MEMORANDUM

DATE:

January 31, 2019

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2019-0128-A - Appeal Period Expired

The appeal period for the above-referenced case expired on January 30, 2019. 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

IN RE: PETITION FOR VARIANCE	*
(7608 Riddle Avenue)	
12 th Election District	*
7 th Council District	
Michael Scott Mioduszewski	*
Legal Owner	
Petitioner	*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

* BALTIMORE COUNTY

CASE NO. 2019-0128-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Michael Scott Mioduszewski, legal owner of the subject property ("Petitioner"). Petitioner is requesting variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations ("BCZR") to permit an undersized lot (4,000 sq. ft. in lieu of the required 6,000 sq. ft.) to be improved with a dwelling with a lot width of 40 ft. in lieu the required 55 ft. and side yard setbacks of 5 ft. in lieu of the required 10 ft. A site plan was marked as Petitioner's Exhibit 1.

Michael Mioduszewski appeared in support of the petition. Several neighbors opposed the request. The Petition was advertised and posted as required by the BCZR. No substantive Zoning Advisory Committee ("ZAC") comments were received from any of the reviewing county agencies.

The site is approximately 4,000 square feet in size and is zoned DR 5.5. The property is comprised of two lots, each measuring 20' x 100'. At present the subject property is unimproved. Petitioner proposes to construct a single-family dwelling on the property and requests variance relief to do so.

A variance request involves a two-step process, summarized as follows:

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Date_	12/3/18	n Descript e participal de la companya de la compa
Ву	Slh	

(1)It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief: and

If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

(2)

Cromwell v. Ward, 102 Md. App. 691 (1995).

No testimony or evidence was presented which would tend to prove the subject property is unique as that term is used in Maryland law. In fact, the two lots are the same shape and size as nearly all of the other lots in this community. In a contested variance case, the petitioner faces an uphill battle. Maryland's appellate courts have not in the last 25 years upheld a zoning board's grant of a variance or reversed a zoning board's denial of a variance. This is because such relief should be granted "sparingly" since it is "an authorization for [that] ... which is prohibited by a zoning ordinance." Cromwell, 102 Md. App. at 699. As such the petition for variance must be denied.

THEREFORE, IT IS ORDERED, this 31st day of December, 2018, by the Administrative Law Judge for Baltimore County, that the Petition for Variance to permit an undersized lot (4,000 sq. ft. in lieu of the required 6,000 sq. ft.) to be improved with a dwelling with a lot width of 40 ft. in lieu the required 55 ft. and side yard setbacks of 5 ft. in lieu of the required 10 ft., 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:sln

ORDER RECEIVED FOR FILING

2



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections To the Office of Administrative Law of Baitimore County for the property located at: RIDDLE AVENUE which is presently zoned DR 5.5 Deed References: 35430/00467 10 Digit Tax Account # 1 2 0 4 0 0 1 0 2 Property Owner(s) Printed Name(s) MICHAEL SCOTT MICOUSEEWSKI (SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST) The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for: a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for 3. X a Variance from Section(s) 1802.3.C.1(304.1.C); BCZR, TO PERMIT AN UNDERSIZED LOT (4000 SE. FT. IN LIEU OF REGULED 6 THOUSAND SQUARE FT.) TO BE IMPROVED WITH A DWELLING, WITH A LOT WIDTH OF GOFT. IN LIEY OF THE REQUIRED 55 FT. AND SIDEYARD SETBACKS OF SFT. IN LIEU of THE REDVIRED 10ft. of the zoning regulations of Baltimere County, to the zoning law of Baltimere County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition) Property is to be posted and advertised as prescribed by the zening regulations. I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County. Legal Owner(s) Affirmation: 1/ we do so solemnly declare and affirm, under the penalties of periury, that 1 / We are the legal owner(s) of the property

Contract Purchaser/	Lessee:		Legal Owners (Petitio	ners):	
			MICHAEL SCOTT MI	INSWASSINGO	
Name-Type or Print			Name # - Type or Print	Name #2 Typ	e or Print
Signature			Signature #1	Signature # 2	
			1926 SUNBERRY R	ORD DUNDALK	MO.
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Attorney for Petition	one # 5ma	FILING	Representative to be	contacted:	
	CEIVEDIA		MICHAEL SCOTT	MIDDUSZEWSA	11
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ZONING PROPERTY DESCRIPTION FOR 7608 RIDDLE AVENUE

Beginning at a point on the west side of Riddle Avenue which is 36 feet wide at a distance of 193 feet north of the centerline of the nearest improved intersecting street, Southern Avenue, which is 36 feet wide.

Being Lots 486 and 487 in the subdivision of East View as recorded in Baitimore County Plat Book 9 Folio 117, containing 4000 square feet or 0.09 acres of lot: Located in the 12th Election District and 7th Council District.

CERTIFICATE OF POSTING

	RE: Case No.:
	Petitioner/Developer:
	Michael Scott Dioduszewski
	December 27, 2018
	Date of Hearing/Closing:
Baltimore County Department of Permits, Approvals and Inspections County Office Building, Room 111 I11 West Chesapeake Avenue Fowson, Maryland 21204	
Attn: Kristen Lewis:	
Ladies and Gentlemen:	
This letter is to certify under the penalties on posted conspicuously on the property locates.	of perjury that the necessary sign(s) required by law were
7608 Riddle Avenue SIGN	1 Recertification
The sign(s) were posted on	(Month, Day, Year)
	Sincerely,
	December 22, 2018
ZONING NOTICE	(Signature of Sign Poster) (Date)
CASE # 2019-0128-A	SSG Robert Black
A PUBLIC HEADING VILLUE HELD BY THE ADMINISTRATIVE LAW JUDGE INTOWSON, MD.	(Print Name)
ROOM 205, UPFFERSON BUILDING PLACE: 1931Y, CHESAPEARE AVE. TOWSON NO 21204 DATE AND TIME: Thousay, Presmish 27, 2014 at 250 pm.	1508 Leslie Road
REQUEST: <u>Voriance to pérmit an undersized lot</u> (4.000 sa, n. in lieu of the required 6.000 sg. n. it. to be improved with a dwelling with a lot width	(Address)
of 40 ft. in 16th of the condited 55 ft. and side yard setbacks of 5 ft. in flew of the responsed 10 ft.	Dundalk, Maryland 21222
Secretary and programs and administration of the programs of t	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)

CELTIFICATE OF POST...G

ī	2019-0128-A RE: Case No.:
	Petitioner/Developer:
	Michael Scott Dioduszewski
	December 27, 2018 Date of Hearing/Closing:
Saltimore County Department of Permits, Approvals and Inspections County Office Building, Room 111 11 West Chesapeake Avenue Towson, Maryland 21204	
Attn: Kristen Lewis:	,
Ladies and Gentlemen:	
This letter is to certify under the penalties of per costed conspicuously on the property located at:	jury that the necessary sign(s) required by law were
7608 Riddle Avenue SIGN 2	Recertification
	ecember 7, 2018
The sign(s) were posted on(N	Ionth, Day, Year)
	4
Since	erely December 22, 2018
	December 22, 2018
	(Signature of Sign Poster) (Date)
#ONING winds	SSG Robert Black
The second state of the se	(Print Name)
P. C. Borrat Appearance and C.	1508 Leslie Road
	(Address)
i on sum it.	Dundalk, Maryland 21222
	(City, State, Zip Code)
	(City, State, Zip Code) (410) 282-7940



11 East Saratoga Street Baltimore, MD 21202-2199 (443) 524-8100

http://www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

12/7/2018

Order #: Case #:

11648546

2019-0128-A

Description:

NOTICE OF ZONING HEARING CASE NUMBER: 2019-0128-A

Darlene Public Notice Coordinator (Representative Signature)

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0128-A

7608 Riddle Avenue West side of Riddle Avenue, north of Southern Avenue,

West side of Riddle Avenue, north of Southern Avenue.

12th Election District - 7th Councilmanic District
Legal Owner: Michael Scott Mioduszewski.

Variance to permit an undersized lot (4,000 sq. ft. in lieu of the required 6,000 sq. ft.) to be improved with a dwelling with a lot width of 40 ft. in lieu of the required 55 ft. and sideyard setbacks of 5 ft. in lieu of the required 10ft.

Hearing: Thursday, December 27, 2018 at 2:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake. Avenue, Towson 2 1204

Director of Permits, Approvals and Inspections for Baltimore County NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS

OFFICE AT 410-887-3868.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-8391.

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	201	19-0128-A
	RE: Case No.:	
	Petitioner/Developer:	
	Michael Scott Dioc	łuszewski
	December Date of Hearing/Closing:	r 27, 2018
Baltimore County Department of Permits, Approvals and Inspections County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204		
Attn: Kristen Lewis:		
Ladies and Gentlemen:		
	es of perjury that the necessary sign(s) required by ated at:	
7608 Riddle Avenue	SIGN 1	
The sign(s) were posted on	December 7, 2018	
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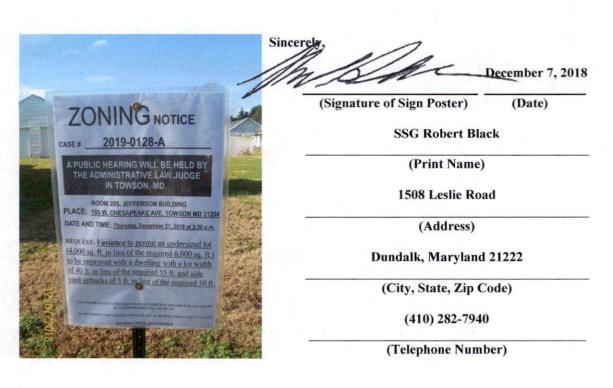


y,	December 7, 2018
(Signature of Sign Poster)	(Date)
SSG Robert B	Black
(Print Nam	e)
1508 Leslie R	oad
(Address)	
Dundalk, Marylar	nd 21222
(City, State, Zip	Code)
(410) 282-79	40
(Telephone Nu	mber)



2019-0128-A

	RE: Case No.:	
	Petitioner/Developer:	
	Micha	nel Scott Dioduszewski
	Date of Hearing/Clos	December 27, 2018
Baltimore County Department of		
Permits, Approvals and Inspections		
County Office Building, Room 111		
111 West Chesapeake Avenue		
Towson, Maryland 21204		
Attn: Kristen Lewis:		
Ladies and Gentlemen:		
This letter is to certify under the penal posted conspicuously on the property l		
7608 Riddle Avenue	SIGN 2	
The sign(s) were posted on	December 7, 2018	
	(Month, Day, Year)	

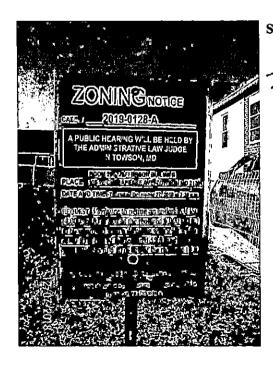




	RE: Case No.:
`	Petitioner/Developer:
	Michael Scott Dioduszewski
	December 27, 2018 Date of Hearing/Closing:
Baltimore County Department of Permits, Approvals and Inspections County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204	 *
Attn: Kristen Lewis:	
Ladies and Gentlemen:	
This letter is to certify under the penalties of posted conspicuously on the property located	perjury that the necessary sign(s) required by law were at:
7608 Riddle Avenue	SIGN 2
The sign(s) were posted on	December 7, 2018
	(Month, Day, Year)
S	December 7, 2018
FOMING	(Signature of Sign Poster) (Date)
ZONINGTOREE 2019-0128-A	SSG Robert Black
A PUBLIC HEARING WILL BE HELD BY THE ADMINISTRATIVE LAW JUDGE	(Print Name)
IN TOWSON MD	1508 Leslie Road
PLACES TO SALECTION AND ADDRESS TO SALECTION OF THE SALEC	(Address)
Complete or annual tracks	Dundalk, Maryland 21222
Sugaring Together And	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)



	2019-0128-A
	RE: Case No.:
	Petitioner/Developer:
	Michael Scott Dioduszewsk
	December 27, 2018 Date of Hearing/Closing:
Baltimore County Department of Permits, Approvals and Inspections County Office Building, Room 111 111 West Chesapeake Avenue Fowson, Maryland 21204	
Attn: Kristen Lewis:	
Ladies and Gentlemen:	
	lties of perjury that the necessary sign(s) required by law were located at:
7608 Riddle Avenue	SIGN 1
The sign(s) were nested on	December 7, 2018
The sign(s) were posted on	(Month, Day, Year)



Sincerely,

December 7, 2018

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

RE: PETITION FOR VARIANCE

7608 Riddle Avenue; W/S Riddle Avenue,
193' N of c/line of Southern Avenue

12th Election & 7th Councilmanic Districts
Legal Owner(s): Michael Scott Mioduszewski *

Petitioner(s)

BEFORE THE OFFICE

OF ADMINSTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

* 2019-128-A

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Cante S Vembro

CAROLE S. DEMILIO Deputy People's Counsel Jefferson Building, Room 204 105 West Chesapeake Avenue Towson, MD 21204 (410) 887-2188

OCT **29** 2018

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of October, 2018, a copy of the foregoing Entry of Appearance was mailed to Michael Scott Mioduszewski, 1926 Sunberry Road, Dundalk, Maryland 21222, Petitioner(s).

Peter Max Zummerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County







DONALD I. MOHLER III County Executive

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

November 7, 2018

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0128-A

7608 Riddle Avenue

West side of Riddle Avenue, north of Southern Avenue

12th Election District – 7th Councilmanic District

Legal Owner: Michael Scott Mioduszewski

Variance to permit an undersized lot (4,000 sq. ft. in lieu of the required 6,000 sq. ft.) to be improved with a dwelling with a lot width of 40 ft. in lieu of the required 55 ft. and sideyard setbacks of 5 ft. in lieu of the required 10 ft.

Hearing: Thursday, December 27, 2018 at 2:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jabion Director

AJ:kl

C: Michael Mioduszewski, 1926 Sunberry Court, Dundalk 21222 Bill Brocato, 38 Rosepetal Court, Baltimore 21234

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, DECEMBER 7, 2018.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





TO: THE DAILY RECORD

Friday, December 7, 2018 - Issue

Please forward billing to:

Michael Scott Mioduszewski 1926 Sunberry Road Dundalk, MD 21222

443-416-7314

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0128-A

7608 Riddle Avenue West side of Riddle Avenue, north of Southern Avenue 12th Election District – 7th Councilmanic District Legal Owner: Michael Scott Mioduszewski

Variance to permit an undersized lot (4,000 sq. ft. in lieu of the required 6,000 sq. ft.) to be improved with a dwelling with a lot width of 40 ft. in lieu of the required 55 ft. and sideyard setbacks of 5 ft. in lieu of the required 10 ft.

Hearing: Thursday, December 27, 2018 at 2:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

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

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zonina Regulations</u> (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 A	dvertising:
Case Number:	2019-0128-A
Property Address:	7608 RIDDLE AVENUE, DUNDALK, MO, ZIZZ4
Property Description	ON: SINGLE FAMILY LOT, 40 WX100'L, LOCATED 193'+
	NORTH OF SOUTHERN AVENUE,
Legal Owners (Per	titioners): MICHAEL SCOTT MIODUSZEWSKI
Contract Purchase	er/Lessee:
PLEASE FORWAR	RD ADVERTISING BILL TO:
Name: MICHA	EL SCOTT MIODUSE EWSKI
Company/Firm (if a	applicable):
Address 192	& SUNBERRY ROAD, BALFO, MD, E1222
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BALTIMORE COUNTY, MARYLAND	MID RECEIFT . The state of the
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For: 2019 - 400128-A	
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JOHN A. OLSZEWSKI, JR. County Executive

DIRECTOR
Department of Permits,
Approvals & Inspections

December 20, 2018

Michael Scott Mioduszewski 1926 Sunberry Road Dundalk, MD 21222

RE: Case Number: 2019-0128-A, Address: 7608 Riddle Avenue

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on October 19, 2018. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO:

Arnold Jablon

DATE: 11/21/2018

RECEIVED

NOV 2 3 2018

OFFICE OF

ADMINISTRATIVE HEARINGS

JB 12-27-18 2:30 PM

Deputy Administrative Officer and

Director of Permits, Approvals and Inspections

FROM:

Andrea Van Arsdale

Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case Number: 19-128

INFORMATION:

Property Address: 7608 F

7608 Riddle Avenue

Petitioner:

Michael Scott Mioouszewski

Zoning:

DR 5.5 Variance

Requested Action: V

The Department of Planning has reviewed the petition for a variance to permit an undersized lot (4,000 square feet in lieu of required 6,000 square feet) to be improved with a dwelling, with a lot width of 40ft. in lieu of the required 55ft. and side yard setbacks of 5ft. in lieu of the required 10ft.

There is a contiguous lot (7606 Riddle Avenue) for which the applicant is also requesting a petition for a variance for undersize lot (Case Number: 2019-0127-A).

The Department of Planning has no objection to the granting the petitioned zoning relief.

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

Prepared by:

Jessie Bialek

Division Chief

Jenifer G. Nugent

AVA/JGN/JAB/

c: Josephine Selvakumar

Office of the Administrative Hearings People's Counsel for Baltimore County





BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



OCT 3 1 3018
NIS RATICE OF ARMICS

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:

October 31, 2018

SUBJECT:

DEPS Comment for Zoning Item

2019-0128-A

Address

7608 Riddle Avenue

(Mioduszewski Property)

Zoning Advisory Committee Meeting of November 5, 2018.

 \underline{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

DATE: November 15, 2018

Department of Permits, Approvals

FROM:

Vishnu Desai, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For November 05, 2018

Item No. 2019-0125-A, 0127-A and 0128-A

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

VKD: cen cc: file



Larry Hogan Governor Boyd K. Rutherford Lt. Governor Pete K. Rahn Secretary Gregory Slater Administrator

Date: 10/29/18

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. 2019-0128-20

Michael Scott Miduszewski 7608 Riddlo Averusi

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:

October 31, 2018

SUBJECT:

DEPS Comment for Zoning Item

2019-0128-A

Address

7608 Riddle Avenue

(Mioduszewski Property)

Zoning Advisory Committee Meeting of November 5, 2018.

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

Reviewer: Steve Ford

Hdeline Fisher 7610 Riddle Seve. Balkimore, Maryland 21224 410-288-1787

December 26, 2018

RE: Case # 2019-0127-A & 2019-0128-A or 7606/7608 Riddle Ave., Baltimore, Md 21224

Dear Zoning Committee:

My father had 7610 Riddle Ave built for my mother and myself. I have lived in this home for most of my life, (almost 70 years) including being married and raising my two children in this home. And I intend for this home to stay in my family.

I would like to apologize for being unable to attend your hearing. Unfortunately, I am opposed to the building of 2 dwellings on the properties listed as the above case numbers.

Will the owner of the property be having the property surveyed? I don't believe that the fence that is now standing between our properties is on the property line.

I feel that this would be a fire hazard having one of these homes so close to the property line. Being that I'm not as fast as I used to be, I don't want to be trapped and unable to get out. There are also concerns about it making it too congested with two homes on the property. Where do they intent to have these people park? The street is slightly curved and narrow. Are they going to be blocking our driveways? Then we can't get out. Not only will it be more congested, it will also be blocking the sun, view and air that I currently and always have had in my home.

If you have any questions, feel free to contact me and I will gladly discuss these issues with you in further detail.

Sincerely,

Adeline Fisher

Edeline Fisher

Sherry Nuffer

From:

SGT ROBERT BLACK <1opie@comcast.net>

Sent:

Thursday, December 27, 2018 3:52 PM

To:

Administrative Hearings

Subject:

Recertification's for 2019-0128-A And 2019-0127-A

Attachments:

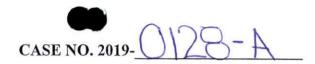
Re-Cert 1 2019-0127-A.doc; Re-Cert 2 2019-0127-A.doc; Re-Cert 1 2019-0128-A.doc;

Re-Cert 2 2019-0128-A.doc

Recertification's for 7606 and 7608 Riddle Ave.

RECEIVED
DEC 27 2018
ADMINISTRATIVE INCARINGS





CHECKLIST

Comment Received	<u>Departm</u>	<u>ent</u>			Support/Oppose/ Conditions/ Comments/ No Comment
11/15	DEVELOPMENT PL (if not received, date of				No Comment
10/31	DEPS (if not received, date of	e-mail sent)		trammad an
	FIRE DEPARTMENT	Γ			
71/93	PLANNING (if not received, date of	e-mail sent)		NO Objection
1990	STATE HIGHWAY	ADMINISTRA	ATION		NO Objection
	TRAFFIC ENGINEE	RING			
>	COMMUNITY ASSO	OCIATION			
	ADJACENT PROPE	RTY OWNER	S		
ZONING VIOLATIO	ON (Case I	No			
PRIOR ZONING	(Case 1	No			
NEWSPAPER ADV	ERTISEMENT	Date:	12/7/	18	·
SIGN POSTING (1^s	t)	Date:	15/41	18	by SSG Black
SIGN POSTING (2^{r})	rd)	Date:			by
PEOPLE'S COUNSI	EL APPEARANCE EL COMMENT LETTE	Yes ER Yes	No No		
Comments, if any: _					





Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		Alem Gloc	ndRent Redemp	tion			View	Grounds	ent Registration	n
Tax Exempt:			S	pecial Tax Reca	pture:					
Exempt Class:			l l	IONE						
Account Identifie	r:	Distric	t - 12 Account Nu	mber - 1204001	021					
				Owner Inform	nation					
Owner Name:		MIODU	SZEWSKI MICHA	EL SCOTT		Use: Principal	Residence:		RESIDENTIAL NO	
Mailing Address:			UNBERRY RD IORE MD 21222-			Deed Ref	erence:		/35430/ 00467	
		<u> </u>	Lo	cation & Structure	Information	on				
Premises Addres	s:	RIDDLE 0-0000	AVE			Legal Des	scription:	-	LT 486,487 175 S SOUTH EAST VIEW	ERN AVE
Map: Grid: 0096 0016	Parcel: 0205	Sub District:	Subdivision: 0000	Section:	Block:	Lot: 486	Assessme 2018	nt Year:	Plat No: Plat Ref:	0009/0117
Special Tax Are	eas:			Town: Ad Vald Tax Cla					NONE	
Primary Structs	ıre Built	Above Grade	Living Area	Finished	Basemen	t Area	Prop 4,000	erty Land	Area	County Use 04
Stories	Basement	Туре	Exterior	Full/Half E	Bath		Garage	Last N	lajor Renovatio	ייי
			-	Value Inform	ation					
	<u> </u>	Base	Value	Value			Phase-in As	sessmen	ıfs .	
				As of			As of		As of	
				01/01/20	18		07/01/2018		07/01/2	019
Land:		1,000	1	1,000						
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। ठावा: Preferential Lar	nd:	1,000 0	ı	1,000			1,000		1,000 0	
		 		Transfer Infon	mation					
Seller: DAVIS F	REDERICK NO	RMAN	D	ate: 10/03/2014				Pric	e: \$57,000	
Type: ARMS LE	NGTH MULTIP	LE	D	eed1:/35430/00	467			Dee		
Seller: DAVIS M	IARGARET E		D:	ate: 10/03/1972				Pric	e: \$0	
Type: NON-ARM	IS LENGTH OT	HER		eed1: /04436/ 00	144			Dee	•	
Seller:		····	D:	ate:		•		Pric		
Type:				eed1:				Dee		
		<u> </u>	.	Exemption Info	rmation					 · · ·
Partial Exempt As	ssessments:	Class				07/01/201	8		07/01/2019	
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Tax Exempt: Exempt Class:				pecial Tax Reca ONE	pture:					
U===4c=3 4. "		NI- A-R-P	Hom	estead Application	n Informat	ion_				
Homestead Appli	cation Status:	No Application		rs' Tax Credit Ap						
									١	

	SITE VICINITY MAP
ZONING HEARING PLAN FOR VARIANCE FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)	0. u. / X
ADDRESS 7600 RIDDLE AVENUE OWNERS NAMES MICHAEL SCOTT MIODUSZEWSKI	The state of the s
SUBDIVISION NAME EAST VIEW LOT#4864487BLOCK# SECTION#	23. 7 1 2 3
PLAT BOOK# 9 FOLIO# 117 10 DIGIT TAX# 1 2040010 21 DEED REF. #35430/00467	2 73 3
PLAN ERRAWN BY WILLIAM A. BROCATO DATE 9/31/13 SCALE: 1 INCH = 30 FEET	MAP IS NOT TO SCALE ZONING MAP# 09683 SITE ZONED DR 5.5 ELECTION DISTRICT 7 LOT AREA ACREAGE 0.09 OR SQUARE FEET 4000 HISTORIC? NO IN COCA? 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
	VIOLATION CASE INFO:

PET, Ex. 1



CASE NUMBER

PETILION FOR ZONING HEARIN_,S)

To be filed with the Department of Permits, Approvals and Inspections th believed ly integral for the country for the property for the property forces. Address 7608 RIDDLE AVENUE

Deed References: 35430/00467 _which is presently zoned DR5.5 10 Digit Tax Account # 1 2 0 400 ; 0 2 Property Owner(s) Printed Name(s) MICHAEL SCOTT MIODUSCEWSE! (SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST) The undersioned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for. a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for (4000 SO. FT. IN LIEU OF THE REQUIRED GOOD SO. FT.) TO BE IMPROVED WITH A DWELLING WITH A LOT WATH OF GOFT- IN LIEU OF THE REQUIRED SSFE AND SIDEYARD SETBACKS) of 5 ft. IN LIEU of THE REQUIRED SSFE AND SIDEYARD SETBACKS of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". if you need additional space, you may add an attachment to this petition) Properly is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zening law for Baltimore County.

Legal Owner(s) Affirmation: 1/4 we do so solemnly declare and affirm, under the panalities of perjury, that I'I We are the legal owner(s) of the property which is the subject of this / these Petition(s): Legal Owners (Petitioners): Contract Purchaser/Lessee: MICHAEL SCOTT MIODUSZGWSKI Name:#4 - Type or Print Name #2 - Type or Print Name-Type or Print Signature # 2, Signature 1926 SUNBERRY ROAD MO. DUNDALK Mailing Address City Mailing Address City State 21222 Zip Code Telephone # Emall Address Zio Code Telephone# Email Address Representative to be contacted: Attorney for Petitioner: MICHAEL SCOTT MIDAUSZEWSKI Name- Type or Print Name -, Type or Print Signature Signature 1926 SUNBERRY ROAD DUNDALK Mailing Appress City Sidia Manno Accress City. Votemiedes zews 21222,443-416-7314, COUL. COM Telephone# Email Address Zip Code Telephone# Email Address Zip Code Filing Date 10 719, 18 2019-0128-A

Do Not Schedule Dates:

Reviewer JC



PETITION FOR ZONING HEARING, 3)

To be filed with the Department of Permits, Approvals and Inspections To the Office of Administrative Law of Baitimore County for the property located at:

Deed References: 35430/00467 Property Owner(s) Printed Name(s) My CAA	
toporty official turner turneled som exten	10 Digit Tax Account # ¿ Z O 4 O O ; O Z /
(SELECT THE HEARING(S) BY MARKING X AT THE APPRO	PRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)
The undersigned legal owner(s) of the property situate i and plan attached hereto and m	in Baltimore County and which is described in the description ade a part hereof, hereby petition for.
a Special Hearing under Section 50% 7 of the Zor	ing Regulations of Baltimore County, to determine whether
or not the Zoning Commissioner should approve	
a Special Exception under the Zoning Regulation	ns of Baltimore County to use the herein described property for
x a Variance from Section(s) IRO2 3 C./(3	04.1.c); BCZR, TO PERMIT AN UNDERSIZED DO GOOD SO. Ft.) TO BE IMPROVED WITH A DUE 1 OF THE REQUIRED SSFE AND SIDEYARD SET
4000 Sq. ft. IN LIEY of THE REQUIRE	D GOOD SO . Ft. TO BE IMPROVED WITH A DULL
WITH A LOT WATH OF 40ft IN LIEU	OF THE REQUIRED SSET AND SIDEYARD SET
f 5ft. IN LIEU of THE REQUIRED ?	ents 10ft.
	e zoning law of Baltimere County, for the following reasons:
or the zoning regulations or Battimore Cookiy, to the (Indicate below your hardship or practical difficult)	y or indicate below "TO BE PRESENTED AT HEARING". If
you need additional space, you may add an attachn	nent to this petition)
• • • •	
operly is to be posted and advertised as prescribed by the zoning reg prive, arres to new expenses of above pelition(s), advertising, costing	julations. n. etc. and further agree to and are to be bourned by the zoning regulations
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