

M E M O R A N D U M

DATE: September 9, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0292-SPH – Appeal Period Expired

The appeal period for the above-referenced case expired on September 8, 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

August 9, 2016

Steven and Jenesse Wannall
20 Hazel Avenue
Halethorpe, Maryland 21227

RE: MOTION FOR RECONSIDERATION - Petition for Special Hearing
Case No. 2016-0292-SPH
Property: 20 Hazel Avenue

Dear Mr. and Mrs. Wannall:

Enclosed please find a copy of the Order on Motion for Reconsideration rendered in the above-captioned matter.

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

Sincerely,

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

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Code Enforcement, Department of Permits, Approval and Inspections,
111 W. Chesapeake Avenue, Room 219, Towson, MD 21204

IN RE: **PETITION FOR SPECIAL HEARING** *
(20 Hazel Avenue)
13th Election District *
1st Council District *

Steven & Jenesse Wannall
Legal Owners

Petitioners

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2016-0292-SPH

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

Now pending is a Motion for Reconsideration filed by Petitioner in the above case, wherein zoning relief was denied in connection with a request to permit a storage/shipping container on residential property. Petitioner notes she is struggling with several health issues which would pose a problem if she is required to remove the container. I understand and am sympathetic to Petitioner's plight, but I am not inclined to reconsider the earlier ruling. While I did note in that order the container would not be an eyesore, I am reluctant to disregard the comments from County agencies which opined a "shipping container is inappropriate in this single family neighborhood."

Although the motion will be denied, I believe the equities of the situation are such that Petitioner should be given a "grace period" in which to sell or relocate the container.

THEREFORE, IT IS this 9th day of **August, 2016** by this Administrative Law Judge ORDERED that the Motion for Reconsideration be and is hereby DENIED.

IT IS FURTHER ORDERED Petitioner shall have ninety (90) days from the date hereof in which to sell and/or relocate the shipping container.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw **ORDER RECEIVED FOR FILING**

Date 8-9-16

By lw



KEVIN KAMENETZ
County Executive

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

July 19, 2016

Steven and Jenesse Wannall
20 Hazel Avenue
Halethorpe, Maryland 21227

RE: Petition for Special Hearing
Case No. 2016-0292-SPH
Property: 20 Hazel Avenue

Dear Mr. and Mrs. Wannall:

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,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

IN RE: **PETITION FOR SPECIAL HEARING**

(20 Hazel Avenue)

13th Election District

1st Council District

Steven & Jenesse Wannall

Legal Owners

Petitioners

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BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2016-0292-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Steven & Jenesse Wannall, legal owners. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve a shipping container on a residential lot and located on a lot not improved with a single family dwelling.

Jenesse Wannall appeared in support of the petition. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP) and the Bureau of Development Plans Review (DPR). Both agencies opposed the request.

The subject property is 9,600 square feet and zoned DR 5.5. The property is improved with a single family dwelling constructed in 1898 along with a shed/garage and a shipping container which is stored in the rear yard. Ms. Wannall is an artist and planned to make certain improvements to the container (i.e., shingle roof, trellis with flowers) which would be used as her studio. Petitioners received a code enforcement notice in April, 2016 and were instructed to obtain zoning relief or remove the container.

ORDER RECEIVED FOR FILING

Date 7-19-16

By Sen

The photos (Exhibit 2) submitted at the hearing reflect that the Petitioners' home and property is attractive and well-kept, and I believe based on the testimony the storage container would not be an eyesore or used in a fashion which would be detrimental to the neighborhood. But at the same time, the B.C.Z.R. does not permit Petitioners to keep the container and I am not at liberty to grant the request under these circumstances.

The Zoning Commissioner's Policy Manual states that structures "originally constructed, fitted, designed or used as a trailer or shipping container . . . are not permitted on residential property." ZCPM §4-1.5. Nothing in B.C.Z.R. §500.7 or the rules governing special hearings would allow me to disregard this provision.

THEREFORE, IT IS ORDERED this 19th day of **July, 2016** by this Administrative Law Judge, that the Petition for Special Hearing pursuant to B.C.Z.R. § 500.7 to approve a shipping container on a residential lot and located on a lot not improved with a single family dwelling, be and is hereby DENIED.

Any appeal of this decision must be filed 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 7-19-16
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 20 Hazel Ave, Halethorpe MD 21222 which is presently zoned DR 5.5
 Deed References: _____ 10 Digit Tax Account # 1304200910
 Property Owner(s) Printed Name(s) Steven and Jenesse Wannell

(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 A SHIPPING CONTAINER ON A RESIDENTIAL LOT, AND LOCATED ON A LOT NOT IMPROVED WITH A SINGLE FAMILY DWELLING.
BECAUSE (BCZR 1B01.1; NO STORAGE/CARGO CONTAINERS PERMITTED.)
2. _____ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for _____
3. _____ a **Variance** from Section(s) _____

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

to be presented at hearing

Property is to be posted and advertised as prescribed by the zoning regulations.
 I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.
 Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print _____

Signature _____

Mailing Address _____ City _____ State _____

Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

Name- Type or Print _____

Signature _____

Mailing Address _____ Date _____ City _____ State _____

Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

Steven Wannell, Jenesse Wannell
 Name #1 - Type or Print _____ Name #2 - Type or Print _____

Signature #1 _____

Signature #2 _____

20 Hazel Ave. Halethorpe MD
 Mailing Address _____ City _____ State _____

21227 / 301 / 633-6796 jenn.wannell@mail.com
 Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

Name - Type or Print _____

Signature Same

Mailing Address _____ City _____ State _____

Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2016-0292-SPH Filing Date 5/20/16

Do Not Schedule Dates: _____

Reviewer JCM

Zoning Description of the Property

ZONING PROPERTY DESCRIPTION FOR 20 HAZEL AVENUE, HALETHORPE, MD 21227

Beginning at a point on the north side of Hazel Avenue, which is 24' wide at the distance of 88' west of the centerline of the nearest improved intersecting street, Baltimore Avenue, which is 24'wide.

Being Lot #102, 103, 104, 105, 106 and 107, Block 4, in the subdivision of Joshua C.W. Hull as recorded in the Baltimore County Plat Book #1, Folio #144, containing 9600sq. ft. or $\frac{3}{4}$ acres. Located in 13th Election District and 1st Council District.



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 4263634

Sold To:

Steven & Jenesse Wannall - CU00545164
20 Hazel Ave
Halethorpe, MD 21227-3043

Bill To:

Steven & Jenesse Wannall - CU00545164
20 Hazel Ave
Halethorpe, MD 21227-3043

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

Jun 23, 2016

The Baltimore Sun Media Group

By S. Wilkinson
Legal Advertising

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: # 2016-0292-SPH
20 Hazel Avenue
N/s Hazel Avenue, 88 ft. w/of centerline of Baltimore Avenue
13th Election District - 1st Councilmanic District
Legal Owner(s) Steven & Jenesse Wannall

SPECIAL HEARING: to determine whether or not the Administrative Law Judge should approve a shipping container on a residential lot, and located on a lot not improved with single family dwelling (BCZR 1B01.1; no storage/cargo containers permitted).

Hearing: Thursday, July 14, 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.

6/204 June 23 4263634

CERTIFICATE OF POSTING

Date: 6-24-16

RE: Case Number: 2016-0292 SPH

Petitioner/Developer: Stephen + Teneise Wannall

Date of Hearing/Closing: 7-14-2016 10AM

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 20 Hazel Ave

The signs(s) were posted on 6-24-16
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

ZONING NOTICE

CASE # 2016-0292-SPH

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

JEFFERSON BLDG, ROOM 205
PLACE: 105 WICHESAPEAKE AVE, TOWSON, MD 21204

DATE AND TIME: THURS JULY 14, 2016 10 AM

REQUEST: SPECIAL HEARING TO DETERMINE

WHETHER OR NOT THE ADMINISTRATIVE LAW JUDGE SHOULD

APPROVE A SHIPPING CONTAINER ON A RESIDENTIAL LOT

NOT LOCATED ON A LOT NOT IMPROVED WITH A SINGLE

FAMILY DWELLING (CZ-R1-BD-1) NO STORAGE/CARGO CON-
TAINERS PERMITTED

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING

Zoning Description of the Property

ZONING PROPERTY DESCRIPTION FOR 20 HAZEL AVENUE, HALETHORPE, MD 21227

Beginning at a point on the north side of Hazel Avenue, which is 24' wide at the distance of 88' west of the centerline of the nearest improved intersecting street, Baltimore Avenue, which is 24' wide.

Being Lot #102, 103, 104, 105, 106 and 107, Block 4, in the subdivision of Joshua C.W. Hull as recorded in the Baltimore County Plat Book #1, Folio #144, containing 9600sq. ft. or $\frac{3}{4}$ acres. Located in 13th Election District and 1st Council District.



KEVIN KAMENETZ
County Executive

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

June 14, 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: 2016-0292-SPH

20 Hazel Avenue

N/s Hazel Avenue, 88 ft. w/of centerline of Baltimore Avenue

13th Election District – 1st Councilmanic District

Legal Owners: Steven & Jenesse Wannall

Special Hearing to determine whether or not the Administrative Law Judge should approve a shipping container on a residential lot, and located on a lot not improved with single family dwelling (BCZR 1B01.1; no storage/cargo containers permitted).

Hearing: Thursday, July 14, 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: Mr. & Mrs. Wannall, 20 Hazel Avenue, Halethorpe 21227

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JUNE 24, 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
Thursday, June 23, 2016 Issue - Jeffersonian

Please forward billing to:

Steven & Jenesse Wannall
20 Hazel Avenue
Halethorpe, MD 21227

301-633-6790

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: 2016-0292-SPH

20 Hazel Avenue

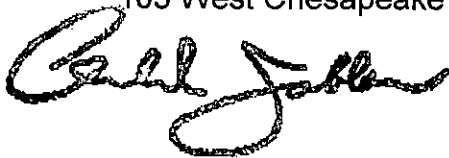
N/s Hazel Avenue, 88 ft. w/of centerline of Baltimore Avenue

13th Election District – 1st Councilmanic District

Legal Owners: Steven & Jenesse Wannall

Special Hearing to determine whether or not the Administrative Law Judge should approve a shipping container on a residential lot, and located on a lot not improved with single family dwelling (BCZR 1B01.1; no storage/cargo containers permitted).

Hearing: Thursday, July 14, 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 SPECIAL HEARING * BEFORE THE OFFICE
20 Hazel Avenue; N/S Hazel Avenue, 88' W *
of c/line of Baltimore Avenue * OF ADMINISTRATIVE
13th Election & 1st Councilmanic Districts *
Legal Owner(s): Steven & Jenesse Wannall * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2016-292-SPH

* * * * *

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

MAY 25 2016

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 26th day of May, 2016, a copy of the foregoing Entry of Appearance was mailed to Steven & Jenesse Wannall, 20 Hazel Avenue, Halethorpe Maryland 21227, 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: 2016-0292 SPH

Petitioner: Jenesse + Steve Wannall

Address or Location: 20 Hazel Ave., Halethorpe MD 21222

PLEASE FORWARD ADVERTISING BILL TO:

Name: Steve + Jenesse Wannall

Address: 20 Hazel Ave.

Halethorpe, MD 21227

Telephone Number: 301/633-6790

No. 139274

Date: 5/20/16

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
5/23/2016 5/20/2016 09:29:01 2

REG WSOZ MAIL JEE
 RECEIPT # 966562 5/20/2016 OFLN

Dept 5 528 ZONING VERIFICATION
CR NO. 139274

Recpt Tot \$75.00
 \$75.00 CK \$.00 CA
 Baltimore County, Maryland

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

Total: 75

Rec. _____
From: JENESSE WAINALL

For: 2016-0292 SPH.

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

July 6, 2016

Steven & Jenesse Wannall
20 Hazel Avenue
Halethorpe MD 21227

RE: Case Number: 2016-0292 SPH, Address: 20 Hazel Avenue

Dear Mr. & Ms. Wannall:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 20, 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 that reads "W. Carl Richards, Jr." The signature is fluid and cursive.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

7-14

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: June 16, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-292

JUN 21 2016

OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:

Property Address: 20 Hazel Avenue
Petitioner: Steven Wannall, Jenesse Wannall
Zoning: DR 5.5
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for a special hearing to determine whether the Administrative Law Judge should approve a shipping container on a residential lot with said lot not being improved with a single family dwelling.

A site visit was conducted on 5/31/2016.

The Department of Planning objects to granting the petitioned zoning relief.

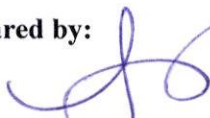
Shipping containers exist as a component of non-residential industrial uses. The Department is familiar with recent trends in mitigating the visual impacts shipping containers have in a residential setting. Short of total encapsulation, a container will exhibit characteristics foreign to a residential environment and therefore are not appropriate as accessory to a residential use.

Aesthetics notwithstanding and for the reasons stated above, the use of a shipping container as a principal and /or accessory structure is contrary to the Baltimore County Zoning Regulations. The Office of Zoning Review confirms to this Department that a shipping container by definition is not considered an "accessory building" and so therefore is not permitted as such. This long established determination is cited at § 4-1.5 in the Zoning Commissioners Policy Manual.

Date: June 16, 2016
Subject: ZAC #16-292
Page 2

For further information concerning the matters stated herein, please contact Lloyd T. Moxley at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Dennis Wertz
Steven and Jenesse Wannall
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



7-14
RECEIVED

MAY 26 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: May 26, 2016

SUBJECT: EPS Comment for Zoning Item # 2016-0292-SPH
Address 20 Hazel Avenue
(Wannall Property)

Zoning Advisory Committee Meeting of **May 30, 2016**.

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

Reviewer: Steve Ford

Date: 05-26-2016

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



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

Date: 5/23/16

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. 2016-0292-BPH

Special Hearing
Steven F. Fannesse Wannell
20 Hazel 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 'Wendy Wolcott'.

Wendy Wolcott, PLA
Acting Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE



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

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

SUBJECT: Zoning Advisory Committee Meeting
For May 30, 2016
Item No. 2016-0292

DATE: May 31, 2016

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment.

A shipping container is inappropriate in this single family neighborhood; however, if approved, a Landscape Plan providing screening at the discretion of the County landscape architect should be required.

* * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 16-0292-05302016.doc

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
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Reviewer: Steve Ford

Date: 05-26-2016

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM**



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

DATE: June 16, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-292

INFORMATION:

Property Address: 20 Hazel Avenue
Petitioner: Steven Wannall, Jenesse Wannall
Zoning: DR 5.5
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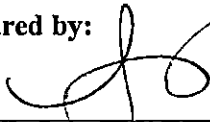
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For further information concerning the matters stated herein, please contact Lloyd T. Moxley at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Dennis Wertz
Steven and Jenesse Wannall
Office of the Administrative Hearings
People's Counsel for Baltimore County

Case No.: 2016-292-SPH

Exhibit Sheet

9-9-16

7-19-16
Sen

Petitioner/Developer

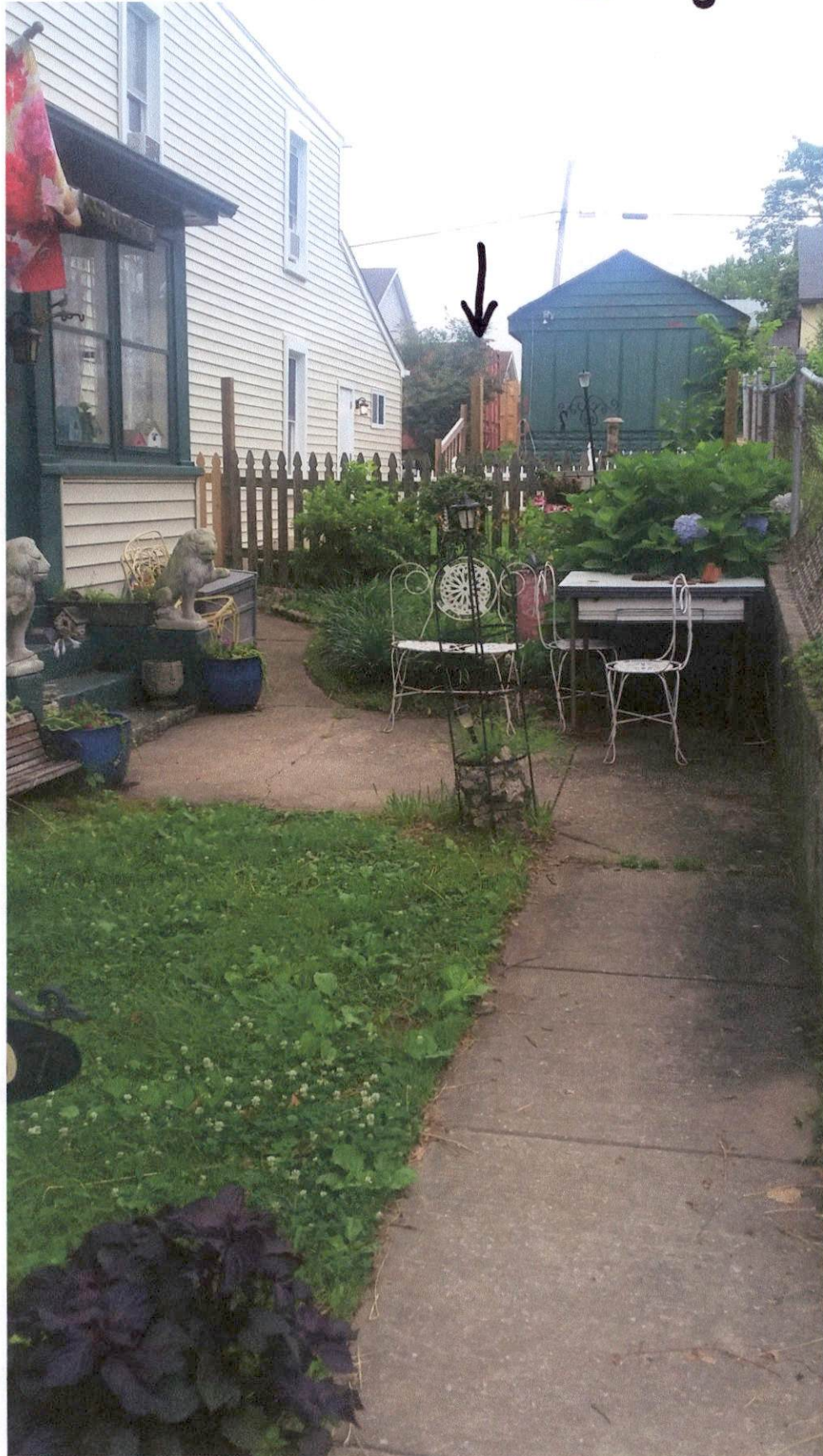
DW

Protestant

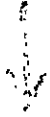
No. 1	Plan	
No. 2	Photos	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Ex. #

Fro + Walkway at Street Edge



Handwritten text, possibly a signature or title, located at the top of the page.

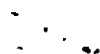




Far west corner of Front
Yard







Judge John E. Beverungen
c/o Office of Admin. Hearings
105 W. Chesapeake Ave., Ste. 103
Towson, MD 21204

RECEIVED

AUG 08 2016

OFFICE OF ADMINISTRATIVE HEARINGS

JB 7-14-16
10 Am
Jenesse Wannall
20 Hazel Ave.
Halethorpe, MD 21227

RE: Petition for Special Hearing
Case No. 2016-0292-SPH
Property: 20 Hazel Ave.

August 5, 2016

Dear Sir;

It was a pleasure meeting you at the special hearing held on July 14th, 2016. You made a rather nerve racking experience much more comfortable and I greatly appreciate that.

I received your Opinion and Order dated July 19th and read it carefully. I am writing to request a reconsideration of your order.

In your opinion you say that "...I believe based on the testimony the storage container would not be an eyesore or used in a fashion which would be detrimental to the neighborhood...", but even so, you decided against allowing us to keep and convert the storage container, based on Zoning Commission's policies.

If I am correct, and please correct me if I am wrong, isn't the point of a special hearing for you to decide if a specific situation can be allowed even if it conflicts with the Zoning Commissioner's Policy Manual?

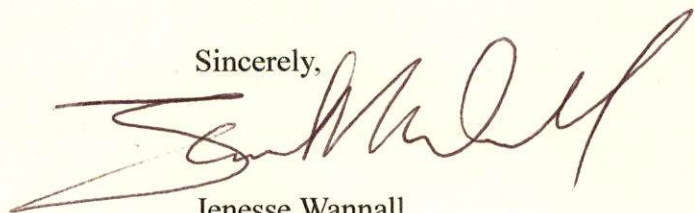
We are in a very complicated situation at the moment. We are both adoptive and foster parents and I struggle with the effects of Fibromyalgia and 3 bulged discs in my spine. This makes moving things a struggle and having to, not only figure out how to afford another storage situation, but to also PHYSICALLY be able to go back and forth from a storage container, loading and unloading, would cause major hardship for myself and my family.

Knowing that converting the container is in our plans and that the sooner we can do this, the better, we are willing to have the court put a date of completion of a basic conversion (painting the exterior and constructing a roof facade) upon the approval of us keeping the container on our property.

I truly appreciate your willingness to reconsider your decision and if necessary, I am willing to come back into the court and speak to you. I can also have my neighbors write letters of approval if you wish.

Again, thank you for your time and consideration.

Sincerely,



Jenesse Wannall

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment6-1DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)Inappropriate ...
w/ Cond.5-26DEPS
(if not received, date e-mail sent _____)NC

FIRE DEPARTMENT

6-21PLANNING
(if not received, date e-mail sent _____)Object's5-23STATE HIGHWAY ADMINISTRATION
TRAFFIC ENGINEERINGNo objection

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

Code
~~ZONING VIOLATION~~(Case No. CC 1602520 Enacted Shawn Crawford
on 7-11)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: 6-23-16

SIGN POSTING

Date: 6-24-16 by P. Ryan

PEOPLE'S COUNSEL APPEARANCE

Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search (w4)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 13 Account Number - 1304200910			
Owner Information					
Owner Name:		WANNALL STEVEN WANNALL JENESSE		Use:	RESIDENTIAL
Mailing Address:		20 HAZEL AVE BALTIMORE MD 21227-3043		Principal Residence:	YES
				Deed Reference:	/25489/ 00013
Location & Structure Information					
Premises Address:		20 HAZEL AVE 0-0000		Legal Description:	LTS 102-107 20 HAZEL AVE JOSHUA
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0109	0002	0357		0000	
					Block:
					4
					Lot:
					102
					Assessment Year:
					2016
					Plat No:
					Plat Ref:
					0001/0144
Special Tax Areas:			Town:		
			Ad Valorem:		
			Tax Class:		
			NONE		
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area	
1898		1,726 SF			
				Property Land Area	
				9,600 SF	
				County Use	
				04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
2	YES	STANDARD UNIT	SIDING	1 full	
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2016	07/01/2015	07/01/2016
Land:		65,400	65,400		
Improvements		74,200	97,700		
Total:		139,600	163,100	139,600	147,433
Preferential Land:		0			0
Transfer Information					
Seller: WILSON LORETTA		Date: 04/12/2007		Price: \$224,900	
Type: ARMS LENGTH IMPROVED		Deed1: /25489/ 00013		Deed2:	
Seller: DENNIS CLARENCE E,JR		Date: 11/13/1998		Price: \$85,000	
Type: ARMS LENGTH IMPROVED		Deed1: /13291/ 00406		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class			
County:		000	07/01/2015		07/01/2016
State:		000	0.00		
Municipal:		000	0.00		
			0.00 0.00		0.00 0.00
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 01/03/2012					

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty/>)District: **13** Account Number: **1304200910**

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>).

Debra Wiley

From: Debra Wiley
Sent: Monday, July 11, 2016 1:29 PM
To: Shaun Crawford
Cc: Sherry Nuffer (snuffer@baltimorecountymd.gov)
Subject: CC 1602520 (20 Hazel Ave., 21227)

Hi Shaun,

The Office of Administrative Hearings has a scheduled zoning hearing on the above matter this Thursday, July 14th @ 10 AM. The file folder indicates there's a code violation; however, no pertinent code paperwork was included.

Could you please send (via email) the Citation or any other paperwork that the judge may need before the hearing.

Thanks in advance; it is appreciated.

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

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

ADDRESS 20 Hazel Ave. Halethorpe, MD 21227 **OWNER(S) NAME(S)** Steven and Jenesse Wannall

SUBDIVISION NAME Joshua Subdivision **LOT #** 02-107 **BLOCK #** 4 **SECTION #**

PLAT BOOK # 1 **FOLIO #** 406 **10 DIGIT TAX #** 1304200910 **DEED REF. #**

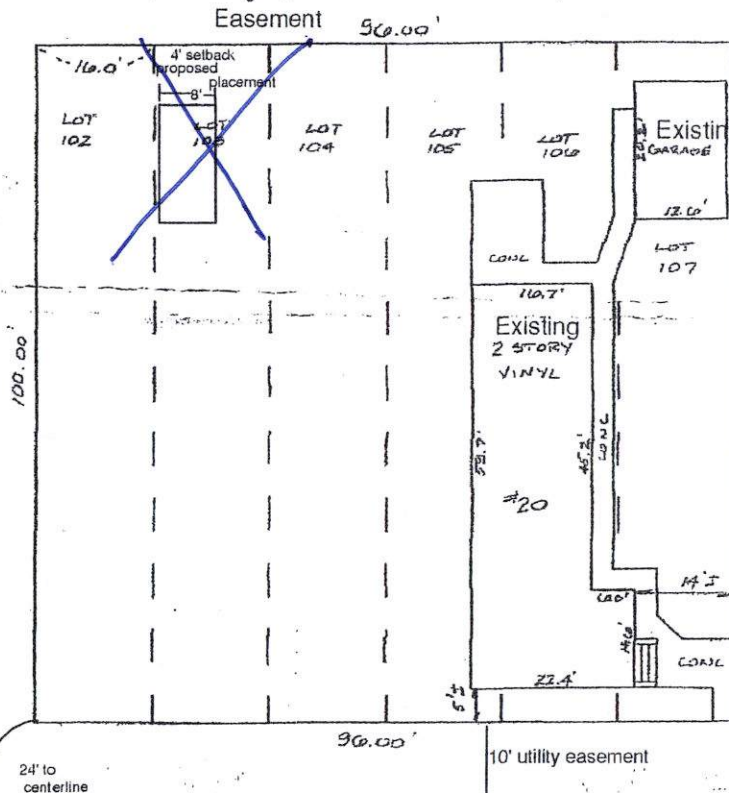
Charles Horn - Lot #14
2 story

Lot #6
2 Story
Francis Hartman

Lot #9
2 Story
Patricia

Parking Lot
Lots #12
#13

Easement 12'

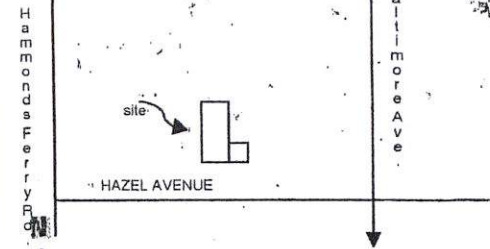


Harry Hedges
Lot 108

HAZEL AVENUE

PLAN DRAWN BY TSM **DATE** 03/06/07 **SCALE:** 1 INCH = 20 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 109A1

SITE ZONED DR 5.5

ELECTION DISTRICT 13

COUNCIL DISTRICT 1

LOT AREA ACREAGE

OR SQUARE FEET 9600sf

HISTORIC?

IN CBQA?

IN FLOOD PLAIN?

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

VIOLATION CASE INFO:

CC1602520

22B
7-14-2016