

M E M O R A N D U M

DATE: October 17, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0334-A – Appeal Period Expired

The appeal period for the above-referenced case expired on October 13, 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

(1206 Limekiln Road)

9th Election District

3rd Council District

CR of Maryland, LLC

Legal Owner

Petitioner

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BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2016-0334-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 CR of Maryland, LLC, owner of the subject property ("Petitioner"). Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: (1) for a proposed condition, a sum of side yard setbacks of 36.8 ft. in lieu of the required 50 ft.; (2) for the following existing conditions: (a) lot width of 100 ft. in lieu of the 150 ft. required; (b) front yard of 49.9 ft. in lieu of 50 ft. required; and (c) side yard of 15 ft. in lieu of 20 ft. required; (3) the amendment of Hampton Village FDP (if any) consistent with the relief requested hereby; and (4) for such additional relief as the nature of this case may require for approval of the proposed replacement of a screened porch with a permanent addition as shown on the plan which accompanied this Petition. A site plan was marked as Petitioner's Exhibit 1.

Grant Anderson and Alexander Cruz appeared in support of the petition. Howard L. Alderman, Jr., Esq. represented the Petitioner. The Petition was advertised and posted as required by the B.C.Z.R. No protestants or interested citizens attended the hearing. A substantive Zoning Advisory Committee (ZAC) comment was received from the Bureau of Development Plans Review (DPR) indicating existing landscaping at the site should remain.

ORDER RECEIVED FOR FILING

Date 9-13-16

By Sen

The subject property is approximately 15,000 sq. ft. and zoned DR-1. The property is improved with a single-family dwelling constructed in 1953. Petitioner recently purchased the property and is undertaking substantial renovations, including the addition of a second story to the home. During the course of construction it was determined zoning relief was necessary for certain of the improvements.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (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. With the exception of the first request, all of the relief requested pertains to conditions which have existed for over 60 years. As such the property is unique. If the Regulations were strictly interpreted, Petitioner would experience a practical difficulty because it would be unable to construct the proposed improvements. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of Baltimore County and/or community opposition.

THEREFORE, IT IS ORDERED, this **13th day** of September, 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.") as follows: (1) for a proposed condition, a sum of side yard setbacks of 36.8 ft. in lieu of the required 50 ft.; (2) for the following existing conditions: (a) lot width of 100 ft. in lieu of the 150 ft. required; (b) front yard of 49.9 ft. in lieu of 50 ft. required; and (c) side yard of 15 ft. in lieu of 20 ft. required; and (3) the amendment of the Hampton Village

ORDER RECEIVED FOR FILING

Date

9-13-16

2

By

Sen

FDP (if any) consistent with the relief requested hereby, 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. Petitioner must comply with the ZAC comment of DPR, a copy of which is attached hereto.

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

9-13-16

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 1206 LIMEKILN ROAD

which is presently zoned DR 1

Deed References: 37199/0444

10 Digit Tax Account # 09-11-153430

Property Owner(s) Printed Name(s) CR OF MARYLAND LLC

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. xx a **Variance** from Section(s)

SEE ATTACHED

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:

N/A

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Howard L. Alderman, Jr., Esq. / Levin & Gann, PA

Name- Type or Print

Signature

502 Washington Avenue, STE 800 Towson MD

Mailing Address City State

21204 4103210600 halderman@levinggann.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

CR of Maryland, LLC

Name #1 - Type or Print

Name #2 - Type or Print

By:

Signature #1

Signature #2

2343 York Road

Lutherville

MD

Mailing Address

City

State

21093 (410) 570-4750

craig@crofmaryland.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

CR of Maryland, LLC Attn: Alexander Cruz

Name - Type or Print

By:

Signature

2343 York Road

Lutherville

MD

Mailing Address

City

State

21093 (410) 322-3199

alexander@crofmaryland.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2016-0334-A

Filing Date 6/23/16

ORDER RECEIVED FOR FILING

Do Not Schedule Dates: June 16 thru June 27

Reviewer JS

Date 9-13-16

REV. 10/4/11

By Sen

CASE NO: 2017- -A

Address: 1206 Limekiln Road

Legal Owner: CR of Maryland, LLC

Present Zoning: DR 1.0

PETITION FOR VARIANCE

REQUESTED RELIEF:

A Variance from BCZR § 1B02.3.C:1 to permit: (i) **for a proposed condition**, a sum of side yard setbacks of 36.8' in lieu of the required 50'; and (ii) **for the following existing conditions**: (a) lot width of 100' in lieu of 150' required, (b) front yard of 49.9' in lieu of 50' required, and (c) side yard of 15' in lieu of 20' required; and (iii) the amendment of the Hampton Village FDP (if any) consistent with the relief requested hereby; and (iv) for such additional relief as the nature of this case may require for approval of the proposed replacement of a screened porch with a permanent addition as shown on the plan which accompanied this Petition.

For Additional Information Contact:

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
Nottingham Centre
502 Washington Centre
8th Floor
Towson, Maryland 21204

(410) 321-0600
Fax: (410) 296-2801

halderman@LevinGann.com



site design concepts
LAND DEVELOPMENT CONSULTANTS

ZONING PROPERTY DESCRIPTION FOR 1206 Limekiln Road, Towson, MD 21204.

Beginning at a point on the north side of Limekiln Road which is fifty feet (50') wide at the distance of 293.2 ft. ^{North of} of the centerline of the nearest improved intersecting street Valley View Road which is fifty feet (50') wide.

Being Lot # 32, in the subdivision of Hampton Village as recorded in Baltimore County Plat Book #14, Folio #444, containing 15,000 S.F. (0.344 acres). Located in the 9th Election District and 3rd Council.



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 4394607

Sold To:

CR of Maryland, LLC - CU00556382
2343 York Rd
Alexander Cruz
Lutherville Timonium, MD 21093-2217

Bill To:

CR of Maryland, LLC - CU00556382
2343 York Rd
Alexander Cruz
Lutherville Timonium, MD 21093-2217

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

Aug 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: # 2016-0334-A
1206 Limekiln Road
NW/s Limekiln Road, 293.2 ft. N/of centerline of intersection with Valley View Road
9th Election District - 3rd Councilmanic District
Legal Owner(s) CR of Maryland, LLC

Variance: To permit: (1) for a proposed condition, a sum side yard setbacks of 36.8 ft. in lieu of the required 50 ft. and (2) for the following existing conditions: a) lot width of 100 ft. in lieu of the 150 ft. required, (b) front yard of 49.9 ft. in lieu of the 50 ft. required, and (c) side yard of 15 ft. in lieu of the 20 ft. required and (3) the amendment of Hampton Village FDP (if any), consistent with the relief requested hereby and (4) for such additional relief as the nature of this case may require for approval of the proposed replacement of a screened porch with a permanent addition as shown on the plan which accompanied this Petition.

Hearing: Monday, September 12, 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 8/777 Aug. 23 4394607

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 8/21/2016

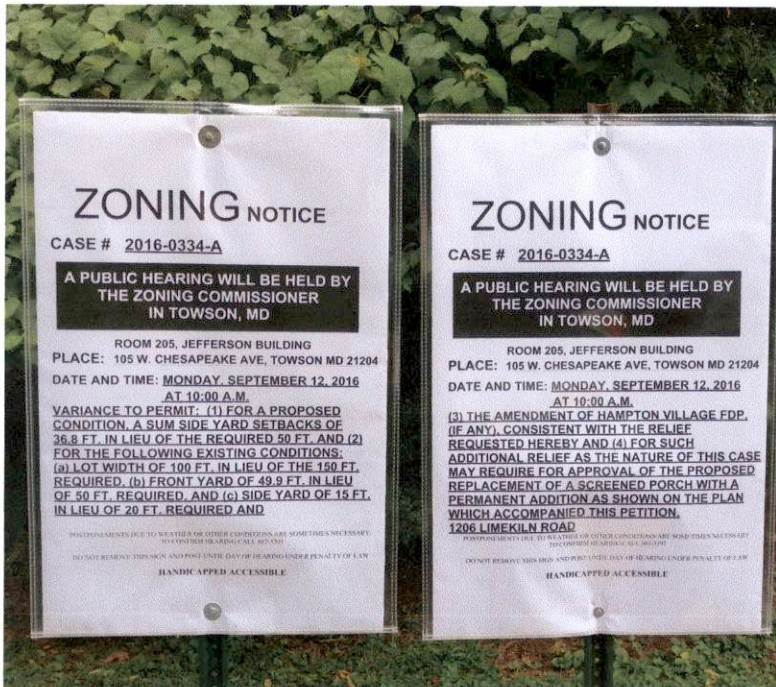
Case Number: 2016-0334-A

Petitioner / Developer: HOWARD ALDERMAN, JR. ESQ. ~
CR of MARYLAND, LLC

Date of Hearing (Closing): SEPTEMBER 12, 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:
1206 LIMEKILN ROAD

The sign(s) were posted on: AUGUST 21, 201



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

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

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



KEVIN KAMENETZ
County Executive
August 4, 2016

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

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:

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1206 Limekiln Road

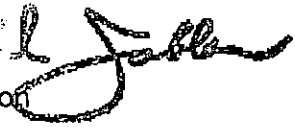
NW/s Limekiln Road, 293.2 ft. N/of centerline of intersection with Valley View Road

9th Election District – 3rd Councilmanic District

Legal Owners: CR of Maryland, LLC

Variance To permit: (1) for a proposed condition, a sum side yard setbacks of 36.8 ft. in lieu of the required 50 ft. and (2) for the following existing conditions: (a) lot width of 100 ft. in lieu of the 150 ft. required, (b) front yard of 49.9 ft. in lieu of 50 ft. required, and (c) side yard of 15 ft. in lieu of 20 ft. required and (3) the amendment of Hampton Village FDP, (if any), consistent with the relief requested hereby and (4) for such additional relief as the nature of this case may require for approval of the proposed replacement of a screened porch with a permanent addition as shown on the plan which accompanied this Petition.

Hearing: Monday, September 12, 2016 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Arnold Jablon
Director

AJ:kl

C: Howard Alderman, Jr., 502 Washington Avenue, Ste. 800, Towson 21204
CR of Maryland, LLC, 2343 York Road, Lutherville 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 23, 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, August 23, 2016 Issue - Jeffersonian

Please forward billing to:

Alexander Cruz
CR of Maryland, LLC
2343 York Road
Lutherville, MD 21093

410-322-3199

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: 2016-0334-A

1206 Limekiln Road

NW/s Limekiln Road, 293.2 ft. N/of centerline of intersection with Valley View Road

9th Election District – 3rd Councilmanic District

Legal Owners: CR of Maryland, LLC

Variance To permit: (1) for a proposed condition, a sum side yard setbacks of 36.8 ft. in lieu of the required 50 ft. and (2) for the following existing conditions: (a) lot width of 100 ft. in lieu of the 150 ft. required, (b) front yard of 49.9 ft. in lieu of 50 ft. required, and (c) side yard of 15 ft. in lieu of 20 ft. required and (3) the amendment of Hampton Village FDP, (if any), consistent with the relief requested hereby and (4) for such additional relief as the nature of this case may require for approval of the proposed replacement of a screened porch with a permanent addition as shown on the plan which accompanied this Petition.

Hearing: Monday, September 12, 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
1206 Limekiln Road; NW/S Limekiln Road,
293.2' N of c/line with Valley View Road
8th Election & 3rd Councilmanic Districts
Legal Owner(s): CR of Maryland, LLC
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2016-334-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
JUL 05 2016

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of July, 2016, a copy of the foregoing Entry of Appearance was mailed to Alexander Cruz, 2343 York Road, Lutherville, Maryland 21093 and Howard Alderman, Esquire, Levin & Gann, P.A., 502 Washington Avenue, Suite 800, 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/neighbors 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- 0334 --A

Property Address: 1206 Limekiln Road

Property Description: Tax Map 0061; Parcel 0323, Lot 0032.

Tax Acc't No. 09-11-153430

Legal Owners (Petitioners): CR OF MARYLAND, LLC

Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Attn: Alexander Cruz

Company/Firm (if applicable): CR OF MARYLAND, LLC

Address: 2343 YORK ROAD

LUTHERVILLE, MD 21093

Telephone Number: 410-322-3199

Revised 5/20/2014

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

No. 141327

Date: 6/23/16

PAID RECEIPT

BUSINESS. ACTUAL TIME DRW
6/23/2016 6/23/2016 11:15:59 2

NO 0602 MAIL JEE
> RECEIPT # 969523 6/23/2016 OFLN
Dpt 5 520 ZONING VERIFICATION
C NO. 141327

Receipt Tot \$150.00
\$154.00 OT
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$150.00

Total: \$150.00

Rec From: CR OF MARYLAND, LLC

For: 2016-0334-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

September 8, 2016

CR of Maryland
Alexander Cruz
2343 York Road
Lutherville MD 21093

RE: Case Number: 2016-0334 A, Address: 1206 Limekiln Rd

Dear Mr. Cruz:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 23, 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Howard L. Alderman Jr., Esquire, 502 Washington Avenue, Suite 800, Towson MD 21204

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. 2016-0334-A

Variance
CR of Maryland LLC
1206 Limekiln Road.

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 A. Zeller".

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

WW/RAZ

9-12

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: July 13, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-334

JUL 19 2016

INFORMATION:

OFFICE OF ADMINISTRATIVE HEARINGS

Property Address: 1206 Limekiln Road
Petitioner: CR of Maryland, LLC
Zoning: DR 1
Requested Action: Variance

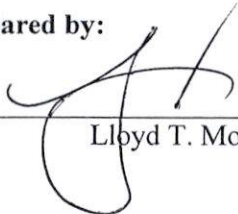
The Department of Planning has reviewed the petition for variance to permit a sum of side yard setbacks of 36.8', a front yard setback of 49.9', a side yard setback of 15' and a lot width of 100' in lieu of the required 50', 50', 20' and 150' respectively and to amend the Hampton Village FDP, if existent.

A site visit was conducted on July 7, 2016.

The Department has no objections to granting the petitioned zoning relief.

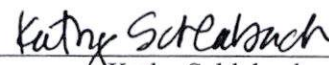
For further information concerning the matters stated herein, please contact Kaylee Justice at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Kaylee Justice
CR of Maryland, LLC, Attn: Alexander Cruz
Office of the Administrative Hearings
People's Counsel for Baltimore County

9-12

BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

JUN 29 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: June 29, 2016

SUBJECT: EPS Comment for Zoning Item # 2016-0334-A
Address 1206 Limekiln Road
(CR of Maryland, LLC 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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For July 4, 2016
Item No. 2016-0334

DATE: July 13, 2016

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

If granted, the existing landscape screening should remain and if damaged during construction, it should be replaced.

*

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DAK:CEN
cc:file

ZAC-ITEM NO 16-0334-07042016.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: July 13, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-334

INFORMATION:

Property Address: 1206 Limekiln Road
Petitioner: CR of Maryland, LLC
Zoning: DR 1
Requested Action: Variance

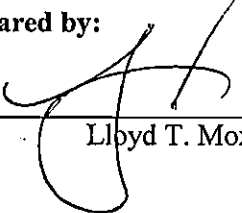
The Department of Planning has reviewed the petition for variance to permit a sum of side yard setbacks of 36.8', a front yard setback of 49.9', a side yard setback of 15' and a lot width of 100' in lieu of the required 50', 50', 20' and 150' respectively and to amend the Hampton Village FDP, if existent.

A site visit was conducted on July 7, 2016.

The Department has no objections to granting the petitioned zoning relief.

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

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Kaylee Justice
CR of Maryland, LLC, Attn: Alexander Cruz
Office of the Administrative Hearings
People's Counsel for Baltimore County

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

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(CR of Maryland, LLC Property)

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BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

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For July 4, 2016
Item No. 2016-0334

DATE: July 13, 2016

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If granted, the existing landscape screening should remain and if damaged during construction, it should be replaced.

* * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 16-0334-07042016.doc

ORDER RECEIVED FOR FILING

Date 9-13-16

By Sen

Case No.:

2016-0334-A

slu
9-13-16

Exhibit Sheet

Petitioner/Developer

EW 10-17-16

Protestant

No. 1	plan	
No. 2	bldg. permit	
No. 3	photos-before constr.	
No. 4	photos-during construction	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS, APPROVALS, AND INSPECTIONS


Arnold Jablon, Deputy Administrative Officer
& Director




Donald E. Brand, Building Engineer

BUILDING PERMIT

PERMIT #: B907047 CONTROL #: MR DIST: 09 PREC: 01
DATE ISSUED: 03/15/2016 TAX ACCOUNT #: 0911153430 CLASS: 04

PLANS: CONST 00 PLOT 2 R PLAT 0 DATA 0 ELEC YES PLUM YES
LOCATION: 1206 LIMEKILN RD
SUBDIVISION: HAMPTON VILLAGE

REVISED

OWNERS INFORMATION

NAME: REICH CRAIG
ADDR: 1206 LIMEKILN RD MD 21286-1318

TENANT: KEEP SEALED REDLINED CONSTRUCTION PLANS ON SITE

CONTR: REICH CRAIG

ENGR: WAIVE PLANS:RD.

SELLR: FEDERAL NATIONAL MORTGAGE ASSOCIATION

WORK: REMOVE SCREENED PORCH & CONSTRUCT 1-STY ADDN
10'4-1/2"X11'11"X11'=175SF ON SIDE, TO BE USED
AS: LAUNDRY RM, PWD RM, PANTRY & HALLWAY; CONST
2ND FL ADDN 52X38X34'6"=1494SF(IRREG) OVER EX
1ST FL, TO BE: 3 BEDRM, 2 BATHRM, WALK-IN CLOSET;
RAISE CEILING OF EX 1ST FL OF SFD PER PLANS.

BLDG. CODE:

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD & ADDITION & ALTERATION

EXISTING USE: SFD

TYPE OF IMPRV: ADDITION

USE: ONE FAMILY

FOUNDATION: CONCRETE

SEWAGE: PUBLIC EXIST

BASEMENT: NONE

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 15000SF

FRONT STREET:

SIDE STREET:

FRONT SETB: NC

SIDE SETB: NC/35'

SIDE STR SETB:

REAR SETB: NC



PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES

111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204

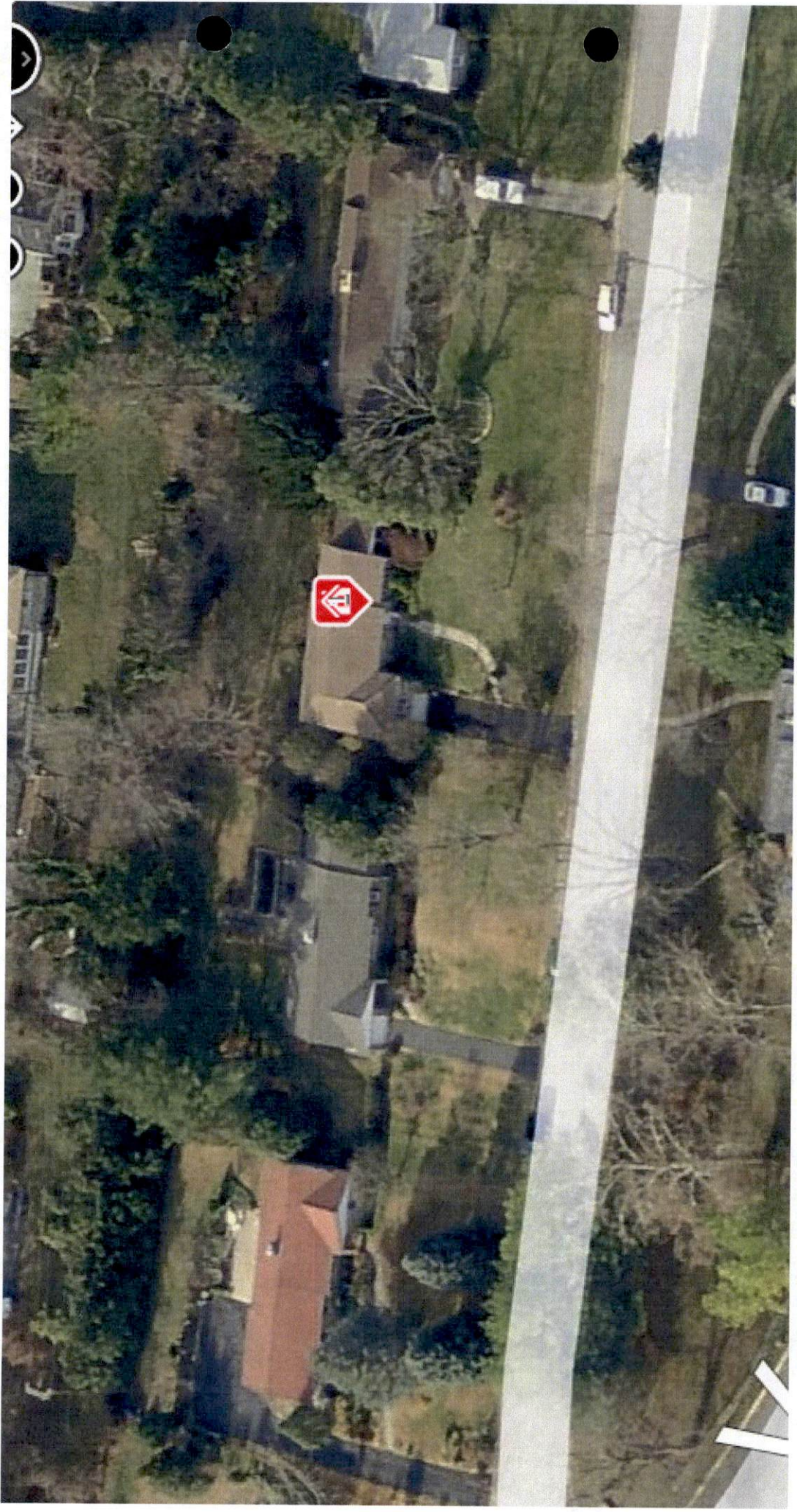


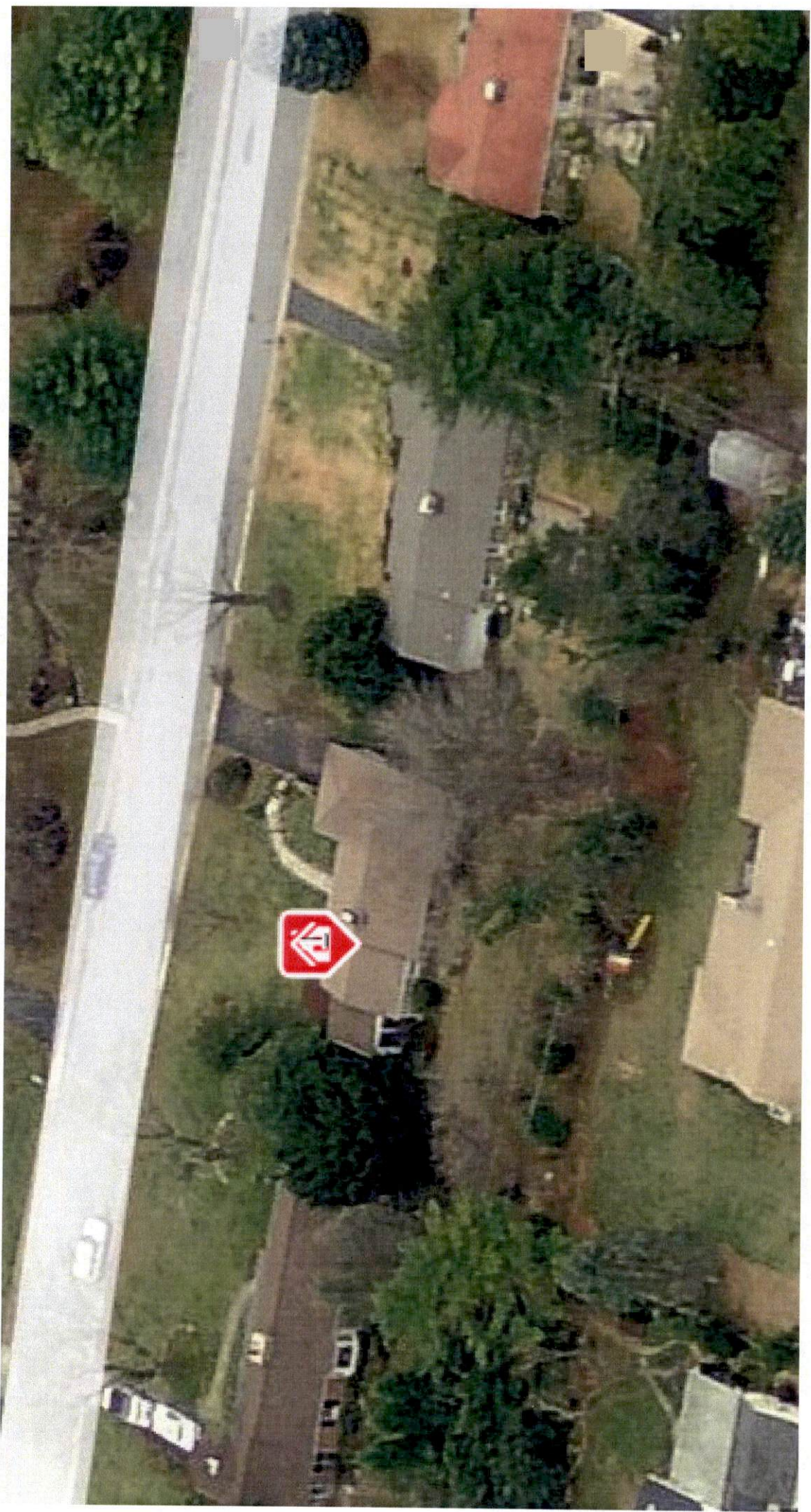
© 2016 MRIS

ALL-STATE LEGAL®
PETITIONER'S
EXHIBIT
3



© 2016 MRIS

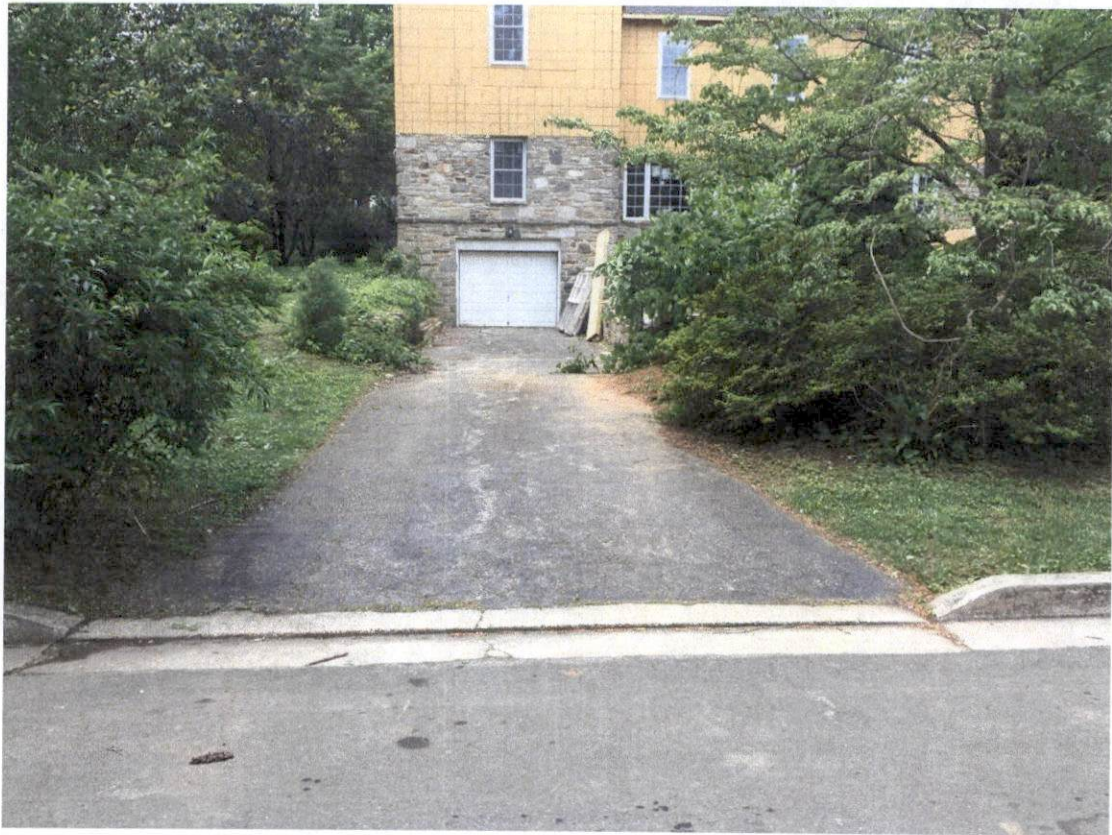




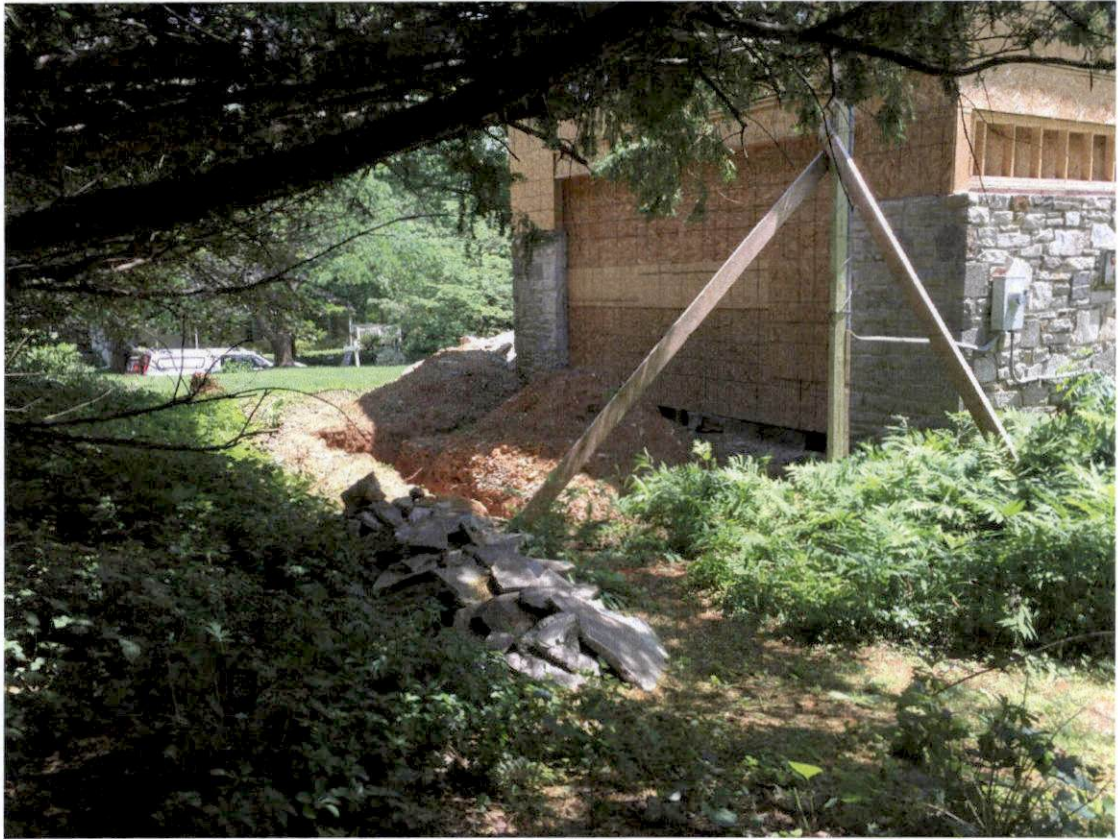




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CASE NAME 206 Limekiln
CASE NUMBER 2016-0334-A
DATE 12 SEPT 16

[illegible]

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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>7/13</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>C</u>
<u>6/29</u>	DEPS (if not received, date e-mail sent _____)	<u>N/C</u>
	FIRE DEPARTMENT	
<u>7-13-16</u>	PLANNING (if not received, date e-mail sent _____)	<u>no obj</u>
<u>7-5-16</u>	STATE HIGHWAY ADMINISTRATION	<u>no obj</u>
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 8-23-16

SIGN POSTING Date: 8-21-16 by O'heefe

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search (w2)

Guide to searching the database

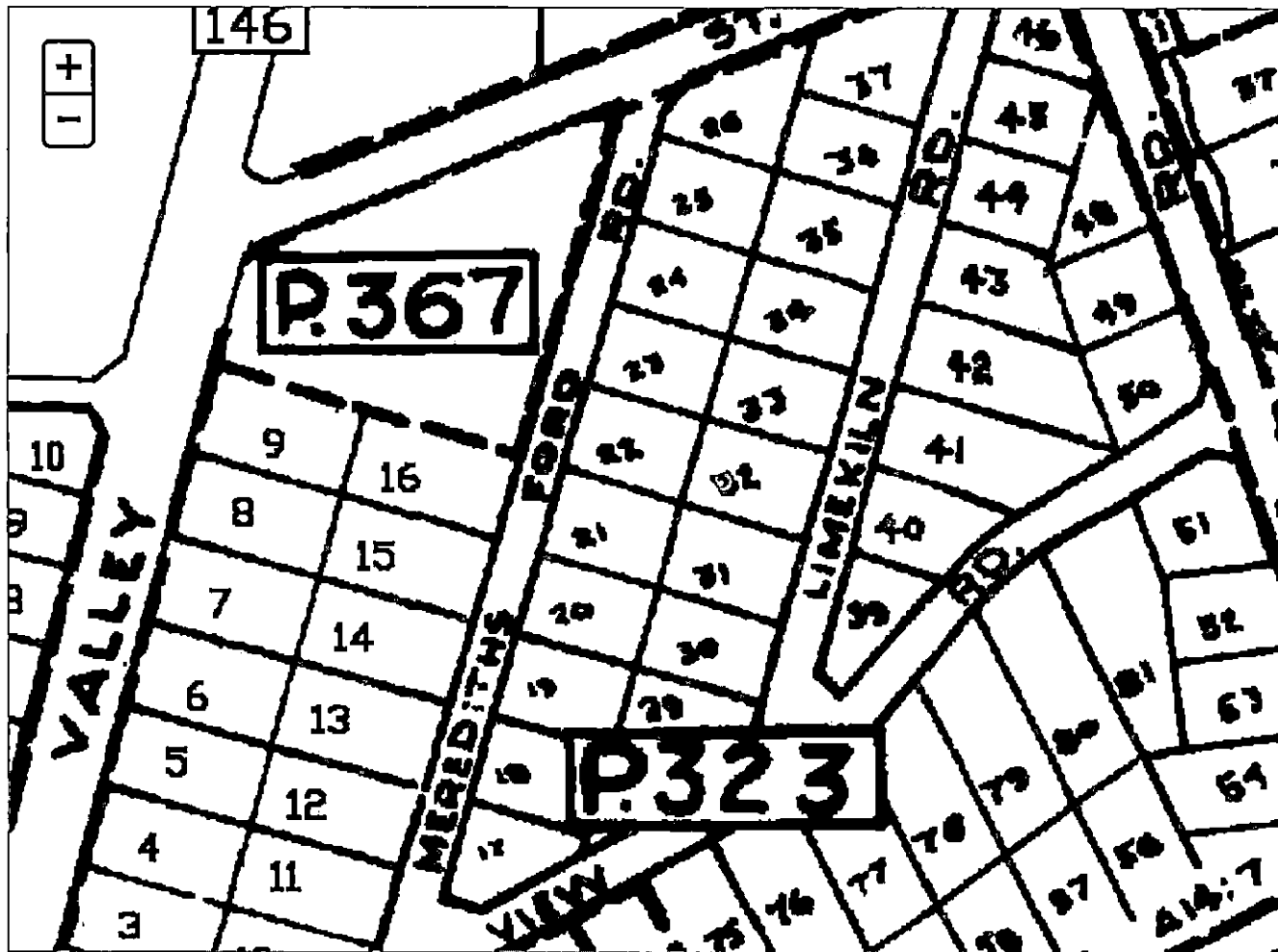
Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption			View GroundRent Registration				
Account Identifier:			District - 09 Account Number - 0911153430							
Owner Information										
Owner Name:			CR OF MARYLAND LLC			Use:		RESIDENTIAL		
Mailing Address:			2343 YORK RD LUTHERVILLE TIMONIUM MD 21093-			Principal Residence:		NO		
						Deed Reference:		/37199/ 00444		
Location & Structure Information										
Premises Address:			1206 LIMEKILN RD BALTIMORE 21286-1318			Legal Description:				
						1206 LIMEKILN RD HAMPTON VILLAGE				
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0061	0021	0323		0000			32	2017	Plat Ref: 0014/0007	
Special Tax Areas:					Town:		NONE			
					Ad Valorem:					
					Tax Class:					
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area		County Use		
1953		1,472 SF				15,000 SF		04		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation				
1	YES	STANDARD UNIT	STONE	1 full/ 1 half	1 Attached					
Value Information										
			Base Value	Value	Phase-in Assessments					
				As of 01/01/2014	As of 07/01/2016		As of 07/01/2017			
Land:			155,200	155,200						
Improvements			145,800	145,800						
Total:			301,000	301,000	301,000					
Preferential Land:			0							
Transfer Information										
Seller: FEDERAL NATIONAL				Date: 02/23/2016			Price: \$260,000			
Type: ARMS LENGTH IMPROVED				Deed1: /37199/ 00444			Deed2:			
Seller: KEISTER ANGELA R				Date: 03/13/2015			Price: \$295,000			
Type: NON-ARMS LENGTH OTHER				Deed1: /35934/ 00399			Deed2:			
Seller: KEISTER ANGELA R				Date: 12/22/2008			Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /27519/ 00735			Deed2:			
Exemption Information										
Partial Exempt Assessments:		Class		07/01/2016			07/01/2017			
County:		000		0.00						
State:		000		0.00						
Municipal:		000		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>)

District: 09 Account Number: 0911153430

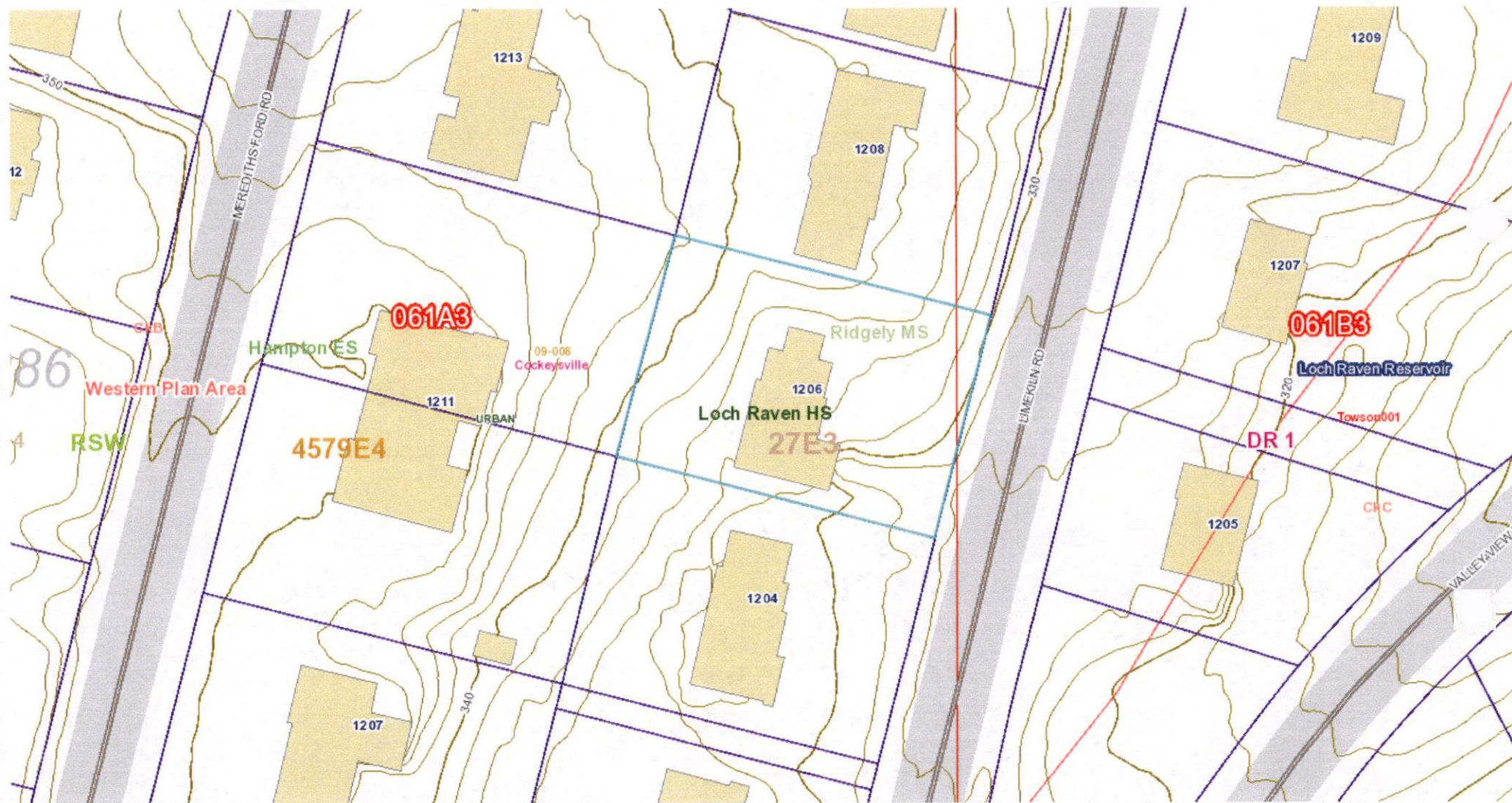


The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

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>).



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 - 09 Account Number - 0911153430							
Owner Information										
Owner Name:		CR OF MARYLAND LLC			Use:		RESIDENTIAL			
Mailing Address:		2343 YORK RD LUTHERVILLE TIMONIUM MD 21093-			Principal Residence:		NO			
					Deed Reference:		/37199/ 00444			
Location & Structure Information										
Premises Address:		1206 LIMEKILN RD BALTIMORE 21286-1318			Legal Description:		1206 LIMEKILN RD HAMPTON VILLAGE			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0061	0021	0323		0000			32	2014	Plat Ref: 0014/0007	
Special Tax Areas:					Town:		NONE			
					Ad Valorem:					
					Tax Class:					
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area		County Use		
1953		1,472 SF				15,000 SF		04		
Stories 1	Basement YES	Type STANDARD UNIT		Exterior STONE	Full/Half Bath 1 full/ 1 half		Garage 1 Attached	Last Major Renovation		
Value Information										
			Base Value		Value As of 01/01/2014		Phase-in Assessments As of 07/01/2015 As of 07/01/2016			
Land:			182,200		155,200					
Improvements			138,000		145,800					
Total:			320,200		301,000		301,000			
Preferential Land:			0				0			
Transfer Information										
Seller: FEDERAL NATIONAL				Date: 02/23/2016			Price: \$260,000			
Type: ARMS LENGTH IMPROVED				Deed1: /37199/ 00444			Deed2:			
Seller: KEISTER ANGELA R				Date: 03/13/2015			Price: \$295,000			
Type: NON-ARMS LENGTH OTHER				Deed1: /35934/ 00399			Deed2:			
Seller: KEISTER ANGELA R				Date: 12/22/2008			Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /27519/ 00735			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										

Kristen L Lewis

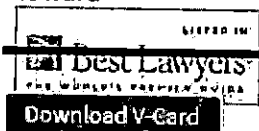
From: Howard Alderman <halderman@levingann.com>
Sent: Monday, July 18, 2016 11:53 AM
To: Kristen L Lewis
Subject: Case No. 2016-334-A - Unavailability for Hearing

Case No. 2016-334-A
Property Address: 1206 Limekiln Road
Owner/Petitioner: CR of Maryland, LLC

Kristen, I left a hand-written note on your chair this morning, but wanted to follow it up with something you can actually read (i.e. not in my handwriting). I am unavailable for a hearing on the above-referenced Case beginning on August 18th and continuing through August 26th. June checked and said you had not yet scheduled the hearing.

Please call me with any questions.

Thank you,
Howard



Howard L. Alderman, Jr., Esquire
Levin & Gann, PA
Nottingham Centre, 8th Floor
502 Washington Avenue
Towson, Maryland 21204
410-321-0600 (voice)
410-296-2801 (fax)
410-456-8501 (cell)
Email: halderman@LevinGann.com
Website: www.LevinGann.com



LEVIN & GANN, P.A.
Problem Solvers. Passionate Advocates.

Review my Representation at:



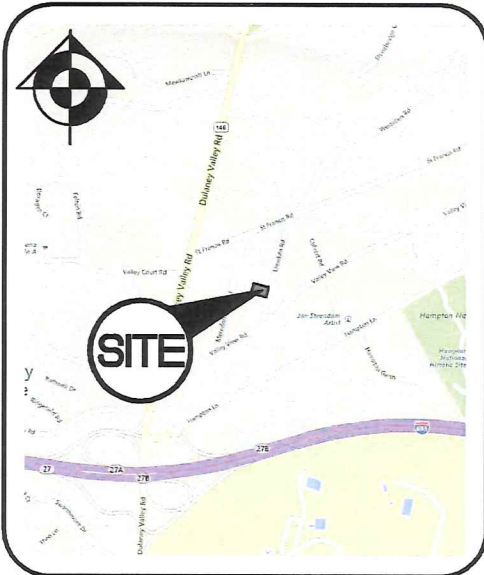
Recognized as One
Of Maryland's
Super Lawyers

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ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
ADDRESS 1206 LIMEKILN ROAD OWNER(S) NAME(S) CR OF MARYLAND LLC
SUBMISSION NAME HAMPTON VILLAGE LOT # 32 BLOCK # N/A SECTION # N/A
PLAT BOOK # 14 FOLIO # 07 10 DIGIT TAX # 0911153430 DEED REF. # 37199 / 444

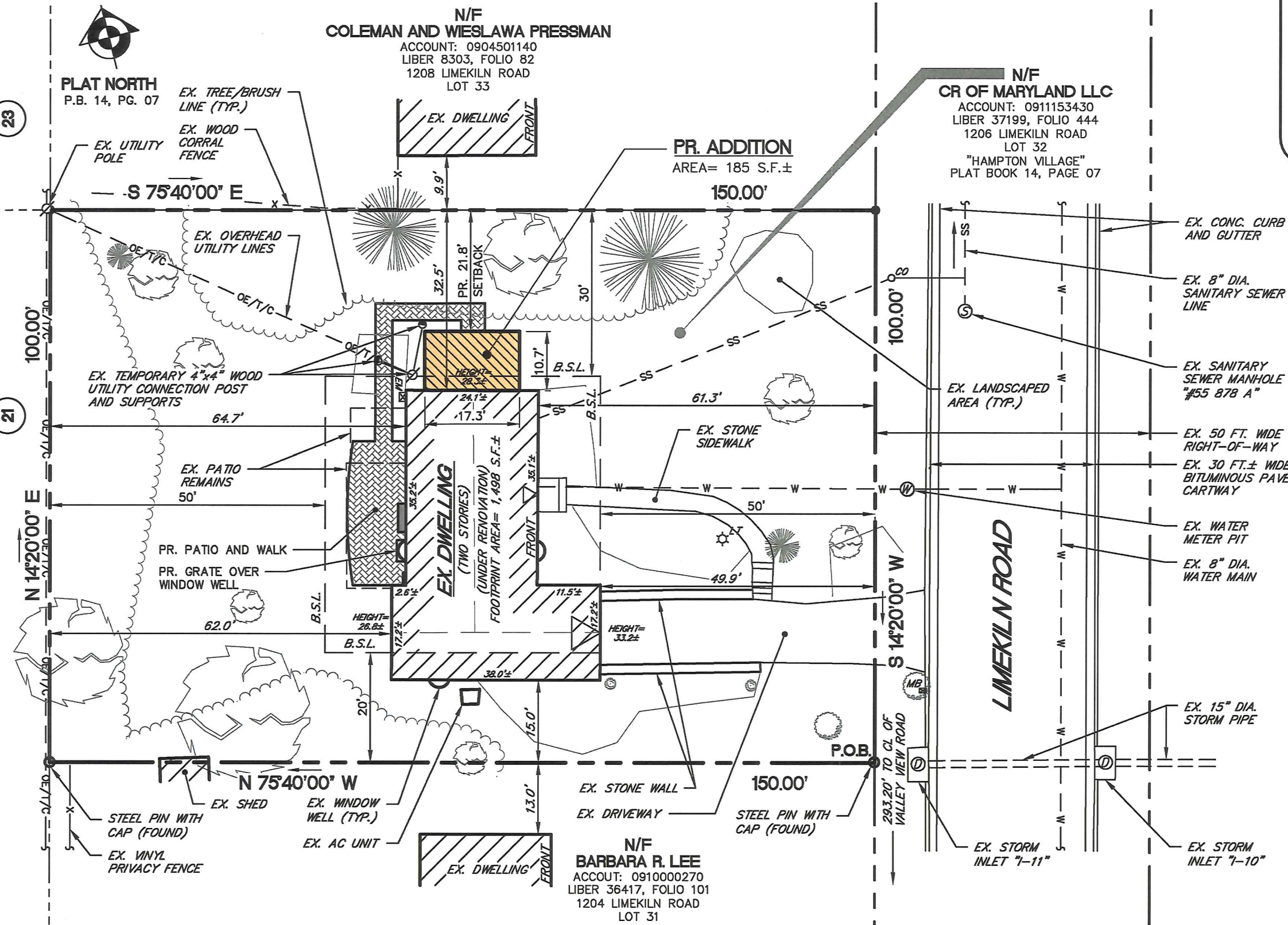
ADJOINING PARCEL INFORMATION			
LOT #	ACCOUNT	OWNER(S) (NOW OR FORMERLY)	DEED
(23)	0919712050	CATHERINE S. MERCER	29547-494
(21)	0906450850	MAURO F. AND LURAE C. PASQUINI	8282-775



SITE VICINITY MAP
1" = 2,000'

ZONING MAP# 061A3
SITE ZONED DR1
ELECTION DISTRICT 9
COUNCIL DISTRICT 3
LOT AREA ACREAGE 0.344
OR SQUARE FEET 15,000
HISTORIC ? NO
IN CBCA ? NO
IN FLOOD PLAN ? NO
UTILITIES ? MARK WITH X
WATER IS:
PUBLIC X PRIVATE _____
SEWER IS:
PUBLIC X PRIVATE _____
PRIOR HEARING ? X
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:



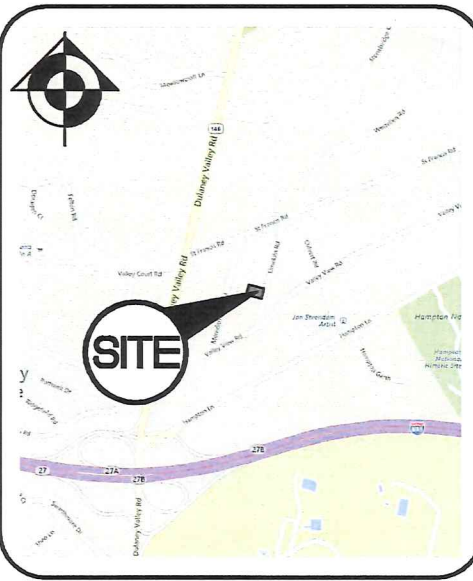
ZONING HEARING PLAN

PROJECT
ZONING REVIEW FOR SETBACK VARIANCE
CR OF MARYLAND
2343 YORK ROAD
BALTIMORE COUNTY, MARYLAND

SCALE 1" = 20'	
DRAWN BY	ARB
CHECKED BY	GAA
CONTACT	GAA
DATE	06.10.16
FILE NAME	960.1-T1
JOB NO.	960.1
SHEET NO.	EX-A
REV.	

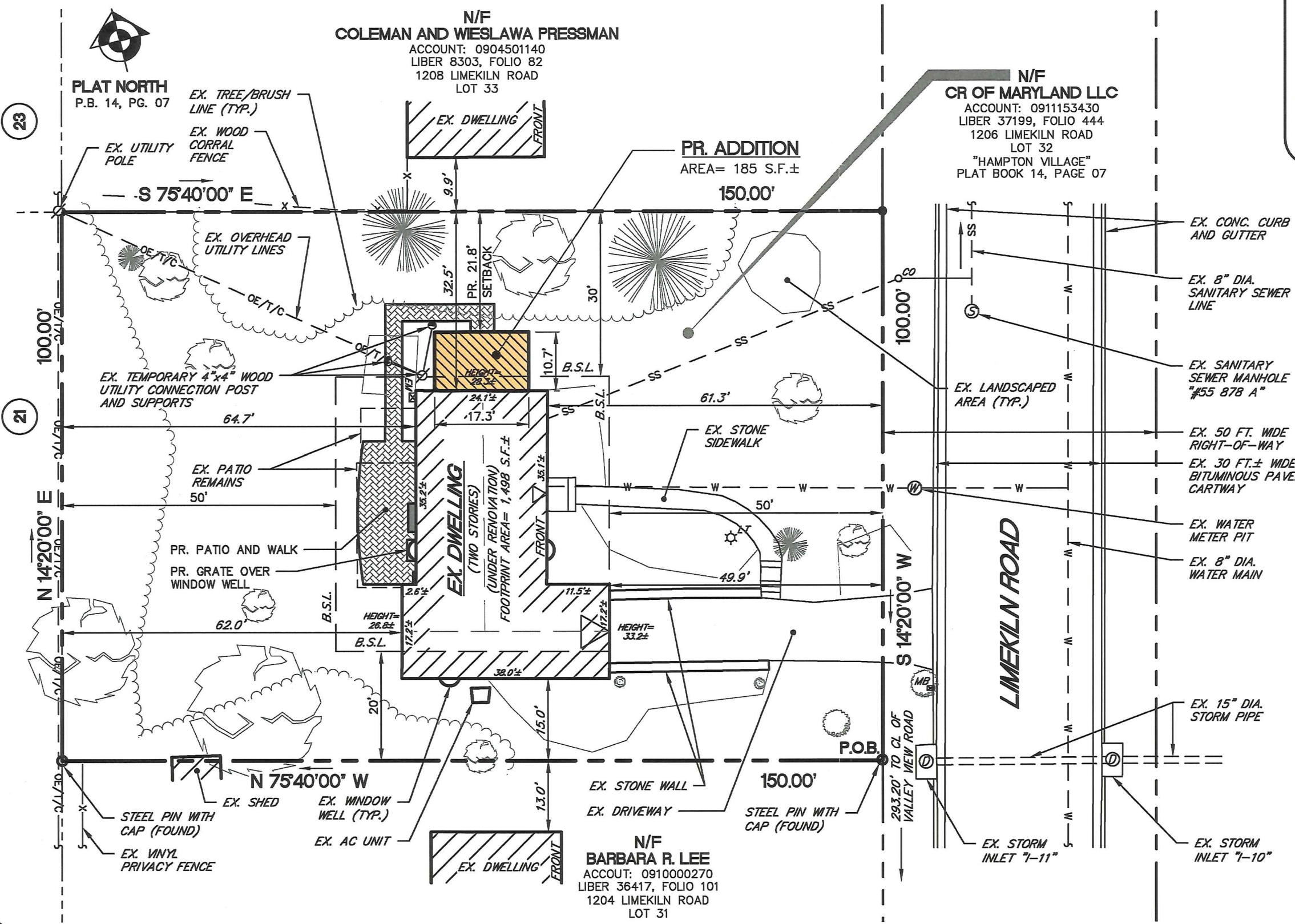
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
ADDRESS 1206 LIMEKILN ROAD OWNER(S) NAME(S) CR OF MARYLAND LLC
SUBDIVISION NAME HAMPTON VILLAGE LOT # 32 BLOCK # N/A SECTION # N/A
PLAT BOOK # 14 FOLIO # 07 10 DIGIT TAX # 0911153430 DEED REF. # 37199 / 444

ADJOINING PARCEL INFORMATION			
LOT #	ACCOUNT	OWNER(S) (NOW OR FORMERLY)	DEED
(23)	0919712050	CATHERINE S. MERCER	29547-494
(21)	0906450850	MAURO F. AND LURAE C. PASQUINI	8282-775



SITE VICINITY MAP
1" = 2,000'

site design concepts
LAND DEVELOPMENT CONSULTANTS
127 WEST MARKET STREET, SUITE 200 • YORK, PA 17401
t: 717.757.9414 • f: 717.840.8205 • WWW.SITEDC.COM



ZONING MAP# 061A3
SITE ZONED DR1
ELECTION DISTRICT 9
COUNCIL DISTRICT 3
LOT AREA ACREAGE 0.344
OR SQUARE FEET 15,000
HISTORIC ? NO
IN CBCA ? NO
IN FLOOD PLAN ? NO
UTILITIES ? MARK WITH X
WATER IS:
PUBLIC X PRIVATE _____
SEWER IS:
PUBLIC X PRIVATE _____
PRIOR HEARING ? X
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

ZONING HEARING PLAN
PROJECT
ZONING REVIEW FOR SETBACK VARIANCE
LANDS OF
CR OF MARYLAND
2943 YORK ROAD
BALTIMORE COUNTY, MARYLAND

SCALE 1" = 20'	
DRAWN BY	ARB
CHECKED BY	GAA
CONTACT	GAA
DATE	06.10.16
FILE NAME	960.1-T1
JOB NO.	960.1
SHEET NO.	EX-A
REV.	