

M E M O R A N D U M

DATE: December 31, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0131-A - Appeal Period Expired

The appeal period for the above-referenced case expired on December 26, 2018. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE *
(4 Chelmsford Court)
15th Election District *
6th Council District *
Jason G. & Denise Dotterweich *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2019-0131-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") as a Petition for Administrative Variance filed by the legal owners of the property, Jason G. and Denise Dotterweich ("Petitioners"). The Petitioners are requesting Variance relief from §§ 1B01.2.C.1.b and 303.1.A of the Baltimore County Zoning Regulations ("BCZR"), to permit a proposed deck addition to the rear of the existing single family dwelling with a rear yard setback of 20 ft. in lieu of the required 22.5 ft. 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 November 4, 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 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

ORDER RECEIVED FOR FILING

Date 11-26-18

By 197

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.

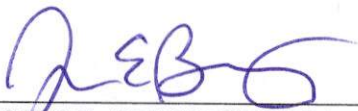
Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 26th day of **November, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from §§ 1B01.2.C.1.b and 303.1.A of the Baltimore County Zoning Regulations ("BCZR"), to permit a proposed deck addition to the rear of the existing single family dwelling with a rear yard setback of 20 ft. in lieu of the required 22.5 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said 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 11-26-18

By dlw



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 4 CHAMBERSTON CT. Middle River MD Currently zoned Res. DR 10.5
Deed Reference 08460/00422 10 Digit Tax Account # 200001125
Owner(s) Printed Name(s) JASON DOLLEWECH

(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:

- ☒ **ADMINISTRATIVE VARIANCE** from Section(s) 1B01.2.C.1.b and 303.1.A of BCZR to permit a proposed deck addition to the rear of the existing single family dwelling with a rear yard setback of 20 feet in lieu of the required 22-1/2 feet.

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

- ☐ **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):

Name #1 – Type or Print JASON DOLLEWECH Name #2 – Type or Print

Signature #1 [Signature] Signature #2

4 CHAMBERSTON CT Barto MD
Mailing Address City State

2120 410-599-5933
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 Bryan Sullivan

Signature [Signature]

711 W 40th St. Barto MD
Mailing Address City State

21211 410-600 7000 billsullivan@advocateandl
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 11-26-18 day of Nov, 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 2019-0131-A Filing Date 10/27/18 Estimated Posting Date 11/04/18 Reviewer AT

~11/19/18

Rev 5/5/2016

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: 4 Charnersford Ct. Balfo MD 21220
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)

My rear yard is unusable with current weather in our state
the rain & incline weather salvages my rear yard.

"SEE ATTACHMENT"

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

Signature of Owner (Affiant)

Signature of Owner (Affiant)

Name- Print or Type

Name- Print or Type

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

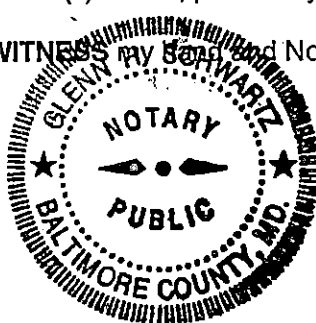
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5th day of October 2018, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here:

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

AS WITNESS my hand and Notaries Seal



Notary Public

My Commission Expires

REV. 5/5/2016

2019-0131-A

JASON DOTTERWEICH

4 Chelmsford Court, Middle River, MD 21220 | 410-599-5933

Date

Zoning Review Office
Department of Permits, Approvals and Inspections
111 West Chesapeake Avenue
Room 111
Towson, MD 21204

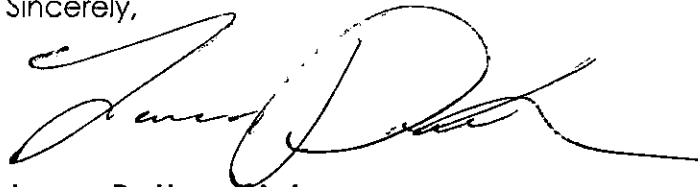
Dear Zoning Review Office:

I am writing as a hardship request for a Variance Waiver. Currently our previously existing treated lumber style deck was worn, decaying and ruined due to weather and age.

We are requesting that in addition to replacing what was existing that we extend the depth of the deck an additional twelve feet {12'}.

This will help our yard for better use but not limited to family gatherings and functions, but so we may maximize the use of our home and property. The current demographic is a clay terrain with grass and soft/muddy soil and has become unusable with long periods of rain the state of Maryland has. This deck will be at grade/ground level and will not impede any eye view of the community as we are backed to an easement of the HOA.

Sincerely,



Jason Dotterweich

2019-0131-A

ZONING PROPERTY DESCRIPTION FOR: 4 CHELMSFORD COURT, BALTIMORE MD 21220

Beginning at a point on the North West side of 4 Chelmsford Court which is eighteen (18) feet wide at a distance of approximately seventy (70) feet of the centerline of the nearest improved intersecting street of London Perry Court which is approximately twenty (20) feet wide.

SUBDIVISION LOT

Being lot #4, in the Subdivision of Village of Pawnee as recorded in Baltimore County Plat Book# 0055, Ref# 0085, containing .0371 of acres of lot. Located in the 15th Election District and the 6th Council district.

Owner:

Jason Dotterweich

Signature

4 CHELMSFORD COURT, BALTIMORE MD 21220

Mailing address

Representative:

Advance Remodeling, Inc,

MHIC# 13337

711 W 40TH STREET, SUITE 330

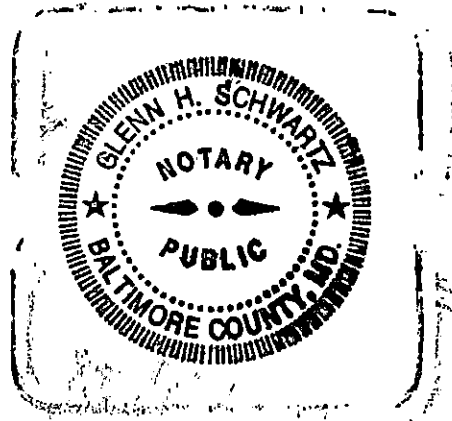
BALTIMORE, MD 21220

410-532-5400

Email: bsullivan@advanceremodeling.com

Signature

My Commission Expires 8/8/22



2019-0131-A

CERTIFICATE OF POSTING

CASE NO. 2019-0131-A

PETITIONER/DEVELOPER

JASON DOTTERWEICH

DATE OF HEARING/CLOSING

11/19/18

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

4 CHELMSFORD COURT

SIGN #2

THIS SIGN(S) POSTED ON November 4, 2018

(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 11/4/18

SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411

CERTIFICATE OF POSTING

CASE NO. 2019-0131-A

PETITIONER/DEVELOPER

JASON DOTTERWEICH

DATE OF HEARING/CLOSING

BAL
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SIGN 2

ZONING NOTICE
ADMINISTRATIVE VARIANCE

CASE# 2019-0131-A
TO PERMIT A PROPOSED DECK ADDITION TO THE REAR OF
THE EXISTING SINGLE FAMILY DWELLING WITH A REAR YARD
SETBACK OF 20 FEET IN LIEU OF THE REQUIRED 22-1/2 FEET

PUBLIC HEARING ?

PURSUANT TO SECTION 28-127(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, NOVEMBER 19, 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 DATE. VIOLATION SUBJECT TO FINE.
MEETING IS HANDICAP ACCESSIBLE

ON

SIGN #1

Martin Ogle 11/4/18

SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411

Real Property Data Search (w2)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Account Identifier:	District - 15 Account Number - 2000011125	
Owner Information		
Owner Name:	DOTTERWEICH JASON G DOTTERWEICH DENISE	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	4 CHELMSFORD CT BALTIMORE MD 21220-3672	Deed Reference: /08460/ 00422
Location & Structure Information		
Premises Address:	4 CHELMSFORD CT 0-0000	Legal Description: .0371 AC VILLAGE OF PAWNEE
Map:	0090	
Special		
Primary Built	1990	
Stories	2	
Land Impr		
Total Pref		
Sell II		
Type		
Sel Ty		
Se Ty		
Part Assessments:		
County:	000	0.00
State:	000	0.00 0.00
Municipal:	000	0.00 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		



2019-0131-A

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0131 - A Address 4 Chelmsford Court

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

Filing Date: 10/22/2018 Posting Date: 11/04/18 Closing Date: 11/19/18

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- 0131 -A Address: 4 Chelmsford Court

Petitioner's Name: Jason Dotterweich Telephone : 410-599-5933

Posting Date: 11/04/18 Closing Date: 11/19/2018

Wording for Sign: To permit a proposed deck addition to the rear of the existing single family dwelling with a rear yard setback of 20 feet in lieu of the required 22-1/2 feet.

(AV) 11-19

Debra Wiley

From: Marty Ogle <mert1114@aol.com>
Sent: Sunday, November 18, 2018 9:35 PM
To: Administrative Hearings
Subject: 4 Chelmsford Court

2nd set of certificates

CERTIFICATE OF POSTING

CASE NO. 2019-001-1
PETITIONER/DEVELOPER
JASON DOTTENBACH
DATE OF HEARING/CLOSING
11/19/18

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 4 CHELMSFORD COURT

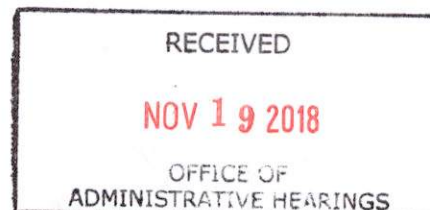
THIS SIGN(S) POSTED ON November 4, 2018 November 17, 2018
(MONTH, DAY, YEAR)

SINCERELY,
Marty Ogle 11/18/18
SIGNATURE OF SIGN POSTER

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

ZONING NOTICE
ADMINISTRATIVE
VARIANCE
PUBLIC HEARING 7

Signature 11/18/18



CERTIFICATE OF POSTING

CASE NO. 2019-0131-A
PETITIONER/DEVELOPER
JASON DOTERWICH

DATE OF HEARING/CLOSING
11/13/18

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

ATTENTION:
LADIES AND GENTLEMAN:

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THE PROPERTY LOCATED AT

4 CHELMSFORD COURT

SIGN # 1

THIS SIGN(S) POSTED ON November 4, 2018 November 17, 2018
(MONTH, DAY, YEAR)

SINCERELY,

Martin Cole 11/14/18

SIGNATURE OF SIGN POSTER

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

ZONING NOTICE
ADMINISTRATIVE
VARIANCE

PUBLIC HEARING ?

Martin Cole 11/14/18

RECEIVED

NOV 19 2018

OFFICE OF
ADMINISTRATIVE HEARINGS



DONALD I. MOHLER III
County Executive

November 20, 2018

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

Jason Dotterweich
4 Chelmsford Ct.
Baltimore, MD 21220

Dear Mr. Dotterweich:

RE: Case Number: 2019-0131A, Address: 4 Chelmsford Ct.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 22, 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, reading "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: MTC

Enclosures

c: People's Counsel
Bryan Sullivan 711 W. 40th Street Baltimore, MD 21221

11-19

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: November 13, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0131-A
Address 4 Chelmsford Court
(Dotterweich Property)

Zoning Advisory Committee Meeting of **November 12, 2018**.

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: November 13, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0131-A
Address 4 Chelmsford Court
(Dotterweich Property)

Zoning Advisory Committee Meeting of **November 12, 2018**.

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

Reviewer: Steve Ford

Date: 11/7/18

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.

2019-0131-A
Administration Variance
Fason Dotterweich
4 Chelmsford 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



DONALD I. MOHLER III
County Executive

November 20, 2018

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

Jason Dotterweich
4 Chelmsford Ct.
Baltimore, MD 21220

Dear Mr. Dotterweich:

RE: Case Number: 2019-0131A, Address: 4 Chelmsford Ct.

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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, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: MTC

Enclosures

c: People's Counsel
Bryan Sullivan 711 W. 40th Street Baltimore, MD 21221

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: November 13, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0131-A
Address 4 Chelmsford Court
(Dotterweich Property)

Zoning Advisory Committee Meeting of **November 12, 2018**.

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

Reviewer: Steve Ford

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

Date: 11/7/18

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

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*Administration Variance
Fason Dotterweich
4 Che Linford 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



DONALD I. MOHLER III
County Executive

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

November 26, 2018

Jason G. Dotterweich
Denise Dotterweich
4 Chelmsford Court
Baltimore, MD 21220

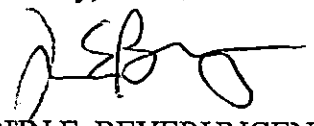
RE: Petition for Administrative Variance
Case No. 2019-0131-A
Property: 4 Chelmsford Court

Dear Mr. and Mrs. Dotterweich:

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

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

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Bryan Sullivan, 711 W. 40th St., Baltimore, MD 21211

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(4 Chelmsford Court)		
15 th Election District	*	OFFICE OF ADMINISTRATIVE
6 th Council District		
Jason G. & Denise Dotterweich	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	CASE NO. 2019-0131-A

* * * * *

OPINION AND ORDER

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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 November 4, 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 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.

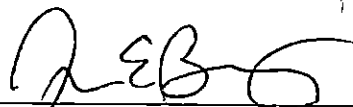
Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 26th day of **November, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from §§ 1B01.2.C.1.b and 303.1.A of the Baltimore County Zoning Regulations ("BCZR"), to permit a proposed deck addition to the rear of the existing single family dwelling with a rear yard setback of 20 ft. in lieu of the required 22.5 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said 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

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

DEVELOPMENT PLANS REVIEW

(if not received, date e-mail sent _____)

11-13

DEPS

(if not received, date e-mail sent _____)

NC

FIRE DEPARTMENT

PLANNING

(if not received, date e-mail sent _____)

11-7

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: _____

SIGN POSTING (1st)

Date: 11-4-18 by Ogle

SIGN POSTING (2nd)

Date: 11-17-18 by "

PEOPLE'S COUNSEL APPEARANCE

Yes ☐ No ☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search

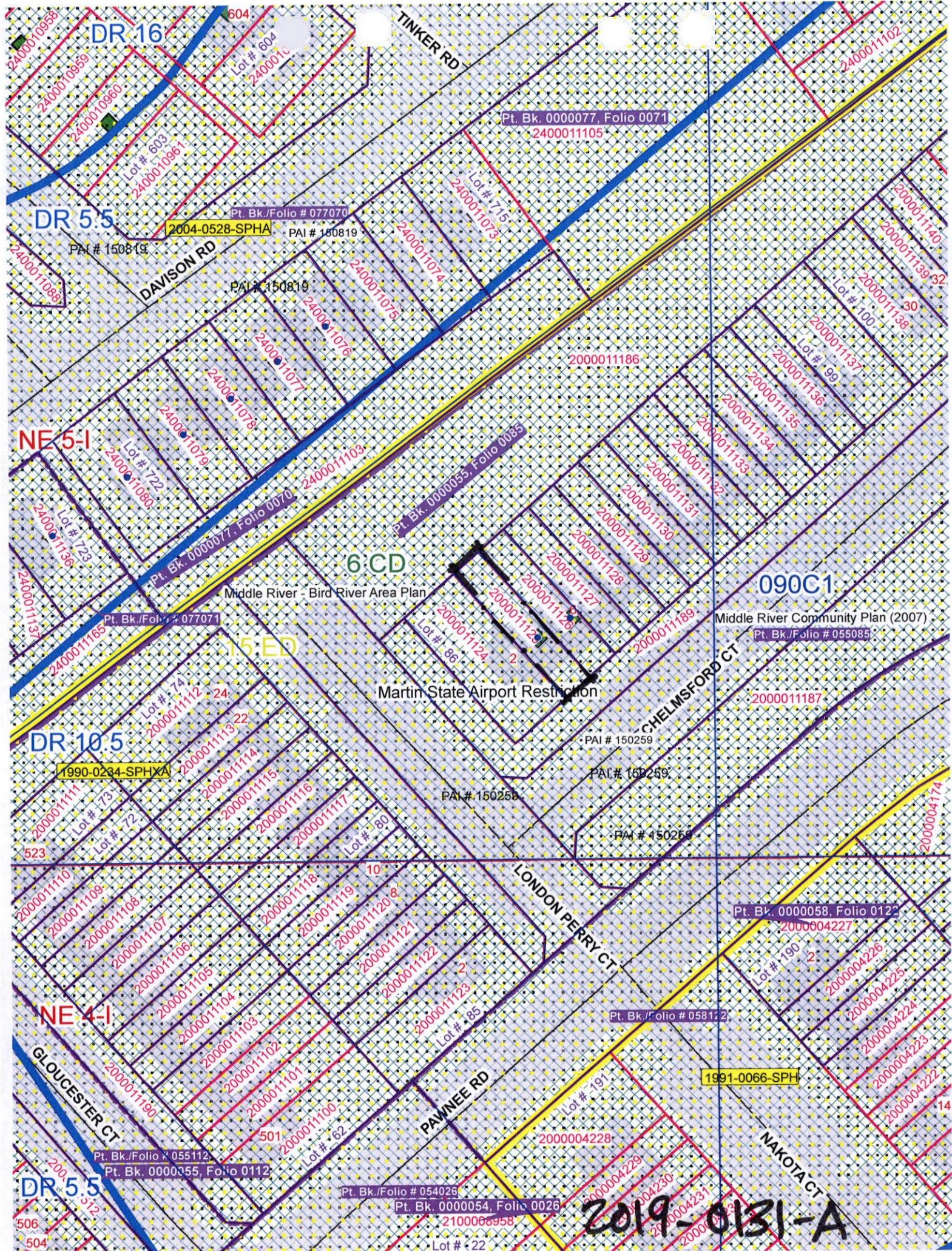
Search Result for BALTIMORE COUNTY

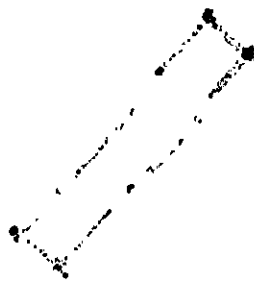
View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 15 Account Number - 2000011125			
Owner Information					
Owner Name:		DOTTERWEICH JASON G DOTTERWEICH DENISE		Use:	RESIDENTIAL
Mailing Address:		4 CHELMSFORD CT BALTIMORE MD 21220-3672		Principal Residence:	YES
		Deed Reference:		/08460/ 00422	
Location & Structure Information					
Premises Address:		4 CHELMSFORD CT 0-0000		Legal Description:	.0371 AC VILLAGE OF PAWNEE
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0090	0005	1293		0000	87 2018 0055/0085
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1990		1,116 SF		1,620 SF	
Property Land Area		County Use			
1,620 SF		04			
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	NO	CENTER UNIT	SIDING	1 full/ 1 half	
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2018		07/01/2018	
				As of	
				07/01/2019	
Land:	54,000	54,000			
Improvements	59,700	58,700			
Total:	113,700	112,700		112,700	112,700
Preferential Land:	0				0
Transfer Information					
Seller: STERLING HOMES C CORPORATION II		Date: 04/23/1990		Price: \$71,690	
Type: ARMS LENGTH IMPROVED		Deed1: /08460/ 00422		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		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 03/05/2009

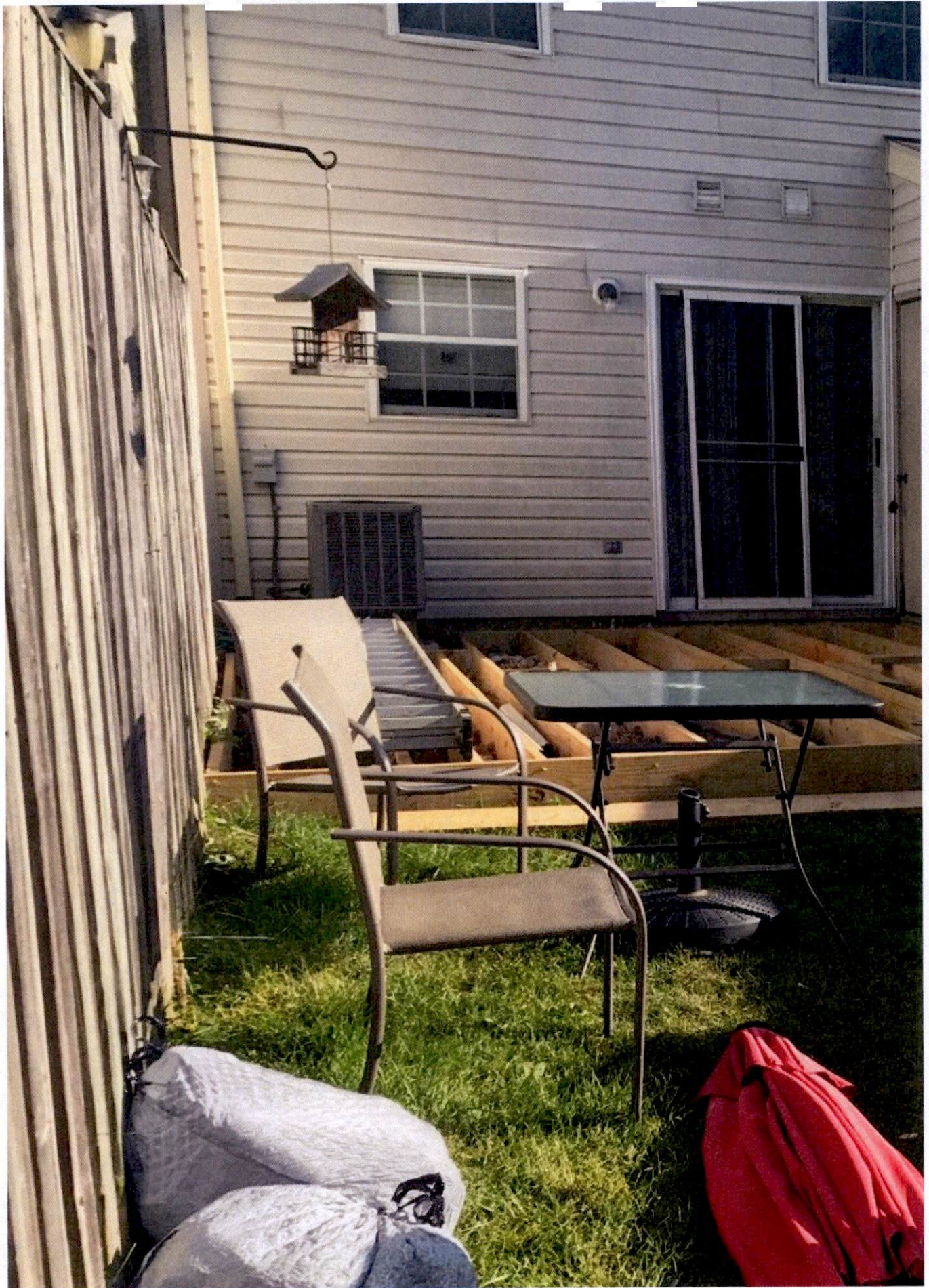
Homeowners' Tax Credit Application Information

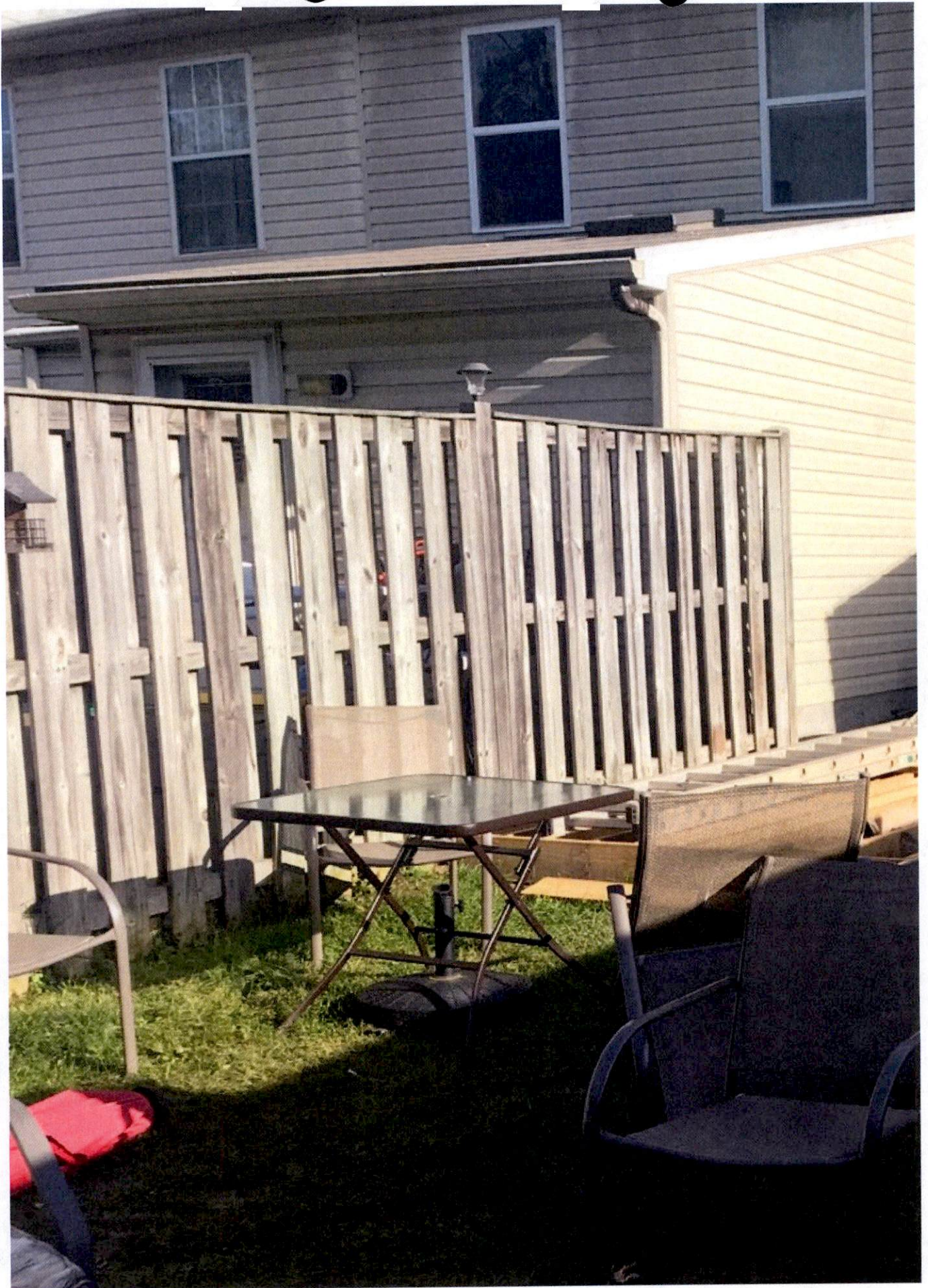
Homeowners' Tax Credit Application Status: No Application **Date:**





A-1810-P103









2019-0131-A

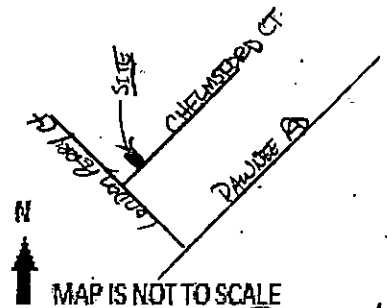


2019-0131-A

File 0
0167

2117 Major. at 1106 WHOA O PENSANCE N. 2222 4/2/21

SITE VICINITY MAP



ZONING MAP# 090C1
SITE ZONED DR 10.5
ELECTION DISTRICT 15
COUNCIL DISTRICT 6
LOT AREA ACREAGE .0371
OR SQUARE FEET 1620 sq. ft.
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 ? _____
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

PLAN DRAWN BY Bryan Sullivan DATE 10/2/18 SCALE: 1 INCH = 20' FEET

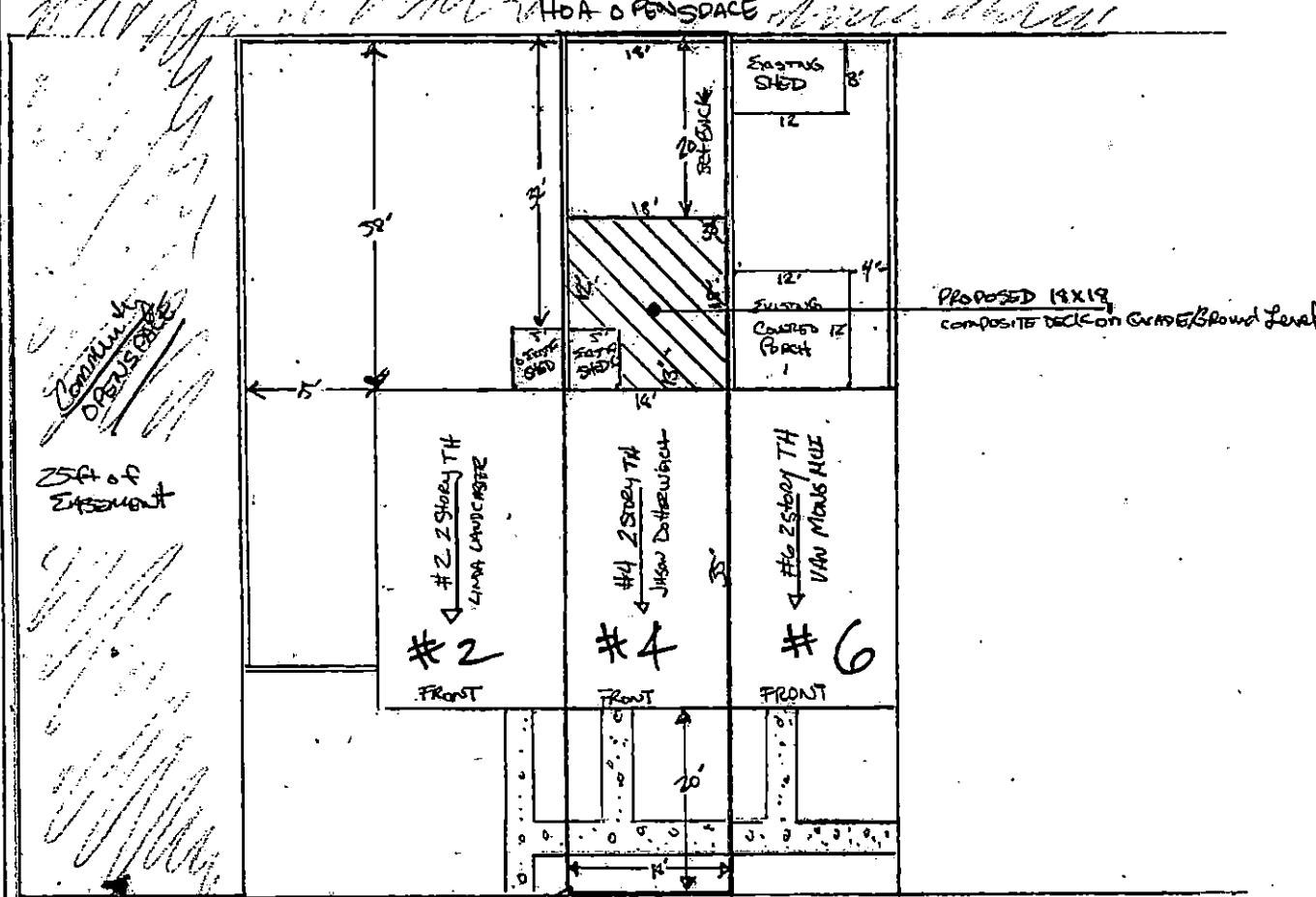
2019-0131-A

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

ADDRESS 4 CHELMSFORD CT. OWNER(S) NAME(S) JASON DOTTERWECHT

SUBDIVISION NAME Village of Pawnee LOT # 87 BLOCK # - SECTION # -

PLAT BOOK # 0055 FOLIO # 85 10 DIGIT TAX # 200 00 1 1 1 25 DEED REF. # 08 46 0 00 4 22

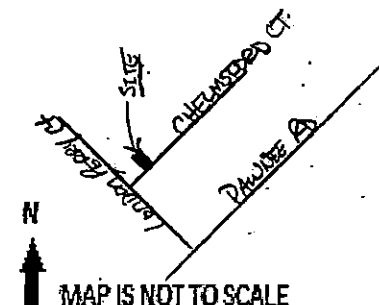


London Perry Ct.

70 FT TO E CHELMSFORD CT.
TO LONDON PERRY CT.

PLAN DRAWN BY BRIAN SULLIVAN DATE 10/2/18 SCALE: 1 INCH = 20' FEET

SITE VICINITY MAP



ZONING MAP# 090C1

SITE ZONED DR10.5

ELECTION DISTRICT 15

COUNCIL DISTRICT 6

LOT AREA ACREAGE .0371

OR SQUARE FEET 1620 sq. ft.

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC ☒ PRIVATE _____

SEWER IS:

PUBLIC ☒ PRIVATE _____

PRIOR HEARING? _____

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

N/A

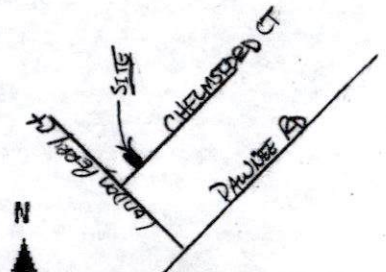
VIOLATION CASE INFO:

N/A

2019-0131-A

HOA O PENSDACE

SITE VICINITY MAP



N

MAP IS NOT TO SCALE

ZONING MAP# 09001

SITE ZONED DR 10.5

ELECTION DISTRICT 15

COUNCIL DISTRICT 6

LOT AREA ACREAGE .0371

OR SQUARE FEET 1,620 sq. ft.

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE

SEWER IS:

PUBLIC ☒ PRIVATE

PRIOR HEARING ?

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

N/A

VIOLATION CASE INFO:

N/A.

Pr. Ex. 1

2019-0131-A