

M E M O R A N D U M

DATE: April 16, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0207-SPH - Appeal Period Expired

The appeal period for the above-referenced case expired on April 15, 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 SPECIAL HEARING** *

(12033 Jerusalem Road)

11th Election District *

5th Council District *

Eva Ward *

Legal Owner

Petitioner

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2019-0207-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Eva Ward, legal owner ("Petitioner"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") for a waiver permitting a zero ft. setback from the floodplain in lieu of the required 20 ft. setback in Design Manual Plate DF-1 for a new dwelling to be built on an existing foundation along with a proposed covered porch (41.4 ft. x 17.3 ft.) on the front of the home as shown on the site plan marked and admitted as Petitioner's Exhibit 1.

Chad Rawls and professional engineer Tom Miner appeared in support of the petition. Mike Pierce attended the hearing to obtain additional information regarding the request. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Environmental Protection and Sustainability ("DEPS") and the Department of Public Works ("DPW"). Neither agency opposed the request.

The subject property is 37,652 square feet (0.86 acres) in size and zoned RC-5. The property is improved with a single-family dwelling constructed in 1963. The owner's granddaughter plans to purchase the home and would like to raze the existing dwelling and

ORDER RECEIVED FOR FILING

Date 3/15/19

By Sen

construct on the same foundation a modern dwelling. When she applied for a razing permit, DPW informed Petitioner she would need to have a flood plain study prepared and submitted for approval to the County. Petitioner had a flood plain study prepared by Frederick Ward Associates and Tom Miner opined granting the waiver would not increase flood heights or have a detrimental impact upon public safety. BCC §32-8-303. As such the petition will be granted.

THEREFORE, IT IS ORDERED this 15th day of **March, 2019** by this Administrative Law Judge, that the Petition for Special Hearing for a waiver permitting a zero ft. setback from the floodplain in lieu of the required 20 ft. setback in Design Manual Plate DF-1 for a new dwelling to be built on existing foundation along with a proposed covered porch (41.4 ft. x 17.3 ft.), be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at her own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Petitioner must comply with the ZAC comment submitted by DEPS, a copy of which is attached.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh

ORDER RECEIVED FOR FILING

Date 3/15/19
By slh

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: February 13, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0207-SPH
Address 12033 Jerusalem Road
(Ward Property)

Zoning Advisory Committee Meeting of **February 4, 2019.**

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

Reviewer: Regina Esslinger

ORDER RECEIVED FOR FILING

Date

3/15/19

By

Sen



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 12033 Jerusalem Rd which is presently zoned RC5
 Deed References: 03985100510 10 Digit Tax Account # 1123001801
 Property Owner(s) Printed Name(s) Louis & Eva Ward Jr.

(SELECT THE HEARING(S) BY MARKING ☒ 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

SEE ATTACHED SHEET

2. ☐ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☐ 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)

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

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Eva Ward

Name #1 - Type or Print Name #2 - Type or Print

Eva Ward

Signature #1 Signature #2

12033 Jerusalem Rd PO Box 52 Kingsville, MD

Mailing Address City State

21087 443-445-3314 casey-whitney@gmail.com

Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING
 3/15/19
 Date
 BY

CASE NUMBER 2019-0207-SP4 Filing Date 1/8/19 Do Not Schedule Dates: Reviewer JRC

CASE NO. 2019-0207-SPH

12033 Jarwalem Rd

To approve a waiver as authorized in Section 32-8-301, BCC from requirements of Design Manual (Adopted under 32-4-404 (b)1, BCC, Design plate DF-1 for a zero ft. setback from the floodplain accepted for filing in DPR Bureau, PAI, in lieu of the required 20 ft. setback in Design Manual plat DF-1 for a new dwelling to be built on existing foundation.

Zoning Property Description

Part A:

Zoning Property Description for 12033 Jerusalem Rd. Kingsville, MD 21087

*Beginning at a point on the southeast side of Jerusalem Rd which is 20 feet wide at a distance of +/- 30 feet southwest of the centerline of the nearest improved intersecting street Chapman Rd which is 20 feet wide.

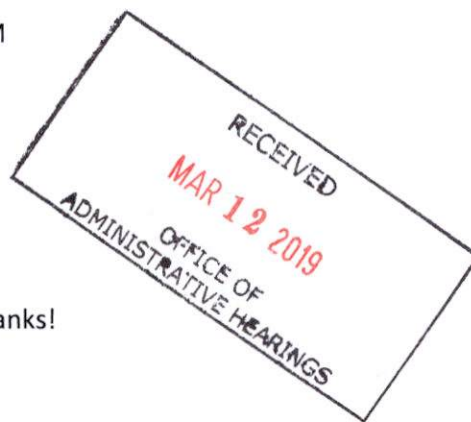
Part B:

Option 1 (Metes and Bounds Sample – lot not part of record plat or minor subdivision)

Thence the following courses and distances: (1st Point of Call – "POC") S.48 00' 00" W.180', (2nd POC) S.24 25' 00" E.431', and (3rd POC) N.5 00' 00" W.515', back to the point of beginning as recorded in Deed Liber 03985/00510, containing 0.97 acres. Located in the 11th Election District and 5th Council District.

Sherry Nuffer

From: Kristen L Lewis
Sent: Tuesday, March 12, 2019 2:40 PM
To: Sherry Nuffer
Subject: Sign Posting
Attachments: 20190312115927259.pdf



Hey Sherry,

I have just received the sign posting for the case for this week. Thanks!

Kristen Lewis
PAI – Zoning Review
410-887-3391

RE-CERTIFICATE OF POSTING

RE: Case No. 2018-0207 SPH

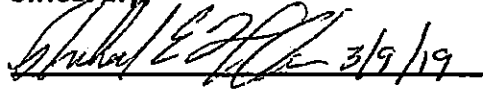
Petitioner: Eva Ward

Hearing Date: 3/14/19

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 _____
12033 Jerusalem Rd. (1 of 2-SES Jerusalem Rd. SW of Chapman Rd.-NES of Prop)
12033 Jerusalem Rd. (2 of 2-SES Jerusalem Rd. SW of Chapman Rd.-SWS of Prop)
_____ on 2/22/19 and re-photographed on 3/9/19

Sincerely,

 3/9/19

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

(443) 243-7360

Certificate of Posting

Case No 2019-0207 SPH



12033 Jerusalem Rd. (1 of 2-SES Jerusalem Rd. SW of Chapman Rd. NES of prop.)

 3/2/19

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

**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: 2019-0207-SPH
Property Address: 12033 Jerusalem Rd. Kingsville, MD 21087
Property Description: _____

Legal Owners (Petitioners): Eva Ward
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Casey Whitney
Company/Firm (if applicable): N/A
Address: 12033 Jerusalem Rd. PO BOX 52.
Kingsville, MD 21087

Telephone Number: 443-465-3314

Revised 7/9/2015

Certificate of Posting
Case No 2019-0207 SPH



12033 Jerusalem Rd. (2 of 2-SES Jerusalem Rd. SW of Chapman Rd. SWS of prop)

Richard E. Hoffman 3/8/19

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

CERTIFICATE OF POSTING

RE: Case No. 2018-0207 SPH

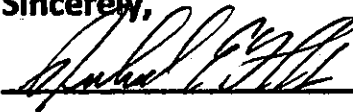
Petitioner: Eva Ward

Hearing Date: 3/14/19

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 _____
12033 Jerusalem Rd. (1 of 2-SES Jerusalem Rd. SW of Chapman Rd.-NES of Prop)
12033 Jerusalem Rd. (2 of 2-SES Jerusalem Rd. SW of Chapman Rd.-SWS of Prop)
_____ on 2/22/19

Sincerely,

 2/22/19

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

(443) 243-7360

EXHIBIT 1.3 (continued)

_____ 10/10/00 _____ 10/10/00
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Certificate of Posting
Case No 2019-0207 SPH

ZONING NOTICE
CASE # 2019-0207-SPH

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

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

DATE AND TIME: THURSDAY, MARCH 14, 2019 AT 11:00 AM

REQUEST:
SPECIAL HEARING TO APPROVE A WAIVER AS AUTHORIZED IN SEC 32-B-301,
BCC, FROM REQUIREMENTS OF DESIGN MANUAL, DESIGN PLAT DF-1, FOR A ZERO
FT SETBACK FROM THE FLOODPLAIN ACCEPTED FOR FILING IN THE DPR BUREAU,
PA1, IN LIEU OF THE REQUIRED 20 FT SETBACK IN DESIGN MANUAL PLAT
DR-1 FOR A NEW DWELLING TO BE BUILT ON EXISTING FOUNDATION.

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

2/22/19 11:09 AM

12033 Jerusalem Rd. (2 of 2-SES Jerusalem Rd. SW of Chapman Rd. SWS of prop)

Richard E. Hoffman - 2/22/19

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

Certificate of Posting

Case No 2019-0207 SPH



12033 Jerusalem Rd. (1 of 2-SES Jerusalem Rd. SW of Chapman Rd. NES of prop.)

 2/22/19

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

THEORY OF THE
ELECTRIC CIRCUIT

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ELECTRIC CIRCUIT

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:

2/22/2019

Order #: 11700323
Case #: 2019-0207-SPH
Description:

NOTICE OF ZONING HEARING CASE NUMBER:
2019-0207-SPH



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: 2019-0207-SPH

12033 Jerusalem Road

S/east side of Jerusalem Road at distance of 30 ft. s/west of Chapman Road

11th Election District - 5th Councilmanic District

Legal Owners: Eva Ward

Special Hearing to approve a waiver as authorized in Sec. 32-8-301, BCC, from requirements of Design Manual, Design Plate DF-1, for a zero ft. setback from the floodplain accepted for filing in the DPR Bureau, PAI, in lieu of the required 20 ft. setback in Design Manual plat DR-1 for a new dwelling to be built on existing foundation.

Hearing: Thursday, March 14, 2019 at 11:00 a.m. in Room 205, Jefferson Building, 106 West Chesapeake Avenue, Towson 21204

Mike Mohler

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.

122

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
12033 Jerusalem Road; SE/S of Jerusalem Road, *
30' SW of c/line of Chapman Road * OF ADMINISTRATIVE
11th Election & 5th Councilmanic Districts *
Legal Owner(s): Eva Ward * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2019-207-SPH

* * * * *

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.

RECEIVED

JAN 28 2019

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of January, 2019, a copy of the foregoing Entry of Appearance was mailed to Eva Ward, 12033 Jerusalem Road, P.O. Box 52, Kingsville, Maryland 21087, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections

February 12, 2019

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: 2019-0207-SPH

12033 Jerusalem Road

S/east side of Jerusalem Road at distance of 30 ft. s/west of Chapman Road

11th Election District – 5th Councilmanic District

Legal Owners: Eva Ward

Special Hearing to approve a waiver as authorized in Sec. 32-8-301, BCC, from requirements of Design Manual, Design Plate DF-1, for a zero ft. setback from the floodplain accepted for filing in the DPR Bureau, PAI, in lieu of the required 20 ft. setback in Design Manual plat DR-1 for a new dwelling to be built on existing foundation.

Hearing: Thursday, March 14, 2019 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204 .

A handwritten signature in black ink, appearing to read "Mike Mohler".

Mike Mohler
Director

AJ:kl

C: Eva Ward, 12033 Jerusalem Road, P.O. Box 52, Kingsville 21087

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, FEBRUARY 22, 2019.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

TO: THE DAILY RECORD
Friday, February 22, 2019 - Issue

Please forward billing to:

Casey Whitley
12033 Jerusalem Road
P.O. Box 52
Kingsville, MD 21087

443-465-3314

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: 2019-0207-SPH

12033 Jerusalem Road

S/east side of Jerusalem Road at distance of 30 ft. s/west of Chapman Road

11th Election District – 5th Councilmanic District

Legal Owners: Eva Ward

Special Hearing to approve a waiver as authorized in Sec. 32-8-301, BCC, from requirements of Design Manual, Design Plate DF-1, for a zero ft. setback from the floodplain accepted for filing in the DPR Bureau, PAI, in lieu of the required 20 ft. setback in Design Manual plat DR-1 for a new dwelling to be built on existing foundation.

Hearing: Thursday, March 14, 2019 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Mike Mohler
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.



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, Director
Department of Permits,
Approvals & Inspections

March 7, 2019

Eva Ward

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

No. **177780**

Date: **1/8/19**

PAID RECEIPT

BUSINESS ACTUAL TIME
1/09/2019 1/08/2019 11:23:37

REG 0503 WALKIN CAM
>>RECEIPT # 903522 1/08/2019 OFLN
Dept 5 528 ZONING VERIFICATION
177780

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					75.00

Recpt Tot \$ 75.00
.00 CK 100.00 CA
25.00- CG
Baltimore County, Maryland

Total: **75.00**

Rec From: **EVA WARD**

For: **12033 Jerusalem Rd.**
Case # 2019-0207-SPH

DISTRIBUTION

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

**CASHIER'S
VALIDATION**

Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Michael Mohler, Acting Director
Department of Permits, Approvals

DATE: Feb 25, 2019

FROM: *EFC for VKD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For February 04, 2019
Item No. 2019-0205-A, 0206-X, 0207-SPH, 0208-A, 0209-SPH, 0210-A,
01211-A, 0212-SPH, 0213-SPH, & 0214-A

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

*

*

*

*

*

VKD: cen
cc: file

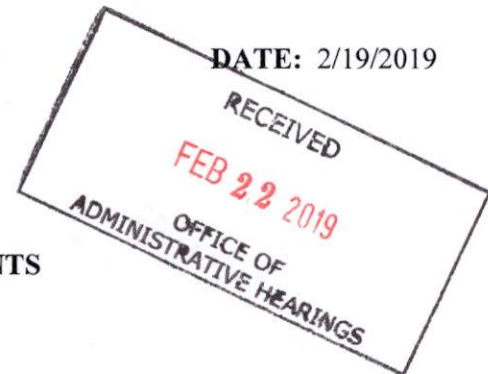
3-141

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Mike Mohler
Acting Director, Permits, Approvals and Inspections

FROM: Jeff Mayhew
Acting Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-207



INFORMATION:

Property Address: 12033 Jerusalem Road

Petitioner: Eva Ward

Zoning: RC 5

Requested Action: Special Hearing

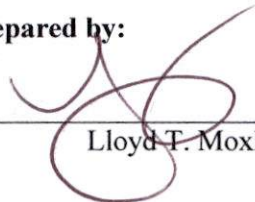
The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve a waiver for a zero foot setback from the floodplain in lieu of the required 20 feet.

The Department understands through discussions with the petitioner that the existing building footprint is to be used and its location relative to the floodplain will remain unchanged.

The Department has no objection to granting the petitioned zoning relief.

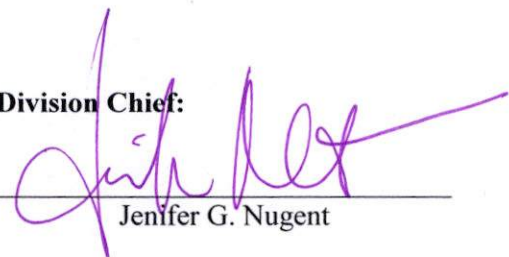
For further information concerning the matters stated herein, please contact Kaylee Justice at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

JM/JGN/LTM/

c: Kaylee Justice
Eva Ward
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: February 13, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0207-SPH
Address 12033 Jerusalem Road
(Ward Property)

Zoning Advisory Committee Meeting of **February 4, 2019**.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

Reviewer: Regina Esslinger

**BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE**

TO: Michael Mohler, Director,
Department of Permits, Approvals and Inspections

ATTN: Kristen Lewis
MS 1105

FROM: Steven Walsh, Director, 
Department of Public Works

DATE: January 31, 2019

SUBJECT: Case No: 2019-0207-SPH
12033 Jerusalem Road, Kingsville, Maryland 21087

Special Hearing to determine whether or not the Administrative Law Judge should approve a waiver to the Department of Public Works Design Manual Plate DF-1 to approve a setback from the 100-year flood plain limit of less than 20 feet for a proposed covered porch for a residential building.

The Special Hearing involves an existing residence to be given a proposed covered porch with zero feet setback of the 100-year riverine floodplain.

The plans and documents submitted were reviewed and the Department of Public Works takes no exception to the approval of the waiver.

ECA/TWC/s

CC: Vishnubhai K. Desai, Chief, Development Plans Review
Peter M. Zimmerman, People's Council

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

Date: 1/28/19

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. 2019-0207-SPH

*Special Hearing
1544 Ward
12033 Jerusalem 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

PLEASE PRINT CLEARLY

CASE NUMBER

CASE NAME _____
CASE NUMBER _____
DATE 3-14-2019

PETITIONER'S SIGN-IN SHEET

ADDRESS

E - MAIL

[illegible]

CASE NAME _____
CASE NUMBER 2019-0207-SPH
DATE March 14, 2019

NAME _____

CITY, STATE, ZIP

E - MAIL

Mike Pierce

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

2/25

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)No Comment

2/13

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

2/19

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)No Objection

1/28

STATE HIGHWAY ADMINISTRATION

No Objection

1/31

TRAFFIC ENGINEERING
Dept. OF Public WorksComment

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 2/22/19SIGN POSTING (1st) Date: 2/22/19by HoffmanSIGN POSTING (2nd) Date: 3/9/19by HoffmanPEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search

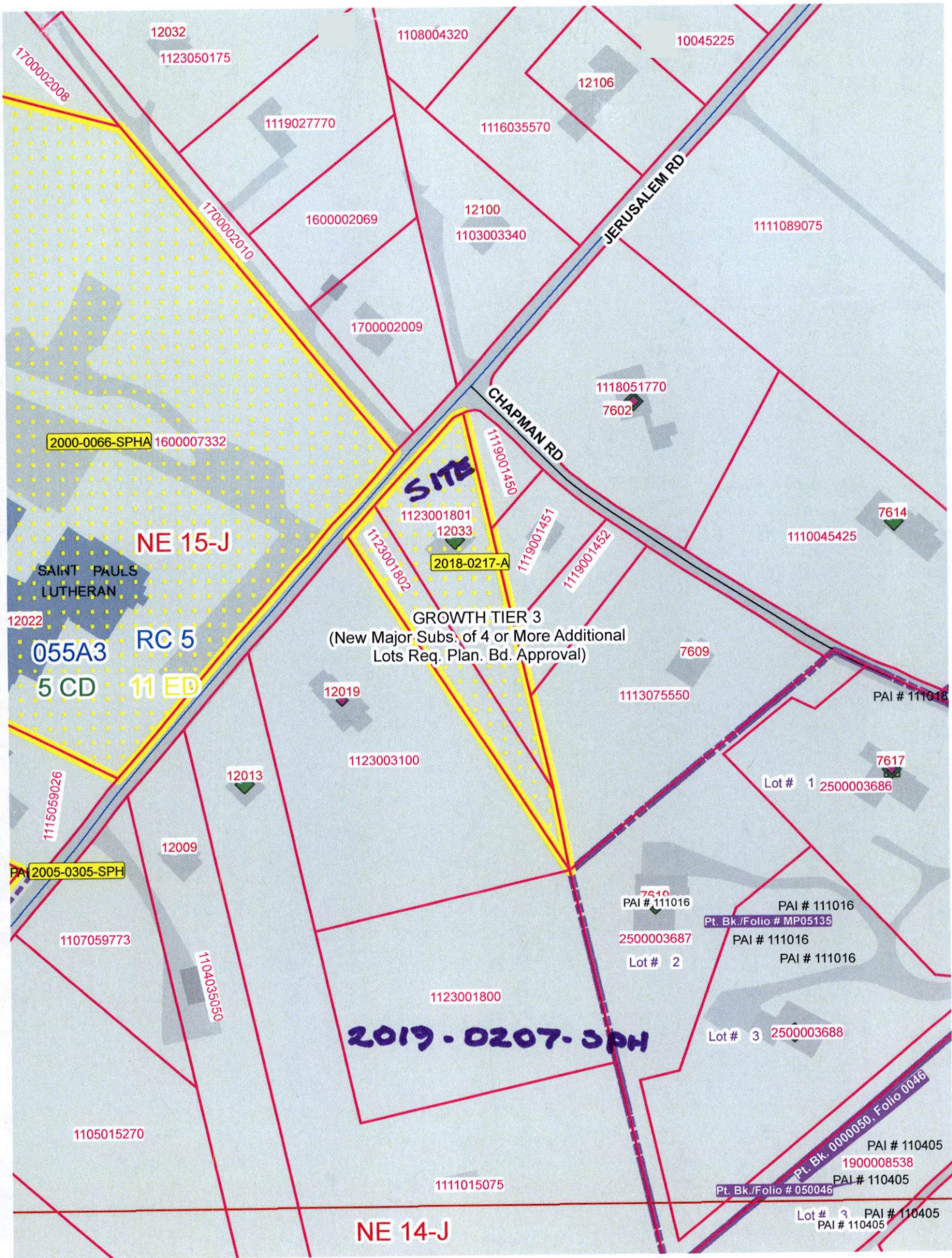
Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 11 Account Number - 1123001801			
Owner Information					
Owner Name:	WARD LOUIS M JR WARD EVA W		Use:	RESIDENTIAL	
Mailing Address:	PO BOX 52 KINGSVILLE MD 21087-0052		Principal Residence:	YES	
			Deed Reference:	/03985/ 00510	
Location & Structure Information					
Premises Address:	12033 JERUSALEM RD KINGSVILLE 21087-		Legal Description:	PT AC SES JERUSALEM SE NR ST PAULS LUTHE	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0055	0020	0067		0000	2018
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1963	945 SF		0.9700 AC	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
1	YES	STANDARD UNIT	STUCCO	1 full	1 Carport
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of 01/01/2018	As of 07/01/2018	As of 07/01/2019	
Land:	99,500	99,500			
Improvements	78,900	85,800			
Total:	178,400	185,300	180,700	183,000	
Preferential Land:	0			0	
Transfer Information					
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2018	07/01/2019		
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00	0.00 0.00		
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					

Homestead Application Status: App d 10/01/2013

Homeowners' Tax Credit Application Information

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



12032

1123050175

1108004320

10045225

12106

1119027770

1116035570

1600002069

12100

1103003340

1111089075

1700002009

1118051770

7602

2000-0066-SPHA 1600007332

NE 15-J

SAINT PAULS
LUTHERAN

055A3

RC 5

5 CD

11 ED

GROWTH TIER 3
(New Major Subs. of 4 or More Additional
Lots Req. Plan. Bd. Approval)

1123001801

12033

2018-0217-A

12019

1123003100

12013

12009

PAI 2005-0305-SPH

1107059773

1104036050

1105015270

1123001800

2019-0207-SPH

1111015075

NE 14-J

PAI # 111016

2500003687

Lot # 2

PAI # 111016

Pt. Bk./Folio # MP05135

PAI # 111016

PAI # 111016

Lot # 3 2500003688

Lot # 1 2500003686

PAI # 111016

7617

1110045425

7614

7609

1113075550

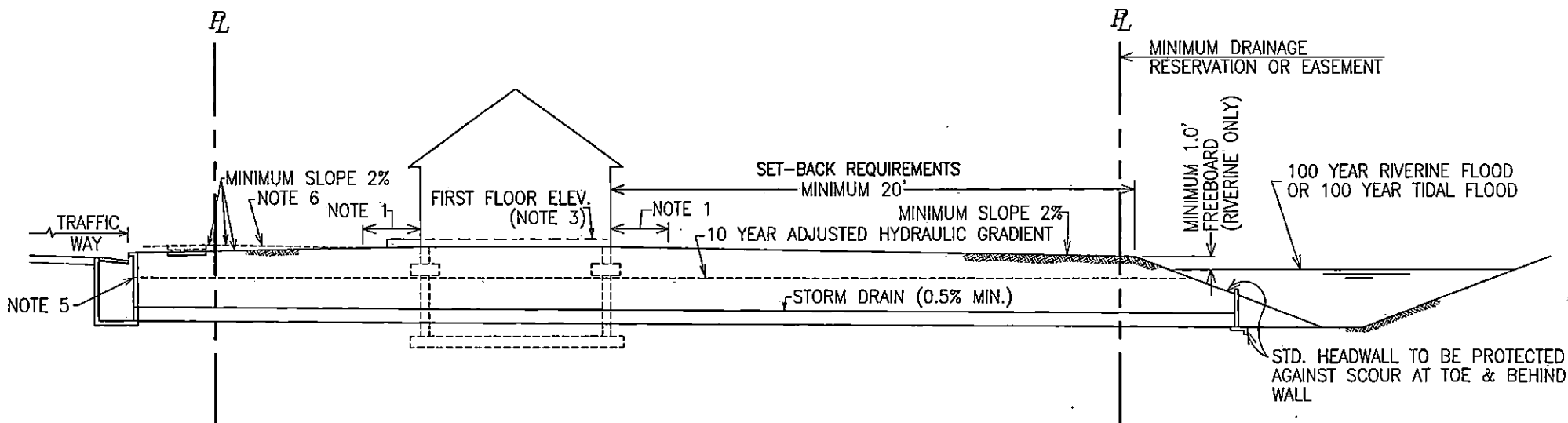
PAI # 110405

1900008538

PAI # 110405

Pt. Bk./Folio # 050046

Lot # 3 PAI # 110405
PAI # 110405



NOTES

NEW STRUCTURES OR ADDITIONS ADJACENT TO FLOODPLAIN

1. DESIRED SLOPE OF GROUND FOR 10' ADJACENT TO BUILDING IS 5% (ALL SIDES OF BUILDING).
2. THE 20' MINIMUM BUILDING SETBACK SHALL APPLY TO THE FRONT, REAR AND SIDES OF ALL RESIDENTIAL, COMMERCIAL, INDUSTRIAL OR INSTITUTIONAL STRUCTURES.
3. FIRST FLOOR ELEVATION TO BE 2 FEET ABOVE MAXIMUM FLOOD LEVEL OF 100-YEAR STORM (RIVERINE OR TIDAL).
4. BASEMENT CONSTRUCTION BELOW THE MAXIMUM FLOOD SHALL BE IN ACCORDANCE WITH ALL REQUIREMENTS OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
5. STORM DRAIN SHALL BE SIZED SO THAT 10 YEAR ADJUSTED HYDRAULIC GRADIENT IS 1'-6" MINIMUM BELOW THE ESTABLISHED GRADE (TOP OF CURB).
6. WHEN GROUND SLOPES TOWARD BUILDING, FLOW SHALL BE DIRECTED AROUND SIDES OF BUILDING USING ADEQUATELY SIZED SWALES OR DRAINS.
7. SEE SET-BACK REQUIREMENTS ABOVE. SET-BACK IS MEASURED FROM 100 YEAR FLOODPLAIN PLUS ONE-FOOT VERTICAL FREEBOARD.



DEPARTMENT OF PUBLIC WORKS
STORM DRAINAGE DESIGN

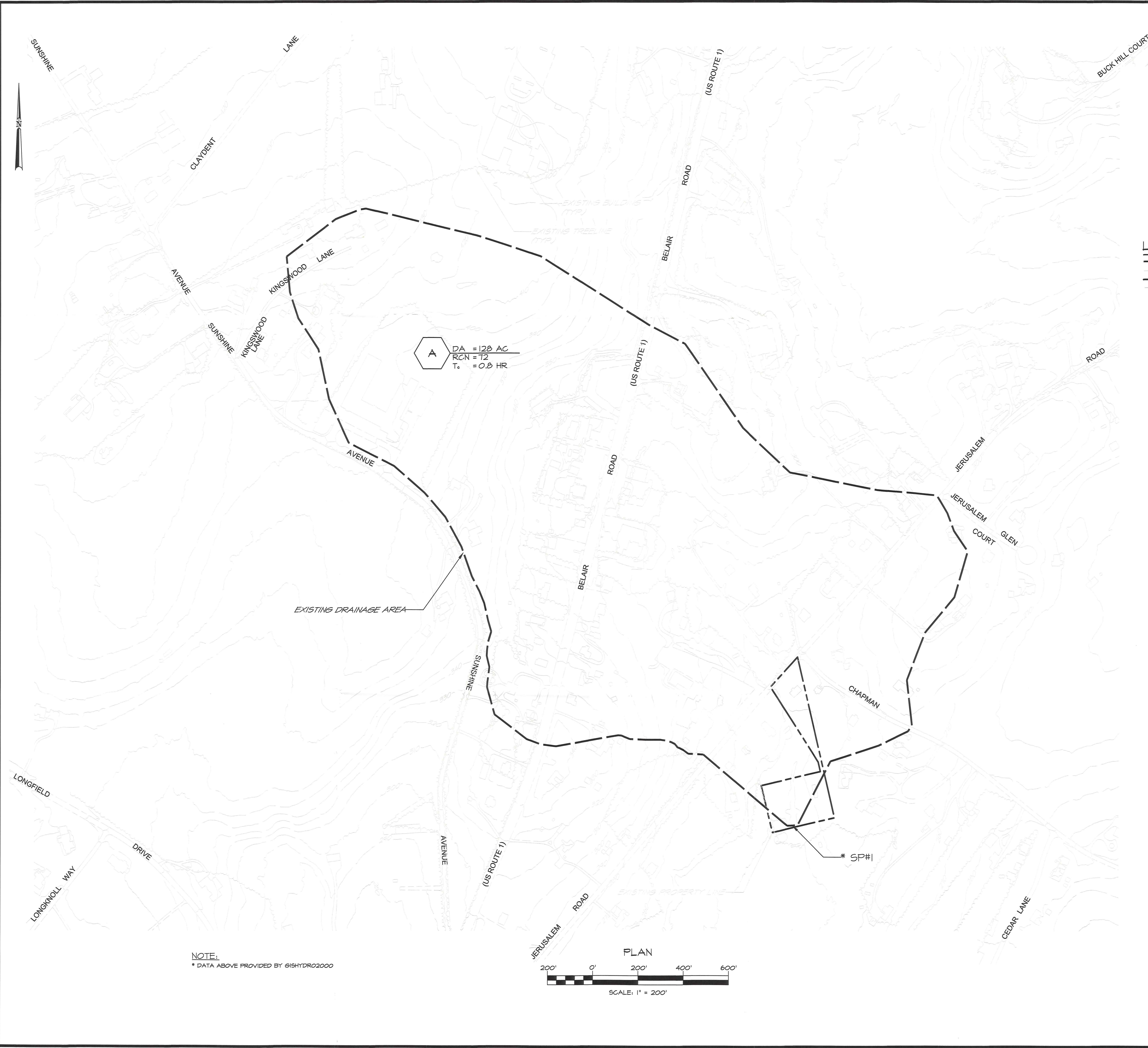
TYPICAL SECTION THROUGH LOT SHOWING MINIMUM DRAINAGE REQUIREMENTS

ISSUED: _____
REVISED: FEBRUARY, 1985
REVISED: MARCH, 2005

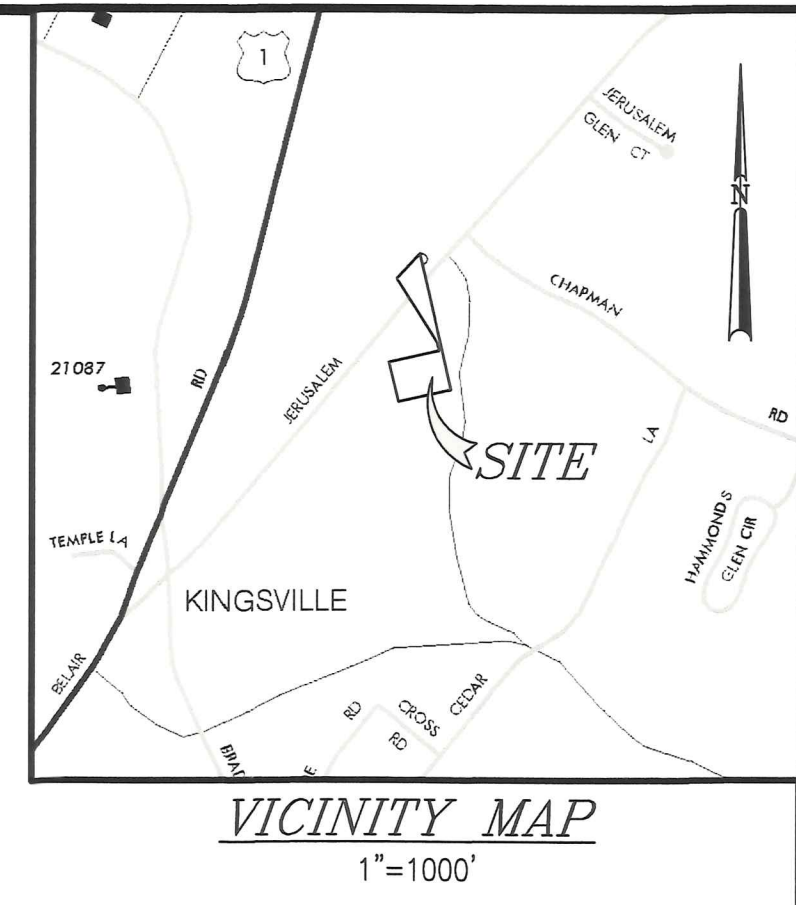
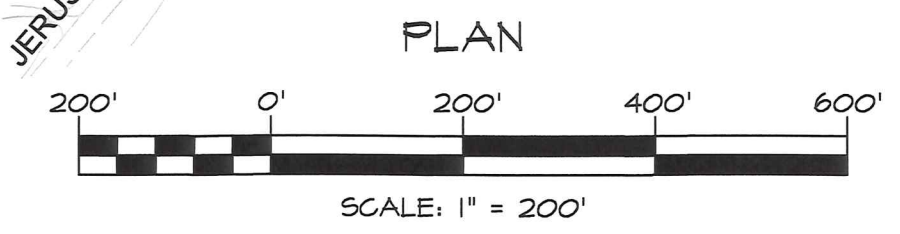
PLATE

DF-1

J:\PROJECTS\2181103.00 CASEY WHITLEY\12033 JERUSALEM RD BOUNDARY\DESIGN\ENGINEERING\CADD\HBITSDA MAP.DWG, DA MAP, 1/22/2019 5:19 AM, kscramlin



NOTE:
* DATA ABOVE PROVIDED BY 615HYDRO2000



LEGEND

	DRAINAGE AREA
	BUILDING
	PROPERTY LINE
	CONTOUR
	DA = 128 AC
	DRAINAGE AREA DELINEATION

RECEIVED
MAR 05 2019
DEPARTMENT OF PERMITS
APPROVALS AND INSPECTIONS

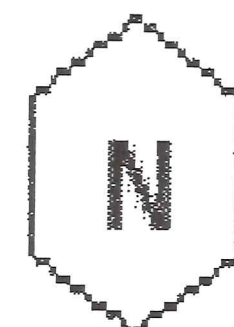
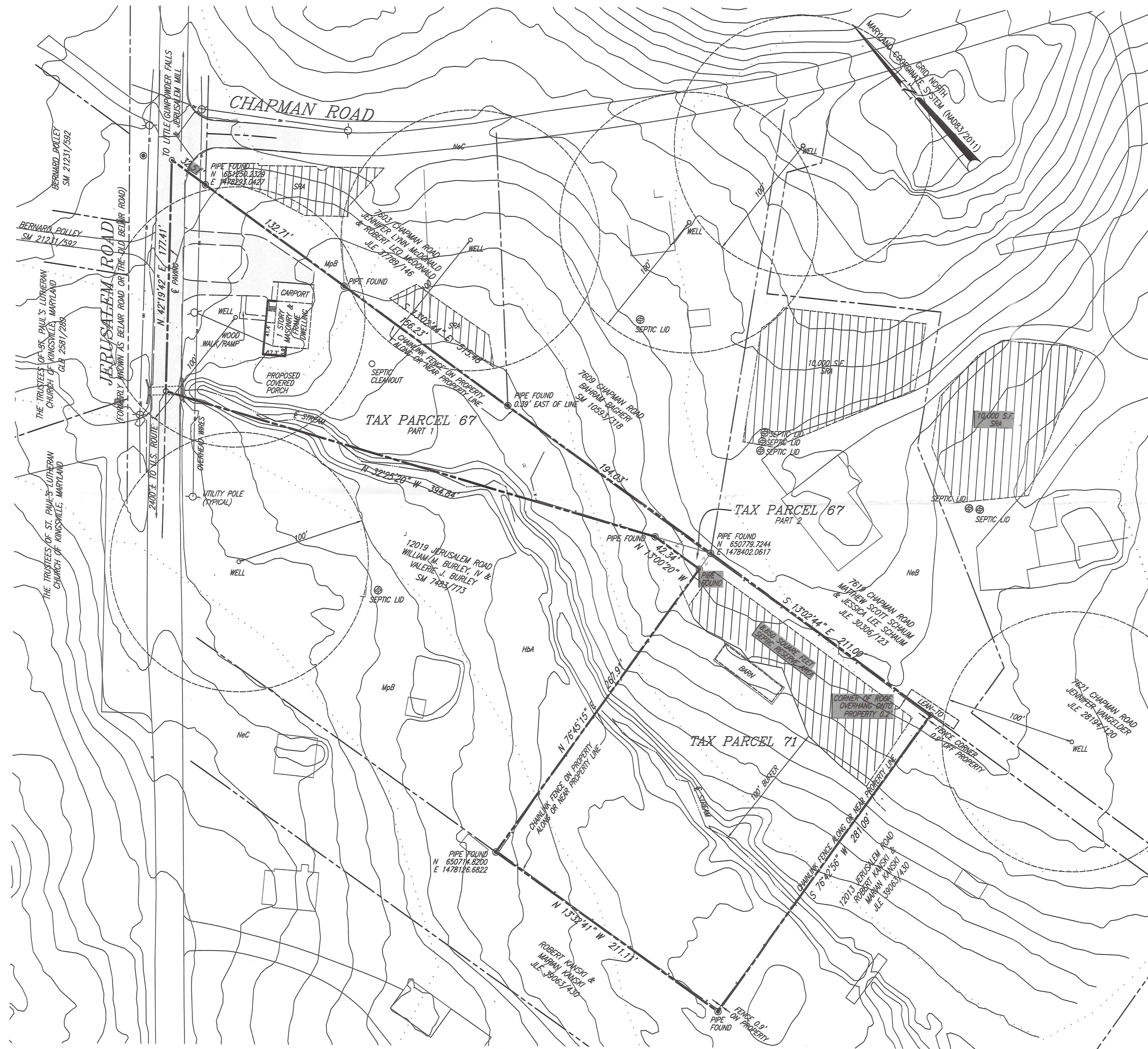
ARCHITECTS ENGINEERS PLANNERS SURVEYORS 410.879.2000 frederickward.com	
FWA FREDERICK WARD ASSOCIATES	
OWNER/DEVELOPER LOUIS M/ EVA W WARD, JR 12033 JERUSALEM ROAD KINGSVILLE, MD 21087	
DA MAP 12033 JERUSALEM ROAD	
BALTIMORE COUNTY KINGSVILLE, MD	
DATE: 1-02-19	DRAWING NO: DA1
SCALE:	SHEET 1 OF 1
DESIGNED BY TMM	DRAWN BY: BKS
FWA JOB NUMBER: 2181103	

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

ADDRESS 12033 Jerusalem Road OWNER(S) NAME(S) Eva Ward

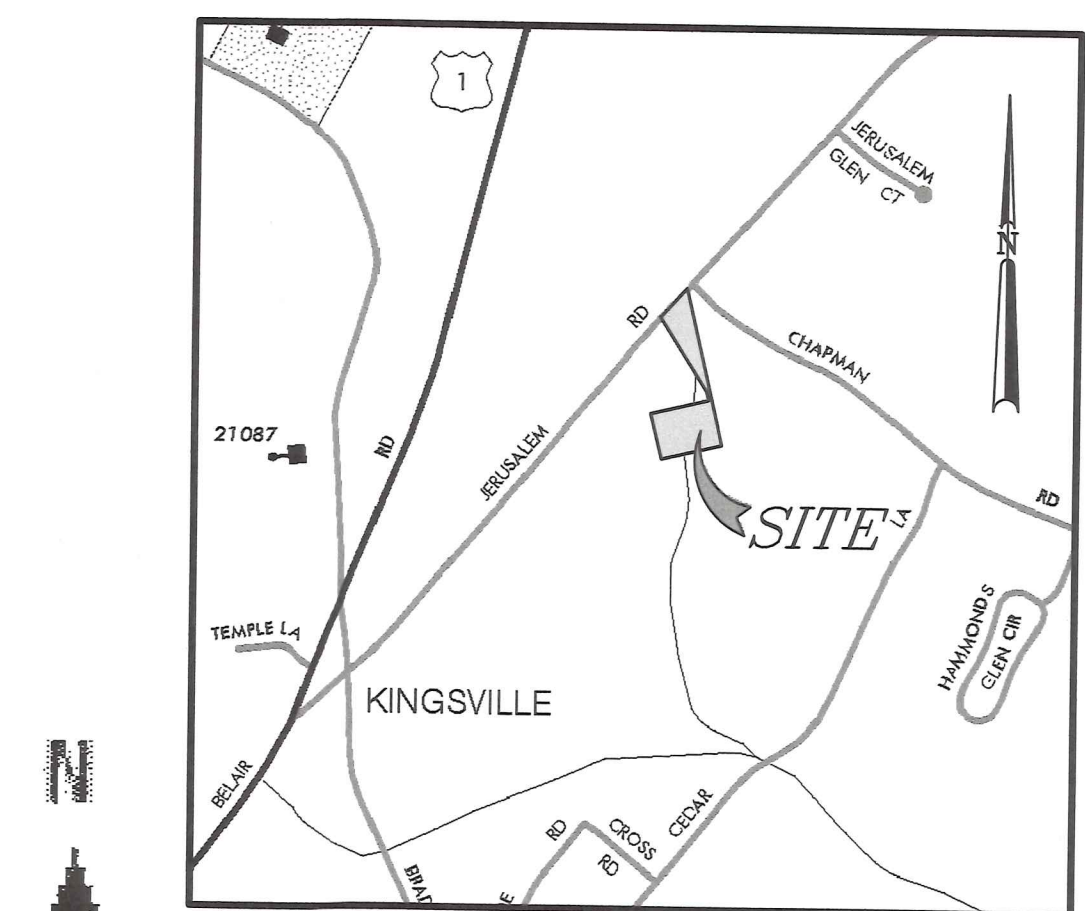
SUBDIVISION NAME 0000 LOT # _____ BLOCK # _____ SECTION # _____

PLAT BOOK # 0055 FOLIO # 67 10 DIGIT TAX # 11 2 3 0 0 1 8 0 1 DEED REF. # 0 3 9 8 5 / 0 0 5 1 0



PLAN DRAWN BY Tom Miner DATE 1/7/2019 SCALE: 1 INCH = 50 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 055A3

SITE ZONED RC 5

ELECTION DISTRICT 11

COUNCIL DISTRICT 5

LOT AREA ACREAGE 0.8644

OR SQUARE FEET 37,652

HISTORIC? No

IN CBCA? No

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC _____ PRIVATE X

SEWER IS:

PUBLIC _____ PRIVATE X

PRIOR HEARING? Yes

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

2018-
0217-A Granted variance for

side yard setback of 15 ft

VIOLATION CASE INFO: