

M E M O R A N D U M

DATE: July 18, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0304-A - Appeal Period Expired

The appeal period for the above-referenced case expired on July 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



JOHN A. OLSZEWSKI, JR.
County Executive

ADMINISTRATIVE LAW JUDGE
Office of Administrative Hearings

June 17, 2019

Esel Shemmeri
11 Wellesley Avenue
Needham, MA 02494

RE: Petitions for Special Hearing and Variance
Case No. 2019-0304-A
Property: 134 Winters Lane

Dear Petitioner:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

LAWRENCE M. STAHL
Administrative Law Judge
for Baltimore County

JEB: sln
Enclosure

c: Bryan Wynn, 1001 Frederick Road, Unit 21145, Catonsville, Maryland 21228
Shaila Hogde, 302 Elrino Street, Baltimore, Maryland 21224

IN RE: PETITION FOR VARIANCE

(134 Winters Lane)
1st Election District
1st Council District
Esel Shemmeri
Legal Owner
Petitioner

*
*
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*
*

BEFORE THE OFFICE
OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2019-0304-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County as a Petition for Variance filed by Esel Shemmeri, legal owner of the subject property ("Petitioner"). Petitioner is requesting variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations ("BCZR") to permit an existing dwelling with a side yard setback of 2 ft. in lieu of the minimum required setback of 10 ft. and to permit a rear yard addition with a 1 ft. side setback and a 15 ft. rear yard setback in lieu of the required 10 ft. and 30 ft., respectively.

Bryan Wynn representing Colossal Management Group on behalf of the Petitioners appeared in support of the petition. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee ("ZAC") comment was received from the Department of Planning ("DOP"). That agency did not oppose the request.

The site is approximately 9,660 square feet in size and is zoned DR 5.5.

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.

ORDER RECEIVED FOR FILING

Date 6/17/19

By Sen

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

The subject property already has an existing dwelling with a 2 foot side yard setback. Petitioner wishes to extend the property in the rear, but the existing structure is situated in an extremely slight angle to the property line. Based upon the angle of that existing structure, the placement of the addition requested renders it unique. As such the property is unique. If the Regulations were strictly interpreted, Petitioner would experience a practical difficulty because he would be unable to expand the structure in line with the existing building line. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the absence of County and/or community opposition.

Although the Department of Planning has no objection, it conditions its approval upon the removal or relocation of an existing shed on the property. In his testimony, Mr. Wynn stated that the shed will in fact be removed and will not be relocated on the site.

THEREFORE, IT IS ORDERED, this 17th day of **June, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to the Baltimore County Zoning Regulations to permit an existing dwelling with a side yard setback of 2 ft. in lieu of the minimum required setback of 10 ft. and to permit a rear yard addition with a 1 ft. side setback and a 15 ft. rear yard setback in lieu of the required 10 ft. and 30 ft., respectively, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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 his 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.

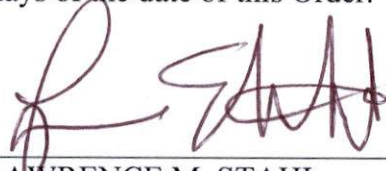
ORDER RECEIVED FOR FILING

Date 6/17/19

By Sen

2. The existing shed on the property shall be removed and not relocated on the site.

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



LAWRENCE M. STAHL
Administrative Law Judge for
Baltimore County

LMS/sln

ORDER RECEIVED FOR FILING

Date 6/17/19

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 134 WINTERS LANE which is presently zoned DR5.5
 Deed References: 40734/0070 10 Digit Tax Account # 0119073630
 Property Owner(s) Printed Name(s) ESEL SJEMMERI

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

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

1. ☐ a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

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

3. ☒ a 1B02.3.C.1 → To permit an existing dwelling with a side yard setback of 2 feet in lieu of the minimum required setback of 10 feet and to permit a rear yard addition with a 1 foot side setback and a 15 feet rear yard setback in lieu of the required 10 feet and 30 feet, respectively.

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)

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):

Esel Shemmeri /
 Name #1 - Type or Print Name #2 - Type or Print

Esel Shemmeri /
 Signature #1 Signature #2

11 Wellesley Ave Needham MA
 Mailing Address City State

02494 / 617-869-2008 / eselworld@hotmail.com
 Zip Code Telephone # Email Address

Representative to be contacted:

Melissa Vega Wynn
 Name - Type or Print

Signature

1001 Frederick Rd (Unit 21145) Catonsville MD
 Mailing Address City State

(410) 925-7746 mvega@wynn.com
 Zip Code Telephone # Email Address

CASE NUMBER 2019-0304-A Filing Date 4/18/19 Do Not Schedule Dates: Reviewer JS

REV. 10/4/11

ORDER RECEIVED FOR FILING
 6/17/19
 SEN

Catonsville MD
 21228
 coldswal
 construction group, com

ZONING PROPERTY DESCRIPTION FOR: 134 Winters Lane Catonsville, MD 21228

Beginning on the east side of what is now known as Winters Lane which is 30 feet wide at a distance of 702 feet north of the centerline of the nearest improved intersecting street Edmondson Avenue which is 50 feet wide.

Beginning for the same on the southwestern side of the first line of a lot or parcel of land, thence with and bounding on the first line of said lot or parcel of land north 57 and $\frac{1}{2}$ degrees east 253 feet to the end of said first line, thence with and bounding on part of the second line of said lot or parcel of land South 37 and $\frac{1}{4}$ degrees east 43 feet thence South 57 and $\frac{1}{2}$ degrees west 266 and 6 inches or until it intersects on the southwestern side of what is known as Winters Lane, the fourth line of said lot or parcel of land, thence with and bounding on part of the said fourth line north 32 degrees west 42 feet ten inches to the place of beginning as recorded in deed liber 6424, Folio 504, containing 6,660 SF. Located in the 1 Election District and 1 council district.

2019-0304-A



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 134 WINTERS LANE which is presently zoned DR5.5
 Deed References: 40734/0070 10 Digit Tax Account # 0119073630
 Property Owner(s) Printed Name(s) ESEL SHEMMER

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

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

1. ☐ a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

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

3. ☒ a 1B02.3.C.1 → To permit an existing dwelling with a side yard setback of 2 feet in lieu of the minimum required setback of 10 feet and to permit a rear yard addition with a 1 foot side setback and a 15 feet rear yard setback in lieu of the required 10 feet and 30 feet, respectively.

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)

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):

Esel Shemmer

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

11 Wellesley Ave

Needham

MA

Mailing Address

City

State

02494

617-869-2008

eselworld@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 2019-0304-A Filing Date 4/18/19

Do Not Schedule Dates:

Reviewer JS

ZONING PROPERTY DESCRIPTION FOR: 134 Winters Lane Catonsville, MD 21228

Beginning on the east side of what is now known as Winters Lane which is 30 feet wide at a distance of 702 feet north of the centerline of the nearest improved intersecting street Edmondson Avenue which is 50 feet wide.

Beginning for the same on the southwestern side of the first line of a lot or parcel of land, thence with and bounding on the first line of said lot or parcel of land north 57 and $\frac{1}{2}$ degrees east 253 feet to the end of said first line, thence with and bounding on part of the second line of said lot or parcel of land South 37 and $\frac{1}{4}$ degrees east 43 feet thence South 57 and $\frac{1}{2}$ degrees west 266 and 6 inches or until it intersects on the southwestern side of what is known as Winters Lane, the fourth line of said lot or parcel of land, thence with and bounding on part of the said fourth line north 32 degrees west 42 feet ten inches to the place of beginning as recorded in deed liber 6424, Folio 504, containing 6,660 SF. Located in the 1 Election District and 1 council district.

2019-0304-A

The Daily Record

11 East Saratoga Street

Baltimore, MD 21202-2199

(443) 524-8100

<http://www.thedailyrecord.com>

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

5/24/2019

Order #: 11748446
Case #: 2019-0304-A
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2019-0304-A



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0304-A

134 Winters Lane

NE/s Winters Lane, n/west of intersection with Edmondson Avenue

1st Election District - 1st Councilmanic District

Legal Owners: Esel Shennert

Variance to permit an existing dwelling with a side yard setback of 2 ft. in lieu of the minimum required setback of 10 ft. and to permit a rear yard addition with a 1 ft. side setback and a 15 ft. rear yard setback in lieu of the required 10 ft. and 30 ft. respectively.

Hearing: Friday, June 14, 2019 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

my24

Debra Wiley

From: Marty Ogle <mert1114@aol.com>
Sent: Thursday, June 13, 2019 10:44 AM
To: Administrative Hearings
Subject: 2019-0304-A

CAUTION: This message from mert1114@aol.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

2nd set of certificates

CERTIFICATE OF POSTING

CASE NO. 2019-0304-A
PETITIONER/DEVELOPER
PHILISSA VEGA WILSON

DATE OF HEARING/CLERKING
June 14, 2019

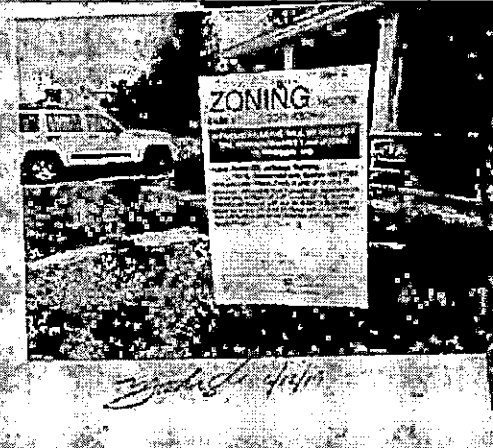
BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 105
111 WEST CHESAPEAKE AVENUE
ATTENTION:
LADIES AND GENTLEMEN:
THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGNS REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT 134 WINTER LANE

THIS SIGN WAS POSTED ON: June 13, 2019
(MONTH, DAY, YEAR)

SINCERELY,
Marty Ogle 5/23/19
SIGNATURE OF SIGN POSTER

MARTIN OGLE
2912 MAIDENBROOK ROAD
PARKVILLE, MD. 21271
(410) 528-1411

ZONING



CERTIFICATE OF POSTING

CASE NO. 2014-0324-A

PETITIONER/DEVELOPER
MELOSA VELA WILSON

DATE OF HEARING/CLOSING
June 19, 2019

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 105
111 WEST CHESAPEAKE AVENUE

AT (LOCATION)

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

134 WINTERS LANE

STAMP 2

THIS SIGN(S) POSTED ON

May 23, 2019

June 19, 2019

MONTH, DAY, YEAR

SINCERELY,

[Signature] 5/23/19

SIGNATURE OF SIGN POSTER

MARTIN ODELL
1912 MAIDENBROOK ROAD
PARKVILLE, MD 21234
P.O. BOX 1111



[Signature] 6/19/19

Sent from my iPhone

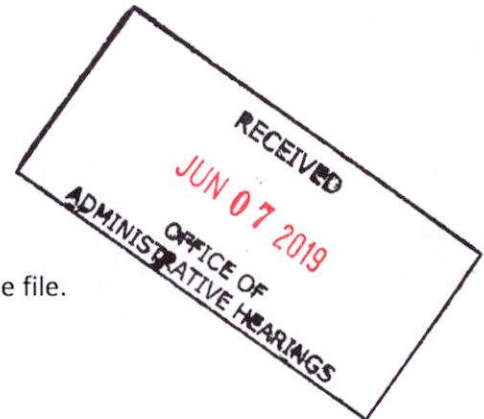
Sherry Nuffer

From: Kristen L Lewis
Sent: Friday, June 7, 2019 9:53 AM
To: Sherry Nuffer
Subject: Sign Posting
Attachments: 20190607095157427.pdf

Hey Sherry,

Here is a sign posting for a case for next week, I believe you already have the file.

Kristen Lewis
PAI – Zoning Review
410-887-3391



4



CERTIFICATE OF POSTING

CASE NO. 2019-0304-A

PETITIONER/DEVELOPER

MELISSA VEGA WYNN

DATE OF HEARING/CLOSING

June 14, 2019

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 105
111 WEST CHESAPEAKE AVENUE

ATTENTION :

LADIES AND GENTLEMAN :

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

134 WINTERS LANE

S16 N#1

THIS SIGN(S) POSTED ON

May 23, 2019

(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 5/23/19

SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411



JOHN A. OLSZEWSKI, JR.
County Executive

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

May 21, 2019

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0304-A

134 Winters Lane

NE/s Winters Lane, n/west of intersection with Edmondson Avenue

1st Election District – 1st Councilmanic District

Legal Owners: Esel Shemmeri

Variance to permit an existing dwelling with a side yard setback of 2 ft. in lieu of the minimum required setback of 10 ft. and to permit a rear yard addition with a 1 ft. side setback and a 15 ft. rear yard setback in lieu of the required 10 ft. and 30 ft. respectively.

Hearing: Friday, June 14, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Michael Mallinoff
Director

MM:kl

C: Esel Shemmeri, 11 Wellesley Avenue, Needham MA 02494
Melissa Vega Wynn, 1001 Frederick Road, Unit 21145, Catonsville 21228

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MAY 25, 2019.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

TO: THE DAILY RECORD
Friday, May 24, 2019 - Issue

Please forward billing to:

NW2 Engineers
Attn: Gina
819 Light Street
Baltimore, MD 21230

410-494-3246

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: 2019-0304-A

134 Winters Lane

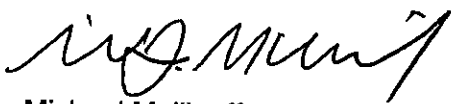
NE/s Winters Lane, n/west of intersection with Edmondson Avenue

1st Election District – 1st Councilmanic District

Legal Owners: Esel Shemmeri

Variance to permit an existing dwelling with a side yard setback of 2 ft. in lieu of the minimum required setback of 10 ft. and to permit a rear yard addition with a 1 ft. side setback and a 15 ft. rear yard setback in lieu of the required 10 ft. and 30 ft. respectively.

Hearing: Friday, June 14, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
134 Winters Lane; NE/S of Winters Ln, 702' NW
of the c/line of intersection w/ Edmondson Ave* OF ADMINISTRATIVE
1st Election & 1st Councilmanic Districts
Legal Owner(s): Esel Shemmeri * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2019-304-A

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED
MAY 01 2019

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of May, 2019, a copy of the foregoing Entry of Appearance was mailed to Esel Shemmeri, 11 Wellesley Avenue, Needham, MA, 02494, 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. **182028**

PAID RECEIPT

Date: **4/18/19**

BUSINESS ACTUAL TIME DRW
 4/19/2019 4/18/2019 11:17:07 3

REG WSO3 WALKIN CAM
 >>RECEIPT # 004613 4/18/2019 OFLN
 Dept 5 528 ZONING VERIFICATION

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

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

Total: **\$ 75.00**

Rec

From: **SHEMNER**

For: **2019-0304-4**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

**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/neighbors 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: 2019-0304-A

Property Address: 134 WINTERS LANE

Property Description: _____

Legal Owners (Petitioners): SHENMERI

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: NWA ENGINEERS

Company/Firm (if applicable): _____

Address: 819 LIGHT STREET

BALTIMORE, MD 21230

Telephone Number: 410-491-3246 (GWA)

Revised 7/9/2015



JOHN A. OLSZEWSKI, JR.
County Executive

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

June 04, 2019

Esel Shemmeri
11 Wellesley Ave
Needham MA, 02494

RE: Case Number: 2018-0304-A, 134 Winters Lane

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 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,

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
Melisaa Vega Wynn 1001 Frederick Road Unit 21145 Catonsville MD 21228

6-14

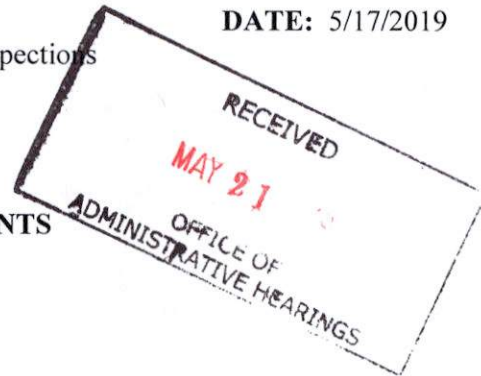
BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 5/17/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-304



INFORMATION:

Property Address: 134 Winters Lane
Petitioner: Esel Shemmeri
Zoning: DR 5.5
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit an existing dwelling with a side yard setback of 2 feet in lieu of the minimum required setback of 10 feet and to permit a rear yard addition with a 1 foot side setback and a 15 feet rear yard setback in lieu of the required 10 feet and 30 feet, respectively.

A site visit was conducted on May 3, 2019. The site is within the boundaries of National Registry of Historic District and Catonsville/ Patapsco Sustainable Community Area.

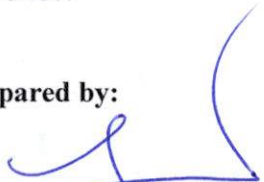
The Department has no objection to granting the petitioned zoning relief, conditioned upon the following:

- Indicate if the existing shed is to be removed or relocated. If it is to remain indicate its new location on the site plan.

The Department recommends that the entire structure, existing and new, should be faced on all facades in a uniform manner with materials consistent and complementary with the neighborhood.

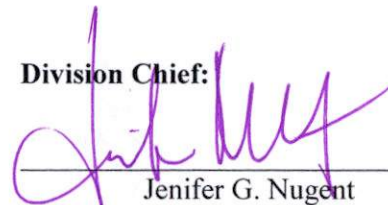
For further information concerning the matters stated herein, please contact Josephine Selvakumar at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

CPG/JGN/LTM/

c: Josephine Selvakumar
Esel Shemmeri
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 5/17/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-304

INFORMATION:

Property Address: 134 Winters Lane
Petitioner: Esel Shemmeri
Zoning: DR 5.5
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit an existing dwelling with a side yard setback of 2 feet in lieu of the minimum required setback of 10 feet and to permit a rear yard addition with a 1 foot side setback and a 15 feet rear yard setback in lieu of the required 10 feet and 30 feet, respectively.

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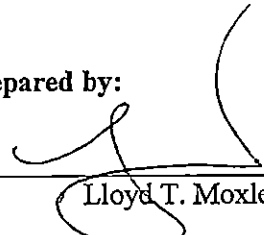
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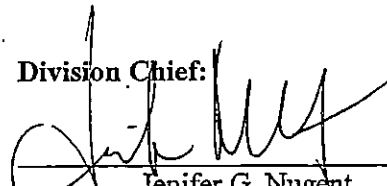
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Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

CPG/JGN/LTM/

c: Josephine Selvakumar
Esel Shemmeri
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Michael Millanoff, Director
Department of Permits, Approvals

FROM: *MD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 6, 2019
Item No. 2019-0304-A, 0305 & 0306-A

DATE: May 14, 2019

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

*

*

*

*

*

VKD: cen
cc: file

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 26, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0304-A
Address 134 Winters Lane
(Shemmeri Property)

Zoning Advisory Committee Meeting of **May 6, 2019**.

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

Reviewer: Steve Ford

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Pete K. Rahn
Secretary

Gregory Slater
Administrator

Date: 5/1/19

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. 2019-0304-A

*Variance
Esel Shemmen
134 Winters Lane*

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 No.: 2019-0304-A 134 Winters
Home

Exhibit Sheet

ser
6-17-19

Petitioner/Developer

Protestants

No. 1	Proposed elevations	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

WINDOW SCHEDULE				
WINDOW #	WINDOW SIZE	COMMENTS	U-VALUE	QTY.
1	VARIES	EXISTING WINDOW TO REMAIN	0.4	10
2	30" x 60"	DOUBLE HUNG, VINYL FRAME	0.4	8
3	30" x 48"	DOUBLE HUNG, VINYL FRAME	0.4	1

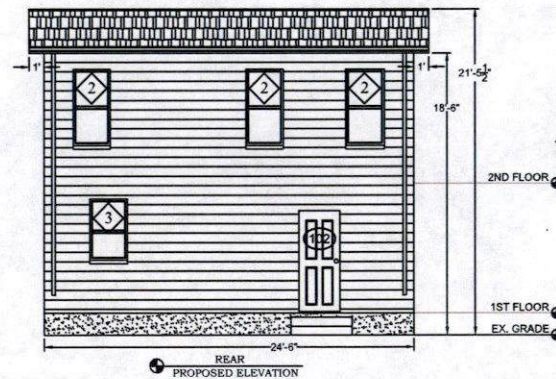
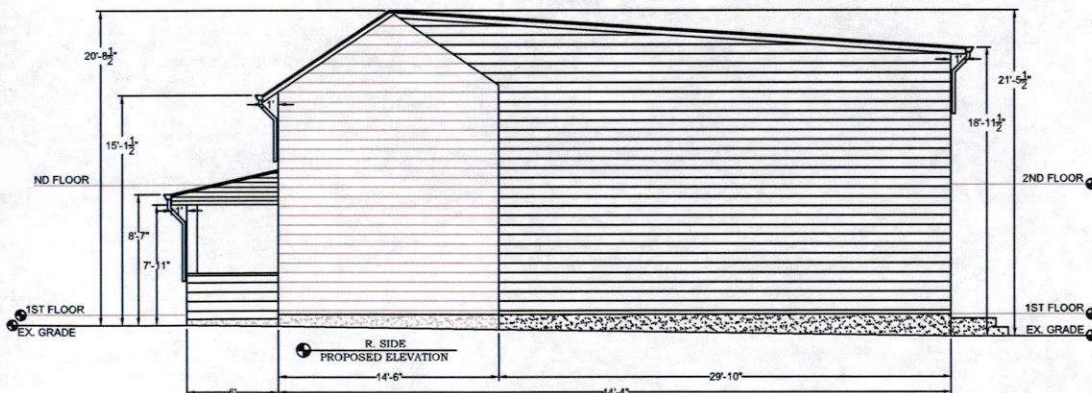
NOTES:

1. EXTERIOR OPENINGS TO HAVE DOUBLE HEADERS OF SIZE SPECIFIED
2. ALL WINDOWS GLAZE TYPES ARE CLEAR, DOUBLE PANE.

DOOR SCHEDULE					
DOOR #	DOOR SIZE	HEADER SIZE	HARDWARE	COMMENTS	QTY.
101	VARIES	EXISTING	LOCKSET HANDLE & DEADBOLT	EXISTING EXT. DOOR TO REMAIN	1
102	32" x 80"	2" x 10"	LOCKSET HANDLE & DEADBOLT	NEW EXTERIOR 4-PANEL WOOD	1

NOTES:

1. EXTERIOR OPENINGS TO HAVE DOUBLE HEADERS OF SIZE SPECIFIED



134 WINTERS LANE

PROPOSED ELEVATIONS

DATE: 2/25/19 REV: 5/15/19

SCALE: 1/8"=1'-0"

CERTIFICATION

SHEET

A-4

PETITIONER'S

EXHIBIT NO. 1

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]

134 winters lane (Need a copy)
of variental

Shaila Hegde

302 Elrino St

Baltimore, MD, 21224

443 939 7685

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

5/14

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

N/c

4/26

DEPS
(if not received, date e-mail sent _____)

N/c

FIRE DEPARTMENT

5/17

PLANNING
(if not received, date e-mail sent _____)NO OBJ
w/condition

5/1

STATE HIGHWAY ADMINISTRATION

NO
OBJECTION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: 5/24/19

SIGN POSTING (1st)

Date: 5/23/19

by Ogle

SIGN POSTING (2nd)

Date: 6/12/19

by Ogle

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 - 0119073630			
Owner Information					
Owner Name:		SHEMMERI ESEL		Use:	RESIDENTIAL
Mailing Address:		11 WELLESLEY AVE NEEDHAM MA 02494-		Principal Residence:	NO
				Deed Reference:	/40734/ 00070
Location & Structure Information					
Premises Address:		134 WINTERS LN CATONSVILLE 21228-3150		Legal Description:	LT ES WINTERS LA 134 WINTERS LANE 650 NW EDMONDSON AV
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0101	0001	1451		0000	
				Assessment Year:	Plat No:
				2019	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	
1909	786 SF		9,660 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	NO	STANDARD UNIT	SIDING	1 full	
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2019	07/01/2018	07/01/2019	
Land:	45,800	78,900			
Improvements	47,200	63,600			
Total:	93,000	142,500	93,000	109,500	
Preferential Land:	0			0	
Transfer Information					
Seller: RIGGS CARL		Date: 10/01/2018		Price: \$57,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /40734/ 00070		Deed2:	
Seller: MORNING STAR BAPTIST CHURCH		Date: 01/17/2013		Price: \$60,095	
Type: ARMS LENGTH IMPROVED		Deed1: /33062/ 00330		Deed2:	
Seller: SMITH THEODORE R		Date: 05/11/2000		Price: \$18,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /14462/ 00407		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:**



1973-0174-X
2007-0436-SPH
1996-0476-XA
2002-0379-SPHX

0108300811
1996-0426-A

0113550004
R-1947-0842

0108001750
1990-0462-SPHA

2000009500

1 CD
101A1
DR 5.5
1 ED SW 2-F

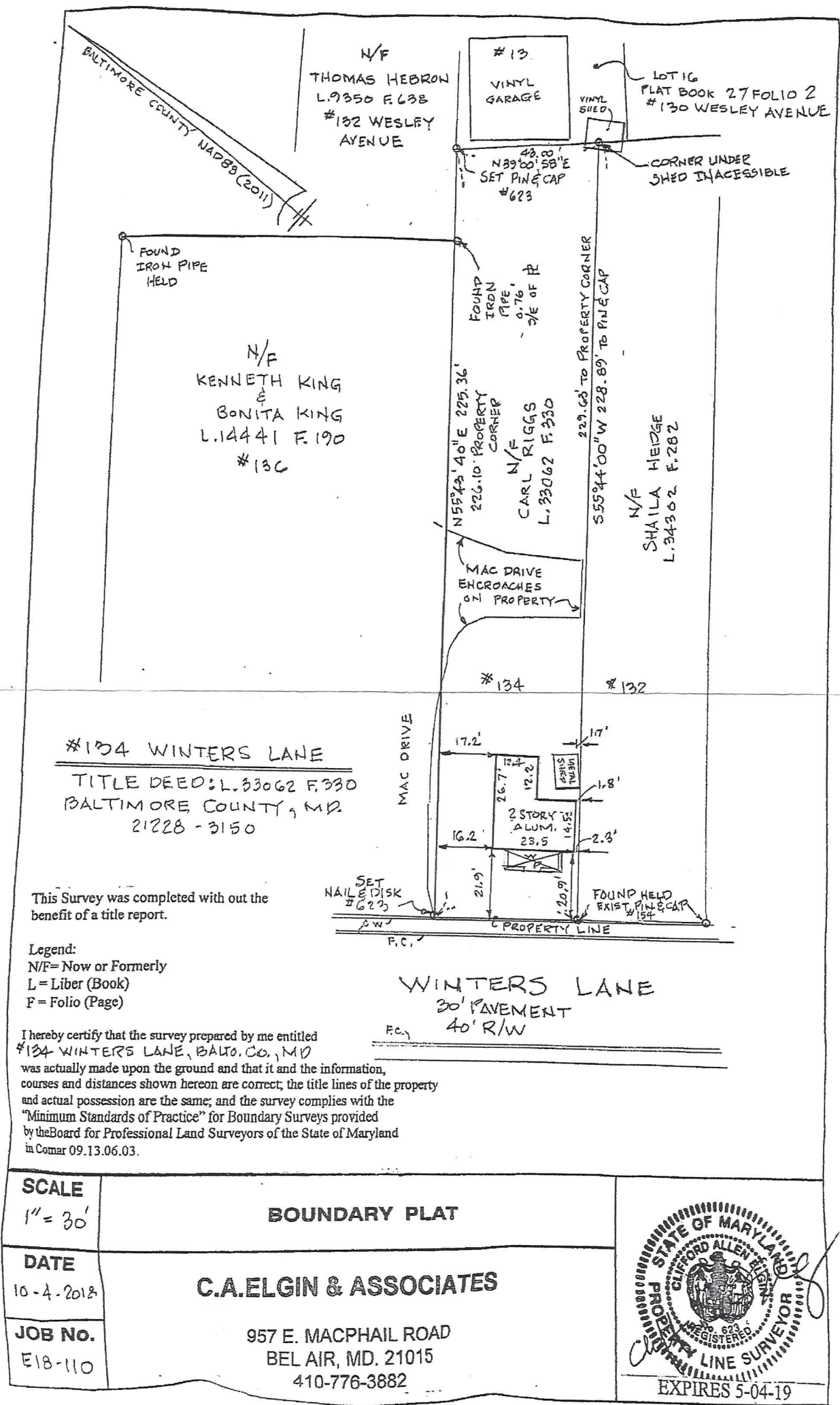
DR 1 NC

FLOOD ZONE: X (NEW)

FLOOD ZONE: X (OLD BCR)

Pt. Bk. 0000027, Folio 00020410001270
Pt. Bk./Folio # 027002
P. 1050-1749
PAI # 010106
PAI # 010106
Lot # 16
Lot # 15





ZONING HEARING PLAN FOR VARIANCE

LOT INFORMATION:

BUILDING CLASSIFICATION - RESIDENTIAL

USE TYPE - SINGLE FAMILY DWELLING

LOT SIZE - 9,660 SQFT

EXISTING BUILDING FOOTPRINT - 516.73 SQFT

PROPOSED BUILDING FOOTPRINT - 1,034.44 SQFT

EXISTING ENCLOSED AREA - 786 SQFT

PROPOSED ENCLOSED AREA - 2,000 +/- SQFT

PROPERTY LAND AREA - 6,660 SQFT

IMPERVIOUS LAND AREA - 1,993.44 SQFT

DISTRICT: 01

SUBDIVISION: 0000

PARCEL: 1451

ZONING MAP: 0101

GRID: 0001

PLAT BOOK:

FOLIO:

TAX#: 0119073630

DEED REF#: 40734/00070

SITE ZONED: DR 5.5

ELECTION DISTRICT: 1

COUNCIL DISTRICT: 1

LOT AREA: 9,660 SF

HISTORIC: WINTERS LANE

IN CBCA: NO

IN FLOOD PLAIN: NO

UTILITIES: PUBLIC

SEWER: PUBLIC

PRIOR HEARING: NO

OWNER INFORMATION:

ESEL SHEMAERI

11 WELLESLEY AVE

NEEDHAM, MA 02454

SCOPE OF WORK:

CONSTRUCT A 2 STORY ADDITION OFF THE EXISTING REAR OF THE PROPERTY, DEMO / REBUILD EXIST. FRONT PORCH ROOF AS PER PLANS AND CONSTRUCTION CODES

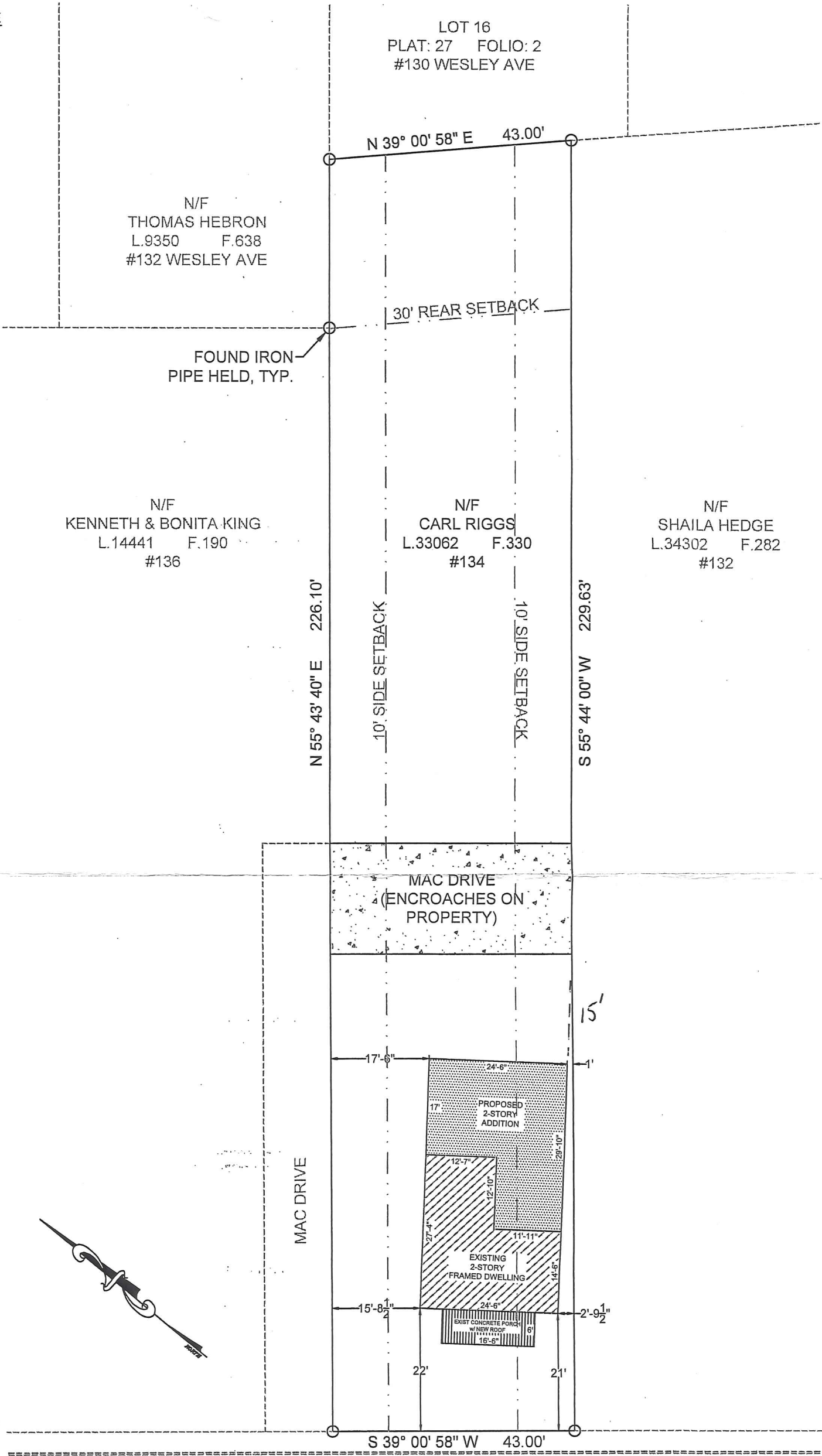
LEGEND:

- EXISTING BUILDING TO REMAIN

- CONCRETE AREA

- EXISTING CONCRETE PORCH & DEMO / REBUILD EXISTING ROOF

- PROPOSED 2-STORY ADDITION (569.43 SQFT)



FOR T.M.

2019-0304-A

A-1

SHEET

CERTIFICATION

134 WINTERS LANE

SITE PLAN

DATE: 2/25/19

SCALE: 1:20

NW²

NW2 ENGINEERS

819 LIGHT ST

BALTIMORE, MD 21224

(P) 410.209.0587

(F) 410.431.8970