M E M O R A N D U M

DATE: July 21, 2020

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2020-0022-SPH– Appeal Period Expired

The appeal period for the above-referenced case expired on July 20, 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.'

/dlm

cc: ✓Case File
Office of Administrative Hearings

IN RE: **PETITION FOR SPECIAL HEARING** **(221 Virginia Avenue)** 15th Election District 7th Council District Louis J. Eckert, *Legal Owner* **Petitioner**	* * * * *	BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS FOR BALTIMORE COUNTY **Case No. 2020-0022-SPH**

* * * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for consideration of a Petition for Special Hearing filed on behalf of Louis J. Eckert, legal owner ("Petitioner"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("BCZR") for an in-law apartment in an accessory structure (garage). A site plan was marked and admitted as Petitioner's Exhibit 1.

Due to the COVID-19 pandemic, a WebEx hearing was conducted remotely by computer and/or phone participation. Petitioner, Louis Eckert, appeared in support of the petition. There were no Protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee ("ZAC") comments were received from the Department of Planning ("DOP") and the Department of Environmental Protection and Sustainability ("DEPS"). Neither agency opposed the request.

The subject property is approximately 22,816 sq. ft. in size and is zoned DR 5.5. It is on the Back River in a community of similar homes. As with the other homes in the community it faces the river and the rear of the lot is on Virginia Avenue. There is an existing garage connected by a breezeway to the main residence. Mr. Eckert explained that he and his wife wish to convert the garage structure into an "in-law" apartment that his mother in law, Darlene Waldrop, will move

ORDER RECEIVED FOR FILING
Date 6/19/2020
By D Mignon

into. A blueprint floorplan of the proposed remodeling was admitted as Petitioner's Exhibit 2. In accordance with BCZR § 400.4, a Declaration of Understanding was submitted and admitted as Petitioner's Exhibit 3. Mr. Eckert affirmed that he understood and agreed to all the conditions imposed by the BCZR and expressed in that Declaration. He also agreed that he would comply with the DOP's request that the paving be removed from the portion of his driveway that is encroaching on County property.

SPECIAL HEARING

Further, based on the testimony and exhibits submitted I find that the relief requested in the Petition conforms in all respects to the Special Exception requirements of BCZR § 502.1 and that the proposed accessory apartment for family use will not harm the public health, safety and welfare and that it is in keeping with the spirit and intent of the BCZR.

In addition, the Petitioner has submitted a signed and notarized Declaration of Understanding with the Department of Permits, Approvals and Inspections ("PAI") which sets forth all the necessary restrictions as required by §§ 400.4.A.1 and 400.4.B.1 and per those sections and this Order that Declaration of Understanding will be filed along with this Order in the Land Records of Baltimore County. A separate copy will be filed with the PAI.

THEREFORE, IT IS ORDERED this **19th** day of **June, 2020** by this Administrative Law Judge, that the Petition for Special Hearing seeking relief from § 500.7 of the Baltimore County Zoning Regulations ("BCZR") for an in-law apartment in an accessory structure (garage), be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his 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

ORDER RECEIVED FOR FILING
Date 6/19/2020
By D Mugnon

would be required to return the subject property to its original condition.

2. The proposed structure shall not be used for commercial purposes and shall not have a separate utility meter.

3. Prior to issuance of permits Petitioners must comply with the ZAC comments submitted by the DEPS and DOP, copies of which are attached hereto and made a part hereof.

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

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlw

ORDER RECEIVED FOR FILING
Date 10/19/2020
By D Mignon

PI TION FOR ZONING HEA...NG(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 221 Virginia Ave Essex MD 21221 **which is presently zoned** DR 5.5

Deed References: 37667:0001 10 Digit Tax Account # 1 5 0 3 1 8 0 0 0 0

Property Owner(s) Printed Name(s) Louis Eckert

(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. X **a Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve AN IN-LAW APARTMENT IN AN ACCESSORY STRUCTURE (GARAGE).

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

3. ____ **a Variance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: **(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)**

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.
Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING
Date 01/9/2020
By D. Duncan

Legal Owners (Petitioners):

Louis Eckert
Name #1 – Type or Print Name #2 – Type or Print

Louis Eckert
Signature #1 Signature # 2

221 Virginia Ave Essex MD
Mailing Address City State

21221 443-386-5342 LJECKERT@GMAIL.COM
Zip Code Telephone # Email Address

LJECKERT@

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Name – Type or Print Same

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2020-0022-SPH Filing Date 01/24/2020 Do Not Schedule Dates: ____ Reviewer JCM

REV. 10/4/11

Exhibit A – The Property

BEGINNING FOR THE SAME at a point on the south side of Virginia Ave, as laid 50 feet wide, said point being located 68 degrees 49 minutes 30 seconds west 267.63 feet from the intersection formed by the west side of Riverside Drive and the south side of Virginia Ave and running thence and leaving said Avenue 05 degrees 21 minutes 30 seconds east 397.37 feet to the Shoreline of Back River, then binding on the Shoreline and waters of Back River south 80 degrees 17 minutes west 74.60 feet thence by a straight line in a northerly direction 320.29 feet more or less to a point situate south 68 degrees 49 minutes 30 seconds west 50 feet from and thence binding on the south side of Virginia Ave.

The improvements being known as 221 Virginia Ave

BEING THE SAME lot of ground which by Deed dates Jun 16th, 2016 and recorded among the Land Records of Baltimore County Liber34433, Folio 437, was granted and conveyed by Joshua Gompert and Ashley Gompert, unto Louis Eckert and Tara Waldrop, the Garantors herin.

Debra Wiley

From:	SGT ROBERT BLACK <1opie@comcast.net>
Sent:	Tuesday, June 16, 2020 6:17 PM
To:	Barbara Lukasevich; amrosenblatt@venable.com; Administrative Hearings
Subject:	Recertification's For 2020-0030-A
Attachments:	Re-Cert 1 2020-0030-A.doc; Re-Cert 2 2020-0030-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 8522 Old Harford Road. Thanks.

RECEIVED

JUN 17 2020

OFFICE OF
ADMINISTRATIVE HEARINGS

CERTIFICATE OF POSTING

RE: Case No.: 2020-0030-A

Petitioner/Developer: Olga A. Bell, Trustee
James Cooper

Date of Hearing/Closing: June 19, 2020

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

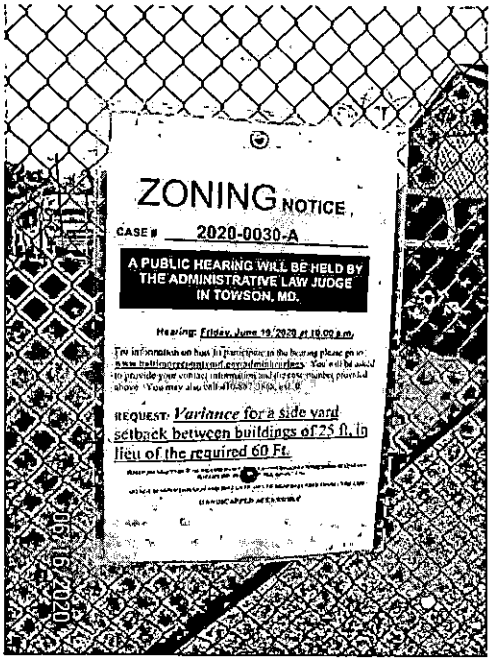
Attn: Kristen Lewis:

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:

8522 Old Harford Road **SIGN 1 Recertification**

The sign(s) were posted on May 30, 2020
(Month, Day, Year)



Sincerely,

June 16, 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

RE: Case No.: 2020-0030-A

Petitioner/Developer: Olga A. Bell, Trustee
James Cooper

Date of Hearing/Closing: June 19, 2020

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

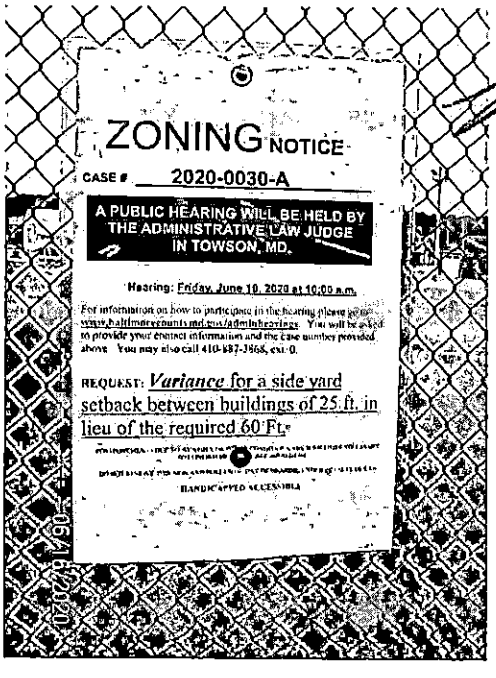
Attn: Kristen Lewis:

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:

8522 Old Harford Road **SIGN 2 Recertification**

The sign(s) were posted on May 30, 2020
(Month, Day, Year)



Sincerely,

June 16, 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)

Donna Mignon

From: Donna Mignon
Sent: Tuesday, June 16, 2020 3:10 PM
To: 'ljeckert@gmail.com'
Subject: Hearing 6/19/2020 at 11:00

Dear Mr. Eckert:
We need to find out if you are going to be presenting anything at the hearing.
Please email anything that you wish to present at the hearing at administrativehearings@baltimorecountymd.gov

Thank you.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

6/16/2020 -
Mr. Eckert indicated that he does not need to present anything else

CERTIFICATE OF POS G

CASE NO. 2020-0022-SPH

PETITIONER/DEVELOPER

LOUIS ECKERT

-

DATE OF HEARING/CLOSING

JUNE 19, 2020

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

LADIES AND GENTLEMEN :

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

221 VIRGINIA AVENUE SIGN 1

THE SIGN(S) POSTED ON MAY 30 ,2020 JUNE 16,2020
(MONTH, DAY, YEAR)

SINCERLEY ,

MARTIN OGLE

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

RECEIVED
JUN 16 2020
OFFICE OF
ADMINISTRATIVE HEARINGS

CERTIFICATE OF POST G

CASE NO. 2020-0022-SPH

PETITIONER/DEVELOPER

LOUIS ECKERT

DATE OF HEARING/CLOSING

JUNE 19, 2020

BALTIMORE COUNTY DEPARTMENT OF

PERMITS AND DEVELOPMENT MANAGEMENT

COUNTY OFFICE BUILDING ROOM 111

111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMEN :

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

221 VIRGINIA AVENUE SIGN 2

THE SIGN(S) POSTED ON MAY 30 ,2020 JUNE 16,2020

(MONTH, DAY, YEAR)

SINCERLEY ,

MARTIN OGLE

MARTIN OGLE

9912 MAIDBROOK RD.

PARKVILLE ,MD 21234

443-629-3411

RECEIVED

JUN 16 2020

OFFICE OF
ADMINISTRATIVE HEARINGS

JOHN A. OLSZEWSKI, JR.
County Executive

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

May 28, 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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0022-SPH
221 Virginia Avenue
S/side of Virginia Avenue, 250 ft. w/of Riverside Drive
15th Election District – 7th Councilmanic District
Legal Owners: Louis Eckert

Special Hearing for an in-law apartment in an accessory structure (garage).

Hearing: Friday, June 19, 2020 at 10:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd/gov/adminhearings. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

Michael Mallinoff
Director

MM:kl

C: Louis Eckert, 221 Virginia Avenue, Essex 21221

NOTE: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MAY 30, 2020.**

Kristen L Lewis

From: Google Calendar <calendar-notification@google.com> on behalf of ljeckert@gmail.com
Sent: Thursday, May 28, 2020 10:16 AM
To: Kristen L Lewis
Subject: Accepted: Zoning Hearings - 221 Virginia Avenue @ Fri Jun 19, 2020 11am - 12pm (EDT) (Kristen Lewis)
Attachments: invite.ics

CAUTION: This message from 3q8fPXggJBnYfdYWeYlnagUcf.WigefYqcmVUfncgilYWiohnsgX.aip@calendar-server.bounces.google.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

ljeckert@gmail.com has accepted this invitation.

Zoning Hearings - 221 Virginia Avenue

When	Fri Jun 19, 2020 11am – 12pm Eastern Time - New York
Where	https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e2b0c976f9a7f38b5923a29c59 (map)
Calendar	Kristen Lewis
Who	• Kristen Lewis - organizer • ljeckert@gmail.com - creator • Louis Eckert

Hello Louis Eckert,

Kristen Lewis invites you to be a panelist in a Web seminar.

Topic: Zoning Hearings - 221 Virginia Avenue

Host: Kristen Lewis

Friday, June 19, 2020 11:00 am, Eastern Daylight Time (New York, GMT-04:00)

Event number: 160 340 9155

Panelist password: The Event has no Panelist Password

Video Address: 1603409155@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 612965

To join as a panelist

---

1. Go to https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e93d62a31995645bc7ce07a7009dae

2. Click "Join Now".

If you experience a problem joining the event as a panelist, you can join as an attendee.

Event password: 1234

To join the event as an attendee

---

1. Go to https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e6c7d52c69097b2132b3dba40c81c3

2. Click "Join Now".

Join the audio conference only

US Toll: +1-415-655-0001

Global call-in numbers:
https://baltimorecountymd.webex.com/baltimorecountymd/globalcallin.php?MTID=eddffb09137a6a9752ca20e203f32da98

Access code: 160 340 9155

For assistance

To contact your host, Kristen Lewis, send a message to klewis@baltimorecountymd.gov

The playback of UCF (Universal Communications Format) rich media files requires appropriate players. To view this type of ricl files in the meeting, please check whether you have the players installed on your computer by going to https://baltimorecountymd.webex.com/baltimorecountymd/onstage/systemdiagnosis.php

https://www.webex.com

IMPORTANT NOTICE: This Webex service includes a feature that allows audio and any documents and other materials exchai viewed during the session to be recorded. By joining this session, you automatically consent to such recordings. If you do not c to the recording, discuss your concerns with the meeting host prior to the start of the recording or do not join the session. Pleas that any such recordings may be subject to discovery in the event of litigation.

Invitation from Google Calendar

You are receiving this courtesy email at the account klewis@baltimorecountymd.gov because you are an attendee of this event.

To stop receiving future updates for this event, decline this event. Alternatively you can sign up for a Google account at https://www.google.com/caler control your notification settings for your entire calendar.

Forwarding this invitation could allow any recipient to send a response to the organizer and be added to the guest list, or invite others regardless of th invitation status, or to modify your RSVP. Learn More.

Sent from my iPhone

CERTIFICATE OF POSTING

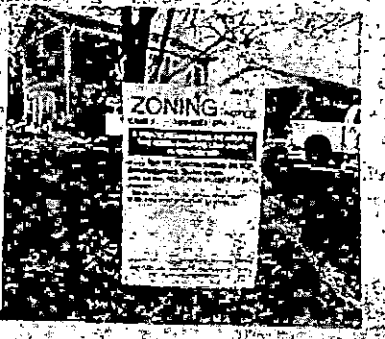
CASE NO. 2020-0022-SPH

PETITIONER/DEVELOPER

LOUIS ECKERT

DATE OF HEARING/CLOSING

March 23 , 2020



BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

COUNTY OFFICE BUILDING ROOM 111

111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMEN

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

221 VIRGINIA AVENUE

Sign # 1

THE SIGN(S) POSTED ON March 3 , 2020

(MONTH, DAY, YEAR)

SINCERLEY

3/21/2020

MARTIN OGLE

9912 MAIDBROOK RD.

PARKVILLE, MD 21234

443-629-3411

CERTIFICATE OF POSTING

CASE NO. 2020-0022-SPH

PETITIONER/DEVELOPER

LOUIS ECKERT

DATE OF HEARING/CLOSING

March 23 , 2020

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGE-
MENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION:

LADIES AND GENTLEMEN :

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

221 VIRGINIA AVENUE

Sign # 2

THE SIGN(S) POSTED ON: March 3 ,2020
(MONTH, DAY, YEAR)

SINCERLEY

3/21/2020

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

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

Order #: 11857136
Case #: 2020-0022-SPH
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2020-0022-SPH

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:

3/3/2020

Darlene Miller

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: 2020-0022-SPH
221 Virginia Avenue
S/side of Virginia Avenue, 250 ft. w/of Riverside Drive
15th Election District - 7th Councilmanic District
Legal Owners: Louis Eckert
Special Hearing for an in-law apartment in an accessory structure (garage).
Hearing: Monday, March 23, 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 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.
mh3

RE: PETITION FOR SPECIAL HEARING 221 Virginia Avenue; S/S of Virginia Avenue 15th Election & 7th Councilmanic Districts Legal Owner(s): Louis Eckert Petitioner(s)	* * * * * *	BEFORE THE OFFICE OF ADMINSTRATIVE HEARINGS FOR BALTIMORE COUNTY 2020-022-SPH

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

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

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

RECEIVED
FEB 03 2020

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of February, 2020, a copy of the foregoing Entry of Appearance was mailed to Louis Eckert, 221 Virginia Avenue, Essex, Maryland 21221, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

JOHN A. OLSZEWSKI, JR.
County Executive

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

February 18, 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: 2020-0022-SPH
221 Virginia Avenue
S/side of Virginia Avenue, 250 ft. w/of Riverside Drive
15th Election District – 7th Councilmanic District
Legal Owners: Louis Eckert

Special Hearing for an in-law apartment in an accessory structure (garage).

Hearing: Monday, March 23, 2020 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Michael Mallinoff
Director

MM:kl

C: Louis Eckert, 221 Virginia Avenue, Essex 21221

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MARCH 3, 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
Tuesday, March 3, 2020 – Issue

Please forward billing to:
Louis Eckert
221 Virginia Avenue
Essex, MD 21221

443-386-5342

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: 2020-0022-SPH
221 Virginia Avenue
S/side of Virginia Avenue, 250 ft. w/of Riverside Drive
15th Election District – 7th Councilmanic District
Legal Owners: Louis Eckert

Special Hearing for an in-law apartment in an accessory structure (garage).

Hearing: Monday, March 23, 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 ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/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: 2020-0022-SPH

Property Address: 221 VIRGINIA AVE, BALTO., MD. 21221

Property Description: SOUTH-SIDE OF VIRGINIA AVE, 250ft ± WESTWARDLY FROM RIVERSIDE DRIVE.

Legal Owners (Petitioners): LOUIS ECKERT

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____

Company/Firm (if applicable): _____

Address: SAME.

Telephone Number: 443-386-5342

Revised 7/9/2015

JOHN A. OLSZEWSKI, JR.
County Executive

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

June 15, 2020

Louis Eckert,
221 Virginia Ave
Essex MD 21221

RE: Case Number: 2020-0022-SPH, 221 Virginia 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 January 24, 2020. 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

MARYLAND DEPARTMENT
OF TRANSPORTATION

STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Gregory Slater
Acting Secretary
Tim Smith, P.E.
Acting Administrator

Date: 1/28/20

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. 2020-0022-SPH
Special Hearing
Lowis Eckert
221 Virginia 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,

Richard A. Zeller

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

WW/RAZ

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 2/21/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 20-022

INFORMATION:
Property Address: 221 Virginia Avenue
Petitioner: Louis Eckert
Zoning: DR 5.5
Requested Action: Special Hearing

The applicant is requesting a special hearing under § 500.7 of the BCZR to determine whether the zoning commissioner should approve an in-law apartment in an accessory structure.

The Department of Planning has reviewed the petition Virginia Avenue in Essex. The parcel is narrow and borders Back River on the southern end. The parcel is zoned DR 5.5 and is in a primarily residential area. The property is located in the Chesapeake Bay Critical Area and is within the limited development area. The proposed in-law unit is not located within the Flood Plain or CBCA modified buffer area. The applicant previously sought, and was granted, a zoning variance for an accessory structure of 25 feet in lieu of the required 15 feet. This variance was granted in 2019.

A site visit was conducted on February 3, 2020. The existing 1-story garage is currently under construction with a second story partially completed. The existing parking stretches over the applicant's property onto County-owned property. The applicant should make an effort to remove the impervious parking area that stretches onto County property.

The Department of Planning has no objection to the request for special hearing provided the following conditions are met:

1. The accessory structure is less than 1,200 square feet.
2. The applicant removes the existing parking on county property.
3. The applicant state the relationship between the occupant of the accessory structure and the primary owner.

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

Division Chief:

Jennifer G. Nugent

CPG/JGN/kma/

s:\planning\dev rev\zac\zacs 2020\20-022.docx

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Michael Millanoff, Director
Department of Permits, Approvals

DATE: 03/02/2020

EFC for VKD

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For February 03, 2020
Item No. 2020-0017-SPH, 0018-SPH, 0019-A, 0020-A & 0022-SPH

The Bureau of Development Plans Review has reviewed the subject zoning items and we have no comments.

* * * * *

VKD: cen
cc: file

3-23-20
10Am

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 2/21/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 20-022

RECEIVED
FEB 24 2020
OFFICE OF
ADMINISTRATIVE HEARINGS

INFORMATION:
Property Address: 221 Virginia Avenue
Petitioner: Louis Eckert
Zoning: DR 5.5
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For further information concerning the matters stated herein, please contact Joseph Fraker at 410-887-3480.

Division Chief:

Jenifer G. Nugent

CPG/JGN/kma/

s:\planning\dev rev\zac\zacs 2020\20-022.docx

c: Joseph Fraker
Louis Eckert
Office of the Administrative Hearings
People's Counsel for Baltimore County

3-23-2020

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED
FEB 20 2020
OFFICE OF
ADMINISTRATIVE HEARINGS

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: February 20, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0022-SPH
Address 221 Virginia Avenue
(Eckert Property)

Zoning Advisory Committee Meeting of **February 3, 2020**.

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

   The subject property is located within a Limited Development Area (LDA) and a Modified Buffer Area (MBA) and is subject to Critical Area requirements. The applicant is proposing to permit an in-law suite in an existing detached garage. A covered walkway connecting the garage to the existing dwelling is shown on the plan. While the conversion of the garage to an accessory apartment does not conflict with any Critical Area requirements, any new development such as the covered walkway must meet all LDA requirements. The lot is waterfront and the garage and walkway are outside of the Critical Area buffer. Any new lot coverage must meet the lot coverage limits. No information on lot coverage was provided. In addition, 15% afforestation (7 trees) is required. If the lot coverage and afforestation requirements are met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

   This property is waterfront and no buffer impacts are proposed. Lot coverage information was not provided for the proposed covered walkway. If lot coverage and afforestation requirements are met this request will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts.

   This is a grandfathered lot. Provided that the applicants meet their lot coverage and afforestation requirements, then the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

3-23-2020

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED
FEB 20 2020
OFFICE OF
ADMINISTRATIVE HEARINGS

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: February 20, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0022-SPH
Address 221 Virginia Avenue
(Eckert Property)

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   The subject property is located within a Limited Development Area (LDA) and a Modified Buffer Area (MBA) and is subject to Critical Area requirements. The applicant is proposing to permit an in-law suite in an existing detached garage. A covered walkway connecting the garage to the existing dwelling is shown on the plan. While the conversion of the garage to an accessory apartment does not conflict with any Critical Area requirements, any new development such as the covered walkway must meet all LDA requirements. The lot is waterfront and the garage and walkway are outside of the Critical Area buffer. Any new lot coverage must meet the lot coverage limits. No information on lot coverage was provided. In addition, 15% afforestation (7 trees) is required. If the lot coverage and afforestation requirements are met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

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Reviewer: Regina Esslinger

3-23-20
10AM

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 2/21/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 20-022

RECEIVED
FEB 24 2020
OFFICE OF
ADMINISTRATIVE HEARINGS

INFORMATION:
Property Address: 221 Virginia Avenue
Petitioner: Louis Eckert
Zoning: DR 5.5
Requested Action: Special Hearing

The applicant is requesting a special hearing under § 500.7 of the BCZR to determine whether the zoning commissioner should approve an in-law apartment in an accessory structure.

The Department of Planning has reviewed the petition Virginia Avenue in Essex. The parcel is narrow and borders Back River on the southern end. The parcel is zoned DR 5.5 and is in a primarily residential area. The property is located in the Chesapeake Bay Critical Area and is within the limited development area. The proposed in-law unit is not located within the Flood Plain or CBCA modified buffer area. The applicant previously sought, and was granted, a zoning variance for an accessory structure of 25 feet in lieu of the required 15 feet. This variance was granted in 2019.

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1. The accessory structure is less than 1,200 square feet.
2. The applicant removes the existing parking on county property.
3. The applicant state the relationship between the occupant of the accessory structure and the primary owner.

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

Division Chief:

Jenifer G. Nugent

CPG/JGN/kma/

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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: February 12, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0025-A
Address 4103 Haklifax Road
(Grabner Property)

Zoning Advisory Committee Meeting of **February 10, 2020.**

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

1. Ground Water Management will need to review any proposed building permit for a garage, since the property is served by well and septic.

Reviewer: Dan Esser

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 2/13/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 20-025

INFORMATION:
Property Address: 4103 Halifax Court
Petitioner: David Grabner, Cheryl Grabner
Zoning: RC 6
Requested Action: Administrative Variance

The Department of Planning has reviewed the petition for an administrative variance from Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to approve an accessory structure (garage) in the front yard on the left side of the property in lieu of the required rear yard.

The property is located at the end of a cul-de-sac in Glen Arm. The area is predominately rural residential and agricultural. This property abuts a power transmission line and then Loch Raven Reservoir property.

The Department of Planning finds the requested administrative variance to be consistent with the spirit and intent of the BCZR and has no objection to granting the petitioned zoning relief provided:

1. The accessory structure should not be used as a commercial or residential structure, and
2. Certain performance standards, as established in BCZR § 1A07.8.C and discussed below are followed:
   - Pursuant to BCZR § 1A07.8.C.2.c buildings must reflect the traditional rural character of the area.
   - Building(s) shall have similar treatment of materials to all exterior walls with respect to color and architectural details.

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

Division Chief:

Jenifer G. Nugent

CPG/JGN/kma/
c: Megan Benjamin
David Grabner
Office of the Administrative Hearings
People's Counsel for Baltimore County

s:\planning\dev rev\zac\zacs 2020\20-025.docx

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration

Special Tax Recapture: None

Account Identifier: District - 15 **Account Number -** 1503180000

Owner Information

Owner Name:	WALDROP TARA J ECKERT LOUIS JAMES	**Use:** **Principal Residence:**	RESIDENTIAL YES
Mailing Address:	221 VIRGINIA AVE BALTIMORE MD 21221-	**Deed Reference:**	/37667/ 00001

Location & Structure Information

Premises Address:	221 VIRGINIA AVE BALTIMORE 21221-6911 Waterfront	**Legal Description:**	221 VIRGINIA AVE ESSEX

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0097	0008	0371	15100095.04	0000	E	K	6	2018	**Plat Ref:** 0009/ 0074

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1979	1,500 SF	900 SF	22,816 SF	34

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
1	YES	STANDARD UNIT	BRICK/	4	3 full	1 Detached	

Value Information

	Base Value	Value As of 01/01/2018	Phase-in Assessments As of 07/01/2019	As of 07/01/2020
Land:	165,200	165,200		
Improvements	211,500	208,100		
Total:	376,700	373,300	373,300	373,300
Preferential Land:	0			0

Transfer Information

Seller: GOMPERT JOSHUA	**Date:** 06/22/2016	**Price:** $375,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /37667/ 00001	**Deed2:**
Seller: 1735 SEARLES LLC	**Date:** 11/14/2013	**Price:** $353,000
Type: NON-ARMS LENGTH OTHER	**Deed1:** /34433/ 00437	**Deed2:**
Seller: WITT DONALD A SR	**Date:** 08/12/2013	**Price:** $197,000
Type: NON-ARMS LENGTH OTHER	**Deed1:** /34060/ 00271	**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

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: Approved 11/22/2016

Homeowners' Tax Credit Application Information

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

Debra Wiley

RECEIVED
JUN 17 2020
OFFICE OF
ADMINISTRATIVE HEARINGS

From: Louis Eckert <ljeckert@gmail.com>
Sent: Tuesday, June 16, 2020 4:10 PM
To: Administrative Hearings
Subject: Case 2020-0022-SPH
Attachments: Property_Description.docx; hearing_Plan_Layout (1).docx; Floorplan.docx; Notarized_Declaration.pdf

CAUTION: This message from ljeckert@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.

Hello,

I have a virtual hearing on Friday the 19th. I've attached the notarized page from my declaration (the whole thing was already on file) and a few files I may need to present. It is not clear to me if I have to present anything I have not already filed with the office.

Louis Eckert
221 Virginia Ave
Essex, MD 21221

Donna Mignon

From: Administrative Hearings
Sent: Thursday, July 2, 2020 8:18 AM
To: mert1114@aol.com
Subject: RE: 2nd set of certificates

RECEIVED
JUL 2 2020
OFFICE OF
ADMINISTRATIVE HEARINGS

Thank you.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

From: mert1114@aol.com <mert1114@aol.com>
Sent: Wednesday, July 1, 2020 7:23 PM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Subject: 2nd set of certificates

CAUTION: This message from mert1114@aol.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Case #2020-0022-SPH 221 Virginia Avenue

Sent from Mail for Windows 10

CERTIFICATE OF POSTING

CASE NO. 2020-0022-SPH

PETITIONER/DEVELOPER

LOUIS ECKERT

DATE OF HEARING/CLOSING

JUNE 19, 2020

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

LADIES AND GENTLEMEN :

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

221 VIRGINIA AVENUE SIGN 1

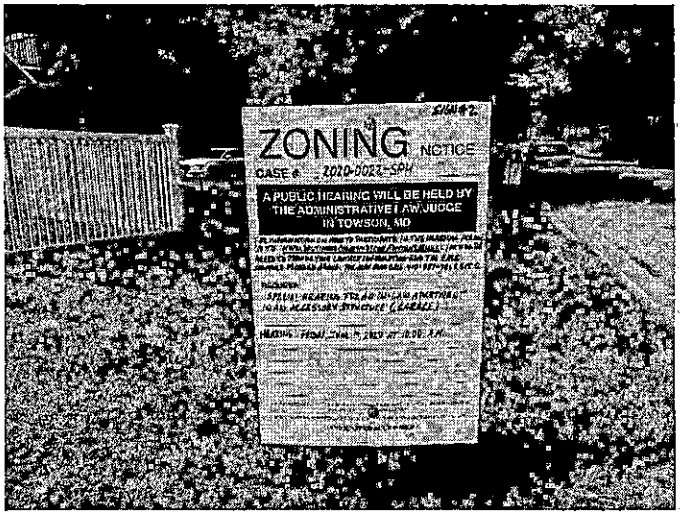
THE SIGN(S) POSTED ON MAY 30 ,2020 JUNE 16,2020
(MONTH, DAY, YEAR)

SINCERLEY ,

MARTIN OGLE

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

CERTIFICATE OF POSTING



CASE NO. 2020-0022-SPH

PETITIONER/DEVELOPER

LOUIS ECKERT

DATE OF HEARING/CLOSING

JUNE 19, 2020

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

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THE SIGN(S) POSTED ON MAY 30 ,2020 JUNE 16,2020
(MONTH, DAY, YEAR)

SINCERLEY ,

MARTIN OGLE

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

Order ✓ Ltr. ✓ (5-23-20 10 Am)

CASE NO. ~~2019~~ 2020-0082-SPH

6/19/2020 @ 11 Am

CHECKLIST

Comment Received	Department	Support/Oppose/ Conditions/ Comments/ No Comment
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
2-20	DEPS (if not received, date e-mail sent _____)	C Critical area ✓
_____	FIRE DEPARTMENT	_____
2-24	PLANNING (if not received, date e-mail sent _____)	No object. w/ Recommendations
_____	STATE HIGHWAY ADMINISTRATION	_____
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING (1st) Date: _____ by _____

SIGN POSTING (2nd) Date: _____ by _____

PEOPLE'S COUNSEL APPEARANCE Yes ☑ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☑

Comments, if any: _____

6/19 11Am

ZAC AGENDA

Case Number: 2020-0022-SPH **Reviewer:** Joseph Merrey
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: SPECIAL HEARING
Legal Owner: Louis Eckert
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 221 VIRGINIA AVE
Location: South side of Virginia Ave 250'.

Existing Zoning: DR 5.5 **Area:** 22,816 SQ FT
Proposed Zoning:
SPECIAL HEARING:
An In-Law apartment in accessory structure (garage).
Attorney: Not Available
Prior Zoning Cases: None
Concurrent Cases: None
Violation Cases: None
Closing Date:

Miscellaneous Notes:

3-23-2020
10AM

Sherry Nuffer

From: Sherry Nuffer
Sent: Tuesday, March 17, 2020 9:43 AM
To: 'Ljeckert@gmail.com'
Subject: Hearing for March 23, 2020

Mr. Eckert,

Per our 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. 2020-0022-SPH scheduled for Monday, March 23, 2020 @ 10:00 AM 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.

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

Spoke TO Mr. Eckert
3-17-2020@ 10AM

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 221 Virginia Ave Essex MD 21221 **which is presently zoned** DR 5.5

Deed References: 37667:0001 10 Digit Tax Account # 1503180000

Property Owner(s) Printed Name(s) Louis Eckert

(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. X **a Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve AN IN-LAW APARTMENT IN AN ACCESSORY STRUCTURE (GARAGE).

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

3. ____ **a Variance** from Section(s)

2020-0022-SPH

3-23-2020 10:00 AM

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

Legal Owners (Petitioners):

Louis Eckert

Name #1 – Type or Print Name #2 – Type or Print

Signature #1 Signature # 2

221 Virginia Ave Essex MD

Mailing Address City State

21221 443-386-5342 LJECKERT@GMail.com

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

LJeckert@gmail.com

Name – Type or Print

Same

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2020-0022-SPH Filing Date 01/24/2020 Do Not Schedule Dates: _____ Reviewer JCM

REV. 10/4/11

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Special Tax Recapture: None

Account Identifier: **District -** 15 **Account Number -** 1503180000

Owner Information

Owner Name:	WALDROP TARA J ECKERT LOUIS JAMES	**Use:** **Principal Residence:**	RESIDENTIAL YES
Mailing Address:	221 VIRGINIA AVE BALTIMORE MD 21221-	**Deed Reference:**	/37667/ 00001

Location & Structure Information

Premises Address:	221 VIRGINIA AVE BALTIMORE 21221-6911 Waterfront	**Legal Description:**	221 VIRGINIA AVE ESSEX

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0097	0008	0371	15100095.04	0000	E	K	6	2018	**Plat Ref:** 0009/ 0074

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1979	1,500 SF	900 SF	22,816 SF	34

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
1	YES	STANDARD UNIT	BRICK/	4	3 full	1 Detached	

Value Information

	Base Value	Value As of 01/01/2018	Phase-in Assessments As of 07/01/2019	Phase-in Assessments As of 07/01/2020
Land:	165,200	165,200		
Improvements	211,500	208,100		
Total:	376,700	373,300	373,300	373,300
Preferential Land:	0			0

Transfer Information

Seller: GOMPERT JOSHUA	**Date:** 06/22/2016	**Price:** $375,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /37667/ 00001	**Deed2:**
Seller: 1735 SEARLES LLC	**Date:** 11/14/2013	**Price:** $353,000
Type: NON-ARMS LENGTH OTHER	**Deed1:** /34433/ 00437	**Deed2:**
Seller: WITT DONALD A SR	**Date:** 08/12/2013	**Price:** $197,000
Type: NON-ARMS LENGTH OTHER	**Deed1:** /34060/ 00271	**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

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: Approved 11/22/2016

Homeowners' Tax Credit Application Information

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

Exhibit A – The Property

BEGINNING FOR THE SAME at a point on the south side of Virginia Ave, as laid 50 feet wide, said point being located 68 degrees 49 minutes 30 seconds west 267.63 feet from the intersection formed by the west side of Riverside Drive and the south side of Virginia Ave and running thence and leaving said Avenue 05 degrees 21 minutes 30 seconds east 397.37 feet to the Shoreline of Back River, then binding on the Shoreline and waters of Back River south 80 degrees 17 minutes west 74.60 feet thence by a straight line in a northerly direction 320.29 feet more or less to a point situate south 68 degrees 49 minutes 30 seconds west 50 feet from and thence binding on the south side of Virginia Ave.

The improvements being known as 221 Virginia Ave

BEING THE SAME lot of ground which by Deed dates Jun 16th, 2016 and recorded among the Land Records of Baltimore County Liber34433, Folio 437, was granted and conveyed by Joshua Gompert and Ashley Gompert, unto Louis Eckert and Tara Waldrop, the Garantors herin.

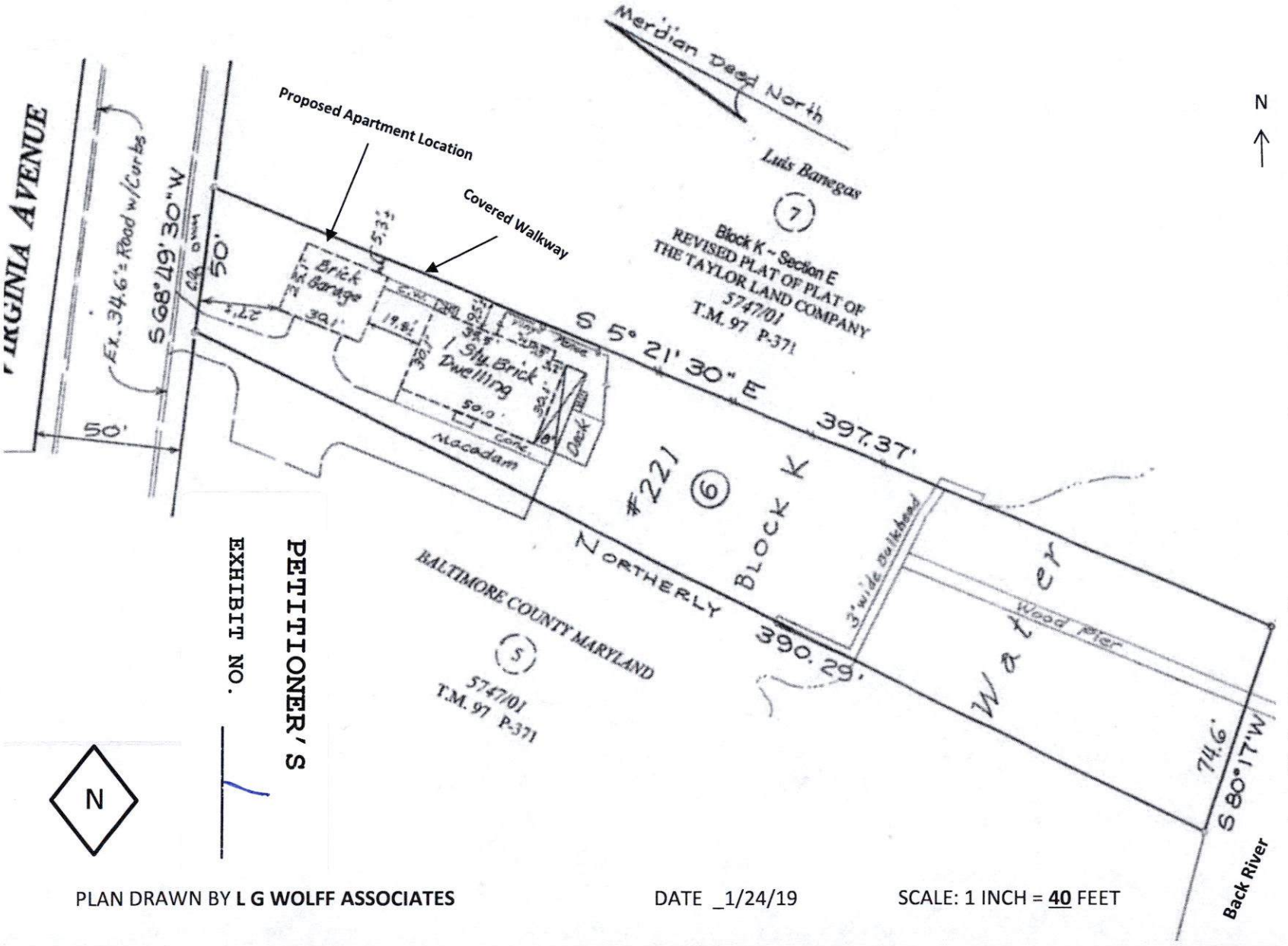
Exhibit B (The Hearing Plan)

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

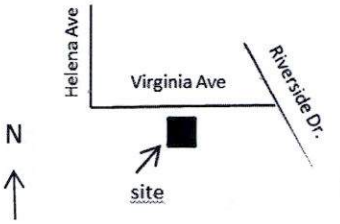
ADDRESS **221 VIRGINIA AVE** OWNER(S) NAME(S) **LOUIS ECKERT**

SUBDIVISION NAME: **N/A** LOT# **6** BLOCK# **K** SECTION: **E**

PLAT BOOK# **0000009** FOLIO# **0074** 10 DIGIT TAX# **1503180000** DEED REF: **37667/ 00001**



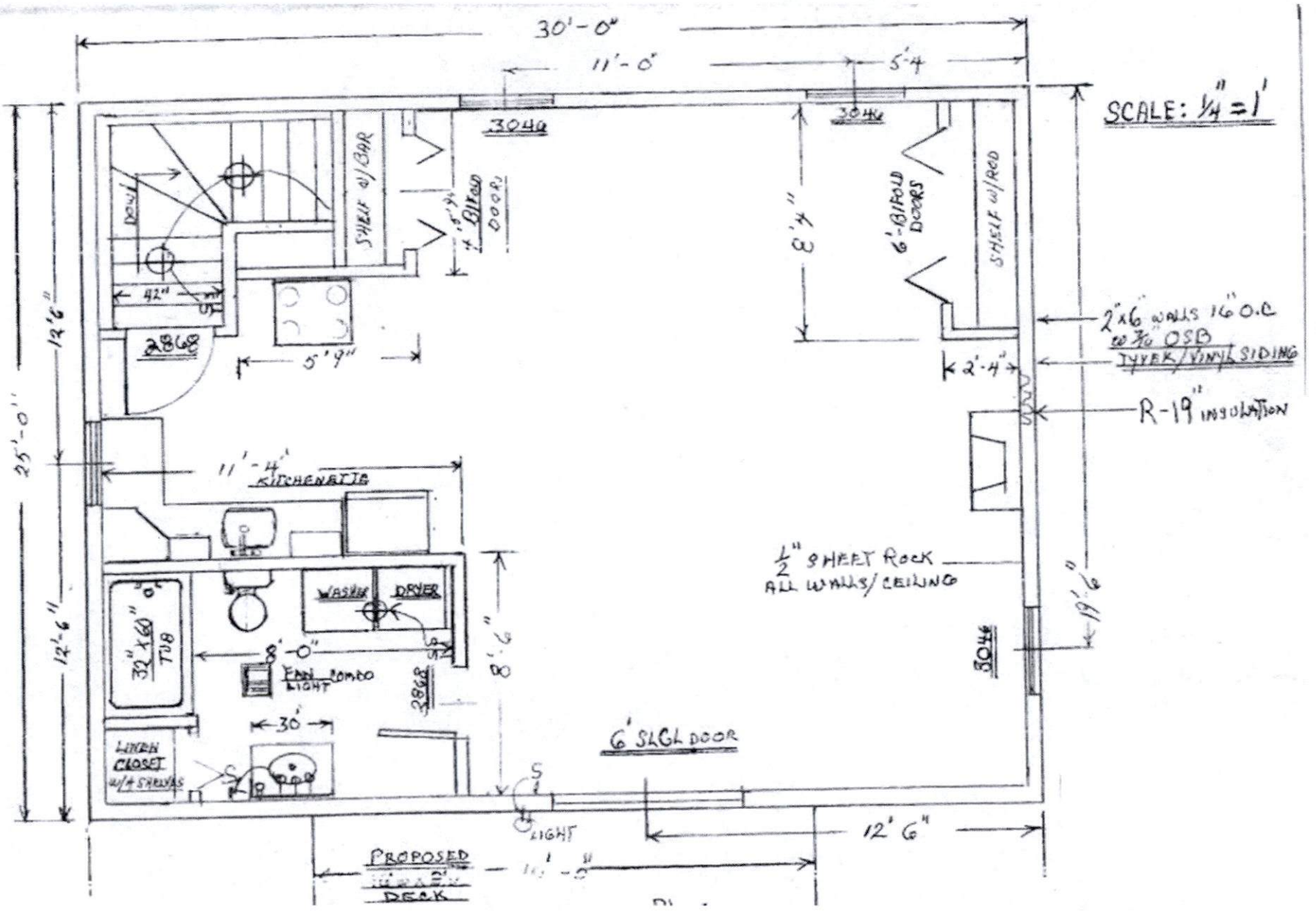
Site Vicinity Map



Map is not to scale

ZONING MAP# **0097**
SITE ZONED **DR 5.5**
ELECTION DISTRICT **15**
COUNCIL DISTRICT **7**
LOT AREA ACREAGE
OR SQUARE FEET **22,816**
HISTORIC? **NO**
IN CBCA? **NO**
IN FLOOD PLAIN? **YES**
WATER IS:
PUBLIC **X** PRIVATE __
SEWER IS:
PUBLIC **X** PRIVATE __
PRIOR HEARING? **NO**
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW:
2019-0249-A

PLAN DRAWN BY **L G WOLFF ASSOCIATES** DATE _1/24/19 SCALE: 1 INCH = **40** FEET



FLOOR PLAN

PETITIONER'S

EXHIBIT NO. 2

RECEIVED
JUN 17 2020
OFFICE OF
ADMINISTRATIVE HEARINGS

DECLARATION OF UNDERSTANDING

THIS DECLARATION OF UNDERSTANDING (hereinafter referred to as "Declaration") is made on this 24th day of January 2020, by and between Louis Eckert (hereinafter referred to as the "Declarant") and the Department of Permits, Approvals and Inspections (hereinafter referred to as "PAI").

Recitals

A. The Declarant(s) who is/are also the owner(s) of this property have filed an application for a use permit and special hearing to: Add a 750 sq. ft. accessory apartment to an attached structure (garage) which is part of a single-family residence. The accessory apartment will be occupied by my mother-in-law. The accessory apartment will be located on the second of the attached structure (garage).
The property being located at: 221 Virginia Ave, Essex, MD 21221, and is more particularly described by metes and bounds in Exhibit A (property) and Exhibit B (use permit and hearing plan) attached hereto and made a part hereof. The property is zoned DR5.5, which is the particular zone in which the property is located.

B. PAI (or) The Administrative Law Judge has approved the Declaration request to create an Accessory Apartment complete with dedicated bathing and cooking facilities, located on this owner occupied property. The accessory apartment will be the housing for: Darlene Waldrop, mother-in-law. The other resident of the property are: Louis Eckert, main residence, son-in-law, Tara Eckert, main residence, daughter. The use permit must be renewed with PAI every two years by filing a renewal on a PAI approved form, to be dated from the month of the initial approval.

C. As a condition of approval of the Declaration(s) request, Bill No. 49-11 requires the filing of this Declaration among the Land Records of Baltimore County, to provide notice to any future owners, subsequent bona fide purchasers or users of the Property that no part of any improvements or addition on the Property may be used for separate living quarters and that all such improvements shall only be used as a single-family residence, unless otherwise approved by and at the discretion of PIA.

PETITIONER'S
EXHIBIT NO. 3

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Declarant and PIA hereby declare as follows:

1. Any and all improvements now existing or to be constructed on the property shall be used only as a single-family residence. No such improvements or additions shall ever be used as a separate living quarter or second residential unit. The kitchen for the Accessory Apartment will be constructed as part of the Property and shall be accessory to the principal use of the property as a single-family residence. The Accessory Apartment shall not be used as an independent unit, nor is it to be used for compensation, and it shall not be used by any other person or for any other reason. The use permit and this Declaration are subject to the order, conditions, or restrictions of any required zoning hearing. The hearing order is made part of this Declaration which is recorded in Land Records.

2. Once the Accessory Apartment is no longer occupied by the persons named in this Declaration or if the property is sold, or the use permit has not been renewed with the 2 year temporary use permit time limit, the use permit shall terminate, and any proposed changes in occupancy to the Accessory Apartment by the property owner or subsequent purchaser shall require a request for a use permit.

3. Upon use permit termination:

   A. In the Accessory Apartment in the principal dwelling, use permit termination requires the removal of the second kitchen and the former Accessory Apartment space to be occupied by the Declarant(s) or subsequent purchaser.

   C. The Declarant upon termination of the use permit will provide written notification to PAI for the closing of the Department file.

4. The covenants, conditions, and restrictions stated above shall run with and bind the Property and shall be enforceable by Baltimore County, MD and by the owners of all or any portion of the Property.

5. Enforcement of the Covenants shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any of the covenants, either to restrain the violation or to recover damages.

IN WITNESS WHEREOF, the parties hereto have duly executed this Declaration under seal on the date first above written.

Witness: _____ Louis Eckert

Diana Serafino _____

State of Maryland, County of Baltimore to wit:

I HEREBY CERTIFY that on this 16th day of June 2020, before the Subscriber, a Notary Public of Start of Maryland, personally appeared

LOUIS ECKERT

_____

The declarant herein, who is also the owner of this property, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and who acknowledged that he/she/they executed for the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, have hereunto set my hand and Notarial Seal.

My Commission Expires: 09/22/2021

_____
Notary Public

Case Number: 2020-0022-SPH

The Declaration of Understanding for the Accessory Apartment at:

221 Virginia Ave, Essex, MD 21221

Is approved: _____ _____

Michael Mallinoff, Director Date

Department of Permits, Approvals and Inspections

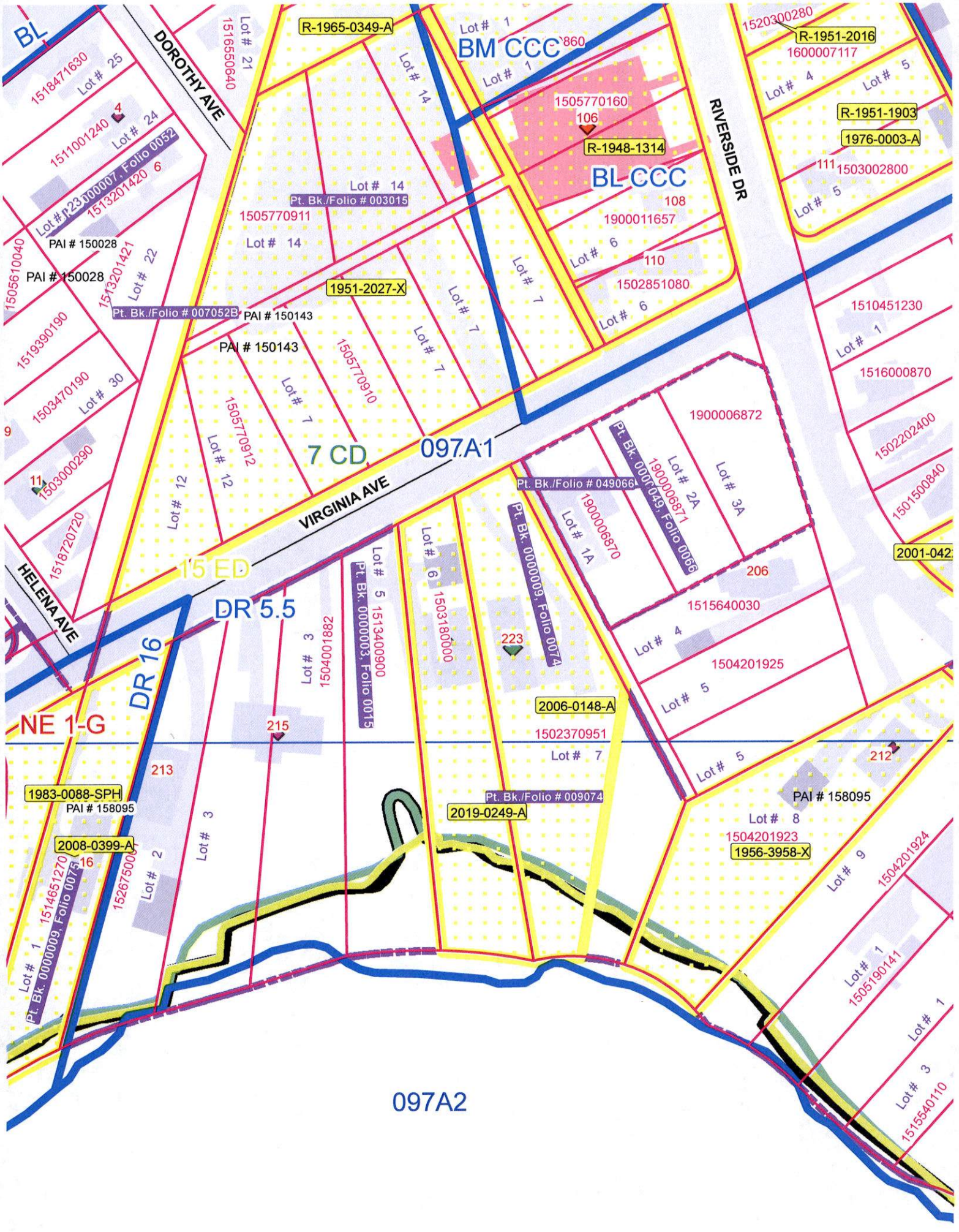
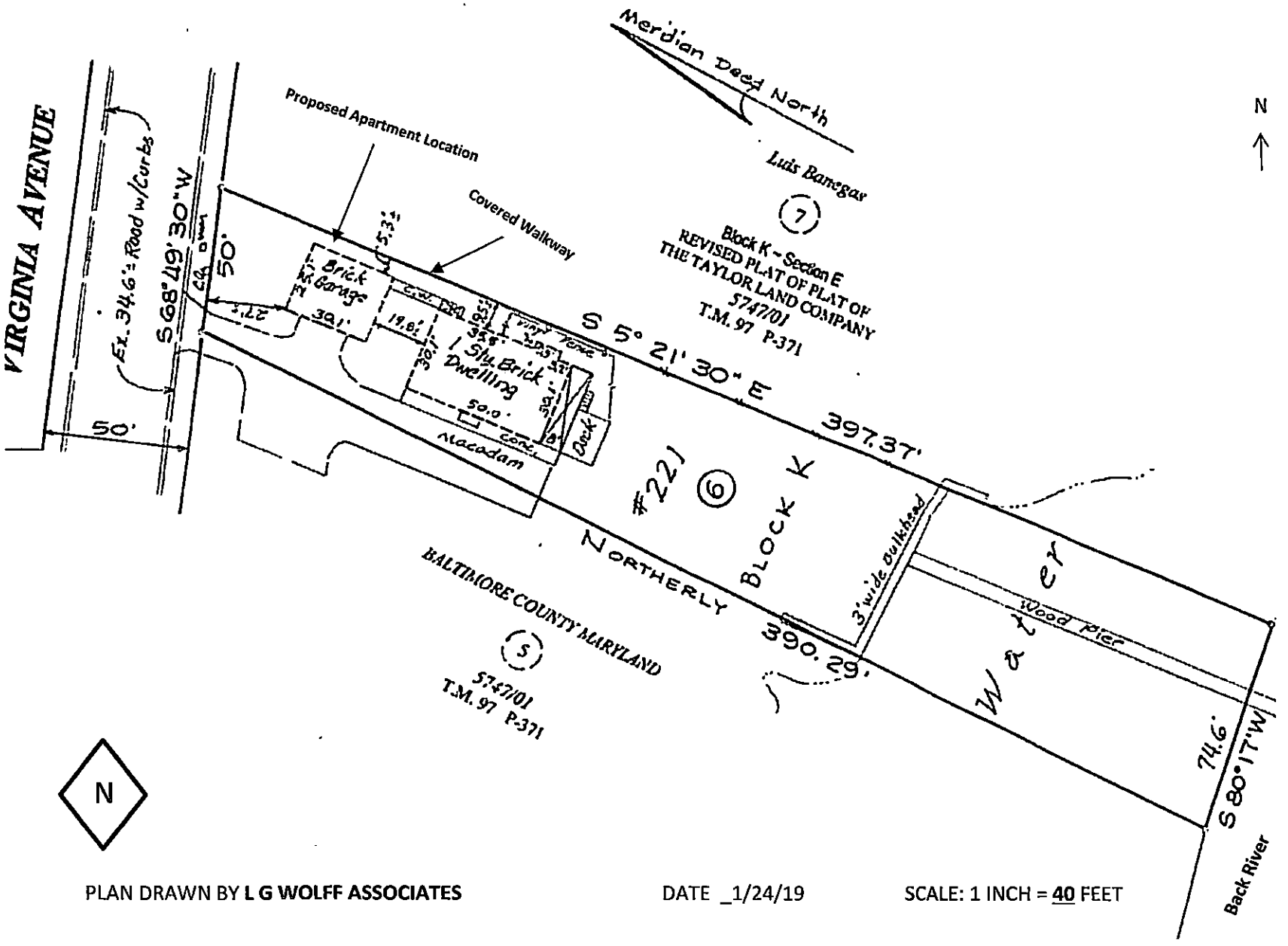
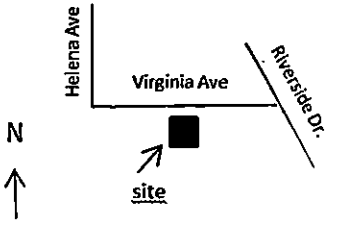

BL
DOROTHY AVE
R-1965-0349-A
BM CCC
R-1951-2016
R-1951-1903
1976-0003-A
R-1948-1314
BL CCC
RIVERSIDE DR
Pt. Bk./Folio # 003015
PAI # 150028
1951-2027-X
Pt. Bk./Folio # 007052B
PAI # 150143
7 CD
097A1
VIRGINIA AVE
Pt. Bk./Folio # 049066
Pt. Bk. 0000049, Folio 0066
Pt. Bk. 0000009, Folio 0074
15 ED
HELENA AVE
DR 5.5
DR 16
Pt. Bk. 0000003, Folio 0015
2001-042
NE 1-G
2006-0148-A
1983-0088-SPH
PAI # 158095
2008-0399-A
Pt. Bk. 0000009, Folio 0075
Pt. Bk./Folio # 009074
2019-0249-A
1956-3958-X
097A2

Exhibit B The Hearing Plan

ZONING HEARING PLAN FOR VARIANCE ____ FOR SPECIAL HEARING **X** (MARK TYPE REQUESTED WITH **X**)
ADDRESS **221 VIRGINIA AVE** OWNER(S) NAME(S) **LOUIS ECKERT**
SUBDIVISION NAME: **N/A** LOT# **6** BLOCK# **K** SECTION: **E**
PLAT BOOK# **0000009** FOLIO# **0074** 10 DIGIT TAX# **1503180000** DEED REF: **37667/ 00001**



Site Vicinity Map



Map is not to scale

ZONING MAP# **0097**
SITE ZONED **DR 5.5**
ELECTION DISTRICT **15**
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LOT AREA ACREAGE
OR SQUARE FEET **22,816**
HISTORIC? **NO**
IN CBCA? ~~NO~~ YES
IN FLOOD PLAIN? **YES**
WATER IS:
PUBLIC **X** PRIVATE __
SEWER IS:
PUBLIC **X** PRIVATE __
PRIOR HEARING? ~~NO~~ YES
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW:
2019-0249-A

PLAN DRAWN BY **L G WOLFF ASSOCIATES** DATE _1/24/19 SCALE: 1 INCH = **40** FEET

1/24/2020 PETITIONER WILL BE BRINGING IN SIGNED COPY.

DECLARATION OF UNDERSTANDING

THIS DECLARATION OF UNDERSTANDING (hereinafter referred to as "Declaration") is made on this 24th day of January 2020, by and between Louis Eckert (hereinafter referred to as the "Declarant") and the Department of Permits, Approvals and Inspections (hereinafter referred to as "PAI").

Recitals

A. The Declarant(s) who is/are also the owner(s) of this property have filed an application for a use permit and special hearing to: Add a 750 sq. ft. accessory apartment to an attached structure (garage) which is part of a single-family residence. The accessory apartment will be occupied by my mother-in-law. The accessory apartment will be located on the second of the attached structure (garage).
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B. PAI (or) The Administrative Law Judge has approved the Declaration request to create an Accessory Apartment complete with dedicated bathing and cooking facilities, located on this owner occupied property. The accessory apartment will be the housing for: Darlene Waldrop, mother-in-law. The other resident of the property are: Louis Eckert, main residence, son-in-law, Tara Eckert, main residence, daughter. The use permit must be renewed with PAI every two years by filing a renewal on a PAI approved form, to be dated from the month of the initial approval.

C. As a condition of approval of the Declaration(s) request, Bill No. 49-11 requires the filing of this Declaration among the Land Records of Baltimore County, to provide notice to any future owners, subsequent bona fide purchasers or users of the Property that no part of any improvements or addition on the Property may be used for separate living quarters and that all such improvements shall only be used as a single-family residence, unless otherwise approved by and at the discretion of PIA.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Declarant and PIA hereby declare as follows:

1. Any and all improvements now existing or to be constructed on the property shall be used only as a single-family residence. No such improvements or additions shall ever be used as a separate living quarter or second residential unit. The kitchen for the Accessory Apartment will be constructed as part of the Property and shall be accessory to the principal use of the property as a single-family residence. The Accessory Apartment shall not be used as an independent unit, nor is it to be used for compensation, and it shall not be used by any other person or for any other reason. The use permit and this Declaration are subject to the order, conditions, or restrictions of any required zoning hearing. The hearing order is made part of this Declaration which is recorded in Land Records.

2. Once the Accessory Apartment is no longer occupied by the persons named in this Declaration or if the property is sold, or the use permit has not been renewed with the 2 year temporary use permit time limit, the use permit shall terminate, and any proposed changes in occupancy to the Accessory Apartment by the property owner or subsequent purchaser shall require a request for a use permit.

3. Upon use permit termination:

   A. In the Accessory Apartment in the principal dwelling, use permit termination requires the removal of the second kitchen and the former Accessory Apartment space to be occupied by the Declarant(s) or subsequent purchaser.

   C. The Declarant upon termination of the use permit will provide written notification to PAI for the closing of the Department file.

4. The covenants, conditions, and restrictions stated above shall run with and bind the Property and shall be enforceable by Baltimore County, MD and by the owners of all or any portion of the Property.

5. Enforcement of the Covenants shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any of the covenants, either to restrain the violation or to recover damages.

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2. Once the Accessory Apartment is no longer occupied by the persons named in this Declaration or if the property is sold, or the use permit has not been renewed with the 2 year temporary use permit time limit, the use permit shall terminate, and any proposed changes in occupancy to the Accessory Apartment by the property owner or subsequent purchaser shall require a request for a use permit.

3. Upon use permit termination:

   B. In the Accessory Apartment in the accessory building requires the removal of the kitchen and possibly other residential elements, at the discretion of PAI.

   C. The Declarant upon termination of the use permit will provide written notification to PAI for the closing of the Department file.

4. The covenants, conditions, and restrictions stated above shall run with and bind the Property and shall be enforceable by Baltimore County, MD and by the owners of all or any portion of the Property.

5. Enforcement of the Covenants shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any of the covenants, either to restrain the violation or to recover damages.

IN WITNESS WHEREOF, the parties hereto have duly executed this Declaration under seal on the date first above written.

Witness: _____ _____

_____ _____

State of Maryland, County of Baltimore to wit:

I HEREBY CERTIFY that on this 13th day of 2019, before the Subscriber, a Notary Public of Start of Maryland, personally appeared

The declarant herein, who is also the owner of this property, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and who acknowledged that he/she/they executed for the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, have hereunto set my hand and Notarial Seal.

My Commission Expires: _____

Notary Public