

M E M O R A N D U M

DATE: June 15, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0264-A - Appeal Period Expired

The appeal period for the above-referenced case expired on June 14, 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

(2925 Illinois Avenue)

13th Election District

1st Council District

David Schafer and

Douglas E. Schafer

Legal Owners

Eric L. Bers

Contract Purchaser

Petitioners

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2018-0264-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County as a Petition for Variance filed by David Schafer and Douglas E. Schafer, legal owners of the subject property and Eric L. Bers, contract purchaser ("Petitioners"). The Petition seeks variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations ("BCZR") to permit a dwelling with a lot width of 50 ft. in lieu of the required 55 ft. A site plan was marked as Petitioners' Exhibit 1.

Eric L. Bers appeared in support of the petition. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the B.C.Z.R. A substantive Zoning Advisory Committee ("ZAC") comment was received from the Department of Planning (DOP). That agency did not oppose the request.

The site is 6,250 sq. ft. in size and zoned DR 5.5. The property is unimproved and is comprised of two 25 ft. wide lots (Lot Nos 55 & 56) originally shown on the Plat of Baltimore Highlands, P.B. 2 Folio 379. Petitioners propose to construct a single-family dwelling on the property, and Mr. Bers noted most of the homes in the community are situated on 50 ft. wide lots.

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

ORDER RECEIVED FOR FILING

Date 5-15-18

By [Signature]

- 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 lots are narrow and deep and the property 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 the lot. Finally, I find that the variance 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. The proposed single-family dwelling and building lot would be similar in size to those in the neighborhood, and I do not believe granting the request will have a detrimental impact upon the community.

THEREFORE, IT IS ORDERED, this 15th day of **May, 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 dwelling with a lot width of 50 ft. in lieu of the required 55 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. Petitioners must at the time of building permit application provide to the DOP for review and approval elevation drawings of the proposed dwelling.

ORDER RECEIVED FOR FILING

Date 5-15-18

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:sln

ORDER RECEIVED FOR FILING

Date 5-15-18

By low



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 2925 Illinois Ave which is presently zoned DR 5.5
Deed References: 38980/36 10 Digit Tax Account # 1323000371
Property Owner(s) Printed Name(s) DAVID SCHAFFER + DOUG SCHAFER 1318100050

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

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

1. a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. X a Variance from Section(s) 1B02.3.C.1 BCZR § 304.0000
To permit a dwelling with a lot width of 50' in lieu of the
required 55' as per
section 304.0000

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)

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:

Eric L. Bers

Name- Type or Print

Signature

PO Box 841 Ellicott City MD

Mailing Address

410

City

State

21041 / 302 4231 pacemaker homes

Zip Code

Telephone #

Email Address

7884 Poplar Grove Rd Severn MD

Mailing Address

City

State

21144 / 410-766-6400 dschafer@me.com

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

eric.bers@longendbarr.com

Legal Owners (Petitioners):

David Schaffer

Name #1 - Type or Print

Douglas E. Schaffer

Name #2 - Type or Print

Signature #1

Signature #2

Representative to be contacted:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER 2018-0264-A Filing Date 4/3/18

Do Not Schedule Dates: Reviewer JF

JOHN C. MELLEMA SR., INC.
LAND SURVEYORS

5409 EAST DRIVE BALTO. MD. 21227
PHONE: 410-247-7488 FAX: 410-247-2507

APRIL 3, 2018

ZONING DESCRIPTION
#2925 ILLINOIS AVENUE
BALTIMORE COUNTY, MARYLAND
TAX MAP 109 GRID 11 PARCEL 362

BEGINNING FOR THE SAME AT A POINT ON THE SOUTHWESTERLY SIDE OF ILLINOIS AVENUE SAID POINT BEING NORTHWESTERLY 75' FEET FROM THE INTERSECTION OF ILLINOIS AVENUE AND WASHINGTON AVENUE, THENCE BINDING ON ILLINOIS AVENUE NORTHWESTERLY 50' THENCE LEAVING ILLINOIS AVENUE AND RUNNING SOUTHWESTERLY 125', THENCE SOUTHEASTERLY 50' THENCE NORTHEASTERLY 125' TO THE POINT OF BEGINNING CONTAINING 6,250 SQUARE FEET OF LAND MORE OR LESS.

BEING LOT 55 AND LOT 56, BLOCK D AS SHOWN ON A PLAT ENTITLED "PLAT OF BALTIMORE HIGHLANDS RECORDED IN PLAT BOOK JWS NO. 2 FOLIO 379, AS DESCRIBED IN A DEED BETWEEN BAYVIEW LOAN SERVICING LLC PARTY OF THE FIRST PART AND DOUG SCHAFER AND DAVID SCHAFER PARTIES OF THE SECOND PART AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY MARYLAND IN DEED LIBER 38980 FOLIO 36





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 5577658

Sold To:

Eric Bers - CU00650038
PO Box 841
Ellicott City, MD 21041-0841

Bill To:

Eric Bers - CU00650038
PO Box 841
Ellicott City, MD 21041-0841

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

Apr 24, 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 NUMBER: 2018-0264-A
2925 Illinois Avenue
S/s Illinois Avenue, 75 ft. w/of centerline of Washington Avenue
13th Election District - 1st Councilmanic District
Legal Owners: David Schafer, Douglas Schafer
Contract Purchaser/Lessee: Eric Bers

Variance to permit a dwelling with a lot of width of 50 ft. in lieu of the required 55 ft.

Hearing: Wednesday, May 14, 2018 at 1:30 p.m., in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jabloh
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
5577658- April 24, 2018

The Baltimore Sun Media Group

By S. Wilkinson
Legal Advertising

SECOND CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 5/12/2018

Case Number: 2018-0264-A

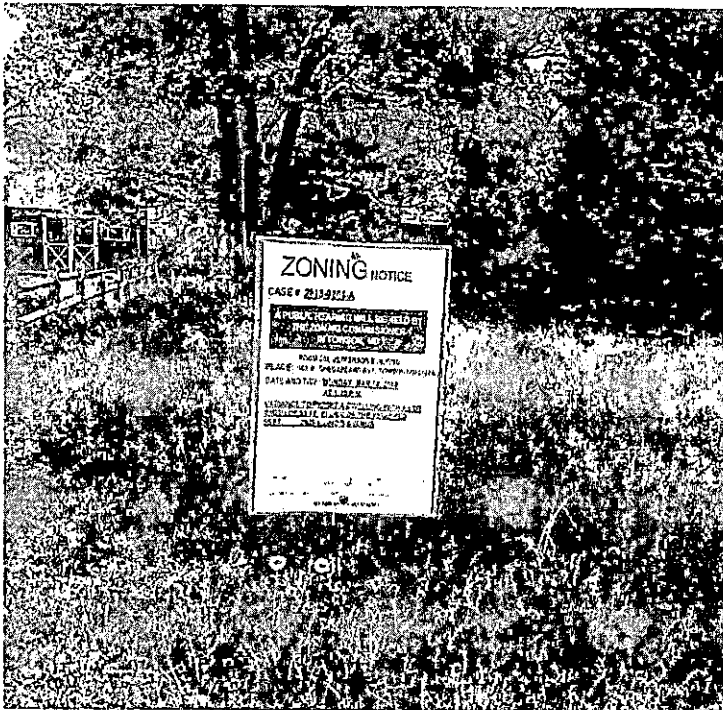
Petitioner / Developer: ERIC BERS

Date of Hearing: MAY 14, 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:
2925 ILLINOIS AVENUE

The sign(s) were posted on: APRIL 24, 2018

The sign(s) were re-certified on: MAY 12, 2018



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

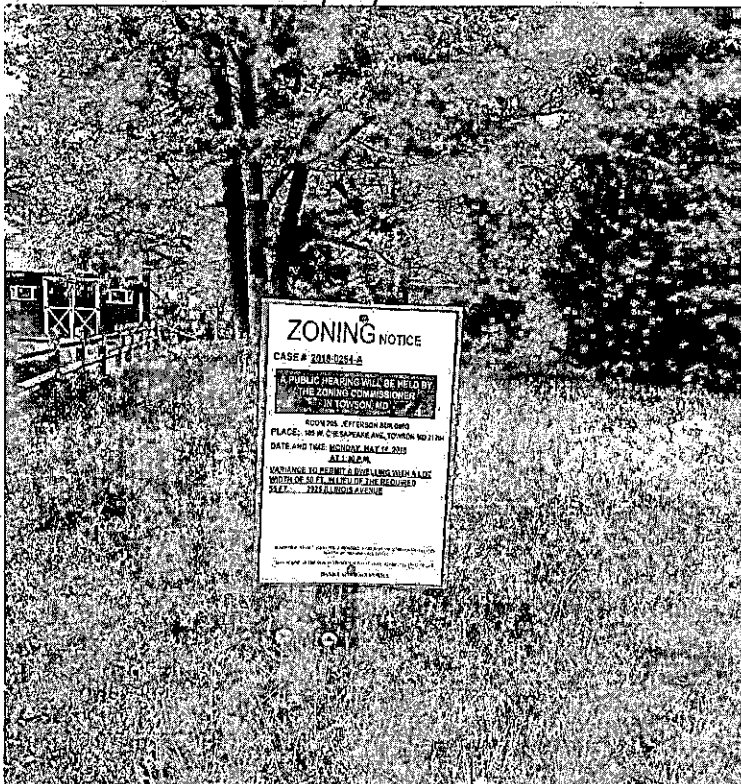
Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



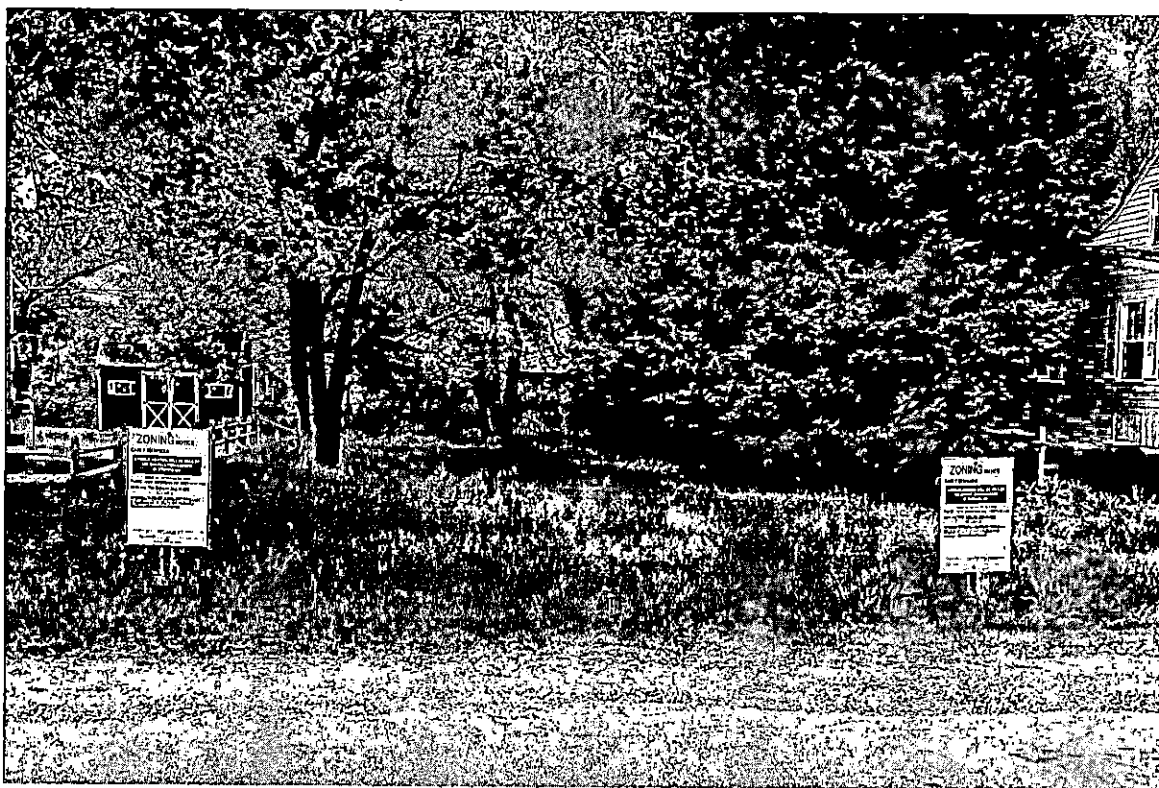
Photos of Second Certification

Background Photo Sign #1 Case # 2018-0264-A
2925 Illinois Avenue 5/12/2018



Photos of Second Certification

Background Photo Sign#2 Case # 2018-0264-A
2925 Illinois Avenue 5/12/2018



Background Photos Case # 2018-0264-A 2925 Illinois Ave. 5/12/2018

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 4/24/2018

Case Number: 2018-0264-A

Petitioner / Developer: ERIC BERS

Date of Hearing: MAY 14, 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:
2925 ILLINOIS AVENUE

The sign(s) were posted on: APRIL 24, 2018

ZONING NOTICE

CASE # 2018-0264-A

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

ROOM 205, JEFFERSON BUILDING
PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204

DATE AND TIME: MONDAY, MAY 14, 2018
AT 1:30 P.M.

**VARIANCE TO PERMIT A DWELLING WITH A LOT
WIDTH OF 50 FT. IN LIEU OF THE REQUIRED
55 FT. 2925 ILLINOIS AVENUE**

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 857-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



Photos of FIRST Certification

Background photo Sign #1 Case # 2018-0264-A
2925 Illinois Avenue 4/24/2018



Background photo Sign # 2 Case # 2018-0264-A
2925 Illinois Avenue 4/24/2018

TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 24, 2018 Issue - Jeffersonian

Please forward billing to:

Eric Bers
P.O. Box 841
Ellicott City, MD 21041

410-302-4231

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2018-0264-A

2925 Illinois Avenue

S/s Illinois Avenue, 75 ft. w/of centerline of Washington Avenue

13th Election District – 1st Councilmanic District

Legal Owners: David Schafer, Douglas Schafer

Contract Purchaser/Lessee: Eric Bers

Variance to permit a dwelling with a lot width of 50 ft. in lieu of the required 55 ft.

Hearing: Monday, May 14, 2018 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

SECOND CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 5/12/2018

Case Number: 2018-0264-A

Petitioner / Developer: ERIC BERS

Date of Hearing: MAY 14, 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:
2925 ILLINOIS AVENUE

The sign(s) were posted on: APRIL 24, 2018

The sign(s) were re-certified on: MAY 12, 2018



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



Background Photos Case # 2018-0264-A 2925 Illinois Ave. 5/12/2018



Photos of Second Certification

Background Photo Sign #1 Case # 2018-0264-A
2925 Illinois Avenue 5/12/2018



Photos of Second Certification

Background Photo Sign#2 Case # 2018-0264-A
2925 Illinois Avenue 5/12/2018



KEVIN KAMENETZ
County Executive

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

April 16, 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 NUMBER: 2018-0264-A

2925 Illinois Avenue

S/s Illinois Avenue, 75 ft. w/of centerline of Washington Avenue

13th Election District – 1st Councilmanic District

Legal Owners: David Schafer, Douglas Schafer

Contract Purchaser/Lessee: Eric Bers

Variance to permit a dwelling with a lot width of 50 ft. in lieu of the required 55 ft.

Hearing: Monday, May 14, 2018 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Eric Bers, P.O. Box 841, Ellicott City 21041

Schafer Residence, 7884 Poplar Grove Road, Severn 21144

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 24, 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.

RE: PETITION FOR VARIANCE
2925 Illinois Avenue; S/S Illinois Avenue,
75' W of c/line of Washington Street
13th Election & 1st Councilmanic Districts
Legal Owner(s): David & Douglas Schafer
Contract Purchaser(s): Eric L. Bers
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2018-264-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED

APR 12 2018

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of April, 2018, a copy of the foregoing Entry of Appearance was mailed to David & Douglas Schafer, 7884 Poplar Grove Road, Severn, Maryland 21144 and Eric Bers, P.O. Box 841, Elliott City, Maryland 21041, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**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 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: 2018-0264-A

Property Address: 2925 Illinois Ave

Property Description: _____

Legal Owners (Petitioners): David + Doug SHAFER

Contract Purchaser/Lessee: ERIC BERS

PLEASE FORWARD ADVERTISING BILL TO:

Name: ERIC BERS

Company/Firm (if applicable): _____

Address: P.O. Box 841

Ellicott City MD 21041

Telephone Number: 410.302-4231

Revised 7/9/2015

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

No. **168075**

Date

4/3/18

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 4/05/2018 4/03/2018 11:42:22 1

WS01 WALKIN LJR
 RECEIPT N: 781677 4/03/2018 OFLN

5 528 ZONING VERIFICATION
 NO: 168075

Recpt Tot \$75.00
 \$75.00 CK \$0.00 CA
 Baltimore County, Maryland

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

Total: **75.00**

Rec

From: **E.L. Deoro**

For

2945 Illinois Ave

Cash 4 2018 - 0264 - A

DISTRIBUTION

WHITE CASHIER

PINK AGENCY

YELLOW CUSTOMER

GOLD ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**



KEVIN KAMENETZ
County Executive

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

May 9, 2018

David Schafer
Douglas E Schafer
7884 Poplar Grove Road
Severn MD 21144

RE: Case Number: 2018-0264 A, Address: 2925 Illinois Avenue

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 3, 2018. 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
Eric L Bers, P O Box 841, Ellicott City, MD 21041

Date: 4/11/18

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
111 West Chesapeake Avenue
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. 2018-0264-A

Variance
David Schafer & Douglas E. Schafer
2925 Illinois 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

5-14

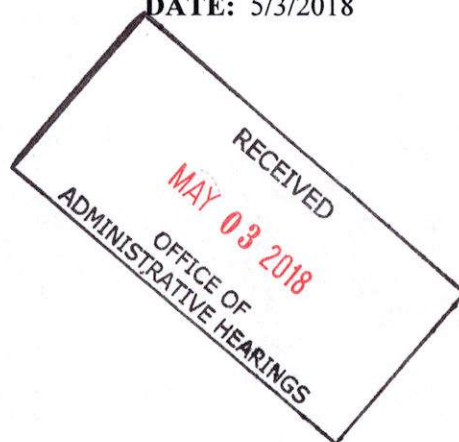
BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-264

DATE: 5/3/2018



INFORMATION:

Property Address: 2925 Illinois Avenue
Petitioner: David Schafer, Douglas F. Schafer
Zoning: DR 5.5
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit a dwelling with a lot width of 50 feet in lieu of the required 55 feet.

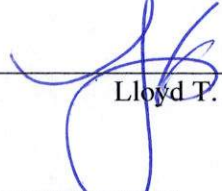
A site visit was conducted on April 11, 2018. The subject property is unimproved.

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

Petitioners must provide building elevations to the contact person listed below for review and approval at time of building permit application. Any such plans so submitted will be evaluated for appropriateness within the context of the neighborhood to include size, height, lot coverage, orientation, colors and materials.

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

Prepared by:



Lloyd T. Moxley

AVA/KS/LTM/

Deputy Director:



Jeff Mayhew

c: Dennis Wertz
David Schafer
Office of the Administrative Hearings
People's Counsel for Baltimore County

5-14

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: April 11, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0264-A
Address 2925 Illinois Avenue
(Schafer Property)

Zoning Advisory Committee Meeting of **April 16, 2018**

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: May 3, 2018

FROM: *MD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For April 16, 2018
Item No. 2018-0264-A, 0265-A, 0266-A, 0267-A and 0269-SPHA

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

*

*

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*

*

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 5/3/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-264

INFORMATION:

Property Address: 2925 Illinois Avenue
Petitioner: David Schafer, Douglas F. Schafer
Zoning: DR 5.5
Requested Action: Variance

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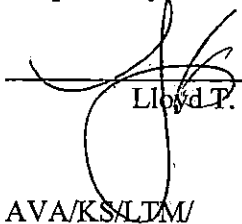
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The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

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

Prepared by:



Lloyd T. Moxley

AVA/KS/LTM/

Deputy Director:



Jeff Mayhew

c: Dennis Wertz
David Schafer
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: April 11, 2018

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Address 2925 Illinois Avenue
(Schafer Property)

Zoning Advisory Committee Meeting of April 16, 2018

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comment on the above-referenced zoning item.

Reviewer: Steve Ford

2925 & 2927 Illinois Ave

Case No.: 2018-0264-A & 2018-0265-A

Exhibit Sheet

Petitioner/Developer

Protestants

1925-15-18

1925-15-18

Exhibits
Kept in
file for No.
2018-264

No. 1	Site plan for 2925 Illinois Ave	
No. 2	Site plan for 2927 Illinois Ave -	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Sherry Nuffer

From: Sherry Nuffer
Sent: Friday, May 11, 2018 10:39 AM
To: June Wisnom; Kristen L Lewis
Subject: 2nd certification of posting for case No. 2018-0264-A & 2018-0265-A

Do you have copies of the 2nd certification of posting for these cases?

If not, John won't hear them.

Thanks,

Sherry

C H E C K L I S TSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment

5/3/18

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)NO COMMENT

4/11/18

DEPS
(if not received, date e-mail sent _____)NO COMMENT

5-3-18

FIRE DEPARTMENT

NO OBJ
W/COMMENTPLANNING
(if not received, date e-mail sent _____)

4/11/18

STATE HIGHWAY ADMINISTRATION

NO OBJ

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 4/24/18

SIGN POSTING (1st) Date: 4/24/18by O'KeefeSIGN POSTING (2nd) Date: 5/12/18by O'KeefePEOPLE'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 - 13 Account Number - 1323000371							
Owner Information									
Owner Name:		SCHAFFER DOUG SCHAFFER DAVID			Use: Principal Residence:		RESIDENTIAL NO		
Mailing Address:		2927 ILLINOIS AVENUE BALTIMORE MD 21227-			Deed Reference:		/38980/ 00036		
Location & Structure Information									
Premises Address:		ILLINOIS AVE 0-0000			Legal Description: BALTIMORE HIGHLANDS				
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No: Plat Ref:
0109	0011	0362		0000		D	56	2016	
Special Tax Areas:				Town: Ad Valorem: Tax Class:			NONE		
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area 3,125 SF		County Use 04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
Value Information									
			Base Value	Value As of 01/01/2016	Phase-in Assessments As of 07/01/2017 As of 07/01/2018				
Land:			700	700					
Improvements			0	0					
Total:			700	700	700	700			
Preferential Land:			0			0			
Transfer Information									
Seller: BAYVIEW LOAN SERVICING LLC Type: ARMS LENGTH MULTIPLE				Date: 05/18/2017 Deed1: /38980/ 00036			Price: \$125,900 Deed2:		
Seller: SANTMYER DONALD L JR Type: NON-ARMS LENGTH OTHER				Date: 05/18/2016 Deed1: /37526/ 00095			Price: \$113,900 Deed2:		
Seller: SANTMYER DONALD L JR Type: NON-ARMS LENGTH OTHER				Date: 03/28/2008 Deed1: /26825/ 00185			Price: \$0 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

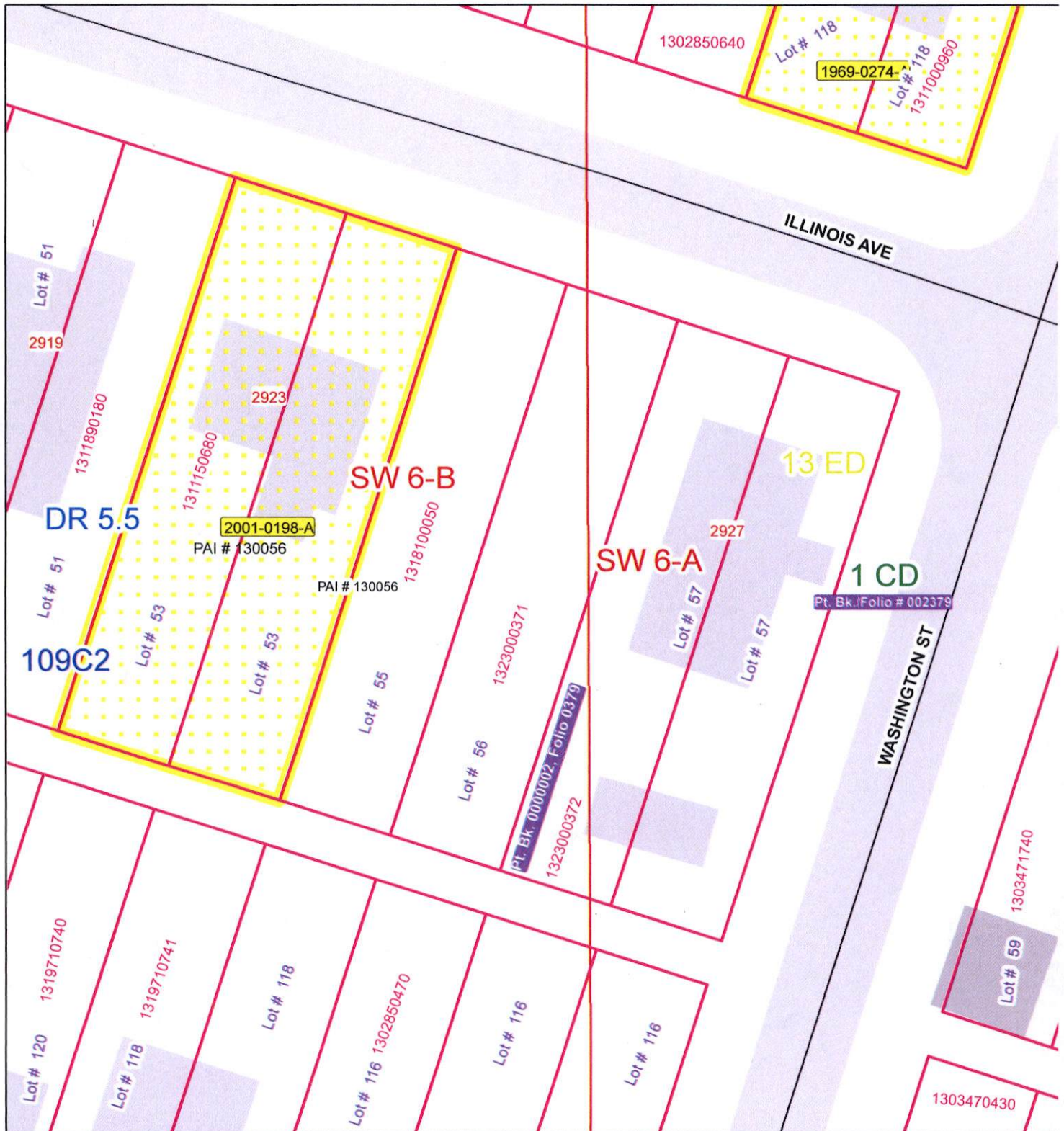
Date:

Real Property Data Search (w2)

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 13 Account Number - 1323000371			
Owner Information					
Owner Name:	SCHAFFER DOUG SCHAFFER DAVID		Use:	RESIDENTIAL NO	
Mailing Address:	2927 ILLINOIS AVENUE BALTIMORE MD 21227-		Deed Reference:	/38980/ 00036	
Location & Structure Information					
Premises Address:		Legal Description:			
ILLINOIS AVE 0-0000		BALTIMORE HIGHLANDS			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0109	0011	0362		0000	D 56 2016
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
			3,125 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	
		01/01/2016	07/01/2017	07/01/2018	
Land:	700	700			
Improvements	0	0			
Total:	700	700	700	700	
Preferential Land:	0			0	
Transfer Information					
Seller: BAYVIEW LOAN SERVICING LLC		Date: 05/18/2017		Price: \$125,900	
Type: ARMS LENGTH MULTIPLE		Deed1: /38980/ 00036		Deed2:	
Seller: SANTMYER DONALD L JR		Date: 05/18/2016		Price: \$113,900	
Type: NON-ARMS LENGTH OTHER		Deed1: /37526/ 00095		Deed2:	
Seller: SANTMYER DONALD L JR		Date: 03/28/2008		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /26825/ 00185		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:		

Illinois Avenue, Tax #13-18-100050 & 13-23-000371



Publication Date: 4/3/2018



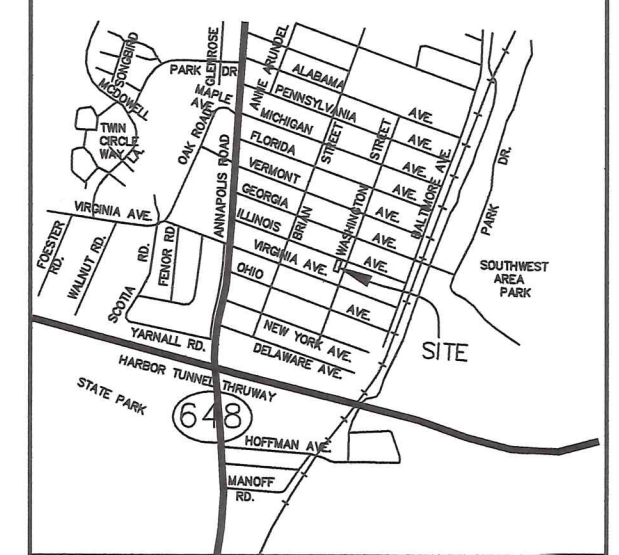
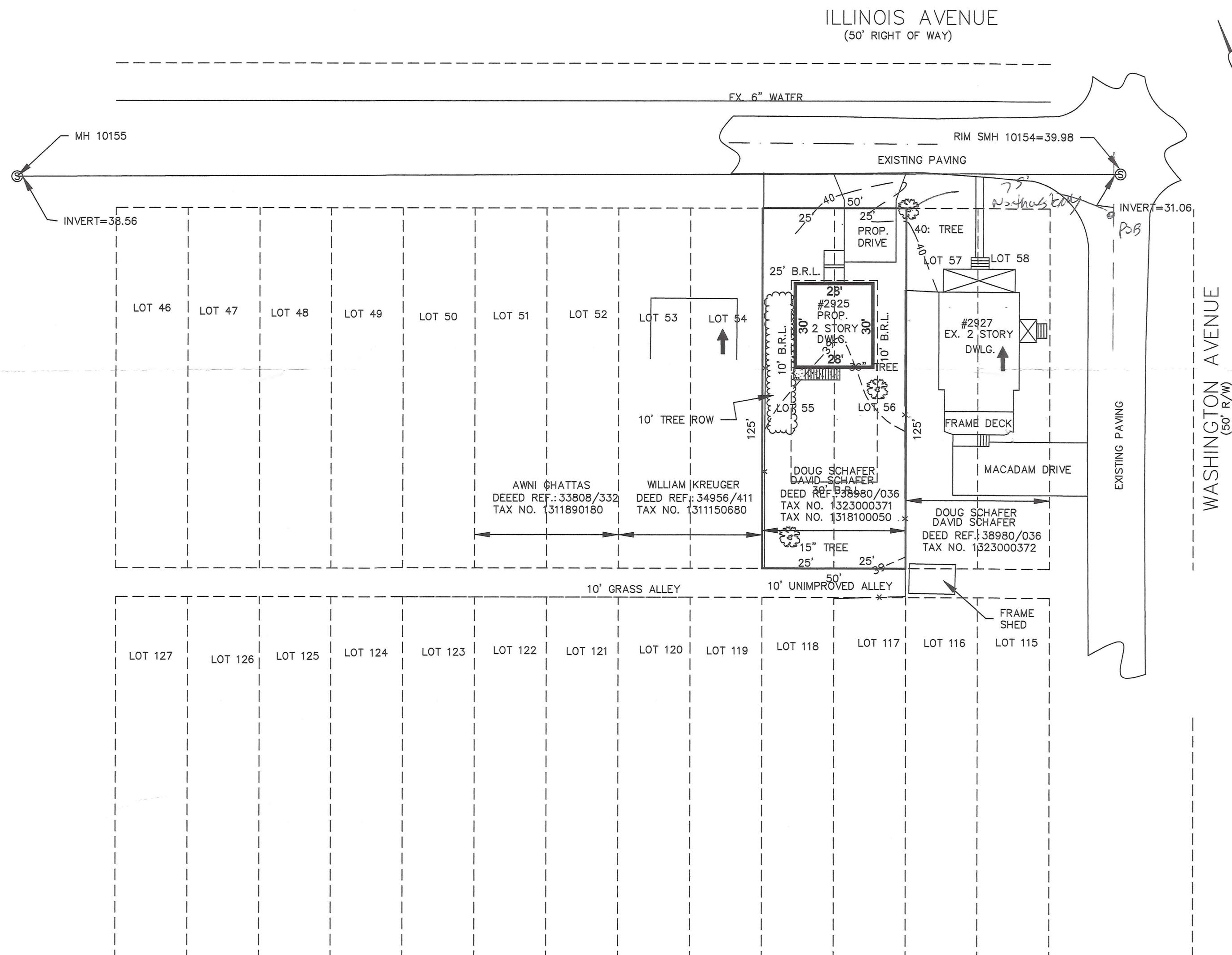
Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 5 10 20 30 40
Feet

1 inch = 30 feet

VARIANCE: TO PERMIT A LOT HAVING A WIDTH OF 50 FEET IN-LIEU OF 55 FEET



VICINITY MAP
SCALE: 1"=2000'

COUNCILMANIC DISTRICT: 1
ELECTION DISTRICT: 13
ZONING: D.R. 5.5
1"=200' SCALE MAP: 109C2
LOT SIZE: 6,250 SQ. FT.

	YES	NO
PUBLIC SEWER	☒	☐
PUBLIC WATER	☒	☐
CHESAPEAKE BAY CRITICAL AREA		
	YES	NO
	☐	☒

SUBDIVISION NAME: PLAT OF BALTIMORE
HIGHLANDS
P.B. 2 FOLIO 379

PRIOR ZONING HEARING: N/A
DEED REFERENCE: 38980/036

OWNER: DOUG SCHAFER
DAVID SCHAFER
2927 ILLINOIS AVENUE
BALTIMORE, MD. 21227
TAX NO. 1323000371
TAX NO. 1318100050

PHONE NO. 410-766-6400
DATE: APRIL, 2018
SCALE: 1"=30'

CONTRACT PURCHASER
ERIC BERS
P.O. BOX 841
ELLCOTT CITY MARYLAND 21041
PHONE: 410-302-4231

2925 ILLINOIS AVENUE
LOT 55 & 56, BLOCK "D"
BALTIMORE HIGHLANDS
BALTIMORE COUNTY, MARYLAND
TAX MAP 109 GRID 11 PARCEL 362
SCALE: 1"=30' DATE: APRIL, 2018

PETS. No. 1

(IN FEET)

1 inch = 30 ft.

PREPARED BY:
JOHN C. MELLEMA SR., INC.
LAND SURVEYORS
5409 EAST DR. BALTO., MD. 21227
PHONE: 410-247-7488 FAX: 410-247-2507

D.R.5.5 REGULATIONS

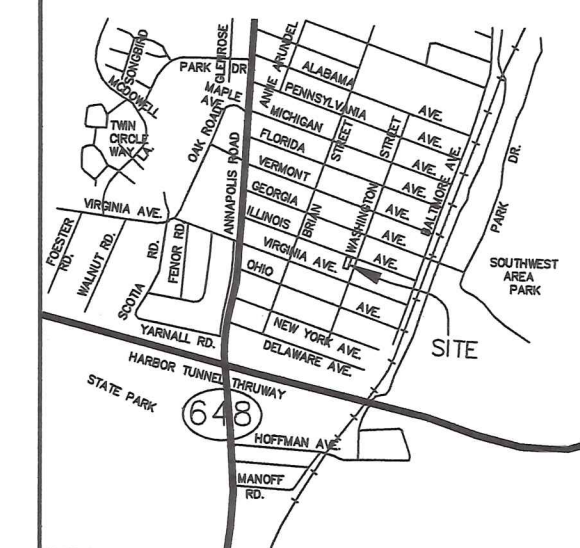
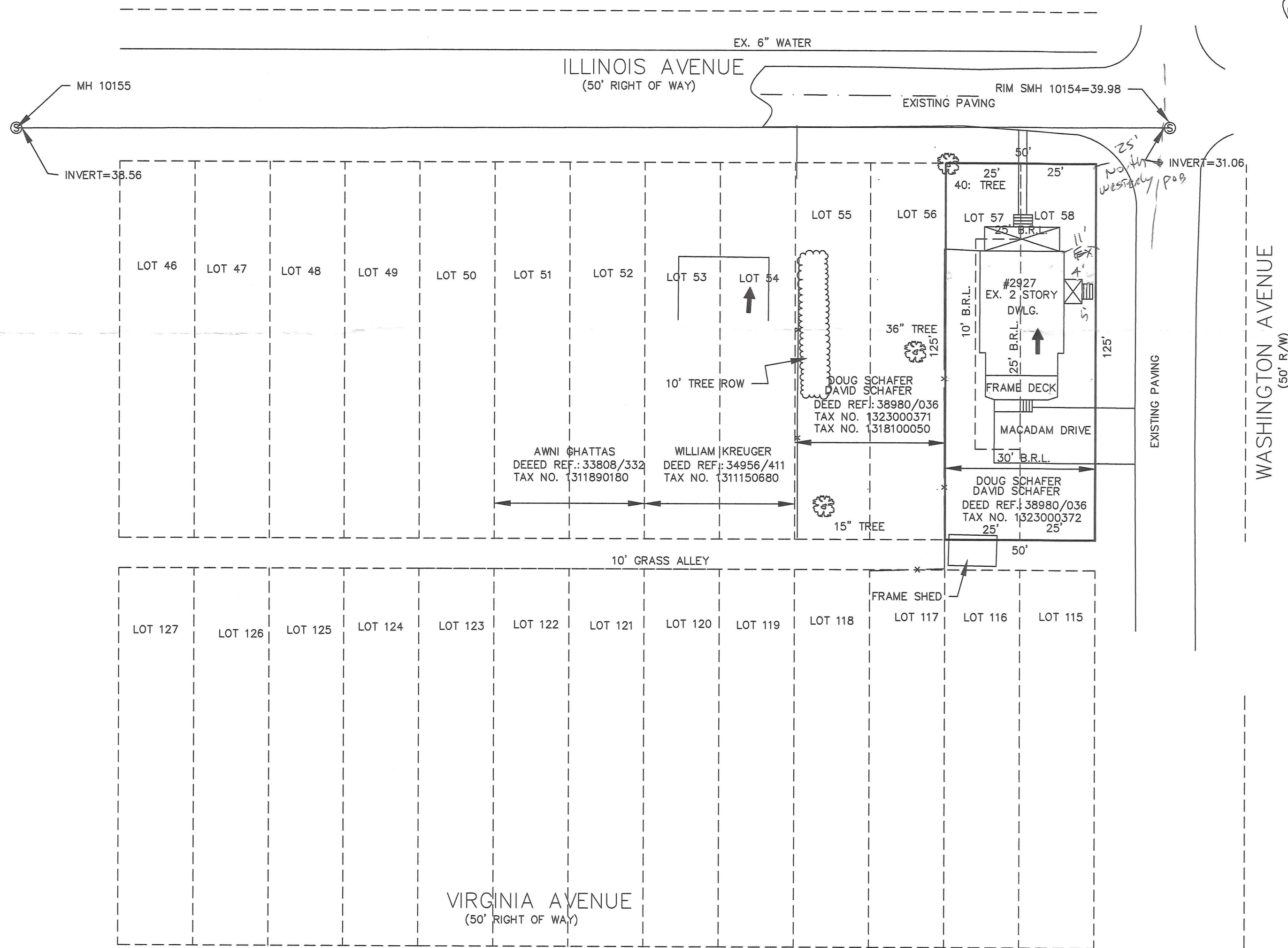
MINIMUM LOT AREA	6,000 SQ. FT.
MINIMUM LOT WIDTH	55'
MINIMUM FRONT YARD SETBACK	25'/AVERAGE
MINIMUM SIDE YARD SETBACK	10'
MINIMUM REAR YARD SETBACK	30'

PLAT TO ACCOMPANY ~~SHED~~ HEARING

VARIANCE: TO PERMIT A LOT HAVING A WIDTH OF 50 FEET IN-LIEU OF 55 FEET

AN EXISTING DWELLING

And to permit A side street setback of 11' in lieu of the required 25'.



LOCATION INFORMATION

COUNCILMANIC DISTRICT: 1
ELECTION DISTRICT: 13
ZONING: D.R. 5.5
1"=200' SCALE MAP: 109C2

LOT SIZE: 6,250 SQ. FT.

	YES	NO
PUBLIC SEWER	☒	☐
PUBLIC WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒

SUBDIVISION NAME: PLAT OF BALTIMORE HIGHLANDS
P.B. 2 FOLIO 379

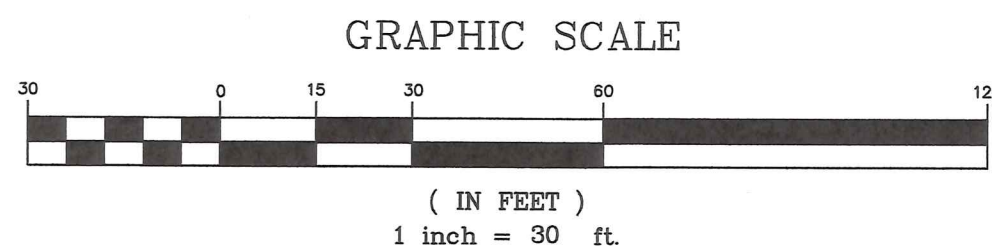
PRIOR ZONING HEARING: N/A
DEED REFERENCE: 38980/036

OWNER: DOUG SCHAFER
DAVID SCHAFER
2927 ILLINOIS AVENUE
BALTIMORE, MD. 21227
TAX NO. 1323000372

PHONE NO. 410-766-6400
DATE: APRIL, 2018
SCALE: 1"=30'

CONTRACT PURCHASER
ERIC BERS
P.O. BOX 841
ELLCOTT CITY MARYLAND 21041
PHONE: 410-302-4231

2927 ILLINOIS AVENUE
LOT 57 & 58, BLOCK "D"
BALTIMORE HIGHLANDS
BALTIMORE COUNTY, MARYLAND
TAX MAP 109 GRID 11 PARCEL 362
SCALE: 1"=30' DATE: APRIL, 2018

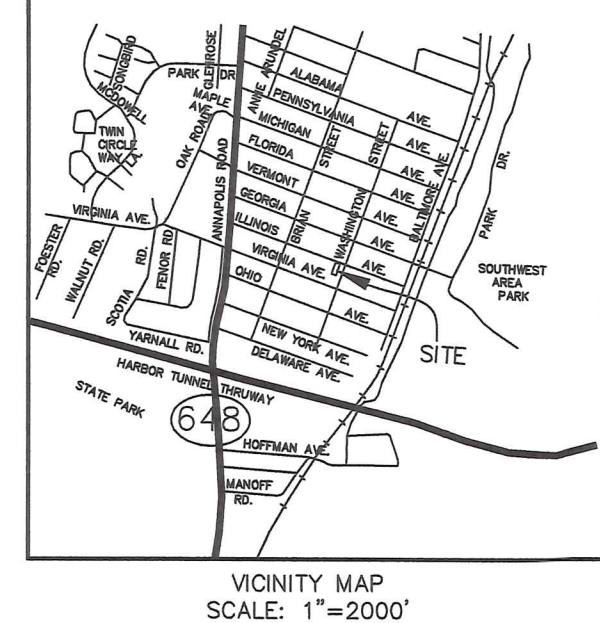
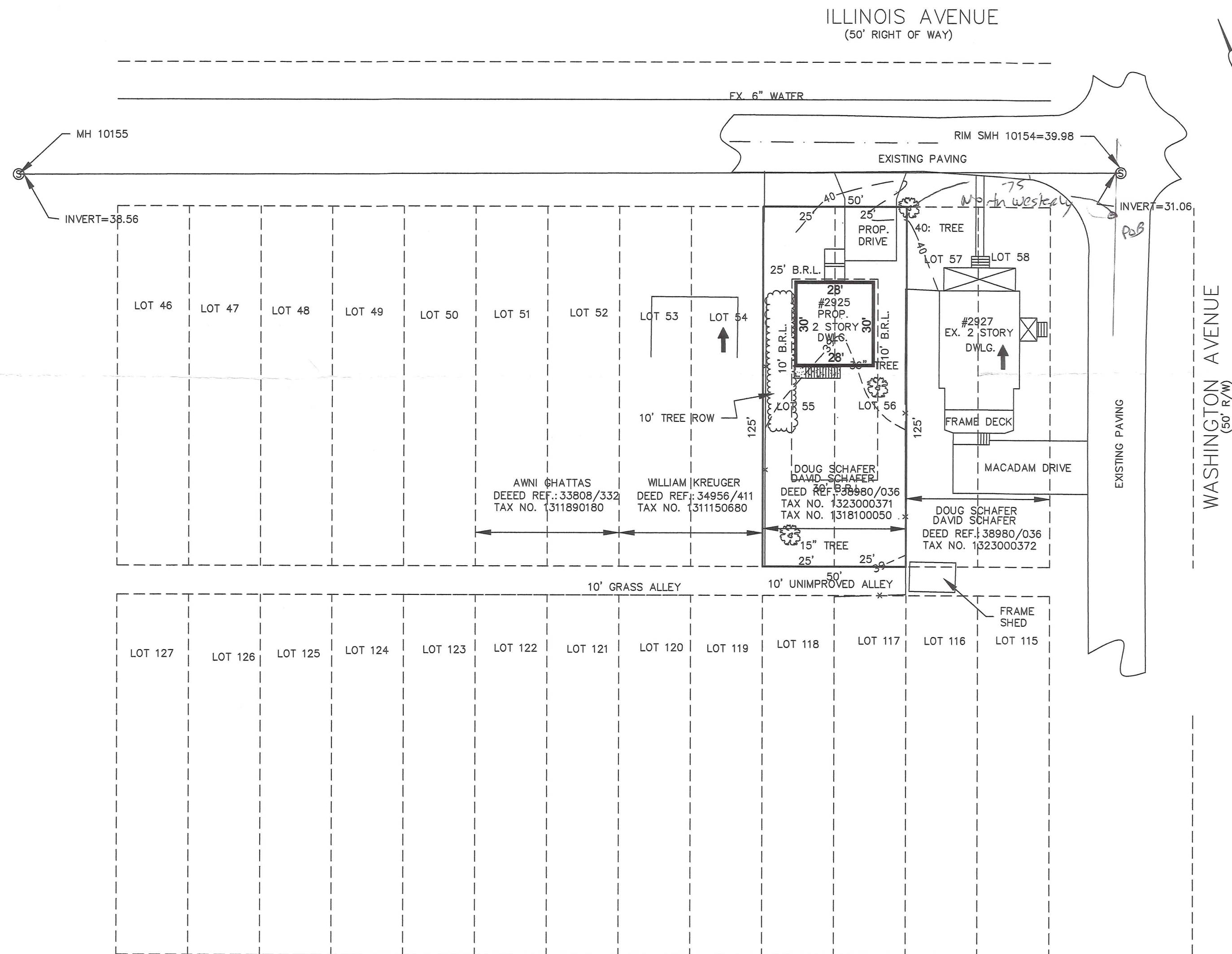


D.R.5.5 REGULATIONS
MINIMUM LOT AREA 6,000 SQ. FT.
MINIMUM LOT WIDTH 55'
MINIMUM FRONT YARD SETBACK 25'/AVERAGE
MINIMUM SIDE YARD SETBACK 10'
MINIMUM REAR YARD SETBACK 30'

PREPARED BY:
JOHN C. MELLEMA SR., INC.
LAND SURVEYORS
5409 EAST DR. BALTO., MD. 21227
PHONE: 410-247-7488 FAX: 410-247-2507

PETS. No. 2

PLAT TO ACCOMPANY SUBDIVISION PLANNING
VARIANCE: TO PERMIT A LOT HAVING A WIDTH OF 50 FEET IN-LIEU OF 55 FEET



LOCATION INFORMATION

COUNCILMANIC DISTRICT: 1
ELECTION DISTRICT: 13
ZONING: D.R. 5.5
1"=200' SCALE MAP: 109C2
LOT SIZE: 6,250 SQ. FT.

	YES	NO
PUBLIC SEWER	☒	☐
PUBLIC WATER	☒	☐

CHESAPEAKE BAY CRITICAL AREA	YES	NO
	☐	☒

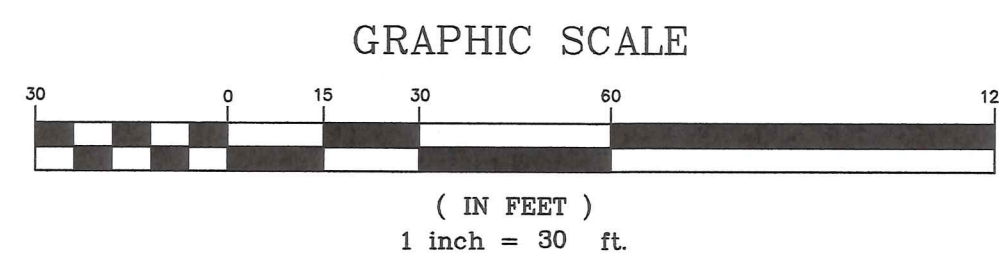
SUBDIVISION NAME: PLAT OF BALTIMORE HIGHLANDS
P.B. 2 FOLIO 379

PRIOR ZONING HEARING: N/A
DEED REFERENCE: 38980/036

OWNER: DOUG SCHAFER
DAVID SCHAFER
2927 ILLINOIS AVENUE
BALTIMORE, MD. 21227
TAX NO. 1323000371
TAX NO. 1318100050

PHONE NO. 410-766-6400
DATE: APRIL, 2018
SCALE: 1"=30'

CONTRACT PURCHASER
ERIC BERS
P.O. BOX 841
ELLCOTT CITY MARYLAND 21041
PHONE: 410-302-4231



D.R.5.5 REGULATIONS
MINIMUM LOT AREA 6,000 SQ. FT.
MINIMUM LOT WIDTH 55'
MINIMUM FRONT YARD SETBACK 25'/AVERAGE
MINIMUM SIDE YARD SETBACK 10'
MINIMUM REAR YARD SETBACK 30'

2925 ILLINOIS AVENUE
LOT 55 & 56, BLOCK "D"
BALTIMORE HIGHLANDS
BALTIMORE COUNTY, MARYLAND
TAX MAP 109 GRID 11 PARCEL 362
SCALE: 1"=30' DATE: APRIL, 2018

PREPARED BY:
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