

IN RE: PETITION FOR ADMIN. VARIANCE

W side of Stablersville Road, 75 feet E
of Stablersville Church Road
7th Election District
3rd Councilmanic District
(1319 Stablersville Road)

Kyong Suk and Herman Ramsel III
Petitioners

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* **Case No. 2011-0277-A**

* * * * *

OPINION AND ORDER

This matter comes before this Office of Administrative Hearings for Baltimore County as a Petition for Administrative Variance filed by the legal owners of the subject property, Kyong Suk and Herman Ramsel III for property located at 1319 Stablersville Road. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an accessory pole building with a height of 18 feet in lieu of the required 15 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. In order for the door opening to provide adequate clearance when pulling equipment in and out of the building, it must be 12 feet high. This 12 feet height added to the roof pitch would require a total of about 17 feet 6 inches building height. A clearance of 12 feet high inside the building is required for equipment and hay storage. The property contains 9.023 acres zoned RC 2.

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.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on March 27, 2011, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 4-19-11

By [Signature]

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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 Administrative Law Judge for Baltimore County, this 19th day of April, 2011 that a variance from Section 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an accessory pole building with a height of 18 feet in lieu of the required 15 feet is hereby GRANTED, subject to the following:

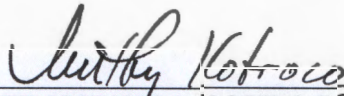
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. 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.
3. The accessory structure shall not be used for commercial purposes.

ORDER RECEIVED FOR FILING

Date 4-19-11

By [Signature]

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


TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:pz

ORDER RECEIVED FOR FILING

Date 4-19-11

By 



KEVIN KAMENETZ
County Executive

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

April 19, 2011

KYONG SUK AND HERMAN RAMSEL III
1319 STABLERSVILLE ROAD
PARKTON MD 21120

Re: Petition for Administrative Variance
Case No. 2011-0277-A
Property: 1319 Stablersville Road

Dear Mr. and Mrs. Ramsel:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted in accordance with the enclosed Order.

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 contact our appeals clerk at 410-887-3391.

Sincerely,

A handwritten signature in black ink, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:pz

Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

1319 STABLERSVILLE ROAD

for the property located at PARKTON MD 21120

which is presently zoned RC2

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

A POLE BUILDING WITH A HEIGHT OF 18ft. IN LIEU OF THE REQUIRED 15ft.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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 _____
 City _____ State _____ Zip Code _____

ORDER RECEIVED FOR FILING

Date 4-19-11

By [Signature]

Legal Owner(s):

HERMAN F. RAMSEL III
 Name - Type or Print _____
Herman F. Ramsel
 Signature _____
KYONG S. RAMSEL
 Name - Type or Print _____
Kyong S. Ramsel
 Signature _____
1319 STABLERSVILLE ROAD
 Address _____
PARKTON MD 21120
 City _____ State _____ Zip Code _____
410 925-9937
 Telephone No. _____

Representative to be Contacted:

HERMAN F. RAMSEL III
 Name _____
1319 STABLERSVILLE RD
 Address _____
PARKTON MD 21120
 City _____ State _____ Zip Code _____
400 925-9937
 Telephone No. _____

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 2011-0277-A

Reviewed By [Signature] Date 3.18.11

Estimated Posting Date 3.27.11

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1319 STABLERVILLE ROAD
Address
PARKTON MD 21120
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

1. IN ORDER FOR THE DOOR OPENING TO PROVIDE ADEQUATE CLEARANCE WHEN PULLING EQUIPMENT IN + OUT OF THE BUILDING IT MUST BE 12' HIGH. THIS 12' HEIGHT ADDED TO THE ROOF PITCH WOULD REQUIRE A TOTAL OF ABOUT 17'6" BUILDING HEIGHT.
- ② A CLEARANCE HEIGHT OF 12' INSIDE THE BUILDING IS REQUIRED FOR EQUIPMENT AND HAY STORAGE.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Herman F. Ramsel
Signature
HERMAN F. RAMSEL
Name - Type or Print

Kyong S. Ramsel
Signature
KYONG S. RAMSEL
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15 day of MARCH, 2011, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Maryland
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

[Signature]
Notary Public
My Commission Expires 02/22/2012

ZONING DESCRIPTION

ZONING DESCRIPTION FOR: 1319 Stablersville Road Parkton, Maryland 21120

Beginning at a point on the west side of Stablersville Road which is 23 feet wide at the distance of 75 feet east of the centerline of the nearest improved intersecting street Stablerschurch Road which is 22 feet wide.

Being Lot # 1 in the subdivision of Baker property as recorded in Baltimore County Plat# 55, Folio # 129, containing 9.023 acres. Also known as 1319 Stablersville Road Parkton, Maryland 21120 and located in the 7th Election District, 3rd Councilmanic District.

"As recorded in Deed Liber 55, Folio 129" and include the measurements and directions (meters and bounds only) here and on the plat in the correct location.

Typical metes and bounds: S.81 12' 27" W. 39.82 ft., R510.00 236.43 ft., N.89 10' 31" W. 239.53 ft., R1530.00 139.39 ft., S.85 36' 18" W. 83.34 ft., R883.25 315.75 ft., N.73 54' 44" W. 196.77 ft., S.30 54' 12" W. 529.81 ft., S.66 03' 26" E. 410.00 ft., S.51 38' 39" E. 122.50 ft., S.62 39' 35" E. 125.00 ft., N.27 30' 53" E. 79.19 ft., S.58 10' 51" E. 498.55 ft., N.42 19' 13" E. 124.99 ft., to the place at the beginning.



KEVIN KAMENETZ
County Executive

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

Date April 6, 2011

Mr. & Mrs. Ramsel, III
1319 Stablersville Road
Parkton, MD 21120

RE: Case Number 2011-0277-A, 1319 Stablersville Road, Parkton, MD 21120

Dear Mr. & Mrs. Ramsel, III,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 18, 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.", is written over a dark, circular ink smudge.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel

Maryland Department of Assessments and Taxation
Real Property Data Search (vw6.2A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent Redemption](#)
[GroundRent Registration](#)

Account Identifier: District - 07 Account Number - 2000011861

Owner Information			
Owner Name:	RAMSEL HERMAN F 3RD RAMSEL KYONG SUK	Use:	AGRICULTURAL
Mailing Address:	1319 STABLERSVILLE RD PARKTON MD 21120-9179	Principal Residence:	YES
		Deed Reference:	1) /07703/ 00785 2)

Location & Structure Information	
Premises Address 1319 STABLERSVILLE RD 0-0000	Legal Description 9.023 AC BAKER PROPERTY

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	Plat Ref:
0012	0023	0202		0000			1	2		0055/ 0129

Special Tax Areas	Town NONE
	Ad Valorem
	Tax Class

Primary Structure Built 1989	Enclosed Area 2,320 SF	Property Land Area 9.0200 AC	County Use 33
--	----------------------------------	--	-------------------------

Stories 2.000000	Basement YES	Type STANDARD UNIT SIDING	Exterior
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Value Information					
	Base Value	Value	Phase-in Assessments		
		As Of	As Of	As Of	
		01/01/2011	07/01/2010	07/01/2011	PREFERENTIAL LAND VALUE INCLUDED IN LAND VALUE
Land	132,300	102,300			
Improvements:	268,290	185,700			
Total:	400,590	288,000	400,590	288,000	
Preferential Land:	2,300			2,300	

Transfer Information			
Seller:	MISER WEBER ASSO CIATION INC	Date:	10/21/1987
Type:	ARMS LENGTH IMPROVED	Deed1:	/07703/ 00785
Seller:		Date:	
Type:		Deed1:	
Seller:		Date:	
Type:		Deed1:	

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

Tax Exempt:	Special Tax Recapture:
Exempt Class:	AGRICULTURAL TRANSFER TAX









ZONING MAP
1319 STABLERSVILLE ROAD
PARKTON MD 21120
LIBER 55 FOLIO 129

0720080150

1316

1316



BLERS

0719071300

STABLERSVILLE RD

OLD WOODS RD

STABLERSVILLE RD

NW 33-A

2000011861

Lot # 1

1319

1227

BAKER, STANLEY PROPERTY (PDM File/Project #)

PDM # 070096

Pt. Bk./Folio # 055129

2000011862

Pt. Bk. 55, Folio 129

Lot # 2

0702000898

NW 33-B

Pt. Bk./Folio # 058004

Lot # 3
Pt. Bk. 58, Folio 4
2100002618

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: April 7, 2011

SUBJECT: DEPS Comment for Zoning Item # 11-277-A
Address 1319 Stablersville Road
(Ramsel Property)

Zoning Advisory Committee Meeting of March 28, 2011.

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

Reviewer: *Jeff Livingston; Development Coordination*

RECEIVED

APR 07 2011

OFFICE OF ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: March 31, 2011

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

SUBJECT: Zoning Advisory Committee Meeting
For April 1, 2011
Item Nos. 2011- 272, 274, 275, 277,
278, 279, 282 and 241

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-04012011 -NO COMMENTS.doc



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

March 28, 2011

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

ATTENTION: Zoning Review

Distribution Meeting of: **March 28, 2011**

Item No.:

Administrative Variance: 2011-0272A, 2011-0275A, 2011-0277A-0278A, 2011-0281A

Special Hearing: 2011-0274-SPH, 2011-0279-SPHX, 2011-0280-SPHA, 2011-0282-SPHX

Special Exception: 2011-0279-SPHX, 2011-0282-SPHX

Variance: 2011-0276A, 2011-0280-SPHA

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

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

Maryland Department of Transportation

Date: 3-31-2011

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

RE: Baltimore County
Item No. 2011-0277-A
1319 STABLESBURG RD
RANSEL 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. 2011-0277-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

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
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: 0277

✓ Petitioner: HERMAN F. RAMSEL

✓ Address or Location: 1319 STABLERVILLE ROAD PARKTON MD
21120

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____

Address: SAME

✓ Telephone Number: 410 925-9937

Revised 2/17/11 DT

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2011- 0277 -A Address 1319 STABLERVILLE RD.
Contact Person: J. MERREY Phone Number: 410-887-3391
Planner, Please Print Your Name 3.27.11
Filing Date: 3/18/11 Posting Date: ~~3.27.11~~ Closing Date: 4.11.11

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2011- 0277 -A Address 1319 STABLERVILLE RD.
Petitioner's Name HERMAN RAMSELL Telephone 410-925-9937
Posting Date: 3.27.11 Closing Date: 4.11.11
Wording for Sign: TO PERMIT A POLE BARN WITH A HEIGHT OF
18ft. IN LIEU of The Permitted 15ft

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2011-0277-A

TO PERMIT A POLE BARN WITH A
HEIGHT OF 18 FEET IN LIEU OF THE
REQUIRED 15 FEET

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
5:00 P.M. ON 4/11/11

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
111 WEST CHESAPEAKE

CERTIFICATE OF POSTING

Date: 3-27-11

RE: Case Number: 2011-0277-A

Petitioner/Developer: Herman Ransel

Date of Hearing/Closing: 4-11-11

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 1319 Stablesville Rd

The signs(s) were posted on 3-27-11
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

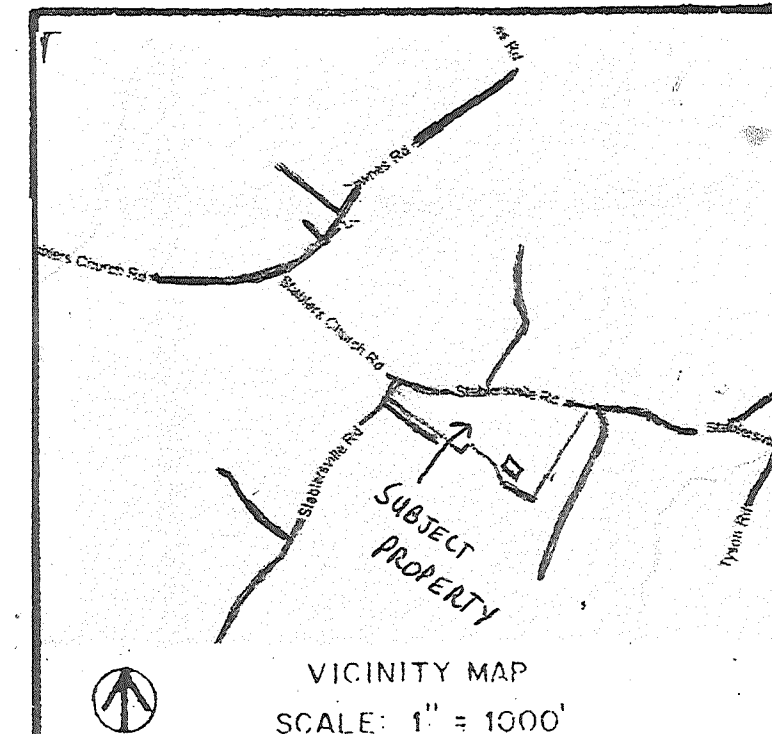
Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

15

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

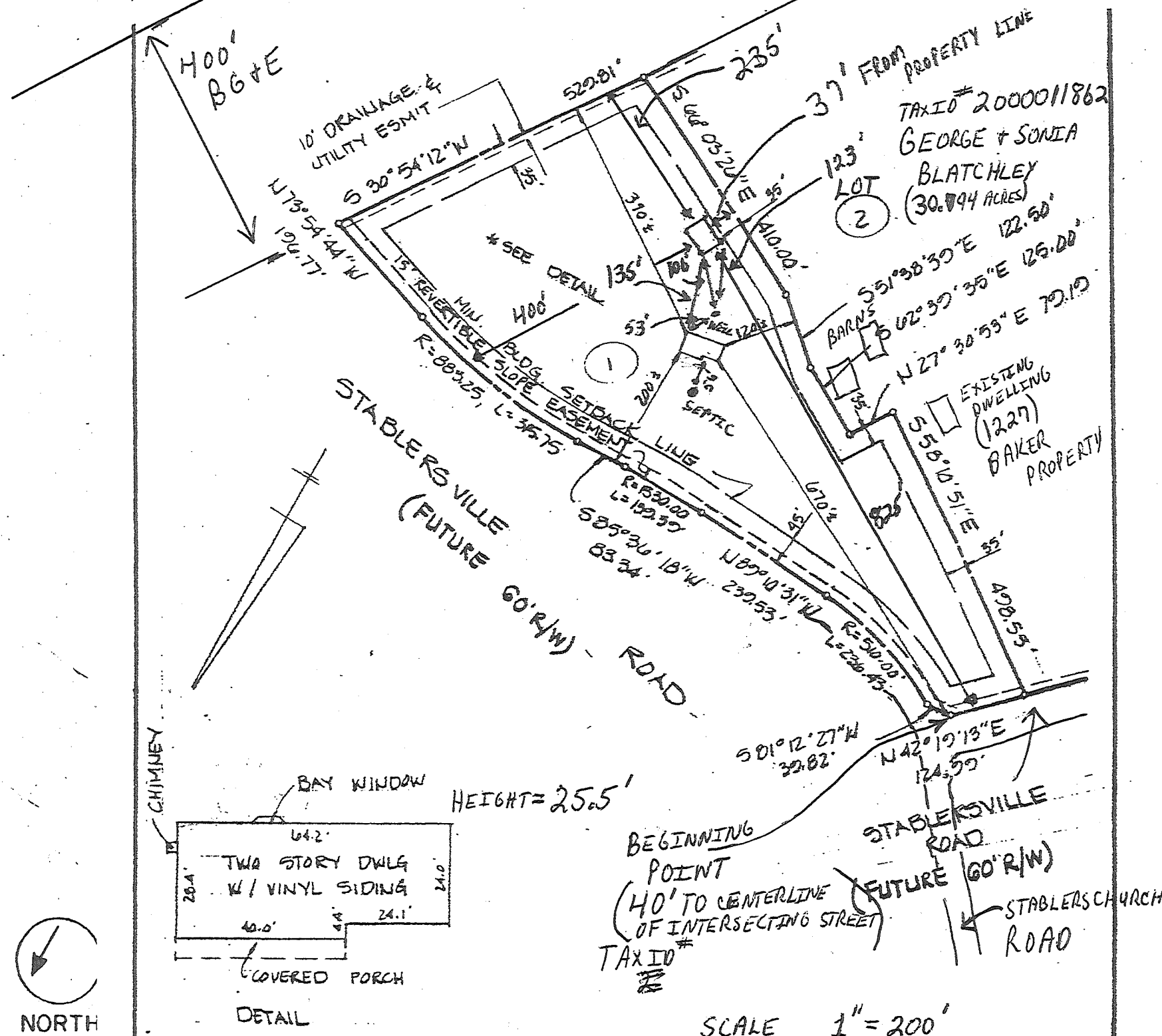
OWNER HERMAN F. RAMSELTH & KYONG S. RAMSEL



ELECTION DISTRICT 7th
COUNCILMANIC DISTRICT 3rd
1"=200' SCALE MAP # 0400/2
ZONING RC 2
LOT SIZE 9.023 393,041.88
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☐	☒
WATER	☐	☒
SAPEAKE BAY CRITICAL AREA	☐	☒
YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒
OR ZONING HEARING		NONE

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



PREPARED BY HERMAN F. RAMSEL *HFR*

SCALE OF DRAWING: 1" = 200'