

5/19/10

IN THE MATTER OF
KEVIN JAMES RICHARDSON

Legal Owner/Petitioner

4220 Hanwell Road
Randallstown, MD 21133
S/S Hanwell Road
400' W of Bric Court
2nd Election District
4th Council District

RE: Petitioner for Variance

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
*
* Case No. CBA-09-290-A
*

* * * * *

OPINION

This case comes to the Board on appeal of the final decision of the Zoning Commissioner of Baltimore County in which the Zoning Commissioner denied a Petition for Variance seeking relief from Section §1B01.2.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a building separation of 14' in lieu of the required 16' and to amend the approved Final Development Plan for Woods of Winands lot #35 to all the side and rear of the dwelling to be located outside the building envelope as shown on the plan.

A public hearing was held on March 31, 2010. The Petitioner, Kevin J. Richardson (the "Petitioner") was represented by Amar S. Weisman, Esquire. The Protestant, Ollinger N. Connelly, (the "Protestant") was *pro se*. A Public Deliberation was held on April 22, 2010.

Factual Background

The Petitioner is the owner of the property located at 4220 Hanwell Road, Randallstown, MD 21133 in Baltimore County (the "Property"). The Property is improved with a two-story, split foyer, single family dwelling with an attached garage. The home was built in 1987. The Property contains 8,291 square feet, or 0.1903 acres, more or less, is pie-shaped and is located within a cul-de-sac. It is zoned D.R. 3.5.

At issue in this case is an addition to an attached garage which was added by the Petitioner on the southeast side of the home in 2008. The Petitioner widened the garage by approximately 2 ft. so that he could park one car inside the garage and have additional storage space. The garage was originally built in

1994. However, the enlargement necessitated a variance from BCZR §1B01.2.C.1 which requires a 16 foot separation distance between existing buildings. (Pet. Ex. 4). There is 10 square feet of area which does not comply with the 16' separation.

When the garage was initially constructed in 1994, his neighbor, Ollinger Connelly, who owns the property next door to the Petitioner at 4218 Hanwell Road, filed a complaint with the Department of Permits and Development Management ("DPDM"). According to Mr. Connelly who testified at the Board hearing, no action was taken by DPDM on his initial Complaint. Then, when Mr. Richardson enlarged the garage in 2008, Mr. Connelly filed another complaint with DPDM on the basis that the enlargement was expanded onto his property without a permit. On April 1, 2009, DPDM issued a Correction Notice to the Petitioner to amend the permit request to include all work being done on the garage. (Pet. Ex. 5). The inspector found that the existing garage was being made wider and longer. Apparently, the Petitioner's request for a permit was for a roof overhang only and did not request permission to widen or lengthen the garage. Unfortunately for the Petitioner, he had already completed the work, having paid substantial sums of money to a "Reverend Epps" who was not a licensed contractor and who misinformed the Petitioner that he did not need a building permit to enlarge the garage because the garage was already there.

In support of this Petition for Variance, the Petitioner hired J. Scott Dallas, a licensed property line surveyor to testify on the issues of uniqueness, practical difficulty and hardship. Mr. Dallas was admitted as an expert in zoning matters and property line surveying. He testified that the property was unique because it had the smallest building envelope which restricts additional construction on the lot. A site plan of the property which accompanied the Petition for Variance was admitted as Pet. Ex. 1. Mr. Dallas admitted that the house looked like all the other houses in the neighborhood.

Mr. Dallas also testified that the Petitioner suffered practical difficulty and/or hardship because the Petitioner could not comfortably park his car in the garage. Further, Mr. Dallas pointed out that there was already a 13' separation between the Petitioner's house and Mr. Connelly's house. Thus, the only part of the property that does not comply with BCZR §1B01.2.C.1 is the front northeast corner of the Petitioner's house, the area of which measures a total of 10 square feet. (Pet. Ex. 3). Mr. Dallas further

added that there was no increase in density and that the request was within the spirit and intent of the BCZR.

Also testifying on behalf of the Petitioner was Winford Shelton who resides next to the Petitioner on the side farthest from the garage enlargement. Mr. Shelton testified that 10 out of 14 houses had a garage. He further stated that the enlargement of the garage does not interfere with the use and enjoyment of his property.

Mr. Connelly testified in opposition to the variance. He stated that the enlargement makes the 2 houses even closer together. Notwithstanding the fact that Mr. Connelly no longer resides in his house, Mr. Connelly believes that the lack of distance depreciates the value of his property. Mr. Connelly admitted that he has not lost any contracts of sale due to the close proximity of the 2 houses.

Decision

In order for the Petitioner to obtain approval for the enlarged garage, this Board needs to be convinced that the Petitioner has satisfied §307.1 of the BCZR which states, in pertinent part, as follows:

"...(T)he County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations...only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship.... Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area...regulations, and only in such manner as to grant relief without injury to public health, safety, and general welfare...."

This Board is guided by the holding provided by the Court of Special Appeals in *Cromwell v. Ward*, 102 Md. App. 691, 698 (1995), wherein the Court writes:

"...The Baltimore County ordinance requires "conditions ...peculiar to the land...and...practical difficulty...." Both must exist. ...However, as is clear from the language of the Baltimore County ordinance, the initial factor that must be established before the practical difficulties, if any, are addressed, is the abnormal impact the ordinance has on a specific piece of property because of the peculiarity and uniqueness of that piece of property, not the uniqueness or peculiarity of the practical difficulties alleged to exist. It is only when the uniqueness is first established that we then concern ourselves with the practical difficulties...."

In requiring a finding of "uniqueness", the Court of Special Appeals in *Cromwell* referred to the definition of "uniqueness" provided in *North v. St. Mary's County*, 99 Md. App. 502, 514 (1993):

In the zoning context the "unique" aspect of a variance requirement does not refer to the extent of improvements upon the property, or upon neighboring property. "Uniqueness" of a property for zoning purposes requires that the subject property has an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions. In respect to structures, it would relate to such characteristics as unusual architectural aspects in bearing or parting walls....

Id. at 710.

If the Property is determined to be "unique," then the issue is whether practical difficulties also exist. Toward this end, the Board acknowledges that an area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must produce evidence to allow the following questions to be answered affirmatively:

1. Whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. Whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. Whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

However, the law is clear that self-inflicted hardship cannot form the basis for a claim of practical difficulty. Speaking for the Court in *Cromwell*, *supra*, Judge Cathell noted:

Were we to hold that self-inflicted hardships in and of themselves justified variances, we would, effectively, not only generate a plethora of such hardships but we would also emasculate zoning ordinances. Zoning would become meaningless. We hold that practical difficulty or unnecessary hardship for zoning variance purposes cannot generally be self-inflicted.

Id., at 722.

The Petitioner argues that the Property is unique because it has the smallest building envelope. The Petitioner further argues that he will not be able to use the garage because he can not comfortably fit his vehicles in the garage. The Board notes that the house did not have a garage when the Petitioner purchased it. He then proceeded to not only build the garage but to enlarge it without the proper permit. The application for permit was for a roof overhang only, not an enlargement. But-for Mr. Connelly's complaint, the County would not have known that the garage was being widened and lengthened.

After reviewing all of the testimony and evidence presented, the Board has determined that the Petitioner has failed to prove that the Property is unique or that he has suffered any practical difficulty which is not a self imposed hardship. As a result, the variance is denied for the following reasons.

The Petitioner's house and lot are identical to other houses and lots in the neighborhood. Like the Petitioner's lot, the lots on Hanwell Road are pie shaped. The Petitioner's contention that the lot has the smallest building envelope does not satisfy the uniqueness requirement under *Cromwell* that there must be an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions. No measurements of this house in comparison to other houses in the area were presented at the hearing. No evidence was presented as to these factors affecting the land.

The Court in *Cromwell*, citing *North v. St. Mary's, supra*, held that the "extent of improvements on the property" can not be the reason for uniqueness unless there are architectural features associated with the structure which prove "unique." In respect to structures, it would relate to such characteristics as unusual architectural aspects in bearing or party walls.... *Id.* at 710. No evidence was presented as to any particular architectural features associated with this house built in 1987.

While the Board has determined that there is no uniqueness with regard to the Petitioner's land and therefore the issue of practical difficulty need not be addressed, if the Board did address the issue of practical difficulty, it would have found that the Petitioner's professed practical difficulty is based solely on the self imposed hardship of widening the garage without first obtaining the variance. Financial hardship incurred in enlarging a garage, or the cost incurred in pursuing a variance request, are not the

type of hardships envisioned by *Cromwell*. The Board finds that the Petitioner is not prevented from using his garage, notwithstanding the fact that 2 more feet may have been more comfortable.

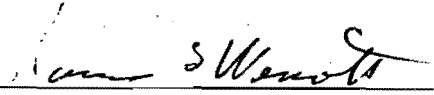
ORDER

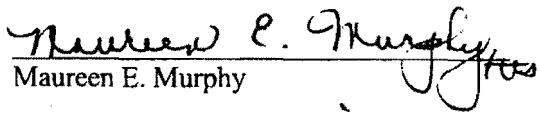
THEREFORE, IT IS THIS 19th day of May, 2010, by the County Board of Appeals of Baltimore County

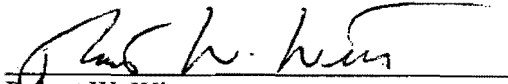
ORDERED, that the Petition for Variance seeking relief from Section §1B01.2.C.1 of the Baltimore County Zoning Regulations to permit a building separation of 14' in lieu of the required 16' and to amend the approved Final Development Plan for Woods of Winands lot #35 to all the side and rear of the dwelling to be located outside the building envelope as shown on the plan be, and the same is hereby **DENIED**.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**


Lawrence Wescott, Panel Chairman


Maureen E. Murphy


Robert W. Witt



County Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

May 19, 2010

Amar S. Weisman, Esquire
15 East Chesapeake Avenue
Towson, MD 21286

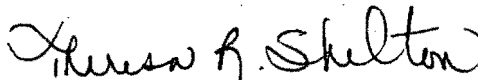
Re: In the Matter of: Kevin James Richardson/Appellant
Case No.: 09-290-A

Dear Mr. Weisman:

Enclosed please find a copy of the final Opinion and Order issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, with a photocopy provided to this office concurrent with filing in Circuit Court. Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,


Theresa R. Shelton
Administrator

/trs

Enclosure: Opinion

c (w/Encl.): Kevin James Richardson
Ollinger Connolly
Office of People's Counsel
William J. Wiseman, III, Zoning Commissioner
Timothy Kotroco, Director/PDM
Arnold F. "Pat" Keller, Director/Planning
Michael Mohler, Deputy Director/ Code Enforcement
Nancy West, Assistant County Attorney
John E. Beverungen, County Attorney

7/31/09
IN RE: PETITION FOR VARIANCE

S/S Hanwell Road, 400' W of

Brie Court

(4220 Hanwell Road)

2nd Election District

4th Council District

Kevin James Richardson

Petitioner

*

*

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BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 2009-0290-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the legal owner of the property, Kevin J. Richardson. Petitioner requests variance relief from Section 1B02.3.B [Section 1B01.2.C.1 - 1970 Zoning Regulations] of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.3.b - 1970 Comprehensive Manual of Development Policy (CMDP) to permit a building-to-building separation (between detached dwellings on different lots) of 14 feet in lieu of the minimum required 16 feet, and to amend the Final Development Plan (FDP) for Woods of Winands, Lot 35, to allow the side and rear of the dwelling to be located outside of the building envelope as shown on the FDP. The property and requested relief are more particularly described on the two-page 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 was Kevin J. Richardson, property owner. Appearing as a Protestant in this matter was the adjacent neighbor at 4218 Hanwell Road, Ollinger N. Connolly.

Testimony and evidence offered disclosed that the subject property is a triangular shaped parcel located on the south side of a cul-de-sac at the end of Hanwell Road in Randallstown. The property recognized as Lot 35 - Section II, in the subdivision known as the Woods of

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Date 7-31-09
By [Signature]

Winands contains a gross area of 8,291 square feet, or 0.1903 acres, more or less, zoned D.R.3.5. The property is improved with a two-story, split-foyer, single-family dwelling built in 1987. At issue in this case is an attached garage constructed by the Petitioner on the southeast side of his home¹ measuring 12' x 35' in size. This addition built by a licensed contractor will allow the parking of one vehicle and provide additional needed storage space.

By way of background, after purchasing the property in May 1987, the Petitioner decided late in 2008 that he would construct a garage. In this regard, Mr. Richardson hired a contractor and questioned him whether there was a need for a property survey or for him (Richardson) to do anything in particular. As illustrated on Petitioner's photographic Exhibit 2, he desired to have his improvements look like the other homes across the street with their attached garages (4219 and 4221 Hanwell Road). The contractor assured him that everything would be fine and began construction. Little did the Petitioner realize, at that time, that the proposed garage would become complicated by Section 1B01.2.C.1 of the B.C.Z.R. which requires a 16 foot separation distance between existing buildings.

The Petitioner's nightmare began in April 2009 when the Department of Permits and Development Management (DPDM), the agency that issued him a Building Permit (B712597), received an inquiry questioning the structure's setback distance from the Connolly's two-story home and garage built in 1987. Code Enforcement Officer Bob Peters visited the site on April 1, 2009 and issued a "Correction Notice" informing Petitioner that he would need to bring the property in conformance with the zoning regulations. In any event, the work was finished at this time and the Petitioner had paid substantial sums of money. He asserts that the separation between buildings is 14 feet while Mr. Connolly, testified that he too measured the distance and

¹ A garage is a reasonable accessory use to a residence. See *Belvoir Farms v. North*, 355 Md. 259 (1999) and *White v. North*, 356 Md. 31 (1999).

FILED
Date 7-31-09
By [Signature]

found it to be 13 feet. The Petitioner now comes before me seeking relief as set forth above to allow the existing structure with a separation of 14 feet (at the time of the hearing no survey had been completed). Mr. Richardson testified at length as the practical difficulty and unreasonable hardship he has endured since receiving the correction notice, which has left him in an untenable position. Despite discussions with Mr. Connolly who has been trying to sell his house over the past year, little has been done to appease the Connolly's who actually believe that the garage is at or over the common property line.

Mr. Richardson testified that he placed the garage in its present location for the reasons indicated above and was not aware of any County restriction that would prevent him from doing so. As indicated, he submitted photographs depicting a number of similarly constructed garages in the immediate area. To a certain extent, I am sympathetic to Mr. Richardson's plight. A search of the Zoning Commissioner's records fails to disclose any variances applied for or granted for similar relief in this area. If other garages in the Woods of Winands subdivision have been erected over time, they have done so in disregard of the zoning regulations. Variance relief can be granted only if the requirements contained in Section 307 of the B.C.Z.R. are met. This section states that the Zoning Commissioner may grant variances;

... only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the zoning regulations of Baltimore County would result in practical difficulty or unreasonable hardship.

Variances are not favored under the law and presumed to be in conflict with the regulations. As stated in *Cromwell v. Ward*, 102 Md. App. 691, 703 (1995):

The general rule is that the authority to grant a variance should be exercised sparingly and only under exceptional circumstances.

FILED
Date 11-31-09
By [signature]

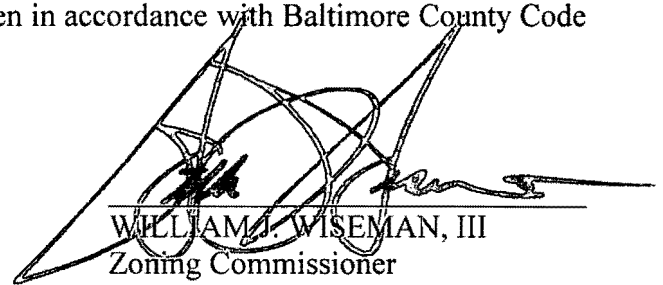
After due consideration of all of the testimony and evidence presented, I find that the Petitioner's property is substantially similar to other properties as to size, shape, and topography. As such, it does not meet the requirements for a finding of uniqueness as set forth in *Cromwell*. I cannot decide this case based on "extenuating circumstances." Having determined that no uniqueness exists as to the Petitioner's property, I must therefore deny the variance requested by the Petitioner.

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 denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 31st day of July 2009 that the Petition for Variance seeking relief from Section 1B02.3.B [Section 1B01.2.C.1 - 1970 Zoning Regulations] of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.3.b - 1970 Comprehensive Manual of Development Policy (CMDP) to permit a building-to-building separation (between detached dwellings on different lots) of 14 feet in lieu of the minimum required 16 feet, and to amend the Final Development Plan (FDP) for Woods of Winands, Lot 35, to allow the side and rear of the dwelling to be located outside of the building envelope as shown on the FDP, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and

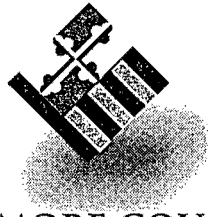
IT IS FURTHER ORDERED that the Petitioner shall have one hundred twenty (120) days from the date of this Order to bring the garage in compliance with the zoning regulations.

Any appeal of this decision shall be taken in accordance with Baltimore County Code Section 32-3-401.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

ORDER RECEIVED FOR FILING
Date 7-31-09
BY [signature]



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

July 31, 2009

Kevin James Richardson
4220 Hanwell Road
Randallstown, Maryland 21133

RE: PETITION FOR VARIANCE
S/S Hanwell Road, 400' W of Brie Court
(4220 Hanwell Road)
2nd Election District - 4th Council District
Kevin James Richardson - *Petitioner*
Case No. 2009-0290-A

Dear Mr. Richardson:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been denied, 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 "W. J. Wiseman, III", written over a horizontal line.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Ollinger N. Connolly, 7932 Schooner Cove Road, Glen Burnie, MD 21060
People's Counsel; Division of Code Inspections and Enforcement, DPDM; File



VIOLATION ORIGINAL
KEEP IN FILE

TAX. JUNT

1806019830

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4220 HANWELL RD

which is presently zoned DR 3.5

(1971-1992 P203)

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) 1 B O I . 2 . C . 1 AND Zoning Policy Manual (Page 1B-15)
ALSO, SECTION 504 BCZR TO PERMIT A BLDG. V.B.3 (CMDP)

→ TO BLDG. SEPARATION OF 14 FT. IN LIEU OF THE REQUIRED 16 FT. AND TO
AMEND THE APPROVED FINAL DEVELOPMENT PLAN FOR WOODS OF WINANDS LOT #35
TO ALLOW THE SIDE AND REAR OF THE DWELLING TO BE LOCATED OUTSIDE OF THE
BLDG ENVELOPE AS SHOWN ON THE PLAN

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

TO BE DETERMINED AT HEARING

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

Date 7 State 31-09 Zip Code

By [Signature]

Case No. 20090290A

REV 9/15/98

Legal Owner(s):

KEVIN JAMES RICHARDSON

Name - Type or Print

Signature

Name - Type or Print

Signature

4220 HANWELL RD

410-655-5149

Address

Telephone No.

BALTIMORE

MD.

21133

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 HR

UNAVAILABLE FOR HEARING

Reviewed By JL Date 5/15/09

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 4220 HANWELL ROAD

OWNER Kevin James Richardson 4220 Hanwell Road
Randallstown Md 21133

Beginning at a ^{pt} on the South Side of Hanwell Road which is 50' R/W wide at the distance of 400 feet West of the centerline of the nearest improved intersecting street Brie Court which is 50' R/W wide.

BEING LOT # 35, BLOCK , SECTION # 11,
in the subdivision of Section II The Woods of Winands as recorded in
Baltimore Count PLAT BOOK # 45, FOLIO # 102,
containing 8291 SQUARE FEET. Also known as 4220 HANWELL
ROAD and located in the 2nd ELECTION DISTRICT,
4th COUNCILMANIC DISTRICT.

0290

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

20090290
 JL

No. 39927

Date: 5/05/09

		Rev		Sub															
		Source/		Rev/															
Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept	Obj	BS	Acct	Amount									
001	806	0000		6150						115.00									

**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: # 2009-0290-A

4220 Hanwell Road
S/side of Hanwell Road, 400 feet west of Brie Court
2nd Election District
4th Councilmanic District
Legal Owner(s): Kevin James Richardson

Variance: to permit a building to building separation of 14 feet in lieu of the required 16 feet and to amend the approved final development plan for Woods of Winands lot #35. To allow the side and rear of the dwelling to be located outside of the building envelope as shown on the plan.

Hearing: Thursday, July 9, 2009 at 11:00 a.m. In Hearing Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
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/6/891 June 23 204132

CERTIFICATE OF PUBLICATION

6/25/2009

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 6/23/2009

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

S. Wilkins

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 06/22/09

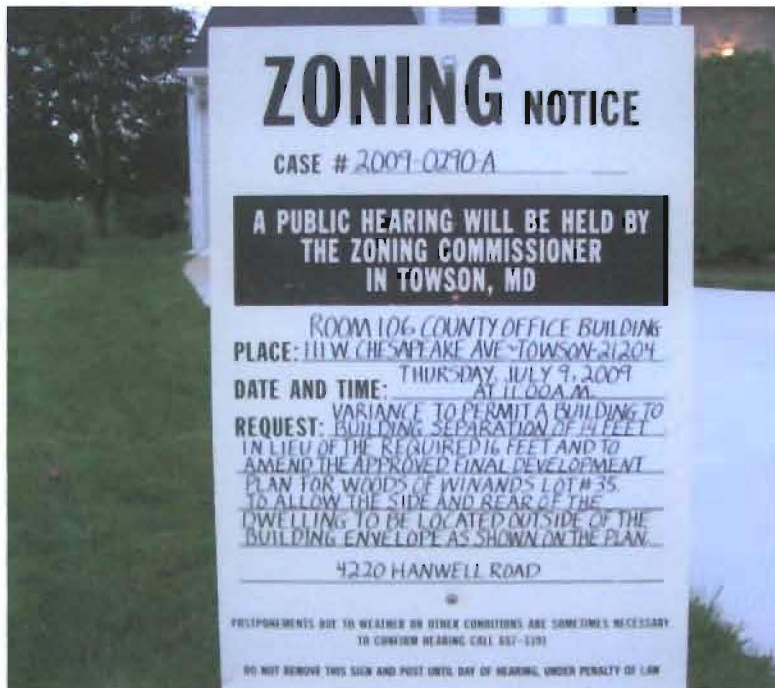
Case Number: 2009-0290-A

Petitioner / Developer: KEVIN RICHARDSON

Date of Hearing (Closing): JULY 9, 2009

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
4220 HANWELL ROAD

The sign(s) were posted on: JUNE 21, 2009



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

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

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

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/neighbor 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: 2009 0290 A
Petitioner: Richardson
Address or Location: 4220 Hamwell Rd

PLEASE FORWARD ADVERTISING BILL TO

Name: Kerrin Richardson
Address: 4220 Hamwell Rd
Balto Md. 21133
Telephone Number: 410 655 5149

TO: PATUXENT PUBLISHING COMPANY
Tuesday, June 23, 2009 Issue - Jeffersonian

Please forward billing to:
Kevin Richardson
4220 Hanwell Road
Baltimore, MD 21133

410-655-5149

NOTICE OF ZONING HEARING

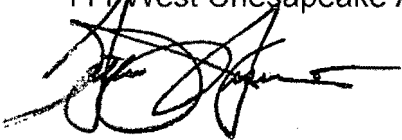
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2009-0290-A

4220 Hanwell Road
S/side of Hanwell Road, 400 feet west of Brie Court
2nd Election District – 4th Councilmanic District
Legal Owners: Kevin James Richardson

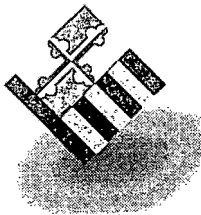
Variance to permit a building to building separation of 14 feet in lieu of the required 16 feet and to amend the approved final development plan for Woods of Winands lot #35. To allow the side and rear of the dwelling to be located outside of the building envelope as shown on the plan.

Hearing: Thursday, July 9, 2009 at 11:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
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
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

June 2, 2009
TIMOTHY M. KOTROCO, *Director*
*Department of Permits and
Development Management*

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: 2009-0290-A

4220 Hanwell Road
S/side of Hanwell Road, 400 feet west of Brie Court
2nd Election District – 4th Councilmanic District
Legal Owners: Kevin James Richardson

Variance to permit a building to building separation of 14 feet in lieu of the required 16 feet and to amend the approved final development plan for Woods of Winands lot #35. To allow the side and rear of the dwelling to be located outside of the building envelope as shown on the plan.

Hearing: Thursday, July 9, 2009 at 11:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

A handwritten signature in cursive script that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Kevin Richardson, 4220 Hanwell Road, Baltimore 21133

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JUNE 24, 2009.**
- (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.

Requested: November 6, 2009

APPEAL SIGN POSTING REQUEST

CASE NO.: 09-290-A

4220 Hanwell Road

2nd ELECTION DISTRICT

APPEALED: 8/18/09

ATTACHMENT – (Plan to accompany Petition – Petitioner's Exhibit No. 1)

*****COMPLETE AND RETURN BELOW INFORMATION*****

CERTIFICATE OF POSTING

TO: Baltimore County Board of Appeals
The Jefferson Building, Suite 203
102 W. Chesapeake Avenue
Towson, MD 21204

Attention: Theresa Shelton
Administrator

CASE NO.: 09-290-A

LEGAL OWNER: Kevin J. Richardson

This is to certify that the necessary appeal sign was posted conspicuously on the property located at:

4220 HANWELL ROAD
S/S HANWELL ROAD, 400' W OF BRIE COURT

RECEIVED
MAR 24 2010
BALTIMORE COUNTY
BOARD OF APPEALS

*not
posted
KJC*

The sign was posted on _____, 200____.

By: _____
(Signature of Sign Poster)

(Print Name)



County Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

Jefferson Building - Second Floor
Hearing Room #2 - Suite 206
105 W. Chesapeake Avenue

December 4, 2009

NOTICE OF ASSIGNMENT

CASE #: 09-290-A IN THE MATTER OF: Kevin James Richardson
— Legal Owner /Petitioner
4220 Hanwell Road / 2nd E; 4th C

Re: Petition for Variance to permit a building separation of 14' ilo req'd 16' and to amend the approved Final Development Plan for Woods of Winands lot # 35 to allow the side and rear of the dwelling to be located outside the building envelope as shown on the plan.

7/31/09 Findings of Fact and Conclusion issued by Zoning Commissioner DENYING requested relief.

ASSIGNED FOR: WEDNESDAY, FEBRUARY 17, 2010, at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Theresa R. Shelton
Administrator

c: Petitioner / Appellant : Kevin James Richardson
Protestant : Ollinger N. Connolly

Office of People's Counsel
William J. Wiseman, III, Zoning Commissioner
Timothy Kotroco, Director/PDM
Arnold F. "Pat" Keller, Director/Planning
Michael Mohler, Deputy Director/ Code Enforcement
Nancy West, Assistant County Attorney
John E. Beverungen, County Attorney



County Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

February 1, 2010

VIA FACSIMILE

Amar S. Weisman, Esquire
15 East Chesapeake Avenue
Towson, MD 21286

Re: In the Matter of: Kevin James Richardson/Appellant
Case No.: 09-290-A

Mr. Weisman:

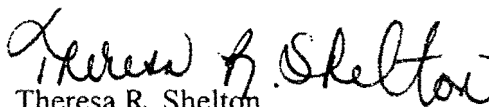
I am in receipt of your entry of appearance and request for postponement dated January 29, 2010. This letter is to advise you that your request for a postponement of the hearing scheduled for February 17, 2010 has been granted.

The file has been noted, and all future notices and communications will be sent to you in this matter.

The matter has been re-assigned to Wednesday, March 31, 2010. A copy of the Notice of Postponement and Reassignment is enclosed.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact this office.

Very truly yours,


Theresa R. Shelton
Administrator

cc: Peter Max Zimmerman, People's Counsel for Baltimore County
Nancy West, Assistant County Attorney
Ollinger Connolly



County Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

Jefferson Building - Second Floor
Hearing Room #2 - Suite 206
105 W. Chesapeake Avenue

February 1, 2010

NOTICE OF POSTPONEMENT AND RE-ASSIGNMENT

CASE #: 09-290-A IN THE MATTER OF: Kevin James Richardson
– Legal Owner /Petitioner
4220 Hanwell Road / 2nd E; 4th C

Re: Petition for Variance to permit a building separation of 14' ilo req'd 16' and to amend the approved Final Development Plan for Woods of Winands lot # 35 to allow the side and rear of the dwelling to be located outside the building envelope as shown on the plan.

7/31/09 Findings of Fact and Conclusion issued by Zoning Commissioner DENYING requested relief.

This matter was scheduled to be heard on 2/17/10 and has been postponed by request of Counsel for the Appellant and the matter has been re-assigned as follows:

RE- ASSIGNED FOR: WEDNESDAY, MARCH 31, 2010, at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Theresa R. Shelton
Administrator

c: Counsel for Petitioner / Appellant : Amar S. Weisman, Esquire
Petitioner / Appellant : Kevin James Richardson

Protestant : Ollinger N. Connolly

Office of People's Counsel
William J. Wiseman, III, Zoning Commissioner
Timothy Kotroco, Director/PDM
Arnold F. "Pat" Keller, Director/Planning
Michael Mohler, Deputy Director/ Code Enforcement
Nancy West, Assistant County Attorney
John E. Beverungen, County Attorney

IN THE

*

COUNTY BOARD

MATTER OF

*

OF APPEALS

KEVIN JAMES RICHARDSON

*

OF

Legal Owner /Petitioner

*

BALTIMORE COUNTY

*

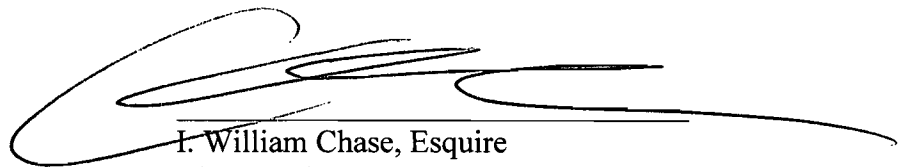
* * * * *

MOTION TO REQUEST FOR POSTPONEMENT

Now comes, **KEVIN JAMES RICHARDSON**, by his attorney, I William Chases, Esquire and represents the following for postponement in the above captioned case and in support of same stated the following:

1. That the above-captioned matter is currently scheduled hearing on Wednesday, February 17, 2010 at 10:00 a.m.
2. That Counsel was just retained in this case.
3. That Counsel is scheduled to appear in the matter of State of Maryland v. Michael A. Sapperstein in the District Court for Baltimore County at 11:00 a.m. on said date.

WHEREFORE, it is respectfully requested this Honorable Court postponed the above-referenced matter and same be rescheduled in the ordinary course.



I. William Chase, Esquire
Chase • Chase & Hammerschlag
1190 W. Northern Parkway, Suite 124
Baltimore, Maryland 21210
410-433-4100

RECEIVED

FEB - 8 2010

BALTIMORE COUNTY
BOARD OF APPEALS

IN THE

* COUNTY BOARD

MATTER OF

* OF APPEALS

KEVIN JAMES RICHARDSON

* OF

Legal Owner /Petitioner

* BALTIMORE COUNTY

*

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*

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*

*

ORDER

UPON the foregoing Motion for Postponement, it is this _____ day of _____, 2010 County Board of Appeals of Baltimore County;

ORDERED that the Motion for Postponement is hereby granted and that the case be reset in the ordinary course.

Judge



January 29, 2010

VIA FACSIMILE AND U.S. MAIL

Lawrence Stahl, Chairman
Baltimore County Board of Appeals
Suite 203, Jefferson Building
105 West Chesapeake Avenue
Towson, MD 21204

RECEIVED
FEB - 2 2010

**BALTIMORE COUNTY
BOARD OF APPEALS**

**Re: REQUEST FOR POSTPONEMENT
 SIS Hanwell Road, 400' W of Brie Court
 (4220 Hanwell Road)
 2nd Election District - 4111 Council District
 Kevin James Richardson - Petitioner
 Case No. 2009-0290-A**

Mr. Chairman:

This law firm was very recently retained to represent the Petitioner in the above-described matter.

Pursuant to Rule No. 2, my client respectfully requests a postponement of the hearing assigned for Wednesday, February 17, 2010 at 10:00 a.m., to enable undersigned counsel to familiarize himself with this matter and enable a licensed Maryland surveyor to complete a survey.

Should there be a problem with this filing, please have someone telephone my office.

Thank you for your courtesies.

Very truly yours,

Amar S. Weisman

ASW
Enclosure

cc: Peter Max Zimmerman, Esq.
 Carole S. Demilio, Esq.

COUNTY BOARD OF APPEALS

JEFFERSON BUILDING •
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
PHONE: 410-887-3180 • FAX: 410-887-3182

FACSIMILE TRANSMITTAL SHEET

February 1, 2010

TO AND FAX NUMBER:

Amar S. Weisman, Esquire

FAX: 410-821-7740

FROM:

Theresa R. Shelton
Administrator

FAX: 410-887-3182

TELEPHONE: 410-887-3180

TOTAL NO. OF PAGES INCLUDING COVER:

3

**Re: Kevin Richardson
09-290-A**

URGENT FOR REVIEW FOR YOUR RECORDS PLEASE REPLY PLEASE RECYCLE

Notice of Postponement and Re-Assignment

This message is intended only for the addressee and may contain information that is privileged and/or confidential in nature. If the reader is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, and/or received this communication in error, please notify the sender immediately by telephone and return the original message to the sender.



County Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

March 31, 2010

NOTICE OF DELIBERATION

CASE #: 09-290-A IN THE MATTER OF: Kevin James Richardson
– Legal Owner /Petitioner
4220 Hanwell Road / 2nd E; 4th C

Re: Petition for Variance to permit a building separation of 14' ilo req'd 16' and to amend the approved Final Development Plan for Woods of Winands lot # 35 to allow the side and rear of the dwelling to be located outside the building envelope as shown on the plan.

7/31/09 Findings of Fact and Conclusion issued by Zoning Commissioner DENYING requested relief.

Having concluded this matter on 3/31/10, a public deliberation has been scheduled for the following date /time:

DATE AND TIME : THURSDAY, APRIL 22, 2010 at 9:00 a.m.

LOCATION : Jefferson Building - Second Floor
Hearing Room #2 - Suite 206
105 W. Chesapeake Avenue

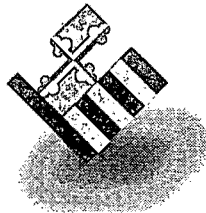
NOTE: ALL PUBLIC DELIBERATIONS ARE OPEN SESSIONS; HOWEVER, ATTENDANCE IS NOT REQUIRED. A WRITTEN OPINION /ORDER WILL BE ISSUED BY THE BOARD AND A COPY SENT TO ALL PARTIES.

Theresa R. Shelton
Administrator

c: Counsel for Petitioner / Appellant : Amar S. Weisman, Esquire
Petitioner / Appellant : Kevin James Richardson

Protestant : Ollinger N. Connolly

Office of People's Counsel
William J. Wiseman, III, Zoning Commissioner
Timothy Kotroco, Director/PDM
Arnold F. "Pat" Keller, Director/Planning
Michael Mohler, Deputy Director/ Code Enforcement
Nancy West, Assistant County Attorney
John E. Beverungen, County Attorney



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

July 1, 2009

Kevin James Richardson
4220 Hanwell Rd.
Baltimore, MD 21133

Dear: Kevin James Richardson

RE: Case Number 2009-0290-A, 4220 Hanwell Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 5, 2009. This letter is not an approval, but only a **NOTIFICATION**.

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,

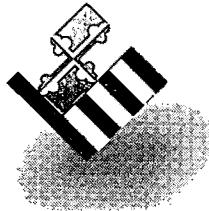
A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

April 9, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: May 11, 2009

Item Numbers 0284, 0290, 0291, 0292

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: August 12, 2008

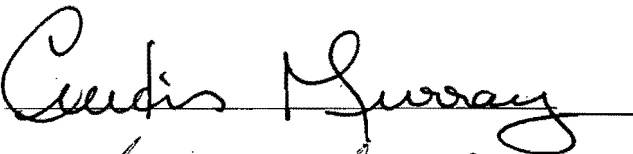
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 09-290- Variance**

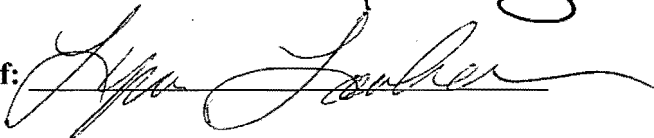
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Dave Green in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:
CM/LL



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For May 18, 2009
Items Nos. 2009-234, 284, ~~290~~ 291
and 292

DATE: May 15, 2009

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

DAK:CEN:cab

cc: File



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: MAY 14, 2009

Ms. Kristen Matthews
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No 2009-0290A
4220 HANWELL RD
RICHARDSON PROPERTY
VARIANCE -

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2009-0290-A

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

for Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB



BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: June 3, 2009

SUBJECT: Zoning Item # 09-290-A
Address 4220 Hanwell Road
(Richardson Property)

Zoning Advisory Committee Meeting of May 18, 2009

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

Reviewer: JWL

Date: 6/3/09

RE: PETITION FOR VARIANCE * BEFORE THE
4220 Hanwell Road; S/S Handwell Road, * ZONING COMMISSIONER
400' W of Brie Court * FOR
2nd Election & 4th Councilmanic Districts * BALTIMORE COUNTY
Legal Owner(s): Kevin James Richardson *
Petitioner(s) * 09-290-A

* * * * *

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 and all documentation filed in the case.

RECEIVED
MAY 28 2009

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

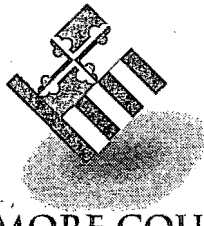
CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of May, 2009, a copy of the foregoing Entry of Appearance was mailed to Kevin James Richardson, 4220 Hanwell Road, Baltimore, MD 21133, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

October 26, 2009

Kevin James Richardson
4220 Hanwell Road
Randallstown, MD 21133

Dear Mr. Richardson:

RE: Case 2009-0290-A, 4220 Hanwell Road

Please be advised your appeal of the above-referenced case was filed in this office on August 18, 2009. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

c: William J. Wiseman III, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel
Ollinger N. Connolly, 7932 Schooner Cove Road, Glen Burnie 21060

APPEAL

Petition for Variance
4220 Hanwell Road
S/s Hanwell Road, 400' W of Brie Court
2nd Election District – 4th Councilmanic District
Legal Owners: Kevin James Richardson

Case No.: 2009-0290-A

Petition for Variance (May 5, 2009)

Zoning Description of Property

Notice of Zoning Hearing (June 2, 2009)

Certification of Publication (The Jeffersonian – June 23, 2009)

Certificate of Posting (June 21, 2009) by Linda O'Keefe

Entry of Appearance by People's Counsel (May 28, 2009)

Petitioner(s) Sign-In Sheet – One Sheet

Protestant(s) Sign-In Sheet - None

Citizen(s) Sign-In Sheet – One Sheet

Zoning Advisory Committee Comments

Petitioners' Exhibit

1. 2 page Site Plan
2. Photographs

Protestants' Exhibits - None

Miscellaneous (Not Marked as Exhibit)

1. CD-R
2. PDM Facility History Report

Zoning Commissioner's Order (DENIED – July 31, 2009)

Notice of Appeal received on August 18, 2009 from Kevin Richardson, Petitioner

c: People's Counsel of Baltimore County, MS #2010
Zoning Commissioner/Deputy Zoning Commissioner
Timothy Kotroco, Director of PDM
Ollinger Connolly, 7932 Schooner Cove Road, Glen Burnie 21060

Code Enforcement
date sent October 26, 2009, klm

*Nancy West
Bevering*

RECEIVED
OCT 26 2009

**BALTIMORE COUNTY
BOARD OF APPEALS**

Address List

Petitioner:

Kevin J. Richardson
4220 Hanwell Road
Randallstown, MD 21133

Protestant:

Ollinger N. Connolly
7932 Schooner Cove Road
Glen Burnie, MD 21060

Interoffice:

Office of People's Counsel
William J. Wiseman, III, Zoning Commissioner
Timothy Kotroco, Director/PDM
Arnold F. "Pat" Keller, III, Director/Planning
John Beverungen, County Attorney

From: Theresa Shelton
To: Mohler, Mike; Peters, Robert
Date: 3/31/2010 1:28 PM
Subject: Citation 0056544
Attachments: Citation 0056544.pdf

Good Afternoon:

Attached is a copy of Citation 0056544 issued to Mr. Richardson regarding the property 4220 Hanwell Road. The Correction Notice was presented this date as an Exhibit before the Board of Appeals at the hearing scheduled for today in this matter. The Board has inquired as to the result of this Citation. Could you please provide information regarding the correction notice? Is this matter still pending before you? Was the permit amended, etc.?

If you can not determine the information on the scanned copy, please let me know and I will provide a hard copy to you.

Thank you for your assistance in this matter.

Theresa

Theresa R. Shelton, Administrator
Board of Appeals for Baltimore County
Suite 203, The Jefferson Building
105 W. Chesapeake Avenue
Towson, MD 21204

410-887-3180
410-887-3182 (FAX)
tshelton@baltimorecountymd.gov

"I took the Green @ Work Energy Challenge Pledge."

Confidentiality Statement

This electronic mail transmission contains confidential information belonging to the sender which is legally privileged and confidential.

The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or taking of any action based on the contents of this electronic mail transmission is strictly prohibited. If you have received this electronic mail transmission in error, please immediately notify the sender.

Theresa Shelton - Re: Citation 0056544

From: Robert Peters
To: Shelton, Theresa
Date: 4/5/2010 8:09 AM
Subject: Re: Citation 0056544

Mr. Richardson went the county to amend permit to show actual work that would reflect the change in set backs. That's what prompted the request for variance.
Bob Peters

>>> Theresa Shelton 3/31/2010 1:28 PM >>>
Good Afternoon:

Attached is a copy of Citation 0056544 issued to Mr. Richardson regarding the property 4220 Hanwell Road. The Correction Notice was presented this date as an Exhibit before the Board of Appeals at the hearing scheduled for today in this matter. The Board has inquired as to the result of this Citation. Could you please provide information regarding the correction notice? Is this matter still pending before you? Was the permit amended, etc.?

If you can not determine the information on the scanned copy, please let me know and I will provide a hard copy to you.

Thank you for your assistance in this matter.

Theresa

Theresa R. Shelton, Administrator
Board of Appeals for Baltimore County
Suite 203, The Jefferson Building
105 W. Chesapeake Avenue
Towson, MD 21204

410-887-3180
410-887-3182 (FAX)
tshelton@baltimorecountymd.gov

I took the Green @ Work Energy Challenge Pledge.

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action based on the contents of this electronic mail transmission is strictly prohibited. If you have received this electronic mail transmission

BALTIMORE COUNTY, MARYLAND
Board of Appeals of Baltimore County
Interoffice Correspondence

TO: Maureen
Larry W.
Bob

DATE: March 31, 2010

FROM: Theresa *T*

RE: Kevin Richardson

3/31/10 Board convened for hearing (Maureen – Bob – Wescott). Hearing completed.
No Memos due - **Public Deliberation scheduled for 4/22/10 @ am.**

Inquiry sent this date to Code Enforcement with regards to Citation 0056544.

Reply:

Received Complaint Report from Mr. Brand (attached) and we spoke by telephone – Permit was issued for a roof overhang only.

No permit was issued for the enlargement. Case was re-opened re: corrected permit, but permit was never issued – legal owner needed variance approval. Owner applied for Variance on 4/22/09.

Correction Notice is still open pending appeal – if variance is approved – permit will be issued, if not, structure needs to be removed.

Fax

TO: Baltimore County Board of Appeals

Fax Number: 410.887.3182

Amar S. Weisman, Esq.
15 East Chesapeake Ave.
Towson, Maryland 21286
T 410.321.4994
F 410.821.7740
www.towsonattorney.com

From: Amar Weisman

Number of pages including cover: 2

Regarding: Case No. 2009-0290-A

Honorable Board Members:

Please find the enclosures. If any pages appear to be missing or you have any questions about the contents, please do not hesitate to call me using the contact information provided.

Respectfully,

Amar Weisman

Amar Weisman, Esq.

Confidentiality Notice: Please note that this transmission may contain confidential information belonging to the sender, which may be legally privileged information. If you are not the intended recipient, please immediately respond via e-mail or telephone us.

RECEIVED

JAN 29 2010

BALTIMORE COUNTY
BOARD OF APPEALS

RECEIVED

JAN 29 2010

BALTIMORE COUNTY
BOARD OF APPEALS

AMAR WEISMAN LLC

January 29, 2010

VIA FACSIMILE AND U.S. MAIL

Lawrence Stahl, Chairman
Baltimore County Board of Appeals
Suite 203, Jefferson Building
105 West Chesapeake Avenue
Towson, MD 21204

Re: **REQUEST FOR POSTPONEMENT**
SIS Hanwell Road, 400' W of Brle Court
(4220 Hanwell Road)
2nd Election District - 4111 Council District
Kevin James Richardson - Petitioner
Case No. 2009-0290-A

Mr. Chairman:

This law firm was very recently retained to represent the Petitioner in the above-described matter.

Pursuant to Rule No. 2, my client respectfully requests a postponement of the hearing assigned for Wednesday, February 17, 2010 at 10:00 a.m., to enable undersigned counsel to familiarize himself with this matter and enable a licensed Maryland surveyor to complete a survey.

Should there be a problem with this filing, please have someone telephone my office.

Thank you for your courtesies.

Very truly yours,



Amar S. Weisman

ASW
Enclosure

cc: Peter Max Zimmerman, Esq.
Carole S. Demilio, Esq.

15 East Chesapeake Avenue, Towson, Maryland, 21286 | 410-321-4994 | 410-821-7740 (f)
amar.weisman@towsonattorney.com www.towsonattorney.com

PAGE 01

CODE ENF

4108872824

07/09/2009 12:30



Permits & Development Management Facility History Report

3468

Report Criteria:
Facility Record ID: FA0044692

Facility:	Owner:	Councilmanic District	Election District	Number of Complaints	Number of Programs
FA0044692 PDM 1800014830 4220 HANWELL RD RANDALLSTOWN MD 21133	RICHARDSON KEVIN JAMES 4220 HANWELL RD RANDALLSTOWN MD 21133	4	2	1	-

Record ID:	AS/400 Case Number	Assigned To	Received Date	Received By	Status	Hearing Date	ADC Grid
CO0056544		Bob Peters	02/24/2009	Karen Hopkins	Open - Normal		24C8
Complaint Description: EXPANDING EXISTING ATTACHED GARAGE ONTO NEIGHBOR'S PROPERTY W/O PERMITS. 4/1/09 RE-OPEN CASE					Complainant: OLLINGER CONOLLY 4102555842		

Daily Activity Details - No Data
Violation Details - No Data

Comment Details

Type	Date	Comments
BUILDING INSPECTIONS	02/26/2009	INSPECTION 2/25/09 February 26, 2009 08:37 AM - NSHELTON FOUND EXISTING GARAGE BEING ENLARGED ON SIDE & LENGTH. ISSUED STOP WORK ORDER & ADDITION CORRECTION NOTICE. ALSO, ADVISED TO GET LICENSED ELECTRICIAN & PERMIT. P/U 3/10/09 B.PETERS/NS***
BUILDING INSPECTIONS	03/12/2009	INSPECTION 3/11/09 March 12, 2009 08:20 AM - NSHELTON PERMIT HAS BEEN ISSUED B712597 2/27/09. CLOSE CASE. B.PETERS/NS***
BUILDING INSPECTIONS	04/01/2009	INSPECTION 4/1/09 April 01, 2009 08:45 AM - NSHELTON RE-OPEN CASE. NEW CORRECTION ISSUED TO AMEND PERMIT TO REFLECT ALL WORK & CHANGE IN SET BACKS. REF: B712597. CONTACTED COMPLAINANT LEFT MESSAGE (AM). CALLED AGAIN IN AFTERNOON & SPOKE WITH MR. CONNELLY. TOLD HIM I WOULD KEEP HIM POSTED ON PROGRESS. B.PETERS/NS***

Lien Information - None

Permits & Development Management Complaint Report

Report Criteria:
Complaint Record ID: CO0056544

Record ID	AS/400 Case	Assigned To	Assigned Date	Scheduled Time	Received By	Received Date	Status	Hearing Date	ADC Grid
CO0056544		Bob Peters	04/09/2009		Karen Hopkins	02/24/2009	Open - Normal		24C8

Complaint Description: EXPANDING EXISTING ATTACHED GARAGE ONTO NEIGHBOR'S PROPERTY W/O PERMITS. 4/1/09 RE-OPEN CASE

Facility:	Owner:	Complainant:
FA0044692 PDM 1800014830 4220 HANWELL RD RANDALLSTOWN, MD 21133	RICHARDSON KEVIN JAMES 4220 HANWELL RD RANDALLSTOWN MD 21133	OLLINGER CONOLLY HOME: 4102555842

*Theresa
Shelton
Bd 9
Appeals
3353*

● Daily Activity Details - No Data
● Violation Details - No Data

Comment Details

Type	Date	Comments
BUILDING INSPECTIONS	02/26/2009	INSPECTION 2/25/09 February 26, 2009 08:37 AM - NSHELTON FOUND EXISTING GARAGE BEING ENLARGED ON SIDE & LENGTH. ISSUED STOP WORK ORDER & ADDITION CORRECTION NOTICE. ALSO, ADVISED TO GET LICENSED ELECTRICIAN & PERMIT. P/U 3/10/09 B.PETERS/NS***
BUILDING INSPECTIONS	03/12/2009	INSPECTION 3/11/09 March 12, 2009 08:20 AM - NSHELTON PERMIT HAS BEEN ISSUED B712597 2/27/09. CLOSE CASE. B.PETERS/NS***
BUILDING INSPECTIONS	04/01/2009	<i>Roof overhang -</i> INSPECTION 4/1/09 April 01, 2009 08:45 AM - NSHELTON RE-OPEN CASE. NEW CORRECTION ISSUED TO AMEND PERMIT TO REFLECT ALL WORK & CHANGE IN SET BACKS. REF: B712597. CONTACTED COMPLAINANT LEFT MESSAGE (AM). CALLED AGAIN IN AFTERNOON & SPOKE WITH MR.CONNELLY. TOLD HIM I WOULD KEEP HIM POSTED ON PROGRESS. B.PETERS/NS***
	04/02/2009	[TITLE] <i>no Building permit -</i> April 02, 2009 09:49 AM - NSHELTON <i>4/22/09 to allow variance</i>

Lien Information - None

BOARD OF APPEALS OF BALTIMORE COUNTY
MINUTES OF DELIBERATION

IN THE MATTER OF: Kevin Richardson

09-290-A

DATE: April 22, 2010

BOARD/PANEL: Maureen Murphy
Lawrence Wescott
Robert Witt

RECORDED BY: Sunny Cannington/Legal Secretary

PURPOSE: To deliberate the following:

1. Petition for Variance to permit a building separation of 14' ilo req'd 16' and to amend the approved Final Development Plan for Woods of Winands lot # 35 to allow the side and rear of the dwelling to be located outside the building envelope as shown on the plan.
2. Is the property unique pursuant to the conditions set forth in Cromwell vs. Ward?
3. If the property is unique pursuant to the conditions set forth in Cromwell vs. Ward; will failure to grant the Variance present a practical difficulty or unusual hardship on the property owner?

PANEL MEMBERS DISCUSSED THE FOLLOWING:

STANDING

- The Board reviewed the facts, evidence, testimony and law in this matter. The Petitioner had applied for and received a permit to extend the overhang of the existing garage. The Petitioner hired a builder and while extending the overhang, extended the garage. The Protestant/neighbor complained. The Board heard testimony which indicated that there is nothing unique about the subject property pursuant to Cromwell. The subject lot is pie-shaped, as are several other lots in the development. Expert testimony stated that the subject lot has the smallest building envelope but measurements were not provided to the Board. The Board determined that the Petitioner did not meet the burden of proof required to grant the Variance.
- The Board reviewed that the statute states that the land or structure must be "unique" however, there is no case law which states that the structure alone can cause the property to be considered unique unless there is some extenuating circumstance with regard to the architecture. In this instance, the structure is not unique.
- The Board reviewed that the Petitioner extended his garage to provide enough room in his garage to permit two vehicles parked side by side. The Petitioner's hardship is self

imposed. The Board determined that the property is not unique and therefore the Variance cannot be granted. The Board also determined that the Petitioner does not need to remove the entire garage, he must only remove the portion which is in violation.

DECISION BY BOARD MEMBERS: The subject property is not unique pursuant to the conditions of Cromwell v. Ward. Any hardship is self imposed.

FINAL DECISION: After thorough review of the facts, testimony, and law in the matter, the Board unanimously agreed to DENY the Petition for Variance.

NOTE: These minutes, which will become part of the case file, are intended to indicate for the record that a public deliberation took place on the above date regarding this matter. The Board's final decision and the facts and findings thereto will be set out in the written Opinion and Order to be issued by the Board.

Respectfully Submitted,


Sunny Cannington

KEVIN RICHARDSON

4220 HANWELL RD

RANDALLSTOWN MD. 21133

PHONE 410-655-5149

I WISH TO APPRAISE THE VARIANER
THAT WAS DRAINED 09-290-16

Kevin Richardson

Reid

8/17/09

Ken

CASE NAME Richardson
CASE NUMBER 2009-0290-A
DATE 7-9-09

[illegible]

CASE NAME Richardson
CASE NUMBER 2009-0290-1A
DATE 7-9-09

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
OLLINGRAN CONVO 117	4218 HANWELL RD RANDALLSTOWN, MD 21133	RANDALLSTOWN, MD 21133	OLLINGRANCONVO117@COMCAST.NET
	✓ 7-9-09 12:57 per	Mr. Convey via phone	
		Please do not send order to above address.	
	Send to:		
		17932 Schooner Cove Rd,	
		Glen Burnie, Ave. 21060	
			Deb

CASE NAME Richardson
CASE NUMBER 2009-0290-A
DATE 7-9-09

CASE NAME Richardson
CASE NUMBER 2009-0290-A
DATE 7-9-09

[illegible]

PLEASE PRINT CLEARLY

CASE NAME Richardson
CASE NUMBER 2009-0290-A
DATE 7-9-09

CITIZEN'S SIGN-IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E-MAIL

O'CONNOR, N. CONNOR

4218 HANWELL RD
RANDALLSTOWN, MD 21133

RANDALLSTOWN, MD 21133 OCONNOR@COMCAST.NET

✓ 7-9-09 12:57 Per Mr. Conley via phone

Please do not send order to above address.
Send to:

17932 Schooner Cove Rd,
Glen Burnie, Ave. 21060

Yes

Case No.: 2009- 0290-A 4220 Hamwell Rd.

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	2 Page Site Plan	
No. 2	Photographs.	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

2090290A

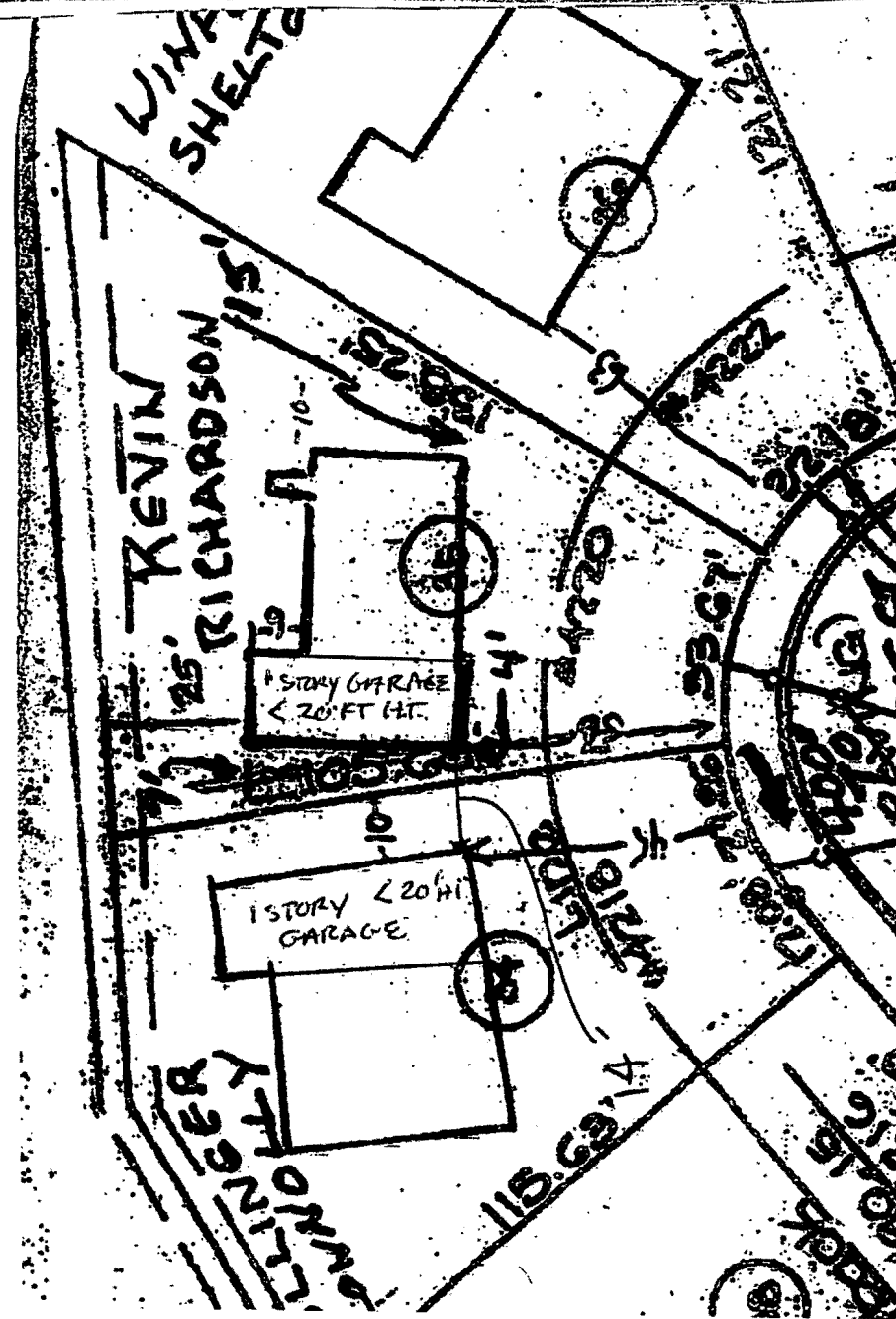
PLAY TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE | SPECIAL HEARING

PROPERTY ADDRESS 4220 HANWELL RD. SET PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME SECTION 11 THE WOODS OF WINANDS

PLAT BOOK # 102 LOT # 35 SECTION # 11 PAGE 1 OF 2

OWNER KEVIN JAMES RICHARDSON

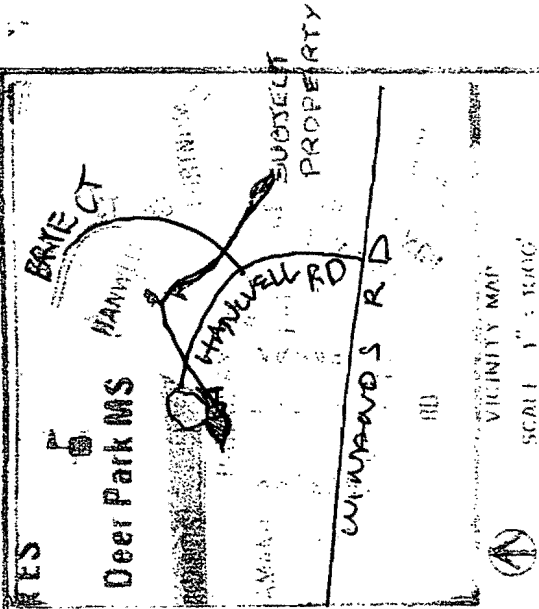


SEE PAGE 2 OF 2 FOR DETAILS.

7 Kevin Richardson 5-5-09
AND RESUBMIT FOR
THE INFORMATION
WRITTEN & DRAWN
BY BMT CO.

BLDG SEPARATION BETWEEN 1 STORY FACILTY
GARAGES < 20 FT. HIGH IS 16 FT. PER FDP.
EXISTING SEPARATION IS 14 FT.

THE 5' SIDE AND 30' REAR SETBACKS REQUIRE AMENDMENT
TO ALLOW THE BUILDING OUTSIDE OF THE ENVELOPE ON THE FDP



LOCATION INFORMATION

ELECTION DISTRICT 2
COUNCILMANIC DISTRICT 4
1" = 200' SCALE MAP # 66C3

ZONING DR 3.5
LOT SIZE 0.19
ACREAGE 8291
SQUARE FEET

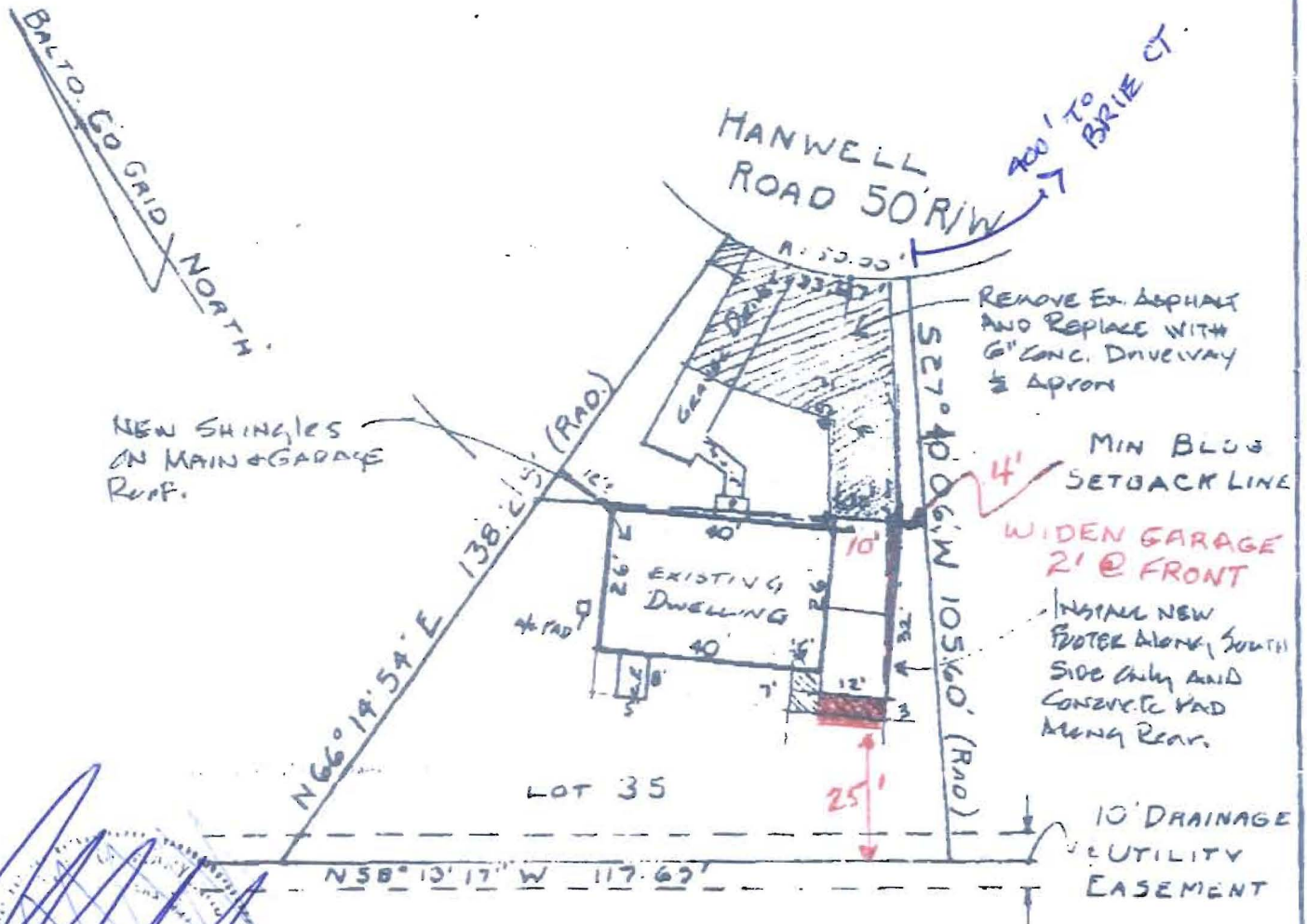
SEWER	WATER	PURPOSE	PRIVATE	YES	NO
☒	☒	☒	☒	☒	☒
☐	☐	☐	☐	☐	☐
☐	☐	☐	☐	☐	☐
☐	☐	☐	☐	☐	☐

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

22

Plat showing property known as #4220 Hanwell Road, Baltimore County, Maryland. Also known as Lot 35 as shown on a Plat of Section II The Woods of Winands recorded among the land records of Baltimore County, Maryland in Plat Book E.H.K. Jr. 45 folio 102.



PAGE 2 OF 2

SCALE 1" = 30' ±

THIS IS TO CERTIFY that I have located the improvements on the lot shown herein, and that said improvements exist, and that said improvements are entirely within the boundaries.

Ernest R. Hinkle, Jr.

Development Engineering Consultants, Inc.

THIS PLAT NOT INTENDED FOR USE IN THE ESTABLISHMENT OF PROPERTY LINES

Development Engineering Consultants, Inc.

Site Engineer & Surveyor

6603 York Road

Baltimore, Maryland 21212

4115

Scale: 1" = 30'

Issued: 12-29-81

4221

4219



HOMES ON
OPPOSITE SIDE
OF STREET
WITH SIMILAR
GARAGE IMPROVEMENT

4218

4220



Protestants
Home

Petitioners
Home

PETITIONER'S

EXHIBIT NO.

2

Case No: 09-290-A Case Name: KEVIN JAMES RICHARDSON

Case Name: KEVIN JAMES RICHARDSON

Exhibit List

Party: APPELLANT / PETITIONER

Date: 3/5/10

[illegible]

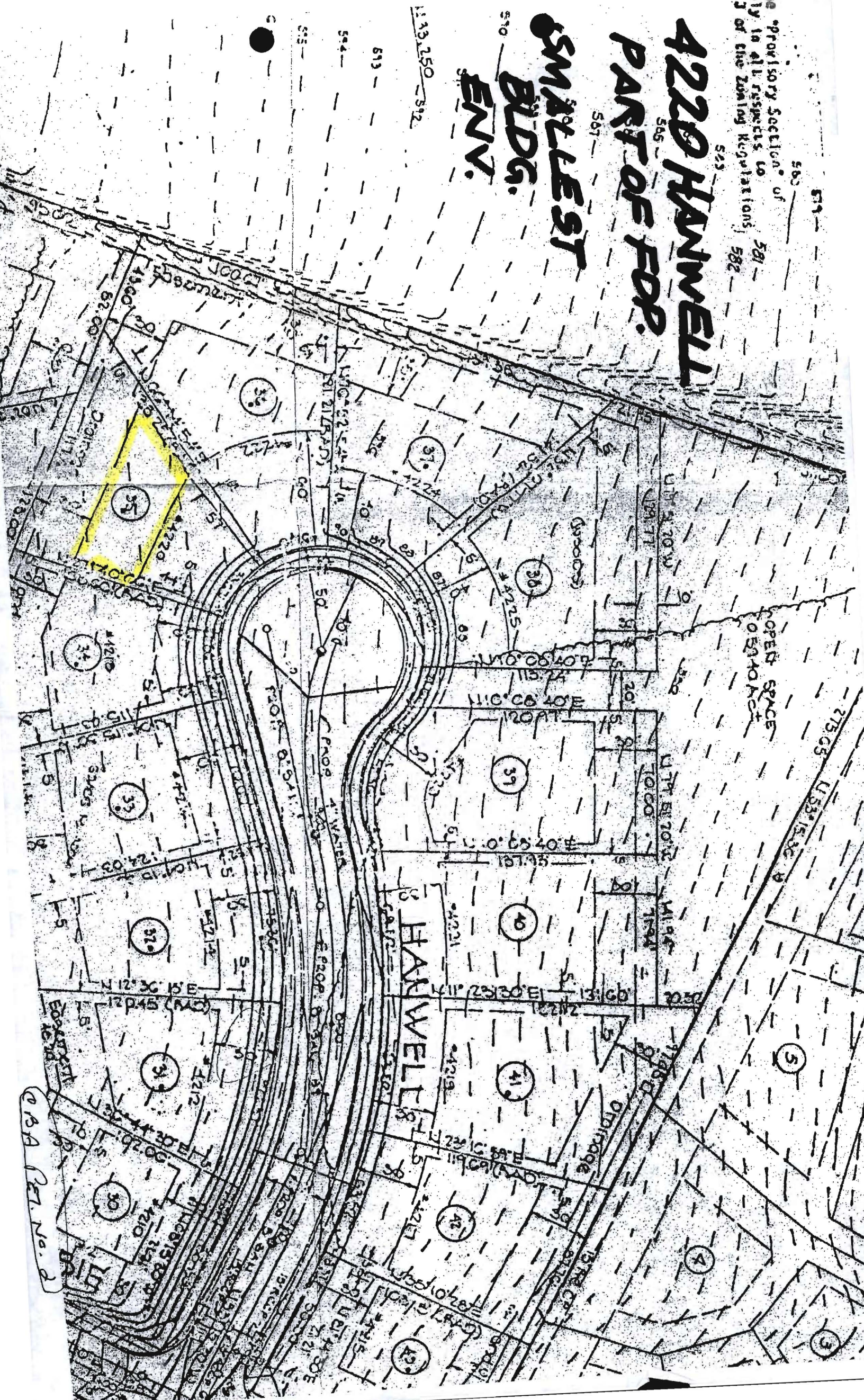
Verified by the
3/31/10

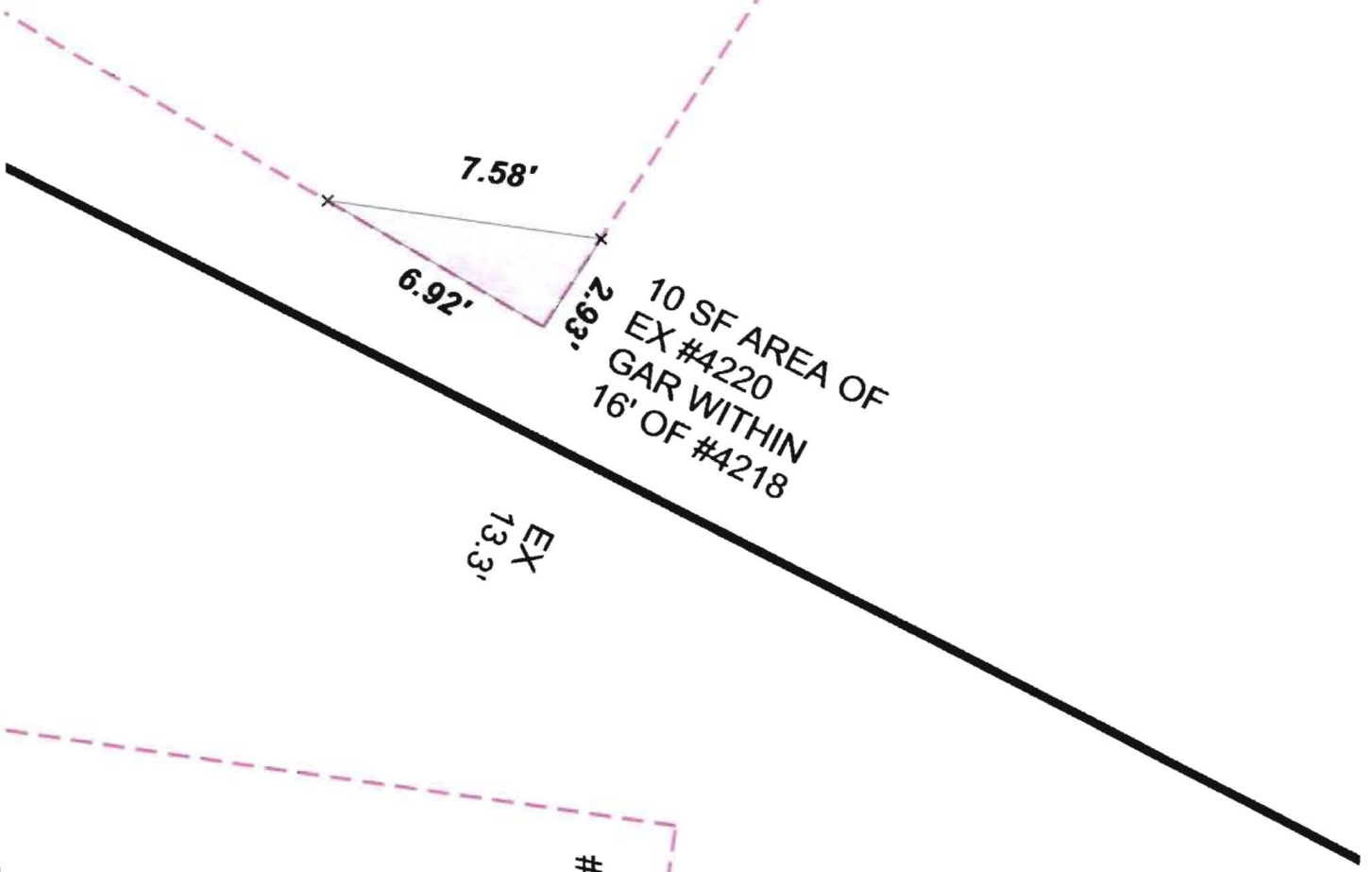
the "Provisional Section" of
apply in all respects to
of the Zoning Regulations, 582

4220 HANWELL

PART OF FOR

SMALLEST
BLDG.
ENV.





#4220

7.58'

6.92'

2.93'

10 SF AREA OF
EX #4220
GAR WITHIN
16' OF #4218

EX
13.3'

#4218



DETAIL
#4220/#4218 HANWELL ROAD
1"=5'

C/BA PGY. NO 3



Baltimore County
Department of Permits and
Development Management

Code Inspection Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

2nd District

Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 056544	Property No. 1800014830	Zoning
-----------------------------	----------------------------	--------

Name(s): Kevin James Richardson

Address: 4220 Hanwell Rd. 21133

Violation Location: same as above

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

IRC - R106 Construction Documents
R106.2 Site Plan
(permit must be amended to reflect all
work & change in setbacks)
REF: B712597
- Existing garage was made wider & longer -

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

On or Before: 4/8/09	Date Issued: 4/1/09
-------------------------	------------------------

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name: Bob Peters

INSPECTOR: [Signature]

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:

On or Before:	Date Issued:
---------------	--------------

INSPECTOR: _____

DEFENDANT

03A
PET.
NO.
5

NOTICE TO DEFENDANT

1. If you **DO NOT CONTEST** this citation, pay the civil penalty by check or money order, payable to the Director of Finance, Baltimore County, Maryland. Return a copy of this citation with payment to:

Director of Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

2. If you **CONTEST** this citation and proposed civil penalty, you must file a written request for a quasi-judicial hearing before the code official or designee within 15 days from the date of service of this citation. At this hearing, you are entitled to be represented by an attorney, present witnesses, present evidence, and cross-examine any witnesses against you. An attorney can be helpful to you by (a) explaining the charges in this citation, (b) helping you at the hearing, and (c) helping you challenge the civil penalty, if found in violation.

3. This hearing will be cancelled if you choose to pay the civil penalty. Failure to contest the citation and proposed civil penalty, by either not paying the penalty or by not requesting the quasi-judicial hearing, shall result in the affirmed citation and its penalty becoming a non appealable, final order of the code official. Failure to appear at the requested hearing also will result in the affirmed citation and civil penalty becoming a non appealable, final order of the code official.

4. If you are the owner of the property, failure to pay the civil penalty shall constitute a lien on the property and shall be collectible in the same manner and to the same extent as real estate taxes. In addition, failure to correct the violation(s) shall result in appropriate judicial action for enforcement, including civil contempt, which could result in imprisonment.

Detach and send the completed form to:

Director of Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING MAP

SUBJECT
PROPERTY

Flood Zone X

4 CD

Flood Zone AREA NOT INCLUDED

PARAN RD

BRIEF

WINANDS RD

WINANDS RD

WINANDS RD

0296

28

Lot # 39
1800014834 4223

4224

1800014831
Lot # 36

4222

Flood Zone X

4 CD

1800014830
Lot # 35

2 ED

WOODS OF WINANDS (SECTION 2) (PDM File/Project #)

Lot # 34 1800014829

4216
1800014828
Lot # 33

Lot # 7 1800014810

4208

1800014811
Lot # 8 4209

4209

1800014809
4206

Lot # 6

1800014812 4207
Lot # 9

Pt. Bk. 45 Folio 102

1800014824

1800014823

Lot # 28

Lot # 10 1800014813
4205

Lot # 5 1800014808

PARAN RD

0290



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw4.3)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 02 Account Number - 1800014829

Owner Information

Owner Name:	CONNOLLY OLLINGER N CONNOLLY EUGENIA W	Use:	RESIDENTIAL
Mailing Address:	7932 SCHOONER COVE RD GLEN BURNIE MD 21060-8541	Principal Residence:	NO
		Deed Reference:	1) / 7423/ 28 2)

Location & Structure Information

Premises Address	Legal Description
4218 HANWELL RD RANDALLSTOWN 21133	7932 SQ FT .1820 AC WOODS OF WINANDS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
66	24	554			II		34	1	Plat Ref: 45/ 102

Special Tax Areas

Town	
Ad Valorem	
Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1987	1,776 SF	7,932.00 SF	04
Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2007	07/01/2008	07/01/2009
Land	37,930	81,430		
Improvements:	128,190	230,370		
Total:	166,120	311,800	263,240	311,800
Preferential Land:	0	0	0	0

Transfer Information

Seller: TIMBERLINE JOINT VENTURE	Date: 02/26/1987	Price: \$108,340
Type: IMPROVED ARMS-LENGTH	Deed1: / 7423/ 28	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2008	07/01/2009
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw6.3)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 02 Account Number - 1800014830

Owner Information

Owner Name: RICHARDSON KEVIN JAMES **Use:** RESIDENTIAL
Principal Residence: YES
Mailing Address: 4220 HANWELL RD **Deed Reference:** 1) / 7537/ 754
 RANDALLSTOWN MD 21133 2)

Location & Structure Information

Premises Address **Legal Description**
 4220 HANWELL RD 8291 SQ FT .1903 AC
 WOODS OF WINANDS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
66	24	554			II		35	1	Plat Ref: 45/ 102

Special Tax Areas **Town**
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1987	1,108 SF	8,291.00 SF	04

Stories	Basement	Type	Exterior
SPFOY		SPLIT FOYER	SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2007	07/01/2008	07/01/2009
Land	38,070	81,790		
Improvements:	104,680	172,940		
Total:	142,750	254,730	217,402	254,730
Preferential Land:	0	0	0	0

Transfer Information

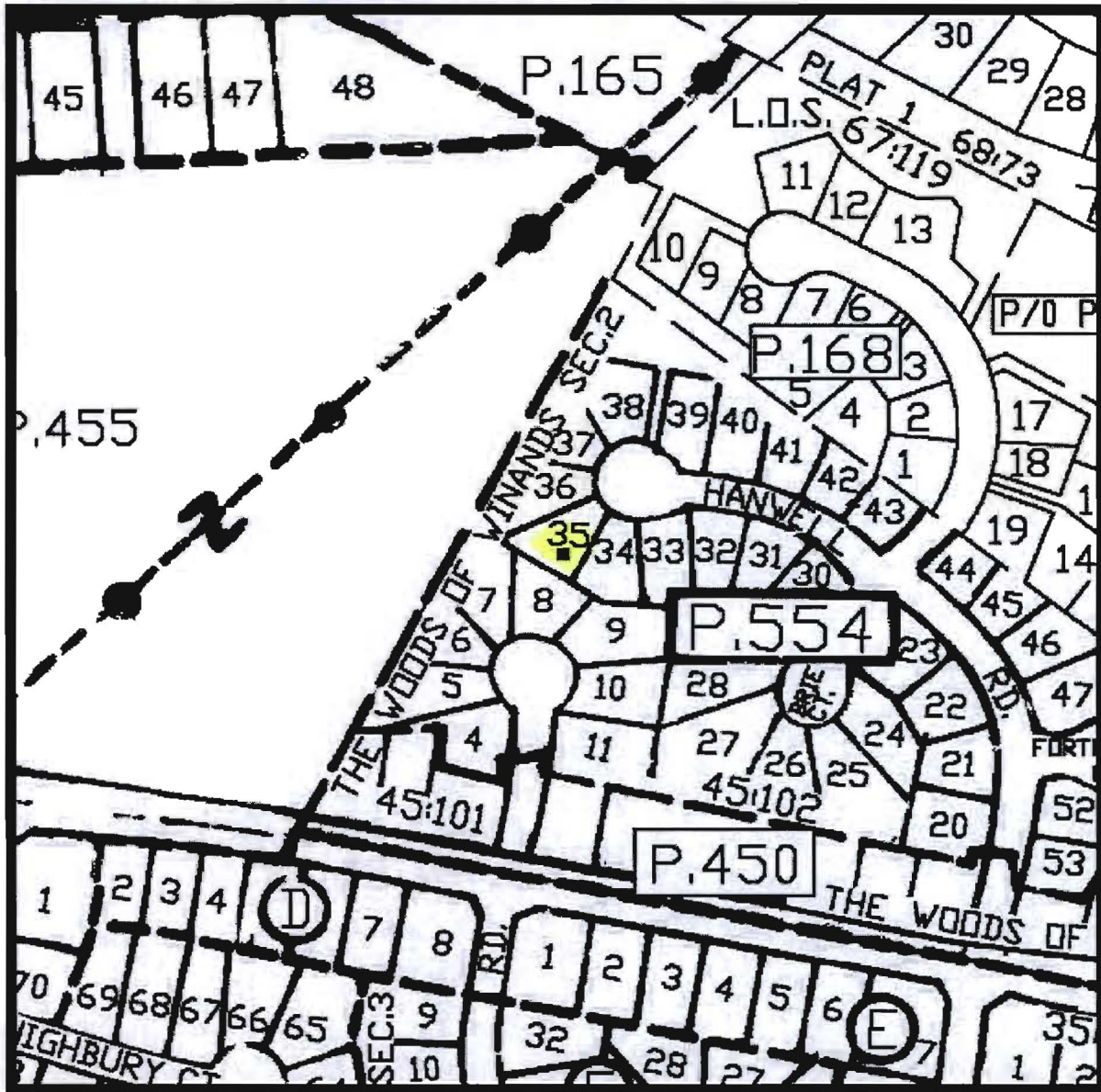
Seller:	Date:	Price:
TIMBERLINE JOINT VENTURE	05/20/1987	\$93,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 7537/ 754	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2008	07/01/2009
County	000	0	0
State	000	0	0
Municipal	000	0	0
Tax Exempt:	NO	Special Tax Recapture:	
Exempt Class:		* NONE *	

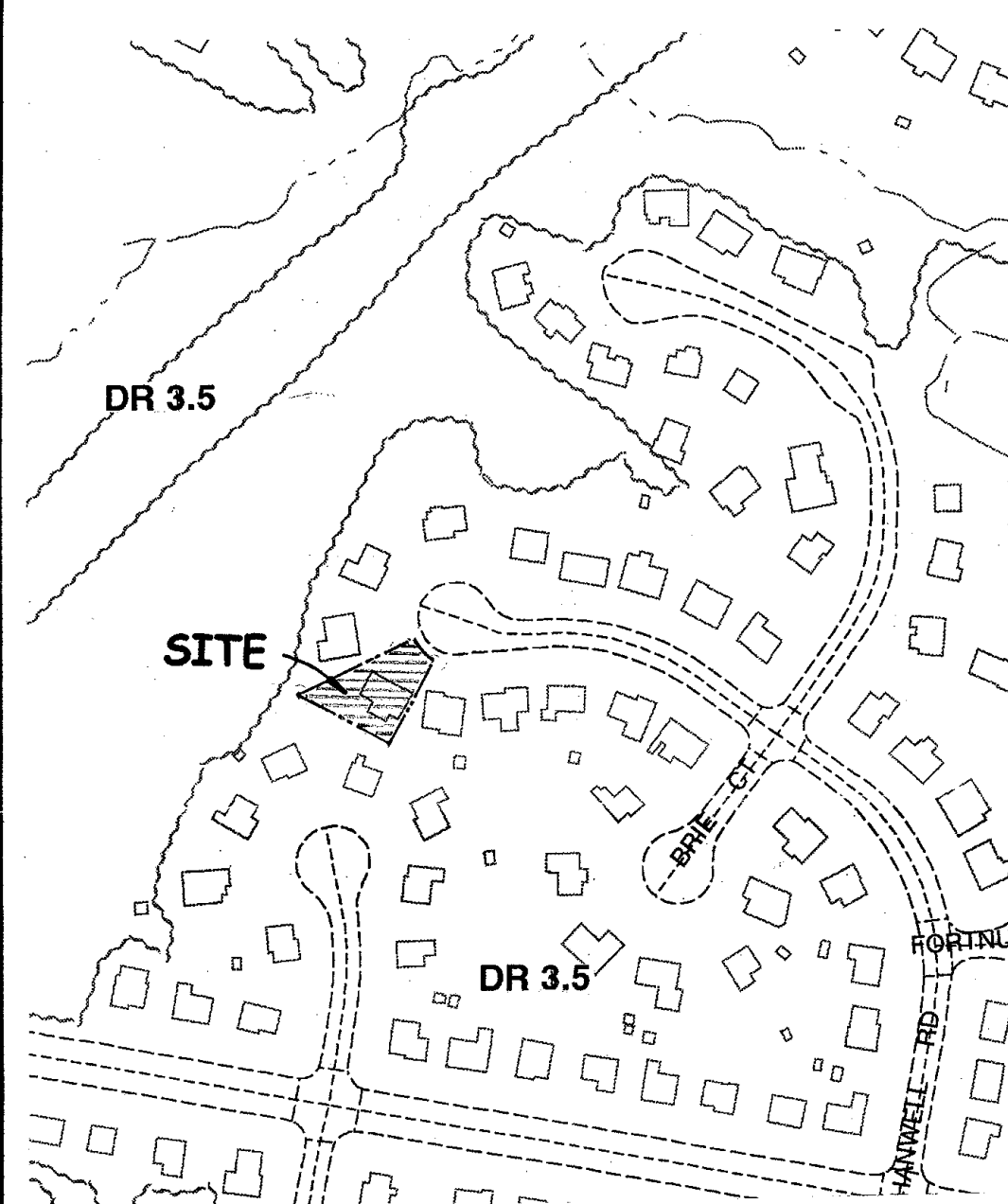
	Maryland Department of Assessments and Taxation	Go Back
	BALTIMORE COUNTY	View Map
	Real Property Data Search	New
		Search

District - 02 Account Number - 1800014830

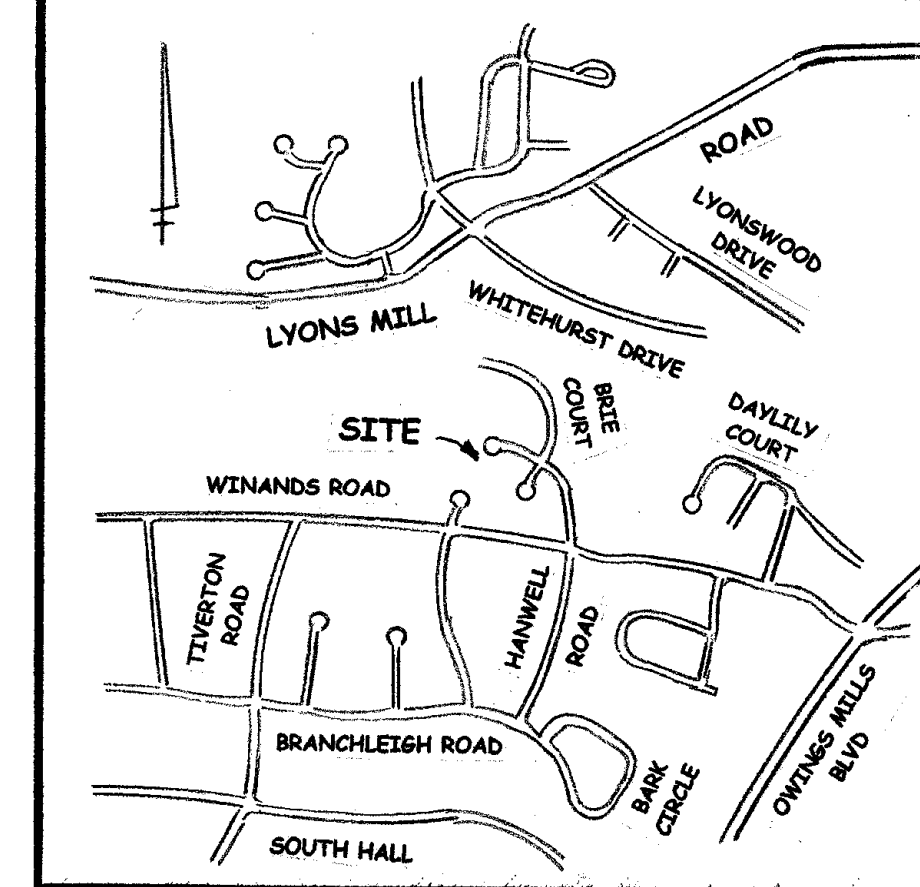
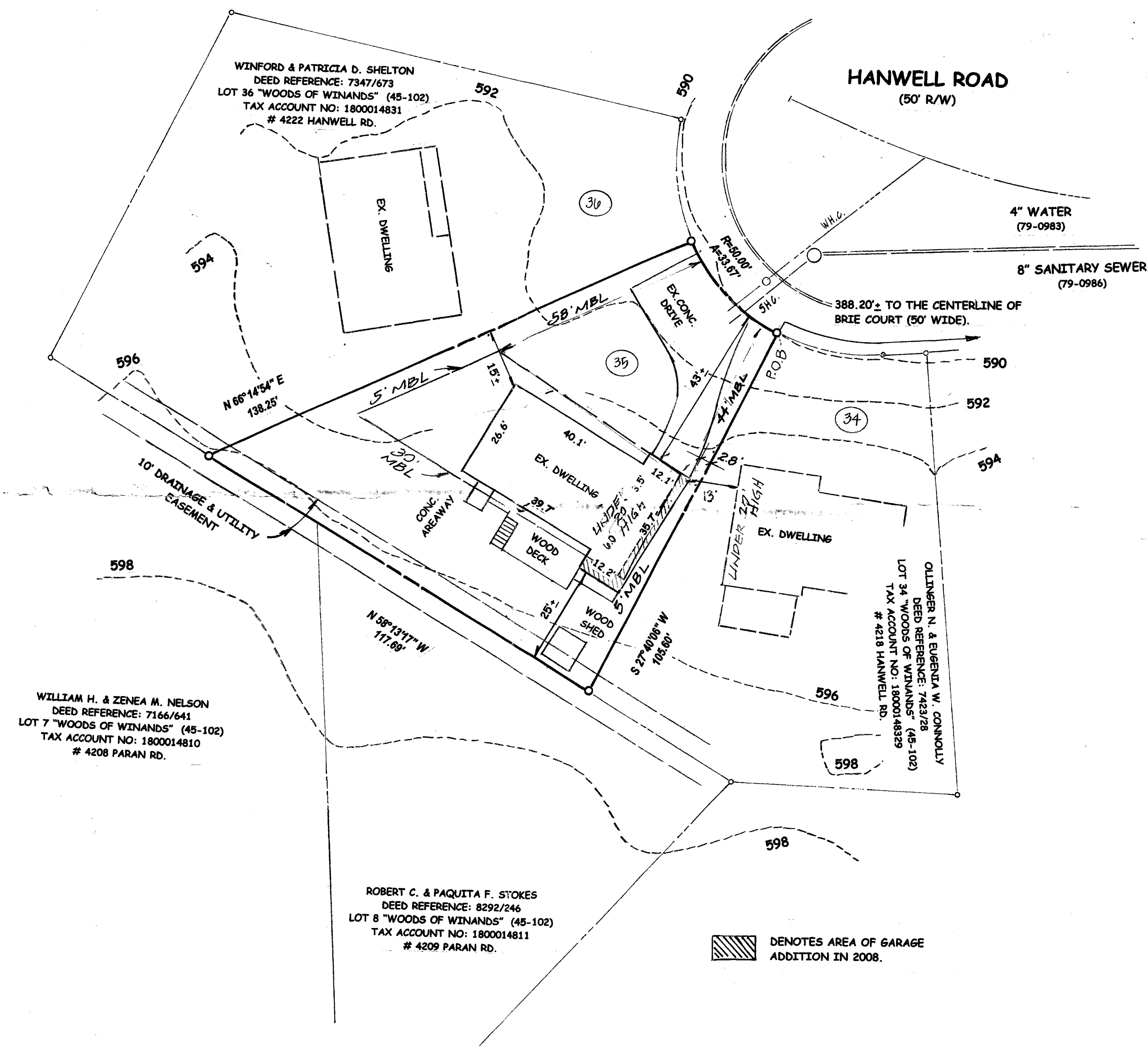


Property maps provided courtesy of the Maryland Department of Planning ©2008.
For more information on electronic mapping applications, visit the Maryland Department
of Planning web site at www.mdp.state.md.us/webcom/index.html

1. OWNERSHIP:
KEVIN JAMES RICHARDSON
#4220 HANWELL ROAD
RANDALLSTOWN MD 21133
PHONE: 410-978-7400
2. PROPERTY INFORMATION:
TAX MAP 66 GRID 24 PARCEL 554
TAX ACCOUNT NO. 1800014830
3. DEED REFERENCE: 7537-754
LOT NO.35 (45-102)
SECTION II
"THE WOODS OF WINANDS"
4. AREA OF SUBJECT SITE: 0.1903 AC.± (SDAT)
5. PUBLIC WATER AND SEWER AS SHOWN HEREON.
6. SITE LIES WITHIN FLOOD ZONE "X" PER F.I.R.M
NO. 2400100215F
7. EXISTING ZONING OF SITE DR 3.5 (NO KNOWN ZONING
HEARING65)
8. SITE IS NOT IN C.B.C.A.
9. NOT A HISTORIC SITE.
10. TOPOGRAPHY SHOWN HEREON PER BALTIMORE COUNTY
WEBSITE.



ZONING MAP 1"=200'
(B.C.O.P.Z. MAP NO. 066C3)



VICINITY MAP
1"=1000'

J.S. DALLAS, INC.
SURVEYING & ENGINEERING
P.O. BOX 26
BALDWIN, MD. 21013
(410) 817-4600



**SITE PLAN TO ACCOMPANY PETITION
FOR ZONING VARIANCE
#4220 HANWELL ROAD
2ND ELECTION DISTRICT
4TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MD
SCALE: 1"=20'
JOB NO. 10-1277
FEBRUARY 26 2010**

CBA PET No.

