MEMORANDUM

DATE:

March 22, 2019

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2019-0136-A - Appeal Period Expired

The appeal period for the above-referenced case expired on March 21, 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.'

/dlw

c: Case File

Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE (2700 W. Woodwell Road)	*	BEFORE THE OFFICE
12 th Election District	*	OF ADMINISTRATIVE
7 th Council District Bayview Properties, LLC	*	HEARINGS FOR
Legal Owner	*	BALTIMORE COUNTY
Petitioner	*	CASE NO. 2019-0136-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County as a Petition for Variance filed by Bayview Properties, LLC, 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 a proposed second story addition with a side yard setback as close as 6 ft. and rear yard setback(s) as close as 7 ft. in lieu of the minimum required 10 ft. and 30 ft. respectively. A site plan was marked as Petitioner's Exhibit 1.

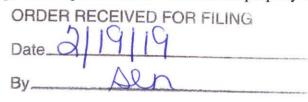
Charles Jacobs and surveyor Bruce Doak appeared in support of the petition. Neil Lanzi, Esq. represented Petitioner. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. No substantive Zoning Advisory Committee ("ZAC") comments were received from any of the County reviewing agencies.

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

- (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
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

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

The property is irregularly shaped and has frontage on two public roads. As such the property is



unique. If the Regulations were strictly interpreted, Petitioner would experience a practical difficulty because it would be unable to construct the proposed second story addition. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the absence of County and/or community opposition.

THEREFORE, IT IS ORDERED, this 19th day of February, 2019, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations ("BCZR") to permit a proposed second story addition with a side yard setback as close as 6 ft. and rear yard setback(s) as close as 7 ft. in lieu of the minimum required 10 ft. and 30 ft. respectively, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its 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, Petitioner would be required to return the subject property to its original condition.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN E. BEVERUNGEN Administrative Law Judge for

Baltimore County

JEB/sln

ORDER RECEIVED FOR FILING



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections To the Office of Administrative Law of Baltimore County for the property located at: W. Woodwell Rd which is presently zoned DR C. S Deed References: 4051,0100,169 10 Digit Tax Account # 1216015160 Property Owner(s) Printed Name(s) Say VIEW Properties (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) SEE ATTACHED 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) TO BE PRESENTED AT THE HEARING Property 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 zoning law for Baltimore County. Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that 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: Name- Type or Print Signature Mailing Address City 21228 Zip Code Email Address Telephone # Zip Code HING CJacobs 20@quail.60 Attorney for Petitioner: To Bero Representative to be contacted: BRUCE E. DOAL BRUCE E. DOAK CONSULTME Name - Type or Print Signature Signature Date 3801 BAKER SCHOOLHOUSE KOAD FREELAND MO 21053 Mailing Address City State 21053 910-419-4906 **Email Address** Telephone # **Email Address** Zip Code Zip Code Telephone # BOOAK@BRUCE ED BAKCON SVITTING. COM CASE NUMBER 2019-013

Do Not Schedule Dates:

Filing Date

Reviewe REV. 10/4/11

VARIANCE RELIEF REQUEST FOR 2700 W. WOODWELL ROAD

 \dots Section 1B02.3.C.1 – to permit a proposed second story addition with a side yard setback as close as +/-6 feet, 3 inches and a rear yard setback as close as +/-7 feet in lieu of the minimum required 10 feet and 30 feet.

Item #0136



Zoning Description

2700 West Woodwell Road Twelfth Election District Seventh Councilmanic District Baltimore County, Maryland

Beginning at the intersection of the south side of West Woodwell Road (55 feet wide) and the west side of Oakwood Road (50 feet wide)

Being Lot 220 of "Gray Manor" which is recorded in the Land Records of Baltimore County in Plat Book CHK 13, page 34.

Containing 7,370 square feet, more or less.

This description is part of a zoning petition and is not intended for any conveyance purposes.

Bruce E. Doak Consulting, LLC 3801 Baker Schoolhouse Road Freeland, MD 21053 410-419-4906 cell / 443-900-5535 office bdoak@bruceedoakconsulting.com



Item#0136

The Daily Record

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

http://www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

Order #: 11673450 Case #: 2019-0136-A

Description:

CASE NUMBER: 2019-0136-A - NOTICE OF ZONING HEARING

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:

1/25/2019

Darlene Miller, 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: 2019-0136-A

2700 W. Woodwell Road NE/s Woodwell Road, southeast of centerline of Oakwood Road 12th Election District - 7th Councilmanic District

Legal Owners: Christine & Charles Jacobs

Variance to permit a proposed second story addition with a side yard setback as close as 6 ft. +/-, 3 inches, and a rear yard setback as close as 7 ft.+/- in lieu of the minimum required 10 ft. and 30 ft.

Hearing: Friday, February 15, 2019 at 10:00 a.m. in Room 205, Jefferson Building, West Chesapeake Avenue, Towson 21204

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 410-837-3868.

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

Sherry Nuffer

From:

Bruce Doak <doakfarm@gmail.com>

Sent:

Sunday, February 10, 2019 12:07 PM

To:

Sherry Nuffer

Subject:

Case #2019-0136-A Sign Posting Cert

Attachments:

Posting cert 2 10 19.pdf

I have enclosed the final sign posting certification.

Bruce
Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906
bdoak@bruceedoakconsulting.com





CERTIFICATE OF POSTING

January 26, 2019 (amended February 10, 2019)

Re:

Zoning Case No. 2019-0136-A

Legal Owner: Christine & Charles Jacobs

Hearing date: February 15, 2019

Baltimore County Department of Permits, Approvals & Inspections County Office Building 111 West Chesapeake Avenue, Room 111 111 West Chesapeake Avenue Towson, MD 21204

Attention: Kristen Lewis

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at 2700 West Woodwell Road.

The signs were posted on January 25, 2019.

The signs were inspected again on February 10, 2019.

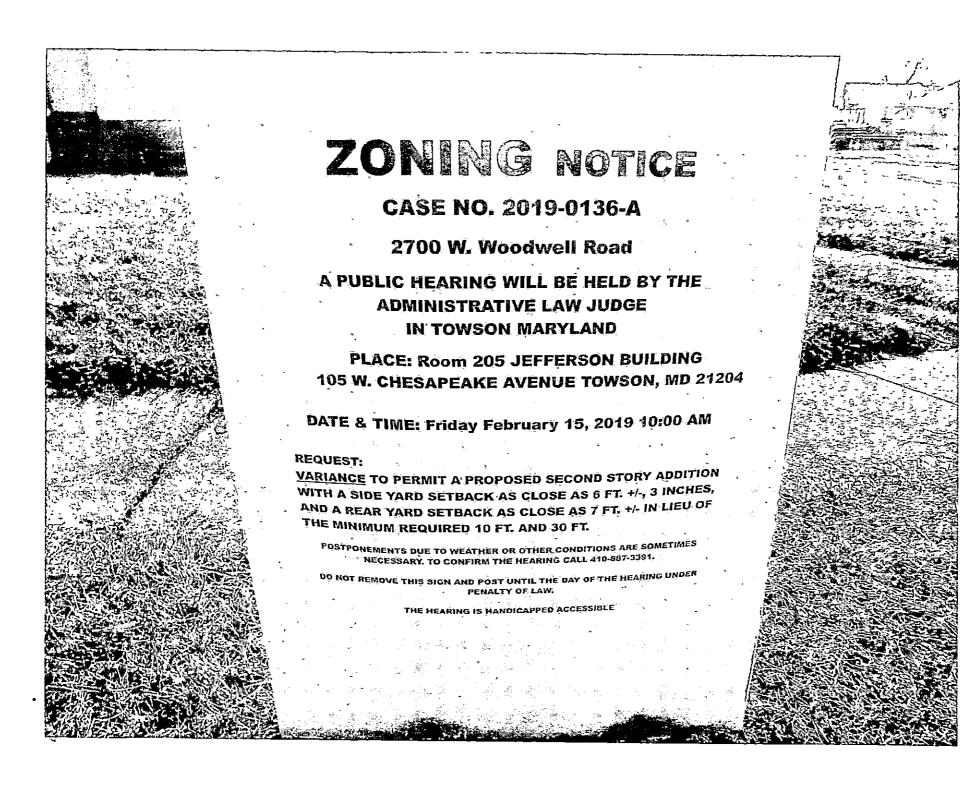
Sincerely,

Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)

Bruce E. Doak Consulting, LLC 3801 Baker Schoolhouse Road Freeland, MD 21053 410-419-4906 cell / 443-900-5535 office bdoak@bruceedoakconsulting.com





CASE NO. 2019-0136-A

2700 W. Woodwell Road

A PUBLIC HEARING WILL BE HELD BY THE ADMINISTRATIVE LAW JUDGE IN TOWSON MARYLAND

PLACE: Room 205 JEFFERSON BUILDING 105 W. CHESAPEAKE AVENUE TOWSON, MD 21204

DATE & TIME: Friday February 15, 2019 10:00 AM

RÉQUEST:

VARIANCE TO PERMIT A PROPOSED SECOND STORY ADDITION WITH A SIDE YARD SETBACK AS CLOSE AS 6 FT. +/-, 3 INCHES, AND A REAR YARD SETBACK AS CLOSE AS 7 FT. +/- IN LIEU OF THE MINIMUM REQUIRED 10 FT. AND 30 FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES... NECESSARY, TO CONFIRM THE HEARING CALL 410-887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER PENALTY OF LAW.

THE HEARING IS HANDICAPPED ACCESSIBLE



CERTIFICATE OF POSTING

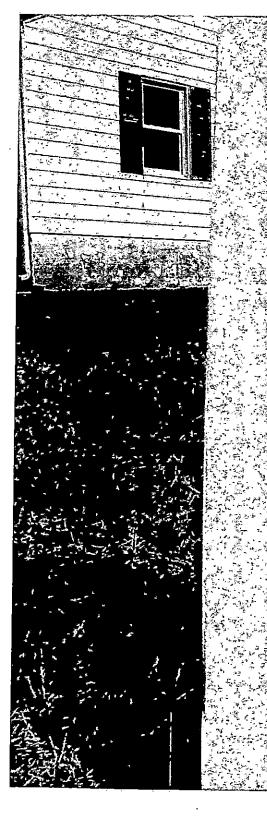
January 26, 2019 (amended)
Re: Zoning Case No. 2019-0136-A Legal Owner: Christine & Charles Jacobs Hearing date: February 15, 2019
Baltimore County Department of Permits, Approvals & Inspections County Office Building 111 West Chesapeake Avenue, Room 111 111 West Chesapeake Avenue Towson, MD 21204
Attention: Kristen Lewis
Ladies and Gentlemen,
This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at 2700 West Woodwell Road.
The signs were posted on January 25, 2019.
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Sincerely,

See the attached sheet(s) for the photos of the posted sign(s)

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MD Property Line Surveyor #531

Bruce E. Doak Consulting, LLC 3801 Baker Schoolhouse Road Freeland, MD 21053 410-419-4906 cell / 443-900-5535 office bdoak@bruceedoakconsulting.com



ZONING NOTICE

CASE NO. 2019-0136-A

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PLACE: Room 205 JEFFERSON BUILDING 105 W. CHESAPEAKE AVENUE TOWSON, MD 21204

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THE HEARING IS HANDICAPPED ACCESSIBLE



ZONING NOTICE

CASE NO. 2019-0136-A

2700 W. Woodwell Road

A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE
IN TOWSON MARYLAND

PLACE: Room 205 JEFFERSON BUILDING 105 W. CHESAPEAKE AVENUE TOWSON, MD 21204

DATE & TIME: Friday February 15, 2019 10:00 AM

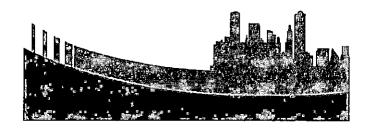
REQUEST:

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NECESSARY, TO CONFIRM THE HEARING CALL 410-887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER PENALTY OF LAW.

THE HEARING IS HANDICAPPED ACCESSIBLE



CERTIFICATE OF POSTING

December 11, 2018 (amended)
Re: Zoning Case No. 2019-0136-A Legal Owner: Christine & Charles Jacobs Hearing date: December 31, 2018
Baltimore County Department of Permits, Approvals & Inspections County Office Building 111 West Chesapeake Avenue, Room 111 111 West Chesapeake Avenue Towson, MD 21204
Attention: Kristen Lewis
Ladies and Gentlemen,
This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at 2700 W. Woodwell Road.
The signs were posted on December 10, 2018.
The signs were inspected again on
Sincerely,
BCO
Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)

Bruce E. Doak Consulting, LLC 3801 Baker Schoolhouse Road Freeland, MD 21053 410-419-4906 cell / 443-900-5535 office bdoak@bruceedoakconsulting.com CASE NO. 2019-0136-A

2700 W. Woodwell Road

A PUBLIC HEARING WILL BE HELD BY THE ADMINISTRATIVE LAW JUDGE IN TOWSON MARYLAND

PLACE: Room 205 JEFFERSON BUILDING 105 W. CHESAPEAKE AVENUE TOWSON, MD 21204

DATE & TIME: Monday December 31, 2018 11:00 AM

REQUEST:

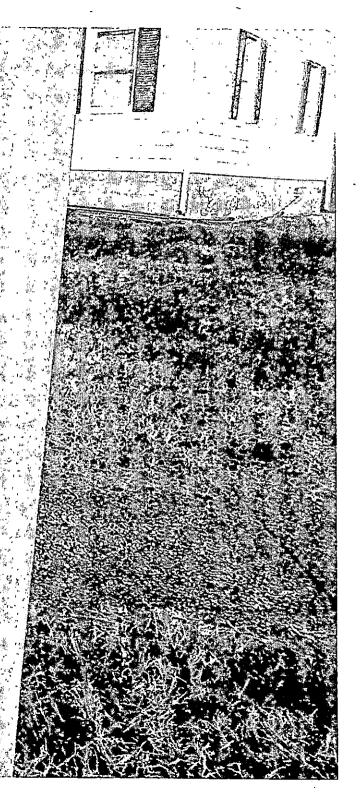
VARIANCE TO PERMIT A PROPOSED SECOND STORY ADDITION
WITH A SIDE YARD SETBACK AS CLOSE AS 6 FT. +-, 3 INCHES, AND
A REAR YARD SETBACK AS CLOSE AS 7 FT. +- IN LIEU OF THE
MINIMUM REQUIRED 10 FT. AND 30 FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES

DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER

THE HEARING IS HANDICAPPED ACCESSIBLE





ZONING NOTICE

CASE NO. 2019-0136-A

2700 W. Woodwell Road

A PUBLIC HEARING WILL BE HELD BY THE ADMINISTRATIVE LAW JUDGE IN TOWSON MARYLAND

PLACE: Room 205 JEFFERSON BUILDING 105 W. CHESAPEAKE AVENUE TOWSON, MD 21204

DATE & TIME: Monday December 31, 2018 11:00 AM

REQUEST:

VARIANCE TO PERMIT A PROPOSED SECOND STORY ADDITION WITH A SIDE YARD SETBACK AS CLOSE AS 6 FT. +-, 3 INCHES, AND A REAR YARD SETBACK AS CLOSE AS 7 FT. +- IN LIEU OF THE MINIMUM REQUIRED 10 FT. AND 30 FT.

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THE HEARING IS HANDICAPPED ACCESSIBLE



DONALD I. MOHLER III County Executive

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

November 8, 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: 2019-0136-A

2700 W. Woodwell Road

NE/s Woodwell Road, southeast of centerline of Oakwood Road

12th Election District – 7th Councilmanic District Legal Owners: Christine & Charles Jacobs

Variance to permit a proposed second story addition with a side yard setback as close as 6 ft. +/-, 3 inches, and a rear yard setback as close as 7 ft.+/- in lieu of the minimum required 10 ft. and 30 ft.

Hearing: Monday, December 31, 2018 at 11:00 a.m. in Room 205, Jefferson Building,

105 West Chesapeake Avenue, Towson 21204

Arnold Japion
Director

AJ:kl

C: Christine, Charles Jacobs, 403 McCurley Avenue, Baltimore 21228 Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 11, 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

Tuesday, December 11, 2018 - Issue

Please forward billing to:

Bayview Properties, LLC 1403 McCurley Avenue Baltimore, MD 21222 410-207-6876

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: 2019-0136-A

2700 W. Woodwell Road

NE/s Woodwell Road, southeast of centerline of Oakwood Road

12th Election District – 7th Councilmanic District

Legal Owners: Christine & Charles Jacobs

Variance to permit a proposed second story addition with a side yard setback as close as 6 ft. +/-, 3 inches, and a rear yard setback as close as 7 ft.+/- in lieu of the minimum required 10 ft. and 30 ft.

Hearing: Monday, December 31, 2018 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Gusa

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.



Januany 4, 2012 EWSKI, JR. County Executive

NEW NOTICE OF ZONING HEARING

DIRECTOR
Department of Permits,
Approvals & Inspections

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: 2019-0136-A

2700 W. Woodwell Road

NE/s Woodwell Road, southeast of centerline of Oakwood Road

12th Election District - 7th Councilmanic District

Legal Owners: Christine & Charles Jacobs

Variance to permit a proposed second story addition with a side yard setback as close as 6 ft. +/-, 3 inches, and a rear yard setback as close as 7 ft.+/- in lieu of the minimum required 10 ft. and 30 ft.

Hearing: Friday, February 15, 2019 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon Director

AJ:kl

C: Christine, Charles Jacobs, 403 McCurley Avenue, Baltimore 21228
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053
Neil Lanzi, 102 W. Pennsylvania Avenue, Ste. 406, Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JANUARY 26, 2019.

- (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, January 25, 2019 - Issue

Please forward billing to:

Bayview Properties, LLC 1403 McCurley Avenue Baltimore, MD 21222

410-207-6876

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: 2019-0136-A

2700 W. Woodwell Road NE/s Woodwell Road, southeast of centerline of Oakwood Road 12th Election District – 7th Councilmanic District Legal Owners: Christine & Charles Jacobs

Variance to permit a proposed second story addition with a side yard setback as close as 6 ft. +/-, 3 inches, and a rear yard setback as close as 7 ft.+/- in lieu of the minimum required 10 ft. and 30 ft.

Hearing: Friday, February 15, 2019 at 10:00 a.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.

RE: PETITION FOR VARIANCE

2700 W. Woodwell Road; NE/S Woodwell Rd,

25' SE c/line of Oakwood Road

12th Election & 7th Councilmanic Districts
Legal Owner(s): Christine & Charles Jacobs

Petitioner(s)

* BEFORE THE OFFICE

OF ADMINSTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

.

2019-136-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 Zummerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CAROLES DEMILIO

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

NOV 08 2018

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of November, 2018, a copy of the foregoing Entry of Appearance was mailed to Bruce Doak, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053, Representative for Petitioner(s).

Peter Max Zummerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning 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 Advertising:
Case Number: 2019~0136-A
Property Address: 2700 WEST WOODWELL ROAD
Property Description: Lor 220 GRAY Manon PB 13/34 Northeast of W Woodwell Rd, 25' southeast of Oakwood Ro
Legal Owners (Petitioners): BAYVIOW PROPORTIES LLC
* ie: east side of intersection PLEASE FORWARD ADVERTISING BILL TO:
Name: Bayview Properties LLC Company/Firm (if applicable): Address: 1903 Mc Curley Avenue
BALTIMONE Mo 21222 Telephone Number: 910-207 6876

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IN THE MATTER OF

2700 W. Woodwell Road NE/s Woodwell Road, southeast of Centerline of Oakwood Road 12th Election District 7th Councilmanic District

Legal Owners:

Christine and Charles Jacobs

- * BEFORE THE ADMINISTRATIVE
- * LAW JUDGE
- * FOR
- * BALTIMORE COUNTY
- * Case No. 2019-0136-A

ENTRY OF APPEARANCE

Please enter the appearance of Wright, Constable & Skeen, LLP and J. Neil Lanzi, Esquire on behalf of Christine and Charles Jacobs and Bayview Properties, LLC in the above captioned matter.

J. Neil Lanzi

Wright, Constable & Skeen, LLP 102 W. Pennsylvania Avenue Suite 406 Towson, Maryland 21204 (443) 991-5917

CERTIFICATE OF SERVICE

J. Neil Lanzi



JOHN A. OLSZEWSKI, JR. County Executive

MICHAEL MOHLER, Director Department of Permits, Approvals & Inspections

February 13, 2019

Christine & Charles Jacobs 1403 McCurley Ave Baltimore MD, 21228

RE: Case Number: 2019-0136-A, 541 Compass Road

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 25, 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

Bruce E. Dark 3801 Baker Schoolhouse Road Freeland MD 21053

INTER-OFFICE MEMORANDUM

PRATTIVE PEARINGS

DATE: 11/23/2018

TO:

Arnold Jablon

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: 19-136

INFORMATION:

Property Address:

2700 W Woodwell Road

Petitioner:

Christine Jacobs, Charles Jacobs

Zoning:

DR 5.5

Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit a proposed second story addition with a side yard setback as close as +/-6 feet, 3 inches and a rear yard setback as +/-7 feet in lieu of the minimum required 10 feet and 30 feet.

A site visit was conducted on November 13, 2018. The site is improved with an existing single family dwelling.

The Department of Planning has no objections to this request but recommends the relief, if granted, be specific and not "more or less" as written on the petition.

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

Prepared by:

Cloyd T. Moxley

Division Chief:

Jenifer G. Nugent

AVA/JGN/LTM/

c: Josephine Selvakumar

Bruce E. Doak, Bruce E. Doak Consulting

Office of the Administrative Hearings

People's Counsel for Baltimore County

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

2019-0136-A

Address

2700 W. Woodwell Road

(Jacobs 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

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

2019-0136-A

Address

2700 W. Woodwell Road

(Jacobs Property)

Zoning Advisory Committee Meeting of November 12, 2018.

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

Reviewer:

Steve Ford

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

Jablon, Director DATE: November 26, 2018

Department of Permits, Approvals

FROM: Vishnu Desai, Supervisor

Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

For November 12, 2018

Item No. 2019-0129-A, 0130-A, 0131-A, 0132-A, 0133-SPHA, 0134-A, 0135-A, 0136-A, 0137-A, 0096-A, 0139-A, 0140-A, 0144-SPHA and 0149-

Α

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

VKD: cen cc; file



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

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. 2019-0136

Christine Jacobs & Charles Frech. 2700 W. Wedwell Road.

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



Wright, Constable & Skeen, L.L.P. | Attorneys at Law

102 W. Pennsylvania Avenue - Suite 406 - Towson - Maryland - 21204 - Phone: 443-991-5917 - Facsimile: 667-206-4610

November 27, 2018

J. NEIL LANZI Email: nlanzi@wcslaw.com

Department of Zoning Review 111 West Chesapeake Avenue, Room 111 Towson, MD 21204 Attn: Kristen Matthews

Re:

2700 W. Woodwell Road Case No. 2019-0136-A Christine and Charles Jacobs

Dear Kristen:

My paralegal, Melody has advised me that Arnold Jablon is requesting an itinerary for my vacation day on December 31, 2018. Admittedly, after practicing for over thirty years, I have never been asked to justify a vacation request for postponement.

In any event, this vacation has been planned for over a year. The daughter of one of our closest friends is getting married at the Four Seasons Hotel in downtown Baltimore on New Year's Eve. This wedding has been planned for over a year and reservations in place for several months. Not only did my wife and I decide to turn the wedding celebration into a mini vacation, the significance of the weekend and into New Year's Day has been magnified due to the parents of the bride losing their only other child suddenly this past summer. Thus, the entire New Year's Eve and New Year's Day will be spent in support of and in celebration with our good friends. Again, early check-in arrangements were made months ago at the hotel for New Year's Eve so we could be there with the family in the morning and throughout the day. My wife and I both had taken the weekend prior, New Year's Eve and New Year's Day as a vacation going back a year when we first were informed of the wedding date by our friends.

Finally, the Petition for Variance, filing appointment and scheduling were all done prior to my entry of appearance and postponement request. It is my understanding the need for counsel was not discovered until after the filing appointment and the scheduling of the hearing. If I had been involved in that process, obviously I would have not scheduled the hearing with you on a day I knew I would not be available.

I thank you again for your assistance and I look forward to receiving confirmation of the postponement request.

Very truly yours,

MD yami

J. Neil Lanzi



Wright, Constable & Skeen, L.L.P. | Attorneys at Law

102 W. Pennsylvania Avenue - Suite 406 - Towson - Maryland - 21204 - Phone: 443-991-5917 - Facsimile: 667-206-4610

J. NEIL LANZI

Email: nlanzi@wcslaw.com

November 19, 2018

Department of Zoning Review 111 West Chesapeake Avenue Room 111 Towson, MD 21204 Attn: Kristen Matthews

Re:

2700 W. Woodwell Road Case No. 2019-0136-A Christine and Charles Jacobs

Dear Kristen:

This letter is in follow-up to our telephone conversation on Friday, November 16th regarding the above captioned case. I am enclosing my Entry of Appearance as requested. By this letter, I am also requesting a postponement of this case from its present hearing date of December 31, 2018 at 11:00 a.m. as I will be on vacation.

Hopefully this case can be scheduled early in January 2019. Dates to avoid would be the morning of January 8th, 2019. I would also request the hearing not be set in on Tuesday, January 15, 22, or 29th before 11:00 a.m.

Thank you for your consideration.

Very truly yours,

J. Neil Lanzi

cc:

Christine and Charles Jacobs

Bruce Doak

CASE NAME	BAY VION PROPERTIES
	2019-0136-1
DATE 2/1	5/19

PETITIONER'S SIGN-IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E - MAIL

BRUCO E. DORK	3801 BAKEN SCHOOLUGUSV	ROAD FROMMENO MO 2105.	3
CHARLES JACOBS	1403 MCCURLEY AVE	BOOAL & BRUCGEDOAKE	ONSULTING. COM
		-BALTO MD 21228	CJACOBS 20 @BMAIL.COM
Neil Lanzi	102 W. Dennsylvania Aut i	The 406 Towson mo 21204	NLanzi e was caw (on
-			
		_	

CHECKLIST

Comment Received	<u>Department</u>		Support/Oppose/ Conditions/ Comments/ No Comment
11/20	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent		NO Comment
11/13/18	DEPS (if not received, date e-mail sent		NO Comment
	FIRE DEPARTMENT		-10
11/23/18	PLANNING (if not received, date e-mail sent)	NO Objections
1117	STATE HIGHWAY ADMINISTRA	ATION	NO Objections
	TRAFFIC ENGINEERING		
	COMMUNITY ASSOCIATION		
	ADJACENT PROPERTY OWNER	S	
ZONING VIOLATIO	ON (Case No		
PRIOR ZONING	(Case No		
NEWSPAPER ADV	ERTISEMENT Date:	1/35/19	
SIGN POSTING (1 ^s	Date:	1/25/19	by Deck
SIGN POSTING (2 ⁿ	Date:	2/10/19	by <u>DOOK</u>
PEOPLE'S COUNSE	L APPEARANCE Yes L COMMENT LETTER Yes	No D	
Comments, if any: _			

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption View Ground					เเอก	
Tax Exempt:	# w	Special Tax Re					
Exempt Class:	NONE						
Account Identifier:	District - 12 Accou	nt Number - 1216	80151 60				
		Owner Info	rmation				
Owner Name:	BAYVIEW PROPER	Use: Principal Re	esidence:	RESIDEN' NO	TIAL		
Malling Address:	1403 MCCURLEY A BALTIMORE MD 2				nce: /40560/ 00169		
		Location & Structi	ure Information				
Premises Address:	2700 W WOODWE BALTIMORE 21222		Legal Descr	iption:	GRAY MA	NOR	
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Map: Grid: Parcel: 0103 0006 0436	0000	, Secuon.	220	2018	Plat R		
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Stories Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Re	novation	
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		Value Info	rmation				
	Base Value	Value)	Phase-In Asse	esaments		
		As of 01/01		As of 07/01/2018	As o 07/0	f 1/2019	
Land:	49,300	49,30	0				
Improvements	61,500	64,60					
Total:	110,800	113,9	00	111,833	112,	967	
Preferential Land:			-		0		
		Transfer Int			-		
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Type: ARMS LENGTH IMPROVE	ED	Deed1: /40560/	00169		Deed2:		
Seller: PENSKI JOHN		Date: 07/21/200			Price: \$0		
Type: NON-ARMS LENGTH OTH	HER	Deed1: /14591/	00492		Deed2:		
Seller:		Date:			Price:		
Type:		Deed1:			Deed2:		
		Exemption I					
Partial Exempt Assessments:	Class		07/01/2018		07/01/201	9	
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State:	000		0,00				
Municipal:	000		0.00,0100.00		0.00 0.00		
Tax Exempt: Exempt Class:		Special Tax Re	ecapture:				
		Homestead Applic	ation Information				
Homestead Application Status: N			_ : ***********************************				
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	tion Status: No Application	TOTAL TON CIERT	Date:	·			



GET THE APP

■ MY RE/MAX

■

















\$122,931

Not for Sale

Estimate @



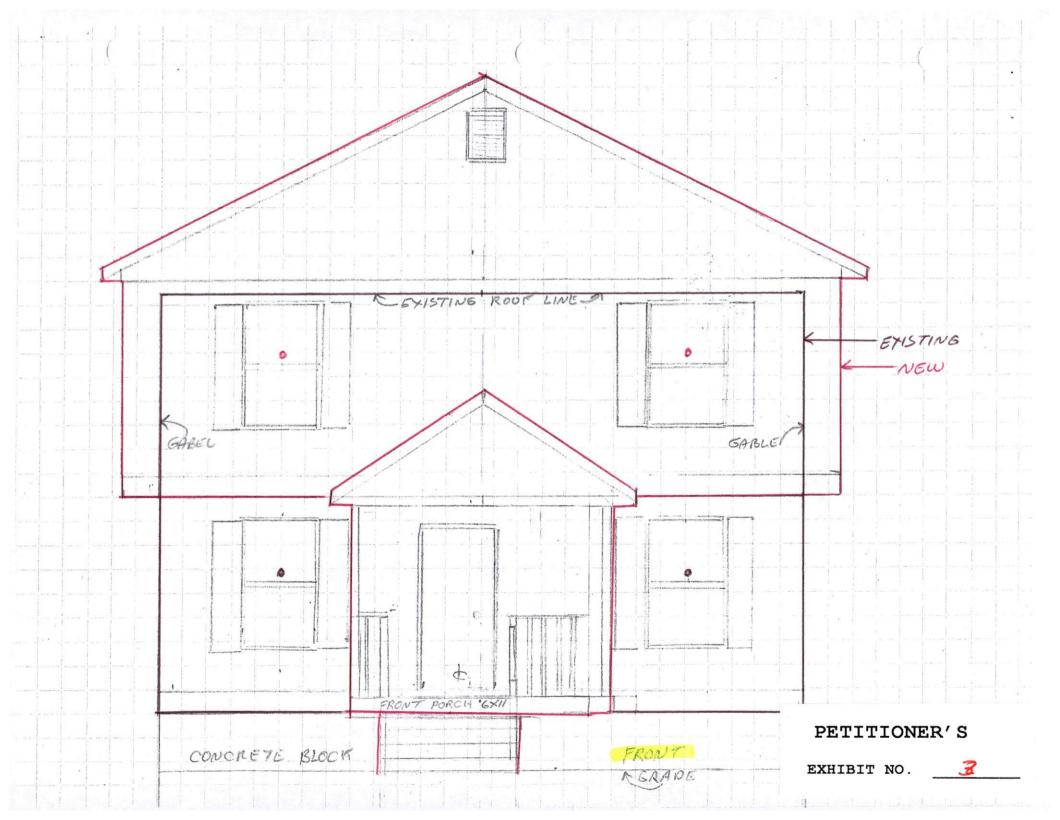
Homes.com Home Estimate*

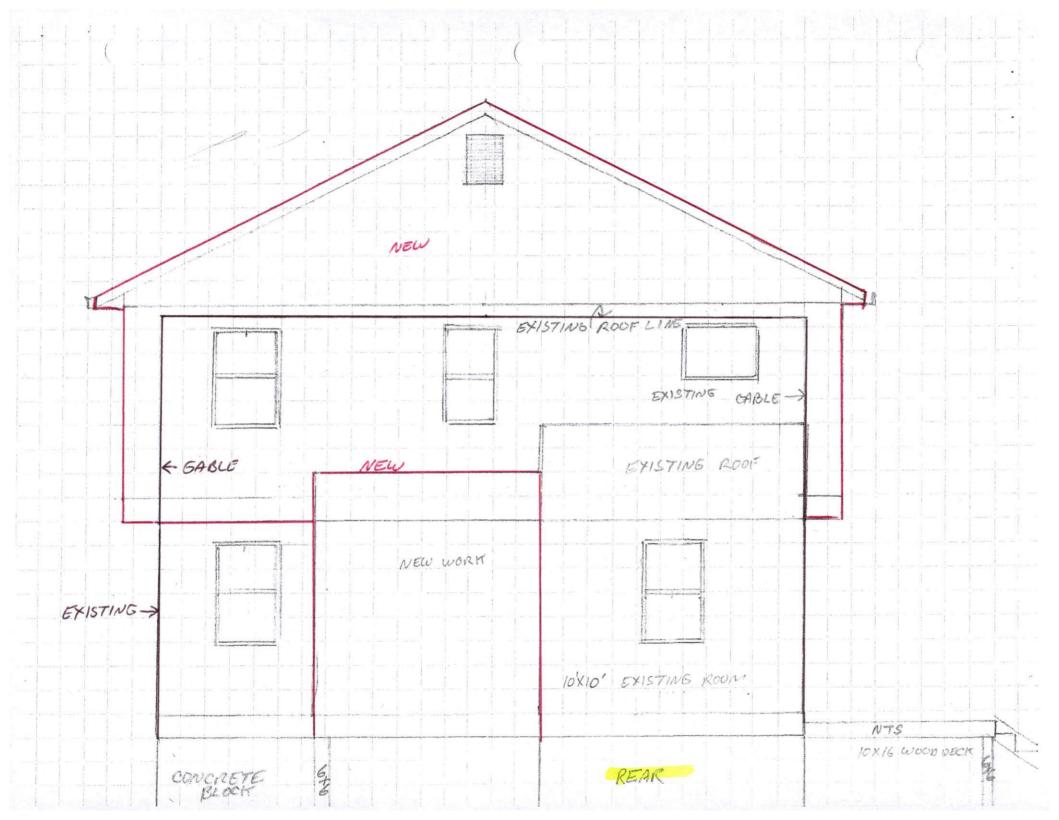
1 baths | 729 sqft

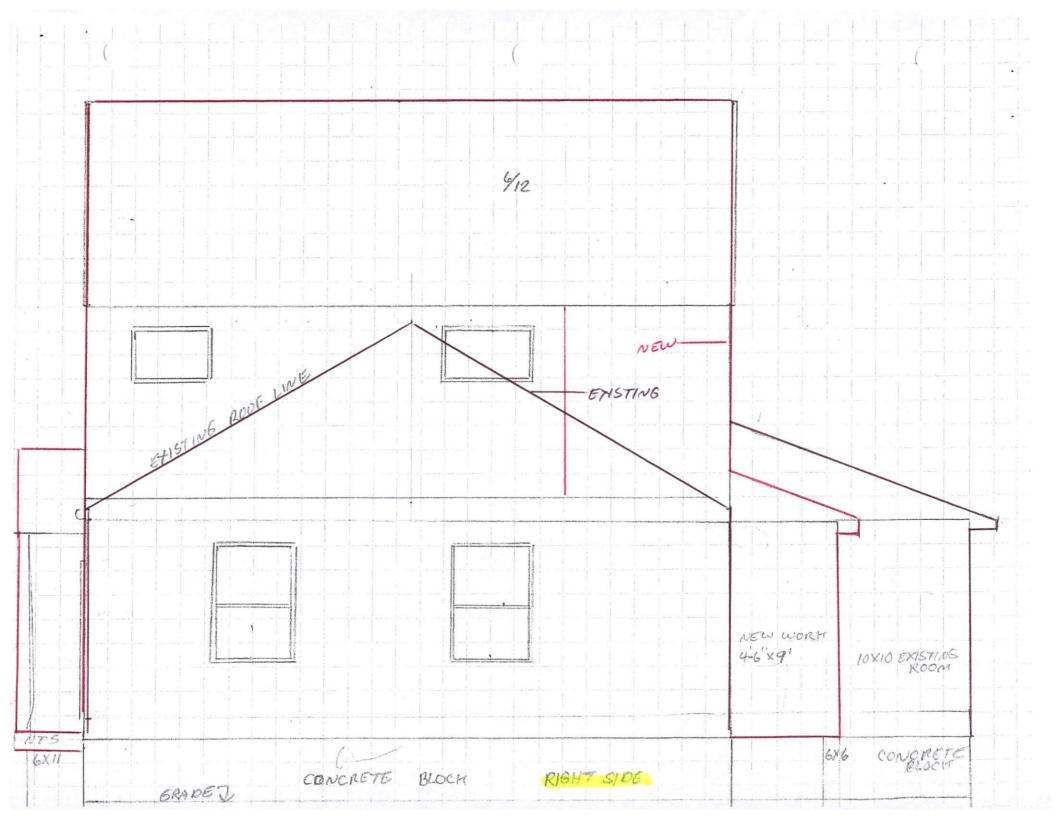
PETITIONER'S

EXHIBIT NO. 2











John E. Beverungen, Administrative Law Judge

Office of Administrative Hearings

105 West Chesapeake Avenue

Towson, MD 21204

Re: Case #201900136-A

2700 W. Woodwell Rd Baltimore Md 21222

NE/s Woodwell Road, southeast of centerline of Oakwood Road

Legal Owners: Charles and Christine Jacobs

Dear Mr. Beverungen,

We are writing in support of a Variance to permit a proposed second story addition with a side yard setback as close as 6 ft. +/- 3 inches and a rear yard setback as close as 7 ft +/- in lieu of the minimum required 10 feet and 30 feet.

Our house, located at 232 Oakwood Road 21222, is adjacent to and behind this property.

We support and Variance and are hopeful it will be approved, as this will increase the value and appearance of our neighborhood.

Sincerely,

Betty & Paul Yoder
Paul John

PETITIONER'S

EXHIBIT NO.

John E. Beverungen, Administrative Law Judge

Office of Administrative Hearings

105 West Chesapeake Avenue

Towson, MD 21204

A1.

Re: Case #201900136-A

2700 W. Woodwell Rd Baltimore Mid 21222

NE/s Woodwell Road, southeast of centerline of Oakwood Road

Legal Owners: Charles and Christine Jacobs

Dear Mr. Beverungen,

I am writing in support of a Variance to permit a proposed second story addition with a side yard setback as close as 6 ft. +/- 3 inches and a rear yard setback as close as 7 ft +/- in lieu of the minimum required 10 feet and 30 feet.

My house, 2702 W. Woodwell Rd 21222, is directly next door to this property.

I support this Variance and am hopeful it will be approved, as this will increase the value and appearance of our neighborhood.

Sincerely, Lee McChellard

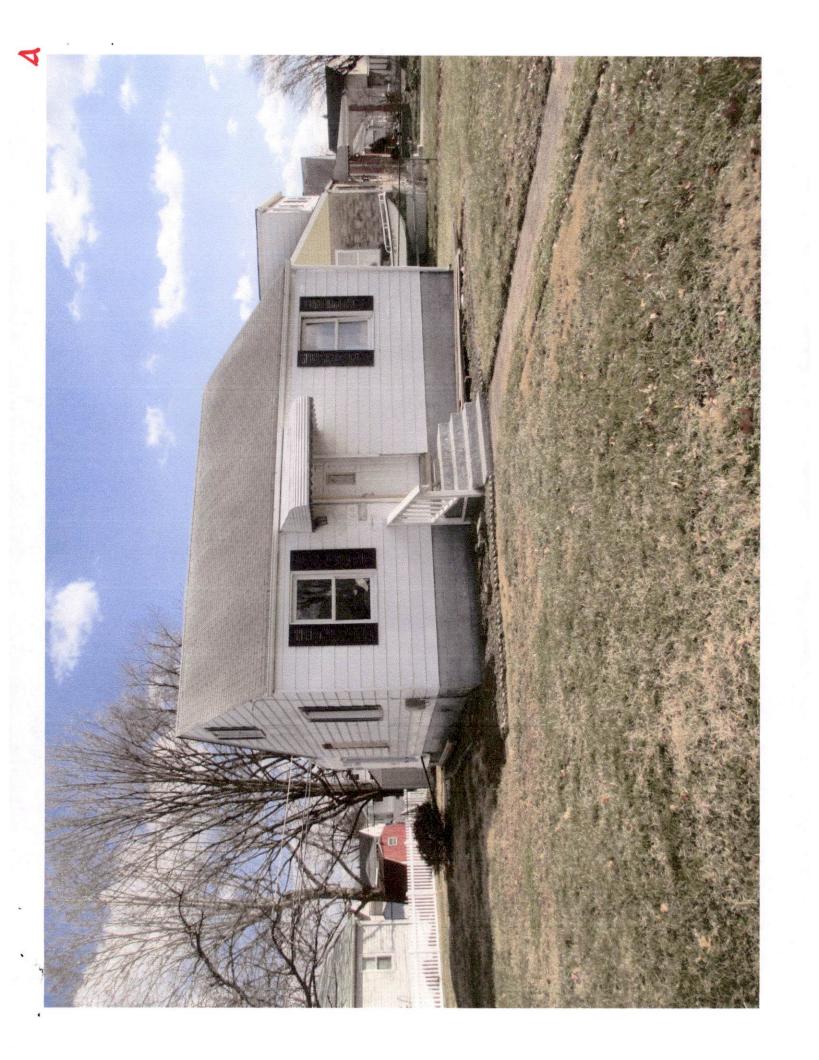
Lee McClelland

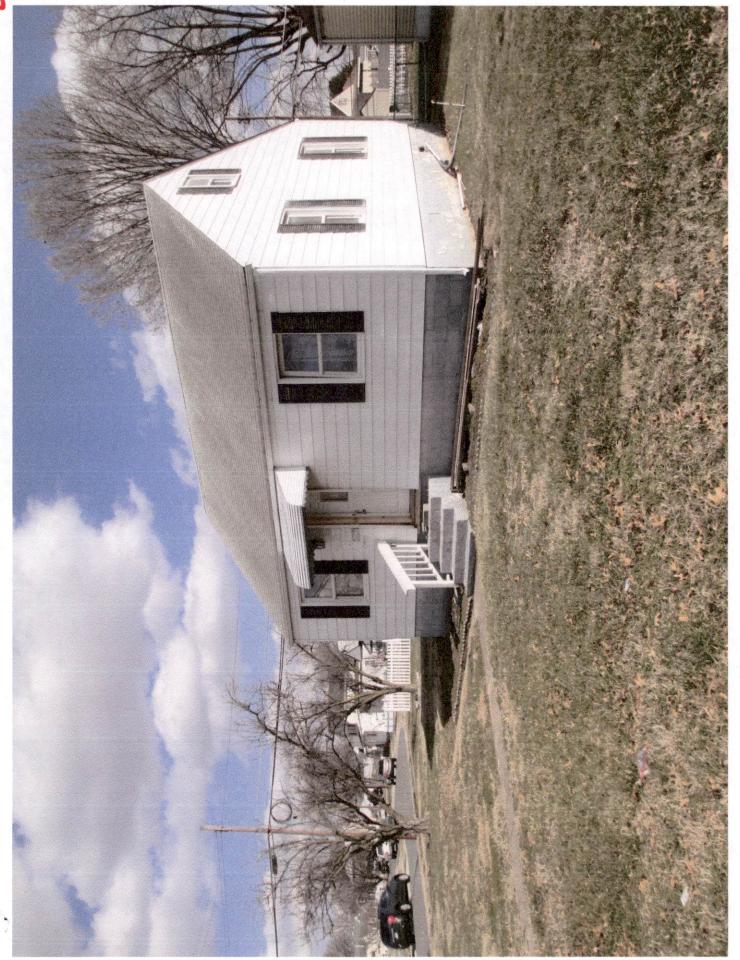
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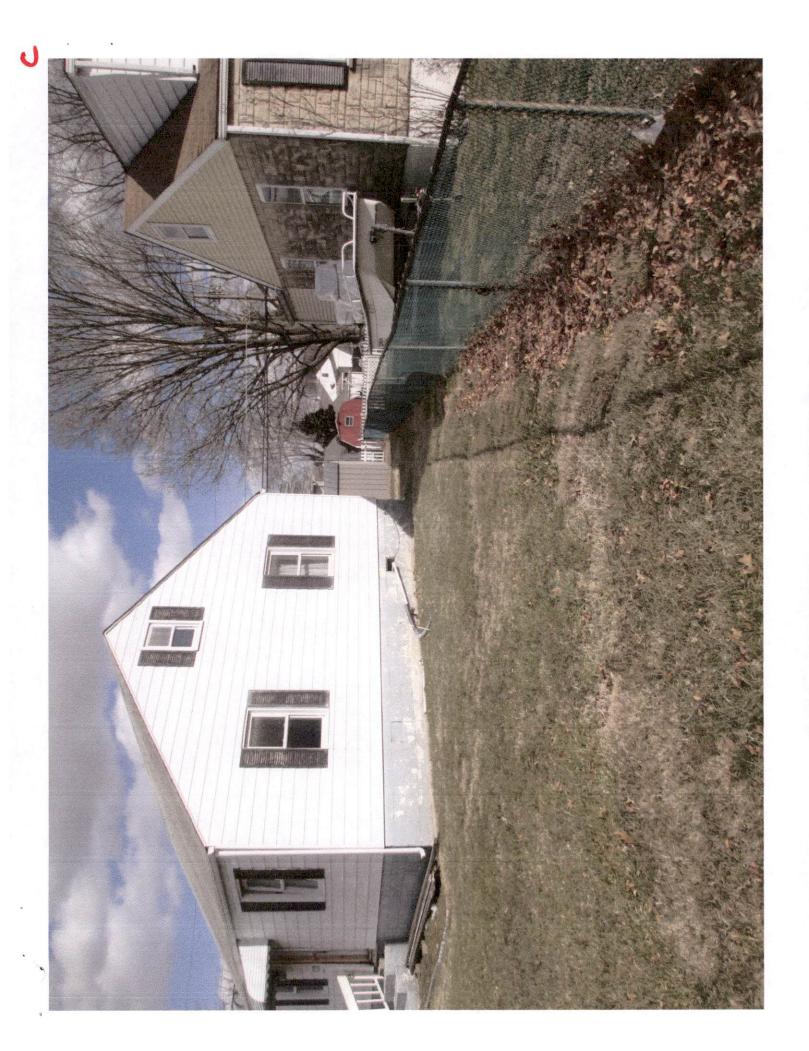
PLAN TO ACCOMPANY PHOTOGRAPHS

PETITIONER'S

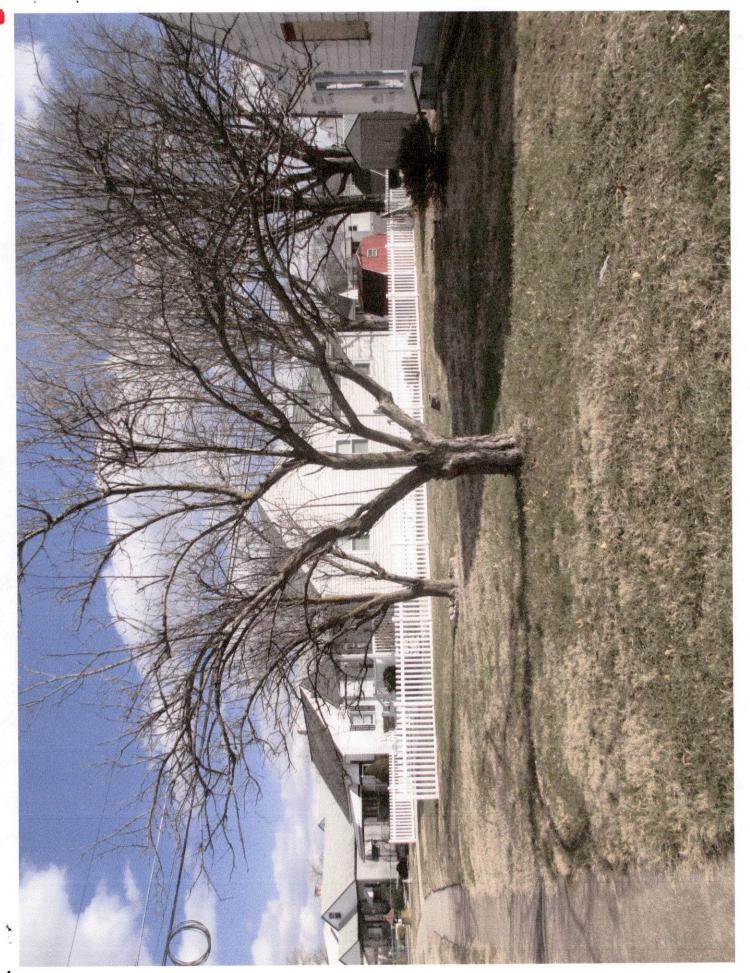
EXHIBIT NO. PHOTOS A-F





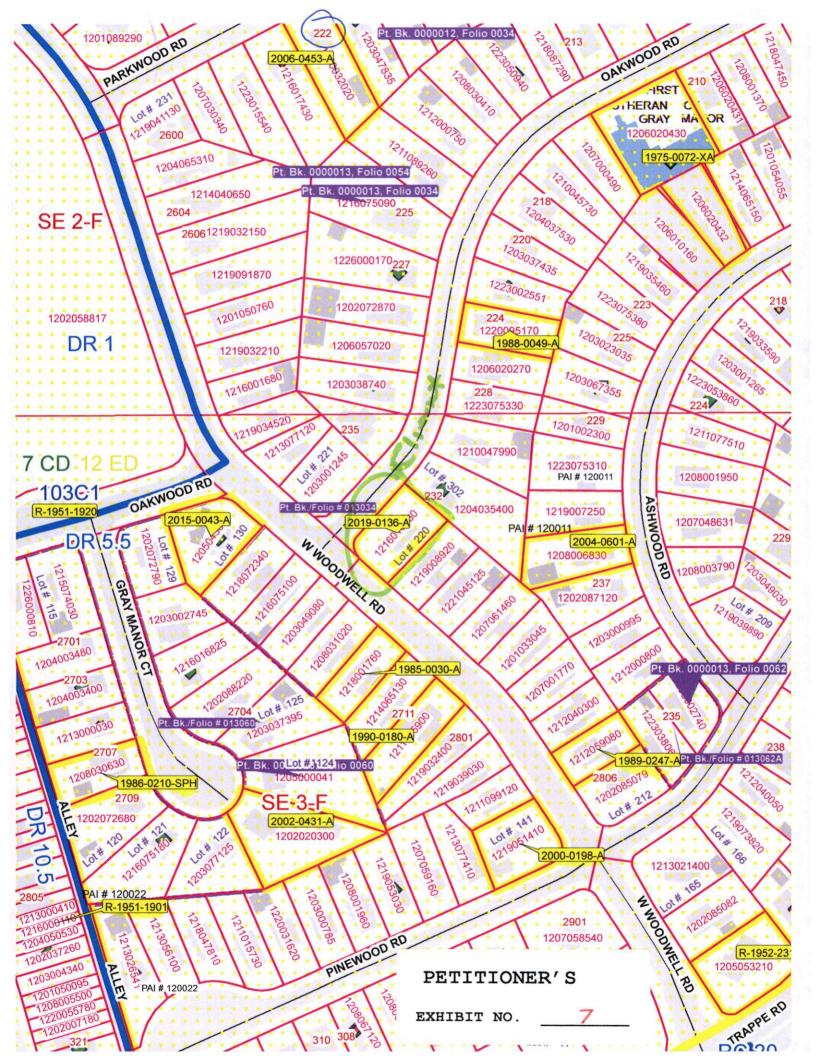




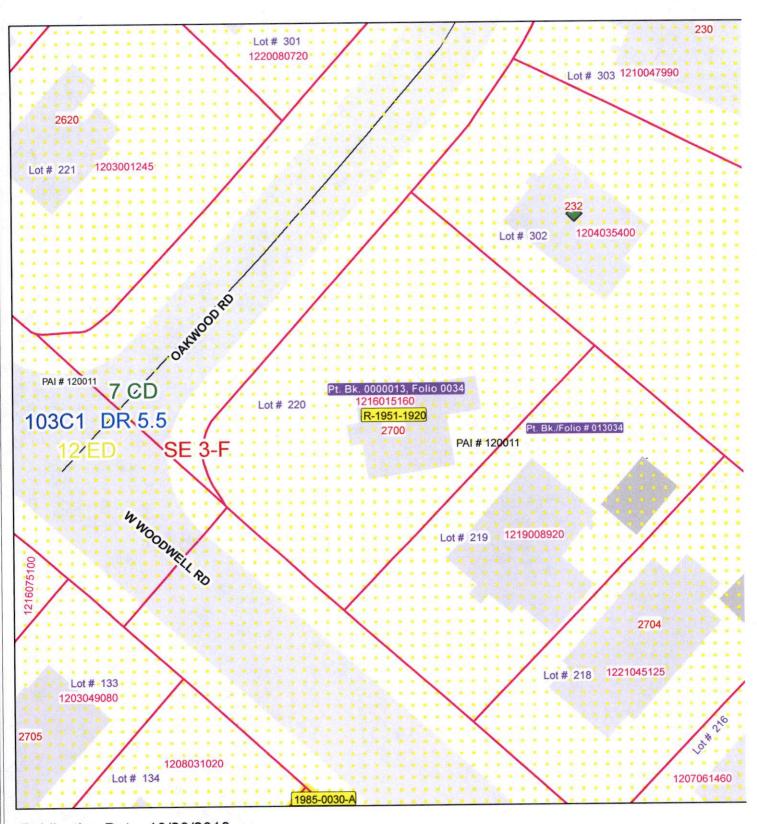




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2700 W. Woodwell Road, Tax #12-16-015-160

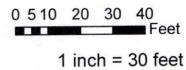


Publication Date: 10/23/2018



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





Item #0136



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	T STEVICHTY WAP
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PAVING -	PUBLIC × PRIVATE
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R=20' HANG	PUBLIC_X_PRIVATE
A=31.42'	PRIOR HEARING ? None
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