

MEMORANDUM

DATE: December 24, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0465-A - Appeal Period Expired

The appeal period for the above-referenced case expired on December 23, 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 VARIANCE

(703 Fuselage Avenue)

15th Election District

6th Council District

Michael and Marla Jones

Legal Owners

Petitioners

*

*

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BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2019-0465-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Michael and Marla Jones, legal owners of the subject property (“Petitioners”). Petitioners are requesting variance relief from Sections 1B02.3.B and 303.1 of the Baltimore County Zoning Regulations (“BCZR”) to permit an addition with a front yard setback of 12 ft. in lieu of the front yard average of 16 ft. A site plan was marked as Petitioners’ Exhibit 1.

Michael Jones appeared in support of the petition. 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.

The site is approximately 5,000 sq. ft. in size and is split- zoned DR 5.5 and DR 10.5. There were no Protestants or interested citizens in attendance. Mr. Jones testified that he also owns the property next door at 705 Fuselage Avenue and he recently purchased the subject property at 703 Fuselage Avenue in order to renovate it so that his son can move in. He testified that the subject site was extremely overgrown, as depicted in Petitioner’s Exhibit 4 – a photo of the site. Mr. Jones testified that he has already removed most of the overgrown foliage and wants to proceed with the structural renovations and improvements. He submitted architectural

ORDER RECEIVED FOR FILING

Date 11/22/19

By Sen

drawings of the planned renovations and additions (Petitioners' Exhibit 2), and also submitted a My Neighborhood zoning map (Petitioners' Exhibit 3).

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

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

The site is long and narrow and abuts lots that are slightly larger. As such the property is unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to build the front porch that is part of the planned improvements to the structure. 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 conclusion is supported by the fact that there is no objection from any of the County agencies or from any neighbors.

THEREFORE, IT IS ORDERED, this 22nd day of **November, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from Sections 1B02.3.B and 303.1 of the Baltimore County Zoning Regulations ("BCZR") to permit an addition with a front yard setback of 12 ft. in lieu of the front yard average of 16 ft., be and is hereby GRANTED.

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.

ORDER RECEIVED FOR FILING

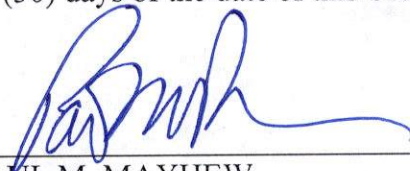
Date

11/22/19

By

Sen

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



PAUL M. MAYHEW
Managing Administrative Law Judge
For Baltimore County

PMM:sln

ORDER RECEIVED FOR FILING

Date 11/22/19

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 703 Fuselage Ave which is presently zoned DR5.5 & DR 10.5 (VESTED A RESIDENT IN 1945) Deed References: 38912/00027 10 Digit Tax Account # 1501540040
Property Owner(s) Printed Name(s) Michael & Marla Jones

(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) 1802.3.B & 303.1 (BC2R) SEE ATTACHED

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):

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

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

CASE NUMBER 2997465-A Filing Date 9/16/15 Do Not Schedule Dates: _____ Reviewer 88

REV. 10/4/11

N

ZONING PETITION FOR 703 FUSELAGE PROPERTY DISCRIPTION

Zoning property description for 703 Fuselage Ave Beginning at a point on the north east side of Fuselage Ave Which is 60 feet right of way in feet wide at a distance of +/- 12' Feet south east of the centerline of the nearest improved intersecting street Right Elevator which is 50 feet right of way feet

Being lot 353 section 2 in the subdivision of Victory Villa as recorded In Baltimore County liber G.L.B book 2 folio 109 containing total of 5000 Square feet of lot located in the 15th district 6th council district

2019-0465-A

2019-0465-A

Variance from sections; 1B02.3.B & 303.1 of the BCZR (DR 5.5 & DR 10.5 Vested A residential).

To permit and addition with a front yard setback of 12 feet in lieu of the front yard average of 16 feet.

ZONING PETITION FOR 703 FUSELAGE PROPERTY DISCRIPTION

Zoning property description for 703 Fuselage Ave Beginning at a point on the north east side of Fuselage Ave Which is 60 feet right of way in feet wide at a distance of +/- 12' Feet south east of the centerline of the nearest improved intersecting street Right Elevator which is 50 feet right of way feet

Being lot 353 section 2 in the subdivision of Victory Villa as recorded In Baltimore County liber G.L.B book 2 folio 109 containing total of 5000 Square feet of lot located in the 15th district 6th council district

2019-0465-A

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
703 Fuselage Avenue; NE/S of Fuselage Road, *
SE of 12' of R Elevator Drive * OF ADMINISTRATIVE
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Michael & Marla Jones * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2019-465-A

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED

SEP 25 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 25th day of September, 2019, a copy of the foregoing Entry of Appearance was mailed to Michael & Marla Jones, 705 Fuselage Avenue, Baltimore, Maryland 21220, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Debra Wiley

Pm 11-21-19

10Am

From: Marty Ogle <mert1114@aol.com>
Sent: Tuesday, November 19, 2019 2:18 PM
To: Administrative Hearings
Subject: 703 Fuselage 2019-0465-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. 2019-0465-A
PETITIONER/DEVELOPER
MICHAEL & MARIA
JONES
DATE OF HEARING/CLOSING
11/21/19

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
703 FUSELAGE AVENUE SIGN #1

THIS SIGN(S) POSTED ON October 31, 2019 November 19, 2019
(MONTH, DAY, YEAR)

SINCERELY,
Marty Ogle 10/31/19
SIGNATURE OF SIGN POSTER

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



CERTIFICATE OF POSTING

CASE NO. 20A-DNUS-A

PETITIONER/DEVELOPER

MICHAEL J. ADRI

DONES

DATE OF HEARING CLOSING

11/21/19

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

ATTENTION:

LADIES AND GENTLEMEN:

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

703 FUSSELL AVENUE

Sheet 2

THIS SIGN(S) POSTED ON: October 31, 2019

November 19, 2019

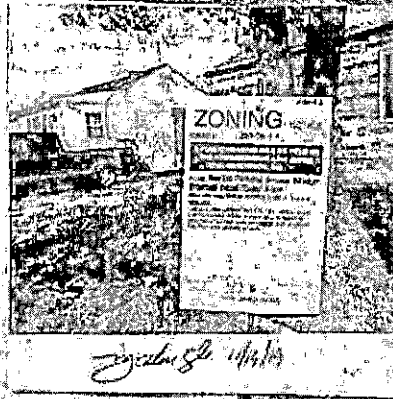
(MONTH, DAY, YEAR)

SINCERELY,

Martin Cole 10/31/19

SIGNATURE OF SIGN POSTER

MARTIN COLE
9712 MAIDBROOK ROAD
PARKVILLE, MD 21234
410-659-3411



CERTIFICATE OF POSTING

CASE NO. 2019-0465-A

PETITIONER/DEVELOPER

MICHAEL E. MARIA

JONES

DATE OF HEARING/CLOSING

11/21/19

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

703 FUSELAGE AVENUE

SIGN#2

THIS SIGN(S) POSTED ON October 31, 2019

(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 10/31/19

SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411

5160 #2

ZONING NOTICE

CASE # 2019-0465-A

A PUBLIC HEARING WILL BE HELD BY
THE ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD

PLACE: Room 205, Jefferson Building 105 West
Chesapeake Avenue, Towson 21204

DATE AND TIME: THURSDAY NOVEMBER 21, 2019 AT 10:00 A.M.

REQUEST:

VARIANCE FROM SECTIONS 1802.3.B & 303.1 OF THE B.C.Z.B
(DR 56 / DR 10.5 VESTED RESIDENTIAL) TO PERMIT AN
ADDITION WITH A FRONT YARD SETBACK OF 12 FT. IN LIEU OF
THE FRONT YARD AVERAGE OF 16 FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CANCEL OR RESCHEDULE, CALL 410-331-3341

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

myra m. gl... 10/31/19

CERTIFICATE OF POSTING

CASE NO. 2019-0465-A

PETITIONER/DEVELOPER

MICHAEL E. MARLA

JONES

DATE OF HEARING/CLOSING

11/21/19

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

703 FUSELAGE AVENUE

SIGN #1

THIS SIGN(S) POSTED ON October 31, 2019

(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 10/31/19

SIGNATURE OF SIGN POSTER

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

ZONING NOTICE

CASE # 2019-0465-A

A PUBLIC HEARING WILL BE HELD BY
THE ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD

PLACE: Room 205, Jefferson Building 105 West
Chesapeake Avenue, Towson 21204

DATE AND TIME: Thursday November 21, 2019 at 10:00 A.M.

REQUEST:

VARIANCE FROM SECTIONS 1802.5.B / 303.1 OF THE BCLR
(DR 56 / DR 10.5 VESTED RESIDENTIAL) TO PERMIT AN
ADDITION WITH A FRONT YARD SETBACK OF 12 FT. IN LIEU
OF THE FRONT YARD AVERAGE OF 16 FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
RECONSIDERATION REQUESTS SHOULD BE MADE BY CALLING 410-387-1319.

DO NOT REMOVE THIS SIGN AND POST UNTIL DATE OF HEARING UNDER PENALTY OF FINE.

HANDICAPPED ACCESSIBLE

msc/mjg 10/31/19

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:

11/1/2019

Order #: 11808231
Case #: 2019-0465-A
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2019-0465-A



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0465-A

703 Fuselage Avenue

N/east side of Fuselage Avenue, s/east of Right Elevator Drive

15th Election District - 6th Councilmanic District

Legal Owners: Michael & Maria Jones

Variance from sections 1B02.3B, & 303.1 of the BCZR (DR 5.5 & DR 10.5 Vested A residential) to permit an addition with a front yard setback of 12 ft. in lieu of the front yard average of 16 ft.

Hearing: Thursday, November 21, 2019 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

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

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

nl



JOHN A. OLSZEWSKI, JR.
County Executive

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

October 22, 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: 2019-0465-A

703 Fuselage Avenue

N/east side of Fuselage Avenue, s/east of Right Elevator Drive

15th Election District – 6th Councilmanic District

Legal Owners: Michael & Marla Jones

Variance from sections 1B02.3.B; & 303.1 of the BCZR (DR 5.5 & DR 10.5 Vested A residential) to permit an addition with a front yard setback of 12 ft. in lieu of the front yard average of 16 ft.

Hearing: Thursday, November 21, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Michael Mallinoff
Director

MM:kl

C: Mr. & Mrs. Jones, 705 Fuselage Avenue, Baltimore 21220

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

Please forward billing to:
Michael Jones
705 Fuselage Avenue
Middle River, MD 21220

410-241-6717

NOTICE OF ZONING HEARING

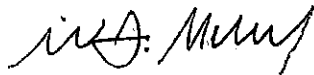
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CASE NUMBER: 2019-0465-A

703 Fuselage Avenue
N/east side of Fuselage Avenue, s/east of Right Elevator Drive
15th Election District – 6th Councilmanic District
Legal Owners: Michael & Marla Jones

Variance from sections 1B02.3.B, & 303.1 of the BCZR (DR 5.5 & DR 10.5 Vested A residential) to permit an addition with a front yard setback of 12 ft. in lieu of the front yard average of 16 ft.

Hearing: Thursday, November 21, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County

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

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Case Number: 2019-0465-A
Property Address: 703 Fuselage Ave
Property Description: _____
Legal Owners (Petitioners): Michael & Marla Jones
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Michael Jones
Company/Firm (if applicable): _____
Address: 705 Fuselage Ave
Middle River, MD 21220
Telephone Number: 410-241-0717



JOHN A. OLSZEWSKI, JR.
County Executive

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

November 12, 2019

Marla Jones
705 Fuselage Ave
Baltimore MD 21220

RE: Case Number: 2019-0465-A, 703 Fuselage 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 September 06, 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

11-21-19

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 10/11/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-465



INFORMATION:

Property Address: 703 Fuselage Avenue
Petitioner: Michael P. Jones, Marla Jones
Zoning: DR 5.5, DR 10.5
Requested Action: Variance

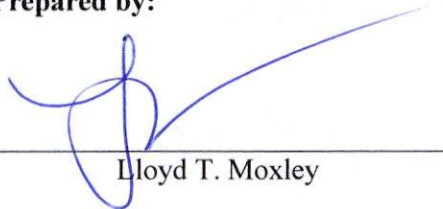
The Department of Planning has reviewed the petition for a variance to permit an addition with a front yard setback of 12 feet in lieu of the front yard average of 16 feet.

A site visit was conducted on October 2, 2019. The dwelling is currently under renovation with additions in the front, rear and side. Several adjacent houses on the street have porches that project into the front yard.

The Department has no objection to granting the petitioned zoning relief.

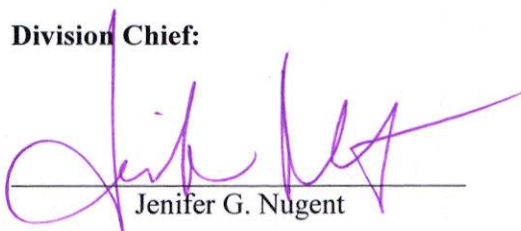
For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

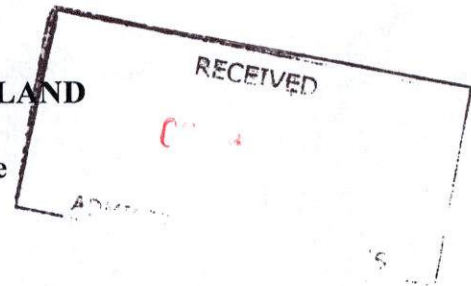
CPG/JGN/LTM/

c: Wally Lippincott
Michael P. Jones
Office of the Administrative Hearings
People's Counsel for Baltimore County



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: October 3, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0465-A
Address 703 Fuselage Avenue
(Jones Property)

Zoning Advisory Committee Meeting of **September 20, 2019.**

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

Reviewer: Steve Ford

NOV 1964

RECEIVED
FBI
DEPT. OF JUSTICE
NOV 19 1964

Date: 9/24/19

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

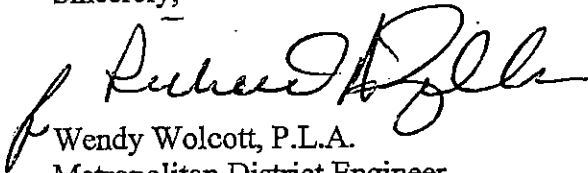
Dear Ms. Lewis:

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. 2019-0465-A

*Variance
Michael & Marla Jones
703 Fuselage 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

Permits, Approvals, and Inspections
Code Inspections & Enforcement
County Office Building, Rm. 213
111 West Chesapeake Ave
Towson, Maryland 21204



Code Enforcement 410-887-3351
Electrical Inspection 410-887-3960
Plumbing Inspection 410-887-3620
Building Inspection 410-887-3953

www.baltimorecountymd.gov/Agencies/permits/

CODE ENFORCEMENT & INSPECTION CITATION

JONES MICHAEL P JONES MARLA S
705 FUSELAGE AVENUE
BALTIMORE, MD 21220-4533

CASE NUMBER	PROP.TAX ID
CC1904042	15-01-540040
VIOLATION ADDRESS	
703 FUSELAGE AVE MIDDLE RIVER, MD 21220-4533	

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY CODES AND/OR REGULATIONS:

County Codes/Regulations	Inspector's Comments
B.C.C. 13-4-201(b)(d): Store garbage in containers w/tight lids	Failure to store garbage in containers with tight fitting lids.
B.C.C. 13-7-310(a): Remove all trash & debris from property	Failure to remove all junk, trash and debris.
B.C.C. 13-7-312: Remove accumulations of debris, materials, etc	
B.C.C. 13-7-401; 13-7-402; 13-7-403: Cut & remove all tall grass and weeds to three (3) inches in height	Failure to cut and remove all tall grass and weeds to three inches in height.
B.C.C. 35-2-301: Obtain building/ fence/ sign permit	Failure to obtain proper permits.
B.C.C. 35-2-404(a)(i)(i): Remove hazardous / unsafe condition	Failure to cease unsafe conditions. Large hole in rear of property.
B.C.C. 35-2-404(a)(i)(ii): Repair ext. walls / vertical members	Failure to repair roof in disrepair.
B.C.C. 35-2-404(a)(i)(iii): Repair roof / horizontal members	Failure to finish repairs to home. Including but not limited to siding, roof, chipping an flaking paint, rear of basement, foundation and structural issues, etc.
B.C.C. 35-2-404(a)(i)(vi): Waterproof walls/ roof /foundations	Failure to remove contractors equipment in timely manner. DR 10.5 zone.
B.C.Z.R 101; 102.1: Remove contractors equip. storage yard	

Pursuant to Section 1-2-217, Baltimore County Code, civil penalty has been assessed, as a result of the violation(s) cited herein, in the amount indicated:

\$42000

A quasi-judicial hearing has been pre-scheduled in:
Jefferson Building, 105 W. Chesapeake Ave, Rm 205
Towson, Maryland, 21204

DATE: 09/18/2019 TIME: 09:00 A.M.

IF A VIOLATOR DOES NOT APPEAR AT THE CODE ENFORCEMENT HEARING, THE CITATION AND ANY CIVIL PENALTY ARE DEEMED A NON-APPEALABLE FINAL ORDER OF THE CODE OFFICIAL OR THE DIRECTOR.

I do solemnly declare and affirm, under the penalty of perjury, that the contents stated above are true and correct to the best of my knowledge, information, and belief.

Inspector Badge Number	Issued Date
129	08/28/2019

CASE NAME _____
CASE NUMBER _____
DATE _____

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]

CASE NO. 2019-0465-A

CHECKLIST

Comment
Received

Department

Support/Oppose/
Conditions/
Comments/
No Comment

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

10/3

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

FIRE DEPARTMENT

10/11

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

9/24

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

No Comment

No Objection

No Objection

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 11/1/19

SIGN POSTING (1st) Date: 10/31/19 by Cagle

SIGN POSTING (2nd) Date: 11/19/19 by Cagle

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search

You may experience issues today as SDAT works to restore all services. SDAT apologizes for any inconvenience the last few days, and asks for patience as we continue to work to make the site better.

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 - 15 Account Number - 1501540040							
Owner Information										
Owner Name:		JONES MICHAEL P JONES MARLA S				Use: Principal Residence:		RESIDENTIAL NO		
Mailing Address:		705 FUSELAGE AVENUE BALTIMORE MD 21220-4533				Deed Reference:		/38912/ 00027		
Location & Structure Information										
Premises Address:		703 FUSELAGE AVE BALTIMORE 21220-4533				Legal Description:		703 FUSELAGE AVE VICTORY VILLA		
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	A
0090	0009	0579	15040034.04	0000	2		353	2018	Plat Ref:	0022/ 0109
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		County Use		
1942		672 SF				5,000 SF		04		
Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements			
1	NO	STANDARD UNIT	FRAME/	3	1 full					
Value Information										
			Base Value	Value		Phase-in Assessments				
				As of		As of		As of		
				01/01/2018		07/01/2019		07/01/2020		
Land:			53,000	53,000						
Improvements			27,200	36,000						
Total:			80,200	89,000		86,067		89,000		
Preferential Land:			0					0		
Transfer Information										
Seller: ANDERSON ALVIN BARRY				Date: 05/02/2017				Price: \$25,000		
Type: NON-ARMS LENGTH OTHER				Deed1: /38912/ 00027				Deed2:		
Seller: ANDERSON ALVIN				Date: 11/22/2002				Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /17139/ 00603				Deed2:		
Seller:				Date:				Price:		
Type:				Deed1:				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:**

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 10/11/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-465

INFORMATION:

Property Address: 703 Fuselage Avenue
Petitioner: Michael P. Jones, Marla Jones
Zoning: DR 5.5, DR 10.5
Requested Action: Variance

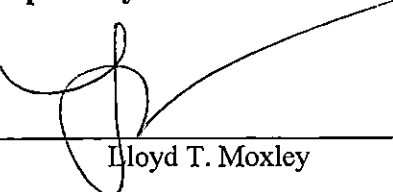
The Department of Planning has reviewed the petition for a variance to permit an addition with a front yard setback of 12 feet in lieu of the front yard average of 16 feet.

A site visit was conducted on October 2, 2019. The dwelling is currently under renovation with additions in the front, rear and side. Several adjacent houses on the street have porches that project into the front yard.

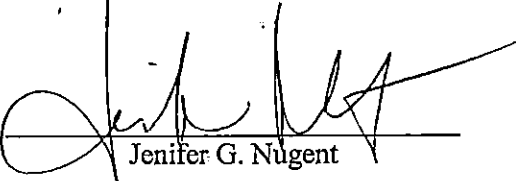
The Department has no objection to granting the petitioned zoning relief.

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

Prepared by:


Lloyd T. Moxley

Division Chief:


Jennifer G. Nugent

CPG/JGN/LTM/

c: Wally Lippincott
Michael P. Jones
Office of the Administrative Hearings
People's Counsel for Baltimore County

Case No.: 2019-0465-A 703 Fuselage Road

Exhibit Sheet

Petitioner/Developer

DW
12-24-19

Protestants

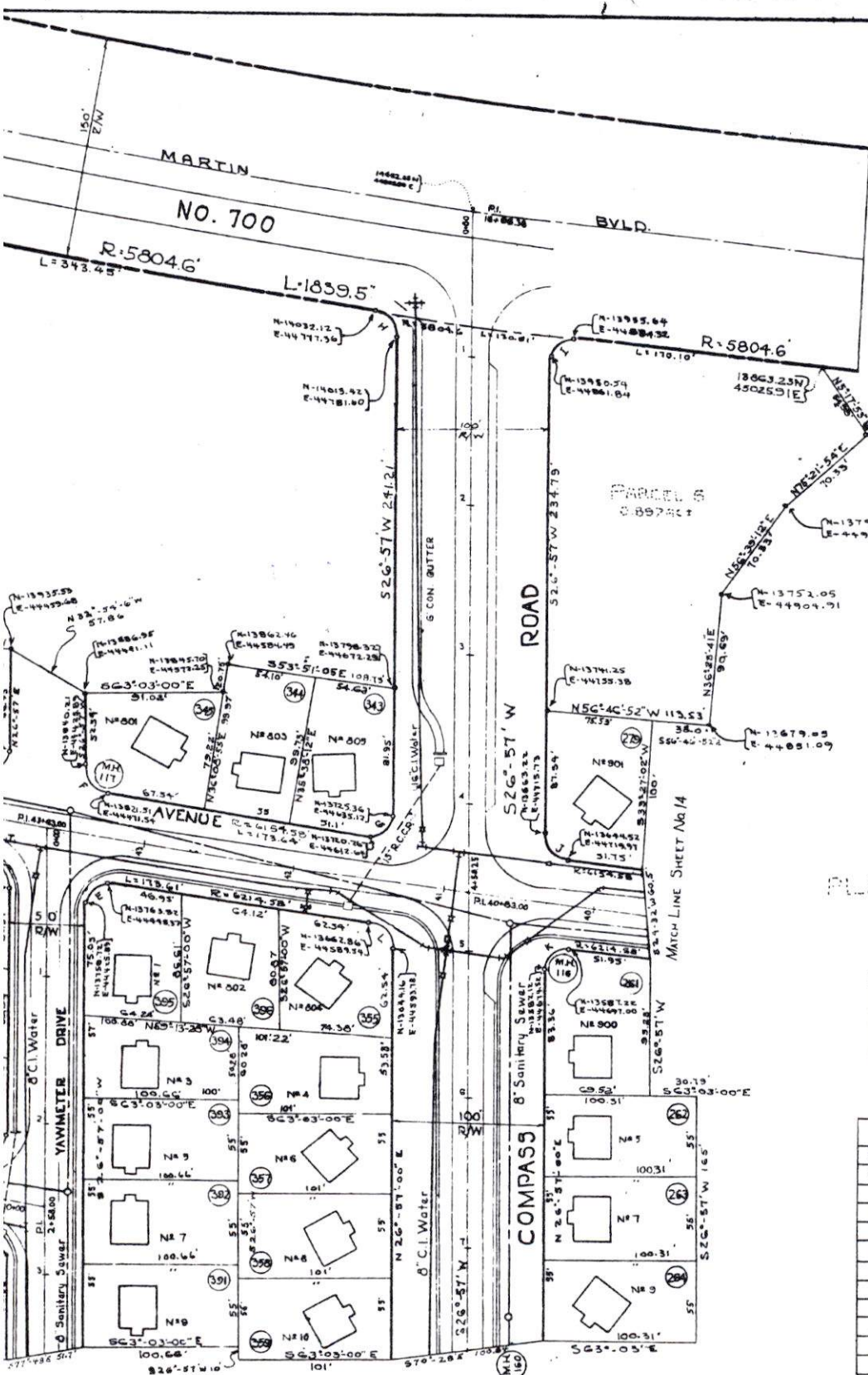
Sen
11-22-19

No. 1	Site Plan	
No. 2	INSOT OF Site Plan	
No. 3	ZONING MAP	
No. 4	PHOTO OF Site	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

106
P1-AS-11

106
P1-AS-11

106
P1-AS-11



PETITIONER'S

EXHIBIT NO. 1

PLAT B

GIB 22 FOLIO 109
 RECEIVED for Record
 FEB 23 1956 at A.M.
 same day recorded in Liber
 G.L.B. No. folio
 One of the Records of
 Baltimore County and ex-
 amined, per
George L. Reynolds
 Clerk

SHORT RADIUS CURVE DATA				
NR	R	Δ	L	T
A	15'	87°36'31"	23.03	14.45
B	15'	100°33'	26.31	16.05
C	15'	79°27'	20.81	12.46
D	15'	100°33'	26.31	16.05
E	15'	100°33'	26.31	16.05
F	15'	79°27'	20.81	12.46
G	15'	100°33'	26.31	16.05
H	15'	79°27'	20.81	12.46
I	15'	100°33'	26.31	16.05
J	15'	79°27'	20.81	12.46
K	15'	100°33'	26.31	16.05
L	15'	79°27'	20.81	12.46

NOTE:
 THE STREETS AND OR ROADS HEREON AND THE MENTION THEREOF
 IN DEEDS AND FOR THE PURPOSE OF REFERENCE ONLY AND THE SAME ARE
 NOT INTENDED TO BE DEDICATED FOR PUBLIC USE, THE FREE SIMPLE TITLE
 TO WHICH THIS PLAT IS ATTACHED THEIR HEIRS & ASSIGNS.

NOTE:
 COORDINATES SHOWN HEREON ARE EXTENSIONS
 MADE FROM BALTIMORE CITY COORDINATES
 BEING AS REFER TO TRUE NORTH AT BALTIMORE CITY

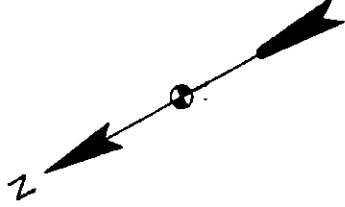
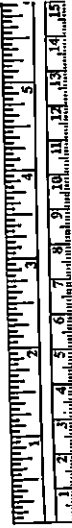
VICTORY VILLA - SECTION 2- PLAT A
 SUBDIVISION PLAT, ROADS & UTILITIES
 BALTIMORE COUNTY, MARYLAND

WILLIAM F NEALE
 & ASSOCIATES
 CIVIL ENGINEERS
 BALTIMORE, MD.

DRAWING NO. 13 OF 20
 SCALE 1" = 50'
 ALTERATIONS & ADDITIONS
 BY E. O. P. & JOHN B. DELANCEY
 OCT. 1955
 LAND SURVEYING NO. HA-606
 NORTH EAST, MD.

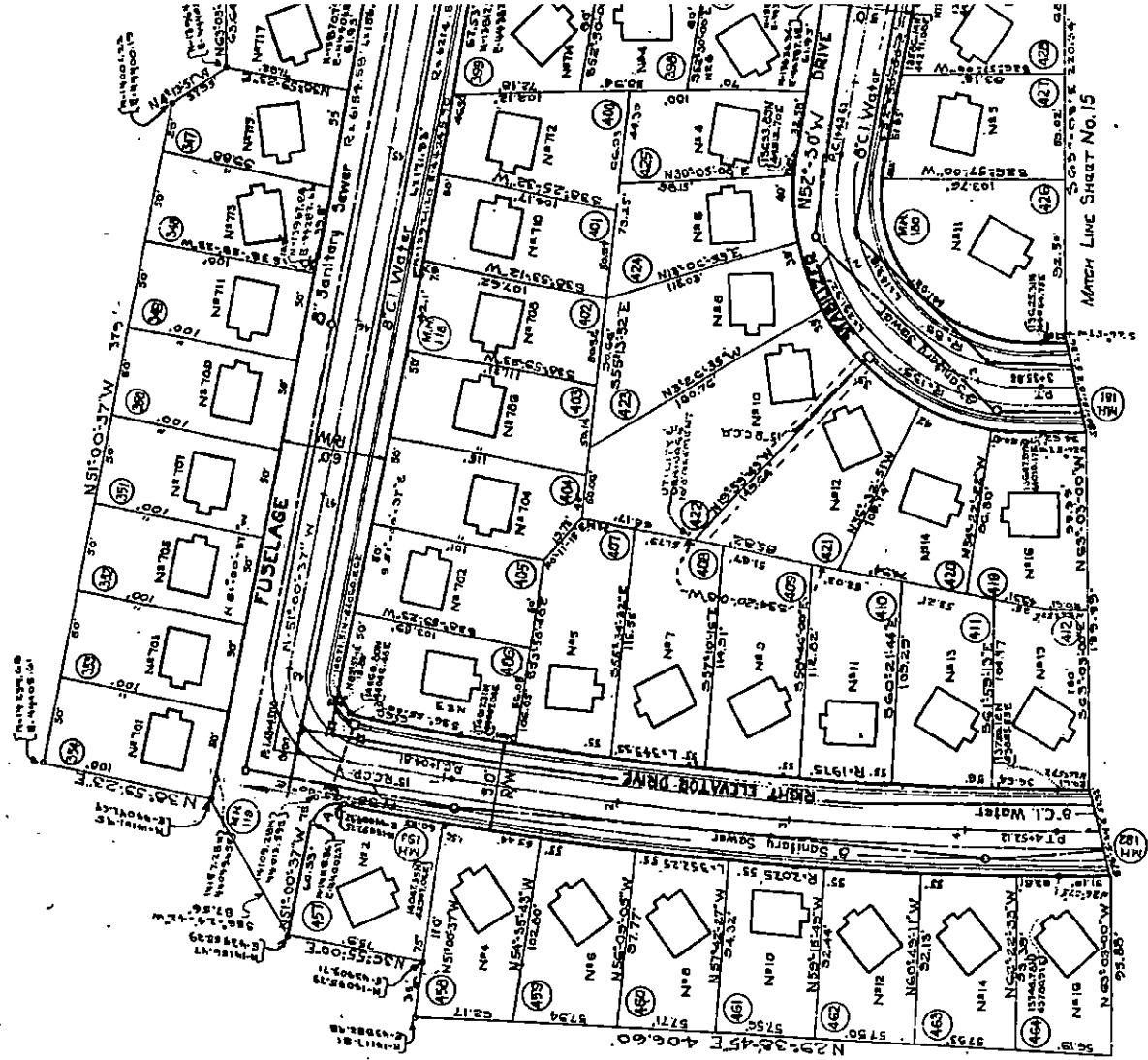
MSA3541236-1419

2019-0465-A



STATE HIGHWAY
S51°00'30"E
S51°00'30"E

PAPER 2

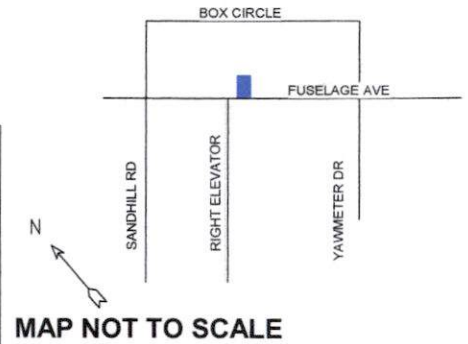


PLAT C

BALTIMORE COUNTY PLANNING BOARD APPROVED BY: <i>Debra L. Hays</i> DIRECTOR	BALTIMORE COUNTY HEALTH DEPARTMENT APPROVED BY: <i>William W. Hays</i> DEPUTY STATE & COUNTY OFFICIAL	ALIGNMENT & LOCATION OF STREETS APPROVED BY: <i>David A. Hays</i> 1956 CORDE CHAIRMAN OF BAL. CO. MD.	ENGINEER & SURVEYOR CERTIFICATION IS HEREBY MADE THAT THE REQUIREMENTS OF THE BALTIMORE COUNTY HEALTH DEPARTMENT HAVE BEEN COMPLIED WITH TO THE SATISFACTION OF THE PLANNING BOARD AND THE HEALTH DEPARTMENT. THE PLAT IS CORRECT AND TRUE TO THE ORIGINAL SURVEY AND THE PLAT IS CORRECT AND TRUE TO THE ORIGINAL SURVEY. <i>William W. Hays</i> 1956 REGISTERED PROFESSIONAL ENGINEER & SURVEYOR	LOT
--	---	--	--	-----

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING
ADDRESS 703 FUSELAGE AVE. OWNER MICHAEL AND MARLA JONES
SUBDIVISION VICTORY VILLA SECTION 2 PLAT A LOT 353
PLAT BOOK_GLB22_FOLIO 109 TAX ID 1501540040 DEED REF 38912/00027

SITE VICINITY MAP

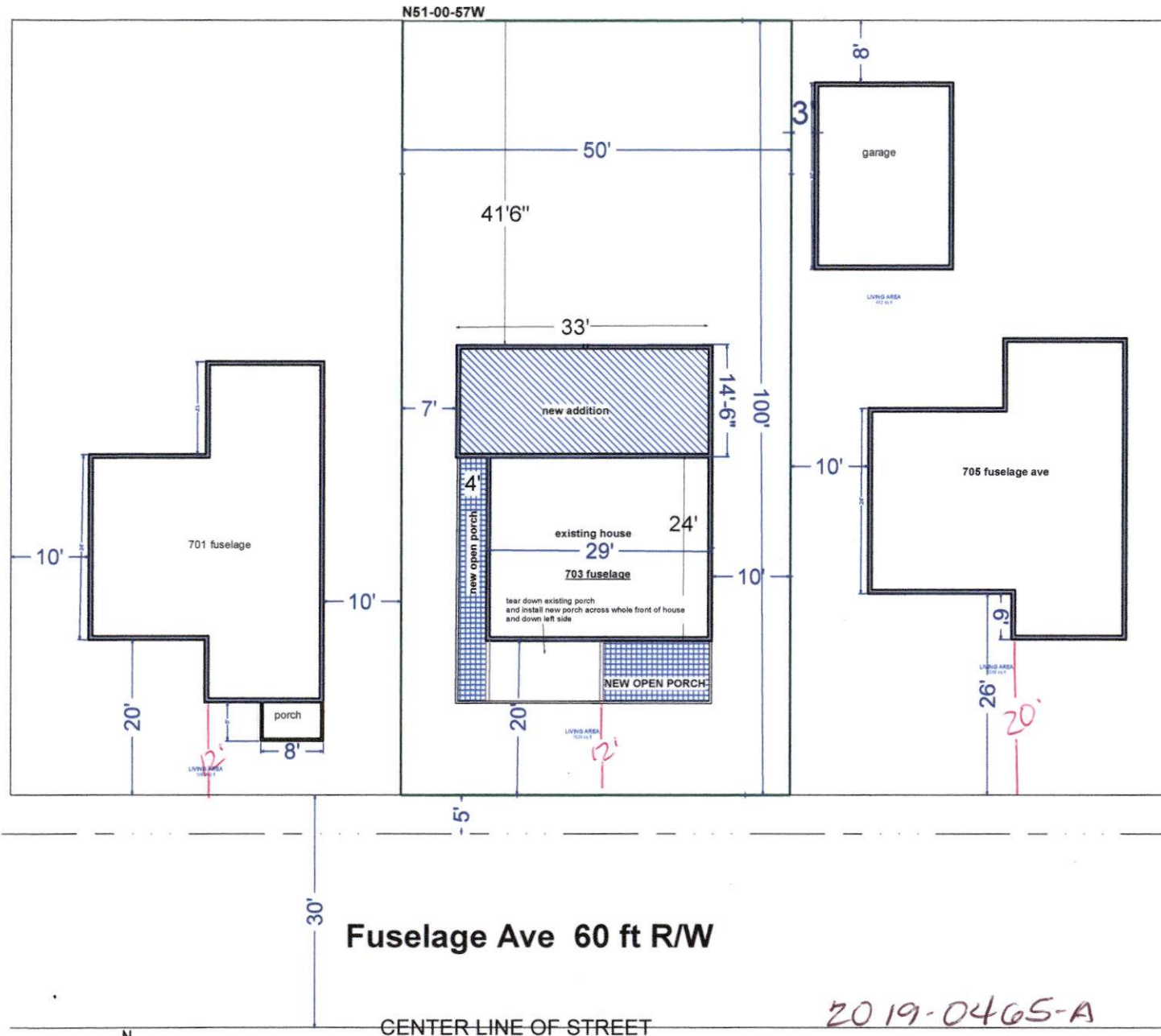


(VESTED A RESIDENTIAL IN 1945)

ZONING MAP DR 5.5 DR10.5
 ELECTION DISTRICT 15
 COUNCIL DISTRICT 6
 LOT AREA ACREAGE 0.11478421
 OR SQUARE FEET 5000
 HISTORIC ? NO
 CBCA NO
 IN FLOOS PLAN NO
 UTILITES? MARK
 WATER IS
 PUBLIC X PRIVATE
 PRIOR HEARING ? NO
 IF SO GIVE ME CASE NUMBER
 AND ORDER NUMBER RESULTS BELOW

N/A
 VILATION CASE INFO

CC1904042



plan drawn by michael jones date 11/8/18 scale : 1"inch + 20 feet

PETITIONER'S

EXHIBIT NO. 2

2019-0465-A

EXHIBIT NO.

3



PETITIONER' S

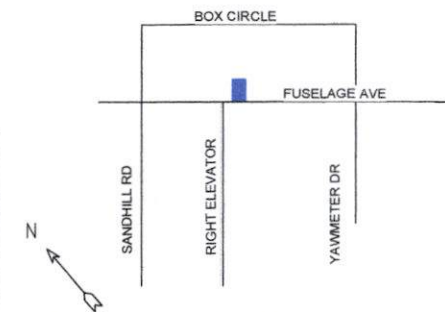
EXHIBIT NO.

4



ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING
ADDRESS 703 FUSELAGE AVE. OWNER MICHAEL AND MARLA JONES
SUBDIVISION VICTORY VILLA SECTION 2 PLAT A LOT 353
PLAT BOOK_GLB22_FOLIO 109 TAX ID 1501540040 DEED REF 38912/00027

SITE VICINITY MAP



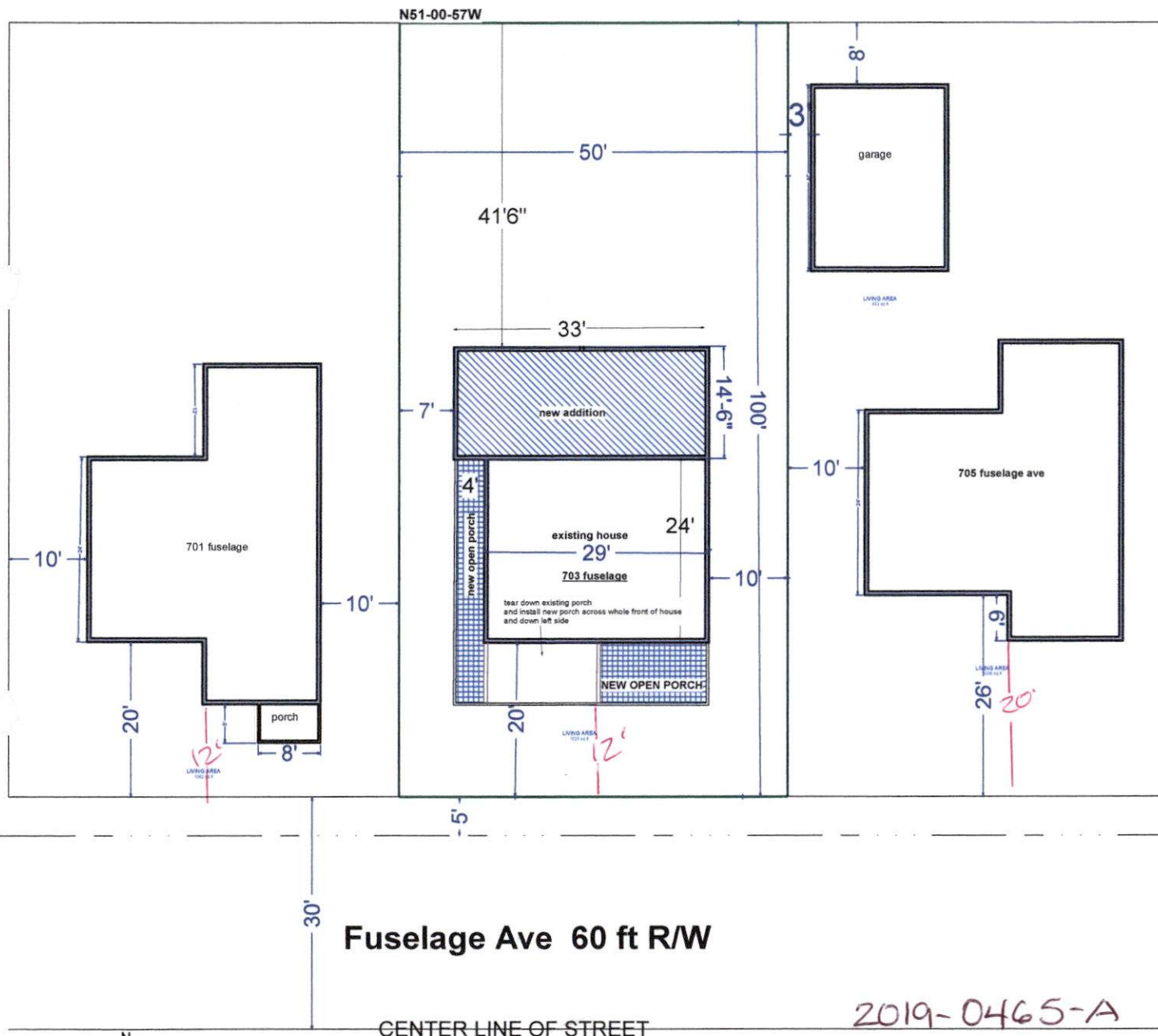
MAP NOT TO SCALE

(VESTED A RESIDENTIAL IN 1945)

ZONING MAP DR 5.5 DR10.5
 ELECTION DISTRICT 15
 COUNCIL DISTRICT 6
 LOT AREA ACREAGE 0.11478421
 OR SQUARE FEET 5000
 HISTORIC ? NO
 CBCA NO
 IN FLOOS PLAN NO
 UTILITES? MARK
 WATER IS
 PUBLIC X PRIVATE
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 IF SO GIVE ME CASE NUMBER
 AND ORDER NUMBER RESULTS BELOW

N/A
 VILATION CASE INFO

CC1904042



plan drawn by michael jones date 11/8/18 scale : 1"inch + 20 feet