

M E M O R A N D U M

DATE: May 18, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0082-A – Appeal Period Expired

The appeal period for the above-referenced cases expired on May 14, 2020. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

/dlw

c: Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(404 Montrose Avenue)		
1 st Election District	*	OFFICE OF ADMINISTRATIVE
1 st Council District		
Lorenzo W. Hankla, Jr. &	*	HEARINGS FOR
Elizabeth Hankla (Marek)		
Petitioners	*	BALTIMORE COUNTY
	*	CASE NO. 2020-0082-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Administrative Variance filed by the legal owners of the property, Lorenzo W. Hankla, Jr. and Elizabeth Hankla (Marek) [“Petitioners”]. The Petitioners are requesting Variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (“BCZR”), to approve an addition on the left/south-facing side of the home that results in a total sum side yard width of 34.2 ft. in lieu of the required 40 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners’ Exhibit 1.

The Zoning Advisory Committee (“ZAC”) comments were received and are made part of the record of this case. There were no adverse ZAC comments submitted by any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on March 29, 2020, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code (“BCC”). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general

ORDER RECEIVED FOR FILING

Date 4-14-2020

By ES

welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 14th day of **April, 2020**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations ("BCZR"), to approve an addition on the left/south-facing side of the home that results in a total sum side yard width of 34.2 ft. in lieu of the required 40 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners 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:dlw

ORDER RECEIVED FOR FILING

Date 4-14-2020

By lsd



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 404 Montrose Ave., Catonsville, MD 21228

Currently zoned DR2

Deed Reference 37826/00152

10 Digit Tax Account # 0116750270

Owner(s) Printed Name(s) Lorenzo & Elizabeth Hankla

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. X **ADMINISTRATIVE VARIANCE** from Section(s)

BCZR 1B02.3.C.1: to approve an addition on left/south-facing side of home that results in a total sum side yard width of 34.2-ft in lieu of the required 40-ft.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

Lorenzo W. Hankla

Elizabeth Hankla

Name #1 – Type or Print

Name #2 – Type or Print

Signature #1

Signature #2

404 Montrose Ave.

Catonsville

MD

Mailing Address

City

State

21228

(770) 617-6867

hankla.lzo@gmail.com

Zip Code

Telephone #

Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

N/A

Name – Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this day of , that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER

2020-0082-A

Filing Date

3/16/2020

Estimated Posting Date

3/29/20

Reviewer

AT

4/13/20

Rev 5/5/2016

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

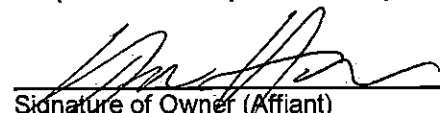
The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 404 Montrose Ave. Catonsville MD 21228
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

We, the home owners, request a variance from the Baltimore County Zoning Review Office to a setback ordinance that negatively impacts the use of our property's left side. We seek to expand the footprint of our current galley-style kitchen by building out 5-ft on the home's left/south-side. We have no practical interior space currently to support a kitchen expansion; our family is rapidly growing and the small kitchen space poses a significant hardship on our quality of life. The property's pie shape makes an addition difficult to comply with the 40-ft sum of side yard widths requirement. The addition would yield a sum of side yard widths of 34.2-ft. The home will continue to maintain minimum setbacks of at least 15-ft on both sides. Several houses in our area are larger in overall square footage than the layout of this home. The 40-ft setback requirement prevents us from improving the home in a manner comparable to many of our neighbors. The planned addition neither imposes a burden nor substantial injustice to other property owners in the immediate neighborhood.

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)


Signature of Owner (Affiant)
Lorenzo W. Hankla
Name- Print or Type


Signature of Owner (Affiant)
Elizabeth Hankla
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13th day of MARCH, 2020, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: LORENZO W. HANKLA & ELIZABETH HANKLA

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

MARY BLAIR DIZE
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND

My Commission Expires 04-22-2023


Notary Public
04/22/2023
My Commission Expires

Zoning Property Description

for

404 Montrose Avenue

Catonsville, MD 21228

Beginning at a point on the west side of Montrose Avenue, which is 60 feet wide, at the distance of 300 feet southeasterly of the centerline of Tredegar Avenue, which is 60 feet wide. Being Lot number 17 in the subdivision of "Oak Forest Park, South of Tredegar Avenue" as recorded in Baltimore County Plat Book number RJS 13, Folio number 146, containing 12,835 square feet (0.29 acres). Located in the 1st Election District and 1st Council District.

The homeowners propose a kitchen addition that extends the current home 5-ft to the property's left/south-facing side. The addition will add approximately 214-sq ft to the home's above grade living space, which is currently 2,152-sq ft. It will span 5-ft from the family room at the home's rear and extend 20-ft towards the home's front. The addition will house a modern kitchen and a small laundry area.

The homeowners plan to keep the mature trees on home's left/south-facing side. New trees will be planted in the event the existing mature ones are damaged during or after construction completes. In addition to maintaining tree cover at/near the south-facing property line, the home owners plan to add shrubbery to provide additional privacy between neighbors. Additional fencing/landscaping will be added if desired by the County or other homeowners in the area.

2020-0082-A



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

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1. ☒ **ADMINISTRATIVE VARIANCE** from Section(s)

BCZR 1B02.3.C.1: to approve an addition on left/south-facing side of home that results in a total sum side yard width of 34.2-ft in lieu of the required 40-ft.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ☐ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

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Property is to be posted and advertised as prescribed by the zoning regulations.

I/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

Lorenzo W. Hankla

Elizabeth Hankla

Name #1 – Type or Print

Name #2 – Type or Print

Signature #1

Signature #2

404 Montrose Ave.

Catonsville

MD

Mailing Address

City

State

21228

(770) 617-6867

hankla.lzo@gmail.com

Zip Code

Telephone #

Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

N/A

Name – Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER

2020-0082-A

Filing Date

3/16/2020

Estimated Posting Date

3/28/20

Reviewer

AT

Rev 5/5/2016

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

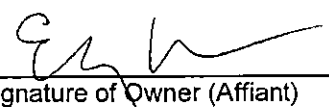
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(If additional space for the petition request or the above statement is needed, label and attach it to this Form)


Signature of Owner (Affiant)
Lorenzo W. Hankla
Name- Print or Type


Signature of Owner (Affiant)
Elizabeth Hankla
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13th day of MARCH, 2020, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

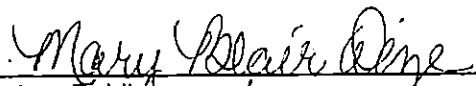
Print name(s) here: LORENZO W. HANKLA & ELIZABETH HANKLA

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

MARY BLAIR DIZE
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND

My Commission Expires 04-22-2023


Notary Public
04/22/2023
My Commission Expires

REV. 5/5/2016

Zoning Property Description

for

**404 Montrose Avenue
Catonsville, MD 21228**

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The homeowners plan to keep the mature trees on home's left/south-facing side. New trees will be planted in the event the existing mature ones are damaged during or after construction completes. In addition to maintaining tree cover at/near the south-facing property line, the home owners plan to add shrubbery to provide additional privacy between neighbors. Additional fencing/landscaping will be added if desired by the County or other homeowners in the area.

2020-0082-A

#2

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 1020-C082-A

TO PERMIT A PROPOSED ADDITION TO THE SIDE
OF THE DWELLING WITH A SIDE YARD
SETBACK OF 34.2 FEET IN LIEU OF THE REQUIRED
40 FEET

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
5:00 P.M. ON 4/22/2014

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391
DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

1. The first part of the paper discusses the importance of the study of the history of the United States. It is argued that a knowledge of the past is essential for a full understanding of the present and for the development of a sound policy for the future.

2. The second part of the paper discusses the importance of the study of the history of the United States. It is argued that a knowledge of the past is essential for a full understanding of the present and for the development of a sound policy for the future.

3. The third part of the paper discusses the importance of the study of the history of the United States. It is argued that a knowledge of the past is essential for a full understanding of the present and for the development of a sound policy for the future.

ZONING NOTICE

ADMINISTRATIVE

VARIANCE

CASE # 2020-0062-A

To Permit A Proposed Addition To The Side
Of The Dwelling With A 5'4" Side Yard Set-
back Of 24+2 Feet (1) Lined Of The Required
40 Feet

PUBLIC HEARING ?

PURSUANT TO SECTION 26-122(b)(1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
5:00 P.M. ON 4/13/20

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391
DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW

CERTIFICATE OF POSTING

Date: 3-29-20

RE: Case Number: 2020-0082-A

Petitioner/Developer: Harkla

Date of Hearing/Closing: 4-13-20

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 404 Montrose Ave

The signs(s) were posted on 3-29-20
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

Date: 3-29-20

RE: Case Number: 2020-0082-A

Petitioner/Developer: Hankla

Date of Hearing/Closing: 4-13-20

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 404 Montrose Ave

The signs(s) were posted on 3-29-20
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

ZONING NOTICE

ADMINISTRATIVE

VARIANCE

CASE # 2020-0082-A

TO PERMIT A PROPOSED ADDITION TO THE SIDE
OF THE DWELLING WITH A SOUTH SIDE YARD SET
BACK OF 34.2 FEET IN LIEU OF THE REQUIRED
40 FEET

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
5:00 P.M. ON 4/13/20

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391
DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2020-0082-A

TO PERMIT A PROPOSED ADDITION TO THE SIDE
OF THE DWELLING WITH A SIDE YARD
SETBACK OF 34.2 FEET IN LIEU OF THE REQUIRED
40 FEET

PUBLIC HEARING ?

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RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
5:00 P.M. ON 4/3/20

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW
HANDICAPPED, ACCESSIBLE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2020- 0082 - A Address 404 Montrose Avenue

Contact Person: Aaron Tsui Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 03/16/2020 Posting Date: 03/29/2020 Closing Date: 04/13/2020

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2020- 0082 - A Address: 404 Montrose Avenue

Petitioner's Name: Lorenzo Hankla Telephone : 770-617-6867

Posting Date: 03/29/2020 Closing Date: 04/13/2020

Wording for Sign: To permit a proposed addition to the side of the dwelling with a sum side yard setback of 34.2 feet in lieu of the required 40 feet.

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!



JOHN A. OLSZEWSKI, JR.
County Executive

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

April 13, 2020

Lorenzo W. Hankla & Elizabeth Hankla,
404 Montrose Ave
Catonsville MD 21228

RE: Case Number: 2020-0082-A, 404 Montrose Ave

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 16, 2020. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Michael Millanoff, Director
Department of Permits, Approvals
DATE: April 8, 2020
FROM: *efc for VKD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review
SUBJECT: Zoning Advisory Committee Meeting
For March 30, 2020
Item No. 2020-0078-A, 0081-A, 0082-A, 0083-A & 0084-A

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

* * * * *

VKD: efc
cc: file

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 2, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0082-A
Address 404 Montrose Avenue
(Hankla Property)

Zoning Advisory Committee Meeting of **March 23, 2020**.

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

Reviewer: Steve Ford

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

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. **2020-0082-A**

Administrative Variance
Lorenzon & Elizabeth Hankla
404 Montrose 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

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>4-8</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
<u>4-2</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	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 (1 st)	Date: <u>3-29-20</u> by <u>Pison</u>	
SIGN POSTING (2 nd)	Date: _____ by _____	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any: _____		

Real Property Data Search (w4)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier:		District - 01 Account Number - 0116750270
Owner Information		
Owner Name:	HANKLA LORENZO WILLIAM JR MAREK ELIZABETH	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	404 MONTROSE AVE BALTIMORE MD 21228-5615	Deed Reference: /37826/ 00152
Location & Structure Information		
Premises Address:	404 MONTROSE AVE BALTIMORE 21228-5615	Legal Description: 404 MONTROSE AVE OAK FOREST PARK
Map:	Grid:	Parcel:
0100	0018	0394
Neighborhood:	Subdivision:	Section:
1070133.04	0000	
Block:	Lot:	Assessment Year:
	17	2019
Plat No:	Plat Ref:	
4	0013/ 0146	
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1950	2,152 SF	336 SF
Property Land Area	County Use	
12,835 SF	04	
Stories	Basement	Type
1 1/2	YES	STANDARD UNIT
Exterior	Quality	Full/Half Bath
BRICK/ SIDING	5	3 full
Garage	Last Notice of Major Improvements	
1 Detached		
Value Information		
	Base Value	Value
		As of 01/01/2019
Land:	128,700	162,700
Improvements	313,900	298,300
Total:	442,600	461,000
Preferential Land:	0	
		Phase-in Assessments
		As of 07/01/2019
		As of 07/01/2020
		448,733
		454,867
		0
Transfer Information		
Seller: KAISER SHANNON	Date: 08/03/2016	Price: \$560,000
Type: ARMS LENGTH IMPROVED	Deed1: /37826/ 00152	Deed2:
Seller: BANNON JOAN	Date: 05/12/2005	Price: \$405,000
Type: ARMS LENGTH IMPROVED	Deed1: /21853/ 00694	Deed2:
Seller: PRICE MARY L	Date: 02/02/2005	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /21371/ 00429	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2019
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
		0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: Approved 02/09/2017		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		Date:

2020-0082-A

ZAC AGENDA

Case Number: 2020-0082-A **Reviewer:** Aaron Tsui
Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Lorenzon & Elizabeth Hankla
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 404 MONTROSE AVE
Location: West side of Montrose Ave, 300 feet South East of Tredegar Ave.

Existing Zoning: DR 2 **Area:** 0.29 AC

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 1B02.3.C.1 To approve an addition on the left/south-facing side of the home that results in a total sum side yard width of 34.2 feet in lieu of the required 40 feet.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 04/13/2020

Miscellaneous Notes:



404 Montrose Av

Photos
x1

Kitchen addition

2020-0082-A



404 Montrose Ave.

Kitchen addition

2020-0082-A



GIS ZONING
MAP
x1

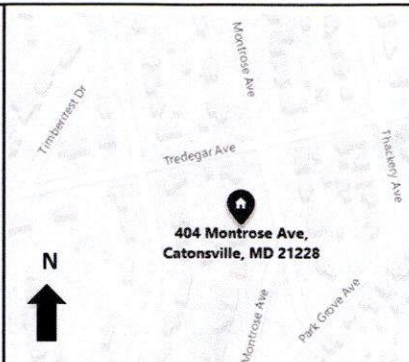
100C3
1F
PROPERTY
DESCRIPTION
x3

2020-0082-A

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUEST WITH X)
 ADDRESS 404 MONTROSE AVE., CATONSVILLE, 21228 OWNER(S) NAME(S) LORENZO & ELIZABETH HANKLA
 SUBDIVISION NAME OAK FOREST PARK LOT # 17 BLOCK # N/A SECTION # N/A
 PLAT BOOK # 0013 FOLIO # 0146 10 DIGIT TAX # 0116750270 DEED REF. # 37826 / 00152



PLAN DRAWN BY Lorenzo Hankla, MSME DATE 22 FEB 2020 SCALE: 1 INCH = 40 FEET



ZONING MAP# 0100 / 0018

SITE ZONED DR2

ELECTION DISTRICT 1st

COUNCIL DISTRICT 1st

LOT AREA ACREAGE 0.29 acre
 OR SQUARE FEET 12,835 sq ft

HISTORIC ? NO

IN CBCA ? NO

IN FLOOD PLAIN ? NO

UTILITIES ? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING ? NO

IF SO GIVE CASE NUMBER
 AND ORDER REQUEST BELOW

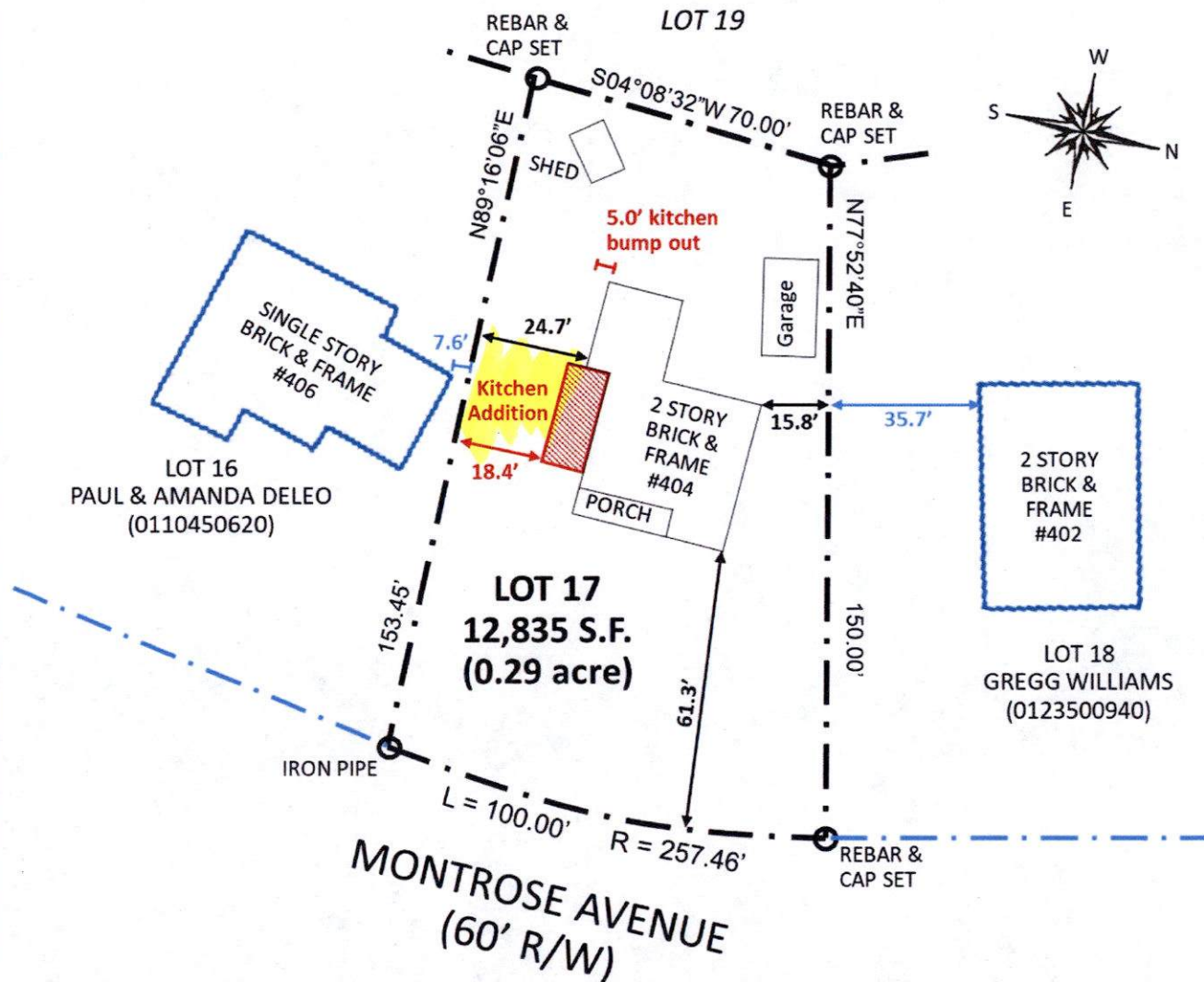
N/A

VIOLATION CASE INFO:

N/A

2020-0082-A

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUEST WITH X)
ADDRESS 404 MONTROSE AVE., CATONSVILLE, 21228 OWNER(S) NAME(S) LORENZO & ELIZABETH HANKLA
SUBDIVISION NAME OAK FOREST PARK LOT # 17 BLOCK # N/A SECTION # N/A
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PLAN DRAWN BY Lorenzo Hankla, MSME DATE 22 FEB 2020 SCALE: 1 INCH = 40 FEET

404 Montrose Ave,
Catonville, MD 21228

ZONING MAP# 0100 / 0018

SITE ZONED DR2

ELECTION DISTRICT 1st

COUNCIL DISTRICT 1st

LOT AREA ACREAGE 0.29 acre
OR SQUARE FEET 12,835 sq ft

HISTORIC ? NO

IN CBCA ? NO

IN FLOOD PLAIN ? NO

UTILITIES ? MARK WITH X
WATER IS:
PUBLIC X PRIVATE _____
SEWER IS:
PUBLIC X PRIVATE _____

PRIOR HEARING ? NO
IF SO GIVE CASE NUMBER
AND ORDER REQUEST BELOW
N/A

VIOLATION CASE INFO:
N/A

2026-0082-A
Pet. Sub. 1