

MEMORANDUM

DATE: 4/27/201
TO: ZONING REVIEW
FROM: Office of Administrative Hearings
RE: Case No. 2020-0170-A

The appeal period for the above-referenced cases expired on April 21, 2021. There being no appeal filed, the subject file is ready for return to Zoning Office and is placed in the 'pick up box.'

/dlm

c:  Case File
Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE

(7235 Bridge Wood Drive)

12th Election District

7th Council District

Jorge R. Barbecho

Legal Owner/Petitioner

*

*

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*

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BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS OF

BALTIMORE COUNTY

CASE NO. 2020-0170-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed by Jorge R. Barbecho (the "Petitioner") for property located at 7235 Bridge Wood Drive (the "Property"). The Petitioner is requesting variance relief from Baltimore County Zoning Regulations ("BCZR") §§400.1 and 400.2 to approve an accessory structure (shed) with a rear yard setback of 9 ft. from the center of the alley and (12 inches from the rear property line) in lieu of the required 15 ft. from the center line of the alley and a side yard setback 6 inches in lieu of the required 2 ½ ft.

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. The Petitioner appeared at the hearing along with an interpreter Maria Nolasco. Lynne M. Mithell, President of Eastwood Residents & Business Community Association of Baltimore County also appeared in opposition to present and assisted at the hearing. A site plan was marked and accepted into evidence as Petitioner's Exhibit 1.

Zoning Advisory Committee ("ZAC") comment was received from the Department of Planning ("DOP") and the Department of Environmental Protection and Sustainability ("DEPS") which agencies did not oppose the requested relief.

ORDER RECEIVED FOR FILING

Date

By

3/22/21
[Signature]

The Property is approximately 3,531 sq. ft. (33 ft. wide and 106 ft. long) and is zoned DR 10.5. It is the end unit townhome and includes a front, side and rear yard with access to a rear alley. It also has a small shed in the rear. It is part of the Eastwood community which consists of townhomes built in the mid-20th century. The Petitioner is a contractor/builder by trade. The Petition was filed as a result of a Code Violation complaint (CB 2000241) issued on May 19, 2020 for constructing a garage without a building permit. The garage is nearly completed and sits within inches of the rear fence.

The Eastwood Residents & Business Community Association of Baltimore County ("Eastwood Association") provided a written objection dated February 26, 2021. The Eastwood Community objection also provided a letter from Regional Pest Management Co which is under contract with Baltimore County to exterminate for rats in the Eastwood Community. Both the Eastwood Association and Regional Pest advocated that the illegal location of the garage prevents rat extermination and will be a "perfect breeding ground for rats." (Prot. Ex. 1). The garage is partially built on soil which allows rats to burrow underneath the garage making extermination more difficult. (*Id.*). Had the Petitioner obtained a building permit prior to construction, this issue, as well as the illegal location, would have been prevented.

A variance request involves a two-step process, summarized as follows:

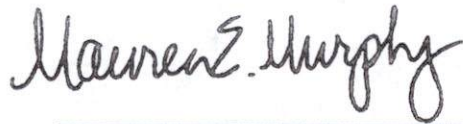
- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

The Property is not unique; it is a townhome on a rectangular lot the same as the other 23 townhomes on lots of the same size in the Eastwood Community. There was no evidence

presented of either uniqueness or practical difficulty. The Property was already improved with a shed. Additionally, granting a variance here would not be in harmony with the BCZR and would cause injury to the health, safety and general welfare of the Eastwood Community. Accordingly, the Petition for Variance will be denied.

THEREFORE, IT IS ORDERED, this **22nd** day of **March 2021**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to BCZR”) §§400.1 and 400.2 to approve an accessory structure (shed) with a rear yard setback of 9 ft. from the center of the alley and (12" from the rear property line) in lieu of the required 15 ft. from the center line of the alley and a side yard setback 6" in lieu of the required 2 ½ ft. is hereby **DENIED**.



MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM/dlm

ORDER RECEIVED FOR FILING
Date 3/22/21
By DMagnan



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 7235 Bridgewood Dr which is presently zoned DR10.5
Deed References: 40577 / 442 10 Digit Tax Account # 1 2 0 3 0 0 4 3 6 0
Property Owner(s) Printed Name(s) Jorge R. Barbecho

(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

3. ☒ a **Variance** from Section(s)

BZCR 400.1, 400.2 To approve an accessory structure (shed) with a rear yard setback of 9' from the center of the alley (12" from the rear property line) in lieu the required 15 ft from center line of alley and a side yard setback of 6" in lieu of the required 2 1/2' ft

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)

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):

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER 2020-0170-A Filing Date 7/17/2020

Do Not Schedule Dates:

Reviewer CF

ZONING PROPERTY DESCRIPTION FOR

3532 Bridge Wood Drive

Beginning at a point on the South side of 7235 Bridge Wood Dr. which is 35 feet wide at a distance of 162 feet North East of the centerline of the nearest improved intersecting street, Westham Way which is 35 feet wide.

2020-070-A

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

Order #: 11958747

Case #:

Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2020-0170-A

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

2/9/2021



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2020-0170-A

7235 Bridgewood Drive

South side of Bridgewood Drive 162 feet North East of Westham Way

12th Election District - 7th Councilmanic District

Legal Owners: Jorge Barbecho

Variance to approve an accessory structure (shed) with a rear yard setback of 9' from the center of the alley (12" from the rear property line) in lieu of the required 15 feet from the center line of the alley and a side yard setback 6" in lieu of the required 2 1/2' feet.

Hearing: Monday, March 1, 2021 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 410-88-73868, ext. 0.

Pete Gutwald

Director of Permits, Approvals and Inspections for Baltimore County

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 2/8/2021

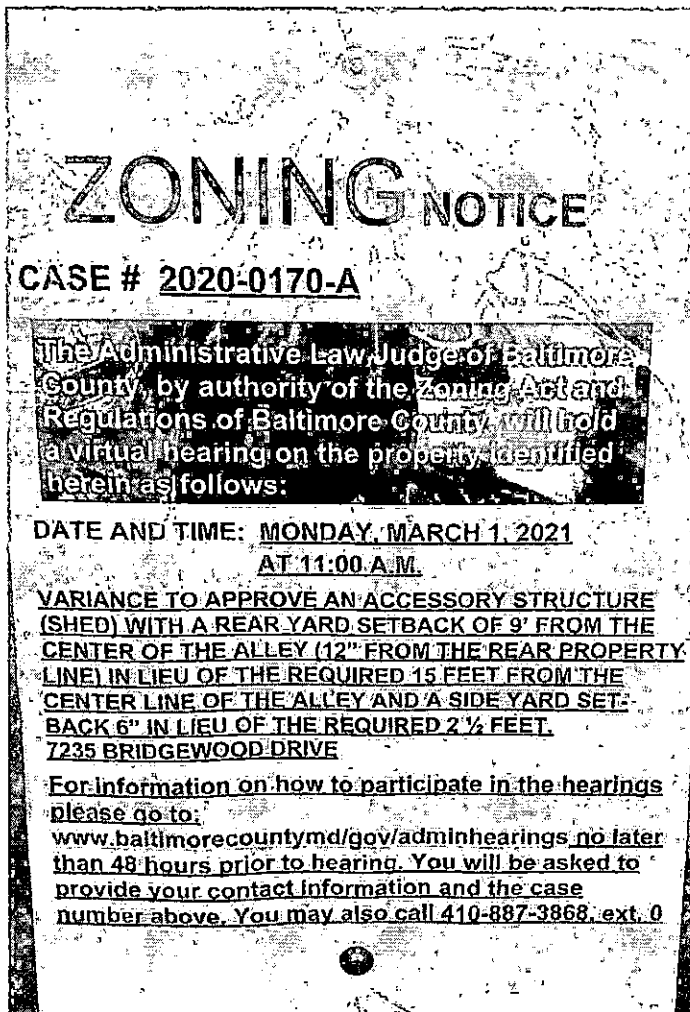
Case Number: 2020-0170-A

Petitioner / Developer: JORGE BARBECHO

Date of Hearing: MARCH 1, 2021

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:
7235 BRIDGEWOOD DRIVE

The sign(s) were posted on: FEBRUARY 8, 2021



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

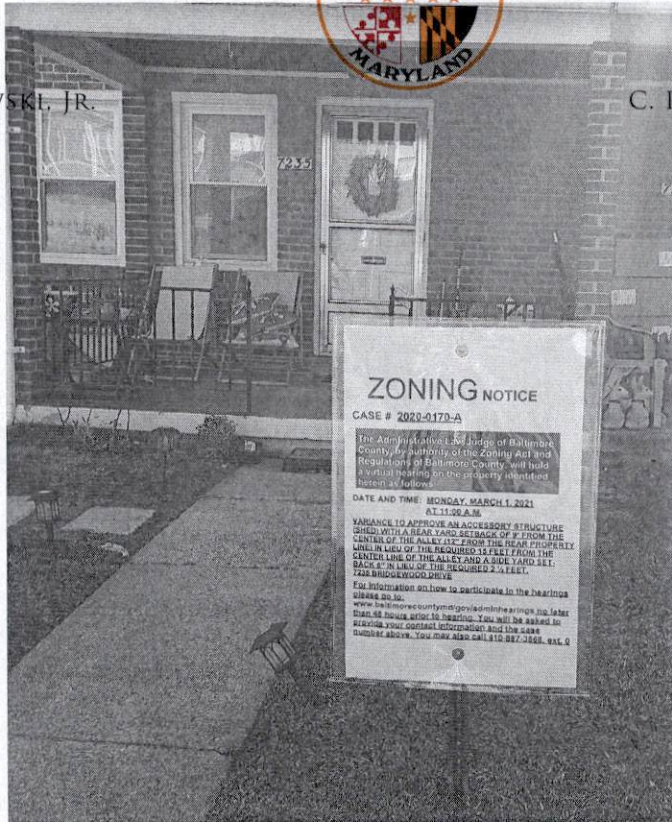
Hunt Valley, MD 21030
(City, State, Zip of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)



JOHN A. OLSZEWSKI, JR.
County Executive

C. PETE GUTWALD, AICP, Director
Department of Permits,
Approvals & Inspections



Background Photo 1st Sign @ 7235 Bridgewood Drive ~ 2/8/2021



Background Photo 2nd Sign @ 7235 Bridgewood Drive ~ 2/8/2021

CASE # 2020-0170-A

**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/neighbor 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: 2020-070-A
Property Address: 7235 Bridge Wood DR
Property Description: 1

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

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jorge R. Barbecho
Company/Firm (if applicable): _____
Address: 7235 BRide wood DR
Baltimore MD 21224
Telephone Number: 443-635-4107



JOHN A. OLSZEWSKI, JR.
County Executive

C. PETE GUTWALD, AICP, *Director*
Department of Permits,
Approvals & Inspections

February 23, 2021

Jorge R. Burbecho
7235 Bridgewood Drive
Baltimore MD 21224

RE: Case Number: 2020-0170-A, 7235 Bridge Wood Drive

Dear: William Howell

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspections (PAI) on July 17, 2020.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. As of this date, we have not received any comments from any of these agencies. You may verify any possible comments by contacting the agency directly at the numbers listed below:

Development Plans Review (Traffic)	410-887-3751
Fire Department	410-887-4880
State Highway Administration	410-545-5600
Office of Planning	410-887-3480
Department of Environmental Protection and Resource Management (DEPRM)	410-887-5859
Recreation and Parks	410-887-3824
Maryland Office of Planning - Chesapeake Bay Critical Area (CBCA)	410-767-4489
Department of Natural Resources - Floodplain	410-631-3914

If you need further information or have any questions, please do not hesitate to contact Zoning Review at 410-887-3391.

Very truly yours,
Jeffrey Perlow

Jeff Perlow
Acting Supervisor,
Department of Zoning Review

C: People's Counsel

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUL 31 2020

OFFICE OF
ADMINISTRATIVE HEARINGS

TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: July 31, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0170-A
Address 7235 Bridge Wood Drive
(Barbecho Property)

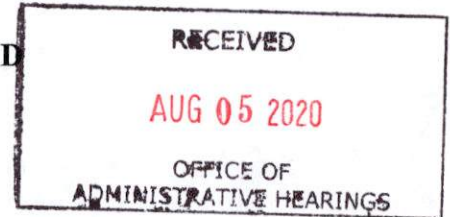
Zoning Advisory Committee Meeting of **August 3, 2020**.

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: July 31, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0170-A
Address 7235 Bridge Wood Drive
(Barbecho Property)

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

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 8/6/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-170



INFORMATION:

Property Address: 7235 Bridgewood Drive
Petitioner: Jorge R. Barbecho
Zoning: DR 10.5
Requested Action: Variance

The Department of Planning has reviewed the petition for a Variance from § 400.1 and 400.2 of the Baltimore County Zoning Regulations (BCZR) to approve an accessory structure (shed) with a rear yard setback of 9 feet from the center of the alley (12" from the rear property line) in lieu of the required 15 feet, and a side yard setback of 6 inches in lieu of the required 2.5 feet.

The property is located in the Eastwood community, which consists of single-family attached townhomes built in the mid-20th century. The area is primarily zoned DR 10.5. The property is an end unit townhome and includes a front, side and rear yard with access to a rear alleyway.

A site visit was conducted on 7/29/2020. The garage is currently under construction and is nearing completion. A code complaint was filed (CB2000241) on 5/19/2020 for constructing a garage without permits. A correction notice was issued on 5/21/2020. These types of structure are not uncommon in this neighborhood.

The Department of Planning does not object to the request for variance, so long as a high quality material compatible with the dwelling is used on the shed façade.

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

Date: 8/6/2020
Subject: ZAC # 20-170
Page 2

CPG/JGN/kma/

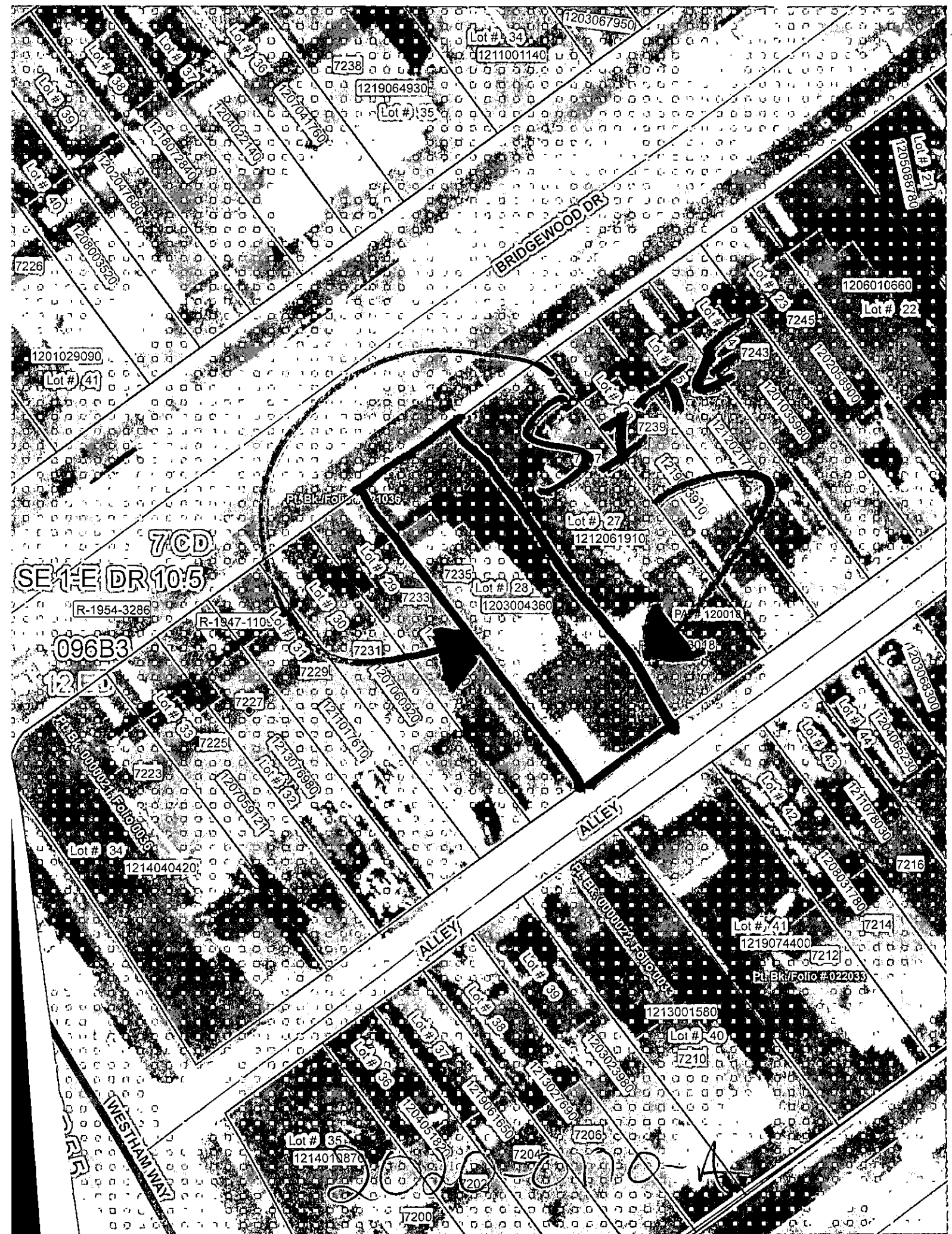
c: Joseph Fraker
Jorge R. Barbecho
Office of the Administrative Hearings
People's Counsel for Baltimore County

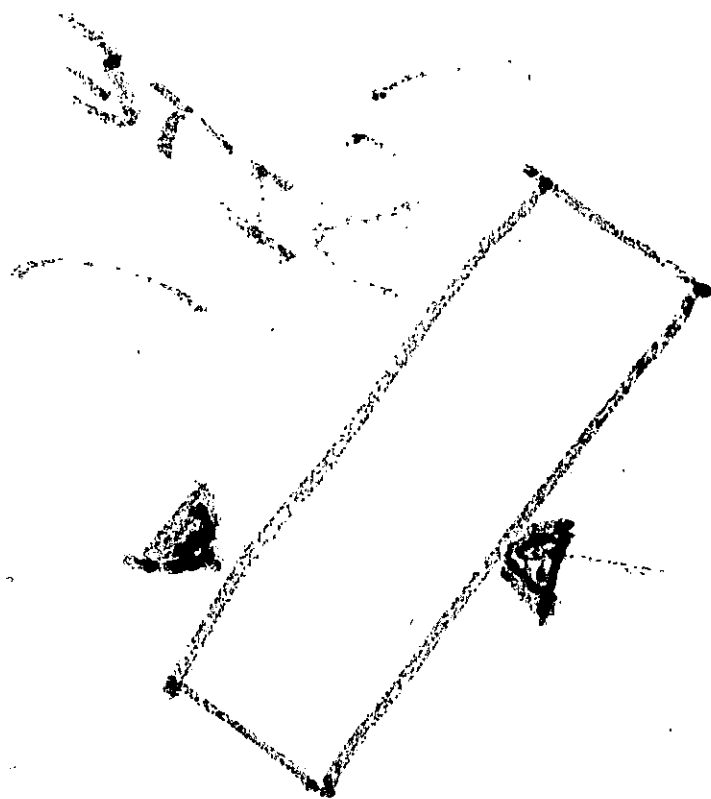
Real Property Data Search (w3)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier:		District - 12 Account Number - 1203004360
Owner Information		
Owner Name:	BARBECHO JORGE R	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	7235 BRIDGEWOOD DR BALTIMORE MD 21224-1901	Deed Reference: /40577/00442
Location & Structure Information		
Premises Address:	7235 BRIDGEWOOD DR 0-0000	Legal Description: 7235 BRIDGEWOOD DR EASTWOOD
Map:	Grid:	Parcel:
0096	0015	0186
Neighborhood:	Subdivision:	Section:
12010002.04	0000	4
Block:	Lot:	Assessment Year:
D	28	2018
Plat No:		Plat Ref:
		0021/ 0036
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1956	1,080 SF	3,531 SF
Property Land Area	County Use	
04		
Stories	Basement	Type
2	YES	END UNIT
Exterior	Quality	Full/Half Bath
BRICK/	3	1 full
Garage	Last Notice of Major Improvements	
Value Information		
	Base Value	Value
		As of 01/01/2018
Land:	38,000	38,000
Improvements	75,900	74,400
Total:	113,900	112,400
Preferential Land:	0	0
		Phase-in Assessments
		As of 07/01/2019
		As of 07/01/2020
		112,400
		112,400
Transfer Information		
Seller: GILL DORIS C	Date: 08/16/2018	Price: \$130,000
Type: ARMS LENGTH IMPROVED	Deed1: /40577/ 00442	Deed2:
Seller: CAWLEY GEORGE T	Date: 06/21/1974	Price: \$15,000
Type: ARMS LENGTH IMPROVED	Deed1: /05455/ 00509	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: No Application		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

2020-0170-A





4-307-3000

LAW OFFICE OF
G. MACY NELSON, LLC

G. MACY NELSON*
(410) 296-8166 EXT. 290
gmacynelson@gmacynelson.com

SUITE 803
401 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
www.gmacynelson.com

GRANT AMADEUS GIEL**
(410) 296-8166 EXT. 113
grant@gmacynelson.com

*Also admitted in D.C.

** Also admitted in New York

August 24, 2020

Lawrence M. Stahl, Administrative Law Judge
Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

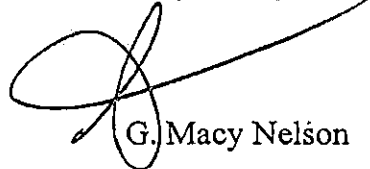
Re: Case No.: 2020-0170-X
Wawa
10500 Reisterstown Road
Property Owners: MC Owings Mills, LLC; JC Owings Mills, LLC

Dear Judge Stahl:

Please enter my appearance on behalf of Afshin Attar. Please keep me informed as to your office's efforts to schedule the case for a hearing.

Thank you very much for your assistance.

Very truly yours,



G. Macy Nelson

GMN:ldr
cc: John B. Gontrum, Esquire

LAW OFFICE OF
G. MACY NELSON, LLC

G. MACY NELSON*
(410) 296-8166 EXT. 290
gmacynelson@gmacynelson.com

*Also admitted in D.C.

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www.gmacynelson.com

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(410) 296-8166 EXT. 113
grant@gmacynelson.com

** Also admitted in New York

August 24, 2020

Lawrence M. Stahl, Administrative Law Judge
Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

RECEIVED

AUG 27 2020

OFFICE OF
ADMINISTRATIVE HEARINGS

Re: Case No.: 2020-0170-X
Wawa
10500 Reisterstown Road
Property Owners: MC Owings Mills, LLC; JC Owings Mills, LLC

Dear Judge Stahl:

Please enter my appearance on behalf of Afshin Attar. Please keep me informed as to your office's efforts to schedule the case for a hearing.

Thank you very much for your assistance.

Very truly yours,


G. Macy Nelson

GMN:ldr
cc: John B. Gontrum, Esquire

Donna Mignon

From: Donna Mignon
Sent: Wednesday, February 3, 2021 2:18 PM
To: Lisa M Henson

Hi Lisa,

I hope things are well with you. Can you send me information on the following: CB2000241.

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



Department of Permits, Approvals & Inspections Complaint Report

Record Id: CB2000241

<u>Record ID</u>	<u>Assigned To</u>	<u>Assigned Date</u>	<u>Received Date</u>	<u>Status</u>	<u>Compliance Date</u>	<u>Hearing Date</u>
CB2000241	Scott Kidd	05/19/2020	05/19/2020	Inspection Scheduled		

Complaint Description: Garage being built in backyard without permits. Electrical is also being run.

<u>Property</u>	<u>Owner</u>	<u>Complainant</u>
7235 BRIDGEWOOD DR HIGHLANDTOWN, MD 21224-1901 Tax Id: 1203004360	BARBECHO JORGE R 7235 BRIDGEWOOD DR BALTIMORE, MD 21224-1901	Ted Willis 7241 Bridgewood Drive Baltimore MD, 21224 443-360-1360

Inspection Details

<u>Inspector</u>	<u>Date</u>	<u>Service</u>	<u>Result</u>	<u>Action</u>	<u>Complied On</u>
Scott Kidd		Initial Inspection	Scheduled		

Lien Information - No Lien

Comments Detail - No Comments

5-20-20 - Site was inspected and found to have a shed being built in back yard without a permit. Site has been posted. R/C. 6-29-20 TSK
"Correction Notice issued - posted & mailed"
8-20-20 - Owner is process of obtaining a permit. Awaiting permit approval (LP)
R/C 9-8-20. TSK (LP)
2-4-21 - Tried to stop by site to make contact with owner, however road was closed due to road work. No access. Will check permit status 2-8-21
R/C 2-8-21 TSK

Baltimore County
Permits, Approvals
And Inspections

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

OFFICE HOURS 7:30 am - 3:30 pm

Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation Case No. CB2000241 Property No. 1203004360 Zoning: _____

Name(s): Barbecho Jorge R

Address: 7235 Bridgewood Dr. Baltimore, Md. 21224

Violation Location: 7235 Bridgewood Dr. Highlandtown, Md. 21224

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

2003 Baltimore County Building Code

Article 35

35-2-301 Permit Required — shed being built in
back yard without permit

35-2-304 Penalty for action without permit

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

ON OR BEFORE: June 29, 2020 DATE ISSUED: May 20, 2020

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1,000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

INSPECTOR: Scott Kidd PRINT NAME: Scott Kidd

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NO LATER THAN:

ON OR BEFORE: June 29, 2020 DATE ISSUED: May 20, 2020

INSPECTOR: _____ PRINT NAME: _____

COPIES: PINK - AGENCY, YELLOW - VIOLATION SITE, GOLD - DEFENDANT, WHITE - INSPECTOR

Donna Mignon

From: Donna Mignon
Sent: Monday, February 22, 2021 9:34 AM
To: 'Linda Okeefe'
Subject: Case No: 2020-0170-A Hearing date: 3/1/21 at 11:00 a.m.

Good Morning:

As you are aware, a virtual Webex hearing has been scheduled for March 1, 2021 at 10:00 a.m. You should have received an invitation in an email that invited you to this hearing.

Please note that all electronic 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. **Please bring a hard copy of all exhibits and drop them off in our lobby before the hearing date. Thank you.**

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: Monday, February 8, 2021 2:49 PM
To: 'G. Macy Nelson'
Cc: Donna Mignon
Subject: RE: Invitation to join Web seminar as a panelist: Zoning Hearing - Case No. 2020-0170-A - 7235 Bridgewood Dr. - Jorge & Jennifer Barbecho

Mr. Nelson,

It appears there was a letter that came from you in reference to 2020-0170-X but since we never have 2 cases with the same number, you were invited to this 170-A case.

The paperwork (Entry of Appearance) that you addressed to ALJ Stahl back in August 2020 indicates 2020-0170-X – Wawa – 10500 Reisterstown Rd. – MC Owings Mills, LLC / JC Owings Mills, LLC.

Sorry for any confusion. If you're not party to the case above, just decline the invitation.

Thanks and hope all is well.

From: G. Macy Nelson <gmacynelson@gmacynelson.com>
Sent: Wednesday, February 3, 2021 2:14 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: RE: Invitation to join Web seminar as a panelist: Zoning Hearing - Case No. 2020-0170-A - 7235 Bridgewood Dr. - Jorge & Jennifer Barbecho

CAUTION: This message from gmacynelson@gmacynelson.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,
Do I belong on this distribution list?

-Macy Nelson

G. Macy Nelson
401 Washington Avenue, Suite 803
Towson, Maryland 21204
410-296-8166, ex. 290
Mobile 443-326-8749
Email gmacynelson@gmacynelson.com
www.gmacynelson.com

-----Original Appointment-----

From: messenger@webex.com [<mailto:messenger@webex.com>] **On Behalf Of** Debra Wiley
Sent: Wednesday, February 3, 2021 2:12 PM
To: G. Macy Nelson
Subject: Invitation to join Web seminar as a panelist: Zoning Hearing - Case No. 2020-0170-A - 7235 Bridgewood Dr. - Jorge & Jennifer Barbecho

When: Monday, March 1, 2021 11:00 AM-12:00 PM Eastern Time.

Where:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e0106f6c9dbcf11ef4b57573ac71a77ef>

You're a panelist for this Webex event. When it's time, join the Webex event here.

Host: Debra Wiley (dwiley@baltimorecountymd.gov)

Event number (access code): 180 684 1383

Event password: 1234

Panelist password: The Event has no Panelist Password

Monday, March 1, 2021 11:00 am, Eastern Standard Time (New York, GMT-05:00)

Join event

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

Join as an attendee:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e853a1a64841d8b6f7b0953553c3302c1>

Join the audio conference only

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial [1806841383@baltimorecountymd.webex.com](tel:1806841383)

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 737966

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

<< File: Zoning Hearing - Case No. 2020-0170-A - 7235 Bridgewood Dr. - Jorge & Jennifer Barbecho.ics >>

LAW OFFICE OF
G. MACY NELSON, LLC

G. MACY NELSON*
(410) 296-8166 EXT. 290
gmacynelson@gmacynelson.com

SUITE 803
401 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
www.gmacynelson.com

GRANT AMADEUS GIEL**
(410) 296-8166 EXT. 113
grant@gmacynelson.com

*Also admitted in D.C.

** Also admitted in New York

August 24, 2020*

Lawrence M. Stahl, Administrative Law Judge
Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

Re: Case No.: 2020-0170-X
Wawa
10500 Reisterstown Road
Property Owners: MC Owings Mills, LLC; JC Owings Mills, LLC

Dear Judge Stahl:

Please enter my appearance on behalf of Afshin Attar. Please keep me informed as to your office's efforts to schedule the case for a hearing.

Thank you very much for your assistance.

Very truly yours,



G. Macy Nelson

GMN:ldr
cc: John B. Gontrum, Esquire

3-1-21 11Am

Debra Wiley

From: Kristen L Lewis
Sent: Tuesday, February 2, 2021 2:24 PM
To: Donna Mignon; Debra Wiley
Subject: Webex 2020-0170-A

Good afternoon,

Below is the information for another webex case. Thank you,

Case Number: 2020-0170-A
7235 Bridgewood Drive
Legal Owners: Jorge Barbecho, Jennifer Barbecho- jorgerby25@gmail.com
Representative – Linda O’Keefe – luckylinda1954@gmail.com
3/1/21 at 11:00 a.m.

Kristen Lewis-Coles
PAI – Zoning Review
410-887-3391

Debra Wiley

From: Debra Wiley
Sent: Tuesday, February 2, 2021 2:30 PM
To: Kristen L Lewis
Cc: Donna Mignon
Subject: Link - 2020-0170-A - 3/1 @ 11 AM

Event Information

Event: Zoning Hearing - Case No. 2020-0170-A - 7235 Bridgewood Dr. - Jorge & Jennifer E
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e6f>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e43>
Date and time: Monday, March 1, 2021 11:00 am
Eastern Standard Time (New York, GMT-05:00)
Duration: 1 hour
Description: Zoning Hearing
Case No. 2020-0170-A
7235 Bridgewood Dr.
Jorge & Jennifer Barbecho
Event number: 180 684 1383
Event password: 1234
Host key: 182115
Alternate Host: Donna Mignon, Henry Ayakwah, Maureen Murphy
Panelist Info:
Panelist password:
Panelist numeric password: 737966
Video Address: 1806841383@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: 180 684 1383
Maximum number of registrants: 10000

Donna Mignon

Subject: Invitation to Web seminar: Zoning Hearing - Case No. 2020-0170-A - 7235 Bridgewood Dr. - Jorge & Jennifer Barbecho
Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e0106f6c9dbcf11ef4b57573ac71a77ef>
Start: Mon 3/1/2021 11:00 AM
End: Mon 3/1/2021 12:00 PM
Recurrence: (none)
Meeting Status: Accepted
Organizer: Debra Wiley

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 are an alternate host for this Web seminar.

Host: Debra Wiley (dwiley@baltimorecountymd.gov)
Event number: 180 684 1383
Event password: 1234

Monday, March 1, 2021 11:00 am, Eastern Standard Time (New York, GMT-05:00)



Join the audio conference only
+1-415-655-0001 US Toll
Global call-in numbers

Join from a video system or application
Dial 1806841383@baltimorecountymd.webex.com
You can also dial 173.243.2.68 and enter your meeting number.
Panelist numeric password: 737966

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

ZAC AGENDA

Case Number: 2020-0170-A **Reviewer:** Christina Frink
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: VARIANCE
Legal Owner: Jorge R. Barbecho
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 12 **Council Dist:** 7

Property Address: 7235 BRIDGE WOOD DR

Location: South side of Bridgewood Drive 162 feet North East of Westham Way.

Existing Zoning: DR 0.5

Area: 3,531 SQ FT

Proposed Zoning:

VARIANCE:

BZCR 400.1, 400.2 To approve an accessory structure (shed) with a rear yard setback of 9' from the center of the alley (12" from the rear property line) in lieu of the required 15 feet from the center line of the alley and a side yard setback 6" in lieu of the required 2 1/2' feet.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Case Number: 2020-0171-X **Reviewer:** Gary Hucik
Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: SPECIAL EXCEPTION
Legal Owner: MC Owings Mills LLC; JC Owings Mills LLC
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 4 **Council Dist:** 4

Property Address: 10550 REISTERSTOWN RD

Location: South side corner of Reisterstown Road and Tollgate Road.

Existing Zoning: BM

Area: 2.83 AC

Proposed Zoning:

SPECIAL EXCEPTION:

Fuel service Station and convenience store.

Attorney: John B. Gontrum

Prior Zoning Cases: R-1954-3289; R-1980-0066; R-1984-0004

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

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.

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>Maureen Murphy</u> (Alternate Host)	mmurphy@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>Linda O'Keefe</u>	lucky linda1954@gmail.com	1-	English	New York Time	U.S.
☐	<u>G. Macy Nelson</u>	gmacynelson@gmacynelson.com	1-	English	New York Time	U.S.
☐	<u>Jorge & Barbecho</u>	jorgerby25@gmail.com	1-	English	New York Time	U.S.
☐	<u>Lynne Mitchell</u>	lmitchell@bodie-law.com	1-	English	New York Time	U.S.
☐	<u>Paul Mayhew</u>	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.

New Panelist

Full name: (required)

Email address: (required)

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

Time Zone: ▼

Language: ▼

Locale: ▼

☐ Add new panelist in my address book

☐ Invite as alternate host

BALTIMORE COUNTY MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE:

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

From: Matt Gawel
Chief Building Inspector

SUBJECT: Item No:

Legal Owner/Petitioner:

Contract Purchaser:

Property Address:

Location Description:

2000-0170-A

Barbecho Jorge R

7235 Highlandtown MD 21224

VIOLATION INFORMATION:

Case No.:

Defendants:

CB 2000 241

Barbecho, Jorge R

Please be advised that the aforementioned petition is the subject of an active violation case.

When the petition is for a public hearing, please notify the following person(s) regarding the hearing date:

NAME

Teal Willis

ADDRESS

7241 Bridgewood Dr

Baltimore MD 21224

443 360 1360

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

- ☒ 1. Complaint letter/memo/email/fax (if applicable)
- ☒ 2. Complaint intake from/Code Enforcement Officer's report and notes
- ☒ 3. State Tax Assessment printout
- ☐ 4. State Tax Parcel Map (if applicable)
- ☐ 5. MVA Registration printout (if applicable)
- ☐ 6. Deed (if applicable)
- ☐ 7. Lease-Residential or Commercial (if applicable)
- ☐ 8. Photographs including dates taken
- ☒ 9. Correction Notice/Code Violation Notice
- ☐ 10. Citation and Proof of Service (if applicable)
- ☐ 11. Certified Mail Receipt(s) (if applicable)
- ☐ 12. Final Order of the Code Official/Hearing Officer (if applicable)
- ☐ 13. Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable)
- ☐ 14. Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable)

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Kristin Lewis in Room 111 in order that the appropriate action may be taken relative to the violation case.

CC E ENFORCEMENT RI URT

DATE: 5/19/20 INTAKE BY: LK CASE#: 2000241 INSPEC: SK

COMPLAINT
LOCATION: 7235 Bridgewood Dr.

ZIP CODE: 21224 DIST: _____

COMPLAINANT
NAME: Ted Willis PHONE#: (H) 443-360-1360 (W) _____

ADDRESS: 7241 Bridgewood Dr. ZIP CODE: 21224

PROBLEM: S/ Garage being built in backyard w/o permits.
Electrical is also being run.

IS THIS A RENTAL UNIT? YES _____ NO _____

IF YES, IS THIS SECTION 8? YES _____ NO _____

OWNER/TENANT
INFORMATION: _____

TAX ACCOUNT #: _____ ZONING: _____

INSPECTION: _____

REINSPECTION: _____

REINSPECTION: _____

REINSPECTION: _____



Department of Permits, Approvals & Inspections Complaint Report

Record Id: CB2000241

<u>Record ID</u>	<u>Assigned To</u>	<u>Assigned Date</u>	<u>Received Date</u>	<u>Status</u>	<u>Compliance Date</u>	<u>Hearing Date</u>
CB2000241	Scott Kidd	05/19/2020	05/19/2020	Inspection Scheduled		

Complaint Description: Garage being built in backyard without permits. Electrical is also being run.

<u>Property</u>	<u>Owner</u>	<u>Complainant</u>
7235 BRIDGEWOOD DR HIGHLANDTOWN, MD 21224-1901 Tax Id: 1203004360	BARBECHO JORGE R 7235 BRIDGEWOOD DR BALTIMORE, MD 21224-1901	Ted Willis 7241 Bridgewood Drive Baltimore MD, 21224 443-360-1360

Inspection Details

<u>Inspector</u>	<u>Date</u>	<u>Service</u>	<u>Result</u>	<u>Action</u>	<u>Complied On</u>
Scott Kidd		Initial Inspection	Scheduled		

Lien Information - No Lien

Comments Detail - No Comments

5-20-20 - Site was inspected and found to have a shed being built in back yard without a permit. Site has been posted. R/C. 6-29-20 TSK
"Correction Notice issued - posted & mailed"

(LP)

Baltimore County
Permits, Approvals
And Inspections

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

OFFICE HOURS 7:30 am - 3:30 pm

Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620

Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation Case No. CB2000241 Property No. 1203004360 Zoning: _____

Name(s): Barbecho Jorge R

Address: 7235 Bridgewood Dr. Baltimore, Md. 21224

Violation Location: 7235 Bridgewood Dr. Hightstown, Md. 21224

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

2003 Baltimore County Building Code
Article 35

35-2-301 Permit Required — Shed being built in
back yard without permit

35-2-304 Penalty for action without permit

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

ON OR BEFORE: June 29, 2020 DATE ISSUED: May 20, 2020

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1,000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

INSPECTOR: Scott Kidd PRINT NAME: Scott Kidd

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NO LATER THAN:

ON OR BEFORE: June 29, 2020 DATE ISSUED: May 20, 2020

INSPECTOR: _____ PRINT NAME: _____

COPIES: PINK - AGENCY, YELLOW - VIOLATION SITE, GOLD - DEFENDANT, WHITE - INSPECTOR

DATE: 07/30/2020 STANDARD ASSESSMENT INQUIRY (1)

TIME: 06:22:53

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
12 03 004360	12	3-0	04-00	H	NO		06/02/20

BARBECHO JORGE R

DESC-1..

DESC-2.. EASTWOOD

7235 BRIDGEWOOD DR

PREMISE. 07235 BRIDGEWOOD

DR

00000-0000

BALTIMORE

MD 21224-1901 FORMER OWNER: GILL DORIS C

FCV		PHASED IN			
PRIOR	PROPOSED	CURR	CURR	PRIOR	
LAND:	38,000	38,000	FCV	ASSESS	ASSESS
IMPV:	75,900	74,400	TOTAL..	112,400	112,400
TOTL:	113,900	112,400	PREF...	0	0
PREF:	0	0	CURT...	112,400	112,400
CURT:	113,900	112,400	EXEMPT.	0	0
DATE:	01/18	01/18			

TAXABLE BASIS		FM DATE
ASSESS:	112,400	02/24/20
ASSESS:	112,400	
ASSESS:	0	

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

DATE: 07/30/2020

STANDARD ASSESSMENT INQUIRY (2)

TIME: 06:23:02

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
12 03 004360	12	3-0	04-00	H	NO		06/02/20
LOT....	28	BOOK....		MAP.....	0096	LOT WIDTH.....	33.33
BLOCK..	D	FOLIO...		GRID....	0015	LOT DEPTH.....	107.00
SECTION..	4			PARCEL..	0186	LAND AREA..	3531.000 S
PLAT..						YEAR BUILT.....	56

-----TRANSFER DATA-----

NUMBER..... 000000
 DATE..... 08/16/18
 PURCHASE PRICE..... 130,000
 GROUND RENT..... 0
 DEED REF LIBER..... 40577
 DEED REF FOLIO..... 0442
 CONVEYED IND..... 1
 TOT-PART TRAN IND.....
 GRANTOR ACCT NO.. - -

-----EXEMPT DATA-----

STATUS.....
 CLASS CODE.....
 STATE EXEMPT CODE..... 000
 COUNTY EXEMPT CODE..... 000
 CURR STATE EX ASMT.... 0
 PRIOR STATE EX ASMT... 0
 CURR COUNTY EX ASMT... 0
 PRIOR COUNTY EX ASMT.. 0

CRITICAL NEW CONST CARD
 AREAS CODE YEAR NO CODE SQ. FEET

-----STRUCTURE-----

00006

1080

ENTER-INQUIRY3 PA1-PRINT PF2-INQUIRY1 PF4-MENU PF5-QUIT PF7-CROSS REF

DATE: 07/30/2020 STANDARD ASSESSMENT INQUIRY (3)

TIME: 06:23:07

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
12 03 004360	12	3-0	04-00	H	NO		06/02/20

-----STATE-----

GEO CODE N/A LAND-USE

REC CREATE DATE.. 06/02/20

82 NO R

DELETE CODE..... M

DATE DELETED.....

LAST FM DATE..... 02/24/20

LAST FM TYPE.....

PREV FM DATE.....

PREV FM TYPE.....

----- COUNTY -----

LAST LOAD DATE... 06/02/20

PRIOR LOAD DATE.. 05/07/20

STATE TAXABLE ASSESS

ASSESS: 112,400

ASSESS: 112,400

ASSESS: 0

ENTER-INQUIRY1 PA1-PRINT PF2-INQUIRY2 PF4-MENU PF5-QUIT PF7-CROSS REF



**EASTWOOD RESIDENTS & BUSINESS COMMUNITY ASSOCIATION OF
BALTIMORE COUNTY**
LYNNE MITCHELL, President
443-525-6431

February 26, 2021

VIA EMAIL - paizoning@baltimorecountymd.gov
Baltimore County
Department of Development, Zoning and Hearings
400 Washington Avenue
Towson, Maryland 21204

Re: Case No. 2020-0170-A
Date: 3/1/21 at 11:00 a.m.
Owner: Jorge Barbecho

Dear Your Honor,

My name is Lynne Mitchell, I am the President of Eastwood Residents & Business Community Association of Baltimore County. I am writing this letter and am attaching the following items for your consideration:

1. A letter from Regional Pest Management Co., the Baltimore County contract pest management company who has viewed the un-permitted structure Mr. Barbecho has already built on his property; and
2. Photographs of the structure for your review.

Our community is one of the communities that continues to be plagued with a very serious rat infestation for the past several years due to residents poor trash habits and creating perfect conditions in their yards for rat harborage, and the issue is continuing. In fact, I am one of the founding Community Leaders of the R.A.T.S. Leaders' Group who is responsible for bringing bus loads of constituents to Baltimore County in 2017 to testify in front of the County Council, and with the hard work (that continues), of the team at Baltimore County Code Enforcement that made it possible for two County Executives and the County Council to hear our pleas for help and institute two (2) trash pick ups, in addition to a recycle day per week, in 23 row home communities, and including extensive yard exterminations (exterminations today due to pandemic funds being reduced are on a case by case basis) – so you can see how important it is for Community Leaders and residents to help us not add to the horrible rodent problem, or create rodent harborage issues that will be harder and more expensive for Baltimore County to exterminate and fight.

Prot Ex: 1

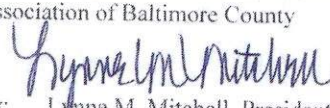
As you might expect, this program was implemented at a huge cost to taxpayers, but that should also show you how much it was needed, as the Hon. Kevin Kaminetz placed this program in motion, and the Hon. John Olszewski has continued it, and we Community Leaders faithfully try to keep rats from building in new areas in our communities.

As you can see from the photographs, and will read from Regional Pest Management's attached letter, this structure is the very type of structure We Do Not Want in our community as it sits so close to the fence lines, and there is no way to exterminate around it, trash and debris (not to mention weeds will grow up and it will be an eyesore around it) will pile up between it, and will make perfect breeding grounds for rats. With the help of Code Enforcement, we have been getting people to remove old structures that are close to fence lines. The structure is right next to trash cans and the Alley, (close to other neighbors' trash) and the Owner of this property has already begun to lose trash can lids in between the fence, and the structure. In fact he has already earned a \$600.00 fine by Code Enforcement in early February, 2021. He has another small structure on the property already.

I urge you to consider carefully your decision before allowing residents to flout our Code Enforcement regulations and build a huge structure without caring what Baltimore County, the neighbors, or the community association will have to deal with due to this structure. If the yard was a clean yard and the trash was stored properly and any prior thought was given whatsoever ahead of building the structure, we would think that this resident would be open to working with Code Enforcement and the community, however, this structure is almost as large as his home, and sits on top of the fence-line and the Alley. Having already incurred fines due to poorly stored trash tells us that he isn't going to be concerned about any of these issues should this variance be approved.

Thank you for your consideration.

Very truly yours,
Eastwood Residents & Business Community
Association of Baltimore County


By: Lynne M. Mitchell, President

**Regional
Pest
Management**
1-800-36-5-STAR

Re: Case No. 2020-0170-A
Date: 3/1/21 at 11:00 a.m.
Owner: Jorge Barbecho

To whom it may concern,

Hello, my name is Ray Hauf from Regional Pest Management. Our company has a contract with Baltimore County to exterminate rats in 15 neighborhoods, including Eastwood. I have overseen the program for almost three years now and have seen firsthand what conditions are conducive to rat activity. These conditions include trash and other sanitation concerns, "junk yards", and improperly built and old sheds.

We refer to sheds when improperly built or worn down as "rat hotels". Although Norway rats live in the ground, they prefer to burrow underneath places where they feel protected (concrete, AC units, sheds, etc.). We have a lot of trouble with certain sheds because it provides a safe haven for rodents and ample area to nest underneath. Instead of one or two burrows that need to be treated, these quickly get out of hand and they will have burrows around the whole structure making it difficult to exterminate. Often times, they will chew through underneath sheds and end up inside the structure.

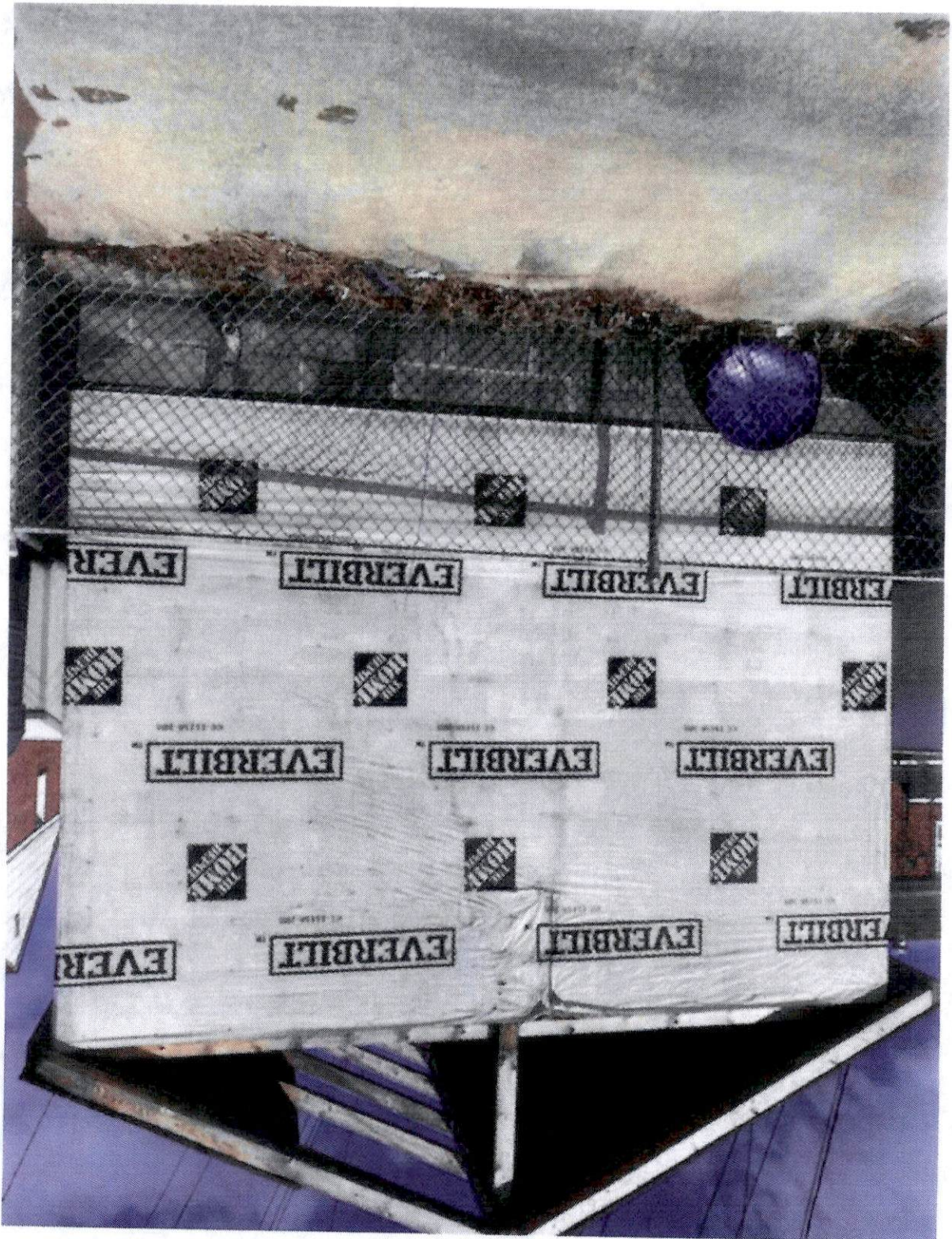
I went out to look at the property of 7235 Bridgewood Dr and inspected the structure in question. From a strictly pest control point of view, we view the structure as a potential rodent extermination issue for a couple of reasons. One, it is partially built on soil, so rats can dig and nest underneath. Second, there's minimal distance between the side of the structure and the fence line (about 6"). This prevents us from doing any type of extermination on that side. Since it is on concrete on that side, if we were to do an extermination, we would try to put a bait station with traps on that side and would be unable to do that with the limited space.

Feel free to contact me with any questions.

Best Regards,

Ray Hauf





LAW OFFICE OF
G. MACY NELSON, LLC

G. MACY NELSON*
(410) 296-8166 EXT. 290
gmacynelson@gmacynelson.com

*Also admitted in D.C.

SUITE 803
401 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
www.gmacynelson.com

GRANT AMADEUS GIEL**
(410) 296-8166 EXT. 113
grant@gmacynelson.com

** Also admitted in New York

August 24, 2020

Lawrence M. Stahl, Administrative Law Judge
Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204



Re: Case No.: 2020-0170-X
Wawa
10500 Reisterstown Road
Property Owners: MC Owings Mills, LLC; JC Owings Mills, LLC

Dear Judge Stahl:

Please enter my appearance on behalf of Afshin Attar. Please keep me informed as to your office's efforts to schedule the case for a hearing.

Thank you very much for your assistance.

Very truly yours,

A handwritten signature in blue ink, consisting of a large, stylized loop followed by a horizontal stroke.

G. Macy Nelson

GMN:ldr
cc: John B. Gontrum, Esquire

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
7235 Bridgewood Drive; S/S of Bridgewood	*	
Drive, 162' NE of Westham Way	*	OF ADMINSTRATIVE
12 th Election & 7 th Councilmanic Districts	*	
Legal Owner(s): Jorge Barbecho	*	HEARINGS FOR
Petitioner(s)	*	
	*	BALTIMORE COUNTY
	*	
	*	2020-170-A

* * * * *

ENTRY OF APPEARANCE

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

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 18th day of August, 2020, a copy of the foregoing Entry of Appearance was mailed to Jorge Barbecho, 7235 Bridgewood Drive, Baltimore, Maryland 21224, Petitioner(s).

Peter Max Zimmerman

 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE OFFICE
10550 Reisterstown Road; S/S corner of		
Reisterstown Road & Tollgate Road	*	OF ADMINSTRATIVE
12 th Election & 7 th Councilmanic Districts		
Legal Owner(s): MC Owings Mills LLC &	*	HEARINGS FOR
JC Owings Mills LLC		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2020-171-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 18th day of August, 2020, a copy of the foregoing Entry of Appearance was emailed to John Gontrum, Esquire, 1 West Pennsylvania Avenue, Suite 300, Towson, Maryland 21204, jgontrum@wtplaw.com, Attorney for Petitioner(s).

Peter Max Zimmerman

 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Debra Wiley

From: Debra Wiley
Sent: Thursday, August 27, 2020 12:18 PM
To: Kristen L Lewis; Jenae Johnson
Subject: Entry of Appearance for Case No. 2020-0170-X
Attachments: 20200827122036061.pdf

Good Morning,

Please see attached to be included in case file.

It appears this has not been scheduled; petition was just filed in July.

Thanks and have a great and safe day !

Debra Wiley, Legal Administrative Secretary Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

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

From: adminhearingscpr@baltimorecountymd.gov <adminhearingscpr@baltimorecountymd.gov>
Sent: Thursday, August 27, 2020 12:21 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Message from "RNP002673F6C9D3"

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

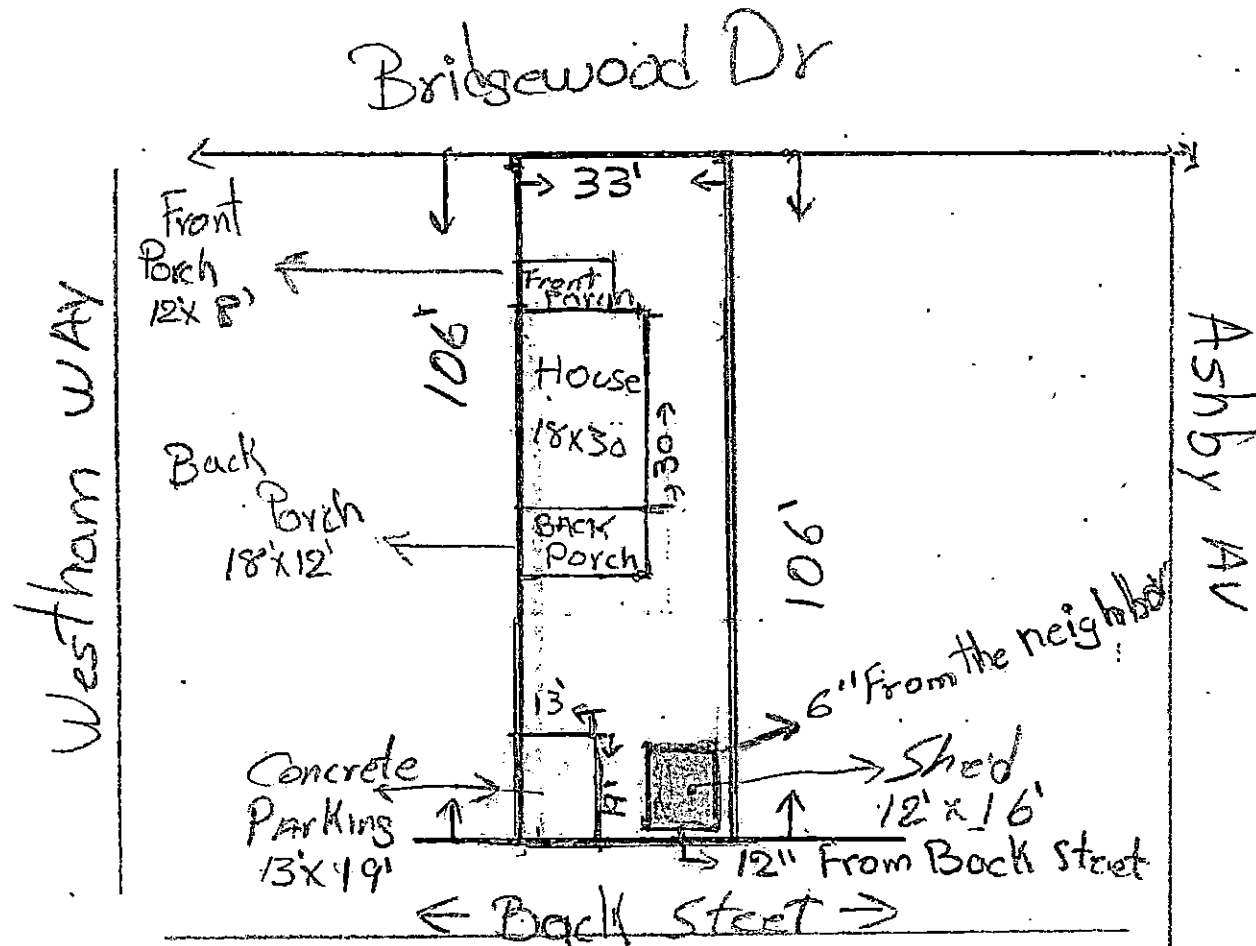
Scan Date: 08.27.2020 12:20:35 (-0400)
Queries to: adminhearingscpr@baltimorecountymd.gov

ZONING HEARING PLAN FOR VARIANCE _____ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 7235 Bridge Wood Drive OWNER(S) NAME(S) Jorge R. Barbecho

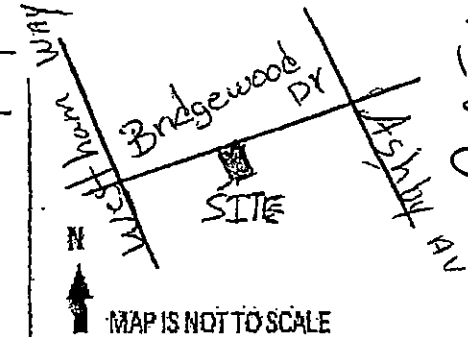
SUBDIVISION NAME _____ LOT # 28 BLOCK # D SECTION # 4

PLAT BOOK # 21 FOLIO # 36 10 DIGIT TAX # 1 2 0 3 0 0 4 3 6 0 DEED REF. # 40577 / 00442



PLAN DRAWN BY Jorge Barbecho DATE 7/4/20 SCALE: 1 INCH = 30 FEET

SITE VICINITY MAP

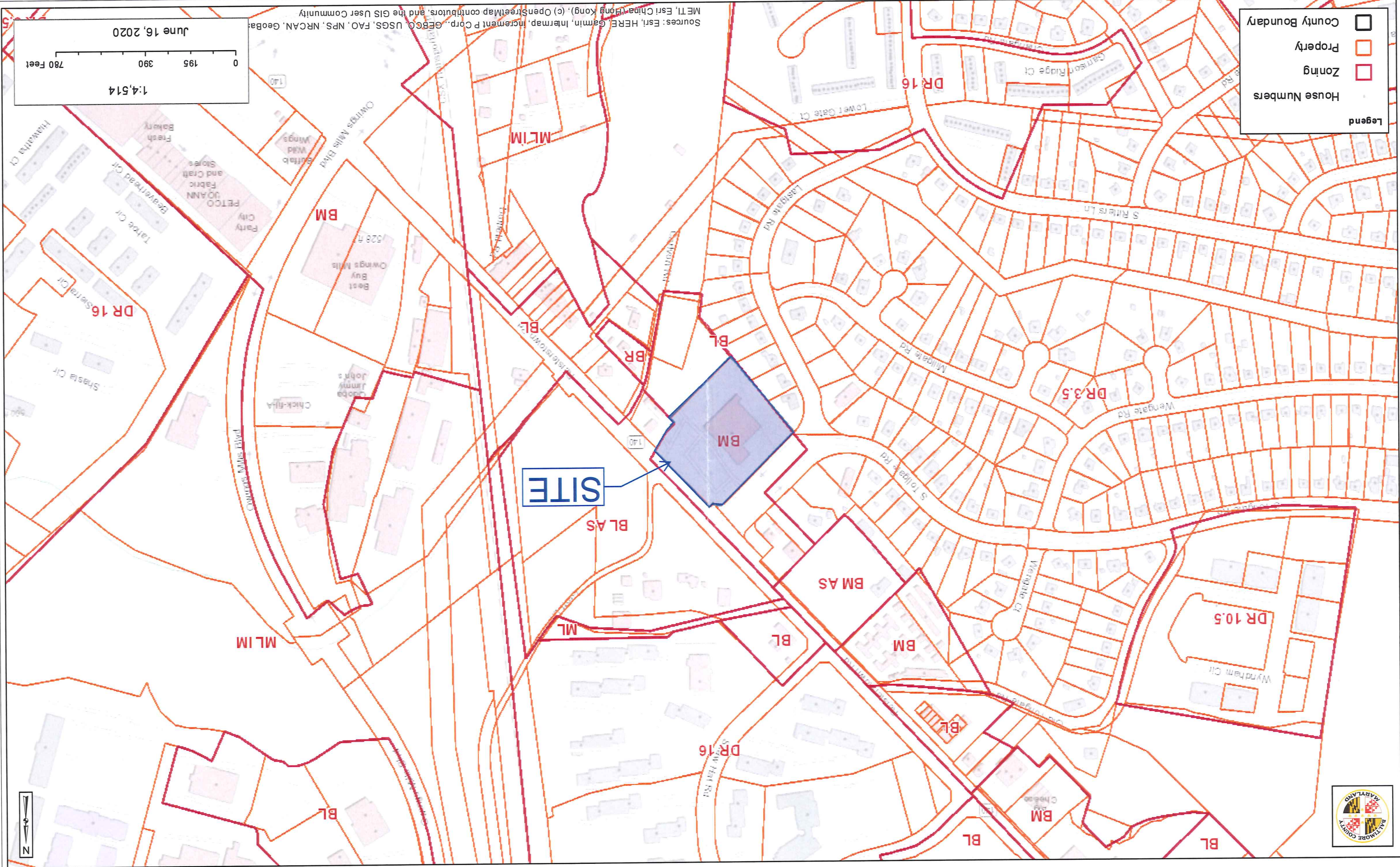


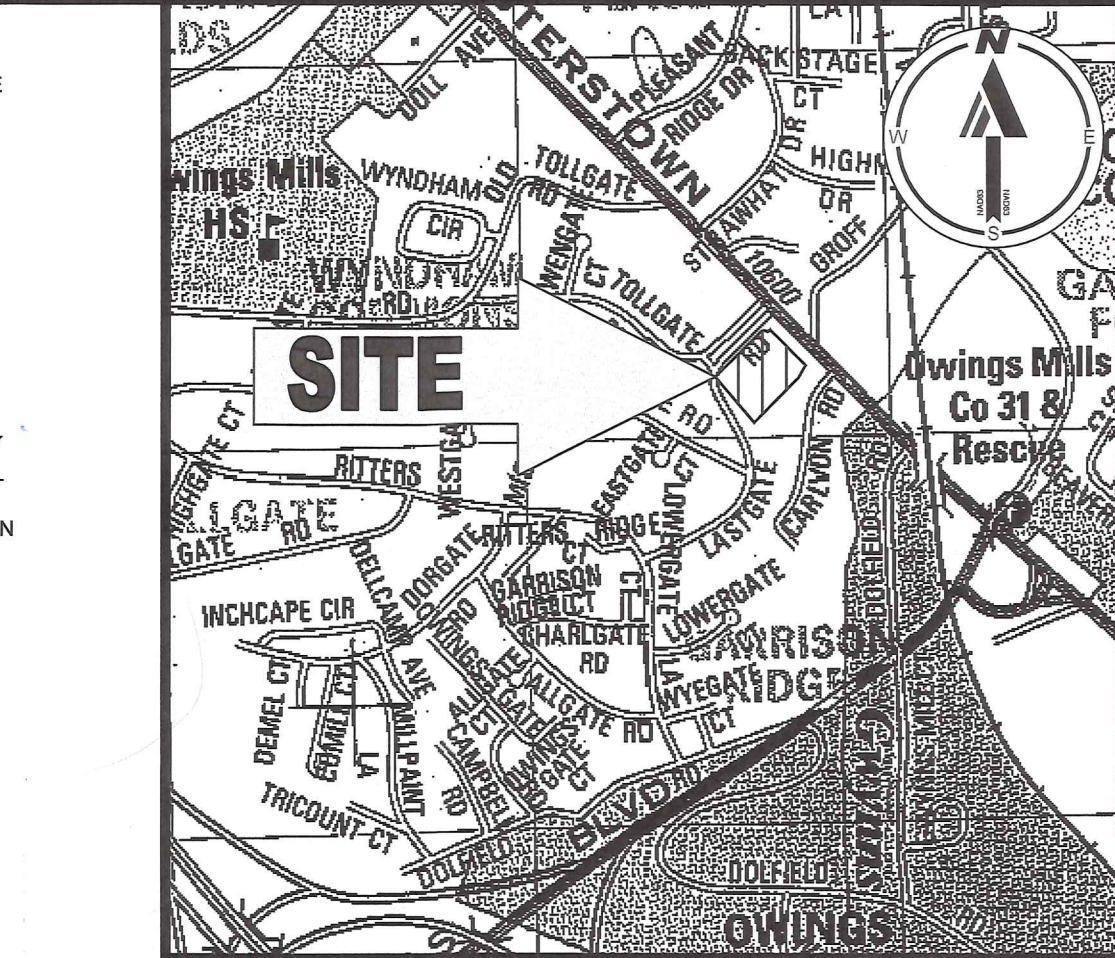
ZONING MAP# 096B3
SITE ZONED DR 10.5
ELECTION DISTRICT 12
COUNCIL DISTRICT 7
LOT AREA ACREAGE _____
OR SQUARE FEET 1,080
HISTORIC? No
IN CBCA? No
IN FLOOD PLAIN? No
UTILITIES? MARK WITH X
WATER IS: PUBLIC ☒ PRIVATE _____
SEWER IS: PUBLIC ☒ PRIVATE _____
PRIOR HEARING? No
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:
CB2000241

Ref Ex: 1
3/20/20

Baltimore County - My Neighborhood





CASE NO. R-1954-3289: PETITION TO RECLASSIFY FROM "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE WAS GRANTED ON DECEMBER 7, 1954.

CASE NO. R-1980-0066: PETITION TO RECLASSIFY FROM DR 3.5 ZONE TO BL-CNS ZONE WAS GRANTED OCTOBER 9, 1979.

CASE NO. R-1984-0004: PETITION FOR ZONING RECLASSIFICATION FROM DR 3.5 AND BL-CNS TO BM WAS DISMISSED ON OCTOBER 25, 1983.

CZMP 2016 ISSUE NUMBER-015: REQUEST TO UPDATE EXISTING ZONING FROM BL, BL AS, AND DR 3.5 TO BM AS FOR 10550 WEST FORTSTOWN ROAD, A FINAL ZONING OF BM WAS RECOMMENDED BY PLANNING BOARD AND APPROVED BY THE COUNTY COUNCIL.

B652934 - BUILDING PERMIT TO CONSTRUCT A RITE AID PHARMACY
W/MEZZANINE AND DRIVE-THRU ON REAR AND COVERED VESTIBULE O
FRONT. 95'2"X167'X25'=15,084SF - ISSUED: NOV. 17, 2008

B701306 - BUILDING PERMIT TO RAZE EXISTING NURSERY - ISSUED:
NOV. 17, 2008

GENERAL NOTES

- PROPERTY INFORMATION
A. PROPERTY ADDRESS: 10550 REISTERSTOWN ROAD
B. ELECTION DISTRICT: 4
C. COUNCILMAN/DISTRICT: 4
D. CENSUS TRACT: 044.02
E. WATERSHED: Gwynns Falls
F. TAX MAP: 0058
G. PARCELS: 0001 & 0482
H. TAX ACCOUNT NOS.: 04-160000885, 04-160000886, 04-0423053151
I. DEED REFERENCES: L 35199 / F 382
2. SITE AREA:
EXISTING:
801A: 2.93 AC.
801B: 0.93 AC.
492: 0.69 AC.
PROPOSED:
LOT 1: 1.64 AC.
LOT 2: 2.70 AC.
COUNTY HIGHWAY WIDENING: 0.11 AC.
3. ZONING: BM (BUSINESS, MAJOR)
4. ZONING MAP REFERENCE: 01883
5. FLOOR AREA RATIO:
LOT 2:
PERMITTED = 4.0 MAX.
PROVIDED = 0.05 (5,619 SF/117,633 SF)
6. EXISTING LAND USE:
PROPOSED LAND USE:
VACANT (ABANDONED NURSERY)
LOT 2: CONVENIENCE STORE AND FUEL SERVICE STATION
7. BUILDING SETBACKS:
(TO PROPERTY LINE)
NORTH
EAST
WEST
SOUTH
REQUIRED
LOT 2
15'
0'
15'
20'
PROVIDED
LOT 2
73.44'
100.21'
74.64'
122.98'
8. LANDSCAPE SETBACKS:
(TO PROPERTY LINE)
NORTH
EAST
WEST
SOUTH
REQUIRED
LOT 2
10'
6'
10'
15'
PROVIDED
LOT 2
26.3'
54.2'
45.6'
42.3'
9. FUEL PUMP SETBACKS:
(TO PROPERTY LINE)
NORTH
EAST
WEST
SOUTH
REQUIRED
LOT 2
25'
N/A
25'
N/A
PROVIDED
LOT 2
82.7'
N/A
87.4'
N/A
10. STRUCTURE SETBACKS:
(TO PROPERTY LINE)
NORTH
EAST
WEST
SOUTH
REQUIRED
LOT 2
35'
0'
35'
0'
PROVIDED
LOT 2
73.44'
N/A
74.64'
N/A
11. HEIGHT REQUIREMENTS
NOT TO EXCEED 5'
- PROPOSED BUILDING HEIGHT LOT 2: <40'
12. THESE SITES WILL BE SERVICED BY PUBLIC WATER AND SEWER.
13. SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL.
14. THESE SITES ARE LOCATED IN ZONE X (AREAS OUTSIDE THE 0.2% CHANCE FLOOD) PER FEMA MAP NO. 240010022D, DATED AUGUST 2, 2011.
15. THIS SITE IS NOT LOCATED IN FAILED BASIC SERVICE AREAS.
16. THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC SYSTEMS ON THE PROPERTY.
17. ANY FUTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITES AND PUBLIC STREETS.
18. RESTROOM FACILITIES, WATER AND COMPRESSED AIR SHALL BE PROVIDED FOR CUSTOMERS.
19. SIGNAGE ON THESE SITES SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION 450, OR A VARIANCE WILL BE REQUESTED.
20. THIS SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
21. THERE ARE NO KNOWN HISTORICAL STRUCTURES LOCATED ON THE PROPERTY.
22. THERE ARE NO KNOWN STREAMS, SPRINGS, OR BODIES OF WATER LOCATED ON SITE.
23. THERE ARE NO KNOWN ABANDONED FUEL SERVICE STATIONS WITHIN ONE MILE OF THE SITE.

REASON FOR SPECIAL EXCEPTION

4. SPECIAL EXCEPTION TO ALLOW A FUEL SERVICE STATION ON AN INDIVIDUAL SITE WITHIN THE URBAN-RURAL DEMARCATION LINE IN ZONE BM, PURSUANT TO BCZR SECTIONS 233.3, 405.2.B.2, 405.3, AND 405.4.

DESIGN & DRAWING
BASED ON NAVD 88
DATUM DETERMINED BY
MAG NAIL

THESE PLANS ARE FOR
SPECIAL EXCEPTION AND
NOT TO BE UTILIZED FOR
CONSTRUCTION

PROFESSIONAL CERTIFICATION
I, CHRISTOPHER W. ARMSTRONG, HEREBY CERTIFY THAT
THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME
AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER
UNDER THE LAWS OF THE STATE OF MARYLAND,
LICENSE NO. 36521 EXPIRATION DATE: 6/7/20

REVISIONS

[illegible]

NOT APPROVED FOR
CONSTRUCTION

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY
REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION
DOCUMENT UNLESS INDICATED OTHERWISE.

PROJECT No.:	MD182011.2
RAWN BY:	CJB
CHECKED BY:	CWA
DATE:	06/16/20
AD I.D.:	SEP-0

PROJECT:

SITE PLAN EXHIBIT

— FOR :

10550
REISTERSTOWN
ROAD

LOCATION OF SITE

0550 REISTERSTOWN ROAD
OWINGS MILLS, MD 21117
BALTIMORE COUNTY
ELECTION DISTRICT: 4
COUNCILMANIC DISTRICT: 4
58, GRID 21, PARCELS 801 & 482

BOHLER

901 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com



SHEET TITLE:

**PLAN TO
ACCOMPANY
PETITION FOR
SPECIAL
EXCEPTION**

SHEET NUMBER

—

ORG. DATE - 06/16/20

2020-0170-X