MEMORANDUM

DATE: October 25, 2016

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2017-0002-A – Appeal Period Expired

The appeal period for the above-referenced case expired on October 24, 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 **(12425 Stony Batter Road)** 11th Election District 5th Council District Dixon Avenue, LLC Petitioner	* * * * *	BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS FOR BALTIMORE COUNTY **CASE NO. 2017-0002-A**

* * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Dixon Avenue, LLC, owner of the subject property ("Petitioner"). The Petitioner is requesting variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an existing garage to be situated in the front and side yard of a property in lieu of the required rear yard. A site plan was marked as Petitioner's Exhibit 1.

Charles Merritt appeared in support of the petition. Timothy M. Kotroco, Esq. represented the Petitioner. There were no Protestants or interested citizens in attendance. The Petition was advertised and posted as required by the B.C.Z.R. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Environmental Protection and Sustainability (DEPS). That agency did not oppose the request but indicated it would need to review any proposed permits, since the property is served by well and septic.

The subject property is approximately 0.28 acres and is zoned RC 2. The property was originally improved with a small dwelling and detached garage. The dwelling was razed, and in its place Petitioner has constructed a new single-family dwelling. The detached garage will remain, but due to the location of the new home a variance is required to allow the accessory building in its present location.

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. The subject property is small, which is somewhat unique in the RC 2 zone. In addition, Petitioner submitted an exhibit (Petitioner's Ex. 4) which demonstrates the required setbacks from the well severely restrict the available building envelope. As such the property is unique. If the Regulations were strictly interpreted, Petitioner would experience a practical difficulty because it would be unable to retain the existing garage which has been in its present location for many years. 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 community opposition.

THEREFORE, IT IS ORDERED, this **23rd** 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.") to allow a garage to be situated in the front and side yard of a property in lieu of the required rear yard, 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 obtain approval from the Ground Water Management section of DEPS prior to the issuance of permit(s)

ORDER RECEIVED FOR FILING

Date 9-23-16

By Den

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 9-23-16

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 12425 Stoney Batter Road **which is presently zoned** RC2

Deed References: 37296/244 10 Digit Tax Account # 1103002225

Property Owner(s) Printed Name(s) Dixon Avenue, 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

SEE ATTACHED

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

SEE ATTACHED

3. X **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)**

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

Legal Owners (Petitioners):

Dixon Avenue, LLC c/o Dale Luht, Member

Name #1 – Type or Print Name #2 – Type or Print

Dale Luht

Signature #1 Signature # 2

9619 Dixon Avenue, Baltimore, MD

Mailing Address City State

21234 / 443-255-2730 / DLuht2@yahoo.com

Zip Code Telephone # Email Address

Attorney for Petitioner:

Timothy M. Kotroco

Name- Type or Print

Timothy Kotroco

Signature

305 Washington Avenue, Suite 502, Towson, Maryland

Mailing Address City State

21204 / 410-299-2943 / TKotroco@gmail.com

Zip Code Telephone # Email Address

Representative to be contacted:

Same As Attorney for Petitioner

Name – Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING
Date 9-23-16
By DEN

CASE NUMBER 2017-0002-A **Filing Date** 7/6/2016 **Do Not Schedule Dates:** _____ **Reviewer** _____

REV. 10/4/11

ATTACHMENT TO VARIANCE PETITION

Variance from section 400.1 of the BCZR, to allow a garage to be situated in the front and side yard of a property in lieu of the required rear yard:

And, for such other and further relief as the nature of this cause may require

2017-0002-A

MERRITT DEVELOPMENT CONSULTANTS,INC

~~~~~~~~Engineering~~~~~~~~~~~Land Planning~~~~~~~~~~Surveying~~~~~~~~~~

9831 Magledt Road
Baltimore, MD 21234
Phone: 410-925-4061
Fax: 410-661-1297
merrittdc@verizon.net

Zoning Description for 12425 Stoney Batter Road

Beginning at a point on the east side of Stoney Batter Road, which is 40' wide the following 4 courses:

1) N 84° 34' 32" E 150.50
2) N 00° 00' 06" E 188.15
3) N 87° 43' 58" W 139.53
4) S 02° 52' 00" W 208.13

Back to the point of beginning as recorded in deed liber 37296 folio 244, containing 12066 SF. Located in the 11th election district and 5th council district.

2017-0002-A
~~~~~~~~

THE BALTIMORE SUN MEDIA GROUP

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 4420914

Sold To:
Timothy Kotroco - CU00421252
305 Washington Avenue
#502
Towson,MD 21204

Bill To:
Timothy Kotroco - CU00421252
305 Washington Avenue
#502
Towson,MD 21204

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

Sep 01, 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: # 2017-0002-A
12425 Stoney Batter Road
E/s Stoney Batter Road, 504 ft. s/of Sunshine Avenue
11th Election District - 5th Councilmanic District
Legal Owner(s) Dixon Avenue, LLC c/o Dale Luht, Member

Variance: to allow a garage to be situated in the front and side yard of a property in lieu of the required rear yard; and for such other and further relief as the nature of this cause may require.

Hearing: Thursday, September 22, 2016 at 11:00 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.

9/031 September 1 4420914

Date: SEPTEMBER 1, 2016

RE: Project Name: 12425 STONEY BATTER ROAD

Case Number /PAI Number: 2017-0002-A

Petitioner/Developer: DIXON AVENUE LLC

Date of Hearing/Closing: SEPTEMBER 22, 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 12425 STONEY BATTER ROAD

The sign(s) were posted on SEPTEMBER 1, 2016
(Month, Day, Year)

David W. Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

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

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

BALTIMORE COUNTY, MARYLAND
INTRA-OFFICE MEMORANDUM

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

DATE: August 10, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 17-002

INFORMATION:
Property Address: 12425 Stoney Batter Road
Petitioner: Dixon Avenue, LLC
Zoning: RC 2
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to allow a garage to be situated in the front and side yard of a property in lieu of the required rear yard.

A site visit was conducted on August 4, 2016.

The Department of Planning 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
Timothy M. Kotroco, Esq.
Office of the Administrative Hearings
People's Counsel for Baltimore County

S:\Planning\Shared\Users\kjustice\ZAC\Stoney Batter

KEVIN KAMENETZ
County Executive

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

August 24, 2016

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2017-0002-A
12425 Stoney Batter Road
E/s Stoney Batter Road, 504 ft. s/of Sunshine Avenue
11th Election District -5th Councilmanic District
Legal Owners: Dixon Avenue, LLC, c/o Dale Luht, Member

Variance to allow a garage to be situated in the front and side yard of a property in lieu of the required rear yard; and for such other and further relief as the nature of this cause may require.

Hearing: Thursday, September 22, 2016 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: Timothy Kotroco, 305 Washington Avenue, Ste. 502, Towson 21204
Dale Luht, 9619 Dixon Avenue, Baltimore 21234

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, SEPTEMBER 2, 2016.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, September 1, 2016 Issue - Jeffersonian

Please forward billing to:
Timothy Kotroco 410-299-2943
305 Washington Avenue, Ste. 502
Towson, MD 21204

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: 2017-0002-A
12425 Stoney Batter Road
E/s Stoney Batter Road, 504 ft. s/of Sunshine Avenue
11th Election District -5th Councilmanic District
Legal Owners: Dixon Avenue, LLC, c/o Dale Luht, Member

Variance to allow a garage to be situated in the front and side yard of a property in lieu of the required rear yard; and for such other and further relief as the nature of this cause may require.

Hearing: Thursday, September 22, 2016 at 11:00 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 12425 Stoney Batter Road; E/S Stoney Batter Road, 504' S of c/line of Sunshine Avenue 11th Election & 5th Councilmanic Districts Legal Owner(s): Dixon Avenue LLC c/o Dale Luht, Member Petitioner(s)	* * * * * *	BEFORE THE OFFICE OF ADMINSTRATIVE HEARINGS FOR BALTIMORE COUNTY 2017-002-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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of July, 2016, a copy of the foregoing Entry of Appearance was mailed to Timonthy Kotroco, Esquire, 305 Washington Avenue, Suite 502, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

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

For Newspaper Advertising:

Case Number: 2017-0002-A

Property Address: 12425 Stoney Batter Road

Property Description: D

Legal Owners (Petitioners): Dixon Avenue, LLC

Contract Purchaser/Lessee:

PLEASE FORWARD ADVERTISING BILL TO:

Name: Timothy Kotroco

Company/Firm (if applicable):

Address: 305 Washington Ave
Suite 502
Towson MD 21204

Telephone Number: 410 299 2943

Revised 5/20/2014

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

No. 141383

Date: 7/6/16

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0600		6150				75.00
						Total:		75.00

Rec From:

For: 12425 Stoney Battle Rd

2017-0002-A

1306

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

PAID RECEIPT

BUSINESS	ACTUAL	TIME	RCH
7/20/2016	7/19/2016	13:00:05	1

REG WS01 WALKTH LJR
RECEIPT # 665410 7/19/2016 CFLH
Dept 5 528 ZONING VERIFICATION
CK NO. 141383
Recpt Tot $75.00
$75.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

KEVIN KAMENETZ
County Executive

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

September 14, 2016

Dixon Avenue LLC
c/o Dale Luht, Member
9619 Dixon Avenue
Baltimore MD 21234

RE: Case Number: 2017-0002 A, Address: 12425 Stoney Batter Road

Dear Mr. Luht:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 6, 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Timothy M Kotroco, Esquire, 305 Washington Avenue, Suite 502, Towson MD 21204

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

State Highway Administration
Maryland Department of Transportation

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

Date: 7/25/16

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. 2017-0002-A
Yamonee
Dixon Avenue LLC, Dale Luht, Member
12425 Stoney Batter 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,

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

WW/RAZ

4-22

BALTIMORE COUNTY, MARYLAND
INTRA-OFFICE MEMORANDUM

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

DATE: August 10, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED
AUG 19 2016
OFFICE OF ADMINISTRATIVE HEARINGS

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 17-002

INFORMATION:
Property Address: 12425 Stoney Batter Road
Petitioner: Dixon Avenue, LLC
Zoning: RC 2
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to allow a garage to be situated in the front and side yard of a property in lieu of the required rear yard.

A site visit was conducted on August 4, 2016.

The Department of Planning 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
Timothy M. Kotroco, Esq.
Office of the Administrative Hearings
People's Counsel for Baltimore County

S:\Planning\Shared\Users\kjustice\ZAC\Stoney Batter

BALTIMORE COUNTY, MARYLAND

RECEIVED

JUL 29 2016

OFFICE OF ADMINISTRATIVE HEARINGS

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: July 29, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0002-A
Address 12425 Stoney Batter Road
(Dixon Avenue, LLC Property)

Zoning Advisory Committee Meeting of **August 1, 2016**.

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

1. Ground Water Management must review any future building permit(s) for a garage prior to approval.

Reviewer: Dan Esser Date: 7/27/16

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: August 2, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For August 1, 2016
Item No. 2016-0340, 2017-0002, 0013, 0014, 0019 and 0021

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\ZAC08012016.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: July 29, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0002-A
Address 12425 Stoney Batter Road
(Dixon Avenue, LLC Property)

Zoning Advisory Committee Meeting of **August 1, 2016**.

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

1. Ground Water Management must review any future building permit(s) for a garage prior to approval.

Reviewer: Dan Esser Date: 7/27/16

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER 2017-002-A
DATE 9-22-2016

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Timothy M. Kotroco	305 Washington Avenue, Suite 502	Towson, MD 21204	Tkotroco@gmail.com
Charles Merritt	MDC INC 9831 Maglebot Rd	Balto MD 21234	MERRITTDC@VERIZON.NET
Allen Luht	10521 A Wilmar Pl	Cockeysville 21030	

CASE NO. 2017-0002-A

CHECKLIST

Comment Received	Department	Support/Oppose/ Conditions/ Comments/ No Comment
8/2	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	N/C
7/29	DEPS (if not received, date e-mail sent _____)	C
	FIRE DEPARTMENT	
8/10	PLANNING (if not received, date e-mail sent _____)	no Obj
7/25	STATE HIGHWAY ADMINISTRATION	no Obj
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 9/1/16

SIGN POSTING Date: 9/1/16 by Billingsley

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 - 11 Account Number - 1103002225**

Owner Information

Owner Name:	DIXON AVE LLC	Use:	RESIDENTIAL
		Principal Residence:	NO
Mailing Address:	9619 DIXON AVE BALTIMORE MD 21234-	Deed Reference:	/37296/ 00244

Location & Structure Information

Premises Address:	12425 STONEY BATTER RD FORK 21051-	Legal Description:	.2778 AC STONEY BATTER RD ES 500 S SUNSHINE AV

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0054	0011	0138		0000				2015	Plat Ref:

Special Tax Areas:		Town:	NONE
		Ad Valorem:	
		Tax Class:	

Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use
			12,066 SF	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
					1 Detached	

Value Information

	Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2016	As of 07/01/2017
Land:	115,500	115,500		
Improvements	10,400	10,400		
Total:	125,900	125,900	125,900	125,900
Preferential Land:	0			0

Transfer Information

Seller: HUBER MELVIN R, JR	Date: 03/18/2016	Price: $100,000
Type: ARMS LENGTH IMPROVED	Deed1: /37296/ 00244	Deed2:
Seller: CARTER KENNETH C	Date: 09/22/2014	Price: $60,000
Type: NON-ARMS LENGTH OTHER	Deed1: /35317/ 00085	Deed2:
Seller: CARTER ROBERT L	Date: 01/30/1977	Price: $0
Type: NON-ARMS LENGTH OTHER	Deed1: /05744/ 00405	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	0.00|0.00

Tax Exempt:	Special Tax Recapture:
Exempt Class:	NONE

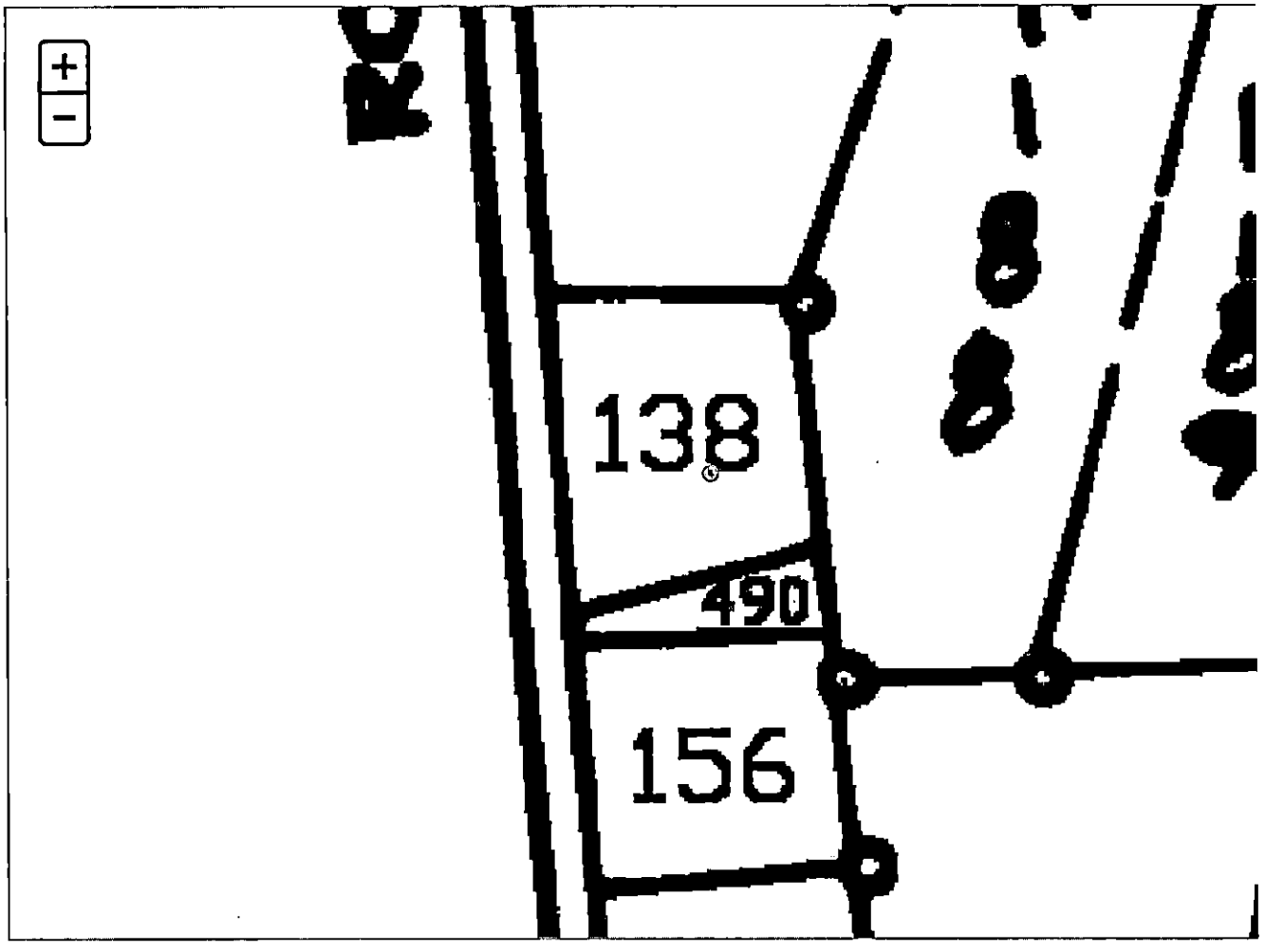
Homestead Application Information

Homestead Application Status: No Application

Baltimore County

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

District: **11** Account Number: **1103002225**



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.

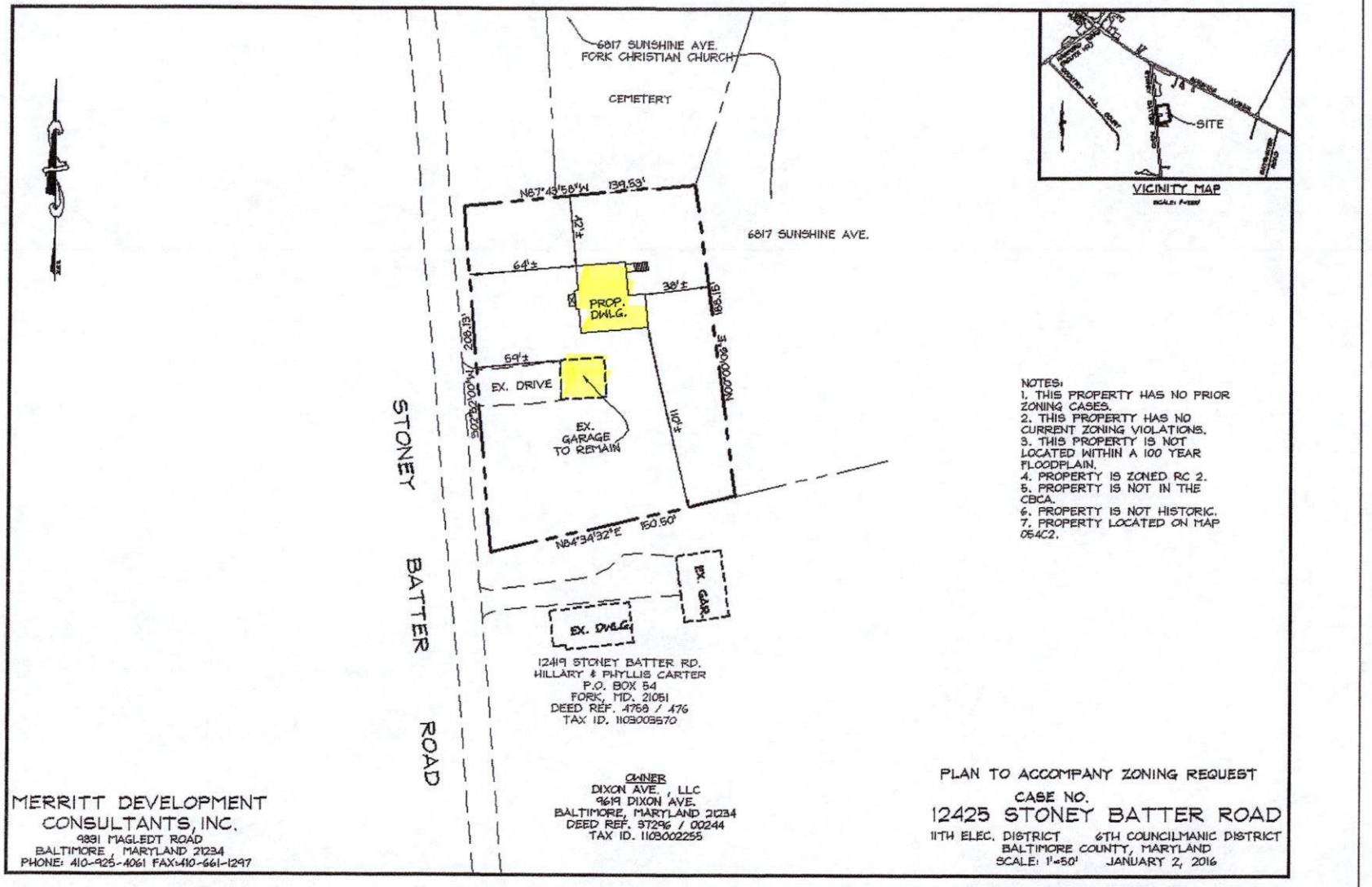
For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (http://www.mdp.state.md.us/OurProducts/OurProducts.shtml).

Case No.: 2017-0002-A

Exhibit Sheet

Petitioner/Developer DW 10-25-16 Protestant SLN 9-23-16

No. 1	Plan	
No. 2	Photo-aerial	
No. 3	site photos	
No. 4	well setback restrictions	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		


6817 SUNSHINE AVE.
FORK CHRISTIAN CHURCH
CEMETERY
N87°43'58"W 139.53'
42'±
64'±
38'±
PROP. DWLG.
6817 SUNSHINE AVE.
166.18'
S00°00'00"W 166.18'
208.13'
S00°00'00"W 208.13'
69'±
EX. DRIVE
EX. GARAGE TO REMAIN
110'±
N84°34'32"E 150.50'
EX. GAR.
EX. DWLG.
STONEY BATTER ROAD
12419 STONEY BATTER RD.
HILLARY & PHYLLIS CARTER
P.O. BOX 54
FORK, MD. 21051
DEED REF. 4758 / 476
TAX ID. 1103003570
OWNER
DIXON AVE., LLC
9619 DIXON AVE.
BALTIMORE, MARYLAND 21234
DEED REF. 5T296 / 00244
TAX ID. 1103002255
SITE
VICINITY MAP
NOTES:
1. THIS PROPERTY HAS NO PRIOR ZONING CASES.
2. THIS PROPERTY HAS NO CURRENT ZONING VIOLATIONS.
3. THIS PROPERTY IS NOT LOCATED WITHIN A 100 YEAR FLOODPLAIN.
4. PROPERTY IS ZONED RC 2.
5. PROPERTY IS NOT IN THE CBCA.
6. PROPERTY IS NOT HISTORIC.
7. PROPERTY LOCATED ON MAP 054C2.
MERRITT DEVELOPMENT CONSULTANTS, INC.
9891 MAGLEDT ROAD
BALTIMORE, MARYLAND 21234
PHONE: 410-925-4061 FAX: 410-661-1297
PLAN TO ACCOMPANY ZONING REQUEST
CASE NO.
12425 STONEY BATTER ROAD
11TH ELEC. DISTRICT 6TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE: 1"=50' JANUARY 2, 2016

EXHIBIT

1

My Neighborhood Map

Created By
Baltimore County
My Neighborhood

This data is only for general information purposes only. This data may be inaccur timore County, Maryland does no the data and disclaims all warran ut not limited to, all warran ility and fitness for any particu nd disclaims all obligation and lia nited to, actual, special, indirect ys' and experts' fees, and court co m or in connection with the use of or reliance upon this data.

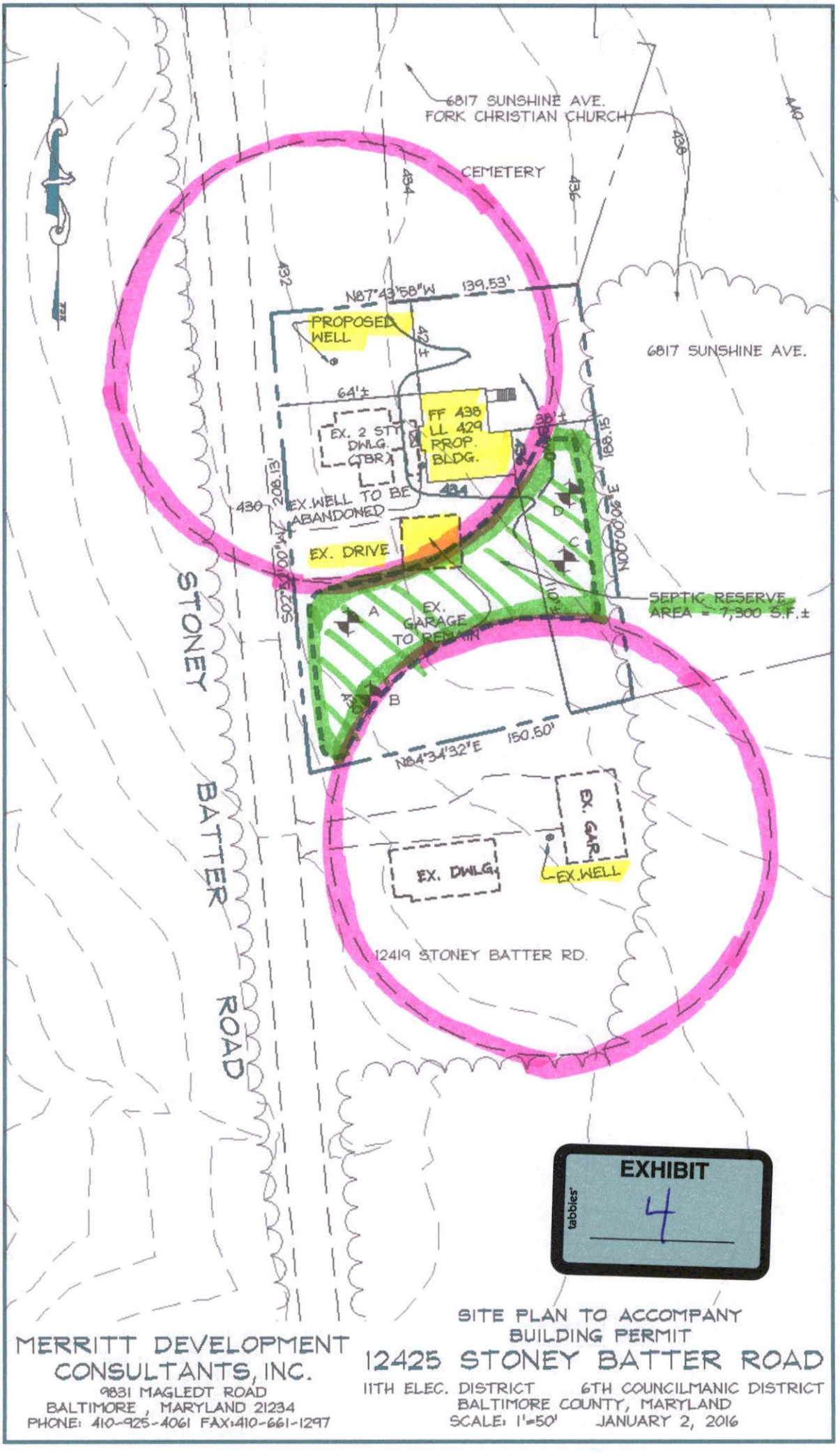
EXHIBIT
2

Printed 5/20/16

EXHIBIT
3


Tyvek


Tyvek



UNIQUENESS + RESTRICTIONS

EXHIBIT 4

EXHIBIT

MERRITT DEVELOPMENT CONSULTANTS, INC.
9831 MAGLEDT ROAD
BALTIMORE, MARYLAND 21234
PHONE: 410-925-4061 FAX: 410-661-1297

SITE PLAN TO ACCOMPANY BUILDING PERMIT
12425 STONEY BATTER ROAD
11TH ELEC. DISTRICT 6TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE: 1"=50' JANUARY 2, 2016

12425 Stoney Batter Road 2017-0002-A

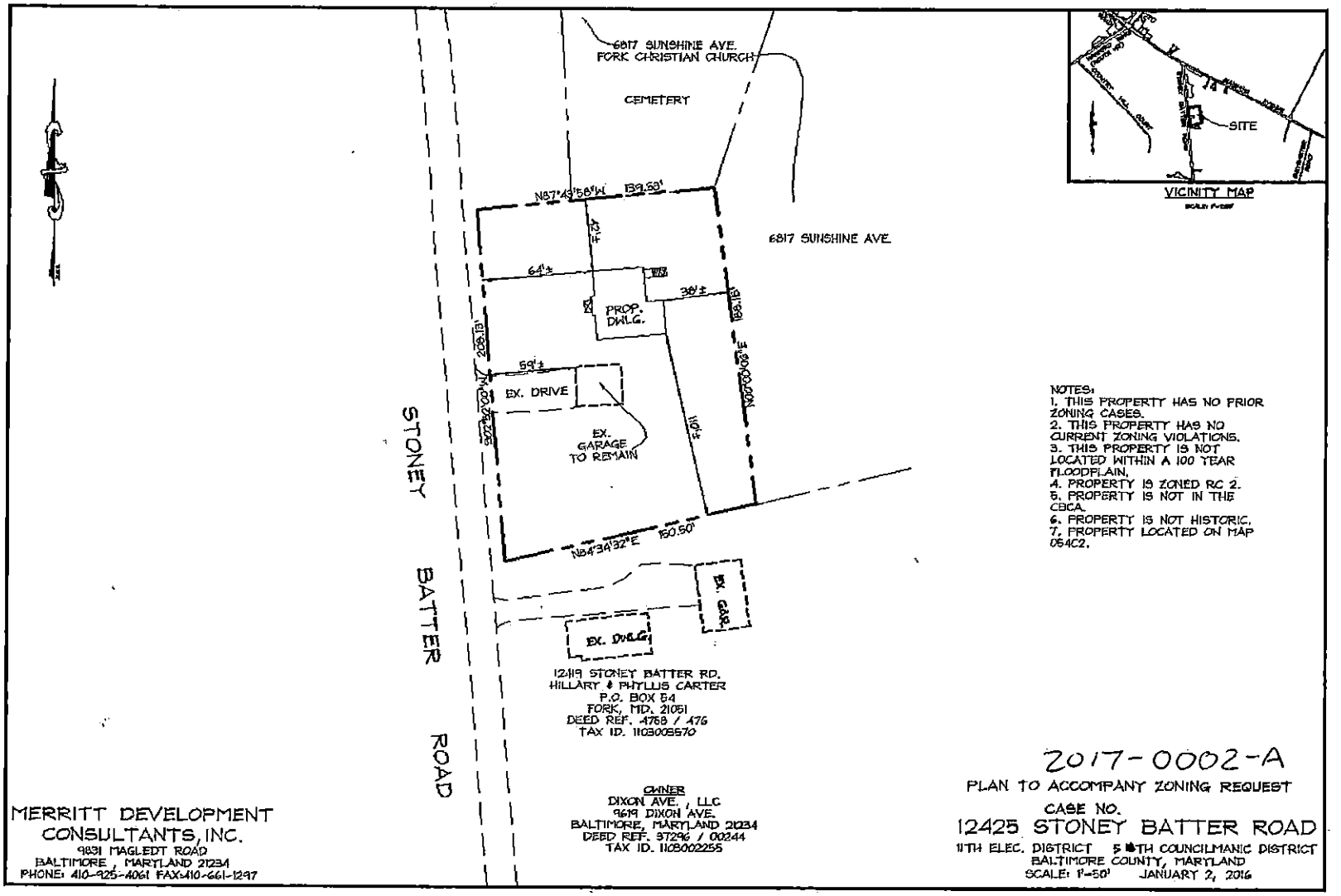
Publication Date: 7/6/2016

Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

N W E S

0 12.525 50 75 100 Feet

1 inch = 50 feet



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2017-0002-A

PLAN TO ACCOMPANY ZONING REQUEST

CASE NO.

12425 STONEY BATTER ROAD

11TH ELEC. DISTRICT 5TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE: 1"=50' JANUARY 2, 2016

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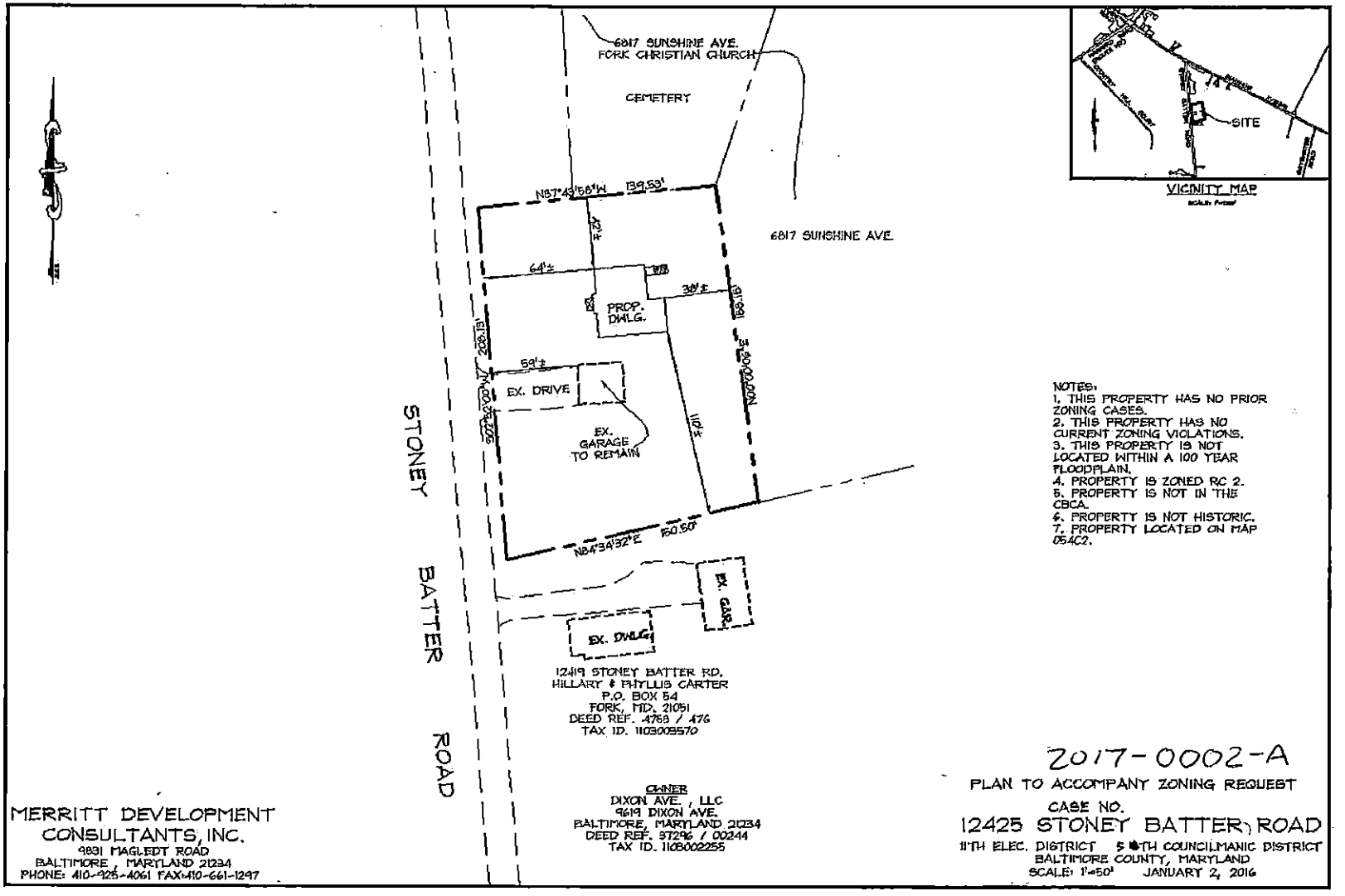
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My Neighborhood Map

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Baltimore County
My Neighborhood

Printed 5/20/16