

**IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE**

E side of Oakleigh Road; 212 feet S of
the c/l of Clearwood Road
9th Election District
5th Councilmanic District
(8225 Oakleigh Road)

John M. Pearce
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
*
* **Case No. 2011-0112-SPHA**
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by John M. Pearce, the legal property owner. Petitioner is requesting Special Hearing relief in accordance with Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an accessory structure (garage) on a lot without a principal structure. Petitioner is also requesting Variance relief from Section 400.3 of the B.C.Z.R to permit an accessory structure (garage) with a height of 19 feet in lieu of the maximum permitted 15 feet. The subject property and requested relief are more fully described on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requested relief was Petitioner John Pearce. There were no Protestants or other interested persons in attendance.

Testimony and evidence offered revealed that the subject property is rectangular in shape, contains 0.50 acre or 19,965 square feet, more or less, and is located on the east side of Oakleigh Road, just south of Clearwood Road in the Parkville area of Baltimore Count. The property is improved with a 1½-story single-family dwelling and a driveway that runs along the southern boundary of the property. At this juncture, Petitioner desires to construct a garage at the end of

ORDER RECEIVED FOR FILING

Date 12-8-10

By pm

the driveway in the rear yard with a height of 19 feet in order to store his fishing boat; hence the request for variance relief. Photographs of the boat in the driveway on a trailer were marked and accepted into evidence as Petitioner's Exhibits 4A through 4F. Petitioner also seeks special hearing relief because, although the property essentially consists of a "double lot," the existing home is located entirely on Lot 69 of the Hillendale Farms subdivision, with no improvements on what is known as Lot 70, other than the aforementioned driveway. As illustrated on the Real Property Data Search that was marked and accepted into evidence as Petitioner's Exhibit 5, the legal description of the property is shown as Lots 69 and 70 and they are both under one tax ID number; however, because there is no principal structure on Lot 70, the Zoning Review Office requires that special hearing relief be obtained in order to now place a structure there. As to the variance relief, Petitioner believes the size of his lot as compared with the "single lots" in the neighborhood sets his property apart and contributes to the uniqueness of the property. Petitioner also notes that the need for the increased height is driven only by his desire to store his boat on its trailer, thus requiring a higher garage door height, and is not so as to put a second story on the garage or to use it for commercial purposes.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

After due consideration of the testimony and evidence presented, I am persuaded to grant the relief requested. As to the variance request, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. Finally, I find the variance can be granted in strict

ORDER RECEIVED FOR FILING

Date 12-8-10 2

By PS

harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. Although the Office of Planning did not make any recommendations related to the garage height and usage, I will impose conditions that the accessory structure not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes.

As to the special hearing, I am easily persuaded to grant this relief as well. Although the two lots are considered as one property in the tax records, there are no structural improvements on Lot 70. I am persuaded to permit the requested garage on Lot 70 notwithstanding that there is no principal structure thereon because it has essentially been part of Lot 69 at all times. While there is no evidence of any "merger" of the two lots, Petitioner is advised that with the construction of an accessory structure on Lot 70, it will in all practical and legal respects now be merged with Lot 69, precluding a potential subdivision and development of Lot 70 in the future. During the hearing, Petitioner indicated he understood this situation and has never considered the lots separate in any event.

Pursuant to the advertisement, posting of the property and public hearing held, and after considering the testimony and evidence offered, I find that Petitioner's special hearing and variance requests should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 8th day of December, 2010 that Petitioner's Special Hearing request in accordance with Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an accessory structure (garage) on a lot without a principal structure be and is hereby **GRANTED**; and

ORDER RECEIVED FOR FILING

Date 12-8-10

3

By PM

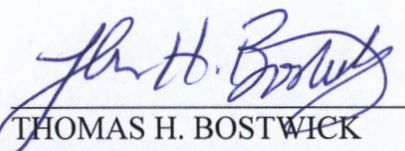
IT IS FURTHER ORDERED that Petitioner's Variance request from Section 400.3 of the B.C.Z.R to permit an accessory structure (garage) with a height of 19 feet in lieu of the maximum permitted 15 feet be and is hereby **GRANTED**.

The relief granted herein is subject to the following conditions:

1. Petitioner is advised that it may apply for any required building permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until the 30-day appeal period from the date of this Order has expired. If for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
3. The accessory structure shall not be used for commercial purposes.

Advisory – Petitioner is advised that in being granted special hearing relief and placing an accessory structure on Lot 70 for the benefit of Lot 69, those lots are essentially “merged” for zoning and potential subdivision and development purposes. Thus, Petitioner may be precluded from any further development of Lot 70 as a lot for a separate single-family dwelling. See, *Friends of the Ridge v. BG&E*, 352 Md. 645 (1999).

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



THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING

Date 12-8-10

By pm



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

December 8, 2010

JOHN M. PEARCE
8225 OAKLEIGH ROAD
PARKVILLE MD 21234

Re: Petition for Special Hearing and Variance
Case No. 2011-0112-SPHA
Property: 8225 Oakleigh Road

Dear Mr. Pearce:

Enclosed please find the decision rendered in the above-captioned case.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Th. H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 8225 OAKLEIGH 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

**TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) ON A LOT
WITHOUT A PRINCIPAL STRUCTURE.**

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

8225 OAKLEIGH RD.

Address

410-870-3091

Telephone No.

PARKVILLE

City

MD

State

21234

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 2011-0112-SPHA

Reviewed By D.T. Date 9/22/10

REV 9/15/98

ORDER RECEIVED FOR FILING

Date 12-8-10

By P3



TAX COUNT # 0919390430

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 8225 OAKLEIGH 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 Variance from Section(s) 400.3 (BCZR)

TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) WITH A HEIGHT OF 19-FEET IN LIEU OF THE MAXIMUM PERMITTED 15-FEET.

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 _____

ORDER RECEIVED FOR FILING
12-8-10
By _____

Legal Owner(s):

* John M. Pearce
Name - Type or Print _____
Signature John M. Pearce _____
Name - Type or Print _____
Signature _____
8225 OAKLEIGH RD. 410-870-3091
Address _____ Telephone No. _____
PARKVILLE MD 21234
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 2011-0112-SPHA

Reviewed By D.T. Date 9/22/10

Zoning description for 8225 Oakleigh Rd. Beginning at a point on the East side of Oakleigh Rd which is 24' wide at the distance of 212' North of the centerline of the nearest improved intersecting street (ClearwoodRd.) which is 24' wide. Being lots # 69 and 70, As recorded in Deed Liber 8, Folio 92. N.80°16'W 199.13', S09°44'W 100.26', S80°16'E 199.13', N09°44'E 100.26' to the place of beginning in the subdivision of Hillendale Farms as recorded in Baltimore County Plat Book# 8, Folio# 93, containing 19, 965 sq.ft. Also know as 8225 Oakleigh Rd. and located in the 9th Election District, 5th Councilmanic District.

2011-0112-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

**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: # 2011-0112-SPHA
8225 Oakleigh Road
E/side of Oakleigh Road,
212 feet north of the centerline of Clearwood Road
9th Election District
5th Councilmanic District
Legal Owner(s): John M. Pearce

Special Hearing: to permit an accessory structure (garage) on a lot without a principal structure. **Variance:** to permit an accessory structure (garage) with a height of 19 feet in lieu of the maximum permitted 15 feet.

Hearing: Friday, November 12, 2010 at 11:00 a.m. in Room 104, Jefferson Building, 105 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

081692Z

401

CERTIFICATE OF PUBLICATION

10/28/2010

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/28/2010.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 10/30/2010

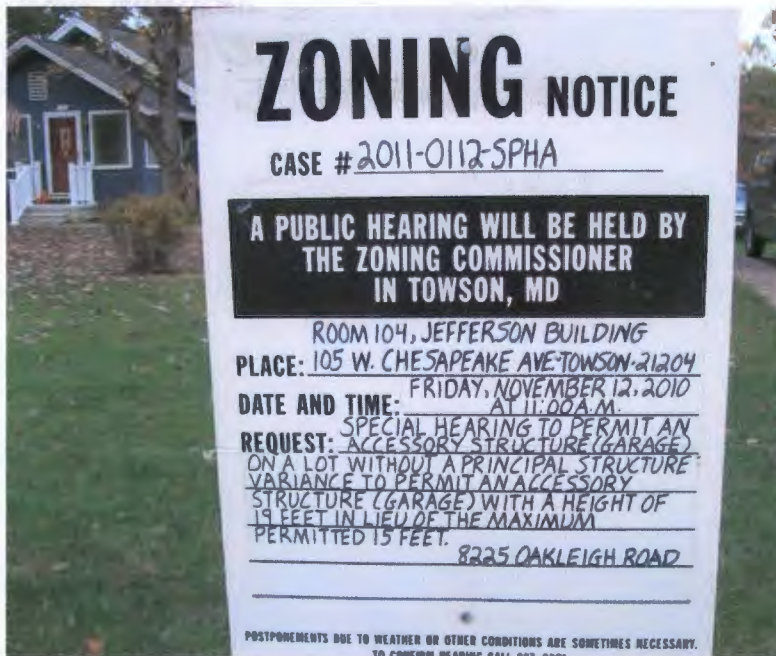
Case Number: 2011-0112-SPHA

Petitioner / Developer: JOHN PEARCE

Date of Hearing (Closing): NOVEMBER 12, 2010

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:
8225 OAKLEIGH ROAD

The sign(s) were posted on: OCTOBER 27, 2010



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)

TO: PATUXENT PUBLISHING COMPANY
Thursday, October 28, 2010 Issue - Jeffersonian

Please forward billing to:
John Pearce
8225 Oakleigh Road
Parkville, MD 21234

410-870-3091

NOTICE OF ZONING HEARING

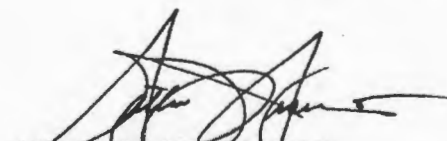
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2011-0112-SPHA

8225 Oakleigh Road
E/side of Oakleigh Road, 212 feet north of the centerline of Clearwood Road
9th Election District – 5th Councilmanic District
Legal Owner: John M. Pearce

Special Hearing to permit an accessory structure (garage) on a lot without a principal structure.
Variance to permit an accessory structure (garage) with a height of 19 feet in lieu of the maximum permitted 15 feet.

Hearing: Friday, November 12, 2010 at 11:00 a.m. in Room 104, Jefferson Building,
105 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
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

October 15, 2010

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: 2011-0112-SPHA

8225 Oakleigh Road

E/side of Oakleigh Road, 212 feet north of the centerline of Clearwood Road

9th Election District – 5th Councilmanic District

Legal Owner: John M. Pearce

Special Hearing to permit an accessory structure (garage) on a lot without a principal structure.
Variance to permit an accessory structure (garage) with a height of 19 feet in lieu of the maximum permitted 15 feet.

Hearing: Friday, November 12, 2010 at 11:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:kl

C: John Pearce, 8225 Oakleigh Road, Parkville 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, OCTOBER 28, 2010.**
- (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.

**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: 2011-0112-SPHA

Petitioner: PEARCE

Address or Location: 8225 OAKLEIGH RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. JOHN M. PEARCE

Address: 8225 OAKLEIGH RD.

PARKVILLE, MD 21234

Telephone Number: 410-870-3091



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

November 3, 2010

John Pearce
8225 Oakleigh Rd.
Parkville, MD 21234

Dear: John Pearce

RE: Case Number 2011-0112-SPHA, 8225 Oakleigh Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 22, 2010. 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 7, 2010

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

SUBJECT: Zoning Advisory Committee Meeting
For October 18, 2010
Item Nos. 2011- 103, 106, 107, 108,
109, 110, 111, 112, 113, 115, 116,
117, 118, 119, 120, 121 and 122

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-10182010 -NO COMMENTS.doc



Baltimore County
Fire Department

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

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

October 4, 2010

ATTENTION: Kristen Mathews
ZAC Agenda Oct. 18, 2010

The Baltimore County Fire Department has no comments on the following case numbers:

2011-0102-A	Kingston Park La.
2011-0103-SPHA	Harrison Ave.
2011-0106-A	Valleyfield Rd.
2011-0107-SPHA	Emmanuel Ct.
2011-0108-A	Locust Ave.
2011-0110-A	Woodland Dr.
2011-0111-A	Monaghan Ct.
2011-0112-SPHA	Oakleigh Rd.
2011-0113-A	Stoney Batter Rd.
2011-0114-A	New Section Rd.
2011-0115-SPH	Hanover Pike
2011-0116-A	Meandering Dr.
2011-0117-A	Cockeys Mill Rd.
2011-0118-A	Cedarside Dr.
2011-0119-A	Linwood Ave.
2011-0120-A	Sue Grove Rd.
2011-0121	Burnbrae Rd.
2011-0122-A	Mt. Carmel Rd.

Lt. Jimmie D. Mezick
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File



Printed with Soybean Ink
on Recycled Paper

Visit the County's Website at www.baltimorecountyonline.info

BALTIMORE COUNTY, MARYLAND**INTER-OFFICE CORRESPONDENCE**

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

DATE: October 14, 2010

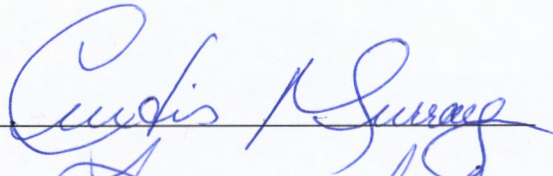
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 11-112- Special Hearing**

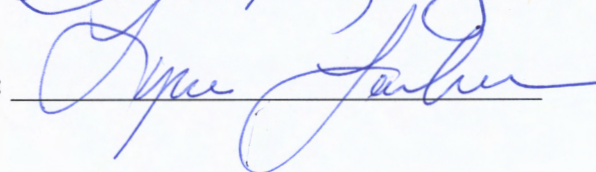
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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

Prepared By:



Division Chief:
CM/LL



RECEIVED

OCT 18 2010

ZONING COMMISSIONER



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

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

• MARYLAND DEPARTMENT OF TRANSPORTATION

Date: Oct. 15, 2010

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

RE: Baltimore County
Item No. 2011-0112-SPHA
8225 OAKLEIGH RD
JOHN PERCE PROP.
SPECIAL HEARING -
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. 2011-0112-SPHA.

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

Very truly yours,

A handwritten signature in dark ink, appearing to read "Michael Bailey".

Top 1 Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

TB 11/12 11am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: October 26, 2010
SUBJECT: Zoning Item # 11-112-SPHA
Address 8225 Oakleigh Road
(Pearce Property)

RECEIVED

OCT 26 2010

ZONING COMMISSIONER

Zoning Advisory Committee Meeting of October 4, 2010.

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

Reviewer: JWL Date: 10/26/10

RE: PETITION FOR SPECIAL HEARING
AND VARIANCE
8225 Oakleigh Road; E/S Oakleigh Road,
212' N of c/line Clearwood Road
9th Election & 5th Councilmanic Districts
Legal Owner(s): John Pearce
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 2011-112-SPHA

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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

OCT 12 2010

.....

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 12th day of October, 2010, a copy of the foregoing Entry of Appearance was mailed to John Pearce, 8225 Oakleigh Road, Parkville, MD 21234, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Debra Wiley - Case No. 2011-0112-SPHA

From: Debra Wiley
To: jmp5664@comcast.net
Date: 12/10/2010 9:49 AM
Subject: Case No. 2011-0112-SPHA

Good Morning,

Per our telephone conversation, please find attached the Order in the above-referenced matter. Thanks and have a great day.

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

CASE NAME _____
CASE NUMBER 2011-0112-SPHA
DATE 11-12-10

[illegible]

Case No.: JD11- 0112-5PHA

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	site plan	
No. 2	zoning aerial photograph	
No. 3	drawing of proposed garage	
No. 4 A-F	drawing photographs	
No. 5	ton record	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☒ SPECIAL HEARING

PROPERTY ADDRESS 8225 Oakleigh Rd

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

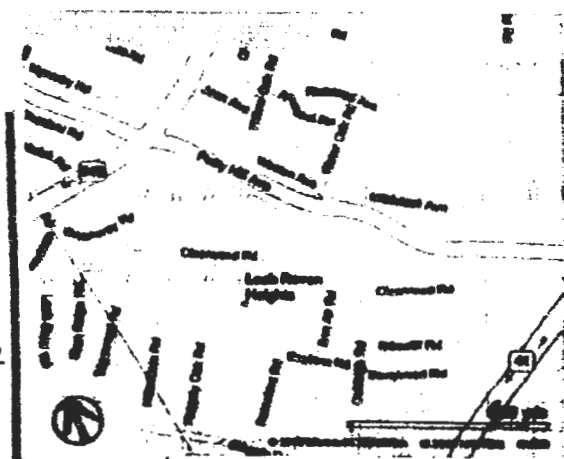
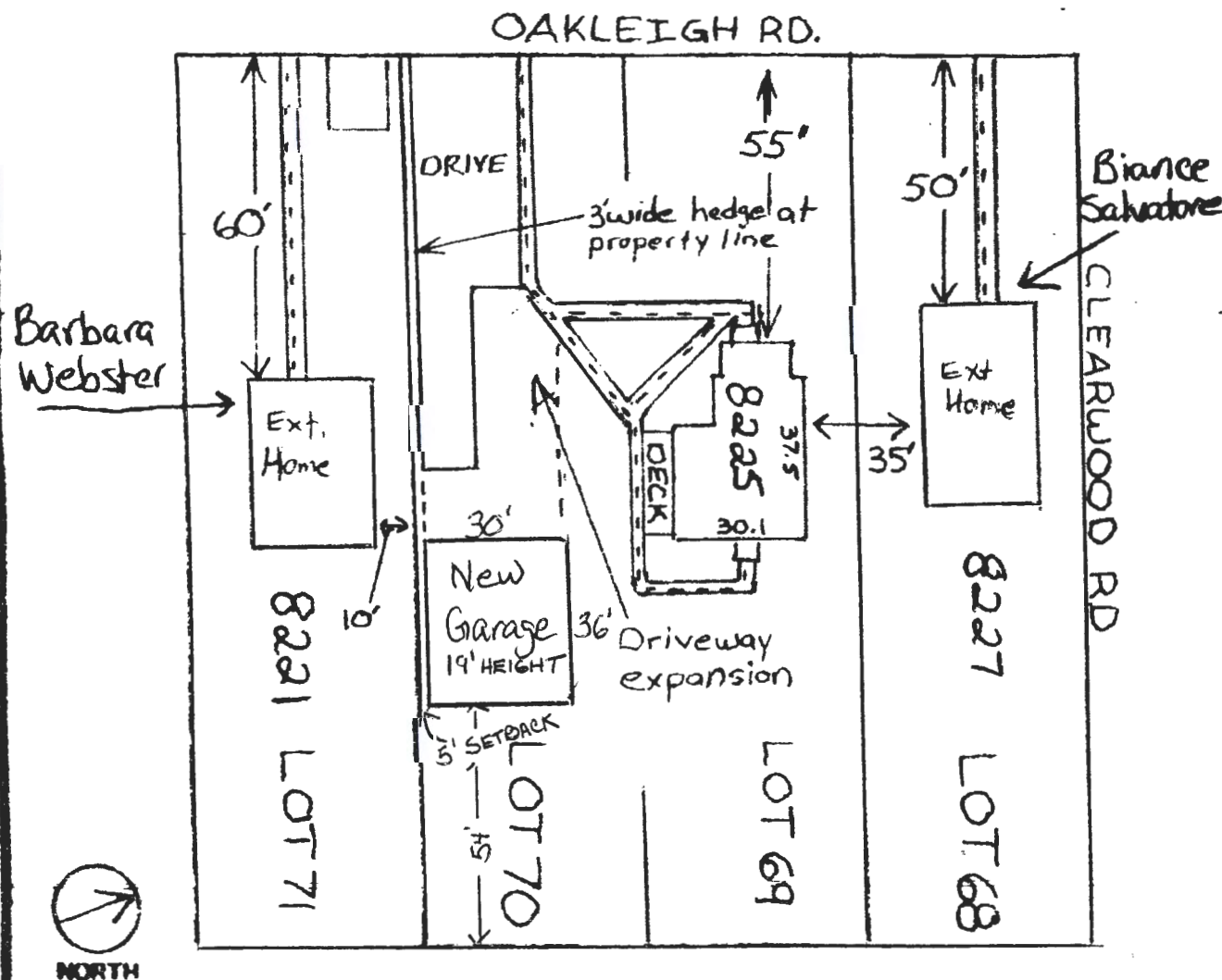
SUBDIVISION NAME Hillendale Farms

PETITIONER'S

PLAT BOOK # 8 FOLIO # 93 LOT # 69 SECTION #

EXHIBIT NO. 1

OWNER John Pearce



LOCATION INFORMATION

ELECTION DISTRICT 9

COUNCILMANIC DISTRICT 5

1" = 200' SCALE MAP # 070C3

ZONING DR 5.5

LOT SIZE .50 ACRES 19,965 SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒

100 YEAR FLOOD PLAIN	☐	☒
----------------------	--------------------------	-------------------------------------

HISTORIC PROPERTY/ BUILDING	☐	☒
-----------------------------	--------------------------	-------------------------------------

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY _____ ITEM # _____ CASE # _____

D.T. 0112 2011-0112-SPHA

PREPARED BY John Pearce

SCALE OF DRAWING: 1" = 40'



PETITIONER'S

EXHIBIT NO.

2

2011-0112-SPHA

PETITIONER'S

3

EXHIBIT NO.

8225 OAKLEIGH RD.

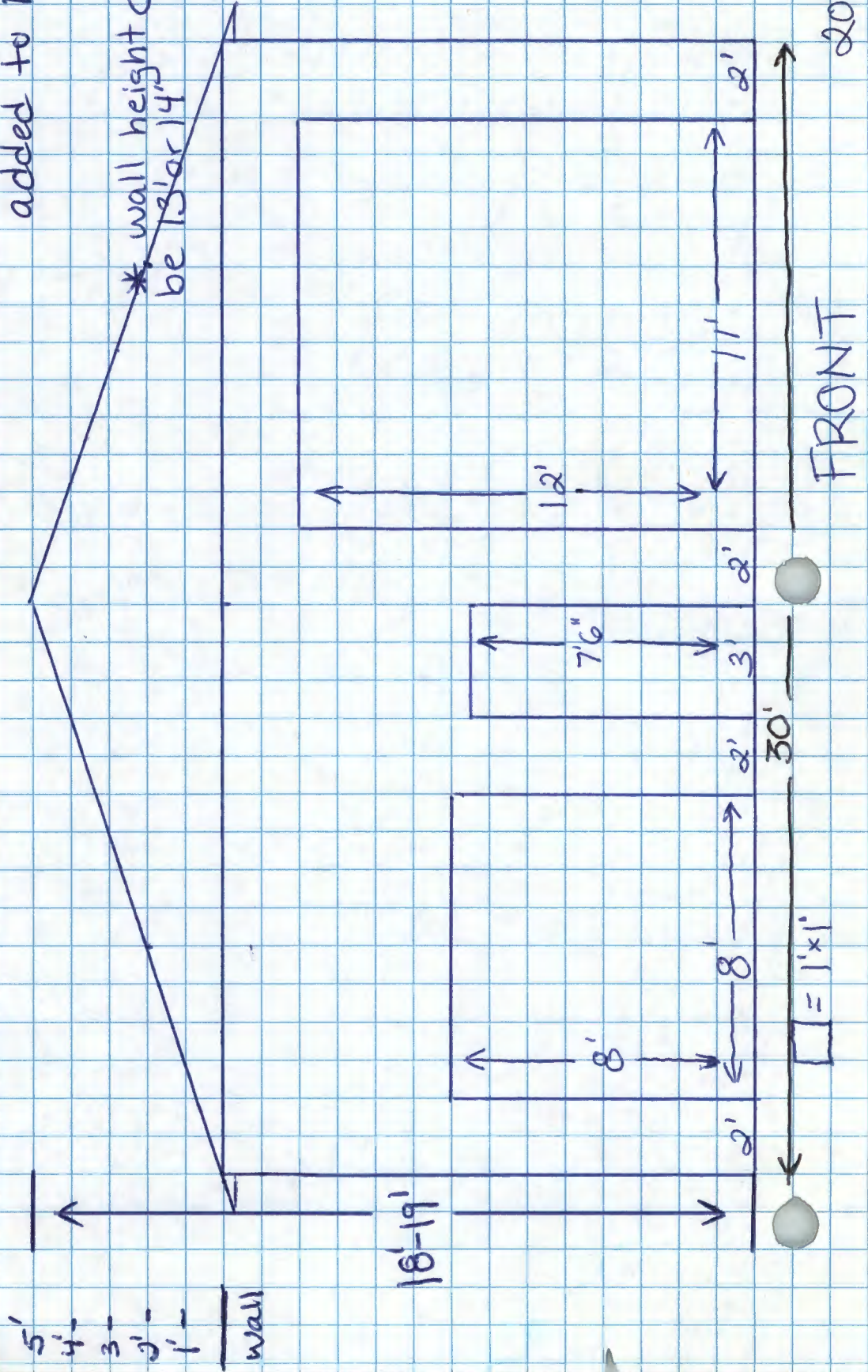
2

$\frac{4}{12}$ pitch = 5' add'l height

added to 12'-14' walls

* wall height could be 13' or 14'

-14'
-13'



2011-0112-SHA

PETITIONER'S

EXHIBIT NO.

4A-F







Maryland Department of Assessments and Taxation
Real Property Data Search (vw1.1)
BALTIMORE COUNTY

Account Identifier:

District - 09 Account Number - 0919390430

Owner Information

Owner Name:	PEARCE JOHN M	Use:	RESIDEI
		Principal Residence:	YES
Mailing Address:	8225 OAKLEIGH RD BALTIMORE MD 21234-3837	Deed Reference:	1) /2894: 2)

Location & Structure Information

Premises Address	Legal Description
8225 OAKLEIGH RD	LT 69,70 8225 OAKLEIGH RD HILLENDALE FARMS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat I
70	18	719					69	2	Plat I

Special Tax Areas	Town Ad Valorem Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County
1933	1,156 SF	19,900.00 SF	04

Stories	Basement	Type	Exterior
1	YES	STANDARD UNIT	ASBESTOS SHINGLE

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of 01/01/2008	As Of 07/01/2010	As Of 07/01/2011
Land	82,970	82,970		
Improvements:	95,520	95,520		
Total:	178,490	178,490	178,490	NOT AVAIL
Preferential Land:	0	0	0	NOT AVAIL

Transfer Information

Seller:	SIPE JOHN R	Date:	12/08/2009	Price:	\$19
Type:	IMPROVED ARMS-LENGTH	Deed1:	/28947/ 220	Deed2:	
Seller:	SIPE RUTH A	Date:	10/15/1987	Price:	\$65
Type:	IMPROVED ARMS-LENGTH	Deed1:	/ 7698/ 591	Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	

Exemption Information

Partial Exempt Assessments	Class	07/01/2010	07/01/2011
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
* NONE *

PETITIONER'S

EXHIBIT NO.

5

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☒ SPECIAL HEARING

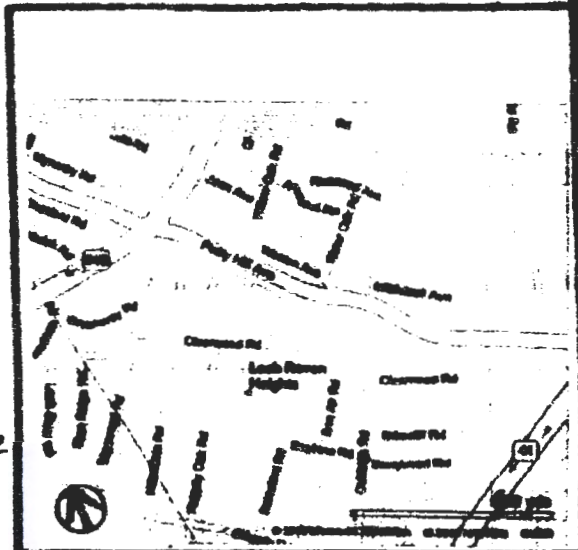
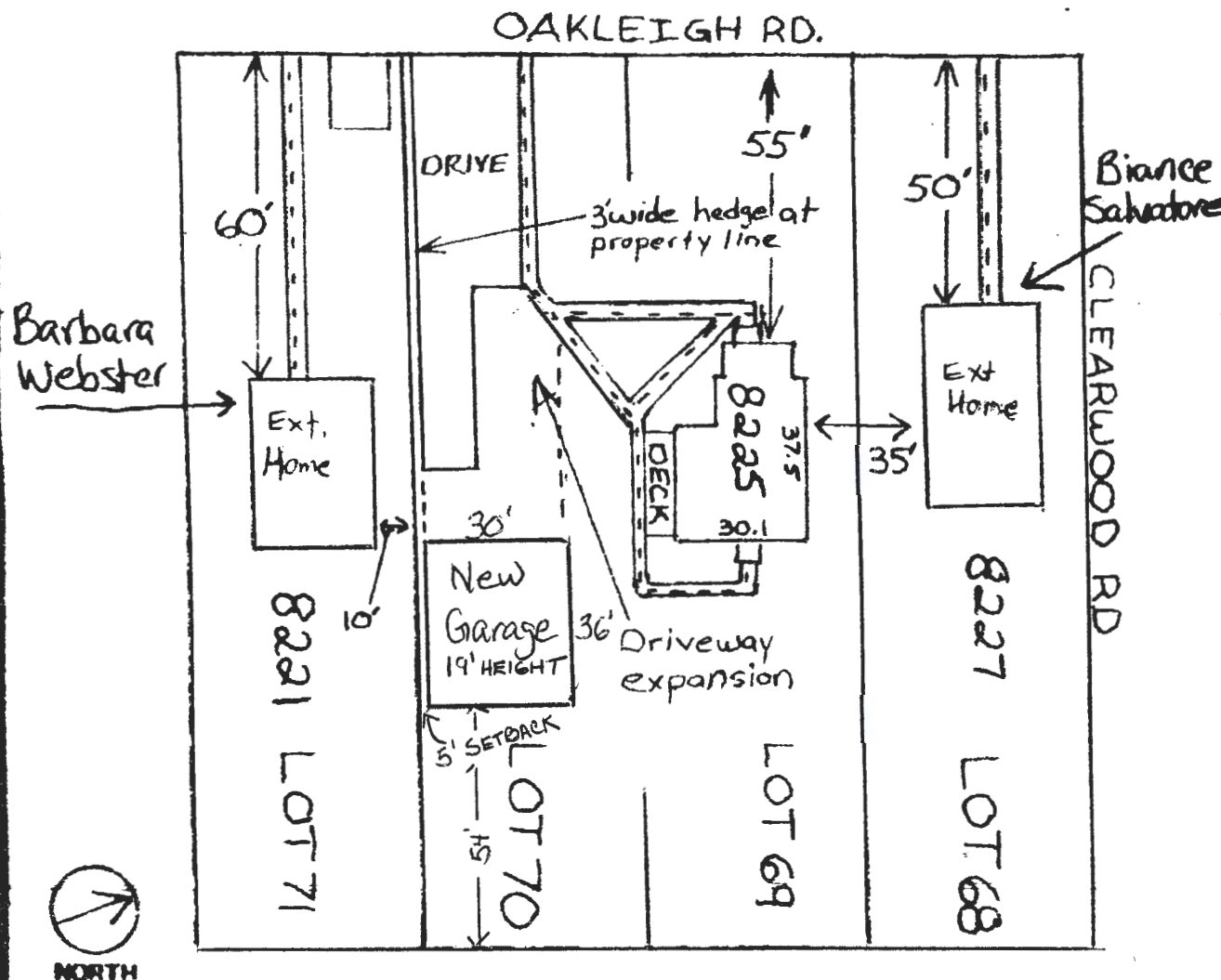
PROPERTY ADDRESS 8225 Oakleigh Rd

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

SUBDIVISION NAME Hillendale Farms

PLAT BOOK # 8 FOLIO # 93 LOT # 69-70 SECTION #

OWNER John Pearce



LOCATION INFORMATION

ELECTION DISTRICT 9

COUNCILMANIC DISTRICT 5

1" = 200' SCALE MAP # 070C3

ZONING DR 5.5

LOT SIZE .50 ACRES 19,965 SQ. FT.

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/BUILDING	☐	☒

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY

REVIEWED BY ITEM # CASE #

D.T.

0112

2011-0112-SPHA

PREPARED BY John Pearce

SCALE OF DRAWING: 1" = 40'