



KEVIN KAMENETZ
County Executive

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

June 11, 2012

Kimberly Messina (nee Heid)
14006 Sunnybrook Road
Phoenix, Maryland 21131

RE: PETITION FOR ADMINISTRATIVE VARIANCE
(14006 Sunnybrook Road)
Case No. 2012-0254-A

Dear Mrs. Messina:

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

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

Very truly yours,

A handwritten signature in dark ink, appearing to read "JEB", is written over the typed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

- c: Robert S. Glushakow, 13906 Sunnybrook Road, Phoenix, MD 21131
Michael S. Charnasky and Donna Hargest, 14008 Sunnybrook Road, Phoenix, MD 21131
Dolores Klass, 14004 Sunnybrook Road, Phoenix, MD 21131
Stephen A. Olert, 3808 Donerin Way, Phoenix, MD 21131
Keith Parker, Code Enforcement Officer, Division of Code Inspections & Enforcement,
Department of Permits, Approvals, and Inspections

IN RE: PETITION FOR ADMIN. VARIANCE *

S side of Sunnybrook Road; 4,000 feet
SW of the c/l of Paper Mill Road
10th Election District
3rd Council District
(14006 Sunnybrook Road)

Kimberly Marie Heid
Petitioner

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2012-0254-A

* * * * *

ORDER AND OPINION

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owner of the property, Kimberly Marie Heid. The Petitioner is requesting Variance relief from § 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed accessory building (pole building) in the rear yard of the existing dwelling with a height of 18 feet in lieu of the maximum allowed 15 feet. The subject property and requested relief is more fully depicted on the (revised) site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

This matter was originally filed as an Administrative Variance, with a closing date of May 7, 2012. On May 7, 2012, Robert S. Glushakow requested a formal hearing on this matter. The hearing was subsequently scheduled for Monday, June 11, 2012 at 10:00 AM in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. In addition, a sign was posted at the property and an advertisement was published in *The Jeffersonian* newspaper, giving neighbors and interested citizens notice of the hearing.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Department of Environmental Protection and Sustainability (DEPS), dated May 10, 2012, which state:

ORDER RECEIVED FOR FILING

Date 6-11-12

By [Signature]

A proposed building permit for a pole bldg. will need review by Groundwater Mgmt., since the house is served by a septic system.

Appearing at the public hearing in support for this case were Kimberly and Donald Messina. Appearing in opposition to the request was Robert S. Glushakow, who filed the formal demand for hearing, Michael S. Charnasky, Donna Hargest and Dolores Klass. The file also contains letters of objection from adjacent neighbors.

Testimony and evidence revealed that the subject property is located in the Phoenix area of the County, and the one acre lot (zoned RC 6) is improved with a one-story, single-family dwelling. Petitioner would like to construct the pole barn to store a travel trailer and other household items which are currently on her lot. The Petitioner testified that the 18' height variance would allow her to construct a peaked roof with cupola, instead of a flat roof which she did not think was as attractive.

Based upon the testimony and evidence presented, I must deny the request for variance relief.

Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

Petitioner has not met this test.

In this case, the Petitioner was unable to articulate how her property was unique, or whether any "special circumstances" existed with regard to her lot. Unfortunately, these are indispensable elements of a variance case.

ORDER RECEIVED FOR FILING

Date 6-11-12

By DS

Pursuant to the advertisement, posting of the property, and public hearing on this petition, and after considering the testimony and evidence, I find that Petitioner's variance request should be denied.

THEREFORE, IT IS ORDERED, this 11th day of June, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief § 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed accessory building (pole building) in the rear yard of the existing dwelling with a height of 18 feet in lieu of the maximum allowed 15 feet, be and is hereby DENIED.

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

JEB:dlw



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

ORDER RECEIVED FOR FILING

Date 6-11-12

By dlw



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 14006 Sunnybrook Road which is presently zoned BC6

Deed Reference 27573/1627

10 Digit Tax Account # 1019048080

Property Owner(s) Printed Name(s) Kimberly Marie Heid

(SELECT THE HEARING(S) BY MARKING **X** 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)

400.3 OF BC2R TO PERMIT A PROPOSED ACCESSORY BUILDING (POLE BUILDING) IN THE REAR YARD OF THE EXISTING DWELLING WITH A HEIGHT OF 18 FEET IN LIEU OF THE MAXIMUM ALLOWED OF 15 FEET.
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 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:

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

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 4/11/12 day of April 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

2012-0254-A

Filing Date

4/11/12

Estimated Posting Date

4/23/12

Reviewer

AT

Rev 10/12/11

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: 14006 Sunnybrook Road Phoenix Maryland 21131
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)

** See Attachment*

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

Kimberly Marie Heid
Signature of Affiant

Signature of Affiant

Kimberly Marie Heid
Name- Print or Type

Name- Print or Type

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

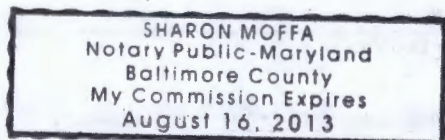
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 10th day of APRIL, 2012, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

KIMBERLY MARIE HEID

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



Sharon Moffa
Notary Public

August 16, 2013
My Commission Expires

**Reasons for requesting an administrative variance at
14006 Sunnybrook Road, MD 21131**

To build a pole building in the rear yard with a height of 18 feet.
The 18 feet is required to house the recreation vehicle (RV) and the
working truck from weathering as well as to keep them from sight.
The roof peak requires to be pitched high enough to house the RV.
The pole building will be used for storage and parking only and
will not be for commercial use or living quarter.

Signed by owner

Kimberly Marie Heid

2012-0254-A

THE ZONING HEARING PROPERTY DESCRIPTION:

PART A

ZONING PROPERTY DESCRIPTION FOR 14006 Sunnybrook Road, Phoenix, Maryland
21131

*Beginning at a point on the south side of Sunnybrook Road which is 40 ft. wide
at the distance of 4000 ft. (+/-) south & west of the centerline of the nearest
improved intersecting street which is Paper Mill Rd. which is 80 ft. R/W.

PART B

~~OPTION 2 (Subdivision Lot-lot is part of record plat):~~

Being Lot #2 , Block ____ , Section 1 in the subdivision of Sunnybrook Hills as
recorded in Baltimore County Plat Book #22, Folio #59, containing 1.0000 AC.
Located in the 10th Election District and 3rd Council District.

2012-0254-A

M E M O R A N D U M

DATE: July 20, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0254-A - Appeal Period Expired

The appeal period for the above-referenced case expired on July 11, 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



FORMAL DEMAND FOR HEARING

CASE NUMBER: 2012-0254-A

Address: 14006 Sunnybrook Road

Petitioner(s): Kimberly M. H&D

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We Robert S. Glushakow
Name - Type or Print

() Legal Owner OR ☒ Resident of

13906 Sunnybrook Road
Address

Phoenix MD 21131
City State Zip Code

(410) 823-7800
Telephone Number

which is located approximately 1700 feet from the
property, which is the subject of the above petition, **do hereby
formally demand that a public hearing be set in this matter.**

**ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS
DEMAND.**

[Signature] 5-7-12
Signature Date

RECEIVED

Signature
Revised 9/18/98 - wcr/scj

MAY 07 2012
Date

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2012- 0254 -A Address 14006 SUNNYBROOK RD

Contact Person: AARON TSUI 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- 0254 -A Address 14006 SUNNYBROOK ROAD
Petitioner's Name KIMBERLY HEID Telephone 443.621.5053
Posting Date: 4/22/12 Closing Date: 5/7/12
Wording for Sign: To Permit AN ACCESSORY BUILDING (POLE BARN)
IN THE REAR OF AN EXISTING DWELLING, WITH A
HEIGHT OF 18 FEET IN LIEU OF THE MAXIMUM
ALLOWED OF 15 FEET

Revised 7/06/11

CERTIFICATE OF POSTING

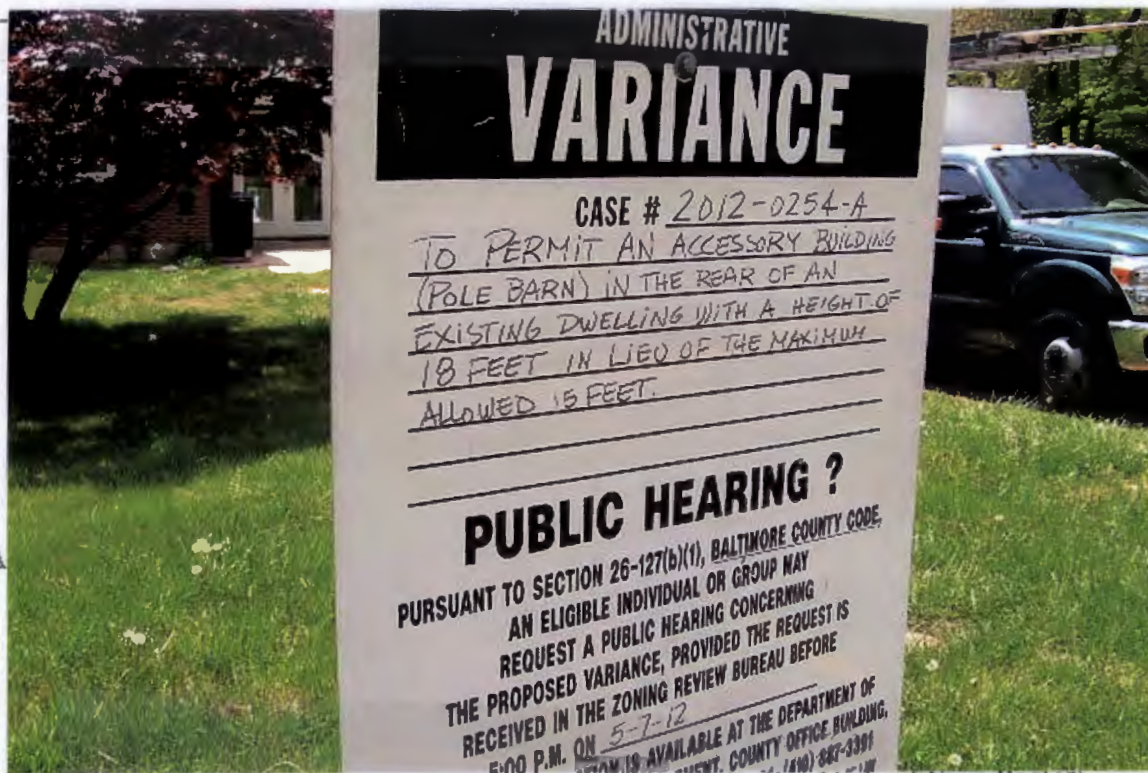
Date: 4-22-12

RE: Case Number: 2012-0254-A

Petitioner/Developer: Kim Heid

Date of Hearing/Closing: 5-7-12

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 14006 Sunnybrook Rd



(City, State, Zip Code of Sign Poster)

410-343-1443

(Telephone Number of Sign Poster)

THOMAS J. RENNER
WILLIAM P. ENGLEHART, JR.
ROBERT L. HANLEY, JR.
ROBERT S. GLUSHAKOW
DOUGLAS L. BURGESS
C. WILLIAM CLARK
CATHERINE A. POTTHAST*
CORNELIA M. KOETTER*
E. BRUCE JONES**

Law Offices
NOLAN, PLUMHOFF & WILLIAMS

CHARTERED
SUITE 700, NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
TOWSON, MARYLAND 21204-4528
(410) 823-7800

TELEFAX: (410) 296-2765

EMAIL: NPWNOLANPLUMHOFF.COM
WEB SITE: WWW.NOLANPLUMHOFF.COM

J. EARLE PLUMHOFF
(1940-1988)

NEWTON A. WILLIAMS
(RETIRED 2000)

RALPH E. DEITZ
(1918-1990)

WRITER'S DIRECT DIAL
(410) 823-7960

* ALSO ADMITTED IN D.C.

May 7, 2012

VIA HAND DELIVERY

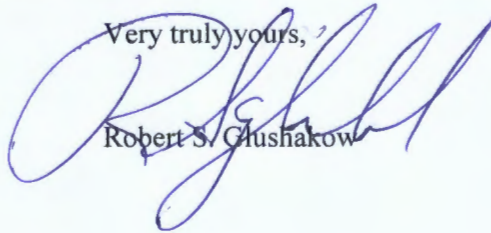
Mr. Arnold Jablon, Director
Permits, Approvals and Inspections
111 West Chesapeake Avenue
Towson, MD 21204

Re: Request for Hearing
For Property located at: **14006 Sunnybrook Road, Phoenix, Md. 21131**
Request: 2012-0254-A

Dear Mr. Jablon:

Enclosed please find a Formal Demand For Hearing in connection with the above matter. Please find enclosed my check in the amount of \$60.00 payable to Baltimore County, Maryland. I am requesting a hearing in order to preserve my objections to the requested variance based upon applicable zoning and development regulations governing the subject property. Those objections will include but not be limited to: ensuring that the property will not be used for commercial operations of any form as well as serve to increase the usage of the property beyond anything other than a residential single family use.

Very truly yours,


Robert S. Glushakow

Enclosure

**NOTICE OF ZONING
HEARING**

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

Case: # 2012-0254-A
14006 Sunnybrook Road
S/side of Sunnybrook Road,
4,000 feet S/w of the centerline of Paper Mill Road
10th Election District
3rd Councilmanic District
Legal Owner(s):
Kimberly Heid

Variance: to permit a proposed accessory building (pole building) in the rear of the existing dwelling with a height of 18 feet in lieu of the maximum allowed 15 feet.

Hearing: Monday, June 11, 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 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.

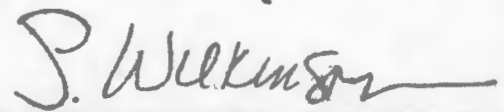
JT/5/746 May 22 303451

CERTIFICATE OF PUBLICATION

5/24/ 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 5/22/, 2012.

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



LEGAL ADVERTISING

CERTIFICATE OF POSTING

Date: 5/21/12

RE: Case Number: 2012-0254-A

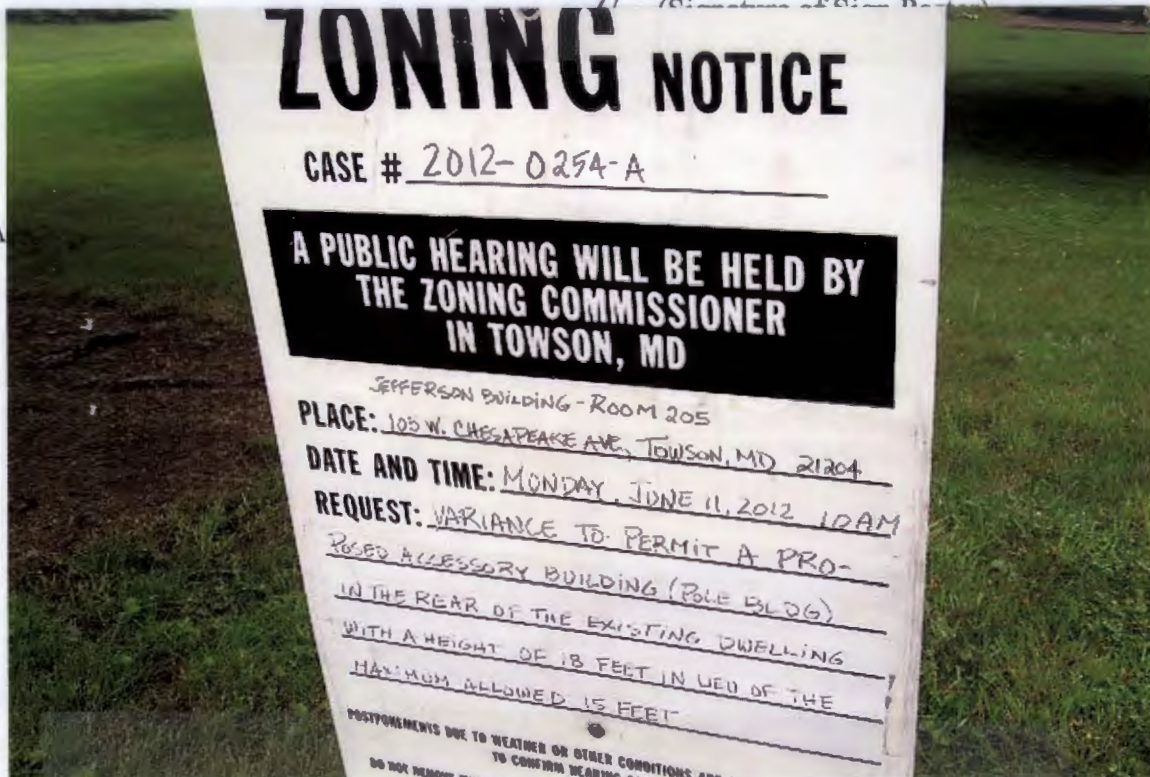
Petitioner/Developer: Kim Heig

Date of Hearing/Closing: 6-11-12 10AM

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 14006 Sunnybrook Rd

The sign(s) were posted on 5/21/12
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Signer)





KEVIN KAMENETZ
County Executive

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

May 11, 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: 2012-0254-A

14006 Sunnybrook Road

S/side of Sunnybrook Road, 4,000 feet S/w of the centerline of Paper Mill Road

10th Election District – 3rd Councilmanic District

Legal Owners: Kimberly Heid

Variance to permit a proposed accessory building (pole building) in the rear of the existing dwelling with a height of 18 feet in lieu of the maximum allowed 15 feet.

Hearing: Monday, June 11, 2012 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Kimberly Heid, 14006 Sunnybrook Road, Phoenix 21131

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MAY 22, 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, May 22, 2012 Issue - Jeffersonian

Please forward billing to:
Kimberly Heid
14006 Sunnybrook Road
Phoenix, MD 21131

443-621-5053

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2012-0254-A

14006 Sunnybrook Road

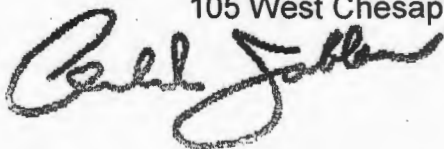
S/side of Sunnybrook Road, 4,000 feet S/w of the centerline of Paper Mill Road

10th Election District – 3rd Councilmanic District

Legal Owners: Kimberly Heid

Variance to permit a proposed accessory building (pole building) in the rear of the existing dwelling with a height of 18 feet in lieu of the maximum allowed 15 feet.

Hearing: Monday, June 11, 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.

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

No. **82122**
 Date: **4/11/12**

PAID RECEIPT

BUSINESS NO. 1111 1111 1111
 4/13/2012 4/11/2012 11111111 2

NO. 11111111 11111111 11111111
 RECEIPT # 775000 4/11/2012 0FLH

Dept 5 520 2012/03 VERIFICATION
 NO. 82122

Recpt tot 475.00
 475.00 475.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
601	806	0000		6150				\$75-

Total: **\$75-**

Rec From: **KIMBERLY MARIE HEID**
 For: **14006 : SUNNYBROOK RD.**
2012-0254-A

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

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

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

Account Identifier: District - 10 Account Number - 1019048080

Owner Information

Owner Name: HEID KIMBERLY MARIE **Use:** RESIDENTIAL
Mailing Address: 14006 SUNNYBROOK RD **Principal Residence:** YES
PHOENIX MD 21131-1340 **Deed Reference:** 1) /27573/ 00627
2)

Location & Structure Information

Premises Address **Legal Description**
14006 SUNNYBROOK RD
PHOENIX 21131-1340
14006 SUNNYBROOK RD
SUNNYBROOK HILLS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	Plat Ref:
0043	0004	0064		0000	1		2	2		0022/ 0059

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1964	1,200 SF	1.0000 AC	04

Stories	Basement	Type	Exterior
1.000000	YES	STANDARD UNIT ASBESTOS SHINGLE	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2011	07/01/2012
Land	135,000	135,000		
Improvements:	126,140	111,000		
Total:	261,140	246,000	246,000	246,000
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
SLECHTER DONALD G	01/20/2009	\$287,000
Type: ARMS LENGTH IMPROVED	Deed1: /27573/ 00627	Deed2:
Seller: SLECHTER IRVIN J	Date: 07/28/1964	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /04333/ 00560	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

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

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

Homestead Application Information

Homestead Application Status: Approved 08/17/2010

2012-0254-A

CASE NAME Heid
CASE NUMBER 2012-254-A
DATE 6-11-12

[illegible]

PLEASE PRINT CLEARLY

CASE NAME Heid
CASE NUMBER 2012-254-A
DATE 6-11-2012

CITIZEN'S SIGN-IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E-MAIL

Robert G Lushakou

13906 Sunnybrook Rd

Phoenix MD 21131

Michael C Charnas

14008 Sunnybrook Rd

Phoenix MD 21131

Donna Hargest

14008 Sunnybrook Rd

Phoenix MD 21131

Dolores Klass

14004 Sunnybrook Rd.

Phoenix Md 21131

CHECKLISTSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment4-26DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)nc5-10DEPS
(if not received, date e-mail sent _____)comment
At

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)4-26

STATE HIGHWAY ADMINISTRATION

nc

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS (3)

object

ZONING VIOLATION

(Case No. CO-0108535)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: 5-28

SIGN POSTING

Date: 5-21by Pidson

PEOPLE'S COUNSEL APPEARANCE

Yes

☐

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any:

formal demand Robert Lushakov

DIVISION OF CODE INSPECTIONS AND ENFORCEMENT

ACTIVE VIOLATION CASE DOCUMENTS

CO0108535
14006 Sunnybrook Rd

2012-0254-A

**BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE**

DATE: April 26, 2012,

TO: W. Carl Richards, Jr.

FROM: Lionel van Dommelen, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No: 2012-0254-A
Legal Owner/Petitioner: Kimberly Marie Heid
Property Address: 14006 Sunnybrook Rd
Location Description: S side of Sunnybrook Rd, 4,000ft. SW of the
centerline Paper Mill Road,

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date: Keith Parker

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

Case No: CO0108535
Correction Notices
Citation
Photographs

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Kaitlyn Heinbach in Room 213 in order that the appropriate action may be taken relative to the violation case.

LvD/kh
C: Keith Parker, Code Enforcement Officer



CODE ENFORCEMENT

CORRECTION NOTICE

CASE NUMBER 0108535	FA NUMBER 0088981	PROP. TAX ID 101-90-48080	ZONE
-------------------------------	-----------------------------	-------------------------------------	------

☒ Owner ☐ Occupant ☐ Other

NAME(S): **Kimberly Marie Heid**

MAILING ADDRESS: **14006 Sunnybrook Rd.**
CITY **Phoenix** STATE **md.** ZIP CODE **21131**

VIOLATION ADDRESS: **SAME**
CITY STATE ZIP CODE
MARYLAND

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

BALTIMORE COUNTY ZONING REGULATIONS (B.C.Z.R.)

- | | |
|---|--|
| ☐ 431: Improper parked/ illegal commercial vehicle(s) | ☐ 415A: License/ remove untagged recreation vehicle |
| ☐ 450: Non permitted sign(s) | ☒ 415A: Improperly parked recreation vehicle |
| ☐ 428: License/ Remove all untagged/ inoperative or damaged/ disabled motor vehicle(s) in residential zone | ☐ 415A: One recreational vehicle per property |
| ☐ 1B01.1D: Remove open dump/ junk yard | ☐ 100.6: Non permitted livestock / fowl / poultry |
| ☐ 102.5: Residential site line violation /obstruction | ☐ 408B: Non permitted rooming/ boarding house |
| ☐ 101; 102.1: Remove contractors equip. storage yard | ☐ 1B01: Non permitted private kennel. Limit 3 dogs |
| ☐ 1B01.1, ZCPM: Cease service garage activities | ☐ 101; 102.1; ZCPM: Illegal home occupation |
| ☐ 402: Illegal conversion of dwelling | ☐ BCC: 32-3-102; 500.9 BCZR; ZCPM: |

Violation of commercial site plan and/or zoning order

BALTIMORE COUNTY CODE (B.C.C.)

- | | |
|---|--|
| ☐ 13-4-201(b)(d): Store garbage in containers w/tight lids | ☐ 35-2-301: Obtain building/ fence/ sign permit |
| ☐ 13-7-309; 13-7-310: Remove animal feces daily | ☐ 35-6-105: Obtain rental housing license |
| ☐ 13-7-310(a): Remove all trash & debris from property | ☐ 18-2-608: Exceeding time limit, Temp. Storage Unit |
| ☐ 13-7-312: Remove accumulations of debris, materials, etc | ☐ 35-2-206: Install address numbers to property or home |
| ☐ 13-7-310(c): Cease all outside feeding of animals/birds | ☐ IBC 115; BCBC 121: Remove/ Repair unsafe structure board and secure all openings to premise |
| ☐ 13-7-305: Cease rat harborage on premise | ☐ 13-7-401; 13-7-402; 13-7-403: Cut & remove all tall grass and weeds to three (3) inches in height |
| ☐ 13-7-306: Eradicate all rat infestation on premise | |
| ☐ 13-7-112: Remove graffiti | |

LIVABILITY CODE (B.C.C.)

- | | |
|--|---|
| ☐ 35-5-203: Condemnation of structure / equipment | ☐ 35-5-212: Repair heating / cooking equipment |
| ☐ 35-5-208(a): Repair exterior structure | ☐ 35-5-213: Provide fire and safety protection |
| ☐ 35-5-209(a): Repair interior structure | ☐ 35-5-231.1: Provide Carbon Monoxide detectors |
| ☐ 35-5-210 (a)(c): Provide proper lighting in structure | ☐ 35-5-214: Remove all accumulations & storage blocking egress, stairwells, passageways, doors, windows, etc |
| ☐ 35-5-211(c): Repair plumbing defects to structure | |

INVESTMENT PROPERTY (B.C.C.)

- | | |
|--|--|
| ☐ 35-2-404(a)(1)(i): Remove hazardous / unsafe condition | ☐ 35-2-404(a)(1)(ii): Repair ext. walls / vertical members |
| ☐ 35-2-404(a)(1)(iii): Repair roof / horizontal members | ☐ 35-2-404(a)(1)(iv): Repair exterior chimney |
| ☐ 35-2-404(a)(1)(v): Repair ext. plaster / masonry | ☐ 35-2-404(a)(1)(vi): Waterproof walls / roof / foundations |
| ☐ 35-2-404(a)(1)(vii): Repair ext. construction (see below) | ☐ 35-2-404(a)(1)(2): Remove trash, rubbish, & debris |
| ☐ 35-2-404(a)(1)(3): Repair / remove defective ext. sign(s) | ☐ 35-2-404(a)(4)(i)(ii): Board & secure openings |

OTHER VIOLATIONS OR REMARKS:

Recreational Vehicle (Camper) MUST be at least 8 Feet behind the front foundation line.

Failure to comply with this correction notice, may result in a \$ fine / penalty per day pursuant to BCC: 1-2-217; 32-3-602 and/or the County sending a contractor to correct the violation(s) at your expense. Call the assigned inspector below for more info. (See reverse side for important information)

COMPLIANCE DATE: **4, 25, 12**

INSPECTOR NAME: **K. Parker**
(PRINT NAME)

4, 11, 12
ISSUED DATE



Department of Permits, Approvals & Inspections Complaint Report

Report Criteria:

Employee(s): EE0000070 to EE0000070
Scheduled Date(s): 4/3/2012 to 4/6/2012
PE Range: EN01 to EN06

<u>Record ID</u>	<u>AS/400 Case</u>	<u>Assigned To</u>	<u>Assigned Date</u>	<u>Scheduled Time</u>	<u>Received By</u>	<u>Received Date</u>	<u>Status</u>	<u>Hearing Date</u>	<u>ADC Grid</u>
CO0108535		Keith Parker	04/05/2012		Kaitlyn Heinbach	04/05/2012	Open - Normal		13G13

Complaint Description: TRAILER, TJD, COMM BUSINESS, UVS

Facility:

FA0088981
PDM 1019048080
14006 SUNNYBROOK RD.
PHOENIX, MD, 21131

Owner:

HEID KIMBERLY MARIE
14006 SUNNYBROOK RD
PHOENIX MD 21131

Complainant:

ANON

Daily Activity Details - No Data

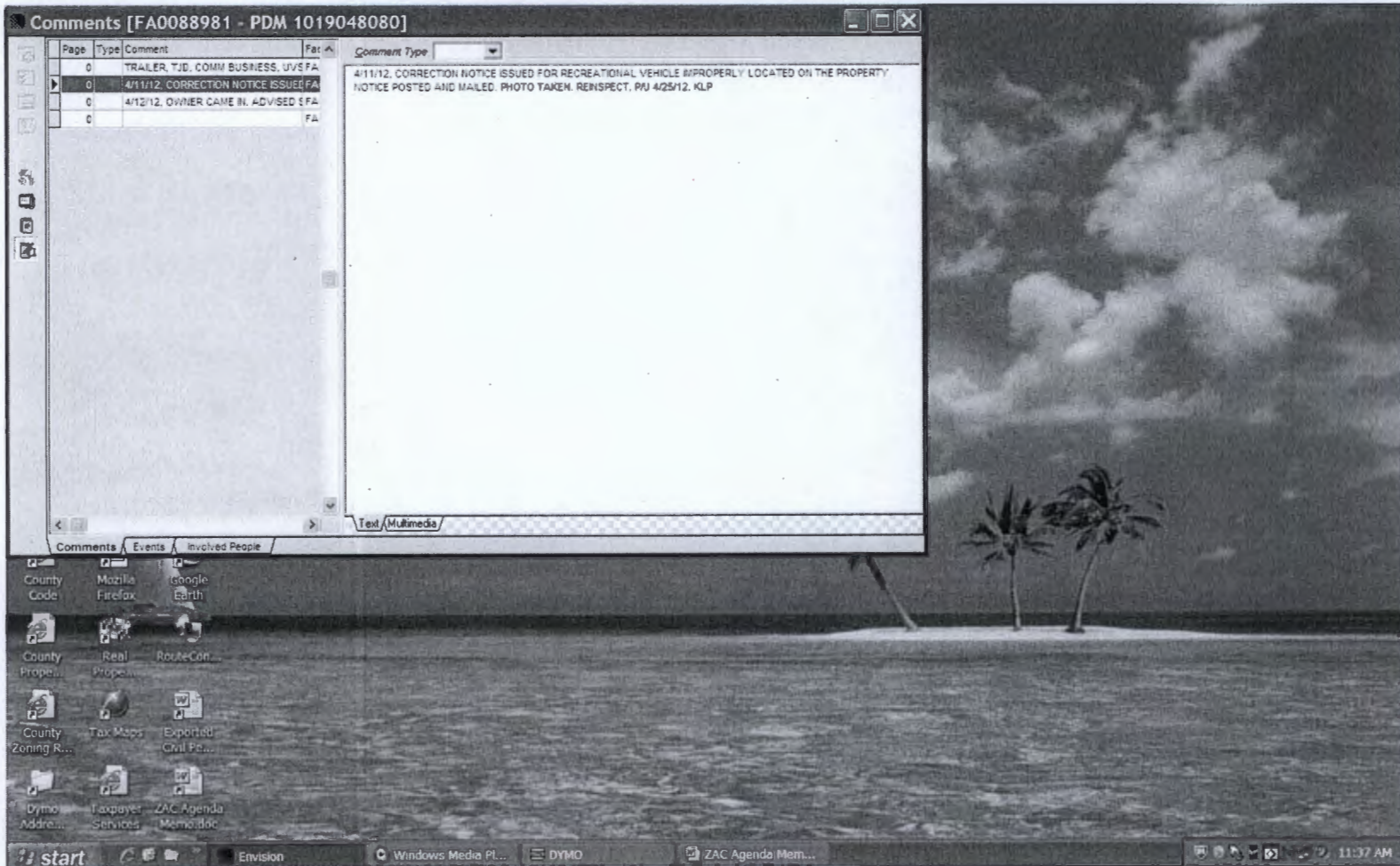
Violation Details - No Data

Comment Details - No Comments

Lien Information - None

Mileage:





Comments [FA0088981 - PDM 1019048080]

Page	Type	Comment	FA#	Comment Type
0		TRAILER TJD. COMM BUSINESS, UVEFA		
0		4/11/12. CORRECTION NOTICE ISSUED FA		
0		4/12/12. OWNER CAME IN. ADVISED SHE	FA	
0		4/12/12. OWNER CAME IN. ADVISED SHE		

4/12/12. OWNER CAME IN. ADVISED SHE HAS MOVED RV TO PROPER SET BACK PER NOTICE. WANTS TO ADVISE HAS APPLIED FOR HEIGHT VARIANCE TO STORE VEHICLES. SPX 2012-0254-A. OWNER REQUEST EXTENTION TO ALLOW APPLICATION PROCESS FOR VARIANCE TO GO THROUGH--GRANTED --JC

Text/Multimedia

Comments Events Involved People

County Code Mozilla Firefox Google Earth

County Property Real Property RocheCon...

County Zoning R... Tax Maps Exported Civil Pla...

Dymo Address Taxpayer Services ZAC Agenda Memo.doc

start Envision Windows Media PL... DYMO ZAC Agenda Mem... 11:37 AM

6/11 10am
205

was

AV 5/7
for her demand

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: May 10, 2012

SUBJECT: DEPS Comment for Zoning Item # 2012-0254-A
Address 14006 Sunnybrook Road
(Heid Property)

Zoning Advisory Committee Meeting of April 23, 2012.

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

A proposed building permit for a pole bldg. will need review by Groundwater Mgmt., since the house is served by a septic system.

Reviewer: *Dan Esser; Groundwater Management*

RECEIVED

MAY 10 2012

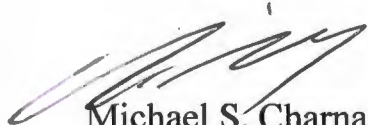
OFFICE OF ADMINISTRATIVE HEARINGS

Case # 2012-0254-A Zoning Notice, Administrative Variance for
14006 Sunnybrook Road, Phoenix, MD 21131
Department of Zoning and Permits, Baltimore County

To Whom it May Concern:

I would like to express my objections to the permit for building a pole barn with a height of 18 feet at 14006 Sunnybrook Road in Phoenix. I have lived on Sunnybrook Road for 25+ years, and I am extremely concerned about how this building will impact the property values of all of the homeowners on our street. I question the intended use of this structure along with the need for a variance for an additional 3 feet in height. I don't see how a building of this size would add positive value to the surrounding homes.

Thank you for your time and consideration in this matter.


Michael S. Charnasky
14008 Sunnybrook Road
Phoenix, MD 21131

RECEIVED
JUN 06 2012
OFFICE OF ADMINISTRATIVE HEARINGS

May 5, 2012

CASE # 2012-0254-A

Baltimore County, MD
Dept of Zoning and Permits

RE: 14006 Sunnybrook Road
Phoenix, MD
Request for building pole barn

Dear Sirs:

I would like to express my deepest concern for myself and my neighbors regarding the subject mentioned above.

There is no doubt that the situation, as things are at this moment, has depreciated our property; not to mention another building adding more clutter.

Their garage is full, along with two additional out-buildings. There are things everywhere outside, some covered with tarp. They are no doubt collectors of "things". I've been told they operate a furniture refinishing business.

I have friends who visit and can't help noticing how the property is unkept. I have lived in my home since 1953 and never had any or complained about anything. My husband and I worked very hard for our home in a very nice community. Wouldn't it be ashame if I could not sell it. Would that be fair?

I am asking that you deny this request. Please give this your utmost attention.

Sincerely,
Dolores Klass
Dolores Klass
14004 Sunnybrook Rd1

RECEIVED

JUN 06 2012

OFFICE OF ADMINISTRATIVE HEARINGS

Baltimore County Department of Zoning and Permits

Regarding: Zoning Notice Administrative Variance Case # 2012-0254-A
(14006 Sunnybrook Road, Phoenix, MD 21131)

To Whom it May Concern:

I am writing to object to this individual's request to build a pole barn on their property. It is my understanding that this structure is to be used to refinish furniture. I have first-hand knowledge of all aspects of this type of business because I was an owner/operator of a refinishing business for several years. My main concern is the use and disposal of the chemicals needed in the refinishing process, the affects to the environment and underground aquifers. I worry also about how this would impact on the neighborhood property values as well. I am a litigant in the Jacksonville Exxon law suit, so I am keenly aware of how such matters impact negatively on a neighborhood.

Thank you for consideration on this issue.


Stephen A. Olert
3808 Donerin Way
Phoenix, MD 21131

RECEIVED
JUN 06 2012
OFFICE OF ADMINISTRATIVE HEARINGS



KEVIN KAMENETZ
County Executive

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

May 7, 2012

Kimberly Marie Heid
14006 Sunnybrook Road
Phoenix, MD 21131

RE: Case Number: 2012-0254-A, Address: 14006 Sunnybrook Road, 21131

Dear Ms. Heid:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 22, 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: jaf

Enclosures

c: People's Counsel

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



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

Date: 4-26-12

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

RE: Baltimore County
Item No 2012-0254-A
Administrative Variance
Kimberly Marie Heid
14006 Sunnybrook 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. 2012-0254-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,

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^{DAK}, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For May7, 2012
Item Nos. 2012-0254, 0255, 0256, 0257, 0260,
And 0261

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-05072012-NO COMMENTS.doc

JB 6/11
10AM

Case No.: 2012-0254-A

Exhibit Sheet

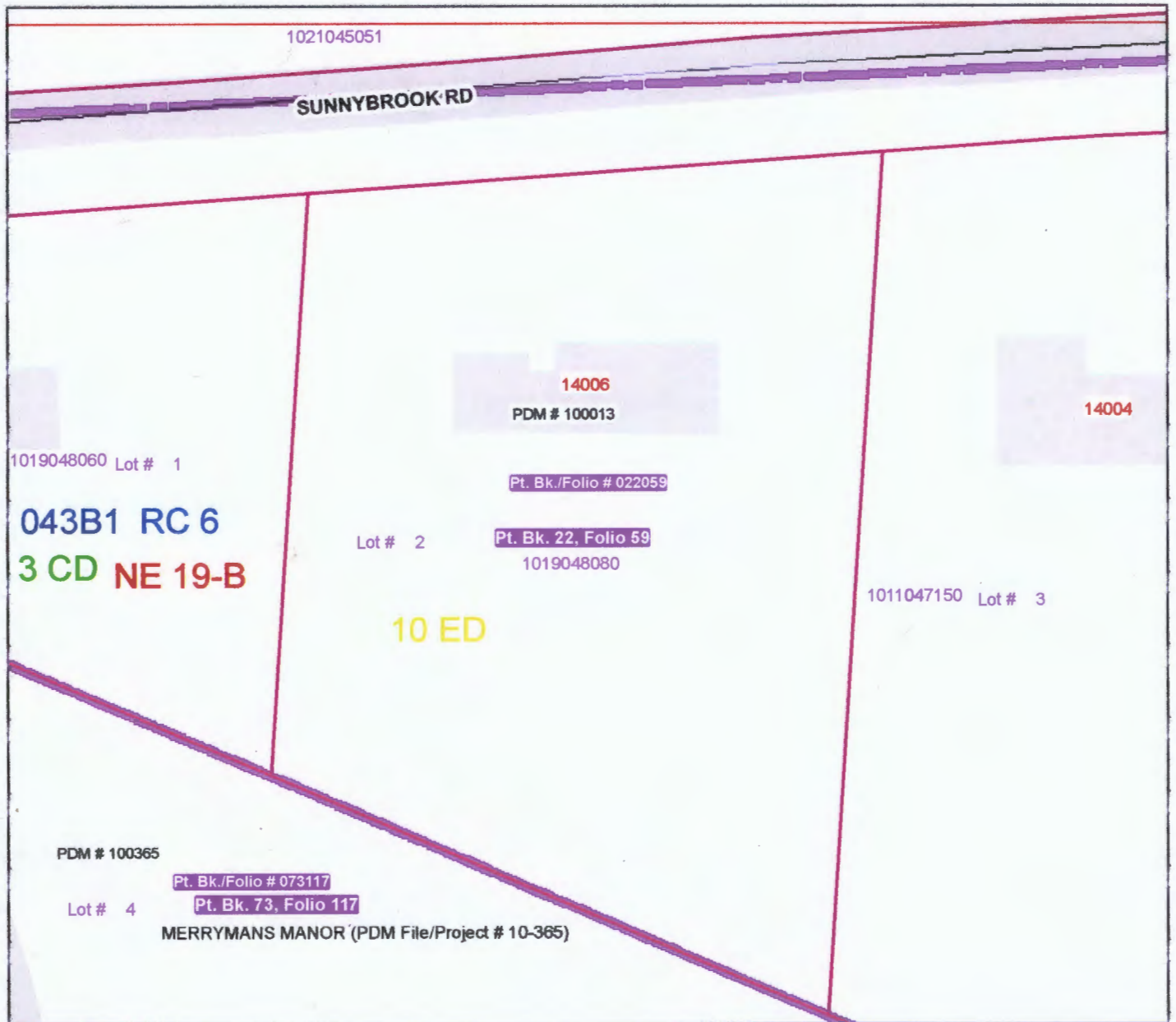
7/20/12 PJ
6-11-12 W

Petitioner/Developer

Protestant

No. 1	Sitz Plan (revised)	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

14006 Sunnybrook Road



Publication Date: April 10, 2012
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



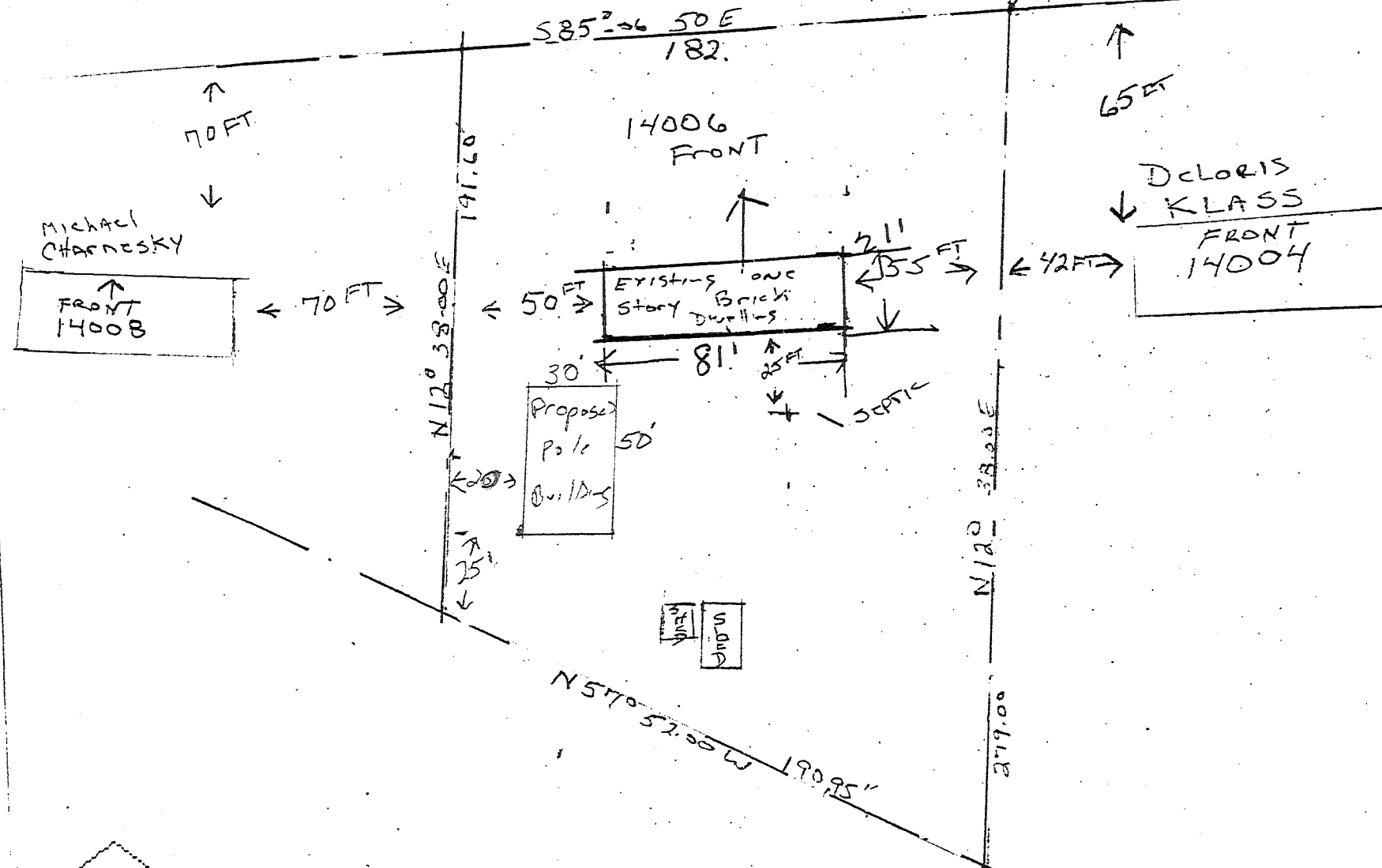
0 50 100
Feet

1 inch = 50 feet

2012-0254-A

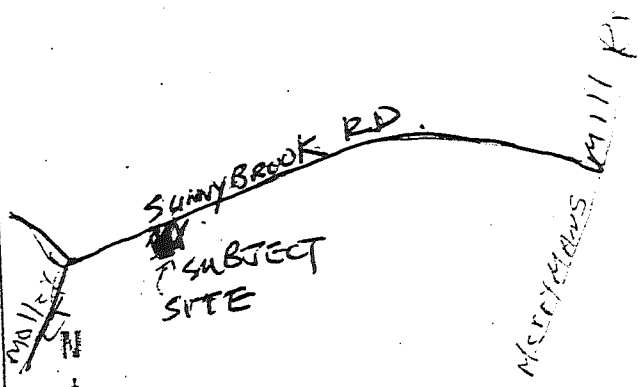
ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
ADDRESS 14006 Sunny Brook RD OWNER(S) NAME(S) Kimberly Marie Heid
SUBDIVISION NAME Sunny Brook Hills LOT # 2 BLOCK # _____ SECTION # 1
PLAT BOOK # 22 FOLIO # 59 10 DIGIT TAX # 1019048080 DEED REF. # 27573/621

Sunny Brook RD (50 FT R/W)
4000 SOUTH WEST
OF E OF
PAPERMILL RD.



PLAN DRAWN BY Donald Messina DATE 4/10/12 SCALE: 1 INCH = 50 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE
ZONING MAP# 04381
SITE ZONED RC 6
ELECTION DISTRICT 10th
COUNCIL DISTRICT 3-D
LOT AREA ACREAGE 1.0000 AC
OR SQUARE FEET _____
HISTORIC? NO
IN CBCA? NO
IN FLOOD PLAIN? NO
UTILITIES? MARK WITH X
WATER IS: Federal well
PUBLIC _____ PRIVATE X
SEWER IS:
PUBLIC _____ PRIVATE X
PRIOR HEARING? NO
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW
N/A

VIOLATION CASE INFO:
N/A

PETITIONER'S
EXHIBIT NO. 1

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

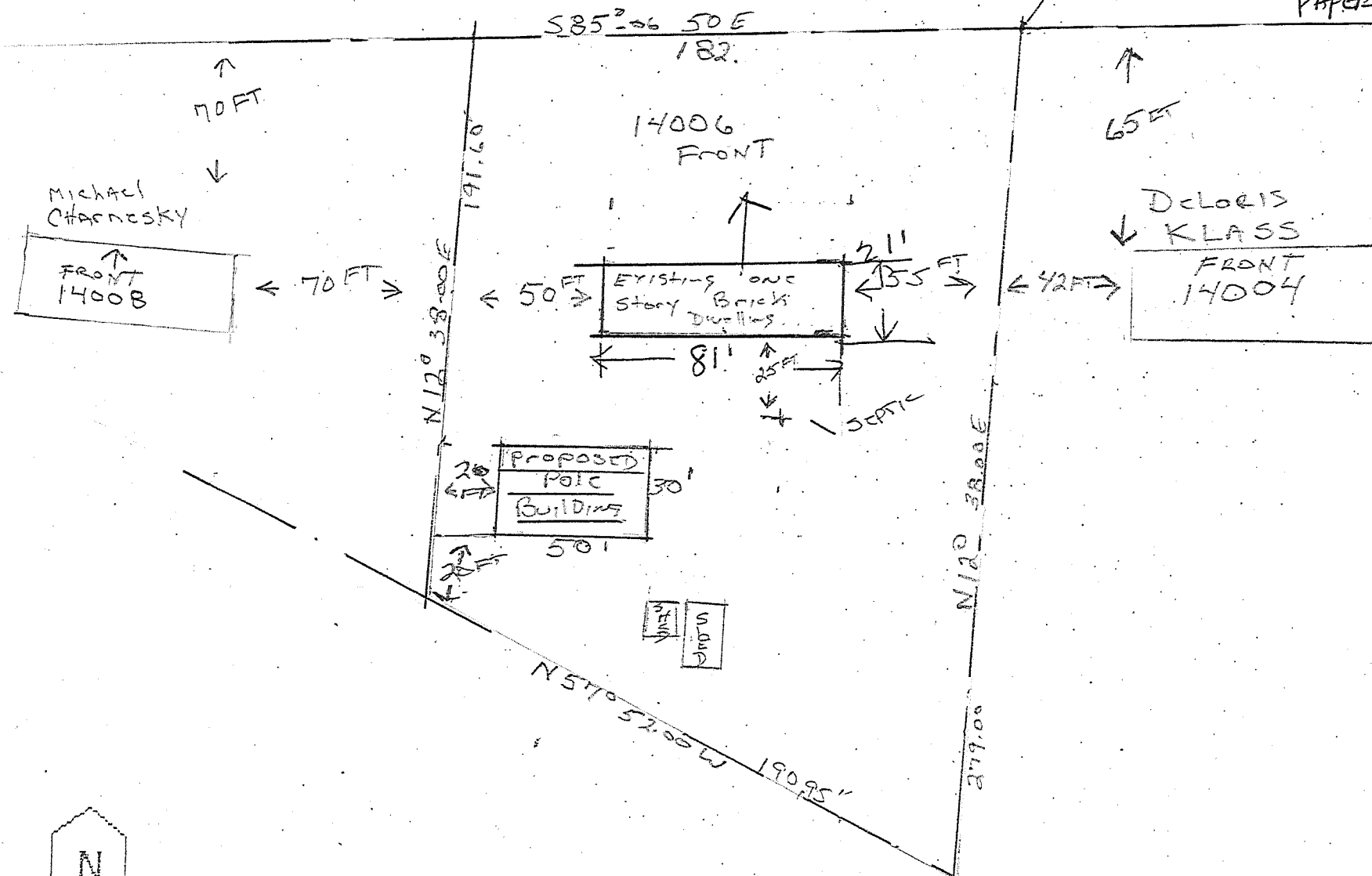
ADDRESS 14006 Sunny Brook RD OWNER(S) NAME(S) Kimberly Marie Heid

SUBDIVISION NAME Sunny Brook Hills LOT# 2 BLOCK# SECTION# 1

PLAT BOOK # 22 FOLIO # 59 10 DIGIT TAX # 1019048080 DEED REF. # 27573/627

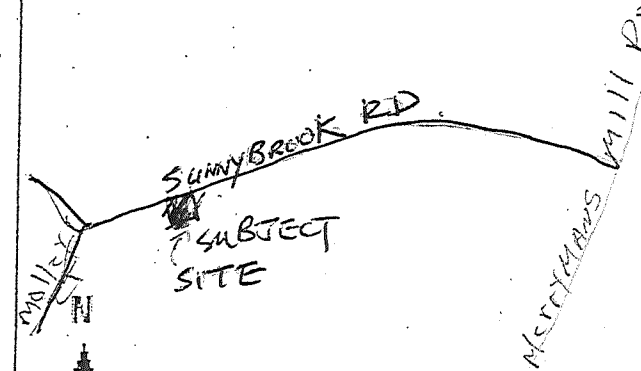
Sunny Brook RD (50 FT R/W)

4000 SOUTH WEST
OF E OF
PAPER MILL RD



PLAN DRAWN BY Donald Messina DATE 4/10/12 SCALE: 1 INCH = 50 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 043B1

SITE ZONED RC 6

ELECTION DISTRICT 10th

COUNCIL DISTRICT 3-D

LOT AREA ACREAGE 1.0000 AC

OR SQUARE FEET

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS: Federal well

PUBLIC PRIVATE X

SEWER IS:

PUBLIC PRIVATE X

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

N/A

VIOLATION CASE INFO:

N/A

2012-0254-A