

IN RE: PETITIONS FOR SPECIAL HEARING *	BEFORE THE
AND VARIANCE	
NE side of Gunpowder Road; 530 feet *	OFFICE OF
NE of the c/line of Jerome Avenue *	
11 th Election District *	ADMINISTRATIVE HEARINGS
5 th Council District *	
(5661 Gunpowder Road) *	FOR BALTIMORE COUNTY
 Kimberly Fretwell and William Meckley *	CASE NO. 2012-0176-SPHA
<i>Petitioners</i>	

* * * * *

ORDER AND OPINION

This matter comes to the Office of Administrative Hearings (OAH) as Petitions for Special Hearing and Variance filed by the legal owners of the property, Kimberly Fretwell and William Meckley. The Petitioners are requesting Special Hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an accessory structure (garage) larger than the footprint of the dwelling. Petitioners are also requesting Variance relief from Section 400.3 of the B.C.Z.R. to permit an accessory structure (garage) with a height of 23 feet in lieu of the maximum permitted 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 public hearing held for this case was Petitioner William Meckley. There were no Protestants or other persons present, and the file does not contain any letters of opposition or protest.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The only substantive comment was from the Department of Planning, which expressed concern over the proposed size of the garage.

ORDER RECEIVED FOR FILING

Date 3-1-12
By DW

Testimony and evidence revealed that the subject property is located in the Darryl Gardens subdivision, off of Philadelphia Road. The Petitioners' lot is about 2/3 acre in size, and is improved with a bungalow style dwelling. Mr. Meckley testified that he wanted to construct the garage to store his recreational vehicle (which is 50 feet in length) and four (4) historic vehicles that he has restored.

As to the variance request, I am persuaded to grant the requested 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 also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship upon Petitioners.

I further find that the variance can be granted in strict harmony with the spirit and intent of said regulations, and in such a manner as to grant relief without injury to the public health, safety, and general welfare. Thus, I find that the variance 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).

Furthermore, I find that the Special Hearing relief should be granted as well. Petitioner indicated many of his neighbors have large garages, and many are over 21 feet tall at the peak. Petitioner indicated that his home has two sides below grade, and two sides above grade. The proposed garage would be positioned behind the elevated portion of the existing dwelling, and for that reason the proposed height of the garage would not appear excessive. Petitioner, like many people, has vehicles and hobbies that demand a large amount of space, and it is not uncommon to see utility and accessory buildings that are larger than the dwellings near which they are located. In addition, Petitioner spoke with several of his neighbors and none voiced concern or opposition to his proposal.

ORDER RECEIVED FOR FILING

Date 3-1-12

By AW

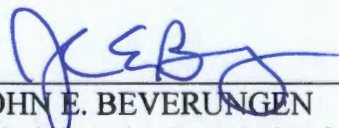
Pursuant to the advertisement, posting of the property and public hearing on these Petitions, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED, this 1 day of March, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an accessory structure (garage) larger than the footprint of the dwelling, be and is hereby GRANTED;

IT IS FURTHER ORDERED that the Petition for Variance under Section 400.3 of the B.C.Z.R. to permit an accessory structure (garage) with a height of 23 feet in lieu of the maximum permitted 15 feet, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. The Petitioners 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.



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 3-1-12

By dlw



KEVIN KAMENETZ
County Executive

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

March 1, 2012

William Meckley
Kimberly Fretwell
5661 Gunpowder Road
White Marsh, Maryland 21162

RE: Petitions for Special Exception and Variance
Case No.: 2012-0176-SPHA
Property: 5661 Gunpowder Road

Dear Mr. Meckley and Ms. Fretwell:

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 Office of Administrative Hearings at 887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over a horizontal line.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure



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 5661 Gunpowder Rd which is presently zoned DR2
Deed References: 16550 / 00384 10 Digit Tax Account # 1108067830
Property Owner(s) Printed Name(s) Kimberly Fretwell & William Meckley

(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 ACCESSORY STRUCTURE (GARAGE) LARGER THAN THE FOOTPRINT OF THE DWELLING.

2. ☐ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a Variance from Section(s) 400.3 (BCZR)

TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) WITH A HEIGHT OF 23- FEET IN LIEU OF THE MAXIMUM PERMITTED 15- FEET.

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):

Fretwell Kimberly Meckley William
Name #1 - Type or Print Name #2 - Type or Print

Signature #1

Signature #2

5661 Gunpowder Rd. White Marsh, Md.
Mailing Address City State

21162 410-248-0505
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 2012-0176-SPHA Filing Date 1/25/12 Do Not Schedule Dates: Reviewer DT

ZONING PROPERTY DESCRIPTION FOR 5661 Gunpowder Road.

Beginning at a point on the Northeast side of Gunpowder Road which is 50feet of right-of-way width wide at a distance of 530feet North-East of centerline of the nearest improved intersection street Jerome Avenue.

SUBDIVISION LOT-LOT IS PART OF RECORD PLAT:

Being Lot#(22), Block (L) in the subdivision of Darryl Gardens as recorded in Baltimore County Plat Book #(13), Folio#(150) containing 28,531square feet in lot. Located in the (11th) Election District and (5th) Council District.

2012-0176 - SPHÂ

Certificate of Posting

Department of Permits, Approval, and Inspections
Baltimore County
111 W. Chesapeake Avenue
Room 111
Towson, MD 21204

Date: Feb. 14, 2012

Attention: Zoning Office, Ms. Kristen Lewis

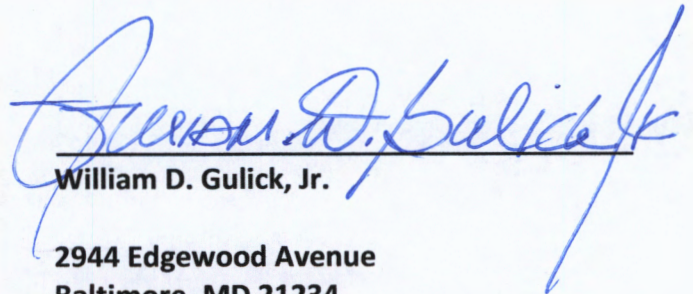
Re: Case Number: 2012-0176-SPHA

Petitioner/Developer: Kimberly Fretwell & William Meckley

Date of Hearing/Closing: March 1, 2012

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: 5661 Gunpowder Road, 21162

The sign(s) were posted on: Feb. 14, 2012



William D. Gulick, Jr.

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

ZONING NOTICE

CASE # 2012-0176-SPHA

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

JEFFERSON BUILDING ROOM 205
105 WEST CHESAPEAKE AVENUE
PLACE: TOWSON, MD 21204

THURSDAY
DATE AND TIME: MARCH 1, 2012 AT 11:00 AM

REQUEST: SPECIAL HEARING TO PERMIT
AN ACCESSORY STRUCTURE (GARAGE)
LARGER THAN THE FOOTPRINT OF THE DWELLING.
VARIANCE TO PERMIT AN ACCESSORY
STRUCTURE (GARAGE) WITH A
HEIGHT OF 23 FEET IN LIEU OF THE
MAXIMUM PERMITTED 12 FEET.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-5393

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

GUNPOWDER ROAD

07

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: # 2012-0176-SPHA

5661 Gunpowder Road

N/e side of Gunpowder Road, 530 feet N/e of centerline of Jerome Avenue

11th Election District - 5th Councilmanic District

Legal Owner(s): Kimberly Fretwell, William Meckley

Special Hearing: to permit an accessory structure (garage) larger than the footprint of the dwelling. **Variance:** to permit an accessory structure (garage) with a height of 23 feet in lieu of the maximum permitted 15 feet.

Hearing: Thursday, March 1, 2012 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the 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/2/636 Feb. 14

296838

RECEIVED

FEB 28 2012

OFFICE OF ADMINISTRATIVE HEARINGS

CERTIFICATE OF PUBLICATION

2/16/2012

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 2/14/2012.

- ☒ 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. **78286**

Date: 1/25/12

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	2016	0000		150				150. ⁰⁰

Total: 150.⁰⁰

Rec
 From: WILLIAM MECKLEY
 For: 2012-0176-SPHA
5661 GUNPOWDER RD.
D. THOMPSON

DISTRIBUTION

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

PAID RECEIPT

PAID TO ORDER OF
 \$150.00
 JAN 25 2012
 D. THOMPSON
 5661 GUNPOWDER RD.
 BALTIMORE, MD 21206

**CASHIER'S
 VALIDATION**



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections
November 22, 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: 2012-0176-SPHA

5661 Gunpowder Road

N/e side of Gunpowder Road, 530 feet N/e of centerline of Jerome Avenue

11th Election District – 5th Councilmanic District

Legal Owners: Kimberly Fretwell, William Meckley

Special Hearing to permit an accessory structure (garage) larger than the footprint of the dwelling. Variance to permit an accessory structure (garage) with a height of 23 feet in lieu of the maximum permitted 15 feet.

Hearing: Thursday, March 1, 2012 at 11:00 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: Fretwell/Meckley, 5661 Gunpowder Road, White Marsh 21162

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., FEBRUARY 15, 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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 14, 2012 Issue - Jeffersonian

Please forward billing to:
William Meckley
5661 Gunpowder Road
White Marsh, MD 21162

410-248-0505

NOTICE OF ZONING HEARING

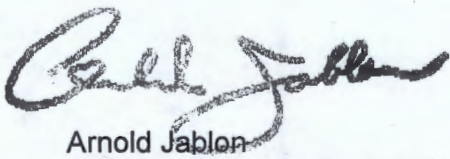
The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2012-0176-SPHA

5661 Gunpowder Road
N/e side of Gunpowder Road, 530 feet N/e of centerline of Jerome Avenue
11th Election District – 5th Councilmanic District
Legal Owners: Kimberly Fretwell, William Meckley

Special Hearing to permit an accessory structure (garage) larger than the footprint of the dwelling. Variance to permit an accessory structure (garage) with a height of 23 feet in lieu of the maximum permitted 15 feet.

Hearing: Thursday, March 1, 2012 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL 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: 2012-0176-SPHA
Petitioner: MECKLEY / FRETWELL
Address or Location: 51661 GUNPOWDER RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. WILLIAM MECKLEY
Address: 51661 GUNPOWDER RD.
WHITE MARSH, MD 21162

Telephone Number: 410-248-0505



KEVIN KAMENETZ
County Executive

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

February 22, 2012

Kimberly Fretwell
William Meckley
5661 Gunpowder Road
White Marsh MD 2112

RE: Case Number 2012-0176SPHA, 5661 Gunpowder Road

Dear Ms. Fretwell & Mr. Meckley:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 25, 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." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel

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



Maryland Department of Transportation

Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 1-30-12

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

RE: Baltimore County
Item No 2012-0176-SPHA
Special Hearing Variance
Mechley / Fretwell
5661 Gunpowder Road.

Dear Ms. Lewis:

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. 2012-0176-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).

Sincerely,

A handwritten signature in blue ink, appearing to read "Steven D. Foster", is written over a light blue rectangular background.

Steven D. Foster, Chief
Access Management Division

SDF/raz

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

3-1 11am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 22, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

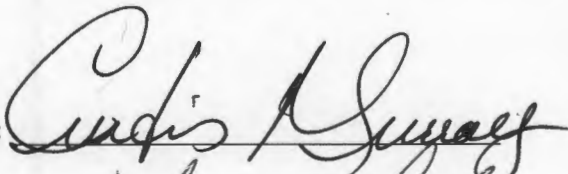
SUBJECT: 12-176 -Variance

The Department of Planning has reviewed the petitioner's request to permit an accessory structure (garage) with a height of 23 feet in lieu of the maximum permitted 15 feet and for an accessory structure larger than the footprint of the dwelling. The following comments are offered:

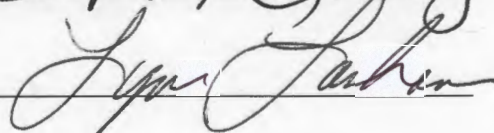
Submit building elevations of the proposed structure. A 40'x60' structure seems excessive for the neighborhood pattern and overbearing on the subject lot. While many homes in the neighborhood have been approved for zoning relief, should the subject request for the proposed garage be granted, this structure would be one of the largest accessory structures in the neighborhood.

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

Prepared by:



Division Chief:



JM/LL: CM

RECEIVED

FEB 29 2012

OFFICE OF ADMINISTRATIVE HEARINGS

TK 3-1-12

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: February 15, 2012

SUBJECT: DEPS Comment for Zoning Item # 0176-SPHA
Address 5661 Gunpowder Road
(Meckley/Fretwell Property)

Zoning Advisory Committee Meeting of January 30, 2012.

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

Reviewer: *Jeff Livingston; Development Coordination*

RECEIVED

FEB 15 2012

OFFICE OF ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: February 06, 2012

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For February 13, 2012
Item Nos. 2012-166,167,168,169,170,171,172,173,174,175,176
And 177.

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-02132012-NO COMMENTS.doc

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
5661 Gunpowder Road; NE/S of Gunpowder	*	OF ADMINSTRATIVE
Road, 530' NE of c/line of Jerome Avenue		
11 th Election & 5 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Kimberly Fretwell &		
William Meckley	*	BALTIMORE COUNTY
Petitioner(s)	*	2012-176-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.

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

RECEIVED

FEB 06 2012

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of February, 2012, a copy of the foregoing Entry of Appearance was mailed to Kimberly Fretwell & William Meckley, 5661 Gunpowder Road, White Marsh, Maryland 21162, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Patricia Zook - Case 2012-0176-SPHA - on Thursday, March 1

From: Patricia Zook
To: Lewis, Kristen
Date: 2/28/2012 10:40 AM
Subject: Case 2012-0176-SPHA - on Thursday, March 1

Hello Kristen -

I still need the certification of advertising for this case.

Thanks for your help.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov



CONFIDENTIALITY NOTICE: The information contained in this ELECTRONIC MAIL transmission is legally privileged and confidential. It may also be subject to the attorney-client privilege or be privileged work product or proprietary information. This information is intended for the exclusive use of the addressee(s). If you are not the intended recipient, you are hereby notified that any use, disclosure, dissemination, distribution (other than to the addressee(s)), copying or taking of any action because of this information is strictly prohibited.

From: "William D. Gulick Jr." <wdgjr@comcast.net>
To: <pzook@baltimorecountymd.gov>
Date: 2/24/2012 3:44 PM
Subject: FW: Emailing: 5661 Gunpowder Road
Attachments: 5661 Gunpowder Road.pdf

William D. Gulick, Jr.

-----Original Message-----

From: William D. Gulick Jr. [mailto:wdgjr@comcast.net]
Sent: Saturday, February 18, 2012 1:30 PM
To: 'kimberly112255@verizon.net'
Subject: Emailing: 5661 Gunpowder Road

Hi Bill & Kimberly, attached PDF above is for your records. Bill Your message is ready to be sent with the following file or link attachments:

5661 Gunpowder Road

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Patricia Zook - Cases 2012-0175-A, 2012-0176-SPHA and 2012-0177-A - all on Monday, March 1

From: Patricia Zook
To: Lewis, Kristen
Date: 2/24/2012 10:04 AM
Subject: Cases 2012-0175-A, 2012-0176-SPHA and 2012-0177-A - all on Monday, March 1
CC: Wiley, Debra

Good morning Kristen -

All three case files are missing the required certificates of posting and advertising. If the postings are there, please have someone deliver to our office as the fax copies are often very hard to decipher.

Thanks for your help.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov



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Debra Wiley - ZAC Comments - Distribution Mtg. of 1/30/12

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 1/30/2012 3:40 PM
Subject: ZAC Comments - Distribution Mtg. of 1/30/12

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.

2012-0166-A - 825 W. Padonia Rd.
(Administrative Variance - Closing Date: 2/13/12)

2012-0167-A - 6901 Copperbend Lane
(Administrative Variance - Closing Date: 2/13/12)

2012-0168-A - 3901 Schroeder Avenue
(Administrative Variance - Closing Date: 2/20/12)

2012-0169-X - 3 Harko Circle
(No hearing date assigned)

2012-0170-A - 8322 Bletzer Road - CBCA
(Administrative Variance - Closing Date: 2/20/12)

2012-0171-A - 3402 Hiss Avenue
(Administrative Variance - Closing Date: 2/20/12)

2012-0172-A - 7312 Wenig Avenue
(Administrative Variance - Closing Date: 2/20/12)

2012-0173-SPH - 14120 Jarrettsville Pike
(No hearing date assigned)

2012-0174-SPH - 14200 Jarrettsville Pike
(No hearing date assigned)

2012-0175-A - 10501 Falls Road
(No hearing date assigned)

2012-0176-SPHA - 5661 Gunpowder Road
(No hearing date assigned)

2012-0177-A - 56 W. Timonium Road
(No hearing date assigned)

M E M O R A N D U M

DATE: April 03, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0176-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on March 30, 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

CASE NAME Shel' Gunpowder Rd.
CASE NUMBER 2012-176-SPHA
DATE 3-1-12

[illegible]

1116060548
Pt. Bk. 13, Folio 150

Lot # 18

5643

20110284

Lot # 19

RC 5

Lot # 19

Lot # 20

Lot # 18

Lot # 18

Lot # 19
1102088580

5645

20080545

Lot # 20
1104065350
5651

Lot # 21
1104065351

5655

SITE

Lot # 22
1108067830

5661

PDM # 110016 Pt. Bk./Folio # 013150

Lot # 23

5 CD

Lot # 16
1123002040

20110044

Lot # 23
1102023190

Lot # 25
1120001051

5667-A

Lot # 26
1120001050

5669

Lot # 27
1126000460

5671

1113023940 Lot # 1
5702

Lot # 1

Lot # 8
1120037221

2012-0176-SPHA

GUNPOWDER RD

11 ED

073B1

DR 2

Lot # 17
1123017550

NE 11-K

Pt. Bk./Folio # 073073
2300010370
Pt. Bk. 73, Folio 73

PDM # 110847

PDM # 111097

2200022482

20090106

NE 11-J

Case No.: 2012-176-SPHA

Exhibit Sheet

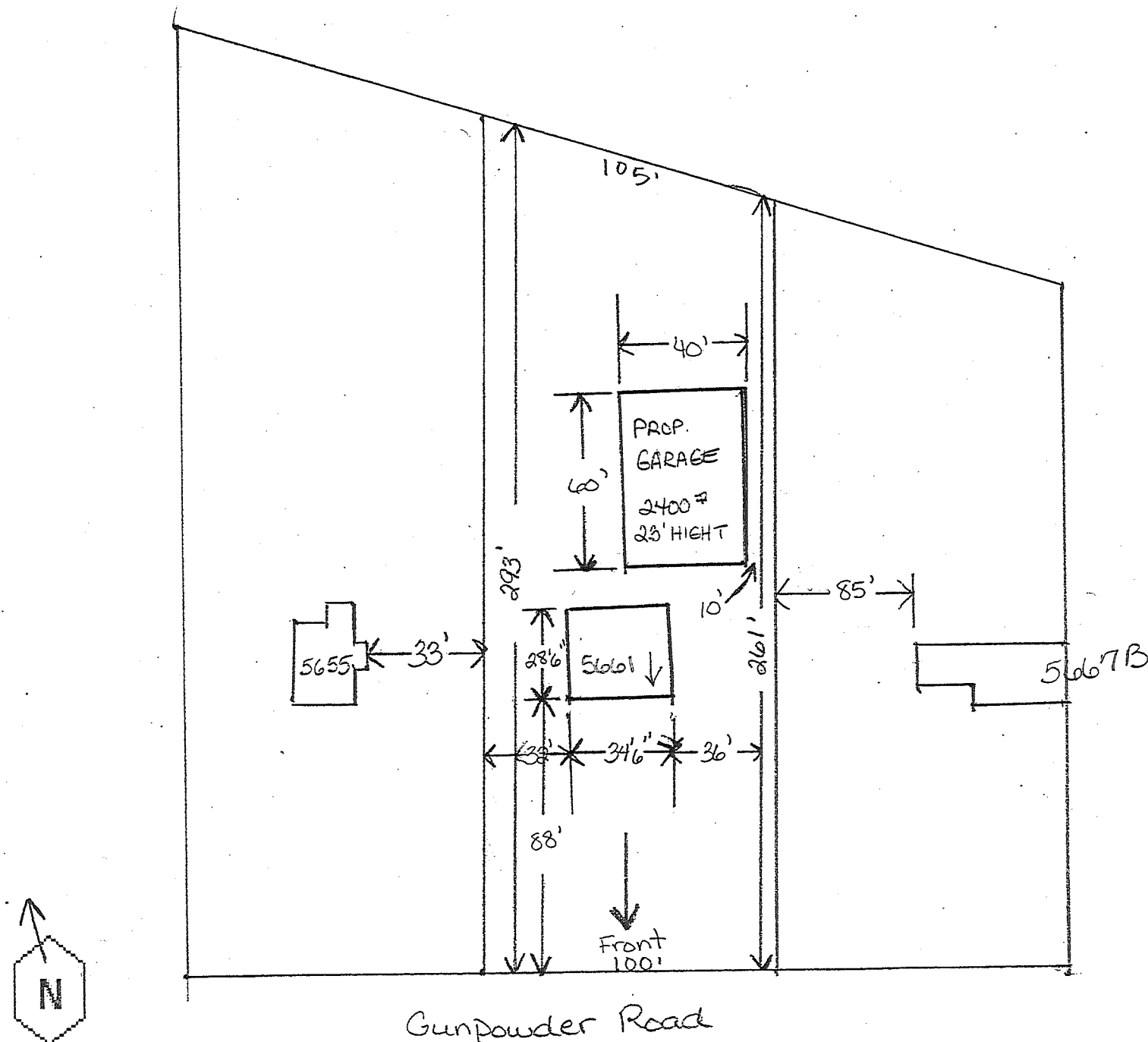
Petitioner/Developer

Protestant

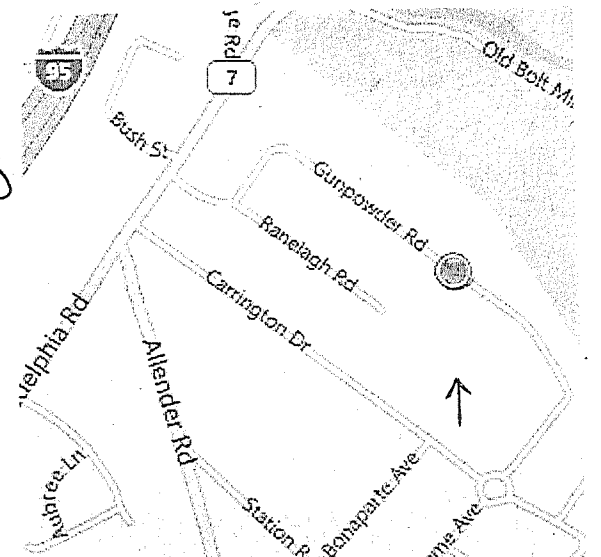
SA 4-3-12
DW 4-3-12

No. 1	Site Plan	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING X (MARK TYPE REQUESTED WITH X)
 ADDRESS 5101 Gunpowder Road OWNER(S) NAME(S) Kimberly Fretwell & William Meckby
 SUBDIVISION NAME Darryl Gardens LOT # 22 BLOCK # L SECTION #
 PLAT BOOK # 13 FOLIO # 150 10 DIGIT TAX # 1108067830 DEED REF. # 16550/00384



PLAN DRAWN BY William Meckby DATE 1-22-12 SCALE: 1 INCH = 50' FEET



ZONING MAP # 073 B1
 SITE ZONED DR 2
 ELECTION DISTRICT 11th
 COUNCIL DISTRICT 5th
 LOT AREA ACREAGE —
 OR SQUARE FEET 28,531
 HISTORIC? no
 IN CBCA? no
 IN FLOOD PLAIN? no
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC X PRIVATE —
 SEWER IS:
 PUBLIC X PRIVATE —
 PRIOR HEARING? no
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

VIOLATION CASE INFO:

2012-0176-SPHA

EX. 1