

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. 2019-0135-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	*	BEFORE THE
(4825 Sweet Air Road)		
10 th Election District	*	OFFICE OF ADMINISTRATIVE
3 rd Council District		
Pedro D. & Christina L. Damil	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	CASE NO. 2019-0135-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, Pedro D. and Christina L. Damil (“Petitioners”). The Petitioners are requesting Variance relief pursuant to §§ 400.1 and 400.3 of the Baltimore County Zoning Regulations (“BCZR”), to permit a proposed detached accessory structure (pole barn) to be located in the side yard with a height as high as 18 ft. in lieu of the required rear yard and maximum allowed height of 15 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 ZAC comments submitted from any of the County reviewing agencies. However, it is to be noted that a letter of support was received from John Richard Schou, an adjacent neighbor at 4901 Sweet Air Road, indicating his support for the Petitioners’ zoning request.

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.

ORDER RECEIVED FOR FILING

Date 11-26-18

By [Signature]

The Petitioners have filed the supporting affidavits as required by Section 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 Section 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Although the Department of Planning did not make any recommendations related to the proposed accessory structure's (pole barn) height and usage, I will impose conditions that the pole barn shall not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, or used for commercial purposes.

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 seeking relief from §§ 400.1 and 400.3 of the Baltimore County Zoning Regulations ("BCZR"), to permit a proposed detached accessory structure (pole barn) to be located in the side yard with a height as high as 18 ft. in lieu of the required rear yard and maximum allowed height of 15 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. 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,

ORDER RECEIVED FOR FILING

Date 11-26-18 2
By lw

Petitioners would be required to return the subject property to its original condition.

2. Petitioners or subsequent owners shall not convert the proposed accessory structure (pole barn) into a dwelling unit or apartment. The proposed accessory structure (pole barn) shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.
3. The proposed accessory structure (pole barn) shall not be used for commercial purposes.

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 3



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 4825 Sweet Air Rd Currently zoned RC 2
Deed Reference 36530 / 00307 10 Digit Tax Account # 1800002459
Owner(s) Printed Name(s) Pedro + Christina Damil

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

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

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

1. ☒ **ADMINISTRATIVE VARIANCE** from Section(s) ... Sections 400.1 and 400.3 – to permit a proposed detached accessory structure (pole barn) to be located in the side yard with a height as high as 18 feet in lieu of the required rear yard and maximum allowed 15 feet.

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):

Pedro Damil Name #1 – Type or Print
Christina Damil Name #2 – Type or Print
[Signature] Signature #1
[Signature] Signature #2
4825 Sweet Air Rd Mailing Address
Baldwin City
MD State
21013 Zip Code
410-800-5379 Telephone #
Damil004@gmail.com Email Address

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

Name- Type or Print
Signature
Mailing Address
City
State
Zip Code
Telephone #
Email Address

Representative to be contacted:

Name – Type or Print
Signature
Mailing Address
City
State
Zip Code
Telephone #
Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this 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 2019-0135-A Filing Date 10/24/18 Estimated Posting Date 11/19/18 Reviewer [Signature]

Affidavit in Support of Administrative Variance

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

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

Address: 4825 Sweet Air Rd Baldwin MD 21013
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)

This is a request to install 36'x36' Pole Building. I cannot install behind my dwelling due to steep incline and well placement. Requesting Authorization to install Pole Building on side of dwelling.

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


Signature of Owner (Affiant)
Christina Damil
Name- Print or Type


Signature of Owner (Affiant)
Pedro Damil
Name- Print or Type

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

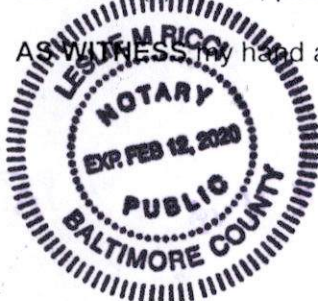
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 19th day of Oct, 2018, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Christina Damil and Pedro Damil

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

AS WITNESS my hand and Notaries Seal




Notary Public
2/12/2020
My Commission Expires

Affidavit in Support of Administrative Variance

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

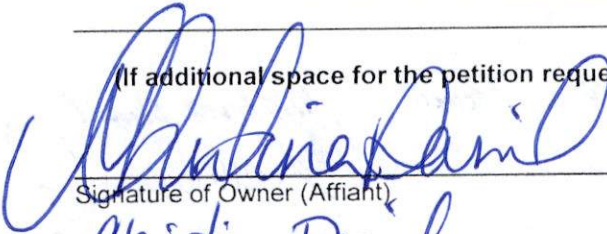
The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in 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.

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behind dwelling due to steep incline and well placement. Requesting authorization
to install Pole building on side of dwelling.

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


Signature of Owner (Affiant)
Christina Damil
Name- Print or Type


Signature of Owner (Affiant)
Pedro Damil
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:

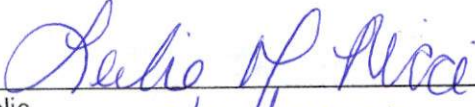
I HEREBY CERTIFY, this 19th day of Oct, 2018, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Christina Damil and Pedro Damil

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

AS WITNESSED by hand and Notaries Seal




Notary Public
2/12/2020
My Commission Expires



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 4825 Sweet Air Rd
Deed Reference 36530 00307 Currently zoned RC2
Owner(s) Printed Name(s) Pedro & Christina Damil 10-Digit Tax Account # 1800002459

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

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

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

1. ☒ **ADMINISTRATIVE VARIANCE** from Section(s) ... Sections 400.1 and 400.3 – to permit a proposed detached accessory structure (pole barn) to be located in the side yard with a height as high as 18 feet in lieu of the required rear yard and maximum allowed 15 feet.

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):

Pedro Damil / Christina Damil
Name #1 – Type or Print Name #2 – Type or Print
[Signature] / [Signature]
Signature #1 Signature #2
4825 Sweet Air Rd Baltimore MD
Mailing Address City State
21013 / 410-800-5379 / Damil004@gmail.com
Zip Code Telephone # Email Address

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

Name- Type or Print
Signature
Mailing Address City State
Zip Code Telephone # Email Address

Representative to be contacted:

Name – Type or Print
Signature
Mailing Address City State
Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this 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 2019-0135-A

Filing Date 10/24/18

Estimated Posting Date 11/4/18

Reviewer [Signature]

Rev 5/5/2016

southeast

Zoning property description for: 4825 Sweet Air Rd. Baldwin MD

Beginning at the point on the ~~S~~outhwest side of Sweet Air Rd. which is 40 feet wide at the distance of 310 feet of the centerline of the nearest improved intersecting street Green Rd. which is 17 feet wide.

Being lot # one in the subdivision of Sweet Air Farms. as recorded in Baltimore county plat book #40, folio # 073, containing 2.3 ac m/l. Located in the 10th election district and the ~~6th~~ coucil district.

3rd

Item #0135

Debra Wiley

From: DaMiL004 <damil004@gmail.com>
Sent: Friday, November 23, 2018 12:42 PM
To: Administrative Hearings
Subject: Fwd: 2019-0135-A
Attachments: DSC_0580.JPG; DSC_0581.JPG; Damil Sweet Air.pdf

----- Forwarded message -----

From: Christina Damil <cdamil@mileone.com>
Date: Fri, Nov 23, 2018, 12:34 PM
Subject: Fwd: 2019-0135-A
To: Pedro <damil004@gmail.com>

Thank you,
Christina Damil
MileOne Payroll Supervisor

----- Original message -----

From: Larry Pilson <lpilson@hotmail.com>
Date: 11/4/18 11:08 AM (GMT-05:00)
To: Christina Damil <cdamil@mileone.com>, mknoll@baltimorecountymd.gov
Subject: 2019-0135-A

CERTIFICATE OF POSTING

Date: 11-4-18

RE: Case Number: 2019-0135-A

Petitioner/Developer: Daniel

Date of Hearing/Closing: 11/19/18

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 4825 Sweet Acre Rd

The sign(s) were posted on 11-4-18

(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON

(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road

(Street Address of Sign Poster)

Parkton, MD 21120

(City, State, Zip Code of Sign Poster)

410-343-1443

(Telephone Number of Sign Poster)

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2019-0135-A

TO PERMIT A PROPOSED DETACHED AC-
CESSORY STRUCTURE (POLEBARN) TO BE LOCATED IN THE
SIDE YARD WITH A HEIGHT AS HIGH AS 18 FEET IN LIEU OF
THE REQUIRED REAR YARD AND MAXIMUM ALLOWED 15
FEET.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
5:00 P.M. ON 11/19/19

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

ZONING NOTICE

#2

ADMINISTRATIVE VARIANCE

CASE # 2017-0135-A

TO PERMIT A PROPOSED DETACHED ACCESSORY
STRUCTURE (POLEBARN) TO BE LOCATED IN THE SIDE YARD
WITH A HEIGHT AS HIGH AS 18 FEET IN LIEU OF THE
REQUIRED REAR YARD AND MAXIMUM ALLOWED 15 FEET

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,

AN ELIGIBLE INDIVIDUAL OR GROUP MAY

REQUEST A PUBLIC HEARING CONCERNING

THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS

RECEIVED IN THE ZONING REVIEW BUREAU BEFORE

5:00 P.M. ON 11/19/18

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

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

HANDICAPPED ACCESSIBLE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0135 -A Address 4825 Sweet Air Rd
Contact Person: David Duvall Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 10/24/18 Posting Date: 11/4/18 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 and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Administrative Law Judge), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2019- 0135 -A Address 4825 Sweet Air Rd
Petitioner's Name Pedro + Christina Damil Telephone 410 800 5379
Posting Date: 11/4/18 Closing Date: 11/19/18
Wording for Sign: To Permit a proposed detached accessory structure
(pole barn) to be located in the side yard with a height
as high as 18 feet in lieu of the required rear yard and
maximum allowed 15 feet

Revised 6/30/2019

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Case Number: 2019-0135-A
Property Address: 4825 Sweet Air Rd Baldwin MD 21013
Property Description: Private House - southwest of Sweet Air Rd
1/2 310' southeast of Green Rd
Legal Owners (Petitioners): Pedro & Christina Damil
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Pedro & Christina Damil
Company/Firm (if applicable): N/A
Address: 4825 Sweet Air Rd
Baldwin MD 21013
Telephone Number: 410 800 5379

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

No. **176299**

PAID RECEIPT

Date: **10/24/18**

BUSINESS ACTUAL TIME DRW
 10/25/2018 10/24/2018 09:24:39 3

REC 0503 WALKIN CAM
 >>RECEIPT 794970 10/24/2018 DFLN
 Dept 5 528 ZONING VERIFICATION
 Amount 176299

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				1575

Recpt Tot \$75.00
 \$75.00 CK \$0.00 CA
 Baltimore County, Maryland

Total: **1575**

Rec From:

P + C Darnell

For:

Zoning Hearing - case # 2019-0135-A

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**



DONALD I. MOHLER III
County Executive

November 20, 2018

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

Pedro Damil
4825 Sweet Air Rd.
Baldwin, MD 21013

Dear Mr. Damil:

RE: Case Number: 2019-0135A, Address: 4825 Sweet Air Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 24, 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: MTC

Enclosures

c: People's Counsel

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 # 2019-0135-A
Address 4825 Sweet Air Road
(Damil 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 # 2019-0135-A
Address 4825 Sweet Air Road
(Damil 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 Department of
Permits, Approvals & Inspections
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

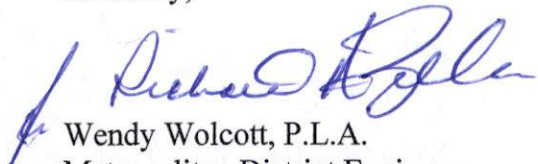
Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 11/7/18. A field inspection and internal review reveals that an entrance onto MD145 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2019-0135-A.

Pedro Daniel
4825 Sweet Air Road
MD145

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) X 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

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>11-13</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>11-7</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
<u>10-23</u>	ADJACENT PROPERTY OWNERS <u>(John Richard Schow, 4901 Sweet Air Rd.)</u>	<u>Supports</u>
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING (1 st)	Date: <u>11-4-18</u> by <u>Pilson</u>	
SIGN POSTING (2 nd)	Date: _____ by _____	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: No Posting - 11/23/18 Per Kirsten, she doesn't have it.

Deb contacted Pet. 11/23 @ 10:39 + left v.m. indicating to have their sign poster get us the certification + in the event they did not have it contacted to let us know as well. Spk to Mr. Daniel who will get to OPH.

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 - 10 Account Number - 1800002459			
Owner Information					
Owner Name:		DAMIL PEDRO D DAMIL CHRISTINA L		Use:	RESIDENTIAL
Mailing Address:		4825 SWEET AIR RD BALDWIN MD 21013-9211		Principal Residence:	YES
				Deed Reference:	/36530/ 00307
Location & Structure Information					
Premises Address:		4825 SWEET AIR RD 0-0000		Legal Description: 4825 SWEET AIR RD SWEET AIR FARMS	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0044	0005	0152		0000	1
				Assessment Year:	2017
				Plat No:	0040/0073
				Plat Ref:	
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1984		1,776 SF		430 SF	
				Property Land Area	
				2.1400 AC	
				County Use	
				04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
2	NO	SPLIT LEVEL	SIDING	2 full	
Last Major Renovation					
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2017	07/01/2018	07/01/2019
Land:		150,300	150,300		
Improvements		129,400	162,700		
Total:		279,700	313,000	301,900	313,000
Preferential Land:		0			0
Transfer Information					
Seller: KAMOWSKI THOMAS		Date: 08/12/2015		Price: \$292,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /36530/ 00307		Deed2:	
Seller: SCHOLZ RODNEY ALLEN		Date: 08/26/2003		Price: \$275,000	
Type: ARMS LENGTH IMPROVED		Deed1: /06340/ 00530		Deed2:	
Seller: ARNOLD HERBERT J		Date: 10/29/1981		Price: \$25,000	
Type: ARMS LENGTH IMPROVED		Deed1: /06340/ 00530		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: No Application					
Homeowners' Tax Credit Application Information					

Homeowners' Tax Credit Application Status: No Application Date:



Proposed building site area



View from driveway to dwelling



Well in line with proposed site area



View from right corner of parking pad

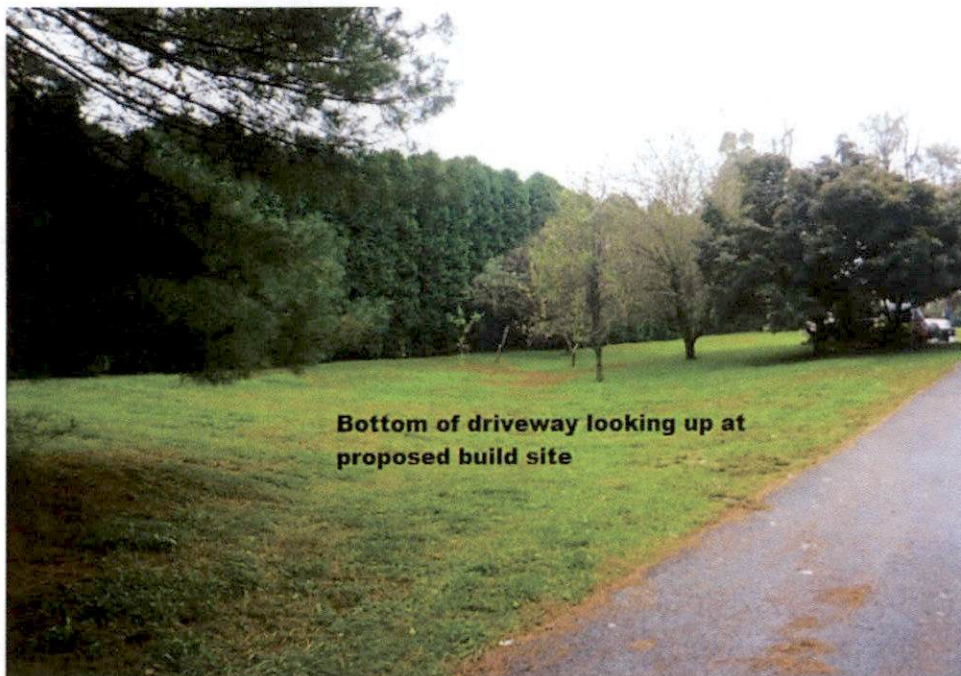
Item #0135



Item #0135



View from parking pad to sweet air rd.



**Bottom of driveway looking up at
proposed build site**



Proposed site area looking at parking pad & dwelling

Item #0135

10/23/2018

To Baltimore Country Zoning
To whom it may concern.

I John Richard Schou residing at
4901 Sweet Air Road Baldwin MD.
21013

Next door neighbor to Mr. Pedro
and Mrs. Christina Damil.

Hereby give my permission for them to build
there garage to within 23 feet of my property line.

If you have any farther questions feel free to contact
Me at 4103750216
Thank you for your time

Sincerely

John Richard Schou

Item #0135

Real Property Data Search

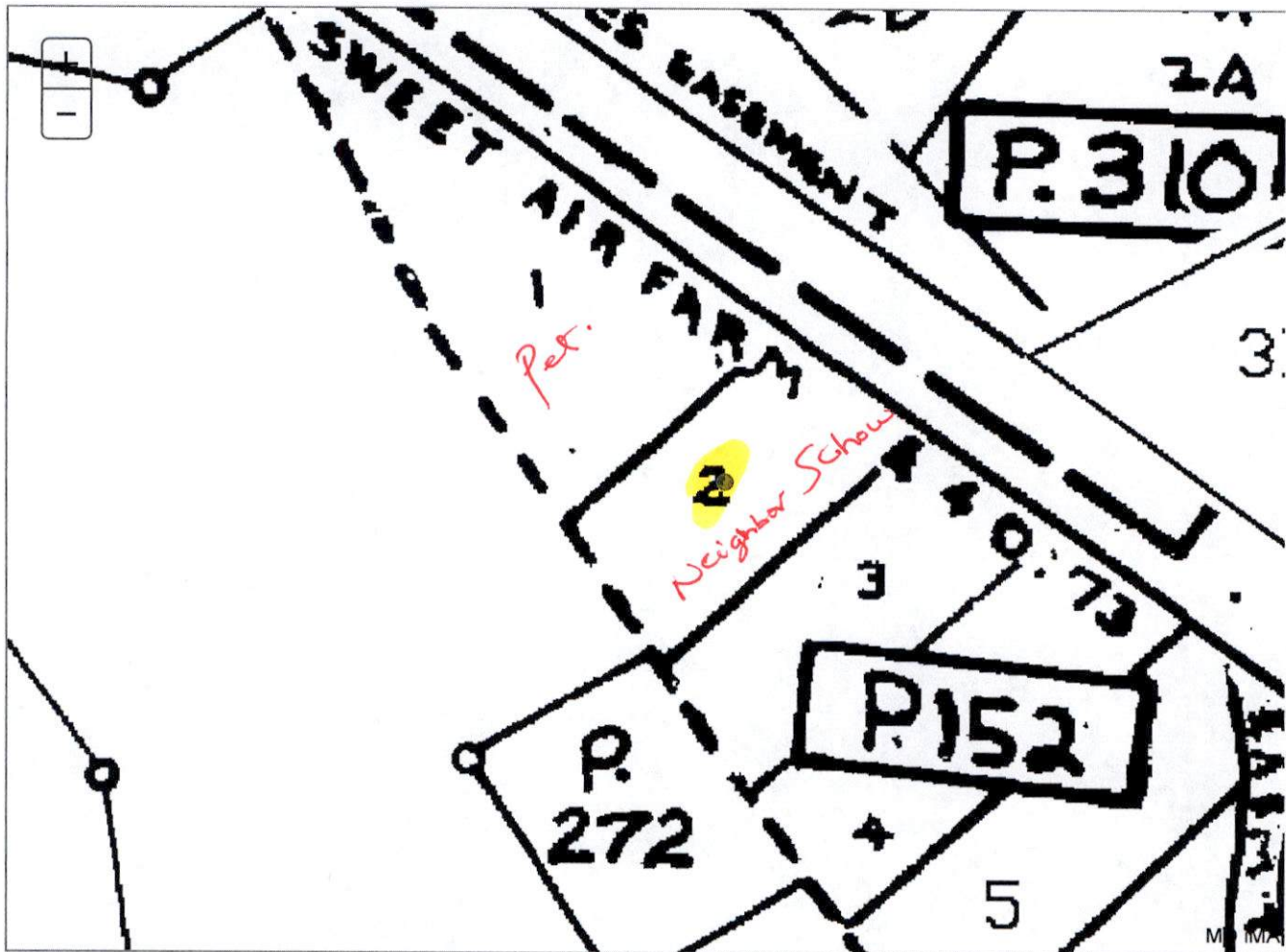
Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 10 Account Number - 1800002460			
Owner Information					
Owner Name:	SCHOU JOHN RICHARD SCHOU ROSE LEE		Use:	RESIDENTIAL	
Mailing Address:	4901 SWEET AIR RD BALDWIN MD 21013-9202		Principal Residence:	YES	
			Deed Reference:	/22168/ 00468	
Location & Structure Information					
Premises Address:	4901 SWEET AIR RD 0-0000		Legal Description:	4901 SWEET AIR RD SWEET AIR FARMS	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0044	0005	0152		0000	2
					Assessment Year: 2017
					Plat No: 0040/0073
Special Tax Areas:			Town:	NONE	
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1986	2,139 SF		1.0500 AC	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1	YES	STANDARD UNIT	FRAME	2 full	1 Attached
Last Major Renovation					
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2017		07/01/2018	
Land:	135,600	135,600		As of 07/01/2019	
Improvements	172,100	205,100			
Total:	307,700	340,700		329,700	340,700
Preferential Land:	0				0
Transfer Information					
Seller: SCHOU JOHN RICHARD		Date: 07/07/2005		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /22168/ 00468		Deed2:	
Seller: SCHOU JOHN RICHARD		Date: 01/07/1991		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /08688/ 00228		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 09/02/2008					

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **10** Account Number: **1800002460**

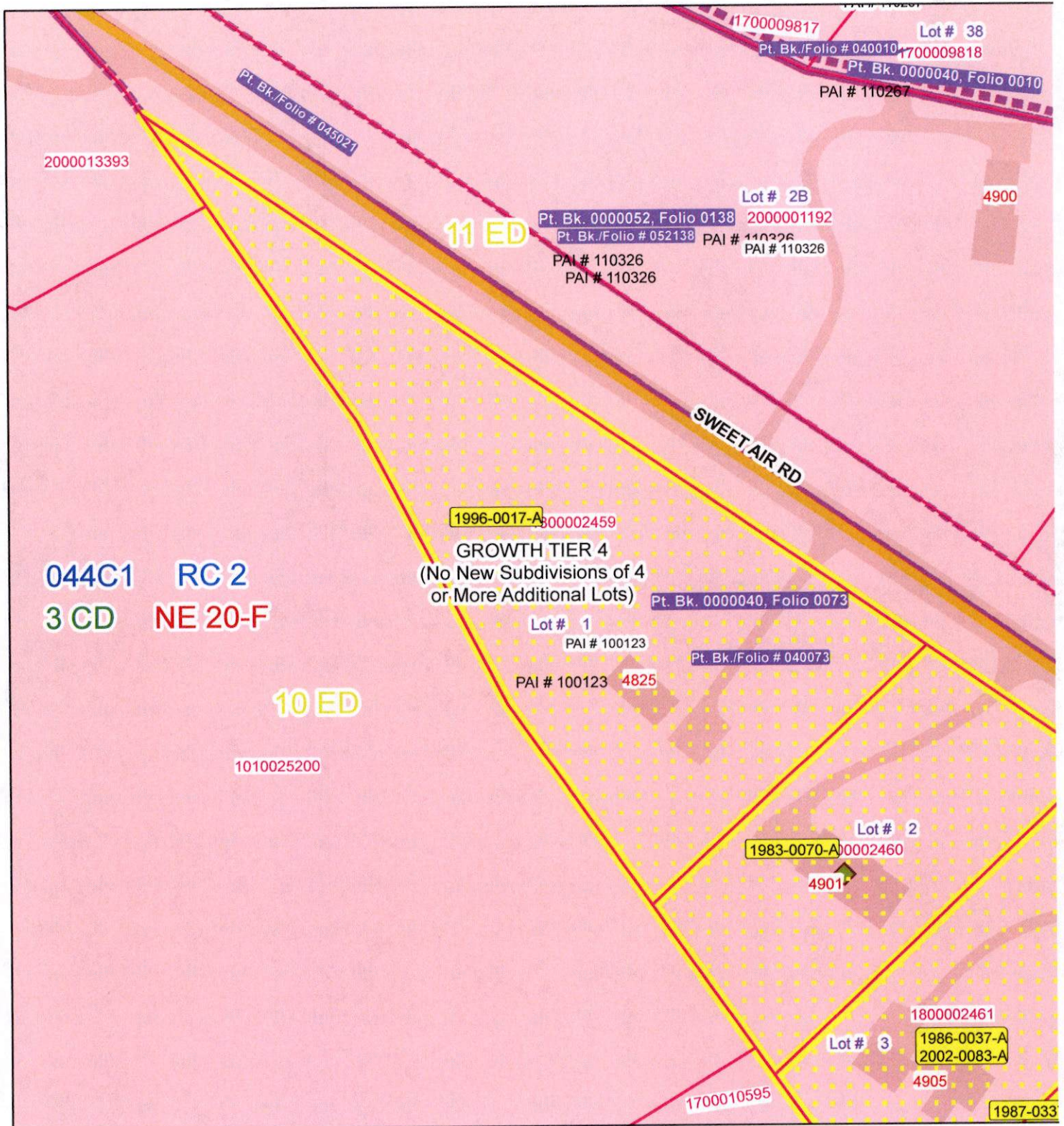
The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx> (<http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx>).

4825 Sweet Air Road, Tax #18-00-002-459



Publication Date: 10/24/2018



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

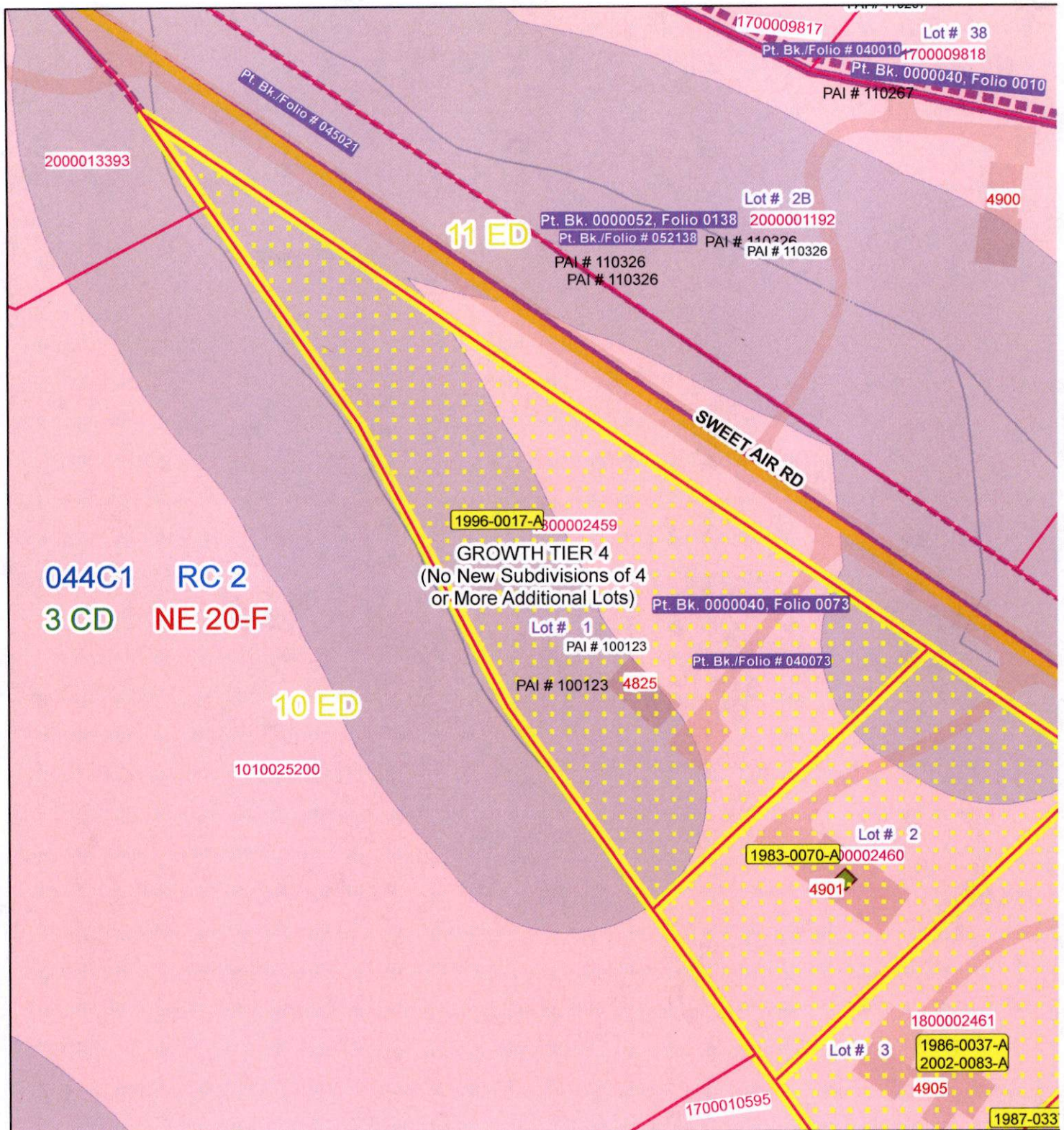


0 25 50 100 150 200 Feet

1 inch = 100 feet

Item #0135

Possible Flood Hazard Area



Publication Date: 10/24/2018



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



0 25 50 100 150 200 Feet

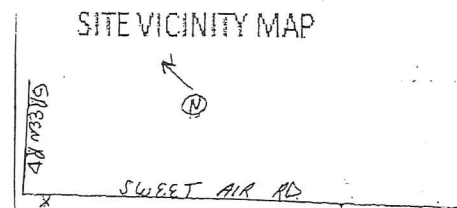
1 inch = 100 feet

Item #0135

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 4825 Sweet Air Road OWNER(S) NAME(S) Pedro + Christina Damil
 SUBDIVISION NAME Sweet Air Farms LOT # 1 BLOCK # 1 SECTION # 1
 PLAT BOOK # 40 FOLIO # 73 10 DIGIT TAX # 1800002459 DEED REF. # 36530/00307

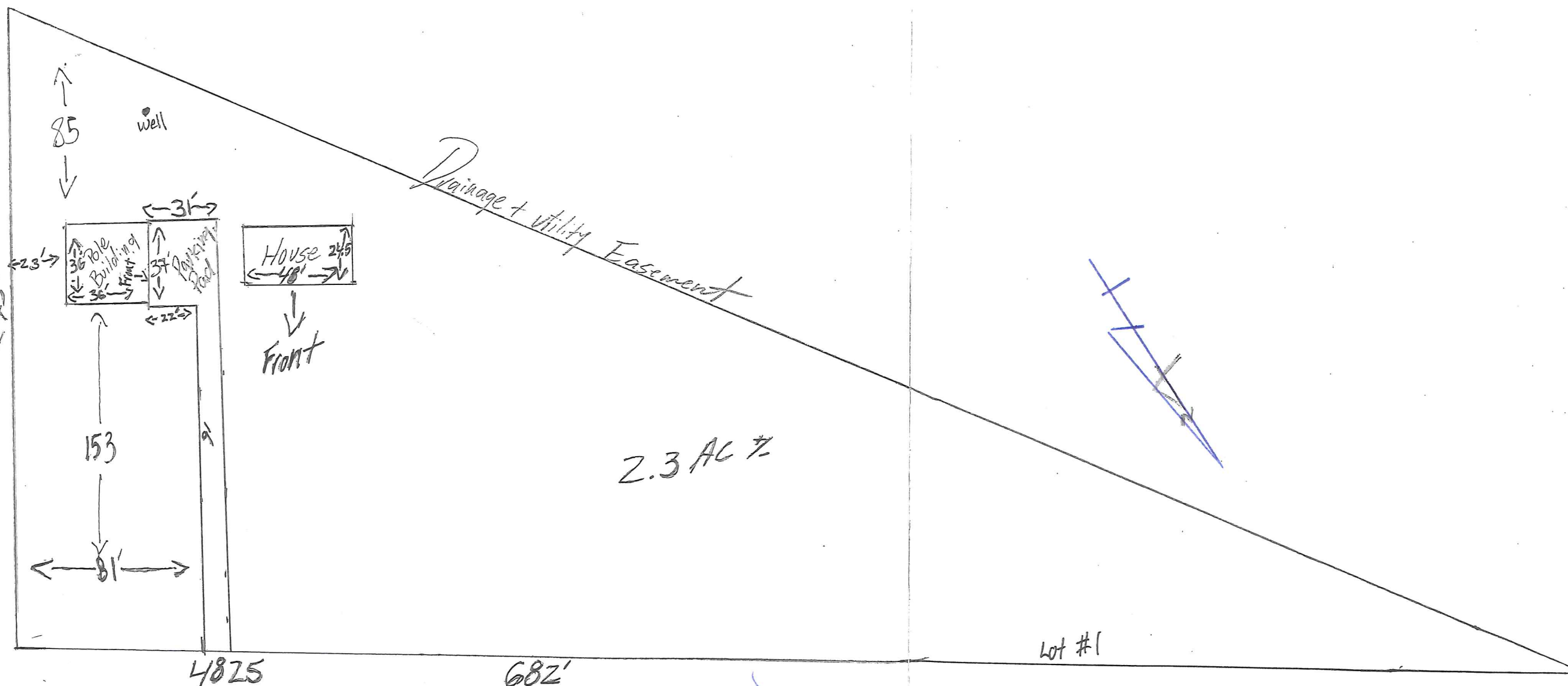
#2019-0135-A

R.D.



N
 MAP IS NOT TO SCALE
 ZONING MAP# 0044C1
 SITE ZONED RC2
 ELECTION DISTRICT 10th
 COUNCIL DISTRICT 3rd
 LOT AREA ACREAGE 2.3
 OR SQUARE FEET _____
 HISTORIC? No
 IN CBCA? No
 IN FLOOD PLAIN? No
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC _____ PRIVATE X
 SEWER IS:
 PUBLIC _____ PRIVATE X
 PRIOR HEARING? 1996-0017-A
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

VIOLATION CASE INFO:



Sweet Air Rd. (40' R/W)

Subdivision of Sweet Air Farms (Book #40)
 (Folio #73)

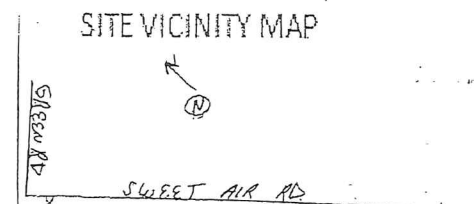
PLAN DRAWN BY Pedro + Christina Damil DATE 10-15-2018 SCALE: 1 INCH = 50 FEET

Pet. Exp. 1

#2019-0135-A

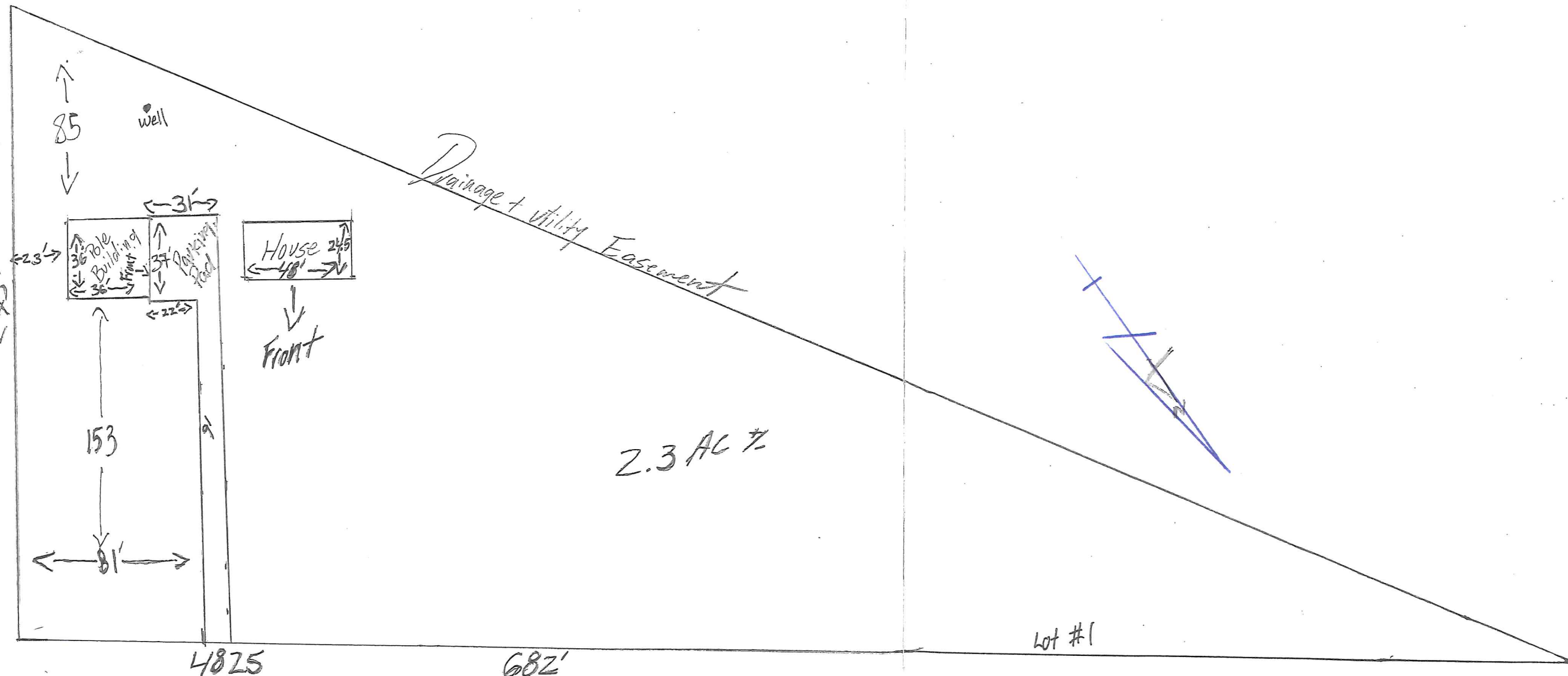
R.D.

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
ADDRESS 4825 Sweet Air Road OWNER(S) NAME(S) Pedro + Christina Damil
SUBDIVISION NAME Sweet Air Farms LOT # 1 BLOCK # _____ SECTION # _____
PLAT BOOK # 40 FOLIO # 73 10 DIGIT TAX # 1800002459 DEED REF. # 36530/00307



N
MAP IS NOT TO SCALE
ZONING MAP# 0044C1
SITE ZONED RC2
ELECTION DISTRICT 10th
COUNCIL DISTRICT 3rd
LOT AREA ACREAGE 2.3
OR SQUARE FEET _____
HISTORIC? No
IN CBCA? No
IN FLOOD PLAIN? No
UTILITIES? MARK WITH X
WATER IS:
PUBLIC _____ PRIVATE ☒
SEWER IS:
PUBLIC _____ PRIVATE ☒
PRIOR HEARING? 1996-0017-A
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:



Sweet Air Rd.

Subdivision of Sweet Air Farms (Book #40)
(Folio #73)

PLAN DRAWN BY Pedro + Christina Damil DATE 10-15-2018 SCALE: 1 INCH = 50 FEET

+/- 310' TO E
GREEN RD