

MEMORANDUM

DATE: March 29, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0143-A- Appeal Period Expired

The appeal period for the above-referenced case expired on March 28, 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



KEVIN KAMENETZ
County Executive

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

February 25, 2016

Robert Estes
Christine Zeng
3051 Terra Maria Way.
Ellicott City, MD. 21042

RE: Petition for Variance
Case No. 2016-0143-A
Property: 4501 Wilkens Avenue

Dear Petitioners:

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", is written over the printed name of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

IN RE: PETITION FOR VARIANCE
(4501 Wilkens Avenue)
13th Election District
1st Council District
Robert Estes and Christine Zeng
Petitioners

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2016-0143-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance on behalf of Robert Estes and Christine Zeng, owners of the subject property ("Petitioners"). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §1B01.2.C.1.b to permit a 5 ft. side setback on the existing structure in lieu of the required 10 ft., and to permit a side yard addition with a side setback of 2 ft. 7 in. and rear setback of 3 ft. in lieu of the required 10 ft. and 50 ft., respectively. A site plan was marked as Petitioners' Exhibit 1.

Owner Christine Zeng appeared in support of the Petition. The Petition was advertised and posted as required by the B.C.Z.R. No protestants or interested citizens attended the hearing. There were no substantive Zoning Advisory Committee (ZAC) comments received.

The subject property is approximately 2,808 square feet and is zoned DR 10.5. The Petitioners recently purchased the home, which is in poor condition. They propose to renovate the existing single family dwelling and construct an addition thereto. To do so requires variance relief.

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 must necessitate variance relief; and

ORDER RECEIVED FOR FILING

Date 2/25/16

By Sen

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

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

Petitioners have met this test. The property has a triangular shape, which renders it unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to construct the proposed improvements. 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. The Department of Planning in its ZAC comment requested Petitioners to remove from the property a deteriorated chain link fence. Ms. Zeng indicated that has been done.

THEREFORE, IT IS ORDERED, this 25th day of February, 2016, 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.") §1B01.2.C.1.b to permit a 5 ft. side setback on the existing structure in lieu of the required 10 ft., and to permit a side yard addition with a side setback of 2 ft. 7 in. and rear setback of 3 ft. in lieu of the required 10 ft. and 50 ft., respectively, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their 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, Petitioners would be required to return the subject property to its original condition.

ORDER RECEIVED FOR FILING

Date 2/25/16

By Sen

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:/sln

ORDER RECEIVED FOR FILING

Date 2/25/16

By sln



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 4501 Wilkens Ave Baltimore MD 21229 which is presently zoned DR10.5
 Deed References: 108844/00334 10 Digit Tax Account # 1600005352
 Property Owner(s) Printed Name(s) E2 Reach 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)

BCZR: 1B01.2.C.1.b → To permit a 5 foot side setback on the existing structure, in lieu of the required 10 feet. To permit a side yard addition with a side setback of 2' 7" and rear setback of 3 feet in lieu of the required 10 feet and 50 feet, respectively.

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):

Robert Estes , Christine Zeng
 Name #1 - Type or Print Name #2 - Type or Print

Robert Estes , Christine Zeng
 Signature #1 Signature #2

3051 Terra Maria Way Ellicott City MD
 Mailing Address City State

21042 , (410)499-8950 , fzeng1@yahoo.com
 Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2016-0143-1

Filing Date 12/15/15

Do Not Schedule Dates:

Reviewer BS

**Zoning property description for
4501 Wilkens Ave Baltimore MD 21229**

Beginning for the same on the southeast side of Wilkens Avenue at the distance of 46.15 feet southwesterly from a point formed by the intersection of the southeast side of Wilkens Ave at the northwest side of old Maiden Choice Lane, if the same were extend said point of beginning being at a point where a line drawn 10 feet northeasterly from the northeast corner of the porch of the house erected on the lot now being described and at right angles to Wilkens avenue would intersect the southeast side of Wilkens avenue, and running southwesterly binding on the southeast side of Wilkens Avenue 46 feet, thence Southeasterly at right angles to Wilkens Avenue and binding on said line so drawn 73.31 feet to the Northwest side of Old Maiden Choice Lane, and thence Northeasterly binding on the Northwest side of Old Maiden Choice Lane 58.78 feet, thence Northwesterly at right angles to Wilkens Ave 36.71 feet, to the place of beginning.

2016-0143-A



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 3926503

Sold To:

Christine Zeng - CU00516791
3051 Terra Maria Way
Ellicott City, MD 21042-2700

Bill To:

Christine Zeng - CU00516791
3051 Terra Maria Way
Ellicott City, MD 21042-2700

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

Feb 02, 2016

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: # 2016-0143-A	
4501 Wilkens Avenue	
SW corner of intersection of Wilkens and College Avenues	
13th Election District - 1st Councilmanic District	
Legal Owner(s) Robert Estes, Christine Zeng	
Variance: to permit a 5 foot setback on the existing structure, in lieu of the required 10 feet. To permit a side yard addition with a side setback of 2 ft. 7 inches and rear setback of 3 ft. in lieu of the required 10 ft. and 50 ft.	
Hearing: Monday, February 22, 2016 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.	
JT 2/629 Feb. 2	3926503

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising

CERTIFICATE OF POSTING

CASE NO: 2016-0143-A

PETITIONER/DEVELOPER

ROBERT ESTES, CHRISTINE ZENG

DATE OF HEARING/CLOSING:

2/22/16

**BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVENUE**

ATTENTION:

LADIES AND GENTLEMEN:

**THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE
PROPERTY AT**

4501 WILKENS AVENUE

THIS SIGN(S) WERE POSTED ON February 2, 2016
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 2/2/16
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE

(SIGN POSTER)

60 CHEELMSFORD COURT

BALTIMORE, MD 21220

(ADDRESS)

PHONE NUMBER: 443-629-3411

ZONING NOTICE

CASE # 2016-0143-A

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

PLACE: ROOM 305, JEFFERSON BUILDING, 100 WEST
CHESAPEAKE AVENUE, TOWSON 21204

DATE AND TIME: MONDAY, FEBRUARY 22, 2016
AT 1:30 PM

REQUEST:

VARIANCE TO PERMIT A 5' FOOT SETBACK ON THE
EXISTING STRUCTURE, IN ADDITION TO THE REQUIRED 10' FEET
TO PERMIT A SIDE YARD ADDITION WITH A SIDE SETBACK OF
3 FT. 7 INCHES AND REAR SETBACK OF 3 FT. IN ADDITION TO THE
REQUIRED 10' FT. AND 30' FT.

"REGARDLESS OF THE RESULTS OF THE PUBLIC HEARING, THE ZONING COMMISSIONER MAY GRANT OR DENY THE REQUEST."
ALL DECISIONS MUST BE MADE BY 5:00 PM, FEBRUARY 22, 2016.

DO NOT REMOVE THIS SIGN AND PLEASE KEEP IT VISIBLE UNTIL AFTER THE PUBLIC HEARING. IF YOU HAVE ANY QUESTIONS, PLEASE CALL THE ZONING COMMISSIONER AT 410-338-1234.

MEETING IS HANDICAP ACCESSIBLE

made for February 2, 2016





KEVIN KAMENETZ
County Executive

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

December 29, 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: 2016-0143-A

4501 Wilkens Avenue
SW corner of intersection of Wilkens and College Avenues
13th Election District – 1st Councilmanic District
Legal Owners: Robert Estes, Christine Zeng

Variance to permit a 5 foot setback on the existing structure, in lieu of the required 10 feet. To permit a side yard addition with a side setback of 2 ft. 7 inches and rear setback of 3 ft. in lieu of the required 10 ft. and 50 ft.

Hearing: Monday, February 22, 2016 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".

Arnold Jablon
Director

AJ:kl

C: Robert Estes, Christine Zeng, 3051 Terra Maria Way, Ellicott City 21042

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, FEBRUARY 2, 2016**
- (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, February 2, 2016 Issue - Jeffersonian

Please forward billing to:
Christine Zeng
3051 Terra Maria Way
Ellicott City, MD 21042

410-499-8950

NOTICE OF ZONING HEARING

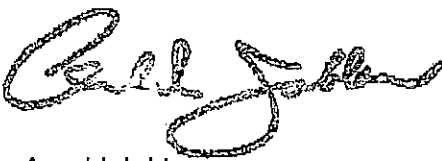
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2016-0143-A

4501 Wilkens Avenue
SW corner of intersection of Wilkens and College Avenues
13th Election District – 1st Councilmanic District
Legal Owners: Robert Estes, Christine Zeng

Variance to permit a 5 foot setback on the existing structure, in lieu of the required 10 feet. To permit a side yard addition with a side setback of 2 ft. 7 inches and rear setback of 3 ft. in lieu of the required 10 ft. and 50 ft.

Hearing: Monday, February 22, 2016 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 ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
4501 Wilkens Avenue; SW corner of Wilkens *
Avenue & College Avenue * OF ADMINISTRATIVE
13th Election & 1st Councilmanic Districts HEARINGS FOR
Legal Owner(s): Robert Estes & Christine Zeng*
Petitioner(s) * BALTIMORE COUNTY
* 2016-143-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

DEC 21 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 21st day of December, 2015, a copy of the foregoing Entry of Appearance was mailed to Robert Estes & Christine Zeng, 3051 Terra Manor Way, Elliott City, Maryland 21042, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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: 2016-0143-A
Petitioner: E2 Reach LLC
Address or Location: 4501 Wilkens Ave Baltimore MD 21229

PLEASE FORWARD ADVERTISING BILL TO:

Name: Christine Zeng
Address: 3051 Terra Maria way
Ellicott City MD 21042
Telephone Number: (410) 499-8950

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

No. **134179**

Date: **12/15/15**

PAID RECEIPT

BUSINESS ACTUAL TIME
12/17/2015 12/15/2015 11:00-12:00
RE 5001 MUXIN LKAS LIR
RECEIPT # 134179 12/15/2015
5 S.D. DISBURS. VERIFIED
S.D. 12/15/15
Data: 12/15/15 11:00
MEXIN L. 1:00 CA
Salt and Light, Maryland

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

Total: **\$ 75.00**

Rec. From: **EZ REACH LLC**

For: **2016-01-3-A**

DISTRIBUTION

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

**CASHIER'S
VALIDATION**



KEVIN KAMENETZ
County Executive

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

February 18, 2016

Robert Estes
Christine Zeng
3051 Terra Maria Way
Ellicott City MD 21042

RE: Case Number: 2016-0143 A, Address: 4501 Wilkens Avenue

Dear Mr. Estes and Ms. Zeng:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on December 15, 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." in a cursive style.

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: 12/22/15

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. 2016-0143-A

Variance

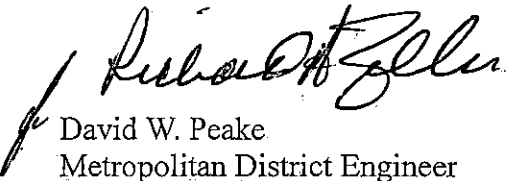
Robert Estes & Christine Zeng
4501 Wilkens Avenue

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 12/22/15. A field inspection and internal review reveals that an entrance onto MD166 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2016-0143-A.

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

Sincerely,


David W. Peake
Metropolitan District Engineer
Baltimore & Harford Counties

DWP/RAZ

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing 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 301-527-4690

www.roads.maryland.gov

2122

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: January 27, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-143

RECEIVED

JAN 29 2016

INFORMATION:

Property Address: 4501 Wilkens Avenue
Petitioner: Robert Estes
Zoning: DR 10.5
Requested Action: Variance

OFFICE OF ADMINISTRATIVE HEARINGS

The Department of Planning has reviewed the petition for variance to permit the existing single family dwelling with an addition to have side yard setbacks of 5' and 2'7" and a rear yard setback of 3' in lieu of the required 10' and 50' respectively.

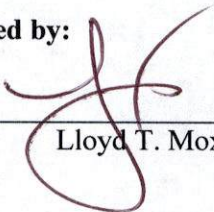
A site visit was conducted on December 28, 2015. At the time of the site visit the property was posted by Baltimore County as being unsafe for occupancy.

Provided the structure is brought into code compliance, the Department of Planning has no objection to granting the petitioned zoning relief conditioned upon the following:

- Remove or replace the existing deteriorated chain link fence on the premises.

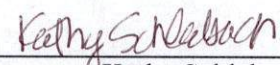
For further information concerning the matters stated herein, please contact Dennis Wertz at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Dennis Wertz
Robert Estes et al
Office of the Administrative Hearings
People's Counsel for Baltimore County

JB 2-22-16
1:30 PM

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

JAN 14 2016

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: January 13, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0143-A
Address 4501 Wilkens Avenue
(Estes/Zeng Property)

Zoning Advisory Committee Meeting of December 21, 2015.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

Reviewer: *Jeff Livingston – Development Coordination*

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: January 6, 2015

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

SUBJECT: Zoning Advisory Committee Meeting
For December 22, 2015
Item No. 2016-0143, 0144, 0145, 0146 and 0147

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\ZAC12222015.doc

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM



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

DATE: January 27, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-143

INFORMATION:

Property Address: 4501 Wilkens Avenue
Petitioner: Robert Estes
Zoning: DR 10.5
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit the existing single family dwelling with an addition to have side yard setbacks of 5' and 2'7" and a rear yard setback of 3' in lieu of the required 10' and 50' respectively.

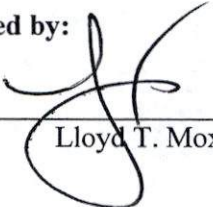
A site visit was conducted on December 28, 2015. At the time of the site visit the property was posted by Baltimore County as being unsafe for occupancy.

Provided the structure is brought into code compliance, the Department of Planning has no objection to granting the petitioned zoning relief conditioned upon the following:

- Remove or replace the existing deteriorated chain link fence on the premises.

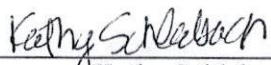
For further information concerning the matters stated herein, please contact Dennis Wertz at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Dennis Wertz
Robert Estes et al
Office of the Administrative Hearings
People's Counsel for Baltimore County

RECEIVED
FEB 23 2016
OFFICE OF ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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: January 13, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0143-A
Address 4501 Wilkens Avenue
(Estes/Zeng Property)

Zoning Advisory Committee Meeting of December 21, 2015.

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

Reviewer: *Jeff Livingston – Development Coordination*

Sherry Nuffer

From: Sherry Nuffer
Sent: Friday, February 19, 2016 11:53 AM
To: Jeffery Livingston
Subject: 2016-0143-A 4501 Wilkens Avenue
Attachments: 20160219115547285.pdf

Jeff,

Received this ZAC comment from DEPS on January 14, 2016. Can you please advise me if this is supposed to say no comments or if there were supposed to be comments attached.

Thank you,
Sherry



KEVIN KAMENETZ
County Executive

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

December 29, 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: 2016-0143-A

4501 Wilkens Avenue
SW corner of intersection of Wilkens and College Avenues
13th Election District – 1st Councilmanic District
Legal Owners: Robert Estes, Christine Zeng

Variance to permit a 5 foot setback on the existing structure, in lieu of the required 10 feet. To permit a side yard addition with a side setback of 2 ft. 7 inches and rear setback of 3 ft. in lieu of the required 10 ft. and 50 ft.

Hearing: Monday, February 22, 2016 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".

Arnold Jablon
Director

AJ:kl

C: Robert Estes, Christine Zeng, 3051 Terra Maria Way, Ellicott City 21042

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, FEBRUARY 2, 2016**
- (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.

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
1/6/16	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	N/C
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
1/27/16	PLANNING (if not received, date e-mail sent _____)	C
1/22	STATE HIGHWAY ADMINISTRATION	no obj
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 2/2/16	
SIGN POSTING	Date: 2/2/16 by Ogile	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 13 Account Number - 1600005352			
Owner Information					
Owner Name:		EZ REACH LLC		Use:	RESIDENTIAL
Mailing Address:		3051 TERRA MARIA WAY ELLCOTT CITY MD 21042-0000		Principal Residence:	NO
				Deed Reference:	/36983/ 00441
Location & Structure Information					
Premises Address:		4501 WILKENS AVE 0-0000		Legal Description:	PT LT 400 ELM RIDGE
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0101	0017	1106		0000	1 400 2016 0012/0025
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area		Finished Basement Area		Property Land Area
1943	966 SF				2,808 SF
County Use	04				
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	YES	STANDARD UNIT	1/2 BRICK SIDING	1 full	
Value Information					
	Base Value		Value As of 01/01/2016	Phase-in Assessments As of 07/01/2015 As of 07/01/2016	
Land:	31,500		31,500		
Improvements	70,900		101,700		
Total:	102,400		133,200	102,400	112,667
Preferential Land:	0				0
Transfer Information					
Seller: CLIFTON JESSIE B		Date: 12/15/2015		Price: \$45,000	
Type: ARMS LENGTH IMPROVED		Deed1: /36983/ 00441		Deed2:	
Seller: SPARR RODNEY B		Date: 06/28/1991		Price: \$85,510	
Type: ARMS LENGTH IMPROVED		Deed1: /08844/ 00334		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>)

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>).

70250 - 20140250

0111151450

PARCEL B

PDM # 010192

190008167

Pt. Bk./Folio # 049067

BL

1 ED

DR 5.5

WILKENS AVE

ALA. RO

53513 - 19730043

NOT LOCATED

WILKENS AVE

NOT LOCATED

ELM RIDGE AVE

2016-0143-A

DR 16

SW 3-D

Pt. Bk./Folio # 001122

53508 - 19920284

PDM # 138042 1319000650

13 ED

101C2

1 CD

ELM RIDGE AVE

405

404

403

402

401

400

Lot # 406

DR 10.5

NOT LOCATED

Pt. Bk. 000012, Folio 0025
16000055243

Lot # 403

Lot # 402

Lot # 401

Lot # 400

COLLEGE AVE

NOT LOCATED

Lot # 403

Lot # 402

Lot # 401

Lot # 400

ALLEY ALLEY

Lot # 447

1302571230

447

448

449

450

451

452

453

454

455

456

457

458

459

460

461

462

463

464

465

466

467

468

469

470

471

472

473

474

475

476

477

478

479

480

481

482

483

484

485

486

487

488

489

490

491

492

493

494

495

496

497

498

499

500

501

502

503

504

505

506

507

508

509

510

511

512

513

514

515

516

517

518

519

520

521

522

523

524

525

526

527

528

529

530

531

532

533

534

535

536

537

538

539

540

541

542

543

544

545

546

547

548

549

550

551

552

553

554

555

556

557

558

559

560

561

562

563

564

565

566

567

568

569

570

571

572

573

574

575

576

577

578

579

580

581

582

583

584

585

586

587

588

589

590

591

592

593

594

595

596

597

598

599

600

601

602

603

604

605

606

607

608

609

610

611

612

613

614

615

616

617

618

619

620

621

622

623

624

625

626

627

628

629

630

631

632

633

634

635

636

637

638

639

640

641

642

643

644

645

646

647

648

649

650

651

652

653

654

655

656

657

658

659

660

661

662

663

664

665

666

667

668

669

670

671

672

673

674

675

676

677

678

679

680

681

682

683

684

685

686

687

688

689

690

691

692

693

694

695

696

697

698

699

700

701

702

703

704

705

706

707

708

709

710

711

712

713

714

715

716

717

718

719

720

721

722

723

724

725

726

727

728

PAI # 010192
PAI # 010192
190008167

Pt. Bk./Folio # 049067
PAI # 010192
PAI # 010192

1 ED

BL

DR 5.5

WILKENS AVE

2016-0143-A

Lot # 400

1600005352

DR 16

1 CD 101C2

SW 3-D

400

400

1600005347

PAI # 138017

Lot # 401

401

402

PAI # 138017

Pt. Bk./Folio # 012025A

Lot # 402

2200014881

403

Lot # 403

1600005368

404

Lot # 404

1600005380

405

Lot # 405

1600005343

405

DR 10.5

405

Pt. Bk. 0000012, Folio 0025

Pt. Bk. 0000012, Folio 0058

Lot # 447

Pt. Bk. 0000012, Folio 0065
1302571230

447

ALLEY

Lot # 448

Pt. Bk. 0000012, Folio 0115

Pt. Bk./Folio # 012065

1993-0438-SPH

Pt. Bk./Folio # 013088

Lot # J

Pt. Bk. 0000013, Folio 0001

13 ED

Pt. Bk./Folio # 001122

1992-0284-A

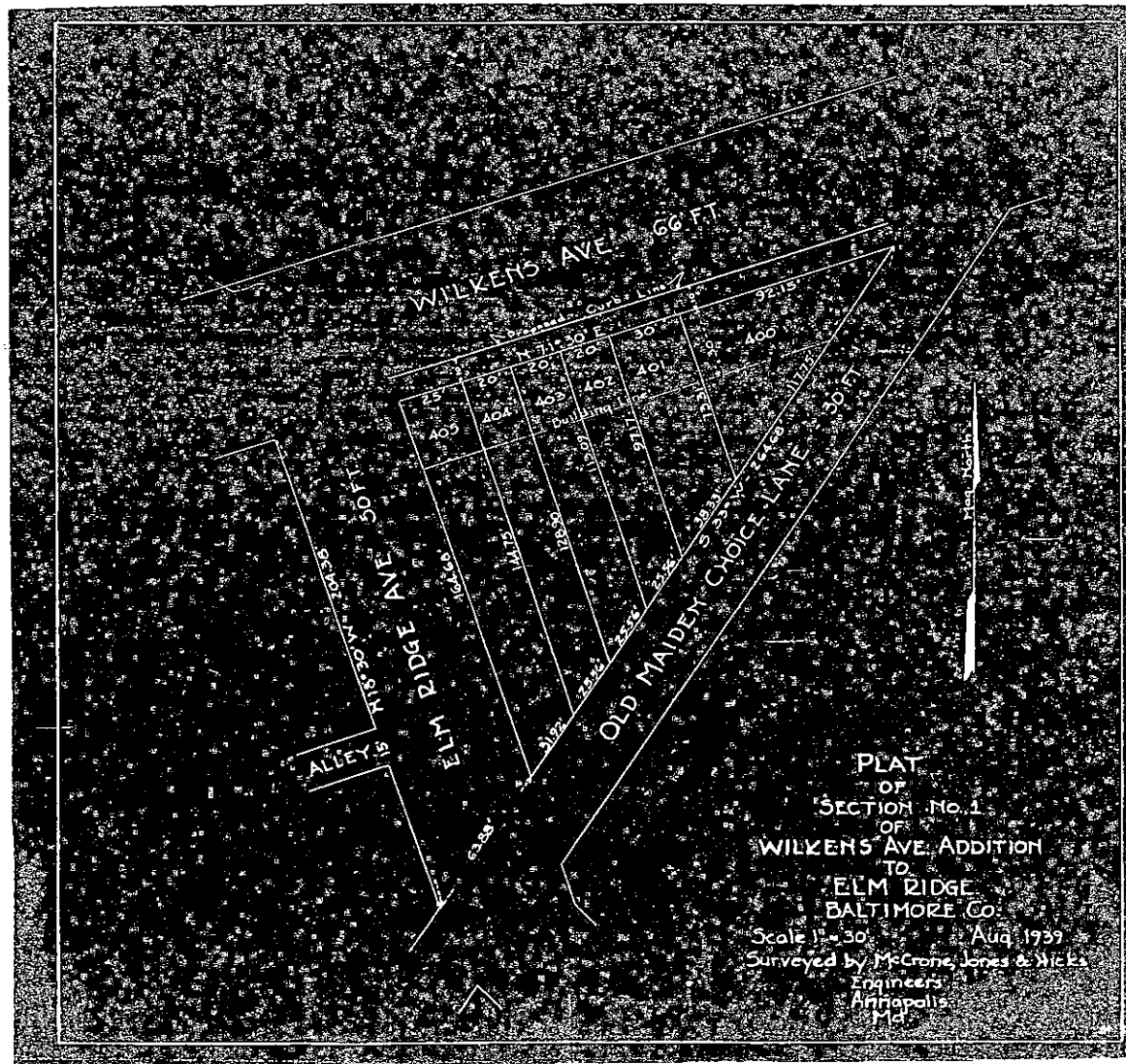
PAI # 138042

PAI # 138042

4431

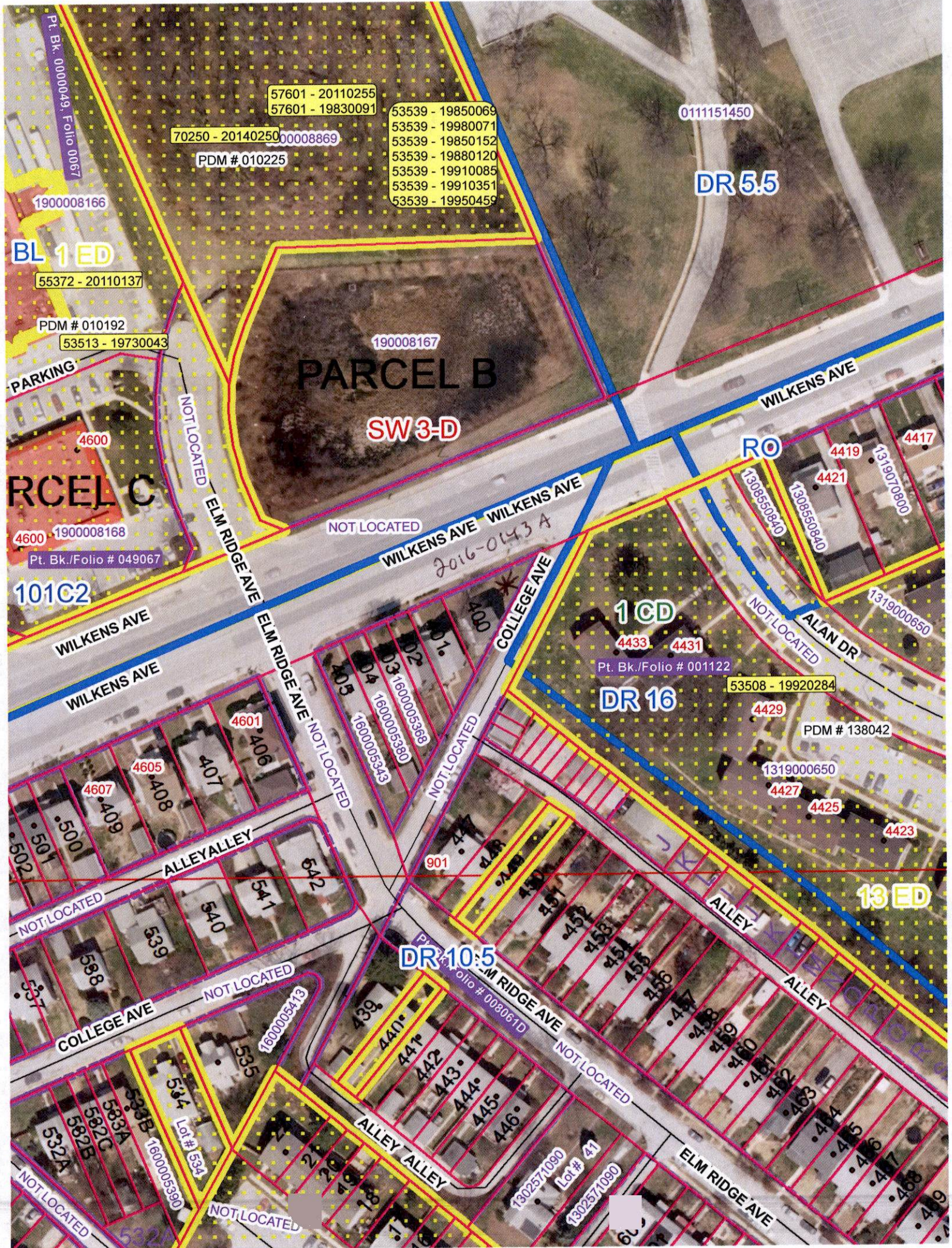
ELM RIDGE AVE

COLLEGE AVE



CURRENT 10-5

FRONT = 10
 REAR = 50
 SIDES = 10

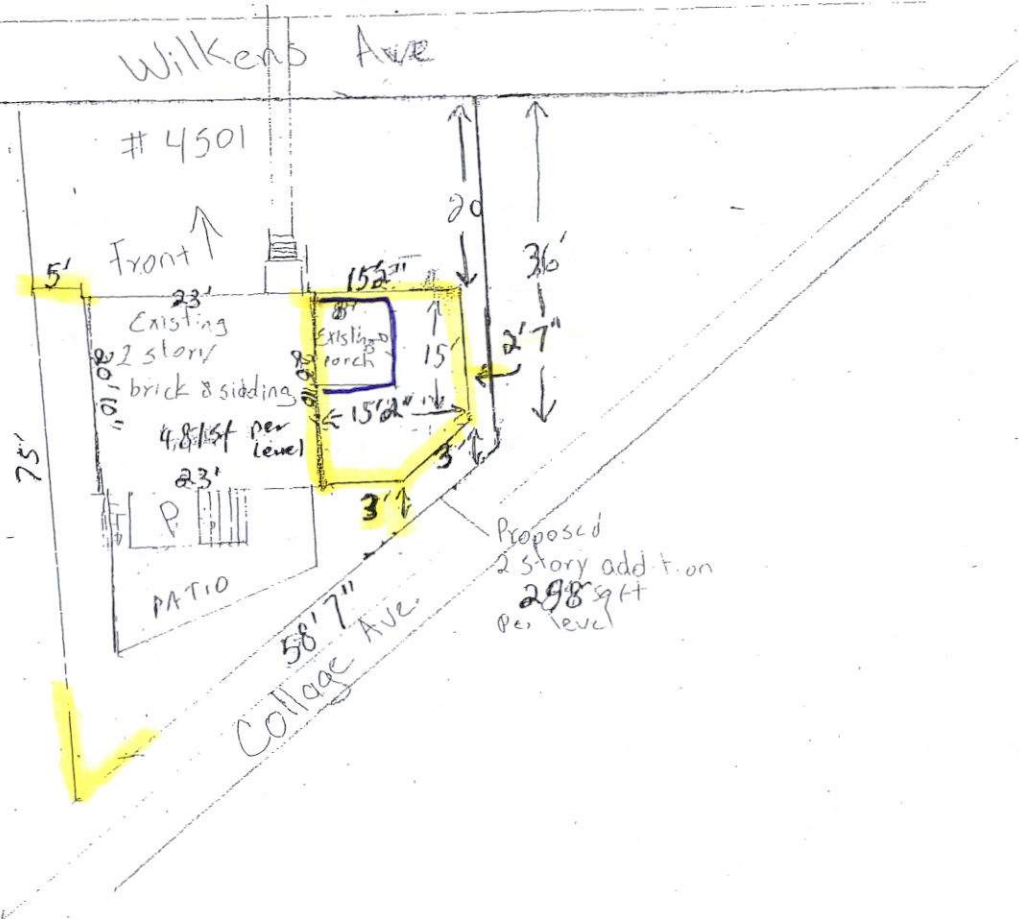


ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

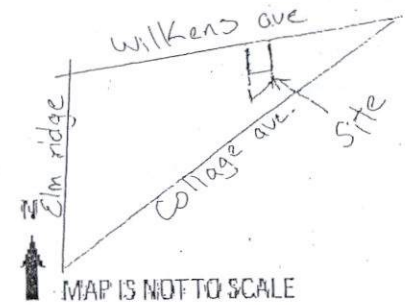
ADDRESS 4501 Wilkens Ave Baltimore MD 21229 OWNER(S) NAME(S) EZ Reach LLC

SUBDIVISION NAME Elm Ridge LOT # 400 BLOCK # N/A SECTION # 1

PLAT BOOK # 00012 FOLIO # 000025 10 DIGIT TAX # 1600005352 DEED REF. # 088441 00334



SITE VICINITY MAP



ZONING MAP # 0101

SITE ZONED DR10.5

ELECTION DISTRICT 13

COUNCIL DISTRICT 1

LOT AREA ACREAGE _____

OR SQUARE FEET 2808 sq

HISTORIC? NO

IN CBQA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? NI

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

N/A

VARIATION CASE INFO:

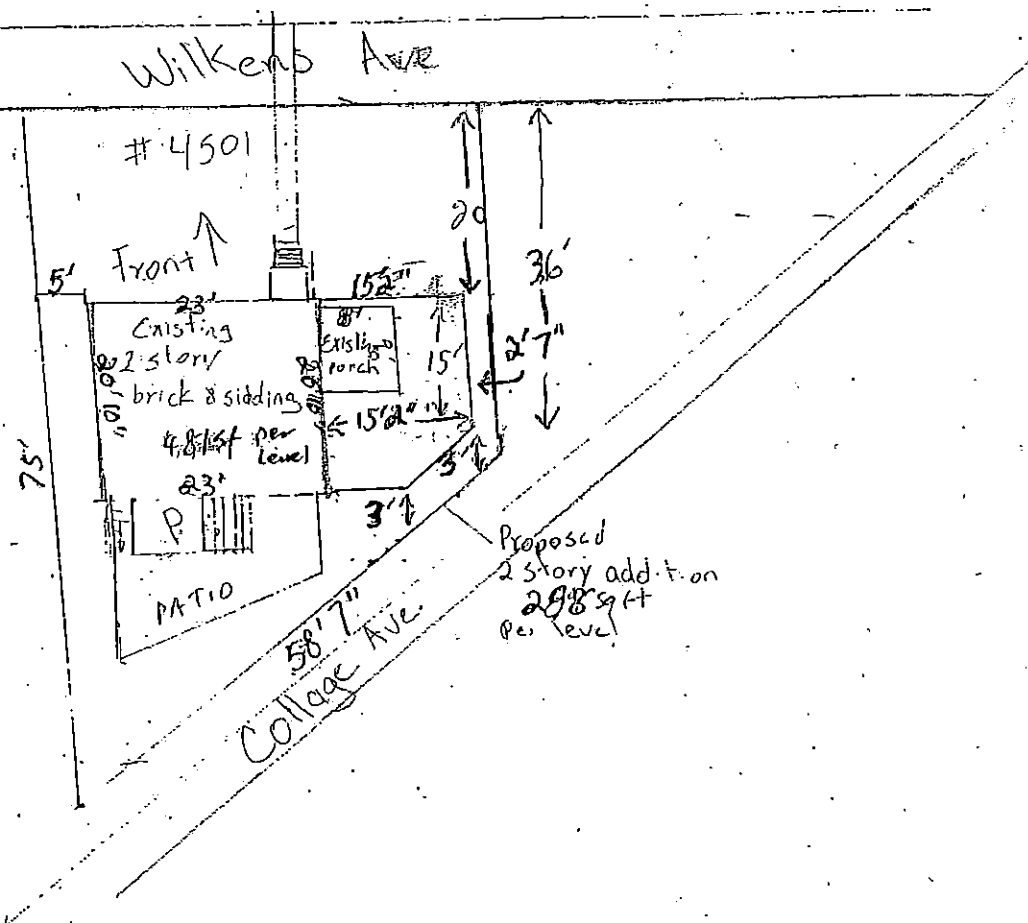
PETITIONER'S

EXHIBIT NO. 1

PLAN DRAWN BY Luis Cabrera DATE 12/13/15 SCALE: 1 INCH = 20 FEET

2016-0143-A

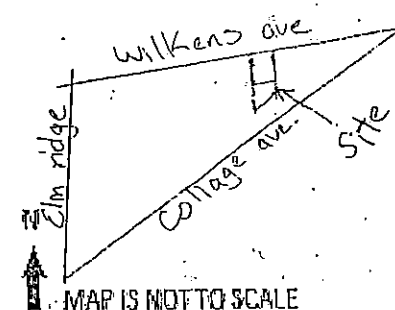
SUBDIVISION NAME Elm Ridge LOT # 400 BLOCK # N/A SECTION # 1
PLAT BOOK # 00012 FOLIO # 000025 10 DIGIT TAX # 1600065352 DEED REF. # 088441_00334



PLAN DRAWN BY Luis Cabrera DATE 12/13/15 SCALE: 1 INCH = 20 FEET

2016-0143-A

SITE VICINITY MAP



ZONING MAP# 0101
SITE ZONED DR 10.5
ELECTION DISTRICT 13
COUNCIL DISTRICT 1
LOT AREA ACREAGE _____
OR SQUARE FEET 2808 sq
HISTORIC? NO
IN CBCA? NO
IN FLOOD PLAIN? NO
UTILITIES?. MARK WITH X
WATER IS:
PUBLIC X PRIVATE _____
SEWER IS:
PUBLIC X PRIVATE _____
PRIOR HEARING? NO
IF SO, GIVE CASE NUMBER
AND ORDER RESULT BELOW
N/A

VIOLATION CASE INFO:

wlg