

IN RE: PETITION FOR ADMIN. VARIANCE *
(3920 Donerin Way)
10th Election District *
3rd Council District *
Shawn F. & Kelly A. Ellis *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2017-0210-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, Shawn F. & Kelly A. Ellis ("Petitioners"). The Petitioners are requesting Variance relief pursuant to § 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("B.C.Z.R") to permit a mud room addition with a side yard setback of 45 ft. in lieu of the required 50 ft. and to amend the Final Development Plan (FDP) of "Locksley Conserve" for lot 12 only. 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 submitted by any of the county reviewing agencies. However, it is to be noted that letters of support were received from neighbors residing at 3917 and 3918 Donerin Way who have no objections to Petitioners' request.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on February 19, 2017, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 3-13-17

By WJ

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.

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 13th day of **March, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to § 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("B.C.Z.R) to permit a mud room addition with a side yard setback of 45 ft. in lieu of the required 50 ft. and to amend the Final Development Plan (FDP) of "Locksley Conserve" for lot 12 only, 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 3-13-17

By [Signature]

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 3-13-17

By dlw



KEVIN KAMENETZ
County Executive

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

March 13, 2017

Shawn F. and Kelly A. Ellis
3920 Donerin Way
Phoenix, MD 21131

RE: Petition for Administrative Variance
Case No. 2017-0210-A
Property: 3920 Donerin Way

Dear Mr. and Mrs. Ellis:

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,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Vincent & Barbara Barnaba, 3917 Donerin Way, Phoenix, MD 21131
Lloyd & Kelley James, 3918 Donerin Way, Phoenix, MD 21131



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 3920 Dmerin Way Phoenix MD 21131 Currently zoned RE-5
Deed Reference 167221 00445 10 Digit Tax Account # 2300007645
Owner(s) Printed Name(s) Shawn F. + Kelly A. Ellis

(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** Section: 1A04.3.B.2.b BCZR
To permit a mud room addition with a side yard setback of 45 feet in lieu of the required 50 feet and to amend the Final Development Plan of "Locksley Conserve" for lot 12 only.

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):

Shawn F. Ellis , Kelly A. Ellis
Name #1 – Type or Print Name #2 – Type or Print
[Signature] , [Signature]
Signature #1 Signature #2
3920 Dmerin Way Phoenix MD
Mailing Address City State
21131 , 443-271-3395 , ellisbunch@gmail.com
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

Representative to be contacted:

Shawn F. Ellis
Name – Type or Print
[Signature]
Signature
3920 Dmerin Way Phoenix MD
Mailing Address City State
21131 , 443-271-3395 , ellisbunch@gmail.com
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 2017-0210-A Filing Date 2/8/2017 Estimated Posting Date 2/19/17 Reviewer [Signature]

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: 3920 Dameron Way Phoenix MD 21131
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)

When we built our home 13 years ago, we had two children and plenty of room. Since then, our family has grown to five children. Now the seven of us need to squeeze though our 5' X 8' laundry room all too often on a daily basis between both parents working and all kids going to school. We, on average, do up to 15 loads of laundry per week. We are requesting an addition that will allow us to keep the laundry room on the ground floor as this is where we spend the majority of our time and can keep the laundry going as we cook, clean, and help with homework. We feel it is the most economical place to put it as placing the addition behind the house will require tear down of a frequently used deck and block the view of the Gunpowder Forest Buffer behind our home. We realize that it requires an easement of 5' over the existing 15' setback line on the side our home. There is however, a tree buffer, in addition to the county easement for access to the storm water retention pond between our property and our neighbor the James'. They as well as our neighbors across the street, the Barnabas, have no objections to our variance request as included in accompanying letters. We appreciate the County's consideration in this matter.

[Signature]
Signature of Owner (Affiant)
Shawn F. Ellis
Name- Print or Type

[Signature]
Signature of Owner (Affiant)
Kelly A Ellis
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:

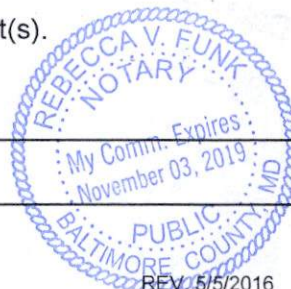
I HEREBY CERTIFY, this 30 day of January, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Rebecca V Funk

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
11/3/2019
My Commission Expires



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: 3920 Donerin Way Phoenix MD 21131
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)**

When we built our home 13 years ago, we had two children and plenty of room. Since then, our family has grown to five children. Now the seven of us need to squeeze though our 5' X 8' laundry room all too often on a daily basis between both parents working and all kids going to school. We, on average, do up to 15 loads of laundry per week. We are requesting an addition that will allow us to keep the laundry room on the ground floor as this is where we spend the majority of our time and can keep the laundry going as we cook, clean, and help with homework. We feel it is the most economical place to put it as placing the addition behind the house will require tear down of a frequently used deck and block the view of the Gunpowder Forest Buffer behind our home. We realize that it requires an easement of 5' over the existing 15' setback line on the side our home. There is however, a tree buffer, in addition to the county easement for access to the storm water retention pond between our property and our neighbor the James'. They as well as our neighbors across the street, the Barnabas, have no objections to our variance request as included in accompanying letters. We appreciate the County's consideration in this matter.

[Signature]
Signature of Owner (Affiant)
Shawn F. Ellis
Name- Print or Type

[Signature]
Signature of Owner (Affiant)
Kelly A Ellis
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:

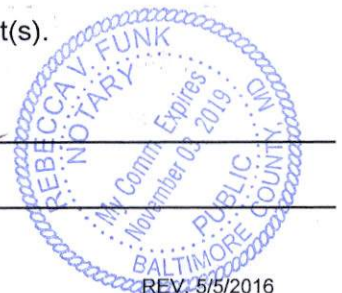
I HEREBY CERTIFY, this 30 day of January, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Rebecca V Funk

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
11/3/2019
My Commission Expires





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 3920 Damerin Way Phoenix 21131 Currently zoned RC-5
Deed Reference 16722 1 00448 10 Digit Tax Account # 2300 007645
Owner(s) Printed Name(s) Shawn F. + Kelly A. Ellis

(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

1. ☒ **ADMINISTRATIVE VARIANCE** Section: 1A04.3.B.2.b BCZR
To permit a mud room addition with a side yard setback of 45 feet in lieu of the required 50 feet and to amend the Final Development Plan of "Locksley Conserve" for lot 12 only.

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):

Shawn F. Ellis, Kelly A. Ellis
Name #1 – Type or Print Name #2 – Type or Print
[Signature] [Signature]
Signature #1 Signature #2
3920 Damerin Way Phoenix MD
Mailing Address City State
21131, 443-271-3395, ellisbunch2@gmail.com
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

Representative to be contacted:

Shawn F. Ellis
Name – Type or Print
[Signature]
Signature
3920 Damerin Way Phoenix MD
Mailing Address City State
21131, 443-271-3395, ellisbunch2@gmail.com
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 2 day of April, 2017 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 2017-0210-A Filing Date 2/18/2017 Estimated Posting Date 2/19/17 Reviewer TW

2017-0210-A

ZONING PROPERTY DESCRIPTION FOR 3920 Donerin Way

Beginning at a point on the northeast side of Donerin Way which is a 40' wide R/W at a distance of 1,000' south and east of the centerline of Locksley Court which is 40' right of way.

Option 2 – (Lot #12 of Locksley Conserve)

Being Lot #12, in the subdivision of Locksley Conserve in Baltimore County Plat Book #72, Folio #27 containing 1.41 acres. Located in the 10th Election District and 3rd Council District.

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

Nº 148658

Date: 2/8/17

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	406	000		6150				150.00

Total: 150.00

Rec
From:

Ellis

For:

3920 DONALDIN Way

J

2017-0210-A

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
2/09/2017 2/08/2017 09:41:07 1

REG 0501 WALKIN LJR
>>RECEIPT # 706755 2/08/2017 OFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 148658

Recpt Tot \$150.00
\$150.00 CK \$1.00 CA
Baltimore County, Maryland

**CASHIER'S
VALIDATION**

ZONING NOTICE

ADMINISTRATIVE

VARIANCE

CASE # 2017-0210-A
I.O. PERMIT A HUD ROOM ADDITION
WITH A SIDEYARD SETBACK OF 15 FEET
IN LIEU OF THE REQUIRED 50 FEET AND TO
RELAND THE FRONT DEVELOPMENT PLAN OF
"LOCKLEY CONSERVE" FOR LOT 12, ONLY

PUBLIC HEARING ?

PURSUANT TO SECTION 26-122(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
6:00 P.M. ON 3/6/17
ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT, 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

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>2-23</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
<u>2-15</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>2-13</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>2-19-17</u> by <u>Pilson</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

CERTIFICATE OF POSTING

Date: 2-19-17

RE: Case Number: 2017-0210-A

Petitioner/Developer: ELLIS

Date of Hearing/Closing: 3-6-17

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 3920 Doremus Way

The signs(s) were posted on 2-19-17
(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)

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2017- 0210 -A Address 3920 DOWERIN Way
Contact Person: LEONARDA Wasilewski Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 2/8/17 Posting Date: 2/19/17 Closing Date: 3/6/17

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

1. **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.
2. **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.
3. **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.
4. **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- 0210 -A Address 3920 DOWERIN Way
Petitioner's Name SHAWN & Kelly Ellis Telephone 1
Posting Date: 2/19/17 Closing Date: 3/6/17

Wording for Sign:

To permit a mud room addition with a side yard setback of 45 feet in lieu of the required 50 feet and to amend the Final Development Plan of "Locksley Conserve" for lot 12 only.

Revised 7/6/16



KEVIN KAMENETZ
County Executive

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

March 7, 2017

Shawn F & Kelly A Ellis
3920 Donerin Way
Phoenix MD 21131

RE: Case Number: 2017-0210 A, Address: 3920 Donerin Way

Dear Mr. & Ms. Ellis:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 8, 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.", is written over a faint, larger version of the same signature.

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: 2/13/17

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. 2017-0710-A

*Administrative Variance
Shawn F. & Kelly A. Ellis
3920 Donerlin Way*

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

Sincerely,

A handwritten signature in black ink, appearing to read "Wendy Wolcott".

Wendy Wolcott, PLA
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 23, 2017

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

SUBJECT: Zoning Advisory Committee Meeting
For February 20, 2017
Item No. 2017-0205, 0206, 0207, 0209, 0210, 0211, 0212 and 0213

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\ZAC02202017.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 15, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0210-A
Address 3920 Donerin Way
(Ellis Property)

Zoning Advisory Committee Meeting of February 20, 2017

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

Reviewer: Steve Ford

Date: 2-15-2017

M E M O R A N D U M

DATE: April 1~~3~~³, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0210-A – Appeal Period Expired

The appeal period for the above-referenced case expired on April 12, 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

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 - 10 Account Number - 2300007645			
Owner Information					
Owner Name:	ELLIS SHAWN F ELLIS KELLY A		Use:	RESIDENTIAL	
Mailing Address:	3920 DONERIN WAY PHOENIX MD 21131-1760		Principal Residence:	YES	
			Deed Reference:	/16722/ 00445	
Location & Structure Information					
Premises Address:		3920 DONERIN WAY PHOENIX 21131-1760		Legal Description:	1.409 AC 3920 DONERIN WAY NS LOCKSLEY CONSERVE
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0036	0014	0018		0000	12 2017 0072/0027
Special Tax Areas:			Town: NONE Ad Valorem: Tax Class:		
Primary Structure Built	Above Grade Enclosed Area		Finished Basement Area	Property Land Area	County Use
2003	3,378 SF			1.4100 AC	04
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	YES	STANDARD UNIT	SIDING	2 full/ 1 half	1 Attached
Value Information					
	Base Value		Value As of 01/01/2017	Phase-in Assessments As of 07/01/2016 As of 07/01/2017	
Land:	234,200		234,200		
Improvements	365,200		359,100		
Total:	599,400		593,300	599,400	593,300
Preferential Land:	0				0
Transfer Information					
Seller: LOCKSLEY CONSERVE INC		Date: 08/19/2002		Price: \$195,000	
Type: ARMS LENGTH IMPROVED		Deed1: /16722/ 00445		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2016		07/01/2017	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:	Special Tax Recapture:				
Exempt Class:	NONE				
Homestead Application Information					
Homestead Application Status: Approved 07/18/2008					

Debra Wiley

From: Debra Wiley
Sent: Thursday, March 09, 2017 11:25 AM
To: June Wisnom
Subject: AV Case No. 2017-0210-A

Hi June,

Just a reminder ... since I know you're there by yourself. Need support letter from neighbors as stated in Petitioners' petition (back side).

Thanks.

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

*June to
call
Pet. 3-9
11:44 AM*

*June
left msg.
will send to
us as soon
as it's
rec'd
3-10*

January 24, 2017

To Whom it May Concern:

We live across the street from the Ellis Household at 3919 Donnell Way, Phoenix, MD. Shawn and Kelly have made us aware that they are seeking an administrative variance of 5' over the setback line on the left side (facing us) of their property for a laundry room addition.

We do not have any issues or concerns regarding this variance.

Thank you

Barbara Bernaba

Rick and Barbara Bernaba

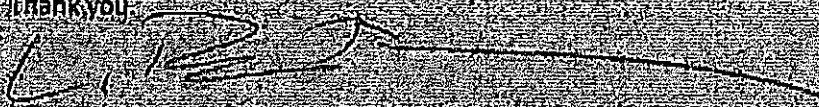
January 24, 2017

To Whom It May Concern,

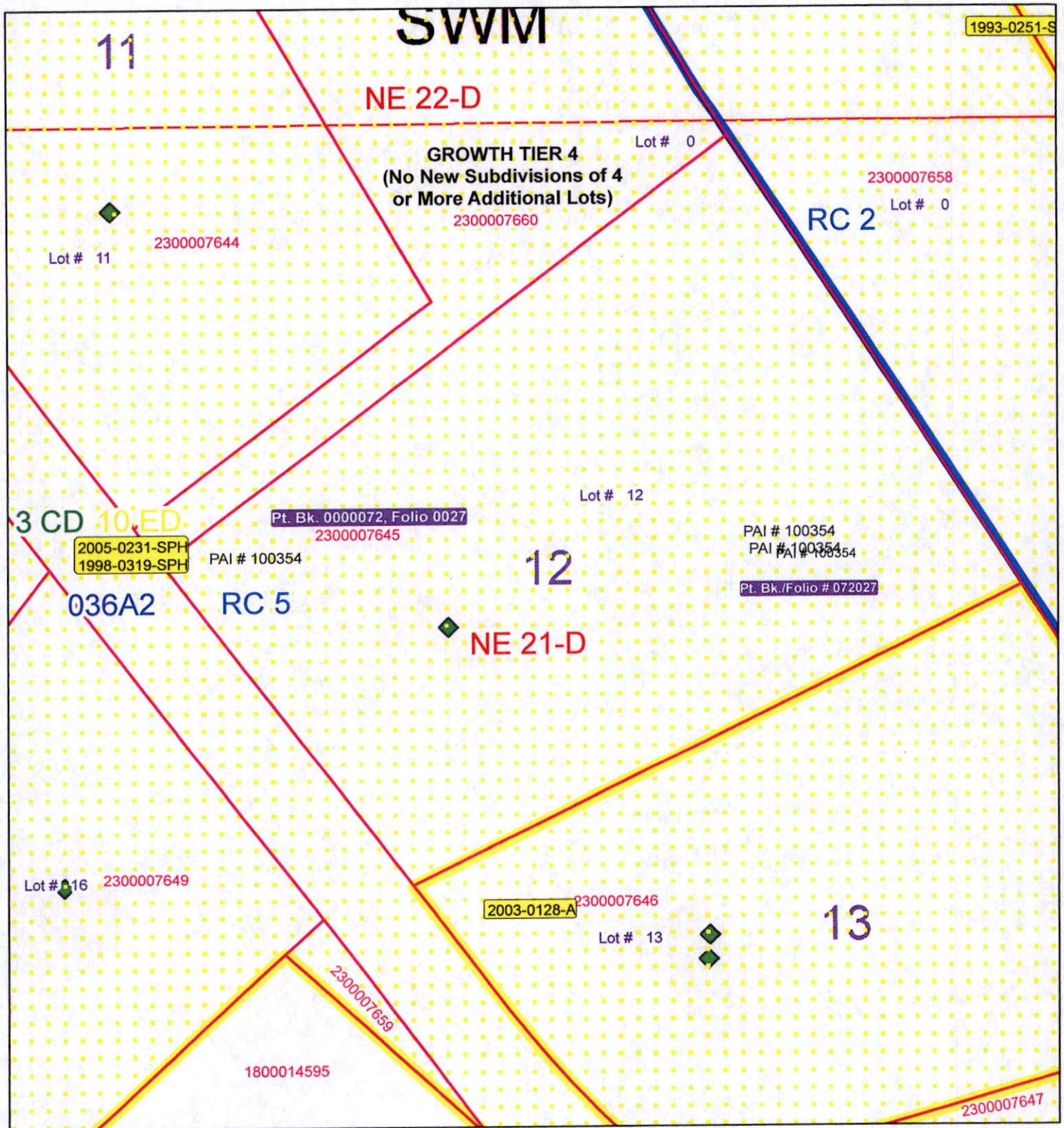
We live next door to the Ellis Household at 3918 Donnell Way, Phoenix, MD. Shawn and Kelly have made us aware that they are seeking an administrative variance of 5' over the setback line on the left side (nearest us) of their property for a laundry room addition.

There is currently a county easement as well as tree buffers between our properties at present. We do not have any issues or concerns regarding this variance request.

Thank you,



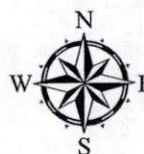
Brendan and Kelly James



Publication Date: 1/23/2017



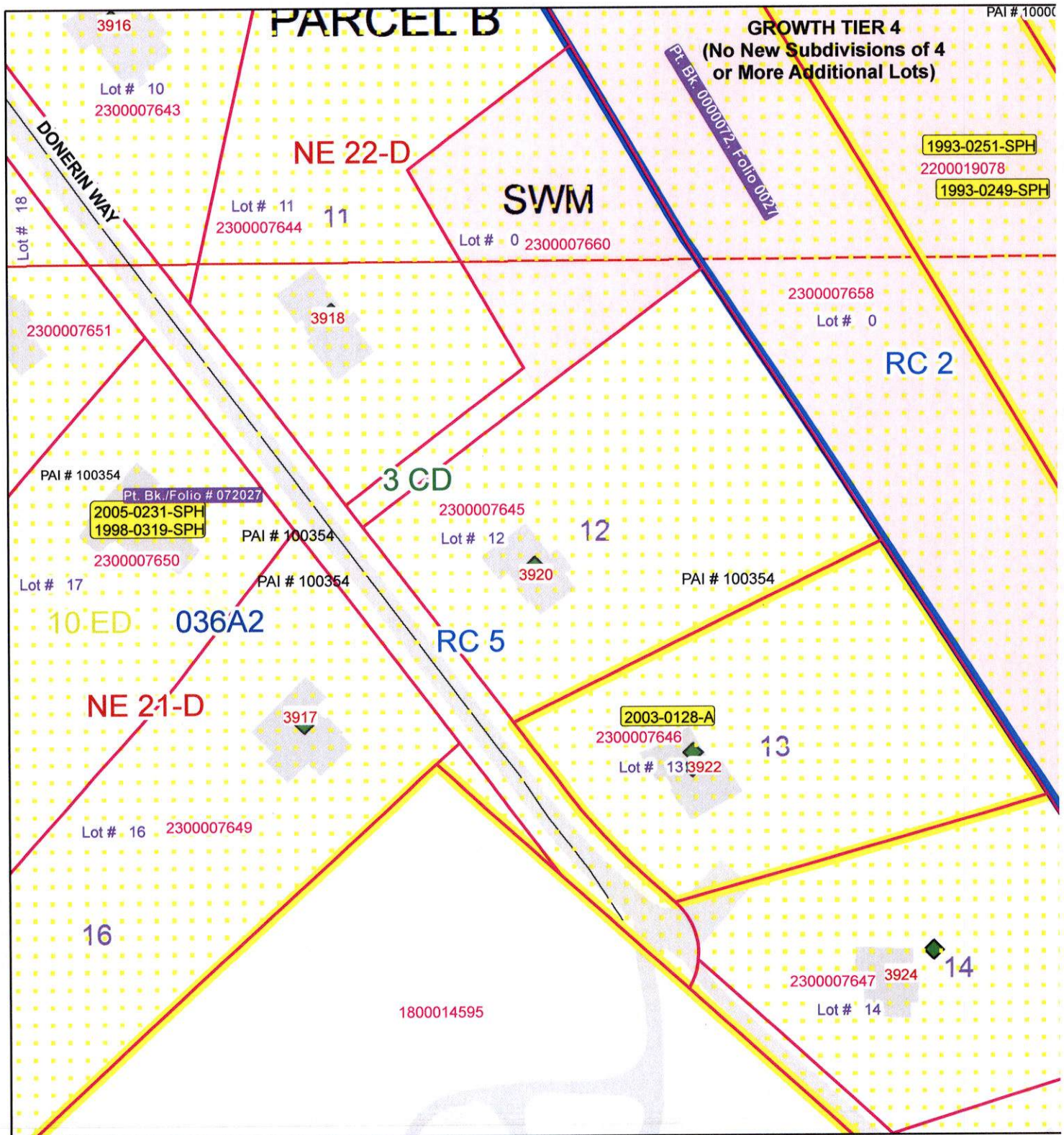
Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 15 30 60 90 120 Feet

1 inch = 60 feet

3920 Donerin Way 2017-0210-A



Publication Date: 2/8/2017



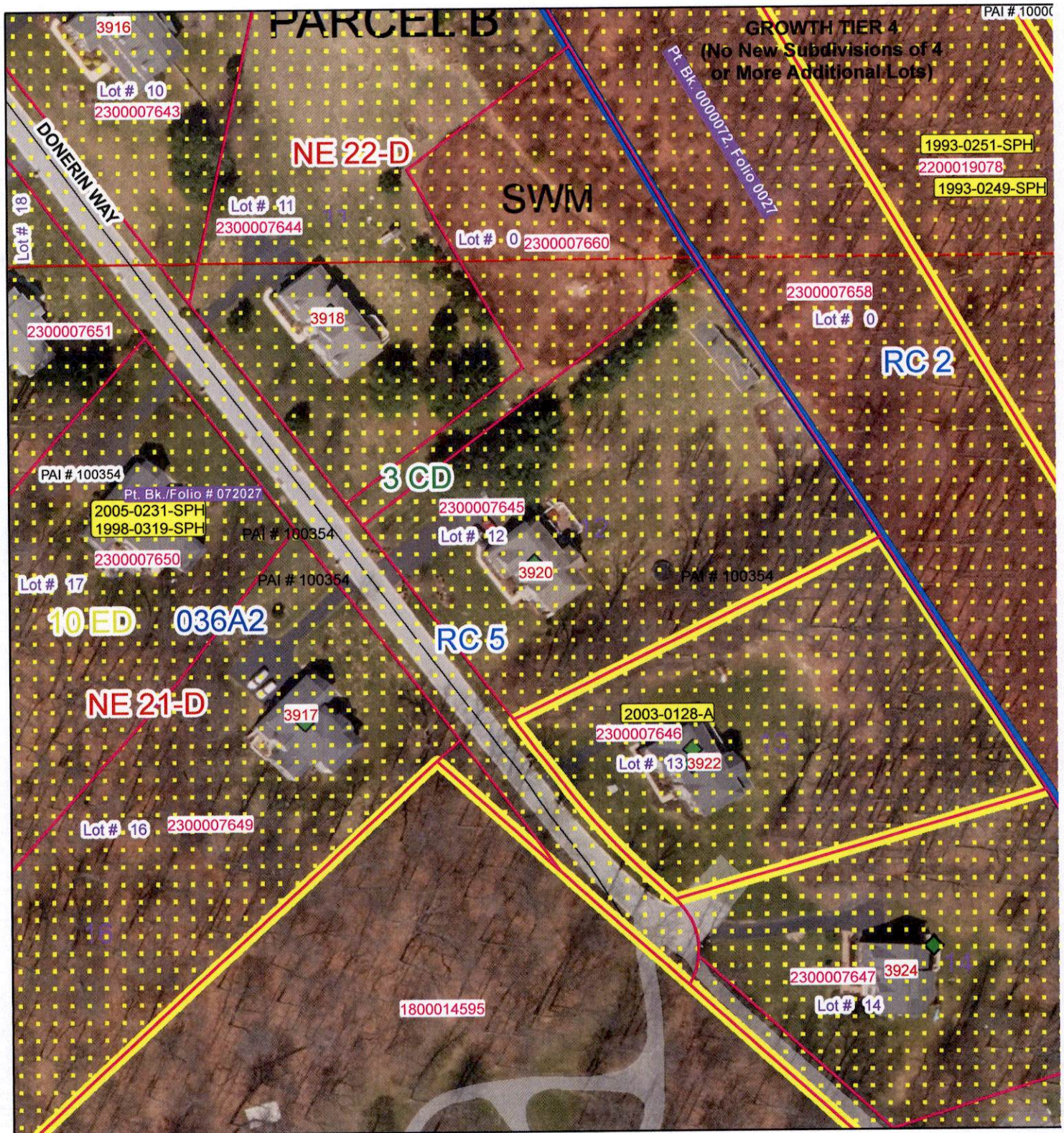
Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 25 50 100 150 200 Feet

1 inch = 100 feet

3920 Donerin Way 2017-0210-A



Publication Date: 2/8/2017

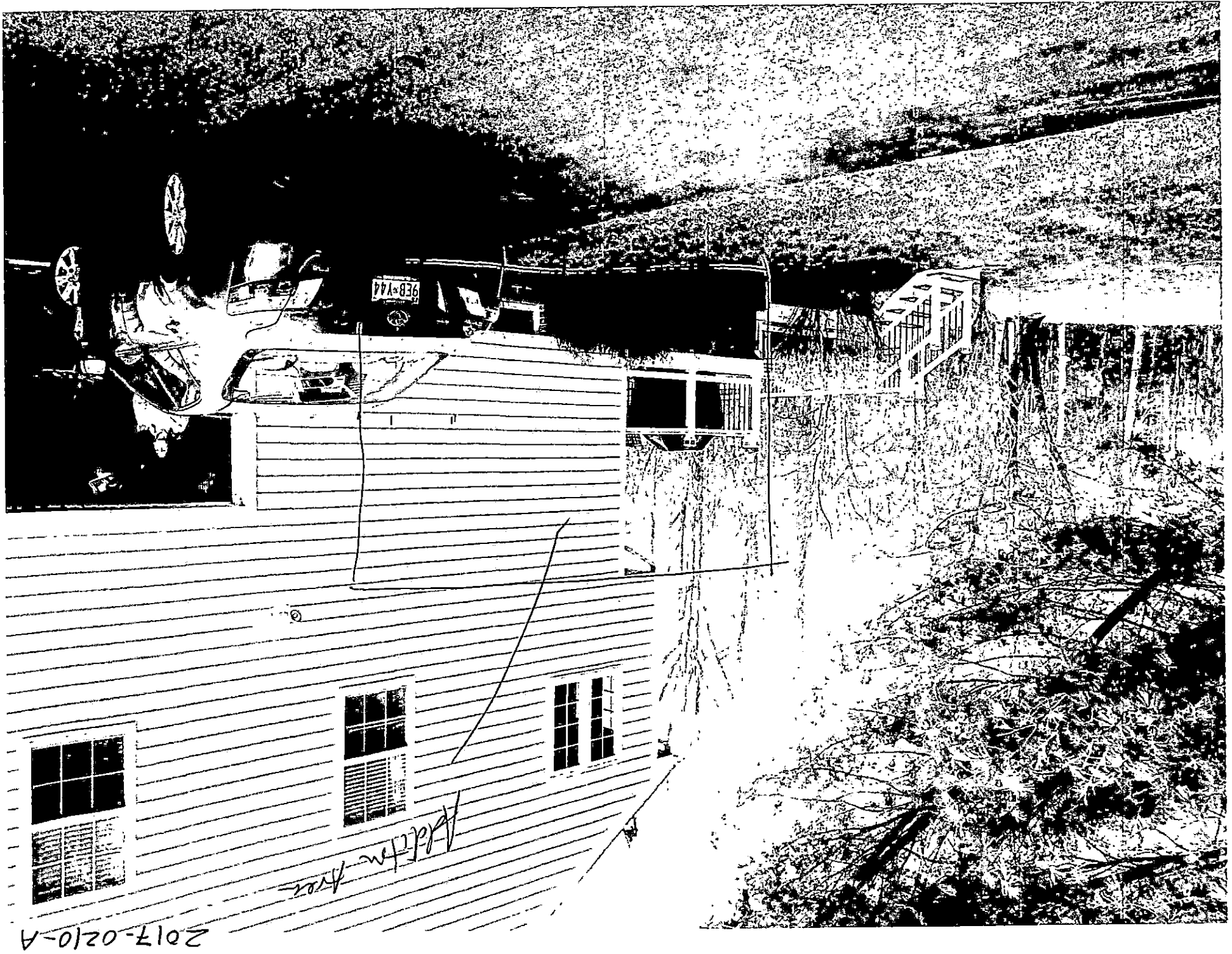


Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 25 50 100 150 200 Feet

1 inch = 100 feet





2017-0210-A

Addition

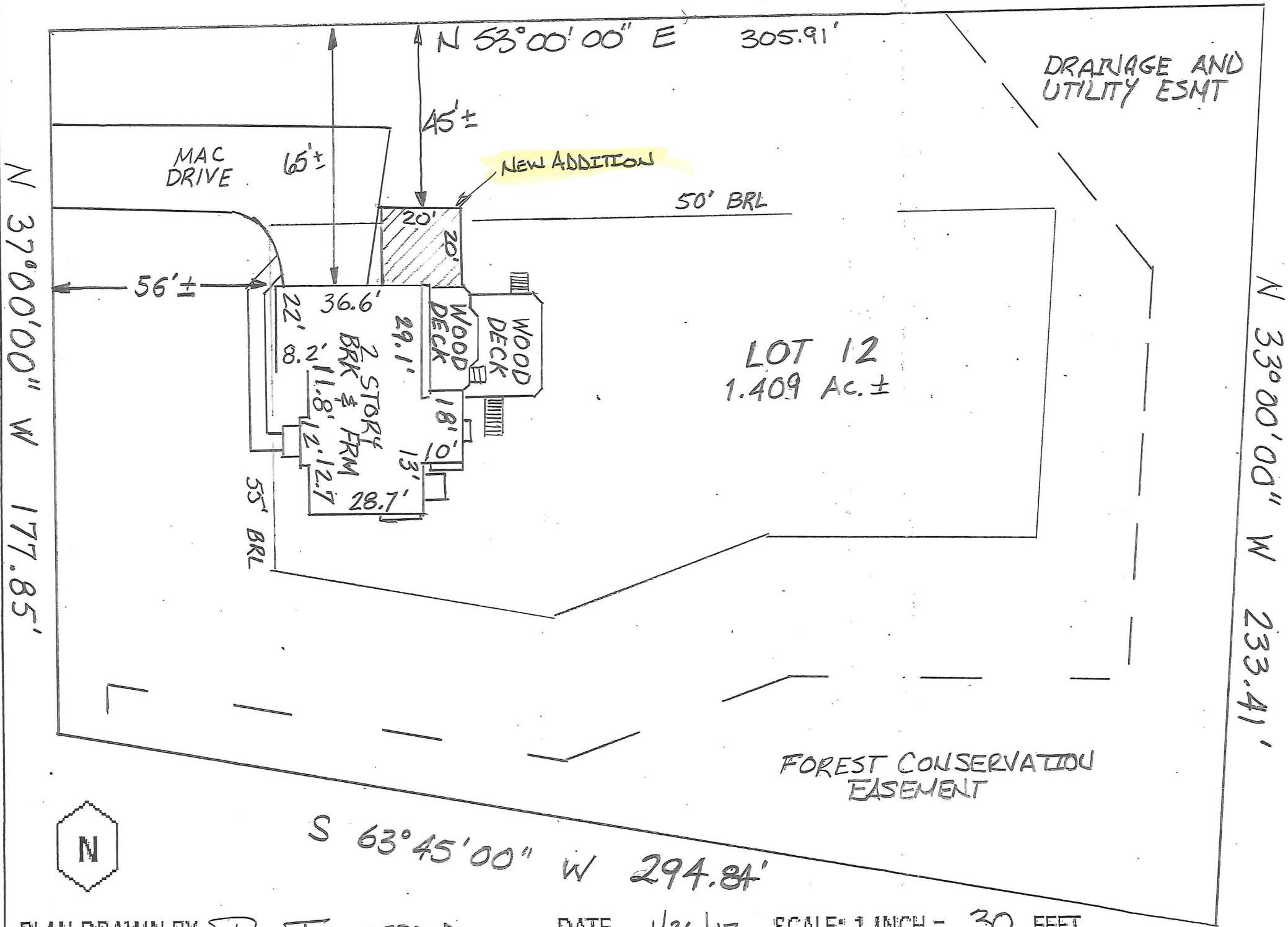


ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 3920 DOWNERIN WAY OWNER(S) NAME(S) SHAWN & KELLY ELLIS

SUBDIVISION NAME LOCKSLEY CONSERVE LOT # 12 BLOCK # _____ SECTION # _____

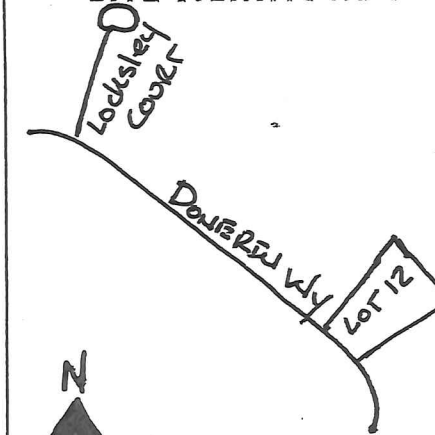
PLAT BOOK # 0072 FOLIO # 0027 10 DIGIT TAX # 2300007645 DEED REF. # 16722/00445



PLAN DRAWN BY PAT FITZGERALD DATE 1/26/17 SCALE: 1 INCH = 30 FEET

2017-0210-A

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 036A2

SITE ZONED RCS

ELECTION DISTRICT 10

COUNCIL DISTRICT 3

LOT AREA ACREAGE 1.41

OR SQUARE FEET 3,378

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC _____ PRIVATE X

SEWER IS:

PUBLIC _____ PRIVATE X

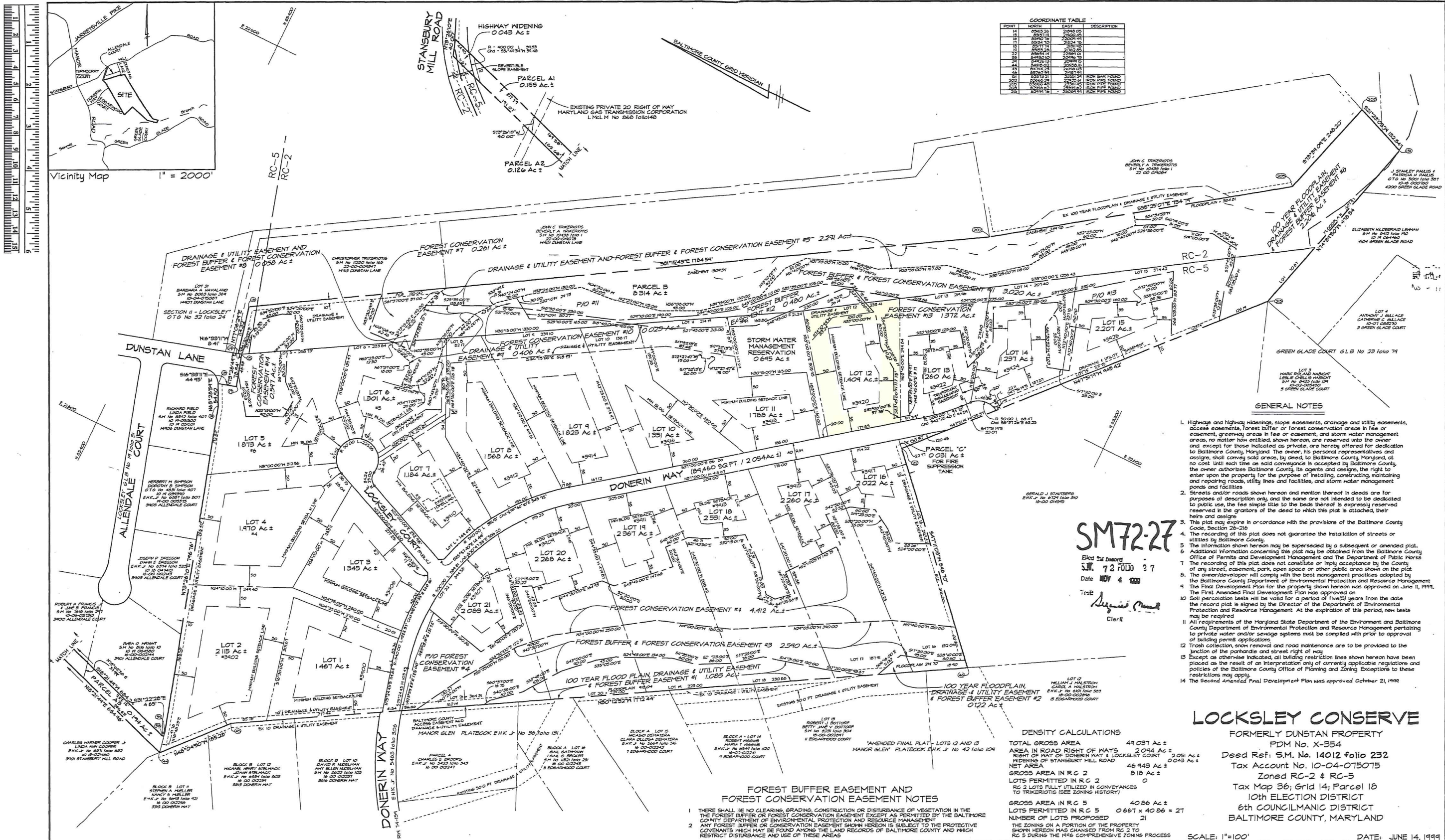
PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

Pet. Exh. 1



PWA Completed 10/29/01 TEQ
Final Plat:
Public Services
Dev. Design R.B. 7/26/99
Dev. Engineer T.K.
Street Numbering SMP 7/14/99
Planning
Real Estate T.H. 11/3/99
Recreation and Parks C.L. 12/14/99
PDM 12/17/99

APPROVED FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

DIRECTOR

APPROVED BY THE DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT PURSUANT TO SECTION 26-215(c) BALTIMORE COUNTY CODE

DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT

NOTE: COORDINATES AND BEARINGS shown on this plat are referred to the system of coordinates established in The Baltimore County Metropolitan District and are based on the following traverse stations:

B.G. X-8474 N 85°56'56" E 21164.91
B.G. X-8475 N 85°57'51" E 22223.48

OWNER/DEVELOPER

LOCKESLEY CONSERVE, INC.

1532 GLENCOE ROAD

GLENCOE, MARYLAND 21152

410-771-4365

OWNER'S CERTIFICATE

The undersigned Owner of the land shown on this Plat hereby certifies that to the best of his knowledge the requirements of Section (c) of Section 3-10B of the Real Property Article of the Annotated Code of Maryland have been complied with and that the plat is a true and correct copy of the original plat as the same concerns the making of the Plat and setting of the markers.

By: Barbara A. Andrews
BARBARA A. ANDREWS, PRESIDENT

DATE

SURVEYOR'S CERTIFICATION

The undersigned a registered Professional Land Surveyor of the State of Maryland does hereby certify that he is the Surveyor who prepared this Plat and that the land shown on this Plat has been laid out and the Plat thereof has been prepared in compliance with Subsection (c) of Section 3-10B of the Real Property Article of the Annotated Code of Maryland particularly insofar as same concerns the making of the Plat and setting of the markers.

By: Bruce E. Doak
BRUCE E. DOAK - PROPERTY LINE SURVEYOR #551

DATE 7/2/99

GERHOLD, CROSS & ETZEL, LTD

REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100

320 East Townsontown Boulevard

Towson, Maryland 21286

(410) 823-4470

COMPUTED S.A.L. DRAWN S.A.L. CHECKED B.E.D. FILE X:\DUNSTAN\plot361