M E M O R A N D U M

DATE: May 21, 2019

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2019-0249-A- Appeal Period Expired

The appeal period for the above-referenced case expired on May 20, 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 ADMIN. VARIANCE	*	BEFORE THE
(221 Virginia Avenue)		
15th Election District	*	OFFICE OF ADMINISTRATIVE
7th Council District		
Tara J. Waldrop & Louis J. Eckert	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	**CASE NO. 2019-0249-A**

* * * * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the subject property, Tara J. Waldrop & Louis J. Eckert ("Petitioners"). The Petitioners are requesting Variance relief pursuant to § 400.3 of the Baltimore County Zoning Regulations ("BCZR"), to allow an existing accessory structure to be enlarged to 25' tall in lieu of the maximum 15' height allowed. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee ("ZAC") comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies. The property is located within the Chesapeake Bay Critical Area ("CBCA") and is subject to Critical Area requirements recommended by the Department of Environmental Protection and Sustainability ("DEPS") and the Development of Plans Review ("DPR").

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on March 24, 2019, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code ("BCC"). Based upon the information available, there is no evidence in

ORDER RECEIVED FOR FILING

Date 4-19-19

By

the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this **19th** day of **April, 2019,** by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 400.3 of the Baltimore County Zoning Regulations ("BCZR"), to allow an existing accessory structure to be enlarged to 25' tall in lieu of the maximum 15' height allowed, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

- Prior to issuance of permits, Petitioners must comply with CBCA and flood protection regulations.

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

JEB:dlw

ORDER RECEIVED FOR FILING
Date 4-19-19
By DW

ADMINISTRATIVE ZONING PE..TIO

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL 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 221 Virginia Avenue **which is presently zoned** DR-5.5
Deed Reference 37667/1 10 Digit Tax Account # 1503180000
Property Owner(s) Printed Name(s) Tara J. Waldrop & Louis J. Eckert

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)
Administrative Variances require that **the Affidavit** on the reverse of this Petition Form be completed / notarized.

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

1. X **ADMINISTRATIVE VARIANCE** from section(s) 400.3 to allow an existing accessory structure to be enlarged to 25' tall in lieu of the maximum 15' height allowed

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ____ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4- 416(a)(2): (*indicate type of work in this space to raze, alter or construct addition to building*)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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

Legal Owners:

Louis J. Eckert / Tara J. Waldrop
Name #1 – Type or Print Name #2 – Type or Print

Signature #1 / Signature # 2

221 Virginia Avenue Baltimore MD
Mailing Address City State

21221 / 443-386-5342 / ljeckert@gmail.com
Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code / Telephone # / Email Address

ORDER RECEIVED FOR FILING
Date 2-19-19
By

Representative to be contacted:

Richardson Engineering, LLC Rick Richardson
Name – Type or Print

Signature

30 E. Padonia Road Timonium MD
Mailing Address City State

21093 / 410-560-1502 / rick@richardsonengineering.net
Zip Code Telephone # Email Address

A PUBLIC HEARING having formally demanded and/or found to be required, it is ordered by the Office of Administrative Law, of Baltimore County, this _____day of _____, _____that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Administrative Law Judge of Baltimore County

CASE NUMBER 2019-0249-A **Filing Date** 2/28/19 **Estimated Posting Date** 3/10/19 **Reviewer** LF

Rev 10/12/11

ADMINISTRATIVE ZONING PETITION

[illegible] ADMINISTRATIVE VARIANCE [illegible] – ADMINISTRATIVE SPECIAL HEARING

[illegible] to be filed with the Department of Permits [illegible]

To the Office of Administrative Law of Baltimore County for the property located at:

Address: 221 Virginia [illegible] which is presently zoned [illegible]

Legal Description [illegible] Tax Account [illegible]

[illegible] Property Owner's Name: [illegible]

(SEE [illegible] HEARING BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING ANY ADDITIONAL INFORMATION)

Administrative Variances required: [illegible] Affidavit on the reverse of the Petition for [illegible]

[illegible] (specify variance) [illegible] property situate in Baltimore County and which is described on the plat [illegible] and made a part hereof, hereby petition [illegible]

[illegible] ADMINISTRATIVE VARIANCE from section 400.3 to allow an existing structure [illegible]

[illegible]

[illegible] Baltimore County

[illegible] ADMINISTRATIVE SPECIAL HEARING to approve a [illegible] Section [illegible]

[illegible]

[illegible] Baltimore County

[illegible]

Contract Purchaser or Lessee:

Legal Owners:

[illegible] Esquire

[illegible]

[illegible]

[illegible]

[illegible] Avenue

[illegible]

[illegible]

[illegible]

Attorney for Petitioner:

Representative to be contacted:

[illegible] Richard [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 221 Virginia Avenue (Print or Type Address of property) Baltimore (City) MD (State) 21221 (Zip Code)

Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. **(Clearly state practical difficulty or hardship here)**

The existing garage would be expanded to add a second story for additional storage. The second story will allow for more storage out of the floodplain. This provides needed storage for materials that will safe during flooding events. With the limitations of lot coverage, will not increase the impervious cover in the Chesapeake Bay Critical Area. Not being able to provide additional space due to potential lot coverage and environmental issues would be a hardship with the existing detached garage.

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

Tara Waldrop
Signature of Affiant

Tara J. Waldrop
Name- Print or Type

Louis Eckert
Signature of Affiant

Louis Eckert
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF ~~BALTIMORE~~ HARFORD, to wit:

I HEREBY CERTIFY, this 21 day of FEB, 2019, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

TARA J. WALDROP & LOUIS J. ECKERT

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) **(Print name(s) here)**

AS WITNESS my hand and Notaries Seal

ANTHONY J. SERAFINO NOTARY My Comm. Exps. 2/7/21 PUBLIC HARFORD CO., MD

Anthony J. Serafino
Notary Public

FEB 7 2021
My Commission Expires

REV. 10/12/11

Affidavit in Support of Administrative Warrant

(THE ADMINISTRATIVE REQUEST FOR HISTORIC ADMINISTRATIVE SPECIAL EXAMINE)

The undersigned [illegible] affirms under the penalties of perjury [illegible] the Administrative Inspector of Anne Arundel County [illegible] the following: [illegible] the information given [illegible] the Affiant(s) at the [illegible] the Affiant(s) [illegible] state complete [illegible] in the event that [illegible] the [illegible] and Check

That the property is not under an active zoning [illegible] Affiant(s) [illegible] the [illegible] owner(s) of the residential [illegible] the [illegible] property [illegible] purchase, [illegible] at the [illegible] dwelling on such property, located at

Address: 724 Virginia Avenue, Baltimore, MD 21227
(Street Address, Apartment, City, State, Zip)

Based upon personal knowledge [illegible] the facts which have been [illegible] in the State of Maryland [illegible] the above address. (Clearly state practical difficulty or hardship here)

[illegible]

(If more space is required for the production of reasons, the above statement is [illegible] attach it to this form)

Signature of Affiant: _____ Signature of Affiant: _____

Notary Public or Type: _____ Print or Type: _____

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that [illegible] day of [illegible] before me a Notary Public of Maryland [illegible] the undersigned [illegible] authority [illegible]

[illegible] (Print name(s) here)

AS WITNESS my hand and [illegible]

[illegible] Notary Public

[illegible] Commission Expires

NOTARY PUBLIC
BALTIMORE CO., MD
My Comm Exp
2021

Richardson Engineering, LLC

30 E. Padonia Road, Suite 500
Timonium, Maryland 21093

410-560-1502, fax 443-901-1208

ZONING DESCRIPTION FOR
221 VIRGINIA AVENUE
TARA J WALDROP & LOUIS JAMES ECKERT
15TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point on the South side of Virginia Avenue (50' R.O.W.) at a distance of 299'+/- West of the centerline the nearest improved intersection of Virginia Avenue and Riverside Drive (50' R.O.W.)

Being Lot #6, Block K, Section #E in the Subdivision known as The Taylor Land Co., as recorded in the land records of Baltimore County in Plat Book #9, Folio #74.

Containing a net area of 23,967 square feet, or 0.55 acres of land, more or less.

Located in the 15th Election District and the 7th Council District.

2019-0249-A

CE..TIFICATE OF POSTING

RE: Case No.: 2019-0249-A

Petitioner/Developer: Louis J. Eckert & Tara J. Waldiop

Date of Hearing/Closing: April 8, 2019

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

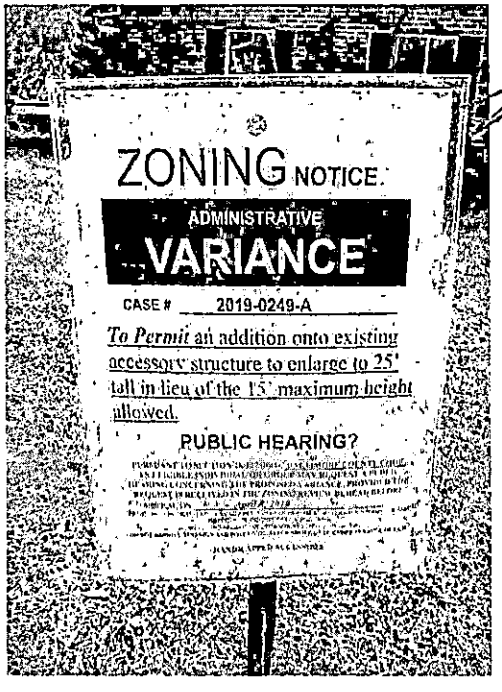
Attn: Kristen Lewis:

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:

221 Virginia Avenue **SIGN 2**

The sign(s) were posted on March 24, 2019
(Month, Day, Year)



Sincerely,

March 24, 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)

CE..TIFICATE OF POSTING

RE: Case No.: 2019-0249-A

Petitioner/Developer: Louis J. Eckert & Tara J. Waldiop

Date of Hearing/Closing: April 8, 2019

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

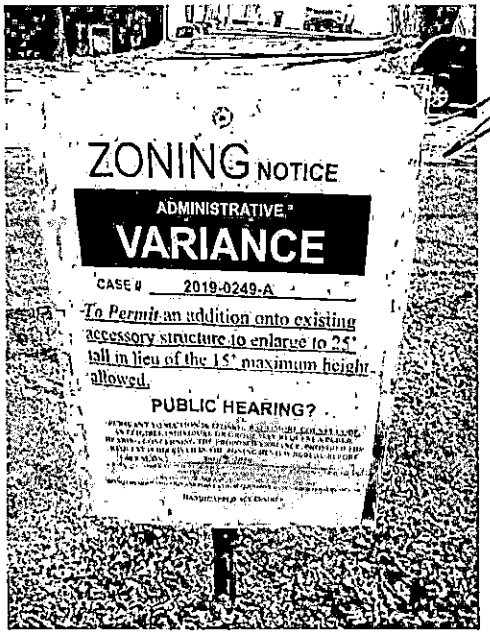
Attn: Kristen Lewis:

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:

221 Virginia Avenue **SIGN 1**

The sign(s) were posted on March 24, 2019
(Month, Day, Year)



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March 24, 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
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Petitioner/Developer: Louis J. Eckert & Tara J. Waldiop

Date of Hearing/Closing: April 8, 2019

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:

221 Virginia Avenue **SIGN 1 Recertification**

The sign(s) were posted on March 24, 2019
(Month, Day, Year)

Sincerely,

April 5, 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

RE: Case No.: 2019-0249-A

Petitioner/Developer: Louis J. Eckert & Tara J. Waldiop

Date of Hearing/Closing: April 8, 2019

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:

221 Virginia Avenue **SIGN 2 Recertification**

The sign(s) were posted on March 24, 2019
(Month, Day, Year)

Sincerely,

April 5, 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

RE: Case No.: 2019-0249-A

Petitioner/Developer: Louis J. Eckert & Tara J. Waldiop

Date of Hearing/Closing: April 8, 2019

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:

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221 Virginia Avenue SIGN 1

The sign(s) were posted on March 24, 2019
(Month, Day, Year)

Sincerely,

(Signature of Sign Poster) March 24, 2019 (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

RE: Case No.: 2019-0249-A

Petitioner/Developer: Louis J. Eckert & Tara J. Waldiop

Date of Hearing/Closing: April 8, 2019

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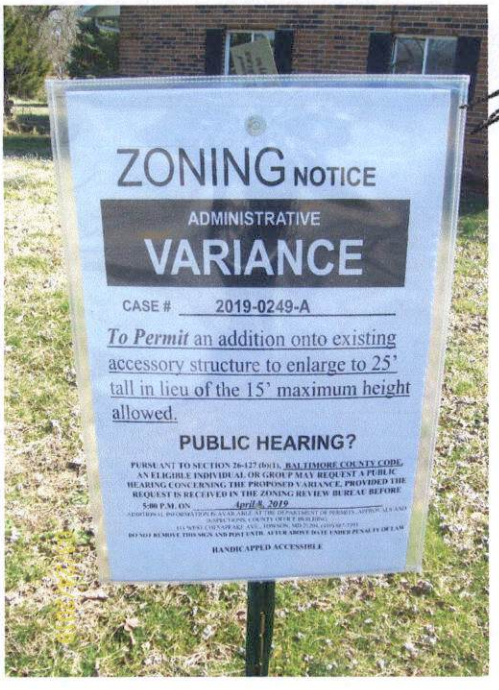

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SSG Robert Black
(Print Name)

1508 Leslie Road
(Address)

Dundalk, Maryland 21222
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(410) 282-7940
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Petitioner/Developer: Louis J. Eckert & Tara J. Waldiop

Date of Hearing/Closing: April 8, 2019

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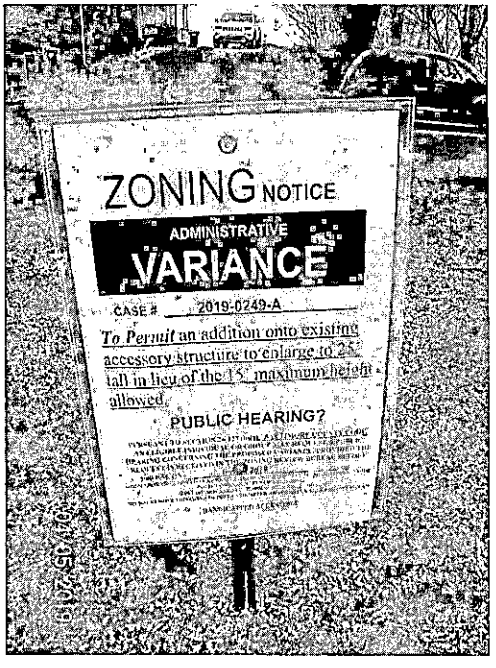


Sincerely,

April 5, 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

RE: Case No.: 2019-0249-A

Petitioner/Developer: Louis J. Eckert & Tara J. Waldiop

Date of Hearing/Closing: April 8, 2019

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

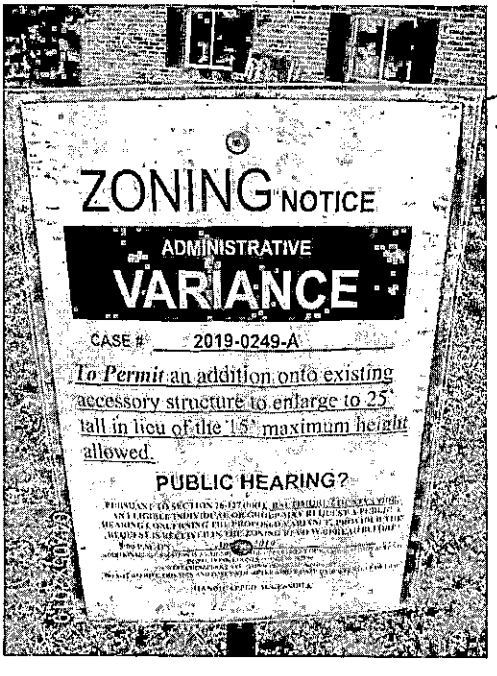
Attn: Kristen Lewis:

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:

221 Virginia Avenue **SIGN 2 Recertification**

The sign(s) were posted on March 24, 2019
(Month, Day, Year)



Sincerely,

April 5, 2019

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SSG Robert Black
(Print Name)

1508 Leslie Road
(Address)

Dundalk, Maryland 21222
(City, State, Zip Code)

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CERTIFICATE OF POSTING

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Petitioner/Developer: Louis J. Eckert & Tara J. Waldiop

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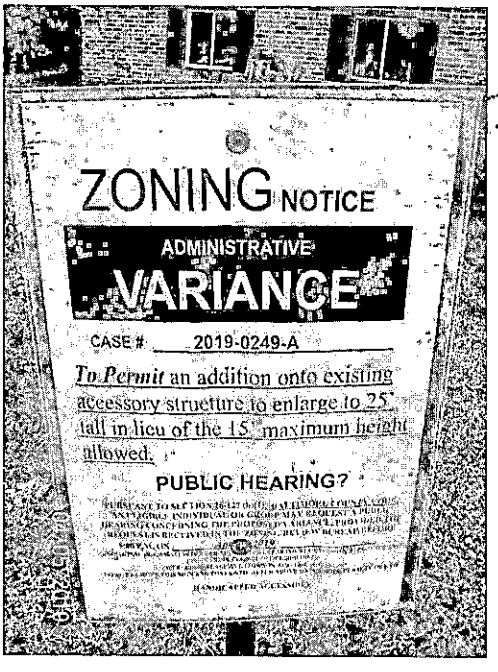


Sincerely,

April 5, 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)

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019-0249-A Address 221 Virginia Ave

Contact Person: Christine Fink Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 2-28-19 Posting Date: 3-10-19 Closing Date: 3-25-19

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. POSTING/COST: The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.

2. DEADLINE: The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.

3. ORDER: After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.

4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Administrative Law Judge), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2019-0249-A Address 221 Virginia Ave

Petitioner's Name Louis J. Eckert Tara J. Waldrop Telephone 443-386-5342

Posting Date: 3-10-19 **Closing Date:** 3-25-19

Wording for Sign: To Permit An Addition onto Existing Accessory Structure to enlarge to 25' Tall in lieu of ~~the~~ 15' max Height Allowed

Revised 6/30/2019

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

No. 180713

Date: 2-28-19

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

Total: 75.00

Rec From: Admin. Variance # 2019-0245-A

For: 221 Virginia Ave

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

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
2/28/2019	2/28/2019	09:10:49	1
REG WS01	WALKIN LJR		

>>RECEIPT # 835224 2/28/2019 OFLN
Dept 5 528 ZONING VERIFICATION
Rec. 180713
Recpt Tot $ 75.00
75.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

JOHN A. OLSZEWSKI, JR.
County Executive

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

April 12, 2019

Tara J. Waldrop & Louis J. Eckert
221 Virginia Ave
Baltimore MD 21221

RE: Case Number: 2019-0249-A, 221 Virginia 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 28, 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 Timonium MD 21093

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. 2019-0249-A
Administrative Variance
Tara J. Waldrop & Louis J. Eckhart
221 Virginia 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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: March 18, 2019

MCL

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.

* * * * *

VKD: cen
cc: file

4-8
Order issued
4-19

RECEIVED
APR 24 2019
OFFICE OF
ADMINISTRATIVE HEARINGS

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: April 24, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0249-A
Address 221 Virginia Avenue
(Waldrop & Eckert Property)

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

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

   The subject property is located within a Limited Development Area (LDA) and a Modified Buffer Area (MBA) and is subject to Critical Area requirements. The applicant is proposing to permit a second story on an existing detached garage with greater height than permitted. Any proposed development must meet all LDA requirements. The lot is waterfront and the garage is outside of the Critical Area buffer. No new lot coverage or buffer impacts are proposed. 15% afforestation (7 trees) is required. If the afforestation requirement is met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

   This property is waterfront, but no new lot coverage or buffer impacts are proposed. If afforestation requirements are met this request will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts.

   This is a grandfathered lot. Provided that the applicants meet their afforestation requirement, then the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

4/8 3/25

Missing file

CASE NO. 2019- 0249-A

CHECKLIST

Comment Received		Department	Support/Oppose/ Conditions/ Comments/ No Comment
3-18	Flood	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	NC
_____	CBCA	DEPS (if not received, date e-mail sent _____)	_____
_____		FIRE DEPARTMENT	_____
_____		PLANNING (if not received, date e-mail sent _____)	_____
3-7		STATE HIGHWAY ADMINISTRATION	No object.
_____		TRAFFIC ENGINEERING	_____
_____		COMMUNITY ASSOCIATION	_____
_____		ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING (1st) Date: 3-24-19 by Black

SIGN POSTING (2nd) Date: 4-5-19 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 -** 15 **Account Number -** 1503180000

Owner Information

Owner Name:	WALDROP TARA J ECKERT LOUIS JAMES	**Use:** **Principal Residence:**	RESIDENTIAL YES
Mailing Address:	221 VIRGINIA AVE BALTIMORE MD 21221-	**Deed Reference:**	/37667/ 00001

Location & Structure Information

Premises Address:	221 VIRGINIA AVE BALTIMORE 21221-6911 Waterfront	**Legal Description:**	221 VIRGINIA AVE ESSEX

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0097	0008	0371		0000	E	K	6	2018	Plat Ref:	0009/ 0074

Special Tax Areas: **Town:** NONE
Ad Valorem:
Tax Class:

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1979	1,500 SF	900 SF	22,816 SF	34

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
1	YES	STANDARD UNIT	BRICK	3 full	1 Detached	

Value Information

	Base Value	Value As of 01/01/2018	Phase-in Assessments As of 07/01/2018	Phase-in Assessments As of 07/01/2019
Land:	165,200	165,200		
Improvements	211,500	208,100		
Total:	376,700	373,300	373,300	373,300
Preferential Land:	0			0

Transfer Information

Seller: GOMPERT JOSHUA **Date:** 06/22/2016 **Price:** $375,000
Type: ARMS LENGTH IMPROVED **Deed1:** /37667/ 00001 **Deed2:**

Seller: 1735 SEARLES LLC **Date:** 11/14/2013 **Price:** $353,000
Type: NON-ARMS LENGTH OTHER **Deed1:** /34433/ 00437 **Deed2:**

Seller: WITT DONALD A SR **Date:** 08/12/2013 **Price:** $197,000
Type: NON-ARMS LENGTH OTHER **Deed1:** /34060/ 00271 **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: Approved 11/22/2016

Homeowners' Tax Credit Application Information

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

(Av) 3-25

ZAC AGENDA

Case Number: 2019-0248-A **Reviewer:** Christina Frink
Existng Use: **Proposed Use:**
Type: ADDITIONAL VARIANCE
Legal Owner: Michael Rudikaff & Robin Power
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 3 **Council Dist:** 2

Property Address: 2944 WOOD VALLEY DR
Location: NWS of Wood Valley Drive 1410 Ft. W of the centerline of Greenspring Ave.

Existing Zoning: DR 1 **Area:** 400.1
Proposed Zoning:
ADDITIONAL VARIANCE:
To permit a proposed accessory building (ground mounted solar panels) to be located in the side yard of an existing dwelling in lieu of the required rear yard.
Attorney: Not Available
Prior Zoning Cases: None
Concurrent Cases: None
Violation Cases: None
Closing Date: 03/25/2019

Miscellaneous Notes:

Case Number: 2019-0249-A **Reviewer:** Christina Frink
Existng Use: **Proposed Use:**
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Tara J. Waldrop & Louis J. Eckert
Contract Purchaser: No Contract Purchaser was set.

Critical Area: Yes **Flood Plain:** Yes **Historic:** No **Election Dist:** 15 **Council Dist:** 7

Property Address: 221 VIRGINIA AVE
Location: S. of Virginia Ave, 299 Ft. W. of intersection of Virginia Ave and Riverside Drive

Existing Zoning: 5.5 **Area:** 24,216
Proposed Zoning:
ADMINISTRATIVE VARIANCE:
To allow an existing accessory structure to be enlarged to 25' tall in lieu of the maximum 15' height allowed.
Attorney: Not Available
Prior Zoning Cases: None
Concurrent Cases: None
Violation Cases: None
Closing Date: ~~03/25/2019~~ per d.b. on 3-26, date is 4/8

Miscellaneous Notes:

Debra Wiley

From: Debra Wiley
Sent: Monday, April 15, 2019 11:56 AM
To: Jenae Johnson
Subject: Administrative Variance - Closing Date of 4/8 - Case No. 2019-0249-A

Hi Jenae,

Hope your weekend was nice !

Just a reminder that you were going to look into the above. The database is indicating it's an admin. var. with the closing date of 4/8 but I didn't receive the file on Thursday along with the others.

Thanks; it is appreciated.

East Side

South side toward existing house

2019-0249-A

View from garage to neighbor on west side

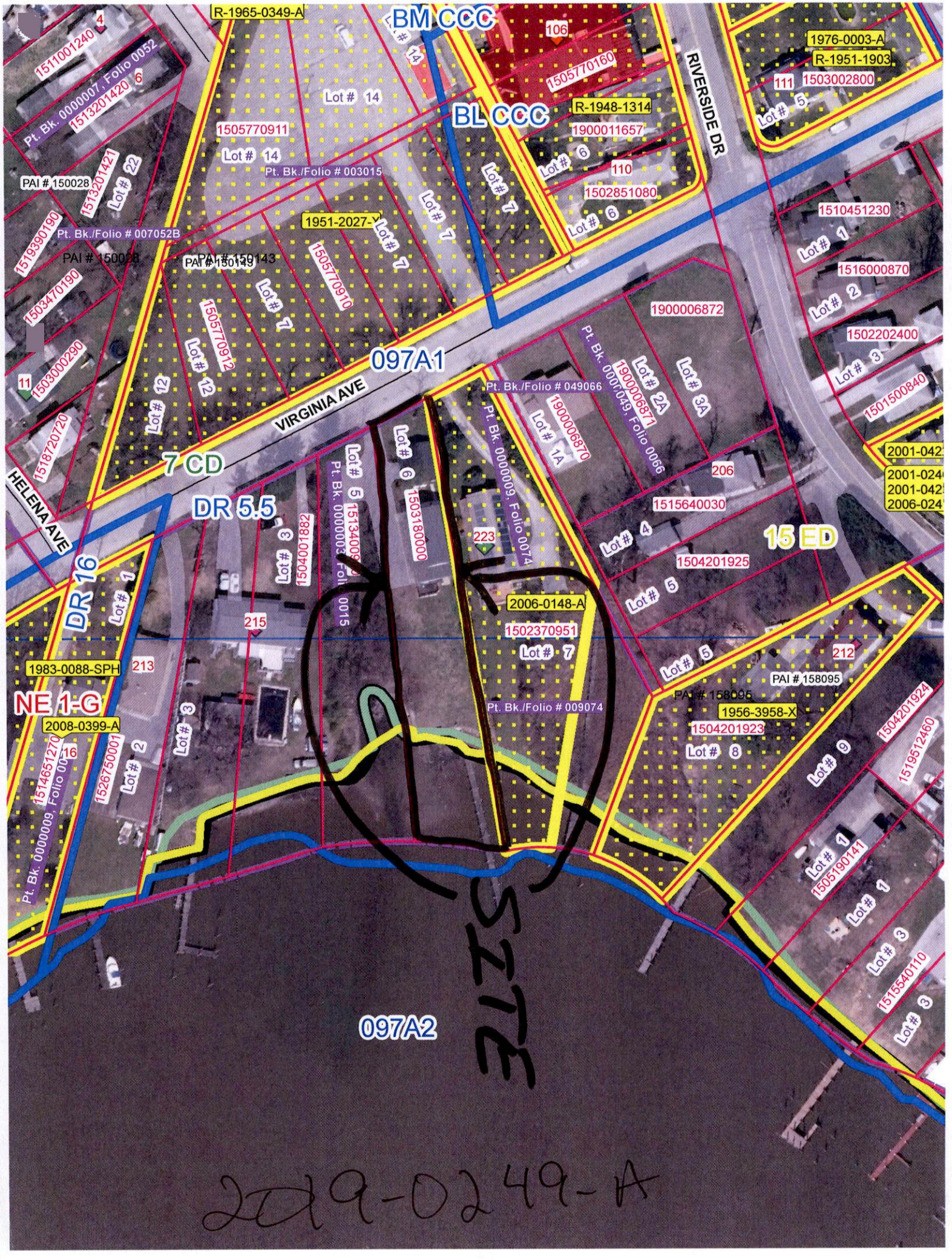
View to neighbor on east side

2019-0249-A

West side of garage

Looking south along driveway to house. Garage on left to be enlarged.

2019-0249-A


R-1965-0349-A
BM CCC
BL CCC
1976-0003-A
R-1951-1903
1503002800
RIVERSIDE DR
R-1948-1314
1900011657
1505770160
1505770911
Lot # 14
Pt. Bk./Folio # 003015
1511001240
Pt. Bk. 0000007, Folio 0052
1513201420
1513201421
PAI # 150028
1519390190
Pt. Bk./Folio # 007052B
1503470190
1503000290
1518720720
1951-2027-Y
1505770910
1505770912
PAI # 159143
097A1
VIRGINIA AVE
7 CD
HELENA AVE
DR 5.5
DR 16
NE 1-G
2008-0399-A
1983-0088-SPH
1514651270
1526750001
Pt. Bk. 0000009, Folio 0016
1504001882
1503180000
Pt. Bk./Folio # 049066
Pt. Bk. 0000009, Folio 0074
Pt. Bk. 0000049, Folio 0066
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1900006871
1900006870
206
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1504201925
15 ED
2006-0148-A
1502370951
Pt. Bk./Folio # 009074
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PAI # 158095
PAI # 158096
1956-3958-X
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1504201924
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1505190141
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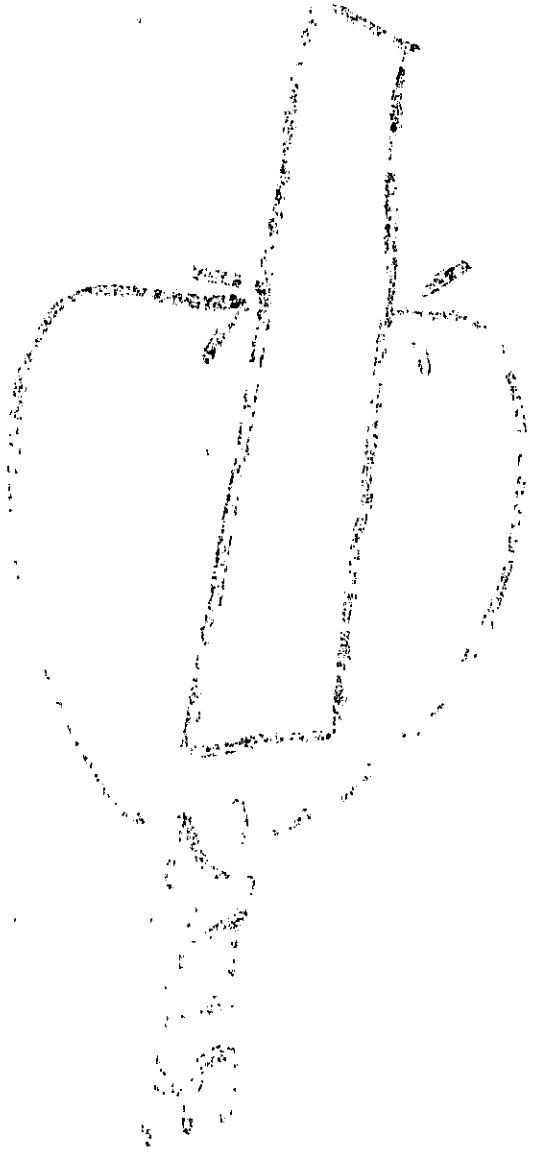
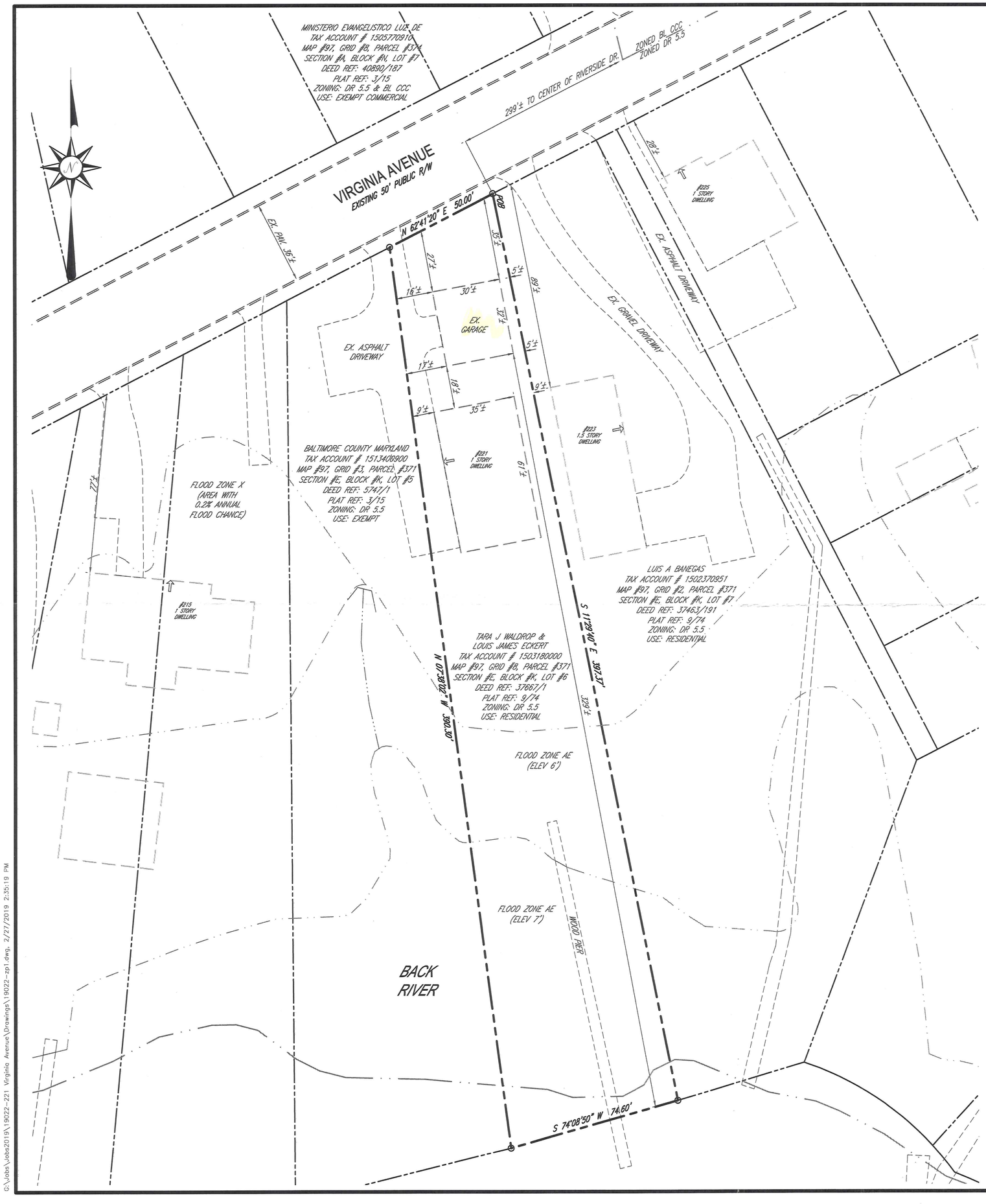
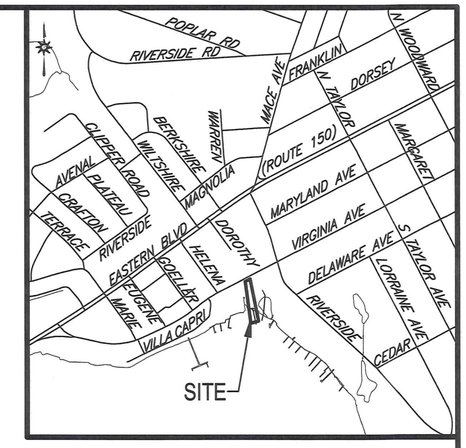
097A2
SITE
2019-0249-A







LOCATION MAP

SCALE: 1" = 1000'

GENERAL NOTES:

1. OWNER:
   TARA J WALDROP & LOUIS JAMES ECKERT
   221 VIRGINIA AVENUE
   BALTIMORE, MD 21221
2. TAX ID: 1503180000
3. TAX MAP: 97
   GRID: 8
   PARCEL:371
   SECTION: E
   BLOCK: K
   LOT: 6
4. DEED REF: 37667/1
5. PLAT REF: 9/74
6. SUBDIVISION: THE TAYLOR LAND CO.
7. SITE AREA
   NET: 23,967 SF or 0.55 Ac.±
   GROSS: 24,216 SF or 0.58 Ac.±
6. ZONING: DR 5.5
7. ELECTION DISTRICT: 15
8. COUNCILMANIC DISTRICT: 7
9. SITE IS NOT HISTORIC
10. SITE IS LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
11. SITE IS PARTIALLY LOCATED IN THE FLOOD ZONE AE (EL 6 FEET) PER FEMA FIRM MAP FM2400100440G.
12. UTILITIES:
    PUBLIC WATER & SEWER
13. 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

WALDROP/ECKERT RESIDENCE

221 VIRGINIA AVENUE
BALTIMORE, MD 21221

BALTIMORE COUNTY — MARYLAND
15TH ELECTION DISTRICT — 7TH COUNCILMANIC DISTRICT

REVISIONS	DRAWN BY:	CHECKED BY:	SCALE:
	AAR	PCR	1" = 30'
	DATE: 2/12/19	JOB NO.: 19022	SHEET NO.: 1 OF 1

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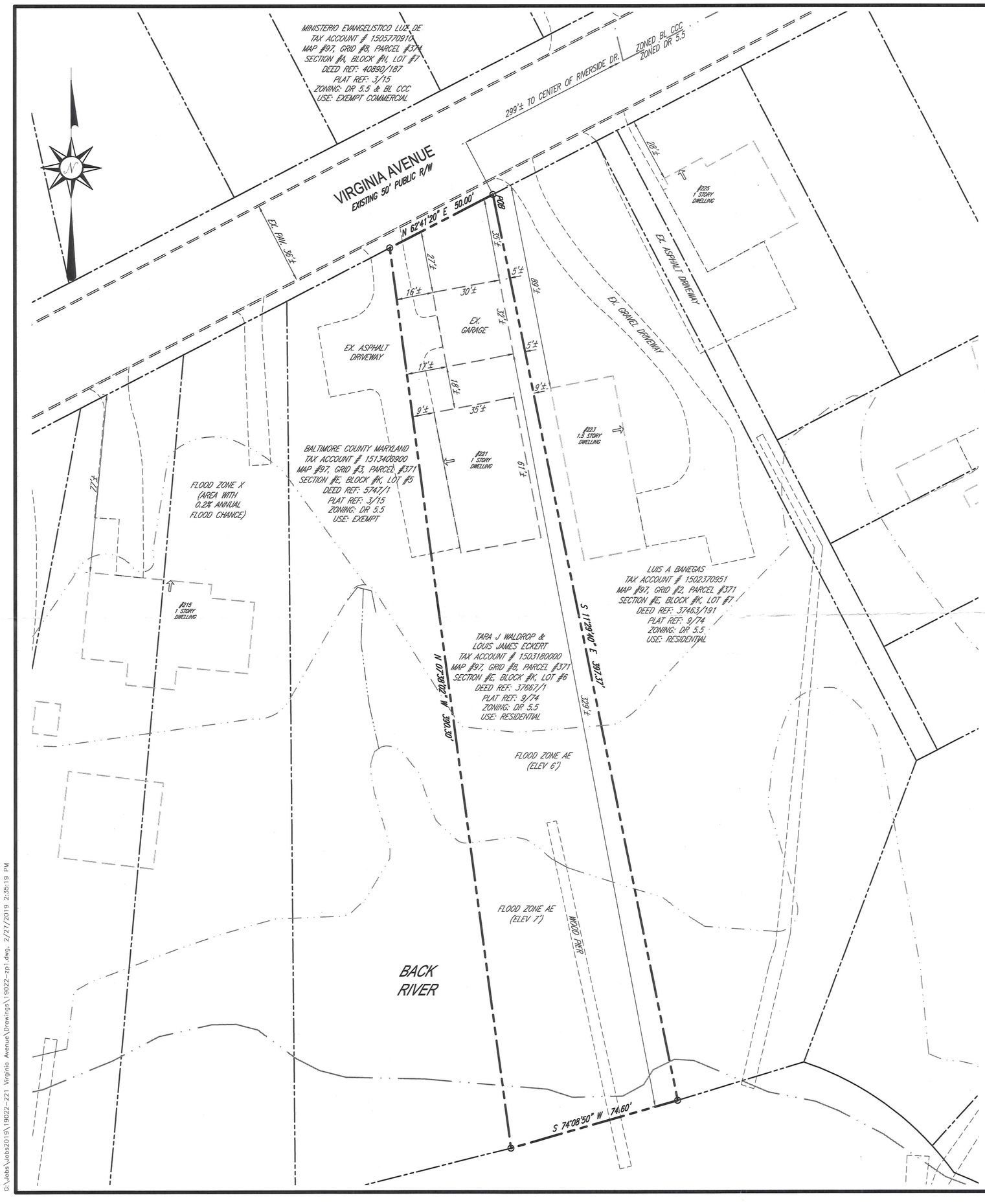
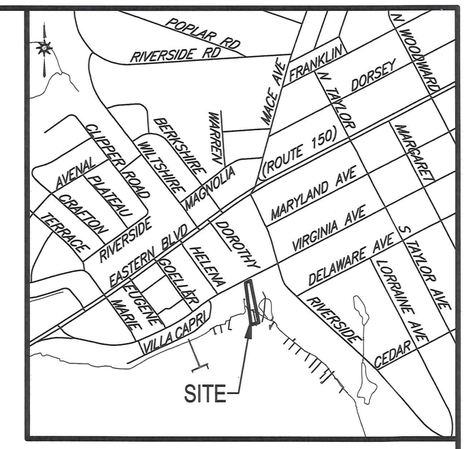
2019-0249-A

Pet. Exh. 1





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Richardson Engineering, LLC

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

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FOR

WALDROP/ECKERT RESIDENCE

221 VIRGINIA AVENUE
BALTIMORE, MD 21221

BALTIMORE COUNTY — MARYLAND
15TH ELECTION DISTRICT — 7TH COUNCILMANIC DISTRICT

REVISIONS	DRAWN BY:	CHECKED BY:	SCALE:
	AAR	PCR	1" = 30'
	DATE: 2/12/19	JOB NO.: 19022	SHEET NO.: 1 OF 1

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2019-0249-A