

IN RE: PETITION FOR VARIANCE

(3309 E. Joppa Road)

11th Election District

5th Council District

Meher, LLC c/o Alireza Nejad

Petitioner

*

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*

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BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2020-0059-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County for consideration of a Petition for Variance filed by the legal owners of the subject property, Meher, LLC c/o Alirez Nejad ("Petitioner"). The Petitioner is requesting Variance relief pursuant to Baltimore County Zoning Regulations ("BZCR") § 1B01.3.C.1 to allow a front setback of 7.0 ft. in lieu of 18.75 ft. for an open projection (porch) and 10.6 ft. in lieu of 25 ft. for a dwelling. A site plan was marked as Petitioner's Exhibit 1.

Due to the COVID-19 pandemic, a WebEx hearing was conducted remotely by computer and/or phone participation. Petitioner Meher, LLC, c/o Alireza Nejad, appeared in support of the requested relief. Timothy M. Kotroco, Esq. appeared on behalf of the Petitioner. There were no protestants in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Substantive Zoning Advisory Committee ("ZAC") comments were received from the Department of Planning ("DOP") on June 5, 2020. They did not oppose the requested relief. However the DOP noted that the property is a current CZMP Issue 5-5005 which proposes to change the zoning from DR 5.5 CB (Commercial Business). The Planning Board voted to approve the requested change, however the final zoning decision has yet to be made by the County Council.

ORDER RECEIVED FOR FILING

Date 8/25/20

By D. Mignon

Mr. Kotroco advised that his client purchased the property in 2019 with the intention of selling or leasing the property as a home business location such as a Tax Service or Art Studio. Mr. Kotroco explained that the need for variance relief arises out of the incremental widening of Joppa Road over the years. Mr. Kotroco explained that Joppa Road was once a Native American hunting trail and over the years it has become a 5 lane highway. The subject residence was built in 1922 and whereas it used to have a substantial front yard it now sits much closer to the road due to the road widening.

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).

The subject property is 12,599 in size and zones DR 5.5. The property was originally fairly symmetrical with the house sited in the center, but as noted above, due to the ever widening Joppa Road the house now sits quite close to the road. As such the property is unique. It is this road widening that necessitates the requested front setback variances.

THEREFORE, IT IS ORDERED, this day 25th of **August, 2020**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to § 1B01.3.C.1 of the Baltimore County Zoning Regulations ("BCZR") to allow a front setback of 7.0 ft. in lieu of 18.75 ft. for an open projection (porch) and 10.6 ft. in lieu of 25 ft. for a dwelling is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioner may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that

ORDER RECEIVED FOR FILING

Date 8/25/20

2

By DManan

proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

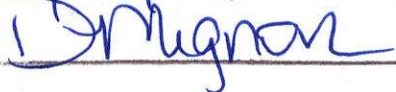
PMM:dlm

ORDER RECEIVED FOR FILING

Date

8/25/20

By





PETITION FOR ZONING H RING(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 3309 E. JOPPA RD. 21234 which is presently zoned DR 5.5 / CB
 Deed References: 41A76/333 10 Digit Tax Account # 1120000300 and
 Property Owner(s) Printed Name(s) MEHER, LLC c/o ALIREZA NEJAD

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

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

1. 1120000301
☐ a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. ☐ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a Variance from Section(s) 1B01.3.C.1 OF THE BCZR

TO ALLOW A FRONT SETBACK OF 7.0' IN LIEU OF 18.75' FOR AN OPEN PROJECTION (PORCH), AND 10.6' IN LIEU OF 25' FOR A DWELLING

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 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

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

FOR MEHER, LLC
ALIREZA NEJAD

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

6 KEIL MANOR CT. WHITE HALL, MD.

Mailing Address

City

State

21161 / 336-970-3675 / anejad06@gmail.com

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

TIM KOTROCO

Name- Type or Print

Signature

Representative to be contacted:

R. CRAIG RODGERS

Name - Type or Print

Signature

7024 GREENBANK RD. BALTIMORE, MD

Mailing Address

City

State

21264 / 410-299-2943 / tkotroco@gmail.com 21220 / 443-677-2007 / craigrodgers200@gmail.com

Zip Code

Telephone #

Email Address

Zip Code

Telephone #

Email Address

CASE NUMBER 2020-0059-A

Filing Date 2/25/2020

Do Not Schedule Dates: _____

Reviewer CF



Abstract of the report of the

Committee on the Administration of the Government of the District of Columbia

Report of the

Committee on the Administration of the Government of the District of Columbia

Report of the

Committee on the Administration of the Government of the District of Columbia

Report of the

Committee on the Administration of the Government of the District of Columbia

Report of the Committee on the Administration of the Government of the District of Columbia



ZONING DESCRIPTION FOR 3309 E. JOPPA ROAD

Beginning at a point on the south side of East Joppa Road which is 70 feet wide at a distance of 43 feet west of the centerline of Burton Avenue which has a variable right of way width.

Being Lots 38, 39, 40 and part of Lot 41, in the subdivision of Carney Grove as recorded in Baltimore County Plat Book #7, folio #20, containing 12,599 square feet or 0.2892 acres of land $\pm$. Located in the Eleventh Election District and Fifth Council District.

2020-0059-A

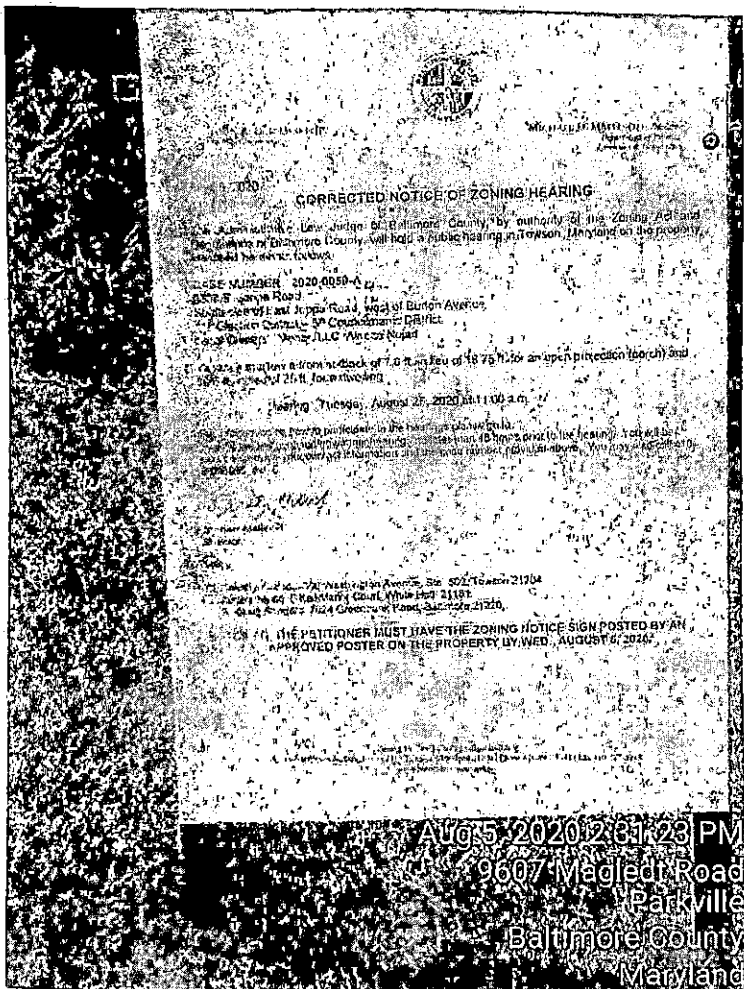
CERTIFICATE OF POSTING

Date: AUGUST 5, 2020

RE: Project Name: 3309 E. JOPPA ROAD # 1
Case Number /PAI Number: 2020-0059-A
Petitioner/Developer: MEHER, LLC
Date of Hearing/Closing: AUGUST 25, 2020

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 3309 E. JOPPA ROAD

The sign(s) were posted on AUGUST 5, 2020
(Month, Day, Year)



Daniel B. King
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)

11/11

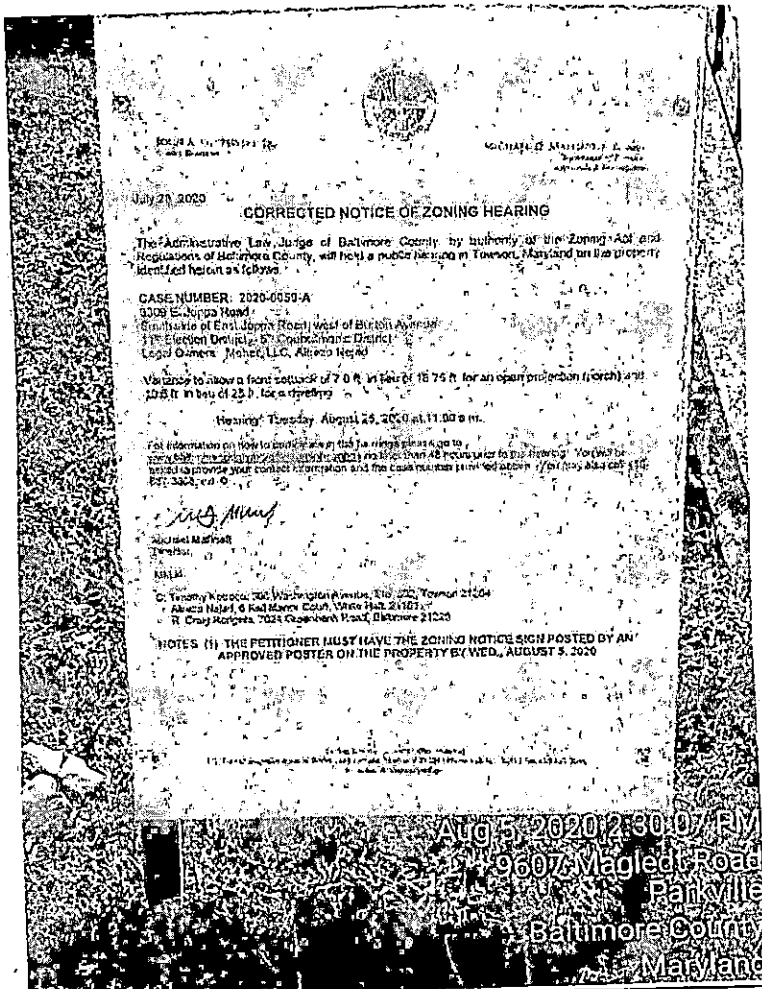
CERTIFICATE OF POSTING

Date: AUGUST 5, 2020

RE: Project Name: 3309 E. JOPPA ROAD # 2
Case Number /PAI Number: 2020-0059-A
Petitioner/Developer: MEHER, LLC
Date of Hearing/Closing: AUGUST 25, 2020

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 3309 E. JOPPA ROAD

The sign(s) were posted on AUGUST 5, 2020
(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

Order #: 11904674

Case #:

Description:

ZONING HEARING - CASE NUMBER: 2020-0059-A

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:

8/5/2020



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 virtual hearing the property identified herein as follows: CASE NUMBER: 2020-0059-A 3309 E. Joppa Road South side of East Joppa Road, west of Burton Avenue 11th Election District - 5th Councilmanic District Legal Owners: Meher, LLC, Alireza Nejad Variance to allow a front setback of 7.0 ft. in lieu of 18.75 ft. for an open projection (porch) and 10.6 ft. in lieu of 25 ft. for a dwelling. Hearing: Tuesday, August 25, 2020 at 11:00 a.m. For information on how to participate in the hearings please go to www.baltimorecountymd.gov/admin/hearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0. Michael Mallinoff Director of Permits, Approvals and Inspections for Baltimore County au5



JOHN A. OLSZEWSKI, JR.
County Executive

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

July 28, 2020

CORRECTED 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: 2020-0059-A

3309 E. Joppa Road
South side of East Joppa Road, west of Burton Avenue
11th Election District – 5th Councilmanic District
Legal Owners: Meher, LLC, Alireza Nejad

Variance to allow a front setback of 7.0 ft. in lieu of 18.75 ft. for an open projection (porch) and 10.6 ft. in lieu of 25 ft. for a dwelling.

Hearing: Tuesday, August 25, 2020 at 11:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

A handwritten signature in black ink, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Timothy Kotroco, 306 Washington Avenue, Ste. 502, Towson 21204
Alireza Nejad, 6 Keil Manor Court, White Hall, 21161
R. Craig Rodgers, 7024 Greenbank Road, Baltimore 21220

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., AUGUST 5, 2020.

TO: THE DAILY RECORD
Wednesday, August 5, 2020 - Issue

Please forward billing to:
Alireza Nejad
6 Keil Manor Court
Whitehall, MD 21161

336-970-3675

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: 2020-0059-A

3309 E. Joppa Road

South side of East Joppa Road, west of Burton Avenue

11th Election District – 5th Councilmanic District

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Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County



JOHN A. OLSZEWSKI, JR.
County Executive

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

July 28, 2020

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Legal Owners: Meher, LLC, Alireza Nejad

Variance to allow a front setback of 7.0 ft. in lieu of 18.75 ft. for an open projection (porch) and 10.6 ft. in lieu of 25 ft. for a dwelling.

Hearing: Tuesday, August 25, 2020 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

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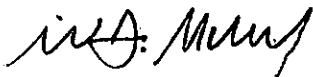
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South side of East Joppa Road, west of Burton Avenue
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Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County

RE: PETITION FOR VARIANCE
3309 E. Joppa Road; S/S of E. Joppa Road,
43' W of Burton Avenue
11th Election & 5th Councilmanic Districts
Legal Owner(s): Meher, LLC
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2020-059-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

MAR 05 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 5th day of March, 2020, a copy of the foregoing Entry of Appearance was mailed to R. Craig Rodgers, 7024 Greenbank Road, Baltimore, Maryland 21220, and Timothy Kotroco, Esquire, 305 Washington Avenue, Suite 502, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Case Number: 2020-0059-A

Property Address: 3309 E. Joppa Rd.

Property Description: _____

Legal Owners (Petitioners): Mettler LLC

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Alizea Nesad

Company/Firm (if applicable): _____

Address: 6 Keil Manor Ct.

Whitehall MD 21161

Telephone Number: 336-970-3675



JOHN A. OLSZEWSKI, JR.
County Executive

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

July 28, 2020

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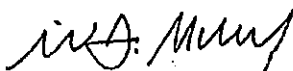
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Michael Mallinoff
Director

MM:kl

C: Timothy Kotroco, 306 Washington Avenue, Ste. 502, Towson 21204
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R. Craig Rodgers, 7024 Greenbank Road, Baltimore 21220

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PETITION FOR ZONING HEARING(S)

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

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

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 Deed References: 41,476/333 10 Digit Tax Account # 1120000300 and
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(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

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1120000301

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

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

3. ☒ a Variance from Section(s) 1B01.3.C.1 OF THE BCZR

TO ALLOW A FRONT SETBACK OF 7.0' IN LIEU OF 18.75' FOR AN OPEN PROJECTION (PORCH), AND 10.6' IN LIEU OF 25' FOR A DWELLING

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 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:

TIM KOTROCO

Name- Type or Print

Signature

306 WASHINGTON AVE TOWSON MD

Mailing Address

City

State

21264
Zip Code

410-299-2943
Telephone #

+kotroco@gmail.com
Email Address

Legal Owners (Petitioners):

FOR MEHER, LLC
ALIREZA NEJAD

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

6 KEIL MANOR CT. WHITE HALL, MD.

Mailing Address

City

State

21161
Zip Code

336-970-3675
Telephone #

anejad06@gmail.com
Email Address

Representative to be contacted:

R. CRAIG RODGERS

Name - Type or Print

Signature

7024 GREENBANK RD. BALTIMORE MD

Mailing Address

City

State

21220
Zip Code

443-677-2007
Telephone #

craigrogers200@gmail.com
Email Address

CASE NUMBER 2020-0059-A

Filing Date 2/25/2020

Do Not Schedule Dates:

Reviewer CF

Donna Mignon

From: Kristen L Lewis
Sent: Tuesday, July 28, 2020 10:33 AM
To: Donna Mignon; Debra Wiley
Subject: Case Information
Attachments: 20200728102858881.pdf

Good morning ladies,

Attached is the information on a case that I have set in. I will enter the date in the database and will post on the web once the webex event has been created. Thank you,

Kristen Lewis
PAI – Zoning Review
410-887-3391



JOHN A. OLSZEWSKI, JR.
County Executive

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

August 18, 2020

Tim Kotroco,
306 Washington Ave
Towson MD 21204

RE: Case Number: 2020-0059-A, 3309 E. Joppa Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 25, 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 dark ink, appearing to read "W. Carl Richards, Jr.", is written over the "Very truly yours," text.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
R. Craig Rodger 7024 Greenbank Road Baltimore MD 21220

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: 3/4/20

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. 2020-0059-A

Variance
Meher, LLC c/o Alireza Nejad
3309 E. Joppa Road

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@mdot.maryland.gov).

Sincerely,



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

WW/RAZ

BALTIMORE COUNTY, MARYLAND

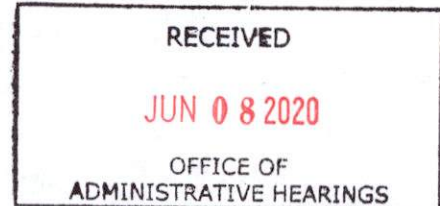
INTER-OFFICE MEMORANDUM

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

DATE: 6/5/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-059



INFORMATION:

Property Address: 3309 E Joppa Road
Petitioner: Alireza Nejad
Zoning: DR 5.5, CB
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance from Section 1B0.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to allow a front setback of 7.0 feet in lieu of 18.75 feet for an open projection porch and 10.6 feet in lieu of 25 feet for a dwelling.

A site visit was conducted on 4/20/2020. The site is a corner lot in the Parkville section of Joppa Road and is improved with a dwelling which has recently had some exterior improvements. The property is a current CZMP Issue 5-005 which proposes to change the zoning from DR 5.5 and CB to CB. The Planning Board voted to approve the requested change of CB. The final zoning decision has yet to be made by the County Council.

The subject property has been substantially improved and the proposed porch is already existing. In light of these circumstances, the Department of Planning has no objection to the subject request.

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

Prepared by:

A handwritten signature in black ink, appearing to read "Krystle Patchak".

Krystle Patchak

Division Chief:

A handwritten signature in black ink, appearing to read "Jenifer G. Nugent".

Jenifer G. Nugent

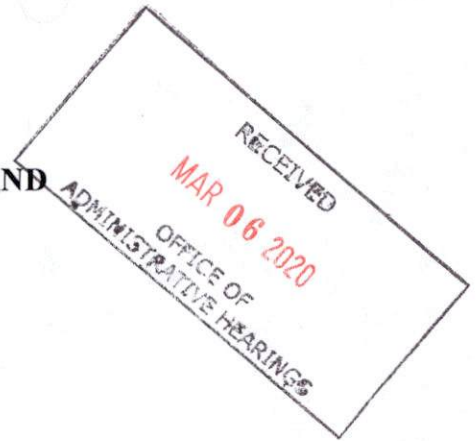
CPG/JGN/kma/

c: Laurie Hay
Craig Rodgers
Tim Kotroco
Office of the Administrative Hearings
People's Counsel for Baltimore County

ADMINISTRATIVE HEARINGS
OFFICE OF

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: March 6, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0059-A
Address 3309 E. Joppa Road
(Meher, LLC Property)

Zoning Advisory Committee Meeting of **March 9, 2020.**

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

Reviewer: Steve Ford

M E M O R A N D U M

DATE: September 25, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0059-A – Appeal Period Expired

The appeal period for the above-referenced cases expired on September 24, 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

Donna Mignon

From: Donna Mignon
Sent: Tuesday, July 28, 2020 11:03 AM
To: Kristen L Lewis
Cc: Debra Wiley
Subject: Link

Event: Zoning Hearing - 3309 E. Joppa Road
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ed>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=eb>
Date and time: Tuesday, August 25, 2020 11:00 am
Eastern Daylight Time (New York, GMT-04:00)
Duration: 1 hour
Description: Zoning Hearing
Address: 3309 E. Joppa Road
Case No: 2020-0059-A
Owner Name: Meher, LLC, Alireza Nejad
Event number: 160 293 5997
Event password: 1234
Host key: 684337
Alternate Host: Debra Wiley, Henry Ayakwah, Paul Mayhew
Panelist Info:
Panelist password:
Panelist numeric password: 378631
Video Address: 1602935997@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: 160 293 5997
Maximum number of registrants: 10000
Destination address after event:
Host image:

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

Donna Mignon

Subject: Web seminar updated: Zoning Hearing - 3309 E. Joppa Road
Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ee1650905b4f1fed55ad178fa1f48ae39>
Start: Tue 8/25/2020 11:00 AM
End: Tue 8/25/2020 12:00 PM
Recurrence: (none)
Meeting Status: Accepted
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 your Webex event here.

Event number: 160 293 5997

Event password: 1234

Panelist password: The Event has no Panelist Password

Host key: 684337 (Use this to reclaim host privileges.)

Tuesday, August 25, 2020 11:00 am, Eastern Daylight Time (New York, GMT-04:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ee1650905b4f1fed55ad178fa1f4>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=eebdfd23d468d4c877d74bda193>



Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1602935997@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 378631

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

8/25 @ 11:00

CASE NO. 2020-0059A

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 _____)	_____
3/9	DEPS (if not received, date e-mail sent _____)	N/C
_____	FIRE DEPARTMENT	_____
6/5	PLANNING (if not received, date e-mail sent _____)	No objection see comment
3/4	STATE HIGHWAY ADMINISTRATION	N/C
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING (1 st)	Date: 8/5/20	by DBillingsley
SIGN POSTING (2 nd)	Date: 8/21/20	by "
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☒	

Comments, if any: _____

RECEIVED

AUG 21 2020

OFFICE OF
ADMINISTRATIVE HEARINGS

CERTIFICATE OF POSTING

RECERTIFY 8/21/20

Date: AUGUST 5, 2020

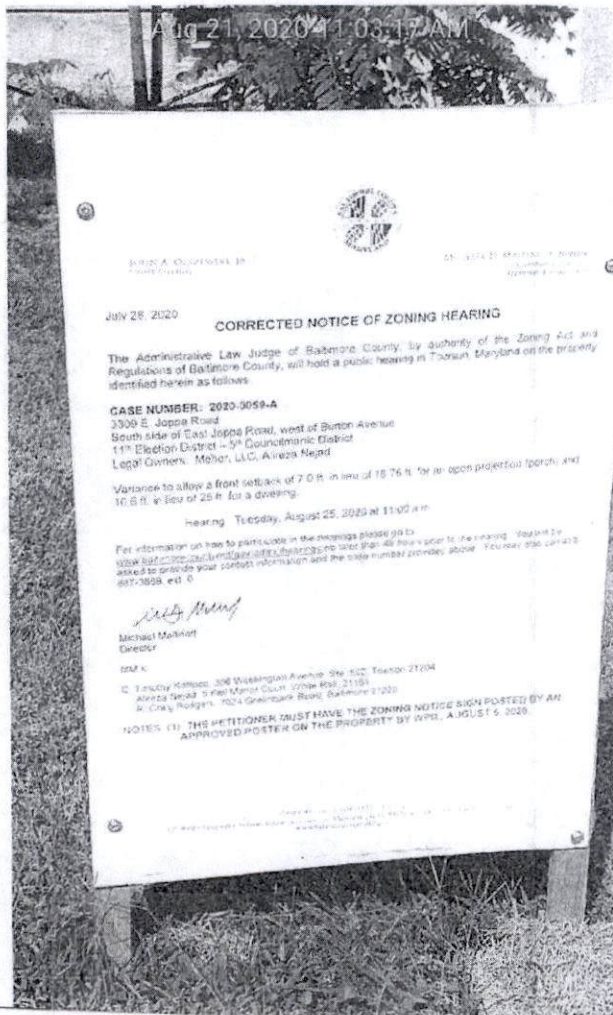
RE: Project Name: 3309 E. JOPPA ROAD # 1
Case Number /PAI Number: 2020-0059-A
Petitioner/Developer: MEHER, LLC
Date of Hearing/Closing: AUGUST 25, 2020

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 3309 E. JOPPA ROAD

The sign(s) were posted on

AUGUST 5, 2020

(Month, Day, Year)



David Billingsley
David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

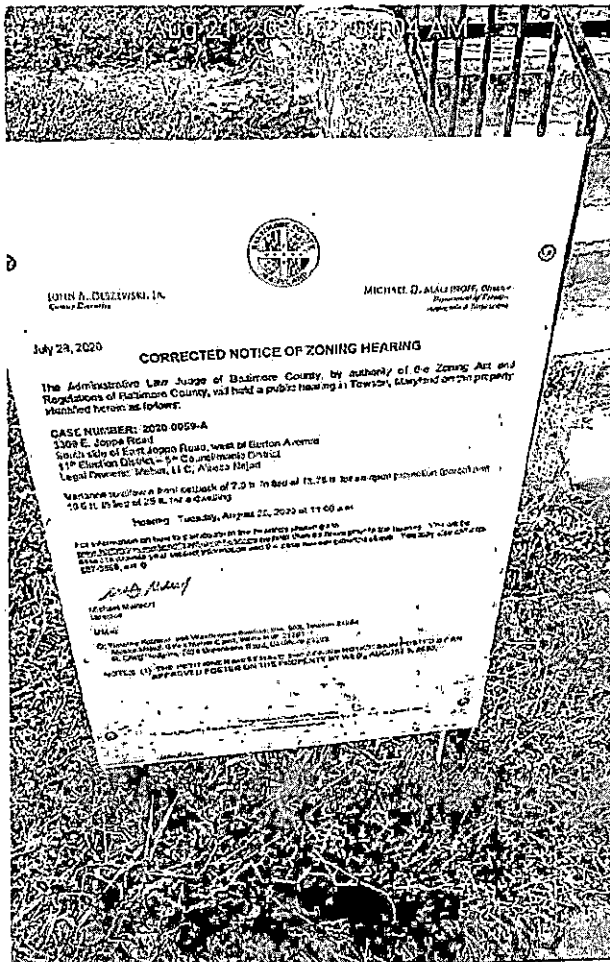
RECERTIFY 8/21/20

Date: AUGUST 5, 2020

RE: Project Name: 3309 E. JOPPA ROAD # 2
Case Number /PAI Number: 2020-0059-A
Petitioner/Developer: MEHER, LLC
Date of Hearing/Closing: AUGUST 25, 2020

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 3309 E. JOPPA ROAD

The sign(s) were posted on AUGUST 5, 2020
(Month, Day, Year)



David Billingsley
David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)

Donna Mignon

From: tkotroco@gmail.com
Sent: Thursday, August 20, 2020 8:20 AM
To: Donna Mignon
Cc: Paul Mayhew
Subject: Case No. 2020-0059-A Hearing date August 25 at 11am--- Nejad Exhibits
Attachments: Case Number 2020-0059-A Pet. Ex. 1.pdf; Case Number 2020-0059-A Misc. Ex..pdf; Case Number 2020-0059-A Pet. Ex. 2.pdf; Case Number 2020-0059-A Pet. Ex. 3.pdf; Case Number 2020-0059-A Pet. Ex. 4.pdf

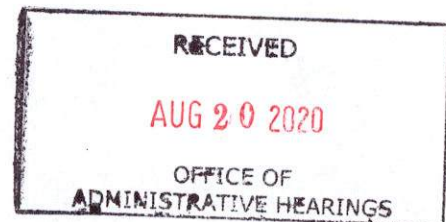
CAUTION: This message from tkotroco@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Dear ALJ Office,

I have attached to this email the petitioner's exhibits that I hope to introduce into evidence at our hearing next Tuesday, August 25th at 11:00 AM. The variance request is for a small porch on the front have an existing home. Please let me know if you need anything additional. Have a great day.

Regards,

Tim K.
Timothy M. Kotroco, Esq.
Kotroco & Associates, LLC
305 Washington Avenue, Ste. 502
Towson, Maryland 21204
Cell/Text: 410-299-2943



This communication is from a law firm and may contain confidential or privileged information. Unauthorized retention, disclosure, or use of this information is prohibited and may be unlawful under 18 U.S.C. §§ 2510-2521. Accordingly, if this email has been sent to you in error, please contact the sender by reply email or by phone at 410-299-2943.

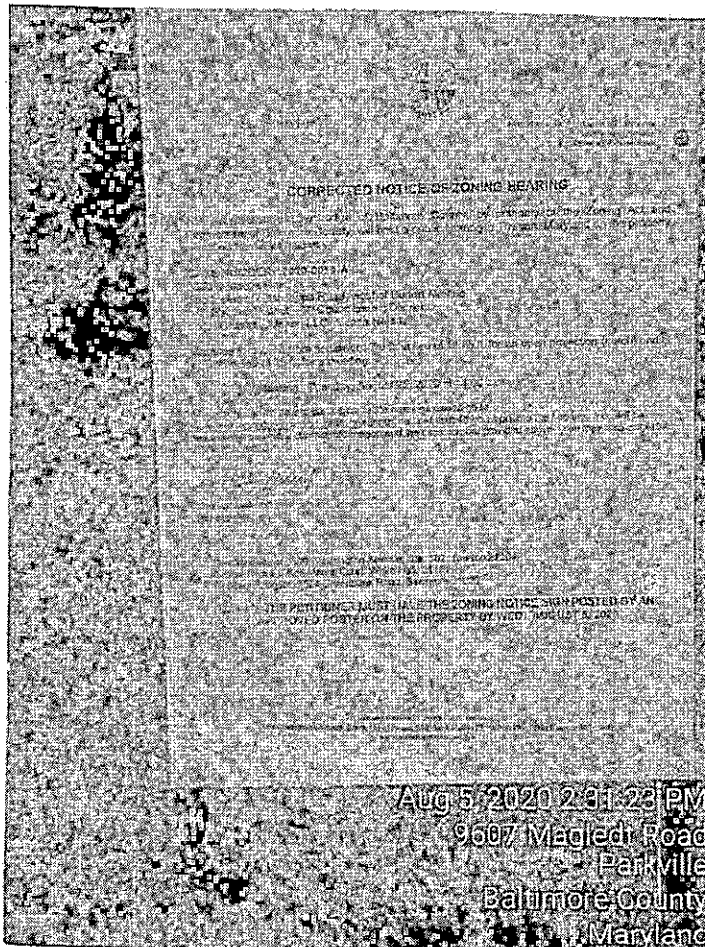
CERTIFICATE OF POSTING

Date: AUGUST 5, 2020

RE: Project Name: 3309 E. JOPPA ROAD # 1
Case Number /PAI Number: 2020-0059-A
Petitioner/Developer: MEHER, LLC
Date of Hearing/Closing: AUGUST 25, 2020

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(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)

The Daily Record

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

Timothy Kotroco
305 Washington Ave Ste 502
Towson, MD 21204-4747

Account #
10086512
Order Date
8/12/2020
Order #
11908733
PO/Case #
2020-0077-A
Salesperson

Days	Description	Size/Qty	Unit Price	Amount
1	ZONING HEARING - CASE NUMBER: 2020-0077-A Daily Record (MD) Government - Baltimore Co / Hearings and Minutes 8/14/2020 -Base Charge 8/14/2020 <i>ACH payments can be made to: The Daily Record Company - US BANK, ABA#123000848, Acct#153910282430 Or call 1-866-802-8214 to setup payments. NET TERMS: 30 DAYS</i>	2 col x 2.20in 179 words/21 ln		105.42 -105.42
	Anchor Rate:	105.42		
	Subsequent Rate:	\$0.00		
TOTAL DUE				0.00



DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT TO:

The Daily Record
SDS 12-2790
PO Box 86
Minneapolis, MN 55486-2790

Account #	Customer	Order #	Order Date	Total Due
10086512	Timothy Kotroco	11908733	8/12/2020	0.00



M M Y Y

CARD NUMBER

EXP. DATE

Security Code:

Charge My Credit Card \$ CUSTOMER SIGNATURE



JOHN A. OLSZEWSKI, JR.
County Executive

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

July 28, 2020

CORRECTED 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: 2020-0059-A

3309 E. Joppa Road
South side of East Joppa Road, west of Burton Avenue
11th Election District – 5th Councilmanic District
Legal Owners: Meher, LLC, Alireza Nejad

Variance to allow a front setback of 7.0 ft. in lieu of 18.75 ft. for an open projection (porch) and 10.6 ft. in lieu of 25 ft. for a dwelling.

Hearing: Tuesday, August 25, 2020 at 11:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

A handwritten signature in black ink, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Timothy Kotroco, 306 Washington Avenue, Ste. 502, Towson 21204
Alireza Nejad, 6 Keil Manor Court, White Hall, 21161
R. Craig Rodgers, 7024 Greenbank Road, Baltimore 21220

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., AUGUST 5, 2020.

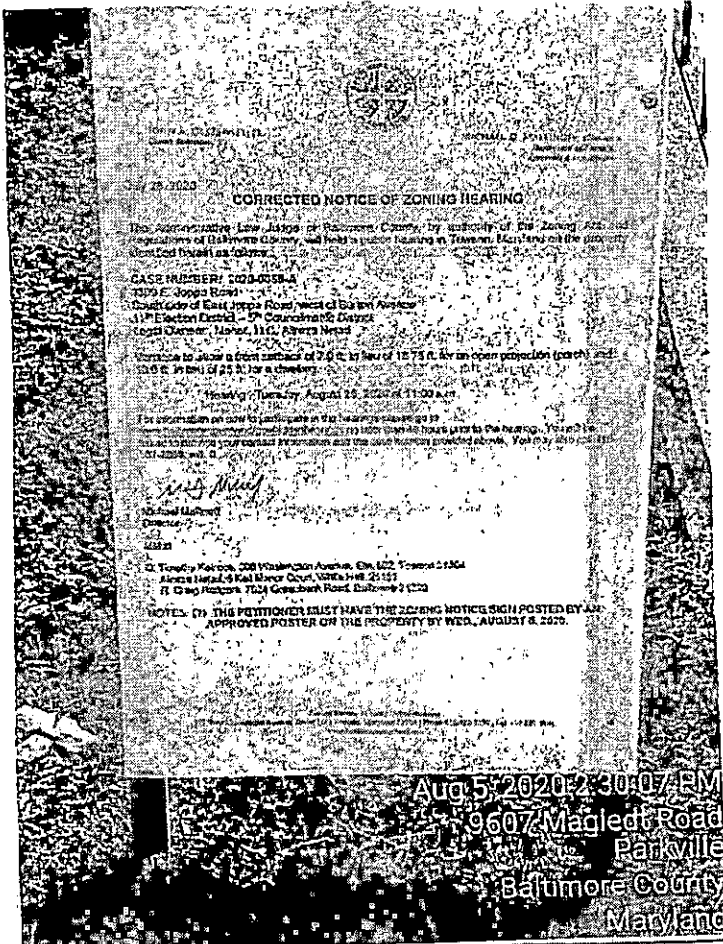
CERTIFICATE OF POSTING

Date: AUGUST 5, 2020

RE: Project Name: 3309 E. JOPPA ROAD # 2
Case Number /PAI Number: 2020-OO59-A
Petitioner/Developer: MEHER, LLC
Date of Hearing/Closing: AUGUST 25, 2020

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 3309 E. JOPPA ROAD

The sign(s) were posted on AUGUST 5, 2020
(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)

ZAC AGENDA

Case Number: 2020-0059-A **Reviewer:** Christina Frink
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: VARIANCE
Legal Owner: Meher, LLC C/O Alireza Nejad
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 11 **Council Dist:** 5

Property Address: 3309 E. JOPPA RD
Location: South side of E. Joppa Road 43 feet West of Burton Ave.

Existing Zoning: DR 5.5, CB **Area:** 12,599

Proposed Zoning:

VARIANCE:

1B01.3.C.1 of the BCZR To allow a front setback of 7.0' in lieu of 18.75' for an open projection (porch) and 10.6' in lieu of 25' for a dwelling.

Attorney: Timothy M. Kotroco

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Case Number: 2020-0060-A **Reviewer:** Rosalie Johnson
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Kevin A Webber
Contract Purchaser: No Contract Purchaser was set.

Critical Area: Yes **Flood Plain:** No **Historic:** No **Election Dist:** 15 **Council Dist:** 6

Property Address: 12 GUMWOOD DR
Location: North East corner of Gumwood Drive and 2nd Road.

Existing Zoning: DR 5.5 **Area:** 6,180 SQ FT

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

Section 1B02.3.C.1, To permit the existing dwelling addition to have a rear yard set-back of 7.5 feet in lieu of the minimum required 30 feet set back and a front street set back of 21 feet in lieu of the minimum required 25 feet.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 03/23/2020

Miscellaneous Notes:

Search Result for BALTIMORE COUNTY



Subject lot



PETITIONER'S

EXHIBIT NO.

2

Google Maps 9599 Burton Ave

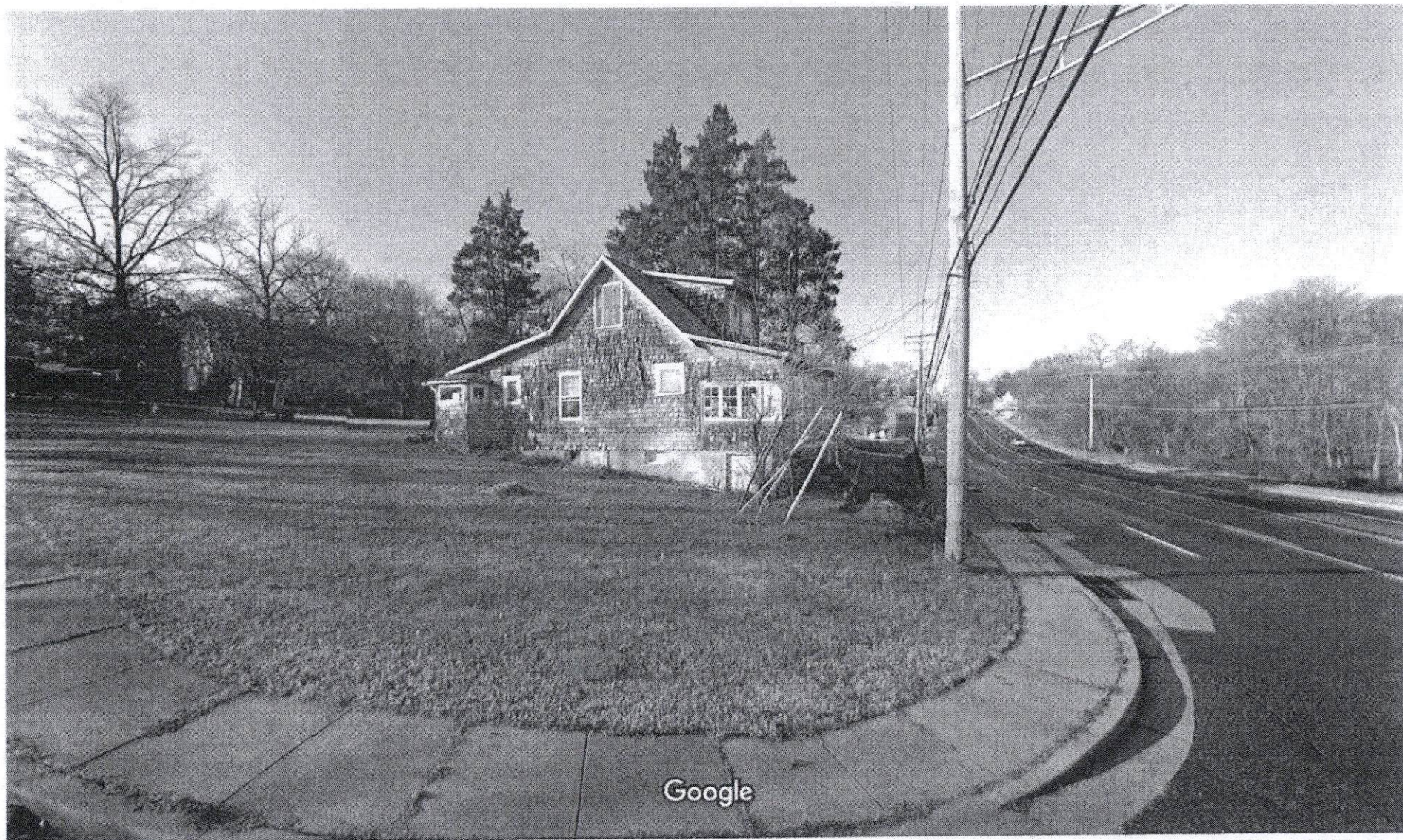


Image capture: Dec 2015 © 2020 Google

PETITIONER'S

EXHIBIT NO.

3

Google Maps 9599 Burton Ave

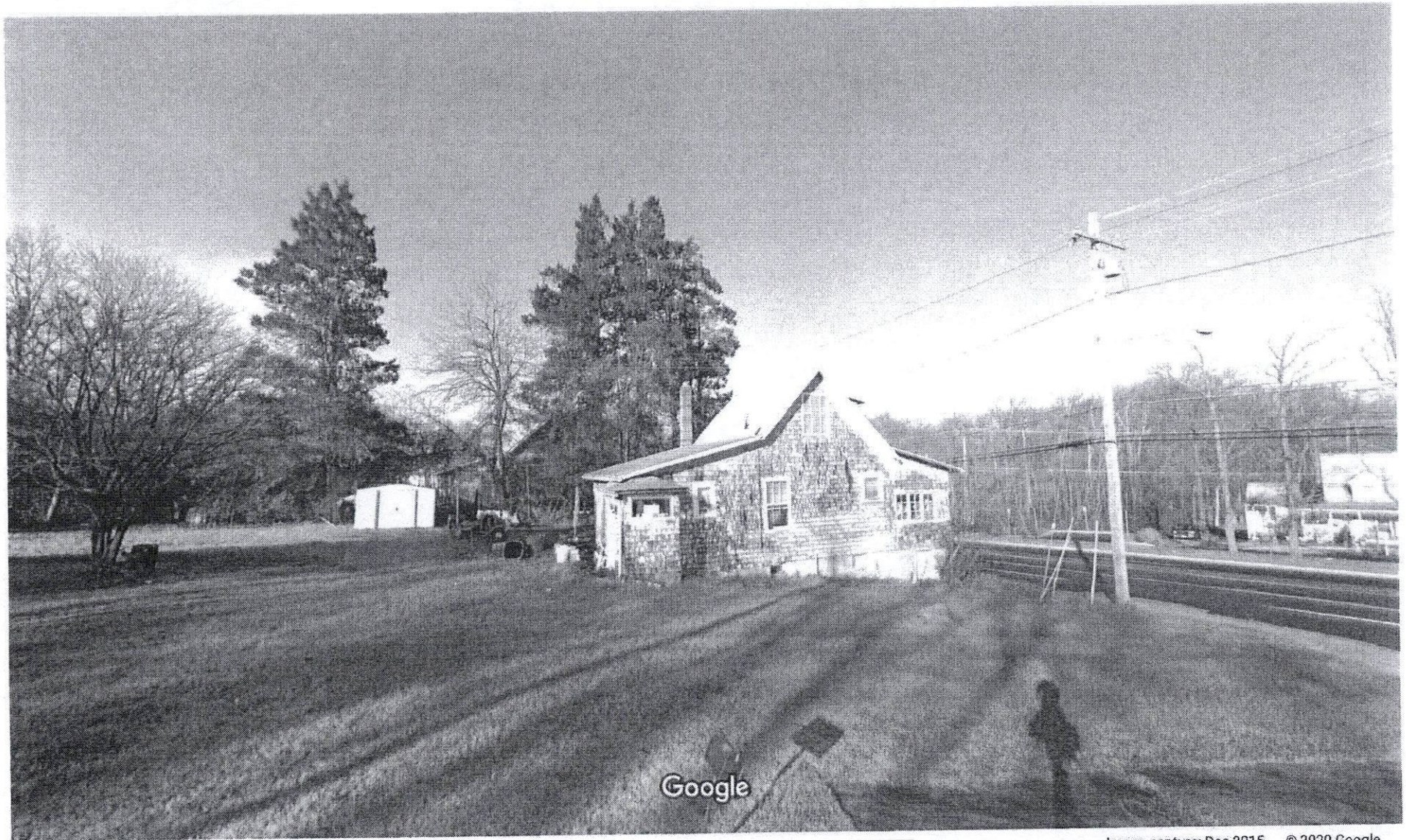


Image capture: Dec 2015 © 2020 Google

PETITIONER' S

EXHIBIT NO.

4

Google Maps 3309 E Joppa Rd

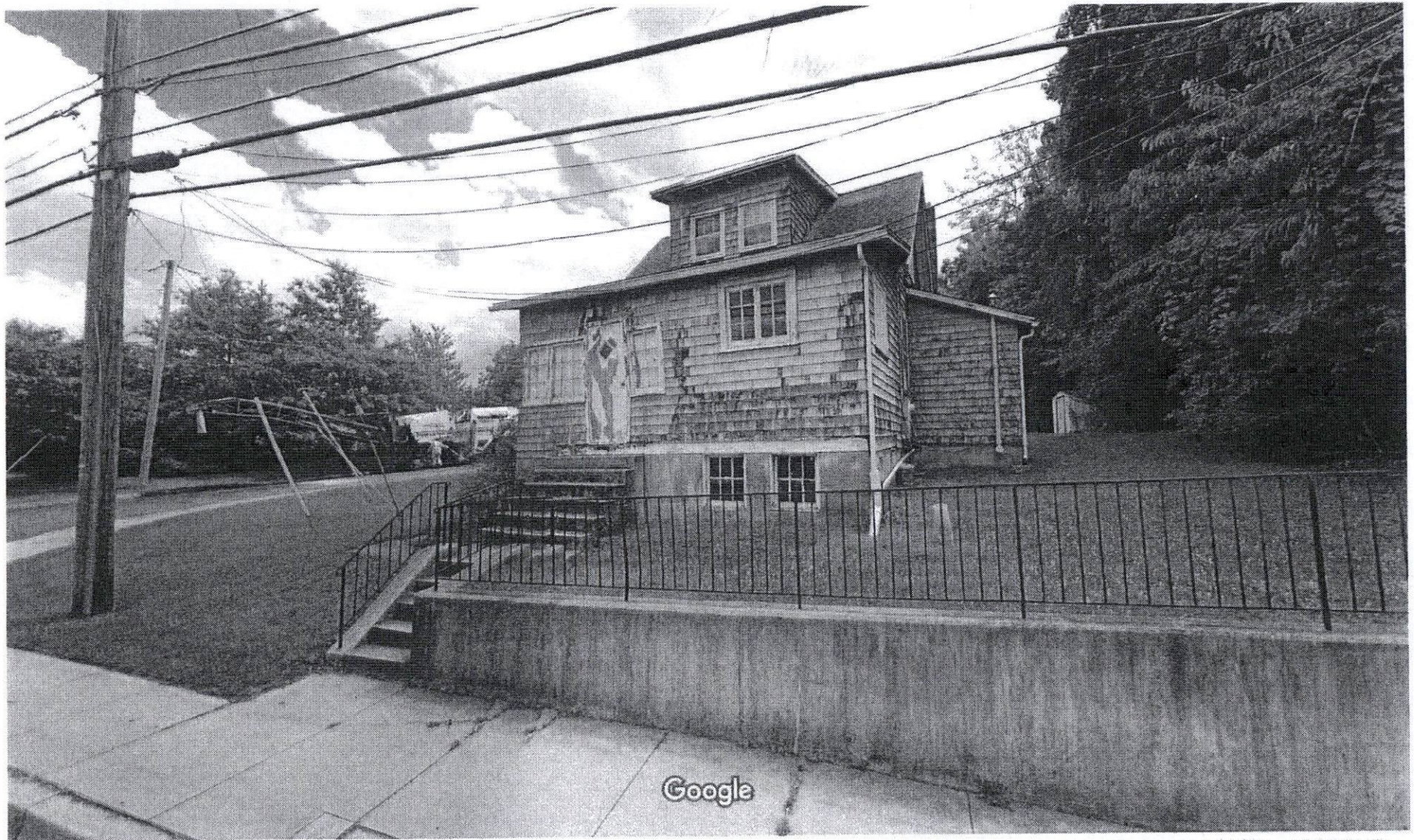


Image capture: Jul 2019 © 2020 Google

PETITIONER'S

EXHIBIT NO.

5

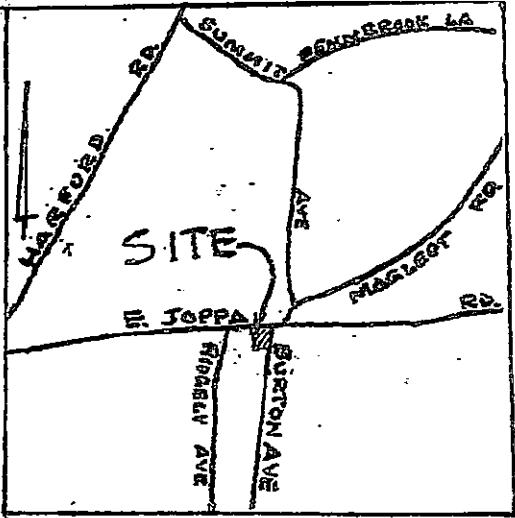
Real Property Data Search (w1)

Search Result for BALTIMORE COUNTY

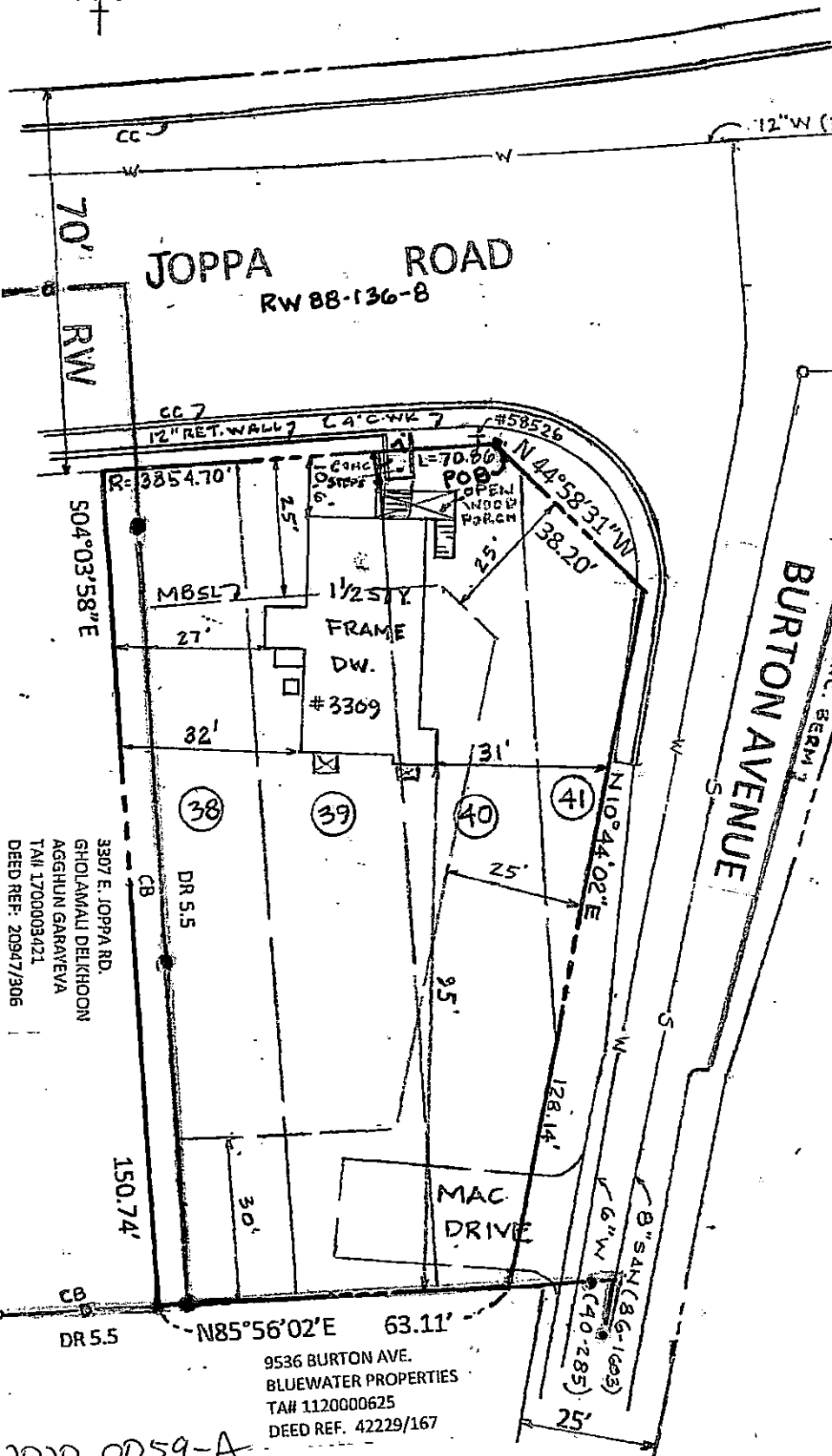
View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier:		District - 11 Account Number - 1120000300
Owner Information		
Owner Name:	MEHER LLC	Use: RESIDENTIAL NO
Mailing Address:	6 KEIL MANOR CT WHITE HALL MD 21161-	Deed Reference: /41476/ 00333
Location & Structure Information		
Premises Address:	3309 E JOPPA RD PARKVILLE 21234-3308	Legal Description: PT LTS 38,39,40 PT LT41 42 W BURTON AVE CARNEY GROVE
Map:	Grid:	Parcel:
0071	0016	1142
Neighborhood:	Subdivision:	Section:
11040036.04	0000	
Block:	Lot:	Assessment Year:
	38	2018
Plat No:	Plat Ref: 0007/0020	
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1922	969 SF	
Property Land Area	County Use	
12,599 SF	04	
Stories	Basement	Type
1 1/2	YES	STANDARD UNIT
Exterior	Quality	Full/Half Bath
WOOD SHINGLE/	3	1 full
Garage	Last Notice of Major Improvements	
Value Information		
	Base Value	Value
		As of 01/01/2018
Land:	78,400	78,400
Improvements	0	0
Total:	78,400	78,400
Preferential Land:	0	0
		Phase-in Assessments
		As of 07/01/2019
		As of 07/01/2020
		78,400
		78,400
		0
Transfer Information		
Seller: MOORE GEORGE RICHARD	Date: 06/03/2019	Price: \$141,000
Type: ARMS LENGTH MULTIPLE	Deed1: /41476/ 00333	Deed2:
Seller: MOORE MARY BEATRICE	Date: 09/11/1986	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /07262/ 00563	Deed2:
Seller: MOORE MARY BEATRICE	Date: 05/30/1972	Price: \$0
Type:	Deed1: /05270/ 00583	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:		

2020-0059-A

PREPARED BY:
CRAIG CONSULTING, LLC
7024 GREENBANK RD.
BALTIMORE, MD 21220



VICINITY MAP
SCALE: 1"=2000'



OWNER:
MEHER, LLC
6 KEIL MANOR CT.
WHITE HALL, MD 21161

GENERAL NOTES

ZONING MAP# 07182
SITE ZONED: DR 5.5, CB
LOT AREA: 0.289 ACRES±
OR 12,599 SQ. FT.

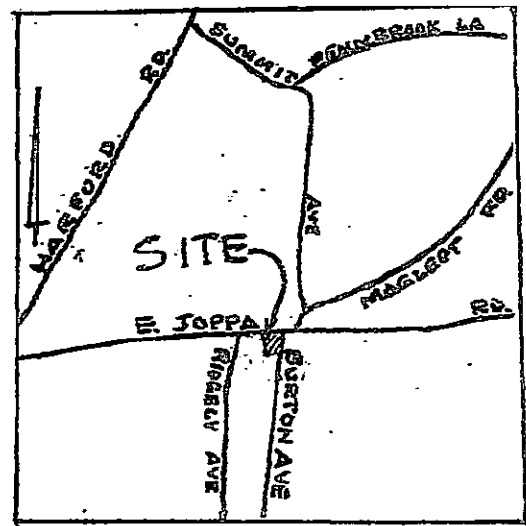
HISTORIC:	NO
IN CBCA:	NO
IN FLOOD PLAIN:	NO
WATER IS:	PUBLIC
SEWER IS:	PUBLIC
PRIOR HEARING?	NO
PRIOR VIOLATIONS?	NO

**ZONING HEARING PLAN
FOR VARIANCE REQUEST FOR:**
3309 E. JOPPA ROAD
ELECTION DISTRICT 11C5
BALTIMORE COUNTY, MD
DEED REF: 41476/333
TAX ACCT. NO. 1120000300, 1120000301
TAX MAP 71, PARCEL 1142
LOTS 38,39,
PART OF LOTS 41,42
PLAT OF "CARNEY GROVE" WPC 7/20

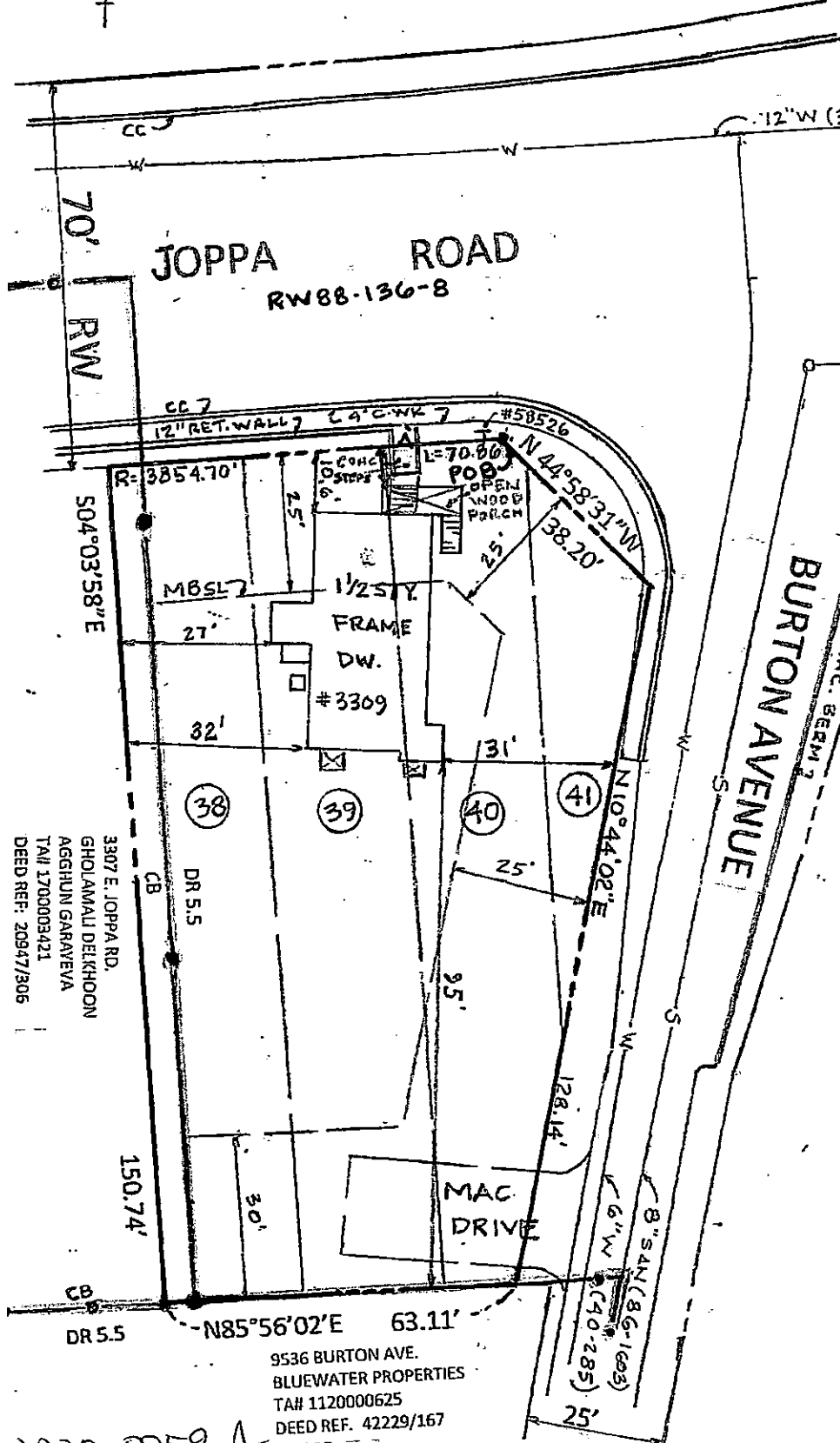
SCALE 1"=30' DATE: 2/12/20

2020-0059-A

PREPARED BY:
CRAIG CONSULTING, LLC
7024 GREENBANK RD.
BALTIMORE, MD 21220



VICINITY MAP
SCALE: 1"=2000'



OWNER:
MEHER, LLC
6 KEIL MANOR CT.
WHITE HALL, MD 21161

GENERAL NOTES

ZONING MAP# 071B2
SITE ZONED: DR 5.5, CB
LOT AREA: 0.289 ACRES±
OR 12,599 SQ. FT.

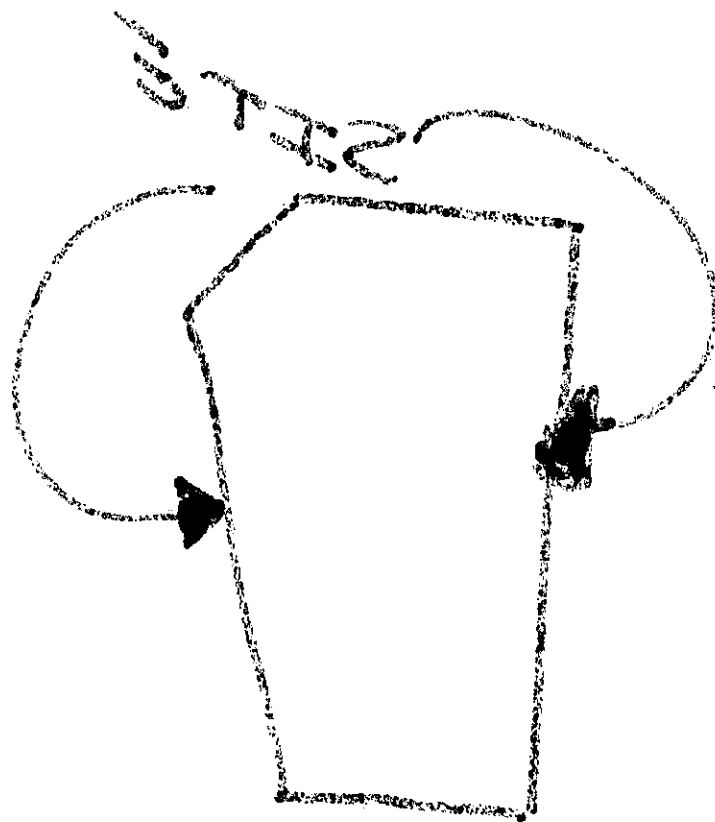
HISTORIC:	NO
IN CBCA:	NO
IN FLOOD PLAIN:	NO
WATER IS:	PUBLIC
SEWER IS:	PUBLIC
PRIOR HEARING?	NO
PRIOR VIOLATIONS?	NO

**ZONING HEARING PLAN
FOR VARIANCE REQUEST FOR:**
3309 E. JOPPA ROAD
ELECTION DISTRICT 11C5
BALTIMORE COUNTY, MD
DEED REF: 41476/333
TAX ACCT. NO. 1120000300, 1120000301
TAX MAP 71, PARCEL 1142
LOTS 38,39,
PART OF LOTS 41,42
PLAT OF "CARNEY GROVE" WPC 7/20

SCALE 1"=30' DATE: 2/12/20

2020-0059-A

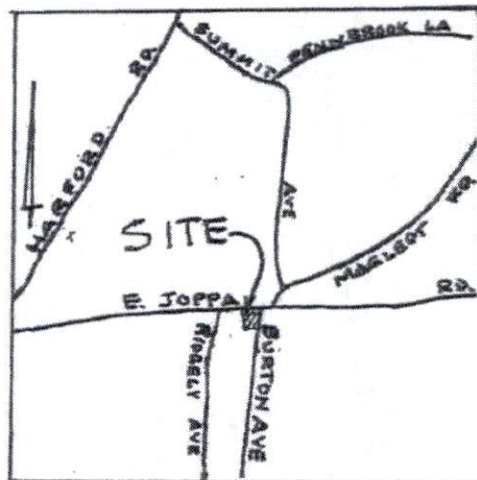




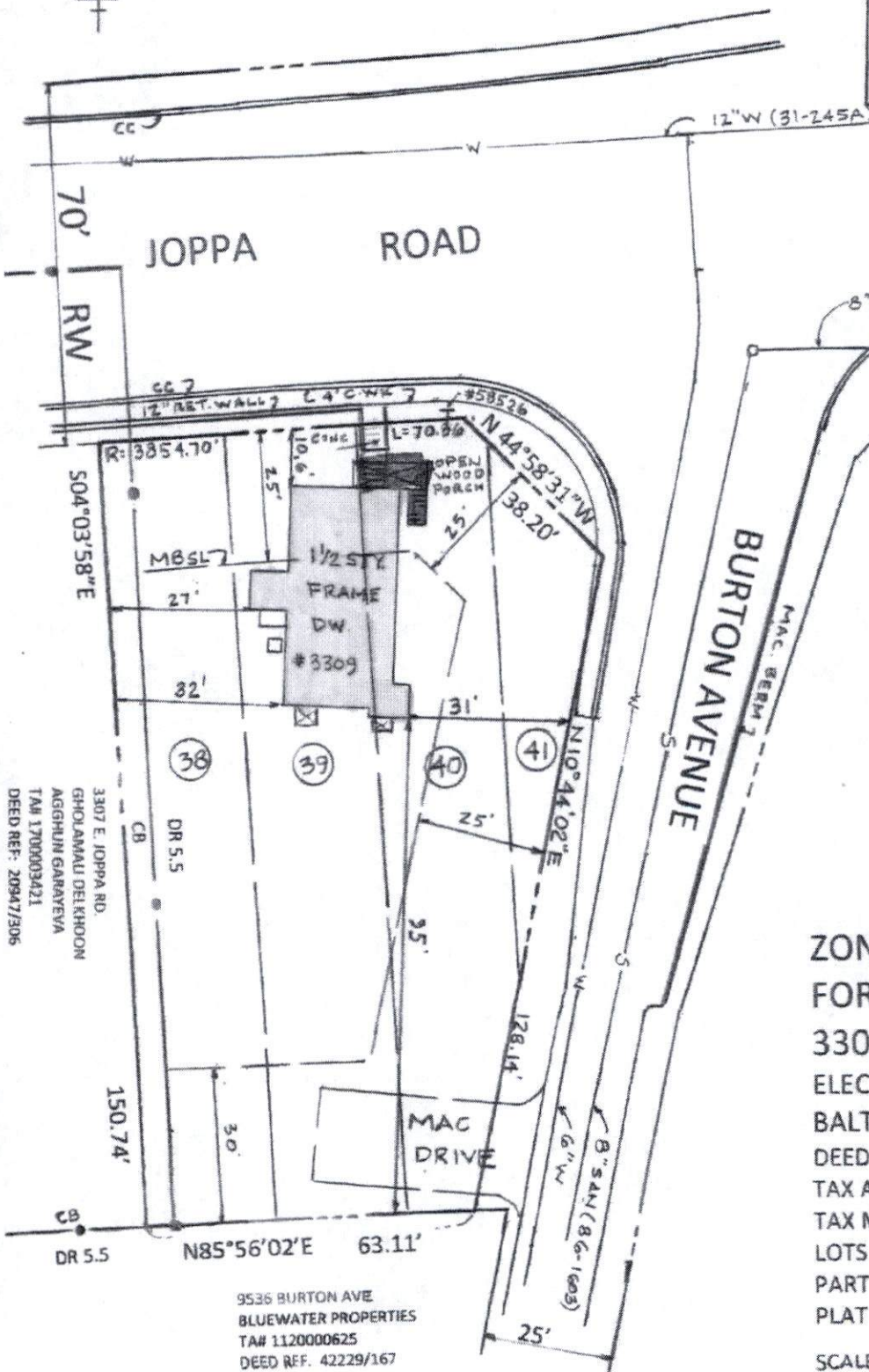
PREPARED BY:
CRAIG CONSULTING, LLC
7024 GREENBANK RD.
BALTIMORE, MD 21220

PETITIONER'S

EXHIBIT NO. 1



VICINITY MAP
SCALE: 1"=2000'



OWNER:
MEHER, LLC
6 KEIL MANOR CT.
WHITE HALL, MD 21161

GENERAL NOTES

ZONING MAP# 071B2
SITE ZONED: DR 5.5, CB
LOT AREA: 0.289 ACRES±
OR 12,599 SQ. FT.

HISTORIC:	<u>NO</u>
IN CBCA:	<u>NO</u>
IN FLOOD PLAIN:	<u>NO</u>
WATER IS:	PUBLIC
SEWER IS:	PUBLIC
PRIOR HEARING?	<u>NO</u>
PRIOR VIOLATIONS?	<u>NO</u>

**ZONING HEARING PLAN
FOR VARIANCE REQUEST FOR:**
3309 E. JOPPA ROAD
ELECTION DISTRICT 11C5
BALTIMORE COUNTY, MD
DEED REF: 41476/333
TAX ACCT. NO. 1120000300, 1120000301
TAX MAP 71, PARCEL 1142
LOTS 38,39,40,
PART OF LOTS 41,42
PLAT OF "CARNEY GROVE" WPC 7/20
SCALE 1"=30' DATE: 2/12/20