

M E M O R A N D U M

DATE: June 18, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0283-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on June 17, 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: **PETITIONS FOR SPECIAL HEARING *
AND VARIANCE**

(6941 Mount Vista Road) *
11th Election District *
5th Council District *

Saida M. Guevara Arias *
Legal Owner *
Petitioner *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2019-0283-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of Petitions for Special Hearing and Variance filed on behalf of Saida M. Guevara Arias, legal owner (“Petitioner”). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (“BCZR”) to approve a proposed garage 1,536 square feet in size, which is larger than the residence. In addition, a Petition for Variance was filed pursuant to BCZR Section 400.3 to permit the height of the garage to be 18.5 ft. in lieu of the permitted 15 ft. A site plan was marked and accepted into evidence as Petitioner’s Exhibit 1.

Petitioner appeared in support of the requests. A neighbor attended the hearing to obtain additional information regarding the request. 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.

SPECIAL HEARING

The subject property is 2.2 acres in size and is zoned RC-5. The property is located in the Kingsville area and improved with a small single-family dwelling constructed in 1986. While the state tax records indicate the dwelling is 720 sq. ft. in size, that is the ground floor area of the home. Petitioner confirmed the dwelling is two-story; as such the house in fact contains 1,440 sq. ft. of

ORDER RECEIVED FOR FILING

Date 5/15/19

By sen

above-grade living space. Petitioner proposes to construct a pole building in the northwest corner of the lot, in the rear of the existing dwelling. Petitioner stated the garage would be used for storage of a camper, lawn equipment, ATVs and other household items. Given the size of the property and the proposed location of the garage, I do not believe granting the request would have a detrimental impact upon the community.

VARIANCE

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 property has irregular dimensions/boundaries and is therefore unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because she would be unable to construct the proposed garage. 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 lack of County and/or community opposition.

THEREFORE, IT IS ORDERED this 15th day of **May, 2019**, by this Administrative Law Judge, that the Petition for Special Hearing to approve a garage 1,536 square feet in size, which is larger than the residence, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance to permit the height of the garage to be 18.5 ft. in lieu of the permitted 15 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

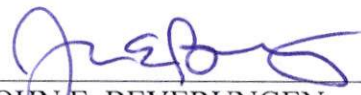
ORDER RECEIVED FOR FILING

Date 5/15/19

By Sen

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at her own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Petitioner or subsequent owners shall not convert the proposed accessory building (detached garage) into a dwelling unit or apartment. The garage shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
3. The proposed garage shall not be used for commercial purposes.

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:slh

ORDER RECEIVED FOR FILING

Date 5/15/19
By Sen



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 6941 MT Vista Rd Kingsville MD 21087 which is presently zoned RC 5
Deed References: 41047-00348 10 Digit Tax Account # 2100011966
Property Owner(s) Printed Name(s) Saida M Guevara Arias

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

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

1. X a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve pursuant to Sec. 400.1.2 of the zoning paper manual, to approve a large accessory use garage that will be 536 S.F. which is larger than the residence which is 720 S.F.
2. _____ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for
3. X a Variance from Section(s) 400.3 of the BCCR to permit the height of the accessory use garage to be 18 ft. 6 inches in use of the permitted 15 ft.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT HEARING

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

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

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Saida M Guevara Arias

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

6941 MT Vista Rd Kingsville MD

21087 301-906-8035 Saida2084@hotmail.com

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 2019-0283-SPHA 4 Filing Date 3/1/2019

Do Not Schedule Dates:

Reviewer RT

This Deed, made this 3rd day of October, 2018, by and between **SIMMS**, sole owner, hereinafter referred to as "GRANTOR", and **Saida Merari GUEVARA ARIAS**, sole owner, hereinafter referred to as "GRANTEE".

Witnesseth –

That in consideration of the sum of Two Hundred Fifty Thousand and 00/100 Dollars (\$250,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt of which is hereby acknowledged, the said Grantor does hereby grant and convey to the said Grantee, as sole owner, in fee simple, all that lot of ground situate in the County of Baltimore, State of Maryland and described as follows, that is to say:

ZONING PROPERTY DESCRIPTION FOR MT VISTA KINGSVILLE MD 21087

PART A

Beginning at point the west side of mt vista rd fronts which is 30 feet wide at a distance of 450 feet north of the centerline of the nearest improved intersecting street marvon rd which is 30 feet wide.

PART B CONTINUE DESCRIPTION WITH ONE OF THE FOLLOWING 3 OPTIONS

Thence the following courses and distances 1st POINT OF CALL N.S. 67 13 43 2ND W. 30.40 FEET N. 67 13 43 E. 471.10 FEET LINE OF THAT PARCEL OF LAND BACK TO THE POINT OF BEGINNING AS RECORDED IN DEED LIBER SM NO. 7385 FOLIO 118, POINT BEING ALSO IN THE WESTERLY SIDE OF A 30 FOOT RD WIDENING PARCEL FOR MT VISTA RD CONTAINING OF ACRES 2.2 LOCATED IN THE 11 ELECTION DISTRICT AND 5 COUNCIL DISTRICT.

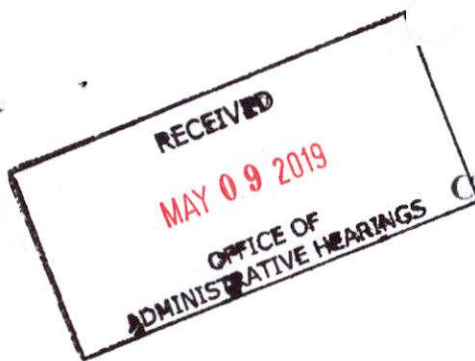
OPTION 3 SUBDIVISION LOT

THE SUBDIVISION 0000 CONTAINING 2.2 ACRES LOCATED IN THE 11TH ELECTION DISTRICT AND 5TH COUNCIL DISTRICT.

OPTION 3

THENCE THE FOLLOWING COURSES AND DISTANCES: 1ST SOUTHEASTERLY, BY LINE CURVING ON THE RIGHT WITH A RADIUS OF 241.47 FEET, FOR AN ARC DISTANCE OF 99.11 FEET S. 01 DEGREES 45 MINUTES 13 E. 98.41 FEET S. 10 00 15 W. 179.43 S. 79 11 56 W. 364.47 4 N. 06 39 48 W. 524.60 FEET OF THE DEED RECORDED IN LIBER SM NO. 7385 FOLIO 118 CONTAINING 2.2 ACRES LOCATED IN THE 11 ELECTION DISTRICT AND 5 COUNCIL DISTRICT.

CASE NO. 2019-0283-SPH-A



CERTIFICATE OF POSTING

Date: 5-9-19

RE: Case Number: 2019-0283-SPHA RECERT

Petitioner/Developer: Aries

Date of Hearing/Closing: 5-13-19 11 AM

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 6941 Mt. Vista Rd

The signs(s) were posted on RECERT 5-9-19
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON

(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road

(Street Address of Sign Poster)

Parkton, MD 21120

(City, State, Zip Code of Sign Poster)

410-343-1443

(Telephone Number of Sign Poster)



ZONING NOTICE

CASE # 2019-0283-SPHA

A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD

ROOM 205
21204

PLACE: JEFFERSON BUILDING
105 WEST CHESAPEAKE AVE., TOWSON 21204

DATE AND TIME: MON. MAY 13, 2019 11 AM
SPECIAL HEARING TO APPROVE A LARGE ACCESSORY USE GARAGE THAT WILL BE 1536 SQ. FT. WHICH

REQUEST: IS LARGER THAN THE RESIDENCE WHICH IS 720 SQ. FT.
IS LARGER THAN THE HEIGHT OF THE PERMITTED

VARIANCE TO PERMIT THE HEIGHT OF THE PERMITTED
GARAGE TO BE 18 FT. 6 INCHES IN LIEU OF THE

15 FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO SCHEDULE HEARING CALL 887-3391

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TO SCHEDULE HEARING CALL 887-3391

ZONING

#1

CASE # 2019-0283-SPHA

NOTICE

**A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD**

PLACE: JEFFERSON BUILDING ROOM 205
105 WEST CHESAPEAKE AVE TOWSON 21204

DATE AND TIME: MON. MAY 13, 2019 11 AM

REQUEST: SPECIAL HEARING TO APPROVE A LARGE AC-
CESSORY USE GARAGE THAT WILL BE 1536 SQ. FT. WHICH
IS LARGER THAN THE RESIDENCE WHICH IS 720 SQ. FT.
VARIANCE TO PERMIT THE HEIGHT OF THE ACCESSORY USE
GARAGE TO BE 19 FT. 6 INCHES IN LIEU OF THE PERMITTED
15 FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONFIRM HEARING CALL 887-1191

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

HANDICAPPED ACCESSIBLE

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:

4/23/2019

Order #: 11732330
Case #: 2019-0283-SPHA
Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2019-0283-SPHA



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: 2019-0283-SPHA

6941 Mt. Vista Road

North of Marvon Road on the west side of Mt. Vista Road

11th Election District - 5th Councilmanic District

Legal Owners: Saida Guevara Arias

Special Hearing to approve a large accessory use garage that will be 1536 sq. ft. which is larger than the residence which is 720 sq. ft. Variance to permit the height of the accessory use garage to be 18 ft., 6 inches in lieu of the permitted 15 ft.

Hearing: Monday, May 13, 2019 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Mike Mohler

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL 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.

ap23

CERTIFICATE OF POSTING

Date: 5-9-19

RE: Case Number: 2019-02B3-SPHA RECERT

Petitioner/Developer: Arias

Date of Hearing/Closing: 5-13-19 11 AM

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The signs(s) were posted on RECERT 5-9-19
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

Date: 4-23-19

RE: Case Number: 2019-0283-SPHA

Petitioner/Developer: Arias

Date of Hearing/Closing: May 13, 2019 11AM

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 6941 Mt. Vista Rd

The signs(s) were posted on 4-23-19
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, Director
Department of Permits,
Approvals & Inspections

April 16, 2019

NOTICE OF ZONING HEARING

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

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105 West Chesapeake Avenue, Towson 21204

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

Mike Mohler
Director

MM:kl

C: Saida Guevara Arias, 6941 Mt. Vista Road, Kingsville 21087

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 23, 2019.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**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: 2019-0293-SPHA

Property Address: 6941 MT Vista Rd Kingsville MD 21087

Property Description: _____

Legal Owners (Petitioners): Saida M Cuelvara Anas

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Saida M Cuelvara Anas

Company/Firm (if applicable): _____

Address: 6941 MT Vista Rd Kingsville MD 21087

Telephone Number: 301-906-8035 / 410-262-2322 - Preferred

TO: THE DAILY RECORD
Tuesday, April 23, 2019 - Issue

Please forward billing to:
Saida Guevara Arias
6941 Mt. Vista Road
Kingsville, MD 21087

410-262-2322

NOTICE OF ZONING HEARING

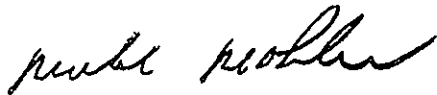
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Special Hearing to approve a large accessory use garage that will be 1536 sq. ft. which is larger than the residence which is 720 sq. ft. Variance to permit the height of the accessory use garage to be 18 ft., 6 inches in lieu of the permitted 15 ft.

Hearing: Monday, May 13, 2019 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL 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.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE *
6941 Mount Vista Road; N of Marvon Road * OF ADMINISTRATIVE
On the west side of Mt. Vista Road *
11th Election & 5th Councilmanic Districts * HEARINGS FOR
Legal Owner(s): Saida & Guevara Arias *
Petitioner(s) * BALTIMORE COUNTY
* 2019-283-SPHA

* * * * *

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

APR 09 2019

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of April, 2019, a copy of the foregoing Entry of Appearance was mailed to Saida & Guevara Arias, 6941 Mount Vista Road, Kingsville, Maryland 21087, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

No. **182070**

PAID RECEIPT

Date:

4/1/2019

BUSINESS 4/02/2019 ACTUAL 4/01/2019 11:55:36 TRN 1

REC WSO1 WALKIN LJR
 >>RECEIPT # 001982 4/01/2019 DFLN

Dept 5 528 ZONING VERIFICATION

182070

Dept Tot \$ 150.00

.00 CK 150.00 CA

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					\$100.00
									50.00

Total:

\$150.00

Rec

From:

6941 Mt. Vista Rd., Kingsville / Guevara

For:

SPECIAL HEARING

VARIANCE - CASE NO. 2019-0283-SHA

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**



JOHN A. OLSZEWSKI, JR.
County Executive

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

May 8, 2019

Saida M Guevara Aries
6941 Mt Vista Road
Kingsville MD 21087

RE: Case Number: 2019-0283-SPHA, 9541 Belair Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 1, 2019. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

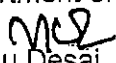
c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: April 22, 2019

FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For April 15, 2019
Item No. 2019-0281-A, 0282-SPHA, 0283-SPHA, 0284-A & 0289-A

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

* * * * *

VKD: cen
cc: file

5-13

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 11, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0283-SPHA
Address 6941 Mount Vista Road
(Arias Property)

Zoning Advisory Committee Meeting of **April 15, 2019**.

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

Reviewer: Steve Ford

Date: 4/10/19

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

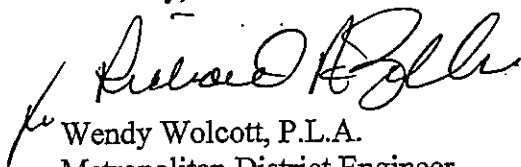
Dear Ms. Lewis:

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. 2019-0283-SPHA

*Special Hearing Variance
Saida M. & Guera Araias
6941 Mount Vista Road.*

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

CASE NAME 2019-0283-SPHA
CASE NUMBER
DATE 5/13/19

NAME

CITY, STATE, ZIP

[illegible]

DATE _____

2019-283-SPHA

MAY 13, 2019

PETITIONER'S SIGN-IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E - MAIL

Saida McGowan	6941 MT Vista Rd	Kingsville MD 2087	Saida2084@hotmail.com
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C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment4/22DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)NO Comments4/11DEPS
(if not received, date e-mail sent _____)NO
Comments

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)4/10

STATE HIGHWAY ADMINISTRATION

NO Objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

4/23/19SIGN POSTING (1st)

Date:

4/23/19

by

PulsonSIGN POSTING (2nd)

Date:

5/9/19

by

Pulson

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 - 11 Account Number - 2100011966							
Owner Information									
Owner Name:		GUEVARA ARIAS SAIDA MERARI				Use:		RESIDENTIAL	
						Principal Residence:		YES	
Mailing Address:		6941 MT VISTA RD KINGSVILLE MD 21087-1334				Deed Reference:		/41047/ 00348	
Location & Structure Information									
Premises Address:		6941 MT VISTA RD KINGSVILLE 21087-1334				Legal Description:		2.2 AC 6941 MT VISTA RD WS 978 FT NW MARVON RD	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0063	0005	0621		0000				2018	Plat Ref:
Special Tax Areas:				Town:			NONE		
				Ad Valorem:					
				Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1986		720 SF				2.2000 AC		04	
Stories	Basement	Type	Exterior		Full/Half Bath	Garage	Last Major Renovation		
1	YES	STANDARD UNIT	1/2 BRICK FRAME		1 full	1 Attached			
Value Information									
		Base Value		Value		Phase-in Assessments			
				As of		As of		As of	
				01/01/2018		07/01/2018		07/01/2019	
Land:		168,000		151,200					
Improvements		98,400		96,500					
Total:		266,400		247,700		247,700		247,700	
Preferential Land:		0						0	
Transfer Information									
Seller: SIMMS DORIS				Date: 01/11/2019			Price: \$250,000		
Type: ARMS LENGTH IMPROVED				Deed1: /41047/ 00348			Deed2:		
Seller: BYER RAYMOND LEE				Date: 06/28/1993			Price: \$125,000		
Type: ARMS LENGTH IMPROVED				Deed1: /13343/ 00064			Deed2:		
Seller: BYER RAYMOND LEE				Date: 05/26/1989			Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /08185/ 00701			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:

ZONING NOTICE

CASE # 2019-0283-SPHA

**A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD**

PLACE: JEFFERSON BUILDING ROOM 205
105 WEST CHESAPEAKE AVE., TOWSON 21204

DATE AND TIME: MON. MAY 13, 2019 11 AM

REQUEST: SPECIAL HEARING TO APPROVE A LARGE AC-
CESSORY USE GARAGE THAT WILL BE 1536 SQ. FT. WHICH
IS LARGER THAN THE RESIDENCE WHICH IS 720 SQ. FT.
VARIANCE TO PERMIT THE HEIGHT OF THE ACCESSORY USE
GARAGE TO BE 18 FT. 6 INCHES IN LIEU OF THE PERMITTED
15 FT.

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

OWNERS MUST KEEP THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

#2

NOTICE

ZONING

CASE # 2019-0283-SPHA

A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE

IN TOWSON, MD

ROOM 205
JEFFERSON BUILDING AVE. TOWSON 21204

PLACE: MON. MAY 13, 2019 11 AM

DATE AND TIME: 105 WEST CHESAPEAKE AVE. TOWSON 21204

REQUEST: SPECIAL HEARING TO APPROVE A LARGE ACCESSORY USE GARAGE THAT WILL BE 1536 SQ. FT. WHICH IS LARGER THAN THE RESIDENCE WHICH IS 720 SQ. FT.

VARIANCE TO PERMIT THE HEIGHT OF THE PERMITTED GARAGE TO BE 15 FT. 6 INCHES IN LIEU OF THE PERMITTED 15 FT.

15 FT.

POSITIONMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 877.3391

POSTIONMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 877.3391

INDICATED ACCESSIBLE

ZONING

#1
NOTICE

CASE # 2019-0283-SPHA

**A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD**

PLACE: JEFFERSON BUILDING ROOM 205

105 WEST CHESAPEAKE AVE TOWSON 21204

DATE AND TIME: MON. MAY 13, 2019 11 AM

REQUEST: SPECIAL HEARING TO APPROVE A LARGE AC-
CESSORY USE GARAGE THAT WILL BE 1536 SQ. FT. WHICH
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GARAGE TO BE 18 FT. 6 INCHES IN LIEU OF THE PERMITTED
15 FT.

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

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

HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE # 2019-0283-SPHA

**A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD**

PLACE: JEFFERSON BUILDING ROOM 205

105 WEST CHESAPEAKE AVE TOWSON 21204

DATE AND TIME: MON. MAY 13, 2019 11 AM

REQUEST: SPECIAL HEARING TO APPROVE A LARGE AC-
CESSORY USE GARAGE THAT WILL BE 1536 SQ. FT. WHICH
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VARIANCE TO PERMIT THE HEIGHT OF THE ACCESSORY USE
GARAGE TO BE 18 FT. 6 INCHES IN LIEU OF THE PERMITTED
15 FT.

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

Real Property Data Search (w3)

Search Result for BALTIMORE COUNTY

2019-0283-SPH-A

View Map			View GroundRent Redemption			View GroundRent Registration		
Tax Exempt:			Special Tax Recapture:					
Exempt Class:			NONE					
Account Identifier:			District - 11 Account Number - 2100011866					
Owner Information								
Owner Name:			GUEVARA ARIAS SAIDA MERARI			Use:		RESIDENTIAL
Mailing Address:			6941 MT VISTA RD KINGSVILLE MD 21087-1334			Principal Residence:		YES
						Deed Reference:		/41047/ 00348
Location & Structure Information								
Premises Address:			6941 MT VISTA RD KINGSVILLE 21087-1334			Legal Description:		2.2 AC 6941 MT VISTA RD WS 978 FT NW MARVON RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:
0063	0005	0621		0000				2018
Special Tax Areas:			Town:			NONE		
			Ad Valorem:					
			Tax Class:					
Primary Structure Built			Above Grade Living Area		Finished Basement Area		Property Land Area	
1986			720 SF				2.2000 AC	
County Use			04					
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation		
1	YES	STANDARD UNIT	1/2 BRICK FRAME	1 full	1 Attached			
Value Information								
Base Value			Value		Phase-In Assessments			
			As of		As of		As of	
			01/01/2018		07/01/2018		07/01/2019	
Land:			168,000		151,200			
Improvements			98,400		96,500			
Total:			266,400		247,700		247,700	
Preferential Land:			0				0	
Transfer Information								
Seller: SIMMS DORIS			Date: 01/11/2019			Price: \$250,000		
Type: ARMS LENGTH IMPROVED			Deed1: /41047/ 00348			Deed2:		
Seller: BYER RAYMOND LEE			Date: 06/28/1993			Price: \$125,000		
Type: ARMS LENGTH IMPROVED			Deed1: /13343/ 00064			Deed2:		
Seller: BYER RAYMOND LEE			Date: 05/26/1989			Price: \$0		
Type: NON-ARMS LENGTH OTHER			Deed1: /08185/ 00701			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:								

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

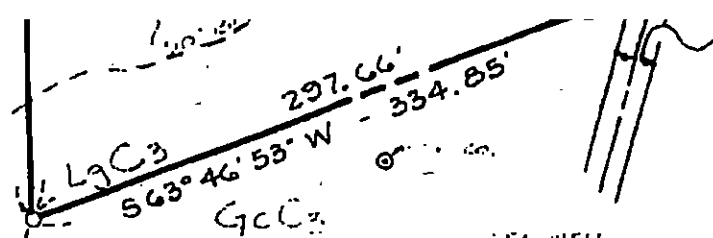
NOTES:

1. No clearing, grading, or disturbance in the buffer area except as per Baltimore County Water Quality Policy.
2. Clearing and grading is to be limited to that necessary for construction of driveways and homesites.
3. Existing septic system on Lot 1 to be pumped & backfilled or removed prior to use & occupancy of proposed dwelling on Lot 1, ~~AND EXISTING IMP WILL~~ ~~ON LOT 2.~~



Septic reserve area

- ⊙ = Perc test area, passed
 ▲ = Perc test area, failed



Lands of
 Angelo J. Bianca SITE DATA

Number of lots allowable: 3
 Number of lots proposed: 2
 Total enclosed area: 4.66 Ac.±
 Area of Lot 1: 2.00 Ac.±
 Area of Lot 2: 2.26 Ac.±
 Area of road improvement: 0.40 Ac.±
 Zoning: RC-5
 Tax Map: 63 Parcel: 1
 Deed Reference: 7385/118
 LOT 1 ROAD IMP: 0.20 Ac.±
 LOT 2 ROAD IMP: 0.20 Ac.±

Robert W. Sherry

3-23-89

DIRECTOR, DEPARTMENT OF ENVIRONMENTAL
 PROTECTION AND RESOURCE MANAGEMENT

Date

PLAT TO ACCOMPANY
 DESCRIPTION OF LOTS

1 & 2

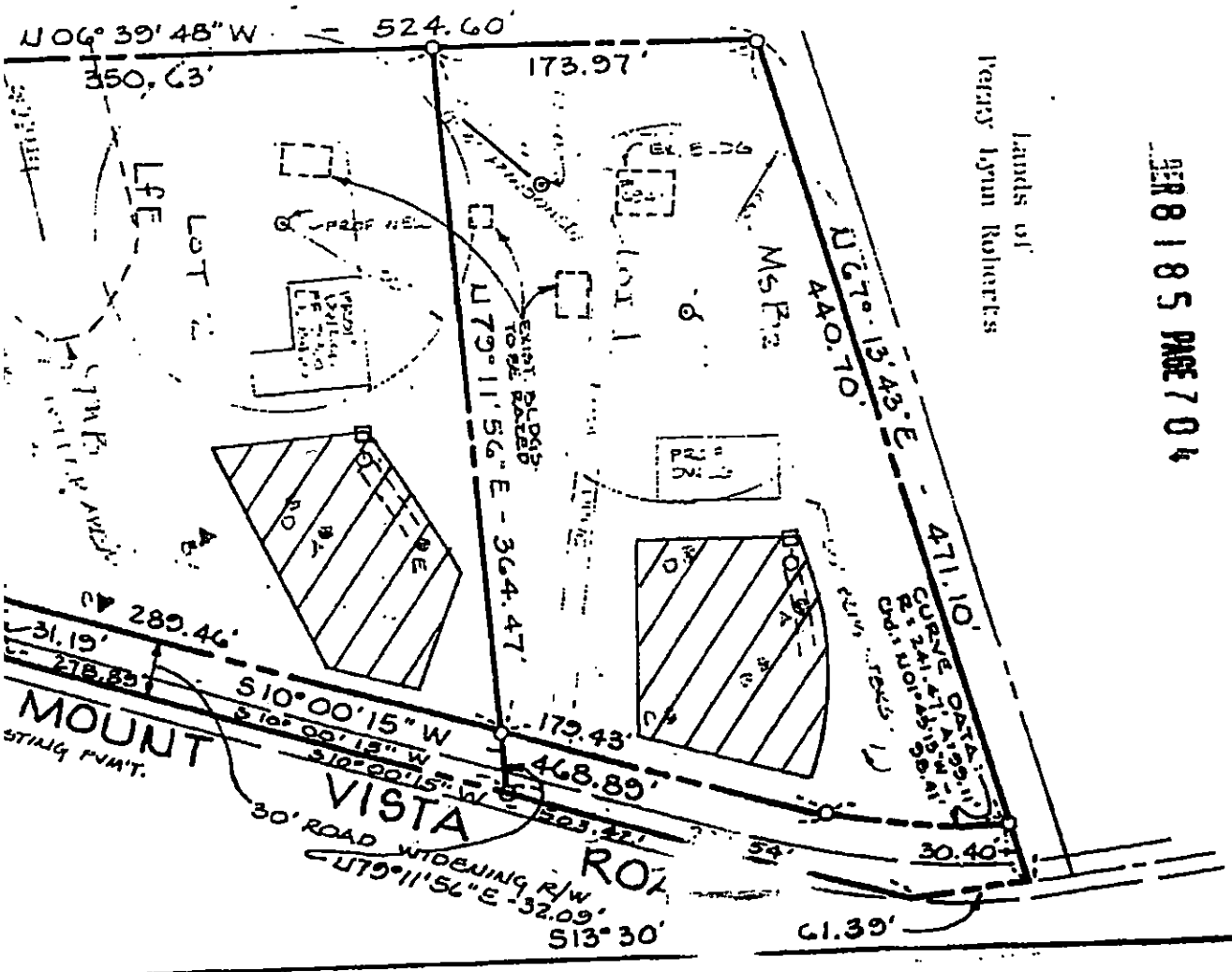
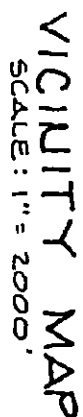
LAND OF
 RAYMOND BYER

11th ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND

K.L.S. Consultants, I
 ENGINEERS AND SURVEYORS

43 EAST LEE STREET
 BEL AIR, MARYLAND 21014
 879/838-1441

DATE	SCALE	FILE NO.
1-17-89	1"=100'	8887





Permits, Approvals & Inspections

111 W. Chesapeake Avenue
Towson, MD 21204

Report Generated On:
3/21/2019

Permit Processing Residential Permit & Development Report

Page 1 of 1

Property Information

Tax Account Number: 2100011966

Election District: 11

Owner Name(s): SIMMS DORIS c

PDM #: 11-0745

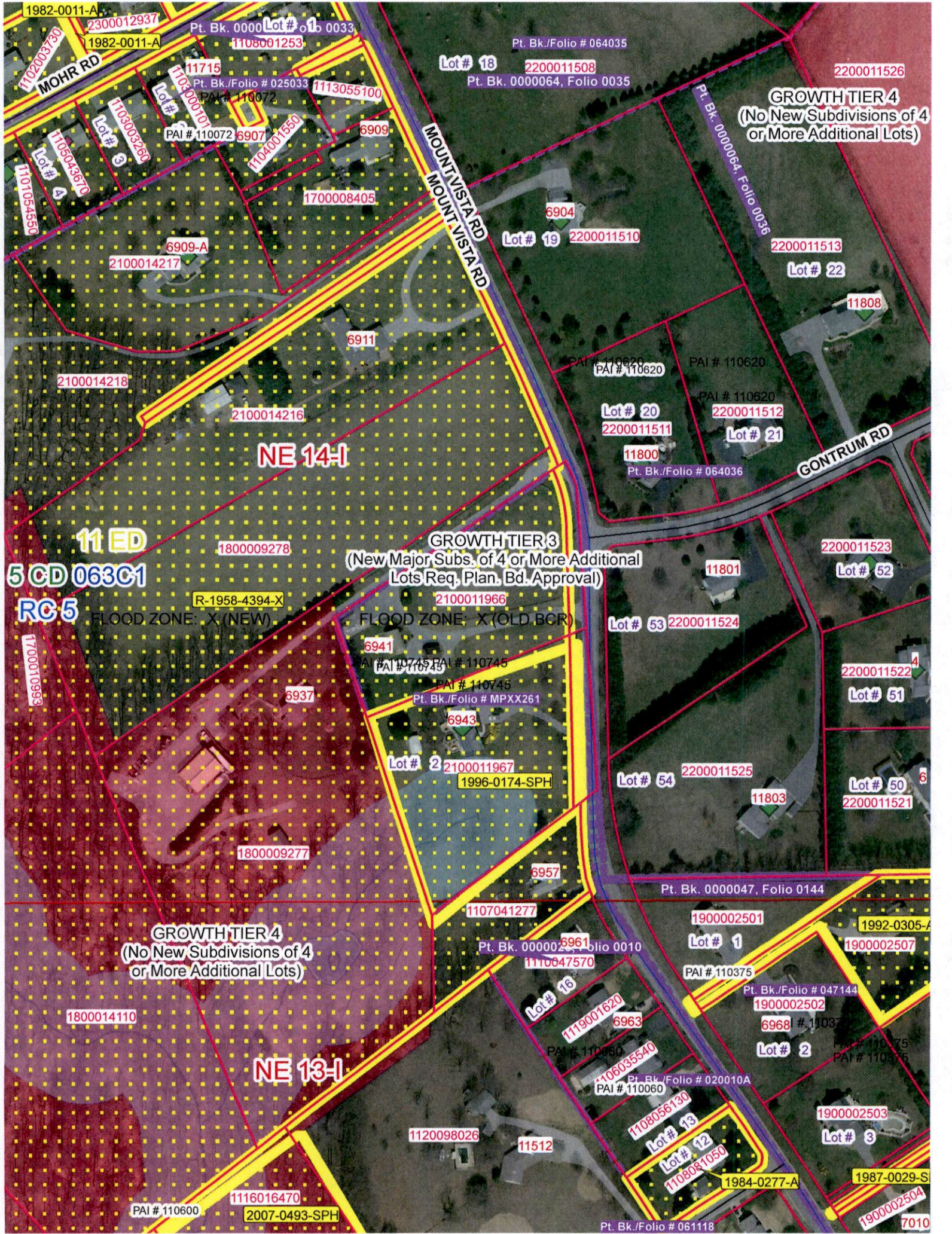
Address: 6941 MT VISTA RD
KINGSVILLE, MD 21087

Zoning District(s): RC 5

Premise Address: 6941 MT VISTA RD

Elevation Range: 324ft - 344ft

Affected Overlays	Instructions: Begin review process with Zoning Review, Room 111.	New Homes	Internal Alts.	Add / Ext. Alts.	Access. Struct.	Open Decks	Piers/Pilings	Grading/SW	Tanks	Ret. Walls/Bulk	Razing	Elec. & Plumb	Agency Acknowledgment
Contact Agency	Potential Overlay Issues												Initial & Date
	Growth Tier 3 and 4 present. Research required.												
Planning Jefferson Building Room 101 Phone: 410-887-3211	Zoning Class - RC 5, RC 6, RC 7, RC 8 (Except Decks)	X											
PAI-Public Services County Office Building Room 119 Phone: 410-887-3751	InFill Lot Review	X											OK To File
Zoning Review County Office Building Room 111 Phone: 410-887-3391	Zoning Cases: 1996-0174-SPH; R-1958-4394-X FDP Approval Review Required: THIS DEVELOPMENT REQUIRES FINAL DEVELOPMENT PLAN (FDP) SUBMITTAL & APPROVAL PRIOR TO RECORDATION OF THE SUBDIVISION OR SURVEY PLAT AND PRIOR TO ANY ZONING OFFICE REVIEW & APPROVAL OF BUILDING PERMIT APPLICATIONS RELATED TO NEW HOMES OR NEW (Multifamily, Mixed Use, Senior Housing, etc.) BUILDINGS	X		X	X	X	X						
Dev. Management County Office Building Room 123 Phone: 410-887-3321	Growth Tier 4 - (No New Subdivisions of 4 or More Additional Lots)	X											



1982-0011-A
2300012937
1982-0011-A
1102003730
1105043670
1101054550

Pt. Bk. 0000 Lot # 1 0033
1108001253
11715
Pt. Bk./Folio # 025033
PAI # 110072
PAI # 110072 6907
1104001550
6909
1103003260
Lot # 3
Lot # 4

Pt. Bk./Folio # 064035
Lot # 18 2200011508
Pt. Bk. 0000064, Folio 0035

2200011526
GROWTH TIER 4
(No New Subdivisions of 4 or More Additional Lots)
Pt. Bk. 0000064, Folio 0036

2100014217
6909-A
2100014218
2100014216
6911
1700008405
1101054550

MOUNT VISTA RD
MOUNT VISTARD
Lot # 19 2200011510
6904

2200011513
Lot # 22
11808
2200011512
Lot # 21
11800
Pt. Bk./Folio # 064036

NE 14-I
11 ED
5 CD 063C1
RC 5
FLOOD ZONE: X (NEW)
R-1958-4394-X
1800009278
1800009277
1800014110

GROWTH TIER 3
(New Major Subs. of 4 or More Additional Lots Req. Plan. Bd. Approval)
2100011966
FLOOD ZONE: X (OLD BCR)
6941
PAI # 110745
PAI # 110745
Pt. Bk./Folio # MPXX261
6943
Lot # 2 2100011967
1996-0174-SPH

PAI # 110620
PAI # 110620
PAI # 110620
Lot # 20 2200011511
Lot # 53 2200011524
11801
2200011523
Lot # 52
2200011522
Lot # 51
2200011521
Lot # 50
11803
2200011525
Lot # 54

GROWTH TIER 4
(No New Subdivisions of 4 or More Additional Lots)
1800014110

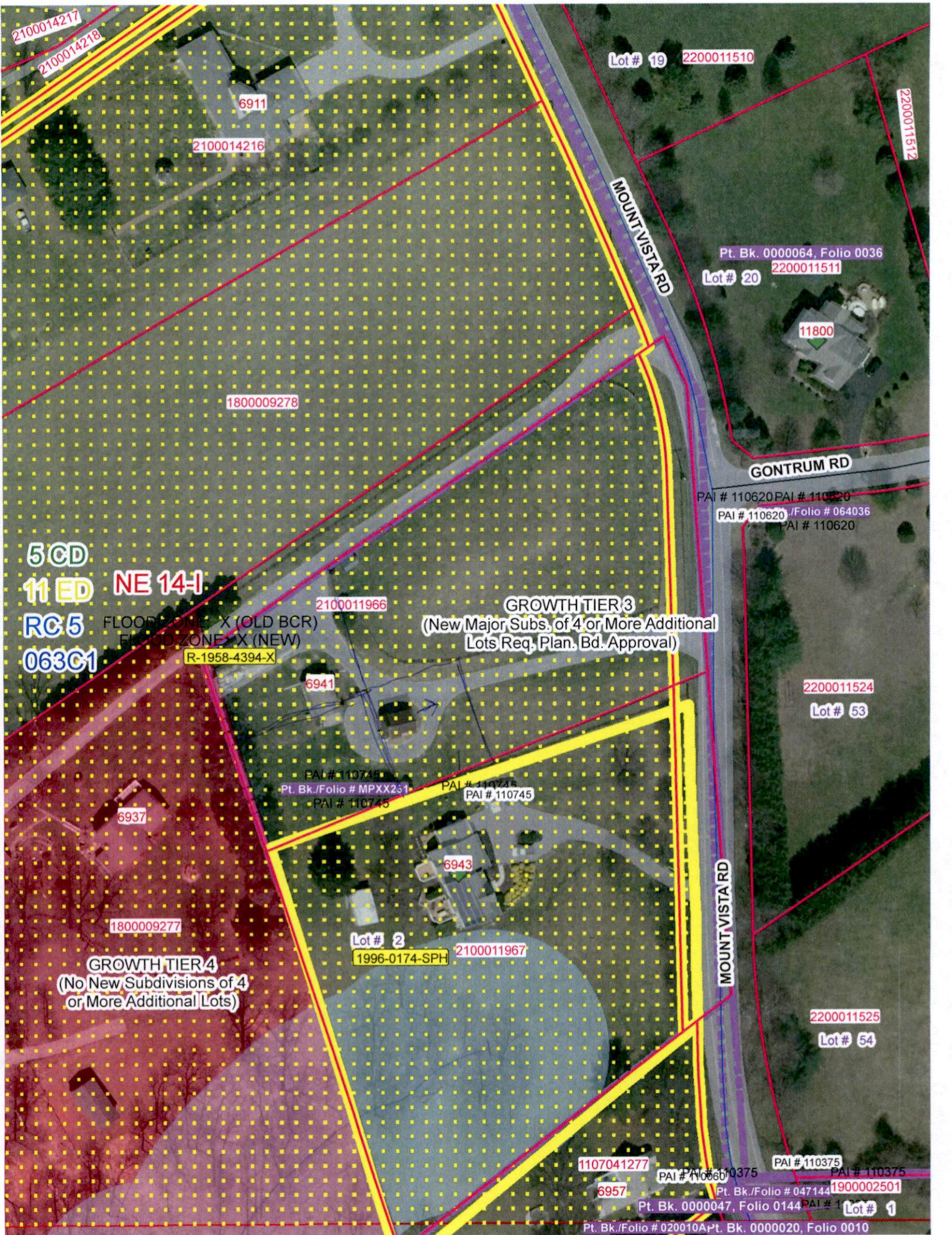
6957
1107041277
Pt. Bk. 0000024, Folio 0010
1108047570
6961
1119001620
6963
PAI # 110660
106035540
Pt. Bk./Folio # 020010A
PAI # 110060
1108056130
Lot # 13
Lot # 12
1108081050
1984-0277-A
1120098026
11512
1116016470
2007-0493-SPH
PAI # 110600

Pt. Bk. 0000047, Folio 0144
1900002501
Lot # 1
PAI # 110375
Pt. Bk./Folio # 047144
1900002502
6968 # 110375
Lot # 2
1900002503
Lot # 3
1900002504
7010

NE 13-I

1108081050
1984-0277-A
1120098026
11512
1116016470
2007-0493-SPH
PAI # 110600

1900002501
Lot # 1
PAI # 110375
Pt. Bk./Folio # 047144
1900002502
6968 # 110375
Lot # 2
1900002503
Lot # 3
1900002504
7010



2100014217
2100014218

6911

2100014216

1800009278

5 CD
11 ED
RC 5
063C1
NE 14-1

FLOOD ZONE X (OLD BCR)
FLOOD ZONE X (NEW)
R-1958-4394-X

2100011966

6941

6937

1800009277

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

PAI # 110745
Pt. Bk./Folio # MPXX231
PAI # 110745

PAI # 110745
PAI # 110745

Lot # 2
1996-0174-SPH

6943

2100011967

Lot # 19

2200011510

2200011512

Pt. Bk. 0000064, Folio 0036
Lot # 20
2200011511

11800

GONTRUM RD

PAI # 110620
PAI # 110620
PAI # 110620
PAI # 110620
PAI # 110620

2200011524
Lot # 53

2200011525
Lot # 54

MOUNT VISTA RD

1107041277

6957

PAI # 110375
PAI # 110375

PAI # 110375

1900002501

Pt. Bk. 0000047, Folio 0144

Lot # 1

Pt. Bk./Folio # 020010A
Pt. Bk. 0000020, Folio 0010

Sherry Nuffer

From: saida guevara <saida2084@hotmail.com>
Sent: Monday, May 13, 2019 10:06 AM
To: Larry Pilson; Administrative Hearings; Kristen L Lewis
Subject: Re: 2019-0283-SPHA Recertification 6941 Mount Vista Road

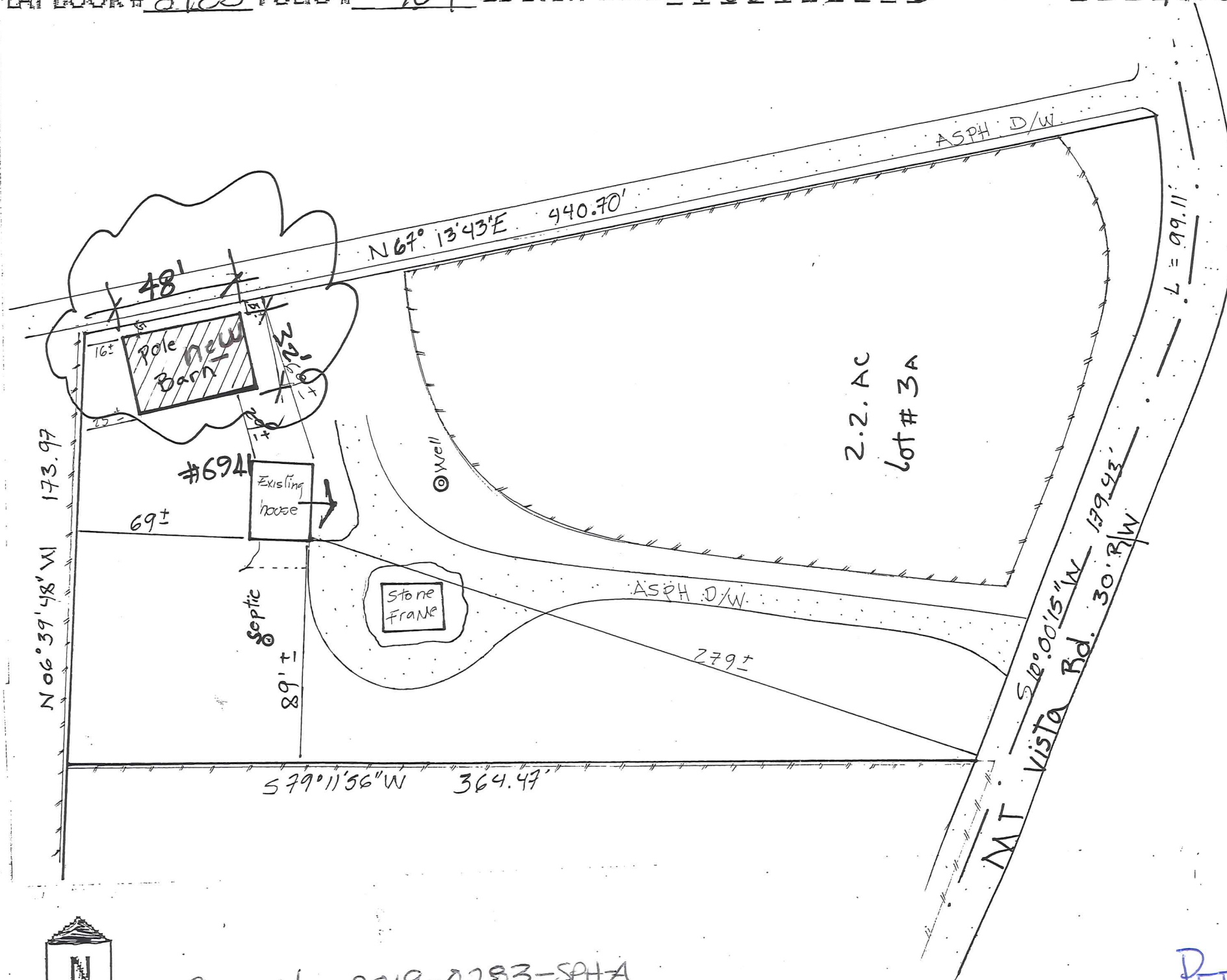
CAUTION: This message from saida2084@hotmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hello I have the hearing today at 11

Get [Outlook for iOS](#)

From: Larry Pilson <lpilson@hotmail.com>
Sent: Thursday, May 9, 2019 10:32:19 AM
To: administrativehearings@baltimorecountymd.gov; Kristen L Lewis; saida guevara
Subject: 2019-0283-SPHA Recertification 6941 Mount Vista Road

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING X (MARK TYPE REQUESTED WITH X)
 ADDRESS 6941 MT Vista rd Kingsville MD 21087 OWNER(S) NAME(S) Saida M Guevara Arias
 SUBDIVISION NAME LAND OF RAYMOND BYER LOT # BLOCK # SECTION #
 PLAT BOOK # 8185 FOLIO # 704 10 DIGIT TAX # 2100011966 DEED REF. # 41047/00348

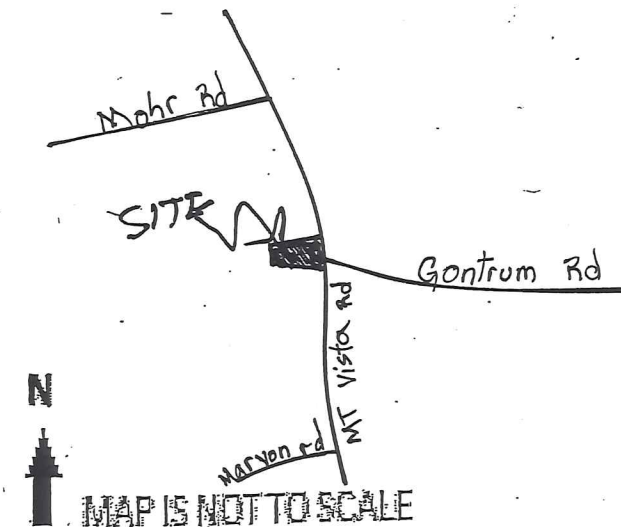


CASE No. 2019-0283-SPA

PLAN DRAWN BY Lazaro Alvarez Bonilla DATE 03/25/19 SCALE: 1 INCH = 50 FEET

PET. No. 1

SITE VICINITY MAP



ZONING MAP# 063C1
 SITE ZONED RC5
 ELECTION DISTRICT 11
 COUNCIL DISTRICT 5
 LOT AREA ACREAGE 2.2
 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? 1958=4394-X
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

NO

VIOLATION CASE INFO: