

M E M O R A N D U M

DATE: August 24, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0330-A – Appeal Period Expired

The appeal period for the above-referenced case expired on August 22, 2016. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: / Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(107 First Avenue)		
13 th Election District	*	OFFICE OF ADMINISTRATIVE
1 st Council District		
Raymond and Debra Cegelski	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	CASE NO. 2016-0330-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, Raymond and Debra Cegelski ("Petitioners"). The Petitioners are requesting Variance relief pursuant to § 400.1 of the Baltimore County Zoning Regulations, to permit an accessory structure (detached garage) to be located in the side yard in lieu of the required rear yard. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

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

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on July 2, 2016, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general

ORDER RECEIVED FOR FILING

Date 7-21-16

By DW

welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Although the Department of Planning did not make any recommendations related to the proposed garage's height and usage, I will impose conditions that the detached garage shall not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, and kitchen or bathroom facilities.

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

THEREFORE, IT IS ORDERED, this 21st day of **July, 2016**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 400.1 of the Baltimore County Zoning Regulations, to permit an accessory structure (detached garage) to be located in the side yard in lieu of the required rear yard, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. The Petitioners or subsequent owners shall not convert the detached garage into a dwelling unit or apartment. The garage shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.

ORDER RECEIVED FOR FILING

Date 7-21-16

2

By DW

3. The detached garage shall not be used for commercial purposes.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 7-21-16

By DW



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

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

Address 107 First Ave Baltimore MD 2 Currently zoned DRS.5
 Deed Reference / 10 Digit Tax Account # 1311351060
 Owner(s) Printed Name(s) Cegelski Raymond and Cegelski Debra

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

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

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

1. **X** **ADMINISTRATIVE VARIANCE** from Section(s) 400.1 BCZR
To permit an accessory structure (detached Garage)
to be located in the side yard in lieu of the required
rear yard.
 of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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

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

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

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

Owner(s)/Petitioner(s):

Raymond Cegelski Debra Cegelski
 Name #1 – Type or Print Name #2 – Type or Print
Raymond Cegelski Debra S. Cegelski
 Signature #1 Signature #2
107 First Ave Baltimore MD
 Mailing Address City State
21227 / 410-299-7447 /
 Zip Code Telephone # Email Address

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

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

Representative to be contacted:

Pratul Patel
 Name – Type or Print
Pratul
 Signature
526 Rambling Sunset Circle
 Mailing Address City State
21771 / 240-418-1389 / pratul.p@areneo-ll
 Zip Code Telephone # Email Address .com

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

Administrative Law Judge for Baltimore County

CASE NUMBER 2016-0330-A Filing Date 6/22/14 Estimated Posting Date 7/3/14 Reviewer JP

Affidavit in Support of Administrative Variance

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

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

Address: 107 First Ave Landowone MD 21227
Print or Type Address of property City State Zip Code

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

Adding detached Garage on side of the house.
Zoning do not permit ~~the~~ detached Garage on
a side of the house and there is not much
room on back of the house. This requires variance
to add detached garage to the property.

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

Raymond D Cegelski SR
Signature of Owner (Affiant)

Raymond D Cegelski SR
Name- Print or Type

Debra S. Cegelski
Signature of Owner (Affiant)

Debra S. Cegelski
Name- Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 9 day of June, 2014, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Debra + Raymond Cegelski SR

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

AS WITNESS my hand and Notaries Seal

Teresa Marion M. Dine
Notary Public
2/18/17
My Commission Expires

Affidavit in Support of Administrative Variance

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

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

Address: 107 First Ave Lansdowne MD 21227
Print or Type Address of property City State Zip Code

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

Adding detached Garage on side of the house. Zoning do not permit detached garage on sides of the house. The owner has a boat and he would like keep it in garage. Garage will be very helpful to store boat and serve clean storage in winter times. There is not much room on back of the house and that requires a variance to add garage to the property.

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

Raymond Cegelski Sr.
Signature of Owner (Affiant)
Raymond Cegelski Sr.
Name- Print or Type

Debra S. Cegelski
Signature of Owner (Affiant)
Debra Cegelski
Name- Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 9 day of June, 2016, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Debra + Raymond Cegelski Sr.

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

AS WITNESS my hand and Notaries Seal

Teresa Martin
Notary Public
2/18/17
My Commission Expires



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

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

Address 107 First Ave Baltimore MD Currently zoned DRS-5
Deed Reference / 10 Digit Tax Account # 1311351060
Owner(s) Printed Name(s) Cegelski Raymond & Cegelski Debra

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

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

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

1. ☒ **ADMINISTRATIVE VARIANCE** from Section(s) 400.1 BCZR
To permit an accessory structure (detached Garage)
to be located in the side yard in lieu of the required
rear yard.
of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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

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

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

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

Owner(s)/Petitioner(s):

Raymond Cegelski SR, Debra S. Cegelski
Name #1 – Type or Print Name #2 – Type or Print
Raymond Cegelski, Debra S. Cegelski
Signature #1 Signature #2
107 First Ave Baltimore MD
Mailing Address City State
21227, 410-299-7442
Zip Code Telephone # Email Address

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

ORDER RECEIVED FOR FILING
7-21-16
Name- Type or Print
Signature
Date
Mailing Address City State
By RW
Zip Code Telephone # Email Address

Representative to be contacted:

Pratul Patel
Name – Type or Print
Pratul
Signature
526 Rambling Sunset circle
Mailing Address City State
21771, 240-418-1389, pratulp@aranco-llc.com
Zip Code Telephone # Email Address

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

Administrative Law Judge for Baltimore County

CASE NUMBER 2016-0330-A Filing Date 6/29/16 Estimated Posting Date 7/3/16 Reviewer JF

Zoning property description for 107 1st Ave, Lansdowne, MD 21227

10¹/₄ E.O., C-1

Beginning at a point on the south of the 1st Ave which is 50 feet wide at a distance of 75 feet east of the centerline of the nearest improved intersecting street- Baltimore Ave which is 50 feet wide. 0.172 Ac.

CERTIFICATE OF POSTING

CERTIFICATE OF POSTING

CASE NO: 2016-0330-A

PETITIONER/DEVELOPER

RAYMOND CEBELSKI

DATE OF HEARING/CLOSING:

7/18/16

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

ATTENTION:

LADIES AND GENTLEMEN:

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

107 FIRST AVENUE

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

SINCERELY,

Martin Ogle 7/2/16
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE, MD 21220
(ADDRESS)
PHONE NUMBER: 443-629-3411

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2016-0330-A
TO PERMIT AN ACCESSORY STRUCTURE (DETACHED GARAGE) TO BE LOCATED IN THE SIDE YARD IN LIEU OF THE REQUIRED REAR YARD

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(h) (1), BALTIMORE COUNTY CODE AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED IT IS DONE IN THE ZONING OFFICE BEFORE 4:30 p.m. ON MONDAY JULY 18, 2016

ADDITIONAL INFORMATION IS AVAILABLE AT ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT

111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204

TEL. 410-887-3391

DO NOT REMOVE THIS SIGN AND POST ON TO OTHER ABOVE DATE. UNDER PENALTY OF LAW.
MEETING IS HANDICAP ACCESSIBLE

myaunle 7/2/16

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2016- 0330 -A

Address 107 First Ave

Contact Person: J. FERNANDEZ
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 6/20/16

Posting Date: 7/3/16

Closing Date: 7/18/16

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

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

(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2016- 0330 -A

Address 107 FIRST AVE

Petitioner's Name Raymond Gogelok

Telephone 410-299-7447

Posting Date: 7/3/16

Closing Date: 7/18/16

Wording for Sign: To Permit an accessory structure (detached garage)
to be located in the side yard in lieu of the required
rear yard.

Revised 7/9/15

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/neighborhood 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 twenty (20) 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: 2016-0330-A

Property Address: 107 First Ave Lansdowne MD 21227

Property Description: _____

Legal Owners (Petitioners): Cegelski Raymond Sr and Cegelski Debra

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Cegelski Raymond

Company/Firm (if applicable): _____

Address: 107 1st Ave Lansdowne MD 21227

Telephone Number: 410-299-7442

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

No. **141321**

Date: **6/20/14**

PAID RECEIPT

BUSINESS ACPAL TIME DAY
6/21/2014 6/20/2014 11:11:04 1

REG 9801 WALTON LJP
RECEIPT # 550540 6/20/2014 0711
Net 5 53 26106 VERIFICATION
CP NO. 141321

Receipt Tot \$75.00
\$75.00 0 \$1.00 CA
Baltimore County, Maryland

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

Total: **75.00**

Rec From: **R. Cegulski**

For: **Admin. Variance**
107 First Ave Case # 2014 - 0330 - 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*

July 19, 2016

Raymond & Debra Cegelski Sr.
107 First Avenue
Baltimore MD 21227

RE: Case Number: 2016-0330 A, Address: 107 First Avenue

Dear Mr. & Ms. Cegelski:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 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, 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
Praful Patel, 526 Rambling Sunset Circle, Mount Airy MD 21771

7-18

BALTIMORE COUNTY, MARYLAND

RECEIVED

JUN 29 2016

Inter-Office Correspondence

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: June 29, 2016

SUBJECT: EPS Comment for Zoning Item # 2016-0330-A
Address 107 First Avenue
(Cegelski Property)

Zoning Advisory Committee Meeting of **July 4, 2016.**

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

Reviewer: Steve Ford

Date: 06-29-2016

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



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

Date: 7.5.2016

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. 2016-0330-A

*Administrative Variance
Raymond & Debra Cegelski
107 First 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 that reads "Richard Zeller".

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

DATE: July 13, 2016

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For July 4, 2016
Item No. 2016-0330, 0331, 0332 and 0333

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\ZAC07042016.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
Sustainability (EPS) - Development Coordination

DATE: June 29, 2016

SUBJECT: EPS Comment for Zoning Item # 2016-0330-A
Address 107 First Avenue
(Cegelski Property)

Zoning Advisory Committee Meeting of **July 4, 2016.**

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

Reviewer: Steve Ford Date: 06-29-2016

107 1st Ave



Proposed Garage

107 1st Ave



0026660 613

NO TITLE SEARCH REQUESTED OR PREPARED
DESCRIPTION FURNISHED BY GRANTOR

107 First Avenue
Baltimore County, MD

THIS DEED, made this *21st* day of *January*, 2008, by and between
RAYMOND CEGELSKI, a/k/a RAYMOND CEGELSKI, SR., party of the first part, and
RAYMOND CEGELSKI, SR., and DEBRA S. CEGELSKI, his wife, parties of the second
part.

WITNESSETH, that in consideration of love and affection, the said party of the first part,
RAYMOND CEGELSKI, a/k/a RAYMOND CEGELSKI, SR., does grant and convey unto
the said parties of the second part, RAYMOND CEGELSKI, SR. and DEBRA S.
CEGELSKI, his wife, as tenants by the entireties, the survivor of them, the survivor's
Personal Representatives and assigns, in fee simple, all those lots of ground, situate and lying
in Baltimore County, State of Maryland, and particularly described as follows:

BEGINNING for the first thereon on the South side of First Avenue, at the distance
of Fifty (50) feet East from the Southeast corner of First and Baltimore Avenues, said place
of beginning being at the Northeast corner of Lot No. 226 and running thence East, binding
on the South side of First Avenue, Twenty-five (25) feet to Lot No. 228; thence South,
binding on Lot No. 228, and parallel with Baltimore Avenue, One hundred (100) feet, to Lot
No. 251; thence West binding on Lot No. 251, and parallel with First Avenue, Twenty-Five
(25) feet to Lot No. 226; and thence North, binding on Lot No. 226 and parallel with
Baltimore Avenue One hundred (100) feet to the place of beginning.

BEGINNING for the second on the South side of First Avenue, at the distance of
Seventy-five (75) feet East from the Southeast corner of First and Baltimore Avenues; said
place of beginning being the Northeast corner of Lot No. 227; and running thence East,
binding on the South side of First Avenue, Twenty-five (25) feet to Lot No. 229; thence
south binding on Lot No. 229 and parallel with Baltimore Avenue, One hundred (100) feet
to Lot No. 252; thence West, binding on Lot No. 252, and parallel with First Avenue,
Twenty-five (25) feet to Lot No. 227; and thence North, binding on Lot No. 227 and parallel
with Baltimore Avenue, One hundred (100) feet to the place of beginning.

The two (2) said lots being respectively known and designated as Lots No. 227 and
228 in Section 8 as shown on the plat of "Landsdowne", recorded among the Plat Records
of Baltimore County, in Plat Book J. W. S., No. 1, Part 1, folio 49. Property Tax Identification
No. 13-11-351060.

00266601 614

BEGINNING for the third thereof, on the South side of First Avenue, at the distance of One Hundred (100) feet East from the Southeast corner of First and Baltimore Avenues, said place of beginning being at the Northeast corner of Lot No. 228 and running thence East, binding on the South side of First Avenue, Twenty-five (25) feet, to Lot No. 230; thence South binding on Lot No. 230 and parallel with Baltimore Avenue, One hundred (100) feet, to Lot No. 253; thence West, binding on Lot No. 253, and parallel with First Avenue, Twenty-five (25) feet, to Lot No. 228, and thence North, binding on Lot No. 228 and parallel with Baltimore Avenue, One hundred (100) feet to the place of beginning.

The said lot being known and designated as Lot No. 229 in Section 8 on the plat of "Landsdowne" aforementioned. Property Tax Identification No. 13-11-351061.

The improvements thereon being known as No. 107 First Avenue.

BEING the same lots of ground and premises which by deed dated January 21, 1985, and recorded among the Land Records of Baltimore County in Liber EHK Jr. No. 6936, folio 411, were granted and conveyed by Henry W. Klemkowski, Personal Representative of the Estate of KATHERINE KING, a/k/a CATHERINE KING, Deceased, unto RAYMOND CEGELSKI and ETHEL CEGELSKI, as joint tenants.

BEING also the same lots of ground and premises described in a deed dated January 23, 1985, and recorded among the Land Records of Baltimore County in Liber EHK Jr. No. 6936, folio 413, wherein ETHEL CEGELSKI did convey all of her right, title and interest in and to the herein above described properties unto RAYMOND CEGELSKI, the Grantor herein.

It is the intention of the Grantor, RAYMOND CEGELSKI, a/k/a RAYMOND CEGELSKI, SR., to convey ALL of his right, title and interest in and to the above described properties unto the Grantees, RAYMOND CEGELSKI, SR. and DEBRA S. CEGELSKI, as tenants by the entireties.

TOGETHER with the buildings and improvements thereon erected, made or being, and all and every rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging or anywise appertaining.

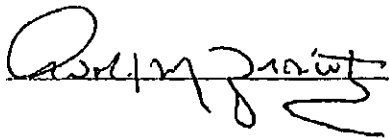
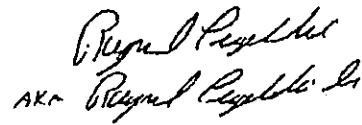
0026660 615

TO HAVE AND TO HOLD the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said RAYMOND CEGELSKI, SR. and DEBRA S. CEGELSKI, his wife, as tenants by the entireties, the survivor of them, the survivor's Personal Representatives and assigns, in fee simple.

AND the said Grantor hereby covenants that he has not done or suffered to be done any act, matter or things whatsoever, to encumber the property hereby conveyed; that he will warrant specially the property hereby granted; and that he will execute such further assurances of the same as may be requisite.

WITNESS the hand and seal of the said Grantor.

TEST:

  (SEAL)
RAYMOND CEGELSKI
a/k/a RAYMOND CEGELSKI, SR.

STATE OF MARYLAND, *County* OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this *21st* day of *January*, 2008, before me, the subscriber, a Notary Public of the State and County/City aforesaid, personally appeared RAYMOND CEGELSKI, a/k/a RAYMOND CEGELSKI, SR., Grantor, known to me (or satisfactorily proven), and he acknowledged the foregoing Deed to be his act, and in my presence signed and sealed the same.

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>7-13</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
<u>6-29</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>7-5</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>7-2-16</u> by <u>Ogle</u>	
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

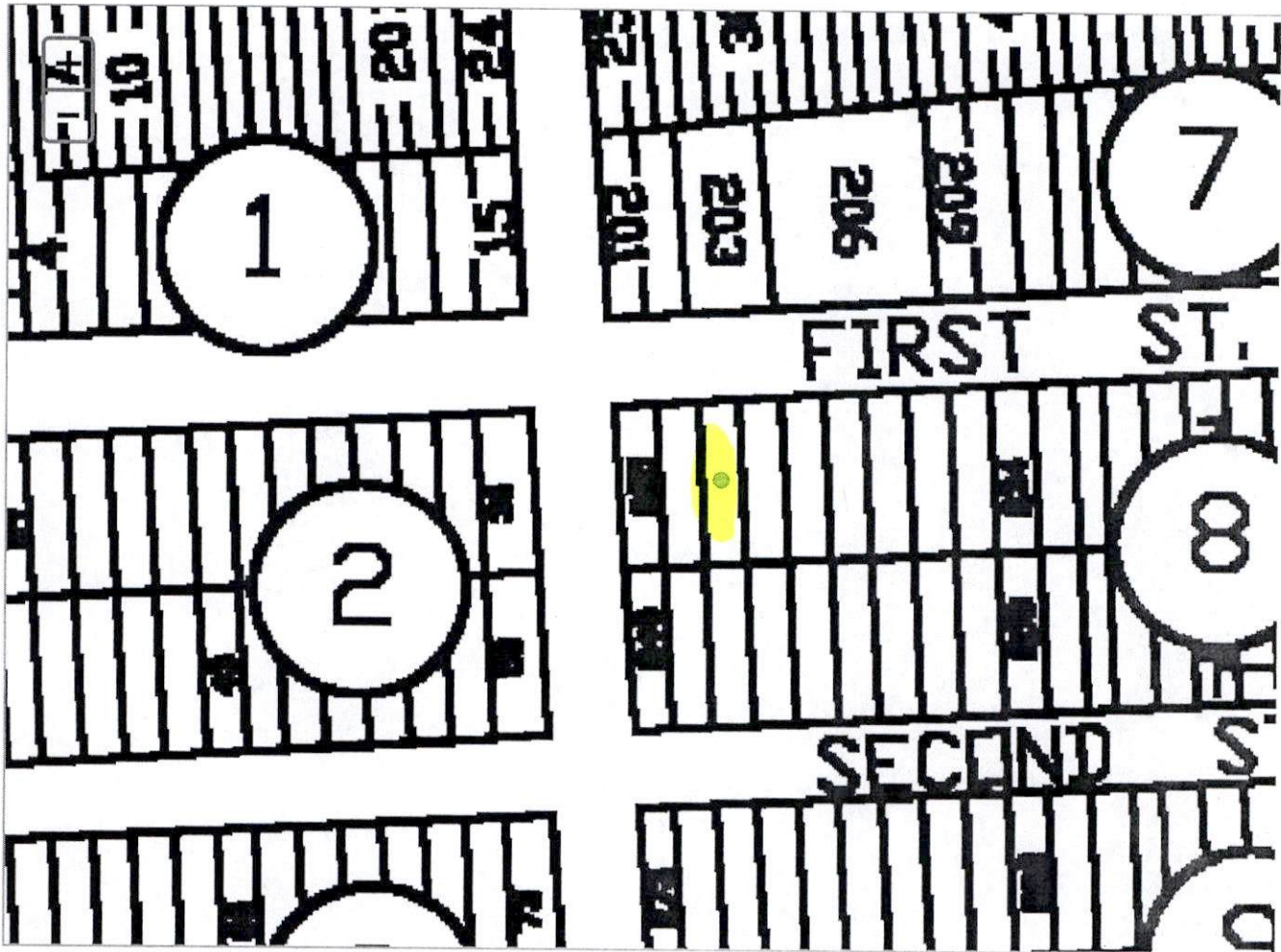
Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption	View GroundRent Registration	
Account Identifier:		District - 13 Account Number - 1311351060		
Owner Information				
Owner Name:		CEGELSKI RAYMOND SR CEGELSKI DEBRA S	Use: Principal Residence:	RESIDENTIAL YES
Mailing Address:		107 FIRST AVE BALTIMORE MD 21227- 3002	Deed Reference:	/26660/ 00613
Location & Structure Information				
Premises Address:		107 FIRST AVE 0-0000	Legal Description:	LTS 227,228 107 FIRST AVE LANSDOWNE
Map:	Grid:	Parcel:	Sub District:	Subdivision:
0109	0002	0356		0000
Section:	Block:	Lot:	Assessment Year:	Plat No:
8		227	2016	
				Plat Ref:
				0001/ 0049
Special Tax Areas:		Town:	NONE	
		Ad Valorem:		
		Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use
1910	1,120 SF		5,000 SF	04
Stories	Basement	Type	Exterior SIDING	Full/Half Bath
2	YES	STANDARD UNIT		1 full
Garage	Last Major Renovation			
Value Information				
Base Value		Value As of 01/01/2016	Phase-in Assessments As of 07/01/2015 As of 07/01/2016	
Land:	62,600	62,600		
Improvements	57,900	70,700		
Total:	120,500	133,300	120,500	124,767
Preferential Land:	0			0
Transfer Information				
Seller: CEGELSKI RAYMOND		Date: 02/12/2008	Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /26660/ 00613	Deed2:	
Seller: KING HARVEY G		Date: 05/08/1985	Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /06936/ 00413	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: Approved 02/15/2012				

Baltimore County

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

District: 13 Account Number: 1311351060



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>).

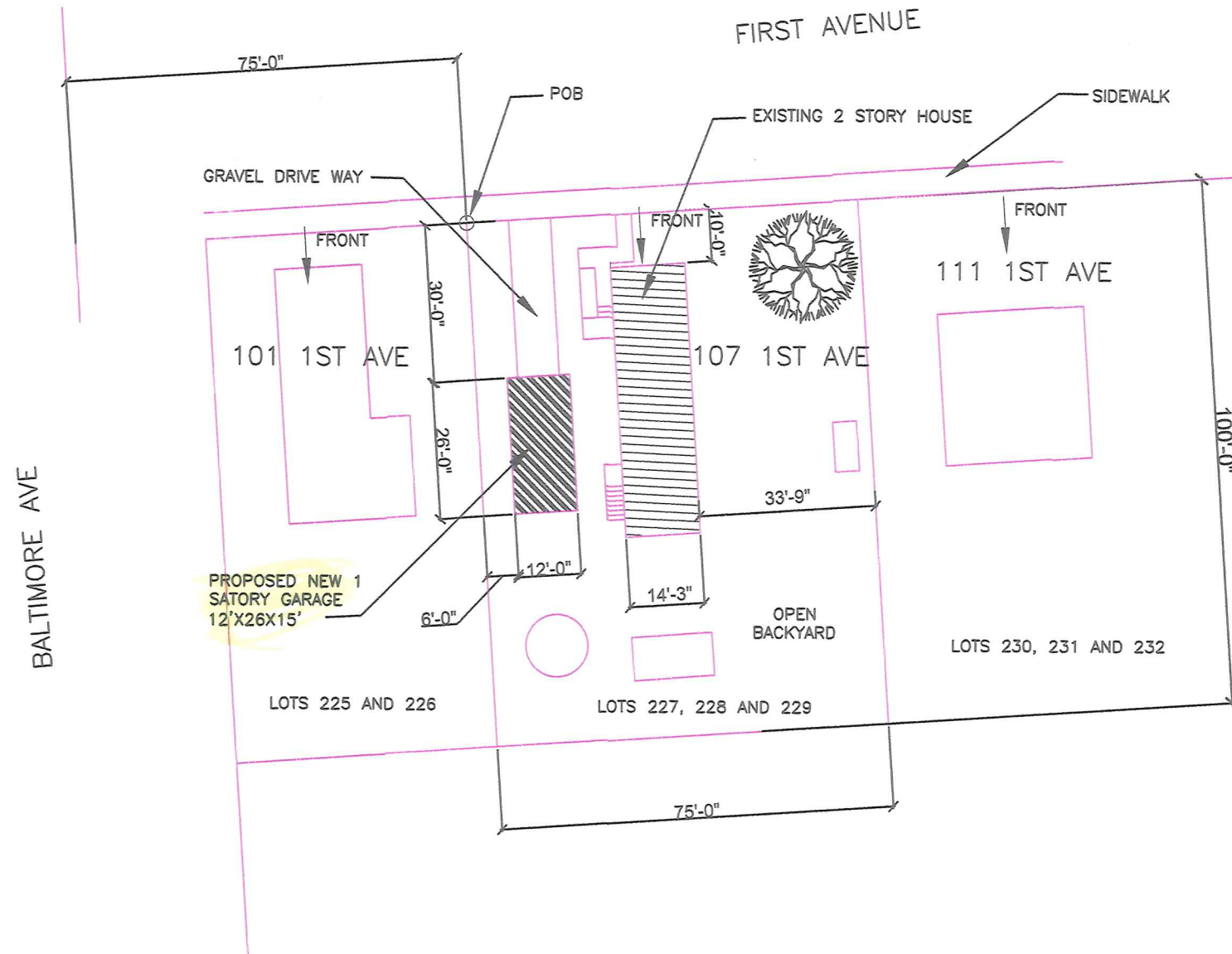
21'E

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____

ADDRESS: 107 FIRST AVE, LANSDOWNE, MD 21227, OWNERS NAME: CEGELSKI RAYMOND SR AND CEGELSKI DEBRA S

SUBDIVISION NAME: LANSDOWNE LOT# 227, 228 AND 229 BLOCK # N/A SECTION # 8

PLAT BOOK # 1 FOLIO # 49 10 DIGIT TAX NO: 1311351060



NEW GARAGE ADDITION



EXISTING HOUSE



SITE PLAN

SCALE: 1" = 30'

COVERAGE CALCULATIONS

LOT COVERAGE = 7500 SF
BUILDING COVERAGE = 733 SF
NEW GARAGE = 312 SF
GARAGE HT = 15'

PLAN DRAWN BY: PRAFUL PATEL



KEY PLAN

NOT TO SCALE

ZONING MAP # 109A1
SITE ZONED DR5.5
ELECTION DISTRICT 13
COUNCIL DISTRICT 1
LOT REA ACREAGE 0.172
HISTORIC : NO
IN CBCA NO
IN FLOOD PLAIN NO

UTILITIES

WATER
PUBLIC X PRIVATE ____
SEWER
PUBLIC X PRIVATE ____

PRIOR HEARING NO

CEGELSKI RESIDENCE
107 FIRST AVE
LANSDOWNE, MD 21227
GARAGE ADDITION

C1

SITE PLAN

ARENCO, LLC

ARCHITECTURAL ENGINEERING CONSULTANTS
526 RAMBLING SUNSET CIRCLE
MOUNT AIRY, MARYLAND 21771

SCALE 1" = 30' WORK REQUEST # 16-114 SHEET 1 OF 1 DRAWING NO. 16-114-01

FILE DATE:

FILE NAME:

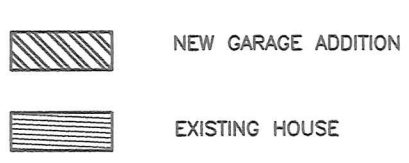
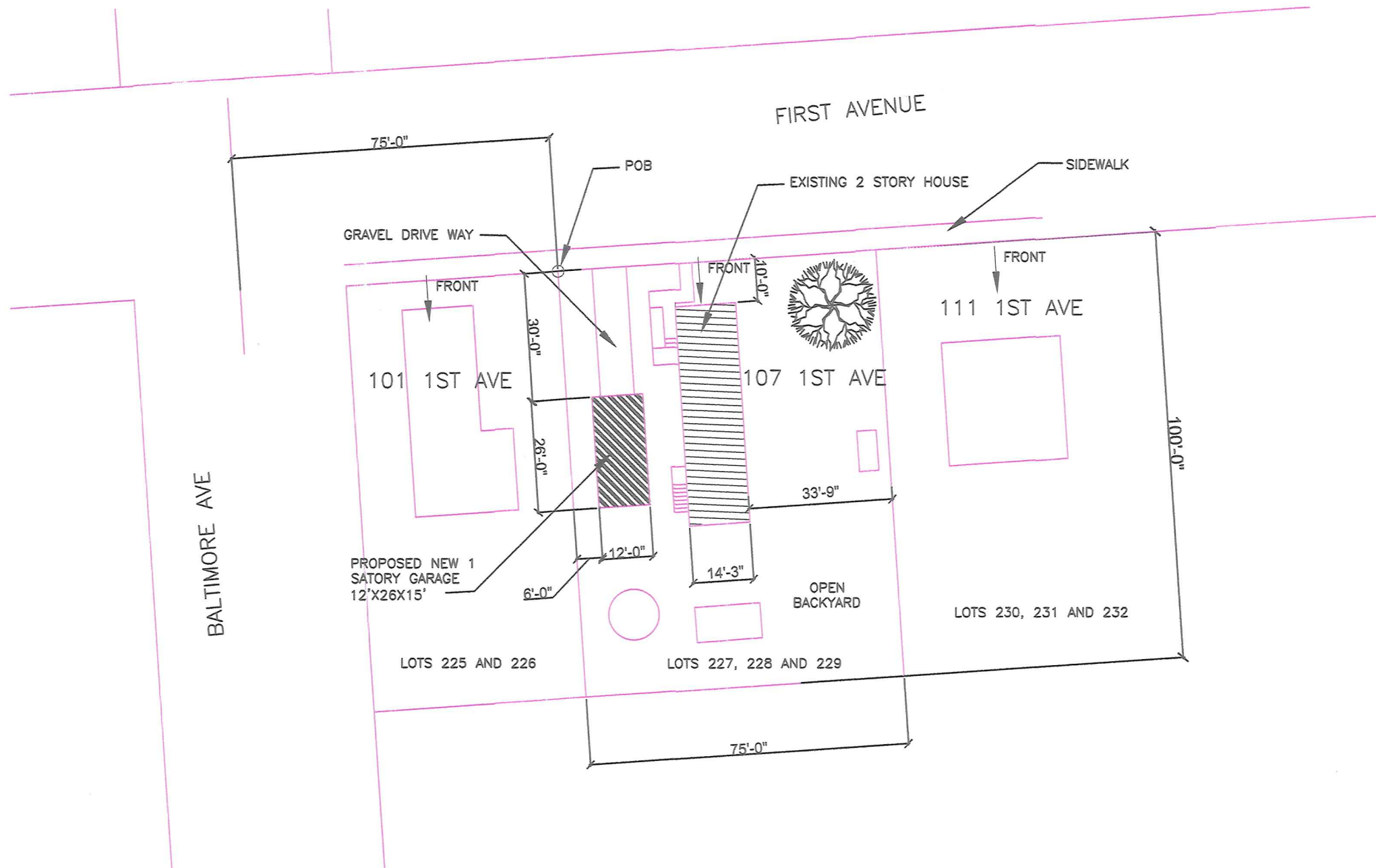
Pet. Encl. 1

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____

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SUBDIVISION NAME: LANSDOWNE LOT# 227, 228 AND 229 BLOCK # N/A SECTION # 8

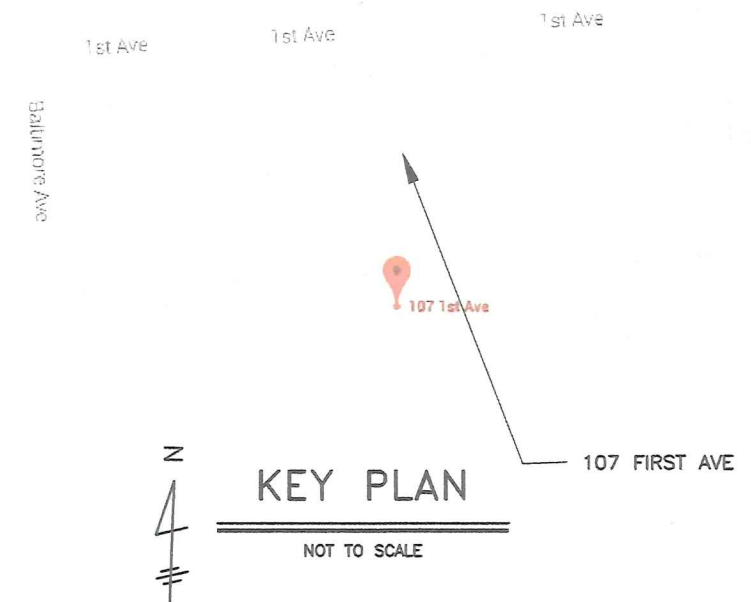
PLAT BOOK # 1 FOLIO # 49 10 DIGIT TAX NO: 1311351060



SITE PLAN
SCALE: 1" = 30'

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ZONING MAP # 109A1
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UTILITIES
WATER
PUBLIC X PRIVATE ____
SEWER
PUBLIC X PRIVATE ____
PRIOR HEARING NO

CEGELSKI RESIDENCE 107 FIRST AVE LANSDOWNE, MD 21227 GARAGE ADDITION		C1
SITE PLAN		
ARENCO, LLC ARCHITECTURAL ENGINEERING CONSULTANTS 526 RAMBLING SUNSET CIRCLE MOUNT AIRY, MARYLAND 21771		
SCALE 1" = 30'	WORK REQUEST # 16-114	SHEET 1 OF 1
DRAWING NO. 16-114-01		FILE NAME: