

MEMORANDUM

DATE: September 18, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0016-A – Appeal Period Expired

The appeal period for the above-referenced case expired on September 15, 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 ADMIN. VARIANCE *
(1931 Hillside Drive)**

1st Election District *

1st Council District *

Frank L. Cherry, 3rd & *

Pamela L. Cherry *

Petitioners *

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2018-0016-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, Frank L. Cherry, 3rd and Pamela L. Cherry ("Petitioners"). The Petitioners are requesting Variance relief pursuant to § 1B02.3.C.1 (Chart) of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a side yard setback of 7 ft. in lieu of the required 10 ft. for a proposed single story addition. 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. No adverse ZAC comments were received from any of the County reviewing agencies. However, it is to be noted that two (2) letters of support were received from adjacent property owners Guy L. Perry (1933 Hillside Drive) and Germaine Edwards (1929 Hillside Drive); both of whom indicated they have seen the plans for the proposed addition to the house and support any zoning variance that is needed.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on July 23, 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 8-16-17

By [Signature]

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 16th day of **August, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1B02.3.C.1 (Chart) of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a side yard setback of 7 ft. in lieu of the required 10 ft. for a proposed single story addition, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- 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 8-16-17

By lw

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 8-16-17

By dlw



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 1931 HILLSIDE DRIVE

Currently zoned DR5.5

Deed Reference SM 8988 1 294

10 Digit Tax Account # 0 1 0 6 5 7 2 4 6 0

Owner(s) Printed Name(s) FRANK L. CHERRY 3RD & PAMELA LYNN CHERRY

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

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

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

1. ☒ ADMINISTRATIVE VARIANCE from Section(s) SEE ATTACHED PAGE

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):

FRANK L. CHERRY 3RD PAMELA LYNN CHERRY
Name #1 – Type or Print Name #2 – Type or Print

Frank L. Cherry 3rd Pamela Lynn Cherry
Signature #1 Signature #2

1931 HILLSIDE DRIVE BALTIMORE MO
Mailing Address City State

21207
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:

BRUCE E. DOAK
Name – Type or Print

Bruce E. Doak
Signature

3801 BAKER SCHOOLHOUSE ROAD FREELAND MO
Mailing Address City State

21053 410-419-4906
Zip Code Telephone # Email Address

BDOAK@BRUCEDOAKCONSULTING.COM

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 7 day of July, 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 2018-0016-A Filing Date 7/13/17 Estimated Posting Date 7/23/17 Reviewer JS

ORDER RECEIVED FOR FILING

Date 8-14-17

By [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: 1931 HILLSIDE DRIVE BALTIMORE MD 21207
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)

BECAUSE THE HOUSE WAS BUILT SO CLOSE TO THE EXISTING
PROPERTY LINE AND THAT LINE CONVERGES TOWARDS THE HOUSE,
A VARIANCE IS NEEDED.

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

Frank L. Cherry 3rd
Signature of Owner (Affiant)

FRANK L. CHERRY 3RD
Name- Print or Type

Pamela Lynn Cherry
Signature of Owner (Affiant)

PAMELA LYNN CHERRY
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 16th day of June, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

Print name(s) here:

Frank Cherry Pamela Cherry

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

AS WITNESS my hand and Notaries Seal

Karen A. Komorowski

Notary Public

4/23/20
My Commission Expires

KAREN A. KOMOROWSKI
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires April 23, 2020

REV. 5/5/2018

PETITION FORM - ATTACHED PAGE

1) To permit a side yard setback of 7 feet in lieu of the required 10 feet for a proposed single story addition per Section 1B02.3.C.1 (chart)

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

Zoning Description

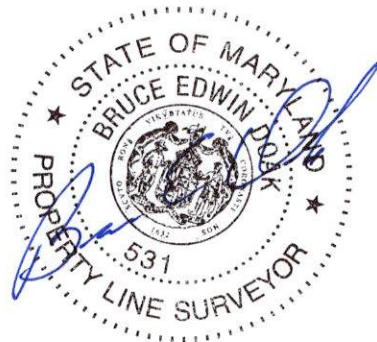
1931 Hillside Drive
First Election District First Councilmanic District
Baltimore County, Maryland

Beginning at a point on the southeast side of Hillside Drive, opposite of the southwest side of Carlynn Avenue

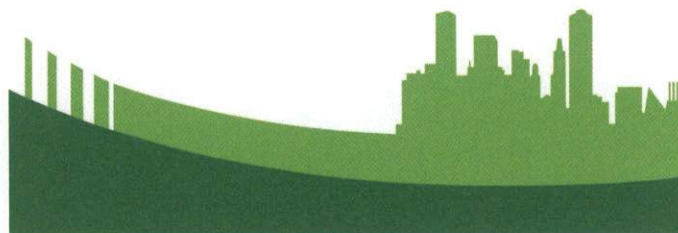
Being Lot #2 as shown on the plat entitled "Woodlawn Park Section D" dated December 9, 1957 and recorded in the land records of Baltimore County in Plat Book GLB 24, page 100.

Containing 8,322 square feet of land, more or less.

This description is part of a zoning hearing petition and is not intended for any conveyance purposes.



2018-0016-A



Land Use Expert and Surveyor

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

CERTIFICATE OF POSTING

July 24, 2017

Re:

Zoning Case No. 2018-0016-A

Legal Owner: Cherry

Closing date: August 7, 2017

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

Attention: Kristen Lewis

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at **1931 Hillside Drive**.

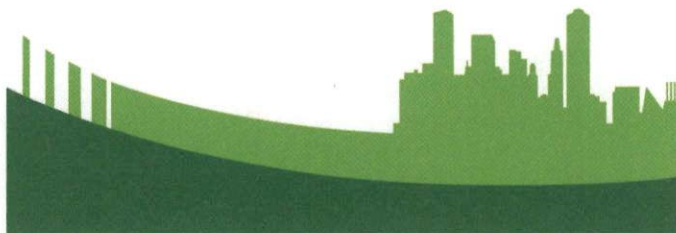
The sign was posted on **July 23, 2017**.

Sincerely,



Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)



Land Use Expert and Surveyor

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE NO. 2018-0016-A

1931 Hillside Drive

**REQUEST: TO PERMIT A SIDE YARD ADDITION WITH
A SIDE SETBACK OF 7 FEET IN LIEU OF THE
REQUIRED 10 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 IT IS DONE IN
THE ZONING OFFICE BEFORE AUGUST 7, 2017.

ADDITIONAL INFORMATION IS AVAILABLE AT ZONING
ADMINISTRATION AND DEVELOPMENT MANAGEMENT 111 W.
CHESAPEAKE AVENUE TOWSON, MD 21204 410-887-3391



BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2018- 0016 -A Address 1931 HILLSIDE DRIVE

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

Filing Date: 7/13/17 Posting Date: 7/23/17 Closing Date: 8/7/17

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 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 a neighbor (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 Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written 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 Administrative Law Judge), 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 2018- 0016 -A Address 1931 HILLSIDE DRIVE

Petitioner's Name CHERRY Telephone 410-419-4906

Posting Date: 7/23/17 Closing Date: 8/7/17

Wording for Sign: To Permit A SIDE YARD ADDITION WITH A SIDE SETBACK OF
7 FEET IN LIEU OF THE REQUIRED 10 FEET.

Revised 6/30/2018

**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 fifteen (15) 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: 2018-0016-A
Property Address: 1931 HILLSIDE DRIVE
Property Description: LOT 2 "WOODLAWN PARK SECTION D"
PLAT BOOK 24 / 100
Legal Owners (Petitioners): FRANK L. CHERRY 3RD & PAMELA LYNN CHERRY
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVID HILL
Company/Firm (if applicable): AES BUILDERS & HOME IMPROVEMENT
Address: 6915 GOLDEN RING ROAD
BALTIMORE MD 21237

Telephone Number: 410-574-4400

Revised 5/20/2014

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

Nº 154849

Date: 7/13/17

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

Total: \$ 75.00

Rec
From: CHERRY

For: 2018-0016-A

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS ACTUAL TIME .DRW
7/13/2017 7/13/2017 11:26:43 3
REG 1503 WALKIN CASH
>>RECEIPT N 732690 7/13/2017 OPLH
Dept. 5 528 ZONING VERIFICATION
CR NO. 154849
Recpt Tot \$75.00
\$75.00 OK \$.00 CA
Baltimore County, Maryland

**CASHIER'S
VALIDATION**



KEVIN KAMENETZ
County Executive

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

August 8, 2017

Frank L & Pamela Lynn Cherry
1931 Hillside Drive
Baltimore MD 21207

RE: Case Number: 2018-0016 A, Address: 1931 Hillside Drive

Dear Mr. & Ms. Cherry:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 13, 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." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Bruce E Doak Consulting, 3801 Baker Schoolhouse Road, Freeland MD 21053

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: July 19, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0016-A
Address 1931 Hillside Drive
(Cherry Property)

Zoning Advisory Committee Meeting of **July 24, 2017**.

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

Reviewer: Steve Ford

Date: 7-19-2017

RECEIVED
JUN 11 1964
ADMINISTRATIVE

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Pete K. Rahn
Secretary

Gregory Slater
Administrator

Date: 7/17/17

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

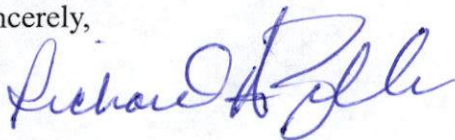
Dear Ms. Lewis:

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. 2018-0016-A.

*Administrative Variance
Frank L. & Pamela L. Cherry
1931 Hillside Drive.*

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, P.L.A.

Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

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: July 19, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0016-A
Address 1931 Hillside Drive
(Cherry Property)

Zoning Advisory Committee Meeting of **July 24, 2017.**

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

Reviewer: Steve Ford Date: 7-19-2017

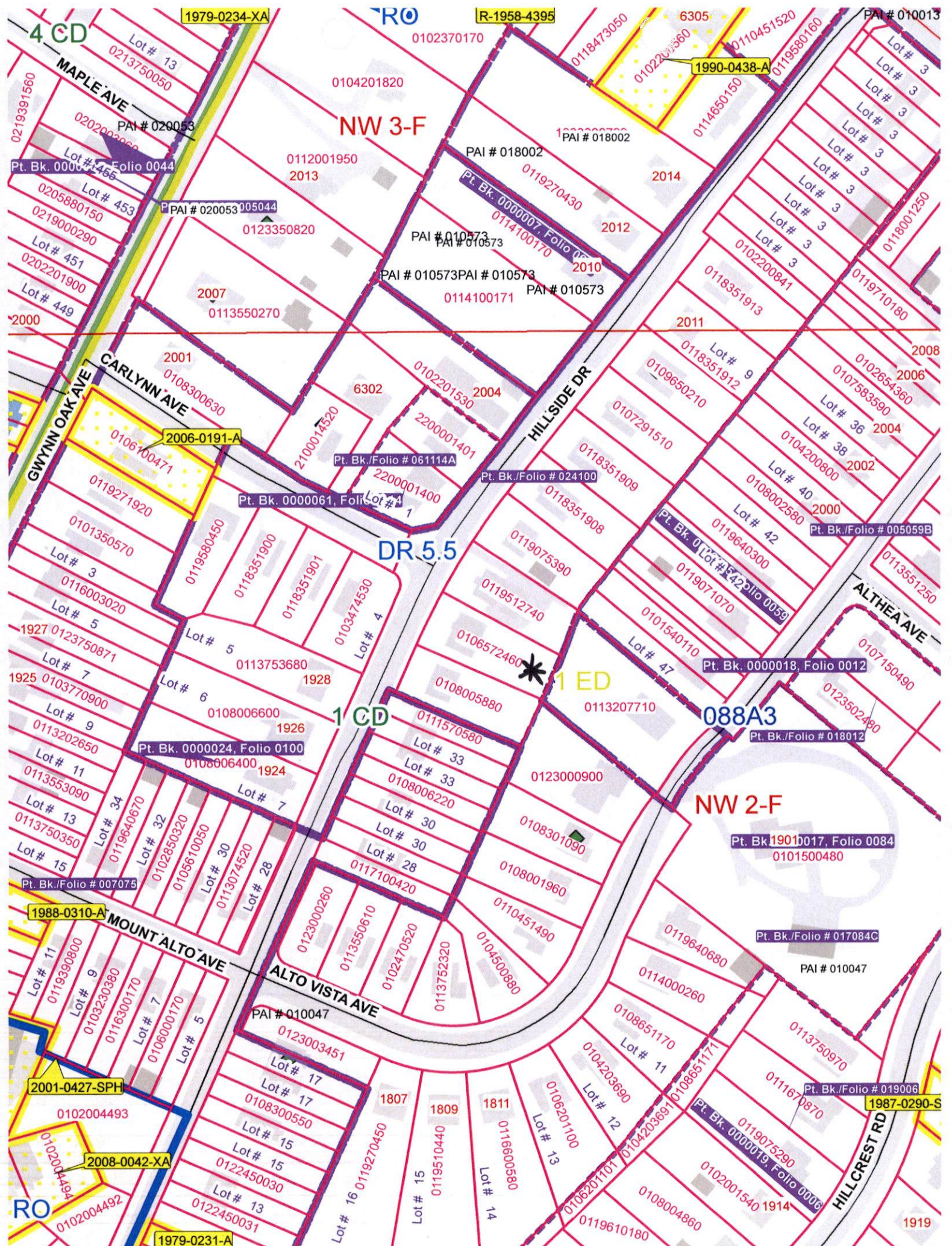


My Neighborhood Map

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.



GENERAL SITE INFORMATION

1. Ownership: Frank L. Cherry, 3rd & Pamela Lynn Cherry
2. Address: 1931 Hillside Drive Baltimore, MD 21207
3. Deed reference: 56 9963/294
4. Area: 8,322 sq. ft. (0.191 acre less SDA's)
5. Tax Map / Parcel / Lot / Tax account #: 86 / 414 / 2 / 01-06-572460
6. Election District: 1 Councilmanic District: 1
7. ADC Map: 423406 G5 User: 09993 Position sheet: 1080070
8. Census tract: 402355 Census block: 2480402001000
9. School: Featherbed Lane ES Woodlawn HS Woodlawn HS
10. The boundary shown herein is from the deed recorded in the Land Records of Baltimore County. All other information shown herein was taken from Baltimore County GIS (the BMCA) and the information provided by Baltimore County on the internet.
11. Improvements: Single family dwelling & driveway. The existing dwelling and driveway will remain.

OFFICE OF ZONING

zoning: DR 5.5 There are no previous zoning cases on the subject parcels.

Parking Calculations

Required parking spaces for a residence: 2

Parking spaces provided on site: 2

DR 5.5 Setbacks for Residences

Front: 30 feet from the street right of way (property line)
 Side: 10 feet minimum from property line / 20 feet total from property line
 Rear: 30 feet from property line

ENVIRONMENTAL IMPACT

Watershed: Guyana Falls/Back River Reservoir URSI land use: 0

1. The existing dwelling is currently serviced by public water and sewer.
2. There are no underground storage tanks on the subject property.
3. The subject property is not in the Chesapeake Bay Critical Area.
4. The subject property is not located within a 100 year flood plain.

OFFICE OF PLANNING

Regional Planning District: Luthersville District Code: 319

1. The subject dwelling is not historic. The subject property is not in a historic district.

PROPOSED DEVELOPMENT

The construction of an addition to the dwelling.

CARLYNN AVENUE

DRIVE

ZONING POINT OF BEGINNING

HILLSIDE

(1) STORY DWELLING

MACADAM DRIVE

CONC. PORCH

(1) STORY DWELLING

WOOD DECK

PROPOSED ONE STORY ADDITION

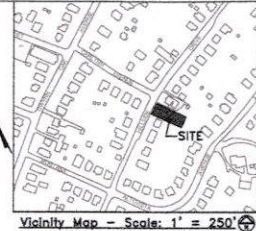
#1933 HILLSIDE DRIVE
GUY L. PERRY
SHEILA M. PERRY

"WOODLAWN PARK SECTION D"
PB 24/100

#1902 ALTO VISTA AVENUE
MARY L. WALKER

(1) STORY DWELLING

#1929 HILLSIDE DRIVE
GERMAINE EDWARDS



Vicinity Map - Scale: 1" = 250'



PLAN TO ACCOMPANY
A ZONING PETITION
FOR
#1931 HILLSIDE DRIVE
BALTIMORE COUNTY, MARYLAND
1st ELECTION DISTRICT 1st COUNCILMANIC DISTRICT

Date: 7/4/2017
Scale: 1"=10'

RECEIVED

AUG 11 2017

OFFICE OF
ADMINISTRATIVE HEARINGS

PLAN TO ACCOMPANY PHOTOGRAPHS
CASE # 2018-006-A



REVISION



RECEIVED

AUG 11 2017

OFFICE OF
ADMINISTRATIVE HEARINGS



RECEIVED
AUG 1 1 2017
OFFICE OF
ADMINISTRATIVE HEARINGS

ZONING NOTICE
ADMINISTRATIVE VARIANCE
CASE NO. 2018-0016-A
1511 MILLER DRIVE
REQUEST TO PERMIT A SIDE YARD ADDITION WITH
A SIDE SETBACK OF 7 FEET IN LIEU OF THE
REQUIRED 10 FEET
PUBLIC HEARING?
PUBLISHED TO SECTION 26.12(1)(1) MATTHEW
COUNTY CODE, AN ELECTION, INCORPORATED IN
MAY 2017. A PUBLIC HEARING WILL BE HELD IN
THE ZONING OFFICE DEPARTMENT, AUGUST 11, 2017.
THE REQUESTED VARIANCE, PROVIDED IT IS MADE IN
CONFORMANCE WITH THE ZONING CODE, MAY BE
APPROVED BY THE ZONING BOARD. THE ZONING BOARD
MAY REQUEST A PUBLIC HEARING CONCERNING THE
VARIANCE. THE ZONING BOARD MAY ALSO REQUEST A
PUBLIC HEARING CONCERNING THE VARIANCE.



RECEIVED
AUG 11 2017
OFFICE OF
ADMINISTRATIVE HEARINGS

D



RECEIVED

AUG 11 2017

OFFICE OF
ADMINISTRATIVE HEARINGS



RECEIVED
AUG 11 2017
OFFICE OF
ADMINISTRATIVE HEARINGS

F



RECEIVED
AUG 11 2017
OFFICE OF
ADMINISTRATIVE HEARINGS

5/21/2017

MY NAME IS: GERMAINE FAUPEL

AND I OR WE LIVE AT: 1939 HILLSIDE DR. GUYMON OAK

MARYLAND 21207

WHICH ADJOINS: 1931 HILLSIDE DR. GUYMON OAK MD. 21207

OWNED BY FRANK & RAMELA CHERY

I OR WE HAVE SEEN THE PLANS FOR THE PROPOSED ADDITION

TO THE HOUSE AND SUPPORT ANY ZONING VARIANCE

THAT IS NEEDED.

SIGN: *[Signature]* 5/21/17
WITNESS SIGN: *[Signature]* 5/21/2017

DATE: 5/21/2017

DATE: 5/21/2017



KAREN A. KOMOROWSKI
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires April 23, 2020

Karen A. Komorowski

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 01 Account Number - 0108005880			
Owner Information					
Owner Name:		EDWARDS GERMAINE		Use:	RESIDENTIAL
Mailing Address:		1929 HILLSIDE DR BALTIMORE MD 21207-5270		Principal Residence:	YES
				Deed Reference:	/15619/ 00436
Location & Structure Information					
Premises Address:		1929 HILLSIDE DR BALTIMORE 21207-5270		Legal Description: 1929 HILLSIDE DR ES WOODLAWN PARK	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0088	0020	0414		0000	D
Block:	Lot:	Assessment Year:	Plat No:	Plat Ref:	
B	1	2016		0024/0100	
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1965	816 SF	500 SF	8,176 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1	YES	STANDARD UNIT	ASBESTOS SHINGLE	1 full	Last Major Renovation
Value Information					
Base Value		Value	Phase-in Assessments		
		As of 01/01/2016	As of 07/01/2017	As of 07/01/2018	
Land:	58,400	58,400			
Improvements	95,800	96,900			
Total:	154,200	155,300	154,933	154,933	
Preferential Land:	0			0	
Transfer Information					
Seller: JOHNSON-WHITE LATANYA E		Date: 10/02/2001		Price: \$101,000	
Type: ARMS LENGTH IMPROVED		Deed1: /15619/ 00436		Deed2:	
Seller: HEWETT CAROLYN E		Date: 07/17/1998		Price: \$75,500	
Type: ARMS LENGTH IMPROVED		Deed1: /13016/ 00249		Deed2:	
Seller: HEWETT CAROLYN E		Date: 05/13/1994		Price: \$1	
Type: NON-ARMS LENGTH OTHER		Deed1: /10527/ 00001		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2017		07/01/2018	
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 10/16/2012					
Homeowners' Tax Credit Application Information					

Homeowners' Tax Credit Application Status: No Application Date:

5/21/2017

MY NAME IS: Guy L. Perry

And I, or we Live At: 1933 Hillside Dr. Gwynn Oak
Maryland 21207

Which Adjoins: 1931 Hillside Dr. Gwynn Oak MD. 21207
Owned By Frank & Pamela Cherry.

I or we have seen The PLANS for The proposed Addition
To The house and Support ANY zoning VARIANCE
That is needed.

Signature Guy L. Perry 5/21/2017
Witness Signature Daniel Hill 5/21/2017
DATE: 5/21/2017
DATE: 5/21/2017



KAREN A. KOMOROWSKI
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires April 23, 2020

Karen A. Komorowski

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 01 Account Number - 0119512740			
Owner Information					
Owner Name:		PERRY GUY L PERRY SHEILA M		Use:	RESIDENTIAL
Mailing Address:		1933 HILLSIDE DR BALTIMORE MD 21207-5270		Principal Residence:	YES
				Deed Reference:	/26164/ 00493
Location & Structure Information					
Premises Address:		1933 HILLSIDE DR BALTIMORE 21207-5270		Legal Description: 1933 HILLSIDE DR WOODLAWN PARK	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0088	0020	0414		0000	D B 3
				Assessment Year:	Plat No:
				2016	0024/0100
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1968	1,248 SF	700 SF	8,037 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
1 1/2	YES	STANDARD UNIT	SIDING	2 full	
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of 01/01/2016	As of 07/01/2017	As of 07/01/2018
Land:		58,400	58,400		
Improvements		107,400	117,500		
Total:		165,800	175,900	172,533	172,533
Preferential Land:		0			0
Transfer Information					
Seller: PERRY GUY L		Date: 09/13/2007		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /26164/ 00493		Deed2:	
Seller: BIEMAN GERALD G		Date: 09/06/2000		Price: \$114,800	
Type: ARMS LENGTH IMPROVED		Deed1: /14678/ 00740		Deed2:	
Seller: SMITH RITA K		Date: 11/29/1977		Price: \$42,900	
Type: ARMS LENGTH IMPROVED		Deed1: /05830/ 00290		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2017		07/01/2018	
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 02/14/2012					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application		Date:			

Debra Wiley

From: June Wisnom
Sent: Thursday, August 10, 2017 9:28 AM
To: Debra Wiley
Subject: Pictures

Good morning Deb, I will bring over the pics for 2018-0016. June

✓
Rec'd 8-11-17
Deb

Debra Wiley

From: Jason Seidelman
Sent: Wednesday, August 09, 2017 1:50 PM
To: Debra Wiley
Cc: June Wisnom
Subject: RE: Admin. Var. Case No. 2018-0016-A

Just spoke to the rep, he will have us pictures tomorrow.....

Jason Seidelman
Zoning Review
Baltimore County, MD
410-887-3391

From: Debra Wiley
Sent: Wednesday, August 09, 2017 12:14 PM
To: June Wisnom <jwisnom@baltimorecountymd.gov>; Jason Seidelman <jseidelman@baltimorecountymd.gov>
Subject: Admin. Var. Case No. 2018-0016-A

Good Afternoon,

It appears the above-referenced case file is missing its photos that are needed to process.

Thanks in advance; it is appreciated.

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

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 _____)	_____
<u>7-19</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>7-17</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	<u>Supports:</u>
_____	ADJACENT PROPERTY OWNERS <u>Dwight Perry (1933) and</u> <u>Germaine Edwards (1929) Hillside Dr.</u>	
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>7-23-17</u> by <u>Doak</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any: <u>Amusing - Photo Emailed June + Jason 8-9-17</u>		

Rec'd 8-11

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 01 Account Number - 0106572460			
Owner Information					
Owner Name:	CHERRY FRANK L 3RD CHERRY PAMELA LYNN		Use:	RESIDENTIAL	
Mailing Address:	1931 HILLSIDE DR BALTIMORE MD 21207-5270		Principal Residence:	YES	
			Deed Reference:	/08988/ 00294	
Location & Structure Information					
Premises Address:		1931 HILLSIDE DR BALTIMORE 21207-5270		Legal Description:	
WOODLAWN PARK					
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0088	0020	0414		0000	D B 2
					Assessment Year: 2016
					Plat No: 0024/0100
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1966	1,064 SF	532 SF	8,322 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
1	YES	STANDARD UNIT	SIDING	1 full	
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of 01/01/2016	As of 07/01/2016	As of 07/01/2017
Land:		58,500	58,500		
Improvements		99,600	100,600		
Total:		158,100	159,100	158,433	158,767
Preferential Land:		0			0
Transfer Information					
Seller: FRITZ HOWARD H		Date: 12/03/1991		Price: \$87,900	
Type: ARMS LENGTH IMPROVED		Deed1: /08988/ 00294		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 12/31/2012					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application			Date:		

GENERAL SITE INFORMATION

1. Ownership: Frank L. Cherry, 3rd & Pamela Lynn Cherry
1931 Hillside Drive Baltimore, MD 21207
2. Address: 1931 Hillside Drive Baltimore, MD 21207
3. Deed references: SM 8988/294
4. Area: 8,322 sq. ft. / 0.191 acre (per SDAT)
5. Tax Map / Parcel / Lot / Tax account #: 88 / 414 / 2 / 01-06-572460
6. Election District: 1 Councilmanic District: 1
ADC Map: 423406 GIS tile: 088A3 Position sheet: 108NW10
Census tract: 401200 Census block: 240054012001006
Schools: Featherbed Lane ES Woodlawn MS Woodlawn HS
7. The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 088A3 and the information provided by Baltimore County on the internet.
8. Improvements: Single family dwelling & driveway. The existing dwelling and driveway will remain.

OFFICE OF ZONING

Zoning: DR 5.5 There are no previous zoning cases on the subject parcels.

Parking Calculations

Required parking spaces for a residence: 2

Parking spaces provided on site: 2

DR 5.5 Setbacks for Residences

Front: 30 feet from the street right of way /property line
Side: 10 feet minimum from property line / 25 feet total from property lines
Rear: 30 feet from property line

ENVIRONMENTAL IMPACT

Watershed: Gwynns Falls/Loch Raven Reservoir URDL land type: 0

1. The existing dwelling is currently serviced by public water and sewer.
2. There are no underground storage tanks on the subject property.
3. The subject property is not in the Chesapeake Bay Critical Area.
4. The subject property is not located within a 100 year flood plain.

OFFICE OF PLANNING

Regional Planning District: Lochearn District Code: 319

1. The subject dwelling is not historic. The subject property is not in a historic district.

PROPOSED DEVELOPMENT

The construction of an addition to the dwelling.

CARLYNN
AVENUE

DRIVE

ZONING POINT
OF BEGINNING

S61°15'59"E

MACADAM DRIVE

10'±

145.10'

S24°12'38"W

10' STORM DRAINAGE
PB 24/100

#1902 ALTO VISTA AVENUE
MARY L. WALKER

"WOODLAWN PARK
SECTION D"
PB 24/100

PROPOSED ONE
STORY ADDITION

(1) STORY
DWELLING

WOOD
DECK

CONC.
PORCH

37.6'

28.0'

16.0'

72'±

51.23'

147.07'

7'±

16.66'

R = 780'
L = 63'

N65°53'39"W

(1) STORY
DWELLING

#1929 HILLSIDE DRIVE
GERMAINE EDWARDS

#1933 HILLSIDE DRIVE
GUY L. PERRY
SHEILA M. PERRY

Vicinity Map - Scale: 1" = 250'

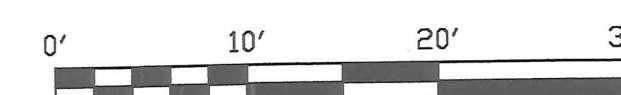
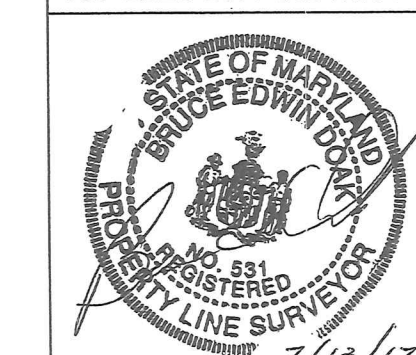
Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-410-4806
bdoak@brucedoakconsulting.com

PLAN TO ACCOMPANY
A ZONING PETITION
FOR
#1931 HILLSIDE DRIVE

BALTIMORE COUNTY, MARYLAND
1st ELECTION DISTRICT 1st COUNCILMANIC DISTRICT

Date: 7/4/2017

Scale: 1"=10'



REVISION

Pet. Exp. 1

- GENERAL SITE INFORMATION**
- Ownership: Frank L. Cherry, 3rd & Pamela Lynn Cherry
1931 Hillside Drive Baltimore, MD 21207
 - Address: 1931 Hillside Drive Baltimore, MD 21207
 - Deed references: SM 8988 / 294
 - Area: 6,322 sq. ft. / 0.191 acre (per SDAT)
 - Tax Map / Parcel / Lot / Tax account #: 88 / 414 / 2 / 01-06-572460
 - Election District: 1 Councilmanic District: 1
ADC Map: 4234D6 GIS tile: 088A3 Position sheet: 108NW10
Census tract: 401200 Census block: 240054012001006
 - Schools: Featherbed Lane ES Woodlawn MS Woodlawn HS
 - The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 088A3 and the information provided by Baltimore County on the internet.
 - Improvements: Single family dwelling & driveway. The existing dwelling and driveway will remain.

OFFICE OF ZONING

Zoning: DR 5.5 There are no previous zoning cases on the subject parcels.

Parking Calculations

Required parking spaces for a residence: 2
Parking spaces provided on site: 2

DR 5.5 Setbacks for Residences

Front: 30 feet from the street right of way /property line
Side: 10 feet minimum from property line / 25 feet total from property lines
Rear: 30 feet from property line

ENVIRONMENTAL IMPACT

Watershed: Gwynns FallsLoch Raven Reservoir URDL land type: 0

- The existing dwelling is currently serviced by public water and sewer.
- There are no underground storage tanks on the subject property.
- The subject property is not in the Chesapeake Bay Critical Area.
- The subject property is not located within a 100 year flood plain.

OFFICE OF PLANNING

Regional Planning District: Lochearn District Code: 319

- The subject dwelling is not historic. The subject property is not in a historic district.

PROPOSED DEVELOPMENT

The construction of an addition to the dwelling.

CARLYNN AVENUE

DRIVE

ZONING POINT OF BEGINNING

S61°15'59"E

MACADAM DRIVE

10'±

145.10'

S24°12'38"W

10' STORM DRAINAGE

51.23'

147.07'

R = 780'

L = 63'

31'±

N65°53'39"W

28.0'

16.0'

72'±

16.66'

7'±

(1) STORY DWELLING

(1) STORY DWELLING

(1) STORY DWELLING

CONC. PORCH

WOOD DECK

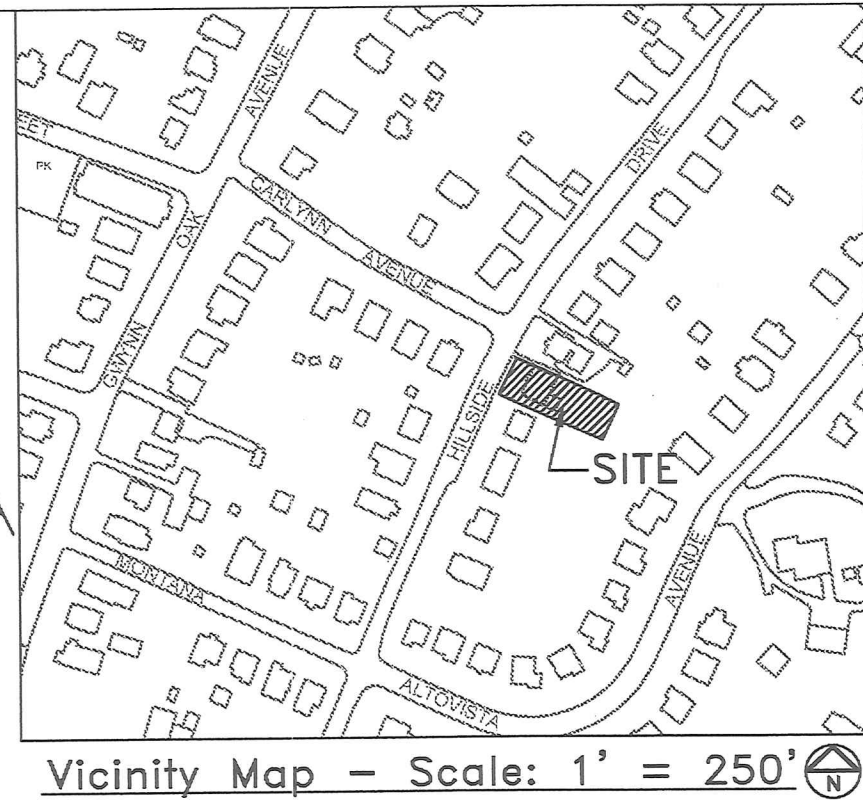
PROPOSED ONE STORY ADDITION

"WOODLAWN PARK SECTION D" PB 24/100

#1929 HILLSIDE DRIVE
GERMAINE EDWARDS

#1933 HILLSIDE DRIVE
GUY L. PERRY
SHEILA M. PERRY

#1902 ALTO VISTA AVENUE
MARY L. WALKER



REVISION

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY
A ZONING PETITION
FOR
#1931 HILLSIDE DRIVE

BALTIMORE COUNTY, MARYLAND
1st ELECTION DISTRICT 1st COUNCILMANIC DISTRICT

Date: 7/4/2017

Scale: 1"=10'

