

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
NW side of Gun Road; 3,500 feet SW		
of Rolling Road	*	OFFICE OF ADMINISTRATIVE
1 st Election District		
1 st Council District	*	HEARINGS FOR
(518 Gun Road)		
	*	BALTIMORE COUNTY
Norman D. and Linda J. Dixon		
<i>Petitioners</i>	*	CASE NO. 2012-0252-A

* * * * *

ORDER AND OPINION

This matter comes before the Administrative Law Judge as a Petition for Administrative Variance filed by the legal owners of the property, Norman D. and Linda J. Dixon. The Petitioner's daughter, Jackie C. Kelly, purchased the dwelling from them in May, 2012. Mrs. Kelly will reside at the residence and be caretaker for her parents. The Petitioners are requesting Variance relief as follows:

- From Section 1A04.3.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side setback of 38 feet in lieu of the required 50 feet for an in-law addition; and
- From Section 400.1 of the B.C.Z.R. to permit an existing garage (built in 1967) to be located in the side yard in lieu of the required rear yard.

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.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

ORDER RECEIVED FOR FILING

Date 5-29-12

By PJ

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on April 22, 2012, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 29th day of May, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Variance as follows:

- From Section 1A04.3.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side setback of 38 feet in lieu of the required 50 feet for an in-law addition; and
- From Section 400.1 of the B.C.Z.R. to permit an existing garage (built in 1967) to be located in the side yard in lieu of the required rear yard,

be and are hereby GRANTED.

The relief granted herein shall be subject to the following:

ORDER RECEIVED FOR FILING

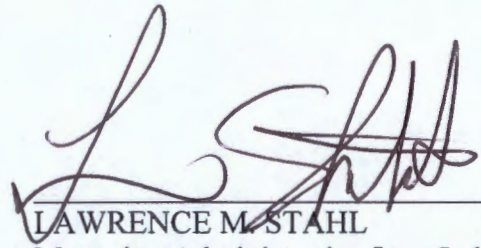
Date 5-29-12

2

By [Signature]

1. Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at 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, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The in-law apartment use is subject to Baltimore County Council Bill 49-11 and all of the restrictions and conditions therein.
3. Petitioner must record among the Land Records of Baltimore County – and provide to Baltimore County evidence of such filing – the affidavit attached hereto, known as the Declaration of Understanding.

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 5-29-12

By pm

DECLARATION OF UNDERSTANDING FOR AN ACCESSORY APARTMENT USE PERMIT

DECLARATION

Made as of this _____ day of _____ in the year of 2012 between

The Owners:

Norman D Dixon and Linda J. Dixon
518 Gun Road,
Relay, Maryland 21227

And

The PAI:
Zoning Review
Department of Permits, Approvals and Inspections
111 West Chesapeake Avenue
Room 1111
Towson, Maryland 21204
410 887 3391

ORDER RECEIVED FOR FILING

Date 5-29-12

By [Signature]

Whereas, The Owner has filed an application for a use permit for a 14 ft x 42 ft one-story high accessory apartment addition attached to their existing single family, one-story residence at 518 Gun Road, Relay, Maryland 21227.

Whereas, the property and the addition thereto, are described in EXHIBIT A, (the Use Permit or Hearing Plans) attached hereto and made a part hereof, and the property is currently located in zone RC-5.

Whereas, PAI (or) The Administrative Law Judge has approved the Declaration request to create the Accessory Apartment complete with dedicated bathing and cooking facilities, attached to the owner-occupied family home; and, the accessory apartment will be housing for the parents, Norman D. Dixon and Linda J. Dixon; and the existing family home will be housing Jackie Christine Kelly, the daughter of Norman D. Dixon and Linda J. Dixon.

Whereas, as a condition of approval of the Owner's request, Bill No. 49-11 requires the filing of this Declaration among the Land Records of Baltimore County, to provide notice to any future owners, subsequent purchasers, or users of the property or the house, that all such improvements shall only be used as a single-family residence, unless otherwise approved by PIA, in writing.

Therefore, the Owner and PIA, hereby declare as follows:

1. Any and all improvements existing or to be constructed on the Property shall be used only as a single-family residence. No such improvements shall be used as a separate residential unit, as defined under Baltimore County Zoning Regulations.
2. The kitchen for the Accessory Apartment shall be accessory to the principal use of the Property as a single family dwelling unit.
3. The accessory apartment shall house only the immediate family members listed in this Declaration. It cannot be used as an independent residential dwelling unit, nor can it be used for compensation. It cannot be used by any other person for any other reason.
4. The use permit and this Declaration are subject to the order, conditions or restrictions of any required zoning hearing up to and including the date of this Declaration.
5. The hearing order is to be made part of this Declaration when it is recorded in Land Records.

6. If the accessory apartment is occupied by the occupants named here or if the property is sold, or the use permit has not been renewed within the two year permit time limit, the use permit shall terminate and any proposed changes to the occupancy of the accessory apartment shall require a new request for a use permit.

Upon termination of the use permit:

- A. The stove and cook-top must be removed completely. The space that was formerly the accessory apartment shall be converted to other uses that are integrated with single-family dwelling functions of the main house. The former kitchen in the accessory apartment may be converted to use as a wet bar, with a bar sink, an under-counter refrigerator, and single microwave. The space that was formerly the living room of the accessory apartment may be converted to another use, such as a family room, den, entertainment room, or 3rd first-floor bedroom. The accessory apartment bedroom, small bathroom, and related storage areas may remain if their new use is consistent with reasonable planning for a single family dwelling as determined and allowed by PIA. Such allowance shall not be arbitrarily withheld.
- B. The Owner shall provide written notification to PAI for closing of the Department File.
8. The covenants, conditions, and restrictions stated above shall run with and bind the Property and shall be enforceable by Baltimore County, MD and by the owners of all or any portion of the Property.
9. Enforcement of the Covenants shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any of the covenants.

IN WITNESS WHEREOF, the parties hereto have duly executed this Declaration under seal on the date first above written.

WITNESS _____

State of Maryland, County of Baltimore ^{Howard}
April

I HEREBY CERTIFY that on this 2nd day of April, 2012, before the Subscriber, a Notary Public of the State of Maryland, personally appeared

Norman D. Dixon
Norman D Dixon

Linda J. Dixon
Linda J Dixon

The Owners, herein, of this property, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the instrument above, and so acknowledged that they executed for the forgoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, have hereunto set my hand and Notarial Seal.

My commission Expires:

Sept 29, 2015

Danielle
Notary Public

ORDER RECEIVED FOR FILING

Date 5-29-12

By pm

Case # 2012-0252-A



KEVIN KAMENETZ
County Executive

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

May 29, 2010

NORMAN D. AND LINDA J. DIXON
518 GUN ROAD
RELAY, MD 21227

RE: Petition For Administrative Variance
Case No. 2012-0252-A
Property: 518 Gun Road

Dear Mr. and Mrs. Dixon:

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 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "LMS", is written over the printed name of Lawrence M. Stahl.

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:pz

Enclosure

c: Thomas Clark, 5820 York Road, Suite T-102, Baltimore MD 21212



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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 518 GUN ROAD

which is presently zoned RC-5

Deed Reference 31702 / 00249

10 Digit Tax Account # 1900000986

Property Owner(s) Printed Name(s) NORMAN D AND LINDA J. DIXON

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

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

1. ☒ ADMINISTRATIVE VARIANCE from section(s):

§ 1AD4.3.2.b; BCZR, TO PERMIT A SIDE SET OF 30FT IN LIEU OF THE REQUIRED 50FT FOR AN IN-LAW ADDITION AND \$400.1 TO PERMIT AN EXISTING GARAGE (1967) TO BE LOCATED IN THE SIDE YARD IN LIEU OF THE REQUIRED REAR YARD.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ☐ ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4-416(a)(2): (indicate type of work in this space to raze, alter or construct addition to building)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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 bound 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:

Legal Owners:

Name- Type or Print

NORMAN D. DIXON

LINDA J. DIXON

Name #1 – Type or Print

Name #2 – Type or Print

Signature

Norman D. Dixon

Linda J. Dixon

Signature #1

Signature #2

Mailing Address

City

State

518 GUN ROAD

RELAY

MARYLAND

Mailing Address

City

State

Zip Code

Telephone #

Email Address

21227 / 410 247 2375

JACKIE KELLY 673@MSN.COM

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Representative to be contacted:

Name- Type or Print

THOMAS CLARK

THOMAS CLARK ARCHITECTS

Name - Type or Print

Signature

Signature

SUITE T.102

Mailing Address

By

City

State

5820 YORK RD

BALTIMORE

MARYLAND

Mailing Address

City

State

Zip Code

Telephone #

Email Address

21212 / 410 539 6830

TOM@TCCLARKARCH.COM

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having formally demanded and/or found to be required, it is ordered by the Office of Administrative Law, of Baltimore County, this 5-29-12 day of May that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Administrative Law Judge of Baltimore County

CASE NUMBER 202-0252-A

Filing Date 4.11.12

Estimated Posting Date 4.22.12

Reviewer JCM

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

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

That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 508 GUN ROAD RELAY MARYLAND 21227
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

~~THE BUILDING PERMIT FOR THE CURRENT HOUSE AND GARAGE WAS ISSUED ON MAY 26, 1967. AT THE TIME THE PERMIT WAS ISSUED THE HOUSE AND GARAGE MET SETBACK REGULATIONS. SUBSEQUENTLY DCZR CHANGED. THE HOUSE VIOLATES THE NORTH SIDE YARD SETBACK BY 36 FT. THE HOUSE VIOLATES THE FRONT YARD SETBACK BY 18.5 FEET. EXISTING GARAGE VIOLATES SOUTH SIDE YARD SETBACK REQUIREMENT BY 37 FT. AND THE EAST FRONT YARD SETBACK REQUIREMENT BY 15 FT. THE LOT IS UNUSUALLY NARROW AND DEEP FOR LOTS IN THIS ZONE. DUE TO THIS UNUSUAL SHAPE, THE BUILDABLE AREA FOR THIS ONE ACRE LOT IS A VIRTUALLY UNUSABLE AREA 24 FT WIDE X 246 FT DEEP. STRICT COMPLIANCE WITH DCZR WOULD CAUSE THE OWNERS UNDOE HARDSHIP BECAUSE COMPLIANCE WOULD REQUIRE COMPLETE DEMOLITION OF EXISTING STRUCTURES AND 100% RECONSTRUCTION.~~

SEE ATTACHED

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

Norman D. Dixon
Signature of Affiant

NORMAN D. DIXON
Name- Print or Type

Linda J. Dixon
Signature of Affiant

LINDA J. DIXON
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

Howard
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2nd day of April, 2012, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

Norman D. Dixon Linda J. Dixon
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal

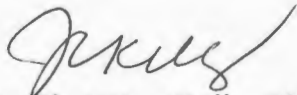
Doni He
Notary Public

Sept 29, 2015
My Commission Expires

April 10, 2012

I am requesting an administrative variance for the address of 518 Gun Road. One year ago my father was laid off after working at his company for 47 years. At about this time he was also diagnosed with COPD. My mother had arthritis in her Left knee and mitral valve prolapse for which she takes heart medication. My parents have a substantial outstanding mortgage on their home at the present time (ie 98k) and are no longer able to make the mortgage payments with just their social security and my mom's part time work. My father is currently collecting unemployment but that will end in approximately six months. I am planning to purchase their home and add an addition to the home an "in law type suite/apartment" for them. I will be paying the mortgage for the property as they are no longer able to afford their financial obligations. In addition I will maintain the property and grounds (approx. 1 acre of lawn) as they are no longer able to physically do this themselves. I need to assist them with transportation, home maintenance, activities of daily living and oversee their financial decisions/bill payments. I am a registered nurse and will need to oversee their medical care, administer prescription medications and assist with medical expenses if needed. I am attempting to keep my parents in their own home/environment for as long as possible and to avoid any type of nursing home or assisted living placement as per their wishes. A denial of this administrative variance and/or request for an accessory apartment would surely result in undue hardship for my parents.

Thank you for your consideration



Jackie Christine Kelly, RN

Daughter of Norman and JoAnn Dixon

ZONING PROPERTY DESCRIPTION FOR: 518 Gun Road, Relay
Maryland 21227

Beginning at a point in the centerline of Gun Road, a thirty foot (30') right-of-way, said point being distant 2300' +/- feet southwest of the intersection with South Rolling Road, a variable width right-of-way, thence running from said point of beginning the following courses and distances, running with and binding on the said centerline of Gun Road,

- 1) North 32°12'56" East a distance of 125.00 feet, thence;
- 2) North 48°38'04" West a distance of 380.00 feet, thence;
- 3) South 27°42'56" West a distance of 128.00 feet, thence;
- 4) South 48°38'04" East a distance of 370 feet to the point of beginning,

as recorded among the land records of Baltimore County in Deed Liber 4605, Folio 0592, containing 1.08 acres more or less. Located in the 1st Election District and 1st Council District.

ORE COUNTY, MARYLAND
OF BUDGET AND FINANCE
ANEOUS CASH RECEIPT

No:

82166

Date:

4/11/12

Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
306	0000		6150				75.00

Total:

75.00

Jackie Christine Kelly

Variance 2012 0252 - A

ON

SHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS - RETAIL TIME 11:09:33
4/11/2012 4/11/2012

REG NO: 0000 WALKIN DEPT. 000
>RECEIPT # 618076 4/11/2012 DEPT

Dept 3 328 ZONING VERIFICATION
TR NO: 082166

Receipt For \$75.00
\$75.00 AM 1.00 CA
Baltimore County, Maryland

CASHIER'S
VALIDATION

M E M O R A N D U M

DATE: July 10, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0252-A - Appeal Period Expired

The appeal period for the above-referenced case expired on June 28, 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

CERTIFICATE OF POSTING
CERTIFICATE OF POSTING

RE:CASE NO: 2012-0252-A

PETITIONER/DEVELOPER _____

JACKIE CHRISTINE KELLY

DATE OF HEARING/CLOSING: _____

5/7/12

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE
PROPERTY AT 518 GUN ROAD

THIS SIGN(S) WERE POSTED ON April 22, 2012
(MONTH, DAY, YEAR)

SINCERELY
Martin Ogle 4/22/12
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE, MD 21220
(ADDRESS)
PHONE NUMBER: 443-629-3411

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE# 2012-0252-A

TO PERMIT A SIDE SETBACK OF 38 FT. IN LIEU OF THE
REQUIRED 50 FT. FOR AN IN-LAW ADDITION AND SECTION
400.1 BCLR TO PERMIT AND EXISTING GARAGE (1967) TO
BE LOCATED IN THE SIDE YARD IN LIEU OF THE REQUIRED
REAR YARD

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1) BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC
HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED
IT IS DONE IN THE ZONING OFFICE BEFORE 4:30 P.M. ON

Monday May 7, 2012
ADDITIONAL INFORMATION IS AVAILABLE AT ZONING
ADMINISTRATION AND DEVELOPMENT MANAGEMENT LOCATED
AT 111 W. CHESAPEAKE AVE. TOWSON MD. 21204
TEL. 410-887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER THE DATE UNDER PENALTY OF LAW
MEETING IS HANDICAP ACCESSIBLE

04/22/2012

Myra Long 4/22/12

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2012- 0252 -A Address 518 Gun Road

Contact Person: Gary Huik Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 4/11/12 Posting Date: 4/22/12 Closing Date: 5/7/12

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

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

(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2012- 0252 -A Address 518 Gun RD

Petitioner's Name Jackie Christine Kelly Telephone 443-876-3573

Posting Date: 4/22/12 Closing Date: 5/7/12

Wording for Sign: To Permit a side set back of 38ft in lieu of the required
50ft for an in-law addition and section 400.1 BCZR to permit
and existing garage (1967) to be located in the side yard in lieu
of the required rear yard

Revised 7/06/11

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: 2012-0252-A

✓ Petitioner: Linda J. + Norman D DIXON

✓ Address or Location: 518 GUN Road Relay, MD 21227

PLEASE FORWARD ADVERTISING BILL TO:

✓ Name: CHRISTINE Kelly (daughter)

✓ Address: 2970 Baldwin Mill Rd
Baldwin Mill, MD 21013

✓ Telephone Number: 443-876-3573

Revised 2/17/11 DT

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>4-26</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>nc</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>4-19</u>	STATE HIGHWAY ADMINISTRATION	<u>nc</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS (3)	<u>no objection</u>
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>4-22</u>	by <u>Ogle</u>
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: declaration of understanding -
in-law addition

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

*daughter of
Linda Dixon
Petitioner*

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

Account Identifier:

District - 01 Account Number - 1900000989

Owner Information

Owner Name: KELLY JACKIE C **Use:** RESIDENTIAL
Mailing Address: 518 GUN RD **Principal Residence:** YES
BALTIMORE MD 21227 **Deed Reference:** 1) /32011/ 00295
2)

Location & Structure Information

Premises Address **Legal Description**
518 GUN RD 1.085 AC NWS GUN RD
0-0000 2000 SW ROLLING RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0108	0009	0697		0000				1	Plat Ref:

Special Tax Areas **Town** NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1967	1,528 SF	1.0800 AC	04

Stories	Basement	Type	Exterior
1.000000	YES	STANDARD UNIT FRAME	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2010	07/01/2011	07/01/2012
Land	191,520	171,300		
Improvements:	190,080	153,800		
Total:	381,600	325,100	325,100	325,100
Preferential Land:	0		0	

Transfer Information

Seller:	Date:	Price:
DIXON LINDA J	05/02/2012	\$270,000
Type:	Deed1:	Deed2:
ARMS LENGTH IMPROVED	/32011/ 00295	
Seller:	Date:	Price:
DIXON LINDA J	03/16/2012	\$0
Type:	Deed1:	Deed2:
NON-ARMS LENGTH OTHER	/31830/ 00001	
Seller:	Date:	Price:
DIXON LINDA J	02/09/2012	\$0
Type:	Deed1:	Deed2:
NON-ARMS LENGTH OTHER	/31702/ 00249	

Exemption Information

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

Tax Exempt: **Special Tax Recapture:**
Exempt Class: NONE

Homestead Application Information

Homestead Application Status: No Application

2012-0252-A

"We, Joe and Jean Bennett, own the property at 516 Gun Rd. This property is Contiguous ~~Contiguous~~ to 518 Gun Road, the property owned by Mr. and Mrs. Norman Dixon. Mr. and Mrs. Dixon have explained to us their proposal for an 18' x 42', one-story addition that is to be located between their house and their existing garage, attached to the house only. It is flush with the front of the existing house, and extends about six feet past the rear facade.

We understand that the existing house and garage are currently in violation of the side yard and the front yard setbacks on the property. We also understand that the proposed addition, which will have an accessory apartment, will also violate the setback lines.

This note is to state for the record, that we have no objections to the proposed addition that is described above. We support the addition and believe it will help raise property values in our neighborhood by increasing the value of the existing house by making it larger.

Sincerely,

Print Name J.N. Bennett

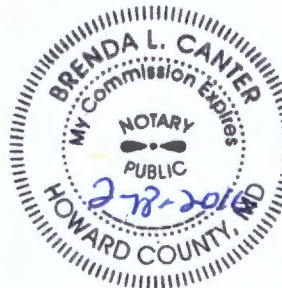
Signature [Signature]

Print Name M.J. Bennett

Signature Mary Jean Bennett

Address: 516 Gun Road

Date: 3/15/12



[Signature]

2012 - 0252-A

FRANK

"We, LINDBERG, own the property at 511 GUN RD. This property is ACROSS FROM 518 Gun Road, the property owned by Mr. and Ms. Norman Dixon. Mr. and Ms. Dixon have explained to us, their proposal for an 18' x 42', one-story addition that is to be located between their house and their existing garage, attached to the house only. It is flush with the front of the existing house, and extends about six feet past the rear facade.

We understand that the existing house and garage are currently in violation of the side yard and the front yard setbacks on the property. We also understand that the proposed addition, which will have an accessory apartment, will also violate the setback lines.

This note is to state for the record, that we have no objections to the proposed addition that is described above. We support the addition and believe it will help raise property values in our neighborhood by increasing the value of the existing house by making it larger.

Sincerely,

Print Name FRANK LINDBERG Signature Frank Lindberg
Print Name NA Signature NA

Address: 511 Gun Road 21227

Date: 3-15-12



2012-0252-A

Patricia Zook - Case 2012-0252-A -- 518 Gun Rd

From: Patricia Zook
To: Fisher, June; Lewis, Kristen
Date: 5/22/2012 11:56 AM
Subject: Case 2012-0252-A -- 518 Gun Rd
CC: Wiley, Debra

Ladies -

I just had a person (Petitioner?) call regarding this case. Says she went to a hearing on May 7, but this case wasn't on the calendar. More questioning revealed and caller said it was an administrative variance that closed May 7. However, this case wasn't on the AV list with others that closed on May 7.

The case is listed on the data base, but the date of May 7 is listed in the box titled 'commissioner hearing continued from'. This case did not print out with others that closed May 7.

Please advise.

*The file
wasn't recd with
other 5-7-12 AV cases*

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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Subject: Case 2012-0252-A -- 518 Gun Rd
Created By: pzook@baltimorecountymd.gov
Scheduled Date:
Creation Date: 5/22/2012 11:56 AM
From: Patricia Zook

Recipient	Action	Date & Time	Comment
CC: Debra Wiley (dwiley@baltimorecountymd.gov)	Delivered	5/22/2012 11:56 AM	
To: June Fisher (jafisher@baltimorecountymd.gov)	Delivered	5/22/2012 11:56 AM	
To: Kristen Lewis (klewis@baltimorecountymd.gov)	Read	5/22/2012 11:56 AM	



KEVIN KAMENETZ
County Executive

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

May 22, 2012

Norman D & Linda J Dixon
518 Gun Road
Relay MD 21227

RE: Case Number: 2012-0252A, Address: 518 Gun Road, 21227

Dear Mr. & Ms. Dixon:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 11, 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 that reads "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Thomas Clark, Thomas Clark Architects, 5820 York Road, Baltimore, MD 21212

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



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

Date: 4-19-12

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

RE: Baltimore County
Item No 2012-0252-A -
Administrative Variance
Norman & Linda Dixon
518 Guin 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. 2012-0252-A.

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".

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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: April 26, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For April 30, 2012
Item Nos. 2012-0208, 0241, 0242, 0243, 0244, 0245, 0246, 0247, 0248,
0249, 0250 And 0252.

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-04302012-NO COMMENTS.doc

Case No.: 2012-0252-A

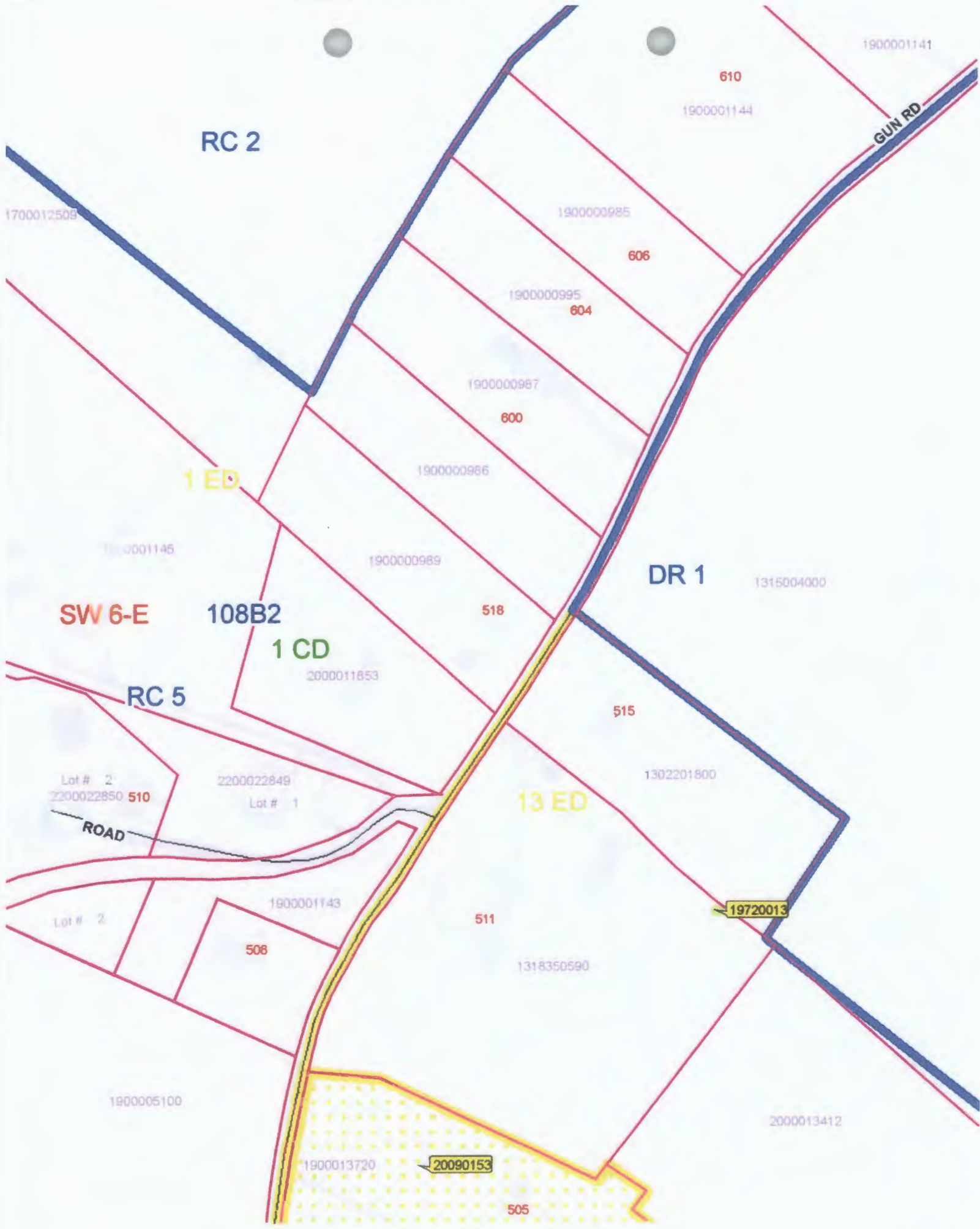
Exhibit Sheet

5/29/12
PS

Petitioner/Developer

Protestant

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		



RC 2

DR 1

RC 5

SW 6-E

108B2

1 CD

13 ED

1 ED

GUN RD

ROAD

19720013

20090153

Lot # 2
2200022850 510

2200022849
Lot # 1

Lot # 2

1900001143

508

1900005100

1900013720

505

511

1318350590

515

518

1900000986

600

1900000987

604

606

1900000985

1900001144

610

1900001141

1315004000

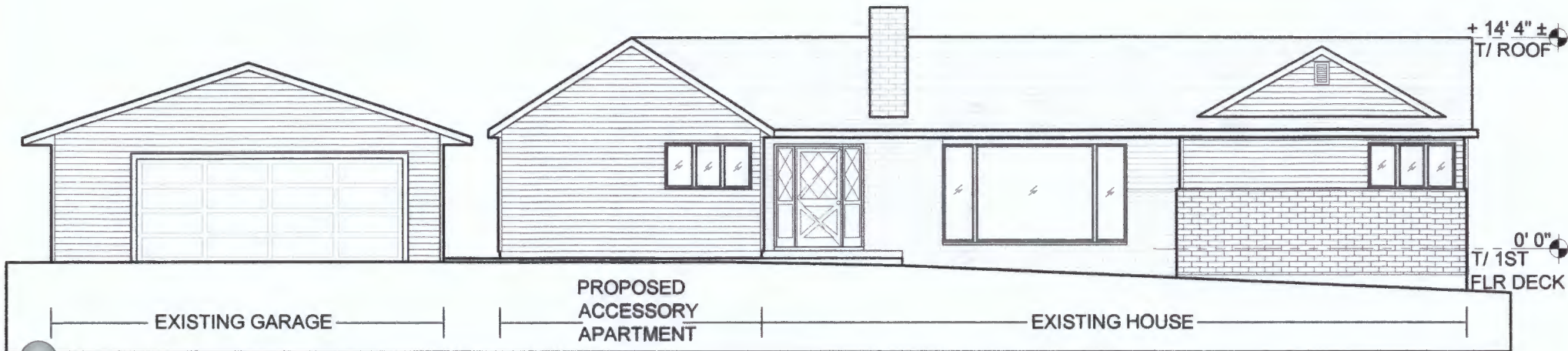
1302201800

2000013412

1700012509

1900001145

1900000989



EXISTING HOUSE:

- Single Family Residence
- Owner Occupied
- 3,056 SF

PROPOSED ACCESSORY APARTMENT:

- Accessory Apartment located within single-family detached dwelling
- 18' x 42' = 756 SF
- Maximum allowed:
 - * the lesser of 2,000 SF or 1/3 of overall floor area
- No separate meters such as gas and electric service
- No compensation
- Compliance with all laws, regulations, and codes affecting residential occupancy

OVERALL FLOOR AREA:

- 3,812 SF = 3,056 (Existing House) + 756 (New Addition)

ONE THIRD OF OVERALL FLOOR AREA:

- 1270.67 SF

OCCUPANTS:

- Immediate family members:
 - * Joanne and Norman Dixon (parents)
 - * Christine Kelly (daughter)

ZONING MAP #: 108B2
 SITE ZONED: RC5
 ELECTION DISTRICT: 1
 COUNCIL DISTRICT: 1
 LOT AREA ACREAGE: 1.0800
 OR SQUARE FEET:
 HISTORIC?: NO
 IN CBCA?: NO
 FLOOD PLAIN? "X"
 UTILITIES?: MARK WITH X
 WATER IS:
 PUBLIC: X PRIVATE: ___
 SEWER IS:
 PUBLIC: ___ PRIVATE: X
 PRIOR HEARING?: NO

1

PROPOSED EAST ELEVATION

SCALE: 1" = 10' 0"

THOMAS CLARK ARCHITECTS • 5820 YORK ROAD • STE T-102 • BALTIMORE, MARYLAND • 21212 • (410) 539-6830

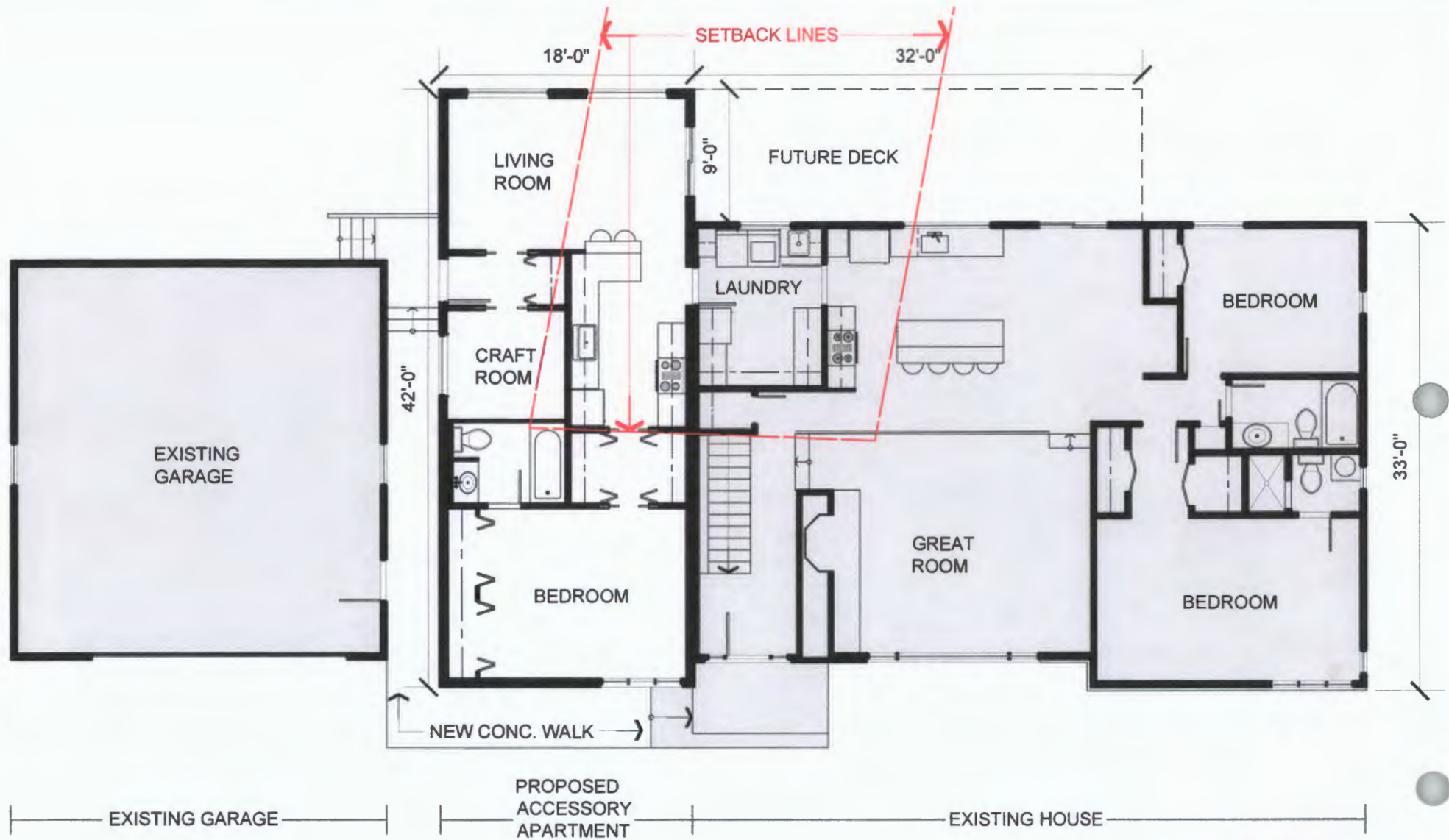
I HEREBY CERTIFY COMPLIANCE WITH THE DEFINITIONS AND SECTION 400 RULES AND LIMITATIONS AS STATED IN THE "ACCESSORY APARTMENT (IN-LAW) APPLICATION / DECLARATION OF UNDERSTANDING GUIDE", BALTIMORE COUNTY, MARYLAND



MARCH 28, 2012

I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A FULLY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND

VI-050-0100



2

PROPOSED 1ST FLOOR PLAN

SCALE: 1" = 10' 0"

THOMAS CLARK ARCHITECTS • 5820 YORK ROAD • STE T-102 • BALTIMORE, MARYLAND • 21212 • (410) 539-6830

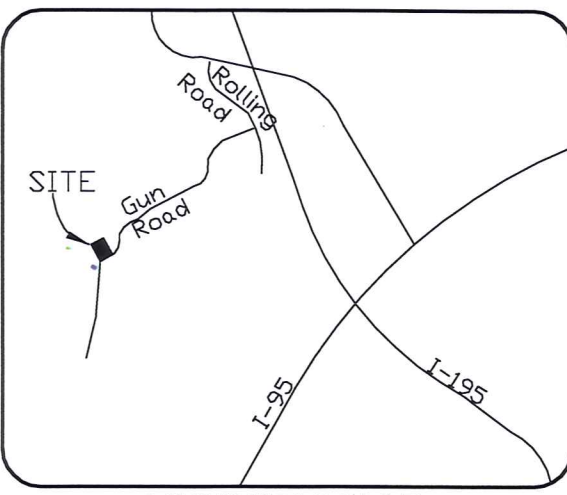
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MARCH 28, 2012

I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND.

ZONING HEARING PLAN FOR VARIANCE _____ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
ADDRESS 518 GUN ROAD, RELAY MARYLAND 21227 OWNER(S) NAME(S) NORMAN D. AND LINDA J. DIXON
SUBDIVISION NAME 0000 LOT # _____ BLOCK # _____ SECTION # _____
PLAT BOOK # 4605 FOLIO # 0592 10 DIGIT TAX # 1900000987 DEED REF. # 31702700249



VICINITY MAP
SCALE: 1" = 2000'
TAX MAP 108, PARCEL 697

ZONING MAP #: 108B2
SITE ZONED: RC5
ELECTION DISTRICT: 1
COUNCIL DISTRICT: 1
LOT AREA ACREAGE: 1.0800
OR SQUARE FEET: NO
HISTORIC?: NO
IN OBOA?: NO
IN FLOOD PLAIN?: NO
UTILITIES?: MARK WITH X
WATER IS: PUBLIC: X PRIVATE: X
SEWER IS: PUBLIC: X PRIVATE: X
PRIOR HEARING? NO
IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW NONE
VIOLATION CASE INFO: N/A

NOTES BY SURVEYOR:

- OWNER: Norman D. & Linda J. Dixon
518 Gun Road
Relay, Maryland 21227
- PROPERTY INFORMATION: 518 Gun Road
Relay, Maryland 21227
- DEED: LIBER MSH 2526, FOLIO 405 & 406
- ZONING: "RC-5"
- MINIMUM SETBACKS: 75' FRONT
50' SIDE
50' REAR
- THE PROPERTY SHOWN HEREON DOES NOT LIE WITHIN THE CRITICAL AREA.
- THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT SHOW ALL THE ENCROACHMENT EFFECTING THE PROPERTY.
- THE PROPERTY SHOWN HEREON IS BASED ON A FIELD RUN SURVEY (NAVDS8) COMPLETED ON 19TH OF DECEMBER 2011. THE COORDINATES, BEARINGS SHOWN HEREON ARE BASED ON THE MARYLAND STATE PLANE COORDINATES NAD 83 AS ESTABLISHED GPS ON THE LEICA SMARTNET NETWORK.
- THE PROPERTY SHOWN HEREON IS IN FLOOD ZONE "X" LOCATED WITHIN THE COASTAL FLOOD PLAIN AS SHOWN ON FIRM NO 2401010505 F, EFFECTIVE DATE SEPTEMBER 26, 2008 FOR BALTIMORE COUNTY, MARYLAND.

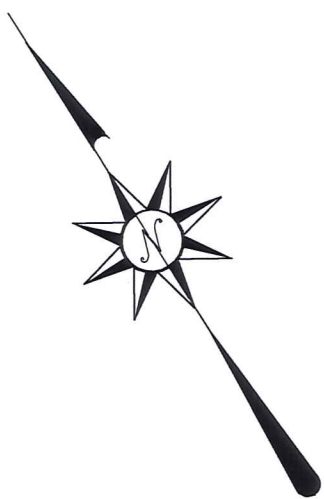
EDGAR HENRY BEZOLD SR
& MARY W. BEZOLD
515 GUN ROAD
RELAY, MD 21227
TAX MAP 108 GRID 09 PARCEL 688
T.A.# 01-1900001545
DEED L. 18760 F. 707

JOHN JOSEPH & MARY JEAN BENNETT
514 GUN ROAD
RELAY, MD 21227
TAX MAP 108 GRID 09 PARCEL 508
T.A.# 01-1900001545
DEED L. 18996 F. 265

JOHN JOSEPH & MARY JEAN BENNETT
516 GUN ROAD
RELAY, MD 21227
TAX MAP 108 GRID 09 PARCEL 579
T.A.# 01-2000011853
DEED L. 19996 F. 265

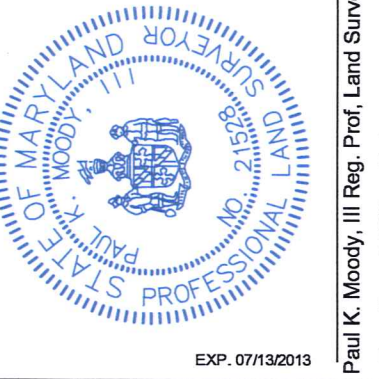
NORMAN D. & LINDA J. DIXON
518 GUN ROAD
RELAY, MD 21227
TAX MAP 108 GRID 09 PARCEL 697
T.A.# 01-1900000985
DEED L. 4025 F. 592

BUILDABLE AREA



SURVEY PLAN DRAWN BY: P. K. M. III, MID-ATLANTIC PROFESSIONAL SURVEYS DATE: 23 DEC 2011 SCALE: 1 INCH = 20 FEET
NEW ADDITION & DIMENSIONING BY: THOMAS CLARK ARCHITECTS, MARCH 28, 2012

MID-ATLANTIC PROFESSIONAL SURVEYS



DATE	DESCRIPTION	REVISION
11/02/08		1
		2
		3
		4
		5

HEARING PLAN

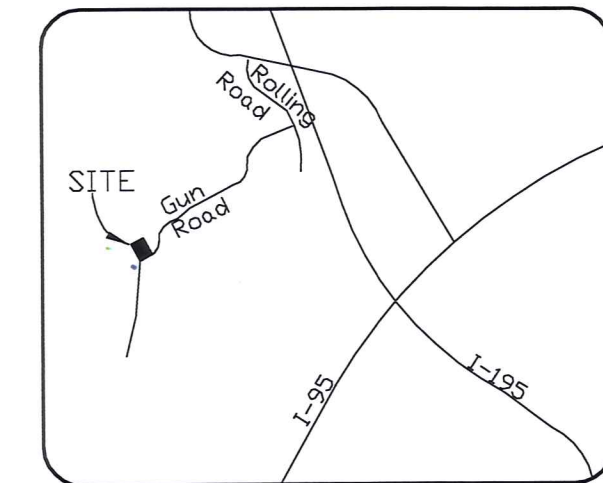
ARCHITECTS:
THOMAS CLARK ARCHITECTS
6820 YORK ROAD, STE T-102
BALTIMORE, MARYLAND 21212
PHONE: (410) 539-6630

TOPOGRAPHY SURVEY

THE LANDS OF
NORMAN D. & LINDA J. DIXON
#518 Gun Road
Baltimore, Maryland 21227
TAX MAP 108 GRID 09 PARCEL 697
1st Election District Baltimore County

SHEET No: 01 OF 01
FILE No:

ZONING HEARING PLAN FOR VARIANCE _____ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
ADDRESS 518 GUN ROAD, RELAY MARYLAND 21227 OWNER(S) NAME(S) NORMAN D. AND LINDA J. DIXON
SUBDIVISION NAME 0000 LOT # _____ BLOCK # _____ SECTION # _____
PLAT BOOK # 4605 FOLIO # 0592 10 DIGIT TAX # 1900000987 DEED REF. # 31702/00249



VICINITY MAP
SCALE: 1" = 2000'
TAX MAP 108, PARCEL 697

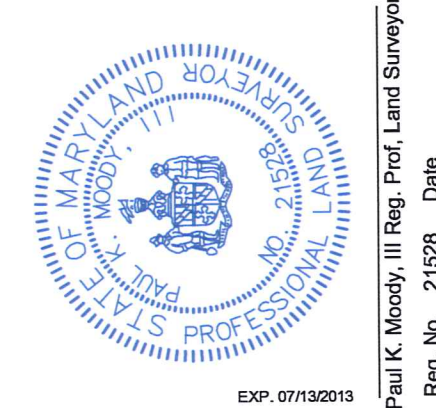
ZONING MAP #: 108B2
SITE ZONED: RC5
ELECTION DISTRICT: 1
COUNCIL DISTRICT: 1
LOT AREA ACREAGE: 1.0800
OR SQUARE FEET:
HISTORIC?: NO
IN CBQA?: NO
IN FLOOD PLAIN?: NO
UTILITIES?: MARK WITH X
WATER IS:
PUBLIC: X PRIVATE: _____
SEWER IS:
PUBLIC: _____ PRIVATE: X
PRIOR HEARING?: NO
IF SO GIVE CASE NUMBER AND ORDER
RESULT BELOW NONE
VIOLATION CASE INFO: N/A

NOTES BY SURVEYOR:

- OWNER: Norman D. & Linda J. Dixon
518 Gun Road
Relay, Maryland 21227
- PROPERTY INFORMATION: 518 Gun Road
Relay, Maryland 21227
- DEED: LIBER MSH 2526, FOLIO 405 &
- ZONING: "RC-5"
- MINIMUM SETBACKS: 75' FRONT
50' SIDE
50' REAR
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EDGAR HENRY BEZOLD SR
& MARY M. BEZOLD
518 GUN ROAD
RELAY, MD 21227
TAX MAP 108 GRID 09 PARCEL 688
T.A.# 91-130201800
DEED L. 18760 F. 707

MID-ATLANTIC PROFESSIONAL SURVEYS



DATE	DESCRIPTION	REVISION
11/28/08		1
		2
		3
		4
		5

DATE: 23 DEC 2011 SCALE: 1" = 20' CHECKED BY: P.K.M. III DRAWN BY: P.K.M. III

HEARING PLAN

ARCHITECTS:
THOMAS CLARK ARCHITECTS
5820 YORK ROAD, STE T-102
BALTIMORE, MARYLAND 21212
PHONE: (410) 538-8830

TOPOGRAPHY SURVEY
THE LANDS OF
NORMAN D. & LINDA J. DIXON
#518 Gun Road
Baltimore, Maryland 21227
TAX MAP 108 GRID 09 PARCEL 697
1st Election District
Baltimore County

SHEET No: 01 OF 01
FILE No: