

M E M O R A N D U M

DATE: February 13, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0151-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on February 11, 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: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE		
(6403 Sherwood Road)	*	OFFICE OF
9 th Election District		
5 th Council District	*	ADMINISTRATIVE HEARINGS
 Nadia Elias	*	 FOR BALTIMORE COUNTY
<i>Legal Owner</i>		
Petitioner	*	Case No. 2019-0151-SPHA
 * * * * *		

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for consideration of Petitions for Special Hearing and Variance filed on behalf of Nadia Elias, legal owner ("Petitioner"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") as follows: (1) to approve the subject property as an undersized lot having a width at the building line of 50' in lieu of the 55' required to be improved with a single family dwelling which complies with all other height and area requirements; and (2) for approval of the proposed building, parking areas and uses as shown on the plan which accompanied this petition.

In the alternative, a Petition for Variance was filed pursuant to Sections 1B02.3.A.5.B and C.1 of the BCZR seeking relief as follows: (1) to permit an existing lot of record, platted in 1927, to have a width at the building line of 50' in lieu of the 55' required; and (2) for approval of the proposed buildings, uses and conditions as shown on the plan which accompanied this petition. A site plan was marked and accepted into evidence as Petitioner's Exhibit 1.

Professional engineer John Motsco appeared in support of the requests. Howard L. Alderman, Esquire represented the Petitioner. Numerous members of the community opposed the requests. The Petition was advertised and posted as required by the BCZR. A substantive Zoning

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Date 1-11-19
By [Signature]

Advisory Committee ("ZAC") comment was received from the Department of Planning ("DOP"). That agency opposed the request.

SPECIAL HEARING

The Special Hearing request seeks approval to construct a single family dwelling pursuant to the undersized lot regulation, which provides in pertinent part as follows:

"Except as provided in Section 4A03, a one-family detached or semidetached dwelling may be erected on a lot having an area or width at the building line less than that required by the area regulations in these regulations if:

- A. Such lot shall have been duly recorded either by deed or in a validly approved subdivision prior to March 30, 1955;
- B. All other requirements of the height and area regulations are complied with; and
- C. The owner of the lot does not own sufficient adjoining land to conform to the width and area requirements contained in these regulations."

BCZR Section 304.1

In addition, the BCZR requires the Administrative Law Judge to determine "whether the proposed dwelling is appropriate." BCZR Section 304.4.

Mr. Motsco opined Petitioner satisfied the requirements of Section 304.1, and documents were submitted to support that testimony. The court of special appeals has made clear Section 304.1 is an alternative method (the other being a variance request under BCZR Section 307) of obtaining approval to build a single family dwelling on an undersized lot. Mueller v. People's Counsel, 177 Md. App. 43 (2007). In a case under Section 304.1, the petitioner does not need to prove uniqueness or practical difficulty. Id.

But the decisive point is whether the "proposed dwelling is appropriate," and in this case I do not believe it is. As members of the community noted, the home at 6401 Sherwood Road is approximately 1,900 sq. ft. (counting the basement) while the proposed home would be more than

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Date 1-11-19

By BW

twice that size (i.e., 3,940 sq. ft.). While that might not present an issue in a DR 3.5 zone with larger lot sizes, the juxtaposition of the proposed two-story home with the existing one-story dwelling on these narrow lots would in my opinion render them incompatible. As such, I do not believe the proposed single family dwelling would be appropriate.

There is also the issue of zoning merger. Under that doctrine, adjacent lots may merge for zoning purposes when the common owner uses one lot in service to the other lot. Ridge v. BGE, 352 Md. 645 (1999). In Remes v. Montg. Co., 387 Md. 52 (2005) the court of appeals held that adjacent lots had merger where (among other things) a driveway traversed both lots and where the lots were assessed for tax purposes as a single parcel. Id. at 68. In this case, the driveway shown on the plan in fact traverses both lots and the State Department of Assessments and Taxation ("SDAT") assessed the property as a single tax parcel. As such, I believe these adjacent lots have merged for zoning purposes, which is another reason the proposed single family dwelling would not be "appropriate."

VARIANCE

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).

Based on the testimony and exhibits submitted by Petitioner, I do not believe the physical characteristics of the subject property render it "unique" as that term is used in Cromwell. The lot is similar in size and shape to many of the other lots in the Idlewylde community. No evidence was presented to show the property had topographical and/or environmental features not found on

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Date 1-11-19

By [Signature]

nearby properties. As such, I do not believe Petitioner has satisfied the stringent test for variance relief. *Cromwell*, 102 Md. App. at 699 (variance should be granted “sparingly” since it is “an authorization for that ... which is prohibited by a zoning ordinance”).

THEREFORE, IT IS ORDERED this 11th day of **January, 2019**, by this Administrative Law Judge, that the Petition for Special Hearing seeking relief from Section 500.7 of the BCZR as follows: (1) to approve the subject property as an undersized lot having a width at the building line of 50' in lieu of the 55' required to be improved with a single family dwelling which complies with all other height and area requirements; and (2) for approval of the proposed building, parking areas and uses as shown on the plan which accompanied this petition, be and is hereby DENIED.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 1B02.3.A.5.B and C.1 of the BCZR as follows: (1) to permit an existing lot of record, platted in 1927, to have a width at the building line of 50' in lieu of the 55' required; and (2) for approval of the proposed buildings, uses and conditions as shown on the plan which accompanied this petition, be and is hereby DENIED.

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



JOHNE. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 1-11-19

By [Signature]

Jan Dippel Rowley, 1101 Arran Road, Idlewylde, MD 21239
Mary P. Shortt, 6506 Beverly Road, Idlewylde, MD 21239
Chirantan & Rosemary Mukhopadhyay, 739 Regester Avenue, Baltimore, MD 21212
Dawn Jones, 619 Dunkirk Road, Baltimore, MD 21212
Jamie Kass, 741 Anneslie Road, Baltimore, MD 21212
Paul Romney, 6903 Banbury Road, Idlewylde, MD 21239
Denise Logsdon, 1123 Overbrook Road, Idlewylde, MD 21239
Donald Hart, 806 Overbrook Road, Idlewylde, MD 21239
Christina & Robert Candler, 901 Arran Road, Baltimore, MD 21239
Joseph Rowley, 1101 Arran Road, Baltimore, MD 21239
Donna Miller, 1018 Arran Road, Baltimore, MD 21239
Julie Lauver, 1116 Arran Road, Idlewylde, MD 21239
Staci Lanham, 1010 Overbrook Road, Idlewylde, MD 21239
Trista DiPaula, 1014 Regester Avenue, Baltimore, MD 21239
Nancy and Paul Lidard, 6517 Beverly Road, Idlewylde, MD 21239
Jessica Brown, 906 Overbrook Road, Idlewylde, MD 21239
Luke and Deidre Demers, 913 Overbrook Road, Idlewylde, MD 21239



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 6403 SHERWOOD ROAD

which is presently zoned DR 5.5

Deed References: 38852/0307

10 Digit Tax Account # 0 9 1 9 4 8 0 3 3 1

Property Owner(s) Printed Name(s) NADIA ELIAS

(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. ☒ a **Variance** from Section(s)

SEE ATTACHMENT #1

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 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).

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

Date

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

NADIA ELIAS

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

6050 OLNEY LAYTONSVILLE ROAD GAITHERSBURG MD

Mailing Address

City

State

20882

(240)-595-1277

NADIA.AELIAS@GMAIL.COM

Zip Code

Telephone #

Email Address

Representative to be contacted:

LITTLE AND ASSOCIATES, INC., JOHN MOTSCO

Name - Type or Print

Signature

1055 TAYLOR AVENUE, SUITE 307 TOWSON MD

Mailing Address

City

State

21286

(410)-296-1636

JOHNM@LITTLEASSOCIATES.COM

Zip Code

Telephone #

Email Address

CASE NUMBER

2019-0151-SPHA

Filing Date

11/2/2018

Do Not Schedule Dates:

Reviewer

JNP

TO: DIRECTOR, FBI

1/10/68

1/10/68

1/10/68

Case of [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]

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Date _____
By _____

60-1121-2907

716

Attachment 1

CASE NO: 2019- -SPHA

Address: 6403 Sherwood Road

Legal Owner: Nadia Elias

Present Zoning: DR 5.5

PETITION FOR SPECIAL HEARING

A request that the Administrative Law Judge approve, in accordance with BCZR § 500.7:

- i) pursuant to BCZR Section 304 (including without limitation, Section 304.2 and the building permit to be applied for applicable to the subject property as required thereby), the subject property as an undersized lot having a width at the building line of 50 feet in lieu of the 55 feet required, to be improved with a single-family, detached dwelling which complies with all other height and area requirements; and
- ii) for such additional relief as the nature of this case may require for approval of the proposed building, parking areas and uses as shown on the plan which accompanied this Petition.

PETITION FOR VARIANCE IN THE ALTERNATIVE

If the above Special Hearing relief is not granted, a Variance from:

- i) BCZR §§ 1B02.3.A.5, B., & C.1 to permit an existing lot of record, platted in 1927, to have a width at the building line of 50 feet in lieu of the 55 feet required; **and**
- ii) for such additional relief as the nature of this case may require for approval of the proposed buildings, uses and conditions as shown on the plan which accompanied this Petition.

June 26, 2018

ZONING DESCRIPTION FOR
#6403 SHERWOOD ROAD

Beginning at a point on the east side of Sherwood Road, which is 60 feet wide, at the distance of 220 feet north of the centerline of Overbrook Road, which is 40 feet wide. Being part of Lot 294A in the subdivision of Idlewylde as recorded in Baltimore County Plat Book No. 7, Folio 140, containing 7,500 square feet of land, more or less. Located in the Ninth Election District and Fifth Council District.

2019-0151-SPHA

Debra Wiley

From: Larry Pilson <lpilson@hotmail.com>
Sent: Friday, January 04, 2019 9:56 AM
To: Administrative Hearings; Mindy Clark; Christopher M. Prescop
Subject: 2019-0151-SPHA Recertification (6403 Sherwood Rd.)
Attachments: DSC_0760.JPG; DSC_0761.JPG; 6403 Sherwood Rd. Recert.pdf



CERTIFICATE OF POSTING

Date: 1-4-19

RE: Case Number: 2019-0151-SPHA RECEAT

Petitioner/Developer: Elias

Date of Hearing/Closing: 1-8-19 1:30 PM

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 6403 Sherwood Rd

The signs(s) were posted on 1-4-19 RECEAT

(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

#2
NOTICE

CASE # 2019-0151-SPHA

A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD

PLACE: JEFFERSON BUILDING ROOM 205
105 WEST CHESAPEAKE AVE., TOWSON 21204

DATE AND TIME: TUES. JAN. 8, 2019 1:30 PM

REQUEST: SPECIAL HEARING TO DETERMINE WHETHER OR NOT THE ADMINISTRATIVE LAW JUDGE SHOULD APPROVE THE SUBJECT PROPERTY AS AN UNDERSIZED LOT HAVING A WIDTH AT THE BUILDING LINE OF 50 FT. IN LIEU OF THE 55 FT. REQUIRED, TO BE IMPROVED WITH A SINGLE-FAMILY, DETACHED DWELLING WHICH COMPLIES WITH ALL OTHER HEIGHT AND AREA REQUIREMENTS, AND FOR SUCH OTHER AND FURTHER RELIEF AS THE NATURE OF THIS CASE MAY REQUIRE FOR APPROVAL OF THE PROPOSED BUILDING, PARKING AREAS AND USES AS SHOWN ON THE PLAN WHICH ACCOMPANIED THIS PETITION. VARIANCE, IN THE ALTERNATIVE, TO PERMIT AN EXISTING LOT OF RECORD, PLATTED IN 1927, TO HAVE A WIDTH AT THE BUILDING LINE OF 50 FT. IN LIEU OF THE 55 FT. REQUIRED; AND FOR SUCH ADDITIONAL RELIEF AS THE NATURE OF THIS CASE MAY REQUIRE FOR APPROVAL OF THE PROPOSED BUILDINGS, USES AND CONDITIONS AS SHOWN ON THE PLAN WHICH ACCOMPANIED THIS PETITION.

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

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

HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE # 2019-0151-SPHA

**A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD**

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105 WEST CHESAPEAKE AVE. TOWSON 21204

DATE AND TIME: TUES. JAN 8, 2019 1:30 PM

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TO CONFIRM HEARING CALL 887-3391

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

HANDICAPPED ACCESSIBLE

ZONING

#2
NOTICE

CASE # 2019-0151-SPHA

**A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD**

PLACE: JEFFERSON BUILDING, ROOM 205
105 WEST CHESAPEAKE AVE., TOWSON 21204

DATE AND TIME: TUES. JAN. 8, 2019 1:30 PM

REQUEST: SPECIAL HEARING TO DETERMINE WHETHER OR NOT THE ADMINISTRATIVE LAW JUDGE SHOULD APPROVE THE SUBJECT PROPERTY AS AN UNDERSIZED LOT HAVING A WIDTH AT THE BUILDING LINE OF 50 FT. IN LIEU OF THE 55 FT. REQUIRED TO BE IMPROVED WITH A SINGLE-FAMILY, DETACHED DWELLING WHICH COMPLIES WITH ALL OTHER HEIGHT AND AREA REQUIREMENTS. AND FOR SUCH OTHER AND FURTHER RELIEF AS THE NATURE OF THIS CASE MAY REQUIRE FOR APPROVAL OF THE PROPOSED BUILDING, PARKING AREAS AND USES AS SHOWN ON THE PLAN WHICH ACCOMPANIED THIS PETITION. VARIANCE, IN THE ALTERNATIVE, TO PERMIT AN EXISTING LOT OF RECORD, PLATTED IN 1927, TO HAVE A WIDTH AT THE BUILDING LINE OF 50 FT. IN LIEU OF THE 55 FT. REQUIRED; AND FOR SUCH ADDITIONAL RELIEF AS THE NATURE OF THIS CASE MAY REQUIRE FOR APPROVAL OF THE PROPOSED BUILDINGS, USES AND CONDITIONS AS SHOWN ON THE PLAN WHICH ACCOMPANIED THIS PETITION.

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

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

The Daily Record

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

<http://www.thedailyrecord.com>

Order #: 11660157
Case #: 2019-0151-SPHA
Description:

NOTICE OF ZONING HEARING CASE NUMBER:
2019-0151-SPHA

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:

12/19/2018



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: 2019-0151-SPHA

6403 Sherwood Road

E/S Sherwood Road, north of Overbrook Road

9th Election District - 5th Councilmanic District

Legal Owner: Nadia Elias

Special Hearing to determine whether or not the Administrative Law Judge should approve the subject property as an undersized lot having a width at the building line of 50 ft. in lieu of the 55 ft. required, to be improved with a single-family, detached dwelling which complies with all other height and area requirements, and for such other and further relief as the nature of this case may require for approval of the proposed building, parking areas and uses as shown on the plan which accompanied Petition. Variance, in the alternative, to permit an existing lot of record, platted in 1927, to have a width at the building line of 50 ft. in lieu of the 55 ft. required; and for such additional relief as the nature of this case may require for approval of the proposed buildings, uses and conditions as shown on the plan which accompanied this Petition.

Hearing: Tuesday, January 8, 2019 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL 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.

d19

1000

1000

1000

1000

1000

1000

1000

1000

RE: PETITION FOR SPECIAL HEARING
& VARIANCE

6403 Sherwood Road; E/S Sherwood Road,
220' N of Overbrook

9th Election & 5th Councilmanic Districts

Legal Owner(s): Nadia Elias

Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2019-151-SPHA

* * * * *

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 15 2018

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of November, 2018, a copy of the foregoing Entry of Appearance was mailed to Little & Associates, Inc., 1055 Taylor Avenue, Suite 307, Towson, Maryland 21286, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



DONALD I. MOHLER III
County Executive

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

November 29, 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: 2019-0151-SPHA

6403 Sherwood Road
E/s Sherwood Road, north of Overbrook Road
9th Election District – 5th Councilmanic District
Legal Owner: Nadia Elias

Special Hearing to determine whether or not the Administrative Law Judge should approve the subject property as an undersized lot having a width at the building line of 50 ft. in lieu of the 55 ft. required, to be improved with a single-family, detached dwelling which complies with all other height and area requirements, and for such other and further relief as the nature of this case may require for approval of the proposed building, parking areas and uses as shown on the plan which accompanied Petition. Variance, in the alternative, to permit an existing lot of record, platted in 1927, to have a width at the building line of 50 ft. in lieu of the 55 ft. required; and for such additional relief as the nature of this case may require for approval of the proposed buildings, uses and conditions as shown on the plan which accompanied this Petition.

Hearing: Tuesday, January 8, 2019 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: John Motsco, 1055 Taylor Avenue, Ste. 307, Towson 212086
Nadia Elias, 6050 Olney Laytonsville Road, Gaithersburg 20882

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, DECEMBER 19, 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
Wednesday, December 19, 2018 - Issue

Please forward billing to:

Nadia Elias
6050 Olney Laytonsville Road
Gaithersburg, MD 20882

240-595-1277

NOTICE OF ZONING HEARING

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CASE NUMBER: 2019-0151-SPHA

6403 Sherwood Road
E/s Sherwood Road, north of Overbrook Road
9th Election District – 5th Councilmanic District
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Hearing: Tuesday, January 8, 2019 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The 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 fifteen (15) 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: 2019-0151-SPHA

Property Address: 6403 SHERWOOD ROAD

Property Description: PART OF LOT 294A OF THE SUBDIVISION OF IDLEWYLDE

Legal Owners (Petitioners): NADIA A ELIAS

Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: NADIA A ELIAS

Company/Firm (if applicable): _____

Address: 6050 OLNEY LAYTONSVILLE ROAD
GAITHERSBURG, MD 20882

Telephone Number: (240)-595-1277

Revised 5/20/2014

Date: 11/15/18

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. 2019-0151-APHA.

*Special Hearing Variance
Nadia Elias
6050 Olney Laytonville 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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals

DATE: December 5, 2018

FROM: *MD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 18, 2018
Item No. 2019-0094-SPHXA, 0130-A, 0144-SPHA, 0150-A, 0151-SPHA,
0152-A, 0154-A and 0155-A

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

* * * * *

VKD: can
cc: file

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals

DATE: December 19, 2018

FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 26, 2018
Item No. 2019-0150-A, 0151-SPHA, 0158-A, 0159-SPHA, 0160-A, 0161-
SPHA and 0162-SPHA

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

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VKD: can
cc: file

CASE NAME 6403 / 6401 Sherwood P
CASE NUMBER 2019-0151-SPHA / 2019-0150-1A
DATE 08 JAN 2019

151

E - MAIL

[illegible]

PLEASE PRINT CLEARLY

CASE NAME 6403/6401 Sherwood Rd
 CASE NUMBER 2019-0151 - SP1A 2A 2
 DATE 1/8/19 2019-0150-A

CITIZEN'S SIGN - IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
Dana Reed	802 Oak Hill Court	Idlewylde, MD 21239	danareed802@
Peggy Squitieri	1215 Overbrook Rd	Balto 21239	pashannon@verizon.net@gmail.com
Jayne Bernasconi	6408 Sherwood Rd	Balt MD 21239	jbernas@towson.edu
CPEO HOER	10500 REVERLY ROAD	BALTIMORE, MD 21239	CHHOER1@VERIZON.NET
Lynn ESKITE-TANT	915 ARRAN RD	Baltimore MD 21239	LESKITETANT@HOTMAIL.COM
WA Kron	6504 Beverly Rd	Balto MD 21239	ehkron@aol.com
Jane Selewach	1016 Regester Ave	Idlewylde MD 21239	janem1960@gmail.com
Jan Dippel Rowley	1101 Arran Road	Idlewylde, MD 21239	Rowley3j1@gmail.com
Mary Shortt	6506 Beverly Rd	Idlewylde MD 21239	mps15@verizon.net
Rosemary Mukhopadhyay	739 Regester Ave	Baltimore MD 21212	keepintch@msn.com
Dawn Jones	619 Dumbuck Rd	Baltimore 21212	dawnzjones1961@yahoo.com
CHIRANTAN MUKHOPADHYAY	739 REGESTER AVE	BALTIMORE MD 21212	keepintch@msn.com
Jamie Kass	741 Anneslie Rd	Baltimore MD 21212	jamie.kass@cbmorc.com
PAUL ROMNEY	6903 BANBURY RD	Idlewylde MD 21239	paulromney03@aol.com
Denise Lonsdon	1123 Overbrook Rd.	Idlewylde MD 21239	denise.lonsdon@hotmail.com
Donald HART	806 OVERBROOK RD.	IDLEWYLDE 21239	chrishart@aol.com
Christina Candler	901 ARRAN RD	Balto 21239	RCER 901@hotmail.com
ROBERT CANDLER	901 ARRAN RD	IDLEWYLDE 21239	ERDBOB@HOTMAIL.COM
Joseph Rowley	1101 Arran Rd	Idlewylde	rowleyj67@gmail.com
Donna Miller	1018 Overbrook Rd	21239	dmlmcrnp@aol.com

CASE NAME _____
CASE NUMBER _____
DATE _____

E - MAIL

[illegible]

CASE NO. 2019-0151-SPHA

LETTERS

OF

OPPOSITION

Debra Wiley

From: Administrative Hearings
Sent: Tuesday, January 08, 2019 11:29 AM
To: Luke Demers
Subject: RE: 2019-0151-SPHA and 2019-0150-A

This is to acknowledge receipt of your email which has been placed in the judge's case file for his review.

Thank you for contacting the Office of Administrative Hearings.

From: Luke Demers [mailto:lukedemers@gmail.com]
Sent: Tuesday, January 08, 2019 11:25 AM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Subject: 2019-0151-SPHA and 2019-0150-A

To whom it may concern,

I am writing as a concerned neighbor and wish to express our opposition to the zoning variances noted in the subject line, regarding 6401 Sherwood Road, and the proposed building changes they represent.

My wife and I moved into Idlewylde in October of 2011 and have experienced issues with 6401 Sherwood Road on a few occasions, including noisy parties and an unkempt yard. We have never had the feeling that the property owner has an interest in supporting our neighborhood, and this latest attempt to benefit themselves at the expense of our livability shows further disrespect for the folks who call Idlewylde home.

Thank you for your attention to this matter.

Regards,
Luke & Deirdre Demers
913 Arran Rd, Idlewylde, MD 21239

Debra Wiley

From: Administrative Hearings
Sent: Tuesday, January 08, 2019 7:19 AM
To: Jessica Hoptay Brown
Subject: RE: Case #s: 2019-0151-SPHA and 2019-0150-A (Hearings on January 8)

This is to acknowledge receipt of your email which has been placed in the judge's case file for his review.

Thank you for contacting the Office of Administrative Hearings.

From: Jessica Hoptay Brown [mailto:jessica.hoptay@gmail.com]
Sent: Monday, January 07, 2019 9:53 PM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Subject: Case #s: 2019-0151-SPHA and 2019-0150-A (Hearings on January 8)



To the Honorable John E. Beverungen and Whom It May Concern,

I am writing to oppose the application for a zoning exception for the lots at 6401 and 6403 Sherwood Road.

I live at 906 Overbrook Rd, the east side of Sherwood Road. Our property adjoins 6401 Sherwood Road at the back side. The back right side of their property adjoins the back left side of ours. Since purchasing our home in May of 2013, the property on Sherwood Road has been ill-maintained. The grass is constantly overgrown (issues were reported to the county), the bamboo at the back property line is overgrown and unkempt and has even destroyed the fencing that connects to our neighbor's (please see attached pictures). After the wind storm in the winter of 2018, a large, downed tree remains across the front side of the property. An accidental fire that ravaged the house has taken years of work that is still not done.

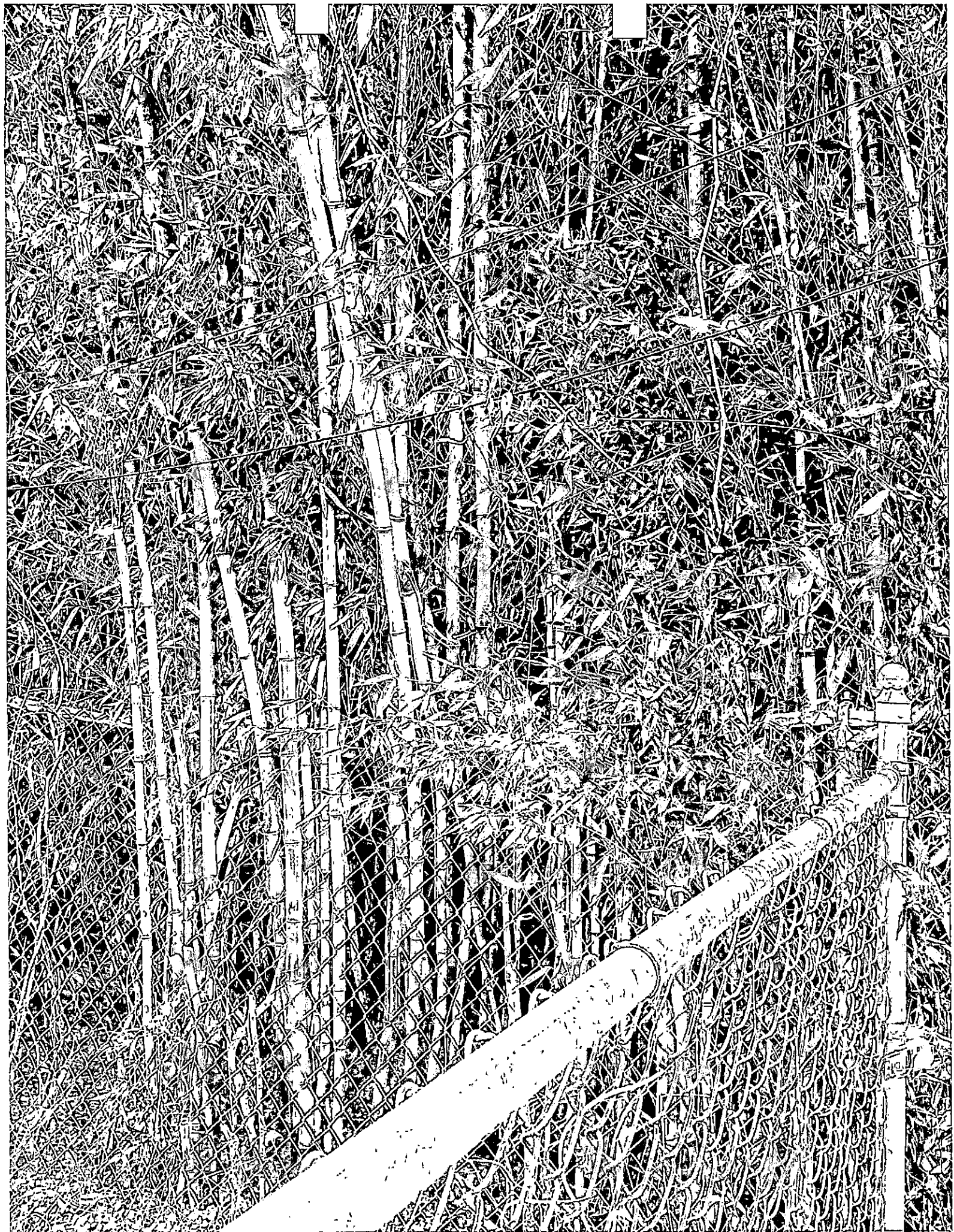
As a neighbor with an adjoining property, I'm concerned that this zoning exception would allow for the building of a second house on an already under-sized lot that would continue to be rented with the same lack of oversight as has been there already. This derelict property decreases the property values of surrounding neighbors, affects the appearance of our neighborhood (this property is on a main artery, right on the edge of the business district which has already had issues with drugs and business owners behind bars), and decreases the likelihood of either house selling. If these houses do not sell, then we are facing the same type of poor property management. The owners do not care what the lot looks like and hold renters to no standards.

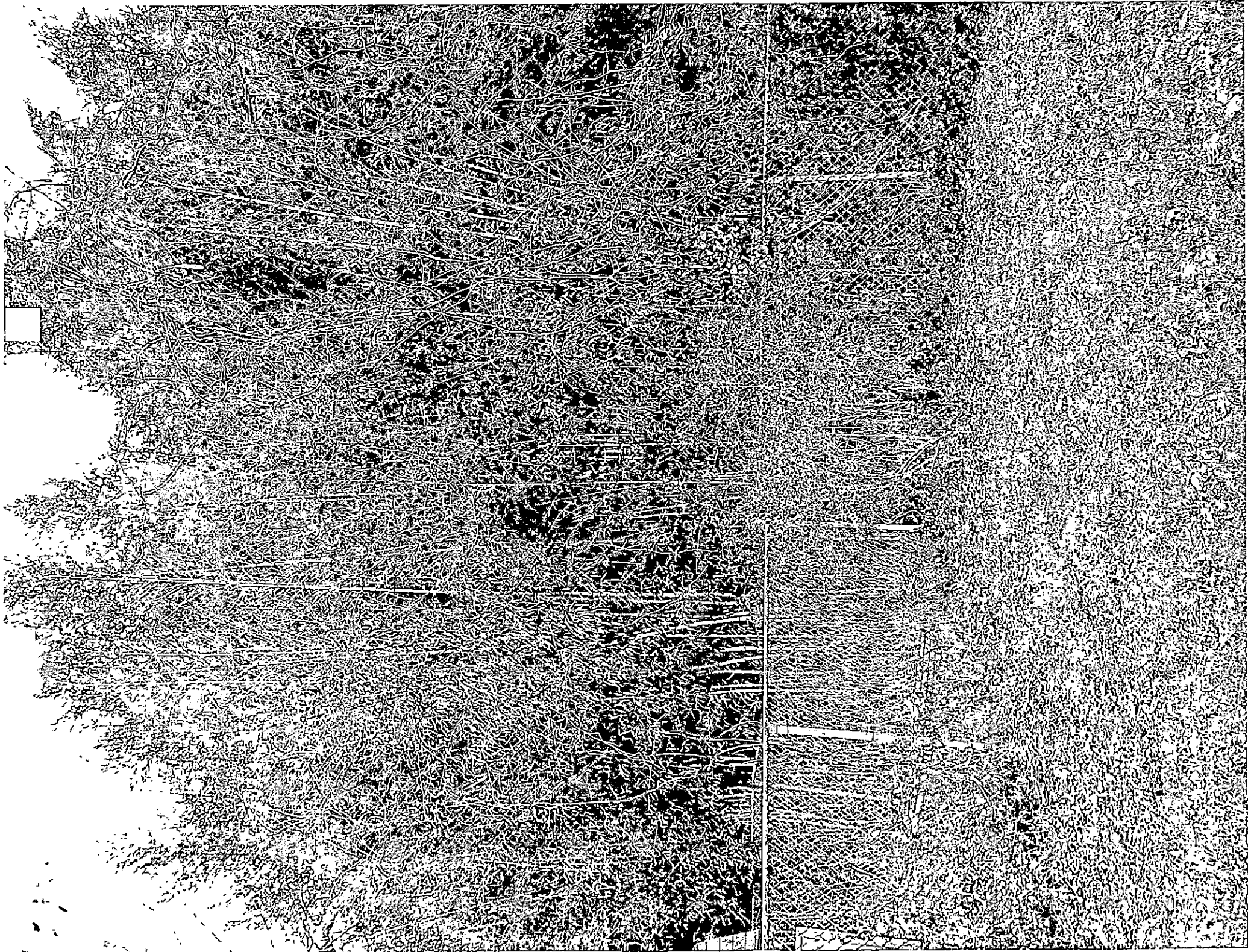
I ask that Your Honor strongly considers the state of the property prior to the fire and wind damage--these owners have done nothing to take care of the property. I am very concerned about a second house on an under-sized lot, or a change to the original house that would set a precedent for cramming even more houses in an already-crowded neighborhood.

Respectfully submitted,

Jessica Brown
Member-at-Large, Idlewylde Community Association Board

906 Overbrook Road
Idlewylde, MD 21239





Debra Wiley

From: Administrative Hearings
Sent: Tuesday, January 08, 2019 7:19 AM
To: Nancy Lidard
Subject: RE: #2019-0151-SPHA and #2019-0150-A - 6401 and 6403 Sherwood Road, Idlewylde 21239

This is to acknowledge receipt of your email which has been placed in the judge's case file for his review.

Thank you for contacting the Office of Administrative Hearings.

From: Nancy Lidard [mailto:nlidard@comcast.net]
Sent: Monday, January 07, 2019 3:45 PM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Subject: #2019-0151-SPHA and #2019-0150-A - 6401 and 6403 Sherwood Road, Idlewylde 21239



Good afternoon,

We are writing to oppose the zoning exemption requested to construct a house on the lot adjoining 6401 Sherwood Road, Idlewylde 21239. The out of town owners purchased the house at 6401 Sherwood Rd. in 2005 for \$330,000 solely for use as a rental property. They have never been part of the community or concerned enough to maintain it properly or comply with the County rental regulations. I am not sure if it was ever properly registered with the Baltimore County Rental Inspection program, but it has never been maintained and was at one time rented to unrelated college students in violation of County ordinance. The property has been an eyesore and safety hazard in the community as long as it was occupied and as long as it has been vacant following the fire a couple of years ago. That continues to this day even as their hearing approaches.

They purchased it as an investment and it was income producing for them until the fire which left it vacant for much longer than necessary. If insurance didn't cover the cost of improvements then they were underinsured which was a risk they took. Being in the construction business, they knew what it would cost to rebuild. If they suffered a loss on the property, that is no more the community's concern than if they made any other bet or investment that didn't pay off. We are not only neighbors of this property but also building contractors as well as rental property owners and managers in both Baltimore City and Baltimore County. We know exactly what is involved in renovating and maintaining rental properties and know that it can be done profitably with respect for tenants and neighbors and in compliance with all regulations. These absentee landlord/owners have chosen not to do so and now are asking for permission to waive long standing zoning rules which are in place to maintain the character and integrity of a neighborhood. Their request is purely for their own financial gain at the expense of our community.

Now that the house has been renovated, if they continue to rent lawfully they can charge more and attract tenants who are more likely to take care of it. If they sell, perhaps the neighborhood will gain new homeowners. In either case, the owners and/or occupants are responsible for maintaining the lot which includes clearing the trees, keeping the grass cut and the sidewalk clear at all times and the fence in decent shape. Anything less is a violation of County regulations.

We strongly object to the zoning exemptions requested for this property and ask the County to maintain the current zoning and force the owners to comply with all regulations as long as they own the property.

Respectfully,

Nancy and Paul Lidard
6517 Beverly Road
Idlewylde, MD 21239
nlidard@comcast.net
410-377-7700

Debra Wiley

From: Administrative Hearings
Sent: Monday, January 07, 2019 1:55 PM
To: PAUL ROMNEY
Subject: RE: Cases Nos. 2019-0150-A and 2019-0151-SPHA (application for variances)

This is to acknowledge receipt of your email which has been placed in the judge's case file for his review.

Thank you for contacting the Office of Administrative Hearings.

From: PAUL ROMNEY [mailto:paulromney03@gmail.com]
Sent: Monday, January 07, 2019 1:47 PM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Subject: Cases Nos. 2019-0150-A and 2019-0151-SPHA (application for variances)

RECEIVED

JAN 07 2018

OFFICE OF
ADMINISTRATIVE HEARINGS

I wish to state my objection to the application for variances in cases nos. 2019-0150-A and 2019-0151-SPHA, which are being heard on January 8. I have lived in Idlewylde since 1995, and my home is two blocks from the site. My objections are as follows.

1. "6403 Sherwood Rd" is in fact the side-yard of the house at 6401 Sherwood Rd. It was designated as "6403" only in 2017 (by the owners, not by the County), no doubt for the purpose of this application. Until then, the entire property had existed as a single entity. This is demonstrated by the plans submitted in support of the application, which show the existing house virtually on the line between the lots, with the driveway on the "6403" side of the line. It is also suggested by the fact that a search for "6403 Sherwood" in the Real Property Database of the state Department of Assessments and Taxation yields "no records."

2. I object to an undersized plot being carved out of the existing property and built on, thereby creating TWO adjacent houses on undersized lots. This objection is especially urgent because of the nature and location of the community of Idlewylde in general and 6401 Sherwood in particular.

a. Idlewylde was originally platted in 1913 and is a district of modest single-family homes, some more than 100 years old, situated directly on the County-City line established in 1918. Its character as a community is determined by its appeal to young families on account of its excellent public schools: Stoneleigh ES, Dumbarton MS, and Towson HS. Part of its appeal is that nearly all its homes include yards that can accommodate children's play. This is true of all 13 houses on the 6400 block of Sherwood Rd, 11 of which are owner-occupied. The current application would lead to the juxtaposition of two houses, both on undersized lots, of which it would not be true.

b. This is of especial concern because the property is on a part of Sherwood Rd which is a continuation of The Alameda and was widened long ago in aid of a scheme, subsequently abandoned, to extend The Alameda to Joppa Rd. This wide street carries a lot of traffic and consequently cannot accommodate children's play, unlike almost every other street in Idlewylde.

c. For these reasons, two houses crammed into this space would not be desirable properties and might well end up as absentee-owned rather than owner-occupied properties, contrary to the character of the neighboring properties and the community as a whole.

3. If this application were granted, it would set a precedent for further applications for relief from applicable zoning standards to the detriment of the community at large.

Paul Romney

--

PAUL ROMNEY : 6903 BANBURY RD : BALTIMORE, MD 21239-1301 : 410-377-0748

Debra Wiley

From: Administrative Hearings
Sent: Monday, January 07, 2019 11:46 AM
To: Trista and Gene
Subject: RE: Case # 2019-0151-SPHA and 2019-0150-A

This is to acknowledge receipt of your email which has been placed in the judge's case file for his review.

Thank you for contacting the Office of Administrative Hearings.

From: Trista and Gene [mailto:thedipaulas@comcast.net]
Sent: Monday, January 07, 2019 11:38 AM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Subject: Case # 2019-0151-SPHA and 2019-0150-A

Re: Case # 2019-0151-SPHA and 2019-0150-A

To Whom It May Concern:

As a resident of Idlewylde for over 13 years, I am against the requested zoning variance at 6401/6403 Sherwood Road and feel that it will impact negatively on our neighborhood. In addition, if the owner is allowed to subdivide the lot, this could set a precedent for other residents who may wish to subdivide their own lots in the future.

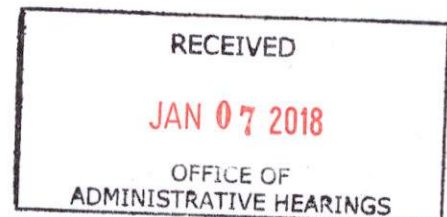
Allowing another house to be built on the property could also impact the overcrowding that is already in existence at Stoneleigh Elementary, Dumbarton Middle, and Towson High School, something that this neighborhood has been dealing with for many years. Finally, the design of a new home in our older, established neighborhood would lack the character and design of the other houses found on Sherwood Road and throughout our neighborhood.

Thank you for your consideration,

Trista DiPaula

1014 Regester Avenue

Baltimore, MD 21239



Debra Wiley

From: Administrative Hearings
Sent: Monday, January 07, 2019 11:46 AM
To: Staci Lanham
Subject: RE: Case # 2019-0151-SPHA and 2019-0150-A

This is to acknowledge receipt of your email which has been placed in the judge's case file for his review.

Thank you for contacting the Office of Administrative Hearings.

From: Staci Lanham [mailto:stacilanham@gmail.com]
Sent: Monday, January 07, 2019 11:08 AM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Subject: Case # 2019-0151-SPHA and 2019-0150-A

Hello,

I am unable to attend the hearing tomorrow, but as a member of the community would like to voice my opposition to the zoning variance requested at this location.

The current owners of the property have never resided in the neighborhood and throughout their ownership and management (or lack there of) of the property have not shown concern for the welfare of the community in the past. The last thing the neighborhood needs is another house (overcrowded schools) on a too small lot.

Thank you,
Staci Lanham
1010 Overbrook RD



JB 118
1:30
pm

Debra Wiley

From: Administrative Hearings
Sent: Monday, January 07, 2019 9:32 AM
To: Julie Stovall Lauver
Subject: RE: Case # 2019-0151-SPHA and 2019-0150-A

Ms. Lauver,

We are in receipt of your email and this information will be placed in the judge's case file for his review.

Thank you for contacting the Office of Administrative Hearings.

From: Julie Stovall Lauver [mailto:stovalljulie@hotmail.com]
Sent: Monday, January 07, 2019 9:10 AM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Subject: Case # 2019-0151-SPHA and 2019-0150-A

To Whom it May Concern-

I am not able to attend the hearing, but would like for you to count me among the numbers from the Idlewylde neighborhood who oppose the proposition of two units on the lot. Our community has discussed the pros and cons of this property many times and I oppose for all the reasons that will be brought to you in person by those who can attend.

Thank you,
Julie Lauver
1116 Arran Rd.
Idlewylde, MD 21239
443-708-5180



JB 1/8 1:30 PM

Debra Wiley

From: Administrative Hearings
Sent: Monday, January 07, 2019 7:28 AM
To: Donald Hart
Subject: RE: Sherwood Road 6401 and 6403

Mr. Hart,

Your email has been received and placed in the case file for the judge's review.

Thank you for contacting the Office of Administrative Hearings.

From: Donald Hart [mailto:chrisdonhar@verizon.net]
Sent: Sunday, January 06, 2019 6:02 PM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Subject: Sherwood Road 6401 and 6403

To the Hearing Board:

With regard to the hearings Case No: 2019-0151-SPHA and 2019-0150-A, I am opposed to an additional dwelling being placed on the composite lots. The current dwelling needs to be rehabilitated and the adjoining lot needs to be landscaped. I'm given to understand that should the change in zoning occur it will be for re-sale purposes.

Yours truly,

Donald T Hart
806 Overbrook Road
Idlewylde, MD; 21239-1530



C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment12/19DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)N/C11/29DEPS
(if not received, date e-mail sent _____)N/C_____

FIRE DEPARTMENT

12/20PLANNING
(if not received, date e-mail sent _____)Comment11/15

STATE HIGHWAY ADMINISTRATION

No Obj._____

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

1-7

ADJACENT PROPERTY OWNERS

*See
List of
Opposition*1-7*Julie Lauer
1116 Anson Rd., 21239**(806 Overbrook Rd., 21239)*

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

12/19/18SIGN POSTING (1st)

Date:

12/17/18 by PulsonSIGN POSTING (2nd)

Date:

1-4-19 by Pulson

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption				View GroundRent Registration			
Tax Exempt:			Special Tax Recapture:							
Exempt Class:			NONE							
Account Identifier:			District - 09 Account Number - 0919480331							
			Owner Information							
Owner Name:			ELIAS NADIA A		Use:		Principal Residence:		RESIDENTIAL	
Mailing Address:			6050 OLNEY LAYTONSVILLE RD GAITHERSBURG MD 20882-1708		Deed Reference:				/38852/ 00307	
			Location & Structure Information							
Premises Address:			SHERWOOD RD BALTIMORE 21239-		Legal Description:		ES SHERWOOD RD IDLEWYLDE			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0080	0003	0128		0000				2017	Plat Ref:	0007/ 0140
Special Tax Areas:					Town:		NONE			
					Ad Valorem:					
					Tax Class:					
Primary Structure Built			Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
							7,750 SF		04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	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:			22,700		22,700					
Improvements			0		0					
Total:			22,700		22,700		22,700		22,700	
Preferential Land:			0						0	
Transfer Information										
Seller: ELIAS MAGID M					Date: 04/17/2017		Price: \$0			
Type: NON-ARMS LENGTH OTHER					Deed1: /38852/ 00307		Deed2:			
Seller: SAUSSER THOMAS E					Date: 09/29/2005		Price: \$330,000			
Type: ARMS LENGTH MULTIPLE					Deed1: /22632/ 00261		Deed2:			
Seller: RUGOLO PIETRO					Date: 05/07/1992		Price: \$1			
Type: ARMS LENGTH IMPROVED					Deed1: /09164/ 00200		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:										



JOHN A. OLSZEWSKI, JR.
County Executive

DIRECTOR
*Department of Permits,
Approvals & Inspections*

January 3, 2019

John Motsco
Little & Associates, Inc.
1055 Taylor Avenue, Ste. 307.
Towson, MD 21204

RE: Case Number: 2019-0151-SPHA, Address: 6403 Sherwood Road

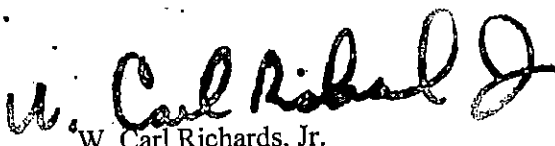
To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 2, 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
Nadia Elias, 6050 Olney Laytonsville Road, Gaithersburg 20882

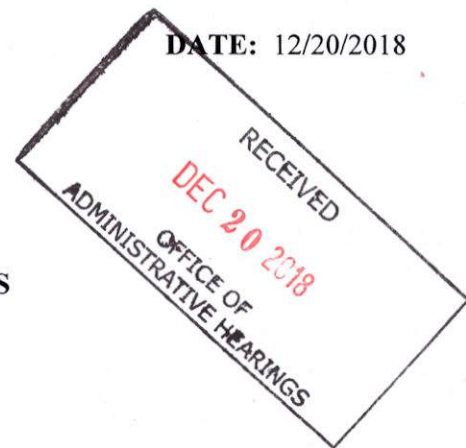
BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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: 19-151



INFORMATION:

Property Address: 6403 Sherwood Road

Petitioner: Nadia Elias

Zoning: DR 5.5

Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve pursuant to BCZR §304 (including without limitation, §304.2 and the building permit to be applied for applicable to the subject property as required thereby), the subject property as an undersized lot having a width at the building line of 50' in lieu of the required 55' or in the alternative, a variance to permit an existing lot of record to have a width at the building line of 50' in lieu of the required 55'.

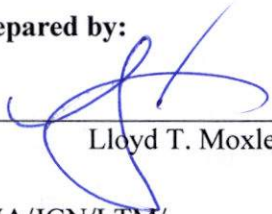
A site visit was conducted on 11/30/2018. The adjacent property at 6401 Sherwood Road is the subject of zoning case # 19-150. The site is located within the boundaries of the Idlewyld Community Plan drafted in 2006. Staff observed during the site visit that there exists a driveway on site that supports the residential use established at 6401 Sherwood Road. This arrangement will remain in place as per the submitted site plan(s). The Department is not convinced the properties have not been merged through use and will concur with the decision of the Administrative Law Judge on the matter.

The Department objects to granting the petitioned zoning relief. One stated purpose of the D.R. 5.5 zone classification is to *"provide for greater certainty about dwelling types and densities within existing communities with a goal of conserving and maintaining these areas"*. In granting the requested relief, the opportunity for the property to approach this stated purpose is lost, that being contrary to the spirit and intent of the zone through the creation an overly dense use of the property.

Date: 12/19/2018
Subject: ZAC # 19-151
Page 2

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

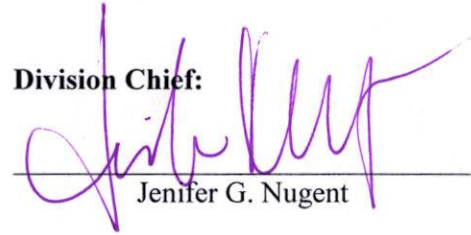
Prepared by:



Lloyd T. Moxley

AVA/JGN/LTM/

Division Chief:



Jenifer G. Nugent

c: Laurie Hay
John Motsco, Little & Associates, Inc.
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 12/20/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-151

INFORMATION:

Property Address: 6403 Sherwood Road
Petitioner: Nadia Elias
Zoning: DR 5.5
Requested Action: Special Hearing, Variance

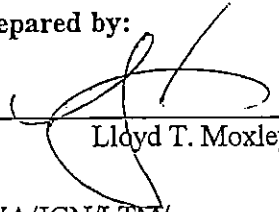
The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve pursuant to BCZR §304 (including without limitation, §304.2 and the building permit to be applied for applicable to the subject property as required thereby), the subject property as an undersized lot having a width at the building line of 50' in lieu of the required 55' or in the alternative, a variance to permit an existing lot of record to have a width at the building line of 50' in lieu of the required 55'.

A site visit was conducted on 11/30/2018. The adjacent property at 6401 Sherwood Road is the subject of zoning case # 19-150. The site is located within the boundaries of the Idlewylde Community Plan drafted in 2006. Staff observed during the site visit that there exists a driveway on site that supports the residential use established at 6401 Sherwood Road. This arrangement will remain in place as per the submitted site plan(s). The Department is not convinced the properties have not been merged through use and will concur with the decision of the Administrative Law Judge on the matter.

The Department objects to granting the petitioned zoning relief. One stated purpose of the D.R. 5.5 zone classification is to *"provide for greater certainty about dwelling types and densities within existing communities with a goal of conserving and maintaining these areas"*. In granting the requested relief, the opportunity for the property to approach this stated purpose is lost, that being contrary to the spirit and intent of the zone through the creation an overly dense use of the property.

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

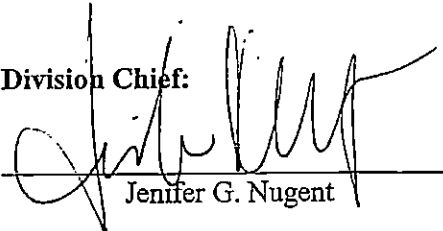
Prepared by:



Lloyd T. Moxley

AVA/JGN/LTM/

Division Chief:



Jenifer G. Nugent

c: Laurie Hay
John Motsco, Little & Associates, Inc.
Office of the Administrative Hearings
People's Counsel for Baltimore County

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

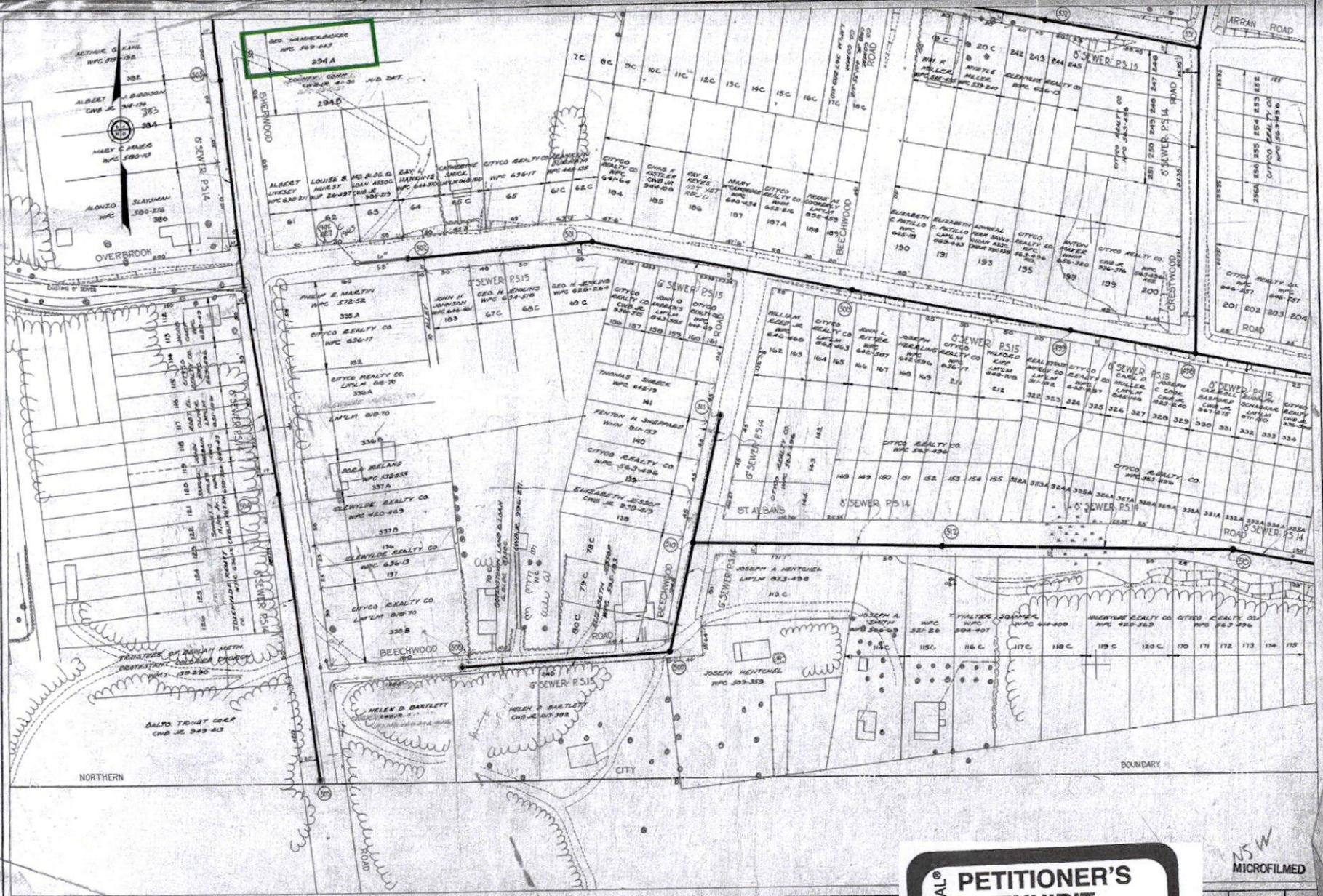
DATE: November 27, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0151-A *correction*
Address 6403 Sherwood Road
(Elias Property)

Zoning Advisory Committee Meeting of **November 26, 2018**.

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

Reviewer: Steve Ford



BALTIMORE COUNTY METROPOLITAN DISTRICT
 APPROVED: MAY 13, 1975
 COUNTY COMMISSIONERS OF BALTIMORE COUNTY
 APPROVED AS TO LOCATION MAY 13, 1975
 DISTRICT NO. 89 SEWERS
 STONELIGH, ANNIE LIE & CO.

ALL-STATE LEGAL®
 PETITIONER'S EXHIBIT
 2

NSW MICROFILMED
 SCALE 1" = 50'
 1170 3/4" x 11 1/2" N-3

6403 Sherwood Road



Arran Rd

Sherwood Rd

DR 5.5

- Legend**
- House Numbers
 - Zoning
 - Property
 - County Boundary

0
0 0.0

ALL-STATE LEGAL®
**PETITIONER'S
EXHIBIT**
3

443

DELIVERED
PER TICKET
JAN 1, 1923

52/2

52/2

eastward from the place of beginning thence westerly, increasing said line as shown and bending thence two hundred feet to the place of beginning.

Being known as Lot 234 of D. O. Henry's

being part of the land which by deed dated October 31st 1913 and recorded among the land records of Baltimore County in Liber W. 16 p. 412 folio 569 etc. was granted and conveyed by the Baltimore Realty Company of Baltimore, Inc. to the said party of the first part in fee simple.

To have and to hold the above granted property unto the said parties of the second part and their heirs and assigns forever in fee simple subject however to the following covenants and agreements which are hereby entered into by the said parties of the second part, their heirs and assigns, with the said party of the first part as a part of the consideration for this deed.

1. At no time shall any part of the said land be used or occupied for the manufacture, brewing, distilling or sale of spirituous or malt liquors nor shall the said lot or any part thereof or any building erected thereon at any time hereafter be used or occupied as a tavern, drinking saloon, lounge, hotel, establishment, tannery, slaughter house, glue works, candle stand or gun powder manufacturing or for other offensive or dangerous purposes nor shall any sign for advertising purposes be erected or placed thereon.

2. No barn, stable, coop or other outbuilding shall be erected, repaired, to the main road or across or across the lot from the main road within five feet or nearer to any other road or avenue than the width for the road, less than fifty feet or any dimensions.

3. Also that said lot or building thereon

shall never be rented to or occupied by nor shall it be used by any person for any purpose of a liquor store.

4. The building line of the said lot shall be at least thirty feet.

5. That no house shall be erected thereon which shall be less than 16 feet wide and 16 feet deep and no other building shall be erected on said lot.

6. That no other road or

7. That being distinctly in that all right title in any person shall be

8. That the said parties of the second part shall be a part

9. That the said parties of the second part shall be a part

10. That the said parties of the second part shall be a part

11. That the said parties of the second part shall be a part

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16. That the said parties of the second part shall be a part

17. That the said parties of the second part shall be a part

18. That the said parties of the second part shall be a part

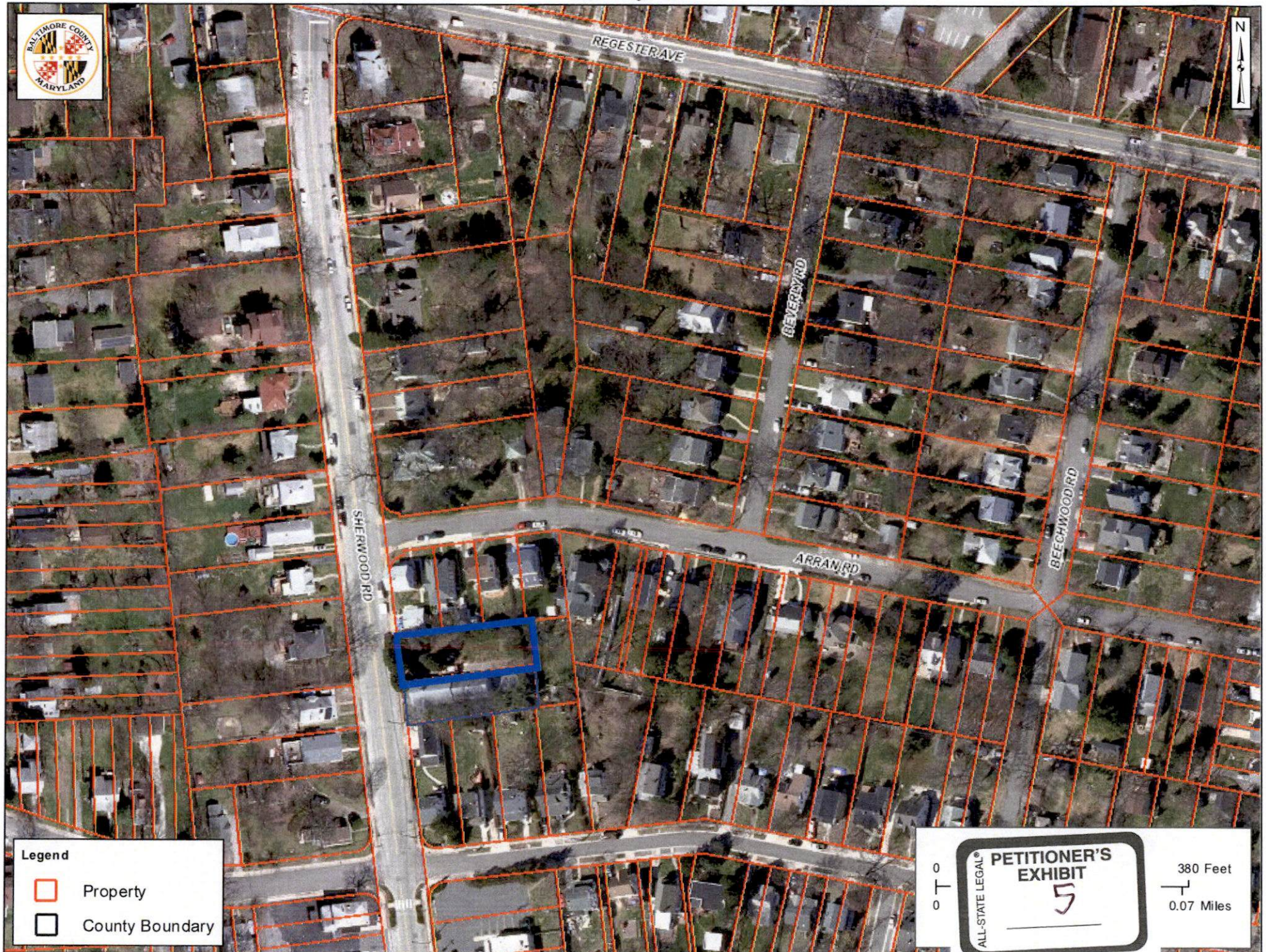
19. That the said parties of the second part shall be a part

20. That the said parties of the second part shall be a part

[illegible]

THE COUNTY OF BOLD COUNTY, MISSOURI, ss: I, J. B. Galt, Clerk of said County, do hereby certify that the within and foregoing is a true and correct copy of the original of the same as the same appears from the records of said County.

Idlewylde



Legend

- Property
- County Boundary

0
T
0

ALL-STATE LEGAL®

**PETITIONER'S
EXHIBIT**

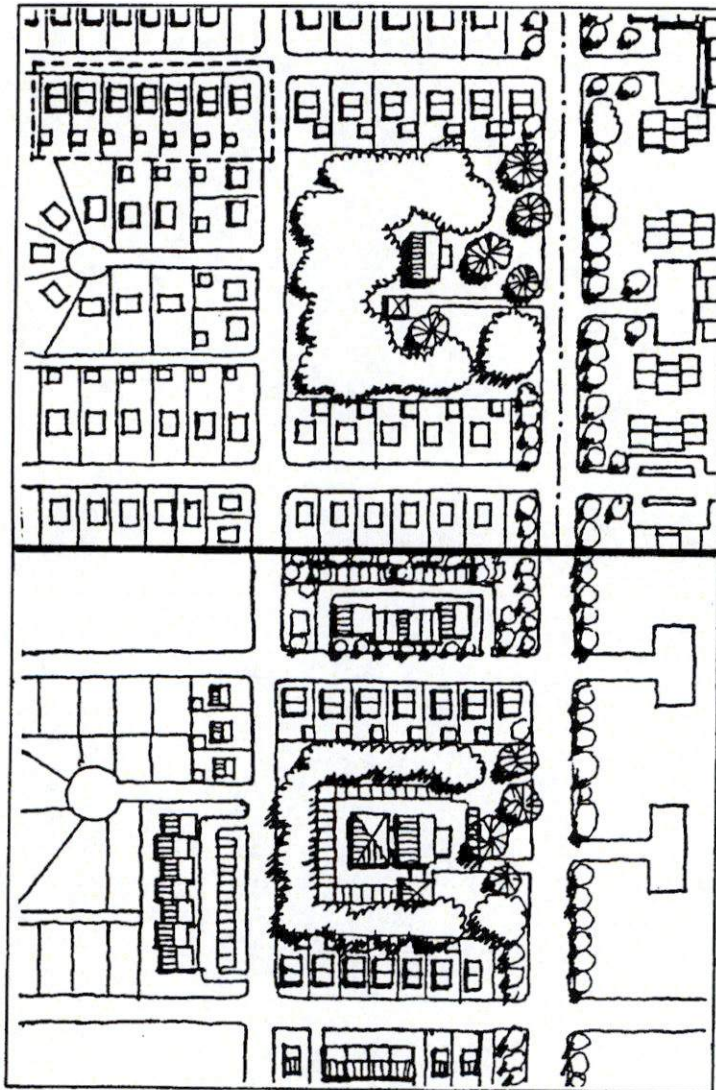
5

380 Feet
0.07 Miles

Site Design

OBJECTIVE I

The arrangement and orientation of the proposed building lots and site improvements are patterned in a similar manner to those in the neighborhood.



Intent:

1. To integrate the physical patterns of the proposed infill development with the established developments comprising the neighborhood.
2. To assure that the buildings, parking areas and site improvements patterns are similar in proportion to the surrounding developments.
3. To maintain the land form characteristics of the surrounding properties and neighborhood.
4. To incorporate natural terrain and maintain pleasant views.

The land development patterns of a neighborhood are characterized by the street layout, property lots, size and configuration, house orientation, natural terrain, and vegetation.

The infill development design needs to respond and integrate the following neighborhood development components:

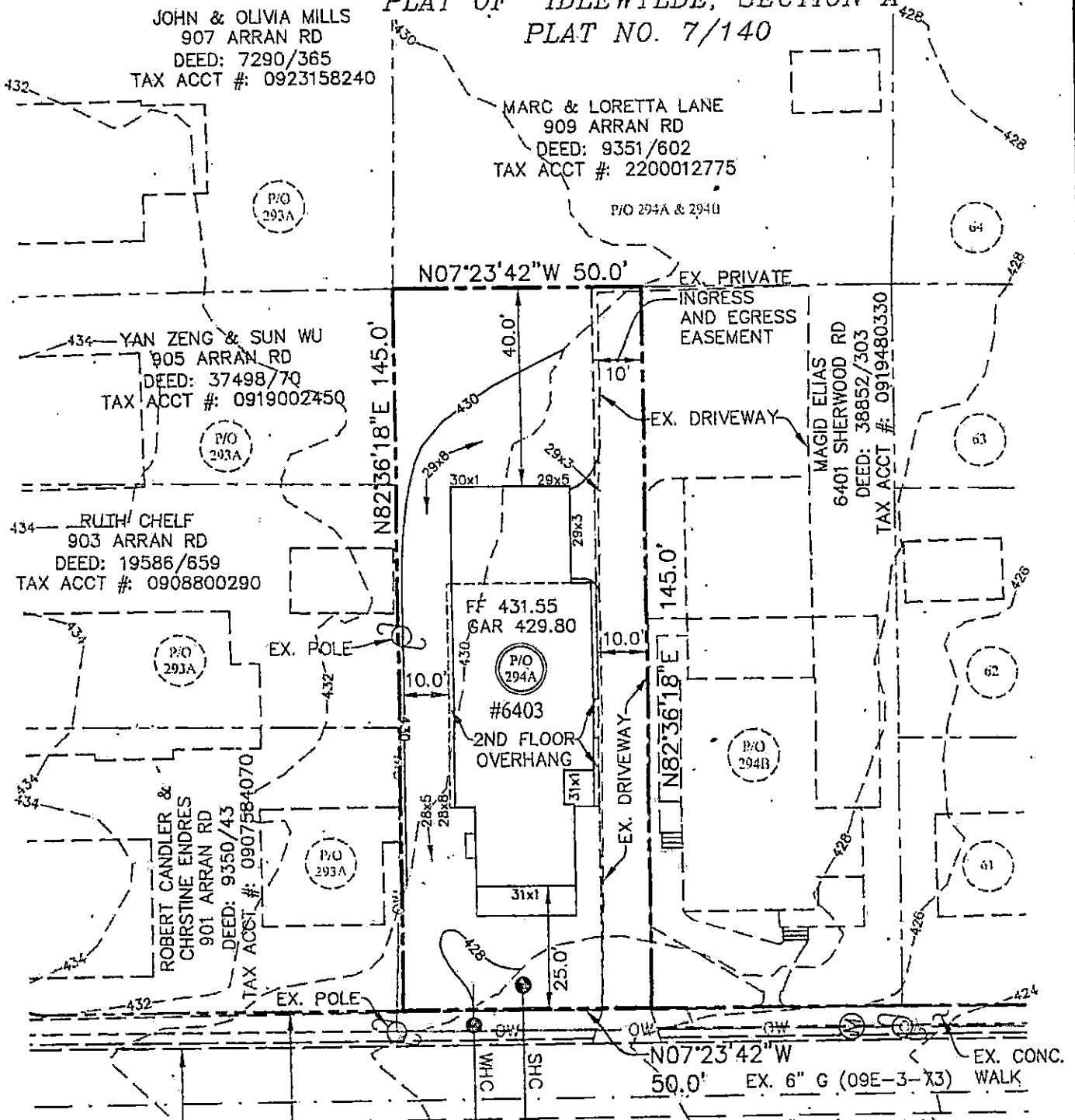
1. Continue established street patterns by connecting streets wherever possible;
2. Pattern lots and buildings layout to reflect adjacent building mass; and
3. Incorporate natural terrain, vegetation, historic settings and pleasant views.



GENERAL NOTES

1. OWNERSHIP: NADIA ELIAS
6050 OLNEY LAYTONSVILLE ROAD
GAITHERSBURG, MD 20882
2. TAX ACCOUNT #: 0919480331
3. DEED REF: 38852/307
4. SITE AREA: 0.166 AC±
5. THE ENTIRE SITE IS ZONED DR-5.5.

PLAT OF "IDLEWYLDE, SECTION A" PLAT NO. 7/140



PLICATION AND KNOW THE SAME IS
RECT AND TRUE, AND THAT IN
ING THIS WORK ALL PROVISIONS OF
E BALTIMORE COUNTY CODE AND
PROPRIATE STATE REGULATIONS
LL BE COMPLIED WITH WHETHER
REIN SPECIFIED OR NOT, AND WILL
QUEST ALL REQUIRED INSPECTIONS.

Name Debbie King Phone Number 410-296-1636
Company (if applicable) Little & Associates, Inc
Address 1055 Taylor Ave
City, State, Zip Towson MD 21286
Applicant Signature Debbie King E-Mail _____
Business/Tenant Name _____
Contractor Minimal Enterprises, Inc MHIC # 22 MHBR # 7190
Engineer _____
PLANS: CONSU 02 PLOT 7 PLAT 0 DATA 0 EL 1 PL 1 DRC # _____

OF IMPROVEMENT

☒ New Bldg Construction
☐ Addition
☐ Alteration
☐ Repair
☐ Wrecking
☐ Moving
☐ Other _____

OF USE

☒ Residential
☐ One Family
☐ Two Family
☐ Three and Four Family
☐ Five or More Family
(enter no. units) _____
☐ Swimming Pool
☐ Garage
☐ Other _____

Foundation Type _____
Basement _____
Slab 1. ☐ Full
Block 2. ☐ Partial
Concrete 3. ☒ None

if Construction

☒ Masonry
☐ Wood Frame
☐ Structure Steel
☐ Reinforced Concrete

if Sewage Disposal

Public Sewer ☐ Exists ☒ Proposed
Private System ☐ Exists ☐ Proposed
Septic ☐ Exists ☐ Proposed
Privy ☐ Exists ☐ Proposed

Type of Water Supply

1. ☒ Public System ☐ Exists ☒ Proposed
2. ☐ Private System ☐ Exists ☐ Proposed

Estimated Cost of Materials and Labor \$ 215,000

Proposed Use

Existing Use

Ownership: 1. ☒ Privately Owned 2. ☐ Publicly Owned 3. ☐ Sale 4. ☐ Rental

Initial Category: 1. ☒ Detached 2. ☐ Semi-Detached 3. ☐ Group 4. ☐ Townhouse 5. ☐ Mid-Rise 6. ☐ High-Rise

Room # _____ 1-Bedroom # _____ 2-Bedroom # _____ 3-Bedroom # _____ Total Bedrooms _____ Total Apts/Condos _____
Bathroom # 4 Kitchen # 3 Powder Room # 1 Garbage Disposal: 1. ☒ Yes 2. ☐ No

14 Liber _____ Folio _____ Map _____ Parcel _____

Lot Size 3940SF

86'
30'
32'
2+crwl

Lot Size and Setbacks

Size 7750SF
Front Street _____
Side Street _____
Front Setback 25'
Side Setback 10'/10'
Side Street Setback _____
Rear Setback 40'

Lot: 1. ☐ Yes 2. ☒ No

Zoning DR55

DESCRIBE PROPOSED WORK:

TO BE SPRINKLERED
Const SFD 2-sty w/crwl, 1-car. s/l
garage, 4 Bedrms, gas F/P (o/s proj
not to exceed 4x10) covrd front porch,
covrd side Porch
IFT SIDE (LEFT+ RIGHT)
Cantilever,
86' x 30' x 32' = 3940SF

RECEIVED

MAY 2 2016

DEPARTMENT OF PLANNING

APPROVAL SIGNATURES

DATE

BLD INSP		
BLD PLAN		
FIRE		
SEDI CTL		
ZONING III		
PUB SERV	OK to file	
ENVRMNT		
PLANNING		
PERMITS		

HSC # _____
Rm 123: _____ JRC

5/2/16

Case No.: 14000369MK-C
Title Insurer: Lawyers Title Insurance Corporation
Tax Account No.: 09-19-480330 & 09-19-480331

THIS DEED

This Deed, made this 29th day of August, 2005, by and between **Thomas E. Sausser, as sole owner**, party of the first part, and **Magid M. Elias and Nadia A. Elias, husband and wife**, parties of the second part:

WITNESSETH, that in consideration of the sum of \$ 330,000.00, receipt of which is hereby acknowledged, and which the party of the first part certify(ies) under the penalties of perjury as the actual consideration paid or to be paid, including the amount of any mortgage or deed of trust outstanding, the said party of the first part do/does grant and convey unto the parties of the second part, in fee simple, as **tenants by the entirety** all that property situate in Baltimore County, Maryland, and as **described in Exhibit A attached hereto and made a part hereof**.

BEING all of the same property as described in a deed dated April 28, 1992, recorded May 7, 1992 among the Land Records of Baltimore County, MD, at Liber 9164, folio 200, which has the address of 6401 Sherwood Road, Baltimore, MD 21239.

SUBJECT to covenants, easements and restrictions of record.

TO HAVE AND TO HOLD said land and premises above described or mentioned and hereby intended to be conveyed, together with the buildings and improvements thereupon erected, made or being, and all and every title, right, privileges, appurtenances and advantages thereunto belonging, or in anywise appertaining, unto and for the proper use only and benefit forever of said parties of the second part in fee simple.

AND said party of the first part do/does hereby covenant to warrant specially the property hereby conveyed; and to execute such further assurances of said land as it may be requisite or necessary.

RETURN TO AFTER RECORDING:

Universal Title, LLC
1850 Dual Highway #203
Hagerstown, MD 21740

Case No.: 14000369MK-C/

EXHIBIT A LEGAL DESCRIPTION

BEGINNING for the first on the east side of Sherwood Road (formerly called Regester Avenue) at the distance of 150 feet northerly from the intersection formed by the east side of Sherwood road with the north side of Overbrook Road (formerly called Wakeford Road), and running thence northerly binding on the east side of Sherwood Road 50 feet, thence southerly parallel with Sherwood Road 50 feet to meet a straight line drawn easterly from the place of beginning, thence westerly reversing said line so drawn and binding thereon 200 feet to the place of beginning.

BEGINNING for the second on the east side of Sherwood Road at the distance of 200 feet northerly from the corner formed by the intersection of the east side of Sherwood Road with the north side of Overbrook Road (formerly called Wakeford Road), and running thence northerly and binding on the east side of Sherwood Road 50 feet, thence easterly parallel with Overbrook Road 200 feet, thence southerly parallel with Sherwood Road 50 feet to meet a straight line drawn easterly from the place of beginning, thence westerly reversing said line so drawn and binding thereon 200 feet to the place of beginning.

The improvements on the above lots being now or formerly known as No. 6401 Sherwood Road.

SAVING AND EXCEPTING, however, out of the above described lots that portion thereof which by deed dated February 18, 1963 and recorded among the Land Records of Baltimore County in Liber RRG No. 4117, folio 139, which was granted and conveyed by Paul C. Slider and Lucille F. Slider to Baltimore County, Maryland.

SAVING AND EXCEPTING, however, out of the above described lots that portion thereof which by deed dated February 18, 1963 and recorded among the Land Records of Baltimore County in Liber 9351, folio 602, by and between Thomas E. Sausser and Marc D. Lane and Loretta M. Lane, husband and wife.

(3/3)

AFTER RECORDING, PLEASE RETURN TO:

O'Connor, Hammel & Butler, P.A.
 100 West Road, Suite 215
 Towson, Maryland 21204
 Phone: 410-321-0595
 File: 17-048
 Tax ID No. 09-0919480331

**DEED FROM HUSBAND & WIFE
 TO WIFE
 NO TITLE EXAMINATION
 NO CONSIDERATION**

THIS DEED, made this 30th day of March, in the year Two Thousand Seventeen, by and between MAGID M. ELIAS and NADIA A. ELIAS, husband and wife, parties of the first part, and NADIA A. ELIAS, party of the second part.

WITNESSETH, That in consideration of the sum of Zero Dollars, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the said parties of the first part do hereby grant and convey unto the said party of the second part as sole owner, her Personal Representatives, heirs and assigns, all that lot or parcel of ground situate and lying in Baltimore County, State of Maryland, and more particularly described as follows:

SEE "EXHIBIT A" ATTACHED HERETO AND MADE A PART HEREOF.

BEING THE SECOND lot of ground which by Deed dated August 29, 2005, and recorded among the Land Records of Baltimore County in Liber SM No. 22632, folio 267, etc., was granted and conveyed by Thomas E. Sausser unto Magid M. Elias and Nadia A. Elias, in fee simple.

SUBJECT TO the Declaration for Private Ingress and Egress Easement dated of even date hereof and recorded, or intended to be recorded prior hereto.

TOGETHER, with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises to the said party of the second part as sole owner, her Personal Representatives, heirs and assigns, in fee simple.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

The Grantors affirm under the penalties of perjury that the Grantors are Maryland residents and that in accordance with Section 10-912(b)(2) of the Tax-General Article of the Annotated Code of Maryland, the amount of "total payment" for the purpose of the withholding law is \$0.00.

[Signatures Next Page]

LR - Deed (No-Taxes)
 Recording Fee 20.
 Name: ELIAS
 Ref: LR - Deed (No-Taxes)
 Surcharge 40.
 SubTotal: 60.
 Total: 160.
 04/17/2017 01:26
 #8184460 CC0301 - CC03-
 Baltimore
 County/CC03.01.06 -
 Register 06

EXHIBIT A
LEGAL DESCRIPTION

BEGINNING on the east side of Sherwood Road at the distance of 200 feet northerly from the corner formed by the intersection of the east side of Sherwood Road with the north side of Overbrook Road (formerly called Wakeford Road), and running thence northerly and binding on the east side of Sherwood Road 50 feet, thence easterly parallel with Overbrook Road 200 feet, thence southerly parallel with Sherwood Road 50 feet to meet a straight line drawn easterly from the place of beginning, thence westerly reversing said line so drawn and binding thereon 200 feet to the place of beginning.

SAVING AND EXCEPTING, however, out of the above described lot that portion thereof which by deed dated February 18, 1963 and recorded among the Land Records of Baltimore County in Liber RRG No. 4117, folio 139, which was granted and conveyed by Paul C. Slider and Lucille F. Slider to Baltimore County, Maryland.

SAVING AND EXCEPTING, however, out of the above described lot that portion thereof which by deed dated February 18, 1963 and recorded among the Land Records of Baltimore County in Liber 9351, folio 602, by and between Thomas E. Sausser and Marc D. Lane and Loretta M. Lane, husband and wife.







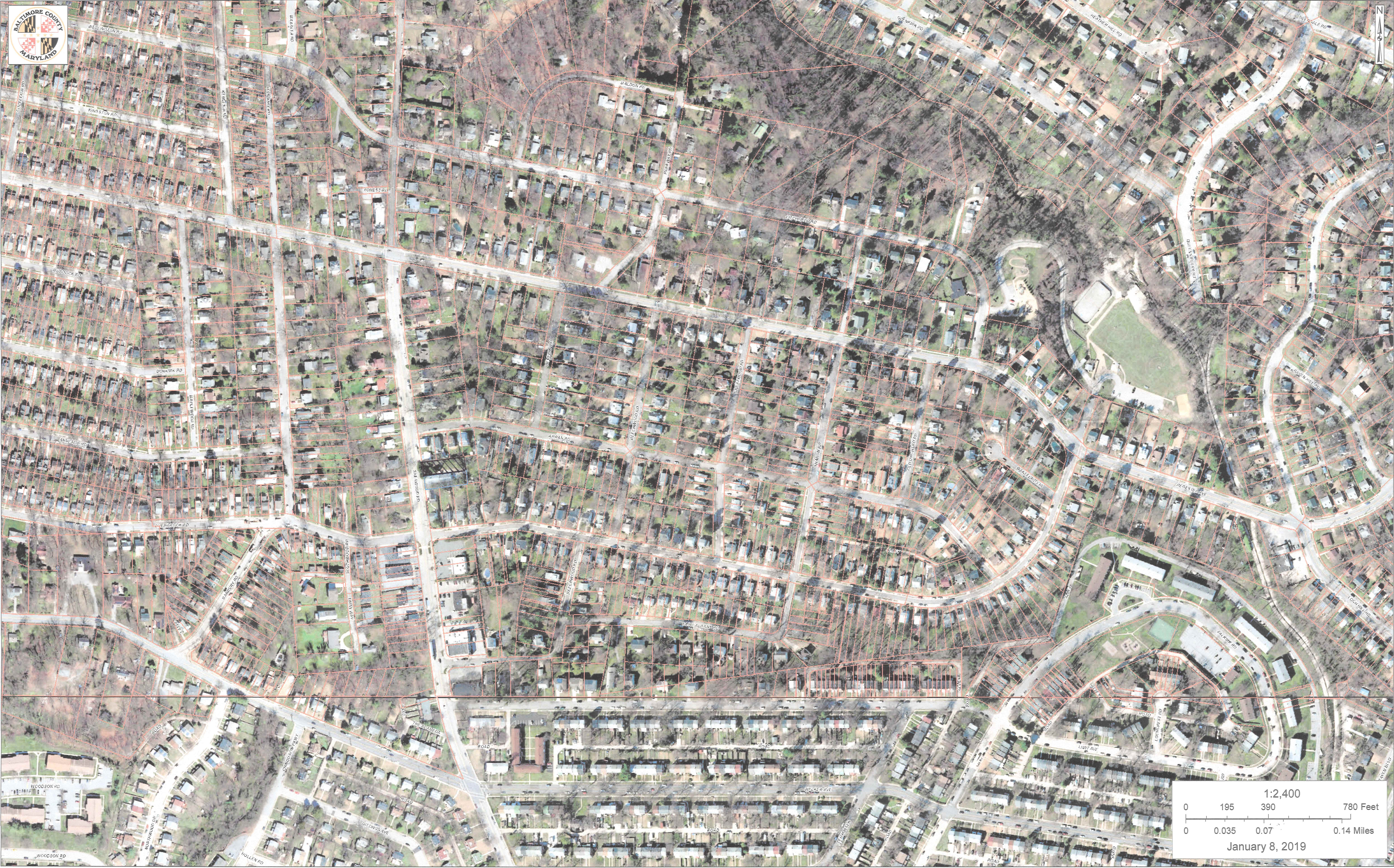








Baltimore County - My Neighborhood

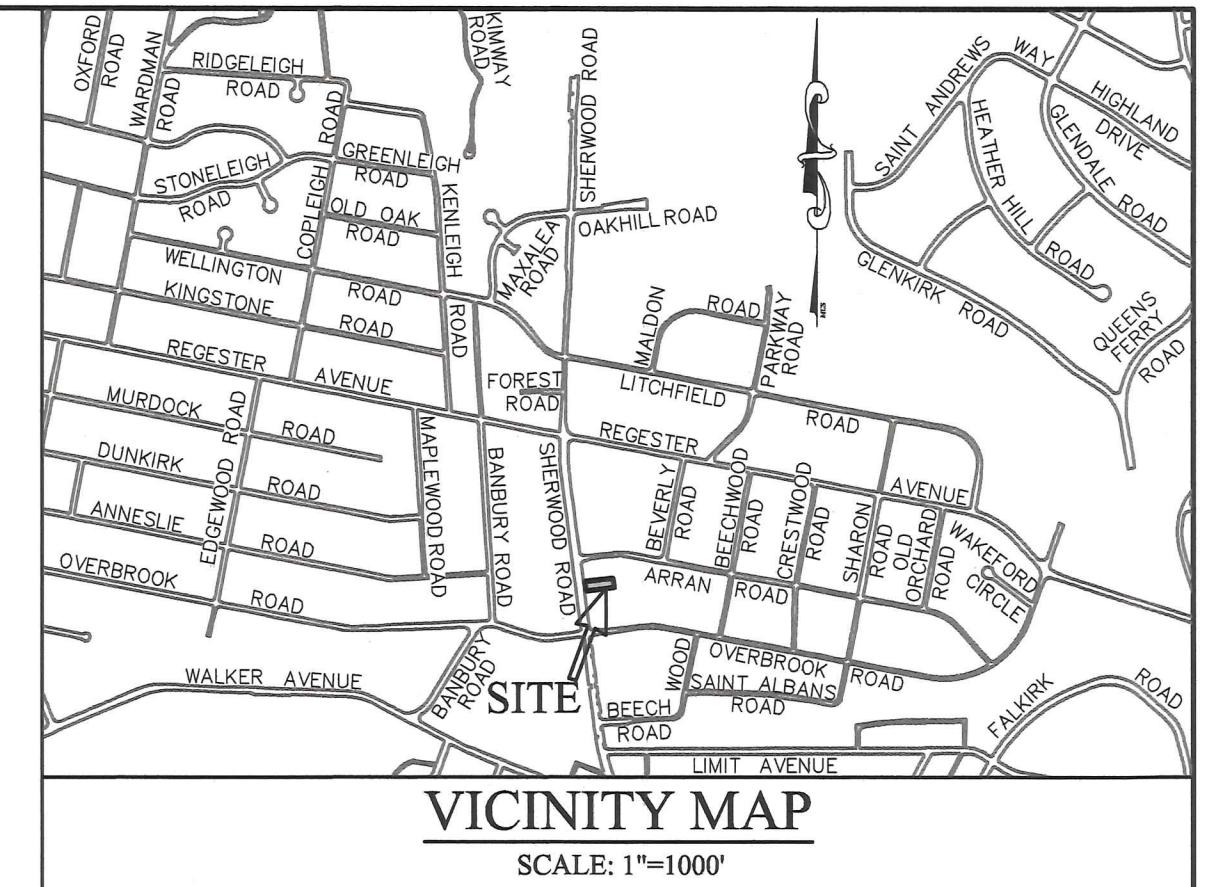
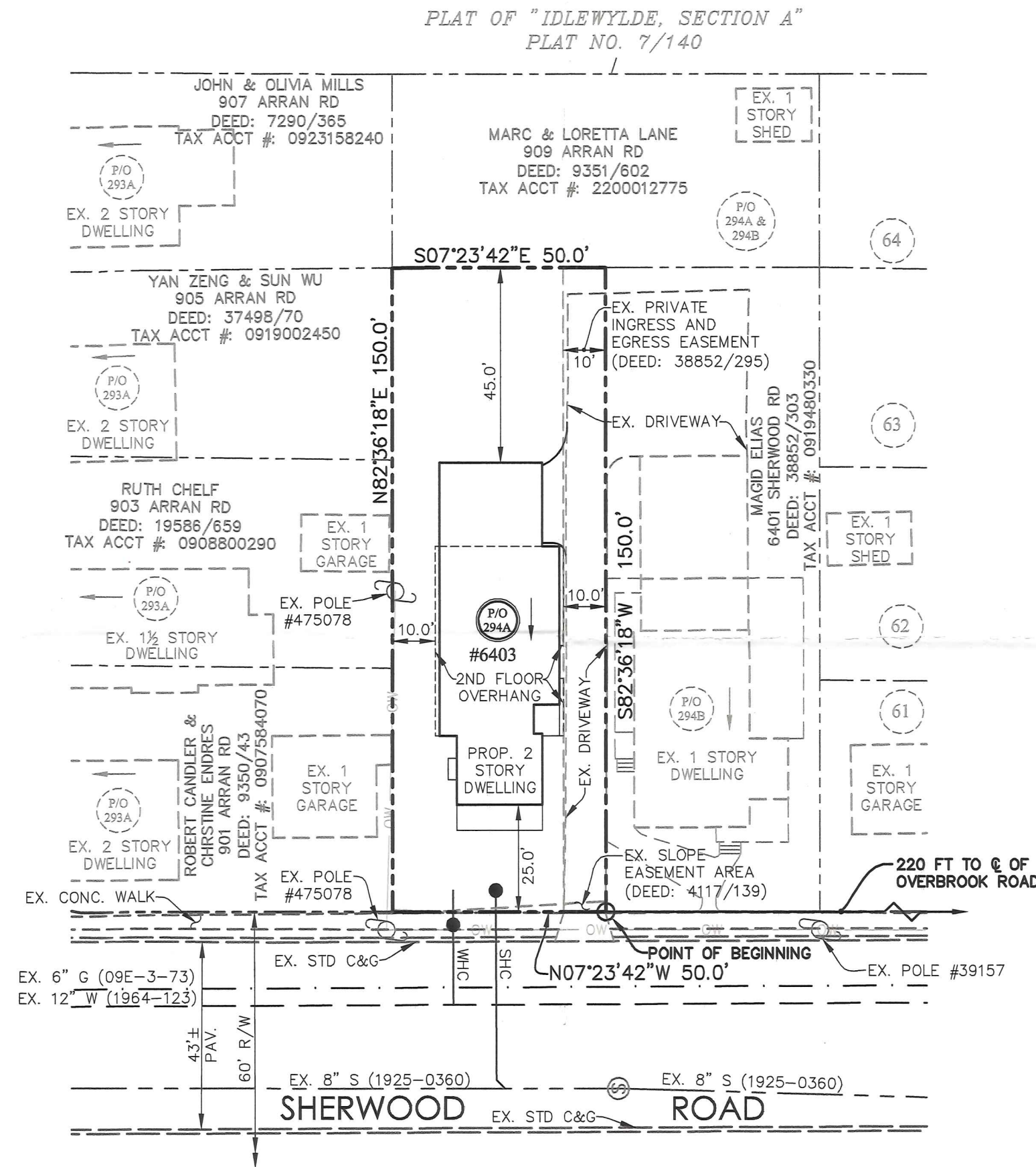


PETITIONER'S
EXHIBIT
6403

6403
X Litchner

REQUESTED RELIEF

- I. PETITION FOR SPECIAL HEARING
A REQUEST THAT THE ADMINISTRATIVE LAW JUDGE APPROVE, IN ACCORDANCE WITH BCZR SECTION 500.7:
 - A. PURSUANT TO BCZR SECTION 304 (INCLUDING WITHOUT LIMITATION, SECTION 304.2 AND THE BUILDING PERMIT TO BE APPLIED FOR APPLICABLE TO THE SUBJECT PROPERTY AS REQUIRED THEREBY), THE SUBJECT PROPERTY AS AN UNDERSIZED LOT HAVING A WIDTH AT THE BUILDING LINE OF 50 FEET IN LIEU OF THE 55 FEET REQUIRED, TO BE IMPROVED WITH A SINGLE-FAMILY, DETACHED DWELLING WHICH COMPLIES WITH ALL OTHER HEIGHT AND AREA REQUIREMENTS; AND
 - B. FOR SUCH ADDITIONAL RELIEF AS THE NATURE OF THIS CASE MAY REQUIRE FOR APPROVAL OF THE PROPOSED BUILDING, PARKING AREAS AND USES AS SHOWN ON THE PLAN WHICH ACCOMPANIED THIS PETITION.
- II. PETITION FOR VARIANCE IN THE ALTERNATIVE
IF THE ABOVE SPECIAL HEARING RELIEF IS NOT GRANTED, A VARIANCE FROM:
 - A. BCZR SECTION 1B02.3.A.5., 1B02.3.B., AND 1B02.3.C.1 TO PERMIT AN EXISTING LOT OF RECORD, PLATTED IN 1927, TO HAVE A WIDTH AT THE BUILDING LINE OF 50 FEET IN LIEU OF THE 55 FEET REQUIRED; AND
 - B. FOR SUCH ADDITIONAL RELIEF AS THE NATURE OF THIS CASE MAY REQUIRE FOR APPROVAL OF THE PROPOSED BUILDING, USES AND CONDITIONS AS SHOWN ON THE PLAN WHICH ACCOMPANIED THIS PETITION.



SITE DATA

1. NET/GROSS TRACT AREA: 0.172 AC.± (7,500 SF)
2. THE SITE IS ZONED DR-5.5.
3. OWNER:
NADIA ELIAS
6050 OLNEY LAYTONSVILLE ROAD
GAITHERSBURG, MD 20882
4. TAX ACCT. #: 0919480331
5. DEED: 38852/307
6. PLAT: 7/140 LOT P/O 294A
7. MAP: 80 GRID: 3 PARCEL: 128
8. ELECTION DISTRICT: 9 COUNCILMANIC DISTRICT: 2
9. THIS SITE IS NOT LOCATED WITHIN ANY DEFICIENT AREAS BASED ON THE 2018 BASIC SERVICES MAPS, PURSUANT TO SECTION 4A02, BCZR.
10. NO FLOOD PLAIN EXISTS ON THIS PROPERTY.
11. THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
12. THERE ARE NO KNOWN ENDANGERED SPECIES HABITATS, ARCHAEOLOGICAL OR HISTORICAL SITES, OR CONTAMINATED AREAS ON THE SUBJECT PROPERTY.
13. THIS SITE HAS NO ACTIVE ZONING VIOLATIONS.
14. CURRENT USE: RESIDENTIAL (VACANT)
15. PROPOSED USE: RESIDENTIAL

PRIOR ZONING HISTORY

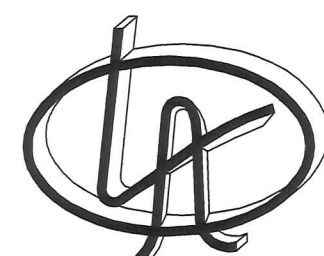
CASE NO. 95-390-XA

SPECIAL EXCEPTION (DENIED) OCTOBER 3, 1995

SPECIAL EXCEPTION FOR A GROUP DAY CARE CENTER (CLASS B PRINCIPAL USE) FOR APPROXIMATELY 40 CHILDREN OF VARIOUS AGE GROUPS; AND A FINDING THAT PROPERTY IS EXEMPT FROM THE RTA REQUIREMENTS.

VARIANCE (DISMISSED) OCTOBER 3, 1995

VARIANCE TO PERMIT A LOT AREA OF .34 ACRES (15,000 SQUARE FEET) IN LIEU OF THE REQUIRED 1 ACRE; TO ALLOW A 8.5 FOOT SIDE YARD SETBACK WITH 6-FOOT VEGETATIVE BUFFER (ONE SIDE ONLY); AND TO ALLOW A 45-FOOT REAR YARD SETBACK WITH 6 FOOT VEGETATIVE BUFFER IN LIEU OF THE REQUIRED 50-FOOT SETBACK AND 20 FOOT VEGETATIVE BUFFER; TO PERMIT AN IMPERVIOUS SURFACE AREA OF 40% IN LIEU OF THE ALLOWED 25%; AND TO PERMIT THE REQUIRED FENCE TO BE LOCATED ON THE PROPERTY LINE IN LIEU OF THE REQUIRED 20 FOOT DISTANCE.



LITTLE & ASSOCIATES, INC.
ENGINEERS~LAND PLANNERS~SURVEYORS
1055 TAYLOR AVENUE, SUITE 307
TOWSON, MARYLAND 21286
PHONE: (410)296-1636 FAX: (410)296-1639

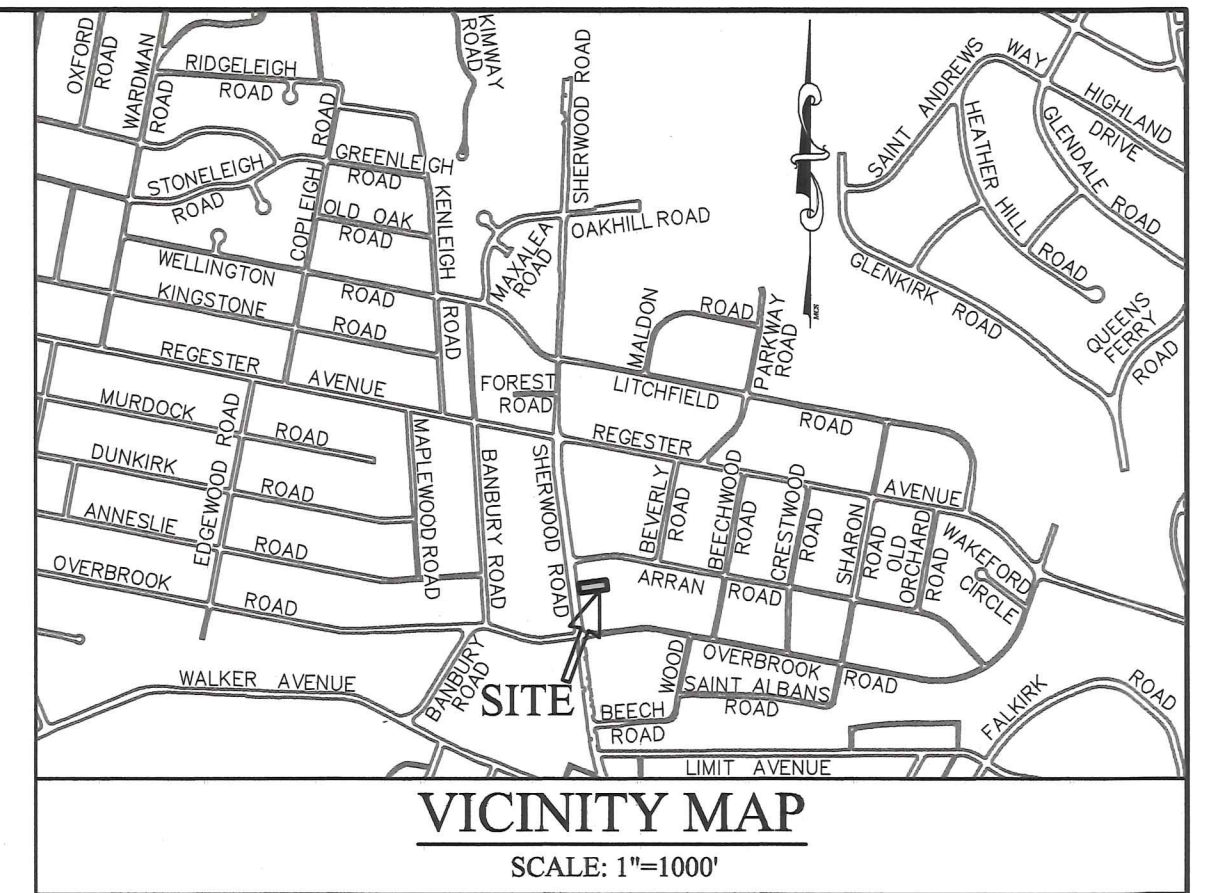
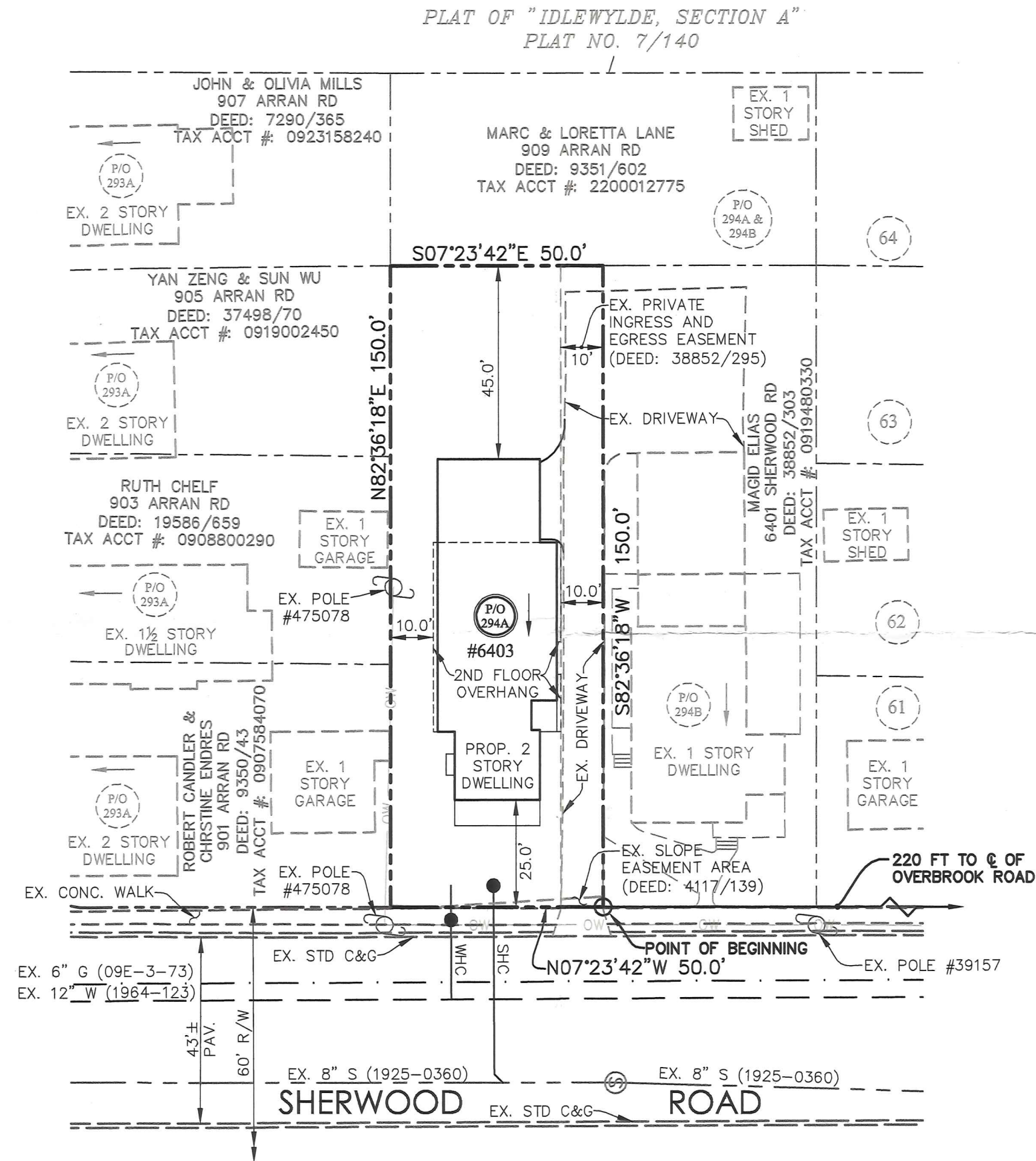
CASE NO.: 2019-0151-SPHA
**PLAN TO ACCOMPANY
PETITION FOR ZONING HEARING
#6403 SHERWOOD ROAD
ELIAS PROPERTY**

DISTRICT 9c5
SCALE: 1"=30'

PLAT 7/140
BALTIMORE COUNTY, MD
OCTOBER 31, 2018

REQUESTED RELIEF

- I. PETITION FOR SPECIAL HEARING
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NADIA ELIAS
6050 OLNEY LAYTONSVILLE ROAD
GAITHERSBURG, MD 20882
TAX ACCT. #: 0919480331
DEED: 38852/307
- PLAT: 7/140 LOT P/O 294A
MAP: 80 GRID: 3 PARCEL: 128
- ELECTION DISTRICT: 9 COUNCILMANIC DISTRICT: 2
- THIS SITE IS NOT LOCATED WITHIN ANY DEFICIENT AREAS BASED ON THE 2018 BASIC SERVICES MAPS, PURSUANT TO SECTION 4A02, BCZR.
- NO FLOOD PLAIN EXISTS ON THIS PROPERTY.
- THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
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- THIS SITE HAS NO ACTIVE ZONING VIOLATIONS.
- CURRENT USE: RESIDENTIAL (VACANT)
- PROPOSED USE: RESIDENTIAL

PRIOR ZONING HISTORY

CASE NO. 95-390-XA

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SPECIAL EXCEPTION FOR A GROUP DAY CARE CENTER (CLASS B PRINCIPAL USE) FOR APPROXIMATELY 40 CHILDREN OF VARIOUS AGE GROUPS; AND A FINDING THAT PROPERTY IS EXEMPT FROM THE RTA REQUIREMENTS.

VARIANCE (DISMISSED) OCTOBER 3, 1995

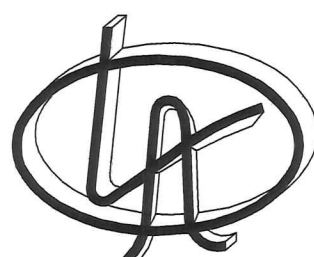
VARIANCE TO PERMIT A LOT AREA OF .34 ACRES (15,000 SQUARE FEET) IN LIEU OF THE REQUIRED 1-ACRE; TO ALLOW A 8.5 FOOT SIDE YARD SETBACK WITH 6-FOOT VEGETATIVE BUFFER (ONE SIDE ONLY), AND TO ALLOW A 45-FOOT REAR YARD SETBACK WITH 6 FOOT VEGETATIVE BUFFER IN LIEU OF THE REQUIRED 50-FOOT SETBACK AND 20 FOOT VEGETATIVE BUFFER; TO PERMIT AN IMPERVIOUS SURFACE AREA OF 40% IN LIEU OF THE ALLOWED 25%; AND TO PERMIT THE REQUIRED FENCE TO BE LOCATED ON THE PROPERTY LINE IN LIEU OF THE REQUIRED 20 FOOT DISTANCE.

CASE NO.: 2019-0151-SPHA

PLAN TO ACCOMPANY
PETITION FOR ZONING HEARING
#6403 SHERWOOD ROAD
ELIAS PROPERTY

DISTRICT 9c5
SCALE: 1"=30'

PLAT 7/140
BALTIMORE COUNTY, MD
OCTOBER 31, 2018



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PET. #1