

M E M O R A N D U M

DATE: May 14, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0209-SPH- Appeal Period Expired

The appeal period for the above-referenced case expired on May 13, 2019. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings

IN RE: **PETITION FOR SPECIAL HEARING** *

(21434 York Road)

7th Election District *

3rd Council District *

DWK Services, LLC *

Legal Owner

Petitioner

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2019-0209-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 DWK Services, LLC, legal owner ("Petitioner"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to confirm the continued use of a non-conforming residential structure built in the 1800's with two (2) apartments with that use dating back to prior to 1955 on a property with non-conforming area, setbacks and parking, and; continued use of two apartments in a single family home. A site plan was marked and admitted as Petitioner's Exhibit 1.

Margaret Stenner, Steve Zemanek, David Kondner and surveyor Bruce Doak appeared in support of the petition. Francis Borgerding, Jr., Esq. represented Petitioner. Two neighbors attended the hearing to express concerns regarding parking at the site. The Petition was advertised and posted as required by the BCZR. No substantive Zoning Advisory Committee (ZAC) comments were received from any of the County reviewing agencies.

The subject property is 0.221 acres in size and zoned RC-5. The property is located in the Maryland Line community and is improved with a dwelling constructed in 1878. Margaret Stenner testified her father purchased the home in or about 1941, at which time the dwelling had no bathrooms, heat, etc. She stated her parents began to make improvements in the 1950's, and that

ORDER RECEIVED FOR FILING

Date

4/11/19

By

sen

she, her husband and newborn lived in the upstairs apartment her parents created at that time. After her father's death Ms. Stenner purchased the home in 1988 and completed significant renovations to the property. She sold the home in 1992, and testified the dwelling had two apartments for the entire time she lived in or owned the property.

Petitioner presented testimony and affidavits from individuals who owned the property from 1992 to the present, each of whom described the two apartments in the home. In these circumstances I believe Petitioner has presented ample evidence confirming that the two apartment use predated the adoption of the BCZR, and the petition will therefore be granted.

THEREFORE, IT IS ORDERED this 11th day of **April, 2019** by this Administrative Law Judge, that the Petition for Special Hearing to confirm the continued use of a non-conforming residential structure built in the 1800's with two (2) apartments with that use dating back to prior to 1955 on a property with non-conforming area, setbacks and parking, and; continued use of two apartments in a single family home, 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 its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. The lawful nonconforming use approved herein shall consist of two (2) apartments, one on top of the other in the first and second floors of the dwelling. The basement area of the dwelling shall not be occupied by or rented to a tenant, and is not considered part of the non-conforming use approved above.
3. Petitioner shall within 60 days of the date hereof stripe three (3) parking spaces at the rear of the property and shall create two (2) additional parking spaces adjacent to the wood deck as shown on the revised site plan admitted as Petitioner's Exhibit 1. The newly created spaces may be paved or covered with stone or gravel.
4. Within 60 days of the date hereof Petitioner shall provide striping and signage as shown on the revised site plan to inform tenants and their guests no parking shall be permitted in the cross-hatched area which is adjacent to the parking spaces used by the owners/guests at 21432 York Road.

ORDER RECEIVED FOR FILING

Date 4/11/19
By Sen

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:sln

ORDER RECEIVED FOR FILING

Date 4/11/19

By sln

21434 York Road

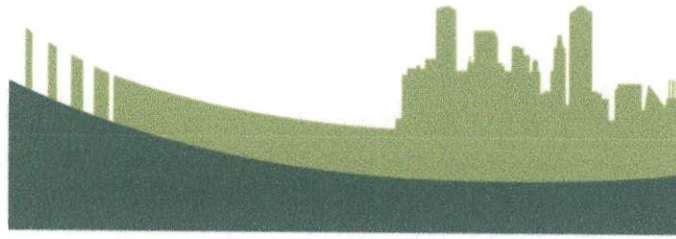
Case # 2619-0209 SP14

Partitions Requested

Special Hearing

To confirm the continued use of a non-conforming residential structure built in the late 1800's with two apartments with that use dating back to prior to 1955 on a property with non-conforming area, setbacks & parking.

Continued use of two apartments in a single family home



Zoning Description

21434 York Road
Seventh Election District Third Councilmanic District
Baltimore County, Maryland

Beginning at a point on the west side of York Road, 800 feet, more or less, southerly from the centerline of Old Harris Mill Road.

Thence running on the west side of York Road and running with and binding on the outlines of the subject property 1) South $20\frac{3}{4}$ degrees East $2\frac{1}{2}$ perches, thence leaving the west side of York Road and continuing to run with and bind on the outlines of the subject property, the three following courses and distances, viz. 2) South $69\frac{3}{4}$ degrees West 11 perches, 3) North $20\frac{3}{4}$ degrees West $2\frac{1}{4}$ perches and 4) North $69\frac{3}{4}$ degrees East 11 perches to the point of beginning.

Containing 0.221 of an acre of land, more or less.

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

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

2019-0209-SPH

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:

3/21/2019

Order #: 11713276
Case #: 2019-0209-SPH
Description:

NOTICE OF ZONING HEARING CASE NUMBER:
2019-0209-SPH



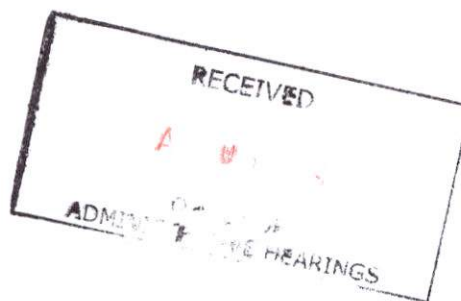
Darlene Miller, Public Notice Coordinator
(Representative Signature)

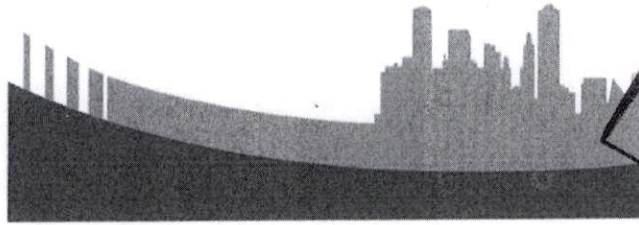
Baltimore County NOTICE OF ZONING HEARING The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows: CASE NUMBER: 2019-0209-SPH 21434 York Road W/s York Road, 800 ft. s/of Old Harris Mill Road 7th Election District - 3rd Councilmanic District Legal Owner: DWK Services, LLC Special Hearing to confirm the continued use of a non-conforming residential structure built in the late 1800's with two apartments with that use dating back prior to 1955 on a property with non-conforming area, setbacks & parking; continued use of two apartments in a single family home. Hearing: Wednesday, April 10, 2019 at 10:00 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 ACCOMMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3368. (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391. inh21

Sherry Nuffer

From: Bruce Doak <doakfarm@gmail.com>
Sent: Friday, April 5, 2019 10:23 AM
To: Sherry Nuffer
Cc: Administrative Hearings; Frank X. Borgerding Esq.
Subject: Case 2019-0209-SPH posting cert
Attachments: Posting cert 4 05 19.pdf

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





CERTIFICATE OF POSTING

March 19, 2019
April 05, 2019 amended for second inspection

Re:
Zoning Case No. 2019-0209-SPH
Legal Owner: DWK Services, LLC
Hearing date: April 10, 2019

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

Attention: Kristen Lewis

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at 21434 York Road.

The signs were initially posted on **March 14, 2019**.

The subject property was also inspected on **April 05, 2019**.

Sincerely,

Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

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

ZONING NOTICE

CASE NO. 2019-0209-SPH

21434 York Road

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

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

DATE & TIME: Wednesday April 10, 2019 10:00 AM

REQUESTS:

**SPECIAL HEARING TO CONFIRM THE CONTINUED USE OF A NON-
CONFORMING RESIDENTIAL STRUCTURE BUILT IN THE LATE 1800'S
WITH TWO APARTMENTS WITH THAT USE DATING BACK PRIOR TO 1955
ON A PROPERTY WITH NON-CONFORMING AREA, SETBACKS &
PARKING; CONTINUED USE OF TWO APARTMENTS IN A SINGLE FAMILY
HOME.**

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

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

THE HEARING IS HANDICAPPED ACCESSIBLE

ZONING NOTICE

**CASE NO. 2019-0209-SPH
21434 York Road**

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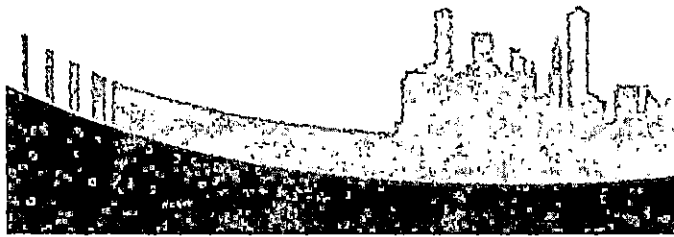
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THE HEARING IS HANDICAPPED ACCESSIBLE



CERTIFICATE OF POSTING

March 19, 2019

_____ amended for second inspection

Re:

Zoning Case No. 2019-0209-SPH

Legal Owner: DWK Services, LLC

Hearing date: April 10, 2019

Baltimore County Department of Permits, Approvals & Inspections

County Office Building

111 West Chesapeake Avenue, Room 111

111 West Chesapeake Avenue Towson, MD 21204

Attention: Kristen Lewis

Ladies and Gentlemen,

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The signs were initially posted on March 14, 2019.

The subject property was also inspected on _____.

Sincerely,

Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road

Freeland, MD 21053

410-419-4906 cell / 443-900-5535 office

bdoak@bruceedoakconsulting.com

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21434 York Road

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CASE NO. 2019-0209-SPH

21434 York Road

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THE HEARING IS HANDICAPPED ACCESSIBLE



RE: PETITION FOR SPECIAL HEARING
21434 York Road; W/S York Road, 800'
S of the c/line of Old Harris Mill Road
7th Election & 3rd Councilmanic Districts
Legal Owner(s): DWK Services, LLC
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2019-209-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.

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

JAN 28 2019

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 Bruce Doak, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053 and Francis Borgerding, Jr., Esquire, 409 Washington Avenue, Suite 600, Towson, Maryland 21204, Attorney for 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

March 6, 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: 2019-0209-SPH

21434 York Road

W/s York Road, 800 ft. s/of Old Harris Mill Road

7th Election District – 3rd Councilmanic District

Legal Owner: DWK Services, LLC

Special Hearing to confirm the continued use of a non-conforming residential structure built in the late 1800's with two apartments with that use dating back prior to 1955 on a property with non-conforming area, setbacks & parking; continued use of two apartments in a single family home.

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

A handwritten signature in cursive script, appearing to read "Mike Mohler".

Mike Mohler
Director

MM:kl

C: Francis Borgerding, Jr., 409 Washington Avenue, Ste. 600, Towson 21204
David Kondner, Sr., 10920 Beckman Way, Great Falls VA 22066
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MARCH 21, 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
Thursday, March 21, 2019 - Issue

Please forward billing to:
DWK Services, LLC
Attn. David Konder, Sr.
10920 Beckman Way
Great Falls, VA 22066

571-488-4449

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: 2019-0209-SPH
21434 York Road
W/s York Road, 800 ft. s/of Old Harris Mill Road
7th Election District – 3rd Councilmanic District
Legal Owner: DWK Services, LLC

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Hearing: Wednesday, April 10, 2019 at 10:00 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.

**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: 2019-0209-SPH
Property Address: 21434 YORK ROAD
Property Description: WEST SIDE OF YORK ROAD 800'± SOUTH OF
CENTRALINE OF OLD HARRIS MILK ROAD
Legal Owners (Petitioners): DWK SERVICE LLC
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____
Company/Firm (if applicable): DWK SERVICE LLC
Address: 10920 BECKMAN WAY
GREAT FALLS VA 22066

Telephone Number: 571-488-4449

Revised 5/20/2014

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

No. **177779**

Date: **1-10-19**

PAID RECEIPT

BUSINESS SCHOOL 114 149
 1/10/2019 1/10/2019 11:30:02 2

REC 0002 WALKIN JEE
 >>RECEIPT # 090035 1/10/2019 OFLN
 Dept 5 328 ZONING VERIFICATION

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

Rec'd Tot \$ 75.00
 75.00 CK .00 Ca
 Baltimore County, Maryland

Total: **75.00**

Rec

From: **21434 York Rd**

For: **2019-0209- SPH**

**CASHIER'S
 VALIDATION**

DISTRIBUTION

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



JOHN A. OLSZEWSKI, JR.
County Executive

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

April 3, 2019

Francis X. Borgerding Jr.
409 Washington Ave. #600
Towson MD 21204

RE: Case Number: 2019-0209-SPH, 21434 York 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 January 1, 2019. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
David W. Kondner 10920 Beckman Way Great Falls VA 22066
Bruce E. Doak 3801 Baker Schoolhouse Road Freeland MD 21053

4-10-19

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 2/22/2019

FROM: Jeff Mayhew
Acting Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-209



INFORMATION:

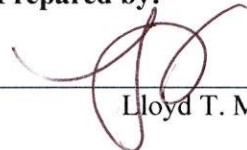
Property Address: 21434 York Road
Petitioner: DWK Services, LLC
Zoning: RC 5
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for as special hearing to determine whether or not the Administrative Law Judge should approve the continued use of a non-conforming residential structure.

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

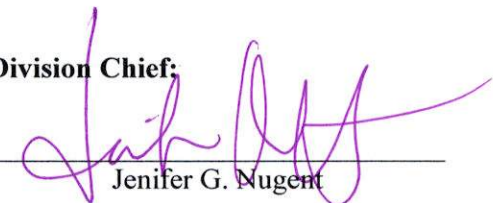
For further information concerning the matters stated herein, please contact Joseph Wiley at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



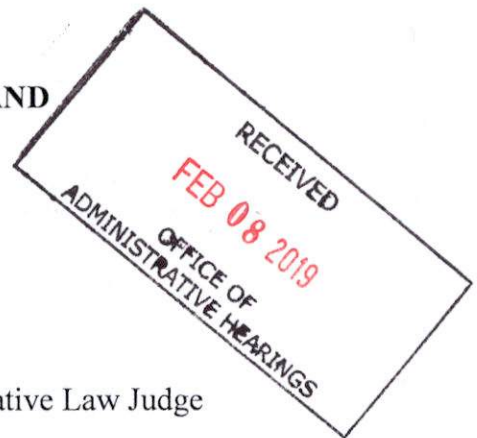
Jenifer G. Nugent

JM/JGN/LTM/

c: Joseph Wiley
Bruce E. Doak, Bruce E. Doak Consulting
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 8, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0209-SPH
Address 21434 York Road
(DWK Services, LLC Property)

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

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

Reviewer: Steve Ford

Date: 1/28/19

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

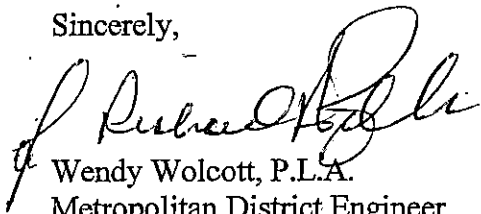
Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 1/28/19. A field inspection and internal review reveals that an entrance onto MD45 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for

Special Highway, Case Number 2019-0209-SPH
DWK Services, LLC, David Kedner, Sr.
21434 York Road.
MD45

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

Sincerely,



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

WW/RAZ

CASE NAME DWK SERVICES LLC
CASE NUMBER 2019-0209-SPH
DATE 4/10/19

[illegible]

CASE NAME _____
CASE NUMBER _____
DATE _____

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
------	---------	------------------	----------

[illegible]

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

DEVELOPMENT PLANS REVIEW

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

DEPS

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

FIRE DEPARTMENT

PLANNING

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

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

3/21/19

SIGN POSTING (1st)

Date:

3/14/19

by

Doak

SIGN POSTING (2nd)

Date:

4/5/19

by

Doak

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 - 07 Account Number - 0708065950							
Owner Information										
Owner Name:			DWK SERVICE LLC			Use:		RESIDENTIAL		
						Principal Residence:		NO		
Mailing Address:			10920 BECKMAN WAY GREAT FALLS VA 22066-			Deed Reference:		/40283/ 00461		
Location & Structure Information										
Premises Address:			21434 YORK RD FREELAND 21053-			Legal Description:		.221 AC 21434 YORK RD WS 1575FT S OF FREELAND RD		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0003	0021	0068		0000				2017	Plat Ref:	
Special Tax Areas:					Town:		NONE			
					Ad Valorem:					
					Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
1878		2,200 SF				9,626 SF		04		
Stories	Basement	Type	Exterior		Full/Half Bath		Garage	Last Major Renovation		
2 1/2	YES	STANDARD UNIT	ASBESTOS SHINGLE		2 full					
Value Information										
			Base Value	Value		Phase-in Assessments				
				As of 01/01/2017		As of 07/01/2018		As of 07/01/2019		
Land:			53,500	53,500						
Improvements			145,300	142,300						
Total:			198,800	195,800		195,800		195,800		
Preferential Land:			0					0		
Transfer Information										
Seller: ZEMANEK STEPHEN				Date: 05/25/2018			Price: \$189,000			
Type: ARMS LENGTH IMPROVED				Deed1: /40283/ 00461			Deed2:			
Seller: WHITELEY AMY G				Date: 01/25/1999			Price: \$138,000			
Type: ARMS LENGTH IMPROVED				Deed1: /13473/ 00128			Deed2:			
Seller: STENNER RICHARD H				Date: 02/25/1992			Price: \$105,000			
Type: ARMS LENGTH IMPROVED				Deed1: /09069/ 00140			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 Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application

Date:

GENERAL SITE INFORMATION

1. Ownership: DWK Services LLC
10920 Beckman Way Great Falls VA 22066
2. Address: 21434 York Road Freeland, MD 21053
3. Deed references: JLE 40283 / 461
4. Area: 0.221 acre (per SDAT)
5. Tax Map / Parcel / Tax account #: 03 / 68 / 07-08-065950
6. Election District: 7 Councilmanic District: 3
ADC Map: 4008F6 GIS tile: 0038B3 Position sheet: 152NW8
Census tract: 407002 Census block: 24005407000021
Schools: Seventh District ES Hereford MS Hereford HS
7. The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 0038B3 and the information provided by Baltimore County on the internet.
8. Improvements: Multi family dwelling & parking lot. The existing dwelling and parking lot will remain. The subject dwelling was built in 1878 (per SDAT).

OFFICE OF ZONING

Zoning: R.C. 5 There are no previous zoning cases on the subject parcels.

Parking Calculations

Required parking spaces: 4 (2 families x 2 = 4)
Parking spaces provided on site: 5

R.C. 5 Setbacks for Residential Buildings

Required
Front: 150 feet to the center line of a collector road or scenic route
Side / Rear: 50 feet to property line
Per 1A04.3.B.1.a.1 (the subject lot was created prior to September 2, 2003)

Existing
Front: 51'±
Side: 3'±
Rear: 125'±

R.C. 5 Residential Area

1.5 acres
Per 1A04.3.B.1.a.1 (the subject lot was created prior to September 2, 2003)

ENVIRONMENTAL IMPACT

Watershed: Deer Creek

1. The existing dwelling is currently served by a private well and septic system.
2. There are no underground storage tanks on the subject property.
3. The subject property is not in the Chesapeake Bay Critical Area.
4. The subject property is not located within a 100 year flood plain.

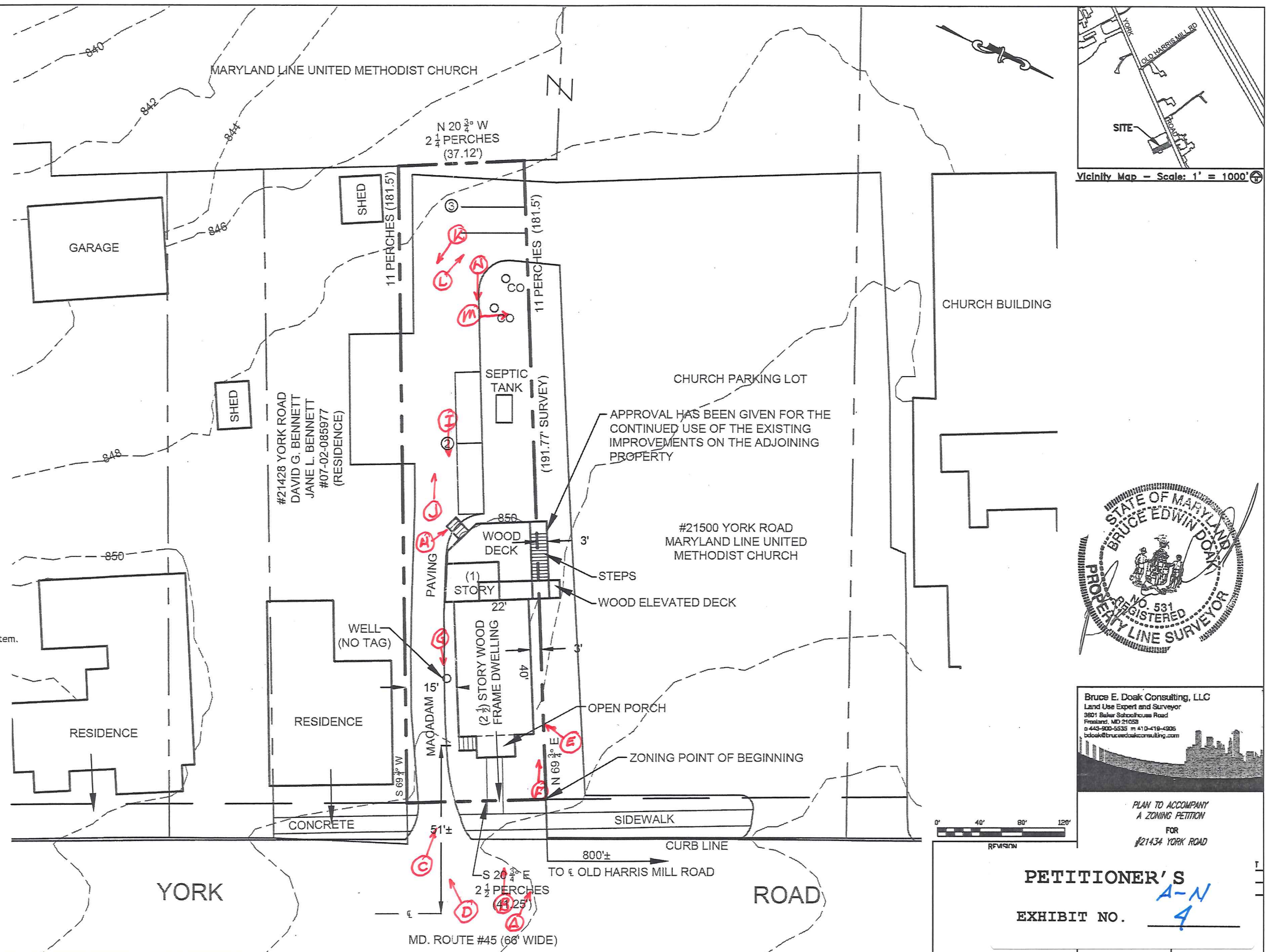
OFFICE OF PLANNING

Regional Planning District: Hereford / Maryland Line District Code: 301

1. The subject dwelling is not historic. The subject property is not in a historic district.
2. Growth Tier: 3 (Large lot development allowed on septic system)

PROPOSED DEVELOPMENT

To continue the use of the existing building as a two-family dwelling



PLAN TO ACCOMPANY PHOTOGRAPHS



















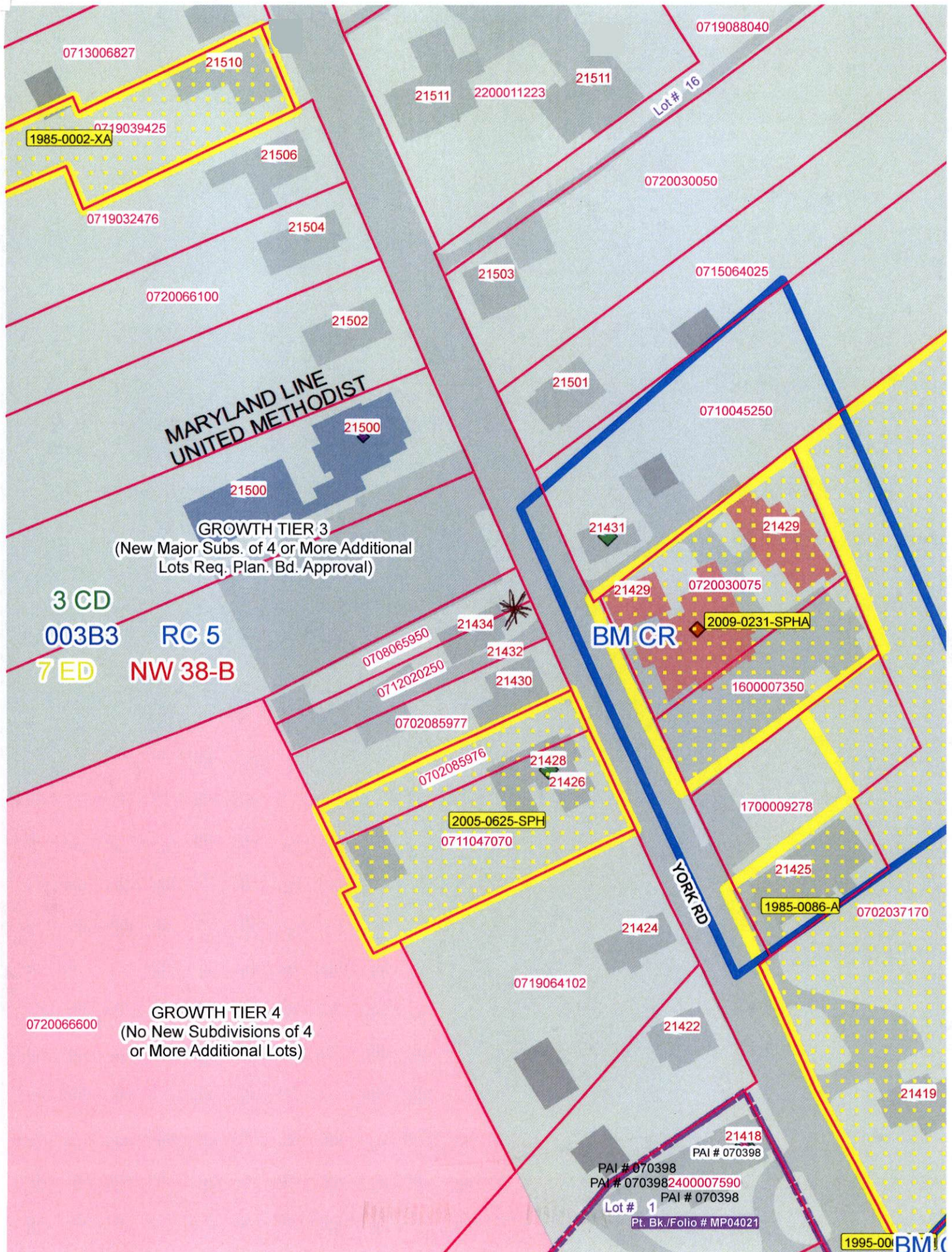












Dear Mr. Konder,

November 27, 2018

As a former Realtor, I can understand your dilemma concerning the necessity of getting land records and such in order for a property sale to go to finalization.

With that in mind, I will try to go back in time and remember the details of how the former "Knights of Pythias" hall in Maryland Line became our home. This place is called by our surviving family members the "Hoffheiser House".

The house we rented in 1941 was sold, we needed to move. Alvah M. and Grace C. Hoffheiser, with a family of four young girls; petitioned the remaining members of the "Knights" to allow them to rent there, as no meeting had been held for some time. There was no electricity, plumbing, heat or even walls.

Mom and Dad, former teachers, had worked so hard to buy a farm; everything they worked for was lost during the Depression, they were desperate. They were approved, we moved in around 1942, it was a hard scrabble life, but we being young we girls didn't realize it. I was six yrs old at the time, the youngest; the oldest was sixteen. Others at the ME Church close by were in the same shape. Our parents were on the original building committee of the ME Church next door, having a window in their name in the vestibule.

We made do with curtain separators for our rooms, hauling water from a friend's barn, oil lamps, oil cook stove and coal stove for heat, outhouse in back. My sister's and I were blessed with loving parents that never gave up; they kept their faith in God. I remember my Dad teaching me the meaning of "perseverance"; Mom and Dad were great examples of this ethic for us girls and all the generations since. We have a wonderful extended family, who as very young children, visited their Grandparents there and remember many good times, meals and lots of love. I am the last living daughter and sister, Margaret Grace Hoffheiser Stenner, 83 years of age. How this old building became what it is:

Purchase from the Knights of Pythias Lodge: Was around 1948- 1950.

This is when the Hoffheisers started on the work of dividing this big room into livable rooms. Hopefully, the Baltimore Co. Land Records will be able to zero in on this date, since you now have the original owner's name.

They also planned for an apartment in the second floor, adding a staircase to access the upper floor from the rear of the home. They included this upper living space to accommodate me, my husband and our young son. As time went on, our family increased and we were able to buy our own home, thanks especially for the help we received living there. Although we offered, Mom & Dad wouldn't accept any rent payment. Down through the years, that nice apartment upstairs became a haven for folks who needed a hand up. Local newly weds lived there; our daughter made her home there when a newly wed, our son and wife resided there, and some others they trusted to live there caused damage that needed repair.

Our son and wife were the last ones who lived there, they have since moved to Florida. My Mother passed away in 1975 and Dad died in December 1987 at the age of 91 yrs. while they were living upstairs.

The Hoffheiser Estate was settled in the spring of 1988, by my sister, Catherine A. Miller who was appointed executor, according to the will. She passed away, October 27th of this year; her estate is entering into settlement very soon, although her son will continue to live at her home in Mt Carmel Md. I believe all the paperwork from the settlement of the Hoffheiser Estate is in her attic. If any of that paperwork is needed, I can retrieve it through her son, I believe.

At that time, my present husband Richard and I purchased the place from the estate, which needed to be repaired and updated. We felt it was a good investment; we also wanted to keep the family home and put it in better repair. Our settlement Attorney was Henry Peck of Venable, Baetjaer and Howard; 210 W. Pennsylvania Ave., Towson, Md 21204, phone 410.494.6200. Atty. Peck was aware that we were going to rent both floors at that time, even tried to tell us he never made any money on rentals.

PETITIONER'S

EXHIBIT NO.

2

We made many repairs upstairs and downstairs, opened up small rooms for larger rooms, rewired the electric, reglazed & painted the windows, insulated the walls, installed new wall board and flooring, painted walls, installed a new front porch. Richard and I were both working full time and stopping by after work to do some more repairs, lucky to get home by 9:00 pm or so. It looked really renewed; we had a grand reopening of the Hoffheiser house for the whole family, which had expanded greatly by then.

This was in the time of industry "down sizing", we both were laid off and times were tough, so we put the Hoffheiser House up for sale in 1991. It looked really renewed. We sold the house in Md. Line to Ms. Amy Whitely at that time, she planned to live downstairs and rent the upstairs. Once again, when it sold, we were never advised that there were any codes against renting this house.

We can honestly say, since then we don't know much about what happened as far as owners. It is plain to see the ongoing owners have done more wonders inside and out. The internet sale listing was simply amazing. Richard and I are very pleased to be able to see this valuable property so cared for and updated. It was worth all the loving effort we and many of our family members have put into keeping it in repair. If possible, we would like the sellers to be able to see this history of their place.

In closing, I realize I went on a lot however, as the oldest member of our clan, I just need our extended family and anyone who purchases this place to know about the history and heritage this place represents. Richard and I are hoping that this information will help you get this property "grandfathered in" as far as the rental zoning requires. If we can help in any other way, please feel free to contact us here in Crisfield MD, our lovely retirement community.

Best regards,
Margaret H and Richard H. Stenner
Our address is: 207 N. Somerset Ave. Crisfield, MD 21817.
Phone 410.968.1085

From: Awhiteley <awhiteley@comcast.net>
Sent: Friday, April 5, 2019 11:30 AM
To: Frank Borgerding; David Kondner, Sr.
Subject: 21434 York Rd. Clarification of timeline

Hello Mr. Borgerding and Mr. Kondner

I will not be able to attend the zoning hearing but I am happy to provide you with my statement as to my previous ownership of the property located at 21434 York Road in Maryland Line, Maryland.

Around June of 1991 I rented the first floor unit at the above address from Richard Stenner. The upstairs unit was rented to another tenant at that time. After I had been living there for a short period of time Mr. Stenner indicated that he was putting the property on the market. Therefore, feeling that a 2 unit rental was a good investment, I purchased the property from Mr. Stenner. I settled on the purchase around February of 1992. I continued to live in the first floor unit and rented the upstairs unit to tenants for the entire time that I owned the property. The units (first floor and second floor) each had 2 bedrooms, 1 bathroom a living room and a kitchen. They were also separately metered for electricity and each unit had a separate entrance. In the late fall of 1998 I decided to sell the property and move to my current home in Shrewsbury, PA. I sold the property to Steve Zemanek and I believe settlement occurred around the end of January 1999.

I hope that this information is helpful in supporting your case for zoning. Please feel free to have your attorney or anyone from Baltimore County contact me if they seek further clarification.

Amy G. Whiteley
5 Shetland Drive
Shrewsbury, PA 17361
(717) 227-9719

Note that, after referring to the Maryland State Department of Assessments and Taxation website, I realized that some of the dates in my original statement were incorrect. The above statement reflects the timeframe more accurately.

Real Property Data Search

Search Result for BALTIMORE COUNTY

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Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 07 Account Number - 0708065950			
Owner Information					
Owner Name:		DWK SERVICE LLC		Use:	RESIDENTIAL
				Principal Residence:	NO
Mailing Address:		10920 BECKMAN WAY GREAT FALLS VA 22066-		Deed Reference:	/40283/ 00461
Location & Structure Information					
Premises Address:		21434 YORK RD FREELAND 21053-		Legal Description:	.221 AC 21434 YORK RD WS 1575FT S OF FREELAND RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0003	0021	0068		0000	
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
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1878	2,200 SF		9,626 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2 1/2	YES	STANDARD UNIT	ASBESTOS SHINGLE	2 full	
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2017	07/01/2018	07/01/2019	
Land:	53,500	53,500			
Improvements	145,300	142,300			
Total:	198,800	195,800	195,800	195,800	
Preferential Land:	0			0	
Transfer Information					
Seller: ZEMANEK STEPHEN		Date: 05/25/2018	Price: \$189,000		
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Type: ARMS LENGTH IMPROVED		Deed1: /13473/ 00128	Deed2:		
Seller: STENNER RICHARD H		Date: 02/25/1992	Price: \$105,000		
Type: ARMS LENGTH IMPROVED		Deed1: /09069/ 00140	Deed2:		
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2018	07/01/2019		
County:	000	0.00			
State:	000	0.00			

PET. 5

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Parking spaces provided on site: 5

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Side / Rear: 50 feet to property line
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Side:	3'±
Rear:	125'±

1.5 acres
Per 1A04.3.B.1.a.1 (the subject lot was created prior to September 2, 2003)

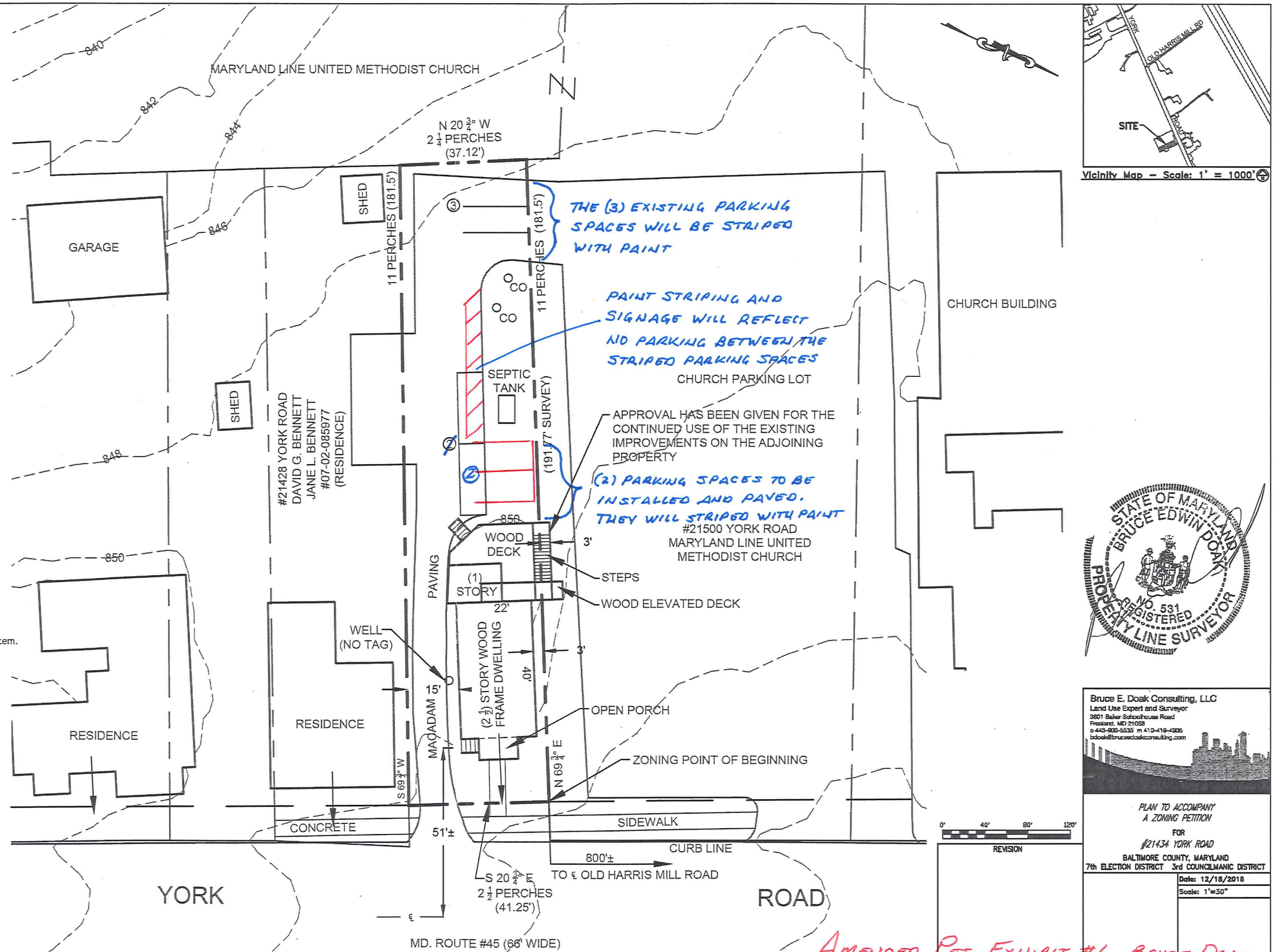
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2. There are no underground storage tanks on the subject property.
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1. The subject dwelling is not historic. The subject property is not in a historic district.
2. Growth Tier: 3 (Large lot development allowed on septic system)

To continue the use of the existing building as a two-family dwelling



AMENDED PET. EXHIBIT #1 BRUCE DOAK

2019-0209-SPH ^{4/10/19}