

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

W side of Happy Hollow Road, 800 feet
N of the c/line of Ivy Reach Court
8th Election District
2nd Council District
(12416 Happy Hollow Road)

Highland Homes, Inc.
Petitioner

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
*
CASE NO. 2012-0160-SPHA

* * * * *

ORDER AND OPINION

This matter comes before the Administrative Law Judge for Petitions for Special Hearing and Variance filed by the legal owner of the property, Highland Homes, Inc. The Petitioner is requesting Special Hearing relief pursuant to Sections 500.7 and 1A04.3.B.1.b of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an existing lot with a total area of 1.1 acres in lieu of the required 1.5 acres. Petitioner is also seeking Variance relief pursuant to Section 1A04.3.A of the B.C.Z.R. to allow a dwelling with a height of 40 feet in lieu of the maximum required 35 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 was Steven Brumfitt with Highland Homes, Inc., who was represented by Beverly True. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations. William Hughey, a neighboring resident, also appeared.

The Zoning Advisory Committee (ZAC) comments were received and made a part of the file. A comment was received from the Department of Planning received February 1, 2012, which states:

ORDER RECEIVED FOR FILING

Date 2-21-12

By [Signature]

"The Department of Planning has reviewed the petitioner's request and accompanying site plan. Should the Administrative Law Judge grant the petitioner's request, the proposed structure shall be consistent with Highland Homes architectural elevations dated 12/2011 that were submitted to the Department of Planning."

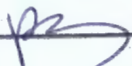
There were no other comments received from any of the County reviewing agencies.

Ms. True proffered on behalf of the Petitioner that the subject site consisted of 1.18 acres zoned RC 5. The site is the result of a combination of two lots. An old structure was located on one of the lots and was razed in 2011, permitting the construction of the proposed new house on the combined lots. She asserted that the small lot which was added to the previously built upon lot was, prior to the time of the combination unbuildable. The joining of these two small lots now allows for the construction of a new home on a lot only slightly smaller than that which is called for by the existing regulations. Ms. True then addressed the requirements of Section 502.1 of the B.C.Z.R. She opined that the granting of the requested special hearing would not adversely affect the surrounding residents or community, public uses or other requirements; would not be inconsistent with the local zoning or the spirit and intent of the County zoning regulations; and, since the subject site is zoned RC 5, would not be detrimental to the environmental and natural resources thereupon and in the surrounding area.

In addressing the requested variance, Ms. True stated that the subject property is unique as it is topographically lower than its neighbors and is an odd shape created by the combination of two smaller lots. The envelope created by the combination of the lots also severely limits the space within the new structure could be constructed. Based upon these factors, the proposed structure could not be built in a way consistent in the "view line" with other homes in the area without the granting of the requested variance.

ORDER RECEIVED FOR FILING

Date 2-21-12 2

By 

Based upon the evidence and testimony presented, I believe that Petitioner has met his burden as to the both the requested special hearing and variance.

Moreover, I find that special 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.

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 held, and after considering the testimony and evidence offered, I find that Petitioner's request for special hearing and variances should be granted.

THEREFORE, IT IS ORDERED, this 21 day of February, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing seeking relief from Sections 500.7 and 1A04.3.B.1.b of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an existing lot with a total area of 1.1 acres in lieu of the required 1.5 acres, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1A04.3.A of the B.C.Z.R. to allow a dwelling with a height of 40 feet in lieu of the maximum required 35 feet, be and are hereby GRANTED.

The relief granted herein shall be subject to the following:

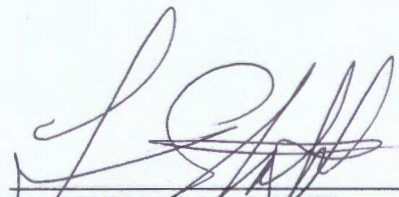
ORDER RECEIVED FOR FILING

Date 2-21-12 3

By PS

1. The Petitioner may apply for their building permit and may be granted same upon receipt of this Order, however the Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the thirty (30) day appellate process from this Order has expired. If for whatever reason, this Order is reversed, the Petitioners will be required to return and be responsible for returning said property to its original condition.
2. The Petitioner shall comply with the ZAC comments made by the Department of Planning dated January 31, 2012; a copy of which is attached hereto and made a part hereof.

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 2-21-12

By [Signature]

LS 2/13 10 AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: January 31, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 12416 Happy Hollow Road

RECEIVED

INFORMATION:

FEB 01 2012

Item Number: 12-160

OFFICE OF ADMINISTRATIVE HEARINGS

Petitioner: Steven Brumfit / Highland Homes Inc.

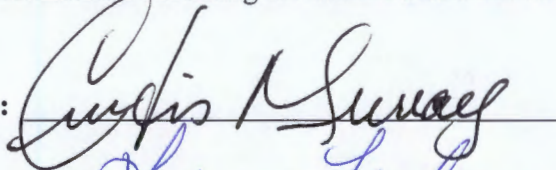
Zoning: RC 5

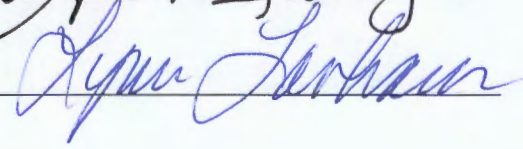
Requested Action: Special Hearing and Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. Should the Administrative Law Judge grant the petitioner's request, the proposed structure shall be consistent with Highland Homes architectural elevations dated 12/2011 that were submitted to the Department of Planning.

For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

Prepared by: 

Division Chief: 
AVA/LL: CM

ORDER RECEIVED FOR FILING

Date: 2-21-12

By: 



KEVIN KAMENETZ
County Executive

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

February 21, 2012

STEVEN BRUMFITT
HIGHLAND HOMES, INC.
7 RIDGE FARM
COCKEYSVILLE MD 21030

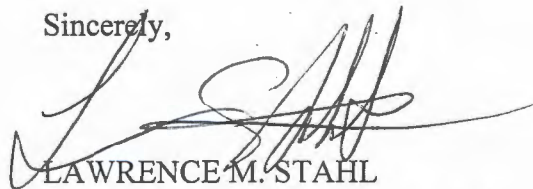
Re: Petition for Special Hearing and Variance
Case No. 2012-0160-SPHA
Property: 12416 Happy Hollow Road

Dear Mr. Brumfitt:

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. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,


LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS/pz

Enclosure

c: Beverly True, 3930 London Bridge Road, Sykesville MD 21784
William Hughey, 12505 Happy Hollow Road, Cockeysville MD 21030



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 13416 HAPPY HOLLOW RD which is presently zoned BC5
 Deed References: 31333/0178 10 Digit Tax Account # 151600475
 Property Owner(s) Printed Name(s) Highland Homes, Inc. Steven Brumfit

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☒ a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve an existing lot with a total area of 1.1 Acre in lieu of the required 1.5 Ac.
2. ☐ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for
3. ☒ a Variance from Section(s) 1A04.3.A of the BCZR
To allow a dwelling with a height of 40' in lieu of the maximum required 35'.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
 (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2012-0160-JPH Filing Date 1/10/12

Do Not Schedule Dates: 40-745-4245 App Reviewer SF

ZONING DESCRIPTION FOR 12416 HAPPY HOLLOW ROAD

Beginning at a point on the West side of Happy Hollow Road which is 50' wide at the distance of 800' North of the centerline of the nearest improved intersecting street Ivy Reach Ct. which is 40' wide.

Beginning for the same at a stone now planted at the beginning of the sixth line of that tract of ground which by a deed dated May 9 1934 and recorded among the Land Records of Baltimore County in Liber C W B Jr No 925 folio 440 was conveyed by Benjamin F Chaffman Sr and wife to A G Mott Parks and wife and thence running with and binding on said sixth line and running for a part in the bed of a road now known as Happy Hollow with the use thereof in common with others entitled thereto North 9 degrees 39 minutes West 176 feet to a flint stone heretofore planted thence running for lines of division the two following courses and distances viz South 75 degrees 06 minutes West 156.11 feet to a stone now planted and south 19 degrees 40 minutes East 103.30 feet to a stone now planted in the fifth line of the aforesaid tract of land and thence running with and binding on a part of said fifth line south 76 degrees 05 minutes east 150 feet to the place of beginning Containing 0.462 of an acre of land more or less

PARCEL NO. 1

BEGINNING FOR THE SAME AT A STONE NOW PLANTED AT THE BEGINNING OF THE SIXTH LINE OF THAT TRACT OF GROUND WHICH BY DEED DATED MAY 9, 1934, AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER C.W.B. JR. NO. 925, FOLIO 440, WAS CONVEYED BY BENJAMIN G. CHAFFMAN, SR. AND WIFE, TO A.G. MOTT PARKS AND WIFE AND THENCE RUNNING WITH AND BINDING ON SAID SIXTH LINE AND RUNNING FOR A PART IN THE BED OF A ROAD NOW KNOWN AS HAPPY HOLLOW WITH THE USE THEREOF IN COMMON WITH OTHERS ENTITLED THERETO NORTH 9 DEGREES 39 MINUTES WEST 176 FEET TO A FLINT STONE HERETOFORE PLANTED, THENCE RUNNING FOR LINES OF DIVISION THE TWO FOLLOWING COURSES AND DISTANCES, VIZ: SOUTH 75 DEGREES 06 MINUTES WEST 156.11 FEET TO A STONE NOW PLANTED AND SOUTH 19 DEGREES 40 MINUTES EAST 103.30 FEET TO A STONE NOW PLANTED IN THE FIFTH LINE OF THE AFORESAID TRACT OF LAND AND THENCE RUNNING WITH AND BINDING ON A PART OF SAID FIFTH LINE SOUTH 76 DEGREES 05 MINUTES EAST 150 FEET TO THE PLACE OF BEGINNING.

BEING the same lot of ground which by Deed dated 11/5/1952 and recorded among the Land Records of Baltimore County in Liber No. 2200, folio 284 was granted and conveyed by Milton R. Smith and Alice L. Smith unto Mott G. Parks and Lois M. Parks.

PARCEL NO. 2

BEGINNING FOR THE SAME AT A FLINT STONE HERETOFORE PLANTED AT THE BEGINNING OF THE SEVENTH LINE OF THAT TRACT OF GROUND WHICH BY A DEED DATED MAY 9, 1934, AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER C.W.B. JR. NO. 925, FOLIO 440, WAS CONVEYED BY BENJAMIN F. CHAFFMAN, SR., AND WIFE TO R.G. MOTT PARKS AND WIFE AND THENCE RUNNING WITH AND BINDING ON A PART OF SAID SEVENTH LINE NORTH 49 DEGREES 14 MINUTES WEST 120 FEET TO A PIPE; THENCE SOUTH 58 DEGREES 31 MINUTES WEST 302.66 FEET TO A STONE; THENCE SOUTH 75 DEGREES 50 MINUTES EAST 239.93 FEET; THENCE NORTH 19 DEGREES 40 MINUTES WEST 103.30 FEET AND THENCE NORTH 75 DEGREES 06 MINUTES EAST TO THE PLACE OF BEGINNING.

containing A total

of 1.1 acres.

Located in the 8th Election District, 2nd Council District.

CERTIFICATE OF POSTING

Date: 1-28-12

RE: Case Number: 2012-0160-SPHA

Petitioner/Developer: Highland Homes, Inc

Date of Hearing/Closing: 2-13-12

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 12416 Happy Hollow Rd

The signs(s) were posted on 1-28-12
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

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)

ZONING NOTICE

CASE # 2012-0160-SPHA

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

JEFFERSON BUILDING-HOUSE
135W. CHESAPEAKE AVE. TOWSON 21204

PLACE: 135W. CHESAPEAKE AVE.
DATE AND TIME: MON. FEB. 13, 2012 10AM

REQUEST: SPECIAL HEARING TO PERMIT
EXISTING LOTS WITH A TOTAL AREA
OF 1.1 ACRES IN LIEU OF THE REQUIRED
4.5 ACRES. VARIANCE TO ALLOW A DWELLING
WITH A HEIGHT OF 40 FEET IN LIEU OF THE MAXIMUM
REQUIRED 35 FEET

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CANCEL HEARING CALL 502-3391
SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
- ADDED ACCESSIBLE

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: # 2012-0160-SPHA
12416 Happy Hollow Road
W/s of Happy Hollow Road,
800 feet north of centerline
of Ivy Reach Court
8th Election District
2nd Councilmanic District

Legal Owner(s): Highland
Homes, Inc., Steven Brumfit
Special Hearing: to permit
an existing lots with a total
area of 1.1 acres in lieu of
the required 4.5 acres.

Variance: to allow a dwell-
ing with a height of 40 feet
in lieu of the maximum re-
quired 35 feet.

Hearing: Monday, Febru-
ary 13, 2012 at 10:00 a.m.
in Room 205, 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
Administrative Hearings Of-
fice at (410) 887-3868.

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

01/260 January 26 295625

Hearing 2/13/12

CERTIFICATE OF PUBLICATION

1/26/ 2012

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 1/26/ 2012.

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

S. Wilkinson

LEGAL ADVERTISING

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

No. **77263**

Date: **1/10/12**

PAID RECEIPT

BUSINESS ACTION TIME NEW
 1/11/2012 1/11/2012 07:48:15 2

REC 0502 WALTON, KIM J
 >>RECEIPT # 763751 12/30/2011 07PM

IMP 5 520 LIVING ORIENTATION
 CR NO. 077263

Recpt tot \$150.00
 \$150.00 CL \$1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub-Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				150.00

Total: **150.00**

Rec

From: **Peterson Book Keeping**

For:

12-11-16 Happy Hollow Rd.

Special Hearing + Vaccine

Case # 2012-0150-SPHA

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

TO: PATUXENT PUBLISHING COMPANY
Thursday, January 26, 2012 Issue - Jeffersonian

Please forward billing to:

Beverly True
3920 London Bridge Road
Sykesville, MD 21784

443-398-0988

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: 2012-0160-SPHA

12416 Happy Hollow Road

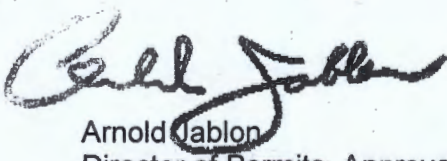
W/s of Happy Hollow Road, 800 feet north of centerline of Ivy Reach Court

8th Election District – 2nd Councilmanic District

Legal Owners: Highland Homes, Inc., Steven Brumfit

Special Hearing to permit an existing lots with a total area of 1.1 acres in lieu of the required 4.5 acres. Variance to allow a dwelling with a height of 40 feet in lieu of the maximum required 35 feet.

Hearing: Monday, February 13, 2012 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 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.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections
January 23, 2012

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: 2012-0160-SPHA

12416 Happy Hollow Road

W/s of Happy Hollow Road, 800 feet north of centerline of Ivy Reach Court

8th Election District – 2nd Councilmanic District

Legal Owners: Highland Homes, Inc., Steven Brumfit

Special Hearing to permit an existing lots with a total area of 1.1 acres in lieu of the required 4.5 acres. Variance to allow a dwelling with a height of 40 feet in lieu of the maximum required 35 feet.

Hearing: Monday, February 13, 2012 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Bev True, 3920 London Bridge Road, Sykesville 21784
Steven Brumfit, 7 Ridge Farm Court, Cockeysville 21030

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JANUARY 28, 2012.**
- (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.**

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: 2012-0160-SPHA

Petitioner: Highland Homes Inc.

Address or Location: 12416 Happy Hollow Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Beverly Trave

Address: 2920 London Bridge Rd.
Sylkesville, MD 21784

Telephone Number: 443-398-0983

Revised 2/17/11 DT



KEVIN KAMENETZ
County Executive

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

February 6, 2012

Steven Brumfitt Highland Homes Inc.
7 Ridge Farm Court
Cockeysville MD 21030

RE: Case Number: 2012-0160-SPHA , Address: 12416 Happy Hollow Road

Dear Mr. Brumfitt:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 10, 2012. 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
Beverly True, 3920 London Bridge Road, Sykesville, MD 21784

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 1-18-12

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

RE: Baltimore County
Item No. 2012-0160-SPHA
Special Hearing Variance
Steven Brantitt/Highland Homes, Inc.
12416 Happy Hollow 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. 2012-0160-SPHA.

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 dark ink, appearing to read "Steven D. Foster".

Steven D. Foster, Chief
Access Management Division

SDF/rz

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.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: January 31, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 12416 Happy Hollow Road

INFORMATION:

Item Number: 12-160

Petitioner: Steven Brumfit / Highland Homes Inc.

Zoning: RC 5

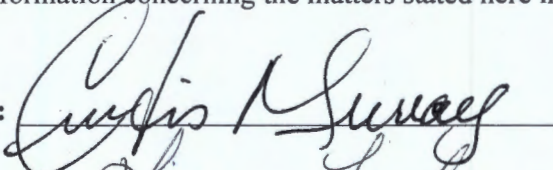
Requested Action: Special Hearing and Variance

SUMMARY OF RECOMMENDATIONS:

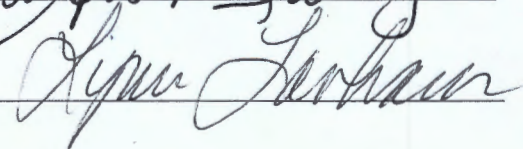
The Department of Planning has reviewed the petitioner's request and accompanying site plan. Should the Administrative Law Judge grant the petitioner's request, the proposed structure shall be consistent with Highland Homes architectural elevations dated 12/2011 that were submitted to the Department of Planning.

For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

Prepared by:



Division Chief:
AVA/LL: CM



MEMORANDUM

DATE: March 23, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0160-A - Appeal Period Expired

The appeal period for the above-referenced case expired on March 22, 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

RE: PETITION FOR SPECIAL HEARING
AND VARIANCE

12416 Happy Hollow Road; W/S Happy
Hollow Road, 800' of N of c/line Ivy Reach Ct
8th Election & 2nd Councilmanic District
Legal Owner(s): Highland Homes, Inc
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2012-160-SPHA

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED

JAN 24 2012

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 24th day of January, 2012, a copy of the foregoing Entry of Appearance was mailed to Beverly True, 3920 London Bridge Road, Sykesville, MD 21184, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

LS
2/13 10AM

Debra Wiley - ZAC Comments – Distribution Mtg. of 1/16/12

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 1/17/2012 3:49 PM
Subject: ZAC Comments – Distribution Mtg. of 1/16/12

Good Afternoon,

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.

2012-0157-A - 13612 Jarrettsville Pike (**Floodplain**)
 (Administrative Variance - Closing Date: 1/30/12)

2012-0158-A - 1513 Ingleside Avenue
 (Administrative Variance - Closing Date: 1/30/12)

2012-0159-A - 701 Stoneleigh Road
 (Administrative Variance - Closing Date: 2/6/12)

2012-0160-SPHA - 12416 Happy Hollow Road
 No hearing date assigned in database as of 1/17/12

2012-0161-SPHA - 8247 Eastern Avenue (**CBCA & Floodplain**)
 No hearing date assigned in database as of 1/17/12

Thanks and have a great day !

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

Maryland Department of Assessments and Taxation
Real Property Data Search (vw4.2A)
BALTIMORE COUNTY

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

Account Identifier:

District - 08 Account Number - 0816000300

Owner Information

<u>Owner Name:</u>	HIGHLAND HOMES INC	<u>Use:</u>	RESIDENTIAL
<u>Mailing Address:</u>	7 RIDGE FARM CT COCKEYSVILLE MD 21030-	<u>Principal Residence:</u>	NO
		<u>Deed Reference:</u>	1) /31388/ 00178 2)

Location & Structure Information

Premises Address
HAPPY HOLLOW RD
0-0000

410-453-
0070

Legal Description

.65 AC

ADJ M G PARKS

NHBB 2522

<u>Map</u>	<u>Grid</u>	<u>Parcel</u>	<u>Sub District</u>	<u>Subdivision</u>	<u>Section</u>	<u>Block</u>	<u>Lot</u>	<u>Assessment Area</u>	<u>Plat No:</u>
0050	0012	0152		0000				2	
									<u>Plat Ref:</u>

Special Tax Areas

<u>Town</u>	NONE
<u>Ad Valorem</u>	
<u>Tax Class</u>	

<u>Primary Structure Built</u>	<u>Enclosed Area</u>	<u>Property Land Area</u>	<u>County Use</u>
		28,314 SF	04

<u>Stories</u>	<u>Basement</u>	<u>Type</u>	<u>Exterior</u>
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Value Information

	<u>Base Value</u>	<u>Value</u>	<u>Phase-in Assessments</u>	
		As Of	As Of	As Of
		01/01/2011	07/01/2011	07/01/2012
<u>Land</u>	8,080	7,000		
<u>Improvements:</u>	0	0		
<u>Total:</u>	8,080	7,000	7,000	7,000
<u>Preferential Land:</u>	0			0

Transfer Information

<u>Seller:</u>	PARKS LOIS M	<u>Date:</u>	11/14/2011	<u>Price:</u>	\$210,000
<u>Type:</u>	ARMS LENGTH MULTIPLE	<u>Deed1:</u>	/31388/ 00178	<u>Deed2:</u>	
<u>Seller:</u>	PARKS A G M	<u>Date:</u>	12/27/1950	<u>Price:</u>	\$0
<u>Type:</u>	NON-ARMS LENGTH OTHER	<u>Deed1:</u>	/00000/ 00000	<u>Deed2:</u>	
<u>Seller:</u>		<u>Date:</u>		<u>Price:</u>	
<u>Type:</u>		<u>Deed1:</u>		<u>Deed2:</u>	

Exemption Information

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

Tax Exempt:Exempt Class:Special Tax Recapture:

1800011232

Lot # 2

12

2300007434

Lot # 2

RC 4

DRIVEWAY
DRIVEWAY

PDM # 080264

12505

PDM # 080286

Lot # 1

Pt. Bk. 73, Folio 23

2300007433

10

Pt. Bk./Folio # 073023

PDM # 080739

Lot # 1

Pt. Bk. 46, Folio 108

Pt. Bk./Folio # 046108

1800011231

12508

Lot # 2

2200010727

Pt. Bk./Folio # MP99055

Pt. Bk./Folio # 048058

Lot # 1
PDM # 080331

Pt. Bk. 48, Folio 58

1900003622

12420

2300004014

Pt. Bk. 70, Folio 134

PDM # 080704

Pt. Bk./Folio # 070134

IVEY TRACE (PDM File/Project # 8-704)

0816000300

0816000275

20000050

051A2

IVEY TRACE CT

8 ED 050C2

2 CD NW 16-D

RC 5

PDM # 088035

0816045540

Pt. Bk./Folio # 045121A

2100001712

2400004302

Pt. Bk. 76, Folio 49

Lot # 2

Pt. Bk./Folio # 076049

20030486

16

1800012275

Pt. Bk. 45, Folio 121

Lot # 1

12406

0808001325

FEESE/WINEGARD PROPERTY (PDM File/Project # 8-793)

2200007930

Pt. Bk. 63, Folio 51

Lot # 5

Pt. Bk./Folio # 080553
PDM # 080553

HAPPY HOLLOW RD

2200026609

PDM # 080514

2400004301

Lot # 1

14

PDM # 080678

170000139512402

Pt. Bk./Folio # 068133

Pt. Bk. 68, Folio 133

Lot # 18

IVY REACH CT

20060288

Pt. Bk./Folio # MP95172

CASE NAME Helen R.
CASE NUMBER 2012-0160-SPHA
DATE 2-13-12

[illegible]

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]

LS 2/13 10AM

Case No.: 2012-0160-SPHA

Exhibit Sheet

2/21/12
PB
3-23-12
PB

Petitioner/Developer

Protestants

No. 1	zoning hearing plan for variance & hearing	
No. 2	aerial photo of site	
No. 3	A-D photo of site	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PETITIONER'S

EXHIBIT NO.

2

1800012275
0808001325 12406

0816045540

12719

2100001712 12409

NEY TRACE CT

12416

0816000275

0816000300

2300004014

1900003622 12420

2300007433

21

12421

12421

2300007436

1600014530

HAPPY HOLLOW RD

12505

1800011231

10



12416 Happy Hollow Road



Looking from property to neighbor at right



Looking from driveway to left down the street



PETITIONER'S

EXHIBIT NO. 3

Looking from driveway to right down the street



House across from lot on Ivy Trace



House on Ivy Trace Ct Across from lot



House located behind cleared lot



12416 Happy Hollow Road

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING ☒ (MARK TYPE REQUESTED WITH X)

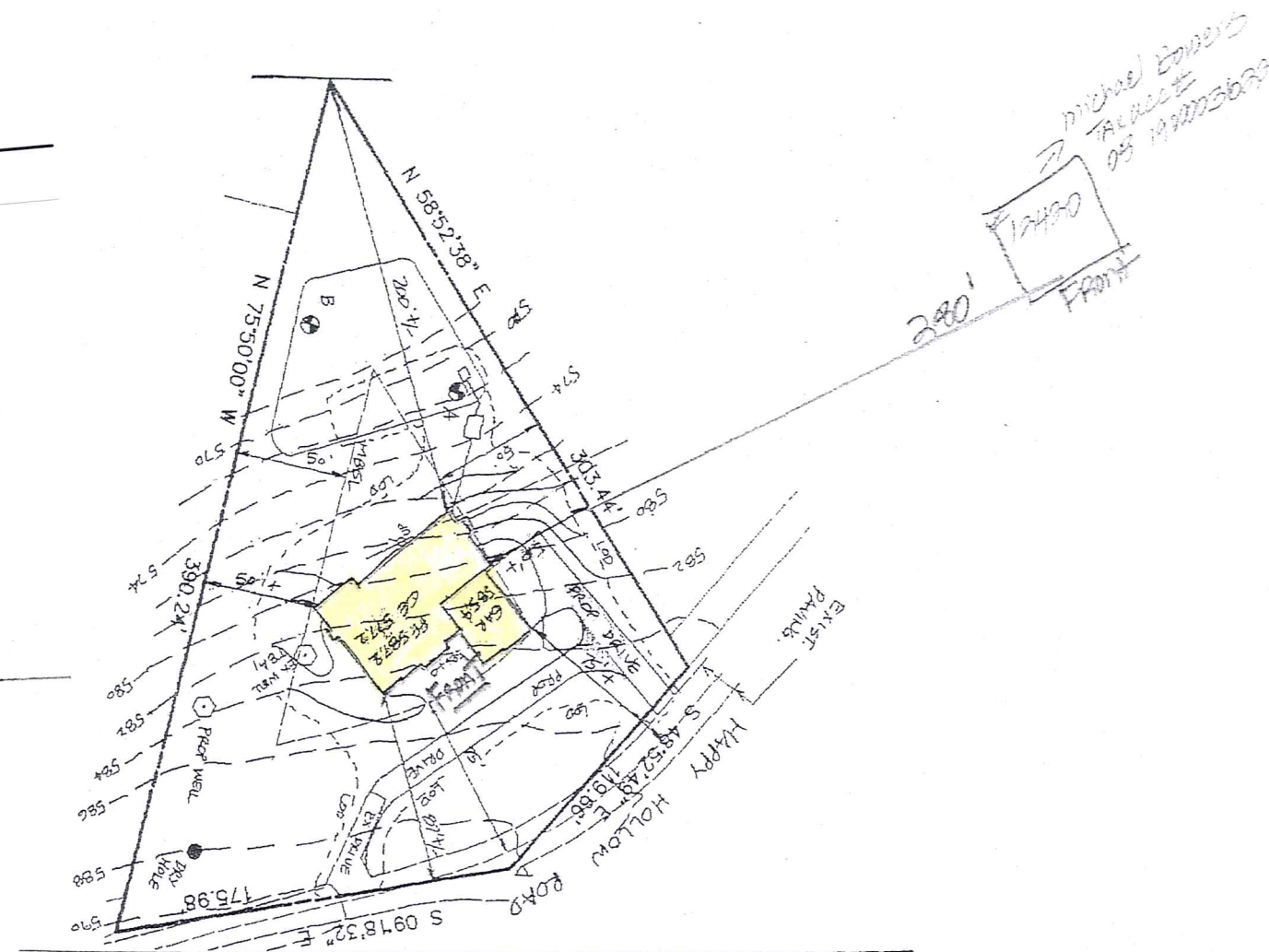
ADDRESS 12416 Happy Hollow Rd OWNER(S) NAME(S) Highland Homes Inc

SUBDIVISION NAME 3960N Padonia Rd LOT # BLOCK # SECTION #

PLAT BOOK # FOLIO # 10 DIGIT TAX # 0816000300 DEED REF. # 31392/00178

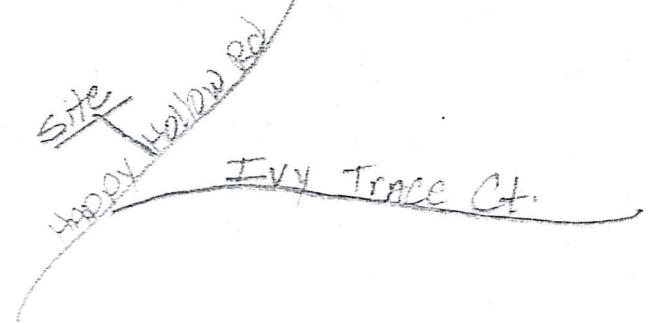
PETITIONER'S

EXHIBIT NO. 1



PLAN DRAWN BY Bex True DATE 1/4/12 SCALE: 1 INCH = 100' FEET

SITE VICINITY MAP



N



MAP IS NOT TO SCALE

ZONING MAP# 050C2

SITE ZONED BC5

ELECTION DISTRICT 8

COUNCIL DISTRICT 2

LOT AREA ACREAGE 1.1 ac.

OR SQUARE FEET 48,351

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC PRIVATE ☒

SEWER IS:

PUBLIC PRIVATE ☒

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

Pet. 1