

MEMORANDUM

DATE: August 5, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0537-A – Appeal Period Expired

The appeal period for the above-referenced cases expired on July 30, 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 VARIANCE

(6921 Beech Avenue)

14th Election District

6th Council District

All Phases Reconstruction

Legal Owner

Petitioner

*

*

*

*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2019-0537-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County as a Petition for Variance filed by All Phases Reconstruction, legal owner of the subject property ("Petitioner"). Petitioner is requesting variance relief from § 1B02.3.C of the Baltimore County Zoning Regulations ("BCZR") and § 1B02.3.C.2. of the Zoning Commissioner's Policy Manual to permit a proposed replacement dwelling with a side setback of 4 ft. in lieu of the required 25 ft. A site plan was marked as Petitioner's Exhibit 1.

Antonio Robinson appeared in support of the petition. Corey Scott appeared on behalf of the Overlea Community Association. 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 10,440 square ft. in size and is zoned DR 5.5, with a 25 ft. side setback. The structure being replaced was originally approved as non-conforming, having a setback on Willow Avenue of 6 ft. It was destroyed by fire. The Petitioner, replacing that structure, requests an additional 2 ft. reduction, by variance, of that setback.

ORDER RECEIVED FOR FILING

Date

6-30-2020

By

AW

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).

Testimony and evidence presented revealed that the subject property is a corner lot. Beech Avenue is the front of the property and is shared with other houses in the area. However, the subject property, unlike its neighbors, also faces Willow Avenue. This physical difference relative to the neighboring structures renders it unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because it would be unable to construct the proposed replacement dwelling. 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 is demonstrated by the absence of County opposition.

THEREFORE, IT IS ORDERED, this 30th day of **June, 2020**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to § 1B02.3.C of the Baltimore County Zoning Regulations ("BCZR") and § 1B02.3.C.2. of the Zoning Commissioner's Policy Manual, to permit a proposed replacement dwelling with a side setback of 4 ft. in lieu of the required 25 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

ORDER RECEIVED FOR FILING

Date 6-30-2020

By [Signature]

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 6-30-2020

By DW



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 6921 Beech AVE Balto MD 21204 which is presently zoned DR-5.5
Deed References: Liber 40032 / Folio 0449 10 Digit Tax Account # 1425045650
Property Owner(s) Printed Name(s) All Phases Reconstruction LLC

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

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

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

*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):

All Phases Reconstruction LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address @gmail.com

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address antonio.robinson@verizon.net

CASE NUMBER 2009-0537-A

Filing Date 12/9/19

Do Not Schedule Dates: _____

Reviewer gh

REV. 10/4/11

2019-0537-A

Variance from: section 1B02.3.C.1 & ZCPM section 1B02.3.C.2.c, To permit a proposed replacement dwelling with a street side setback of 4 feet in lieu of the required 25 feet.



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
LAWRENCE M. STAHL
Administrative Law Judge

February 13, 2020

Antonio Robinson
All Phases Reconstruction, LLC
8373 Governors Run
Ellicott City, Maryland 21041

RE: Petition for Variance
Case No. 2019-0537-A
Property: 6921 Beech Avenue

Dear Mr. Robinson:

As you will recall you filed a Petition for Variance in the above noted matter which called for a "Variance from §1B02.3.C.1 of the Baltimore County Zoning Regulations and §1B02.3.C.2.c of the Zoning Commissioners Policy Manual."

A letter of opposition to the request dated January 29, 2020 was received in our office from the Overlea Community Association prior to the hearing, which was scheduled for February 6, 2020.

At the hearing you stated that, contrary to the posting, you intended only to obtain a 2 foot setback on the Willow Avenue side of the subject property while maintaining unchanged all other setbacks on the site. Ms. Pat Harrow, the only resident present at the hearing, stated that she believed that the community would not object to your then stated limited variance request. You were advised to revise your setback request and resubmit it, notifying the Overlea Community Association Board, who would then have an opportunity to respond.

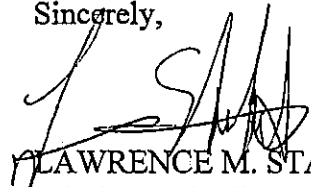
Subsequent to the hearing, I have received a letter on your behalf from All Phases Reconstruction, LLC, requesting the 2 foot variance on the Willow Avenue side of the proposed replacement dwelling, based upon the 1918 "existing non-conforming setback" of the property.

I have since heard from Mr. Scott on behalf of the Overlea Community Association regarding your Petition and the alteration from that originally posted. The community is, quite properly, concerned and it fully understands the nature of your request.

Under the circumstances, I am returning the file to the Office of Zoning and directing you to amend your original Petition to reflect your present request, and order that a new hearing be set, allowing all parties to be heard and this matter resolved.

Please contact Kristen Lewis at (410) 887-3391 to reschedule in order for her to notify all parties of the new hearing date.

Sincerely,



LAWRENCE M. STAHL
Administrative Law Judge
for Baltimore County

LMS: sln
Enclosure

c:

PAI, Zoning Review
Pat Harrow, 7008 Beech Avenue, Baltimore, Maryland 21206
Overlea Community Association, P.O. Box 18895, Raspeburg, Maryland 21206
Cory Scott, 6903 Linden Avenue, Baltimore, Maryland 21206

STEVEN LAMPHEAR
USVI Professional Land Surveyor #454
Po Bx 600176 St. Thomas, USVI, 00801
&
Maryland PLS StormWaterManagement#21605
1305 Old Cold Spring Ln.,
Baltimore, Md. 21209
LandSurveyor454@gmail.com
Cel. (340)690-0913

Re: 6921 Beech Avenue
Baltimore, Maryland
USA 21206

Wednesday 4 December 2019

Being Known and Designated as Lot 563, as shown on a plat entitled "Addition to Overlea" dated July 21, 1905 as recorded among the Land Records of Baltimore County, Maryland in Plat Book 2, Page 196.

Zoning Property Description:

Beginning at a Point common to the West side of Willow Avenue a 40' R/W and the South side of Beech Avenue a 40' R/W, the line runs SouthWesterly along Beech Ave. for a distance of 40', thence

SouthEasterly a distance of 261'2" along Lot 564, aka. 6919 Beech Avenue to a point thence,

Northeasterly a distance of 40' along Lot 12, aka. 6912 Willowdale Avenue to a point thence,

NorthWesterly a distance of 261'2" along the West side of Willow Avenue a 40' R/W to the Point of Beginning.

The area is 10,440 Sq.Ft. US

Steven M. Lamphear, PLS #21605

2019-0537-A

Sherry Nuffer

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Wednesday, February 5, 2020 6:51 PM
To: Administrative Hearings
Subject: Recertification's For 2019-0537-A
Attachments: Re-Cert 1 2019-0537-A.doc; Re-Cert 2 2019-0537-A.doc

CAUTION: This message from 1opie@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Recertification's for 6921 Beech Avenue. Thanks.

CERTIFICATE OF POSTING

2019-0537-A

RE: Case No.: _____

Petitioner/Developer: _____

All Phases Reconstruction, LLC

February 6, 2020

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

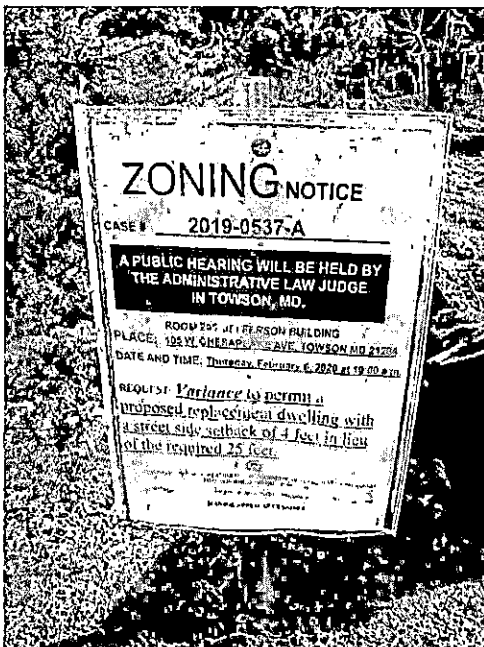
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

6921 Beech Avenue

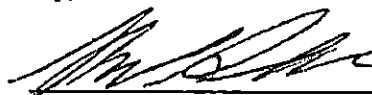
SIGN 1 Recertification

January 14, 2020

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



Sincerely,

 February 3, 2020
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2019-0537-A

RE: Case No.: _____

Petitioner/Developer: _____

All Phases Reconstruction, LLC

February 6, 2020

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

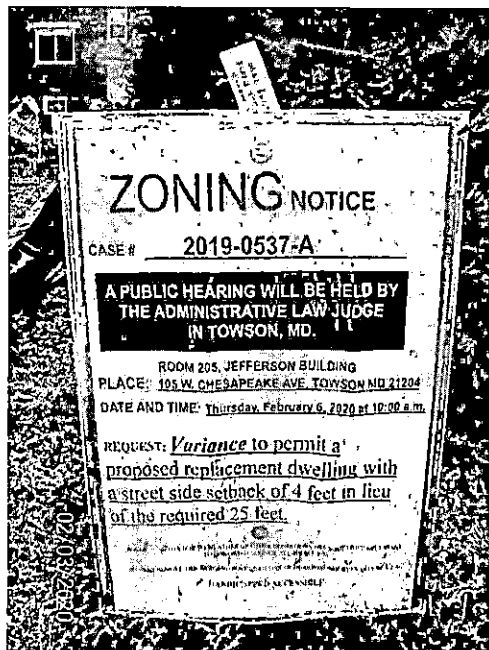
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

6921 Beech Avenue

SIGN 2 Recertification

January 14, 2020

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



Sincerely,

February 3, 2020

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2019-0537-A

RE: Case No.: _____

Petitioner/Developer: _____

All Phases Reconstruction, LLC

February 6, 2020

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

6921 Beech Avenue

SIGN 1

January 14, 2020

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



Sincerely,

 January 14, 2020

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2019-0537-A

RE: Case No.: _____

Petitioner/Developer: _____

All Phases Reconstruction, LLC

February 6, 2020

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

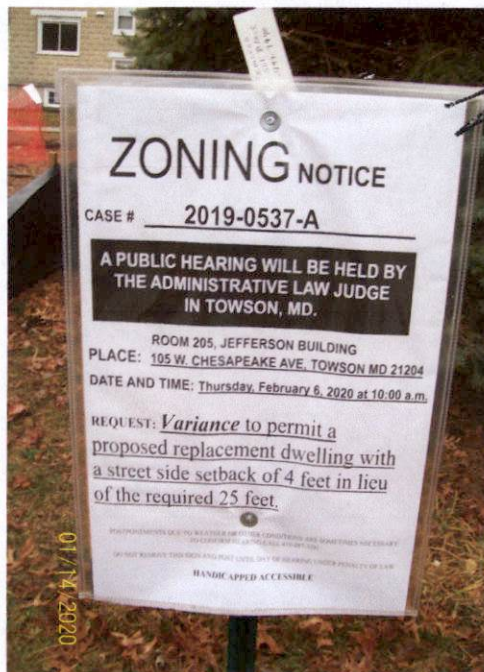
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

6921 Beech Avenue

SIGN 2

January 14, 2020

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



Sincerely,

 January 14, 2020

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

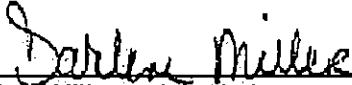
PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

1/17/2020

Order #: 11836822
Case #: 2019-0537-A
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2019-0537-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: 2019-0537-A

6921 Beech Avenue

Corner of Beech Avenue and Willow Avenue

14th Election District - 6th Councilman District

Legal Owners: All Phases Reconstruction, LLC

Variance to permit a proposed replacement dwelling with a street side setback of 4 feet in lieu of the required 25 ft.

Hearing: Thursday, February 6, 2020 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 ACCOMMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3301.

jal7

CERTIFICATE OF POSTING

2019-0537-A

RE: Case No.: _____

Petitioner/Developer: _____

All Phases Reconstruction, LLC

February 6, 2020

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

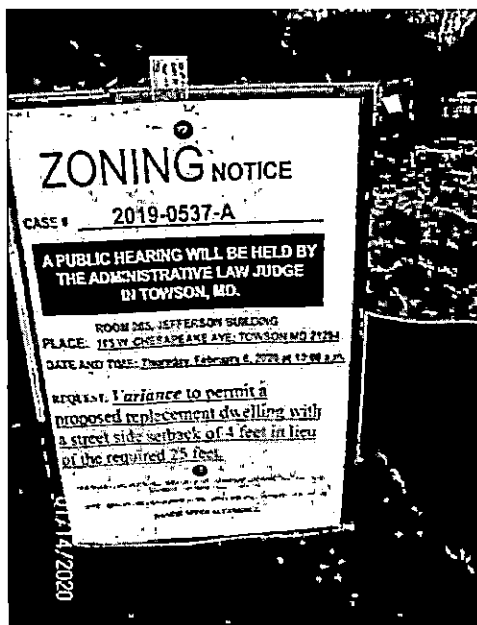
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

6921 Beech Avenue

SIGN 1

January 14, 2020

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



Sincerely,

 January 14, 2020

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2019-0537-A

RE: Case No.: _____

Petitioner/Developer: _____

All Phases Reconstruction, LLC

February 6, 2020
Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

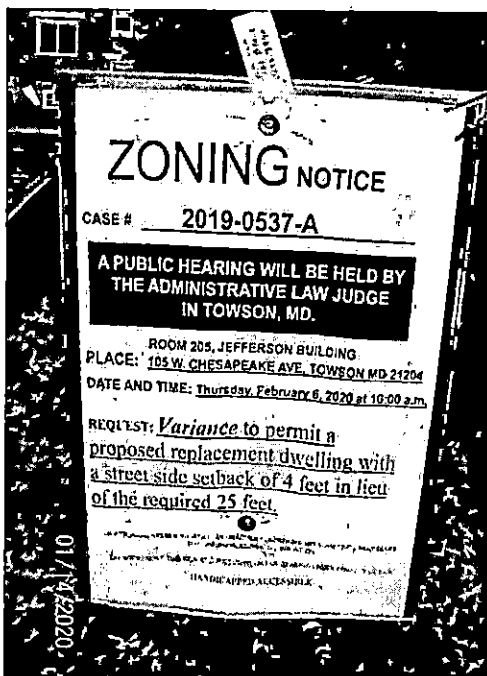
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

6921 Beech Avenue

SIGN 2

January 14, 2020

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



Sincerely,

January 14, 2020

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



JOHN A. OLSZEWSKI, JR.
County Executive

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

January 9, 2020

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: 2019-0537-A

6921 Beech Avenue
Corner of Beech Avenue and Willow Avenue
14th Election District – 6th Councilmanic District
Legal Owners: All Phases Reconstruction, LLC

Variance to permit a proposed replacement dwelling with a street side setback of 4 feet in lieu of the required 25 ft.

Hearing: Thursday, February 6, 2020 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: Antonio Robinson, Governor Run, Ellicott City 21043

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JANUARY 17, 2020.**
- (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, January 17, 2020 – Issue

Please forward billing to:

Antonio Robinson
All Phases Reconstruction
8373 Governor Road
Ellicott City, MD 21043

443-271-3911

NOTICE OF ZONING HEARING

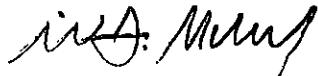
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Corner of Beech Avenue and Willow Avenue
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Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County

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

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
6921 Beech Avenue; Corner of Beech *
& Willow Avenues * OF ADMINISTRATIVE
14th Election & 6th Councilmanic Districts *
Legal Owner: All Phases Reconstruction, LLC * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2019-537-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

DEC 19 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 19th day of December, 2019, a copy of the foregoing Entry of Appearance was mailed to Antonio Robinson, 8373 Governor Run, Elliott City, Maryland 21043, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**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: 2019-0537-A

Property Address: 6921 Beech Ave. 21206

Property Description: _____

Legal Owners (Petitioners): All Phases Reconstruction, LLC (Antonio Robinson)

Contract Purchaser/Lessee: /

PLEASE FORWARD ADVERTISING BILL TO:

Name: Antonio Robinson

Company/Firm (if applicable): All Phases Reconstruction, LLC

Address: 8373 Governor Road
Ellicott City, MD 21043

Telephone Number: 443-271-3911

Revised 7/9/2015



JOHN A. OLSZEWSKI, JR.
County Executive

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

January 28, 2020

Antonio Robinson
8373 Governor Run
Ellicott City MD 21043

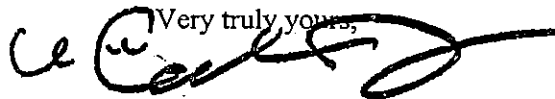
RE: Case Number: 2019-0537-A, 6921 Beech Ave

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 December 09, 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,


W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 1/30/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-537



INFORMATION:

Property Address: 6921 Beech Avenue
Petitioner: Antonio Robinson
Zoning: DR 5.5
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance from Section 1B02.3.C.1 and Section 1B02.3.C.2 of the BCZR to permit a proposed replacement dwelling with a street side setback of 4 feet in lieu of the required 25 feet.

A site visit was conducted on 1/28/2020. The site is a corner lot located in the Overlea community. It was previously improved with a dwelling that was in substantial disrepair. The proposal is to construct a replacement dwelling at the same location.

The Overlea Fullerton Community Plan adopted by the County Council in 2009 calls for reinforcing the traditional neighborhood character by replacement dwellings that address the traditional street grid, and are similar in size to those originally constructed.

The Department of Planning has reviewed the request and has no objection provided that the new structure provides articulation on the building sides, particularly the corner side such that there is not a blank wall facing Willow Avenue.

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

Division Chief:

Jenifer G. Nugent

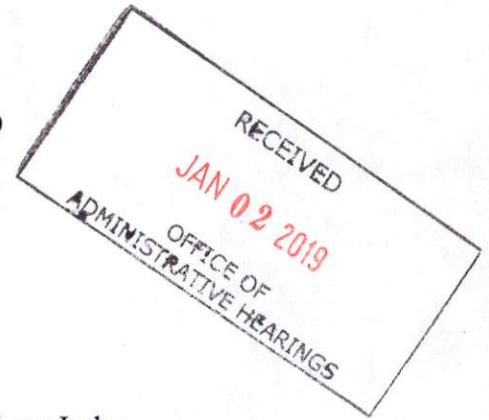
CPG/JGN

c: Laurie Hay
Antonio Robinson
Office of the Administrative Hearings
People's Counsel for Baltimore County

2-6-20

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: January 2, 2020

SUBJECT: DEPS Comment for Zoning Item # 2019-0537-A
Address 6921 Beech Avenue
(All Phases Reconstruction Property)

Zoning Advisory Committee Meeting of **December 23, 2019**.

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

Inter-Office 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: January 2, 2020

SUBJECT: DEPS Comment for Zoning Item # 2019-0537-A
Address 6921 Beech Avenue
(All Phases Reconstruction Property)

Zoning Advisory Committee Meeting of **December 23, 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: 12/18/19

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. 2019-0537-A

*Variance
All Phases Reconstruction
6921 Beech 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@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

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
1/2	DEPS (if not received, date e-mail sent _____)	No Comment
_____	FIRE DEPARTMENT	_____
1/30/20	PLANNING (if not received, date e-mail sent _____)	NO Objection
12/18/19	STATE HIGHWAY ADMINISTRATION	No Objection
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION (Case No. _____)		
PRIOR ZONING (Case No. _____)		
NEWSPAPER ADVERTISEMENT	Date: 1/17/2020	Daily Record
SIGN POSTING (1 st)	Date: 1/14/2020	by SSG Robert Black
SIGN POSTING (2 nd)	Date: 2/3/2020	by " " "
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Overlea

a Charming Baltimore Neighborhood

Cory Scott
6903 Linden Ave
Baltimore, MD 21206
410-905-1189
corsco@gmail.com

January 29, 2020

Jeffrey Perlow
Baltimore County Zoning Review Office
111 W Chesapeake Av, Room 111
Towson, MD 21204

RE: Case # 2019-0537-A, 6921 Beech Av, Baltimore MD 21206

Dear Jeffrey Perlow:

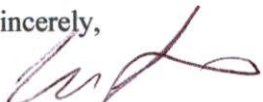
I am writing on behalf of the Overlea Community Association in reference to a recent street setback petition request, Case # 2019-0537-A, for the property located at 6921 Beech Av, Baltimore MD 21206.

The Overlea Community Association Board is not in favor of modifying the side street setback from the current distance to four (4) feet. We feel there is not enough information with regards to the future construction plans to determine if the change will be necessary for the property and a benefit to the community. The look, location, and types of houses in our community help develop our charm and determine our brand as we try to grow and make improvements.

We would welcome an opportunity to discuss the requested changes and future construction plans with the property owners if they are interested and available.

Thank you very much for your time and we would appreciate having this letter included in the case file to help in determining if the setback petition request should be approved.

Sincerely,


Cory Scott, Board Member
Overlea Community Association

Overlea Community Association
P.O. Box 18895, Raspeburg, MD 21206 ~ www.overlearocks.org ~ president@overleasonline.org

25 PM 2/6
10 AM

Debra Wiley

From: Cory Scott <corsco@gmail.com>
Sent: Sunday, February 9, 2020 1:48 PM
To: Administrative Hearings
Subject: Case Number 2019-0537-A

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

I am following up in response to the hearing on Thur Feb 6 regarding the property at 6921 Willow Av. I drafted the letter that was included in the case file on behalf of the Overlea Community Association. I received a call from a neighbor who attended the hearing as well as one of the property owners.

My neighbor, Pat, informed me that the judge directed the property owner to revise the setback request and resubmit (also sending a copy to myself). If the OCA board had any further questions or objections they could contact the property owner or submit another letter to the county zoning department. Once the property owner submitted the revised request there would be a period of 10 days for us to respond, otherwise the judge would make a decision to allow/decline based on the request alone, or determine if a second hearing is required.

I did not get the same information from one of the property owners when I spoke to him on Friday. I only received a copy of the response letter dated Feb 6 from the hearing.

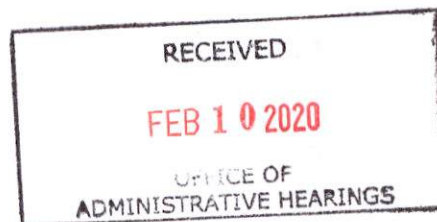
Please let me know what further action the property owner is required before the setback variance can be decided, and what actions are available for the OCA board to review or comment on. Additionally, what are the time limits on these actions.

Thank you very much for your assistance.

Cory Scott
OCA Board
corsco@gmail.com
410-905-1189

--

Cory Scott



Debra Wiley

From: Allphases Re-Construction <allphasesreconstruction@gmail.com>
Sent: Thursday, February 6, 2020 11:38 PM
To: Administrative Hearings
Cc: patrishanne1@gmail.com; corsco@gmail.com
Subject: Case # 2019-0535-A
Attachments: SCAN0354.JPG

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

Attached is a copy of the letter clarifying requested information.

Making older homes better than new and at an affordable price **Thanks for your business**



Debra Wiley

From: Allphases Re-Construction <allphasesreconstruction@gmail.com>
Sent: Thursday, February 6, 2020 11:28 PM
To: Administrative Hearings
Cc: patrishanne1@gmail.com; corsco@gmail.com
Subject: Case Number 2019-0537-A
Attachments: SCAN0354.JPG

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

Attached is a copy of the letter clarifying the variance street side setback requested.

Making older homes better than new and at an affordable price **Thanks for your business**



RECEIVED

FEB 07 2020

OFFICE OF
ADMINISTRATIVE HEARINGS

ALLPHASES RECONSTRUCTION LLC.

8373 Govenors Run, Ellicott City, MD. 21041: 443-271-3911

Email:

allphasesreconstruction@gmail.com

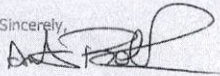
February 6, 2020

Admin Law Judge Lawrence Stahl
105 West Chesapeake Ave,
Towson, MD. 21204

RE: Case Number 2019-0537-A

I am writing this letter in a response to today's hearing. DR5.5 zoning require a corner lot side setback of 25'. The prior dwelling, constructed in 1918, had existing, non-conforming setback on the Willow Ave side due to the unique size of the lot. We are requesting we be allowed to widen the house 2 feet wider than the previous house, on the Willow Ave side only. The front and right side setbacks will remain the same as the previous house that was demo.

Sincerely,



Debra Wiley

From: Pat Harrow <patrishanne1@gmail.com>
Sent: Monday, February 10, 2020 12:21 PM
To: Allphases Re-Construction; Administrative Hearings
Cc: corsco@gmail.com
Subject: RE: Case # 2019-0535-A
Attachments: SCAN0354.JPG

CAUTION: This message from patrishanne1@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Thank you for this revision clearing up the setback issues. I have talked to the neighbors who were concerned with the wording of the original notice. With the understanding that the Beech Ave and south side set backs will remain the same as previous house, none of us have objections to the Willow Ave side to be 2 feet wider than the previous house. Good luck with everything. Pat Harrow

Sent from Mail for Windows 10

From: Allphases Re-Construction
Sent: Thursday, February 6, 2020 11:37 PM
To: administrativehearings@baltimorecountymd.gov
Cc: patrishanne1@gmail.com; corsco@gmail.com
Subject: Case # 2019-0535-A

Attached is a copy of the letter clarifying requested information.

Making older homes better than new and at an affordable price **Thanks for your business**

ALLPHASES RECONSTRUCTION LLC.

8373 Govenors Run, Ellicott City, MD. 21041: 443-271-3911

Email:

allphasesreconstruction@gmail.com

February 6, 2020

Admin Law Judge Lawrence Stahl
105 West Chesapeake Ave,
Towson, MD. 21204

RE: Case Number 2019-0537-A

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Sincerely,



Debra Wiley

From: Debra Wiley
Sent: Thursday, February 27, 2020 11:11 AM
To: Kristen L Lewis
Subject: 2019-0537-A IO memo to Kristen hearing opened and to be reset
Attachments: 2019-0537-A IO memo to Kristen hearing opened and to be reset.docx

Hi Kristen,

FYI – see attached. File has been placed in pickup box.

Thanks.

TO: Kristen Lewis, Office of Zoning Review & Case File 2019-0537-A
FROM: Debbie Wiley, Office of Administrative Hearings *D. Wiley*
RE: Case No. 2019-0537-A – 6921 Beech Ave. – Hearing: 2/6/2020
DATE: 2/26/2020

*Larry's
Notes
attached*

ALJ Stahl spoke to Jason Seidelman today and the following was agreed upon:

- This case/record was opened and is to be rescheduled.
- No sign posting necessary.
- Please send hearing notice to:
 1. Antonio Robinson, All Phases Reconstruction, LLC, 8373 Governor Run, Ellicott City, MD 21043
 2. Pat Harrow, 7008 Beech Ave., Baltimore, MD 21206
 3. Overlea Community Association, P.O. Box 18895, Raspeburg, MD 21206
 4. Cory Scott, 6903 Linden Ave., Baltimore, MD 21206

Thank you.

Lawrence Stahl

From: Howard Alderman <halderman@levingann.com>
Thursday, February 6, 2020 11:59 AM
Lawrence Stahl
Lawrence Robinson

Deb Spite
Alderman -
he is not
involved in
this case
6/26

from halderman@levingann.com originated from a non Baltimore County Government or non BCPL email
links before clicking and use caution opening attachments.

headed back to see you with something I prepared for sending to the community. The old
forming, having a 6 foot side street setback. While BCZR Sec. 103.3 permits non-conforming uses
more than 25%, you can't encroach further into the setback. If he maintained the 6 foot setback
and expanded the dwelling to the rear, he could increase by 25% without a problem. What he can't do is
expand and reduce the setback.

Thanks again for the referral,
Howard

Download V-Card

Howard L. Alderman, Jr., Esquire
Levin & Gann, PA
Nottingham Centre, 8th Floor
502 Washington Avenue
Towson, Maryland 21204
410-321-0600 (voice)
410-339-5762 or 833-801-1118 (fax)
410-456-8501 (cell)
Email:
Website:

Recognized as one of Maryland's

Super Lawyers

Best Lawyers



LI

LEVINGANN, PA



This email is confidential, intended only for the named recipient(s) above and may contain information that is privileged, attorney work product or exempt from disclosure under applicable law. If you have received this message in error or are not the named recipient(s), please notify immediately the sender at 410-321-0600 and delete this email message from your computer as any and all unauthorized distribution or use of this message is strictly prohibited. Thank you. This message is covered by the Electronic Communications Privacy Act, Title 18, United States Code, §§ 2510-2521. This e-mail and any attached files are deemed privileged and confidential, and are intended solely for the use of the individual(s) or entity to whom this e-mail is addressed.

Circular 230 Disclosure: Pursuant to recently-enacted U.S. Treasury Department Regulations, we are now required to advise you that, unless otherwise expressly indicated, any federal tax advice contained in this communication, including attachments and enclosures, is not intended or written to be used, and may not be used, for the purpose of either (i) avoiding tax-related penalties under the U.S. Internal Revenue Code or (ii) promoting, marketing or recommending to another party any tax-related matters addressed herein.

DATE _____

6921 Beach Ave
ER 2019-0537 A
2-6-20

E - MAIL

[illegible]

CASE NAME 1621 Beech Ave
CASE NUMBER 2019-0537-A
DATE 2/6/2020

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

[illegible]

Debra Wiley

From: Debra Wiley
Sent: Thursday, February 27, 2020 11:11 AM
To: Kristen L Lewis
Subject: 2019-0537-A IO memo to Kristen hearing opened and to be reset
Attachments: 2019-0537-A IO memo to Kristen hearing opened and to be reset.docx

Hi Kristen,

FYI – see attached. File has been placed in pickup box.

Thanks.



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
LAWRENCE M. STAHL
Administrative Law Judge

February 13, 2020

Antonio Robinson
All Phases Reconstruction, LLC
8373 Governors Run
Ellicott City, Maryland 21041

RE: Petition for Variance
Case No. 2019-0537-A
Property: 6921 Beech Avenue

Dear Mr. Robinson:

As you will recall you filed a Petition for Variance in the above noted matter which called for a "Variance from §1B02.3.C.1 of the Baltimore County Zoning Regulations and §1B02.3.C.2.c of the Zoning Commissioners Policy Manual."

A letter of opposition to the request dated January 29, 2020 was received in our office from the Overlea Community Association prior to the hearing, which was scheduled for February 6, 2020.

At the hearing you stated that, contrary to the posting, you intended only to obtain a 2 foot setback on the Willow Avenue side of the subject property while maintaining unchanged all other setbacks on the site. Ms. Pat Harrow, the only resident present at the hearing, stated that she believed that the community would not object to your then stated limited variance request. You were advised to revise your setback request and resubmit it, notifying the Overlea Community Association Board, who would then have an opportunity to respond.

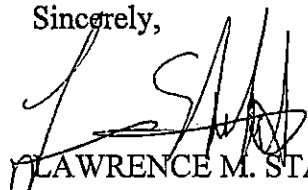
Subsequent to the hearing, I have received a letter on your behalf from All Phases Reconstruction, LLC, requesting the 2 foot variance on the Willow Avenue side of the proposed replacement dwelling, based upon the 1918 "existing non-conforming setback" of the property.

I have since heard from Mr. Scott on behalf of the Overlea Community Association regarding your Petition and the alteration from that originally posted. The community is, quite properly, concerned and it fully understands the nature of your request.

Under the circumstances, I am returning the file to the Office of Zoning and directing you to amend your original Petition to reflect your present request, and order that a new hearing be set, allowing all parties to be heard and this matter resolved.

Please contact Kristen Lewis at (410) 887-3391 to reschedule in order for her to notify all parties of the new hearing date.

Sincerely,



LAWRENCE M. STAHL
Administrative Law Judge
for Baltimore County

LMS: sln
Enclosure

c:

PAI, Zoning Review

Pat Harrow, 7008 Beech Avenue, Baltimore, Maryland 21206

Overlea Community Association, P.O. Box 18895, Raspeburg, Maryland 21206

Cory Scott, 6903 Linden Avenue, Baltimore, Maryland 21206

TO: Kristen Lewis, Office of Zoning Review & Case File 2019-0537-A
FROM: Debbie Wiley, Office of Administrative Hearings *D. Wiley*
RE: Case No. 2019-0537-A – 6921 Beech Ave. – Hearing: 2/6/2020
DATE: 2/26/2020

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- This case/record was opened and is to be rescheduled.
- No sign posting necessary.
- Please send hearing notice to:
 1. Antonio Robinson, All Phases Reconstruction, LLC, 8373 Governor Run, Ellicott City, MD 21043
 2. Pat Harrow, 7008 Beech Ave., Baltimore, MD 21206
 3. Overlea Community Association, P.O. Box 18895, Raspeburg, MD 21206
 4. Cory Scott, 6903 Linden Ave., Baltimore, MD 21206

Thank you.

Case No.:

2019-0537-A 6921 Belch Avenue

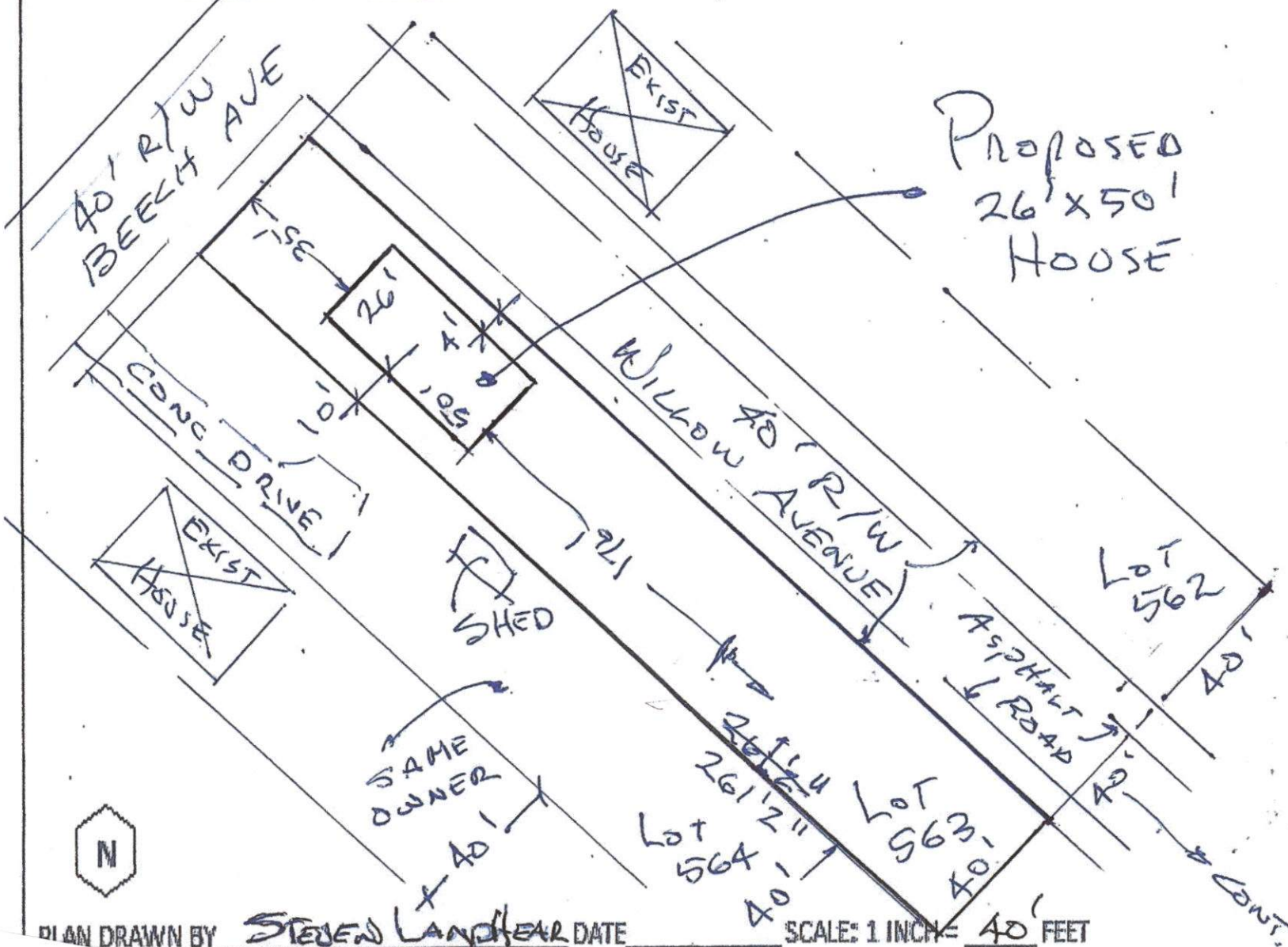
Exhibit Sheet

Petitioner/Developer

Protestants

No. 1	ZONING HEARING PLAN FOR VARIANCE	
No. 2	LOT LOCATION CHART 6921 BELCH AVE	
No. 3	AERIAL PHOTO OF SITE	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PLAT BOOK # 0002 FOLIO # 0196 10 DIGIT TAX # 1425045650 DEED REF. # 400321/0449



DI AN DRAWN BY

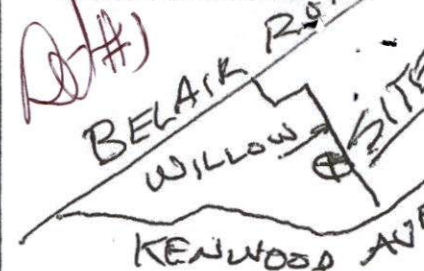
STEVEN LANDHEAR DATE

DLS # 21605

4 Dec 19

SCALE: 1 INCH = 40 FEET

SITE VICINITY MAP AD



MAP IS NOT TO SCALE

ZONING MAP# 081B3

SITE ZONED DR 5.

ELECTION DISTRICT 14

COUNCIL DISTRICT 6

LOT AREA ACREAGE

OR SQUARE FEET 10,440

HISTORIC? No

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC ~~X~~ PRIVATE

SEWER IS:

~~PUBLIC~~ PRIVATE

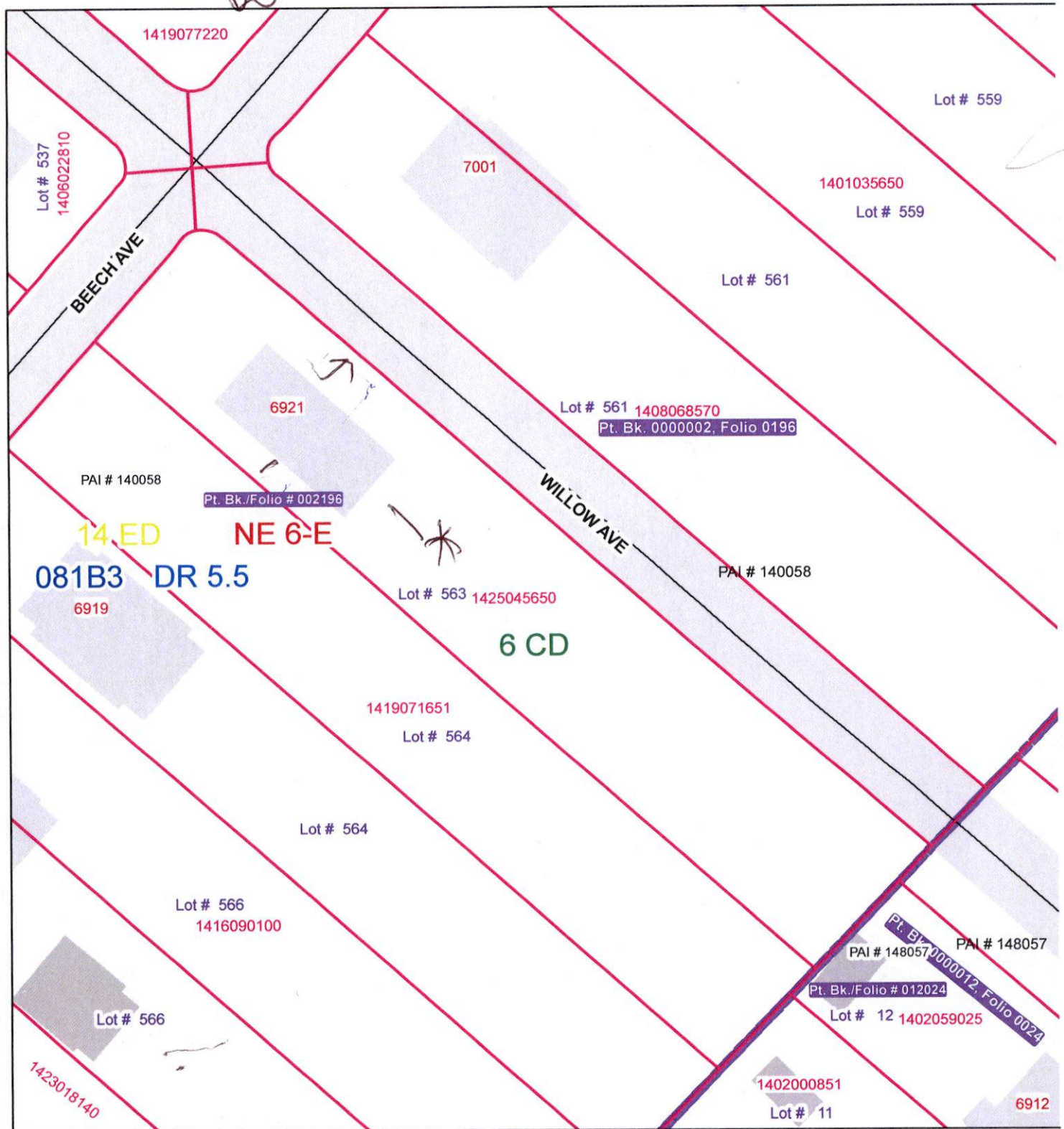
PRIOR HEARING? 20

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

6921 Beech Ave



Publication Date: 2/21/2018



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 10 20 40 60 80 Feet

1 inch = 40 feet

Lot # 538
1419077220

Lot # 559

BEECH AVE

Lot # 559 1401035650

7001

Lot # 561

Lot # 561

1408068570

6921

PAI # 140058

PAI # 140058

Pt. Bk./Folio # 002196

NE 6-E

081B3

DR 5.5

6 CD

14 ED

Lot # 563

1425045650

Pt. Bk. 0000002, Folio 0196

WILLOW AVE

Lot # 564

1419071651

Lot # 564

Lot # 566

1416090100

PAI # 148057

Pt. Bk./Folio # 012024
Pt. Bk. 0000012, Folio 00212
PAI # 148057

Lot # 566

20190537-A

Debra Wiley

From: Paul Mayhew
Sent: Friday, March 6, 2020 11:02 AM
To: Sherry Nuffer; Lawrence Stahl; Debra Wiley
Subject: RE: 2019-0537-A - 6921 Beech Avenue

LS 3-30-200
1:30 pm
from 26-30

All
Phases
Reconstruction

Larry – did you see this? Is this a case you have already started? Just confirming you are handling . . .

Paul M. Mayhew
Managing Administrative Law Judge
105 West Chesapeake Ave., Suite 103
Towson, Maryland 21204
410-887-3868
pmayhew@baltimorecountymd.gov

From: Sherry Nuffer <snuffer@baltimorecountymd.gov>
Sent: Friday, March 6, 2020 10:57 AM
To: Lawrence Stahl <lstahl@baltimorecountymd.gov>; Paul Mayhew <pmayhew@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: FW: 2019-0537-A - 6921 Beech Avenue

Please see Kristen's e-mail and mark your calendars accordingly.

P.S. this case is schedule for Larry.

Thank you,

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

From: Kristen L Lewis <klewis@baltimorecountymd.gov>
Sent: Friday, March 6, 2020 10:54 AM
To: Sherry Nuffer <snuffer@baltimorecountymd.gov>
Subject: 2019-0537-A - 6921 Beech Avenue

Good morning,

I have set in 2019-0537-A for **Monday, March 30th at 1:30 p.m.** in Room 205 of the Jefferson Building. Notification to all parties are being mailed out today, per the memo in the file, a new sign posting and advertisement is not required. Thanks,

Kristen Lewis
PAI – Zoning Review
410-887-3391

Debra Wiley

From: Sherry Nuffer
Sent: Friday, March 6, 2020 10:57 AM
To: Lawrence Stahl; Paul Mayhew; Debra Wiley
Subject: FW: 2019-0537-A - 6921 Beech Avenue

Please see Kristen's e-mail and mark your calendars accordingly.

P.S. this case is schedule for Larry.

Thank you,

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

From: Kristen L Lewis <klewis@baltimorecountymd.gov>
Sent: Friday, March 6, 2020 10:54 AM
To: Sherry Nuffer <snuffer@baltimorecountymd.gov>
Subject: 2019-0537-A - 6921 Beech Avenue

Good morning,

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Kristen Lewis
PAI – Zoning Review
410-887-3391

TO: Kristen Lewis, Office of Zoning Review & Case File 2019-0537-A
FROM: Debbie Wiley, Office of Administrative Hearings
RE: Case No. 2019-0537-A – 6921 Beech Ave. – Hearing: 2/6/2020
DATE: 2/26/2020

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- Please send hearing notice to:
 1. Antonio Robinson, All Phases Reconstruction, LLC, 8373 Governor Run, Ellicott City, MD 21043
 2. Pat Harrow, 7008 Beech Ave., Baltimore, MD 21206
 3. Overlea Community Association, P.O. Box 18895, Raspeburg, MD 21206
 4. Cory Scott, 6903 Linden Ave., Baltimore, MD 21206

Thank you.

Debra Wiley

LS 6/29 @ 10 Am
Cont'd from 2/6/20

From: Debra Wiley
Sent: Wednesday, June 10, 2020 1:26 PM
To: Kristen L Lewis; Lawrence M. Stahl (lawrence.stahl1@gmail.com); Stahl, Lawrence
Cc: Paul Mayhew; Henry Ayakwah
Subject: Case No. 2019-0537-A
Attachments: 2019-0537-A IO memo to Kristen hearing opened and to be reset.docx

Hi Kristen and Larry,

Just viewing the cases set for June and noticed that the above case originally came before Larry on February 6th, which he opened and it should be continued before him (see attached interoffice memo and case description below).

In any event by copy of this email to Henry, just wanted you to know that this will be a different judge (Judge Lawrence M. Stahl) and not ALJ Paul Mayhew.

Kristen, could you please remove the invite to Paul and send to Larry?

Thanks everyone.

Case Number: 2019-0537-A

Property Address: 6921 BEECH AVE

Location: Corner of Beech Ave and Willow Ave.

Election District: 14 Council District: 6

Legal Owner: All Phases Reconstruction

Contract Purchaser: No Contract Purchaser was set.

VARIANCE:

1B02.3.C.& ZCPM SECTION 1B02.3.C.2.c. To permit a proposed replacement dwelling with a street side setback of 4 feet in lieu of the required 25 feet.

Hearing: Monday - 06/29/2020 10:00 AM

JEFFERSON BUILDING, 105 WEST CHESAPEAKE AVENUE TOWSON, MD 21204 - Rm. 205

Debra Wiley, Legal Administrative Secretary
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

2019-0537-A (X) 3-30-2020
7/JS 1:30

Sherry Nuffer

From: Sherry Nuffer
Sent: Tuesday, March 17, 2020 10:33 AM
To: 'allphasesreconstruction@gmail.com'
Subject: March 30, 2020 hearing date

Mr. Robinson,

Per our telephone conversation on Tuesday, March 17, 2020 this is a follow-up e-mail.

Due to the coronavirus, we will not be conducting public hearings during the month of March. Therefore, Case No. 2019-0537-A scheduled for Monday, March 30, 2020 @ 1:30 PM has been postponed; this information is reflected on the County's website. For your reference, please see the following link:
<https://www.baltimorecountymd.gov/Agencies/adminhearings/index.html>

We would kindly ask if you could notify all interested parties of this postponement, and this will be rescheduled as soon as possible. Please feel free to contact our office if you have any questions and/or concerns and thanks for your patience during this time.

No new sign posting or advertising is not required.

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

Spoke to Mr. Robinson
on 3-17-2020 @ 10:25 AM



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 10921 Beech AVE Balto MD 21206 which is presently zoned DR-5.5

Deed References: Liber 40032 / Folio 049 10 Digit Tax Account # 1425045650

Property Owner(s) Printed Name(s) All Phases Reconstruction LLC

(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

2. ☐ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a Variance from Section(s)

SEE
Attached

Spoke to MR
10:25 Robinson
3-17-2009

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):

All Phases Reconstruction LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address @gmail.com

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address verizon.net

CASE NUMBER 2009-0537-A

Filing Date 12/9/19

Do Not Schedule Dates:

Reviewer gh

REV. 10/4/11

TO: Kristen Lewis, Office of Zoning Review & Case File 2019-0537-A
FROM: Debbie Wiley, Office of Administrative Hearings *D. Wiley*
RE: Case No. 2019-0537-A – 6921 Beech Ave. – Hearing: 2/6/2020
DATE: 2/26/2020

ALJ Stahl spoke to Jason Seidelman today and the following was agreed upon:

- This case/record was opened and is to be rescheduled.
- No sign posting necessary.
- Please send hearing notice to:
 1. Antonio Robinson, All Phases Reconstruction, LLC, 8373 Governor Run, Ellicott City, MD 21043
 2. Pat Harrow, 7008 Beech Ave., Baltimore, MD 21206
 3. Overlea Community Association, P.O. Box 18895, Raspeburg, MD 21206
 4. Cory Scott, 6903 Linden Ave., Baltimore, MD 21206

Thank you.



JOHN A. OLSZEWSKI, JR.
County Executive

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

March 6, 2020

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: 2019-0537-A

6921 Beech Avenue

Corner of Beech Avenue and Willow Avenue

14th Election District – 6th Councilmanic District

Legal Owners: All Phases Reconstruction, LLC

Variance to permit a proposed replacement dwelling with a street side setback of 4 feet in lieu of the required 25 ft.

Hearing: Monday, March 30, 2020 at 1:30 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: Antonio Robinson, 8373 Governor Run, Ellicott City 21043
Pat Harrow, 7008 Beech Avenue, Baltimore 21206
Overlea Community Association, P.O. Box 18895, Raspeburg 21206
Cory Scott, 6903 Linden Avenue, Baltimore 21206

NOTES: PLEASE NOTE THAT A SIGN POSTING OR NEWSPAPER ADVERTISEMENT IS NOT REQUIRED FOR THIS HEARING, THIS NOTICE SERVES AS PROPER NOTIFICATION FOR ALL PARTIES.

Debra Wiley

From: Kristen L Lewis
Sent: Tuesday, June 16, 2020 2:34 PM
To: Debra Wiley
Subject: 6921 Beech Avenue

Hi Debbie,

Just fyi, I added Larry as an alternate host for case 2019-0537-A (6-29-20, 10 a.m.)

Kristen Lewis
PAL – Zoning Review
410-887-3391

Debra Wiley

From: Larry Stahl <lawrence.stahl1@gmail.com>
Sent: Tuesday, June 16, 2020 10:59 PM
To: Debra Wiley
Subject: next week

CAUTION: This message from lawrence.stahl1@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi--I couldn't find Henry's email address (I assume he'll be my host on the 29th). I'd like to touch base with him before the hearing.

By the way, should I be sending you my days unavailable for August?

By the way, how often are you now in the office?

Talk soon

As always--

Larry

6/26/2020
Spoke to
Antonio
Robinson "Tony"
indicated
he had
been
further
hearing at the
6/29/20.

19/10/2020
20/10/2020
21/10/2020
22/10/2020
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25/12/2020
26/12/2020
27/12/2020
28/12/2020
29/12/2020
30/12/2020
31/12/2020

Debra Wiley

From: Debra Wiley
Sent: Tuesday, June 16, 2020 9:56 AM
To: Lawrence M. Stahl (lawrence.stahl1@gmail.com); Stahl, Lawrence
Subject: Case No. 2019-0537-A - All Phases Reconstruction - June 29th @ 10 AM
Attachments: 20200616093709132.pdf

Larry,

Please find attached your **notes** from the above.

Debra Wiley, Legal Administrative Secretary Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

-----Original Message-----

From: adminhearingscpr@baltimorecountymd.gov <adminhearingscpr@baltimorecountymd.gov>
Sent: Tuesday, June 16, 2020 9:37 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Message from "RNP002673F6C9D3"

This E-mail was sent from "RNP002673F6C9D3" (MP 3055).

Scan Date: 06.16.2020 09:37:09 (-0400)
Queries to: adminhearingscpr@baltimorecountymd.gov

Debra Wiley

From: Debra Wiley
Sent: Tuesday, June 16, 2020 9:17 AM
To: Lawrence M. Stahl (lawrence.stahl1@gmail.com); Stahl, Lawrence
Subject: Case No. 2019-0537-A - All Phases Reconstruction - June 29th @ 10 AM (CONTINUED)
Attachments: 20200616084638573.pdf

Larry,

Please find attached the following:

Petition for Zoning Hearing

Letter from you to Antonio Robinson, All Phases Reconstruction Notice of Zoning Hearing Sign-In-Sheets Memo from Howard Alderman to you

Debra Wiley, Legal Administrative Secretary Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

-----Original Message-----

From: adminhearingscpr@baltimorecountymd.gov <adminhearingscpr@baltimorecountymd.gov>
Sent: Tuesday, June 16, 2020 8:47 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Message from "RNP002673F6C9D3"

This E-mail was sent from "RNP002673F6C9D3" (MP 3055).

Scan Date: 06.16.2020 08:46:38 (-0400)
Queries to: adminhearingscpr@baltimorecountymd.gov

Debra Wiley

From: Debra Wiley
Sent: Tuesday, June 16, 2020 9:33 AM
To: Lawrence M. Stahl (lawrence.stahl1@gmail.com); Stahl, Lawrence
Subject: Case No. 2019-0537-A - All Phases Reconstruction - June 29th @ 10 AM (CONTINUED)
Attachments: 20200616084658380.pdf

Larry,

Please find attached the following:

Exhibit Sheet showing 3 exhibits
Memo to Kristen from me re: 2/26 hearing

Debra Wiley, Legal Administrative Secretary Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

-----Original Message-----

From: adminhearingscpr@baltimorecountymd.gov <adminhearingscpr@baltimorecountymd.gov>
Sent: Tuesday, June 16, 2020 8:47 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Message from "RNP002673F6C9D3"

This E-mail was sent from "RNP002673F6C9D3" (MP 3055).

Scan Date: 06.16.2020 08:46:58 (-0400)
Queries to: adminhearingscpr@baltimorecountymd.gov

Debra Wiley

From: Debra Wiley
Sent: Tuesday, June 16, 2020 9:14 AM
To: Lawrence M. Stahl (lawrence.stahl1@gmail.com); Stahl, Lawrence
Subject: Case No. 2019-0537-A - 6921 Beech Ave. - All Phases Reconstruction - June 29th @ 10 AM
Attachments: 20200616084555451.pdf

Larry,

Hope all is well.

I am working on scanning your documents for the above. You may receive separate emails with the scanned information.

This is the most recent shell and also examples/samples.

Thanks.

Debra Wiley, Legal Administrative Secretary Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

-----Original Message-----

From: adminhearingscpr@baltimorecountymd.gov <adminhearingscpr@baltimorecountymd.gov>
Sent: Tuesday, June 16, 2020 8:46 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Message from "RNP002673F6C9D3"

This E-mail was sent from "RNP002673F6C9D3" (MP 3055).

Scan Date: 06.16.2020 08:45:55 (-0400)
Queries to: adminhearingscpr@baltimorecountymd.gov

Debra Wiley

From: Debra Wiley
Sent: Tuesday, June 16, 2020 9:10 AM
To: Kristen L Lewis
Subject: Case No. 2019-0537-A June 29th

Hi Kristen,

Larry is asking me when he might expect to receive his invitation for the above hearing? This is the one that he will be handling.

Thanks.

Debra Wiley, Legal Administrative Secretary
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

Debra Wiley

From: Larry Stahl <lawrence.stahl1@gmail.com>
Sent: Monday, June 15, 2020 11:43 AM
To: Debra Wiley
Subject: June 29th

CAUTION: This message from lawrence.stahl1@gmail.com originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi--Hope all is well with you.

Yes--Please send me my notes , a copy of the petition filed and the skeleton for the Order. I'll send you language to go into the order after the hearing and we'll work it. I usually get the code hearing invitations at the end of each week for the next weeks hearings hearings--if you know--when can I expect Kristen to send the invitation to me?

Since I've never spoken to him I'd like to touch base with Henry by phone before the hearing--what is his email?

As far as the road cases, I'll check with the code folks and see what their scheduling plans are going forward.

Thanks for all your help

Larry

*Remind Paul on
Monday 6/15*

Debra Wiley

From: Debra Wiley
Sent: Thursday, June 11, 2020 12:46 PM
To: Paul Mayhew; Larry Stahl
Cc: Kristen L Lewis; Lawrence Stahl; Henry Ayakwah
Subject: RE: Case No. 2019-0537-A

Hi,

I just spoke to Kristen and she's indicated this was set in about 2 days ago and both the Petitioner and the HOA are expecting a hearing. If she cancels this hearing, they will go to the bottom of the enormous pile and we don't want to do that if unless you're 100% sure that no hearing is necessary. As far as the file, we can obtain that from Kristen's office.

Please confirm. Thanks.

Debra Wiley, Legal Administrative Secretary
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

From: Paul Mayhew <pmayhew@baltimorecountymd.gov>
Sent: Thursday, June 11, 2020 12:33 PM
To: Larry Stahl <lawrence.stahl1@gmail.com>; Debra Wiley <dwiley@baltimorecountymd.gov>
Cc: Kristen L Lewis <klewis@baltimorecountymd.gov>; Lawrence Stahl <lstahl@baltimorecountymd.gov>; Henry Ayakwah <hayakwah@baltimorecountymd.gov>
Subject: Re: Case No. 2019-0537-A

Deb

I'm going to handle this case if you can just get me the file
The parties have apparently reached an agreement so no further hearing is needed
I will simply incorporate their agreement into an Order

Sent using OWA for iPhone

From: Larry Stahl <lawrence.stahl1@gmail.com>
Sent: Wednesday, June 10, 2020 3:03:05 PM
To: Debra Wiley
Cc: Kristen L Lewis; Lawrence Stahl; Paul Mayhew; Henry Ayakwah
Subject: Re: Case No. 2019-0537-A

CAUTION: This message from lawrence.stahl1@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi--Just a thought--Variances are the most direct (either it's unique or it's not) kind of case and the opinions are short. If you send me the skeleton in a variance case, and I hear it virtually I could probably fill in the case specific language in an email to you

Given my. computer skills (or lack), Id still need a training session to write down how I do stuff and try it out. I

Thanks,

On Wed, Jun 10, 2020 at 2:22 PM Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Hi Larry,

All is well, thanks. Just eager to get back to some normalcy....

I have a lot of notes that you took in reference to this case and I can certainly scan them to you for your convenience. It appears that testimony was taken and you instructed them (due to some opposition) to go back and amend the petition so that the community would be on board.

Henry is the lead person for our WebEx hearings much the same as you have someone from Code Enforcement that opens the hearing 15 minutes prior. Once Kristen invites you (via email) on your County email address, you simply accept the invitation and when ready to start the hearing, you'll go into that email which will provide you the link to get started. I will have a folder online that Henry will have access to for showing of any exhibits, etc. that come into our office 48 hours before the hearing. As far as completing the Order, just do the best you can and I can edit and format just like I usually do. We may have to go back and forth a little but at least we'll get it done which is what the Administration is requesting. As far as training, Paul can probably help you with that.

Stay well.

Debra Wiley, Legal Administrative Secretary

Baltimore County Office of Administrative Hearings

105 West Chesapeake Avenue, Suite 103

Towson, Maryland 21204

410-887-3868

From: Larry Stahl <lawrence.stahl1@gmail.com>

Sent: Wednesday, June 10, 2020 2:04 PM

To: Debra Wiley <dwiley@baltimorecountymd.gov>

Cc: Kristen L. Lewis <klewis@baltimorecountymd.gov>; Lawrence Stahl <lstahl@baltimorecountymd.gov>; Paul Mayhew

<pmayhew@baltimorecountymd.gov>; Henry Ayakwah <hayakwah@baltimorecountymd.gov>

Subject: Re: Case No. 2019-0537-A

CAUTION: This message from lawrence.stahl1@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Debbie--Hope all is well with you--I'm in my 4th week(with added days) hearing the backed up code enforcement cases--Hopefully I'll be caught up by the time the new and continuing Citations are scheduled.

--just a couple of thoughts as to the zoning case--

-I don't remember the case--Did I actually hear part of it or was it an "open and Continue" event that just allowed the case to be postponed and I was there to do it? Was it that case where the guy filed a petition for confusing different relief . I continued it and suggested and had to get an engineer and refile? If it's that one--it's certainly mine to hear--

More importantly--I'm able to do code cases because Hallie does all the paper and stamps my name. I'm staying at home pretty religiously and obviously don't have the file. Remember, I don't have the computer skills to write an opinion or make major changes.

Obviously, I've had no training to do zoning cases in a virtual form.

Let me know what we'll do.

till then

Larry

On Wed, Jun 10, 2020 at 1:25 PM Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Hi Kristen and Larry,

Just viewing the cases set for June and noticed that the above case originally came before Larry on February 6th, which he opened and it should be continued before him (see attached interoffice memo and case description below).

In any event by copy of this email to Henry, just wanted you to know that this will be a different judge (Judge Lawrence M. Stahl) and not ALJ Paul Mayhew.

Kristen, could you please remove the invite to Paul and send to Larry?

Thanks everyone.

Case Number: 2019-0537-A

Property Address: 6921 BEECH AVE

Location: Corner of Beech Ave and Willow Ave.

Election District: 14 Council District: 6

Legal Owner: All Phases Reconstruction

Contract Purchaser: No Contract Purchaser was set.

VARIANCE:

1B02.3.C.& ZCPM SECTION 1B02.3.C.2.c. To permit a proposed replacement dwelling with a street side setback of 4 feet in lieu of the required 25 feet.

Hearing: Monday - 06/29/2020 10:00 AM

JEFFERSON BUILDING, 105 WEST CHESAPEAKE AVENUE TOWSON, MD 21204 - Rm. 205

Debra Wiley, Legal Administrative Secretary

Baltimore County Office of Administrative Hearings

105 West Chesapeake Avenue, Suite 103

Towson, Maryland 21204

410-887-3868

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CONNECT WITH BALTIMORE COUNTY

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www.baltimorecountymd.gov

CASE NAME 6921 Beach Ave.
CASE NUMBER 2019-0537 A
DATE 2-6-20

[illegible]

CASE NAME 16921 Beech Ave
CASE NUMBER 2019-0537-A
DATE 2/6/2020

[illegible]

Debra Wiley

From: Debra Wiley
Sent: Friday, June 26, 2020 12:12 PM
To: Henry Ayakwah; Lawrence M. Stahl (lawrence.stahl1@gmail.com); Stahl; Lawrence
Subject: Monday Hearing re: Case No. 2019-0537-A - June 29th @ 10 AM

Good Morning Gentlemen:

Just wanted to bring you up-to-date regarding the above matter.

Donna from our office reached out to Mr. Robinson this morning to see if he had any items that he wanted to present on Monday which it appears he does not.

So, I've placed in our OAH Exhibits that Henry has access the following items which you may or may not refer to:

- Exh. 1 – Petition for Variance
- Exh. 2 – Letter to Antonio Robinson from ALJ Stahl dated 2/13/20
- Exh. 3 – Notice of Hearing from 3/30/20 which was postponed
- Exh. 4 – Sign in sheets from 2/6/2020
- Exh. 5 – Site Plan
- Exh. 6 – Exhibit Sheet List from 2/6/2020

Also, Kristen has confirmed that in addition to Mr. Robinson, an invite was sent to the following (who appeared at the 2/6/2020 hearing):

1. Pat Harrow
2. Overlea Community Association
3. Cory Scott

Please let me know if you have any questions and/or concerns, and have a great weekend !

Debra Wiley, Legal Administrative Secretary
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868



PE TITION FOR ZONING HEARING(S)

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

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

Address 16921 Beech AVE Balto MD 21204 which is presently zoned DR-B.5

Deed References: Liber 40032 / Folio 0449 10 Digit Tax Account # 1425045650

Property Owner(s) Printed Name(s) All Phases Reconstruction LLC

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

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

1. a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. X a Variance from Section(s)

*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):

All Phases Reconstruction LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address @gmail.com

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address antonio.robinson@verizon.net

CASE NUMBER 2009-0537-A

Filing Date 12/9/19

Do Not Schedule Dates:

Reviewer gh

2019-0537-A

Variance from: section 1B02.3.C.1 & ZCPM section 1B02.3.C.2.c, To permit a proposed replacement dwelling with a street side setback of 4 feet in lieu of the required 25 feet.



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
LAWRENCE M. STAHL
Administrative Law Judge

February 13, 2020

Antonio Robinson
All Phases Reconstruction, LLC
8373 Governors Run
Ellicott City, Maryland 21041

RE: Petition for Variance
Case No. 2019-0537-A
Property: 6921 Beech Avenue

Dear Mr. Robinson:

As you will recall you filed a Petition for Variance in the above noted matter which called for a "Variance from §1B02.3.C.1 of the Baltimore County Zoning Regulations and §1B02.3.C.2.c of the Zoning Commissioners Policy Manual."

A letter of opposition to the request dated January 29, 2020 was received in our office from the Overlea Community Association prior to the hearing, which was scheduled for February 6, 2020.

At the hearing you stated that, contrary to the posting, you intended only to obtain a 2 foot setback on the Willow Avenue side of the subject property while maintaining unchanged all other setbacks on the site. Ms. Pat Harrow, the only resident present at the hearing, stated that she believed that the community would not object to your then stated limited variance request. You were advised to revise your setback request and resubmit it, notifying the Overlea Community Association Board, who would then have an opportunity to respond.

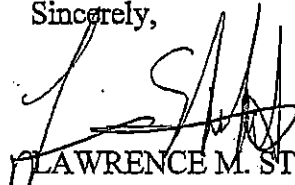
Subsequent to the hearing, I have received a letter on your behalf from All Phases Reconstruction, LLC, requesting the 2 foot variance on the Willow Avenue side of the proposed replacement dwelling, based upon the 1918 "existing non-conforming setback" of the property.

I have since heard from Mr. Scott on behalf of the Overlea Community Association regarding your Petition and the alteration from that originally posted. The community is, quite properly, concerned and it fully understands the nature of your request.

Under the circumstances, I am returning the file to the Office of Zoning and directing you to amend your original Petition to reflect your present request, and order that a new hearing be set, allowing all parties to be heard and this matter resolved.

Please contact Kristen Lewis at (410) 887-3391 to reschedule in order for her to notify all parties of the new hearing date.

Sincerely,


LAWRENCE M. STAHL
Administrative Law Judge
for Baltimore County

LMS: sln
Enclosure

c:

PAI, Zoning Review
Pat Harrow, 7008 Beech Avenue, Baltimore, Maryland 21206
Overlea Community Association, P.O. Box 18895, Raspeburg, Maryland 21206
Cory Scott, 6903 Linden Avenue, Baltimore, Maryland 21206



JOHN A. OLSZEWSKI, JR.
County Executive

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

March 6, 2020

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: 2019-0537-A

6921 Beech Avenue

Corner of Beech Avenue and Willow Avenue

14th Election District – 6th Councilmanic District

Legal Owners: All Phases Reconstruction, LLC

Variance to permit a proposed replacement dwelling with a street side setback of 4 feet in lieu of the required 25 ft.

Hearing: Monday, March 30, 2020 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Michael Mallinoff
Director

MM:kl

C: Antonio Robinson, 8373 Governor Run, Ellicott City 21043
Pat Harrow, 7008 Beech Avenue, Baltimore 21206
Overlea Community Association, P.O. Box 18895, Raspeburg 21206
Cory Scott, 6903 Linden Avenue, Baltimore 21206

NOTES: PLEASE NOTE THAT A SIGN POSTING OR NEWSPAPER ADVERTISEMENT IS NOT REQUIRED FOR THIS HEARING, THIS NOTICE SERVES AS PROPER NOTIFICATION FOR ALL PARTIES.

(MARK TYPE REQUESTED WITH X)

ADDRESS 6921 BEECH AVE OWNER(S) NAME(S) ALL PHASES RECONSTR

SUBDIVISION NAME "ADDITION TO OVERLEA" LOT # 563 BLOCK # - SECTION # -

PLAT BOOK # 0002 FOLIO # 0196 10 DIGIT TAX # 1425045650 DEED REF. # 40032110449

SITE VICINITY MAP A"



MAP IS NOT TO SCALE

ZONING MAP# 081B3

SITE ZONED DR 5.5

ELECTION DISTRICT 14

COUNCIL DISTRICT 6

LOT AREA ACREAGE _____

OR SQUARE FEET 10,940

HISTORIC? No

IN CECAL? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X
 1. ELECTRICITY ☒ 2. GAS ☒ 3. WATER ☒ 4. SEWER ☒ 5. CABLE ☒ 6. PHONE ☒ 7. TV ☒ 8. RENT ☒ 9. INSURANCE ☒ 10. TAXES ☒ 11. OTHER ☒ 12. NONE ☒ 13. UNKNOWN ☒ 14. NO ANSWER ☒ 15. NO RECORD ☒ 16. NO DATA ☒ 17. NO INFO ☒ 18. NO FILE ☒ 19. NO COPY ☒ 20. NO FILE ☒ 21. NO COPY ☒ 22. NO FILE ☒ 23. NO COPY ☒ 24. NO FILE ☒ 25. NO COPY ☒ 26. NO FILE ☒ 27. NO COPY ☒ 28. NO FILE ☒ 29. NO COPY ☒ 30. NO FILE ☒ 31. NO COPY ☒ 32. NO FILE ☒ 33. NO COPY ☒ 34. NO FILE ☒ 35. NO COPY ☒ 36. NO FILE ☒ 37. NO COPY ☒ 38. NO FILE ☒ 39. NO COPY ☒ 40. NO FILE ☒ 41. NO COPY ☒ 42. NO FILE ☒ 43. NO COPY ☒ 44. NO FILE ☒ 45. NO COPY ☒ 46. NO FILE ☒ 47. NO COPY ☒ 48. NO FILE ☒ 49. NO COPY ☒ 50. NO FILE ☒ 51. NO COPY ☒ 52. NO FILE ☒ 53. NO COPY ☒ 54. NO FILE ☒ 55. NO COPY ☒ 56. NO FILE ☒ 57. NO COPY ☒ 58. NO FILE ☒ 59. NO COPY ☒ 60. NO FILE ☒ 61. NO COPY ☒ 62. NO FILE ☒ 63. NO COPY ☒ 64. NO FILE ☒ 65. NO COPY ☒ 66. NO FILE ☒ 67. NO COPY ☒ 68. NO FILE ☒ 69. NO COPY ☒ 70. NO FILE ☒ 71. NO COPY ☒ 72. NO FILE ☒ 73. NO COPY ☒ 74. NO FILE ☒ 75. NO COPY ☒ 76. NO FILE ☒ 77. NO COPY ☒ 78. NO FILE ☒ 79. NO COPY ☒ 80. NO FILE ☒ 81. NO COPY ☒ 82. NO FILE ☒ 83. NO COPY ☒ 84. NO FILE ☒ 85. NO COPY ☒ 86. NO FILE ☒ 87. NO COPY ☒ 88. NO FILE ☒ 89. NO COPY ☒ 90. NO FILE ☒ 91. NO COPY ☒ 92. NO FILE ☒ 93. NO COPY ☒ 94. NO FILE ☒ 95. NO COPY ☒ 96. NO FILE ☒ 97. NO COPY ☒ 98. NO FILE ☒ 99. NO COPY ☒ 100. NO FILE ☒ 101. NO COPY ☒ 102. NO FILE ☒ 103. NO COPY ☒ 104. NO FILE ☒ 105. NO COPY ☒ 106. NO FILE ☒ 107. NO COPY ☒ 108. NO FILE ☒ 109. NO COPY ☒ 110. NO FILE ☒ 111. NO COPY ☒ 112. NO FILE ☒ 113. NO COPY ☒ 114. NO FILE ☒ 115. NO COPY ☒ 116. NO FILE ☒ 117. NO COPY ☒ 118. NO FILE ☒ 119. NO COPY ☒ 120. NO FILE ☒ 121. NO COPY ☒ 122. NO FILE ☒ 123. NO COPY ☒ 124. NO FILE ☒ 125. NO COPY ☒ 126. NO FILE ☒ 127. NO COPY ☒ 128. NO FILE ☒ 129. NO COPY ☒ 130. NO FILE ☒ 131. NO COPY ☒ 132. NO FILE ☒ 133. NO COPY ☒ 134. NO FILE ☒ 135. NO COPY ☒ 136. NO FILE ☒ 137. NO COPY ☒ 138. NO FILE ☒ 139. NO COPY ☒ 140. NO FILE ☒ 141. NO COPY ☒ 142. NO FILE ☒ 143. NO COPY ☒ 144. NO FILE ☒ 145. NO COPY ☒ 146. NO FILE ☒ 147. NO COPY ☒ 148. NO FILE ☒ 149. NO COPY ☒ 150. NO FILE ☒ 151. NO COPY ☒ 152. NO FILE ☒ 153. NO COPY ☒ 154. NO FILE ☒ 155. NO COPY ☒ 156. NO FILE ☒ 157. NO COPY ☒ 158. NO FILE ☒ 159. NO COPY ☒ 160. NO FILE ☒ 161. NO COPY ☒ 162. NO FILE ☒ 163. NO COPY ☒ 164. NO FILE ☒ 165. NO COPY ☒ 166. NO FILE ☒ 167. NO COPY ☒ 168. NO FILE ☒ 169. NO COPY ☒ 170. NO FILE ☒ 171. NO COPY ☒ 172. NO FILE ☒ 173. NO COPY ☒ 174. NO FILE ☒ 175. NO COPY ☒ 176. NO FILE ☒ 177. NO COPY ☒ 178. NO FILE ☒ 179. NO COPY ☒ 180. NO FILE ☒ 181. NO COPY ☒ 182. NO FILE ☒ 183. NO COPY ☒ 184. NO FILE ☒ 185. NO COPY ☒ 186. NO FILE ☒ 187. NO COPY ☒ 188. NO FILE ☒ 189. NO COPY ☒ 190. NO FILE ☒ 191. NO COPY ☒ 192. NO FILE ☒ 193. NO COPY ☒ 194. NO FILE ☒ 195. NO COPY ☒ 196. NO FILE ☒ 197. NO COPY ☒ 198. NO FILE ☒ 199. NO COPY ☒ 200. NO FILE ☒ 201. NO COPY ☒ 202. NO FILE ☒ 203. NO COPY ☒ 204. NO FILE ☒ 205. NO COPY ☒ 206. NO FILE ☒ 207. NO COPY ☒ 208. NO FILE ☒ 209. NO COPY ☒ 210. NO FILE ☒ 211. NO COPY ☒ 212. NO FILE ☒ 213. NO COPY ☒ 214. NO FILE ☒ 215. NO COPY ☒ 216. NO FILE ☒ 217. NO COPY ☒ 218. NO FILE ☒ 219. NO COPY ☒ 220. NO FILE ☒ 221. NO COPY ☒ 222. NO FILE ☒ 223. NO COPY ☒ 224. NO FILE ☒ 225. NO COPY ☒ 226. NO FILE ☒ 227. NO COPY ☒ 228. NO FILE ☒ 229. NO COPY ☒ 230. NO FILE ☒ 231. NO COPY ☒ 232. NO FILE ☒ 233. NO COPY ☒ 234. NO FILE ☒ 235. NO COPY ☒ 236. NO FILE ☒ 237. NO COPY ☒ 238. NO FILE ☒ 239. NO COPY ☒ 240. NO FILE ☒ 241. NO COPY ☒ 242. NO FILE ☒ 243. NO COPY ☒ 244. NO FILE ☒ 245. NO COPY ☒ 246. NO FILE ☒ 247. NO COPY ☒ 248. NO FILE ☒ 249. NO COPY ☒ 250. NO FILE ☒ 251. NO COPY ☒ 252. NO FILE ☒ 253. NO COPY ☒ 254. NO FILE ☒ 255. NO COPY ☒ 256. NO FILE ☒ 257. NO COPY ☒ 258. NO FILE ☒ 259. NO COPY ☒ 260. NO FILE ☒ 261. NO COPY ☒ 262. NO FILE ☒ 263. NO COPY ☒ 264. NO FILE ☒ 265. NO COPY ☒ 266. NO FILE ☒ 267. NO COPY ☒ 268. NO FILE ☒ 269. NO COPY ☒ 270. NO FILE ☒ 271. NO COPY ☒ 272. NO FILE ☒ 273. NO COPY ☒ 274. NO FILE ☒ 275. NO COPY ☒ 276. NO FILE ☒ 277. NO COPY ☒ 278. NO FILE ☒ 279. NO COPY ☒ 280. NO FILE

WATER IS:
FRESH ✓ SALT

FOUO ☒ PRIVATE _____

SEWER 13
BUILT 1924

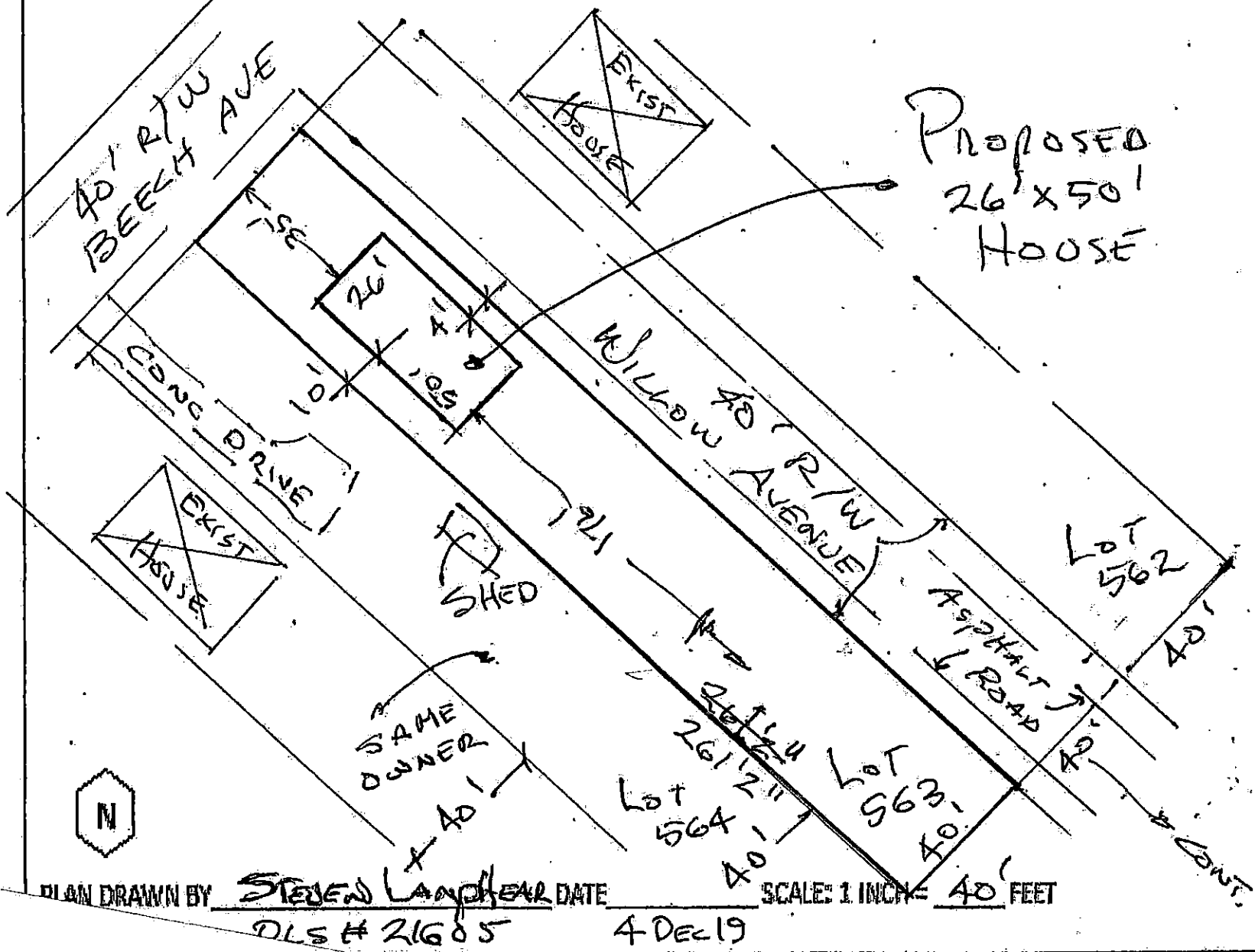
PUBLIC ☒ PRIVATE ☐
PRICE HEARING? ☐ AID ☐

IF SO GIVE CASE NUMBER

IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

AND ORDER RESULT DEED OF

VIOLATION CASE INFO:



PLAN DRAWN BY STEVEN LANDHEAR DATE

DLS # 21605

4 Dec 19

SCALE: 1 INCH = 40 FEET

VIOLATION CASE INFO:

Case No.: 2019-0537-A 6921 Belch
Avenue

Exhibit Sheet

Petitioner/Developer

Protestants

No. 1	ZONING HEARING PLAN FOR VARIANCE	
No. 2	LOT LOCATION CHART 6921 BELCH AVE	
No. 3	AERIAL PHOTO OF SITE	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Real Property Data Search (w3)

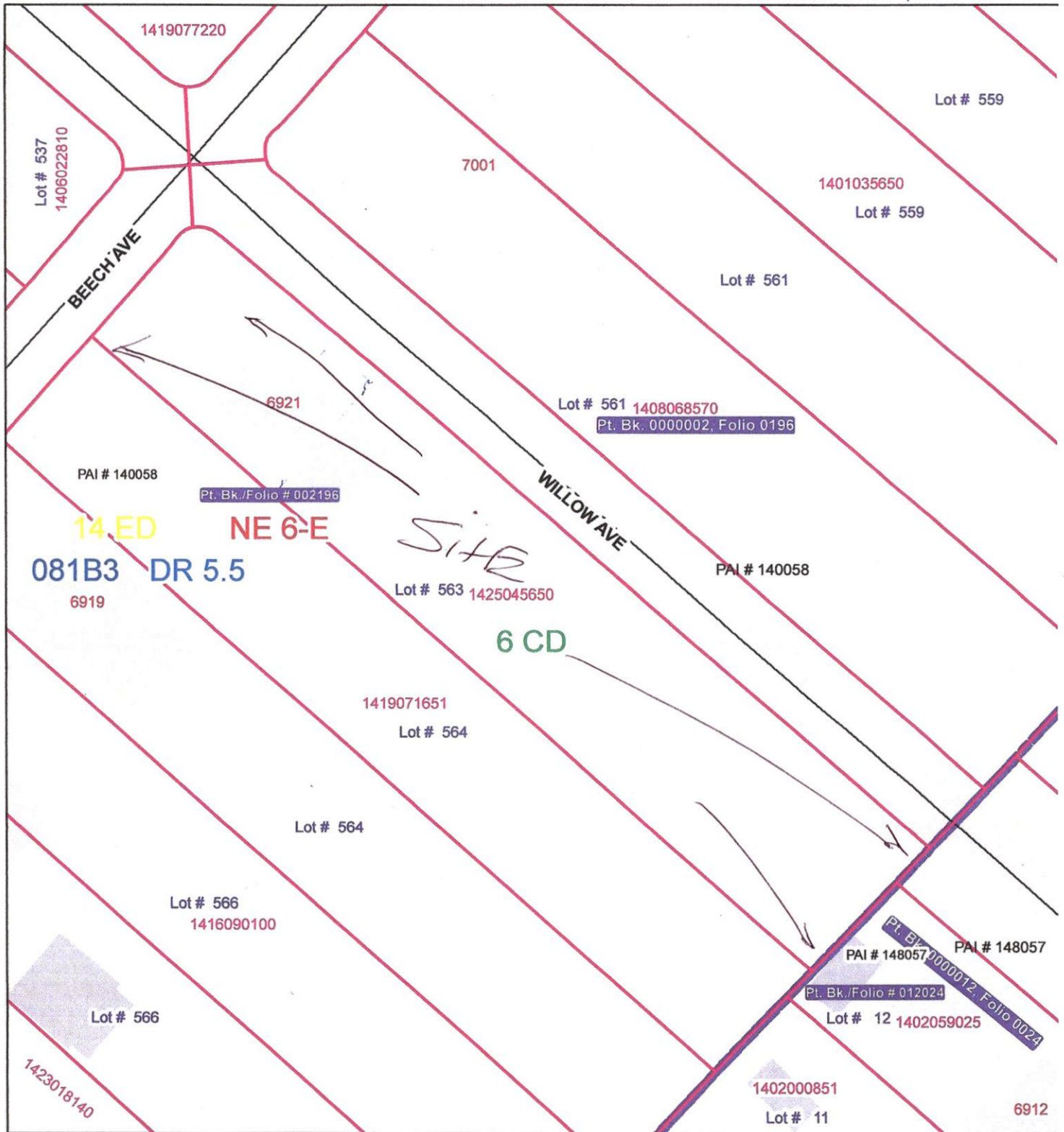
Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption				View GroundRent Registration				
Tax Exempt: None			Special Tax Recapture: None								
Exempt Class: None											
Account Identifier:			District - 14 Account Number - 1425045650								
Owner Information											
Owner Name:			ALL PHASES RECONSTRUCTION LLC				Use:		RESIDENTIAL		
							Principal Residence:		NO		
Mailing Address:			P O BOX 2521 LANDOVER HILLS MD 20784-				Deed Reference:		/40032/ 00449		
Location & Structure Information											
Premises Address:			6921 BEECH AVE BALTIMORE 21206-1210				Legal Description:		6921 BEECH AVE OVERLEA		
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:		
0081	0021	0021	14030030.04	0000			563	2018	Plat Ref:	0002/ 0196	
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		
1918			1,940 SF				10,440 SF		04		
Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements				
2 1/2	YES	STANDARD UNIT	SIDING/	4	2 full	1 Detached					
Value Information											
			Base Value		Value		Phase-in Assessments				
					As of		As of		As of		
					01/01/2018		07/01/2019		07/01/2020		
Land:			74,600		74,600						
Improvements			103,300		117,700						
Total:			177,900		192,300		187,500		192,300		
Preferential Land:			0						0		
Transfer Information											
Seller: THE COMMUNITY DEVELOPMENT ADMINISTRATION					Date: 03/09/2018			Price: \$52,000			
Type: NON-ARMS LENGTH OTHER					Deed1: /40032/ 00449			Deed2:			
Seller: HARDEN CARL W					Date: 10/25/2017			Price: \$112,101			
Type: NON-ARMS LENGTH OTHER					Deed1: /39550/ 00001			Deed2:			
Seller: FLYNN CHRISTINA					Date: 09/04/2001			Price: \$110,000			
Type: ARMS LENGTH IMPROVED					Deed1: /15533/ 00440			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:

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

6921 Beech Ave



Publication Date: 2/21/2018



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



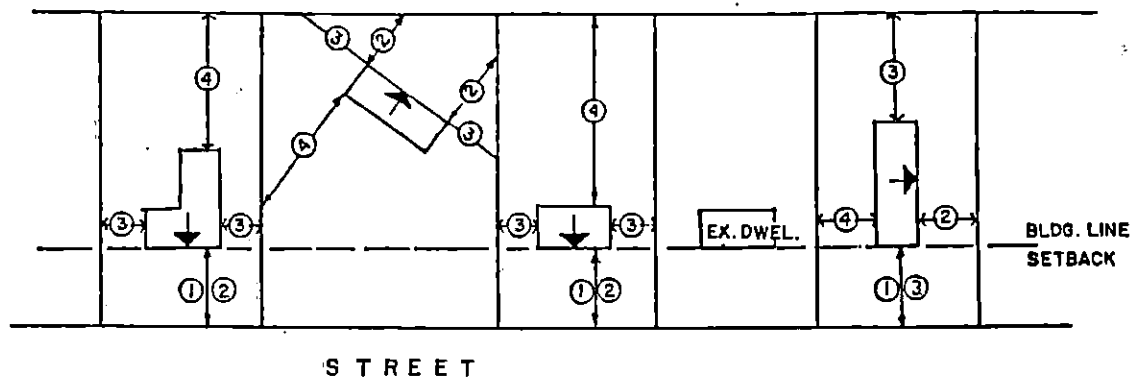
0 10 20 40 60 80 Feet

1 inch = 40 feet

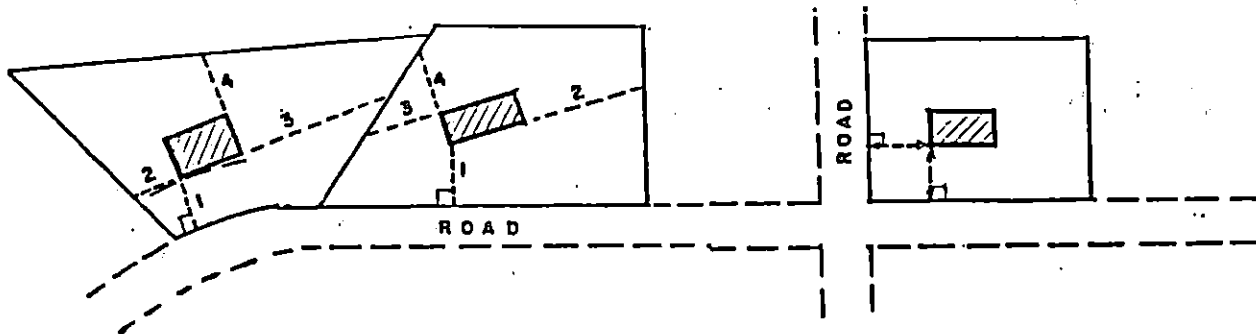
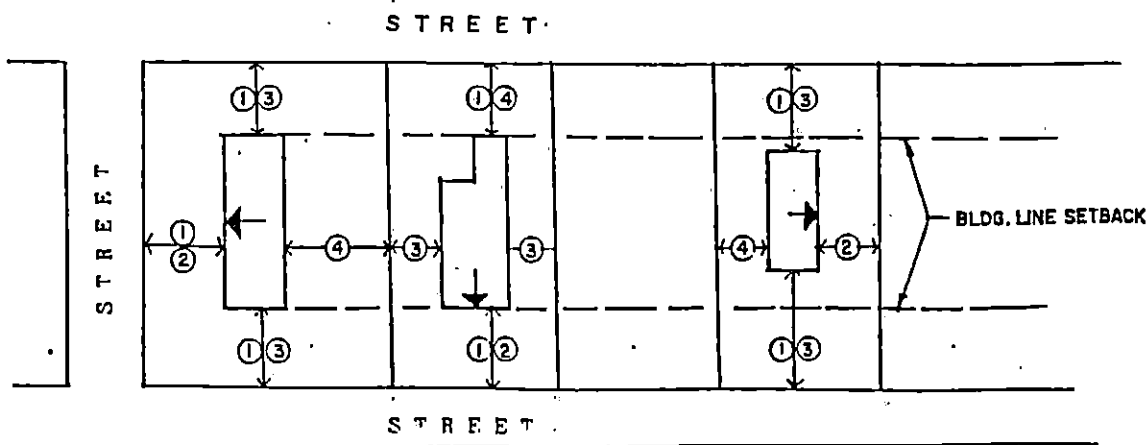
2019-0537-A

SECTION 1B02.3.C.2.c

v. Diagrams

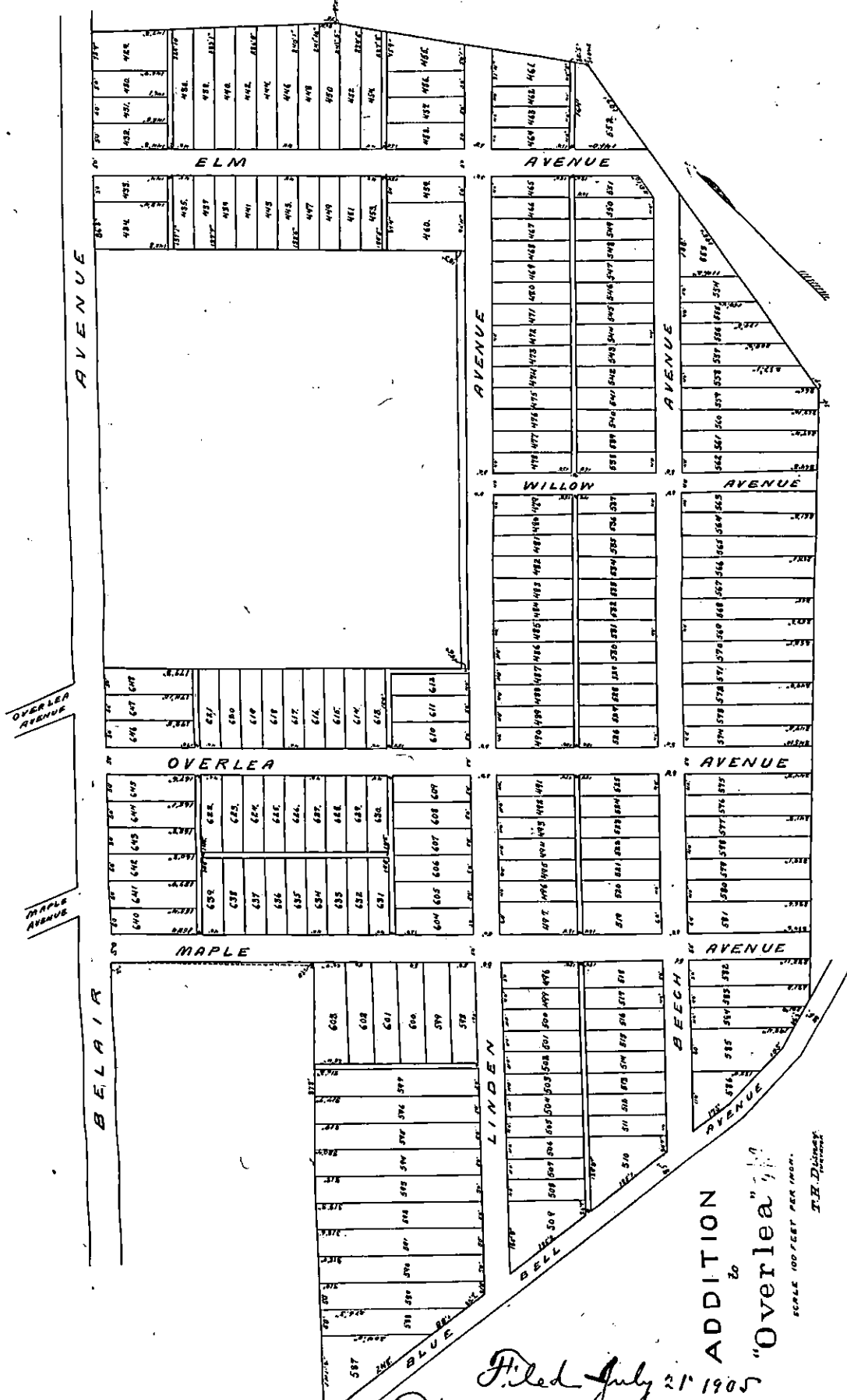
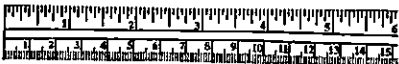


1. Street Building Line Setback (If two setbacks conflict the greater of the two shall be maintained)
 2. Front Yard Setback
 3. Side Yard Setback
 4. Rear Yard Setback
- = FRONT OF BUILDING

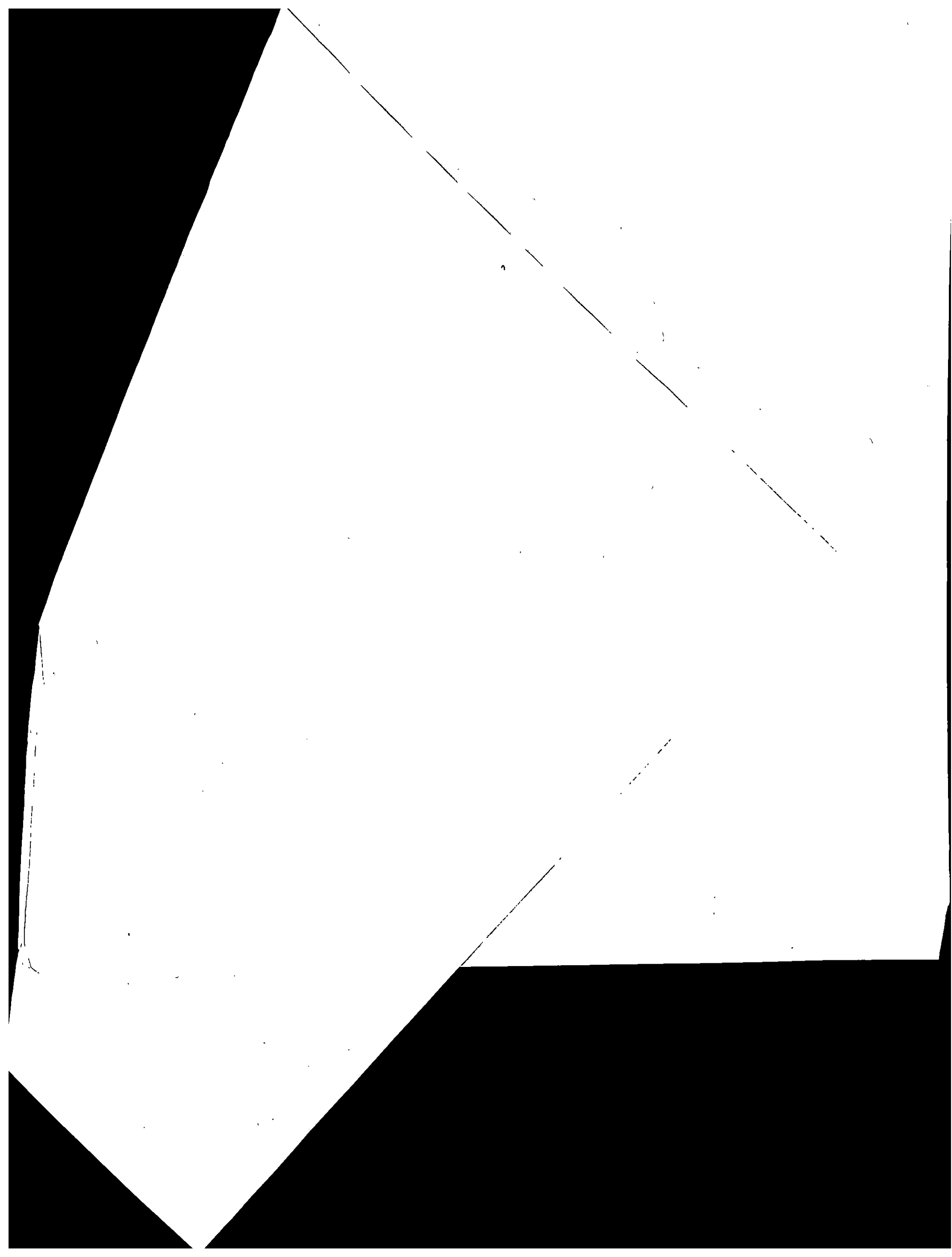


(See Section 103.3 ZCPM, Page 1-43.1 for diagrams showing method of measuring setback in R.C. zones).

2019-0537-A



Filed July 21 1905
Tide no 5
Test: Wm. D. Cole, Clerk





1 inch = 40 feet

Lot # 538
1419077220

BEECH AVE

Lot # 559

Lot # 559 1401035650

7001

Lot # 561

Lot # 561 1408068570

6921

PAI # 140058

Pt. Bk. / Folio # 002196

NE 6-E

081B3
6 CD

DR 5.5
14 ID

Lot # 563 1425045650
Pt. Bk. 0000002, Folio 0196

WILLOW AVE

Lot # 564 1419071651

Lot # 564

Lot # 566 1416090100

PAI # 148057

Pt. Bk. / Folio # 012024
Pt. Bk. 0000012, Folio 00

Lot # 562
1402039025

Lot # 566

20190537-A

ALLPHASES RECONSTRUCTION LLC.

Maryland Offices:

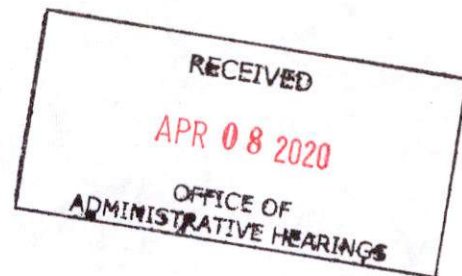
8373 Govenors Run, Ellicott City, MD. 21041: 443-271-3911

853 Regent street, Westminster, MD. 21157

South Carolina Office:

1306 Ashboro Ct. Myrtle Beach, SC. 29579 | 443-340-4849

Email: allphasesreconstruction@gmail.com



April 3, 2020,

Honorable Judge Lawrence M. Stahl
Administrative Law Judge for Baltimore County
County Office Building
105 West Chesapeake Ave, Room 103
Towson, MD. 21204

Dear Honorable Judge Lawrence M. Stahl:

Sir I hope this letter finds you and your family safe and well. I would like to ask for your consideration in a matter referring to case #2019-0537-A 6921 Beech Ave. Our company has spent its entire time of existence on making the community better through improved housing. We purchased this fire damaged home with a vision of a new home built for a family to grow in. Our company is also focused on those individuals that work for us to provide for their families as well. During these unprecedented times small business and those who work for us are on the verge of devastation. We have taken the steps this court required us to do so that we made construct a home in this established community. It appears that there has been some miscommunication on the parties involved. These issues were resolved and everyone is anxious to move forward. The County Zoning Division Chief Jenifer Nugent has signed off on our plan as well as Laurie Hay and Mr. Scott the HOA representatives. I ask that you consider also signing off without another hearing and making your decision known so that we may move forward with obtaining the required building permit, and construction of the home. I can forward you site pictures of the survey stakes of the home that are now in place if that helps. I ask that you consider helping us keep our small business in operation; financially this delay has cost us a substantial amount of money and I fear a continued delay will in fact cost us our company. I thank you for your time and consideration and hope that you and your family stay safe and healthy.

Sincerely,

Allphases Reconstruction LLC.



JOHN A. OLSZEWSKI, JR.
County Executive

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

January 9, 2020

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: 2019-0537-A

6921 Beech Avenue

Corner of Beech Avenue and Willow Avenue

14th Election District – 6th Councilmanic District

Legal Owners: All Phases Reconstruction, LLC

Variance to permit a proposed replacement dwelling with a street side setback of 4 feet in lieu of the required 25 ft.

Hearing: Thursday, February 6, 2020 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: Antonio Robinson, Governor Run, Ellicott City 21043

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JANUARY 17, 2020.**
- (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.**

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 1/30/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-537

INFORMATION:

Property Address: 6921 Beech Avenue
Petitioner: Antonio Robinson
Zoning: DR 5.5
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance from Section 1B02.3.C.1 and Section 1B02.3.C.2 of the BCZR to permit a proposed replacement dwelling with a street side setback of 4 feet in lieu of the required 25 feet.

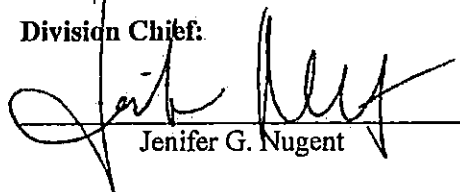
A site visit was conducted on 1/28/2020. The site is a corner lot located in the Overlea community. It was previously improved with a dwelling that was in substantial disrepair. The proposal is to construct a replacement dwelling at the same location.

The Overlea Fullerton Community Plan adopted by the County Council in 2009 calls for reinforcing the traditional neighborhood character by replacement dwellings that address the traditional street grid, and are similar in size to those originally constructed.

The Department of Planning has reviewed the request and has no objection provided that the new structure provides articulation on the building sides, particularly the corner side such that there is not a blank wall facing Willow Avenue.

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

Division Chief:



Jenifer G. Nugent

CPG/JGN

c: Laurie Hay
Antonio Robinson
Office of the Administrative Hearings
People's Counsel for Baltimore County

RE: Petition for Variance
Case No. 2019-0537-A
Property: 6921 Beech Avenue

Dear Mr. Robinson:

As you will recall you filed a Petition for Variance in the above noted matter which called for a "Variance from §1B02.3.C.1 of the Baltimore County Zoning Regulations and §1B02.3.C.2.c of the Zoning Commissioners Policy Manual."

A letter of opposition to the request dated January 29, 2020 was received in our office from the Overlea Community Association prior to the hearing, which was scheduled for February 6, 2020.

At the hearing you stated that, contrary to the posting, you intended only to obtain a 2 foot setback on the Willow Avenue side of the subject property while maintaining unchanged all other setbacks on the site. Ms. Pat Harrow, the only resident present at the hearing, stated that she believed that the community would not object to your then stated limited variance request. You were advised to revise your setback request and resubmit it, notifying the Overlea Community Association Board, who would then have an opportunity to respond.

Subsequent to the hearing, I have received a letter on your behalf from All Phases Reconstruction, LLC, requesting the 2 foot variance on the Willow Avenue side of the proposed replacement dwelling, based upon the 1918 "existing non-conforming setback" of the property.

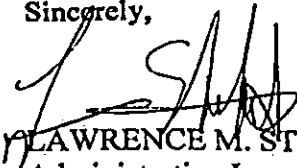
I have since heard from Mr. Scott on behalf of the Overlea Community Association regarding your Petition and the alteration from that originally posted. The community is, quite properly, concerned and it fully understands the nature of your request.

Under the circumstances, I am returning the file to the Office of Zoning and directing you to amend your original Petition to reflect your present request, and order that a new hearing be set, allowing all parties to be heard and this matter resolved.

Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103 | Towson, Maryland 21204 | Phone 410-887-3868 | Fax 410-887-3468
www.baltimorecountymd.gov

Please contact Kristen Lewis at (410) 887-3391 to reschedule in order for her to notify all parties of the new hearing date.

Sincerely,



LAWRENCE M. STAHL
Administrative Law Judge
for Baltimore County

LMS: sln
Enclosure

c:

PAI, Zoning Review
Pat Harrow, 7008 Beech Avenue, Baltimore, Maryland 21206
Overlea Community Association, P.O. Box 18895, Raspeburg, Maryland 21206
Cory Scott, 6903 Linden Avenue, Baltimore, Maryland 21206

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

ADDRESS 6921 BEECH AVE OWNER(S) NAME(S) ALL PHASES RECONSTR

SUBDIVISION NAME "ADDITION TO OUEALEA" LOT # 563 BLOCK # - SECTION # -

PLAT BOOK # 0002 FOLIO # 0196 10 DIGIT TAX # 1425045650 DEED REF. # 4003210449

SITE VICINITY MAP
BELAIR RD
WILLOW AVE
KENWOOD AVE

N



MAP IS NOT TO SCALE

ZONING MAP# 081B3

SITE ZONED DR S.5

ELECTION DISTRICT 14

COUNCIL DISTRICT 6

LOT AREA ACREAGE _____

OR SQUARE FEET 10,440

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

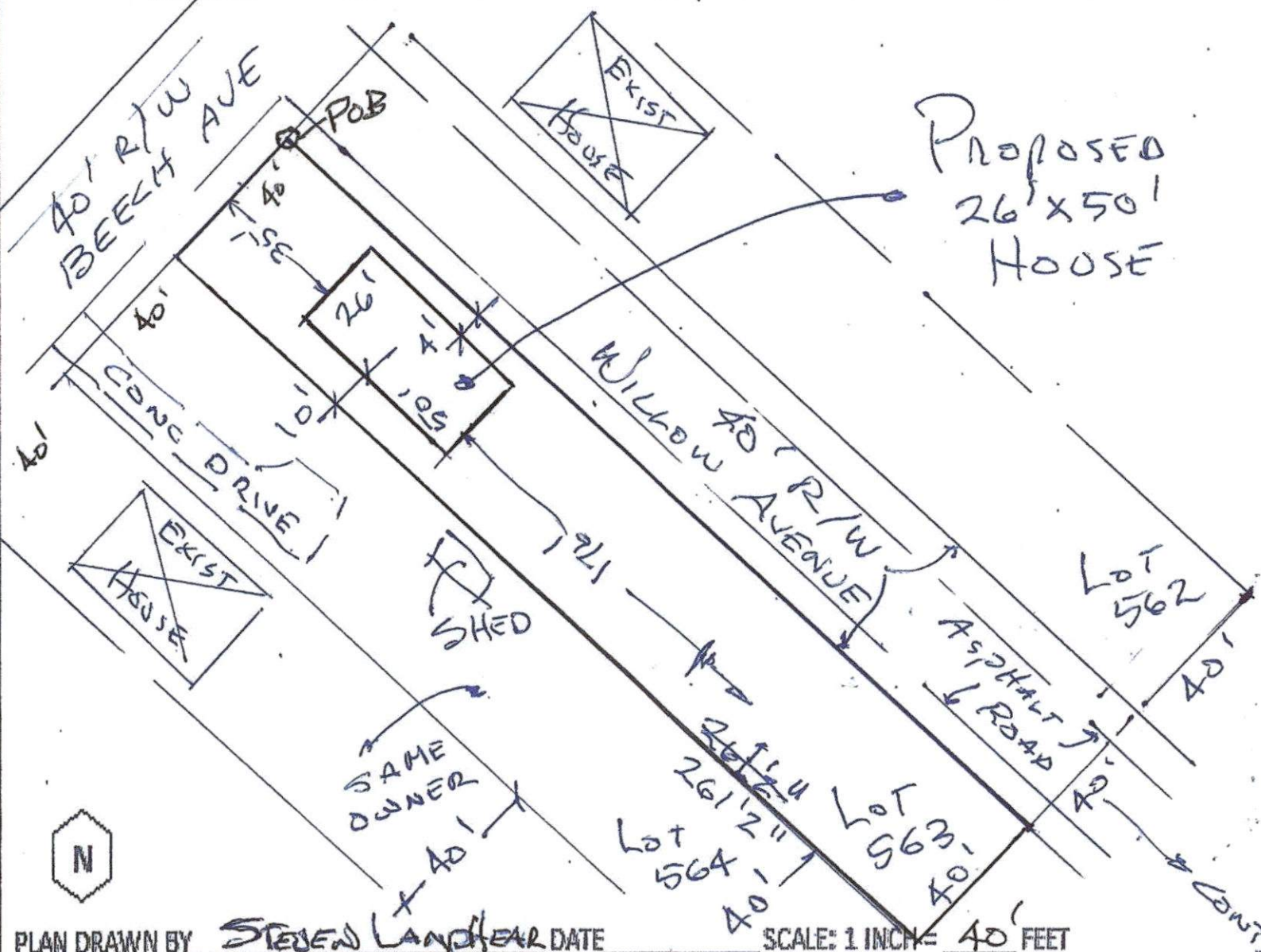
PUBLIC X PRIVATE _____

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:



PROPOSED
26' x 50'
HOUSE

SAME
OWNER

PLAN DRAWN BY STEVEN LANDHEAR DATE _____

PLS # 21605

4 Dec 19

SCALE: 1 INCH = 40 FEET

2019-0537-A

PLAT BOOK # 0002 FOLIO # 0196 10 DIGIT TAX # 1425045650 DEED REF. # 40032 0449

SITE VICINITY MAP

BELAIR ROAD

WILLOW CREEK

KENWOOD AV

SITE

一



MAP IS NOT TO SCALE

ZONING MAP# 081B3

SITE ZONED DR S. 5

ELECTION DISTRICT 14

COUNCIL DISTRICT 6

LOT AREA/ACREAGE

OR SQUARE FEET 10,440

HISTORIC? No

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC ~~X~~ PRIVATE

SEWER IS:

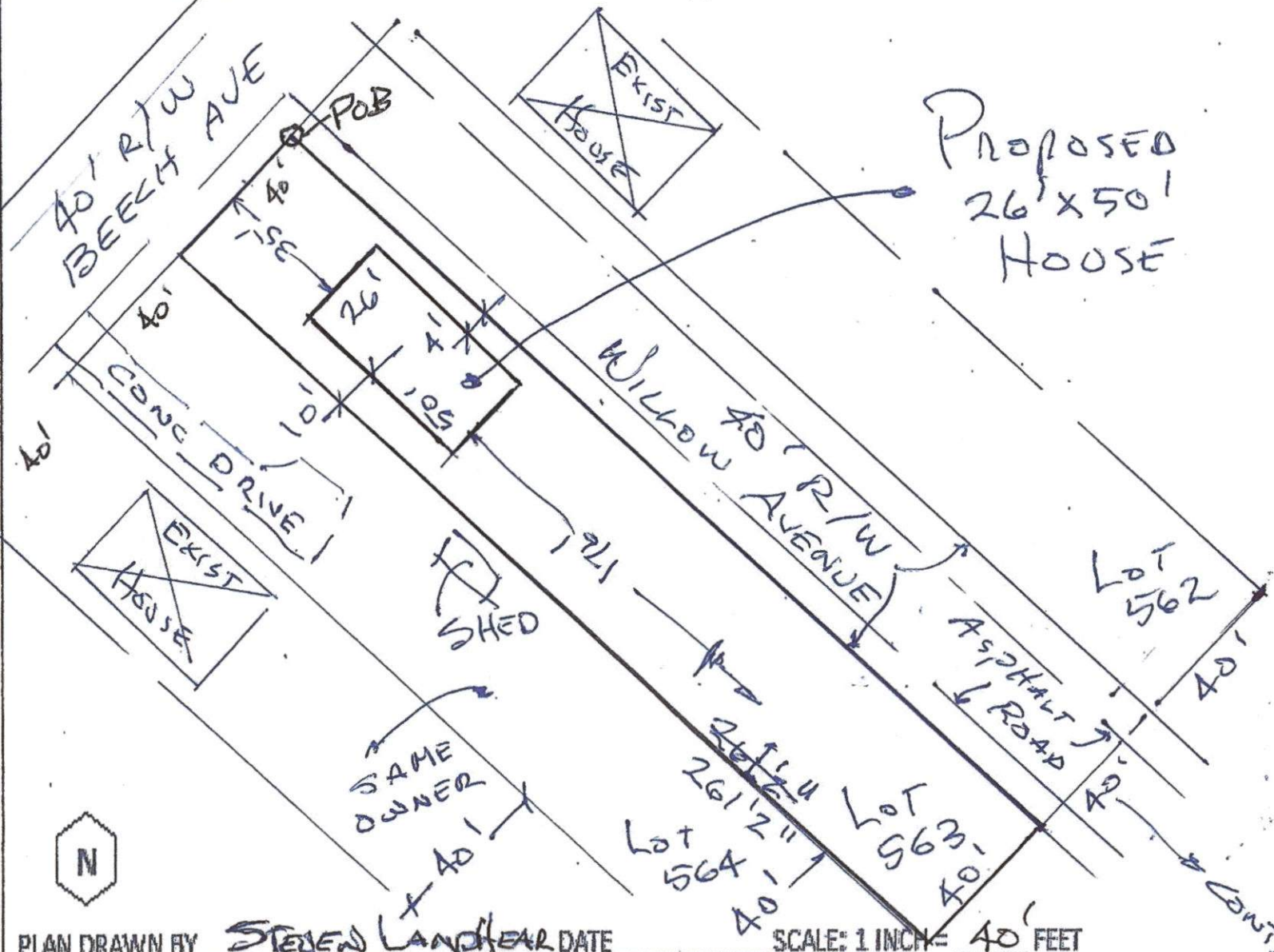
PUBLIC ~~X~~ PRIVATE

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLETION CASE INFO:



PLAN DRAWN BY

STEVEN LANDHEAR DATE

PLS # 21605

4 Dec 19

SCALE: 1 INCH = 40 FEET

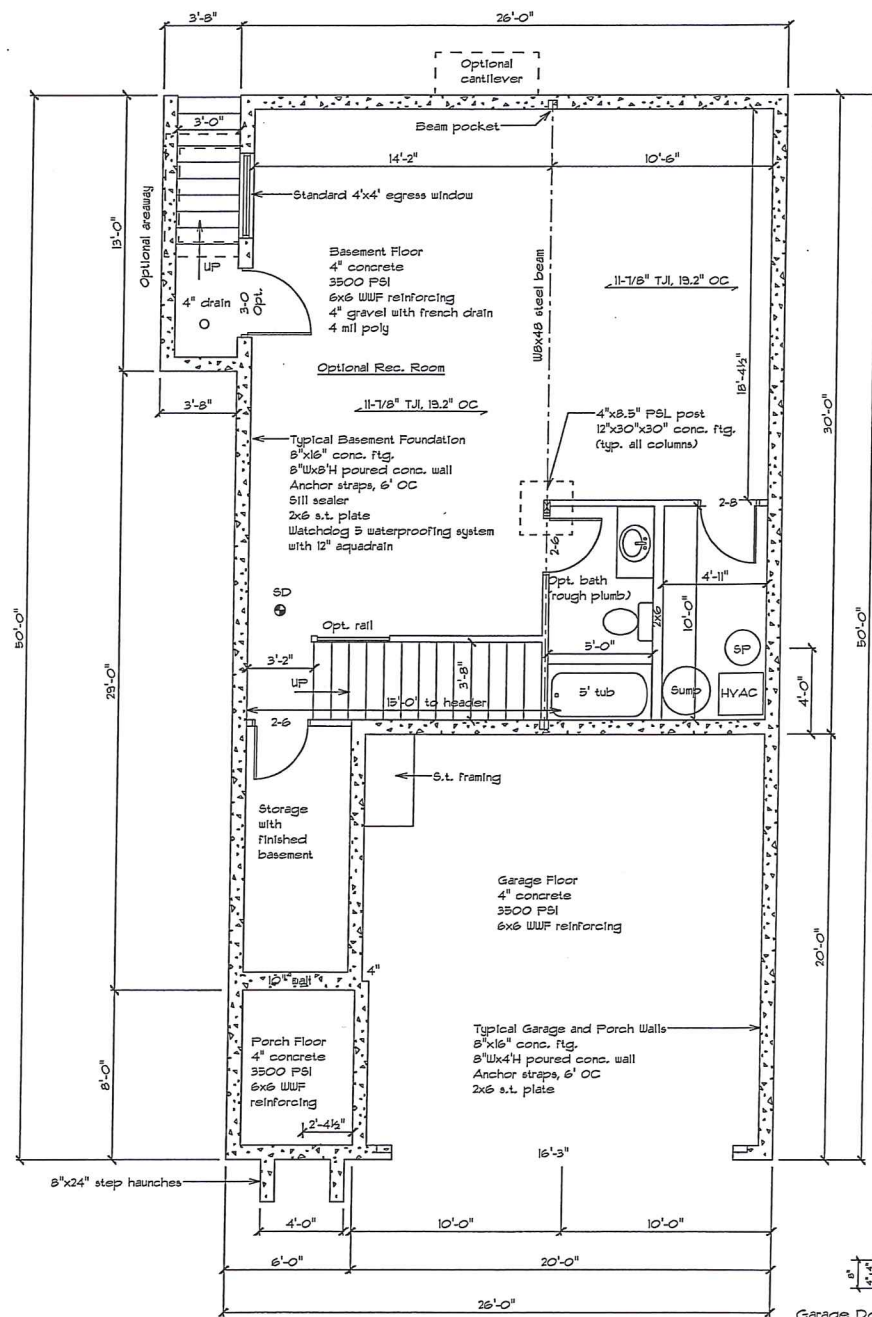
2019-0537-A

- General Notes:
1. Exterior walls are 2x6
 2. Ceiling height is 8'-1" both floors
 3. Windows are 1" with low-e glass (.35 max. U value) (rough openings by builder)
 4. All smoke detectors to be interconnected with battery backup
 5. Carbon monoxide detectors to be used with fossil fuel combustion
 6. HVAC and kitchen design by others
 7. All joist hangers to be fastened with manufacturer approved nails and in accordance with manufacturer's instructions
 8. All lumber to be #2 SPF or better
 9. All window and door headers to be 2 - 2x10 unless noted otherwise
 10. All bedrooms to have egress with 5.7 SF, 20" wide and 24" high clear opening
 11. Stairs to have handrails/guardrails if required
 12. All fasteners and hangers in contact with treated lumber to be hot dipped galvanized
 13. Interior dimensions are to rough framing
 14. All bathrooms to have 50 CFM exhaust fan
 15. Water heater and furnace to be field located by mechanics
 16. Entire roof to be engineered trusses with Maryland seal
 17. House to be fully sheathed with structural wood panels
 18. Steel beams to be sized by professional engineer
 19. All LVL lumber to be 2.0E

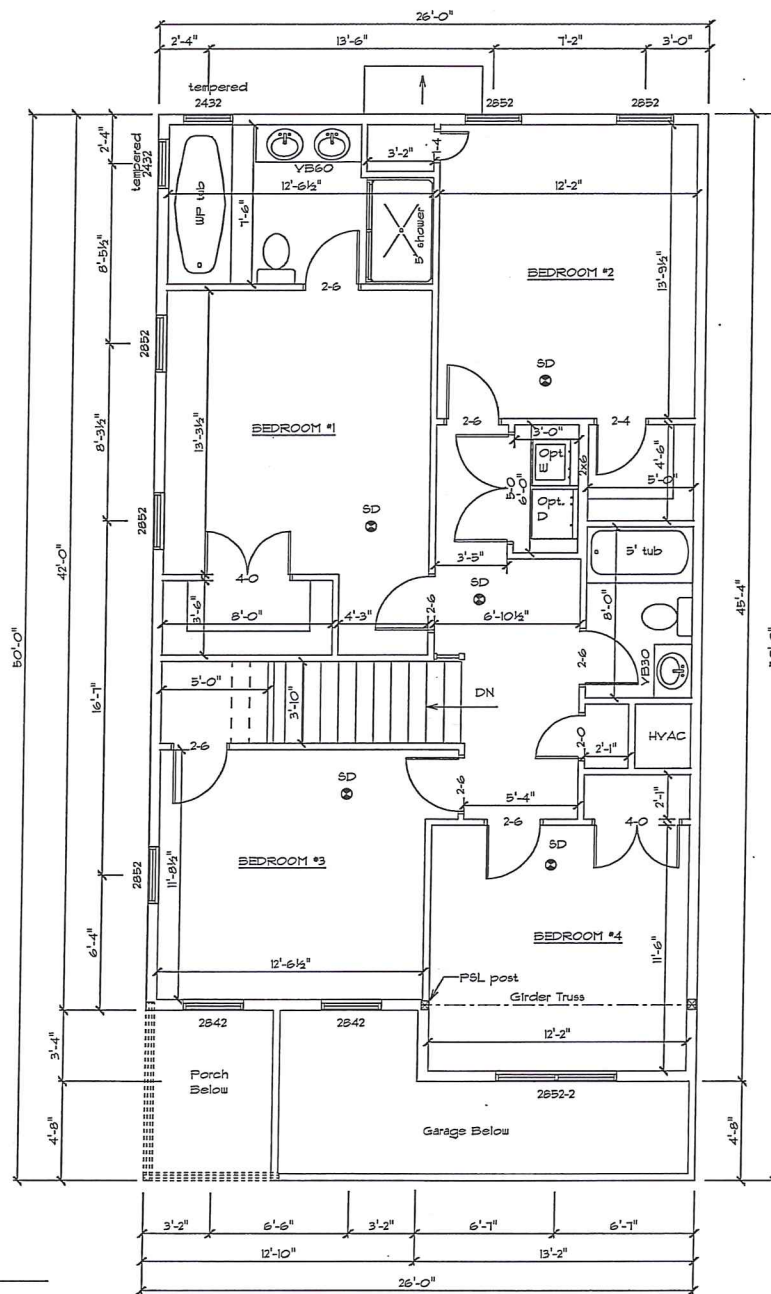
Stair Data
14 risers @ 7.1"
Treads to be 10" plus nosing

Insulation Schedule
Floor - R19
Walls - R21
Ceiling - R49

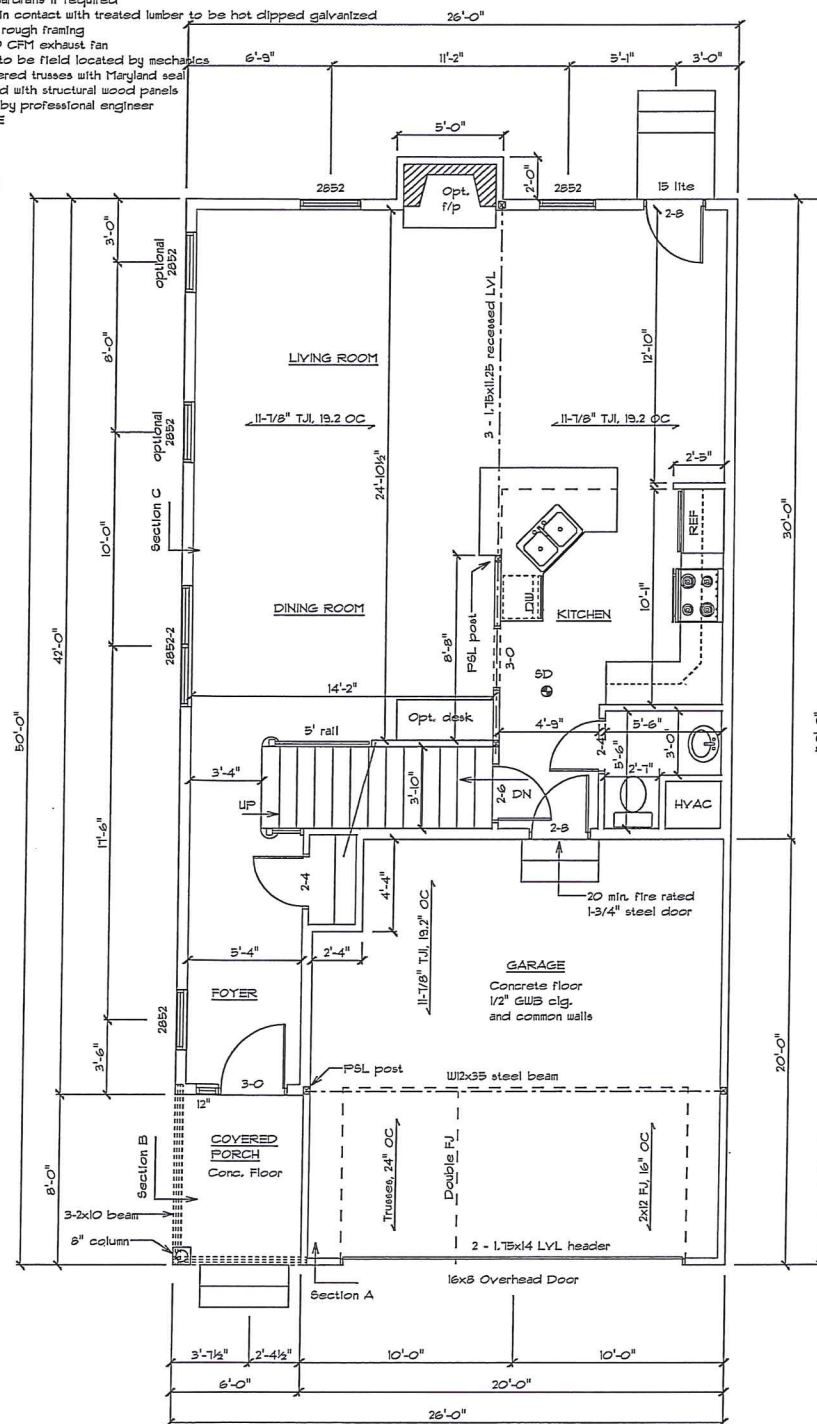
SF Calculations (ANSI Z765)
First Floor - 866
Second Floor - 1136
Garage - 384
Front Porch - 48



Foundation Plan



Second Floor Plan



First Floor Plan

Home Design Plus, Inc.

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The Buchanan II

Floor Plans

Scale 1/4"=1'-0"

Wednesday, October 28, 2010

Approved

Drawn By John Warfel

Revised

Drawing Number

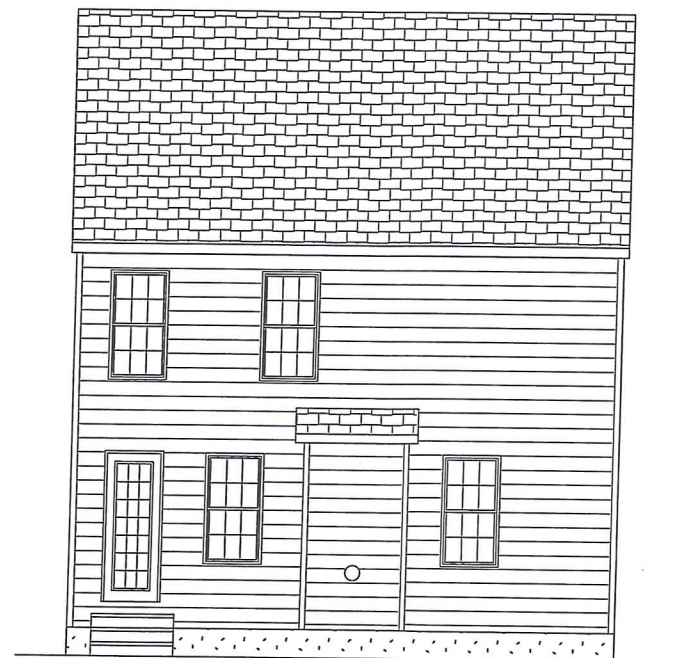
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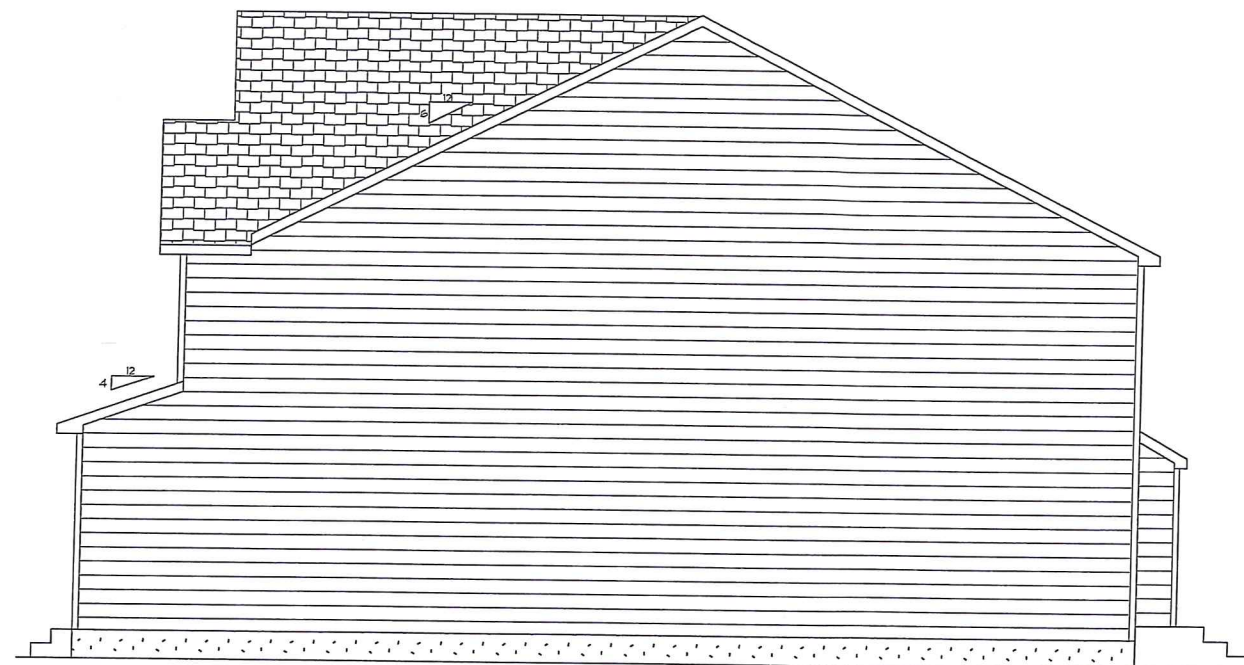
Front Elevation



Left Elevation



Rear Elevation



Right Elevation

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The Buchanan II

Elevations

Scale 1/4"=1'-0"

Approved

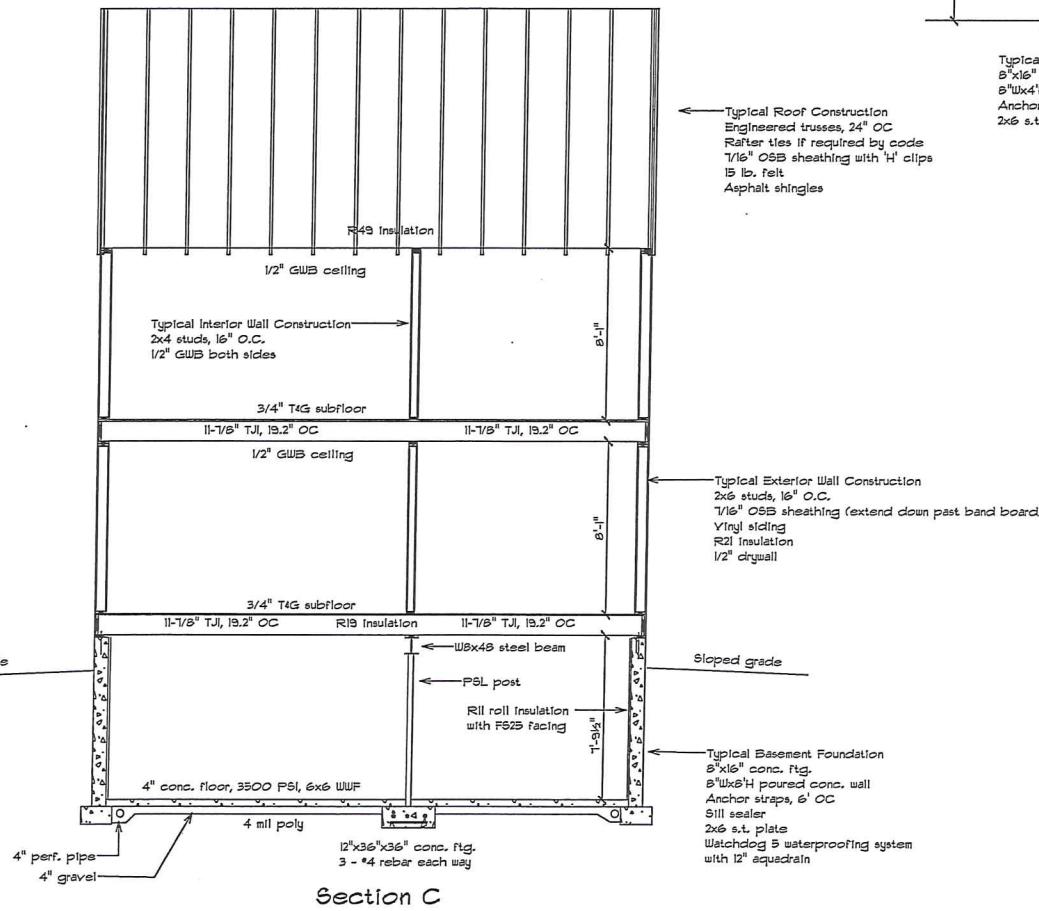
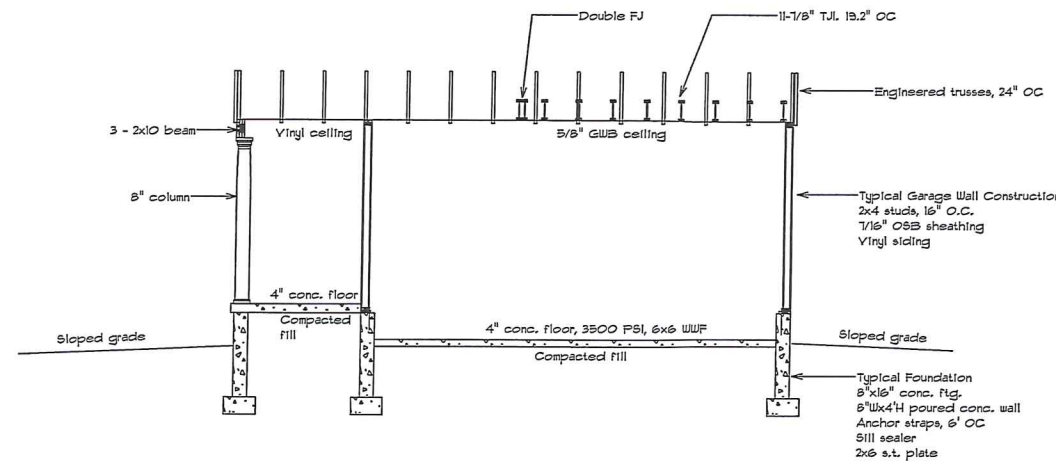
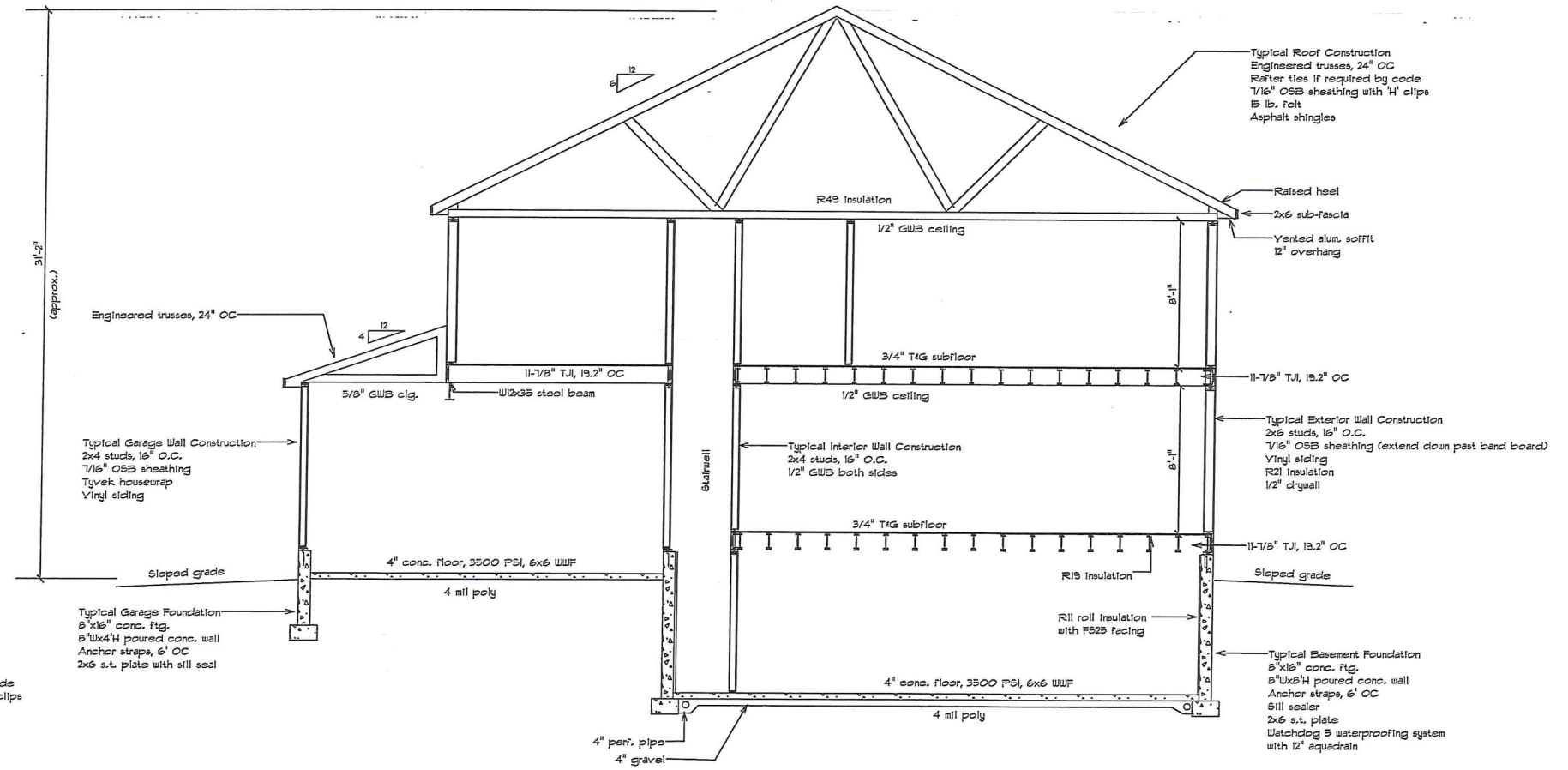
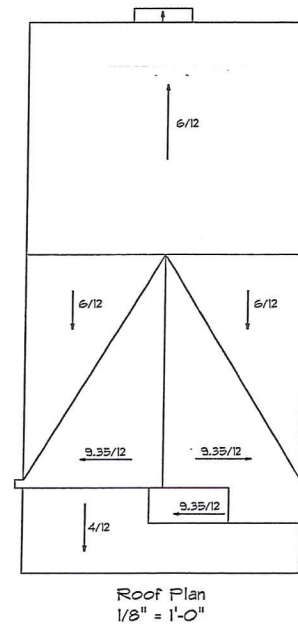
Revised

Wednesday, October 28, 2015

Drawn By John Warfel

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2



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The Buchanan II

Cross Sections/Roof Plan

Scale 1/4"=1'-0"

Approved

Revised

Wednesday, October 28, 2010

Drawn By John Warfel

Drawing Number

3