

MEMORANDUM

DATE: March 1, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0148-A – Appeal Period Expired

The appeal period for the above-referenced case expired on February 28, 2018. 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

(114 Mace Avenue)

15th Election District

7th Council District

Scott Dawson

Legal Owner

Joshua Wisneski

Contract Purchaser

Petitioners

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BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2018-0148-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County as a Petition for Variance filed by Scott Dawson, legal owner of the subject property and Joshua Wisneski, contract purchaser ("Petitioners"). The Petition seeks variance relief from § 1B02.3.C.1 of the Baltimore County Zoning Regulations ("BCZR") to permit a lot width of 50 ft., a lot area of 4,979 sq. ft. and a street side setback of 16 ft. in lieu of the required 55 ft., 6,000 sq. ft. and 25 ft., respectively, for a new dwelling. A site plan was marked as Petitioners' Exhibit 1.

David Billingsley 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 BCZR. A substantive Zoning Advisory Committee ("ZAC") comment was received from the Department of Planning ("DOP"). That agency did not object to the requests.

The site is approximately 4,979 sq. ft. in size and zoned DR 5.5. The property was previously improved with a single family dwelling, although that structure was in poor condition and was razed. Petitioners propose to construct a new single family dwelling on the lot, although variance relief is required to do so.

ORDER RECEIVED FOR FILING

Date 1-30-18

By BW

As shown on the site plan, the lot is actually 7,837 sq. ft. in size, which would satisfy the minimum lot size and allow Petitioners to also comply with the street side setback (25 ft.) requirement. Even though the Bureau of Real Estate Compliance informed Mr. Billingsley it had no title documents to evidence ownership, Petitioners were willing to grant to Baltimore County a roadway widening easement or right-of-way along Riverside Avenue. The right-of-way area would be 2,858 sq. ft., which explains why the net area listed on the petition is 4,979 sq. ft.

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 property has irregular dimensions and is therefore unique. If the Regulations were strictly interpreted Petitioners would experience a practical difficulty because they would be unable to construct a dwelling on this lot. Finally, I find that the variances can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the absence of Baltimore County and/or community opposition.

THEREFORE, IT IS ORDERED, this 30th day of **January, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1B02.3.C.1 of the Baltimore County Zoning Regulations ("BCZR") to permit a lot width of 50 ft., a lot area of 4,979 sq. ft. and a street side setback of 16 ft. in lieu of the required 55 ft., 6,000 sq. ft. and 25 ft., respectively, for a new dwelling, be and is hereby GRANTED.

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Date 1-30-18

By EW

The relief granted herein shall be subject to the following:

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

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 1-30-18

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 114 MACE AVENUE which is presently zoned DR5.5
Deed References: L 35169 F 405 10 Digit Tax Account # 1512200010
Property Owner(s) Printed Name(s) SCOTT DAWSON

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

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

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. ☒ a **Variance** from Section(s)

SEE ATTACHED

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 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:

JOSHUA WISNESKI
Name Type or Print
Josh Wineski
Signature
2133 LINCOLN AVE BALTO, MD.
Mailing Address City State
21219 (443) 564-7412
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):

SCOTT DAWSON
Name #1 - Type or Print Name #2 - Type or Print
William Scott Dawson
Signature #1 Signature #2
850 ROME COURT BEL AIR MD.
Mailing Address City State
21015 (443) 750-9937
Zip Code Telephone # Email Address

Representative to be contacted:

DAVID BILLINGSLEY
Name - Type or Print
David W Billingsley
Signature
601 CHARWOOD CT. EDGEWOOD, MD.
Mailing Address City State
21040 (410) 679-8719 dwb0209@yahoo.com
Zip Code Telephone # Email Address

CASE NUMBER 2018-0148-A Filing Date 11/30/2017 Do Not Schedule Dates: Reviewer *W*

1B02.3.C.1 (BCZR) TO PERMIT A LOT WITH OF 50 FEET, A LOT AREA OF 4979
SQUARE FEET AND A STREET SIDE SETBACK OF 16 FEET IN LIEU OF THE REQUIRED
55 FEET, 6000 SQUARE FEET AND 25 FEET RESPECTFULLY FOR A NEW DWELLING.

0148-A

ZONING DESCRIPTION

114 MACE AVENUE

Beginning for the same at the point formed by the intersection of the center of Riverside Road (50 feet wide) with the west side of Mace Avenue (50 feet wide) thence the four following courses and distances viz:

(1) N 87° 15' W 118.59 feet

(2) S 02° 51' 30" E 75 feet |

(3) S 87° 15' E 90.40 feet and

(4) N21° 46' E 79.33 feet to the place of beginning.

Containing 7837 square feet or 0.180 acre of land, more or less.

Being known as 114 Mace Avenue. Located in the 15TH Election District, 7TH Councilmanic District of Baltimore County, Md.

2018-0148-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 5385536

Sold To:

Joshua Wisneski - CU00634207
2133 Lincoln Ave
Sparrows Point, MD 21219-2146

Bill To:

Joshua Wisneski - CU00634207
2133 Lincoln Ave
Sparrows Point, MD 21219-2146

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

Jan 09, 2018

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: # 2018-0148-A
114 Mace Avenue
W/S Mace Avenue at the SW corner of Riverside Road and Mace Road
15th Election District - 7th Councilmanic District
Legal Owner(s) Scott Dawson

Variance: to permit a lot width of 50 ft., a lot area of 4979 sq. ft. and a street side setback of 16 ft. in lieu of the required 55 ft., 6000 sq. ft. and 25 ft. respectively for a new dwelling

Hearing: Monday, January 29, 2018 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.

JT 1/688 January 9 5385536

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising

CERTIFICATE OF POSTING

Date: JANUARY 9, 2018

RE: Project Name: 114 MACE AVENUE
Case Number /PAI Number: 2018-0148-A
Petitioner/Developer: SCOTT DAWSON / JOSHUA WISNESKI
Date of Hearing/Closing: JANUARY 29, 2018

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 114 MACE AVENUE

The sign(s) were posted on JANUARY 9, 2018
(Month, Day, Year)

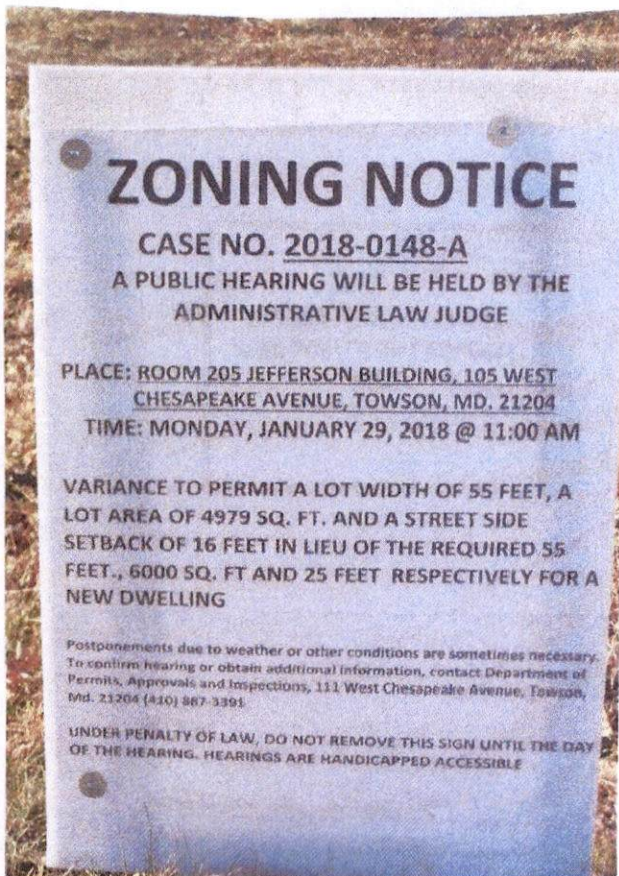
David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)





KEVIN KAMENETZ
County Executive

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

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114 Mace Avenue

W/S Mace Avenue at the SW corner of Riverside Road and Mace Road

15th Election District – 7th Councilmanic District

Legal Owners: Scott Dawson

Variance to permit a lot width of 50 ft., a lot area of 4979 sq. ft. and a street side setback of 16 ft. in lieu of the required 55 ft., 6000 sq. ft. and 25 ft. respectively for a new dwelling.

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105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Joshua Wisneski, 2133 Lincoln Avenue, Baltimore 21219

Scott Dawson, 850 Rome Court, Bel Air 21015

David Billingsley, 601 Charwood Court, Edgewood 21040

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 9, 2018.**
- (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
Tuesday, January 9, 2018 Issue - Jeffersonian

Please forward billing to:
Joshua Wisneski
2133 Lincoln Avenue
Baltimore, MD 21219

443-564-7412

NOTICE OF ZONING HEARING

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CASE NUMBER: 2018-0148-A

114 Mace Avenue

W/S Mace Avenue at the SW corner of Riverside Road and Mace Road

15th Election District – 7th Councilmanic District

Legal Owners: Scott Dawson

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Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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RE: PETITION FOR VARIANCE
114 Mace Avenue; W/S Mace Avenue, SW
Corner of Riverside Road & Mace Avenue
15th Election & 7th Councilmanic Districts
Legal Owner(s): Scott Dawson
Contract Purchaser(s): Joshua Wisnecki
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2018-148-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.

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

RECEIVED
DEC 05 2017

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of December, 2017, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, 601 Charwood Court, Edgewood, Maryland 21040, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

NO 161150

Date:

11/30/17

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

Total:

75.00

Rec

From:

Dave Billingsley

For:

114 Mace Ave

2018-0148-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

PAID RECEIPT

ADDRESS: BALTIMORE, MD 21201
11/30/2017 11/30/2017 09:55:38
PER: 0005 WALKIN LEO
RECEIPT NO: 032374 11/30/2017
OBJ: 5 528 ZONING VERIFICATION
NO: 161150
Receipt Tot: \$75.00
\$150.00 CX \$1.00 CA
Baltimore County, Maryland

**CASHIER'S
VALIDATION**

**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/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

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

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

For Newspaper Advertising:

Case Number: 2018-0148-A
Property Address: 114 Mace Avenue
Property Description: SW corner Mace Avenue and
Riverside Road
Legal Owners (Petitioners): Scott Dawson
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Joshua Wisneski
Company/Firm (if applicable): _____
Address: 2133 Lincoln Avenue
Balto. Md 21219
Telephone Number: (443) 564-7412

Revised 7/9/2015



KEVIN KAMENETZ
County Executive

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

January 23, 2018

Scott Dawson
850 Rome Court
Bel Air MD 21015

RE: Case Number: 2018-0148 A, Address: 114 Mace Avenue

Dear Mr. Dawson:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 30, 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 dark ink, reading "W. Carl Richards, Jr.", is written over a faint, circular official stamp.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Joshua Wisneski, 2133 Lincoln Avenue, Baltimore MD 21219
David Billingsley, 601 Charwood Court, Edgewood MD 21040

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

Date: 12/6/17

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. 2018-0148-A

Variance
Scott Dawson
114 Mace Avenue

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

Sincerely,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

1-29-18

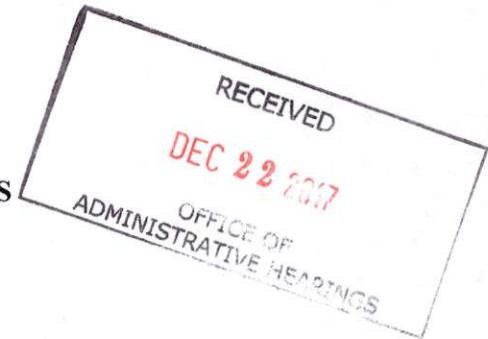
BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 12/21/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-148



INFORMATION:

Property Address: 114 Mace Avenue
Petitioner: Scott Dawson
Zoning: DR 5.5
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit a lot width of 50 feet, a lot area of 4979 square feet and a street side setback of 16 feet in lieu of the required 55 feet, 6000 square feet and 25 feet respectfully for a new dwelling.

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

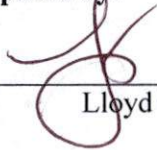
- Remove the concrete apron along the Riverside Road frontage and replace with curb, grass strip and standard sidewalk meeting all Department of Public Works standards.
- Provide architectural elevations to the contact person listed below prior to building permit approval. Incorporate windows, shutters, and other detailing to the side facade facing Riverside Road. The Department will not support a blank facade.
- Confirm with the Office of Zoning Review that the proposed open projection meets all setback requirements to include front averaged setbacks.

Please be advised that the petitioners should demonstrate to the satisfaction of the Administrative Law Judge that the requirements of BCZR § 304.1 are met if applicable.

Date: 12/21/2017
Subject: ZAC # 18-148
Page 2

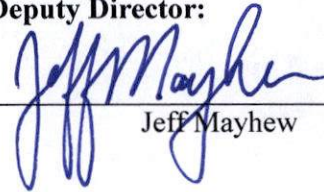
For further information concerning the matters stated herein, please contact Ngone Seye Diop at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Deputy Director:



Jeff Mayhew

AVA/KS/LTM/ka

c: Ngone Seye Diop
Joshua Wisneski
Office of the Administrative Hearings
People's Counsel for Baltimore County

1-29-18

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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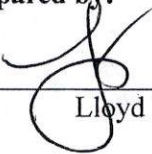
ORDER RECEIVED FOR FILING

Date 1-30-18

By PW

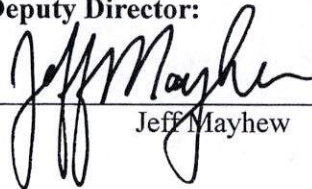
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Prepared by:



Lloyd T. Moxley

Deputy Director:



Jeff Mayhew

AVA/KS/LTM/ka

c: Ngone Seye Diop
Joshua Wisneski
Office of the Administrative Hearings
People's Counsel for Baltimore County

ORDER RECEIVED FOR FILING

Date 1-30-18

By WJ

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: December 11, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0148-A
Address 114 Mace Avenue
(Dawson Property)

Zoning Advisory Committee Meeting of **December 11, 2017**.

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

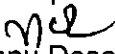
Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: December 28, 2017

FROM: 
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For December 11, 2017
Item No. 2018-0138-A, 0141-A, 0145-A, 0146-A, 0147-A, 0148-A and
0150-A

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

* * * * *

VKD: can
cc: file

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

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Director, Department of Planning

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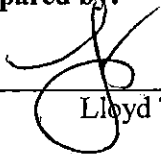
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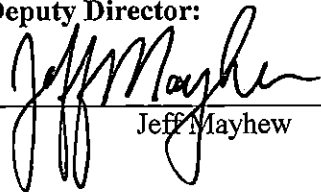
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Prepared by:



Lloyd T. Moxley

Deputy Director:



Jeff Mayhew

AVA/KS/LTM/ka

c: Ngone Seye Diop
Joshua Wisneski
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: December 11, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0148-A
Address 114 Mace Avenue
(Dawson Property)

Zoning Advisory Committee Meeting of **December 11, 2017**.

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

Reviewer: Steve Ford

PLEASE PRINT CLEARLY

CASE NAME 114 NACE AVE
CASE NUMBER 2018-0148-A
DATE 1/29/18

PETITIONER'S

COUNTY REPRESENTATIVE'S SIGN-IN SHEET

[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>
12/28	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	no comment
12/11	DEPS (if not received, date e-mail sent _____)	no comment
	FIRE DEPARTMENT	
12/21	PLANNING (if not received, date e-mail sent _____)	no objection w/ conditions
12/16	STATE HIGHWAY ADMINISTRATION	no objection
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 1/9/18	
SIGN POSTING	Date: 1/9/18	by Bellingsley
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 - 15 Account Number - 1512200010			
Owner Information					
Owner Name:	DAWSON SCOTT		Use:	RESIDENTIAL	
Mailing Address:	850 ROME CT BEL AIR MD 21015-		Principal Residence:	NO	
			Deed Reference:	/35169/ 00405	
Location & Structure Information					
Premises Address:		114 MACE AVE 0-0000		Legal Description: 114 MACE AVE BACK RIVER HIGHLANDS	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0097	0001	0364		0000	H
				Assessment Year:	Plat No:
				2018	0004/0064
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
			8,624 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
					Last Major Renovation
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2018	07/01/2017	07/01/2018
Land:		74,600	74,600		
Improvements		0	0		
Total:		74,600	74,600	74,600	74,600
Preferential Land:		0			0
Transfer Information					
Seller: U S BANK NATIONAL ASSOCIATION TRUSTEE		Date: 07/17/2014		Price: \$25,500	
Type: NON-ARMS LENGTH OTHER		Deed1: /35169/ 00405		Deed2:	
Seller: DIXON WILLIAM		Date: 06/12/2013		Price: \$50,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /33769/ 00183		Deed2:	
Seller: OCONNELL MYRON L		Date: 12/28/1999		Price: \$124,900	
Type: ARMS LENGTH IMPROVED		Deed1: /14229/ 00188		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: No Application					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application		Date:			

1/29
11 AM

Case No.: 2018-OK8-A-114 Grace Ave.

Exhibit Sheet

(SEE ATTACHED)

DW
3-1-18

DW
1-30-18

Petitioner/Developer

Protestant

No. 1		
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PETITIONER'S EXHIBITS

122 MACE AVENUE

PJ
1-30-18

- 1. PLAT TO ACCOMPANY ZONING PETITION DATED NOV. 27, 2017 (NO CHANGES)**
- 2. SDAT REAL PROPERTY SEARCH**
- 3. DEED OF RECORD L.35169 F.405 DATED MAY 27, 2014**
- 4. PLAT OF BACK RIVER HIGHLANDS P.B. 4 F. 64 RECORDED MARCH 28, 1913**
- 5. AERIAL PHOTO**
- 6. PREVIOUSLY RAZED DWELLING**
- 7A – 7E. PHOTOS**
- 8. DEED L.7617 F.562 DATED JULY 17, 1987**

Real Property Data Search (w1)

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 1512200010			
Owner Information					
Owner Name:		DAWSON SCOTT		Use:	RESIDENTIAL
Mailing Address:		850 ROME CT BEL AIR MD 21015-		Principal Residence:	NO
				Deed Reference:	/35169/ 00405
Location & Structure Information					
Premises Address:		114 MACE AVE 0-0000		Legal Description: 114 MACE AVE BACK RIVER HIGHLANDS	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0097	0001	0364		0000	H
				Assessment Year:	2018
				Plat No:	0004/0064
Special Tax Areas:				Town:	NONE
				Ad Valorem:	
				Tax Class:	
Primary Structure Built		Above Grade Living Area		Finished Basement Area	Property Land Area
					8,624 SF
					County Use
					04
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
					Last Major Renovation
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of 01/01/2015	As of 07/01/2017	As of 07/01/2018
Land:		74,600	74,600		
Improvements		0	0		
Total:		74,600	74,600	74,600	
Preferential Land:		0			
Transfer Information					
Seller: U S BANK NATIONAL ASSOCIATION TRUSTEE		Date: 07/17/2014		Price: \$25,500	
Type: NON-ARMS LENGTH OTHER		Deed1: /35169/ 00405		Deed2:	
Seller: DIXON WILLIAM		Date: 06/12/2013		Price: \$50,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /33769/ 00183		Deed2:	
Seller: OCONNELL MYRON L		Date: 12/28/1999		Price: \$124,900	
Type: ARMS LENGTH IMPROVED		Deed1: /14229/ 00188		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	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					
Homeowners' Tax Credit Application Inform					
Homeowners' Tax Credit Application Status: No Application					
Date:					

PETITIONER'S
EXHIBIT NO. 2

SPECIAL WARRANTY DEED

This Property is transferred pursuant to a foreclosure or deed in lieu of foreclosure and therefore exempt from non-resident seller withholding requirements pursuant to MD Code, Tax – General, § 10-912.

U.S. Bank National Association, as trustee for Structured Asset Investment Loan Trust Mortgage Pass-Through Certificates, Series 2006-3, whose mailing address is 8480 Stagecoach Circle, Frederick, MD 21701, hereinafter grantor, in consideration of the sum of **\$25,500.00 (Twenty Five Thousand Five Hundred Dollars and Zero Cents)**, grants and conveys with covenants of special warranty in fee simple to **SCOTT DAWSON**, hereinafter grantee, his/her/ its personal representatives/successors and/or assigns, whose tax mailing address is **114 MACE AVENUE ESSEX, MD 21221**, the following real property:

All that certain parcel of land situate in the County of **Baltimore** and State of Maryland being known and designated as follows:

BEGINNING FOR THE SAME at the point formed by the intersection of the centerline of **Riverside Road** and the west side of **Mace Avenue** and running thence, binding on the centerline of **Riverside Road** N 87 degrees 15 minutes W, 118.59 feet and running thence S 2 degrees 51 minutes 30 seconds E, 75.0 feet to a point on the northernmost line of Lot No. 2, Section H as shown on Plat of Back River Highlands recorded among the Land Records of Baltimore County in Plat Book 4, folio 64 & 65 and running thence binding on the northernmost line of Lot No. 2, S 87 degrees 15 minutes E, 90.40 feet to a fence corner at the intersection formed by the northernmost line of Lot No. 2 and the west side of **Mace Avenue**, and running thence, binding on the west side of **Mace Avenue**, N 21 degrees 46 minutes E, 79.33 feet to the place of beginning, passing over a pipe set at the distance of 53.6 feet from the beginning of this line, said pipe also being at the intersection formed by the south side of **Riverside Avenue** and the west side of **Mace Avenue**. Being part of Lot No. 1, Section H, as shown on the aforesaid plat. Containing 7837 square feet of land more or less. The improvements thereon being known as **114 Mace Avenue**.

Property Address is: **114 MACE AVENUE ESSEX, MD 21221**

220-MD-V4

PETITIONER'S
EXHIBIT NO. 3

Tax Identification Number is: **15-15-12-200010**

Title Insurer (if any): ~~CHICAGO TITLE INSURANCE~~ First American Title Insurance

Grantor covenants that it has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that it will warrant specially the property hereby granted; and that it will execute such further assurances as the same as may be required.

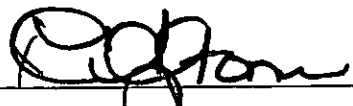
The real property described above is conveyed subject to the following: All easements, covenants, conditions and restrictions of record; All legal highways; Zoning, building and other laws, ordinances and regulations; Real estate taxes and assessments not yet due and payable; Rights of tenants in possession.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining to the said Grantee (s) his/her/ its personal representatives/successors and/or assigns, and in fee simple and all the estate, right, title interest, lien equity and behalf of the grantee forever.

Prior instrument reference: Liber 0033769, Folio 183, OR BEING the same property described in a Deed dated 6/12/2013, and recorded among the Land Records of Allegany County in Liber 003769, Folio 0183, which was granted and conveyed by prior owner(s) Jacob Geesing, Sole Acting Substitute Trustee to U.S. Bank National Association, as trustee for Structured Asset Investment Loan Trust Mortgage Pass-Through Certificates, Series 2006-3.

Executed by the undersigned on 6.27.14

U.S. Bank National Association, as trustee for Structured Asset Investment Loan Trust Mortgage Pass-Through Certificates, Series 2006-3, by Wells Fargo Bank, NA who has been appointed as attorney in fact

By: 
 Name: TAMARA A STONE
 Vice President Loan Documentation
 Its: 6.27.14

Untitled Map

Write a description for your map.

Legend

📍 114 Mace Ave

PETITIONER'S
EXHIBIT NO. 5

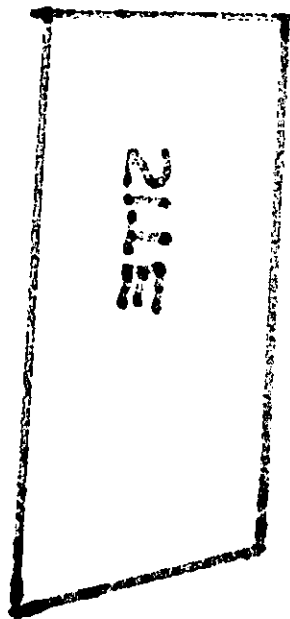
SITE

📍 114 Mace Ave

↑
N

100 ft

Google Earth



Untitled Map

Write a description for your map.

Legend

📍 114 Mace Ave

PETITIONER'S
EXHIBIT NO. **6**

Mace AVE

**PREVIOUSLY RAZED
DWELLING
RAZING PERMIT B 823552
(9-20-2013)**

Google Earth



5.52 ft

ZONING NOTICE
CASE NO. 2012-0042-D
PLANNING DEPARTMENT
1000 PINEAPPLE DRIVE
ALBANY, NEW YORK 12242-1000
PHONE: 518/462-2200
FAX: 518/462-2201
WWW.ALBANYNY.GOV
A notice of zoning violation has been issued to the owner of the property described below. The violation is based on the fact that the property is currently zoned R-1 and is being used for a purpose not permitted in this zone. The owner is hereby notified that the property must be brought into compliance with the zoning ordinance within a specified period of time. Failure to do so may result in the issuance of a stop-work order and/or the filing of a lawsuit to enforce the zoning ordinance. The owner is advised that the property is subject to the zoning ordinance and that the owner is responsible for ensuring that the property is used in accordance with the zoning ordinance. The owner is advised that the property is subject to the zoning ordinance and that the owner is responsible for ensuring that the property is used in accordance with the zoning ordinance. The owner is advised that the property is subject to the zoning ordinance and that the owner is responsible for ensuring that the property is used in accordance with the zoning ordinance.

A



B



5

D





E

DEED — FEE SIMPLE — INDIVIDUAL GRANTOR — LONG FORM

This Deed, MADE THIS 17th day of July

in the year one thousand nine hundred and eighty seven

by and between

JAMES R. LINKOUS

of Baltimore County, State of Maryland party

of the first part, and

MYRON L. O'CONNELL and BERNADETTE M. HARRIS parties

of the second part.

WITNESSETH, That in consideration of the sum of FORTY EIGHT THOUSAND AND 00/100 (\$48,000.00) Dollars, and other good and valuable considerations, the receipt of which is hereby acknowledged,

the said party of the first part

A R C F 13.00
A T T X 240.00
A D O C S 240.00
DEED 0 H
S N C L E R K 493.00
ATP173 0003 R01 T09:26
07/23/87

do es grant and convey to the said parties of the second part, as Joint Tenants and not as tenants in Common, their assigns, the survivor of them, the survivor's

personal representatives/successors and assigns

, in fee simple, all

that lot of ground situate in Baltimore County, State of Maryland

and described as follows, that is to say:

Beginning for the same at a point formed by the intersection of the centerline of Riverside Road and the west side of Mace Avenue and running thence, binding on the centerline of Riverside Road N 87 degrees 15 minutes W, 118.59 feet and running thence S 2 degrees 51 minutes 30 seconds E, 75.0 feet to a point on the northernmost line of Lot No. 2, Section H as shown on Plat of Back River Highlands recorded among the Land Records of Baltimore County in Plat Book 4, folio 64 & 65 and running thence binding on the northernmost line of Lot No. 2, S 87 degrees 15 minutes E, 90.40 feet to a fence corner at the intersection formed by the northernmost line of Lot No. 2 and the west side of Mace Avenue, and running thence, binding on the west side of Mace Avenue, N 21 degrees 46 minutes E, 79.33 feet to the place of beginning, passing over a pipe set at the distance of 53.6 feet from the beginning of this line, said pipe also being at the intersection formed by the south side of Riverside Avenue and the west side of Mace Avenue. Being part of Lot No. 1, Section H, as shown on the aforesaid plat. Containing 7837 square feet of land more or less. The improvements thereon being known as 114 Mace Avenue.

SAVING AND EXCEPTING therefrom all that lot or parcel of ground described in a Deed dated April 18, 1980 and recorded among the Land Records of Baltimore County in Liber EHK, Jr. No. 6156 folio 433 from Valeria Lewandowski unto Dean Parker and wife.

BEING the same lot of ground described in a Deed dated July 9, 1980 and recorded among the Land Records of Baltimore County in Liber EHK, Jr. 6186 folio 157 was granted and conveyed by Valeria Lewandowski unto James R. Linkous.

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

STATE DEPARTMENT OF
ASSESSMENTS & TAXATION

SIGNATURE

DATE 7-22-87

CLERK

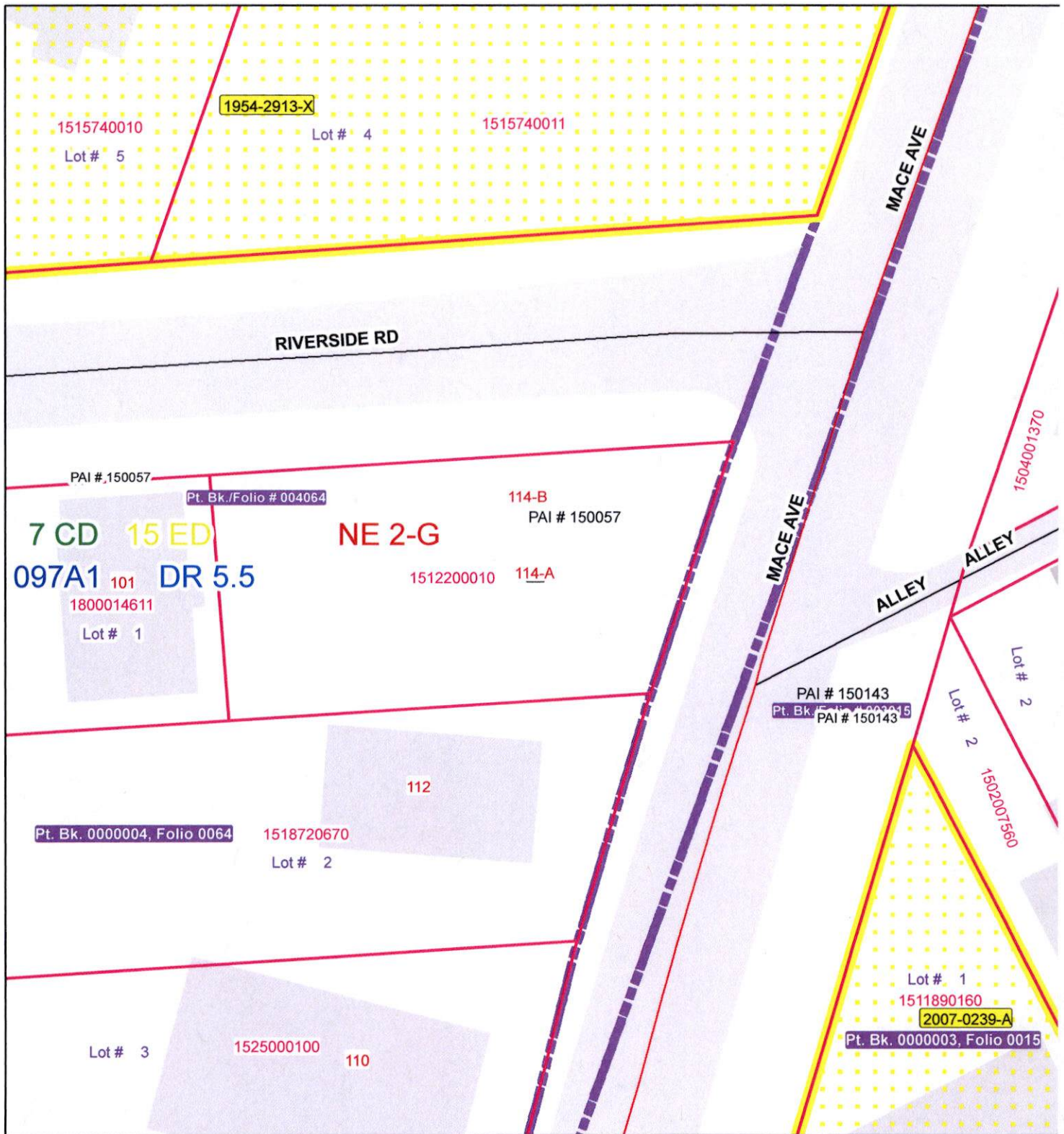
DATE 7-22-87

0101*****768000a 8225a

PETITIONER'S
EXHIBIT NO. 8

[illegible]

114 Llace Avenue 2018-0148-A



Publication Date: 11/30/2017

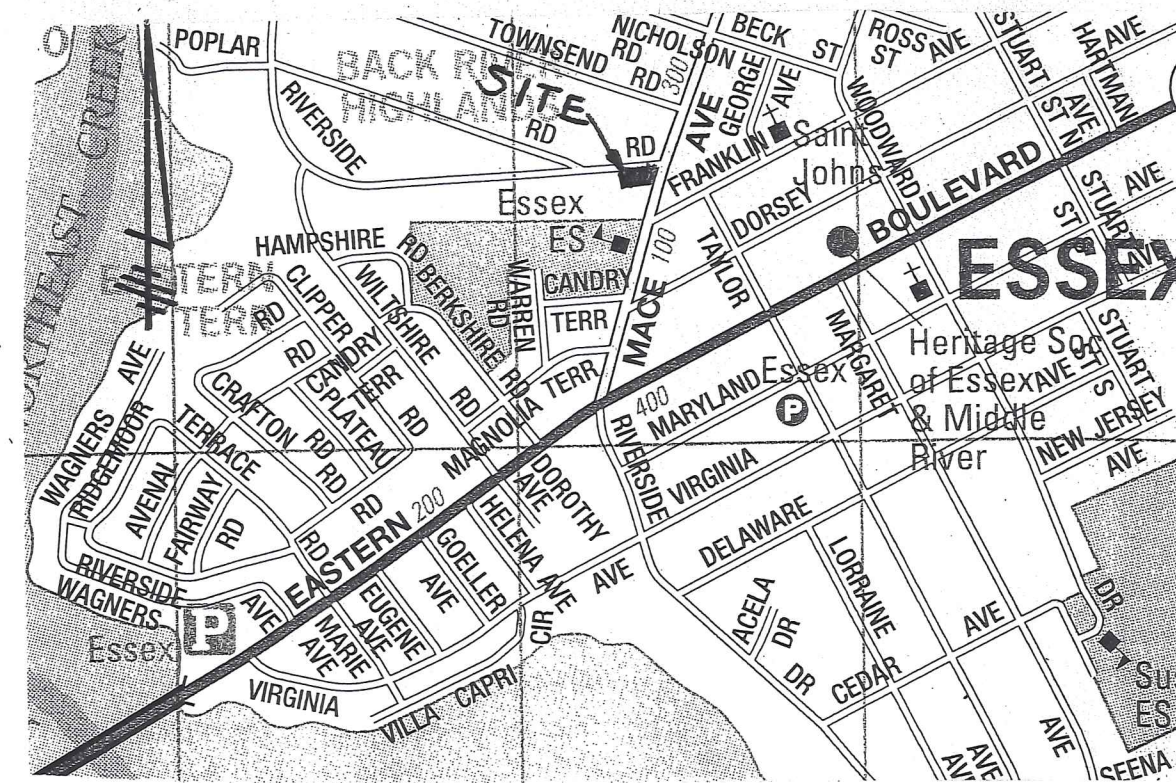
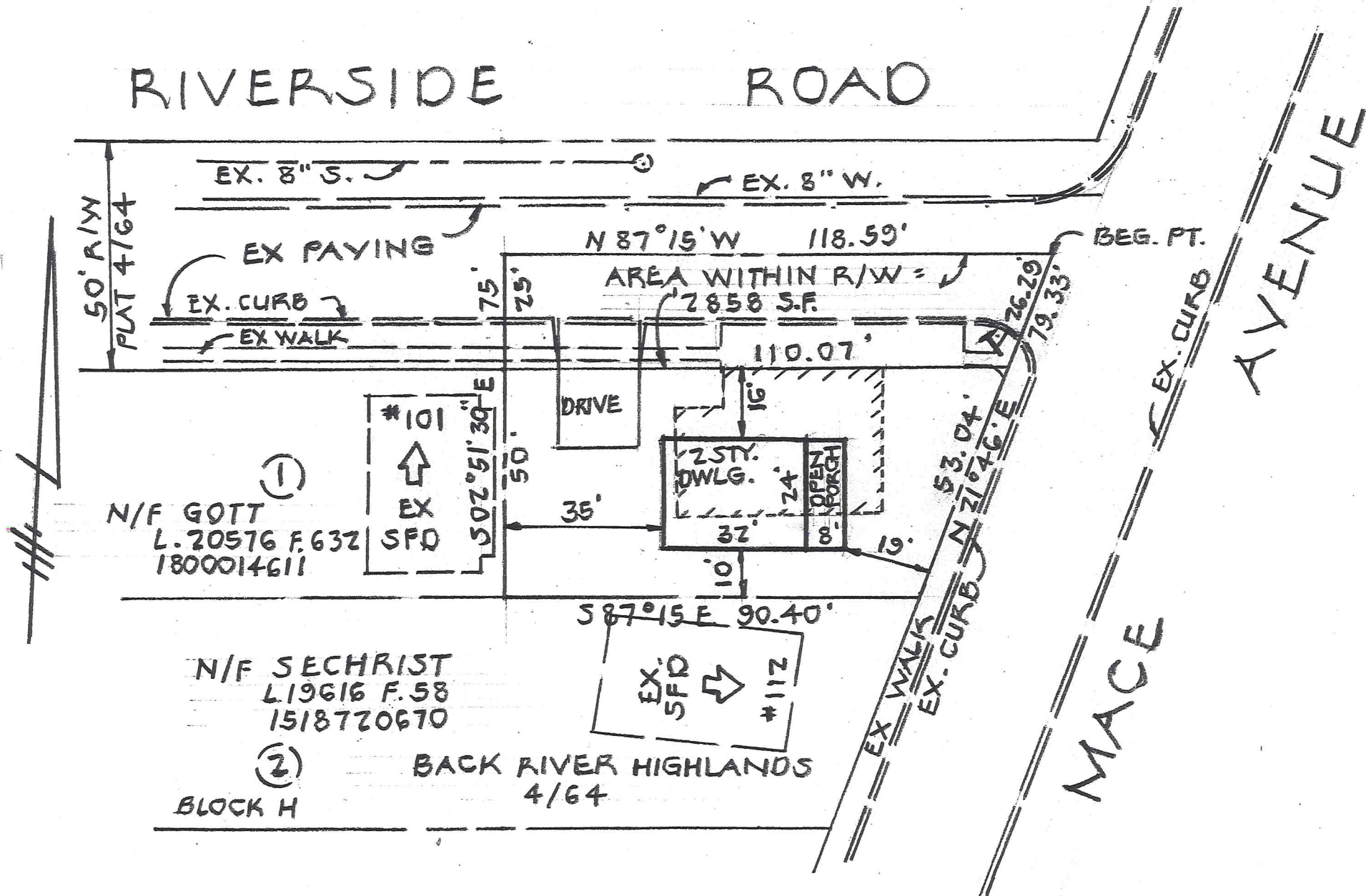


Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 5 10 20 30 40 Feet

1 inch = 30 feet



VICINITY MAP
SCALE: 1" = 1000'

- NOTES**
1. ZONING.....DR 5.5 (MAP 097A1)
 2. GROSS AREA.....7837 S.F. = 0.180 ACRE +/-
NET AREA.....4979 S.F. = 0.114 ACRE +/-
 3. SITE IS NOT LOCATED IN THE CBCA OR 100 YEAR FLOOD ZONE
 4. PUBLIC WATER AND SEWER
 5. NO PREVIOUS ZONING HISTORY, VIOLATIONS, CRITICAL AREAS.
HISTORIC STRUCTURES OR SITES, ARCHEOLOGICAL SITES OR
UNDERGROUND STORAGE TANKS ARE KNOWN TO EXIST

CONTRACT PURCHASER
JOSHUA WISNESKI
2133 LINCOLN AVENUE
BALTIMORE, MD. 21219

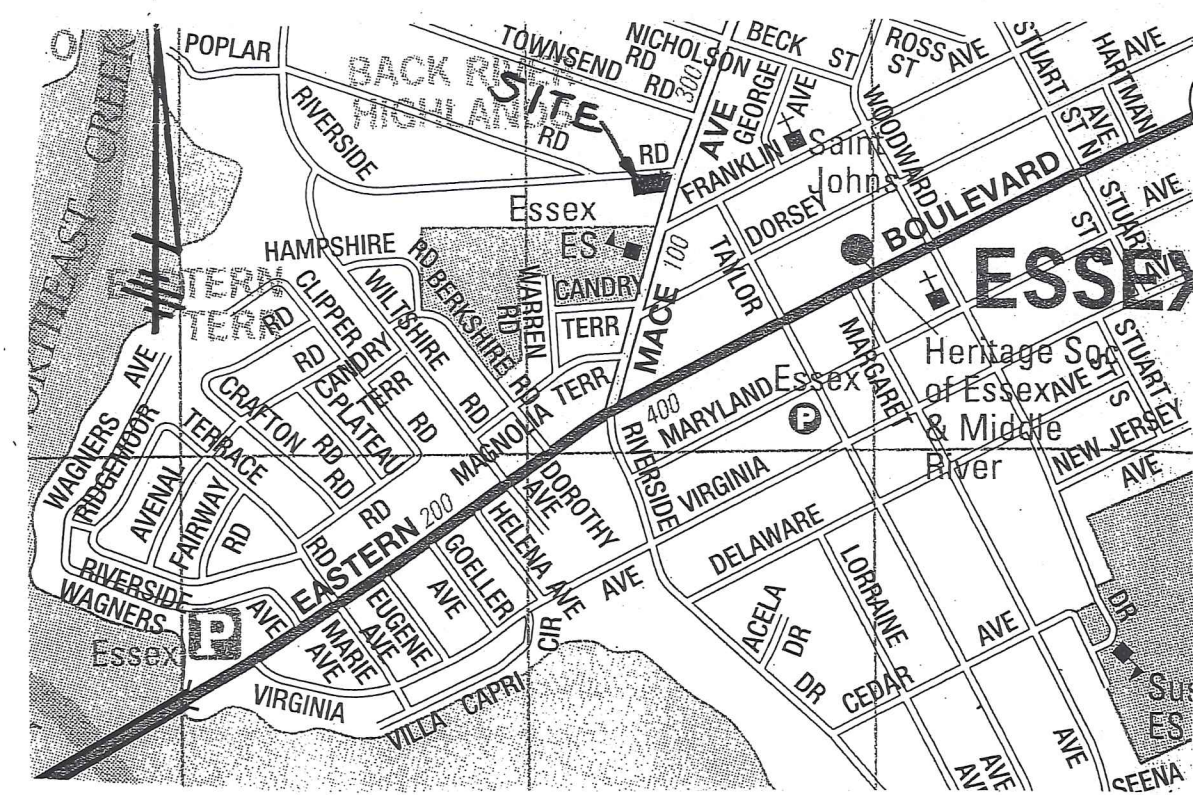
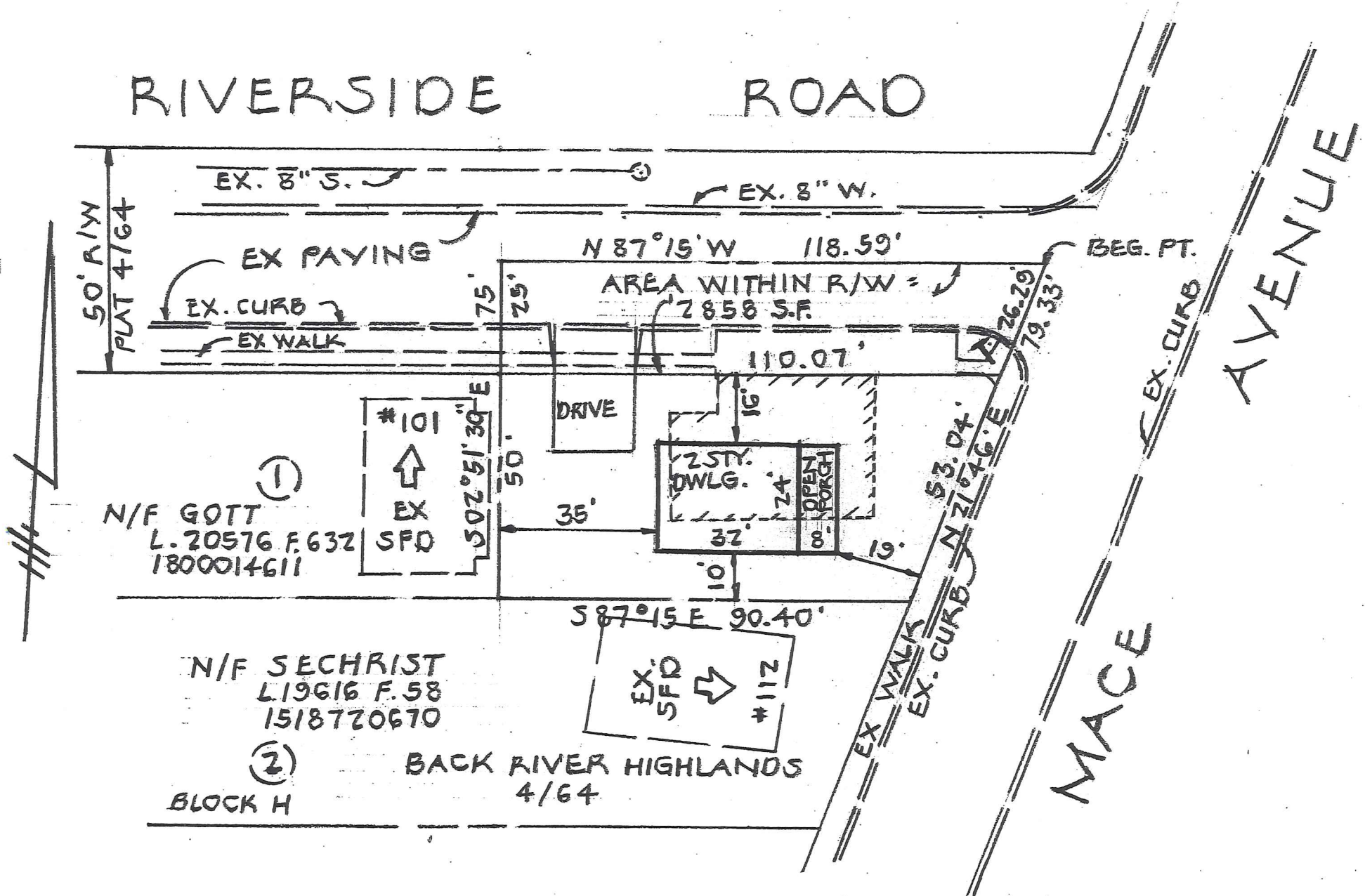
OWNER
SCOTT DAWSON
850 ROME COURT
BEL AIR, MD. 21015
DEED REF: L.35169 F.405
ACCT. NO. 1512200010

**PLAT TO ACCOMPANY
ZONING PETITION
114 MACE AVENUE**

**ELECTION DISTRICT 15C7 BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 30 FEET NOVEMBER 27, 2017**

CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

2018-0148-A



VICINITY MAP
SCALE: 1" = 1000'

NOTES

1. ZONING.....DR 5.5 (MAP 097A1)
2. GROSS AREA.....7837 S.F. = 0.180 ACRE +/-
NET AREA.....4979 S.F. = 0.114 ACRE +/-
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5. NO PREVIOUS ZONING HISTORY, VIOLATIONS, CRITICAL AREAS. HISTORIC STRUCTURES OR SITES, ARCHEOLOGICAL SITES OR UNDERGROUND STORAGE TANKS ARE KNOWN TO EXIST

CONTRACT PURCHASER

JOSHUA WISNESKI
2133 LINCOLN AVENUE
BALTIMORE, MD. 21219

OWNER

SCOTT DAWSON
850 ROME COURT
BEL AIR, MD. 21015
DEED REF: L.35169 F.405
ACCT. NO. 1512200010

PETITIONER'S
EXHIBIT NO. 1

**PLAT TO ACCOMPANY
ZONING PETITION
114 MACE AVENUE**

**ELECTION DISTRICT 15C7 BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 30 FEET NOVEMBER 27, 2017**

