

M E M O R A N D U M

DATE: October 30, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0064-A – Appeal Period Expired

The appeal period for the above-referenced case expired on October 29, 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

/dlw

AIN RE: PETITION FOR ADMIN. VARIANCE *
(5 Whitwick Court)
11th Election District *
5th Council District *
Nicholas B. & Erin A. Miskelly *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2019-0064-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 subject property, Nicholas B. and Erin A. Miskelly (“Petitioners”). The Petitioners are requesting Variance relief pursuant to § 1B01.2.C.1.b of the Baltimore County Zoning Regulations (“BCZR”), to permit a proposed sunroom addition to the rear of the existing dwelling with a rear yard setback of 21 ft. in lieu of the required 30 ft. and to amend the approved Final Development Plan (“FDP”) of 12th Avenue for Lot No. 4 only. 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 September 7, 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 9-27-18

Rv DW

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.

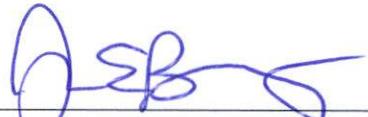
Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 27th day of **September, 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 a proposed sunroom addition to the rear of the existing dwelling with a rear yard setback of 21 ft. in lieu of the required 30 ft. and to amend the approved Final Development Plan (“FDP”) of 12th Avenue for Lot No. 4 only, 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

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Date 9-27-18

By DW



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 5 WHITWICK CT. Currently zoned DR 5.5
Deed Reference 25437 / 496 10 Digit Tax Account # 2 4 0 0 0 0 6 8 8 4
Owner(s) Printed Name(s) ERIN ANN MISKELLY & NICHOLAS BERNARD MISKELLY

(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) 1B012 C.1.(b) of BCZR to permit a proposed sunroom addition to the rear of the existing dwelling with a rear yard setback of 21 feet in lieu of the required 30 feet, and, to amend the approved Final Development Plan of 12th Avenue for Lot#4 only.

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):

ERIN ANN MISKELLY / NICHOLAS BERNARD MISKELLY
Name #1 – Type or Print Name #2 – Type or Print

Erin Ann Miskelly / Nicholas Bernard Miskelly
Signature #1 Signature #2

5 Whitwick Ct. Parkville MD
Mailing Address City State

21234 / 4105985303 / emiskelly@aurora-healthcare.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:

GERARDO PEREZ
Name – Type or Print

Signature

3516 ASHBY CT. / WOODBRIAGE / VA
Mailing Address City State

22192 / 703-944-0530 / GFPEREZ@LIVE.COM
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 2019-0064-A Filing Date 8/27/18 Estimated Posting Date 9/19/18 Reviewer AT

- 9/24/18

ORDER RECEIVED FOR FILING
9-27-18
BW

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: 5 WHITWICK CT. BALTIMORE MD 21234
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)

WE ARE REQUESTING AN ADMINISTRATIVE VARIANCE FOR RELIEF FROM THE 30' REAR YARD SETBACK TO ALLOW FOR A 9' ENCROACHMENT AND THEREBY REDUCING THE SETBACK TO 21'. WE ARE PROPOSING TO HAVE AN ENCLOSURE BUILT AT THE REAR OF OUR PROPERTY TO BE USED AS A SUNROOM.
Request more variance due to increase in family size

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

Erin Ann Miskelly
Signature of Owner (Affiant)

Erin Ann Miskelly
Name- Print or Type

Nicholas Bernard Miskelly
Signature of Owner (Affiant)

Nicholas Bernard Miskelly
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:

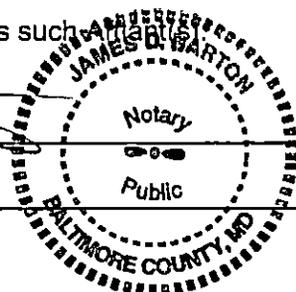
I HEREBY CERTIFY, this 3rd day of AUGUST, 2018, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: ERIN ANN MISKELLY AND NICHOLAS BERNARD MISKELLY

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

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public
11/10/2019
My Commission Expires



REV. 5/5/2016

2019-0064-A

ZONING PROPERTY DESCRIPTION FOR
5 WHITWICK CT, BALTIMORE, MD 21234.

PART A

Beginning at a point on the **west** side of **Whitwick Ct** which is **124** feet wide at a distance **125** feet **east** of the centerline of the nearest improved intersecting street **12th Ave** which is **25** feet wide.

PART B

Being Lot # **4**, in the subdivision of **12th Ave** as recorded in Baltimore County Plat Book # **77/20**, Deed Reference # **25437/496**, containing **10,367** of total square feet. Located in the **11th** Election District and **5th** Council District.

2019-0064-A

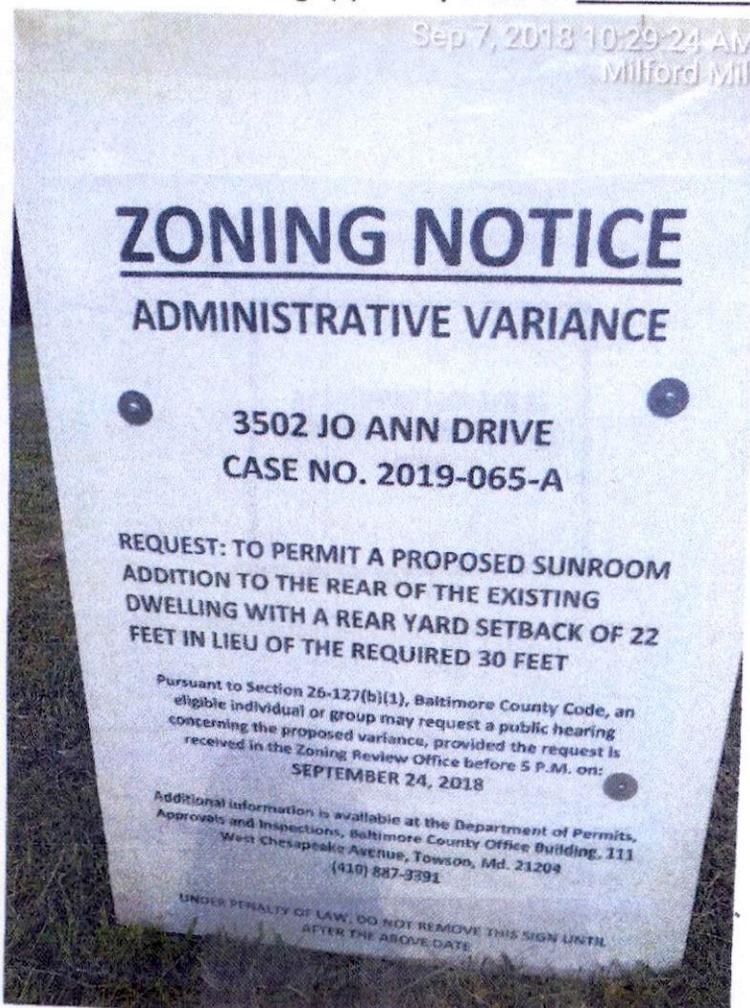
CERTIFICATE OF POSTING

Date: SEPTEMBER 7, 2018

RE: Project Name: 3502 JOANN DRIVE #1
Case Number /PAI Number: 2019-0065-A
Petitioner/Developer: HUGHES
Date of Hearing/Closing: SEPTEMBER 24, 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 3502 JOANN DRIVE

The sign(s) were posted on SEPTEMBER 7, 2018
(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

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

CERTIFICATE OF POSTING

Date: SEPTEMBER 7, 2018

RE: Project Name: 3502 JOANN DRIVE #2
Case Number /PAI Number: 2019-0065-A
Petitioner/Developer: HUGHES
Date of Hearing/Closing: SEPTEMBER 24, 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 3502 JOANN DRIVE

The sign(s) were posted on SEPTEMBER 7, 2018
(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 064 - A Address 5 Whitewick Court

Contact Person: Aaron Tsui Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 08/027/2018 Posting Date: 09/09/18 Closing Date: 09/24/18

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 (on the reverse side of this form) 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 an 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 zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The 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 zoning or deputy zoning commissioner), 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- 064 -A Address 5 Whitewick Court

Petitioner's Name: Erin Miskelly Telephone : 410-598-5303

Posting Date: 09/09/18 Closing Date: 09/24/2018

Wording for Sign: To permit a proposed sunroom addition to the rear of the existing dwelling with a rear yard setback of 21 feet in lieu of the required 30 feet, and, to amend the approved Final Development Plan of 12th Avenue for Lot #4 only.



DONALD I. MOHLER III
County Executive

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

September 25, 2018

Erin Ann & Nicholas Bernard Miskelly
5 Whitwick Court
Parkville MD 21234

RE: Case Number: 2019-0064 A, Address: 5 Whitwick Court

Dear Mr. & Ms. Miskelly:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 27, 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 written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Gerardo Perez, 3516 Ashby Court, Woodbridge VA 22192

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



9-24

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: September 10, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0064-A
Address 5 Whitwick Court
(Miskelly Property)

Zoning Advisory Committee Meeting of **September 10, 2018**.

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

Reviewer: Steve Ford

Date: 9/7/18

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

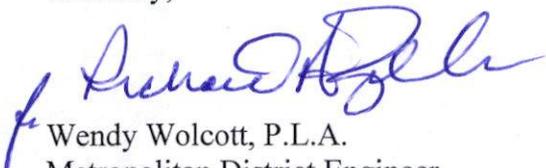
Dear Ms. Lewis:

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. 2019-0064-A

*Administrative Variance
Erin Ann & Nicholas Bernard Miskelly
5 Whitwick Court*

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: September 10, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0064-A
Address 5 Whitwick Court
(Miskelly Property)

Zoning Advisory Committee Meeting of **September 10, 2018**.

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

Reviewer: Steve Ford

PLEASE SCAN AND EMAIL THE DECISION TO

GFPEREZ@LIVE.COM

2019-0064 A

~~FIGURE~~
MISKELLY

Real Property Data Search

Search Result for BALTIMORE COUNTY

[View Map](#) [View GroundRent Redemption](#) [View GroundRent Registration](#)

Account Identifier: **District - 11 Account Number - 2400006884**

Owner Information

Owner Name: MISKELLY ERIN ANN **Use:** RESIDENTIAL
MISKELLY NICHOLAS BERNARD **Principal Residence:** YES
Mailing Address: 5 WHITWICK CT **Deed Reference:** /25437/ 00496
BALTIMORE MD 21234-1885

Location & Structure Information

Premises Address: 5 WHITWICK CT **Legal Description:** .2824 AC
0-0000 5 WHITWICK CT WS
12TH AVENUE

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	Plat Ref:
0071	0016	0583		0000			4	2018		0077/0020

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

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
2005	2,684 SF		10,367 SF	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
2	YES	STANDARD UNIT	SIDING	2 full/ 1 half	1 Attached	

Value Information

	Base Value	Value		Phase-in Assessments	
		As of 01/01/2018	As of 07/01/2017	As of 07/01/2018	
Land:	137,800	137,800			
Improvements	232,600	281,500			
Total:	370,400	419,300	370,400	386,700	
Preferential Land:	0			0	

Transfer Information

Seller: TAYLOR ERIN ANN **Date:** 04/02/2007 **Price:** \$0
Type: NON-ARMS LENGTH OTHER **Deed1:** /25437/ 00496 **Deed2:**

Seller: 12TH AVENUE LLC **Date:** 06/22/2005 **Price:** \$152,500
Type: ARMS LENGTH VACANT **Deed1:** /22082/ 00149 **Deed2:**

Seller: **Date:** **Price:**
Type: **Deed1:** **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 11/10/2010

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:** 2019-0064-A

9/24

CASE NO. 2019- 0064-A

C H E C K L I S T

<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>9-10</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>9-7</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING (1st) Date: 9-7-18 by Billingley

SIGN POSTING (2nd) Date: " by "

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 - 11			Account Number - 2400006884				
Owner Information									
Owner Name:		MISKELLY ERIN ANN MISKELLY NICHOLAS BERNARD			Use: Principal Residence:		RESIDENTIAL YES		
Mailing Address:		5 WHITWICK CT BALTIMORE MD 21234-1885			Deed Reference:		/25437/ 00496		
Location & Structure Information									
Premises Address:		5 WHITWICK CT 0-0000			Legal Description:		.2824 AC 5 WHITWICK CT WS 12TH AVENUE		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0071	0016	0583		0000			4	2018	Plat Ref: 0077/0020
Special Tax Areas:		Town:			NONE				
		Ad Valorem:							
		Tax Class:							
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
2005		2,684 SF				10,367 SF		04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
2	YES	STANDARD UNIT	SIDING	2 full/ 1 half	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:		137,800		137,800					
Improvements		232,600		281,500					
Total:		370,400		419,300		386,700		403,000	
Preferential Land:		0						0	
Transfer Information									
Seller: TAYLOR ERIN ANN		Date: 04/02/2007		Price: \$0					
Type: NON-ARMS LENGTH OTHER		Deed1: /25437/ 00496		Deed2:					
Seller: 12TH AVENUE LLC		Date: 06/22/2005		Price: \$152,500					
Type: ARMS LENGTH VACANT		Deed1: /22082/ 00149		Deed2:					
Seller:		Date:		Price:					
Type:		Deed1:		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 11/10/2010									

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application

Date:

ZAC AGENDA

Case Number: 2019-0063-A **Reviewer:** Gary Hucik
Existing Use: RESIDENTIAL **Proposed Use:**
Type: ADMINISTRATIVE VARIANCE
Legal Owner: James Kalb
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 33 BLOOMINGDALE AVE
Location: S/S of Bloomingdale Avenue, W 130 ft. to the centerline of Ben Woods Court

Existing Zoning: DR 5.5 **Area:** 5764 SQ. FT.

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To permit the replacement of a 6 ft. high fence located in the rear yard of a single family dwelling that adjoins the front yard of another single family dwelling with a zero setback in lieu of the required 10 ft.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 09/24/2018

Miscellaneous Notes:

Case Number: 2019-0064-A **Reviewer:** Aaron Tsui
Existing Use: RESIDENTIAL **Proposed Use:**
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Erin Ann & Nicholas Bernard Miskelly
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 11 **Council Dist:** 5

Property Address: 5 WHITWICK CT
Location: W/S of Whitwick Court, 125 ft. E of the centerline of 12th Avenue

Existing Zoning: DR 5.5 **Area:** 10,367 SQ. FT.

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To permit a proposed sunroom addition to the rear of the existing dwelling with a rear yard setback of 21 ft. in lieu of the required 30 ft. and to amend the approved Final Development Plan of 12th Avenue for Lot #4 only.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 09/24/2018

Miscellaneous Notes:

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: September 24, 2018

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

SUBJECT: Zoning Advisory Committee Meeting
For September 10, 2018
Item No. 2019-0064-A

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

The record plat (77/20) shows an existing drainage and utility easement on the property along the rear and side property lines. The easements are shown on the plan. The proposed sunroom addition is within the drainage and utility easement shown on the plat. The addition should be moved outside of the easement.

* * * * *

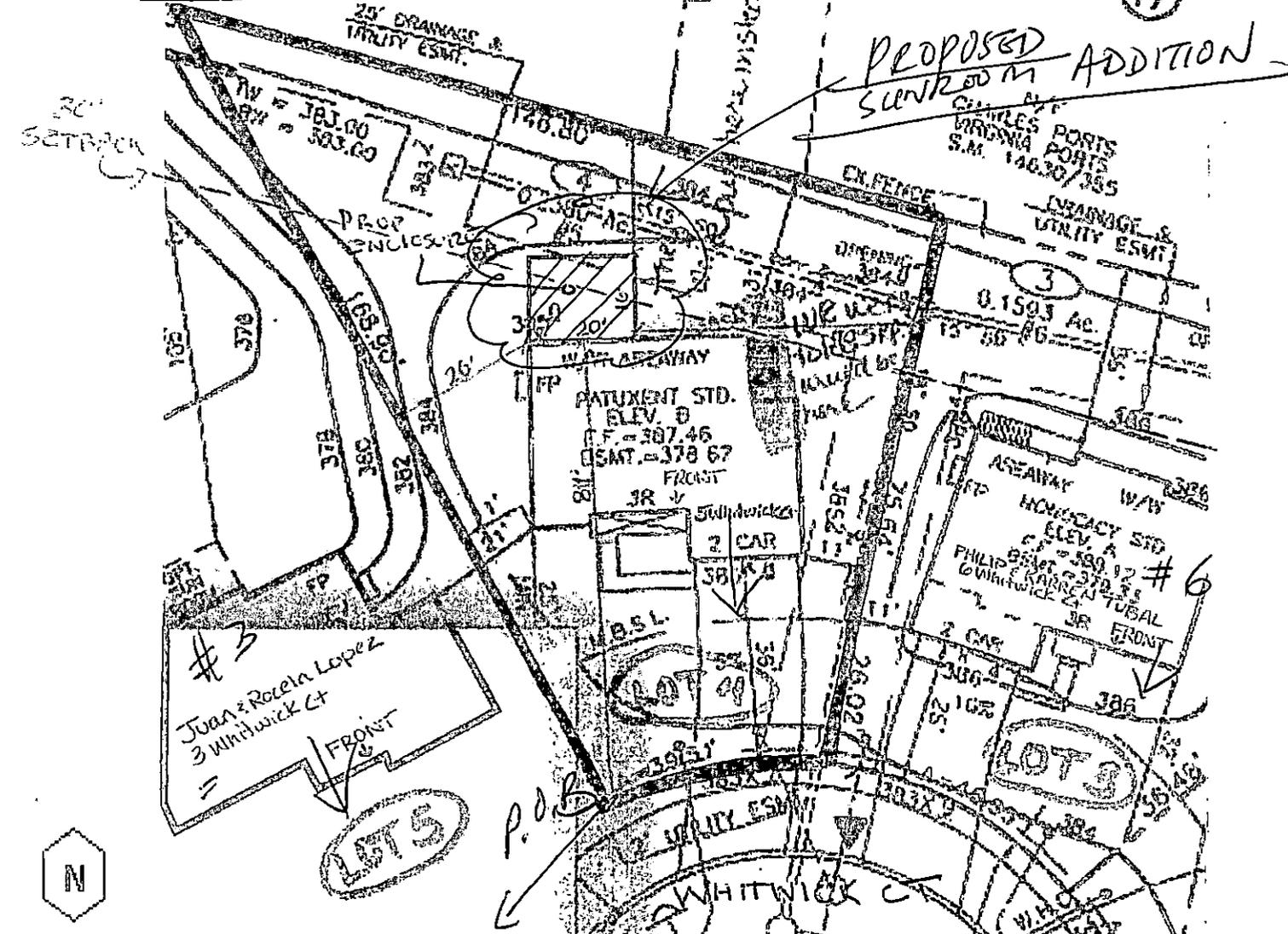
VKD: cen
cc: file

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

ADDRESS 5 Whitwick CT OWNER(S) NAME(S) ERIN & Nicholas Miskelly

SUBDIVISION NAME 12th Ave LOT# 4 BLOCK# N/A SECTION# N/A

PLAT BOOK # 77 FOLIO # 20 10 DIGIT TAX # 2400000884 DEED REF. # 25437/00496



PLAN DRAWN BY Genardo Perez

DATE 8/26/18 SCALE: 1 INCH = 30 FEET

SITE VICINITY MAP

MAP IS NOT TO SCALE

ZONING MAP# 071B2

SITE ZONED DR 5.5

ELECTION DISTRICT 11th

COUNCIL DISTRICT 5th

LOT AREA ACREAGE 0.2379

OR SQUARE FEET 10,367

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS: PUBLIC PRIVATE _____

SEWER IS: PUBLIC PRIVATE _____

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW

NO

VIOLATION CASE INFO:

NO

2019-0064-A Pet. Exh. 1



2019-0064-A



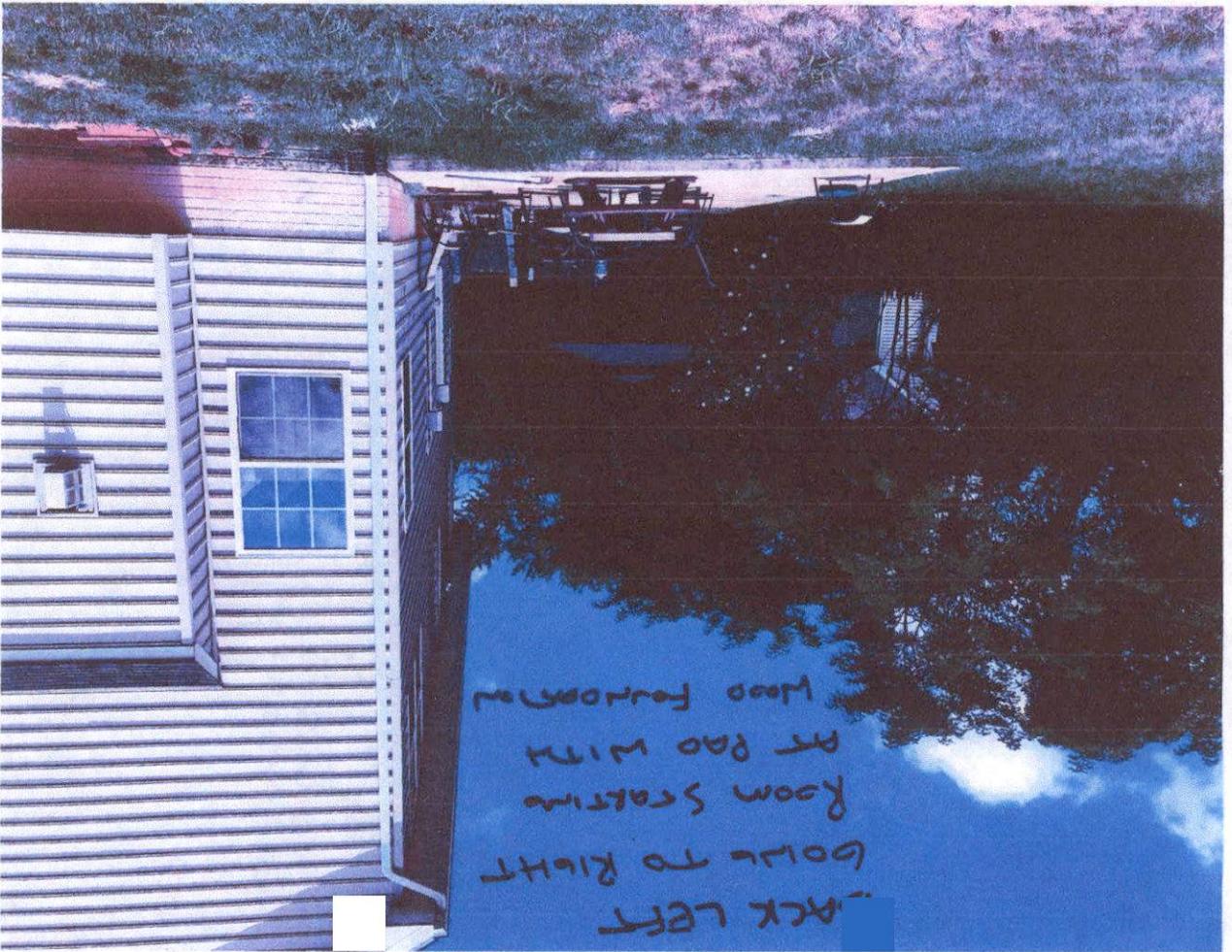
SIDE VIEW
FROM LEFT



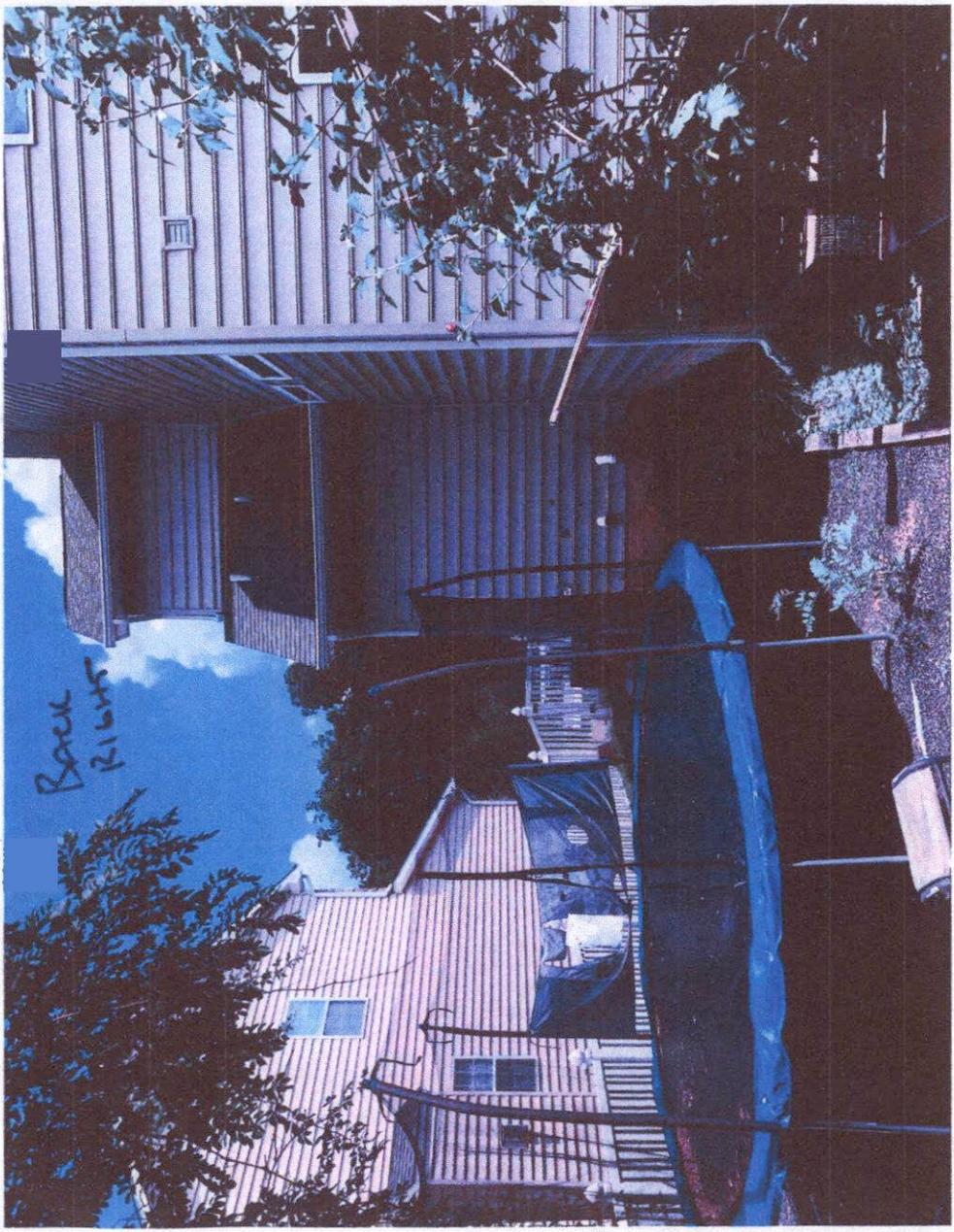
FRONT WITH
NEIGHBOR TO LEFT

2019-0064-A

2019-0064-A







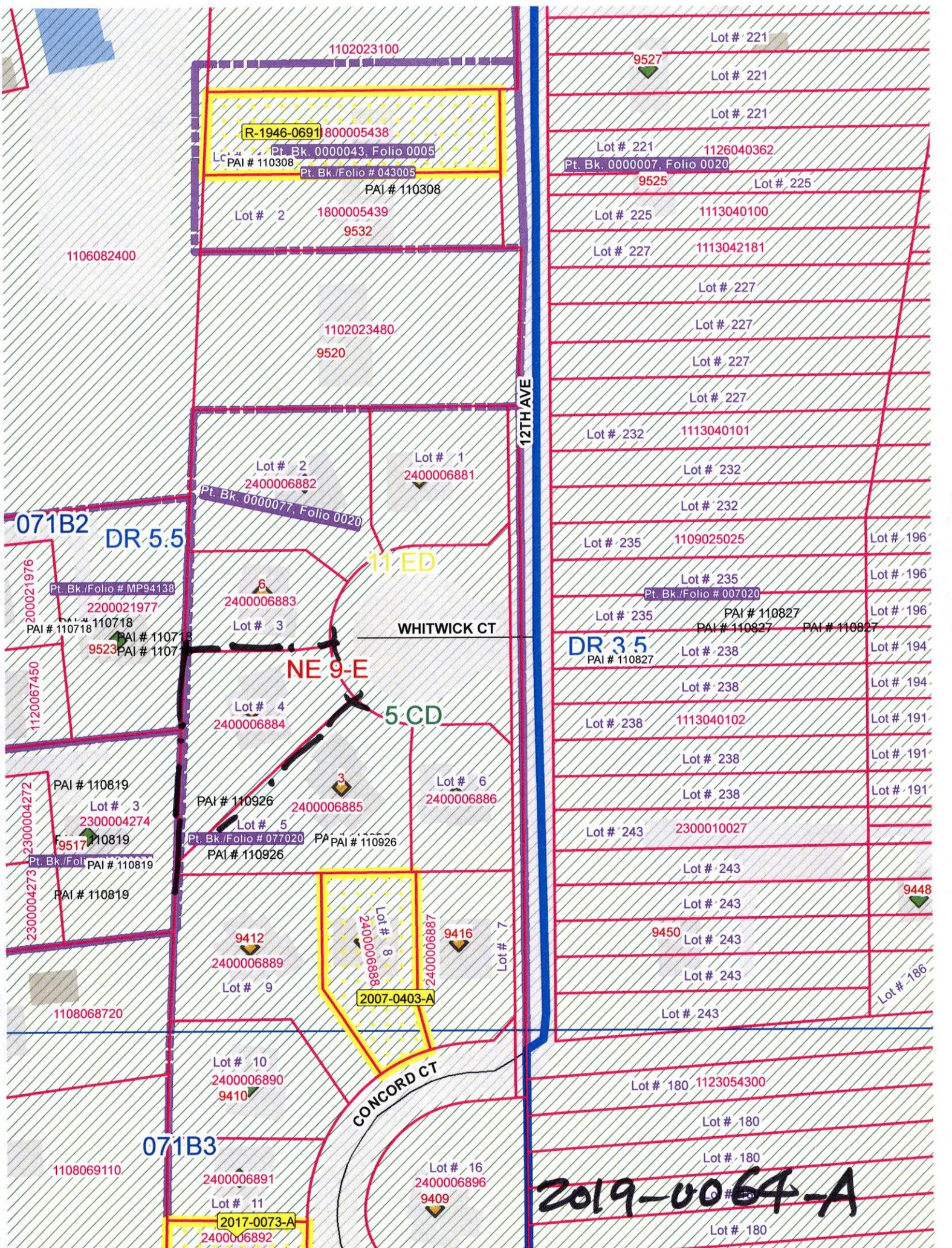
2019-0064-A

2019-0064-A





2010-0064-A



1102023100

R-1946-0691 800005438

Pt. Bk. 0000043, Folio 0005
PAI # 110308

Pt. Bk./Folio # 043005

PAI # 110308

Lot # 2 1800005439

9532

1106082400

1102023480

9520

12TH AVE

Lot # 2

2400006882

Pt. Bk. 0000077, Folio 0020

Lot # 1

2400006881

071B2

DR 5.5

11 ED

Pt. Bk./Folio # MP94138

2200021977

PAI # 110718

PAI # 110718

9523 PAI # 110718

2400006883

Lot # 3

WHITWICK CT

NE 9-E

5 CD

Lot # 4

2400006884

Lot # 6

2400006886

PAI # 110819

Lot # 3

2300004274

9517 PAI # 110819

Pt. Bk./Folio # PAI # 110819

PAI # 110819

PAI # 110926

Lot # 5

Pt. Bk./Folio # 077020

PAI # 110926

2400006885

3

PAI # 110819

9412

2400006889

Lot # 9

9416

2400006887

Lot # 7

2007-0403-A

1108068720

Lot # 10

2400006890

9410

CONCORD CT

Lot # 180 1123054300

Lot # 180

071B3

1108069110

2400006891

Lot # 11

2400006892

2017-0073-A

Lot # 16

2400006896

9409

Lot # 180

Lot # 180

Lot # 180

Lot # 180

2019-0064-A

Lot # 221

9527

Lot # 221

Lot # 221

Lot # 221

1126040362

Pt. Bk. 0000007, Folio 0020

9525

Lot # 225

Lot # 225

1113040100

Lot # 227

1113042181

Lot # 227

Lot # 227

Lot # 227

Lot # 227

Lot # 232

1113040101

Lot # 232

Lot # 232

Lot # 235

1109025025

Lot # 196

Lot # 235

Pt. Bk./Folio # 007020

Lot # 196

Lot # 235

PAI # 110827

Lot # 196

PAI # 110827

PAI # 110827

DR 3.5

PAI # 110827

Lot # 238

Lot # 194

Lot # 238

Lot # 194

Lot # 238

1113040102

Lot # 191

Lot # 238

Lot # 191

Lot # 238

Lot # 191

Lot # 243

2300010027

Lot # 243

9448

Lot # 243

9450

Lot # 243

Lot # 243

Lot # 186

Lot # 243

Lot # 10

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2400006896

9409

Lot # 180

Lot # 180

Lot # 180

Lot # 180



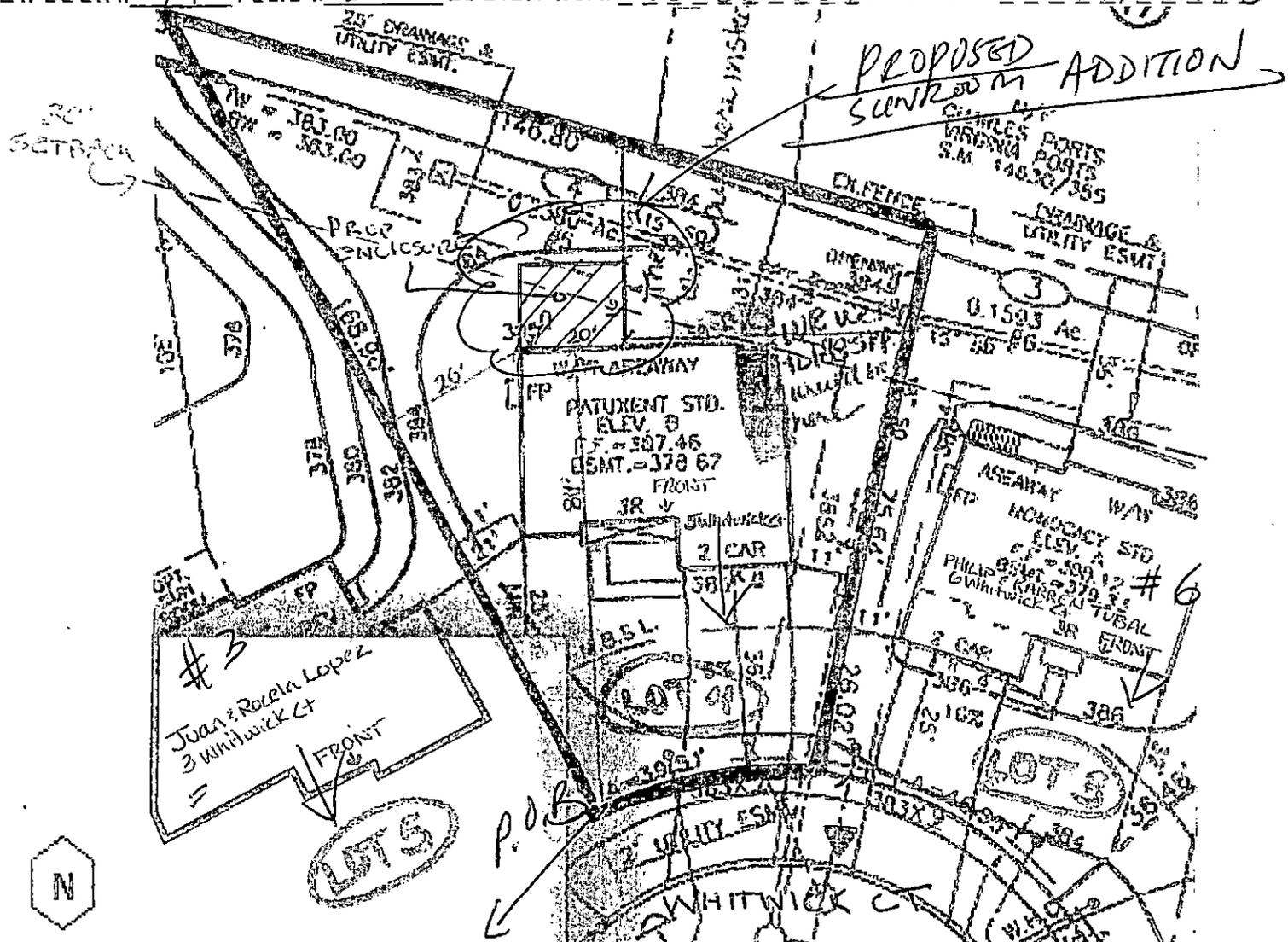
7-100-1105

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

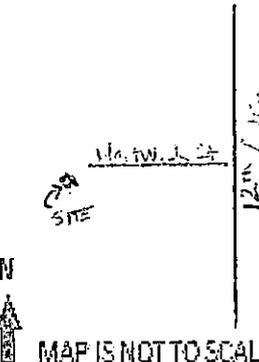
ADDRESS 5 Whitwick CT OWNER(S) NAME(S) ERIN & Nicholas Miskelly

SUBDIVISION NAME 12th Ave LOT# 4 BLOCK# N/A SECTION# N/A

PLAT BOOK # 77 FOLIO # 20 10 DIGIT TAX # 2400006884 DEED REF. # 25437100496



SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 071B2

SITE ZONED DR 5.5

ELECTION DISTRICT 11th

COUNCIL DISTRICT 5th

LOT AREA ACREAGE 0.2379

OR SQUARE FEET 10,367

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH

WATER IS: PUBLIC PRIVATE _____

SEWER IS: PUBLIC PRIVATE _____

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

NO

VIOLATION CASE INFO:

NO

PLAN DRAWN BY Gerardo Perez

DATE 8/26/18

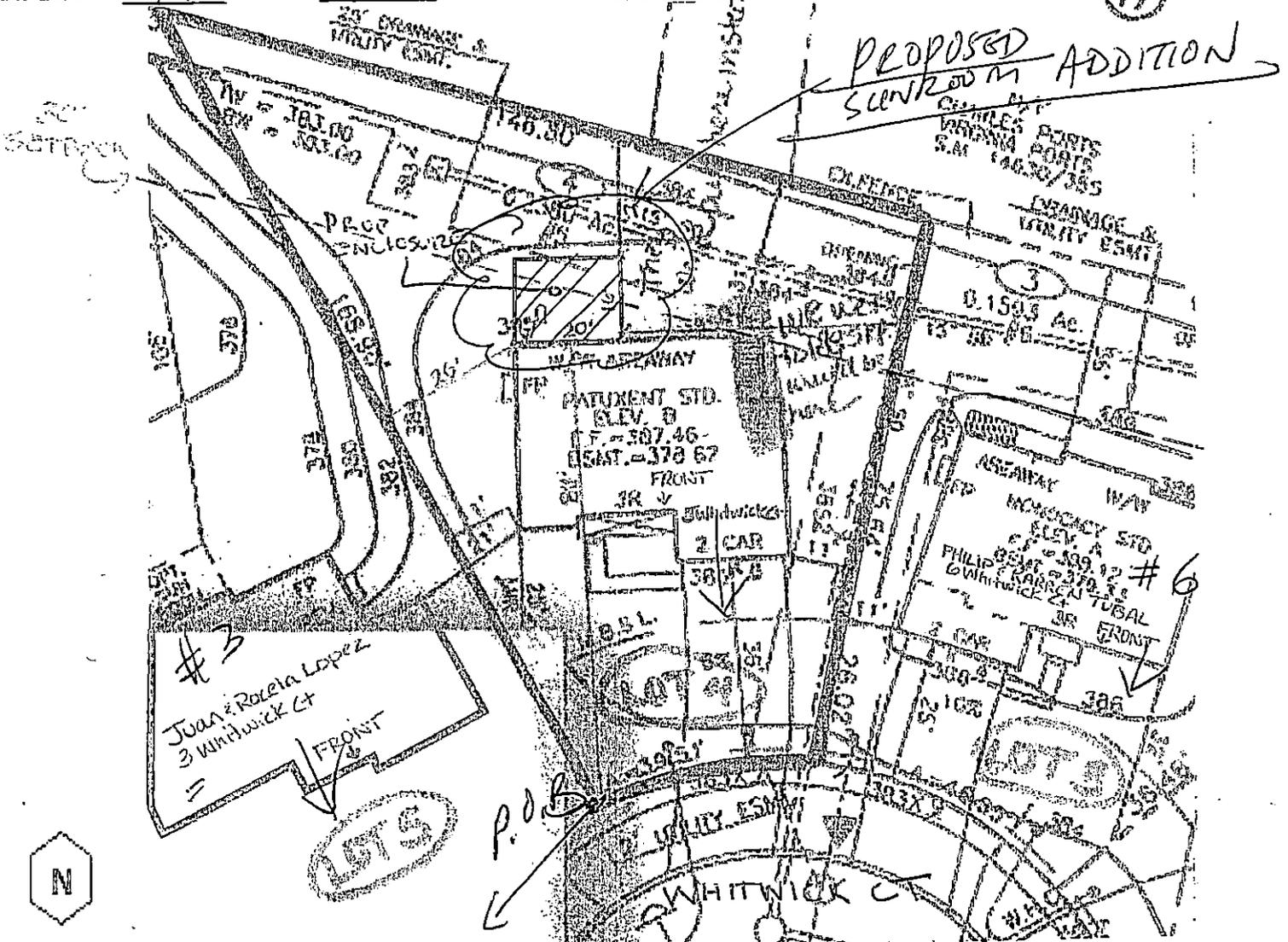
SCALE: 1 INCH = 30 FEET

2019-0064-A

ZONING HEARING PLAN FOR VARIANCE FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 5 Whitwick CT OWNER(S) NAME(S) ERIN & Nicholas Miskelly
 SUBDIVISION NAME 12th Ave LOT# 4 BLOCK# N/A SECTION# N/A
 PLAT BOOK # 77 FOLIO # 20 10 DIGIT TAX # 2400000884 DEED REF. # 25437100496

SITE VICINITY MAP

SITE
 N
 MAP IS NOT TO SCALE
 ZONING MAP# 071B2
 SITE ZONED DR 5.5
 ELECTION DISTRICT 11th
 COUNCIL DISTRICT 5th
 LOT AREA ACREAGE 0.2379
 OR SQUARE FEET 10,367
 HISTORIC? NO
 IN CBCA? NO
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS: PUBLIC PRIVATE _____
 SEWER IS: PUBLIC PRIVATE _____
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW
NO
 VIOLATION CASE INFO:
NO



PLAN DRAWN BY Gerardo Perez DATE 8/20/18 SCALE: 1 INCH = 30 FEET

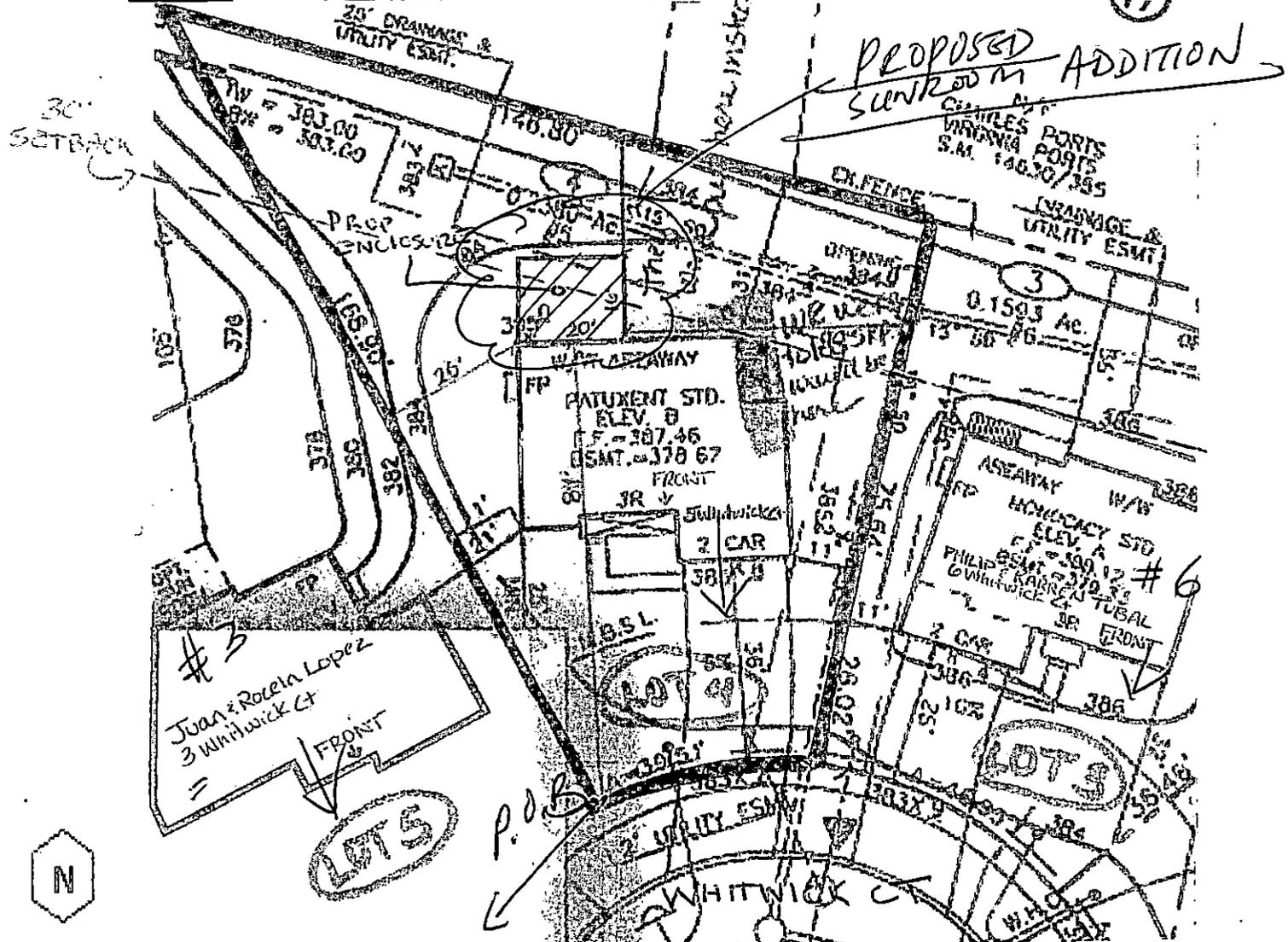
2019-0064-A

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

ADDRESS 5 Whitwick CT OWNER(S) NAME(S) ERIN & Nicholas Miskelly

SUBDIVISION NAME 12th Ave LOT# 4 BLOCK# N/A SECTION# N/A

PLAT BOOK # 77 FOLIO # 20 10 DIGIT TAX # 2400006884 DEED REF. # 25437100496



SITE VICINITY MAP

MAP IS NOT TO SCALE

ZONING MAP# 071B2

SITE ZONED DR 5.5

ELECTION DISTRICT 11th

COUNCIL DISTRICT 5th

LOT AREA ACREAGE 0.2379

OR SQUARE FEET 10,367

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS: PUBLIC PRIVATE _____

SEWER IS: PUBLIC PRIVATE _____

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW

NO

PLAN DRAWN BY Gerardo Perez DATE 8/26/18 SCALE: 1 INCH = 30 FEET

VIOLATION CASE INFO:

2019-0064-A

NO