

MEMORANDUM

DATE: November 2, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0032-SPHA- Appeal Period Expired

The appeal period for the above-referenced cases expired on October 29, 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



JOHN A. OLSZEWSKI, JR.
County Executive

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

September 29, 2020

Clyde Slacum
547 Ensemble Court
Cockeysville, MD 21030

RE: **MOTION FOR RECONSIDERATION**
Petitions for Special Hearing and Variance
Case No. 2020-0032-SPHA
Property: 2301 Walnut Avenue

Dear Mr. Slacum:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul M. Mayhew", is written over a faint, larger version of the same signature.

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlw
Enclosure

c: Patrick (Rick) Richardson, Richardson Engineering, LLC,
30 E. Padonia Rd., Suite 500, Timonium, MD 21093
Matt Kibler, 2313 Walnut Avenue, Baltimore, MD 21227

IN RE: PETITIONS FOR SPECIAL HEARING *	BEFORE THE
AND VARIANCE	
(2301 Walnut Ave.) *	OFFICE OF
13 th Election District	
1st Council District *	ADMINISTRATIVE HEARINGS
Clyde Slacum	
Legal Owner *	FOR BALTIMORE COUNTY
Petitioner *	Case No. 2020-0032-SPHA

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County. The Petitioner (Clyde Slacum) originally filed a Special Hearing pursuant to §§ 32-4-107 and 32-4-414 of the Baltimore County Zoning Regulations ("BCZR") to permit the construction of a new warehouse building in a riverine floodplain. In addition, a Petition for Variance was filed pursuant to BCZR §§ 255.2 and 243.1 to allow a front setback of 53 ft. in lieu of the required 75 ft.; per §§ 255.2 and 243.2 to allow a side yard setback of 3 ft. in lieu of the required 50 ft.; and per §§ 255.2 and 243.3 to allow a rear yard setback of 4' in lieu of the required 50 ft.

By Opinion and Order dated August 26, 2020, the undersigned denied the Petition for Special Hearing and granted with conditions the Petition for Variance.

On September 21, 2020, Patrick Richardson, the engineer who represented the Petitioner, filed via e-mail a timely Motion for Reconsideration of the August 26, 2020 Opinion and Order. In the Motion, Mr. Richardson urges¹ that the facts of this case are like those in Case No. 2019-0032-SPHA, and that the relief requested here should have been granted.

I disagree. The reason I granted the Motion for Reconsideration in *that* case was that I had

¹ In my view Mr. Richardson, in addition to highlighting certain facts in the case, is also advancing a legal argument by citing a prior ALJ ruling as supposed precedent for this case. This he is not licensed to do. As a member of the bar and the ALJ in this case this puts me in an awkward position, since I am not supposed to condone or facilitate the practice of law without a license.

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Date 9/29/20
Dr. M. M. M. M. M.

admittedly misconstrued certain testimony and exhibits, and had therefore applied the wrong sections of the County Code. The construction activities that were planned to occur within the riverine floodplain in that case were of the type permitted in a riverine floodplain as exceptions under BCC § 32-4-414 (c)(2), i.e., for “[t]he installation of a pond, culvert, bridge, street, utility or drainage facility.” In that case, once these flood amelioration measures were constructed the proposed project would no longer be in the floodplain.

But in this case no such flood amelioration measures were proposed in the site plan or described at the hearing; nor are they proposed in the Motion for Reconsideration. To the contrary, all that is proposed in this case is the adding of fill directly in/on over one thousand square feet of riverine floodplain for the purposes of then constructing a *new building* on that foundation. Although the building would thereby be raised out of the floodplain, its foundational structure, which would not be a “pond, culvert, bridge, street, utility or drainage facility,” would remain in the riverine floodplain. In my view, this is therefore still prohibited by BCC § 32-8-304(2), and by Part 125 of the Building Code, which both flatly bar “new buildings” in a riverine floodplain.

In addition, even if this were a case where a floodplain waiver were permissible, such as construction of a new building within a *tidal* floodplain, the petitioner would still have been required to obtain a request for such relief from the Director of Public Works under BCC § 32-4-107(a)(1). No such request has been made here.

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 29th day of **September, 2020**, that the Motion for Reconsideration be, and is hereby DENIED.

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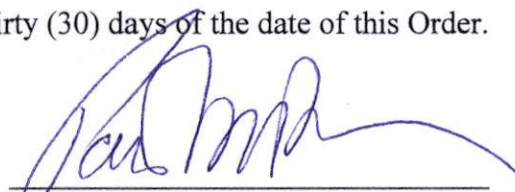
Date

9/29/20

By

D. Dugan

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM/dlw

ORDER RECEIVED FOR FILING

Date

9/29/20

By

D. Mignone

IN RE: **PETITIONS FOR SPECIAL HEARING *
AND VARIANCE**

(2301 Walnut Ave.)
13th Election District
1st Council District
Clyde Slacum
Legal Owner

Petitioner

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2020-0032-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for consideration of a revised Petition for Special Hearing and Variance filed on behalf of Clyde Slacum, legal owner ("Petitioner") filed on July 21, 2020. The Special Hearing was filed pursuant to §§ 32-4-107 and 32-4-414 of the Baltimore County Zoning Regulations ("BCZR") to permit development of a site that is in a riverine floodplain. In addition, a Petition for Variance was filed pursuant to BCZR §§ 255.2 and 243.1 to allow a front setback of 53 ft. in lieu of the required 75 ft.; per §§ 255.2 and 243.2 to allow a side yard setback of 3 ft. in lieu of the required 50 ft.; and per §§ 255.2 and 243.3 to allow a rear yard setback of 4' in lieu of the required 50 ft. A site plan was marked and accepted into evidence as Petitioner's Exhibit 1.

Due to the COVID-19 pandemic, a public WebEx hearing was conducted in lieu of an in-person public hearing. The Petition was advertised and posted in conformance with the BCZR. Petitioner Clyde Slacum appeared in support of the requests. Patrick (Rick) Richardson, Jr., the engineer who prepared the site plan, assisted with presenting the case. There were no protestants or interested person in attendance; however, a letter of opposition was submitted by a Mr. Matt Kibler who owns the adjacent properties at 2313 and 2317 Walnut Avenue, which both have residential structures.

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Date 8/26/20

By D. Mignon

FINDINGS OF FACT

Both Special Hearing and Variance relief are sought in this case. The Petitioner, Clyde Slacum, owns a construction business and wishes to build a 3200 sq. ft. storage warehouse on this site, which lies partially within a riverine floodplain. The site is bounded on the west by I-695. To the south is I-895. To the north is Hollins Ferry Road and to the east is Hammonds Ferry Road. The site is accessible only via a panhandle driveway off of Walnut Avenue, which essentially dead-ends near the front of the site but also serves as the only access to Mr. Kibler's properties at 2313 and 2317 Walnut Avenue.

Substantive Zoning Advisory Committee ("ZAC") comments were received from the Department of Planning ("DOP"). They did not oppose the requested relief, subject to proposed conditions. A comment dated February 13, 2010 was also received from the Department of Public Works ("DPW"). DPW observed that according to their files ("Landsdowne Area Study"), "the subject site is in the riverine flood plain." The DPW comment states further that "FEMA has provided updates to the FIRM (flood insurance rate maps) that have not become effective but flood plain elevations have been provided. These maps also show the subject site in the riverine flood plain based on existing conditions." DPW notes that, per Baltimore County Code § 32-4-414, and Baltimore County Building Code Part 125, there shall be "no building in a riverine flood plain." DPW therefore opined that "[a]n ultimate flood plain study of the property must be submitted for verification of the flood plain boundary. Once the flood plain boundary has been established, the Building Code requirements for riverine floodplain must be observed."

The property is approximately 38,244 sq. ft. in size and is zoned ML-IM. Mr. Richardson explained that the riverine floodplain on this property is caused by "backwater" coming from the

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By D. Mignan

nearby Patapsco River. He submitted as Petitioner's Exhibit 4 a letter that he wrote to Thomas Kiefer, P.E., the Acting Director of DPW, on May 28, 2020. Presumably this letter was written in response to the DPW Comments referenced above. The letter states, in relevant part, that "[t]he location is in the fringe of the floodplain. The location and grading of the site to add a building that is accessed from the north will result in 1187 square feet of the building being in the floodplain area as determined by a survey of the property." Mr. Richardson goes on to state that "while determining the exact area of the floodplain to be impacted by the Patapsco River is not known, the area impacted between the Baltimore Beltway and Hollins Ferry Road is approximately 32 acres. The impact from this building is 0.03 acres, and a total volume of 0.0078 acre feet, which is negligent (*sic*) in size or scope of the overall floodplain. Therefore, based on my opinion, the construction of the building in this location will not have any adverse impacts on the upstream or downstream property owners. The owner understands that Baltimore County will not be responsible for any flooding issues that might occur as a result of this work being done."

Petitioner's Exhibit 5 is a reply letter dated July 2, 2020 from Mr. Kiefer. It states, in relevant part, that "[t]his project involves development in the form of grading and construction in the 1% annual special flood hazard, 100 year, riverine flood plain." The letter then cites Baltimore County Code § 32-8-303 (a) (3), which provides that a waiver of the prohibition on building in a floodplain may only be granted upon "a determination that the granting of a waiver will not increase flood heights, impact public safety, incur extraordinary public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing local and state laws and ordinances." Mr. Kiefer notes that according to Mr. Richardson's May 28, 2020 letter, the floodplain on the site is due to the backwater condition from the Patapsco River, and that "the impact to the fringe floodplain from the building will be 0.03 acres and a total volume of 0.0078

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W. Mignone

acre-feet.” Subject to several conditions, Mr. Kiefer concluded that “[a]fter careful consideration of the Code above (presumably referring to B.C.C. § 32-8-303 (a) (3)), the Department finds that the grading and construction for this project in riverine floodplain areas is not detrimental to floodplain management programs.”

At the hearing the undersigned questioned Mr. Richardson about the stormwater runoff and drainage concerns raised by the neighbor, Mr. Kibler. Richardson stated that Kibler’s properties are upstream from the subject site and that this new structure should not impact those parcels. I note that Mr. Kibler is also opposed to the substantial setback variances that are requested in this case and he states in his letter that he assumes that such extreme variances would not be granted.

CONCLUSIONS OF LAW

A. Special Hearing

Pursuant to BCZR § 500.7 the Petitioner asks me “to approve a waiver of BCC Sections 32-4-107 and 32-4-414 to permit development of a site that is in a riverine floodplain.” For the reasons that follow I do not believe that this relief can be granted.

The analysis of this issue must start with BCC § 32-4-414 (c), which is captioned “*Development in floodplain prohibited; exceptions.*” This section states in very clear language that “[t]he County may not permit development in a riverine floodplain except for:

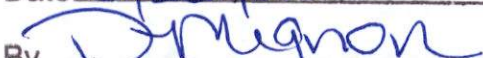
- (1) The establishment of property subdivision lines; and
- (2) The installation of a pond, culvert, bridge, street, utility, or drainage facility that the county finds is not detrimental to floodplain management programs.”

The instant case does not fall under either one of these exceptions. There is no issue of property subdivision lines, and the Petitioner is not seeking to build a “pond, culvert, bridge, street, utility of drainage facility” – all structures designed to ameliorate flooding. Rather, Petitioner

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seeks to construct a 3200 sq. ft. warehouse building with 1187 sq. ft. of it within the riverine floodplain.

Petitioner, however, seeks a waiver of the floodplain building prohibition. It is true that pursuant to BCC § 32-4-107 floodplain waivers can be granted in some limited situations; but *not* in the case of *new buildings* in a *riverine* floodplain. BCC § 32-4-107(a)(1) states in relevant part that “[a]t the request of a department director, the Hearing Officer *may grant a waiver of any or all requirements of Subtitles 3, 4, or 5* of this title if the Hearing Officer finds that:

- (i) 1. The size, scope, and nature of a proposed development does not justify strict compliance with this title;
- 2. A waiver would be within the scope, purpose, and intent of this title; and
- 3. All other county laws and regulations have been complied with; or
- (ii) Compliance with this title would cause unnecessary hardship.”

(emphasis added)

However, the very next subsection, BCC § 32-4-107(a)(2) states that “[a] *waiver can be granted only in accordance with Title 8 of this article.*” (emphasis added). Read together, these Code sections give the Hearing Officer discretion to grant floodplain waivers of any or all of the requirements of Subtitles 3, 4 or 5, but *only* to the extent Title 8 is complied with. This unambiguous condition is fatal to Petitioner’s request. That is because BCC § 32-8-304, entitled “Waivers Prohibited” states, point blank, that “Waivers may not be granted for the following : (1) Placement of fill or any development in the floodway if any increase in flood levels would result; or (2) *New buildings in the riverine floodplain.*” (emphasis added).

It is therefore clear that the requested waiver cannot be granted because according to the site plan and the other relevant record evidence the proposed new warehouse building would have

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By Mignone

1187 sq. ft. within the riverine floodplain. I am mindful that two professional engineers, Mr. Richardson and Mr. Keifer, are of the opinion that this relatively small incursion into the riverine floodplain would not have substantial negative impacts on the floodplain. And I am sympathetic to Mr. Slacum, a Baltimore County business owner and resident. But in my view the law is clear: no new buildings are permitted in a riverine floodplain, and no waiver of that prohibition is permitted.¹

B. Variances

Petitioner also seeks variances from the applicable front, rear and side setbacks. 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).

As described above, the parcel in question is somewhat unique in that it is bounded by two interstates and is a long, narrow lot that is accessed only via a panhandle drive. As also noted, it is partially within a riverine floodplain. Without the requested variances the Petitioner will be unable to construct this proposed warehouse, or virtually any other structure. This would obviously cause him hardship and practical difficulty. I can therefore grant the requested variance relief if it is within the spirit and intent of the BCZR and would not cause harm to the public health, safety or welfare. However, I must also factor into my analysis the general rule that "the authority to grant a variance should be exercised sparingly and only under exceptional circumstances." *Mueller v.*

¹ Because I have denied the Special Hearing floodplain waiver relief I need not reach the question of whether the variance relief should be granted. However, in the event this Decision and Order are appealed I will also rule on the request for variance relief.

People's Counsel for Baltimore County, 177 Md. App. 43, 71(2007). This is because "a variance is an authorization for that which is prohibited by a zoning ordinance." *Cromwell, supra*, 102 Md. App. at 699. And because "citizens [of a given county or municipality] are entitled to strict enforcement of the existing zoning regulations." *Salisbury Bd. Of Zoning Appeals v. Bounds*, 240 Md. 547, 555-56 (1965).

As noted above, the adjoining residential property owner has voiced opposition to the requested variance relief based on storm water and drainage concerns. Therefore, "[t]he burden is on the applicant to show facts to warrant a variance," and "the specific need for the variance must be substantial and urgent and not merely for the convenience of the applicant." *Mueller, supra*, 177 Md. App. at 70.

The variance requests present a close question under the law and facts of this case. In my layperson's view it is hard to see how the addition of 3200 square feet of impervious surface, plus the necessary access paving will not impact the floodplain and the existing drainage conditions. However, I do give weight to the professional opinions of Mr. Richardson and Mr. Kiefer, who state that this relatively small structure will have a negligible impact on the 32 acre floodplain in which it is located. Further, this is an unusual site that is otherwise ideally suited for the proposed warehouse use. And the requested setback variances, although substantial, will not significantly impact any adjoining properties, as the proposed structure remains a good distance from any surrounding structures. I am also mindful of the substantial investment that Mr. Slacum has made in the property. Therefore, in the final analysis I am convinced that the hardships to Petitioner outweigh any impacts to the public health, safety and welfare, and that the variance relief can be granted within the spirit and intent of the BCZR and subject to the comments of the DOP which will be incorporated in this case.

ORDER RECEIVED FOR FILING

Date 8/26/20

By D. Mignone

THEREFORE, IT IS ORDERED this 26th day of **August 2020**, by this Administrative Law Judge, that the revised Petition for Special Hearing seeking relief pursuant to approve a waiver of BCC §§ 32-4-107 and 32-4-414 to permit development of a new building in a riverine floodplain is hereby **DENIED**.

IT IS FURTHER ORDERED that the revised Petition for Variance seeking relief pursuant to BCZR §§ 255.2 and 243.1 to allow a front setback of 53 ft. in lieu of the required 75 ft., per §§ 255.2 and 243.2 to allow a side yard setback of 3 ft. in lieu of the required 50 ft., and per §§ 255.2 and 243.3 to allow a rear yard setback of 4' in lieu of the required 50 ft. be and hereby is **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 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 would be required to return the subject property to its original condition.
- Prior to issuance of permits Petitioners must comply with the ZAC comment submitted by the DOP, which a copy is attached hereto and made a part hereof.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM/dlm

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Date 8/26/20

By D. Mignone



PETITION FOR ZONING H EARING(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 2301 Walnut Avenue which is presently zoned ML-IM
Deed References: 41858/481 10 Digit Tax Account # 1600007967
Property Owner(s) Printed Name(s) Clyde Slacum

(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 **SEE ATTACHED**

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)

TO BE PRESENTED AT THE HEARING

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):

Clyde Slacum / Name #1 - Type or Print Name #2 - Type or Print

Signature #1 Signature #2

547 Ensemble Court Cockeysville MD
Mailing Address City State

21030 / 443-250-4416 / clydeslacum@comcast.net
Zip Code Telephone # Email Address

Representative to be contacted:

Richardson Engineering, LLC
Name - Type or Print

Signature

30 E. Padonia Road, Suite 500 Timonium MD
Mailing Address City State

21093 / 410-560-1502 / Rick@RichardsonEngineering.net
Zip Code Telephone # Email Address

CASE NUMBER 20200032-SPHA Filing Date 7/21/2020

Do Not Schedule Dates: Reviewer *gh*

Revised

Zoning Relief for 2301 Walnut Avenue

Variance

Per Section 255.2 and 243.1 to allow a front setback of 53' in lieu of the required 75'

Per Section 255.2 and 243.2 to allow a side yard setback of 3' in lieu of the required 50'

Per Section 255.2 and 243.1 to allow a rear yard setback of 4' in lieu of the required 50'

Special Hearing to approve a waiver of BCC Sections 32-4-107 and 32-4-414 to permit development of a site that is in a riverine floodplain

Zoning Relief for 2301 Walnut Avenue

Variance

Per Section 255.2 and 243.1 to allow a front setback of 53' in lieu of the required 75'

Per Section 255.2 and 243.2 to allow a side yard setback of 3' in lieu of the required 50'

Per Section 255.2 and 243.3 to allow a rear yard setback of 4' in lieu of the required 50'

2020-0032-A

**ZONING DESCRIPTION
PATAPSCO PIPELINE PROPERTY
2301 WALNUT AVENUE
13TH ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

First, BEGINNING FOR THE SAME at a point on the South side of Walnut Avenue at a point where it intersects the Baltimore Beltway (Interstate 695), thence running on the south side of the Walnut Avenue right-of-way 15' wide (1) South 00 degrees 27 minutes 00 seconds East 387± feet, (2) North 80 degrees 03 minutes East 67± feet, (3) North 00 degrees 52 minutes West 136± feet, (4) South 87 degrees 17 minutes 52 seconds West 61.21 feet, (5) North 06 degrees 12 minutes West 239.65 feet, thence binding on the south side of the right of way of Walnut Avenue, (6) South 84 degrees 44 minutes West 11± feet, and the point of beginning;

Second, BEGINNING FOR THE SAME at a point on the South side of Walnut Avenue at a point 111'± from where it intersects the Baltimore Beltway (Interstate 695), thence running on the south side of the Walnut Avenue right-of-way 15' wide (1) South 07 degrees 50 minutes 35 seconds East 387± feet, (2) North 80 degrees 03 minutes East 67± feet, (3) North 00 degrees 52 minutes West 136± feet, (4) South 87 degrees 17 minutes 52 seconds West 61.21 feet,

Containing a net area of 24,449 square feet, or 0.56 acres of land, more or less.

Together with a 20' access easement along the rear of Parcel 2 with the use of others on the land of Eskow Property, LLC.



PROFESSIONAL CERTIFICATION:

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NUMBER 16597, EXPIRATION DATE: 08-15-2021

2020-0032-A

CERTIFICATE OF POSTING

2020-0032-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Clyde Slacum

August 20, 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: _____

2301 Walnut Avenue

SIGN 1

July 31, 2020

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



Sincerely,

 July 31, 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

2020-0032-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Clyde Slacum

August 20, 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: _____

2301 Walnut Avenue

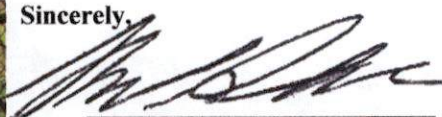
SIGN 2

July 31, 2020

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



Sincerely,

 July 31, 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)

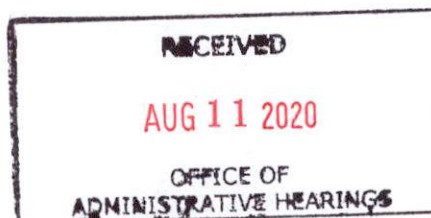
Donna Mignon

From: Richardson, Patrick <rick@richardsonengineering.net>
Sent: Tuesday, August 11, 2020 9:22 AM
To: Administrative Hearings
Subject: zoning case 2020-0032
Attachments: 19174 zp1-exhibit 1.pdf; Exhibit 2 aerial.pdf; Exhibit 3 SHA plat.pdf; 19174 Kiefer 05-28-20.pdf; Walnut Avenue #2301 Flood Plain Waiver.pdf

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

Attached are the exhibits for this case for August 20 hearing.
Thanks.

Rick Richardson
Richardson Engineering, LLC
30 E. Padonia Road Suite 500
Timonium, MD 21093
410-560-1502-x112
fax: 443-901-1208





JOHN A. OLSZEWSKI, JR.
County Executive

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

July 28, 2020

AMENDED 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: 2020-0032-SPHA

Property Address: 2301 WALNUT AVE

Location: South side of Walnut Ave North West 580 to the center line of Hollins Ferry Road.

Election District: 13 Council District: 1

Legal Owner: Clyde Slacum

Contract Purchaser: No Contract Purchaser was set.

SPECIAL HEARING: Special Hearing to approve a waiver of BCC Section 32-4-107 and 32-4-414 to permit development of a site that is in a riverine floodplain.

VARIANCE: Per section 255.2 and 243.1 to allow a front setback of 53' in lieu of the required 75'. Per section 255.2 and 243.2 to allow a side yard setback of 3' in lieu of the required 50'. Per section 255.2 and 243.3 to allow a rear yard setback of 4' in lieu of the required 50'.

Hearing: Monday, August 20, 2020 at 10:00 AM

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, press 0 for operator.


PAUL M. MAYHEW

Managing Administrative Law Judge for Baltimore County
Office of Administrative Hearings

ON AUTHORITY OF: Michael Mallinoff, Director, Department of Permits, Approvals and Inspections

PMM:dlm

c: Patrick Richardson, Jr. (via email: rick@richardsonengineering.net)
Clyde Slacum (via email: clydeslacum@comcast.net)

NOTE: THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JULY 31, 2020.

Donna Mignon

From: Kristen L Lewis
Sent: Tuesday, July 28, 2020 8:47 AM
To: Donna Mignon
Subject: Corrected Hearing Notice 2020-0032-A (2301 Walnut Avenue)

Good morning,

Below is the new wording for the notice you did back on 7/17. This can just be added after the Variance wording that was already on the previous notice.

"Special Hearing to approve a waiver of BCC Section 32-4-107 and 32-4-414 to permit development of a site that is in a riverine floodplain"

Rick Richardson's email is Rick@RichardsonEngineering.net

Thanks have a great day.

Kristen Lewis
PAI – Zoning Review
410-887-3391



JOHN A. OLSZEWSKI, JR.
County Executive

July 17, 2020

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

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: 2020-0032-A

Address: 2301 WALNUT AVE

Location: South side of Walnut Ave North West 580 to the center line of Hollins Ferry Road.

Election District: 13 Council District: 1

Legal Owner: Clyde Slacum

Contract Purchaser: No Contract Purchaser was set.

VARIANCE:

Per section 255.2 and 243.1 to allow a front setback of 53' in lieu of the required 75'. Per section 255.2 and 243.2 to allow a side yard setback of 3' in lieu of the required 50'. Per section 255.2 and 243.3 to allow a rear yard setback of 4' in lieu of the required 50'.

Hearing: Monday, August 20, 2020 at 10:00 AM

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, press 0 for operator.

PAUL M. MAYHEW
Managing Administrative Law Judge for Baltimore County
Office of Administrative Hearings

ON AUTHORITY OF: Michael Mallinoff, Director, Department of Permits, Approvals and Inspections

PMM:dlm

c: Patrick Richardson, Jr. (via email: rick@richardsonengineering.net)
Clyde Slacum (via email: clydeslacum@comcast.net)

**NOTE: THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN
POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY,
JULY 31, 2020**

CERTIFICATE OF POSTING

2020-0032-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

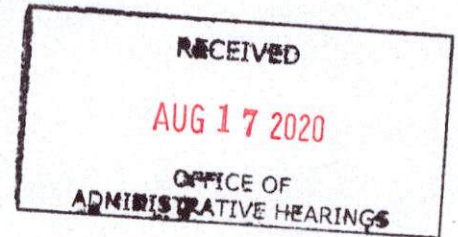
Clyde Slacum

August 20, 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:

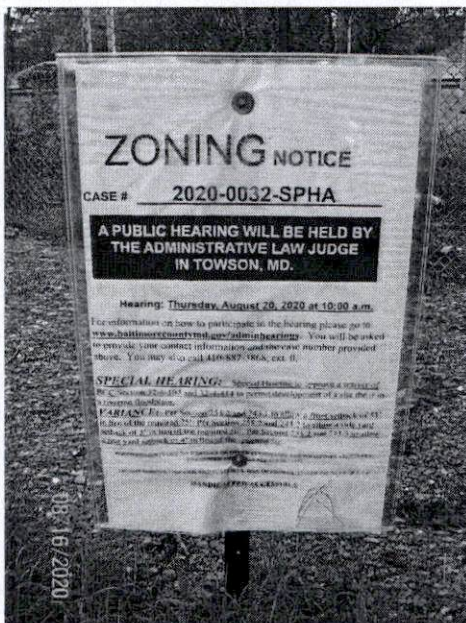
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

2301 Walnut Avenue

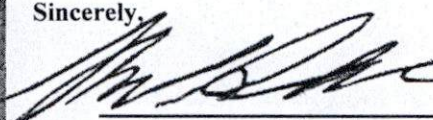
SIGN 1 Recertification

July 31, 2020

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



Sincerely,

 August 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

2020-0032-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Clyde Slacum

August 20, 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:

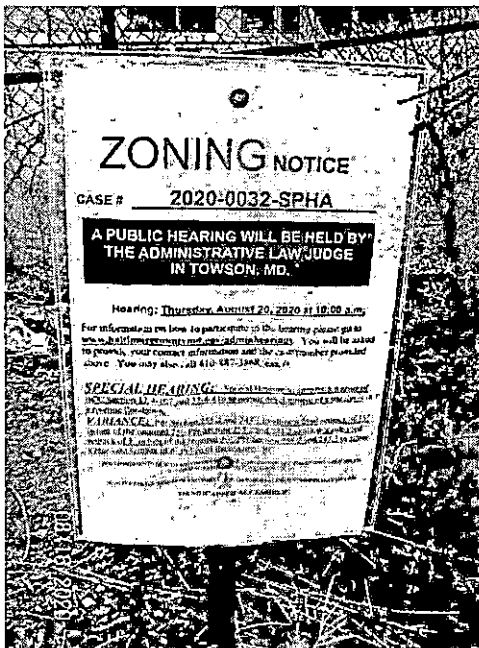
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

2301 Walnut Avenue

SIGN 2 Recertification

July 31, 2020

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



Sincerely,

~~August 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

2020-0032-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Clyde Slacum

August 20, 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:

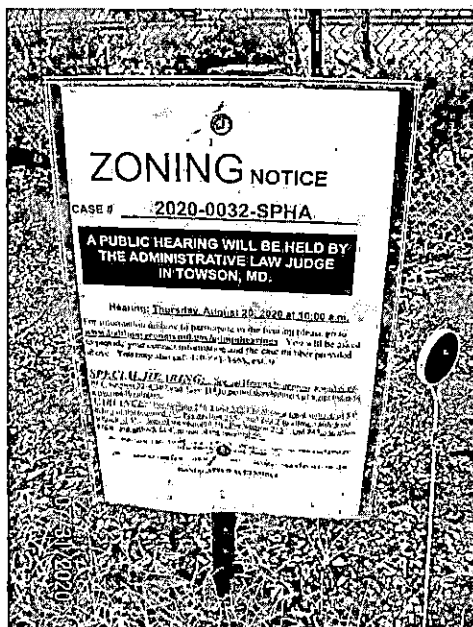
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

2301 Walnut Avenue

SIGN 1

July 31, 2020

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



Sincerely,

 July 31, 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

2020-0032-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Clyde Slacum

August 20, 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:

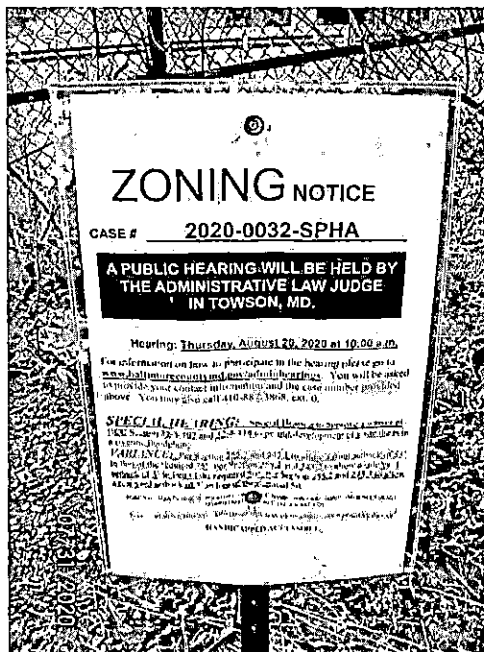
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

2301 Walnut Avenue

SIGN 2

July 31, 2020

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



Sincerely,

July 31, 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, July 21, 2020 9:29 AM
To: Gary M Hucik
Subject: RE: File No: 2020-0032 A - 2301 Walnut Avenue

Okay, thank you so much.

From: Gary M Hucik <ghucik@baltimorecountymd.gov>
Sent: Tuesday, July 21, 2020 9:27 AM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: File No: 2020-0032 A - 2301 Walnut Avenue

Kristin needs the folder give her a call Rick is doing an amended petition

Thanks Gary

From: Donna Mignon
Sent: Tuesday, July 21, 2020 9:24 AM
To: Gary M Hucik <ghucik@baltimorecountymd.gov>
Subject: File No: 2020-0032 A - 2301 Walnut Avenue
Importance: High

Good Morning,
I left you a voicemail message. Rick Richardson indicated that he spoke to you yesterday regarding his amended petition and you needed the file. I wanted to bring it over.
Please let me know when would be a good time to run it over to you. Thank you so much.

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

Donna Mignon

From: Donna Mignon
Sent: Monday, July 20, 2020 11:29 AM
To: 'Richardson, Patrick'
Subject: RE: Hearing on August 20, 2020 at 10:00 a.m.

We are teleworking today. I can get it over there first thing tomorrow morning, when I get in.

From: Richardson, Patrick <rick@richardsonengineering.net>
Sent: Monday, July 20, 2020 11:12 AM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Hearing on August 20, 2020 at 10:00 a.m.

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

Hi Donna,
Gary Hucick in the zoning office has the petition.
But he needs the file returned from your office to process it.
Can you make that happen?

Rick Richardson
Richardson Engineering, LLC
30 E. Padonia Road Suite 500
Timonium, MD 21093
410-560-1502-x112
fax: 443-901-1208

From: Donna Mignon [<mailto:dmignon@baltimorecountymd.gov>]
Sent: Monday, July 20, 2020 8:05 AM
To: Richardson, Patrick <rick@richardsonengineering.net>; clydeslacum@comcast.net
Subject: RE: Hearing on August 20, 2020 at 10:00 a.m.

Hi Rick,
I already sent the invitation out when we spoke on Friday. If zoning is unable to accept the amended petition, we can reset the hearing in.

Thank you.
Donna

From: Richardson, Patrick <rick@richardsonengineering.net>
Sent: Monday, July 20, 2020 7:13 AM
To: Donna Mignon <dmignon@baltimorecountymd.gov>; clydeslacum@comcast.net
Subject: RE: Hearing on August 20, 2020 at 10:00 a.m.

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

Donna, we are amending this petition to add a special hearing per a floodplain issue that was raised before. I now have the ok to do the job, so please hold off on sending out the notice to the paper until the zoning office accepts my amended petition today.
Thanks.

Rick Richardson
Richardson Engineering, LLC
30 E. Padonia Road Suite 500
Timonium, MD 21093
410-560-1502-x112
fax: 443-901-1208

From: Donna Mignon [<mailto:dmignon@baltimorecountymd.gov>]
Sent: Friday, July 17, 2020 2:38 PM
To: Richardson, Patrick <rick@richardsonengineering.net>; clydeslacum@comcast.net
Subject: Hearing on August 20, 2020 at 10:00 a.m.

Good Afternoon,

Please see the attached notice. Thank you.

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

COVID-19 Stay Home • Wash Your Hands
Avoid Touching Your Face
Disinfect Surfaces Frequently

STOP THE SPREAD • FLATTEN THE CURVE

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

Donna Mignon

From: Richardson, Patrick <rick@richardsonengineering.net>
Sent: Monday, July 20, 2020 11:12 AM
To: Donna Mignon
Subject: RE: Hearing on August 20, 2020 at 10:00 a.m.

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

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Rick Richardson
Richardson Engineering, LLC
30 E. Padonia Road Suite 500
Timonium, MD 21093
410-560-1502-x112
fax: 443-901-1208

From: Donna Mignon [mailto:dmignon@baltimorecountymd.gov]
Sent: Monday, July 20, 2020 8:05 AM
To: Richardson, Patrick <rick@richardsonengineering.net>; clydeslacum@comcast.net
Subject: RE: Hearing on August 20, 2020 at 10:00 a.m.

Hi Rick,
I already sent the invitation out when we spoke on Friday. If zoning is unable to accept the amended petition, we can reset the hearing in.

Thank you.
Donna

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Sent: Monday, July 20, 2020 7:13 AM
To: Donna Mignon <dmignon@baltimorecountymd.gov>; clydeslacum@comcast.net
Subject: RE: Hearing on August 20, 2020 at 10:00 a.m.

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

Donna, we are amending this petition to add a special hearing per a floodplain issue that was raised before. I now have the ok to do the job, so please hold off on sending out the notice to the paper until the zoning office accepts my amended petition today.
Thanks:

Rick Richardson
Richardson Engineering, LLC

30 E. Padonia Road Suite 500
Timonium, MD 21093
410-560-1502-x112
fax: 443-901-1208

From: Donna Mignon [<mailto:dmignon@baltimorecountymd.gov>]

Sent: Friday, July 17, 2020 2:38 PM

To: Richardson, Patrick <rick@richardsonengineering.net>; clydeslacum@comcast.net

Subject: Hearing on August 20, 2020 at 10:00 a.m.

Good Afternoon,

Please see the attached notice. Thank you.

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

COVID-19

Stay Home • Wash Your Hands
Avoid Touching Your Face
Disinfect Surfaces Frequently

STOP THE SPREAD • FLATTEN THE CURVE

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

Donna Mignon

From: Donna Mignon
Sent: Friday, July 17, 2020 2:38 PM
To: 'rick@richardsonengineering.net'; 'clydeslacum@comcast.net'
Subject: Hearing on August 20, 2020 at 10:00 a.m.
Attachments: Hearing Notice - 2301 Walnut Avenue.pdf

Good Afternoon,

Please see the attached notice. Thank you.

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



JOHN A. OLSZEWSKI, JR.
County Executive

July 17, 2020

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

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: 2020-0032-A

Address: 2301 WALNUT AVE

Location: South side of Walnut Ave North West 580 to the center line of Hollins Ferry Road.

Election District: 13 Council District: 1

Legal Owner: Clyde Slacum

Contract Purchaser: No Contract Purchaser was set.

VARIANCE:

Per section 255.2 and 243.1 to allow a front setback of 53' in lieu of the required 75'. Per section 255.2 and 243.2 to allow a side yard setback of 3' in lieu of the required 50'. Per section 255.2 and 243.3 to allow a rear yard setback of 4' in lieu of the required 50'.

Hearing: Monday, August 20, 2020 at 10:00 AM

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, press 0 for operator.

A handwritten signature in cursive script, reading "Paul M. Mayhew".

PAUL M. MAYHEW
Managing Administrative Law Judge for Baltimore County
Office of Administrative Hearings

ON AUTHORITY OF: Michael Mallinoff, Director, Department of Permits, Approvals and Inspections

PMM:dlm

c: Patrick Richardson, Jr. (via email: rick@richardsonengineering.net)
Clyde Slacum (via email: clydeslacum@comcast.net)

**NOTE: THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN
POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY,
JULY 31, 2020**

Donna Mignon

From: Richardson, Patrick <rick@richardsonengineering.net>
Sent: Friday, July 17, 2020 1:19 PM
To: Donna Mignon
Subject: Accepted: Invitation to join Web seminar as a panelist: Zoning Hearing/2301 Walnut Avenue

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



JOHN A. OLSZEWSKI, JR.
County Executive

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

February 14, 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: 2020-0032-A

2301 Walnut Avenue

S/s Walnut Avenue, n/w of centerline of Hollins Ferry Road

13th Election District – 1st Councilmanic District

Legal Owners: Clyde Slacum

Variance to allow a front setback of 53 ft. in lieu of the required 75 ft. To allow a side yard setback of 3 ft. in lieu of the required 50 ft. To allow a rear yard setback of 4 ft. in lieu of the required 50 ft.

Hearing: Friday, March 13, 2020 at 11:00 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: Clyde Slacum, 547 Ensemble Court, Cockeysville 21030
Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., FEBRUARY 22, 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.

CERTIFICATE OF POSTING

2020-0032-A

RE: Case No.: _____

Petitioner/Developer: _____

Clyde Slacum

March 13, 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:

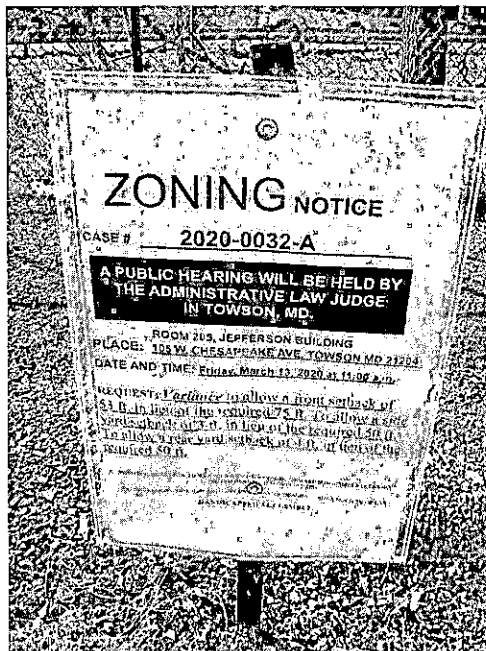
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

2301 Walnut Avenue

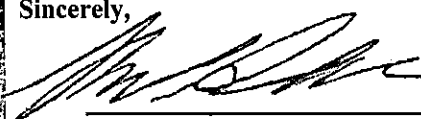
SIGN 1

February 22, 2020

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



Sincerely,

 February 22, 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

2020-0032-A

RE: Case No.: _____

Petitioner/Developer: _____

Clyde Slacum

March 13, 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:

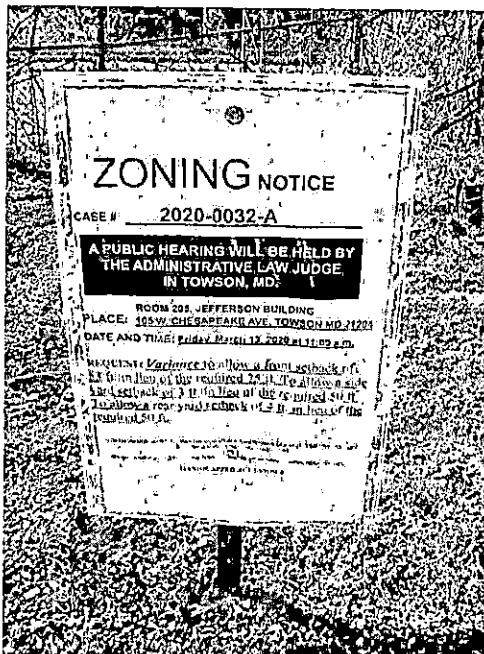
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

2301 Walnut Avenue

SIGN 2

February 22, 2020

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



Sincerely,

February 22, 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)

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
2301 Walnut Avenue; S/S of Walnut Avenue, * OF ADMINISTRATIVE
NW 580' to c/line of Hollins Ferry Road * HEARINGS FOR
13th Election & 1st Councilmanic Districts * BALTIMORE COUNTY
Legal Owner(s): Clyde Slacum *
Petitioner(s) *
2020-032-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

FEB 14 2020

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 14th day of February, 2020, a copy of the foregoing Entry of Appearance was mailed to Richardson Engineering, LLC, 30 W. Padonia Road, Suite 500, Timonium, Maryland 21093, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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:

2/21/2020

Order #: 11854939
Case #: 2020-0032-A
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2020-0032-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: 2020-0032-A

2301 Walnut Avenue

S/w Walnut Avenue, n/w of centerline of Hollins Ferry Road

13th Election District - 1st Councilmanic District

Legal Owners: Clyde Slacum

Variance to allow a front setback of 53 ft. in lieu of the required 75 ft. To allow a side yard setback of 3 ft. in lieu of the required 50 ft. To allow a rear yard setback of 4 ft. in lieu of the required 50 ft.

Hearing: Friday, March 13, 2020 at 11:00 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 410-887-3391.

E21

A-4165-0505 7-21-57 10-11-57

[illegible]

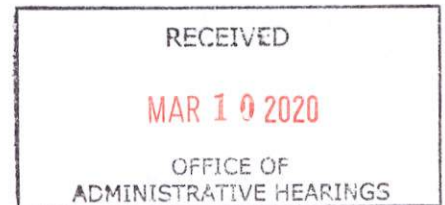
Category	Percentage (%)	Lower Bound (%)	Upper Bound (%)
18-29 Male	75	65	85
18-29 Female	78	68	88
30-49 Male	72	62	82
30-49 Female	75	65	85
50-69 Male	68	58	78
50-69 Female	70	60	80
70+ Male	65	55	75
70+ Female	68	58	78

Debra Wiley

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Monday, March 9, 2020 2:37 PM
To: Rick Richardson; Administrative Hearings
Subject: Recertification's for 2020-0032-A
Attachments: Re-Cert 1 2020-0032-A.doc; Re-Cert 2 2020-0032-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 2301 Walnut Avenue. Thanks.



CERTIFICATE OF POSTING

2020-0032-A

RE: Case No.: _____

Petitioner/Developer: _____

Clyde Slacum

March 13, 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: _____

2301 Walnut Avenue

SIGN 1 Recertification

February 22, 2020

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



Sincerely,


(Signature of Sign Poster)

March 7, 2020

(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

2020-0032-A

RE: Case No.: _____

Petitioner/Developer: _____

Clyde Slacum

March 13, 2020

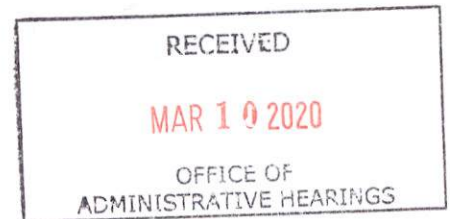
Date of Hearing/Closing: _____

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: _____



2301 Walnut Avenue

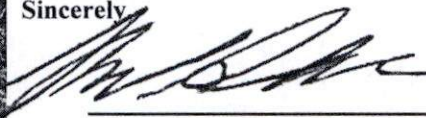
SIGN 2 Recertification

February 22, 2020

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



Sincerely,

 March 7, 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

2020-0032-A

RE: Case No.: _____

Petitioner/Developer: _____

Clyde Slacum

March 13, 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:

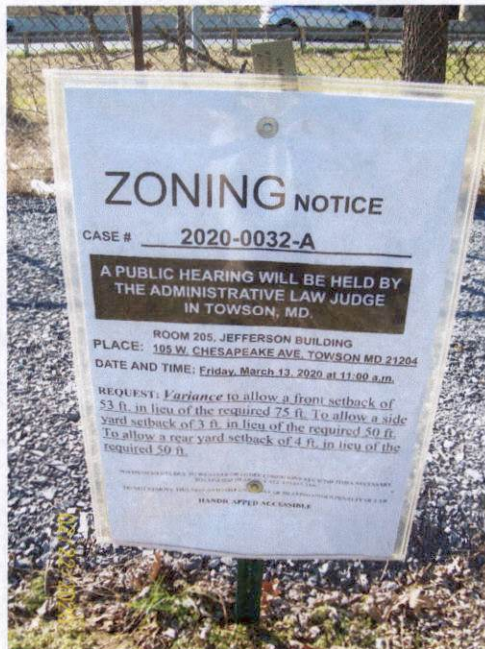
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2301 Walnut Avenue

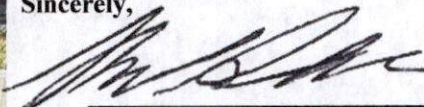
SIGN 1

February 22, 2020

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



Sincerely,

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(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

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(Telephone Number)

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(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

TO: THE DAILY RECORD
Friday, February 21, 2020 – Issue

Please forward billing to:
Clyde Slacum
547 Ensemble Court
Cockeysville, MD 21030

443-250-4416

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: 2020-0032-A

2301 Walnut Avenue

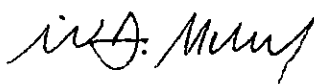
S/s Walnut Avenue, n/w of centerline of Hollins Ferry Road

13th Election District – 1st Councilmanic District

Legal Owners: Clyde Slacum

Variance to allow a front setback of 53 ft. in lieu of the required 75 ft. To allow a side yard setback of 3 ft. in lieu of the required 50 ft. To allow a rear yard setback of 4 ft. in lieu of the required 50 ft.

Hearing: Friday, March 13, 2020 at 11:00 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

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 petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the 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:

Item Number or Case Number: 2020-0032-A

Petitioner: CLYDE SLACUM

Address or Location: 2301 WALNUT AVENUE

PLEASE FORWARD ADVERTISING BILL TO:

Name: CLYDE SLACUM

Address: 547 ENSEMBLE CT

COCKEYSVILLE, MD 21030

Telephone Number: 443-250-4416

**CASHIER'S
VALIDATION**



JOHN A. OLSZEWSKI, JR.
County Executive

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

March 3, 2020

Richardson Engineering LLC,
30 E. Padonia Road
Timonium MD 21093

RE: Case Number: 2020-0032-A, 2301 Walnut Avenue

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 February 5, 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

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", written over the words "Very truly yours".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Clyde Slacum 547 Ensemble Court Cockeysville MD 21030

MDOT
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: 2/12/20

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

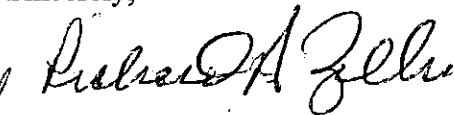
Dear Ms. Lewis:

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. 2020-0032-A

Variance
Clyde Stadium
2301 Walnut 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

3-13-2020
11 Am

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 18, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0032-A
Address 2301 Walnut Avenue
(Slacum Property)

Zoning Advisory Committee Meeting of **February 17, 2020.**

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: February 18, 2020

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Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

INTER OFFICE CORRESPONDENCE

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

ATTN: Kristen Lewis
MS 1105

FROM: Steven A. Walsh, Director 
Department of Public Works

DATE: February 13, 2020

SUBJECT: Case No: 2020-0032-A
2301 Walnut Avenue, Baltimore, Maryland 21227

The subject case is to determine whether or not the Administrative Law Judge should approve a Variance to allow reductions in the front, side and rear yard setbacks.

During the review of this property the Department of Public Works has found that there is a riverine flood plain on the property that may impact the proposed development. The "Plan to Accompany a Zoning Petition for Patapsco Pipeline Warehouse" dated January 28, 2020 shows a proposed warehouse building not in the riverine flood plain. The flood plain delineation shown on the plan is taken from the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) panel number 2400100510G dated May 5, 2014. These maps are based on existing conditions.

The Department of Public Works has a study on file, Lansdowne Area Study, that shows the subject site in the riverine flood plain. FEMA has provided updates to the FIRM that has not become effective but flood plain delineations have been provided. These maps also show the subject site in the riverine flood plain based on existing conditions.

Baltimore County Code Sections 32-4-414, 32-8 and the 2015 Baltimore County Building Code Part 125 all state "no building in a riverine flood plain".

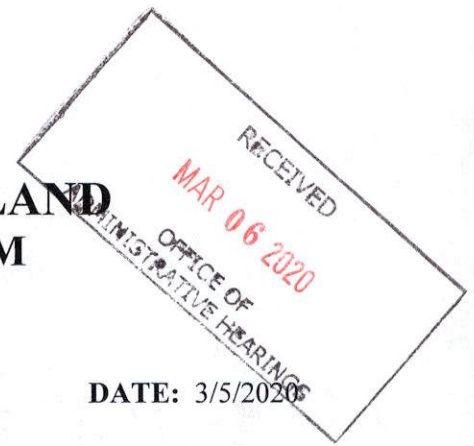
The Baltimore County Design Manual dated August 2, 2010 page 7-48 states that flood studies must be based on ultimate conditions. An ultimate conditions flood plain study of the property must be submitted for verification of the flood plain boundary. Once the flood plain boundary has been established, the Building Code requirements for riverine flood plain must be observed.

SAW/TWC/s

CC: Vishnubhai K. Desai, Chief, Development Plans Review and Building Plan Review
Kevin G. Wagner, Maryland Department of the Environment
Peter M. Zimmerman, People's Council

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM



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

DATE: 3/5/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-032

INFORMATION:

Property Address: 2301 Walnut Avenue
Petitioner: Clyde Slacum
Zoning: ML IM
Requested Action: Variance

The Department of Planning has reviewed the petition for variance:

1. Per Section 255.2 and 243.1 to allow a front setback of 53 feet in lieu of the required 75 feet.
2. Per Section 255.2 and 243.2 to allow a side yard setback of 3 feet in lieu of the required 50 feet.
3. Per Section 255.2 and 243.3 to allow a rear yard setback of 4 feet in lieu of the required 50 feet.

A site visit was conducted on February 12, 2020. The subject property is located to the west of Hammonds Ferry Road and to the south of Hollins Ferry Road. The site is subject to the Southwest Baltimore County Revitalization Strategy and Western Baltimore County Pedestrian and Bicycle Access Plan. The applicant is proposing a warehouse building (3,200 SF).

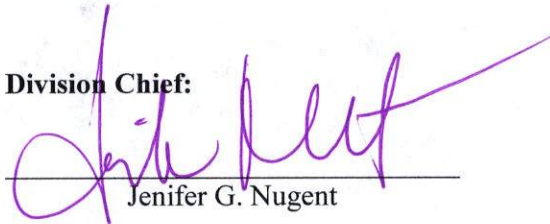
The Department of Planning has no objection to granting the requested variance relief conditioned upon the following:

1. Clearly indicate if the access is through Walnut Avenue or through Eskow Avenue.
2. If the access is through Walnut Avenue, it will create a panhandle lot. The vehicular access should comply with the Baltimore County Zoning Regulations (BCZR) Section 102.4 and Section 102.6. The petitioner should comply with the Department of Public Works comments on entrance width and panhandle access.
3. Indicate clearly the number of employees and the hours of operation.
4. Provide parking details. The petitioner should demonstrate to the satisfaction of the administrative law judge the estimated amount of traffic the business would generate and the parking arrangement.
5. Provide dumpster details. Dumpster screening should comply with condition H of the Baltimore County Landscape Manual.
6. Provide heavy landscape screening between the existing residential zone and the proposed warehouse.

Date: 3/5/2020
Subject: ZAC # 20-032
Page 2

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

Division Chief:



Jenifer G. Nugent

CPG/JGN/kma/

c: Josephine Selvakumar
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Richardson Engineering, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

8-20 @ 10 Am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUL 31 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: July 31, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0032-A
Address 2301 Walnut Avenue
(Slacum Property)

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

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: File

DATE: March 17, 2020

FROM: Paul M. Mayhew *PMM (see)*
Managing Administrative Law Judge

SUBJECT: **Case No. 2020-0032-A – Petition for Variance**
2301 Walnut Avenue - Petitioner Clyde Slacum

This matter was scheduled for a public hearing on March 13, 2020 at 11:00 AM. The case was not opened and/or continued, no testimony was taken, and no citizens attended the hearing.

Rick Richardson of Richardson Engineering, Inc. is planning to work it out regarding the riverine floodplain per DPW's ZAC comment. In addition, he may revise the petition to add a special hearing.

Therefore, the case file is being returned to the OZR.

PMM:dlw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 8/13/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-032 (Revised)

INFORMATION:

Property Address: 2301 Walnut Avenue
Petitioner: Clyde Slacum
Zoning: ML, IM
Requested Action: Variance, Special Hearing



The Department of Planning has reviewed the petition for the following:

Variance:

1. Per Section 255.2 and 243.1 to allow a front setback of 53 feet in lieu of the required 75 feet.
2. Per Section 255.2 and 243.2 to allow a side yard setback of 3 feet in lieu of the required 50 feet.
3. Per Section 255.2 and 243.3 to allow a rear yard setback of 4 feet in lieu of the required 50 feet.

Special Hearing:

1. To approve a waiver of Baltimore County Zoning Regulations (BCZR) Sections 32-4-107 and 32-4-414 to permit development of a site that is in a riverine floodplain.

This petition was initially submitted via a Variance request petition (2020-0032-A). The applicant has now resubmitted a revised petition for a Special Hearing in addition to the Variance request.

A site visit was conducted on February 12, 2020. The subject property is located to the west of Hammonds Ferry Road and to the south of Hollins Ferry Road. The site is subject to the Southwest Baltimore County Revitalization Strategy and Western Baltimore County Pedestrian and Bicycle Access Plan. The applicant is proposing a warehouse building (3,200 square feet).

The Department has no objection to granting the requested Variance relief conditioned upon the following:

1. Clearly indicate whether the access to the site is through Walnut Avenue or Eskow Avenue.
2. If the access is through Walnut Avenue, then the proposal will create a panhandle lot. The vehicular access should comply with the BCZR Section 102.4 and Section 102.6. The petitioner should comply with the Department of Public Works' comments on entrance width and panhandle access.
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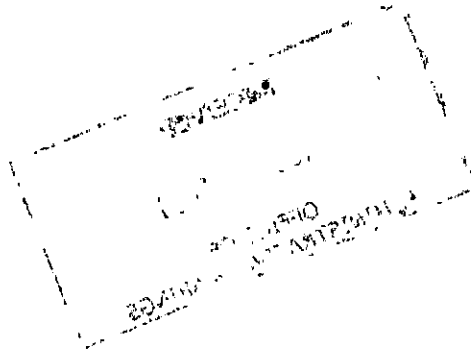
THE UNIVERSITY OF CHICAGO

LIBRARY

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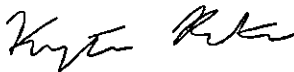
1967

4. Provide parking details. The petitioner should demonstrate to the satisfaction of the administrative law judge the estimated amount of traffic the business would generate and the parking arrangement.
5. Provide dumpster details. Dumpster screening should comply with the Condition H of the Baltimore County Landscape Manual.
6. Provide heavy landscaping screening between the existing residential zone and the proposed warehouse.

The Department defers the petition for the Special Hearing to the Department of Environmental Protection and Sustainability for comment.

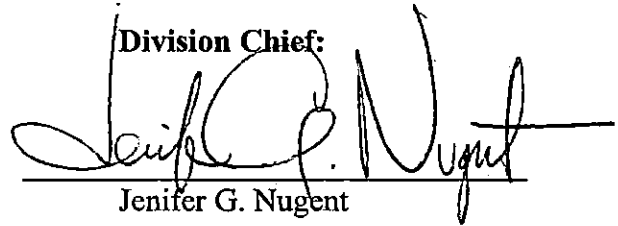
For further information concerning the matters stated herein, please contact Josephine Selvakumar at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

CPG/JGN/kma/

c: Josephine Selvakumar
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Patrick C. Richardson, Richardson Engineers, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 3/5/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-032

INFORMATION:

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Petitioner: Clyde Slacum
Zoning: ML IM
Requested Action: Variance

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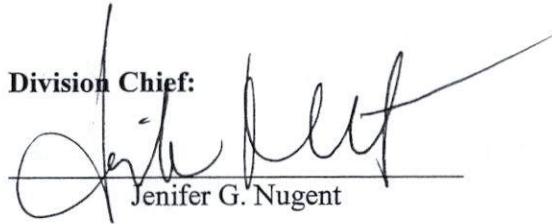
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The Department of Planning has no objection to granting the requested variance relief conditioned upon the following:

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Division Chief:



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c: Josephine Selvakumar
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Richardson Engineering, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Michael Millanoff, Director
Department of Permits, Approvals

FROM: *EFC for VKD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For February 17, 2020
Item No. 2020-0032- A

DATE: 03/10/2020

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

If Zoning Relief is granted, a Landscape Plan is required per the requirements of the Landscape Manual. A Lighting Plan is also required.

* * * * *

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 8/13/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-032 (Revised)

INFORMATION:

Property Address: 2301 Walnut Avenue
Petitioner: Clyde Slacum
Zoning: ML, IM
Requested Action: Variance, Special Hearing



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The Department has no objection to granting the requested Variance relief conditioned upon the following:

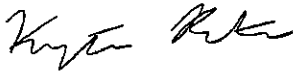
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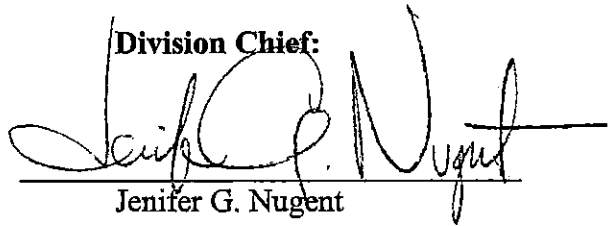
For further information concerning the matters stated herein, please contact Josephine Selvakumar at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

CPG/JGN/kma/

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James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Patrick C. Richardson, Richardson Engineers, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

2020-0032-A
3-13-20

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 13 Account Number - 1600007967		
Owner Information		
Owner Name:	SLACUM CLYDE	Use: INDUSTRIAL Principal Residence: NO
Mailing Address:	547 ENSEMBLE CT COCKEYSVILLE MD 21030-	Deed Reference: /41858/ 00481
Location & Structure Information		
Premises Address:	WALNUT AVE 0-0000	Legal Description: PT LT 7-9-18 300 W HOLLINS FERRY RD GROSEDALE
Map: 0109	Grid: 0008	Parcel: 0573
Neighborhood: 20000.04	Subdivision: 0000	Section: 7
Block: 7	Assessment Year: 2020	Plat No: 0003/ 0124
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
	13,644 SF	County Use 07
Stories	Basement	Type
		Exterior
		Quality
		Full/Half Bath
		Garage
		Last Notice of Major Improvements
Value Information		
	Base Value	Value
		As of 01/01/2020
Land:	67,200	67,200
Improvements	0	0
Total:	67,200	67,200
Preferential Land:	0	0
		Phase-in Assessments
		As of 07/01/2019
		As of 07/01/2020
		67,200
		67,200
Transfer Information		
Seller: NUTWALL LLC	Date: 09/13/2019	Price: \$42,000
Type: ARMS LENGTH MULTIPLE	Deed1: /41858/ 00481	Deed2:
Seller: MAROCCO ANITA R	Date: 01/04/2012	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /31565/ 00476	Deed2:
Seller: SMUCK HARRY A	Date: 06/24/1987	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /07584/ 00105	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2019
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: No Application		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

CASE NAME 2301 WALNUT AVE
CASE NUMBER 2020-0032-A
DATE 3/12/20

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

[illegible]

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 _____)	_____
<u>2/18</u>	DEPS (if not received, date e-mail sent _____)	<u>No Comment</u>
_____	FIRE DEPARTMENT	_____
<u>3/5</u>	PLANNING (if not received, date e-mail sent _____)	<u>No objection w/ Conditions</u>
<u>2/12</u>	STATE HIGHWAY ADMINISTRATION	<u>No Objection</u>
_____	TRAFFIC ENGINEERING	_____
<u>2/13</u>	<u>DEPT. OF PUBLIC WORKS</u>	<u>Comment</u>
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>2/21/2020</u>	<u>THE Daily Record</u>
SIGN POSTING (1 st)	Date: <u>2/22/2020</u>	by <u>SSG Robert Black</u>
SIGN POSTING (2 nd)	Date: <u>3/7/2020</u>	by <u>" " "</u>
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Donna Mignon

From: Donna Mignon
Sent: Friday, July 17, 2020 1:19 PM
To: Kristen L Lewis
Cc: Debra Wiley
Subject: Link

Event: Zoning Hearing/2301 Walnut Avenue
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ee83e>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=eaec2!>
Date and time: Thursday, August 20, 2020 10:00 am
Eastern Daylight Time (New York, GMT-04:00)
Duration: 1 hour
Description: Zoning Hearing
2301 Walnut Avenue
Case No: 2020-0032-A
Clyde Slacum
Event number: 160 648 1320
Event password: 1234
Host key: 504500
Alternate Host: Debra Wiley, Henry Ayakwah, Paul Mayhew
Panelist Info:
Panelist password:
Panelist numeric password: 453640
Video Address: 1606481320@baltimorecountymd.webex.com
You can also dial 173.243.2.68 and enter your meeting number.
Audio conference: US Toll
+1-415-655-0001
[Show all global call-in numbers](#)
Access code: 160 648 1320

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

Edit Panelist Invitation List

You can select contacts from an existing address book, import a Comma or Tab Delimited file (file contains non-ASCII characters, use a Unicode file delimited either by commas or tabs) or add new contacts. Note that the number of invitation emails cannot exceed 10000.

[Select Contacts...](#)[Import Contacts...](#)

Panelists to Invite

Name	Email address	Phone number	Language	Time Zone	Locale
☐ <u>Debra Wiley</u> (Alternate Host)	dwiley@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Henry Ayakwah</u> (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Paul Mayhew</u> (Alternate Host)	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Clyde Slacum</u>	clydeslacum@comcast.net	1-	English	New York Time	U.S.
☐ <u>Patrick Richardson, Jr.</u>	rick@richardsonengineering.net	1-	English	New York Time	U.S.

[Invite](#)[Select All](#)[Clear All](#)[Delete](#)[Cancel](#)

New Panelist

Full name: (required)Email address: (required)Phone number: Country/Region Number (with area/city code)Time Zone: New York (Eastern Daylight Time, GMT-04:00) ▼Language: English ▼Locale: U.S. ▼☐ Add new panelist in my address book☐ Invite as alternate host[Add to Invitation List](#)

Donna Mignon

Subject: Web seminar scheduled: Zoning Hearing/2301 Walnut Avenue
Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e687f639000c985224a84617964fc3fe6>
Start: Thu 8/20/2020 10:00 AM
End: Thu 8/20/2020 11:00 AM
Show Time As: Tentative
Recurrence: (none)
Meeting Status: Not yet responded
Organizer: webex

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

When it's time, start the Webex event here.

Host: Donna Mignon (dmignon@baltimorecountymd.gov)
Event number (access code): 160 648 1320
Host key: 504500 (Use this to reclaim host privileges.)

Thursday, August 20, 2020 10:00 am, Eastern Daylight Time (New York, GMT-04:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e687f639000c985224a84617964>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ed2ff3cd24af52b010135107ce6e>



Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1606481320@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 453640

Need help? Go to <http://help.webex.com>

7/17/2020 -

Spoke to Mr. Richardson.

8/20/2020 @ 10:00 a.m.

Will Amend Petition
and resubmit.

He will contact legal
owner.

10/15/15

10/15/15 10/15/15

10/15/15 10/15/15

10/15/15 10/15/15

10/15/15 10/15/15

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 13 Account Number - 1319510850		
Owner Information		
Owner Name:	SLACUM CLYDE	Use: INDUSTRIAL
Mailing Address:	547 ENSEMBLE CT COCKEYSVILLE MD 21030-	Principal Residence: NO
		Deed Reference: /41858/ 00481
Location & Structure Information		
Premises Address:	WALNUT AVE 0-0000	Legal Description: LT 7 PT 18 0.29 AC 210 WILLOW AV EXIT GROSSEDALE
Map:	Grid:	Parcel:
0109	0008	0460
Neighborhood:	Subdivision:	Section:
20000.04	0000	
Block:	Lot:	Assessment Year:
	7	2020
Plat No:	Plat Ref: 0003/ 0124	
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
		Property Land Area
		0.2900 AC
		County Use
		07
Stories	Basement	Type
		Exterior
		Quality
		Full/Half Bath
		Garage
Last Notice of Major Improvements		
Value Information		
	Base Value	Value
		As of
		01/01/2020
Land:	24,600	24,600
Improvements	0	0
Total:	24,600	24,600
Preferential Land:	0	0
		Phase-in Assessments
		As of
		07/01/2019
		As of
		07/01/2020
		24,600
		24,600
		0
Transfer Information		
Seller: NUTWALL LLC	Date: 09/13/2019	Price: \$42,000
Type: ARMS LENGTH MULTIPLE	Deed1: /41858/ 00481	Deed2:
Seller: MARROCCO ANITA R	Date: 01/04/2012	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /31565/ 00476	Deed2:
Seller: SMUCK HARRY A	Date: 06/24/1987	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /07584/ 00105	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	
County:	000	07/01/2019
State:	000	0.00
Municipal:	000	0.00
		0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: No Application		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		Date:

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 13 Account Number - 1600007967		
Owner Information		
Owner Name:	SLACUM CLYDE	Use: INDUSTRIAL Principal Residence: NO
Mailing Address:	547 ENSEMBLE CT COCKEYSVILLE MD 21030-	Deed Reference: /41858/ 00481
Location & Structure Information		
Premises Address:	WALNUT AVE 0-0000	Legal Description: PT LT 7-9-18 300 W HOLLINS FERRY RD GROSEDALE
Map:	Grid:	Parcel:
0109	0008	0573
Neighborhood:	Subdivision:	Section:
20000.04	0000	
Block:	Lot:	Assessment Year:
	7	2020
Plat No:		Plat Ref:
		0003/ 0124
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
		Property Land Area 13,644 SF
		County Use 07
Stories	Basement	Type
		Exterior
		Quality
		Full/Half Bath
		Garage
Last Notice of Major Improvements		
Value Information		
	Base Value	Value
		As of
		01/01/2020
		Phase-in Assessments
		As of
		07/01/2019
		As of
		07/01/2020
Land:	67,200	67,200
Improvements	0	0
Total:	67,200	67,200
Preferential Land:	0	0
Transfer Information		
Seller: NUTWALL LLC	Date: 09/13/2019	Price: \$42,000
Type: ARMS LENGTH MULTIPLE	Deed1: /41858/ 00481	Deed2:
Seller: MAROCCO ANITA R	Date: 01/04/2012	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /31565/ 00476	Deed2:
Seller: SMUCK HARRY A	Date: 06/24/1987	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /07584/ 00105	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2019
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: No Application		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

Debra Wiley

From: Debra Wiley
Sent: Friday, September 25, 2020 12:19 PM
To: Peter Max Zimmerman
Subject: Motion for Reconsideration - Case No. 2020-0032-SPHA
Attachments: 20200925122139582.pdf

Pete,

Per your request, please find attached a copy of the Motion for Reconsideration filed by Rick Richardson for the above-referenced case.

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

From: adminhearingscpr@baltimorecountymd.gov <adminhearingscpr@baltimorecountymd.gov>
Sent: Friday, September 25, 2020 12:22 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Message from "RNP002673F6C9D3"

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

Scan Date: 09.25.2020 12:21:39 (-0400)
Queries to: adminhearingscpr@baltimorecountymd.gov

Donna Mignon

From: Donna Mignon
Sent: Tuesday, September 22, 2020 8:40 AM
To: 'Richardson, Patrick'; Paul Mayhew
Cc: clydeslacum@comcast.net; Debra Wiley
Subject: RE: 2301 Walnut Avenue – 2020-0032-SPHA

Good Morning,

Our office is in receipt of the Motion for Reconsideration and will be given to ALJ Mayhew for his review and decision.

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: Richardson, Patrick <rick@richardsonengineering.net>
Sent: Monday, September 21, 2020 10:14 PM
To: Paul Mayhew <pmayhew@baltimorecountymd.gov>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>; clydeslacum@comcast.net
Subject: 2301 Walnut Avenue – 2020-0032-SPHA

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

Mr. Mayhew, I am herewith submitting a Motion for Reconsideration of the decision rendered for this case. If you have any questions regarding same, please feel free to contact me.
Thank you for your consideration.

Rick Richardson
Richardson Engineering, LLC
30 E. Padonia Road Suite 500
Timonium, MD 21093
410-560-1502-x112
fax: 443-901-1208

Debra Wiley

From: Peter Max Zimmerman
Sent: Friday, September 25, 2020 1:31 PM
To: Debra Wiley; Paul Mayhew
Cc: Richardson, Patrick; Terry Curtis; Thomas Kiefer
Subject: RE: Motion for Reconsideration - Case No. 2020-0032-SPHA

Déar Judge Mayhew,

Thanks to your office for sending a copy of the motion for reconsideration dated September 21 filed by Mr. Richardson for Petitioner Clyde Slacum, 2301 Walnut Avenue.

We have forwarded it to Terry Curtis and Thomas Kiefer of the Department of Public Works and requested their comments on the subject.

We will await their comments before providing input on the issue.

Thank you for your attention to this matter.

Sincerely, Peter Max Zimmerman, People's Counsel, 410-887-2188

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

From: Debra Wiley <dwiley@baltimorecountymd.gov>
Sent: Friday, September 25, 2020 12:19 PM
To: Peter Max Zimmerman <pzimmerman@baltimorecountymd.gov>
Subject: Motion for Reconsideration - Case No. 2020-0032-SPHA

Pete,

Per your request, please find attached a copy of the Motion for Reconsideration filed by Rick Richardson for the above-referenced case.

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

From: adminhearingscpr@baltimorecountymd.gov <adminhearingscpr@baltimorecountymd.gov>
Sent: Friday, September 25, 2020 12:22 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Message from "RNP002673F6C9D3"

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

Scan Date: 09.25.2020 12:21:39 (-0400)
Queries to: adminhearingscpr@baltimorecountymd.gov

§ 32-8-303. - REASONS FOR GRANTING A WAIVER.

- (a) *In general.* Waivers may only be issued upon:
- (1) A showing of good and sufficient cause;
 - (2) A determination that failure to grant a waiver would result in exceptional hardship, other than economic hardship, to the applicant; and
 - (3) A determination that the granting of a waiver will not increase flood heights, impact public safety, incur extraordinary public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing local and state laws and ordinances.
- (b) *Minimum necessary.* The waiver action shall be the minimum necessary, considering the flood hazard, to afford relief.
- (c) *Comments.* In considering a waiver action, comments from the state coordinating office and the County Department of Public Works shall be taken into account and maintained with the permit file.

(1988 Code, § 26-670) (Bill No. 173-93, § 2, 11-17-1993; Bill No. 112-02, § 2, 7-1-2004)

§ 32-8-304. - WAIVERS PROHIBITED.

Waivers may not be granted for the following:

- (1) Placement of fill or any development in the floodway if any increase in flood levels would result; or
- (2) New buildings in the riverine floodplain.

(1988 Code, § 26-670) (Bill No. 173-93, § 2, 11-17-1993; Bill No. 112-02, § 2, 7-1-2004)

ZAC AGENDA

Case Number: 2020-0032-A **Reviewer:** Gary Hucik
Existng Use: INSTITUTIONAL **Proposed Use:** INSTITUTIONAL
Type: VARIANCE, SPECIAL HEARING
Legal Owner: Clyde Slacum
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 13 **Council Dist:** 1

Property Address: 2301 WALNUT AVE

Location: South side of Walnut Ave North West 580 to the center line of Hollins Ferry Road.

Existing Zoning: ML-IM **Area:** 38,244 SQ FT

Proposed Zoning:

VARIANCE:

Per section 255.2 and 243.1 to allow a front setback of 53' in lieu of the required 75'. Per section 255.2 and 243.2 to allow a side yard setback of 3' in lieu of the required 50'. Per section 255.2 and 243.3 to allow a rear yard setback of 4' in lieu of the required 50'.

SPECIAL HEARING:

To approve a waiver of BCC Section 32-4-107 and 32-4-414 to permit development of a site that is in riverine floodplain.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Petition has been revised, recirculated to the appropriate departments.; This matter was scheduled for a public hearing on March 13, 2020 at 11:00 AM. The case was not opened and/or continued, no testimony was taken, and no citizens attended the hearing.

Rick Richardson of Richardson Engineering, Inc. is planning to work it out regarding the riverine floodplain per DPW's ZAC comment. In addition, he may revise the petition to add a special hearing.

Therefore, the case file is being returned to the OZR.

ZAC AGENDA

Case Number: 2020-0032-A **Reviewer:** Gary Hucik
Existing Use: INSTITUTIONAL **Proposed Use:** INSTITUTIONAL
Type: VARIANCE
Legal Owner: Clyde Slacum
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 13 **Council Dist:** 1

Property Address: 2301 WALNUT AVE

Location: South side of Walnut Ave North West 580 to the center line of Hollins Ferry Road.

Existing Zoning: ML-IM **Area:** 38,244 SQ FT

Proposed Zoning:

VARIANCE:

Per section 255.2 and 243.1 to allow a front setback of 53' in lieu of the required 75'. Per section 255.2 and 243.2 to allow a side yard setback of 3' in lieu of the required 50'. Per section 255.2 and 243.3 to allow a rear yard setback of 4' in lieu of the required 50'.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Case Number: 2020-0033-A **Reviewer:** Jun Fernando
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: VARIANCE
Legal Owner: Gonzalez Eliseo
Contract Purchaser: Rolando Morales

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 1 **Council Dist:** 1

Property Address: 2000 OKA DR

Location: NW corner of Clifton Ave and Oak Drive.

Existing Zoning: DR 5.5 **Area:** 17,200 SQ FT

Proposed Zoning:

VARIANCE:

1B02.3.C.1 and 104.3 To permit extension/ addition of a non-conforming residential structure which will have a 17'-6" setback in lieu of the required 25' side setback for a corner lot.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Ms. Donna Mignon

8/20/2020

Dear Ms. Mignon,

I appreciate the opportunity to express my concern about the zoning petition 2020-0032-spha.

I own 2313 Walnut and 2317 Walnut Avenue which are both adjacent to the subject property.

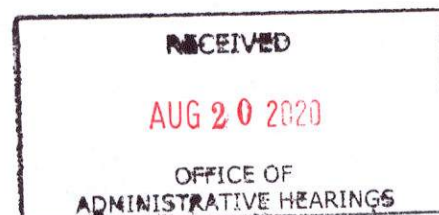
When this property became available for purchase, I had an interest in buying so that my properties would be protected but through a due diligence process I found that circumstances existed that would make the property virtually unbuildable. Those circumstances include a difficult access with utility easements that include 3 main water lines, 3 electric poles, very limiting setbacks and of course drainage issues (Floodplain).

While one may expect a 5 or 10% variation of a setback for special circumstances, I cannot imagine granting a 94% reduction of any property much less in a floodplain zone.

My largest concern at this point is my ability to continue to own and enjoy my properties specifically when it comes to drainage concerns. It would appear that the access already has a ton of recent activity that includes elevated fill (stone). I just cannot quite comprehend how something can be built along with the necessary driveways that won't create a drainage problem for me.

I'll look forward to any feedback you can supply and would appreciate you keeping me in the loop with these discussions.

Matt Kibler



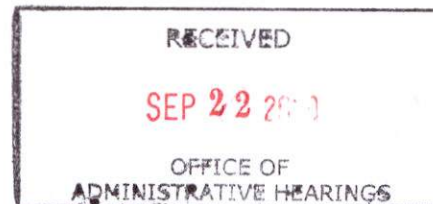
Donna Mignon

From: Richardson, Patrick <rick@richardsonengineering.net>
Sent: Monday, September 21, 2020 10:14 PM
To: Paul Mayhew
Cc: Donna Mignon; clydeslacum@comcast.net
Subject: 2301 Walnut Avenue – 2020-0032-SPHA
Attachments: 092120 Mayhew Reconsideration.pdf

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

Mr. Mayhew, I am herewith submitting a Motion for Reconsideration of the decision rendered for this case. If you have any questions regarding same, please feel free to contact me.
Thank you for your consideration.

Rick Richardson
Richardson Engineering, LLC
30 E. Padonia Road Suite 500
Timonium, MD 21093
410-560-1502-x112
fax: 443-901-1208



Richardson Engineering, LLC

30 E. Padonia Road, Suite 500
Timonium, Maryland 21093

Tel: 410-560-1502
Fax: 443-901-1208

September 21, 2020

Mr. Paul N. Mayhew, Managing Administrative Law Judge
Office of Administrative Hearings
105 W. Chesapeake Avenue
Suite 103
Towson, MD 21204

Subject: 2301 Walnut Avenue – 2020-0032-SPHA

Dear Mr. Mayhew:

I am hereby requesting a Motion for Reconsideration on your decision on this case. We believe that we may not have totally explained the plan and presentation made regarding the floodplain special hearing request.

The issue we believe is the proposed elevation of the building. The elevation of the ground after construction will *remove* the building from the floodplain. The filling of the floodplain per section BCC §32-4-107 is to obtain an area of land whereby the building will be above the floodplain and therefore no longer *in the floodplain*. By doing this the new building will be meeting the requirements for buildings to be constructed near a floodplain; not in a floodplain.

I direct your attention to the first floor elevation shown on Petitioner's Exhibit #1. The proposed building shows the finished floor elevation designated as "FF=25.0". The floodplain elevation is 23.3, as stated in Petitioner's Exhibit #4. That letter outlines the rationale for the impacts to the floodplain not being a detrimental condition if the small area of land is filled in up to the floodplain elevation. The filled floodplain is evaluated up to the 23.3 elevation, not to the floor elevation of 25.0 for the building. If the ground is raised to fill in the floodplain portion of the site and there is not a detrimental impact to the floodplain, then a building can be constructed above it. The result is that the building will not be in the floodplain area, which will be outside the building footprint if the relief is granted.

I emphasize that Mr. Kiefer agreed with this assertion and therefor sent a reply to my analysis agreeing that the filling of the small area of floodplain would not have an adverse impact to the neighboring properties.

I point to another case where this relief has been granted for a project that I was personally involved in. Specifically case 2019-0453-SPH that you heard last year for a site located at 5401 Campbell Boulevard. In this case you initially determined that the request should be dismissed as you felt there was no reason for you to rule. The result of Mr. Gillis's request for reconsideration was that you granted the motion and determined the building to be out of the floodplain. So in that case you made approval conditioned on satisfying all conditions of BCC §32-4-207 before any permits are issued.

2301 Walnut Avenue
September 21, 2020
Page 2 of 2

Richardson Engineering, LLC

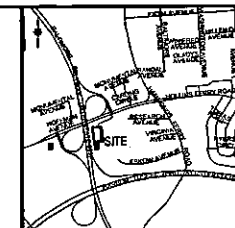
We believe that the consideration of this project is in the same context as that case, and can be approved with similar restrictions to the development of that project.

We thank you for your consideration of the above request.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick C. Richardson, Jr.", written in a cursive style.

Patrick C. Richardson, Jr., P.E.



LOCATION MAP
SCALE 1" = 100'

GENERAL NOTES:

1. OWNER: CLIVE BACON, DAY DARRIN, CT, COASTVILLE MD 21039
2. SITE ADDRESS: 2301 WALNUT AVE, BALTIMORE MD 21201
3. EXISTING BUILDING AREA: 2,300 SQ. FT.
4. PROPOSED BUILDING AREA: 2,300 SQ. FT.
5. UTILITIES: PUBLIC WATER, PUBLIC SEWER, PUBLIC GAS
6. EXISTING MAP: 11/18/14/15
7. EXISTING ZONING: R-1
8. EXISTING ZONING: R-1
9. EXISTING ZONING: R-1
10. EXISTING ZONING: R-1
11. EXISTING ZONING: R-1
12. EXISTING ZONING: R-1
13. EXISTING ZONING: R-1
14. EXISTING ZONING: R-1
15. EXISTING ZONING: R-1
16. EXISTING ZONING: R-1
17. EXISTING ZONING: R-1
18. EXISTING ZONING: R-1
19. EXISTING ZONING: R-1
20. EXISTING ZONING: R-1
21. EXISTING ZONING: R-1
22. EXISTING ZONING: R-1
23. EXISTING ZONING: R-1
24. EXISTING ZONING: R-1
25. EXISTING ZONING: R-1
26. EXISTING ZONING: R-1
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Richardson Engineering, LLC

30 East Potomac Road, Suite 500
Timonium, Maryland 21093
Phone: 410-540-1502 Fax: 443-901-1208
www.richardsoneng.com

**PLAN TO ACCOMPANY ZONING PETITION
FOR
PATAPSCO PIPELINE
WAREHOUSE
2301 WALNUT AVENUE**

BALTIMORE COUNTY 1ST COUNCILMANIC DISTRICT MARYLAND

DATE	BY	CHECKED BY	SCALE
07-08-20	LMR	PCM	1" = 50'
01-23-20	JMD		
		10174	1 OF 1

PETITIONER'S

EXHIBIT NO. 1

Baltimore County - My Neighborhood

PETITIONER'S

EXHIBIT NO. 2



Legend

- Red: Band_1
- Green: Band_2
- Blue: Band_3
- House Numbers
- Zoning History Cases
- Zoning
- Property
- County Boundary

1:2,257

0 95 190 380 Feet

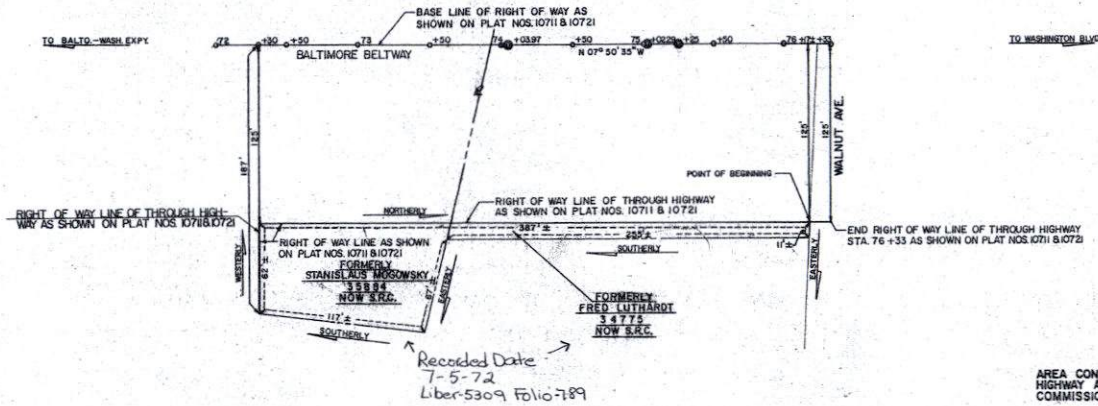
August 11, 2020

Sources: Esri, HERE, Garmin, Intermap, Inetere, GeoBase, IGN, Kadaster NL, Ordnance Survey, OpenStreetMap contributors, and the GIS User

PETITIONER'S

EXHIBIT NO.

3



AREA CONVEYED OR TO BE CONVEYED BY THE STATE HIGHWAY ADMINISTRATION - STATE ROADS COMMISSION OF MARYLAND 0.26 ACRES ± SHOWN THUS:

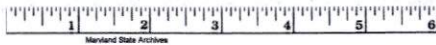
LEGEND	
	REVERSIBLE EASEMENT FOR SUPPORTING SLOPES
	REVERSIBLE EASEMENT OR RIGHT FOR SPECIAL PURPOSE AS INDICATED BY NOTATION ON THIS PLAT.
	PERPETUAL EASEMENT FOR SPECIAL PURPOSE AS INDICATED BY NOTATION ON THIS PLAT.
	PERPETUAL EASEMENT FOR DRAINAGE FACILITY AS INDICATED BY NOTATION ON THIS PLAT.
	PERPETUAL EASEMENT TO DISCHARGE FLOW OF WATER FROM OR INTO EXISTING WATERWAY OR NATURAL DRAINAGE COURSE.
	PERPETUAL EASEMENT TO DISCHARGE FLOW OF WATER UPON EXISTING GROUND.
	APPROXIMATE GENERAL DRAINAGE FLOW PATTERN (NOT TO SCALE FOR EXPLANATORY PURPOSE ONLY)

THIS IS AN EXPEDIENT, AND NO ACCESS EITHER VEHICULAR, PEDESTRIAN AND/OR ANIMAL WILL BE PERMITTED ACROSS THE LINES DESIGNATED "RIGHT OF WAY LINE OF THROUGH HIGHWAY" EXCEPT BY MEANS OF SUCH PUBLIC ROAD CONNECTIONS AS ARE AUTHORIZED BY LAW.	
NAMES OF REPORTED PROPERTY OWNERS AS SHOWN ON THIS PLAT ARE THOSE OF ORIGINAL GRANTEES TO THE STATE HIGHWAY ADMINISTRATION - STATE ROADS COMMISSION. THE APPROXIMATE PROPERTY LINES SHOWN WERE NOT ESTABLISHED BY ACTUAL SURVEY, BUT ARE INTENDED FOR AN APPROXIMATE GUIDANCE ONLY.	
SENT TO RECORD OFFICE	AUG 7 19 72
FINALIZED BY CHAIRMAN	19

REVISIONS	
REV. 5-10-72	
REV. 5-22-72	

LOCATED IN	BALTIMORE	COUNTY
PREPARED BY	RIGHT OF WAY DIVISION - PLAT SECTION	
	CHIEF, R.W. PLATS & DESCRIPTIONS SECTION	
CONSTRUCTION PROJECT:	BALTIMORE BELTWAY PATAPSCO RIVER TO WILKENS AVE.	
CONSTRUCTION PROJECT NO.:	B 635-11-420	

STATE OF MARYLAND	
DEPARTMENT OF TRANSPORTATION	
STATE HIGHWAY ADMINISTRATION	
STATE ROADS COMMISSION	
RIGHT OF WAY PROJECT:	BALTIMORE BELTWAY S. OF WILKENS AVE. TO PATAPSCO RIVER
RIGHT OF WAY PROJECT NO.:	B 635-11-420
FEDERAL AID PROJECT NO.:	1695-6 (20) 27
ISSUED	September 29, 1972
SCALE	1" = 50'
CHIEF, RIGHT OF WAY DIVISION	PLAT No. 41253



Richardson Engineering, LLC

30 E. Padonia Road, Suite 500
Timonium, Maryland 21093

Tel: 410-560-1502
Fax: 443-901-1208

May 28, 2020

Mr. Thomas J. Kiefer, P.E., Acting Director
Attn: Mr. Terry Curtis
Department of Public Works
Baltimore County
111 W. Chesapeake Avenue
Towson, MD 21204

Subject: 2301 Walnut Avenue
Patapsco Pipeline Warehouse

Dear Mr. Walsh:

Attached is a plan showing the planned construction of a small warehouse building on this site. The plan is to construct the building on this site which has a small area of the site in the 100 year floodplain as was determined in the 1977 flood study. The study showed that the area is in a backwater condition from the Patapsco River. The area of backwater covers large portions of the Landsdowne area along the stream that runs north from the Patapsco River. This site is approximately 1800 feet from the river and 475 feet west of the tributary.

The location is in the fringe of the floodplain. The location of and grading of the site to add a building that is accessed from the north will result in 1187 square feet of the building being in the floodplain area as determined by a survey of the property. The flood elevation is 25.0 in the 1977 study based on Baltimore County datum, which is equivalent to 23.3 in NAVD 88 datum. The maximum depth of water that will be filled is approximately 10" over the 1187 square feet, amounting to 341 cubic feet or 0.0078 acre feet of fringe volume that will be filled.

So in conclusion, while determining the exact area of the floodplain to be impacted by the Patapsco River is not known, the area impacted between the Baltimore Beltway and Hollins Ferry Road is approximately 32 acres. The impact from this building is 0.03 acres, and a total volume of 0.0078 acre feet, which is negligent in size or scope of the overall floodplain.

Therefore, based on my opinion, the construction of the building in this location will not have any adverse impacts on any upstream or downstream property owners. The owner understands that Baltimore County will not be responsible for any flooding issues that might occur as a result of this work being done.

We thank you for your consideration of this request and ask that this matter be expedited so that Mr Slacum can obtain building permit to install the new building for his business.

PETITIONER'S

EXHIBIT NO. 4

2301 Walnut Avenue
May 28, 2020
Page 2 of 2

Richardson Engineering, LLC

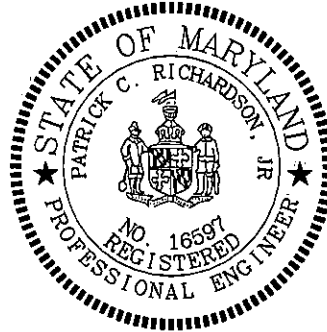
We look forward to approval of our request.

Please call me at your convenience, if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Patrick C. Richardson, Jr.", written in a cursive style.

Patrick C. Richardson, Jr., PE





JOHN A. OLSZEWSKI, JR.
County Executive

THOMAS KIEFER, *Acting Director*
Department of Public Works

July 2, 2020

Mr. Patrick C. Richardson, Jr., P.E.
Richardson Engineering, LLC
30 East Padonia Road
Suite 500
Timonium, Maryland 21093

Subject: 2301 Walnut Avenue
Patapsco Pipeline Warehouse
2301 Walnut Avenue, Halethorpe, Maryland 21227
Property Tax Account 16-00-007967

Dear Mr. Richardson:

We have received and reviewed the flood plain letter/report prepared by your office dated May 28, 2020 and accept it for filing under your seal as submitted.

Pursuant to development of the above-referenced property, this office has found that the property is located within a special flood hazard area as shown based on existing Baltimore County studies on file. However, the property is not located within a special flood hazard area as shown based on the Federal Emergency Management Agency's Flood Insurance Rate Map No. 510G, Community Panel No. 240010-0510G, dated May 5, 2014. The property as shown on the map is located in the X unshaded zones.

This project involves development in the form of grading and construction in the 1% annual special flood hazard, 100-year, riverine flood plain. Under The Baltimore County Code Section 32-8-303 (a) it states:

- (a) In general. Waivers may only be issued upon:
 - (3) A determination that the granting of a waiver will not increase flood heights, impact public safety, incur extraordinary public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing local and state laws and ordinances.

The May 28, 2020 submission states that the property is subject to flooding due to a back water condition from the Patapsco River. The letter also states that impact to the fringe flood plain from the building will be 0.03 acres and a total volume of 0.0078 acre-feet.

PETITIONER' S

EXHIBIT NO.

5

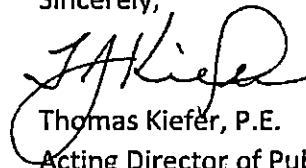
After careful consideration of the Code above, the Department finds that grading and construction for this project in riverine flood plain areas is not detrimental to flood plain management programs, subject to the following conditions:

1. The 1% annual flood plain and freeboard limits are delineated by a flood plain study certified by a Professional Engineer registered in the State of Maryland as being correct and done in accordance with the Baltimore County Department of Public Works Policy adopted August 1, 1991. The engineer must work with the Department of Public Works and the Department of Permits, Approvals and Inspections Bureau of Development of Plans Review to establish a base flood elevation and maintain proper freeboard requirements when setting the first floor elevation.
2. The parking areas to be used for the proposed warehouse must be properly signed providing proper notification that the area is subject to flooding.
3. The flood plain letter dated May 28, 2020 indicates no detrimental offsite impacts resulting from the grading and construction project.
4. All other governmental permits and waivers must be filed and are the responsibility of the engineer if the site is to be developed.

In conclusion, and after careful review of, the 2301 Walnut Avenue Patapsco Pipeline Warehouse submission sealed and dated on May 28, 2020, the Department of Public Works takes no exception for the approval of the waiver request based on the aforementioned conditions.

If you have any questions, please feel free to contact Terry Curtis at (410) 887-3117.

Sincerely,

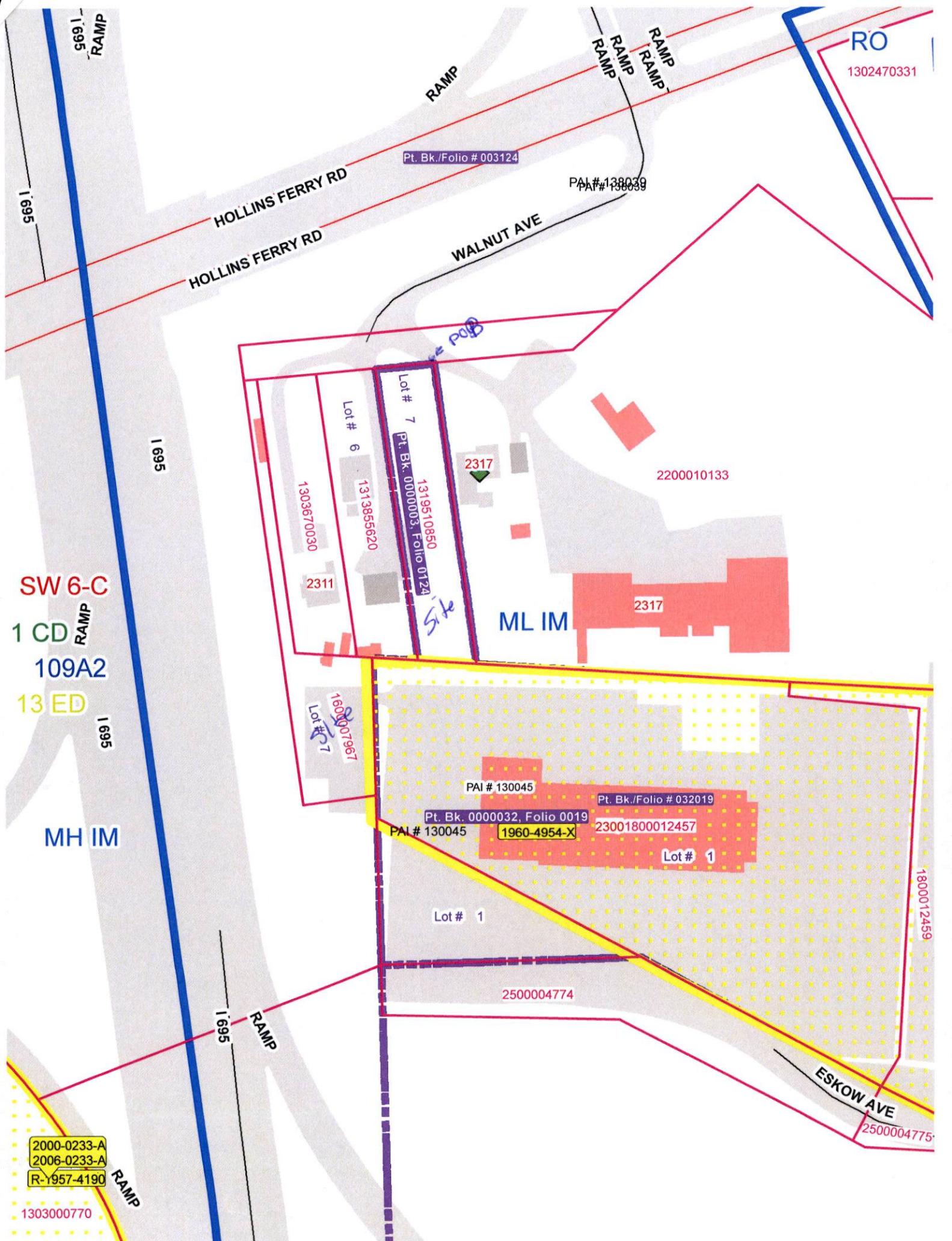


Thomas Kiefer, P.E.

Acting Director of Public Works

TWC/s

cc: Vishnubhai K. Desai, Chief, Development Plans Review Bureau
Kevin Wagner, MDE, Community Assistance Program Manager



RO
1302470331

Pt. Bk./Folio # 003124

PAI # 138039
PAI # 138039

HOLLINS FERRY RD
HOLLINS FERRY RD

WALNUT AVE

I 695

SW 6-C
1 CD
109A2
13 ED

I 695

MH IM

I 695

RAMP

2000-0233-A
2006-0233-A
R-1957-4190

1303000770

RAMP

Lot # 7
Pt. Bk. 0000003, Folio 0124
1319510850
Site

Lot # 6

1303670030

1313855620

2311

2317

2200010133

ML IM

2317

Lot # 7
160007967

PAI # 130045

Pt. Bk. 0000032, Folio 0019

PAI # 130045

1960-4954-X

Pt. Bk./Folio # 032019

23001800012457

Lot # 1

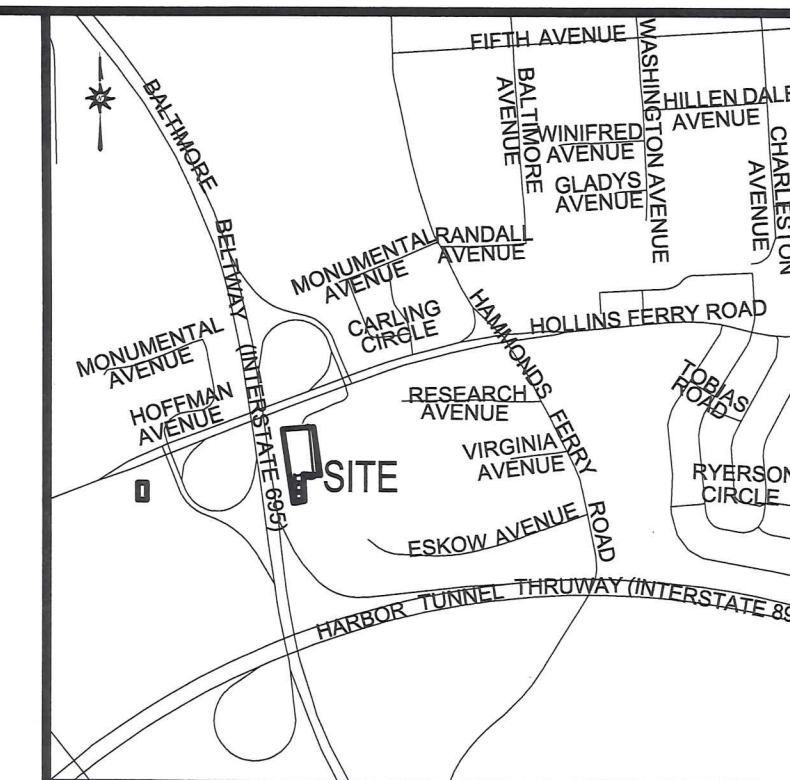
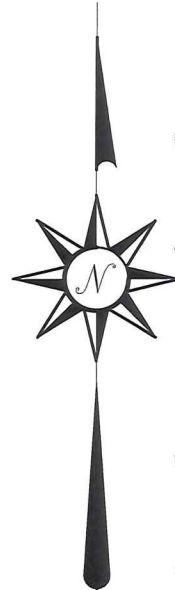
Lot # 1

2500004774

1800012459

ESKOW AVE

2500004775



LOCATION MAP

SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER:
CLYDE SLACUM
547 ENSEMBLE CT
COCKEYSVILLE MD 21030
- SITE AREA:
GROSS: 24,907 Sq.Ft. or 0.57 Ac.±
NET: 24,449 Sq.Ft. or 0.56 Ac.±
- EXISTING BUILDING AREA: 0 Sq.Ft.
TOTAL PROPOSED BUILDING AREA: 3,200 Sq.Ft.
- UTILITIES
PUBLIC WATER
PUBLIC SEWER
- DEED REF: 41858/481
- TAX ACCOUNT: #160007967, 1319510850
- COUNCILMANIC DISTRICT: 1ST
- REGIONAL PLANNING DISTRICT: ARBUTUS/LANSOWNE
- CENSUS TRACT: 4303
- WATERSHED: PATAPSCO RIVER
- EXISTING ZONING: ML IM (PER 1"=200' ZONING MAP 079A1)
- TAX MAP #109, GRID #8, PARCEL #573
- NO PRIOR PERMITS ON FILE
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THE SITE LIES WITHIN ZONE X AS SHOWN ON FLOOD INSURANCE RATE MAP (FIRM) PANEL 2400100510G, DATED MAY 5, 2014.
- THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC.
- BASIC SERVICE MAPS (2017)

TYPE	DEFICIENT(Y/N)	NOTE
WATER	N	-
SEWER	N	-
TRANSPORTATION	N	-
- NO PREVIOUS ZONING CASES ON FILE.
- FLOOR AREA RATIO (FAR) ML IM ZONE
MAX PERMITTED: 2.0
EXISTING: 0/24,449 = 0.00
PROPOSED: 3,200/24,449 = 0.13
- ANY PROPOSED SIGNS ARE TO CONFORM TO THE BALTIMORE COUNTY ZONING REGULATIONS (BCZR).
- SETBACKS FOR ML IM ZONE

TYPE	REQUIRED	PROVIDED
FRONT	25'	53'±
SIDE	30'	3'±
REAR	30'	4'±
- USE
EXISTING: VACANT
PROPOSED: WAREHOUSE
- PARKING
REQUIRED: 1 PER EMPLOYEE @ 0 EMPLOYEES
PROVIDED: 1 SPACE

Richardson Engineering, LLC

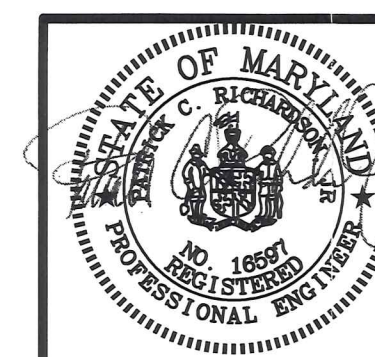
30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208
RICK@RICHARDSONENGINEERING.NET

PLAN TO ACCOMPANY ZONING PETITION FOR PATAPSCO PIPELINE WAREHOUSE 2301 WALNUT AVENUE

BALTIMORE COUNTY
13TH ELECTION DISTRICT

MARYLAND
1ST COUNCILMANIC DISTRICT

REVISIONS	DRAWN BY:	CHECKED BY:	SCALE:
	LNR	PCR	1" = 30'
	DATE:	JOB NO.:	SHEET NO.:
	01-28-20	19174	1 OF 1



PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR
APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE
NUMBER 16597, EXPIRATION DATE: 08-15-2021

Revised 2020-0032-SP44