

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE – S/S Graces Quarters Rd.,
130.57' W of the c/l Harewood Road * ZONING COMMISSIONER
(12611 Harewood Road)
15th Election District * OF BALTIMORE COUNTY
6th Council District * Case No. 03-393-SPHA

Ronald R. Gallagher, Sr., et ux
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, Ronald R. Gallagher, Sr., and his wife, Patricia A. Gallagher. The Petitioners request a special hearing to approve a detached garage to be located on an adjoining (vacant) lot, and variance relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure height of 22 feet in lieu of the maximum permitted 15 feet. 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 1.

Appearing at the requisite public hearing in support of the request were Ronald Gallagher, Sr., property owner, and Ronald T. Sweet, Jr., Contractor. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located on the southwest side of Graces Quarters Road, near its intersection with Harewood Road and Ebenezer Road in Middle River. The property contains a gross area of 2.84 acres, more or less, zoned D.R.5.5 and is improved with a one-story frame dwelling and three small sheds. Testimony indicated that the Petitioners acquired the property approximately one year ago as a single lot; however, it is actually comprised of four parcels as described in the deed recorded in the Land Records of Baltimore County. Parcels 1, 2 and 3 are located along the front

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Date

By

5/8/13

[Signature]

portion of the site adjacent to Harewood Road and Ebenezer Road. A large area to the rear of those parcels is designated as Parcel 4.

As noted above, the property is improved with a one-story frame dwelling, which straddles the lot line between Parcels 1 and 2 in the front portion of the site. As shown on the site plan, a portion of Parcel 3 and all of Parcel 4 constitute the side and rear yard of the overall tract and are unimproved but for three small storage sheds. Mr. Gallagher testified that he anticipates building a single family home for his own use on Parcel 4. He envisions the home to be an estate-type dwelling in which he and his family reside, and will retain the existing dwelling, which is currently rented. Ultimately he anticipates that dwelling will be occupied by his children or other family members.

The instant Petitions were filed to approve the proposed construction on Parcel 4. As shown on the site plan, the Petitioner proposes to construct a garage, 30' x 30' x 22' in dimension. Testimony indicated that preliminarily, the garage will be used to store materials and equipment used during the construction of the new house. The garage will not contain a bathroom or living quarters and will have no water or sewer facilities. Apparently, the overall tract is served by public water and the existing house has a private septic system. Public sewer is located nearby and may be extended to serve the new dwelling when constructed.

Based upon the testimony and evidence offered, I am persuaded to grant the requested relief. The overall tract is large enough to accommodate the future estate house from a density standpoint. Vehicular access to that house will be by way of a driveway that will lead from Harewood Road through Parcel 2 and into the rear yard of the property. I am persuaded that the construction of the detached garage will not detrimentally impact adjacent properties and is appropriate for this site.

It is to be noted that at the hearing, it was explained to the Petitioners that additional County approvals may be necessary to ultimately construct the proposed estate house. A new deed may need to be recorded, subdividing the property to create separate building lots for each dwelling. However, it is unclear whether that will be necessary, given the designation of the

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DATE 3/19/13
BY [Signature]

property in the recorded deed as four separate parcels. Unfortunately, the deeds and plats were not available at the hearing to make this determination. Additionally, the proposed development need comply with all requirements of the Department of Environmental Protection and Resource Management (DEPRM). As noted above, the property is served by public water, but not sewer. Such a connection need be made, or septic reserve areas approved by DEPRM prior to the issuance of any permits. Finally, it is unclear whether the property is located within the confines of the Chesapeake Bay Critical Areas; however, is subject to those regulations, if deemed appropriate.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 8th day of May, 2003 that the Petition for Special Hearing to approve a detached garage to be located on an adjoining (vacant) lot, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure height of 22 feet in lieu of the maximum permitted 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

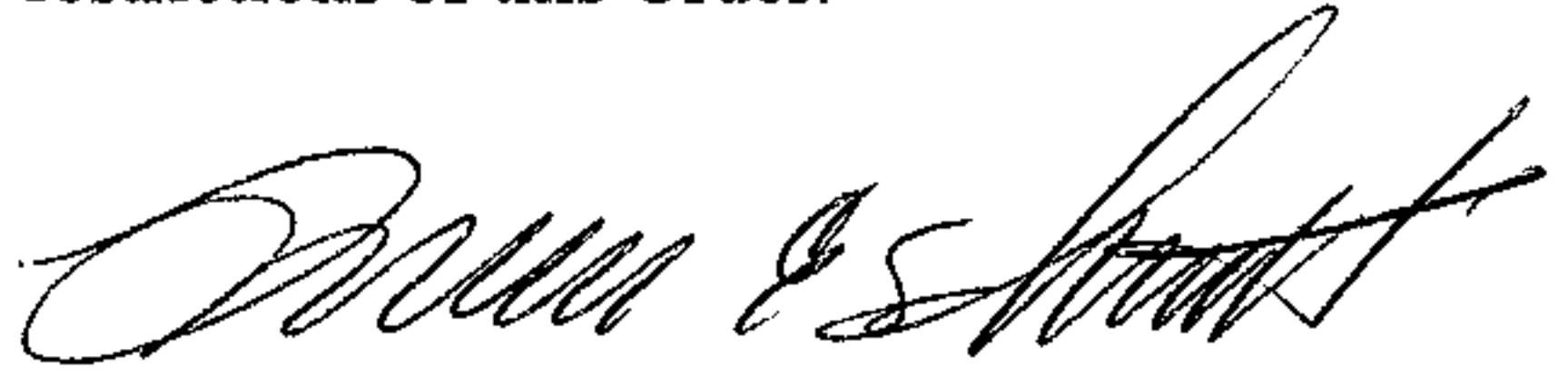
- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3) Petitioners shall comply with all applicable County standards (e.g., zoning, environmental, etc.) as may be required for the construction of a single family dwelling on Parcel 4 of the subject property.

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Date

By

- 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 5/8/03

By JP



Baltimore County
Zoning Commissioner

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

May 9, 2003

Mr. & Mrs. Ronald R. Gallagher, Sr.
6930 N. River Drive
Baltimore, Maryland 21220

RE: PETITIONS FOR SPECIAL HEARING & VARIANCE
S/S Graces Quarters Road, 130.57' W of the c/l Harewood Road
(12611 Harewood Road)
15th Election District – 6th Council District
Ronald R. Gallagher, Sr., et ux - Petitioners
Case No. 03-393-SPHA

Dear Mr. & Mrs. Gallagher:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have 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,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Chesapeake Bay Critical Areas Commission,
1804 West Street, Suite 100, Annapolis, Md. 21401
DEPRM; People's Counsel; Case File

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



Printed with Soybean Ink
on Recycled Paper



C B C A

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 12611 HAREWOOD RD.
which is presently zoned D.R. 5.5

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

DETACHED GARAGE ON
ADJOINING LOT (vacant)

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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1.00 hr

UNAVAILABLE FOR HEARING _____

Reviewed By [Signature] Date 2-25-03

Case No. 03-393-SPH-A

Date 9/15/98

By [Signature]

ORDER RECEIVED FOR FILING
3/8/03



C B C A

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 12611 HARLOWOOD ROAD
which is presently zoned D.R. 5.5

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 Variance from Section(s) 400.3 To allow an accessory,

Structure (detached garage) with a height of 22 ft. in lieu of the maximum allowed 15 ft.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

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

I, or we, agree to pay expenses of above Variance, 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):

*RONALD R. GALLAGHER SR.
Name - Type or Print

Ronald R. Gallagher Sr.
Signature

PATRICIA A. GALLAGHER
Name - Type or Print

Patricia A. Gallagher
Signature

6930 N RIVER DR.

410-335-6798

Address

Telephone No.

BALTIMORE MARYLAND

21220

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1.00 hr

UNAVAILABLE FOR HEARING

Reviewed By [Signature]

Date 2-25-03

ORDER RECEIVED FOR FILING
Date 2/25/03
By [Signature]
REV 9/15/98

Case No. 03-393-SPHA

ZONING DESCRIPTION for 12611 Horewood Rd.

Beginning at a point on the South side of Grace's Quarters Rd 130.57 ft West of Horewood Rd. thence running N $20^{\circ}52'07''$ E 239.65 ft. thence N $68^{\circ}57'-56''$ W 326.70 ft then S $34^{\circ}02'-07''$ W 266.34 ft. thence S $42^{\circ}07'-22''$ E 88.27 ft thence S $74^{\circ}56'-43''$ E 142.48 ft. thence S $85^{\circ}45'-20''$ E 94.98 ft. thence S $81^{\circ}53'-20''$ E 77.89 ft to the point of beginning containing 2.84 acres and located in the 15th Election District.

393

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: #03-393-SPHA
12611 Harewood Road
S/side Graces Quarters Road, 130.57 feet west of
Harewood Road
15th Election District - 6th Councilmanic District
Legal Owner(s): Ronald and Patricia Gallagher

Special Hearing to approve a detached garage on adjoining lot without a principal building. **Variance:** to allow an accessory structure with a height of 22 feet in lieu of the maximum allowed 15 feet.

Hearing: Wednesday, April 23, 2003 at 10:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake 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

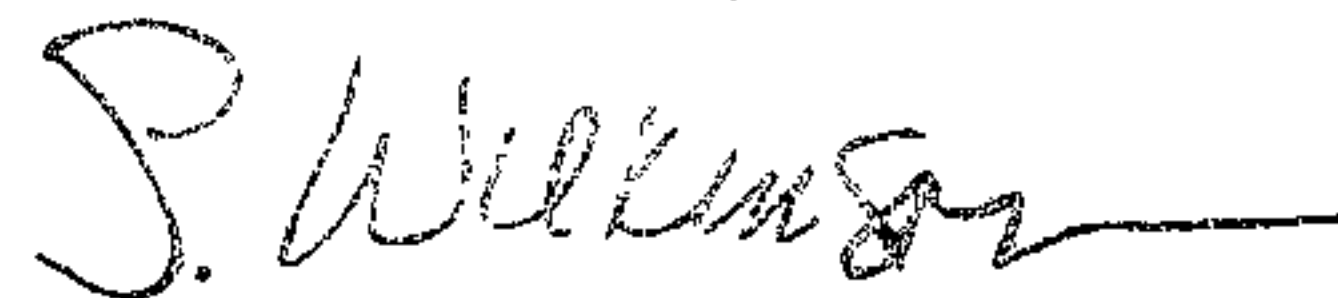
JT 4/653 April 8 C596835

CERTIFICATE OF PUBLICATION

4/10/, 2003

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 4/8/, 2003.

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



LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Case No. **19314**
03-393-SFHA

DATE 2-25-03 ACCOUNT R-001-066-6150

AMOUNT \$ 130.00

RECEIVED FROM: Buy Front Renovations

FOR: Residential Special Hearing + Variance Filing Fee
@ 17611 Hereward Rd.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
BUSINESS ACTUAL TIME
2/25/2003 2/25/2003 10:47:19
REG 0004 WALKIN DOOL AND DROWER
DEPT 5 520 ZONING VERIFICATION
CR ID. 019314
Receipt for \$130.00
130.00 CR .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 03-393-SPHA

Petitioner/Developer: RONALD E

PATRICIA GALLAGHER

Date of Hearing/Closing: 4/22/03

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

Attention: Ms. Gwendolyn Stephens

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 12611 HAREWOOD RD

The sign(s) were posted on 4/6/03
(Month, Day, Year)

Sincerely,

[Signature] 4/6/03
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

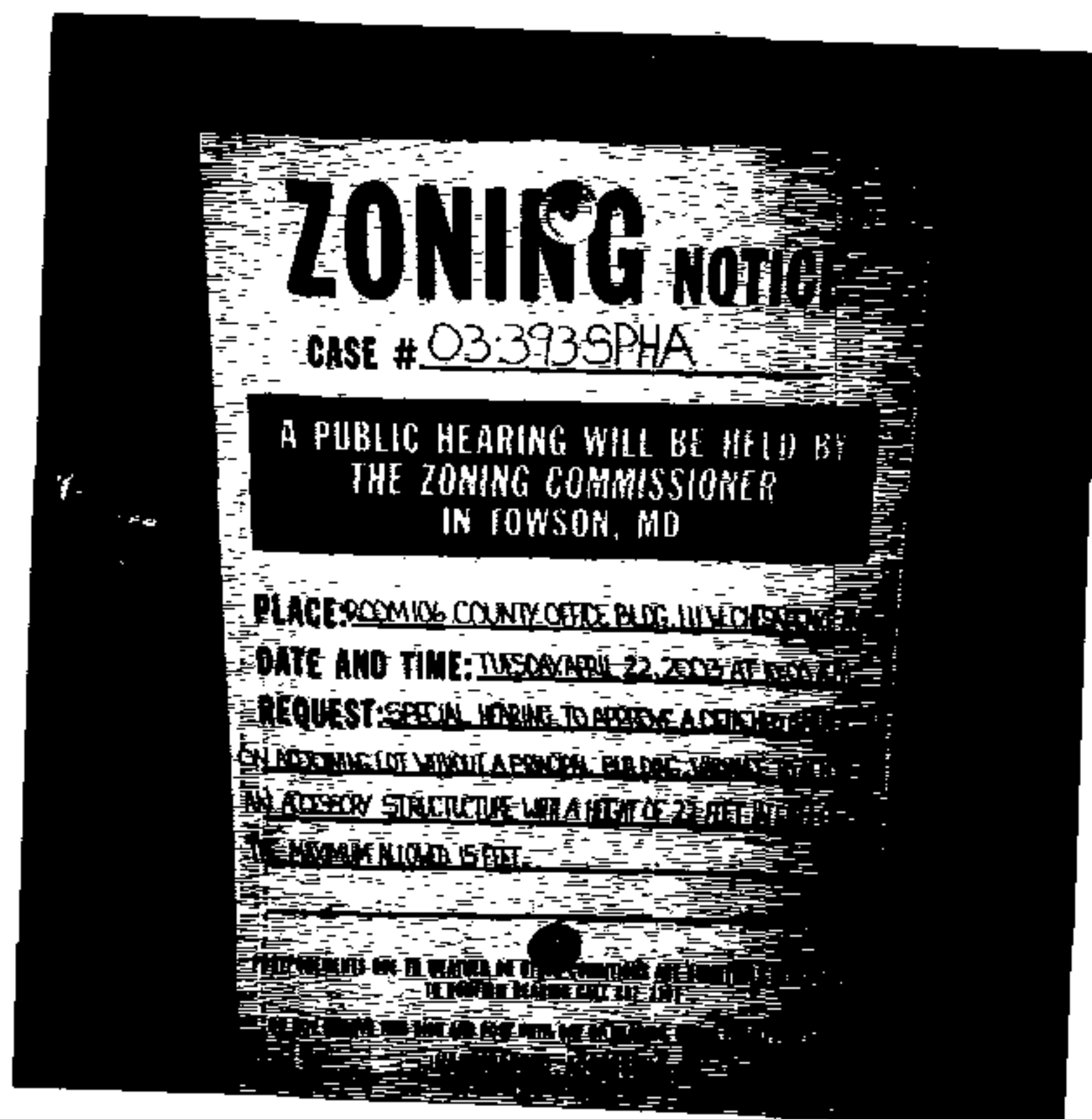
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





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

March 12, 2003

CORRECTED 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: 03-393-SPHA

12611 Harewood Road
S/side Graces Quarters Road, 130.57 feet west of Harewood Road
15th Election District – 6th Councilmanic District
Legal Owners: Ronald and Patricia Gallagher

Special Hearing to approve a detached garage on adjoining lot without a principal building. Variance to allow an accessory structure with a height of 22 feet in lieu of the maximum allowed 15 feet.

Hearings: Wednesday, April 23, 2003 at 10:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

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

Arnold Jablon
Director

AJ:klm

C: Ronald R. and Patricia A. Gallagher, Jr., 6930 N. River Drive, Baltimore 21220

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 8, 2003.**
- (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
Tuesday, April 8, 2003 Issue - Jeffersonian

Please forward billing to:

Ronald & Patricia Gallagher
6930 N. River Road
Baltimore, MD 21220

410-335-6798

CORRECTED 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: 03-393-SPHA

12611 Harewood Road

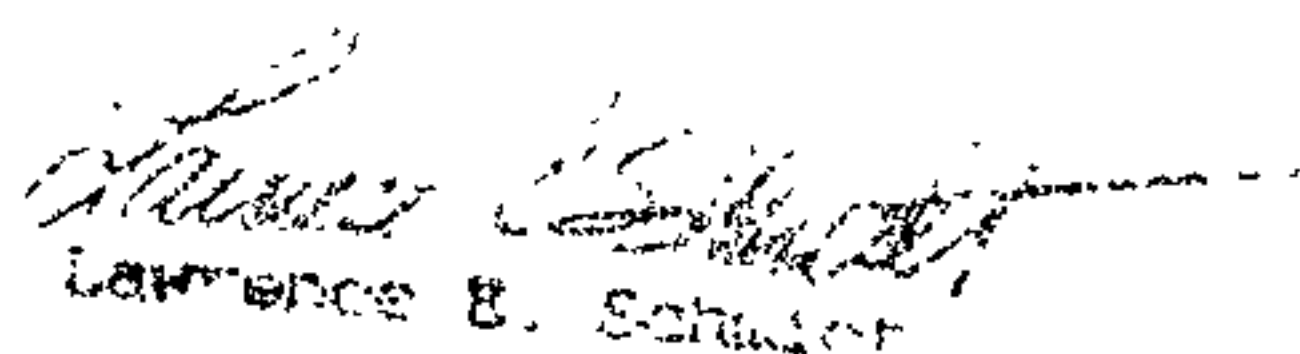
S/side Graces Quarters Road, 130.57 feet west of Harewood Road

15th Election District – 6th Councilmanic District

Legal Owners: Ronald and Patricia Gallagher

Special Hearing to approve a detached garage on adjoining lot without a principal building. Variance to allow an accessory structure with a height of 22 feet in lieu of the maximum allowed 15 feet.

Hearings: Wednesday, April 23, 2003 at 10:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue



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.

Post-it® Fax Note	7671	Date	4/2	# of pages	1
To	Ellen	From	Becky		
Co /Dept.	Patuxent	Co.			
Phone #	Phone #				
Fax #	410-825-4278	Fax #			



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

March 12, 2003

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: 03-393-SPHA

12611 Harewood Road

S/side Graces Quarters Road, 130.57 feet west of Harewood Road

15th Election District – 6th Councilmanic District

Legal Owners: Ronald and Patricia Gallagher

Special Hearing to approve a detached garage on adjoining lot without a principal building. Variance to allow an accessory structure with a height of 22 feet in lieu of the maximum allowed 15 feet.

Hearings: Tuesday, April 22, 2003 at 10:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

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

Arnold Jablon
Director

AJ:klm

C: Ronald R. and Patricia A. Gallagher, Jr., 6930 N. River Drive, Baltimore 21220

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, APRIL 22, 2003.**
- (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
Tuesday, April 8, 2003 Issue - Jeffersonian

Please forward billing to:

Ronald & Patricia Gallagher
6930 N. River Road
Baltimore, MD 21220

410-335-6798

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: 03-393-SPHA

12611 Harewood Road

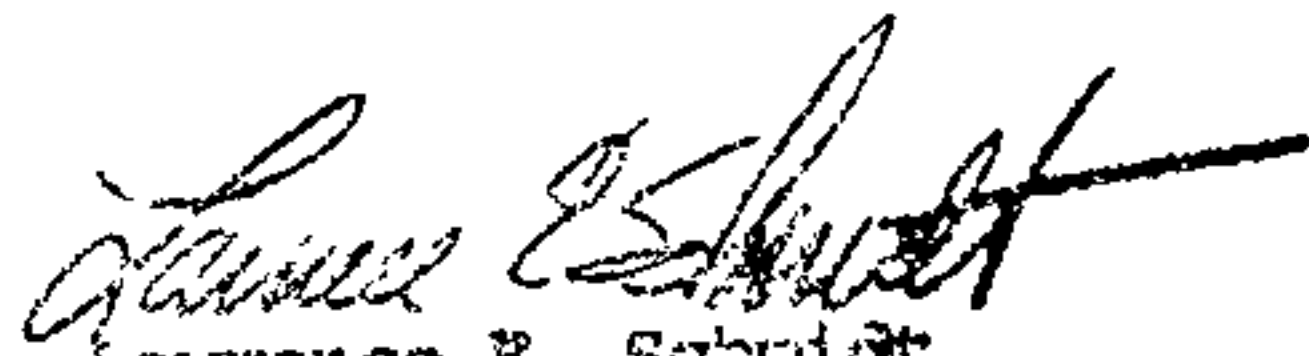
S/side Graces Quarters Road, 130.57 feet west of Harewood Road

15th Election District – 6th Councilmanic District

Legal Owners: Ronald and Patricia Gallagher

Special Hearing to approve a detached garage on adjoining lot without a principal building. Variance to allow an accessory structure with a height of 22 feet in lieu of the maximum allowed 15 feet.

Hearings: Tuesday, April 22, 2003 at 10:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue



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.

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: 03-393-SPHA
Petitioner: Ronald & Patricia Gallagher
Address or ^{site} Location: 12611 Harwood Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Same
Address: 6930 N. River Rd.
Balto, Md. 21220
Telephone Number: 410-335-6798



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

April 18, 2003

Ronald R. Gallagher, Sr.
Patricia A. Gallagher
6930 N. River Drive
Baltimore, MD 21220

Dear Mr. and Mrs. Gallagher:

RE: Case Number: 03-393-SPHA, 12611 Harewood Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 25, 2003.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel

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





MARYLAND DEPARTMENT OF TRANSPORTATION

Robert L. Ehrlich, Jr., *Governor* • Michael S. Steele, *Lt. Governor* • Trent M. Kittleman, *Acting Secretary*

Date: 3.11.03

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

RE: Baltimore County
Item No. 393 JSS

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,

f- Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number/toll-free 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 • Phone 410.545.0300 • www.marylandroads.com



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

March 11, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: March 10, 2003

Item No.: 384 - 395

Dear Ms. Hart:

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.

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

cc: File



4/23

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *RBS/TGT*
DATE: April 30, 2003
SUBJECT: Zoning Item 393
Address 12611 Harewood Road (Woutica Property)

DATE: May 1, 2003

RECEIVED

MAY - 5 2003

ZONING COMMISSIONER

Zoning Advisory Committee Meeting of 3/10/02

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

See attached comments.

Reviewer: Keith Kelley

Date: 4/21/03

CBCA Zoning Comments (zoning item #393)

☒ The property is located within the Limited Development Area (LDA), ~~or Resource Conservation Area (RCA), or Intensely Developed Area (IDA)~~ of the Chesapeake Bay Critical Area (CBCA).

☐ This proposal must use best management practices, which reduce pollutant loadings by 10%.

☒ Man-made impervious surfaces are limited to 15% for lots greater than 1/2 acre in size.

☐ Man-made impervious surfaces are limited to 25% for lots less than 1/2 acre in size.

☐ Mitigation is required if exceeding the 25% impervious surface limit. Impervious surfaces are limited to 25% of the lot & 500 square feet or 3% 25% of the lot. Otherwise, a Critical Area Administrative Variance (CAAV) is required.

☐ If permitted development on a property currently exceeds impervious surface limits, that percentage may be maintained during redevelopment of the property.

☒ 15% forest must be established or maintained. This equates to 37 trees for a lot of this size.

☐ Any tree removed in the buffer for this structure must be replaced on a 1:1 basis.

☒ All downspouts must discharge rainwater runoff across a pervious surface such as a lawn.

☐ The lot is in a Buffer Management Area (BMA). Mitigation (planting trees, removing impervious area, or paying a fee-in-lieu) is required for the placement of the proposed structure within 100' of tidal waters.

☐ If the lot is unimproved, then the proposed dwelling cannot go any closer to the water than the neighboring dwelling farthest away from the water.

☐ If the lot is improved, then the proposed dwelling can go as close to the water as the existing dwelling.

☐ A Critical Area Administrative Variance (CAAV) is required ^{if} for the placement of the proposed structure within 100' of tidal waters, tidal wetlands, stream, or within 25' of non-tidal wetlands.

☐ A Critical Area Administrative Variance (CAAV) is required since the proposed principal structure cannot honor the required 35' residential building setback or 25' commercial building setback from the 25' or 100' buffer.

RLS
4/23

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

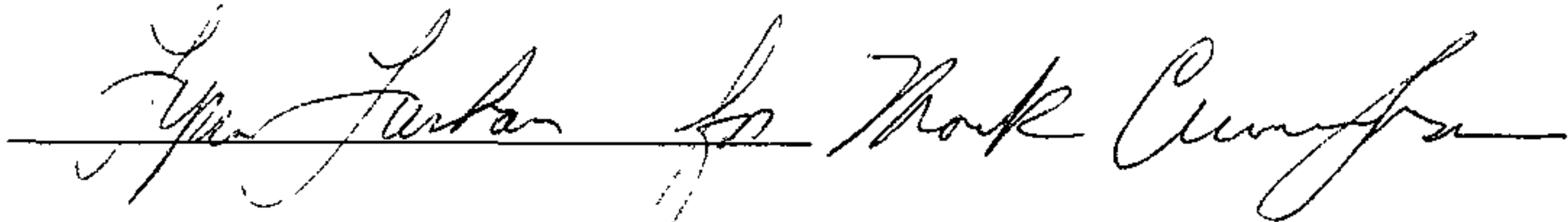
DATE: April 18, 2003

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

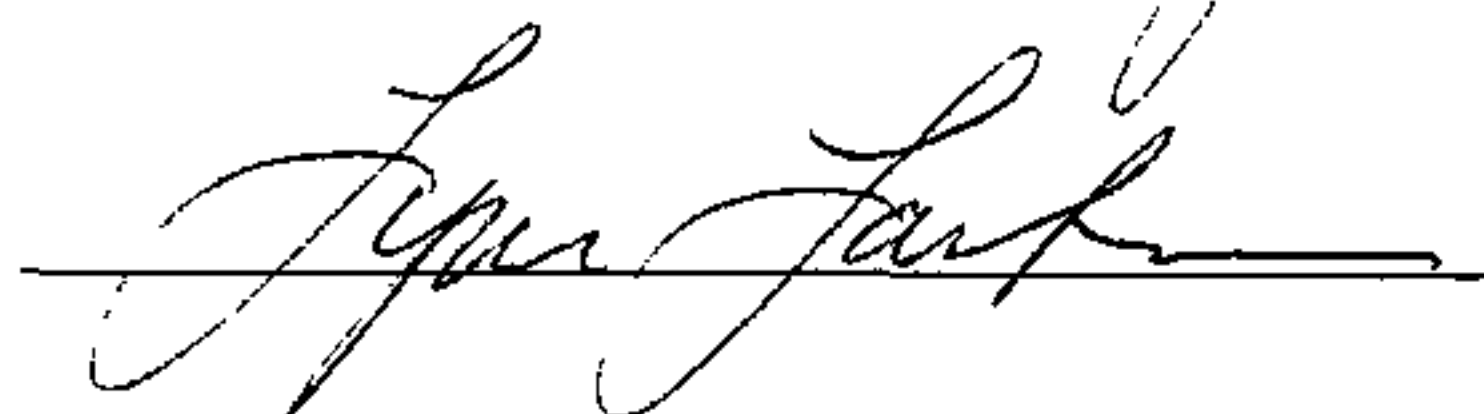
SUBJECT: Zoning Advisory Petition(s): Case(s) 03-359, 03-393, 03-405,

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:



Section Chief:



AFK/LL:MAC

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: March 14, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For March 17, 2003
Item Nos. 384, 385, 388, 389, 393,
394, and 395

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

RWB:CEN:jrb

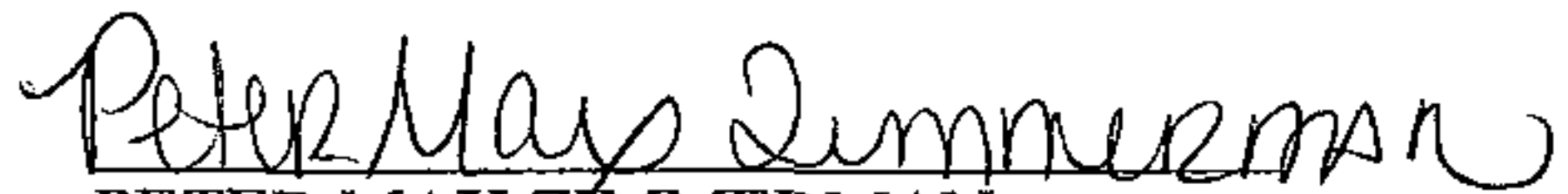
cc: File

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE *
12611 Harewood Road; S/side Graces * ZONING COMMISSIONER
Quarters Road, 130.57' W Harewood Rd *
15th Election & 6th Councilmanic Districts * FOR
Legal Owner(s): Ronald & Patricia Gallagher *
Petitioner(s) * BALTIMORE COUNTY
* 03-393-SPHA

* * * * *

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 14th day of March, 2003, a copy of the foregoing Entry of Appearance was mailed to Ronald Gallagher, 6930 N. River Drive, Baltimore, MD 21220, Petitioner(s).



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor

MDP
Maryland Department of Planning

Audrey E. Scott
Secretary

Florence E. Burian
Deputy Secretary

March 12, 2003

Ms. Rebecca Hart
Baltimore County Department of Permits and Development Management
County Office Building
111 West Chesapeake Avenue
Room 111, Mail Stop #1105
Towson MD 21204

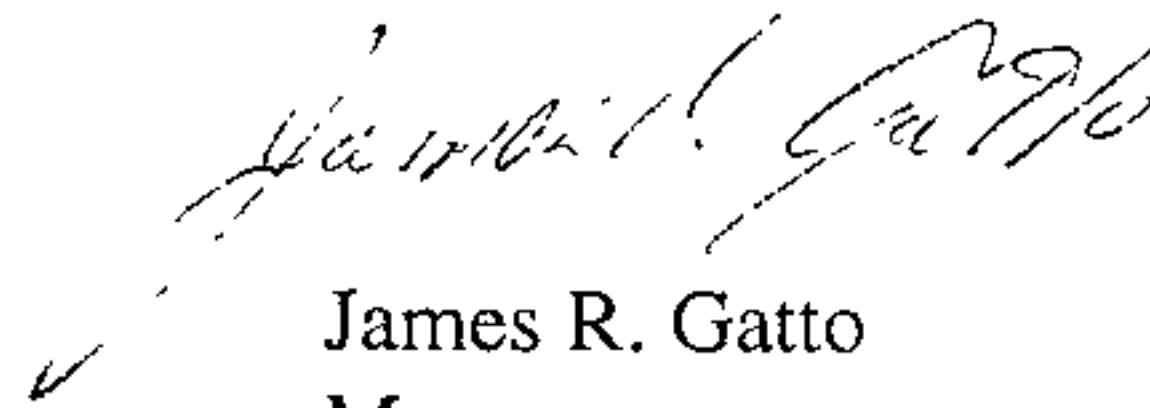
Re: Zoning Advisory Committee Agenda, 03-17-03 regarding case numbers: 03-384-A, 03-385-A, 03-387-A, 03-388-SPH, 03-389-A, 03-390-SPH, 03-391-A, 03-392-SPHA, 03-393-SPHA, 03-394-A, 03-395-A

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 03/11/03. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,



James R. Gatto
Manager
Metropolitan Planning
Local Planning Assistance Unit

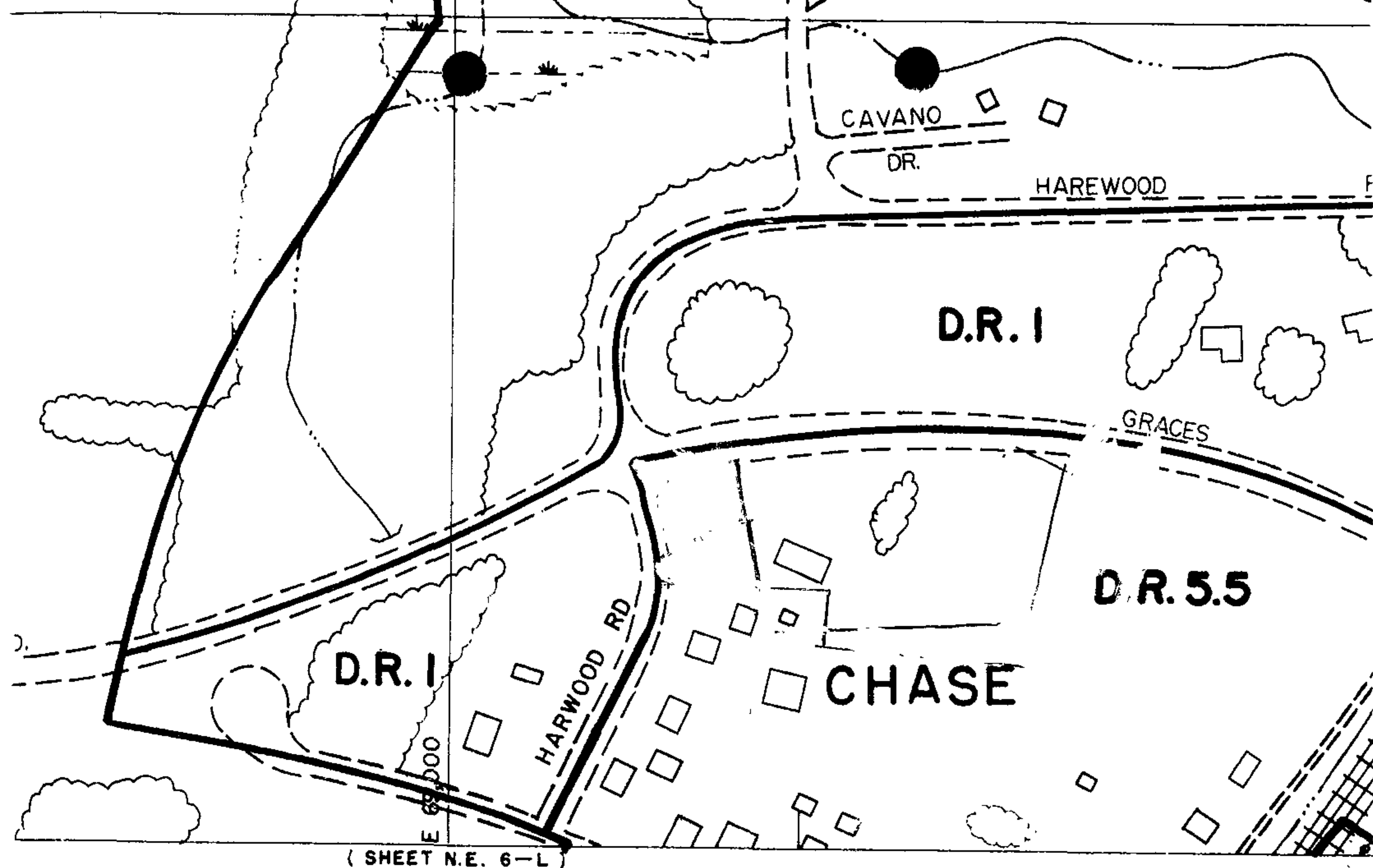
cc: MikeNortrup

DATE _____

E-MAIL

Wrd- 2122 P
2150. MO 21227

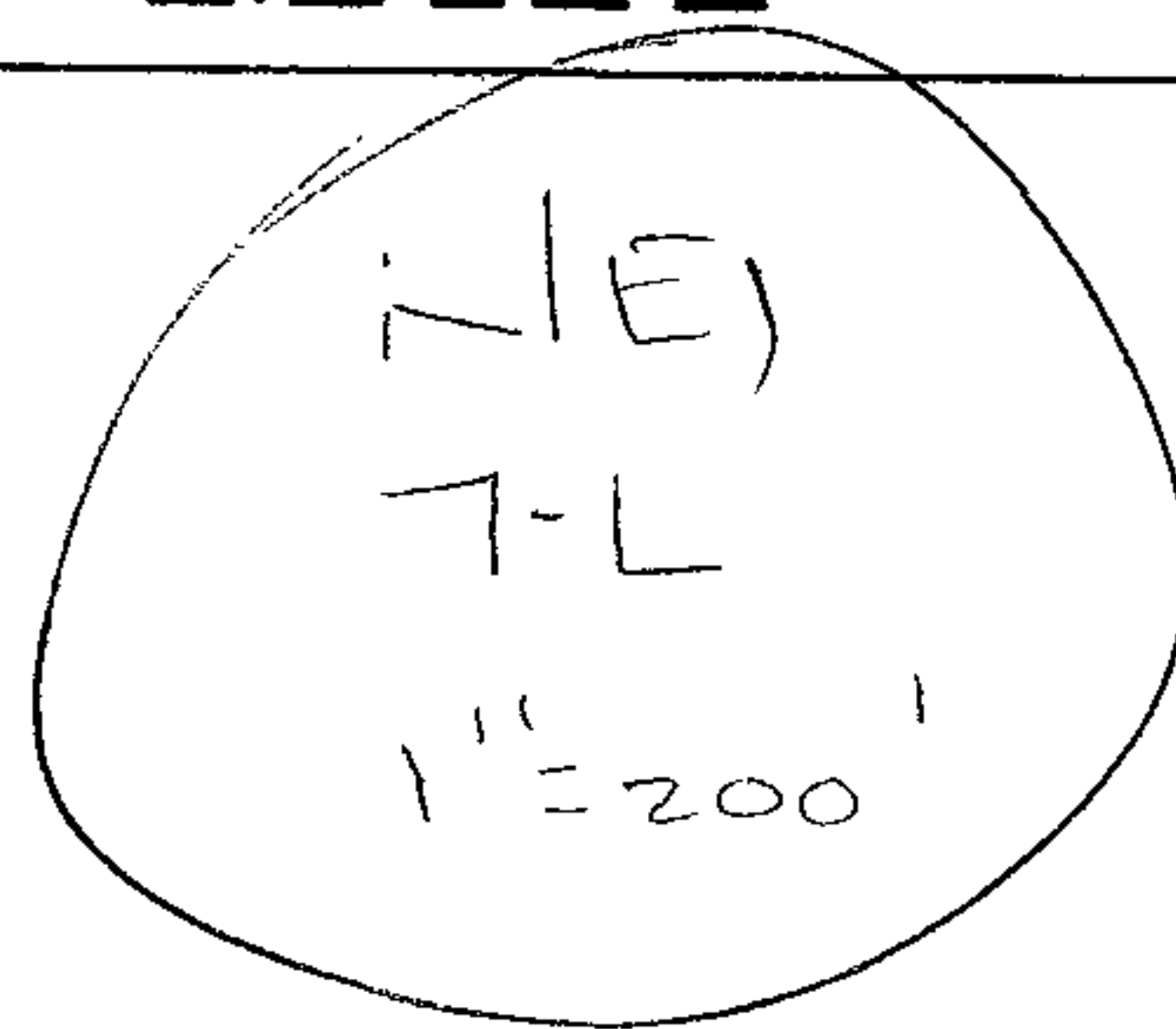
T Sulkī kr.



BALTIMORE COUNTY OF PLANNING AND ZONING ICIAL ZONING MAP

PETITION FOR VARIANCE

12611 HAREWOOD RD.



343

