



JOHN A. OLSZEWSKI, JR.
County Executive

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

April 4, 2023

Robert Williams - rwilliams@bwfa.com
1309 Malvern Avenue
Baltimore, MD 21204

RE: Petition for Special Hearing
Case No. 2022-0028- SPH
Property: 1309 Malvern Avenue

Dear Mr. Williams:

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 cursive script that reads "Paul M. Mayhew".

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlm

Enclosure

C: Austin Childs – achildsaia@msn.com
Ruxton Rider Lake Roland Area Improvement Assoc. office@rrlraia.org
Saul Ortega – ortegasaul74@gmail.com

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
(1309 Malvern Avenue)		
9 th Election District	*	OFFICE OF
2nd Council District		
Robert Williams	*	ADMINISTRATIVE HEARINGS
Legal Owner		
	*	FOR BALTIMORE COUNTY
Petitioner	*	Case No. 2023-0028-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of a Petition for Special Hearing filed on behalf of Robert Williams legal owner (“Petitioner”) for the property located at 1309 Malvern Avenue. The Special Hearing/Waiver was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations (“BCZR”); Baltimore County Building Code (“BCC”) Parts 123, 124, 125; and the BCC §§ 32-4-414, 32-4-107(a)(2), and 32-8-301: to permit a proposed second story addition on an existing house which is partially located in a riverine floodplain.

A WebEx hearing was conducted remotely by computer and/or phone participation. The Petition was advertised and posted as required by the BCZR. The Petitioner, Robert Williams, appeared in support of the petition. Austin Childs, the architect who prepared the site plan, also appeared and assisted the Petitioner. The site plan was admitted as Petitioner’s Exhibit 1. Substantive Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”), and from the Department of Environmental and Sustainability (“DEPS”) which these agencies do not oppose the requested relief.

The subject property is in Ruxton. It is approximately 1.65 acres and is zoned DR 2. There is an existing dwelling that was built in 1951. A small corner of the dwelling is within what is now

a mapped riverine floodplain. Petitioner proposes to construct a second story addition to the dwelling, which is why they are seeking this special hearing relief.

Based on the testimony and exhibits, I find that the Petition should be granted. I specifically find that the second story addition over that small section of the existing first story that is within the riverine floodplain will not cause harm to the public health, safety or welfare.

THEREFORE, IT IS ORDERED this **4th** day of **April, 2023** by this Administrative Law Judge, that the Petition for Special Hearing/Waiver was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations (“BCZR”); Baltimore County Building Code (“BCC”) Parts 123, 124, 125; and the BCC §§ 32-4-414, 32-4-107(a)(2), and 32-8-301: to permit a proposed second story addition on an existing house which is partially located in a riverine floodplain 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.

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


PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlm



PETITION FOR ZONING HEARING(S)

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 1309 Malvern Avenue, Baltimore, MD 21204 Currently Zoned DR-2
Deed Reference 37003 / 00104 10 Digit Tax Account # 0923501220
Owner(s) Printed Name(s) Robert Williams

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

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

1. X a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County,

*SEE
Attached*

2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. a **Variance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

I/ 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.

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

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Mailing Address _____ City _____ State _____
Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

Name - Type or Print _____
Signature _____
Mailing Address _____ City _____ State _____
Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

Robert Williams
Name #1 - Type or Print _____ Name #2 - Type or Print _____
Signature #1 *Robert Williams* Signature #2 _____
1309 Malvern Avenue Baltimore MD
Mailing Address _____ City _____ State _____
21204 443-695-5917 rwilliams@bwfa.com
Zip Code Telephone #'s (Cell and Home) Email Address

Representative to be contacted:

Austin Childs
Name - Type or Print _____
Signature *AC* _____
16850 Gerting Rd Monkton MD
Mailing Address _____ City _____ State _____
21111 410-340-0012 achildsaia@msn.com
Zip Code Telephone # Email Address

Case Number 2023-0028-SP 14 Filing Date 2, 13, 23 Do Not Schedule Dates _____ Reviewer *gh*

2023-0028-SPH/Waiver

Special Hearing / Waiver from section 500.7 of the BCZR; Building Code Parts 123, 124, 125; and BCC Sections 32-4-414, 32-4-107 (a) (2), and 32-8-301 to permit a proposed second story addition on an existing house which is partially located in a riverine floodplain.

2023-0028-SH
Zoning Property Description
For
1309 Malvern Avenue
Baltimore, MD 21204

Beginning at a point on the south side of Malvern Avenue which is 30 feet wide, at a distance of 74 ft west of the centerline of the nearest improved intersecting street, Ruxton Road, which is 30 ft wide.

Thence the following courses and distances: North 71 degrees 21 minutes East 89.09 ft and North 56 degrees 21 minutes East 96.46 ft, South 19 degrees 11 minutes East 265.95 ft, South 30 degrees 41 minutes West 64.40 ft, South 80 degrees 35 minutes West 303.83 ft, North 16 degrees 21 minutes East 286.08 ft, to the point of beginning, as recorded in Deed Liber 37003, Folio 107, containing 1.65 acres.

Located in the 9th Election District, and 2nd Council District.



PETITION FOR ZONING HEARING(S)

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 1309 Malvern Avenue, Baltimore, MD 21204 Currently Zoned DR-2
Deed Reference 37003 / 00104 10 Digit Tax Account # 0923501220
Owner(s) Printed Name(s) Robert Williams

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

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

1. X a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County,

*SEE
Attached*

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3. a **Variance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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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.

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

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Mailing Address _____ City _____ State _____
Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

Name - Type or Print _____
Signature _____
Mailing Address _____ City _____ State _____
Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

Robert Williams
Name #1 - Type or Print _____ Name #2 - Type or Print _____
Signature #1 *Robert Williams* Signature #2 _____
1309 Malvern Avenue Baltimore MD
Mailing Address _____ City _____ State _____
21204 443-695-5917 rwilliams@bwfa.com
Zip Code Telephone #'s (Cell and Home) Email Address

Representative to be contacted:

Austin Childs
Name - Type or Print _____
Signature *AC* _____
16850 Gerting Rd Monkton MD
Mailing Address _____ City _____ State _____
21111 410-340-0012 achildsaia@msn.com
Zip Code Telephone # Email Address

Case Number 2023-0028-SP 14 Filing Date 2, 13, 23 Do Not Schedule Dates _____ Reviewer *gh*

2023-0028-SPH/Waiver

Special Hearing / Waiver from section 500.7 of the BCZR; Building Code Parts 123, 124, 125; and BCC Sections 32-4-414, 32-4-107 (a) (2), and 32-8-301 to permit a proposed second story addition on an existing house which is partially located in a riverine floodplain.

2023-0028-SH
Zoning Property Description
For
1309 Malvern Avenue
Baltimore, MD 21204

Beginning at a point on the south side of Malvern Avenue which is 30 feet wide, at a distance of 74 ft west of the centerline of the nearest improved intersecting street, Ruxton Road, which is 30 ft wide.

Thence the following courses and distances: North 71 degrees 21 minutes East 89.09 ft and North 56 degrees 21 minutes East 96.46 ft, South 19 degrees 11 minutes East 265.95 ft, South 30 degrees 41 minutes West 64.40 ft, South 80 degrees 35 minutes West 303.83 ft, North 16 degrees 21 minutes East 286.08 ft, to the point of beginning, as recorded in Deed Liber 37003, Folio 107, containing 1.65 acres.

Located in the 9th Election District, and 2nd Council District.

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 3/6/2023

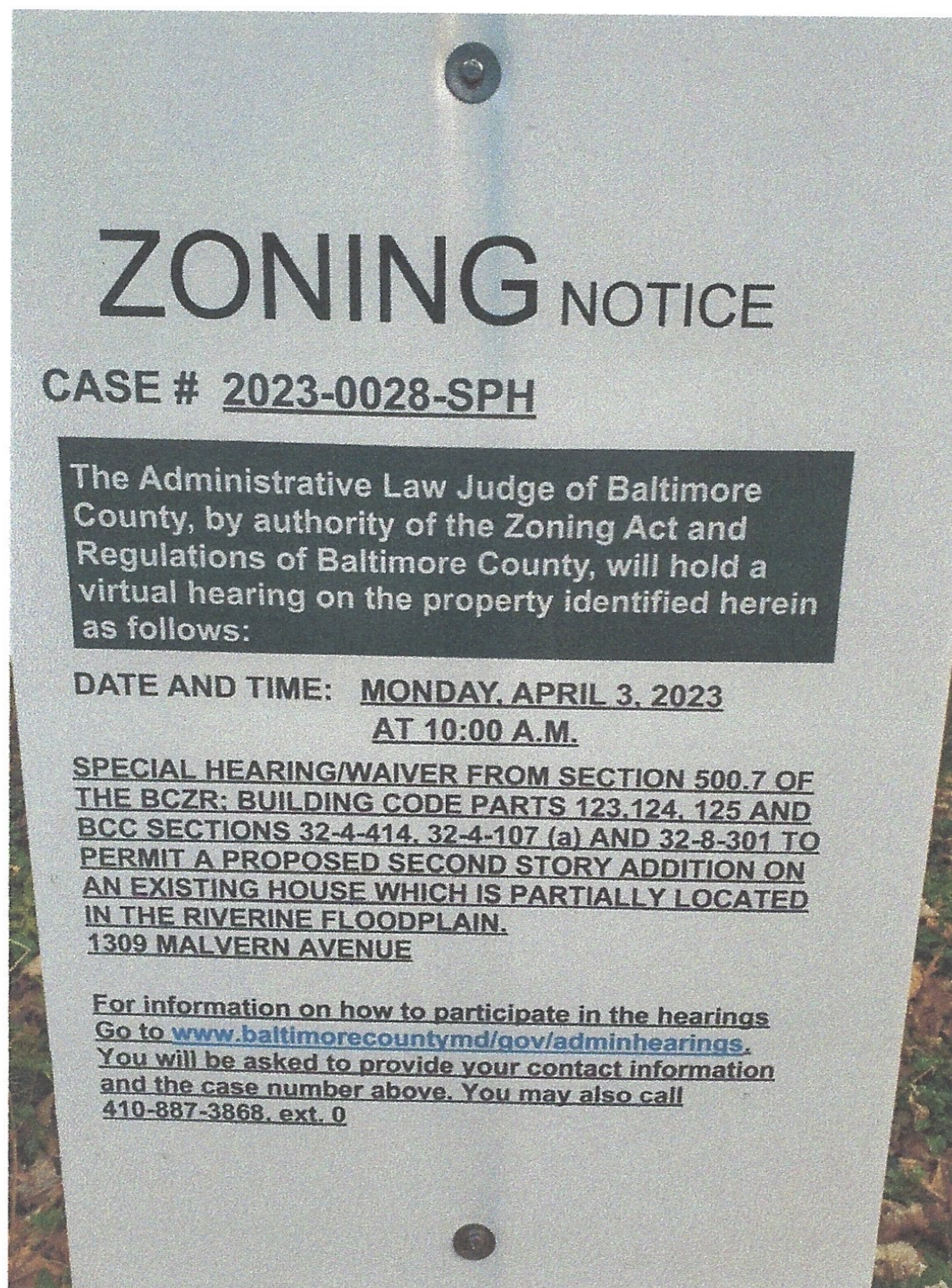
Case Number: 2023-0028-SPH

Petitioner / Developer: AUSTIN CHILDS, -AIA ~ ROBERT WILLIAMS

Date of Hearing: APRIL 3, 2023

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:
1309 MALVERN AVENUE

The sign(s) were posted on: MARCH 6, 2023



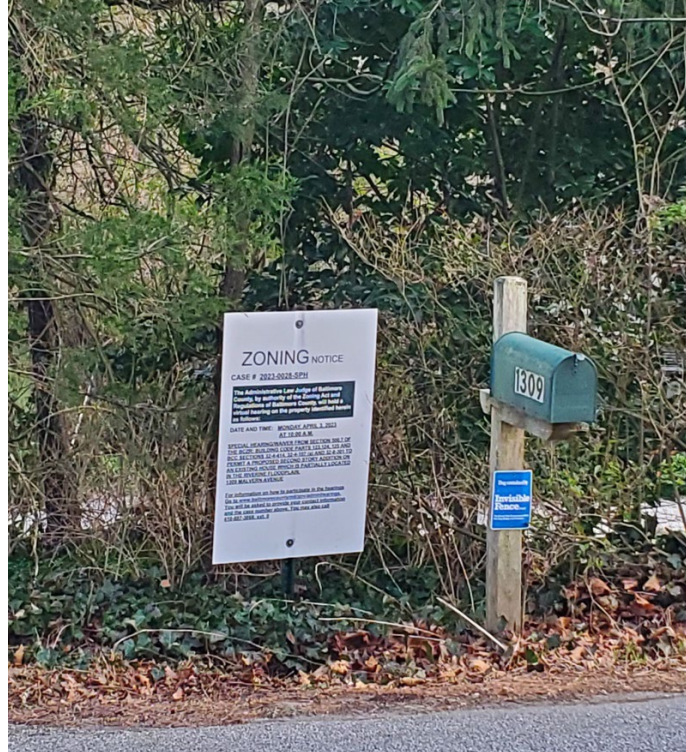
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

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

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



Background Photo 1st Sign @ 1309 Malvern Avenue ~ 3/6/2023



Background Photo 2nd Sign @ 1309 Malvern Avenue ~ 3/6/2023
CASE # 2023-0028-SPH

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: February 27, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0028-SPH
Address: 1309 Malvern Ave
Legal Owner: Robert Williams

Zoning Advisory Committee Meeting of February 27, 2023.

 X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

 X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

Additional Comments:

- Please note that expansion of the dwelling and patios beyond the current impervious limits would necessitate the granting of a Forest Buffer variance in accordance with §33-3-106(a)(1) of the County Code. Submission of a variance request does not ensure that it will be granted. Furthermore, expansion of the footprint would also engage the requirements of the Forest Conservation Law, Article 33, Title 6 of the aforementioned Code.

Reviewer: Michael S. Kulis, EIR 410-887-3980

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 2/21/2023

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2023-0028-SPH

INFORMATION:

Property Address: 1309 Malvern Avenue
Petitioner: Robert Williams
Zoning: DR 2
Requested Action: Special Hearing/Waiver

The Department of Planning has reviewed the petition for 1309 Malvern Avenue for the following request:

Special Hearing/Waiver from Section 500.7 of the BCZR; Building Code Parts 123, 124, 125; and BCC Section 32-4-414, 32-4-107(a)(2), and 32-8-301 to permit a proposed second story addition on an existing house which is partially located in a riverine floodplain.

The proposed site is a 1.65 acre property zoned DR 2. It is surrounded by mostly residential properties and is currently improved with an existing structure that is partially located in a riverine floodplain. The lot is impacted by forest buffers. The applicant proposes a second floor addition to the existing dwelling.

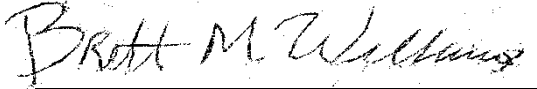
The property at 1309 Malvern Avenue is located in the Ruxton Riderwood Lake Roland Design Review Panel Area (DRP) area, which requires review by the Design Review Panel for design compliance through the application of the Master Plan, the Comprehensive Manual of Development Policies, adopted community plans/Section 260 of the Baltimore County Zoning Regulations, as applicable pursuant to Section 32-4-203 of the Baltimore County Code. By documentation confirmation from the applicant, it is understood that the existing square footage of the dwelling is 2,733sf and the proposed addition will be 741sf, which represents a 27% increase. Pursuant to the County Code, proposed residential development within the Ruxton DRP area are exempt from DRP review if the addition is less than 50% of the existing dwelling square footage. The applicant has indicated that there shall be no clearing, grading, construction or disturbance of vegetation in the Forest Buffer except as permitted by the Baltimore County Department of Environmental Protection and Sustainability.

The Department has no objections in granting the relief conditioned upon the following:

- 1) Architecture is submitted to the Department of Planning prior to the issuance of any permits;
- 2) Review and approval from the Department of Environmental Protection and Sustainability;
- 3) The plan conforms to all other bulk and setback regulations set forth in the Baltimore County Zoning Regulations for DR 2 zoned property; and
- 4) The plan meets all additional conditions as required by the Administrative Law Judge.

For further information concerning the matters stated herein, please contact Brett M. Williams at 410-887-3482.

Prepared by:


Brett M. Williams

Division Chief:


Jenifer G. Nugent

SL/JGN

c: Austin Childs
Alexandra Laham
Ngone Seye Diop
Jeff Perlow, Zoning Review
Lajuanda Whitaker, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
8622 Sand Plains Road; NE/S of Sandy Plains *
581' SE of Quentin Road * OF ADMINISTRATIVE
12th Election & 7th Councilmanic Districts
Legal Owner(s): Blackwater Development LLC* HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2023-025-A

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman/rmw
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio/rmw
CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Suite 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of February, 2023, a copy of the foregoing Entry of Appearance was emailed to Donny Ankri, 6803 Cherokee Drive, Baltimore, Maryland 21209, DA@donnyankri.com, Representative for Petitioner(s).

Peter Max Zimmerman/rmw
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
323 Riverside Drive; NE/S of Riverside Drive, *
195' NW of Cedar Avenue * OF ADMINISTRATIVE
15th Election & 7th Councilmanic Districts *
Legal Owner(s): Sandra Rivera * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2023-026-SPH

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman/rmw
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio/rmw
CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Suite 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of February, 2023, a copy of the foregoing Entry of Appearance was emailed to Leah Biddinger, President, Sussex Community Associations, Inc., 327 Margaret Avenue, Essex, MD 21221, Leahmbiddinger@gmail.com, Representative for Petitioner(s).

Peter Max Zimmerman/rmw
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
1309 Malvern Avenue; SE/S of Malvern *
Avenue, SW 125' to c/line of Ruxton Road * OF ADMINISTRATIVE
9th Election & 2nd Councilmanic Districts *
Legal Owner(s): Robert Williams * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2023-028-SPH

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman/rmw
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio/rmw
CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Suite 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of February, 2023, a copy of the foregoing Entry of Appearance was emailed to Austin Childs, 16850 Gerting Road, Monkton, Maryland 21111, achildsaia@msn.com, Representative for Petitioner(s).

Peter Max Zimmerman/rmw
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

ZONING ADVISORY COMMITTEE AGENDA
ROOM 123, COUNTY OFFICE BUILDING
DISTRIBUTION MEETING February 20, 2023
FORMAL OR INFORMAL RESPONSE DUE AT February 27, 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: 2023-0025-A **Reviewer:** Jason Seidelman

Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL

Type: VARIANCE

Legal Owner: Blackwater Development, LLC

Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 8622 SANDY PLAINS RD

Location: Property located on the Northeast side of Sandy Plains (40 feet), 581 feet Southeast of Quentin Rd. (60 feet).

Existing Zoning: DR 3.5

Area: 8,480 SQ FT.

Proposed Zoning:

VARIANCE:

BCZR 1B02.3.C.1: To permit a replacement dwelling with a combined sum of side yard setback of 20 feet and a lot width at the foundation line of 47 feet in lieu of the required 25 feet and 70 feet, respectively.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0026-SPH **Reviewer:** Shaun Crawford
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: SPECIAL HEARING
Legal Owner: Sandra Rivera
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 323 RIVERSIDE DR

Location: Property located beginning at the Northeast side of Riverside, 195 feet Northwest of Cedar Ave.

Existing Zoning: DR 5.5 **Area:** 39,878 SQ FT.

Proposed Zoning:

SPECIAL HEARING:

BCZR 500.7: To determine the following:

- 1.) Is the current use of the property as a storage lot for vehicles in compliance with its DR 5.5 zoning?
- 2.) Is the current use of the property commercial in nature and in violation of its DR 5.5 zoning?
- 3.) Does the current storage of inoperable vehicles on the property constitute a violation of BCZR Section 428.1?
- 4.) Does the property and its usage otherwise comply with all other applicable Baltimore County Zoning Regulations?

Attorney: Not Available

Prior Zoning Cases: 2007-0326-A

Concurrent Cases: None

Violation Cases: cc2214605

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0027-A **Reviewer:** Jason Seidelman
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Michael and Lauren Andrews
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 10 TIMBERSHED CT

Location: Property located on the Northwest side of Timbershed Ct. (50 feet), 2210 feet Southwest of Slab Bridge Rd.

Existing Zoning: RC 8 (RC 4) **Area:** 2.95 ACRES

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 400.1 and 400.3: To permit an accessory building (detached garage) to be located in the front/side yards with a height of 22 feet in lieu of the required rear yard placement and maximum height of 15 feet, respectively.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 03/13/2023

Miscellaneous Notes:

Case Number: 2023-0028-SPH **Reviewer:** Gary Hucik
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: SPECIAL HEARING
Legal Owner: Robert Williams
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** Yes **Historic:** No **Election Dist:** 9 **Council Dist:** 2

Property Address: 1309 MALVERN AVE

Location: Property located on the Southeast side of Malvern Ave. Southwest 125 feet to centerline of Ruxton Rd.

Existing Zoning: DR 2 **Area:** 1.65 ACRES

Proposed Zoning:

SPECIAL HEARING:

Special Hearing/Waiver from Section 500.7 of BCZR; Building Code Parts 123, 124, 125; and BCC Sections 32-4-414, 32-4-107 (a) (2), and 32-8-301: To permit a proposed second story addition on an existing house which is partially located in a riverine floodplain.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0029-A **Reviewer:** Christina Frink
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Douglas and Amy Honbarrier
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 12538 REGWOOD RD

Location: Property located on the West side of Regwood Rd.; 75 feet South of Upland Rd.

Existing Zoning: RC 5; RC 2

Area: 3.31 ACRES

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 400.1: To allow an accessory structure (detached garage) in the side yard in lieu of the required rear yard.

BCZR 400.3: To allow an accessory structure (detached garage) with a height of 28 feet in lieu of the required 15 feet.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

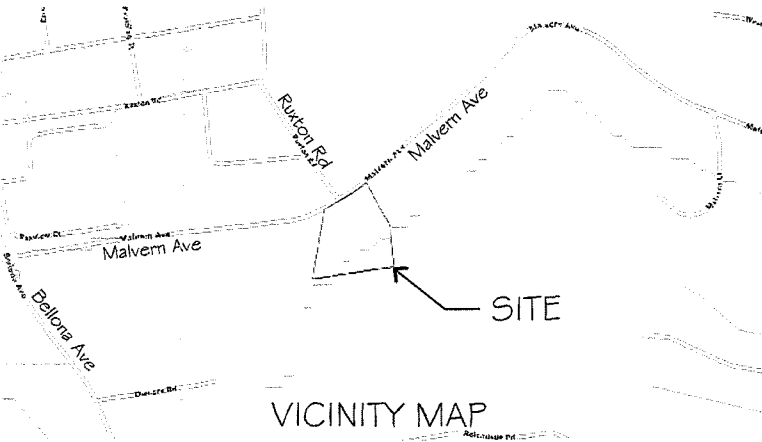
Closing Date: 03/13/2023

Miscellaneous Notes:

Special Hearing for a waiver pursuant to BCZR Section 500.7;
Building Code Parts 123, 124, 125; and BCC Sections 32--4-414, 32-4-107(a)(2), 32-8-301
to permit a proposed second floor addition to an existing building in a riverine floodplain.

ZONING HEARING PLAN FOR SPECIAL HEARING

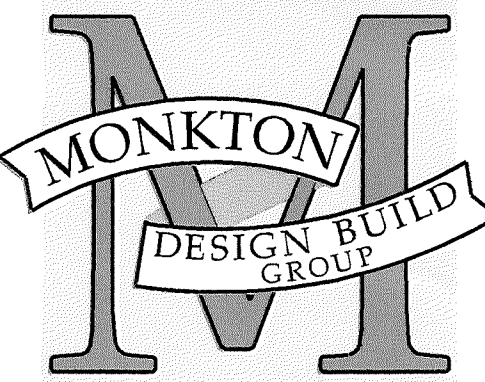
ADDRESS:	1309 Malvern Ave
OWNER:	Robert Williams
MAP:	0069
GRID:	0016
PARCEL:	0458
TAX #	0923501220
DEED REFERENCE #	37003 / 00104



ZONING MAP #	069B2
ZONING	DR-2
ELECTION DISTRICT	9
COUNCIL DISTRICT	2
LOT AREA	1.65 ACRES / 71,874 SF
HISTORIC PROPERTY	NO
CBCA	NO
FLOOD PLAIN	YES
WATER	PUBLIC
SEWER	PUBLIC
PRIOR ZONING HEARINGS	NONE

ROB
WILLIAMS
HOUSE

1309 MALVERN AVENUE
BALTIMORE, MARYLAND 21040



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No	Date	Item
1	10/10/22	EIR COMMENTS
REVISIONS		

I CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY
ME, AND THAT I AM A DULY
LICENSED ARCHITECT UNDER THE
LAWS OF THE STATE OF MARYLAND.
LICENSE NUMBER: 11132
EXPIRATION DATE: 9/26/2022

Drawn

Checked

Approved

austin b childs
architecture

chickenranch design studio

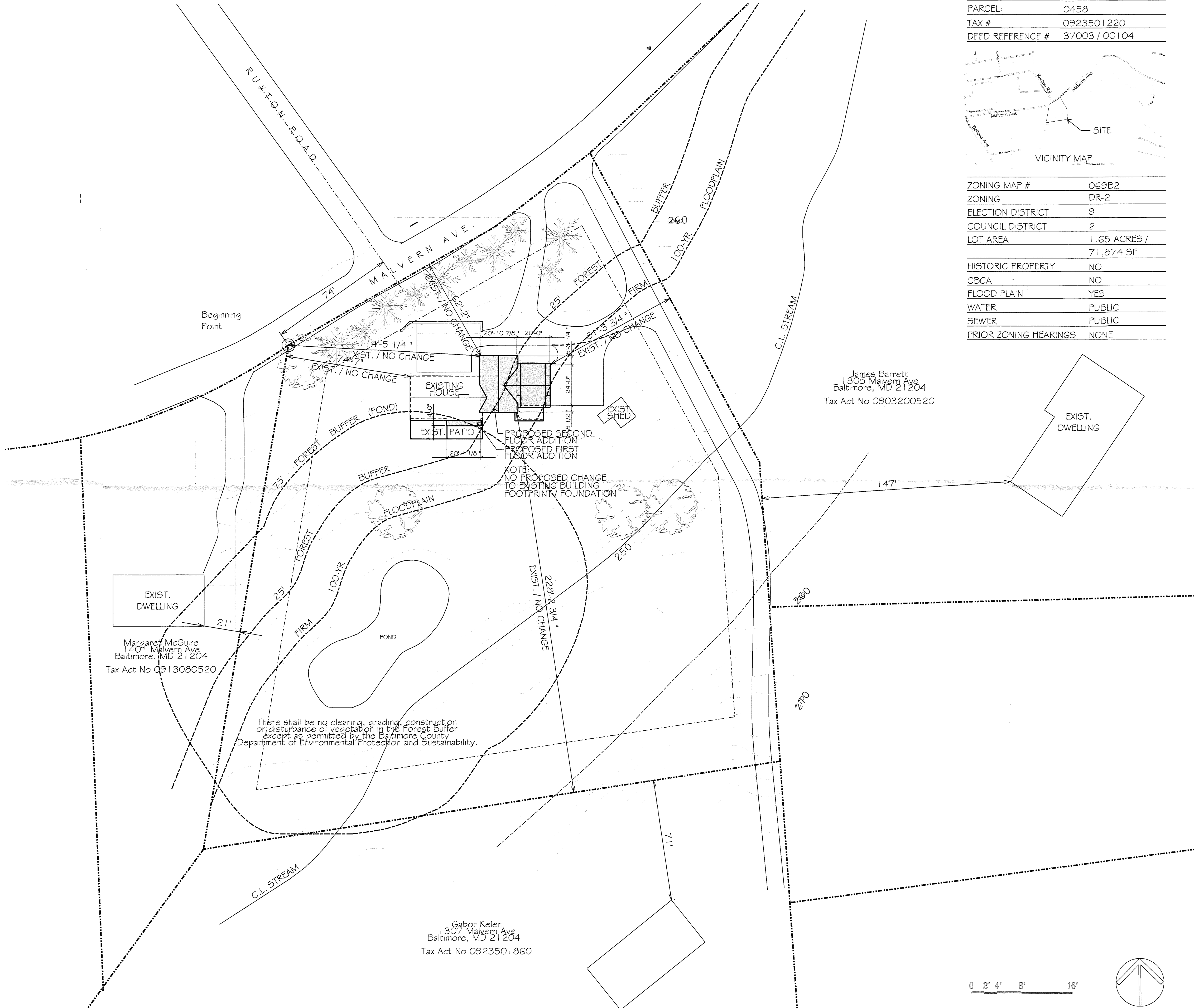
16850 gerting road
monkton, maryland 21111
410-340-0012
achildsaia@msn.com

SITE PLAN

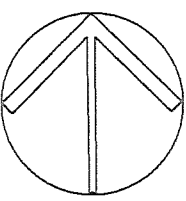
CONTRACT NO.	
SCALE	1"=30'
DATE	February 9, 2023

SP

2023-0028-SP4



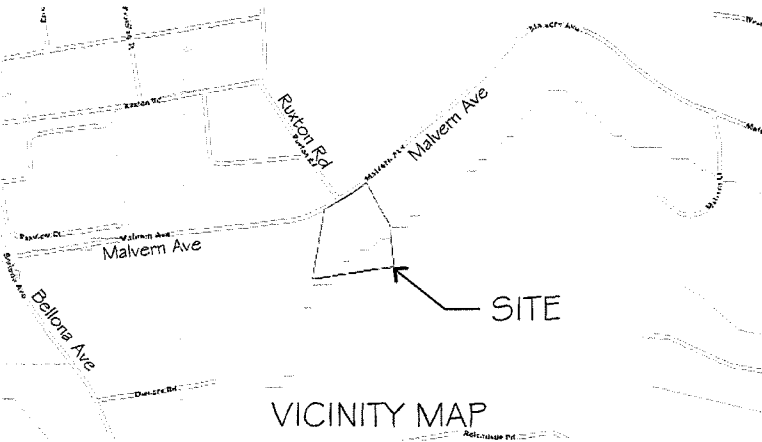
0 2' 4' 8' 16'



Special Hearing for a waiver pursuant to BCZR Section 500.7;
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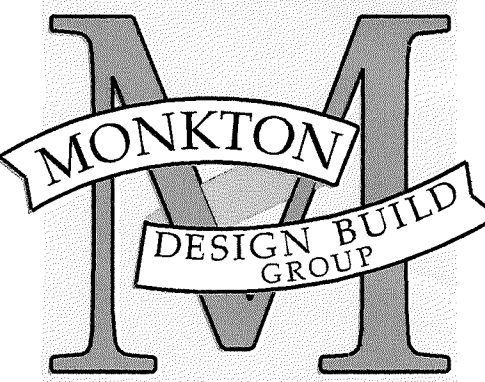
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