

M E M O R A N D U M

DATE: February 14, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0148-A - Appeal Period Expired

The appeal period for the above-referenced case expired on February 13, 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

(3402 Slade Avenue)

3rd Election District

2nd Council District

Yitzchak Khoshkeraman &

Aviva Askarinam

Legal Owners

Petitioners

*

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*

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BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2019-0148-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Yitzchak Khoshkeraman and Aviva Askarinam, legal owners of the subject property (“Petitioners”). Petitioners are requesting variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (“BCZR”) to permit a proposed replacement single family dwelling with a front yard setback of 34.5' in lieu of the required 40' and a side setback of 4' in lieu of the minimum required setback of 15' with a sum of 14' in lieu of the required 40', respectively. A site plan was marked as Petitioner’s Exhibit 1.

Yitzchak Khoshkeraman and Donny Ankri appeared in support of the petition. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”) and the Bureau of Development Plans Review (“DPR”). Neither agency opposed the requests.

The site is approximately 20,000 square feet in size and is zoned DR 2. The property is improved with a single family dwelling constructed in 1979. Petitioners were told enlarging the existing home would be problematic due to its age and configuration. As such, they plan to raze that structure and in its place construct a new single family dwelling.

ORDER RECEIVED FOR FILING

Date 1-14-19

By 193

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 fairly narrow and deep, and is accessed by a long panhandle drive. As such, the property is unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to construct the proposed single family dwelling. 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.

In its ZAC comment, the DOP emphasized that specimen trees on site should be preserved whenever possible. Mr. Ankri (an architect) did not believe many trees would be impacted by the construction and the owner also stressed (as did the DOP) he wanted to preserve the existing trees which provide a natural buffer between adjacent homes. The Bureau of Development Plans Review ("DPR") suggested the proposed dwelling be shifted farther away from the 10' wide drainage and utility easement, which is shown on the plan. Mr. Ankri noted the proposed dwelling does not encroach upon the County easement, and the lot is simply not wide enough to shift the house to the west; i.e., the proposed side yard setback at that location is 4' 8", and I do not believe the structure should be situated any closer to the property boundary.

THEREFORE, IT IS ORDERED, this 14th day of **January, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance to permit a proposed replacement single family dwelling with a front yard setback of 34.5' in lieu of the required 40' and a side

ORDER RECEIVED FOR FILING

Date 1-14-19

By [Signature]

setback of 4' in lieu of the minimum required setback of 15' with a sum of 14' in lieu of the required 40', respectively, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 1-14-19

By DLW



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:

Address 3402 Slade Ave Baltimore, MD 21208 which is presently zoned DR2
 Deed References: 110696/00421 10 Digit Tax Account # 1700010412
 Property Owner(s) Printed Name(s) Yitzchak Khoshkheram & Aviva Askarinam

(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:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. X a **Variance** from Section(s)

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)

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).

Contract Purchaser/Lessee:

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

Attorney for Petitioner:

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

Legal Owners (Petitioners):

Aviva Askarinam Yitzchak Khoshkheram
 Name #1 – Type or Print Name #2 – Type or Print
[Signature] [Signature]
 Signature #1 Signature #2
7121 Park Heights Ave. Baltimore MD
 Mailing Address City State
21215 , 443 462 9848
 Zip Code Telephone # Email Address

Representative to be contacted:

Yitzchak Khoshkheram
 Name – Type or Print
[Signature]
 Signature
7121 Park Heights Ave Baltimore MD
 Mailing Address City State
21215 , 443 462 9848
 Zip Code Telephone # Email Address

CASE NUMBER 2019-0148-A Filing Date 11/16/18 Do Not Schedule Dates: _____ Reviewer gh

REV. 10/4/11

Revision

2019-0148-A

Variance from section: 1B02.3.C.1

To permit a proposed replacement single family dwelling with a front yard setback of 34.5 feet in lieu of the required 40 feet and a side setback of 4 feet in lieu of the minimum required setback of 15 feet with a sum of 14 feet in lieu of the required 40 feet respectively.

THE ZONING HEARING PROPERTY DESCRIPTION

Part A

Zoning Property Description For: ³⁴⁰²~~3702~~ Slade Ave Baltimore MD 21208

Beginning at a point on the North side of Slade Ave which is 60 feet wide at the distance of 238 feet West of the centerline of the nearest improved intersecting street Seven Mile Lane which is 50 feet wide.

Part B

Option 2 (subdivision lot – lot is part of record plat):

Being Lot #1, Block #N/A Section #N/A in the subdivision of Dumbarton Woods as recorded in Baltimore County Plat Book #40, Folio #134 containing 20,200 square feet, located in the 3rd Election District and the 2nd Council District.

2019-0148-A

JB 1-11-19
10 AM

Certificate of Posting

Case No 2019-0148-A



Re- Photographed 1/7/19---3402 Slade Avenue # driveway entrance (1 of 2)

RECEIVED

JAN 08 2018

OFFICE OF
ADMINISTRATIVE HEARINGS

[Signature] 1/7/19

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

Case No 2019-0148-A



Re- Photographed 1/7/19---3402 Slade Avenue # driveway entrance (2 of 2)



Spencer 1/2/19

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

Certificate of Posting

Case No 2019-0148-A

IN TOWSON, MD

PLACE: ROOM 205, JEFFERSON BUILDING

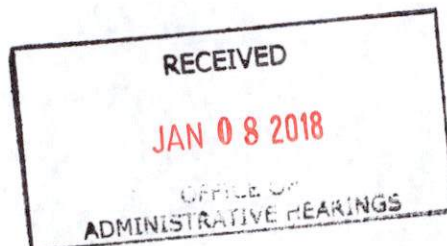
105 W. CHESAPEAKE AVE., TOWSON 21204

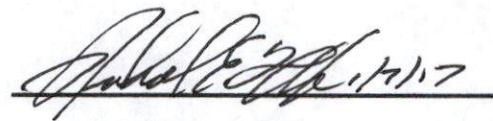
DATE AND TIME: FRIDAY, JAN. 11, 2019 AT 10:00 A.M.

REQUEST:

VARIANCE TO PERMIT A PROPOSED REPLACEMENT SINGLE
FAMILY DWELLING WITH A FRONT YARD SETBACK OF 34.5 FT. IN
LIEU OF THE REQUIRED 40 FT. AND A SIDE SETBACK OF 4 FT. IN LIEU
OF THE MINIMUM REQUIRED SETBACK OF 15 FT. WITH A SUM OF
14 FT. IN LIEU OF THE REQUIRED 40 FT. RESPECTIVELY.

3402 Slade Avenue (copy of wording for clarity)





Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

CERTIFICATE OF

RE: Case No. 2019-0148-A

Petitioner: Askarinam Khoshkheraman

Hearing Date: 1/11/19

Baltimore County Department of
Permits, Approvals and Inspections
Room 111, County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204



This letter is to confirm, under penalties of perjury, that the necessary sign(s)
were posted conspicuously on the property located at _____

_____ 3402 Slade Avenue @ driveway entrance &
_____ & west of Seven Mile Lane
_____ on _____ 12/22/18

Sincerely,

A handwritten signature in dark ink, appearing to read "Richard E. Hoffman", followed by the date "12/22/18" written vertically.

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

(443) 243-7360

Certificate of Posting

Case No 2019-0148-A



3402 Slade Avenue # driveway entrance (1 of 2)

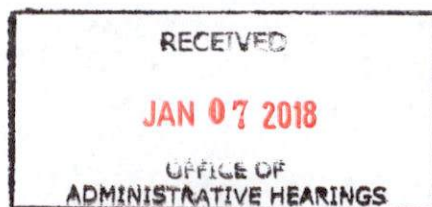
Richard E. Hoffman 12/22/18

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360



Certificate of Posting

Case No 2019-0148-A



3402 Slade Avenue - west of Seven Mile La. (2 of 2)

 12/22/18

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360



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

No. **177113**

Date: **11/1/18**

PAID RECEIPT

BEGIN SS ACTUAL TIME PER
 11/02/2018 11:00:00 10:51:04
 REC 10000 WALTON CM
 RECEIPT # 175869 11/01/2018 DEL
 Dept 5 528 ZONING VERIFICATION
 7113
 Rpt Tot 175.00
 \$ 7.00 OT
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	800	2000		6150				75.00

Total: **75.00**

Rec From: **Danny Anker**
 For: **3402 Slade Ave 21208**
CASE - 2019-0418-A

**CASHIER'S
 VALIDATION**

DISTRIBUTION

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

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

No. **177192**

Date: **11/16/18**

PAID RECEIPT

RECEIVED BY: **FLORA**
 DATE: **11/16/2018 11:53:31**
 RECEIPT # **074428** 11/16/2018
 CCB ZORING VERIFICATION
 Tot: **\$103.00**
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	800	0000		6150				100.00

Total: **100.00**

Rec From: **Anita As Karimam**

For: **Penstion for Cash**
2019-0148-A

**CASHIER'S
 VALIDATION**

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



JOHN A. OLSZEWSKI, JR.
County Executive

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: 2019-0148-A

3402 Slade Avenue
N/s Slade Avenue, west of Seven Mile Lane
3rd Election District – 2nd Councilmanic District
Legal Owners: Aviva Askarinam, Yitzchak Khoshkheraman

Variance to permit a proposed replacement single family dwelling with a front yard setback of 34.5 ft. in lieu of the required 40 ft. and a side setback of 4 ft. in lieu of the minimum required setback of 15 ft. with a sum of 14 ft. in lieu of the required 40 ft. respectively.

Hearing: Friday, January 11, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over a horizontal line.

Arnold Jablon
Director

AJ:kl

C: Askarinam, Khoshkheraman, 7121 Park Heights Avenue, Baltimore 21215
Daniel Ankri, 6803 Cherokee Drive, Baltimore 21209

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., DECEMBER 22, 2018.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: THE DAILY RECORD
Friday, December 21, 2018 - Issue

Please forward billing to:
Daniel Ankri
6803 Cherokee Drive
Baltimore, MD 21209

443-929-2377

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:

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3402 Slade Avenue
N/s Slade Avenue, west of Seven Mile Lane
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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	*	BEFORE THE OFFICE
3402 Slade Avenue, N/S of Slade Avenue,	*	OF ADMINSTRATIVE
W of 238' to c/line of Seven Mile Lane	*	HEARINGS FOR
3 rd Election & 2 nd Councilmanic Districts	*	
Legal Owner(s): Yitzchak Khoshkeraman	*	BALTIMORE COUNTY
& Aviva Askarinam	*	
Petitioner(s)	*	2019-148-A

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

RECEIVED
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 Daniel Akni, 6803 Cherokee Drive, Baltimore Maryland 21209, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

The Daily Record

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

<http://www.thedailyrecord.com>

PUBLISHER'S AFFIDAVIT

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

12/21/2018

Order #: 11660650
Case #: 2019-0148-A
Description:

CASE NUMBER: 2019-0148-A NOTICE OF ZONING HEARING



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

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: 2019-0148-A

3402 Slade Avenue

N/s Slade Avenue, west of Seven Mile Lane

3rd Election District - 2nd Councilmanic District

Legal Owners: Aviva Askarlam, Yitzhak Khoshkheraman

Variance to permit a proposed replacement single family dwelling with a front yard setback of 34.5 ft. in lieu of the required 40 ft. and a side setback of 4 ft. in lieu of the minimum required setback of 15 ft. with a sum of 14 ft. in lieu of the required 40 ft. respectively.

Hearing: Friday, January 11, 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 ACCOMMODATIONS, 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.

d21

**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: 2019-0148-A

Property Address: 3402 Slade Ave. 21208

Property Description: _____

Legal Owners (Petitioners): Yitzhak Khoshkeeran & Aviva Askarinam

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Daniel "Donny" Ankri

Company/Firm (if applicable): Donny Ankri Architects

Address: 6803 Cherokee Drive
Baltimore, MD 21209

Telephone Number: 443-929-2377

Revised 7/9/2015



JOHN A. OLSZEWSKI, JR.
County Executive

DIRECTOR
Department of Permits,
Approvals & Inspections

January 3, 2019

Yitzchak Khoshkheraman
7121 Park Heights Avenue
Baltimore, MD 21215

RE: Case Number: 2019-0148-A, Address: 3402 Slade Avenue

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 16, 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, appearing to read "W. Carl Richards, Jr.", is written over a faint, larger version of the same signature.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

1-11

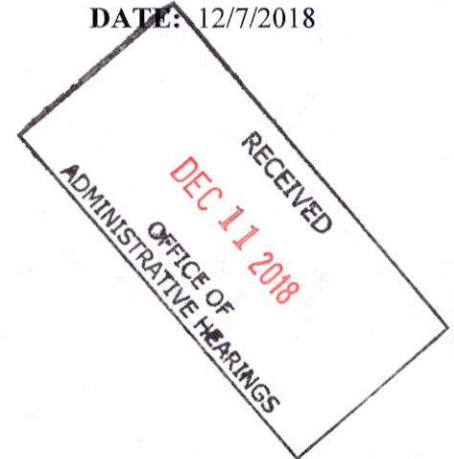
BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: 12/7/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-148 (Revision)



INFORMATION:

Property Address: 3402 Slade Avenue
Petitioner: Aviva Askarinam, Yitzchak Khoshkeraman
Zoning: DR 2
Requested Action: Variance

The Department of Planning has reviewed the revised petition for variance to permit a proposed replacement single family dwelling with a front yard setback of 34.5 feet, a side yard setback of 4 feet and a sum of 14 feet in lieu of the required 40 feet, 15 feet and 40 feet, respectively.

A site visit was conducted on November 28, 2018.

The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

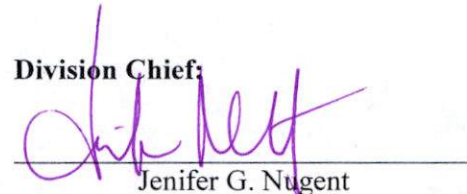
- Any existing specimen trees should be preserved wherever possible to allow adequate buffering between the subject property and the adjacent property located at 3404 Slade Avenue.

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

Prepared by:


Jessie Bialek

Division Chief:


Jenifer G. Nugent

AVA/JGN/JAB/

c: Bill Skibinski
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Yitzchak Khoshkeraman
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections
MSJ
FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review
SUBJECT: Zoning Advisory Committee Meeting
For November 12, 2018
Item No. 2019-0148-X

DATE: November 26, 2018

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

The record plat (40/134) shows an existing drainage and utility easement on the property along the east property line. The easement is shown on the plan. The proposed house is to be built on the drainage and utility easement boundary shown on the plat and the plan. The proposed house should be suggested to be moved away from the easement boundary.

*

*

*

*

*

VKD: cen
cc: file

1-11

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED
NOV 13 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

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 # 2019-0148-A
Address 3402 Slade Avenue
(Khoshkeraman & Askarinam
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: 11/26/18

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. 2019-0148-A

*Variance
Vitzcha K. Khoshkerman &
Arina Askarigan
3402 Slade Avenue.*

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

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION

STATE HIGHWAY
ADMINISTRATION

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

Date: 11/2/18

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. 2018-0148-A

*Variance
Yitzchak Khoshkherman & Aviva Askerian
3402 Slade Avenue*

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 26, 2018
Item No. 2019-0148-A

DATE: December 19, 2018

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

We noticed that the record plat (40/134) shows an existing drainage and utility easement on the property along the east property line. The easement is shown on the plan. The proposed house is to be built on the drainage and utility easement boundary shown on the plat and the plan. The proposed house should be moved away from the easement boundary.



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VKD: cen
cc: file

CASE NAME _____
CASE NUMBER _____
DATE _____

1-11-2019

[illegible]

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

11/26

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

Comment

11/13

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

N/c

FIRE DEPARTMENT

12/11

PLANNING
(if not received, date e-mail sent _____)no obj
w/condition

11/20

STATE HIGHWAY ADMINISTRATION

No Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

12/21/18

SIGN POSTING (1st)

Date:

12-22-18

by

Hoffman

SIGN POSTING (2nd)

Date:

1-7-19

by

"

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

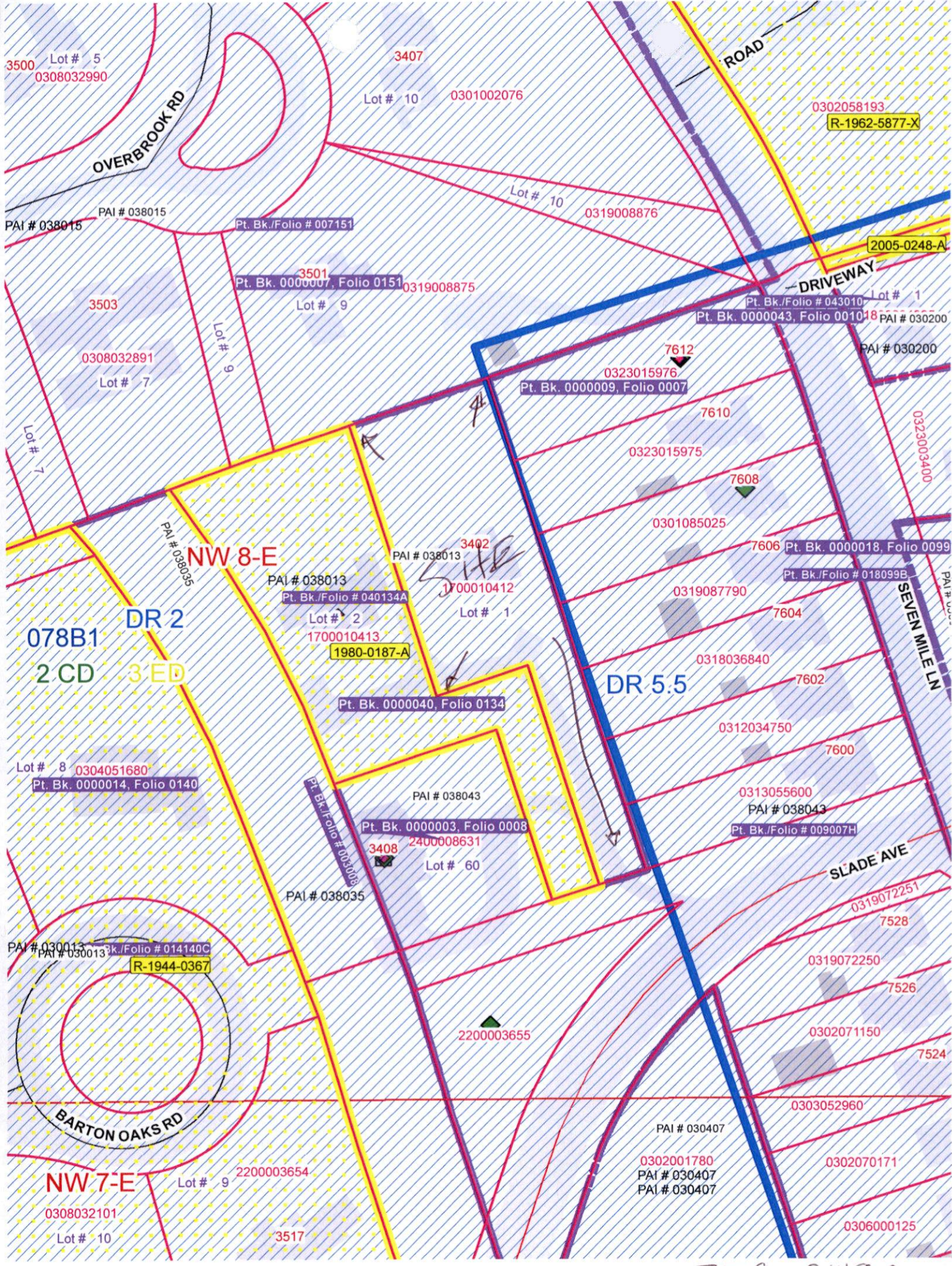
☐

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption			View GroundRent Registration			
Tax Exempt: Exempt Class:			Special Tax Recapture: NONE						
Account Identifier:			District - 03 Account Number - 1700010412						
Owner Information									
Owner Name:			KHOSHKHERAMAN YITZCHAK ASKARINAM AVIVA			Use: Principal Residence:		RESIDENTIAL YES	
Mailing Address:			3402 SLADE AVE PIKESVILLE MD 21208-4305			Deed Reference:		/40696/ 00421	
Location & Structure Information									
Premises Address:			3402 SLADE AVE PIKESVILLE 21208-4305			Legal Description:		.609 AC 3402 SLADE AVE DUMBARTON WOODS	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	
0078	0004	0251		0000			1	2017	
Special Tax Areas:			Town:			NONE			
			Ad Valorem:						
			Tax Class:						
Primary Structure Built 1979			Above Grade Living Area 2,581 SF		Finished Basement Area		Property Land Area 20,200 SF		County Use 04
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
1 1/2	YES	STANDARD UNIT	FRAME	2 full/ 1 half					
Value Information									
Base Value			Value		Phase-In Assessments				
			As of		As of		As of		
			01/01/2017		07/01/2018		07/01/2019		
Land:		86,700	86,700						
Improvements		283,000	281,400						
Total:		349,700	368,100		361,967		368,100		
Preferential Land:		0					0		
Transfer Information									
Seller: WARSCHAWSKI DAVID			Date: 09/21/2018			Price: \$575,000			
Type: ARMS LENGTH IMPROVED			Deed1: /40696/ 00421			Deed2:			
Seller: JANOFF DANIEL L TRUSTEE			Date: 06/18/2014			Price: \$386,400			
Type: ARMS LENGTH IMPROVED			Deed1: /35081/ 00492			Deed2:			
Seller: JANOFF DANIEL L			Date: 04/30/1998			Price: \$0			
Type: NON-ARMS LENGTH OTHER			Deed1: /12823/ 00040			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: Application received									
Homeowners' Tax Credit Application Information									
Homeowners' Tax Credit Application Status: No Application					Date:				



3500 Lot # 5
0308032990

3407
Lot # 10 0301002076

0302058193
R-1962-5877-X

PAI # 038015
PAI # 038015

Pt. Bk./Folio # 007151

Lot # 10 0319008876

2005-0248-A

3501
Pt. Bk. 0000007, Folio 0151 0319008875

3503

Lot # 9

Pt. Bk./Folio # 043010 Lot # 1
Pt. Bk. 0000043, Folio 001018 PAI # 030200

0308032891
Lot # 7

Lot # 6

PAI # 030200

7612
0323015976
Pt. Bk. 0000009, Folio 0007

7610

0323015975

7608

0301085025

7606

Pt. Bk. 0000018, Folio 0099

Pt. Bk./Folio # 018099B

0319087790

7604

0318036840

7602

0312034750

7600

0313055600

PAI # 038043

Pt. Bk./Folio # 009007H

078B1

DR 2

2 CD

3 ED

Lot # 8 0304051680
Pt. Bk. 0000014, Folio 0140

PAI # 038013
Pt. Bk./Folio # 040134A

Lot # 2

1700010413

1980-0187-A

3402
PAI # 038013
1700010412
Lot # 1

Pt. Bk. 0000040, Folio 0134

PAI # 038043

Pt. Bk. 0000003, Folio 0008

2400008631

3408

Lot # 60

PAI # 038035

Pt. Bk./Folio # 003008

SLADE AVE

0319072251

7528

0319072250

7526

0302071150

7524

0303052960

PAI # 030407

0302001780

PAI # 030407

PAI # 030407

0302070171

0306000125

NW 7-E

0308032101

Lot # 10

2200003654

Lot # 9

3517

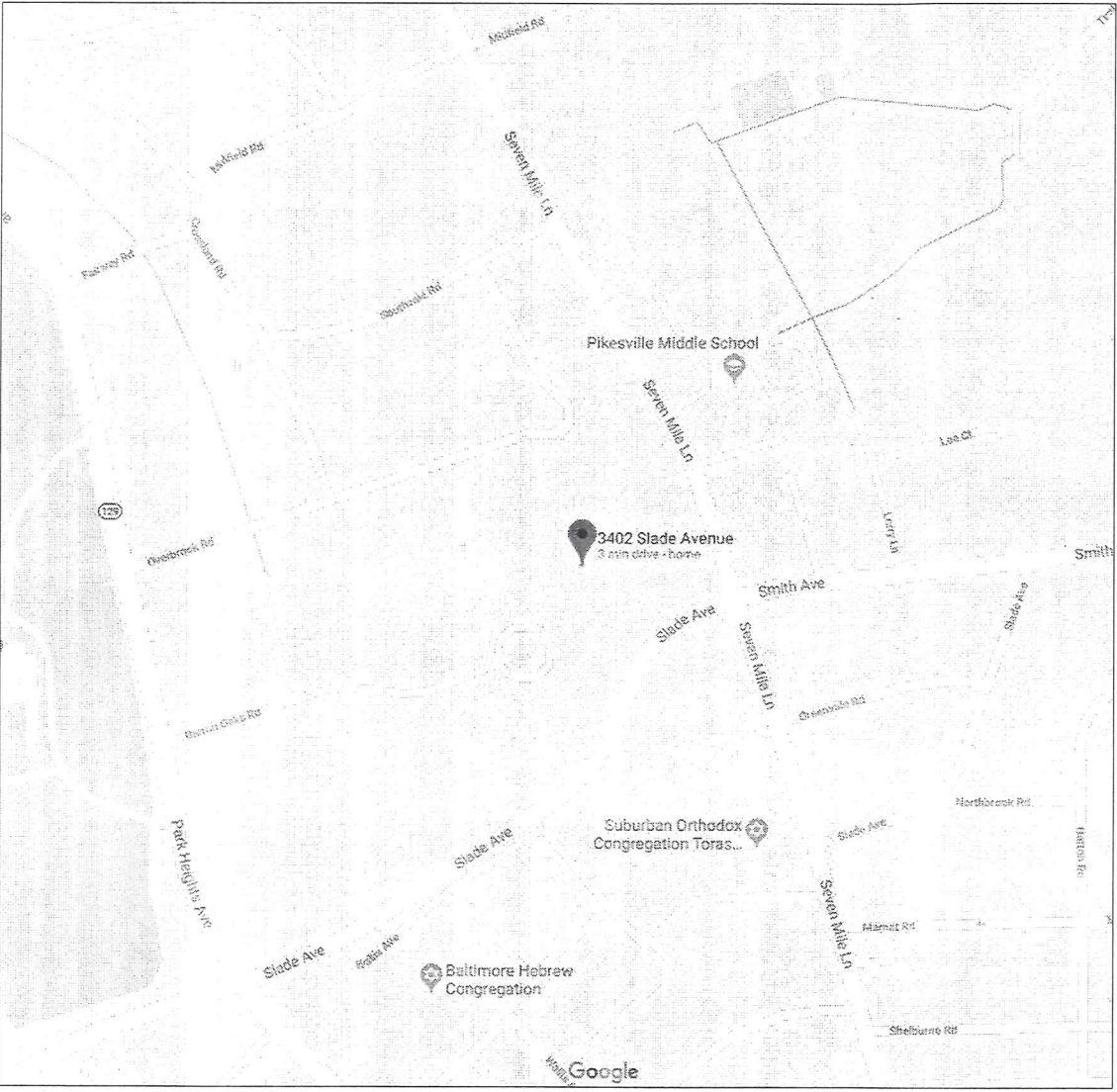
2200003655

2019-0148-A

STAPLE EDGE

STAPLE EDGE

NOTES
1) SITE PLAN SHOWN HAS BEEN GENERATED USING
INFORMATION FROM CLIENT-PROVIDED SURVEY.
2) DIMENSIONS ARE APPROXIMATE.



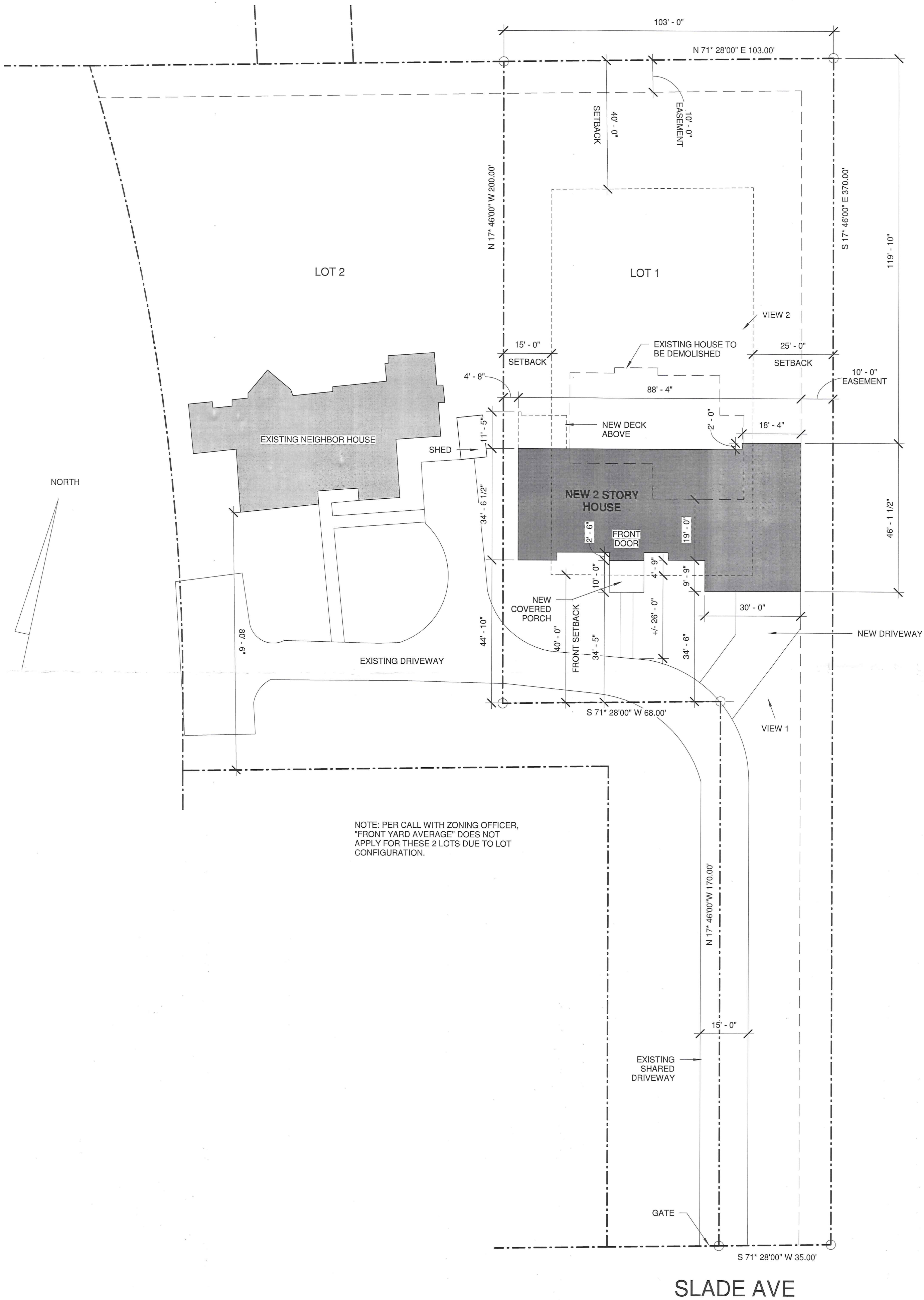
VICINITY PLAN (NOT TO SCALE)
TAKEN FROM GOOGLE MAPS



VIEW 1



VIEW 2



A1 SITE PLAN
1" = 20'-0"

REVISED SITE PLAN
CASE # 2019-0148-A

ADDRESS: 3402 SLADE AVE, BALTIMORE, MD 21208
OWNER'S NAME: YITZCHAK KHOSHKERAMAN & AVIVA ASKARINAM
SUBDIVISION NAME: DUMBARTON WOODS
LOT#: 1
BLOCK#: N/A
SECTION#: N/A
PLAT BOOK#: 0040
FOLIO#: 0134
10 DIGIT TAX#: 1700010412
DEED REF#: 40696 / 00421
ZONING MAP# 078B1
SITE ZONED DR 2
PLAT APPROVED: 12/17/1976
ELECTION DISTRICT 3
COUNCIL DISTRICT 2
LOT AREA 20,200 SQ. FT.
HISTORIC? NO
IN GCBA? NO
IN FLOOD PLAIN? NO
UTILITIES? MARK X
WATER IS: PUBLIC ☒ PRIVATE ☐
SEWER IS: PUBLIC ☒ PRIVATE ☐
PRIOR HEARING? NO

KHOSHKHERAMAN HOUSE

3402 SLADE AVE
BALTIMORE MD 21208

REVISIONS		
NUMBER	DESCRIPTION	DATE

VARIANCE SUBMISSION

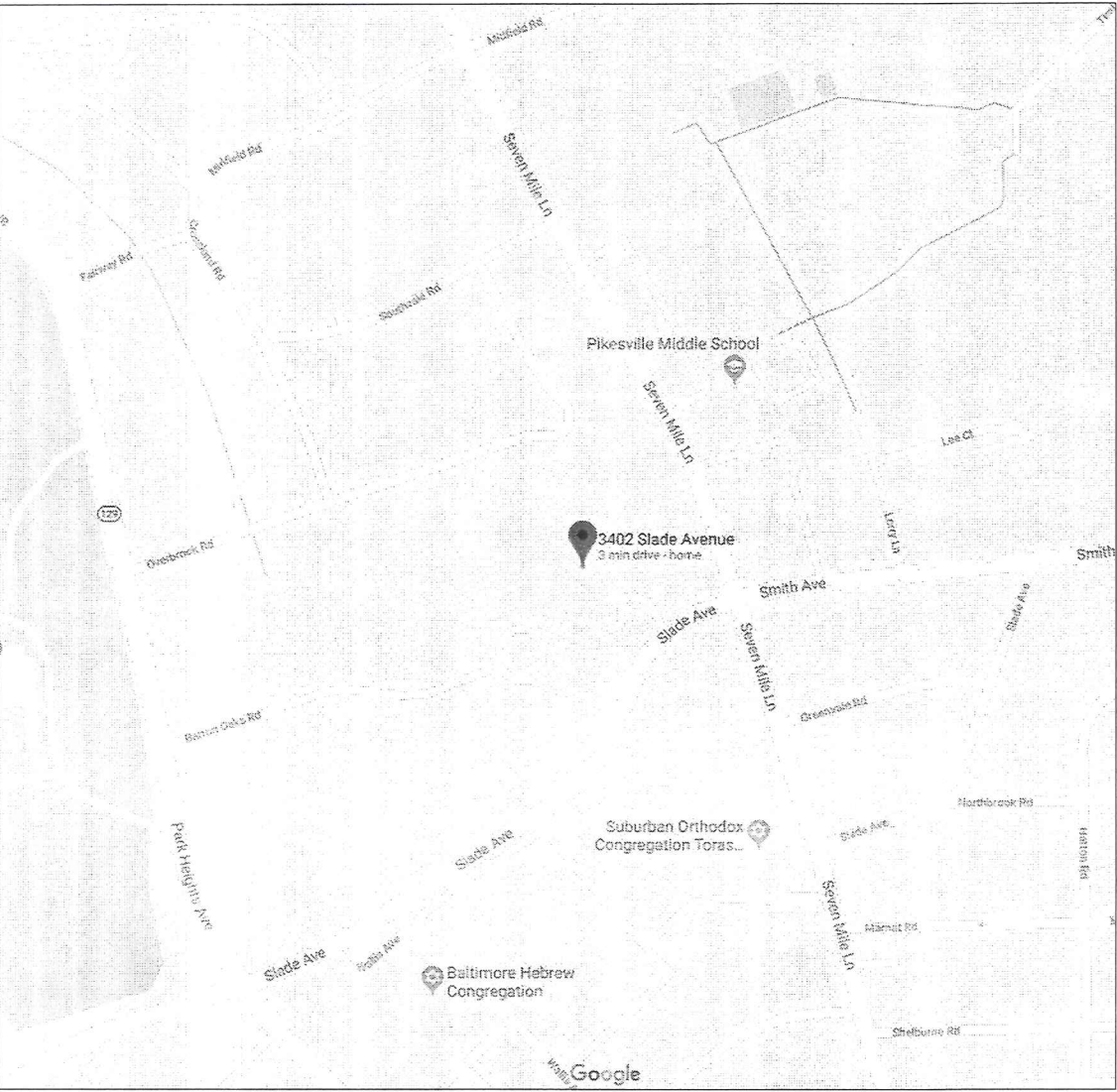
Date	11/14/2018
Scale	As indicated
Job No.	XXXX
Drawn By	DA

SITE PLAN

STAPLE EDGE

STAPLE EDGE

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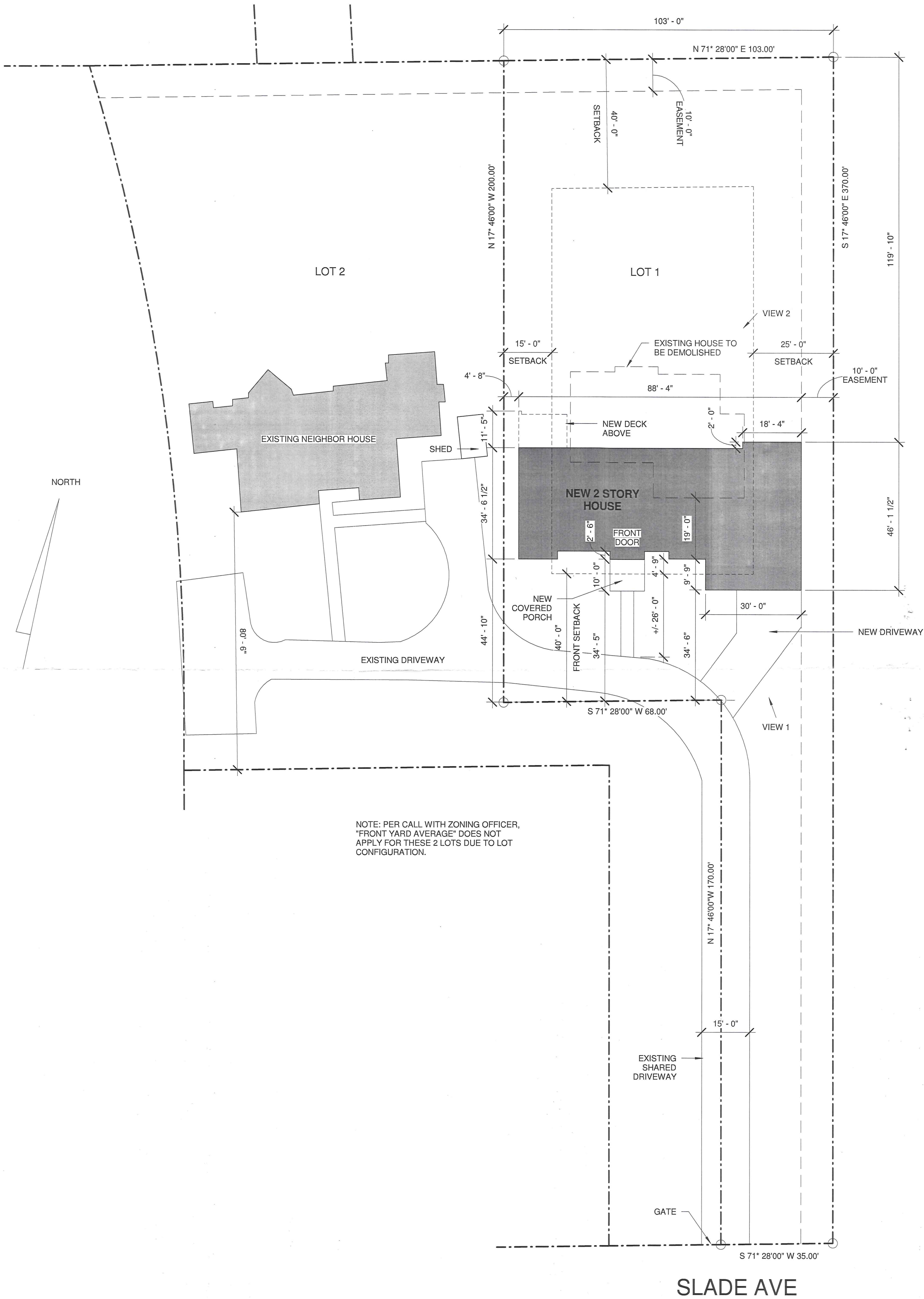
VICINITY PLAN (NOT TO SCALE)
TAKEN FROM GOOGLE MAPS



VIEW 1



VIEW 2



NOTE: PER CALL WITH ZONING OFFICER,
"FRONT YARD AVERAGE" DOES NOT
APPLY FOR THESE 2 LOTS DUE TO LOT
CONFIGURATION.

A1 SITE PLAN
1" = 20'-0"

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ELECTION DISTRICT 3
COUNCIL DISTRICT 2
LOT AREA 20,200 SQ. FT.
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IN FLOOD PLAIN? NO
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WATER IS: PUBLIC X PRIVATE
SEWER IS: PUBLIC X PRIVATE
PRIOR HEARING? NO

KHOSHKHERAMAN
HOUSE

3402 SLADE AVE
BALTIMORE MD 21208

REVISIONS		
NUMBER	DESCRIPTION	DATE

VARIANCE SUBMISSION

Date	11/14/2018
Scale	As indicated
Job No.	XXXX
Drawn By	DA

SITE PLAN