



JOHN A. OLSZEWSKI, JR.  
*County Executive*

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

May 24, 2023

Jenell Coleman Fennell – [jfennel37@gmail.com](mailto:jfennel37@gmail.com)  
905 Kingston Road  
Baltimore, MD 21212

RE: Petition for Administrative Variance  
Case No. 2023-0001-A  
Property: 905 Kingston Road

Dear Petitioner:

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,

A handwritten signature in black ink that reads "Maureen E. Murphy". The signature is written in a cursive style.

MAUREEN E. MURPHY  
Administrative Law Judge  
for Baltimore County

MEM:dlw  
Enclosure

c: Patrick "Rick" Richardson – [rick@richardsonengineering.net](mailto:rick@richardsonengineering.net)

|                                            |   |                             |
|--------------------------------------------|---|-----------------------------|
| <b>IN RE: PETITION FOR ADMIN. VARIANCE</b> | * | BEFORE THE                  |
| <b>(905 Kingston Road)</b>                 |   |                             |
| 9 <sup>th</sup> Election District          | * | OFFICE OF ADMINISTRATIVE    |
| 6 <sup>th</sup> Council District           |   |                             |
|                                            | * | HEARINGS FOR                |
| <b>Jenell Coleman Fennell</b>              |   |                             |
|                                            | * | BALTIMORE COUNTY            |
| Petitioner                                 | * | <b>CASE NO. 2023-0001-A</b> |

\* \* \* \* \*

### **OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County for consideration of a Petition for Administrative Variance filed by Jenell Coleman Fennell, legal owner (“Petitioner”) for the property located at 905 Kingston Rd., Baltimore (the “Property”). Petitioner is requesting Variance relief pursuant to the Baltimore County Zoning Regulations (“BCZR”), § 400.1 to permit an accessory building (detached garage) in the front/side yard in lieu of the rear yard as required.

The Zoning Advisory Committee (“ZAC”) comments were received and are made part of the record of this case. A joint ZAC comment was contained in the case file from the Development Plans Review (“DPR”) and Department of Public Works and Transportation (“DPWT”) dated January 19, 2023 regarding the existing storm drain which states as follows:

A) The plan provided with the zoning hearing application, must be revised to show the existing 24” storm drain that is on or near the Property. The plan must also state whether the existing storm drain is public or private.

B) If the storm drain is public, the plan provided with the zoning hearing application must be revised to show the easement associated with the existing storm drain on or near the property.

C) If there has not been an easement dedicated to Baltimore County, the property owner must dedicate an easement, at the owner’s expense, that amounts to 10-feet from the existing storm drain

before any variances should be approved.

D) The proposed accessory structure cannot be located within the easement or the zone of influence.

Patrick 'Rick' Richardson, PE prepared a Site Plan (the "Site Plan"). (Pet. Ex.1). Upon inquiry by the undersigned to DPR as to the ZAC Comment, DPR Project Engineer, Eugene Cauley, PE, responded via email dated March 23, 2023 that DPWT/DPR was standing by the above ZAC comment. As a result of that email, Mr. Richardson prepared and sealed a 'Plan to Show Storm Drain Relation' (the "Storm Drain Plan") and submitted same to DPR/DPWT. (Pet. Ex. 2). DPR and DPWT having both reviewed the Storm Drain Plan, and having met with Mr. Richardson, both agencies are now satisfied that the proposed garage as shown in the location on the Site Plan, will not impact the existing 24 ft. storm drain on the adjacent property. (See File for DPR/DPWT emails).

Accordingly, the Petitioner having filed a Petition for Administrative Variance and the Property having been posted on January 15, 2023 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented. The Petitioner has filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code ("BCC"). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts to satisfy the requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would cause practical difficulty and/or unreasonable hardship for the Petitioner.

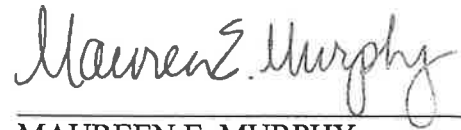
Although the Department of Planning did not make any recommendations related to the proposed detached garage, I will impose conditions that it shall not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial or industrial purposes. Additionally, there will be a condition that the proposed detached garage shall not have a separate utility/electric meter but will connect to the utility/electric in the house.

THEREFORE, IT IS ORDERED, this 24<sup>th</sup> day of **May, 2023**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("BCZR"), § 400.1 to permit an accessory building (detached garage) in the front and side yards, in lieu of the rear yard as required, be and it is hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for her appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioner and/or subsequent owners shall not convert the detached garage into a dwelling unit or apartment. The detached garage, shall not contain any sleeping quarters, living area, or kitchen or bathroom facilities.
3. The detached garage shall not have a separate utility or electric meter but shall connect to the utility/electric meter in the house.
4. The detached garage shall not be used for commercial or industrial purposes.
5. The Site Plan (Pet. Ex. 1) and the Storm Drain Plan (Pet. Ex. 2), are attached hereto and incorporated herein in their entirety.

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

A handwritten signature in cursive script that reads "Maureen E. Murphy". The signature is written in dark ink and is positioned above a horizontal line.

MAUREEN E. MURPHY  
Administrative Law Judge  
for Baltimore County

MEM:dlw



## SCALE: 1" = 1000'

**GENERAL NOTES:**

OWNER: JENELL COLEMAN FENNELL  
905 KINGSTON RD  
BALTIMORE MD 21212

- NET: 9.475 SQ.Ft. or 0.22 Ac.  
 GROSS: 11,250 SQ.Ft. or 0.26 Ac.  
 EXISTING BUILDING AREA: 1,150 SQ.Ft.  
 U. N. 1  
 PUBLIC WATER  
 PUBLIC SEWER  
 DEED REF: 41704/162  
 3. TAX ACCOUNT: 020602460  
 4. PLAT REF: 100/162  
 5. PREVIOUS PLANNING DISTRICT: TOWSON  
 6. GENERAL PLANNING DISTRICT: 4810  
 7. 0.25 AC. PARCEL #131  
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| 7. BASIC SERVICE MAPS (2022)         | DEFICIENT | (Y/N) | NOTE     |
|--------------------------------------|-----------|-------|----------|
| WATER                                |           | N     |          |
| SEWER                                |           | N     |          |
| TRANSPORTATION                       |           | N     |          |
| B. NO PREVIOUS ZONING CASES ON FILE. |           |       |          |
| 9. SETBACKS FOR DR 5.5 ZONE          |           |       |          |
| FRONT                                | 25'       |       | PROVIDED |
| TYPE                                 | 25'       |       | 25'±     |
| SIDE                                 | 10'       |       | 14'±     |
| REAR (ROAD)                          | 30'       |       | 65'±     |



Richardson  
ENGINEERING

7 Deneison Street  
Timonium, Maryland 21093  
Phone: 410-560-1502, info@richardsonengineering.net

# PLAN TO ACCOMPANY ZONING VARIANCE FOR

FENNELL RESIDENCE  
GARAGE ADDITION

905 KINGSTON ROAD

MARYLAND

9TH ELECTION DISTRICT

6TH COUNCILMANIC DISTRICT

REVISIONS: \_\_\_\_\_ DRAWN BY: \_\_\_\_\_ CHECKED BY: \_\_\_\_\_ SCALE: \_\_\_\_\_

DRAWN BY:

CHECKED BY:

1

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1

PCR

 $\approx 20'$ 

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|-------|----------|------------|

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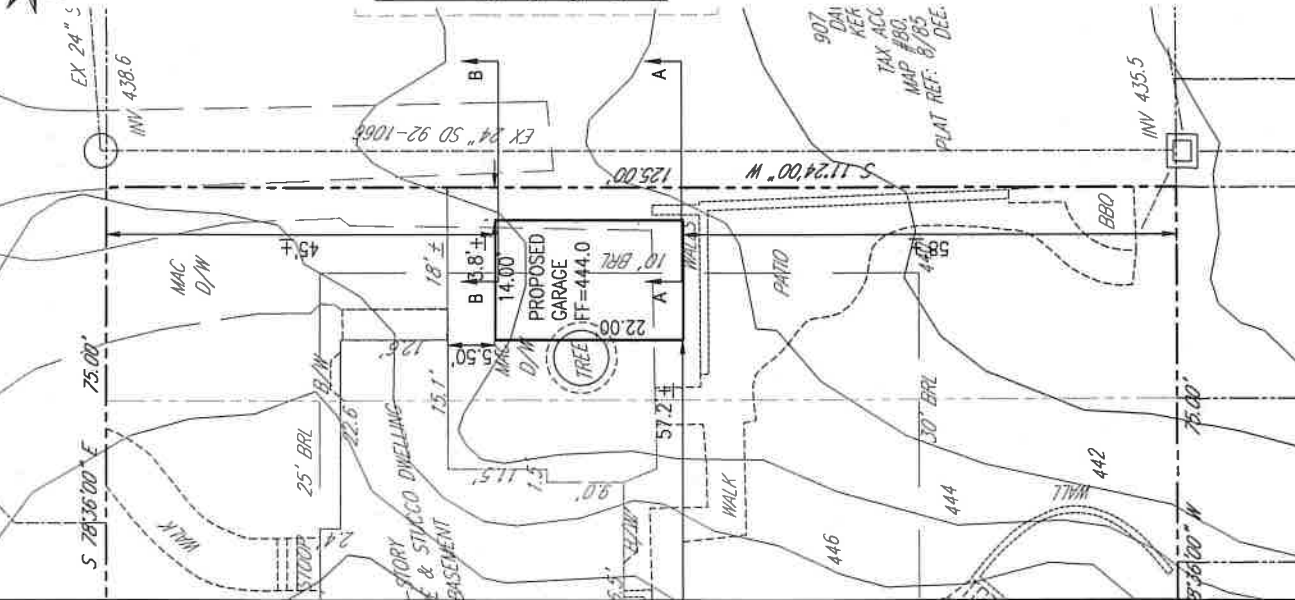
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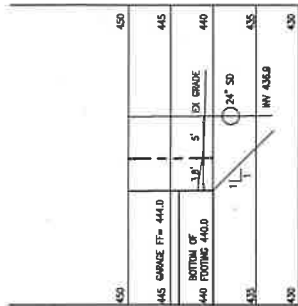
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KINGSTON ROAD

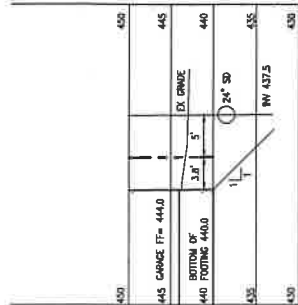
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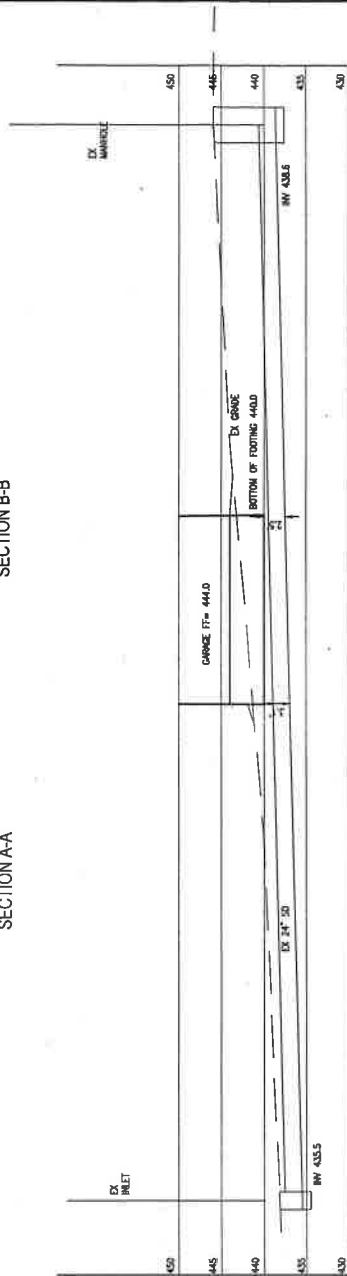
PLAN VIEW



SECTION A-A



SECTION B-B



STORM DRAIN IN PROFILE



7 Depew Street  
Timonium, Maryland 21083  
Phone: 410-560-1502, info@richardsonengineering.net

richardsonengineering.net

PLAN TO SHOW STORM DRAIN RELATION  
FOR

FENNEL RESIDENCE  
GARAGE ADDITION

905 KINGSTON ROAD

BALTIMORE COUNTY  
9TH ELECTION DISTRICT

MARYLAND

6TH COUNCILMANIC DISTRICT

DRAWN BY: LNR

CHECKED BY: PCR

DATE: 04-26-23

JOB NO.: 22184

SHEET NO.: 1 OF 1



PROFESSIONAL CERTIFICATION:  
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR  
CHECKED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION  
AND THAT I AM A STATE LICENSED PROFESSIONAL  
ENGINEER IN THE STATE OF MARYLAND, LICENSE  
NUMBER 15874, EXPIRATION DATE 08-15-2023.

## BALTIMORE COUNTY, MARYLAND

### Inter-Office Correspondence



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

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

DATE: January 17, 2023

SUBJECT: DEPS Comment for Zoning Item: 2023-0001-A  
Address: 905 Kingston Rd  
Legal Owner: Jenell Coleman Fennell

Zoning Advisory Committee Meeting of Jan. 16, 2023.

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

Reviewer: Earl D. Wrenn

22-1213 G14



# ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 905 Kingston Road

which is presently zoned DR-5.5

Deed Reference 41704/ 162

10 Digit Tax Account # 0920662460

Property Owner(s) Printed Name(s) Jenell Coleman Fennell

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)  
Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

1. ☒ **ADMINISTRATIVE VARIANCE** from section(s) 400.1 to permit an accessory structure (detached garage) in the front/side yard in lieu for the rear yard as required.

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

2. ☐ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4- 416(a)(2): (indicate type of work in this space to raze, alter or construct addition to building)

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

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

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

**Legal Owner(s) Affirmation:** I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

## Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

## Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

## Legal Owners:

Jenell Coleman Fennell /

Name #1 - Type or Print

Name #2 - Type or Print

Jenell Coleman Fennell

Signature #1

Signature # 2

905 Kingston Road

Baltimore

MD

Mailing Address

City

State

21212

3027509656

jfennell37@gmail.com

Zip Code

Telephone #

Email Address

## Representative to be contacted:

Richardson Engineering, LLC Rick Richardson

Name - Type or Print

Rick Richardson

Signature

7 Deneison Street

Timonium

MD

Mailing Address

City

State

21093

410-560-1502

rick@richardsonengineering.net

Zip Code

Telephone #

Email Address

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

Administrative Law Judge of Baltimore County

CASE NUMBER 2023-0001-A

Filing Date 1/4/23

Estimated Posting Date 1/15/23

Reviewer gh

# Affidavit in Support of Administrative Variance

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

The undersigned hereby affirms under the penalties of perjury to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 905 Kingston Road Baltimore MD 21212  
Print or Type Address of property City State Zip Code

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

The site is located on the south side of Kingston Road in an established neighborhood. The site is sloped at an approximately 13% grade from west to east and the existing driveway slopes down to the rear of the house. The slope of the lot made connecting the garage to the house impossible so it is going to be a free standing structure. The garage will be in the side yard so that it is close to the house but will appear to be a recessed part of the house since it is behind the closest part of the house. It was not practical to connect it with a breezeway since the closest doors are not adjacent to the garage location and interior alterations would not be practical with the layout of the interior of the house.

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

  
Signature of Affiant

Jenell Coleman Fennell  
Name- Print or Type

\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
Name- Print or Type

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

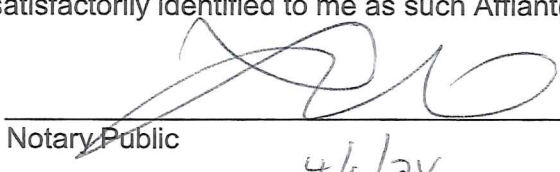
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 20<sup>th</sup> day of Dec, 2020, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

Jenell Fennell

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) **(Print name(s) here)**

AS WITNESS my hand and Notaries Seal

  
Notary Public

46/24  
My Commission Expires



2023-0001-A

LOCATION OF GARAGE ON EXISTING PAVING



905 KINGSTON RD

2023-0001-A



*Richardson*  
ENGINEERING

CIVIL | COMMERCIAL  
RESIDENTIAL  
INDUSTRIAL

RICHARDSON ENGINEERING, LLC.  
7 DENEISON ST. | TIMONIUM, MD 21093  
410-560-1502 | RICHARDSONENGINEERING.NET

**ZONING PROPERTY DESCRIPTION FOR  
905 KINGSTON ROAD  
9<sup>th</sup> ELECTION DISTRICT  
6<sup>th</sup> COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND**

Located on the SOUTH side of Kingston Road 125.00' east of the intersection of Copeleigh Road and Kingston Road, and designated as Block 15- Lots #6,7&8 as shown on the plat of Stoneleigh, Resubdivision of Blocks 14 to 19 incl blocks 21,22 and part of block 20, which is recorded among the land records of Baltimore County in plat book EHK JR. No. 8, Folio 85.

Containing a net area of 9,375 square feet or 0.22 acres +/-.

2023-0001-A

Real Property Data Search ( )  
Search Result for BALTIMORE COUNTY

|                          |                                            |                                              |
|--------------------------|--------------------------------------------|----------------------------------------------|
| <a href="#">View Map</a> | <a href="#">View GroundRent Redemption</a> | <a href="#">View GroundRent Registration</a> |
|--------------------------|--------------------------------------------|----------------------------------------------|

**Special Tax Recapture: None**

**Account Identifier:** District - 09 Account Number - 0920662460

**Owner Information**

**Owner Name:** FENNELL JENELL COLEMAN **Use:** RESIDENTIAL  
**Principal Residence:** YES

**Mailing Address:** 905 KINGSTON RD  
BALTIMORE MD 21212 **Deed Reference:** /41704/ 00162

**Location & Structure Information**

**Premises Address:** 905 KINGSTON RD  
BALTIMORE 21212- **Legal Description:** LT 6,7,8  
905 KINGSTON RD  
STONELEIGH

**Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:**  
 0080 0002 0131 9090094.04 0000 15 6 2023 **Plat Ref:** 0008/ 0085

**Town:** None

**Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use**  
 1933 1,914 SF 600 SF 9,375 SF 04

**StoriesBasementType Exterior QualityFull/Half BathGarageLast Notice of Major Improvements**  
 2 YES STANDARD UNITSTUCCO/5 2 full/ 2 half

**Value Information**

|                           | Base Value | Value      | Phase-in Assessments |            |
|---------------------------|------------|------------|----------------------|------------|
|                           |            | As of      | As of                | As of      |
|                           |            | 01/01/2023 | 07/01/2022           | 07/01/2023 |
| <b>Land:</b>              | 155,300    | 164,300    |                      |            |
| <b>Improvements</b>       | 454,600    | 528,900    |                      |            |
| <b>Total:</b>             | 609,900    | 693,200    | 609,900              | 637,667    |
| <b>Preferential Land:</b> | 0          | 0          |                      |            |

**Transfer Information**

|                                   |                             |                         |
|-----------------------------------|-----------------------------|-------------------------|
| <b>Seller:</b> JACOBSON PHILIP C  | <b>Date:</b> 08/02/2019     | <b>Price:</b> \$760,000 |
| <b>Type:</b> ARMS LENGTH IMPROVED | <b>Deed1:</b> /41704/ 00162 | <b>Deed2:</b>           |
| <b>Seller:</b> BRENDLER CHARLES B | <b>Date:</b> 08/01/1995     | <b>Price:</b> \$225,000 |
| <b>Type:</b> ARMS LENGTH IMPROVED | <b>Deed1:</b> /11146/ 00415 | <b>Deed2:</b>           |
| <b>Seller:</b> VIEHMYER EDWARD E  | <b>Date:</b> 01/14/1981     | <b>Price:</b> \$84,000  |
| <b>Type:</b> ARMS LENGTH IMPROVED | <b>Deed1:</b> /06251/ 00199 | <b>Deed2:</b>           |

**Exemption Information**

|                                    |              |            |            |
|------------------------------------|--------------|------------|------------|
| <b>Partial Exempt Assessments:</b> | <b>Class</b> | 07/01/2022 | 07/01/2023 |
| <b>County:</b>                     | 000          | 0.00       |            |
| <b>State:</b>                      | 000          | 0.00       |            |
| <b>Municipal:</b>                  | 000          | 0.00 0.00  | 0.00 0.00  |

**Special Tax Recapture: None**

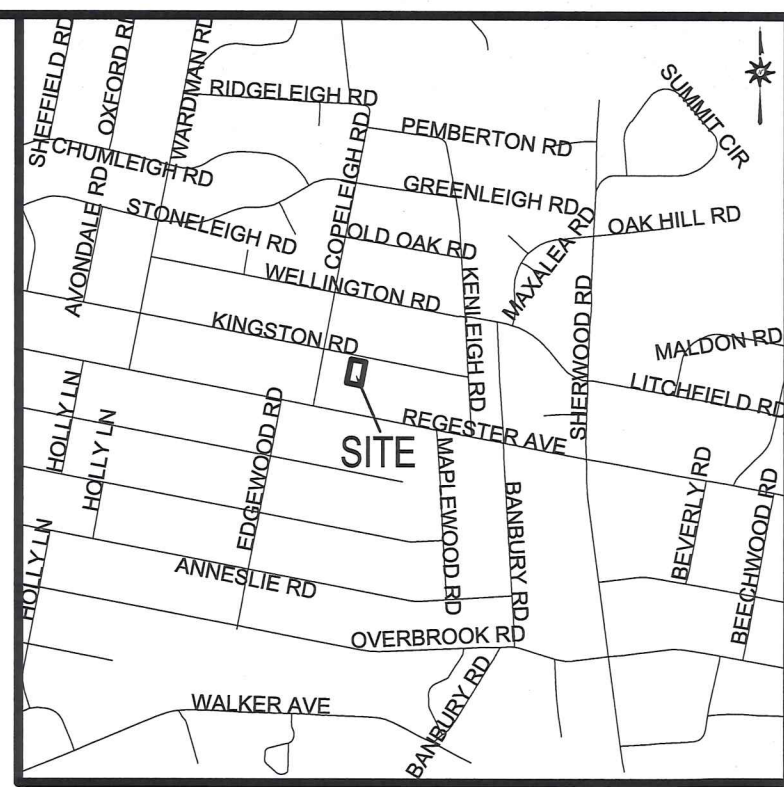
**Homestead Application Information**

**Homestead Application Status:** Approved 01/21/2020

**Homeowners' Tax Credit Application Information**

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

2023 0001-A



VICINITY MAP  
SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER: JENELL COLEMAN FENNELL  
905 KINGSTON RD  
BALTIMORE MD 21212
- SITE AREA:  
NET: 9,375 Sq.Ft. or 0.22 Ac.±  
GROSS: 11,250 Sq.Ft. or 0.26 Ac.±
  - EXISTING BUILDING AREA: 1,150 Sq.Ft.
  - UTILITIES  
PUBLIC WATER  
PUBLIC SEWER
  - DEED REF: 41704/162
  - TAX ACCOUNT: 0920662460
  - COUNCILMANIC DISTRICT: 6TH
  - REGIONAL PLANNING DISTRICT: TOWSON
  - CENSUS TRACT: 4910
  - WATERSHED: LOCH BACK RIVER
  - EXISTING ZONING: DR 5.5
  - TAX MAP #80, GRID #2, PARCEL #131
  - PLAT REF 8/85 BLOCK #15 LOTS #6,7,8
  - NO PRIOR PERMITS ON FILE.
  - THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
  - THE SITE LIES WITHIN ZONE X ON AS SHOWN ON FLOOD INSURANCE RATE MAP (FIRM) PANEL 2400100265F, DATED SEPTEMBER 26, 2008.
  - THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC.
  - BASIC SERVICE MAPS (2022)
- | TYPE           | DEFICIENT | (Y/N) | NOTE |
|----------------|-----------|-------|------|
| WATER          |           | N     | -    |
| SEWER          |           | N     | -    |
| TRANSPORTATION |           | N     | -    |
18. NO PREVIOUS ZONING CASES ON FILE.
19. SETBACKS FOR DR 5.5 ZONE
- | TYPE        | REQUIRED | PROVIDED |
|-------------|----------|----------|
| FRONT       | 25'      | 25'±     |
| SIDE        | 10'      | 14'±     |
| REAR (ROAD) | 30'      | 65'±     |



7 Deneison Street  
Timonium, Maryland 21093  
Phone: 410-560-1502, info@richardsonengineering.net

PLAN TO ACCOMPANY ZONING VARIANCE  
FOR  
FENNELL RESIDENCE  
GARAGE ADDITION  
905 KINGSTON ROAD

BALTIMORE COUNTY MARYLAND  
9TH ELECTION DISTRICT 6TH COUNCILMANIC DISTRICT

|           |                   |                    |                      |
|-----------|-------------------|--------------------|----------------------|
| REVISIONS | DRAWN BY:<br>LNR  | CHECKED BY:<br>PCR | SCALE:<br>1" = 20'   |
|           | DATE:<br>12-09-22 | JOB NO.:<br>22194  | SHEET NO.:<br>1 OF 1 |

2023-0001-A

22-1213 G14



# ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 905 Kingston Road

which is presently zoned DR-5.5

Deed Reference 41704/ 162

10 Digit Tax Account # 0920662460

Property Owner(s) Printed Name(s) Jenell Coleman Fennell

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)  
Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

1. ☒ **ADMINISTRATIVE VARIANCE** from section(s) 400.1 to permit an accessory structure (detached garage) in the front/side yard in lieu for the rear yard as required.

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

2. ☐ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4- 416(a)(2): (indicate type of work in this space to raze, alter or construct addition to building)

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

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

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

**Legal Owner(s) Affirmation:** I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

## Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

## Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

## Legal Owners:

Jenell Coleman Fennell /

Name #1 - Type or Print

Name #2 - Type or Print

Jenell Coleman Fennell

Signature #1

Signature # 2

905 Kingston Road

Baltimore

MD

Mailing Address

City

State

21212

3027509656

jfennell37@gmail.com

Zip Code

Telephone #

Email Address

## Representative to be contacted:

Richardson Engineering, LLC Rick Richardson

Name - Type or Print

Rick Richardson

Signature

7 Deneison Street

Timonium

MD

Mailing Address

City

State

21093

410-560-1502

rick@richardsonengineering.net

Zip Code

Telephone #

Email Address

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

Administrative Law Judge of Baltimore County

CASE NUMBER 2023-0001-A

Filing Date 1/4/23

Estimated Posting Date 1/15/23

Reviewer gh

# Affidavit in Support of Administrative Variance

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

The undersigned hereby affirms under the penalties of perjury to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 905 Kingston Road Baltimore MD 21212  
Print or Type Address of property City State Zip Code

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

The site is located on the south side of Kingston Road in an established neighborhood. The site is sloped at an approximately 13% grade from west to east and the existing driveway slopes down to the rear of the house. The slope of the lot made connecting the garage to the house impossible so it is going to be a free standing structure. The garage will be in the side yard so that it is close to the house but will appear to be a recessed part of the house since it is behind the closest part of the house. It was not practical to connect it with a breezeway since the closest doors are not adjacent to the garage location and interior alterations would not be practical with the layout of the interior of the house.

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

  
Signature of Affiant

Jenell Coleman Fennell  
Name- Print or Type

\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
Name- Print or Type

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

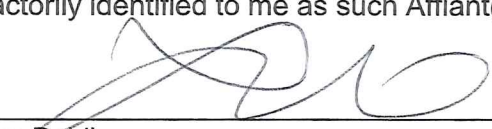
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 20<sup>th</sup> day of Dec, 2020, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

Jenell Fennell

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) **(Print name(s) here)**

AS WITNESS my hand and Notaries Seal

  
Notary Public

46/24  
My Commission Expires



2023-0001-A

LOCATION OF GARAGE ON EXISTING PAVING



905 KINGSTON RD

2023-0001-A



*Richardson*  
ENGINEERING

CIVIL | COMMERCIAL  
RESIDENTIAL  
INDUSTRIAL

RICHARDSON ENGINEERING, LLC.  
7 DENEISON ST. | TIMONIUM, MD 21093  
410-560-1502 | RICHARDSONENGINEERING.NET

---

**ZONING PROPERTY DESCRIPTION FOR  
905 KINGSTON ROAD  
9<sup>th</sup> ELECTION DISTRICT  
6<sup>th</sup> COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND**

Located on the SOUTH side of Kingston Road 125.00' east of the intersection of Copeleigh Road and Kingston Road, and designated as Block 15- Lots #6,7&8 as shown on the plat of Stoneleigh, Resubdivision of Blocks 14 to 19 incl blocks 21,22 and part of block 20, which is recorded among the land records of Baltimore County in plat book EHK JR. No. 8, Folio 85.

Containing a net area of 9,375 square feet or 0.22 acres +/-.

2023-0001-A

Real Property Data Search ( )  
Search Result for BALTIMORE COUNTY

|                          |                                            |                                              |
|--------------------------|--------------------------------------------|----------------------------------------------|
| <a href="#">View Map</a> | <a href="#">View GroundRent Redemption</a> | <a href="#">View GroundRent Registration</a> |
|--------------------------|--------------------------------------------|----------------------------------------------|

**Special Tax Recapture: None**

**Account Identifier:** District - 09 Account Number - 0920662460

**Owner Information**

**Owner Name:** FENNELL JENELL COLEMAN **Use:** RESIDENTIAL  
**Principal Residence:** YES

**Mailing Address:** 905 KINGSTON RD  
 BALTIMORE MD 21212 **Deed Reference:** /41704/ 00162

**Location & Structure Information**

**Premises Address:** 905 KINGSTON RD  
 BALTIMORE 21212- **Legal Description:** LT 6,7,8  
 905 KINGSTON RD  
 STONELEIGH

**Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:**  
 0080 0002 0131 9090094.04 0000 15 6 2023 **Plat Ref:** 0008/ 0085

**Town:** None

**Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use**  
 1933 1,914 SF 600 SF 9,375 SF 04

**StoriesBasementType Exterior QualityFull/Half BathGarageLast Notice of Major Improvements**  
 2 YES STANDARD UNITSTUCCO/5 2 full/ 2 half

**Value Information**

|                           | Base Value | Value      | Phase-in Assessments |            |
|---------------------------|------------|------------|----------------------|------------|
|                           |            | As of      | As of                | As of      |
|                           |            | 01/01/2023 | 07/01/2022           | 07/01/2023 |
| <b>Land:</b>              | 155,300    | 164,300    |                      |            |
| <b>Improvements</b>       | 454,600    | 528,900    |                      |            |
| <b>Total:</b>             | 609,900    | 693,200    | 609,900              | 637,667    |
| <b>Preferential Land:</b> | 0          | 0          |                      |            |

**Transfer Information**

|                                   |                             |                         |
|-----------------------------------|-----------------------------|-------------------------|
| <b>Seller:</b> JACOBSON PHILIP C  | <b>Date:</b> 08/02/2019     | <b>Price:</b> \$760,000 |
| <b>Type:</b> ARMS LENGTH IMPROVED | <b>Deed1:</b> /41704/ 00162 | <b>Deed2:</b>           |
| <b>Seller:</b> BRENDLER CHARLES B | <b>Date:</b> 08/01/1995     | <b>Price:</b> \$225,000 |
| <b>Type:</b> ARMS LENGTH IMPROVED | <b>Deed1:</b> /11146/ 00415 | <b>Deed2:</b>           |
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| <b>Type:</b> ARMS LENGTH IMPROVED | <b>Deed1:</b> /06251/ 00199 | <b>Deed2:</b>           |

**Exemption Information**

|                                    |              |            |            |
|------------------------------------|--------------|------------|------------|
| <b>Partial Exempt Assessments:</b> | <b>Class</b> | 07/01/2022 | 07/01/2023 |
| <b>County:</b>                     | 000          | 0.00       |            |
| <b>State:</b>                      | 000          | 0.00       |            |
| <b>Municipal:</b>                  | 000          | 0.00 0.00  | 0.00 0.00  |

**Special Tax Recapture: None**

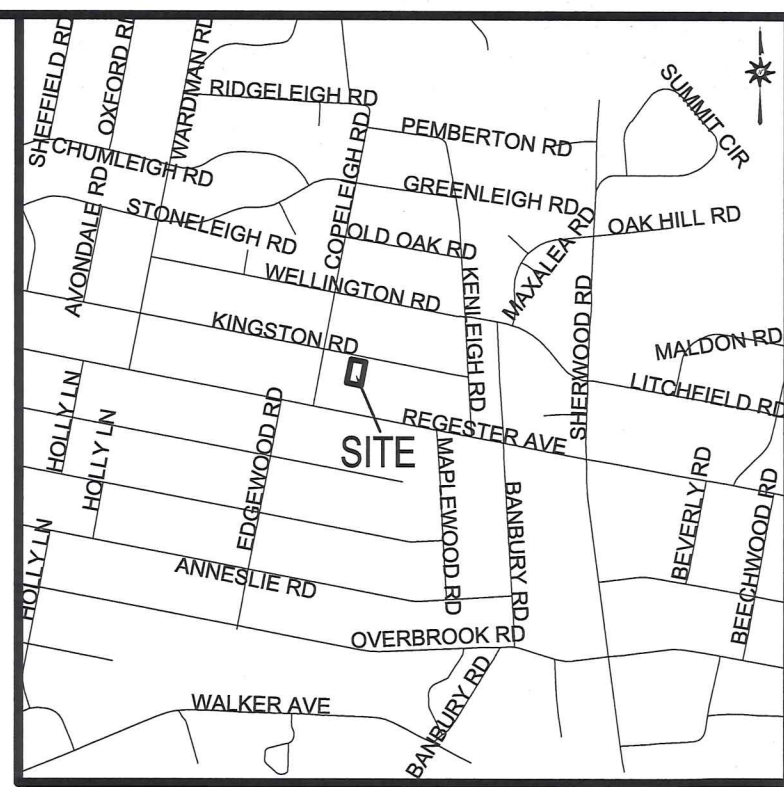
**Homestead Application Information**

**Homestead Application Status:** Approved 01/21/2020

**Homeowners' Tax Credit Application Information**

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

2023 0001-A



VICINITY MAP  
SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER: JENELL COLEMAN FENNELL  
905 KINGSTON RD  
BALTIMORE MD 21212
- SITE AREA:  
NET: 9,375 Sq.Ft. or 0.22 Ac.±  
GROSS: 11,250 Sq.Ft. or 0.26 Ac.±
  - EXISTING BUILDING AREA: 1,150 Sq.Ft.
  - UTILITIES  
PUBLIC WATER  
PUBLIC SEWER
  - DEED REF: 41704/162
  - TAX ACCOUNT: 0920662460
  - COUNCILMANIC DISTRICT: 6TH
  - REGIONAL PLANNING DISTRICT: TOWSON
  - CENSUS TRACT: 4910
  - WATERSHED: LOCH BACK RIVER
  - EXISTING ZONING: DR 5.5
  - TAX MAP #80, GRID #2, PARCEL #131
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  - THE SITE LIES WITHIN ZONE X ON AS SHOWN ON FLOOD INSURANCE RATE MAP (FIRM) PANEL 2400100265F, DATED SEPTEMBER 26, 2008.
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- | TYPE           | DEFICIENT | (Y/N) | NOTE |
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| SEWER          |           | N     | -    |
| TRANSPORTATION |           | N     | -    |
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19. SETBACKS FOR DR 5.5 ZONE
- | TYPE        | REQUIRED | PROVIDED |
|-------------|----------|----------|
| FRONT       | 25'      | 25'±     |
| SIDE        | 10'      | 14'±     |
| REAR (ROAD) | 30'      | 65'±     |



7 Deneison Street  
Timonium, Maryland 21093  
Phone: 410-560-1502, info@richardsonengineering.net

PLAN TO ACCOMPANY ZONING VARIANCE  
FOR  
FENNELL RESIDENCE  
GARAGE ADDITION  
905 KINGSTON ROAD

BALTIMORE COUNTY MARYLAND  
9TH ELECTION DISTRICT 6TH COUNCILMANIC DISTRICT

| REVISIONS |  | DRAWN BY: | CHECKED BY: | SCALE:   |
|-----------|--|-----------|-------------|----------|
|           |  | LNR       | PCR         | 1" = 20' |
| DATE:     |  | JOB NO.:  | SHEET NO.:  |          |
| 12-09-22  |  | 22194     | 1 OF 1      |          |

2023-0001-A

# CERTIFICATE OF POSTING

2023-0001-A

RE: Case No.: \_\_\_\_\_

Petitioner/Developer: \_\_\_\_\_

Jenell Colman Fennell

January 30 2023

Date of Hearing/Closing: \_\_\_\_\_

Baltimore County Department of  
Permits, Approvals and Inspections  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: \_\_\_\_\_

**9056 Kingston Road (CORRECTED) *SIGN 1***

January 24, 2023

The sign(s) were posted on \_\_\_\_\_  
(Month, Day, Year)



Sincerely,

 January 24, 2023  
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

# CERTIFICATE OF POSTING

2023-0001-A

RE: Case No.: \_\_\_\_\_

Petitioner/Developer: \_\_\_\_\_

Jenell Colman Fennell

January 30 2023

Date of Hearing/Closing: \_\_\_\_\_

Baltimore County Department of  
Permits, Approvals and Inspections  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Attn: Kristen Lewis:

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**9056 Kingston Road** ***SIGN 1***

January 15, 2023

The sign(s) were posted on \_\_\_\_\_  
(Month, Day, Year)



Sincerely,

January 15, 2023

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

# CERTIFICATE OF POSTING

2023-0001-A

RE: Case No.: \_\_\_\_\_

Petitioner/Developer: \_\_\_\_\_

**Jenell Colman Fennell**

**January 30 2023**

Date of Hearing/Closing: \_\_\_\_\_

Baltimore County Department of  
Permits, Approvals and Inspections  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Attn: Kristen Lewis:

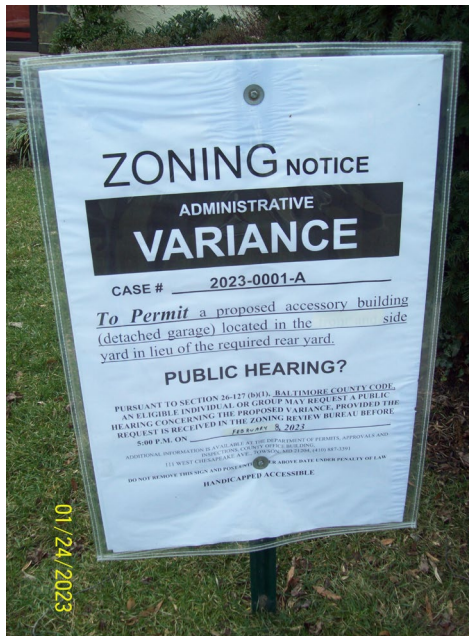
Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: \_\_\_\_\_

**9056 Kingston Road (CORRECTED) *SIGN 2***

**January 24, 2023**

The sign(s) were posted on \_\_\_\_\_  
(Month, Day, Year)



Sincerely,

 **January 24, 2023**  
(Signature of Sign Poster) (Date)

**SSG Robert Black**

(Print Name)

**1508 Leslie Road**

(Address)

**Dundalk, Maryland 21222**

(City, State, Zip Code)

**(410) 282-7940**

(Telephone Number)

# CERTIFICATE OF POSTING

2023-0001-A

RE: Case No.: \_\_\_\_\_

Petitioner/Developer: \_\_\_\_\_

**Jenell Colman Fennell**

**January 30 2023**

Date of Hearing/Closing: \_\_\_\_\_

Baltimore County Department of  
Permits, Approvals and Inspections  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Attn: Kristen Lewis:

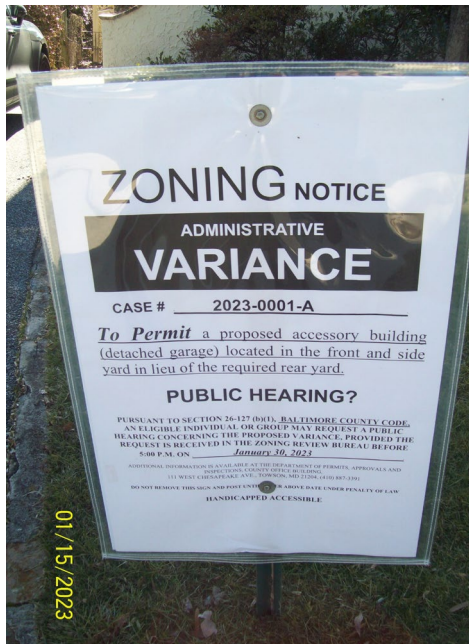
Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: \_\_\_\_\_

**9056 Kingston Road** ***SIGN 2***

**January 15, 2023**

The sign(s) were posted on \_\_\_\_\_  
(Month, Day, Year)



Sincerely,

**January 15, 2023**

(Signature of Sign Poster)

(Date)

**SSG Robert Black**

(Print Name)

**1508 Leslie Road**

(Address)

**Dundalk, Maryland 21222**

(City, State, Zip Code)

**(410) 282-7940**

(Telephone Number)

February 7, 2023

Richardson Engineering, LLC. Rick Richardson  
7 Deneison Street  
Timonium, MD 21093

RE: Case Number: 2023-0001- A 905 Kingston Rd.

To Whom It May Concern:

The above referenced petition was accepted for processing ONLY by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 4, 2023. This letter is not an approval, but only a NOTIFICATION.

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

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

Very truly yours,

Jeff Perlow  
Supervisor  
Department of Zoning

lw  
Enclosures: Jenell Coleman Fennell



JOHN A. OLSZEWSKI, JR.  
*County Executive*

February 7, 2023

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

Richardson Engineering, LLC. Rick Richardson  
7 Deneison Street  
Timonium, MD 21093

RE: Case Number: 2023-0001- A 905 Kingston Rd.

To Whom It May Concern:

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

Very truly yours,

  
Jeff Perlow  
Supervisor  
Department of Zoning

lw  
Enclosures: Jenell Coleman Fennell

BALTIMORE COUNTY, MARYLAND

RECEIVED JAN 30 2023

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director  
Department of Permits, Approvals  
EFC for VKD  
FROM: Vishnu Desai, Supervisor  
Bureau of Development Plans Review

DATE: January 19, 2023

SUBJECT: Zoning Advisory Committee Meeting  
For January 16, 2023  
Item No. 2022-0001-A

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

DPW&T has the following comments:

- A.) The plan provided with the zoning hearing application, must be revised to show the existing 24" storm drain that is on or near the property. The plan must also state whether the existing storm drain is public or private.
- B.) If the storm drain is public, the plan provided with the zoning hearing application, must be revised to show the easement associated with the existing storm drain on or near the property.
- C.) If there has not been an easement dedicated to Baltimore County, the property owner must dedicate an easement, at the owner's expense, that amounts to 10-feet from the existing storm drain before any variances should be approved.
- D.) The proposed accessory structure cannot be located within the easement or the zone of influence.

\* \* \* \* \*

VKD: cen  
cc: file

ZONING ADVISORY COMMITTEE AGENDA  
ROOM 123, COUNTY OFFICE BUILDING  
DISTRIBUTION MEETING January 9, 2023  
FORMAL OR INFORMAL RESPONSE DUE AT January 16, 2023 Meeting

\* Agenda Only  
+ Agenda and Petition  
& Agenda and Plat  
# Agenda, Petition and Plat

Distribution:

\* Administrative Law Judge, Commissioner (Paul M. Mayhew), MS #4103, [dwiley@baltimorecountymd.gov](mailto:dwiley@baltimorecountymd.gov); [dmignon@baltimorecountymd.gov](mailto:dmignon@baltimorecountymd.gov)  
\* PAI, Zoning Review H.O. Hearing File (Kristen Lewis), [klewis@baltimorecountymd.gov](mailto:klewis@baltimorecountymd.gov)  
\* PAI, Zoning Review DRC/ZAC Meeting File (Jeff Perlow), [JPerlow@baltimorecountymd.gov](mailto:JPerlow@baltimorecountymd.gov)  
\* PAI, Development Management (Lloyd Moxley), MS # 1105, [lmoxley@baltimorecountymd.gov](mailto:lmoxley@baltimorecountymd.gov)  
\* PAI, Code Enforcement (Lisa Henson), MS # 1105, [lhenson@baltimorecountymd.gov](mailto:lhenson@baltimorecountymd.gov)  
\* PAI, Building Inspection (Matt Gawel), [mg@baltimorecountymd.gov](mailto:mg@baltimorecountymd.gov)  
\* Economic Development Commission, Business Develop. (Stanley Jacobs), MS # 4300, [sjacobs@baltimorecountymd.gov](mailto:sjacobs@baltimorecountymd.gov)  
\* Highways (Tom Hargis), MS #1003 [thargis@baltimorecountymd.gov](mailto:thargis@baltimorecountymd.gov)  
\* Neighborhood Improvements (Marcia Williams), MS #4201, [myneighborhoodimprovment@baltimorecountymd.gov](mailto:myneighborhoodimprovment@baltimorecountymd.gov)  
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+ Kathy Are, [kare@baltimorecountymd.gov](mailto:kare@baltimorecountymd.gov)  
& State Highway Administration, Access Permits Division (Steven Autry), [SAutry@mdot.maryland.gov](mailto:SAutry@mdot.maryland.gov)  
& Fire Department (Inspector Muddiman), MS # 1102F, [dmuddiman@baltimorecountymd.gov](mailto:dmuddiman@baltimorecountymd.gov)  
& PAI, Development Plans Review (Vishnu Desai), [vdesai@baltimorecountymd.gov](mailto:vdesai@baltimorecountymd.gov)  
# People's Counsel (Peter Zimmerman), MS #4204 [pzimmerman@baltimorecountymd.gov](mailto:pzimmerman@baltimorecountymd.gov)  
# Planning Office (Jenifer Nugent), MS # 4101, [jnugent@baltimorecountymd.gov](mailto:jnugent@baltimorecountymd.gov); Henry Ayakwah [hayakwah@baltimorecountymd.gov](mailto:hayakwah@baltimorecountymd.gov); Taylor Bensley [tbensley@baltimorecountymd.gov](mailto:tbensley@baltimorecountymd.gov)  
# DEPS (Jeff Livingston) – 2 copies of each, MS # 1319, [jlivingston@baltimorecountymd.gov](mailto:jlivingston@baltimorecountymd.gov); Steve Ford, [sford@baltimorecountymd.gov](mailto:sford@baltimorecountymd.gov)  
# IF FLOODPLAIN, Maryland Department of the Environment, [kevin.wagner@maryland.gov](mailto:kevin.wagner@maryland.gov)  
# Public Works (Terry Curtis), MS #1315, [tcurtis@baltimorecountymd.gov](mailto:tcurtis@baltimorecountymd.gov)  
\* IF ELDERLY HOUSING, Community Development, MS #1102M  
\* IF TOWER, Tower Coordinator, c/o OIT, MS #2007  
# IF HELICOPTER, Police Department, Aviation Unit (Officer Taylor or Sgt. Wines)  
# IF PAWN SHOP, Police Department, Burglary/Pawn Unit (Det. Kropfelder), MS #1102E

The attached information is being forwarded to you for comment. Your comments should reflect any conflicts with the codes, standards, or regulations of your office or department. Development representatives that attend the meeting should be prepared to submit their agency's response as either "no comment", "written comment" or "more review time required" within one week at the next meeting. If no written response is received within two weeks, it is assumed that your agency has "no comment". All written comments must reference the ZAC item number. All comments received will be compiled and included in the zoning/development file for review and consideration by the hearing officer during the course of the upcoming zoning/development hearing.

If your agency or section is not represented at the meeting, you should return your written comments to the Department of Permits and Development Management (PDM), Room 111, County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204 (Mail Stop #1105), Attention: Kristen Lewis

If you have any questions regarding a particular zoning petition, please contact the Zoning Review Planner (see initials after item number) at 410-887-3391.

# ZAC AGENDA

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**Case Number:** 2022-0116-SPH      **Reviewer:** Gary Hucik

**Existing Use:** COMMERCIAL    **Proposed Use:** COMMERCIAL

**Type:** SPECIAL HEARING, VARIANCE

**Legal Owner:** Reema LLC.

**Contract Purchaser:** No Contract Purchaser was set.

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

**Property Address:** 8211 FISCHER RD

**Location:** Property located on the Southeast side of Fischer Rd., Southwest 468 feet to centerline of Universal Trade Dr.

**Existing Zoning:** DR 5.5/ BLR

**Area:** 10.9 ACRES

**Proposed Zoning:**

SPECIAL HEARING:

BCZR 500.7: To (1) confirm the existence and permitted operation of a Class II Trucking Facility in accordance with BCZR 410A, and (2) To confirm the existence of a lawful nonconforming use pursuant to BCZR 104.

VARIANCE:

BCZR 410A.3.B.6: To permit the existing unpaved areas of the site to remain unpaved pursuant to sections 307 and 410A.1.B.3 of the Baltimore County Zoning Regulations.

**Attorney:** Adam Baker

**Prior Zoning Cases:** 1978-0123-SPHA; 1980-0159-SPH

**Concurrent Cases:** None

**Violation Cases:** None

**Closing Date:**

**Miscellaneous Notes:**

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# ZAC AGENDA

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**Case Number:** 2022-0305-SPHA      **Reviewer:** Mitchell Kellman

**Existing Use:** COMMERCIAL    **Proposed Use:** COMMERCIAL

**Type:** SPECIAL HEARING, VARIANCE

**Legal Owner:** Richard Santangelo D.C., P.C.

**Contract Purchaser:** No Contract Purchaser was set.

**Critical Area:** No    **Flood Plain:** No    **Historic:** No    **Election Dist:** 14    **Council Dist:** 5

**Property Address:** 4303 FITCH AVE

**Location:** Property located on the South side of Fitch Ave., 100 feet Southeast of the Centerline of Weaver Rd.

**Existing Zoning:** ML-Im

**Area:** .34 ACRES

**Proposed Zoning:**

SPECIAL HEARING:

1.) To amend the plan form Case 1997-0461-A.

2.) BCZR 409.12: To permit a modified parking plan.

3.) To permit any such further relied as may be deemed necessary by Administrative Law Judge for Baltimore County.

VARIANCE:

1.) BCZR 255.2 and 243.1: To permit an addition to the building to have a minimum front yard setback of 44 feet in lieu of the required 75 feet.

2.) BCZR 255.2 and 243.2: To permit an addition to the building to have a minimum side yard setback of 10 feet in lieu of the required 50 feet.

3.) BCZR 409.6.A.2: To permit 11 parking spaces in lieu of the required 13 parking spaces.

4.) BCZR 409.8.A.1: To permit no design, screening and landscaping along all sides of the existing parking area and driveway in lieu of the required design, screening and landscaping in accordance with the Landscape Manual.

5.) To permit any such further relied as may be deemed necessary by Administrative Law Judge for Baltimore County.

**Attorney:** J. Neil Lanzi

**Prior Zoning Cases:** 1997-0461-A

**Concurrent Cases:** None

**Violation Cases:** None

**Closing Date:**

**Miscellaneous Notes:**

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# ZAC AGENDA

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**Case Number:** 2023-0001-A      **Reviewer:** Gary Hucik  
**Existng Use:** RESIDENTIAL    **Proposed Use:** RESIDENTIAL  
**Type:** ADMINISTRATIVE VARIANCE  
**Legal Owner:** Jenell Coleman Fennell  
**Contract Purchaser:** No Contract Purchaser was set.

**Critical Area:** No    **Flood Plain:** No    **Historic:** No    **Election Dist:** 9    **Council Dist:** 6

**Property Address:** 905 KINGSTON RD

**Location:** Property located on the South side of Kingston Rd. West 125 feet to the centerline of Copeleigh Rd.

**Existing Zoning:** DR 5.5      **Area:** .22 ACRES

**Proposed Zoning:**

ADMINISTRATIVE VARIANCE:

BCZR 400.1: To permit an accessory building (detached garage) in the front/side yard in lieu of the rear yard as required.

**Attorney:** Not Available

**Prior Zoning Cases:** None

**Concurrent Cases:** None

**Violation Cases:** None

**Closing Date:** 01/30/2023

**Miscellaneous Notes:**

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**Case Number:** 2023-0002-A      **Reviewer:** Christina Frink  
**Existng Use:** RESIDENTIAL    **Proposed Use:** RESIDENTIAL  
**Type:** ADMINISTRATIVE VARIANCE  
**Legal Owner:** Ryan and Karen Lynch  
**Contract Purchaser:** No Contract Purchaser was set.

**Critical Area:** No    **Flood Plain:** No    **Historic:** No    **Election Dist:** 9    **Council Dist:** 3

**Property Address:** 307 VALLEY COURT RD

**Location:** Property located on the Southwest side of Valley Court Rd.; 378 feet Southeast of Felton Rd.

**Existing Zoning:** DR 3.5      **Area:** 16,490 SQ FT.

**Proposed Zoning:**

ADMINISTRATIVE VARIANCE:

BCZR 1B02.3.C.1: To approve a dwelling addition to an existing dwelling (attached garage with living space above) with a proposed side yard setback of 8 feet and 11 feet for a combined setback of 19 feet in lieu of the minimum required setback of 10 feet and 15 feet for a combined setback 25 feet.

**Attorney:** Not Available

**Prior Zoning Cases:** None

**Concurrent Cases:** None

**Violation Cases:** None

**Closing Date:** 01/30/2023

**Miscellaneous Notes:**

# ZAC AGENDA

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**Case Number:** 2023-0003-A      **Reviewer:** Christina Frink  
**Existng Use:** RESIDENTIAL    **Proposed Use:** RESIDENTIAL  
**Type:** VARIANCE  
**Legal Owner:** Eileen Marie Griswold  
**Contract Purchaser:** No Contract Purchaser was set.

**Critical Area:** No    **Flood Plain:** No    **Historic:** No    **Election Dist:** 11    **Council Dist:** 3

**Property Address:** 12528 HARFORD RD

**Location:** Property located on the Northeast side of Harford Rd., 528 feet Southwest of intersection of Harford Rd./Fork Rd./Sunshine Ave.

**Existing Zoning:** RC 5      **Area:** 14,984 SQ FT.

**Proposed Zoning:**

VARIANCE:

BCZR 400.3: To permit a second floor addition (storage/bonus room) and a deck with steps additon to the existing detached garage with a height of 26 feet in lieu of the maximum 15 feet.

**Attorney:** Not Available

**Prior Zoning Cases:** None

**Concurrent Cases:** None

**Violation Cases:** cc2212718

**Closing Date:**

**Miscellaneous Notes:**

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**Case Number:** 2023-0004-A      **Reviewer:** Christina Frink  
**Existng Use:** RESIDENTIAL    **Proposed Use:** RESIDENTIAL  
**Type:** VARIANCE  
**Legal Owner:** Emile Brown and Emily Clark-Pearson  
**Contract Purchaser:** No Contract Purchaser was set.

**Critical Area:** No    **Flood Plain:** No    **Historic:** No    **Election Dist:** 2    **Council Dist:** 4

**Property Address:** 4 PINE SPRING LANE

**Location:** Property located on the Southwest side of Greenspring Ave.; 800 feet Southeast of Dover Rd.

**Existing Zoning:** RC 5      **Area:** 8.47 ACRES

**Proposed Zoning:**

VARIANCE:

BCZR 400.1: To permit an accessory structure (pool) to be located in the front yard in lieu of the required rear yard.

**Attorney:** Not Available

**Prior Zoning Cases:** None

**Concurrent Cases:** None

**Violation Cases:** None

**Closing Date:**

**Miscellaneous Notes:**

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# ZAC AGENDA

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**Case Number:** 2023-0005-A      **Reviewer:** Shaun Crawford

**Existing Use:** RESIDENTIAL    **Proposed Use:** RESIDENTIAL

**Type:** ADMINISTRATIVE VARIANCE

**Legal Owner:** Ryan and Kimberly Cook

**Contract Purchaser:** No Contract Purchaser was set.

**Critical Area:** No    **Flood Plain:** No    **Historic:** No    **Election Dist:** 5    **Council Dist:** 3

**Property Address:** 4910 BLACK ROCK RD

**Location:** Lot 2 description of 4.09 acres. 5th Election District Baltimore County.

**Existing Zoning:** RC 2

**Area:** 4.09 ACRES

**Proposed Zoning:**

ADMINISTRATIVE VARIANCE:

BCZR 400.3: TO approve an accessory building (garage) at total height of 23 feet in lieu of the required maximum height of 15 feet.

**Attorney:** Not Available

**Prior Zoning Cases:** 2017-0069-SPHA

**Concurrent Cases:** None

**Violation Cases:** None

**Closing Date:** 01/30/2023

**Miscellaneous Notes:**

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