

MEMORANDUM

DATE: September 16, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0238-SPH - Appeal Period Expired

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

/dlw

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
(33 S. Prospect Avenue)		
1 st Election District	*	OFFICE OF
1 st Council District		
918 Courtney Road, LLC,	*	ADMINISTRATIVE HEARINGS
Legal Owner		
	*	FOR BALTIMORE COUNTY
Petitioner		
	*	Case No. 2019-0238-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 918 Courtney Road, LLC, legal owner ("Petitioner"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("BCZR") to determine whether or not the Zoning Commissioner should approve the non-conforming use of a two-unit dwelling. A site plan was marked and admitted as Petitioner's Exhibit 1.

Joshua Willet and Rick Richardson with Richardson Engineering appeared in support of the petition. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. No substantive Zoning Advisory Committee ("ZAC") comments were received from any of the reviewing County agencies.

SPECIAL HEARING

The subject property is 2,400 square feet in size and is zoned DR 10.5. The property is improved with an end-of-group row house located in the Catonsville area. The dwelling was constructed in 1946 and Petitioner submitted photographs showing the subject property has two electric meters, mailboxes and entry doors. See Petitioner's Exhibit 3. Photos were also submitted showing several other end-of-group homes in the neighborhood which have two apartment units.

ORDER RECEIVED FOR FILING

Date 8-14-19

By [Signature]

Mr. Willet also indicated he spoke with several long-time residents in the community who told him the subject property always had two separate apartments for as long as they could remember.

In light of the above, I believe Petitioner has established a lawful non-conforming use for the two-unit dwelling, pursuant to BCZR § 104. It was not until 1970 (Bill No. 100-1970) that Baltimore County first adopted regulations concerning the conversion of one-family dwellings to two-family units. See BCZR § 402.1. While the subject property does not comply with the lot size and setbacks set forth in the aforementioned regulation, I find based on the evidence summarized above it is more than likely that the two-family use pre-dated the 1970 effective date of that regulation.

THEREFORE, IT IS ORDERED this 14th day of **August, 2019** by this Administrative Law Judge, that the Petition for Special Hearing to approve the non-conforming use of a two-unit dwelling, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

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


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 8-14-19

2

By 



PETITION FOR ZONING HEARING

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 33 S. Prospect Avenue which is presently zoned DR-10.5
Deed References: 41063/13 10 Digit Tax Account # 0116450880
Property Owner(s) Printed Name(s) 918 Courtney Road, LLC

(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. X a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a non-conforming use of a 2 unit dwelling.
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:

918 Courtney Road, LLC
Joshua Willet member
Name #1 - Type or Print _____ Name #2 - Type or Print _____
Signature #1 _____ Signature #2 _____
3595 Church Road Ellicott City MD
Mailing Address _____ City _____ State _____
21043 / 717-465-7101 / josh@atlanticpacificmarketing.com
Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

Richardson Engineering, LLC, Rick Richardson
Name - Type or Print _____
Signature _____
30 E. Padonia Road, Suite 500 Timonium, MD
Mailing Address _____ City _____ State _____
21093 / 410-560-1502 / rick@richardsonengineering.net
Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2019-0228-SPH Filing Date 2/15/2019

Do Not Schedule Dates: _____ Reviewer JNP

**ZONING DESCRIPTION FOR
33 SOUTH PROSPECT AVENUE
MONICA D LEE
1ST ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the East side of South Prospect Avenue (50' R.O.W.) at a distance of 174' +/- North of the centerline the intersection of South Prospect Avenue and Altamont Avenue (40' R.O.W.)

Being Lot #5, Section #H in the Subdivision known as Wilson Place, as recorded in the land records of Baltimore County in Plat Book 12, folio 28. Containing a net area of 2,400 square feet, or 0.06 acres of land, more or less. Located in the 1st Election District and the 1st Council District.

CONTAINING A NET AREA OF 2,400 SQUARE FEET, OR 0.06 ACRES OF LAND, MORE OR LESS

2019-0238-SPH

CERTIFICATE OF POSTING

2019-0238-SPH

RE: Case No.: _____

Petitioner/Developer: _____

918 Courtney Road, LLC

August 12, 2019

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

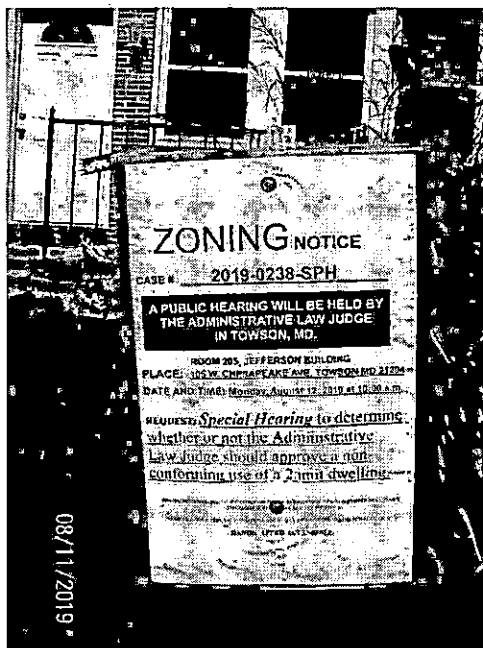
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

33 S. Prospect Avenue

SIGN 1 Recertification

July 22, 2019

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 August 11, 2019
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2019-0238-SPH

RE: Case No.: _____

Petitioner/Developer: _____

918 Courtney Road, LLC

August 12, 2019

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

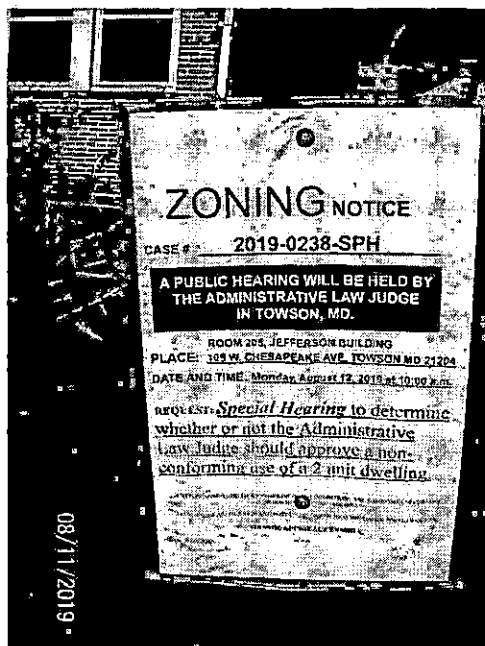
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

33 S. Prospect Avenue

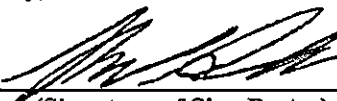
SIGN 2 Recertification

July 22, 2019

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 August 11, 2019
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

TO: THE DAILY RECORD
Tuesday, July 23, 2019

Please forward billing to:
Josh Willet
3595 Church Road
Ellicott City, MD 21043

717-465-7101

NOTICE OF ZONING HEARING

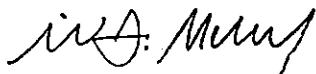
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2019-0238-SPH

33 S. Prospect Avenue
NE/s of S. Prospect Avenue, n/w of Altamont Avenue
1st Election District – 1st Councilmanic District
Legal Owners: 918 Courtney Road, LLC

Special Hearing to determine whether or not the Administrative Law Judge should approve a non-conforming use of a 2 unit dwelling.

Hearing: Monday, August 12, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Michael Mallinoff
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.

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:

7/23/2019

Order #: 11770377
Case #: 2019-0238-SPH
Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2019-0238-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: 2019-0238-SPH 33 S. Prospect Avenue NE/s of S. Prospect Avenue, n/w of Altamont Avenue 1st Election District - 1st Councilmanic District Legal Owners: 018 Courtney Road, LLC Special Hearing to determine whether or not the Administrative Law Judge should approve a non-conforming use of a 2 unit dwelling. Hearing: Monday, August 12, 2019 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204 Michael Mallinoff 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. Jy23

CERTIFICATE OF POSTING

2019-0238-SPH

RE: Case No.: _____

Petitioner/Developer: _____

918 Courtney Road, LLC

August 12, 2019

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

33 S. Prospect Avenue

SIGN 1

July 22, 2019

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 July 22, 2019
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2019-0238-SPH

RE: Case No.: _____

Petitioner/Developer: _____

918 Courtney Road, LLC

August 12, 2019

Date of Hearing/Closing: _____

**Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204**

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

33 S. Prospect Avenue

SIGN 2

July 22, 2019

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

July 22, 2019

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2019-0238-SPH

RE: Case No.: _____

Petitioner/Developer: _____

918 Courtney Road, LLC

August 12, 2019
Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

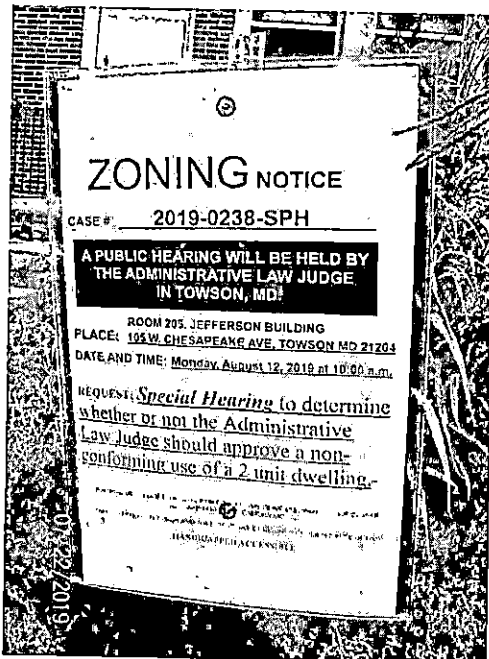
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

33 S. Prospect Avenue

SIGN 2

July 22, 2019

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

July 22, 2019

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2019-0238-SPH

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Petitioner/Developer: _____

918 Courtney Road, LLC

August 12, 2019

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

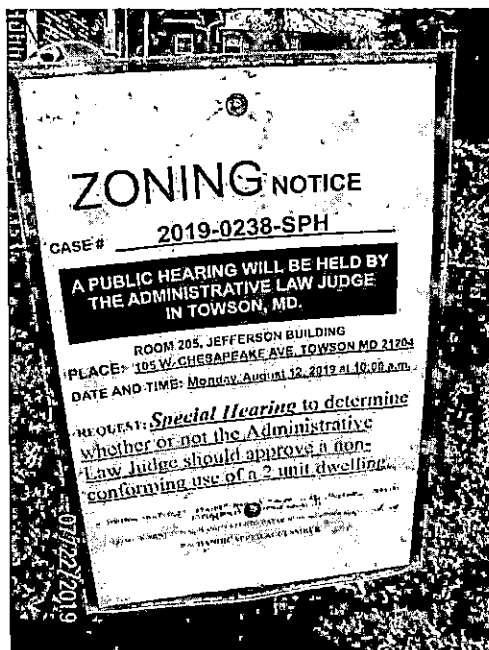
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

33 S. Prospect Avenue

SIGN 1

July 22, 2019

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 July 22, 2019
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

July 16, 2019

NEW 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: 2019-0238-SPH

33 S. Prospect Avenue
NE/s of S. Prospect Avenue, n/w of Altamont Avenue
1st Election District – 1st Councilmanic District
Legal Owners: 918 Courtney Road, LLC

Special Hearing to determine whether or not the Administrative Law Judge should approve a non-conforming use of a 2 unit dwelling.

Hearing: Monday, August 12, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Joshua Willet, 3595 Church Road, Ellicott City 21043
Richardson Engineering, 30 E. Padonia Avenue, Ste. 500, Timonium 21093

- NOTES; (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 23, 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.

Debra Wiley

From: Debra Wiley
Sent: Monday, April 15, 2019 1:57 PM
To: John E. Beverungen; Lawrence Stahl; Sherry Nuffer
Cc: Kristen L Lewis; Rick Richardson (rick@richardsonengineering.net)
Subject: Change to April Calendar (4/18 @ 11 AM)

Good Afternoon,

Please be advised that Case No. 2019-0238-SPH scheduled for Thursday, April 18th @ 11 AM will not go forward. Rick Richardson advised that the sign posting was not completed. There is no need for Mr. Richardson to attend; however, our office will hold onto the file in the event that anyone attends. We will have them sign in on a sign-in sheet and they will be notified once Mr. Richardson gets a new date from Kristen.

Please mark your calendars accordingly.

Thanks.

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:

3/29/2019

Order #: 11715291
Case #: 2019-0238-SPH
Description:

CASE NUMBER: 2019-0238-SPH-NOTICE OF ZONING HEARING



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2019-0238-SPH

33 S. Prospect Avenue

NE/s of S. Prospect Avenue, n/w of Altamont Avenue

1st Election District - 1st Councilmanic District

Legal Owners: 918 Courtney Road, LLC

Special Hearing to determine whether or not the Administrative Law Judge should approve a non-conforming use of a 2 unit dwelling.

Hearing: Thursday, April 18, 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 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.

mh20

RE: PETITION FOR SPECIAL HEARING
33 S. Prospect Avenue; NE/S of S. Prospect
Avenue, 174' NW of Altamont Avenue
1st Election & 1st Councilmanic Districts
Legal Owner(s): 918 Courtney Road LLC
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2019-238-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

MAR 08 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 8th day of March, 2019, a copy of the foregoing Entry of Appearance was mailed to Richardson Engineering, LLC, 30 E. Padonia Road, Suite 500, Timonium, Maryland 21093, Representative 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 11, 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:

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33 S. Prospect Avenue
NE/s of S. Prospect Avenue, n/w of Altamont Avenue
1st Election District – 1st Councilmanic District
Legal Owners: 918 Courtney Road, LLC

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Hearing: Thursday, April 18, 2019 at 11:00 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: Joshua Willet, 3595 Church Road, Ellicott City 21043
Richardson Engineering, 30 E. Padonia Avenue, Ste. 500, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MARCH 29, 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, March 29, 2019 - Issue

Please forward billing to:

Josh Willet
3595 Church Road
Ellicott City, MD 21043

717-465-7101

NOTICE OF ZONING HEARING

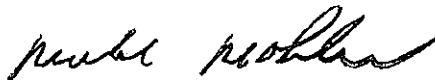
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105 West Chesapeake Avenue, Towson 21204



Mike Mohler
Director of Permits, Approvals and Inspections for Baltimore County

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- (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

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 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 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:

Item Number or Case Number: 2019-0238-SPH

Petitioner: 918 COURTNEY ROAD, LLC

Address or Location: 33 S. PROSPECT AVE

PLEASE FORWARD ADVERTISING BILL TO:

Name: JOSEPH WILLET

Address: 918 COURTNEY RD, LLC

3595 CHURCH RD

ELLICOTT CITY, MD 21043

Telephone Number: 717 465-7101

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

No. **180723**

PAID RECEIPT

Date: **2-15-19**

BUSINESS ACTUAL TIME DRW
 2/15/2019 2/15/2019 10:16:08 1

REC DEPT WALKIN LJR
 >>RECEIPT 833488 2/15/2019 OFLN

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Dept	Amount
001	806	0000		6150				5	75.00

528 ZONING VERIFICATION
 180723
 Recd Tot \$ 75.00
 75.00 CK .00 CA
 Baltimore County, Maryland

Total: **75.00**

Rec From: **918 Courtney Road, LLC**
 For: **SPH - 33 S. Prospect Ave**
2019 - 0238 - SPH (918 Courtney Road, LLC)

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**



JOHN A. OLSZEWSKI, JR.
County Executive

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

April 11, 2019

Joshua Willet
3595 Church Road
Ellicott City MD 21043

RE: Case Number: 2019-0238-SPH, 33 S. Prospect Ave

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 February 15, 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Richardson Engineering LLC 30 E. Padonia Road Suite 500 Timonium MD 21093

4-18-19
11 AM

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

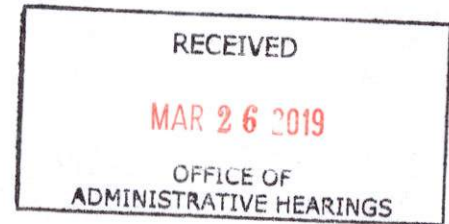
DATE: 3/21/2019

FROM: Jeff Mayhew
Acting Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-238

INFORMATION:

Property Address: 33 S Prospect Avenue
Petitioner: Joshua Willet
Zoning: DR 10.5
Requested Action: Special Hearing



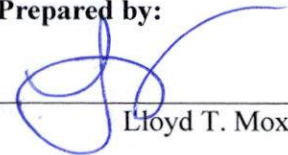
The Department of Planning has reviewed the petition for special hearing to determine whether or not the administrative Law Judge should approve a non-conforming use of a 2 unit dwelling.

A site visit was conducted on March 8, 2019. The site is within the boundaries of Catonsville/ Patapsco Sustainable Community Area.

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

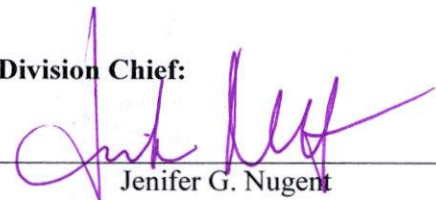
For further information concerning the matters stated herein, please contact Josephine Selvakumar at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

JM/JGN/LTM/

c: Josephine Selvakumar
Patrick C. Richardson, Richardson Engineering, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

4-18-19



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: March 19, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0238-SPH
Address 33 S. Prospect Avenue
(918 Courty Road, LLC Property)

Zoning Advisory Committee Meeting of **March 11, 2019.**

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

Reviewer: Steve Ford

Date: 3/7/19

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

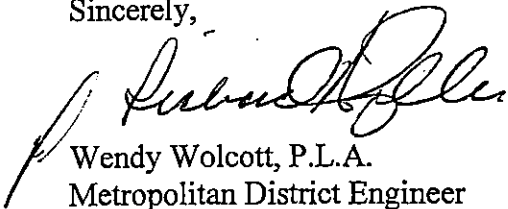
Dear Ms. Lewis:

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. 2019-0238-SPH

*Special Hearing
918 County Road, LLC
33 South Prospect Avenue.*

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

Sincerely,



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

WW/RAZ

4-18-19

CASE NO. 2019-

0238 SPH

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

SIGN POSTING (1st)

Date:

by _____

SIGN POSTING (2nd)

Date:

by _____

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration			
Tax Exempt:		Special Tax Recapture:							
Exempt Class:		NONE							
Account Identifier:		District - 01 Account Number - 0101740850							
Owner Information									
Owner Name:		918 COURTNEY ROAD LLC				Use:		RESIDENTIAL	
Mailing Address:		3595 CHURCH ROAD ELLCOTT CITY MD 21043-				Principal Residence:		NO	
						Deed Reference:		/41063/ 00013	
Location & Structure Information									
Premises Address:		33 S PROSPECT AVE BALTIMORE 21228-3532				Legal Description:		33 S PROSPECT AVE WILSON PLACE	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0101	0009	1282		0000	H		5	2019	0012/ 0028
Special Tax Areas:		Town:				NONE			
		Ad Valorem:							
		Tax Class:							
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1946		1,200 SF		300 SF		2,400 SF		04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
2	YES	END UNIT	BRICK	2 full					
Value Information									
		Base Value		Value		Phase-in Assessments			
				As of		As of		As of	
				01/01/2019		07/01/2018		07/01/2019	
Land:		60,000		70,000					
Improvements		95,900		115,300					
Total:		155,900		185,300		155,900		165,700	
Preferential Land:		0						0	
Transfer Information									
Seller: LEE MONICA D		Date: 01/16/2019				Price: \$148,000			
Type: ARMS LENGTH IMPROVED		Deed1: /41063/ 00013				Deed2:			
Seller: MILLER WILLIAM S		Date: 01/29/2001				Price: \$85,000			
Type: ARMS LENGTH IMPROVED		Deed1: /14943/ 00624				Deed2:			
Seller: HOTTLE PAUL M		Date: 08/23/1984				Price: \$58,500			
Type: ARMS LENGTH IMPROVED		Deed1: /06772/ 00191				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:

CASE NAME 33 PROSPECT AVE
CASE NUMBER 2019-0238-SPH
DATE 8/12/19

[illegible]

8/12 10Am

CASE NO. 2019- 0238-SPH

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>3-19</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
<u>3-21</u>	PLANNING (if not received, date e-mail sent _____)	<u>No objection</u>
<u>3-7</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>7-23-19</u>	<u>The Daily Record</u>
SIGN POSTING (1 st)	Date: <u>7-22-19</u>	by <u>Black</u>
SIGN POSTING (2 nd)	Date: <u>8-11-19</u>	by <u>"</u>
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: Missing 2nd cut. for sign posting - left v.m. for Rick Richardson
on 8-9 @ 10:42 Am. ✓ Rec'd

8-12-19
10:10m

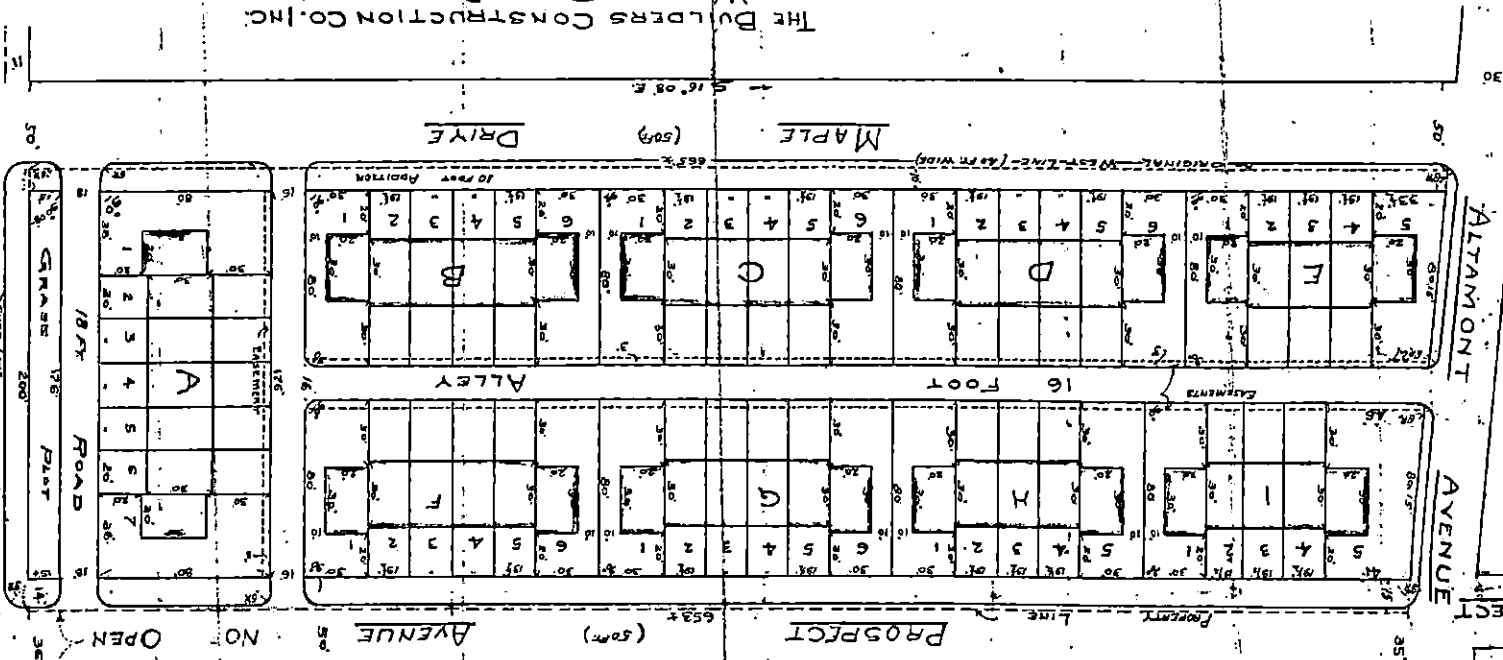
Debra Wiley

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Sunday, August 11, 2019 9:43 PM
To: Rick Richardson; Administrative Hearings
Subject: Recertification's For 2019-0238-SPH
Attachments: Re-Cert 1 2019-0238-SPH.doc; Re-Cert 2 2019-0238-SPH.doc

CAUTION: This message from 1opie@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

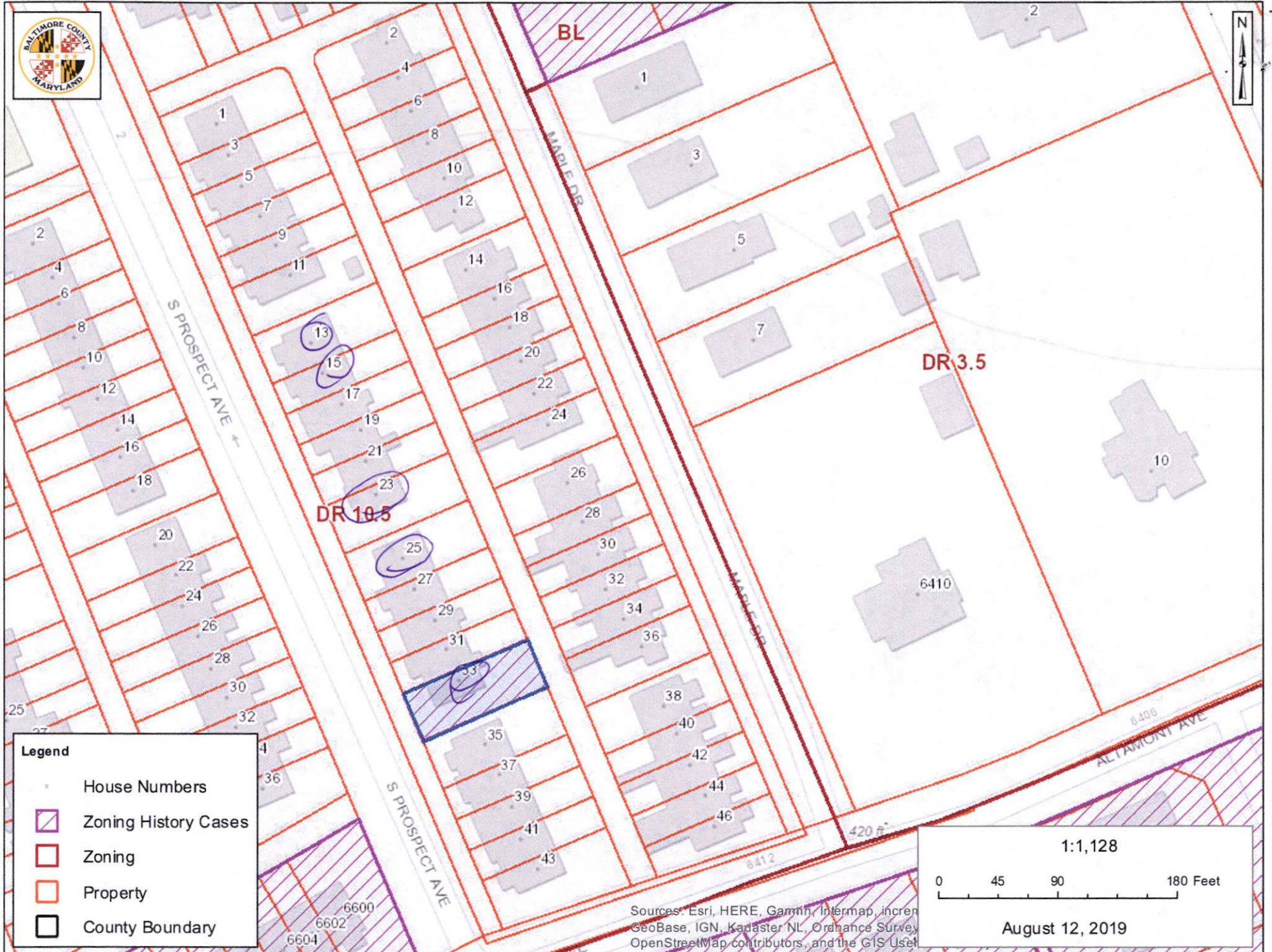
Recertification's for 33 S. Prospect Avenue. Thanks.

The Builders Construction Co., Inc.
 WILSON PLACE DEVELOPMENT
 40 SCALE - JAN. 11, 1939.
 CATONSVILLE, MARYLAND

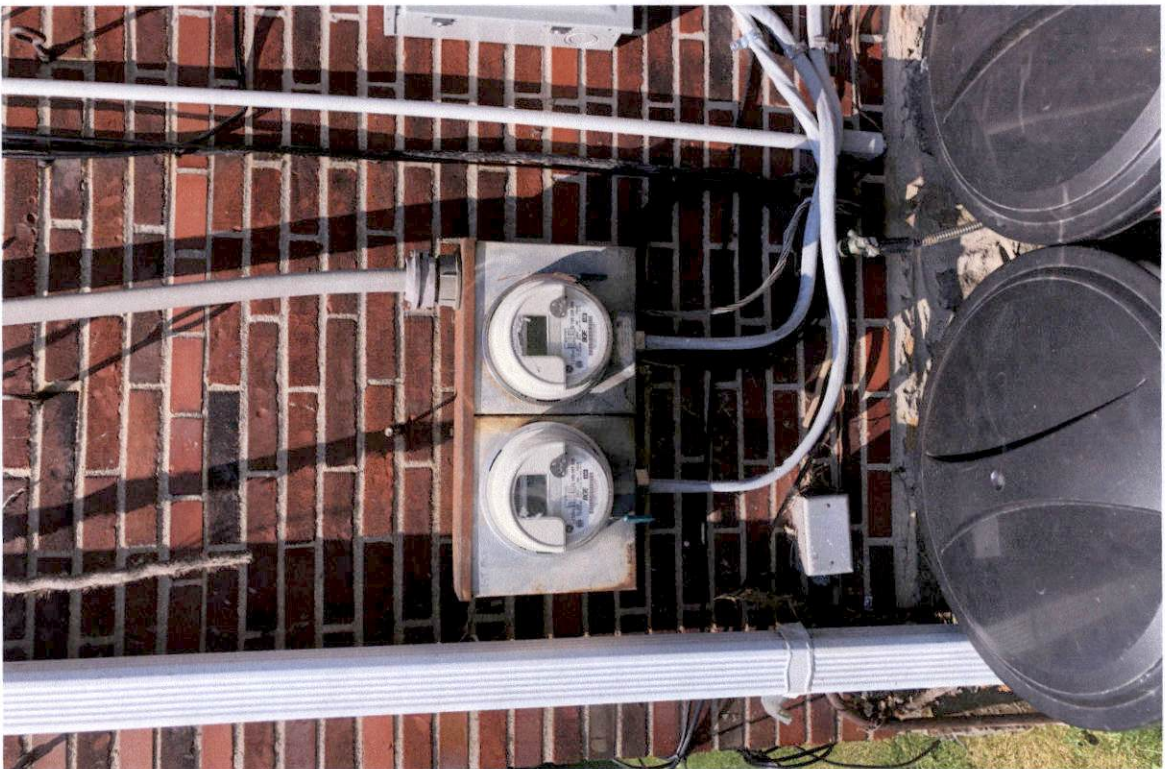


RET. 2

Baltimore County - My Neighborhood



PET. 3







25 PROSPECT AVE



13 PROSPECT AVE

15 Prospect Ave





23 PROSPECT AVE

DR

Lot # 3
0102002624

0107580630 24

19
0106201810
Lot # 4

Lot # 6 0103671600

21
0106000310
Lot # 5

26
Lot # 1 0113551840

23
Lot # 6 0113204221

0120550670
Lot # 2

Lot # 1 0113402140
25

0112400000
Lot # 3

27
0103230300
Lot # 2

0104002810
Lot # 4

Pt. Bk./Folio # 012028F
PAI # 018061 Lot # 3 0113171520

PAI # 018061

0119391050
Lot # 5

1 CD

0104200120
Lot # 4

1 ED

Lot # 6 0122250070

DR 10.5

SITE

SW 3-E

Lot # 5 0101740850

101B1

Lot # 1 0110450590
35

0119717354
Lot # 1

0104002910
Lot # 2

0119717355

0103471290
Lot # 3

0119717356
Lot # 3

41
0102571600
Lot # 4

0119717357

43
Pt. Bk. 0000012, Folio 0028
0119074770
Lot # 5

PAI # 010065

PAI # 010065

Pt. Bk./Folio # 020017A

ALTAMONT AVE

DR 5.5

Pt. Bk. 0000020, Folio 0017

2019-2238-SAH

R-1941-0170

0122000920

6600

6602

Pt. Bk./Folio # 010054

6604

0115740900
PAI # 01004

010975000

ALLEY

ALLEY

ALLEY

S PROSPECT AVE

0102570120

0111770150

0123001820

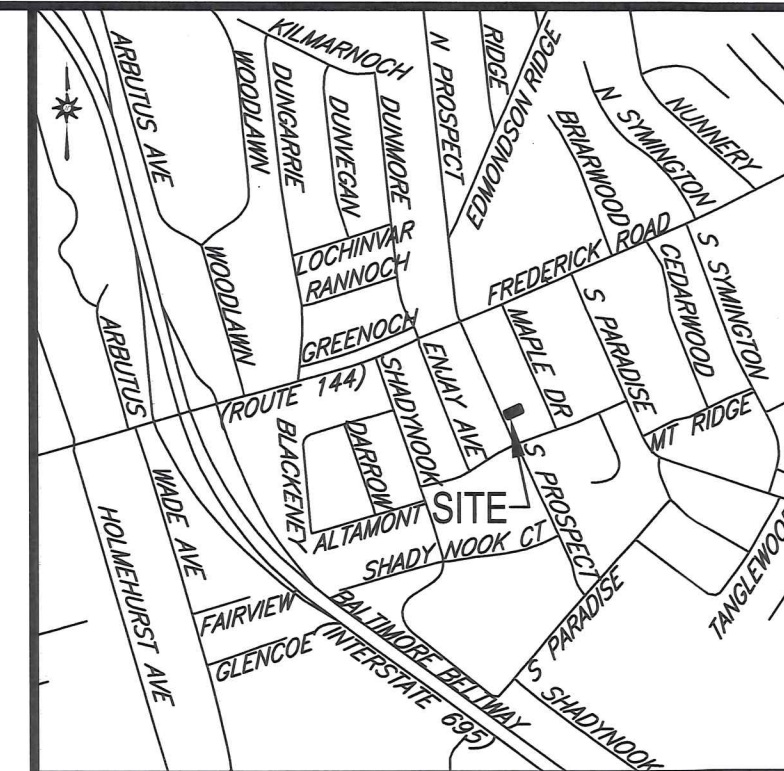
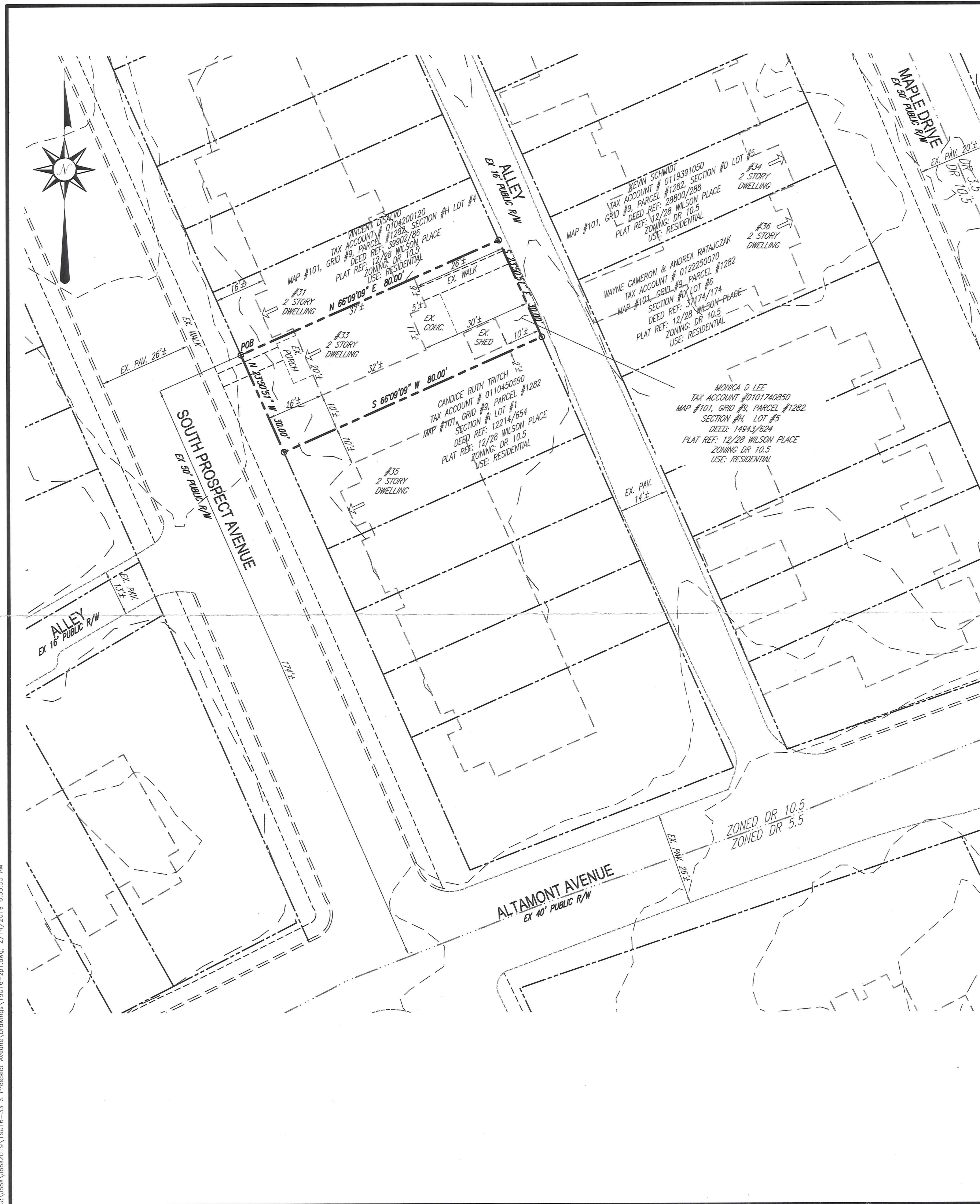
0106001180

0102000250

36

0102000240

C:\Jobs\Jobs2019\19016-33 S Prospect Avenue\Drawings\19016-33.dwg, 2/14/2019 6:55:53 AM



LOCATION MAP

SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER:
918 COURTNEY ROAD, LLC
3595 CHURCH ROAD
ELLICOTT CITY, MD 21043
- TAX ID: 0101740850
- TAX MAP:
GRID:
PARCEL: 1282
SECTION:
LOT:
DEED REF: 41063/13
- PLAT REF: 12/28
- SUBDIVISION: WILSON PLACE
- SITE AREA:
GROSS: 3,150 SF or 0.07 Ac.±
NET: 2,400 SF or 0.06 Ac.±
- ZONING: DR 10.5
- ELECTION DISTRICT: 1
- COUNCILMANIC DISTRICT: 1
- SITE IS NOT HISTORIC
- SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
- SITE IS NOT LOCATED IN THE FLOOD ZONE PER FEMA FIRM MAP FM2400100389F.
- UTILITIES:
PUBLIC WATER & SEWER
- NO PREVIOUS ZONING CASES ON FILE

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION
FOR

EXISTING TOWNHOUSE

33 SOUTH PROSPECT AVENUE
BALTIMORE, MD 21228

BALTIMORE COUNTY
1ST ELECTION DISTRICT

MARYLAND
1ST COUNCILMANIC DISTRICT

REVISIONS	DRAWN BY:	CHECKED BY:	SCALE:
	AAR	PCR	1" = 20'
	DATE:	JOB NO.:	SHEET NO.:
	2/1/19	19016	1 OF 1

2019-0238-SPH

PET.1