

MEMORANDUM

DATE: December 20, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0467-SPH - Appeal Period Expired

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

/dlw

c: ✓ Case File
Office of Administrative Hearings

IN RE: **PETITION FOR SPECIAL HEARING** *
(**5634 Carville Avenue**) *
13th Election District *
1st Council District *

Charles and Robin Biddinger,
Legal Owners
Petitioners

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2019-0467-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of a Petition for Special Hearing filed on behalf of Charles and Robin Biddinger, legal owner (“Petitioners”). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (“BCZR”) to approve an existing accessory structure (shed) to be located on a vacant lot without a principal structure.

Petitioners’ property line surveyor, Ben Gary, appeared in support of the petition. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee (“ZAC”) comment was received from the Department of Environmental Protection and Sustainability (“DEPS”).

SPECIAL HEARING

Mr. Gary explained that the Biddingers own the parcel of land upon which their residence at 5634 Carville Avenue is located. He further explained that at the same time they acquired this parcel they also acquired the adjoining parcel to the rear, upon which two accessory sheds are located. These facts are supported by the Site Plan (Exhibit 1), photos of the location (Exhibit 2), and the Deed (Exhibit 3). The Biddingers use these structures as accessories to their residence and to house their gardening equipment and tools. They wish to tear down the shed that is closest to

ORDER RECEIVED FOR FILING

Date 11/19/19

By Ben

their residence and build a new, improved structure.

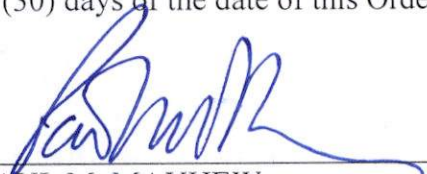
Based on the testimony and record evidence I find that the Special Hearing relief meets the requirements of BCZR Section 500.7. I further find that it will not harm the public health, safety or welfare. Finally, I find that it can be approved within the spirit and intent of the BCZR.

THEREFORE, IT IS ORDERED this **19th** day of **November, 2019** by this Administrative Law Judge, that the Petition for Special Hearing to approve an existing accessory structure (shed) to be located on a vacant lot without a principal structure, 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.
2. Prior to issuance of permits, Petitioners must comply with the ZAC comment submitted by the DEPS, a copy of which is attached hereto and made a part hereof.

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


PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:slh

ORDER RECEIVED FOR FILING

Date 11/19/19
By slh

11-14-19



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: October 3, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0467-SPH
Address 5634 Carville Avenue
(Bidding Property)

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

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

Additional Comments:

1. A variance to the Law for the Protection of Water Quality, Streams, Wetlands, and Floodplains will be required in order to erect any structure within the required 75-foot forest buffer.

Reviewer: Libby Errickson

ORDER RECEIVED FOR FILING

Date 11/19/19

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 5634 Conville Ave Balto 21227 which is presently zoned DR 55
 Deed References: 12364/192 10 Digit Tax Account # 1310950011
 Property Owner(s) Printed Name(s) Robin + Charles Biddinger 1310950010

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

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

1. ☒ a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve an existing Accessory structure (SHAN) to be located on a vacant lot without a principal structure.
2. ☐ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for
3. ☐ a Variance from Section(s)

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

Signature #1

Mailing Address City State

Zip Code Telephone # Email Address

Name #2 - Type or Print

Signature #2

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2019-0467.SPH Filing Date 9/17/19 Do Not Schedule Dates: _____ Reviewer JF

REV. 10/4/11

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



Zoning Description
5634 Carville Avenue
Baltimore County Maryland
Tax map 108 Grid 11 Parcel 663

Parcel 1

Beginning for the same at a point on the West side of Carville Avenue, point being 588 feet Northerly from the centerline of Francis Avenue, thence running along the West side of Carville Avenue, Northerly 60 feet, thence Westerly 125 feet to the East side of a 20 foot alley, thence along the East side of said 20 foot alley, Southerly 60 feet, thence Easterly 125 feet to the place of beginning.

Being known as lot 8 as shown on the "Plat 2 of Northwest Halethorpe" which is recorded in Baltimore County MD plat book 8 folio 21. And being the first parcel of land described in a deed dated July 28, 1997, between George F Judge Jr., parties of the first and Charles and Robin Biddinger, party of the second in liber 12364 folio 198.

Parcel 2

Beginning for the same at a point on the West side of a 20 foot alley, point being 588 feet Northerly from the centerline of Francis Avenue and 165 feet Westerly from the centerline of Carville Avenue, thence running along the West side of said 20 foot alley, Northerly 60 feet, thence Westerly 100 feet, thence Southwesterly 64.62 feet, thence Easterly 124 feet to the place of beginning.

Being known as Parcel 2 which is described in a deed dated July 28, 1997, between George F Judge Jr., parties of the first and Charles and Robin Biddinger, party of the second in liber 12364 folio 198.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
5634 Carville Avenue; W/S of Carville Avenue, *
588' N from the c/line of Francis Avenue * OF ADMINISTRATIVE
13th Election & 1st Councilmanic Districts *
Legal Owner(s): Robin & Charles Biddingen * HEARINGS FOR
Petitioner(s) *
* BALTIMORE COUNTY
*
* 2019-467-SPH

* * * * *

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 John Mellema Surveyors, 5409 East Drive, Arbutus, Maryland 21227, 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 8, 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: 2019-0467-SPH

5634 Carville Avenue

W/s Carville Avenue at the distance of 588 ft. from Francis Avenue

13th Election District – 1st Councilmanic District

Legal Owners: Charles & Robin Biddinger

Special hearing for an existing accessory structure (shed) to be located on a vacant lot without a principal structure.

Hearing: Thursday, November 14, 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: Mr. & Mrs. Biddingen, 5634 Carville Avenue, Baltimore 21227
John Mellema, 5409 East Drive, Arbutus 21227

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, OCTOBER 25, 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 28, 2019 -- Issue

Please forward billing to:
Charles Biddingen
5634 Carville Avenue
Baltimore, MD 21227

410-737-1694

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: 2019-0467-SPH

5637 Carville Avenue
W/s Carville Avenue at the distance of 588 ft. from Francis Avenue
13th Election District – 1st Councilmanic District
Legal Owners: Charles & Robin Biddingen

Special hearing for an existing accessory structure (shed) to be located on a vacant lot without a principal structure.

Hearing: Thursday, November 14, 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.

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 10/22/2019

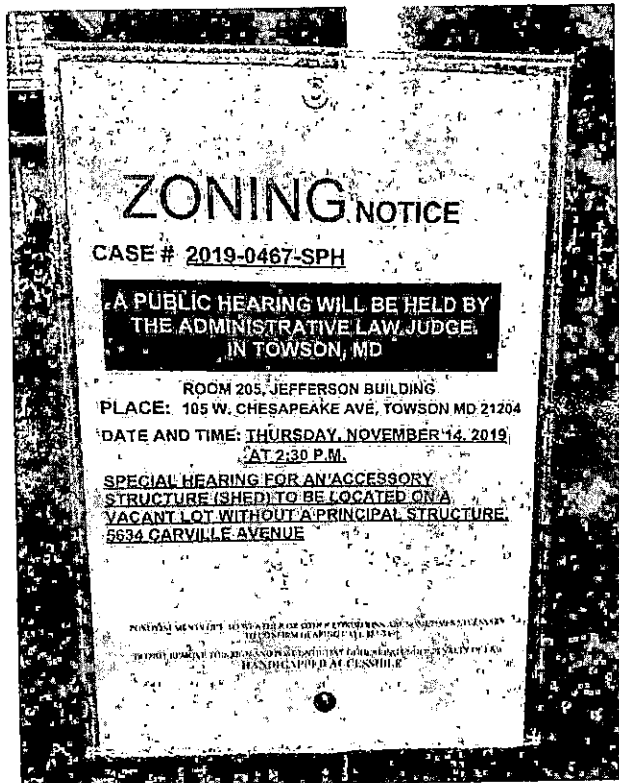
Case Number: 2019-0467-SPH

Petitioner / Developer: JOHN MELLEMA ~ MR. & MRS. BIDDINGER

Date of Hearing: NOVEMBER 14, 2019

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
5634 CARVILLE AVENUE

The sign(s) were posted on: OCTOBER 22, 2019



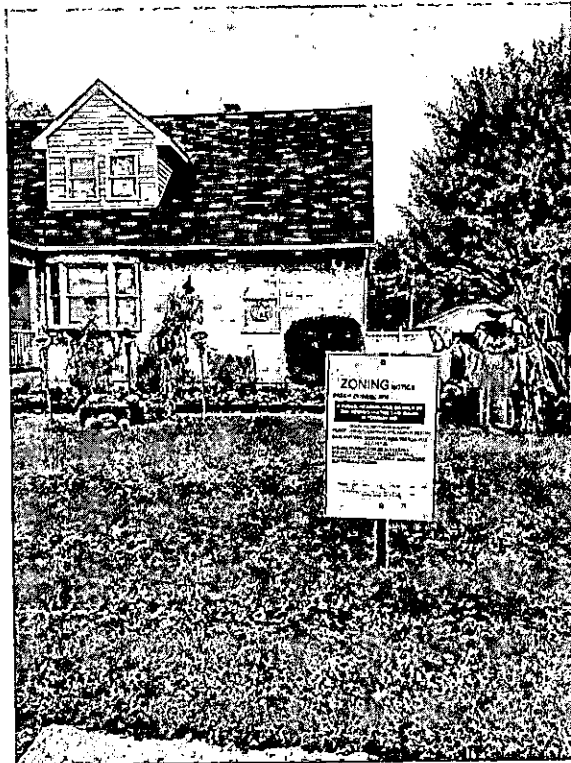
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

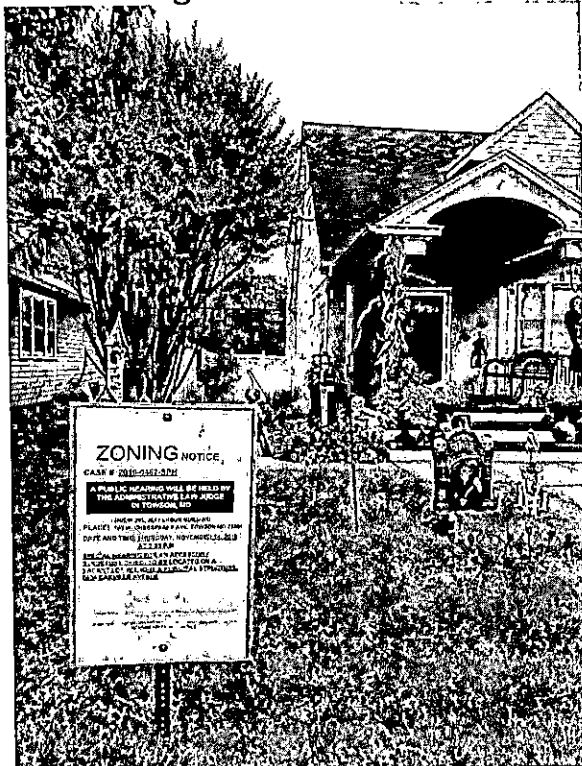
523 Penny Lane
(Street Address of Sign Poster)

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

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



Background Photo 1st Sign @ 5634 Carville Ave. ~ 10/22/2019



Background Photo 2nd Sign @ 5634 Carville Avenue ~ 10/22/2019

CASE # 2019-0467-SPH

The Daily Record

200 St. Paul Place Suite 2480
Baltimore, Maryland 21202
1 (443) 524-8100
www.thedailyrecord.com

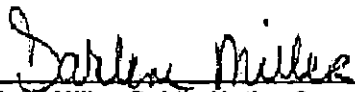
PUBLISHER'S AFFIDAVIT

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 #: 11802636
Case #: 2019-0467-SPH
Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2019-0467-SPH



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: 2019-0467-SPH

5634 Carville Avenue

W/s Carville Avenue at the distance of 583 ft. from Francis Avenue

13th Election District - 1st Councilmanic District

Legal Owners: Charles & Robin Biddinger

Special hearing for an existing accessory structure (shed) to be located on a vacant lot without a principal structure.

Hearing: Thursday, November 14, 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 410-887-3863.

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

o25

**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: 2019-0467-SP14

Property Address: 5634 Carrollle Ave.

Property Description: _____

Legal Owners (Petitioners): Charles + Robin Biddinger

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Charles + Robin Biddinger

Company/Firm (if applicable): _____

Address: 5634 Carrollle Ave

Bethesda MD 21227

Telephone Number: 410-737-1694



JOHN A. OLSZEWSKI, JR.
County Executive

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

November 04, 2019

John Mellema
5409 East Drive
Arbutus MD 21227

RE: Case Number: 2019-0467-SPH, 5634 Carville 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 17, 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 circular stamp or seal.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Charles Biddinger 5634 Carville Ave Baltimore MD 21227

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

Date: 9/24/19

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

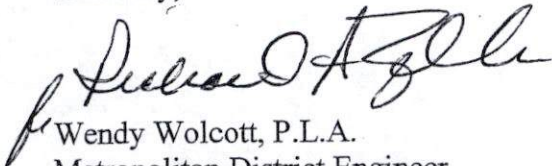
Dear Ms. Lewis:

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. 2019-0467-SPH

*Special Hearing
Robin & Charles Biddinger
5634 Corville 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

11-14-19

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: 19-467



INFORMATION:

Property Address: 5634 Carville Avenue
Petitioner: Charles Biddinger, Robin Biddinger
Zoning: DR 5.5
Requested Action: Variance

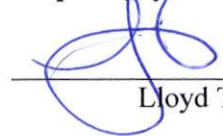
The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve an existing accessory structure (shed) to be located on a vacant lot without a principal structure.

A site visit was conducted on October 4, 2019.

The Department has no objection to granting the petitioned zoning relief. Petitioners indicated to Department staff that the proposed accessory structure will support the existing residential use at 5634 Carville Ave.

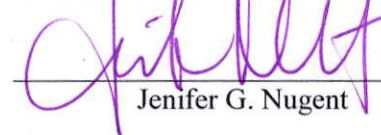
For further information concerning the matters stated herein, please contact Josephine Selvakumar at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

CPG/JGN/LTM/

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

11-14-19



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: October 3, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0467-SPH
Address 5634 Carville Avenue
(Biddingen Property)

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

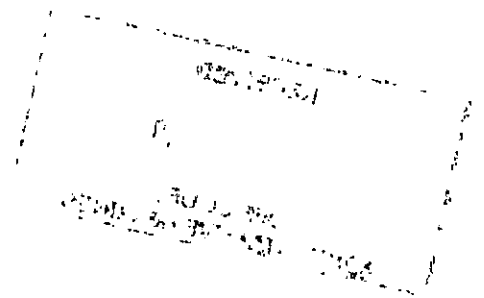
X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

Additional Comments:

1. A variance to the Law for the Protection of Water Quality, Streams, Wetlands, and Floodplains will be required in order to erect any structure within the required 75-foot forest buffer.

Reviewer: Libby Errickson



CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]

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>10-3</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
_____	FIRE DEPARTMENT	_____
<u>10-11</u>	PLANNING (if not received, date e-mail sent _____)	<u>No object.</u>
<u>9-24</u>	STATE HIGHWAY ADMINISTRATION	<u>No object.</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>10-25-19</u>	
SIGN POSTING (1 st)	Date: <u>10-22-19</u> by <u>O'Keefe</u>	
SIGN POSTING (2 nd)	Date: <u>11-14-19</u> by <u>"</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Real Property Data Search

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 - 13 Account Number - 1310950010	
Owner Information		
Owner Name:	BIDDINGER CHARLES E BIDDINGER ROBIN L	Use: Principal Residence: RESIDENTIAL YES
Mailing Address:	5634 CARVILLE AVE BALTIMORE MD 21227-3927	Deed Reference: /12364/ 00198
Location & Structure Information		
Premises Address:	5634 CARVILLE AVE 0-0000	Legal Description: 5634 CARVILLE AVE NORTHWEST HALETHORPE
Map:	Grid:	Parcel:
0108	0011	0663
Neighborhood:	Subdivision:	Section:
13040061.04	0000	
Block:	Lot:	Assessment Year:
	8	2019
Plat No:	2	
Plat Ref:	0008/ 0021	
Special Tax Areas: None	Town:	None
	Ad Valorem:	None
	Tax Class:	None
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1925	2,520 SF	
Property Land Area	County Use	
7,500 SF	04	
Stories	Basement	Type
1 1/2	YES	STANDARD UNIT
Exterior	Quality	Full/Half Bath
ASBESTOS SHINGLE/	4	1 full
Garage	Last Notice of Major Improvements	
Value Information		
	Base Value	Value
		As of 01/01/2019
Land:	62,200	62,200
Improvements	108,200	173,300
Total:	170,400	235,500
Preferential Land:	0	
		Phase-in Assessments
		As of 07/01/2019
		As of 07/01/2020
		192,100
		213,800
		0
Transfer Information		
Seller: JUDGE MARIE E	Date: 09/04/1997	Price: \$102,000
Type: ARMS LENGTH MULTIPLE	Deed1: /12364/ 00198	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2019
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt: None	Special Tax Recapture: None	
Exempt Class: None		

Homestead Application Information

Homestead Application Status: Approved 06/29/2010

Homeowners' Tax Credit Application Information

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

PM 11-14-19
2:30 pm

Debra Wiley

From: Linda Okeefe <luckylinda1954@yahoo.com>
Sent: Wednesday, November 13, 2019 9:55 PM
To: Administrative Hearings
Subject: Certification Case # 2019-0467-SPH @ Carville Ave.
Attachments: Carville Ave. Cert..jpeg; Carville Ave. Photos.docx

CAUTION: This message from luckylinda1954@yahoo.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Debbie,

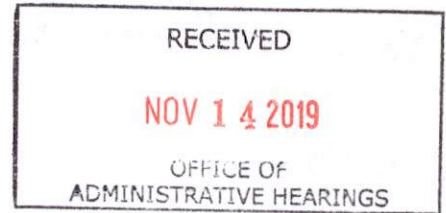
I am attaching the Second Certification for Case # 2019-0467-SPH @ 5634 Carville Avenue along with background photos for your records.

Thank you,

Linda

Linda O'Keefe
523 Penny Lane
Hunt Valley MD 21030
Phone # 410-666-5366
Cell# 443-604-6431
Fax# 410-666-0929
luckylinda1954@yahoo.com





SECOND CERTIFICATE OF POSTING

ATTENTION: SHERRY NUFFER

DATE: 11/13/2019

Case Number: 2019-0467-SPH

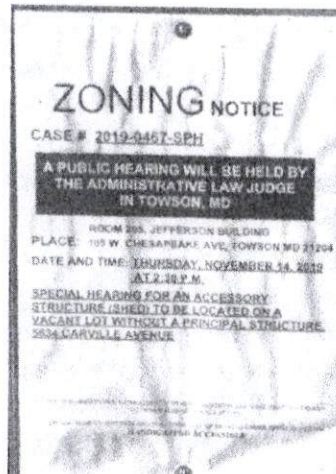
Petitioner / Developer: JOHN MELLEMA ~ MR. & MRS. BIDDINGER

Date of Hearing: NOVEMBER 14, 2019

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
5634 CARVILLE AVENUE

The sign(s) were posted on: OCTOBER 22, 2019

The sign(s) were re-photographed on: NOVEMBER 13, 2019



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

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

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



Re-Photographed 1st Sign @ 5634 Carville Avenue ~ 11/13/2019



Re-Photographed 2nd Sign @ 5634 Carville Avenue ~ 11/13/2019

CASE # 2019-0467-SPH



Case No.: 2019-0467-SPH

Exhibit Sheet

Petitioner/Developer

12-20-19

Protestants

Sen
11-19-19

No. 1	Site Plan	
No. 2	Photos	
No. 3	Aerial Photo	
No. 4	Deed	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

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: 19-467

INFORMATION:

Property Address: 5634 Carville Avenue
Petitioner: Charles Biddinger, Robin Biddinger
Zoning: DR 5.5
Requested Action: Variance

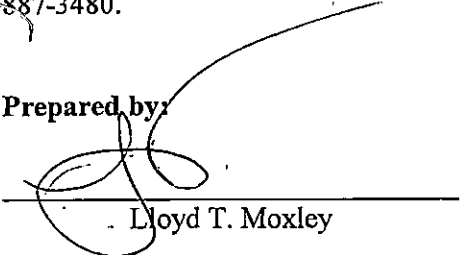
The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve an existing accessory structure (shed) to be located on a vacant lot without a principal structure.

A site visit was conducted on October 4, 2019.

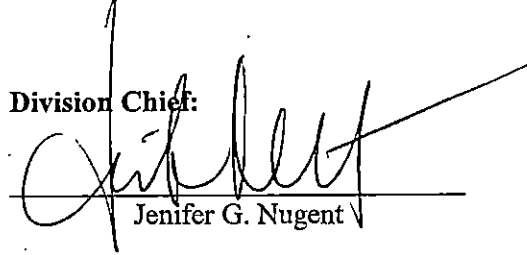
The Department has no objection to granting the petitioned zoning relief. Petitioners indicated to Department staff that the proposed accessory structure will support the existing residential use at 5634 Carville Ave.

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

Prepared by:


Lloyd T. Moxley

Division Chief:


Jenifer G. Nugent

CPG/JGN/LTM/

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

Pt. Bk. 0000012, Folio 0055

Lot # 12 1319848419

3
EXHIBIT NO.
PETITIONER'S

1319848496

Lot # 11

Lot # 10

1319848417

Lot # 64

R-1955-3619

Lot # 10

2300007341

1319848480

Lot # 63

2300007342

1319848478 Pt. Bk. 0000012, Folio 0018

Lot # 62

Pt. Bk./Folio # 012018

Lot # 61

PAI # 299018

1302190353

13 ED SW 6-D
108C1 DR 5.5

Lot # 59

1600008039

1 CD

1310950011

PAI # 138009

Pt. Bk./Folio # 008021D

PAI # 3009

Lot # 7

1318470930

Lot # 3

1308001451

Lot # 59

Lot # 6

1315790000

5638

1 CD

1310950012

1999-0026-SPH

Lot # 5

1320300010

5640

Lot # 2

1308001442

1308001450

Lot # 4

1313550021

Lot # 4

1313550020

Lot # 3

1318470800

5644

Pt. Bk. 0000010, Folio 0110

Pt. Bk./Folio # 010110

Pt. Bk. 0000008, Folio 0021

1318470120

1949-1585-X

1952-2413-X

303000973

5646

Lot # 2

CARVILLE AVE

This Deed

MADE THIS 28th day of July in the year One Thousand Nine Hundred Ninety Seven by and between **George F. Judge, Jr.**, Personal Representative of the Estate of **Marie Judge**, deceased, party of the first part, and **Charles E. Biddinger and Robin L. Biddinger**, parties of the second part.

WHEREAS, by Letters of Administration from the Register of Wills of **Baltimore, Maryland**, issued in the estate of the decedent, Estate Number **82669**, the party of the first part appointed Personal Representative for the decedent's estate and so acting on the date of this Deed, and

WHEREAS, the party of the first part as Personal Representative validly seized and possessed of all lands hereinbelow conveyed.

Witnesseth, That in consideration of the sum of **One Hundred Two Thousand Dollars and NO Cents (\$102,000.00)**, the receipt of which is hereby acknowledged, the said **George F. Judge, Jr.**, Personal Representative of the Estate of **Marie Judge**, does grant and convey to the said parties of the second part, as Tenants by the Entireties, their assigns, the survivor of them and the survivor's personal representatives/successors and assigns, in fee simple, those parcels of ground situate in **Baltimore County, Maryland** and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as all that lot known as No. 8 on the west side of Carville Avenue as shown on Plat No. 2 Northwest Halethorpe Plat recorded in Plat Book WPC No. 8, folio 21. The improvements thereon being formerly known as No. 88 Carville Avenue, now known as 5634 Carville Avenue.

BEING the same property as described in an Assignment dated October 26, 1938 and recorded among the Land Records of Baltimore County in Liber 1046, folio 397 which was granted and conveyed by Canton Avenue Building Loan & Savings Association unto George F. Judge and Marie Elizabeth Judge, his wife. Whereas, George F. Judge, having since departed this life on or about August 11, 1969, thereby vesting title unto Marie Judge, the decedent herein.

AND ALSO BEING the same property as described in a Merger Deed dated November 26, 1945 and recorded in Liber 1417, folio 501 which was granted and conveyed by Charles H. Steffey, Elise Lee Cohen Lipton and Lillian R. Cohen, Trustees, unto George F. Judge and Marie Elizabeth Judge, his wife.

AND AS TO THE SECOND PARCEL beginning on the west side of an alley twenty feet wide, the east side thereof being laid out parallel to and distant one hundred and twenty-five feet west of the west side of Carville Avenue as shown on the Plat of Northwest Halethorpe, Plat No. 2, which Plat is recorded among the Plat Records of Baltimore County in Plat Book WPC No. 8, folio 21, and which point of beginning is also at the distance of **five hundred and fifty-six feet southerly from the south side of Elm Avenue**; and running thence southerly on the west side of said alley sixty feet; thence westerly at right angles to said alley **one hundred twenty-four feet more or less to Herberts Run**; thence northeasterly along said Run until it meets a line drawn westerly at right angles from the place of beginning; thence easterly reversing the said line so drawn and binding thereon **one hundred feet more or less to the place of beginning**. The said lot of ground being in the rear of what is now known as Property No. 5634 Carville Avenue.

AND AS TO THE THIRD PARCEL beginning on the west side of the twenty foot alley mentioned in the description of the lot of ground secondly herein described at the distance of **six hundred sixty-six feet southerly from the south side of Elm Avenue**; and running thence southerly on the west side of said alley fifty feet; thence westerly at right angles to said alley **one hundred sixty-four feet more or less to Herberts Run**; thence northeasterly along said Run until it meets a line drawn westerly at right angles from the place of beginning; thence easterly reversing the said line so drawn and binding thereon **one hundred forty-three feet more or less to the place of beginning**. The said lot of ground being in the rear of what is now known as No. 5638 Carville Avenue.

BEING the same parcels of ground which by Deed dated September 7, 1948 and recorded among the Land Records of Baltimore County, Maryland in Liber No. TBS 1719, folio 381 was granted and conveyed by Halethorpe Community Church unto George F. Judge and Marie Judge, the decedent(s) herein.

THE WITHIN GRANTEE(S) DO HEREBY CERTIFY UNDER THE PENALTY(IES) OF PERJURY THAT THE LAND CONVEYED HEREIN IS RESIDENTIALLY IMPROVED OWNER-OCCUPIED REAL PROPERTY AND THAT THE RESIDENCE WILL BE OCCUPIED BY US AS EVIDENCED BY THE SIGNATURE(S) BELOW.

This is to certify the within instrument was prepared under the supervision of an Attorney duly admitted to practice before the Court of Appeals of the State of Maryland.


F. Michael Grace

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

PETITIONER'S

EXHIBIT NO. 4













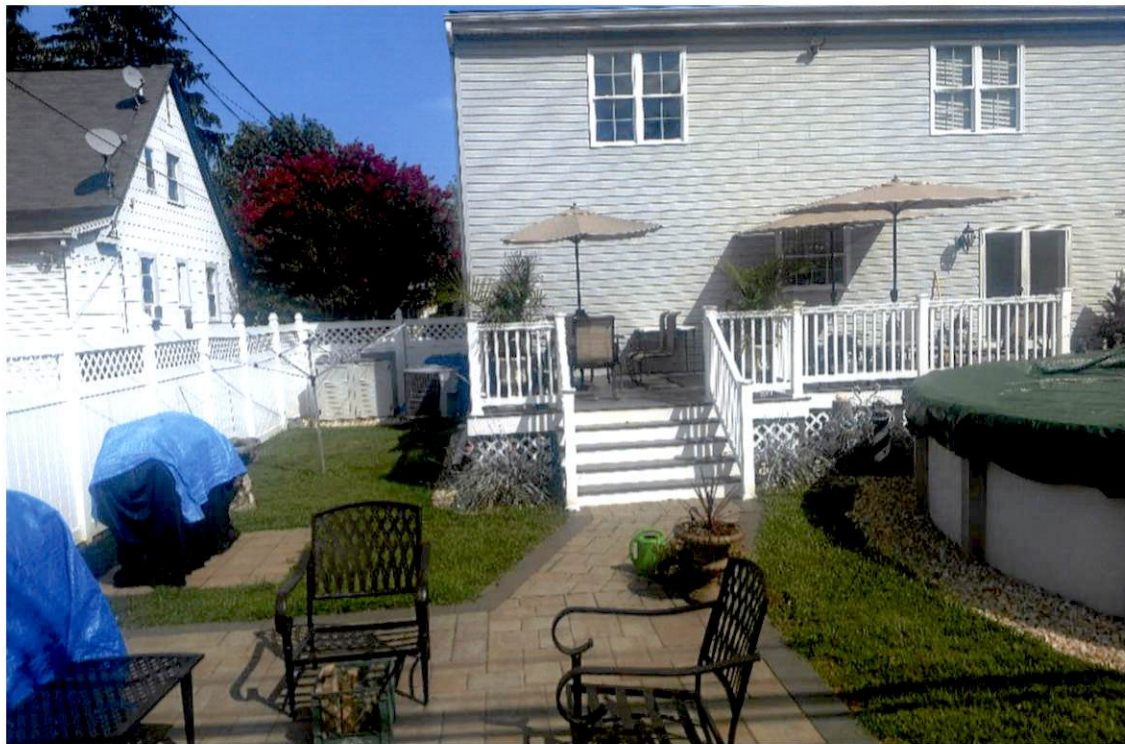




(2)



③



(4)



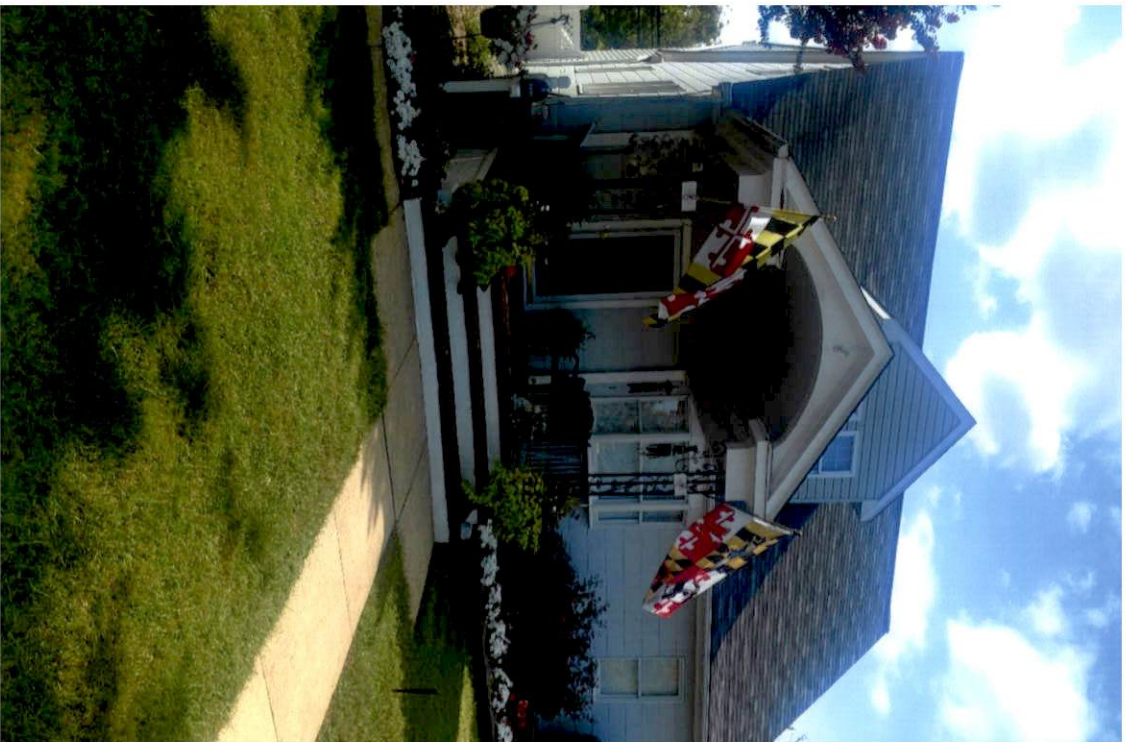
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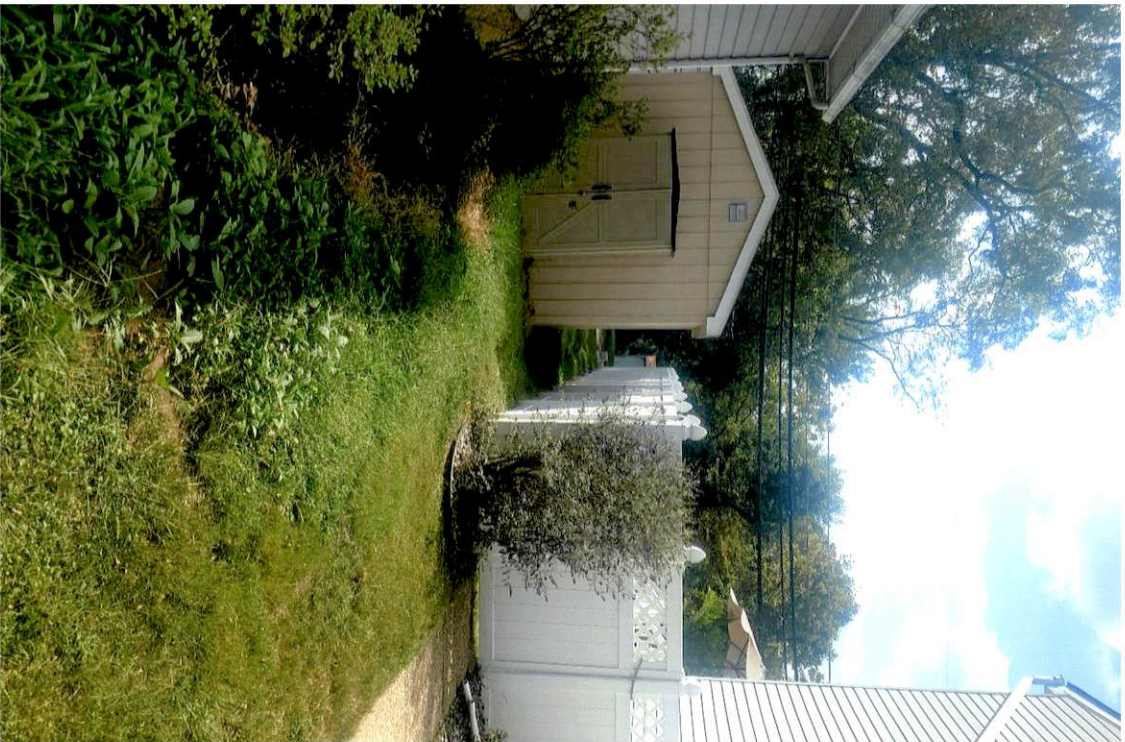
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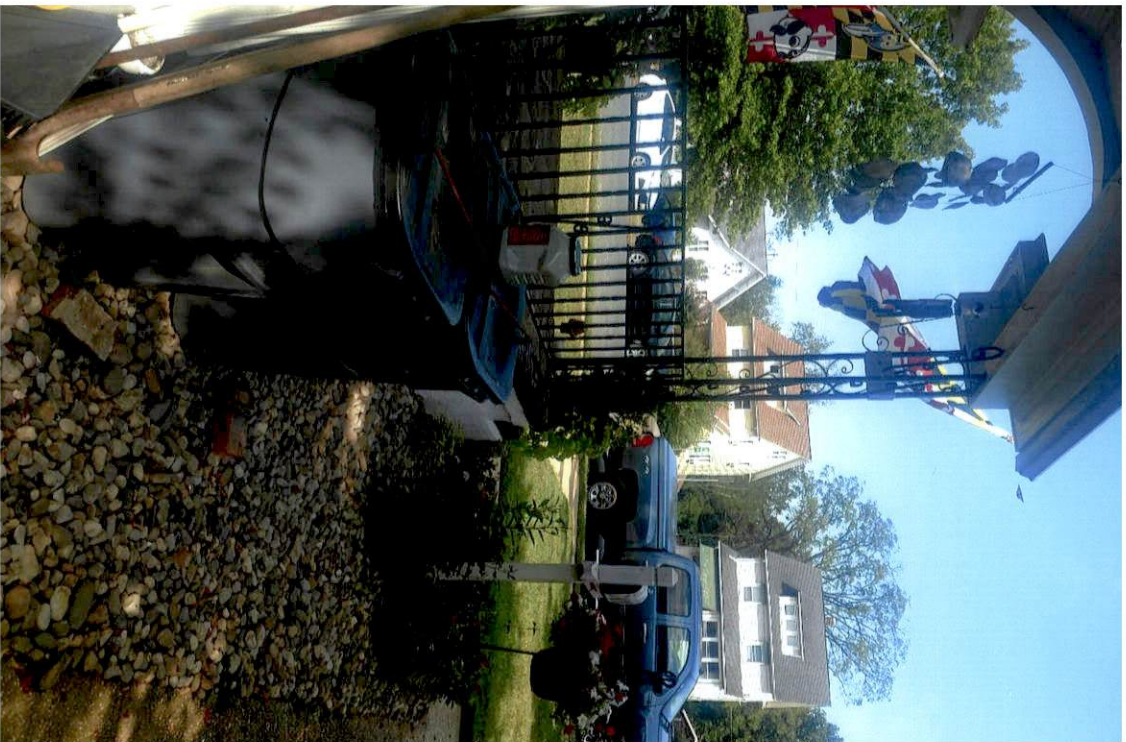
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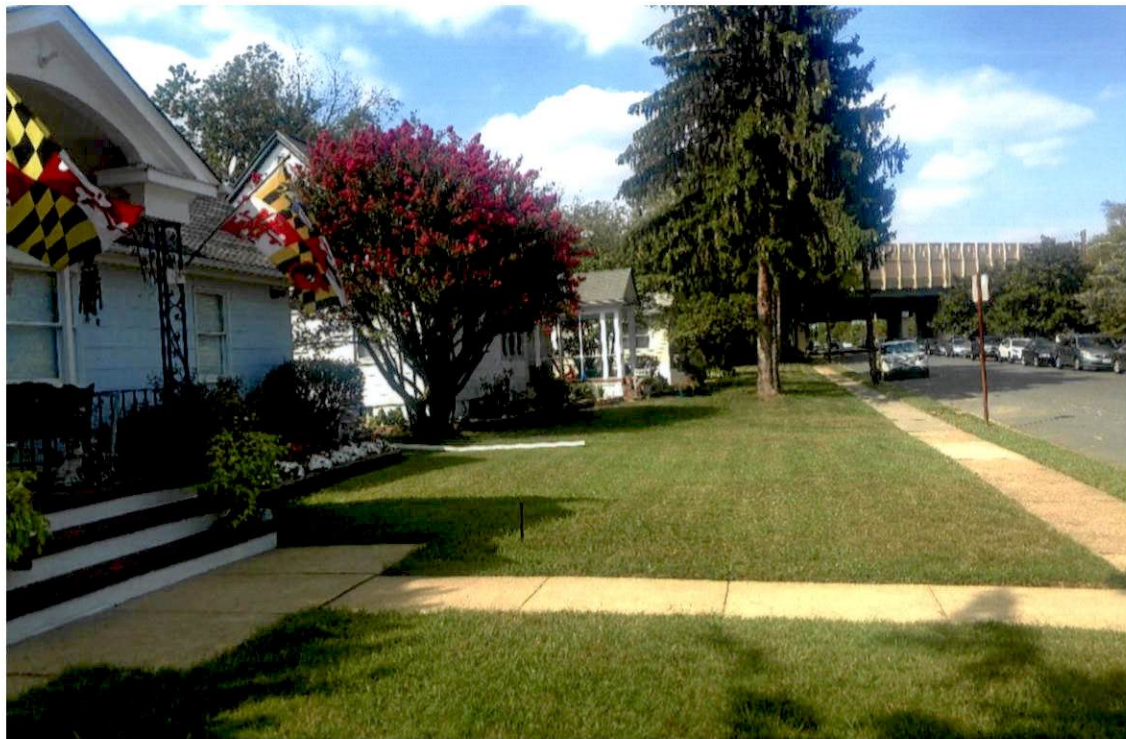
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9







11



21



13



(14)



15



16

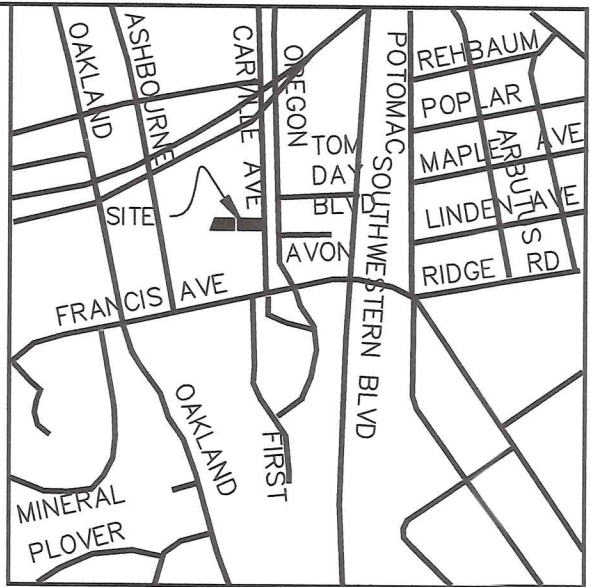


17



①

PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING



VICINITY MAP
SCALE: 1"=1000'

LOCATION INFORMATION

COUNCILMANIC DISTRICT: 1
ELECTION DISTRICT: 13
ZONING: D.R. 5.5
1"=200' SCALE MAP: 108C1

LOT SIZE: LOT 8 = 7500 SQ. FT.
PARCEL 2 = 6720 SQ. FT.

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

SUBDIVISION NAME: "SECTION 8 WILLIAMSBURG"
P.B. G.L.B. NO. 24 FOLIO 24

PRIOR ZONING HEARING: N/A
DEED REFERENCE: 12364/198

OWNER: CHARLES E. BIDDINGER
ROBIN L. BIDDINGER
#5634 CARVILLE AVENUE
BALTIMORE MD. 21227
PHONE: 410-913-5707

TAX NO. LOT 8: 1310950010
PARCEL 2: 1310950011

DATE: SEPTEMBER, 2019
SCALE: 1"=40'

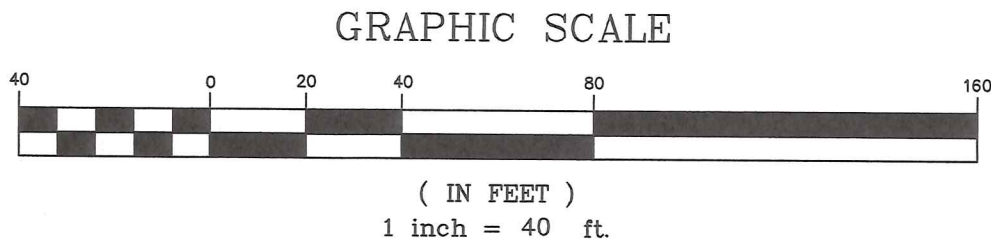
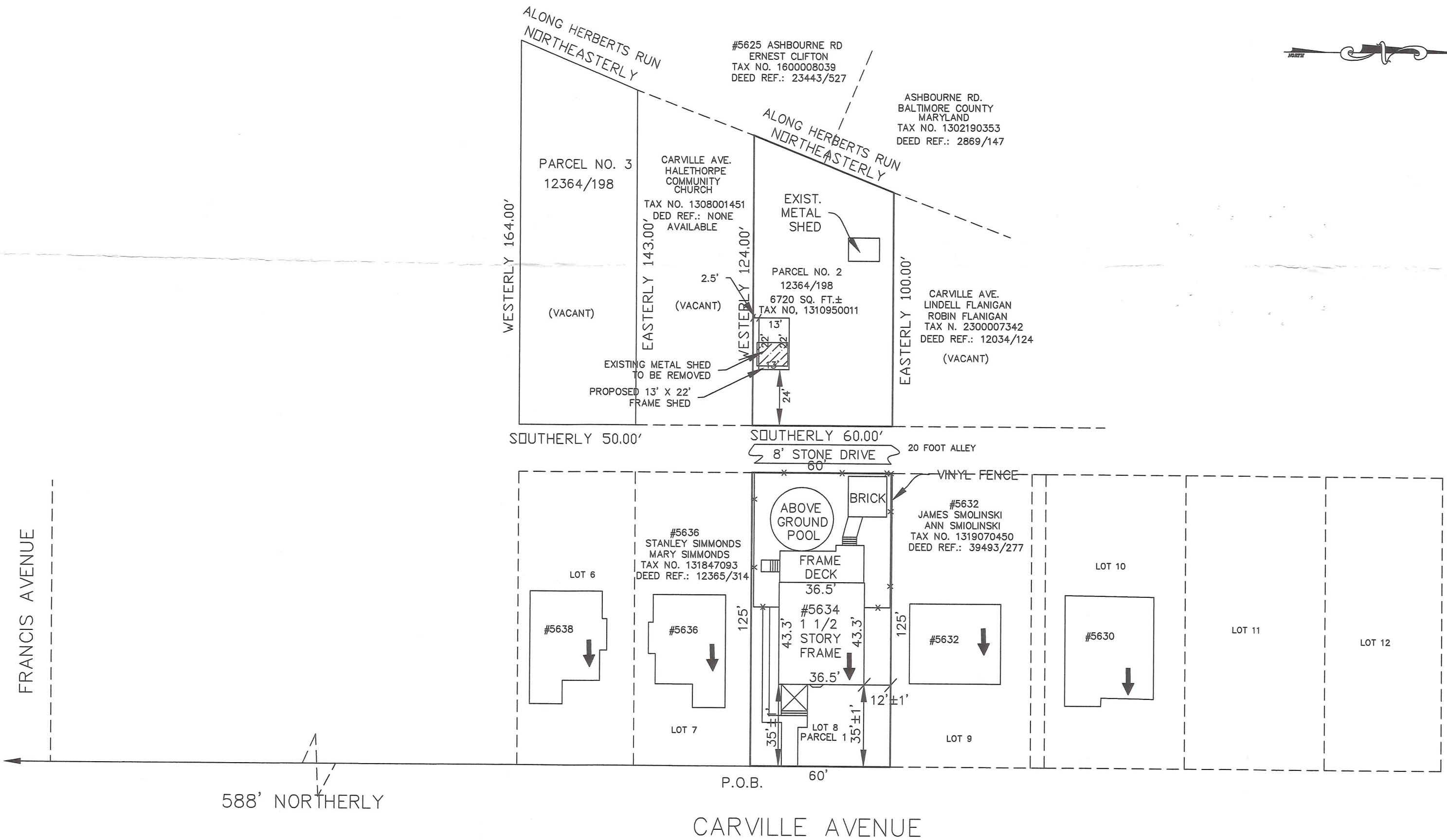
PETITIONER'S

EXHIBIT NO. 1

#5634 CARVILLE AVENUE
LOT 8

PLAT NO. 2 NORTHWEST HALETORPE
BALTIMORE COUNTY, MARYLAND

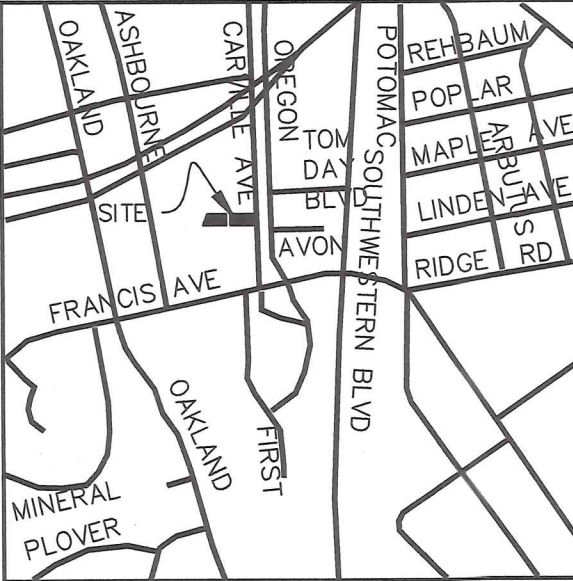
TAX MAP 108 GRID 11 PARCEL 663
SCALE: 1"=40' DATE: SEPTEMBER, 2019
CASE NO. 2019-0467-SPH



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

D.R.5.5 REGULATIONS
MINIMUM LOT AREA 6,000 SQ. FT.
MINIMUM LOT WIDTH 55'
MINIMUM FRONT YARD SETBACK 25'/AVERAGE
MINIMUM SIDE YARD SETBACK 10'
MINIMUM REAR YARD SETBACK 30'

PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING



VICINITY MAP
SCALE: 1"=1000'

LOCATION INFORMATION

COUNCILMANIC DISTRICT: 1
ELECTION DISTRICT: 13
ZONING: D.R. 5.5
1"=200' SCALE MAP: 108C1

LOT SIZE: LOT 8 = 7500 SQ. FT.
PARCEL 2 = 6720 SQ. FT.

PUBLIC SEWER ☒ YES ☐ NO
PUBLIC WATER ☒ YES ☐ NO

CHESAPEAKE BAY CRITICAL AREA YES ☐ NO ☒

SUBDIVISION NAME: "SECTION 8 WILLIAMSBURG"
P.B. G.L.B. NO. 24 FOLIO 24

PRIOR ZONING HEARING: N/A
DEED REFERENCE: 12364/198

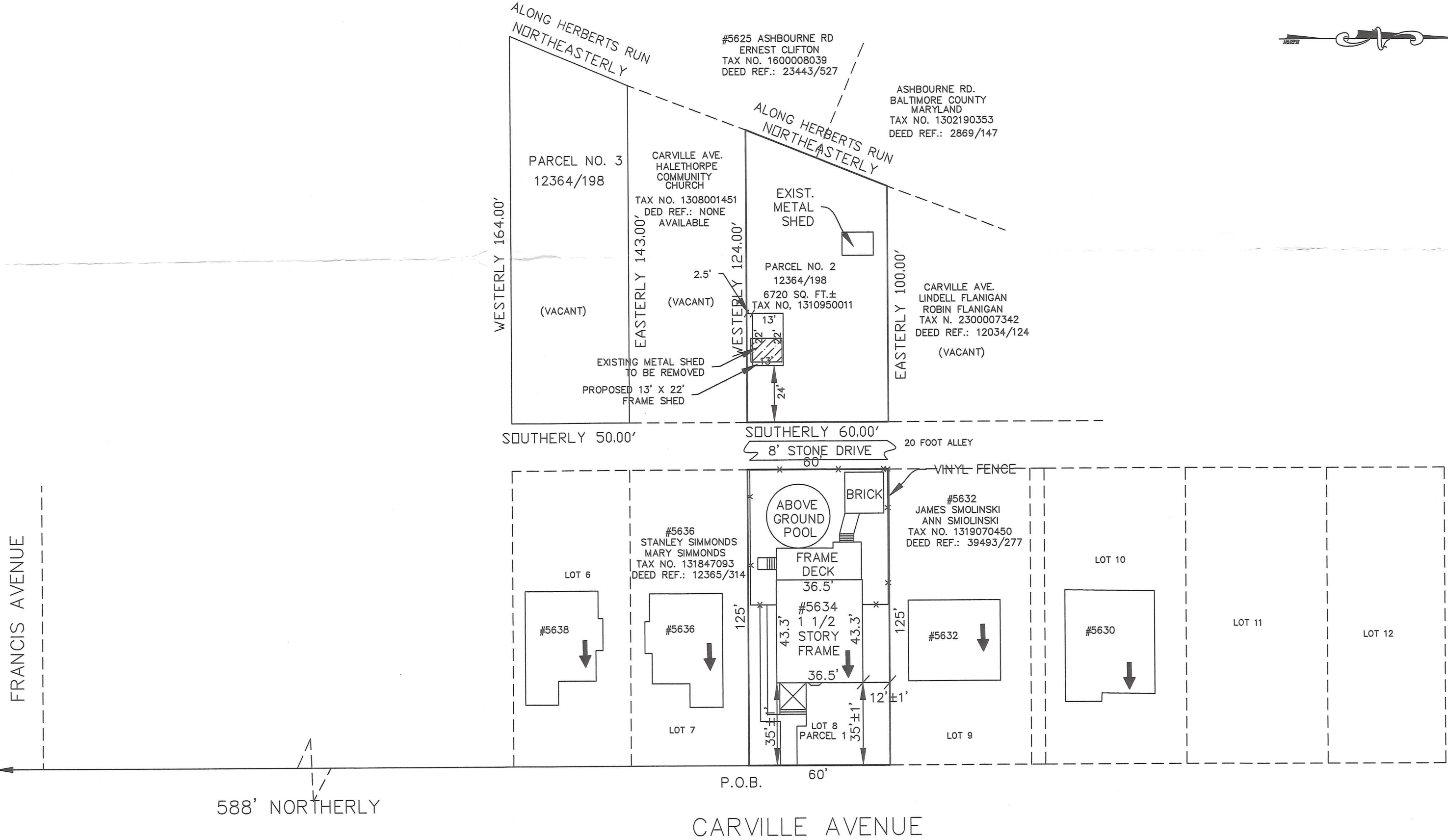
OWNER: CHARLES E. BIDDINGER
ROBIN L. BIDDINGER
#5634 CARVILLE AVENUE
BALTIMORE MD. 21227
PHONE: 410-913-5707

TAX NO. LOT 8: 1310950010
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DATE: SEPTEMBER, 2019
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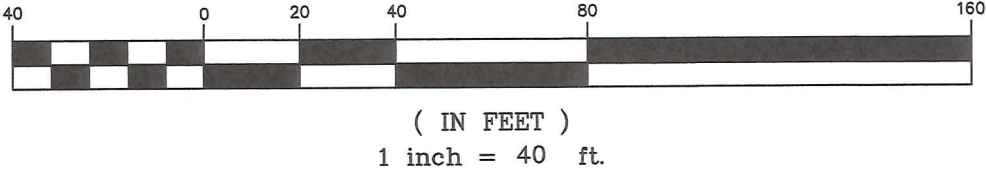


#5634 CARVILLE AVENUE
LOT 8
PLAT NO. 2 NORTHWEST HALETHORPE
BALTIMORE COUNTY, MARYLAND
TAX MAP 108 GRID 11 PARCEL 663
SCALE: 1"=40' DATE: SEPTEMBER, 2019
CASE NO. 2019-0467-SPH



588' NORTHERLY

GRAPHIC SCALE



PREPARED BY:
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