

MEMORANDUM

DATE: August 23, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0339-A – Appeal Period Expired

The appeal period for the above-referenced case expired on August 22, 2018. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(235 N. Beaumont Avenue)		
1 st Election District	*	OFFICE OF ADMINISTRATIVE
1 st Council District		
Winston & Elizabeth Jackson	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	CASE NO. 2018-0339-A

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, Winston and Elizabeth Jackson (“Petitioners”). The Petitioners are requesting Variance relief pursuant to Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (“BCZR”), to permit an existing dwelling and a proposed addition to have a side street setback of 17 ft. in lieu of the required 25 ft. (double frontage lot). By Opinion and Order dated July 5, 2018, the undersigned denied the Administrative Variance request, in accordance with the site plan and documentation within the case file.

On July 11, 2018 through July 16, 2018, Petitioners and adjacent neighbors filed timely Motions for Reconsideration. In these Motions, Petitioners have articulated the hardship they would experience if the petition is denied and several neighbors have expressed their full support for the zoning requests.

I am sympathetic to the plight of the Petitioners and recognize and appreciate the support of the neighbors. The Order dated July 5, 2018 denied relief because the existing setback from the property line is deficient under current regulations. This means the dwelling/structure is lawfully nonconforming. B.C.Z.R. §§ 101.1 and 104. The Regulations expressly provide that a

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Date 7/23/18
By Sen

nonconforming structure may be enlarged or “extended” by no more than “25% of the ground floor area.” BCZR § 104.3. As noted in the earlier Order, the proposed addition would increase the footprint of the dwelling by 100%. Significantly, it does not appear as if the 25% limitation imposed by Section 104 can be increased by way of a variance request.

There are however two considerations which factor into the analysis and would provide some support for granting the petition. First, the only request in the petition (which was likely drafted in consultation with the Office of Zoning Review) was for a side setback variance. The zoning office did not instruct Petitioners to seek relief under B.C.Z.R. Section 104 to permit the proposed dwelling addition, and thus it is understandable the July 5, 2018 Order caught Petitioners off guard.

But the second (and more important) consideration is that Section 104 is primarily concerned with nonconforming uses - - such as a gas station in a residential zone - - rather than a nonconforming structure based on a deficient side yard setback. In this case the entire community is comprised of single family dwellings and the proposed addition to Petitioners’ home would not be enlarging an unwelcome use or structure. In fact, the property is zoned DR 5.5 which requires only a 10 ft. side yard setback. B.C.Z.R. §1B02.3. The proposed addition will be constructed in line with the existing building and be located 17 ft. from the boundary in lieu of the 25 ft. required in this instance only because the zoning office considers the property to be a “double frontage” lot.

THEREFORE, IT IS ORDERED, this 23rd day of **July, 2018**, by the Administrative Law Judge for Baltimore County, that the Motion for Reconsideration, to permit an existing dwelling and a proposed addition to have a side street setback of 17 ft. in lieu of the required 25 ft. (double frontage lot), be and is hereby GRANTED.

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2

Date 7/23/18
By ser

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 7/23/18

By ser

**IN RE: PETITION FOR ADMIN. VARIANCE *
(235 N. Beaumont Avenue)**

1st Election District

1st Council District

Winston & Elizabeth Jackson
Petitioners

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2018-0339-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, Winston and Elizabeth Jackson (“Petitioners”). The Petitioners are requesting Variance relief pursuant to § 1B01.2.C.1.b of the Baltimore County Zoning Regulations (“BCZR”), to permit an existing dwelling and a proposed addition to have a side street setback of 17 ft. in lieu of the required 25 ft. (double frontage lot). The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners’ Exhibit 1.

The Zoning Advisory Committee (“ZAC”) comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies. However, it is to be noted that correspondence was received from a neighbor residing on Hubner Avenue, indicating the impact on his property and his objection to Petitioners’ zoning request.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on June 17, 2018, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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Date 7-5-18

By low

Petitioners' property is 8,140 sq. ft. in size and zoned DR 5.5. The property is improved with a small (836 sq. ft.) single family dwelling constructed in 1942. As shown on the site plan, the existing setback to Hubner Avenue is only 17 ft., while the current regulations require a 25 ft. setback since the Office of Zoning Review determined this to be a "double frontage" lot. Of course, as referenced in the affidavit submitted with the petition, the dwelling was constructed before the adoption of the BCZR and as such it qualifies as a nonconforming structure under BCZR § 104.

The addition proposed would essentially double the square footage of the dwelling, although the setback would be maintained at 17 ft. Even so, the BCZR provides that a nonconforming structure may be enlarged or "extended" by no more than "25% of the ground floor area." BCZR § 104.3. The proposed addition would increase the footprint of the dwelling by 100%, and thus I believe the request must be denied.

THEREFORE, IT IS ORDERED, this 5th day of **July, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1B01.2.C.1.b of the Baltimore County Zoning Regulations ("BCZR"), to permit an existing dwelling and a proposed addition to have a side street setback of 17 ft. in lieu of the required 25 ft. (double frontage lot), be and is hereby DENIED.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 7-5-18
By [Signature]



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 235 N Beaumont Avenue, Catonsville, MD, 21228

Currently zoned DR 5.5

Deed Reference 40058 / 00359

10 Digit Tax Account # 0 1 1 9 0 7 0 6 4 1

Owner(s) Printed Name(s) Elizabeth & Winston Jackson

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

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

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

1. **X** **ADMINISTRATIVE VARIANCE** from Section(s)

BCZR: 1B01.2.C.1.b. → To permit an existing dwelling and a proposed addition to have a side street setback of 17 feet in lieu of the required 25 feet (double frontage lot).

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

Winston Jackson, Elizabeth Jackson
Name #1 - Type or Print Name #2 - Type or Print

Winston Jackson, E. m. j.
Signature #1 Signature #2

235 N. Beaumont Ave, Catonsville, Md
Mailing Address City State

21228 / 202.320.0307 / elizabeth.newell13@gmail.com
Zip Code Telephone # Email Address

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

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

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

Administrative Law Judge for Baltimore County

CASE NUMBER 2018-0339-4 Filing Date 6/7/18 Estimated Posting Date 6/17/18 Reviewer JS

Affidavit in Support of Administrative Variance

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

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

Address: 235 N Beaumont Avenue, Catonsville, MD, 21228

Print or Type Address of property

City

State

Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

As built, the existing dwelling's side wall has a setback of 17' from the property line at the Hubner Avenue frontage. This is 8' less than the 25' setback required under current County zoning. Our understanding is that this is due to the fact that the dwelling's date of construction (1942) predated current Baltimore County Zoning laws.

We wish to expand the dwelling to meet the needs of our growing family. A 25' setback would present an undue practical difficulty to our ability to expand our residence. Because the dwelling's front door and interior corridors are on the side closest to Hubner Avenue, an 8' offset in the floor plan would severely disrupt the internal circulation within the proposed addition, negatively impacting its functionality and efficiency.

The proposed addition maintains the 17' side yard setback of the existing Hubner Avenue facade. The sole exception is a small porch which projects 3' beyond the exterior wall in order to harmoniously unify the massing of the proposed addition with the existing dwelling. We contend this meets the spirit of Baltimore County zoning laws.

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

Winston Jackson

Signature of Owner (Affiant)

Winston Jackson

Name- Print or Type

Elizabeth Jackson

Signature of Owner (Affiant)

Elizabeth Jackson

Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 4th day of June, 2018, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here:

Winston Jackson and Elizabeth Jackson

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

AS WITNESS my hand and Notaries Seal

Margie Denise Vaughan
Notary Public

August 23, 2020
My Commission Expires

MARGIE DENISE VAUGHAN
Notary Public-Maryland
Baltimore County
My Commission Expires
August 23, 2020

**ZONING PROPERTY DESCRIPTION FOR 235 N BEAUMONT AVENUE,
CATONSVILLE MD.**

Beginning at a point on the west side of N Beaumont Avenue which is 40 feet wide at a distance of 20 feet south of the centerline of the nearest intersecting street Hubner Avenue which is 40 feet wide.

Being Lot #60, Block (N/A), Section #(N/A) in the subdivision of Oak Crest Development as recorded in Baltimore County Plat Book #WPC 8, Folio #39, containing 8,140 Square Feet. Located in the First (1) Election District and First (1) Council District.

2018-0339-A

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 6/17/2018

Case Number: 2018-0339-A

Petitioner / Developer: ELIZABETH JACKSON

Date of Closing: JULY 2, 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:
235 N. BEAUMONT AVENUE

The sign(s) were posted on: JUNE 17, 2018

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2018-0339-A

TO PERMIT AN EXISTING DWELLING AND PROPOSED ADDITION TO HAVE A SIDE STREET SETBACK OF 17 FEET IN LIEU OF THE REQUIRED 25 FEET (DOUBLE FRONTAGE LOT)
235 N. BEAUMONT AVE. 21128

PUBLIC HEARING?

PURSUANT TO SECTION 26-127 (b)(1), BALTIMORE COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 4:30 P.M. ON MONDAY, JULY 2, 2018.

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391.

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

HANDICAPPED ACCESSIBLE

Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

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

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

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2018- 0339 -A Address 235 N. BEAUMONT AVE., 21228
Contact Person: JASON SEIDELMAN Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 6/7/18 Posting Date: 6/17/18 Closing Date: 7/2/18

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Administrative Law Judge), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2018- 0339 -A Address 235 N. BEAUMONT AVE., 21228
Petitioner's Name JACKSON Telephone 202-320-0307
Posting Date: 6/17/18 Closing Date: 7/2/18
Wording for Sign: To Permit AN EXISTING DWELLING AND PROPOSED ADDITION TO
HAVE A SIDE STREET SETBACK OF 17 FEET IN LIEU OF THE REQUIRED
25 FEET (DOUBLE FRONTAGE LOT)

Revised 6/30/2018

**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: 2018-0339-A

Property Address: 235 N. BEAUMONT AVE.

Property Description: _____

Legal Owners (Petitioners): WINSTON + ELIZABETH JACKSON

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: WINSTON + ELIZABETH JACKSON

Company/Firm (if applicable): _____

Address: 235 N. BEAUMONT AVE, 21228

Telephone Number: 202-320-0307

Revised 7/9/2015

**CASHIER'S
VALIDATION**



DONALD I. MOHLER III
County Executive

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

July 3, 2018

Winston & Elizabeth Jackson
235 N Beaumont Avenue
Catonsville MD 21228

RE: Case Number: 2018-0339 A, Address: 235 N Beaumont Avenue

Dear Mr. & Ms. Jackson:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 7, 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, looped "J" at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

Date: 6/18/18

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

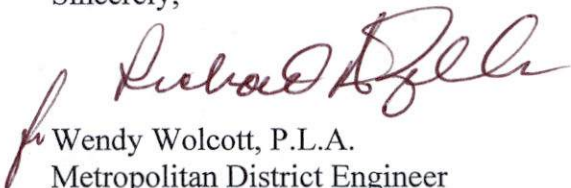
Dear Ms. Lewis:

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. 2018-0339-A

*Administrative Variance
Winston & Elizabeth Jackson
235 N. Beaumont Avenue.*

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

Sincerely,



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

WW/RAZ

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: June 27, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0339-A
Address 235 N. Beaumont Avenue
(Jackson Property)

Zoning Advisory Committee Meeting of **June 25, 2018**.

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

Reviewer: Steve Ford

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: June 27, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0339-A
Address 235 N. Beaumont Avenue
(Jackson Property)

Zoning Advisory Committee Meeting of **June 25, 2018**.

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

Reviewer: Steve Ford

July 11, 2018

RE: Variance for Addition to 235 North Beaumont Avenue



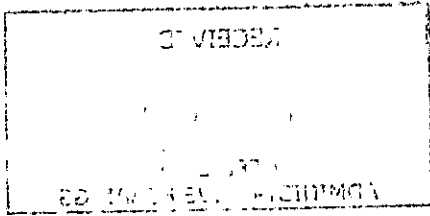
To Whom It May Concern:

I am a Catonsville resident and I am writing in support of the family room addition located at 235 North Beaumont Avenue. I believe it would bring added value to the neighborhood.

Thank you for your anticipated support of this request.

Sincerely,

David G. Schiavone



Sherry Nuffer

From: Kelly Fanning <kelmrusse@gmail.com>
Sent: Wednesday, July 11, 2018 3:36 PM
To: Administrative Hearings
Subject: Case #2018-0339-A

RECEIVED

JUL 11 2018

OFFICE OF
ADMINISTRATIVE HEARINGS

To: Judge John Beverungen

My name is Kelly Fanning and I live at 233 N Beaumont Ave Catonsville, MD 21228.

This letter is part of a motion to reconsider Winston and Elizabeth Jackson's administration variance request. They are our next-door neighbors at 235 N Beaumont Ave.

My husband and I want to express our full support for the Jackson's plan to renovate and expand their home. We have talked to them extensively and have no objection to the planned addition. They are wonderful neighbors and we are happy to support them in this request.

Please let me know if you need any further information.

Regards,

Kelly and Nathan Fanning
240.285.7020

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>6-27</u>	DEPS (if not received, date e-mail sent _____)	<u>NO</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>6-18</u>	STATE HIGHWAY ADMINISTRATION	<u>No object.</u>
_____	TRAFFIC ENGINEERING	_____
<u>6-30</u>	COMMUNITY ASSOCIATION ADJACENT PROPERTY OWNERS	<u>Opposes</u> <u>Joseph M. Coates</u> <u>1110 Hubner Ave.</u>
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING (1 st)	Date: <u>6-17-18</u>	by <u>O'Keefe</u>
SIGN POSTING (2 nd)	Date: _____	by _____
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any: _____		

FROM THE DESK OF

JOSEPH M. COATES

June 30, 2018

John E. Beverungen
Administrative Law Judge
Baltimore County, Historic Courthouse
400 Washington Avenue
Towson, Maryland 21204

Dear Judge Beverungen,

I am a homeowner in Baltimore County. I recently learned that a neighbor, 235 N. Beaumont Ave. Case 2018-0339-A, wants to build an addition to their home over a 1/3 closer to the street than zoning setback allows. It is my understanding that the addition also includes a second story over the existing home too.

I have serious concerns about this addition variance request which, I understand, I can send in a letter to you. The addition is, for the most part, on the street I live on, Hubner Ave and not N. Beaumont Ave.

Here are my concerns and why I do not think this addition variance should be granted and urge you to reject it:

- An 8 foot variance on the 25 foot required setback is a significant change to the streetscape and character of the neighborhood and block. This is a suburban street and adding a large, two story structural mass closer to the street, makes it less characteristic of a suburban environment.
- The unique plat configuration of this area, placement of structures on the block from N. Beaumont to Osborne, and the topography of that block of Hubner Ave, makes this zoning change even less desirable. My home is the only property whose address and home front is on that block. (Note, none or very little of the addition, other than seeing a second story added, is actually impacting N. Beaumont Ave. from the front of 235 N Beaumont Ave. The impact is greatest where the zoning regulates and the bulk of the addition is seen from Hubner Ave.)

The other home across from my home (232 Osborne Ave, my home is 1110 Hubner Ave), added a two car garage some years ago to their side yard. Its flat metal surface does amplify car, truck, and motorcycle noise into my home significantly. The addition of more walls to Hubner Ave, let alone 8

feet closer to Hubner Ave at that higher elevation, will only cause more sound reflection toward my property and lower my quality of life. My bedroom is also the closest to that addition. I am currently disabled with chronic vestibular migraine (VM), endolymphatic hydrops (Meniere's), and heart disease. The VM and Meniere's in particular limits my ability to "escape" my home. I am, unfortunately, in my home most of the time. My ailments forced me to retire far too early at mid career. (I had a great professional career in design and academia, I loved very much, and wanted to die of old age in my university office.) I hope my situation is temporary but, I say that every year since 2010 and the science says otherwise.

In the Citizens Guide to Zoning provided by the county, it says on page 5: "Zoning is a legal mechanism that limits the use of privately-owned land to protect the health, safety, morals, and/or general welfare of the public." If this variance is allowed, the health and general welfare of myself (irrespective of my disabilities but certainly considering them to the extent that is allowed) and future owners of my property and surrounding homes will be impacted with additional noise pollution from passing vehicles reflected off the proposed addition.

My home in particular will be impacted the most by this proposed home addition because of the acoustics and elevation where any addition would go. With that in mind, the regulation for the 25 foot setback makes a lot of sense and I believe is there for aesthetic, neighborhood character, and things like reduction of noise and to absorb rain water runoff. The unprecedented May 2018 flooding in our neighborhood and the history of severe hurricanes and tropical storms here, makes the impact of surface water a critical consideration in any zoning variation and construction decision. Where would the hard surface rain from an addition go? Right now, the back yard of 235 N. Beaumont Ave property absorbs a great amount of it and the rain from many homes uphill. But a large addition, with only 17 feet to curb, would shed that hard surface runoff to where? Probably my basement and other down hill properties that were badly flooded. My home foundation does suffer from hydrostatic pressure and settling from that side of the home and the front of my home. This is all water from uphill. I have spent thousands of dollars on trying to correct it with thousands more to go. After consulting with engineers and numerous contractors over the years, I have hit a wall, so to speak. After a little more work on the side yard to shed water away, I can do no more. I am not sure how my home can handle any more unmanaged groundwater coming from that higher elevation, let alone my very limited budget. There is now, literally, no where for any more water to go.

- Aesthetics, character of the neighborhood (specific to Oak Crest [neighborhood] and Catonsville Heights), and broader architectural and historical considerations for the character of the American suburban neighborhood (which is also a defining characteristic of this area and much of Catonsville) should also be considered. This is a mid 20th century suburb with front lawns, side yards, and back yards. 235 N. Beaumont Ave is a corner lot. The back yard and structures on it are also entirely visible from that block of Hubner Ave and properties on it. Any size addition to any part of 235 N. Beaumont Ave (it can only go on top or back of), significantly changes those defining architectural and historical character of the neighborhood and block. There are homes in Oak Crest that will soon be 100 years old (if not already) in the next decade or two.

- It is my understanding that the **only** reason this variance process was started is that the architect failed to do his job properly and check on county laws and regulations concerning additions and setback. Instead of a variance, the architect owes his clients either a redesign to meet the zoning regulation or; a refund of any architectural fees and reimbursements of any costs incurred by the client due to his failure on this regulatory matter. *Why should those living on the upper block of Hubner Ave, with my home notably being the only home address facing that block, or the owners of 235 N. Beaumont Ave, be forced to live with the architect's mistake?*

The long and short of it is that, at least as proposed, 235 N. Beaumont Ave, this block of Hubner Ave, and the neighborhood is wisely and correctly zoned to not allow the larger addition as proposed. The owners might be better suited in simply selling 235 N. Beaumont Ave and purchasing a larger home and/or one that is more suitable for adding on to. The Oak Crest neighborhood continues to be a very desirable neighborhood and in very high demand due to a significant starter home shortage in the U.S.

Selling 235 N. Beaumont Ave now would bring in a profit that could be used toward the purchase of an existing property that has the additional square footage the owner is seeking.

Humbly submitted for your consideration,



Joseph M. Coates

Former design professor Maryland Institute College of Art, Morgan State, UMBC, Rhode Island School of Design,
University of Iowa
MFA, Rhode Island School of Design
United States Fulbright Fellow, Design

July 9, 2018

Honorable John E. Beverungen
Administrative Law Judge
for Baltimore County



Dear Judge Beverungen,

I am writing in support of my neighbor's, Winston and Elizabeth Jackson's, request for reconsideration on **case number 2018-0339-A**. I reside at 301 N. Beaumont Avenue, Catonsville, MD, directly next door and across Hubner Avenue to Winston and Elizabeth Jackson who reside at 235 N. Beaumont Avenue. The Jackson's have discussed with me their desire to expand their current two-bedroom rancher to accommodate their growing family. I fully support this and welcome the addition to the neighborhood.

I have been neighbors with Winston for over 11 years, and with Elizabeth for over four years, and find them to be upstanding neighbors and contributors to our Oak Crest neighborhood. I understand their desire to raise their family in our Oak Crest neighborhood and more specifically in their home at 235 N. Beaumont Avenue.

I ask that you accept my request and support of the Jackson's motion for reconsideration on their administrative variance request.

Thank you,

A handwritten signature in black ink that reads "Chuck Ansell". The signature is fluid and cursive.

Chuck Ansell
301 N. Beaumont Ave.
Catonsville, MD 21228
443-722-3168

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 - 01 Account Number - 0119512540							
Owner Information										
Owner Name:		301 N BEAUMONT AVENUE A FLORIDA LAND TRUST				Use: Principal Residence:		RESIDENTIAL YES		
Mailing Address:		301 BEAUMONT AVE BALTIMORE MD 21228-4303				Deed Reference:		/38498/ 00105		
Location & Structure Information										
Premises Address:		301 BEAUMONT AVE BALTIMORE 21228-4303				Legal Description:		LT WS BEAUMONT AVE 301 BEAUMONT AVE NW COR HUBNER AVE		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	Plat Ref:
0100	0006	0197		0000				2016		
Special Tax Areas:			Town:			NONE				
			Ad Valorem:							
			Tax Class:							
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
1915		1,668 SF				7,236 SF		04		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation				
2	YES	STANDARD UNIT	SIDING	1 full						
Value Information										
			Base Value		Value		Phase-in Assessments			
					As of		As of		As of	
					01/01/2016		07/01/2017		07/01/2018	
Land:			92,000		92,000					
Improvements			150,700		164,100					
Total:			242,700		256,100		251,633		256,100	
Preferential Land:			0						0	
Transfer Information										
Seller: ANSELL CHARLES H				Date: 01/10/2017				Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /38498/ 00105				Deed2:		
Seller: ANSELL CHARLES H				Date: 12/17/1996				Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /11943/ 00529				Deed2:		
Seller: ANSELL CHARLES				Date: 02/25/1985				Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /06875/ 00088				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

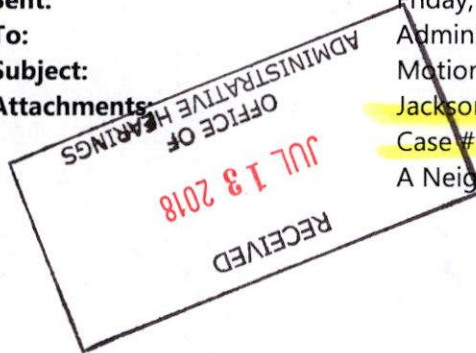
Homestead Application Status: Approved 04/06/2011

Homeowners' Tax Credit Application Information

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

Sherry Nuffer

From: Elizabeth Newell <elizabeth.newell13@gmail.com>
Sent: Friday, July 13, 2018 12:28 PM
To: Administrative Hearings
Subject: Motion for Reconsideration Jackson Case#2018-0339-A
Attachments: Jackson Case #2018-0339-A Motion for Reconsideration.pdf; ATT00001.htm; Jackson Case #2018-0339-A Neighbor Support 1.pdf; ATT00002.htm; Jackson Case #2018-0339-A Neighbor Support 2.pdf; ATT00003.htm



Good Afternoon,

Please find attached a Motion for Reconsideration on Case No. 2018-0339-A for Winston and Elizabeth Jackson. This includes a letter from home owners, Winston and Elizabeth Jackson and two letters of support from neighbors. Two other neighbors sent letters directly to this email address and I would like to include them in our case,

Thank you,
Elizabeth Jackson
202-320-0307

July 13, 2018

John E. Beverungen
Administrative Law Judge
Jefferson Building, Suite 103
105 West Chesapeake Avenue
Towson, Maryland 21204



Dear Judge Beverungen,

We are respectfully requesting a motion of reconsideration for **Case number 2018-0339-A**, an Administrative Variance request for our property at 235 N. Beaumont Avenue, Catonsville, MD 21228. The Administrative Variance was submitted at the direction of the Baltimore County Zoning Office. We currently reside at 235 N. Beaumont Avenue with our two-year-old son, Benjamin.

When our architect, Cooper Melton, of Mill River Design, went to the Baltimore County Zoning Office to obtain our permit he was informed that since our house was on a corner lot, and that our house was only 17 feet from the curb on the side, and not 25 feet, we would need to submit for an Administrative Variance. The Zoning official stated that since the addition/renovation was going to be more than 25% of the existing house and that it violated the zoning laws with the setback we would need the Administrative Variance.

We collected all the necessary documents for the Administrative Variance and when I (Elizabeth) met with the Zoning official he reviewed everything and deemed the package complete. He mentioned to me too that if our addition was less than 25% of the existing house we would not have needed to go through the Variance process. He did not mention a regulation that a nonconforming structure could not be more than 25%, just that it would require a Variance for the setback from the curb. I asked him if there was anything else that we needed to add or include, and he stated that we had everything that we needed. If I had known that we needed to include a statement requesting an exception to the over 25% regulation, we would have included it. We were following the direction of what the county Zoning official told us.

When we received your decision letter dated July 5, 2018, it was a surprise to us that we were in violation of the Baltimore County Zoning Regulation (BCZR) 104.3 regarding a nonconforming structure. The Baltimore County Zoning Office website states that the Zoning Review Office: "Reviews all residential, commercial, and industrial building permits, including site and development plans for compliance with the zoning regulations" and "Answers citizen inquiries and informs and assists the public in concerning the interpretation and application of the Baltimore County Zoning Regulations..." I believe that if the Zoning official would have informed us of the BCZR 104.3 we could have included that in our original Administrative Variance or have taken other means to request an exception.

Winston has lived in this house for 11 years and I, Elizabeth, have lived here for four years. We consider this house and our property our home. We chose to raise our son on N. Beaumont Avenue, initially due to the excellent school district, but now have come to love and cherish our neighbors and our Oak Crest neighborhood. We want to raise our son here, on this street, in this house. There are a number of families on our street that have children our son's age, and we have become close friends with them. We support our Oak Crest Community 100% by participating in annual events, neighborhood get together, and spontaneous play dates with our neighbors. In addition to having friends as neighbors, our son's daycare provider is four houses down on Beaumont, which makes it extremely convenient on busy mornings for drop off when we are getting ready and leaving for work.

Winston chose to continue to support our community by accepting a job with Catonsville Middle school as a School Counselor. He loves his job and loves seeing some of his students in the neighborhood! I, Elizabeth, work as a civil servant for the federal government. We are very vested in our community and do not want to leave our home.

With the addition of our son two years ago we are growing out of our two bedroom one story rancher. We currently have four rooms (living room, kitchen, master bedroom, spare bedroom) on floor one. We are currently trying for another child, and need more room in our home to grow our family. Living in a two-bedroom rancher home is not ideal for a family of four, one dog and one cat. We can manage in this size home, but are not comfortable. We have the land and the funds to support an addition that would fit our needs as a growing family.

Prior to starting this renovation project, we consulted a realtor about selling our home and finding another home in our Oak Crest neighborhood. We were advised that it would be very difficult to sell our two-bedroom home in this family friendly neighborhood where most in the market for a home are looking for a bigger home to raise a family. If we were to sell, it would be just as difficult to find a house in this neighborhood that suits our needs at the same time.

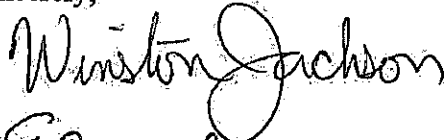
Another hardship in not being able to proceed with our renovation is our bank loan. We secured a bank loan to cover the cost of the renovations in February 2018. We were advised that the first step in the renovation process was to secure the loan. We were able to secure the loan before interest rates rose and have been paying on the new mortgage, which includes the cost of the renovation since March 2018. The bank informed me that the loan would be in jeopardy if we were not able to conduct the renovation as planned since the house plus the proposed addition has already been appraised by the bank, and our loan based on that appraisal.

In addition to bringing added value to Oak Crest by increasing the value of our property, the addition will add additional character to the neighborhood. We intentionally requested that the architect maintain the integrity of the front of our home. We did not want a traditional second story addition that would change the front look and feel of the house. The design is drawn so that the front of the house will remain since the addition will begin after the peak in the roof as is evident in the drawings. The architect designed the addition with an appealing roof line as well as character building features. We love the neighborhood feel and the uniqueness of each house in Oak Crest and wanted to contribute to that in our newly renovated home.

Not only is 235 N. Beaumont Ave. our house, it is our *home*. This is our forever home, where we are surrounded by friends and neighbors and are genuinely vested in our Oak Crest Community. Moving from our home, our friends and our community or staying in our two-bedroom rancher will cause us unreasonable hardships as described above. We ask that you reconsider the denial on our initial Administrative Variance request and make an exception to BCZR 104.3. We are not causing any undue hardships on our neighbors and will not be with the addition. We have included letters of support from our neighbors.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Winston Jackson".A handwritten signature in cursive script that reads "Elizabeth Jackson".

Winston Jackson
Elizabeth Jackson

Debra Wiley

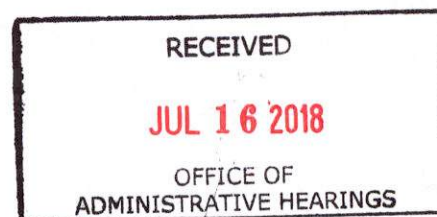
From: Joseph Coates <jmcoates@gmail.com>
Sent: Monday, July 16, 2018 8:11 AM
To: John E. Beverungen; June Wisnom
Cc: Administrative Hearings
Subject: Case 2018-0339-A reconsideration
Attachments: 235 N. Beaumont 2nd letter to judge.pdf

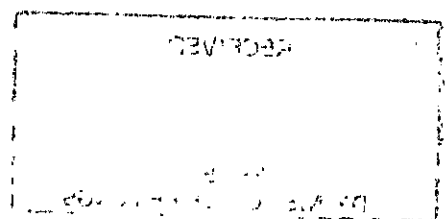
Dear Judge Beverungen and Ms Wisnom,

Please find attached a letter dated July 16, 2018 concerning Case 2018-0339-A for reconsideration on a zoning variance.

Thank you,

Joseph Coates





FROM THE DESK OF

JOSEPH M. COATES

July 16, 2018

John E. Beverungen
Administrative Law Judge
Baltimore County, Historic Courthouse
400 Washington Avenue
Towson, Maryland 21204

Dear Judge Beverungen,

Concerning your ruling on 235 N. Beaumont Ave. Case 2018-0339-A

My interpretation of your ruling dated July 5, 2018 is that the proposed addition zoning variance was rejected because of the 25% rule (My focus had been on the 25 foot setback rule as that was the only thing on the variance sign).

Unfortunately, the result of my letter (if it had any bearing at all on your decision) did not go well. The reaction from Elizabeth Jackson was immediate and verging on tearful. She came by to my side yard gate while I was doing yard work in the back yard. She blamed me for depriving her current and future children—her family—of living in our neighborhood. That was not my intention. I was focused only on the general proposed addition (I'd not seen drawings) and how it might impact me. She also did not understand the idea (legal process?) of zoning variance and, actually, hearing her side of it made me realize, perhaps *neither did I*.

She came at it from the perspective that it was a given right for a property owner to ask for variance and get it. I have understood it to be an opportunity for the community to advise the zoning court on any concerns or issues.

Saturday July 7, she was certain I was the cause of your denial. A long conversation with her that it might not be so, did not seem to help.

Another neighbor also came over at the start of the conversation, and reacted verbally violently with me yelling a variety of insults and "advice" at me. He has always been a bully and, I have tried to avoid him. He has nothing to do with the owners of 235 N. Beaumont Ave and is just another neighbor to the Jacksons, like me. Subsequently, I was told Winston Jackson did ask that this neighbor no longer comment on their addition or talk to me about it. I thank Mr. Jackson for that.

OK, so lot's of juvenile drama and hate by neighbors focused on me. Not what I intended.

This zoning variance process is, needless to say, *emotionally problematic* and lacking a thoughtful "user experience" design/process for zoning greenhorn citizens of the county.*

That Sunday, July 8, Elizabeth Jackson showed me the plans. (She should have done this with neighbors months ago, as should all homeowners adding an addition.)

She also now agreed with me that, the ruling was more likely about exceeding the 25% of existing and not the 25 foot setback.

Please forgive my inadequate language on a complex matter. This is where I am not a lawyer and this topic has a lot of grey areas. Law, community needs, individual needs, environmental design, history, etc. I am trying to be as brief as possible.

The post ruling trauma to me and the Jacksons was not my intention at all. I see proposed designs from the perspective of a designer. It is a process. Stuff happens. You adjust. Nothing is perfect.

Now, finally having seen the drawings of the proposed addition, I am in a more neutral mindset on its construction.

There might still be reflected noise and it would be a variance on the zoning regulations (as you ruled) but; the street side of the design is thoughtfully implemented with a full size dormer on both second story sides rather than strait up flat walls. Evergreen plantings and a landscape plan along Hubner to limit reflected noise might be enough.

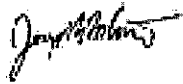
The addition comes strait along the existing wall of the old home parallel to Hubner Ave. An existing side entrance remains, breaking up the side of the home. The addition is in keeping with the neighborhood in aesthetics and architectural design.

While a smaller addition might fit in the zoning restrictions better, and might even be better for me, hopefully, that is not the kind of strict/restrictive zoning we would always adhere to as a community. This design and size do appear to work well as planned, while not fitting perfectly at all in to the zoning regulation. Ms. Jackson has said that a 100% zoning compliant addition would make staying in her home unviable. It would be too small an addition for her planned family.

In regards to any influence my first letter may have had, my stance on the proposed addition as per aesthetics, character of the neighborhood is now neutral rather than in total opposition.

The neighborhood can do far worse for homeowners than the Jacksons or considerably less thoughtful architectural designs for an addition.

Sincerely,



Joseph M. Coates

*There seems to be a need for an interim "pre ruling" where the owner/architect can show plans to people or better; be required to show plans to all the homes in eyesight/across from/on block(s) of the planned addition before a zoning variance is sought and certainly before ruled on. This would be separate from plans on file but more like a mini Charrette so the owner/architect can address concerns well before it might pass to the county for a variance and... all this stuff.

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: July 5, 2018

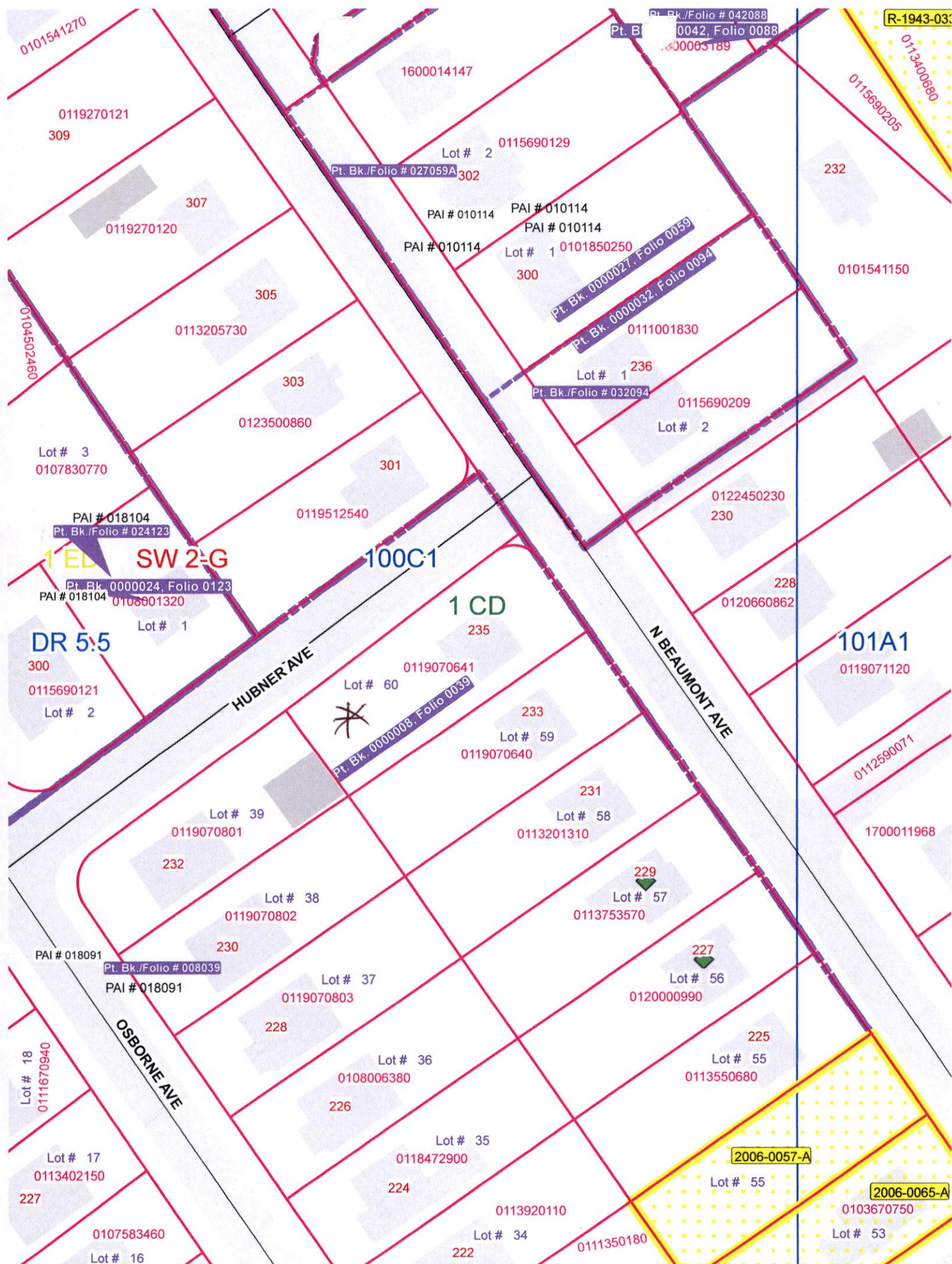
FROM: *For EFC*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 25, 2018
Item No. 2018-0339-A, 0341-A, 0343-A, 0344-X, 0347-A, 0348-A, 0349-A
and 0350-SPHA

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

* * * * *

VKD: cen
cc: file



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 - 01 Account Number - 0108001320			
Owner Information					
Owner Name:	COATES JOSEPH M		Use:	RESIDENTIAL	
Mailing Address:	1110 HUBNER AVE BALTIMORE MD 21228-4322		Principal Residence:	YES	
			Deed Reference:	/25251/ 00089	
Location & Structure Information					
Premises Address:		1110 HUBNER AVE 0-0000		Legal Description: 1110 HUBNER AVE OSBORNE HGTS	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0100	0006	0693		0000	B 1 2016 0024/0123
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1958	1,251 SF	252 SF	6,486 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
1 1/2	YES	STANDARD UNIT	SIDING	1 full/ 1 half	
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2016	07/01/2017	07/01/2018	
Land:	91,400	91,400			
Improvements	134,300	173,300			
Total:	225,700	264,700	251,700	264,700	
Preferential Land:	0			0	
Transfer Information					
Seller: HUFF TRACEY L		Date: 02/23/2007		Price: \$320,000	
Type: ARMS LENGTH IMPROVED		Deed1: /25251/ 00089		Deed2:	
Seller: SMITH DANIEL S		Date: 09/30/1998		Price: \$140,000	
Type: ARMS LENGTH IMPROVED		Deed1: /13184/ 00128		Deed2:	
Seller: CEBULA BETTY B		Date: 06/14/1993		Price: \$128,000	
Type: ARMS LENGTH IMPROVED		Deed1: /09815/ 00632		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 04/17/2012					

Homeowners' Tax Credit Application Information

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

235 N. Beaumont Ave
front of house

2018-0339-4

Proposed extension + 2nd Floor



Neighbor 301 N. Beaumont



235 N. Beaumont Ave
Front of House

2018-0339-4

Proposed extension: 2nd floor



Neighbors - 233 N. Beaumont



N. Beaumont Ave

Hobner Ave.

235 N. Beaumont Ave, 21228
Back of house

2018-0339-A

Proposed back extension w/ 2nd
Floor ↓

Neighbors - 233 N. Beaumont
↓

Hubner Ave

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 01 Account Number - 0119070641			
Owner Information					
Owner Name:	JACKSON WINSTON JACKSON ELIZABETH		Use:	RESIDENTIAL	
Mailing Address:	235 BEAUMONT AVE CATONSVILLE MD 21228-		Principal Residence:	YES	
			Deed Reference:	/40058/ 00359	
Location & Structure Information					
Premises Address:		235 BEAUMONT AVE CATONSVILLE 21228-		Legal Description: 235 BEAUMONT AVE SWS SCHATZ BROS PL	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0101	0001	1197		0000	60
					Assessment Year: 2016
					Plat No: 0008/ Plat Ref: 0039
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1942	836 SF		8,140 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
1	YES	STANDARD UNIT	BRICK	1 full	
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2016	07/01/2017	07/01/2018
Land:		92,200	92,200		
Improvements		56,100	85,000		
Total:		148,300	177,200	167,567	177,200
Preferential Land:		0			0
Transfer Information					
Seller: JACKSON WINSTON		Date: 03/19/2018		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /40058/ 00359		Deed2:	
Seller: TAYLOR SHAWN		Date: 02/16/2007		Price: \$265,000	
Type: ARMS LENGTH IMPROVED		Deed1: /25218/ 00046		Deed2:	
Seller: SCHATZ JOSEPH M		Date: 09/29/2003		Price: \$116,000	
Type: ARMS LENGTH IMPROVED		Deed1: /18865/ 00377		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:					

ZAC AGENDA

Case Number: 2018-0339-A **Reviewer:** Jason Seidelman

Existing Use: RESIDENTIAL **Proposed Use:**

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Winston & Elizabeth Jackson

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 1 **Council Dist:** 1

Property Address: 235 N BEAUMONT AVE

Location: SE corner of the intersection of N Beaumont Avenue and Hubner Avenue

Existing Zoning: DR 5.5

Area: 8,140 SQ. FT.

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To permit an existing dwelling and a proposed addition to have a side street setback of 17 ft. in lieu of the required 25 ft. (double frontage lot)

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 07/02/2018

Miscellaneous Notes:

Case Number: 2018-0340 **Reviewer:** Joseph Merrey

Existing Use: COMMERCIAL **Proposed Use:**

Type: SPECIAL EXCEPTION

Legal Owner: Yogeswar, Inc., P. Patel

Contract Purchaser: Charm City Relief Partners, LLC, Nirvana Center, Sheraz Warraich, 2810 Lindin Way Woodstock MD 21163

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 1 **Council Dist:** 1

Property Address: 5225 BALTIMORE NATIONAL PIKE

Location: S/S of Baltimore National Pike, 173 ft. +/- E from the centerline of Coleridge Road

Existing Zoning: BM-CCC

Area: 12,164 SQ. FT. +/-

Proposed Zoning:

SPECIAL EXCEPTION:

1. To approve the use and development of the subject property as a medical cannabis dispensary.
2. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County

Attorney: Andrew H Robinson, 8171 Maple Lawn Boulevard, Suite 200, Fulton MD 20759

Prior Zoning Cases: 1947-1076

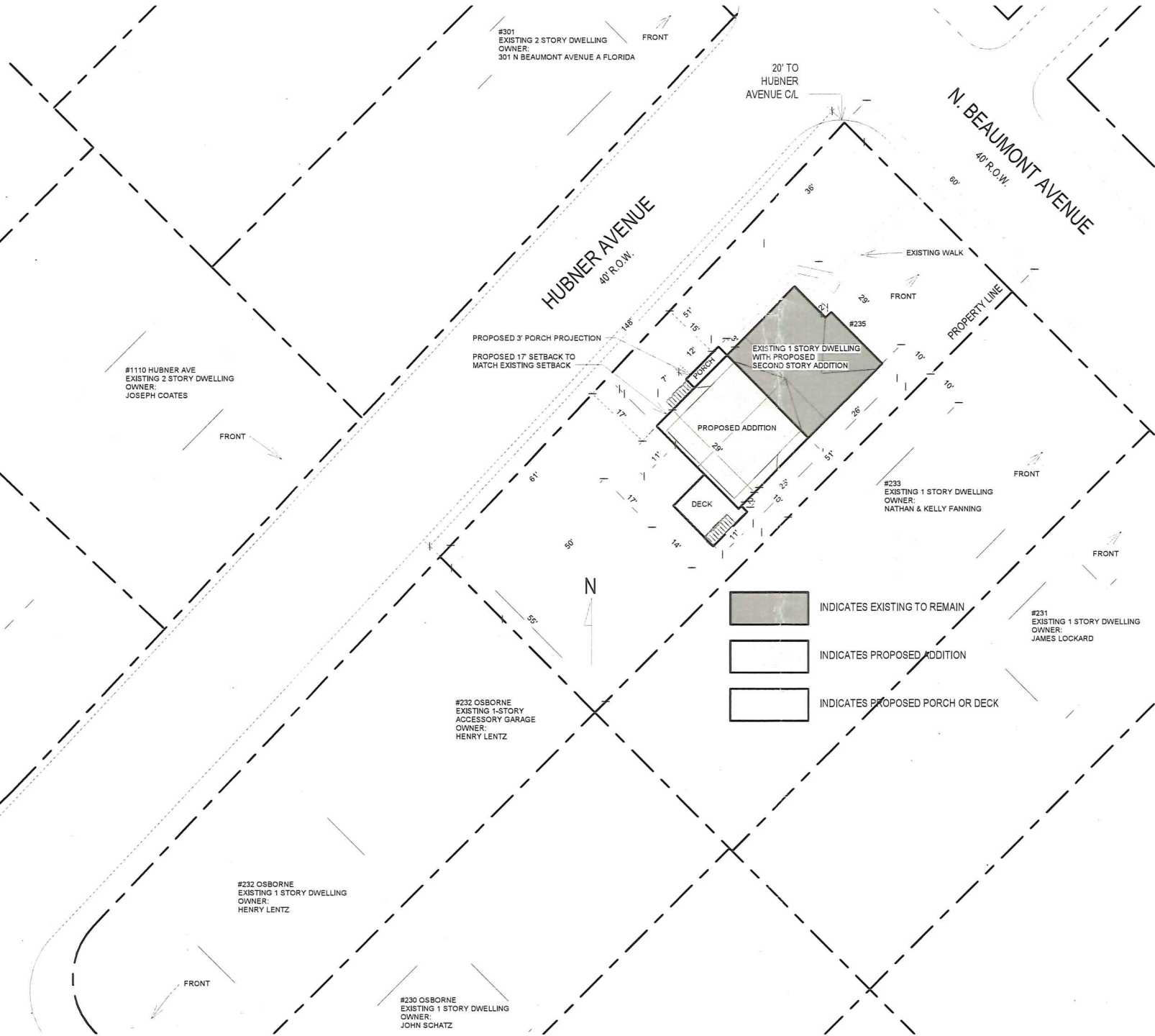
Concurrent Cases: None

Violation Cases: None

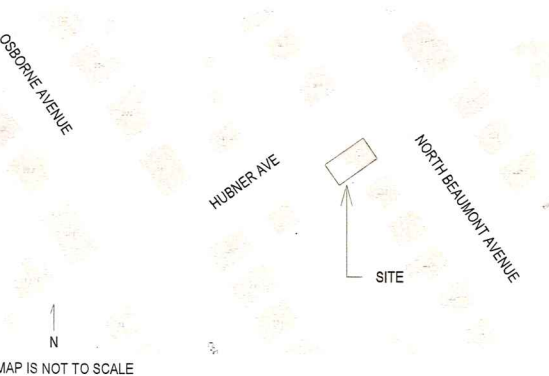
Closing Date:

Miscellaneous Notes:

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING
ADDRESS: 235 BEAUMONT AVENUE, CATONSVILLE, MD 21228
OWNERS: ELIZABETH AND WINSTON JACKSON
SUBDIVISION NAME: SCHATZ BROS PL LOT # 60 BLOCK # N/A SECTION # N/A
PLAT: 008 / 039 TAX # 0119070641 DEED REF. # 40058 / 00359



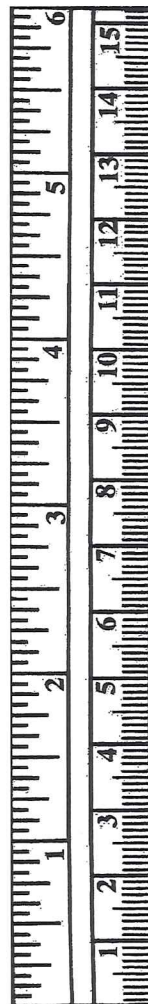
SITE VICINITY MAP



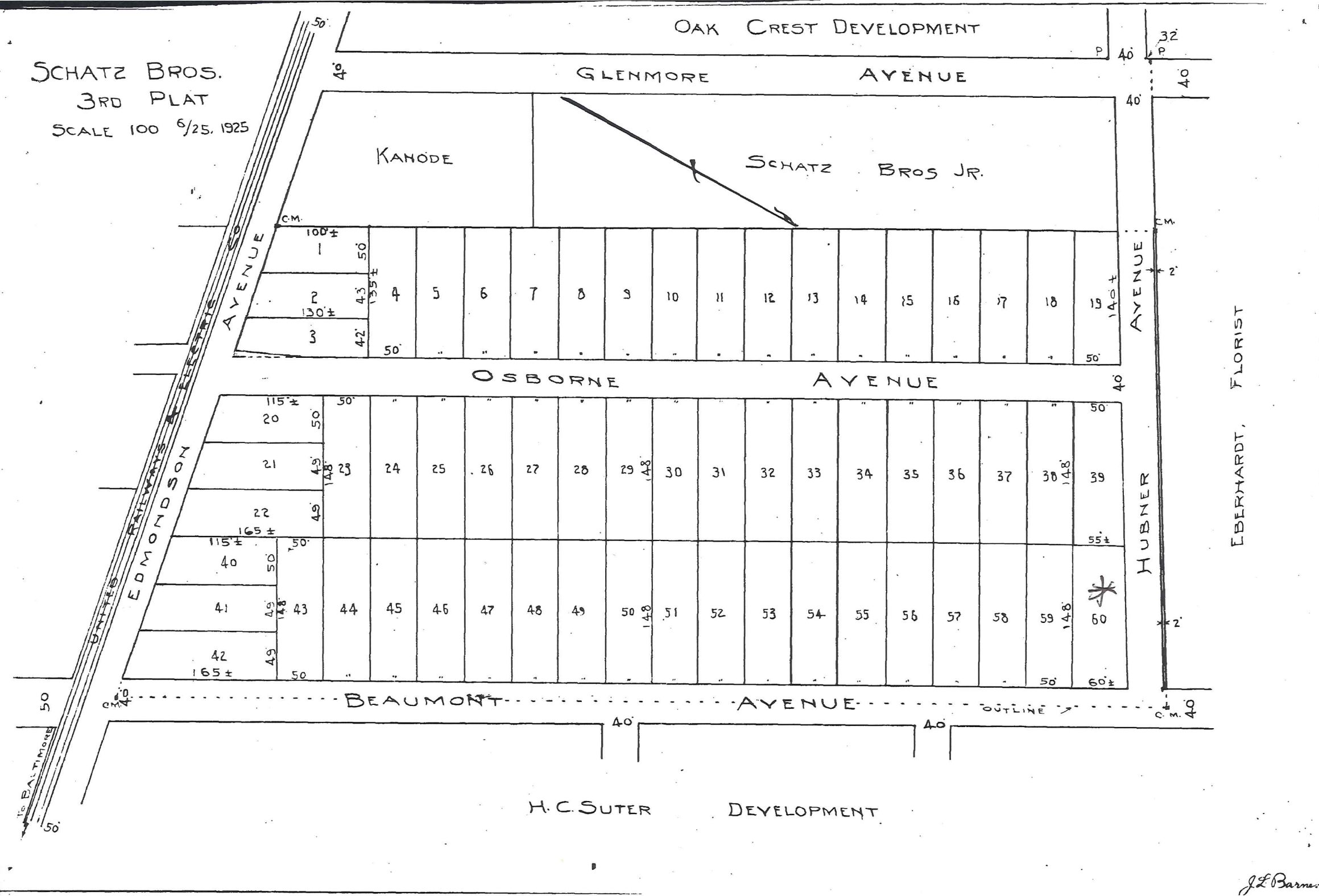
TAX MAP # 0101
PARCEL # 1197
SITE ZONED DR 5.5
ELECTION DISTRICT: 1
COUNCIL DISTRICT: 1
LOT AREA: 0.19 AC
8,140 SF
HISTORIC? NO
IN CBCA? NO
IN FLOOD PLAIN? NO
UTILITIES:
WATER IS: PUBLIC X PRIVATE
SEWER IS: PUBLIC X PRIVATE
PRIOR HEARING? NO

PLAN DRAWN BY: COOPER MELTON, AIA DATE: MAY 23, 2018 SCALE: 1" = 30'-0"

2018-0339-A



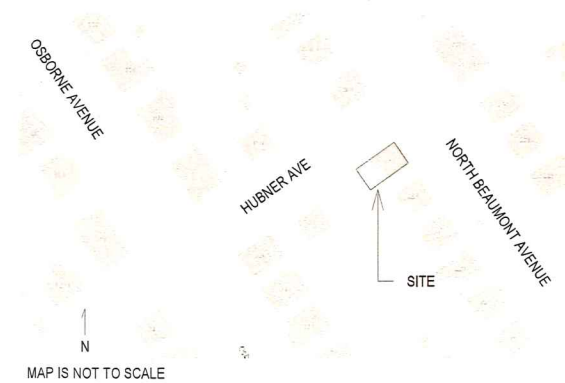
SCHATZ BROS.
3RD PLAT
SCALE 100 6/25, 1925



EBERHARDT, FLORIST

J.L. Barnes

SITE VICINITY MAP



TAX MAP # 0101
PARCEL # 1197
SITE ZONED DR 5.5
ELECTION DISTRICT: 1
COUNCIL DISTRICT: 1
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UTILITIES:
WATER IS: PUBLIC X PRIVATE _____
SEWER IS: PUBLIC X PRIVATE _____
PRIOR HEARING? NO

2018-0339-4 Pet. Exh. 1