

M E M O R A N D U M

DATE: September 18, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0014-A – Appeal Period Expired

The appeal period for the above-referenced case expired on September 17, 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

209-0014-A

John E. Beverungen
jbeverungen@baltimorecountymd.gov
Search Emails

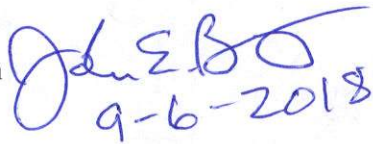
John E. Beverungen <jbeverungen@baltimorecountymd.gov>
To
jimmygeorg50@yahoo.com
CC
[Sherry Nuffer Debra Wiley](#)
Today at 3:28 PM

Mr. George,

Ms. Nuffer forwarded to my attention a copy of an email you sent her concerning the above case. You received an administrative variance on August 17, 2018 which permitted construction of a shed in the side yard of your home with a setback of 10 feet from the centerline of the alley. The site plan submitted with your original request showed a "new shed" sized 12'x14'. If I understand it correctly, you now would like to construct a shed with dimensions of 12'x16'.

As long as the proposed shed will still be located in the side yard and will be no less than 10 feet from the centerline of the alley, you are free to construct the 12'x16' shed. No additional zoning relief is necessary in that instance. You indicated you have already received a building permit, so you should contact the Permits office to make sure the permit accurately reflects the size of the shed you are going to construct.

John Beverungen


9-6-2018

ALJ

CONNECT WITH BALTIMORE COUNTY

www.baltimorecountymd.gov

IN RE: PETITION FOR ADMIN. VARIANCE *
(26 East Elm Avenue)
14th Election District
6th Council District
Sylvester & Isata George
Petitioners

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2019-0014-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, Sylvester and Isata George (“Petitioners”). The Petitioners are requesting Variance relief pursuant to §§ 400.1 and 400.2 of the Baltimore County Zoning Regulations (“BCZR”), to permit an accessory structure (shed) to be located in the side yard in lieu of the required rear yard and to permit a setback of 10 ft. in lieu of the required 15 ft. from the centerline of the alley. 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.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on July 28, 2018, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code (“BCC”). Based upon the information available, there is no evidence in

ORDER RECEIVED FOR FILING

Date 8-17-18

By EW

the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 17th day of **August, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from §§ 400.1 and 400.2 of the Baltimore County Zoning Regulations ("BCZR"), to permit an accessory structure (shed) to be located in the side yard in lieu of the required rear yard and to permit a setback of 10 ft. in lieu of the required 15 ft. from the centerline of the alley, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

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 8-17-18

By lw



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 26 EAST ELM AVENUE Currently zoned DR 5.5
Deed Reference 27204 100291 10 Digit Tax Account # 2 3.0 0.0 1.2.1.5.0
Owner(s) Printed Name(s) SYLVESTER GEORGE AND ISATA GEORGE

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

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

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

1. ☒ **ADMINISTRATIVE VARIANCE** from Section(s) 400.1 & 400.2 BCZR

To permit an accessory structure (shed) to be located in the side yard in lieu of the required rear yard and to permit a setback of 10' in lieu of the required 15' from the centerline of the alley.

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 ~~raise~~ 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):

Sylvester George Isata George
Name #1 – Type or Print Name #2 – Type or Print

[Signature] [Signature]
Signature #1 Signature #2

26 East Elm Ave Balto MD
Mailing Address City State

21206 410-663-3629 jimmy.georg50@yahoo.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 S A M E

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 2019-0014-A Filing Date 7/16/18 Estimated Posting Date 7/29/18 Reviewer JF

ORDER RECEIVED FOR FILING

Rev 5/5/2016

Date 8-17-18

By [Signature]

Affidavit in Support of Administrative Variance

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

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

Address: 26 EAST ELM AVE BALTIMORE MARYLAND 21206
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)

REQUEST IS MADE FOR ADMINISTRATIVE VARIANCE TO ALLOW A SMALL STORAGE SHED TO BE PLACED ON THE EAST SIDE OF THE ABOVE
REFERENCE PROPERTY.

OUR FIRST OPTION WAS TO LOCATE THE SHED IN THE BACKYARD. THE ONLY AVAILABLE PLACE AS THE NORTH CORNER WHICH HAS A
HIGH SLOPE, LARGE TREES AND LARGE BOULDERS. A SWIMMING POOL TAKES UP MOST OF THE YARD. ONCE THE CHILDREN ARE GROWN, THE
POOL
WILL BE DISMANTLED AND THE SHED WILL BE REPLACED THERE. THE OTHER SIDE OF THE PROPERTY LINE IS A 10 FOOT UNPAVED, TREE COVERED
ALLEYWAY. THE ADJACENT PROPERTY ON THAT SIDE IS A TWO STORY RESIDENCE LOCATED MORE THAN 25 FEET FROM THE PROPERTY LINE. THE
NEIGHBOR, MR. HILL HAS NO OBJECTION TO THE PLACEMENT OF THE SHED ON THAT SIDE OF THE HOUSE.

THE SHED IS A 12X14X9 HIGH ENCLOSED STRUCTURE PRE-FABRICATED BY SHEDS UNLIMITED PENNSYLVANIA. THE EXTERIOR COLOR WILL MATCH THE
SIDING OF THE HOUSE. THE SHED IS BLOCKED FROM PUBLIC VIEW BY A FENCE ON THE FRONTAGE OF THE PROPERTY. THE SHED IS AN A FRAMED
ROOF AND WILL SIT ON A SHALLOW CONCRETE FOUNDATION PER SPECIFICATIONS OF THE SHED MANUFACTURER AND AS APPROVED BY A MARYLAND
STATE PROFESSIONAL ENGINEER.

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

Sylvester George
Signature of Owner (Affiant)
Sylvester George
Name- Print or Type

Isata George
Signature of Owner (Affiant)
ISATA GEORGE
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 27 day of June, 2018, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Sylvester George, Isata George

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

AS WITNESS my hand and Notaries Seal

STEPHANIE L. KESSLER
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND

Stephanie L Kessler
Notary Public
11-10-2019
My Commission Expires

My Commission Expires 11-10-2019

REV. 5/5/2016

ZONING PROPERTY DESCRIPTION FOR 26 East ELM AVE.

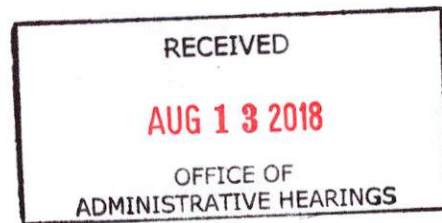
Beginning at the point on the North West side of E. Elm Ave which is 50 ft wide at a distance of 104 feet North West of the centerline of the nearest improved intersecting Linden Ave which is 50 feet wide

Debra Wiley

2019-0019-A

From: Marty Ogle <mert1114@aol.com>
Sent: Sunday, August 12, 2018 7:18 PM
To: Administrative Hearings
Subject: 26 E. Elm St.
Attachments: IMG_0711.jpg; ATT00001.txt; IMG_0710.jpg; ATT00002.txt

2nd set of certificates



CERTIFICATE OF POSTING

CASE NO. 2019-DMA-1

PETITIONER/DEVELOPER
SYLVESTER / DATA
CHILL

DATE OF HEARING/CLOSING
8/13/18

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

LADIES AND GENTLEMAN:

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

210 EAST LIMA AVENUE

SANVA1

THIS SIGN(S) POSTED ON

July 29, 2018
(MONTH, DAY, YEAR)

August 12, 2018

SINCERELY,

[Signature]

SIGNATURE OF SIGN POSTER

MARTIN OOLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411



August 8, 8/12/18 SANVA1

RECEIVED

AUG 13 2018

OFFICE OF
ADMINISTRATIVE HEARINGS

CERTIFICATE OF POSTING

CASE NO. 2019-0004-A
PETITIONER/DEVELOPER
SYLVESTER / WATA
COLE
DATE OF HEARING/CLOSING
8/3/18

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

LADIES AND GENTLEMEN:

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

200 EAST ELM AVENUE

5/10/18

THIS SIGN(S) POSTED ON

July 29, 2018
(MONTH, DAY, YEAR)

August 12, 2018

SINCERELY,

Martin Ogle

SIGNATURE OF SIGN POSTER

MARTIN OGLE
9912 MAIDENBROOK ROAD
PARKVILLE, MD 21234
443-629-3411

RECEIVED

AUG 13 2018

OFFICE OF
ADMINISTRATIVE HEARINGS



Martin Ogle 8/12/18 SIGN #2

CERTIFICATE OF POSTING

CASE NO. 2019-0014-A

PETITIONER/DEVELOPER

SYLVESTER / DATA

GEORGE

DATE OF HEARING/CLOSING

8/13/18

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

ATTENTION :

LADIES AND GENTLEMAN :

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

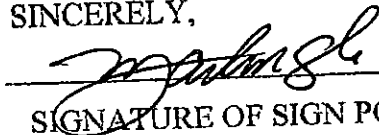
26 EAST ELM AVENUE

SIGN #2

THIS SIGN(S) POSTED ON

July 28, 2018
(MONTH, DAY, YEAR)

SINCERELY,



SIGNATURE OF SIGN POSTER

MARTIN OGLE
9912 MAIDBROOK ROAD
PARKVILLE, MD. 21234
443-629-3411

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2019-0014-A
TO PERMIT AN ACCESSORY STRUCTURE (SHED) TO BE LOCATED
IN THE SIDE YARD IN LIEU OF THE REQUIRED REAR YARD AND TO
PERMIT A SETBACK OF 10' IN LIEU OF THE REQUIRED 15' FROM
THE CENTERLINE OF THE ALLEY.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE. PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON MONDAY, AUGUST 13, 2018
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT

111 W. CHESAPEAKE AVE.
TOWSON, MD 21204



TEL. 410-887-3391

YOU MUST RE-NOB THE VARIANCE AND PERMIT WITHIN 18 MONTHS OF THE DATE OF THE PUBLIC HEARING.

MEETING IS HANDICAP ACCESSIBLE

W. J. [Signature] 7/28/18 S/C/N #2

CERTIFICATE OF POSTING

CASE NO. 2019-0014-A

PETITIONER/DEVELOPER

SYLVESTER / DATA

GEORGE

DATE OF HEARING/CLOSING

8/13/18

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

ATTENTION :

LADIES AND GENTLEMAN :

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

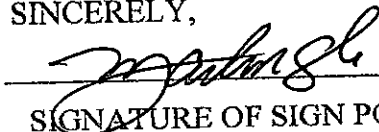
26 EAST ELM AVENUE

SIGN#1

THIS SIGN(S) POSTED ON

July 28, 2018
(MONTH, DAY, YEAR)

SINCERELY,



SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # ZDA-0014-A
TO PERMIT AN ACCESSORY STRUCTURE (SHED) TO BE LOCATED
IN THE SIDE YARD IN LIEU OF THE REQUIRED REAR YARD
AND TO PERMIT A SETBACK OF 10' IN LIEU OF THE REQUIRED
15' FROM THE CENTERLINE OF THE ALLEY

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON MONDAY, AUGUST 13, 2018
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT

111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204



TEL: 410-887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATES. VIOLATION PENALTY OF LAW

MEETING IS HANDICAP ACCESSIBLE



14MWS

8/8/18

78 Wapleau

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0014 -A Address 26 East Elm Avenue

Contact Person: JUN R. FERNANDO Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 7/16/18 Posting Date: 7/29/18 Closing Date: 8/13/18

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 2019- 0014 -A Address 26 East Elm Avenue

Petitioner's Name Sylvester & Isata George Telephone 410-668-3629

Posting Date: 7/29/18 Closing Date: 8/13/18

Wording for Sign: To Permit an accessory structure (SHED) to be located
in the side yard in lieu of the required rear yard and to permit
a setback of 10' in lieu of the required 15' from the centerline of
the alley.

Revised 6/28/2018

**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: 2019-0014-A

Property Address: 26 East Elm Ave, Baltimore, MD 21206

Property Description: _____

Legal Owners (Petitioners): Sylvester George

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Sylvester George

Company/Firm (if applicable): _____

Address: 26 East Elm Ave, Baltimore, MD 21206

Telephone Number: 443-570-1365

Revised 7/9/2015

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

No. **170306**

Date **7/16/18**

PAID RECEIPT

BUSINESS ACTUAL TIME IRW
 7/17/2018 7/16/2018-10:38:51 1

REC W501 WALKIN LJR
 RECEIPT # 795794 7/16/2018 OFLN

Fund	Dept	Unit	Sub Unit	Obj	Sub-Obj	Dept Obj	BS Acct	Amount	Dep
001	800	0000		6150				75.00	CR

5 528 ZONING VERIFICATION

170306

Recpt Tot 175.00

175.00 CR 1.00 CA

Baltimore County, Maryland

Total: **75.00**

Rec From: **Sylvester George**

For: **26 East Elm Ave**

Administration Variance

Case # 2019-0014-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**



DONALD I. MOHLER III
County Executive

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

August 14, 2018

Sylvester & Isata George
26 East Elm Avenue
Baltimore MD 21206

RE: Case Number: 2019-0014 A, Address: 26 East Elm Avenue

Dear Mr. & Ms. George:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 16, 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 "W" and a prominent "J" at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

Date: 7/23/18

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

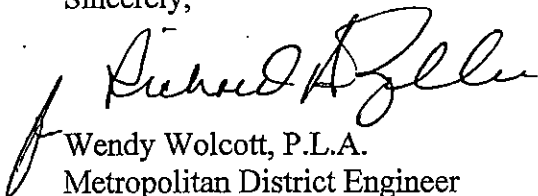
Dear Ms. Lewis:

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. 2019-0014-A.

*Administrative Variance
Sylvester & Isata George
26 East Elm 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: July 25, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0014-A
Address 26 East Elm Avenue
(George Property)

Zoning Advisory Committee Meeting of **July 30, 2018.**

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

Reviewer: Steve Ford

8-13

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: July 25, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0014-A
Address 26 East Elm Avenue
(George Property)

Zoning Advisory Committee Meeting of **July 30, 2018**.

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

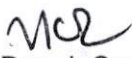
Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals

DATE: August 10, 2018

FROM: 
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For July 30, 2018
Item No. 2019-0012-SPHA, 0013-A, 0014-A, 0015-A, 0016-A, 0017-A,
0018-A, 0019-A and 0020-A

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

*

*

*

*

*

VKD: cen
cc: file

8/13

CASE NO. 2019- 094-A

C H E C K L I S T

Support/Oppose/
Conditions/
Comments/
No Comment

Comment
Received

Department

_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>7-25</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>7-23</u>	STATE HIGHWAY ADMINISTRATION	<u>No object</u>
_____	TRAFFIC ENGINEERING	_____

_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING (1 st)	Date: <u>7-28-18</u>	by <u>Ogle</u>
SIGN POSTING (2 nd)	Date: <u>8-12-18</u>	by <u>Ogle</u>

PEOPLE'S COUNSEL APPEARANCE	Yes	☐	No	☐
PEOPLE'S COUNSEL COMMENT LETTER	Yes	☐	No	☐

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration			
Tax Exempt:		Special Tax Recapture:							
Exempt Class:		NONE							
Account Identifier:		District - 14 Account Number - 2300012150							
Owner Information									
Owner Name:		GEORGE SYLVESTER GEORGE ISATA				Use:		RESIDENTIAL	
Mailing Address:		26 E ELM AVE BALTIMORE MD 21206-1102				Principal Residence:		YES	
						Deed Reference:		/27204/ 00291	
Location & Structure Information									
Premises Address:		26 E ELM AVE 0-0000				Legal Description:		.154AC PT LS 457,458 26 E ELM AVE OVERLEA	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0081	0021	0021		0000			457	2018	Plat Ref: 0002/0196
Special Tax Areas:				Town:		NONE			
				Ad Valorem:					
				Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
2002		1,108 SF		600 SF		6,750 SF		04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
Split Foyer	YES	SPLIT FOYER	SIDING	2 full	1 Attached				
Value Information									
			Base Value	Value	Phase-in Assessments				
				As of	As of		As of		
				01/01/2018	07/01/2018		07/01/2019		
Land:			72,700	72,700					
Improvements			127,000	156,100					
Total:			199,700	228,800	209,400		219,100		
Preferential Land:			0				0		
Transfer Information									
Seller: BEIQUE JEAN CLAUDE				Date: 07/25/2008			Price: \$260,000		
Type: ARMS LENGTH IMPROVED				Deed1: /27204/ 00291			Deed2:		
Seller: COZZI DAVID J				Date: 05/06/2005			Price: \$245,500		
Type: ARMS LENGTH IMPROVED				Deed1: /21823/ 00310			Deed2:		
Seller: WISMAR BUILDING CORPORATION				Date: 06/27/2002			Price: \$150,650		
Type: ARMS LENGTH IMPROVED				Deed1: /16575/ 00044			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 11/03/2008									

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

✓

ZAC AGENDA

Case Number: 2019-0013-A **Reviewer:** Jason Seidelman
Existing Use: RESIDENTIAL **Proposed Use:**
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Delores B & Adam B Cassaell
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 2 **Council Dist:** 4

Property Address: 3111 RHEIMS RD

Location: SE/S of Rheims Road, 302 ft. SW of the centerline of the intersection with Cambridge Drive

Existing Zoning: DR 5.5

Area: 7,605 SQ. FT.

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To permit a proposed side yard addition (enclosed garage) with a side setback of 4 ft. and a front setback of 22 ft. in lieu of the required 10 ft. and 25 ft., respectively.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Case Number: 2019-0014-A **Reviewer:** Jun Fernando

Existing Use: RESIDENTIAL **Proposed Use:**

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Sylvester & Isata George

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 14 **Council Dist:** 6

Property Address: 26 EAST ELM AVE

Location: NS of E Elm Avenue, 104 ft. W from the centerline of Linden avenue

Existing Zoning: DR 5.5

Area: 0.15 ACRE

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To permit an accessory structure (shed) to be located in the side yard in lieu of the required rear yard and to permit a setback of 10 ft. in lieu of the required 15 ft. from the centerline of the alley.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 08/13/2018

Miscellaneous Notes:

2019-0014-A

John E. Beverungen
jbeverungen@baltimorecountymd.gov
Search Emails

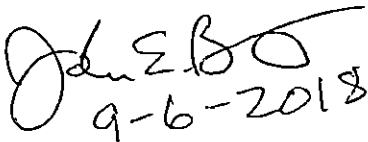
John E. Beverungen <jbeverungen@baltimorecountymd.gov>
To
jimmygeorg50@yahoo.com
CC
Sherry Nuffer Debra Wiley
Today at 3:28 PM

Mr. George,

Ms. Nuffer forwarded to my attention a copy of an email you sent her concerning the above case. You received an administrative variance on August 17, 2018 which permitted construction of a shed in the side yard of your home with a setback of 10 feet from the centerline of the alley. The site plan submitted with your original request showed a "new shed" sized 12'x14'. If I understand it correctly, you now would like to construct a shed with dimensions of 12'x16'.

As long as the proposed shed will still be located in the side yard and will be no less than 10 feet from the centerline of the alley, you are free to construct the 12'x16' shed. No additional zoning relief is necessary in that instance. You indicated you have already received a building permit, so you should contact the Permits office to make sure the permit accurately reflects the size of the shed you are going to construct.

John Beverungen


9-6-2018

ALJ

CONNECT WITH BALTIMORE COUNTY

www.baltimorecountymd.gov

Sherry Nuffer

From: Sylvester George <jimmygeorg50@yahoo.com>
Sent: Friday, August 31, 2018 1:45 PM
To: Sherry Nuffer
Subject: Re:



CASE# 2019-0014-A

Dear Sir.

My case has been approved and until 30 days, however; I have received the permit. The company that I negotiated for the shed in 2017, which I stated with down payment of \$ 1000.00 has refused to bring down the cost of previous price. The company states that because I requested for 12x16 in 2017, the price will still be the same as 12x14 inc. In this regard, I am kindly requesting for the adjustment 12x16" instead of 12x14 so I should not loose a thousand dollar at this point in time for forgetting to put in the right number.

In Short: please allow us to put 12x16in, the length of 16in will be in our area. I will forward the company information to you. Thanks in advance.

Sincerely yours
Sylvester & Isata George.

On Friday, August 31, 2018 1:40 PM, Sherry Nuffer <snuffer@baltimorecountymd.gov> wrote:

e-mail address:

Administrativehearings@baltimorecountymd.gov

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov





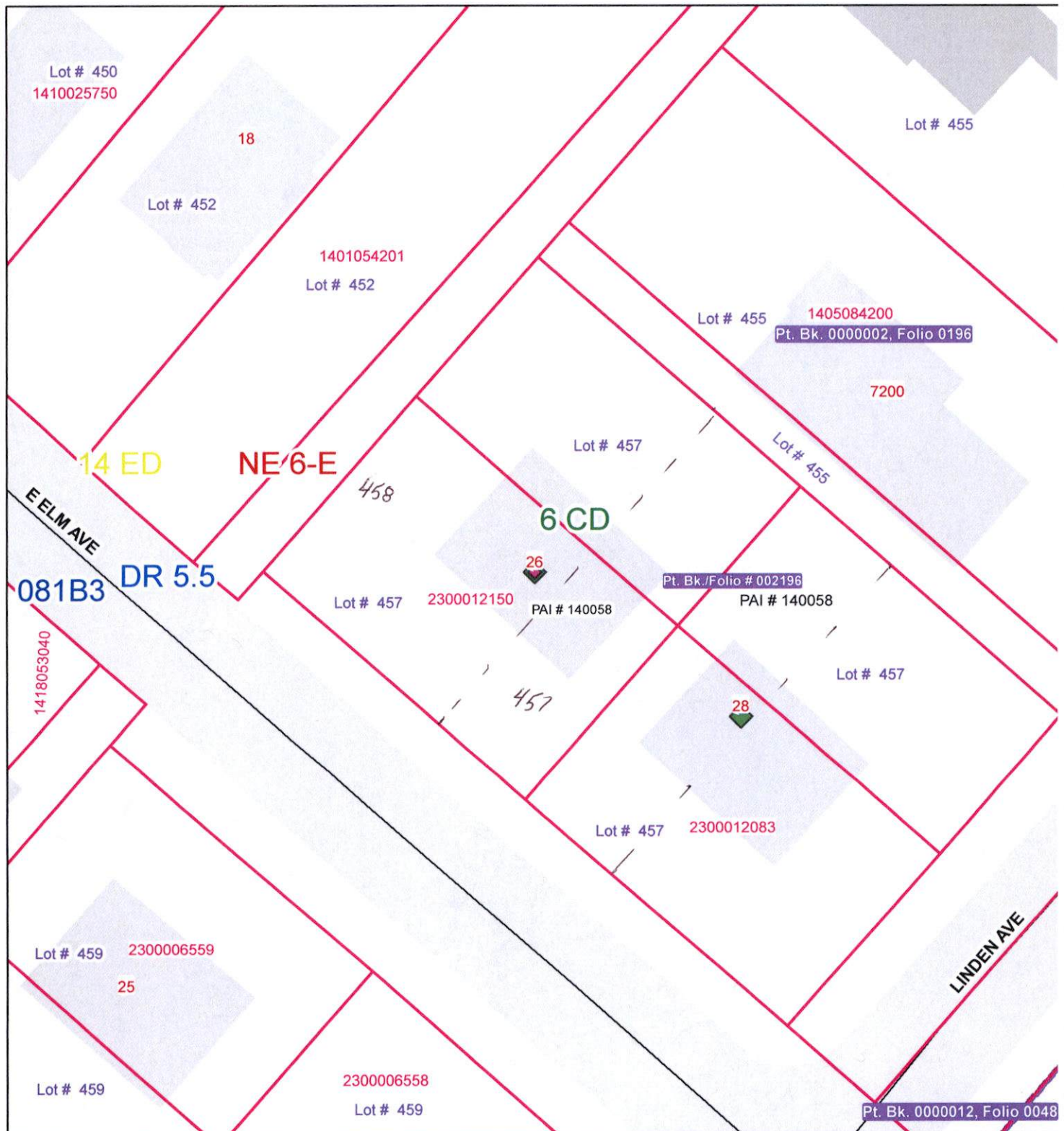








26 E Elm Avenue



Publication Date: 6/11/2018



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



0 5 10 20 30 40
Feet

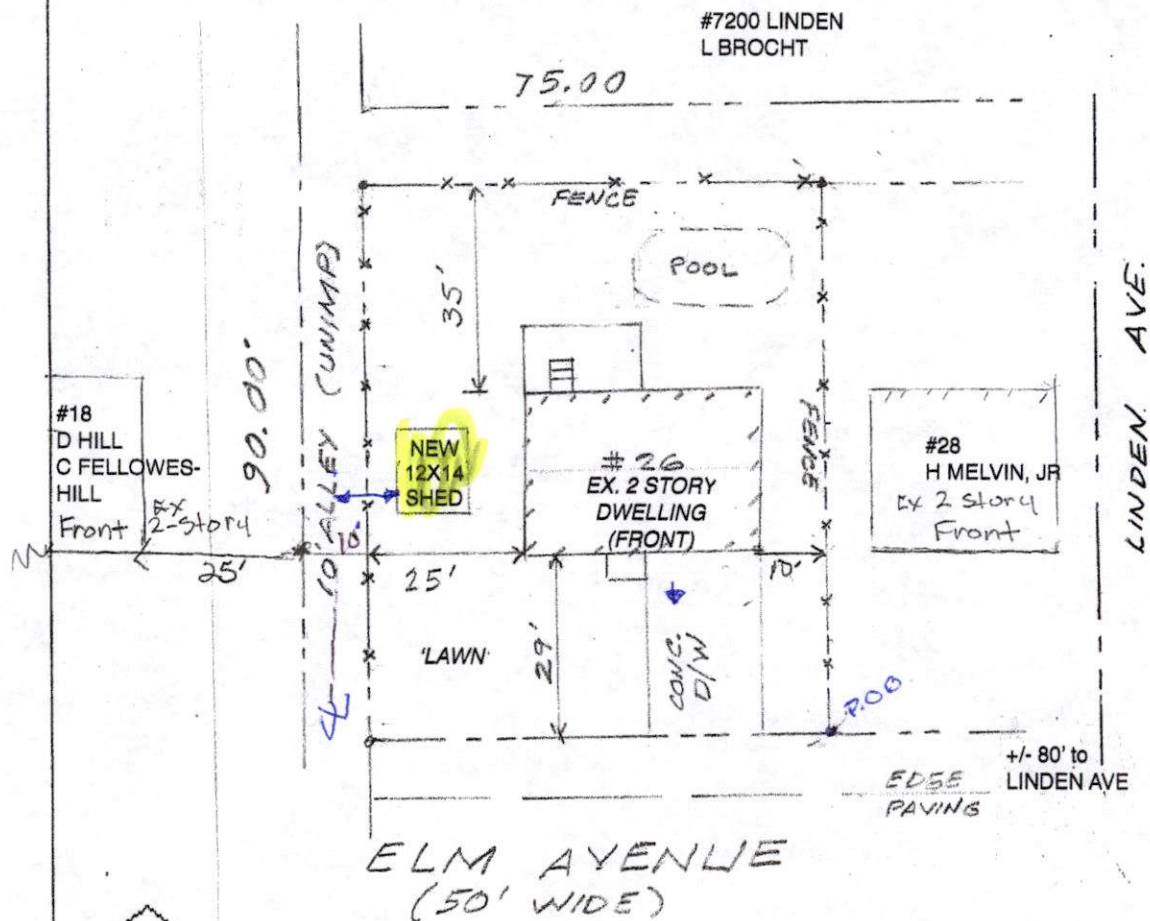
1 inch = 30 feet

ZONING HEARING PLAN FOR VARIANCE x FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH x)

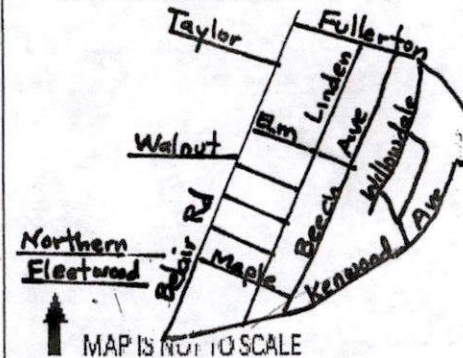
ADDRESS 26 E ELM AVENUE OWNER(S) NAME(S) SYLVESTER & ISATA GEORGE

SUBDIVISION NAME OVERLEA LOT # 457 BLOCK # _____ SECTION # _____

PLAT BOOK # 002 FOLIO # 196 10 DIGIT TAX # 14-2300012150 DEED REF. # 27204 / 00291



SITE VICINITY MAP



ZONING MAP# B3 08/13

SITE ZONED DR-5.5

ELECTION DISTRICT 14th

COUNCIL DISTRICT 6th

LOT AREA ACREAGE 0.15

OR SQUARE FEET 6,750

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH x

WATER IS:

PUBLIC x PRIVATE _____

SEWER IS:

PUBLIC x PRIVATE _____

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

NA

VIOLATION CASE INFO:

NA

2019-0014-A

Pet. Exh. 1

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 26 E ELM AVENUE OWNER(S) NAME(S) SYLVESTER & ISATA GEORGE

SUBDIVISION NAME OVERLEA LOT # 457 BLOCK # SECTION #

PLAT BOOK # 002 FOLIO # 196 10 DIGIT TAX # 14-2300012150 DEED REF. # 27204 / 00291

#7200 LINDEN
L BROCHT

75.00

FENCE

POOL

NEW
12X14
SHED

#26
EX. 2 STORY
DWELLING
(FRONT)

#28
H MELVIN, JR
EX 2 STORY
Front

'LAWN'

POB

CONC.
D/W

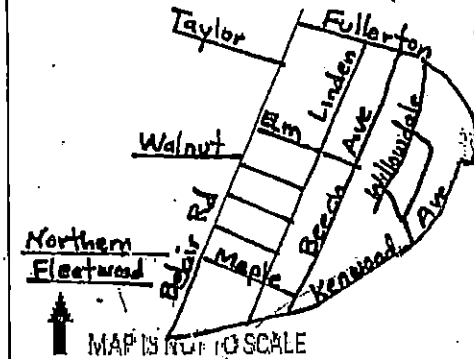
+/- 80' to
LINDEN AVE
EDGE
PAVING

ELM AVENUE
(50' WIDE)



PLAN DRAWN BY BRIAN STEPHENSON, PE DATE 5/9/18 SCALE: 1 INCH = 30 FEET

SITE VICINITY MAP



ZONING MAP# B3 08/03

SITE ZONED DR-5.5

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COUNCIL DISTRICT 6th

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SEWER IS:

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AND ORDER RESULT BELOW

NA

VIOLATION CASE INFO:

NA

2019-0014-A

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 26 E ELM AVENUE OWNER(S) NAME(S) SYLVESTER & ISATA GEORGE

SUBDIVISION NAME OVERLEA LOT # 457 BLOCK # _____ SECTION # _____

PLAT BOOK # 002 FOLIO # 196 10 DIGIT TAX # 14-2300012150 DEED REF. # 27204 / 00291

#7200 LINDEN
L BROCHT

75.00

FENCE

POOL

NEW
12X14
SHED

#26
EX. 2 STORY
DWELLING
(FRONT)

#28
H MELVIN, JR
EX 2 STORY
FRONT

LAWN

POB

CONG.
D/W

EDGE
PAVING

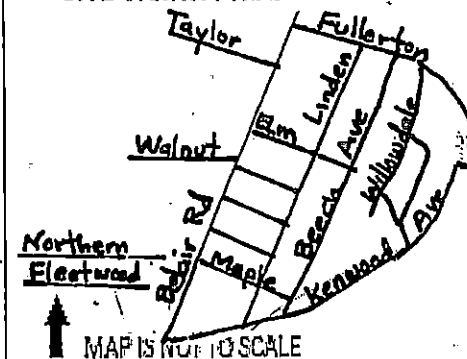
+/- 80' to
LINDEN AVE

ELM AVENUE
(50' WIDE)



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ZONING MAP# B3 08/03

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2019-0014-A