

M E M O R A N D U M

DATE: July 24, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0310-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on July 22, 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**

(Lot 14, Oella Avenue) *

1st Election District *

1st Council District *

Patricia & Raymond Holtschneider, *

Legal Owners *

Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2019-0310-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 Patricia and Raymond Holtschneider, legal owners (“Petitioners”). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (“BCZR”) to confirm that a merger did not take place between this lot and the adjacent lot at 107 Oella Avenue (Lot 13). A Petition for Variance was filed to permit a dwelling on a lot with a width of 117 ft. at the front foundation wall in lieu of the required 150 ft. A site plan was marked and accepted into evidence as Petitioners’ Exhibit 1.

Patricia Holtschneider appeared in support of the requests. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. No substantive Zoning Advisory Committee (“ZAC”) comments were received from any of the County reviewing agencies.

SPECIAL HEARING

The Petitioners purchased the subject property earlier this month. The property is zoned DR-1, and is comprised of Lot Nos. 13 and 14 as shown on the plat of Stonewall Park. Lot 13 (which is the subject of companion case #2019-0311-SPHA) is improved with a single-family dwelling

ORDER RECEIVED FOR FILING

Date 6/21/19

By Sen

known as 107 Oella Avenue. Lot 14, the subject property at issue in this case, is unimproved. Ms. Holtschneider testified the vacant lot is overgrown with trees and scrub vegetation. She stated there are no accessory structures on the lot. In light of this testimony, and in the absence of any evidence to show that a merger has occurred, the petition for special hearing will be granted.

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 plat creating lot 14 (the subject property) was recorded in 1921, long before adoption of the BCZR. As such the property is unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to construct a dwelling on the lot. Petitioners would likely be able to construct a single-family dwelling on the lot pursuant to the undersized lot regulation found at BCZR §304, which would not require a showing of uniqueness or practical difficulty. As such I believe granting the petition would be within the spirit and intent of the Regulations.

THEREFORE, IT IS ORDERED this 21st day of **June, 2019**, by this Administrative Law Judge, that the Petition for Special Hearing to confirm that a merger did not take place between this lot and the adjacent lot at 107 Oella Avenue (Lot 13), be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance to permit a dwelling on a lot with a width of 117 ft. at the front foundation wall in lieu of the required 150 ft., be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 6/21/19

By Sen

The relief granted herein shall be subject to the following:

1. 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:sln

ORDER RECEIVED FOR FILING

Date 6/20/19

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 LOT 14 OELLA AVE. STONECRAVE PARK PB 7 FOLIO 18 which is presently zoned DR1
Deed References: 9437/259 10 Digit Tax Account # 0122450170
Property Owner(s) Printed Name(s) DONALD R. CAVEY

(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:

- ☒ **a Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve confirm that a merger did not take place between this lot and the adjacent lot at 107 Oella Avenue (Lot 13).
- ☐ **a Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

- ☒ **a Variance** from Section(s) 1 BOZ. 3, C. 1; BCZR, To Permit A Dwelling on A lot with a width of 117' FT. AT THE Front Foundation wall in lieu of the required 150 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:~~

Legal Owners (Petitioners):

Patricia Holt Schneider & Raymond Holt Schneider
Name- Type or Print
Patricia Holt Schneider
Signature
98 Rollinsbrook Way Catonsville Md
Mailing Address City State
21228 4109527015 patty.holt@comcast.net
Zip Code Telephone # Email Address

Donald Cavey
Name #1 - Type or Print
Donald Cavey
Signature #1
96154 Long Beach Drive Fernandina Florida
Mailing Address City State
32034 410-303-5880 KVFLYER@GMAIL.COM
Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print
Signature
Mailing Address
Zip Code Telephone # Email Address

Representative to be contacted:

John MEILEMA SURVEYORS
Name - Type or Print
John Meilema
Signature
5409 EAST DR ARBUTUS MD
Mailing Address City State
21227 410-247-7480 JCHLS@VERIZON.NET
Zip Code Telephone # Email Address

CASE NUMBER 2019-0310-SPHA Filing Date 5/3/19

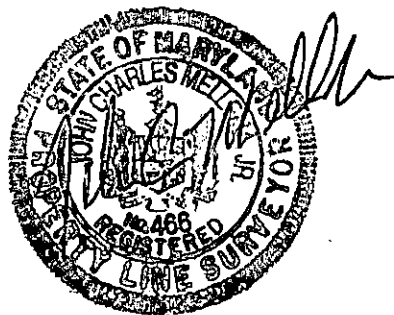
Do Not Schedule Dates: Reviewer JCM

John C. Mellema, Sr. Inc.
5409 East Drive
Baltimore, Maryland 21227
410-247-7488 fax 410-247-2507

Zoning Description
Lot 14 Oella Avenue
Baltimore County Maryland
Tax map 100 Grid 10 Parcel 648

Beginning for the same at a point on the Northeast side of Oella Ave, said point being 495 feet Southeasterly from the centerline of Old Frederick Road and Oella Avenue, thence binding on the Northeast side of Oella Avenue Southeasterly 100 feet, thence leaving Oella Avenue and running Easterly 465 feet, thence Northeasterly 150 feet , thence Southwesterly 542.50 feet to the Northeast side of Oella Avenue to the place of beginning.

Being known as lot 14 as shown on the " Plat of Stonewall Park" which is recorded in Baltimore County MD plat book 7 folio 18. And being the same lot described in a deed dated September 30th , 1992 between Donald R Cavey and Michele Cavey , parties of the first and Donald R Cavey party of the second in liber 9437 folio 259.



2019-0310-SP4A

SECOND CERTIFICATE OF POSTING

ATTENTION: SHERRY NUFFER

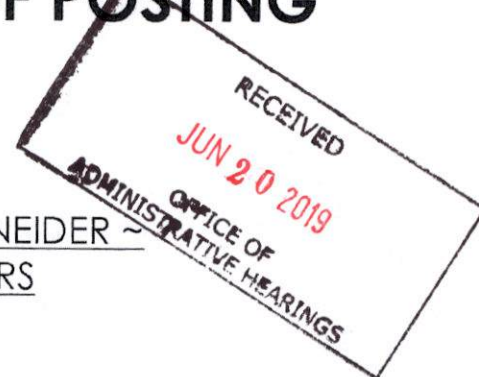
DATE: 6/19/2019

Case Number: 2019-0310-SPHA

Petitioner / Developer: MR. & MRS. HOLTSCHNEIDER ~

DONALD CAVEY ~ JOHN MELLEMA SURVEYORS

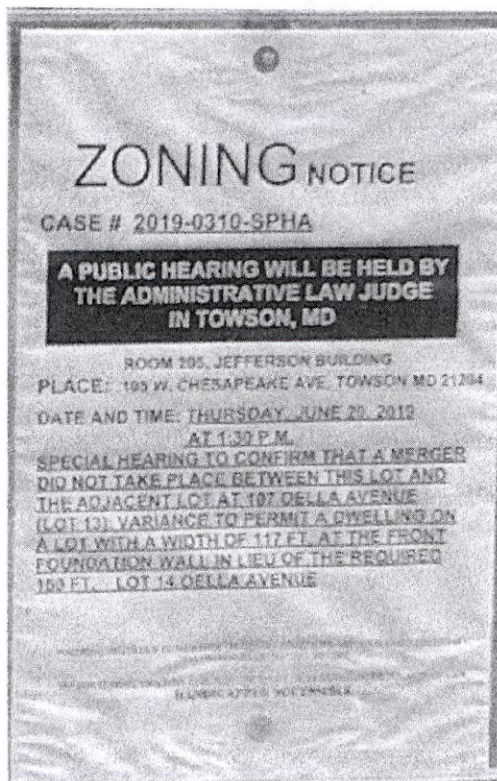
Date of Hearing: JUNE 20, 2019



This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: LOT 14 OELLA AVENUE

The sign(s) were posted on: **MAY 31, 2019**

The sign(s) were re-photographed on: **JUNE 19, 2019**



Linda O'Keefe
(Signature of Sign Poster)

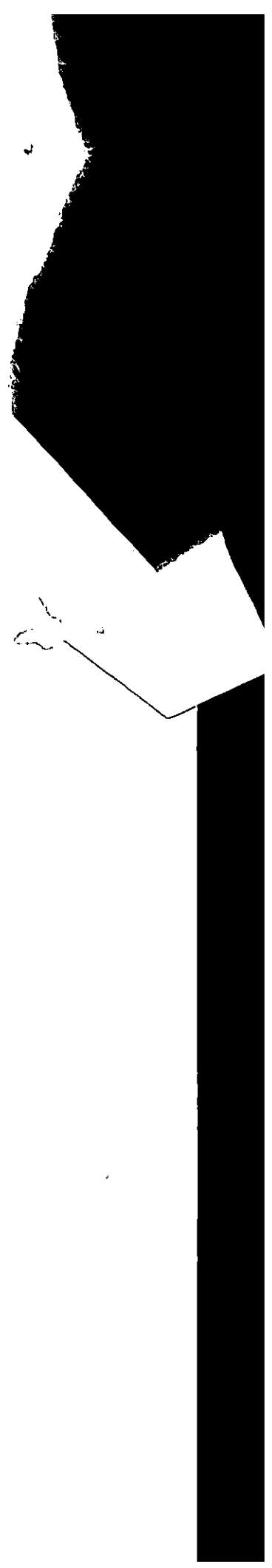
Linda O'Keefe
(Printed Name of Sign Poster)

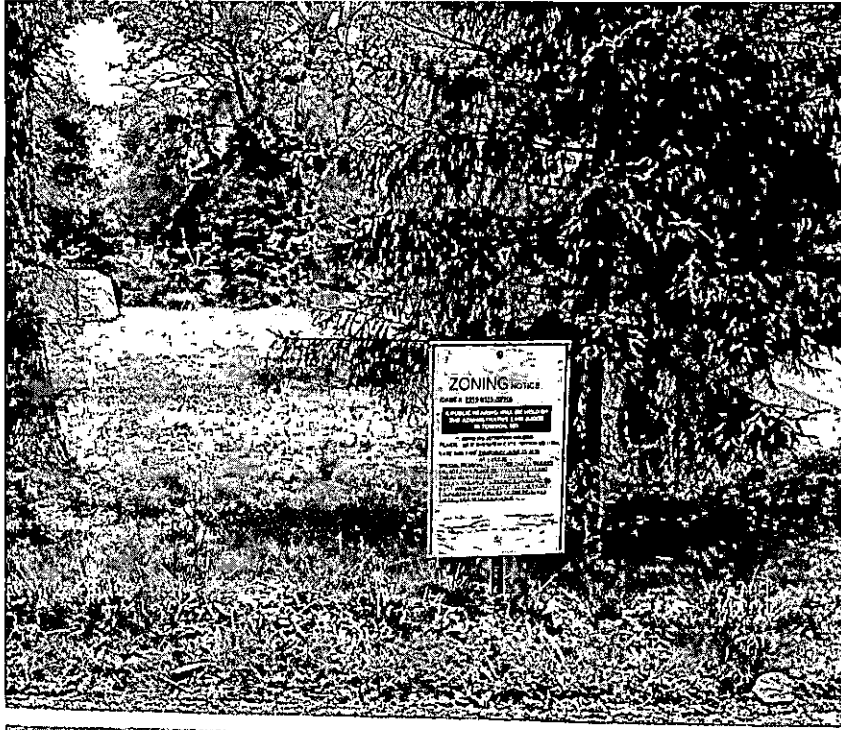
523 Penny Lane
(Street Address of Sign Poster)

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

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

RECEIVED
JUN 10 1960
COMMUNICATIONS
SECTION





Re-Photographed 1st Sign @ Lot 14 Oella Ave. 6/19/2019



Re-Photographed 2nd Sign @ Lot 14 Oella Ave. 6/19/2019

CASE # 2019-0310-SPHA

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:

5/31/2019

Order #: 11750512
Case #: 2019-0310-SPHA
Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2019-0310-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: 2019-0310-SPHA

Lot 14 Oella Avenue

N/east side of Oella Avenue, s/easterly from centerline of Old Frederick Road
1st Election District - 1st Councilmanic District

Legal Owner: Donald Cavey

Contract Purchaser/Lessee: Patricia & Raymond Holtschneider

Special Hearing to confirm that a merger did not take place between this lot and the adjacent lot at 107 Oella Avenue (Lot 13). Variance to permit a dwelling on a lot with a width of 117 ft. at the front foundation wall in lieu of the required 160 ft.

Hearing: Thursday, June 20, 2019 at 1:30 p.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 ACCOMMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

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

my31

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

No. **182692**

Date: **5-3-19**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 5/06/2019 5/03/2019 10:30:30 1
 REC DEPT WALKIN LJR
 >>RECEIPT # 006873 5/03/2019 OFLN

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept	Obj	BS Acct	Amount	Dept	Obj	BS Acct	Amount
001	806	0000		6150							75.00	5	528	ZONING VERIFICATION	75.00
															150.00 CK .00 CA
															Baltimore County, Maryland

Total: **75.00**

Rec From: **2019-0310-A**

For: **PATRICIA HOLTSCHEIDER**

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 5/31/2019

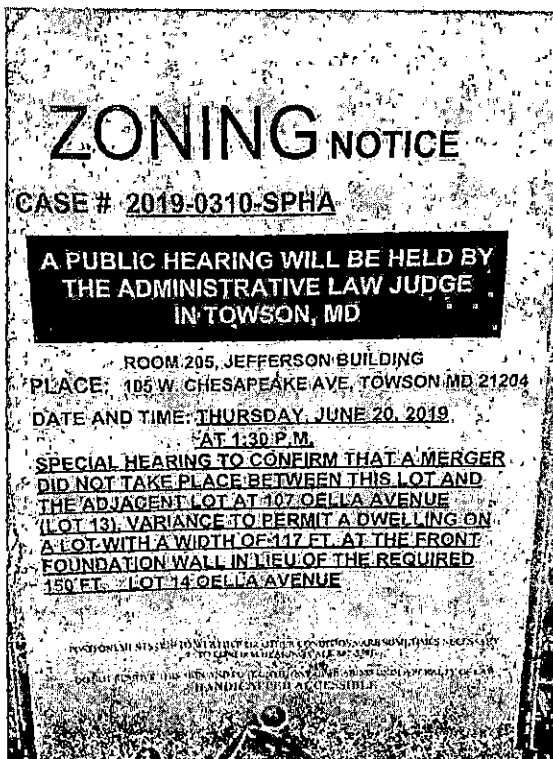
Case Number: 2019-0310-SPHA

Petitioner / Developer: MR. & MRS. HOLTSCHNEIDER ~
DONALD CAVEY ~ JOHN MELLEMA SURVEYORS

Date of Hearing: JUNE 20, 2019

This is to certify under the penalties of perjury that the necessary sign(s)
required by law were posted conspicuously on the property located at:
LOT 14 OELLA AVENUE

The sign(s) were posted on: JUNE 20, 2019



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

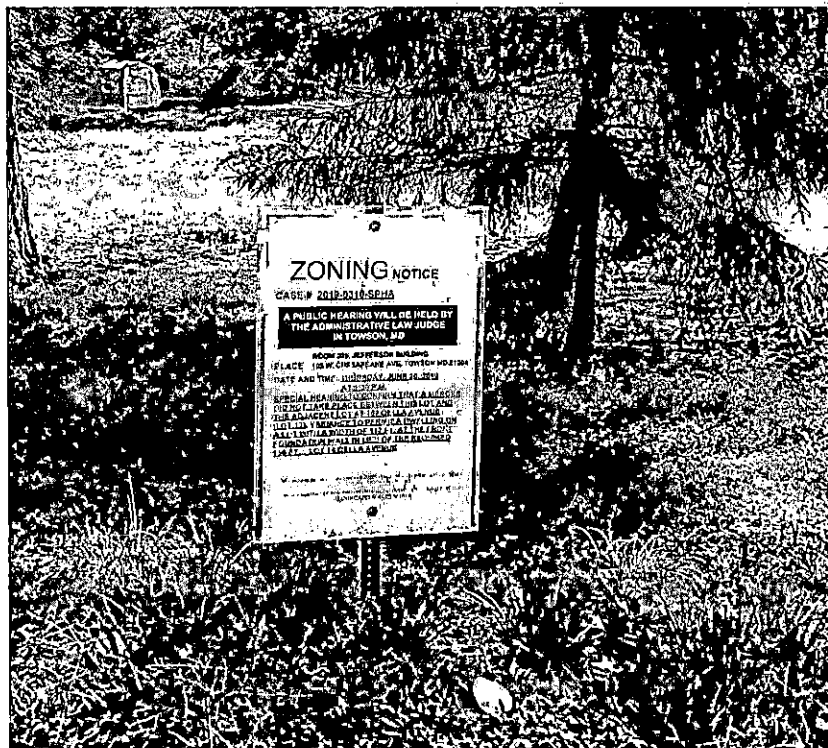
523 Penny Lane
(Street Address of Sign Poster)

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

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



Background Photo 1st Sign @ Lot 14 Oella Ave. 5/31/2019



Background Photos 2nd Sign @ Lot 14 Oella Ave. 5/31/2019

CASE# 2019-0310-SPHA



JOHN A. OLSZEWSKI, JR.
County Executive

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

May 23, 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: 2019-0310-SPHA

Lot 14 Oella Avenue

N/east side of Oella Avenue, s/easterly from centerline of Old Frederick Road

1st Election District – 1st Councilmanic District

Legal Owner: Donald Cavey

Contract Purchaser/Lessee: Patricia & Raymond Holtschneider

Special Hearing to confirm that a merger did not take place between this lot and the adjacent lot at 107 Oella Avenue (Lot 13). Variance to permit a dwelling on a lot with a width of 117 ft. at the front foundation wall in lieu of the required 150 ft.

Hearing: Thursday, June 20, 2019 at 1:30 p.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: Mr. & Mrs. Holtschneider, 98 Rollingbrook Way, Catonsville 21228
Donald Cavey, 96154 Long Beach Drive, Fernandia FL 32034
John Mellema Surveyors, 5409 East Drive, Arbutus 21227

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MAY 31, 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 31, 2019 - Issue

Please forward billing to:
Patricia Holtschneider
98 Rollingbrook Way
Catonsville, MD 21228

410-952-7015

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: 2019-0310-SPHA

Lot 14 Oella Avenue

N/east side of Oella Avenue, s/easterly from centerline of Old Frederick Road

1st Election District – 1st Councilmanic District

Legal Owner: Donald Cavey

Contract Purchaser/Lessee: Patricia & Raymond Holtschneider

Special Hearing to confirm that a merger did not take place between this lot and the adjacent lot at 107 Oella Avenue (Lot 13). Variance to permit a dwelling on a lot with a width of 117 ft. at the front foundation wall in lieu of the required 150 ft.

Hearing: Thursday, June 20, 2019 at 1:30 p.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 SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE *
Lot 14 Oella Avenue; NE/S of Oella Avenue, * OF ADMINISTRATIVE
495' SE from c/line of Old Frederick Road *
1st Election & 1st Councilmanic Districts * HEARINGS FOR
Legal Owner(s): Donald R. Cavey *
Contract Purchaser(s): Raymond & Patricia * BALTIMORE COUNTY
Holtschneider *
Petitioner(s) * 2019-310-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.

RECEIVED

MAY 16 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 16th day of May, 2019, a copy of the foregoing Entry of Appearance was mailed to John Mellema Surveyors, 5409 East Drive, Arbutus, Maryland 21227, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighborhood 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: 2019-0310-BPHA
Property Address: LOT 1A OELLA Ave
Property Description: NE/SIDE of OELLA Ave., 495ft[±] SE.
FROM THE E of OLD FREDERICK RD.
Legal Owners (Petitioners): DONALD R. CAVEY
Contract Purchaser/Lessee: PATTY HOITSCHNEIDER

PLEASE FORWARD ADVERTISING BILL TO:

Name: PATTY HOITSCHNEIDER
Company/Firm (if applicable): _____
Address: 98 Rollingbrook Way
CATONSVILLE MD 21228

Telephone Number: 410 952-7015



JOHN A. OLSZEWSKI, JR.
County Executive

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

June 12, 2019

Raymond & Patricia Holtschneider
98 Rollingbrook Way
Catonsville, MD 21228

RE: Case Number: 2019-0310-SPHA, Lot 14 Oella Avenue

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 May 3, 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.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Donald Cavey, 96154 Long Beach Drive, Fernandia Fl 32034
John Mellema, 5409 East Drive, Arbutus 21227

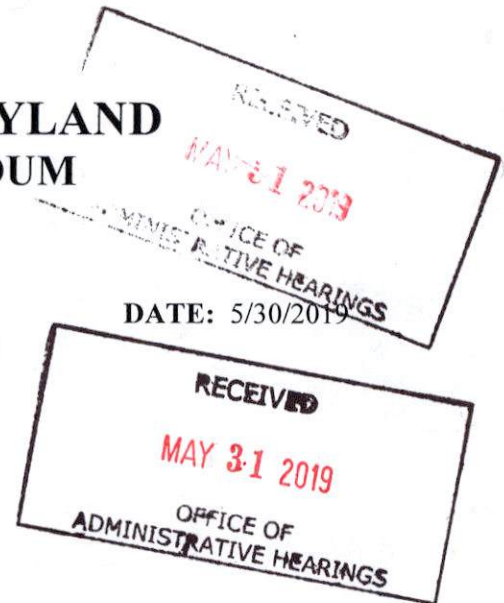
6-20

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-310



INFORMATION:

Property Address: 107 Oella Avenue (Lot 14)
Petitioner: Donald Cavey
Zoning: DR 1
Requested Action: Special Hearing, Variance

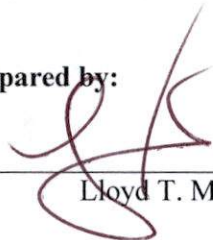
The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should confirm that a merger did not take place between Lot 14 and the adjacent Lot 13. The Department also reviewed the petition for variance to permit an existing dwelling on a lot having a width of 110 feet at the front foundation wall, in lieu of the required 150 feet.

A site visit was conducted on May 24, 2019. Staff observed that Lot 13 is currently improved with a one story single family dwelling and that Lot 14 is vacant.

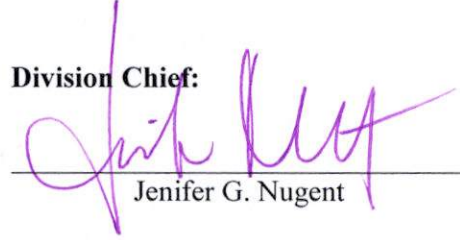
The Department has no objection to granting the petitioned zoning variance relief and will concur with the decision of the Administrative Law Judge, subsequent to the public hearing, as to whether Lots 13 and 14 have merged through use.

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
John Mellema Surveyors
Office of the Administrative Hearings
People's Counsel for Baltimore County

25-11-1942

RECEIVED
TO THE
OFFICE OF THE
ATTORNEY GENERAL
WASHINGTON, D.C.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 5/30/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-310

INFORMATION:

Property Address: 107 Oella Avenue (Lot 14)

Petitioner: Donald Cavey

Zoning: DR 1

Requested Action: Special Hearing, Variance

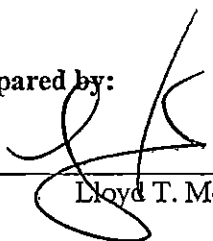
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A site visit was conducted on May 24, 2019. Staff observed that Lot 13 is currently improved with a one story single family dwelling and that Lot 14 is vacant.

The Department has no objection to granting the petitioned zoning variance relief and will concur with the decision of the Administrative Law Judge, subsequent to the public hearing, as to whether Lots 13 and 14 have merged through use.

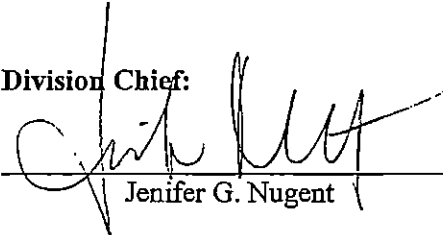
For further information concerning the matters stated herein, please contact Josephine Selvakumar at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

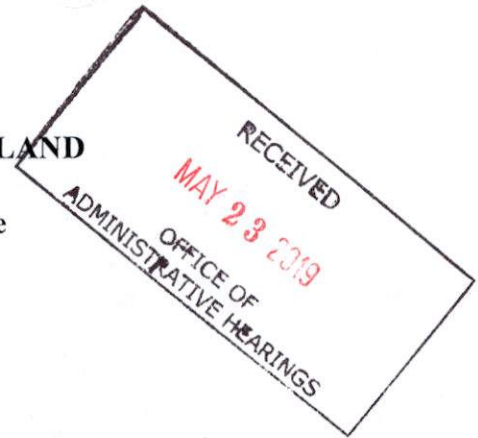
CPG/JGN/LTM/

c: Josephine Selvakumar
John Mellema Surveyors
Office of the Administrative Hearings
People's Counsel for Baltimore County

6-20

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: May 23, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0310-SPHA
Address Lot 14 Oella Avenue
(Cavey Property)

Zoning Advisory Committee Meeting of **May 20, 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: 5/15/19

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. 2019-0310-SP4A

Variance, Special Hearing
Donald R. Carey
Lot 14 Della 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

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No CommentDEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)DEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

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

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 5/31/19

SIGN POSTING (1st) Date: 5/31/19SIGN POSTING (2nd) Date: 6/19/19

by O'Keefe

by O'Keefe

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

Search Result for BALTIMORE COUNTY

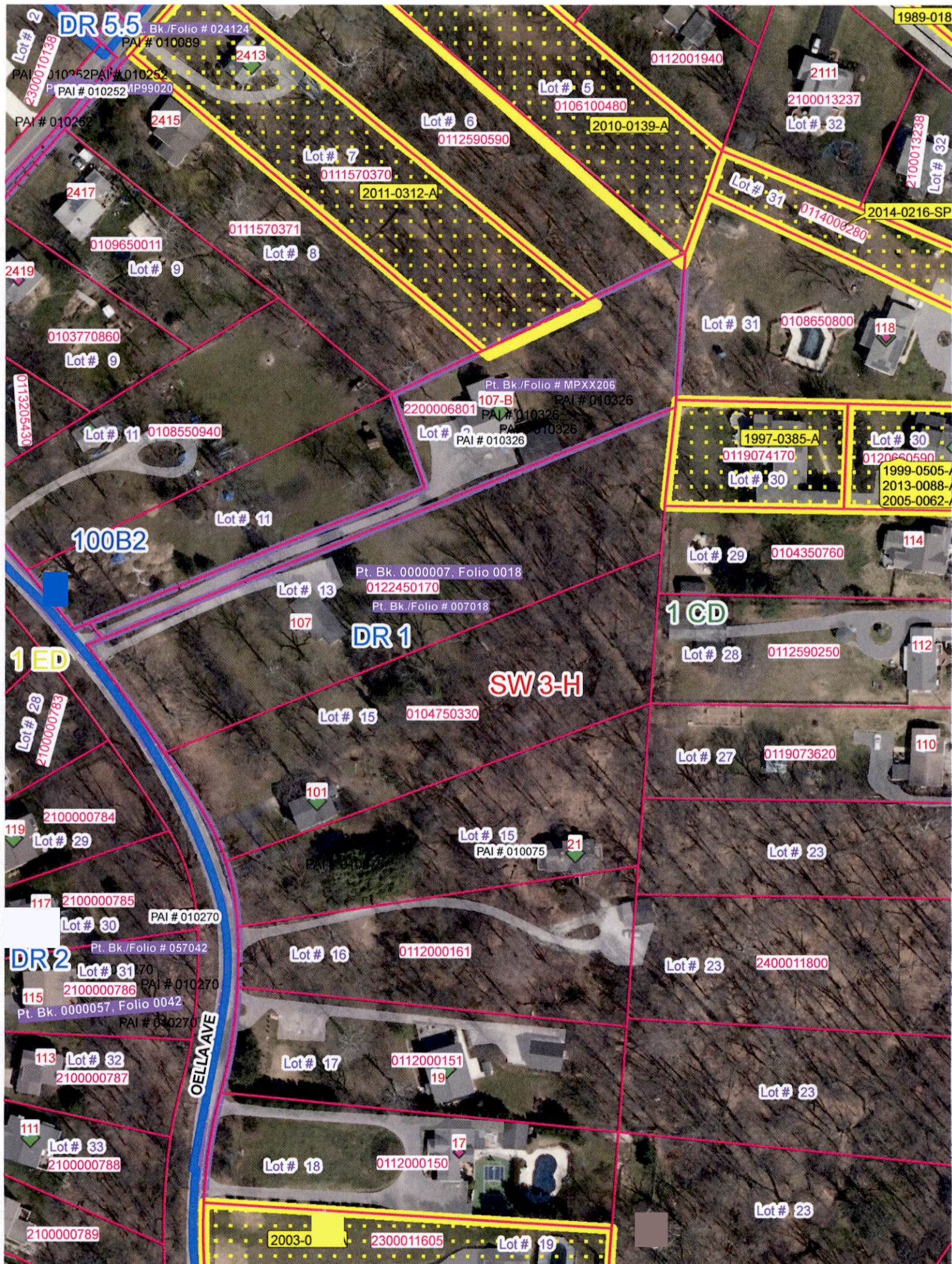
View Map		View GroundRent Redemption				View GroundRent Registration			
Tax Exempt:		Special Tax Recapture:							
Exempt Class:		NONE							
Account Identifier:		District - 01 Account Number - 0122450170							
Owner Information									
Owner Name:		107 OELLA AVENUE LLC				Use:		RESIDENTIAL	
						Principal Residence:		NO	
Mailing Address:		96 ROLLINGBROOK WAY CATONSVILLE MD 21228-				Deed Reference:		/41484/ 00214	
Location & Structure Information									
Premises Address:		107 OELLA AVE BALTIMORE 21228-				Legal Description:		LT 13,14 380 S OLD FREDERICK RD STONEWALL PARK	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0100	0010	0648		0000			13	2019	Plat Ref: 0007/0018
Special Tax Areas:				Town:		NONE			
				Ad Valorem:					
				Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1938		1,333 SF				3.1300 AC		04	
Stories	Basement	Type	Exterior		Full/Half Bath	Garage	Last Major Renovation		
1	YES	STANDARD UNIT	ASBESTOS SHINGLE		1 full	1 Attached			
Value Information									
		Base Value		Value		Phase-in Assessments			
				As of		As of		As of	
				01/01/2019		07/01/2018		07/01/2019	
Land:		154,600		172,200					
Improvements		96,700		116,700					
Total:		251,300		288,900		251,300		263,833	
Preferential Land:		0						0	
Transfer Information									
Seller: CAVEY DONALD R				Date: 06/05/2019		Price: \$330,000			
Type: ARMS LENGTH IMPROVED				Deed1: /41484/ 00214		Deed2:			
Seller: CAVEY DONALD R				Date: 10/29/1992		Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /09437/ 00259		Deed2:			
Seller: MOUNTAIN MERLE H				Date: 04/09/1979		Price: \$64,000			
Type: ARMS LENGTH IMPROVED				Deed1: /06007/ 00644		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

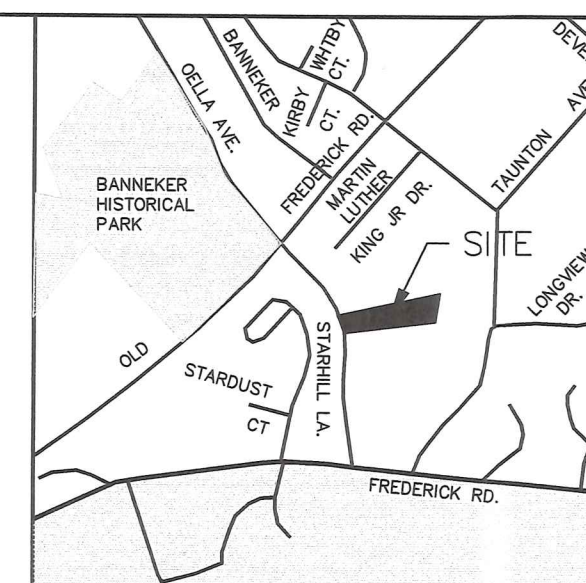
Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

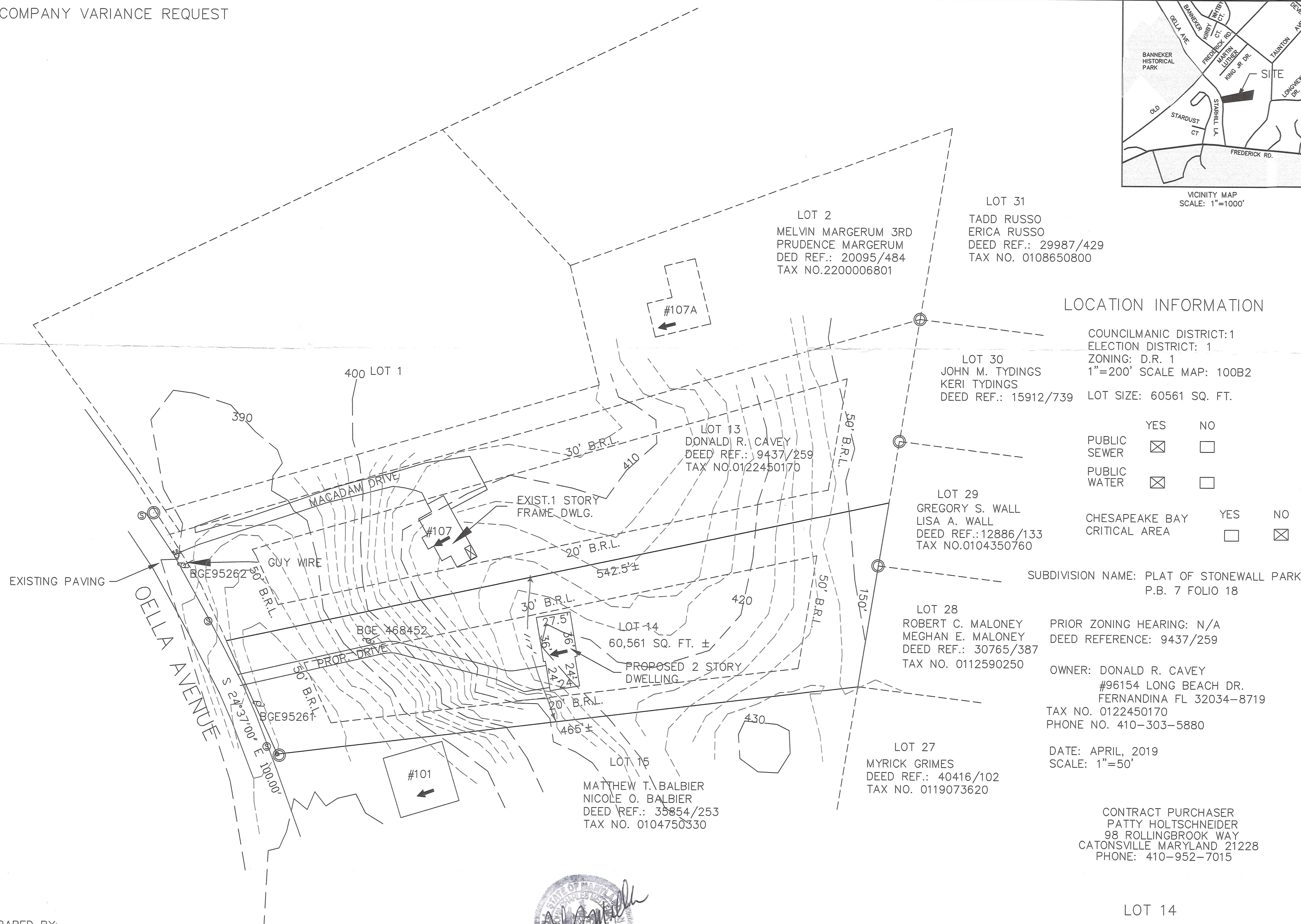
Homeowners' Tax Credit Application Status: No Application **Date:**



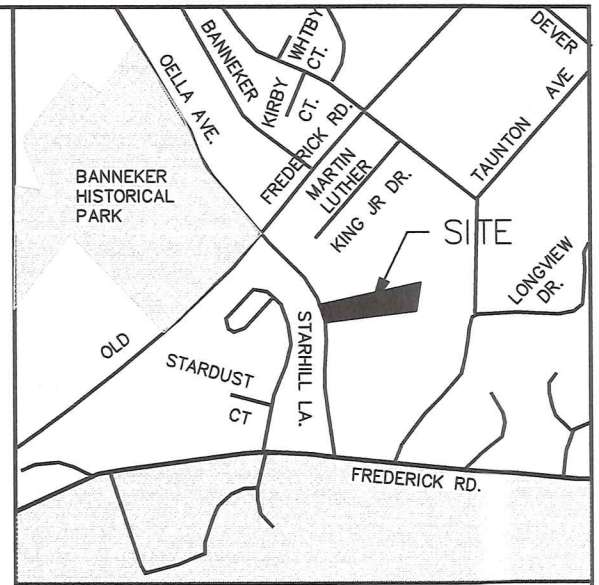
PLAT TO ACCOMPANY VARIANCE REQUEST



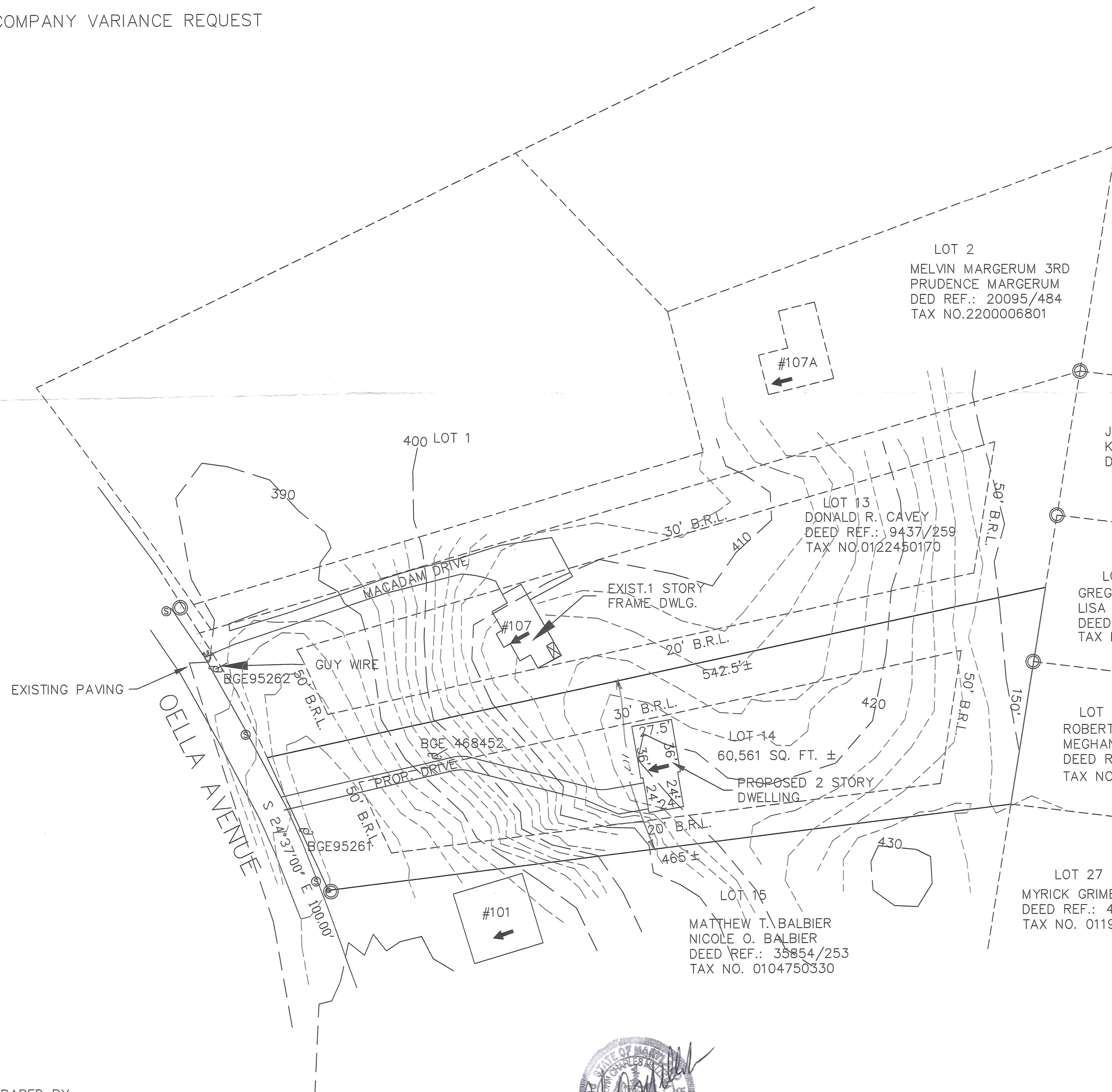
VICINITY MAP
SCALE: 1"=1000'



PLAT TO ACCOMPANY VARIANCE REQUEST



VICINITY MAP
SCALE: 1"=1000'



LOCATION INFORMATION

COUNCILMANIC DISTRICT: 1
ELECTION DISTRICT: 1
ZONING: D.R. 1
1"=200' SCALE MAP: 100B2
LOT SIZE: 60561 SQ. FT.

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

SUBDIVISION NAME: PLAT OF STONEWALL PARK
P.B. 7 FOLIO 18

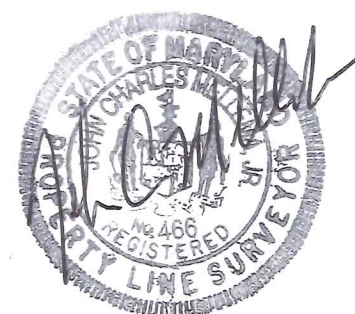
PRIOR ZONING HEARING: N/A
DEED REFERENCE: 9437/259

OWNER: DONALD R. CAVEY
#96154 LONG BEACH DR.
FERNANDINA FL 32034-8719
TAX NO. 0122450170
PHONE NO. 410-303-5880

DATE: APRIL, 2019
SCALE: 1"=50'

CONTRACT PURCHASER
PATTY HOLTSCHNEIDER
98 ROLLINGBROOK WAY
CATONSVILLE MARYLAND 21228
PHONE: 410-952-7015

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



D.R.1 REGULATIONS
MINIMUM LOT AREA 40,000 SQ. FT.
MINIMUM LOT WIDTH 150'
MINIMUM FRONT YARD SETBACK 50'/AVERAGE
MINIMUM SIDE YARD SETBACK 20'/SUM OF SIDE YARDS 50'
MINIMUM REAR YARD SETBACK 50'

LOT 14
PLAT OF STONEWALL PARK
BALTIMORE COUNTY, MARYLAND
TAX MAP 100 GRID 10 PARCEL 648
SCALE: 1"=50' DATE: APRIL, 2019