



JOHN A. OLSZEWSKI, JR.
County Executive

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

February 17, 2023

Frederick John Dillon – fjdbpd50@yahoo.com
8622 Tall Oaks Road
Sparrows Point, MD 21219

RE: Petition for Administrative Variance
Case No. 2023-0013-A
Property: 8622 Tall Oaks Road

Dear Mr. Dillon:

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 blue ink, appearing to read "Paul M. Mayhew", is written over a light blue circular stamp.

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlw
Enclosure

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(8622 Tall Oaks Road)		
15 th Election District	*	OFFICE OF ADMINISTRATIVE
7 th Council District		
Frederick John Dillon	*	HEARINGS FOR
Petitioner	*	BALTIMORE COUNTY
	*	CASE NO. 2023-0013-A

* * * * *

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 the legal owner of the property, Frederick John Dillon (“Petitioner”). The Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”) § 400.1: To approve an accessory structure (detached shed) in side yard in lieu of the required rear yard only. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner’s Exhibit 1.

The Zoning Advisory Committee (“ZAC”) comments were received and are made part of the record of this case. ZAC comments were contained in the case file from the Department of Environmental Protection and Sustainability (“DEPS”), dated January 26, 2023, indicating that the property must comply with State-mandated Critical Area Law listed in the BCZR § 500.14, and the Bureau of Development Plans Review (“DPR”), dated January 30, 2023, indicating prior to building permit application, the Petitioner shall contact the Office of the Director of the Department of Public Works & Transportation (“DPW&T”) to determine the Flood Protection elevation so that the first floor elevation can be set.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on January 28, 2023 and February 10, 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 that comply with the requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Although the Department of Planning did not make any recommendations related to the accessory structure (detached shed) height and usage, I will impose conditions that the proposed accessory structure (detached shed) shall not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, or used for commercial purposes.

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

THEREFORE, IT IS ORDERED, this 17th day of **February, 2023**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from BCZR § 400.1: To approve an accessory structure (detached shed) in side yard in lieu of the required rear yard only, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
- Petitioner or subsequent owners shall not convert the accessory structure (detached shed) into a dwelling unit or apartment. The proposed accessory structure (detached shed) shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.
- The proposed accessory structure (detached shed) shall not be used for commercial purposes.
- Petitioner shall comply with the DEPS and DPC ZAC comments; copies of which are attached hereto and made a part hereof.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlw



ADMINISTRATIVE ZONING PETITION
FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 8622 TALL OAKS ROAD, SPARROWS POINT, MD 21219 Currently Zoned DR-5.5
Deed Reference 38644 / 00393 10 Digit Tax Account # 2200026122
Owner(s) Printed Name(s) FREDERICK JOHN DILLON

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

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

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

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

BC2R 400.1 to approve an accessory structure (shed) in side yard in lieu of the required rear yard only

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

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

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

Owner(s)/Petitioner(s):

FREDERICK JOHN DILLON /
Name #1 - Type or Print Name #2 - Type or Print
[Signature] /
Signature #1 Signature #2
8622 TALL OAKS ROAD, SPARROWS POINT, MARYLAND
Mailing Address City State
21219 / (443) 602-1638 / fjdbpd50@yahoo.com
Zip Code Telephone #'s (Cell and Home) Email Address

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

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be Contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for

Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

Case Number 2023-0013-A Filing Date 1/18/23 Estimated Posting Date 1/29/23 Reviewer SL

Revised 8/2022

Affidavit in Support of Administrative Variance
(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

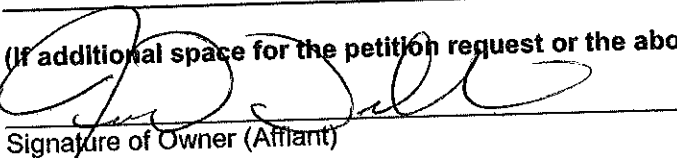
The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in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

Address: 8622 TALL OAKS ROAD SPARROWS POINT MARYLAND 21219
Print or Type Address of Property City State Zip Code

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

I am 100% disabled from the VA. I am in my 70's. I need a tractor and other tools to be able to cut my grass and care for my property. The area available to house the shed is in the side yard. On the other side yard are mature trees which I do not want to remove to place the shed. I can not place the shed in the rear property because of waterfront and it needs to be 100' from the water line.

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


Signature of Owner (Affiant)

Signature of Owner (Affiant)

FREDERICK JOHN DILLON
Name - Print or Type

Name - Print or Type

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

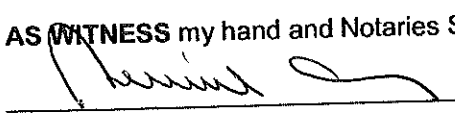
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13 day of January, 2023, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

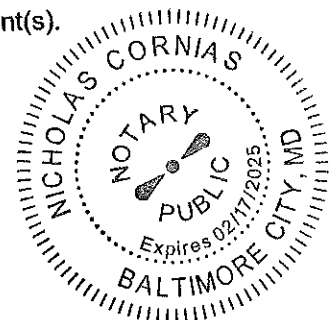
Print name(s) here: Frederick John Dillon

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

AS WITNESS my hand and Notaries Seal


Notary Public

01/11/2025
My Commission Expires



2023-0013-A

Property Description

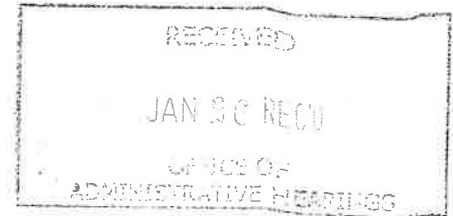
8622 Tall Oaks Road

Beginning at East side of Tall Oaks Road, which is about 20 +/- feet in width,
at a distance of 219 +/- feet North of Shore Road.

AV 2-13-23

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 26, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0013-A
Address: 8622 Tall Oaks Rd.
Legal Owner: Frederick John Dillon

Zoning Advisory Committee Meeting of January 30, 2023.

The Department of Environmental Protection and Sustainability has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA) and is subject to Critical Area requirements. The applicant is seeking a special hearing to allow a shed in the side yard instead of the rear yard. The proposed shed meets LDA requirements and the 15% afforestation requirement. The location of the shed is ideal as it is more than 100 feet from tidal waters. Per Critical Area requirements, no structures are allowed within 100 feet of waterways without a variance from the State Critical Area Commission. Based on this, EPS has determined that adverse impacts on water quality from the pollutants discharged from the proposed development can be minimized with mitigation pursuant to Critical Area requirements.

2. Conserve fish, plant, and wildlife habitat;

This is a waterfront lot with a 100-foot Critical Area buffer extending onto the property from North Point Creek. The proposed shed will be located outside the

Critical Area buffer in compliance with buffer regulations. Meeting buffer requirements, lot coverage requirements, and the 15% afforestation requirement will aid in the conservation of fish, plant, and wildlife habitat in the watershed.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts.

If the proposed shed meets buffer, lot coverage, and afforestation requirements, this development will be consistent with established land-use policies.

Reviewer: Marie Brady

BALTIMORE COUNTY, MARYLAND

RECEIVED FEB 06 2023

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals
DATE: January 30, 2023
FROM: *EFC for VKD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review
SUBJECT: Zoning Advisory Committee Meeting
For January 30, 2023
Item No. 2023-0013-A

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

Prior to building permit application, the petitioner shall contact the Office of the Director of the Department of Public Works & Transportation (DPW&T) to determine the Flood Protection elevation, so that the first floor elevation can be set.

* * * * *

VKD: cen
cc: file



2023.0013.A



2023-0013-A



2023-0613-A

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
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If the proposed shed meets buffer, lot coverage, and afforestation requirements, this development will be consistent with established land-use policies.

Reviewer: Marie Brady

ZONING ADVISORY COMMITTEE AGENDA
ROOM 123, COUNTY OFFICE BUILDING
DISTRIBUTION MEETING January 23, 2023
FORMAL OR INFORMAL RESPONSE DUE AT January 30, 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; dmignon@baltimorecountymd.gov
* PAI, Zoning Review H.O. Hearing File (Kristen Lewis), klewis@baltimorecountymd.gov
* PAI, Zoning Review DRC/ZAC Meeting File (Jeff Perlow), JPerlow@baltimorecountymd.gov
* PAI, Development Management (Lloyd Moxley), MS # 1105, lmoxley@baltimorecountymd.gov
* PAI, Code Enforcement (Lisa Henson), MS # 1105, lhenson@baltimorecountymd.gov
* PAI, Building Inspection (Matt Gawel), mg@baltimorecountymd.gov
* Economic Development Commission, Business Develop. (Stanley Jacobs), MS # 4300, sjacobs@baltimorecountymd.gov
* Highways (Tom Hargis), MS #1003 thargis@baltimorecountymd.gov
* Neighborhood Improvements (Marcia Williams), MS #4201, myneighborhoodimprovement@baltimorecountymd.gov
* County Council, District 3, (Tom Bostwick), MS #2201, council1@baltimorecountymd.gov
* tbostwick@baltimorecountymd.gov
* Mike Ruby (Newspaper), mildmanneredcomm@aol.com
+ People's Counsel, rwheatley@baltimorecountymd.gov
+ IF CRITICAL AREA, Maryland Office of Planning (Joseph Griffiths), joseph.griffiths@maryland.gov
+ Kathy Are, kare@baltimorecountymd.gov
& State Highway Administration, Access Permits Division (Steven Autry), SAutry@mdot.maryland.gov
& Fire Department (Inspector Muddiman), MS # 1102F, dmuddiman@baltimorecountymd.gov
& PAI, Development Plans Review (Vishnu Desai), vdesai@baltimorecountymd.gov
People's Counsel (Peter Zimmerman), MS #4204 pzimmerman@baltimorecountymd.gov
Planning Office (Jenifer Nugent), MS # 4101, jnugent@baltimorecountymd.gov; Henry Ayakwah hayakwah@baltimorecountymd.gov; Taylor Bensley tbensley@baltimorecountymd.gov
DEPS (Jeff Livingston) – 2 copies of each, MS # 1319, jlivingston@baltimorecountymd.gov; Steve Ford, sford@baltimorecountymd.gov
IF FLOODPLAIN, Maryland Department of the Environment, kevin.wagner@maryland.gov
Public Works (Terry Curtis), MS #1315, 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

Case Number: 2023-0006-SPHX **Reviewer:** Gary Hucik
Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: SPECIAL HEARING, SPECIAL EXCEPTION
Legal Owner: Joseph Dwyer
Contract Purchaser: Robert & Ann Gahuso

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 7 **Council Dist:** 3

Property Address: 106 MT CARMEL RD

Location: Property located on the North side of Mt. Carmel Rd. West 800 feet to centerline of York Rd.

Existing Zoning: RC 5 CR **Area:** .615 ACRES

Proposed Zoning:

SPECIAL HEARING:

BCZR 500.7: To allow the variances granted in Case 2014-0194-A to remain in place for the new proposed use being requested.

SPECIAL EXCEPTION:

BCZR 259.3.B.2: To permit a doctors office and medical clinic in an existing building on a lot within a RC 5 CR zone which is not permitted in the underlying zone and which meets the bulk regulations of Section 259.3.C.1.

Attorney: Not Available

Prior Zoning Cases: 2014-0194-A

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Case Number: 2023-0007-SPHXA **Reviewer:** Mitchell Kellman
Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: VARIANCE, SPECIAL EXCEPTION, SPECIAL HEARING
Legal Owner: 534 Reisterstown Road LLC. Craig Mary Whitecraft
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 515 OWINGS AVE

Location: Property located Southwest side of Reisterstown Rd., 115 feet Northwest centerline of Chartley Dr.

Existing Zoning: DR 3.5; BR; BR-AS

Area:

Proposed Zoning:

VARIANCE:

534 Reisterstown Rd

- 1.) BCZR 238.2: To permit a side yard setback for adjacent commercial building of 0 feet in lieu of the 30 feet.
- 2.) BCZR 238.2: To a rear yard setback for accessory structures of 0 feet in lieu of 30 feet.
- 3.) BCZR 307; 409.8.A.1 & 504.1; BCC 32-4-404; and page 19 of the Landscape Manual: To permit 0% of the parking lot area for interior landscaping in lieu of the otherwise required 7% accordance.

ZAC AGENDA

536 Reisterstown Rd.

- 1.) BCZR 238.2: To permit a side yard setback of 0 feet in lieu of 30 feet.

515 Owings Ave.

- 1.) BCZR 238.2: To a rear yard setback for accessory structures of 0 feet in lieu of 30 feet.

SPECIAL EXCEPTION:

534 Reisterstown Rd.

BCZR 236.2: To permit a used motor vehicle outdoor sales area separated from a sales agency building.

SPECIAL HEARING:

534 Reisterstown Rd.

- 1.) To extinguish previously approved Special Exception in Case No. 66-98-X.
- 2.) To allow existing buildings to straddle existing property lines where the subject properties have not merged.

Attorney: Jennifer Busse

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

3 addresses. 515 Owings Ave. %34-536 Reisterstown Rd. (Main Street)

ZAC AGENDA

Case Number: 2023-0009-SPHA **Reviewer:** Gary Hucik
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: SPECIAL HEARING, VARIANCE
Legal Owner: Blair and Heidi Darsch
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 6 **Council Dist:** 3

Property Address: 19925 GRAVE RUN RD

Location: Property located West side of Grave Run Rd. South 886 feet to centerline of Church Rd.

Existing Zoning: RC 5/ RC 2 **Area:** 1 ACRE

Proposed Zoning:

SPECIAL HEARING:

BCZR 500.7: To permit a proposed accessory building (garage) with a building footprint (2,448 square feet) which is larger than the principal dwelling (1,120 square feet).

VARIANCE:

BCZR 400.3: To permit a proposed accessory building (garage) with a height of 28 feet in lieu of the maximum height of 15 feet.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0010-A **Reviewer:** Jason Seidelman

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

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Glenn Mason

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 8 **Council Dist:** 3

Property Address: 10803 LAKESPRING DR

Location: Property located on Southeast side of Lakespring Dr. (60 feet) 137 feet Northeast of intersection with Staffordshire Rd. (50 feet).

Existing Zoning: DR 3.5

Area: 9052 SQ FT.

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 1B01.2.c.1.b: To permit a side yard dwelling addition (garage) with a side setback of 3 feet and combined sum of side yard setbacks of 21 feet in lieu of the required 10 feet and 25 feet, respectively.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 02/13/2023

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0011-A **Reviewer:** Christina Frink
Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: VARIANCE
Legal Owner: GFU, LLC.
Contract Purchaser: Lisa Olivieri

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

Property Address: 9808 REISTERSTOWN RD

Location: Property located on the South side of Reisterstown Rd.; 3159 feet Southeast of Paintersmill Rd.

Existing Zoning: BR; BR-Im **Area:** 2.9 ACRES

Proposed Zoning:

VARIANCE:

1.) BCZR 450.4.Table of Sign Regulations5(a): To allow a total of 4 wall-mounted enterprise signs in a single tenant building in lieu of the permitted 3 wall-mounted enterprise signs with no more than 2 signs on any one facade (Sign Nos. 3,4,5,7)

2.) BCZR 450.4.Table of Sign Regulations3: To allow a wall-mounted directional sign with a sign area/face of 16 square feet in lieu of the permitted 8 square feet (Sign No. 6)

Attorney: David Karceski

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0012-SPH **Reviewer:** Mitchell Kellman
Existng Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: SPECIAL HEARING
Legal Owner: Joppa Road Commercial, LLC.
Contract Purchaser: PB & J's Grill & Games, LLC.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 11 **Council Dist:** 5

Property Address: 3613 3615 JOPPA RD E

Location: Property located corner of South side of Joppa Rd., East side of Hervesy Court.

Existing Zoning: BLR/ DR 5.5 **Area:** 8,672 SQ FT.

Proposed Zoning:

SPECIAL HEARING:

To amend the order approved in Zoning Case No. 2008-0553-X to allow operation of the arcade by a new entity, pursuant to Condition No. 2 to the Order, and to remove Condition No. 4 and the requirement for an interior patron connection between the arcade tenant space and the restaurant tenant space.

Attorney: David Karceski

Prior Zoning Cases: 2008-0553-X

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Case Number: 2023-0013-A **Reviewer:** Shaun Crawford
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Frederick John Dillon
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 8622 TALL OAKS RD

Location: Property located beginning at East side of Tall Oaks Rd., which is about 20 feet in width, at a distance of 219 feet North of Shore Rd.

Existing Zoning: DR 5.5 **Area:** 1.08 ACRES

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 400.1: To approve an accessory structure (shed) in side yard in lieu of the required rear yard only.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 02/13/2023

Miscellaneous Notes:

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2023 - 0013 -A Address 8622 Fall Oaks

Contact Person: Shaun Crawford Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 1/17/23 Posting Date: 1/29/23 Closing Date: 2/13/23

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

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Administrative Law Judge), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

Petitioner: This Part of the Form is for the Sign Poster Only (Detach Along Dotted Line)

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number: 2023 - 0013 -A Address 8622 Fall Oaks Road

Petitioner's Name: Frederick Dillon Telephone (Cell) _____

Posting Date: 1/29/23 Closing Date: 2/13/23

Wording for Sign: To Permit _____

____ accessory structure (shed) in side yard in lieu of the required _____
____ rear yard only _____

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. 219058

Date: 1/17/23

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
001	806	0006		6156					\$ 75

Total: \$ 75

Rec

From: FREDERICK & MARGARETTA DILLON

For: 2023-0013-A

VARIANCE 8622 TALL OAKS RD

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

SL

FREDERICK J. DILLON
MARGARETTA L. DILLON
8622 TALL OAKS ROAD
SPARROWS POINT, MD 21219



7-11
520 3071

2499

JAN. 13, 2023



Pay to the order of BALTIMORE COUNTY

\$ 75.00

SEVENTY - FIVE DOLLARS AND NO

Dollars



Security Features
included.
Details on Back.

M&T Bank

[Signature]

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
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Special Tax Recapture: None

Account Identifier: District - 15 Account Number - 2200026122

Owner Information

Owner Name: DILLON FREDERICK Use: EXEMPT
Principal Residence: YES

Mailing Address: 8622 TALL OAKS RD Deed Reference: /38644/ 00393
SPARROWS POINT MD 21219-2303

Location & Structure Information

Premises Address: 8622 TALL OAKS RD Legal Description: LTS 10 THRU 13 VETERANS EXEMPTION
SPARROWS POINT 21219-2303
Waterfront ELSTANN VILLAGE

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0111 0024 0387 15140126.04 0000 10 2021 Plat Ref: 0041/ 0046

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1998	2,586 SF		1.0800 AC	01

Stories	Basement	Type	Exterior Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
2	NO	STANDARD UNIT	SIDING/ 3	3 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:	172,300	172,300		
Improvements	337,300	353,400		
Total:	509,600	525,700	520,333	525,700
Preferential Land:	0	0		

Transfer Information

Seller: YOUNG JOHN F	Date: 02/17/2017	Price: \$540,000
Type: ARMS LENGTH IMPROVED	Deed1: /38644/ 00393	Deed2:
Seller: YOUNG JOHN F	Date: 02/03/1998	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /12644/ 00248	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments: Class	07/01/2022	07/01/2023
County: 020	520,333.00	525,700.00
State: 020	520,333.00	525,700.00
Municipal: 020	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

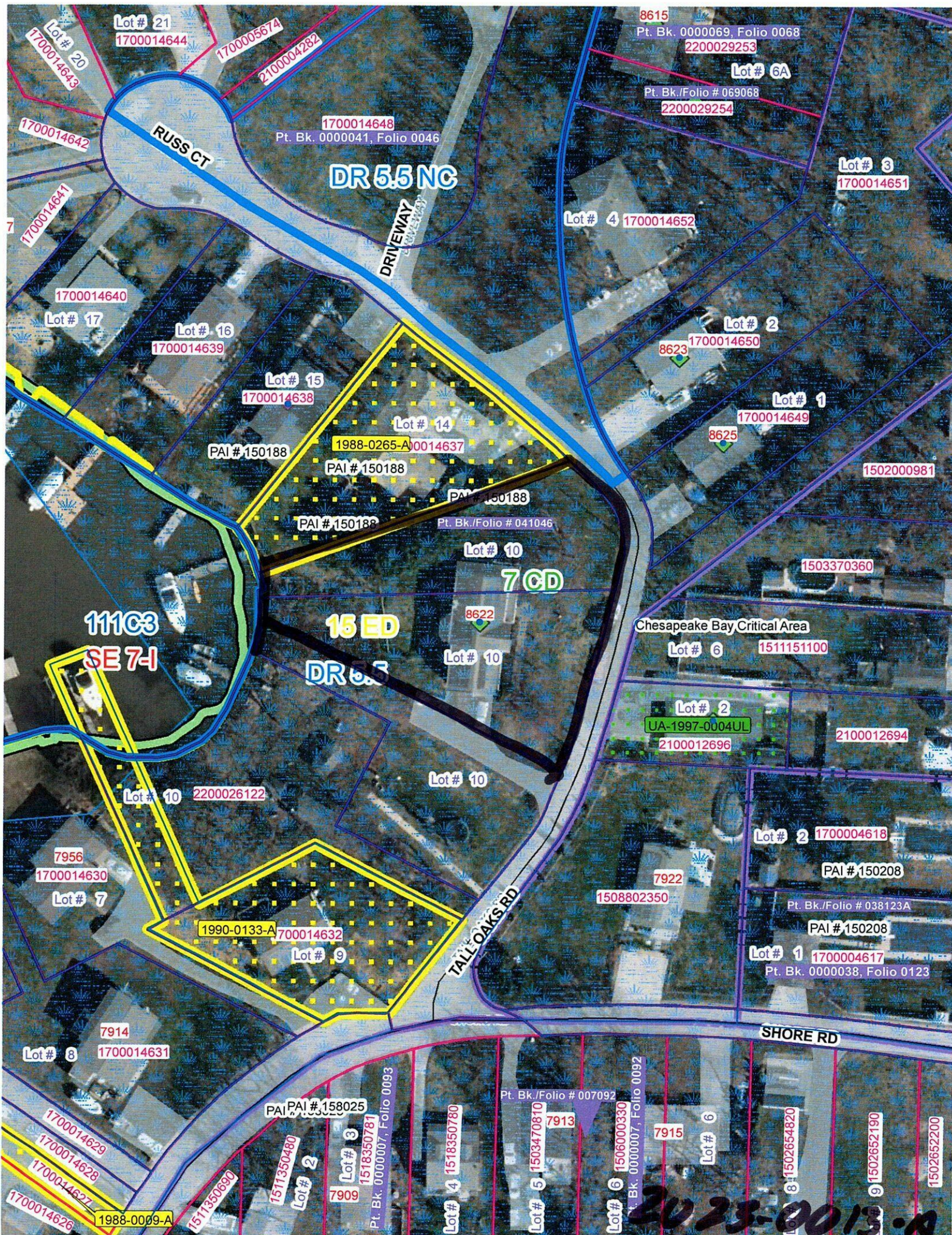
Homestead Application Status: Approved 07/28/2017

Homeowners' Tax Credit Application Information

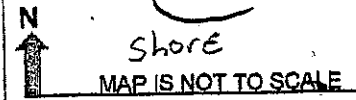
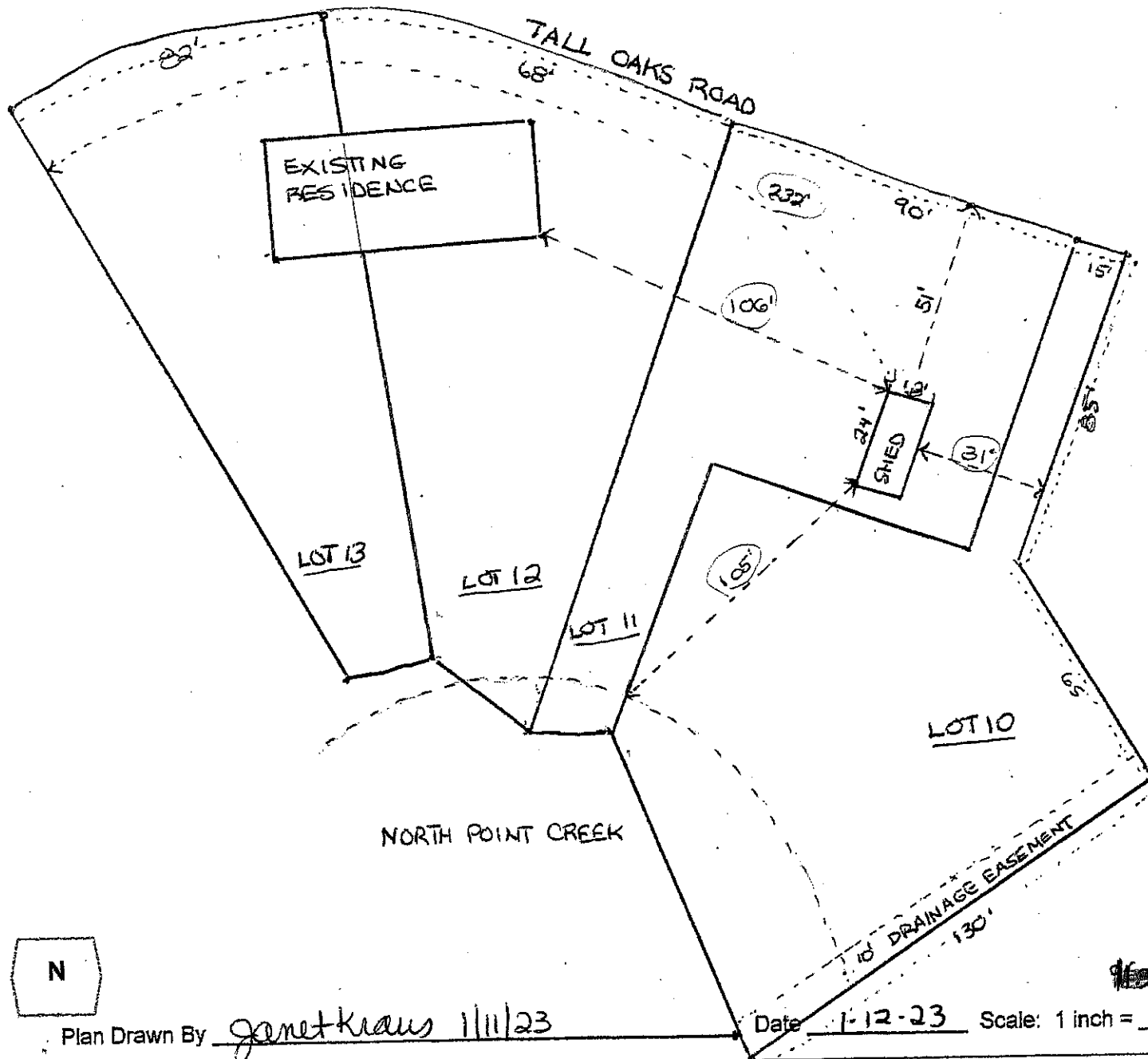
Homeowners' Tax Credit Application Status: No Application Date:

1/29 - 2/13

2023.0013.A



Zoning Hearing Plan for Variance _____ for Special Hearing _____ Mark Type Requested with (X)
 Address 8422 TALL OAKS ROAD, SPARROWS POINT MO 63119 Owners(s) Name(s) FREDERICK JOHN DILLON
 Subdivision Name ELSTANN VILLAGE Lot # 10-13 Block # A2B Section # 1
 Plat Book # 41-46 Folio # 0393 10 Digit Tax # 2200026122 Deed Reference# 38644100393

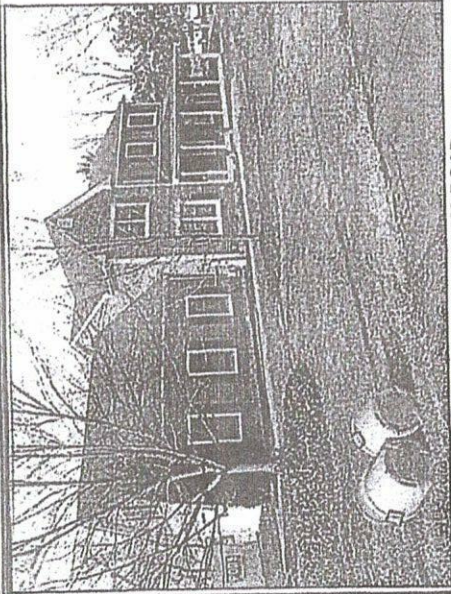


Zoning Map # 0111C3
 Zoning DR-5.5
 Election District 15
 Council District 7
 Lot Area Acreage 1.08
 Lot Square Footage 47044.8
 Historic (Yes or No) NO
 CBCA (Yes or No) YES
 Flood Plain (Yes or No) NO
 Utilities - Mark with (X)
 Water is:
 Public X Private _____
 Sewer is:
 Public X Private _____
 Prior Hearing (Yes or No) NO
 If (Yes) list Case Number(s)
 and order result(s) below:

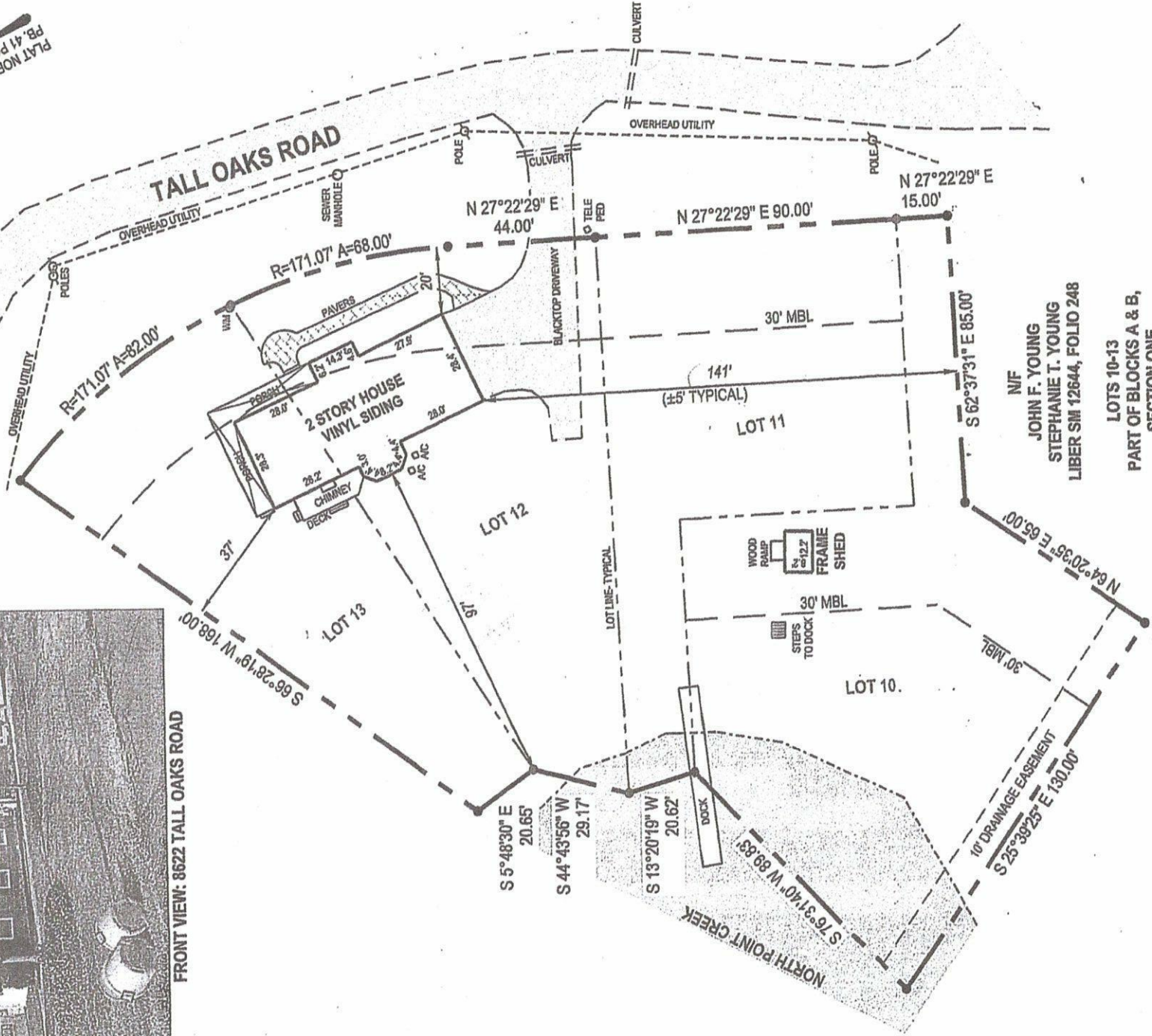
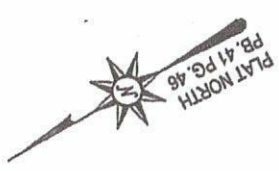
Violation Case Number(s)

Plan Drawn By Janet Kraus 1/11/23

Date 1-12-23 Scale: 1 inch = 40' Feet



FRONT VIEW: 8622 TALL OAKS ROAD



NIF
JOHN F. YOUNG
STEPHANIE T. YOUNG
LIBER SIM 12644, FOLIO 248

LOTS 10-13
PART OF BLOCKS A & B,
SECTION ONE
"ELSTANN VILLAGE"
PLAT BOOK 41, PAGE 46