

MEMORANDUM

DATE: March 3, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0531-A - Appeal Period Expired

The appeal period for the above-referenced case expired on March 2, 2020. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

/dlw

c:  Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(1818 Ruxton Road)		
9 th Election District	*	OFFICE OF ADMINISTRATIVE
2 nd Council District		
Jamie M. & Christian A. Merlo	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	CASE NO. 2019-0531-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Administrative Variance filed by the legal owners of the property, Jamie M. and Christian A. Merlo (“Petitioners”). The Petitioners are requesting Variance relief from § 400.1 to permit a proposed accessory structure (pool and pool deck) to be located partially within the side yard in lieu of the required rear yard only. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners’ Exhibit 1.

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

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on January 10, 2020, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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

ORDER RECEIVED FOR FILING

Date 1-30-2020

By bw

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

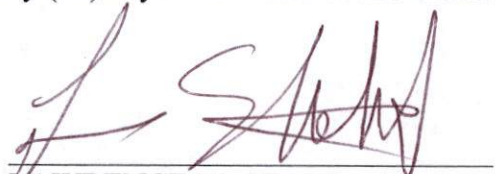
Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 30th day of **January, 2020**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from § 400.1 to permit a proposed accessory structure (pool and pool deck) to be located partially within the side yard in lieu of the required rear yard only, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

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


LAWRENCE M. STAHL
Administrative Law Judge
for Baltimore County

LMS:dlw

ORDER RECEIVED FOR FILING

Date 1-30-2020

By lms



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 1818 RUXTON ROAD Currently zoned DRI
 Deed Reference 39373 / 00366 10 Digit Tax Account # 1800001591
 Owner(s) Printed Name(s) JAMIE SMITH & CHRISTIAN MERLO

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

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

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

- ☒ **ADMINISTRATIVE VARIANCE** from Section(s) 400.1, BCZR, to permit a proposed accessory structure (pool and pool deck) to be located partially within the side yard in lieu of the required rear yard only.

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

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

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

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

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

Owner(s)/Petitioner(s):

CHRISTIAN MERLO / Jamie Smith
 Name #1 – Type or Print Name #2 – Type or Print

Christian Merlo / [Signature]
 Signature #1 Signature #2

1818 RUXTON RD TOWSON MD
 Mailing Address City State
21204 , 410 707 0985 , omerlo@jhm.edu
 Zip Code Telephone # Email Address

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

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Bruce E. Doak
Bruce E. Doak
 Name – Type or Print

[Signature]
 Signature

3801 BAKER SCHOOLHOUSE ROAD FREDERICK MD
 Mailing Address City State
21053 | 410-419-9901 | DOAKFARM@GMAIL.COM
 Zip Code Telephone # Email Address

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

Administrative Law Judge for Baltimore County

CASE NUMBER 2019-0531-A Filing Date 12/4/2019 Estimated Posting Date 12/15/2019 Reviewer JNP

Affidavit in Support of Administrative Variance

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

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

Address: 1818 RUKTON RD. BALTIMORE, MD 21204
Print or Type Address of property City State Zip Code

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

POOL TO BE CONSTRUCTED IN SIDE YARD DUE TO
PLACEMENT OF DRIVEWAY IN REAR YARD.

In addition to rear driveway, there is
an existing BGE overhead line shown in
photo #4

The final factor in proposed pool location is
due to elevation and drainage in the
NW corner of the property.

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

[Signature]
Signature of Owner (Affiant)

JAMIE SMITH
Name- Print or Type

[Signature]
Signature of Owner (Affiant)

CHRISTIAN MERLO
Name- Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 25 day of NOVEMBER, 2019, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Jamie Smith and Christian Merlo

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

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public

12.01.2020
My Commission Expires

**BALTIMORE COUNTY, MARYLAND
ZONING PETITION PROPERTY DESCRIPTION**

NOVEMBER 25, 2019

PART "A"

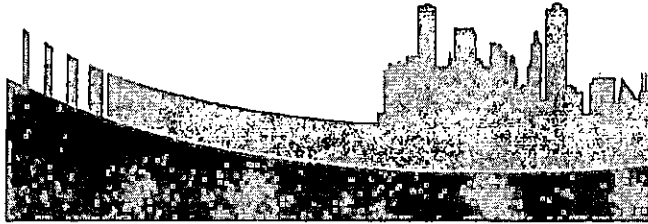
ZONING PROPERTY DESCRIPTION FOR: **1818 Ruxton Road, Baltimore Maryland 21204**

The property front Ruxton Road and is approximately 164' - 5 ¾" from the road from north to south. Ruxton Road is approximately 25' wide at this point. The nearest intersecting road is Ellenham Avenue to the west. Ellenham Avenue is approximately 22' wide at this point.

PART "B"

Being Lot #1, Block #__, Section #__, in the subdivision **Steuart Property** as recorded in the Baltimore County Plat Book #**0042**, Folio #**0087**, containing **1.85 acres**. Located in the **09** Election District and **02** Council District.

2019-0531-A



CERTIFICATE OF POSTING

January 11, 2020 (amended _____)

Re:

Zoning Case No. 2019-0531-A

Legal Owner: Christian Merlo & Janie Smith

Closing date: January 27, 2020

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

Attention: Kristen Lewis

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at 1818 Ruxton Road.

The signs were posted on January 10, 2020.

The signs were inspected again on _____.

Sincerely,

Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE NO. 2019-0531-A

1818 Buxton Road

**REQUEST: TO PERMIT A PROPOSED
ACCESSORY STRUCTURE (POOL AND
POOL DECK) TO BE LOCATED PARTIALLY
WITHIN THE SIDE YARD IN LIEU OF THE
REQUIRED REAR YARD ONLY.**

PUBLIC HEARING?

**PURSUANT TO SECTION 26-127(b)(1) BALTIMORE
COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP
MAY REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT IS DONE IN
THE ZONING OFFICE BEFORE JANUARY 27, 2020.**

**ADDITIONAL INFORMATION IS AVAILABLE AT ZONING
ADMINISTRATION AND DEVELOPMENT MANAGEMENT 111 W.
CHESAPEAKE AVENUE TOYHON, MD 21204-4110-097-3391**

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE NO. 2019-0531-A

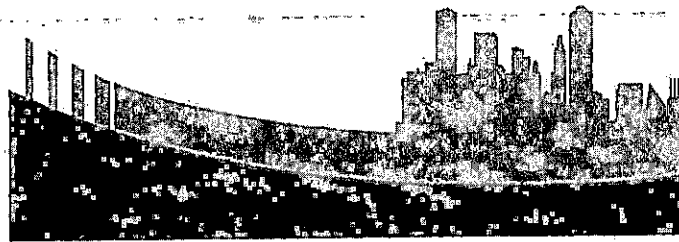
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CHESAPEAKE AVENUE TOWSON, MD 21204-4100-357-0201**



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CASE NO. 2019-0531-A

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ADMINISTRATION AND DEVELOPMENT MANAGEMENT 111 W.
CHESAPEAKE AVENUE TOWSON, MD 21204 410-567-3391

ZONING NOTICE

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CASE NO. 2019-0531-A

1818 Ruxton Road

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**ADDITIONAL INFORMATION IS AVAILABLE AT ZONING
ADMINISTRATION AND DEVELOPMENT MANAGEMENT 111 W.
CHESAPEAKE AVENUE TOWSON, MD 21204 410-887-3391**

ZONING REVIEW OFFICE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0531 -A Address 1818 Ruxton Road

Contact Person: Jeffrey Perlow Phone Number: 410-887-3391
Planner, Please Print Your Name 1/20/2020 1/27/2020

Filing Date: 12/4/2019 Posting Date: 12/15/19 Closing Date: 12/30/19

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

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

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2019- 0531 -A Address 1818 Ruxton Road

Petitioner's Name Christian Merlo / Jamie Smith Telephone 410-707-0985

Posting Date: 12/15/19 1/20/2020 Closing Date: 12/30/19 1/27/2020

Wording for Sign: To Permit a proposed accessory structure (pool and pool deck) to be located partially within the side yard in lieu of the required rear yard only.

Revised 6/30/2019

ZONING REVIEW OFFICE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0531 -A Address 1818 Ruxton Road
 Contact Person: Jeffrey Perlow Phone Number: 410-887-3391
Planner, Please Print Your Name
 Filing Date: 12/4/2019 Posting Date: 1/12/2020 Closing Date: 1/27/2020

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Revised 6/30/2019

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~~12/15/19~~ ~~12/30/19~~

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Revised 6/30/2019

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Revised 6/30/2019



JOHN A. OLSZEWSKI, JR.
County Executive

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

December 30, 2019

Rebecca Levin Kent
15 Greenspring Valley
Owings Mills MD 21117

RE: Case Number: 2019-0531-A, 1818 Ruxton Road

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 December 04, 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 dark 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
Bruce E. Doak 3801 Baker Schoolhouse Road Freeland MD 21053

12/30

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

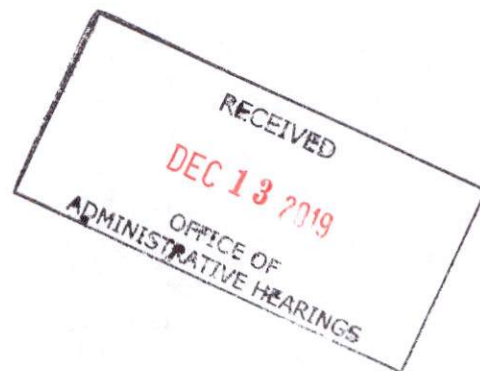
DATE: December 13, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0531-A
Address 1818 Ruxton Road
(Smith & Merlo Property)

Zoning Advisory Committee Meeting of **December 16, 2019.**

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

Reviewer: Steve Ford



MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

Date: 12/11/19

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

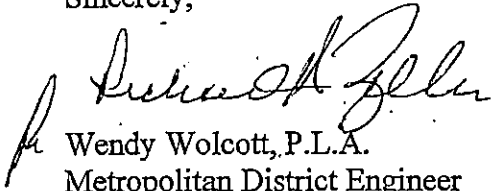
Dear Ms. Lewis:

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. 2019-0531-A

*Administrative Variance
Jamie Smith & Christian Merlo
1818 Ruxton Road*

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@mdot.maryland.gov).

Sincerely,



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

WW/RAZ

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: December 13, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0531-A
Address 1818 Ruxton Road
(Smith & Merlo Property)

Zoning Advisory Committee Meeting of **December 16, 2019.**

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

Reviewer: Steve Ford

**Permits, Approvals & Inspections**111 W. Chesapeake Avenue
Towson, MD 21204Report Generated On:
12/4/2019**Permit Processing Residential Permit & Development Report**

Page 1 of 1

Property Information

Tax Account Number: 1800001591

Plat Ref: 042:087

Election District: 9

Owner Name(s): MERLO CHRISTIAN A and SMITH JAMIE M

PDM # :

Address: 1818 RUXTON RD
BALTIMORE, MD 21204

Zoning District(s): DR 1

Premise Address: 1818 RUXTON RD

Elevation Range: 244ft - 258ft

Affected Overlays	Instructions: Begin review process with Zoning Review, Room 111.	New Homes	Internal Alts.	Add / Ext. Alts.	Access. Struct.	Open Decks	Piers/Pilings	Grading/SW	Tanks	Ret.Walls/Bulk	Razing	Elec. & Plumb	High Rise Apts.	Agency Acknowledgment Initial & Date
Contact Agency	Potential Overlay Issues Growth Tier 1: Served by public sewer and inside URDL													
Planning Jefferson Building Room 101 Phone: 410-887-3211	Residential Design Review Areas(Ruxton/Riderwood/Lake Roland)	X		X										
PAI-Public Services County Office Building Room 119 Phone: 410-887-3751	Verify Water Service Size.	X												
Zoning Review County Office Building Room 111 Phone: 410-887-3391	Zoning Cases: 1975-0128-A	X		X	X	X	X							

2019-0531-A

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>12-13</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>12-11</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING (1 st)	Date: <u>1-10-2020</u> by <u>Doak</u>	
SIGN POSTING (2 nd)	Date: _____ by _____	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

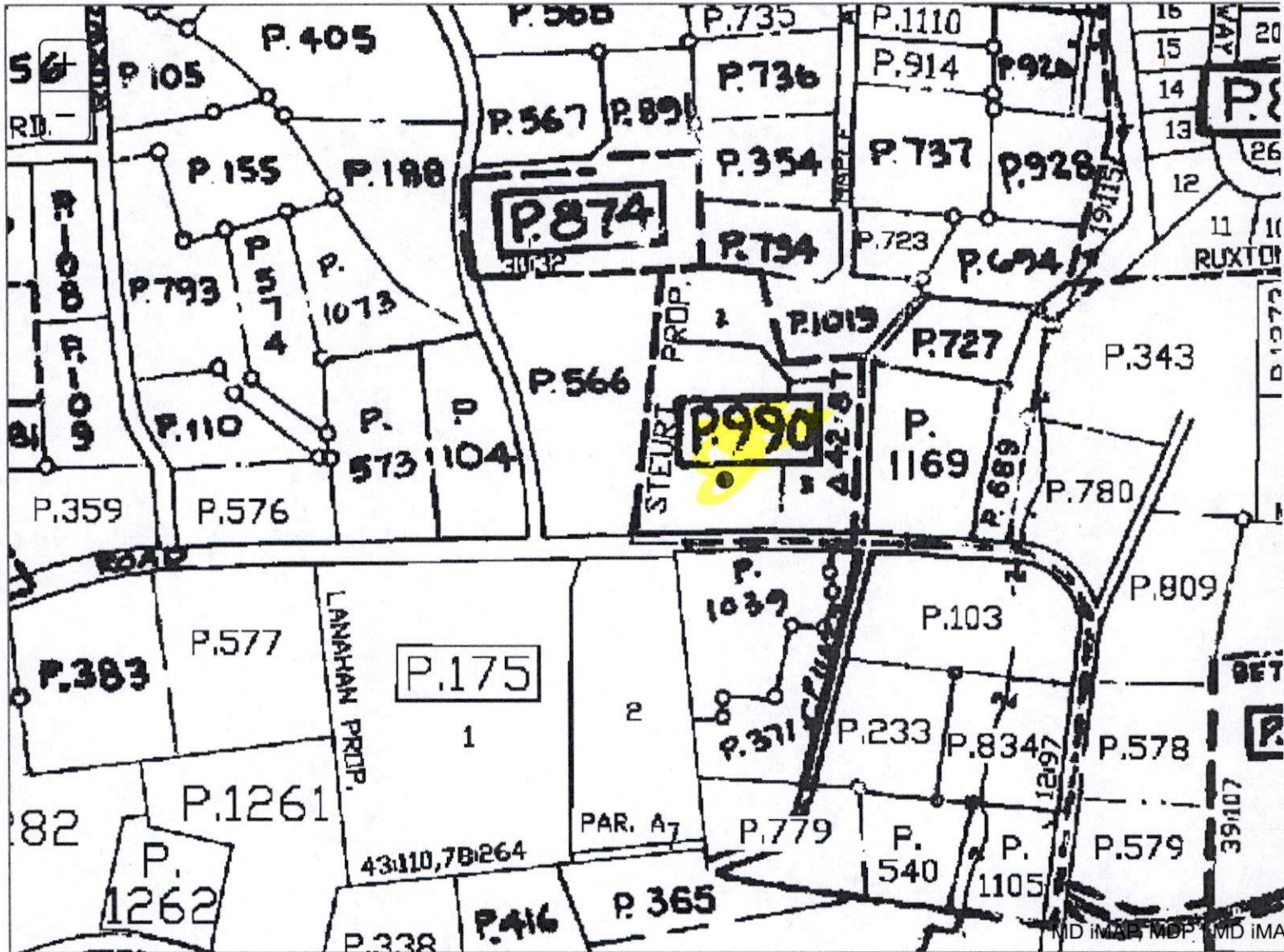
Comments, if any: * Was previously AV (closing - 12/30) but did not meet sign posting requirements.

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 09 Account Number - 1800001591		
Owner Information		
Owner Name:	MERLO CHRISTIAN A SMITH JAMIE M	Use: Principal Residence: RESIDENTIAL YES
Mailing Address:	1818 RUXTON RD BALTIMORE MD 21204-	Deed Reference: /39373/ 00366
Location & Structure Information		
Premises Address:	1818 RUXTON RD BALTIMORE MD 21204-3507	Legal Description: 1.8508 AC STEUART PROPERTY
Map: 0069	Grid: 0009	Parcel: 0990
Neighborhood: 9010005.04	Subdivision: 0000	Section: 1
Block: 1	Assessment Year: 2020	Plat No: 0042/ 0087
Special Tax Areas: None		
Town: None		
Ad Valorem: None		
Tax Class: None		
Primary Structure Built: 1875	Above Grade Living Area: 7,106 SF	Finished Basement Area: 1.8500 AC
County Use: 04		
Stories: 2 1/2	Basement: YES	Type: STANDARD UNIT
Exterior: STUCCO/	Quality: 7	Full/Half Bath: 4 full/ 1 half
Garage: 1 Detached	Last Notice of Major Improvements	
Value Information		
	Base Value	Value
		As of 01/01/2020
Land:	412,300	412,300
Improvements	1,356,900	938,300
Total:	1,769,200	1,350,600
Preferential Land:	0	0
Phase-in Assessments		
	As of 07/01/2019	As of 07/01/2020
	1,769,200	1,350,600
Transfer Information		
Seller: WAESCHE WILLIAM H JR	Date: 09/11/2017	Price: \$1,350,000
Type: ARMS LENGTH IMPROVED	Deed1: /39373/ 00366	Deed2:
Seller: HAUS J GILBERT JR	Date: 04/09/2013	Price: \$1,325,000
Type: ARMS LENGTH IMPROVED	Deed1: /33437/ 00444	Deed2:
Seller: HAUS J GILBERT, JR	Date: 02/20/2004	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /19633/ 00696	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2019
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: No Application		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

District: **09** Account Number: **1800001591**



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx> (<http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx>).

ZAC AGENDA

Case Number: 2019-0531 **Reviewer:** Jeffrey Perlow
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Jamie Smith & Christian Merlo
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 9 **Council Dist:** 2

Property Address: 1818 RUXTON RD
Location: N S of Ruxton Road 164' E of Ellenham Ave.

Existing Zoning: DR 1 **Area:** 1.85 AC

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

400.1, BCZR To permit a proposed accessory structure (pool and pool deck) to be located partially within the side yard in lieu of the required rear yard only.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 12/30/2019

Miscellaneous Notes:

Case Number: 2019-0532-A **Reviewer:** Aaron Tsui
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: VARIANCE
Legal Owner: James & Somjai Simon
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 1224 E RIVERSIDE AVE
Location: W S OF E. Riverside Ave, 525 feet S of Bay Ave.

Existing Zoning: DR 3.5 **Area:** 17,650 SF

Proposed Zoning:

VARIANCE:

1B02.3 To permit a replacement dwelling with a side set back of 10 feet in lieu of the required 15 feet. With a sum of 20 feet in lieu of the required 25 feet.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Debra Wiley

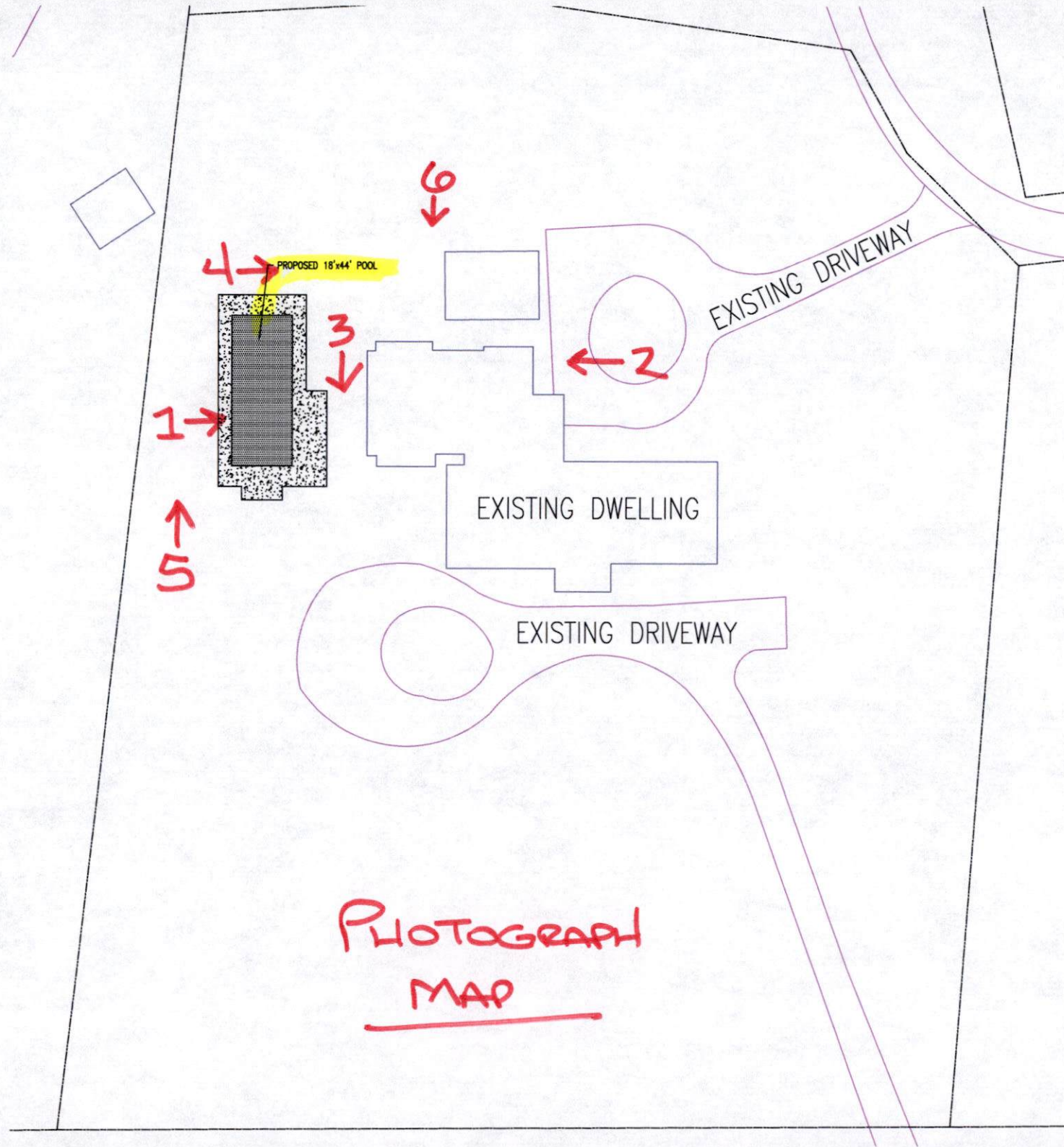
From: Sherry Nuffer
Sent: Friday, January 3, 2020 11:44 AM
To: Debra Wiley
Subject: 2019-0531-A Closing Date 12/30/19

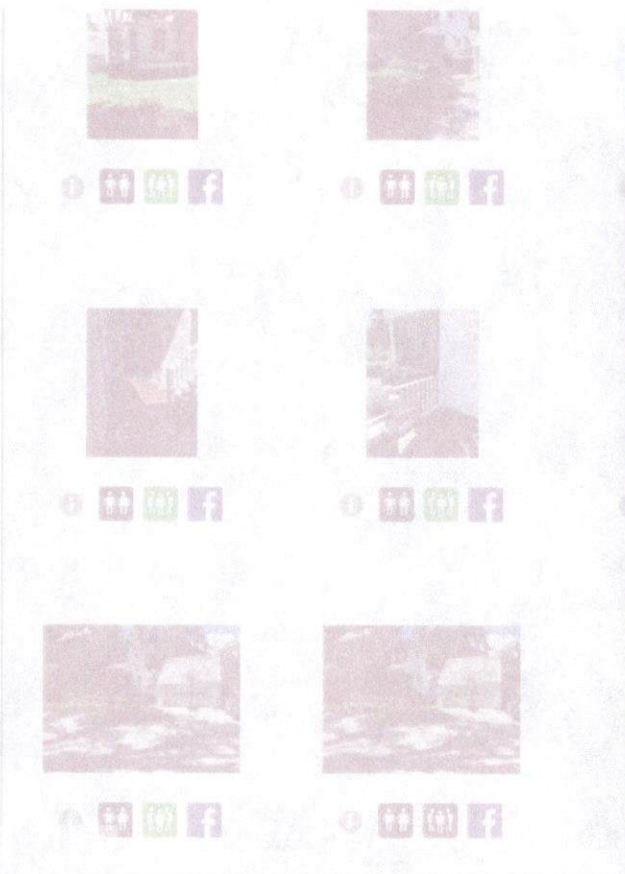
Per Jenae on January 3, 2020, Petitioners did not meet the sign posting requirements.

Will be put back in for a new closing date.

Sherry Nuffer
Legal Assistant
Baltimore County Office of Administrative Hearings
410-887-3868

2019-0531-A





1

Merlo/Smith - Pool

[Search](#)

[Overview](#) [Financials](#) [Schedule](#) [Specs & Selections](#) [Files & Photos](#) [To-dos](#) [Messages](#) [Job Log](#) [Warranty](#) [Setup](#)

Files & Photos

[Files](#) [Photos](#)

 [Upload files and photos by e-mail \(including Show details\)](#)

 [Upload Photos](#)



2



Merlo/Smith - Pool

Overview

Financials

Schedule

Specs & Select

Files & Photos

Files

Photos

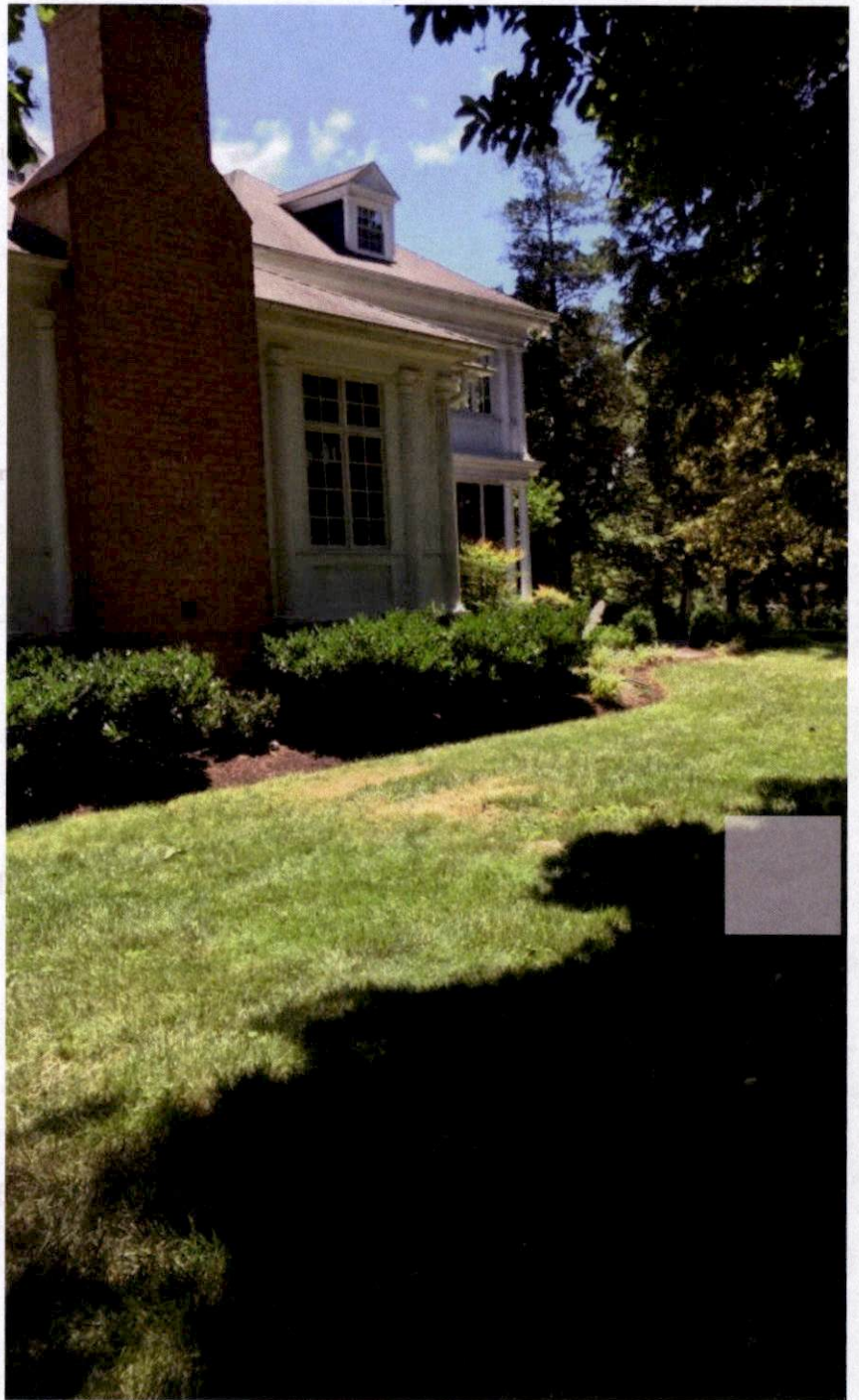


Upload files and photos by e-mail (including from your

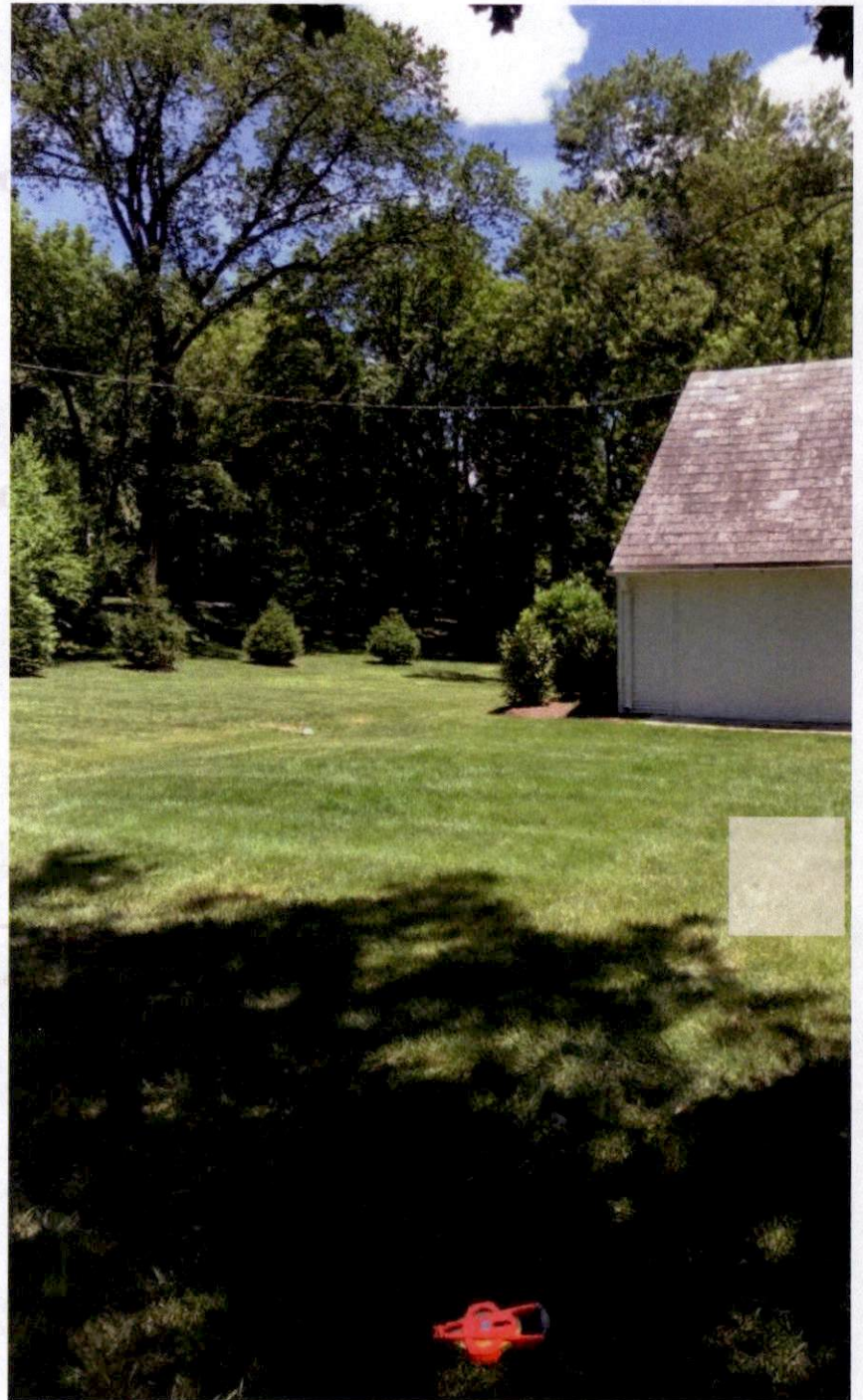
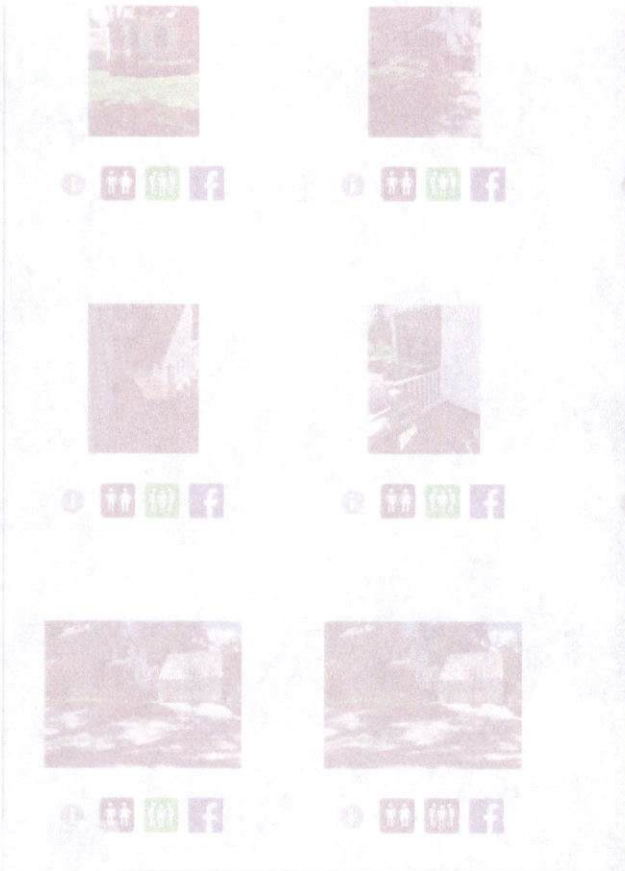
[Show details](#)



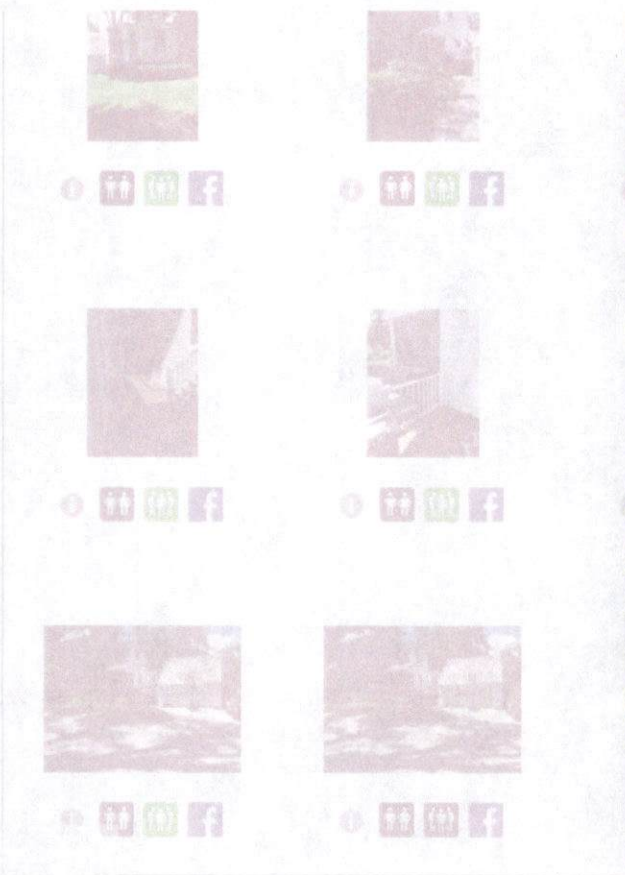
Upload Photos



3



4



5



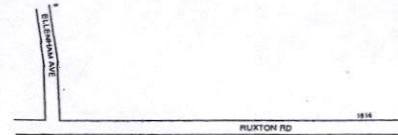
2019-0531-A

Baltimore County - Permit Review



PLAT BOOK # 42 FOLIO # 87 10 DIGIT TAX # 1800001591 DEED REF. # 39373 / 00366

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP#

SITE ZONED DRI

ELECTION DISTRICT 9

COUNCIL DISTRICT 2

LOT AREA ACREAGE 1.85A

OR SQUARE FEET

HISTORIC? 2

IN CBCA? N

IN FLOOD PLAIN ? N

UTILITIES? MARK WITH X

WATER IS:

PUBLIC PRIVATE Y

SEWER IS:

PUBLIC ☒ PRIVATE

PRIOR HEARING ? N

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

PLAN DRAWN BY CURTIS FIDLER DATE 11/25/19 SCALE: 1 INCH = 50' FEET

2019-0531-A

Pet. Eph 1

Lot # 1
0923870301

Lot # 2
Pt. Bk. 0000030, Folio 0032
0913750921
Pt. Bk./Folio # 030032

1812
0908655341

0913920950

Lot # 2 1800001592

1975-0128-A 2500001483

1810

PAI # 098001 PAI # 098001
7805
0922001880
Pt. Bk./Folio # 002001

NW 10-B 069B2
2 CD 9 ED

PAI # 090312 PAI # 090312
Pt. Bk./Folio # 042087
Pt. Bk. 0000042, Folio 0087 1800001591

DR 1

1814

Lot # 1

Lot # 3 1800001593

↓
FRONT

← SITE →

DRIVEWAY DRIVEWAY

RUXTON RD

Lot # 1A
PAI # 090811

PAI # 090322

PAI # 098024

PAI # 098024
Pt. Bk./Folio # 012097D

Pt. Bk. 0000012, Folio 0097 1600002011

Lot # 1

Lot # 2
PAI # 090322
2500002891
Pt. Bk. 0000078, Folio 0264
Pt. Bk./Folio # MP08021

090811
090811

2019-0531-A

1994-0282-A
0910000120

0907410210

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 - 09 Account Number - 1800001591			
Owner Information					
Owner Name:	MERLO CHRISTIAN A SMITH JAMIE M		Use:	RESIDENTIAL	
Mailing Address:	1818 RUXTON RD BALTIMORE MD 21204-		Principal Residence:	YES	
			Deed Reference:	/39373/ 00366	
Location & Structure Information					
Premises Address:	1818 RUXTON RD BALTIMORE MD 21204-3507		Legal Description:	1.8508 AC STEUART PROPERTY	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:
0069	0009	0990	9010005.04	0000	
					Block:
					1
					Lot:
					2020
					Assessment Year:
					Plat No:
					Plat Ref: 0042/ 0087
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	
1875	7,106 SF		1.8500 AC	04	
Stories	Basement	Type	Exterior	Quality	Full/Half Bath
2 1/2	YES	STANDARD UNIT	STUCCO/	7	4 full/ 1 half
					Garage
					1 Detached
Last Notice of Major Improvements					
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2017	07/01/2019	07/01/2020	
Land:	412,300	412,300			
Improvements	1,356,900	1,356,900			
Total:	1,769,200	1,769,200	1,769,200		
Preferential Land:	0				
Transfer Information					
Seller: WAESCHE WILLIAM H JR		Date: 09/11/2017		Price: \$1,350,000	
Type: ARMS LENGTH IMPROVED		Deed1: /39373/ 00366		Deed2:	
Seller: HAUS J GILBERT JR		Date: 04/09/2013		Price: \$1,325,000	
Type: ARMS LENGTH IMPROVED		Deed1: /33437/ 00444		Deed2:	
Seller: HAUS J GILBERT, JR		Date: 02/20/2004		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /19633/ 00696		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	
Tax Exempt: None		Special Tax Recapture: None			
Exempt Class: None					
Homestead Application Information					
Homestead Application Status: No Application					
Homeowners' Tax Credit Application Information					

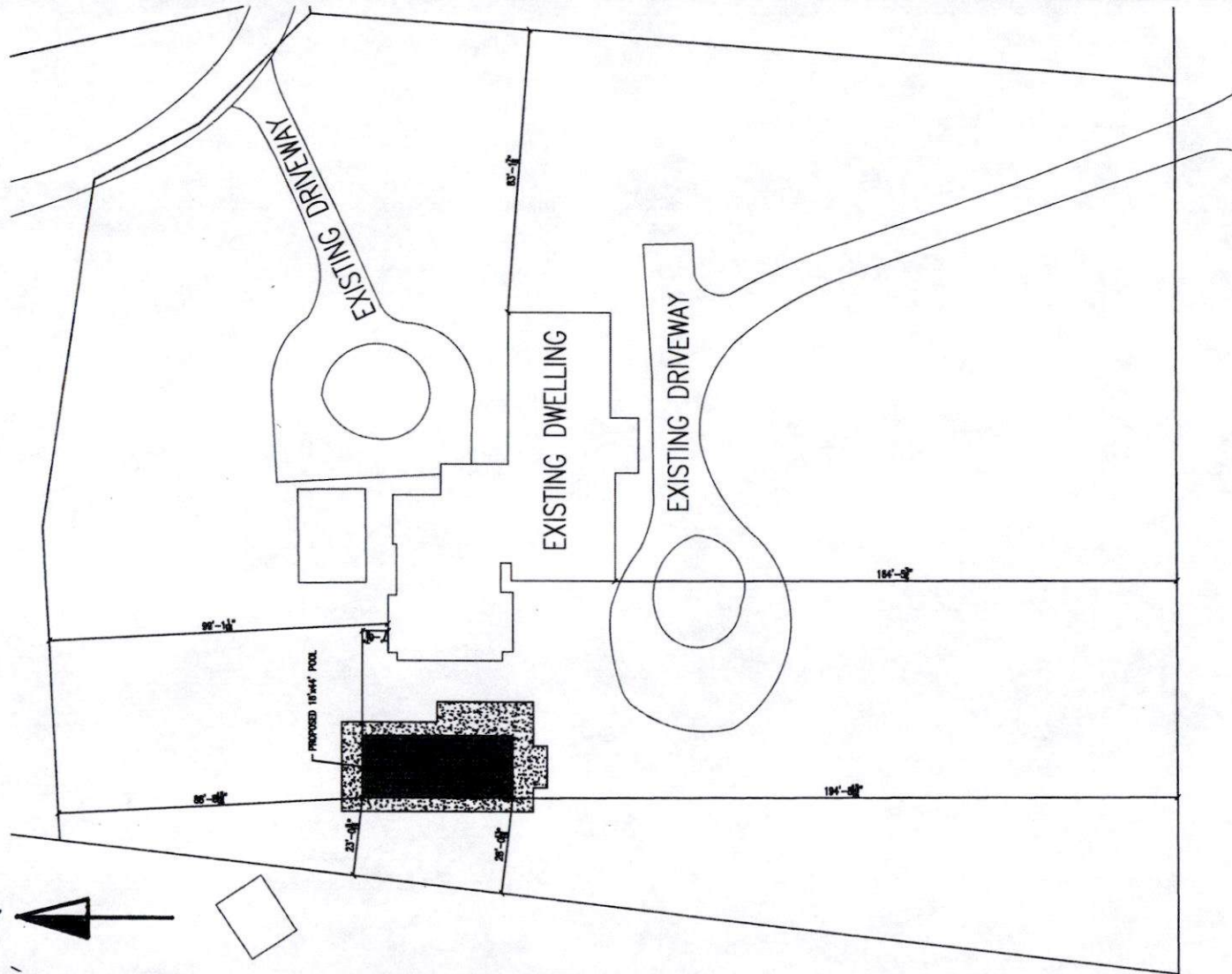
2019-0531-A

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

ADDRESS 1818 Ruxton Rd. OWNER(S) NAME(S) CHRISTIAN MERLO & JAMIE SMITH

SUBDIVISION NAME STEWART PROPERTY LOT # 1 BLOCK # SECTION #

PLAT BOOK # 42 FOLIO # 87 10 DIGIT TAX # 1800001551 DEED REF. # 39373 / 00366



PLAN DRAWN BY CURTIS FIDLER DATE 11/25/19 SCALE: 1 INCH = 50' FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP#

SITE ZONED DRI

ELECTION DISTRICT 9

COUNCIL DISTRICT 2

LOT AREA ACREAGE 1.85A

OR SQUARE FEET

HISTORIC? N

IN CBCA? N

IN FLOOD PLAIN? N

UTILITIES? MARK WITH X

WATER IS:

PUBLIC PRIVATE Y

SEWER IS:

PUBLIC Y PRIVATE

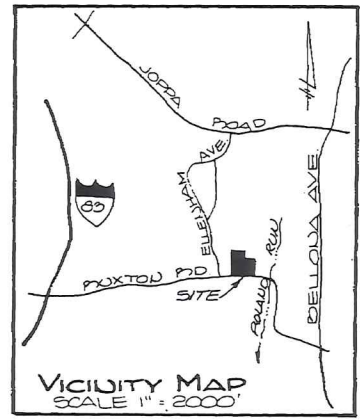
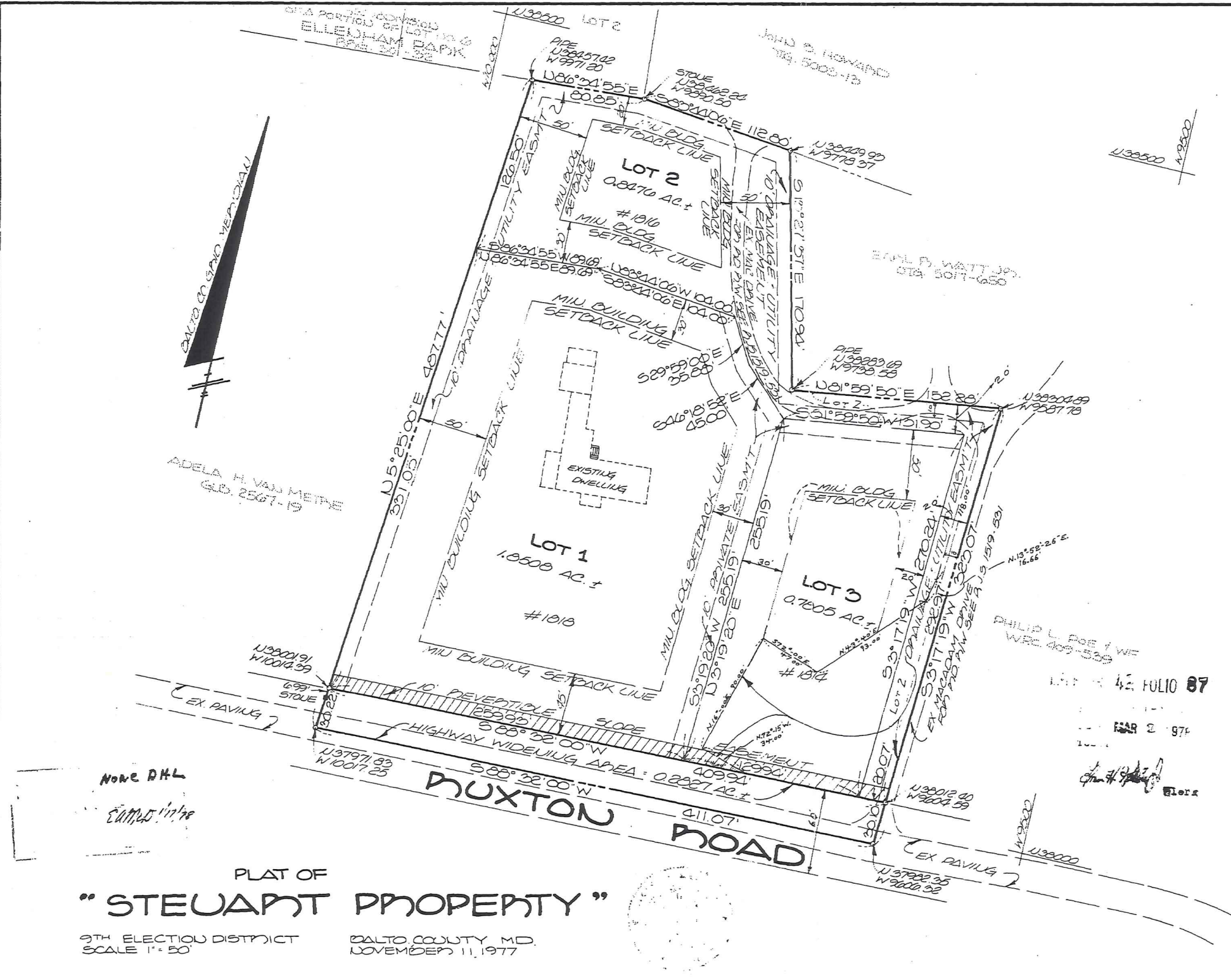
PRIOR HEARING? N

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

2019-0531-A



NOTES:
HIGHWAY AND HIGHWAY WIDENING, SLOPE, DRAINAGE AND UTILITY EASEMENTS SHOWN HEREON ARE RESERVED UNTIL THE DEVELOPER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTO. CO. MD. THE DEVELOPER, HIS PERSONAL REPRESENTATIVES AND ASSIGNS SHALL CONVEY SAID AREAS BY DEED TO BALTO. CO. MD. AT NO COST.
STREETS AND OPEN ROADS SHOWN HEREON AND MENTION THEREOF IN DEEDS ARE FOR PURPOSES OF DESCRIPTION ONLY AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE. THE FEE SIMPLE TITLE TO THE DEEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED THEIR HEIRS AND ASSIGNS.
FOR PAUHAULE LOTS REFUSE COLLECTION SLOW REMOVAL AND ROAD MAINTENANCE ARE PROVIDED TO THE JUNCTION OF THE PAUHAULE AND THE STREET RIGHT-OF-WAY LINE ONLY AND NOT OUT TO THE PAUHAULE LOT DRIVEWAY.
THE COORDINATES SHOWN HEREON ARE BASED ON THE BALTO. CO. METRO. DISTRICT COORDINATE SYSTEM:
SPIKE X-4350 57978.71 N
10175.49 W
SPIKE X-4355 57994.05 N
9361.35 W
DEED REF. OTG. NO. 5003-69
I.D.C.A. LD. 77-102

DENSITY CALCULATIONS:
ZONED DP-1
TOTAL AREA: 3.7617 AC.
NO. OF LOTS ALLOWED: 3.76
NO. LOTS PROPOSED: 3
DENSITY: 0.80

HIGHWAY'S DEPARTMENT OF BALTIMORE CO APPROVED FOR ST. ALIGNMENT & LOCATION		OWNER'S CERTIFICATE: 59 THE REQUIREMENTS OF SECTION 59 TO 62 ARTICLE 17 OF THE ANNOTATED CODE OF MARYLAND 1957 EDITION (TITLE: CLERKS OF THE COURT, SUB-TITLE: CLERKS OF CIRCUIT COURTS) AS FAR AS THEY RELATE TO THE MAKING OF THIS PLAT AND THE SETTING OF MARKERS HAVE BEEN COMPLIED WITH. ARTHUR D. STEUAPT & WIFE 1014 PUXTON ROAD TOWSON, MD. 21204 <i>Arthur D. Steuapt</i> DEC 22, 1977 OWNER DATE		SURVEYOR'S CERTIFICATE: I, JOHN F. ETZEL , A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF MARYLAND DO HEREBY CERTIFY THAT THE LAND SHOWN HEREON HAS BEEN LAID OUT AND THE PLAT THEREOF PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE LAW RELATING TO THE SUBDIVISION OF LAND KNOWN AS HOUSE BILL NO. 455, CH. 1016 OF THE ACTS OF 1945 AND SUBSEQUENT ACTS AMENDATORY THEREOF. <i>John F. Etzel</i> NOV. 17, 1977 REG. LAND SURVEYOR # 2863 DATE		GERHOLD, CROSS & ETZEL REGISTERED LAND SURVEYORS 412 DELAWARE AVE. TOWSON, MD. 21204	
ROADS ENGINEER APPROVED FOR BALTO. CO. HEALTH DEPT. DEPUTY STATE CO. HEALTH OFFICER APPROVED FOR BALTO. CO. PLANNING BO. DIRECTOR DATE							

PO 5498