

IN RE: PETITION FOR SPECIAL HEARING
N/S Brooknoll Drive, 275' W of the c/l
Mt. Vista Road
(12020 Brooknoll Drive)
11th Election District
5th Council District

Christian Allinson, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 02-436-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, Christian and Rosana Allinson. The Petitioners request a special hearing to approve the removal and reconstruction of an existing barn for use as living quarters for in-laws, and an amendment to the previously approved site plan in Case No. 00-188-SPH, to reflect the proposed modifications. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 2.

Appearing at the requisite public hearing in support of the request were Christian and Rosana Allinson, property owners, Mr. Allinson's parents, Robert and Marie Allinson, and Cheryl Williams, a representative of Gast Construction, the Contractor retained by the Petitioners. There were no Protestants or other interested persons present.

An examination of the site plan discloses that the subject property consists of a gross area of 4.95 acres, more or less, zoned R.C.2 and is located on the north side of Brooknoll Drive, just west of Mt. Vista Road in Kingsville. The property is improved with a single family dwelling, in which Christian and Rosana Allinson reside, and a 30' x 30' barn, which is the subject of the instant request. As noted above, the Petitioners seek approval to raze the barn and replace same with a new structure to provide living quarters for Mr. Allinson's parents. The Petitioners sought similar relief in a prior Petition for Special Hearing filed in Case No. 00-188-SPH. As noted therein, the Petitioners sought approval to allow the conversion of the existing barn to create living quarters for the senior Allinsons.

ORDER RECEIVED FOR FILING
Date 6/19/02
By [Signature]

Testimony in that case revealed that Mr. Allinson was concerned over his parents' advancing age and health issues and wanted to provide them with separate living quarters on his property so that they could continue to live independently, yet be close by. By Order of the undersigned Zoning Commissioner on December 22, 1999, the relief requested was approved with certain restrictions.

Apparently, since that time it has been determined that the existing barn is of such a deteriorated state that it cannot be rehabilitated. Thus, the Petitioners now come before me seeking approval to raze the barn and construct a new building in its place, utilizing the existing foundation. The new building will be designed to have the outward appearance of a barn; however, essentially will be a separate dwelling unit for the in-laws. Building elevation drawings of the proposed structure were submitted into evidence as Petitioner's Exhibit 1. The drawings show that the new structure will be two stories in height and 36' x 32' in dimension, slightly larger than the existing barn. The in-law dwelling will have a living room, dining room and kitchen on the first floor, and an open area/sleeping quarters on the second floor.

It is to be noted that discussion ensued at the hearing regarding the use of the in-law dwelling. The Petitioners were advised that the B.C.Z.R. prohibits two dwellings on one single lot of record in an R.C.2 zone, unless one is a tenant house, an in-law apartment, etc. Thus, the in-law dwelling must be occupied by family members and cannot be used for rental/income purposes. The Petitioners indicated that they understood this requirement. They anticipate that the building will be used initially by the senior Mr. & Mrs. Allinson; however, Mrs. Allinson's parents may ultimately occupy the premises. Apparently, they are younger than Mr. Allinson's parents and although they presently reside elsewhere independently, a question arose as to the future occupants of the in-law dwelling. For so long as the occupants are related to the Allinsons and the property is not used for rental purposes, the in-law dwelling shall be permitted to remain.

Finally, it is to be noted that favorable Zoning Advisory Committee (ZAC) comments were received on this proposal from both the Office of Planning and the Department of Environmental Protection and Resource Management (DEPRM). However, DEPRM noted the existence of environmental features on the lot and that the property must comply with the various environmental

ORDER RECEIVED FOR FILING
Date 6/19/02
By [Signature]

codes enforced and administered by that agency. These include regulations relating to the protection of water quality, streams, wetlands and floodplains, as well as forest conservation regulations. These restrictions were imposed on the relief granted in the prior case and shall likewise be imposed here.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

19th THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of June, 2002 that the Petition for Special Hearing to approve the removal and reconstruction of an existing barn for use as living quarters for in-laws, and an amendment to the previously approved site plan in Case No. 00-188-SPH, in accordance with the building elevation drawings and site plan submitted into evidence as Petitioner's Exhibits 1 and 2, respectively, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The relief granted herein is limited to family members related to the Petitioners and cannot be used for rental/income purposes. The proposed in-law dwelling will be constructed substantially in accordance with the building elevation drawings submitted into evidence as Petitioner's Exhibit 1, and shall not be converted for use as a multi-family dwelling/ apartment building.
- 3) Compliance with any recommendations made by DEPRM to insure that the private well and septic system are capable of accommodating the additional living quarters proposed herein.
- 4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 6/19/02
By [Signature]



Baltimore County
Zoning Commissioner

June 19, 2002

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

Mr. & Mrs. Christian Allinson
12020 Brooknoll Drive
Kingsville, Maryland 21087

RE: PETITION FOR SPECIAL HEARING
N/S Brooknoll Drive, 275' W of the c/l Mt. Vista Road
(12020 Brooknoll Drive)
11th Election District – 5th Council District
Christian L. Allinson, et ux - Petitioners
Case No. 00-188-SPH

Dear Mr. & Mrs. Allinson:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party 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 Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. & Mrs. Robert Allinson
11615 Cedar Lane, Kingsville, Md. 21087
Ms. Cheryl Williams, Gast Construction Co.
11100 Pulaski Highway, White Marsh, Md. 21162
DEPRM; People's Counsel; Case File





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 12020 Brooknoll Drive - Kingsville
which is presently zoned RC2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County; to determine whether or not the Zoning Commissioner should approve

REMOVE MOST OF THE EXISTING BARN DUE TO DETERIORATED CONDITION AND REBUILD
TO ACCOMMODATE THE IN-LAWS. NEW STRUCTURE HAS BEEN MADE TO LOOK LIKE A
BARN AND WOULD BE CONVERTED BACK TO A BARN UPON NON-USE BY IN-LAWS.
AND TO AMEND PREVIOUSLY APPROVED PLAN FOR 00-188-SPH.

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

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

I/We do 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 Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

REPRESENTED BY CONTRACTOR

Name - Type or Print

CHERYL WILLIAMS

Signature

GAST CONSTRUCTION CO., INC.

Company

11100 PULASKI HIGHWAY -410-335-4200

Address

Telephone No.

WHITE MARSH, MD. 21162

City

State

Zip Code

Legal Owner(s):

CHRISTIAN ALLINSON

Name - Type or Print

Signature

ROSANA ALLINSON

Name - Type or Print

Signature

12020 BROOKNOLL DRIVE -410-592-3217

Address

Telephone No.

KINGSVILLE, MARYLAND

21087

City

State

Zip Code

Representative to be Contacted:

Cheryl Williams - Gast Construction Co.

Name

11100 Pulaski Highway 410-335-4200

Address

Telephone No.

White Marsh, Md. 21162

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By D. THOMPSON Date 4/8/02

ORDER RECEIVED FOR FILING

Case No. 02-436-SPH

Date 9/15/98
By [Signature]

Zoning Description

Christian L. and Rosana Allinson
12020 Brooknoll Drive, Kingsville, Maryland

Beginning at a point on the North side of Brooknoll Drive cul-de-sac, some 275' feet West of the centerline of its intersection with centerline of Mount Vista Road, which is 40 feet wide. Being Lot No. 3, Section 2 in the subdivision of Brooknoll as recorded in Baltimore County Plat Book 29, Folio 26, containing 4.95 acres of land, more or less. Also known as 12020 Brooknoll Drive and located in the 11th Election District and councilmanic district.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 12615

DATE 4/8/02 ACCOUNT R0010066150
AMOUNT \$ 50.00

RECEIVED FROM: CHERYL WILLIAMS - EAST CONSTR.

FOR: PET. FOR SPECIAL HEARING.

12020 BROOKNOLL DR. 02-436-SPH

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PAID RECEIPT

BUSINESS ACTUAL TIME
4/8/2002 4/08/2002 14:21:59
REG MS03 WALKIN DOOL DND DRAWER 2
>> RECEIPT # 239027 4/08/2002 OFLH
Dept 5 528 ZONING VERIFICATION
CR NO. 012615

Recpt Tot \$50.00
50.00 TK .00 GR
Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #02-436-SPH

12020 Brooknoll Drive

N/S of Brooknoll Drive, 275' W centerline of Mt. Vista Road

11th Election District - 5th Councilmanic District

Legal Owner(s): Christian & Rosana Allison

Special Hearing: to approve the removal of most of the existing barn due to deteriorated condition and rebuild to accommodate the in-law's apartment and to amend previously approved plan for 00-188-SPH.

Hearing: Friday, June 7, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

5/315 May 23

C540476

CERTIFICATE OF PUBLICATION

5/23/ 2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/23/ 2002.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

6/7

RE: Case No. 02-436-SPH

Petitioner/Developer: ALLISON ET.

Date of Hearing/Closing: 5/31/02

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens/
MR. GEORGE ZAHNER

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #12020 BROOKNOLL RD.

The sign(s) were posted on 5/10/02
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 5/12/02
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571

(Telephone Number)



02-436
ALLISON
#12020 BROOKNOLL 5/31/02

CERTIFICATE OF POSTING

RE: Case No.: 02-436-SPH

Petitioner/Developer: ALLISON, ETAL

Date of Hearing/Closing: 5/31/02

c. 4th brand fax transmittal memo 7671	# of pages	1
	To	BETTY OR ROBIN
	From	O'KEEFE
	Co.	ZONING - COMM
	Dept.	
	Phone #	512 4621
	Fax #	887-3468

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

F

Attention: GEORGE ZAHNER

Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at #12020 BROOKNOLL DR

The sign(s) were posted on 5/14/02
(Month, Day, Year)

Sincerely,
Patrick M. O'Keefe 5/25/02
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

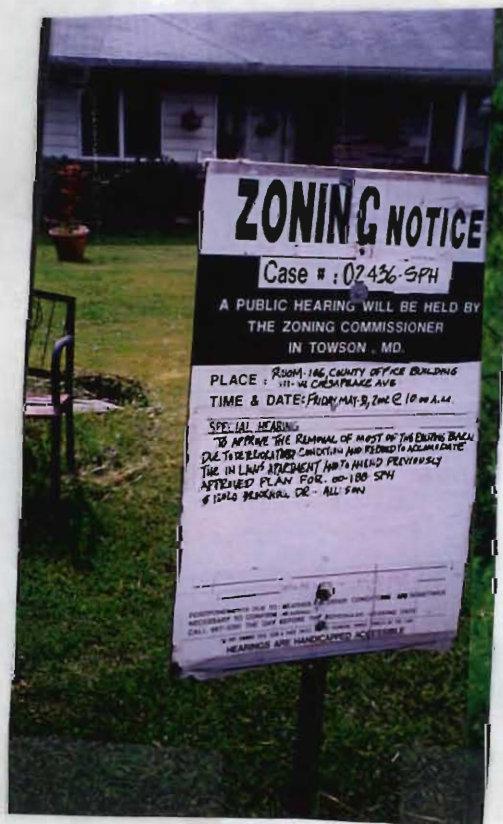
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571

(Telephone Number)



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

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 petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the 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:

Item Number or Case Number: 02-436-SPH

Petitioner: ALLINSON

Address or Location: 12020 BROOKNOH DRNE, 21087

PLEASE FORWARD ADVERTISING BILL TO:

Name: CHERYL WILLIAMS - EAST CONSTRUCTION Co.

Address: 11100 PULASKI HWY.

WHITE MARSH, MD 21162

Telephone Number: 410-335-4200

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 16, 2002 Issue – Jeffersonian

Please forward billing to:
Cheryl Williams
Gast Construction Co
111100 Pulaski Highway
White Marsh MD 21162

410 335-4200

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-436-SPH
12020 Brooknoll Drive
N/S of Brooknoll Drive, 275' W centerline of Mt Vista Road
11th Election District – 5th Councilmanic District
Legal Owner: Christian & Rosana Allison

Special Hearing to approve the removal of most of the existing barn due to deteriorated condition and rebuild to accommodate the in-law's apartment and to amend previously approved plan for 00-188-SPH.

HEARING: Friday, May 31, 2002 at 10:00 a.m. in Room 106, Baltimore County Office Building, 111 W Chesapeake Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G D Z
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

April 30, 2002

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-436-SPH
12020 Brooknoll Drive
N/S of Brooknoll Drive, 275' W centerline of Mt Vista Road
11th Election District – 5th Councilmanic District
Legal Owner: Christian & Rosana Allison

Special Hearing to approve the removal of most of the existing barn due to deteriorated condition and rebuild to accommodate the in-law's apartment and to amend previously approved plan for 00-188-SPH.

HEARING: Friday, May 31, 2002 at 10:00 a.m. in Room 106, Baltimore County Office Building, 111 W Chesapeake Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon (S)Z
Director

C: Gast Construction Co Inc, Cheryl Williams, 11100 Pulaski Highway,
White Marsh 21162
Mr. & Mrs. Christian Allinson, 12020 Brooknoll Drive, Kingsville 21087

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MAY 16, 2002.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 23, 2002 Issue – Jeffersonian

Please forward billing to:

Cheryl Williams
Gast Construction Co
111100 Pulaski Highway
White Marsh MD 21162

410 335-4200

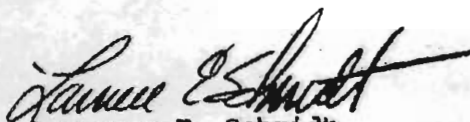
NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-436-SPH
12020 Brooknoll Drive
N/S of Brooknoll Drive, 275' W centerline of Mt Vista Road
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Legal Owner: Christian & Rosana Allison

Special Hearing to approve the removal of most of the existing barn due to deteriorated condition and rebuild to accommodate the in-law's apartment and to amend previously approved plan for 00-188-SPH.

HEARING: Friday, June 7, 2002 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G72
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

May 13, 2002

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-436-SPH
12020 Brooknoll Drive
N/S of Brooknoll Drive, 275' W centerline of Mt Vista Road
11th Election District – 5th Councilmanic District
Legal Owner: Christian & Rosana Allison

Special Hearing to approve the removal of most of the existing barn due to deteriorated condition and rebuild to accommodate the in-law's apartment and to amend previously approved plan for 00-188-SPH.

HEARING: Friday, June 7, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon GDZ
Director

C: Gast Construction Co Inc, Cheryl Williams, 11100 Pulaski Highway,
White Marsh 21162
Mr. & Mrs. Christian Allinson, 12020 Brooknoll Drive, Kingsville 21087

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MAY 23, 2002.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

May 24, 2002

Mr. & Mrs. Christian Allison
12020 Brooknoll Drive
Kingsville, MD 21087

Dear Mr. & Mrs. Allison:

RE: Case Number: 02-436-A, 12020 Brooknoll Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on 4/8/02.

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

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

Very truly yours,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:

Enclosures

c: Cheryl Williams, Gast Construction Co. 11100 Pulaski Highway, White Marsh, MD
21162
People's Counsel

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

DATE: May 21, 2002

FROM: Robert W. Bowling, Supervisor *RWB/DAK*
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for April 22, 2002
Item Nos. 424, 427, 428, 429, 430, 431,
433, 434, 435, 436, 437, 438, 439, 440,
441 and 442

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:CEN:cab

cc: File

JCS
6/10

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

DATE: May 31, 2002

TO: Arnold Jablon

FROM: R. Bruce Seeley *Res 1725*

DATE: May 31, 2002

SUBJECT: Zoning Item 436
Address 12020 Brooknoll Drive (Allinson Property)

Zoning Advisory Committee Meeting of 4/22/02

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

_____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

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

X If streams or wetlands occur on or within 200 feet of the property, the development of the property may need to comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

X Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

_____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

Reviewer: Glen Shaffer

Date: 5/14/02

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE
MANAGEMENT

TO: Arnold Jablon

DATE: June 6, 2002

FROM: R. Bruce Seeley *RBS*

SUBJECT: Zoning Item 436
Address 12020 Brooknoll Drive (Allinson Property)

Zoning Advisory Committee Meeting of 4/22/02

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

The previous proposal to renovate the existing barn for temporary use as an in-law apartment was approved by this Department with conditions as stated in the attached letter dated September 18, 2000. We will only honor this agreement, if properly executed and recorded in Land Records, until December 10, 2002.

However, this proposal to allow a new house (to look like a barn) to be constructed on this property should be denied. The location of the stream, pond and the 100' setback requirement for the septic reserve area leaves insufficient room to allow an apartment in a separate building.

X Development of this property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

X Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

Additional Comments:

Reviewers: Rob Powell, Glen Shaffer

Date: 5/14/02

Attachments

LD [Signature]
5/31
6/7

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: May 7, 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning



SUBJECT: 12020 Brooknoll Drive

INFORMATION:

Item Number: 02-436

Petitioner: Christian Allison

Zoning: RC 2

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request to raze an existing barn, and to construct an in-law apartment in its stead. This office also supports the request to amend the special exception Case No. 00-188-SPH to reflect this change providing the restrictions germane to Zoning Commissioner's initial ruling continue to apply.

Prepared by:

[Signature]

Section Chief:

[Signature]

AFK/LL:MAC:

RE: PETITION FOR SPECIAL HEARING
12020 Brooknoll Drive, N/S Brooknoll Dr,
275' W of c/l Mt. Vista Rd
11th Election District, 11th Councilmanic

Legal Owner: Christian & Rosana Allinson
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-436-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of May, 2002 a copy of the foregoing Entry of Appearance was mailed to Cheryl Williams, Gast Construction Co., Inc., 11100 Pulaski Highway, White Marsh, MD 21162, representative for Petitioners.

Peter Max Zim

PETER MAX ZIMMERMAN



Baltimore County
Department of Environmental Protection
and Resource Management
Ground Water Management

401 Bosley Avenue, Suite 416
Towson, Maryland 21204
410-887-2762
Fax: 410-887-4804

September 18, 2000

Mr. & Mrs. Christian Allinson
12020 Brooknoll Drive
Kingsville, Maryland 21087

RE: Proposed In-Law Apartment to be Constructed at 12020 Brooknoll Drive,
District 11

Dear Mrs. Allinson

On Friday, September 8th, Mr. Kevin Koepenick and I met with you regarding the above referenced property which you own. During that meeting you had requested that this office reconsider its previous denial to renovate the barn into an in-law apartment. During our meeting you had presented additional information regarding the zoning special hearing of which we were not aware. Review of the order written by Mr. Larry Schmidt, Zoning Commissioner for Baltimore County reveals that your request to renovate the barn was approved by Mr. Schmidt with several conditions; one of which was that the barn can only be used by the petitioners' in-laws and that when they move out, the barn cannot be converted for use as a separate dwelling unit or be leased as an apartment. This restriction alleviates our concern about future useage of the barn should the property be conveyed to another person.

Consequently, this office will approve a permit to renovate the barn as proposed and to connect to the sewage disposal system currently serving the existng dwelling provided you agree to the aforementioned condition in the zoning commissioner's written order and have the following agreement recorded in Land Records of Baltimore County. The agreement is as noted below:

"We _____, _____, as owners of the property known as 12020 Brooknoll Drive, Kingsville, Maryland, 21087, deed reference, Liber _____, Folio _____, Dated _____; hereby agree to the following

The barn located on the property that is to be renovated into an in-law apartment is for the sole use of our in-laws only and will not be occupied by any other person or party. At such point in time as our in-laws move out of the apartment

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or otherwise cease to occupy the structure, the use of the in-law apartment shall cease and terminate immediately. At that point in time forward, the subject structure cannot be converted into or otherwise used as a separate dwelling or be leased/rented as an apartment. All waste plumbing fixtures will be removed from the structure, the plumbing waste lines capped and the septic tank and sewage pumping tank (to be installed), will be abandoned, pumped and backfilled.

We further agree to notify, in writing, any contract purchaser of this property of this restriction, prior to conveyance of said property.

By our signatures, we, as owners of the property known as 12020 Brooknoll Drive, do hereby agree to the above restriction;

(Name) _____ (Date) _____
(Name) _____ (Date) _____,"

If you have any questions regarding this matter, please contact this office.

Sincerely,



James R. Powell, R.S.



1997 Gold Award Recipient



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

March 17, 2003

James Grammer
McKee & Associates, Inc.
5 Shawan Road, Suite 1
Cockeysville, MD 21030

RE: Spirit and Intent; case 02-436-SPH (00-188-SPH); 12020 Brooknoll Court; 11th Election District

Dear Mr. Grammer:

Your recent letter to Arnold Jablon, Director – PDM, was forwarded to me for reply. Based upon the information you provided and my review of the subject zoning case, the following has been determined:

This office considers your request to construct a two-story, 32'x36' barn which will serve as in-law living quarters with a side yard setback of 27 ft. is within the "spirit and intent" of the Baltimore County Zoning Regulations relative to the orders and plans contained in the above referenced zoning cases.

This "spirit and intent" approval is subject to any required Use and Occupancy permits and construction permits. Contact the Permit Processing Office at 410-887-3900 in that regard.

If a permit is required, you must incorporate a copy of this response letter on all plans submitted for review.

This "spirit and intent" approval applies to the zoning regulations and policies only and does not apply to regulations enforced by other County and State agencies.

A copy of your letter and accompanying site plan, and this response will be recorded and made a permanent part of the zoning case files.

I trust that the information set forth in this letter is sufficiently detailed and responsive to your request. If you need additional information or have any questions, I can be reached at 410-887-3391.

Sincerely,

A handwritten signature in cursive script that reads "Bruno Rudaitis".

Bruno Rudaitis
Planner II
Zoning Review

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper

McKEE & ASSOCIATES, INC.

Engineering • Surveying • Environmental Planning
Real Estate Development

3/11/03

WAL

8

To: BPR
Environmental request
for 10.00 -
index - 50.00
S.E. - 3/12/03

February 27, 2003

Mr. Arnold Jablon, Director
Permits and Development Management
Zoning Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Jablon:

**Subject: 12020 Brooknoll Court
Case No. 02-436-SPH (00-188-SPH)
Spirit and Intent**

The owners of the property located at #12020 Brooknoll Court filed for, and received approval of, a Special Hearing to allow for the removal and replacement of an existing barn to be used as an in-law-house.

The owners prepared the Plat to Accompany the Petition for Special Hearing. This office was contacted to prepare a Plan to Accompany the Building Permit Application. During the preparation, it was noted that the setbacks for the existing barn shown on the Zoning Plat were different than those in the field.

By this letter, we are requesting confirmation that the setbacks shown on the plan entitled Preliminary Plan, 12020 Brooknoll Court, dated 12-03-2002 (Rev. 1/3/03), prepared by this office conform with the spirit and intent of the Zoning Commissioner's Order for Case No. 02-436-SPH, dated June 19, 2002. We have enclosed the ten-dollar review fee and relevant plans.

Very truly yours,

McKEE & ASSOCIATES, INC.


James D. Grammer, Associate

JDG:mcc
Enclosures

03-0619



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

June 3, 2002

Mr. & Mrs. Christian Allinson
12020 Brooknoll Drive
Kingsville, Maryland 21087

RE: Petition for Special Hearing
(12020 Brooknoll Drive)
Case No. 02-436-SPH

Dear Mr. & Mrs. Allinson:

This letter is to confirm that the above-captioned matter, which was scheduled for Friday, June 7, 2002, has been postponed, due to a scheduling conflict, and rescheduled for Monday, June 10, 2002, at 12:00 PM in Room 407 of the County Courts Building. Pursuant to my telephone conversation with you this date, you will arrange for the sign on your property to be changed as quickly as possible to reflect the new date and time. Thank you for your cooperation in this matter, and should you have any questions, please do not hesitate to call me.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Ms. Cheryl Williams
Gast Construction Co., 11100 Pulaski Highway, White Marsh, Md. 21162
Mr. George Zahner, DPDM; People's Counsel; Case File

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Baltimore County
Department of Environmental Protection
and Resource Management

401 Bosley Avenue, Suite 416
Towson, Maryland 21204

September 29, 2000

Ms. Rosana Allinson
12020 Brooknoll Dr.
Kingsville Md. 21087

Re: 12020 Brooknoll Dr.
Preliminary Assessment
In-Law Apartment in Barn

Dear Ms. Allinson:

This office has completed a preliminary assessment of the above referenced property for environmental constraints in relation to the proposal to convert a barn structure into a temporary in-law apartment. The site is lot 3 of Brooknoll, Section 2 and contains the following improvements; a single-family residence, a barn/shed structure.

Sweathouse Branch, a Use III, 3rd order or greater stream, and tributary to Gunpowder Falls, flows through the lot from northeast to southwest. A flood control easement associated with this stream is indicated on the approved plat. Flowing across the site near the western property line (from the south), is a first order tributary to Sweathouse Branch. A pond is located on the western portion of the lot, and is partially fed by the 1st order stream. The berm for this pond is fill, and is parallel, and very close, to Sweathouse Branch. There are scattered trees in the areas of the house, barn, and pond. Lawn, and/or field exist in much of the southern area of the lot and crosses the stream in an area on the east side of the lot. Forested areas include most of the northern part of the property and the area directly west of the barn. Junk and debris adjacent to the barn is in the process of being cleaned up.

Based on this review, the proposed construction of the in-law structure on the existing foundation of the barn shed must comply with the following:

1. The required buffers for protection of the resources on the southern portion of the site are as follows:
 - a. 25 feet measured off the 100-year floodplain, the stream, and/or non-tidal wetlands. The greater extension of these limits will be the Buffer Limit.
 - b. The existing foundation for the barn is only 20 feet from the edge of the pond/non-tidal wetland. While the existing foundation can be used, no additional disturbance, including proposed porches, additions, etc. can be within the minimum 25 foot Buffer. All work for construction shall take place outside the Buffer. The only exception to this is the clean up of the junk and debris in the area west of the barn/shed. The clean up must minimize disturbance to the forest, and should stay outside the wetlands, stream, and minimum wetlands buffer. The concrete patio within 10 feet of the pond shall be removed. Add the underlined statement to the site plan

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2. The Buffer Area indicated on the attachment must appear on all site plans along with the following note:
 - a. There shall be no clearing, grading, construction, or disturbance of vegetation in the Buffer Area except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
3. The pond berm must be maintained to prevent potential failure of the berm due to woody vegetation. It is recommended that a professional engineer be consulted to determine the viability of the berm, and any course of action. Failure of the berm could result in ecological and physical damage to the stream as well as personal and/or property damage.
4. Revise the plan to show the correct location of the pond.

If there are any questions concerning this matter, please contact me at 410-887-3980.

Very truly yours,



Paul A. Dennis
Natural Resource Specialist
Environmental Impact Review

PAD; pad
C:\paul\mydoc's\brookn3pa

5/9/02
Suse
ag

12020 Brookmoll Drive
Kingsville, Md. 21087
May 8, 2002

Mr. Arnold Jablon, Director
Department of Permits and Development Management
Baltimore County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

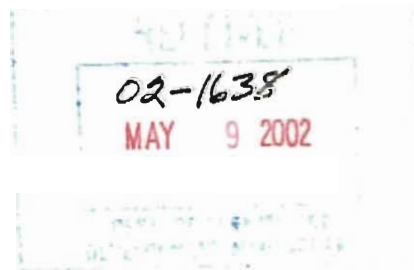
Dear Sir:

We received your notice for the hearing of case no. 02-436-SPH for Friday, May 31, at 10 a.m. My husband will be unable to attend on that day. We were hoping we might change the date to Monday June 3rd or Friday, June 7. We appreciate your consideration in this matter.

Rosana Allinson

Rosana Allinson

I can be reached at 410/592-8597





11615 Cedar Lane
Kingsville, Maryland 21087
June 1, 2002

Judge Lawrence E. Schmidt, Zoning Commissioner
Suite 405, County Courts Building
405 Bosley Avenue
Towson, Maryland 21204

Re: Zoning Hearing June 7, 2002
Case No. 02-436-SPH
12020 Brooknoll Drive
Kingsville, Maryland 21087

Dear Judge Schmidt:

On the above date we are scheduled for a hearing before you in regard to the "removal of most of the barn due to deteriorated condition." We appreciate the variance you previously granted us in December, 1999 and look forward to meeting with you again on Friday. At that time we would like to include as an additional amendment the topic of "reuse" to the planned dwelling. We would be most appreciative if you would consider this subject as we meet together along with the above proposed case.

Yours sincerely,

M. Marie Allinson

M. Marie Allinson



Baltimore County
Zoning Commissioner

September 6, 2001

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

Ms. M. Marie Allinson
11615 Cedar Lane
Kingsville, Maryland 21087

RE: PETITION FOR SPECIAL HEARING
12020 Brooknoll Drive
Case No. 00-188-SPH

Dear Ms. Allinson:

In response to your letter dated August 3, 2001 concerning the above-captioned matter, the following comments are offered.

Please be advised that pursuant to the rule of law as contained in the Baltimore County Code and the Rules of Practice and Procedure before the Zoning Commissioner of Baltimore County, my written Findings of Fact and Conclusions of Law is considered final on the 31st day after its issuance. That is, it is only during the 30 days following the date of an Order that an individual can request a reconsideration or modification of the decision, or file an appeal to the County Board of Appeals. I point out these provisions in that my decision in the above-captioned matter was issued on December 22, 1999 and your request for modification of Restriction No. 2 of that Order is well after the expiration of the 30-day time period.

Notwithstanding these provisions of law, it was my intent to permit an informal revision of the prior Order in response to your letter. That is, after I read your letter, it seemed appropriate to permit either set of in-laws (e.g., you and your husband, or your son's in-laws) to reside on the property in the existing barn, which was to be renovated for that purpose. Although such a provision would prohibit individuals other than the in-laws from residing in the structure, I believed that allowing either set of in-laws to reside on the property would be appropriate.

However, I have since become aware of a letter from Ms. Mary Gast on behalf of Gast Construction Company, Inc. to Arnold Jablon, Director of the Department of Permits and Development Management. Apparently, that company has been hired to raze the barn and build a new accessory structure that will be occupied as an in-law apartment. Ms. Gast's letter and the building drawings attached thereto raise additional concerns. Apparently, unlike the original plan to place living quarters in an existing building to accommodate elderly relatives, the current plans appear to call for the construction of a new residential building on the property. The zoning regulations simply do not allow two principal residential buildings on the same parcel. Additionally, whether it is practical to convert a new building to a non-residential purpose after its occupancy is questionable.

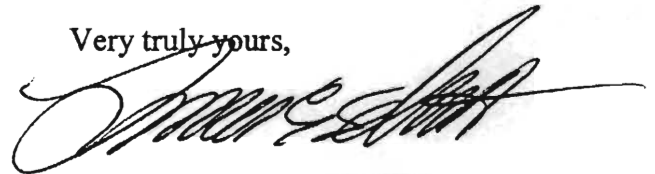
Come visit the County's Website at www.co.ba.md.us

Ms. M. Marie Allinson
September 6, 2001
Page 2

In view of the issues raised by your proposal, I believe that an additional public hearing should be held to consider what appear to be significant changes to the original plan. This hearing could be accomplished by way of the filing of a Petition for Special Hearing to formally amend the original decision in this matter. I also point out that the property could be subdivided to create two separate parcels and suggest that the property owners might consider whether the subdivision of the property into two distinct lots is permissible and appropriate in this instance.

Should you have any further questions on the subject, please do not hesitate to contact me.

Very truly yours,



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Ms. Mary Gast, Gast Construction Co., Inc.
11100 Pulaski Highway, White Marsh, Md. 21162
DPDM (Case File)

887.3391

RECEIVED

MAY 13 2003

ZONING COMMISSIONER

Lawrence E. Schmidt
Baltimore County Zoning Commissioner
Suite 405 County Courts Buildin
401 Bosley Avenue
Towson, Maryland 21204

Re: N/S Brooknoll Drive
Case No. 00-188-SPH

On June 10, 2002 my wife and I, my mother and father, and Cheryl Williams of Gast Construction Company appeared before you requesting permission for the removal and reconstruction of the existing barn for use as living quarters for in-laws dwelling which you granted at that hearing. At the end of same hearing my mother, Marie Allinson made a point of requesting that at some time in the future when I might desire to sell my property that my wife and I could market our home with in-law quarters. At that time you gave your permission for this. However, in reading your letter of June 19, 2002 we find no mention of this. We would appreciate having something in writing to this effect

As we have just been granted our Building Permit and have agreed to meet all the restrictions that The Department of Environmental Protection and Resource Management have requested along with that permit, we are now most anxious to begin building.

Thank you for your kindness in the past to my family and I.

Yours sincerely,

Christian L. Allinson

Christian L. Allinson
12020 Brooknoll Drive
Kingsville, Maryland 21087



Baltimore County
Zoning Commissioner

May 20, 2003

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

Mr. & Mrs. Christian Allinson
12020 Brooknoll Drive
Kingsville, Maryland 21087

RE: Petition for Special Hearing
(12020 Brooknoll Drive)
Cases Nos. 00-188-SPH and 02-436-SPH

Dear Mr. & Mrs. Allinson:

In response to your recent letter concerning the above-captioned matter, received in this office May 13, 2003, the following comments are offered.

There were actually two zoning cases for your property. In Case No. 00-188-SPH, approval was granted on December 22, 1999 to allow the conversion of an existing barn to accommodate a proposed in-law apartment. Thereafter, in Case No. 02-436-SPH, relief was requested to approve the removal and reconstruction of the existing barn for use as living quarters for in-laws, and an amendment to the site plan approved in Case No. 00-188-SPH to reflect the proposed modifications. At the hearing held in that matter, it was indicated that the barn could not be rehabilitated as previously proposed and thus, a request was made to raze that structure and construct a new building in its place for the same purpose.

I granted the relief by my Opinion and Order dated June 19, 2002. Within my opinion, the use of the in-law apartment is discussed. My opinion states in part "The Petitioners were advised that the B.C.Z.R. does not permit two dwellings on one single lot of record in an R.C.2 zone, unless one is a tenant house, an in-law apartment, etc. Thus, the in-law dwelling must be occupied by family members and cannot be used for rental/income purposes." Should the property be sold to a third party, the requirements would remain the same. The "second dwelling" on the property need be used by a member of the property owners' family and cannot be used as a second dwelling unit for rental purposes. The issue would be resolved based upon the identity of the property owner and the relationship of the proposed tenant.

Please do not hesitate to call me should you need further clarification of this issue.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

✓ cc: Case File

Come visit the County's Website at www.co.ba.md.us





Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

December 22, 1999

Mr. & Mrs. Christian Allinson
12020 Brooknoll Drive
Kingsville, Maryland 21087

RE: PETITION FOR SPECIAL HEARING
N/S Brooknoll Drive, 275' W of the c/l Mt. Vista Road
(12020 Brooknoll Drive)
11th Election District - 5th Councilmanic District
Christian L. Allinson, et ux - Petitioners
Case No. 00-188-SPH

Dear Mr. & Mrs. Allinson:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party 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 Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: People's Counsel; Case File

IN RE: PETITION FOR SPECIAL HEARING
N/S Brooknoll Drive, 275' W of the c/l
Mt. Vista Road
(12020 Brooknoll Drive)
11th Election District
5th Councilmanic District

Christian L. Allinson, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 00-188-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, Christian L. and Rosana Allinson. The Petitioners request a special hearing to approve the use of an existing accessory structure (barn) as an in-law apartment on a single R.C.2 zoned lot which has an existing single family dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing held in support of this request were Christian and Rosana Allinson, and his parents, Robert and Marie Allinson. The senior Mr. & Mrs. Allinson will occupy the proposed in-law apartment unit. There were no Protestants or other interested persons present.

An examination of the site plan discloses that the subject property consists of a gross area of 4.95 acres, more or less, zoned R.C.2, and is located on Brooknoll Drive, not far from Mt. Vista Road in the Kingsville area of northeastern Baltimore County. Presently, the property is improved with a single family dwelling and a 30' x 30' barn. Mr. & Mrs. Allinson have owned and resided on the subject property for several years. Due to his parents' advancing age, and concerns over their health, Mr. Allinson proposes to renovate the existing barn to provide living quarters for his parents. The barn was described at the hearing, as was the proposed improvements thereto. The living quarters to be created within this structure include a large living room on the first floor,

as well as a bathroom and kitchen area. The second floor will feature a den. Although Mr. & Mrs. Allinson winter in Florida, it is their intention to occupy the apartment during the warmer months in Maryland.

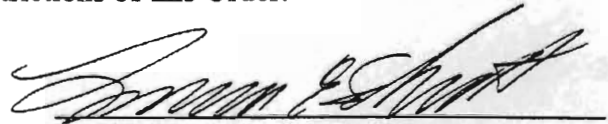
Based upon the testimony and evidence presented, I am persuaded to grant the Petition for Special Hearing. The Petitioners have legitimate concerns over Mr. & Mrs. Allinson's health and age. The property is large enough to accommodate this request and the existing barn can be renovated appropriately. Mr. & Mrs. Allinson understand that the barn can be utilized only as an in-law apartment, and in the event of the death or relocation of Mr. Allinson's parents, the use must be discontinued. That is, these living quarters cannot be used thereafter as a separate dwelling unit or for rental purposes. In accordance with this understanding, the Petition shall be granted.

Testimony indicated that the subject property is on a private well and septic system. There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any Baltimore County reviewing agency, and in particular, from the Department of Environmental Protection and Resource Management (DEPRM). Inasmuch as the property is served by a private well and septic system, DEPRM may require that tests be performed to insure that the well and septic are capable of supporting the additional living quarters proposed herein. Thus, I shall require compliance with any recommendations made by DEPRM relative to this issue.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22nd day of December, 1999 that the Petition for Special Hearing to approve the use of an existing accessory structure (barn) as an in-law apartment on a single R.C.2 zoned lot which has an existing single family dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The relief granted herein is limited to use by Robert and Marie Allinson. Upon the death or relocation of the senior Mr. & Mrs. Allinson, the use of the in-law apartment shall cease and terminate. Moreover, the barn cannot be converted for use as a separate dwelling unit or leased as an apartment.
- 3) Compliance with any recommendations made by DEPRM to insure that the private well and septic system are capable of accommodating the additional living quarters proposed herein.
- 4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

12/19/00

J-1

BALTIMORE COUNTY SOIL CONSERVATION DISTRICT
SEDIMENT AND EROSION CONTROL STANDARD PLAN
FOR AREAS NOT TO EXCEED 20,000 SQUARE FEET

LANDOWNER: Christian AllisonADDRESS: 12020 Brooknoll DriveKingsville MD 21087, hereby requests a Standard Plan
for Sediment and Erosion Control to be used for constructionof SFD located at 12020 Brooknoll Drive

Map Coordinates: _____

Precinct: 11 District: 3

"I hereby certify that all requirements for this Plan will be met and
that all grading and construction will be done according to the
requirements and guidelines for this plan.

Signature of Landowner/Agent: [Signature]8/29/01
(DATE)Printed name of landowner/agent: Mary Frances Gasi

BALTIMORE COUNTY SOIL CONSERVATION DISTRICT

APPROVED FOR SEDIMENT CONTROL

296-COUNTY-00
Plan NumberVernon R. Foster
DISTRICT OFFICIAL

Technical review for the District by:

[Signature]
USDA NATURAL RESOURCES CONSERVATION SERVICE

Approved by the Baltimore County SCD, to be issued by Baltimore County.

Completed copy sent to SCD.

Date _____

This plan is not valid for issue after 12-31-01.

IF ANY OF THE LIMITATIONS FOR THE USE OF THIS PLAN CANNOT BE MET,
THIS PLAN CANNOT BE USED, AN INDIVIDUAL SEDIMENT CONTROL PLAN MUST BE
SUBMITTED TO THE DISTRICT. IN ADDITION, THIS PERMIT MAY BE TERMINATED
AT ANYTIME BY THE DISTRICT WITH SIXTY (60) DAYS ADVANCE NOTICE.

Post-it Fax Note

7671

To Cheryl
Co./Dept. Cost Est1-24-01
From Bruce

1 OF 2

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

Christian L. Allinson

12020 Brooknoll dr. Kingsville, 21087

M. Marie Allinson

11615 Cedar Ln " "

Rasana T. Allinson

12020 Brooknoll dr. Kingsville, Md

Cheryl Williams

11100 Pulaski Hwy

Last Construction

White Marsh, MD 21162

Robert F. Allinson

11615 Cedar Lane Kingsville, Md

PLAT TO ACCOMPANY PETITION FOR ZONING ☐ VARIANCE ☒ SPECIAL HEARING

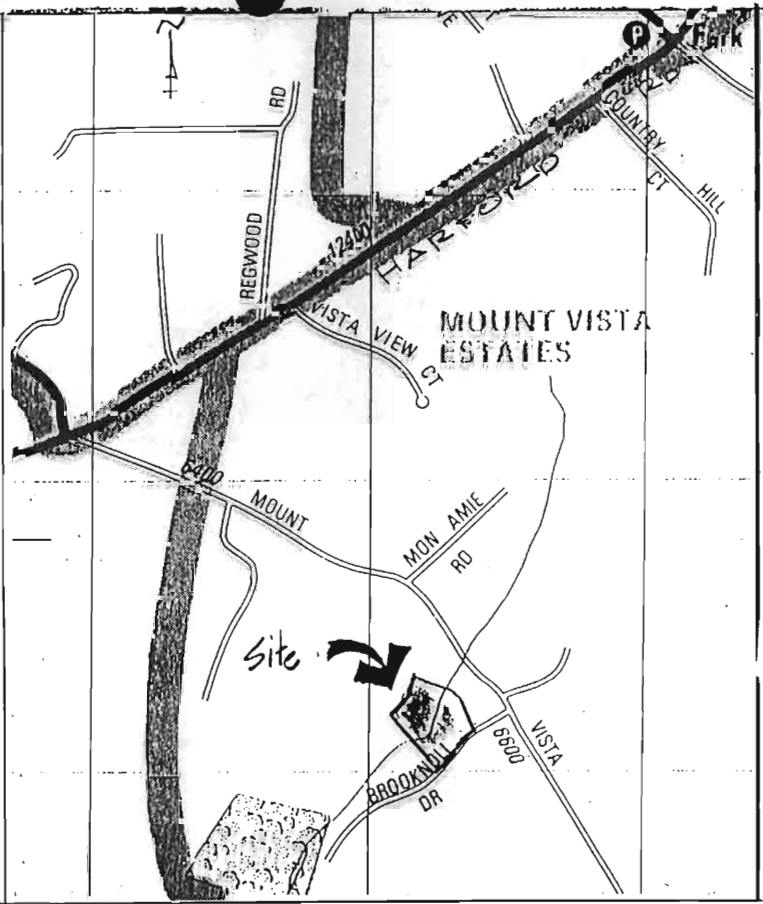
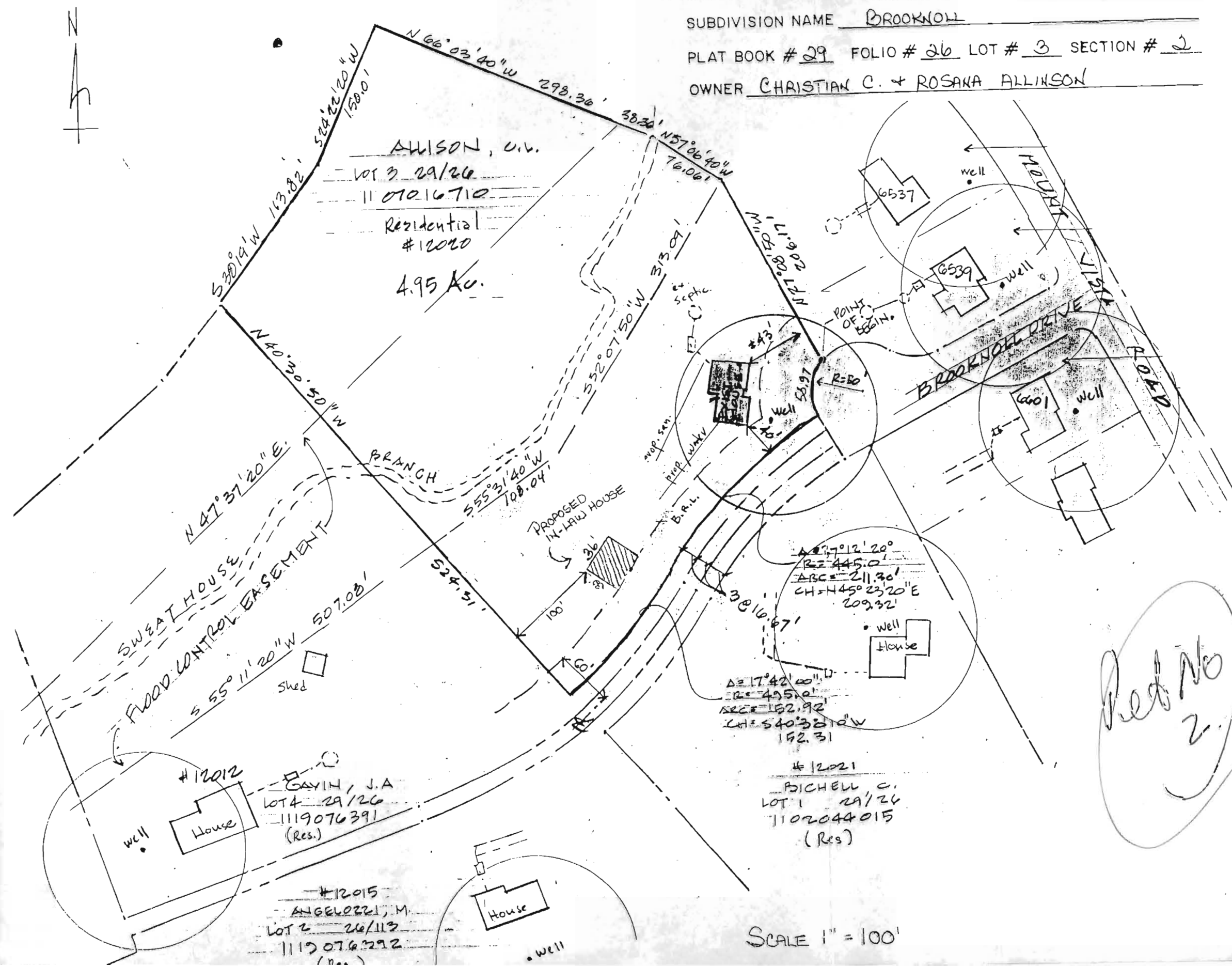
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

PROPERTY ADDRESS 12020 BROOKNOH DRIVE

SUBDIVISION NAME BROOKNOH

PLAT BOOK # 29 FOLIO # 26 LOT # 3 SECTION # 2

OWNER CHRISTIAN C. & ROSANA ALLINSON



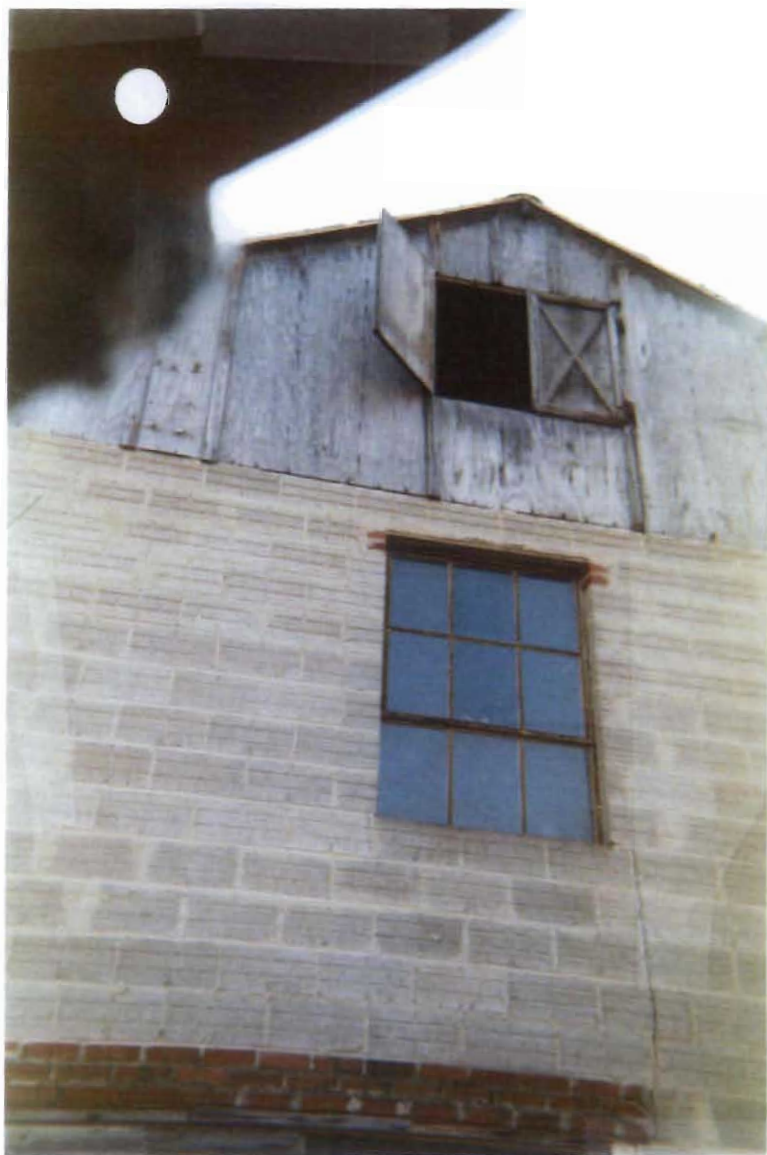
LOCATION INFORMATION.

Election District: 11
Councilmanic District: 6
1"=200' scale map#: 15H - N.E.
Zoning: RC2
Lot size: 4.95 acreage 215,622 square feet
SEPTIC ☐ SEWER: ☐ ☒
WATER: ☐ ☒
Chesapeake Bay Critical Area: ☐ ☒
Prior Zoning Hearings: 00-188-SPH
Property is NOT in 100 yr. Floodplain, FEMA No 280

Zoning Office USE ONLY!

reviewed by: D. THOMPSON ITEM #: 436 CASE #: 02-436-SPH

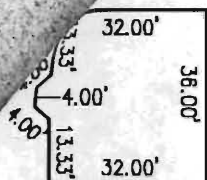




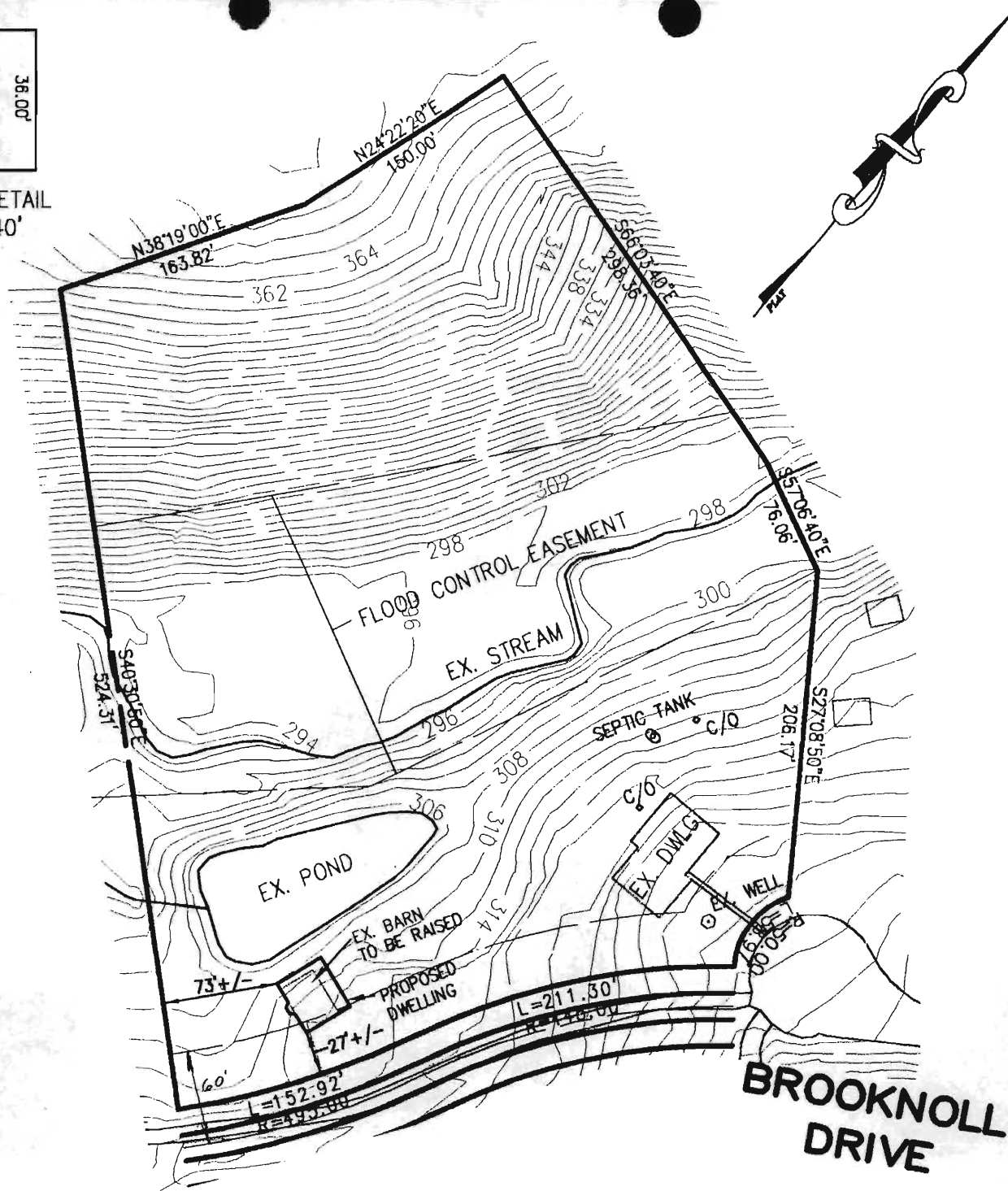








HOUSE DETAIL
1" = 40'



NOTES:

1. THE IMPROVEMENTS SHOWN HEREON ARE TAKEN FROM BALTIMORE COUNTY DATA AND FIELD OBSERVATIONS. NO BOUNDARY SURVEY HAS BEEN CONDUCTED.
2. TOPOGRAPHIC INFORMATION SHOWN HEREON IS TAKEN FROM BALTIMORE COUNTY GIS TILE 054b3.
3. PROPERTY LINES SHOWN ARE TAKEN FROM SUBDIVISION PLAT "REVISED PLAT of BROOKNOLL", SECTION 2 RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK 29, PAGE 26. PLAT RECORDED MARCH 12, 1963.
4. REFER ALSO TO ZONING CASE No. 02-436-SPH (00-188-SPH) FOR ADDITIONAL INFORMATION.

REV. 1/3/03 TO SHOW PROPOSED DWELLING REV 2/27/03 TO REVISE PROP. DWLG SETBACKS

PRELIMINARY PLAN #12020 BROOKNOLL COURT

LOT 3, SECTION 2, "BROOKNOLL", PLAT BOOK 29, FOLIO 26

11th ELECTION DISTRICT BALTIMORE COUNTY, MD

McKEE & ASSOCIATES, INC.

Engineering - Surveying - Natural Resources Planning

Natural Resource Planning - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD
TELEPHONE: (410) 527-1555

COCKEYSVILLE, MARYLAND 21030
FACSIMILE: (410) 527-1563

SCALE:

1" = 100'

DATE:

12-03-2002

REVISION:

REV 1/3/03

REV 2/27/03

JOB No.:

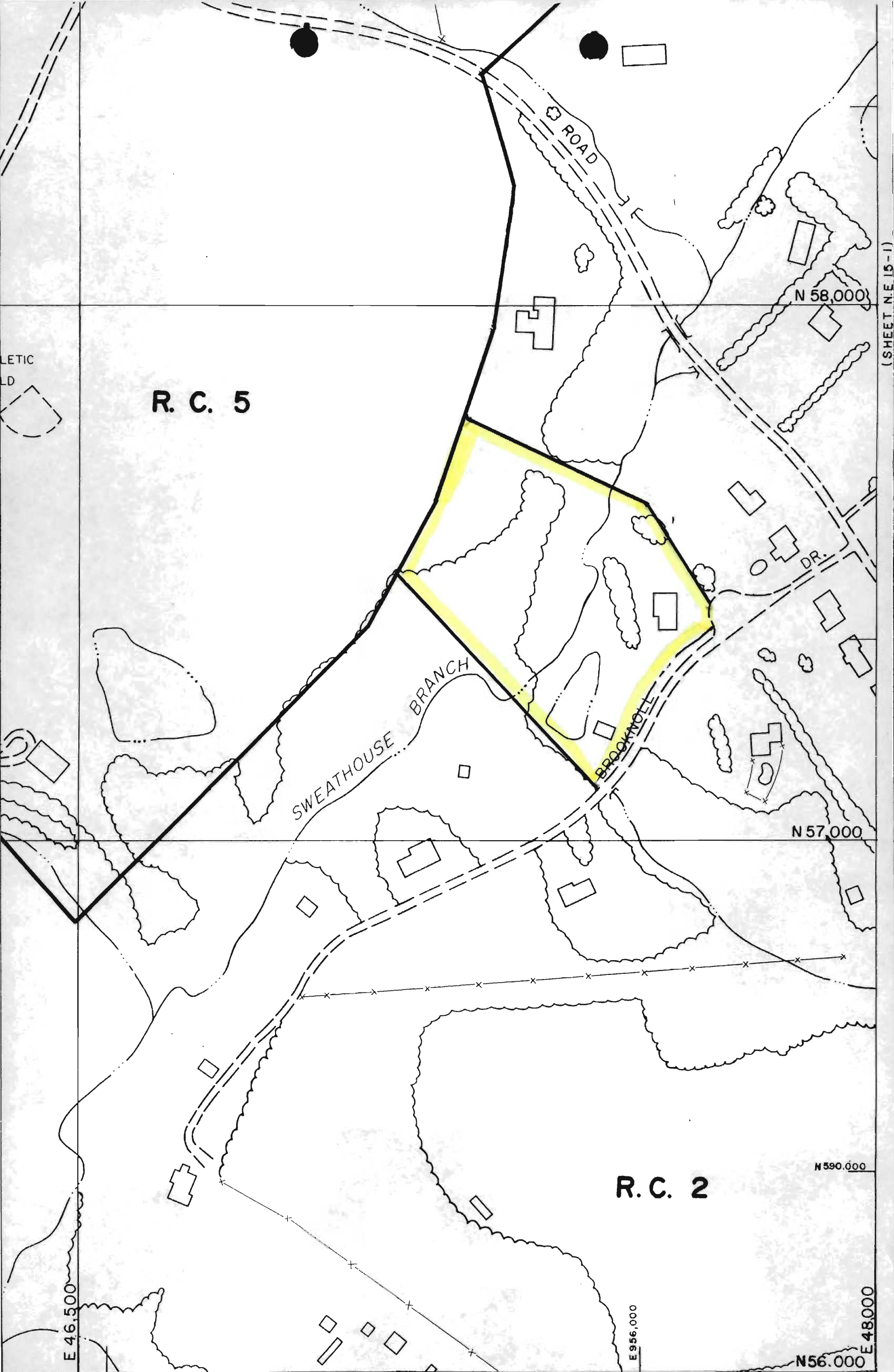
GAST-248

JAMES W. McKEE DATE
MARYLAND REG. No. 9012

DRAWN BY: CHECKED BY:

JT. JWE

JT.



(SHEET N.E. 15 1)

LETIC
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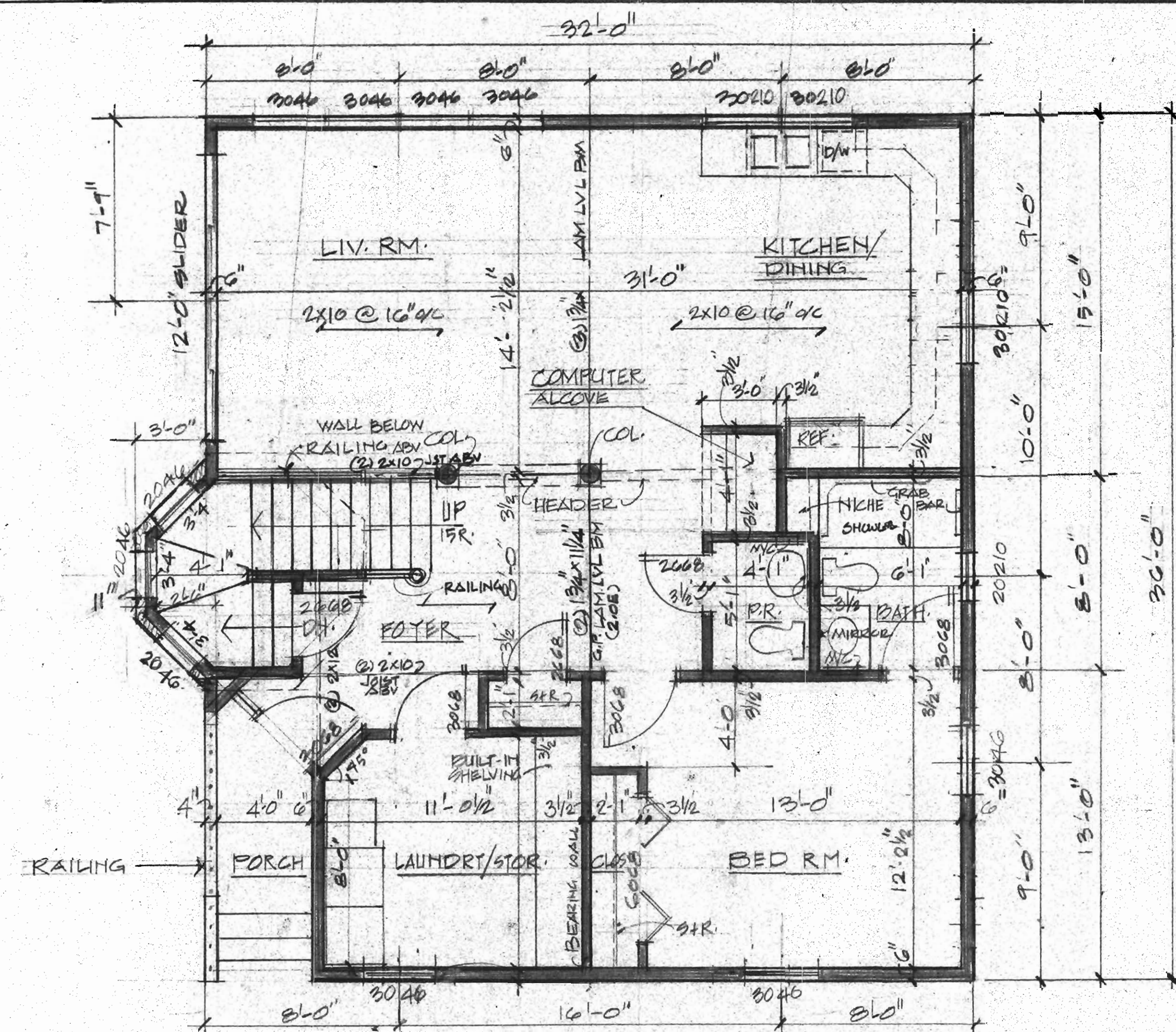
R. C. 5

R. C. 2

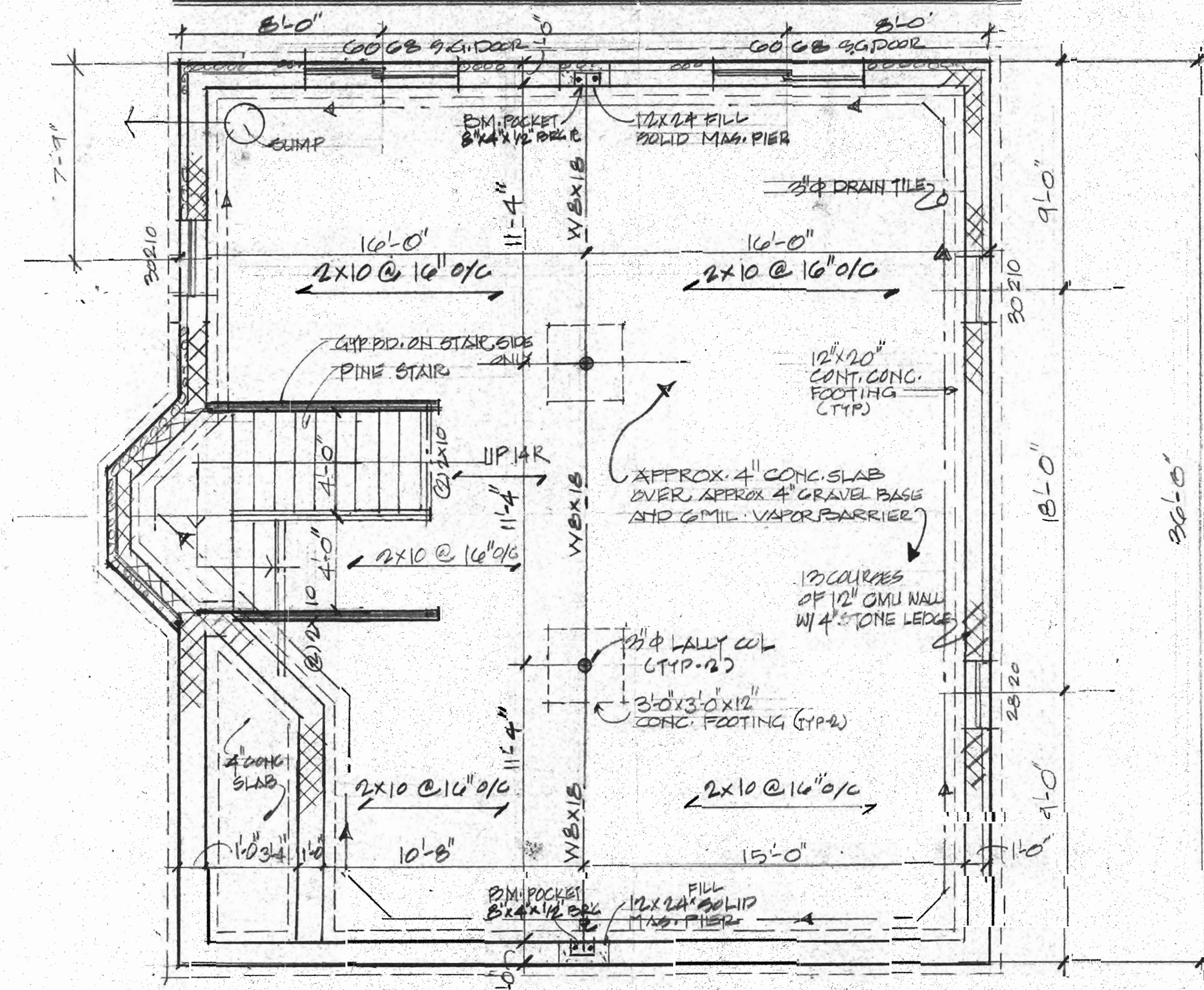
SCALE
1" = 200' ±

LOCATION
NE 15 4

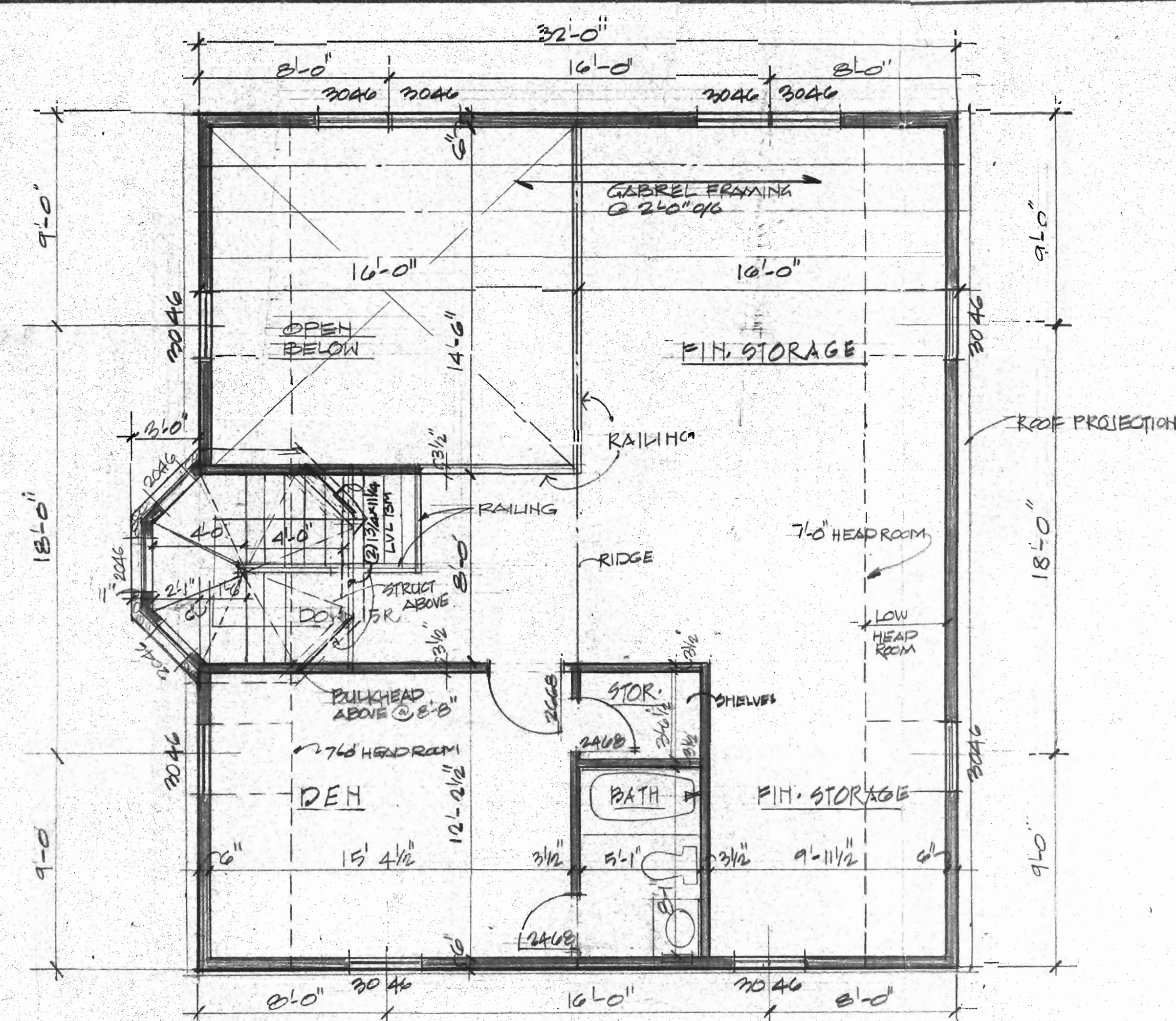
SHEET
N. E.



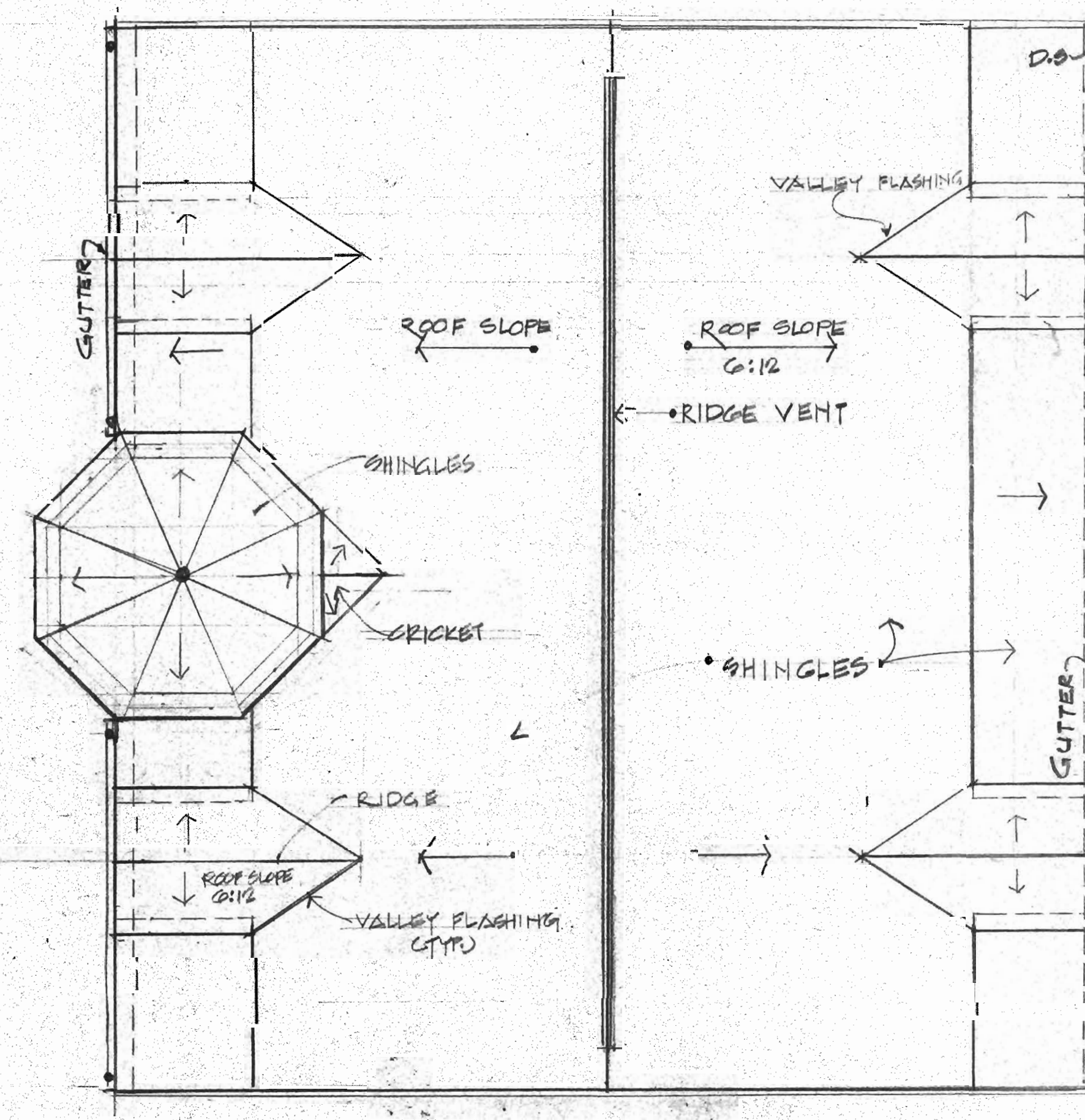
FIRST FLOOR PLAN SCALE: 1/4"=1'-0"



BASEMENT FLOOR/FOUNDATION PLAN 1/4"=1'-0"



SECOND FLOOR PLAN SCALE: 1/4"=1'-0"



ROOF PLAN SCALE: 1/4"=1'-0"

Red No 1



GAST

CUSTOM HOME DIVISION

CONSTRUCTION COMPANY INC.

ALLINSON RESIDENCE

FLOOR PLANS

SCALE: 1/4"=1'-0"

DATE: 7-30-01

REV. :

A1

