

M E M O R A N D U M

DATE: October 5, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0067-SPHA- Appeal Period Expired

The appeal period for the above-referenced case expired on October 1, 2020. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

/dlm

cc: Case File
Office of Administrative Hearings

IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE

(Lot 45 Adjacent to 9106 Hinton Ave.) *
15th Election District
7th Council District *
William J. and Judith A. Kurek, *

Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2020-0067-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for consideration of Petitions for Special Hearing and Variance filed on behalf of William J. and Judith A. Kurek, ("Petitioners"). The Special Hearing was filed pursuant to determine that vacant Lot 45 is not merged with adjacent developed Lot 44 known as 9106 Hinton Avenue. In addition, a Petition for Variance was filed pursuant to Baltimore County Zoning Regulations (BCZR) § 1B02.3.C.1 to permit a proposed dwelling on a lot of record 50 ft. wide in lieu of the required 55 ft. A site plan was marked and accepted into evidence as Petitioners' Exhibit 1.

Due to the COVID-19 pandemic, a WebEx hearing was conducted remotely by computer and/or phone participation. Petitioner, William Kurek, appeared in support of the requests and was assisted by David Billingsly. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. A Zoning Advisory Committee ("ZAC") comment was received from the Department of Planning dated April 3, 2020. They did not oppose the requested relief, subject to proposed conditions, which will be incorporated into the Order. Additionally, a ZAC comment was received from the Department of Environmental Protection and Sustainability ("DEPS") dated April 24, 2020.

ORDER RECEIVED FOR FILING

Date

By

9/1/20
By [Signature]

The property is approximately 8,150 sq. ft. and zoned DR5.5. Mr. Kurek testified that his parents bought adjoining lots 44 and 45 of the Swan Point development in the 1970s and that they gifted it to him in 1988. The Swan Point plat was recorded in 1928. All the original lots were 50 ft. wide, as was permitted at the time. Aerial photos (Petitioners' Exhibits 5, 6, and 7) show that most of the residences in the area are on these single 50 ft. lots, although there are a few on 100 ft. double lots. Mr. Kurek testified that when his parents bought the property there was a residence on Lot 44. After acquiring the property from his parents Mr. Kurek and his wife constructed the existing residence on Lot 45 and razed the original residence. Mr. Kurek testified that when the original home was on Lot 44 that the adjoining Lot 45 was a vacant lot that the Kureks simply maintained. Lot 45 never had any structures on it. Conversely, after he built the existing residence on Lot 45 he razed the structure on Lot 44 and that lot was maintained as open space with no structures on it. Mr. Kurek explained that they now wish to build a new residence on Lot 44 and then sell both homes, and retire to a residence they own in Florida. They have therefore petitioned for Special Hearing relief to determine that the lots have not merged; and for a variance from the 55 ft. minimum width requirement in this DR 5.5 zone. Mr. Billingsley acknowledged that the Petitioners must comply with both the DOP and DEPS comments and conditions in constructing the proposed new residence on Lot 44.

VARIANCE

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).

ORDER RECEIVED FOR FILING

Date 9/1/20

By D. Mignon

The subject property is unique in that the Swan Point development was laid out long before the current DR 5.5 zoning was applied to it. I further find that strict application of the 55 ft. width requirement would result in practical difficulty and unwarranted hardship for the Petitioners. To wit, they would not be able to construct the residence on the adjoining lot while meeting the 55 ft. width requirements for both lots. Further, no increase in residential density beyond that otherwise allowed by the BCZR will occur as a result of granting this variance because both lots meet the minimum lot size regulations. In addition, the height and side yard setback regulations will be complied with. Finally, I find that the variance can be granted within the spirit and intent of the BCZR and without causing harm to the public health, safety and welfare. The proposed development of these adjoining 50 ft. parcels is typical of that in the neighborhood and therefore compatible.

SPECIAL HEARING - MERGER

As explained above, the two lots in question have been owned by the Kurek family since the 1970s when the Petitioner's parents purchased both lots. At the time there was an existing residence on Lot 44 and Lot 45 was vacant. Subsequently, Mr. Kurek and his wife built the existing residence on Lot 45 and razed the structure on Lot 44. They then maintained Lot 44 as open space. Kurek testified that other than the few months when he was building the home on Lot 45 there was never a time when there were structures on both lots. He further testified that he complied with the time restrictions imposed by the County in razing the original home once the new home was built. Based on these undisputed facts I find that no merger has occurred between the lots. *See, Mueller v. People's Counsel for Baltimore County*, 177 Md. App. 43, 101-102 (2007) (no merger occurs unless substantial, permanent structures are erected on an adjoining parcel that are used in service of the other parcel). I further find that the proposed residence complies with the

ORDER RECEIVED FOR FILING

Date

By

“grandfather” provisions in BCZR § 304 because the Kureks do not possess “a contiguous vacant or undeveloped parcel of property” that would allow them to comply with the width regulations. *Mueller, supra*, 177 Md. App. at 93 (emphasis in original).

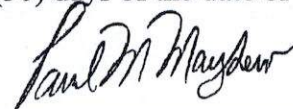
THEREFORE, IT IS ORDERED this 1st day of **September, 2020**, by this Administrative Law Judge, that the Petition for Special Hearing to determine that vacant Lot 45 is not merged with adjacent developed Lot 44 known as 9106 Hinton Avenue be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance pursuant to § 1B02.3.C.1 of the BCZR to permit a proposed dwelling on a lot of record 50 ft. wide in lieu of the required 55 ft. and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their 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, Petitioners would be required to return the subject property to its original condition.
- The property is subject to certain environmental regulations as noted in the ZAC comment, dated April 24, 2020, submitted by the Department of Environmental Protection and Sustainability (DEPS). A copy of which is attached hereto and made a part hereof.
- Prior to issuance of Permits, Petitioners must comply with ZAC comments submitted by the DOP, dated April 3, 2020, a copy of which 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

ORDER RECEIVED FOR FILING

Date

By



PETITION FOR ZONING HEARING(S)

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

To the Office of Administrative Law of Baltimore County for the property located at:
 Address LOT 45 ADJACENT TO 9106 HINTON AVENUE which is presently zoned DR 5.5
 Deed References: L. 7854 F. 216 10 Digit Tax Account # 1511890590
 Property Owner(s) Printed Name(s) WILLIAM J. & JUDITH A. KUREK

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

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

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

SEE ATTACHED

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

3. ☒ a **Variance** from Section(s)

SEE ATTACHED

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:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

WILLIAM J. KUREK JUDITH A. KUREK

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

495 N. PINEMeadow DR. DEBARY, FL.

Mailing Address

City

State

32213, (410)370-9797/billku9@gmail.com

Zip Code

Telephone #

Email Address

com

Representative to be contacted:

DAVID BILLINGSLEY

Name - Type or Print

Signature

601 CHARWOOD CT. EDGEWOOD, MD.

Mailing Address

City

State

21040, (410)679-8719, dwb0202@yahoo.com

Zip Code

Telephone #

Email Address

com

CASE NUMBER 2020-000754-14 Filing Date 3/4/20

Do Not Schedule Dates:

Reviewer gh

A VARIANCE FROM SECTION 1B02.3.C.1 (BCZR) TO PERMIT A PROPOSED
DWELLING ON A LOT OF RECORD 50 FEET WIDE IN LIEU OF THE
REQUIRED 55 FEET

A SPECIAL HEARING TO DETERMINE THAT VACANT LOT 45 IS NOT MERGED
WITH ADJACENT DEVELOPED LOT 44 KNOWN AS 9106 HINTON AVENUE

2020-0067-SPHA

ZONING DESCRIPTION
LOT 45 ADJACENT TO 9106 HINTON AVENUE

Beginning at a point on the northwest side of Hinton Avenue (16 feet wide) distant 115 feet from its intersection with the center of Third Avenue (30 feet wide), thence being all of Lot 45 as shown on the plat entitled Swan Point recorded among the Baltimore County plat records in Plat Book 9 Folio 4.

Containing 8150 square feet or 0.187 acre of land, more or less.

Located in the 15TH Election District, 7TH Councilmanic
District of Baltimore County, MD.

2020-0067-SP4A



JOHN A. OLSZEWSKI, JR.
County Executive

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

July 30, 2020

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a virtual hearing on the property identified herein as follows:

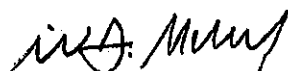
CASE NUMBER: 2020-0067-SPHA

Lot Adjacent to 9106 Hinton Avenue
N/west side of Hinton Avenue, 150 ft. south of centerline of 3rd Street
15th Election District – 7th Councilmanic District
Legal Owners: William & Judith Kurek

Special Hearing to determine that vacant Lot 45 is not merged with adjacent developed Lot 44 known as 9106 Hinton Avenue. Variance to permit a proposed dwelling on a Lot of record 50 ft. wide in lieu of the required 55 ft.

Hearing: Wednesday, August 26, 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.


Michael Mallinoff
Director

MM:kl

C: Mr. & Mrs. Kurek, 495 N. Pinemeadow Drive, Debary, FL 32713
David Billingsley, 601 Charwood Court, Edgewood 21040

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, AUGUST 6, 2020.

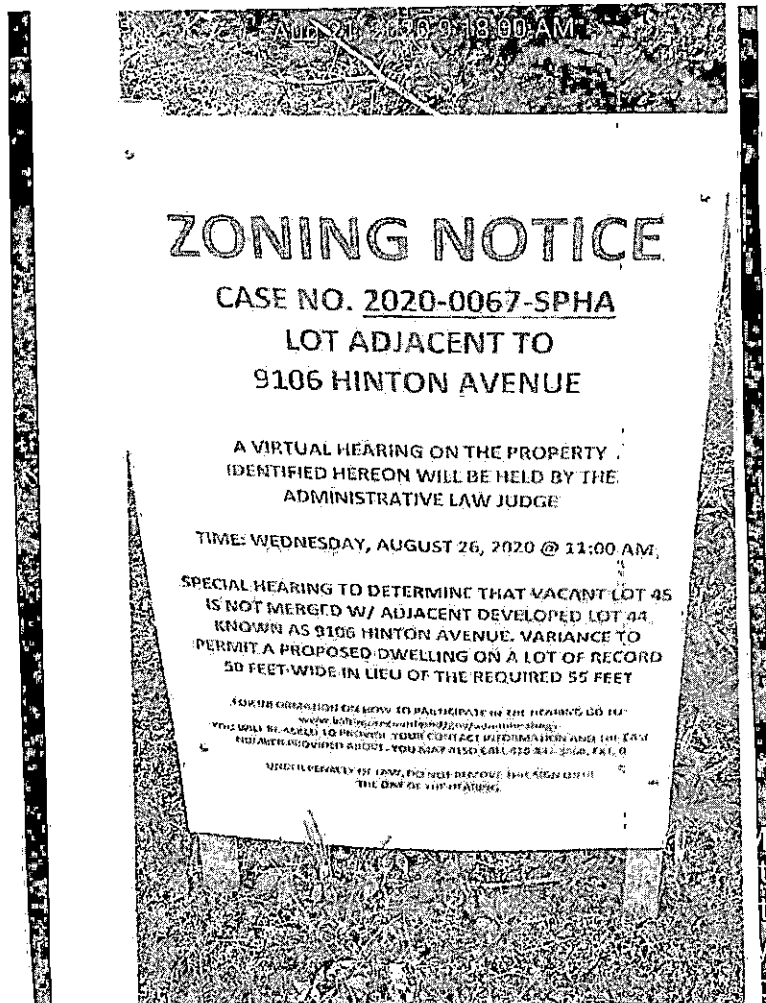
CERTIFICATE OF POSTING

RECEIPT 8/21/20
Date: AUGUST 5, 2020

RE: Project Name: LOT ADJACENT TO 9106 HINTON AVE #1
Case Number /PAI Number: 2020-0067-SPHA
Petitioner/Developer: KUREK
Date of Hearing/Closing: AUGUST 26, 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 LOT ADJACENT TO 9106 HINTON AVE

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

RECEIVED 8/21/20

Date: AUGUST 5, 2020

RE: Project Name: LOT ADJACENT TO 9106 HINTON AVE #2
Case Number /PAI Number: 2020-0067-SPHA
Petitioner/Developer: KUREK
Date of Hearing/Closing: AUGUST 26, 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 LOT ADJACENT TO 9106 HINTON AVE

The sign(s) were posted on

AUGUST 5, 2020

(Month, Day, Year)

ZONING NOTICE

CASE NO. 2020-0067-SPHA
LOT ADJACENT TO
9106 HINTON AVENUE.

A VIRTUAL HEARING ON THE PROPERTY
IDENTIFIED HEREON WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE

TIME: WEDNESDAY, AUGUST 26, 2020 @ 11:00 AM

SPECIAL HEARING TO DETERMINE THAT VACANT LOT 45
IS NOT MERGED W/ ADJACENT DEVELOPED LOT 44
KNOWN AS 9106 HINTON AVENUE. VARIANCE TO
PERMIT A PROPOSED DWELLING ON A LOT OF RECORD
50 FEET WIDE IN LIEU OF THE REQUIRED 55 FEET

FOR INFORMATION ON HOW TO PARTICIPATE IN THE HEARING GO TO:
WWW.DCPLANNINGDEPT.COM/NOTICES/SPHA2020
YOU WILL BE ASKED TO PROVIDE YOUR ADDRESS AND PHONE AND THE CASE
NUMBER PROVIDED ABOVE. YOU MAY ALSO CALL 410-679-7800, EXT. 0

UPON RECEIPT OF THE SIGN DO NOT REMOVE THIS SIGN UNTIL
THE DAY OF THE HEARING.

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: David Billingsley <dwb0209@yahoo.com>
Sent: Thursday, August 20, 2020 1:45 PM
To: Donna Mignon
Subject: Re: Hearing : August 26, 2020 at 10 and 11 - 9106 Hinton Avenue (Lot 44) 9106 Hinton Road (Lot 45)

CAUTION: This message from dwb0209@yahoo.com originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Donna
Exhibits are being emailed tomorrow
Thanks
Dave Billingsley

Sent from Yahoo Mail on Android

On Thu, Aug 20, 2020 at 1:32 PM, Donna Mignon
<dmignon@baltimorecountymd.gov> wrote:

Dear Mr. Billingsley:

Please note that the above are scheduled for a hearing next Wednesday, August 26, 2020 at 10 and 11 a.m.

Please email any exhibits you wish present at the hearing 48 hours prior to the hearing.

Please email them to administrativehearings@baltimorecountymd.gov.

Thank you. Have a great day.

Donna Mignon, Legal Assistant

Baltimore County Office of Administrative Hearings

105 West Chesapeake Avenue, Suite 103

Towson, Maryland 21204

410-887-3868



Practice social distancing and
wear a mask in public places.

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

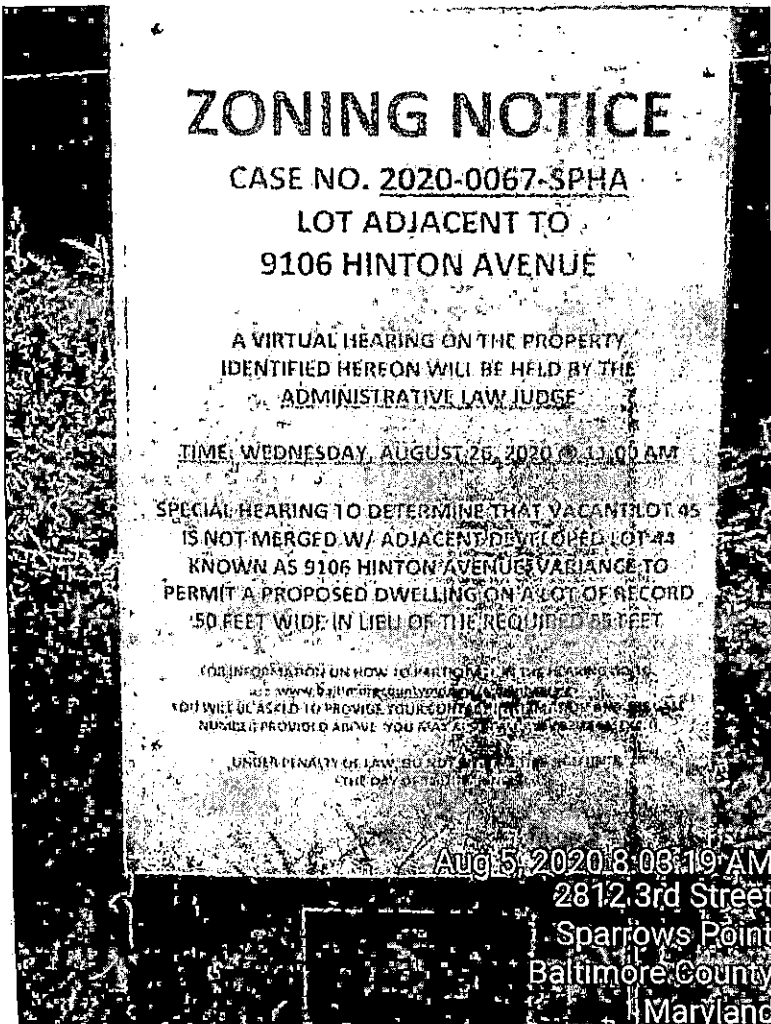
CERTIFICATE OF POSTING

Date: AUGUST 5, 2020

RE: Project Name: LOT ADJACENT TO 9106 HINTON AVE #1
Case Number /PAI Number: 2020-0067-SPHA
Petitioner/Developer: KUREK
Date of Hearing/Closing: AUGUST 26, 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 LOT ADJACENT TO 9106 HINTON AVE

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)

CERTIFICATE OF POSTING

Date: AUGUST 5, 2020

RE: Project Name: LOT ADJACENT TO 9106 HINTON AVE #2
Case Number /PAI Number: 2020-0067-SPHA
Petitioner/Developer: KUREK
Date of Hearing/Closing: AUGUST 26, 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 LOT ADJACENT TO 9106 HINTON AVE

The sign(s) were posted on

AUGUST 5, 2020

(Month, Day, Year)

ZONING NOTICE

CASE NO. 2020-0067-SPHA

LOT ADJACENT TO
9106 HINTON AVENUE

A VIRTUAL HEARING ON THE PROPERTY
IDENTIFIED HEREON WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE

TIME: WEDNESDAY, AUGUST 26, 2020 @ 11:00 AM

SPECIAL HEARING TO DETERMINE THAT VACANT LOT 45
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KNOWN AS 9106 HINTON AVENUE VARIANCE TO
PERMIT A PROPOSED DWELLING ON A LOT OF RECORD
50 FEET WIDE IN LIEU OF THE REQUIRED 55 FEET

FOR INFORMATION ON HOW TO PARTICIPATE IN THE HEARING 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 410-387-3868, EXT. 0

UNDER PENALTY OF LAW, DO NOT REMOVE THIS SIGN UNTIL
THE DAY OF THE HEARING

Aug 5, 2020 8:02:20 AM
9102 Hinton Avenue
Sparrows Point
Baltimore County
Maryland

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

PUBLISHER'S AFFIDAVIT

Order #: 11905437
 Case #: 2020-0067-SPHA
 Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
 2020-0067-SPHA

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:

8/6/2020



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: 2020-0067-SPHA

Lot Adjacent to 9106 Hinton Avenue

N/west side of Hinton Avenue, 150 ft. south of centerline of 3rd Street

16th Election District - 7th Councilmanic District

Legal Owners: William & Judith Kurek

Special Hearing to determine that vacant Lot 45 is not merged with adjacent developed Lot 44 known as 9106 Hinton Avenue. Variance to permit a proposed dwelling on a Lot of record 50 ft. wide in lieu of the required 55 ft.

Hearing: Wednesday, August 26, 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.

Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

au6



JOHN A. OLSZEWSKI, JR.
County Executive

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

July 30, 2020

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0067-SPHA

Lot Adjacent to 9106 Hinton Avenue
N/west side of Hinton Avenue, 150 ft. south of centerline of 3rd Street
15th Election District – 7th Councilmanic District
Legal Owners: William & Judith Kurek

Special Hearing to determine that vacant Lot 45 is not merged with adjacent developed Lot 44 known as 9106 Hinton Avenue. Variance to permit a proposed dwelling on a Lot of record 50 ft. wide in lieu of the required 55 ft.

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Michael Mallinoff
Director

MM:kl

C: Mr. & Mrs. Kurek, 495 N. Pinemeadow Drive, Debary, FL 32713
David Billingsley, 601 Charwood Court, Edgewood 21040

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, AUGUST 6, 2020.

TO: THE DAILY RECORD
Thursday, August 6, 2020 - Issue

Please forward billing to:
David Billingsley
601 Charwood Court
Edgewood, MD 21040

410-679-8719

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:

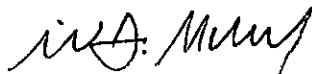
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N/west side of Hinton Avenue, 150 ft. south of centerline of 3rd Street
15th Election District – 7th Councilmanic District
Legal Owners: William & Judith Kurek

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

RE: PETITION FOR SPECIAL HEARING
AND VARIANCE

Lot 45 Adjacent to 9106 Hinton Avenue; NW/S
Hinton Avenue, S 150' to c/line of 3rd Street
15th Election & 7th Councilmanic Districts
Legal Owner(s): William & Judith Kurek
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2020-067-SPHA

* * * * *

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 11 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 11th day of March, 2020, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, 601 Charwood Court, Edgewood, Maryland 21040, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Case Number: 2020-0067-SPHA
Property Address: Lot 45 - adjacent to 9106 Hinton Ave
Property Description: _____
Legal Owners (Petitioners): William J & Judith A Kurek
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVID BILLINGSLEY
Company/Firm (if applicable): _____
Address: 601 CHARWOOD CT
EDGEWOOD MD 21040
Telephone Number: (410) 679-8719

Revised 7/9/2015



JOHN A. OLSZEWSKI, JR.
County Executive

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

August 18, 2020

David Billingsley,
601 Charwood Court
Edgewood MD 21040

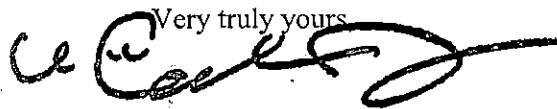
RE: Case Number: 2020-0067-SPHA, Lot 45 Adjacent to 9106 Hinton Avenue

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 March 4, 2020. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,


W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
William J. Kurek 495 N. Pinemeadow Drive Debary FL 32713

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: April 24, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0067-SPHA
Lot 45 Adjacent to 9106 Hinton
Avenue
(Kurek Property)

Zoning Advisory Committee Meeting of March 16, 2020.

The subject property is located within the Chesapeake Bay Critical Area. According to BCZR Section 500.14, no decision shall be rendered on any petition for special exception, zoning variance, or zoning special hearing for a property within the Critical Area until the Department of Environmental Protection and Sustainability (EPS) has provided written recommendations describing how the proposed request would:

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

The subject property is located within a Limited Development Area (LDA), and is subject to Critical Area lot coverage requirements. Critical Area lot coverage differs from BCZR lot coverage and is defined in Natural Resources Article §8-1802(a)(17), as follows:

(17) (i) "Lot coverage" means that percentage of total lot or parcel that is:

- 1. Occupied by a structure, parking area, driveway, walkway, or roadway; or*
- 2. Covered with gravel, stone, shell impermeable decking, a paver, permeable pavement, or any manmade material*

(ii) "Lot coverage" includes the ground area covered or occupied by a stairway or impermeable deck.

(iii) "Lot coverage" does not include:

1. A fence or wall that is less than 1 foot in width that has not been constructed with a footer;
2. A walkway in the buffer or expanded buffer, including a stairway, that provides direct access to a community or private pier;
3. A wood mulch pathway; or
4. A deck with gaps to allow the water to pass freely.

The subject property is located within a Limited Development Area (LDA) and within a Modified Buffer Area (MBA) of the Chesapeake Bay Critical Area. Lot 45 and Lot 44 (9106 Hinton Avenue) comprise approximately 8,150 square feet (sf) and 8,225 sf, respectively. On Lot 45, the petitioner is requesting to permit a proposed dwelling on a lot of record 50 feet wide in lieu of the required 55 feet, and to determine whether the subject, vacant lot (45) is not merged with the adjacent lot 44, known as 9106 Hinton Avenue. Should Lot 45 be determined to not be merged with Lot 44, then Lot 45, in order to minimize impacts on water quality, must comply with the LDA lot coverage limits, which, for a property this size (8,150 sf), is 31 1/4% (2,547 sf) with mitigation for lot coverage between 25% (2,038 sf) and 31 1/4%. According to the plan submitted for this review, the total, proposed lot coverage is unclear. In addition, the LDA regulations require minimum afforestation of 15%, which equates to two trees for a property this size. The MBA requirements further restrict lot coverage and structures within the Critical Area Buffer, which on this property is calculated 100 feet landward of mean high water. According to the plan, buffer impacts are proposed, therefore, these regulations are applicable. As stated above, compliance with the LDA lot coverage limits and MBA regulations are required. By allowing the items requested by the petitioner, impacts on water quality will be minimized.

2. Conserve fish, wildlife, and plant habitat; and

The current development proposal for the property will be reviewed for application of the LDA and MBA requirements, which will improve buffer functions, and conserve fish, wildlife and plant habitat in nearby Back River and the Chesapeake Bay.

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

The items requested by the petitioner will be consistent with established land use policies, provided that the applicants meet any LDA and MBA requirements applicable to the proposal. The request, if granted, will minimize environmental impacts.

Reviewer: Thomas Panzarella;
Environmental Impact Review

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: 3/9/20

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

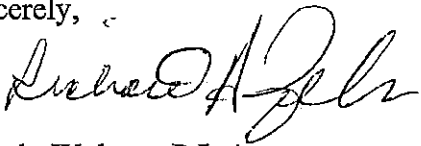
Dear Ms. Lewis:

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. 2020-0067-SPHA

*Special Hearing, Variance
William P. & Judith A. Kurek.
Lot 45 Adjacent to 9106 Hunt Valley 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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 4/3/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-067

INFORMATION:

Property Address: 9106 Hinton Avenue, Lot 45
Petitioner: William J. Kurek, Judith A. Kurek
Zoning: DR 5.5
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for a variance from Section § 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR), to permit a proposed dwelling on a lot of record of 50 feet wide in lieu of the required 55 feet and a special hearing to determine that vacant lot 45 is not merged with adjacent developed lot 44 known as 9106 Hinton Avenue.

The site is located on Hinton Avenue on the Millers Island Peninsula. The site is adjacent to the already-built-on Lot 44 that accompanies this request. The property is located within the Chesapeake Bay Critical Area and 100-Year Floodplain.

A site visit was conducted on 3/12/2020. Other than an existing driveway that serves both lots, there is no indication that the lots are merged as there is no encroachment of development from lot 44 onto lot 45.

It should be noted that the applicant must meet the Baltimore County 100-Year Flood Plain Site Plan Requirements. See the following list.

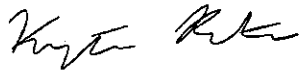
1. Show size and location of new construction and existing structures on the site and distances from lot lines.
2. Delineation of all flood hazard areas, floodway boundaries and flood zones, and the design flood elevation, as appropriate.
3. Base flood elevation.
4. Required flood protection elevation.
5. Elevation contour lines.
6. Elevation of the proposed lowest floor.
7. Structure location and orientation on lot so as to minimize flood damage.
8. Location of all public utilities and facilities, such as sewer, gas, electrical and water systems to be constructed to minimize or eliminate flood design.
9. Show drainage plan so as to reduce exposure to flood hazards.
10. Site plan shall be drawn to scale, no smaller than 1" = 30'.
11. Site plan shall be signed and sealed (original seal and signature) by a State of Maryland Registered Civil Engineer or Surveyor.

Note: In addition, base flood, design flood and flood protection elevations shall also be shown in a separate "note" section in addition to being shown on the actual site plan.

Assuming these requirements are met, the Department of Planning has no objection to special hearing and variance requests.

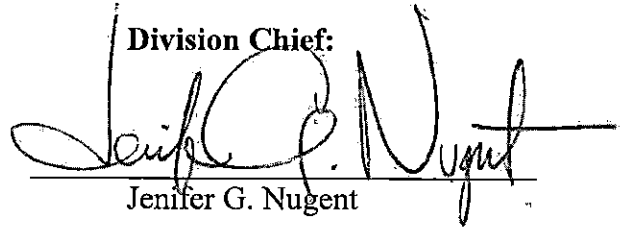
For further information concerning the matters stated herein, please contact Joseph Fraker at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

CPG/JGN/kma/

c: Joseph Fraker
Choose an item.
David Billingsley
Office of the Administrative Hearings
People's Counsel for Baltimore County

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: April 24, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0067-SPHA
Lot 45 Adjacent to 9106 Hinton
Avenue
(Kurek Property)

Zoning Advisory Committee Meeting of **March 16, 2020.**

The subject property is located within the Chesapeake Bay Critical Area. According to BCZR Section 500.14, no decision shall be rendered on any petition for special exception, zoning variance, or zoning special hearing for a property within the Critical Area until the Department of Environmental Protection and Sustainability (EPS) has provided written recommendations describing how the proposed request would:

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1. A fence or wall that is less than 1 foot in width that has not been constructed with a footer;
2. A walkway in the buffer or expanded buffer, including a stairway, that provides direct access to a community or private pier;
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The items requested by the petitioner will be consistent with established land use policies, provided that the applicants meet any LDA and MBA requirements applicable to the proposal. The request, if granted, will minimize environmental impacts.

Reviewer: Thomas Panzarella;
Environmental Impact Review

Date: May 11, 2020

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. **2020-0067-SPHA**

Special Hearing, Variance
William J. & Judith A. Kurek
Lot 45 Adjacent to 9106 Hinton 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,



For 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: 4/3/2020

FROM: C. Pete Gutwald
Director, Department of Planning

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It should be noted that the applicant must meet the Baltimore County 100-Year Flood Plain Site Plan Requirements. See the following list.

1. Show size and location of new construction and existing structures on the site and distances from lot lines.
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11. Site plan shall be signed and sealed (original seal and signature) by a State of Maryland Registered Civil Engineer or Surveyor.

ORDER RECEIVED FOR FILING
Date 9/1/20
By Whigman

Note: In addition, base flood, design flood and flood protection elevations shall also be shown in a separate "note" section in addition to being shown on the actual site plan.

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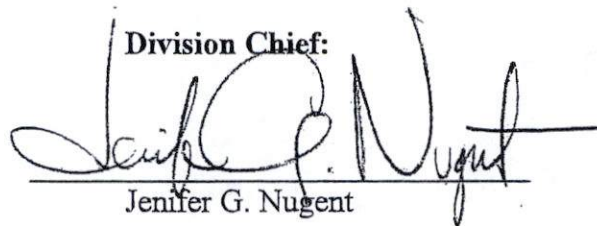
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Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

CPG/JGN/kma/

c: Joseph Fraker
Choose an item.
David Billingsley
Office of the Administrative Hearings
People's Counsel for Baltimore County

ORDER RECEIVED FOR FILING

Date

9/1/20

By

Dr. Nugent

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
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FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

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ORDER RECEIVED FOR FILING

Date 9/1/20
By [Signature]

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Reviewer: Thomas Panzarella;
Environmental Impact Review

ORDER RECEIVED FOR FILING

Date

9/1/20

By

D. Mignol

Donna Mignon

Subject: Web seminar scheduled: Zoning Hearing - 9106 Hinton Avenue
Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ee2f8a86e8a95527e582b018bbf0f070a>
Start: Wed 8/26/2020 11:00 AM
End: Wed 8/26/2020 12:00 PM
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): 160 194 1813

Host key: 230532 (Use this to reclaim host privileges.)

Wednesday, August 26, 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=ee2f8a86e8a95527e582b018bbf>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e635fd0e41913d537a219100629>



Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1601941813@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 871308

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

8/26 @ 11:00

CASE NO. 2020-0067-SPHA

CHECKLIST

SPAT ✓

Comment
Received

Department

Support/Oppose/
Conditions/
Comments/
No Comment

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

DEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: _____

SIGN POSTING (1st)

Date: _____

SIGN POSTING (2nd)

Date: _____

by

by

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☒

Comments, if any:

Chesapeake Bay

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 15 Account Number - 1511890590		
Owner Information		
Owner Name:	KUREK WILLIAM J KUREK JUDITH A	Use: Principal Residence: RESIDENTIAL YES
Mailing Address:	495 N PINE MEADOW DR DEBARY FL 32713- 234	Deed Reference: /07854/ 00216
Location & Structure Information		
Premises Address:	9106 HINTON AVE SPARROWS POINT 21219-1655 Waterfront	Legal Description: LT 44-45 50 W THIRD ST SWAN POINT
Map: 0112	Grid: 0015	Parcel: 0004
Neighborhood: 15140131.04	Subdivision: 0000	Block: 44
Assessment Year: 2018	Plat No: 0009/ 0004	Plat Ref: 0009/ 0004
Town: None		
Primary Structure Built: 1999	Above Grade Living Area: 2,512 SF	Finished Basement Area: 15,000 SF
County Use: 34		
Stories: 2	Basement: YES	Type: STANDARD UNIT
Exterior: SIDING/	Quality: 4	Full/Half Bath: 2 full/ 1 half
Garage: 1 Carport	Last Notice of Major Improvements	
Value Information		
	Base Value	Value
		As of 01/01/2018
		As of 07/01/2019
		As of 07/01/2020
Land:	231,000	231,000
Improvements:	309,800	304,500
Total:	540,800	535,500
Preferential Land:	0	0
Transfer Information		
Seller: KUREK DANIEL	Date: 05/05/1988	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /07854/ 00216	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	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		0.00 0.00
Homestead Application Information		
Homestead Application Status: Denied		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		Date:

ZAC AGENDA

Case Number: 2020-0067-SPHA **Reviewer:** Gary Hucik
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: SPECIAL HEARING, VARIANCE
Legal Owner: William J. & Judith A. Kurek
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: LOT45 ADJACENT TO 9106 HINTON AVE
Location: North west side of Hinton Ave South 150 feet to the center line of 3rd Street.

Existing Zoning: DR 5.5 **Area:** 8,150 SQ FT

Proposed Zoning:

SPECIAL HEARING:

To determine that vacant Lot 45 is not merged with adjacent developed Lot 44 known as 9106 Hinton Avenue.

VARIANCE:

Section 1B02.3.C.1 (BCZR) To permit a proposed dwelling on a Lot of record 50 feet wide in lieu of the required 55 feet.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: 2020-0066-A

Violation Cases: None

Closing Date:

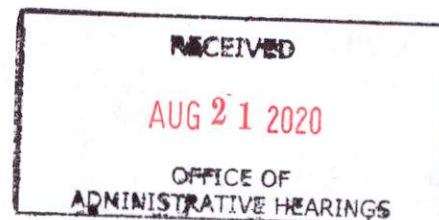
Miscellaneous Notes:

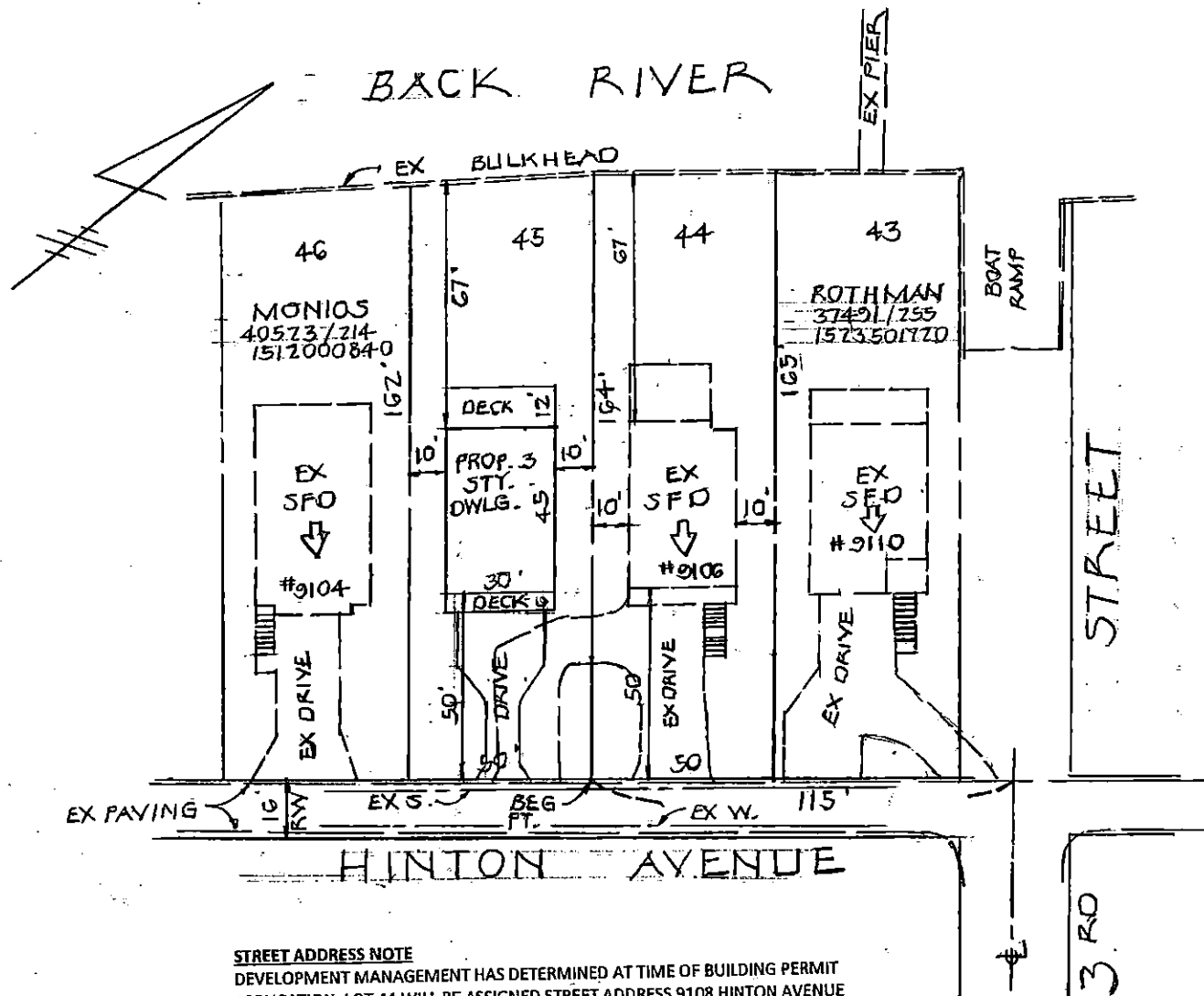
Case must be heard with case number 2020-0066-A.

PETITIONER'S EXHIBITS

9106 HINTON AVENUE AND ADJACENT LOT
CASE NOS. 2020-0066-A AND 2020-0067-SPHA

1. PLAT TO ACCOMPANY PETITION DATED JANUARY 6, 2020 (NO CHANGES SINCE FILING)
2. SDAT REAL DATA PROPERTY SEARCH
3. DEED OF RECORD LIBER 7854 FOLIO 216 DATED APRIL 25, 1988
4. PLAT OF SWAN POINT PB 9 F 4 RECORDED 1/20/1928
5. 1995 AERIAL PHOTO
6. 2000 AERIAL PHOTO
7. PRESENT AERIAL PHOTO
8. RAZING AND BUILDING PERMIT 1SSUE DATA
9. PHOTOS



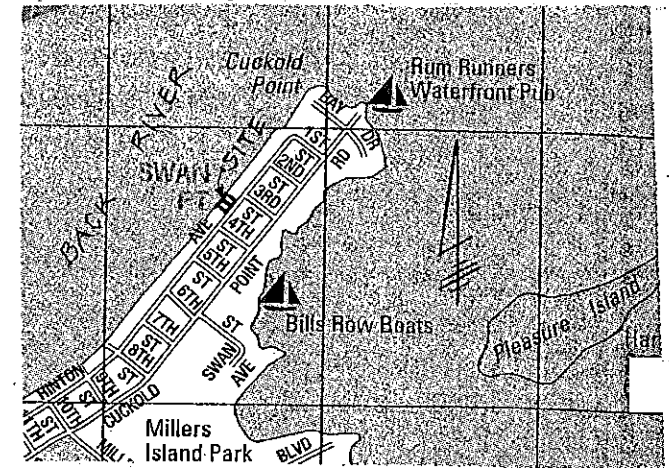


STREET ADDRESS NOTE

DEVELOPMENT MANAGEMENT HAS DETERMINED AT TIME OF BUILDING PERMIT APPLICATION, LOT 44 WILL BE ASSIGNED STREET ADDRESS 9108 HINTON AVENUE AND LOT 45 WILL BE ASSIGNED STREET ADDRESS 9106 HINTON AVENUE

CENTRAL DRAFTING & DESIGN
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

PETITIONER'S
EXHIBIT NO. 1



VICINITY MAP
SCALE: 1 INCH = 1000 FEET

OWNER

WILLIAM J. AND JUDITH A. KUREK
495 N. PINEMADOW DRIVE
DEBARY FL 32213
DEED REF: L.7854 F.216
ACCT NO. 1511890590

NOTES

1 LOT AREAS

LOT 44 (# 9106 HINTON AVE).....8225 S.F. = 0.189 ACRE

LOT 45 (ADJACENT LOT).....8150 S.F. = 0.187 ACRE

2. ZONING.....DR 5.5. (MAP NO. 112B2)

3. PUBLIC WATER AND SEWER

4. SITE IS LOCATED IN THE CBCA

5. SITE IS LOCATED IN A 100 YEAR TIDAL FLOOD ZONE

6. NO PREVIOUS VIOLATIONS OR ZONING HISTORY ARE KNOWN TO EXIST

7. NO HISTORIC STRUCTURES OR SITES, ARCHEOLOGIC SITES OR UNDERGROUND STORAGE TANKS ARE KNOWN TO EXIST

**PLAT TO ACCOMPANY PETITION FOR
SPECIAL HEARING AND VARIANCE
9106 HINTON AVENUE AND ADJACENT VACANT LOT
LOTS 44 AND 45 SWAN POINT PB 9 / 4
ELECTION DISTRICT 15 C7 BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 30 FEET JANUARY 6, 2020**

Real Property Data Search (w2)

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 15 Account Number - 1511890590			
Owner Information					
Owner Name:	KUREK WILLIAM J KUREK JUDITH A		Use:	RESIDENTIAL	
Mailing Address:	9106 HINTON AVE BALTIMORE MD 21219-1655		Principal Residence:	YES	
			Deed Reference:	/07854/ 00216	
Location & Structure Information					
Premises Address:	9106 HINTON AVE 0-0000 Waterfront		Legal Description:	LT 44-45 50 W THIRD ST SWAN POINT	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0112	0015	0004		0000	
					Block:
					44
					Lot:
					2018
					Assessment Year:
					Plat No:
					Plat Ref:
					0009/ 0004
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1999	2,512 SF		15,000 SF	34	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
2	YES	STANDARD UNIT	SIDING	2 full/ 1 half	1 Carport
Last Major Renovation					
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2018	07/01/2019	07/01/2020	
Land:	231,000	231,000			
Improvements	309,800	304,500			
Total:	540,800	535,500	535,500	535,500	
Preferential Land:	0			0	
Transfer Information					
Seller: KUREK DANIEL		Date: 05/05/1988		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /07854/ 00216		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2019		07/01/2020	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00/0.00		0.00/0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 04/26/2011					

PETITIONER'S
EXHIBIT NO. **2**

DEED - FEE SIMPLE - INDIVIDUAL GRANTOR - LONG FORM

NO CONSIDERATION - NO TITLE EXAMINATION

This Deed, MADE THIS 25th day of April

in the year one thousand nine hundred and eighty-eight

by and between

DANIEL KUREK and CATHERINE E. KUREK, his wife,

of Baltimore City, State of Maryland,

of the first part, and

WILLIAM J. KUREK and JUDITH A. KUREK, his wife, of Baltimore County,
State of Maryland,

of the second part.

Witnesseth, That in consideration of ~~the sum of~~ love and affection, and no (\$0.00) cash consideration,

the said DANIEL KUREK and CATHERINE KUREK, his wife,

DEED 14.00
BY CLERK 14.00
R34345 C002 R02 T15:0
03/03/88

do grant and convey to the said WILLIAM J. KUREK and JUDITH A. KUREK, his wife, as tenants by entireties, their assigns, the survivor of them and the survivor's

personal representatives/assigns and assigns

in fee simple, all

these two (2) lots of ground situate in the Fifteenth Election District of Baltimore County and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot Nos. 44 and 45 as laid out on the Plat of Swan Point, which Plat is recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 7, folio 163. The improvements thereon being known as No. 9106 Hinton Avenue.

BEING the same lots of ground described in a Deed dated January 18, 1971, and recorded among the Land Records of Baltimore County in Liber O.T.G. 5160, folio 153 from Daniel Kurek to the within Grantors.

TRANSFER TAX NOT REQUIRED
Director of Finance
BALTIMORE COUNTY, MARYLAND
For *Radwan H. H.*
Authorized Signature
Date *2-2-88* 2-2-88

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE *Radwan H. H.* DATE *5/5/82*

Radwan H. H. 5/5/82
By Date

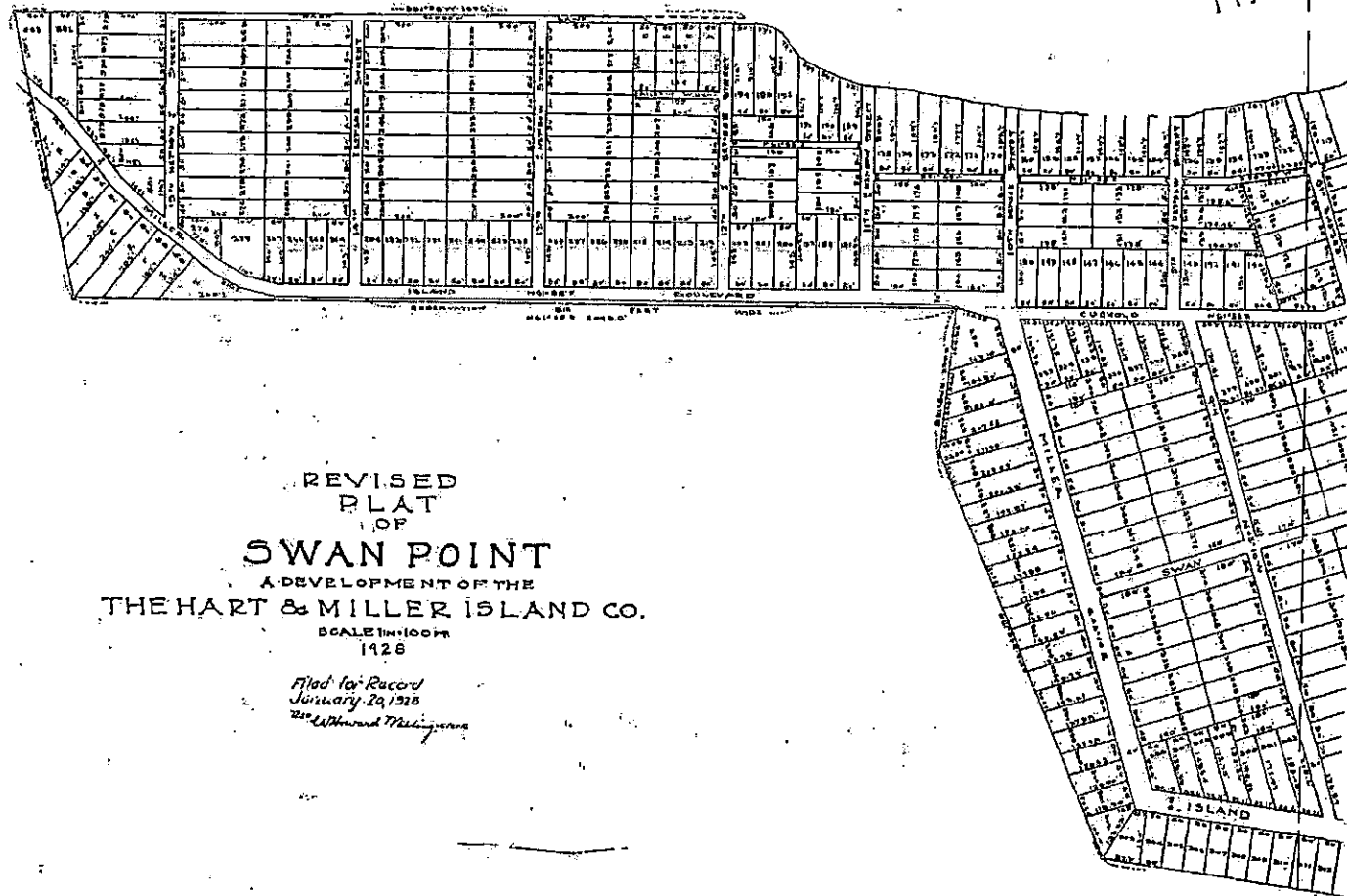
14

PETITIONER'S
EXHIBIT NO. 3

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SN 7854, J. 02-B, MSA, DEED, 7708 Date Available 10-17-905 Filed 09-17-912

L.M.C.L.M. No 9-4

HAWK

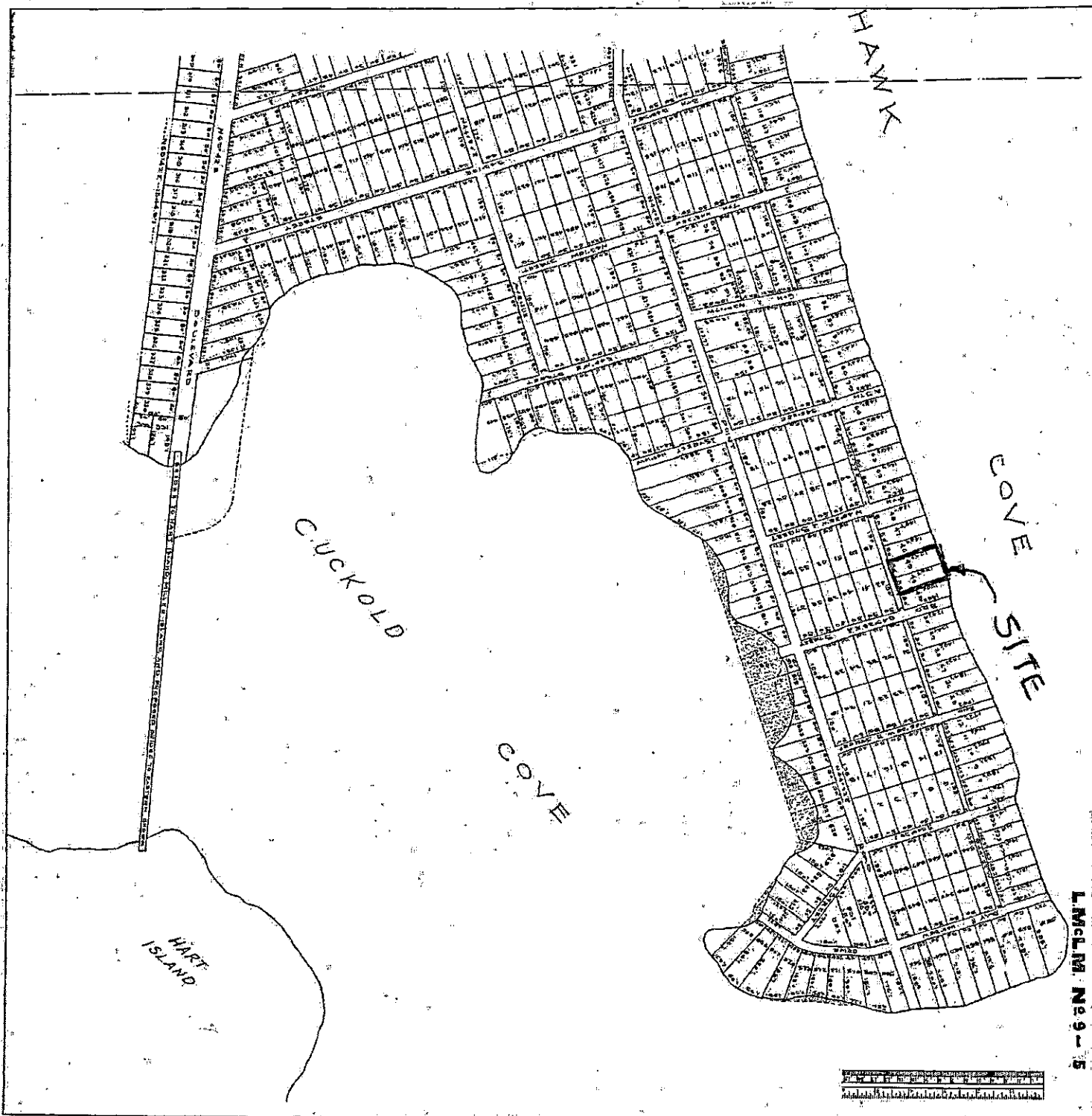


REVISED
PLAT
OF
SWAN POINT
A DEVELOPMENT OF THE
THE HART & MILLER ISLAND CO.
SCALE 1 IN = 100 FT
1928

Filed for Record
January 29, 1928
By Edward M. Higgins

PETITIONER'S
EXHIBIT NO. **4**

Edmund V. Higgins & Co.
Surveyors & Civil Engineers
251 Chestnut Street
San Francisco, California
January 4, 1928
To the Board of Supervisors

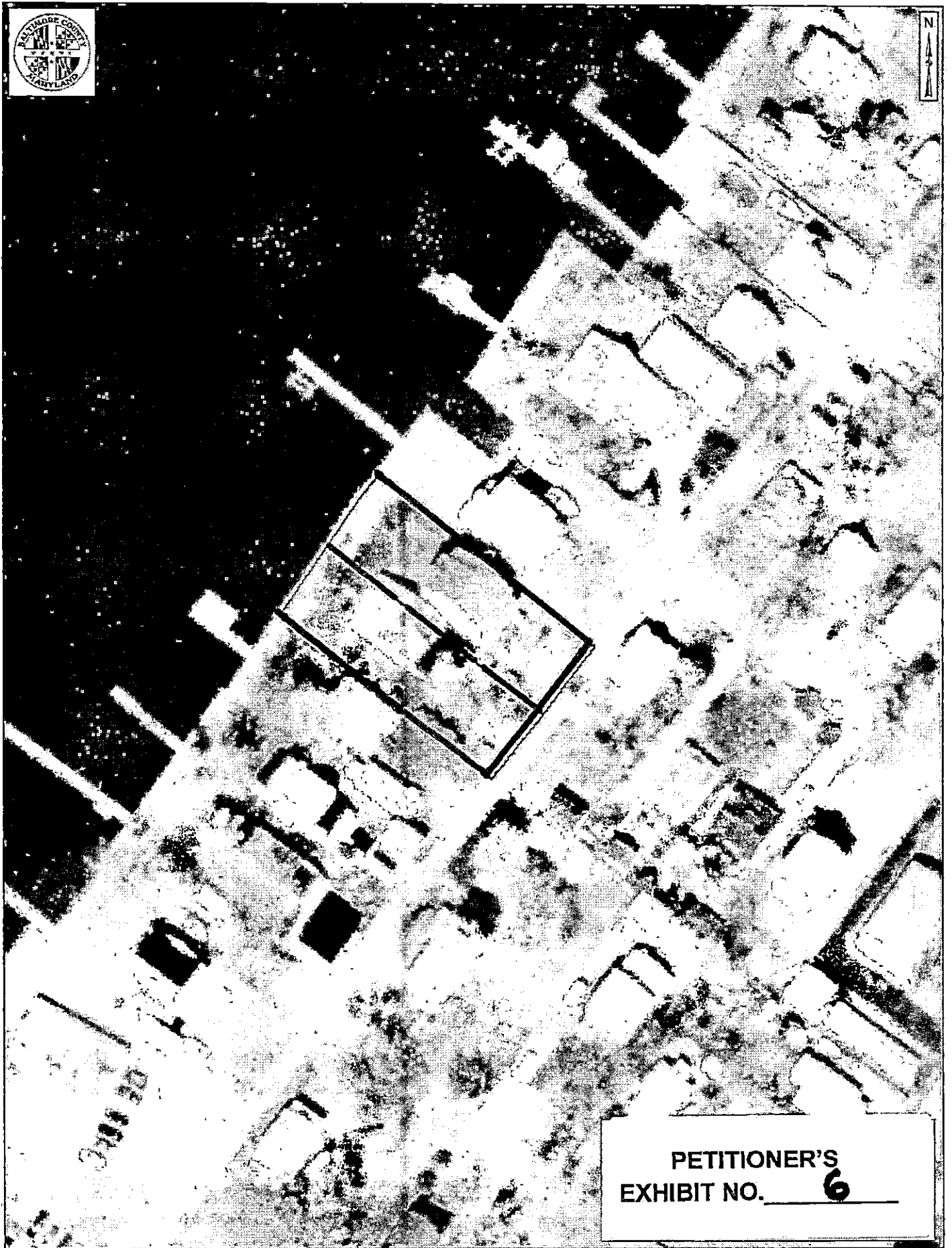


9106 HINTON AVENUE 1995



PETITIONER'S
EXHIBIT NO. 5

9106 HINTON AVENUE 2000



PETITIONER'S
EXHIBIT NO. 6



PETITIONER'S
EXHIBIT NO. 7

7

OBJECTID	12798
PERMITNO	B295449
APPL_DATE	
ISSDATE	97069
OCCDATE	
CONTROL_NO	NRFP
OWNER_NAME	KUREK WILLIAM & JUDITH
OWNER_ADD	9106 HINTON AVE BALTO, MD 21219
P_ADDRESS	9106 HINTON AVE
P_ST_NAME	HINTON AVE
P_ST_NO	9106
P_SUBDIV	SWAN POINT
CONVEYANCE_ID	150325
P_DISTRICT	15
TRACT	451900

IMPROV_CODE

USE_CODE

01

DESC_WORK

CONST SFD W/COVERED FRONT PORCH, DECK ON FRONT
& REAR & 4 BEDROOMS, NO FIREPLACE.
30'X67'X38' = 3660SF SEE B295448 FOR RAZING. EXISTING
HOUSE TO BE RAZED 90 DAYS FROM OCCUPANCY OF NEW
HOUSE.

DESC_WORK2

PERMIT_TYPE

NEW CONSTRUCTION

LANDUSE_TYPE

SINGLE FAMILY DETACHED

DESCRIPTION_TYPE

PRO_USE

SFD

EXT_USE

SFD TO BE RAZED SEE B295448

OWNERSHIP

RES_CAT

Zoom to

PETITIONER'S
EXHIBIT NO. **8**

BACK RIVER

EX PIER

EX

BULKHEAD

46

MONIOS
40523/214
1512000840

EX
SFD
↓

#9104

EX DRIVE

45

DECK 12

PROP. 3
STY.
DWLG. 4

30'
DECK 9

DRIVE

44

EX
SFD
↓
#9106

EX DRIVE

43

ROTHMAN
37491/255
1523501720

EX
SFD
↓
#9110

EX DRIVE

BOAT
RAMP

STREET

EX PAVING

16'

RW

EX S.

BEG
PT.

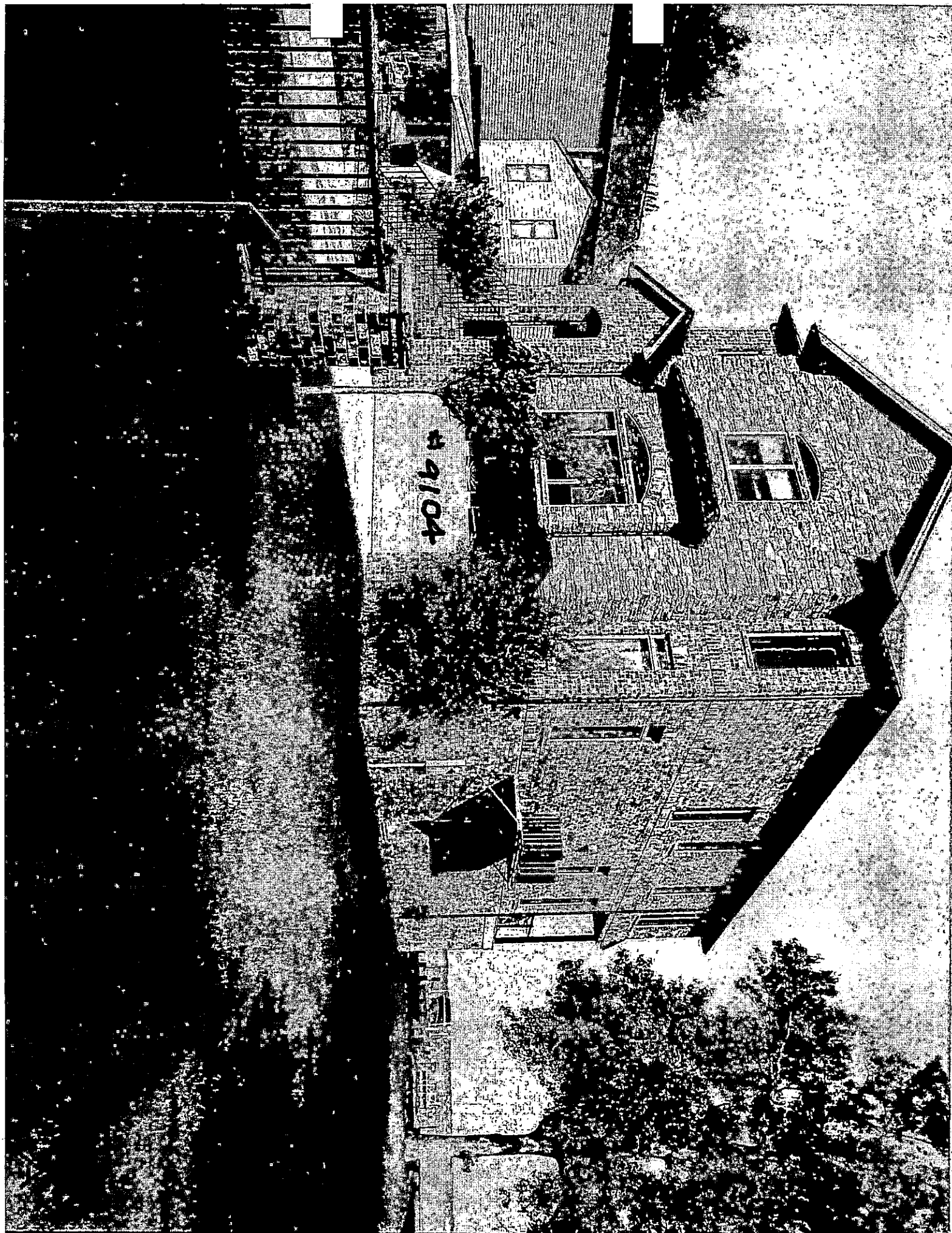
EX. W.

115'

HINTON AVENUE

PHOTOS

PETITIONER'S
EXHIBIT NO. 9



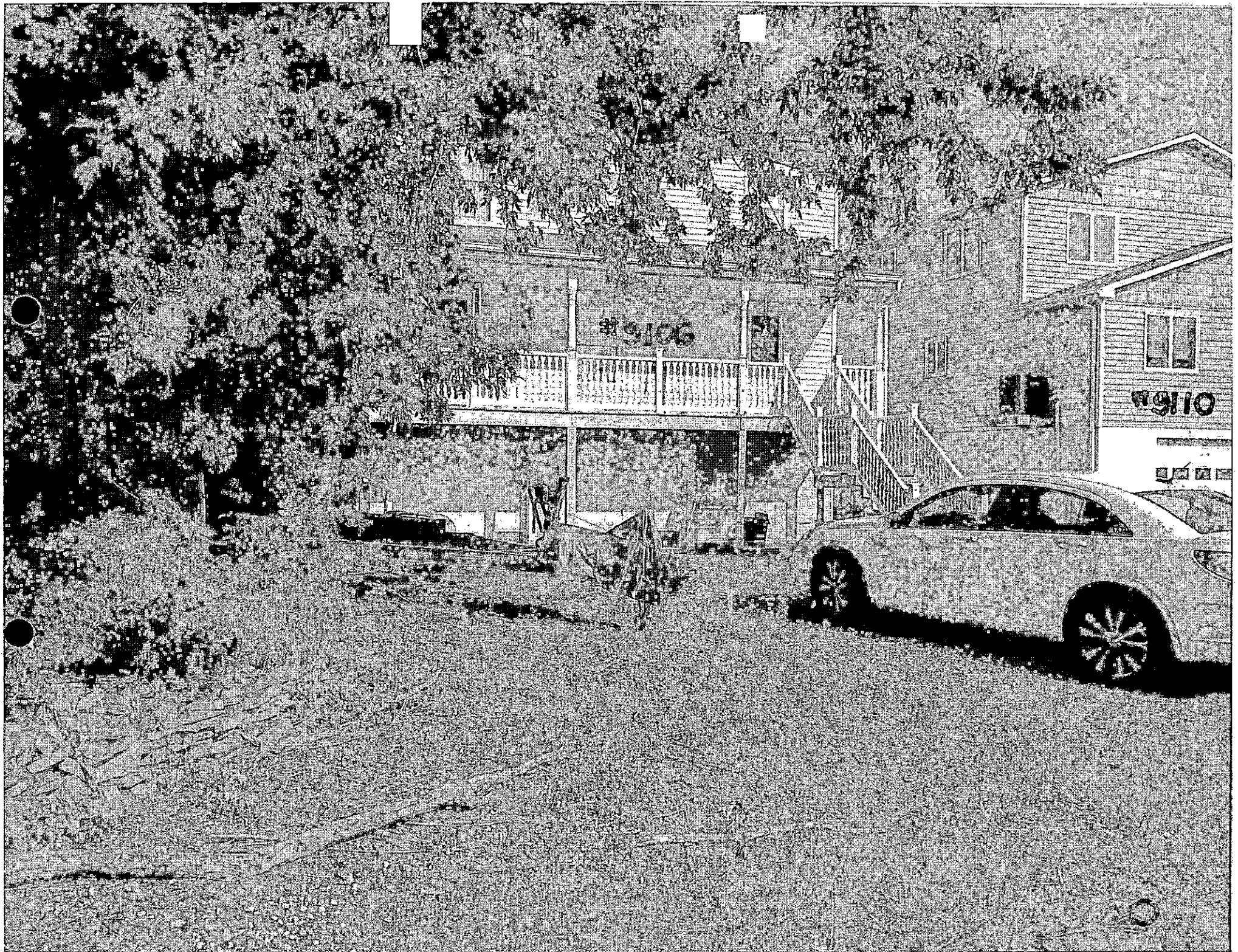


ZONING NOTICE

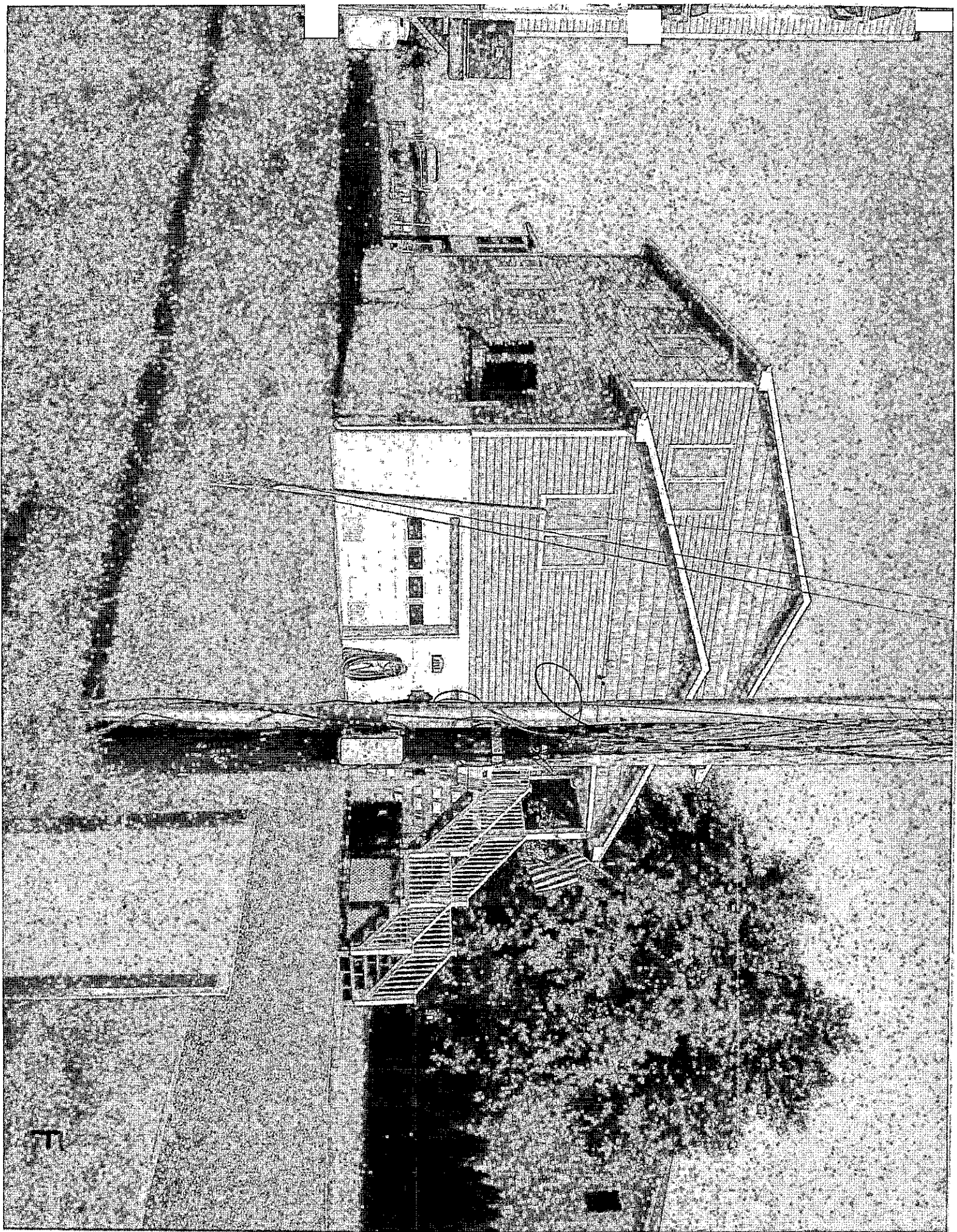
CASE NO. 2020-0067-SPHA
LOT ADJACENT TO
8106 HINTON AVENUE

A VIRTUAL HEARING ON THE PROPOSED
IDENTIFIED HEREIN WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE

DATE: MONDAY, AUGUST 24, 2020 @ 1:00 PM
SPECIAL MEETING TO DETERMINE THAT A VACANT LOT IS
NOT SUITABLE FOR RESIDENTIAL DEVELOPMENT
KNOWN AS 8106 HINTON AVENUE, 2.08 ACRES, 100
FOOT WIDE, PROPOSED OVERLAP OF A 100' WIDE
REQUIREMENT OF THE HILLBURY ESTATE







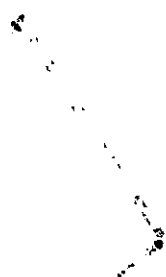
LO 5 ADJ. TO 9106 HINTON 'E



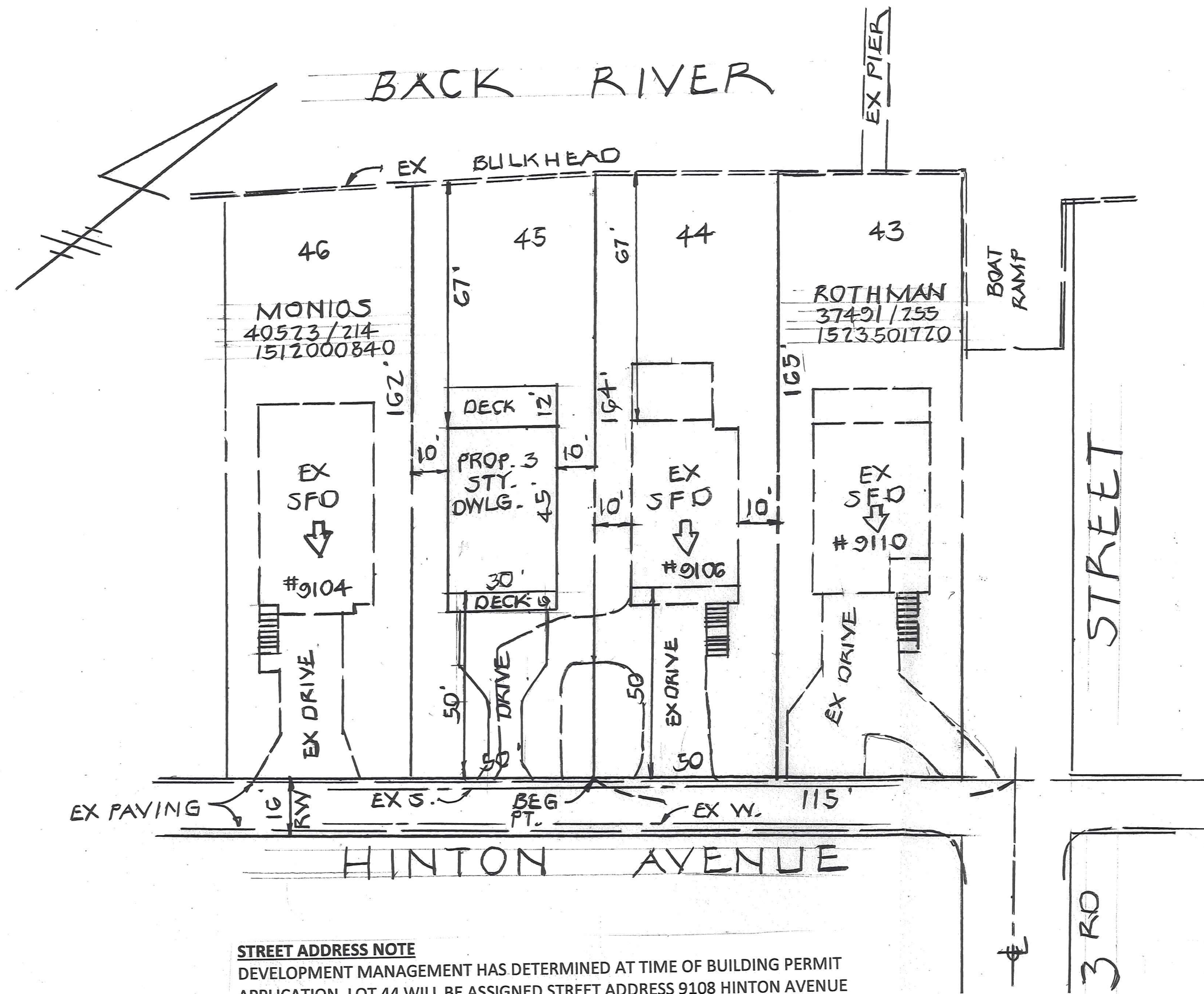
2020-0067-504A



100

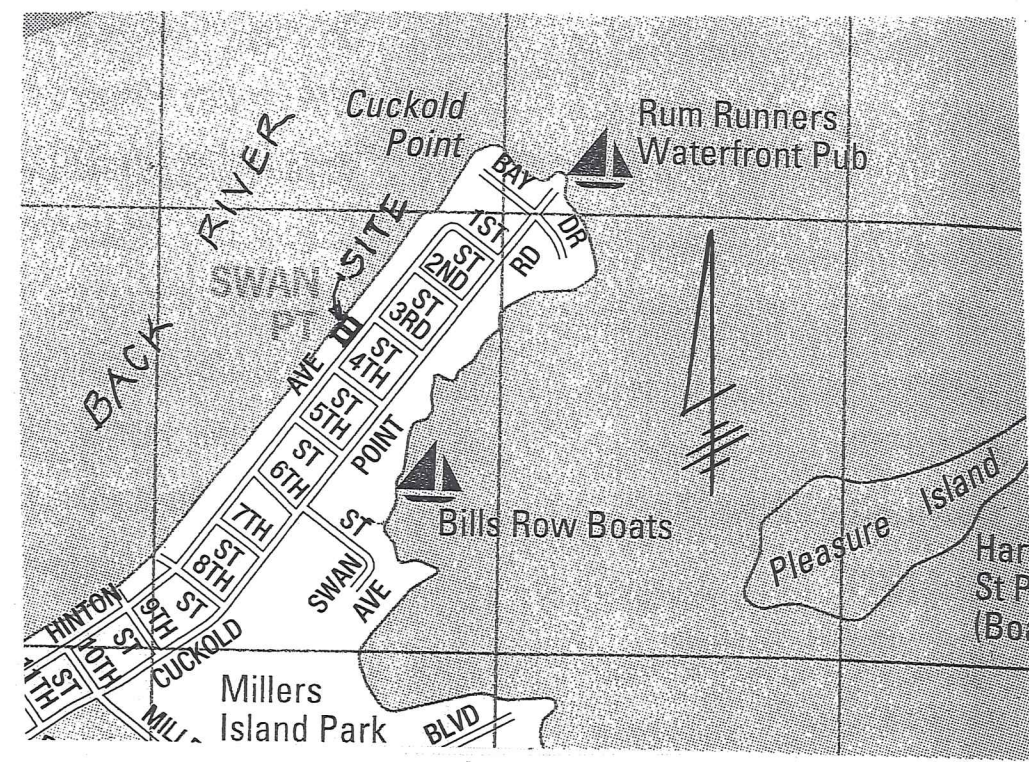


SE 6-K 112B2



STREET ADDRESS NOTE
 DEVELOPMENT MANAGEMENT HAS DETERMINED AT TIME OF BUILDING PERMIT APPLICATION, LOT 44 WILL BE ASSIGNED STREET ADDRESS 9108 HINTON AVENUE AND LOT 45 WILL BE ASSIGNED STREET ADDRESS 9106 HINTON AVENUE

CENTRAL DRAFTING & DESIGN
 601 CHARWOOD COURT
 EDGEWOOD, MD 21040
 (410) 679-8719



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2020-0067-SPHA

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