



JOHN A. OLSZEWSKI, JR.
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

June 4, 2024

Christopher DeCarlo, Esquire – cdecarlo@wtplaw.com
John Gontrum, Esquire – jgontrum@wtplaw.com
Whiteford, Taylor and Preston
1 W. Pennsylvania Avenue, Suite 300
Towson, MD 21204

RE: Petitions for Special Hearing & Variance
Case No. 2024-0093-SPHA
Property: 2011 Jeanne Avenue

Dear Messrs. DeCarlo and Mr. Gontrum:

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 blue ink signature of Andrew M. Belt, written in a cursive style.

ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB:dln
Enclosure

c: Ram Shrestha – newah.engineer@gmail.com
Hein Tran – heintran.dp@gmail.com

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE		
(2011 Jeanne Avenue)	*	OFFICE OF
13th Election District		
1st Council District	*	ADMINISTRATIVE HEARINGS
First Mountain Land, LLC		
Legal Owner	*	FOR BALTIMORE COUNTY
Petitioner	*	Case No. 2024-0093-SPHA
* * * * *		

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of Petitions for Special Hearing and Variance filed on behalf of the legal owner, First Mountain Land, LLC (“Petitioner”), for the property located at 2011 Jeanne Avenue (“Property”). The Special Hearing was filed pursuant to the Baltimore County Zoning Regulations (“BCZR”) § 500.7, for a 6,000 sq. ft. buildable lot and determine the overall density of the subdivision/area will not be increased.

Variance relief was filed from BCZR § 1B02.3.C.1, to permit a lot area of 6,000 sq. ft. in lieu of the 20,000 sq. ft., lot width of 65 ft. in lieu of 100 ft., front setback of 30 ft. in lieu of 40 ft., rear setback of 28 ft. in lieu of 40 ft., side street setback of 16 ft. in lieu of 40 ft., side setback of 8 ft. in lieu of 15 ft. and side setback sum of 24 ft. in lieu of 40 ft.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. The Petitioner, Hein Tran appeared as well as Christopher DeCarlo, Esquire of Whiteford Taylor and Preston who represented the Petitioner. Ram Shrestha, certified engineer, also appeared and prepared the Site Plan which is marked as Petitioner’s Exhibit 2. There were no interested parties or protestants at the hearing.

Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”), the Department of Environmental Protection and Sustainability (“DEPS”) and from the Department of Public Works and Transportation, (“DPWT”), these agencies did not oppose the requested relief.

Mr. DeCarlo explained that the property is approximately 6,000 sq. ft., and zoned DR 2. It is comprised of 3 lots (Lots 1, 2, 3) which were created on the Plat of Halethorpe Terrace as recorded in the Land Records of Baltimore County on July 18, 1923 (Liber WPC 7 – Part 1, folio 72). (Pet. Ex. 10). The proposed site was once occupied by a single-family dwelling that has been razed. The Petitioner laid the foundation for a replacement dwelling using the same building footprint, however litigation ensued as a result of this foundation (and the prior structure) encroaching onto adjacent lot 4. (The owners of this lot sold the lots at issue to the Petitioner.) The Petitioner is now proposing to remove the previously laid foundation and reconfigure the building footprint for a replacement dwelling that does not encroach onto the adjacent lot. (Pet. Ex. 2) Mr. DeCarlo explained that under BCZR, §1B02.3.C.1, a home to be constructed on a DR 2 lot has a minimum area requirement of 20,000 sf and a lot width requirement of 100 ft. Here, the total size combining the 3 lots is 6,000 sf and the lot width is 65 ft. The Petitioner is proposing one-family detached dwelling on 3 lots which were created by the 1923 Plat and the Petitioner, having no other adjoining land to meet the width or area requirements, is using all 3 lots. The previous dwelling is being replaced with a single dwelling, consequently there will be no increase in density.

Mr. DeCarlo noted that the subject site is irregularly shaped, being narrow in width and angled along Jeanne Avenue. Additionally, the Petitioner has been forced to deviate from the building footprint of the previously existing dwelling due to its encroachment on lot 4, further

complicating attempts to conform with setback requirements. Petitioner's engineer, Mr. Shrestha notes on the site plan that if all setbacks were strictly enforced on the site the resulting building envelope would consist of an impractical and unbuildable narrow triangle. (Pet. Ex. 2)

Mr. DeCarlo cites the Opinion in Order for Case No. 2023-0168-SPHA involving the property directly across the street from the subject site at 2015 Jeanne Avenue. In this case, a Petition for Special Hearing was granted to allow a net lot area of 7,500 in lieu of the required 20,000 with a lot width of 60 ft. in lieu of 100 ft. While it was determined that variance relief was not required in this matter, the lot size and setbacks are similar to that of the property in the instant case. Additionally, in the previous case, the Administrative Law Judge ("ALJ") addressed the DPR/DPWT ZAC comment that reasons that because the property is close to a floodplain, a floodplain study should be required. Baltimore County Code ("BCC"), § 32-4-414(c) prohibits development in a riverine floodplain. The ALJ in that matter agreed with the Petitioner's expert who opined that the property is not located in a riverine floodplain and therefore, no development will take place therein. In the instant case, Petitioner's engineer Mr. Shrestha has similarly opined.

SPECIAL HEARING

A hearing to request special zoning relief is proper under BCZR, §500.7 as follows:

The said Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall, in his discretion, be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals as hereinafter provided. The power given hereunder shall include the right of any interested person to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any purported nonconforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they are affected by these regulations.

"A request for special hearing is, in legal effect, a request for a declaratory judgment." *Antwerpen v. Baltimore County*, 163 Md. App. 194, 877 A.2d 1166, 1175 (2005). And, "the administrative practice in Baltimore County has been to determine whether the proposed Special Hearing would be compatible with the community and generally consistent with the spirit and intent of the regulations." *Kiesling v. Long*, Unreported Opinion, No. 1485, Md. App. (Sept. Term 2016).

Based on the information proffered by Mr. DeCarlo and evidence presented by Petitioner's expert, Mr. Shrestha, it is clear that the proposed 6,000 sf buildable lot will not increase the overall density of the subdivision. A single-family dwelling previously occupied the property, and a sole single-family dwelling is being proposed to replace it. The design of the proposed dwelling is an improvement from the dilapidated structure previously on the property (Pet. Ex. 3, 7), and is compatible with the surrounding community. (Pet. Ex. 5) Additionally, the proposed lot size is in keeping with the approved dwelling in Case No. 2023-0168-SPHA involving 2015 Jeanne Avenue, directly across the street from the proposed dwelling in this matter. Consequently, based on the evidence presented I find that the special hearing relief should be granted.

VARIANCE

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

As explained above, the site is unique in a zoning sense because of its irregular shape. The requested variances are necessary to construct a structure on an extremely narrow lot. The prior legal history of the site which has brought about the need to relocate the building envelope of the

previous structure further necessitates the need for variance relief. Additionally, I find that the Petitioner would suffer a practical difficulty of variance relief if denied in that a practical dwelling could not be constructed on the property. Accordingly, all requested variance relief is granted.

Flood Plain Study

In keeping with the ALJ's findings in Case No. 2023-0168-SPHA, and the opinion of Petitioner's expert in this matter, I find that BCC, § 32-4-4149(c) does not apply in this matter and a floodplain study should not be required.

THEREFORE, IT IS ORDERED this 4th day of **June, 2024**, by this Administrative Law Judge that the Petition for Special Hearing from BCZR § 500.7, for a 6,000 sq. ft. buildable lot and determine the overall density of the subdivision/area will not be increased. and is hereby **GRANTED** and;

IT IS FURTHER ORDERED that Variance relief from BCZR § 1B02.3.C.1, to permit a lot area of 6,000 sq. ft. in lieu of the 20,000 sq. ft., lot width of 65 ft. in lieu of 100 ft., front setback of 30 ft. in lieu of 40 ft., rear setback of 28 ft. in lieu of 40 ft., side street setback of 16 ft. in lieu of 40 ft., side setback of 8 ft. in lieu of 15 ft. and side setback sum of 24 ft. in lieu of 40 ft., 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, Petitioners are hereby made aware that proceeding at this time is at their 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, Petitioners would be required to return the subject property to its original condition.

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



ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB/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 2011 Jeanne Avenue Currently Zoned DR 2
Deed Reference 44595 / 00491 10 Digit Tax Account # 1312400680
Owner(s) Printed Name(s) First Mountain Land LLC

(SELECT THE HEARING(S) BY MARKING ☒ 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. ☒ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a 6,000 square foot buildable lot and determine that the overall density of the subdivision/area will not be increased.

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

3. ☒ a **Variance** from Section(s) 1302.3.C.1 to permit a lot area of 6,000 square feet in lieu of 20,000 square feet, lot width of 65 feet in lieu of 100 feet, front setback of 30 feet in lieu of 40 feet, rear setback of 28 feet in lieu of 40 feet, side street setback of 16 feet in lieu of 40 feet, side setback of 8 feet in lieu of 15 feet and side setback sum* 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) * of 24 feet in lieu of 40 feet.

To be presented at hearing

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):

First Mountain Land LLC
Hein Tran, for (member)
Name #1 - Type or Print _____ Name #2 - Type or Print _____
Signature #1 [Signature] Signature #2 _____
Mailing Address 11308 Gainsborough Rd City Potomac State MD
Zip Code 20854 Telephone #s (Cell and Home) 240-550-0361 Email Address heintran.lpe@gmail.com

Representative to be contacted:

Alex E Ram Shrestha (engineer)
Name - Type or Print _____
Signature _____
Mailing Address 7425 Morrison Dr. City Brentwood State MD
Zip Code 20770 Telephone # 240-581-0078 Email Address alex.h.engineer@gmail.com

Case Number 2024-6093-SPHA Filing Date 4/10/24 Do Not Schedule Dates _____ Reviewer MTL

Ram L. Shrestha, P.E., CFM, M.ASCE
CIVIL, LAND DEVELOPMENT & WATER RESOURCES ENGINEER

Zoning Review
Department of Permits, Approvals and Inspections
Baltimore County Office Building
111 W. Chesapeake Ave, Rm 124
Towson, MD 21204

November 20, 2023

Re: Variance Application – Explanatory Letter
Halethorpe Terrace, Lots 1, 2, 3
2011 Jeanne Ave., Halethorpe, MD 21227

Dear Sir/Madam:

On behalf of our client, I would like to request a variance for permission to deviate from the guidelines outlined in Section 1B02.3 on Baltimore County Zoning Regulations, (BCZR) to allow a construction of a single family detached residential building in a lesser setbacks and property area than required by the Baltimore County Zoning Ordinance.

Please find submitted herewith the variance application and associated required submittal materials requesting a variance to permit a primary structure with less setbacks and property area than required in DR-2 zoning. The variance requests are listed below:

Categories	Required	Provided	Existing	Variance Request
Front Setbacks	40 feet 40 feet	30 feet 16 to 28.2 feet	30 feet 26.8 to 35.2 feet	10 feet 4.8 to 13.2 feet
Side Setbacks	15 feet 40 feet (total)	8 feet (left) NA*	-4.4 to -4.7 feet NA*	7 feet (left) NA*
Rear Setback	40 feet	28 feet	18.5 feet	12 feet
Min. Lot Area	20,000 sq. ft.	6,156 sq. ft.	NA	13,844 sq. ft.
Min. Lot Width	100 feet	>100 feet	NA	OK
Bldg. Area	NA	1,560 sq. ft.	1,837 sq. ft.	NA

*Property is located at the intersection. Only one side setback exists.

The site is identified as Halethorpe Terrace, Lots 1-3, Block E. The site contains 6,629 square feet and zoned DR-2. The site is served by public water and sewer. The site is located to the northeast quadrant of Arline Avenue and Jeanne Avenue intersection. The site is located to the north of Arline Avenue, a public 30-foot improved right-of-way and east of Jeanne Avenue, a public 40-foot right-of-way width (as per recorded subdivision plat W.P.C. No. 7, Part 1-72). These lots are legally buildable by virtue of the Plat of Halethorpe Terrace, Blocks E that is recorded on July 18, 1923.

The property was purchased on January 15, 2021. An existing house located on the property has been already demolished. The owner wishes to construct a new single family residential building comparatively smaller than an existing building however due to zoning regulation, the propose building will not be constructed without the relief on zoning regulation. A permit has been issued on 03/11/2021 for the addition on existing building however due to the dispute on property line, the improvements has been abandoned. Applicant is proposing to relocate the proposed building to keep away encroaching the adjacent property, however due to the unique size and location of property, a variance waiver approval is requested so a building can be constructed.

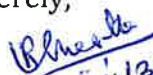
The proposed 30 feet front setback along the Airline Avenue and a minimums 16 to 28.2 feet on Jeanne Avenue resemble and matches the setbacks to other existing buildings on the neighborhood of this subdivision. The side setback has been kept to 8.00 feet and clear previously encroach area. Similarly rear setback has been increased to 28.0 feet from 18.50 feet. An existing building area is 1,837 sq. ft. and proposed area is 1,560 sq. ft. Due to the unique circumstances, a Variance is necessary to avoid practical difficulties and unnecessary hardships as the property is not possible to meet Zoning ordinance. It would be difficult to develop the property in strict conformance with zoning requirement.

We feel that the variance requested above will not alter the essential character of the existing neighborhood, but in fact will mimic the existing character of the neighborhood and provide for a home that is more suited for the neighborhood. We feel that granting these variances will not confer on the applicant any special privileges, the spirit of the ordinance will be observed and no compromise with the public safety and welfare. The proposed building is similar to other buildings throughout the neighborhood community of Halethorpe Terrace subdivision. We also feel that denial of the variances will deprive the applicant of the rights commonly enjoyed by other properties in the neighborhood and would unreasonably prevent the use of the property for an intended purpose or render conformance unnecessarily burdensome. The owner is not requesting these variances based on conditions or circumstances that are the result of actions by the applicant.

The granting of the Variances will not alter the essential character of the neighborhood as the property is a buildable and the proposed house size is smaller than the existing house and more in character with the neighborhood. The property is unique due to its shape and location on the corner/intersection. We believe that this legally buildable property is not reasonably developable without the relief requested.

Thank you for your consideration of this request. Please contact me at (240) 581-0078, if you should have any questions or need any further information.

Sincerely,


11/30/2023

Ram Shrestha, P.E., CFM

Property Description:

PART A

Zoning Property Description for 2011 Jeanne Ave., Halethorpe, Maryland

Property is located to the northeast quadrant of road intersection on the east side of Jeanne Avenue which is 40 feet of right-of-way width and to the north side of Arline Avenue on which property fronts which is 30 feet of right-of-way width.

PART B

Subdivision Lot – lot is part of record plat Halethorpe Terrace:

Being Lot # 1, 2 & 3, Block E, Section # in the subdivision of Halethorpe Terrace as recorded in Baltimore County Plat Book # 0007, Folio # 0072, containing 6,156 square feet or 0.1413 acres in lot. Located in the 13th Election District and Plat Book WPC No. 7, folio 72.

2024-0093-A

Affidavit of Publication

To: First Mountain Land, LLC - Hein Tran
11308 Gainsborough Road
Potomac, MD, 20854

Re: Legal Notice 2610602,
CASE NUMBER: 2024-0093-SPHA

We hereby certify that the annexed advertisement was published in Maryland The Daily Record, a Daily newspaper published in the State of Maryland 1 time(s) on the following date(s): 05/14/2024

By



Joy Hough
Authorized Designee of the Publisher

Baltimore County

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a virtual hearing and/or in person (upon request) on the property identified herein as follows:

CASE NUMBER: 2024-0093-SPHA

2811 Jeanne Avenue

Corner of eastside of Jeanne Avenue, northside of Arline Avenue

13th Election District - 1st Councilmanic District

Legal Owners: First Mountain Land, LLC

Special Hearing BCZR, Section 500.7 for a 6,000 sq. ft. buildable lot and determine the overall density of the subdivision/area will not be increased. Variance BCZR, Section 1B02.3.C.1 to permit a lot area of 6,000 sq. ft. in lieu of the 20,000 sq. ft., lot width of 65 ft. in lieu of 100 ft., front setback of 30 ft. in lieu of 40 ft., rear setback of 28 ft. in lieu of 40 ft., side street setback of 16 ft. in lieu of 40 ft., side setback of 8 ft. in lieu of 15 ft. and side setback sum of 24 ft. in lieu of 40 ft.

Hearing: Monday, June 3, 2024 at 1:30 p.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3968, ext. 0, my14 2610602

THE DAILY RECORD

A Division of BridgeTower Media
P.O Box 745929
Atlanta, GA 30374-5929

Invoice # 745697306
Invoice Date 05/14/2024
Customer First Mountain Land, LLC,
Payment Terms Net 30
Due Date 06/13/2024

BILLING ADDRESS

Hein Tran
First Mountain Land, LLC
11308 Gainsborough Road
Potomac MD 20854

ADVERTISER

First Mountain Land, LLC, ID: 283320
11308 Gainsborough Road
Potomac MD 20854

INVOICE REF	MEDIA	DATE	PO	EDITION	QTY	AD SIZE
1007321770	The Daily Record (BLT) - Public Notice	05/14/24	2024-0093-SPHA	Legal - Government	1	Legal - Government
Thank you for your business! IOID: 2610602 Index: Government - Baltimore Co Category: Baltimore County Affidavit Reference: CASE NUMBER: 2024-0093-SPHA				Subtotal		\$150.60
				Tax		\$0.00
				Credits		\$0.00
				BALANCE DUE		\$150.60

REMITTANCE STUB TO BridgeTower Media

Invoice #	745697306 The Daily Record (BLT) - Public Notice	Date	06/13/2024	Customer ID	ID: 283320, First Mountain Land, LLC
Amount Enclosed:					

Acceptable Payment Methods

PREFERRED METHOD To Pay by ACH Transfer: Bank: Bank of America Send ACH remittance email to ar@bridgetowermedia.com Account Number: 237025443017 Routing: 053000196	OTHER METHODS To Pay by Check use the following address: Please include invoice number on check BridgeTower OpCo, LLC P.O Box 745929 Atlanta, GA 30374-5929	To Pay by Credit Card: Use the Click to Pay Online link located on the email you received or Contact Accounts Receivable: 866-802-8214 Please have your Invoice Number and Credit Card Number Ready	To Pay by Wire Transfer: Name: BridgeTower OpCo, LLC Bank: Bank of America Swift Code: BOFAUS3N Bank Address: 100 North Tryon Street Charlotte, NC 28255 Account Number: 237025443017 Routing: 053000196
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COMMENTS:

No. 230416

Date: 4/10/2024

Rev	Sub
Source/	Rev/

[illegible]

Total:	\$ 150.00
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From:

For:

First Mountain Land LLC
Residential Special Licensing + Variance
2011 Teenage Ave
Spring Grove # 2024-0093-A
15th

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!

**CASHIER'S
VALIDATION**

DATE

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/ neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.*

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Case Number: 2024-0093-SHA
Property Address: 2011 Jeanne Avenue
Legal Owners (Petitioners): First Mountain Land LLC
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): First Mountain Land LLC
Address: C/O Hein Tran
11308 Painsborough Rd
Potomac, MD 20854
Telephone Number: 240-550-0361

*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.

Revised 3/2022

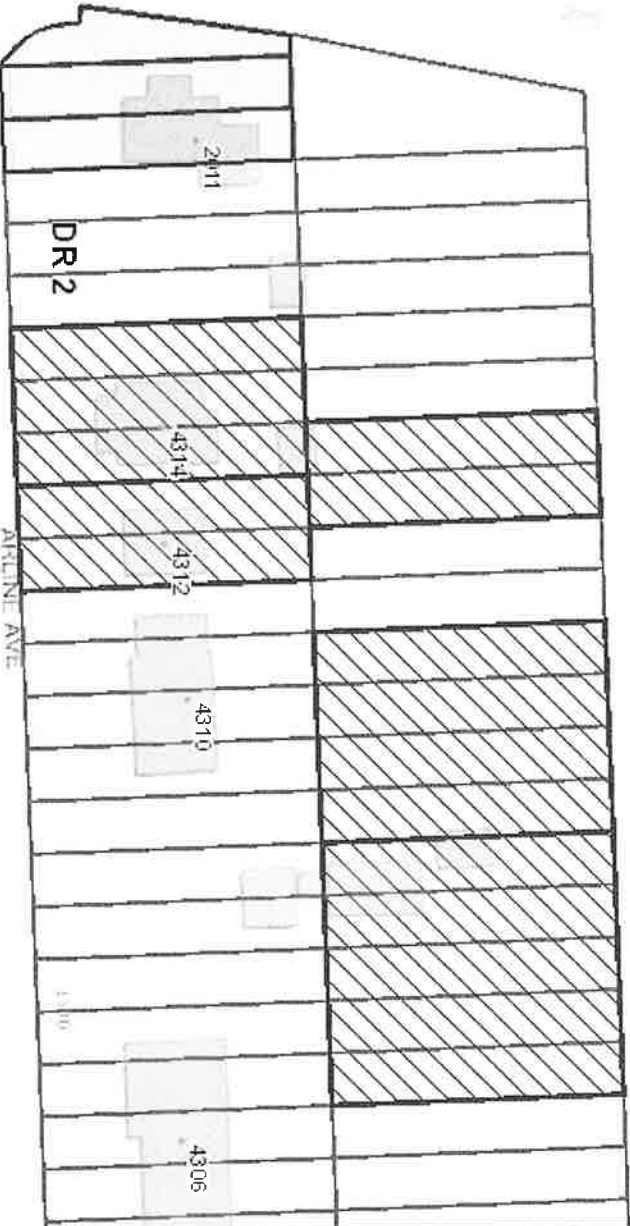
Baltimore County - My Neighborhood 2024-0093-SEHA



1334

AUDLAIRE ST

JEANNE AVE



ARLINE AVE



4309

4307

4303

4506

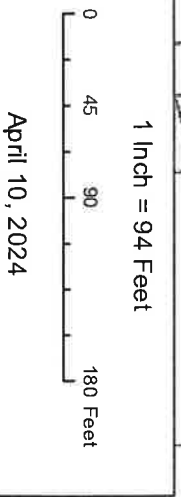
4504

2019

4520

- Legend
- House Numbers
 - ☒ Zoning History Cases
 - ☐ Zoning
 - ☐ Property
 - ☐ County Boundary

Sources: Esri, HERE, Garmin, Inermapp, Inc, 2022 GeoBase, IGN, Kadaster NL, Ordnance Survey, OpenStreetMap contributors, and the GIS User Community



2024-0093-SPHA

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

[View Map](#)
[View GroundRent Redemption](#)
[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 13 Account Number - 1312400680

Owner InformationOwner Name: FIRST MOUNTAIN LAND LLC Use: RESIDENTIAL
Principal Residence:NOMailing Address: 11308 GAINSBOROUGH ROAD Deed Reference: /44595/ 00491
POTOMAC MD 20854-**Location & Structure Information**Premises Address: 2011 JEANNE AVE Legal Description: LT 1,2,3,
HALETHORPE 21227-4516 2011 JEANNE AVE
HALETHORPE TERRACEMap: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0108 0012 0144 13020028.04 0000 E 1 2022 Plat Ref: 0007/ 0072

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
6,156 SF 04

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

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2022	07/01/2023	07/01/2024
Land:	67,600	84,100		
Improvements	0	0		
Total:	67,600	84,100	78,600	84,100
Preferential Land:	0	0		

Transfer Information

Seller: KKPP LLC	Date: 04/30/2021	Price: \$136,000
Type: NON-ARMS LENGTH OTHER	Deed1: /44595/ 00491	Deed2:
Seller: COOLAHAN MICHAEL J	Date: 09/24/2018	Price: \$95,000
Type: NON-ARMS LENGTH OTHER	Deed1: /40706/ 00077	Deed2:
Seller: COOLAHAN MICHAEL J	Date: 01/28/2002	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /16028/ 00164	Deed2:

Exemption Information

Partial Exempt Assessments:Class		07/01/2023	07/01/2024
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:



2024-0093-A
SPH

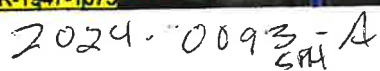




Photo 1: Existing demolished building – Front Side



Photo 2: Existing demolished building – Back Side

SPH
2024-0093-A



Photo 3: Existing/current structure building – Front Side along Jeanne Ave



Photo 4: Existing/current structure – Rear yard (northside) along Jeanne Ave

SP14
2024-0093-A



Photo 5: Existing/current structure – back yard (eastside) from Jeanne Ave



Photo 6: Existing/current structure – From Arline Ave.

SPH
2024-0093-A

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

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

DATE: April 26, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0093-SPHA
Address: 2011 JEANNE AVE
Legal Owner: First Mountain Land, LLC, Hein Tran, Member

Zoning Advisory Committee Meeting of April 26, 2024.

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:

Reviewer: Jannifer D. Anderson

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: April 22, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0093-SPHA

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

DPR: No comment.

DPW-T: A.) A riverine flood plain that meets the qualifications of a Baltimore County flows overland near the property. Based on Baltimore County Code, development in a riverine flood plain is prohibited. A riverine flood study based on ultimate land use conditions according to the Department of Permits, Approvals and Inspections Bureau of Development Plans Review (DPR) Policy Manual and DPWT Design Manual must be submitted and "Accepted for Filing" by DPR before the approval of the Variance for the addition. The proposed addition must also meet DPWT Design Manual Plate DF-1.

Landscaping: No comment.

Recreations & Parks: No Greenways affected.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 4/25/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0093-SPHA

INFORMATION:

Property Address: 2011 Jeanne Avenue
Petitioner: First Mountain Land LLC
Zoning: DR 2
Requested Action: Special Hearing/Variance

The Department of Planning has reviewed the petition for the following:

Special Hearing -

1. To approve a 6,000 square foot buildable lot and determine that the overall density of the subdivision/area will not be increased.

Variance -

1. 1B02.3.C.1 to permit a lot area of 6,000 square feet in lieu of 20,000 square feet, lot width of 65 feet in lieu of 100 feet, front setback of 30 feet in lieu of 40 feet, rear setback of 28 feet in lieu of 40 feet, side street setback of 16 feet in lieu of 40 feet, side setback of 8 feet in lieu of 15 feet and side setback sum of 24 feet in lieu of 40 feet.

The proposed site is an approximately 6,629 square foot property zoned DR 2. The site has no previous Zoning history and is not in a historic district.

The subject property is currently a residence. The requested zoning relief, as said in above request, does not appear to adversely impact the public right-of-way or the surrounding neighborhood. The petitioner would like to apply for relief to develop an undersized lot that does not comply with bulk and setback regulations. The site plan proposes to raze the existing structure and rebuild the dwelling in a smaller footprint. The Department of Planning acknowledges that the hardship of a narrow lot exists, but it is not uncommon for the area. Planning recognizes that this hardship will not allow the petitioner to achieve compliance with the County's regulations, but the proposed reduced footprint and setbacks will eliminate the encroachment that previously existed and decrease any adverse impacts that may exist. It is determined that the requested relief will help achieve the ideal site design, while maintaining and complementing the character of the existing neighborhood.

The Department of Planning has no objection to the requested relief conditioned upon the following:

1. Provide architectural elevations to the Department of Planning for review and approval prior to approval of any permits.
2. Coordinate with the Baltimore County Landscape Architect to comply with any additional landscaping requirements.
3. Any additional conditions set forth by the Administrative Law Judge.

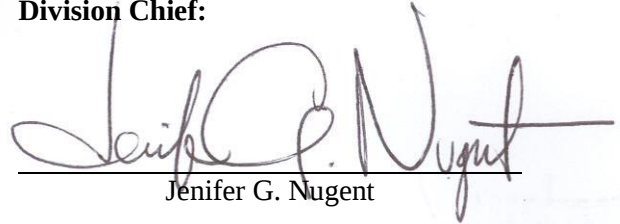
For further information concerning the matters stated herein, please contact Brett M. Williams at 410-887-3482.

Prepared by:



Krystle Patchak

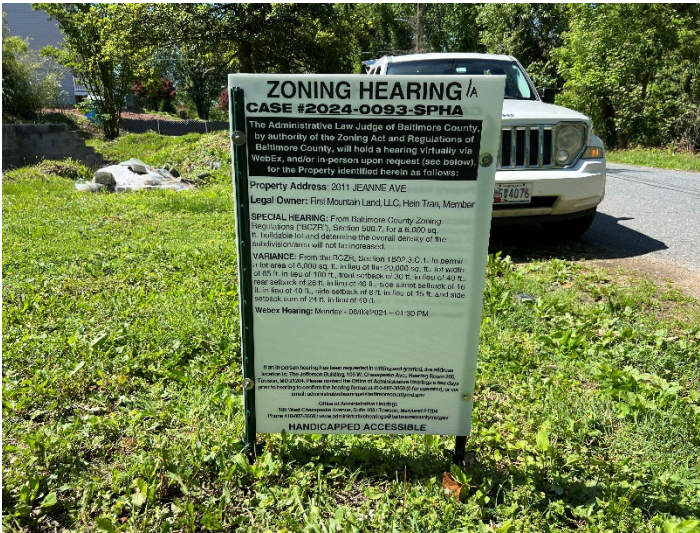
Division Chief:



Jenifer G. Nugent

SL/JGN/KP

Ram L. Shrestha, P.E., CFM, M.ASCE
David Birkenthal, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County



Certificate of Posting

Case# 2024-0093-SPHA

Petitioner/Developer

Whiteford Law

Chris Decarlo

Date of Hearing/Closing

June 3, 2024

Baltimore County Department of Permits and Management

County Office Building Room 111; 111 West Chesapeake Ave. Towson Md. 21204

Attention:

Ladies and Gentlemen:

This is to certify under penalties of perjury that the necessary sign/signs required by law were posted conspicuously on the property located at

2011 Jeanne Avenue May 13, 2024. Signs 1A & 1B

Sincerely, Martin Ogle

Martin Ogle

9912 Maidbrook Road

Parkville, Md. 21234

443-629-3411