

MEMORANDUM

DATE: October 11, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0026-A – Appeal Period Expired

The appeal period for the above-referenced case expired on October 7, 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 *
(110 Woodland Avenue)
12th Election District *
7th Council District *
Daniel Lee Michaels *
Petitioner *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2017-0026-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owner of the property, Daniel Lee Michaels ("Petitioner"). The Petitioner is requesting Variance relief from § 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed carport addition attached to the side of the dwelling with a side yard setback of one (1) ft. in lieu of the required 7.5 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The property is located within the Chesapeake Bay Critical Area (CBCA) and is subject to Critical Area requirements as noted in the ZAC comment dated August 9, 2016 submitted by the Department of Environmental Protection and Sustainability (DEPS).

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on August 13, 2016, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in

ORDER RECEIVED FOR FILING

Date 9-7-16

By GW

the file to indicate that the requested variance would adversely affect the health, safety or general 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 Section 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 Petitioner.

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 7th day of **September, 2016**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from § 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed carport addition attached to the side of the dwelling with a side yard setback of one (1) ft. in lieu of the required 7.5 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioner may apply for his appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- Building materials for the carport addition shall be consistent with those of the existing principal dwelling.
- The carport shall remain open on the three exposed sides and shall not be enclosed at any time.
- Petitioner must comply with the ZAC comment from DEPS, dated August 9, 2016; a copy of which is attached hereto and made a part hereof.

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Date 9-7-16

By bw

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

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Date 9-7-16

By bw

(AV) 8-22-16
29

BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

AUG 09 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: August 9, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0026-A
Address 110 Woodland Avenue
(Michaels Property)

Zoning Advisory Committee Meeting of August 8, 2016.

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

The subject, residential property is located within an Intensely Developed Area (IDA) of the Chesapeake Bay Critical Area and is subject to practices that reduce water quality impacts associated with stormwater runoff, commonly referred to as the Critical Area 10% Rule. The petitioner seeks to construct a driveway and carport. The carport portion is to be attached to an existing dwelling. According to the petitioner's plan, impervious surfaces are proposed to be increased by approximately 970 square feet. By meeting the IDA pollutant reduction requirements, allowing the carport and driveway requested by the applicant will result in minimal impacts to water quality.

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

The subject property is not a waterfront property. There is not a tidal buffer projected onto the property. The carport and driveway requested, if granted, will have minimal impact on fish, wildlife and plant habitat. The project will be reviewed for the application of the IDA 10% pollutant reduction requirements, which will improve buffer functions and conserve fish and plant habitat in proximity to nearby Patapsco River

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

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Files\Content.Outlook\DXWB6LKP\ZAC 17-0026-A 110 Woodland Avenue.doc

Date 9-7-16
By LSW

The requested carport and driveway will be consistent with established land-use policies provided that the petitioner meets any applicable Critical Area IDA requirements.

Reviewer: Thomas Panzarella
Environmental Impact Review

Date: August 8, 2016

ORDER RECEIVED FOR FILING

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Files\Content.Outlook\DXWB6LKP\ZAC 17-0026-A 110 Woodland Avenue.doc
Date 9-7-16
By DW



CBCA

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 110 WOODLAND AVE, DUNDALK, MD 21222 Currently zoned DR5.5
 Deed Reference 30031 / 0311 10 Digit Tax Account # 1208055681
 Owner(s) Printed Name(s) DANIEL LEE MICHAELS

(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:

- ✓ **ADMINISTRATIVE VARIANCE** from Section(s) 301.1.A of BCZR to permit a proposed carport addition attached to the side of the dwelling with a side yard setback of one foot in lieu of the required 7-1/2 feet.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

- 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):

DANIEL LEE MICHAELS
 Name #1 – Type or Print Name #2 – Type or Print
Daniel Lee Michaels
 Signature #1 Signature #2
110 WOODLAND AVE DUNDALK MD
 Mailing Address City State
21222 / 410 282-9172 / MICHAELSDANIEL16
 Zip Code Telephone # Email Address @GMAIL.COM

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

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

Representative to be contacted:

SMITH'S Construction LLC
 Name – Type or Print
 Signature
609 S Clinton ST BALTO MD 21202
 Mailing Address City State
21220 / 443 286 6461
 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 2017-0026-A Filing Date 7/26/16 Estimated Posting Date 8/11/16 Reviewer AT

8/17/16 8/22/16

need

Show receipt

ACB

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: 110 WOODLAND AVE DUNDALK MD 21222
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)

I WOULD LIKE TO HAVE A DRIVEWAY WITH A CARPORT BUILT TO SHELTER MY VEHICLES FROM THE ELEMENTS, RAIN, SNOW, BIRDS, ETC. I HAVE BEEN LIVING HERE AT 110 WOODLAND AVE SINCE 1992 AND PLANNING TO SPEND MY RETIREMENT YEARS HERE. AS I GET OLDER IT WOULD BE VERY HELPFUL TO HAVE A SHELTERED PLACE TO PARK

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

Daniel Lee Michaels
Signature of Owner (Affiant)

Signature of Owner (Affiant)

DANIEL LEE MICHAELS
Name- Print or Type

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 14 day of July, 2016, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Daniel Lee Michaels

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

AS WITNESSED and Notaries Seal



Antoinette M. Coco
Notary Public
1/11/2020
My Commission Expires

Need 3

Show neighbor houses

A080

Affidavit in Support of Administrative Variance

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Daniel Lee Michaels

Signature of Owner (Affiant)

DANIEL LEE MICHAELS

Name- Print or Type

Signature of Owner (Affiant)

Name- Print or Type

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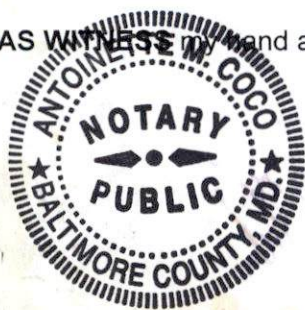
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14 day of July, 2016, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Daniel Lee Michaels

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

AS WITNESSE and Notaries Seal



Antoinette M. Coco
Notary Public

1/11/2020
My Commission Expires



CBCA

ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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Owner(s) Printed Name(s) DANIEL LEE MICHAELS

(SELECT THE HEARING(S) BY MARKING ☒ 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) 301.1.A of BCZR to permit a proposed carport addition attached to the side of the dwelling with a side yard setback of one foot in lieu of the required 7-1/2 feet.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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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):

DANIEL LEE MICHAELS

Name #1 – Type or Print

Name #2 – Type or Print

Daniel Lee Michaels

Signature #1

Signature #2

110 WOODLAND AVE DUNDALK MD

Mailing Address

City

State

21222 / 410 282-9172 / MICHAELS.DANIEL16

Zip Code

Telephone #

Email Address @GMAIL.COM

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

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

SMITH'S CONSTRUCTION LLC

Name – Type or Print

Signature

609 S Clinton ST BALTO MD 21224

Mailing Address

City

State

21221 / 443 286 6461

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 9 day of September, 2016 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

2017-0026-A

Filing Date

7/26/16

Estimated Posting Date

8/12/16

Reviewer

AT

Rev 5/5/2016

8/14/16 - 8/29/16

Zoning Property Description or 110 Woodland Ave.

Beginning at a point on the north side of Woodland Ave which is 50' R/W at a distance of +/- 300' east of the centerline of the nearest improved intersecting street which is Patapsco Ave 50' R/W.

Subdivision lot is part of record plat:

Being Lots # 41 & 42, in the subdivision of Carnegie as recorded in Baltimore County Plat Book #3, Folio #75, containing a total of 5750 square feet. Located in the 12th Election District and the 7th Council District.

2017-0026-A

CERTIFICATE OF POSTING

CERTIFICATE OF POSTING

CASE NO: 2017-0026-A

PETITIONER/DEVELOPER

DON SMITH
SMITH CONSTRUCTION PROJECTS LLC

DATE OF HEARING/CLOSING:

8/29/16

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

ATTENTION:

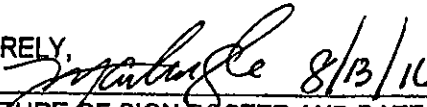
LADIES AND GENTLEMEN:

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 _____

110 WOODLAND AVE

THIS SIGN(S) WERE POSTED ON August 13, 2016
(MONTH, DAY, YEAR)

SINCERELY,

 8/13/16
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 # 2017-0026-A

TO PERMIT A PROPOSED CARPORT ADDITION ATTACHED
TO THE SIDE OF THE DWELLING WITH A SIDE YARD SETBACK
OF ONE FOOT IN LIEU OF THE REQUIRED 7 1/2 FEET

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (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 AUGUST 29, 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 UNTIL 5 DAYS AFTER DATE. UNDER PENALTY OF LAW.

MEETING IS HANDICAP ACCESSIBLE

monday 8/13/16

[The page contains faint, illegible markings.]

9 JAN 24 1964

100-443887-1000

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2017- 0026 - A Address 110 Woodland Avenue

Contact Person: Aaron Tsui Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 07/26/2016 Posting Date: 08/07/16 Closing Date: 08/22/16

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

- 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.
- 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.
- 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.
- 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 2017- 0026 -A Address 110 Woodland Avenue

Petitioner's Name Daniel Michaels Telephone 410-282-9172

Posting Date: 08/07/16 8/14/16 Closing Date: 08/22/16 8/29/16 35

Wording for Sign: To permit a proposed carport addition attached to the side of the dwelling with a side yard setback of one foot in lieu of the required 7-1/2 feet.

Revised 7/26/16



KEVIN KAMENETZ
County Executive

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

August 30, 2016

Daniel Lee Michaels
110 Woodland Avenue
Dundalk MD 21222

RE: Case Number: 2017-0026 A, Address: 110 Woodland Avenue

Dear Mr. Michaels:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 26, 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
Smith's Construction LLC, 609 S Clinton Street, Baltimore MD 21220

(AV) 8-22-16
29

BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

AUG 09 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: August 9, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0026-A
Address 110 Woodland Avenue
(Michaels Property)

Zoning Advisory Committee Meeting of **August 8, 2016.**

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

The subject, residential property is located within an Intensely Developed Area (IDA) of the Chesapeake Bay Critical Area and is subject to practices that reduce water quality impacts associated with stormwater runoff, commonly referred to as the Critical Area 10% Rule. The petitioner seeks to construct a driveway and carport. The carport portion is to be attached to an existing dwelling. According to the petitioner's plan, impervious surfaces are proposed to be increased by approximately 970 square feet. By meeting the IDA pollutant reduction requirements, allowing the carport and driveway requested by the applicant will result in minimal impacts to water quality.

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

The subject property is not a waterfront property. There is not a tidal buffer projected onto the property. The carport and driveway requested, if granted, will have minimal impact on fish, wildlife and plant habitat. The project will be reviewed for the application of the IDA 10% pollutant reduction requirements, which will improve buffer functions and conserve fish and plant habitat in proximity to nearby Patapsco River

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

The requested carport and driveway will be consistent with established land-use policies provided that the petitioner meets any applicable Critical Area IDA requirements.

Reviewer: Thomas Panzarella
Environmental Impact Review

Date: August 8, 2016

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



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

Date: 8/1/16

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. 2017-0026-A.

*Administrative Variance
Daniel Lee Michaels
110 Woodland 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 black ink, appearing to read "Wendy Wolcott".

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

WW/RAZ

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For August 8, 2016
Item No. 2017-0001 and 0026

DATE: August 5, 2016

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\ZAC08082016.doc

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>8-5</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
<u>8-9</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>8-1</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>8-13-16</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 (w2)

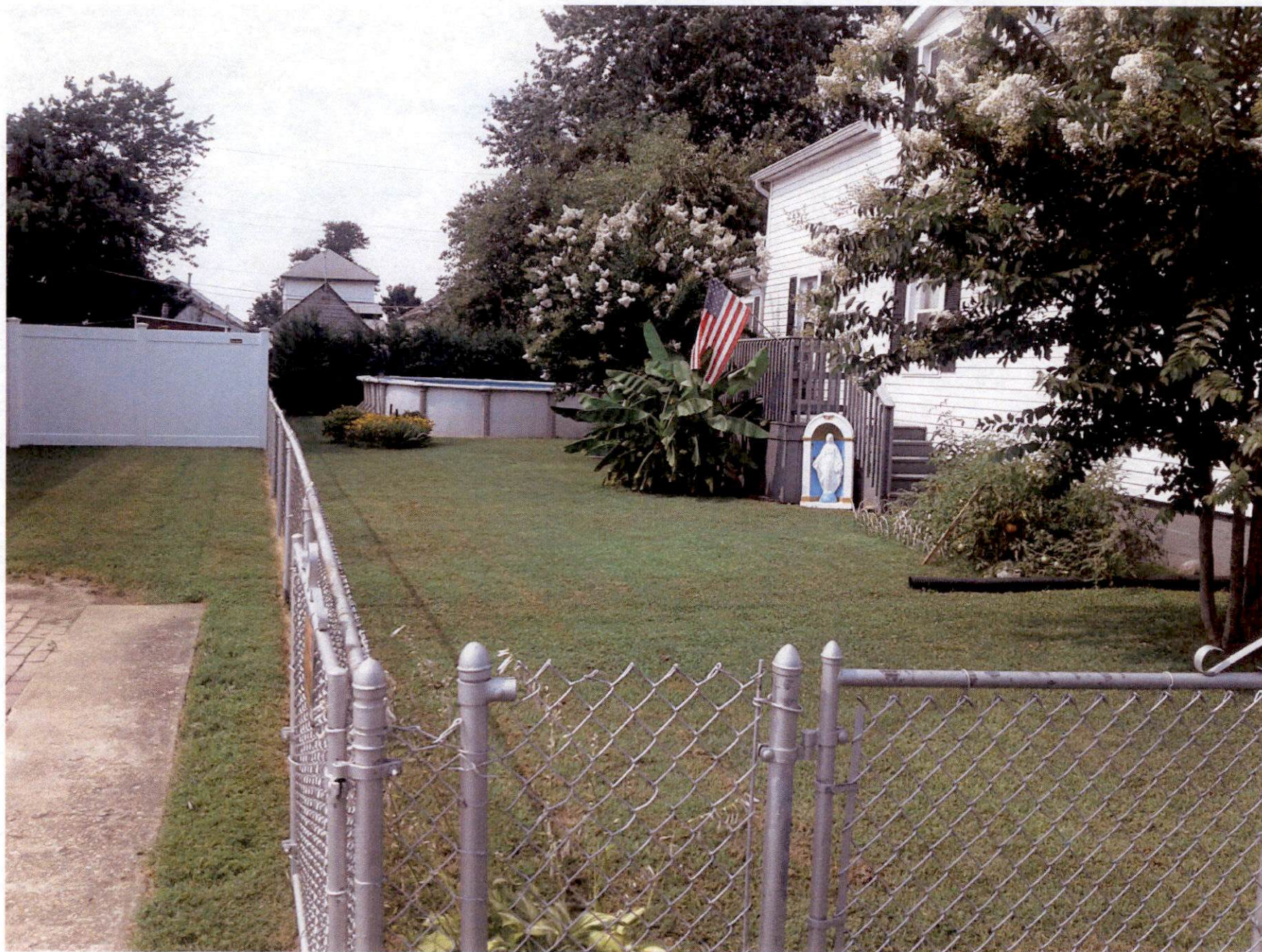
Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 12 Account Number - 1208055681			
Owner Information					
Owner Name:		MICHAELS DANIEL L		Use:	RESIDENTIAL
Mailing Address:		110 WOODLAND AVE BALTIMORE MD 21222-6145		Principal Residence:	YES
				Deed Reference:	/30031/ 00311
Location & Structure Information					
Premises Address:		110 WOODLAND AVE BALTIMORE 21222-6145		Legal Description:	LT 41,42 110 WOODLAND AVE CARNEGIE
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0110	0004	0047		0000	41 2015 0003/0075
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1949	816 SF		5,750 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
1	YES	STANDARD UNIT	ASBESTOS SHINGLE	1 full	
Value Information					
		Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2016 As of 07/01/2017	
Land:		41,700	41,700		
Improvements		64,400	51,100		
Total:		106,100	92,800	92,800	92,800
Preferential Land:		0			0
Transfer Information					
Seller: MICHAELS DANIEL L		Date: 10/21/2010		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /30031/ 00311		Deed2:	
Seller: BRINKMAN JAMES R		Date: 08/11/1992		Price: \$60,000	
Type: ARMS LENGTH IMPROVED		Deed1: /09316/ 00509		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		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: Approved 06/06/2013					



2017-0026-A



2017-0026-A



2017-0026-A



2017-0026-A

Real Property Data Search (w3)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 12 Account Number - 1208055681		
Owner Information		
Owner Name:	MICHAELS DANIEL L	Use: RESIDENTIAL
Mailing Address:	110 WOODLAND AVE BALTIMORE MD 21222-6145	Principal Residence: YES Deed Reference: /30031/ 00311
Location & Structure Information		
Premises Address:	110 WOODLAND AVE BALTIMORE 21222-6145	Legal Description: LT 41.42 110 WOODLAND AVE CARNEGIE
Map:	Grid:	Parcel:
0110	0004	0047
Sub District:	Subdivision:	Section:
	0000	
Block:	Lot:	Assessment Year:
	41	2015
Plat No:	Plat Ref:	0003/0075
Special Tax Areas:	Town:	NONE
Ad Valorem:	Tax Class:	
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
1949	816 SF	
Property Land Area	County Use	
5,750 SF	04	
Stories	Basement	Type
1	YES	STANDARD UNIT
Exterior	Full/Half Bath	Garage
ASBESTOS SHINGLE	1 full	
Last Major Renovation		
Value Information		
Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2015
Land: 41,700	41,700	
Improvements: 64,400	51,100	
Total: 106,100	92,800	92,800
Preferential Land: 0		92,800
		0
Transfer Information		
Seller: MICHAELS DANIEL L	Date: 10/21/2010	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /30031/ 00311	Deed2:
Seller: BRINKMAN JAMES R	Date: 08/11/1992	Price: \$60,000
Type: ARMS LENGTH IMPROVED	Deed1: /09316/ 00509	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2015
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: Approved 06/06/2013		

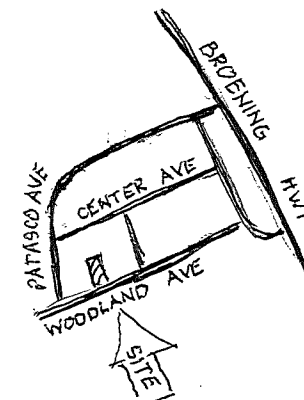
1000s 2644 10:00
410-887-3391

1. This screen allows you to search the Real Property database and display property records.
2. Click here for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

2017-0026-A

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
ADDRESS 110 Woodland Ave OWNER(S) NAME(S) Daniel L Michaels
SUBDIVISION NAME CARNEGIE LOT # 41 BLOCK # _____ SECTION # _____
PLAT BOOK # 3 / FOLIO # 75 10 DIGIT TAX # 1208055681 DEED REF. # 30031100311

SITE VICINITY MAP

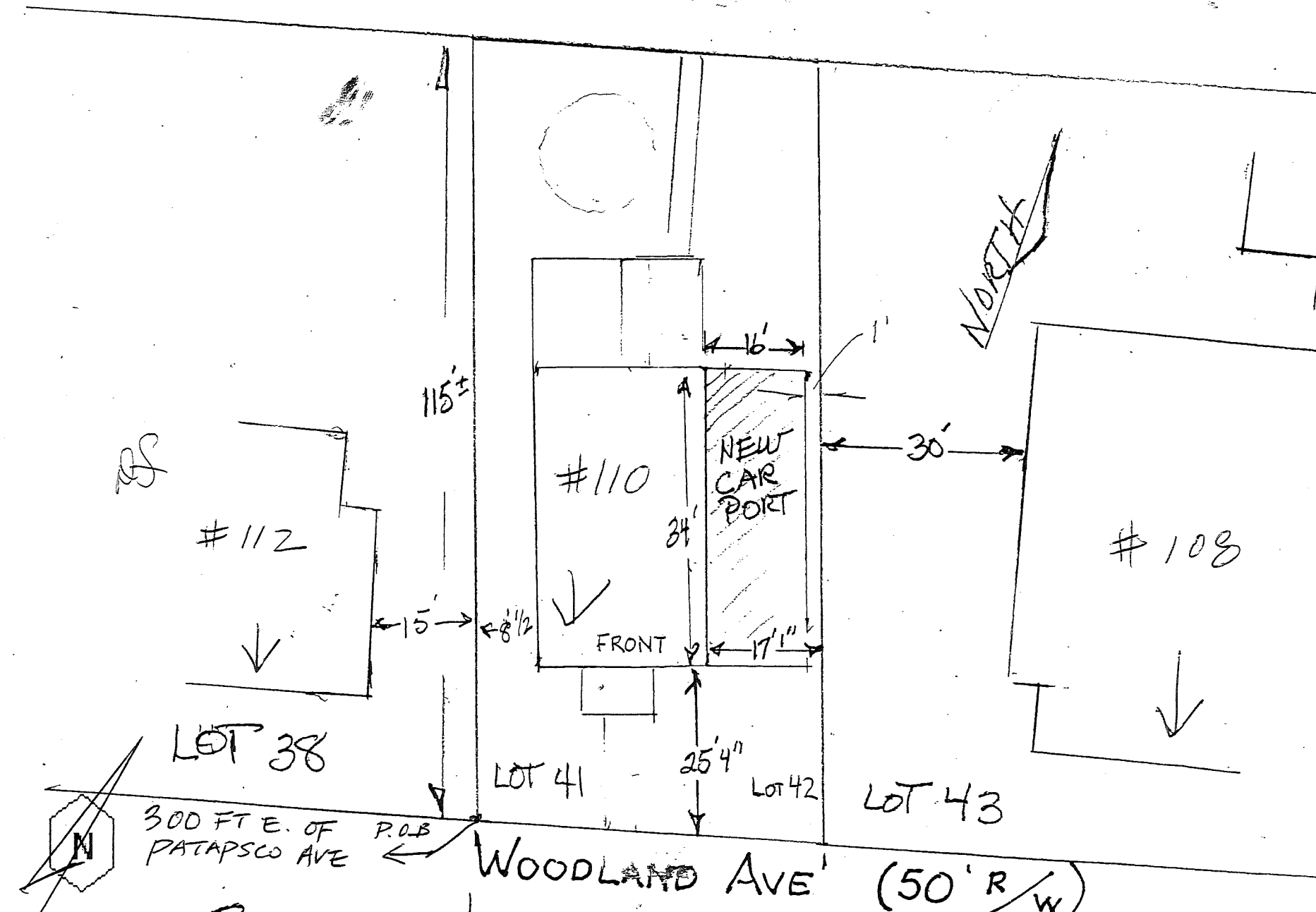


MAP IS NOT TO SCALE

ZONING MAP# 11081
SITE ZONED DR 5.5
ELECTION DISTRICT 12th
COUNCIL DISTRICT 7th
LOT AREA ACREAGE _____
OR SQUARE FEET 5,750.44
HISTORIC? N/A
IN CBCA? NO
IN FLOOD PLAIN? NO
UTILITIES? MARK WITH X
WATER IS:
PUBLIC X PRIVATE _____
SEWER IS:
PUBLIC X PRIVATE _____
PRIOR HEARING? _____
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW
NO

VIOLATION CASE INFO:

NO

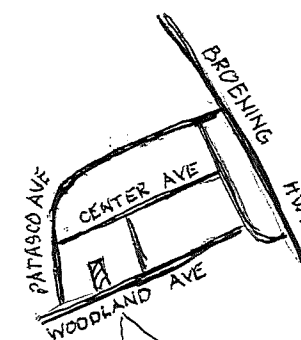


PLAN DRAWN BY FRANK PERSECHINI DATE 7-4 SCALE: 1 INCH = 20 FEET

2017-0026-A

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
ADDRESS 110 Woodland Ave OWNER(S) NAME(S) Daniel L Michaels
SUBDIVISION NAME CARNEGIE LOT # 41 BLOCK # _____ SECTION # _____
PLAT BOOK # 3 / FOLIO # 75 10 DIGIT TAX # 1208055681 DEED REF. # 30031/00311

SITE VICINITY MAP

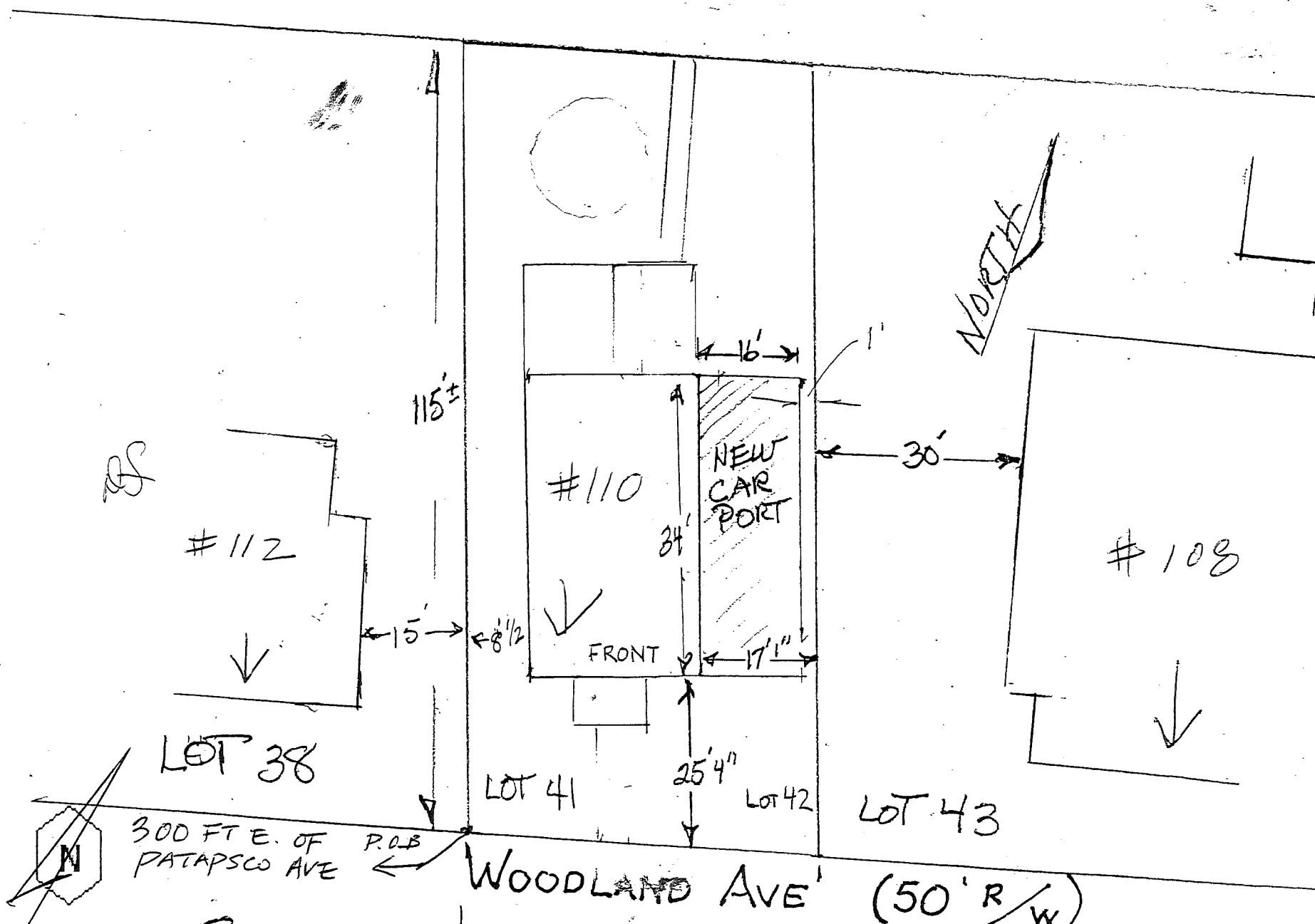


N



MAP IS NOT TO SCALE

ZONING MAP# 110BT
SITE ZONED DR 5.5
ELECTION DISTRICT 12th
COUNCIL DISTRICT 7th
LOT AREA ACREAGE _____
OR SQUARE FEET 5,750 sq ft
HISTORIC? N/A
IN CBCA? YES
IN FLOOD PLAIN? NO
UTILITIES? MARK WITH X
WATER IS:
PUBLIC X PRIVATE _____
SEWER IS:
PUBLIC X PRIVATE _____
PRIOR HEARING? _____
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW
NO



PLAN DRAWN BY FRANK PERSEDA DATE 7-4 SCALE: 1 INCH = 20 FEET

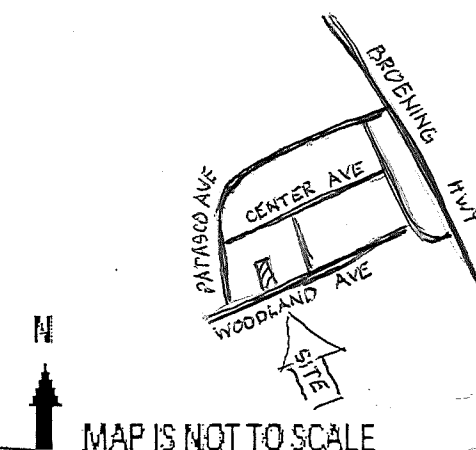
VIOLATION CASE INFO:

NO

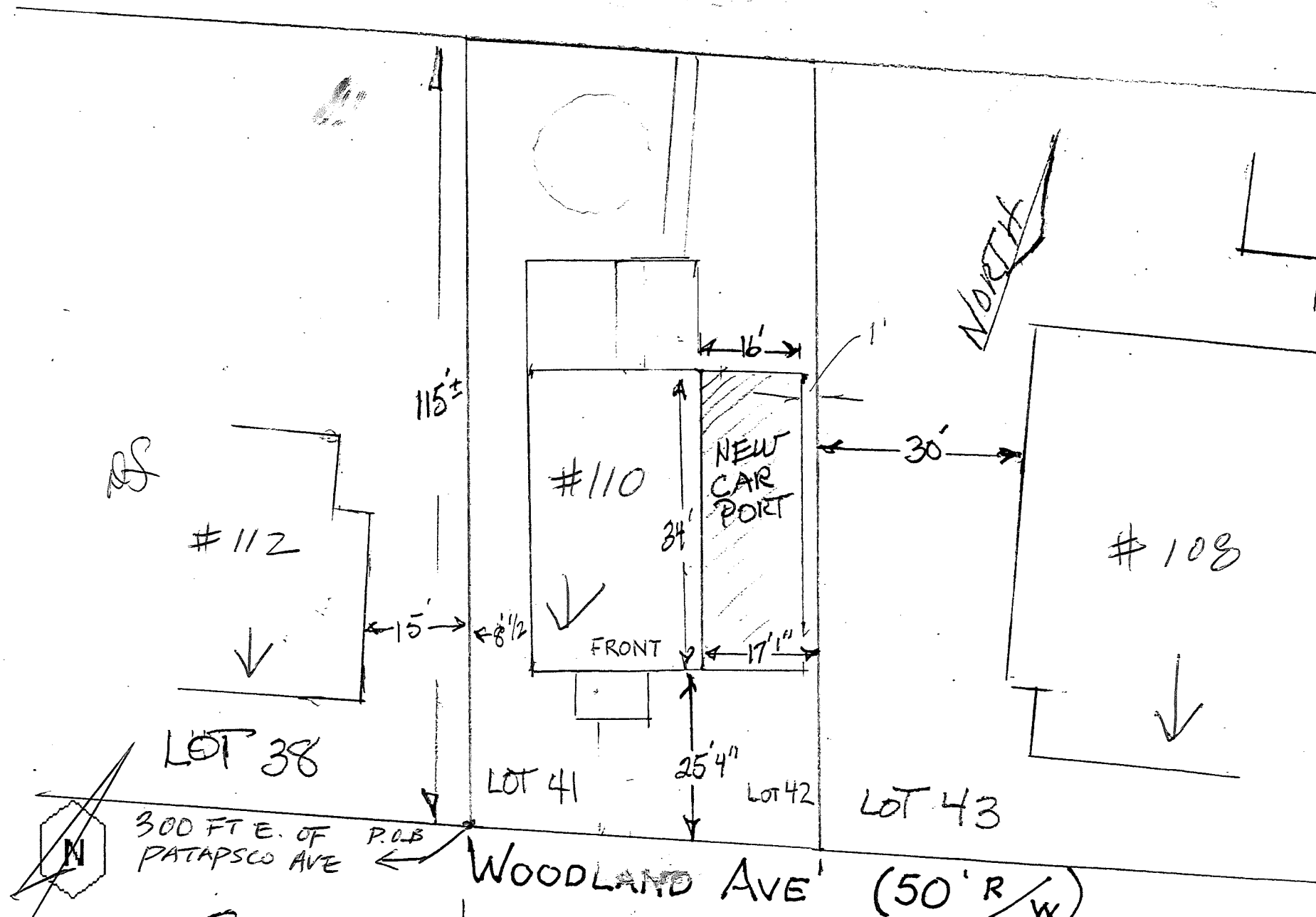
2017-0026-A

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
ADDRESS 110 Woodland Ave OWNER(S) NAME(S) Daniel L Michaels
SUBDIVISION NAME CARNEGIE LOT # 442 BLOCK # _____ SECTION # _____
PLAT BOOK # 3 / FOLIO # 75 10 DIGIT TAX # 1208055681 DEED REF. # 30031100311

SITE VICINITY MAP



MAP IS NOT TO SCALE
ZONING MAP# 110B1
SITE ZONED DR 5.5
ELECTION DISTRICT 12th
COUNCIL DISTRICT 7th
LOT AREA ACREAGE _____
OR SQUARE FEET 5,750 sq ft
HISTORIC? N/A
IN CBCA? YES
IN FLOOD PLAIN? NO
UTILITIES? MARK WITH X
WATER IS:
PUBLIC X PRIVATE _____
SEWER IS:
PUBLIC X PRIVATE _____
PRIOR HEARING? _____
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW
NO



PLAN DRAWN BY FRANK PERSEDA DATE 7-4 SCALE: 1 INCH = 20' FEET

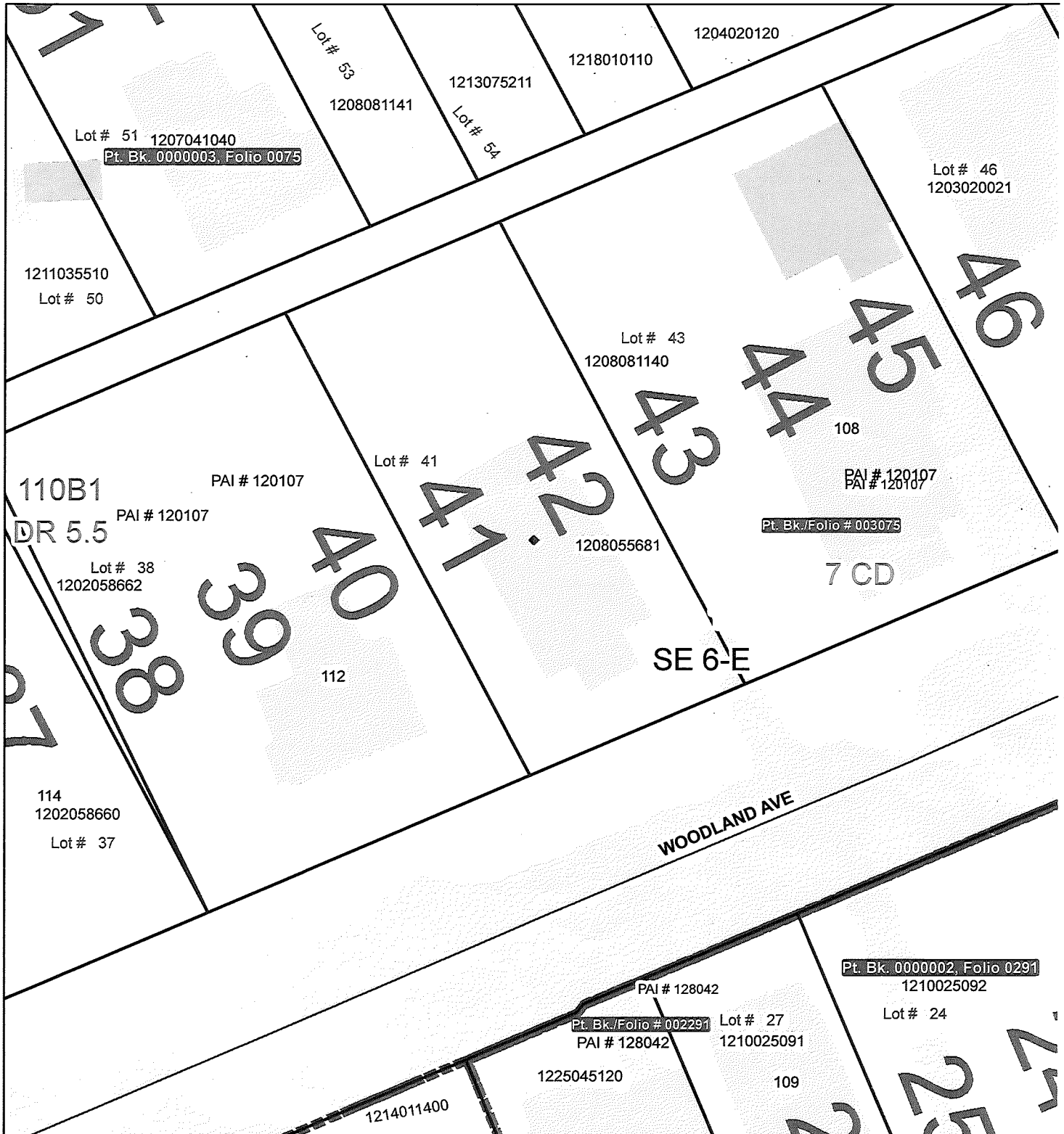
2017-0026-A

VIOLATION CASE INFO:

NO

Pet. Epr. 1

110 Woodland Avenue



Publication Date: 6/24/2016



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



0 5 10 20 30 40
Feet

1 inch = 30 feet

2017-0026-A