

APPEAL

**Petition for Special Hearing
(2262 Monocacy Road)
15th Election District – 7th Councilmanic District
Legal Owner: Karen Lynn Weeks
Case No. 2018-0284-SPH**

Petition for Variance Hearing (April 20, 2018)

Zoning Description of Property

Certificate of Posting –

1st Posting- May 18, 2018- SSG Robert Black

2nd Posting- Re-Certification- June 2, 2018- SSG Robert Black

Newspaper Advertisement – May 17, 2018 - Jeffersonian

Notice of Zoning Hearing – May 7, 2018

People's Counsel Entry of Appearance – May 3, 2018

Zoning Advisory Committee Comments

Petitioner's Sign-in Sheets – one sheet

Citizen's Sign-in Sheets- N/A

Petitioner(s) Exhibits –

1. Plan
2. Aerial photo
3. 1955 zoning map
4. 1939 Plat by J. Spence Howard
5. Photos (2)

Protestants' Exhibits – None

Miscellaneous (Not Marked as Exhibits)- N/A

Administrative Law Judge Order and Letter (GRANTED, June 8, 2018)

Notice of Appeal & Receipt – People's Counsel for Baltimore County (June 25, 2018)





Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Jefferson Building
105 West Chesapeake Avenue, Room 204
Towson, Maryland 21204

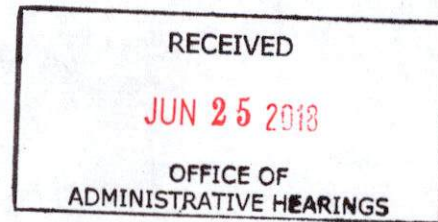
410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

June 25, 2018

CAROLE S. DEMILIO
Deputy People's Counsel

Hand-delivered
Arnold Jablon, Director
Department of Permits, Approvals & Inspections
111 W. Chesapeake Avenue
Towson, MD 21204



Re: PETITION FOR SPECIAL HEARING
Karen Lynn Weeks – Legal Owner/Petitioner
2262 Monocacy Road
Case No.: 2018-284-SPH

Dear Mr. Jablon:

Please enter an appeal by the People's Counsel for Baltimore County to the County Board of Appeals of the Opinion and Order dated June 8, 2018 by the Baltimore County Administrative Law Judge in the above entitled case.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio
Deputy People's Counsel

PMZ/CSD/rmw

cc: Patrick Richardson, Representative for Petitioner



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Jefferson Building
105 West Chesapeake Avenue, Room 204
Towson, Maryland 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

June 25, 2018



CAROLE S. DEMILIO
Deputy People's Counsel

Hand-delivered

Arnold Jablon, Director
Department of Permits, Approvals & Inspections
111 W. Chesapeake Avenue
Towson, MD 21204

Re: PETITION FOR SPECIAL HEARING
Karen Lynn Weeks – Legal Owner/Petitioner
2262 Monocacy Road
Case No.: 2018-284-SPH

Dear Mr. Jablon:

Please enter an appeal by the People's Counsel for Baltimore County to the County Board of Appeals of the Opinion and Order dated June 8, 2018 by the Baltimore County Administrative Law Judge in the above entitled case.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio
Deputy People's Counsel

PMZ/CSD/rmw

cc: Patrick Richardson, Representative for Petitioner



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

June 8, 2018

Karen Weeks
2262 Monocacy Road
Essex, Maryland 21221

RE: Petitions for Special Hearing
Case No. 2018-0284-SPH
Property: 2262 Monocacy Road

Dear Mrs. Weeks:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the typed name of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

c: Rick Richardson, 30 E. Padonia Road, Suite 500, Timonium, Maryland 21093

IN RE: PETITION FOR SPECIAL HEARING *
(2262 Monocacy Road)
15th Election District *
7th Council District *
Karen Lynn Weeks *
Legal Owner *
Petitioner *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2018-0284-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Karen Lynn Weeks, legal owner ("Petitioner"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("BCZR") to approve a non-conforming use for two principal dwellings on a single lot in a DR 3.5 zone with a lot area of 17,391 sq. ft. A site plan was marked and admitted as Petitioner's Exhibit 1.

Karen Lynn Weeks and professional engineer Rick Richardson 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 Baltimore County Zoning Regulations. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Environmental Protection and Sustainability (DEPS), noting Petitioner must comply with the critical area regulations.

The subject property is improved with two (2) single-family dwellings. According to the tax records they were constructed in 1940, although Petitioner submitted a plat dated June 16, 1916 which shows two "frame bungalows" on the property. Pet. Exhibit 4. A 1955 zoning map also shows two dwellings on the lot. Pet. Exhibit 3.

ORDER RECEIVED FOR FILING

Date 6/8/18
By sen

Petitioner proposes to raze the waterfront single-family dwelling and construct a new dwelling in essentially the same location. The zoning review office instructed Petitioner to seek special hearing relief prior to applying for razing/building permits. Based on the plat and zoning map submitted at the hearing it is clear two single family dwellings existed on the property prior to the adoption of the BCZR. As such, pursuant to BCZR §104, the petition for special hearing will be granted.

THEREFORE, IT IS ORDERED this 8th day of **June, 2018** by this Administrative Law Judge, that the Petition for Special Hearing to approve a non-conforming use for two principal dwellings on a single lot in a DR 3.5 zone with a lot area of 17,391 sq. ft., be and is hereby GRANTED.

The relief granted herein shall be subject to and conditioned upon 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 her 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. Prior to issuance of permits Petitioner must comply with critical area regulations.

Any appeal of this decision must be filed 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 6/8/18
By sln



CBCA

PETITION FOR ZONING HEARING(S)

Flood

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 2262 Monocacy Road which is presently zoned DR-3.5
Deed References: 37329/371 10 Digit Tax Account # 1504502323
Property Owner(s) Printed Name(s) Karen Lynn Weeks

(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. X a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a non-conforming use for two principal dwellings on a single lot in a DR 3.5 zone with a lot area of 17,391 square feet.

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)

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 THE 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 _____

Legal Owners (Petitioners):

Karen Lynn Weeks / _____
Name #1 - Type or Print Name #2 - Type or Print
Karen Lynn Weeks _____
Signature #1 Signature #2
2262 Monocacy Road BALTIMORE MD
Mailing Address City State
21221 / 410-409-6191 / kweeks427@hotmail.com
Zip Code Telephone # Email Address

Representative to be contacted:

Richardson Engineering, LLC _____
Name - Type or Print
Richardson Engineering, LLC _____
Signature
30 E. Padonia Road, Suite 500 Timonium MD
Mailing Address City State
21093 / 410-560-1502 / Rick@RichardsonEngineering.net
Zip Code Telephone # Email Address

CASE NUMBER 2018-0284-SPH Filing Date 4/29/18

Do Not Schedule Dates: JUNE 20-25 Reviewer JCM

**ZONING PROPERTY DESCRIPTION FOR
2262 MONOCACY ROAD
BALTIMORE COUNTY, MARYLAND**

Beginning at a point on the North side of **Monocacy Road** which is **30** feet wide at the distance of 13 feet west of the edge of the nearest improved intersecting street of **Middleborough Road**, which is 30 feet wide. Being lot **#2**, in the subdivision of **Middleborough** as recorded in Baltimore County Plat Book **#4**, Folio **#191**, containing **17,391** Sq.Ft. or **0.40** Ac.+/- . Located in the 15th. Election District, 7th Councilmanic District.

CERTIFICATE OF POSTING

2018-0284-SPH

RE: Case No.: _____

Petitioner/Developer: _____

Karen Lynn Weeks

June 7, 2018

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

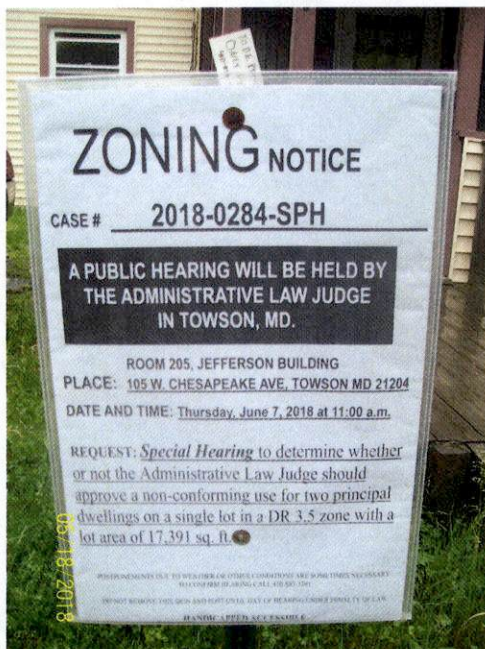
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

2262 Monocacy Road

SIGN 1

May 18, 2018

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,



May 18, 2018

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2018-0284-SPH

RE: Case No.: _____

Petitioner/Developer: _____

Karen Lynn Weeks

June 7, 2018

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

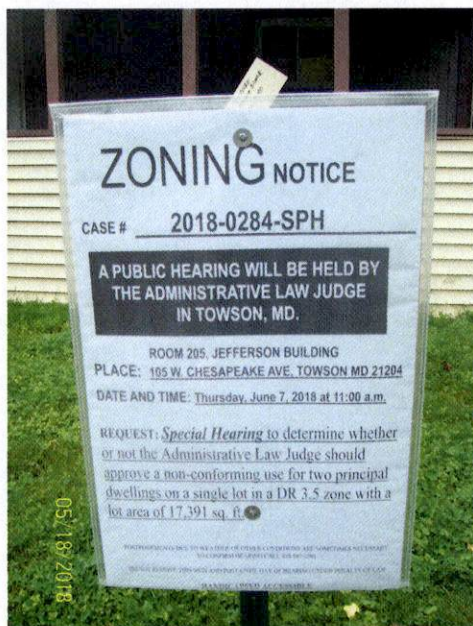
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

2262 Monocacy Road

SIGN 2

May 18, 2018

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 **May 18, 2018**
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

JB 6-7-18
11 Am

Debra Wiley

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Saturday, June 02, 2018 8:19 PM
To: Rick Richardson; Administrative Hearings
Subject: Re-Certifications For 2018-0284-SPH
Attachments: Re-Cert Sign 1 2018-0284-SPH.doc; Re-Cert Sign 2 2018-0284-SPH.doc

Re-Certifications for 2262 Monocacy Road

CERTIFICATE OF POSTING

2018-0284-SPH

RE: Case No.: _____

Petitioner/Developer: _____

Karen Lynn Weeks

June 7, 2018

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

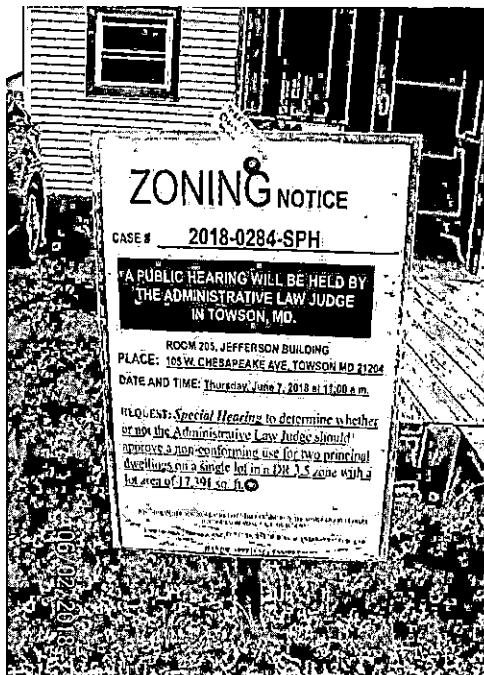
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

2262 Monocacy Road

SIGN 1 Re-Certification

May 18, 2018

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 June 2, 2018
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2018-0284-SPH

RE: Case No.: _____

Petitioner/Developer: _____

Karen Lynn Weeks

June 7, 2018

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

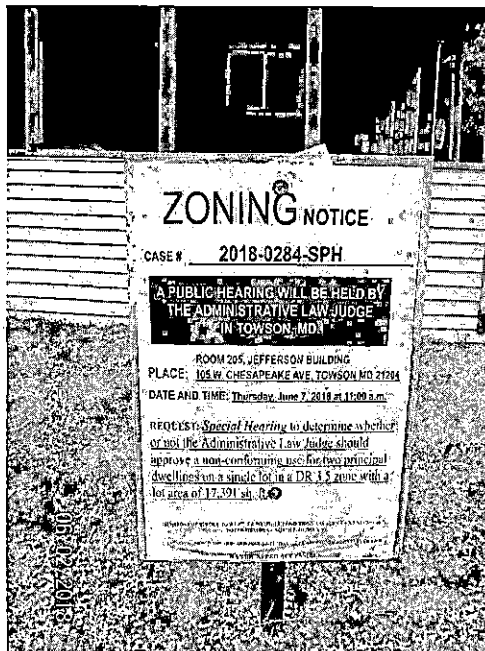
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

2262 Monocacy Road

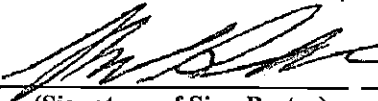
SIGN 2 Re-Certification

May 18, 2018

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 June 2, 2018
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



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 5603106

Sold To:

Karen Weeks - CU00655812
2262 Monocacy Rd
Essex, MD 21221-1527

Bill To:

Karen Weeks - CU00655812
2262 Monocacy Rd
Essex, MD 21221-1527

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

May 17, 2018

NOTICE OF ZONING HEARING

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

Case # 2018-0284-SPH
2262 Monocacy Road
N/s Monocacy Road, 13 ft. VV/of Middleborough Road
15th Election District - 7th Councilmanic District
Legal Owner(s) Karen Lynn Weeks

Special Hearing to determine whether or not the Administrative Law Judge should approve a non-conforming use for two principal dwellings on a single lot in a DR 3.5 zone with a lot area of 17,391 sq. ft.

Hearing: Thursday, June 7, 2018 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

05/17/18 5603106

The Baltimore Sun Media Group

By

S. Wilkinson

Legal Advertising



KEVIN KAMENETZ
County Executive

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

May 7, 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: 2018-0284-SPH

2262 Monocacy Road
N/s Monocacy Road, 13 ft. W/of Middleborough Road
15th Election District – 7th Councilmanic District
Legal Owners: Karen Lynn Weeks

Special Hearing to determine whether or not the Administrative Law Judge should approve a non-conforming use for two principal dwellings on a single lot in a DR 3.5 zone with a lot area of 17,391 sq. ft.

Hearing: Thursday, June 7, 2018 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Karen Lynn Weeks, 2262 Monocacy Road, Baltimore 21221
Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MAY 18, 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 SPECIAL HEARING * BEFORE THE OFFICE
2262 Monocacy Road; N/S Monocacy Road, * OF ADMINISTRATIVE
13' W of Middleborough Road * HEARINGS FOR
15th Election & 7th Councilmanic Districts * BALTIMORE COUNTY
Legal Owner(s): Karen Lynn Weeks *
Petitioner(s) *
2018-284-SPH

* * * * *

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

RECEIVED

MAY 03 2018

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 3rd day of May, 2018, a copy of the foregoing Entry of Appearance was mailed to Richardson Engineering, LLC, 30 E. Padonia Road, Suite 500, Timonium, Maryland 21093, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



KEVIN KAMENETZ
County Executive

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

May 31, 2018

Karen Lynn Weeks
2262 Monocacy Road
Baltimore MD 21221

RE: Case Number: 2018-0284 SPH, Address: 2262 Monocacy Road

Dear Ms. Weeks:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 20, 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 that reads "W. Carl Richards, Jr." The signature is stylized with a large, flowing "R" and "J".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Richardson Engineering LLC, 30 E Padonia Road, Suite 500, Timonium MD 21093



Date: 4/30/18

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. 2018-0284-SPH

Special Hearing
Karen Lynn Weeks
2262 Monocacy Road.

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

Sincerely,

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

WW/RAZ

6-7

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: 18-284

DATE: 5/16/2018



INFORMATION:

Property Address: 2262 Monocacy Road
Petitioner: Karen Lynn Weeks
Zoning: DR 3.5
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve the non-conforming use of two principal dwellings on a single lot in a DR 3.5 zone with a lot area of 17,391 square feet.

A site visit was conducted on May 7, 2018. The subject property is currently improved with two single family dwellings which is not atypical for this waterfront neighborhood.

The Department of Planning does not object to this request and will concur with the Administrative Law Judge as to the appropriateness of the non-conforming use.

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

Prepared by:

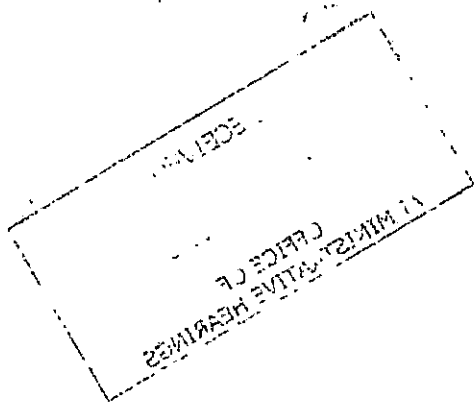
Lloyd T. Moxley

Deputy Director:

Jeff Mayhew

AVA/KS/LTM/

c: Krystle Patchak
Patrick C. Richardson, Jr., Richardson Engineering, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County



6-7

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 9, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0284-SPH
Address 2262 Monocacy Road
(Weeks Property)

Zoning Advisory Committee Meeting of **May 7, 2018**.

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

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 a Modified Buffer Area (MBA) and is subject to Critical Area requirements. The applicant is seeking approval to allow 2 principal dwellings to remain on this property. The lot is waterfront, and any proposed development must meet all LDA and MBA requirements, including lot coverage limits and afforestation requirements. The site plan shows the existing conditions and quantifies the lot coverage and lot coverage requirements. The plan states the property is 17,391 square feet; therefore, lot coverage is limited to a maximum of 31.25% (5,435 square feet), with mitigation required for any lot coverage between 25% (4,348 square feet) and 31.25%. Final lot coverage requirements will be determined following a field review. 15% afforestation (5 trees) is required. If the lot coverage, afforestation, and MBA requirements can be met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

RECEIVED
OFFICE OF
THE ATTORNEY GENERAL
JAN 10 1964

1

2. Conserve fish, wildlife, and plant habitat.

This property is waterfront and must meet all lot coverage, MBA, and afforestation requirements. Without a proposed site plan at this time, this office cannot determine if these requirements can be met. If these requirements are met, this request will help conserve fish, plant, and wildlife habitat in 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.

This is a grandfathered lot. There was not enough information provided to determine if all Critical Area requirements can be met. Provided that the applicants can meet their lot coverage, MBA, and afforestation requirements, then the relief requested will be consistent with established land-use policies.

Reviewer: Paul Dennis

CASE NAME 2018-0284-SPH
CASE NUMBER _____
DATE 6/7/18

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
------	---------	------------------	----------

[illegible]

h) 10-9-18
© 10-12-18

MEMORANDUM

DATE: November 14, 2018
TO: Board of Appeals of Baltimore County
FROM: Office of Administrative Hearings
RE: Case No. 2018-0284-SPH – REMAND
Appeal Period Expired

The appeal period for the above-referenced case expired on November 13, 2018. There being no appeal filed, the subject file is ready for return to your office.

/dlw

c: ✓ Case File
Office of Administrative Hearings





DONALD I. MOHLER III
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

October 12, 2018

Karen Weeks
2262 Monocacy Road
Essex, Maryland 21221

RE: Petitions for Special Hearing (REMAND)
Case No. 2018-0284-SPH
Property: 2262 Monocacy Road

Dear Mrs. Weeks:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

c: Rick Richardson, 30 E. Padonia Road, Suite 500, Timonium, Maryland 21093
Carole S. Demilio, Esq., Office of People's Counsel, The Jefferson Building, Suite 204,
105 W. Chesapeake Avenue, Towson, Maryland 21205

IN RE: **PETITION FOR SPECIAL HEARING** *
(**2262 Monocacy Road**)
15th Election District *
7th Council District *
Karen Lynn Weeks *
Legal Owner *
Petitioner *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2018-0284-SPH

* * * * *

ORDER ON REMAND FROM THE BOARD OF APPEALS
OF BALTIMORE COUNTY

This matter was remanded to the Office of Administrative Hearings (OAH) by the Board of Appeals of Baltimore County (hereinafter “the Board”). At the original hearing before the OAH, Karen Lynn Weeks (hereinafter “Petitioner” or “Ms. Weeks”) filed a Petition for Special Hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations (“BCZR”) to approve as nonconforming structures/uses two principal dwellings on a single lot in a DR 3.5 zone with a lot area of 17,391 square feet. That request was granted by the Administrative Law Judge (“ALJ”), although the case was appealed to the Board. In that forum the Office of People’s Counsel contended (correctly I believe) that a nonconforming use finding was inappropriate since Petitioner proposed to raze one of the two existing structures and construct a new single-family dwelling in its place. As a result, the parties agreed to have the Board remand the case to the OAH and allow Petitioner to amend the zoning petition to seek relief under an alternate theory.

In the amended petition Ms. Weeks seeks to permit the second dwelling on the lot as a detached accessory apartment, as permitted by BCZR Section 400.4. Petitioner also seeks variances for the deficient setbacks on the proposed replacement dwelling, which will be constructed in essentially the same location as the original dwelling.

ORDER RECEIVED FOR FILING

Date

By

10/12/18
Ben

A public hearing was held on October 9, 2018, and in attendance was the Petitioner, professional engineer Rick Richardson and Deputy People's Counsel Carol Demilio. Mr. Richardson submitted a copy of the amended petition and a revised site plan dated September 28, 2018. Ms. Demilio indicated her office did not oppose the requests provided Petitioner complied with all requirements for the accessory apartment use as set forth in BCZR §400.4. With respect to the variances, the parties agreed that density would not be increased and the new dwelling would essentially observe the same setbacks as the existing dwelling which was constructed in 1939 (or earlier) as shown on the Plat prepared by J. Spence Howard, admitted as Petitioner's Exhibit 4 in the original June 2018 zoning hearing.

Ms. Weeks stated a family member would reside in the accessory apartment, and that she understood and acknowledged the other restrictions on the accessory apartment use set forth in BCZR Section 400.4. In these circumstances I do not believe granting the zoning requests will have a detrimental impact upon the community and the petitions will therefore be granted.

THEREFORE, IT IS ORDERED this 12th day of **October, 2018** by this Administrative Law Judge, that the Petition for Special Hearing to approve an accessory apartment in a detached building on the same lot as the owner of the principal dwelling, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance to permit an existing accessory structure 20 ft. in height in lieu of the permitted 15 ft. maximum height, and a principal dwelling with a side yard setback of 8.5 ft. and a total of 22.5 ft. in lieu of the required 10 ft. and a total of 25 ft., an open projection deck with a setback of 4 ft. in lieu of the required 7.5 ft., and a 50 ft. lot width in lieu of the required 70 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to and conditioned upon the following:

ORDER RECEIVED FOR FILING

Date

10/12/18

By

Ben

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 her 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. Prior to issuance of permits Petitioner must comply with critical area and flood protection regulations.
3. The accessory building containing the in-law apartment shall not be served by a separate electric meter.
4. Petitioner must file among the land records of Baltimore County the requisite Declaration of Understanding pertaining to the accessory apartment, and obtain from the Department of Permits, Approvals, and Inspections a use permit (which must be renewed every 2 years) for the apartment.

Any appeal of this decision must be filed 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

10/12/18

By

slh

CASE NAME 2262 MONOCACY RD
CASE NUMBER 2018-284-SPH
DATE 10/9/18

[illegible]



AMENDED

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 2262 Monocacy Road which is presently zoned DR-3.5
 Deed References: 37329/371 10 Digit Tax Account # 1504502323
 Property Owner(s) Printed Name(s) Karen Lynn Weeks

(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. **X** a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve an accessory apartment pursuant to Section 400.4

2. **X** a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for **STANDARDS ONLY FOR 400.4.B**

3. **X** a **Variance** from Section(s) 400.3 to have an accessory structure of 20' in lieu of the permitted 15' maximum height, Section 1B02.3.C.1 to allow for a side yard setback of 8.5' in lieu of the required 10' and a projection of an access deck to a 4' setback in lieu of the permitted 7.5' **AND A TOTAL OF 22.5' AND A TOTAL OF 25'**
AND 50' LOT WIDTH IN LIEU OF THE REQUIRED 70'

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 THE 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

CASE NUMBER Filing Date / /

Legal Owners (Petitioners):

Karen Lynn Weeks

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

2262 Monocacy Road BALTIMORE MD
Mailing Address City State21221 / 410-409-6191 / kweeks427@hotmail.com
Zip Code Telephone # Email Address**Representative to be contacted:**

Richardson Engineering, LLC

Name - Type or Print

Signature

30 E. Padonia Road, Suite 500 Timonium MD
Mailing Address City State21093 / 410-560-1502 / Rick@RichardsonEngineering.net
Zip Code Telephone # Email Address

Do Not Schedule Dates: Reviewer

REV. 10/4/11

10/9
1:30 PM
Rm 205

Debra Wiley

From: Debra Wiley
Sent: Tuesday, September 18, 2018 9:03 AM
To: Rick Richardson (rick@richardsonengineering.net)
Cc: Peoples Counsel; Kristen L Lewis; Sherry Nuffer (snuffer@baltimorecountymd.gov)
Subject: Scheduling of Case No. 2018-0284-SPH (On Remand from BOA) - Karen Weeks

Good Morning Mr. Richardson,

Per our telephone conversation yesterday, the above-referenced matter has been scheduled before OAH for Tuesday, October 9, 2018 @ 1:30 PM, Room 205. As previously stated, in the event an appeal is filed with the BOA within the 30-day timeframe, the hearing before us will not go forward.

Thank you.

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

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration				
Tax Exempt:		Special Tax Recapture:								
Exempt Class:		NONE								
Account Identifier:		District - 15 Account Number - 1504502323								
Owner Information										
Owner Name:		WEEKS KAREN LYNN				Use:		RESIDENTIAL		
						Principal Residence:		YES		
Mailing Address:		2262 MONOCACY RD BALTIMORE MD 21221-				Deed Reference:		/37329/ 00371		
Location & Structure Information										
Premises Address:		2262 MONOCACY RD BALTIMORE 21221- Waterfront				Legal Description:				
						MIDDLEBOROUGH				
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0098	0001	0387		0000			2	2018	Plat Ref:	0004/0191
Special Tax Areas:				Town:		NONE				
				Ad Valorem:						
				Tax Class:						
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
1940		2,150 SF				17,391 SF		34		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation				
1	NO	STANDARD UNIT	SIDING	2 full						
Value Information										
			Base Value	Value	Phase-in Assessments					
				As of	As of		As of			
				01/01/2018	07/01/2018		07/01/2019			
Land:			252,000	252,000						
Improvements			86,100	117,000						
Total:			338,100	369,000	348,400		358,700			
Preferential Land:			0				0			
Transfer Information										
Seller: BAUER ANDREW J				Date: 03/29/2016			Price: \$220,000			
Type: NON-ARMS LENGTH OTHER				Deed1: /37329/ 00371			Deed2:			
Seller: BAUER ANDREW J HOLT SUZANNE L				Date: 10/25/2011			Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /31326/ 00210			Deed2:			
Seller: DOTTERWEICH LEO J				Date: 10/19/1993			Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /10078/ 00606			Deed2:			
Exemption Information										
Partial Exempt Assessments:		Class		07/01/2018		07/01/2019				
County:		000		0.00						
State:		000		0.00						
Municipal:		000		0.00 0.00		0.00 0.00				
Tax Exempt:		Special Tax Recapture:								
Exempt Class:		NONE								
Homestead Application Information										
Homestead Application Status: Approved 02/06/2018										

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No
Application

Date:

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 1504502323			
Owner Information					
Owner Name:		WEEKS KAREN LYNN		Use:	RESIDENTIAL
				Principal Residence:	YES
Mailing Address:		2262 MONOCACY RD BALTIMORE MD 21221-		Deed Reference:	/37329/ 00371
Location & Structure Information					
Premises Address:		2262 MONOCACY RD BALTIMORE 21221- Waterfront		Legal Description: MIDDLEBOROUGH	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0098	0001	0387		0000	2 2018 0004/0191
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1940		2,150 SF		17,391 SF	
Property Land Area		County Use			
17,391 SF		34			
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
1	NO	STANDARD UNIT	SIDING	2 full	
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2018		07/01/2017	
				As of	
				07/01/2018	
Land:	252,000	252,000			
Improvements	86,100	117,000			
Total:	338,100	369,000		338,100	348,400
Preferential Land:	0				0
Transfer Information					
Seller: BAUER ANDREW J		Date: 03/29/2016		Price: \$220,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /37329/ 00371		Deed2:	
Seller: BAUER ANDREW J HOLT SUZANNE L		Date: 10/25/2011		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /31326/ 00210		Deed2:	
Seller: DOTTERWEICH LEO J		Date: 10/19/1993		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /10078/ 00606		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2017		07/01/2018	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 02/06/2018					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application		Date:			

SDAT: Real Property Search

New Search (<http://sdat.dat.maryland.gov/RealProperty>)Baltimore Account Number: **1504502323**

The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland Department of Planning Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx> (<http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx>).

Mr

on leg

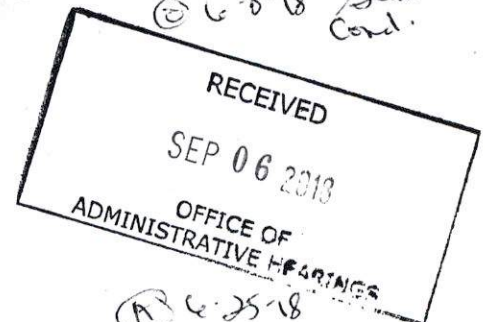
Mar

countryid=04&



Deb
Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182



September 5, 2018

Peter M. Zimmerman, Esquire
Carole S. Demilio, Esquire
Office of People's Counsel
The Jefferson Building, Suite 204
105 W. Chesapeake Avenue
Towson, Maryland 21204

Karen L. Weeks
2262 Monocacy Road
Essex, Maryland 21221

RE: In the Matter of: *Karen Weeks*
Case No.: 18-284-SPH

Dear Messrs. Zimmerman, Demilio and Weeks:

Enclosed please find a copy of the Remand Order to the Administrative Law Judge issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **WITH A PHOTOCOPY PROVIDED TO THIS OFFICE CONCURRENT WITH FILING IN CIRCUIT COURT.** Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Sunny Cannington
Krysundra "Sunny" Cannington
Administrator

KLC/taz
Enclosure
Duplicate Original Cover Letter

c: James Svec
Patrick C. Richardson, Jr./Richardson Engineering, LLC
Lawrence M. Stahl, Managing Administrative Law Judge
Andrea Van Arsdale, Director/Department of Planning
Arnold Jablon, Deputy Administrative Officer, and Director/PAI
Nancy C. West, Assistant County Attorney/Office of Law
Michael E. Field, County Attorney/Office of Law

IN THE MATTER OF
KAREN WEEKS, PETITIONER FOR
SPECIAL HEARING ON THE PROPERTY
LOCATED AT 2262 MONOCACAY ROAD
15TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO: 18-284-SPH

* * * * *

REMAND ORDER TO THE ADMINISTRATIVE LAW JUDGE

This matter comes before this Board on appeal filed by People's Counsel for Baltimore County from a decision of the Administrative Law Judge dated June 8, 2018, in which the Petition for Special Hearing to approve a non-conforming use for two principal dwellings on a single lot in a D.R.-3.5 zone with a lot area of 17,391 sq. ft. was GRANTED.

WHEREAS, a Motion to Remand was filed on July 20, 2018 by the parties to this matter. Petitioner, Karen Weeks, was *pro se* and signed the Motion. Patrick Richardson, Jr., of Richardson Engineering, LLC also signed as Representative for Petitioner. The Office of People's Counsel was represented by Carole S. Demilio, Esquire, Deputy People's Counsel.

WHEREAS, the Motion to Remand states:

the parties agree that Petitioner shall (i) amend the Petition for Special Hearing and Variance to reflect the amended relief as stated [in the Motion to Remand]; and (ii) file therewith an amended site plan reflecting the modified relief and concomitant changes, as well as showing the details for existing and/or proposed structure; and (iii) comply with the appropriate posting, notices and publication as required for a new Petition for zoning relief under the Baltimore County Code; and the parties further agree that the ALJ shall conduct a public hearing on the amended relief.

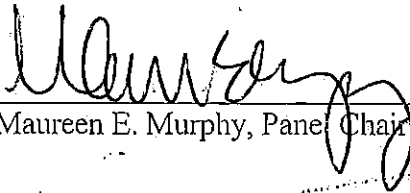
IT IS THEREFORE, this 5th day of September, 2018, by the Board of Appeals of Baltimore County,

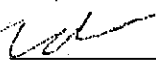
ORDERED that upon agreement of the parties, the above captioned case number 18-284-SPH is hereby REMANDED to the Administrative Law Judge for Baltimore County for further proceedings.

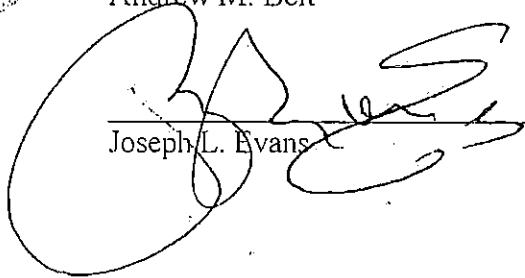
In the matter of: Kare
Case No: 18-284-SPH

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*.

BOARD OF APPEALS
OF BALTIMORE COUNTY


Maureen E. Murphy, Panel Chairman


Andrew M. Belt


Joseph L. Evans

BALTIMORE COUNTY, MARYLAND

Board of Appeals of Baltimore County

Interoffice Correspondence

Phone: 410-887-3180

Fax: 410-887-3182

To: John Beverungen, Administrative Law Judge

From: Tammy Zahner, Legal Secretary

Date: September 24, 2018

Re: In the Matter of: *Karen Weeks*
Case No.: 18-284-SPH

RECEIVED

SEP 24 2018

OFFICE OF
ADMINISTRATIVE HEARINGS

Attached please find the Board of Appeals file for the above-referenced matter. The Board has remanded this matter to you for further action consistent with the Board's Order. After you have issued the necessary Order or Opinion, please send a copy to us for our records.

Should you have any questions, please do not hesitate to contact us.

Thank you.



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

September 5, 2018

Peter M. Zimmerman, Esquire
Carole S. Demilio, Esquire
Office of People's Counsel
The Jefferson Building, Suite 204
105 W. Chesapeake Avenue
Towson, Maryland 21204

Karen L. Weeks
2262 Monocacy Road
Essex, Maryland 21221

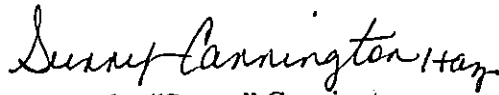
RE: In the Matter of: *Karen Weeks*
Case No.: 18-284-SPH

Dear Messrs. Zimmerman, Demilio and Weeks:

Enclosed please find a copy of the Remand Order to the Administrative Law Judge issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **WITH A PHOTOCOPY PROVIDED TO THIS OFFICE CONCURRENT WITH FILING IN CIRCUIT COURT.** Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,


Krysundra "Sunny" Cannington
Administrator

KLC/taz
Enclosure
Duplicate Original Cover Letter

c: James Svec
Patrick C. Richardson, Jr./Richardson Engineering, LLC
Lawrence M. Stahl, Managing Administrative Law Judge
Andrea Van Arsdale, Director/Department of Planning
Arnold Jablon, Deputy Administrative Officer, and Director/PAI
Nancy C. West, Assistant County Attorney/Office of Law
Michael E. Field, County Attorney/Office of Law

IN THE MATTER OF
KAREN WEEKS, PETITIONER FOR
SPECIAL HEARING ON THE PROPERTY
LOCATED AT 2262 MONOCACAY ROAD
15TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO: 18-284-SPH

* * * * *

REMAND ORDER TO THE ADMINISTRATIVE LAW JUDGE

This matter comes before this Board on appeal filed by People's Counsel for Baltimore County from a decision of the Administrative Law Judge dated June 8, 2018, in which the Petition for Special Hearing to approve a non-conforming use for two principal dwellings on a single lot in a D.R.-3.5 zone with a lot area of 17,391 sq. ft. was GRANTED.

WHEREAS, a Motion to Remand was filed on July 20, 2018 by the parties to this matter. Petitioner, Karen Weeks, was *pro se* and signed the Motion. Patrick Richardson, Jr., of Richardson Engineering, LLC also signed as Representative for Petitioner. The Office of People's Counsel was represented by Carole S. Demilio, Esquire, Deputy People's Counsel.

WHEREAS, the Motion to Remand states:

the parties agree that Petitioner shall (i) amend the Petition for Special Hearing and Variance to reflect the amended relief as stated [in the Motion to Remand]; and (ii) file therewith an amended site plan reflecting the modified relief and concomitant changes, as well as showing the details for existing and/or proposed structure; and (iii) comply with the appropriate posting, notices and publication as required for a new Petition for zoning relief under the Baltimore County Code; and the parties further agree that the ALJ shall conduct a public hearing on the amended relief.

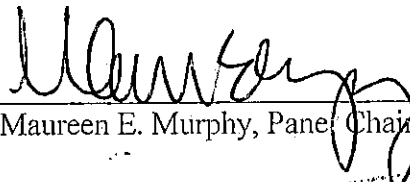
IT IS THEREFORE, this 5th day of September, 2018, by the Board of Appeals of Baltimore County,

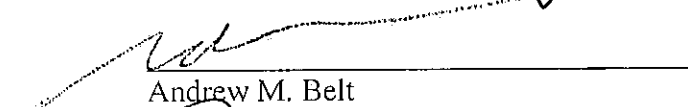
ORDERED that upon agreement of the parties, the above captioned case number 18-284-SPH is hereby REMANDED to the Administrative Law Judge for Baltimore County for further proceedings.

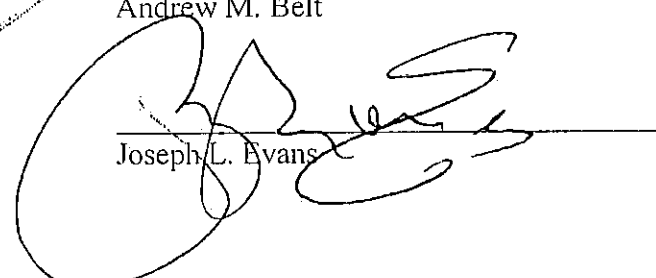
In the matter of: Karen [redacted]
Case No: 18-284-SPH

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Maureen E. Murphy, Panel Chairman


Andrew M. Belt


Joseph L. Evans



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

August 2, 2018

NOTICE OF DELIBERATION

IN THE MATTER OF: Karen Weeks
2262 Monocacy Road
18-284-SPH 15th Election District; 7th Councilmanic District

AGENDA: Motion to Remand filed by Petitioner and People's Counsel for Baltimore County

This matter having been heard and concluded on January 19, 2017, a public deliberation has been scheduled for the following:

DATE AND TIME: **AUGUST 29, 2018 at 9:30 a.m.**

LOCATION: Jefferson Building - Second Floor
Hearing Room #2 - Suite 206
105 W. Chesapeake Avenue

NOTE: PUBLIC DELIBERATIONS ARE OPEN WORK SESSIONS WHICH ALLOW THE PUBLIC TO WITNESS THE DECISION-MAKING PROCESS. ATTENDANCE IS NOT REQUIRED AND PARTICIPATION IS NOT ALLOWED. A WRITTEN OPINION AND ORDER WILL BE ISSUED BY THE BOARD WITHIN A REASONABLE TIMEFRAME AFTER THE CONCLUSION OF THE DELIBERATION. A COPY OF THAT OPINION AND ORDER WILL BE SENT TO ALL PARTIES.

For further information, including our inclement weather policy, please visit our website www.baltimorecountymd.gov/Agencies/appeals/index.html

Krysundra "Sunny" Cannington
Administrator

c: Petitioner/Legal Owner : Karen Weeks
People's Counsel for Baltimore County : Carole S. Demilio, Esquire/Deputy People's Counsel

Patrick Richardson, Jr./Richardson Engineering, LLC
James Svec

Andrea Van Arsdale, Director/Department of Planning
Arnold Jablon, Director/Department of Permits, Approvals and Inspections
Lawrence M. Stahl, Managing Administrative Law Judge
Michael E. Field, County Attorney
Nancy C. West, Assistant County Attorney

BOARD OF APPEALS OF BALTIMORE COUNTY
MINUTES OF DELIBERATION

IN THE MATTER OF: Karen Weeks 18-284-SPH

DATE: August 29, 2018

BOARD/PANEL: Maureen E. Murphy, Panel Chairman
Andrew M. Belt
Joseph L. Evans

RECORDED BY: Sunny Cannington/Administrator

PURPOSE: To deliberate the following:

1. Motion to Remand filed July 20, 2018 by People's Counsel for Baltimore County.

PANEL MEMBERS DISCUSSED THE FOLLOWING:

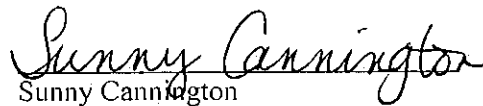
STANDING

- The Board briefly reviewed the history of this matter.
- The Board reviewed the Motion to Remand. The Motion was signed by Petitioner, Petitioner's Engineer and People's Counsel for Baltimore County. The Motion explains that the Petitioner has agreed to amend the requested relief and therefore the parties are requesting this matter be remanded for the ALJ to conduct a hearing on the amended relief.

CONCLUSION: After thorough review of the facts, testimony, and law in the matter, the Board unanimously agreed to GRANT the Motion to Remand.

NOTE: These minutes, which will become part of the case file, are intended to indicate for the record that a public deliberation took place on the above date regarding this matter. The Board's final decision and the facts and findings thereto will be set out in the written Opinion and Order to be issued by the Board.

Respectfully Submitted,


Sunny Cannington



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

August 2, 2018

NOTICE OF DELIBERATION

IN THE MATTER OF: Karen Weeks
2262 Monocacy Road
18-284-SPH 15th Election District; 7th Councilmanic District

AGENDA: Motion to Remand filed by Petitioner and People's Counsel for Baltimore County

This matter having been heard and concluded on January 19, 2017, a public deliberation has been scheduled for the following:

DATE AND TIME: **AUGUST 29, 2018 at 9:30 a.m.**

LOCATION: Jefferson Building - Second Floor
Hearing Room #2 - Suite 206
105 W. Chesapeake Avenue

NOTE: PUBLIC DELIBERATIONS ARE OPEN WORK SESSIONS WHICH ALLOW THE PUBLIC TO WITNESS THE DECISION-MAKING PROCESS. ATTENDANCE IS NOT REQUIRED AND PARTICIPATION IS NOT ALLOWED. A WRITTEN OPINION AND ORDER WILL BE ISSUED BY THE BOARD WITHIN A REASONABLE TIMEFRAME AFTER THE CONCLUSION OF THE DELIBERATION. A COPY OF THAT OPINION AND ORDER WILL BE SENT TO ALL PARTIES.

For further information, including our inclement weather policy, please visit our website www.baltimorecountymd.gov/Agencies/appeals/index.html

Krysundra "Sunny" Cannington
Administrator

c: Petitioner/Legal Owner : Karen Weeks
People's Counsel for Baltimore County : Carole S. Demilio, Esquire/Deputy People's Counsel

Patrick Richardson, Jr./Richardson Engineering, LLC
James Svec

Andrea Van Arsdale, Director/Department of Planning
Arnold Jablon, Director/Department of Permits, Approvals and Inspections
Lawrence M. Stahl, Managing Administrative Law Judge
Michael E. Field, County Attorney
Nancy C. West, Assistant County Attorney



RE: PETITION FOR SPECIAL HEARING * BEFORE THE BOARD
2262 Monocacy Road; N/S Monocacy Road, *
13' W of Middleborough Road * OF APPEALS
15th Election & 7th Councilmanic Districts *
Legal Owner(s): Karen Lynn Weeks * FOR
Petitioner(s) *
* BALTIMORE COUNTY
*
* 2018-284-SPH

* * * * *

MOTION TO REMAND

Karen Lynn Weeks, Petitioner, and People's Counsel for Baltimore County, ("parties") file this Motion to Remand the Petition for Special Hearing and Variance to the Administrative Law Judge on the conditions and for the reasons as follows:

1. On or about April 29, 2018, Petitioner filed a Petition for a Special Hearing to approve a "nonconforming use for two principal dwellings on a single lot in a DR 3.5 zone with a lot area of 17,391 square feet." and for Variance relief "to be presented at hearing".

2. People's Counsel entered its appearance on or about May 3, 2018.

3. The Administrative Law Judge Beverungen ("ALJ"), in an Order dated June 8, 2018, granted the Special Hearing to approve the non-conforming use, subject to compliance with critical area regulations. Petitioner did not need/pursue any variance relief with the approval of the non-conforming use for the existing buildings.

4. People's Counsel filed an appeal with the County Board of Appeals on June 25, 2018 and this matter is pending before the CBA; no hearing date has been scheduled.

5. Petitioner's representative in this matter is Patrick C. Richardson Jr. of Richardson Engineering, LLC.

6. At a meeting with Mr. Richardson and People's Counsel, the parties agree that Ms. Weeks would abandon relief for a non-conforming use and would instead seek a special hearing and use permit for an accessory apartment in a separate structure (one of the existing buildings on the site) under BCZR 400.4, commonly referred to as an "in-law apartment", and that the second structure would be repaired/replaced and maintained as Ms. Weeks' principal dwelling. People's Counsel recognizes that a lot width variance and side-yard setback variances are now required for the principal dwelling.

7. To facilitate such a modification to the original Petition, the parties agree that Petitioner will file an Amended Petition for Special Hearing for an Accessory Apartment in a separate structure under BCZR 400.4 B. and 400.4 C. and a Petition for Variance under BCZR 307.1 for the required variances for the proposed relief.

8. The parties agree, subject to approval of the CBA, that these changes in the relief requested can be presented in a remand to the ALJ, provided proper amendments to the documents and required notices are made.

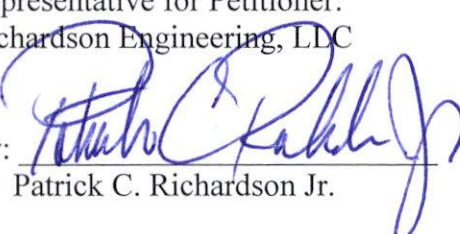
9. To that effect, the parties agree that Petitioner shall (i) amend the Petition for Special Hearing and Variance to reflect the amended relief as stated above; and (ii) file therewith an amended site plan reflecting the modified relief and concomitant changes, as well as showing the details for existing and/or proposed structures; and (iii) comply with the appropriate posting, notices and publication as required for a new Petition for zoning relief under the Baltimore County Code; and the parties further agree that the ALJ shall conduct a public hearing on the amended relief.

WHEREFORE, the parties pray the Baltimore County Board of Appeals remand this case to the Administrative Law Judge on the conditions, recitations and restrictions stated in paragraphs 6-9 of this Motion.

Carole S. Demilio
Deputy People's Counsel for Baltimore County

Karen Lynn Weeks, Petitioner

Representative for Petitioner:
Richardson Engineering, LLC

By: 

Patrick C. Richardson Jr.

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE BOARD
2262 Monocacy Road; N/S Monocacy Road,		
13' W of Middleborough Road	*	OF APPEALS
15 th Election & 7 th Councilmanic Districts		
Legal Owner(s): Karen Lynn Weeks	*	FOR
Petitioner(s)		
	*	BALTIMORE COUNTY
	*	2018-284-SPH

* * * * *

ORDER

Upon the foregoing Motion to Remand, it is hereby ORDERED this ____ day of _____, 2018, by the Baltimore County Board of Appeals, that the Motion to Remand be and is hereby GRANTED, and that the Petition for Special Hearing and Variance in Case No. 2018-284-SPH is hereby remanded to the Administrative Law Judge for further review and public hearing under the terms and conditions as set forth in paragraphs 6-9 of the Motion.

BOARD OF APPEALS
FOR BALTIMORE COUNTY



DONALD I. MOHLER III
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

June 26, 2018

Karen Weeks
2262 Monocacy Road
Essex, Maryland 21221



RE: **APPEAL TO BOARD OF APPEALS**
Petition for Special Hearing
Case No. 2018-0284-SPH
Property: 2262 Monocacy Road

Dear Ms. Weeks:

Please be advised that an appeal of the above-referenced case was filed in this Office on June 25, 2018. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", with a long horizontal stroke extending to the right.

JOHN E. BEVERUNGEN
Managing Administrative Law Judge
for Baltimore County

JEB/sln

c: Rick Richardson, 30 E. Padonia Road, Suite 500, Timonium, Maryland 21093
Baltimore County Board of Appeals
People's Counsel



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: June 4, 2018

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

SUBJECT: Zoning Advisory Committee Meeting
For May 07, 2018
Item No. 2018-0272-A (**REVISED VARIANCE**), 0284-SPH, 0285-SPHA,
0286-A, 0290-A, 0291-A, 0292-SPHA, and 0293-A

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

*

*

*

*

*

VKD: cen
cc: file

Case No.:

2018-0284-SPH

Exhibit Sheet

Petitioner/Developer

Protestants

SLW
6-8-18

No. 1	Plan	
No. 2	Aerial photo.	
No. 3	1955 zoning map	
No. 4	1939 Plat by J. Spence Howard	
No. 5	Photos (2)	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Date: 4/20/18

BUSINESS	ACTUAL	TIME	DRUG
4/20/2018	4/20/2018	07:29:30	3

USD3 WALKIN CAM
DEFT # 749578 4/20/2018 CELN

5. 528 ZONING VERIFICATION
148020

Receipt Tot \$75.00

\$75.00 - CK \$2.00 - CA

Baltimore County, Maryland

[illegible]

Total: 75

Rec
From: R. RICHARDSON ENGRG

For: 2018-0204-SPH

DISTRIBUTION

WHITE CASHIER

PINK AGENCY

YELLOW - CUSTOMER

GOLD ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**



DONALD I. MOHLER III
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

June 26, 2018

Karen Weeks
2262 Monocacy Road
Essex, Maryland 21221



RE: **APPEAL TO BOARD OF APPEALS**
Petition for Special Hearing
Case No. 2018-0284-SPH
Property: 2262 Monocacy Road

Dear Ms. Weeks:

Please be advised that an appeal of the above-referenced case was filed in this Office on June 25, 2018. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", with a long horizontal line extending to the right.

JOHN E. BEVERUNGEN
Managing Administrative Law Judge
for Baltimore County

JEB/sln

c: Rick Richardson, 30 E. Padonia Road, Suite 500, Timonium, Maryland 21093
Baltimore County Board of Appeals
People's Counsel



flood

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

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

REV. 10/4/11

**ZONING PROPERTY DESCRIPTION FOR
2262 MONOCACY ROAD
BALTIMORE COUNTY, MARYLAND**

Beginning at a point on the North side of **Monocacy Road** which is **30** feet wide at the distance of **13** feet west of the edge of the nearest improved intersecting street of **Middleborough Road**, which is **30** feet wide. Being lot **#2**, in the subdivision of **Middleborough** as recorded in Baltimore County Plat Book **#4**, Folio **#191**, containing **17,391** Sq.Ft. or **0.40** Ac.+/. Located in the 15th. Election District, 7th Councilmanic District.

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment5/19 DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)Comment5/16 DEPS
(if not received, date e-mail sent _____)4/30 FIRE DEPARTMENT4/30 PLANNING
(if not received, date e-mail sent _____)4/30 STATE HIGHWAY ADMINISTRATION4/30 TRAFFIC ENGINEERING4/30 COMMUNITY ASSOCIATION4/30 ADJACENT PROPERTY OWNERS4/30 ZONING VIOLATION (Case No. _____)4/30 PRIOR ZONING (Case No. _____)4/30 NEWSPAPER ADVERTISEMENT Date: 5/17/184/30 SIGN POSTING (1st) Date: 5/18/18 by SSG Black4/30 SIGN POSTING (2nd) Date: 6/2/18 by SSG BlackPEOPLE'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 - 1504502323			
Owner Information					
Owner Name:	WEEKS KAREN LYNN		Use:	RESIDENTIAL	
Mailing Address:	2262 MONOCACY RD BALTIMORE MD 21221-		Principal Residence:	YES	
			Deed Reference:	/37329/ 00371	
Location & Structure Information					
Premises Address:		2262 MONOCACY RD BALTIMORE 21221- Waterfront		Legal Description: MIDDLEBOROUGH	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0098	0001	0387		0000	
					Block:
					2
					Lot:
					2
					Assessment Year:
					2018
					Plat No:
					0004/
					Plat Ref:
					0191
Special Tax Areas:			Town:		
			NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1940		2,150 SF			
				Property Land Area	
				17,391 SF	
				County Use	
				34	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1	NO	STANDARD UNIT	SIDING	2 full	
Last Major Renovation					
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2018	07/01/2017	07/01/2018
Land:		252,000	252,000		
Improvements		86,100	117,000		
Total:		338,100	369,000	338,100	348,400
Preferential Land:		0			0
Transfer Information					
Seller: BAUER ANDREW J		Date: 03/29/2016		Price: \$220,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /37329/ 00371		Deed2:	
Seller: BAUER ANDREW J HOLT SUZANNE		Date: 10/25/2011		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /31326/ 00210		Deed2:	
Seller: DOTTERWEICH LEO J		Date: 10/19/1993		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /10078/ 00606		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class			
			07/01/2017	07/01/2018	
County:		000	0.00		
State:		000	0.00		
Municipal:		000	0.00 0.00	0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 02/06/2018					
Homeowners' Tax Credit Application Information					
Date:					

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

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



duplicate

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 9, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0284-SPH
Address 2262 Monocacy Road
(Weeks Property)

Zoning Advisory Committee Meeting of May 7, 2018.

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

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 a Modified Buffer Area (MBA) and is subject to Critical Area requirements. The applicant is seeking approval to allow 2 principal dwellings to remain on this property. The lot is waterfront, and any proposed development must meet all LDA and MBA requirements, including lot coverage limits and afforestation requirements. The site plan shows the existing conditions and quantifies the lot coverage and lot coverage requirements. The plan states the property is 17,391 square feet; therefore, lot coverage is limited to a maximum of 31.25% (5,435 square feet), with mitigation required for any lot coverage between 25% (4,348 square feet) and 31.25%. Final lot coverage requirements will be determined following a field review. 15% afforestation (5 trees) is required. If the lot coverage, afforestation, and MBA requirements can be met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, wildlife, and plant habitat.

This property is waterfront and must meet all lot coverage, MBA, and afforestation requirements. Without a proposed site plan at this time, this office cannot determine if these requirements can be met. If these requirements are met, this request will help conserve fish, plant, and wildlife habitat in 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.

This is a grandfathered lot. There was not enough information provided to determine if all Critical Area requirements can be met. Provided that the applicants can meet their lot coverage, MBA, and afforestation requirements, then the relief requested will be consistent with established land-use policies.

Reviewer: Paul Dennis

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 5/16/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-284

Duplicate

INFORMATION:

Property Address: 2262 Monocacy Road
Petitioner: Karen Lynn Weeks
Zoning: DR 3.5
Requested Action: Special Hearing

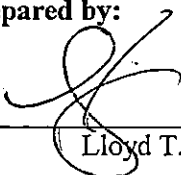
The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve the non-conforming use of two principal dwellings on a single lot in a DR 3.5 zone with a lot area of 17,391 square feet.

A site visit was conducted on May 7, 2018. The subject property is currently improved with two single family dwellings which is not atypical for this waterfront neighborhood.

The Department of Planning does not object to this request and will concur with the Administrative Law Judge as to the appropriateness of the non-conforming use.

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

Prepared by:



Lloyd T. Moxley

Deputy Director:



Jeff Mayhew

AVA/KS/LTM/

c: Krystle Patchak
Patrick C. Richardson, Jr., Richardson Engineering, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 17, 2018 Issue - Jeffersonian

Please forward billing to:
Karen Weeks
2262 Monocacy Road
Baltimore, MD 21221

410-409-6191

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: 2018-0284-SPH

2262 Monocacy Road
N/s Monocacy Road, 13 ft. W/of Middleborough Road
15th Election District – 7th Councilmanic District
Legal Owners: Karen Lynn Weeks

Special Hearing to determine whether or not the Administrative Law Judge should approve a non-conforming use for two principal dwellings on a single lot in a DR 3.5 zone with a lot area of 17,391 sq. ft.

Hearing: Thursday, June 7, 2018 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL 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.

**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.

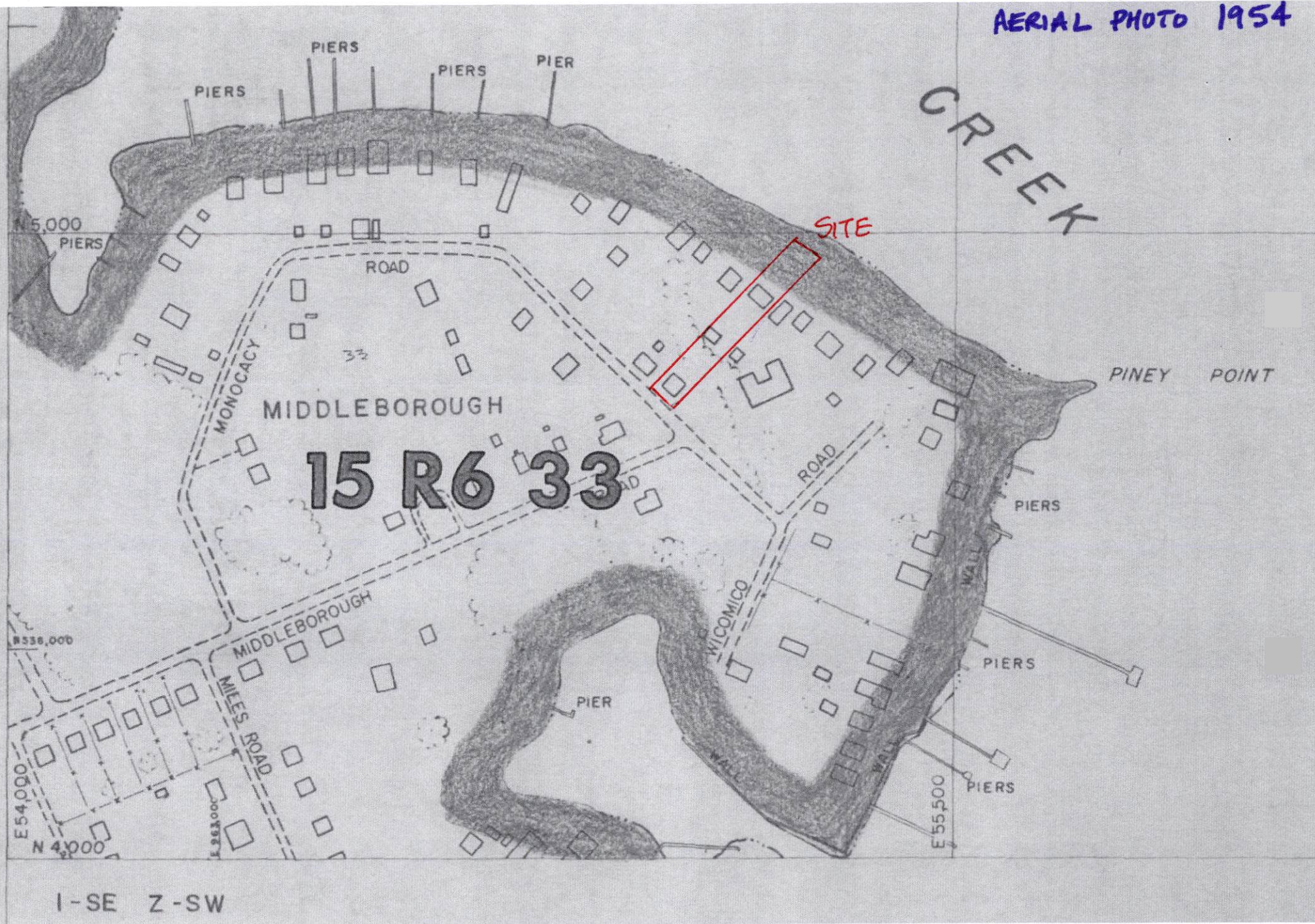
For Newspaper Advertising:

Case Number: 2018-0284-SPH
Property Address: 2262 MONOCACY Rd.
Property Description: N/S of MONOCACY Rd., 13 ft E. of
MIDDLEBOROUGH Rd.
Legal Owners (Petitioners): KAREN Weeks
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: KAREN Weeks
Company/Firm (if applicable): _____
Address: 2262 MONOCACY Rd.
BALTO, MD. 21221
Telephone Number: 410-409-6191

1955 ZONING MAP
AERIAL PHOTO 1954



PET. No. 3

PET No. 4

PLAT BY
J. SPENCE HOWARD
CIVIL & CONSULTING ENGR
BALTO MD
March 1933
Scale - 3/16" = 1'

MIDDLE

2 RIVER





APPEAL

**Petition for Special Hearing
(2262 Monocacy Road)
15th Election District – 7th Councilmanic District
Legal Owner: Karen Lynn Weeks
Case No. 2018-0284-SPH**

Petition for Variance Hearing (April 20, 2018)

Zoning Description of Property

Certificate of Posting –

1st Posting- May 18, 2018- SSG Robert Black

2nd Posting- Re-Certification- June 2, 2018- SSG Robert Black

Newspaper Advertisement – May 17, 2018 - Jeffersonian

Notice of Zoning Hearing – May 7, 2018

People's Counsel Entry of Appearance –May 3, 2018

Zoning Advisory Committee Comments

Petitioner's Sign-in Sheets – one sheet

Citizen's Sign-in Sheets- N/A

Petitioner(s) Exhibits –

1. Plan
2. Aerial photo
3. 1955 zoning map
4. 1939 Plat by J. Spence Howard
5. Photos (2)

Protestants' Exhibits – None

Miscellaneous (Not Marked as Exhibits)- N/A

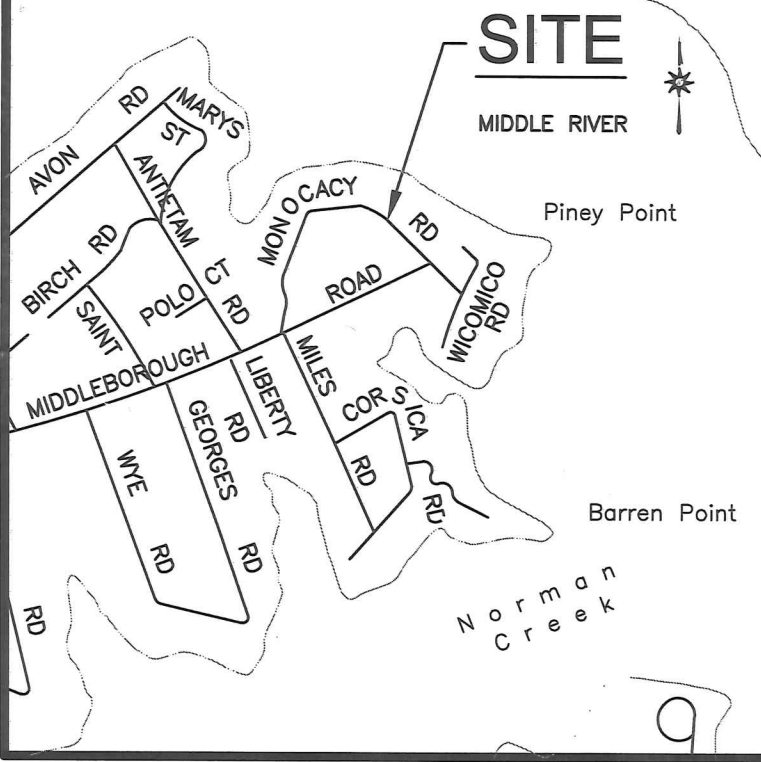
Administrative Law Judge Order and Letter (GRANTED, June 8, 2018)

Notice of Appeal & Receipt – People's Counsel for Baltimore County (June 25, 2018)





Pet. No. 5



LOCATION MAP

SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER: KAREN LYNN WEEKS
2262 MONOCACY ROAD
BALTIMORE, MARYLAND 21221
- SITE AREA:
LOT 2 = 17,391 SQ.FT. OR 0.40 AC.±
- USES:
EXISTING: 2 RESIDENTIAL DWELLINGS
PROPOSED: 2 RESIDENTIAL DWELLINGS
- UTILITIES:
PUBLIC WATER & SEWER
- DEED REF: 37329/371
- TAX ACCOUNT #1504502323
- ZONING: DR 3.5
(PER 1"=200' ZONING MAP 098A1)
- TAX MAP #98, GRID 1, PARCEL #387, LOT #2
- PLAT REF: "MIDDLEBOROUGH" 4-191
- SITE LIES PARTIALLY WITHIN ZONE AE (EL. 8) AND ZONE X OF FLOOD
INSURANCE RATE MAP (FIRM) PANEL #240010 0445 F
PANEL 445 OF 580 DATED SEPT. 26, 2014.
ZONE "AE" IS BASE FLOOD ELEVATIONS DETERMINED.
- PREVIOUS ZONING CASES: NONE ON FILE
- PREVIOUS PERMITS: NONE ON FILE
- SITE LIES ENTIRELY WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THE PROPERTY AND THE STRUCTURES ARE NOT HISTORIC.
- ALL CONSTRUCTION WILL BE PER FLOOD PLAN REGULATIONS.
- THE PROPERTY IS LOCATED WITHIN A LIMITED DEVELOPMENT AREA
AND A MODIFIED BUFFER AREA WITHIN THE CHESAPEAKE BAY
CRITICAL AREA WITHIN THE 100' CRITICAL BUFFER MANAGEMENT AREA.
- IMPERVIOUS AREAS:
EXISTING:
DWELLING = 2307 SF
WALK/STEP/DECKS = 2038 SF
DRIVEWAY = 2374 SF
TOTAL = 6,719 SF OR 38.6%
- LOT COVERAGE PERMITTED:
25% 4,348 SF
31.25% 5,435 SF
- SETBACKS FOR DR 3.5

	REQUIRED	PROVIDED
FRONT	25	94'
SIDE	10'	5.6'
REAR: (STREET)	30*	18'
- 7TH COUNCILMANIC DISTRICT

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION
FOR

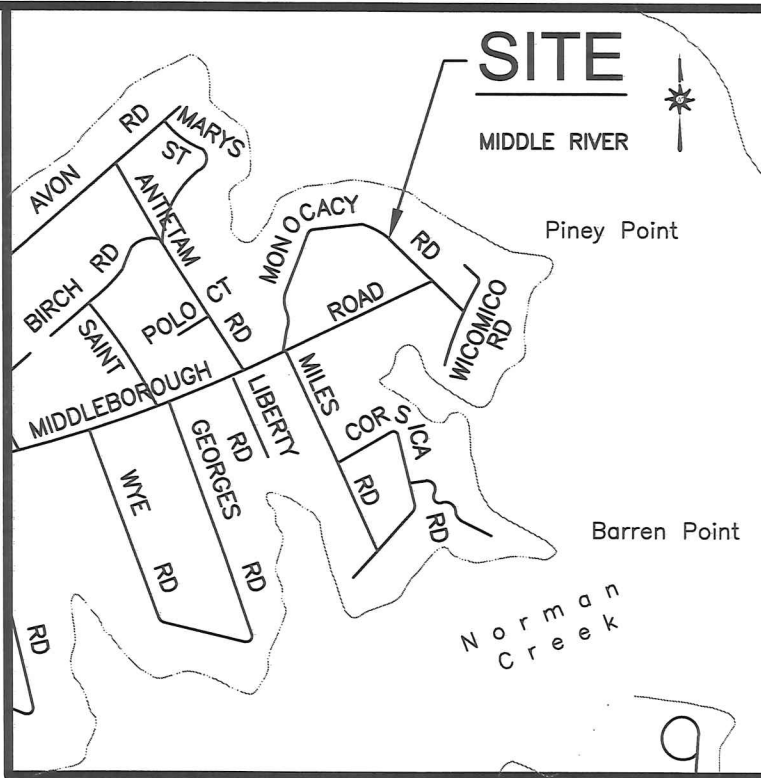
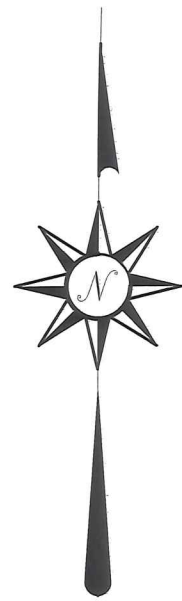
WEEKS RESIDENCE

2262 MONOCACY ROAD
BALTIMORE, MD 21221

BALTIMORE COUNTY MARYLAND
15TH ELECTION DISTRICT 7TH COUNCILMANIC DISTRICT

REVISIONS	DRAWN BY:	CHECKED BY:	SCALE:
	ADF	PCR	1" = 20'
	DATE:	JOB NO.:	SHEET NO.:
	04-18-18	18050	1 OF 1

PET. No. 1



LOCATION MAP

SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER: KAREN LYNN WEEKS
2262 MONOCACY ROAD
BALTIMORE, MARYLAND 21221
- SITE AREA:
LOT 2 = 17,391 SQ.FT. OR 0.40 AC.±
- USES:
EXISTING: 2 RESIDENTIAL DWELLINGS
PROPOSED: 2 RESIDENTIAL DWELLINGS
- UTILITIES:
PUBLIC WATER & SEWER
- DEED REF: 37329/371
- TAX ACCOUNT #1504502323
- ZONING: DR 3.5
(PER 1"=200' ZONING MAP 098A1)
- TAX MAP #98, GRID 1, PARCEL #387, LOT #2
- TAX MAP REF: "MIDDLEBOROUGH" 4-191
- SITE LIES PARTIALLY WITHIN ZONE AE (EL. 8) AND ZONE X OF FLOOD INSURANCE RATE MAP (FIRM) PANEL #240010 0445 F
PANEL 445 OF 580 DATED SEPT. 26, 2014.
ZONE "AE" IS BASE FLOOD ELEVATIONS DETERMINED.
- PREVIOUS ZONING CASES: NONE ON FILE
- PREVIOUS PERMITS: NONE ON FILE
- SITE LIES ENTIRELY WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THE PROPERTY AND THE STRUCTURES ARE NOT HISTORIC.
- ALL CONSTRUCTION WILL BE PER FLOOD PLAIN REGULATIONS.
- THE PROPERTY IS LOCATED WITHIN A LIMITED DEVELOPMENT AREA AND A MODIFIED BUFFER AREA WITHIN THE CHESAPEAKE BAY CRITICAL AREA WITHIN THE 100' CRITICAL BUFFER MANAGEMENT AREA.
- IMPERVIOUS AREAS:
EXISTING:
DWELLING = 2307 SF
WALK/STEP/DECKS = 2038 SF
DRIVEWAY = 2374 SF
TOTAL = 6,719 SF OR 38.6%
LOT COVERAGE PERMITTED:
25% 4,348 SF
31.25% 5,435 SF
- SETBACKS FOR DR 5.5

	REQUIRED	PROVIDED
FRONT	25'	94'
SIDE	10'	5.6'
REAR: (STREET)	30'	18'
- 7TH COUNCILMANIC DISTRICT

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION
FOR

WEEKS RESIDENCE

2262 MONOCACY ROAD
BALTIMORE, MD 21221

BALTIMORE COUNTY MARYLAND
15TH ELECTION DISTRICT 7TH COUNCILMANIC DISTRICT

REVISIONS		DRAWN BY:	CHECKED BY:	SCALE:
		ADF	PCR	1" = 20'
		DATE:	JOB NO.:	SHEET NO.:
		04-18-18	18050	1 OF 1