

M E M O R A N D U M

DATE: June 3, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0241-A - Appeal Period Expired

The appeal period for the above-referenced case expired on May 31, 2019. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

/dlw

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE

(7222 Holabird Avenue)
12th Election District
7th Council District
Delmaris, LLC
Legal Owner

Petitioner

*

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BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2019-0242-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Delmaris, LLC, legal owner of the subject property (“Petitioner”). The Petitioner is requesting variance relief from Sections 202.3.A.1 and 1B02.1.C.1 of the Baltimore County Zoning Regulations (“BCZR”) to permit an existing dwelling on an undersized lot of 5,009 sq. ft. in lieu of the required 10,000 sq. ft., lot width of 43 feet in lieu of the required 70 feet, a side yard setback of 8 feet in lieu of the required 10 feet and a determination that the merger doctrine does not prohibit the granting of the requested relief. A site plan was marked as Petitioner’s Exhibit 1.

Nikolaus Klosteridis appeared in support of the petition. James Heise, Esq. represented Petitioner. 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 County reviewing agencies.

The subject property is approximately 5,009 square feet in size and is zoned R.O.A. The property is improved with a single-family dwelling constructed in 1919, which is now used for a law office. The property is comprised of Lot No. 582 as shown on the plat of Kimberly Farms. No changes are proposed to the subject property or structure. Petitioner owns the adjoining

ORDER RECEIVED FOR FILING

Date 5/11/19

By Sen

property and in a companion zoning case (No. 2019-0241-A) seeks variance relief to construct a dwelling thereon. As such, this case was filed largely for housekeeping purposes since it is clear the dwelling/Class A office on the subject property would qualify as a lawful nonconforming use in any event.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

The lot was created long before the adoption of the BCZR. As such the property is unique. If the Regulations were strictly interpreted, Petitioner would experience a practical difficulty because it would be required to raze the structure which has existed at the site for over 100 years. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the absence of County and/or community opposition.

Petitioner also requested a determination that the merger doctrine does not bar the variance relief sought herein. As discussed more completely in the companion case (No. 2019-241-A), I do not believe the adjoining properties have merged and the relief sought in both cases is therefore appropriate.

THEREFORE, IT IS ORDERED, this 1st day of **May, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to Sections 202.3.A.1 and 1B02.1.C.1 of the Baltimore County Zoning Regulations ("BCZR") to permit an existing dwelling on an undersized lot of 5,009 sq. ft. in lieu of the required 10,000 sq. ft., lot width of 43 feet in

ORDER RECEIVED FOR FILING

Date

5/11/19

By

Sen

lieu of the required 70 feet, a side yard setback of 8 feet in lieu of the required 10 feet, and a determination that the merger doctrine does not prohibit the granting of the requested relief, be and is hereby GRANTED.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

ORDER RECEIVED FOR FILING

Date 5/1/19

By Ben



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 7222 Holabird Ave which is presently zoned RoA
 Deed References: 29822/319 10 Digit Tax Account # 1209098020
 Property Owner(s) Printed Name(s) Delmaris LLC

(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

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

3. ☒ a Variance from Section(s) 202-3. A-1 and 1B02.1.C.1, BCZR to permit an existing dwelling on an undersized lot of 5,009 Sq. Ft. in lieu of the required 10,000 Sq. Ft. And a lot width of 43 Ft. in lieu of the required 70 Ft. And a side yard setback of 8 Ft. in lieu of the required 10 Ft. And determination that the Merger Doctrine does not prohibit the granting of the required relief 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

Zip C

Telephone #

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners): Delmaris LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER 2019-0242-A Filing Date 2/24/2019 Do Not Schedule Dates: _____ Reviewer JNP

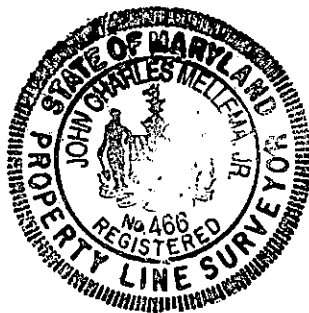
REV. 10/4/11

John C. Mellema Surveyors
5409 East Drive , 21227
Phone # 410-247-7488
Fax# 410-247-2507
February 20,2019

**Zoning Property Description for
7222 Holabird Avenue
Baltimore MD 21222**

Beginning at a point on the North side of Holabird Avenue (50' wide) at a distance of 20.0 feet Easterly from the centerline of Vesper Avenue Drive (40' wide).

Being known and designated as Lot 582 as shown on a subdivision plat " Plat Of Kimberly Farms" which is recorded among the Land Records of Baltimore County in Plat book W P C liber 7 folio 127. Containing 5,009 square feet of land . Located in the 12th Election District and the 7th Councilmanic District.



2019-0242-A

SECOND CERTIFICATE OF POSTING

ATTENTION: SHERRY NUFFER

DATE: 4/27/2019

Case Number: 2019-0242-A

Petitioner / Developer: DELMARIS, LLC ~ TODD HEISE ~ BEN GARY

Date of Hearing: APRIL 29, 2019

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
7222 HOLABIRD AVENUE

The sign(s) were posted on: APRIL 9, 2019

The sign(s) were RE-POSTED on: APRIL 27, 2019

The sign(s) were re-photographed on: APRIL 27, 2019



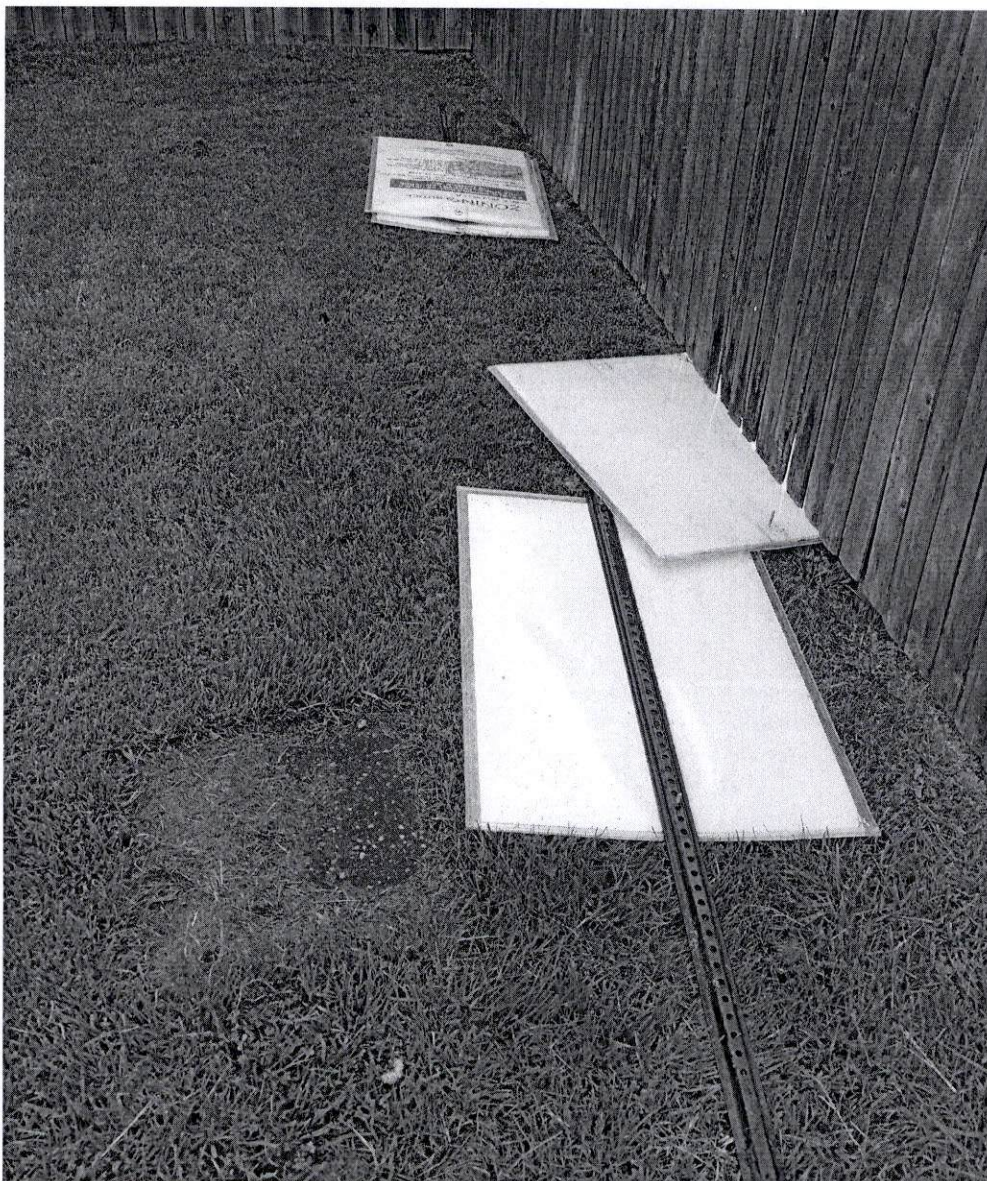
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



THE SIGNS FOR **CASE # 2019-0242-A** WERE FOUND ON THE
GROUND @ 7222 HOLABIRD AVE. WHEN I RETURNED TO
RETURNED TO RE-PHOTOGRAPH SIGNS.
SIGNS WERE RE-POSTED 4/27/2019



Re-Photographed 1st Sign @ 7222 Holabird Ave. 4/27/2019



Re-Photographed 2nd Sign @ 7222 Holabird Ave. 4/27/2019

CASE # 2019-0242-A

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:

4/10/2019

Order #: 11727493
Case #: 2019-0242-A
Description:

NOTICE OF ZONING HEARING CASE NUMBER: 2019-0242-A



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: 2019-0242-A

7222 Holabird Avenue

N/s Holabird Avenue at the corner of Vesper Avenue

12th Election District - 7th Councilmanic District

Legal Owners: Delmaris, LLC

Variance to permit an existing dwelling on an undersized lot of 5,000 sq. ft. in lieu of the required 10,000 sq. ft. lot width of 43 ft. in lieu of the required 70 ft. and a side yard setback of 8 ft. in lieu of the required 10ft. and a determination that the merger Doctrine does not prohibit the granting of the requested relief.

Hearing: Monday, April 29, 2019 at 2:30 p.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.

ap10

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 4/9/2019

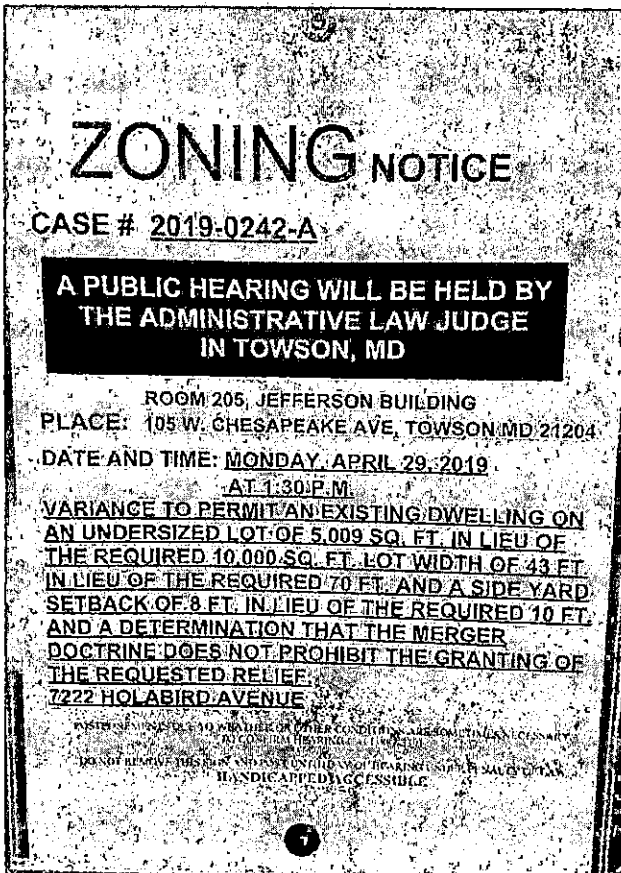
Case Number: 2019-0242-A

Petitioner / Developer: DELMARIS, LLC ~ TODD HEISE ~ BEN GARY

Date of Hearing: APRIL 29, 2019

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
7222 HOLABIRD AVENUE

The sign(s) were posted on: APRIL 9, 2019



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
7222 Holabird Avenue; N/S Holabird Avenue		
At corner E/S Vesper Avenue	*	OF ADMINISTRATIVE
12 th Election & 7 th Councilmanic Districts		
Legal Owner(s): Delmaris LLC	*	HEARINGS FOR
Petitioner(s)	*	BALTIMORE COUNTY
	*	2019-242-A

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

RECEIVED

MAR 08 2019

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 Ben Gary, John Mellema Surveyors, 5409 East Drive, Arbutus, Maryland 21227 and Nicholas Delpizzo, Esquire, 7222 Holabird Avenue, Baltimore, Maryland 21222, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**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: 2019-0242-A

Property Address: 7222 Holabird Ave.

Property Description: Lots 582 of "Kimberly Farms" PB 7/127
N/s of Holabird Ave. @ Corner of E/s of Vesper Avenue

Legal Owners (Petitioners): Delmaris, LLC (Nicholas Depizzo, member)

Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mason Properties (Steve Carroll)

Company/Firm (if applicable): _____

Address: 7605 Turn Brook Rd.
Glen Burnie, MD 21060

Telephone Number: 443-220-5496

Revised 7/9/2015

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

No. **177756**

Date: **2/22/19**

PAID RECEIPT

BUSINESS ACTUAL TIME IRM
 2/22/2019 2/22/2019 10:44:30 1
 REG-USD1 WALKIN LJR
 >>RECEIPT 834316 2/22/2019 OFLN
 Dept. 5 528 ZONING VERIFICATION
 Amount: 177756

Fund	Dept	Unit	Sub Unit	Obj	Sub-Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					150.00

Rec'd Tot \$ 150.00
 150.00 CK .00 CA
 Baltimore County, Maryland

Total: **150.00**

Rec From: **Ben GARY**

For: **2019-02-41-14 (7224 HOLABIRD AVE)**
2019-02-42-A (7222 HOLABIRD AVE)
(PCL 0720)

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

**CASHIER'S
 VALIDATION**

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

No. **180724**

PAID RECEIPT

Date: **2-19-19**

BUSINESS ACTUAL TIME DRW
 2/19/2019 2/19/2019 09:06:47 1

REG MS01 WALKIN LJR
 >>RECEIPT # 833749 2/19/2019 OFLN

Dept 5 528 ZONING VERIFICATION

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

180724
 Recpt Tot \$ 75.00
 75.00 CK .00 CA
 Baltimore County, Maryland

Total: **75.00**

Rec

From: **62019-0239-A**

For:

3274 Monocacy Rd
VARIANCE

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

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 # 2019-0242-A
Address 7222 Holibird Avenue
(Delmaris, 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

4-29

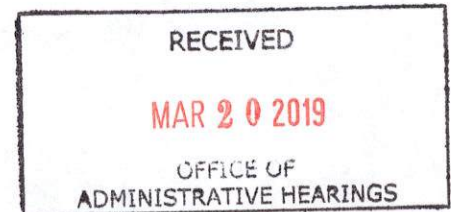
BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 3/19/2019

FROM: Jeff Mayhew
Acting Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-242



INFORMATION:

Property Address: 7222 Holabird Avenue
Petitioner: Nicholas Del Pizzo, Delmaris, LLC
Zoning: ROA
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit an existing single family dwelling with a side yard setback of 8' on lot having a width of 43' and an area of 5,009 square feet in lieu of the required 10', 70' and 10,000 square feet respectively.

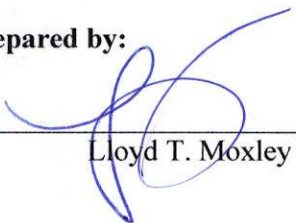
Although a petition for special hearing was not filed, a request was made for a determination that the merger doctrine does not prohibit the granting of the required relief.

A site visit was conducted on March 12, 2019.

The Department of Planning has no objections to granting the petitioned zoning variance relief and will concur with the determination of the Administrative Law Judge subsequent to the hearing as to the merger question.

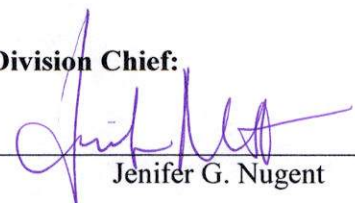
For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

JM/JGN/LTM/

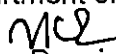
c: Krystle Patchak
Ben Gary, John C. Mellema, Sr., Inc.
Nicholas Del Pizzo
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: March 18, 2019

FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For March 11, 2019
Item No. 2019-0238-SPH, 0240-A, 0241-A, 0242-A, 0243-A, 0244-A, 0246-
SPH, 0247-A, 0248-A, 0249-A, 0250-SPH, 0251-A & 0252-A

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

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VKD: cen
cc: file

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

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

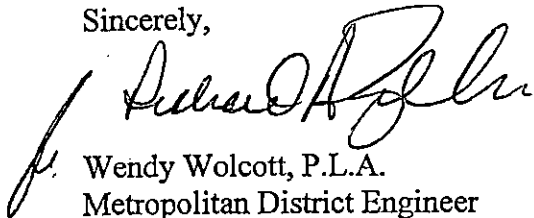
Dear Ms. Lewis:

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. 2018-0242-A

Variance
Delmaris, LLC
7222 Holabird 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

TO: THE DAILY RECORD
Tuesday, April 9, 2019 - Issue

Please forward billing to:
Steve Carroll
Mason Properties, Inc.
7605 Turn Brook Road
Glen Burnie, MD 21060

443-220-5496

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: 2019-0242-A

7222 Holabird Avenue
N/s Holabird Avenue at the corner of Vesper Avenue
12th Election District – 7th Councilmanic District
Legal Owners: Delmaris, LLC

Variance to permit an existing dwelling on an undersized lot of 5,009 sq. ft. in lieu of the required 10,000 sq. ft. lot width of 43 ft. in lieu of the required 70 ft. and a side yard setback of 8 ft. in lieu of the required 10 ft. and a determination that the merger Doctrine does not prohibit the granting of the requested relief.

Hearing: Monday, April 29, 2019 at 2:30 p.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

April 5, 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: 2019-0242-A

7222 Holabird Avenue

N/s Holabird Avenue at the corner of Vesper Avenue

12th Election District – 7th Councilmanic District

Legal Owners: Delmaris, LLC

Variance to permit an existing dwelling on an undersized lot of 5,009 sq. ft. in lieu of the required 10,000 sq. ft. lot width of 43 ft. in lieu of the required 70 ft. and a side yard setback of 8 ft. in lieu of the required 10 ft. and a determination that the merger Doctrine does not prohibit the granting of the requested relief.

Hearing: Monday, April 29, 2019 at 2:30 p.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

MM:kl

C: Delmaris, LLC, 7222 Holabird Avenue, Dundalk 21222
Todd Heise, 3233 Eastern Avenue, Baltimore 21224
Ben Gary, 5409 East Drive, Arbutus 21227

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 9, 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.

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment3/18DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)N/c3/19DEPS
(if not received, date e-mail sent _____)N/c3/19

FIRE DEPARTMENT

NO Obj3/7PLANNING
(if not received, date e-mail sent _____)No Obj

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

4/10/19SIGN POSTING (1st)

Date:

4/9/19

by

O'KeefeSIGN POSTING (2nd)

Date:

4/27/19

by

O'Keefe

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 - 12 Account Number - 1209098020			
Owner Information					
Owner Name:		DELMARIS LLC		Use:	
Mailing Address:		1432 BENJAMIN ST BALTIMORE MD 21230-5365		Principal Residence: NO	
				Deed Reference: /29822/ 00319	
Location & Structure Information					
Premises Address:		7222 HOLABIRD AVE 0-0000		Legal Description: 7222 HOLABIRD AVE KIMBERLY FARMS	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0103	0010	0461		0000	
					Block:
					582
					Assessment Year:
					2019
					Plat No:
					Plat Ref: 0007/ 0127
Special Tax Areas:		Town: NONE			
		Ad Valorem:			
		Tax Class:			
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1919		1562		5,166 SF	
Property Land Area		County Use			
5,166 SF		06			
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
		OFFICE BUILDING			
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2019		07/01/2018	
				As of	
				07/01/2019	
Land:	51,600	51,600			
Improvements	93,800	94,200			
Total:	145,400	145,800		145,400	
Preferential Land:	0			145,533	
Transfer Information					
Seller: OLIVER HERBERT C		Date: 08/30/2010		Price: \$141,750	
Type: ARMS LENGTH IMPROVED		Deed1: /29822/ 00319		Deed2:	
Seller: OLIVER HERBERT C OLIVER MELIE N		Date: 09/11/1989		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /09259/ 00614		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: No Application					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application					
Date:					

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption			View GroundRent Registration				
Tax Exempt:		Special Tax Recapture:							
Exempt Class:		NONE							
Account Identifier:		District - 12 Account Number - 1209098040							
Owner Information									
Owner Name:		DELMARIS LLC			Use:		COMMERCIAL		
Mailing Address:		7222 HOLABIRD AVE BALTIMORE MD 21222-			Principal Residence:		NO		
					Deed Reference:		/35080/ 00381		
Location & Structure Information									
Premises Address:		HOLABIRD AVE BALTIMORE MD 21222-			Legal Description:		LT 579,580,581		
								KIMBERLY FARMS	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0103	0010	0461		0000			579	2019	Plat Ref: 0007/0127
Special Tax Areas:				Town:		NONE			
				Ad Valorem:					
				Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
						7,200 SF		06	
Stories	Basement	Type	Exterior	Full/Half Bath		Garage	Last Major Renovation		
Value Information									
		Base Value		Value		Phase-in Assessments			
				As of 01/01/2019		As of 07/01/2018		As of 07/01/2019	
Land:		70,000		36,000					
Improvements		0		0					
Total:		70,000		36,000		70,000		36,000	
Preferential Land:		0						0	
Transfer Information									
Seller: REAGON TERRY				Date: 06/18/2014			Price: \$30,000		
Type: NON-ARMS LENGTH OTHER				Deed1: /35080/ 00381			Deed2:		
Seller: CAVANAUGH PATRICK,CHARTERED				Date: 11/04/2005			Price: \$94,999		
Type: ARMS LENGTH VACANT				Deed1: /22852/ 00405			Deed2:		
Seller: OLIVER HERBERT C				Date: 07/18/1996			Price: \$30,000		
Type: ARMS LENGTH VACANT				Deed1: /11704/ 00475			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 Status: No Application

Date:



JOHN A. OLSZEWSKI, JR.
County Executive

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

April 24, 2019

Nicholas Del Pizzo
7222 Holabird Ave
Baltimore MD 21222

RE: Case Number: 2019-0242-A, 7222 Holabird 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 22, 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
Ben Gary 5409 East Dr. Arbutus MD 21227

Sherry Nuffer

From: Linda Okeefe <luckylinda1954@yahoo.com>
Sent: Saturday, April 27, 2019 10:46 PM
To: Administrative Hearings
Subject: Additional Photos Case # 2019-0242-A @ 7222 Holabird Ave.
Attachments: Photos #2.docx

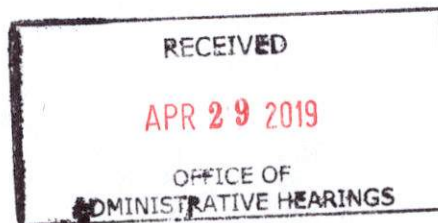
Hi Sherry & Debra,

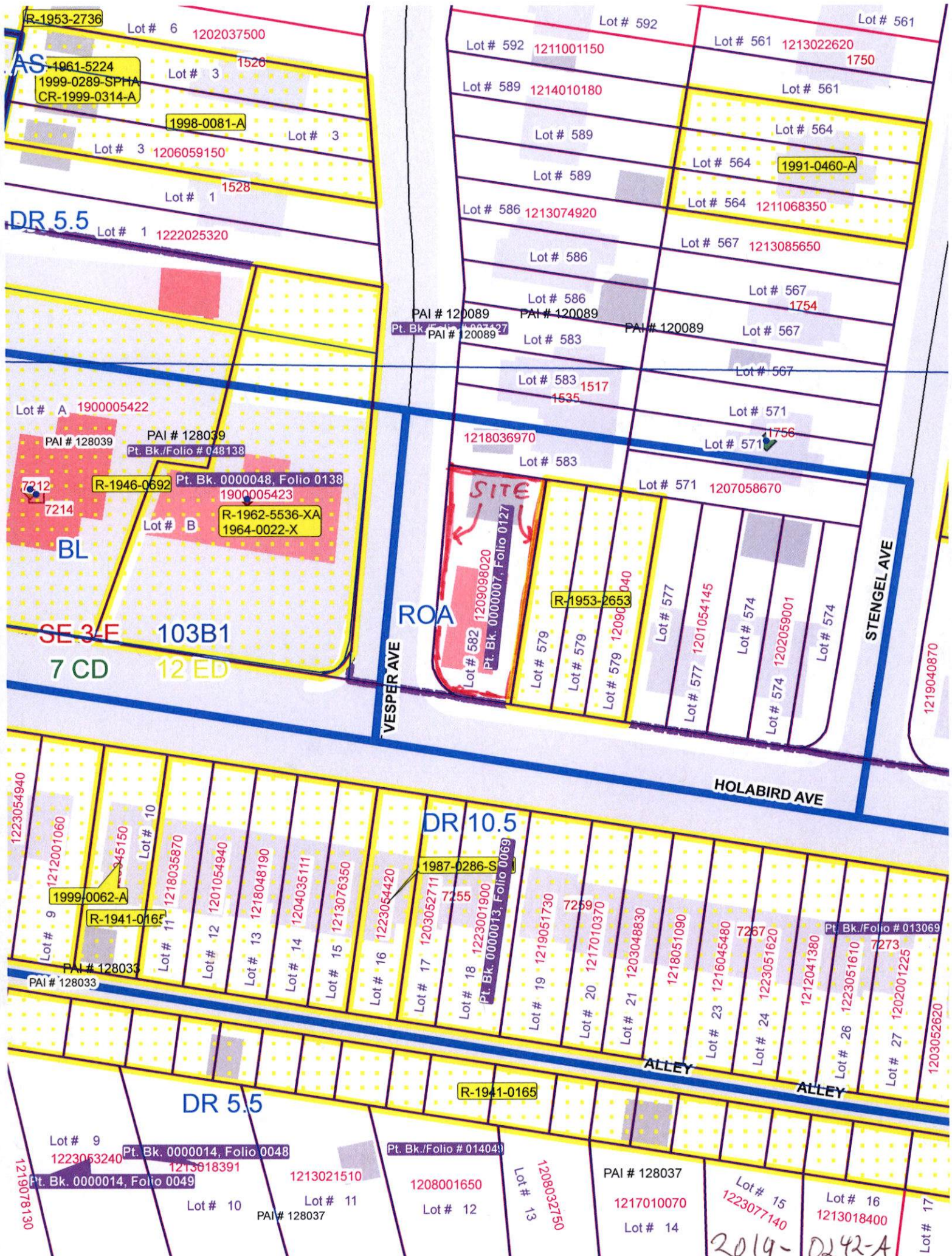
The last file was to large so I am sending the last photos for Case # 2019-0242-A @ 7222 Holabird Ave.

Thanks,

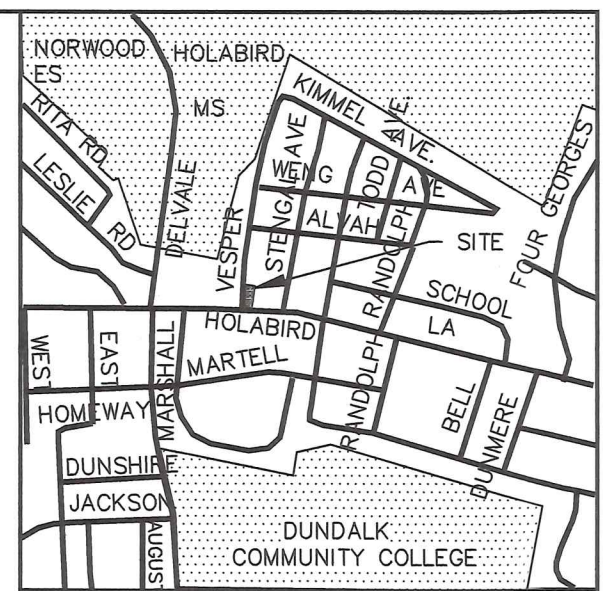
Linda

Linda O'Keefe
523 Penny Lane
Hunt Valley MD 21030
Phone # 410-666-5366
Cell# 443-604-6431
Fax# 410-666-0929
luckylinda1954@yahoo.com





PLAT TO ACCOMPANY VARIANCE REQUEST



VICINITY MAP
SCALE: 1"=1000'

LOCATION INFORMATION

COUNCILMANIC DISTRICT: 7
ELECTION DISTRICT: 12
ZONING: R.O.A.
1"=200' SCALE MAP: 103B1

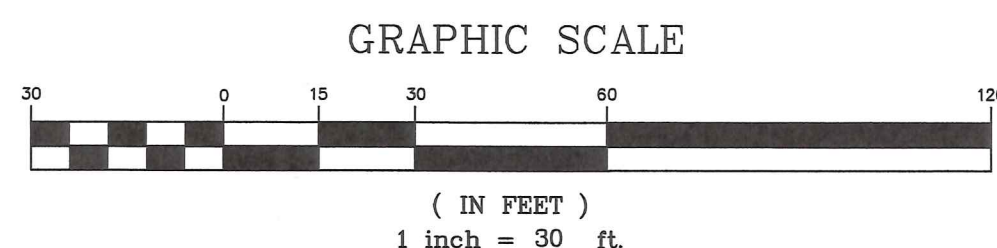
LOT SIZE: SQ. FT. 5009 SQ. FT.±

	YES	NO
PUBLIC SEWER	☒	☐
PUBLIC WATER	☒	☐
CHESAPEAKE BAY CRITICAL AREA	☐	☒

SUBDIVISION NAME: PLAT OF KIMBERLY FARMS
P.B. 7 FOLIO 127

PRIOR ZONING HEARING: N/A
DEED REFERENCE: 29822/319

OWNER: DELMARIS LLC
#1432 BENJAMIN ST.
BALTIMORE, MD. 21230
TAX NO. 1209098020
PHONE NO. 410-288-5788
DATE: FEBRUARY, 2019
SCALE: 1"=30'



PREPARED BY:
JOHN C. MELLEMA SR., INC.
LAND SURVEYORS
5409 EAST DR. BALTO., MD. 21227
PHONE: 410-247-7488 FAX: 410-247-2507

D.R.3.5 REGULATIONS
MINIMUM LOT AREA 10,000 SQ. FT.
MINIMUM LOT WIDTH 70'
MINIMUM FRONT YARD SETBACK 30'/AVERAGE
MINIMUM SIDE YARD SETBACK 10'
MINIMUM SUM OF SIDE YARD 25'
MINIMUM REAR YARD SETBACK 30'



#7222 HOLABIRD AVENUE
LOT 582
KIMBERLY FARMS
BALTIMORE COUNTY, MARYLAND
TAX MAP 0103 GRID 10 PARCEL 461
SCALE: 1"=30' DATE: FEBRUARY, 2019

PET. Ex 1

2019-0212-A