

M E M O R A N D U M

DATE: August 19, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0370-A - Appeal Period Expired

The appeal period for the above-referenced case expired on August 14, 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: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(7 Russell Frost Court)		
15 th Election District	*	OFFICE OF ADMINISTRATIVE
7 th Council District		
David W. & Linda S. Wolfe	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	CASE NO. 2019-0370-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Administrative Variance filed by the legal owners of the property, David W. and Linda S. Wolfe (“Petitioners”). The Petitioners are requesting Variance relief from § 427.1.B.1 of the Baltimore County Zoning Regulations (“BCZR”) to permit a 6 ft. high fence in the side yard which adjoins the front yard of another residence. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners’ Exhibit 1.

The Zoning Advisory Committee (“ZAC”) comments were received and are made part of the record of this case. There were no adverse ZAC comments received by any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on June 23, 2019, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code (“BCC”). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law

ORDER RECEIVED FOR FILING

Date 7-15-19

By ISW

Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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

THEREFORE, IT IS ORDERED, this 15th day of **July, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from § 427.1.B.1 of the Baltimore County Zoning Regulations ("BCZR") to permit a 6 ft. high fence in the side yard which adjoins the front yard of another residence, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- The Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 7-15-19

By [Signature]



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 7 Russell Frost Ct. Balt. MD. 21201 Currently zoned 04 Residential
 Deed Reference 09926 / 00488 10 Digit Tax Account # 22000006321
 Owner(s) Printed Name(s) David W. Wolfe & Linda S. Wolfe

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

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

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

1. X **ADMINISTRATIVE VARIANCE** from Section(s) _____

BCZR: 427.1.B.1. → To permit a 6 feet high fence in the side yard which adjoins the front yard of another residence.

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

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

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

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

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

Owner(s)/Petitioner(s):

David W. Wolfe, Linda S. Wolfe
 Name #1 – Type or Print Name #2 – Type or Print

D.W. Wolfe, Linda S. Wolfe
 Signature #1 Signature #2

7 Russell Frost Ct. Balt. MD.
 Mailing Address City State

21201, 410-574-1730, dwo1fe14@verizon
 Zip Code Telephone # Email Address NET

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

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

Representative to be contacted:

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

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

Administrative Law Judge for Baltimore County

CASE NUMBER 2019-0370-A Filing Date 6/14/19 Estimated Posting Date 6/23/19 Reviewer JS

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

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

Address: 7 RUSSELL FROST CT. BALTO MD 21221
Print or Type Address of property City State Zip Code

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

SEE ATTACHMENT #1

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

D. W. Wolfe
Signature of Owner (Affiant)

David W. Wolfe
Name- Print or Type

Linda S. Wolfe
Signature of Owner (Affiant)

Linda S. Wolfe
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

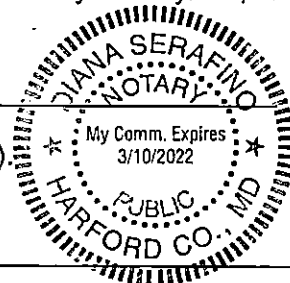
I HEREBY CERTIFY, this 13 day of June, 2019, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: David W. Wolfe and Linda S. Wolfe

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

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public
03/10/2022
My Commission Expires



(ATTACHMENT #1)

I, David W. and Linda S. Wolfe the legal owners of 7 Russell Frost Ct Baltimore, Md. 21221 request to replace my current wood rail fence with a six (6) foot vinyl privacy fence.

1. Over the past three years we have been trying to sell our home with no results. The number one complaint is the houses seem to be on top of each other and there is no privacy in the yard. As you can see 5 Russell Frost Ct applied for a variance because he wanted a garage, as a result this pushed his house closer to the left side of my house. In the back 607 Back River Neck Rd applied for a variance because most of his property ended up being wet lands and pushed his house from the center of the property to the right side and back to my property line. After he added a garage. All of these actions encroached on my property not only providing no privacy in my yard but in my realtors' opinion lowered the value of my home. My realtor suggested adding the fence.
2. Been maintaining the wood fence for twenty five (25) years and it is no longer cost effective to do so. Replacing with a maintained free vinyl fence would eliminate future costly repairs.
3. Many of my neighbor's in my development already have a six (6) foot vinyl fence and this has added to the visual effect and value of their homes and also the neighborhood.
4. Attachment #2 shows the condition of 10 Russell Frost Ct my neighbor to the right. As you can see they do not maintain their yard on a regular basis. Another reason to block the view.
5. My wife just purchased a new puppy last September and we are forced to tie the dog up in a limited area to go outside. Replacing my fence with a privacy fence the dog would have run of the yard.
6. Attachment #3 shows an affidavit signed by my two neighbors to the right, my two neighbors to the left, and my neighbor in the rear confirming they have no objection with me installing a six (6) foot privacy fence.
7. Attachment #4 shows the front view of the homes to the left and right of my property.

David W. Wolfe

Signature of Owner (Affiant)

David W. Wolfe

Name- Print or Type

Linda S. Wolfe

Signature of Owner (Affiant)

Linda S. Wolfe

Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13 day of June, 2019, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here:

David W. Wolfe and Linda S. Wolfe

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

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public

03/10/2022
My Commission Expires



(Attachment #2)



2019-0370-A

Attachment #3

I, the undersigned live on Russell Frost Ct and have no problem with my neighbor David W. Wolfe at 7 Russell Frost Ct. replacing his existing wood rail fence with a six (6) foot vinyl privacy fence.



7 Russell Frost Ct. Lot #27

 6/12/19

Gabriel T. Bittner

5 Russell Frost Ct. Lot #26

 6/11/19

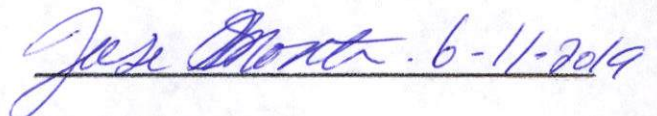
Debbie V. Ramseur

10 Russell Frost Ct. Lot #28

 6-11-19

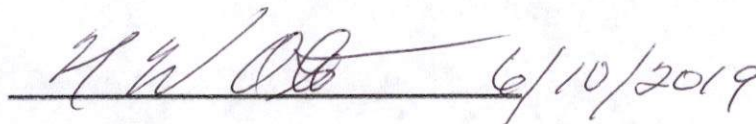
Paul R. Cuda

3 Russell Frost Ct. Lot #25

 6-11-2019

Jose Montes

8 Russell Frost Ct. Lot #29

 6/10/2019

Nickolas W. Otte

607 Back River Neck Rd. Lot #1

2019-0370-A

(Attachment #4)

1. Front View Left Side.



2. Front View Right Side.



2019-0370-A

1. The first part of the paper discusses the importance of the study of the history of the United States. It is argued that the study of history is essential for a full understanding of the present and for the development of a sense of national identity. The author points out that the study of history is not only a means of learning about the past, but also a way of understanding the present and of shaping the future.

2. The second part of the paper discusses the importance of the study of the history of the United States. It is argued that the study of history is essential for a full understanding of the present and for the development of a sense of national identity. The author points out that the study of history is not only a means of learning about the past, but also a way of understanding the present and of shaping the future.

3. The third part of the paper discusses the importance of the study of the history of the United States. It is argued that the study of history is essential for a full understanding of the present and for the development of a sense of national identity. The author points out that the study of history is not only a means of learning about the past, but also a way of understanding the present and of shaping the future.

4. The fourth part of the paper discusses the importance of the study of the history of the United States. It is argued that the study of history is essential for a full understanding of the present and for the development of a sense of national identity. The author points out that the study of history is not only a means of learning about the past, but also a way of understanding the present and of shaping the future.

7 Russell Frost Court, 21221

Property Description

Located on the southwest side of Russell Frost Court (50' row) approximately 242' southwest of the centerline of the intersection with Ryan Frost Way (50' row). Being known and designated as lot #27, as shown on the plat entitled "Plat of Cape May Landing", which plat is recorded among the land records of Baltimore County in Plat Book S.M. No. 62 folio 4. Located in the 15th Election District and 7th Councilmatic District, containing 0.1683 acres of land.

2019-0370-A

(AU) 7-8-19

Debra Wiley

From: Marty Ogle <mert1114@aol.com>
Sent: Sunday, July 7, 2019 3:40 PM
To: Administrative Hearings
Subject: 2019-0370-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. 2019-0370-A
PETITIONER/DEVELOPER
WOLFE

DATE OF HEARING/CLOSING
July 8, 2019

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

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

THIS SIGN(S) POSTED ON June 23, 2019 July 6, 2019
(MONTH, DAY, YEAR)

SINCERELY,
Marty Ogle 6/23/19
SIGNATURE OF SIGN POSTER

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

ZONING NOTICE
ADMINISTRATIVE VARIANCE
PUBLIC HEARING ?

7/6/19

→
over

CERTIFICATE OF POSTING

CASE NO. 2019-0370-A

PETITIONER/DEVELOPER

WOLFE

DATE OF HEARING/CLOSING

July 8, 2019

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

LADIES AND GENTLEMAN:

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

7 Russell Frost Ct

Sign #2

THIS SIGN(S) POSTED ON

June 23, 2019

(MONTH, DAY, YEAR)

July 4, 2019

SINCERELY,

M. O'Neil 6/23/19

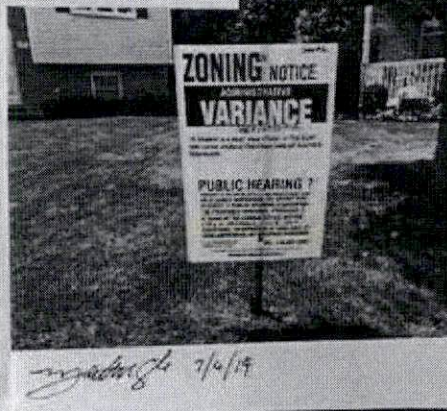
SIGNATURE OF SIGN POSTER

MARTIN O'NEIL

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3412



Sent from my iPhone

CERTIFICATE OF POSTIN

CASE NO. 2019-0370-A

PETITIONER/DEVELOPER

WOLFE

DATE OF HEARING/CLOSING

July 8, 2019

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

LADIES AND GENTLEMAN :

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

7 RUSSELL FROST CT.

SIGN #2

THIS SIGN(S) POSTED ON

June 23, 2019

(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 6/23/19

SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411

CERTIFICATE OF POSTING

CASE NO. 2019-0370-A

PETITIONER/DEVELOPER

WOLFE

DATE OF HEARING/CLOSING

July 8, 2019

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

ATTENTION :

LADIES AND GENTLEMAN :

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

7 RUSSELL FROST CT.

SIGN #1

ZONING NOTICE
ADMINISTRATIVE
VARIANCE

CASE # 2019-0370-A
TO PERMIT A 6 FEET HIGH FENCE IN THE SIDE
YARD WHICH ADJOINS THE FRONT YARD OF ANOTHER
RESIDENCE

PUBLIC HEARING ?

PURSUANT TO SECTION 20-117(b)(1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE. PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON MONDAY, JULY 8, 2019
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 W. CHESAPEAKE AVE.
FOWERS, MD. 21038
TEL. 410-887-3391

MEETING IS HANDICAP ACCESSIBLE

madm 6/23/19

ZONING REVIEW OFFICE

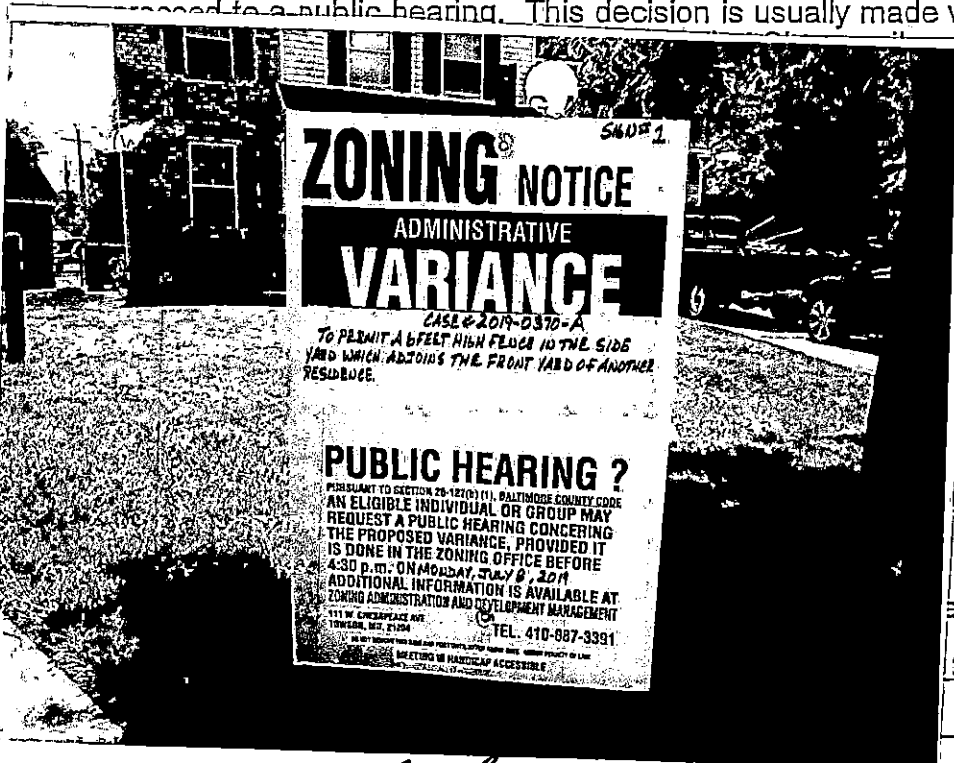
ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0370 -A Address 7 RUSSELL FAUST CT., 21221
 Contact Person: JASON SEIDELMAN Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 6/14/19 Posting Date: 6/23/19 Closing Date: 7/8/19

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date.



that must go to a public hearing (the Administrative Law Judge), the property must be changed giving notice as originally posted, certification of variance forwarded to this office.

IN FORMAT

ST CT., 21221

Telephone 410-574-1730

7/8/19

SIDE YARD WHICH ADJOINS

Yadms 6/23/19

Revised 6/30/2019

**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/neighbor 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: 2019-0370-A

Property Address: 7 RUSSELL FROST COURT, 21221

Property Description: _____

Legal Owners (Petitioners): DAVID + LINDA WOLFE

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVID WOLFE

Company/Firm (if applicable): _____

Address: 7 RUSSELL FROST COURT

BALTIMORE, MD 21221

Telephone Number: 410-574-1730

Revised 7/9/2015

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

No. **184820**

PAID RECEIPT

Date: **6/14/19**

BUSINESS ACTUAL TIME DRW
 6/17/2019 6/14/2019 11:03:34 3

REG WS03 WALKIN CAM
 >>RECEIPT # 011028 6/14/2019 OFLN

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

528 ZONING VERIFICATION

REG NO. 184820

Receipt Tot \$ 75.00

75.00 CK .00 CA

Baltimore County, Maryland

Total: **\$ 75.00**

Rec

From: **WOLFE**

For:

2019-0370-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**



JOHN A. OLSZEWSKI, JR.
County Executive

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

July 8, 2019

David W. Wolfe & Linda S. Wolfe
7 Russell Frost Ct
Baltimore MD 21221

RE: Case Number: 2019-0370-A, 7 Russell Frost Ct

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 June 14, 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

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

Date: 6/26/19

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

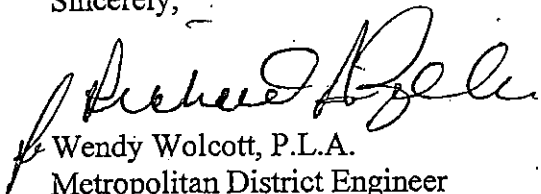
Dear Ms. Lewis:

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. 2019-0370-A

*Administrative Variance
David W. Wolfe, Linda S. Wolfe
7 Russell Frost Court*

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: July 5, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0370-A
Address 7 Russell Frost Court
(Wolfe Property)

Zoning Advisory Committee Meeting of **June 24, 2019,a**

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

Reviewer: Steve Ford

CASE NO. 2019- 0370-A

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>7-5</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>6-26</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING (1 st)	Date: <u>6-23-19</u>	by <u>Ogle</u>
SIGN POSTING (2 nd)	Date: <u>7-6-19</u>	by <u>"</u>
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 15 Account Number - 2200006321			
Owner Information					
Owner Name:		WOLFE DAVID W WOLFE LINDA S		Use:	RESIDENTIAL
Mailing Address:		7 RUSSELL FROST CT BALTIMORE MD 21221-1645		Principal Residence:	YES ✓
				Deed Reference:	/09926/ 00488
Location & Structure Information					
Premises Address:		7 RUSSELL FROST CT 0-0000		Legal Description:	.1693 AC 7 RUSSELL FROST COURT SS CAPE MAY LANDING
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0097	0018	0130		0000	27 2018 0063/0004
Special Tax Areas:		Town: NONE			
		Ad Valorem:			
		Tax Class:			
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1993		2,032 SF		7,379 SF	
Property Land Area		County Use			
7,379 SF		04			
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	YES	STANDARD UNIT	SIDING	2 full/ 1 half	1 Attached
Value Information					
Base Value		Value		Phase-in Assessments	
		As of 01/01/2018		As of 07/01/2018 As of 07/01/2019	
Land:	77,000	77,000			
Improvements	171,400	187,100			
Total:	248,400	264,100		253,633 258,867	
Preferential Land:	0			0	
Transfer Information					
Seller: FROST BROTHERS DEVELOPMENT CORP		Date: 08/03/1993		Price: \$162,000	
Type: ARMS LENGTH IMPROVED		Deed1: /09926/ 00488		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		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: Approved 07/07/2009

Homeowners' Tax Credit Application Information

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

ZAC AGENDA

Case Number: 2019-0370-A **Reviewer:** Jason Seidelman
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: David W. Wolfe, Linda S. Wolfe
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 15 **Council Dist:** 7

Property Address: 7 RUSSELL FROST CT

Location: SW/S of Russell Frost Court (50') 242' SW of centerline of intersection with Ryan Frost Way (50')

Existing Zoning: DR 3.5, BL **Area:** 0.1693A

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To permit a 6 feet high fence in the side yard which adjoins the front yard of another residence.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 07/08/2019

Miscellaneous Notes:

Case Number: 2019-0371-SPH **Reviewer:** Rosalie Johnson
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: SPECIAL HEARING
Legal Owner: Eugene Eckert, Lea Schafer
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 15 **Council Dist:** 7

Property Address: 32 STEMMERS RUN RD

Location: SW/S side of Stemmer's Run, NW of intersection with Old Eastern Ave.

Existing Zoning: BL, BR **Area:** 11,648 SF

Proposed Zoning:

SPECIAL HEARING:

An accessory use garage that is larger in area than the primary structure as defined in section 101.1 of the BCZR.

Attorney: Not Available

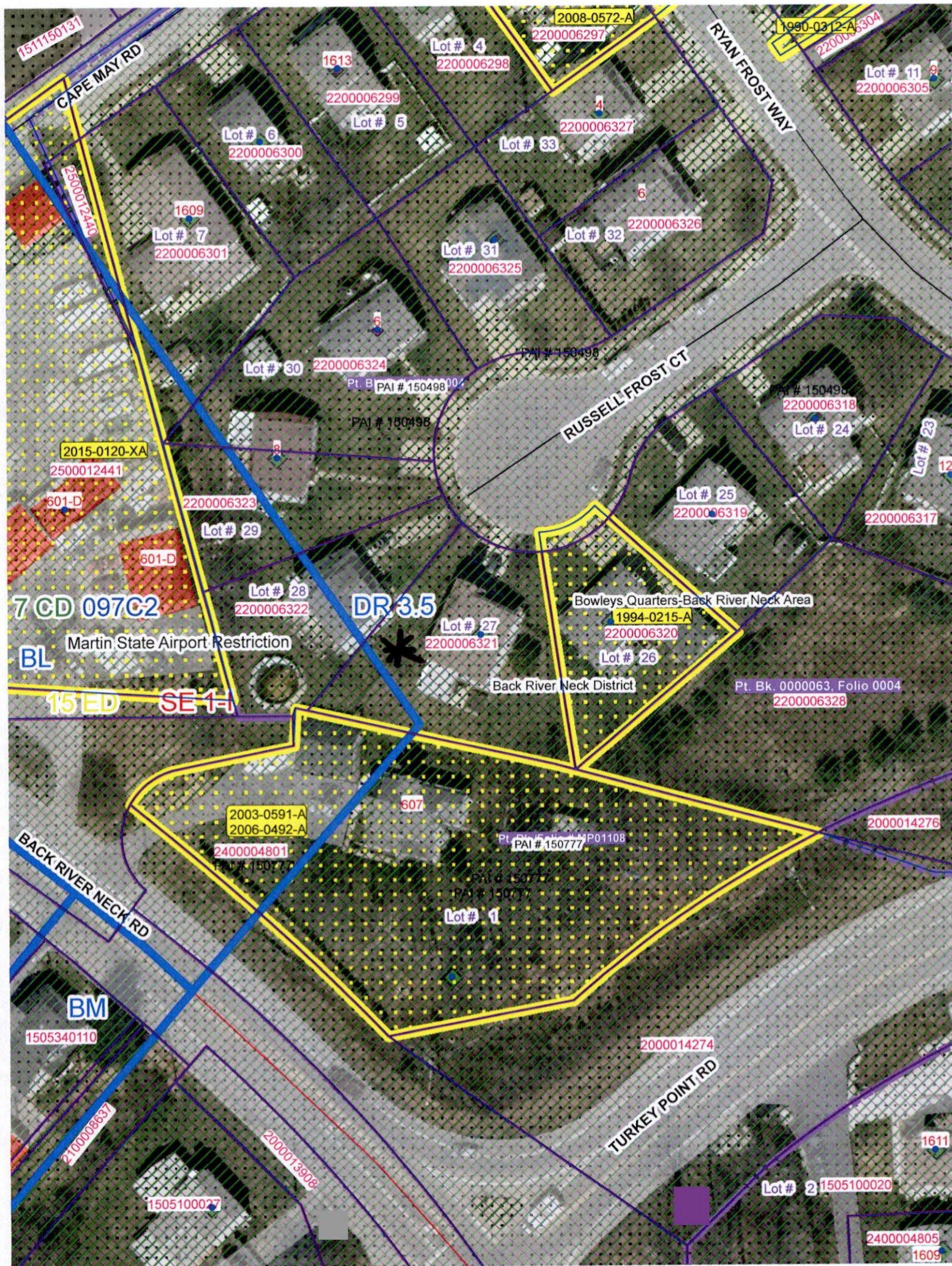
Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

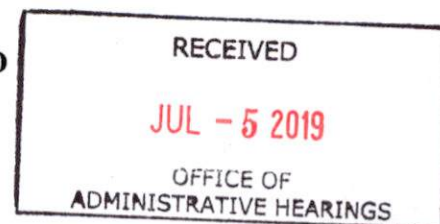
Miscellaneous Notes:



Av 7-8-19

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: July 5, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0370-A
Address 7 Russell Frost Court
(Wolfe Property)

Zoning Advisory Committee Meeting of **June 24, 2019,a**

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

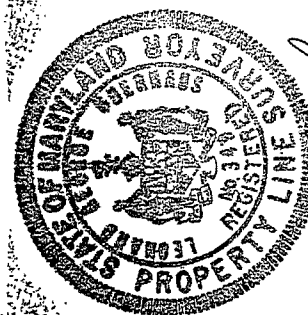
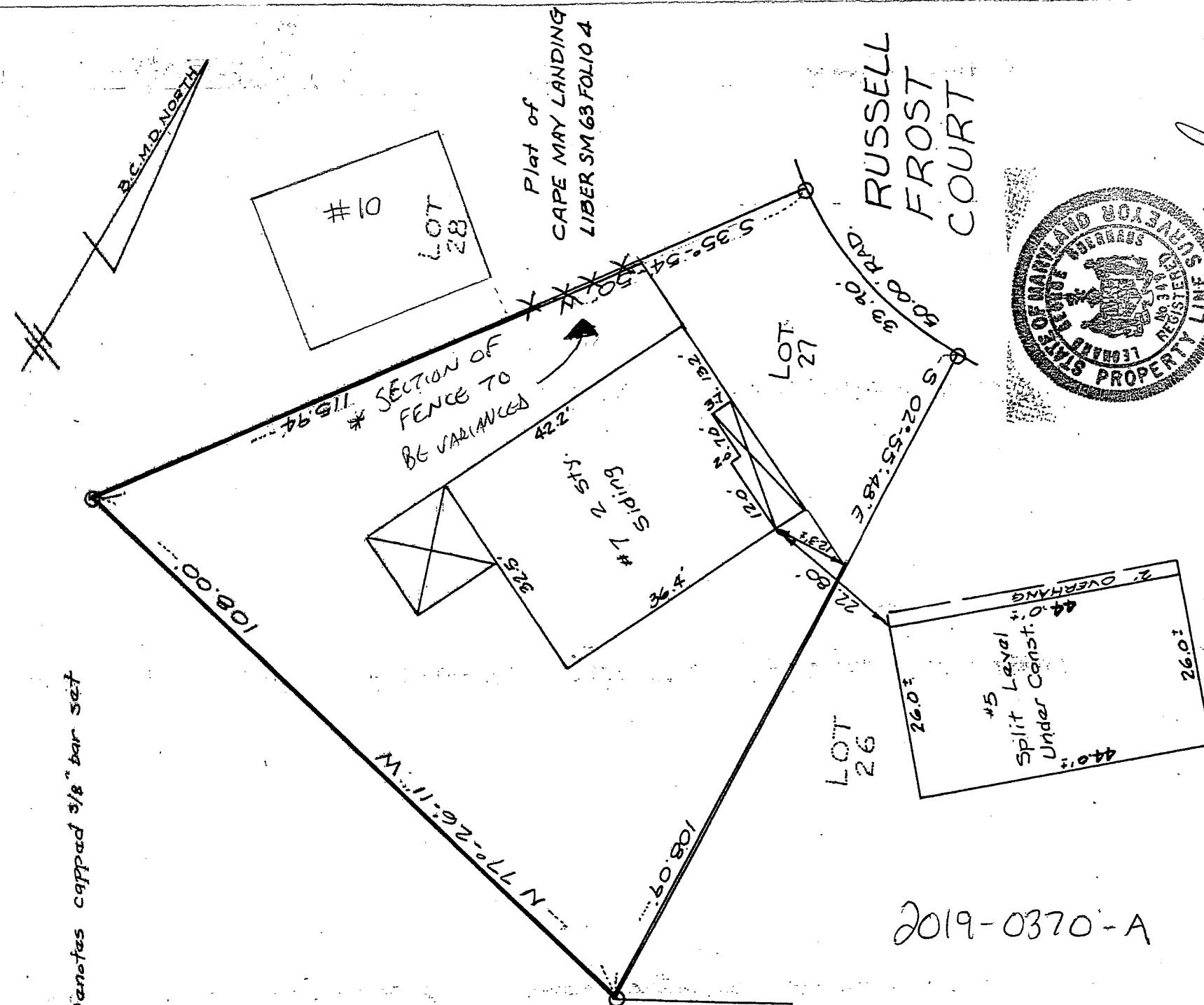
Reviewer: Steve Ford

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

ADDRESS 17 Russell Frost Ct. Balto. Md. 21221 OWNER(S) NAME(S) David W. & Linda S. Wolfe

SUBDIVISION NAME Cape May Landing LOT # 27 BLOCK # _____ SECTION # _____

PLAT BOOK # LIBER SM 63 FOLIO # 4 10 DIGIT TAX # 2200006321 DEED REF. # 09926/00488



Leonard G. Buerhaus 11/15/93

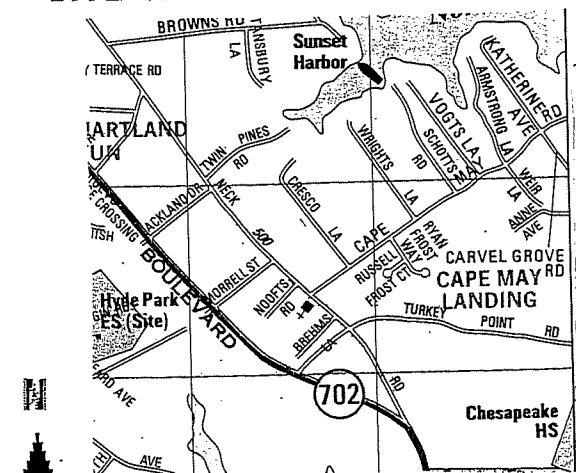
LOT STAKEOUT
#7 RUSSELL FROST CT.
15th Elec. Dist. Balto. Co., Md.
Scale: 1"=20' Nov. 15, 1993

Leonard G. Buerhaus, a registered Professional Land Surveyor of the State of Maryland, do hereby certify that I am the surveyor who prepared this plat, and that the land shown on this plat has been laid out and the plat thereof has been prepared in compliance with the sub-section C of Section 3-108 of the Real Property Article of the Annotated Code of Maryland, particularly insofar as same concerns the making of the plat, and the setting of the markers.

2019-0370-A

PLAN DRAWN BY Leonard G. Buerhaus DATE 11-15-93 SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 0097
SITE ZONED 04 Residential
ELECTION DISTRICT 15th
COUNCIL DISTRICT 7
LOT AREA ACREAGE .1693 AC
OR SQUARE FEET _____
HISTORIC? No
IN CBCA? No
IN FLOOD PLAIN? No
UTILITIES? MARK WITH X
WATER IS: PUBLIC X PRIVATE _____
SEWER IS: PUBLIC X PRIVATE _____
PRIOR HEARING? No
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

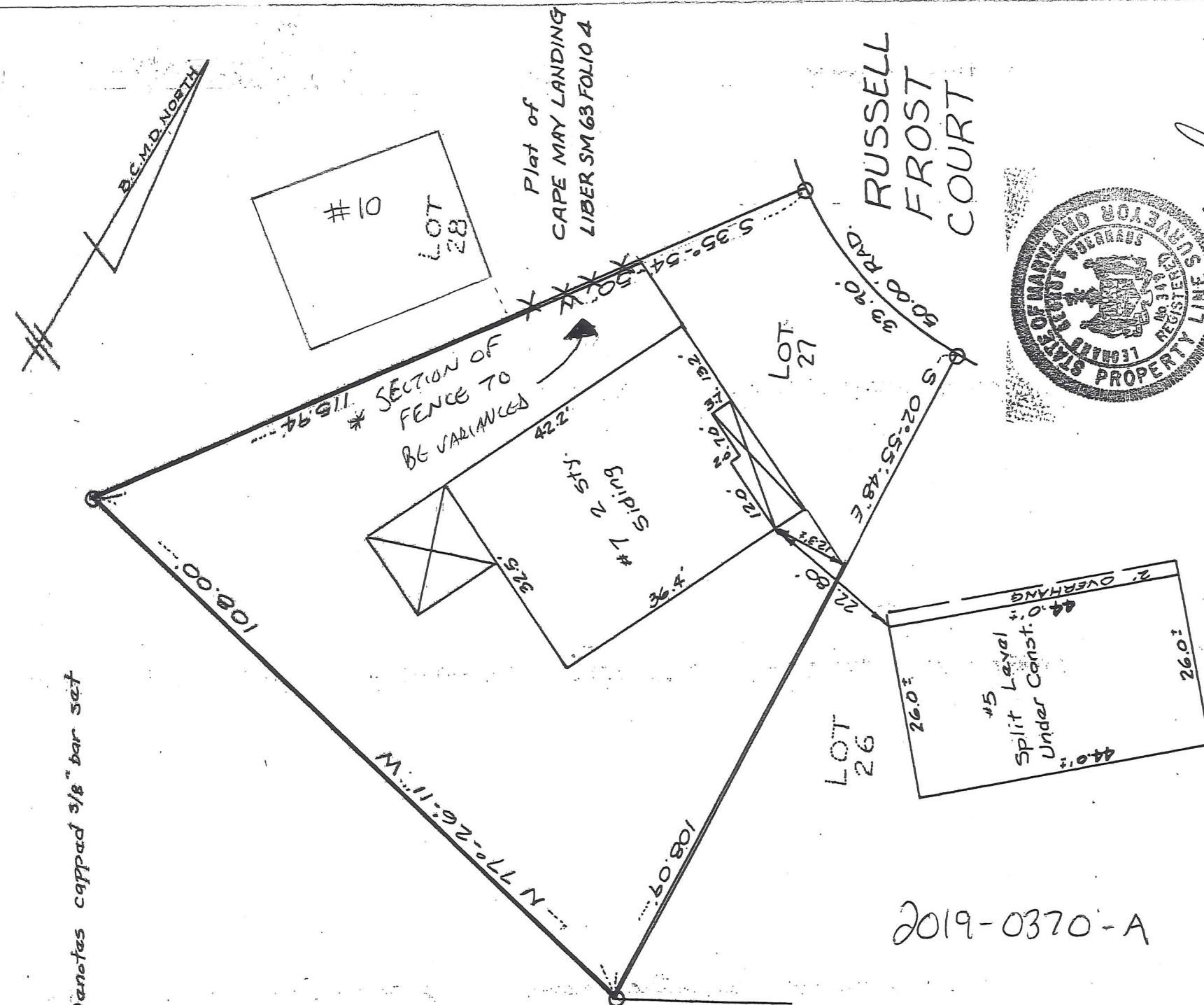
Pet. Exh. 1
VIOLATION CASE INFO:

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

ADDRESS 17 Russell Frost Ct. Balto. Md. 21221 OWNER(S) NAME(S) David W. & Linda S. Wolfe

SUBDIVISION NAME Cape May Landing LOT # 27 BLOCK # _____ SECTION # _____

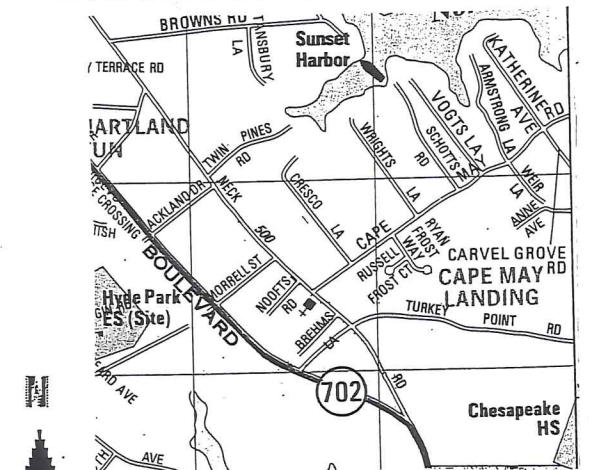
PLAT BOOK # LIBER SM 63 FOLIO # 4 10 DIGIT TAX # 2200006321 DEED REF. # 09926/00488



Leonard G. Buerhaus, a registered Property Line Surveyor of the State of Maryland, do hereby certify that I am the surveyor who prepared this plat, and that the land shown on this plat has been laid out and the plat thereof has been prepared in compliance with sub-section C of Section 3-102 of the Real Property Article of the Annotated Code of Maryland, particularly insofar as same concerns the making of the plat, and the setting of the markers.

PLAN DRAWN BY Leonard G. Buerhaus DATE 11-15-93 SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 0097
SITE ZONED 04 Residential
ELECTION DISTRICT 15th
COUNCIL DISTRICT 7
LOT AREA ACREAGE .1693 AC
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UTILITIES? MARK WITH X
WATER IS: PUBLIC X PRIVATE _____
SEWER IS: PUBLIC X PRIVATE _____
PRIOR HEARING? No
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO: