

IN THE MATTER OF
THE ESTATE OF ALLAN T. ZEMAN AND
JUDITH KRUKOW, PERSONAL REPRESENTATIVE
LEGAL OWNERS/PETITIONERS
FOR AN UNDERSIZED LOT
7109 OLIVERWOOD ROAD
15TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. UA-2022-007-UL

* * * * *

ORDER OF DISMISSAL

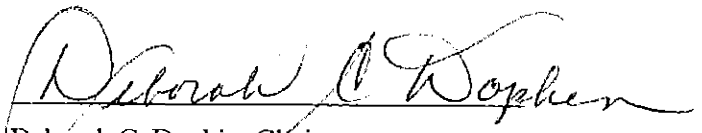
This matter comes to the Board of Appeals by way of an appeal filed by Timothy M Kotroco, Esquire on behalf of the Estate of Allan T. Zeman, by its Personal Representative Judith Krukow, Legal Owners, Petitioners and Appellants, from a decision of the Administrative Law Judge dated October 31, 2022 wherein the application under BCZR § 304.1 to permit an undersized lot having an area of 5,900 square feet in lieu of the required 6,000 square feet was denied.

WHEREAS, the Board is in receipt of a Withdrawal of Zoning Petition for an Undersized Lot filed by Timothy M. Kotroco, Esquire on behalf of the Estate of Allan T. Zeman, by its Personal Representative Judith Krukow, Legal Owners, Petitioners and Appellants (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Petitioner requests that the Petition for Undersized Lot that is the subject matter of this appeal be withdrawn and dismissed,

IT IS THEREFORE ORDERED this 4th day of January, 2023 by the Board of Appeals of Baltimore County that the Petition for Undersized Lot filed in Case No. UA-2022-007-UL is hereby **WITHDRAWN AND DISMISSED** without prejudice.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Deborah C. Dopkin, Chair

ESTATE OF ALLAN T. ZEMAN * BEFORE THE
7109 OLIVERWOOD ROAD * BOARD OF APPEALS
15th ELECTION DISTRICT * FOR
5th COUNCILMANIC DISTRICT * BALTIMORE COUNTY
* UA-22-007-UL

* * * * *

WITHDRAWAL OF ZONING PETITION FOR AN UNDERSIZED LOT

The Appellant, the Estate of Allan T. Zeman, by and through its undersigned counsel, hereby files this Withdrawal of Zoning Petition for an Undersized Lot for the following reasons:

1. The Appellant, Judith Krukow, in her capacity as Personal Representative of the Estate of Allan T. Zeman, her deceased brother, filed an application before the Administrative Law Judge ("ALJ") under BCZR §304.1 seeking approval for an undersized lot.

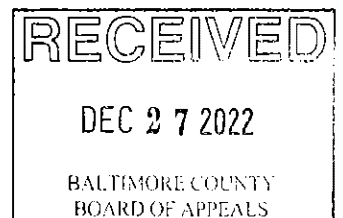
2. The Appellant, Judith Krukow was unrepresented by counsel during the filing of the petition with the zoning office and at the hearing before the ALJ.

3. The ALJ denied the Petitioner's request by Order dated the 31st day of October 2022.

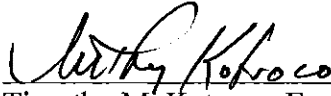
4. My office entered its appearance and filed a timely appeal of the decision of the ALJ to this Board of Appeals.

5. Having an opportunity to review the facts and evidence of this case, the undersigned has determined that the evidence of this case is insufficient to support a request under BCZR §304.1 and that the Petition was erroneously filed.

6. The Appellant hereby withdraws her request for approval of an undersized lot per BCZR §304.1 and further requests that the Appeal be dismissed as moot.



Respectfully Submitted,

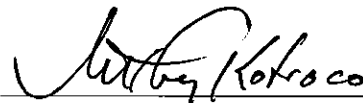


Timothy M. Kotroco, Esquire
305 Washington Avenue, Suite 502
Towson, Maryland 21204
410-299-2943

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of December, 2022 a copy of the foregoing Withdrawal of Zoning Petition for an Undersized Lot was sent electronically to:

Board of Appeals - appealsboard@baltimorecountymd.gov
Krysundra Cannington - kcannington@baltimorecountymd.gov
People's Counsel - peoplescounsel@baltimorecountymd.gov
Mike and Constance Tawney – constance.tawney@gmail.com
Julia Crislip – juliangel903@gmail.com
Richard Johnson – ghopper57@comcast.net
Rick McGee – rick@mcghee.com



Timothy M. Kotroco, Esquire
305 Washington Avenue, Suite 502
Towson, MD 21204
410-299-2943



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

January 4, 2023

Timothy M. Kotroco, Esquire
Kotroco & Associates, LLC
305 Washington Avenue, Suite 502
Towson, Maryland 21204

Re: In the matter of: *The Estate of Allan T. Zeman and
Judith Krukow, Personal Representative – Legal Owner*
Case No.: UA-2022-007-UL

Dear Mr. Kotroco:

Enclosed please find a copy of the Order of Dismissal issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **WITH A PHOTOCOPY PROVIDED TO THIS OFFICE CONCURRENT WITH FILING IN CIRCUIT COURT.** Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

A handwritten signature in cursive script, reading "Sunny Cannington".

Krysundra "Sunny" Cannington
Administrator

KLC/taz
Enclosure

c: Judith Krukow, Personal Presentative
Michael Jenkins/Jenkins Builders, LLC
David Billingsley/Central Drafting and Design
Office of People's Counsel
Paul M. Mayhew, Managing Administrative Law Judge
Stephen Lafferty, Director/Department of Planning
C. Pete Gutwald, Director/PAI
James R. Benjamin, Jr., County Attorney/Office of Law

Mike and Constance Tawney
Julia Crislip
Richard Johnson

ESTATE OF ALLAN T. ZEMAN * BEFORE THE
7109 OLIVERWOOD ROAD * BOARD OF APPEALS
15th ELECTION DISTRICT * FOR
5th COUNCILMANIC DISTRICT * BALTIMORE COUNTY
* UA-22-007-UL

* * * * *

ORDER

Upon consideration of the Withdrawal of Zoning Petition for an Undersized Lot filed by the Appellant, the Estate of Allan T. Zeman it is this ____ day of _____, 20____, by the Board of Appeals for Baltimore County;

ORDERED, that the Zoning Petition for Undersized Lot is Withdrawn, and the appeal filed by the Estate of Allan T. Zeman in the above captioned case is **Dismissed**.

Judge

Judge

Judge

From: [Tim Kotroco](#)
To: [Appeals Board](#); [Krysundra Cannington](#); [Peoples Counsel](#)
Cc: [constance.tawney@gmail.com](#); [julian903@gmail.com](#); [ghopper57@comcast.net](#); [rick@mcghee.com](#); [Steve Lafferty](#); [Brett Williams](#); [Jeffrey N Perlow](#); [Peter Gutwald](#); [mjenkinsbuilders@verizon.net](#); [David W. Billingsley](#)
Subject: Re: Please see attached Withdrawal of Appeal and Proposed Order
Date: Thursday, December 22, 2022 1:19:21 PM
Attachments: [Krukow- Proposed order.pdf](#)
[Krukow- Signed Withdrawal.pdf](#)

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

All,

Please see the attached signed copy and proposed order that will be delivered to the Board of Appeals dropbox today.

-Tim K

Timothy M. Kotroco, Esq.
Kotroco & Associates, LLC
305 Washington Ave, Suite 502
Towson, Maryland 21204
Cell: 410-299-2943

This communication is from a law firm and may contain confidential or privileged information. Unauthorized retention, disclosure, or use of this information is prohibited and may be unlawful under 18 U.S.C. §§ 2510-2521. Accordingly, if this email has been sent to you in error, please contact the sender by reply email or by phone at 410-299-2943.

On Thu, Dec 22, 2022 at 12:30 PM Tim Kotroco <tkotroco@gmail.com> wrote:

All,

Good afternoon. We appreciate Mr. Zimmerman's thorough, detailed, and slightly literary analysis of the proposed appeal for Case Number UA-22-007-UL. The appellant agrees with the analysis of BCZR section 304.1 for the reasons as stated within the attached motion to withdrawal and chooses to withdraw the original petition filed in this case. Consequently the appeal should be dismissed as well. The interested parties who appeared before the ALJ have been copied on this email. We appreciate Mr. Zimmerman's attention to these cases and the time and effort he puts into them. Enjoy the holidays and happy New Year to you all.

-Tim K

Timothy M. Kotroco, Esq.
Kotroco & Associates, LLC
305 Washington Ave, Suite 502
Towson, Maryland 21204
Cell: 410-299-2943

This communication is from a law firm and may contain confidential or privileged information. Unauthorized retention, disclosure, or use of this information is prohibited and may be unlawful under 18 U.S.C. §§ 2510-2521. Accordingly, if this email has been sent to you in error, please contact the sender by reply email or by phone at 410-299-2943.

ESTATE OF ALLAN T. ZEMAN	*	BEFORE THE
7109 OLIVERWOOD ROAD	*	BOARD OF APPEALS
15 th ELECTION DISTRICT	*	FOR
5 th COUNCILMANIC DISTRICT	*	BALTIMORE COUNTY
	*	UA-22-007-UL

* * * * *

WITHDRAWAL OF ZONING PETITION FOR AN UNDERSIZED LOT

The Appellant, the Estate of Allan T. Zeman, by and through its undersigned counsel, hereby files this Withdrawal of Zoning Petition for an Undersized Lot for the following reasons:

1. The Appellant, Judith Krukow, in her capacity as Personal Representative of the Estate of Allan T. Zeman, her deceased brother, filed an application before the Administrative Law Judge (“ALJ”) under BCZR §304.1 seeking approval for an undersized lot.

2. The Appellant, Judith Krukow was unrepresented by counsel during the filing of the petition with the zoning office and at the hearing before the ALJ.

3. The ALJ denied the Petitioner’s request by Order dated the 31st day of October 2022.

4. My office entered its appearance and filed a timely appeal of the decision of the ALJ to this Board of Appeals.

5. Having an opportunity to review the facts and evidence of this case, the undersigned has determined that the evidence of this case is insufficient to support a request under BCZR §304.1 and that the Petition was erroneously filed.

6. The Appellant hereby withdraws her request for approval of an undersized lot per BCZR §304.1 and further requests that the Appeal be dismissed as moot.

Respectfully Submitted,

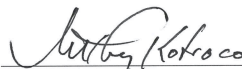


Timothy M. Kotroco, Esquire
305 Washington Avenue, Suite 502
Towson, Maryland 21204
410-299-2943

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of December, 2022 a copy of the foregoing Withdrawal of Zoning Petition for an Undersized Lot was sent electronically to:

Board of Appeals - appealsboard@baltimorecountymd.gov
Krysundra Cannington - kcannington@baltimorecountymd.gov
People's Counsel - peoplescounsel@baltimorecountymd.gov
Mike and Constance Tawney – constance.tawney@gmail.com
Julia Crislip – juliangel903@gmail.com
Richard Johnson – ghopper57@comcast.net
Rick McGee – rick@mcghee.com



Timothy M. Kotroco, Esquire
305 Washington Avenue, Suite 502
Towson, MD 21204
410-299-2943

From: [Tim Kotroco](#)
To: [Appeals Board](#); [Krysundra Cannington](#); [Peoples Counsel](#)
Cc: [constance.tawney@gmail.com](#); [juliangel903@gmail.com](#); [ghopper57@comcast.net](#); [rick@mcghee.com](#); [Steve Lafferty](#); [Brett Williams](#); [Jeffrey N Perlow](#); [Peter Gutwald](#); [mjenkinsbuilders@verizon.net](#); [David W. Billingsley](#)
Subject: Please see attached Withdrawal of Appeal and Proposed Order
Date: Thursday, December 22, 2022 12:30:18 PM
Attachments: [Board of Appeals-Withdrawal of Petition for 7109 Oliverwood.docx](#)
[Krukow- Proposed Order to Dismiss.docx](#)

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

All,

Good afternoon. We appreciate Mr. Zimmerman's thorough, detailed, and slightly literary analysis of the proposed appeal for Case Number UA-22-007-UL. The appellant agrees with the analysis of BCZR section 304.1 for the reasons as stated within the attached motion to withdrawal and chooses to withdraw the original petition filed in this case. Consequently the appeal should be dismissed as well. The interested parties who appeared before the ALJ have been copied on this email. We appreciate Mr. Zimmerman's attention to these cases and the time and effort he puts into them. Enjoy the holidays and happy New Year to you all.

-Tim K

Timothy M. Kotroco, Esq.
Kotroco & Associates, LLC
305 Washington Ave, Suite 502
Towson, Maryland 21204
Cell: 410-299-2943

This communication is from a law firm and may contain confidential or privileged information. Unauthorized retention, disclosure, or use of this information is prohibited and may be unlawful under 18 U.S.C. §§ 2510-2521. Accordingly, if this email has been sent to you in error, please contact the sender by reply email or by phone at 410-299-2943.



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

December 8, 2022

NOTICE OF ASSIGNMENT

IN THE MATTER OF: Estate of Allan T. Zeman
Judith Krukow, Personal Representative - Legal Owner and Petitioner
UA- 22-007-UL Jenkins Builders, LLC – Applicant
7109 Oliverwood Road
15th Election District; 5th Council District

Re: Application under BCZR §304.1 to permit an undersized lot having an area of 5,900 sf in lieu of the required 6,000 sf.

10/31/22 Opinion and Order of the Administrative Law Judge wherein the Application under BCZR §304.1 to permit an undersized lot having an area of 5,900 sf in lieu of the required 6,000 sf was DENIED.

ASSIGNED FOR: JANUARY 5, 2023, AT 10:00 A.M.

This matter has been set for a hearing in accordance with Baltimore County Zoning Regulation Section 304.6.

The above scheduled hearing will be held remotely using WebEx for audio and video participation. **Call-in information and a link to the hearing will be posted on our web calendar at www.baltimorecountymd.gov/departments/appeals the night before.**

A complete set of **exhibits must be emailed** at least **48 hours before the hearing** to **appealsboard@baltimorecountymd.gov** in a format that complies with MDEC (Maryland Electronic Court) standards.

NOTICE:

- This appeal is an evidentiary hearing. Parties should consider the advisability of retaining an attorney.
- Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.
- No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).
- If you require special accommodations, please contact this office at least one week prior to hearing date.

If you do not have access to a computer or smart device, please contact our office for the call-in information the day before the scheduled hearing.

Krysundra Cannington, Administrator

c.	Counsel for Petitioner/Appellant	: Timothy Kotroco, Esquire
	Legal Owner/Petitioner	: Judith Krukow, Personal Representative
		for the Estate of Allan Zeman
	Applicant/Developer	: Jenkins Builders, LLC
	Protestants	: Mike and Constance Tawney
		Julia Crislip
		Richard Johnson

David Billingsley

Office of People's Counsel
Paul M. Mayhew, Managing Administrative Law Judge
Stephen Lafferty, Director/Department of Planning
C. Pete Gutwald, Director/PAI
James R. Benjamin, Jr., County Attorney/Office of Law

From: juliangel903@gmail.com <juliangel903@gmail.com>

Sent: Monday, October 17, 2022 10:08 AM

To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>

Subject: Case# UA-2022-0006-UL

CAUTION: This message from juliangel903@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Sent from my iPhone

Begin forwarded message:

From: Julia Crislip <JulieC@futurecare.com>

Date: October 17, 2022 at 10:05:19 AM EDT

To: juliangel903@gmail.com

Subject: zoning hearing

October 17, 2022

Att: Baltimore County Zoning and development hearings

Case Number UA-2022-0007-UL

Located at 7109 Oliverwood Rd Middle River Md. 21220

Legal Owner Judith Krukow personal Representative for estate of Allan Zeman

My name is Julia Crislip and I live at 7107 Oliverwood Rd. for the pass 18 years. I would like to

Oppose to the building of any house on the undersized lot known as 7109 Oliverwood Rd.

That lot was connected to the house that was 7111 and should have been sold with the house. It's too small to add another house between my home 7109 and 7111. I do not want a 3 story house that is too close to my home and I fear it will affect the value of my house if I decide to sell. Lots size are set to keep our neighborhood from getting over crowded. Most of the house in our area are split level or ranchers. Please take in consideration that the neighbors do not want this to happen and want to preserve our neighborhood.

Sincerely,

Julia Crislip

[Juliangel903@gmail.com](mailto:juliangel903@gmail.com)

410-274-1611

Julia Crislip

Medical Records Manager

FutureCare Canton Harbor

Phone: 410-342-6644 x 07048

Canton Harbor Medical Records gFax: (410) 505-1795

EMAIL: JULIEC@FUTURECARE.COM

IN RE: PETITION FOR SPECIAL HEARING

(7109 Oliverwood Road)

15th Election District

6th Council District

Estate of Allan T. Zeman

7109 Oliverwood Rd.

Middle River, MD 21220

Petitioner

* * * * *

* BEFORE THE

* OFFICE OF

* ADMINISTRATIVE HEARINGS

* FOR BALTIMORE COUNTY

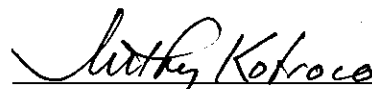
* Case No.: UA-2022-0007-UL

NOTICE OF APPEAL

Appellants/Petitioners, Estate of Allan T. Zeman, by its Personal Representative Judith Krukow, legal owner and Petitioner for the property at 7109 Oliverwood Road, Middle River provide notice of their appeal of the October 31, 2022 Opinion and Order of Administrative Law Judge Maureen E. Murphy in the above captioned matter.

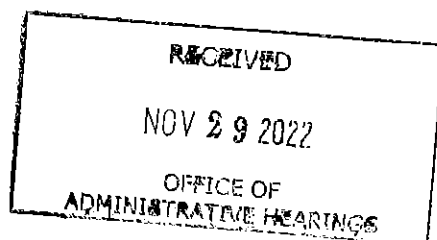
The required fee is enclosed.

Respectfully submitted,



Timothy M. Kotroco, Esq.
Kotroco & Associates, LLC
305 Washington Ave, STE 502
Towson, MD 21204
410.299.2943
tkotroco@gmail.com

Counsel for Appellants



CERTIFICATE OF SERVICE

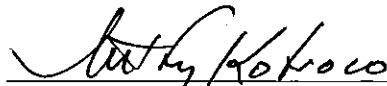
I HEREBY CERTIFY that on 11/29/22 a copy of the foregoing Notice of Appeal to County Board of Appeals from the Administrative Law Judge's Opinion and Order dated October 31, 2022 was hand delivered and emailed to:

Baltimore County Board of Appeals
Jefferson Building
105 W. Chesapeake Avenue
Second Floor, STE 203
Towson, MD 21204

Maureen E. Murphy
Administrative Law Judge
Office of Administrative Hearings
105 W Chesapeake Avenue
STE 103
Towson, MD 21204

People's Counsel
Jefferson Building
105 W. Chesapeake Avenue
Second Floor, STE 204
Towson, MD 21204

Baltimore County Department of Permits, Approvals, and Inspections
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204
ATTN: Zoning Review



Timothy M. Kotroco, Esquire

**CASHIER'S
VALIDATION**

From: [Peter Max Zimmerman](#)
To: [Appeals Board](#); [Krysundra Cannington](#)
Cc: "Tim Kotroco"; dwb0209@yahoo.com; constance.tawney@gmail.com; juliangel903@gmail.com; ghopper57@comcast.net; rick@mcghee.com; mjenkinsbuilders@verizon.net; [Steve Lafferty](#); [Brett Williams](#); [Jeffrey N Perlow](#); [Peter Gutwald](#)
Subject: County Board of Appeals Case UA-2022-0007-UL, Estate of Allan T. Zeman, 7109 Oliverwood Road
Date: Thursday, December 22, 2022 11:23:02 AM
Attachments: [Zeman Case Data, Photos.pdf](#)

Dear County Board of Appeals Chair Deborah Dopkin and Board Members,

We received the December 8, 2022 Notice of Assignment for this case. It is scheduled before the County Board of Appeals for January 5, 2023. Undersigned People's Counsel has now had a chance to review the record of this very interesting case. Please accept this e-mail as a prologue. As William Shakespeare put it so well, "What's past is prologue." The Tempest (1610-11). I hope this prologue helps set the factual and legal scene.

This case comes up in an unusual setting. The "UL" moniker stands for undersized lot. The framework is Baltimore County Zoning Regulation (BCZR) 304.

In what may be called Act I, Jenkins Builders started the case on August 15, 2022 with an application for undersized lot approval for 7109 Oliverwood Road. The property is in the Oliver Beach area, not far from Bird River. The property is owned by the Estate of Allan T. Zeman. The Personal Representative is listed as Judith Krakow of Apache Junction, Arizona. The property is undersized because the 5900sf area does not meet the 6000sf minimum for the D.R. 5.5 (Density Residential) Zone.

For Act II, after the posting of the property, Michael and Constance Tawney filed a demand for hearing on August 29, 2022. The contested case hearing was held on October 17, 2022. Administrative Law Judge (ALJ) Maureen E. Murphy conducted the hearing and in due course issued her October 31, 2022 opinion and order denying the application. According to the opinion, consultant David Billingsley appeared on behalf of the property owner, along with builder Michael Jenkins and realtor Rick McGhee. The Tawneys testified in opposition, along with neighbors Julia Crislip and Richard Johnson.

For Act III, there followed a timely appeal by the applicant/petitioner. Pursuant to County Charter Sec. 603, the appeal hearing is *de novo*. In other words, there is a new trial. The parties will have the opportunity to present such evidence and argument as they believe will be relevant. This includes, but is not limited to, the exhibits already produced at the ALJ hearing stage and/or in the record.

BCZR Sec. 304 has seven subsections. The first two are key at this juncture. The rest deal with procedure: notice, hearing, approval, appeals, and fees. Therefore, we shall focus on BCZR Secs. 304.1 and 304.2.

BCZR Sec. 304.1 sets the threshold standards for approval of a lot which is undersized as to area and front lot width. In the present case, for the D.R. 5.5 Zone, the 5900sf lot is undersized below the 6000sf requirement of BCZR Sec. 1B02.3.C.1 Table. The 58.5 ' wide lot does meet the minimum 55

feet.

Let us take the three threshold standards in order.

304.1.A: The first is that the lot must have been duly recorded before March 30, 1955. However, it is Lot 21 on the Cunninghill Cove, Plat I, subdivision plat. This plat, attached to the application and identified as Petitioner's Exhibit 6 below, was filed in January, 1979 and approved in February, 1979. This means it does not pass the first threshold. The application does not come close to meeting this standard. Please note the SDAT Data show the 7109 lot, owned by the Crislips, has a building dating from 1988. Several of the other nearby buildings also appear to be from 1988. ALJ Murphy correctly identified this threshold disqualification.

304.1.B: The second standard is that all other height and area requirements must be met. Technically, they appear to have been met.

304.1.C: The third standard requires that the owner of the lot does not own sufficient adjoining land to conform to the width and area requirements. This issue is complicated by the fact that the estate also owned the adjoining lot at 7111 Olivewood Road but sold it to the Tawneys this year. The SDAT Data show this lot, Lot 22, is 9,992sf with a building from 1979, consistent with the timing of the subdivision plat approval.

Our office in the past has taken the position that where a property owner owns more than one lot, which together satisfy the area and width standards, it is disqualified under this provision to sell one of the lots and then apply for what amounts to a self-created undersized lot. However, the Court of Special Appeals has afforded the Board discretion to determine whether the adjoining lots have effectively functioned together and merged or whether they have historically been identified and used as separate lots. Mueller v. People's Counsel 177 Md. App. 43 (2007). One problem here is that the 7111 dwelling may have its carport at the borderline of 7109 Lot 21, so that separating the two lots would involve a setback problem under BCZR Sec. 400.1. This could mean there may be a merger as a matter of law under Remes v. Montgomery County 387 Md. 52, 66-69 (2005). In any event, the merger issue would have to be evaluated under all the criteria articulated in Remes. Notably, Ms. Crislip testified at the ALJ hearing that Mr. Zeman told her he would never build on Lot 21. This may suggest the lots were used together either intentionally and/or functionally. ALJ Murphy correctly observed also that the lots may have merged. But she did not need to reach the issue.

-

Even if the proposed undersized lot were to pass under BCZR Sec. 304.1, it would still have to meet the BCZR Sec. 304.2 criteria. These include site and architectural design standards. Among other things, BCZR Sec. 304.2.B.1 states:

"New buildings must be appropriate in the context of the neighborhood in which they are proposed to be located. Appropriateness shall be evaluated on the basis of new building size, lot coverage, building orientation and location on the lot or tract."

The ALJ opinion states the Tawneys testified at the ALJ hearing that the proposed 3-story home does not fit with the ranchers or split-levels in the area. 7109 appears to be a split-level. Again, ALJ

Murphy did not need to reach the design issue.

To make a long story short, ALJ Murphy is correct as a matter of law that this application must be denied because the lot was not recorded before March 30, 1955.

As a footnote, it looks like there are some other lots which are 5900sf in area. The record does not indicate the history of those lots. We don't know if there were variances. We don't know if they went through without opposition. ALJ Murphy was again correct that whatever approvals were given for other lots does not furnish an exception or legal basis here.

In sum, ALJ Murphy had to deny this application as a matter of law and correctly did so based on the first threshold criterion. Even had this criterion been met, there were significant issues as to merger and appropriate design. It was not necessary for her to reach those issues.

We attach the SDAT for 7107, 7109, and 7111 Oliverwood Road, along with selected photos and a My Neighborhood Zoning Map.

Anyway, that is what I want to tell everybody today. I hope you find it helpful. Best wishes for the holidays.

Respectfully, Peter Max Zimmerman, People's Counsel for
Baltimore County, 410 887-2188

PETITIONER'S EXHIBITS
7109 OLIVERWOOD ROAD
CASE NO. UA-2022-0007-UL

1. SITE PLAN DATED JULY 18, 2022 (NO CHANGES)
2. UNDERSIZED LOT APPLICATION
3. SDAT REAL PROPERTY DATA SEARCH
4. DEED OF RECORD L.7633 F.806 DATED JULY 8, 1987
5. AERIAL PHOTO
6. PLAT 1, CUNNINGHILL COVE PB 44 F 18 RECORDED FEB. 13, 1979
7A-C. PHOTOS
8. BUILDING ELEVATIONS

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning
Attention: **Development Review Division**
Jefferson Building
105 West Chesapeake Avenue, Room 101
Towson, MD 21204
Mail Stop 3402

Building Permit No. R22-08738
Zoning Office Reviewer S. Crawford

Residential Processing Fee Paid

(\$100.00)

Accepted by S. Crawford
Date 8/10/22

FROM: Arnold Jablon, Director
Department of Permits, Approvals and Inspections

RE: Undersized Lots UA-2022-0007-UL

Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, the Zoning Review Office of PAI is requesting recommendations and comments from the Office of Planning prior to Zoning Review Office approval of a residential building permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

Name of Applicant(s) JENKINS BUILDERS LLC
Applicant's Mailing Address 8680 MAGNOLIA AVENUE PERRY HALL, MD 21128
Applicant's Telephone Number (410) 530-5844 Applicant's Email Address mjenkinsbuilders@verizon.net
Lot Address 7109 OLIVERWOOD ROAD Election District 15 Council District 6 Lot Square Feet 5900SF
Lot Location: N SW/side of OLIVERWOOD RD. 155 feet/at corner of N E S W/of/side of PATUKENT ROAD
(street name) (# of feet) (street name)
Land Owner(s): JUDITH KRUKOW, PR FOR THE ESTATE OF ALLAN T. ZENAN 10 Digit Tax Account Number 1800008986
Owner's Mailing Address: 3400 S. IRONWOOD DR., LOT 156, APACHE JUNCTION, AZ 85120
Owner's Telephone Number () _____ Owner's Email Address _____

CHECKLIST OF MATERIALS- (to be submitted at the filing appointment for design review by the Office of Planning)

APPLICANT MUST PROVIDE 1 through 6

Planner Acceptance Check Off

YES

NO

1. This Recommendation Form (3 copies)
2. Permit Application
3. Site Plan
Property (3 copies)
4. Building Elevation Drawings
5. Photographs (please label all photos clearly)
Adjoining Buildings
Surrounding Neighborhood
6. Current Zoning Classification: DR 5.5

YES	NO
☒	☐
☒	☐
☒	☐
☒	☐
☒	☐
☒	☐

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

☐ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the application to conform with the following recommendations:

Signed by: _____
For the Director, Office of Planning

Date: _____

Revised 10/04/17

PETITIONER'S
EXHIBIT NO. 2

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 - 1800008986

Owner Information

Owner Name: ZEMAN ALLAN T **Use:** RESIDENTIAL
Mailing Address: 7111 OLIVERWOOD RD **Principal Residence:** NO
BALTIMORE MD 21220-1194 **Deed Reference:** /07633/ 00806

Location & Structure Information

Premises Address: 7109 OLIVERWOOD RD **Legal Description:** 5900 SQ FT .1354 AC
0-0000 CUNNINGHILL COVE

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: 1
008400070074 15020012.04 0000 A 21 2021 Plat Ref: 0044/ 0018
Town: None

Primary Structure Built: Above Grade Living Area Finished Basement Area Property Land Area County Use
5,900 SF 04

Stories: Basement Type Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2021	07/01/2021	07/01/2022
Land:	83,500	83,500		
Improvements	0	0		
Total:	83,500	83,500	83,500	83,500
Preferential Land:	0	0		

Transfer Information

Seller: ZEMAN ALLAN T	Date: 08/07/1987	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /07633/ 00806	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2021	07/01/2022
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

PETITIONER'S
EXHIBIT NO. **3**

FEE-SIMPLE DEED-CODE-City or County

LIBER 7633 PAGE 806

NO CONSIDERATION, NO TITLE SEARCH
NO DOCUMENTARY STAMPS OR TRANSFER
TAX REQUIRED

This Deed, Made this

8th

day of

July

in the year one thousand nine hundred and eighty-seven, by and between ALLAN T. ZEMAN,
ALLAN T. ZEMAN, Personal Representative of the Estate of Frank T. Zeman,
Deceased, and HATTIE D. ZEMAN

of Baltimore County

in the State of Maryland, of the first part, and

ALLAN T. ZEMAN

of the second part.

Witnesseth, That ~~in consideration of the sum of~~ for no actual monetary consideration,

the said parties of the first part

do grant and convey unto the said party of the second part, his personal
representativesB RC F 15.00
DEED 0 #
SM CLERK 15.00
#83465 C004 R01 T09:22
09/07/87~~has~~ and assigns, in fee simple, all that lot

of ground, situate, lying and being in

Baltimore County, State of Maryland

, aforesaid, and described as follows, that is to say:-

~~Beginning to the~~BEING KNOWN AND DESIGNATED as Lot NO. 21, Block A, as shown on Plat I,
Cunninghill Cove, dated January 30, 1979 and recorded among the Land Records
of Baltimore County in Liber E.H.K. Jr. No. 44, folio 18. The improvements
thereon being known as No. 7109 Oliverwood Road and also being known as No.
13025 Oliverwood Road.BEING the same lot of ground which by deed dated September 15, 1983 and
recorded among the Land Records of Baltimore County in Liber E.H.K. Jr.
No. 6598, folio 402, was granted and conveyed by Loyola Financial and
Development Corporation unto Allan T. Zeman, Frank T. Zeman and Hattie D.
Zeman. The said Frank T. Zeman having departed this life on April 21, 1987,
and the said Allan T. Zeman being appointed Personal Representative of the
Estate of Frank T. Zeman on June 25, 1987, thereby vesting title to the
within grantors.AGRICULTURAL TRANSFER TAX
NOT APPLICABLESTATE DEPARTMENT OF
ASSESSMENTS & TAXATION

SIGNATURE

DATE

P-7-87

CLERK

DATE

TRANSFER TAX NOT REQUIRED
Director of Finance
BALTIMORE COUNTY, MARYLAND
For [Signature]
Authorized Signature
Date 8-2-87 Rec. 11-24-87PETITIONER'S
EXHIBIT NO. 4

Together with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

To Have and To Hold the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said

Allan T. Zeman, his personal representatives, heirs and assigns, in fee simple.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property granted and they will execute such further assurances of the same as may be requisite.

Witness the hand and seal of said grantor

TEST:

Quay L. Smith

Allan T. Zeman (SEAL)
ALLAN T. ZEMAN

Allan T. Zeman (SEAL)
ALLAN T. ZEMAN, Personal Representative
of the Estate of Frank T. Zeman

Hattie D. Zeman (SEAL)
HATTIE D. ZEMAN

STATE OF MARYLAND, COUNTY OF HARFORD, to wit:

I HEREBY CERTIFY, That on this 8th day of July in the year one thousand nine hundred and eighty-seven, before me, the subscriber, a Notary Public of the State of Maryland, in and for Harford County aforesaid, personally appeared Allan T. Zeman, Allan T. Zeman, Personal Representative of the Estate of Frank T. Zeman, and Hattie D. Zeman

the above named grantors and they acknowledged the foregoing Deed to be their act.

As Witness my hand and Notarial Seal.

Melvin Wachs
3407 Eastern Blvd
21220

Quay L. Smith
Notary Public.
Commission Expires 7-1-90

7109 OLIVERWOOD ROAD



PETITIONER'S
EXHIBIT NO. 5

COORDINATES

L.O.S. RESERVATION		
NO.	NORTH	EAST
1	26191.20	73455.81
2	27105.12	73444.53
3	27110.41	73260.00
4	27159.25	73260.04
5	27110.07	73260.90
6	27125.41	73460.09
7	27116.01	73260.41
8	27116.05	73217.58
9	27116.42	73471.05
10	27115.15	73272.93
11	27104.75	73240.01
12	27108.04	73460.44
13	26993.41	73273.72

DENSITY CALCULATIONS

EXISTING PAVING	26.3 AC
GROSS ACRES	26.3 - 9736 AC
NO. OF LOTS ALLOWED	10.5
NO. OF LOTS PROPOSED	10.5
NO. OF PARKING SPACES REQ'D	10.5
GROSS RES. DENSITY	10.5
LOCAL OPEN SPACE REQUIRED	10.5 ACRES
LOCAL OPEN SPACE PROVIDED	10.5 ACRES

CURVE DATA

LETTER	RADIUS	DATA	ARC	TANGENT	CHORD
A	1570'	49°31'19"	305.74'	328°14'35"	328.14'
B	750'	15°44'45"	158.49'	99.60'	158.49'
C	670'	17°34'00"	136.04'	68.50'	136.04'
D	750'	17°14'30"	158.25'	71.80'	158.25'
E	825'	38°00'30"	168.27'	71.30'	168.27'
F	50'	17°14'30"	36.14'	18.90'	36.14'
G	50'	32°49'10"	28.93'	18.90'	28.93'
H	50'	17°14'30"	36.14'	18.90'	36.14'
I	175'	38°00'30"	116.10'	60.50'	116.10'
J	750'	17°14'30"	158.25'	71.80'	158.25'
K	825'	38°00'30"	168.27'	71.30'	168.27'
L	225'	50°12'44"	133.10'	80.15'	133.10'
M	50'	27°04'30"	36.14'	18.90'	36.14'
N	50'	32°49'10"	28.93'	18.90'	28.93'
O	20'	67°22'15"	36.14'	18.90'	36.14'
P	225'	50°12'44"	133.10'	80.15'	133.10'
Q	225'	50°12'44"	133.10'	80.15'	133.10'
R	225'	50°12'44"	133.10'	80.15'	133.10'
S	225'	50°12'44"	133.10'	80.15'	133.10'
T	225'	50°12'44"	133.10'	80.15'	133.10'
U	750'	17°14'30"	158.25'	71.80'	158.25'

NOTE:

STREETS AND/OR ROADS SHOWN HEREON ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE. THE F.C. SIMPLE TITLE TO THE BEING THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED THEIR HEIRS AND ASSIGNS.

AREA COMPLETED 167813 DNL

FINAL PLAT CHECKED:

PLANNING

ENGINEERING

STREET NAMES:

HOUSE NO.

APPROVED:

DATE

APPROVED:

DATE

APPROVED:

DATE

SURVEYOR'S CERTIFICATE

I, JOHN M. CORAKAKIS, A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE LAND SHOWN HEREON HAS BEEN LAID OUT IN ACCORDANCE WITH THE F.C. SIMPLE TITLE TO THE BEING THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED THEIR HEIRS AND ASSIGNS.

REGISTERED SURVEYOR NO. 5823

DATE 1-22-1992

NOTE

10004 N27331.08 673521.48

87197 N27147.16 879028.58

NOTE

10004 N27331.08 673521.48

87197 N27147.16 879028.58

OWNER'S CERTIFICATE

I, JACOB & ESTHER GALAN, DO HEREBY CERTIFY THAT THE LAND SHOWN HEREON HAS BEEN LAID OUT IN ACCORDANCE WITH THE F.C. SIMPLE TITLE TO THE BEING THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED THEIR HEIRS AND ASSIGNS.

DATE 1/21/79

DEVELOPER

CHER-CHRIS CONSTRUCTION CO.
25 HICKORY HOLLOW RD.
COCKEYSVILLE, MD 21030

OWNER

JACOB & ESTHER GALAN
2903 TANNEY DRIVE
BALTIMORE

DEVELOPMENT DESIGN GROUP, LTD.

SURVEYORS • PLANNERS • ENGINEERS

216 WASHINGTON AVENUE

TOWSON, MARYLAND 21204

PETITIONER'S EXHIBIT NO. 6

A hand-drawn site plan of a property, likely a residential lot, showing various structures, dimensions, and existing features. The plan is oriented with a north arrow pointing towards the top right.

- Top Boundary:** A horizontal line with a dimension of 58.42'.
- Left Boundary:** A vertical line with a dimension of 101'.
- Right Boundary:** A vertical line with a dimension of 101'.
- Bottom Boundary:** A horizontal line with a dimension of 58.42'.
- Top Features:**
 - EX. 8" S (1968-0721) with a north arrow pointing towards the top left.
 - EX 12" W (2013-1320) with a north arrow pointing towards the top right.
 - EX PAVING with a north arrow pointing towards the top right.
- Internal Structures and Features:**
 - Central Structure:** A rectangular building labeled "PROP 3 STY DWLG" with a north arrow pointing towards the top left. It has a dimension of 26' on its right side and 40' on its left side. A "DRIVE" is shown to its left, and "OPEN STAIR" is shown to its right. A "CP" (corner point) is marked at the top right corner of the building.
 - Left Side:**
 - EX DRIVE (vertical line on the far left).
 - EX SFD #7107 (Structure with a north arrow pointing towards the top left).
 - EX GAR 20 (Garage structure).
 - Right Side:**
 - EX DRIVE (vertical line on the far right).
 - EX CP (Corner point).
 - EX SFD #7111 (Structure with a north arrow pointing towards the top left).
 - EX GAR 22 (Garage structure).
 - Bottom Features:**
 - EX GAR 20 (Garage structure).
 - EX GAR 22 (Garage structure).
 - EX SFD #7116 (Structure with a north arrow pointing towards the top left).
- Dimensions and Notes:**
 - Top boundary: 58.42'
 - Left boundary: 101'
 - Right boundary: 101'
 - Bottom boundary: 58.42'
 - Central building: 26' (right side), 40' (left side)
 - Central building area: AREA = 5900 SF
 - Top left: EX. 8" S (1968-0721)
 - Top right: EX 12" W (2013-1320)
 - Top center: EX PAVING
 - Left side: EX DRIVE, EX SFD #7107, EX GAR 20
 - Right side: EX DRIVE, EX CP, EX SFD #7111, EX GAR 22
 - Bottom left: EX GAR 20, EX SFD #7116
 - Bottom right: EX GAR 22

PETITIONER'S
EXHIBIT NO. 7A.C

PHOTOS

SITE PLAN

7109 OLIVERWOOD ROAD

LOT 21, BLOCK A, PLAT 1

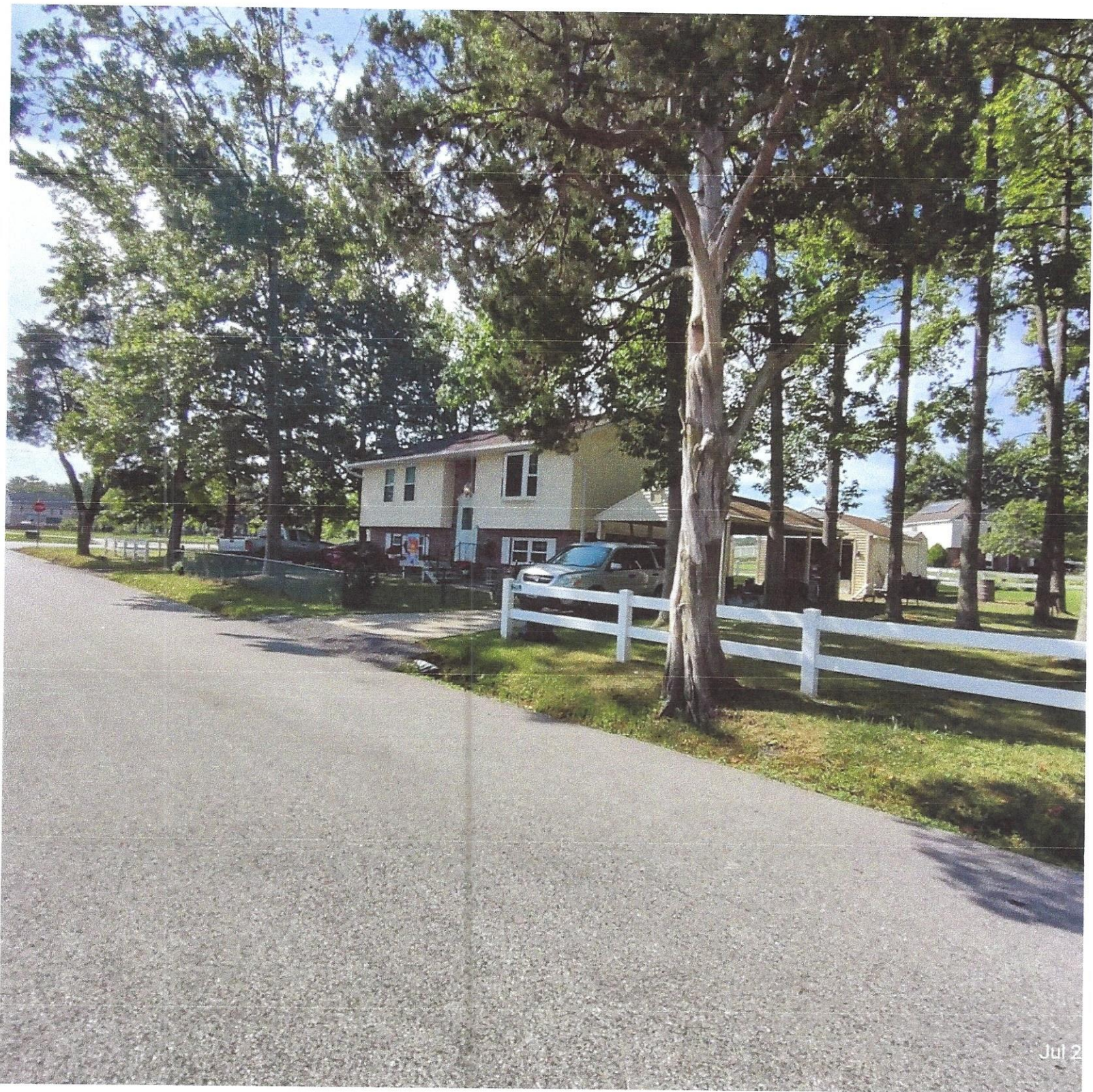
CUNNINGHILL COVE 44/18

ELECTION DISTRICT 15 BALTIMORE COUNTY, MD

SCALE: 1 INCH = 30 FEET JULY 18, 2022



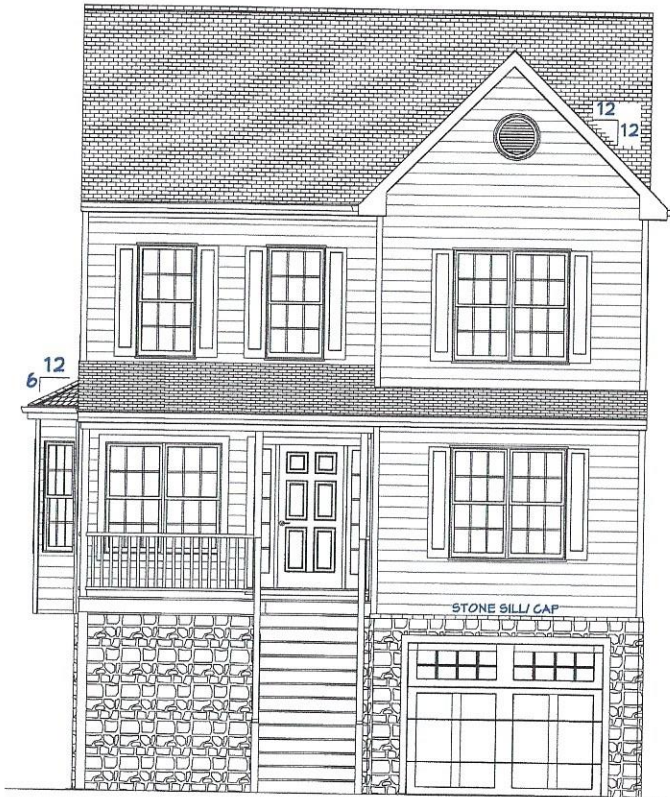
A



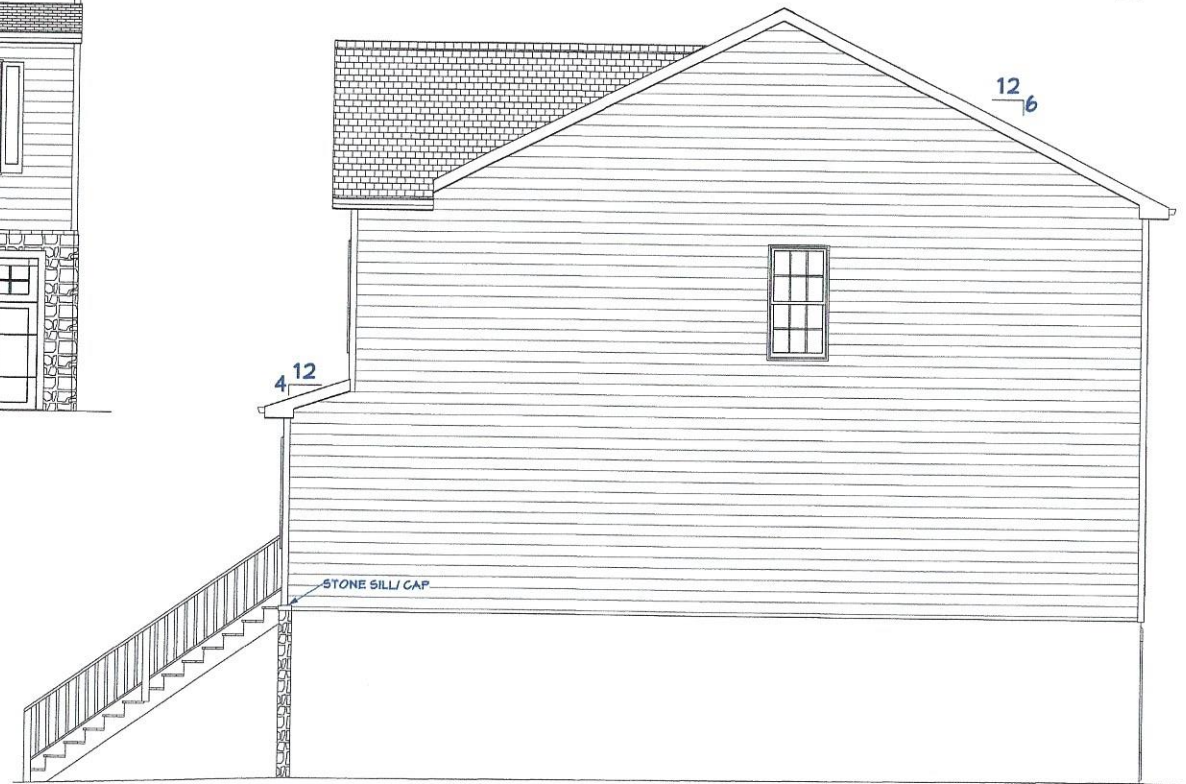
B



C



FRONT ELEVATION



RIGHT SIDE ELEVATION

PETITIONER'S
EXHIBIT NO. **8**

SHEET TITLE

ELEVATIONS

JENKINS BUILDERS LLC
8680 MAGNOLIA AVENUE
PERRY HALL, MD. 21228
410-530-5844
mjenkinsbuilders.com

REVISIONS

4TH GENERATION
DESIGNS &
CONSULTING

DATE
1/17/2018

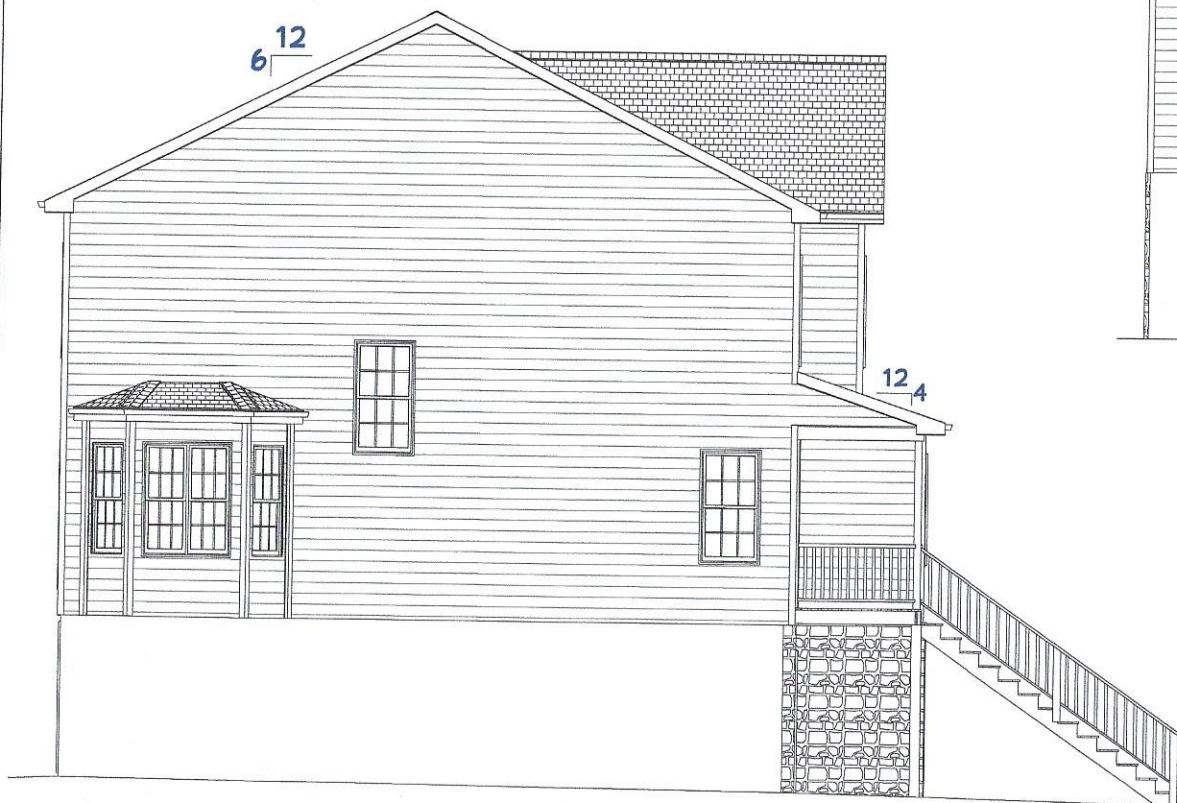
SCALE

1/4" = 1'

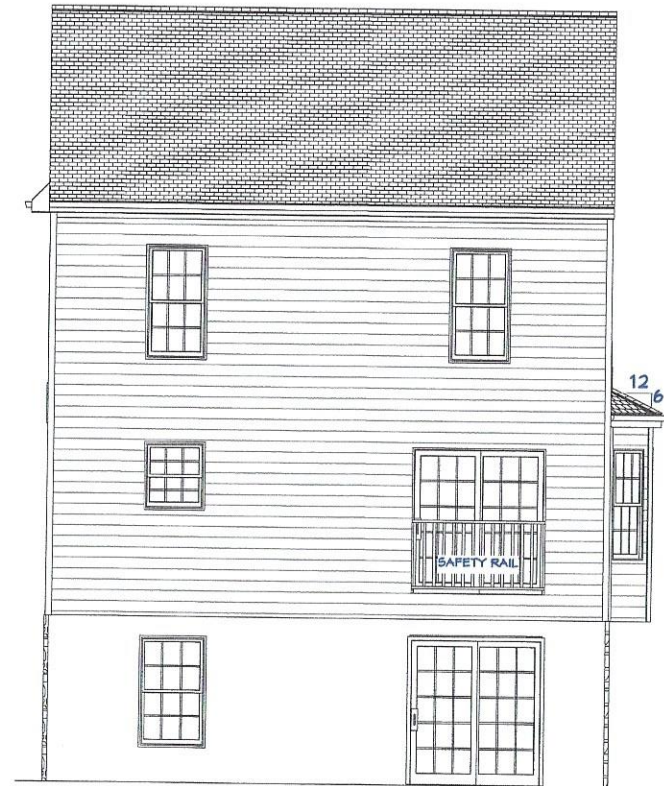
Scale Applicable
on 18 x 24 Paper

SHEET

A - 3



LEFT SIDE ELEVATION



REAR ELEVATION

SHEET TITLE:

ELEVATIONS

THE PENWOOD

JENKINS BUILDERS LLC
8680 MAGNOLIA AVENUE
PERRY HALL, MD. 21128
410-530-5844
njjenkinsbuilders.com

REVISIONS

4TH GENERATION
DESIGNS &
CONSULTING

DATE
1/17/2018

SCALE

1/4" = 1'
Scale Applicable
on 18 x 24 Paper

SHEET

A - 4

se No: UA-2022-0007-UL - 71

se No: UA-2022-0007-UL - 71

Meeting Start Time	Meeting End Time	Name
2022-10-17 13:16:43	2022-10-17 14:10:51	Call-in User_2 (410836****)
2022-10-17 13:16:43	2022-10-17 14:10:51	Call-in User_3 (410663****)
2022-10-17 13:16:43	2022-10-17 14:10:51	Constance Tawney
2022-10-17 13:16:43	2022-10-17 14:10:51	DAVID Billingsley
2022-10-17 13:16:43	2022-10-17 14:10:51	Julia Crislip
2022-10-17 13:16:43	2022-10-17 14:10:51	Maureen E Murphy
2022-10-17 13:16:43	2022-10-17 14:10:51	Michael Jenkins
2022-10-17 13:16:43	2022-10-17 14:10:51	Richard Johnson
2022-10-17 13:16:43	2022-10-17 14:10:51	Rick McGhee

Attendee Email	Join Time	Leave Time	Attendance Duration
	2022-10-17 13:30:51	2022-10-17 13:36:18	6 mins
	2022-10-17 13:30:53	2022-10-17 13:45:11	15 mins
ctawney@jhhc.com	2022-10-17 13:35:23	2022-10-17 14:10:56	36 mins
dwb0209@yahoo.com	2022-10-17 13:20:43	2022-10-17 14:10:49	51 mins
juliangel903@gmail.com	2022-10-17 13:33:04	2022-10-17 14:10:56	38 mins
mmurphy@baltimorecountymd.gov	2022-10-17 13:16:44	2022-10-17 14:10:56	55 mins
mjenkinsbuilders@verizon.net	2022-10-17 13:32:19	2022-10-17 14:10:56	39 mins
ghopper57@comcast.net	2022-10-17 13:25:18	2022-10-17 14:10:56	46 mins
rick@mcghee.com	2022-10-17 13:35:34	2022-10-17 14:10:56	36 mins

Connection Source ID

Other app N/A

Other app N/A

Desktop app N/A

Desktop app N/A

Mobile app N/A

Desktop app N/A

Desktop app N/A

Desktop app N/A

Desktop app N/A

Debra Wiley

From: webmaster@baltimorecountymd.gov
Sent: Thursday, October 13, 2022 5:02 PM
To: Administrative Hearings
Subject: Request to Testify

Results of Form Submission

Request to Testify

Label	Value
First Name	Julia
Last Name	Crislip
Email	Juliangel903@gmail.com
Phone	4102741611
Address	6109 oliverwood rd
City	Middle river
State	Maryland
ZIP Code	21220
Case Number	US -2022-0007-UL
Scheduled Hearing Date	October 17, 2022

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>Deb Wiley</u> (Alternate Host)	dwiley@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>Paul Mayhew</u> (Alternate Host)	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Constance Tawney</u>	ctawney@jhhc.com	1-	English	New York Time	U.S.
☐ <u>David Billingsley</u>	dwb0209@yahoo.com	1-	English	New York Time	U.S.
☐ <u>Michael Jenkins</u>	mjenkinsbuilders@verizon.net	1-	English	New York Time	U.S.
☐ <u>Mike and Constance Tawney</u>	constance.tawney@gmail.com	1-	English	New York Time	U.S.
☒ <u>Julia Crislip</u>	juliangel903@gmail.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:

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](#)

Donna Mignon

From: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Sent: Wednesday, October 12, 2022 9:24 AM
To: ctawney@jhhc.com
Subject: Zoning Hearing - Undersigned Lot - Case No: UA-2022-0007-UL - 7109 Oliverwood Road -

Good Morning,

Per our conversation, please find the link for anyone that would like to testify regarding this case. They will need to fill out the Request to Testify and then we will send them a link. Thank you.

<https://www.baltimorecountymd.gov/departments/adminhearings/index.html>

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

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

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
☐ Deb Wiley (Alternate Host)	dwiley@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ Maureen Murphy (Alternate Host)	mmurphy@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ Paul Mayhew (Alternate Host)	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ Constance Tawney	ctawney@jhhc.com	1-	English	New York Time	U.S.
☐ David Billingsley	dwb0209@yahoo.com	1-	English	New York Time	U.S.
☐ Michael Jenkins	mjenkinsbuilders@verizon.net	1-	English	New York Time	U.S.
☐ Mike and Constance Tawney	constance.tawney@gmail.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](#)

Donna Mignon

From: Administrative Hearings
Sent: Tuesday, October 11, 2022 8:05 AM
To: David Billingsley
Subject: Undersized Lot Case No: 2022-0007-UL 7109 Oliverwood Road

Good Morning:

As you are aware, a virtual Webex hearing has been scheduled for October 17, 2022 at 1:30 p.m. You should have received an invitation in an email which invited you to this hearing when the event was created on or about September 13, 2022.

Please email any and all hearing exhibits, documents, site plans, photographs or evidence of any kind that you wish to present at the hearing to our office . The documents must be submitted in PDF format at **least two full business days** in advance of the hearing to : 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.

*****These exhibits will be displayed on a computer screen as you explain at the hearing what you are seeking in your case. Please note that these documents are in addition to any paperwork submitted when you originally filed your petition with the Office of Zoning Review. Our Office is separate from the Office of Zoning. ***** If our office does not receive this information, your case may not be able to be heard on this day. Thank you.

You can find more information on our website
at: <https://www.baltimorecountymd.gov/departments/adminhearings/devzoninghearings.html>

Please bring a hard copy of all exhibits and drop off in our lobby (address below) at least two full business days before the hearing date.

Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, MD 21204
410-887-3868

Donna Mignon

From: Kristen L Lewis
Sent: Tuesday, September 13, 2022 11:34 AM
To: Donna Mignon; Debra Wiley
Subject: Webex UA-2022-0007-UL

Good morning,

Below is an undersized lot request that was set in for a hearing and needs a webex link created. Thank you.

UA-2022-0007-UL
7109 Oliverwood Road
Owner: Judith Krukow, Personal Rep for the Estate of Allan Zenan – no email listed
Petitioner: Jenkins Builders, LLC, Michael Jenkins – mjenkinsbuilders@verizon.net
David Billingsley – dwb0209@yahoo.com
Mike & Constance Tawney – constance.tawney@gmail.com
10/17/2022 at 1:30 p.m.

Kristen Lewis-Coles
Legal Secretary
PAI – Zoning Review

Donna Mignon

Subject: Zoning Hearing - Undersigned Lot - Case No: UA-2022-0007-UL - 7109 Oliverwood Road - Owner: Judith Krukow, Personal Repr. for
Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e333dc893818d8f433c6c8583adfc8a8f>
Start: Mon 10/17/2022 1:30 PM
End: Mon 10/17/2022 3:00 PM
Show Time As: Tentative
Recurrence: (none)
Meeting Status: Not yet responded
Organizer: webex

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

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

Host: Donna Mignon (dmignon@baltimorecountymd.gov)

Event number (access code): 2303 898 7816

Monday, October 17, 2022 1:30 pm, Eastern Daylight Time (New York, GMT-04:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e333dc893818d8f433c6c8583adfc8a8f>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e64c2cc57a014a75469359b7ceb>

Start event

Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 23038987816@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 423371

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

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=eb74641340d7fcf2ab183522e3d4430cb>

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



Event Information

Event: Zoning Hearing - Undersigned Lot - Case No: UA-2022-0007-UL - 7109 Oliverwood Road - Owner: Judith Krukow, Personal Repr. for

Type: Listed Event

Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=efaa32bd852e81699e0f20f6845260c68>

Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e5980f57b03c9310b527d0bb6a29204e0>

Date and time: Monday, October 17, 2022 1:30 pm
Eastern Daylight Time (New York, GMT-04:00)

Duration: 1 hour 30 minutes

Description: Zoning Hearing for an Undersized Lot
Case No: UA-2022-0007-UL
Address: 7109 Oliverwood Road
Owner: Judith Krukow, Personal Representative for the Estate of Allan Zenan
Petitioner: Jenkins Builders, LLC

Event number: 2303 898 7816

Event password: 1234

Host key: 663991

Alternate Host: Deb Wiley, Maureen Murphy, Paul Mayhew

Panelist Info:

Panelist password:

Panelist numeric password: 423371

Video Address: 23038987816@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: 2303 898 7816

Maximum number of registrants: 10000

Destination address after event:

Host image:

Attendee list available for viewing by: Host, presenter and panelists only

Event material: None

Post-event survey: No

Email configured: Pending, Approved, Rejected

Start Event Now

You can start the event by clicking Start Now.

Start Now

Send Event Emails

You can send event emails by clicking Send Emails.

Send Emails

Registration Information

Registration ID required: No

Password required: No

Password:

Approval required: No

Custom registration form: No

After registration, go to URL:

Manage Registrations

Delete Event

Edit Event

Donna Mignon

From: Donna Mignon
Sent: Tuesday, September 13, 2022 11:41 AM
To: Kristen L Lewis; Debra Wiley
Subject: LINK - RE: Webex UA-2022-0007-UL

Top of Form

Event Information

Event: Zoning Hearing - Undersigned Lot - Case No: UA-2022-0007-UL - 7109 Oliver
Personal Repr. for

Type: Listed Event

Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTI>

Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTI>

Date and time: Monday, October 17, 2022 1:30 pm
Eastern Daylight Time (New York, GMT-04:00)

Duration: 1 hour 30 minutes

Description: Zoning Hearing for an Undersized Lot
Case No: UA-2022-0007-UL
Address: 7109 Oliverwood Road
Owner: Judith Krukow, Personal Representative for the Estate of Allan Zenan
Petitioner: Jenkins Builders, LLC

Event number: 2303 898 7816

Event password: 1234

Host key: 663991

Alternate Host: Deb Wiley, Maureen Murphy, Paul Mayhew

Panelist Info:

Panelist password:

Panelist numeric password: 423371

Video Address: 23038987816@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: 2303 898 7816

Maximum number of registrants: 10000

Destination address after event:

Host image:

Attendee list available for viewing by: Host, presenter and panelists only

Event material: None

Post-event survey: No

Email configured: Pending, Approved, Rejected

Registration Information

Registration ID required: No
Password required: No
Password:
Approval required: No
Custom registration form: No
After registration, go to URL:

Bottom of Form
Top of Form

Bottom of Form

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From: Kristen L Lewis <klewis@baltimorecountymd.gov>
Sent: Tuesday, September 13, 2022 11:34 AM
To: Donna Mignon <dmignon@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Webex UA-2022-0007-UL

Good morning,

Below is an undersized lot request that was set in for a hearing and needs a webex link created. Thank you.

UA-2022-0007-UL
7109 Oliverwood Road
Owner: Judith Krukow, Personal Rep for the Estate of Allan Zenan – no email listed
Petitioner: Jenkins Builders, LLC, Michael Jenkins – mjenkinsbuilders@verizon.net
David Billingsley – dwb0209@yahoo.com
Mike & Constance Tawney – constance.tawney@gmail.com
10/17/2022 at 1:30 p.m.

Kristen Lewis-Coles
Legal Secretary
PAI – Zoning Review

FORMAL DEMAND FOR HEARING
(ADMINISTRATIVE VARIANCE, USE PERMITS AND USE APPROVALS)

Case Number: UA-2022-0007 UL
Property Address: 7109 OLIVERWOOD RD, 21220
Legal Owners (Petitioners): _____

TO THE ADMINISTRATIVE LAW JUDGE OF BALTIMORE COUNTY:

Protestant #1 MIKE TAWNEY 443-271-0380
Protestant Name(s) - Type or Print Telephone # (Cell) Alternate Phone #
CONSTANCE.TAWNEY@GMAIL.COM
Email Address

the ☒ Owner(s) or () Occupant(s) of
7111 OLIVERWOOD RD. BALTO CNTY, MD
Address City State Zip Code 21220

Protestant #2 CONSTANCE TAWNEY -443-271-0593
Protestant Name(s) - Type or Print Telephone # (Cell) Alternate Phone #
CONSTANCE.TAWNEY@GMAIL.COM
Email Address

the ☒ Owner(s) or () Occupant(s) of
7111 OLIVERWOOD RD. BALTO CNTY, MD
Address City State Zip Code 21220

which is located approximately 100 feet from the property (must be within 1,000 ft. of subject property),
which is the subject of the above petition, **do hereby submit a formal demand for a public hearing regarding this matter.***

I/WE HAVE SUBMITTED THE REQUIRED PROCESSING FEE FOR THIS DEMAND AND REQUEST THAT A HEARING BE SCHEDULED FOR THE SUBJECT PETITION.

*Failure to accept two proposed Hearing dates will result in the Demand request being dismissed and the Hearing will be held and/or a review by the Hearing Officer will take place without the protestants input. It is the responsibility of the protestant to verify the location, or web address, date and time of the hearing.

Mike Tawney 8/29/2022
Signature Date
Constance Tawney 8/29/2022
Signature Date



**Permits, Approvals and
Inspections**

111 W CHESAPEAKE AVE
TOWSON, MD 21204
4108873353

<https://www.baltimorecountymd.gov>

Cashier: Gary H.

Transaction **101369**

Total \$60.00

DEBIT CARD SALE \$60.00

VISA 0817

Station: Permit Processing - Mini

29-Aug-2022 3:18:56P

\$60.00 | Method: EMV

US DEBIT XXXXXXXXXXXX0817

CONSTANCE J TAWNEY

Reference ID: 224100528863

Auth ID: 001594

MID: *****2995

AID: A0000000980840

AthNtwkNm: PAVD

RtInd: DEBIT

PIN VERIFIED

***** REPRINT *****

Payment 2WY49BK7XWDDJ

Clover Privacy Policy

<https://clover.com/privacy>

IN RE: **7109 Oliverwood Road**
15th Election District
6th Council District
Estate of Allan T. Zeman

7109 Oliverwood Rd.
Middle River, MD 21220

Petitioner

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* **Case Nos. UA-2022-0007-UL**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) filed by Estate of Allan T. Zeman, by its Personal Representative Judith Krukow, legal owner and Petitioner (the “Estate”), for the property located at 7109 Oliverwood Rd., Middle River (the “Property”) under the Baltimore County Zoning Regulations (“BCZR”), §304.1 to permit an undersized lot having an area of 5,900 sf in lieu of the required 6,000 sf. A formal hearing demand was filed by Michael and Constance Tawney, 7111 Oliverwood Rd. on August 29, 2022 (the “Tawneys”).

A public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. David Billingsley of Central Drafting and Design appeared on behalf of the property owner who did not appear. Michael Jenkins of Jenkins Builders, LLC, the builder, as well as Rick McGhee, a realtor, also appeared. The Tawneys testified in opposition. Julia Crislip, 7107 Oliverwood Rd., and Richard Johnson, 7110 Oliverwood Rd., each testified in opposition.

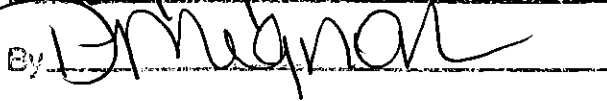
The Property is 5,900 sf and was created as Lot 21 on Plat I entitled Cunninghamhill Cove recorded in the Land Records of Baltimore County (L, EHK, Jr. 44, folio 18) on February 13, 1979. It is zoned Density Residential (DR 5.5). (Pet. Ex. 6). Allan T. Zeman, who is now deceased, owned the Property/Lot 21 while he resided in the home at 7111 Oliverwood Rd. (Lot 22) where

ORDER RECEIVED FOR FILING

Date

10/31/22

By



the Tawneys currently live. The Estate sold 7111 Oliverwood Rd. to the Tawneys. According to Mr. Billingsley, Lots 15-20, which were part of a Final Development Plan presented by Ryan Homes, and were permitted to have homes built on them under a policy manual. In this case, the proposed home would be 3-stories tall with a 2-car garage. Because it is proposed to be tall, it would meet the front, side and rear setbacks.

Julie Crislip, 7107 Oliverwood Rd. bought her home 18 years. The homes in the neighborhood are either ranchers or split levels; not 3-story homes. She stated that Mr. Zeman indicated that he would never build on Lot 21. Richard Johnson, 7110 Oliverwood Rd. is concerned about water running off the new impervious surface of a home and draining onto his property. He described the Property as being on a higher elevation. Michael and Constance Tawney are opposed to building any home on the undersized lot. In their view, a 3-story home on an undersized lot does not fit with the character of the homes in the neighborhood. He is also concerned about water draining onto his property. In contrast, Michael Jenkins believes the proposed home that he would build will fit nicely into the neighborhood.

The Application for approval of an undersized lot in this case was filed under BCZR, §304.1:

BCZR, § 304.1. - Types of dwellings allowed; conditions.

Except as provided in Section 4A03, a one-family detached or semidetached dwelling may be erected on a lot having an area or width at the building line less than that required by the area regulations contained in these regulations if:

- A. Such lot shall have been duly recorded either by deed or in a validly approved subdivision prior to March 30, 1955;
- B. All other requirements of the height and area regulations are complied with; and

ORDER RECEIVED FOR FILING

Date 10/31/22

By D. W. Johnson

C. The owner of the lot does not own sufficient adjoining land to conform to the width and area requirements contained in these regulations.

Each of the 3 factors in BCZR, §304.1 are required to be met. However, as conceded by Mr. Billingsley, the Property was created as Lot 21 on a Plat filed in 1979. As a result, it fails to meet the BCZR, §304.1.A. Only undersized lots created by deed or plat recorded prior to March 30, 1955 meet the first factor. The fact that Ryan Homes was able to obtain approvals to build other homes in development on 5,900 sf lots does not provide the Petitioner with an exception. Mr. Zeman held onto Lot 21 while he lived on Lot 22. While there was no evidence before the undersigned that Lot 21 had merged for zoning purposes into Lot 22, if Mr. Zeman used Lot 21 in service of Lot 22, then Lot 21 may have merged for zoning purposes. However, because all the requirements of BCZR, §304.1 have not been met, the Property/Lot 21 does not qualify as an undersized lot and therefore a building permit cannot be issued.

THEREFORE, IT IS ORDERED this 31st day of **October, 2022**, by this Administrative Law Judge for Baltimore County, the Application under BCZR §304.1, to permit an undersized lot having an area of 5,900 sf in lieu of the required 6,000 sf, be, and it is hereby, **DENIED**.

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



MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

PMM:dlm

ORDER RECEIVED FOR FILING

Date 10/31/22
By DM [signature]

October 31, 2022

Michael Jenkins – mjenkinsbuilders@verizon.net
Jenkins Builders, LLC
7109 Oliverwood Road
Baltimore, MD

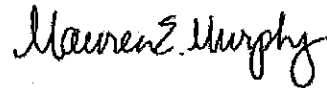
RE: Petition for Undersized Lot
Case No. UA-2022-0007-UL
Property: 7109 Oliverwood Road

Dear Mr. Jenkins:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), “a person aggrieved or feeling aggrieved” by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,



MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

PMM:dlm
Enclosure

c: David Billingsley – dwb0209@yahoo.com
Mike and Constance Tawney – constance.tawney@gmail.com
Julia Crislip – juliangel903@gmail.com
Richard Johnson – ghopper57@comcast.net
Rick McGee – rick@mcghee.com



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

November 30, 2022

Timothy M. Kotroco, Esquire – tkotroco@gmail.com
305 Washington Avenue, Suite 502
Towson, MD 21204



RE: **APPEAL TO BOARD OF APPEALS**
Petition for Undersized Lot
Case No. UA-2002-0007-UL
Property: 7109 Oliverwood Road

Dear Mr. Kotroco:

Please be advised that an appeal of the above-referenced case was filed in this Office on November 29, 2022. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink, reading "Paul M. Mayhew".

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlm
Attachment
C: See Next Page

Page -2-
November 30, 2022

✓ Board of Appeals

People's Counsel

Michael Jenkins – mjenkinsbuilders@verizon.net

David Billingsley – dwb0209@yahoo.com

Mike and Constance Tawney – constance.tawney@gmail.com

Julia Crislip – juliangel903@gmail.com

Richard Johnson – ghopper57@comcast.net

Rick McGee – rick@mcghee.com

APPEAL
Petition for Undersized Lot
Estate of Allan T. Zeman
Case No. Case No. UA-2002-0007-UL
7109 Oliverwood Road, Middle River, MD
15th Election District, 6th Council District

Petition for Undersized Lot – 8/15/22

Zoning Description of Property – 1 sheet

Notice of Zoning Hearing (Webex) –September 13, 2022

Certification of Publication – (Daily Record) 9/27/22

Certification of Posting by David Billingsley on 9/27/22 and 10/12/22

Entry of Appearance by People's Counsel – None in file.

Attendance Report – 4 pages

Zoning Advisory Committee Comments: DOP comment dated 8/15/2022

Petitioners' Exhibits:

1. SITE PLAN DATED JULY 18, 2022 (NO CHANGES)
2. UNDERSIZED LOT APPLICATION
3. SDAT REAL PROPERTY DATA SEARCH
4. DEED OF RECORD L.7633 F.806 DATED JULY 8, 1987
5. AERIAL PHOTO
6. PLAT 1, CUNNINGHILL COVE PB 44 F 18 RECORDED FEB. 13, 1979
- 7A-C. PHOTOS
8. BUILDING ELEVATIONS

Miscellaneous: SDAT – Formal Demand that was filed, Web Ex Info.

Cover Letter and Administrative Law Judge Murphy's Opinion and Order – October 31, 2022 –
DENIED –

Notice of Appeal – Received on November 29, 2022 from Timothy Kotroco, Esquire – Check
number#1912 in the amount of \$300.00

Materials Forwarded to BOA Inbox on 11/30/22

IN RE: PETITION FOR SPECIAL HEARING

(7109 Oliverwood Road)

15th Election District

6th Council District

Estate of Allan T. Zeman

7109 Oliverwood Rd.

Middle River, MD 21220

Petitioner

* * * * *

* BEFORE THE

* OFFICE OF

* ADMINISTRATIVE HEARINGS

* FOR BALTIMORE COUNTY

* Case No.: UA-2022-0007-UL

NOTICE OF APPEAL

Appellants/Petitioners, Estate of Allan T. Zeman, by its Personal Representative Judith Krukow, legal owner and Petitioner for the property at 7109 Oliverwood Road, Middle River provide notice of their appeal of the October 31, 2022 Opinion and Order of Administrative Law Judge Maureen E. Murphy in the above captioned matter.

The required fee is enclosed.

Respectfully submitted,



Timothy M. Kotroco, Esq.
Kotroco & Associates, LLC
305 Washington Ave, STE 502
Towson, MD 21204
410.299.2943
tkotroco@gmail.com

Counsel for Appellants



CERTIFICATE OF SERVICE

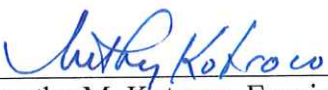
I HEREBY CERTIFY that on November 29th a copy of the foregoing Notice of Appeal to County Board of Appeals from the Administrative Law Judge's Opinion and Order dated October 31, 2022 was hand delivered and emailed to:

Baltimore County Board of Appeals
Jefferson Building
105 W. Chesapeake Avenue
Second Floor, STE 203
Towson, MD 21204

Maureen E. Murphy
Administrative Law Judge
Office of Administrative Hearings
105 W Chesapeake Avenue
STE 103
Towson, MD 21204

People's Counsel
Jefferson Building
105 W. Chesapeake Avenue
Second Floor, STE 204
Towson, MD 21204

Baltimore County Department of Permits, Approvals, and Inspections
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204
ATTN: Zoning Review



Timothy M. Kotroco, Esquire

Debra Wiley

From: Debra Wiley
Sent: Monday, October 31, 2022 8:43 AM
To: Michael Jenkins –
Cc: David Billingsley –; Mike and Constance Tawney –; Julia Crislip –; Richard Johnson –; Rick McGee –; Donna Mignon; County Council; Henry Ayakwah; Jeffery Livingston; Jenifer G. Nugent; PAI Zoning; Peoples Counsel; Vishnubhai K Desai
Subject: Decision - Case No. UA-2022-0007-UL - Undersized Lot - 7109 Oliverwood Road - Estate of Allan T. Zeman
Attachments: ltr. 2022-0007-UL.pdf; UA-2022-0007-UL.deny.pdf

Good Morning,

Please find attached ALJ Murphy's Opinion and Order in reference to the above matter.

Have a great and safe day.

Donna Mignon

From: David Billingsley <dwb0209@yahoo.com>
Sent: Wednesday, October 12, 2022 12:36 PM
To: Administrative Hearings
Cc: MIKE JENKINS
Subject: 7109 OLIVERWOOD ROAD UA-2022-0007-UL
Attachments: Scan_1021.pdf

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

POSTING RECERTIFICATIONS ATTACHED
THANKS

Dave Billingsley
Central Drafting and Design
410-679-8719 OFFICE
410-458-1401 CELL



CERTIFICATE OF POSTING

RECEIVED 10/12/22

Date: SEPTEMBER 27, 2022

RE: Project Name: 7109 OLIVERWOOD ROAD #1
Case Number /PAI Number: UA-2022-0007-UL
Petitioner/Developer: JENKINS BUILDERS
Date of Hearing/Closing: OCTOBER 17, 2022

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 7109 OLIVERWOOD ROAD

RECEIVED 10/12/22

The sign(s) were posted on SEPTEMBER 27, 2022

(Month, Day, Year)

David Billingsley
David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

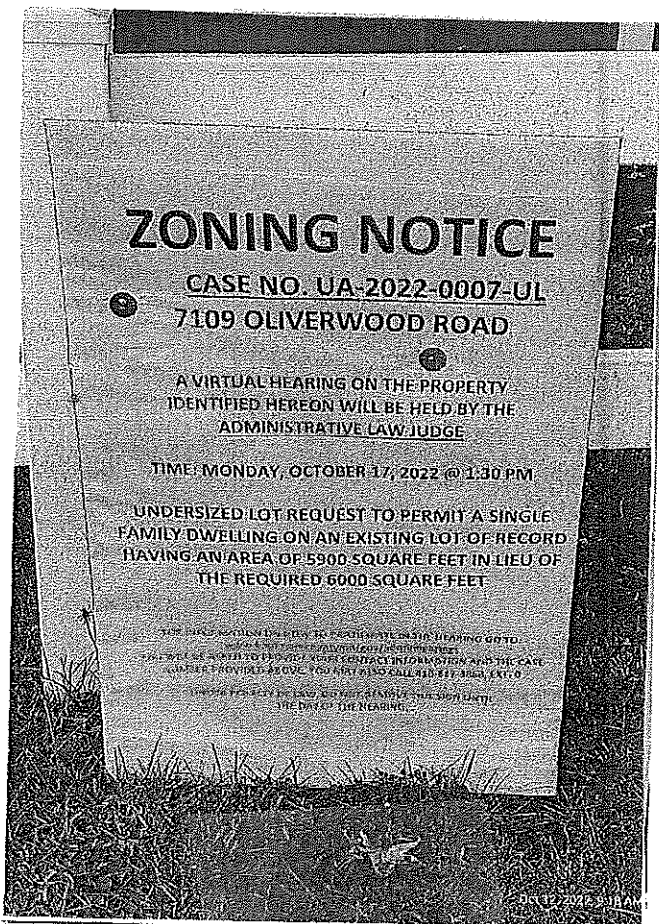
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)



CERTIFICATE OF POSTING

RECERTIFIED 10/12/22

Date: SEPTEMBER 27, 2022

RE: Project Name: 7109 OLIVERWOOD ROAD #2
Case Number /PAI Number: UA-2022-0007-UL
Petitioner/Developer: JENKINS BUILDERS
Date of Hearing/Closing: OCTOBER 17, 2022

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 7109 OLIVERWOOD ROAD

RECERTIFIED 10/12/22

The sign(s) were posted on SEPTEMBER 27, 2022

(Month, Day, Year)

David Billingsley
David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

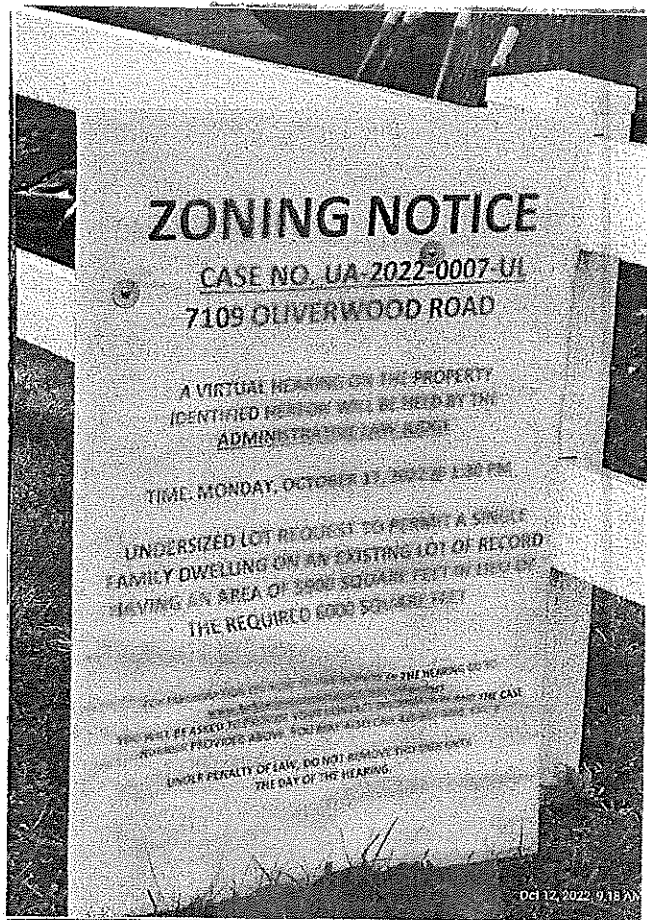
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)



CERTIFICATE OF POSTING

Date: SEPTEMBER 27, 2022

RE: Project Name: 7109 OLIVERWOOD ROAD #1
Case Number /PAI Number: UA-2022-0007-UL
Petitioner/Developer: JENKINS BUILDERS
Date of Hearing/Closing: OCTOBER 17, 2022

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 7109 OLIVERWOOD ROAD

The sign(s) were posted on SEPTEMBER 27, 2022
(Month, Day, Year)

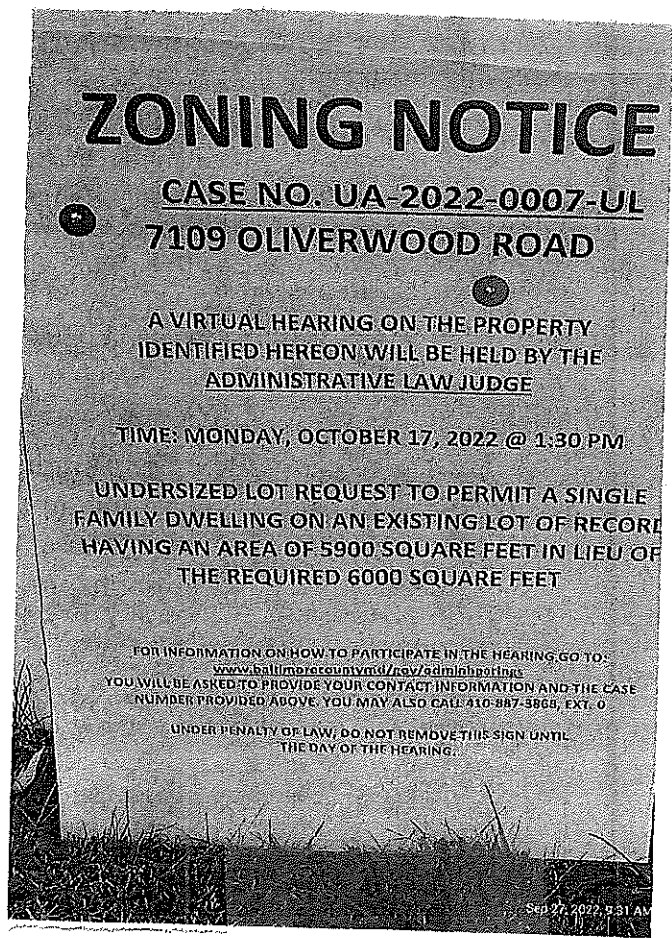

(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)



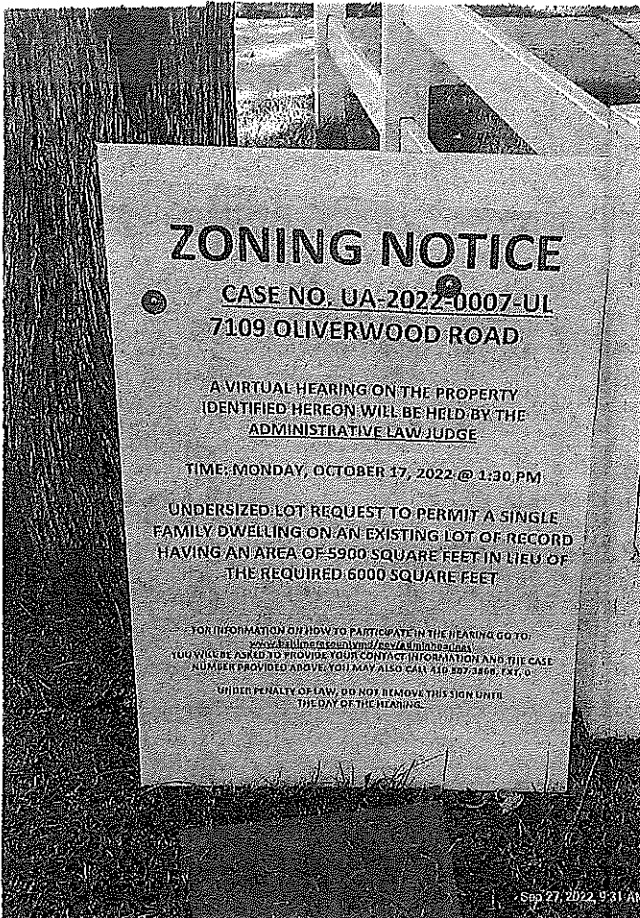
CERTIFICATE OF POSTING

Date: SEPTEMBER 27, 2022

RE: Project Name: 7109 OLIVERWOOD ROAD #2
Case Number /PAI Number: UA-2022-0007-UL
Petitioner/Developer: JENKINS BUILDERS
Date of Hearing/Closing: OCTOBER 17, 2022

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 7109 OLIVERWOOD ROAD

The sign(s) were posted on SEPTEMBER 27, 2022
(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

Page 1 of 1

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:

9/27/2022

Order #:

12159047

Case #:

UA-2022-0007-UL

Description:

NOTICE OF ZONING HEARING - CASE NUMBER:

UA-2022-0007-UL



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: UA-2022-0007-UL

7109 Oliverwood Road

Southside of Oliverwood Road, 155 ft. corner of Patuxent Road

15th Election District - 6th Councilmanic District

Legal Owner: Judith Krukow, personal representative for estate of Allan Zeman

Petitioner: Jenkins Builders, LLC

Undersized lot request to permit a proposed single family dwelling on an existing lot of record having an area of 5900 square feet in lieu of the required 6000 square feet.

Hearing: Monday, October 17, 2022 at 1:30 p.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.

Pete Gutwald

Director of Permits, Approvals and Inspections for Baltimore County

s27

TO: THE DAILY RECORD
Tuesday, September 27, 2022 - Issue

Please forward billing to:
David Billingsley
Central Drafting & Design
601 Charwood Court
Edgewood, MD 21040

410-679-8719

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Pete Gutwald
Director of Permits, Approvals and Inspections for Baltimore County



JOHN A. OLSZEWSKI, JR.
County Executive

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

September 13, 2022

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C. Pete Gutwald
Director

PW/kl

C: David Billingsley, 601 Charwood Court, Edgewood 21040
Mr. & Mrs. Tawney, 7111 Oliverwood Road, Baltimore 21220
Judith Krukow, 3400 S. Ironwood Dr., Lot 156, Apcake Junction AZ 85120
Jenkins Builders, 8680 Magnolia Avenue, Perry Hall 21128

**NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED
BY AN APPROVED POSTER ON THE PROPERTY BY TUE., SEPT. 27, 2022**

**BALTIMORE COUNTY, MARYLAND
INTRA-OFFICE MEMORANDUM**

TO: Brett Williams
Development Review Section

DATE: August 15, 2022

FROM: Te-Sheng Huang
Sector Planner, Community Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 22-007-UL

INFORMATION:

Property Address: 7109 Oliverwood Road

Petitioners: Jenkins Builder LLC

Zoning: DR 5.5

Requested Action: Undersize Lot

I have reviewed the petition to permit a proposed dwelling with an undersized lot area of 5,900 sf in lieu of the required 6,000 sf minimum net lot area.

A site visit was conducted on August 12, 2022. The subject property is located south of Oliverwood Road. The site is within Eastern Baltimore County Revitalization Strategy and Eastern Baltimore County Pedestrian and Bicycle Access Plan. The subject site is located within the boundary of an approved development plan called Gunninghill Cove. Six existing dwellings to the left of the subject site were also built in the undersized lots.

The applicant was called on August 11, 2022. The applicant explained that an elevated residential dwelling with a height of 36 feet is being proposed in an undersized lot to prepare for potential impacts of future floods in the neighborhood. The upper portion of the dwelling will be a 2-story finished living space. In addition to a proposed garage in the front, a part of the lower portion will be finished for a bedroom and some living space.

Architectural elevations and 3D rendering drawings of the proposed dwelling are included in the petition package. The drawings show the elevated dwelling that appears to be appropriate with respect to architectural style in the context of the neighborhood as well as to prevent floods in the future. The Department has no objection to granting the requested relief.

Prepared by:

Te-Sheng Huang

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2

A FILING REVIEW APPOINTMENT IS REQUIRED

Department of Permits, Approvals and Inspections (PAI)
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3391

The review application for your proposed Building Permit has been reviewed and is accepted for filing
by Shawn Crawford on Aug. 10, 2022
(Name of planner) Date (A)

A sign indicating the proposed building/development must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is \$100.00. The applicant is responsible for the posting and costs. An approved sign poster must be used. The fee is subject to change. Confirm all current fees prior to filing the application.

The Planning Office decision can be expected within approximately four weeks. However, if a valid hearing demand is received by the closing date, then the decision shall only be rendered after the required public special hearing.

*SUGGESTED POSTING DATE Aug. 14, 2022 D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED? YES _____ NO _____ - DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) Aug. 29, 2022 C (B-3 Work Days)

TENTATIVE DECISION DATE Sept. 9, 2022 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District: 15

Location of Property: 7109 OLIVERWOOD RD

Posted by: David Bellinghale Date of Posting: 8/13/22
Signature

Number of Signs: 2

ZONING NOTICE

UNDERSIZED LOT

UA-2022-0007-UL

ADDRESS: 7109 OLIVERWOOD ROAD

PROPOSAL: TO PERMIT A PROPOSED
SINGLE FAMILY DWELLING ON AN
EXISTING LOT OF RECORD HAVING AN
AREA OF 5900 SQUARE FEET IN LIEU OF
THE REQUIRED 6000 SQUARE FEET

Pursuant to the Baltimore County Zoning Regulation, an eligible individual or group may request a public hearing concerning the proposal, provided the request is received in the Zoning Review Office before **4:30 P.M. on: AUGUST 29, 2022**

The request for hearing must also reference the address on this sign. Additional information is available at the Dept. of Permits, Approvals and Inspections, Baltimore County Office Building, 111 West Chesapeake Avenue, Towson, Md. 21204.

PHONE (410) 887-3391

**UNDER PENALTY OF LAW, DO NOT REMOVE THIS SIGN UNTIL
AFTER THE ABOVE DATE**

AUG 13, 2022 8:40 AM

ZONING NOTICE

UNDERSIZED LOT

UA-2022-0007-UL

ADDRESS: 7109 OLIVERWOOD ROAD

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PHONE (410) 887-3391

**UNDER PENALTY OF LAW, DO NOT REMOVE THIS SIGN UNTIL
AFTER THE ABOVE DATE**

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 - 1800008986

Owner Information

Owner Name:	ZEMAN ALLAN T	Use:	RESIDENTIAL
Mailing Address:	LOT 156 3400 S IRONWOOD DR APACHE JCT AZ 85120-7108	Principal Residence:	NO
		Deed Reference:	/07633/ 00806

Location & Structure Information

Premises Address:	7109 OLIVERWOOD RD 0-0000	Legal Description:	5900 SQ FT .1354 AC CUNNINGHILL COVE
-------------------	------------------------------	--------------------	---

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	1
0084	0007	0074	15020012.04	0000		A	21	2021	Plat Ref:	0044/ 0018

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
			5,900 SF	04

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements

Value Information

	Base Value	Value As of 01/01/2021	Phase-in Assessments As of 07/01/2022	As of 07/01/2023
Land:	83,500	83,500		
Improvements	0	0		
Total:	83,500	83,500	83,500	83,500
Preferential Land:	0	0		

Transfer Information

Seller: ZEMAN ALLAN T	Date: 08/07/1987	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /07633/ 00806	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application	Date:
---	-------

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 - 1800008987			
Owner Information					
Owner Name:		TAWNEY CONSTANCE JANE TAWNEY CHARLES MICHAEL		Use:	RESIDENTIAL
Mailing Address:		7111 OLIVERWOOD RD MIDDLE RIVER MD 21220-1194		Principal Residence:	YES
				Deed Reference:	/47163/ 00262
Location & Structure Information					
Premises Address:		7111 OLIVERWOOD RD MIDDLE RIVER 21220-1194		Legal Description:	9992 SQ FT .2294 AC CUNNINGHILL COVE
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:
0084	0007	0074	15020012.04	0000	A
				Block:	Lot:
				22	2021
				Assessment Year:	Plat No:
					1
				Plat Ref:	0044/ 0018
Town: None					
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1979		1,028 SF		450 SF	
				Property Land Area	
				9,992 SF	
				County Use	
				04	
Stories	Basement Type	Exterior Quality		Full/Half Bath	Garage
Split Foyer	YES	SIDING/ 3		1 full	1Det/1Carport
Last Notice of Major Improvements					
Value Information					
		Base Value		Value	
				As of	
				01/01/2021	
				Phase-in Assessments	
				As of	
				07/01/2022	
				As of	
				07/01/2023	
Land:		86,400		86,400	
Improvements		128,500		167,300	
Total:		214,900		253,700	
Preferential Land:		0		0	
Transfer Information					
Seller: ZEMAN ALLAN T		Date: 07/14/2022		Price: \$294,000	
Type: ARMS LENGTH IMPROVED		Deed1: /47163/ 00262		Deed2:	
Seller: ZEMAN ALLAN T Z EMAN FRANK T		Date: 07/31/1987		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /07626/ 00088		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class		07/01/2022	
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: Completed without credit for 2022 Date: 06/10/2021					

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 - 1800008985	
Owner Information		
Owner Name:	CRISLIP FREDERICK M CRISLIP JULIA L	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	7107 OLIVERWOOD RD BALTIMORE MD 21220-1194	Deed Reference: /21707/ 00339
Location & Structure Information		
Premises Address:	7107 OLIVERWOOD RD BALTIMORE 21220-1194	Legal Description: .1354 AC 7107 OLIVERWOOD RD SS CUNNINGHILL COVE
Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: 1	0084 0007 0074 15020012.04 0000 A 20 2021 Plat Ref: 0053/ 0026	
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1988	1,166 SF	Property Land Area 5,900 SF
County Use 04		
Stories Basement Type	Exterior Quality Full/Half Bath Garage	Last Notice of Major Improvements
2 NO SPLIT LEVEL	SIDING/ 3 2 full 1 Detached	
Value Information		
	Base Value	Value
		As of 01/01/2021
		Phase-in Assessments As of 07/01/2022
		As of 07/01/2023
Land:	83,500	83,500
Improvements	133,000	141,300
Total:	216,500	224,800
Preferential Land:	0	0
Transfer Information		
Seller: ZYSKI MICHAEL W	Date: 04/13/2005	Price: \$205,000
Type: ARMS LENGTH IMPROVED	Deed1: /21707/ 00339	Deed2:
Seller: GORDON JOSEPH M	Date: 10/04/2004	Price: \$165,000
Type: NON-ARMS LENGTH OTHER	Deed1: /20780/ 00670	Deed2:
Seller: DABKOWSKI MARTIN B	Date: 11/07/2001	Price: \$121,500
Type: ARMS LENGTH IMPROVED	Deed1: /15732/ 00489	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2022 07/01/2023
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00 0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: Approved 06/16/2014		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application Date:		

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 - 1800008984			
Owner Information					
Owner Name:		WILLIAMS JEFFREY B		Use:	RESIDENTIAL
Mailing Address:		7105 OLIVERWOOD RD BALTIMORE MD 21220-1194		Principal Residence:	YES
				Deed Reference:	/29023/ 00001
Location & Structure Information					
Premises Address:		7105 OLIVERWOOD RD BALTIMORE 21220-1194		Legal Description:	.1354 AC 7105 OLIVERWOOD RD CUNNINGHILL COVE
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:
0084	0007	0074	15020012.04	0000	A
				Block:	Lot:
				19	2021
				Assessment Year:	Plat No:
					1
				Town:	Plat Ref:
				None	0053/ 0026
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1988		1,498 SF		Property Land Area	
				5,900 SF	
County Use					
04					
Stories	Basement	Type	Exterior	Quality	Full/Half Bath
2	NO	SPLIT LEVEL	SIDING/	3	1 full
Value Information					
		Base Value		Value	
				As of	
				01/01/2021	
				83,500	
				152,000	
				235,500	
				231,333	
				235,500	
				0	
				0	
Transfer Information					
Seller: CUNZEMAN KATHLEEN M		Date: 12/29/2009		Price: \$249,900	
Type: ARMS LENGTH IMPROVED		Deed1: /29023/ 00001		Deed2:	
Seller: CUNZEMAN KATHLEEN M		Date: 06/20/1997		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /12244/ 00237		Deed2:	
Seller: SOWERS GREGORY J		Date: 12/08/1992		Price: \$109,900	
Type: ARMS LENGTH IMPROVED		Deed1: /09496/ 00210		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class		07/01/2022	
County:		000		0.00	
State:		000		0.00	
Municipal:		000		0.00 0.00	
Special Tax Recapture: None					
Homestead Application Information					
Homestead Application Status: Approved 01/19/2010					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application				Date:	

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 - 1800008983							
Owner Information									
Owner Name:		HERNANDEZ AMBER BEDOLLA				Use:		RESIDENTIAL	
		SAN JUAN CARLO JAY Q				Principal Residence:		YES	
Mailing Address:		7103 OLIVERWOOD ROAD				Deed Reference:		/46692/ 00463	
		MIDDLE RIVER MD 21220-1194							
Location & Structure Information									
Premises Address:		7103 OLIVERWOOD RD				Legal Description:		.1354 AC	
		MIDDLE RIVER 21220-1194						7103 OLIVERWOOD RD	
								CUNNINGHILL COVE	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0084	0007	0074	15020012.04	0000		A	18	2021	1
									Plat Ref:
									0053/ 0026
Town: None									
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1988		1,248 SF				5,900 SF		04	
Stories	Basement	Type	Exterior Quality		Full/Half Bath	Garage	Last Notice of Major Improvements		
2	NO	STANDARD UNIT	SIDING/ 3		1 full/ 1 half	1 Attached			
Value Information									
			Base Value		Value		Phase-in Assessments		
					As of		As of		As of
					01/01/2021		07/01/2022		07/01/2023
Land:			83,500		83,500				
Improvements			117,900		128,700				
Total:			201,400		212,200		208,600		212,200
Preferential Land:			0		0				
Transfer Information									
Seller: GREENSFELDER TIMOTHY S				Date: 04/11/2022			Price: \$301,000		
Type: ARMS LENGTH IMPROVED				Deed1: /46692/ 00463			Deed2:		
Seller: BUNCH DARIA L				Date: 05/14/2009			Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /28082/ 00093			Deed2:		
Seller: JENKINS ROBERT				Date: 05/08/2003			Price: \$168,000		
Type: ARMS LENGTH IMPROVED				Deed1: /17962/ 00320			Deed2:		
Exemption Information									
Partial Exempt Assessments:		Class				07/01/2022		07/01/2023	
County:		000				0.00			
State:		000				0.00			
Municipal:		000				0.00 0.00		0.00 0.00	
Special Tax Recapture: None									
Homestead Application Information									
Homestead Application Status: No Application									
Homeowners' Tax Credit Application Information									
Homeowners' Tax Credit Application Status: No Application									
Date:									

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 - 1800008982	
Owner Information		
Owner Name:	HAGAN MICHAEL HAGAN MELISSA	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	7101 OLIVERWOOD RD BALTIMORE MD 21220-1194	Deed Reference: /26934/ 00413
Location & Structure Information		
Premises Address:	7101 OLIVERWOOD RD BALTIMORE 21220-1194	Legal Description: .1354 AC 7101 OLIVER WOOD RD CUNNINGHILL COVE
Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year:	Plat No: 1	
0084 0007 0074 15020012.04 0000 A 17 2021	Plat Ref: 0053/ 0026	
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1988	1,569 SF	Property Land Area
		5,900 SF
		County Use
		04
Stories	Basement	Type
2	NO	SPLIT LEVEL
Exterior	Quality	Full/Half Bath
SIDING/	3	2 full
Value Information		
	Base Value	Value
		As of
		01/01/2021
		Phase-in Assessments
		As of
		07/01/2022
		As of
		07/01/2023
Land:	83,500	83,500
Improvements	150,400	163,900
Total:	233,900	247,400
Preferential Land:	0	0
Transfer Information		
Seller: MUELLER AMY E	Date: 04/28/2008	Price: \$249,900
Type: NON-ARMS LENGTH OTHER	Deed1: /26934/ 00413	Deed2:
Seller: TUREK JULIA E	Date: 09/10/2002	Price: \$128,500
Type: ARMS LENGTH IMPROVED	Deed1: /16801/ 00462	Deed2:
Seller: TUREK RICHARD J	Date: 10/05/1993	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /10054/ 00551	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2022
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: Approved 06/10/2008		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning
Attention: **Development Review Division**
Jefferson Building
105 West Chesapeake Avenue, Room 101
Towson, MD 21204
Mail Stop 3402

Building Permit No. B22-08738
Zoning Office Reviewer S. Crawford

Residential Processing Fee Paid

(\$100.00)

Accepted by S. Crawford
Date 8/10/22

FROM: Arnold Jablon, Director
Department of Permits, Approvals and Inspections

RE: Undersized Lots UA-2022-0007-UL

Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, the Zoning Review Office of PAI is requesting recommendations and comments from the Office of Planning prior to Zoning Review Office approval of a residential building permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

Name of Applicant(s) JENKINS BUILDERS LLC
Applicant's Mailing Address 8680 MAGNOLIA AVENUE PERRY HALL, MD 21128
Applicant's Telephone Number (410) 530-5844 Applicant's Email Address mjenkinsbuilders@verizon.net
Lot Address 7109 OLIVERWOOD ROAD Election District 15 Council District 6 Lot Square Feet 5900 SF
Lot Location: N E S W side of OLIVERWOOD RD. 155 feet/at corner of N E S W side of PATUKENT ROAD
(street name) (# of feet) (street name)
Land Owner(s) JUDITH KRUKOW, PR FOR THE ESTATE OF ALLAN T. ZEHAN 10 Digit Tax Account Number 1800008986
Owner's Mailing Address: 3400 S. IRONWOOD DR., LOT 156, APACHE JUNCTION, AZ 85120
Owner's Telephone Number () _____ Owner's Email Address _____

CHECKLIST OF MATERIALS- (to be submitted at the filing appointment for design review by the Office of Planning)

APPLICANT MUST PROVIDE 1 through 6

1. This Recommendation Form (3 copies)

Planner Acceptance Check Off
YES NO

2. Permit Application

3. Site Plan
Property (3 copies)

4. Building Elevation Drawings

5. Photographs (please label all photos clearly)
Adjoining Buildings

Surrounding Neighborhood

6. Current Zoning Classification: DR 5.5

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY

RECOMMENDATIONS / COMMENTS:

☒ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the application to conform with the following recommendations:

Signed by: Brett M. Williams
For the Director, Office of Planning

Date: 8/15/22

Revised 10/04/17

Permit Application Info

Permit Number: R22-08738

Location : 5900 SQ FT .1354 AC

Case Type: Residential New

Sub Type: New Dwelling

Status: Pending

Date Issued:

Parent Permit Application:

Child Permit Application:

Plan Review

Identifier	Name	Status
R22-08738	7109 OLIVERWOOD ROAD	Plan Submission
OPEN PLAN REVIEW		
for review comments and to submit plans and documents		

Site Addresses

Site Address	Suite/Unit #	City	State	Zip	Tax Parcel ID
5900 SQ FT .1354 AC		Null	MD	00000	

People

Name	Role
DAVID Billingsley	Applicant
ALLAN T ZEMAN (SELLER)	Property Owner
MIKE JENKINS (ALSO CONTRACT PURCHASER)	Contractor

Contractors

Business Name	Contractor Type	City	State
---------------	-----------------	------	-------

Permit Application Details

Data	Description	Data
Category		

Data Category	Description	Data
Residential Construction Info	Estimated Cost of Material and Labor	225,000
Residential Construction Info	Depth: What is the depth of the proposed building from front to back (FT)?	40
Residential Construction Info	If there is a proposed Garage, where will it be connected to the main structure?	Front
Residential Construction Info	Is the Water Supply Existing or Proposed?	Proposed
Residential Construction Info	What is the Type of Heating Fuel	Electricity
Residential Construction Info	If the Foundation Type is other, describe.	NA
Residential Construction Info	How many Bathrooms are in the building plans?	2
Residential Construction Info	What is the Type of Construction?	Wood Frame
Building Info	What is the Existing Use of the Property?	Vacant
Building Info	What is the Ownership Use of the Property?	Sale
Residential Construction Info	What is the Foundation Type?	Concrete
Residential Construction Info	How many Powder Rooms (Half Baths) are in the building plans?	1
Residential Construction Info	If there is a proposed Garage, how many cars can be parked in the Garage?	1

Data Category	Description	Data
Residential Construction Info	If the property is currently on Private Sewage (Septic), will it be converted to Public?	Y
Residential Construction Info	Type Of Sewage Disposal for this Property?	Public
Residential Construction Info	Type Of Water Supply for this Property?	Public
Residential Construction Info	If the Type of Construction is other, describe.	NA
Residential Construction Info	Left Side Set Back: Provide the distance from the property line to the main building (FT)	16
Residential Construction Info	Is Central Air included in the proposed plans?	Y
Residential Construction Info	How many Kitchens are in the building plans?	1
Building Info	What is the Residential Category?	Detached
Residential Construction Info	Height: What is the highest point of the proposed building (FT)?	36
Building Info	If the Residential Category is other, describe.	NA
Residential Construction Info	If property is currently on Private Water (Well), will it be converted to Public?	Y
Residential Construction Info	If the Type of Heating Fuel is other, describe.	NA
Residential Construction Info	Right Side Set Back: Provide the distance from the property line to the main building (FT)	16

Data Category	Description	Data
Residential Construction Info	What is the Limit of Disturbance (including any proposed Grading) in Square Feet?	4,350
Building Info	If Existing Use is other, describe	NA
Residential New Dwelling Info	If the permit application is related, please provide the permit number(s).	NA
Residential Construction Info	Is the Sewage Disposal Existing or Proposed?	Proposed
Residential Construction Info	Rear Set Back: Provide the distance from the property line to the main building (FT)	35
Residential Construction Info	Front Set back: Provide the distance from the property line to the main building (FT)	26
Residential New Dwelling Info	What is the square footage of the proposed dwelling (incl basement, deck, porch, garage if there is a floor above it)	2,880
Residential Construction Info	Will this Building have a Sprinkler System Installed?	Y
Residential Construction Info	Stories: What is the number of stories for the proposed building?	3
Residential New Dwelling Info	If the New Dwelling includes a Porch, what is the square footage of the Porch?	84
Residential Construction Info	How many Bedrooms are in the building plans?	4
Building Info	Is the Property Under Private or Public Ownership?	Private

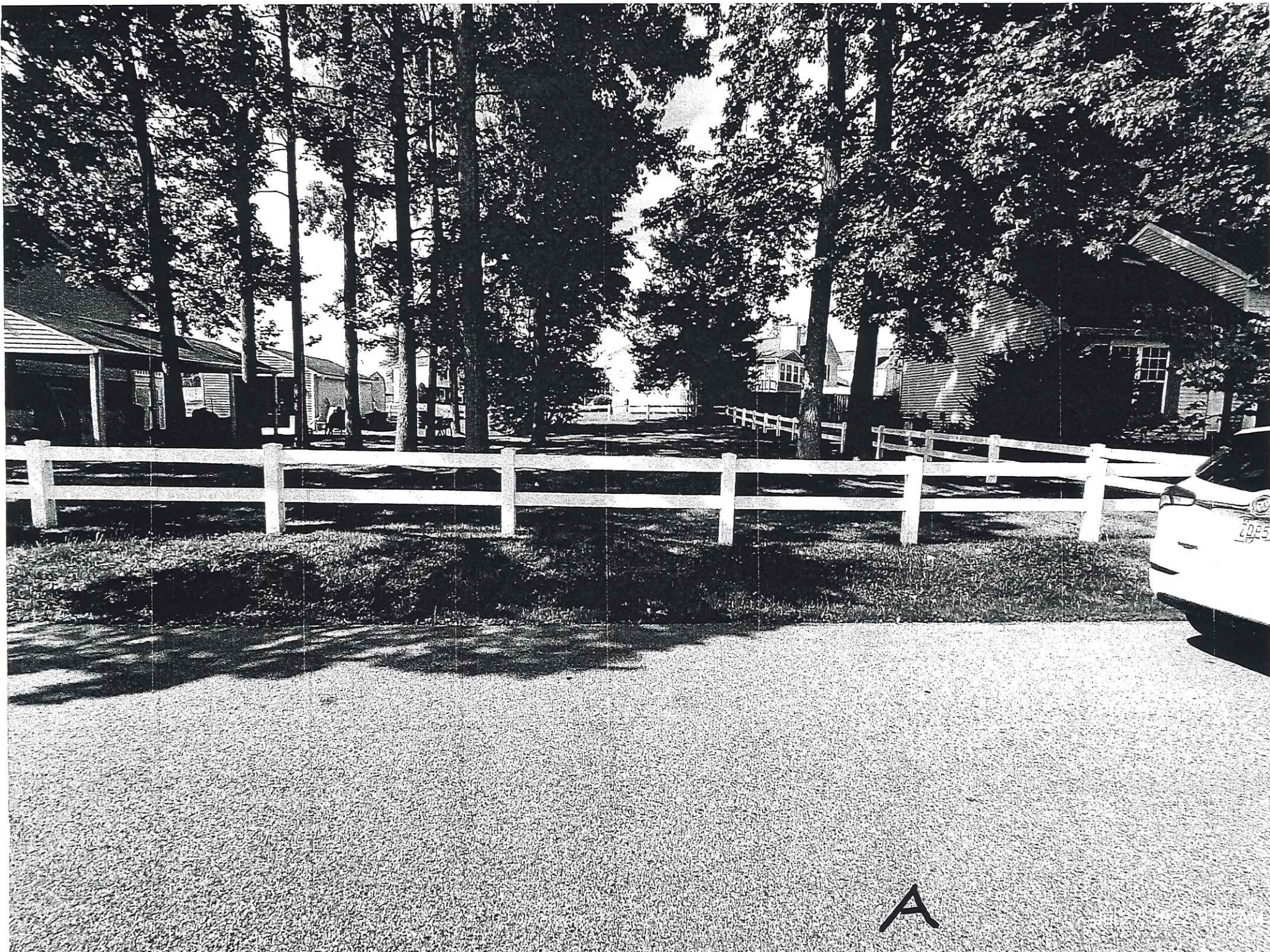
Property Description

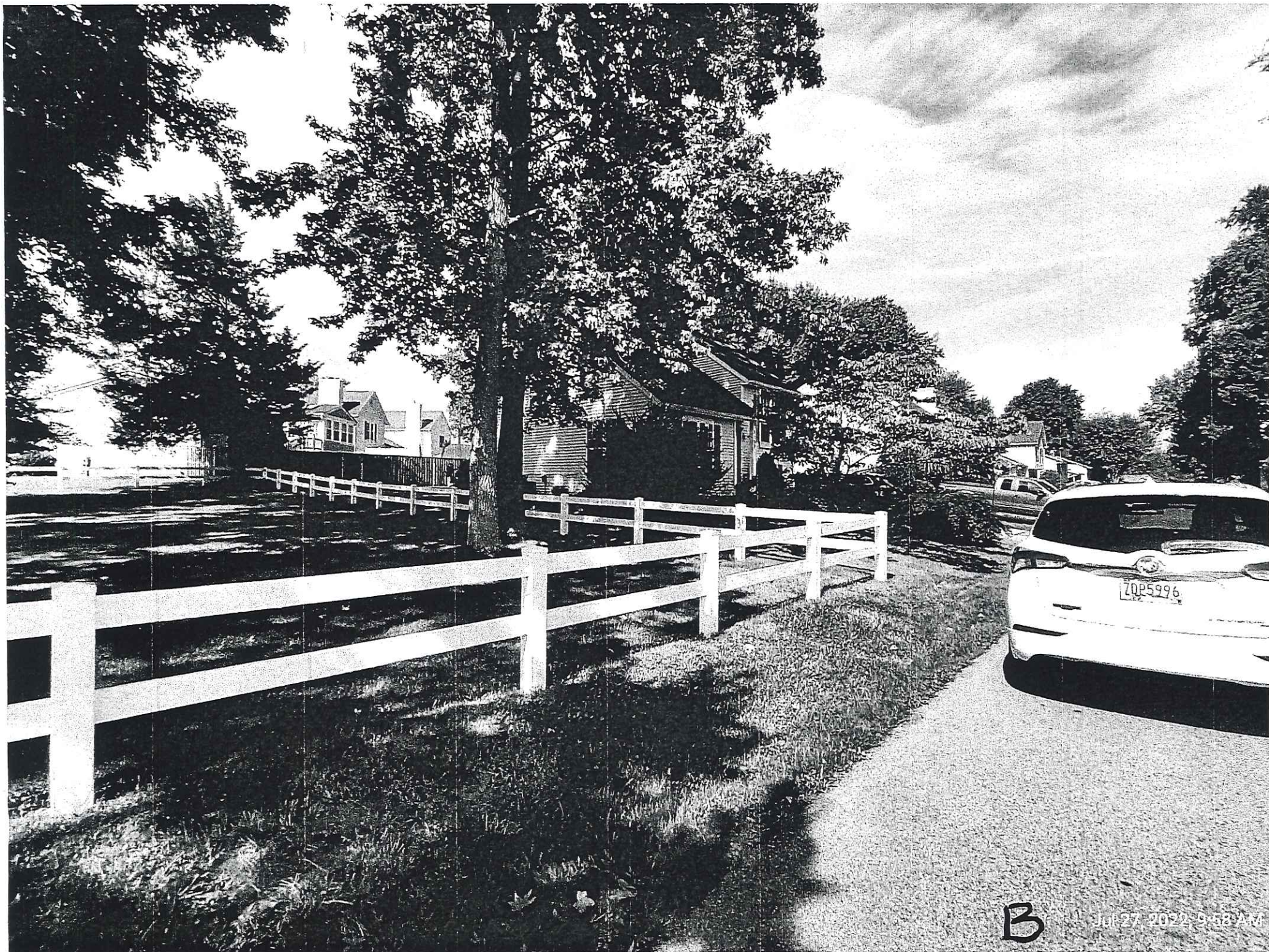
7109 Oliverwood Road

Frederick & Julia Crislip

(Owners)

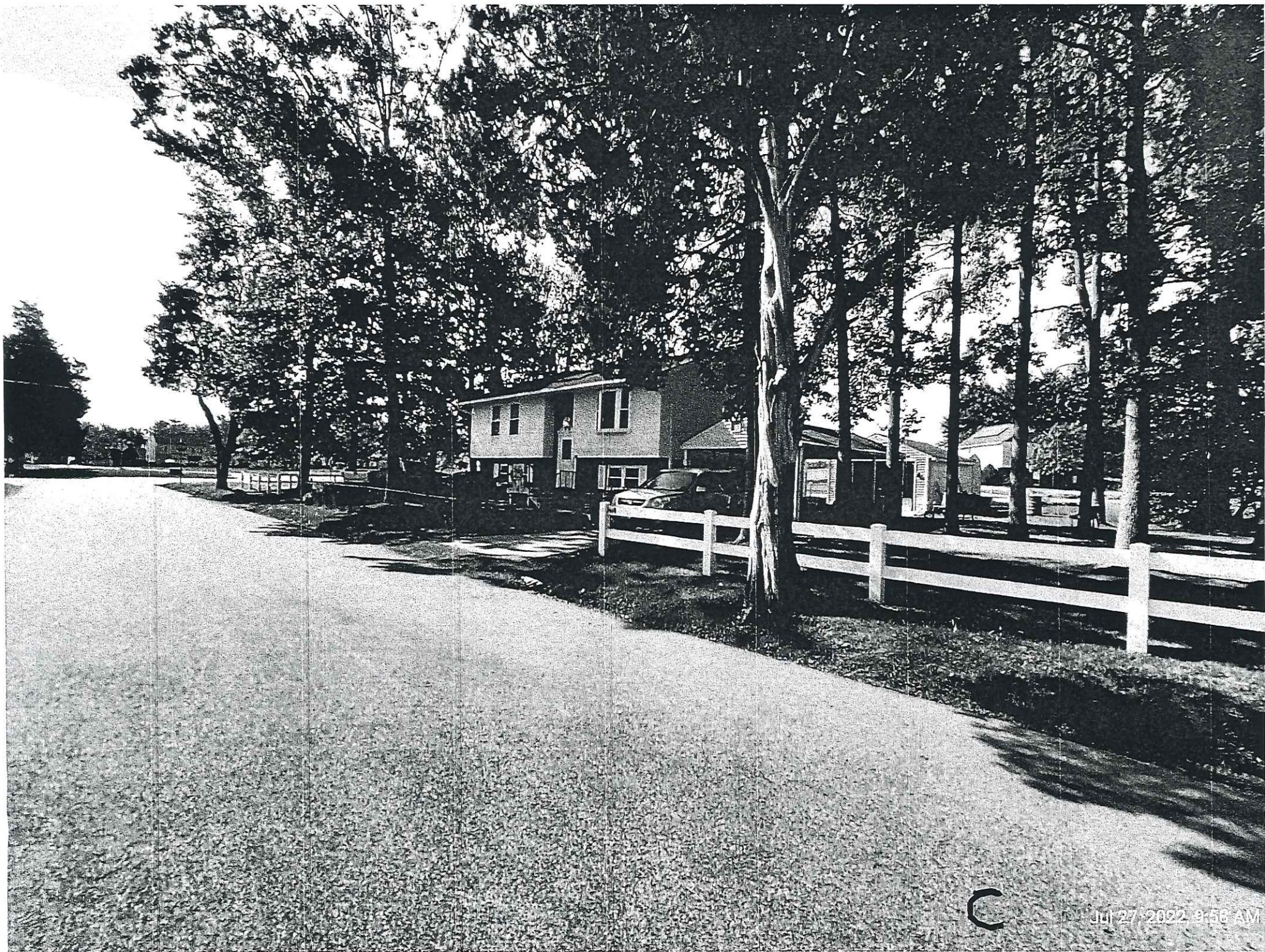
Beginning at the Southeast side of Oilverwood rd., which is about 20 +/- feet in width, at a distance of 172 +/- feet West of intersections Patuxent and Oliver Beach Roads, which about 40 +/- feet in width.





B

Jul 27 2022 9:58 AM



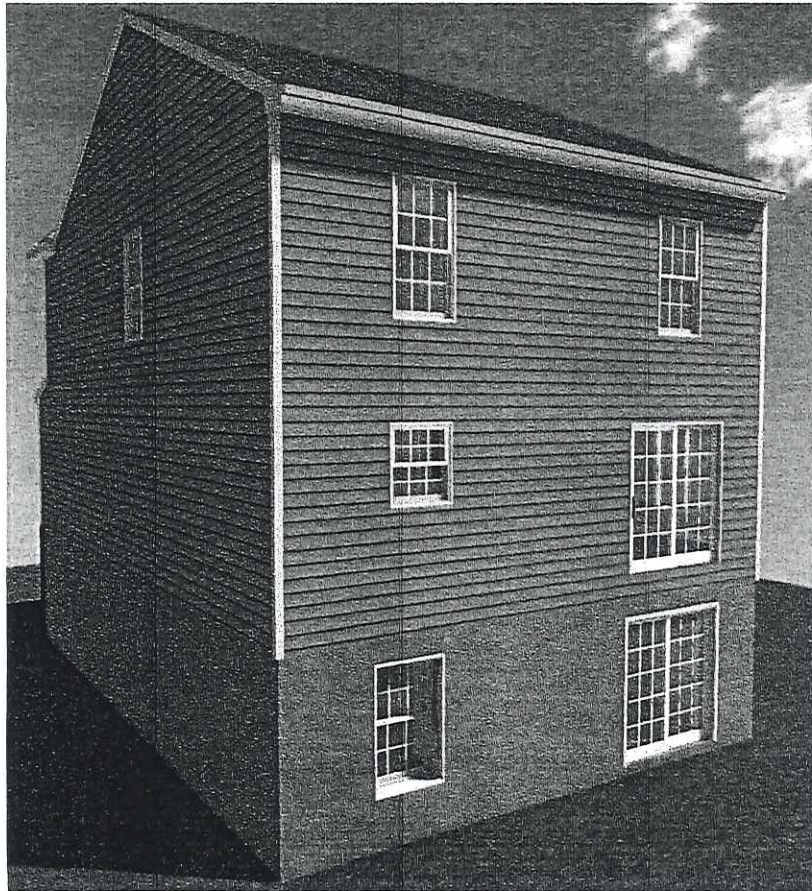
C

Jul 27 2022 9:58 AM

THE PENWOOD

JENKINS BUILDERS LLC

8680 MAGNOLIA AVENUE
PERRY HALL, MD. 21128
410-530-5844



SHEET TITLE:

PERSPECTIVES

THE PENWOOD

JENKINS BUILDERS LLC
8680 MAGNOLIA AVENUE
PERRY HALL, MD. 21128
410-530-5844
mjenkinsbuilders.com

REVISIONS

4TH GENERATION
DESIGNS &
CONSULTING

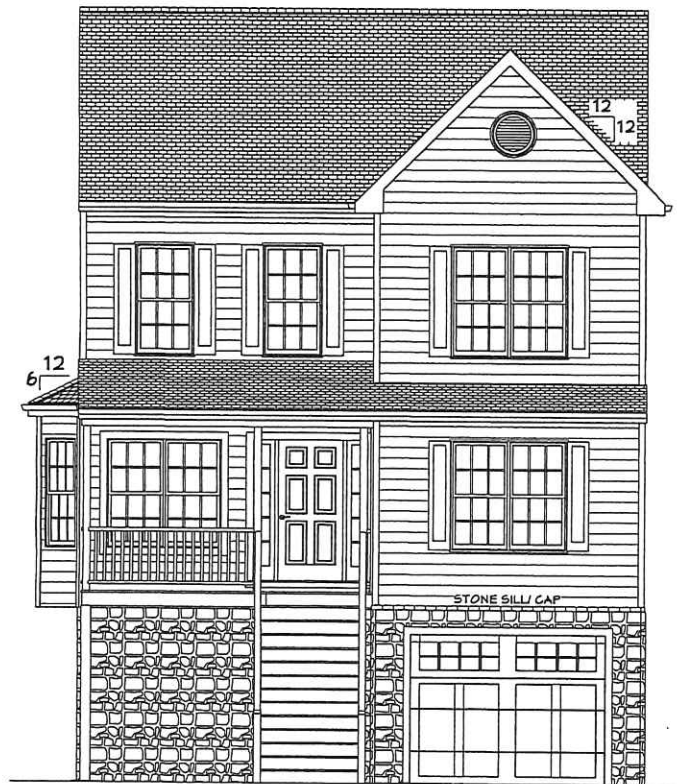
DATE
1/17/2018

SCALE

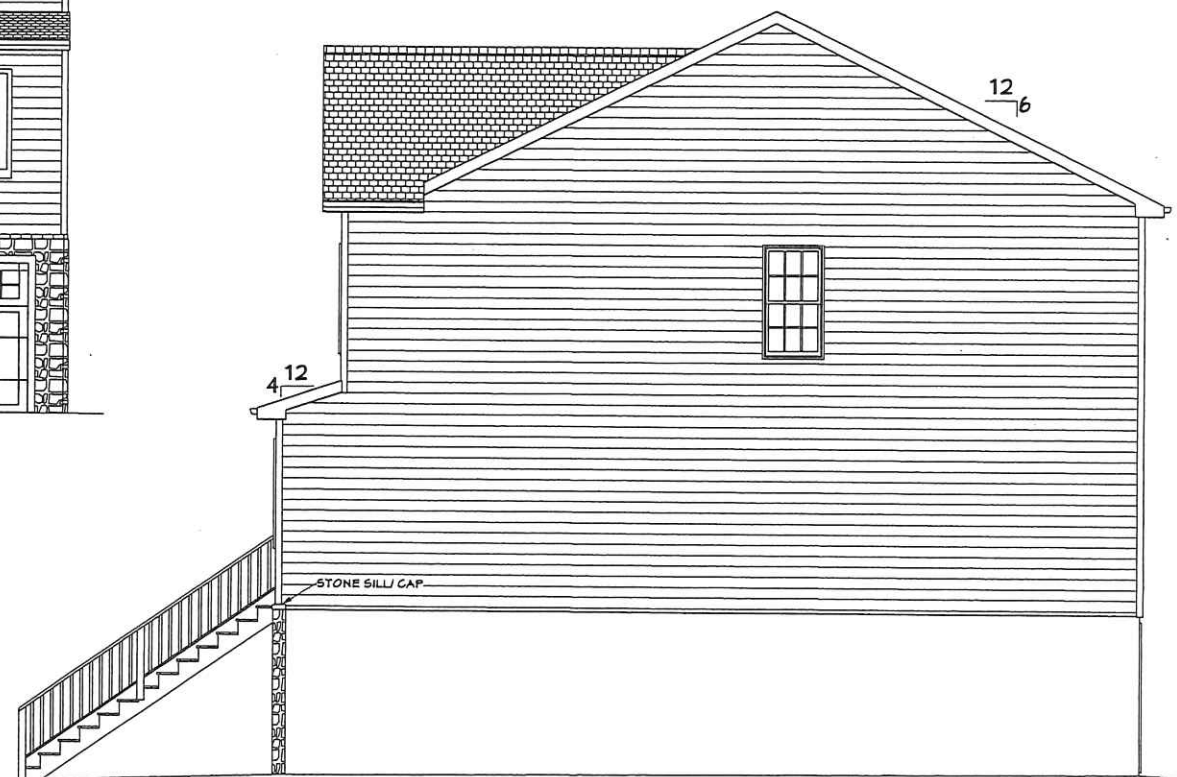
Scale Applicable
on 18 x 24 Paper

SHEET

P - 1



FRONT ELEVATION



RIGHT SIDE ELEVATION

SHEET TITLE:

ELEVATIONS

THE PENWOOD

JENKINS BUILDERS LLC
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PERRY HALL, MD. 21228
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REVISIONS

4TH GENERATION
DESIGNS &
CONSULTING

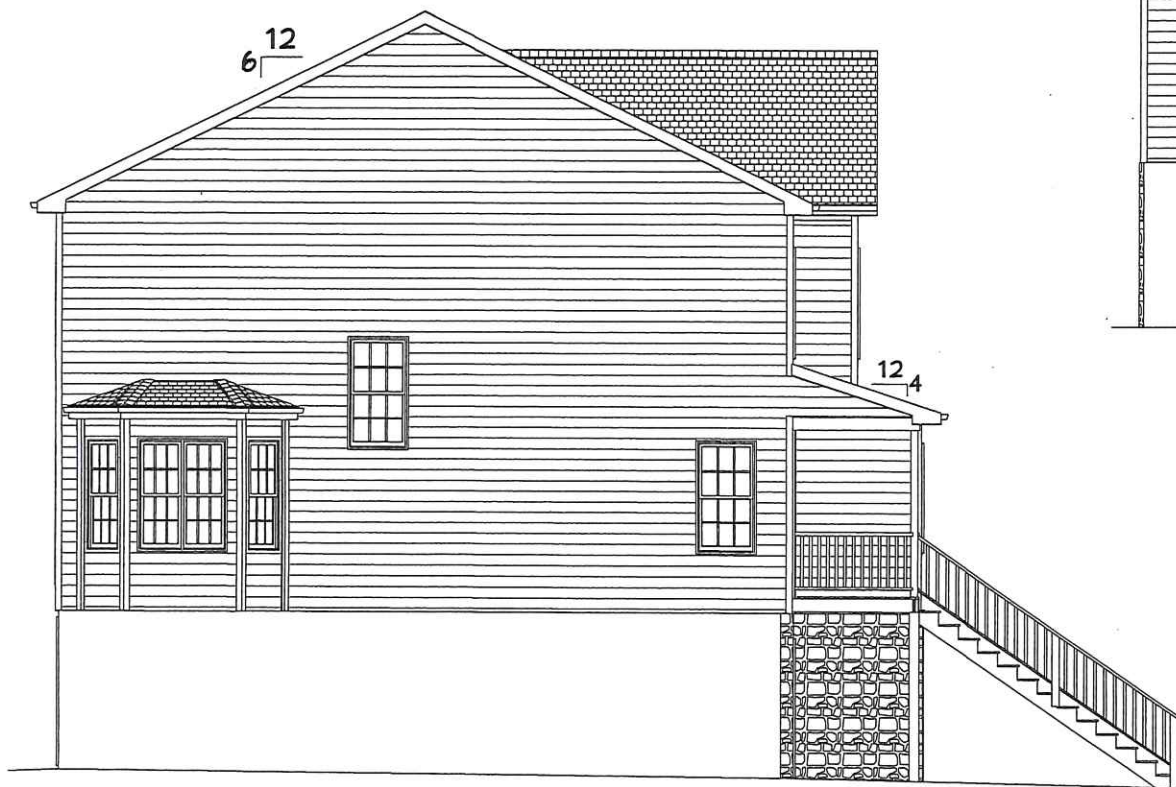
DATE
1/17/2018

SCALE

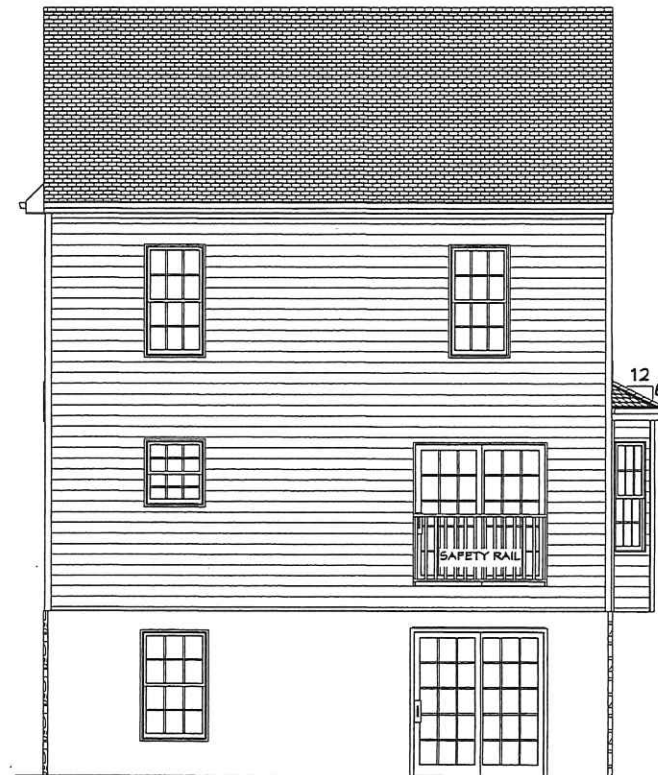
1/4" = 1'
Scale Applicable
on 18 x 24 Paper

SHEET

A - 3



LEFT SIDE ELEVATION



REAR ELEVATION

SHEET TITLE:

ELEVATIONS

THE PENWOOD

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REVISIONS

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DESIGNS &
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DATE
1/17/2018

SCALE

1/4" = 1'

Scale Applicable
on 18 x 24 Paper

SHEET

A - 4

A hand-drawn site plan of a property. The plan shows a central rectangular area labeled "Z1" with dimensions 58.42' by 101'. Inside this area is a "PROP 3 STY DWLG" (proposed 3-story dwelling) with dimensions 26' by 16.4'. To the left of the central area is a structure labeled "#7107 EX SFD" (existing single-family dwelling) with dimensions 20' by 16.4'. To the right is a structure labeled "#7111 EX SFD" (existing single-family dwelling) with dimensions 22' by 16.4'. Below the central area is a structure labeled "#7116 EX SFD" (existing single-family dwelling) with dimensions 22' by 16.4'. The plan also shows "EX DRIVE" (existing drive) on the left and right sides, "EX GAR" (existing garage) on the left and right sides, and "EX PAVING" (existing paving) at the top. Other labels include "EX. 8\"

SITE PLAN

LOT 21, BLOCK A, PLAT 1

ELECTION DISTRICT 15 BALTIMORE COUNTY, MD

SCALE: 1 INCH = 30 FEET JULY 18, 2022