

IN RE: PETITION FOR SPECIAL HEARING *

NW corner of Franklinville Road

and Gerwell Court

11th Election District

3rd Council District

(11618 Franklinville Road)

John W. Powers, Jr. and Sharon A. Powers

Petitioners

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2012-0088-SPH

* * * * *

ORDER AND OPINION

This matter comes before the Administrative Law Judge as Petition for Special Hearing filed by the legal owners of the property, John W. Powers, Jr. and Sharon A. Powers. The Petitioners are requesting Special Hearing relief pursuant to Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition necessitating a side yard setback of 30 feet in lieu of the required 50 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 held for this case were Petitioner Sharon A. Powers and Reubens Glick with ABG Carpentry who is assisting the Petitioners in the permit process. 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.

The Zoning Advisory Committee (ZAC) comments were received and made a part of the file. Comments were received from the Department of Environmental Protection and Sustainability (DEPS), dated October 7, 2011, which indicated that a future building permit for an addition on this site will require review by Groundwater Management. There were no other

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Date

12-9-11

By

[Signature]

comments received from any of the County reviewing agencies.

Ruebens Glick of ABG Carpentry testified on behalf of the Petitioners. He described the subject site as 3.37 acres zoned RC 5. The property is improved by a two story residence and a garage. There is already an existing deck and a front porch. Although at first blush Petitioners would seem to be in need of a variance to setback regulations, they were advised by the Zoning Review Office to secure his request by way of a special hearing. To that end, the witness produced a plan to accompany his Petition (Petitioners' Exhibit 1) and various exhibits (Petitioners' Exhibit 3), setting out the constraints to the construction of the requested construction of the existing structure which require a variance. He stated that the core building presents a unique situation as it already has an existing deck and porch on two sides of the building. A new 32 foot x 28 foot garage has recently been constructed on the third side; all of which leaves only the remaining side as a viable location for the extension. The proposed extension will be 28 foot 6 inches x 20 foot on one floor only, and will be enclosed in vinyl siding to match the rest of structure as well as the other homes in the general area.

He noted that although a side setback variance will still be required if the extension is to be built, the outer wall of the planned extension will, upon more recent calculations, be 38 feet from the property line, not 30 feet as originally requested. Accordingly, the requested variance will be that much less.

The witness then addressed the requirements set out in Section 502.1 of the B.C.Z.R. He opined that as a one family structure there was no harm to the health, safety or general welfare of the community; that only four people reside in the residence so there was no danger of congestion in roads, streets or alleys; construction would be done according to Code such that there was no potential hazard from fire or panic; that no overcrowding or concentration of population would

ORDER RECEIVED FOR FILING

Date 12-9-11

2

By pm

result; it would not be detrimental to schools, parks, water, sewer nor interfere with light and air; as a small extension to an already existing permitted structure, it is not inconsistent with the spirit, intent or letter of the property's zoning, nor will it require any additional impermeable surface. Although it is located in an RC zone, it is not potentially detrimental to the environment or natural resources of the subject site or its vicinity.

I find that the Petitioners have established sufficient facts to convince me that a special hearing as requested should be granted. Moreover, I find that circumstances and conditions exist that are unique to the subject property; and that, due to these unique conditions, strict enforcement of the B.C.Z.R. would cause the Petitioner to suffer a practical difficulty. Finally, I find that the relief requested will not result in any adverse impact on the surrounding area; rather, the proposed improvement will be a positive addition to the subject property and the surrounding locale.

Finally, I find that the variances requested 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 for the reasons set forth above, the relief requested is granted.

THEREFORE, IT IS ORDERED, this 9th day of December, 2011 by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing seeking relief from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition necessitating have a side yard setback of 30 feet in lieu of the required 50 feet, be and 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.

ORDER RECEIVED FOR FILING

Date 12-9-11

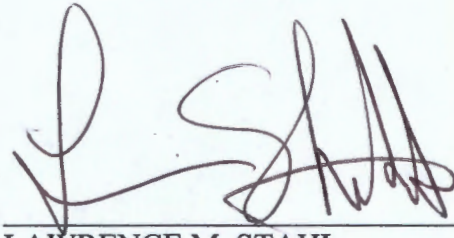
3

By pm

2. The comment from the Department of Environmental Protection and Sustainability (DEPS), dated October 7, 2011, stating that before a permit can be granted the matter must be reviewed and approved by Groundwater Management of the Department of Environmental Protection and Sustainability.

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 12-9-11

By pm



KEVIN KAMENETZ
County Executive

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

December 9, 2011

JOHN W. POWERS, JR. AND SHARON A. POWERS
11618 FRANKLINVILLE ROAD
UPPER FALLS MD 21156

RE: Petition for Special Hearing
Case No. 2012-0088-SPH
(11618 Franklinville Road)

Dear Mr. and Mrs. Powers:

Enclosed please find a copy of the decision rendered in the above-captioned matter

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Stahl", is written over the word "Sincerely,".

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:pz

Enclosure

c: Ruebens Glick, ABG Carpentry, 2195 Valley View Road, Mont Joy PA 17552



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County for the property located at 11618 Franklinville Rd Upper Falls, MD 21156 which is presently zoned RC 5
 Deed Reference: 280961349 Tax Account # 1108065550

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

1 A.04.3.B.2.b. - to permit a proposed addition to have a sideyard setback of 30 feet lieu of the required 50 ft

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____
 Signature _____
 Address _____ Telephone No. _____
 City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
 Signature _____
 Company _____
 Address _____ Telephone No. _____
 City _____ State _____ Zip Code _____

Legal Owner(s):

John W. Powers Jr.
 Name - Type or Print _____
John W. Powers Jr.
 Signature _____
Sharon A. Powers
 Name - Type or Print _____
Sharon A. Powers
 Signature _____
11618 Franklinville Rd 410-917-8773
 Address _____ Telephone No. _____
Upper Falls MD 21156
 City _____ State _____ Zip Code _____

Representative to be Contacted:

Reuben S Glick ABG Carpentry
 Name _____
2195 Valley View Rd 717 682 3151
 Address _____ Telephone No. _____
Mount Joy PA 17552
 City _____ State _____ Zip Code _____

OFFICE USE ONLY

Case No. 2012-0088-SPA

ESTIMATED LENGTH OF HEARING _____
 UNAVAILABLE FOR HEARING _____

REV 07/27/2007

Reviewed By RH Date 9/26/11

ORDER RECEIVED FOR FILING

Date 12-9-11

By pm

ZONING DESCRIPTION

Zoning Description For 11618 Franklinville Road

FIRST:

BEGINNING for the first parcel of two contiguous lots thereof at a gum tree near the edge of said Franklinville Road where the lands of John S. Rumsey and those of Thomas J. Evans corner and running upon the division line of said Rumsey and Evans to the division line between the property of said Rumsey and that of the heirs of the late Edward A. Howard thence along said division line and binding thereon easterly nine perches to a stone planted or to be planted in that line thence by a line south forty one and one-half degrees east thirty perches to a stone set up or to be set up in the edge of the said Franklinville Road and thence with a straight line along said Road eight perches to the gum tree the place of beginning.

SECOND:

BEGINNING for the second part thereof at the fourth corner of a lot conveyed by John B. Rumsey and wife to Alexander Gray said point of beginning on the westerly side of close to the road leading from Franklinville to Upper Falls Post Office and running thence and binding on said road (1) north fifty six and one-half degrees east ten perches to a stake set up for the purpose thence (2) north thirty nine and three-quarter degrees west thirty two and two-tenth perches to the land belonging to the heirs of Edward A. Howard thence running and binding thereon (3) south forty five and three-quarter degrees west ten perches to the third corner of the aforesaid lot conveyed to Alexander Gray thence running and binding on said lot (4) south forty degrees east thirty and four-tenths perches to the place of beginning this lot containing one acre three rods and thirty one perches more or less and the two lots together containing four acres more or less.

The improvements thereon being known as 11618 Franklinville Road.

SAVING AND EXCEPTING all that property described in a Deed dated October 13, 1972 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 5331, folio 966, from George W. Hogg, Jr. and Helen F. Hogg, his wife unto Gerald V. Caldwell and Dorothy A. Caldwell, his wife.

BEING the fee simple property which, by Deed dated March 23, 2007, and recorded April 25, 2007 in the Land Records of the County of Baltimore, Maryland, in Liber 25542, Folio 19, was granted and conveyed by PATRICIA E. WEST unto JOHN E. PHILLIPS.

*Thurs
11-17-11
LS*

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 11/6/2011

Case Number: 2012-0088-SPH

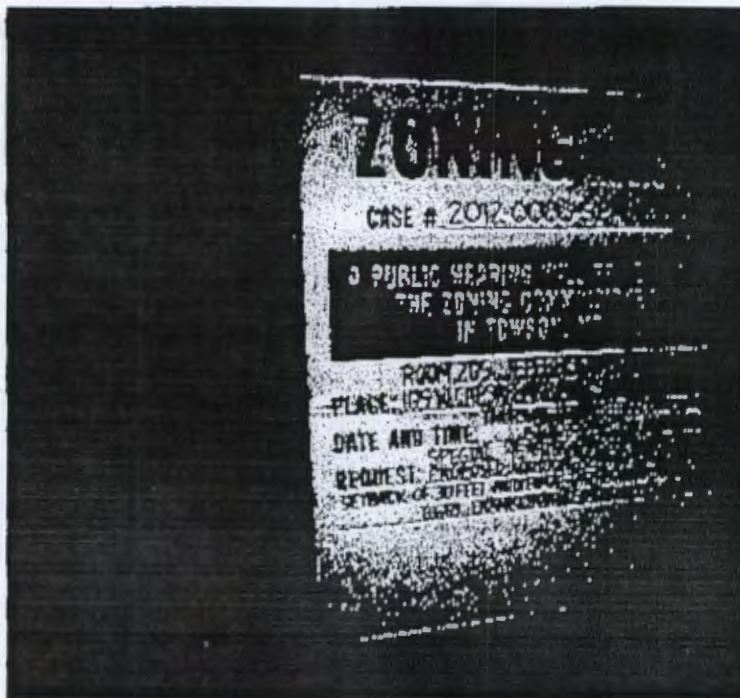
Petitioner / Developer: JOHN & SHARON POWERS-REUBENS GLICK
of ABG CARPENTRY

Date of Hearing (Closing): NOVEMBER 17, 2011

*Hearing
11/17/11*

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:
11618 FRANKLINVILLE ROAD

The sign(s) were posted on: **NOVEMBER 2, 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)



KEVIN KAMENETZ
County Executive

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

October 25, 2011

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2012-0088-SPH

11618 Franklinville Road

N/west corner of Franklinville Road and Gerwell Court

11th Election District – 3rd Councilmanic District

Legal Owners: John & Sharon Powers

Special Hearing to permit a proposed addition to have a sideyard setback of 30 feet in lieu of the required 50 feet.

Hearing: Thursday, November 17, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: John & Sharon Powers, 11618 Franklinville Road, Upper Falls 21156
Reubens Glick, ABG Carpentry, 2195 Valley View Road, Mount Joy, PA 17552

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., NOVEMBER 2, 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, November 1, 2011 Issue - Jeffersonian

Please forward billing to:
Reubens Glick
ABG Carpentry
2195 Valley View Road
Mount Joy, PA 17552

717-682-3151

NOTICE OF ZONING HEARING

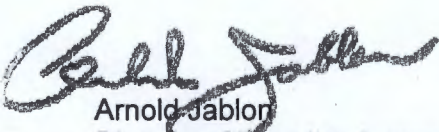
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Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- 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.

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: 2012-0088-SPH
Petitioner: Reuben S Glick
Address or Location: 11618 FRANKlinville Rd Upper Falls MD 21156

PLEASE FORWARD ADVERTISING BILL TO:

Name: Reuben S Glick
Address: ABB Carpentry LLC
2195 Valley View Rd
Mount Joy PA 17552
Telephone Number: 212 682-3151

Revised 2/17/11 DT

**NOTICE OF ZONING
HEARING**

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Case: # 2012-0088-SPH
11618 Franklinville Road
N/west corner of Franklinville Road and Gerwell Court
11th Election District
3rd Councilmanic District
Legal Owner(s): John & Sharon Powers

Special Hearing: to permit a proposed addition to have a sideyard setback of 30 feet in lieu of the required 50 feet.

Hearing: Thursday, November 17, 2011 at 10:00 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 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.

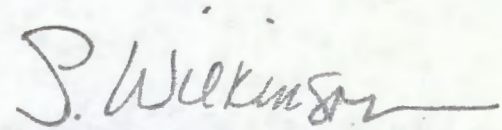
JT 11/622 Nov. 1 289852

CERTIFICATE OF PUBLICATION

11/3/, 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 11/1/, 2011.

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



LEGAL ADVERTISING

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

No. **74187**

Date: 9/26/11

PAID RECEIPT

BUSINESS ACCT. 1000 000
 9/26/2011 9/26/2011 1000000

NET DEBIT BALANCE 1000.00
 CREDIT 1000.00

DEPT 5 520 JUDICIAL VERIFICATION
 CR NO. 074107

Receipt Tot 1000.00
 1000.00 1000.00
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0100		6100				175.00

Total: 175.00

Rec

From: Rouber Glick

For: Special Hearing

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

Item 9000



KEVIN KAMENETZ
County Executive

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

November 8, 2011

Mr. & Mrs. Powers, Jr.
11618 Frankville Road
Upper Falls, MD 21156

RE: Case Number: 2012-0088-SPH, 1618 Franklinville Road

Dear Mr. & Mrs. Powers, Jr.,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 26, 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
Reubens Glick, ABC Carpentry, 2195 Valley View Rd., Mount Joy, PA 17552

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



Beverley K. Swaim-Staley, Secretary
Darrell B. Mobley, Acting Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 10-4-11

Ms. Kristen Matthews
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2012-0088-SPH
Special Hearing
John & Sharon Powers
11618 Franklinville Road.

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. 2012-0088 SPH

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us). Thank you for your cooperation.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steven D. Foster".

Steven D. Foster, Chief
Access Management Division

SDF/rz

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 7, 2011

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

SUBJECT: Zoning Advisory Committee Meeting
For October 17, 2011
Item Nos. 2012-082, 084, 085, 086, 087, ~~088~~, 089,
And 090.

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-10172011 -NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: October 7, 2011

SUBJECT: DEPS Comment for Zoning Item # 2012-0088-SPH
Address 11618 Franklinville Road
(Powers Property)

Zoning Advisory Committee Meeting of October 3, 2011.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

1. A future bldg. permit for an addition on this site will require review by Groundwater Mgmt.

Reviewer: *Dan Esser; Groundwater Management*

RECEIVED
OCT 07 2011
OFFICE OF ADMINISTRATIVE HEARINGS

RE: PETITION FOR SPECIAL HEARING
11618 Franklinville Road; NW corner
Of Franklinville Road & Gerwell Court
11th Election & 3rd Councilmanic Districts
Legal Owner(s): John & Sharon Powers
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2012-088-SPH

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED

OCT 12 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 12th day of October, 2011, a copy of the foregoing Entry of Appearance was mailed to Reubens Flick ABG Carpentry, 2195 Valleyview Road, Mount Joy, PA 17552, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Debra Wiley - ZAC Comments

From: Debra Wiley
To: Kennedy, Dennis; Lykens, David; Livingston, Jeffrey; Lanham, Lynn; Murra...
Date: 10/6/2011 11:56 PM
Subject: ZAC Comments

Hi there,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

2012-0074-A ? 3435 Yardley Drive
Administrative Variance ? Closing Date: 10/10

2012-0075-A ? 8528 Lucerne Road
No hearing date per data base as of: 10/6/11

2012-0076-A ? 10606 Bird River Road
Administrative Variance ? Closing Date: 10/10

2012-0077-A ? 1472 Martin Blvd.
No hearing date per data base as of: 10/6/11

2012-0078-SPHA ? 7801 Eastern Ave.
Hearing Date: 11/1/11

2012-0079-A ? 1110 Gladway Road
Administrative Variance ? Closing Date: 10/10

2012-0080-SPH ? 19 Shipping Place
No hearing date per data base as of: 10/6/11

2012-0081-A ? 7410 Old Harford Road
Administrative Variance ? Closing Date: 10/17

2012-0082-A ? 30-115 West Ridgely Road
No hearing date per data base as of: 10/6/11

2012-0083-A ? 1003 Meadow Glen Road
Administrative Variance ? Closing Date: 10/17

2012-0084-A ? 1609 Eastern Blvd.
No hearing date per data base as of: 10/6/11

2012-0085-A ? 5713 Daybreak Terrace
No hearing date per data base as of: 10/6/11

2012-0086-SPH ? 2140 B Harris Mill Road
No hearing date per data base as of: 10/6/11

2012-0087-A ? 54 Blister Street
Administrative Variance ? Closing Date: 10/17

2012-0088-SPH ? 11618 Franklinville Road
No hearing date per data base as of: 10/6/11

2012-0089-SPHX ? (**Floodplain**) - 169 Frederick Road
No hearing date per data base as of: 10/6/11

2012-0090-A ? 500 Oella Avenue
Administrative Variance ? Closing Date: 10/29

2012-0091-X ? (**Floodplain**) - 10729 Park Heights Avenue
No hearing date per data base as of: 10/6/11

2012-0092-A ? 12116 Sugar Mill Circle
Administrative Variance ? Closing Date: 10/24

2012-0093-XA ? 3430 Sweet Air Road
No hearing date per data base as of: 10/6/11

2012-0094-A ? (**CBCA**) - 944 Lance Avenue
No hearing date per data base as of: 10/6/11

2012-0095-SPH ? 112 Cherrydell Road
No hearing date per data base as of: 10/6/11

2012-0096-A ? 607 Dunkirk Road
Administrative Variance ? Closing Date: 10/31

Thank you.

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

MEMORANDUM

DATE: January 10, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0088-SPH

The appeal period for the above-referenced case expired on January 9, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

Maryland Department of Assessments and Taxation
Real Property Data Search (vw3.1A)
BALTIMORE COUNTY

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

Account Identifier:

District - 11 Account Number - 1108065550

Owner Information

Owner Name: POWERS JOHN WALTER JR
POWERS SHARON ANITA
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 11618 FRANKLINVILLE RD
UPPER FALLS MD 21156-1905
Deed Reference: 1) /28096/ 00349
2)

Location & Structure Information

Premises Address
11618 FRANKLINVILLE RD
0-0000
Legal Description
3.37AC
11618 FRANKLINVILLE RD
1550 NE CHAPMAN RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0064	0003	0031		0000				3	Plat Ref:

Town NONE**Special Tax Areas**

Ad
Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1912	3,175 SF	3.3700 AC	04

Stories	Basement	Type	Exterior
2.500000	NO	STANDARD UNIT FRAME	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2009	07/01/2011	07/01/2012
Land	123,700	123,700		
Improvements:	136,700	136,700		
Total:	260,400	260,400	260,400	
Preferential Land:	0			

Transfer Information

Seller:	Date:	Price:
PHILLIPS JOHN E	05/18/2009	\$358,000
Type: NON-ARMS LENGTH OTHER	Deed1: /28096/ 00349	Deed2:
WEST PATRICIA E	04/25/2007	\$305,000
Type: NON-ARMS LENGTH OTHER	Deed1: /25542/ 00019	Deed2:
HABERSTICH AUGUST H JR	04/11/1991	\$0
Type: NON-ARMS LENGTH OTHER	Deed1: /05540/ 00586	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	

Tax Exempt:
Exempt Class:

Special Tax Recapture:

CASE NAME Powers
CASE NUMBER 2012-0088-SPH
DATE 11-17-11

[illegible]

11618 Franklinville Road



Publication Date: July 25, 2011
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 100 200
Feet

1 inch = 100 feet

0088

Case No.:

2012-0088 SPA

Exhibit Sheet

12/7/11
PS

Petitioner/Developer

Protestant

No. 1	A-E PHOTOGRAPHS OF SITE	
No. 2	PLAN TO ACCOMPANY PETITION	
No. 3	SITE PLAN OF CONSTRUCTION	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PETITIONER'S

EXHIBIT NO.

1A-E

1705 Franklinville Rd

315 5TH DR ADD



11618 Franklinville Rd



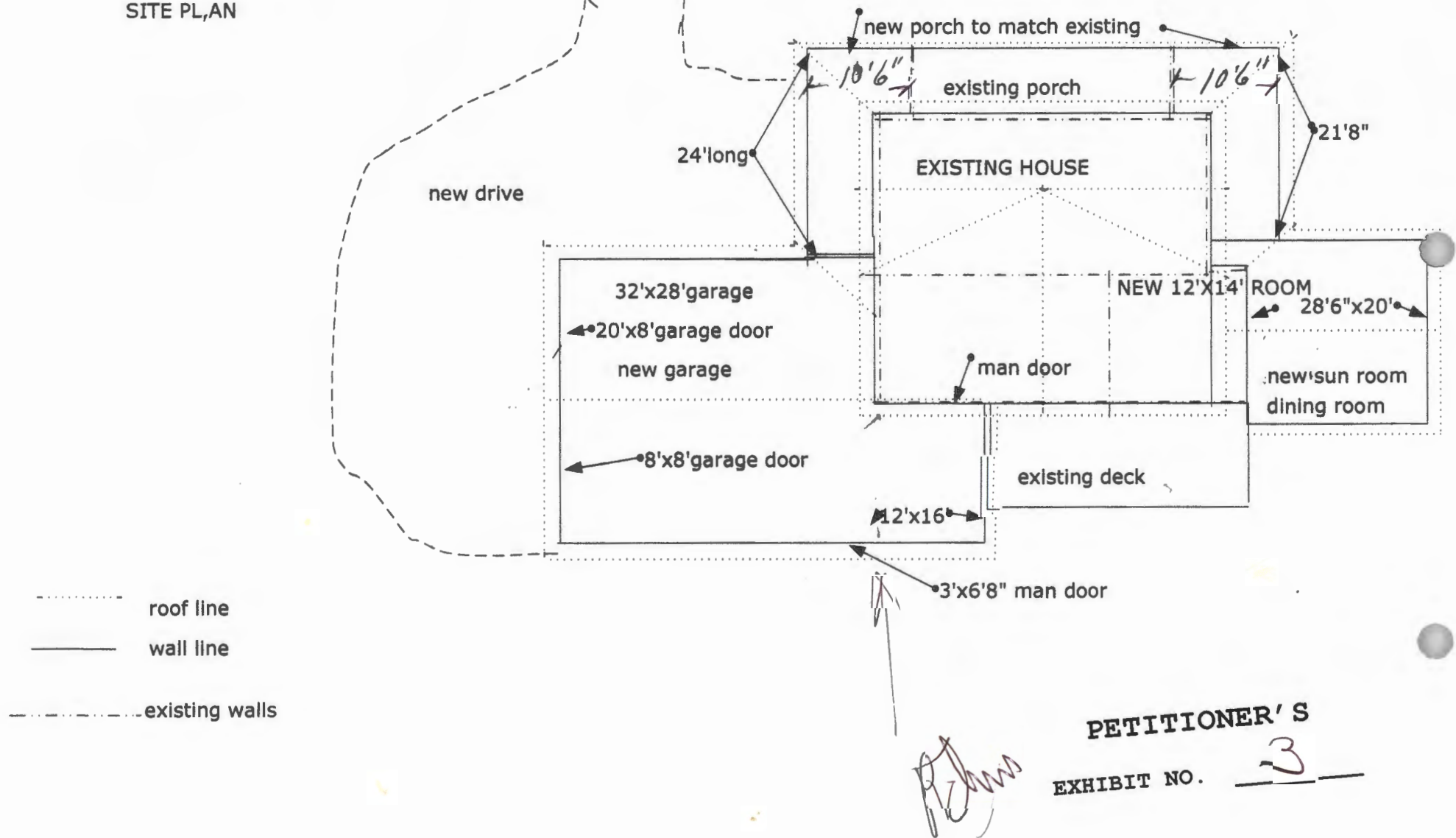






Barry Potter

SITE PLAN



PLAT TO ACCOMPANY PETITION FOR ZONING ☐ VARIANCE ☒ SPECIAL HEARING

PROPERTY ADDRESS 11618 Franklinville Rd

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

SUBDIVISION NAME Upper Falls

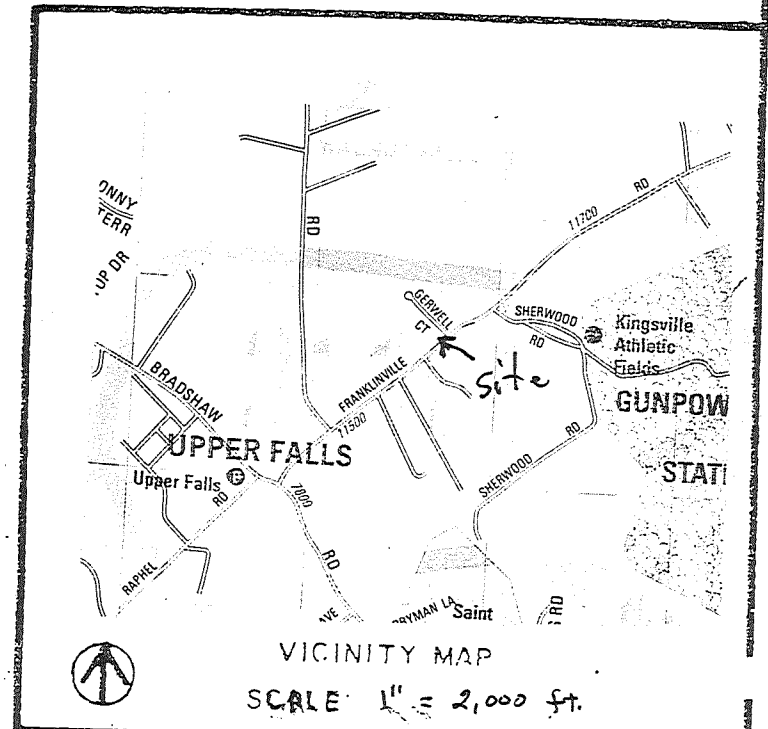
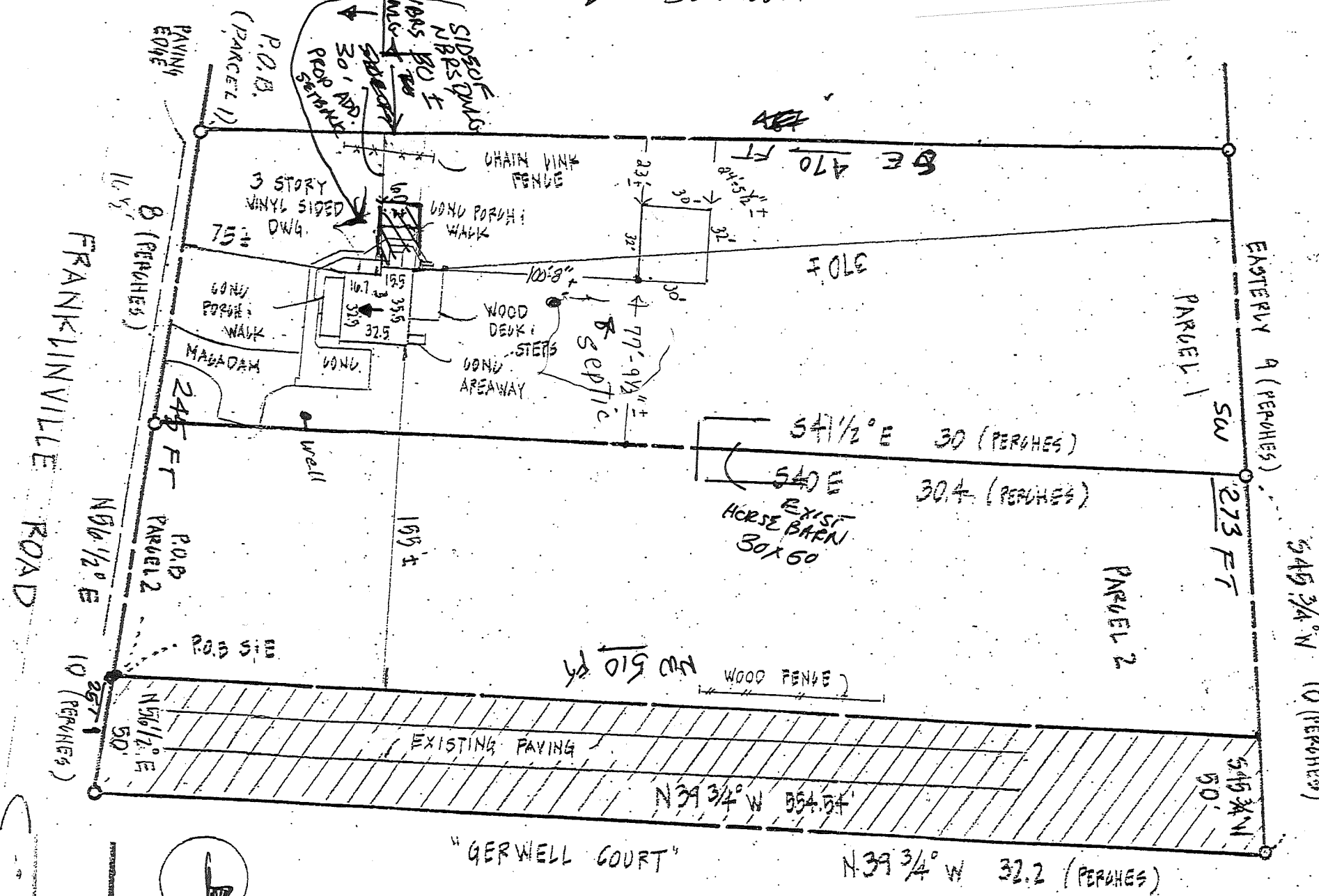
PLAT BOOK # NA FOLIO # UA LOT # NA SECTION # UA

OWNER John & Sharon Powers

PETITIONER'S

EXHIBIT NO. 2

Proposed addition
20' x 28'6" x 8' sun room



LOCATION INFORMATION

ELECTION DISTRICT 11

COUNCILMANIC DISTRICT 3

1" = 200' SCALE MAP # 064 B1

ZONING RC 5

LOT SIZE 3.37 AC ±
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☐	☒
WATER	☐	☒

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/BUILDING	☐	☒
PRIOR ZONING HEARING	<u>None</u>	

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



PREPARED BY RSG

SCALE OF DRAWING: 1" = 60'

BN 0088 2012-0088-SPH