

M E M O R A N D U M

DATE: August 20, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0314-SPHA- Appeal Period Expired

The appeal period for the above-referenced case expired on August 19, 2019. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings

IN RE: **PETITIONS FOR SPECIAL HEARING *
AND VARIANCE**

(138 Winters Lane) *

1st Election District *

1st Council District *

Beryl L. Moore *

Legal Owner *

Premier Equity Assets, LLC *

Contract Purchaser *

Petitioners *

* * * * *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2019-0314-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 Beryl Moore, legal owner and Premier Equity Assets, LLC, contract purchaser (“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 occur between the subject property (138 Winters Lane) and the adjacent property (136 Winters Lane). In addition, a Petition for Variance was filed to permit a proposed single family detached dwelling with a lot width of 50 ft. in lieu of the minimum required 55 ft. A site plan was marked and accepted into evidence as Petitioners’ Exhibit 1.

David Schiavone and Sagar Patel appeared in support of the requests. One neighbor attended the hearing to obtain additional information about 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 petition for special hearing seeks confirmation the subject property has not merged with the adjacent property at 136 Winters Lane. These adjoining properties are not in common ownership and the owner of 136 Winters Lane attended the hearing and indicated he was

ORDER RECEIVED FOR FILING

Date 7/18/19

By Sen

unaware they were ever owned by the same individual. As such no merger could have occurred and the petition will be granted.

VARIANCE

The subject property is unimproved and is 0.22 acres in size. The property is zoned DR 5.5. To construct a suitable dwelling on the lot a single variance for lot width is required. As to the variance, it requires 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 subject property is narrow and deep (50' x 194') and is therefore unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to construct a single family dwelling on the lot. 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.

THEREFORE, IT IS ORDERED this 18th day of **July, 2019**, by this Administrative Law Judge, that the Petition for Special Hearing to confirm that a merger did not occur between the subject property (138 Winters Lane) and the adjacent property (136 Winters Lane), be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance to permit a proposed single family detached dwelling with a lot width of 50 ft. in lieu of the minimum required 55 ft., be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

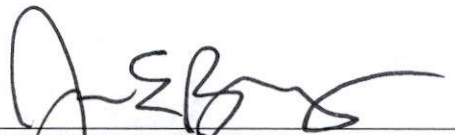
Date 7/18/19

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

LMS:slh

ORDER RECEIVED FOR FILING

Date 7/18/19

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 138 Winters Lane which is presently zoned DR5.5
 Deed References: 9356/374 10 Digit Tax Account # 01 08 302 120
 Property Owner(s) Printed Name(s) Beryl L. Moore

(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 and confirm that a merger did not occur between the subject property (138 Winters Lane) and the adjacent property (136 Winters Lane).
2. ☒ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for
3. ☒ a Variance from Section(s)
to permit a proposed single family detached dwelling with a lot width of 50 feet in lieu of the minimum required 55 feet.

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:

☒ Premier Equity Assets LLC

Name- Type or Print Tarun Saigal, Manager
 Signature [Signature]
 14625 Baltimore Avenue # 422 Laurel Maryland 20707
 Mailing Address City State Zip Code
 Telephone # 301-892-5706 Email Address tim@premierequityassets.com

Attorney for Petitioner:

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

Legal Owners (Petitioners):

Beryl L Moore

Name #1 - Type or Print Beryl L Moore Name #2 - Type or Print
 Signature #1 [Signature] Signature #2
 4804C38E1B7A483...
 Mailing Address 7115 Manila Avenue, Baltimore, MD City State
 Zip Code Telephone # Email Address

Representative to be contacted:

Praful Patel
 Name - Type or Print [Signature]
 Signature
 8207 Dragonfly Ct Laurel MD
 Mailing Address City State
 20723, 240-418-1389, prafulp@arencu.com
 Zip Code Telephone # Email Address

CASE NUMBER 2019-0314-SPHA Filing Date 5/7/2019 Do Not Schedule Dates: Reviewer JMP



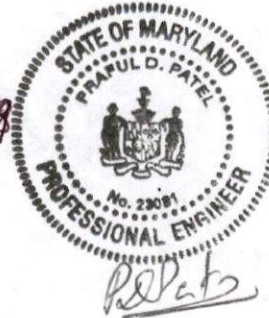
Case No.:

Zoning property description for 138 Winters lane, Catonsville, MD 21228

Beginning at a point on the ^{northeast side} ~~south~~ of the Winters Lane 30 feet wide at a distance of 849 feet north of the centerline of the nearest improved intersecting street- Edmondson Ave which is 50 feet wide. - PP 05/07/19

Thence the following distances 194.25 feet; 50.00 feet; 194.25 feet; 50.00 feet, back to the point of beginning as recorded in Deed Liber 9356, folio 374, containing 0.22 acres of land. Located in the 1st Election District and 1st Councilmanic District.

PP
05/07/19



CERTIFICATE OF POSTING

2019-0314-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Beryl Moore
Premier Equity Assets, LLC

July 17, 2019

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

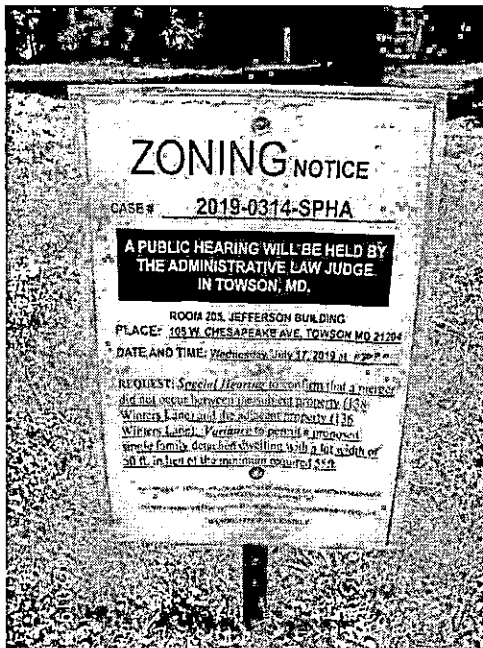
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

138 Winters Lane

SIGN 1 Recertification

June 27, 2019

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 July 16, 2019
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2019-0314-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Beryl Moore
Premier Equity Assets, LLC

July 17, 2019

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

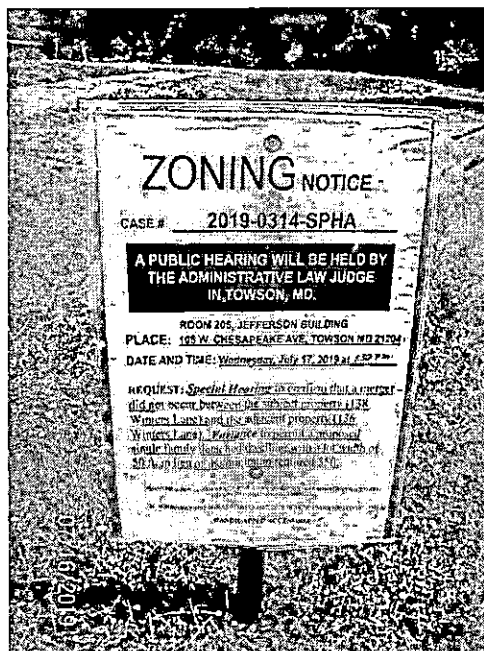
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138 Winters Lane

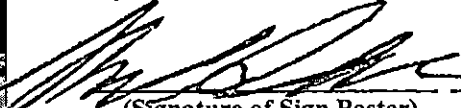
SIGN 2 Recertification

June 27, 2019

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,


(Signature of Sign Poster)

July 16, 2019

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

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Beryl Moore
Premier Equity Assets, LLC

July 17, 2019

Date of Hearing/Closing: _____

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County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

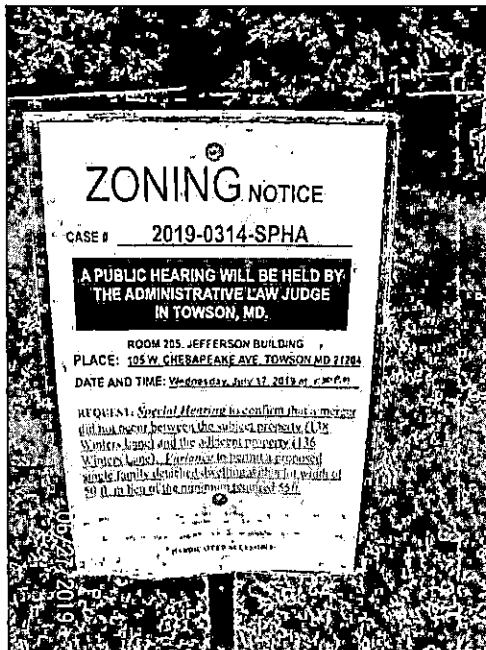
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138 Winters Lane

SIGN 1

June 27, 2019

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 **June 27, 2019**

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

text_0.txt

Per our conversation regarding 138 winters lane. We have to reschedule hearing because sign wasn't posted by the due date. Should you have any questions feel free to contact me 410-804-1149. Thank you for your time. David Schiavone

CERTIFICATE OF POSTING

2019-0314-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Beryl Moore
Premier Equity Assets, LLC

July 17, 2019

Date of Hearing/Closing: _____

Baltimore County Department of
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County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

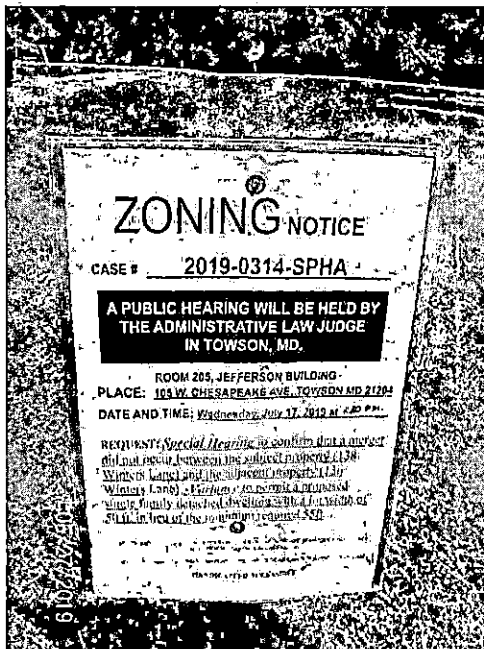
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138 Winters Lane

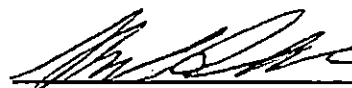
SIGN 2

June 27, 2019

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 **June 27, 2019**
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2019-0314-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Beryl Moore
Premier Equity Assets, LLC

July 17, 2019

Date of Hearing/Closing: _____

Baltimore County Department of
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County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

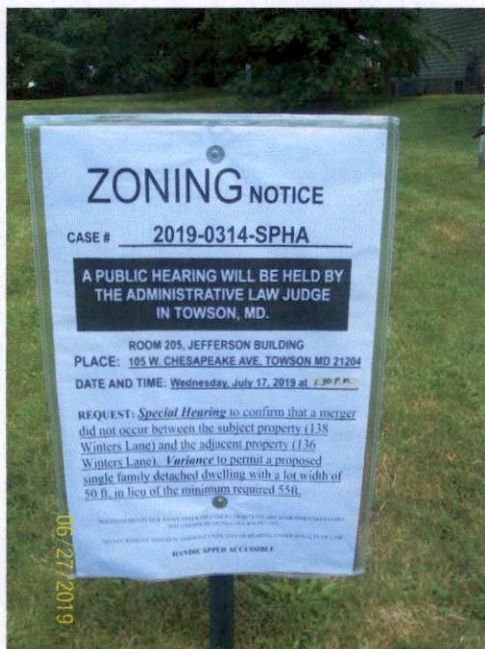
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138 Winters Lane

SIGN 1

June 27, 2019

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

June 27, 2019

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2019-0314-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Beryl Moore
Premier Equity Assets, LLC

July 17, 2019

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

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138 Winters Lane

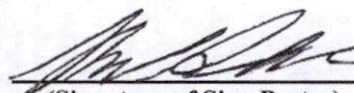
SIGN 2

June 27, 2019

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,


(Signature of Sign Poster) **June 27, 2019**
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

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:

6/27/2019

Order #: 11760222
Case #: 2019-0314-SPHA
Description:

NOTICE OF ZONING HEARING CASE NUMBER:
2019-0314-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: 2019-0314-SPHA

138 Winters Lane

NE/s Winters Lane, n/w of Edmondson Avenue

1st Election District - 1st Councilmanic District

Legal Owners: Beryl Moore

Contract Purchaser/Lessee: Premier Equity Assets LLC

Special Hearing to confirm that a merger did not occur between the subject property (138 Winters Lane) and the adjacent property (136 Winters Lane). Variance to permit a proposed single family detached dwelling with a lot width of 50 ft. in lieu of the minimum required 55 ft.

Hearing: Wednesday, July 17, 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.

je27

The Daily Record

11 East Saratoga Street

Baltimore, MD 21202-2199

(443) 524-8100

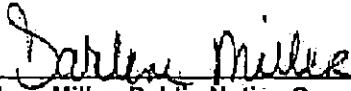
<http://www.thedailyrecord.com>**PUBLISHER'S AFFIDAVIT**

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:

6/4/2019

Order #: 11748450
 Case #: 2019-0314-SPHA
 Description:

NOTICE OF ZONING HEARING CASE NUMBER:
 2019-0314-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: 2019-0314-SPHA

138 Winters Lane

NE/s Winters Lane, n/w of Edmondson Avenue

161 Election District - 161 Councilmanic District

Legal Owners: Beryl Moore

Contract Purchaser/Lessee: Premier Equity Assets, LLC

Special Hearing to confirm that a merger did not occur between the subject property (138 Winters Lane) and the adjacent property (136 Winters Lane). Variance to permit a proposed single family detached dwelling with a lot width of 50 ft. in lieu of the minimum required 55 ft.

Hearing: Monday, June 24, 2019 at 11:00 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 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.

je4

**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: 2019-0314-SPHA

Property Address: 138 Winters Lane

Property Description: NW 1/4 of Winters Lane, 849' NW of Edmondson Ave

Legal Owners (Petitioners): Beryl L. Moore

Contract Purchaser/Lessee: Premier Equity Assets, LLC

PLEASE FORWARD ADVERTISING BILL TO:

Name: David G. Schiavone

Company/Firm (if applicable): _____

Address: 752 White Oaks Ave

Catonsville Md. 21228

Telephone Number: 410-804-1149

Revised 7/9/2015

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

No. **182696**

PAID RECEIPT

Date: 5/7/2019

BUSINESS ACTUAL TIME
 5/07/2019 5/07/2019 11:42:18

WALKIN CAN
 >>RECEIPT 006853 5/07/2019 OFLN

Dept 5 528 ZONING VERIFICATION
 Amount 182696

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6158				150.00

Rec'd Tot: \$ 150.00
 150.00 CK .00 CA
 Baltimore County, Maryland

Total: 150.00

Rec From: Jorts and Rico, LLC

For: Special Hearing & Variance - 138 Winters Lane
2019-0314-SPHA (MOORE)

**CASHIER'S
 VALIDATION**

DISTRIBUTION

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



JOHN A. OLSZEWSKI, JR.
County Executive

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

July 7, 2019

Praful Patel
8207 Dragon Fly Court
Laurel MD 20723

RE: Case Number: 2019-0314-SPHA, 138 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 May 7, 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
Premier Equity Assets LLC 14625 Baltimore Ave #422 Laurel MD 20707
Beryl L Moore 7115 Manila Ave Baltimore MD 21244

17-17

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: 19-314



INFORMATION:

Property Address: 138 Winters Lane
Petitioner: Beryl L. Moore
Zoning: DR 5.5
Requested Action: Special Hearing, Variance

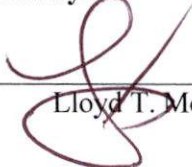
The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should confirm that a merger did not occur between the subject property (138 Winters Lane) and the adjacent property (136 Winters lane). The Department also reviewed the petition for variance to permit a proposed single family detached dwelling with a lot width of 50 feet in lieu of the minimum required 55 feet.

A site visit was conducted on May 22, 2019. The site is a vacant and lies within the boundaries of National Registry of Historic District and Catonsville/ Patapsco Sustainable Community Area. Neither plan opposes zoning actions.

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 #136 and #138 Winters Lane 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
Praful Patel
Office of the Administrative Hearings
People's Counsel for Baltimore County

RECEIVED
JAN 10 1964
U.S. AIR FORCE
HEADQUARTERS
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: 19-314.

INFORMATION:

Property Address: 138 Winters Lane
Petitioner: Beryl L. Moore
Zoning: DR 5.5
Requested Action: Special Hearing, Variance

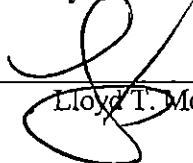
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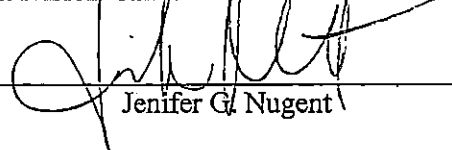
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Prepared by:



Lloyd T. Moxley

Division Chief:



Jennifer G. Nugent

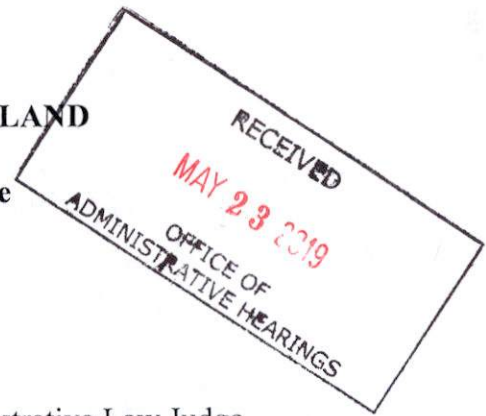
CPG/JGN/LTM/

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

6-24

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 # 2019-0314-SPHA
Address 138 Winters Lane
(Moore 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. 2018-0314-SPHA

*Special Hearing, Variance
Beryl L. Moore
138 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

* * * * *

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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: 2019-0314-SPHA

138 Winters Lane

NE/s Winters Lane, n/w of Edmondson Avenue

1st Election District – 1st Councilmanic District

Legal Owners: Beryl Moore

Contract Purchaser/Lessee: Premier Equity Assets, LLC

Special Hearing to confirm that a merger did not occur between the subject property (138 Winters Lane) and the adjacent property (136 Winters Lane). Variance to permit a proposed single family detached dwelling with a lot width of 50 ft. in lieu of the minimum required 55 ft.

Hearing: Monday, June 24, 2019 at 11:00 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: Praful Patel, 8207 Dragonfly Court, Laurel 20723
Premier Equity Assets, LLC, 14625 Baltimore Avenue, #422, Laurel 20707
Beryl Moore, 7115 Manila Avenue, Baltimore 21244

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JUNE 4, 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
Tuesday, June 4, 2019 - Issue

Please forward billing to:
David Schiavone
752 White Oak Avenue
Catonsville, MD 21228

410-804-1149

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: 2019-0314-SPHA

138 Winters Lane
NE/s Winters Lane, n/w of Edmondson Avenue
1st Election District – 1st Councilmanic District
Legal Owners: Beryl Moore
Contract Purchaser/Lessee: Premier Equity Assets, LLC

Special Hearing to confirm that a merger did not occur between the subject property (138 Winters Lane) and the adjacent property (136 Winters Lane). Variance to permit a proposed single family detached dwelling with a lot width of 50 ft. in lieu of the minimum required 55 ft.

Hearing: Monday, June 24, 2019 at 11:00 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.



JOHN A. OLSZEWSKI, JR.
County Executive

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

June 19, 2019

NEW 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: 2019-0314-SPHA

138 Winters Lane

NE/s Winters Lane, n/w of Edmondson Avenue

1st Election District – 1st Councilmanic District

Legal Owners: Beryl Moore

Contract Purchaser/Lessee: Premier Equity Assets, LLC

Special Hearing to confirm that a merger did not occur between the subject property (138 Winters Lane) and the adjacent property (136 Winters Lane). Variance to permit a proposed single family detached dwelling with a lot width of 50 ft. in lieu of the minimum required 55 ft.

Hearing: Wednesday, July 17, 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: Praful Patel, 8207 Dragonfly Court, Laurel 20723
Premier Equity Assets, LLC, 14625 Baltimore Avenue, #422, Laurel 20707
Beryl Moore, 7115 Manila Avenue, Baltimore 21244

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JUNE 27, 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
Tuesday, June 27, 2019 - Issue

Please forward billing to:
David Schiavone
752 White Oak Avenue
Catonsville, MD 21228

410-804-1149

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: 2019-0314-SPHA

138 Winters Lane

NE/s Winters Lane, n/w of Edmondson Avenue

1st Election District – 1st Councilmanic District

Legal Owners: Beryl Moore

Contract Purchaser/Lessee: Premier Equity Assets, LLC

Special Hearing to confirm that a merger did not occur between the subject property (138 Winters Lane) and the adjacent property (136 Winters Lane). Variance to permit a proposed single family detached dwelling with a lot width of 50 ft. in lieu of the minimum required 55 ft.

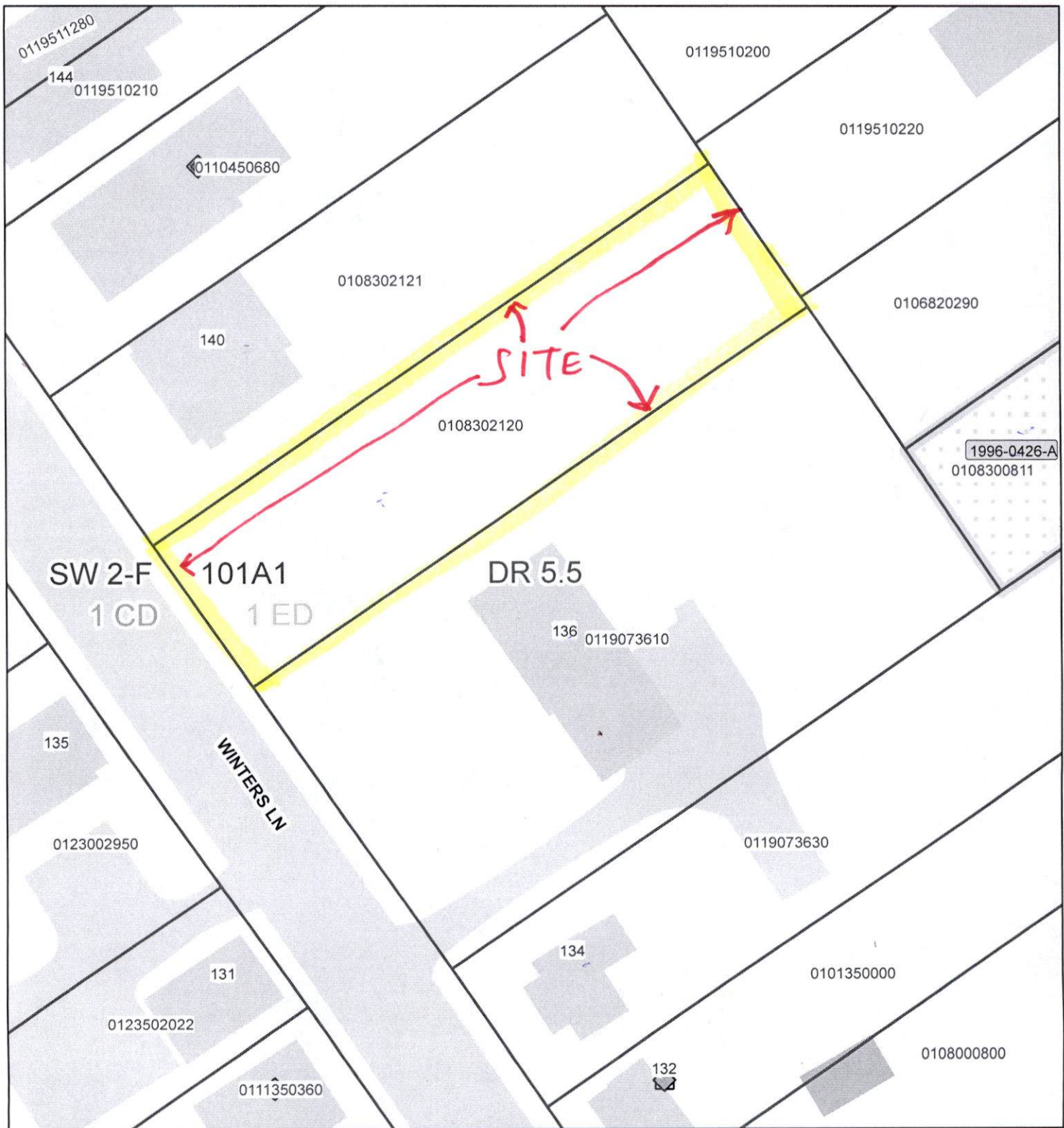
Hearing: Wednesday, July 17, 2019 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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.

138 Winters Lane



Publication Date: 4/26/2019



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 10 20 40 60 80 Feet

1 inch = 40 feet

2019-0314-SPHA

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

DEVELOPMENT PLANS REVIEW

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

5/23

DEPS

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

NO Comment

FIRE DEPARTMENT

5/30

PLANNING

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

NO Objection

5/15

STATE HIGHWAY ADMINISTRATION

NO Objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

6/27/19

SIGN POSTING (1st)

Date:

6/27/19

by SSG Black

SIGN POSTING (2nd)

Date:

7/16/19

by SSG Black

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

PRINT CLEARLY

CITIZENSHIP

NAME

ADDRESS

11-05	136 WINTER ST

DATE _____

7/17/2019

CITIZEN'S SIGN - IN SHEET

E - MAIL

105	136 WINTERS LN.	CAPESVILLE, MD 21228	BAKKTK03@MSN.COM
-----	-----------------	----------------------	------------------

8/3 - 7-17-19
1:20 PM

Debra Wiley

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Tuesday, July 16, 2019 10:38 PM
To: Administrative Hearings
Subject: Recertification's For 2019-0314-SPHA
Attachments: Re-Cert 1 2019-0314-SPHA.doc; Re-Cert 2 2019-0314-SPHA.doc

CAUTION: This message from 1opie@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Recertification's for 138 Winters Lane. Thanks.

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 - 0108302120			
Owner Information					
Owner Name:		MOORE BERYL L		Use: RESIDENTIAL	
Mailing Address:		7115 MANILA AV BALTIMORE MD 21244		Principal Residence: NO	
				Deed Reference: /09356/ 00374	
Location & Structure Information					
Premises Address:		WINTERS LN 0-0000		Legal Description: LT NES WINTERS LA 849 N EDMONDSON AV	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0101	0001	1822		0000	2019
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
			9,750 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of 01/01/2019	As of 07/01/2018	As of 07/01/2019	
Land:	52,400	78,900			
Improvements	0	0			
Total:	52,400	78,900	52,400	61,233	
Preferential Land:	0			0	
Transfer Information					
Seller: LEWIS BERYL		Date: 09/14/1992		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /09356/ 00374		Deed2:	
Seller: HENSON SAMUEL J		Date: 11/30/1970		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /05147/ 00394		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		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					

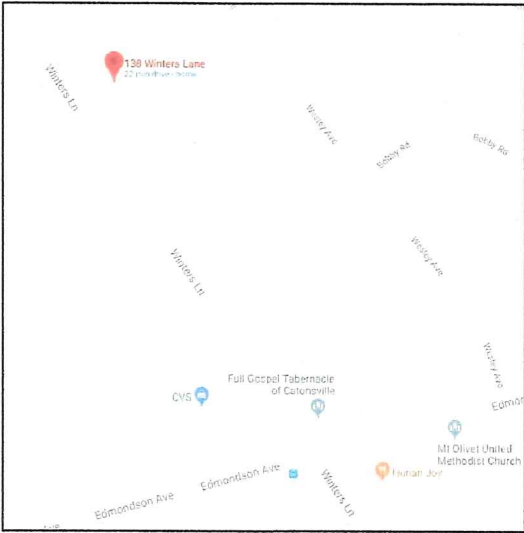
Homeowners' Tax Credit Application Status: No Application

Date:

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____

ADDRESS: 138 WINTERS LN, CATONSVILLE, MD 21228 OWNERS NAME: BERRYL MOORE
SUBDIVISION NAME: _____ LOT# _____ BLOCK # _____ SECTION # _____

PLAT BOOK # _____ FOLIO # _____ 10 DIGIT TAX NO: 0108302120



ZONING MAP # 0101
SITE ZONED DR5.5
ELECTION DISTRICT 1
COUNCIL DISTRICT 1
LOT AREA ACREAGE 0.22
HISTORIC : NO
IN CBCA NO
IN FLOOD PLAIN NO

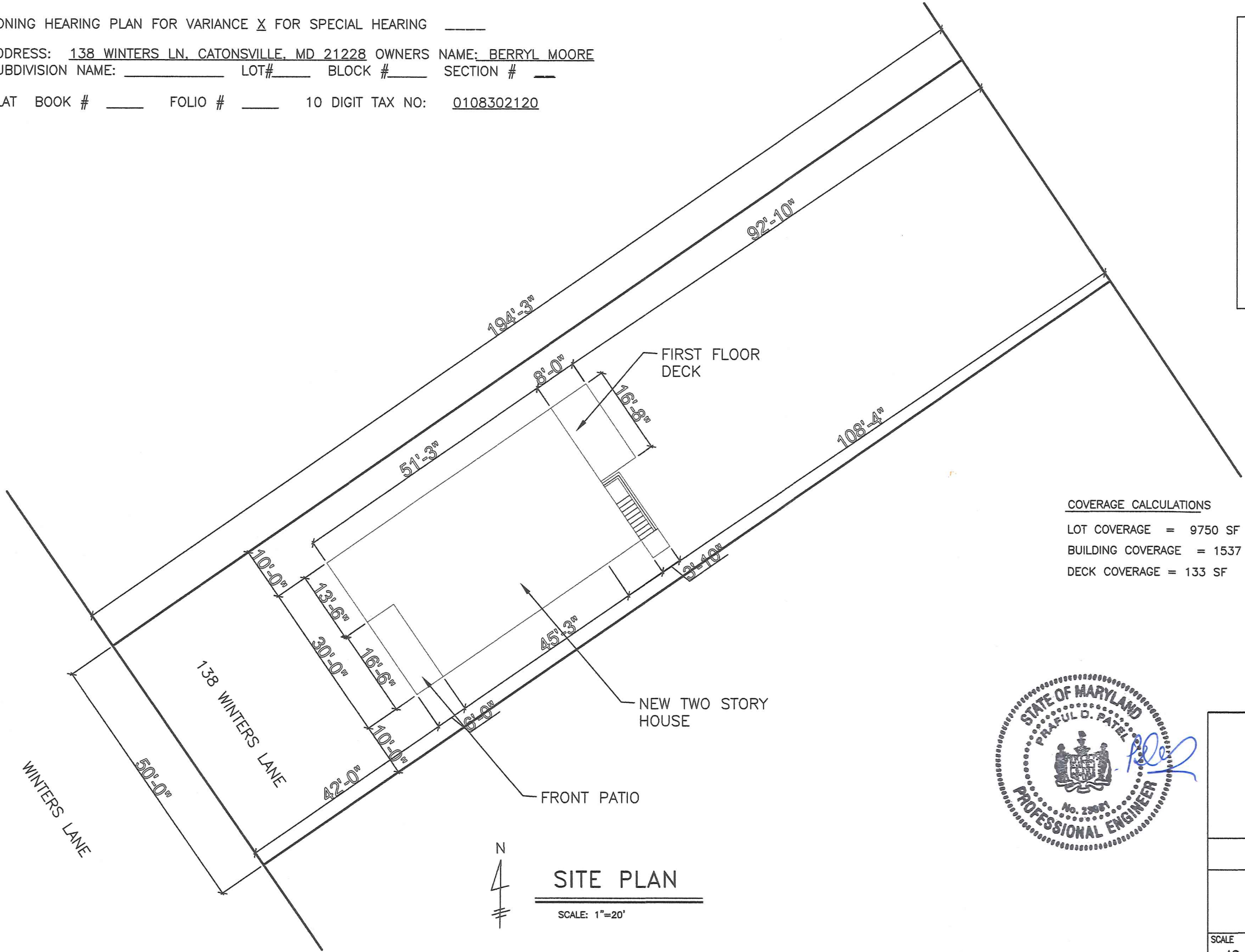
UTILITIES
WATER
PUBLIC X PRIVATE _____
SEWER
PUBLIC X PRIVATE _____
PRIOR HEARING NO

COVERAGE CALCULATIONS
LOT COVERAGE = 9750 SF
BUILDING COVERAGE = 1537 SF
DECK COVERAGE = 133 SF

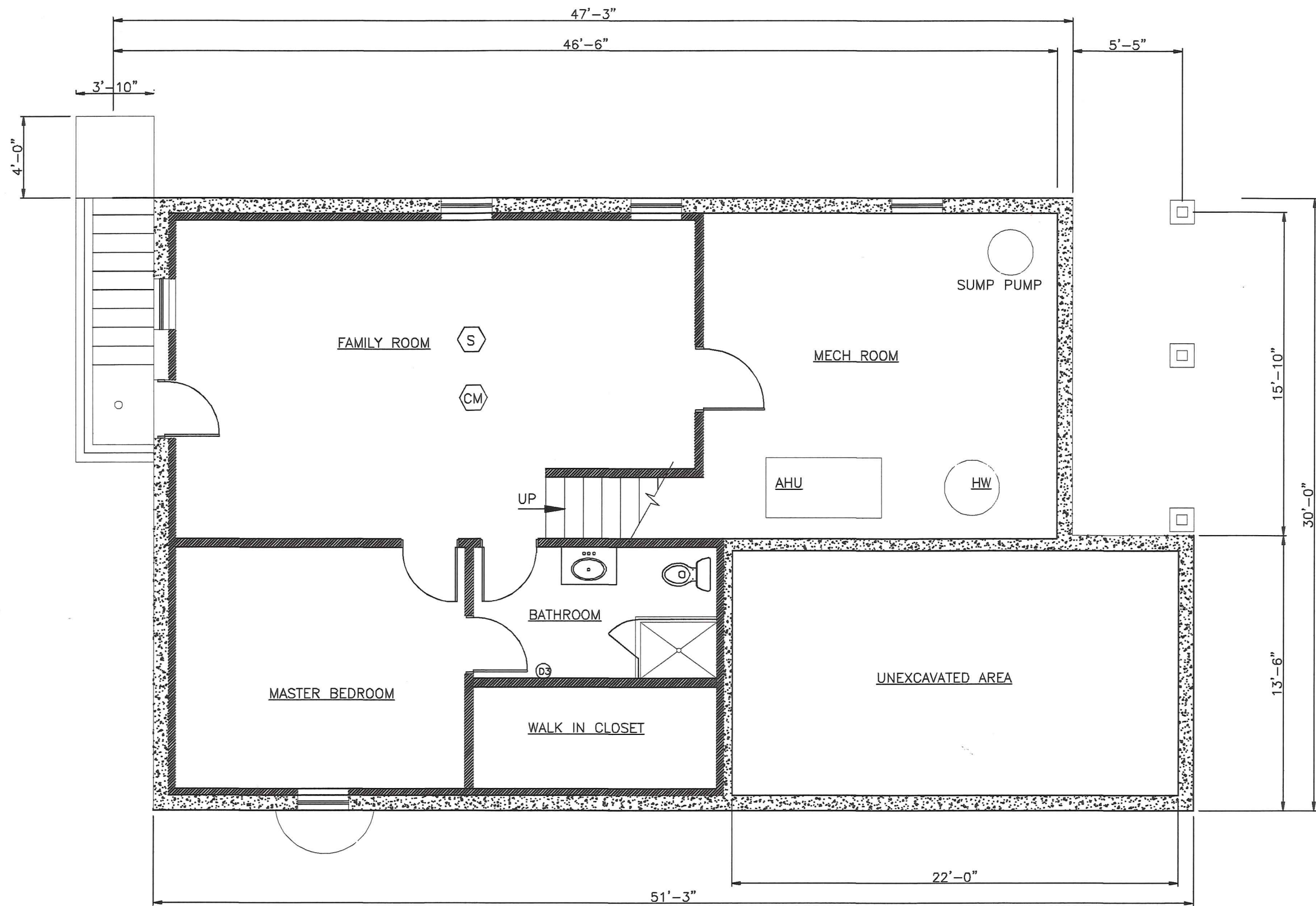
PROFESSIONAL CERTIFICATION. I HEREBY CERTIFY THAT
THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME,
AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER
UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO.
23081 EXPIRATION DATE: 04/24/2021



138 WINTERS LANE CATONSVILLE, MD 21228 NEW HOUSE		C1
SITE PLAN		
ARENCO, LLC ARCHITECTURAL ENGINEERING CONSULTANTS 8207 DRAGONFLY CT LAUREL MD 20723		
SCALE AS SHOWN	WORK REQUEST # 19-133	SHEET 01 OF 01
DRAWING NO. 19-133-01		



PET. EX. 1 2019-0314-SPHA



BASEMENT FLOOR PLAN

SCALE: 3/16" = 1'-0"

ARENCO LLC

ARCHITECTS
ENGINEERS
CONSTRUCTION MANAGERS
1807 DRAGONFLY CT
LAUREL, MD 20768
TEL (301) 410 1389

PROJECT NAME
NEW HOUSE
138 WINTERS LANE
CATONSVILLE, MD 21228

PROJECT TYPE
BASEMENT PLAN

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 23081 EXPIRATION DATE: 04/24/2019

PROJECT NUMBER
2019-133

DESIGNED BY
RP

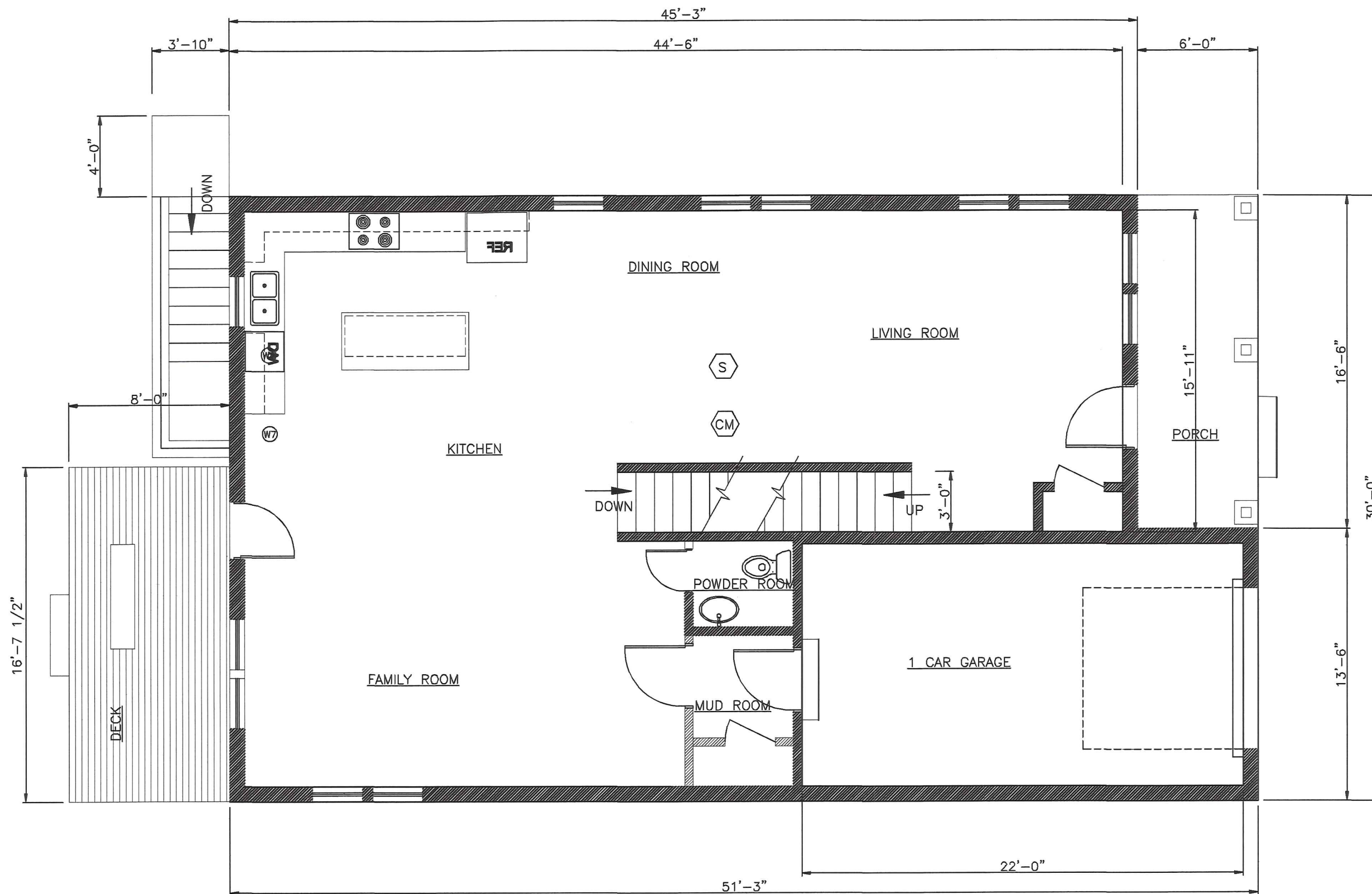
APPROVED BY
PP

DATE
04/08/19

SCALE
AS SHOWN

DRAWING

A1



FIRST FLOOR PLAN

SCALE: 3/16" = 1'-0"

ARENCO LLC

1907 DRACONIA CT
LAUREL, MD 20783
ARCHITECTS
ENGINEERS
CONSTRUCTION MANAGERS TEL: (301) 410 1899

PROJECT NAME
NEW HOUSE
138 WINTERB LANE
CATONSVILLE, MD 21228

SHEET TITLE
FIRST FLOOR PLAN

PROFESSIONAL CERTIFICATION.

I HEREBY CERTIFY
THAT THESE
DOCUMENTS WERE
PREPARED OR
APPROVED BY ME,
AND THAT I AM A
DULY LICENSED
PROFESSIONAL
ENGINEER UNDER
THE LAWS OF THE
STATE OF
MARYLAND,
LICENSE NO.
23081 EXPIRATION
DATE:
04/24/2021

PROJECT NUMBER
2019-133

DESIGNED BY
RP

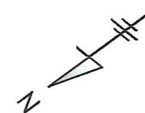
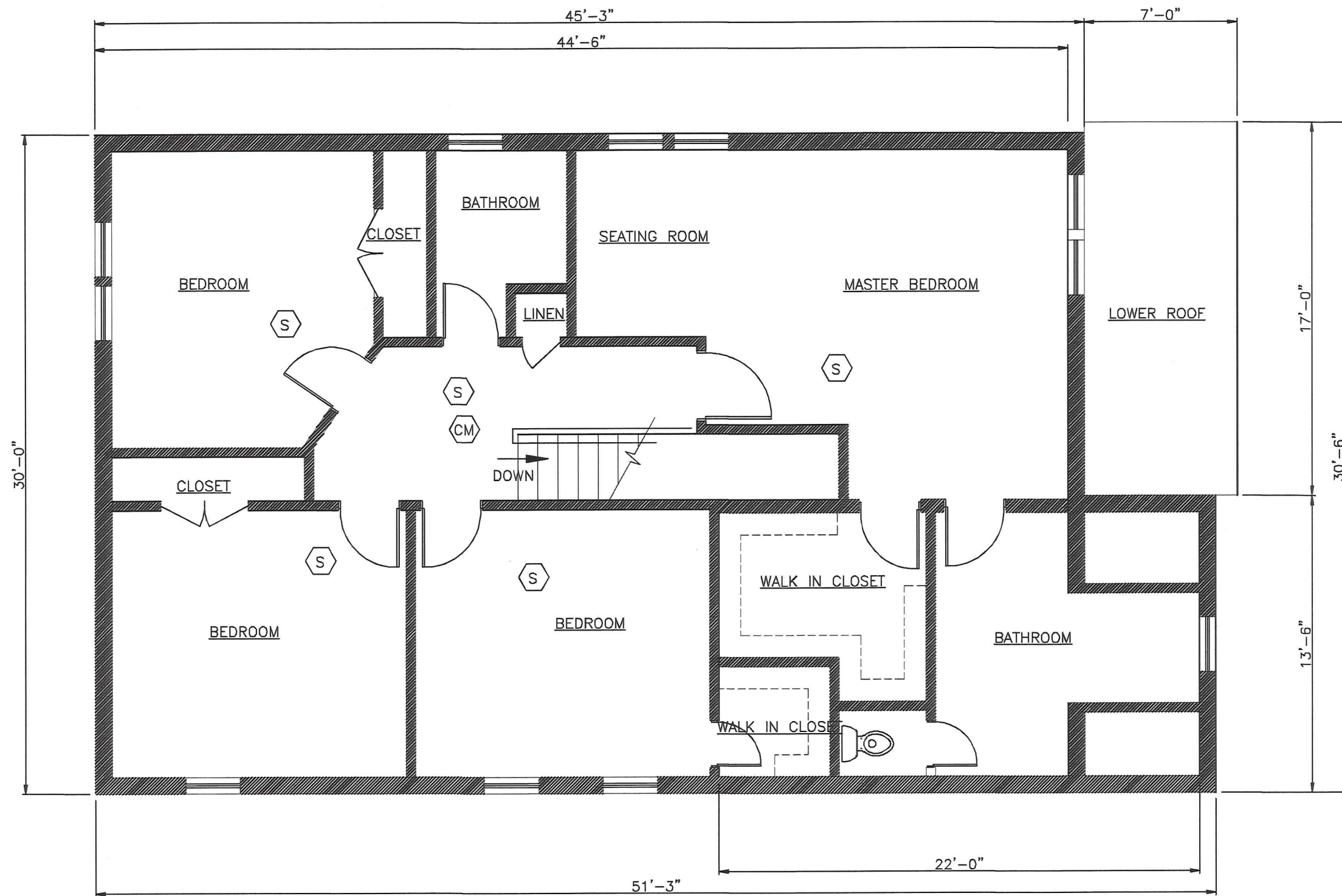
APPROVED BY
PP

DATE
04/09/19

SCALE
AS SHOWN

DRAWN BY

A2



SECOND FLOOR PLAN

SCALE: 3/16" = 1'-0"

ARENCO LLC

1007 BRIDGEVIEW CT
CATONSVILLE, MD 21228
TEL: (410) 418-1389

NEW HOUSE
138 WINTERS LANE
CATONSVILLE, MD 21228

SECOND FLOOR PLAN

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 23081 EXPIRATION DATE: 04/24/2021

PROJECT NAME
2010-133

DESIGNED BY
RP

APPROVED BY
PP

DATE
04/08/19

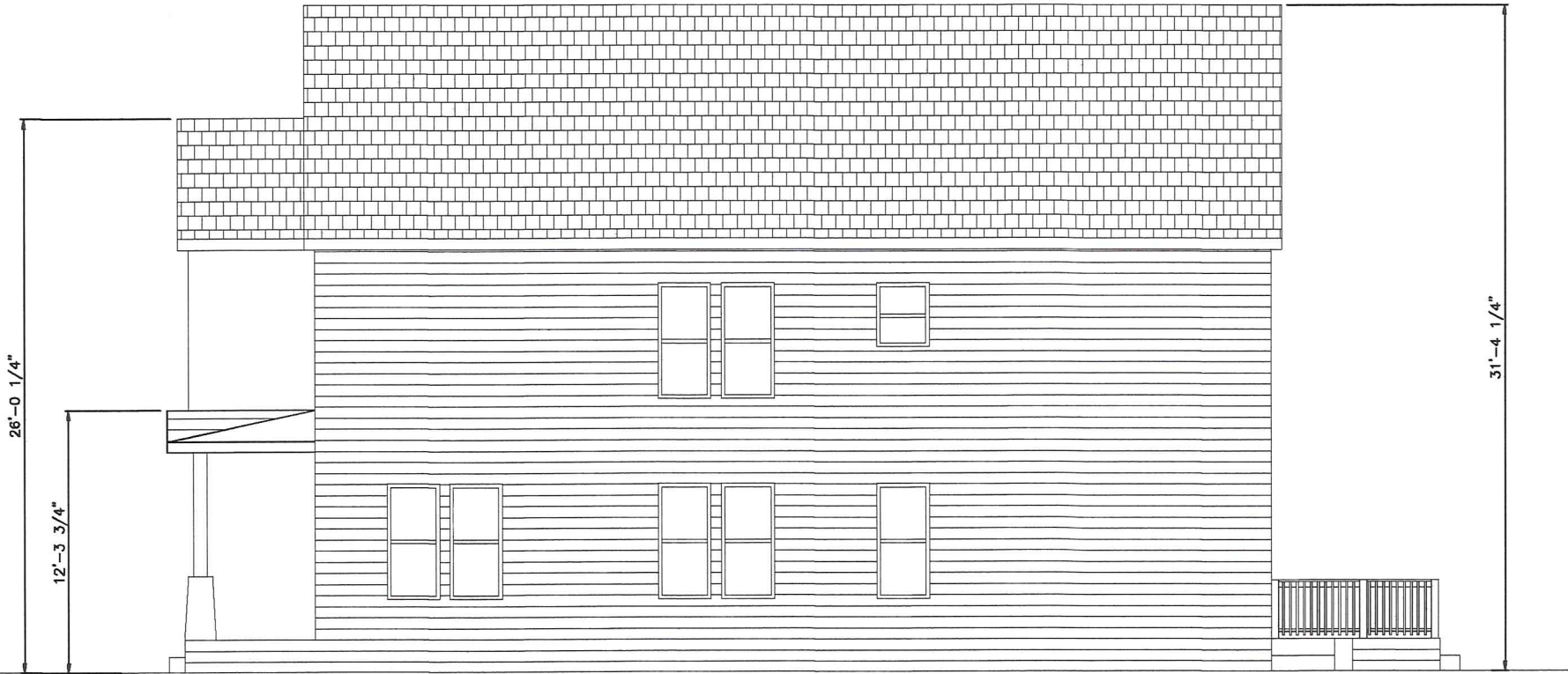
SCALE
AS SHOWN

REVISION
A3



FRONT ELEVATION

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



RIGHT SIDE ELEVATION

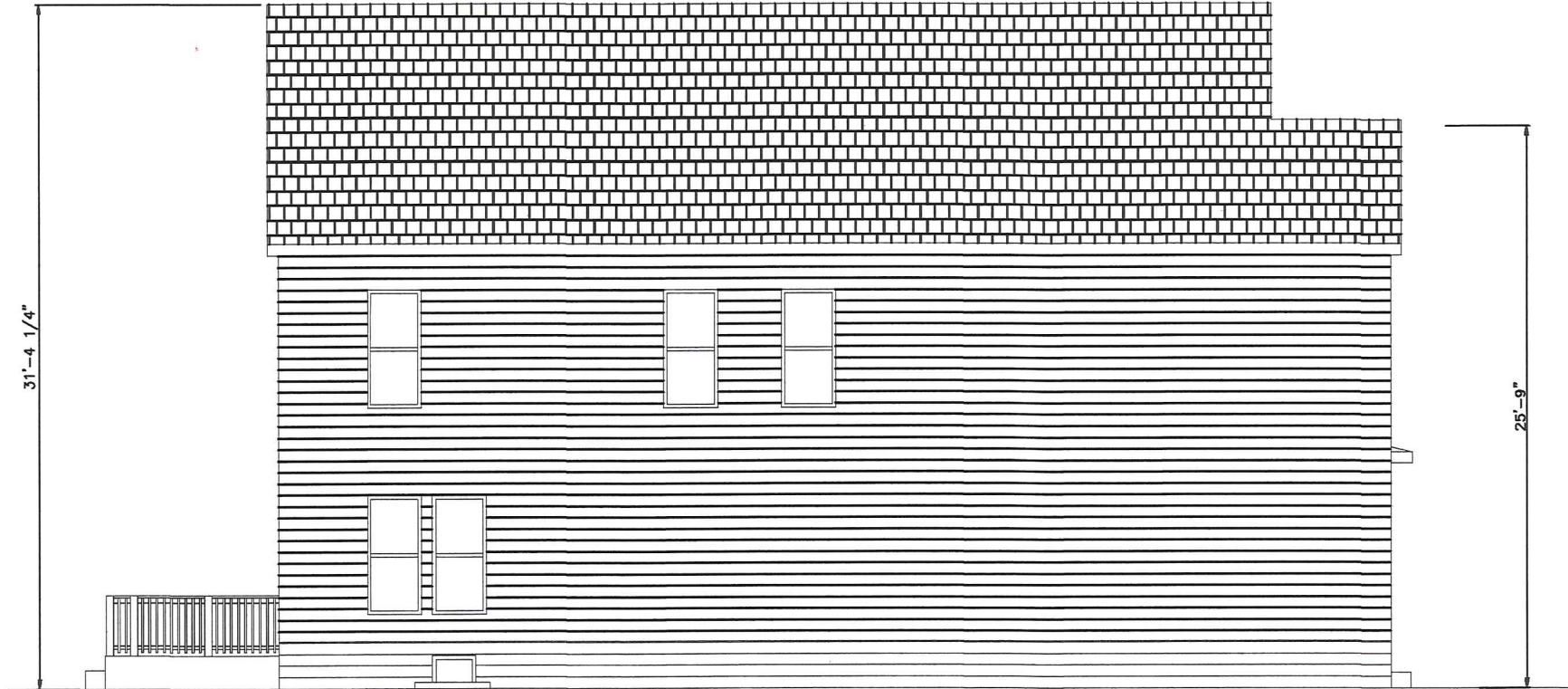
SCALE: 1/8" = 1'-0"

ARENCO LLC ARCHITECTS 1007 W. BALTIMORE ST. BALTIMORE, MD 21201 CONSTRUCTION MANAGERS TEL: (240) 418 1389	
PROJECT TITLE NEW HOUSE 138 WINTERB LANE CATONSVILLE, MD 21228	
ELEVATIONS - 1	
PROFESSIONAL CERTIFICATION. I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 23081 EXPIRATION DATE: 04/24/2021	
PROJECT NUMBER 2019-133	
DESIGNED BY RP	
APPROVED BY PP	
DATE 04/08/19	
SCALE AS SHOWN	
DRAWING A4	



REAR ELEVATION

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



LEFT SIDE ELEVATION

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

ARENCO LLC

ARCHITECTS
ENGINEERS
CONSTRUCTION MANAGERS
9501 BRACKENFORD CT
LUTHER, MD 21788
TEL: (301) 410-1886

PROJECT TITLE
NEW HOUSE
188 WINTERB LANE
CATONSVILLE, MD 21228

SHEET TITLE
ELEVATIONS - 2

DISCLAIMER
PROFESSIONAL
CERTIFICATION.

I HEREBY CERTIFY
THAT THESE
DOCUMENTS WERE
PREPARED OR
APPROVED BY ME,
AND THAT I AM A
DULY LICENSED
PROFESSIONAL
ENGINEER UNDER
THE LAWS OF THE
STATE OF
MARYLAND,
LICENSE NO.
23081 EXPIRATION
DATE:
04/24/2021

PROJECT NUMBER
2019-133

DESIGNED BY
RP

APPROVED BY
PP

DATE
04/08/19

SCALE
AS SHOWN

REVISIONS

A5