

MEMORANDUM

DATE: August 3, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0306-A – Appeal Period Expired

The appeal period for the above-referenced case expired on August 2, 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

IN RE: PETITION FOR VARIANCE

(9 Deneison Road)
8th Election District
3rd Council District
Justin Kotler
Legal Owner

Petitioner

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BEFORE THE OFFICE
OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2017-0306-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Justin Kotler, owner of the subject property ("Petitioner"). Petitioner is requesting variance relief from § 1B01.2.C.1.a of the Baltimore County Zoning Regulations ("B.C.Z.R") as follows: (1) to approve a two-way drive aisle of 9 ft. in lieu of the required 20 ft.; and (2) to permit a non-residential side setback of 10 ft. in lieu of the minimum required side setback of 20 ft. A site plan was marked as Petitioner's Exhibit 1.

Owner Justin Kotler and professional engineer Rick Richardson 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. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP). That agency did not oppose the request, but suggested a landscape plan should be submitted for the site.

The site is approximately 18,353 square feet in size and zoned ROA. The property is improved with a single family dwelling constructed in 1960, and according to the tax records the original owner lived in the home from 1960-2017. Petitioner purchased the property in 2017, and his wife plans to operate a medical office ("FirstChoice Family Medicine") at the property.

The ROA zone contains increased setbacks for noncommercial uses, which required Petitioner to

ORDER RECEIVED FOR FILING

Date 7-3-17

By kw

obtain zoning relief.

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

- (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).

The site conditions have been in existence since 1960, and Petitioner is prohibited by the ROA regulations from relocating or enlarging the structure in any respect. As such, the property is unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because he would be unable to operate a medical office at the property, a use permitted in an ROA zone. Finally, I find that the variances 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 3rd day of **July, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance: (1) to approve a two-way drive aisle of 9 ft. in lieu of the required 20 ft.; and (2) to permit a non-residential side setback of 10 ft. in lieu of the minimum required side setback of 20 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his 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, Petitioner would be required to return the subject property to its original condition.
2. Petitioner must provide landscaping at the site as determined in the sole discretion of the Baltimore County Landscape Architect.

ORDER RECEIVED FOR FILING

Date 7-3-17

2

By bw

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 7-3-17

By dlw



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 9 Deneison Road which is presently zoned ROA
Deed References: 38874/ 108 10 Digit Tax Account # 0812021820
Property Owner(s) Printed Name(s) Justin Kotler

(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. X a Variance from Section(s) 409.4.A to approve a two way drive aisle of 9' in lieu of the required 20' Section - 1801.2.C.1.a; To permit a non residential side setback of 10 feet in lieu of the minimum required side setback of 20 feet 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)

TO BE PRESENTED AT THE HEARING

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):

Justin Kotler / _____
Name #1 - Type or Print _____ Name #2 - Type or Print _____

[Signature]
Signature #1 _____ Signature #2 _____

9 DENEISON STREET LUTHERVILLE TIMONIUM, MD
Mailing Address _____ City _____ State _____

21093 / 410-409-6992 / jkotler.rd@gmail.com
Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

Richardson Engineering, LLC
Name - Type or Print _____

[Signature]
Signature _____

30 E. Padonia Road, Suite 500 Timonium MD
Mailing Address _____ City _____ State _____

21093 / 410-560-1502 / Rick@RichardsonEngineering.net
Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2017-0306-A Filing Date 5/17/17

ORDER RECEIVED FOR FILING

Date 7-3-17

By [Signature]

Do Not Schedule Dates: _____ Reviewer [Signature]

REV. 10/4/11

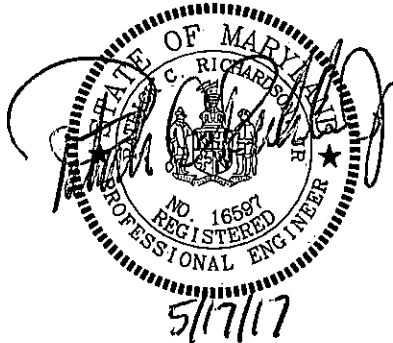
**ZONING PROPERTY DESCRIPTION FOR
9 DENEISON STREET
8TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the south side right-of-way of **Deneison Street** (40 feet wide) at a distance of 463 feet east of the centerline of the nearest improved intersecting street **York Road** (80 feet wide):

Thence the following courses and distances: (1) North 71 degrees 21 minutes 30 seconds East 87.50 feet, (2) South 18 degrees 38 minutes 30 seconds East 189.75 feet, (3) South 71 degrees 21 minutes 30 seconds West 87.50 feet, (4) North 18 degrees 38 minutes 30 seconds West 189.75 feet; to the point of beginning.

Containing a net area of **16,603** square feet or **0.38** acres.

Being all of the land as recorded in Plat Liber EHK, Jr., 8, Folio 66 shown as Lot 18 and part of Lot 17.



PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY ME, AND
THAT I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE OF
MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2017.

2017-0306-A



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 4999829

Sold To:

Justin Kotler - CU00603177
9 Deneison St
Lutherville Timonium, MD 21093-2301

Bill To:

Justin Kotler - CU00603177
9 Deneison St
Lutherville Timonium, MD 21093-2301

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

Jun 08, 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: # 2017-0306-A
9 Deneison Road
S/s Deneison Road, E/of centerline York Road
8th Election District - 3rd Councilmanic District
Legal Owner(s) Justin Kotler

Variance: to approve a two way drive aisle of 9 ft. in lieu of the required 20 ft. To permit a non-residential side setback of 10 ft. in lieu of the minimum required side setback of 20 ft.

Hearing: Friday, June 30, 2017 at 11:00 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.

6/021 June 8 4999829

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising

CERTIFICATE OF POSTING

2017-0306-A

RE: Case No.: _____

Petitioner/Developer: _____

Justin Kotler

June 30, 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: _____

9 Deneison Street

June 9, 2017

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



Sincerely,

June 9, 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)



KEVIN KAMENETZ
County Executive

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

May 25, 2017

NOTICE OF ZONING HEARING

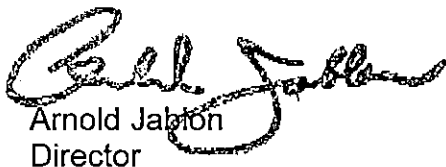
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105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director

AJ:kl

C: Justin Kotler, 9 Deneison Street, Lutherville 21093
Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JUNE 10, 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, June 8, 2017 Issue – Jeffersonian

Please forward billing to:
Justin Kotler
9 Deneison Street
Lutherville, MD 21093

410-409-6992

NOTICE OF ZONING HEARING

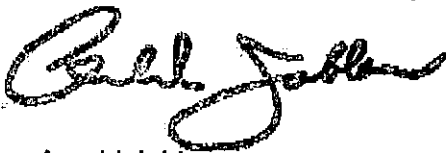
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Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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RE: PETITION FOR VARIANCE
9 Deneison Road; S/S Deneison Road,
E 463' to c/line of York Road
8th Election & 3rd Councilmanic Districts
Legal Owner(s): Justin Kotler

Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2017-306-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

MAY 26 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 26th day of May, 2017, a copy of the foregoing Entry of Appearance was mailed to Richardson Engineering, LLC, 30 E. Padonia Road, Suite 500, Timonium, Maryland 21093, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

Revised 7/9/2015

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

NO 153066

Date: 5/17/17

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		0150				500.00

Total: 500.00

Rec From: Thy Nguyen / Justin A Kotler

For: 2017-0306-A

9 Denerson Rd

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS ACTUAL TIME DRU
5/16/2017 5/17/2017 09:25:03 1
REG WSD1 WALKIN LJR
>>RECEIPT # 721180 5/17/2017 OFLR
Dept: 5-528 ZONING VERIFICATION
CR NO: 153066
Recpt Tot: \$500.00
\$500.00 - CR \$0.00 - CA
Baltimore County, Maryland

**CASHIER'S
VALIDATION**



KEVIN KAMENETZ
County Executive

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

June 21, 2017

Justin Kotler
9 Deneison Street
Lutherville MD 21093

RE: Case Number: 2017-0306 A, Address: 9 Deneison Road

Dear Mr. Kotler:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 17, 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 that reads "W. Carl Richards, Jr." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Richardson Engineering, Rick Richardson, 30 E Padonia Road, Suite 500, Timonium MD 21093

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



Pete K. Rahn, **Secretary**
Gregory Slater, **Administrator**

STATE HIGHWAY
ADMINISTRATION

Date: 5/22/17

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. 2017-0306-A

Variance
Justin Kotler
9 Deneison Road

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,

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

WW/RAZ

Maryland Department of Transportation
State Highway Administration

320 West Warren Road, Hunt Valley, MD 21030

410.229.2300 | TTY 800.735.2258 | roads.maryland.gov

My telephone number/toll-free number is 866.998.0367

0-30

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 6/20/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-306



INFORMATION:

Property Address: 9 Deneison Road
Petitioner: Justin Kotler
Zoning: ROA
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit a nonresidential side setback of 10 feet in lieu of the minimum required side setback of 20 feet.

A site visit was conducted on May 31, 2017. The property is located with the Hunt Valley/ Timonium Plan area which was adopted into the Master Plan on October 19, 1998. Protecting and enhancing existing residential communities is a stated goal of the plan (pg.29). The submitted site plan appears to be deficient in providing the necessary 20' drive aisle width pursuant to BCZR § 409.4.A. No relief to this requirement was petitioned for.

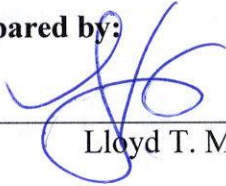
The Department has no objection to granting the petitioned zoning relief conditioned on the following:

- Submit a landscape plan for approval by the Baltimore County Landscape Architect. Such a plan will include landscaping on the east side of the proposed rear parking area to screen the vehicles from the adjacent residential uses. Said screening should consist of a split-rail type of fence and shrubs to screen the parking but not close off the openness of the yards. The plan should also include evergreen shrubs or trees on the south tract boundary adjacent to the DR 3.5 residential uses.

Please be advised that in the event the petition is modified at the hearing to address the deficient drive aisle width, the Department would have no objection to granting the relief provided the petitioners demonstrate to the satisfaction of the Administrative Law Judge that no safety hazards are being created.

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

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Wally Lippincott
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Patrick C. Richardson, Jr., Richardson Engineering, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

CASE NAME 9 DENVERSON ST
CASE NUMBER 2017-0306-A
DATE 6/30/17

[illegible]

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
<u>6/22</u>	PLANNING (if not received, date e-mail sent _____)	<u>NO Obj w/condition</u>
<u>5/22</u>	STATE HIGHWAY ADMINISTRATION	<u>NO Obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION (Case No. _____)		
PRIOR ZONING (Case No. _____)		
NEWSPAPER ADVERTISEMENT Date: <u>6/8/17</u>		
SIGN POSTING Date: <u>6/9/17</u> by <u>SSG Black</u>		
PEOPLE'S COUNSEL APPEARANCE	Yes ☒	No ☐
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐	No ☐

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration				
Account Identifier:		District - 08 Account Number - 0812021820								
Owner Information										
Owner Name:		KOTLER JUSTIN AARON				Use:		RESIDENTIAL		
Mailing Address:		9 DENEISON STREET LUTHERVILLE TIMONIUM MD 21093-				Principal Residence:		YES		
						Deed Reference:		/38874/ 00108		
Location & Structure Information										
Premises Address:		9 DENEISON ST LUTHERVILLE TIMONIUM 21093-				Legal Description:		LT 18 PT 17 WAYSIDE		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0051	0023	0352		0000		C	17	2017	Plat Ref: 0008/0066	
Special Tax Areas:				Town:			NONE			
				Ad Valorem:						
				Tax Class:						
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
1960		1,516 SF				16,443 SF		04		
Stories	Basement	Type		Exterior	Full/Half Bath	Garage	Last Major Renovation			
1	YES	STANDARD UNIT		FRAME	1 full					
Value Information										
		Base Value		Value		Phase-in Assessments				
				As of		As of		As of		
				01/01/2017		07/01/2016		07/01/2017		
Land:		115,600		115,600						
Improvements		108,100		105,700						
Total:		223,700		221,300		223,700		221,300		
Preferential Land:		0						0		
Transfer Information										
Seller: LEITNER JOHN C				Date: 04/21/2017			Price: \$229,500			
Type: ARMS LENGTH IMPROVED				Deed1: /38874/ 00108			Deed2:			
Seller: LEPORE EUGENIE				Date: 02/02/1959			Price: \$1,500			
Type: ARMS LENGTH IMPROVED				Deed1: /03482/ 00038			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:		HOMEOWNERS TAX CREDIT								
Homestead Application Information										
Homestead Application Status: No Application										
Homeowners' Tax Credit Application Information										

Case No.: 2017-0306-A

Exhibit Sheet

Petitioner/Developer

7-3-17
PW

Protestant

7-3-17
PW

No. 1	Plan	
No. 2	Aerial photo	
No. 3	site photos	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PET. 2



My Neighborhood Map
2

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

Printed 6/30/2017



Pet. 3





M E M O R A N D U M

DATE: August 3, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0306-A – Appeal Period Expired

The appeal period for the above-referenced case expired on August 2, 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

IN RE: PETITION FOR VARIANCE

(9 Deneison Road)
8th Election District
3rd Council District
Justin Kotler
Legal Owner

Petitioner

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BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2017-0306-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Justin Kotler, owner of the subject property ("Petitioner"). Petitioner is requesting variance relief from § 1B01.2.C.1.a of the Baltimore County Zoning Regulations ("B.C.Z.R") as follows: (1) to approve a two-way drive aisle of 9 ft. in lieu of the required 20 ft.; and (2) to permit a non-residential side setback of 10 ft. in lieu of the minimum required side setback of 20 ft. A site plan was marked as Petitioner's Exhibit 1.

Owner Justin Kotler and professional engineer Rick Richardson 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. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP). That agency did not oppose the request, but suggested a landscape plan should be submitted for the site.

The site is approximately 18,353 square feet in size and zoned ROA. The property is improved with a single family dwelling constructed in 1960, and according to the tax records the original owner lived in the home from 1960-2017. Petitioner purchased the property in 2017, and his wife plans to operate a medical office ("FirstChoice Family Medicine") at the property.

The ROA zone contains increased setbacks for noncommercial uses, which required Petitioner to

ORDER RECEIVED FOR FILING

Date 11-3-17

By [Signature]

obtain zoning relief.

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

- (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).

The site conditions have been in existence since 1960, and Petitioner is prohibited by the ROA regulations from relocating or enlarging the structure in any respect. As such, the property is unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because he would be unable to operate a medical office at the property, a use permitted in an ROA zone. Finally, I find that the variances 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 3rd day of **July, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance: (1) to approve a two-way drive aisle of 9 ft. in lieu of the required 20 ft.; and (2) to permit a non-residential side setback of 10 ft. in lieu of the minimum required side setback of 20 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his 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, Petitioner would be required to return the subject property to its original condition.
2. Petitioner must provide landscaping at the site as determined in the sole discretion of the Baltimore County Landscape Architect.

ORDER RECEIVED FOR FILING

Date 7-3-17

2

By bw

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 7-3-17

By dlw



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 9 Deneison Road which is presently zoned ROA
Deed References: 38874/ 108 10 Digit Tax Account # 0812021820
Property Owner(s) Printed Name(s) Justin Kotler

(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. X a **Variance** from Section(s) 409.4.A to approve a two way drive aisle of 9' in lieu of the required 20' Section - 1B01.2.C.1.2; To permit a non residential side setback of 10 feet in lieu of the minimum required side setback of 20 feet
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)

TO BE PRESENTED AT THE HEARING

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):

Justin Kotler / _____
Name #1 - Type or Print _____ Name #2 - Type or Print _____

[Signature]
Signature #1 _____ Signature #2 _____

9 DENEISON STREET LUTHERVILLE TIMONIUM, MD
Mailing Address _____ City _____ State _____

21093 / 410-409-6992 / jkotler.rd@gmail.com
Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

Richardson Engineering, LLC
Name - Type or Print _____

[Signature]
Signature _____

30 E. Padonia Road, Suite 500 Timonium MD
Mailing Address _____ City _____ State _____

21093 / 410-560-1502 / Rick@RichardsonEngineering.net
Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2017-0306-A Filing Date 5/17/17

ORDER RECEIVED FOR FILING

Date 7-3-17

By [Signature]

Do Not Schedule Dates: _____ Reviewer [Signature]

REV. 10/4/11

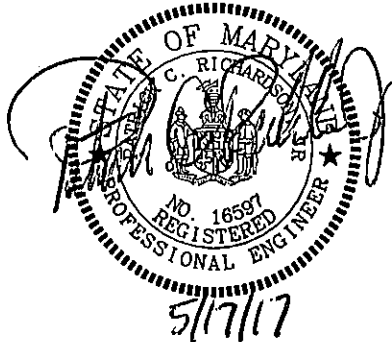
**ZONING PROPERTY DESCRIPTION FOR
9 DENEISON STREET
8TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the south side right-of-way of **Deneison Street** (40 feet wide) at a distance of 463 feet east of the centerline of the nearest improved intersecting street **York Road** (80 feet wide):

Thence the following courses and distances: (1) North 71 degrees 21 minutes 30 seconds East 87.50 feet, (2) South 18 degrees 38 minutes 30 seconds East 189.75 feet, (3) South 71 degrees 21 minutes 30 seconds West 87.50 feet, (4) North 18 degrees 38 minutes 30 seconds West 189.75 feet; to the point of beginning.

Containing a net area of **16,603** square feet or **0.38** acres.

Being all of the land as recorded in Plat Liber EHK, Jr., 8, Folio 66 shown as Lot 18 and part of Lot 17.



PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY ME, AND
THAT I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE OF
MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2017.

2017-0306-A



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 4999829

Sold To:

Justin Kotler - CU00603177
9 Deneison St
Lutherville Timonium, MD 21093-2301

Bill To:

Justin Kotler - CU00603177
9 Deneison St
Lutherville Timonium, MD 21093-2301

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

Jun 08, 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: # 2017-0306-A
9 Deneison Road
S/s Deneison Road, E/ of centerline York Road
8th Election District - 3rd Councilmanic District
Legal Owner(s) Justin Kotler

Variance: to approve a two way drive aisle of 9 ft. in lieu of the required 20 ft. To permit a non-residential side setback of 10 ft. in lieu of the minimum required side setback of 20 ft.

Hearing: Friday, June 30, 2017 at 11:00 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.

6/021 June 8 4999829

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising

CERTIFICATE OF POSTING

2017-0306-A

RE: Case No.: _____

Petitioner/Developer: _____

Justin Kotler

June 30, 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: _____

9 Dencison Street

June 9, 2017

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



Sincerely,

June 9, 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)



KEVIN KAMENETZ
County Executive

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

May 25, 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: 2017-0306-A

9 Deneison Road

S/s Deneson Road, E/of centerline York Road

8th Election District – 3rd Councilmanic District

Legal Owners: Justin Kotler

Variance to approve a two way drive aisle of 9 ft. in lieu of the required 20 ft. To permit a non-residential side setback of 10 ft. in lieu of the minimum required side setback of 20 ft.

Hearing: Friday, June 30, 2017 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Justin Kotler, 9 Deneison Street, Lutherville 21093
Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JUNE 10, 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, June 8, 2017 Issue – Jeffersonian

Please forward billing to:
Justin Kotler
9 Deneison Street
Lutherville, MD 21093

410-409-6992

NOTICE OF ZONING HEARING

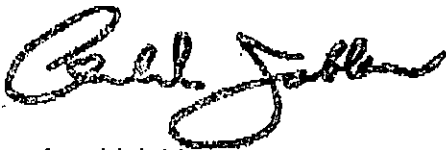
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2017-0306-A

9 Deneison Road
S/s Deneson Road, E/of centerline York Road
8th Election District – 3rd Councilmanic District
Legal Owners: Justin Kotler

Variance to approve a two way drive aisle of 9 ft. in lieu of the required 20 ft. To permit a non-residential side setback of 10 ft. in lieu of the minimum required side setback of 20 ft.

Hearing: Friday, June 30, 2017 at 11:00 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.

RE: PETITION FOR VARIANCE
9 Deneison Road; S/S Deneison Road,
E 463' to c/line of York Road
8th Election & 3rd Councilmanic Districts
Legal Owner(s): Justin Kotler

Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2017-306-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

MAY 26 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 26th day of May, 2017, a copy of the foregoing Entry of Appearance was mailed to Richardson Engineering, LLC, 30 E. Padonia Road, Suite 500, Timonium, Maryland 21093, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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.

For Newspaper Advertising:

Property Address: 9 Deneison Rd Street 21093

Legal Owners (Petitioners): Justin Kotler

Contract Purchaser/Lessee: _____

Name: Justin Kotler

Company/Firm (if applicable): _____

Telephone Number: 410-409-6992

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

NO. 153066

Date: 5/17/17

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	800	0000		6150				500.00

Total: 500.00

Rec From: Thy Nguyen / Justin A Kotler

For: 2017-0306-A

9 Denerson Rd

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
5/18/2017 5/17/2017 09:25:03 1

REG WSD1 WALKIN LJR
>>RECEIPT # 721180 5/17/2017 GFLN

Dept 5 528 ZONING VERIFICATION
CR NO. 153066

Recpt Tot \$500.00
\$500.00 CR \$1.00 CA
Baltimore County, Maryland

CASHIER'S
VALIDATION



KEVIN KAMENETZ
County Executive

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

June 21, 2017

Justin Kotler
9 Deneison Street
Lutherville MD 21093

RE: Case Number: 2017-0306 A, Address: 9 Deneison Road

Dear Mr. Kotler:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 17, 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 horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Richardson Engineering, Rick Richardson, 30 E Padonia Road, Suite 500, Timonium MD 21093

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



Pete K. Rahn, **Secretary**
Gregory Slater, **Administrator**

**STATE HIGHWAY
ADMINISTRATION**

Date: *5/22/17*

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. *2017-0306-A*

*Variance
Justin Kotler
9 Deneison Road.*

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,

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

WW/RAZ

**Maryland Department of Transportation
State Highway Administration**

320 West Warren Road, Hunt Valley, MD 21030

410.229.2300 | TTY 800.735.2258 | roads.maryland.gov

My telephone number/toll-free number is 866.998.0367

0-30

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 6/20/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-306



INFORMATION:

Property Address: 9 Deneison Road
Petitioner: Justin Kotler
Zoning: ROA
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit a nonresidential side setback of 10 feet in lieu of the minimum required side setback of 20 feet.

A site visit was conducted on May 31, 2017. The property is located with the Hunt Valley/ Timonium Plan area which was adopted into the Master Plan on October 19, 1998. Protecting and enhancing existing residential communities is a stated goal of the plan (pg.29). The submitted site plan appears to be deficient in providing the necessary 20' drive aisle width pursuant to BCZR § 409.4.A. No relief to this requirement was petitioned for.

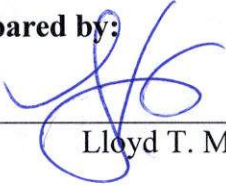
The Department has no objection to granting the petitioned zoning relief conditioned on the following:

- Submit a landscape plan for approval by the Baltimore County Landscape Architect. Such a plan will include landscaping on the east side of the proposed rear parking area to screen the vehicles from the adjacent residential uses. Said screening should consist of a split-rail type of fence and shrubs to screen the parking but not close off the openness of the yards. The plan should also include evergreen shrubs or trees on the south tract boundary adjacent to the DR 3.5 residential uses.

Please be advised that in the event the petition is modified at the hearing to address the deficient drive aisle width, the Department would have no objection to granting the relief provided the petitioners demonstrate to the satisfaction of the Administrative Law Judge that no safety hazards are being created.

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

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Wally Lippincott

James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Patrick C. Richardson, Jr., Richardson Engineering, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

CASE NAME 9 DENVERSON ST
CASE NUMBER 2017-0306-A
DATE 6/30/17

[illegible]

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
<u>6/22</u>	PLANNING (if not received, date e-mail sent _____)	<u>NO Obj w/condition</u>
<u>5/22</u>	STATE HIGHWAY ADMINISTRATION	<u>NO Obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>6/8/17</u>	
SIGN POSTING	Date: <u>6/9/17</u> by <u>SSG BLACK</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption				View GroundRent Registration			
Account Identifier:			District - 08 Account Number - 0812021820							
Owner Information										
Owner Name:			KOTLER JUSTIN AARON				Use:		RESIDENTIAL	
Mailing Address:			9 DENEISON STREET LUTHERVILLE TIMONIUM MD 21093-				Principal Residence:		YES	
							Deed Reference:		/38874/ 00108	
Location & Structure Information										
Premises Address:			9 DENEISON ST LUTHERVILLE TIMONIUM 21093-				Legal Description:		LT 18 PT 17 WAYSIDE	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0051	0023	0352		0000		C	17	2017	Plat Ref:	0008/0066
Special Tax Areas:						Town:		NONE		
						Ad Valorem:				
						Tax Class:				
Primary Structure Built			Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1960			1,516 SF				16,443 SF		04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation				
1	YES	STANDARD UNIT	FRAME	1 full						
Value Information										
			Base Value		Value		Phase-in Assessments			
					As of		As of		As of	
					01/01/2017		07/01/2016		07/01/2017	
Land:			115,600		115,600					
Improvements			108,100		105,700					
Total:			223,700		221,300		223,700		221,300	
Preferential Land:			0						0	
Transfer Information										
Seller: LEITNER JOHN C				Date: 04/21/2017				Price: \$229,500		
Type: ARMS LENGTH IMPROVED				Deed1: /38874/ 00108				Deed2:		
Seller: LEPORE EUGENIE				Date: 02/02/1959				Price: \$1,500		
Type: ARMS LENGTH IMPROVED				Deed1: /03482/ 00038				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:			HOMEOWNERS TAX CREDIT							
Homestead Application Information										
Homestead Application Status: No Application										
Homeowners' Tax Credit Application Information										

Case No.: 2017-0306-A

Exhibit Sheet

Petitioner/Developer

7-3-17
PW

Protestant

7-3-17
PW

No. 1	Plan	
No. 2	Aerial photo	
No. 3	site photos	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PET. 2



My Neighborhood Map
2

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

Pet. 3







2013-0215-A
1986-0140-A
1986-0017-A
1970-0195-A
1969-0011-A
R-1962-5828

2500000012

BL CCC

1968-0265-SPH

RO

0801019020

Lot # 12

Lot # 12

0811067800

Pt. Bk./Folio # 008066B

NW 15-A

051C3

DENEISON ST

DR 16

PAI # 080033

ROA

Lot # 22

0808003691

Lot # 22

Lot # 19

Lot # 19

Lot # 19

0812001110

Lot # 17

081202218

Lot # 17

Lot # 16

0807001080

Lot # 16

Lot # 17

0808067075

PAI # 080033

3 CD

8 ED

DR

PAI # 080083

Pt. Bk./Folio # 032046

Lot # 16

0804035500

PAI # 080083
PAI # 080083

Pt. Bk. 0000019, Folio 0041

Lot # 16

0819018130

Lot # 14

14

1986-0085-X
1973-0131-XA
1972-0171-SPHXA

Pt. Bk./Folio # 019041

Lot # 8

0813085722

Lot # 9

6

Lot # 9

0802065175

Lot # 3

Lot # 3

Lot # 3

2000-0506-SPHA
1998-0146-SPHX

0803047525

2000-0507-XA

2200027188

E MAIN BLVD

DR 3.5

2003-0119-A

1983-0090-A

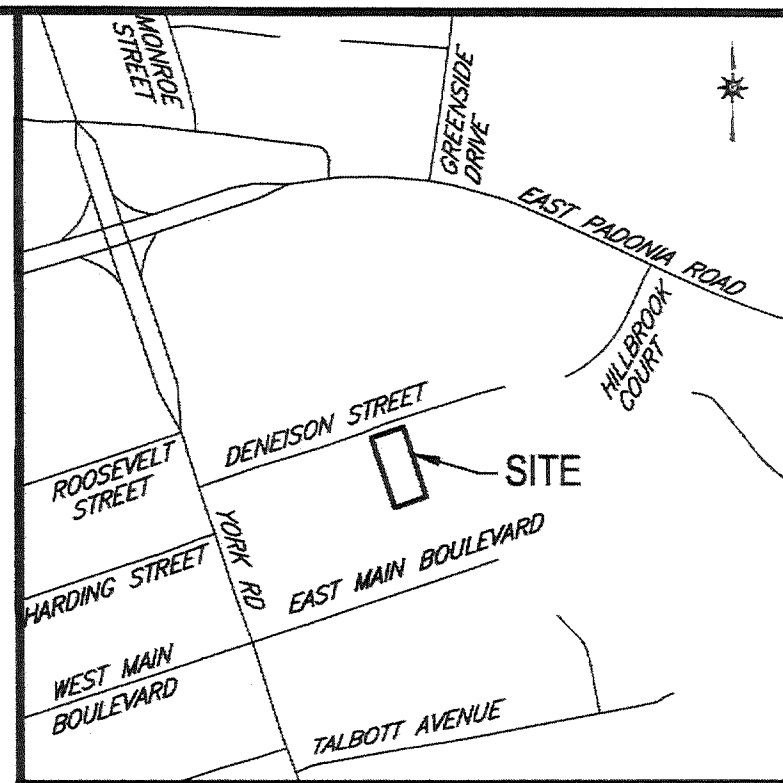
0804002120

0809097000

2013-0257-A

0819011660

Lot # 13
13



LOCATION MAP

SCALE: 1" = 500'

GENERAL NOTES:

- OWNER/DEVELOPER:
JUSTIN AARON KOTLER
9 DENEISON STREET
LUTHERVILLE TIMONIUM, MARYLAND 21093
- SITE AREA
GROSS: 18,353 SF or 0.42 Ac.±
NET: 16,603 SF or 0.38 Ac.±
- UTILITIES:
PUBLIC WATER & SEWER
BUILDING COVERAGE
EXISTING: 1,516 SF
PROPOSED: 0 SF
- DEED REFERENCE: 38874/108
- PLAT REF: 8-66 "WAYSIDE"
- TAX ACCOUNT #0812021820
- COUNCILMANIC DISTRICT: 3RD
- ZONING: ROA
(PER 1"=200' ZONING MAP 051C3)
- TAX MAP #51, GRID #23, PARCEL #352, LOT #16 & P/O LOT #17
- NO PREVIOUS ZONING CASES OR VIOLATIONS EXIST ON COUNTY FILE.
- NO PREVIOUS PERMITS EXIST ON COUNTY FILE.
- PARKING CALCULATIONS
REQUIRED:
MEDICAL OFFICE: 1,516 SF @ 4.5 SPACES /1000 SF = 7 SPACES
PROVIDED: 9 SPACES (1 HANDICAPPED, 8 STANDARD 8.5'x18')
- THE SITE IS NOT HISTORIC.
- THE SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
- NO 100 YEAR FLOODPLAINS EXIST ON SITE.
- WATERSHED: LOCH RAVEN RESERVOIR
- THERE ARE NO KNOWN HAZARDOUS MATERIALS ONSITE.
- ANY PROPOSED SIGNS ARE TO CONFORM TO THE BCZR; SECTION 450.
- BASIC SERVICES MAP (2018)
TYPE DEFICIENT (Y/N)
WATER N
SEWER N
TRANSPORTATION 'D' LEVEL OF SERVICE

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

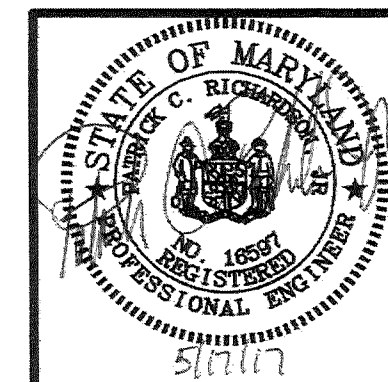
PLAN TO ACCOMPANY ZONING PETITION
FOR

FIRSTCHOICE FAMILY MEDICINE

9 DENEISON STREET
LUTHERVILLE, MARYLAND 21093
8TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

REVISIONS		DRAWN BY:	CHECKED BY:	SCALE:
		CND	PCR	1" = 20'
DATE:		JOB NO.:	SHEET NO.:	
05-05-17		17042	1 OF 1	

PET. No. 1



PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR
APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE
NUMBER 16597, EXPIRATION DATE: 08-15-2017