

IN RE: PETITION FOR VARIANCE

SW corner Edgemoor Road of
Sweetbrier Lane
8th Election District
3rd Councilmanic District
(27 Edgemoor Road)

Jeremiah Paul Hosford
Petitioner

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* CASE NO. 2011-0228-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for Baltimore County for consideration of a Petition for Variance filed by the legal owner of the subject waterfront property, Jeremiah Paul Hosford. Petitioner is requesting Variance relief under Section 307 Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed two-family dwelling with a corner street setback of 23 feet in lieu of the minimum required 25 feet. The subject property and requested relief is more fully depicted 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 variance request was Petitioner Jeremiah Paul Hosford and his representative Patrick O'Keefe, Sr. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations. There were no Protestants or other interested persons in attendance at the hearing.

Testimony and evidence offered revealed that the house was originally built in 1954. A previous Administrative Variance was granted in 1994 at the request of prior owners of the property relative to the side and rear setbacks for a proposed detached garage. Unfortunately, at that time, it was noted that the residence had a corner street setback of 23 feet as opposed to the

ORDER RECEIVED FOR FILING

Date 3-16-11

By P

required 25 feet. The Petitioner, pursuant to his request for a building permit from the Department of Permits, Approvals and Inspections to change the occupancy of the dwelling to two families as well as other requested changes pursuant to the conversion table of 402.1 of the B.C.Z.R., did a location survey of the property and discovered the corner street setback anomaly. Although it appears that the conversion request meets all other required regulations, Petitioner cannot proceed unless the requested variance is granted.

Further evidence revealed that the property is situated on a corner and is unique in its size, shape, and configuration relative to the other lots in its immediate surrounding area. Moreover, it is bounded by two streets, a situation not shared with the other lots in the area. Finally, it does not actually face one street, but is obliquely positioned between Edgemoor Road and Sweetbrier Lane. Testimony was also elicited that, but for the requested variance, he will qualify for conversion within the location's DR 5.5 zone, which is a permitted use. Finally, testimony revealed that in all other manner and respects the property and request for conversion conforms to all other required Baltimore County zoning and land use regulations.

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.

Considering all of the testimony and evidence presented, I am persuaded to grant the requested variance relief. 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 the granting of the relief as set forth herein can be accomplished without injury to the public health, safety, and general welfare. Therefore, in all manner and form, I find

ORDER RECEIVED FOR FILING

Date 3-16-11

By [Signature]

that the variance requested can be granted in such a manner as to meet the requirements of Section 307 of the B.C.Z.R. as established in *Cromwell v. Ward*, 102 Md. App. 691 (1995).

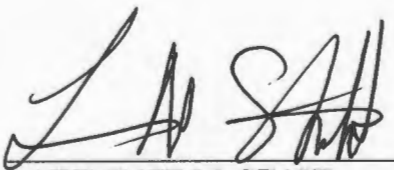
Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by Petitioner, I find that Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED this 16th day of March, 2011 by this Administrative Law Judge that Petitioner's Variance requests from Section 307 Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed two-family dwelling with a corner street setback of 23 feet in lieu of the minimum required 25 feet be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from 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.

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


LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:pz

ORDER RECEIVED FOR FILING

Date 3-16-11

By 



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

March 16, 2011

JEREMIAH PAUL HOSFORD
27 EDGEMOOR ROAD
TIMONIUM MD 21093

Re: Petition for Variance
Case No. 2011-0228-A
Property: 27 Edgemoor Road

Dear Mr. Hosford:

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 with the Department of Permits, Applications and Inspections an appeal within thirty (30) days from the date of this Order. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "LMS", is written over the typed name "LAWRENCE M. STAHL".

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS/pz

Enclosure

c: Patrick O'Keefe, Sr., 523 Penny Lane, Cockeysville MD 21030

TAX ACCOUNT # 0822000345

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 27 Edgemoor Road, Timonium, MD 21093which is presently zoned DR5.5 (Formerly A)

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner 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) 1B02.3.B BC2R (Section III.C.2, 1953 ~~BC2R~~) AND SECTION 402 (CONVERSION TABLE) BC2R.

To permit a proposed two-family dwelling with a ~~5~~ 4 street set back of 23 feet in lieu of the minimum required 25 feet.
CORNER

JPH

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

To comply with the set back the structure would have to go through extensive renovation's and hardship's. These hardship's were not the result of Jeremiah P. Hosford's actions. Secondly, the compliance with the set back would render conformance unnecessarily

AND TO BE FURTHER DETERMINED AT HEARING, JPH

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**Date** 3-16-11**By** [Signature]**Legal Owner(s):**

Jeremiah Paul Hosford
Name - Type or Print _____
Signature _____
Jeremiah Paul Hosford
Name - Type or Print _____
Signature _____
27 Edgemoor Road (443)523-6679
Address _____ Telephone No. _____
Lutherville-Timonium MD 21093
City State Zip Code

Representative to be Contacted:

Jeremiah Paul Hosford
Name _____
27 Edgemoor Road (443)523-6679
Address _____ Telephone No. _____
Lutherville-Timonium MD 21093
City State Zip Code

OFFICE USE ONLYESTIMATED LENGTH OF HEARING 1 HRUNAVAILABLE FOR HEARING —Reviewed By JL Date 2/01/11Case No. 2011-0228 A

REV 9/15/98

2011-0228-A

Zoning Description:

Zoning description for 27 Edgemoor Road.

Beginning at a point on the ~~west~~^{South} side of Edgemoor Road which is 50' feet wide at the distance of 25 feet ~~west~~^{west} of the centerline of the nearest improved intersecting street Sweetbrier Lane which is 50 feet wide. Being Lot# 3, Block F-1, Section # 3 in the subdivision of Haverford as recorded in Baltimore County Plat Book # 21, Folio# 23, containing 11,186 Square Feet. Also known as 27 Edgemoor Road and located in the 8th Election District, 3rd Councilmanic District.

**CASHIER'S
VALIDATION**



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

February 28, 2011

Jeremiah Paul Hosford
27 Edgemere Road
Lutherville, MD 21093

RE: Case Number 2011-0228A , 27 Edgemere Road, Lutherville, MD 21093

Dear Mr. Jeremiah Paul Hosford,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 1, 2011. 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.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

FROM: Dennis A. Kennedy^{DAK}, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For February 14, 2011
Item Nos. 2011- 226, 227, 228, 229
and 230

DATE: February 10, 2011

No date

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-02142011 -NO COMMENTS.doc



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

State Highway
Administration

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

Maryland Department of Transportation

2/28/11

Date: 2-16-2011

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

RE: Baltimore County
Item No 2011-0232-A
502 FUSELAGE AVENUE
NE MILLER PROPERTY
ADMIN. 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. 2011-0232-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,

Foster Steven D. Foster, Chief
Access Management Division

SDF/mb

RE: PETITION FOR VARIANCE
27 Edgemoor Road, SW corner
Edgemoor Rd. of Sweetbrier Lane
8th Election & 3rd Councilmanic District
Legal Owner(s): Jeremiah Paul Hosford
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 2011-0228-A

* * * * *

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

FEB 07 2011

.....

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 7th day of February, 2011, a copy of the foregoing Entry of Appearance was mailed to Jeremiah Paul Hosford, 27 Edgemoor Road, Lutherville-Timonium, Maryland 21093, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

February 16, 2011

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2011-0228-A

27 Edgemoor Road
S/west corner of Edgemoor Road of Sweetbrier Lane
8th Election District – 3rd Councilmanic District
Legal Owners: Jeremiah Paul Hosford

Variance to permit a proposed two-family dwelling with a corner street setback of 23 feet in lieu of the minimum required 25 feet.

Hearing: Thursday, March 10, 2011 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Jeremiah Hosford, 27 Edgemoor Road, Lutherville 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., FEBRUARY 23, 2011.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 22, 2011 Issue - Jeffersonian

Please forward billing to:
Jeremiah Hosford
27 Edgemoor Road
Lutherville-Timonium, MD 21093

443-523-6679

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2011-0228-A

27 Edgemoor Road
S/west corner of Edgemoor Road of Sweetbrier Lane
8th Election District – 3rd Councilmanic District
Legal Owners: Jeremiah Paul Hosford

Variance to permit a proposed two-family dwelling with a corner street setback of 23 feet in lieu of the minimum required 25 feet.

Hearing: Thursday, March 10, 2011 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

ARNOLD JABLON, DIRECTOR
PERMITS, APPROVALS & INSPECTIONS

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Int 3-2

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 02/26/2011

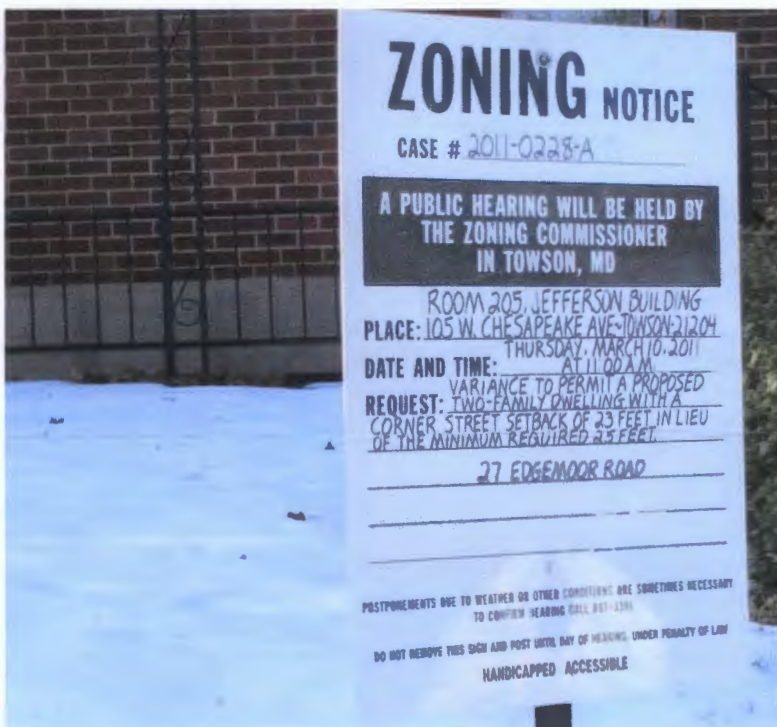
Case Number: 2011-0228-A

Petitioner / Developer: JEREMIAH HOSFORD

Date of Hearing (Closing): MARCH 10, 2011

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:
27 EDMOOR ROAD

The sign(s) were posted on: FEBRUARY 23, 2011



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)

TRANSMISSION VERIFICATION REPORT

TIME : 03/02/2011 12:03
NAME : ZONING OFFICE
FAX : 4108873048
TEL : 4108873391
SER. # : BROK8J873573

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

03/02 12:03
3468
00:00:28
02
OK
STANDARD
ECM

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 02/26/2011

Case Number: 2011-0228-A

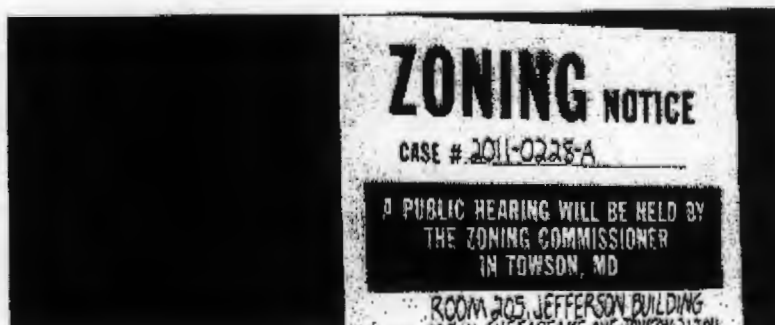
Petitioner / Developer: JEREMIAH HOSFORD

Date of Hearing (Closing): MARCH 10, 2011

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:

27 EDMOND ROAD

The sign(s) were posted on: FEBRUARY 23, 2011



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

Case No.: 2011-0228 - A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Statement of Facts	
No. 2	Pending Application for a building Permit	
No. 3	Tax Record	
No. 4	Plat to Accompany	
No. 5	Copy of 402.1 BCZR	
No. 6	Google Aerial photos	
No. 7	Zoning Map of area	
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

HOSFORD PROPERTY
STATEMENT OF FACTS
ZONING CASE 2011-0228-A
27 EDMOND ROAD
(TAX # 0822000345)

THE PETITION FOR VARIANCE IS REQUIRED TO ALLOW A 23 FOOT FRONT YARD SETBACK ON THE NORTH WESTERNMOST FRONT CORNER WHERE THE EXISTING HOUSE BINDS ON SWEETBRIAR LANE

THIS IS A UNIQUE PROPERTY IN THAT IT HAS FRONTAGE ON BOTH SWEETBRIAR LANE AND EDMOND ROAD. BEING A CORNER LOT AS RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY AS HAVERFORD LOT -3, SECTION-3 IN PLAT BOOK-21 FOLIO-23. THE AREA OF THIS LOT BEING 11,186 SQUARE FEET. ON PREVIOUS ZONING HEARING #1994-0487, RELIEF WAS GRANTED TO ALLOW A FREESTANDING GARAGE TO BE ERECTED WITH IN THE EASTERNMOST PORTION OF THE LOT. IT WAS UNKNOWN AT THAT TIME THAT THE 23 FOOT FRONT SETBACK DID NOT MEET THE REQUIREMENT AND WAS THEREFORE OVERLOOKED.

NOTWITHSTANDING, THE CURRENT OWNER JEREMIAH P. HOSFORD WHO HAS OWNED AND OCCUPIED THE PREMISES FOR THE LAST TWO AND ONE HALF YEARS ALONG WITH TENANT ROOMMATES, WHO WERE ALL STUDENTS AT LOCAL COLLEGES. MR. HOSFORD HAS BEEN MADE AWARE THAT BALTIMORE COUNTY ZONING REGULATIONS 402-1(B) ETC. HAVE STIPULATIONS

THAT ALLOW FOR CONVERSIONS WITHIN A DR 5.5 ZONE. MR. HOSFORD'S UNIQUE CORNER LOT APPEARS TO HAVE MET ALL THE REQUIREMENTS AS DELINEATED ON THE MINIMUM DIMENSION CHART EXCEPT FOR THE 23 FOOT FRONT YARD SETBACK AT SWEETBRIAR LANE, THUS RELIEF IS REQUESTED ON THIS ISSUE.

IT IS MR. HOSFORD'S DESIRE TO CONFORM TO ALL BALTIMORE COUNTY CODE REQUIREMENTS AND SECURE ANY AND ALL BUILDING PERMITS REQUISITE TO LEGITIMIZE THE CONTINUED USE OF HIS PROPERTY AS IT HAS BEEN IN THE PAST. THERE IS CURRENTLY A BUILDING PERMIT APPLICATION PENDING FOR INTERIOR ALTERATIONS TO UPGRADE THE SITE TO BE IN FULL COMPLIANCE WITH THE BUILDING CODE.

PETITIONER'S

EXHIBIT NO. 2

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
BOWEN, MARYLAND 21204

DATE: 1/24/2011
OEA: ICM
HISTORIC DISTRICT/BLDG.

PERMIT #: B
RECEIPT #: #
CONTROL #: CO.
XREF #:

PROPERTY ADDRESS 27 Edgemoor Rd
SUITE/SPACE/FLOOR
SUBDIV: Havenford
TAX ACCOUNT #: 0822000345

☐ YES ☒ NO
☐ DO NOT KNOW
DISTRICT/PRECINCT

FEE: 48 + 75 = 123.00
PAID:
PAID BY:
INSPECTOR:

OWNER'S INFORMATION (LAST, FIRST)
NAME: Jeremiah P. Hostford
ADDR: 27 Edgemoor Rd

DOES THIS BLDG.
HAVE SPRINKLERS
YES — NO —

I HAVE CAREFULLY READ THIS APPLICATION
AND KNOW THE SAME IS CORRECT AND TRUE,
AND THAT IN DOING THIS WORK ALL PROVI-
SIONS OF THE BALTIMORE COUNTY CODE AND
APPROPRIATE STATE REGULATIONS WILL BE
COMPLIED WITH WHETHER HEREIN SPECIFIED
OR NOT AND WILL REQUEST ALL REQUIRED
INSPECTIONS.

APPLICANT INFORMATION

NAME: Jeremiah Hostford
COMPANY:
STREET 27 Edgemoor Rd
CITY, ST, ZIP TIMONUM, MD 21093
PHONE #: 443-523-6679 MHIC #

MHBR #

APPLICANT

SIGNATURE: [Signature] DRC#
PLANS: CONST 0 PLOT 0 PLAT 0 DATA 0 EL 1 PL 1
TENANT
CONTR: OWNER
ENGR:
SELLR:

TYPE OF IMPROVEMENT

1. NEW BLDG CONST
2. ADDITION
3. ☒ ALTERATION
4. REPAIR
5. WRECKING
6. MOVING
7. ☒ OTHER Chg of occ -

TYPE OF USE

RESIDENTIAL

01. ONE FAMILY
02. ☒ TWO FAMILY
03. THREE AND FOUR FAMILY
04. FIVE OR MORE FAMILY
(ENTER NO UNITS)
05. SWIMMING POOL
06. GARAGE
07. OTHER

TYPE FOUNDATION

1. SLAB
2. BLOCK

BASEMENT

1. FULL
2. PARTIAL

NON-RESIDENTIAL

08. AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
09. CHURCH, OTHER RELIGIOUS BUILDING
10. FENCE (LENGTH HEIGHT)
11. INDUSTRIAL, STORAGE BUILDING
12. PARKING GARAGE
13. SERVICE STATION, REPAIR GARAGE
14. HOSPITAL, INSTITUTIONAL, NURSING HOME
15. OFFICE, BANK, PROFESSIONAL
16. PUBLIC UTILITY
17. SCHOOL, COLLEGE, OTHER EDUCATIONAL
18. SIGN
19. STORE MERCANTILE RESTAURANT

SPECIFY TYPE

DESCRIBE PROPOSED WORK:

Change of occupancy, from
Single Family Dwelling to Two Family
Dwelling. Alterations to include
Installation of new Kitchen Full
Bathroom + Bedroom
to Bsmt Level.

109857

**NOTICE OF ZONING
HEARING**

The Administrative Law Judges 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: # 2011-0228-A
27 Edgemoor Road
S/west corner of Edgemoor
Road of Sweetbrier Lane
8th Election District
3rd Councilmanic District
Legal Owner(s): Jeremiah
Paul Hosford

Variance: to permit a proposed two-family dwelling with a corner street setback of 23 feet in lieu of the minimum required 25 feet.

Hearing: Thursday, March 10, 2011 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR
OF PERMITS, APPROVALS
AND INSPECTIONS 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/2/723 Feb. 22 267815

CERTIFICATE OF PUBLICATION

2/24/, 2011

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 2/22/, 2011.

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

S. Wilkinson

LEGAL ADVERTISING

Tax ID: 04080822000345

County: BALTIMORE

Metropolitan Regional Information Systems, Inc.

Full Tax Record

PETITIONER'S

Property Address: 27 EDGEMOOR RD, LUTHERVILLE TIMONIUM MD 21093 3403

EXHIBIT NO. 3

Legal Subdiv/Neighborhood: HAVERFORD

Condo/Coop Project:

Incorporated City:

Owner Name: JEREMIAH P HOSFORD

Company Owner:

Addtl:

Care of Name:

MAILING ADDRESS: 27 EDGEMOOR RD, LUTHERVILLE TIMONIUM, MD 21093 3403

LEGAL DESCRIPTION: IMPS 27 EDGEMOOR RD HAVERFORD

Mag/Dist #: 8

Lot: 3

Block/Square: F1

Election District: 8

Legal Unit #:

Grid: 6

Section: 3

Subdiv Ph:

Addl Parcel Flag/#:

Tax Map:

Map Suffix:

Suffix:

Parcel: 599

Map: 60

Historic ID:

Agri Dist:

Plat Folio: 23

Sub-Parcel:

Tax Year 2010

Plat Liber: 21

Total Tax Bill: \$4,489

City Tax:

Tax Levy Year: 2010

State/County Tax: \$4,006

Refuse:

Tax Rate: 1.21

Spec Tax Assmt: \$483

Exempt Class: 000

Homestead/Exempt Status:

Front Foot Fee:

Tax Class:

Mult. Class:

ASSESSMENT

Year Assessed	Total Tax Value	Land	Improvement	Land Use
2010	\$330,510	\$128,540	\$201,970	
2009	\$306,352	\$86,540	\$171,500	
2008	\$282,196	\$51,540	\$103,890	

DEED	Deed Liber: 27314	Deed Folio: 60		
Transfer Date	Price	Grantor	Grantee	
09-Sep-2008	\$287,000	VANLEEUEWEN M LOUISE, TRUSTEE	HOSFORD, JEREMIAH P	
22-May-2003	\$0	VANLEEUEWEN, WM H	VANLEEUEWEN M LOUISE, TRUSTEE	
20-Jun-1957	\$19,000	HESS REALTY INCO RPORATED	VANLEEUEWEN WM H	

PROPERTY DESCRIPTION

Year Built: 1956

Zoning Code:

Census Tract/Block: 408,601/4003

Irregular Lot:

Square Feet: 11,186

Acreage: 0.26

Land Use Code: Residential

Plat Liber/Folio: 21/23

Property Card:

Property Class: R

Quality Grade: AVERAGE

Road Description:

Zoning Desc:

Xfer Devel. Right:

Road Frontage: 1

Prop Use: RESIDENTIAL

Site Influence:

Topography:

Building Use:

Sidewalk:

Lot Description:

Pavement:

STRUCTURE DESCRIPTION

	Section 1	Section 2	Section 3	Section 4	Section 5
Construction:	Brick	Brick			
Story Type:	1.5B	1B			
Description:					
Dimensions:					
Area:	1,467	120			
Foundation:		Roofing: Shingle - Composite		# of Dormers: 1	
Ext Wall:		Style: Standard Unit		Year Remodeled: 1956	
Stories: 1.5B		Units: 1		Model/Unit Type: STANDARD UNIT	
Total Building Area:			Living Area: 1,587	Base Sq Ft: 1,098	
Patio/Deck Type:	Sq Ft:		Porch Type: 1 Story-Open	Sq Ft: 408	
Balcony Type:	Sq Ft:		Pool Type:	Sq Ft:	
Attic Type:	Sq Ft:		Roof Type:		
Rooms:		Fireplace Type:		Fireplaces:	
Bedrooms:		Bsmt Type: Not Specified		Garage Type: Detached	
Full Baths: 2		Bsmt Tot Sq Ft: 1,098		Garage Const.: FRAME	
Half Baths: 0		Bsmt Fin Sq Ft:		Garage Sq Ft: 780	
Baths: 2.00		Bsmt Unfin Sq Ft:		Garage Spaces:	
Other Rooms:			Air Conditioning: Combined System		
Other Amenities:			Interior Floor:		
Appliances:			Outbuildings:		
Gas:	Heat: Forced Air		Sewer: Public	Fuel:	
Electric:	Water: Public		Underground:	Walls:	

Tax Record Updated: 02-Sep-2010

Courtesy of: JP Hosford

Home: (443) 523-6679

Cell: (443) 523-6679

Company: Courtesy Realty Corp., LLC

Office: (410) 472-1500

Office:

Email: jh69651@gmail.com

Fax:

Copyright (c) 2011 Metropolitan Regional Information Systems, Inc.

Information is believed to be accurate, but should not be relied upon without verification.

Accuracy of square footage, lot size and other information is not guaranteed.



EXHIBIT NO.

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL INFORMATION

OWNER Jeremiah P. Hosford

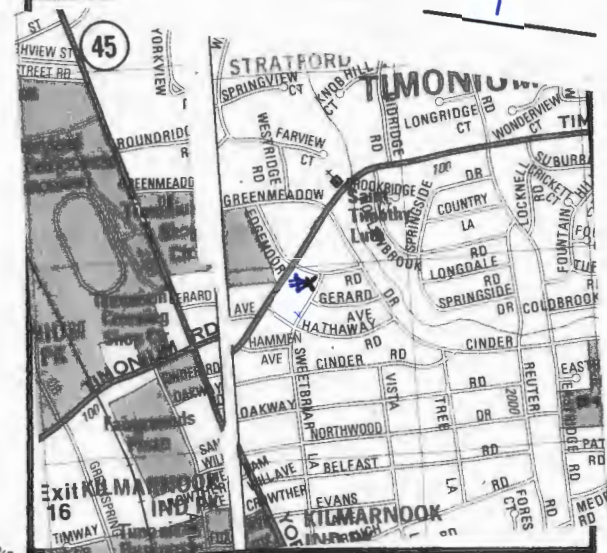


NORTH

in Zone C
ore County,

PREPARED BY

SCALE OF DRAWING: 1" = 30



CASE #

§ 402.1

BALTIMORE COUNTY ZONING REGULATIONS

EXHIBIT NO. 5

B. Separate cooking facilities and a separate bathroom shall be provided for each unit.

CONVERSION OF ONE-FAMILY DWELLINGS MINIMUM DIMENSIONS

Zone	Width of Lot in Feet at Front Building Line		Lot Area In Square Feet			Side Yards (feet)	
	Duplex ¹	Semi-Detached ¹	Each Add. Family	Two Families	Each Add. Family	Min. For One	Sum of Both
D.R.1	175	175	25	50,000	10,000	Int. 25 Cor. 50	Int. 60 Cor. 75
D.R.2	125	125	25	25,000	7,500	Int. 20 Cor. 35	Int. 50 Cor. 60
D.R.3.5	90	100	15	12,500	4,000	Int. 20 Cor. 30	Int. 40 Cor. 50
<u>D.R.5.5</u>	80	90	15	10,000	3,000	Int. 15 <u>Cor. 25</u>	Int. 35 Cor. 40
D.R.10.5	70	80	10	Interior 8,050 Corner 9,200	2,500	Int. 15 Cor. 25	Int. 30 Cor. 40
D.R.16	70	80	10	Interior 8,050 Corner 9,200	2,500	Int. 15 Cor. 25	Int. 30 Cor. 40

NOTES:

¹ The original BCZR 1955 definitions of "dwelling, duplex" and "dwelling, semi-detached" were deleted from Section 101 by Bill No. 100-1970. The entries previously read as follows:

• Dwelling, Duplex: A two-family detached building with one housekeeping unit over the other.

• Dwelling, Semi-detached: A building that has two one-family housekeeping units erected side by side on adjoining lots, separated from each other by an approved masonry party wall extending from the basement or cellar floor to the roof along the dividing lot line, and separated from any other building by space on all sides."

§ 402.2. For tearoom or restaurant use.

For tearoom or restaurant use: To be converted for tearoom or restaurant use in a D.R.1 or D.R.2 Zone¹ as a special exception, the following requirements must be met:

- Meals may be served only at tables, indoors or on an outdoor terrace, and not to persons remaining in cars.²
- The minimum lot size shall be one acre.
- Signs are permitted, subject to Section 450; [Bill No. 89-1997]
- Service shall be provided only at mealtimes.³

1. Editor's Note: Such conversions are also permitted in certain R.C. Zones. See Article 1A.

2. Editor's Note: Former Subsection B, which followed this subsection and established a parking space requirement, was repealed by Bill No. 26-1988.

3. Editor's Note: Former Section 402.4, Elevator Apartment Buildings and Office Buildings, Conditions for Accessory Business Uses in, which was added by resolution of 11-21-1956 to follow this subsection, as amended by Bill No. 64-1960, was repealed by Bill No. 167-1980.

Google maps

To see all the details that are visible on the screen, use the "Print" link next to the map.

#6



PETITIONER'S

EXHIBIT NO. 7



2011-0228-A

#27 EDMORE ROAD

CASE NAME 2011-0228-A

CASE NUMBER 2011-0228-A

DATE MARCH 10, 2011

PLEASE PRINT CLEARLY

PETITIONER'S SIGN-IN SHEET

[illegible]

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 02/26/2011

Case Number: 2011-0228-A

Petitioner / Developer: JEREMIAH HOSFORD

Date of Hearing (Closing): MARCH 10, 2011

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:

27 EDGEWOOD ROAD

The sign(s) were posted on: FEBRUARY 23, 2011

ZONING NOTICE
CASE # 2011-0228-A

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

ROOM 205 JEFFERSON BUILDING
PLACE: 105 W. CHESAPEAKE AVE. TOWSON, MD 21204
THURSDAY, MARCH 10, 2011
DATE AND TIME: AT 11:00 A.M.

REQUEST: VARIANCE TO PERMIT A PROPOSED
TWO-FAMILY DWELLING WITH A
CORNER STREET SETBACK OF 25 FEET IN A LIEU
OF THE MINIMUM 35 FEET SETBACK

27 EDGEWOOD ROAD

POSTPONEMENTS DUE TO THE FLIGHT OF OTHER CONDITIONS ARE SUBJECT TO RECONSIDERATION
TO CANTON HEIGHTS CALL 301-771-1791

DO NOT REMOVE THIS SIGN UNTIL THE DAY OF THE HEARING. VIOLATION IS A VIOLATION OF THE ZONING ORDINANCE.

HANDICAPPED ACCESSIBLE

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)

3/10 11am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Dave Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: February 15, 2011

SUBJECT: DEPS Comment for Zoning Item # 11-228-A
Address 27 Edgemoor Road
(Hosford Property)

Zoning Advisory Committee Meeting of February 7, 2011.

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

- Jeff Livingston; Development Coordination

RECEIVED

FEB 15 2011

ZONING COMMISSIONER

IN RE: PETITION FOR ZONING DIST. 27

FOR ADMINISTRATIVE VARIANCE
S Edgemoor Rd., 50' W at a
ance 25'W c/1 Sweetbriar La.
Edgemoor Road
th Election District
th Councilmanic District
Louise Van Leeuwen
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 94-487-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

matter comes before the Zoning Commissioner as an administrative
filed by Louise Van Leeuwen for that property known as 27
in the Haverford subdivision of Baltimore County. The Peti-
tioner seeks a variance from Section 1B02.3.B. of the Baltimore
County Zoning Regulations (B.C.Z.R.) to permit a detached garage in the
side yard with a 15 ft. street setback, in lieu of the rear yard with a 25
ft. street setback, as more particularly described on Petitioner's Exhibit
No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and
the subject property having been posted, and there being no request for a
public hearing, a decision shall be rendered based upon the documentation
presented.

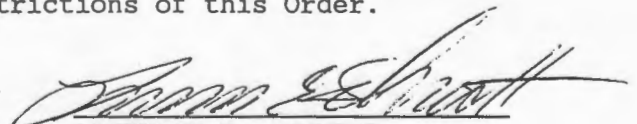
The Petitioner has filed the supporting affidavits as required
Section 26-127 (b)(1) of the Baltimore County Code. Based upon the in-
formation available, there is no evidence in the file to indicate that
requested variance would adversely affect the health, safety or
welfare of the public and should therefore be granted. In the opinion
of the Zoning Commissioner, the information, photographs, and a
submitted provide sufficient facts that comply with the require-
ments of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance
with B.C.Z.R. would result in practical difficulty and/or unreasonable

upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 29th day of June, 1994 that the Petition for a Zoning Variance from Section 1B02.3.B. of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a detached garage in the side yard with a 15 ft. street setback, in lieu of the rear yard with a 25 ft. street setback, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
3. Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to ensure compliance with this Order.
4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

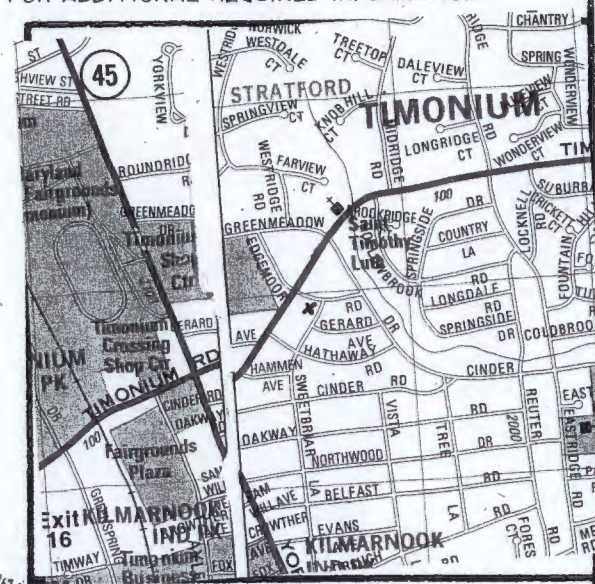
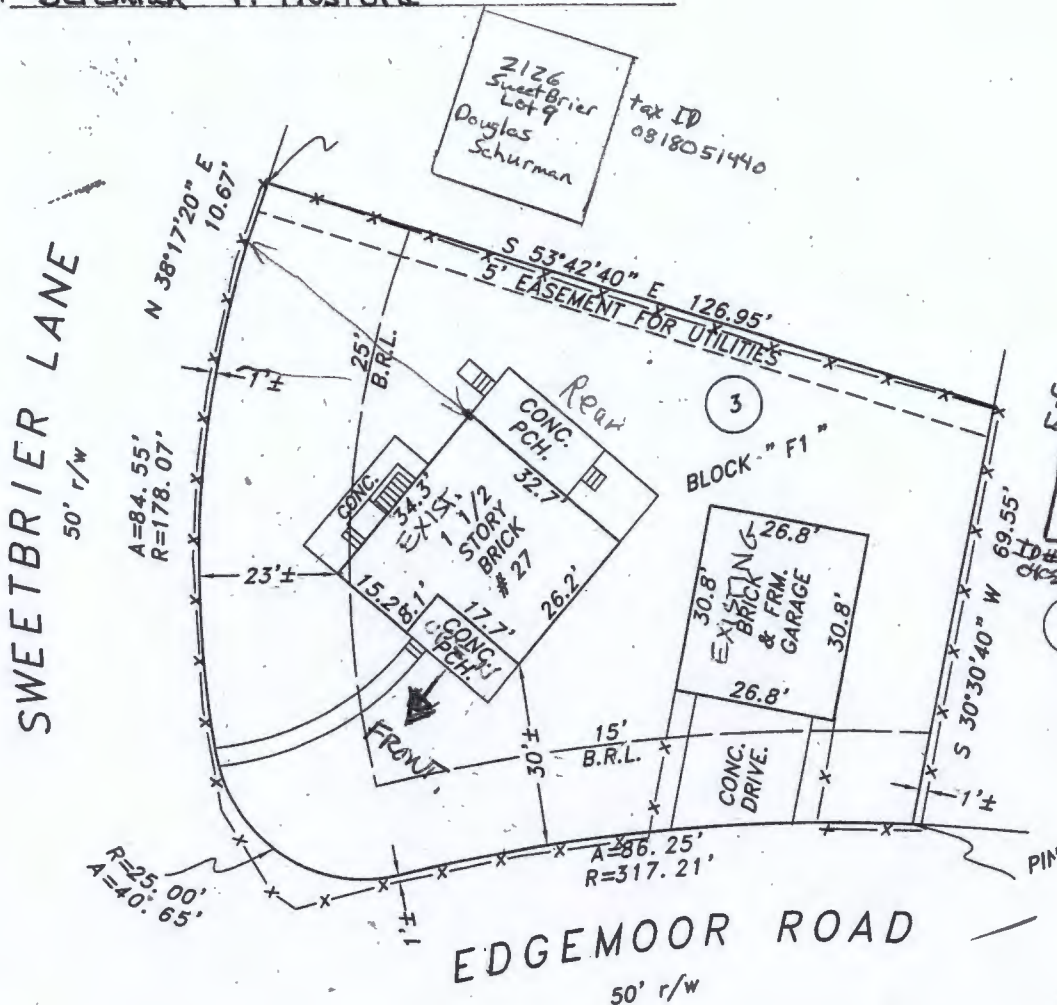

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:mmn

-15-

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

OWNER Jeremiah P. Hosford



NORTH

PREPARED BY

SCALE OF DRAWING: 1" = 30

JL 2011-0228-A

**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 - 0228 - A

Petitioner: Jeremiah P. Hosford

Address or Location: 27 Edgemoor Rd, Timonium, MD 21093

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jeremiah P. Hosford

Address: 27 Edgemoor Rd
Timonium, MD 21093

Telephone Number: 443-523-6679

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 27 Edgemoor Rd

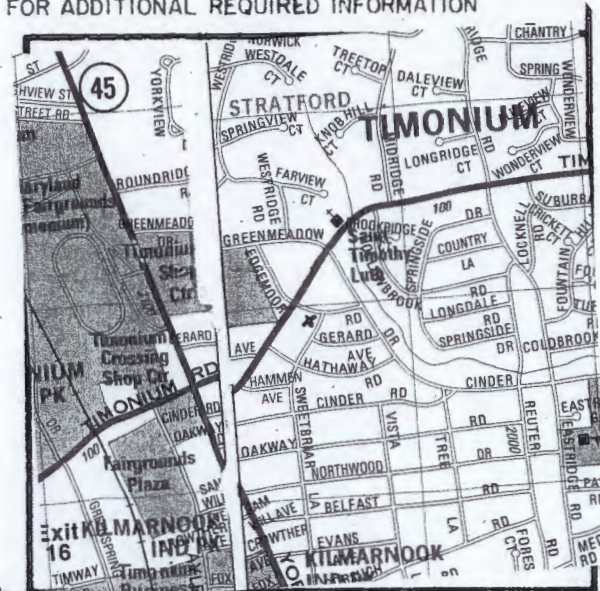
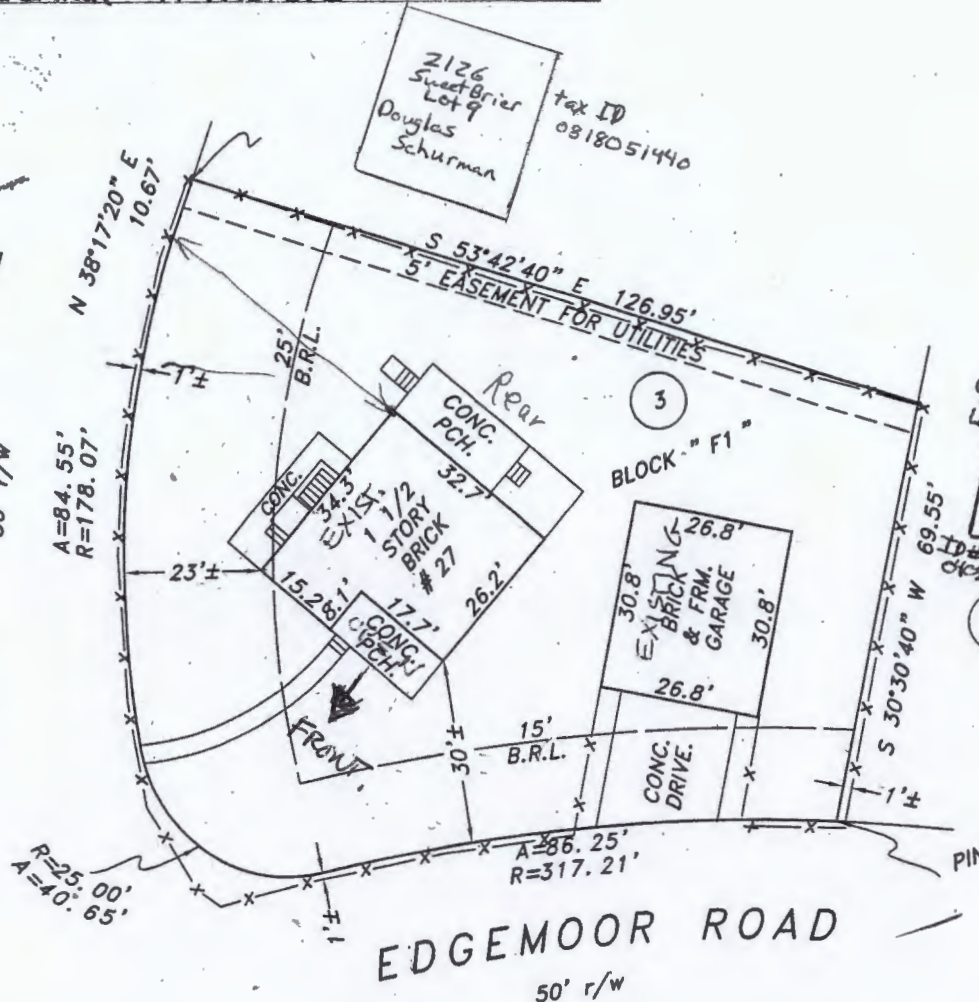
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Haverford

PLAT BOOK # 21 FOLIO # 23 LOT # 3 SECTION # 3

OWNER Jeremiah P. Hosford

SWEETBRIER LANE
50' r/w



LOCATION INFORMATION

ELECTION DISTRICT 8

COUNCILMANIC DISTRICT 3

1" = 200' SCALE MAP # 060C1

ZONING DR 5:5

LOT SIZE 11,186

ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

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

PRIOR ZONING HEARING 1994-0487
FOR DETACHED GARAGE LOCATION GRANTED

ZONING OFFICE USE ONLY

REVIEWED BY ITEM # CASE #

JL

2011-0228-A



NORTH

PREPARED BY

SCALE OF DRAWING: 1" = 30'

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 27 Edgemoor Rd

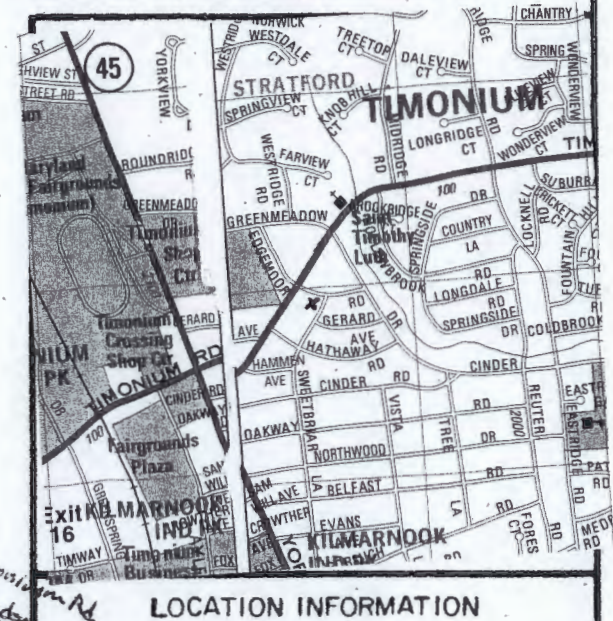
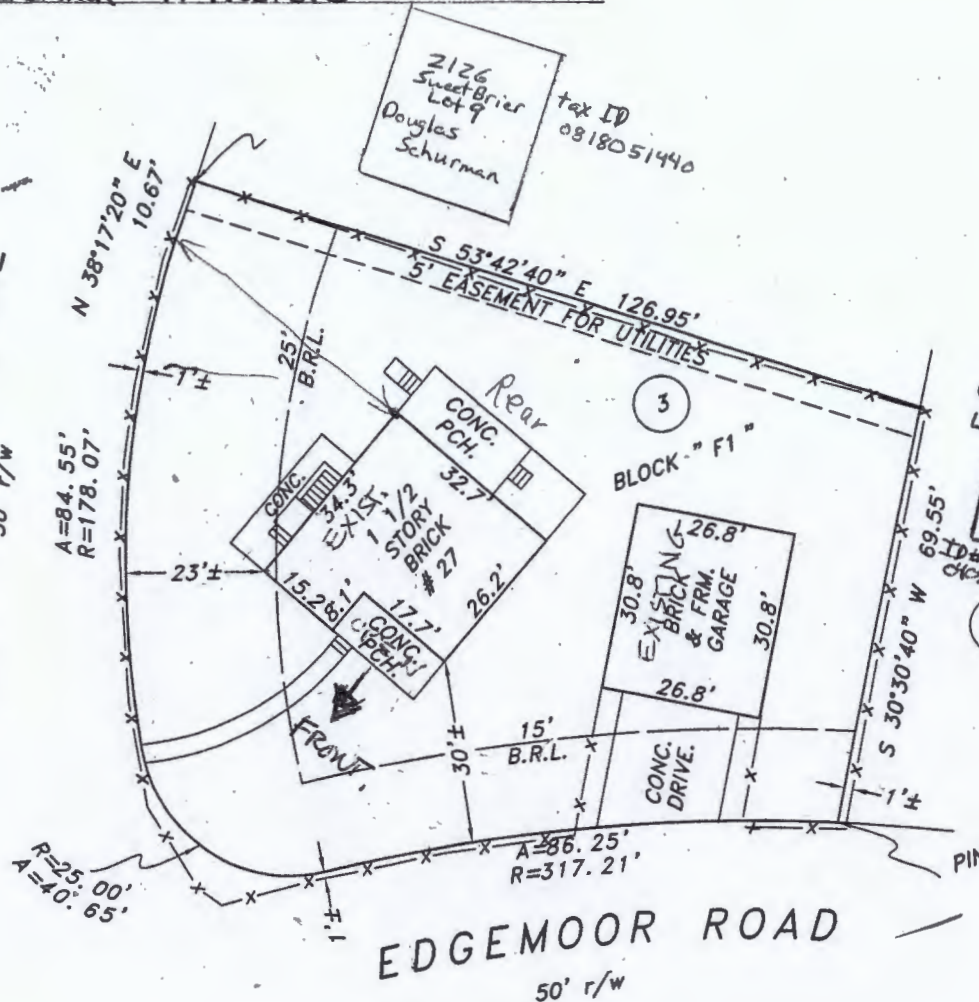
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Haverford

PLAT BOOK # 21 FOLIO # 23 LOT # 3 SECTION # 3

OWNER Jeremiah P. Hosford

SWEETBRIER LANE
50' r/w



LOCATION INFORMATION

ELECTION DISTRICT 8

COUNCILMANIC DISTRICT 3

1" = 200' SCALE MAP # 060C1

ZONING DR 5.5

LOT SIZE 11,186 →

	ACREAGE	SQUARE FEET
SEWER	☒	☐
WATER	☒	☐
CHESAPEAKE BAY CRITICAL AREA	YES ☐	NO ☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒

PRIOR ZONING HEARING 1994-0487
FOR DETACHED GARAGE LOCATION GRANTED

ZONING OFFICE USE ONLY
REVIEWED BY JL ITEM # 2011-0228-A CASE #



NORTH

PREPARED BY [Signature]

SCALE OF DRAWING: 1" = 30

PET.
Exhibit

201-0228-A

SKETCH ADDENDUM

File No. 090455

Borrower Jeremiah P. Hosford

Property Address 27 Edgemoor Road

City Lutherville Timonium County Baltimore

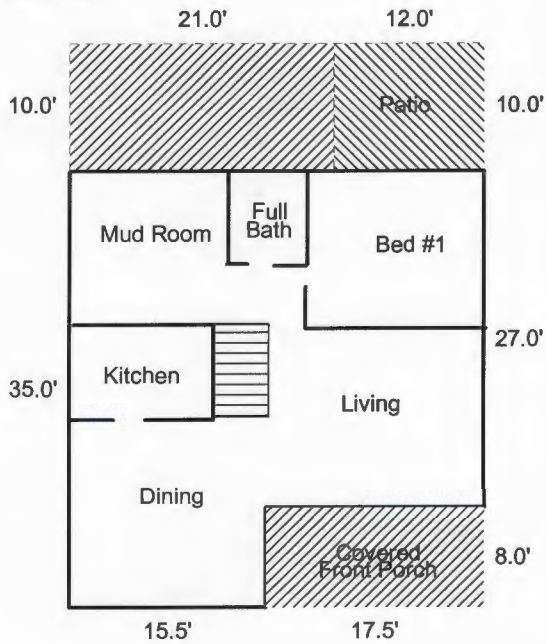
State MD

Zip Code 21093-3403

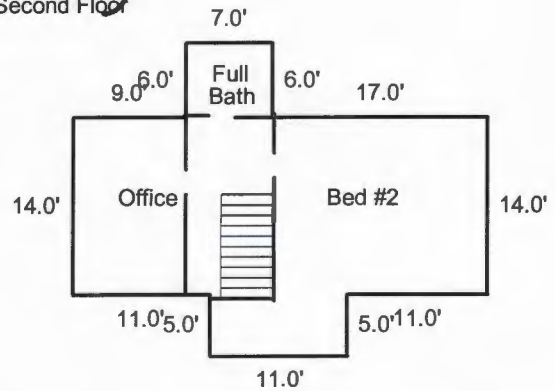
Lender/Client Maranatha Mortgage Corporation

Address 200 East Joppa Road, Suite 200

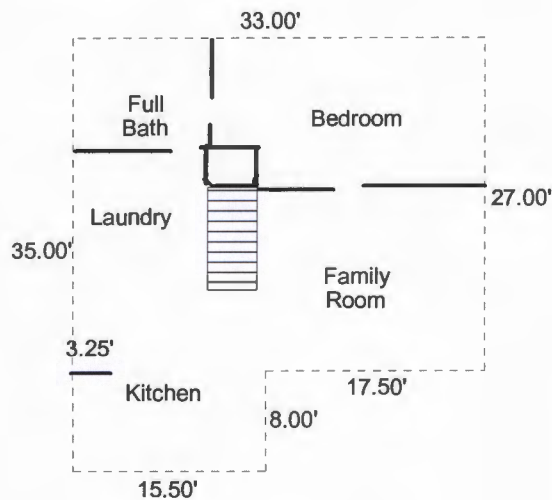
Existing
First Floor



Existing
Second Floor



Proposed
Basement



SKETCH ADDENDUM

File No. 090455

Borrower Jeremiah P. Hosford

Property Address 27 Edgemoor Road

City Lutherville Timonium County Baltimore

State MD

Zip Code 21093-3403

Lender/Client Maranatha Mortgage Corporation

Address 200 East Joppa Road, Suite 200

SKETCH CALCULATIONS		Perimeter	Area
Living Area			
First Floor			
A1 : 33.0 x 27.0 =			891.0
A2 : 15.5 x 8.0 =			124.0
			1015.0
Second Floor			
A3 : 7.0 x 6.0 =			42.0
A4 : 33.0 x 14.0 =			462.0
A5 : 11.0 x 5.0 =			55.0
			559.0
Basement			
A6 : 33.0 x 27.0 =			891.0
A7 : 15.5 x 8.0 =			124.0
			1015.0
Total Living Area			1574.0
Porch Area			
Porch			
A8 : 17.5 x 8.0 =			140.0
			140.0
Porch2			
A9 : 21.0 x 10.0 =			210.0
			210.0
Total Porch Area			350.0
Patio/Deck Area			
Patio			
A10 : 12.0 x 10.0 =			120.0
			120.0
Total Patio/Deck Area			120.0