

IN RE: PETITION FOR VARIANCE

N/Side of Greenbank Road, 153 1/2' from
c/line of East Greenbank
15th Election District
6th Councilmanic District
(7420 Greenbank Road)

John M. and Michele R. McMillion, Jr.
Petitioners

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* CASE NO. 2011-0231-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 owners of the subject waterfront property, John M. McMillion, Jr., and his wife, Michele R. McMillion. Petitioners are requesting Variance relief from Section 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."). to permit a garage in the rear yard of an existing single family dwelling with a height of 19 feet in lieu of the required 15 feet. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the variance request were Petitioners John and Michele McMillion as well as John Sullivan who is assisting the Petitioners in the zoning process. The record in this case reflects that the subject property was properly posted and advertised 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 subject property is rectangular in shape, contains approximately 16,000 square feet or 0.367 acre, more or less, zoned R.C.5. The property is located in the Oliver Beach subdivision area of Baltimore County.

ORDER RECEIVED FOR FILING

Date 3-23-11

By PM

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Department of Environmental Protection and Sustainability (DEPS) dated March 3, 2011 which states that DEPS reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14 and offered the following comments:

1. This lot is located within a Limited Development Area (LDA) and Buffer Management Area (BMA) of the Chesapeake Bay Critical Area (CBCA). The proposed garage will be located outside the 100-foot buffer. Lot coverage is limited to 4.952 square feet. Allowing a variance to the height limit is not contrary to CBCA lot coverage limit and the BMA requirements, and will therefore minimize adverse impacts on water quality that result from development activities.
2. The proposed development must comply with all LDA and BMA requirements, including the 15% afforestation requirement and CBCA lot coverage requirements, prior to building permit approval. Therefore the subject zoning petition will conserve fish, wildlife, and plant habitat.
3. The proposed development will be required to meet all LDA and BMA requirements and therefore will be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

A ZAC comment was also received from the Office of Planning dated February 17, 2011 which recommends 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.

Further testimony revealed that the subject site has a design somewhat different from the others in this very old community, has an odd and unique waterfront and otherwise meets all Code requirements. Petitioners are building the structure for storage only and in order to properly utilize the space are requesting the additional height so as to forestall possible injury and health difficulties in utilizing the space properly. They further agree that the premises are to be utilized

ORDER RECEIVED FOR FILING

Date 3-23-11

By 

for storage only and that they will comply with the Office of Planning directive of February 17, 2011.

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 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 23rd day of March, 2011 by this Administrative Law Judge that Petitioner's Variance request from Section 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."). to permit a garage in the rear yard of an existing single family dwelling with a height of 19 feet in lieu of the required 15 feet, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

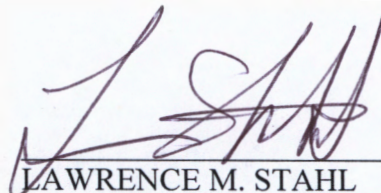
1. Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioners shall comply with the Zoning Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Sustainability (DEPS) dated March 3, 2011 and the Office of Planning dated February 17, 2011; copies of which are attached hereto and made a part hereof.

ORDER RECEIVED FOR FILING

Date 3-23-11

By [signature]

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

Attachments

ORDER RECEIVED FOR FILING

Date 3-23-11

By pm

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED



ZONING COMMISSIONER

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: March 3, 2011

SUBJECT: DEPS Comment for Zoning Item # 11-231-A
Address 7420 Greenbank Road
(McMillion Property)

Zoning Advisory Committee Meeting of February 14, 2011.

DEPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. This lot is located within a Limited Development Area (LDA) and Buffer Management Area (BMA) of the Chesapeake Bay Critical Area (CBCA). The proposed garage will be located outside of the 100-foot buffer. Lot coverage is limited to 4.952 square feet. Allowing a variance to the height limit is not contrary to CBCA lot coverage limit and the BMA requirements, and will therefore minimize adverse impacts on water quality that result from development activities.
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3. The proposed development will be required to meet all LDA and BMA requirements and therefore will be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

Reviewer: Regina Esslinger

Date: March 1, 2011

C:\DOCUME~1\pzook\LOCALS~1\Temp\XPgrpwise\ZAC 11-231-A 732 Sue Grove Road.doc

ORDER RECEIVED FOR FILING

Date

Bv



KEVIN KAMENETZ
County Executive

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

March 23, 2011

JOHN M. AND MICHELE R. MCMILLION, JR.
7420 GREENBANK ROAD
BALTIMORE MD 21220

Re: Petition for Variance
Case No. 2011-0231-A
Property: 7420 Greenbank Road

Dear Mr. and Mrs. McMillion:

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 "L. Stahl", is written over the printed name.

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS/pz

Enclosure



C.B.C.A.

TAX UNIT # 1513401300

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7420 GREENBANK RD.
which is presently zoned DR-5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.3

To permit a garage in the rear yard of an existing single family dwelling with a height of 19 feet in lieu of the required 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)

DUE TO OUR PROPERTY LAYOUT, OUR VEHICLES, AS WELL AS THIS PROPOSED GARAGE, ARE LOCATED AT THE REAR OF OUR LOT, NEAR THE MAIN ROAD. THIS GARAGE WILL SERVE THE FOLLOWING PURPOSES:
① PROTECTION FOR OUR VEHICLES. ② SOLVE OUR DESPERATE NEED FOR ADDITIONAL PROTECTED STORAGE. ③ Compliment Property is to be posted and advertised as prescribed by the zoning regulations. OUR HOME AS WELL AS THE NEIGHBORHOOD.
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 _____
Date 3-23-11
BY [Signature]

Legal Owner(s):

JOHN McMillion JR.
Name - Type or Print _____
Signature John McMillion Jr.
MICHELE McMillion
Name - Type or Print _____
Signature Michele McMillion
7420 GREENBANK ROAD 1-443-807-8836
Address _____ Telephone No. _____
BALTO MD 21220
City _____ State _____ Zip Code _____

Representative to be Contacted:

JEFF CIEKOT
Name _____
11116 REYNOLDS ROAD 1-410-615-3302
Address _____ Telephone No. _____
BRADSHAW MD 21087
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By [Signature] Date 2/3/11

Case No. 2011-0231-A

ZONING DESCRIPTION FOR:
7420 GREENBANK ROAD

Beginning at a point on the NORTH SIDE OF
GREENBANK ROAD AT THE distance of 153 ft. ±
North West of the Centerline (of a 90° Angle + CURVE)
OF E. GREENBANK ROAD. BEING LOT NO. 25,
SECTION A IN THE SUBDIVISION OF OLIVER BEACH
AS RECORDED IN BALTIMORE COUNTY PLAT BOOK #12
Folio 56 CONTAINING 16,000 SQUARE FEET. ALSO
KNOWN AS 7420 GREENBANK ROAD AND LOCATED IN
THE 15TH ELECTION DISTRICT, 6TH COUNCILMATIC
DISTRICT.

0231-A

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

No. **62946**

Date: **2/3/11**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 2/14/2011 2/03/2011 14:52:53 2

1000 0502 MAIL JENA JEE
 RECEIPT # 723325 2/03/2011 OFLN

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				75.00

5 528 ZONING VERIFICATION

TR NO. 062946

Recpt Tot \$75.00

\$75.00 EX \$1.00 CA

Baltimore County, Maryland

Total: **75.00**

Rec From:

John McMillion Jr.

For:

7420 Greensbank Rd.
21220

2011-0231-A

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

3/14 10 AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 17, 2011

RECEIVED

FROM: Jeff Mayhew
(Acting) Director, Office of Planning

FEB 23 2011

ZONING COMMISSIONER

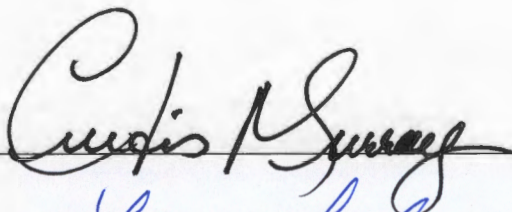
SUBJECT: 11-231 -Variance

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 19 feet in lieu of the maximum permitted 15 feet provided the following conditions are met:

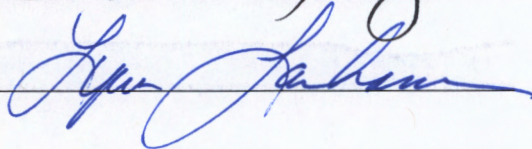
1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
2. The accessory structure shall not be used for commercial purposes.

For further information concerning the matters stated herein, please contact Laurie Hay at 410-887-3480.

Prepared by:



Division Chief:



JM/LL: CM

TIME: 13:19:18 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 02/18/2014
DATE: 06/22/2015 BUILDING DETAIL 1 KLC 11:02:15

DRC#

PERMIT # B837715 PLANS: CONST 0 PLOT 0 PLAT 0 DATA 0 EL 2 PL 2
TENANT

BUILDING CODE: CONTR: OWNER
IMPRV 1 ENGNR:
USE 06 SELLR:

FOUNDATION BASE WORK: CONSTRUCT A (2) CAR DETACHED 2 STY GARAGE ON
REAR OF PROPERTY, 24'X40'X19'=960SF, ACCESSORY
CONSTRUC FUEL SEWAGE WATER ON FILE,VARIANCE CASE 2011-0231,GRANTED 3/23/11
1E 1E NOT IN 100 YR FLOOD PLAIN PER RH. THIS REPLACES
CENTRAL AIR CANCELLED PERMIT B765609. REFER BACK FOR SITE
ESTIMATED COST PLANS. OK TO WAIVE CONST:PH.

40,000.00 PROPOSED USE: SFD AND DETACHED GARAGE

OWNERSHIP: 1 EXISTING USE: SFD

RESIDENTIAL CAT: 1

#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS:
1 FAMILY BEDROOMS: PASSWORD:

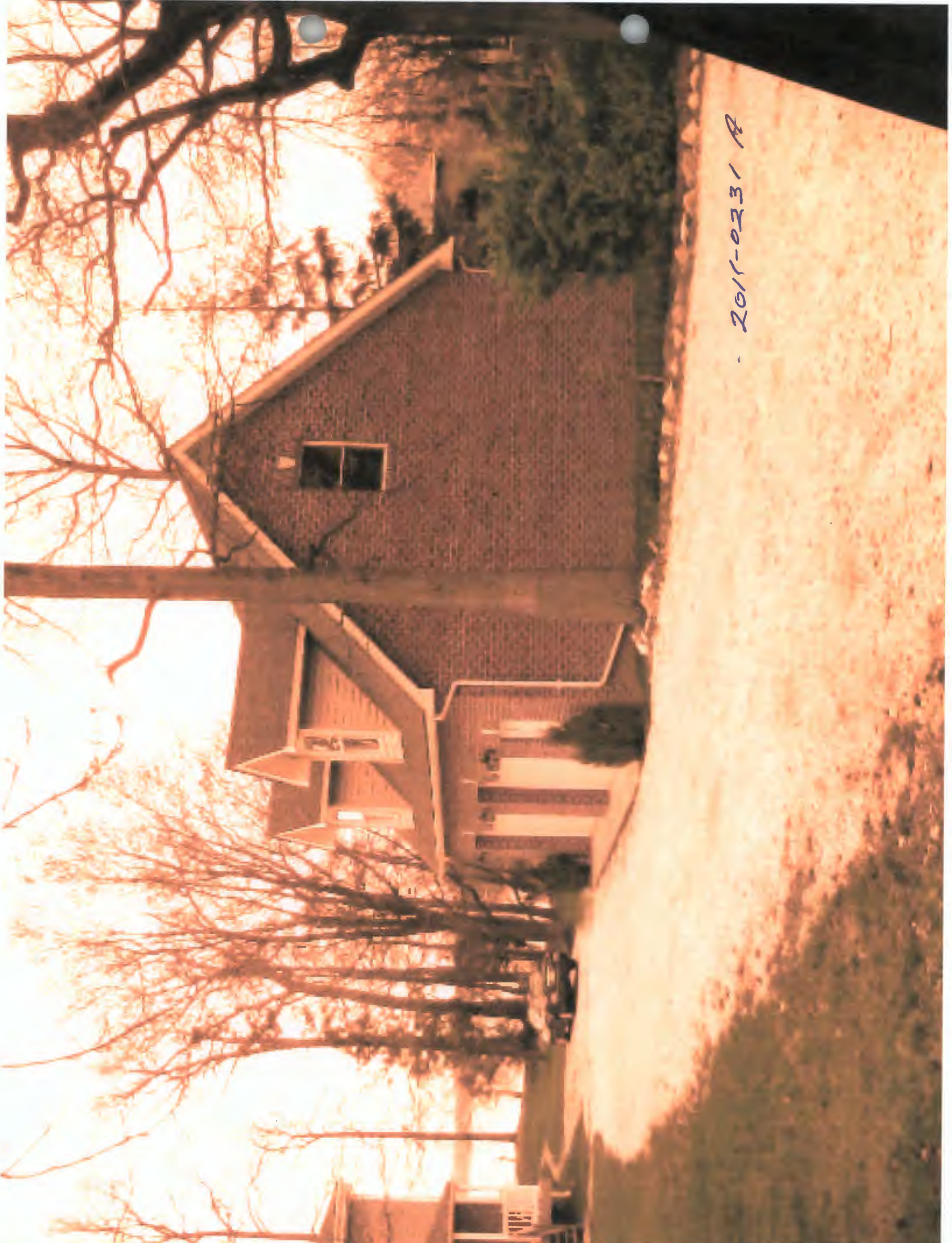
ENTER - NEXT DETAIL PF2 - APPROVALS PF7 - PREV. SCREEN PF9 - SAVE
PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU

01
FT-~~01~~ - 10-29-14 CM
FRA-10 - 6-10-15 RL

3' 23'
27'

2011-0231 A





2011-02-31 A

2011-0231A



2011-0231 A



2011-02-31 A



2011.0231A



2011-0232A



8718

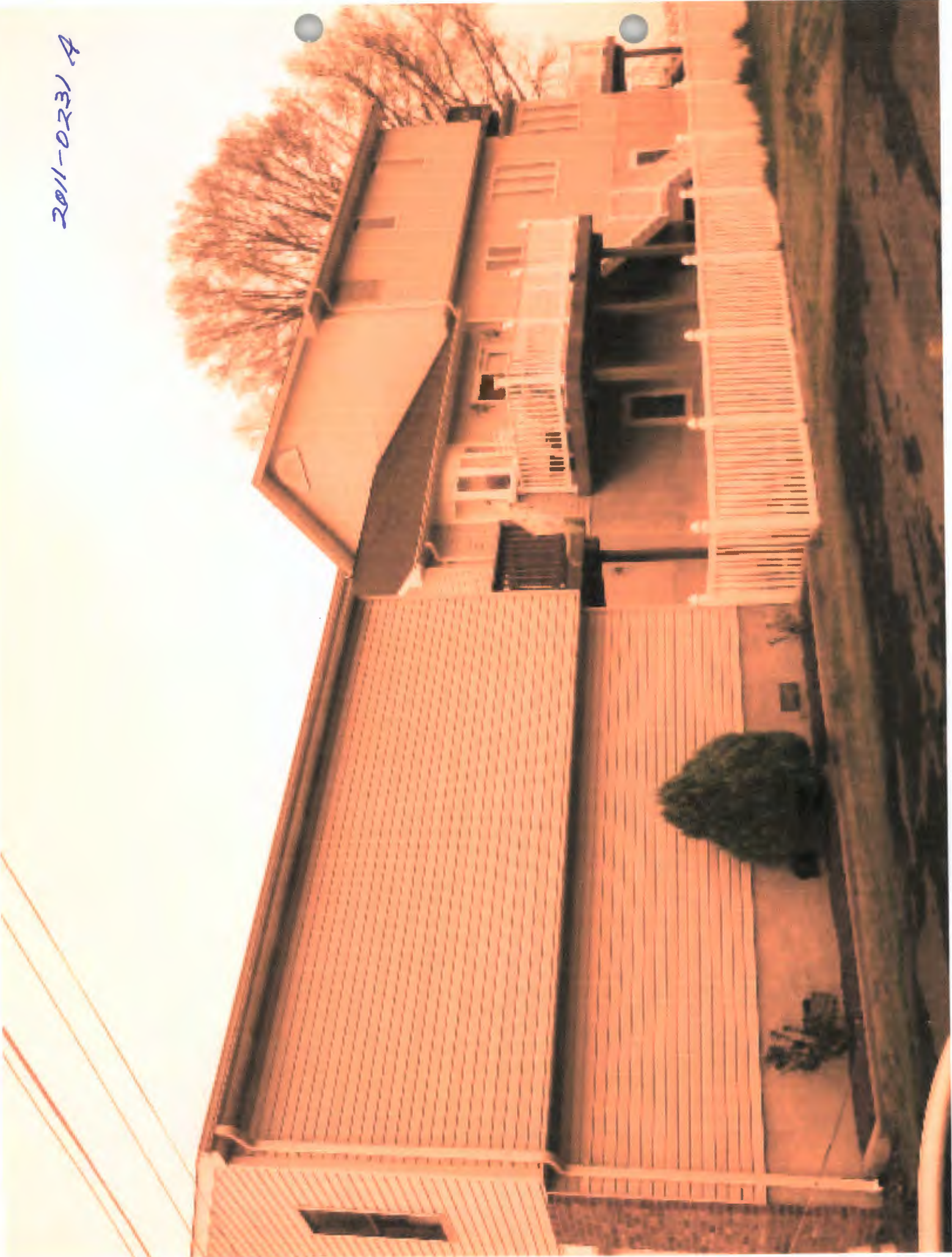
2011-02-31-8



2011-0231A



2011-0231 A





2011-02-31 A



2011-0231A



RE: PETITION FOR VARIANCE * BEFORE THE
7420 Greenbank Road; N/S of
Greenbank Road., 153 1/2 +/- from the
East Greenbank Road
15th Election & 6th Councilmanic Districts * ZONING COMMISSIONER
Legal Owner(s): John & Michele McMillion, Jr.
Petitioner(s) * FOR
* BALTIMORE COUNTY
* 2011-0231-A

No Date

* * * * *
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 14 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 14th day of February, 2011, a copy of the foregoing Entry of Appearance was mailed to John & Michele McMillion, Jr., 7420 Greenbank Road, Baltimore, Maryland 21220, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

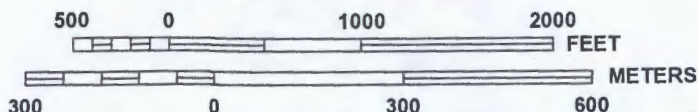
[illegible]

GA#1 and slota

To determine if flood insurance is available in this community, contact your Insurance agent or call the National Flood Insurance Program at 1-800-638-6620.



MAP SCALE 1" = 1000'



FOR
ZC's File
Case No
2011-231A

1-13-11
Proposed
GARAGE /
LOCATION IS NOT
in the 100 year
flood plain.
PER DAVE
THOMAS, DPW.
these
MAPS given on
SAME DAY

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0455F

FIRM

FLOOD INSURANCE RATE MAP

**BALTIMORE COUNTY
MARYLAND
UNINCORPORATED AREAS**

PANEL 455 OF 580

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

<u>COMMUNITY</u>	<u>NUMBER</u>	<u>PANEL</u>	<u>SUFFIX</u>
BALTIMORE COUNTY	240010	0455	F

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



**MAP NUMBER
2400100455F**

**MAP REVISED
SEPTEMBER 26, 2008**

Federal Emergency Management Agency

Map of Gunpowder Falls State Park and surrounding areas. The map shows various zones (ZONE X, ZONE AE (EL 9)) and roads (MILES ROAD, PATUXENT ROAD, GREENBANK ROAD, GUNPOWDER ROAD, JOINS PANEL 0315, PATAPSCO ROAD, SUSQUEHANNA ROAD, E GREENBANK ROAD, OLIVER BEACH ROAD, BOGBY ROAD, MAXA COURT, CUNNINGHILL COVE ROAD, PARK DRIVE). The map also indicates the Baltimore C Unincorporate 240010 area.



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: 2011-0231-A

7420 Greenbank Road

N/side of Greenbank Road, 153 ½ feet +/- from the centerline of East Greenbank

15th Election District – 6th Councilmanic District

Legal Owners: John & Michele McMillion, Jr.

Variance to permit a garage in the rear yard of an existing single family dwelling with a height of 19 feet in lieu of the required 15 feet.

Hearing: Monday, March 14, 2011 at 10:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: John & Michele McMillion, Jr., 7420 Greenbank Road, Baltimore 21220
Jeff Ciekot, 1116 Reynolds Road, Bradshaw 21087

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT, FEBRUARY 26, 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
Thursday, February 24, 2011 Issue - Jeffersonian

Please forward billing to:
John & Michele McMillion
7420 Greenbank Road
Baltimore, MD 21220

443-807-8837

NOTICE OF ZONING HEARING

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Arnold Lablon

Director of Permits, Approvals and Inspections for Baltimore County

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- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

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

March 9, 2011

Mr. & Mrs. McMillion, Jr.
7420 Greenbank Road
Baltimore, MD 21220

RE: Case Number 2011-0231A, 7420 Greenbank Road

Dear Mr. & Mrs. McMillion, Jr.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 3, 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,


W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
Jeff Ciekot, 1116 Reynolds Road, Bradshaw, MD 21087

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

Go Ba
View N
New Se
GroundRent R
GroundRent R

Account Identifier:

District - 15 Account Number - 1512401300

Owner Information

Owner Name:	MCMILLION JOHN M JR MCMILLION MICHELE R	Use:	RESIDENT.
Mailing Address:	7420 GREENBANK RD BALTIMORE MD 21220-1118	Principal Residence:	YES
		Deed Reference:	1) /25849/ 0 2)

0719

Location & Structure Information

Premises Address

7420 GREENBANK RD
0-0000

Legal Description

7420 GREENBANK RD
Waterfront OLIVER BEACH

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0084	0002	0040		000	A		25	3	Plat Ref:

Special Tax Areas

Town	NONE
Ad Valorem	
Tax Class	

0012/0056

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1943	2,454 SF	16,000 SF	34

Stories	Basement	Type	Exterior
	NO	STANDARD UNIT BRICK	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2009	07/01/2010	07/01/2011
Land	243,500	243,500		
Improvements:	253,100	323,870		
Total:	496,600	567,370	543,780	567,370
Preferential Land:	0			0

Transfer Information

Seller:	BRUSH FRANK J, JR	Date:	06/25/2007	Price:	\$665,000
Type:	ARMS LENGTH IMPROVED	Deed1:	/25849/ 00719	Deed2:	
Seller:	GREENE DONALD A	Date:	08/02/1979	Price:	\$110,000
Type:	ARMS LENGTH IMPROVED	Deed1:	/06056/ 00706	Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County			0.00
State			0.00
Municipal			0.00

Tax Exempt:
Exempt Class:

Special Tax Recapture:
* NONE *



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

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

District - 15 Account Number - 1512401300



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2009.
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

MAR 03 2011

ZONING COMMISSIONER

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: March 3, 2011

SUBJECT: DEPS Comment for Zoning Item # 11-231-A
Address 7420 Greenbank Road
(McMillion Property)

Zoning Advisory Committee Meeting of February 14, 2011.

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Reviewer: Regina Esslinger

Date: March 1, 2011

LS
3-14-11

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: February 24, 2011

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

SUBJECT: Zoning Advisory Committee Meeting
For February 21, 2011
Item Nos. 2011- 231, 232, 233, 234
and 235

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-02212011 -NO COMMENTS.doc



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

February 11, 2011

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

ATTENTION: Zoning Review

Distribution Meeting of: **February 14, 2011**

Item No.:

Administrative Variance: 2011-0232A, 2011-0235A.

Variance: 2011-0231A, 2011-0233A – 0234A.

Comments:

The Baltimore County Fire Marshal's Office has **no comments** on the above case numbers at this time.

Don W. Muddiman, Inspector
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File



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

State Highway
Administration

Beverley K. Swain-Staley, Secretary
Neil J. Podorsen, Administrator

Maryland Department of Transportation

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 2011-0231-A
7420 GREENBANK RD
MCMILLION 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. 2011-0231-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
Access Management Division

SDF/mb

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410-545-0300 • www.marylandroads.com

William D. Gulick, Jr.
Baltimore County Approved Sign Poster
Notary Public
2944 Edgewood Avenue
Baltimore, MD 21234
410-530-6293

LETTER OF TRANSMITTAL

BALTO. COUNTY, P.I.A.
TO: ZONING OFFICE

DATE: FEB. 26, 2011
JOB NO.:

ATTENTION: MS. KRISTEN LEWIS

RE: 2011-0231-A
7420 GREENBANK ROAD

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover the following items:

☐ Copy of letter ☐ Prints ☒ Documents ☐ Other ☐

No. of Copies	Date	Description
1	FEB. 26, 2011	CERT. OF POSTING
2	FEB. 26, 2011	SITE PHOTOS

TRANSMITTALS are as checked below:

☐ For approval ☒ For your use ☐ As requested ☐ For review & comment

☐ Other ☐

REMARKS:

cc: JOHN & MICHELE
McMILLION JR.

SIGNED:

WILLIAM D. GULICK, JR.

CERTIFICATE OF POSTING

Department of P.I.A.
Baltimore County
111 W. Chesapeake Avenue
Room 111
Towson, MD 21204

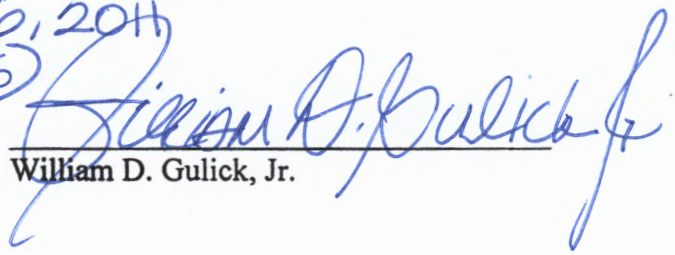
Date: FEB. 26, 2011

Attention: ZONING OFFICE
MS. KRISTEN LEXIS

Re: Case Number: 2011-0231-A
Petitioner/Developer: JOHN & MICHELE McMILLION, JR.
Date of Hearing/Closing: MARCH 14, 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: 7420 GREENBANK ROAD

The sign (s) were posted on: FEB. 26, 2011
(SEE ATTACHED PHOTOS)


William D. Gulick, Jr.

2944 Edgewood Avenue
Baltimore, MD 21234
(410) 530-6293

GREENBANK ROAD



ZONING NOTICE

CASE # 2011-0231 -A

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

JEFFERSON BUILDING ROOM 104
105 WEST CHESAPEAKE AVENUE

PLACE: TOWSON MD 21204

DATE AND TIME: MONDAY
MARCH 14, 2011 AT 10:00 AM

REQUEST: VARIANCE TO PERMIT A
GARAGE IN THE REAR YARD OF AN EXISTING
SINGLE FAMILY DWELLING WITH A HEIGHT
OF 19 FEET IN LIEU OF THE REQUIRED
15 FEET.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391 (410)

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

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 2011-0231-A

Petitioner: JOHN + MICHELE McMillion

Address or Location: 7420 GREENBANK ROAD

PLEASE FORWARD ADVERTISING BILL TO

Name: JOHN + MICHELE McMillion

Address: 7420 GREENBANK ROAD

BALTO, MD 21220

Telephone Number: 443-807-8837

**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: # 2011-0231-A
7420 Greenbank Road
N/side of Greenbank Road,
153 1/2 feet +/- from the
centerline of East Green-
bank
15th Election District
6th Councilmanic District
Legal Owner(s): John & Mi-
chele McMillion, Jr.

Variance: to permit a ga-
rage in the rear yard of an
existing single family dwell-
ing with a height of 19 feet
in lieu of the required 15
feet.

**Hearing: Monday, March
14, 2011 at 10:00 a.m. in
Room 104, Jefferson
Building, 105 West Chesa-
peake Avenue, Towson
21204.**

ARNOLD JABLON, DIRECTOR
OF PERMITS, APPROVALS
AND INSPECTIONS FOR
BALTIMORE COUNTY

NOTES: (1) Hearings are
Handicapped Accessible;
for special accommoda-
tions Please Contact the
Zoning Commissioner's Of-
fice at (410) 887-4386.

(2) For information con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391.

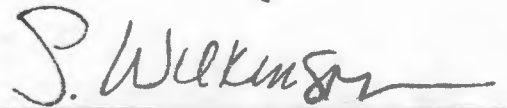
02/222 Feb. 24 267800

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 2/24/ 2011.

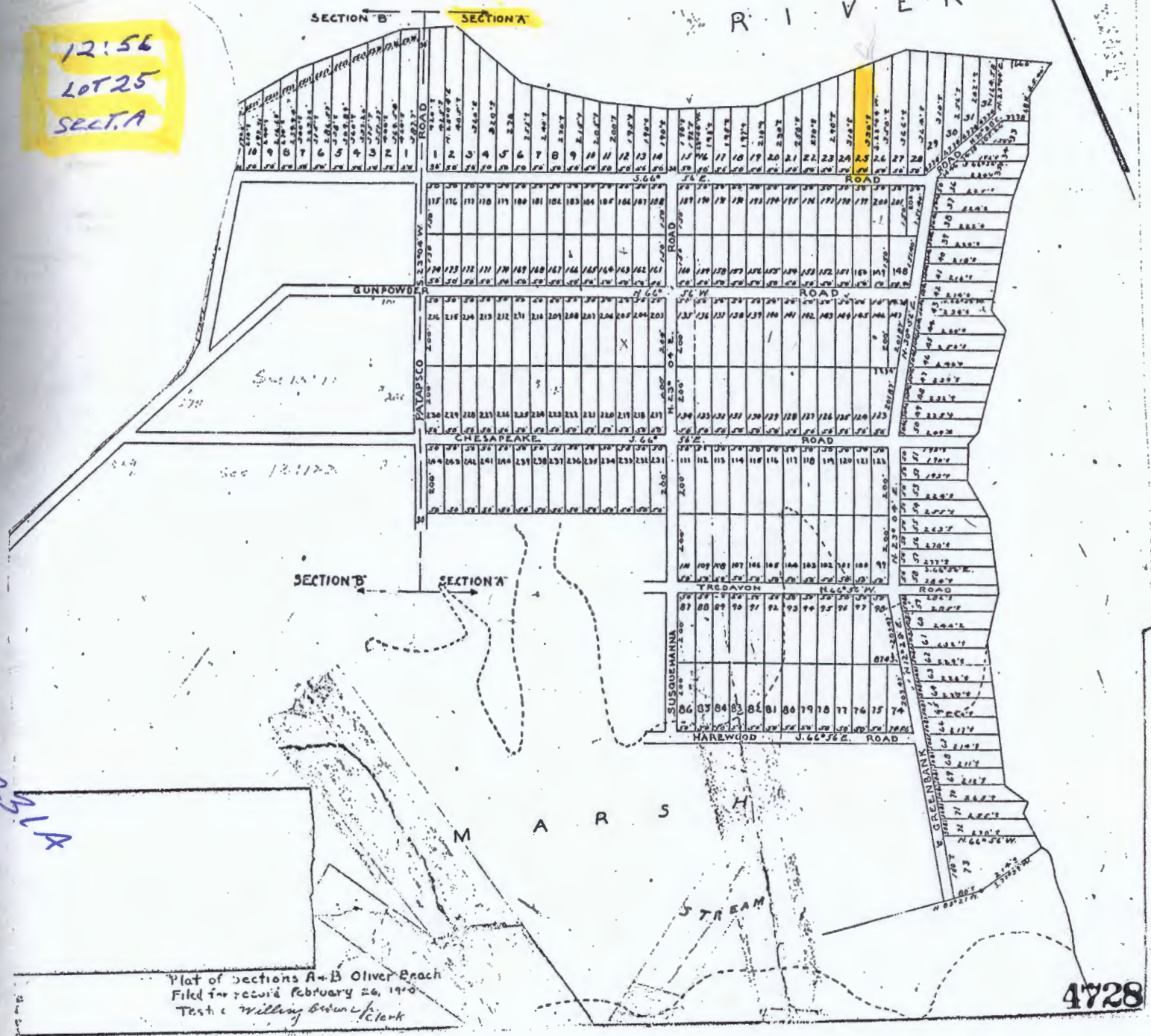
- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News



LEGAL ADVERTISING

12:56
LOT 25
SECT. A

R I V E R





2011-0231-A



2011-0231-A

FOR
PER EIR LETTER DATED NOV 19, 2007

AND BUILD ON IMPERVIOUS SURFACES 975 SQ'



- BUILD ON EXISTING PARKING AREA $17' \times 24' = 408 \text{ SQ}'$
- REMOVE SHED $12' \times 10' = 120 \text{ SQ}'$
- REMOVE $1.5' \times 12'$ SIDEWALK $1.5 \times 12' = 18 \text{ SQ}'$
- REMOVE EXISTING PARKING $23.5' \times 17' = 399 \text{ SQ}'$
- REMOVE LEFT SIDE OF GARAGE PAVING $3' \times 17' = 51 \text{ SQ}'$

975
- 408
- 120
- 18
- 399
- 51

- 21



BALTIMORE COUNTY
MARYLAND

Case
DAVID A.C. CARROLL, Director
Department of Environmental Protection
and Resource Management

November 19, 2007

JAMES T. SMITH, JR.
County Executive

Re: Permit 680057
New Garage

on existing
this is done,
or your permit,

John McMillion
20 Greenbank Road
Baltimore, MD 21220

Dear Mr. McMillion:

Environmental Impact Review (EIR) has reviewed the above-referenced permit application and would like to convey to you the following regulations. Your property is in the Limited Development Area (LDA) and the Buffer Management Area (BMA) of the Chesapeake Bay Critical Area (CBCA). The BMA program, which applies to heavy shoreline areas of the Critical Area, was developed to eliminate the need for variance buffer disturbances and to provide more expeditious review of building permits.

Impervious surfaces on your lot include the house, shed, driveway, and walkway totaling 5,470 square feet (34.5% of the lot). The impervious surface limit for a lot is 31.25%, or 4,952 square feet. Therefore, in order to build the 975 square foot driveway, you must either remove an equal amount of impervious surface, or build the same amount of impervious surfaces (i.e. the driveway).

In addition, LDA regulations require a 15% tree cover to be maintained. In the case of this lot, 4 trees are necessary to meet the LDA requirement that 3 mature trees exist on site, as a result, 1 Maryland native deciduous tree must be planted, preferably in the 100-foot buffer. Please be aware that any native deciduous species removed within the 100' buffer must be replaced on a three to one basis.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

DAVID A.C. CARROLL, Director
Department of Environmental Protection
and Resource Management

November 19, 2007

Mr. John McMillion
7420 Greenbank Road
Baltimore, MD 21220

Re: Permit 680057
New Garage

Dear Mr. McMillion:

Environmental Impact Review (EIR) has reviewed the above-referenced permit application and would like to convey to you the following regulations. Your property is located in the Limited Development Area (LDA) and the Buffer Management Area (BMA) of the Chesapeake Bay Critical Area (CBCA). The BMA program, which applies to heavily developed shoreline areas of the Critical Area, was developed to eliminate the need for variances for many buffer disturbances and to provide more expeditious review of building permits.

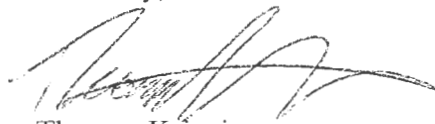
Impervious surfaces on your lot include the house, shed, driveway, and walkways, totaling 5,470 square feet (34.5% of the lot). The impervious surface limit for a lot of this size is 31.25%, or 4,952 square feet. Therefore, in order to build the 975 square foot garage on your lot, you must either remove an equal amount of impervious surface, or build the garage on existing impervious surfaces (i.e. the driveway).

In addition, LDA regulations require a 15% tree cover to be maintained on the property. In the case of this lot, 4 trees are necessary to meet the LDA requirement. EIR staff confirmed that 3 mature trees exist on site, as a result, 1 Maryland native deciduous tree (5' to 6' tall) will need to be planted, preferably in the 100-foot buffer. Please be aware that any existing trees removed within the 100' buffer must be replaced on a three to one basis by 5' to 6' Maryland native deciduous species.

Mr. McMillion
7420 Greenbank Road
B680057
November 19, 2007
Page 2

In order to release this permit, please revise your site plan so that either the garage is built on existing impervious surfaces or 975 square feet of impervious surfaces are removed. Once this is done, review of your permit will continue. Should you have any questions about this letter or your permit, please do not hesitate to contact me at 410-887-3980.

Sincerely,



Thomas Krispin
Natural Resource Specialist II
Environmental Impact Review

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 7420 GREENBANK RD. SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

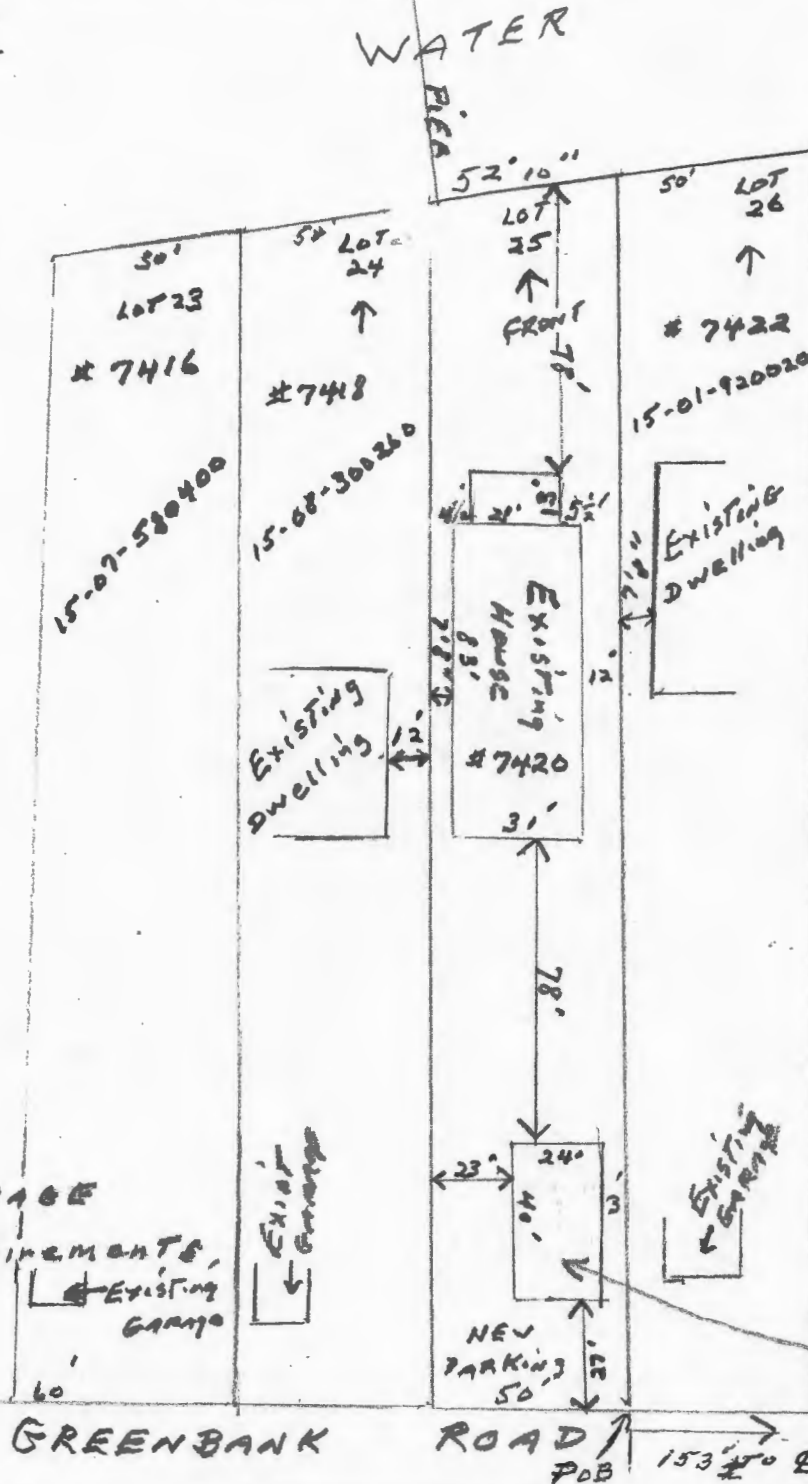
SUBDIVISION NAME OLIVER BEACH

PLAT BOOK # 12 FOM # 56 LOT # 25 SECTION # A

OWNER John E Michelle McMillian

TAX ACT. # 15-12-401300

Plot 2



#7420 GREENBANK RD. (LOT 24)

* IMPERVIOUS SURFACE COVERAGE
WILL COMPLY WITH EIR REQUIREMENTS.

REAR SETBACK TO BE IN L
WITH EXISTING GARAGES. (AV)

SCALE: 1 in. = 50 FT.
PROPOSED GARAGE HEIGHT = 19'
EXISTING SLAB TO BE REMOVED.