

M E M O R A N D U M

DATE: June 15, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0207-A – Appeal Period Expired

The appeal period for the above-referenced case expired on June 10, 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 VARIANCE

(7327 Waldman Avenue)

15th Election District

7th Council District

Darsan, LLC

Legal Owner

Petitioner

*

*

*

*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2016-0207-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 Darsan, LLC, legal owner of the subject property ("Petitioner"). Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.)§1B02.3.C.1 to permit a lot width of 50 ft. in lieu of the required 55 ft. for a new single-family dwelling. A site plan was marked as Petitioner's Exhibit 1.

David Billingsley appeared in support of the Petition. Mark Van Bavel, Esq. represented Petitioner. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the B.C.Z.R. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP) and the Department of Environmental Protection and Sustainability (DEPS).

The subject property is 10,000 square feet and zoned DR 5.5. This property is unimproved, although as noted in companion Case No. 2016-0206-A, it served as a parking lot for the adjoining apartment complex located at 7325 Waldman Avenue. Petitioner proposes to construct a modest two-story single-family dwelling on the lot.

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

ORDER RECEIVED FOR FILING

Date 5/11/16

By Den

- necessitate 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 is narrow and deep (50' x 200') and was created by the Plat of Chesapeake Terrace, recorded in 1917. (Petitioner's Ex. 6). As such it is unique. If the Regulations were strictly interpreted, Petitioner would experience a practical difficulty because it would not be able to construct the proposed single-family dwelling. 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 County and/or community opposition.

THEREFORE, IT IS ORDERED, this 11th day of **May, 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.") §1B02.3.C.1 to permit a lot width of 50 ft. in lieu of the required 55 ft. for a new single family dwelling, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Prior to issuance of permits Petitioner must comply with the Critical Area Regulations.
3. Petitioner must comply with the ZAC comment submitted by the DOP, a copy of which is attached hereto.

ORDER RECEIVED FOR FILING

Date 5/11/16

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 5/11/16

By Den



CBCA

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 7327 WALDMAN AVENUE which is presently zoned DR5.5
Deed References: L. 20172 F 444 10 Digit Tax Account # 1513200890
Property Owner(s) Printed Name(s) DARSAN LLC

(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)

1B02.3.C.1 (BCZR) TO PERMIT A LOT WIDTH OF 50 FEET IN LIEU OF
THE REQUIRED 55 FEET FOR A NEW SINGLE FAMILY DWELLING

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

TO BE PRESENTED AT HEARING

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Date

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

DARSAN LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

40 W. CHESAPEAKE AVE TOWSON, MD.

Mailing Address STE. 506 City

State

21204 (954) 756-1973

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

MARK VAN BAYEL

Name- Type or Print

Signature

40 W. CHESAPEAKE AVE. TOWSON, MD.

Mailing Address

City

State

21204

Zip Code

(410) 707-1514, myblawoffice.com

Telephone #

Email Address

Representative to be contacted:

DAVID BILLINGSLEY

Name- Type or Print

Signature

601 CHERRYWOOD CT. EDGEWOOD, MD

Mailing Address

City

State

21040

Zip Code

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

Telephone #

Email Address

CASE NUMBER 2016-0207-A Filing Date 3/8/16

Do Not Schedule Dates:

Reviewer AT

ZONING DESCRIPTION

7327 WALDMAN AVENUE

Beginning for the same at a point on the south side of Waldman Avenue (30 feet wide) distant westerly 945 feet from its intersection with the center of Lincoln Avenue, thence being all of Lot 135, Section B, Chesapeake Terrace recorded among the Baltimore County Plat Records in Plat Book 5 Folio 36.

Containing 10,000 square feet or 0.230 acre of land, more or less.

Being known as 7327 Waldman Avenue. Located in the 15TH Election District, 7TH Councilmanic District of Baltimore County, Maryland.

2016-0207-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 4111801

Sold To:

Darsan, LLC - Rick Benson - CU00531884
40 W Chesapeake Ave
Ste 506
Towson, MD 21204-4892

Bill To:

Darsan, LLC - Rick Benson - CU00531884
40 W Chesapeake Ave
Ste 506
Towson, MD 21204-4892

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

Apr 19, 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: # 2016-0207-A
7327 Waldman Avenue
S/s of Waldman Avenue, west of centerline of Lincoln Avenue
15th Election District - 7th Councilmanic District
Legal Owner(s) Darsan, LLC

Variance: to permit a lot width of 50 ft. in lieu of the required 55 ft. for a new single family dwelling.

Hearing: Monday, May 9, 2016 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.

JT 4/695 April 19 4111801

The Baltimore Sun Media Group

By S. Wilkinson
Legal Advertising

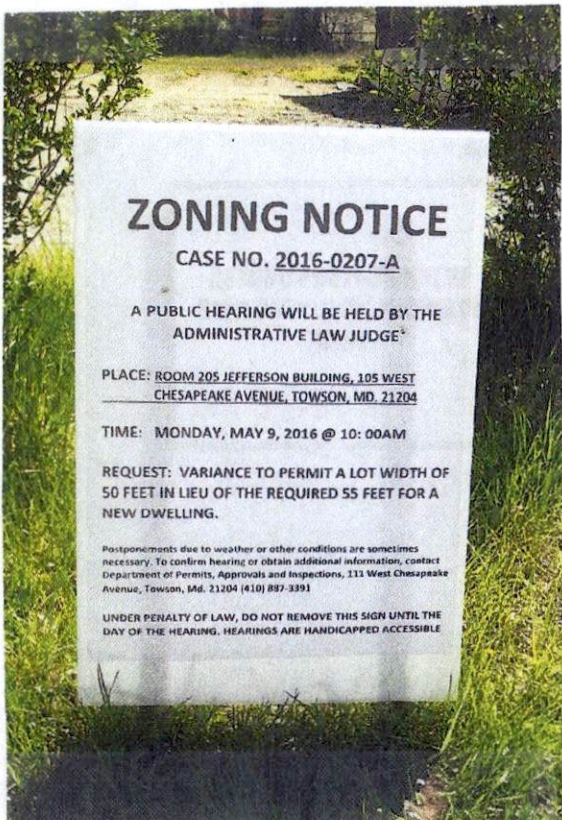
CERTIFICATE OF POSTING

Date: APRIL 19, 2016

RE: Project Name: 7327 WALDMAN AVENUE
Case Number /PAI Number: 2016-0207-A
Petitioner/Developer: DARSAN LLC
Date of Hearing/Closing: MAY 9, 2016

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 7325 WALDMAN AVENUE

The sign(s) were posted on APRIL 18, 2016
(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

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

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



KEVIN KAMENETZ
County Executive

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

March 29, 2016

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: 2016-0207-A

7327 Waldman Avenue

S/s of Waldman Avenue, west of centerline of Lincoln Avenue

15th Election District – 7th Councilmanic District

Legal Owners: Darsan, LLC

Variance to permit a lot width of 50 ft. in lieu of the required 55 ft. for a new single family dwelling.

Hearing: Monday, May 9, 2016 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: Mark Van Bayel, 40 W. Chesapeake Avenue, Ste. 506, Towson 21204
David Billingsley, 601 Charwood Court, Edgewood 21040

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 19, 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, April 19, 2016 Issue - Jeffersonian

Please forward billing to:

Rick Benson
Darsan, LLC
40 W. Chesapeake Avenue, Ste. 506
Towson, MD 21204

954-756-1973

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: 2016-0207-A

7327 Waldman Avenue

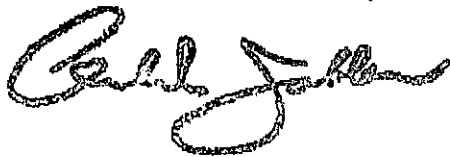
S/s of Waldman Avenue, west of centerline of Lincoln Avenue

15th Election District – 7th Councilmanic District

Legal Owners: Darsan, LLC

Variance to permit a lot width of 50 ft. in lieu of the required 55 ft. for a new single family dwelling.

Hearing: Monday, May 9, 2016 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 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
7327 Waldman Avenue; S/S Waldman Avenue,
945' W of c/line Lincoln Avenue
15th Election & 7th Councilmanic Districts
Legal Owner(s): Darsan, LLC
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2016-207-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.

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

RECEIVED

MAR 18 2016

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of March, 2016, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, 601 Charwood Court, Edgewood, MD 21040 and Mark Van Bavel, Esquire, 40 West Chesapeake Avenue, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

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

For Newspaper Advertising:

Case Number: 2016-0207-A
Property Address: 7327 WALDMAN AVENUE
Property Description: LOT 135 CHESAPEAKE TERRACE

Legal Owners (Petitioners): DARSAN LLC
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: RICK BENSON
Company/Firm (if applicable): DARSAN LLC
Address: 40 W. CHESAPEAKE AVE, STE 506
TOWSON MD 21204

Telephone Number: (954) 756-1973

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

No. **135722**

Date: **3/8/16**

PAID RECEIPT

BUSINESS ACTUAL TIME
 3/08/2016 1:08:36 10:05:25 3

RE: 9503 WALKIN RDUS LRG
 > RECEIPT # 245091 3/08/2016 QPLR
 DE: \$ 929 (2016) VERIFICATION
 NO. 135722

Receipt Tot \$75.00
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
0001	806	0000		6130						\$75

Total: **\$75**

Rec From:

For:

7325 WILDMAN AVE
2016-0206-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*

May 4, 2016

Darsan LLC
40 W Chesapeake Avenue
Towson MD 21204

RE: Case Number: 2016-0207 A, Address: 7327 Waldman Avenue

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 8, 2016. 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.", is written over a faint, larger version of the same signature.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Mark Van Bavel, Esquire, 40 W Chesapeake Avenue, Towson MD 21204
David Billingsley, 601 Charwood Court, Edgewood MD 21040

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



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

Date: 3/21/10

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2016-0207-A

Variance
Dawson, LLC
7327 Waldman Avenue

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 blue ink, appearing to read 'Richard H. Zeller'.

David W. Peake
Metropolitan District Engineer – District 4
Baltimore & Harford Counties

DWP/RAZ

59

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

APR 19 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: April 19, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0207-A
Address 7327 Waldman Avenue
(Darsan, LLC Property)

Zoning Advisory Committee Meeting of March 21, 2016.

The subject property is located within the Chesapeake Bay Critical Area. According to BCZR Section 500.14, no decision shall be rendered on any petition for special exception, zoning variance, or zoning special hearing for a property within the Critical Area until the Department of Environmental Protection and Sustainability (EPS) has provided written recommendations describing how the proposed request would:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA), and is subject to Critical Area lot coverage requirements. Critical Area lot coverage differs from BCZR lot coverage and is defined in Natural Resources Article §8-1802(a)(17), as follows:

(17) (i) "Lot coverage" means that percentage of total lot or parcel that is:

1. Occupied by a structure, parking area, driveway, walkway, or roadway; or
2. Covered with gravel, stone, shell impermeable decking, a paver, permeable pavement, or any manmade material

(ii) "Lot coverage" includes the ground area covered or occupied by a stairway or impermeable deck.

(iii) "Lot coverage" does not include:

1. A fence or wall that is less than 1 foot in width that has not been constructed with a footer;
2. A walkway in the buffer or expanded buffer, including a stairway, that provides direct access to a community or private pier;
3. A wood mulch pathway; or
4. A deck with gaps to allow the water to pass freely.

This lot is located within a Limited Development Area (LDA) of the Chesapeake Bay Critical Area (CBCA). The petitioner is requesting a lot width of 50 feet in lieu of the required 55 feet for a new single-family dwelling. In order to minimize impacts on water quality, the applicant must comply with the LDA lot coverage requirement, which, for a property this size (10,000 square feet), is 31¼%, with mitigation for lot coverage between 25% and 31¼%. Lot coverage cannot exceed 31¼%. According to the plan submitted for this review, it is not clear whether the total lot coverage to be proposed is shown, and this will be evaluated upon review of a building permit application. Therefore, by allowing the items requested by the petitioner, impacts on water quality will be minimized.

2. Conserve fish, wildlife, and plant habitat; and

The use of this property must comply with all applicable LDA requirements, including the 15% afforestation requirement and CBCA lot coverage requirements. By meeting these requirements, the requested activities could be conducted in a manner that can conserve fish, wildlife and plant habitat.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts.

The proposed activities must comply with all LDA requirements and, therefore, will be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

Reviewer: Thomas Panzarella
Environmental Impact Review

Date: April 18, 2016

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: April 12, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-207

RECEIVED

APR 15 2016

OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:

Property Address: 7327 Waldman Avenue
Petitioner: DARSAN, LLC
Zoning: DR 5.5
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit a lot width of 50 feet in lieu of the required 55 feet for a new single family dwelling.

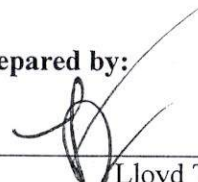
A site visit was conducted on March 18, 2016.

The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- Provide landscaping along the public road to include street trees.
- Prior to building permit, provide to the contact listed below, an architectural elevations depicting proposed materials to insure the proposal is in keeping with the community along Waldman Avenue.

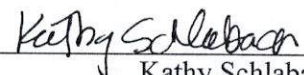
For further information concerning the matters stated herein, please contact Josephine Selvakumar at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

C: David Billingsley, Central Drafting & Design, Inc.
Josephine Selvakumar
Office of the Administrative Hearings
People's Counsel for Baltimore County
Jeanette M. S. Tansey, R.L.A., PAI

ORDER RECEIVED FOR FILING

Date 5/11/16

By sen

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: April 12, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-207

RECEIVED

APR 15 2016

OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:

Property Address: 7327 Waldman Avenue
Petitioner: DARSAN, LLC
Zoning: DR 5.5
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit a lot width of 50 feet in lieu of the required 55 feet for a new single family dwelling.

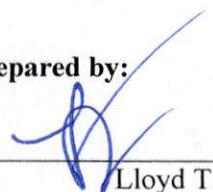
A site visit was conducted on March 18, 2016.

The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- Provide landscaping along the public road to include street trees.
- Prior to building permit, provide to the contact listed below, an architectural elevations depicting proposed materials to insure the proposal is in keeping with the community along Waldman Avenue.

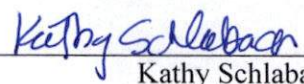
For further information concerning the matters stated herein, please contact Josephine Selvakumar at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlach

AVA/KS/LTM/ka

C: David Billingsley, Central Drafting & Design, Inc.
Josephine Selvakumar
Office of the Administrative Hearings
People's Counsel for Baltimore County
Jeanette M. S. Tansey, R.L.A., PAI

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: March 15, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For March 21, 2016
Item No. 2016-0181, 0201, 0202, 0204, 0205, 0206, 0207, 0208, 0210,
0211, 0212 and 0213

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\ZAC03212016.doc

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM



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

DATE: April 12, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-207

INFORMATION:

Property Address: 7327 Waldman Avenue
Petitioner: DARSAN, LLC
Zoning: DR 5.5
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit a lot width of 50 feet in lieu of the required 55 feet for a new single family dwelling.

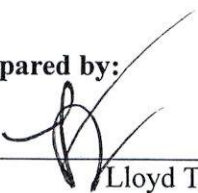
A site visit was conducted on March 18, 2016.

The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- Provide landscaping along the public road to include street trees.
- Prior to building permit, provide to the contact listed below, an architectural elevations depicting proposed materials to insure the proposal is in keeping with the community along Waldman Avenue.

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

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

C: David Billingsley, Central Drafting & Design, Inc.
Josephine Selvakumar
Office of the Administrative Hearings
People's Counsel for Baltimore County
Jeanette M. S. Tansey, R.L.A., PAI

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: April 19, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0207-A
Address 7327 Waldman Avenue
(Darsan, LLC Property)

Zoning Advisory Committee Meeting of March 21, 2016.

The subject property is located within the Chesapeake Bay Critical Area. According to BCZR Section 500.14, no decision shall be rendered on any petition for special exception, zoning variance, or zoning special hearing for a property within the Critical Area until the Department of Environmental Protection and Sustainability (EPS) has provided written recommendations describing how the proposed request would:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA), and is subject to Critical Area lot coverage requirements. Critical Area lot coverage differs from BCZR lot coverage and is defined in Natural Resources Article §8-1802(a)(17), as follows:

(17) (i) "Lot coverage" means that percentage of total lot or parcel that is:

- 1. Occupied by a structure, parking area, driveway, walkway, or roadway; or*
- 2. Covered with gravel, stone, shell impermeable decking, a paver, permeable pavement, or any manmade material*

(ii) "Lot coverage" includes the ground area covered or occupied by a stairway or impermeable deck.

(iii) "Lot coverage" does not include:

1. A fence or wall that is less than 1 foot in width that has not been constructed with a footer; -
2. A walkway in the buffer or expanded buffer, including a stairway, that provides direct access to a community or private pier;
3. A wood mulch pathway; or
4. A deck with gaps to allow the water to pass freely.

This lot is located within a Limited Development Area (LDA) of the Chesapeake Bay Critical Area (CBCA). The petitioner is requesting a lot width of 50 feet in lieu of the required 55 feet for a new single-family dwelling. In order to minimize impacts on water quality, the applicant must comply with the LDA lot coverage requirement, which, for a property this size (10,000 square feet), is 31¼%, with mitigation for lot coverage between 25% and 31¼%. Lot coverage cannot exceed 31¼%. According to the plan submitted for this review, it is not clear whether the total lot coverage to be proposed is shown, and this will be evaluated upon review of a building permit application. Therefore, by allowing the items requested by the petitioner, impacts on water quality will be minimized.

2. Conserve fish, wildlife, and plant habitat; and

The use of this property must comply with all applicable LDA requirements, including the 15% afforestation requirement and CBCA lot coverage requirements. By meeting these requirements, the requested activities could be conducted in a manner that can conserve fish, wildlife and plant habitat.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts.

The proposed activities must comply with all LDA requirements and, therefore, will be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

Reviewer: Thomas Panzarella
Environmental Impact Review

Date: April 18, 2016

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>3/15</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>N/C</u>
<u>4/19</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
<u>4/12</u>	FIRE DEPARTMENT PLANNING (if not received, date e-mail sent _____)	<u>C</u>
<u>3/21</u>	STATE HIGHWAY ADMINISTRATION TRAFFIC ENGINEERING	<u>no obj</u>
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>4/19/16</u>	
SIGN POSTING	Date: <u>4/18/16</u> by <u>Beelingsley</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

B TIMORE COUNTY MARY ND
INTER-OFFICE CORRESPONDENCE

DATE: April 13, 2000

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Rick Wisnom, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 2016-08064 2016-0807A
Legal Owner/Petitioner: DARSAJ LLC
Contract Purchaser:
Property Address: 7325 + 7327 WANDMAN Ave
Location Description:

VIIOLATION INFORMATION: Case No. CB1500531
Defendants: DARSAJ LLC

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

NAME LEWIS MAYER

ADDRESS BLDG INSPECTION

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

- ☐ 1. Complaint letter/memo/email/fax (if applicable)
- ☒ 2. Complaint Intake Form/Code Enforcement Officer's report and notes
- ☒ 3. State Tax Assessment printout
- ☐ 4. State Tax Parcel Map (if applicable)
- ☐ 5. MVA Registration printout (if applicable)
- ☐ 6. Deed (if applicable)
- ☐ 7. Lease-Residential or Commercial (if applicable)
- ☐ 8. Photographs including dates taken
- ☒ 9. Correction Notice/Code Violation Notice
- ☐ 10. Citation and Proof of Service (if applicable)
- ☐ 11. Certified Mail Receipt(s) if applicable
- ☐ 12. Final Order of the Code Official/Hearing Officer (if applicable)
- ☒ 13. Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable)
- ☒ 14. Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable).

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/
C: Code Enforcement Officer

DATE: 03/18/2016

STANDARD ASSESSMENT INQUIRY (1)

TIME: 08:05:44

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 13 200890	15	3-0	04-00	N	NO		03/03/16

DARSAN LLC

DESC-1.. LT 134,135

DESC-2.. CHESAPEAKE TERRACE

11206 225TH ST

PREMISE. 07325 WALDMAN

AVE

BALTIMORE

21219-

QUEENS VILLAGE NY 11429-2741 FORMER OWNER: MOFFITT MARSHA PAULINE, TRU

----- FCV ----- PHASED IN -----

	PRIOR	PROPOSED		CURR	CURR	PRIOR
				FCV	ASSESS	ASSESS
LAND:	77,000	77,000				
IMPV:	119,600	119,000	TOTAL..	196,000	196,000	196,000
TOTL:	196,600	196,000	PREF...	0	0	0
PREF:	0	0	CURT...	0	0	0
CURT:	0	0	EXEMPT.		0	0
DATE:	01/15	01/15				

---- TAXABLE BASIS ---- FM DATE

ASSESS: 196,000

ASSESS: 196,000

ASSESS: 0

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF



Department of Permits, Approvals & Inspections Complaint Report

Record Id: CB1500531

<u>Record ID</u>	<u>Assigned To</u>	<u>Assigned Date</u>	<u>Received Date</u>	<u>Status</u>	<u>Compliance Date</u>	<u>Hearing Date</u>
CB1500531	Lewis Mayer		08/21/2015	Inspection Scheduled		

Complaint Description: building without permit.

<u>Property</u>	<u>Owner</u>	<u>Complainant</u>
7325 WALDMAN AVE SPARROWS POINT, MD 21219 Tax Id: 1513200890	DARSAN LLC 11206 225TH ST QUEENS VILLAGE, NY 11429-2741	3351

Inspection Details

<u>Inspector</u>	<u>Date</u>	<u>Service</u>	<u>Result</u>	<u>Action</u>	<u>Complied On</u>
Lewis Mayer		Initial Inspection	Scheduled		

Lien Information - No Lien

Comments Detail - No Comments 8/27/14 - Visited Site. OBSERVED WORK BEING DONE WITHOUT AN
ISSUED PERMIT. ISSUED A STOP WORK ORDER, POST GAVE ONE ON SITE TO
PAUL THORPE, EMPLOYEE. DELIVERED A COPY TO OFFICE OF RESIDENT AGENT.
FOR OWNER LISTED ON TAX RECORDS. R/C 9/4/15 Sam
3/14/16 - OWNER IS INTENDING TO RAZE BUILDING AND CONSTRUCT 2 NEW HOUSES.
CASE WILL BE CLOSED WHEN BUILDING IS RAZED WITH PERMIT IN PLACE. (P)
R/C 4/14/16 Sam

TIME: 14:53:54 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 08/06/2015
DATE: 08/20/2015 GENERAL PERMIT APPLICATION DATA EDW 08:56:14

PERMIT #: B886237 PROPERTY ADDRESS
RECEIPT #: A718201 7325 WALDMAN AVE
CONTROL #: C- SUBDIV: CHESAPEAKE TERRACE
XREF #: B886237 TAX ACCOUNT #: 1513200890 DISTRICT/PRECINCT 15 01

OWNERS INFORMATION (LAST, FIRST)

FEE: 447.00 NAME: DARSAN LLC
PAID: 447.00 ADDR: 11206 225TH ST NY 11429-2741
PAID BY: APPL

DATES

APPLICANT INFORMATION

APPLIED: 08/06/2015 NAME: PAUL THORPE
ISSUED: COMPANY: TDG
OCCPNY: ADDR1: 40 W CHESAPEAKE AVE, STE 506
FINAL INSPECT: ADDR2: TOWSON MD 21204
INSPECTOR: 15C PHONE #: 410-903-6522 LICENSE #:
NOTES: AB/EDW

PASSWORD :

ENTER - PERMIT DETAIL PF3 - INSPECTIONS PF7 - DELETE PF9 - SAVE
PF2 - APPROVALS PF4 - ISSUE PERMIT PF8 - NEXT PERMIT PF10 - INQRY

TIME: 14:54:04 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 08/06/2015
DATE: 08/20/2015 BUILDING DETAIL 1 EDW 09:02:57

DRC#

PERMIT # B886237 PLANS: CONST 00 PLOT 0 PLAT 0 DATA 0 EL 1 PL 1

TENANT

BUILDING CODE: CONTR: TDG

IMPRV 4 ENGNR:

USE 21 APT BLDG SELLR:

FOUNDATION BASE WORK: REPAIR EXISTING APARTMENT BUILDING DUE TO
WATER DAMAGE TO INCLUDE: REMOVE & REPLACE
CONSTRUC FUEL SEWAGE WATER EXTERIOR SHEATHING; INTERIOR REPAIRS: FLOOR
1E 1E JOISTS AS NEEDED, REINFORCE LOAD BEARING & NON-
CENTRAL AIR LOAD BEARING WALLS. PLANS WILL BE DETERMINED BY
ESTIMATED COST INSPECTOR. WAIVE PLANS:SLW.

10,000.00 PROPOSED USE: 6 UNIT APARTMENT BUILDING & REPAIRS

OWNERSHIP: 1 EXISTING USE: 6 UNIT APT BLDG

RESIDENTIAL CAT:

#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS:

1 FAMILY BEDROOMS: PASSWORD:

ENTER - NEXT DETAIL PF2 - APPROVALS PF7 - PREV. SCREEN PF9 - SAVE
PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU

TIME: 08:10:28 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 08/12/2015
DATE: 09/01/2015 APPROVALS DETAIL SCREEN PDM 14:01:26

PERMIT #: B886237 CONTROL #: C-

AGENCY	DATE	CODE	COMMENTS
-----	-----	----	-----
BLD PLAN	08/06/2015	01	SLW/EDW
FIRE	08/06/2015	01	SLW/EDW
SEDI CTL	08/06/2015	01	JL/EDW
ZONING	08/06/2015	01	NO CHG U/O
PUB SERV	08/06/2015	01	DAK/EDW
ENVRMNT	08/12/2015	01	GWM-8/12/15 EGS/DJE
CODE ENF			OK TO FILE:L
PERMITS			

01 THRU 09 INDICATES AN "APPROVAL" ** 10 THRU 99 INDICATES A "DISAPPROVAL"

ENTER - GENERAL PERMIT PF4 - ISSUE PERMIT
PF3 - INSPECTIONS PF8 - GENERAL SCREEN W/NEXT PERMIT CLEAR - MENU

OFFICE HOURS 7:30 am - 3:30 pm

Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation Case No. CB 1500531 Property No. 1513200890 Zoning: _____

Name(s): DARSA LLC ALAYON LLC

MARK VAN BAVEL - Resident Agent

Address: 40 W Chesapeake Ave, Ste. 506

TOWSON MD 21204

Violation Location: 7325 WALDMAN Ave 21219

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNT LAWS:

BALTO. COUNTY Code 2003; Sec 35-2-301, 304; Inter. BUILDING Code 2015;

Section 107.1, 107.2

FAILURE TO OBTAIN BUILDING PERMIT FOR ALTERATIONS TO
APARTMENT BUILDING

- FAILURE TO PROVIDE CONSTRUCTION DRAWINGS SEALED BY A
STRUCTURAL ENGINEER OR DESIGN PROFESSIONAL

- OBTAIN BUILDING PERMIT FOR ALTERATION TO APARTMENT BUILDING

- PROVIDE CONSTRUCTION DRAWINGS PREPARED BY A REGISTERED DESIGN PROFESSIONAL
TO SHOW

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

ON OR BEFORE: 9/4/15 DATE ISSUED: 8/21/15

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION
SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1,000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR
90 DAYS IN JAIL, OR BOTH.

INSPECTOR: Lewis Mayer PRINT NAME: LEWIS MAYER

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE
CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION
OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NO LATER THAN:

ON OR BEFORE: 9/4/15 DATE ISSUED: 8/21/15

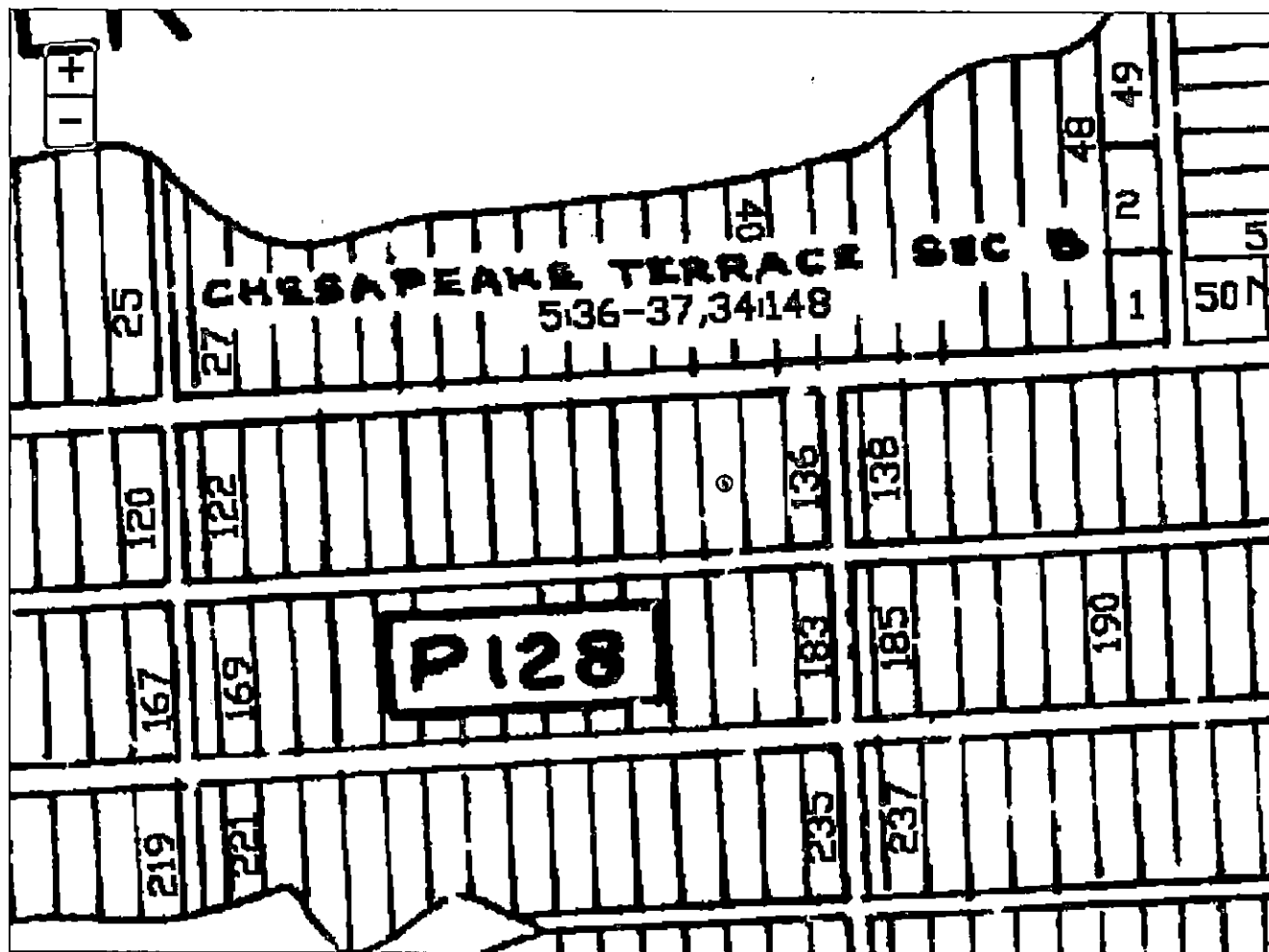
INSPECTOR: Lewis Mayer PRINT NAME: LEWIS MAYER

COPIES: PINK - AGENCY, YELLOW - VIOLATION SITE, GOLD - DEFENDANT, WHITE - INSPECTOR

Guide to searching the database

View Map		View GroundRent Redemption				View GroundRent Registration			
Account Identifier:		District - 15 Account Number - 1513200890							
Owner Information									
Owner Name:		DARSAN LLC			Use: Principal Residence:		RESIDENTIAL NO		
Mailing Address:		11206 225TH ST QUEENS VILLAGE NY 11429-2741			Deed Reference:		/20172/ 00444		
Location & Structure Information									
Premises Address:		7325 WALDMAN AVE BALTIMORE 21219-			Legal Description:		LT 134,135 7325 WALDMAN AVE CHESAPEAKE TERRACE		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No: Plat Ref:
0111	0016	0128		0000	B		134	2015	0005/ 0036
Special Tax Areas:					Town: Ad Valorem: Tax Class:		NONE		
Primary Structure Built 1958		Above Grade Enclosed Area 5,513 SF		Finished Basement Area		Property Land Area 20,000 SF		County Use 04	
Stories 2	Basement YES	Type STANDARD UNIT		Exterior FRAME	Full//Half Bath 5 full	Garage 1Att/1Carport		Last Major Renovation	
Value Information									
Base Value				Value As of 01/01/2015		Phase-in Assessments As of 07/01/2015			
Land:				77,000		As of 07/01/2016			
Improvements				119,600					
Total:				196,600		196,000		196,000	
Preferential Land:				0				0	
Transfer Information									
Seller: MOFFITT MARSHA PAULINE,TRUSTEE				Date: 06/03/2004			Price: \$270,000		
Type: NON-ARMS LENGTH OTHER				Deed1: /20172/ 00444			Deed2:		
Seller: MARTINDELL DELBERT W				Date: 11/21/1997			Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /12509/ 00505			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									

Baltimore County

[New Search \(http://sdat.dat.maryland.gov/RealProperty\)](http://sdat.dat.maryland.gov/RealProperty)District: **15** Account Number: **1513200890**

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

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

Property maps provided courtesy of the Maryland Department of Planning.

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

PETITIONER'S EXHIBITS
7325 – 7327 WALDMAN AVENUE
CASE NOS. 2016-0206-A & 2016-0207-A

PJ 6-15-16

*5-11-16
DEN*

1. PLAT TO ACCOMPANY PETITION FOR 7325 WALDMAN AVENUE DATED FEB. 18, 2016 (NO CHANGES)
2. PLAT TO ACCOMPANY PETITION FOR 7327 WALDMAN AVENUE DATED FEB. 18, 2016 (NO CHANGES)
3. SDAT REAL PROPERTY DATA SEARCH
4. PORTION OF TAX MAP 0111 SHOWING LOTS
5. DEED OF RECORD L.20172 F.444 DATED MAY 26, 2004
6. PLAT OF CHESAPEAKE TERRACE P.B. 5 F. 36 RECORDED 9/27/17
7. AERIAL PHOTO
- 8a – e. PHOTOS
9. PORTION OF SEWER DRWG. NO. 64-829

Real Property Data Search (w2)

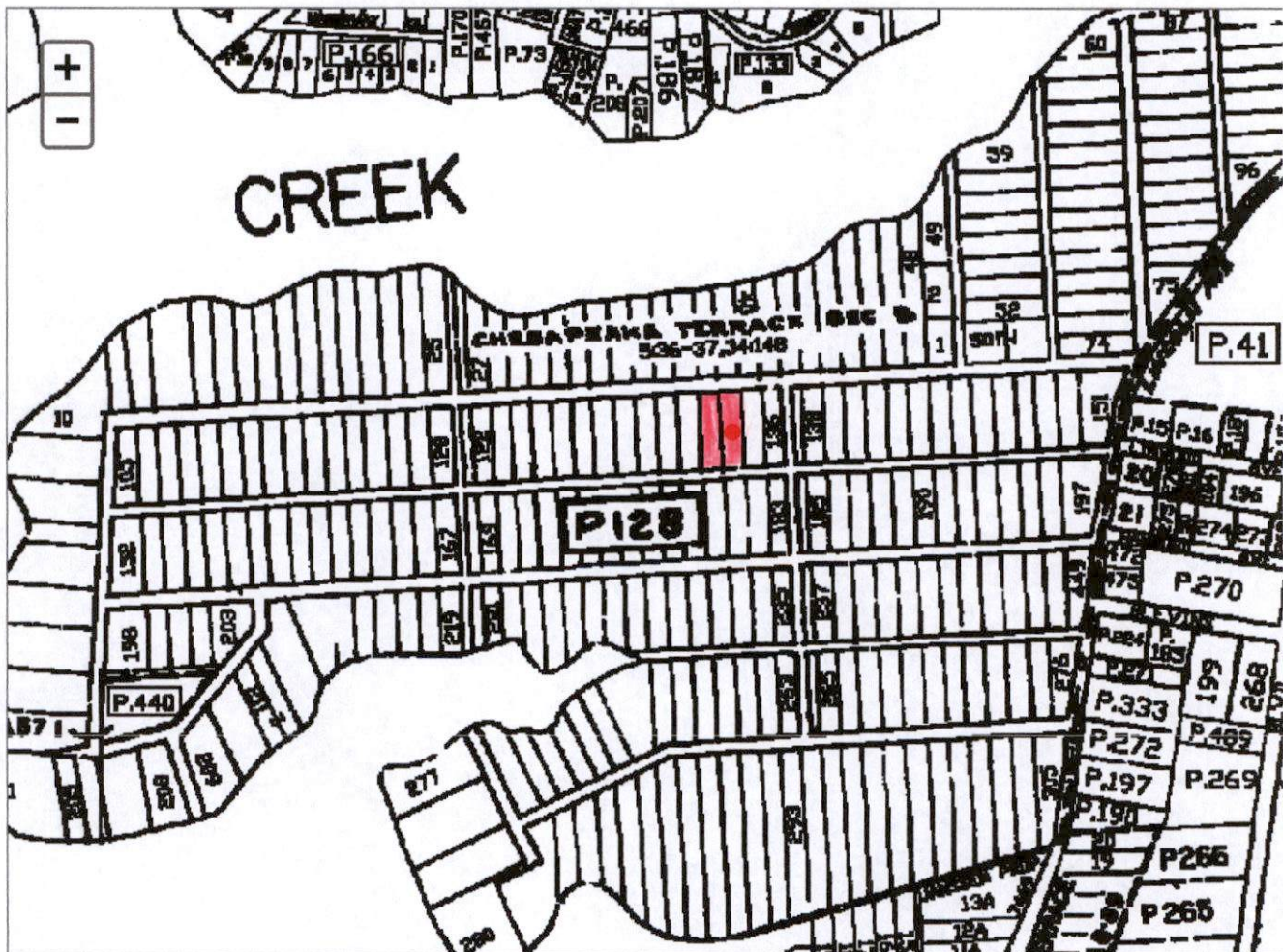
Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration			
Account Identifier:		District - 15 Account Number - 1513200890							
Owner Information									
Owner Name:		DARSAN LLC				Use:		RESIDENTIAL	
Mailing Address:		11206 225TH ST QUEENS VILLAGE NY 11429-2741				Principal Residence: Deed Reference:		NO /20172/ 00444	
Location & Structure Information									
Premises Address:		7325 WALDMAN AVE BALTIMORE 21219-				Legal Description:		LT 134,135 7325 WALDMAN AVE CHESAPEAKE TERRACE	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0111	0016	0128		0000	B		134	2015	Plat Ref: 0005/0036
Special Tax Areas:					Town:		NONE		
					Ad Valorem:				
					Tax Class:				
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area		County Use	
1958		5,513 SF				20,000 SF		04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
2	YES	STANDARD UNIT	FRAME	5 full	1Att/1Carport				
Value Information									
			Base Value	Value	Phase-in Assessments				
				As of	As of		As of		
				01/01/2015	07/01/2015		07/01/2016		
Land:			77,000	77,000					
Improvements			119,600	119,000					
Total:			196,600	196,000	196,000		196,000		
Preferential Land:			0				0		
Transfer Information									
Seller: MOFFITT MARSHA PAULINE,TRUSTEE				Date: 06/03/2004			Price: \$270,000		
Type: NON-ARMS LENGTH OTHER				Deed1: /20172/ 00444			Deed2:		
Seller: MARTINDELL DELBERT W				Date: 11/21/1997			Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /12509/ 00505			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									

PETITIONER'S
EXHIBIT NO. 3

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty/>)District: **15** Account Number: **1513200890**

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

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

Property maps provided courtesy of the Maryland Department of Planning.

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

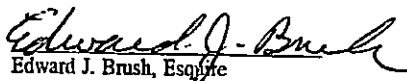
PETITIONER'S
EXHIBIT NO. 4

This Deed, MADE THIS 26th day of May in the year Two Thousand Four by and between Marsha Pauline Moffitt, Trustee, party of the first part, and DARSAN, LLC, party of the second part.

Witnesseth, That in consideration of the sum of Two Hundred Seventy Thousand Dollars and NO Cents (\$270,000.00), the receipt of which is hereby acknowledged, the said party of the first part does grant and convey to the said party of the second part, as sole owner, it's successors and/or assigns, in fee simple, that parcel of ground situate in Baltimore County, Maryland and described as follows, that is to say:

See Exhibit A attached hereto and made a part hereof

This is to certify the within instrument was prepared under the supervision of an Attorney duly admitted to practice before the Court of Appeals of the State of Maryland.


Edward J. Brush, Esquire

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises to the said party of the second part as sole owner, his/her personal representatives, heirs and assigns, in fee simple.

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

A-1

Certification of Exemption from Withholding Upon Disposition of Maryland Real Estate Affidavit of Residence or Principal Residence

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information	
Name of Transferor	Marsha Pauline Moffitt, Trust
2. Reasons for Exemption	
Resident Status	☒ I, Transferor, am a resident of the State of Maryland. ☒ Transferor is a resident entity under § 10-912(A)(4) of the Tax-General Article of the Annotated Code of Maryland, I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.
Principal Residence	☐ Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC §121.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors	
Witness	Name _____ Signature <u>Marsha Pauline Moffitt, Trustee</u>
3b. Entity Transferors	
Witness/Attest	Name of Entity _____ By _____ Name _____ Title _____

AFFIDAVIT AS TO TOTAL PAYMENT
RESIDENT/PRINCIPAL RESIDENCE
EXEMPT FROM WITHHOLDING

THE undersigned certify under the penalties of perjury, that the following is true to the best of my/our knowledge, information and belief, in accordance with Section 10-912(b)(2) of the Tax-General Article of the Annotated Code of Maryland, (the "Withholding Law"):

1. That I am/we are the transferor(s), (or agent of the transferor(s) if so indicated), of that real property described in the accompanying deed.
2. The amount of total payment for the purpose of the Withholding Law is
\$ 1003.93.

DATED this 25th day of May, 2004.

WITNESS:

TRANSFEROR(S)

Andrea L. Moffitt

Marsha Pauline Moffitt

Andrea L. Moffitt

Marsha Pauline Moffitt Trustee

BEING KNOWN AND DESIGNATED as Lot Nos. 134 and 135 as shown on the Plat of Chesapeak Terrace, Section B, which plat is duly recorded among the Land Records of Baltimore County, Maryland in Plat Book W.P.C. No. 5, folio 36. The improvements thereon being known as 7325 Waldman Avenue, Baltimore, MD 21219.

TAX ID NO. 15-15-13-200890

BEING the same and all the land conveyed by and described in a deed dated September 14, 1997 by and between Delbert Walter Martindell unto Marsha Pauline Mofitt, Trustee of the Delbert Walter Martindell Revocable Living Trust dated September 17, 1997, which deed is recorded among the Land Records of Baltimore County in Liber 12509, folio 505.

A-7050-dias

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 - 1513200890			
Owner Information					
Owner Name:		DARSAN LLC		Use:	RESIDENTIAL
Mailing Address:		11206 225TH ST QUEENS VILLAGE NY 11429-2741		Principal Residence:	NO
				Deed Reference:	/20172/ 00444
Location & Structure Information					
Premises Address:		7325 WALDMAN AVE BALTIMORE 21219-		Legal Description:	LT 134,135 7325 WALDMAN AVE CHESAPEAKE TERRACE
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0111	0016	0128		0000	B 134
				Assessment Year:	Plat No:
				2015	0005/0036
Special Tax Areas:				Town:	NONE
				Ad Valorem:	
				Tax Class:	
Primary Structure Built	Above Grade Enclosed Area		Finished Basement Area		Property Land Area
1958	5,513 SF				20,000 SF
				County Use	04
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
2	YES	STANDARD UNIT	FRAME	5 full	1Att/1Carport
Value Information					
		Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2015 As of 07/01/2016	
Land:		77,000	77,000		
Improvements		119,600	119,000		
Total:		196,600	196,000	196,000	196,000
Preferential Land:		0			0
Transfer Information					
Seller: MOFFITT MARSHA PAULINE, TRUSTEE		Date: 06/03/2004		Price: \$270,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /20172/ 00444		Deed2:	
Seller: MARTINDELL DELBERT W		Date: 11/21/1997		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /12509/ 00505		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.

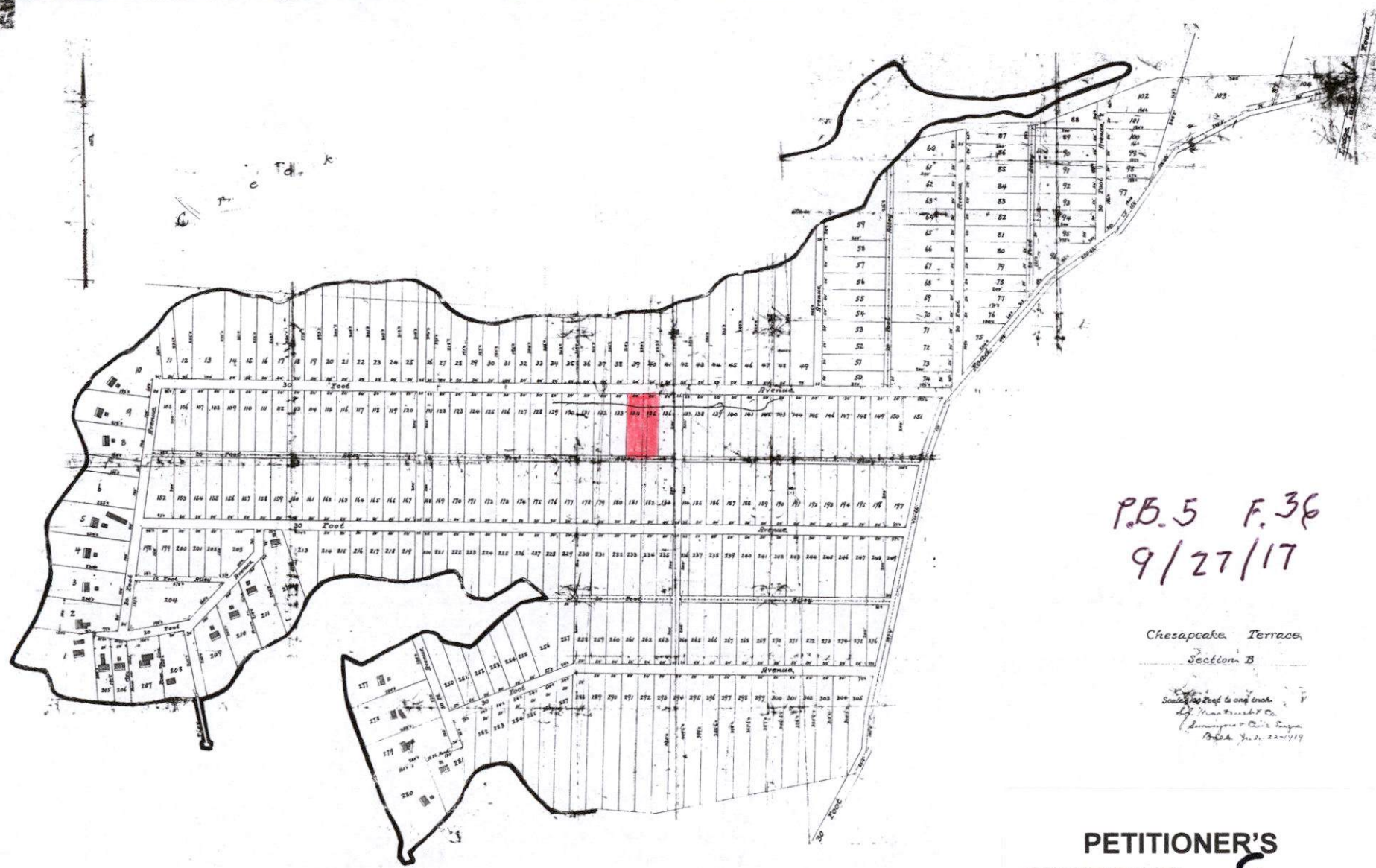
2016-0207-A



Code Enforcement Open Complaints Report

Address	Record ID	Insp	Created On	Case Type	Pending Activity Date	Pending Activity
V						
VIVIAN VALE						
4 VIVIAN VALE CT	CC1514323	RC	12/14/2015	Complaint	12/15/2015	Closed
VOGT						
1256 VOGT AVE	CS1501122	JO	11/23/2015	Complaint	12/14/2015	Closed
1257 VOGT AVE	CS1501123	JO	11/23/2015	Complaint	01/05/2016	Closed
1265 VOGT AVE	CS1501121	JO	11/23/2015	Complaint	01/05/2016	Closed
VULCAN						
2911 VULCAN RD	TS1503017	CV	11/18/2015	Ticket		Status Pending
3005 VULCAN RD	TS1503016	CV	11/18/2015	Ticket		Status Pending
3011 VULCAN RD	TS1503015	CV	11/18/2015	Ticket		Status Pending
3015 VULCAN RD	TS1503014	CV	11/18/2015	Ticket		Status Pending
3111 VULCAN RD	TS1401365	RF	11/13/2014	Ticket	01/06/2015	Lien Paid
3117 VULCAN RD	TS1503013	CV	11/18/2015	Ticket	12/29/2015	Lien Pending
3123 VULCAN RD	CRH1500280		01/29/2015	Complaint		Pending Assignment
3207 VULCAN RD	TS1401364	RF	11/13/2014	Ticket	01/08/2016	Lien Paid
3207 VULCAN RD	TS1503012	CV	11/18/2015	Ticket		Status Pending
3209 VULCAN RD	TS1401363	RF	11/13/2014	Ticket	12/19/2014	Lien Paid
3219 VULCAN RD	CC1503046	SK	04/16/2015	Complaint	07/14/2015	Closed
3219 VULCAN RD	CC1600637	WG	02/08/2016	Complaint		Status Pending
3219 VULCAN RD	TS1503011	CV	11/18/2015	Ticket	01/27/2016	Lien Paid
3225 VULCAN RD	TS1503010	CV	11/18/2015	Ticket		Status Pending
3227 VULCAN RD	TS1503009	CV	11/18/2015	Ticket		Status Pending
W						
WADE						
18 WADE AVE	CC1600915	CR	02/22/2016	Complaint	02/23/2016	Closed
18 WADE AVE	CC1601252	CR	03/04/2016	Complaint	04/01/2016	Inspection
2 WADE AVE	CC1514617	CR	12/22/2015	Complaint	01/21/2016	Closed
2 WADE AVE	CC1600914	CR	02/22/2016	Complaint	03/02/2016	Closed
2 WADE AVE	CC1601251	CR	03/04/2016	Complaint	04/01/2016	Inspection
20 WADE AVE	CC1504681	CR	05/15/2015	Complaint	06/19/2015	Closed
20 WADE AVE	CC1514618	CR	12/22/2015	Complaint	01/06/2016	Closed
24 WADE AVE	CC1514619	CR	12/22/2015	Complaint	01/16/2016	Closed
WAGNERS						
200 WAGNERS LN	CC1506938	PM	06/17/2015	Complaint	11/09/2015	Closed
28 WAGNERS LN	CC1510466	JH	08/24/2015	Complaint		Status Pending
28 WAGNERS LN	CC1512412	PM	10/05/2015	Complaint	10/06/2015	Closed
48 WAGNERS LN	CC1510974	PM	09/02/2015	Complaint	09/04/2015	Closed
48 WAGNERS LN	CRH1600064		01/19/2016	Complaint	02/18/2016	Closed
62 WAGNERS LN	CC1403188	JH	05/12/2014	Complaint	05/31/2014	Closed
64 WAGNERS LN	CC1404936	JH	06/02/2014	Complaint	07/10/2014	Closed
WAINWRIGHT						
4835 WAINWRIGHT CIR	CC1600894	DK	02/19/2016	Complaint	03/09/2016	Inspection
WAKEFORD						
1202 WAKEFORD CIR	CC1409303	KW	08/11/2014	Complaint	08/26/2014	Closed
1205 WAKEFORD CIR	CC1506615	LR	06/11/2015	Complaint		Status Pending
WALCOTT						
402 WALCOTT RD	CC1410108	DG	08/26/2014	Complaint	08/30/2014	Closed
414 WALCOTT RD	CC1511001	DG	09/03/2015	Complaint	09/04/2015	Closed
414 WALCOTT RD	CC1514622	DG	12/22/2015	Complaint	12/23/2015	Closed
416 WALCOTT RD	CC1400012	RF	01/17/2014	Complaint		Status Pending
WALDMAN						
7325 WALDMAN AVE	CC1512670	WG	10/14/2015	Complaint	11/26/2015	Closed
7339 WALDMAN AVE APT 1	CRH1501081		05/08/2015	Complaint	01/12/2016	Closed
7341 WALDMAN AVE APT 2	CRH1500901		04/24/2015	Complaint	12/31/2015	Closed
7351 WALDMAN AVE	CC1512709	SK	10/15/2015	Complaint		

2016-0207-A



P.B. 5 F. 36
9/27/17

Chesapeake Terrace
Section B

Scale of 1 inch to 100 feet
of 1/4 section
Surveyed by C. C. Ragsdale
Bd. of S. 22-1919

PETITIONER'S
EXHIBIT NO. 6



PETITIONER'S
EXHIBIT NO. 7

Imagery Date: 11/11/2011



a



b

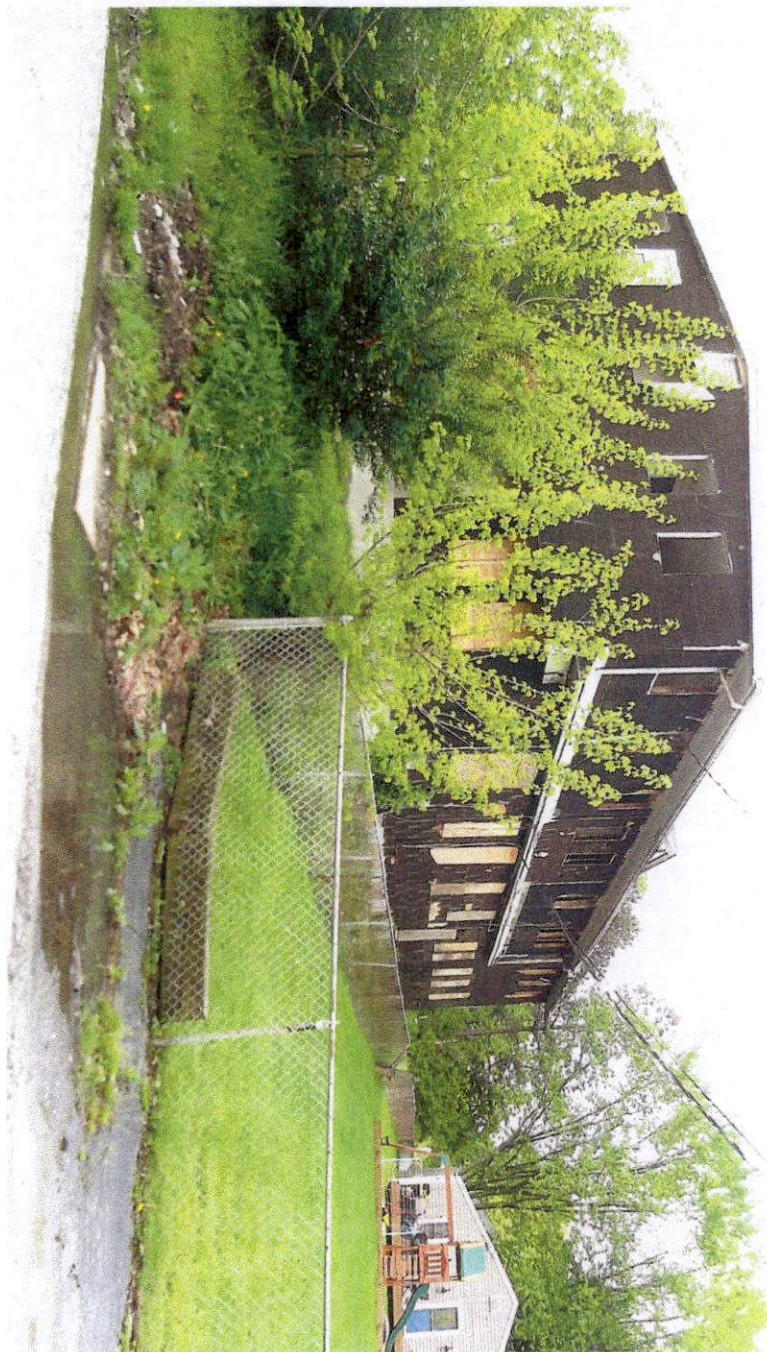


p

7321



c



#7323

2

SEWER DW'G 64-827

BAC
CWBJ:1
ACC. #1

WASTEWATER SERVICE TO
2ND FLOOR ONLY

525500

E45750

MATHEW A.
61215 B.
LONG
BBE 4199-503
ACC. #61030

WILLIAM J.
& ANNA C.
BUGHER
GLB 2323-447
ACC. #87200
& 87206

JOHN KUPFER
LMCLM 821-213
ACC. #80360

BOY M. HORSTMAN
J.W.B. 1535-410
ACC. #48320

SEPH E.
& JANCES E.
DORSEY
B2414-323
ACC. #1130

MICHAEL
& HELEN
PRUCHNIEWSKI
TB51803-552
ACC. #75080

FF 500
1 Sty.
Frame
No Cellar
#7320

FF 500
1 Sty.
Frame
No Cellar
#7322

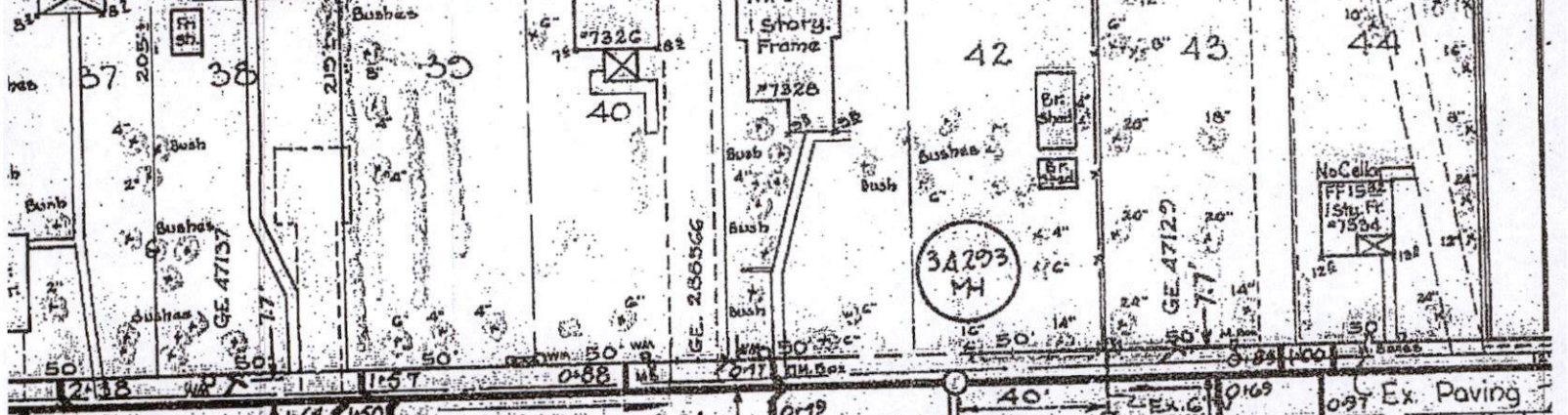
FF 1120
C.E. 300
1 1/2 Sty.
Fr. & St.
#7326

41
C.E. 35
FF 500
1 Story.
Frame
#7328

No Cellar
FF 500
1 Sty. Fr.
#7332

FF 500
1 Sty.
Frame
No Cellar
#7334

FF 2
1 1/2 E
Frai
No C
#73



WALDMAN

#7321
1 Sty.
Fr.
C.E. 08

#7325/27
1 1/2 Sty. Fr.
FF 1831
C.E. 103

#7331
1 Sty. Fr.
No Cellar
FF 1528

#7335
1 1/2 Sty.
Frame
C.E. 1048
FF 1632

#7337
1 1/2 Sty.
Frame
FF 1523
C.E. 131

FRANK J. & CORA E.
ROGERS
CWBJ: 954-22
ACC. #48000

#7323
1 Sty.
Frame
FF 1809

DELBERT W. & DOROTHY J.
MARTINDALL
GLB 2212-321
ACC. #21250

LAWRENCE &
MARY ELMORE
GLB 2454-324

ALFONSE J. KELZ
WJR 3710-104
ACC. #17010

JOSEPH W. GERHARDT
ICC. #15740 & 15741

JOHN & NELLIE MILLER
WJS 1383-200
ACC. #56570

JOS. F. & EMMA
CONNELL
JWB 1550-244

1 Sty.
Shuco
FF 1809

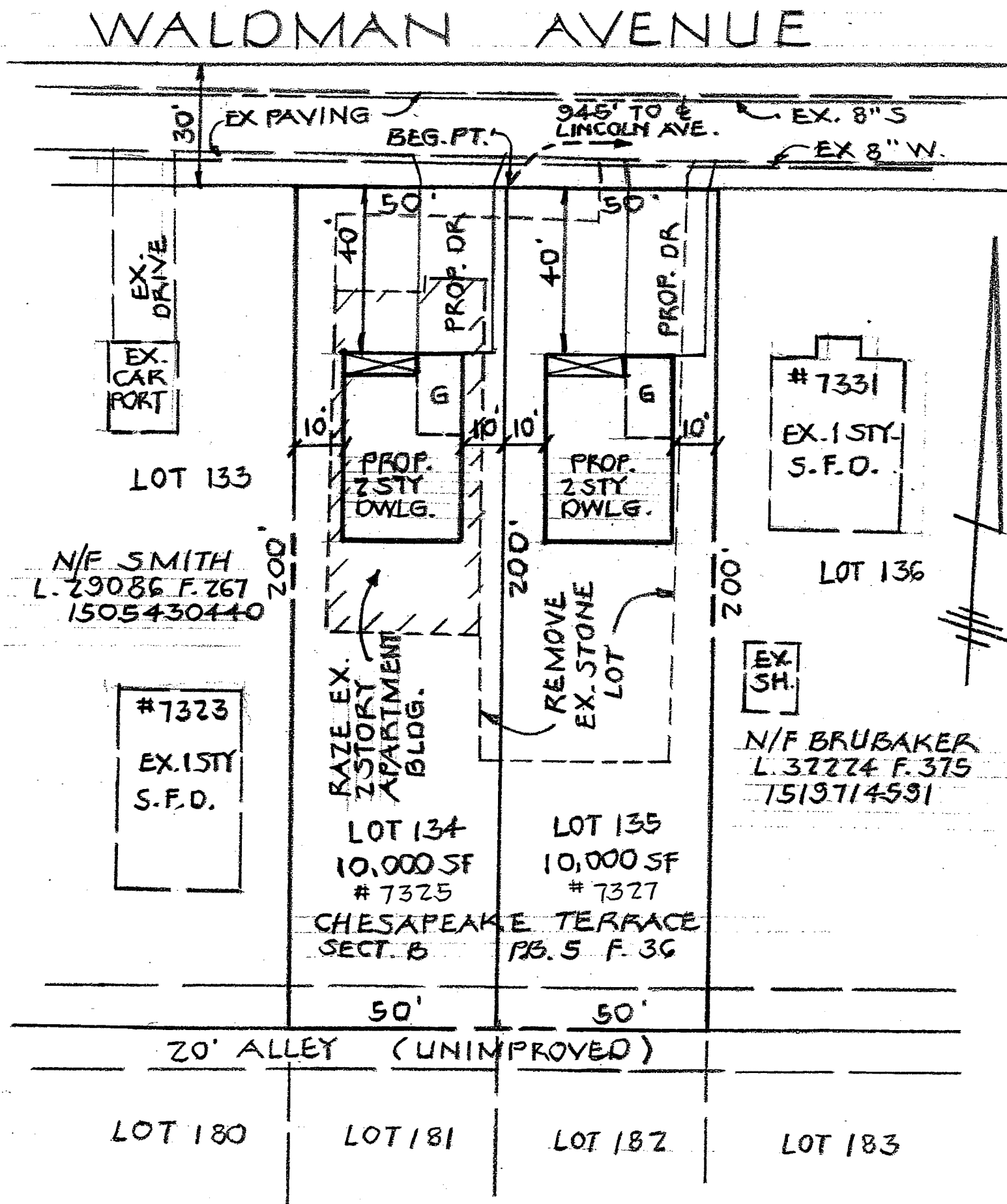
ACC. #40020

ACC. #27120

CHEAPEAKE

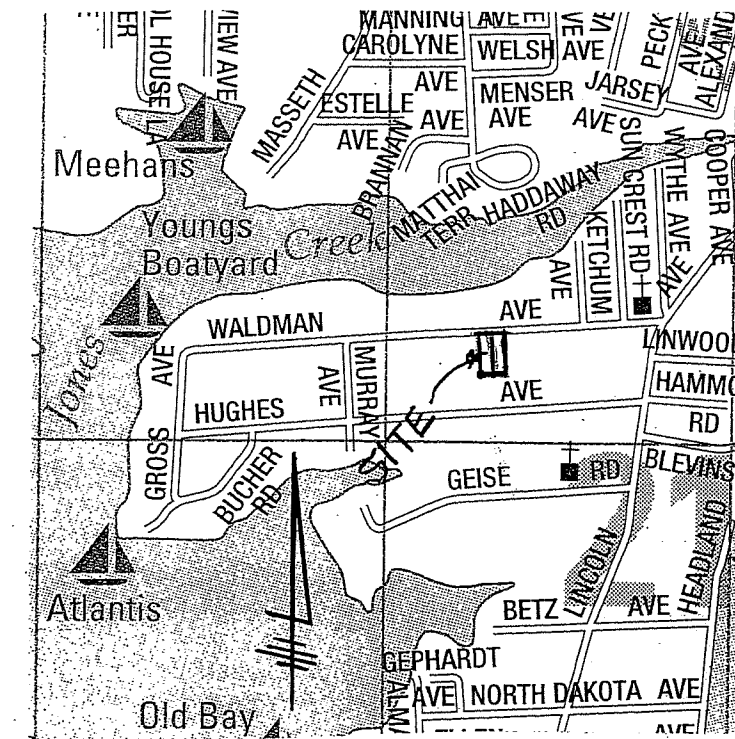
EX 25' ROAD (KUPFER AVE)

PETITIONER'S
EXHIBIT NO. 9



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

OWNER
DARSAN LLC
40 W. CHESAPEAKE AVENUE
TOWSON, MD. 21204
(954) 756-1973
DEED REF: L. 20172 F. 444
ACCT. NO. 1513200890



VICINITY MAP
SCALE: 1" = 1000'

PETITIONER'S
EXHIBIT NO. 2

NOTES

1. ZONING.....DR 5.5 (MAP 111B3)
2. AREA.....10,000 S.F. = 0.230 ACRE +/-
3. SITE IS LOCATED IN THE CBCA
4. SITE IS NOT LOCATED IN THE 100 YEAR FLOOD ZONE
5. NO PREVIOUS ZONING HISTORY
6. TO THE PREPARER'S KNOWLEDGE, NO HISTORIC STRUCTURES UNDERGROUND STORAGE TANKS EXIST
7. VIOLATION NO. CC1512670 FOR UNSAFE STRUCTURE HAS BEEN INSPECTED AND FOUND TO BE IN COMPLIANCE

PLAT TO ACCOMPANY PETITION
FOR ZONING VARIANCE

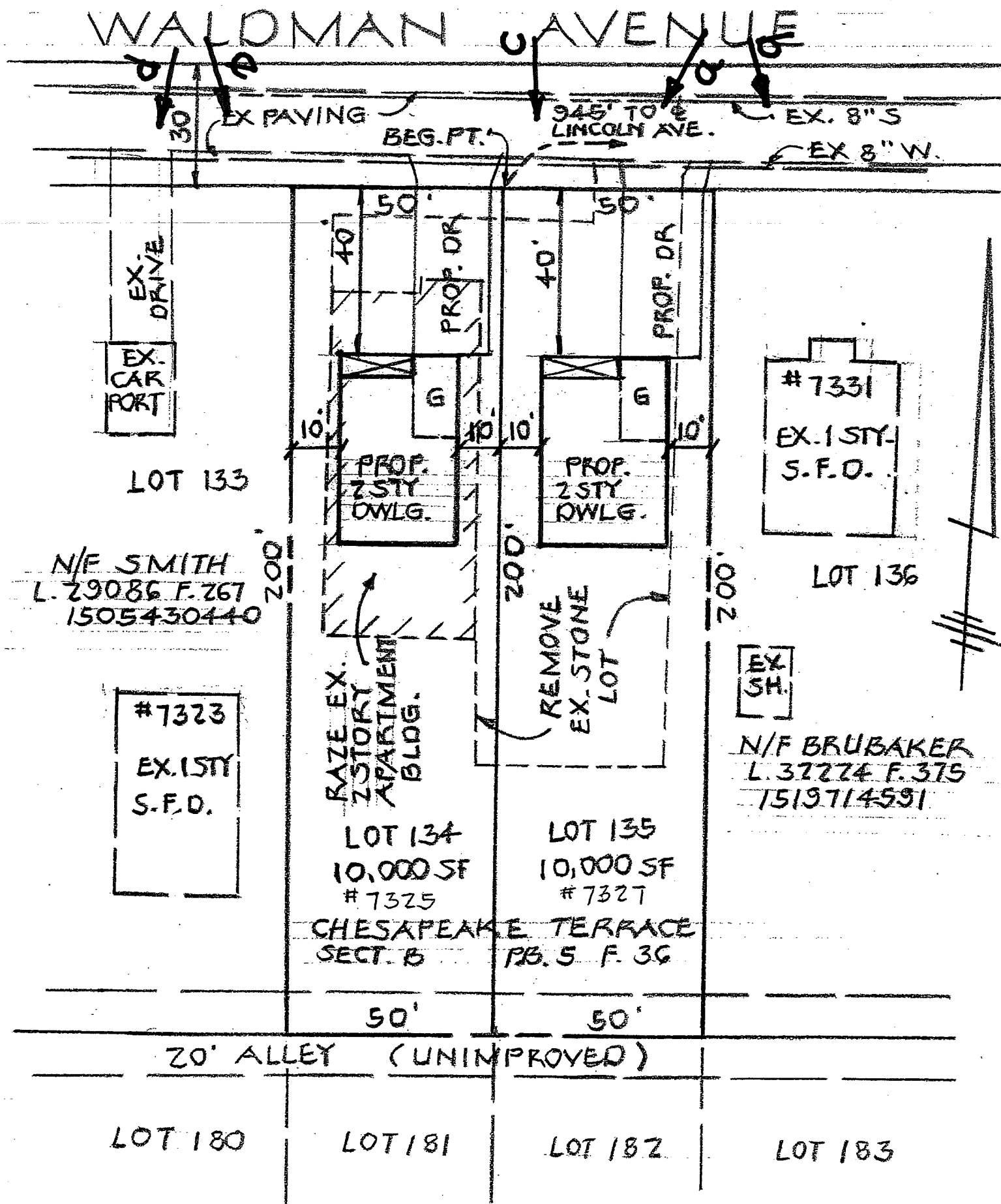
7327 WALDMAN AVENUE

LOTS 135 SECTION B

CHESAPEAKE TERRACE P.B. 5 F. 36

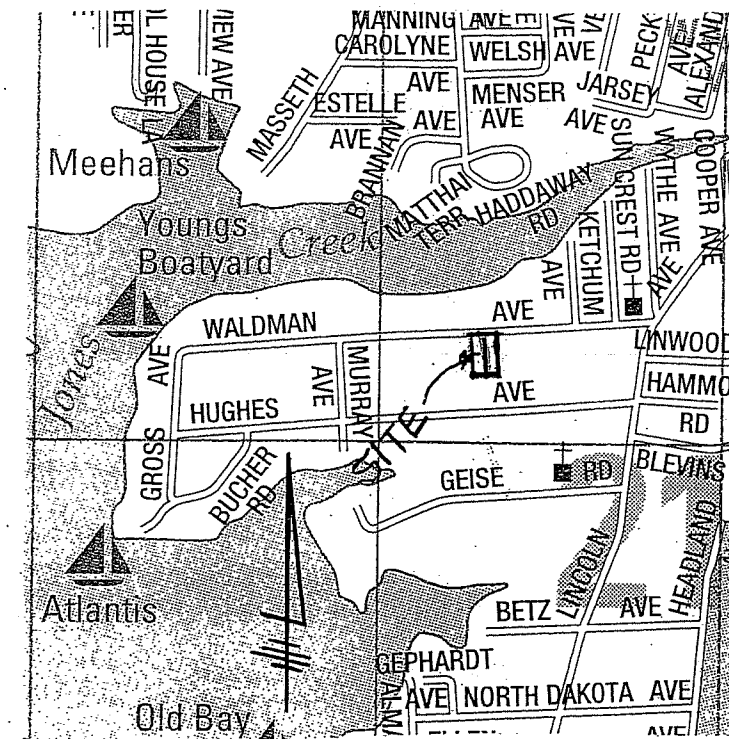
ELECTION DISTRICT 15C7 BALTIMORE COUNTY, MD.

SCALE: 1 INCH = 30 FEET FEBRUARY 18, 2016



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

OWNER
DARSAN LLC
40 W. CHESAPEAKE AVENUE
TOWSON, MD. 21204
(954) 756-1973
DEED REF: L. 20172 F. 444
ACCT. NO. 1513200890



VICINITY MAP
SCALE: 1" = 1000'

PETITIONER'S
EXHIBIT NO. 8a-e

NOTES

1. ZONING.....DR 5.5 (MAP 111B3)
2. AREA.....10,000 S.F. = 0.230 ACRE +/-
3. SITE IS LOCATED IN THE CBCA
4. SITE IS NOT LOCATED IN THE 100 YEAR FLOOD ZONE
5. NO PREVIOUS ZONING HISTORY
6. TO THE PREPARER'S KNOWLEDGE, NO HISTORIC STRUCTURES UNDERGROUND STORAGE TANKS EXIST
7. VIOLATION NO. CC1512670 FOR UNSAFE STRUCTURE HAS BEEN INSPECTED AND FOUND TO BE IN COMPLIANCE

PHOTOS

PLAT TO ACCOMPANY PETITION

FOR ZONING VARIANCE

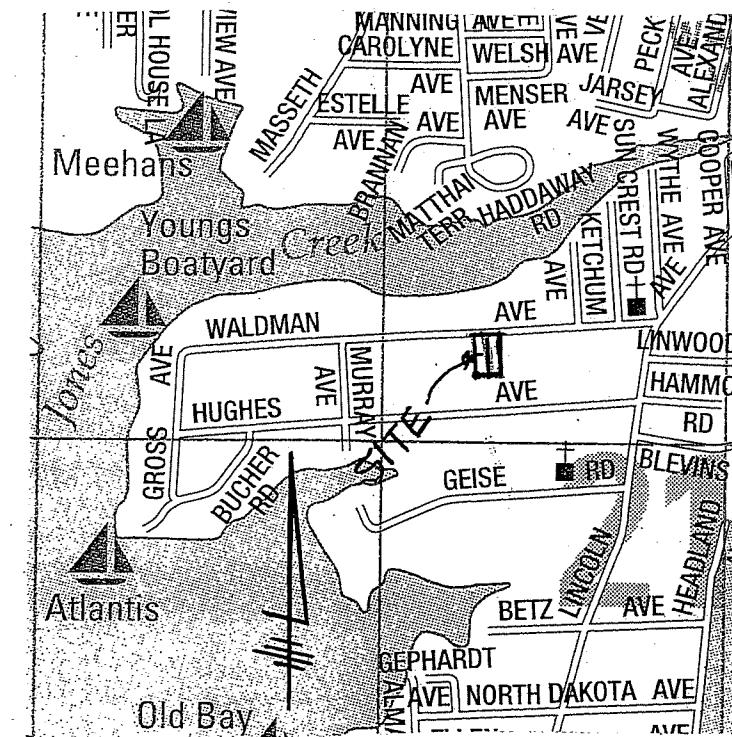
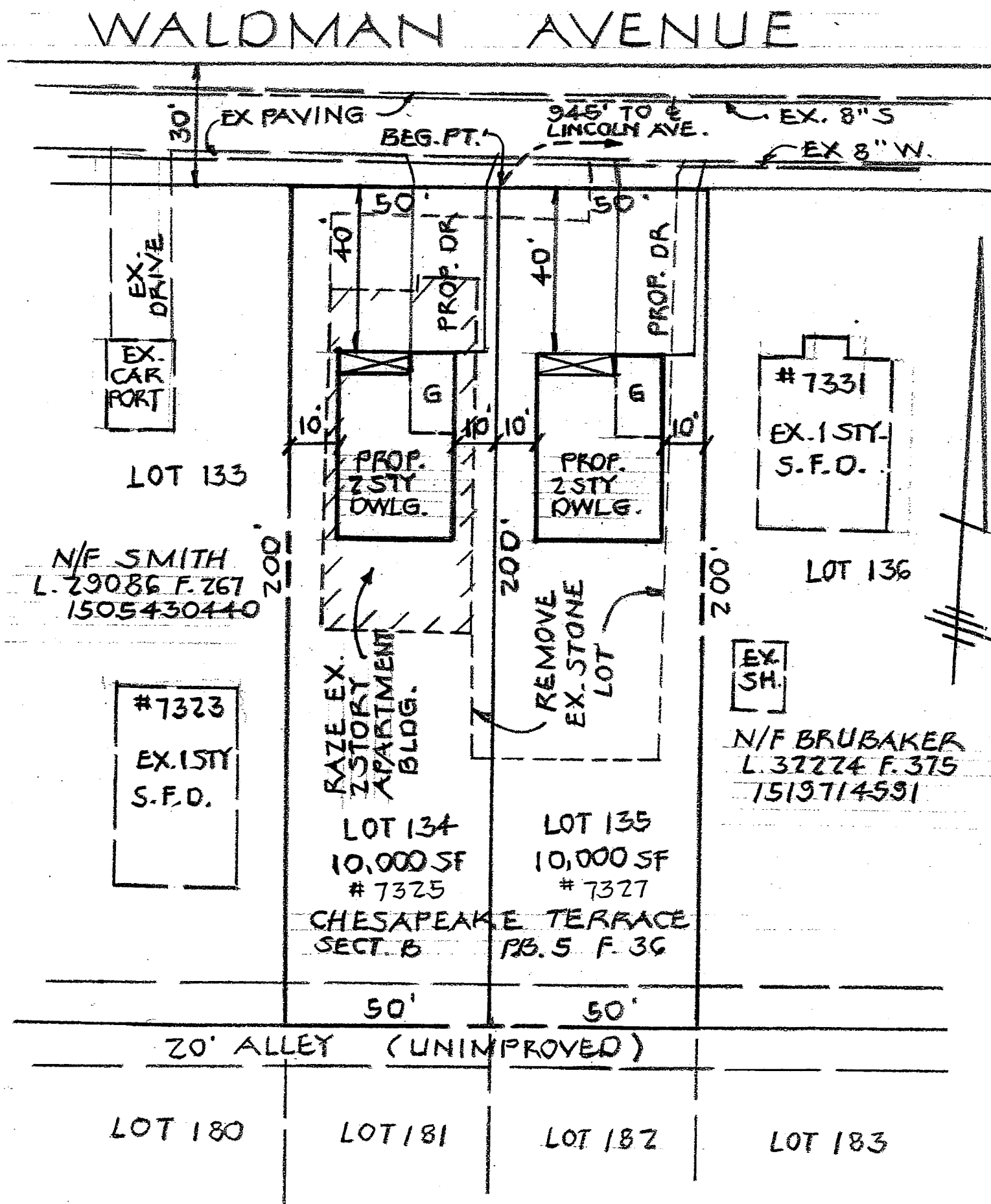
7325 WALDMAN AVENUE

LOTS 134 SECTION B

CHESAPEAKE TERRACE P.B. 5 F. 36

ELECTION DISTRICT 15C7 BALTIMORE COUNTY, MD.

SCALE: 1 INCH = 30 FEET FEBRUARY 18, 2016



NOTES

1. ZONING.....DR 5.5 (MAP 111B3)
2. AREA.....10,000 S.F. = 0.230 ACRE +/-
3. SITE IS LOCATED IN THE CBCA
4. SITE IS NOT LOCATED IN THE 100 YEAR FLOOD ZONE
5. NO PREVIOUS ZONING HISTORY
6. TO THE PREPARER'S KNOWLEDGE, NO HISTORIC STRUCTURES UNDERGROUND STORAGE TANKS EXIST
7. VIOLATION NO. CC1512670 FOR UNSAFE STRUCTURE HAS BEEN INSPECTED AND FOUND TO BE IN COMPLIANCE

2016-0207-A

OWNER
DARSAN LLC
40 W. CHESAPEAKE AVENUE
TOWSON, MD. 21204
(954) 756-1973
DEED REF: L. 20172 F. 444
ACCT. NO. 1513200890

PLAT TO ACCOMPANY PETITION
FOR ZONING VARIANCE
7327 WALDMAN AVENUE
LOTS 135 SECTION B
CHESAPEAKE TERRACE P.B. 5 F. 36
ELECTION DISTRICT 15C7 BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 30 FEET FEBRUARY 18, 2016