

MEMORANDUM

DATE: December 13, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0088-A – Appeal Period Expired

The appeal period for the above-referenced case expired on December 12, 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 *
(2414 Frederick Road)
1st Election District *
1st Council District *
Kenneth W. and Dolores A. Baquol *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2017-0088-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, Kenneth W. and Dolores A. Baquol ("Petitioners"). The Petitioners are requesting Variance relief pursuant to § 400.3 of the Baltimore County Zoning Regulations, to permit an existing garage to be raised to a height of 32 ft. in lieu of the maximum allowed height of 15 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. A ZAC comment was received from the Department of Public Works (DPW) dated October 5, 2016, indicating the following:

"... During the review of this property the Department of Public Works has found that there is a riverine flood plain on or very close to the property that may impact the proposed development.

A flood plain study of the property must be submitted for verification of the flood plain boundary. Once the flood plain boundary has been established, the Building Code requirements for riverine flood plain and the Department of Public Works Design Manual Plate DF-1 requirements should be observed."

ORDER RECEIVED FOR FILING

Date 11-16-16

By (signature)

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on October 7, 2016, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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

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 10th day of **November, 2016**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 400.3 of the Baltimore County Zoning Regulations, to permit an existing garage to be raised to a height of 32 ft. in lieu of the maximum allowed height of 15 ft., be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 11-10-16

By [Signature]

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. Petitioners or subsequent owners shall not convert the garage into a dwelling unit or apartment. The garage shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.
3. The garage shall not be used for commercial purposes.
4. Petitioners must comply with the ZAC comment from DPW dated October 5, 2016; a copy of which is attached hereto and made a part hereof.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 11-10-16

By [Signature]

BALTIMORE COUNTY, MARYLAND

INTER OFFICE CORRESPONDENCE

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

ATTN: Kristen Lewis
MS 1105

FROM: Steven A. Walsh, Director *SAW*
Department of Public Works

DATE: October 5, 2016

SUBJECT: Case No: 2017-0088-A
2414 Frederick Road, Baltimore, Maryland 21228

The subject case is to determine whether or not the Administrative Law Judge should approve an Administrative Variance to permit an existing garage to be raised to a height of 32 feet in lieu of the maximum allowed height of 15 feet.

During the review of this property the Department of Public Works has found that there is a riverine flood plain on or very close to the property that may impact the proposed development.

A flood plain study of the property must be submitted for verification of the flood plain boundary. Once the flood plain boundary has been established, the Building Code requirements for riverine flood plain and the Department of Public Works Design Manual Plate DF-1 requirements should be observed.

SAW/TWC/s

CC: Dennis Kennedy, Chief, Development Plans Review and Building Plan Review
Peter M. Zimmerman, People's Council

ORDER RECEIVED FOR FILING

Date 11-10-16

By *SAW*



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 2414 Frederick Rd, Catonsville MD 21228 Currently zoned DR1
Deed Reference 26067100940 10 Digit Tax Account # 0113856260
Owner(s) Printed Name(s) Kenneth & Dolores BAQUOL

(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)

BCZR: 400.3 → To permit an existing garage to be raised to a height of 32 feet in lieu of the maximum allowed height of 15 feet.

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

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

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

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

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

Owner(s)/Petitioner(s):

Kenneth BAQUOL , Dolores BAQUOL
Name #1 – Type or Print Name #2 – Type or Print

Kim Baquol Dolores Baquol
Signature #1 Signature #2

2414 Frederick Rd, CATONSVILLE MD
Mailing Address City State

21228 , 410 336 4128 , POWERKRAFT1@
Zip Code Telephone # Email Address

410 458 6234 COMCAST.NET

Representative to be contacted:

KENNETH BAQUOL
Name – Type or Print

X Kim Baquol
Signature

2414 Frederick Rd, CATONSVILLE MD 21228
Mailing Address City State

21228 , 410 336 4128 , POWERKRAFT1@
Zip Code Telephone # Email Address

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

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

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 11-10-16 day of Nov, 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 2017-0088-A Filing Date 9, 30 16 Estimated Posting Date 10, 9, 16 Reviewer JS

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: 2414 FREDERICK RD. CATONSVILLE MD 21228
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)

15' Height restriction for the garage will not allow installation of the 10' door needed for us to store our boat + truck in the garage. Furthermore, the almost flat roof that will be on the garage to meet this height restriction looks terrible next to our Victorian home with the steeply pitched roof. We merely ask that we be allowed to build a steeper pitched roof on the garage so that it matches the home and allows the installation of the door we require. A garage & house with matched roof styles will be much more aesthetically pleasing than two mismatched styles next to each other.

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

Kenneth Wayne Baquol
Signature of Owner (Affiant)
KENNETH WAYNE BAQUOL
Name- Print or Type

Dolores Ann Baquol
Signature of Owner (Affiant)
DOLORES ANN BAQUOL
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 26th day of SEPTEMBER, 2016, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: KENNETH WAYNE BAQUOL AND DOLORES ANN BAQUOL

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

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public

My Commission Expires

08/17/2018

JAMES GRIMM
NOTARY PUBLIC OF THE STATE OF MARYLAND
BALTIMORE COUNTY
COMMISSION EXPIRES: AUGUST 17, 2018

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: 2414 FREDERICK RD. CATONSVILLE MD 21228
Print or Type Address of property City State Zip Code

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15' Height restriction for the garage will not allow installation of the 10' door needed for us to store our boat & truck in the garage. Furthermore, the almost flat roof that will be on the garage to meet this height restriction looks terrible next to our Victorian home with the steeply pitched roof. We merely ask that we be allowed to build a steeper pitched roof on the garage so that it matches the home and allows the installation of the door we require. A garage & house with matched roof styles will be much more aesthetically pleasing than two mismatched styles next to each other.

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

Kenneth Wayne Baquol
Signature of Owner (Affiant)
KENNETH WAYNE BAQUOL
Name- Print or Type

Dolores Ann Baquol
Signature of Owner (Affiant)
DOLORES ANN BAQUOL
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 26th day of SEPTEMBER, 2016, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: KENNETH WAYNE BAQUOL AND DOLORES ANN BAQUOL

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

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public
08/17/2018
My Commission Expires

JAMES GRIMM
NOTARY PUBLIC OF THE STATE OF MARYLAND
BALTIMORE COUNTY
COMMISSION EXPIRES: AUGUST 17, 2018



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 2414 FREDERICK RD, 21228 Currently zoned DA1
Deed Reference 26067/00440 10 Digit Tax Account # 0113856260
Owner(s) Printed Name(s) KENNETH + DOLORES BAQUOL

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

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

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

1. ☒ ADMINISTRATIVE VARIANCE from Section(s) _____

BCZR: 400.3 → To permit an existing garage to be raised to a height of 32 feet in lieu of the maximum allowed height of 15 feet.

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

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

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

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

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

Owner(s)/Petitioner(s):

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

[Signature]
Signature #1 Signature #2

2414 FREDERICK RD. CATONSVILLE MD
Mailing Address City State

21228, 4103364128 powercraft1@comcast.net
Zip Code Telephone # Email Address

4104586234
Representative to be contacted:

KENNETH BAQUOL
Name – Type or Print

[Signature]
Signature

2414 Frederick Rd. Catonsville MD
Mailing Address City State

21228, 4103364128 powercraft1@comcast.net
Zip Code Telephone # Email Address

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

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

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 2017-0088-A Filing Date 9/30/16 Estimated Posting Date 10/9/16 Reviewer JS

ZONING PROPERTY DESCRIPTION FOR 2414 FREDERICK ROAD, CATONSVILLE, MD 21228

The improvements thereon being commonly known as 2414 Frederick Road, Catonsville, MD 21228.

Beginning at a point on the north side of Frederick Road which is 60' wide at the distance of 210' feet east of the centerline of the nearest improved intersecting street, Oella Avenue, which is 42' wide.

Being Lot #22 in the subdivision of Stonewall Park as recorded in Baltimore County Plat Book WPC#7, Folio #18, containing 1.28 acres in lot. Located in 1st Election District and 1st Council District.

2017-0088-A

Debra Wiley

From: Linda Okeefe <luckylinda1954@yahoo.com>
Sent: Monday, November 07, 2016 3:00 PM
To: Debra Wiley
Subject: Baquol Property Case # 2017-0088-A
Attachments: Frederick-Rd..jpeg

Hi Debbie,

I have attached the Certification for Baquol Property Case # 2017-0088-A @ 2414 Frederick Rd.

Thanks,

Linda

Linda O'Keefe
523 Penny Lane
Hunt Valley MD 21030
Phone # 410-666-5366
Cell# 443-604-6431
Fax# 410-666-0929
luckylinda1954@yahoo.com

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 10/9/2016

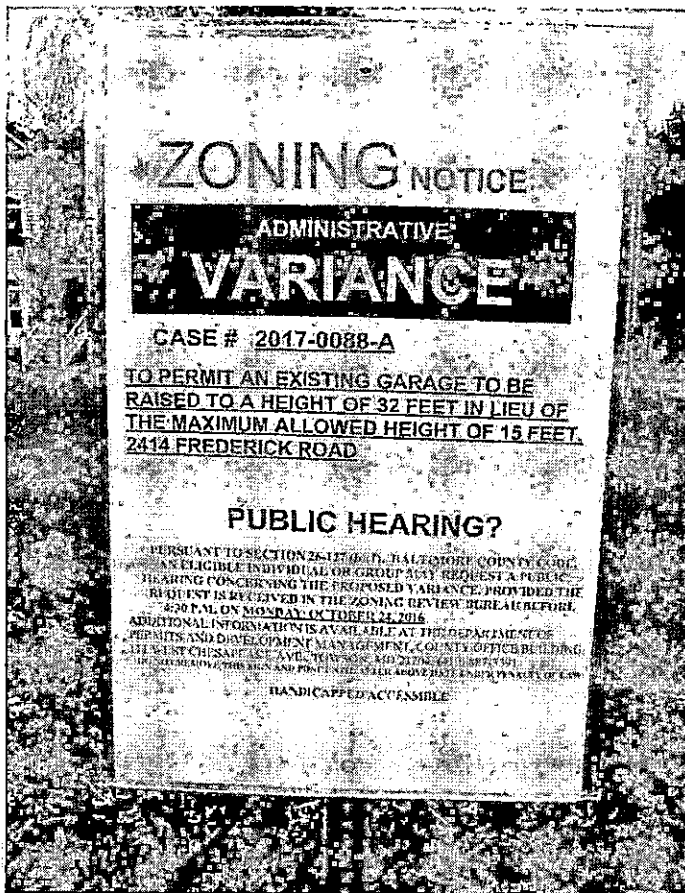
Case Number: 2017-0088-A

Petitioner / Developer: KEN BAQUOL

Date of Hearing (Closing): OCTOBER 24, 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:
2414 FREDERICK ROAD

The sign(s) were posted on: OCTOBER 7, 2016



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)

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 10/9/2016

Case Number: 2017-0088-A

Petitioner / Developer: KEN BAQUOL

Date of Hearing (Closing): OCTOBER 24, 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:
2414 FREDERICK ROAD

The sign(s) were posted on: OCTOBER 7, 2016



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)

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2017- 0088 -A Address 2414 FREDERICK RD

Contact Person: JASON SEIDEMAN Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 9/30/16 Posting Date: 10/9/16 Closing Date: 10/24/16

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- 0088 -A Address 2414 FREDERICK RD

Petitioner's Name BARQUOL Telephone 410-336-4128

Posting Date: 10/9/16 Closing Date: 10/24/16

Wording for Sign: To Permit AN EXISTING GARAGE TO BE RAISED TO A HEIGHT
OF 32 FEET IN LIEU OF THE MAXIMUM ALLOWED HEIGHT OF 15 FEET.

Revised 7/6/16

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 2017-0088-A

X Petitioner: KENN BAGVOL

X Address or Location: 2414 FREDERICK RD CATONSVILLE MD 21228

PLEASE FORWARD ADVERTISING BILL TO:

Name: KENN BAGVOL

Address: 2414 FREDERICK RD
CATONSVILLE MD 21228

Telephone Number: 410 336 4128

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

NO 145702

Date: 9/30/16

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

Total: \$ 75.00

Rec From: BAGUOL

For: 2017-0088-A

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME ERN
10/02/2016 9/30/2016 11:11:42 5
REG WSDS WALKIN LAB
>>RECEIPT # 872107 9/30/2016 GFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 145702
Receipt Tot 175.00
175.00 CR 1.00 CA
Baltimore County, Maryland

**CASHIER'S
VALIDATION**



KEVIN KAMENETZ
County Executive

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

October 24, 2016

Kenneth & Delores Baquol
2414 Frederick Road
Catonsville, MD 21228

RE: Case Number: 2017-0088 A, Address: 2414 Frederick Road

Dear Mr. & Ms. Baquol:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 30, 2016. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over a circular official stamp.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

10/24

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

OCT 05 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: October 5, 2016\

SUBJECT: DEPS Comment for Zoning Item # 2017-0088-A
Address 2414 Frederick Road
(Baquol Property)

Zoning Advisory Committee Meeting of **October 10, 2016**.

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

Reviewer: Steve Ford

Date: 10-05-2016

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



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

Date: 10/5/16

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 10/5/16. A field inspection and internal review reveals that an entrance onto MD144 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2017-0088A.

Kenneth Baquol
2414 Frederick Road -
MD144

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) X 2332 or by email at (rzeller@sha.state.md.us).

Sincerely,

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

WW/RAZ

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 12, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For October 10, 2016
Item No. 2017-0076, 0077, 0080, 0081, 0082, 0083, 0086, 0087 and
0088

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\ZAC10102016.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: October 5, 2016\

SUBJECT: DEPS Comment for Zoning Item # 2017-0088-A
Address 2414 Frederick Road
(Baquol Property)

Zoning Advisory Committee Meeting of **October 10, 2016.**

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

Reviewer: Steve Ford Date: 10-05-2016

BALTIMORE COUNTY, MARYLAND

INTER OFFICE CORRESPONDENCE

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

ATTN: Kristen Lewis
MS 1105

FROM: Steven A. Walsh, Director 
Department of Public Works

DATE: October 5, 2016

SUBJECT: Case No: 2017-0088-A
2414 Frederick Road, Baltimore, Maryland 21228

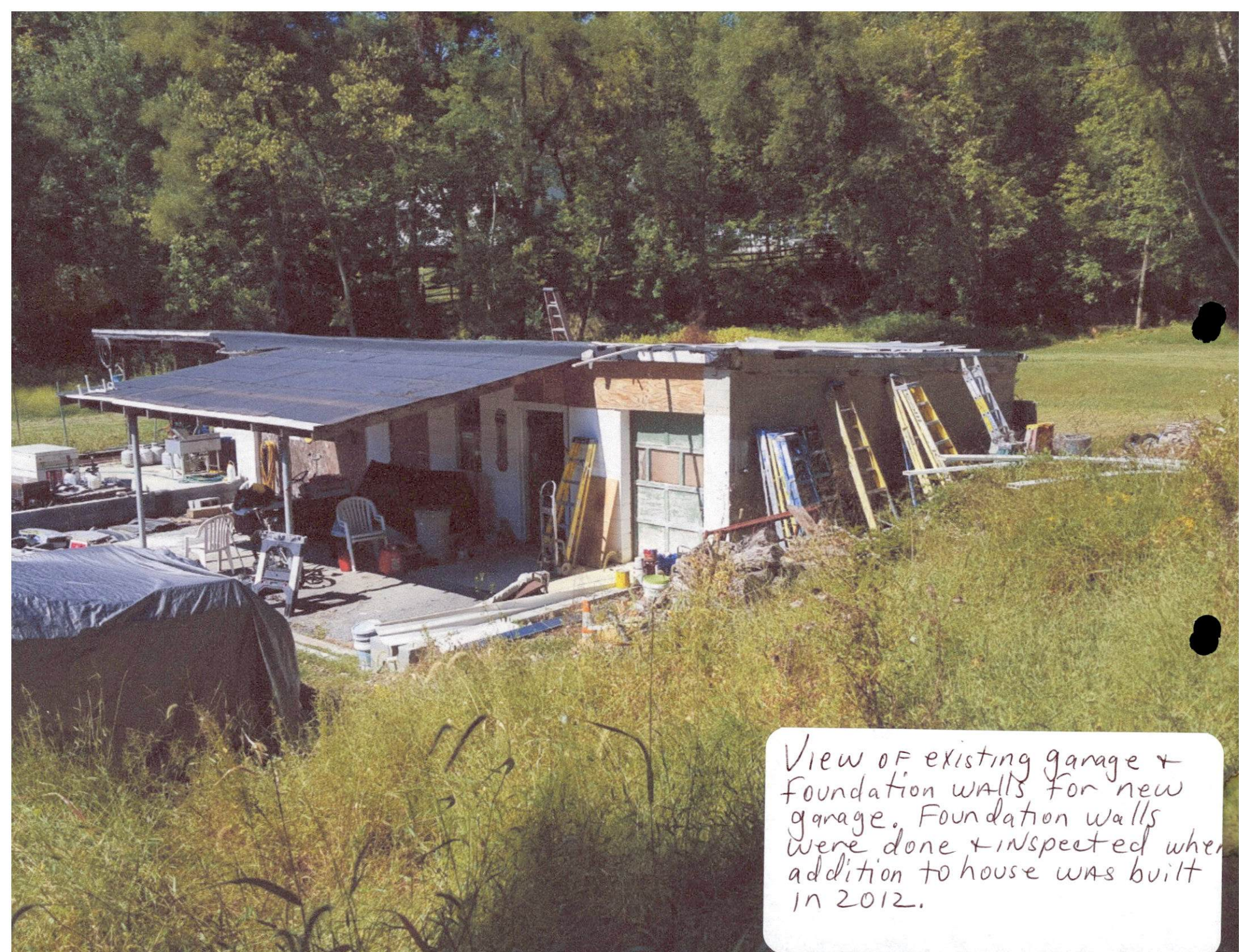
The subject case is to determine whether or not the Administrative Law Judge should approve an Administrative Variance to permit an existing garage to be raised to a height of 32 feet in lieu of the maximum allowed height of 15 feet.

During the review of this property the Department of Public Works has found that there is a riverine flood plain on or very close to the property that may impact the proposed development.

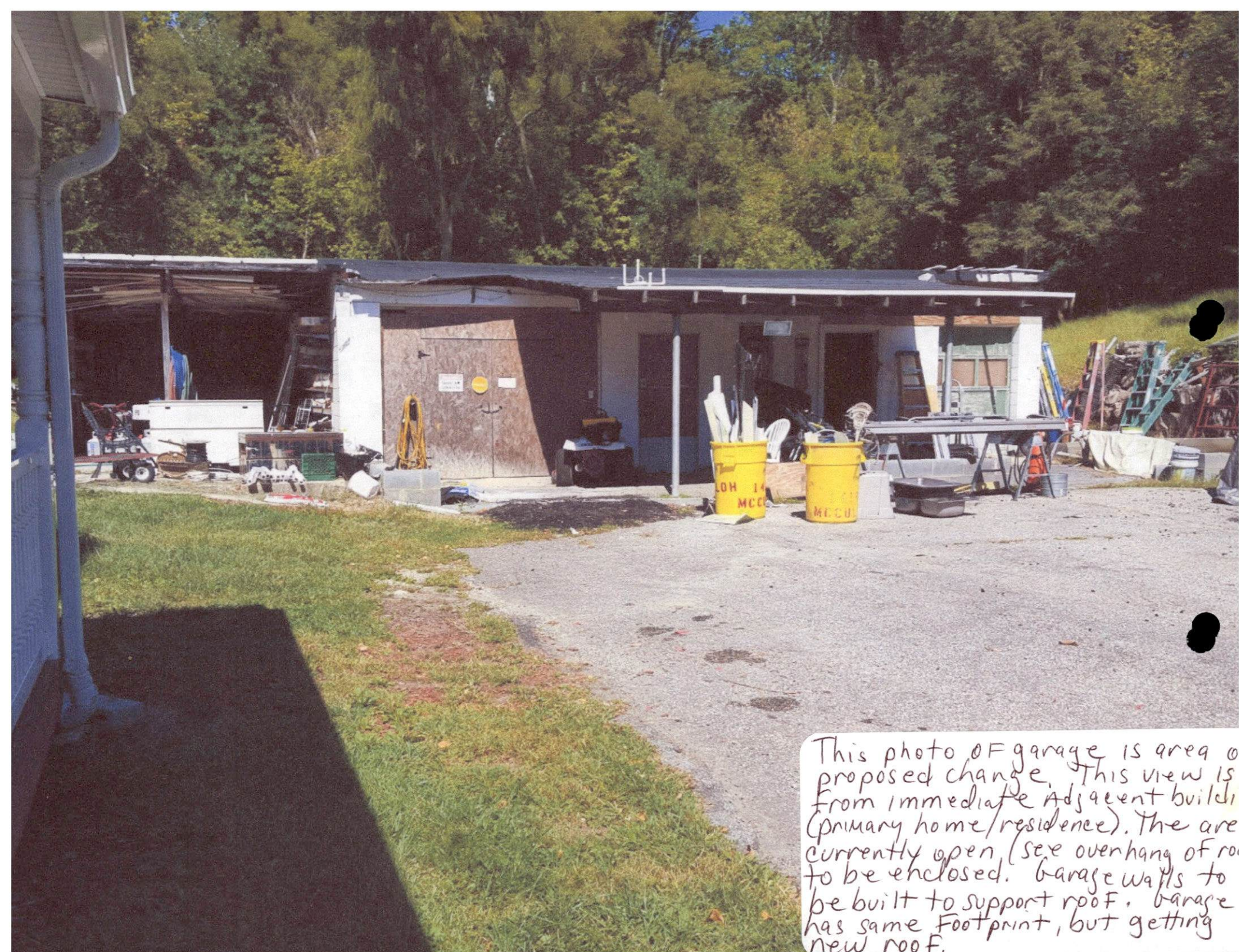
A flood plain study of the property must be submitted for verification of the flood plain boundary. Once the flood plain boundary has been established, the Building Code requirements for riverine flood plain and the Department of Public Works Design Manual Plate DF-1 requirements should be observed.

SAW/TWC/s

CC: Dennis Kennedy, Chief, Development Plans Review and Building Plan Review
Peter M. Zimmerman, People's Council



View of existing garage +
foundation walls for new
garage. Foundation walls
were done + inspected when
addition to house was built
in 2012.



This photo of garage is area of proposed change. This view is from immediate adjacent build (primary home/residence). The are currently open (see overhang of roof to be enclosed. Garage walls to be built to support roof. Garage has same footprint, but getting new roof.



View from Frederick Rd.
-of house. House is next
to garage (area of proposed
change).



AFFIDAVIT OF RESIDENCY AT 2414 FREDERICK RD, BALTIMORE, MD 21228

The undersigned, Kenneth Wayne Baquol and Dolores Ann Baquol are the owners of 2414 Frederick Road, Baltimore, MD 21228. This property is the primary residence of Mr. and Mrs. Kenneth Baquol and has been since 8/2013. There are ^{no} active zoning violations on the site of property 2414 Frederick Road, Baltimore, MD 21228.

Kenneth Wayne Baquol
Kenneth Wayne Baquol

7/14/16
Date

Dolores Ann Baquol
Dolores Ann Baquol

7/14/16
Date

Notary:

[Signature]

My Commission Expires: 4/16/2020

7/14/2016
Date



CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>10-5</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
_____	STATE HIGHWAY ADMINISTRATION	_____
<u>10-5</u>	TRAFFIC ENGINEERING <u>DPW</u>	<u>(C) reviewing flood plain</u>
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION (Case No. _____)		
PRIOR ZONING (Case No. _____)		
NEWSPAPER ADVERTISEMENT Date: _____		
SIGN POSTING <u>Reid 11-7</u> ✓ Date: <u>10-30-16 10-7-16</u> by <u>O'Keefe</u>		
PEOPLE'S COUNSEL APPEARANCE	Yes ☐	No ☐
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐	No ☐
Comments, if any: _____		

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 - 01 Account Number - 0113856260							
Owner Information											
Owner Name:		BAQUOL DOLORES A BAQUOL KENNETH W				Use: Principal Residence:		RESIDENTIAL YES			
Mailing Address:		2414 FREDERICK RD BALTIMORE MD 21228-				Deed Reference:		/26067/ 00440			
Location & Structure Information											
Premises Address:		2414 FREDERICK RD BALTIMORE 21228-				Legal Description:		2414 FREDERICK RD STONEWALL PARK			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	Plat Ref:	
0100	0010	0648		0000			22	2016		0007/0018	
Special Tax Areas:						Town:		NONE			
						Ad Valorem:					
						Tax Class:					
Primary Structure Built		Above Grade Enclosed Area			Finished Basement Area		Property Land Area		County Use		
1918		1,856 SF					1.2800 AC		04		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation					
2	YES	STANDARD UNIT	SIDING	1 full							
Value Information											
				Base Value	Value		Phase-in Assessments				
					As of 01/01/2016		As of 07/01/2016		As of 07/01/2017		
Land:		131,000		131,000							
Improvements		116,900		145,200							
Total:		247,900		276,200		257,333		266,767			
Preferential Land:		0						0			
Transfer Information											
Seller: HALFORD THOMAS MICHAEL				Date: 08/20/2007				Price: \$325,000			
Type: ARMS LENGTH IMPROVED				Deed1: /26067/ 00440				Deed2:			
Seller: HALFORD THOMAS MICHAEL				Date: 04/13/1998				Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /12785/ 00750				Deed2:			
Seller: HALFORD THOMAS MICHAEL				Date: 11/16/1993				Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /10143/ 00576				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 04/23/2014											

Debra Wiley

From: June Wisnom
Sent: Thursday, October 27, 2016 2:47 PM
To: Debra Wiley
Subject: RE: AV 2017-0088-A

It's not here. I'll keep an eye out for it.

From: Debra Wiley
Sent: Thursday, October 27, 2016 2:08 PM
To: June Wisnom <jwisnom@baltimorecountymd.gov>
Subject: AV 2017-0088-A

Hi June,

Missing sign posting for above.

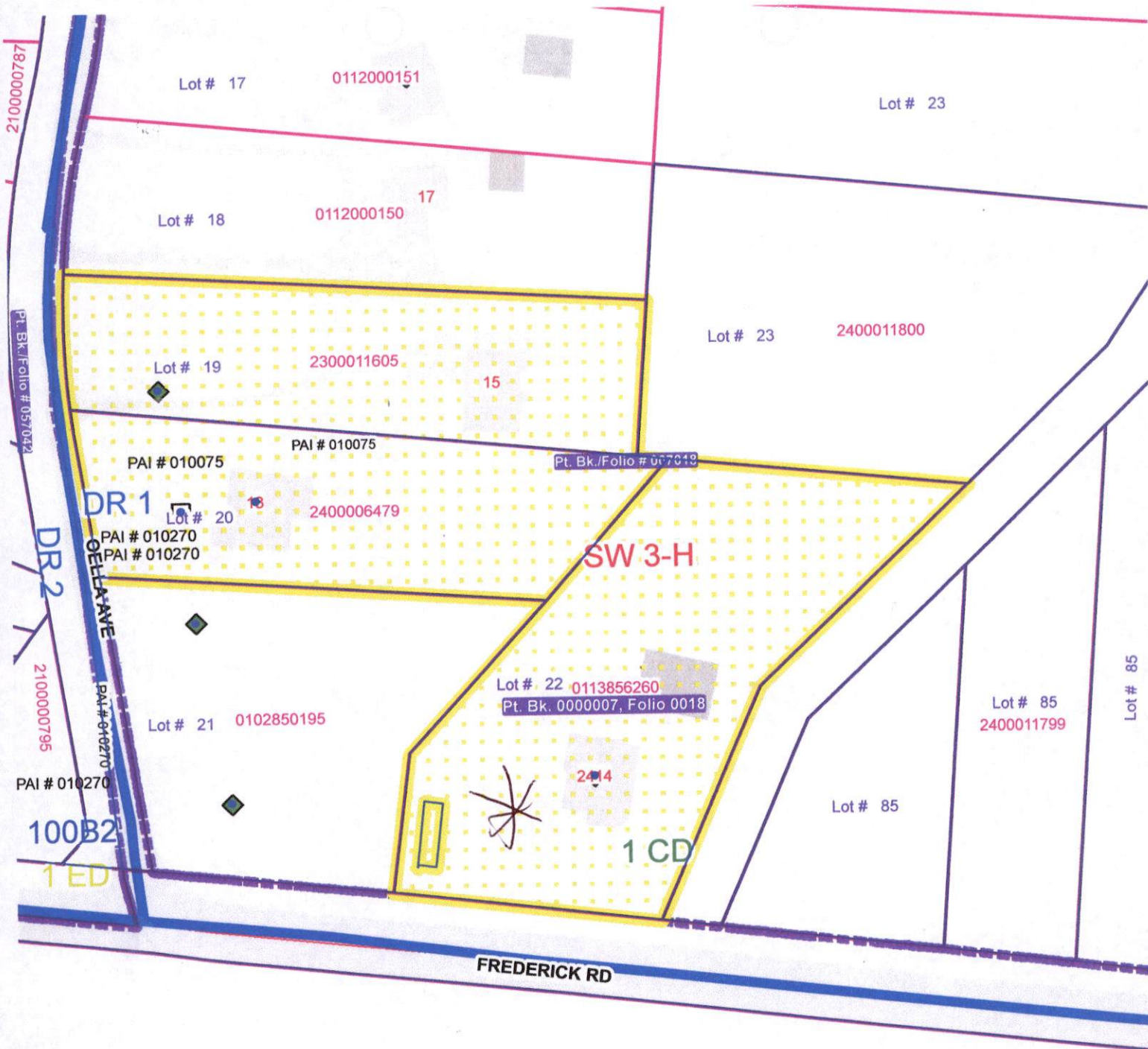
Debra Wiley
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

9:15 AM

11-3 - June
has not rec'd

11-3-16
9:23 AM
Left v.m.
Need sign poster to
send proof of sign
posting
410.336.4128

11-7 2:32 PM
June O'Keefe
to send
posting...



2017-0088-A

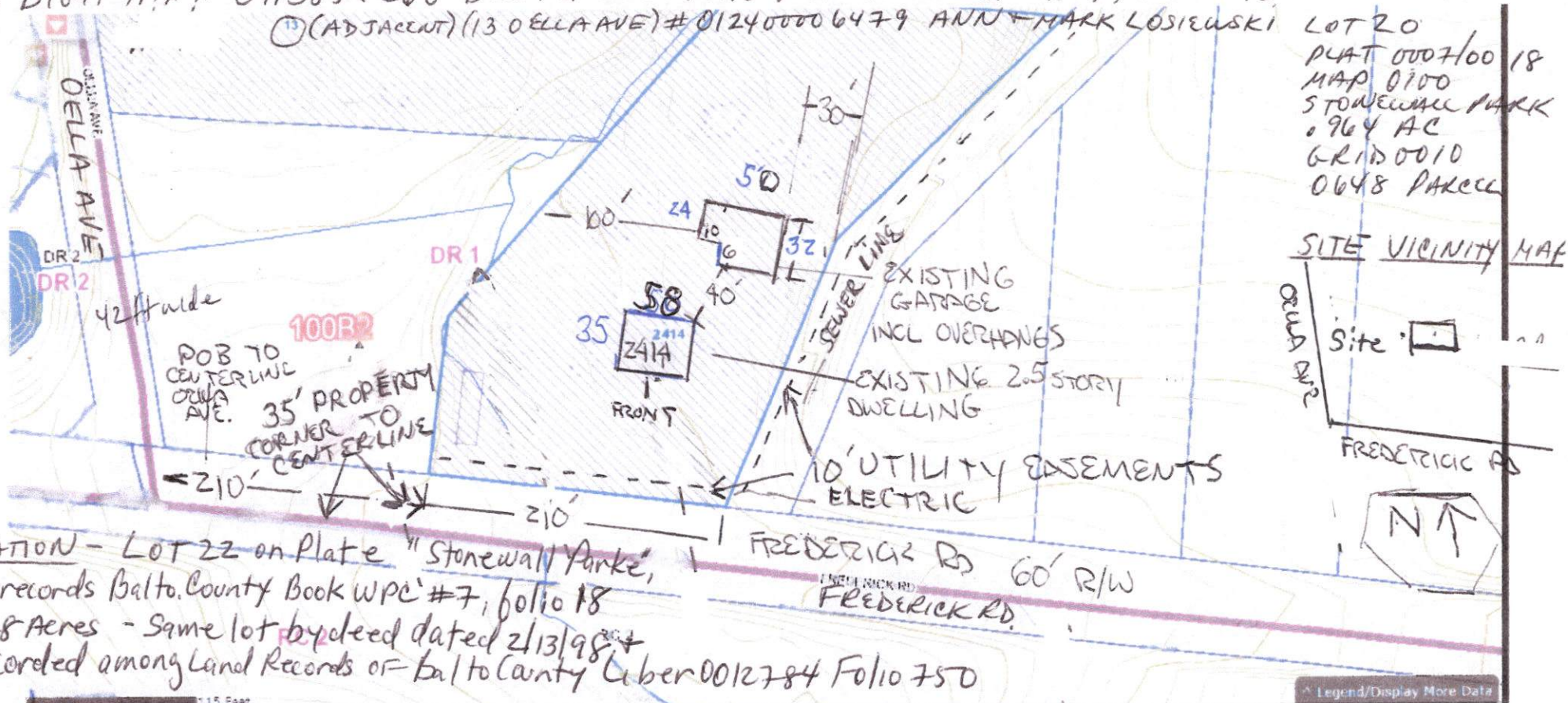
RC 2

0123350780

SW 4-H

ZONING HEARING PLAN FOR VARIANCE - ADDRESS: 2414 FREDERICK ROAD
 OWNERS NAMES: KENNETH & DOLORES BAQUOL SUBDIVISION NAME: STONEWALL PARKE PLAT OF LOT 22
 10 DIGIT TAX# 0113856260 DEED REF# 0007/0018 PLAT BOOK WPC# 7, FOLIO 18

(13) (ADJACENT) (13 OELLA AVE) #012400006479 ANN + MARK LOSIEWSKI



LOCATION - Lot 22 on Plate "Stonewall Parke",
 Plat records Balto. County Book WPC# 7, folio 18
 1.28 Acres - Same lot by deed dated 2/13/98 +
 recorded among Land Records of Balto County Liber 0012784 Folio 750

100B SCALE PLAN DRAWN BY KENNETH BAQUOL
 OWNER
 410 336 4128
 email - powercraft1@comcast.net

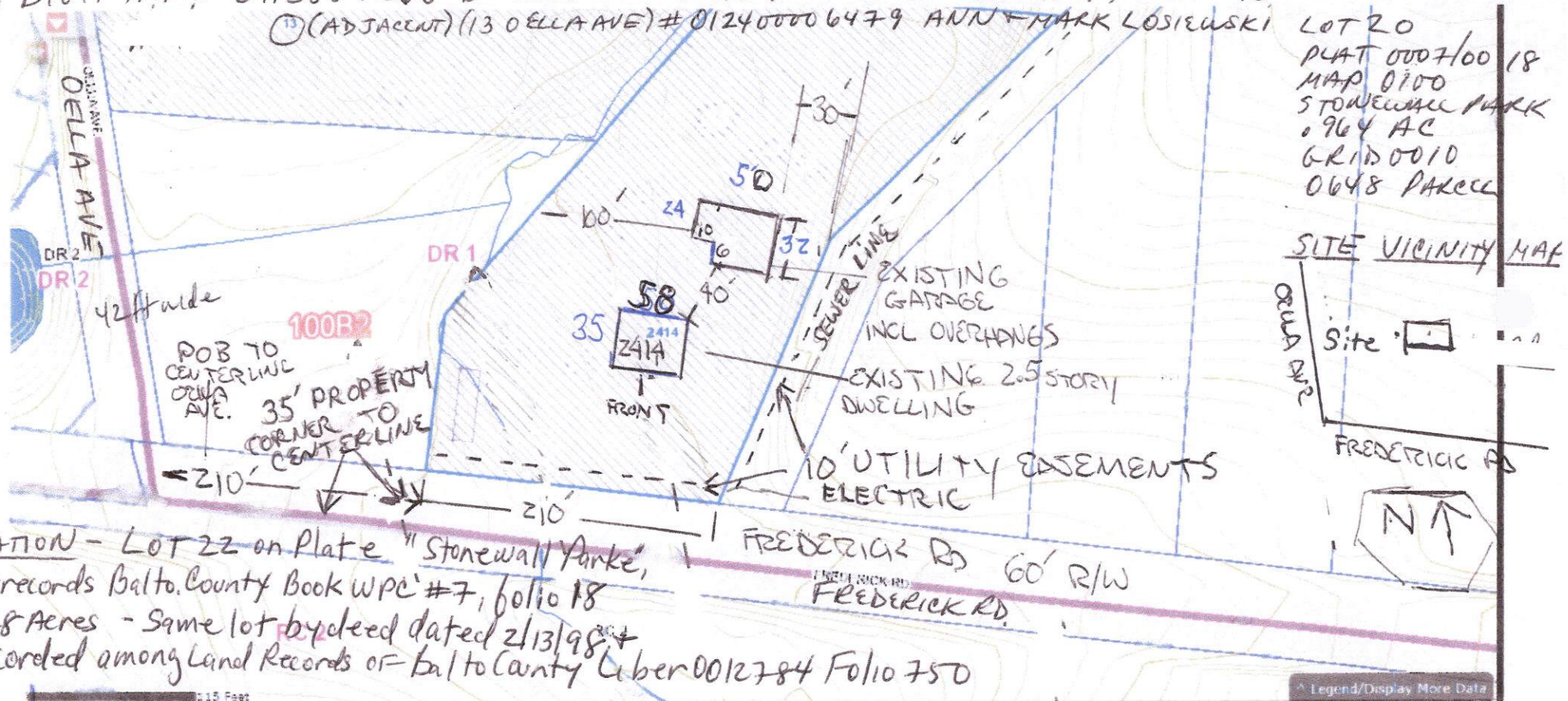
DATE: 7/5/16
 ADDL ADJACENT: (ALL STONEWALL PARK) #01-23000 11605
 15 OELLA AVE - MARIE HAYNES
 MAP 0100 PARCEL 0648 STONEWALL PARK

ZONING MAP # 100B2
 ELECTION DISTRICT 1
 COUNCIL DISTRICT 1
 LOT AREA ACREAGE 1.2800 AC
 HISTORIC? - NO
 IN CBCA? - NO
 IN FLOOD PLAIN? - NO
 WATER IS PUBLIC SEWER IS PUBLIC

* 0 OELLA AVE - ANN + MARK LOSIEWSKI
 #0102850195 0100 0010 0648 (Parcel) LOT 21
 Deed Ref - 37063/00205
 * 2400 FREDERICK ROAD - DALJIT SAWHEY
 #012400011799 0100 0648 9.38 AC LT85-91, 130
 Deed 2208/00478

Ret. Exp. 1

ZONING HEARING PLAN FOR VARIANCE - ADDRESS: 2414 FREDERICK ROAD
 OWNERS NAMES: KENNETH & DOLORES BAQUOL SUBDIVISION NAME: STONEWALL PARK PLAT OF LOT 22
 10 DIGIT TAX# 0113856260 DEED REF# 0007/0018 PLAT BOOK WPC# 7, FOLIO 18
 (ADJACENT) (13 OELLA AVE) # 012400006479 ANN + MARK LOSIEWSKI



LOCATION - Lot 22 on Plate "Stonewall Park",
 Plat records Balto. County Book WPC# 7, folio 18
 1.28 Acres - Same lot by deed dated 2/13/98
 recorded among Land Records of Balto County Liber 0012784 Folio 750

1" = 100' SCALE

PLAN DRAWN BY KENNETH BAQUOL
 OWNER
 410 336 4128
 email -
 powercraft1@comcast.net

DATE: 7/5/16

ADD'L ADJACENT: (ALL STONEWALL PARK) #01-23000 11605
 15 OELLA AVE - MARIE HAYNES
 MAP 0100 PARCEL 0648 STONEWALL PARK

ZONING- MAP # 100132
 ELECTION DISTRICT 1
 COUNCIL DISTRICT 1
 LOT AREA ACREAGE 1.2800 AC
 HISTORIC? - NO
 IN CBCA? - NO
 IN FLOOD PLAIN? - NO
 WATER IS PUBLIC SEWER IS PUBLIC

* 0 OELLA AVE - ANN + MARK LOSIEWSKI
 #0102850195 0100 0010 0648 (Parcel) LOT 21
 Deed Ref - 37063/00205
 * 2400 FREDERICK ROAD - DALJIT SAWHEY
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