

MEMORANDUM

DATE: December 23, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0439-A – Appeal Period Expired

The appeal period for the above-referenced case expired on December 20, 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

/dlw

IN RE: PETITION FOR VARIANCE

(1827 Woodside Avenue)

13th Election District

1st Council District

CGB Consultants, LLC

Legal Owner

Petitioner

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2019-0439-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by CGB Consultants, LLC, legal owner of the subject property (“Petitioner”). Petitioner is requesting variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (“BCZR”) to permit an unimproved lot of record to have a lot width of 50 ft. in lieu of the required 55 ft. A site plan was marked as Petitioner’s Exhibit 4.

Charles G. Beall appeared in support of the petition. Three neighbors, Michael McAuliffe, Roxanne Rodey and William Carter attended the hearing. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee (“ZAC”) comment was received from the Department of Planning (“DOP”).

The site is approximately 6,250 square feet in size and is zoned DR 5.5. The property is unimproved and is shown as Lot No. 501 on the plat of Halethorpe recorded prior to 1906.

Petitioner would like to construct a single-family dwelling on the lot although zoning relief is required since the minimum lot width in the DR 5.5 zone is 55 ft. The subject property exceeds the 6,000 sq. ft. minimum lot size requirement in the DR 5.5 zone; the only deficiency is lot width.

ORDER RECEIVED FOR FILING

Date

11/20/19

By

Sen

As discussed at the hearing, I believe this case is more appropriately resolved under BCZR Section 304, which (unlike Section 307) does not require a showing of uniqueness or practical difficulty. *Mueller v. People's Counsel*, 177 Md. App. 43 (2007) (discussing application of BCZR §304). The Petitioner satisfies each of the requirements set forth at BCZR Section 304.1:

1. The lot was created long before 1955;
2. The proposed dwelling would be constructed in compliance with the setback, height and area requirements of the DR 5.5 regulations; and
3. The owner does not own sufficient adjoining land to satisfy the lot width requirement.

While it is true Petitioner also owns the adjoining property at 1829 Woodside Avenue, that lot is also just 50 ft. wide and is improved with a single-family dwelling. This was exactly the same scenario at issue in *Mueller*, where the court of special appeals confirmed that such an owner could not “borrow” any land from his adjacent lot lest he render that property deficient (or, as in this case, further deficient) under the lot width or area requirements. *Id.* Most of the homes adjacent to the subject property are situated on 50 ft. wide lots, and thus I believe the proposed dwelling would be “appropriate” and compatible with the pattern of the neighborhood pursuant to BCZR §304.4.

THEREFORE, IT IS ORDERED, this 20th day of **November, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (“BCZR”) to permit an unimproved lot of record to have a lot width of 50 ft. in lieu of the required 55 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

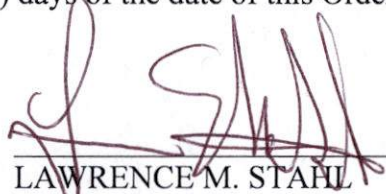
1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.

ORDER RECEIVED FOR FILING

Date 11/20/19

By Sen

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



LAWRENCE M. STAHL
Administrative Law Judge for
Baltimore County

LMS:sln

ORDER RECEIVED FOR FILING

Date 11/20/19

By sln



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 1829 Woodside Ave Halethorpe MD 21227 which is presently zoned DR S.S
 Deed References: 41476/00083 10 Digit Tax Account # 1313550461
 Property Owner(s) Printed Name(s) CGB Consultants, LLC

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

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

1. a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. X a Variance from Section(s)

BCZR: 1B02.3.C.1. → To permit an unimproved lot of record to have a lot width of 50 feet in lieu of the 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)

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

CGB Consultants, LLC,

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

3900 Ten Oak Rd #7 Ste 291 Glenely, MD

Mailing Address

City

State

21737, 443-756-9941,

Zip Code

Telephone #

cgb411@gmail.com

Email Address

Representative to be contacted:

Charles G. Bae

Name - Type or Print

Signature

3900 Ten Oaks Rd #7 Ste 291 Glenely MD

Mailing Address

City

State

21737, 443-756-9941,

Zip Code

Telephone #

cgb411@gmail.com

Email Address

CASE NUMBER 2019-0439-A

Filing Date 8/22/19

Do Not Schedule Dates:

Reviewer JS



Round the Clock Abstracting Team

Property Search Report Reference # 19044468

LEGAL DESCRIPTIONS

All that piece or parcel of land, together with the improvements, easements and appurtenances thereunto belonging situate, held in trust by the aforesaid Substitute Trustee, and described as follows:

Beginning for the first on the northeast side of Woodside Avenue at the distance of 174 feet northwesterly from the corner formed by the intersection of the northeast side of Woodside Avenue with the northwest side of the Washington Road; and running thence northwesterly binding on the northeast side of Woodside Avenue 50 feet thence northeasterly at right angles to Woodside Avenue 125 feet thence southeasterly parallel with Woodside Avenue 50 feet and thence southwesterly by a straight line 125 feet to the place of beginning. Being Lot No. 501 designated on the Plat of Halethorpe, duly recorded among the Land Records of Baltimore County in Plat Book JWS. No. 1 folio 60.

Beginning for the second on the northeast side of Woodside Avenue at the distance of 224 feet northwesterly from the corner formed by the intersection of the northeast side of Woodside Avenue with the northwest side of the Washington Road; running thence northwesterly binding on the northeast side of Woodside Avenue 50 feet thence northeasterly at right angles to Woodside Avenue 125 feet thence southeasterly parallel with Woodside Avenue 50 feet and thence southwesterly by a straight line 125 feet to the place of beginning.

The improvements thereon being known as 1829 Woodside Avenue, Baltimore, Maryland - 21227.

DISCLAIMER

It is Mortiles' policy to type the legal description exactly as it appears on the most recently filed deed. We do not type legal descriptions from any other document(s), even if those documents were recorded after the recording date of the most recently filed deed. It is the sole responsibility of the recipient of this search to determine the accuracy of the legal description and to decide if a new survey would need to be conducted in order to come up with a new legal description. Mortiles does not alter or create new legal descriptions.

(DESCRIPTION FOR BOTH LOTS)

2019-0439-A

LS 11-15-19
11am

Debra Wiley

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Sunday, November 10, 2019 11:08 PM
To: Administrative Hearings
Subject: Recertification's For 2019-0438-A & 2019-0439-A
Attachments: Re-Cert 1 2019-0438-A.doc; Re-Cert 2 2019-0438-A.doc; Re-Cert 1 2019-0439-A.doc; Re-Cert 2 2019-0439-A.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 1827 & 1829 Woodside Avenue. Thanks.



CERTIFICATE OF POSTING

2019-0439-A

RE: Case No.: _____

Petitioner/Developer: _____

CGB Consultants, LLC

November 15, 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:

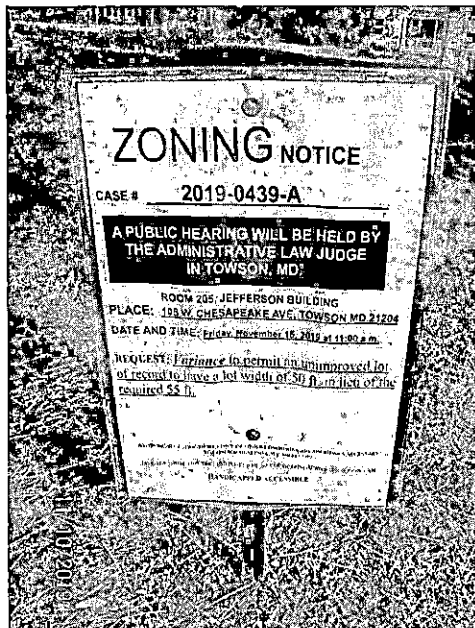
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

1827 Woodside Avenue

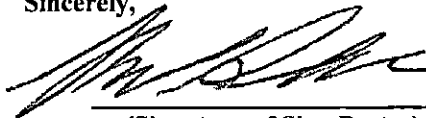
SIGN 1 Recertification

October 26, 2019

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



Sincerely,

 November 10, 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

2019-0439-A

RE: Case No.: _____

Petitioner/Developer: _____

CGB Consultants, LLC

November 15, 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:

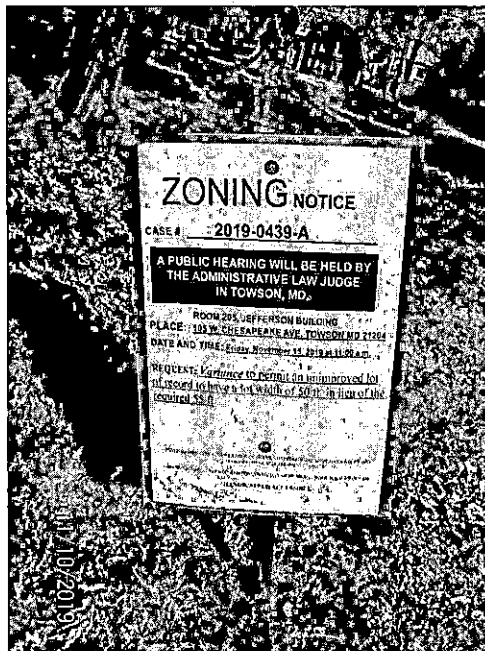
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1827 Woodside Avenue

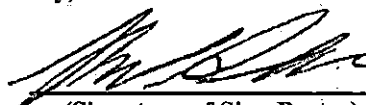
SIGN 2 Recertification

October 26, 2019

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



Sincerely,

 November 10, 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)



JOHN A. OLSZEWSKI, JR.
County Executive

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

September 24, 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: 2019-0439-A

1827 Woodside Avenue

NE/s of Woodside Avenue, n/west of centerline of intersection with Washington Blvd.

13th Election District – 1st Councilmanic District

Legal Owners: CGB Consultants, LLC

Variance to permit an unimproved lot of record to have a lot width of 50 ft. in lieu of the required 55 ft.

Hearing: Monday, October 28, 2019 at 2:30 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: Charles Beall, 3900 Ten Oaks Road, #7, Ste. 291, Glenelg 21737

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 8, 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, October 8, 2019 - Issue

Please forward billing to:
Charles Beall
CGB Consultants, LLC
3900 Ten Oaks Road, #7, Ste. 291
Glenelg, MD 21737

443-756-9941

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: 2019-0439-A

1827 Woodside Avenue

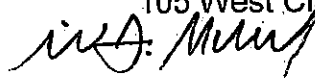
NE/s of Woodside Avenue, n/west of centerline of intersection with Washington Blvd.

13th Election District – 1st Councilmanic District

Legal Owners: CGB Consultants, LLC

Variance to permit an unimproved lot of record to have a lot width of 50 ft. in lieu of the required 55 ft.

Hearing: Monday, October 28, 2019 at 2:30 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 *
1827 Woodside Avenue; NE/S of Woodside * OF ADMINISTRATIVE
Avenue, 259' NW c/line of Washington Blvd * HEARINGS FOR
13th Election & 1st Councilmanic Districts * BALTIMORE COUNTY
Legal Owner(s): CBG Consultants, LLC *
Petitioner(s) * 2019-439-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

SEP 09 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 9th day of September, 2019, a copy of the foregoing Entry of Appearance was mailed to Charles Beall, 3900 Ten Oaks Road, # 7, Suite 291, Glenelg, Maryland 21737, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



JOHN A. OLSZEWSKI, JR.
County Executive

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

October 9, 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: 2019-0439-A

1827 Woodside Avenue

NE/s of Woodside Avenue, n/west of centerline of intersection with Washington Blvd.

13th Election District – 1st Councilmanic District

Legal Owners: CGB Consultants, LLC

Variance to permit an unimproved lot of record to have a lot width of 50 ft. in lieu of the required 55 ft.

Hearing: Friday, November 15, 2019 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in cursive script, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Charles Beall, 3900 Ten Oaks Road, #7, Ste. 291, Glenelg 21737

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, OCTOBER 26, 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, October 25, 2019 - Issue

Please forward billing to:

Charles Beall

443-756-9941

CGB Consultants, LLC

3900 Ten Oaks Road, #7, Ste. 291

Glenelg, MD 21737

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: 2019-0439-A

1827 Woodside Avenue

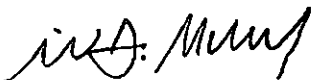
NE/s of Woodside Avenue, n/west of centerline of intersection with Washington Blvd.

13th Election District – 1st Councilmanic District

Legal Owners: CGB Consultants, LLC

Variance to permit an unimproved lot of record to have a lot width of 50 ft. in lieu of the required 55 ft.

Hearing: Friday, November 15, 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:

CERTIFICATE OF POSTING

2019-0439-A

RE: Case No.: _____

Petitioner/Developer: _____

CGB Consultants, LLC

November 15, 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: _____

1827 Woodside Avenue

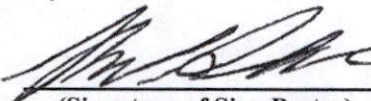
SIGN 1

October 26, 2019

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



Sincerely,

 October 26, 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

2019-0439-A

RE: Case No.: _____

Petitioner/Developer: _____

CGB Consultants, LLC

November 15, 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:

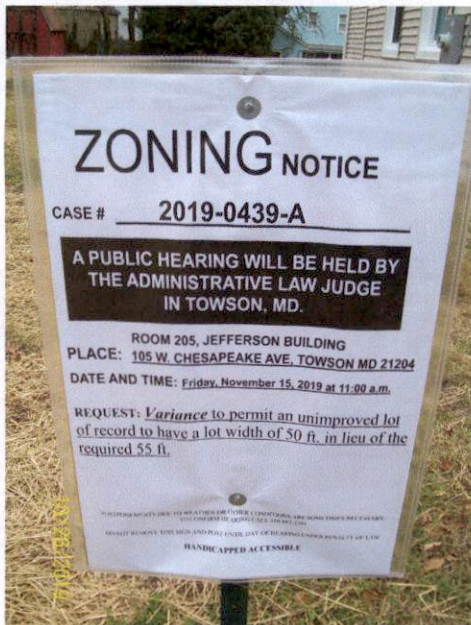
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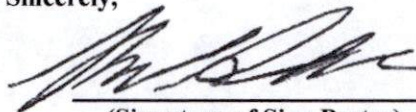
SIGN 2

October 26, 2019

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



Sincerely,

 October 26, 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)

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

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:

10/25/2019

Order #: 11803103
Case #: 2019-0439-A
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2019-0439-A



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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

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1827 Woodside Avenue

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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.

o25

CERTIFICATE OF POSTING

2019-0439-A

RE: Case No.: _____

Petitioner/Developer: _____

CGB Consultants, LLC

November 15, 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:

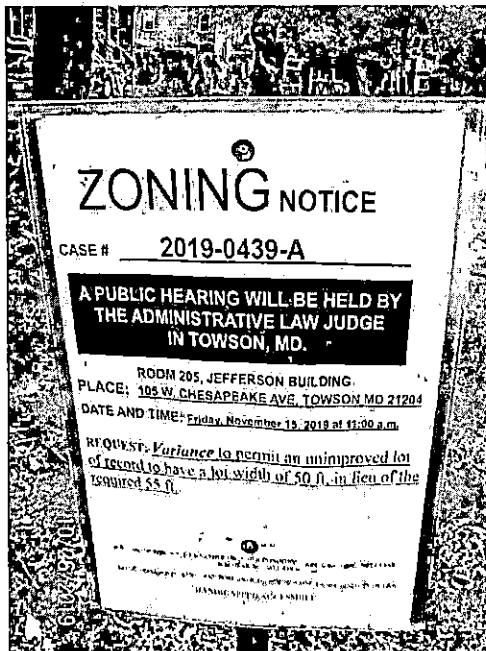
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

1827 Woodside Avenue

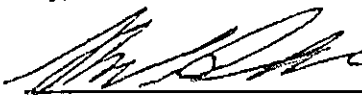
SIGN 1

October 26, 2019

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



Sincerely,

 October 26, 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

2019-0439-A

RE: Case No.: _____

Petitioner/Developer: _____

CGB Consultants, LLC

November 15, 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:

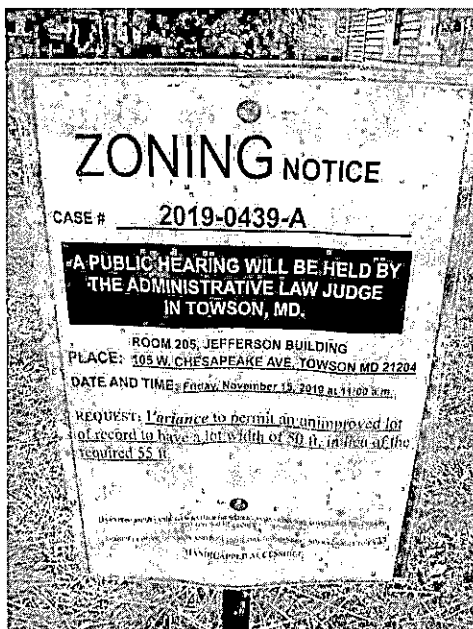
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

1827 Woodside Avenue

SIGN 2

October 26, 2019

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



Sincerely,

 October 26, 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)

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

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:

10/8/2019

Order #: 11796739
Case #: 2019-0439-A
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2019-0439-A



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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NE/s of Woodside Avenue, n/west of centerline of intersection with Washington Blvd.

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Legal Owners: CGB Consultants, LLC

Variance to permit an unimproved lot of record to have a lotwidth of 50 ft. in lieu of the required 55 ft.

Hearing: Monday, October 28, 2019 at 2:30 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.

o8

Kristen L Lewis

From: Charles Beall <cgb411@gmail.com>
Sent: Wednesday, October 09, 2019 10:25 AM
To: Kristen L Lewis
Subject: 2019-0438-A & 2019-0439-A

CAUTION: This message from cgb411@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

I miss the sign posting date. I need a new hearing date. But I think you told me 11/15 at 10am and 11am already.

Charles Beall
CGB Consultants, LLC
443-756-9941

**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: 2019-0439-A
Property Address: 1829 Woodside Ave Halcuthorpe MD 21227
Property Description: _____
Legal Owners (Petitioners): CGB Consultants, LLC
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: CGB Consultants, LLC - Charles Bass
Company/Firm (if applicable): _____
Address: 3900 Tea Oaks Rd #7, 291 Ste
Glenns MD 21737
Telephone Number: 443-756-9941



JOHN A. OLSZEWSKI, JR.
County Executive

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

November 04, 2019

Charles G. Beall
3900 Ten Oaks Road #7 Ste 291
Glenelg MD 21737

RE: Case Number: 2019-0439-A, 1827 Woodside Ave,

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 August 22, 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 the typed name.

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: 9/4/19

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

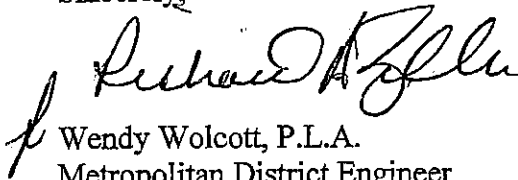
Dear Ms. Lewis:

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. 2019-0439-SPHA

*Variance
CGB Consultant, LLC
1027 Woodside 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

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 9/26/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-439

INFORMATION:

Property Address: 1827 Woodside Avenue
Petitioner: CGB Consultants, LLC
Zoning: DR 5.5
Requested Action: Special Hearing, Variance

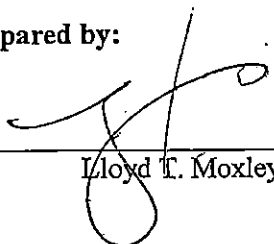
The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should confirm that a merger did not take place with 1829 Woodside Avenue and also the petition for variance to permit an existing lot of record improved with a dwelling to have a lot width of 50 feet lieu of the required 55 feet.

A site visit was conducted on September 6, 2019. Staff observed a chain link fence on 1829 Woodside Avenue that traversed onto Lot 499/ 1827 Woodside Avenue. An accessory structure and residential driveway also appear to be located on the 1827 property.

The Department will concur with the decision of the Administrative Law Judge as to the question of merger. The Department has no objection to granting the petitioned zoning variance relief.

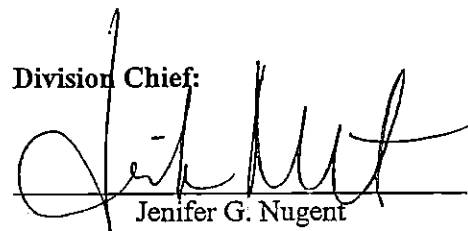
For further information concerning the matters stated herein, please contact Josephine Selvakumar at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

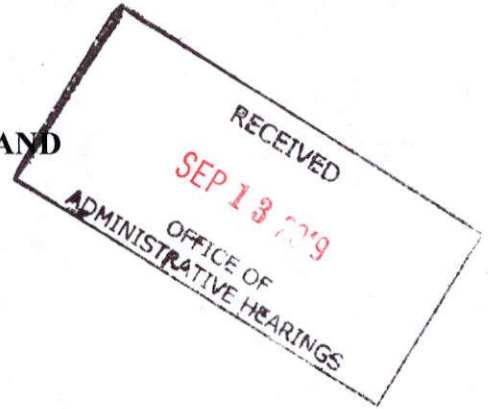
CPG/JGN/LTM/

c: Josephine Selvakumar
Charles G. Beall, CGB Consultants, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

10-28

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: September 13, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0439-SPHA
Address 1827 Woodside Avenue
(CGB Consultants, LLC Property)

Zoning Advisory Committee Meeting of **August 30, 2019**.

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 9/26/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-439



INFORMATION:

Property Address: 1827 Woodside Avenue
Petitioner: CGB Consultants, LLC
Zoning: DR 5.5
Requested Action: Special Hearing, Variance

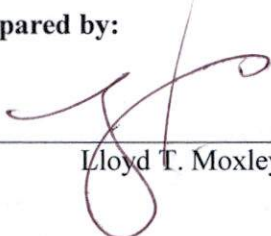
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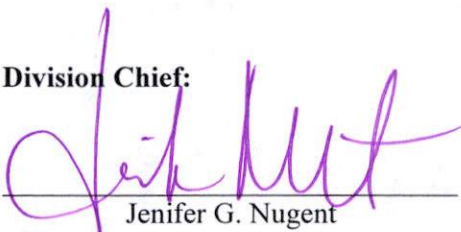
For further information concerning the matters stated herein, please contact Josephine Selvakumar at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

CPG/JGN/LTM/

c: Josephine Selvakumar
Charles G. Beall, CGB Consultants, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

019-0439A.

DATE 11-15-19

10 AM # 11 AM

E-MAIL

cg6411@gmail.com

CASE NAME 019-0438-A
CASE NUMBER 019-0439-A
DATE _____

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
------	---------	------------------	----------

[illegible]

25 11-15

CASE NO. 2019-0439-A

CHECKLIST

<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 _____)	_____
9/13	DEPS (if not received, date e-mail sent _____)	No Comment
_____	FIRE DEPARTMENT	_____
9/26	PLANNING (if not received, date e-mail sent _____)	No Objection w/ Comment
9-4	STATE HIGHWAY ADMINISTRATION	No object.
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 10-25-19

SIGN POSTING (1st) Date: 10-26-19 by Black

SIGN POSTING (2nd) Date: 11-10-19 by "

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

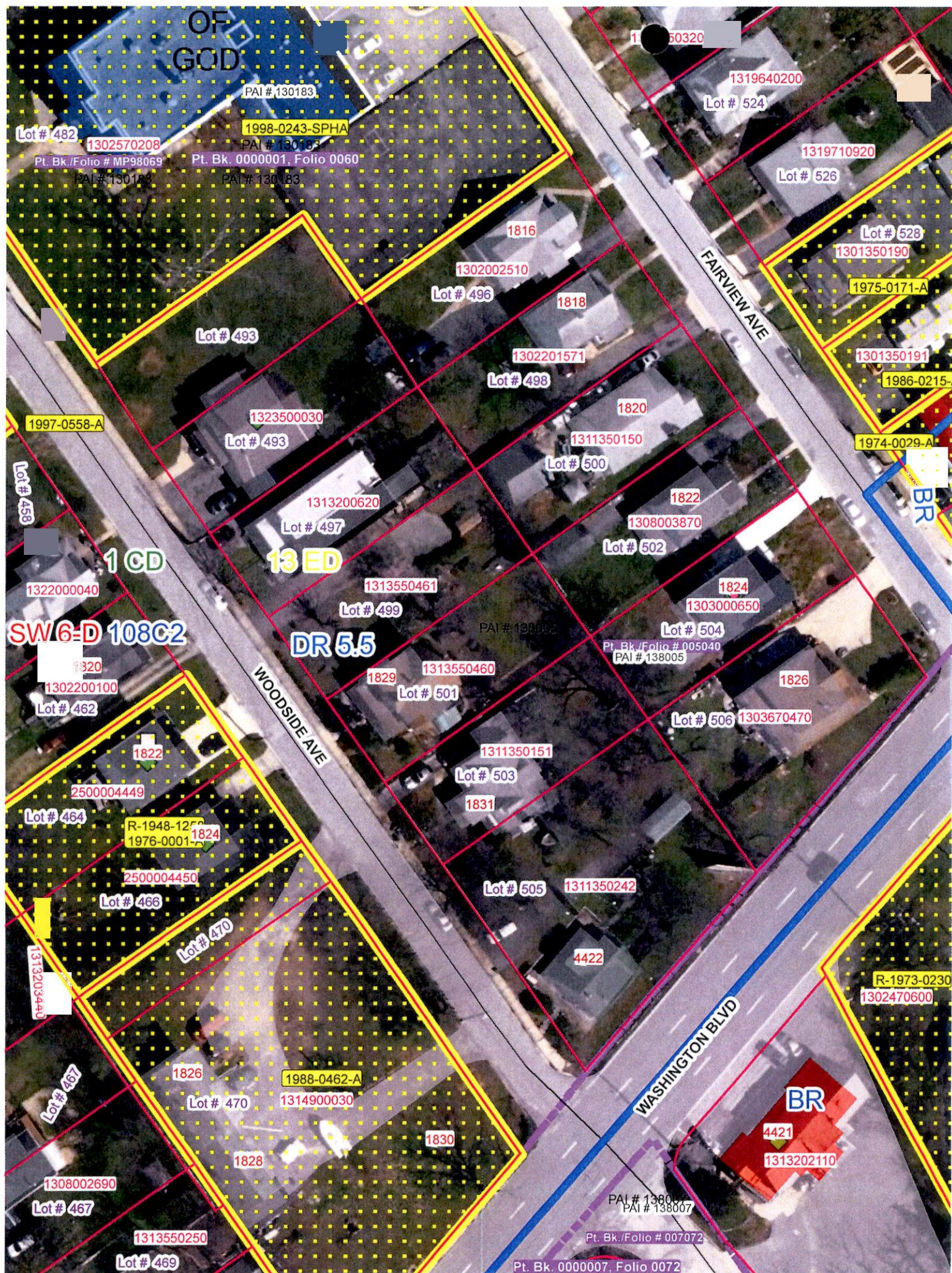
PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt: None		Special Tax Recapture: None			
Exempt Class: None					
Account Identifier:		District - 13 Account Number - 1313550461			
Owner Information					
Owner Name:		CBG CONSULTANTS LLC		Use: RESIDENTIAL	
Mailing Address:		PO BOX 291 GLENELG MD 21737-		Principal Residence: NO	
				Deed Reference: /41476/ 00083	
Location & Structure Information					
Premises Address:		WOODSIDE AVE 0-0000		Legal Description: 224 NW WASHINGTON BLVD HALETHORPE	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref: 0001/0060
0108	0012	0594	13020029.04	0000	499 2019
Special Tax Areas: None			Town: None		
			Ad Valorem: None		
			Tax Class: None		
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
				Property Land Area 6,250 SF	
				County Use 04	
Stories	Basement	Type	Exterior	Quality	Full/Half Bath
			/		
Last Notice of Major Improvements					
Value Information					
		Base Value		Value	
				As of 01/01/2019	
				As of 07/01/2019	
				As of 07/01/2020	
Land:		50,800		50,800	
Improvements		0		0	
Total:		50,800		50,800	
Preferential Land:		0		0	
Transfer Information					
Seller: PROF 2013 S3 LEGAL TITLE TRUST		Date: 06/03/2019		Price: \$169,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /41476/ 00083		Deed2:	
Seller: NIELSEN ALAN PETER		Date: 03/19/2019		Price: \$335,500	
Type: NON-ARMS LENGTH OTHER		Deed1: /41232/ 00378		Deed2:	
Seller: CAPLAN WAYNE L		Date: 05/01/1979		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /06014/ 00802		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class		07/01/2019 07/01/2020	
County:		000		0.00	
State:		000		0.00	
Municipal:		000		0.00 0.00 0.00 0.00	
Tax Exempt: None		Special Tax Recapture: None			
Exempt Class: None					
Homestead Application Information					
Homestead Application Status: No Application					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application					
Date:					

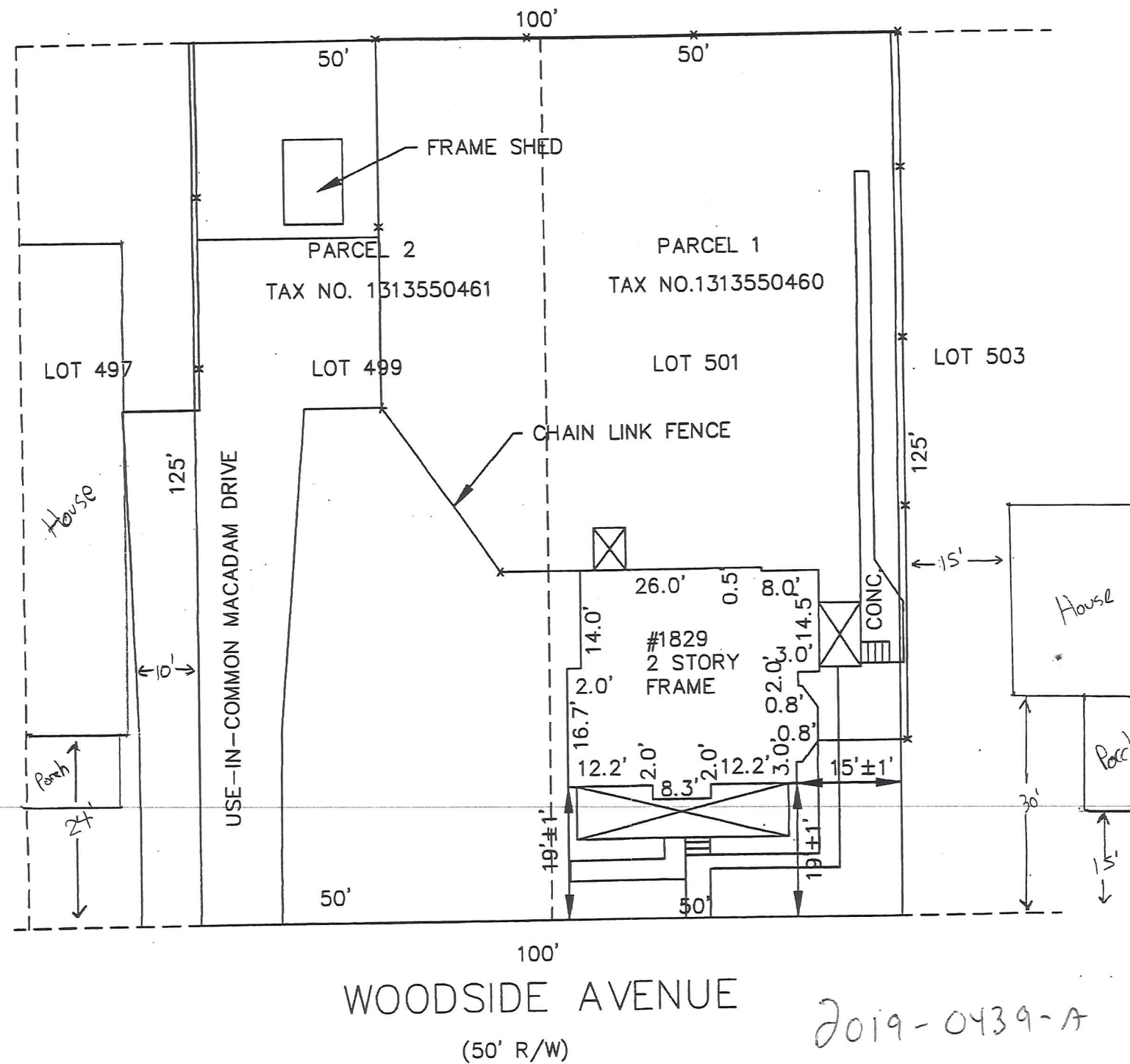


ZONING HEARING PLAN FOR VARIANCE _____ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 1829 Woodside Ave OWNER(S) NAME(S) CGB Consultants, LLC

SUBDIVISION NAME Plat of Halethorpe LOT # 501 BLOCK # _____ SECTION # _____

PLAT BOOK # 0001 FOLIO # 0060 10 DIGIT TAX # 1313550461 DEED REF. # 41476/00083



PLAN DRAWN BY Charles Beall

DATE 8/8/19

SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP

Petit. EX #4

N



MAP IS NOT TO SCALE

ZONING MAP# 0108C2

SITE ZONED DR S.5

ELECTION DISTRICT 13

COUNCIL DISTRICT 001

LOT AREA ACREAGE 6250

OR SQUARE FEET _____

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC ☒ PRIVATE _____

SEWER IS:

PUBLIC ☒ PRIVATE _____

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

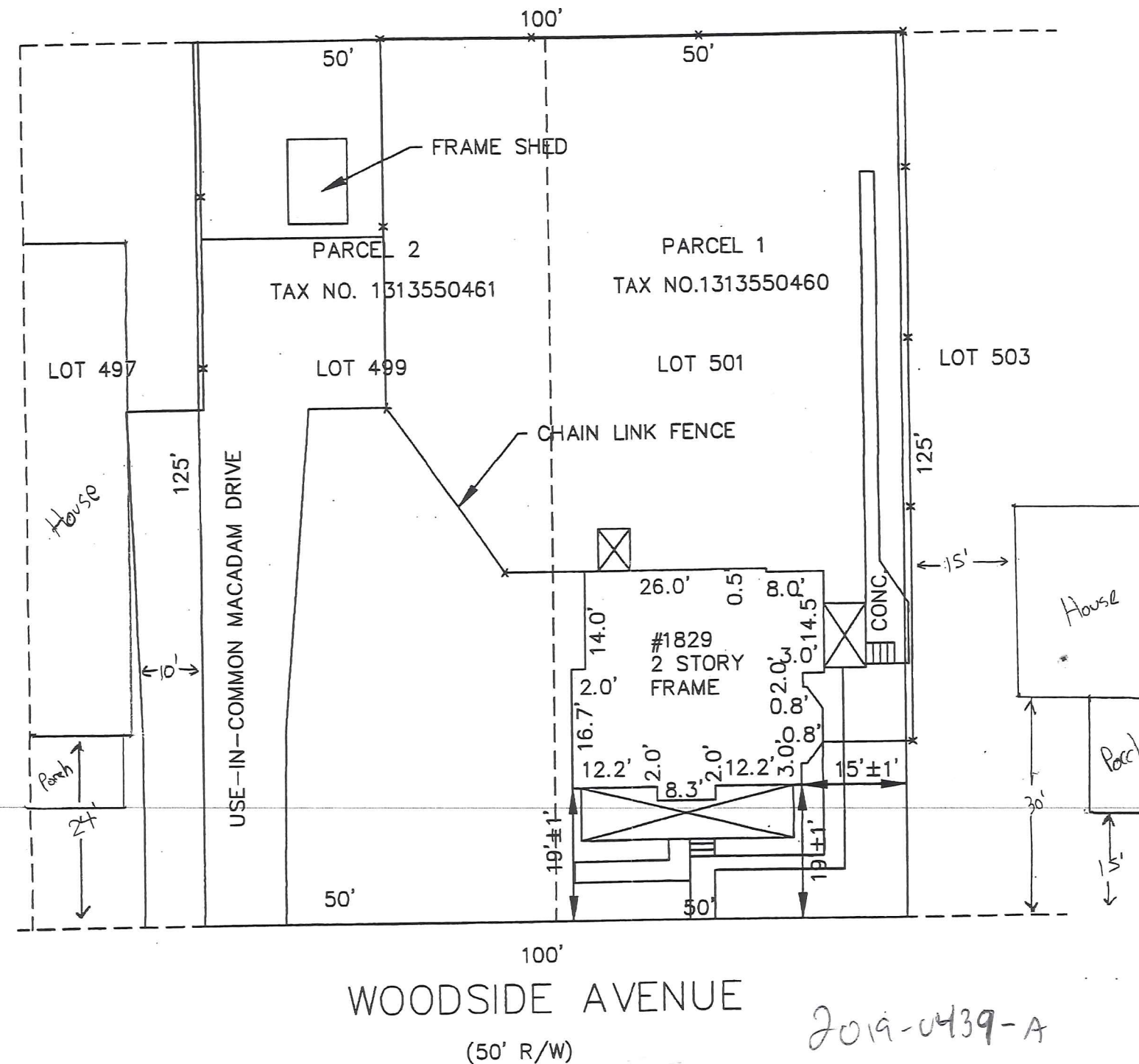
VIOLATION CASE INFO:

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

ADDRESS 1827 Woodside Ave OWNER(S) NAME(S) CG8 Consultants, LLC

SUBDIVISION NAME Plat of Halethorpe LOT # 501 BLOCK # _____ SECTION # _____

PLAT BOOK # 0001 FOLIO # 0060 10 DIGIT TAX # 1313550461 DEED REF. # 41476/00083



PLAN DRAWN BY Charles Bull

DATE 8/8/19

SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP

N



MAP IS NOT TO SCALE

ZONING MAP# 010802

SITE ZONED DR S.S

ELECTION DISTRICT 13

COUNCIL DISTRICT 001

LOT AREA ACREAGE 6250

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

VIOLATION CASE INFO: