

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(1907 A Halethorpe Avenue)		
13 th Election District	*	OFFICE OF ADMINISTRATIVE
1 st Council District		
Joseph V. Gennusa, III & Mara I. Lebowitz	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	CASE NO. 2017-0200-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, Joseph V. Gennusa, III & Mara I. Lebowitz ("Petitioners"). The Petitioners are requesting Variance relief from §§ 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed open projection (deck) with a rear yard setback of 18 ft. in lieu of the maximum allowed 30 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. There were no adverse ZAC comments received from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on February 12, 2017, 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 Section 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

ORDER RECEIVED FOR FILING

Date 3-8-17

By [Signature]

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 Petitioners.

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 8th day of **March, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from §§ 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed open projection (deck) with a rear yard setback of 18 ft. in lieu of the maximum allowed 30 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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 3-8-17

By 



KEVIN KAMENETZ
County Executive

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

March 8, 2017.

Joseph V. Gennusa, III
Mara I. Lebowitz
1907 A Halethorpe Avenue
Halethorpe, MD 21227

RE: Petition for Administrative Variance
Case No. 2017-0200-A
Property: 1907 A Halethorpe Avenue

Dear Petitioners:

Enclosed please find a copy of the Order 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 Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", with a long horizontal flourish extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Christian Clifton, 5625 Ashbourne Road, Baltimore, MD 21227



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 1907 A HALETHORPE AVE 21227 Currently zoned DR2
 Deed Reference 35217 100155 10 Digit Tax Account # 2500005989
 Owner(s) Printed Name(s) JOSEPH GENNUSA, MARA LIEBOWITZ

(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)

Sections 1B02.3.C.1 and 301.1.A – to permit a proposed open projection (deck) with a rear yard setback of 18 feet in lieu of the maximum allowed 30 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):

JOSEPH GENNUSA, MARA LIEBOWITZ
 Name #1 – Type or Print Name #2 – Type or Print

Signature #1 1907 A HALETHORPE AVE BALTO. MD Signature #2
 Mailing Address City State
21227 302 981 6447 JVG-III RD @
 Zip Code Telephone # Email Address
HOT MAIL.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:

CHRISTIAN CLIFTON
 Name – Type or Print
Christian Clifton
 Signature
5625 ASHBURN RD BALTO. MD
 Mailing Address City State
21227 443 965 6500 INFO@CARDINAL
 Zip Code Telephone # Email Address
CON

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 2017-0200-A Filing Date 2/1/17 Estimated Posting Date 2/12/17 Reviewer RTD

ORDER RECEIVED FOR FILING

Date 3-8-17

By ISW

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: 1907 A HALETHORPE AVE BALTIMORE MD 21227
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)

CONSTRUCT A 22 FOOT DEEP X 10 FOOT WIDE DECK W/ 2 SETS
OF STEPS TO GRADE
WE SEEK TO EXPAND OUR OUTDOOR LIVING SPACE TO ALLOW
FOR MORE ENJOYMENT OF OUR PROPERTY

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

x [Signature]
Signature of Owner (Affiant)
Joseph Gennusa
Name- Print or Type

x Mara Lebowitz
Signature of Owner (Affiant)
x Mara Lebowitz
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 27th day of January, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Joseph Gennusa and Mara Lebowitz

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 1/27/17

MARCUS D. JONES
NOTARY PUBLIC - MARYLAND
BALTIMORE CITY
My Commission Expires 01-27-2017

REV. 5/5/2016

Item #0200

ZONING PROPERTY DESCRIPTION FOR 1907A HALETHORPE AVENUE

Beginning at a point on the northeast side of Halethorpe Avenue, which has a 50-foot right of way, at the distance of +/-325 feet southeast of the centerline of the nearest improved intersecting street Washington Boulevard, which has a 60-foot right of way. Thence the following courses and distances: (1st Point of Call – "POC") N 52° 45' E 422.79', (2nd POC) S 29° 30' E 104.5', (3rd POC) S 52° 45' W 156.94', (4th POC) N 37° 15' W 83.55', (5th POC) S 52° 45' W 232.94', (6th POC) N 29° 30' W 20.18' back to the point of beginning, as recorded in Deed Liber 35217, Folio 155, containing 20,046 square feet. Located in the 13th Election District and 1st Councilmanic District. Also known as Lot #2 in the minor subdivision of Andrews Property, minor subdivision #00-074-M (PAI #13-197), as maintained by the Development Management Division of the Department of Permits, Approvals, and Inspections.

Item #0200

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

Nº 148648

Date: 2/1/17

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				875.00

Total: \$ 75.00

Rec From: J V GENNUSA

For: Zoning hearing - case # 2017-0200-A

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME DSW
2/02/2017 2/01/2017 10:34:12 2
REG W502 WALKIN JEE
>>RECEIPT # 999362 2/01/2017 OFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 148648

Recpt Tot \$75.00
\$75.00 CK \$0.00 CA
Baltimore County, Maryland

**CASHIER'S
VALIDATION**

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2017-200-A

TO PERMIT A PROPOSED OPEN PROTECTION
(DECK) WITH A REAR YARD SETBACK OF
12 FEET IN LIEU OF THE MAXIMUM ALLOWED
30 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 THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
5:00 P.M. ON 2/21/18.

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391.
DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW.
HANDICAPPED ACCESSIBLE

ZONING PROPERTY DESCRIPTION FOR 1907A HALETHORPE AVENUE

Beginning at a point on the northeast side of Halethorpe Avenue, which has a 50-foot right of way, at the distance of +/-325 feet southeast of the centerline of the nearest improved intersecting street Washington Boulevard, which has a 60-foot right of way. Thence the following courses and distances: (1st Point of Call – "POC") N 52° 45' E 422.79', (2nd POC) S 29° 30' E 104.5', (3rd POC) S 52° 45' W 156.94', (4th POC) N 37° 15' W 83.55', (5th POC) S 52° 45' W 232.94', (6th POC) N 29° 30' W 20.18' back to the point of beginning, as recorded in Deed Liber 35217, Folio 155, containing 20,046 square feet. Located in the 13th Election District and 1st Councilmanic District. Also known as Lot #2 in the minor subdivision of Andrews Property, minor subdivision #00-074-M (PAI #13-197), as maintained by the Development Management Division of the Department of Permits, Approvals, and Inspections.

Item #0200

CERTIFICATE OF POSTING

Date: 2-12-17

RE: Case Number: 2017-0200A

Petitioner/Developer: J. Gennusa

Date of Hearing/Closing: 2-27-17

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 1907 A Halethorpe Ave

The signs(s) were posted on 2-12-17

(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON

(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road

(Street Address of Sign Poster)

Parkton, MD 21120

(City, State, Zip Code of Sign Poster)

410-343-1443

(Telephone Number of Sign Poster)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2017- 200 -A Address 1907A Halethorpe Ave
Contact Person: David Duvall Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 2/1/17 Posting Date: 2/12/17 Closing Date: 2/27/17

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- 0200 -A Address 1907A Halethorpe Ave
Petitioner's Name J Gennusa + M Lebowitz Telephone 302 981 6447
Posting Date: 2/12/17 Closing Date: 2/27/17
Wording for Sign: To Permit a proposed open projection (deck) with a rear
yard setback of 18 feet in lieu of the maximum ~~30~~ allowed
30 feet

Revised 7/6/16

**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: 2017-0200-A
Property Address: 1907A Halethorpe Ave
Property Description: northeast side of Halethorpe Ave, 325'
southeast of Washington Blvd
Legal Owners (Petitioners): JOSEPH GENNUSA, MARA LEBOWITZ
Contract Purchaser/Lessee: 1907A Halethorpe Ave

PLEASE FORWARD ADVERTISING BILL TO:

Name: JOSEPH GENNUSA MARA LEBOWITZ
Company/Firm (if applicable): _____
Address: 1907A Halethorpe Ave
Halethorpe, MD 21227

Telephone Number: 302 981 6447



KEVIN KAMENETZ
County Executive

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

February 28, 2017

Joseph Gennusa & Mara Liebowitz
1907 A Halethorpe Avenue
Baltimore MD 21227

RE: Case Number: 2017-0200 A, Address: 1907 A Halethorpe 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 February 1, 2017. 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
Christian Clifton, 5625 Ashbourne Road, Baltimore MD 21227

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



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

Date: 2/6/17

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. 2017-0200-A.

*Administrative Variance
Joseph Gennusa & Mora Liebowitz
1907 A Halethorpe 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 "Richard A. Zeller".

Wendy Wolcott, PLA
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: February 13, 2017

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

SUBJECT: Zoning Advisory Committee Meeting
For February 13, 2017
Item No. 2017-0113,0195,0196,0197,0198,0199,0200,0202 and 0204

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\ZAC02132017.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: February 8, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0200-A
Address 1907 A Halethorpe Avenue
(Gennusa & Liebowitz Property)

Zoning Advisory Committee Meeting of **February 13, 2017**

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

Reviewer: Steve Ford Date: 2-8-2017

M E M O R A N D U M

DATE: April 10, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0200-A – Appeal Period Expired

The appeal period for the above-referenced case expired on April 7, 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

Debra Wiley

From: Administrative Hearings
Sent: Friday, March 10, 2017 11:52 AM
To: info@cardinalmaryland.com
Subject: 2017-0200-A (Admin. Var.) - 1907 A Halethorpe Ave.
Attachments: 20170310120300574.pdf

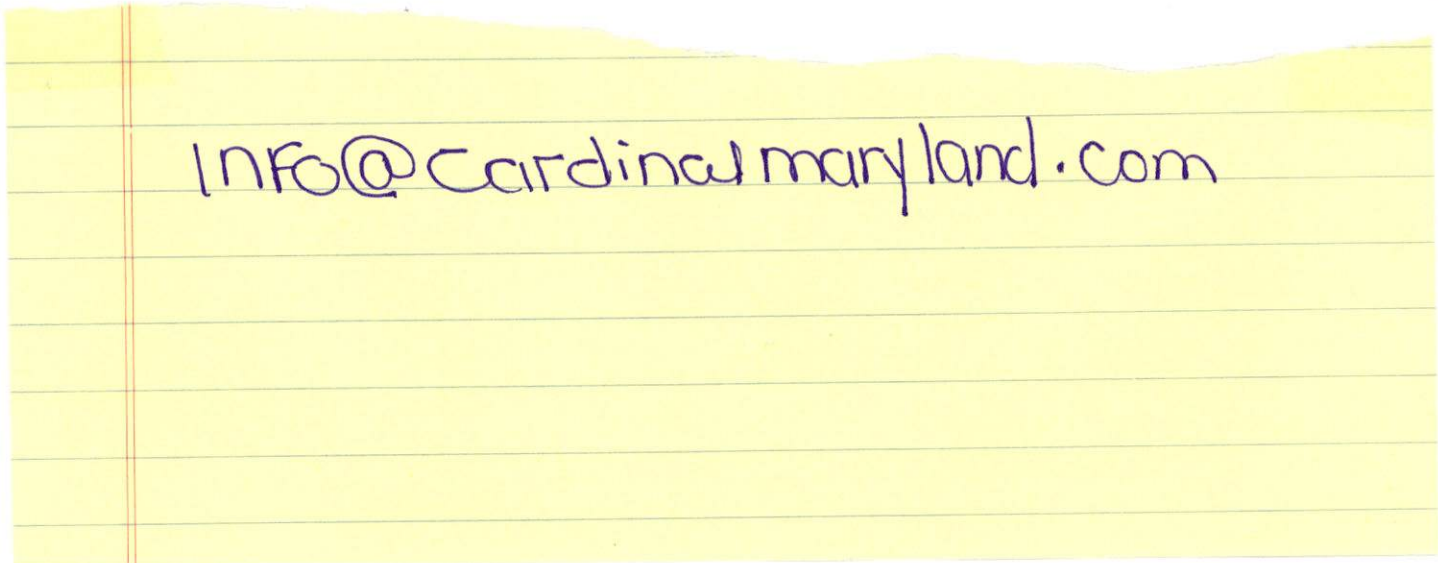
Per your request, please see attached.

-----Original Message-----

From: adminhearingscpr@baltimorecountymd.gov [mailto:adminhearingscpr@baltimorecountymd.gov]
Sent: Friday, March 10, 2017 12:03 PM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Subject: Admin Hearings Copier

This E-mail was sent from "RNP002673903BB1" (MP 3054).

Scan Date: 03.10.2017 12:03:00 (-0500)
Queries to: adminhearingscpr@baltimorecountymd.gov



info@cardinalmaryland.com

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 - 13 Account Number - 2500005989			
Owner Information					
Owner Name:		GENNUSA JOSEPH VINCENT III LEBOWITZ MARA ILENE		Use: Principal Residence: RESIDENTIAL YES	
Mailing Address:		1907 A HALETHORPE AVE HALETHORPE MD 21227-		Deed Reference: /35217/ 00155	
Location & Structure Information					
Premises Address:		1907A HALETHORPE AVE HALETHORPE 21227-		Legal Description: .46AC 1907A HALETHORPE AVE 300FT E WASHINGTON BLVD	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref: MS
0108	0012	0853		0000	2 2016
Special Tax Areas:			Town: NONE Ad Valorem: Tax Class:		
Primary Structure Built 2014		Above Grade Enclosed Area 1,824 SF		Finished Basement Area Property Land Area 20,046 SF County Use 04	
Stories 2	Basement YES	Type STANDARD UNIT	Exterior SIDING	Full/Half Bath 2 full/ 1 half	Garage 1 Attached Last Major Renovation
Value Information					
		Base Value	Value As of 01/01/2016	Phase-in Assessments As of 07/01/2016 As of 07/01/2017	
Land:		72,500	72,500		
Improvements		191,100	235,900		
Total:		263,600	308,400	278,533	293,467
Preferential Land:		0			0
Transfer Information					
Seller: SAND INVESTMENTS LLC		Date: 07/31/2014		Price: \$325,000	
Type: ARMS LENGTH IMPROVED		Deed1: /35217/ 00155		Deed2:	
Seller: SUPERIOR REAL ESTATE INVESTMENTS INC		Date: 11/29/2012		Price: \$1,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /32843/ 00246		Deed2:	
Seller: THE BANK OF NEW YORK MELLON TRUST COMPANY		Date: 09/11/2012		Price: \$146,000	
Type: ARMS LENGTH MULTIPLE		Deed1: /32528/ 00109		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 09/04/2014					

*Prior
Zoning*

*Reviewed
KCB*

*Jmk
7/3/01*

IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE
NE/S Halethorpe Avenue, 420' +/-
SE of Washington Boulevard
13th Election District
1st Councilmanic District
(1909 Halethorpe Avenue)

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-296-SPHA

Jacqueline M. & Bruce B. Andrews
Petitioners

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

This matter comes before this Deputy Zoning Commissioner as a Motion for Reconsideration filed by Michael P. Tanczyn, attorney at law, on behalf of his clients, Jacqueline and Bruce Andrews. The motion for reconsideration has asked that I reconsider my previously issued Order dated the 15th day of March, 2001. Therein, the Petitioners request for special hearing and variance was denied for the reasons stated within that order, particularly the lack of storm drains in and around the subject property.

The motion for reconsideration was filed in order to provide additional information concerning the installation of these storm drains by Baltimore County. A hearing was held on the motion for reconsideration.

Appearing at the hearing on behalf of the Petitioners were Bruce Andrews, owner of the property, Joseph Larson, appearing on behalf of Spellman & Larson, the engineering firm who prepared the site plan of the property and Michael Tanczyn, attorney at law. Appearing in opposition to the Petitioners' request was Donald Hawkins. John Frisk, a Baltimore County employee, employed with the Department of Public Works also attended.

Testimony and evidence indicated that the property, which is the subject of this motion for reconsideration, consists of 1 acre, more or less, zoned DR 2. The owner of the property, Mr.

Andrews, currently resides at 1909 Halethorpe Avenue in the existing single-family dwelling shown thereon. He is desirous of subdividing his property and creating two lots, one of which will contain the house he lives in shown as Lot 1 on the site plan and the other shown as Lot 2 will be unimproved and contain 0.51 acres. Lot 2 will be served by a panhandle drive extending from Halethorpe Avenue to the rear of the property. Mr. Andrews stated that he has a resident of the neighborhood interested in purchasing the lot in order to construct a home thereon.

At the previous hearing, the Petitioners' special hearing and variance was denied, based on storm water runoff problems associated with this area and the lack of storm drains in this vicinity. The request was denied until such time as the drains in question are installed. At the hearing on the motion for reconsideration, Mr. Tanczyn asked Mr. John Frisk, a County employee, to testify concerning the County's plans to install storm drains in this area. Mr. Frisk indicated that the County is very close to acquiring permission from two remaining property owners in order to make the installation of these necessary storm drains. Once installed, the storm drains in question will not only accommodate any and all storm water runoff, by virtue of this subdivision of property, but also many other homes in the surrounding area. This is a much needed improvement for this area as was testified to by Mr. Hawkins, a community leader who routinely appears at these types of hearings. Mr. Hawkins indicated that in the event the storm drains are installed to accommodate any additional runoff, as well as existing runoff in the area, his opposition would be retracted.

After considering the testimony and evidence offered at the hearing, I find it is appropriate to revise my previous order and hereby grant the special hearing to approve the use of a panhandle for access to Lot 2 and also approve an undersized lot. In addition, the variance to permit a sum of the side yard setbacks of 33 ft. in lieu of the required 40 ft. and a lot width of

Ink
3/13/01

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE		
NE/S Halethorpe Avenue, 420' +/-	*	DEPUTY ZONING COMMISSIONER
SE of Washington Boulevard		
13th Election District	*	OF BALTIMORE COUNTY
1st Councilmanic District		
(1909 Halethorpe Avenue)	*	CASE NO. 01-296-SPHA
 Jacqueline M. & Bruce B. Andrews	*	
Petitioners		

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance and Special Hearing filed by the legal owners of the subject property, Jacqueline M. & Bruce B. Andrews. The Petitioners are requesting a special hearing and variance for property they own at 1909 Halethorpe Avenue. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a sum of the side yards of 33 ft. in lieu of the required 40 ft. and a lot width of 84 ft. in lieu of the required 100 ft. The special hearing request is from Section 500.7 of the B.C.Z.R., to approve a panhandle access for Lot No. 2 of a minor subdivision of the Petitioners' property.

Appearing at the hearing on behalf of the requests were Bruce Andrews, owner of the property and Joseph Larson, a representative of the engineering firm who prepared the site plan of the property. Appearing in opposition to the Petitioners' request were several residents of the surrounding community, all of whom signed in on the Protestants' sign-in sheet.

Testimony and evidence indicated that the property, which is the subject of this special hearing and variance request, consists of 1.005 acres, more or less, zoned DR 2. The subject property is improved with an existing 2 ½ story single-family residential dwelling wherein the

Petitioners reside. The lot upon which the dwelling is located is approximately 105 ft. in width and 422 ft. in depth. The Petitioners purchased the property approximately 20 years ago. They have resided in the dwelling since that time until the present date. They now desire to subdivide the property and have proceeded through the minor subdivision process. The Petitioners intend to create a second lot situated to the rear of the property which is serviced by a panhandle driveway. The details of the subdivision are shown on Petitioners' Exhibit No. 1, the site plan submitted at the hearing.

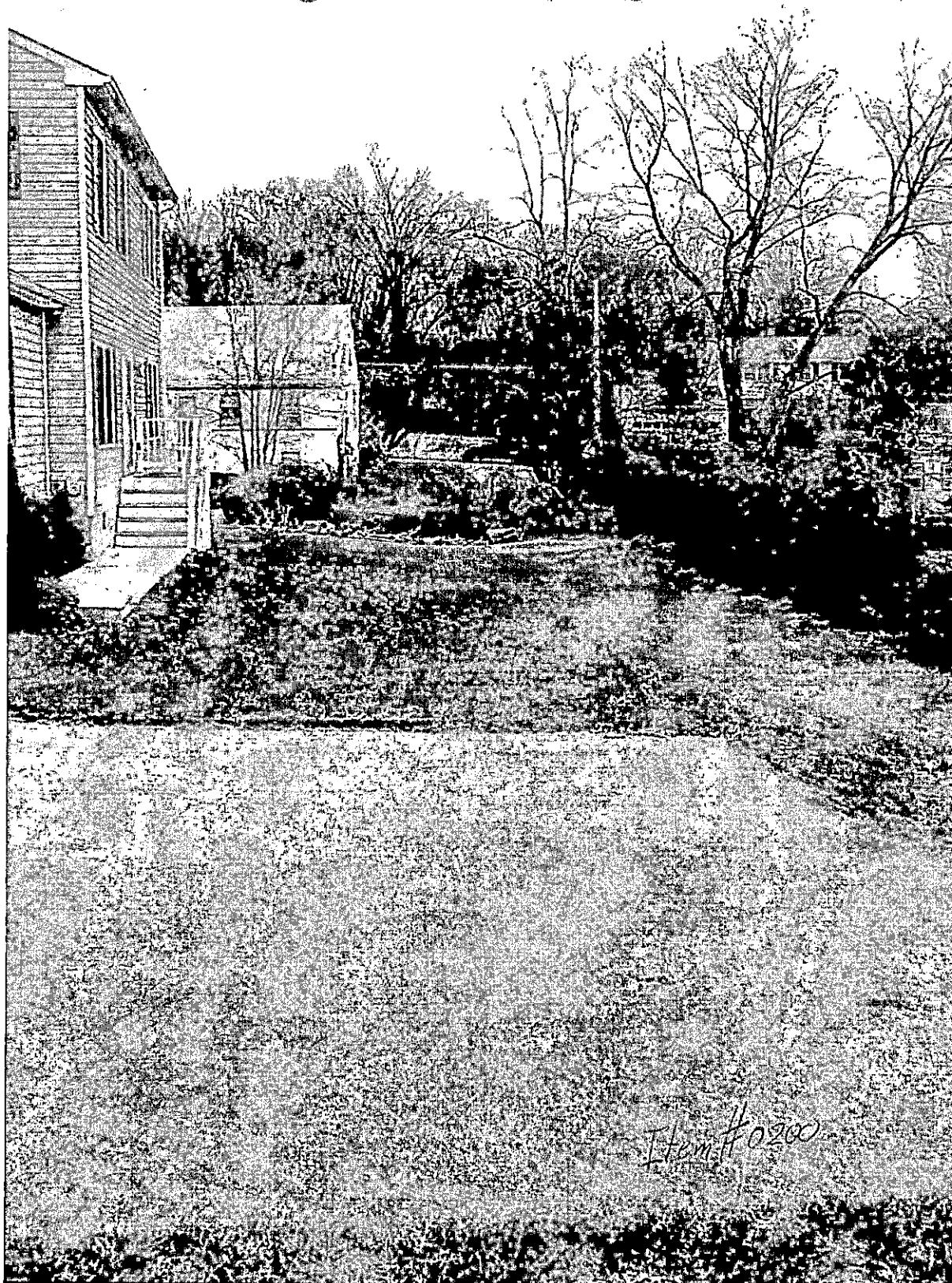
In order to subdivide the property as shown on the site plan, certain variances are generated. The actual variances involve the existing single-family dwelling. Once a 20 ft. wide panhandle driveway is created for Lot 2, Lot 1 will only be 84 ft. in width. DR 2 regulations require a minimum of a 100 ft. lot width. In addition, the existing dwelling will be left with a sum of side yard setbacks of 33 ft. in lieu of the required 40 ft. Therefore, as a result of the subdivision of the property, the variances are generated for the existing dwelling. In addition, special hearing relief is requested to approve the use of the panhandle driveway for Lot No. 2.

As stated previously, many residents from the surrounding community appeared and testified in opposition to the Petitioners' request. The surrounding property owners are not so much opposed to Mr. Andrews' right to subdivide his property, but are very much concerned with additional storm water runoff being generated from a new house being constructed on the rear of the property. Apparently, this particular area of Baltimore County suffers from an extreme amount of storm water runoff during rain events. This has been the case with other similar such hearings in the Halethorpe area of Baltimore County which have also come before this Deputy Zoning Commissioner. The testimony of the citizens in attendance, as



11-11-00

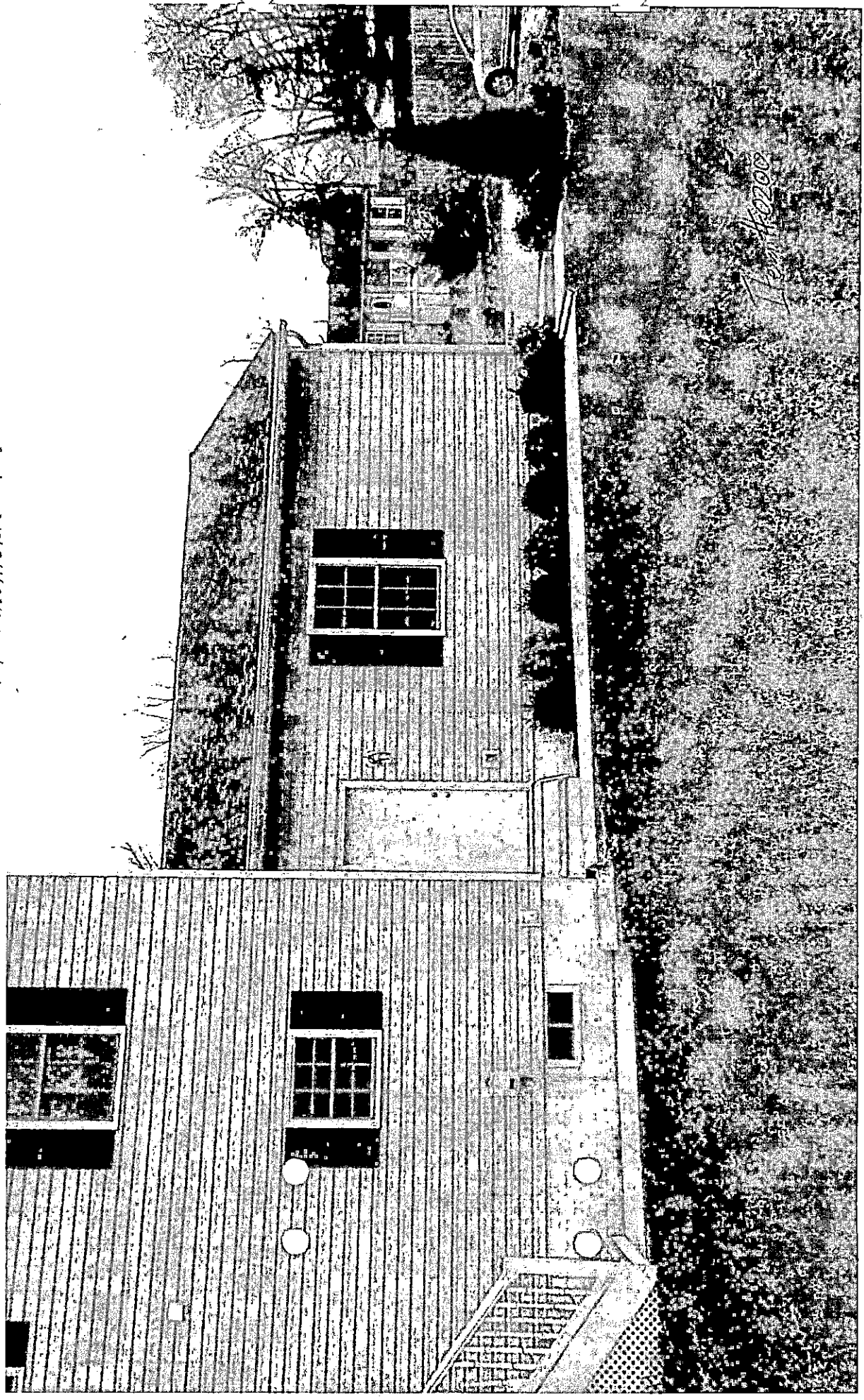
REAR YARD 1907 A HALETHOLPE AVE 21227



Item #0200

FRONT YARD 1907 A HALETHORPE AVE 21227

REAR OF PROPERTY RIGHT SIDE 1907 HALSTHORPE AVE 2/13/27



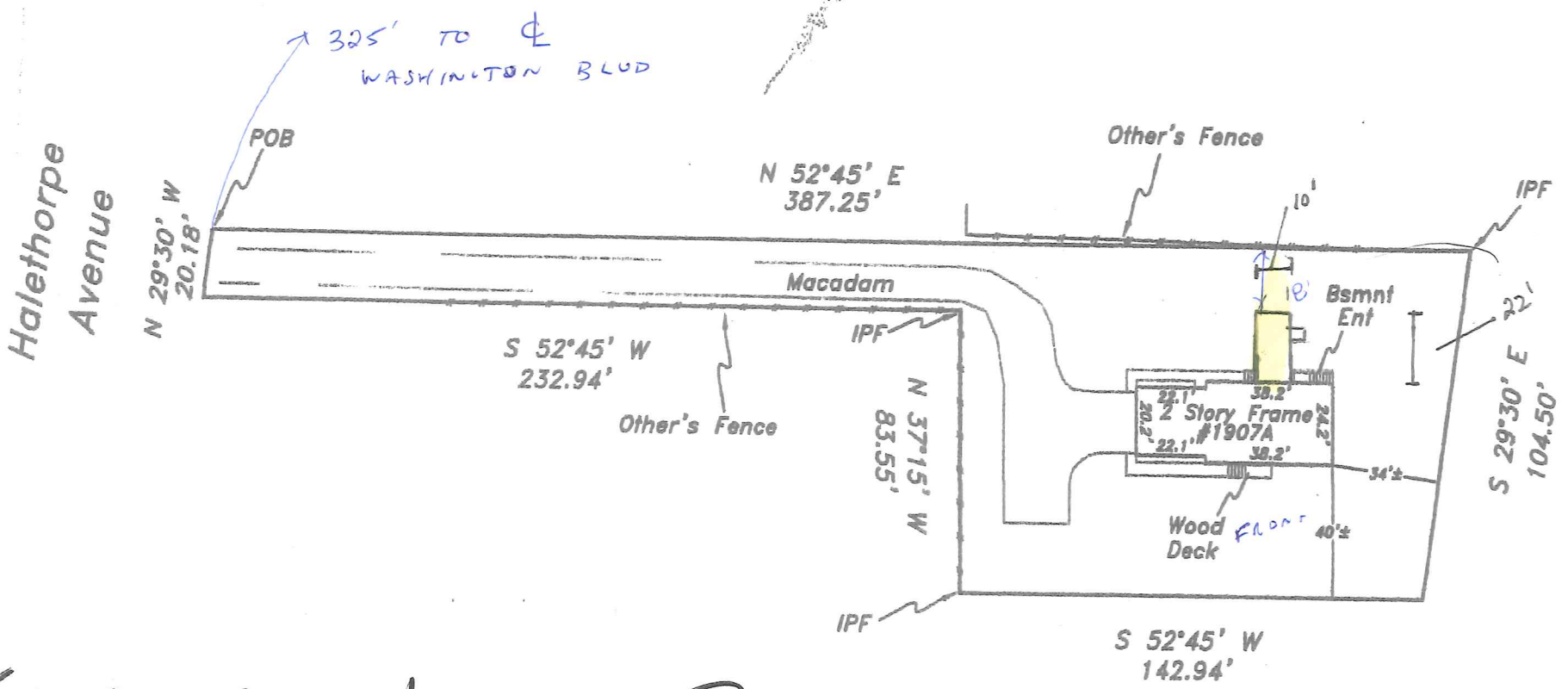
11/11/2000

REAR OF PROPERTY LEFT SIDE

1907 A HALETHORPE AVE. 21227



ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 1907 A Halethorpe Ave OWNER(S) NAME(S) JOSEPH GEMUSA, MARA LEBOWITZ
 MINOR SUR
 SUBDIVISION NAME ANDREWS PROPERTY (#00-74-m) LOT# 2 BLOCK# - SECTION# -
 PLAT BOOK # 115 FOLIO # 10 DIGIT TAX # 250005909 DEED REF. # 35217/00155



#2017-0200-A

R.D.D.

The purpose of this drawing is to locate, describe, and represent the positions of buildings and substantial improvements affecting the property shown hereon, being known as:
 1907A Halethorpe Avenue
 as described in a deed
 recorded among the land records of Baltimore County, Maryland in
 Liber 32843 Folio 246

This is to certify that I either personally prepared or was in responsible charge over the preparation of this drawing and the surveying work reflected in it, as set forth in Regulation .12 of Chapter 09.13.06 of the Code of Maryland Annotated Regulations.

This is page one of a two page document. The advice found on the affixed page is an integral part of this drawing, and is not valid without all pages.



James Carl Hudgins
 Property Line Surveyor #96
 Expiration Date: 3/11/16

LOCATION DRAWING
 1907A Halethorpe Avenue
 13th ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND

NTT Associates, Inc.
 16205 Old Frederick Rd.
 Mt. Airy, Maryland 21771
 Phone: (410) 442-2031
 Fax: (410) 442-1315
 www.nttsurveyors.com

Scale: 1" = 50'
 Date: 6-2-14
 Field By: DR
 Drawn By: DR
 File No.: DT14-05031
 Page No.: 1 of 2

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# _____
 SITE ZONED DR
 ELECTION DISTRICT _____
 COUNCIL DISTRICT _____
 LOT AREA ACREAGE _____
 OR SQUARE FEET 2
 HISTORIC? No
 IN CBCA? No
 IN FLOOD PLAIN? _____
 UTILITIES? MAR _____
 WATER IS:
 PUBLIC X PRIVATE _____
 SEWER IS:
 PUBLIC X PRIVATE _____
 PRIOR HEARING? _____
 IF SO GIVE CASE NUMBER _____
 AND ORDER RESULT _____

* #2001-0296-

VIOLATION CASE IN

Pet. Exh. 1