MEMORANDUM

DATE: September 29, 2020

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2020-0189-A – Appeal Period Expired

The appeal period for the above-referenced cases expired on September 28, 2020. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

/dlw

c: Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(3303 Tray Lane)		
3rd Election District	*	OFFICE OF ADMINISTRATIVE
2nd Council District		
David A. Katz & Rebecca A. Leaf	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	**CASE NO. 2020-0189-A**

* * * * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") as a Petition for Administrative Variance filed by the legal owners of the property, David A. Katz and Rebecca A. Leaf ("Petitioners"). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations ("BCZR") § 1B01.2.C.1.b to permit a rear yard deck with a rear setback of 19 ft. in lieu of the required 22.5 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

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

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on August 9, 2020, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code ("BCC"). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law

ORDER RECEIVED FOR FILING
Date 8-27-2020
By

Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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

THEREFORE, IT IS ORDERED, this **27th** day of **August, 2020**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from BCZR § 1B01.2.C.1.b to permit a rear yard deck with a rear setback of 19 ft. in lieu of the required 22.5 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlw

ORDER RECEIVED FOR FILING
Date 8-27-2020
By

ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 3303 Tray Lane, Pikesville, MD 21208 **Currently zoned** DR2

Deed Reference 42870 / 00088 10 Digit Tax Account # 2500011133

Owner(s) Printed Name(s) Rebecca Ann Leaf and David Adam Katz

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

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

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

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

1B01.2.C.1.b. → To permit a rear yard deck with a rear setback of 18 feet in lieu of the required 22.5 feet.

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

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

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

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

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

Owner(s)/Petitioner(s):

Rebecca Ann Leaf	David Adam Katz
Name #1 – Type or Print	Name # 2 – Type or Print
Signature #1	Signature # 2
3303 Tray Lane	Pikesville MD
Mailing Address	City State
21208	240-476-2535 raleaf@gmail.com
Zip Code	Telephone # Email Address

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

N/A

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING 8-21-20 DW Date

Representative to be contacted:

Rebecca Leaf and David Katz (see above)

Name – Type or Print

Signature

(see above)

Mailing Address City State

Zip Code Telephone # Email Address

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

Administrative Law Judge for Baltimore County

CASE NUMBER 2020-0189-A Filing Date 7/30/20 Estimated Posting Date 8/9/20 Reviewer JS

Rev 5/5/2016

Affidavit in Support of Administrative Variance

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

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

Address: 3303 Tray Lane (Print or Type Address of property) Pikesville (City) MD (State) 21208 (Zip Code)

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

See attached

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

Signature of Owner (Affiant)

Rebecca Ann Leaf

Name- Print or Type

Signature of Owner (Affiant)

David Adam Katz

Name- Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 18th day of July, 2020, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Rebecca Ann Leaf and David Adam Katz

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

AS WITNESS my hand and Notaries Seal

Notary Public

December 29, 2023

My Commission Expires

REV. 5/5/2016

Attachment to Administrative Zoning Petition
Rebecca Ann Leaf and David Adam Katz
3303 Tray Lane, Pikesville, MD 21208
Tax Acct. # 2500011133

Baltimore County Zoning Review Board:

We are petitioning for a variance in order to build a small screened-in deck behind our home. Our plan requires a 4.5-foot variance.

Under Baltimore Code, the rear setback on our property (D2) is 30 feet, and we have exactly 30 feet from the rear of our home to the end of our property line. As a result, we're very limited in our ability to build a deck on our property – we only have 7.5 feet to build on.

Strict compliance with the BCZR would result in "undue hardship" as defined in *Anderson v. Bd. of Appeals, Town of Chesapeake Beach*, 22 Md. App. 28 for the following reasons:

1. A 7.5-foot deck is extremely small and would limit the use and enjoyment of our property. By way of example, a standard lounge chair is 7-feet long, so would not easily fit on our deck without a variance. Most contractors do not recommend building a deck shorter than 12 feet. We would like to enjoy the deck by making it large enough to fit two lounge chairs, a grill, and a small table and chairs.
2. Our home is designed with a sliding glass door off our kitchen, leading to the backyard. But the door is about 10 feet off the ground. Without the ability to build a deck off this kitchen door, we lose a means of egress from the home, which was clearly designed to exist there (both for everyday use and for emergencies). Without a variance that allows for enough usable space to build a deck behind the home, we lose the ability to access our backyard from the main level of our home. Instead, we have to either go through the basement or leave through the front door and walk around. Most homeowners have easy access to their backyards, so without a variance, we are limited in the functionality and use of our property in ways other homeowners are not.
3. Our backyard faces open land where deer graze morning and night. The view is beautiful and is part of the reason we chose to purchase in this community. We hope to be able to enjoy this view and the outdoors from our deck.
4. Due to COVID-19, we are maximizing our use of outdoor space. We have elderly parents and individuals in our family who are high-risk for contracting the virus, and we are taking all precautions by being in open-air spaces with them.
5. We were one of the last to purchase a home in our community and the few remaining lots were small. Most other lots in our community are large enough that those homeowners did not have to apply for variances to build their decks. Thus, they have been able to enhance their property – both aesthetically and in value – by adding decks that are large enough to be functional. If we are denied the variance, we would not be able to build a comparable deck to others in our community.

We appreciate the County's consideration.

Rebecca Leaf and David Katz

The Zoning Petition Property Description:

Part A

Zoning Property for 3303 Tray Lane

- Beginning at a point of the **W** side of Tray Lane which is **13.8** feet wide at a distance of **161.6 feet NE** of the centerline of the nearest improved intersecting street **Pelger Road** which is **23** feet wide.

Part B

Option 2

- Being **lot #32,** block n/a, Section **#3b** in the subdivision of **Old Court Crossing** as recorded in Baltimore County Plat Book **#79**, Folio **#738**, containing **0.206** acres. Located in the **(3)** Election District and **(2)** Council District.

2020-0189-A

#2
ZONING NOTICE
ADMINISTRATIVE
VARIANCE
CASE # 2020-0189-A
TO PERMIT A REAR YARD DECK WITH A REAR SETBACK OF 18 FEET IN LIEU OF THE REQUIRED 22.5 FEET
PUBLIC HEARING ?
PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE; AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON 8/24/20
ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391
DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

#1
ZONING NOTICE
ADMINISTRATIVE
VARIANCE
CASE # 2020-0189-A
TO PERMIT A REAR YARD DECK WITH A REAR SETBACK OF 18 FEET IN LIEU OF THE REQUIRED 22.5 FEET
PUBLIC HEARING ?
PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON 8/24/20
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REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW
ACCESSIBLE

CERTIFICATE OF POSTING

Date: 8-9-20

RE: Case Number: 2020-0189-A

Petitioner/Developer: Katz and Leef

Date of Hearing/Closing: 8-24-20

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 3303 Tracy Lane

The signs(s) were posted on 8-9-20
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

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

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

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2020- 0189 -A Address 3303 TRAY LANE, 21208

Contact Person: SASON SEIDELMAN Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 7/30/20 Posting Date: 8/9/20 Closing Date: 8/24/20

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

1. POSTING/COST: The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.

2. DEADLINE: The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.

3. ORDER: After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.

4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Administrative Law Judge), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2020- 0189 -A Address 3303 TRAY LANE, 21208

Petitioner's Name REBECCA LEAF + DAVID KATZ Telephone 240476-2535

Posting Date: 8/9/20 **Closing Date:** 8/24/20

Wording for Sign: - To permit a rear yard deck with a rear setback of 18 feet in lieu of the required 22.5 feet.

Revised 2/20/2020

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

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: 2020-0189-A

Property Address: 3303 Tray Lane Pikesville MD 21208

Property Description: Property land area 0.206AC, open lot in the middle of houses on their row, not a corner

Legal Owners (Petitioners): Rebecca Ann Leaf / David Adam Katz

Contract Purchaser/Lessee: Rebecca Ann Leaf / David Adam Katz

PLEASE FORWARD ADVERTISING BILL TO:

Name: Rebecca Ann Leaf / David Katz

Company/Firm (if applicable): _____

Address: 3303 Tray Lane
Pikesville MD 21208

Telephone Number: 240-476-2535

Revised 7/9/2015

CERTIFICATE OF POSTING

Date: 8-9-20

RE: Case Number: 2020-0189-A

Petitioner/Developer: Katz and Leef

Date of Hearing/Closing: 8-24-20

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 3303 Tray Lane

The signs(s) were posted on 8-9-20
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

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

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

#1

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2020-0189-A

TO PERMIT A REAR YARD DECK WITH A REAR SETBACK OF 18 FEET IN LIEU OF THE REQUIRED 22.5 FEET

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON 8/24/20.

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

REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

#2
ZONING NOTICE
ADMINISTRATIVE
VARIANCE
CASE # 2020-0189-A
TO PERMIT A REAR YARD DECK WITH A REAR SETBACK OF 18 FEET IN LIEU OF THE REQUIRED 22.5 FEET
PUBLIC HEARING ?
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ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391
DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

3303 Tray Lane

3301 Tray Lane

3301 Tray Lane
3303 Backofhouse

[redacted]

JOHN A. OLSZEWSKI, JR.
County Executive

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

August 24, 2020

[redacted]

303 Tray Lane

[redacted]tion was accepted for processing **ONLY** by the Bureau of Zoning [redacted] Approvals, and Inspection (PAI) on July 30, 2020. This letter is not an [redacted]**CATION.**

[redacted]isory Committee (ZAC), which consists of representatives from several approval [redacted]d the plans that were submitted with your petition. All comments submitted thus far [redacted]of the ZAC are attached. These comments are not intended to indicate the [redacted]of the zoning action requested, but to ensure that all parties (zoning commissioner, [redacted]ioner, etc.) are made aware of plans or problems with regard to the proposed improvements [redacted]ave 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 [redacted]mmenting agency.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

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: August 20, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0189-A
Address 3303 Tray Lane
(Leaf & Katz Property)

Zoning Advisory Committee Meeting of **August 17, 2020.**

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

Reviewer: Steve Ford

View of homeowner's backyard 3303 Tray Lane
View of neighbor's yard to the
left of homeowner.
Back-side - view
3305 Tray Lane

View of the back of 8303 Fray Lane
homeowner's house

CASE NO. 2020- 0189-A

CHECKLIST

Comment Received	Department	Support/Oppose/ Conditions/ Comments/ No Comment
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
8-20	DEPS (if not received, date e-mail sent _____)	NC
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
_____	STATE HIGHWAY ADMINISTRATION	_____
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING (1st) Date: 8-9-20 by Pilson

SIGN POSTING (2nd) Date: _____ by _____

PEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Special Tax Recapture: None

Account Identifier: **District -** 03 **Account Number -** 2500011133

Owner Information

Owner Name:	KATZ DAVID ADAM LEAF REBECCA ANN	**Use:** **Principal Residence:**	RESIDENTIAL YES
Mailing Address:	3303 TRAY LN PIKESVILLE MD 21208-3211	**Deed Reference:**	/42870/ 00088

Location & Structure Information

Premises Address:	3303 TRAY LN PIKESVILLE 21208-3211	**Legal Description:**	0.206 AC 3303 TRAY LN ES OLD COURT CROSSING

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	3
0068	0023	0594	3050071.04	9736			32	2020	Plat Ref:	0079/ 0738

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
2020	3,588 SF	686 SF	0.2060 AC	04

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
2	YES	STANDARD UNIT	SIDING/	6	4 full/ 1 half	2 Attached	

Value Information

	Base Value	Value As of 01/01/2020	Phase-in Assessments As of 07/01/2020	As of 07/01/2021
Land:	121,000	241,000		
Improvements	484,500	537,800		
Total:	605,500	778,800	663,267	721,033
Preferential Land:	0			0

Transfer Information

Seller: BEAZER HOMES LLC	**Date:** 05/21/2020	**Price:** $786,875
Type: ARMS LENGTH IMPROVED	**Deed1:** /42870/ 00088	**Deed2:**
Seller: OLD COURT LLC	**Date:** 01/22/2018	**Price:** $3,686,400
Type: ARMS LENGTH MULTIPLE	**Deed1:** /39868/ 00171	**Deed2:**
Seller:	**Date:** 06/29/2014	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /35110/ 00163	**Deed2:**

ZAC AGENDA

Case Number: 2020-0188-A **Reviewer:** Gary Hucik
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Jason & Michelle Fedash
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 3 **Council Dist:** 2

Property Address: 3235 PELGER RD
Location: South side of Pelger Road East 286 feet to the center line of Shopo Road.

Existing Zoning: DR 2 **Area:** .208 AC
Proposed Zoning:
ADMINISTRATIVE VARIANCE:
301.1 and 1B01.2.C.1.b (BCZR) To permit a proposed deck with a rear yard set back of 12 feet in lieu of the required 22.5 feet.
Attorney: Not Available
Prior Zoning Cases: None
Concurrent Cases: None
Violation Cases: None
Closing Date: 08/24/2020

Miscellaneous Notes:

Case Number: 2020-0189-A **Reviewer:** Jason Seidelman
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Rebecca Ann Leaf and David Adam Katz
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 3 **Council Dist:** 2

Property Address: 3303 TRAY LN
Location: East side of Tray Lane (50') 135' South of center line of intersection with Pelger Road (50').

Existing Zoning: DR 2 **Area:** 0.206 A
Proposed Zoning:
ADMINISTRATIVE VARIANCE:
1B01.2.C.1.b. To permit a rear yard deck with a rear setback of 19 feet in lieu of the required 22.5 feet.
Attorney: Not Available
Prior Zoning Cases: None
Concurrent Cases: None
Violation Cases: None
Closing Date: 08/24/2020

Miscellaneous Notes:

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED
AUG 20 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

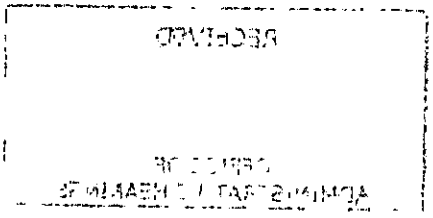
DATE: August 20, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0189-A
Address 3303 Tray Lane
(Leaf & Katz Property)

Zoning Advisory Committee Meeting of **August 17, 2020.**

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

Reviewer: Steve Ford

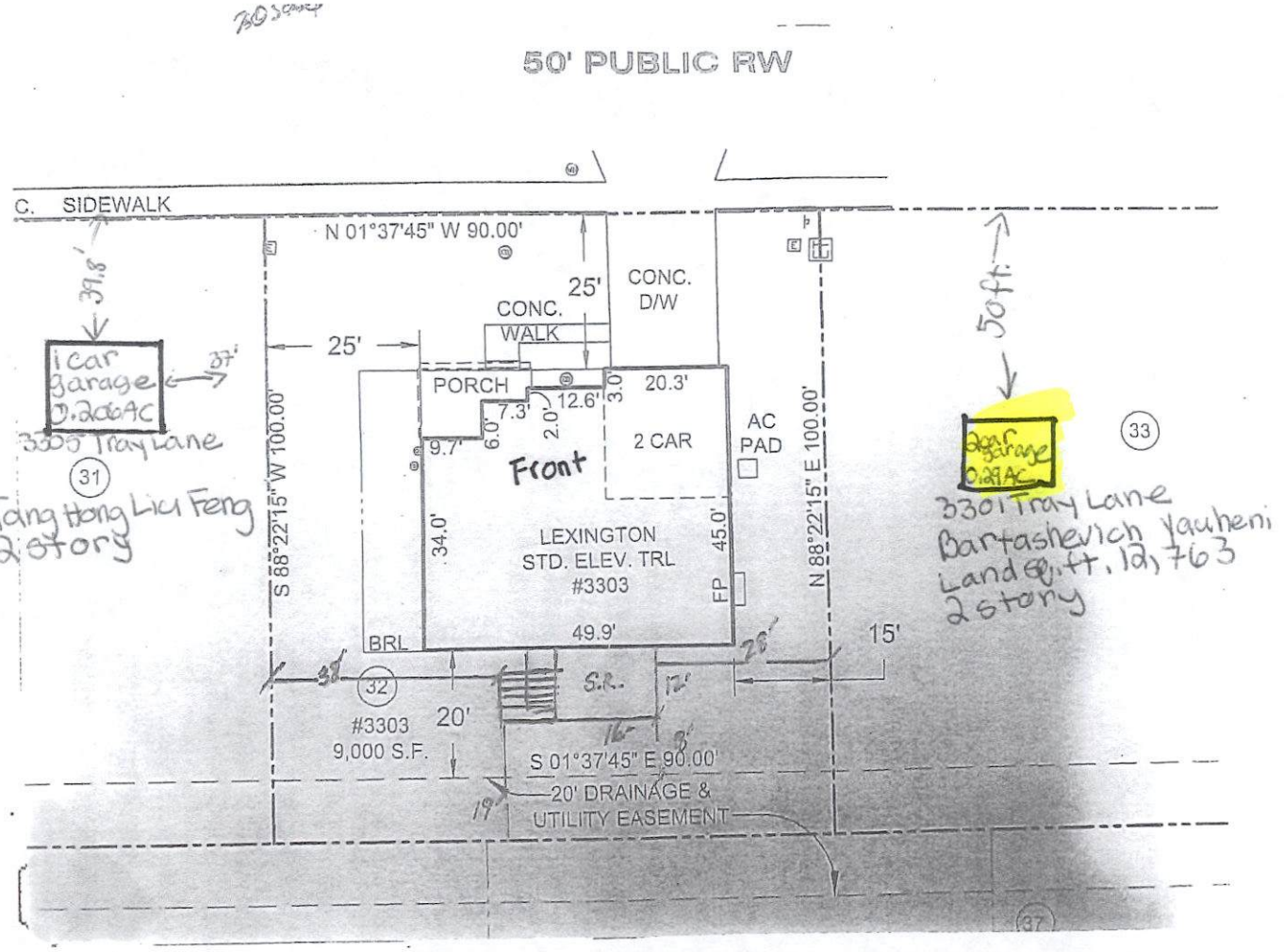


ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING ____ (MARK TYPE REQUESTED WITH X)

ADDRESS 3303 Tray Lane Pikesville 21208 OWNER(S) NAME(S) Rebecca Leaf / David Katz

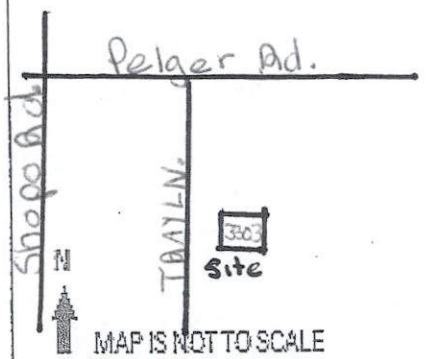
SUBDIVISION NAME Old Court Crossing LOT # 32 BLOCK # 3b SECTION # N/A

PLAT BOOK # 79 FOLIO # 738 10 DIGIT TAX # 2500011133 DEED REF. # 42870/00088



PLAN DRAWN BY Barry Ellis DATE 7-28-20 SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP



ZONING MAP # D12

SITE ZONED: Residential

ELECTION DISTRICT 3

COUNCIL DISTRICT 2

LOT AREA ACREAGE 0.206

OR SQUARE FEET ____

HISTORIC ? N/A

IN CBCA ? NO

IN FLOOD PLAIN ? NO

UTILITIES ? MARK WITH X

WATER IS:

PUBLIC X PRIVATE ____

SEWER IS:

PUBLIC X PRIVATE ____

PRIOR HEARING ? ____

IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW

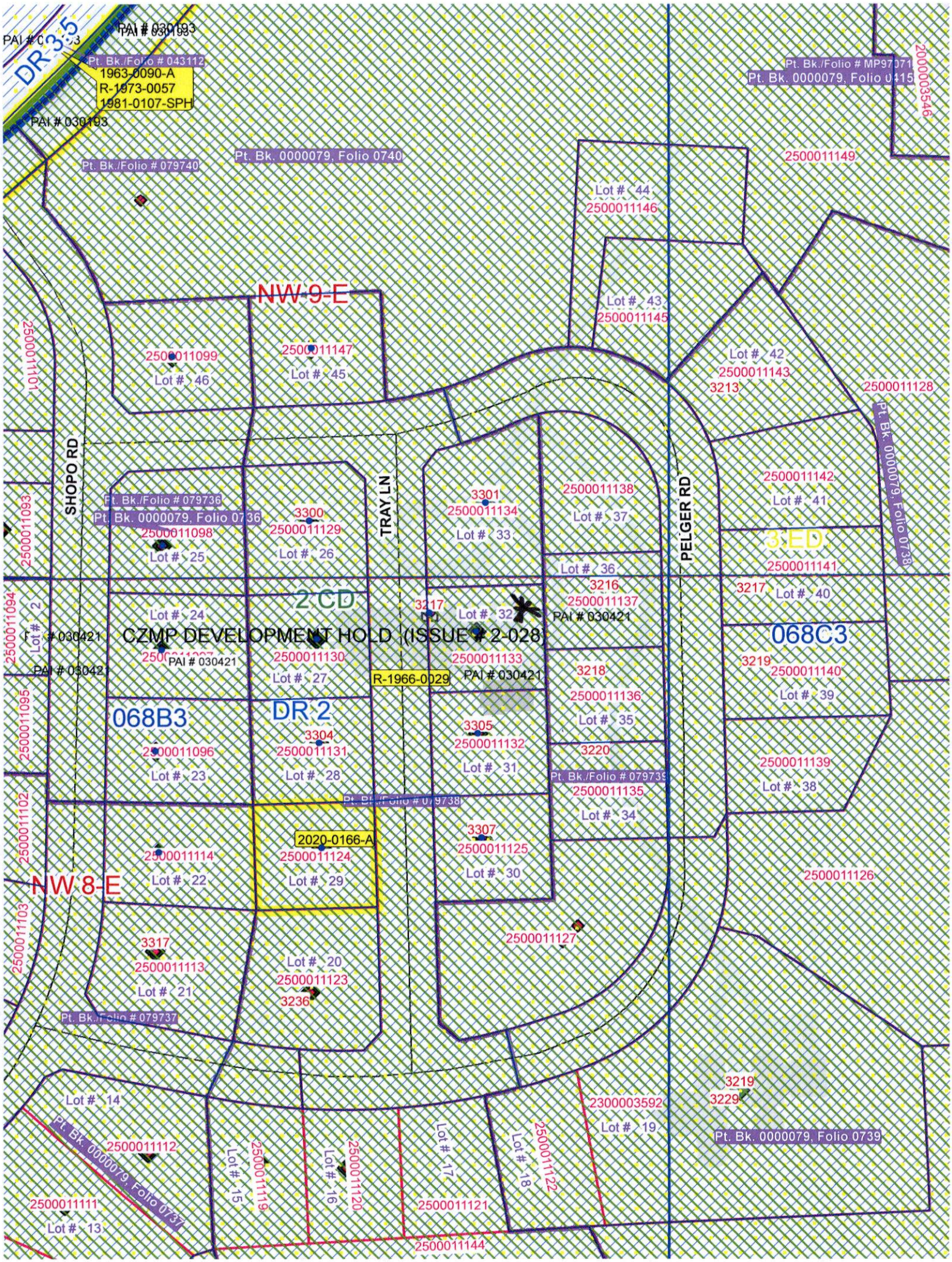
R-1966-0029

Zoning 4th story

Case # (NOT RELATED)

VIOLATION CASE INFO: Withdrawn / Dismissed

2020-0189-A Pet. Exh. 1

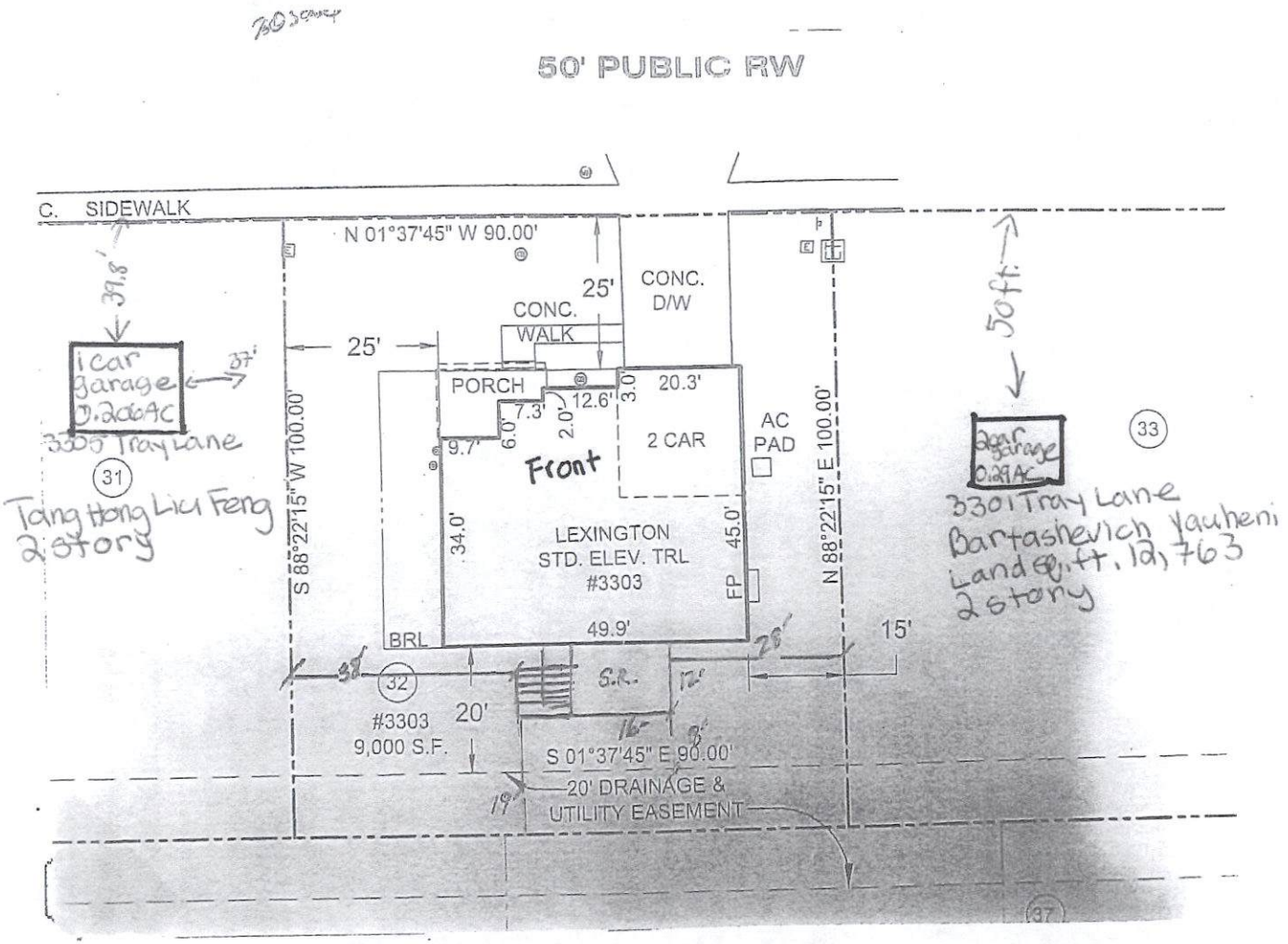

DR-3.5
PAI # 030193
Pt. Bk./Folio # 043112
1963-0090-A
R-1973-0057
1981-0107-SPH
Pt. Bk./Folio # MP97071
Pt. Bk. 0000079, Folio 0415
2000003546
Pt. Bk./Folio # 079740
Pt. Bk. 0000079, Folio 0740
2500011149
Lot # 44
2500011146
NW-9-E
Lot # 43
2500011145
2500011099
Lot # 46
2500011147
Lot # 45
Lot # 42
2500011143
3213
2500011128
SHOPO RD
TRAY LN
PELGER RD
Pt. Bk. 0000079, Folio 0738
Pt. Bk./Folio # 079736
Pt. Bk. 0000079, Folio 0736
3301
2500011134
Lot # 33
2500011138
Lot # 37
2500011142
Lot # 41
3300
2500011129
Lot # 26
2500011098
Lot # 25
3-ED
2500011141
Lot # 36
3216
2500011137
3217
Lot # 40
2-CD
3217
Lot # 32
PAI # 030421
Lot # 24
CZMP DEVELOPMENT HOLD (ISSUE # 2-028)
068C3
PAI # 030421
2500011130
2500011133
PAI # 030421
Lot # 27
R-1966-0029
3218
3219
2500011140
2500011136
Lot # 39
Lot # 35
068B3
DR-2
3305
2500011132
3304
2500011131
Lot # 31
3220
2500011139
Lot # 38
2500011096
Lot # 23
Lot # 28
Pt. Bk./Folio # 079739
2500011135
Lot # 34
Pt. Bk./Folio # 079738
2020-0166-A
3307
2500011125
2500011114
2500011124
Lot # 30
2500011126
Lot # 22
Lot # 29
NW-8-E
2500011127
3317
2500011113
Lot # 20
2500011123
Lot # 21
3236
Pt. Bk./Folio # 079737
Lot # 14
3219
3229
2300003592
Lot # 19
Pt. Bk. 0000079, Folio 0739
Pt. Bk. 0000079, Folio 0731
2500011112
Lot # 15
2500011119
Lot # 16
2500011120
Lot # 17
2500011121
Lot # 18
2500011122
2500011111
Lot # 13
2500011144

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

ADDRESS 3303 Tray Lane Pikesville 21208 OWNER(S) NAME(S) Rebecca Leaf / David Hatz

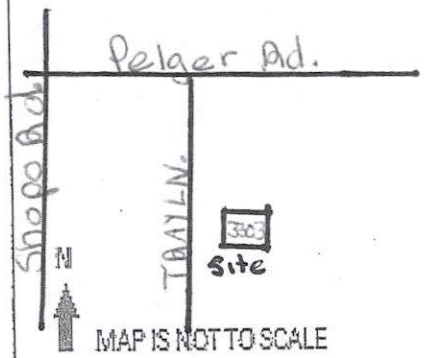
SUBDIVISION NAME Old Court Crossing LOT # 32 BLOCK # 3b SECTION # N/A

PLAT BOOK # 79 FOLIO # 738 10 DIGIT TAX # 2500011133 DEED REF. # 42870/00088



PLAN DRAWN BY Barry Ellis DATE 7-28-20 SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP # D12

SITE ZONED Residential

ELECTION DISTRICT 3

COUNCIL DISTRICT 2

LOT AREA ACREAGE 0.206

OR SQUARE FEET ____

HISTORIC ? N/A

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PUBLIC X PRIVATE ____

PRIOR HEARING ? ____

IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW

R-1966-0029

Zoning 1th story

Case #

(NOT RELATED)

VIOLATION CASE INFO:

Withdrawn / Dismissed

2020-0189-A