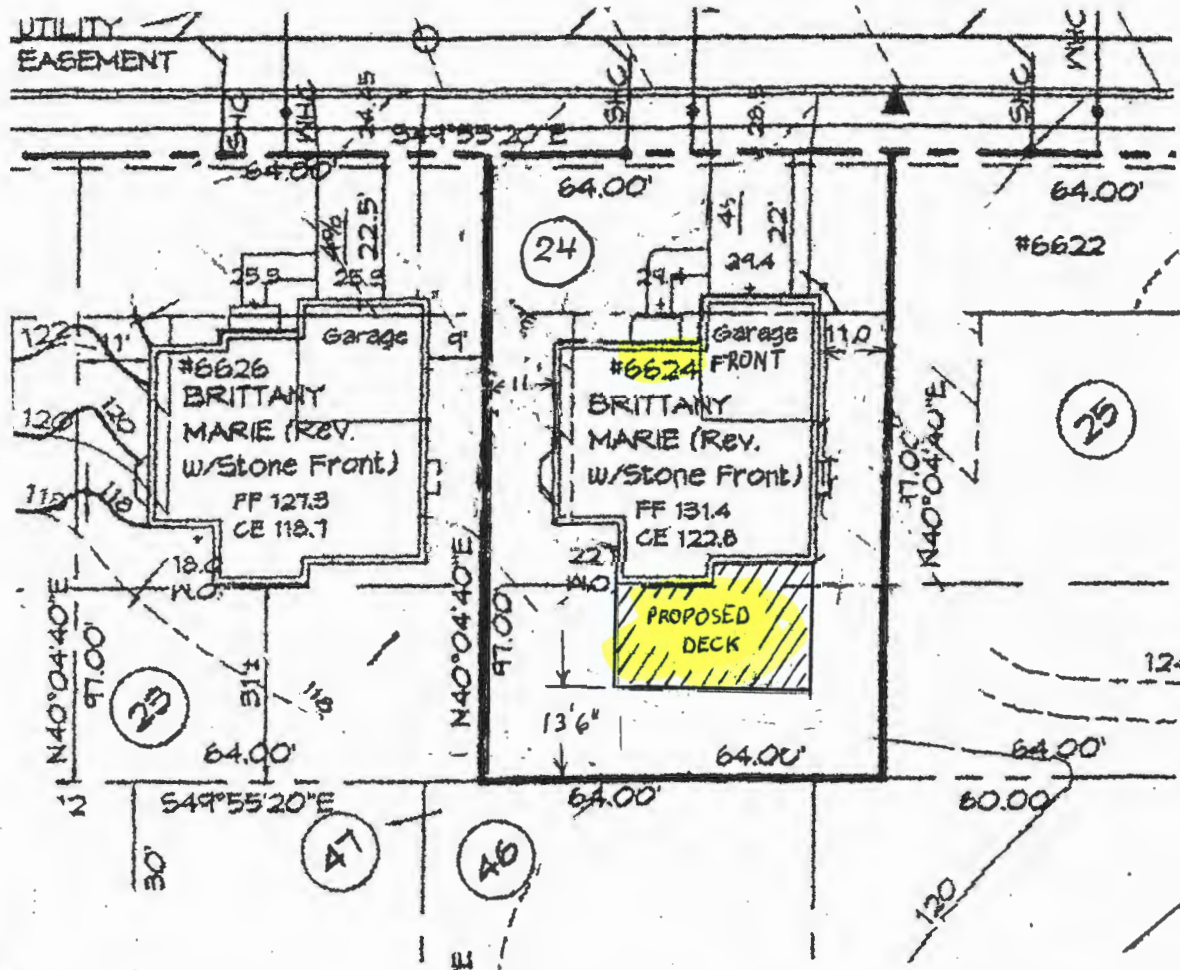
ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)

ADDRESS 6624 Aaron Mee Way OWNER(S) NAME(S) Son T Doan

SUBDIVISION NAME Lennings Crossing LOT # 24 BLOCK # SECTION #

PLAT BOOK # 76 FOLIO # 23 10 DIGIT TAX # 2400003810 DEED REF. # 21681/00274

AARON MEE WAY (50' R/W)



PLAN DRAWN BY

DATE

SCALE: 1 INCH = 30 FEET



MAP IS NOT TO SCALE

ZONING MAP # 082A3+090A1

SITE ZONED PR 3.5

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HISTORIC? No

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WATER IS:

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SEWER IS:

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PRIOR HEARING?

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

2016-0074-A

Handwritten signature/initials

Pet. ECR. 1