MEMORANDUM

DATE: June 19, 2018

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2018-0266-A - Appeal Period Expired

The appeal period for the above-referenced case expired on June 18, 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 (7517 Fort Avenue) 15th Election District 7th Council District Jerry Ciezkowski *Legal Owner* Petitioner	* * * * *	BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS FOR BALTIMORE COUNTY **CASE NO. 2018-0266-A**

* * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County as a Petition for Variance filed by Jerry Ciezkowski, legal owner of the subject property ("Petitioner"). The Petition seeks variance relief from §1B02.3.C.1 of the Baltimore County Zoning Regulations ("BCZR") to permit a side yard setback of 9 ft., lot width of 45.6 ft. and lot area of 4,699 sq. ft. in lieu of the required 10 ft., 55 ft., and 6,000 sq. ft., respectively, for a replacement dwelling on an existing lot of record. A site plan was marked as Petitioner's Exhibit 1.

Jerry Ciezkowski and 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. Substantive Zoning Advisory Committee ("ZAC") comments were received from the Department of Planning ("DOP") and the Department of Environmental Protection and Sustainability ("DEPS").

The site is approximately 4,699 square feet in size and zoned DR 5.5. The property is improved with one-half of a semi-detached (duplex) dwelling. The home was constructed in 1919 and is in poor condition. Petitioner proposes to raze the existing structure and construct in its place a new single family dwelling.

ORDER RECEIVED FOR FILING
Date 5/17/18
By Den

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 subject property is narrow and deep and is therefore unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because he would be unable to construct the proposed replacement dwelling. 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. This is demonstrated by the absence of Baltimore County and/or community opposition.

In its ZAC comment the DOP recommended that parking for the new dwelling be provided at the rear of the home, along Blank Avenue. Mr. Billingsley explained that in the Blank Plat (recorded in 1944) which created this neighborhood, what is now Blank Avenue was shown as an alley. *See* Ex. 6. Blank Avenue is narrow and provides access and on-street parking for several dwellings located along that road. I believe additional parking on this narrow street/alley could present a safety hazard, and as Mr. Billingsley also noted the proposed home will have a garage and parking pad for residents' vehicles.

THEREFORE, IT IS ORDERED, this 17th day of **May, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to §1B02.3.C.1 of the Baltimore County Zoning Regulations ("BCZR") to permit a side yard setback of 9 ft., lot width of 45.6 ft., and a lot area of 4,699 sq. ft. in lieu of the required 10 ft., 55 ft. and 6,000 sq. ft., respectively, for a replacement dwelling on an existing lot of record, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING
Date 5/17/18
By Den

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.

2. Petitioner must prior to issuance of permits comply with CBCA regulations.

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 5/17/18
By sln

CBCA

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 7517 FORT AVENUE **which is presently zoned** DR 5.5

Deed References: L. 28232 F. 200 10 Digit Tax Account # 1502573810

Property Owner(s) Printed Name(s) JERRY CIEZKOWSKI

(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)

SECTION 1B02.3.C.1 (BCZR) TO PERMIT A SIDE YARD SETBACK OF 9 FEET AND A LOT WIDTH OF 45.6 FEET IN LIEU OF THE REQUIRED 10 FEET AND 55 FEET, RESPECTIVELY, FOR A REPLACEMRNT DWELLING ON AN EXISTING LOT OF RECORD

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:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING
Date 5/7/18
By ASN

Legal Owners (Petitioners):

JERRY CIEZKOWSKI
Name #1 – Type or Print Name #2 – Type or Print

Jerry Ciezkowski
Signature #1 Signature # 2

404 GRUNDY ST. BALTO MD.
Mailing Address City State

21224
Zip Code Telephone # Email Address

Representative to be contacted:

DAVID BILLINGSLEY
Name – Type or Print

David Billingsley
Signature

601 SHARWOOD CT. EDGEWOOD MD.
Mailing Address City State

21040 (410)679-8719 dxb0209@yahoo.com
Zip Code Telephone # Email Address

CASE NUMBER 2018-0266-A **Filing Date** 4/4/18 **Do Not Schedule Dates:** _____ **Reviewer** JF

REV. 10/4/11

ZONING DESCRIPTION

7517 FORT AVENUE

Beginning for the same at a point on the south side of Fort Avenue (40 feet wide) distant 66 feet easterly from its intersection with the center of Todd Avenue (40 feet wide) thence being all of Lot 31 as shown on the Blank Plat recorded among the Baltimore County plat records in Plat Book 13 Folio 84.

Containing 4699 square feet or 0.108 acre of land, more or less

Being known as 7517 Fort Avenue. Located in the 15TH Election District, 7TH Councilmanic District of Baltimore County, Md.

2018-0266-A

THE BALTIMORE SUN MEDIA GROUP

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 5569460

Sold To:
Jerry Ciezkowski - CU00649284
404 Grundy St
Baltimore,MD 21224-2605

Bill To:
Jerry Ciezkowski - CU00649284
404 Grundy St
Baltimore,MD 21224-2605

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: 2018-0266-A
7519 Fort Avenue
S/s Fort Avenue, 66 ft east of centerline Todd Avenue
15th Election District - 7th Councilmanic District
Legal Owners: Jerry Ciezkowski

Variance to permit a side yard setback of 9ft and alot width of 45.6 ft. in lieu of the required 10 ft, and 55ft., respectively, for a replacement dwelling on an existing lot of record.

Hearing: Wednesday, May 16, 2018 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Cheasapeake Avenue, Townson 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
5569460- April 24, 2018

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising

CERTIFICATE OF POSTING

5/10/18

Date: APRIL 26, 2018

RE: Project Name: 7517 FORT AVE

Case Number /PAI Number: 2018-0266-A

Petitioner/Developer: JERRY CIEZKOWSKI

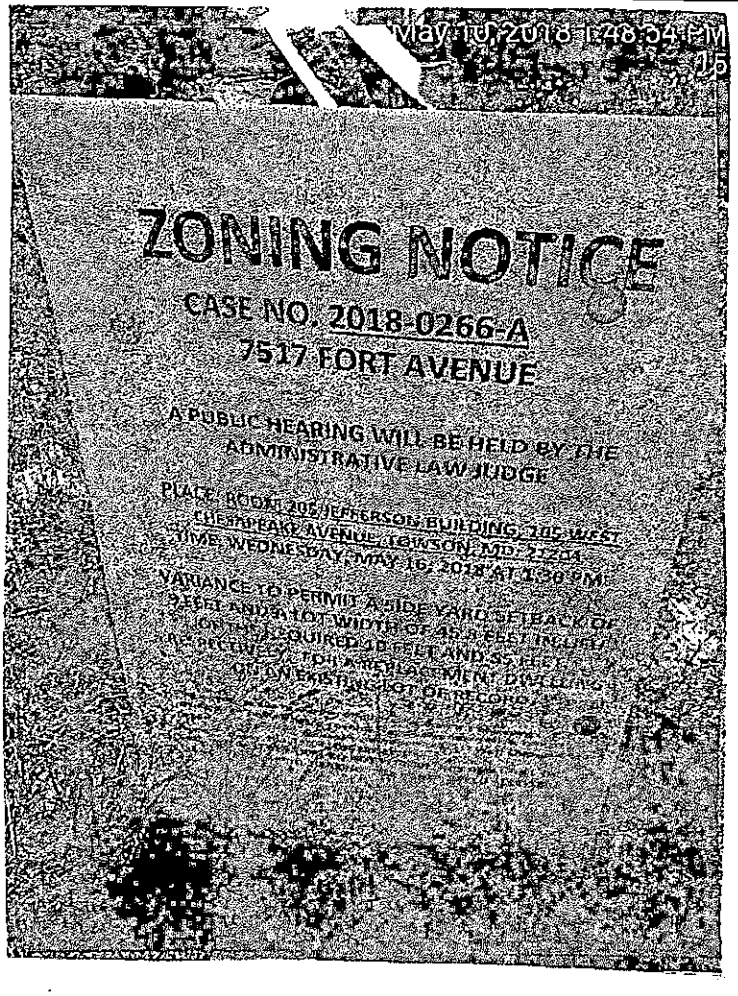
Date of Hearing/Closing: MAY 16, 2018

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 7517 FORT AVE

Re Certify 5/10/18

The sign(s) were posted on APRIL 26 2018

(Month, Day, Year)



David Billingsley

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)

#1

11/11

CERTIFICATE OF POSTING

5/10/18

Date: APRIL 26, 2018

RE: Project Name: 7517 FORT AVE

Case Number /PAI Number: 2018-0266-A

Petitioner/Developer: JERRY CIEZKOWSKI

Date of Hearing/Closing: MAY 16, 2018

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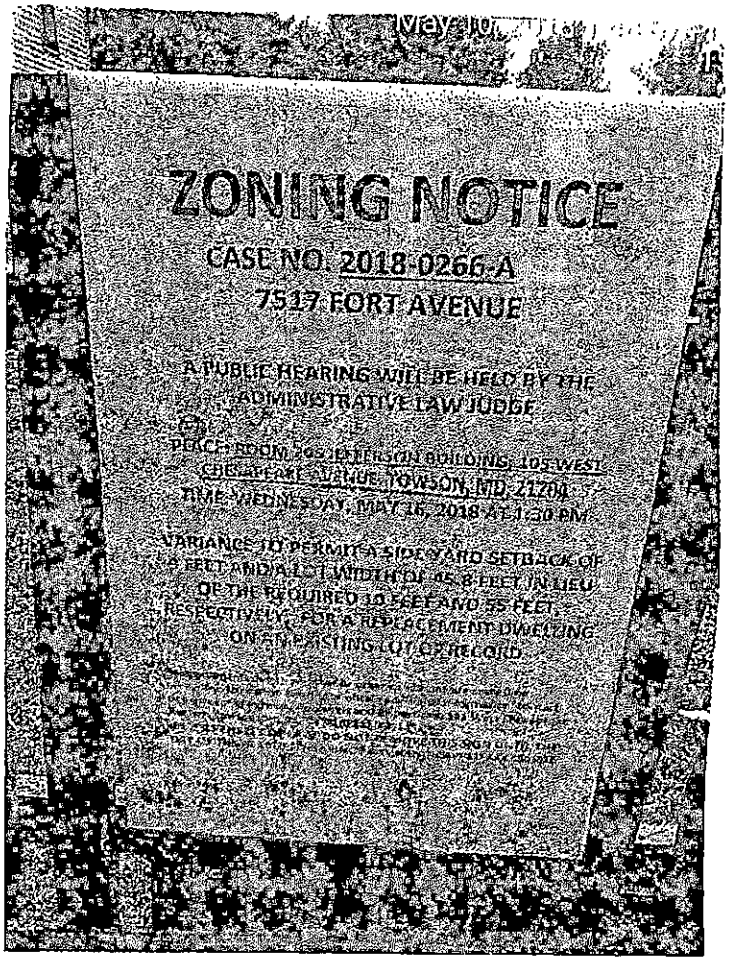
Re Certify 5/10/18

The sign(s) were posted on APRIL 26 2018
(Month, Day, Year)



David Billingsley

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)

#2

11/11

CERTIFICATE OF POSTING

Date: APRIL 26, 2018

RE: Project Name: 7517 FORT AVE

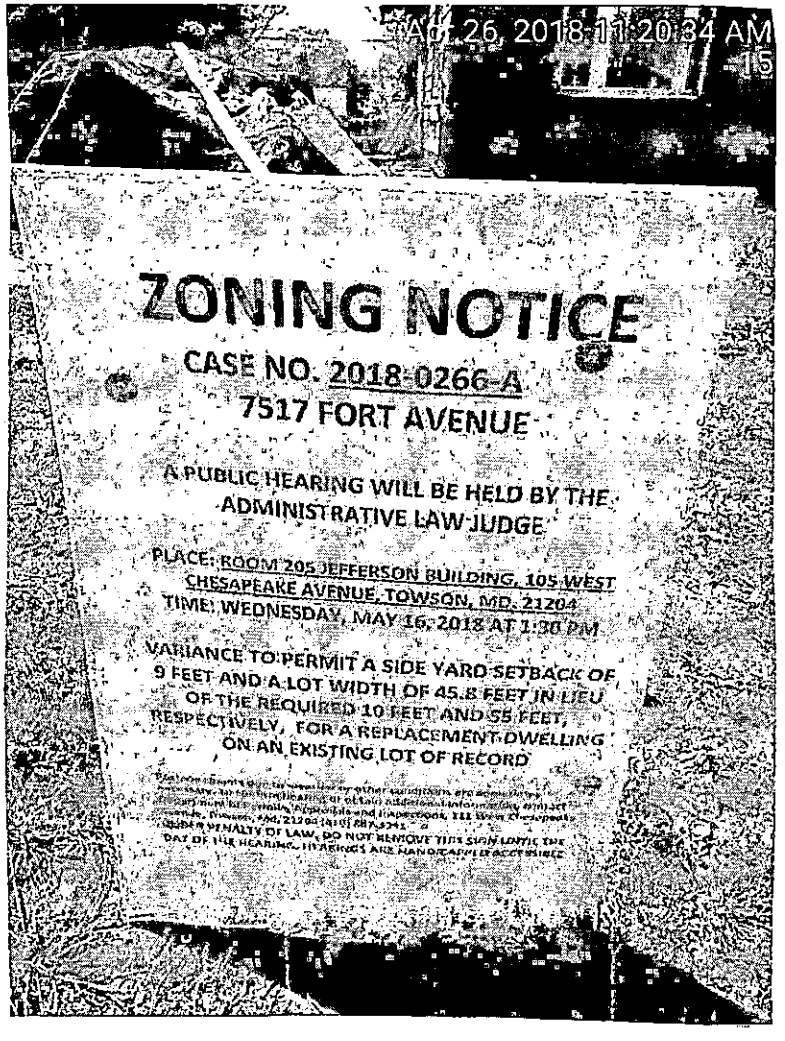
Case Number /PAI Number: 2018-0266-A

Petitioner/Developer: JERRY CIEZKOWSKI

Date of Hearing/Closing: MAY 16, 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 7517 FORT AVE

The sign(s) were posted on APRIL 26 2018
(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
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#1

11/11

CERTIFICATE OF POSTING

Date: APRIL 26, 2018

RE: Project Name: 7517 FORT AVE

Case Number /PAI Number: 2018-0266-A

Petitioner/Developer: JERRY CIEZKOWSKI

Date of Hearing/Closing: MAY 16, 2018

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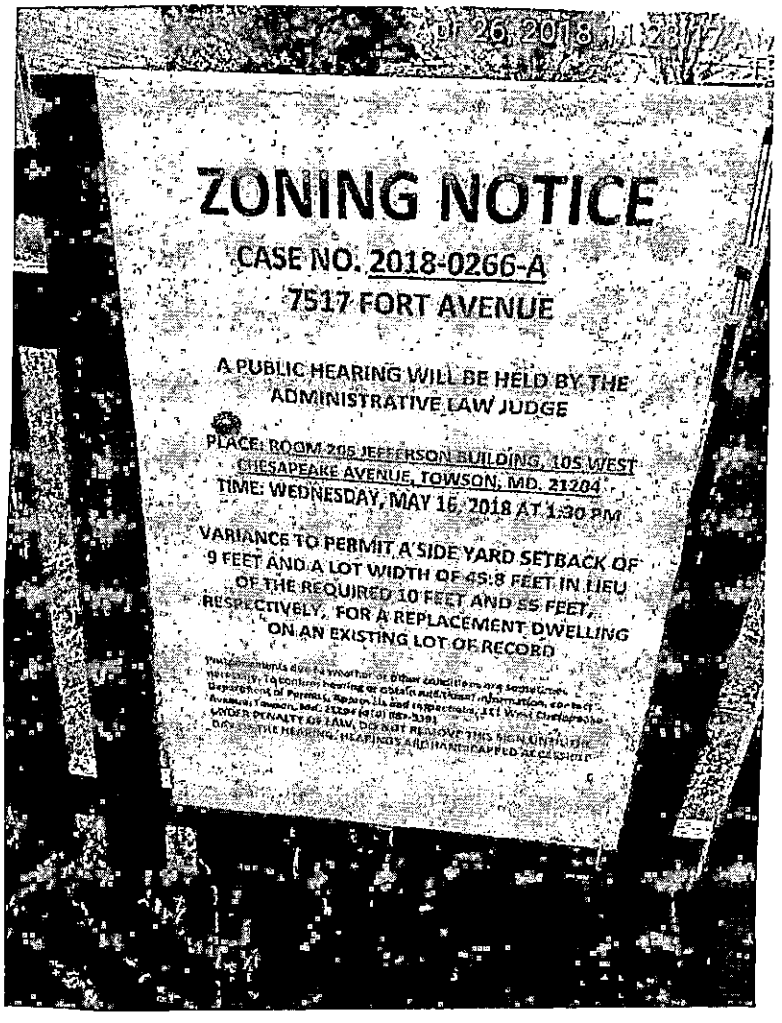
(Month, Day, Year)



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(Signature of Sign Poster)

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601 CHARWOOD COURT
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(City, State, Zip Code of Sign Poster)

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

#2

11/11

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: 2018-0266-A
7517 Fort Avenue
S/s Fort Avenue, 66 ft. east of centerline of Todd Avenue
15th Election District – 7th Councilmanic District
Legal Owners: Jerry Ciezkowski

Variance to permit a side yard setback of 9 ft. and a lot width of 45.6 ft. in lieu of the required 10 ft., and 55 ft., respectively, for a replacement dwelling on an existing lot of record.

Hearing: Wednesday, May 16, 2018 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: Jerry Ciezkowski, 404 Grundy Street, Baltimore 21224
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 THURSDAY, APRIL 26, 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
Thursday, April 26, 2018 Issue - Jeffersonian

Please forward billing to:
Jerry Ciezkowski 443-850-9431
404 Grundy Street
Baltimore, MD 21224

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:

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7517 Fort Avenue
S/s Fort Avenue, 66 ft. east of centerline of Todd Avenue
15th Election District – 7th Councilmanic District
Legal Owners: Jerry Ciezkowski

Variance to permit a side yard setback of 9 ft. and a lot width of 45.6 ft. in lieu of the required 10 ft., and 55 ft., respectively, for a replacement dwelling on an existing lot of record.

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

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(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR VARIANCE 7517 Fort Avenue; S/S Fort Avenue, 66' E of c/line of Todd Avenue 15th Election & 7th Councilmanic Districts Legal Owner(s): Jerry Ciezkowski Petitioner(s)	*	BEFORE THE OFFICE
	*	OF ADMINSTRATIVE
	*	HEARINGS FOR
	*	BALTIMORE COUNTY
	*	2018-266-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
APR 12 2018

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 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. 168081

Date: 4/4/18

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount	Dept
001	806	0022		6150				75.00	CR

Total: 75.00

Rec From: JERRY CIEZKOWSKI

For: 7517 FORT AVE.
Case # 2018-0222-A

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

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
4/05/2018	4/05/2018	08:22:58	5

REG USOS WALKIN LRX
RECEIPT # 949044 4/05/2018 OPEN
5 528 ZONING VERIFICATION
NO. 168081
Recpt Tot $75.00
$150.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

5/10/18

Date: APRIL 26, 2018

RE: Project Name: 7517 FORT AVE

Case Number /PAI Number: 2018-0266-A

Petitioner/Developer: JERRY CIEZKOWSKI

Date of Hearing/Closing: MAY 16, 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 7517 FORT AVE

Re Certify 5/10/18

The sign(s) were posted on APRIL 26 2018
(Month, Day, Year)

David Billingsley

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)

#1

CERTIFICATE OF POSTING

5/10/18

Date: APRIL 26, 2018

RE: Project Name: 7517 FORT AVE

Case Number /PAI Number: 2018-0266-A

Petitioner/Developer: JERRY CIEZKOWSKI

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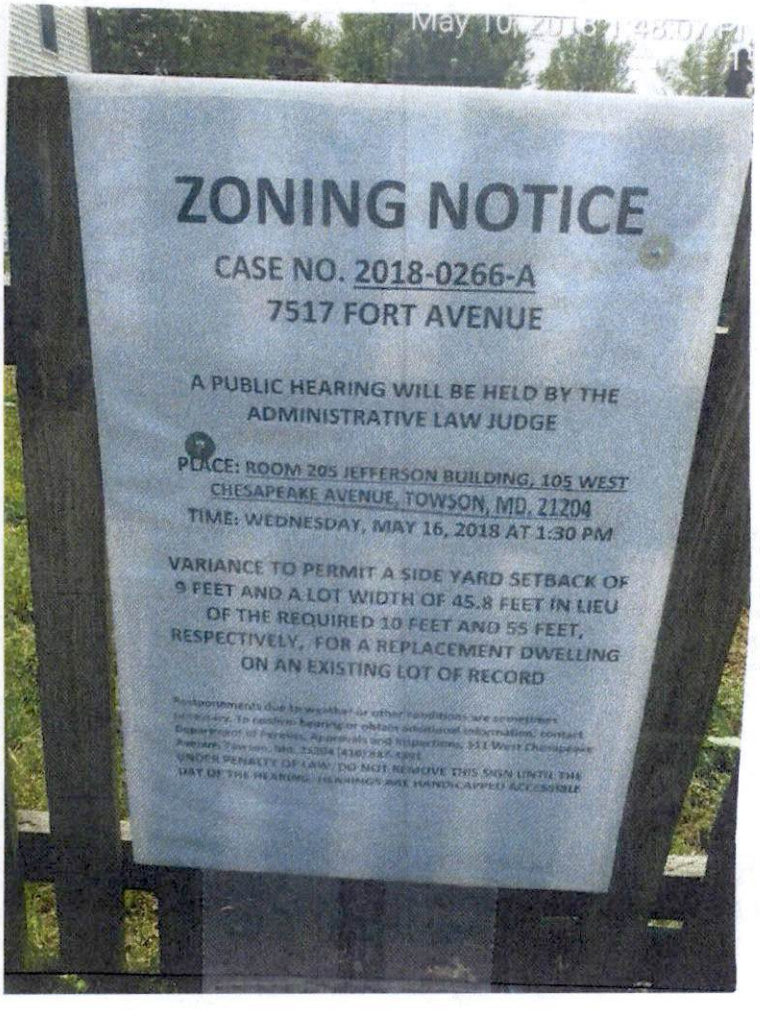

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

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)

#2

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: 2018-0266-A

Property Address: 7517 FORT AVENUE

Property Description: _____

Legal Owners (Petitioners): JERRY CIEZKOWSKI

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: JERRY CIEZKOWSKI

Company/Firm (if applicable): _____

Address: 404 GRUNOY ST.
BALTO MD 21224

Telephone Number: (443) 850-9431

Revised 7/9/2015

KEVIN KAMENETZ
County Executive

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

May 9, 2018

Jerry Ciezkowski
404 Grundy Street
Baltimore MD 21224

RE: Case Number: 2018-0266 A, Address: 7517 Fort Avenue

Dear Mr. Ciezkowski:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 4, 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
David Billingsley, 601 Charwood Courrt, Edgewood MD 21040

MARYLAND DEPARTMENT
OF TRANSPORTATION

STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Pete K. Rahn
Secretary

Gregory Slater
Administrator

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. 2018-0266-A
Variance
Jerry Cieszkowski
7517 Fort 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,

for Richard A. Zeller

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

WW/RAZ

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 5/2/2018

RECEIVED
MAY 03 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 18-266

INFORMATION:
Property Address: 7517 Fort Avenue
Petitioner: Jerry Ciezkowski
Zoning: DR 5.5
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit a side yard setback of 9 feet and a lot width of 45.6 feet in lieu of the required 10 feet and 55 feet, respectively, for a replacement dwelling on an existing lot of record.

A site visit was conducted on April 17, 2018. The site is within a Community Conservation Area (CCA) as per the Master Plan 2020. The subject property is currently improved with a duplex dwelling a portion of which occupies 7519 Fort Avenue. Zoning petition in case # 18-267-A, being nearly identical to this petition, has been filed for 7519 Fort Avenue. Because of the immediate proximity, the Department will review the proposals comprehensively.

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

- This filing presents an opportunity to raise the residential performance of this property and provide incentive for other residential properties in the area to do the same. The Department is fully supportive of the petitioner's efforts. That notwithstanding, the Department advises that no matter the condition the community may be in, the Department is not obviated from its duty to apply the goals of the Master Plan 2020 in ensuring the orderly development of the County so directed by BCZR § 100.1.A. CCAs were established to *"conserve, revitalize and enhance our older communities"* (MP2020 pg. 39). The Department recommends that providing parking at the rear of the new dwelling(s) in a manner similar to that already established along the length of those sections of Fort and Blank Avenues preserves this increasingly rare development pattern thereby successfully responding to the conservation goals of the MP2020. Unless it is demonstrated through the hearing process that an unsafe condition would result, the petitioner should consider a housing type that allows parking accessed from Blank Avenue.

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

Prepared by:

Lloyd T. Moxley

Deputy Director:

Jeff Mayhew

AVA/KS/LTM/

c: Josephine Selvakumar
David Billingsley, Central Drafting & Design, Inc.
Office of the Administrative Hearings
People's Counsel for Baltimore County

5-16

RECEIVED
MAY 02 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

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: May 2, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0266-A
Address 7517 Fort Avenue
(Ciezkowski Property)

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

The subject property is located within the Chesapeake Bay Critical Area. According to BCZR Section 500.14, no decision shall be rendered on any petition for special exception, zoning variance, or zoning special hearing for a property within the Critical Area until the Department of Environmental Protection and Sustainability (EPS) has provided written recommendations describing how the proposed request would:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA), and is subject to Critical Area lot coverage requirements. Critical Area lot coverage differs from BCZR lot coverage and is defined in Natural Resources Article §8-1802(a)(17), as follows:

(17) (i) "Lot coverage" means that percentage of total lot or parcel that is:

1. Occupied by a structure, parking area, driveway, walkway, or roadway; or
2. Covered with gravel, stone, shell impermeable decking, a paver, permeable pavement, or any manmade material

(ii) "Lot coverage" includes the ground area covered or occupied by a stairway or impermeable deck.

(iii) "Lot coverage" does not include:

1. A fence or wall that is less than 1 foot in width that has not been constructed with a footer;
2. A walkway in the buffer or expanded buffer, including a stairway, that provides direct access to a community or private pier;

3. A wood mulch pathway; or
4. A deck with gaps to allow the water to pass freely.

The petitioner is requesting to permit a replacement dwelling with side yard setback of 9 feet and a lot width of 45.6 feet, in lieu of the required 10 feet and 55 feet, respectively, on an existing lot of record, comprising 4,699square feet (sf). In order to minimize impacts on water quality, the applicant must comply with the LDA lot coverage requirements which on this property cannot exceed 1,675 sf, with mitigation required for lot coverage between 1,175 sf and 1,675 sf. In addition, the LDA regulations require 15% afforestation on the property. Any building permits or plans received by DEPS for review will include application of the LDA regulations, therefore, by allowing the items requested by the petitioner, impacts on water quality will be minimized.

2. Conserve fish, wildlife, and plant habitat; and

The current development proposal for the property will be reviewed for application of the LDA requirements, which will improve buffer functions, and conserve fish, wildlife and plant habitat in Old Road Bay and the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts.

The items requested will be consistent with established land use policies, provided that the applicants meet any LDA requirements applicable to the proposal. The request, if granted, will minimize environmental impacts.

Reviewer: *Thomas Panzarella;*
Environmental Impact Review

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 3, 2018

MR

FROM: 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.

* * * * *

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 5/2/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 18-266

INFORMATION:
Property Address: 7517 Fort Avenue
Petitioner: Jerry Ciezkowski
Zoning: DR 5.5
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit a side yard setback of 9 feet and a lot width of 45.6 feet in lieu of the required 10 feet and 55 feet, respectively, for a replacement dwelling on an existing lot of record.

A site visit was conducted on April 17, 2018. The site is within a Community Conservation Area (CCA) as per the Master Plan 2020. The subject property is currently improved with a duplex dwelling a portion of which occupies 7519 Fort Avenue. Zoning petition in case # 18-267-A, being nearly identical to this petition, has been filed for 7519 Fort Avenue. Because of the immediate proximity, the Department will review the proposals comprehensively.

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

- This filing presents an opportunity to raise the residential performance of this property and provide incentive for other residential properties in the area to do the same. The Department is fully supportive of the petitioner's efforts. That notwithstanding, the Department advises that no matter the condition the community may be in, the Department is not obviated from its duty to apply the goals of the Master Plan 2020 in ensuring the orderly development of the County so directed by BCZR § 100.1.A. CCAs were established to *"conserve, revitalize and enhance our older communities"* (MP2020 pg. 39). The Department recommends that providing parking at the rear of the new dwelling(s) in a manner similar to that already established along the length of those sections of Fort and Blank Avenues preserves this increasingly rare development pattern thereby successfully responding to the conservation goals of the MP2020. Unless it is demonstrated through the hearing process that an unsafe condition would result, the petitioner should consider a housing type that allows parking accessed from Blank Avenue.

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

Prepared by:

Lloyd T. Moxley

Deputy Director:

Jeff Mayhew

AVA/KS/LTM/

c: Josephine Selvakumar
David Billingsley, Central Drafting & Design, Inc.
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: May 2, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0266-A
Address 7517 Fort Avenue
(Ciezkowski Property)

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

The subject property is located within the Chesapeake Bay Critical Area. According to BCZR Section 500.14, no decision shall be rendered on any petition for special exception, zoning variance, or zoning special hearing for a property within the Critical Area until the Department of Environmental Protection and Sustainability (EPS) has provided written recommendations describing how the proposed request would:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA), and is subject to Critical Area lot coverage requirements. Critical Area lot coverage differs from BCZR lot coverage and is defined in Natural Resources Article §8-1802(a)(17), as follows:

(17) (i) "Lot coverage" means that percentage of total lot or parcel that is:

1. Occupied by a structure, parking area, driveway, walkway, or roadway; or
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(ii) "Lot coverage" includes the ground area covered or occupied by a stairway or impermeable deck.

(iii) "Lot coverage" does not include:

1. A fence or wall that is less than 1 foot in width that has not been constructed with a footer;
2. A walkway in the buffer or expanded buffer, including a stairway, that provides direct access to a community or private pier;

3. A wood mulch pathway; or
4. A deck with gaps to allow the water to pass freely.

The petitioner is requesting to permit a replacement dwelling with side yard setback of 9 feet and a lot width of 45.6 feet, in lieu of the required 10 feet and 55 feet, respectively, on an existing lot of record, comprising 4,699square feet (sf). In order to minimize impacts on water quality, the applicant must comply with the LDA lot coverage requirements which on this property cannot exceed 1,675 sf, with mitigation required for lot coverage between 1,175 sf and 1,675 sf. In addition, the LDA regulations require 15% afforestation on the property. Any building permits or plans received by DEPS for review will include application of the LDA regulations, therefore, by allowing the items requested by the petitioner, impacts on water quality will be minimized.

2. Conserve fish, wildlife, and plant habitat; and

The current development proposal for the property will be reviewed for application of the LDA requirements, which will improve buffer functions, and conserve fish, wildlife and plant habitat in Old Road Bay and the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts.

The items requested will be consistent with established land use policies, provided that the applicants meet any LDA requirements applicable to the proposal. The request, if granted, will minimize environmental impacts.

Reviewer: *Thomas Panzarella;*
Environmental Impact Review

PLEASE PRINT CLEARLY

CASE NAME 7517 & 7519 FORT AVE
CASE NUMBER 2018-0266-A & 0267-A
DATE MAY 16, 2018

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
DAVID BILLINGSLEY	601 CHARWOOD ST.	EDGEWOOD, MD 21040	dwb0709@yahoo.com
MELVIN WOLINSKI	9019 SUCKOLD POINT RD	BALTO, MD 21219	
JERRY CIEZKOWSKI	404 GRUNDY ST	BALTO, MD 21224	

CASE NO. 2018-0266-A

CHECKLIST

Comment Received	Department	Support/Oppose/ Conditions/ Comments/ No Comment
5/3/18	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	NO Comments
5/2/18	DEPS (if not received, date e-mail sent _____)	Comment
_____	FIRE DEPARTMENT	no obj
5/2/18	PLANNING (if not received, date e-mail sent _____)	w/ conditions
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: 4/26/18 by Buelingsley

SIGN POSTING (2nd) Date: 5/10/18 by Buelingsley

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** - 1502573810

Owner Information

Owner Name:	CIEZKOWSKI JERRY	**Use:**	RESIDENTIAL
		Principal Residence:	NO
Mailing Address:	404 GRUNDY ST BALTIMORE MD 21224-	**Deed Reference:**	/28232/ 00200

Location & Structure Information

Premises Address:	7517 FORT AVE FT HOWARD 21052-0000	**Legal Description:**	7517 FORT AVE BLANK

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0115	0011	0024		0000			31	2018	Plat Ref:	0013/ 0084

Special Tax Areas: **Town:** NONE
Ad Valorem:
Tax Class:

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1919	784 SF		4,590 SF	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
2	NO	END UNIT	STUCCO	1 full		

Value Information

	Base Value	Value As of 01/01/2018	Phase-in Assessments As of 07/01/2017	Phase-in Assessments As of 07/01/2018
Land:	35,000	35,000		
Improvements	28,400	31,600		
Total:	63,400	66,600	63,400	64,467
Preferential Land:	0			0

Transfer Information

Seller: WOLINSKI MELVIN	**Date:** 06/15/2009	**Price:** $107,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /28232/ 00200	**Deed2:**
Seller: MARYLAND HOUSING FUND OF THE	**Date:** 01/29/2004	**Price:** $36,000
Type: NON-ARMS LENGTH OTHER	**Deed1:** /19513/ 00157	**Deed2:**
Seller: PETTIE FRANCINE JOY	**Date:** 04/09/2003	**Price:** $68,854
Type: NON-ARMS LENGTH OTHER	**Deed1:** /17820/ 00565	**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: Denied

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

PETITIONER'S EXHIBITS

5/17/18
Sen

7517 AND 7519 FORT AVENUE
CASE NOS. 2018-0266-A & 2018-0267-A

6-19-18

1. PLAT TO ACCOMPANY PETITION DATED MARCH 31, 2018 (NO CHANGES)

2. SDAT REAL PROPERTY DATA SEARCH FOR 7517 FORT AVE

3. DEED OF RECORD FOR 7517 FORT AVE. L.28232 F.200

4. SDAT REAL PROPERTY DATA SEARCH FOR 7519 FORT AVE

5. DEED OF RECORD FOR 7519 FORT AVE. L.40089 F.478

6. BLANK PLAT RECORDED JUNE 12, 1944 PB 13 F 84

7. GOOGLE AERIAL PHOTO

8. BALTIMORE COUNTY MY NEIGHBORHOOD AERIAL PHOTO

9 A-K. PHOTOS

10. BUILDING FRONT ELEVATION

Real Property Data Search (w2)

Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Account Identifier: **District -** 15 **Account Number -** 1502573810

Owner Information

Owner Name:	CIEZKOWSKI JERRY	**Use:**	RESIDENTIAL
		Principal Residence:	NO
Mailing Address:	404 GRUNDY ST BALTIMORE MD 21224-	**Deed Reference:**	/28232/ 00200

Location & Structure Information

Premises Address:	7517 FORT AVE FT HOWARD 21052-0000	**Legal Description:**	7517 FORT AVE BLANK

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0115	0011	0024		0000			31	2018	Plat Ref:	0013/ 0084

Special Tax Areas: **Town:** NONE
Ad Valorem:
Tax Class:

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1919	784 SF		4,590 SF	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
2	NO	END UNIT	STUCCO	1 full		

Value Information

	Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2017	As of 07/01/2018
Land:	35,000	35,000		
Improvements	28,400	28,400		
Total:	63,400	63,400	63,400	
Preferential Land:	0			

Transfer Information

Seller: WOLINSKI MELVIN	**Date:** 06/15/2009	**Price:** $107,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /28232/ 00200	**Deed2:**
Seller: MARYLAND HOUSING FUND OF THE	**Date:** 01/29/2004	**Price:** $36,000
Type: NON-ARMS LENGTH OTHER	**Deed1:** /19513/ 00157	**Deed2:**
Seller: PETTIE FRANCINE JOY	**Date:** 04/09/2003	**Price:** $68,854
Type: NON-ARMS LENGTH OTHER	**Deed1:** /17820/ 00565	**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: Denied

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

PETITIONER'S EXHIBIT NO. 2

0028232

1/7

1st National Title, LLC
File No. **NT-2993**
Tax ID # **15-02-573810**

This Deed of Assignment, made this 23rd day of **February, 2009**, by and between **Melvin Wolinski**, GRANTOR, and **Jerry Ciezkowski**, GRANTEE.

- Witnesseth -

That in consideration of the sum of One Hundred ~~Ten~~ Seven Thousand Dollars 00/100 ($1~~0~~7,000.00), and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Grantor does grant and assign to the said Grantee, as sole owner, his heirs Personal Representatives, and assigns, the LEASEHOLD interest in all that property lying and being in the Fifteenth Election District of the County of Baltimore, State of Maryland, and described as follows, that is to say:

Beginning for the same on the southwest side of Fort Avenue, 40 feet wide, at the distance of 490.02 feet northwesterly from the intersection of the southwest side of Fort Avenue, if the same were extended southeasterly, with the northwest side of North Point Road, said place of beginning being also at a fence there situate, and running thence north 69 degrees 46 minutes west, binding on the southwest side of Fort Avenue, 45.60 feet thence south 20 degrees 23 minutes west 102.70 feet to the northeast side of an alley 20 feet wide there situate, thence south 70 degrees 6 minutes east 46 feet to a fence there situate, thence northeasterly, binding on said fence to the center of the partition between the house erected on the lot now being described and that adjoining on the southeast, thence continuing the same course, through the center of said partition to a fence there situate, and continuing the same course, binding on said fence, in all 102.50 feet to the place of beginning.

The improvements thereon being commonly known as No. 7517 Fort Avenue, (formerly No. 31 Fort Avenue), Fort Howard, MD 21052.

Property ID 15-02-573810

BEING the same property conveyed to Melvin Wolinski from The Maryland Housing Fund of the Department of Housing and Community Development of the State of Maryland, by Deed of Assignment dated May 29, 2003, and recorded on January 29, 2004, in Liber 19513, Folio 157 among the Land Records of Baltimore County, Maryland.

Together with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging or in anywise appertaining.

To Have and To Hold the said described property to the said Grantee, as sole owner, his heirs, Personal Representatives and assigns, for all the residue of the term of years yet to come and unexpired therein, with the benefit of renewal forever, subject to the payment of the annual rent of $42.00 payable semi-annually on the 1st days of January and July in each and every year.

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

PETITIONER'S EXHIBIT NO. 3

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 28232, p. 0200, MSA_CE62_28087. Date available 06/17/2009. Printed 05/13/2018.

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Account Identifier: **District** - 15 **Account Number** - 1504001350

Owner Information

Owner Name:	CMW PROPERTIES LLC	**Use:**	RESIDENTIAL
		Principal Residence:	NO
Mailing Address:	9019 CUCKOLD POINT RD SPARROWS POINT MD 21219-	**Deed Reference:**	/40089/ 00478

Location & Structure Information

Premises Address:	7519 FORT AVE FT HOWARD 21052-	**Legal Description:**	BLANK

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0115	0011	0024		0000			30	2018	Plat Ref: 0013/ 0084

Special Tax Areas: **Town:** NONE
Ad Valorem:
Tax Class:

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1919	1,509 SF		4,386 SF	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
2	NO	END UNIT	SIDING	1 full		

Value Information

	Base Value	Value As of 01/01/2018	Phase-in Assessments As of 07/01/2017	Phase-in Assessments As of 07/01/2018
Land:	35,000	35,000		
Improvements	50,700	56,500		
Total:	85,700	91,500	85,700	87,633
Preferential Land:	0			0

Transfer Information

Seller: EDWARDS LEWIS DOUGLAS	**Date:** 03/29/2018	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /40089/ 00478	**Deed2:**
Seller: ESTER CHARLES T	**Date:** 01/14/2013	**Price:** $11,000
Type: NON-ARMS LENGTH OTHER	**Deed1:** /33051/ 00317	**Deed2:**
Seller: DAWSON CLARA B	**Date:** 08/06/1981	**Price:** $18,500
Type: ARMS LENGTH IMPROVED	**Deed1:** /06315/ 00777	**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:**

PETITIONER'S EXHIBIT NO. 4

R&P Settlement Group, LLC
File No. **17-11805-NC**
Tax ID # **15 15-1504001350**

This Assignment, made this 16th day of March, 2018, by and between **Lewis Douglas Edwards** and **Donald Eugene Kraemer**, GRANTORS, and **CMW Properties LLC**, GRANTEE.

Witnesseth –

That in consideration of the sum of Forty Thousand and 00/100 Dollars ($40,000.00), and other good and valuable consideration, the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and assign to the said Grantee, the LEASEHOLD interest in all that lot of ground situate in the County of Baltimore, State of Maryland, and described as follows, that is to say:

> BEGINNING for the same on the southwest side of Fort Avenue, 40 feet wide and at the distance of 446 and 58/100 feet northwesterly from the intersection of the southwest side of Fort Avenue, if the same were unextended southeasterly, with the northwest side of North Point Road; and thence north 69 degrees 46 minutes West binding on the southwest side of Fort Avenue 43 and 44/100 feet to a fence there situate, thence southwesterly binding on said fence, to the centre of the partition between the house erected on the lot now being described and that adjoining on the northwest; thence continuing the same course though the centre of said partition, to a fence there situated and continuing the same course, binding on said fence in all 102 and 50/100 feet to the northeast side of an alley twenty foot wide there situate thence south 70 degrees 6 minutes East, binding thereon 43 feet; and thence north 20 degrees 23 minutes East 102 and 55/100 feet to the place of beginning.
>
> The improvements thereon being known as 7519 Fort Avenue.
>
> BEING the leasehold property which, by DEED dated December 7, 2012, and recorded in the Land Records of the County of Baltimore, Maryland, in Liber 33051, Folio 317, was granted and conveyed by ANGELA CHRISTINE ESTER AND CHARLES ESTER, III, PERSONAL REPRESENTATIVES OF THE ESTATE OF CHARLES T. ESTER, ALSO KNOWN AS CHARLES T. ESTER, JR., DECEASED unto LEWIS DOUGLAS EDWARDS AND DONALD EUGENE KRAEMER.

By the execution of this Assignment, the Grantors hereby certify under the penalties of perjury that the actual consideration paid or to be paid, including the amount of any Mortgage or Deed of Trust outstanding, is as hereinbefore set forth.

Together with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging or in anywise appertaining.

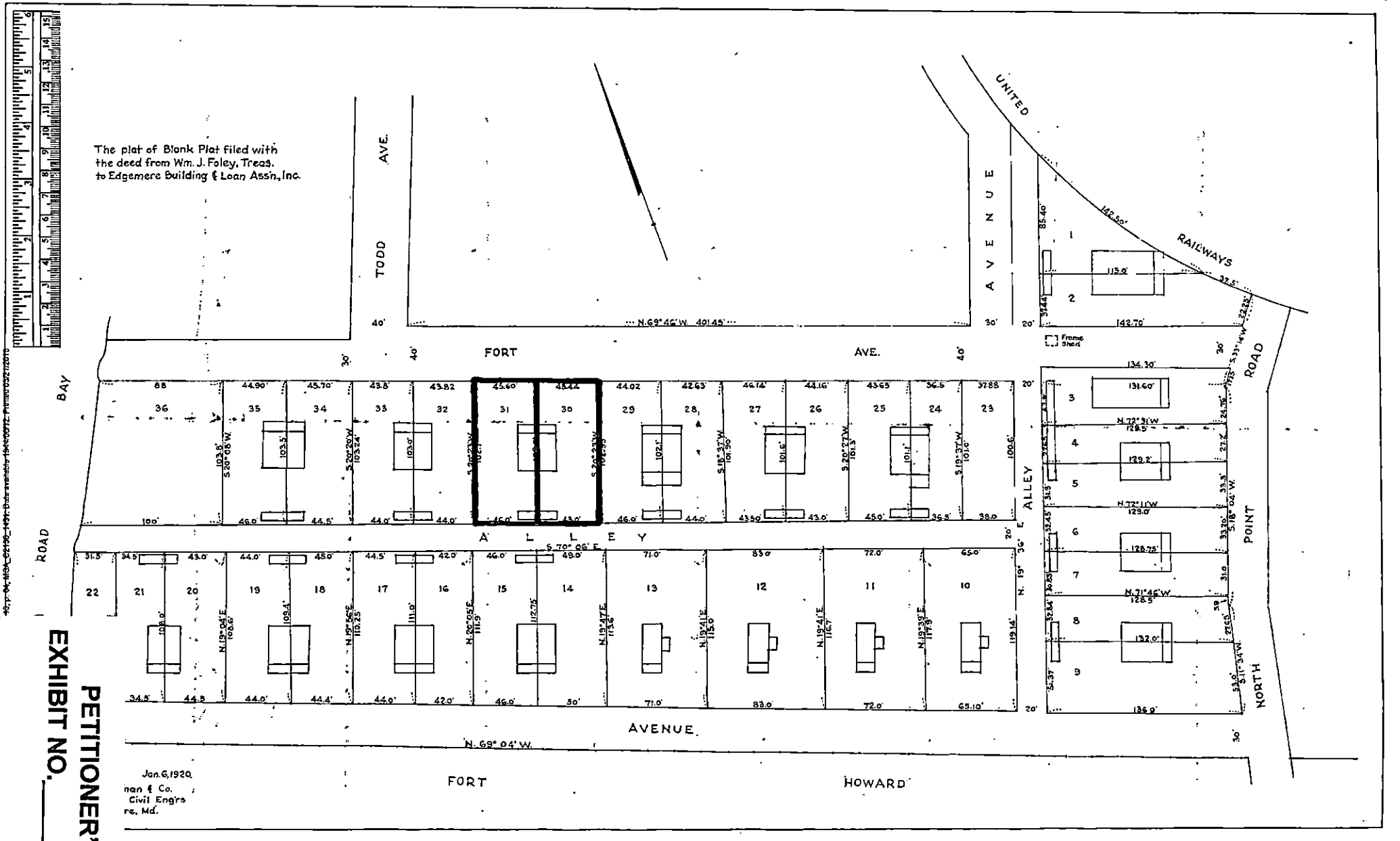
To Have and To Hold the said described lot of ground and premises to the said Grantee, for all the residue of the term of years yet to come and unexpired therein, with the benefit of renewal forever, subject to the payment of the annual rent of $42.00 payable half-yearly on the 1st days of January and July in each and every year.

And the Grantors hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant Specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

```
LR - Deed (W Taxes)
Recording only $120.00
Name: Edwards/Kraemer
Ref:
LR - Deed (with Taxes)
Surcharge          40.00
LR - Deed State
Transfer Tax      200.00
LR - NR Tax - 1kd 0.00
==================================
SubTotal:         260.00
==================================
Total:            260.00
03/20/2018  11:17
                  CC03-AM
#10067372 CC0301 -
Baltimore
County/CC03.01.01 -
Register 01
```

PETITIONER'S EXHIBIT NO. 5

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 40089, p. 0478, MSA_CE62_39946. Date available 03/30/2018. Printed 05/13/2018.



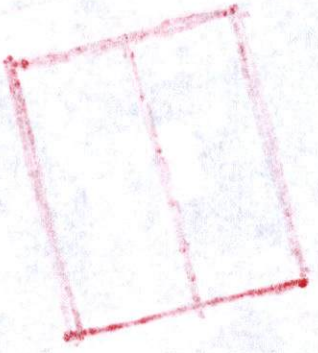
PETITIONER'S EXHIBIT NO. 6

BLANK PLAT
P.B. 13 F. 84
REC: JUNE 12, 1944

PETITIONER'S
EXHIBIT NO. 7

Baltimore County - My Neighborhood

PETITIONER'S
EXHIBIT NO. 8



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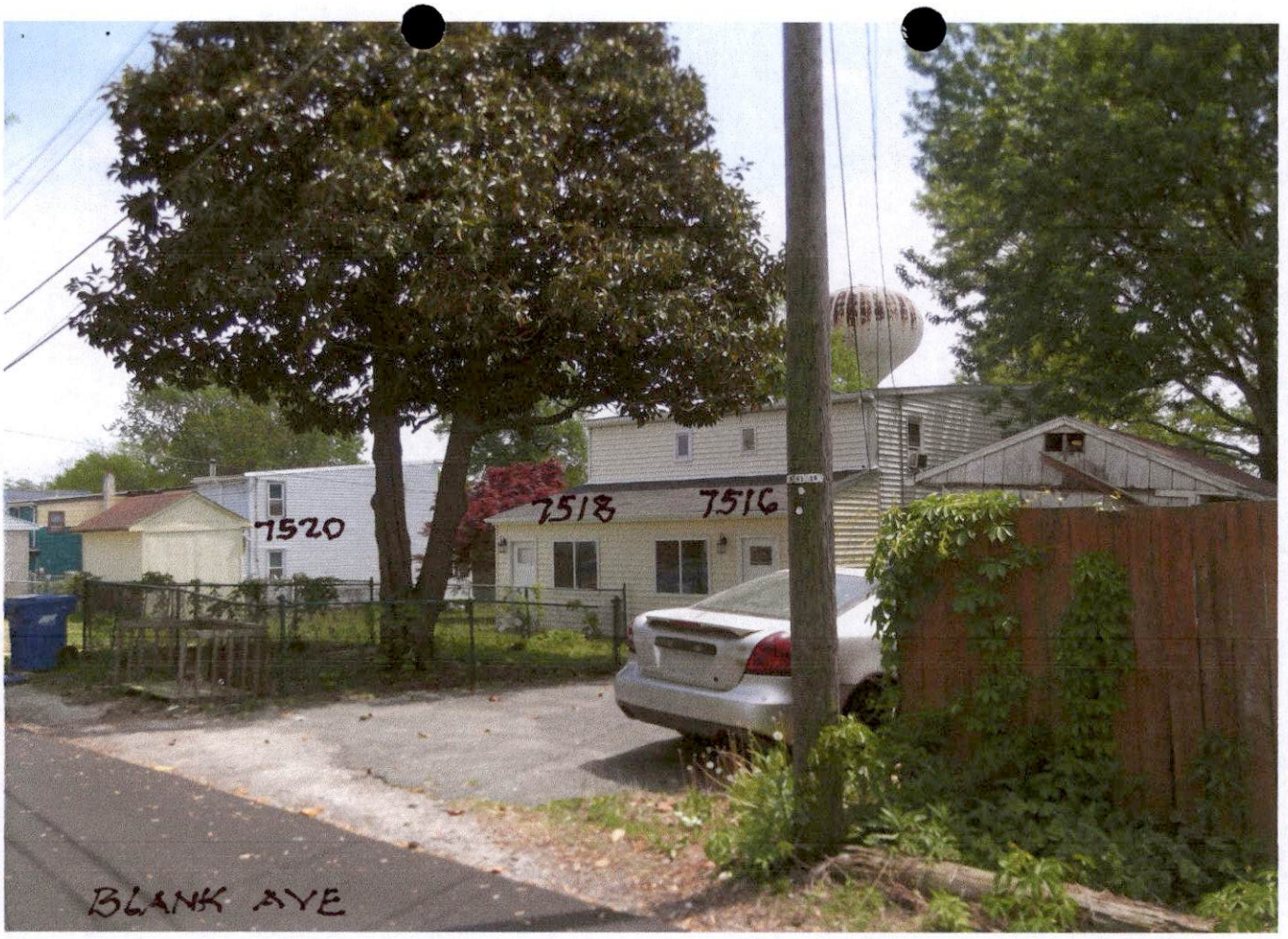


7

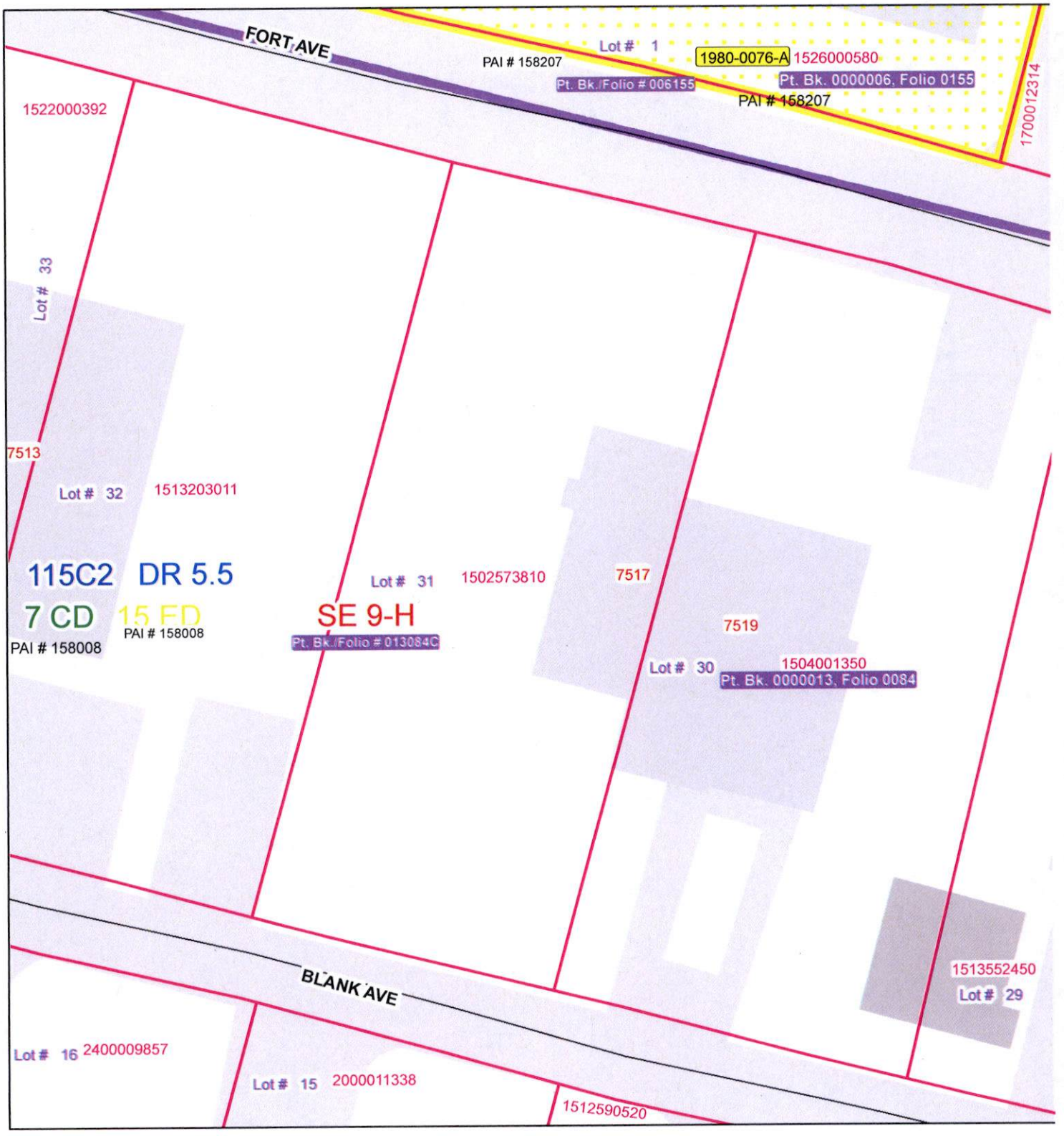
7

K

Linwood – Model

PETITIONER'S
EXHIBIT NO. 10

7517 Fort Avenue, Tax #15-0_-573-810



Publication Date: 4/4/2018

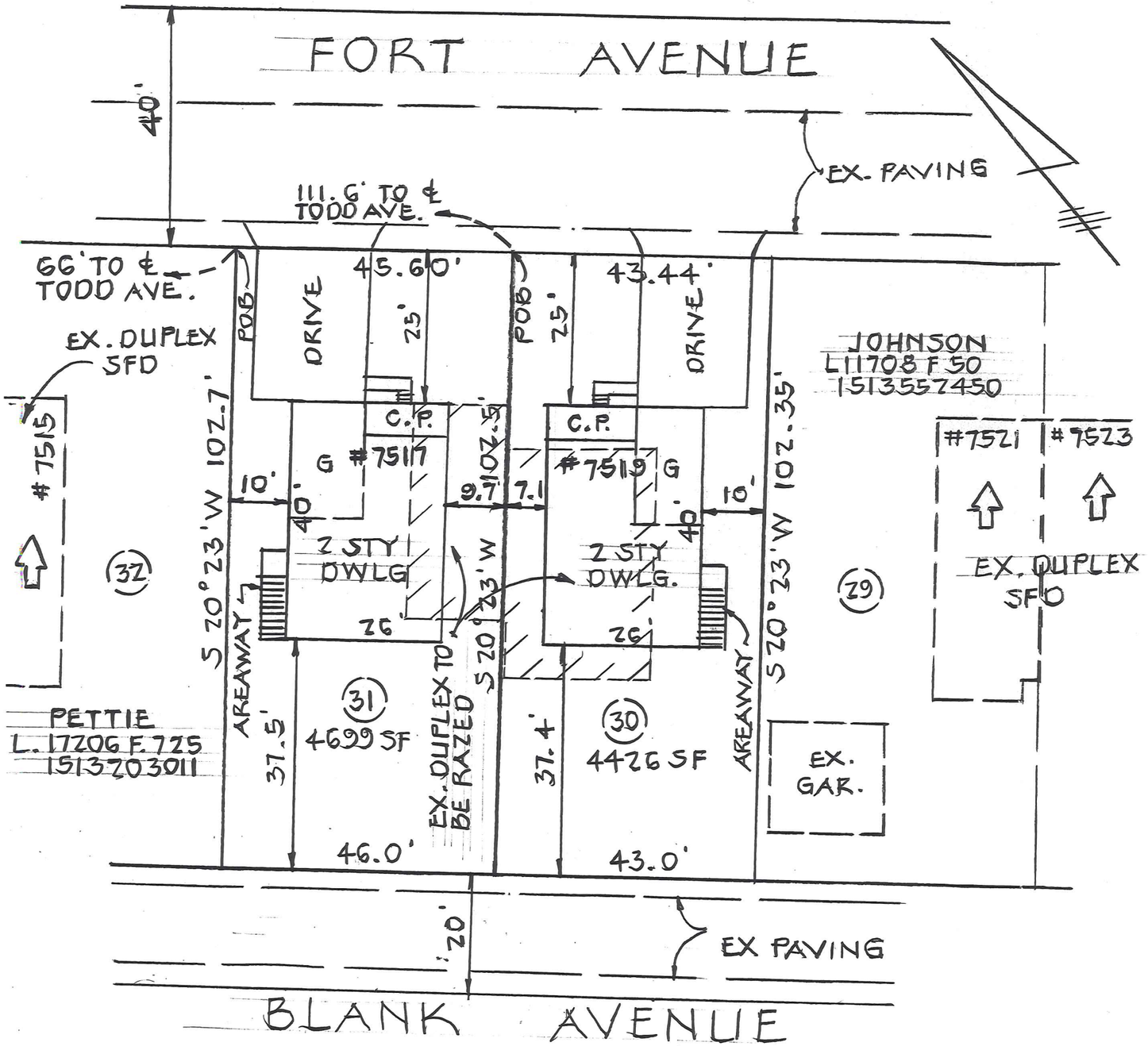
Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

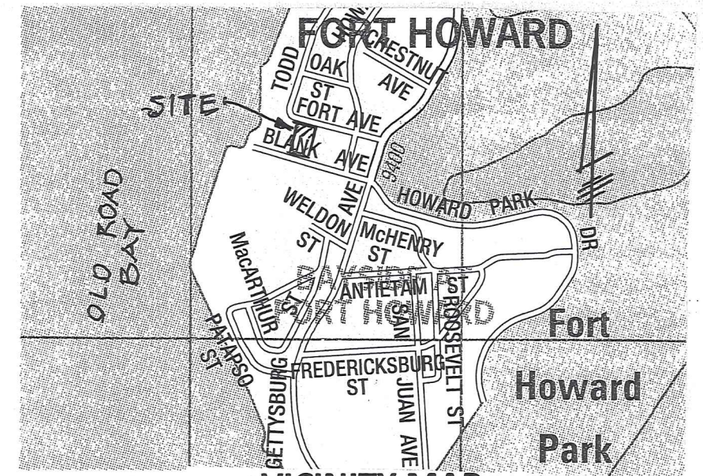
N W E S

0 5 10 20 30 40 Feet

1 inch = 20 feet

2018-0266-A





VICINITY MAP

SCALE: 1 INCH = 1000 FEET

LOT COVERAGES (TYPICAL OF EACH LOTS)

DWELLING.....1040 S.F.
AREAWAY.....65 S.F.
DRIVE.....450 S.F.
WALK.....30 S.F.
TOTAL.....1585 S.F.

LOT COVERAGE TABLE

	# 7517	# 7519
LOT AREA	4699 S.F.	4426 S.F
LOT COVERAGE PERMITTED (25% + 500)	1675 S.F.	1607 S.F.
LOT COVERAGE PROPOSED	1585 S.F.	1585 S.F.
ADDITIONAL LOT COVERAGE PERMITTED	90 S.F.	22 S.F.

NOTES

1. ZONING.....DR 5.5 (MAP NO. 115C2)
2. LOT AREAS.....#7517 = 4699 S.F. = 0.108 AC. +/-
   #7519 = 4426 S.F. = 0.102 AC. +/-
3. LOTS ARE LOCATED IN THE CBCA
4. LOTS ARE NOT LOCATED IN 100 YEAR FLOOD ZONE
5. PUBLIC WATER AND SEWER
6. NO PREVIOUS ZONING HISTORY OR VIOLATIONS ARE KNOW TO EXIST
7. NO HISTORIC STRUCTURES OR SITES, ARCHEOLOGIC SITES OR UNDERGROND STORAGE TANKS ARE KNOWN TO EXIST

OWNERS

7517 FORT AVENUE
JERRY CIEZKOWSKI
404 GRUNDY STREET
BALTIMORE, MD. 21224
L.28232 F.200
ACCT. NO. 1502573810

7519 FORT AVENUE
CMW LLC
9019 CUCKOLD POINT ROAD
BALTIMORE, MD. 21219
L.40089 F.478
ACCT. NO. 1504001350

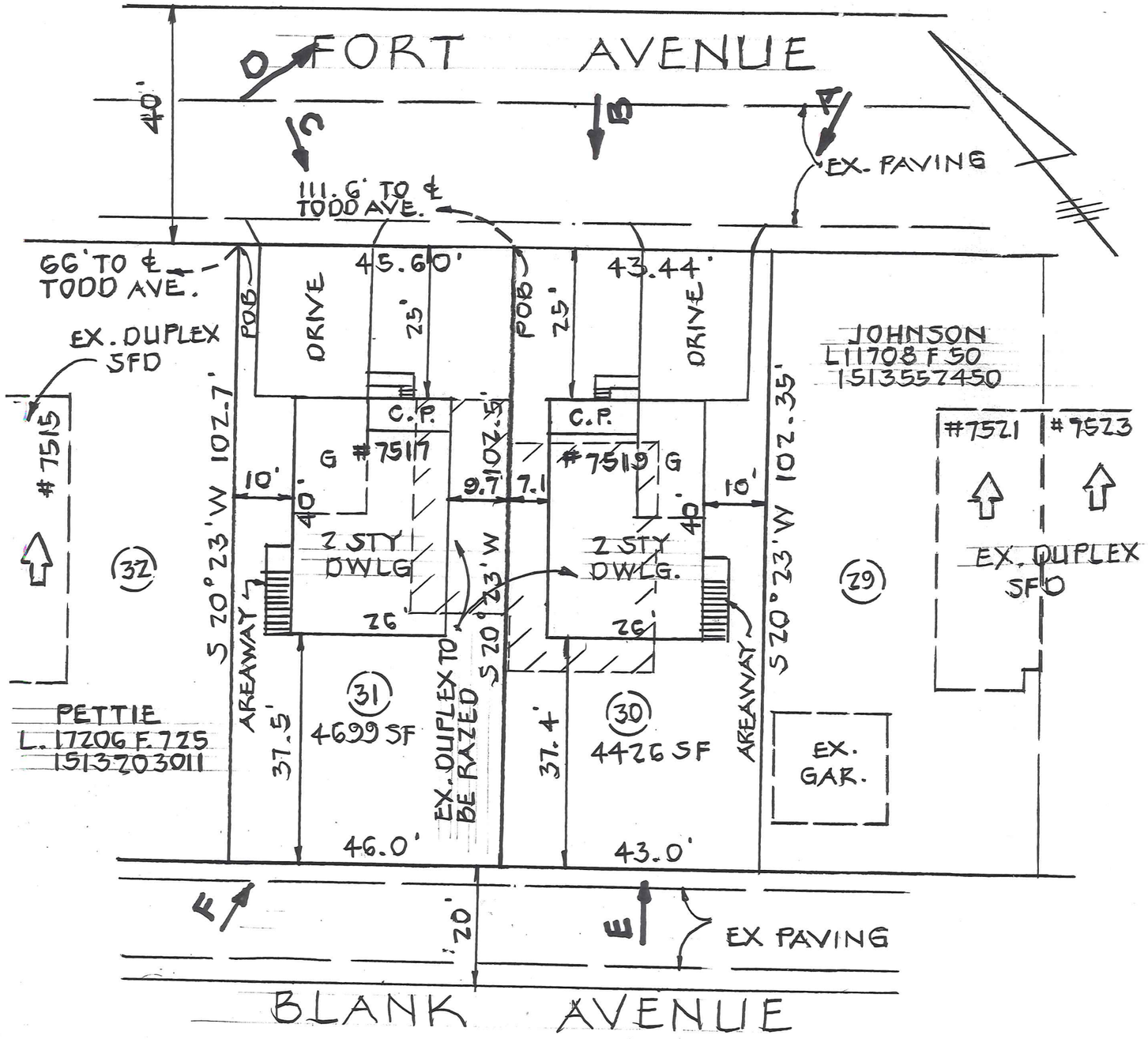
CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

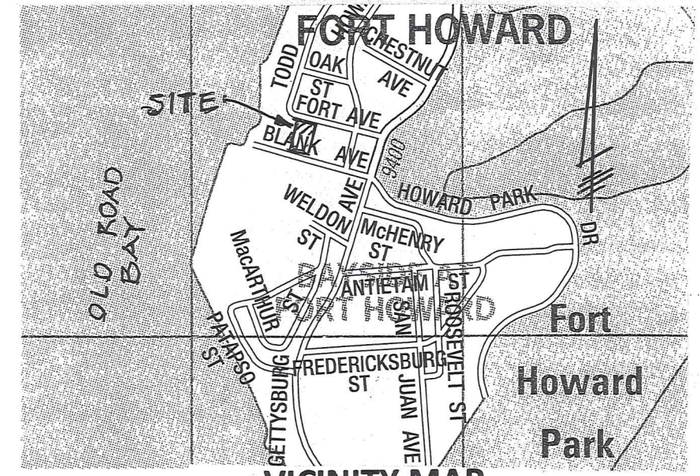
PETITIONER'S EXHIBIT NO. 1

PLAT TO ACCOMPANY PETITION FOR VARIANCES

7517 & 7519 FORT AVENUE

LOTS 31 AND 30 BLANK PLAT 13/84
ELECTION DISTRICT 15C7 BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 20 FEET MARCH 31, 2018





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PHOTOS

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

PETITIONER'S EXHIBIT NO. 9A-K

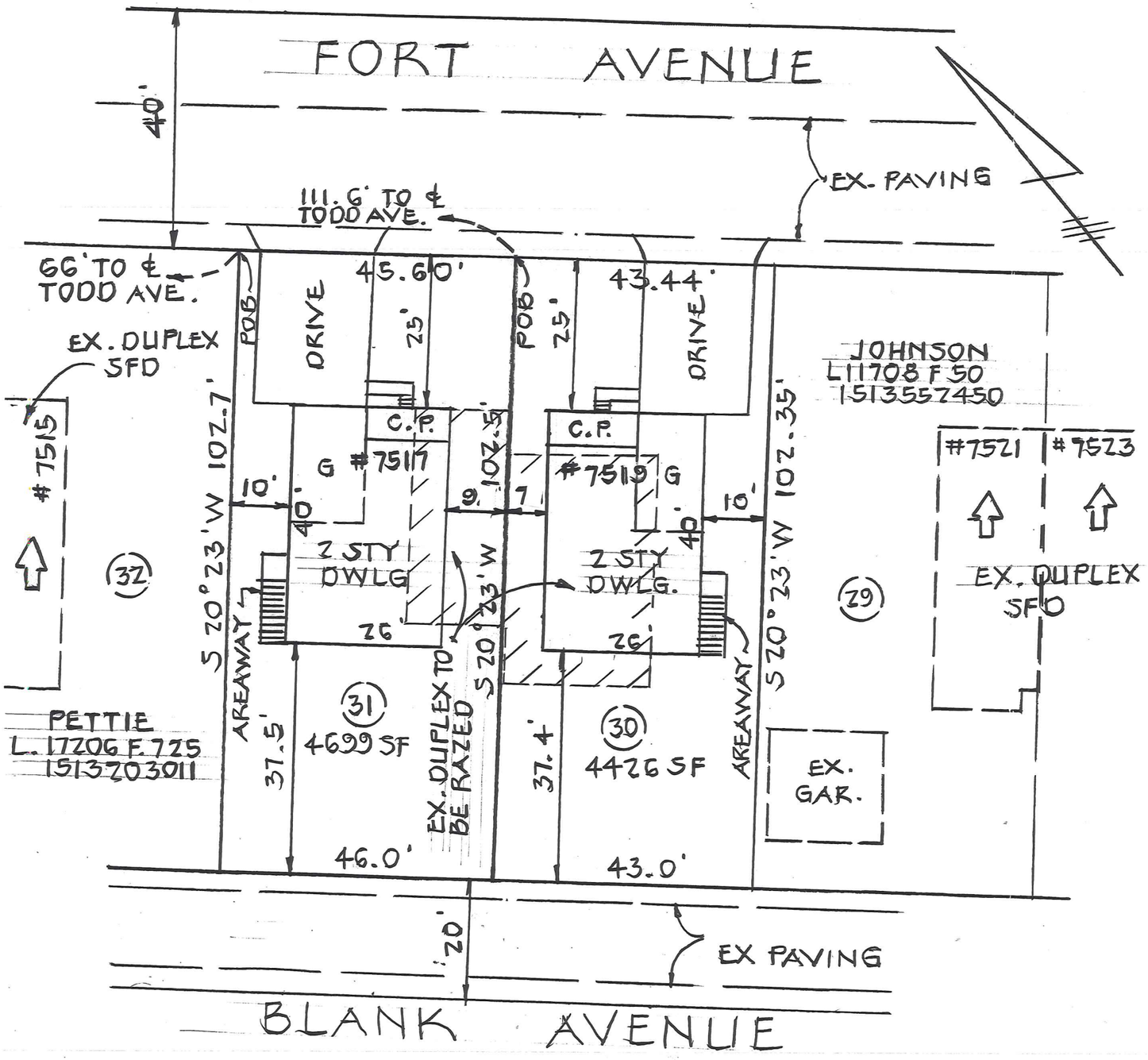
PLAT TO ACCOMPANY PETITION FOR VARIANCES

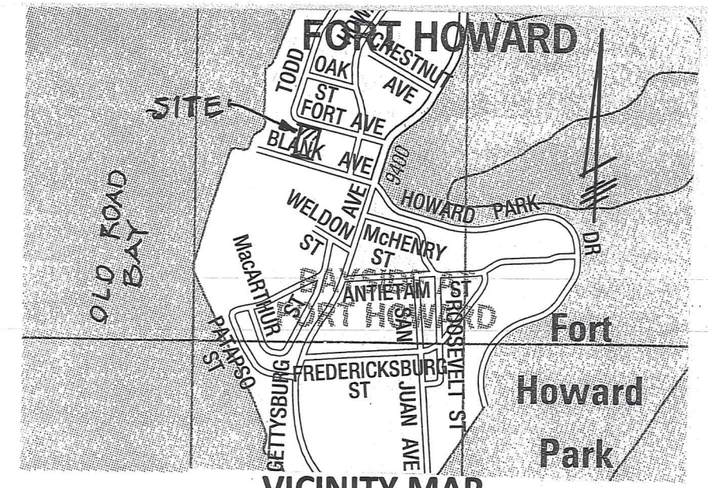
7517 & 7519 FORT AVENUE

LOTS 31 AND 30 BLANK PLAT 13/84

ELECTION DISTRICT 15C7 BALTIMORE COUNTY, MD.

SCALE: 1 INCH = 20 FEET MARCH 31, 2018





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PLAT TO ACCOMPANY PETITION FOR VARIANCES

7517 & 7519 FORT AVENUE

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ELECTION DISTRICT 15C7 BALTIMORE COUNTY, MD.
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