

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. 2019-0272-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
(2313 Westchester Avenue)		
1 st Election District	*	OFFICE OF ADMINISTRATIVE
1 st Council District		
Ronald & Jessica A. Chiu	*	HEARINGS FOR
Petitioners	*	BALTIMORE COUNTY
	*	CASE NO. 2019-0272-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 property, Ronald and Jessica A. Chiu (“Petitioners”). The Petitioners are requesting Variance relief pursuant to § 1B02.3.C.1 of the Baltimore County Zoning Regulations (“BCZR”) to permit a side yard setback of 9 ft. in lieu of the required 20 ft. and a sum of 20 ft. side yard width in lieu of the required 50 ft., and to permit a front yard setback of 19 ft. in lieu of the required 50 ft. 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 Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on March 31, 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

the file to indicate that the requested variance would adversely affect the health, safety or general

ORDER RECEIVED FOR FILING

Date 4-19-19

By lw

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.

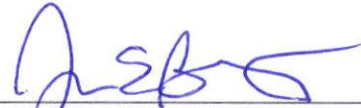
Pursuant to the posting of the property and the provisions of both the BCC and BCZR, and for the reasons given above, the requested variance should be granted.

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 1B02.3.C.1 of the Baltimore County Zoning Regulations ("BCZR") to permit a side yard setback of 9 ft. in lieu of the required 20 ft. and a sum of 20 ft. side yard width in lieu of the required 50 ft., and to permit a front yard setback of 19 ft. in lieu of the required 50 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their 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, Petitioners would be required to return the subject property to its original condition.

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 dlw



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

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

Address 2313 Westchester Ave. Currently zoned DR1
Deed Reference 40130100464 10 Digit Tax Account # 2300006567
Owner(s) Printed Name(s) Ronald and Jessica Chiu

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. ☒ ADMINISTRATIVE VARIANCE from Section(s)

please see attached

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

2. ☐ ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

ORDER RECEIVED FOR FILING
Date 4-19-19

By [Signature]

Attorney for Owner(s)/Petitioner(s):

Jennifer Busse
Name - Type or Print

[Signature]
Signature

4 W. Pennsylvania Ave.
Mailing Address City State

Ste 300 Towson MD

21204, 4108322077 jbusse@wtplaw.com
Zip Code Telephone # Email Address

Owner(s)/Petitioner(s):

Ronald Chiu, Jessica Chiu
Name #1 - Type or Print Name #2 - Type or Print

[Signature] [Signature]
Signature #1 Signature #2

2313 Westchester Ave, Catonsville, MD
Mailing Address City State

21228, 443-758-1801, Ron@graniteproremodeling.com
Zip Code Telephone # Email Address

Representative to be contacted:

Ronald Chiu
Name - Type or Print

[Signature]
Signature

2313 Westchester Ave, Catonsville, MD
Mailing Address City State

21228, 443-510-8074 Ron@graniteproremodeling.com
Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2019-0272-A Filing Date 3/18/19 Estimated Posting Date 3/31/19 Reviewer AT

~ 4/15/19

Rev 5/5/2016

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 and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 2313 Westchester Ave. Catonsville 21228
Print or Type Address of property City State MD Zip Code

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

please see attached

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

[Signature]
Signature of Owner (Affiant)
Ronald Chiu
Name- Print or Type

[Signature]
Signature of Owner (Affiant)
Jessica Chiu
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, to wit:

I HEREBY CERTIFY, this 9 day of March, 2019, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here Ronald Chiu and Jessica Chiu

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public
6/26/2022
My Commission Expires

DAWN J. TEPPER
Notary Public
Washington County
Maryland
My Commission Expires June 26, 2022

Attachment to Zoning Petition

2313 Westchester Avenue

Petition for Variance to permit: a side yard setback of 9 feet in lieu of the otherwise required 20 feet per BCZR § 1302.3.C.1., and a sum of 20 feet side yard width in lieu of the otherwise required 50 feet.

Petition for Variance to permit a front yard setback of 19 feet in lieu of the otherwise required 50 feet per BCZR § 1302.3.C.1.

Property Description for:
2313 Westchester Avenue

Zoning Case 2019-0272-A
(Filed on 3/18/19)

BEGINNING FOR THE FIRST at a rebar now set in the eastern boundary of Westchester Avenue, said point also being south 36 degrees 55 minutes 30 seconds west 15.39 feet from the beginning of the fourth or south 37 1/2 degree west 17 1/2 perch line of the second parcel of land described in a deed dated April 9, 1947 and recorded among the Land Records of Baltimore County in Liber 1553, folio 89, which was conveyed by Edward I. Streckfus and Lillian K. Streckfus, his wife, to Jerome B. Johnson and Oneida S. Johnson, his wife, thence leaving said eastern boundary of Westchester Avenue and leaving said fourth line and running for two new lines of division south 53 degrees 16 minutes 16 seconds east 50 feet to a rebar now set, thence south 45 degrees 28 minutes 14 seconds east 112.67 feet to a rebar now set in the northeastern boundary of the right-of-way of United Railways Company, thence binding on the northwestern boundary of said right-of-way by a curve to the left having a radius of 20,548.16 feet to an arc length of 50.83 feet subtended by a chord south 20 degrees 27 minutes 02 seconds west 50.83 feet to a rebar now set in the third or south 29 degrees east 91 foot line of a parcel of land described in a deed dated February 16, 1973 and recorded among the Land Records of Baltimore County in Liber 5338, folio 786, which was conveyed by George H. Jarboe, Jr., sole heir of George H. Jarboe, Sr. and Clara L. Jarboe, his wife, to Clarence E. Cofiell and Ethel M. Cofiell, his wife, thence binding reversely on said third line north 28 degrees 56 minutes 55 seconds west 62.11 feet to a rebar now set at the beginning of said third line, thence binding reversely on part of the second or north 42 degrees 45 minutes east 240 foot line of the aforementioned deed south 41 degrees 40 minutes 40 seconds west 43.25 feet to a pipe found at the beginning of the third or north 48 degrees 41 minutes 50 seconds west 116.17 foot line described in a deed dated December 8, 1972 and recorded among the Land Records of Baltimore County in Liber 5323, folio 821, which was conveyed by Elvin Royce Winstead and Mevelyn Patricia Winstead, his wife, to Walter R. Anderson and Dorothy M. Anderson, his wife thence binding on said third line north 48 degrees 39 minutes 20 seconds west 116.17 feet to a pipe found at the end of the said third line and to intersect the fourth or south 37 1/2 degrees west 17 1/2 perch line of the second parcel of land described in a deed dated April 9, 1947 and recorded among the Land Records of Baltimore County in Liber 1559, folio 89 which was conveyed by Edward I. Streckfus and Lillian K. Streckfus, his wife, to Jerome B. Johnson and Oneida S. Johnson, his wife, thence binding reversely on part of said fourth line north 36 degrees 55 minutes 30 seconds east 87.63 feet to the point of beginning.

Property Description for:
2313 Westchester Ave.

Zoning Case 2019-0272-A
(filed on 3/18/19)

BEGINNING FOR THE SECOND at a 1-inch iron pipe found at the end of the fifth or south 41 degrees 40 minutes 40 seconds west 43.25-foot line of that parcel of land which, by deed dated May 28, 1988 and recorded among the Land Records of Baltimore County in Liber 7877, folio 675, was conveyed by Charles J. Zorbach, Sr., Personal Representative, unto John E. Cofiell; thence binding reversely on all of the fifth and fourth lines of said parcel, and binding on part of the second line and part of the third line of that Second Parcel of land which, by deed dated February 16, 1973, and recorded among the Land Records in Liber 5338, folio 786, was conveyed by George H. Jarboe, Jr. and Clara L. Jarboe unto Charles E. Cofiell and Ethel M. Cofiell (said Second Parcel being known as Lot 7), the two (2) following courses and distances:

1. North 41 degrees 41 minutes 55 seconds east a distance of 43.21 feet to an iron pin and cap found; thence
2. South 28 degrees 59 minutes 55 seconds east a distance of 62.18 feet to an iron pin and cap found; thence continuing to bind on part of third line of the abovementioned Second Parcel conveyed in Liber 5338, folio 786, and binding on part of the first or south 27 1/4 degree east 10-perch line of that parcel of land which, by deed dated October 30, 1917, and recorded among the Land Records of Baltimore County in Liber 491, folio 525, was conveyed by William M. Mellor, Trustee, unto W. Herbert Mellor (said first line being incorrectly called south 27 1/4 west in said deed);
3. South 28 degrees 59 minutes 55 seconds east a distance of 1.28 feet to an iron pin and cap set; thence binding on the western boundary of that 30-foot right of way which, by deed dated August 13, 1895, and recorded among the Land Records of Baltimore County in Liber 214, folio 399 was conveyed in fee simple by Michael Kaiser unto the Edmondson Avenue, Catonsville, and Ellicott City Electric Railway Company, and running across part of the abovementioned Second Parcel of land described in Liber 5338, folio 786;
4. South 18 degrees 24 minutes 55 seconds west a distance of 23.73 feet to an iron bar and cap set; thence continuing to run across part of the abovementioned Second Parcel of land described in Liber 5338, folio 786;
5. North 48 degrees 39 minutes 32 seconds west a distance of 69.28 feet to the place of beginning.

For informational purposes only: The improvements thereon being known as 2313 Westchester Avenue.

AV 4-15-19

Debra Wiley

From: Marty Ogle <mert1114@aol.com>
Sent: Sunday, April 14, 2019 5:19 PM
To: Administrative Hearings
Subject: 2313 Westchester Ave.

2nd set of certificates

CERTIFICATE OF POSTING

CASE NO. 2019-0212-A
PETITIONER/DEVELOPER
WHITEHEAD, TAYLOR
PROJECT: C.O.
DATE OF HEARING/CLOSING
4/18/19

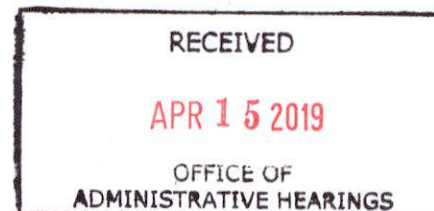
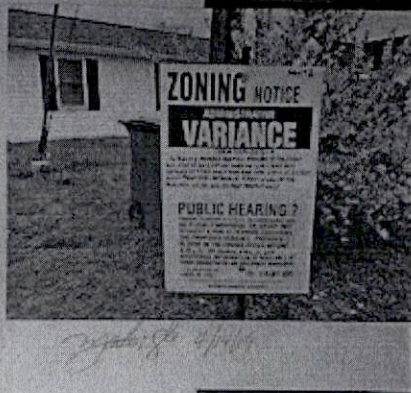
BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION
LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT 2313 WESTCHESTER AVENUE

THIS SIGN POSTED ON MARCH 31, 2019 APRIL 14, 2019
(MONTH, DAY, YEAR)

SINCERELY,
Marty Ogle
SIGNATURE OF SIGN POSTER

MARTIN OGLE
9912 MAIDENBROOK ROAD
PARKVILLE, MD 21234
410-629-3411



215 411
ADMINISTRATIVE SERVICES

CERTIFICATE OF POSTING

CASE NO. 2019-0273-A

PETITIONER/DEVELOPER

WHITEPICKS, TALLEY &

PRESTON LLC

DATE OF HEARING/CLOSING

4/15/19

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT

COUNTY OFFICE BUILDING ROOM 111

111 WEST COTSAPEAKE AVENUE

ATTENTION

LADIES AND GENTLEMAN

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

2313 WESTCHESTER AVENUE

SIGN #1

THIS SIGN(S) POSTED ON March 31, 2019 April 1, 2019
(MONTH, DAY, YEAR)

SINCERELY,

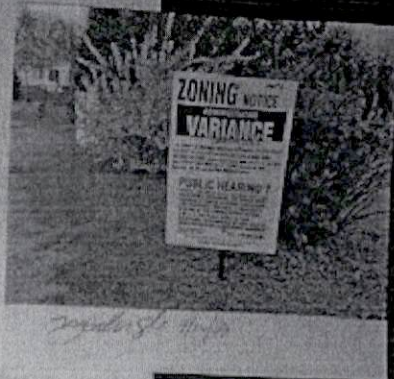
Martin Ogile
SIGNATURE OF SIGN POSTER

MARTIN OGILE

9913 MATHERDOK ROAD

PARKVILLE, MD 21274

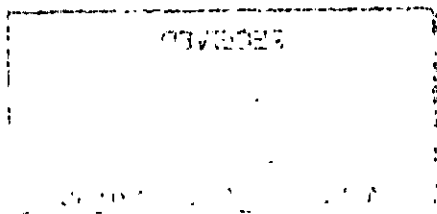
443-629-3411



Sent from my iPhone



4 . .



ZONING NOTICE

SN#1

ADMINISTRATIVE VARIANCE

CASE # 2019-0272-A

TO PERMIT A PROPOSED ADDITION ATTACHED TO THE FRONT
AND SIDE OF AN EXISTING DWELLING WITH A SIDE YARD
SETBACK OF 9 FEET AND A SIDE YARD SETBACK OF 20 FEET,
AND A FRONT YARD SETBACK OF 15 FEET IN LIEU OF THE
PERMITTED 20, 50 AND 50 FEET RESPECTIVELY

PUBLIC HEARING ?

PURSUANT TO SECTION 28-127(3) (1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE

4:30 p.m. ON MONDAY, APRIL 15, 2019
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT

411 N. CRESAPPEAKE AVE.
TOWSON, MD 21204

TEL. 410-887-3391

NO POST OR NOTICE SHALL BE REQUIRED PRIOR TO THE HEARING DATE, UNLESS OTHERWISE BY LAW

MEETING IS HANDICAP ACCESSIBLE

reaching 3/31/19

CERTIFICATE OF POSTING

CASE NO. 2019-0272-A

PETITIONER/DEVELOPER

WHITEFORD, TAYLOR &
PRESTON LLC

DATE OF HEARING/CLOSING

4/15/19

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION :

LADIES AND GENTLEMAN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

2313 WESTCHESTER AVENUE
SIGN #1

THIS SIGN(S) POSTED ON MARCH 31, 2019
(MONTH, DAY, YEAR)

SINCERELY,

 3/31/19
SIGNATURE OF SIGN POSTER

MARTIN OGLE
9912 MAIDBROOK ROAD
PARKVILLE, MD. 21234
443-629-3411

560 #2

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2014-0292-A

TO PERMIT A PROPOSED ADDITION ATTACHED TO THE FRONT
AND SIDE OF AN EXISTING DUAL-LEVEL WITH A SIDE YARD
SETBACK OF 9 FEET AND A SIDE YARD WIDTH OF 20 FEET
AND A FRONT YARD SETBACK OF 19 FEET TO COMPLY WITH THE
REQUIREMENTS OF 20, 50 AND 50 FEET RESPECTIVELY

PUBLIC HEARING ?

PURSUANT TO SECTION 26-177(b) (1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 P.M. ON MONDAY, APRIL 16, 2014
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT

315 W. CHESAPEAKE AVE
TOWSON, MD 21204

TEL. 410-687-3391

FOR MORE INFORMATION, PLEASE VISIT OUR WEBSITE: www.baltimorecountymd.gov

MEETING IS HANDICAP ACCESSIBLE

maing 3/31/14

CERTIFICATE OF POSTING

CASE NO. 2019-0272-A

PETITIONER/DEVELOPER

WHITEFORD, TAYLOR &
PRESTON LLC

DATE OF HEARING/CLOSING

4/15/19

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION :

LADIES AND GENTLEMAN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

2313 WESTCHESTER AVENUE

SIGN #2

THIS SIGN(S) POSTED ON

MARCH 31, 2019

(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 3/31/19

SIGNATURE OF SIGN POSTER

MARTIN OGLE
9912 MAIDBROOK ROAD
PARKVILLE, MD. 21234
443-629-3411

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0272 - A Address 2313 Westchester Avenue

Contact Person: Aaron Tsui Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 03/18/2019 Posting Date: 03/31/19 Closing Date: 04/15/19

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 (on the reverse side of this form) 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 an 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 zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The 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 zoning or deputy zoning commissioner), 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- 0272 -A Address: 2313 Westchester Avenue

Petitioner's Name: Ronald Chiu Telephone : 443-758-1861

Posting Date: 03/31/2019 Closing Date: 04/15/2019

Wording for Sign: To permit a proposed addition attached to the front and side of an existing dwelling with a side yard setback back of 9 feet and a sum side yard width of 20 feet, and a front yard setback of 19 feet in lieu of the required 20, 50 and 50 feet respectively.

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

No. **181945**

Date: **3/18/19**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW

3/18/2019 3/18/2019 09:28:39 3

R28 W503 WALKIN CAN

>>RECEIPT # 810897 3/18/2019 OFLN

Dept 5 528 ZONING VERIFICATION

Ex No. 181945

Receipt Tot \$ 75.00

75.00 CK .00 CA

Baltimore County, Maryland

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

Total: **\$ 75.00**

Rec
From:

For:

2313 WESTCHESTER AVE

2019-0272-A

**CASHIER'S
VALIDATION**

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!



JOHN A. OLSZEWSKI, JR.
County Executive

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

April 12, 2019

Jennifer Busse
1 W. Pennsylvania Ave Suite 300
Towson MD 21204

RE: Case Number: 2019-0272-A, 2313 Westchester 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 March 18, 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
Ronald Chiu & Jessica Chiu 2313 Westchester Ave Catonsville MD 21228

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION

STATE HIGHWAY
ADMINISTRATION

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

Date: 3/25/19

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

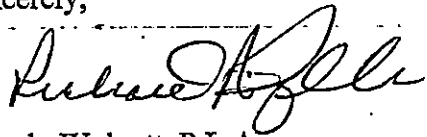
Dear Ms. Lewis:

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. 2019-0272-A.

Administrative Variance
Ronald & Jessica Chin
2313 Westchester 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

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 28, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0272-A
Address 2313 Westchester Avenue
(Chiu Property)

Zoning Advisory Committee Meeting of **April 1, 2019**.

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

Reviewer: Steve Ford

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>3-28</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>3-25</u>	STATE HIGHWAY ADMINISTRATION	<u>NO object.</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING (1 st)	Date: <u>3-31-19</u> by <u>Ogle</u>	
SIGN POSTING (2 nd)	Date: <u>4-14-19</u> by <u>"</u>	
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 - 2300006567
Owner Information		
Owner Name:	CHIU RONALD CHIU JESSICA ANN	Use: Principal Residence: RESIDENTIAL YES
Mailing Address:	2313 WESTCHESTER AVE CATONSVILLE KY 21228-	Deed Reference: /40130/ 00464
Location & Structure Information		
Premises Address:	2313 WESTCHESTER AVE CATONSVILLE 21228-	Legal Description: .2906 AC ES WESTCHESTER AVE 200 FT N OELLA AVE
Map:	Grid:	Parcel:
0100	0009	0565
Sub District:	Subdivision:	Section:
	0000	
Block:	Lot:	Assessment Year:
		2019
Plat No:	Plat Ref:	
Special Tax Areas:	Town:	NONE
	Ad Valorem:	
	Tax Class:	
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1850	956 SF	12,658 SF
Property Land Area	County Use	
	04	
Stories	Basement	Type
1	NO	STANDARD UNIT
Exterior	Full/Half Bath	Garage
SIDING	1 full	1 Detached
Last Major Renovation		
Value Information		
	Base Value	Value
		As of 01/01/2019
Land:	92,100	132,100
Improvements	50,600	60,900
Total:	142,700	193,000
Phase-in Assessments		
		As of 07/01/2018
		As of 07/01/2019
Land:		
Improvements		
Total:		
Preferential Land:	0	0
Transfer Information		
Seller: COFIELL JOHN E	Date: 04/10/2018	Price: \$205,000
Type: ARMS LENGTH IMPROVED	Deed1: /40130/ 00464	Deed2:
Seller:	Date:	Price: \$0
Type:	Deed1: /11368/ 00153	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2018
County:	000	0.00
State:	000	0.00
Municipal:	000	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:

ZAC AGENDA

Case Number: 2019-0272-A **Reviewer:** Aaron Tsui
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Ronald & Jessica Chiu
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 1 **Council Dist:** 1

Property Address: 2313 WESTCHESTER AVE
Location: ES of Westchester Ave; 150 ft NE of the centerline of Oella Ave.

Existing Zoning: DR 1 **Area:** 12,658

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

A side yard setback of 9 feet in lieu of the otherwise required 20 feet per BCZR, 1B02.3.C.1, and a sum of 20 feet side yard width in lieu of the otherwise required 50 feet. To permit a front yard setback of 19 feet in lieu of the otherwise required 50 feet per BCZE and 1B02.3.C.1.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 04/15/2019

Miscellaneous Notes:

Case Number: 2019-0273-A **Reviewer:** Christina Frink
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Steven R. Shaw, Trustee and Robert J. Shaw
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 9 **Council Dist:** 2

Property Address: 7313 BELLONA AVE
Location: On the right side of Bellona Ave, 580 feet NW of Brightside Road.

Existing Zoning: DR 1 **Area:** 264,844

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To approve an accessory structure garage in the front right side yard in lieu of the required rear yard.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

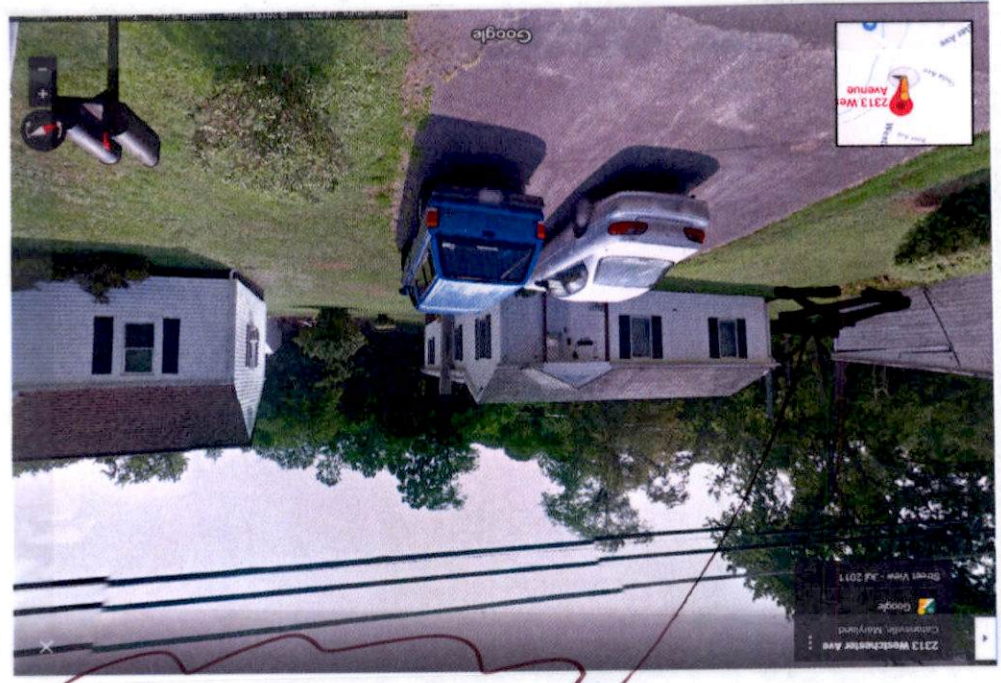
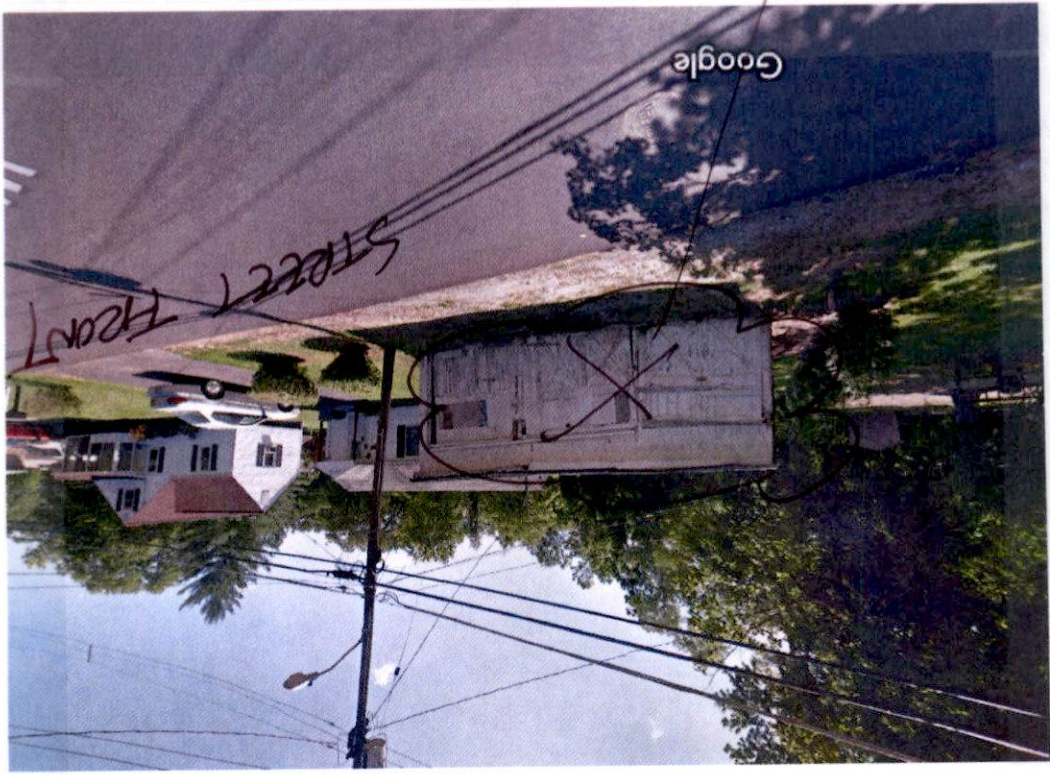
Violation Cases: None

Closing Date: 04/15/2019

Miscellaneous Notes:

2019-0272-A

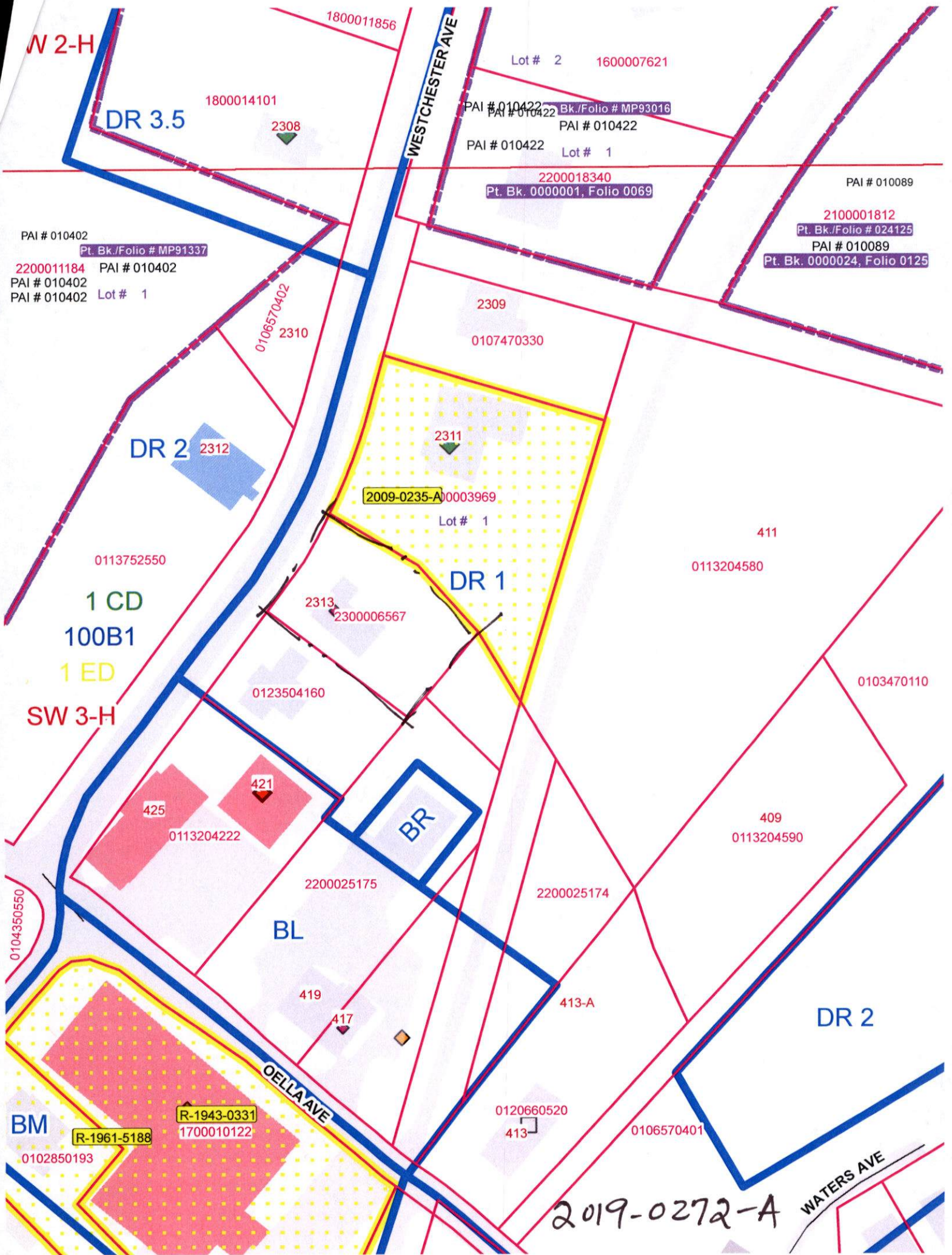
ALREADY RAZED
FOR NEW ADDITION



NEW ADDITION

1000 080808

1000 080808
1000 080808
1000 080808



W 2-H

DR 3.5

WESTCHESTER AVE

Lot # 2 1600007621

PAI # 010422 Bk./Folio # MP93016
PAI # 010422 PAI # 010422

PAI # 010422 Lot # 1

2200018340
Pt. Bk. 0000001, Folio 0069

PAI # 010089

2100001812
Pt. Bk./Folio # 024125
PAI # 010089

Pt. Bk. 0000024, Folio 0125

PAI # 010402
Pt. Bk./Folio # MP91337

2200011184 PAI # 010402

PAI # 010402 Lot # 1

0106570402

2309
0107470330

DR 2 2312

2009-0235-A 0003969

Lot # 1

DR 1

0113752550

411
0113204580

1 CD
100B1
1 ED

SW 3-H

0123504160

0103470110

BR

425
0113204222

421

2200025175

2200025174

409
0113204590

BL

419

417

413-A

DR 2

OELLA AVE

0120660520
413

0106570401

BM
R-1961-5188
0102850193

R-1943-0331
1700010122

2019-0272-A

WATERS AVE

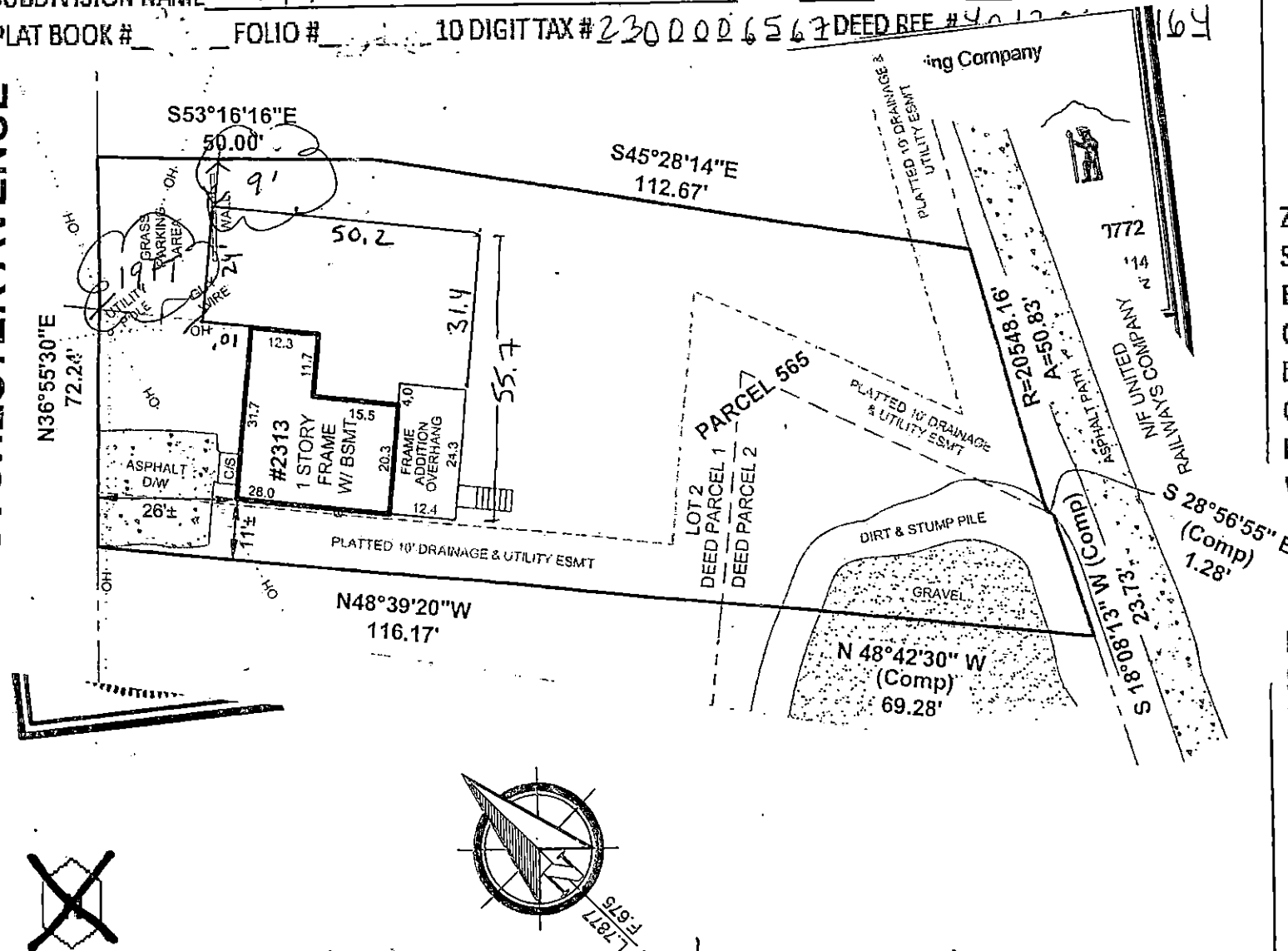
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 2313 Westchester Ave. OWNER(S) NAME(S) Ronald & Jessica Chiu

SUBDIVISION NAME N/A LOT # 2 BLOCK # _____ SECTION # _____

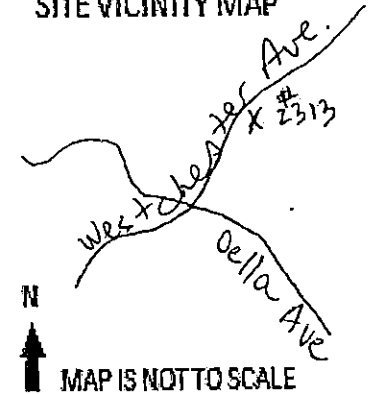
PLAT BOOK # _____ FOLIO # _____ 10 DIGIT TAX # 230 000 65 67 DEED REF # 4012

WESTCHESTER AVENUE



PLAN DRAWN BY Jennifer Burse DATE 3/18/19 SCALE: 1 INCH = 30 FEET
(using survey by John W.)

SITE VICINITY MAP



MAP IS NOT TO SCALE
ZONING MAP# 100B1
SITE ZONED DR 1
ELECTION DISTRICT 1
COUNCIL DISTRICT 1
LOT AREA ACREAGE .29
OR SQUARE FEET 12,658
HISTORIC? NO
IN CBCA? NO
FLOOD PLAIN? NO
UTILITIES? MARK WITH X
WATER IS: PUBLIC ☒ PRIVATE
SEWER IS: PUBLIC ☒ PRIVATE
PRIOR HEARING? NO
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW
N/A

VIOLATION CASE INFO:
None

2019-0272-A

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

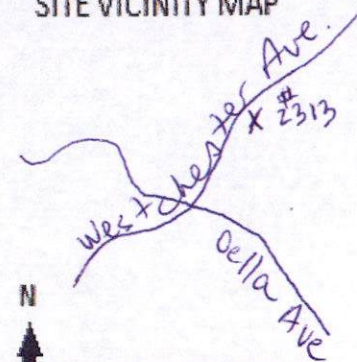
ADDRESS 2313 Westchester Ave. OWNER(S) NAME(S) Ronald & Jessica Chiu

SUBDIVISION NAME N/A LOT # 2 BLOCK # _____ SECTION # _____

PLAT BOOK # _____ FOLIO # _____ 10 DIGIT TAX # 2300006567 DEED REF # 4012

WESTCHESTER AVENUE

SITE VICINITY MAP



N



MAP IS NOT TO SCALE

ZONING MAP# 100B1

SITE ZONED DR1

ELECTION DISTRICT 1

COUNCIL DISTRICT 1

LOT AREA ACREAGE .29

OR SQUARE FEET 12,658

HISTORIC? NO

IN CBCA? NO

IF FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC ☒ PRIVATE _____

SEWER IS:

PUBLIC ☒ PRIVATE _____

PRIOR HEARING? NO

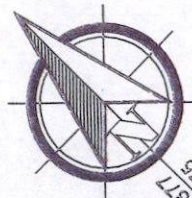
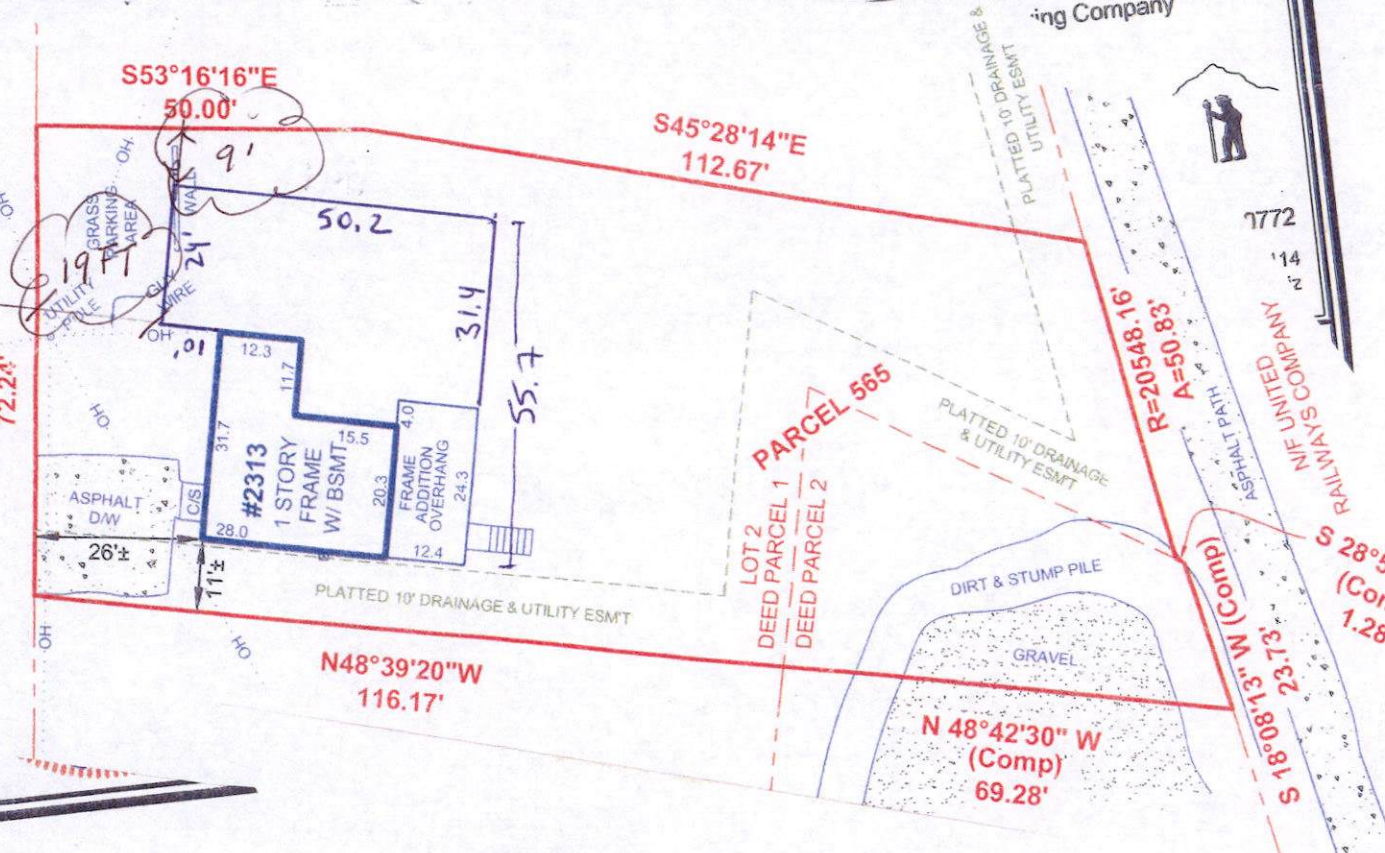
IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

N/A

VIOLATION CASE INFO:

None



PLAN DRAWN BY Jennifer Busse DATE 3/18/19 SCALE: 1 INCH = 30 FEET

(using survey by John Wly)

2019-0272-A

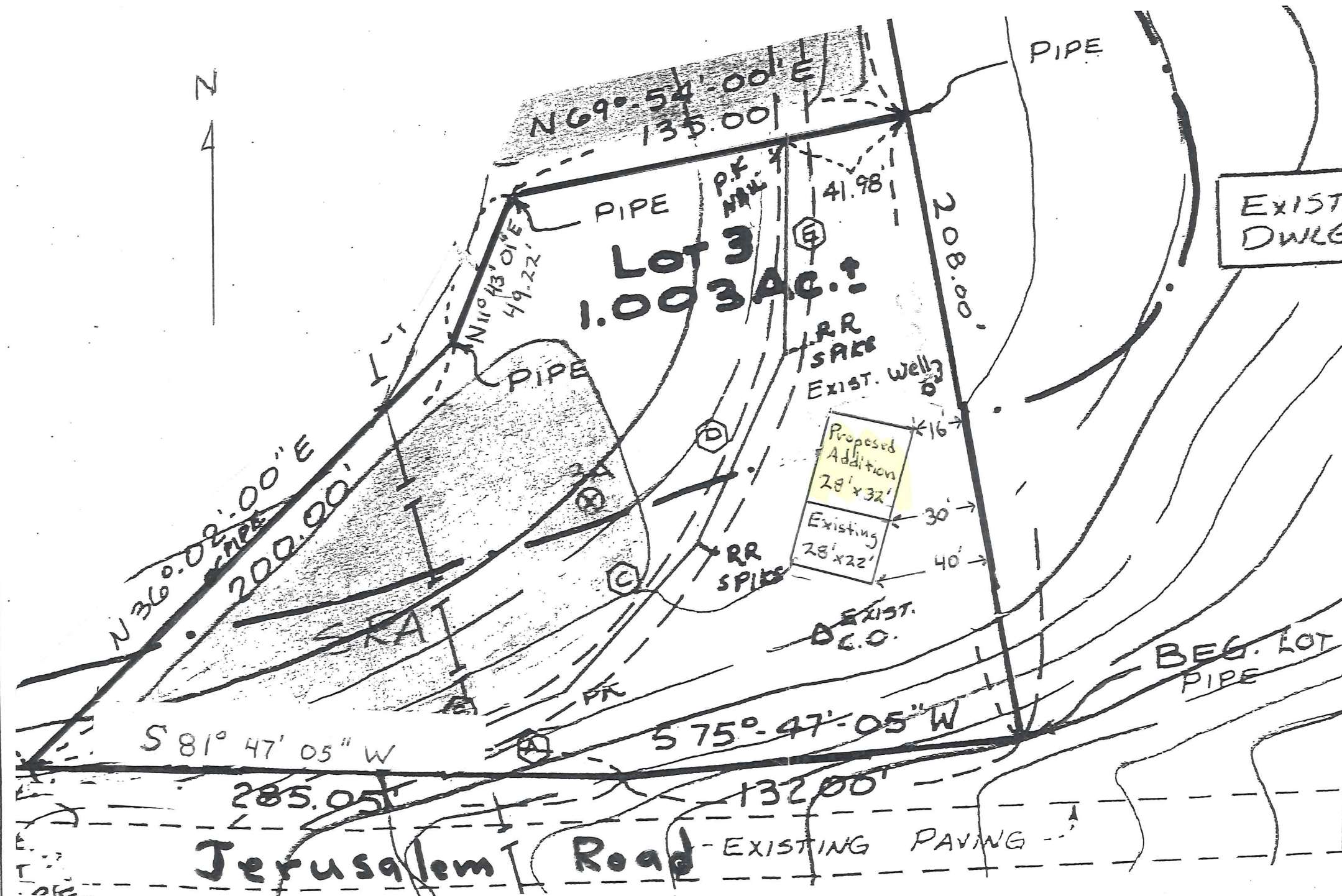
Pet. EOR. 1

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

ADDRESS 12508 Jerusalem Rd., Kingsville, MD OWNER(S) NAME(S) Patricia McCartin

SUBDIVISION NAME Burman Property Health Master LOT# 3 BLOCK# _____ SECTION# _____

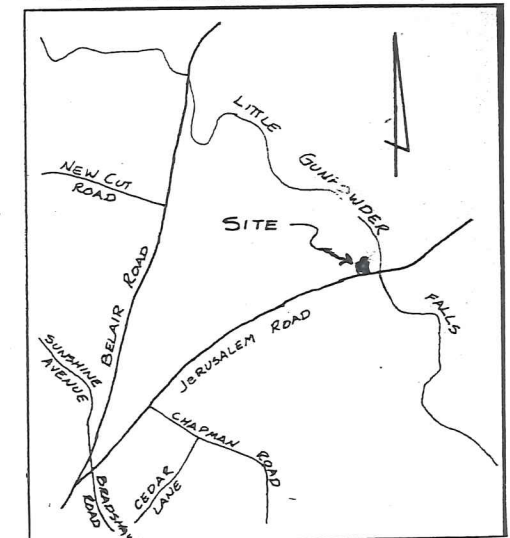
PLAT BOOK# _____ FOLIO# _____ 10 DIGIT TAX# 1102088630 DEED REF.# 35518/-212



PLAN DRAWN BY Roy Witherite DATE 2/20/19 SCALE: 1 INCH = 40 FEET

2019-0271-A

SITE VICINITY MAP (Not to Scale)



ZONING MAP# 055 B2

SITE ZONED RC5

ELECTION DISTRICT 11

COUNCIL DISTRICT 5CD

LOT AREA ACREAGE 1.003

OR SQUARE FEET _____

HISTORIC? No

IN CBCA? No

IN FLOOD PLAIN? No

UTILITIES? MARK WITH X

WATER IS:

PUBLIC _____ PRIVATE X

SEWER IS:

PUBLIC _____ PRIVATE X

PRIOR HEARING? No

IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO: