

MEMORANDUM

DATE: February 14, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0162-A – Appeal Period Expired

The appeal period for the above-referenced case expired on February 12, 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 ADMIN. VARIANCE *
(1801 Dunwoody Road)
9th Election District *
5th Council District *
James Aaron Kelly *
Petitioner *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2018-0162-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Administrative Variance filed by the legal owner of the property, James Aaron Kelly (“Petitioner”). The Petitioner is requesting Variance relief from §§ 1B02.3.C.1 and 301.1 of the Baltimore County Zoning Regulations (“B.C.Z.R.”), to permit an existing rear yard setback of 16 ft. 3 in. in lieu of the required 30 ft. and to permit an open projection (deck) with a rear setback of 10 ft. in lieu of the required 22.5 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner’s Exhibit 1.

The Zoning Advisory Committee (“ZAC”) comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on December 23, 2017, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code (“B.C.C.”). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general

ORDER RECEIVED FOR FILING

Date 1-11-18

By [Signature]

welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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 11th day of **January, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from §§ 1B02.3.C.1 and 301.1 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit an existing rear yard setback of 16 ft. 3 in. in lieu of the required 30 ft. and to permit an open projection (deck) with a rear setback of 10 ft. in lieu of the required 22.5 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 1-11-18

By [Signature]



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 1801 DUNWOODY RD PARKVILLE MD 21234 Currently zoned DR 5.5

Deed Reference 38706 100162 10 Digit Tax Account # 0907584850

Owner(s) Printed Name(s) JAMES AARON KELLY

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

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

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

1. X **ADMINISTRATIVE VARIANCE** from Section(s)
Sections: 1B02.C.1; 301.1.A

To permit an existing rear yard setback of 16'3" in lieu of the required 30' and
of t to permit an open projection (deck) with a rear setback of 10ft in lieu of the
required 22.5 feet.

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):

JAMES AARON KELLY

Name #1 – Type or Print

Name #2 – Type or Print

[Signature]

Signature #1

Signature #2

1801 DUNWOODY RD PARKVILLE MD

Mailing Address

City

State

21234 443-829-4382 JAKELLY1969@

Zip Code

Telephone #

Email Address

VERIZON.NET

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name – Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2018-0162-A

Filing Date 12/14/2017

Estimated Posting Date 12/24/17

Reviewer [Signature]

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 1801 DUNWOODY RD PARKVILLE MD 21234
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)

1801 DUNWOODY RD BEING A CORNER LOT, THE REAR
YARD ONLY HAS A DEPTH OF 16' 3". THERE IS AN EXISTING
REAR DOOR AND STOOP WHICH WOULD ACCOMMODATE ENTRY TO
A DECK. THE DECK WOULD CONTINUE AROUND TO THE SIDE OF
THE HOUSE KEEPING THE DECK TOWARDS THE REAR OF THE
PROPERTY.

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

[Signature]
Signature of Owner (Affiant)

Signature of Owner (Affiant)

JAMES AARON KELLY
Name- Print or Type

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 6th day of September, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: James Aaron Kelly

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

AS WITNESS my hand and Notaries Seal

WILLIAM A. THOMPSON, JR.
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND

My Commission Expires July 30, 2019

[Signature]
Notary Public
July 30, 2019
My Commission Expires



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 1901 DUNWOODY RD PARKVILLE MD 21234 Currently zoned DR 5.5
Deed Reference 38706 100162 10 Digit Tax Account # 0901584850
Owner(s) Printed Name(s) JAMES AARON KELLY

(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)
Section: 1B02.C.1; 301.1.A

To permit an existing rear yard setback of 16'3" in lieu of the required 30' and
to permit an open projection (deck) with a rear setback of 10ft in lieu of the
required 22.5 feet.

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):

JAMES AARON KELLY

Name #1 – Type or Print

Name # 2 – Type or Print

Signature #1

Signature # 2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

VERIZON.NET

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name – Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2018-0162-A

Filing Date 12/14/2017

Estimated Posting Date 12/21/17

Reviewer M

Rev 5/5/2016

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

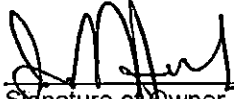
The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in 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: 1801 DUNWOODY RD PARKVILLE MD 21234
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)

1801 DUNWOODY RD BEING A CORNER LOT, THE REAR
YARD ONLY HAS A DEPTH OF 16'3" THERE IS AN EXISTING
REAR DOOR AND STOOP WHICH WOULD ACCOMMODATE ENTRY TO
A DECK. THE DECK WOULD CONTINUE AROUND TO THE SIDE OF
THE HOUSE KEEPING THE DECK TOWARDS THE REAR OF THE
PROPERTY.

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



Signature of Owner (Affiant)

JAMES AARON KELLY

Name- Print or Type

Signature of Owner (Affiant)

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 6th day of September, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: JAMES AARON KELLY

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

AS WITNESS my hand and Notaries Seal

WILLIAM A. THOMPSON, JR.
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND

My Commission Expires July 30, 2019


Notary Public

July 30, 2019
My Commission Expires

ZONING PROPERTY DESCRIPTION FOR 1801 DUNWOODY RD.

Beginning at a point on the South side of Dunwoody Rd which is 50 ft wide at a distance of 15 ft East of the center line of the nearest improved, intersecting street: Oakleigh Rd, which is 30 ft wide.

Being lot #1, Block B, Section #3 in the subdivision of Cromwood as recorded in Baltimore County Plat book #19, folio #118 containing 7,409 square feet. Located in the #9 election district and #5 council district.

CERTIFICATE OF POSTING

CASE NO. 2018-0162-A

PETITIONER/DEVELOPER

JAMES AARON KELLY

DATE OF HEARING/CLOSING

1/8/18

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION :

LADIES AND GENTLEMAN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) EQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

1801 SUNWOODY RD

THIS SIGN(S) POSTED ON

December 23, 2017

(MONTH DAY, YEAR)

SINCERELY,

Martin Ogle 12/23/17

SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2018-0162-A

TO PERMIT AN EXISTING REAR YARD SETBACK OF 16' 3" IN
LIEU OF THE REQUIRED 30' AND TO PERMIT AN OPEN PROTECTION
(DECK) WITH A REAR SETBACK OF 10-FT IN LIEU OF THE
REQUIRED 22.5 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
4:30 p.m. ON MONDAY, JANUARY 8, 2018

ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT

111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204

TEL. 410-887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE. - UNDER PENALTY OF LAW.

MEETING IS HANDICAP ACCESSIBLE

mening 12/23/17

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2018- 0162 -A Address 1801 Dunwoody Road

Contact Person: Leonard Wpsilowski Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 12/14/17 Posting Date: 12/24/17 Closing Date: 1/8/18

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- 0162 -A Address 1801 Dunwoody Road

Petitioner's Name James Arrow Kelly Telephone 443-829-4382

Posting Date: 12/24/17 Closing Date: 1/8/18

Wording for Sign: To Permit

To permit an existing rear yard setback of 16'3" in lieu of the required 30' and
to permit an open projection (deck) with a rear setback of 10ft in lieu of the
required 22.5 feet.

Revised 6/30/2018

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

NE 161162

Date: 12/14/17

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	606	6000		6150				75.00

Total: 75.00

Rec From:

For: 1801 J. J. J. Rd.

2018-0162-A

DISTRIBUTION

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

PAID RECEIPT

12/15/2017 12/14/2017 09:44:50
 1801 J. J. J. Rd.
 1801 J. J. J. Rd. 12/14/2017
 1801 J. J. J. Rd. VERIFICATION
 1801 J. J. J. Rd.
 1801 J. J. J. Rd. 75.00
 1801 J. J. J. Rd. 1.00
 1801 J. J. J. Rd. 1.00

**CASHIER'S
 VALIDATION**



KEVIN KAMENETZ
County Executive

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

January 9, 2018

James Aaron Kelly
1801 Dunwoody Road
Parkville MD 21234

RE: Case Number: 2018-0162 A, Address: 1801 Dunwoody Road

Dear Mr. Kelly:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on December 14, 2017. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

1-8-18

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 18, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0162-A
Address 1801 Dunwoody Road
(Kelly Property)

Zoning Advisory Committee Meeting of **December 25, 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
me
FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

DATE: January 5, 2018

SUBJECT: Zoning Advisory Committee Meeting
For December 25, 2017
Item No. 2018-0160-SPHA, 0161-SPH, 0162-A and 0163-A

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

*

*

*

*

*

VKD: cen
cc: file

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 18, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0162-A
Address 1801 Dunwoody Road
(Kelly Property)

Zoning Advisory Committee Meeting of **December 25, 2017.**

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

Reviewer: Steve Ford

M&D
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

Date: 12/18/17

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

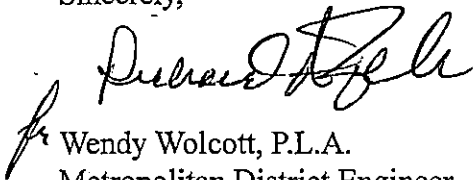
Dear Ms. Lewis:

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. 2018-0162-A

*Administrative Variance
James Aaron Kelly
1801 Dunwoody 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, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment1-5DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)NC12-18DEPS
(if not received, date e-mail sent _____)NC

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: _____

SIGN POSTING

Date: 12-23-17by Ogle

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 - 09 Account Number - 0907584850			
Owner Information					
Owner Name:	KELLY JAMES A		Use:	RESIDENTIAL	
Mailing Address:	1801 DUNWOODY RD BALTIMORE MD 21234-2705		Principal Residence:	YES	
			Deed Reference:	/38706/ 00162	
Location & Structure Information					
Premises Address:		1801 DUNWOODY RD BALTIMORE 21234-2705		Legal Description: 1801 DUNWOODY RD CROMWOOD	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0070	0012	0700		0000	3
					B
					1
					2017
					Plat No: 0019/0118
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1957	1,534 SF		7,410 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
2	NO	SPLIT LEVEL	SIDING	2 full/ 1 half	1 Attached
Last Major Renovation					
Value Information					
Base Value		Value		Phase-in Assessments	
		As of 01/01/2017		As of 07/01/2017	
				As of 07/01/2018	
Land:	72,800	72,800			
Improvements	129,600	134,100			
Total:	202,400	206,900		203,900	205,400
Preferential Land:	0				0
Transfer Information					
Seller: FYM LLC		Date: 03/06/2017		Price: \$285,000	
Type: ARMS LENGTH IMPROVED		Deed1: /38706/ 00162		Deed2:	
Seller: THE SECRETARY OF VETERANS AFFAIRS		Date: 07/30/2015		Price: \$147,500	
Type: NON-ARMS LENGTH OTHER		Deed1: /36475/ 00145		Deed2:	
Seller: BESAW JONATHAN F		Date: 07/22/2013		Price: \$147,571	
Type: NON-ARMS LENGTH OTHER		Deed1: /33964/ 00049		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: Application received					
Homeowners' Tax Credit Application Information					

Homeowners' Tax Credit Application Status: No Application

Date:

ZAC AGENDA

Case Number: 2018-0162-A

Primary Use: RESIDENTIAL

Reviewer: WasilewskiLeon
ard

Type: ADMINISTRATIVE VARIANCE

Legal Owner: James Aaron Kelly

Contract Purchaser

Critical Area : No Flood Plain: No Historic No Election Dist Ninth

Councilmanic Dist Fifth

Property Address: 1801 Dunwoody ROAD

Location: S/S of Dunwoody Road at the SE corner of the centerline of Oakleigh Road

Existing Zoning: DR 5.5

Area: 7410 sq. ft., .17 acre

Proposed Zoning: ADMINISTRATIVE VARIANCE:

To permit an existing rear yard setback of 16 ft. 3 in. in lieu of the required 30 ft. and to permit an open projection (deck) with a rear setback of 10 ft. in lieu of the required 22.5 ft.

Attorney:

Prior Zoning Cases:

Concurrent Cases:

Violation Cases:

Closing Date: 1/8/2018 12:00:00AM

Miscellaneous:

Case Number: 2018-0163-A

Primary Use: RESIDENTIAL

Reviewer: DuvallRobert

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Luke & Deirdre Demers

Contract Purchaser

Critical Area : No Flood Plain: No Historic No Election Dist Ninth

Councilmanic Dist Fifth

Property Address: 913 Arran ROAD

Location: S/S of Arran Road, 360 ft. W of the centerline of Beechwood Road

Existing Zoning: DR 5.5

Area: 0.22 acre, 9600 sq. ft.

Proposed Zoning: ADMINISTRATIVE VARIANCE:

To permit a proposed detached structure (replacement garage) with a side yard setback of 0 ft. in lieu of the minimum required 2.5 ft.

Attorney:

Prior Zoning Cases:

Concurrent Cases:

Violation Cases:

Closing Date: 1/1/2018 12:00:00AM

Miscellaneous:



VIEW FROM LEFT SIDE FRONT YARD (DUNWOODY)

2018-0162-A



VIEW FROM LEFT REAR CORNER OF THE
PROPERTY

2018-0162-A



VIEW FROM LEFT REAR CORNER OF THE PROPERTY
SHOWING THE BACKYARD (LOOKING TOWARDS OAKLEIGH)

2018-0162-A

REAR VIEW SHOWING THE REAR STOOP AND DOORWAY
AND PROPOSED DECK AREA
2018-0162-A

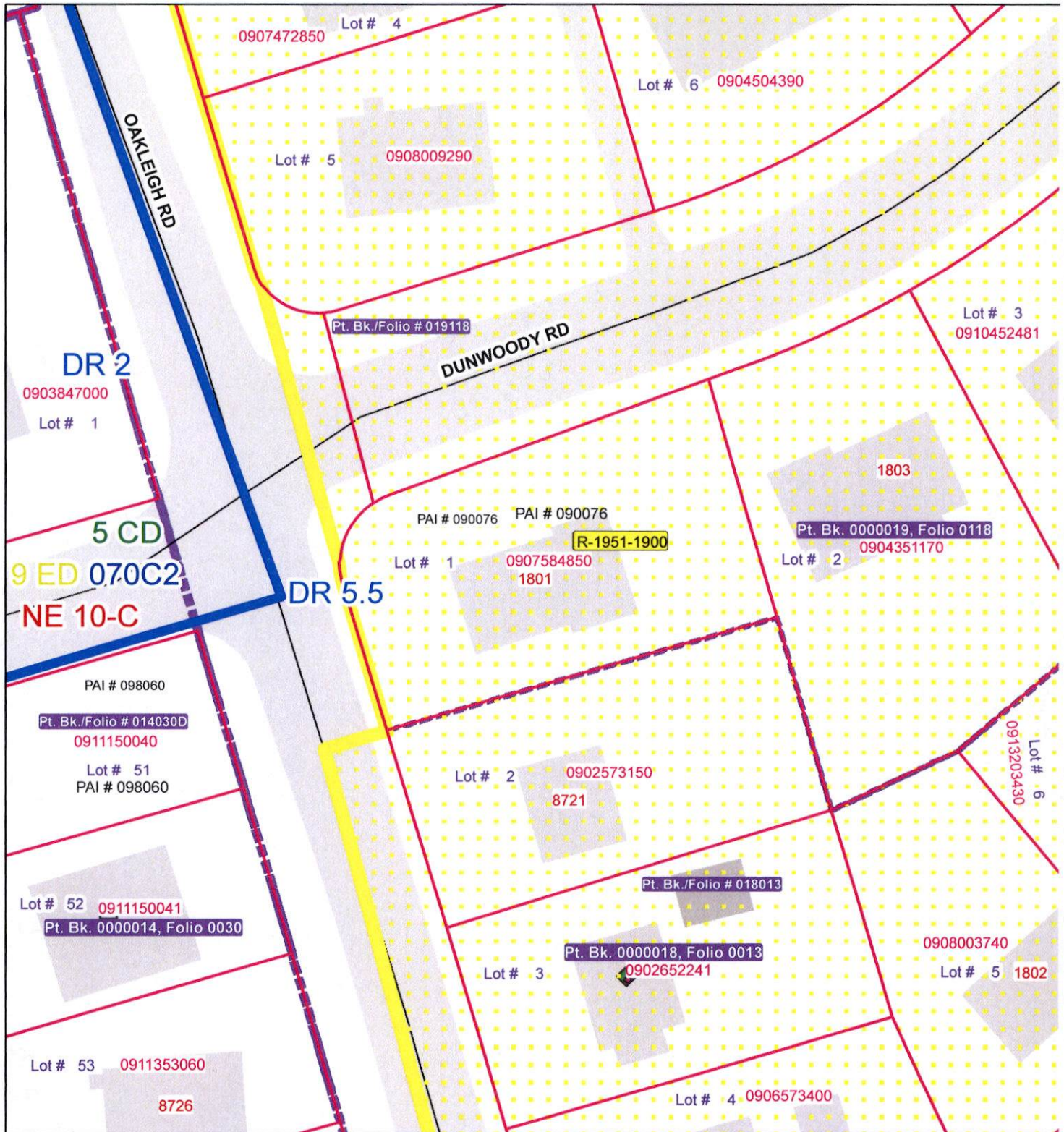


2018-0162-A

VIEW OF THE BACKYARD FROM GARAGE SIDE
(DEPTH 16'3")



1801 Dunwoody Rpad 2018-0162-A



Publication Date: 12/14/2017



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



0 10 20 40 60 80 Feet

1 inch = 40 feet

APPLICATION FOR PERMIT
BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS, APPROVALS & INSPECTIONS
TOWSON, MARYLAND 21204

Date 8/29/17
OEA E.D.14/SPH

Permit # B
Control # MR
XRef #
Receipt # A
Fee 75 + 10
Total Paid 85
Paid By APPL
Inspector

Property Address 1801 DUNWOODY RD
Suite/Space/Floor
Subdivision CROMWOOD
Tax Account # 0907564850
Will this building have sprinklers? ☐ Yes ☒ No
Is this property located in a floodplain? ☐ Yes ☒ No

Historic District/Building
☐ Yes ☒ No
District / Precinct
9 01

OWNER'S INFORMATION

First & Last Name (Individual) JAMES KELLY
Corporation Name
Address 1801 DUNWOODY RD
City, State, Zip BALTO MD 21234
Seller

APPLICANT INFORMATION

Name JAMES KELLY Phone Number 443-829-4382
Company (if applicable)
Address 1801 DUNWOODY RD
City, State, Zip BALTO MD 21234
Applicant Signature [Signature] E-Mail jake1161969@verizon.net
Business/Tenant Name
Contractor JAMES KELLY MHIC # MHBR #
Engineer
PLANS: CONST. 4 PLOT 4 PLAT DATA EL 2 PL 2 DRC #

I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT, AND WILL REQUEST ALL REQUIRED INSPECTIONS.

TYPE OF IMPROVEMENT

- ☐ New Bldg Construction
- ☒ Addition
- ☐ Alteration
- ☐ Repair
- ☐ Wrecking
- ☐ Moving
- ☐ Other

DESCRIBE PROPOSED WORK:

Construct Add'l open wood deck with steps to grade, attached to rear of SFD 26'3"x12'=257sf (irregular shape). overall
T/B 9'x12' conc'd deck and 14'7"x12' green deck w/ steps to grade
Variance Required

TYPE OF USE

RESIDENTIAL

- ☒ One Family
- ☐ Two Family
- ☐ Three and Four Family
- ☐ Five or More Family (enter no. units) _____
- ☐ Swimming Pool
- ☐ Garage
- ☐ Other

NON-RESIDENTIAL

- ☐ Amusement, Recreation, Place of Assembly
- ☐ Church, Other Religious Building
- ☐ Deleted
- ☐ Industrial, Storage Building
- ☐ Parking Garage
- ☐ Service Station, Repair Garage
- ☐ Hospital, Institutional, Nursing Home
- ☐ Office, Bank, Professional
- ☐ Public Utility
- ☐ School, College, Other Educational
- ☐ Deleted
- ☐ Store ☐ Mercantile ☐ Restaurant (specify type) _____
- ☐ Swimming Pool (specify type) _____
- ☐ Tank, Tower
- ☐ Transient Hotel, Motel (no. units) _____
- ☐ Other

Foundation Type

- ☐ Slab
- ☒ Block
- ☒ Concrete

Basement

- ☐ Full
- ☐ Partial
- ☐ None

Type of Construction

- ☒ Masonry
- ☒ Wood Frame
- ☐ Structure Steel
- ☐ Reinforced Concrete

Type of Heating Fuel

- ☐ Gas
- ☐ Oil
- ☐ Electricity
- ☐ Coal

Central Air: 1. ☐ 2. ☐

Type of Sewage Disposal

- ☒ Public Sewer ☐ Exists ☐ Proposed
- ☐ Private System ☐ Exists ☐ Proposed

Type of Water Supply

- ☒ Public System ☐ Exists ☐ Proposed
- ☐ Private System ☐ Exists ☐ Proposed

Estimated Cost of Materials and Labor \$ 2750.00

Proposed Use

Existing Use

SFD & DECK
SFD & SHED

Ownership: 1. ☒ Privately Owned 2. ☐ Publicly Owned 3. ☐ Sale 4. ☐ Rental

Residential Category: 1. ☒ Detached 2. ☐ Semi-Detached 3. ☐ Group 4. ☐ Townhouse 5. ☐ Mid-Rise 6. ☐ High-Rise

Efficiency # 1 1-Bedroom # 1 2-Bedroom # 1 3-Bedroom # 1 Total Bedrooms 3 Total Apts/Condos 1
One Family Bedroom # 1 Bathroom # 1 Kitchen # 1 Powder Room # 1 Garbage Disposal: 1. ☐ Yes 2. ☐ No

Class 4 Label 19 Folio 118 Map Parcel APPROVAL SIGNATURES DATE

Building Size 257
Floor 26'3"
Width 12'3"
Depth 1
Height 1
Stories 1
Lot #s 1

Lot Size and Setbacks BLOCK B
Size 7410 SF SECTION 3
Front Street 23' / N.E. 11'
Side Street 10'
Front Setback 10'
Side Setback 10'
Side Street Setback 10'
Rear Setback 10'

BLD INSP	
BLD PLAN	
FIRE	
SEDI CTL	
ZONING	
PUB SERV	
ENVRMNT	
PLANNING	
PERMITS	

Corner Lot: 1. ☒ Yes 2. ☐ No

Zoning DR 5.5

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BALTIMORE COUNTY, MARYLAND
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03. ☐ Three and Four Family
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(enter no. units)
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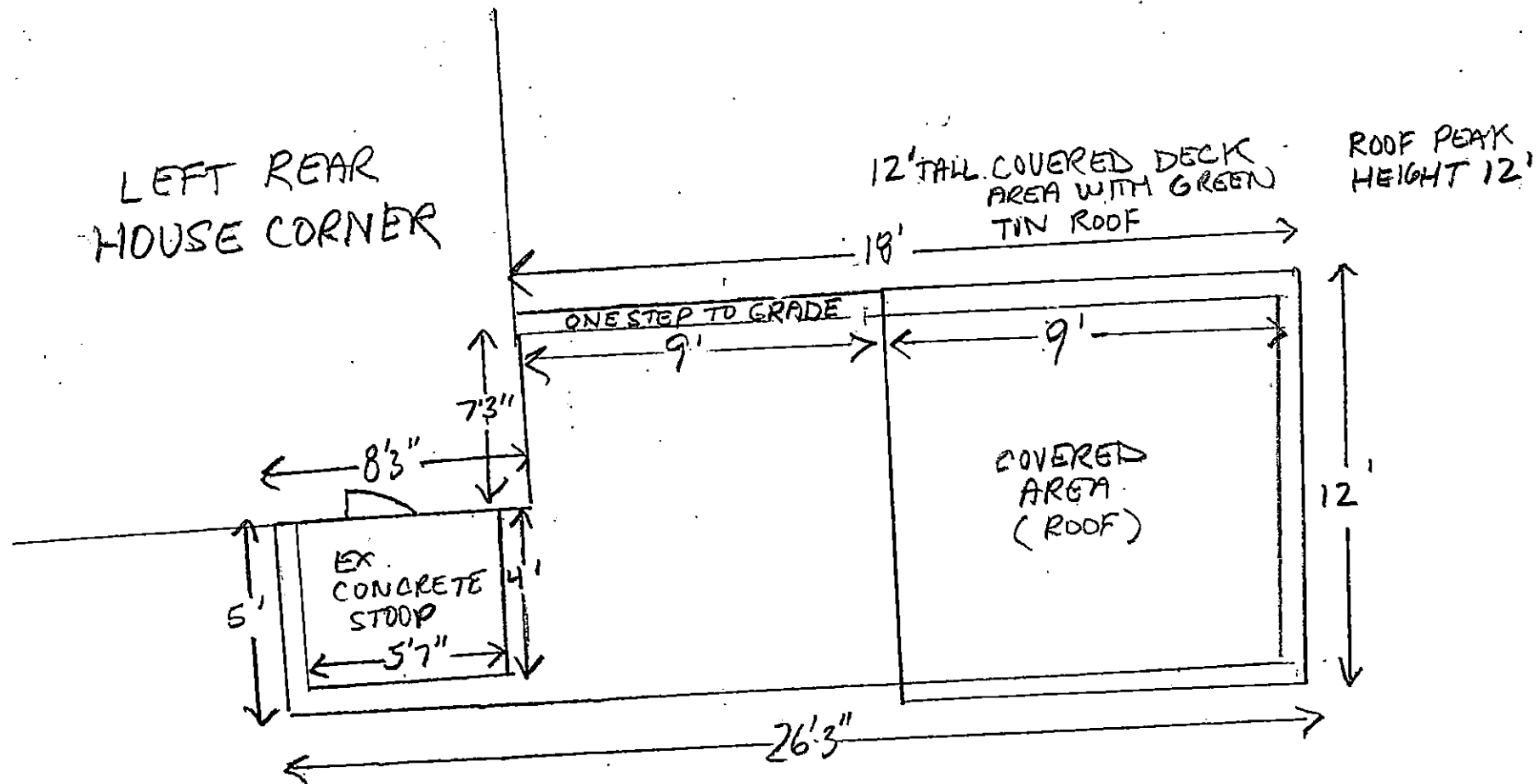
Class	Libel	Folio	Map	Parcel	APPROVAL SIGNATURES		DATE
Building Size	<u>257</u>				BLD INSP		
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Width	<u>12'</u>				FIRE		
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Height					ZONING		
Stories					PUB SERV		
Lot #s	<u>1</u>				ENVRMNT		
					PLANNING		
					PERMITS		

Corner Lot: 1. ☒ Yes 2. ☐ No Zoning DR 5.5

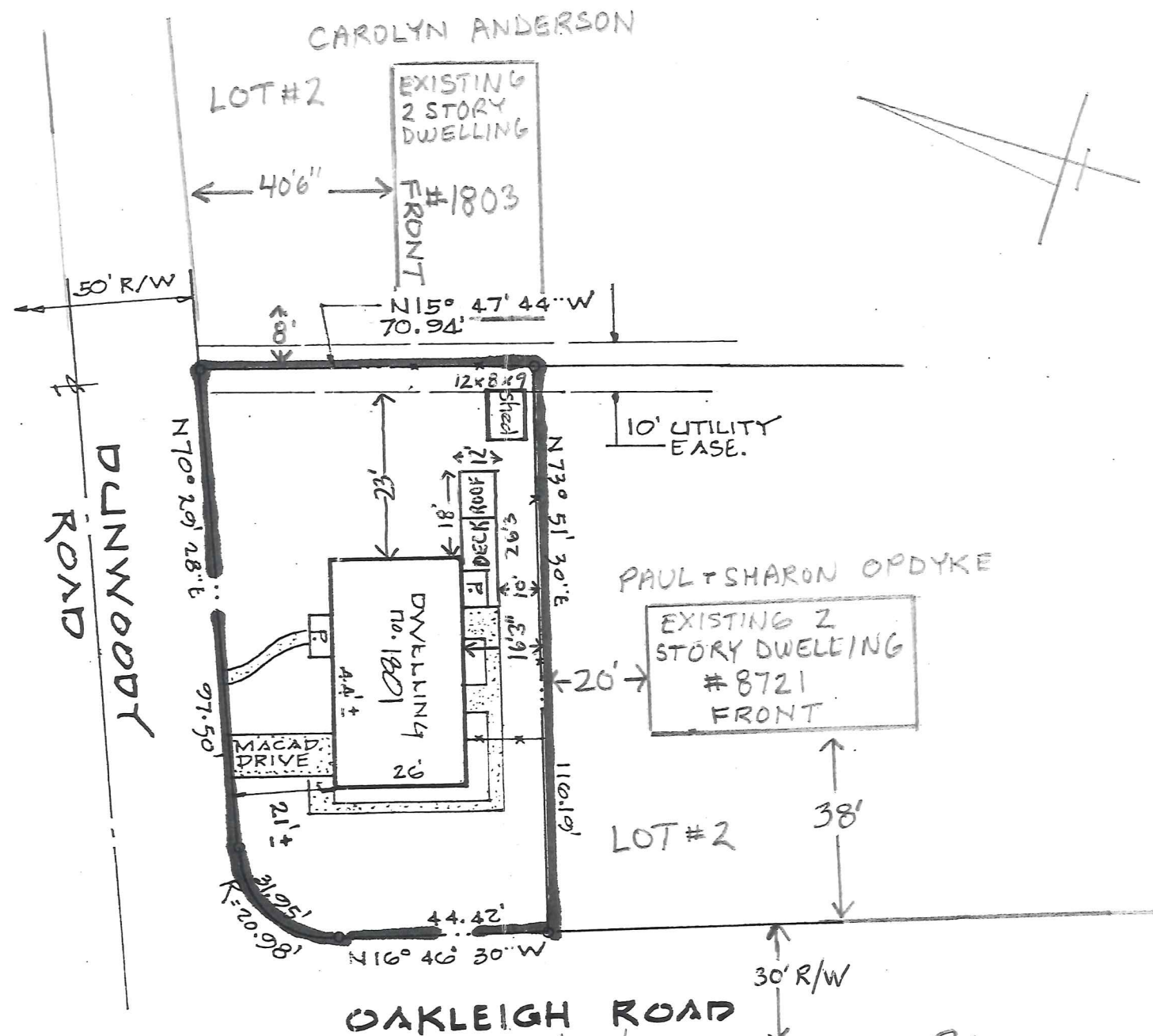
1.21 + 106 ARW 8/7/17

801 DUNWOOD, NW
ARKVILLE, MD 21234

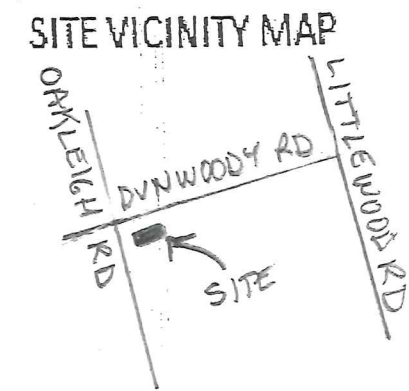
LEFT REAR
HOUSE CORNER



ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 1801 DUNWOODY RD OWNER(S) NAME(S) JAMES AARON KELLY
 SUBDIVISION NAME CROMWOOD LOT # 1 BLOCK # B SECTION # 3
 PLAT BOOK # 19 FOLIO # 118 10 DIGIT TAX # 0907584850 DEED REF. # 38706100162



PLAN DRAWN BY JAMES KELLY DATE 8/17/17 SCALE: 1 INCH = 30 FEET
 2018-062-A



N
 MAP IS NOT TO SCALE
 ZONING MAP# 070C2
 SITE ZONED DR 5.5
 ELECTION DISTRICT 9
 COUNCIL DISTRICT 5
 LOT AREA ACREAGE 0.17
 OR SQUARE FEET 7,409
 HISTORIC? NO
 IN CBCA? NO
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS: PUBLIC X PRIVATE _____
 SEWER IS: PUBLIC X PRIVATE _____
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW

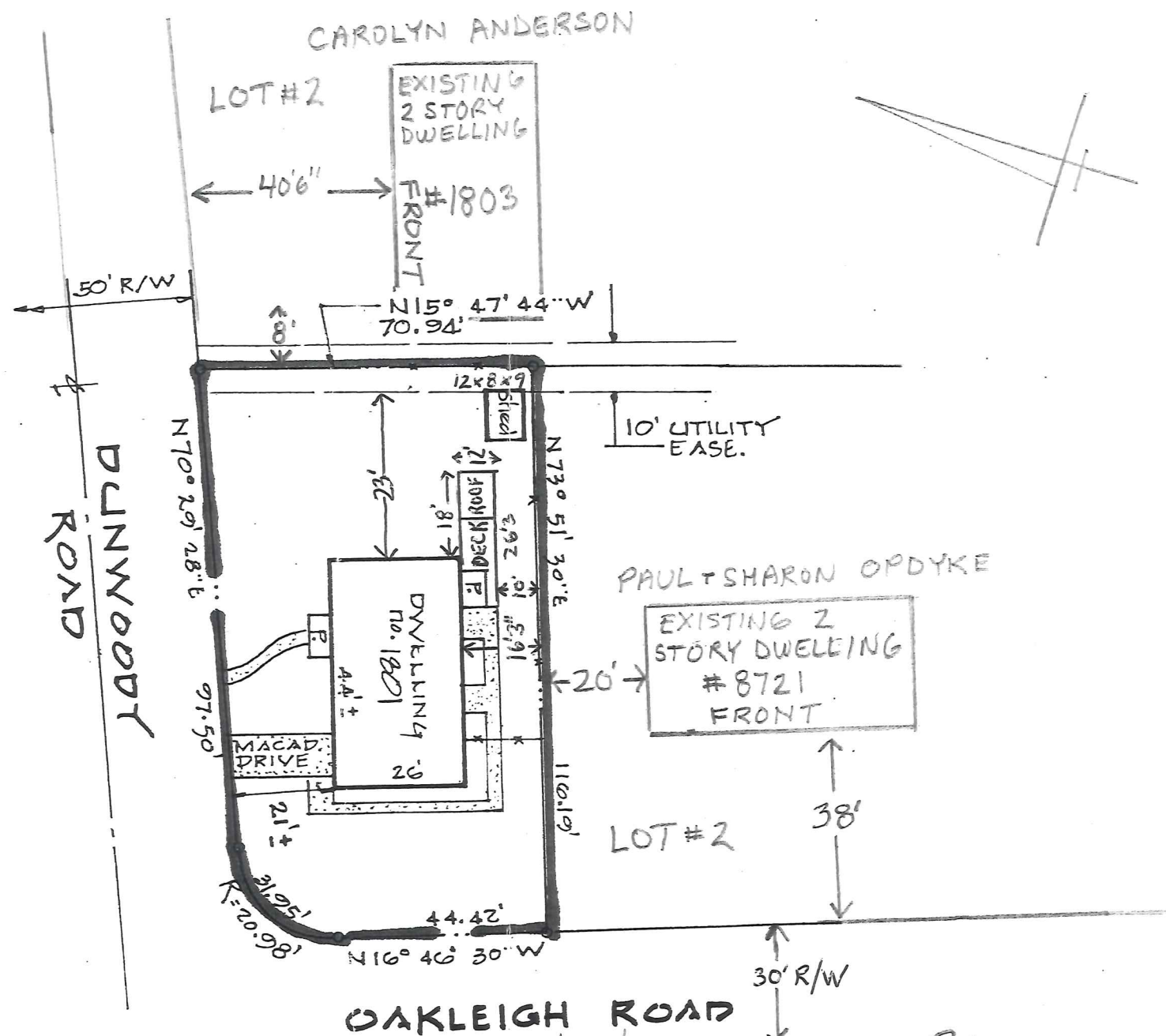
 VIOLATION CASE INFO:

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PLAT BOOK # 19 FOLIO # 118 10 DIGIT TAX # 09 075 84 850 DEED REF. # 38706100162

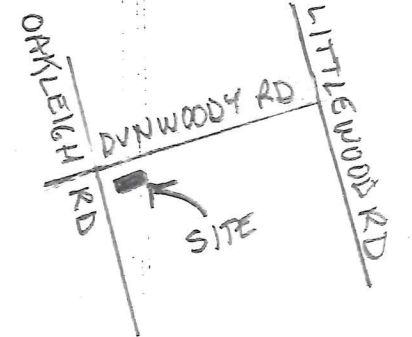


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2018-0162-A

SITE VICINITY MAP



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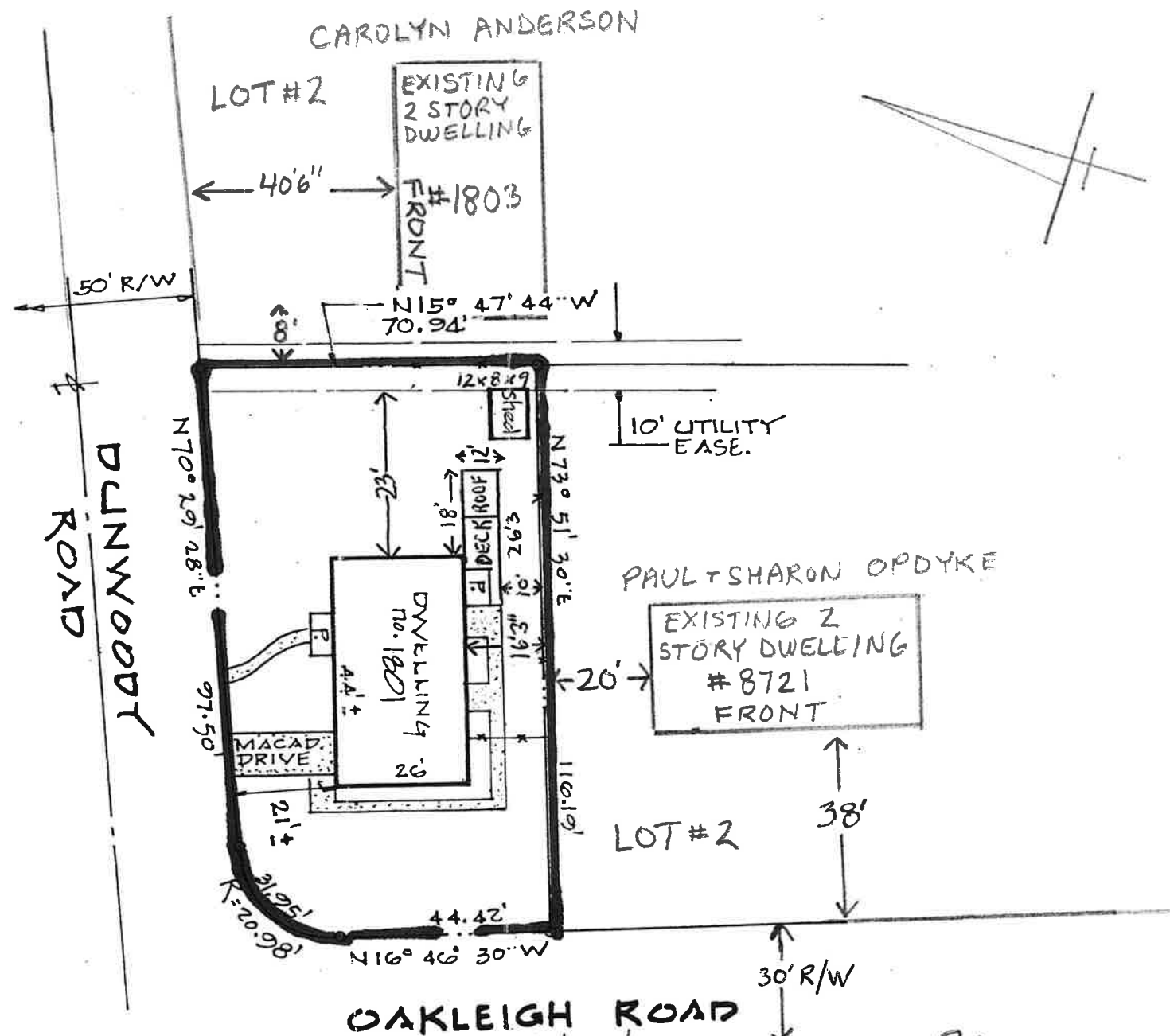
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Pet. Exh. 1

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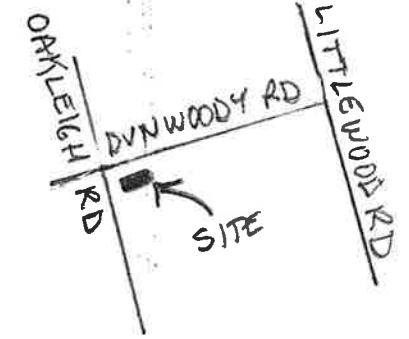


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2018-062-A

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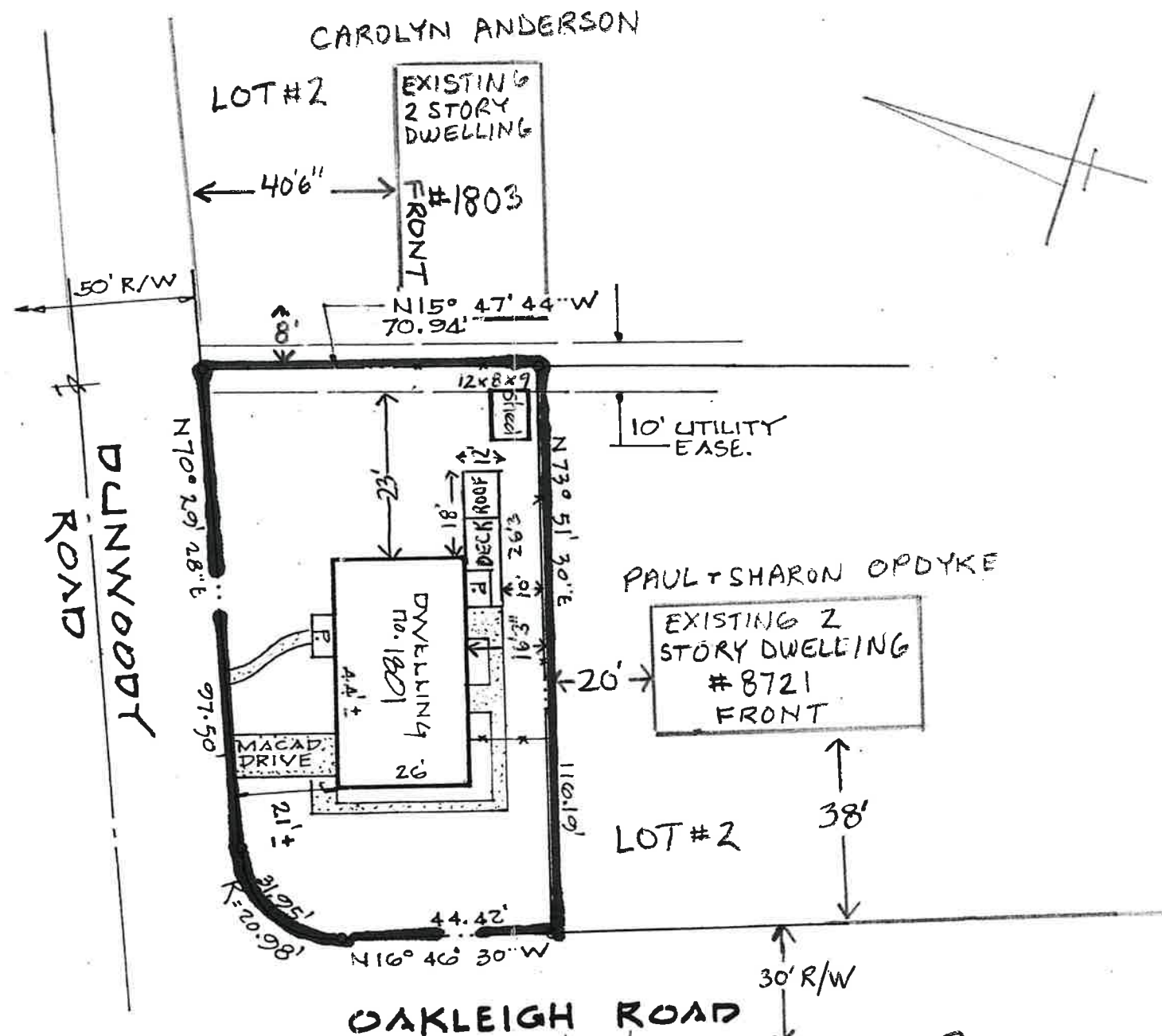
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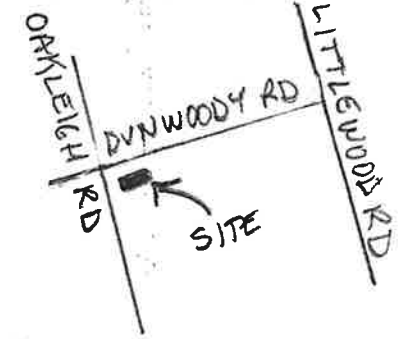


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