

MEMORANDUM

DATE: December 31, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0142-X – Appeal Period Expired

The appeal period for the above-referenced cases expired on December 30, 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 SPECIAL EXCEPTION***

(813 Eastern Boulevard)

15th Election District

7th Council District

Nestor Peralta & Rosa Bravo

Legal Owners

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Petitioners

Case No. 2020-0142-X

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of a Petition for Special Exception filed on behalf of Nestor Peralta and Rose Bravo, legal owners (“Petitioners”). The Special Exception petition was filed to permit the use of the second floor for living quarters in a commercial building pursuant to Baltimore County Zoning Regulations (“BCZR”) § 230.3.

Due to the COVID-19 pandemic, a public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. A site plan was marked and accepted into evidence as Petitioners’ Exhibit 1. A ZAC comment was received from the Department of Plan (“DOP”) dated July 10, 2020, they did not oppose the requested relief, subject to proposed conditions, which will be incorporated into the Order.

Nestor Peralta and Rosa Bravo attended the hearing. Julie D. Tice, a licensed architect with the Eastend Design Group, assisted in the presentation of the case on behalf of the Petitioners. Ms. Tice prepared and sealed the site plan.

FINDINGS OF FACT

The site is approximately 7,500 sq. feet and zoned BLAS. It is in a commercial corridor on Eastern Boulevard in Essex. Ms. Tice explained that the structure on the site was originally a

ORDER RECEIVED FOR FILING

Date 11/30/20

By [Signature]

single family home but that it has been used for many years as commercial space, most recently as a hydroponic plant store. The DOP noted in their ZAC comments that the property is currently overgrown and not well kept. Further, on their site visit they observed two abandoned storage containers, one of which appeared to be occupied by a homeless person. The DOP does not object to the requested relief provided that several conditions are met concerning landscaping, parking and aesthetic improvements. Ms. Tice explained that the storage containers have already been removed and that the petitioners will satisfy all of the conditions recommended by the DOP.

SPECIAL EXCEPTION

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. *Schultz v. Pritts*, 291 Md. 1 (1981). The *Schultz* standard was revisited in *Attar v. DMS Tollgate, LLC*, 451 Md. 272 (2017), where the court of appeals discussed the nature of the evidentiary presumption in special exception cases. The court again emphasized a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use.

Based on the exhibits and testimony detailed above, I find that the special exception relief should be granted. Specifically, I find that the proposed expansion conforms to all the factors of BCZR § 502.1. In fact I find that the improvements the petitioners will make to the property will enhance it's appearance and functionality and thereby improve the appearance and utility of the neighborhood.

THEREFORE, IT IS ORDERED this **30th** day of **November 2020**, by this Administrative Law Judge, that the Petition for Special Exception seeking relief to use the second floor for a living

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Date 11/30/20

By D. Mignon

BALTIMORE COUNTY, MARYLAND

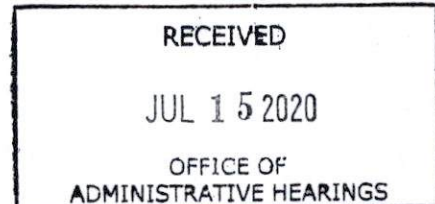
INTER-OFFICE MEMORANDUM

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

DATE: 7/10/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-142



INFORMATION:

Property Address: 813 Eastern Boulevard
Petitioner: Nestor Peralta, Rosa Bravo
Zoning: BL-AS
Requested Action: Special Exception

The Department of Planning has reviewed the petition for a Special Exception to use a second floor for a single dwelling unit over a commercial first floor and basement per § 230.3 of the Baltimore County Zoning Regulations (BCZR). The property is located on Eastern Boulevard in downtown Essex. It is within the Essex Commercial Revitalization District and Design Review Panel area and is in an area that is primarily zoned BL AS. The area adjacent to the rear of the property is zoned DR 5.5.

A site visit was conducted on 7/6/2020. There are no recent code complaints or violations. The last one was in 2017. The property is improved with a two-story structure that used to be Baltimore Hydroponics. Construction on this site has already begun, with the rear deck near completion and interior work ongoing. The existing front façade is unwelcoming, with old, worn out front awnings, and sparse looking windows. There is an unimproved driveway that leads to the rear of the property where there is a gravel and grass area where it appears cars have parked. As you move towards the back of the property, the yard is overgrown and not well-kept. At the rear of the property, there is a forested area where there are two large abandoned storage containers, one of which appears to be occupied by a homeless person. There is also an abandoned shed along the western property line. Given the overgrown nature of the property, the abandoned storage containers are largely hidden from the front of the property and Eastern Boulevard.

At the front of the building, the applicant is proposing a handicap ramp and new staircase leading to the front entrance. The applicant proposes a small vestibule that will have entrances to two office suites on either side. Each office suite will have a rear exit. In the rear, there is an existing door that will service the westernmost office suite and the applicant is proposing a second rear exterior door for the easternmost office suite. The applicant is building a deck with stairs off the second story rear that will serve as the primary entryway for the second story living unit. The living area will have two bedrooms and a combined kitchen and living area.

It appears as though at least one of the rear storage containers is occupied. The applicant should work with Baltimore County Department of Social Services to address this situation.

The Department of Planning has no objections to the variance request contingent on the following conditions being met:

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Date 11/30/20
By [Signature]

1. The applicant should submit a landscape plan that shows parking and a landscape buffers between the adjacent properties. It should also clearly show how the applicant intends to address landscape issues at the rear of the property.
2. The existing driveway should be repaved and the applicant should note the type of materials to be used for the parking lot in the rear. Any repaving should utilize a durable and dustless surface and shall be properly drained so as not to create any undesirable conditions, per § 409.8.A.2 or the zoning regulations.
3. Per § 409.8.A.6 of the zoning regulations, all parking spaces must be striped. Striping shall be maintained so as to remain visible.
4. § 230.1 of the zoning regulations does not include storage containers as a permitted use. The two abandoned storage containers at the rear of the property should be removed. The abandoned shed on the western property line should also be removed.
5. Consider removing or replacing front awnings to improve the appearance of the front façade overall.

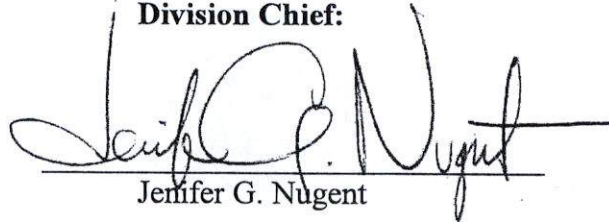
For further information concerning the matters stated herein, please contact Joseph Fraker at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jennifer G. Nugent

CPG/JGN/kma/

c: Joseph Fraker

James Hermann, R.L.A., Department of Permits, Approvals and Inspections

Julie D. Tice, A/A

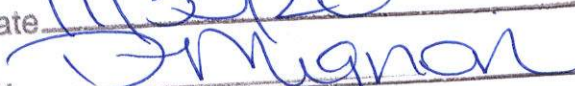
Office of the Administrative Hearings

People's Counsel for Baltimore County

ORDER RECEIVED FOR FILING

Date

By

11/30/20




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 813 EASTERN BLVD

which is presently zoned BLAS

Deed References: 42406/00262

10 Digit Tax Account # 1504350660

Property Owner(s) Printed Name(s) NESTOR PERALTA & ROSA BRAVO

(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

2. **X** a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
TO USE SECOND FLOOR FOR A SINGLE DWELLING UNIT OVER A COMMERCIAL FIRST FLOOR & BASEMENT

BCZR 230.3

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

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

THE EXISTING BUILDING WAS CONSTRUCTED AS A SINGLE-FAMILY RESIDENCE AND CONSTRUCTION TYPE MAKES USE OF THE UPPER FLOOR MOST SUITABLE FOR A RESIDENTIAL USE. THE PROPERTY DOES DIRECTLY ADJUT A DR5.5 ZONING DISTRICT AT THE REAR.

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):

Nestor Peralta

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

508 N Woodward St.

Essex

MD

Mailing Address

City

State

21221

443-948-4117

arcesio@gmail.com

Representative to be contacted:

Julie D. Tice, AIA

Name - Type or Print

Signature

1644 BELT STREET, BALTIMORE MD

Mailing Address

City

State

21230

443-904-3814

JULIEDTICE@EASTENDARCHITECTS.COM

Zip Code

Telephone #

Email Address

CASE NUMBER 2020-0142-X

Filing Date 6/19/20

Do Not Schedule Dates:

Reviewer JS

PART A:

ZONING PROPERTY DESCRIPTION FOR 813 EASTERN BOULEVARD

*Beginning at a point on the southeast side of Eastern Boulevard which is eighty (80) feet wide at the distance of 485 feet, west of the centerline of the nearest improved intersecting street S. Marlyn Avenue, which is forty (40) feet wide.

PART B

OPTION 1

Thence the following courses and distance: N 71 9' E 50', S 19 W 150', S 71 9' W 50', N 19 S 50', back to the point of beginning as recorded in Deed Liber 42406, Folio 00262, containing 7500 square feet. Located in the 15th Election District and 7th Council District.

ARCHITECT
License #13357



Julie Diane Tice
STATE OF MARYLAND

2020-0142-X

Donna Mignon

From: Marty Ogle <mert1114@aol.com>
Sent: Friday, November 20, 2020 2:57 PM
To: Donna Mignon
Subject: Posting

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

You may still receive my emails 3 maybe. Having trouble all day, have a good weekend.

CERTIFICATE OF POSTING

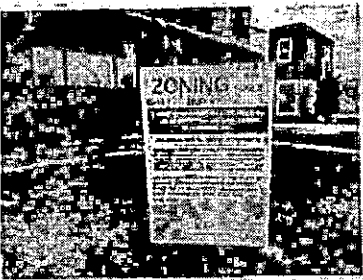
CASE NO. 2020-0142-X
PETITIONER/DEVELOPER
Julie Tice

DATE OF HEARING/CLOSING
November 23, 2020

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION:
LADIES AND GENTLEMEN:
THIS LETTER IS TO CERTIFY, UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT:
813 Eastern Avenue SIGN 2

THE SIGN(S) POSTED ON November 3, 2020 - November 19, 2020
(MONTH, DAY, YEAR)

SINCERLEY,
MARTIN OGLE
MARTIN OGLE
9912 MAIDBROOK RD.
PARKVILLE, MD 21234
443-629-9411



CERTIFICATE OF POSTING



CASE NO. 2020-0142-X

PETITIONER/DEVELOPER

Julie Tice

DATE OF HEARING/CLOSING

November 23, 2020

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

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THE PROPERTY LOCATED AT

818 Easton Avenue

SIGN 1

THE SIGN(S) POSTED ON November 3, 2020 November 19, 2020

(MONTH, DAY, YEAR)

SINCERELY,

MARTIN OGLE

MARTIN OGLE

9912 MAIDBROOK RD.

PARKVILLE, MD 21234

443-629-3410



JOHN A. OLSZEWSKI, JR.
County Executive

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

October 27, 2020

NEW 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: 2020-0142-X

813 Eastern Avenue

South east side of Eastern Blvd., west of South Marlyn Avenue

15th Election District – 7th Councilmanic District

Legal Owners: Nestor Peralta

Special Exception to use second floor for a single family dwelling unit over a commercial first floor and basement.

Hearing: Monday, November 23, 2020 at 10:00 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 cursive script, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Julie Tice, 1644 Belt Street, Baltimore 21230
Nestor Peralta, 508 N. Woodward Drive, Essex 21221

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, NOVEMBER 3, 2020

11-10-20
11 AM



JOHN A. OLSZEWSKI, JR.
County Executive

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

October 14, 2020

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813 Eastern Avenue

South east side of Eastern Blvd., west of South Marlyn Avenue

15th Election District – 7th Councilmanic District

Legal Owners: Nestor Peralta

DW

Special Exception to use second floor for a single family dwelling unit over a commercial first floor and basement.

Hearing: Tuesday, November 10, 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.

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Michael Mallinoff
Director

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C: Julie Tice, 1644 Belt Street, Baltimore 21230
Nestor Peralta, 508 N. Woodward Drive, Essex 21221

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., OCTOBER 21, 2020

The Daily Record

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

Order #: 11931580

Case #:

Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2020-0142-X

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:

11/3/2020



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County**NOTICE OF ZONING HEARING**

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Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

n3

CERTIFICATE OF POSTING

CASE NO. 2020-0142-X

PETITIONER/DEVELOPER

Julie Tice

DATE OF HEARING/CLOSING

November 23, 2020

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

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THE PROPERTY LOCATED AT

813 Eastern Avenue

SIGN 1

THE SIGN(S) POSTED ON November 3, 2020

(MONTH, DAY, YEAR)

SINCERLEY ,

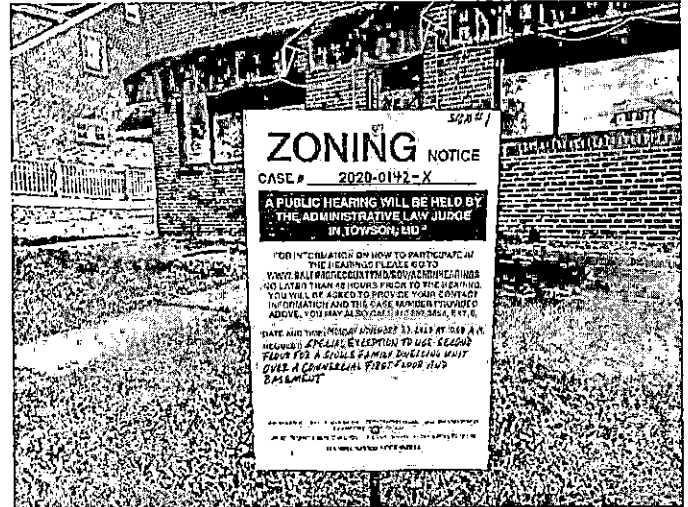
MARTIN OGLE

MARTIN OGLE

9912 MAIDBROOK RD.

PARKVILLE ,MD 21234

443-629-3411



CERTIFICATE OF POSTING

CASE NO. 2020-0142-X

PETITIONER/DEVELOPER

Julie Tice

DATE OF HEARING/CLOSING

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BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
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813 Eastern Avenue

SIGN 2

THE SIGN(S) POSTED ON November 3, 2020

(MONTH, DAY, YEAR)

SINCERLEY ,

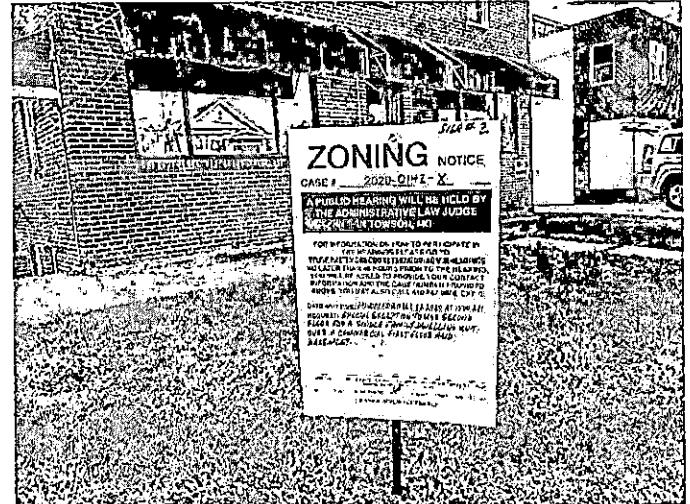
MARTIN OGLE

MARTIN OGLE

9912 MAIDBROOK RD.

PARKVILLE ,MD 21234

443-629-3411





JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
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October 27, 2020

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Michael Mallinoff
Director

MM:kl

C: Julie Tice, 1644 Belt Street, Baltimore 21230
Nestor Peralta, 508 N. Woodward Drive, Essex 21221

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, NOVEMBER 3, 2020

TO: THE DAILY RECORD
Tuesday, November 3, 2020 - Issue

Please forward billing to:

Julie Tice
Eastend Design Group
1644 Belt Street
Baltimore, MD 21230

443-904-3814

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

Kristen L Lewis

From: Miller, Darlene <dmiller@thedailyrecord.com>
Sent: Tuesday, October 20, 2020 12:45 PM
To: Kristen L Lewis
Subject: Case #2020-0142-X

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

Hi Kristen,

I had to cancel the publication for the above case. I spoke to him on Friday and I explained that it needed to be prepaid before it could run. He asked me to email him the invoice and he would call back and pay. I've emailed him yesterday and today and also tried calling him today, no response to any emails or the last phone message.

Thank you!

Darlene Miller

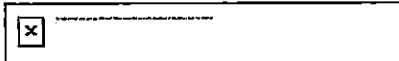
Public Notice Manager

The Daily Record • Baltimore, MD

O: 443-524-8188 • **F:** 410-558-6706

E: dmiller@thedailyrecord.com

200 St. Paul Place, Suite 2480, Baltimore, MD 21202



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JOHN A. OLSZEWSKI, JR.
County Executive

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

October 14, 2020

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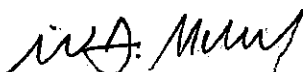
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Michael Mallinoff
Director

MM:kl

C: Julie Tice, 1644 Belt Street, Baltimore 21230
Nestor Peralta, 508 N. Woodward Drive, Essex 21221

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., OCTOBER 21, 2020

TO: THE DAILY RECORD
Wednesday, October 21, 2020 - Issue

Please forward billing to:
Nestor Peralta
508 N. Woodward
Essex, MD 21221

443-948-4117

NOTICE OF ZONING HEARING

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

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE OFFICE
813 Eastern Boulevard; SE/S of Eastern Blvd, *
485' W of S Marlyn * OF ADMINISTRATIVE
15th Election & 7th Councilmanic Districts *
Legal Owner(s): Nestor Peralta & Rosa Bravo * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2020-142-X

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of July, 2020, a copy of the foregoing Entry of Appearance was emailed to Julie D. Tice, AIA, 1644 Belt Street, Baltimore, Maryland 21230, juliedtice@eastenarchitects.com, 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: 2020-0142-X
Property Address: 813 Eastern Boulevard
Property Description: _____

Legal Owners (Petitioners): Nestor Peralta
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Julie D. Tice
Company/Firm (if applicable): Eastend Design Group
Address: 1644 Belt Street
Baltimore, MD 21230

Telephone Number: 443-904-3814

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: July 1, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0142-X
Address 813 Eastern Blvd.
(Peralta & Bravo Property)

Zoning Advisory Committee Meeting of **July 6, 2020.**

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

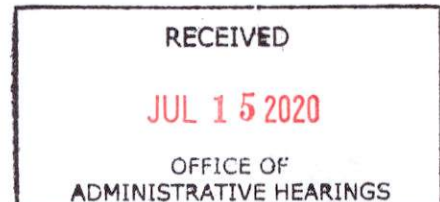
INTER-OFFICE MEMORANDUM

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

DATE: 7/10/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-142



INFORMATION:

Property Address: 813 Eastern Boulevard
Petitioner: Nestor Peralta, Rosa Bravo
Zoning: BL-AS
Requested Action: Special Exception

The Department of Planning has reviewed the petition for a Special Exception to use a second floor for a single dwelling unit over a commercial first floor and basement per § 230.3 of the Baltimore County Zoning Regulations (BCZR). The property is located on Eastern Boulevard in downtown Essex. It is within the Essex Commercial Revitalization District and Design Review Panel area and is in an area that is primarily zoned BL AS. The area adjacent to the rear of the property is zoned DR 5.5.

A site visit was conducted on 7/6/2020. There are no recent code complaints or violations. The last one was in 2017. The property is improved with a two-story structure that used to be Baltimore Hydroponics. Construction on this site has already begun, with the rear deck near completion and interior work ongoing. The existing front façade is unwelcoming, with old, worn out front awnings, and sparse looking windows. There is an unimproved driveway that leads to the rear of the property where there is a gravel and grass area where it appears cars have parked. As you move towards the back of the property, the yard is overgrown and not well-kept. At the rear of the property, there is a forested area where there are two large abandoned storage containers, one of which appears to be occupied by a homeless person. There is also an abandoned shed along the western property line. Given the overgrown nature of the property, the abandoned storage containers are largely hidden from the front of the property and Eastern Boulevard.

At the front of the building, the applicant is proposing a handicap ramp and new staircase leading to the front entrance. The applicant proposes a small vestibule that will have entrances to two office suites on either side. Each office suite will have a rear exit. In the rear, there is an existing door that will service the westernmost office suite and the applicant is proposing a second rear exterior door for the easternmost office suite. The applicant is building a deck with stairs off the second story rear that will serve as the primary entryway for the second story living unit. The living area will have two bedrooms and a combined kitchen and living area.

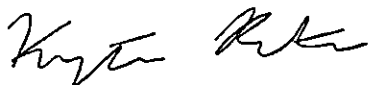
It appears as though at least one of the rear storage containers is occupied. The applicant should work with Baltimore County Department of Social Services to address this situation.

The Department of Planning has no objections to the variance request contingent on the following conditions being met:

1. The applicant should submit a landscape plan that shows parking and a landscape buffers between the adjacent properties. It should also clearly show how the applicant intends to address landscape issues at the rear of the property.
2. The existing driveway should be repaved and the applicant should note the type of materials to be used for the parking lot in the rear. Any repaving should utilize a durable and dustless surface and shall be properly drained so as not to create any undesirable conditions, per § 409.8.A.2 or the zoning regulations.
3. Per § 409.8.A.6 of the zoning regulations, all parking spaces must be striped. Striping shall be maintained so as to remain visible.
4. § 230.1 of the zoning regulations does not include storage containers as a permitted use. The two abandoned storage containers at the rear of the property should be removed. The abandoned shed on the western property line should also be removed.
5. Consider removing or replacing front awnings to improve the appearance of the front façade overall.

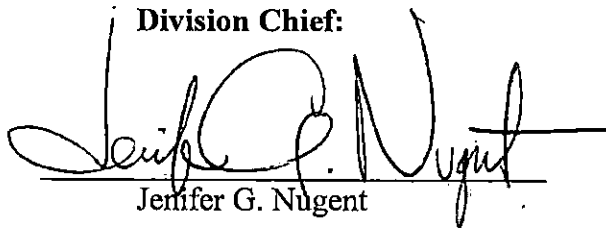
For further information concerning the matters stated herein, please contact Joseph Fraker at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jennifer G. Nugent

CPG/JGN/kma/

c: Joseph Fraker
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Julie D. Tice, A/A
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

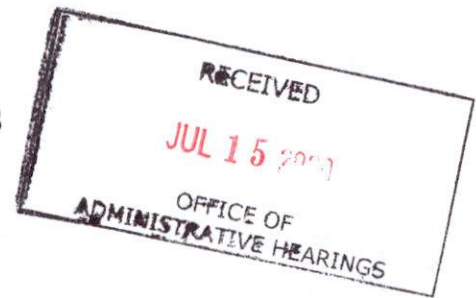
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DATE: 7/10/2020

FROM: C. Pete Gutwald
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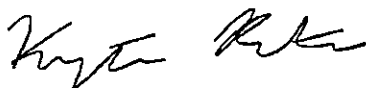
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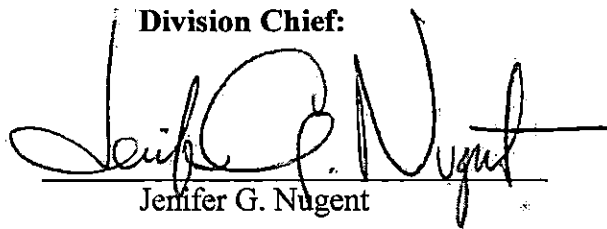
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Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

CPG/JGN/kma/

c: Joseph Fraker

James Hermann, R.L.A., Department of Permits, Approvals and Inspections

Julie D. Tice, A/A

Office of the Administrative Hearings

People's Counsel for Baltimore County

Date: 7/10/2020
Subject: ZAC # 20-142
Page 2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 7/10/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
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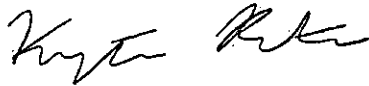
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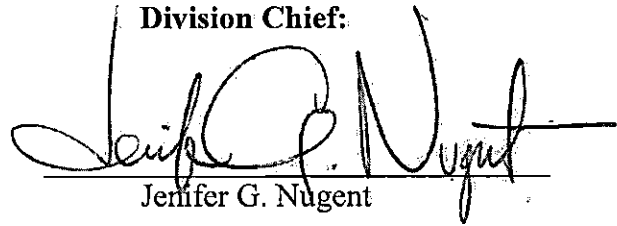
For further information concerning the matters stated herein, please contact Joseph Fraker at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

CPG/JGN/kma/

c: Joseph Fraker

James Hermann, R.L.A., Department of Permits, Approvals and Inspections

Julie D. Tice, A/A

Office of the Administrative Hearings

People's Counsel for Baltimore County

Date: 7/10/2020
Subject: ZAC # 20-142
Page 2

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: July 1, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0142-X
Address 813 Eastern Blvd.
(Peralta & Bravo Property)

Zoning Advisory Committee Meeting of **July 6, 2020.**

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

Reviewer: Steve Ford



Webex Events

[New User Reference](#)[\(https://help.webex.com/\)](https://help.webex.com/)[Attend an Event](#)[List of Events](#)[\(/ec3300/eventcenter/eventcenter.do?theAction=listevents_date8\)](/ec3300/eventcenter/eventcenter.do?theAction=listevents_date8)[Unlisted Events](#)[\(/ec3300/eventcenter/enroll.do?siteurl=baltimorecountymd\)](/ec3300/eventcenter/enroll.do?siteurl=baltimorecountymd)[Event Recordings](#)[\(/ec3300/eventcenter/recording.do?theAction=archive\)](/ec3300/eventcenter/recording.do?theAction=archive)[Search](#)[\(/ec3300/eventcenter/eventcenter.do?siteurl=baltimorecountymd\)](/ec3300/eventcenter/eventcenter.do?siteurl=baltimorecountymd)[Host an Event](#)[Schedule an Event](#)[\(/ec3300/eventcenter/schedule.do?actionType=schedule&serv\)](/ec3300/eventcenter/schedule.do?actionType=schedule&serv)

Event Deleted

You have successfully deleted the following event.

Event Information

Topic: Zoning Hearing - 813 Eastern Ave. - 0142-X

Host: Debra Wiley

Date and time: Tuesday, November 10, 2020 11:00 Eastern Standard Time (New York, U.S.)

Location: <https://baltimorecountymd.webex.com>

© 2020 Cisco and/or its affiliates. All rights reserved.

Debra Wiley

Subject: Event cancelled: Zoning Hearing - 813 Eastern Ave. - Case No. 2020-0142-X
Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e94177ec128c56e05e724daa0c10cf716>

Start: Tue 11/10/2020 11:00 AM
End: Tue 11/10/2020 12:00 PM
Show Time As: Free

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.

You canceled the following Webex event.

Host: Debra Wiley (dwiley@baltimorecountymd.gov)

Tuesday, November 10, 2020 11:00 am, Eastern Standard Time (New York, GMT-05:00)

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



JOHN A. OLSZEWSKI, JR.
County Executive

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

November 16, 2020

Julie D. Tice,
1644 Belt Street
Baltimore MD 21230

RE: Case Number: 2020-0142-X, 813 Eastern Blvd

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 June 19, 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

11/23
104m

Debra Wiley

From: juliedtice@eastendarchitects.com
Sent: Wednesday, November 18, 2020 12:46 PM
To: Administrative Hearings
Subject: RE: Case No: 2020-0142-X 813 Eastern Boulevard - Nestor Peralty & Rosa Bravo
Attachments: 813 eastern - county plat.pdf; 813 eastern - zoning property description.pdf; 813 eastern-FINAL.pdf; 813 EASTERN - EXHIBIT LIST.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

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

Exhibit list and Exhibits 1-3, the County map, architectural plans including site plan with adjacent property information, and the Zoning property description.

Please let me know if you have any comments or questions.

-Julie

Julie D. Tice, Principal
AIA, NCARB, LEED AP

Eastend Design Group

Architecture * Historic Preservation * Planning
1644 Belt Street, Baltimore, MD 21230
443.904.3814 P * 410.528.8034 F *
JulieDTice@EastendArchitects.com

From: Donna Mignon <dmignon@baltimorecountymd.gov>
Sent: Tuesday, November 17, 2020 8:02 AM
To: juliedtice@eastendarchitects.com
Subject: RE: Case No: 2020-0142-X 813 Eastern Boulevard - Nestor Peralty & Rosa Bravo

If your hearing is set for November 23, please make sure we have them by Thursday morning. Thank you.

From: juliedtice@eastendarchitects.com <juliedtice@eastendarchitects.com>
Sent: Monday, November 16, 2020 3:38 PM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No: 2020-0142-X 813 Eastern Boulevard - Nestor Peralty & Rosa Bravo

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

To confirm, they need to be received by Wednesday close of business so you have Thursday and Friday to process them?

Donna Mignon

From: Donna Mignon
Sent: Tuesday, November 17, 2020 12:13 PM
To: 'Marty Ogle'
Subject: Case No: 2020-0142-X 813 Eastern Boulevard

Hi Marty,
Please email the recertification posting in regard to the above.
Thank you so much. 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

Donna Mignon

From: Donna Mignon
Sent: Monday, November 16, 2020 2:26 PM
To: 'juliedtice@eastendarchitects.com'
Subject: Case No: 2020-0142-X 813 Eastern Boulevard - Nestor Peralty & Rosa Bravo

Good Afternoon:

As you are aware, a virtual webex hearing has been scheduled for November 23, 2020 at 10:00 a.m. . You should have received an invitation in an email around October 27, 2020, that invited you to this hearing.

Please note that all hearing exhibits—documents, site plans, photographs or evidence of any kind—must be submitted in PDF format at **least two business days** in advance of the hearing to the Office of Administrative Hearings at administrativehearings@baltimorecountymd.gov Exhibits must be separately numbered and submitted, an exhibit list with the Case Number, an exhibit number and a brief description for each exhibit.

If you have any questions or concerns, please feel free to contact our office.

Thank you so much

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

Debra Wiley

From: Debra Wiley
Sent: Tuesday, October 27, 2020 1:38 PM
To: Kristen L Lewis
Cc: Donna Mignon
Subject: Link - Case No. 2020-0142-X - November 23, 2020 - 813 Eastern Ave.

Event Information

Event: Zoning Hearing - 813 Eastern Ave. - Case No. 2020-0142-X - Nestor Peralta
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e750b;>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ef1d16>
Date and time: Monday, November 23, 2020 10:00 am
Eastern Standard Time (New York, GMT-05:00)
Duration: 1 hour
Description: Zoning Hearing
813 Eastern Avenue
Case No. 2020-0142-X
Nestor Peralta
Event number: 172 995 5323
Event password: 1234
Host key: 528124
Alternate Host: Donna Mignon, Henry Ayakwah
Panelist Info:
Panelist password:
Panelist numeric password: 663994
Video Address: 1729955323@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: 172 995 5323

Panelist List

Name	Email address	Phone number	Time Zone	Language	Locale
Donna Mignon (Alternate Host)	dmignon@baltimorecountymd.gov	1-	New York Time	English	U.S.
Henry Ayakwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
Julie D. Tice, AIA	juliedtice@eastendarchitects.com	1-	New York Time	English	U.S.
Nestor Peralta	arseciop@gmail.com	1-	New York Time	English	U.S.
Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.

Debra Wiley

Subject: Web seminar scheduled: Zoning Hearing - 813 Eastern Ave. - Case No. 2020-0142-X - Nestor Peralta
Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=eb8dcc23483cdb65d8a7c9ce7e4cde904>
Start: Mon 11/23/2020 10:00 AM
End: Mon 11/23/2020 11:00 AM
Show Time As: Tentative
Recurrence: (none)
Meeting Status: Not yet responded
Organizer: webex

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

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

Host: Debra Wiley (dwiley@baltimorecountymd.gov)

Event number (access code): 172 995 5323

Monday, November 23, 2020 10:00 am, Eastern Standard Time (New York, GMT-05:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=eb8dcc23483cdb65d8a7c9ce7e4cde904>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e27eb7fe0811e06fcb1e97012204>

Start event

Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1729955323@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 663994

If you are a host, click here to view host information:

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=ecd54192c668c15c8ef27070a6b3d4fd9>

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



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 813 EASTERN BLVD

which is presently zoned BLAS

Deed References: 42406/00262

10 Digit Tax Account # 1504350660

Property Owner(s) Printed Name(s) NESTOR PERALTA & ROSA BRAVO

(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

2. X a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
TO USE SECOND FLOOR FOR A SINGLE DWELLING UNIT OVER A COMMERCIAL FIRST FLOOR & BASEMENT

BLZR 230.3

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

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

THE EXISTING BUILDING WAS CONSTRUCTED AS A SINGLE-FAMILY RESIDENCE AND CONSTRUCTION TYPE MAKES USE OF THE UPPER FLOOR MOST SUITABLE FOR A RESIDENTIAL USE. THE PROPERTY DOES DIRECTLY ABUT A DR5.5 ZONING DISTRICT AT THE REAR.

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):

Nestor Peralta

Name #1 - Type or Print

Name #2 - Type or Print

Rosa Bravo

Signature #1

Signature #2

503 N Woodward St.

Essex

MD

Mailing Address

City

State

21221

Zip Code

443-948-4117

Telephone #

alicecp@gmail.com

Email Address

Representative to be contacted:

Julie D. Tice, AIA

Name - Type or Print

[Signature]

Signature

1644 BELT STREET, BALTIMORE MD

Mailing Address

City

State

21230

Zip Code

443-904-3814

Telephone #

JULIEDTICE@EASTENDARCHITECTS.COM

Email Address

CASE NUMBER 2020-0148-X

Filing Date 6/19/20

Do Not Schedule Dates:

Reviewer JS

Debra Wiley

From: Kristen L Lewis
Sent: Tuesday, October 27, 2020 12:55 PM
To: Donna Mignon; Debra Wiley
Subject: Webex
Attachments: 20201027124401676.pdf

Good afternoon,

Attached is the information needed to create a new webex link. Thank you,

Kristen Lewis
PAI – Zoning Review
410-887-3391

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 - 1504350660		
Owner Information		
Owner Name:	PERALTA NESTOR BRAVO ROSA ETAL	Use: COMMERCIAL Principal Residence: NO
Mailing Address:	508 N WOODWARD DR ESSEX MD 21221-	Deed Reference: /42406/ 00262
Location & Structure Information		
Premises Address:	813 EASTERN BLVD 0-0000	Legal Description: 813 EASTERN BLVD SES 641FT NE COR TAYLOR AVE
Map: 0097	Grid: 0003	Parcel: 0979
Neighborhood: 31503.04	Subdivision: 0000	Assessment Year: 2021
Block:	Lot:	Plat No: Plat Ref:
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
	1,960 SF	7,500 SF
Property Land Area	County Use	
	06	
Stories	Basement	Type
		OFFICE BUILDING
Exterior	Quality	Full/Half Bath
/	C3	
Garage	Last Notice of Major Improvements	
Value Information		
	Base Value	Value
		As of 01/01/2018
Land:	92,500	92,500
Improvements	92,000	92,000
Total:	184,500	184,500
Preferential Land:	0	
		Phase-in Assessments
		As of 07/01/2020
		As of 07/01/2021
Transfer Information		
Seller: BAY VANGUARD FEDERAL SAVINGS BANK	Date: 01/29/2020	Price: \$166,000
Type: NON-ARMS LENGTH OTHER	Deed1: /42406/ 00262	Deed2:
Seller: HOPKINS ROBERT F JR	Date: 04/12/2019	Price: \$235,266
Type: NON-ARMS LENGTH OTHER	Deed1: /41312/ 00103	Deed2:
Seller: HOPKINS ROBERT F, JR	Date: 01/03/2007	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /25005/ 00233	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2020
County:	000	0.00
State:	000	0.00
Municipal:	000	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:		



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 813 EASTERN BLVD

which is presently zoned BLAS

Deed References: 42406/00262

10 Digit Tax Account # 1504350660

Property Owner(s) Printed Name(s) NESTOR PERALTA & ROSA BRAVO

(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. ☐ 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

TO USE SECOND FLOOR FOR A SINGLE DWELLING UNIT OVER A COMMERCIAL FIRST FLOOR & BASEMENT

BCCR 230.3

3. ☐ a Variance from Section(s)

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

THE EXISTING BUILDING WAS CONSTRUCTED AS A SINGLE-FAMILY RESIDENCE AND CONSTRUCTION TYPE MAKES USE OF THE UPPER FLOOR MOST SUITABLE FOR A RESIDENTIAL USE. THE PROPERTY DOES DIRECTLY ADJUT A DR5.5 ZONING DISTRICT AT THE REAR.

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):

Nestor Peralta

Name #1 - Type or Print

Name #2 - Type or Print

Nestor Peralta

Signature #1

Signature #2

503 N WILKINSON DR.

ESSEX

MD

Mailing Address

City

State

21221

443-948-4117

arcescp@gmail.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Julie D. Tice, AIA

Name- Type or Print

Julie D. Tice

Signature

1644 BELT STREET, BALTIMORE MD

Mailing Address

City

State

21230

443-904-3814

JULIEDTICE@EASTENDARCHITECTS.COM

Zip Code

Telephone #

Email Address

CASE NUMBER 2020-0148-X

Filing Date 6/19/20

Do Not Schedule Dates:

Reviewer JS

Debra Wiley

From: Debra Wiley
Sent: Thursday, October 15, 2020 11:45 AM
To: Kristen L Lewis
Cc: Donna Mignon
Subject: Link - 11/10 @ 11 AM - Case No. 2020-0142-X

Kristen,

I spoke to the representative Julie Tice and advised her that we are unable to decipher Mr. Peralta's email address. She is aware that I am not inviting him until she gets us a readable email for the Petitioner. Thanks.

Event Information

Event: Zoning Hearing - 813 Eastern Ave. - Case No. 2020-0142-X
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e1fa1f>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=edc348>
Date and time: Tuesday, November 10, 2020 11:00 am
Eastern Standard Time (New York, GMT-05:00)
Duration: 1 hour
Description: Zoning Hearing
813 Eastern Avenue
Case No. 2020-0142-X
Nestor Peralta
Event number: 172 648 4115
Event password: 1234
Host key: 626332
Alternate Host: Donna Mignon, Henry Ayakwah, Paul Mayhew
Panelist Info:
Panelist password:
Panelist numeric password: 910762
Video Address: 1726484115@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: 172 648 4115

Edit Panelist Invitation List

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

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

Panelists to Invite

	Name	Email address	Phone number	Language	Time Zone	Locale
☐	<u>Donna Mignon</u> (Alternate Host)	dmignon@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>Henry Ayakwah</u> (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>Paul Mayhew</u> (Alternate Host)	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>Julie D. Tice, AIA</u>	juliedtice@eastendarchitects.com	1-	English	New York Time	U.S.

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

New Panelist

Full name: (required)

Email address: (required)

Phone number:

Country/Region: Number (with area/city code):

Time Zone: New York (Eastern Daylight Time, GMT-04:00) ▼

Language: English ▼

Locale: U.S. ▼

☐ Add new panelist in my address book

☐ Invite as alternate host

[Add to Invitation List](#)

Debra Wiley

Subject: Web seminar scheduled: Zoning Hearing - 813 Eastern Ave. - Case No. 2020-0142-X
Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e94177ec128c56e05e724daa0c10cf716>
Start: Tue 11/10/2020 11:00 AM
End: Tue 11/10/2020 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: Debra Wiley (dwiley@baltimorecountymd.gov)
Event number (access code): 172 648 4115

Tuesday, November 10, 2020 11:00 am, Eastern Standard Time (New York, GMT-05:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e94177ec128c56e05e724daa0c10cf716>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e484a92e95d6215d12e3b56808d>



Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1726484115@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 910762

If you are a host, click here to view host information:

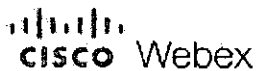
<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=e53e25f80805898372f7d7875efa6aa6f>

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

Debra Wiley

From: messenger@webex.com
Sent: Thursday, October 15, 2020 11:42 AM
To: Debra Wiley
Subject: Email delivery status for Web seminar: Zoning Hearing - 813 Eastern Ave. - Case No. 2020-0142-X

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.



Webex sent the email message "Invitation for Alternate Host" for your event.

Number of email addresses the message was sent to successfully: 3

Number of email addresses the message could not be sent to: 0

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

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Debra Wiley

From: messenger@webex.com
Sent: Thursday, October 15, 2020 11:42 AM
To: Debra Wiley
Subject: Email delivery status for Web seminar: Zoning Hearing - 813 Eastern Ave. - Case No. 2020-0142-X

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.



Webex sent the email message "Panelist Invitation" for your event.

Number of email addresses the message was sent to successfully: 1

Number of email addresses the message could not be sent to: 0

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

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Debra Wiley

From: Kristen L Lewis
Sent: Thursday, October 15, 2020 11:25 AM
To: Donna Mignon; Debra Wiley
Subject: Webex
Attachments: 20201015112228179.pdf

Good morning,

Here is the second one. Thank you,

Kristen Lewis
PAI – Zoning Review
410-887-3391

Debra Wiley

From: Google Calendar <calendar-notification@google.com> on behalf of eastendarchitects@gmail.com
Sent: Thursday, October 15, 2020 12:25 PM
To: Debra Wiley
Subject: Accepted: Zoning Hearing - 813 Eastern Ave. - Case No. 2020-0142-X @ Tue Nov 10, 2020 11am - 12pm (EST) (dwiley@baltimorecountymd.gov)
Attachments: invite.ics

CAUTION: This message from 3-HeIXxEJAA0rn56r0qn4puv6rp65tznvy.plz@calendar-server.bounces.google.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

eastendarchitects@gmail.com has accepted this invitation.

Zoning Hearing - 813 Eastern Ave. - Case No. 2020-0142-X

When Tue Nov 10, 2020 11am – 12pm Eastern Time - New York
Where <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e94177ec128c56e05e724daa1> (map)
Calendar dwiley@baltimorecountymd.gov
Who

- dwiley@baltimorecountymd.gov - organizer
- eastendarchitects@gmail.com - creator
- Julie D. Tice, AIA

Hello Julie D. Tice, AIA,

Debra Wiley invites you to be a panelist in a Web seminar.

Topic: Zoning Hearing - 813 Eastern Ave. - Case No. 2020-0142-X

Host: Debra Wiley

Tuesday, November 10, 2020 11:00 am, Eastern Standard Time (New York, GMT-05:00)

Event number: 172 648 4115

Panelist password: The Event has no Panelist Password

Video Address: 1726484115@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 910762

To join as a panelist

1. Go to <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e036f235065f506a86e7a4808a73f95>

2. Click "Join Now".

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

Event password: 1234

To join the event as an attendee

1. Go to <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ef7ee2fed5c1d782223eda988ac450>

2. Click "Join Now".

Join the audio conference only

US Toll: +1-415-655-0001

Global call-in numbers:

<https://baltimorecountymd.webex.com/baltimorecountymd/globalcallin.php?MTID=e4de878b6593cb602fa4af93d670d86e3>

Access code: 172 648 4115

For assistance

To contact your host, Debra Wiley, send a message to dwiley@baltimorecountymd.gov

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

<https://www.webex.com>

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

Invitation from [Google Calendar](#)

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

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

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

Debra Wiley

From: Debra Wiley
Sent: Thursday, October 15, 2020 1:33 PM
To: 'juliedtice@eastendarchitects.com'
Subject: RE: Nestor Peralta email for 813 Eastern

Ms. Tice,

Mr. Peralta will be sent an invitation today. Please ask him to accept the invite and the day of the hearing, he will receive a reminder notification.

Thank you.

From: juliedtice@eastendarchitects.com <juliedtice@eastendarchitects.com>
Sent: Thursday, October 15, 2020 1:22 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Nestor Peralta email for 813 Eastern

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

Mr. Peralta's email address is arseciop@gmail.com

Julie D. Tice, Principal
AIA, NCARB, LEED AP

Eastend Design Group
Architecture • Historic Preservation • Planning
1644 Belt Street, Baltimore, MD 21230
443.904.3814 P • 410.528.8034 F
JulieDTice@EastendArchitects.com

Panelist List

Name	Email address	Phone number	Time Zone	Language	Locale
Donna Mignon (Alternate Host)	dmignon@baltimorecountymd.gov	1-	New York Time	English	U.S.
Henry Ayakwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
Paul Mayhew (Alternate Host)	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.
Julie D. Tice, AIA	juliedtice@eastendarchitects.com	1-	New York Time	English	U.S.
✓ Nestor Peralta	arseciop@gmail.com	1-	New York Time	English	U.S.

*Sent**10-15**@ 1:36pm.*

OK

ZAC AGENDA

Case Number: 2020-0142-X **Reviewer:** Jason Seidelman
Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: SPECIAL EXCEPTION
Legal Owner: Nestor Peralta & Rosa Bravo
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 813 EASTERN BLVD

Location: South East side if Eastern BLVD (80'), 485' West of South Marlyn (40').

Existing Zoning: BL **Area:** 7,500 SQ FT

Proposed Zoning:

SPECIAL EXCEPTION:

To use second floor for a single living quarters in a commercial building first floor & basement BCZR 230.3.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Case Number: 2020-0143-A **Reviewer:** Rosalie Johnson
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Mark & Heather Kendal
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 14 **Council Dist:** 6

Property Address: 5721 MCCORMICK AVE

Location: South of Hazelwood Ave on East side of McCormick Ave.

Existing Zoning: DR 5.5 **Area:** 16,059 SQ FT

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

Section 1B02.3.B To permit a garage addition to the principle structure that will have a rear setback of 18 feet in lieu of the required 30 feet rear setback.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 07/13/2020

Miscellaneous Notes:



APPLICATION FOR BUILDING PERMIT

INSTRUCTIONS: Complete each of the open fields on the form and either bring it to an Engineering Assistant at the Department of Permits, Approvals and Inspections in Room 100, County Office Building, Towson, MD or email the form to paipermittapps@baltimorecountymd.gov prior to your visit so that it will be on file. Please include the full address of the property in the subject field for retrieval. Gray fields on the form are for office use only. Fields marked with an asterisk (*) are required. When you meet with an engineering assistant, they will indicate actions that you will need to take in order to have your building permit approved. Please refer to www.baltimorecountymd.gov/permitprocessing to ensure you bring the right documentation with you to expedite your application process. Do not use this form for fence, electric, or plumbing permits.

OFFICIAL USE ONLY

Date	
OEA	
Permit #	
Receipt #	
Control #	
XRef #	
Fee	
Total Paid	
Paid By	

TYPE OF IMPROVEMENT

- ☐ 1. New Construction
☐ 2. Addition
☐ 3. Alteration
☐ 4. Repair
☐ 5. Wrecking
☐ 6. Moving
☐ 7. Other

TYPE OF USE

Residential

- ☐ 01. One Family
☐ 02. Two Family
☐ 03. Three and Four Families
☐ 04. Five or More Families
Number of Units: _____
☐ 05. Swimming Pool
☐ 06. Garage
☐ 07. Other: _____

Non-Residential

- ☐ 08. Amusement, Recreation, Place of Assembly
☐ 09. Church, Other Religious Building
☐ 11. Industrial, Storage Building
☐ 12. Parking Garage
☐ 13. Service Station, Repair Garage
☐ 14. Hospital, Institutional, Nursing Home
☐ 15. Office, Bank, Professional
☐ 16. Public Utility
☐ 17. School, College, Other Educational
☐ 19. Store
☐ Mercantile
☐ Restaurant
Type: _____
☐ 20. Swimming Pool
Type: _____
☐ 21. Tank, Tower
☐ 22. Transient Hotel, Motel
Units: _____
☐ 23. Other: _____

PROPERTY INFORMATION

*Property Address	813 EASTERN BLVD		
Suite/Space/Floor			
Subdivision			
*Tax Account Number	1504350660		
District	15	Precinct	

OWNER INFORMATION

*First and Last Name	Nestor Peralta ET AL		
Corporation Name			
*Address	813 Eastern Blvd		
*City, State, Zip	Essex, MD 21221		
*Phone	443 839 3288		

APPLICANT INFORMATION

*First and Last Name	JULIE TICE		
Company	EASTEND DESIGN GROUP		
*Address	1644 Belt Street		
*City, State, Zip	Baltimore, MD 21230		
*Phone	443 904 3814	Email	JulieDTice@EastendArchitects.com
MHIC#		MHBR#	
*Business/Tenant Name	—		
Contractor			
*Engineer/Architect	JULIE D. TICE		
Seller			

I have carefully read this application, know the same is correct and true and that in doing this work all provisions of the Baltimore County Code and appropriate state regulations will be complied with whether herein specified or not, and will request all required inspections.

*Applicant Signature

Original Signature Required

PLANS

				DRC #:		Class:	
CONST:		PLOT:		PLAT:		DATA:	
				EL:		PL:	

Historic District/Building Yes ☐ No ☐ Will this building have sprinklers? Yes ☐ No ☐

Is this property located in a floodplain? Yes ☐ No ☐

FOUNDATION TYPE

- ☐
1. Slab
- ☐
2. Block
- ☐
3. Concrete

BASEMENT

- ☐
1. Full
- ☐
2. Partial
- ☐
3. None

TYPE OF CONSTRUCTION

- ☐
1. Masonry
-
- ☐
2. Wood Frame
-
- ☐
3. Structure Steel
-
- ☐
4. Reinforced Concrete

TYPE OF HEATING FUEL

- ☐
1. Gas
-
- ☐
2. Oil
-
- ☐
3. Electricity
-
- ☐
4. Geothermal

CENTRAL AIR

- ☐
1. Yes
- ☐
2. No

TYPE OF SEWAGE DISPOSAL

- ☐
1. Public Sewer
-
- Exists Proposed
-
- ☐
2. Private System
-
- Septic Privy
-
- Exists Proposed

TYPE OF WATER SUPPLY

- ☐
1. Public System
-
- Exists Proposed
-
- ☐
2. Private System
-
- Exists Proposed

ESTIMATED COSTS

Material/Labor: _____

OWNERSHIP

- ☐
1. Private
- ☐
3. Sale
-
- ☐
2. Public
- ☐
4. Rental

RESIDENTIAL CATEGORY

- ☐
1. Detached
-
- ☐
2. Semi-Detached
-
- ☐
3. Group
-
- ☐
4. Townhouse
-
- ☐
5. Mid-Rise
-
- ☐
6. High-Rise

CORNER LOT

- ☐
1. Yes
- ☐
2. No

GARBAGE DISPOSAL

- ☐
1. Yes
- ☐
2. No

DESCRIBE PROPOSED WORK

INTERIOR ALTERATIONS FOR 1st FLOOR
 OFFICE USE & 2nd FLOOR DWELLING UNIT
 WITH EXTERIOR STAIR ACCESS & REAR 2nd FL
 DECK. DWELLING UNIT WILL BE SPRINKLERED.
 OCCUPANCY & USE OF 2nd FLOOR pending
 zoning special exception.

Proposed Use	OFFICE
Existing Use	OFFICE (1 st FLR) + 1 DU (2 nd FLR)

Efficiency #	1-Bedroom #	2-Bedroom #	3-Bedroom #	Total Bedrooms
		1		2
1-Family Bedroom #	Bathroom #	Kitchen #	Powder Rm #	Total Apt/Condos
	1	1		1

BUILDING SIZE	
Floor	1960
Width	35'
Depth	30'
Height	32'
Stories	2
Lot #s	979

LOT SIZE AND SETBACKS	
Size	7500 SF
Front Street	21' 70'
Side Street	—
Front Setback	27'
Side Setback	5' / 10'
Side St Setback	
Rear Setback	93'
Zoning	BLAS

Obtain approval signatures from each of the checked departments below:

Required	Approval Signatures	Date
☐ BLD INSP (Room G21)		
☐ BLD PLAN (Room 120)		
☐ FIRE (Room 120)		
☐ SEDI CTL (Room G21)		
☐ ZONING (Room 111)		
☐ PUB SERV (Room 119)		
☐ ENVRNMNT (Room 319)		
☐ PLANNING (Room 101 in the Jefferson Building)		
☐ PERMITS (Room 100)		
☐		

**Permits, Approvals & Inspections**111 W. Chesapeake Avenue
Towson, MD 21204Report Generated On:
6/16/2020**Permit Processing Commerical Permit & Development Report**

Page 1 of 1

Property Information

Tax Account Number: 1504350660

Election District: 15

Owner Name(s): PERALTA NESTOR and BRAVO ROSA ETAL

PDM #:

Address: 508 N WOODWARD DR
ESSEX, MD 21221

Zoning District(s): BL AS

Premise Address: 813 EASTERN BLVD

Elevation Range: 20ft - 20ft

Affected Overlays	Instructions: Begin review process with Zoning Review, Room 111.	New Com Bldg. Interior Alts. Add / Ext. Alts. Piers/Pilings Grading/SW Tanks Ret.Walls/Bulk Razing Chg. of Occup. Tower Antenna Signs Elect. & Plumb	Agency Acknowledgment Initial & Date
Contact Agency	Potential Overlay Issues Growth Tier 1: Served by public sewer and inside URDL		
Planning Jefferson Building Room 101 Phone: 410-887-3211	Commercial Design Review Areas - Essex Commercial Revitalization Districts - Essex	X X X X	X X
EPS-Dev. Coord. County Office Building Room 319 Phone: 410-887-3733	Chesapeake Bay Critical Area	X X X X X X	X
PAI-Sed. Control Insp. County Office Building Room G-21 Phone: 410-887-3226	Note: All Razing Permits must be sent to Sediment Control for review. Chesapeake Bay Critical Area	X X X X	
PAI-Public Services County Office Building Room 119 Phone: 410-887-3751	Note: All permits for Grading, New Buildings & Building Additions must be sent to Public Services.		
MD Aviation Administration Division of Airport Facilities Planning P.O. Box 8766 BWI Marshall Airport, MD 21240-0766 Phone: 410-859-7692 or 410-859-7070	Martin State Aiport Zoning Area	X X X X X X X X	X OK To File

BALTIMORE COUNTY
DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

PLAN REVIEW DATA SHEET

2015 International Building Code
BASIC DESIGN INFORMATION

Date _____ Permit No. _____

Building Address 813 Eastern Blvd

IBC Use Group(s) B+R-3 IBC Const Type 5B NFPA Occ Class Business + Residential

Sprinkler System- () Exists; ☒ Proposed; () Complete; ☒ Partial; () None

Design- ☒ NFPA 13; () NFPA 13R; () NFPA 13D

NOTE: NFPA 13-R limited to maximum 4 stories, including basement per Fire Code.

(Table 504.3 & 504.4) Allowable Building Height/Stories: 2 Stories 40 Feet

Table 506.2 Allowable Area Factor = 9000 sf

Actual Number of Height/Stories: 2 Stories 32 Feet

Total Building Area All Floors 1960 sf Area of Largest Floor 980 sf
May not exceed A_a

() Unlimited Area Building; ☒ Mixed Uses- ☒ separated () non-separated (Section 508)
(Section 507)

GENERAL BUILDING LIMITATIONS (Chapters 5 & 6)

Building Height, Number of Stories, and Building Area – Applied Independently (Section 503.1)
Based on Occupancy Classification

Allowable height in feet (Table 504.3) 40 ft

Allowable number of stories (Table 504.4) 2

Allowable area factor (Table 506.2) A_t 9000 sf

1 Story Single Occupancy (506.2.1)

$A_a = A_t + (NS \times I_f) =$ 9000 sf

1 Story Mixed Use Occupancy (506.2.2)

(For Each Use Group) = 9000 sf

Multi-story Single Occupancy (506.2.3)

$A_a = [A_t + (NS \times I_f)] \times S_a =$ _____ sf

Multi-story Mixed Occupancy (506.2.4)

$A_a = [A_t + (NS \times I_f)] =$ 9000 sf

Allowed total building area

Of all floors combined = A_a 9000 sf x 2 Stories = 18,000 sf

Maximum aggregate building area of 3 or more stories (NS) is A_a (3), Sprinklered A_a (4) Stories (Section 506.2). With no story > A_a (Section 506) - Exceptions)

(506.3.2) min. width frontage 20ft

Frontage (I_f)

(506.3) 30 0 0 0
North East South West

Total

Frontage (F) 30 ft Total Perimeter (P) 125 ft

Minimum width open space (W) = 30

Area increase (506.3.3) (I_f) = 0

$$(I_f) = 100 \left[\frac{F}{P} - 0.25 \right] \frac{W}{30}$$

Note: W/30
cannot exceed 1
(Exception)

DESIGN PROFESSIONAL (IBC SECTION 10 4)
ARCHITECT/ENGINEER CERTIFICATION

Date _____ Permit No. _____

Building Address 813 Eastern Blvd

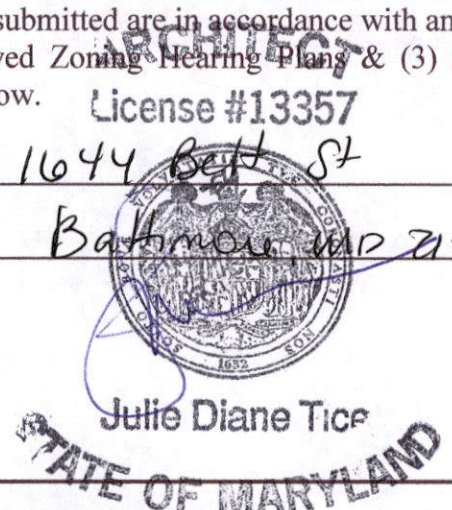
I hereby certify under the penalties of perjury and upon personal knowledge (1) that the construction plans and specifications for this permit application were prepared under my supervision and the information thereon complies with the provisions of the Baltimore County building and fire codes, (2) that the site and construction plans submitted are in accordance with any Final Development Plan for this site, as well as any approved Zoning Hearing Plans & (3) if checked, I agree to provide the construction services set out below.

Print Name Julie D. Tice Address 1644 Bell St

Signature [Signature] Address Baltimore MD 21230

Phone No. 443 904 3814

License Registration No. 13357 SEAL



PROFESSIONAL SERVICES DURING CONSTRUCTION

() I have been engaged to provide or cause to be provided necessary professional services during construction. In compliance with Chapter 17, Section 110.3.7 and 110.3.8 of the International Building Code, these services include:

1. Periodic observation of foundations and structural members, including reinforcing, concrete, and steel.
2. Review of testing agency reports on soil conditions, concrete strength, structural materials, and methods, etc.
3. Periodic observations of means of egress, stairs, exit doors, hardware, and corridor construction.
4. Periodic observation of the construction and materials of fire rated assemblies.
5. Seismic resistance when required by Section 1705.13 IBC.
6. **Compliance with International Energy Conservation Code.** Including commissioning and energy compliance certificates provided to building inspection.

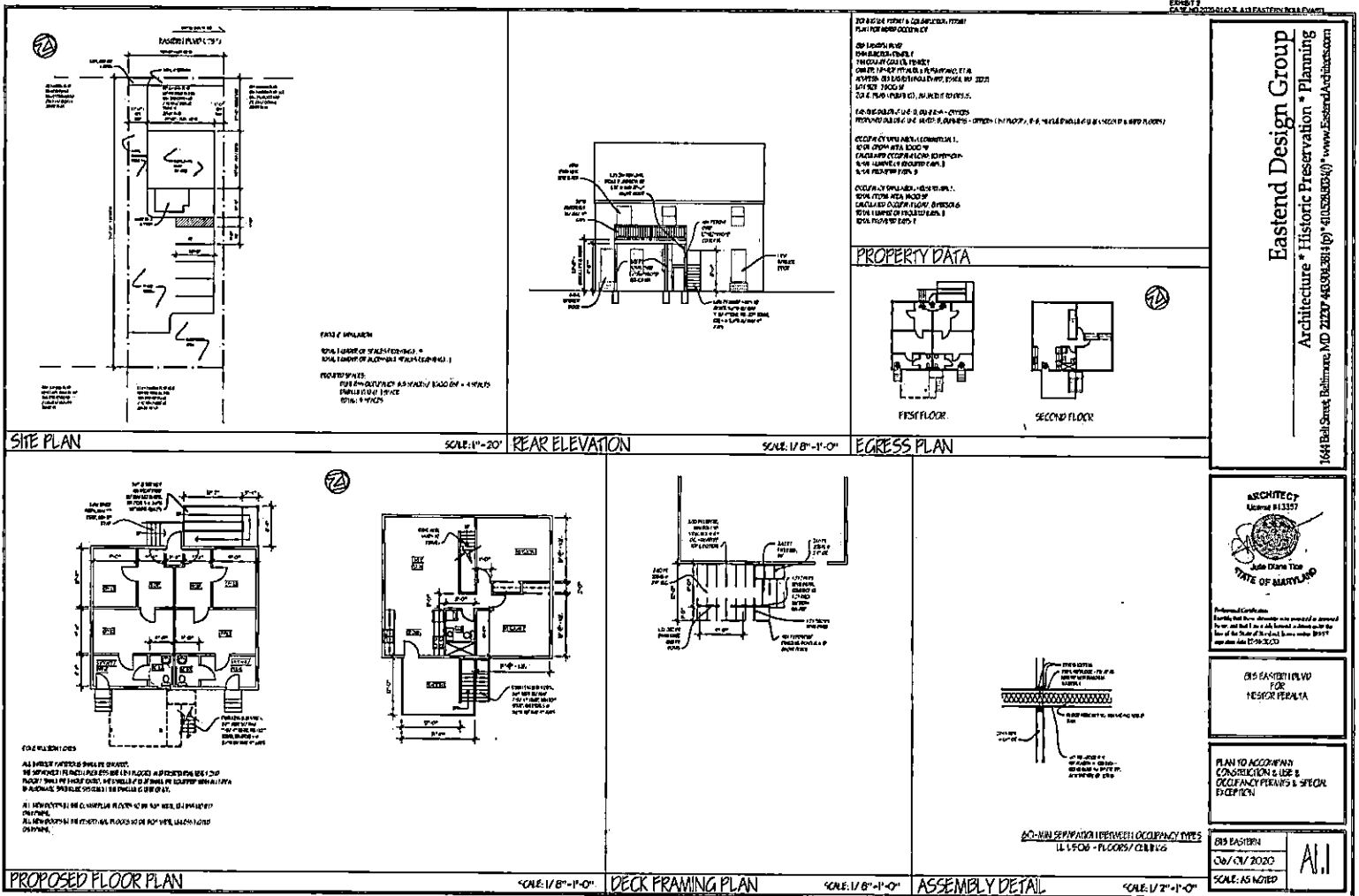
() I request that the requirement to provide professional services during construction be WAIVED. I agree to provide consultation when required if any unusual concerns arise during construction or when the county requests my opinion. Compliance with item 6 (**Energy**) is mandatory.

COUNTY USE ONLY – Professional Services Requirement Waived _____
(Signature of Reviewer)

BALTIMORE COUNTY DESIGN STANDARDS

(For complete county standards, see Baltimore County adopting legislation)

Wind Speed (Risk Categories 1&2)..... 3-second gust – 90 mph nominal (minimum design)
Minimum Roof Live Load.....30 psf
Ground Snow Load.....30 psf
Frost Depth.....30 inches
Seismic.....IBC Section 1613.3.2.1 (min. Site Class B)
IRC Seismic Design Category B





Legend

- House Numbers
- Property
- County Boundary

PART A:

ZONING PROPERTY DESCRIPTION FOR 813 EASTERN BOULEVARD

*Beginning at a point on the southeast side of Eastern Boulevard which is eighty (80) feet wide at the distance of 485 feet, west of the centerline of the nearest improved intersecting street S. Marlyn Avenue, which is forty (40) feet wide.

PART B

OPTION 1

Thence the following courses and distance: N 71 9' E 50', S 19 W 150', S 71 9' W 50', N 19 S 50', back to the point of beginning as recorded in Deed Liber 42406, Folio 00262, containing 7500 square feet. Located in the 15th Election District and 7th Council District.

Baltimore County - My Neighborhood

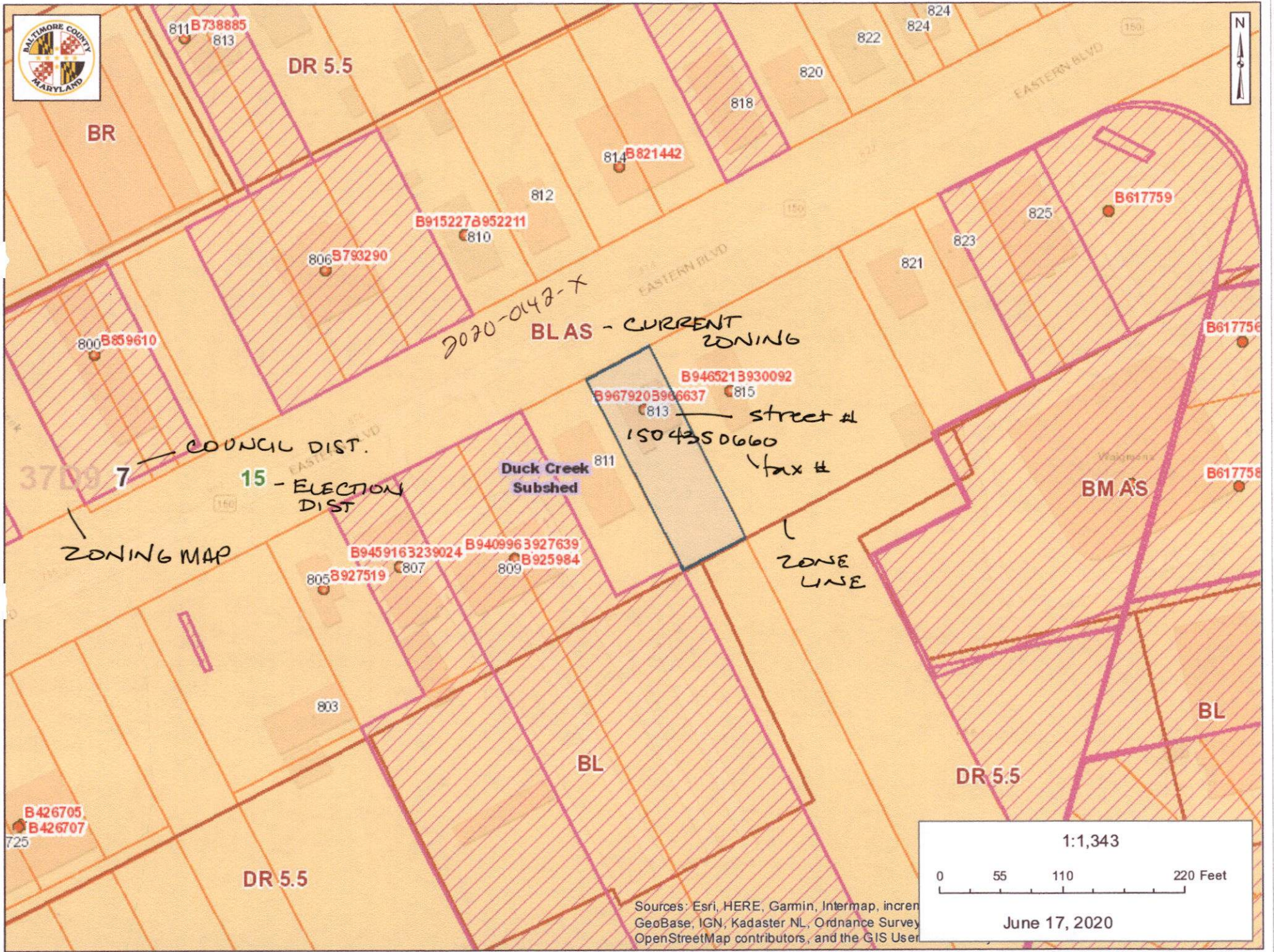


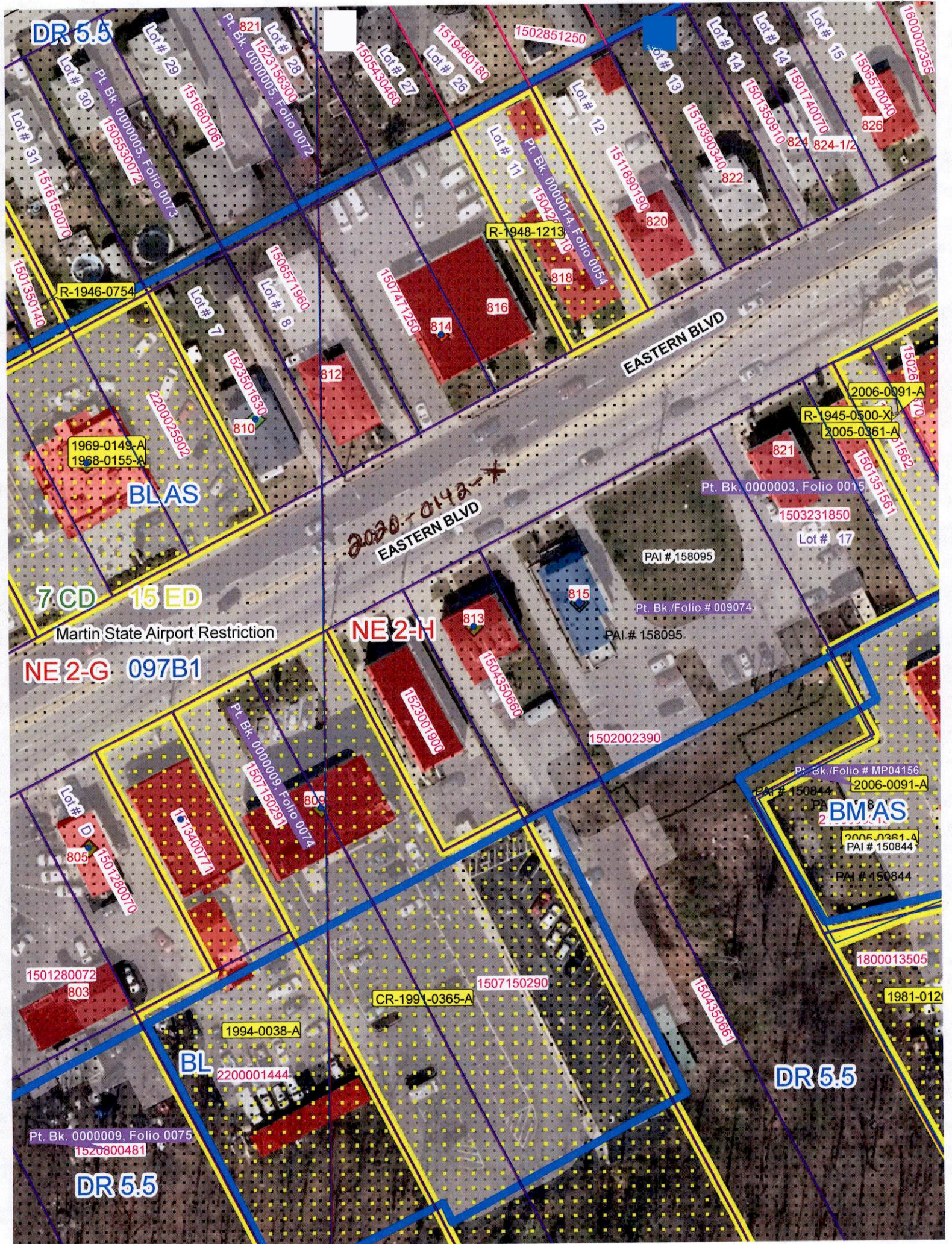
EXHIBIT LIST

EXHIBIT 1 – COUNTY PLAT MAP. SHOWS ADJACENT PROPERTIES WITH BUILDINGS AND ROADWAYS.

EXHIBIT 2 – ARCHITECTURAL DRAWINGS SHOWING PROPOSED CONSTRUCTION INCLUDING REQUESTED DWELLING UNIT ON UPPER FLOOR.

EXHIBIT 3 – ZONING PROPERTY DESCRIPTION

11/30/20
D. M. G. N. O. N.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 7/10/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-142

INFORMATION:

Property Address: 813 Eastern Boulevard
Petitioner: Nestor Peralta, Rosa Bravo
Zoning: BL-AS
Requested Action: Special Exception

The Department of Planning has reviewed the petition for a Special Exception to use a second floor for a single dwelling unit over a commercial first floor and basement per § 230.3 of the Baltimore County Zoning Regulations (BCZR). The property is located on Eastern Boulevard in downtown Essex. It is within the Essex Commercial Revitalization District and Design Review Panel area and is in an area that is primarily zoned BL AS. The area adjacent to the rear of the property is zoned DR 5.5.

A site visit was conducted on 7/6/2020. There are no recent code complaints or violations. The last one was in 2017. The property is improved with a two-story structure that used to be Baltimore Hydroponics. Construction on this site has already begun, with the rear deck near completion and interior work ongoing. The existing front façade is unwelcoming, with old, worn out front awnings, and sparse looking windows. There is an unimproved driveway that leads to the rear of the property where there is a gravel and grass area where it appears cars have parked. As you move towards the back of the property, the yard is overgrown and not well-kept. At the rear of the property, there is a forested area where there are two large abandoned storage containers, one of which appears to be occupied by a homeless person. There is also an abandoned shed along the western property line. Given the overgrown nature of the property, the abandoned storage containers are largely hidden from the front of the property and Eastern Boulevard.

At the front of the building, the applicant is proposing a handicap ramp and new staircase leading to the front entrance. The applicant proposes a small vestibule that will have entrances to two office suites on either side. Each office suite will have a rear exit. In the rear, there is an existing door that will service the westernmost office suite and the applicant is proposing a second rear exterior door for the easternmost office suite. The applicant is building a deck with stairs off the second story rear that will serve as the primary entryway for the second story living unit. The living area will have two bedrooms and a combined kitchen and living area.

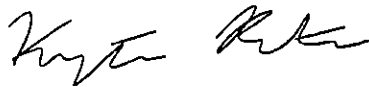
It appears as though at least one of the rear storage containers is occupied. The applicant should work with Baltimore County Department of Social Services to address this situation.

The Department of Planning has no objections to the variance request contingent on the following conditions being met:

1. The applicant should submit a landscape plan that shows parking and a landscape buffers between the adjacent properties. It should also clearly show how the applicant intends to address landscape issues at the rear of the property.
2. The existing driveway should be repaved and the applicant should note the type of materials to be used for the parking lot in the rear. Any repaving should utilize a durable and dustless surface and shall be properly drained so as not to create any undesirable conditions, per § 409.8.A.2 or the zoning regulations.
3. Per § 409.8.A.6 of the zoning regulations, all parking spaces must be striped. Striping shall be maintained so as to remain visible.
4. § 230.1 of the zoning regulations does not include storage containers as a permitted use. The two abandoned storage containers at the rear of the property should be removed. The abandoned shed on the western property line should also be removed.
5. Consider removing or replacing front awnings to improve the appearance of the front façade overall.

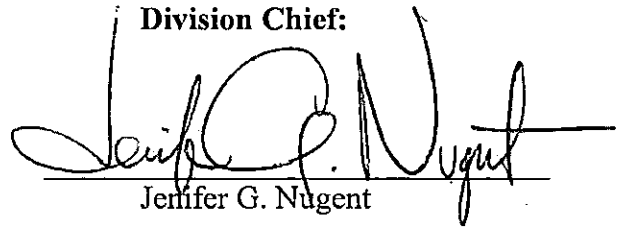
For further information concerning the matters stated herein, please contact Joseph Fraker at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:

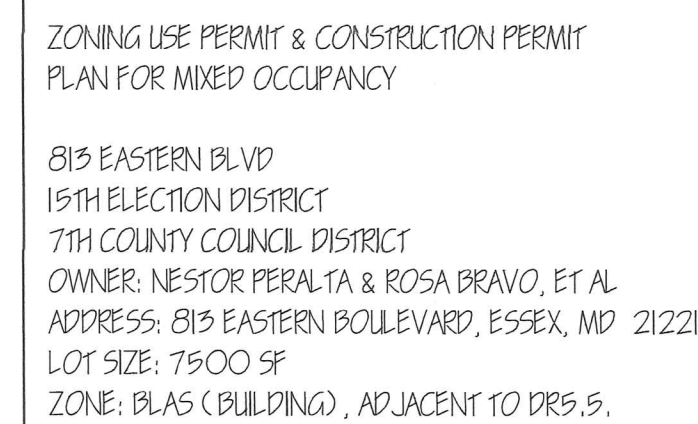
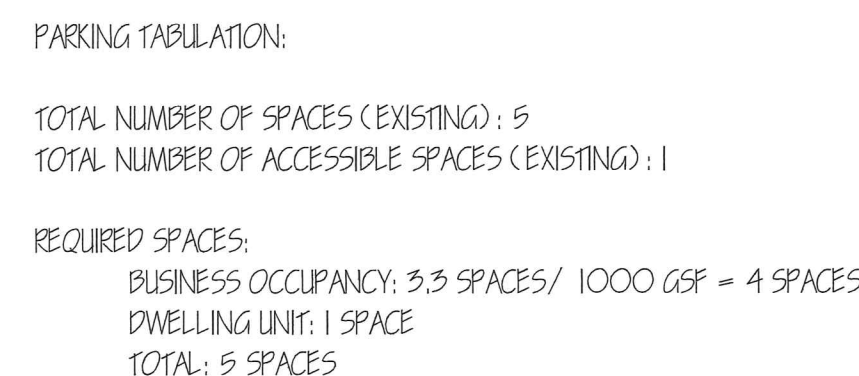


Jenifer G. Nugent

CPG/JGN/kma/

c: Joseph Fraker
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Julie D. Tice, A/A
Office of the Administrative Hearings
People's Counsel for Baltimore County

Date: 7/10/2020
Subject: ZAC # 20-142
Page 2

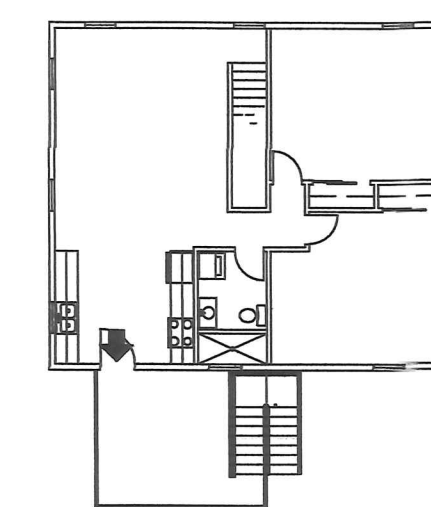


EXISTING BUILDING USE: B. BUSINESS - OFFICES
PROPOSED BUILDING USE: MIXED: B. BUSINESS - OFFICES (1ST FLOOR), R-3, SINGLE DWELLING UNIT (SECOND & THIRD FLOORS)

OCCUPANCY TABULATION (COMMERCIAL):
TOTAL GROSS AREA: 1000 SF
CALCULATED OCCUPANT LOAD: 10 PERSONS
TOTAL NUMBER OF REQUIRED EXITS: 1
TOTAL PROVIDED EXITS: 3

OCCUPANCY TABULATION (RESIDENTIAL):
TOTAL GROSS AREA: 1500 SF
CALCULATED OCCUPANT LOAD: 8 PERSONS
TOTAL NUMBER OF REQUIRED EXITS: 1
TOTAL PROVIDED EXITS: 1

PROPERTY DATA



FIRST FLOOR

SECOND FLOOR

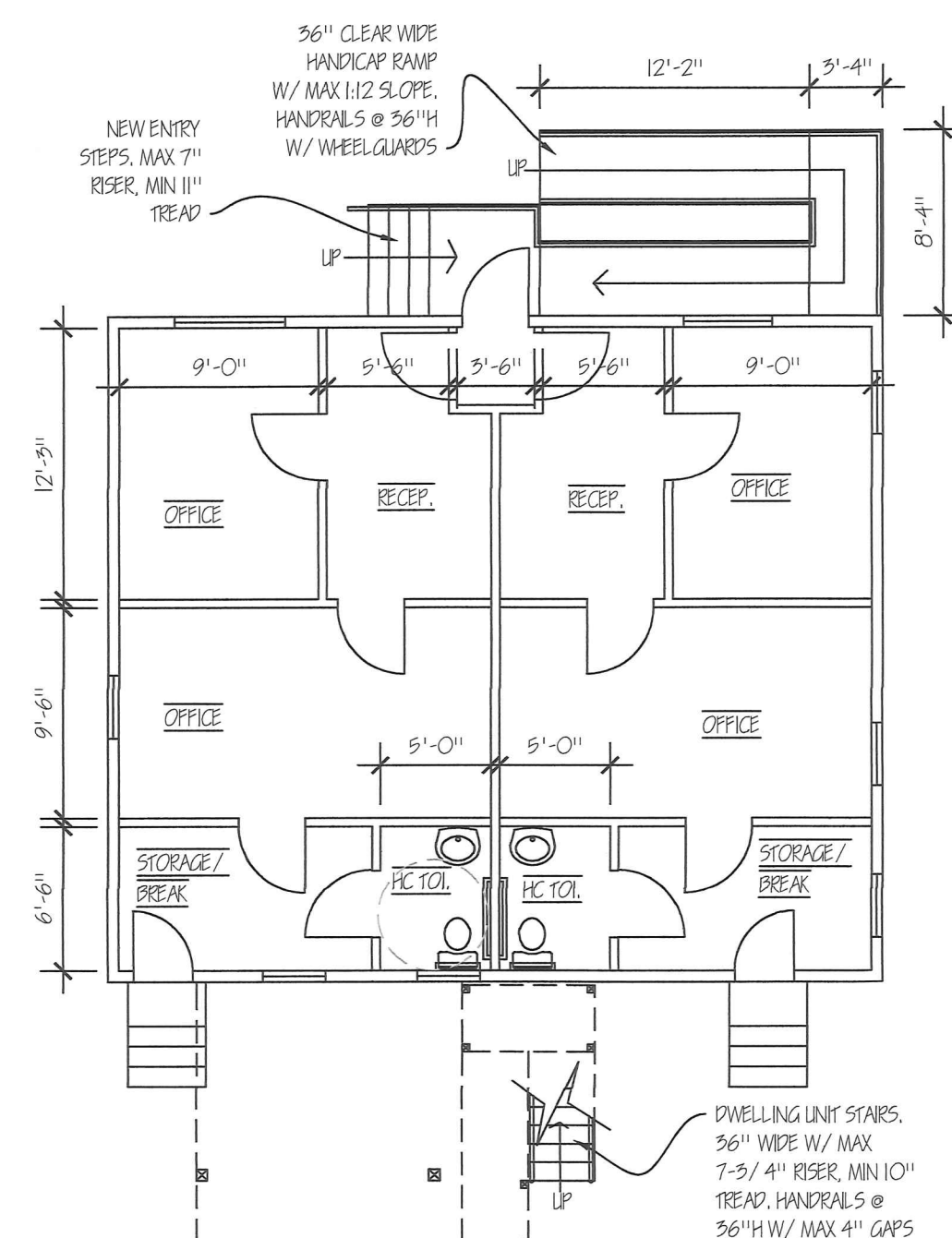
SITE PLAN

SCALE: 1" = 20'

REAR ELEVATION

SCALE: $1/8" = 1'-0"$

EGRESS PLAN

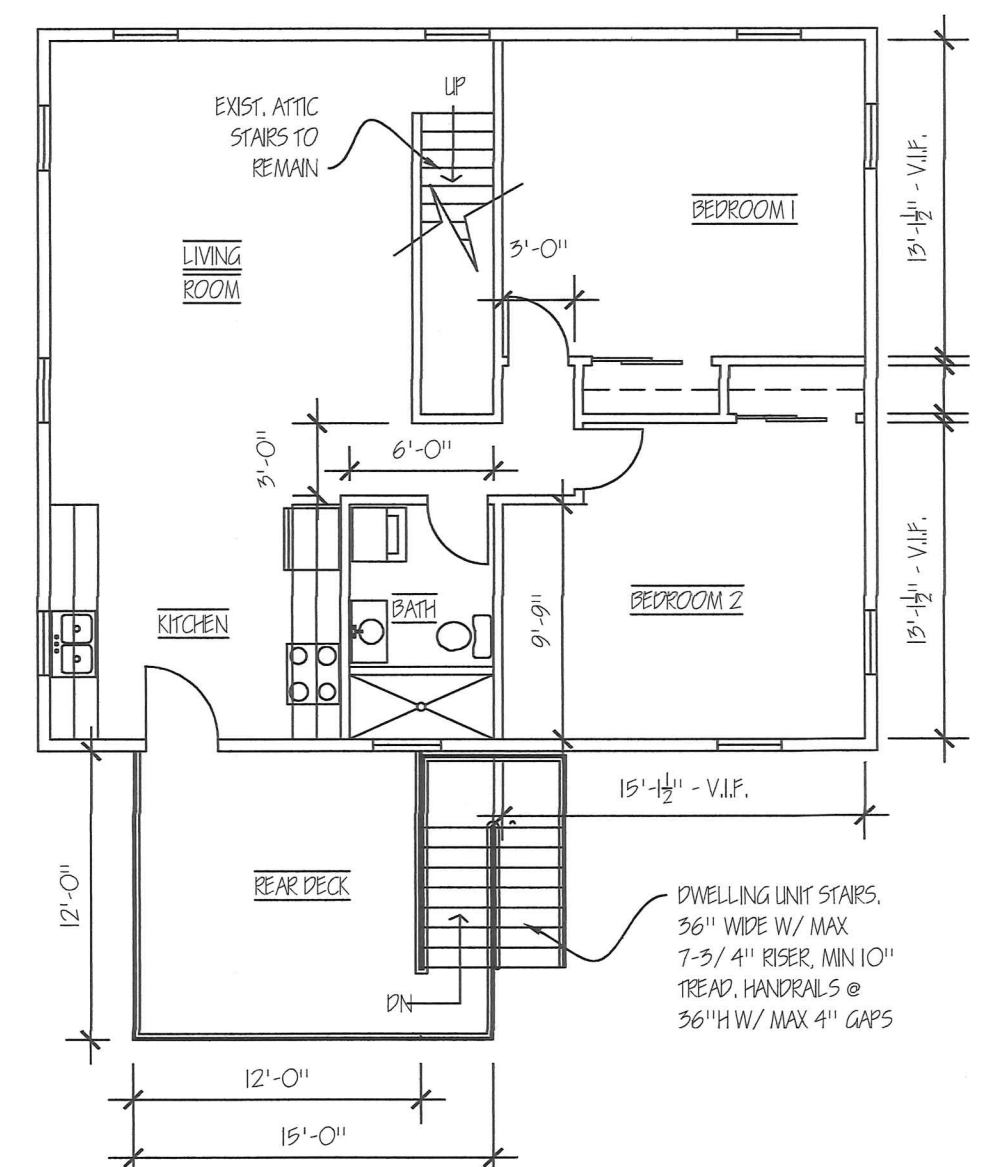


CONSTRUCTION NOTES:

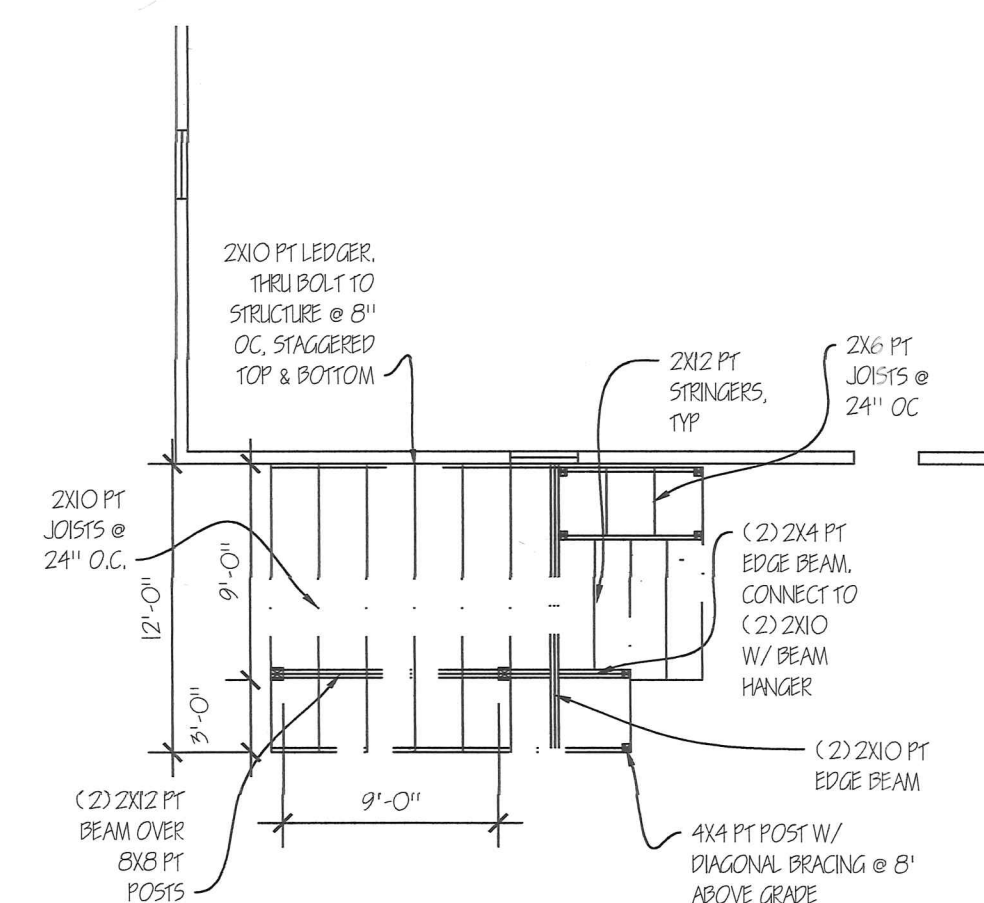
ALL INTERIOR PARTITIONS SHALL BE UNRATED.
THE SEPARATION BETWEEN BUSINESS USE (1ST FLOOR) AND RESIDENTIAL USE (2ND FLOOR) SHALL BE 1-HOUR RATED. THE DWELLING UNIT SHALL BE EQUIPPED WITH AN NFPA 13 AUTOMATIC SPRINKLER SYSTEM IN THE DWELLING UNIT ONLY.

ALL NEW DOORS IN THE COMMERCIAL FLOORS TO BE 36" WIDE, UNLESS NOTED OTHERWISE.

ALL NEW DOORS IN THE RESIDENTIAL FLOORS TO BE 30" WIDE, UNLESS NOTED OTHERWISE.

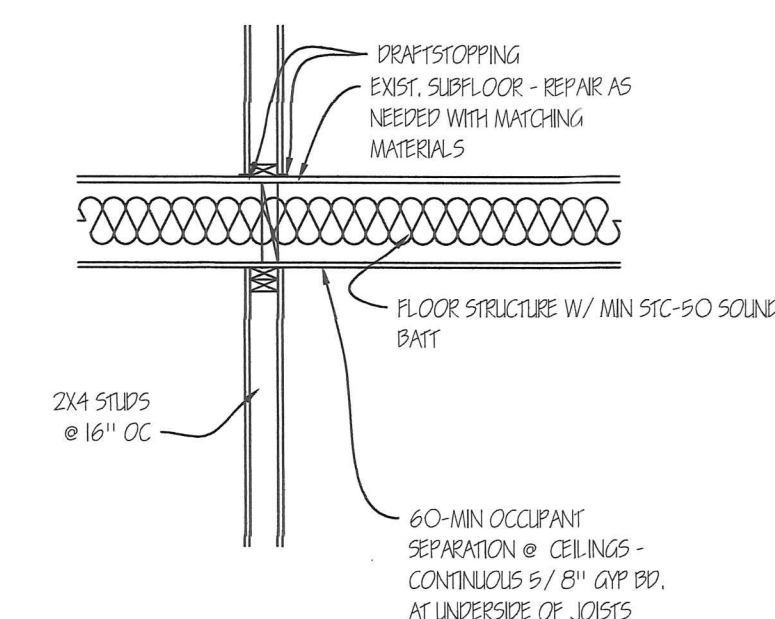


SCALE: 1/8" = 1'-0"



DECK FRAMING PLAN

SCALE: $1/8" = 1'-0"$



60-MIN SEPARATION BETWEEN OCCUPANCY TYPES
UL L506 - FLOORS/CEILINGS

ASSEMBLY DETAIL

SCALE: $1/2" = 1'-0"$

ARCHITECT
License #13357



Professional Certification:
I certify that these documents were prepared or approved
by me, and that I am a duly licensed architect under the
laws of the State of Maryland, license number 13357,
expiration date 12-31-2020

813 EASTERN BLVD
FOR
NESTOR PERALTA

2020-0142-X

PLAN TO ACCOMPANY
CONSTRUCTION & USE &
OCCUPANCY PERMITS & SPECIAL
EXCEPTION

813 EASTERN

06/01/2020

SCALE: AS NOTED

A.