

IN RE: PETITION FOR VARIANCE
E/S Vincent Farm Lane, 320' S
of Gambrill Road
15th Election District
6th Councilmanic District
(10415 Vincent Farm Lane)

Linda M. & Stephen R. Alpin
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 03-155-SPH

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owners of the subject property, Linda M. and Stephen R. Alpin. The Petitioners are requesting zoning relief for property they own located at 10415 Vincent Farm Lane. The specific request is to approve an accessory building (pole barn) with a footprint that is larger than the existing principle dwelling and for the pole barn to be located in an R.C.2 zone when the existing residence is located on the R.C.3 zone.

Appearing at the hearing on behalf of the special hearing request was Stephen Alpin, owner of the property. There were no protestants or others in attendance.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, consists of 1.02 acres, more or less, split-zoned R.C.2 and R.C.3. Actually the R.C.2/R.C.3 zoning line runs through the middle of the Petitioners' property causing the dwelling wherein Mr. Alpin resides with his family to be located on property zoned R.C.3. The back half of the Petitioners' property is zoned R.C.2. Mr. Alpin is interested in constructing a pole barn on the rear of his property to provide additional storage space, as well as to accommodate the parking of automobiles. The pole barn in question is similar to the building on the adjacent property located to the south of Mr. Alpin's property. The photographs submitted into evidence and the testimony of Mr. Alpin indicated that his next door neighbor owns and

11/8/02
R. J. Gannon

operates a commercial greenhouse and nursery adjacent to his home. The pole barn that Mr. Alpin wishes to construct on his property is in character and keeping with the surrounding properties, in that there is a very large greenhouse immediately adjacent to his property line, as well as other large commercial buildings. Accordingly, it is appropriate to grant the special hearing relief to allow Mr. Alpin to construct his pole barn in the area depicted on the site plan.

After due consideration of the testimony and evidence presented at the hearing and the lack of opposition to this special hearing request, I find that the request should be granted. It is clear that practical difficulty or unreasonable hardship would result if the special hearing were not granted. It has been established that the requirements from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety or general welfare, and meets the spirit and intent of the Baltimore County Zoning Regulations (B.C.Z.R.).

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the special hearing relief shall be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 8th day of November, 2002, that the Petitioners' Request for Special Hearing from Section 500.7 of the Baltimore County Zoning Regulations, to approve an accessory building (pole barn) with a footprint that is larger than the existing principle dwelling and for the pole barn to be located in an R.C.2 zone when the existing residence is located on the R.C.3 zone, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners may apply for their 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 such time as the 30 day appellate process from this Order has

expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

11/18/02
R. J. Johnson



Baltimore County
Zoning Commissioner

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

November 8, 2002

Mr. & Mrs. Steve Alpin
10415 Vincent Farm Lane
White Marsh, Maryland 21162

Re: Petition for Special Hearing
Case No. 03-155-SPH
Property: 10415 Vincent Farm Lane

Dear Mr. Alpin:

Enclosed please find the decision rendered in the above-captioned case. The petition for special hearing has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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



Printed with Soybean Ink
on Recycled Paper



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 10415 Vincent Farm Lane
which is presently zoned R.C. 2 & R.C. 3

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.

A PROPOSED ACCESSORY BUILDING (POLE BARN) WITH A FOOTPRINT LARGER THAN THE EXISTING PRINCIPLE USE DWELLING; AND SAID ACCESSORY BUILDING (POLE BARN) TO BE LOCATED IN AN R.C. 2 ZONE WHEN THE EXISTING PRINCIPLE USE DWELLING IS LOCATED IN AN R.C. 3 ZONE (BOTH ON THE SAME LOT OF RECORD)

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:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

STEPHEN R. ALPIN

Name - Type or Print

Signature

Linda M Alpin

Name - Type or Print

Signature

10415 VINCENT FARM LN

Address

410
335-2043
Telephone No.

WHITE MARSH

City

MD

State

21162
Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JNP Date 9/27/02

Case No. 03-155-SPH

REU 9/15/98

Zoning Description for 10415 Vincent Farm Lane, White Marsh, MD

Beginning at a point on the east side of Vincent Farm Lane which is 50 feet wide at the distance of 320 feet ^{South} of the centerline of the nearest improved intersecting street Gambrill Rd, which is 24 feet wide. Being Lot#1, as recorded in Baltimore County Plat ~~Book # 47~~ "Property of Sarah F. Paul" Book # 47, Folio # 145, containing 1.02 AC/44431 sq. ft.. Also known as 10415 Vincent Farm Lane in the 15th Election District, 6th Councilmatic District.

03-155-SPH

No. 10015

DATE 7/27/02 ACCOUNT R-001-006-6150

AMOUNT \$ 100

RECEIVED
FROM: _____

RECEIVED FROM: Stephen R. Alper

FOR: Vincent Forman Lane (03-155-SPH)

Q. Special Hearing

YELLOW - CUSTOMER

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: #03-155 SPH

10415 Vincent Farm Lane

E/side of Vincent Farm Lane, 320 feet south of Gambrell Road

15th Election District - 6th Councilmanic District

Legal Owner(s): Stephen R. and Linda M. Alpin

Special Hearing: to approve a proposed accessory building (Pole Barn) with a foot print larger than the existing principle use dwelling, and said accessory building to be located in an R.C. 2 zone with the existing principle use dwell is located in an R.C. 3 zone. (Both on the same lot of record).

Hearing: Thursday, November 7, 2002 at 9:00 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.

JT/10/780 Oct. 22

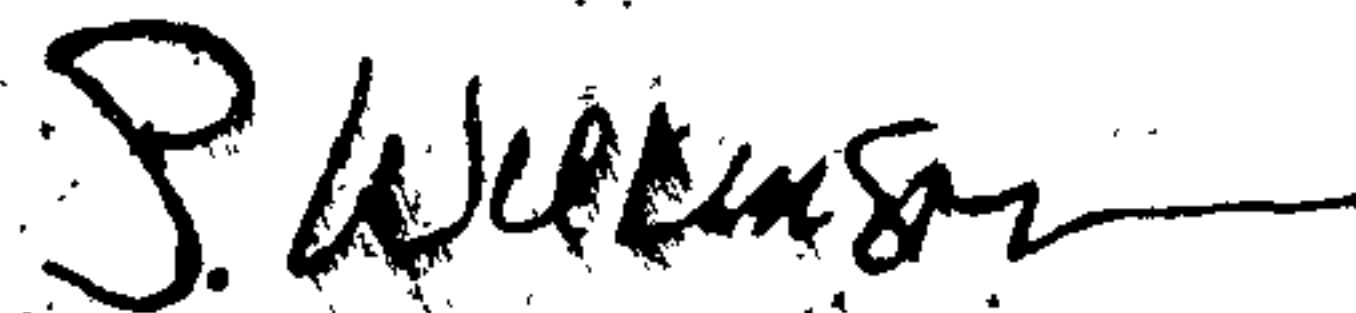
C570296

CERTIFICATE OF PUBLICATION

10/24/2002

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 10/22/2002.

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



LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 03-155-SPH

Petitioner/Developer: _____

Mr & Mrs. STEPHEN ALPIN

Date of Hearing/Closing: 11/7/02

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

Attention: MS. BECKY HART

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 _____

10415 VINCENT FARM LA.

The sign(s) were posted on 10/22/02
(Month, Day, Year)

CASE # 03-155 SPH

Sincerely,

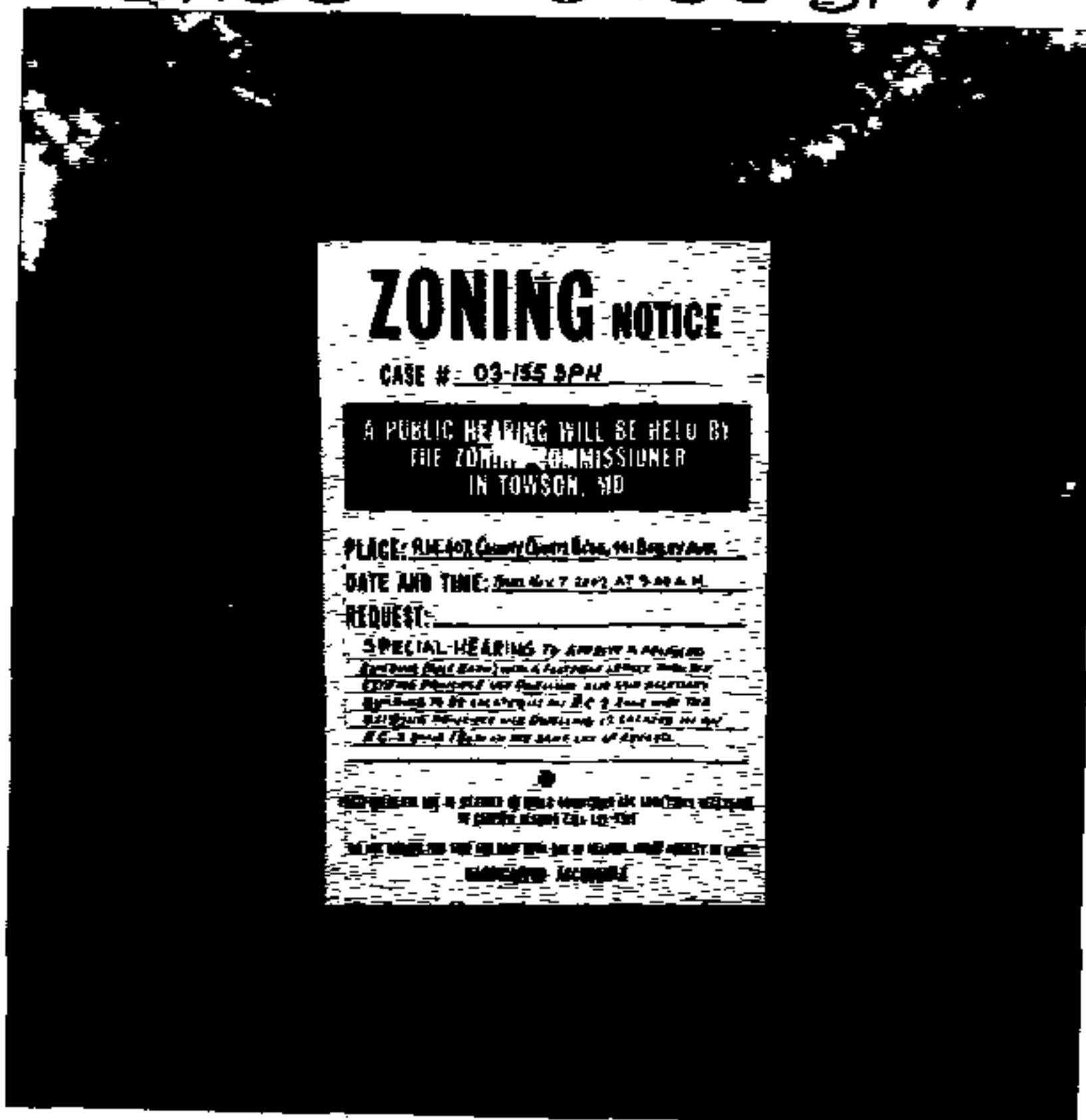
Richard E. Hoffman 10/22/02
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)



10415 VINCENT FARM LA
POSTED 10/22/02
Richard E. Hoffman 10/22/02

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
10415 Vincent Farm Lane E/side Vincent *
Farm Lane, 320' south Gambrill Road * ZONING COMMISSIONER
15th Election District 6th Councilmanic *
District * FOR
Legal Owner: Stephen R. & Linda M. Alpin *
Petitioner(s) * BALTIMORE COUNTY
* 03-155-SPH

* * * * *

ENTRY OF APPEARANCE

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


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


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 9th day of October, 2002, a copy of the foregoing Entry of Appearance was mailed to Stephen & Linda Alpin, 10415 Vincent Farm Lane, White Marsh, MD 21162 Petitioner(s).


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 22, 2002 Issue – Jeffersonian

Please forward billing to: Stephen R. Alpin
10415 Vincent Farm Lane
White Marsh, MD 21162

410-335-2043

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: 03-155 SPH
10415 Vincent Farm Lane
E/side of Vincent Farm Lane, 320 feet south of Gambrill Road
Election District 15th - Councilmanic District 6th
Legal Owner: Stephen R. and Linda M. Alpin

SPECIAL HEARING to approve a proposed accessory building (Pole Barn) with a foot print larger than the existing principle use dwelling, and said accessory building to be located in an R.C. 2 zone with the existing principle use dwell is located in an R.C. 3 zone.(Both on the same lot of record).

HEARING: Thursday, November 7, 2002 at 9:00 am, in Room 407, County Courts Building


Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
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

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

October 7, 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: 03-155 SPH
10415 Vincent Farm Lane
E/side of Vincent Farm Lane, 320 feet south of Gambrill Road
Election District 15th - Councilmanic District 6th
Legal Owner: Stephen R. and Linda M. Alpin

SPECIAL HEARING to approve a proposed accessory building (Pole Barn) with a foot print larger than the existing principle use dwelling, and said accessory building to be located in an R.C. 2 zone with the existing principle use dwell is located in an R.C. 3 zone.(Both on the same lot of record).

HEARING: Thursday, November 7, 2002 at 9:00 am, in Room 407, County Courts
Building 401 Bosley Avenue

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

Arnold Jablon
Director

Cc: Mr. & Mrs. Stephen Alpin 10415 Vincent Farm Lane White Marsh, MD 21162

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY Tuesday, October 22, 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

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

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: 03-155-SPH

Petitioner: ALPIN

Address or Location: 10415 Vincent Farm Lane

PLEASE FORWARD ADVERTISING BILL TO:

Name: STEPHEN R ALPIN

Address: 10415 VINCENT FARM LANE

WHITE MARSH, MD 21162

Telephone Number: (410) 335-2043

Revised 2/20/98 - SCJ



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

November 4, 2002

Stephen R Alpin
Linda M. Alpin
10415 Vincent Farm Lane
White Marsh, MD 21162

Dear Mr. & Mrs. Alpin:

RE: Case Number: 03-155-SPH , Location: 10415 Vincent Farm Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 27, 2002.

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: People's Counsel





Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

September 10, 2002

ATTENTION: George Zahner

Property Owner:

Location:

Item No.:

Dear Mr. Zahner:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Marshal's Office has no comments at this time, in reference to the following items:

155

148-151, 153-158

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 29, 2002

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For October 15, 2002
Item Nos. 147, 148, 149, 150, 151,
152, 153, 154, 155, 156, 157, and 158

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

RWB:CEN:jrb

cc: File

11/17

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 9, 2002

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

SUBJECT: 10415 Vincent Farm Lane

INFORMATION:

Item Number: 03-155

Petitioner: Stephen R. Alpin

Zoning: RC 2/RC3

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning **does not** support the petitioner's request to allow an accessory structure (pole barn) with a footprint larger than the existing principal structure. The construction of such a structure would negatively impact the view shed of several existing dwellings in the area. In addition, the construction of said accessory structure could also have a diminishing impact on the property values of the existing residential structures.

Prepared by: Mael A. Cunningham

Section Chief: Arnold F. Keller, III
AFK/LL:MAC:



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 10.4.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 155 JHP

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kr Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

CASE NAME ALPIN
CASE NUMBER 03-155-SPH
DATE 11/7/02

[illegible]

PLAT TO ACCOMPANY PETITION FOR ZONING ☐ VARIANCE ☒ SPECIAL HEARING

PROPERTY ADDRESS 10415 VINCENT FARM LA.

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

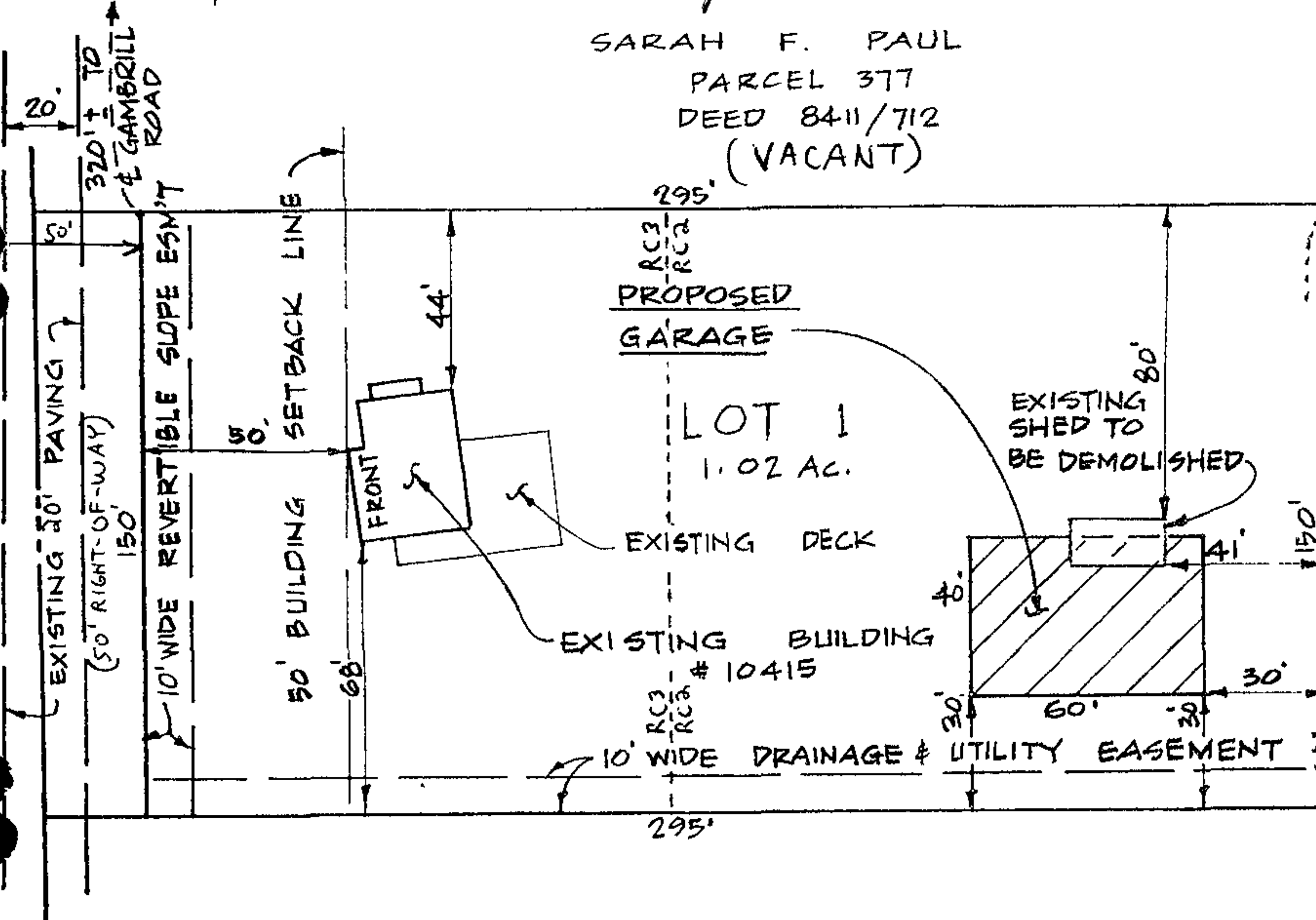
SUBDIVISION NAME PROPERTY OF SARAH F. PAUL

PLAT BOOK # 47 FOLIO # 145 LOT # 1 SECTION #

OWNER Stephen R. & Linda M. Alpin

SARAH F. PAUL
PARCEL 377
DEED 8411/712
(VACANT)

VINCENT FARM LANE



SCOTT LEBRUN WELSH
PARCEL 220
DEED 6610/186
(AGRICULTURAL)

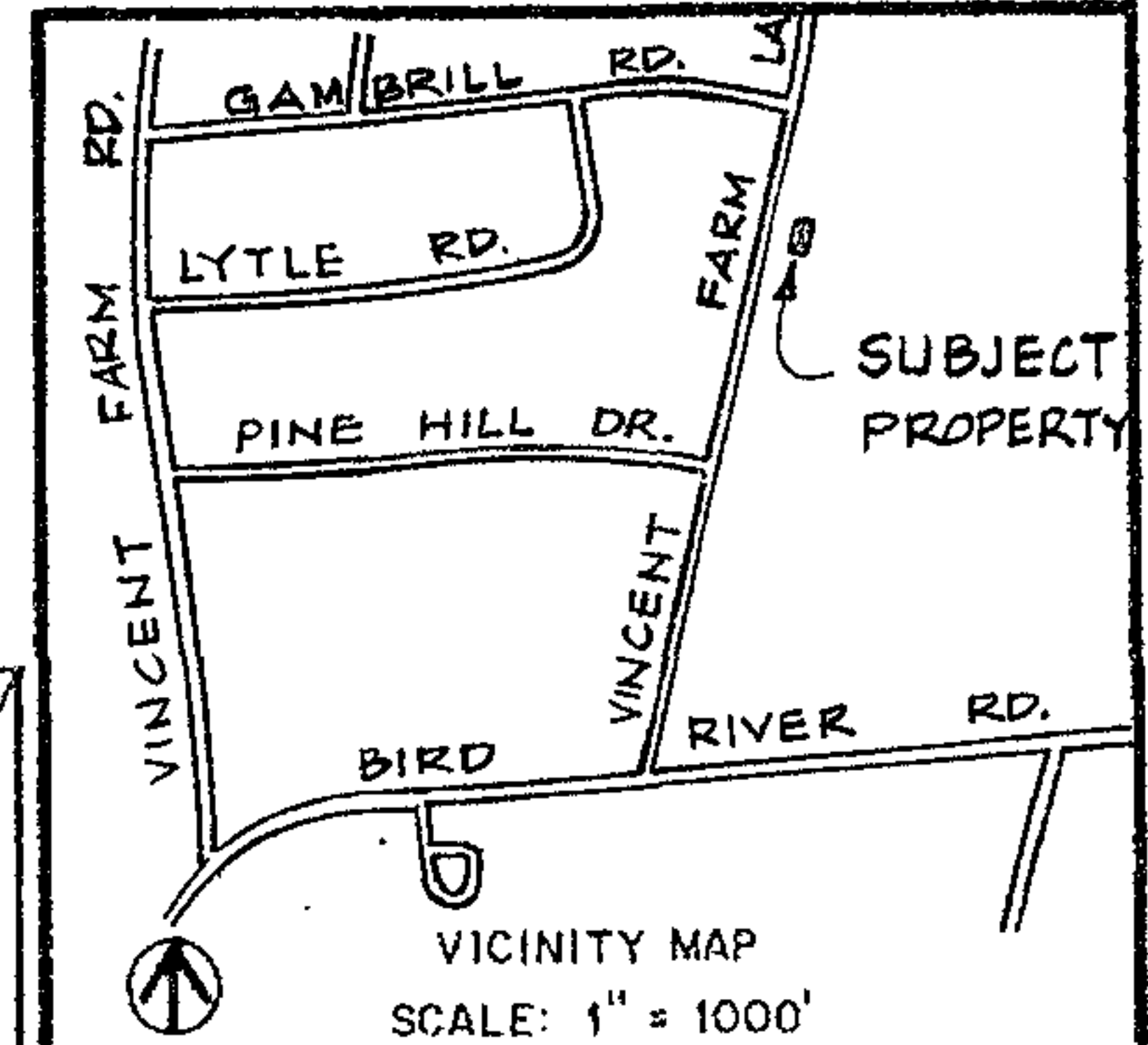
Ref Ex #1



NORTH

PREPARED BY STEPHEN R. ALPIN

SCALE OF DRAWING: 1" = 50'



LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 6

1" = 200' SCALE MAP # NE 7J

ZONING R.C. 2 & R.C. 3

LOT SIZE 1.02 AC. 44431 SQ. FT.
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒

100 YEAR FLOOD PLAIN	☐	☒
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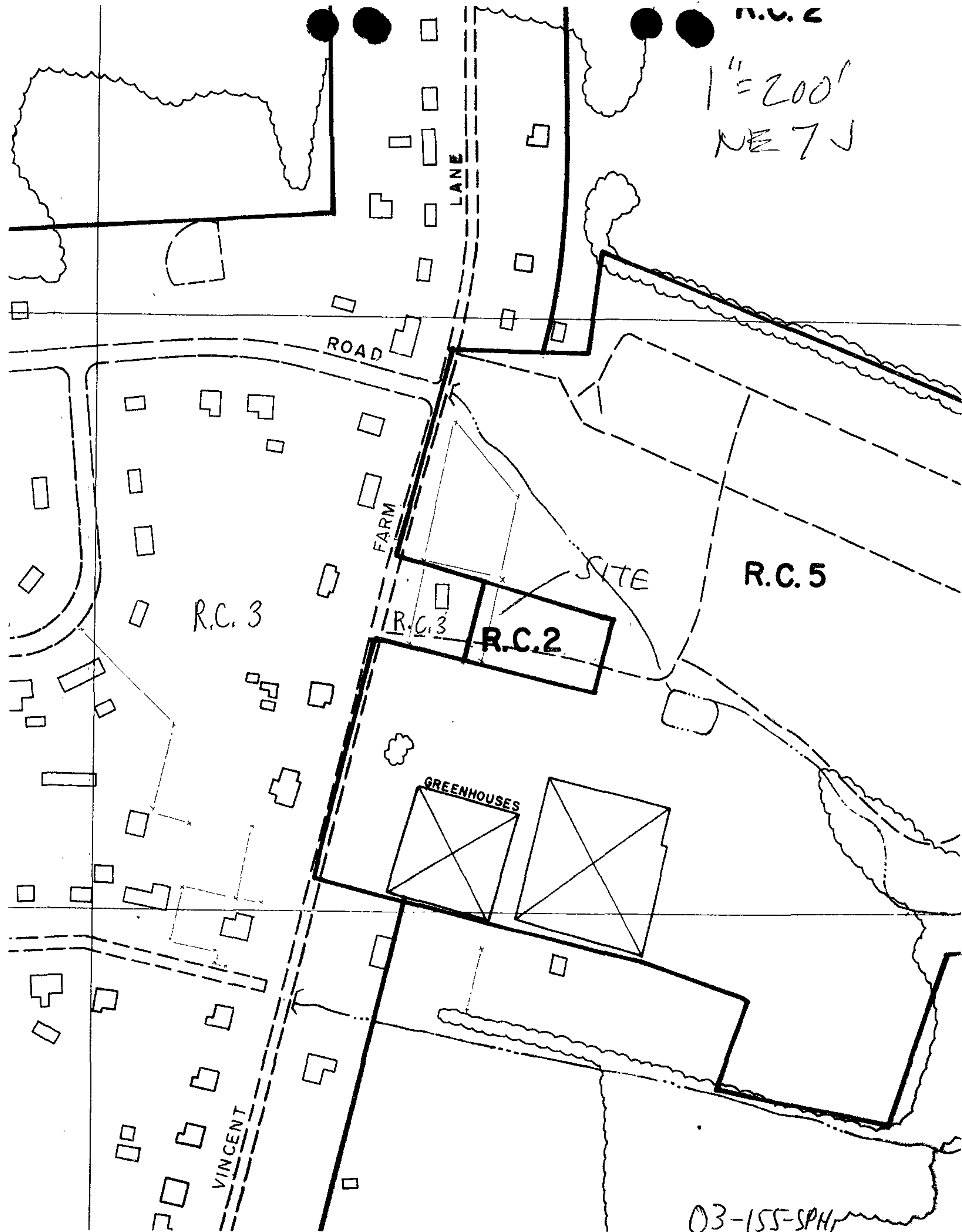
HISTORIC PROPERTY/BUILDING	☐	☒
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PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY JNP ITEM # 155 CASE # 103-155-SPH

R.C. 2

1" = 200'
NE 7 J



03-155-SPH