

IN RE: PETITION FOR VARIANCE

(400 Marlyn Avenue)

13th Election District

7th Council District

Don Irwin & Scott Dawson

Legal Owners

Petitioners

*

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*

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BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2017-0171-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Don Irwin and Scott Dawson, owners of the subject property ("Petitioners"). Petitioners are requesting variance relief from the Baltimore County Zoning Regulations (B.C.Z.R) to permit an existing two apartment dwelling to have a side street setback of 7.6 ft. and a combined side yard sum setback of 31.9 ft. in lieu of the required 25 ft. and 40 ft., respectively. A site plan was marked as Petitioners' Exhibit 1.

Don Irwin appeared in support of the petition. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the B.C.Z.R. No substantive Zoning Advisory Committee (ZAC) comments were received from any of the reviewing County agencies.

The property is approximately 15,000 square feet and is split-zoned RO & D.R. 5.5. The property is improved with a duplex-style dwelling known as 400 & 400A Marlyn Avenue. Petitioners attempted to obtain an electrical permit from the County and were informed they would need a side yard variance so the property would comply with the dimensional requirements of B.C.Z.R. §§ 402.1 pertaining to duplex and semi-detached dwellings.

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

ORDER RECEIVED FOR FILING

Date 2/24/17

By Sen

- (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).

Petitioners have met this test. The property is split-zoned and is situated among a mix of commercial and residential uses. As such it is unique. If the Regulations were strictly interpreted Petitioners would experience a practical difficulty because they would be unable to obtain the necessary permits and approvals to complete certain improvements to the property. 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 community and/or Baltimore County opposition.

THEREFORE, IT IS ORDERED, this 24th day of **February, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance to permit an existing two apartment dwelling to have a side street setback of 7.6 ft. and a combined side yard sum setback of 31.9 ft. in lieu of the required 25 ft. and 40 ft., respectively, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

ORDER RECEIVED FOR FILING

Date 2/24/17
By Sen

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 2/24/17
By sen



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

February 24, 2017

Don Irwin
Scott Dawson
4705 Madonna Road
Whitehall, Maryland 21161

RE: Petition for Variance
Case No. 2017-0171-A
Property: 400 Marlyn Avenue

Dear Petitioners:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over a horizontal line.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure



ORCA - YEAR

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 400 Mariya Ave 21221 which is presently zoned RO
Deed References: _____ 10 Digit Tax Account # 1511670010
Property Owner(s) Printed Name(s) Don Irwin Scott Dawson

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

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

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

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

3. ☒ a **Variance** from Section(s)

BCZR 204.4.A + 402.1 → To permit an existing 2 apartment dwelling to have a side street setback of 7.6 feet and a combined side yard sum setback of 31.9 feet in lieu of the required 25 feet and 40 feet, respectively.

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)

This property is two separate dwelling with two separate tenant families, two separate rental licenses. I seek a variance to install two separate electric meters.

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

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Don Irwin

Scott Dawson

Name #1 - Type or Print

Name #2 - Type or Print

Don Irwin

Scott Dawson

Signature #1

Signature #2

4705 Madonn 9 Rd Whitehall md 21161

Mailing Address

City

State

21161

Zip Code

443-463-2874

Telephone #

Ditwin@ONSDorXwall.com

Email Address

Representative to be contacted:

Don Irwin

Name - Type or Print

Don Irwin

Signature

4705 Madonn 9 Rd whitehall, md 21161

Mailing Address

City

State

21161

Zip Code

443-463-2874

Telephone #

Ditwin@ONSDorXwall.com

Email Address

CASE NUMBER 2017-0171-A Filing Date 12/28/16

Do Not Schedule Dates: _____

Reviewer JS

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



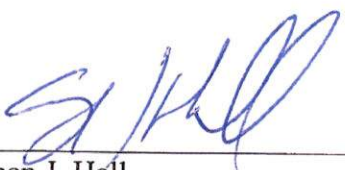
December 15, 2016

Zoning Description 400 and 400 A South Marlyn Avenue

Beginning at a point at the southwest intersection of Platinum Avenue which is 30 feet wide and South Marlyn Avenue which is 40 feet wide, at a distance of 15.00 feet Southwest from the centerline of aforesaid Platinum Avenue which is 30' wide.

Being Lots 76 and 77 in the subdivision of Glassco as recorded in Baltimore County Plat Book W.P.C.7 Folio 115 containing 15,000 square feet or 0.3444 acres +/- . Located in the Thirteenth Election District and Seventh Councilmanic District.

I certify that this description was either personally prepared by me or I was in responsible charge over the preparation thereof in accordance with Comar Title 9 .13.06.



Stephen J. Hall
Professional Land Surveyor #21642



1220-C East Joppa Road, Suite 505, Towson, MD 21286 (410) 821-1690 Fax: (410) 821-1748 www.mragta.com

Abingdon, MD ♦ Baltimore, MD ♦ Laurel, MD ♦ Towson, MD ♦ Georgetown, DE ♦ New Castle, DE ♦ Sterling, VA ♦ Raleigh, NC
(410) 515-9000 (410) 935-5050 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 326-2200 (703) 674-0161 (984) 200-2103



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 4748362

Sold To:

Don Irwin - CU00582758
PO Box 164
Jarrettsville, MD 21084-0164

Bill To:

Don Irwin - CU00582758
PO Box 164
Jarrettsville, MD 21084-0164

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

Feb 02, 2017

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: # 2017-0171-A 400 Marilyn Avenue SW corner of the intersection of S. Marilyn and Platinum Avenues 13th Election District - 7th Councilmanic District Legal Owner(s) Don Irwin & Scott Dawson Variance: to permit an existing 2 apartment dwelling to have a side street setback of 7.6 ft. and a combined side yard sum setback of 31.9 ft. in lieu of the required 25 ft. and 40 ft., respectively. Hearing: Thursday, February 23, 2017 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204. ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY NOTES: (1) Hearings are Handicapped Accessible: for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868. (2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391. 2/016 Feb. 2 4748362
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CERTIFICATE OF POSTING

2017-0171-A

RE: Case No.: _____

Petitioner/Developer: _____

Don Irwin & Scott Dowson

February 23, 2017

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

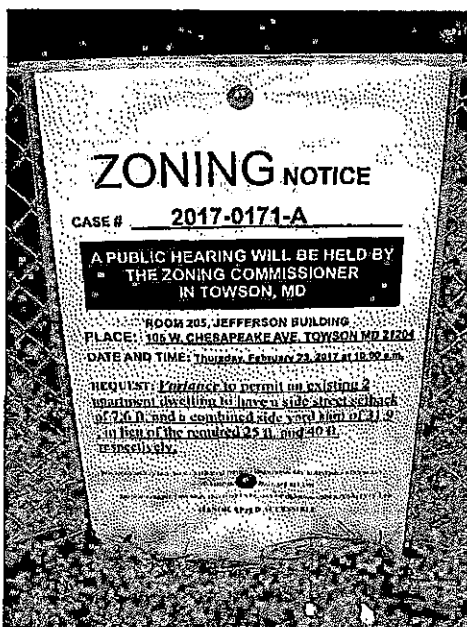
Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

400 Marlyn Avenue

February 3, 2017

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

February 3, 2017

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

**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 twenty (20) days before the hearing.

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

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

For Newspaper Advertising:

Case Number: 2017-0171-A

Property Address: 400 S. MARLYN AVE

Property Description: _____

Legal Owners (Petitioners): DON IRWIN + SCOTT DAWSON

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: DON IRWIN

Company/Firm (if applicable): _____

Address: P.O. BOX 164

JARETTSVILLE, MD 21084

Telephone Number: 443-463-2874

Revised 7/9/2015

TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 31, 2017 Issue - Jeffersonian

Please forward billing to:
Don Irwin
P.O. Box 164
Jarrettsville, MD 21084

443-463-2874

NOTICE OF ZONING HEARING

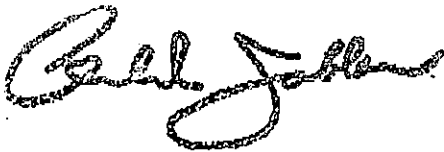
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2017-0171-A

400 Marlyn Avenue
SW corner of the intersection of S. Marlyn and Platinum Avenues
13th Election District – 7th Councilmanic District
Legal Owners: Don Irwin & Scott Dawson

Variance to permit an existing 2 apartment dwelling to have a side street setback of 7.6 ft. and a combined side yard sum setback of 31.9 ft. in lieu of the required 25 ft. and 40 ft., respectively.

Hearing: Monday, February 20, 2017 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

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

January 17, 2017

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: 2017-0171-A

400 Marlyn Avenue

SW corner of the intersection of S. Marlyn and Platinum Avenues

13th Election District – 7th Councilmanic District

Legal Owners: Don Irwin & Scott Dawson

Variance to permit an existing 2 apartment dwelling to have a side street setback of 7.6 ft. and a combined side yard sum setback of 31.9 ft. in lieu of the required 25 ft. and 40 ft., respectively.

Hearing: Monday, February 20, 2017 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over a horizontal line.

Arnold Jablon
Director

AJ:kl

C: Don Irwin, Scott Dawson, 4705 Madonna Road, White Hall 21161

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 31, 2017.**
- (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, February 2, 2017 Issue - Jeffersonian

Please forward billing to:

Don Irwin

443-463-2874

P.O. Box 164

Jarrettsville, MD 21084

CORRECTED 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: 2017-0171-A

400 Marlyn Avenue

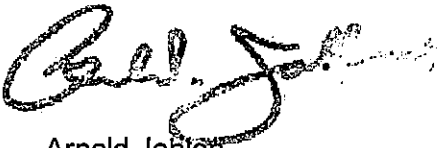
SW corner of the intersection of S. Marlyn and Platinum Avenues

13th Election District -- 7th Councilmanic District

Legal Owners: Don Irwin & Scott Dawson

Variance to permit an existing 2 apartment dwelling to have a side street setback of 7.6 ft. and a combined side yard sum setback of 31.9 ft. in lieu of the required 25 ft. and 40 ft., respectively.

Hearing: Thursday, February 23, 2017 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

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

January 24, 2017

CORRECTED 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: 2017-0171-A

400 Marlyn Avenue

SW corner of the intersection of S. Marlyn and Platinum Avenues

13th Election District – 7th Councilmanic District

Legal Owners: Don Irwin & Scott Dawson

Variance to permit an existing 2 apartment dwelling to have a side street setback of 7.6 ft. and a combined side yard sum setback of 31.9 ft. in lieu of the required 25 ft. and 40 ft., respectively.

Hearing: Thursday, February 23, 2017 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Don Irwin, Scott Dawson, 4705 Madonna Road, White Hall 21161

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, FEBRUARY 3, 2017.**
- (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.



KEVIN KAMENETZ
County Executive

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

February 15, 2017

Don Irwin
Scott Dawson
4705 Madonna Road
White Hall MD 21161

RE: Case Number: 2017-0171 A, Address: 400 Marlyn Avenue

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on December 22, 2015. 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 dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

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



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

Date: 1/11/17

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. 2017-0171-A

Variance
Don Irwin, Scott Dawson
400 Marilyn Avenue.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Richard Zeller'.

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

WW/RAZ

2-22



BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 2/8/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-171



INFORMATION:

Property Address: 400 Marlyn Avenue
Petitioner: Don Irwin, Scott Dawson
Zoning: RO
Requested Action: Variance

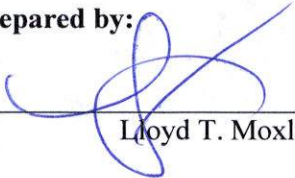
The Department of Planning has reviewed the petition for variance to permit an existing 2 apartment dwelling to have a side street setback of 7.6 feet and a combined side yard sum setback of 31.9 feet in lieu of the required 25 feet and 40 feet respectively.

A site visit was conducted on January 19, 2017. The property is currently the subject of Code Enforcement Case No. CS1601692 citing trash and debris on the property.

The Department has no objection to granting the petitioned zoning relief subsequent to successfully closing the aforementioned open enforcement case.

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

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Krystle Patchak
Don Irwin
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: January 11, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0171-A
Address 400 Marlyn Avenue
(Irwin & Dawson Property)

Zoning Advisory Committee Meeting of **January 16, 2017**.

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

Reviewer: Steve Ford Date: 1-11-2017

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: January 19, 2017

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

SUBJECT: Zoning Advisory Committee Meeting
For January 16, 2017
Item No. 2017-0170, 0171, 0172, 0173, 0174, 0175 and 0178

The Bureau of Development Plans Review has reviewed the subject zoning items and we have no comment.

DAK:CEN

cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC01162017.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: January 11, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0171-A
Address 400 Marlyn Avenue
(Irwin & Dawson Property)

Zoning Advisory Committee Meeting of **January 16, 2017**.

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

Reviewer: Steve Ford

Date: 1-11-2017

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
400 Marlyn Avenue; SW corner of intersection *
Of S. Marlyn Avenue & Platinum Avenue * OF ADMINISTRATIVE
13th Election & 7th Councilmanic Districts *
Legal Owner(s): Don Irwin & Scott Dawson * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2017-171-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.

RECEIVED

JAN 12 2017

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 12th day of January, 2017, a copy of the foregoing Entry of Appearance was mailed to Don Irwin, 4705 Madonna Road, White Hall, Maryland 21161, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

M E M O R A N D U M

DATE: March 28, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0171- A – Appeal Period Expired

The appeal period for the above-referenced case expired on March 27, 2017. 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

2017-171-

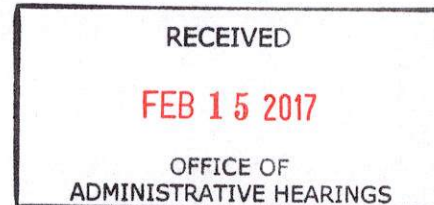
Lloyd Moxley

From: Don Irwin <dirwin@dnsdrywall.com>
Sent: Wednesday, February 15, 2017 3:30 PM
To: Lloyd Moxley
Subject: Re: 400 Marlyn Ave code violation # CS1601692

Mr. Moxley,

thank you sir

Don Irwin
D&S Drywall Inc.
443-463-2874
dirwin@dnsdrywall.com



On Feb 15, 2017, at 3:29 PM, Lloyd Moxley <lmoxley@baltimorecountymd.gov> wrote:

Mr. Irwin,
You may inquire with Mr. Olszewski to see if he can send you an official notification of closure if available. Additionally, Mr. Olszewski may be able to inform the Office of Administrative Hearings (OAH) directly as to the status of the case. In any event be sure to include your zoning case file number so that the AHO staff can ensure it gets into the proper file.

Lloyd T. Moxley
Planner, Development Review
Department of Planning
105 W. Chesapeake Avenue
Towson, MD 21204
(410) 887-3482

From: Don Irwin [<mailto:dirwin@dnsdrywall.com>]
Sent: Wednesday, February 15, 2017 10:49 AM
To: Lloyd Moxley <lmoxley@baltimorecountymd.gov>
Subject: Fwd: 400 Marlyn Ave code violation # CS1601692

Mr. Loyd,

Is the below email from Justin Olszewski sufficient proof that the case has been closed or should I seek something more. Thanks for your help.

Don Irwin
D&S Drywall Inc.
443-463-2874
dirwin@dnsdrywall.com

Begin forwarded message:

From: Justin R Olszewski <jrolszewski@baltimorecountymd.gov>
Subject: RE: 400 Marlyn Ave code violation # CS1601692
Date: February 13, 2017 at 2:03:53 PM EST
To: Don Irwin <dirwin@dnsdrywall.com>

It was my mistake, it's now closed.

From: Don Irwin [<mailto:dirwin@dnsdrywall.com>]
Sent: Monday, February 13, 2017 1:21 PM
To: Justin R Olszewski <jrolszewski@baltimorecountymd.gov>
Subject: Re: 400 Marlyn Ave code violation # CS1601692

Justin,

Can you please tell me why they are seeing it still open ? thank you

Don Irwin
D&S Drywall Inc.
443-463-2874
dirwin@dnsdrywall.com

On Feb 13, 2017, at 1:16 PM, Justin R Olszewski
<jrolszewski@baltimorecountymd.gov> wrote:

Don,

Yes. This case is closed and shouldn't be an issue with your hearing.

Regards,

Justin Olszewski

From: Don Irwin [<mailto:dirwin@dnsdrywall.com>]
Sent: Monday, February 13, 2017 1:00 PM
To: Justin R Olszewski <jrolszewski@baltimorecountymd.gov>
Subject: 400 Marlyn Ave code violation # CS1601692

Lloyd Moxley

From: Kathy Are
Sent: Tuesday, February 14, 2017 9:50 AM
To: Lloyd Moxley
Subject: FW: 400 Marlyn Ave code violation # CS1601692

From: Don Irwin [mailto:dirwin@dnsdrywall.com]
Sent: Monday, February 13, 2017 1:44 PM
To: Kathy Are <kare@baltimorecountymd.gov>
Subject: Fwd: 400 Marlyn Ave code violation # CS1601692 .

Kathy,

Can you please check the case again. the inspector says it has been closed see below.

Don Irwin
D&S Drywall Inc.
443-463-2874
dirwin@dnsdrywall.com

Begin forwarded message:

From: Justin R Olszewski <jrolszewski@baltimorecountymd.gov>
Subject: RE: 400 Marlyn Ave code violation # CS1601692
Date: February 13, 2017 at 1:16:56 PM EST
To: Don Irwin <dirwin@dnsdrywall.com>

Don,

Yes. This case is closed and shouldn't be an issue with your hearing.

Regards,

Justin Olszewski

From: Don Irwin [mailto:dirwin@dnsdrywall.com]
Sent: Monday, February 13, 2017 1:00 PM
To: Justin R Olszewski <jrolszewski@baltimorecountymd.gov>
Subject: 400 Marlyn Ave code violation # CS1601692

Real Property Data Search Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption				View GroundRent Registration			
Account Identifier:			District - 15 Account Number - 1511670010							
Owner Information										
Owner Name:		IRWIN DON DAWSON SCOTT			Use: Principal Residence:		COMMERCIAL/RESIDENTIAL NO			
Mailing Address:		4705 MADONNA RD WHITE HALL MD 21161-			Deed Reference:		/34843/ 00475			
Location & Structure Information										
Premises Address:		400 MARLYN AVE BALTIMORE 21221-			Legal Description:		LT 76-77 400 MARLYN AVE GLASSCO			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0097	0003	0368		0000			76	2015	Plat Ref:	0007/ 0115
Special Tax Areas:					Town:		NONE			
					Ad Valorem:					
					Tax Class:					
Primary Structure Built 2008		Above Grade Enclosed Area 3006			Finished Basement Area		Property Land Area 15,000 SF		County Use 06	
Stories	Basement	Type	Exterior		Full/Half Bath		Garage	Last Major Renovation		
1 1/2	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:			93,700		93,700					
Improvements			196,800		195,900					
Total:			290,500		289,600		289,600		289,600	
Preferential Land:			0						0	
Transfer Information										
Seller: GODOY OSCAR				Date: 04/08/2014				Price: \$93,000		
Type: NON-ARMS LENGTH OTHER				Deed1: /34843/ 00475				Deed2:		
Seller: DORN JOSEPH				Date: 07/28/2000				Price: \$86,000		
Type: ARMS LENGTH IMPROVED				Deed1: /14605/ 00347				Deed2:		
Seller: KOLB ALBERT				Date: 08/26/1988				Price: \$85,900		
Type: ARMS LENGTH IMPROVED				Deed1: /07955/ 00332				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										

Lot # 45 1508002970

Lot # 47

1515000070

BL

R-1947-0809

Lot # 47

2400009851

PAI # 150792

PAI # 150792

PAI # 150792

Pt. Bk. 0000077, Folio 0140

PAI # 150792

R-1948-1148 00009850

2002-0219-SPH
R-1942-0261

Lot # 1

1700003492

401

R-1949-1356-X

1700003491

R-1948-1137-X

7CD

PLATINUM AVE

DR 5.5

PAI # 158156

097B1

NE 1-H

15 ED

Lot # 76

Martin State Airport Restriction

Lot # 76

1511670010

RO

Lot # 74

1523000680

1502571700

Lot # 78

Pt. Bk. 0000007, Folio 0115

Lot # 79

1504751500

1968-0015-X

PAI # 158176

DR 16

2200029193

PAI # 158176

Pt. Bk./Folio # 013061A

BL

Lot # 80

1800013695

408

Pt. Bk./Folio # 013017C

PAI # 158103

PAI # 158103

S MARLYN AVE

DR 5.5

Pt. Bk. 0000013, Folio 0017

Lot # 1

1501920050

$\frac{600 \times 8}{2} = 2400$

Case No.:

2017-0171-A

Exhibit Sheet

Petitioner/Developer

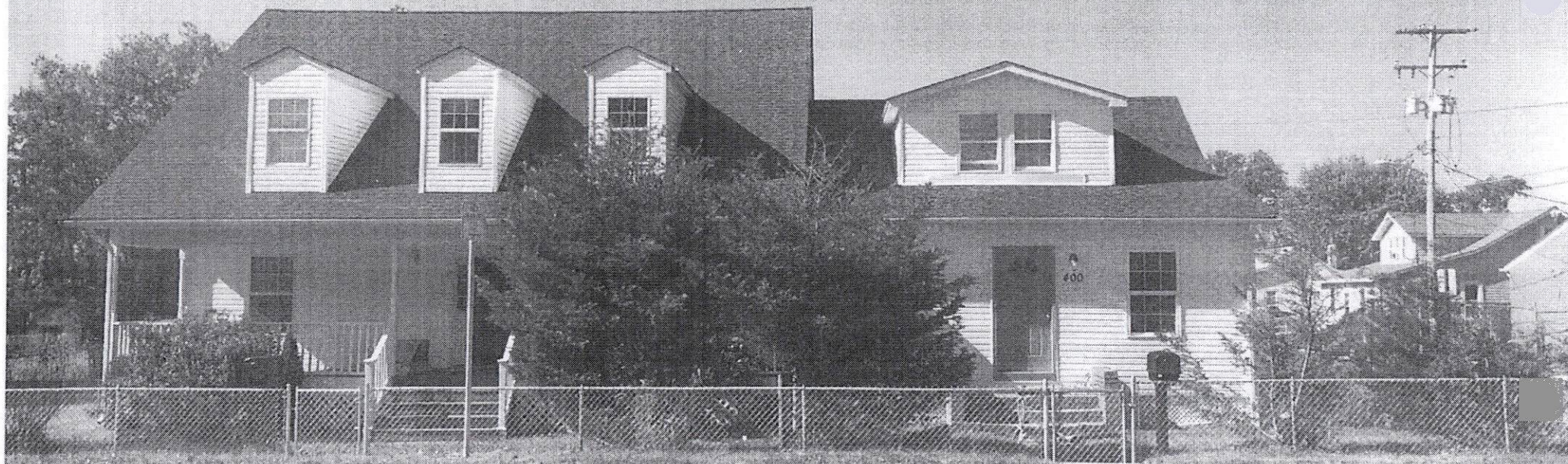
192
3-28-17

Protestants

Sen
2-24-17

No. 1	Plan	
No. 2	Photos	
No. 3	Electrical permit	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

400 MARTIN AVE



PETITIONER'S

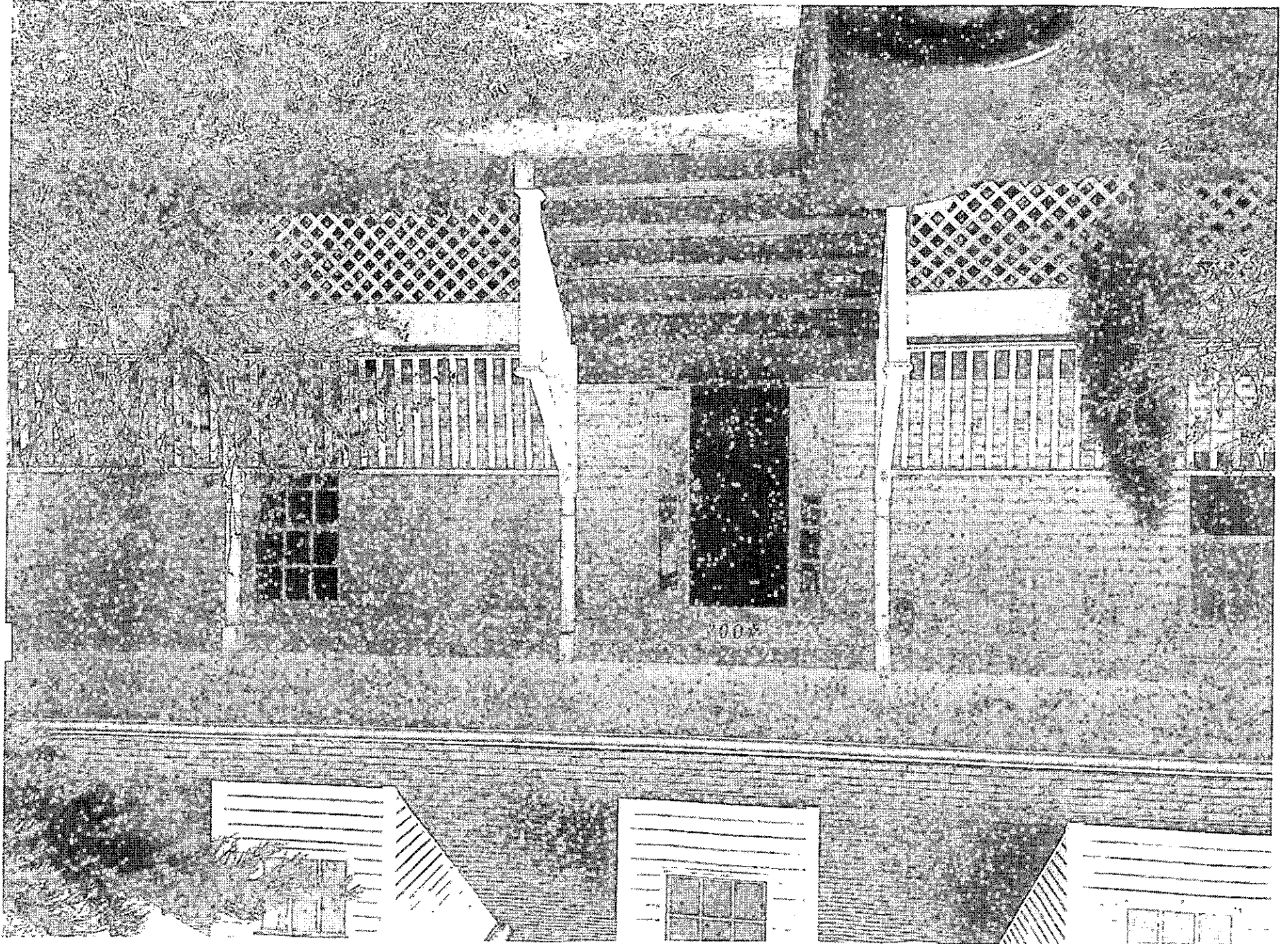
EXHIBIT NO.

2

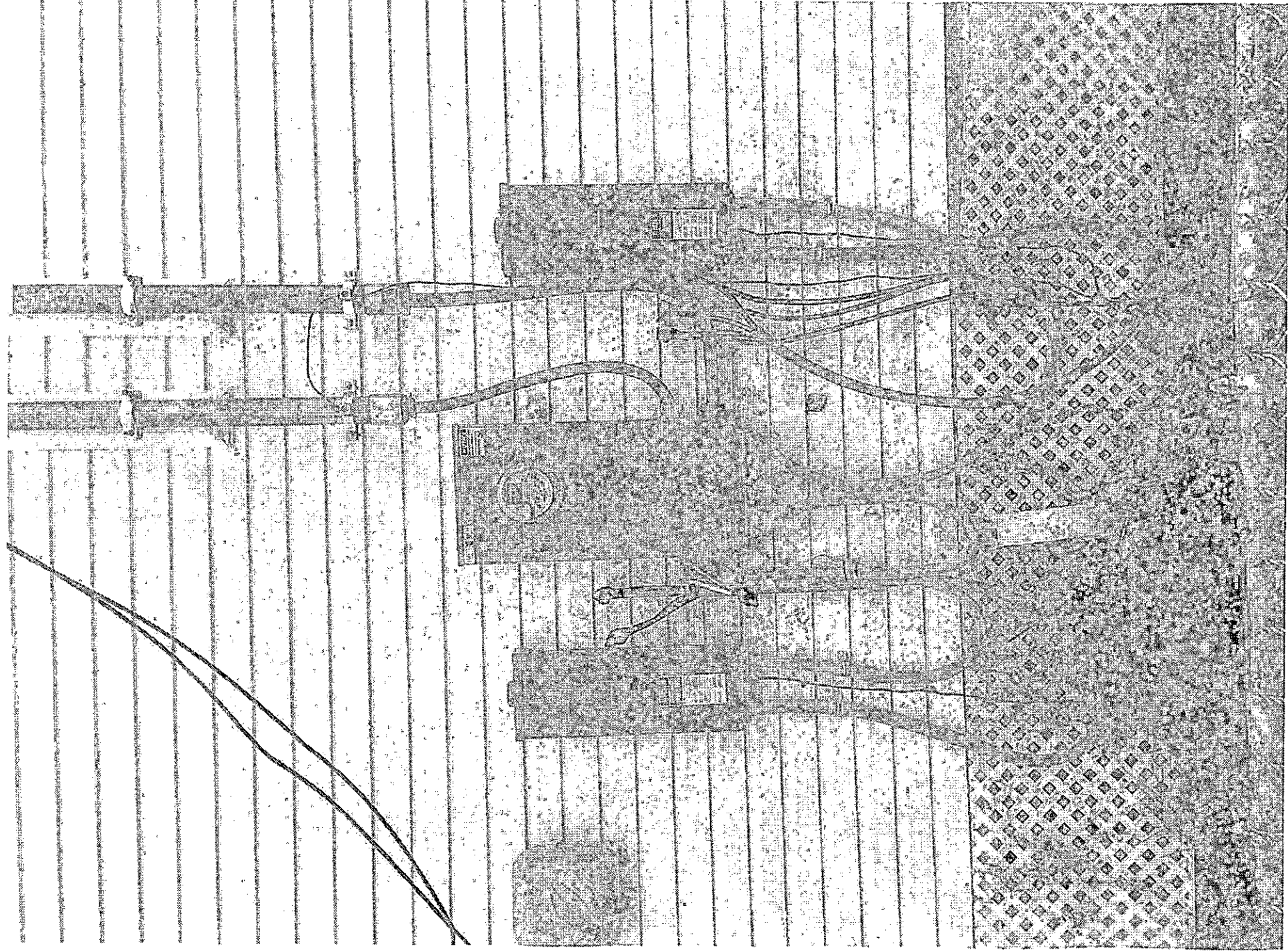


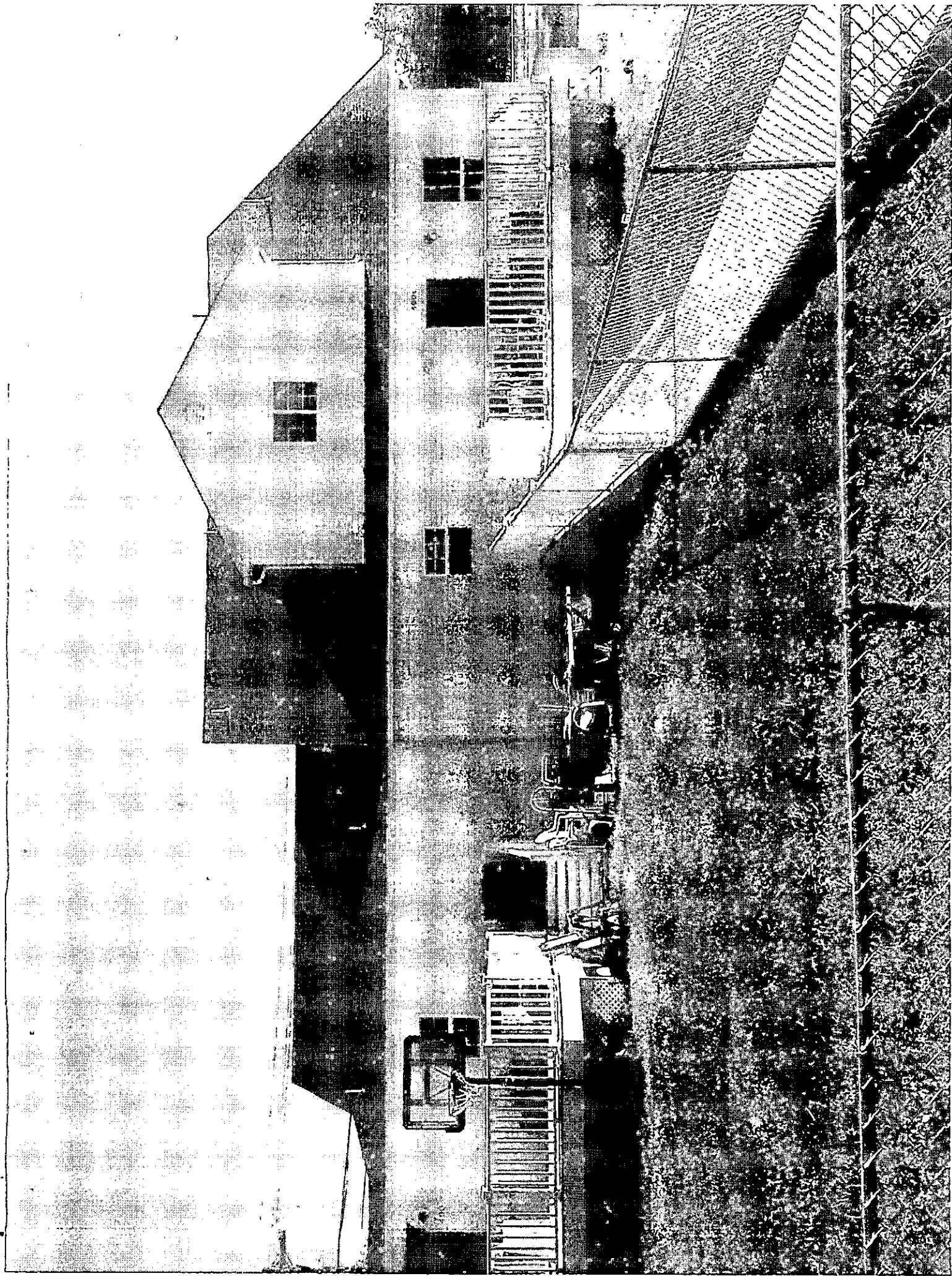
400 Marika Avenue

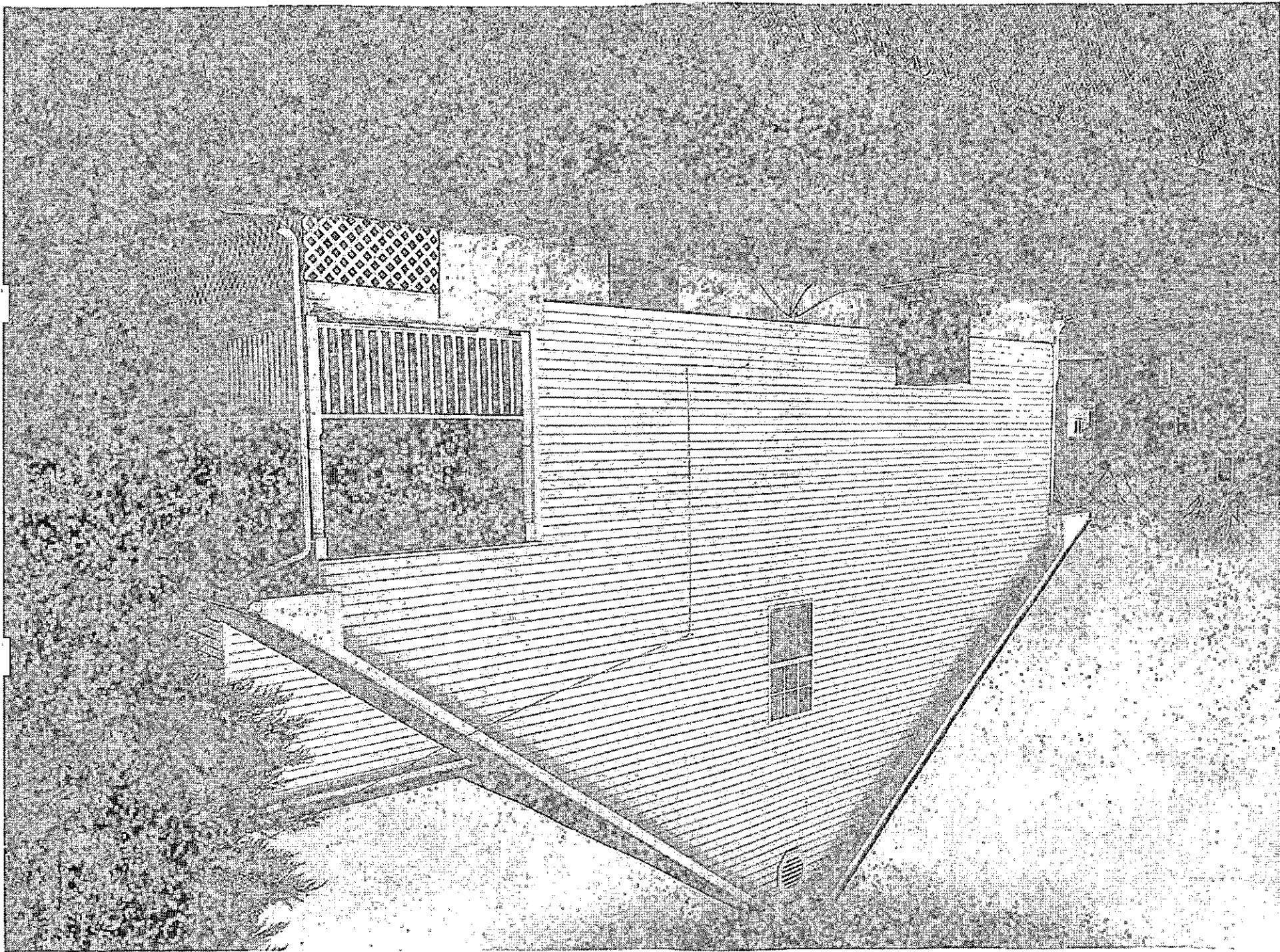
400 Martin Avenue



400 Martin Ave





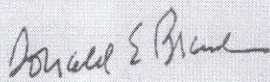


400 Martin Ave

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS, APPROVALS, AND INSPECTIONS


Arnold Jablon, Deputy Administrative Officer
& Director




Donald E Brand, Building Engineer

ELECTRICAL PERMIT

208
PERMIT #: E924068

XREF #:

DIST: 15 PREC: 00

JOB LOCATION: 400A MARLYN AVE
MAP COORDINATES A6

DATE ISSUED: 08/11/2016

PROPERTY OWNERS:
NAME: IRWIN DON SCOTT DAWSON
ADDR:
TENNANT INFORMATION
NAME:
ADDR:
PHONE #:

Todd

LICENSE HOLDER INFORMATION
BLAKE, MIKE, J
BLAKE ELECTRIC LLC
00602 KILMARNOCK TRAIL
BELAIR MD 21014

PHONE #: 410-952-4087

LICENSE #: MG 10686

BGE WMS#:

EXISTING METER #:
STRUCTURE USE: RESIDENTIAL BUILDING: OLD WORK DESCRIPTION:
DATE POWER CO. NOTIFIED:

DESCRIPTION OF WORK
RELOCATE 200AMP PANEL FEE: 30.00

SERVICE BY AMP(A), VOLTS(V), PHASE(P)

(200 A) (240V) (1P) (200 A) (240V) (1P)

TOTAL SERVICE AMPS 1PH: (400)

TOTAL SERVICE AMPS 3PH: ()

RECEIPT #: A739710

FEE: \$30.00

8-24-16
3147052

PETITIONER'S

EXHIBIT NO.

3

PAGE 1 OF 1

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES

111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204

BGE Service Application for Residential Modification/Relocation Projects

Today's Date: _____ Requested Service Date: _____
(mm/dd/yy) (mm/c) (for BGE internal use)

Lead time for an individual job will vary depending on the scope of the work and area per conditions. Within 10 days of receipt of this application, the BGE representative assigned to your job will contact you to discuss the project.

Please print or type.

1. Project Address:

Address(es): 400 A+B Martin Ave
City: Essex State: md Zip: 21221
County: Baltimore ADC Map Page: _____ ADC Grid: _____

2. Owner/Contractor/Builder Information:

Name and/or Legal Name of Company: Don Irwin Scott Dawson
Mailing Address: # 4705 Madonna Rd
City: Whitehall State: md. Zip: 21161
Phone: 443-463-2874 Fax: _____
Email: ditwin@Dnsdrywall.com Cell Phone: same

3. Person BGE will contact to discuss the Project and send communications regarding changes affecting the status of the job:

Name: Donald E Irwin Jr. Title: Owner
First MI Last
Legal Name of Company: Donald Irwin / Scott Dawson
Address: 4705 Madonna Rd
City: Whitehall State: md Zip: 21161
Phone: 443-463-2874 Fax: _____
Email: ditwin@Dnsdrywall.com Cell Phone: same

4. Person responsible for Construction Charges:

Name: _____ Title: _____
First MI Last
Legal Name of Company: _____
Address: _____
City: same above State: _____ Zip: _____
Phone: _____ Fax: _____
Email: _____ Cell Phone: _____
Federal Tax ID #: _____

stay meter Barker
A
Fates
B



-
- You may submit a hard copy of the Site Plan, an electronic file on diskette, or a CD-ROM in one of four BGE approved formats:

- Microstation (.dgn) (all releases)
- AutoCAD (.dwg) (releases prior to Version 14)
- .dxf format
- .pdf format

BGE's Outdoor Lighting Program

If street lighting is required or you are interested in BGE's private area lighting program, visit www.bge.com/outdoorlighting. Please complete and submit the application.

Small Generator Connection

If your project entails small generator interconnection (solar panels, wind turbines, interconnected generators, etc.) visit www.bge.com/energychoices - Small Generator Interconnection. Please complete and submit the *Interconnection Request Application* in addition to this application.

Working Near Power Lines

The law requires that before anyone begins work that may bring people, equipment, or other objects within 10 feet of overhead power lines, they must notify BGE at 410-685-0123. Please refer to www.bge.com under the heading of <Business> and <New Construction Services> then <Additional Resources> for information on the Maryland High Voltage Line Act.

In order to prevent any scheduling delays once you submit your service request, please submit a complete set of site plans with your service application as soon as possible.

With regard to Verizon, CATV or other non-BGE equipment relocation, contact the appropriate utility for procedures and costs.

If you would like additional information about applying for BGE Service, visit New Construction Services at www.bge.com. Also available online are the BGE Gas & Electric Metering Manual and the Customer Information Booklet.

BGE Service Application Guidelines—*Residential Modification/Relocation Projects*

To the Customer

Following is important information to assist you in applying for BGE gas and/or electric modification or relocation of equipment, and completing the BGE Service Application for Modification/Relocation Projects of the following types of facilities:

- Residential rehab
- Increase in residential service
- Relocation of any residential BGE equipment, such as poles, guy wires, meters, service wires, etc.

Completing the Service Application

In order for BGE to meet your requested service date, we strongly recommend that you submit the service application as early as possible in your planning process. It is very important that you complete **all** the requested information on the service application. Do not skip or omit any of the items. This may cause unnecessary delay of your project. Jobs are subject to cancellation if you do not respond to requests for information or if initial site work does not progress.

In addition, it is essential that you enter your company's name accurately on the service application. When you are asked for the Legal Name of Company, please provide the official name of your company as it appears on file with the State of Maryland Attorney General's Office. Your company's legal name will also appear on your Charter or Articles of Incorporation.

Meter Location and Traffic Protection Requirements

When selecting your desired electric and/or gas meter location, it is necessary to follow BGE's meter configuration and traffic protection requirements. For these requirements, please consult the *BGE Gas & Electric Metering Manual* or the *Customer Information Booklet*. These publications are available online at www.bge.com under the heading of <Business> and <New Construction Services>. Your BGE representative will also discuss these requirements with you.

Submitting Other Important Information

To ensure the proper processing of your service application, it is necessary for BGE to receive the following information:

- A completed copy of the BGE Service Application for Residential Modification/Relocation Projects
 - A Site Plan to scale* (1" = 100' at a minimum) showing the following:
 - All on-site utilities (water, sewer, septic area, storm drain, etc.)
 - Proposed meter location (gas and/or electric); see BGE Gas & Electric Metering Manual at www.bge.com
 - Existing BGE poles and pole numbers
 - Driveway and property lines
- *If no site plan exists, draw your proposed work in the Sketch Area provided.
You may also submit photos of your project.

More important information is continued on the next page.



An Exelon Company

5. Person responsible for electric and/or gas monthly Consumption/Service Billing:

Name: _____ Title: _____
First MI Last

Legal Name of Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

Email: _____ Cell Phone: _____

Do you currently have a BGE account? ☒ Yes: Account # 5488697511 ☐ No

Have you ever had service with BGE in the past? ☒ Yes ☐ No

• If yes, at what address? _____

6. Project Information:

Type of Building (check one): ☐ Existing ☐ Rehab ☒ Single Home ☐ Townhouse ☐ Mobile Home

Type of Service: ☐ Electric Only ☐ Gas Only ☐ Gas & Electric

Service Required: ☐ Permanent ☐ Relocation ☐ Increase

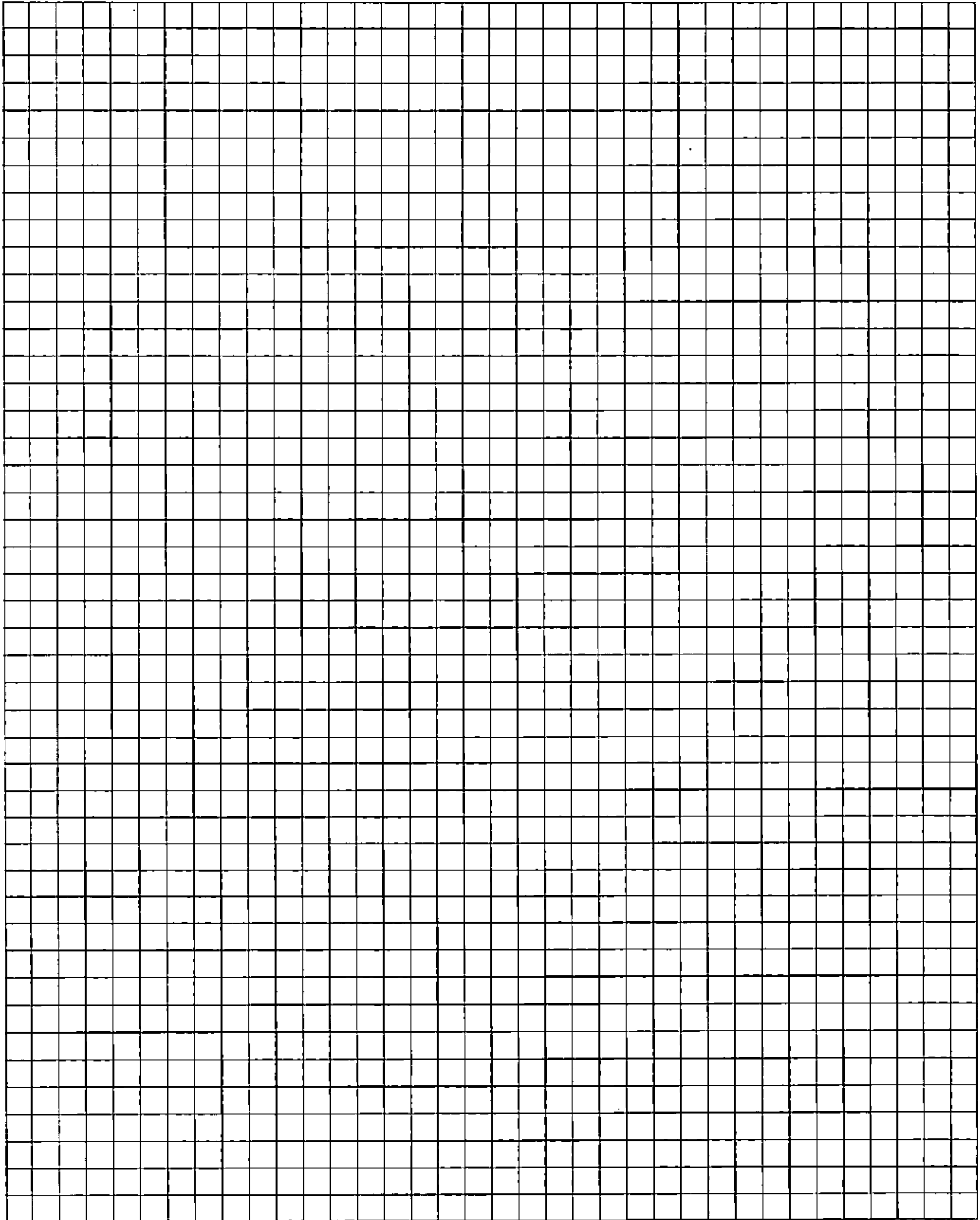
Total number of meters to be set/changed/relocated: 1 to 2 Electric 1 to 2 Gas

7. Please Provide a Detailed Description of Your Project:

400 S. Marlyn Ave is a duplex dwelling with
two separate tenants that are sharing one electric
meter + one electric bill. This is very confusing for
them when it becomes time to break down and pay
the bill.

I'm requesting that an additional electric
meter be installed to make the properties have separate
electric bills.

8. Sketch Area: Please show existing and proposed locations of utilities. You may also submit photos of your project.



10. If there is any other information that BGE needs to know about your project, please note below:

11. Summary:

To ensure that BGE can quickly and easily process your service application, please provide the following:

- ✓ Load information
- ✓ A complete set of plans including *(electronic version, if available)*:
 - All on-site utilities *(water, sewer, septic area, storm drain, etc.)*
 - Proposed meter location *(gas and/or electric)*; see BGE Gas & Electric Metering Manual at [www. bge.com](http://www.bge.com)
 - Driveway and property lines

Mail service application and complete set of plans to:

**BGE - Customer Planning Department
Service Application Unit
1068 N. Front Street, Room 501
PO Box 1475
Baltimore, MD 21203-1475**

Have questions?

**Call the BGE New Business Department
800-233-1854
Or visit the BGE website at www.bge.com**

400 Marilyn Ave load sheet

9. Load Information:

If your project is a rehab and/or an increase in service, complete the following:

Existing Building Area Sq. Footage: 3000

Proposed Building Area Sq. Footage: 1000/2000

Existing Size of Main Disconnect: 400 amps

Proposed Size of Main Disconnect: (check one) 2 - 200 Amp
☐ 100 amps ☐ 150 amps ☒ 200 amps ☐ 400 amps

Electric Voltage Requirements (check one):

☐ 120/240V 1 ϕ , 3 wire ☐ 120/208V 3 ϕ , 4 wire ☐ 240V Delta 3 ϕ , 3 wire (limited availability)

Gas Delivery Pressure (check one):

☐ Standard (1/4 PSIG) ☐ 2 PSIG

NOTE: Verify with your BGE representative that the available gas main pressure will support a 2 PSIG interior piping system.

Connected Loads

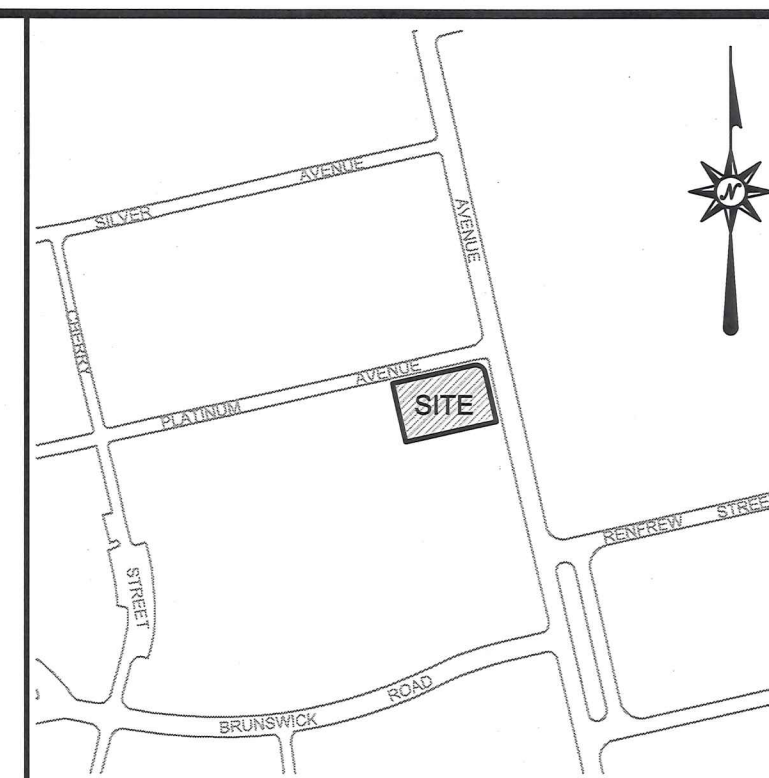
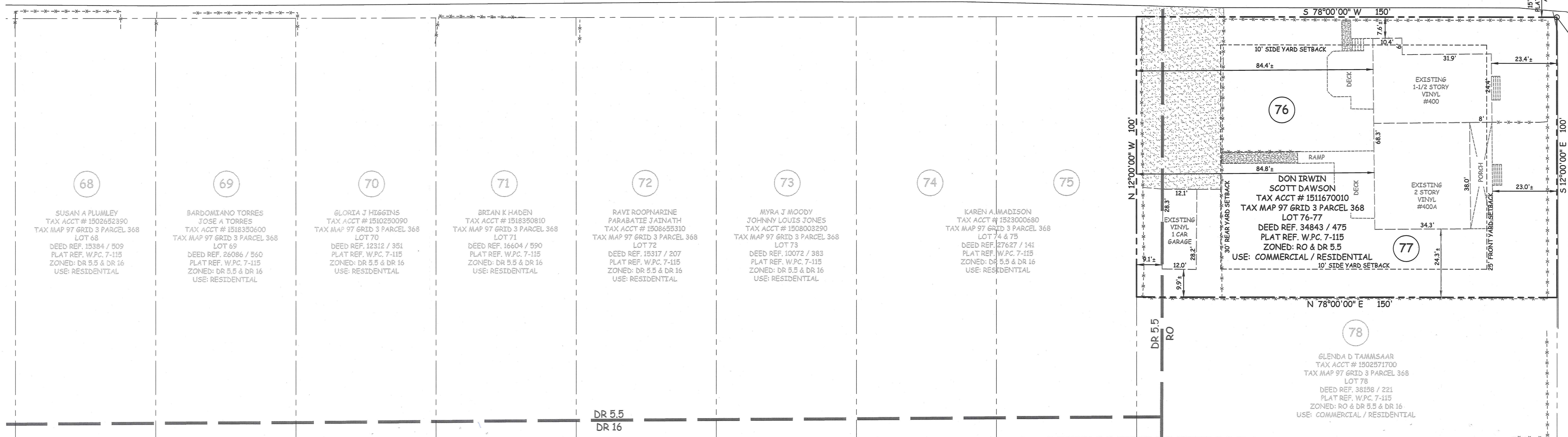
Include both your existing electrical loads and any new electrical loads you may be adding.

Electric Type of Load	Proposed New or Additional Electric Load (Do not include existing load)		Existing Electric Load		Total Electric Load (Proposed new or additional plus existing electric load)	
			Panel Box 1	Panel Box 2		
1. Indoor Lighting	_____ kW	_____ kVa	<u>3000</u> kW	<u>6000</u> kVa	_____ kW	_____ kVa
2. Outdoor Lighting	_____ kW	_____ kVa	_____ kW	_____ kVa	_____ kW	_____ kVa
3. Comfort Heat	_____ kW	_____ kVa	_____ kW	_____ kVa	_____ kW	_____ kVa
4. Heat Pump Compressor	_____ kW	_____ ton	<u>5000</u> kW	<u>7200</u> kVa	_____ kW	_____ ton
5. Heat Pump Aux. Heat	_____ kW	_____ kVa	<u>6500</u> kW	<u>6500</u> kVa	_____ kW	_____ kVa
6. Electric Baseboard (# of thermostats)	_____ kW	_____ kVa	_____ kW	_____ kVa	_____ kW	_____ kVa
7. Air Conditioning	_____ kW	_____ ton	_____ kW	_____ ton	_____ kW	_____ ton
8. Range	_____ kW	_____ kVa	<u>15000</u> kW	<u>15000</u> kVa	_____ kW	_____ kVa
9. Water Heater	_____ kW	_____ kVa	<u>5500</u> kW	<u>5500</u> kVa	_____ kW	_____ kVa
10. Tankless Water Heater	_____ kW	_____ kVa	_____ kW	_____ kVa	_____ kW	_____ kVa
11. Dryer	_____ kW	_____ kVa	<u>5600</u> kW	<u>5600</u> kVa	_____ kW	_____ kVa
12. Dishwasher	_____ kW	_____ kVa	<u>1500</u> kW	<u>1500</u> kVa	_____ kW	_____ kVa
13. Air Compressor	_____ kW	_____ Hp	_____ kW	_____ Hp	_____ kW	_____ Hp
14. Motors	_____ kW	_____ Hp	_____ kW	_____ Hp	_____ kW	_____ Hp

Gas Type of Load	Proposed New or Additional Gas Load (Do not include existing load)		Existing Gas Load		Total Gas Load (Proposed new or additional plus existing gas load)	
1. Comfort Heat	_____ Btu		_____ Btu		_____ Btu	
2. Heat Pump Aux. Heat	_____ Btu		_____ Btu		_____ Btu	
3. Range	_____ Btu		_____ Btu		_____ Btu	
4. Water Heater	_____ Btu		_____ Btu		_____ Btu	
5. Tankless Water Heater	_____ Btu		_____ Btu		_____ Btu	
6. Dryer	_____ Btu		_____ Btu		_____ Btu	
7. Pool Heater	_____ Btu		_____ Btu		_____ Btu	
8. Generator	_____ Btu		_____ Btu		_____ Btu	
9. Gas Fireplace	_____ Btu		_____ Btu		_____ Btu	
10. Outdoor Grill	_____ Btu		_____ Btu		_____ Btu	
11. Other:						
	_____ Btu		_____ Btu		_____ Btu	
	_____ Btu		_____ Btu		_____ Btu	
	_____ Btu		_____ Btu		_____ Btu	

GRAPHIC SCALE
1"=20'
0 20 40 60

PLATINUM AVENUE
(30' R/W)



LOCATION MAP
SCALE: 1" = 300'

GENERAL NOTES

- OWNER INFORMATION:
DON IRWIN & SCOTT DAWSON
400 MARLYN AVENUE
BALTIMORE, MARYLAND 21221
- SITE AREA:
15,000 SQ.FT. +/- OR 0.3444 AC +/-
- BUILDING AREA:
EXISTING: LOT 76 (#400) - 1085 SQ.FT. +/- OR 0.0251 AC +/-
LOT 77 (#400A) - 1300 SQ.FT. +/- OR 0.0298 AC +/-
- UTILITIES:
PUBLIC WATER
PUBLIC SEWER
- SITE DOES NOT LIE WITHIN THE FLOODPLAIN AS SHOWN
ON F.I.R.M. # 2400100440G PANEL 440 OF 580 DATED MAY 5, 2014
- PARKING CALCULATIONS:
ONE-FAMILY GROUP HOUSE (OR TOWNHOUSE) 2 PER DWELLING UNIT
REQUIRED: 4
PROVIDED: 4
- SETBACKS: (PRINCIPAL STRUCTURES)

	REQUIRED	PROVIDED LOT 76 (#400)	PROVIDED LOT 77 (#400A)
FRONT	25'	23.4' +/-	23.0' +/-
SIDE	10'	7.6' +/-	24.3' +/-
REAR	30'	84.4' +/-	84.8' +/-
- SETBACKS: (ACCESSORY STRUCTURES)

	REQUIRED	PROVIDED
SIDE	5'	9.1' +/-
REAR	5'	9.9' +/-

* 2.5' ALLOWED IF CONSTRUCTED OF FIRE RETARDANT MATERIAL
- BUILDING HEIGHT:
MAX PERMITTED - PRIMARY STRUCTURE 35', ACCESSORY STRUCTURE 15'
#400 - 1-1/2 STORY DWELLING = 21'
#400A - 2 STORY DWELLING = 28.3'
ACCESSORY STRUCTURE = 10.2'
- DEED REFERENCE:
34843/475
- TAX ACCOUNT # 1511670010
- COUNCILMANIC DISTRICT: 7th
- REGIONAL PLANNING DISTRICT: N/A
- CENSUS TRACT: 450501
- WATERSHED: BACK RIVER
- ZONING: RO & DR 5.5
- TAX MAP 97 PARCEL 368 LOT 76-77
- NO KNOWN PREVIOUS ZONING CASES ON FILE.
- NO KNOWN PERMITS ON FILE.
- FLOOR AREA CALCULATIONS: 2395 SF / 15000 SF = 0.16. (MAXIMUM FLOOR AREA RATIO = 0.35.)
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- NO KNOWN HISTORICAL BUILDINGS ON THIS SITE.
- NO KNOWN PREVIOUS DRC MEETINGS.

ZONING DESCRIPTION FOR 400 & 400 A MARLYN AVENUE

BEGINNING AT A POINT AT THE SOUTHWEST INTERSECTION OF PLATINUM AVENUE WHICH IS 30 FEET WIDE AND SOUTH MARLYN AVENUE WHICH IS 40 FEET WIDE, AT A DISTANCE OF 15.00 FEET SOUTHWEST FROM THE CENTERLINE OF AFORESAID PLATINUM AVENUE WHICH IS 30' WIDE.

BEING LOTS 76 AND 77 IN THE SUBDIVISION OF GLASSCO AS RECORDED IN BALTIMORE COUNTY PLAT BOOK W.P.C.7 FOLIO 115 CONTAINING 15,000 SQUARE FEET OR 0.3444 ACRES +/-, LOCATED IN THE THIRTEENTH ELECTION DISTRICT AND SEVENTH COUNCILMANIC DISTRICT.

LEGEND

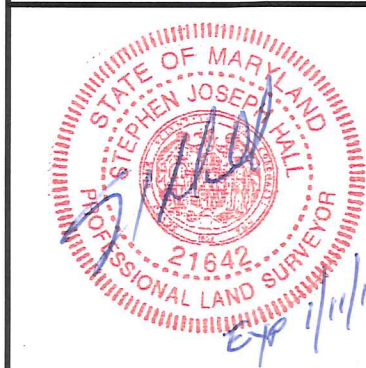
- EX CURB LINE
- EX PAVING LINE
- PROPERTY LINE
- ADJOINER PROPERTY LINE
- EX BLDG LINE
- ZONING LINE
- SETBACK LINE
- EX CHAINLINK FENCE
- GRAVEL PARKING
- EX CONC. SIDEWALK
- POWER POLE

S. MARLYN AVENUE
(40' R/W)

PETITIONER'S
EXHIBIT NO. 1



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS & LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD, SUITE 505
TOWSON, MARYLAND 21286
PHONE: 410-821-1690
FAX: 410-821-1748



PLAN TO ACCOMPANY ZONING HEARING

400 SOUTH MARLYN AVE

BALTIMORE COUNTY, MARYLAND
ELECTION DISTRICT: 15TH COUNCILMANIC DISTRICT: 7TH

SCALE: 1"=20' DATE: 12/16/16 DRAWN BY: MAS REVIEWED BY: SJH JOB NO.: