

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

S side of Middleborough Road, corner of  
Middleborough and Hilltop Roads  
**(1703 Middleborough Road)**  
15<sup>th</sup> Election District  
6<sup>th</sup> Council District

Gary Dean and Joedy Ann Welch  
Petitioners

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

**CASE NO. 2012-0280-SPHA**

\* \* \* \* \*

**ORDER AND OPINION**

This matter comes before the Office of Administrative Hearings (OAH) as Petitions for Special Hearing and Variance filed by the legal owners of the subject property, Gary Dean and Joedy Ann Welch. 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 building (garage) having a footprint of 1,600 square feet which is larger than the 816 square feet of the principal use (dwelling). The Petitioners are also seeking variance relief from Sections 400.1 and 400.3 of the B.C.Z.R., to permit an accessory building (garage) to be located other than in the third of the lot farthest removed from any street with a height of 19'-4" in lieu of the permitted 15'. 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 were Petitioner Gary Dean Welch and David Billingsley with Central Drafting & Design, Inc., the consultant who prepared the site plan and is assisting the Petitioners through the permitting process. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations. There were no Protestants or other interested persons in attendance, and the

**ORDER RECEIVED FOR FILING**

Date 10-26-12

By pm

file does not contain any letters of protest or objection.

The Zoning Advisory Committee (ZAC) comments were received and made a part of the file. No adverse comments were received from any of the County reviewing agencies.

Testimony and evidence revealed that the subject property is 2.016 acres (87,800 square feet) and zoned DR 3.5. The property is comprised of two lots (Nos. 59 and 60), both of which are narrow and deep. Lot 60 is also irregularly shaped, due to the fact Baltimore County several years ago took through eminent domain a portion of Petitioner's property for construction of Hilltop Road. Petitioner wants to construct a 40' x 40' garage on Lot 59, positioned 40' behind the existing garage. Petitioner said it was a prefabricated structure, and was designed like a pole barn. See Exhibit 9. The Petitioner will use the garage to store and work on his historic cars and motorcycle, and the height variance will allow for a vehicle lift to be installed.

Based upon the testimony and evidence presented, I am persuaded to grant the request for variance 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. Indeed, Petitioner's lot is extremely deep, and if the regulations were observed, they would need to construct the garage over 300' from their dwelling.

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).

Petitioners have met this test, as noted above.

ORDER RECEIVED FOR FILING

Date 6-26-12

By PM



Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is amply demonstrated by the lack of community opposition, as well as the absence of comments by County reviewing agencies.

I also believe that the Petition for Special Hearing should be granted. The Petitioners have an extremely modest home (816 square feet), and they plan in the future to enlarge the dwelling. But at present, special hearing relief is needed because the proposed garage will be larger than the dwelling, and there is no indication that the grant of relief will be detrimental to the community's health, safety and welfare. The proposed garage will be attractively designed with a pitched roof, and will be situated on a rather large lot (1.37 acres). The garage will also be positioned far away from the adjacent dwellings at 1705 and 1707 Middleborough Road, and will not interfere with the neighbors' use and enjoyment of their homes.

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 26 day of June, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing seeking relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory building (garage) having a footprint of 1,600 square feet which is larger than the 816 square feet of the principal use (dwelling), be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 400.1 and 400.3 of the B.C.Z.R., to permit an accessory building (garage) to be located other than in the third of the lot farthest removed from any street with a height of 19'-4" in lieu of the permitted 15', be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

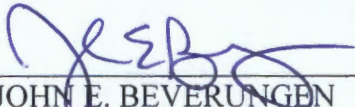
Date 6-26-12

By [Signature]

The relief granted herein shall be subject to and conditioned upon 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.
2. The Petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
3. The accessory structure shall not be used for commercial purposes.

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

  
\_\_\_\_\_  
JOHN E. BEVERUNGEN  
Administrative Law Judge for  
Baltimore County

JEB:pz

ORDER RECEIVED FOR FILING

Date 6-26-12

By pm



KEVIN KAMENETZ  
*County Executive*

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

June 26, 2012

GARY DEAN AND JOEDY ANN WELCH  
1703 MIDDLEBOROUGH ROAD  
BALTIMORE MD 21221

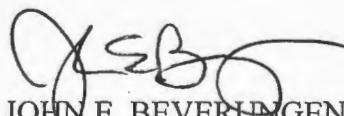
RE: Petitions for Special Hearing and Variance  
Case No.: 2012-0280-SPHA  
Property: 1703 Middleborough Road

Dear Mr. and Mrs. Welch:

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,

  
JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB:pz

Enclosure

c: David Billingsley, Central Drafting & Design, Inc., 601 Charwood Court, Edgewood MD 21040





# 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: 1703 MIDDLEBOROUGH ROAD which is presently zoned DR 3.5  
 Deed References: 20531/128 25282/201 10 Digit Tax Account # 1511000186-87  
 Property Owner(s) Printed Name(s) GARY DEAN AND JOEY ANN WELCH

(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

SEE ATTACHED

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

3. ☒ a **Variance** from Section(s)

SEE ATTACHED

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)

TO BE PRESENTED AT HEARING

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):

GARY DEAN WELCH, JOEY ANN WELCH

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

1703 MIDDLEBOROUGH RD. BALTO. MD.

Mailing Address City State

21221, 410-627-1421

Zip Code Telephone # Email Address

## Representative to be contacted:

DAVID BILLINGSLEY  
CENTRAL DRAFTING & DESIGN, INC.

Name - Type or Print

Signature

601 CHARWOOD CT. EDGEWOOD, MD.

Mailing Address City State

21040, 410-673-8719, dwb0209@yahoo.com

Zip Code Telephone # Email Address

CASE NUMBER 2012-0280-SPA Filing Date 5/4/12

Do Not Schedule Dates:

Reviewer BR/GH

**SPECIAL HEARING TO PERMIT AN ACCESSORY BUILDING (GARAGE) HAVING A FOOTPRINT OF 1600 SQUARE FEET WHICH IS LARGER THAN THE 816 SQUARE FEET OF THE PRINCIPAL USE (DWELLING)**

**VARIANCE FROM SECTIONS 400.1 AND 400.3 (BCZR) TO PERMIT AN ACCESSORY BUILDING (GARAGE) TO BE LOCATED OTHER THAN IN THE THIRD OF THE LOT FARTEST REMOVED FROM ANY STREET WITH A HEIGHT OF 19 FEET 4 INCHES IN LIEU OF THE PERMITTED 15 FEET.**

## **ZONING DESCRIPTION**

### **1703 MIDDLEBOROUGH ROAD**

Beginning at a point on the south side of Middleborough Road (variable width), distant 50 feet easterly from its intersection with the center of Hilltop Road (60 feet wide), thence (1) N 77° 50' 07" E 77.13 feet (2) N 89° 19' 17" E 23.90 feet (3) S 09° 01' 00" E 596.63 feet (4) N 84° 55' 33" W 206.05 feet (5) N 09° 01' 00" W 139.27 feet (6) 338.56 feet along a curve to the left having a radius of 530 feet and a chord bearing of N 05° 46' 16" E 332.83 feet (7) N 12° 31' 43" W 58.35 feet (8) N 32° 39' 12" E 28.37 feet and (9) N 12° 09' 53" W 5.00 feet to the place of beginning.

Containing 87,800 square feet or 2.016 acres of land, more or less.

Being located in the 15<sup>TH</sup> Election District, 6<sup>TH</sup> Councilmanic District of Baltimore County, Md.

2012 - 0280 - SPHA



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

No. **83446**  
 Date: **5/4/12**

**PAID RECEIPT**

BUSINESS AUTH. THE  
 5/07/2012 5/04/2012 09:13:02 2

REC 0505 WALKER JOHN W  
 RECEIPT # 620002 5/04/2012  
 Dept 5 520 BIDDING VERIFICATION

Q. NO. 003446  
 Recpt tot. 1150.00  
 1157.00 01  
 Baltimore County, Maryland

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

Total: **\$ 150.00**

Rec From: **Mr. Billingsley**  
 For: **2012-0280 SPHA**

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

**CASHIER'S  
 VALIDATION**



KEVIN KAMENETZ  
County Executive

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

May 29, 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: 2012-0280-SPHA**

1703 Middleborough Road

S/side of Middleborough Road, corner of Middleborough and Hilltop Roads

15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District

Legal Owners: Gary & Joedy Welch

Special Hearing to permit an accessory building (garage) having a footprint of 1600 sq. ft. which is larger than the 816 sq. ft. of the principal use (dwelling). Variance to permit an accessory building (garage) to be located other than in the third of the lot farthest removed from any street with a height of 19 feet 4 inches in lieu of the permitted 15 feet.

Hearing: Monday, June 25, 2012 at 11:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon  
Director

AJ:kl

C: Mr. & Mrs. Welch, 1703 Middleborough Road, Baltimore 21221  
David Billingsley, 601 Charwood Court, Edgewood 21040

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JUNE 5, 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, June 5, 2012 Issue - Jeffersonian

Please forward billing to:

Gary Welch  
1703 Middleborough Road  
Baltimore, MD 21221

410-627-1421

---

### 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: 2012-0280-SPHA**

1703 Middleborough Road

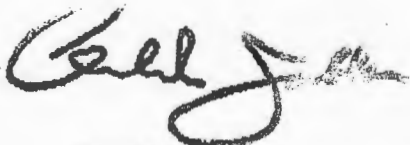
S/side of Middleborough Road, corner of Middleborough and Hilltop Roads

15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District

Legal Owners: Gary & Joedy Welch

Special Hearing to permit an accessory building (garage) having a footprint of 1600 sq. ft. which is larger than the 816 sq. ft. of the principal use (dwelling). Variance to permit an accessory building (garage) to be located other than in the third of the lot farthest removed from any street with a height of 19 feet 4 inches in lieu of the permitted 15 feet.

Hearing: Monday, June 25, 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 AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW**

**ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS**

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor 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: 2012-0280-SPHA  
Petitioner: GARY WELCH  
Address or Location: 1703 MIDDLEBOROUGH RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: GARY WELSH  
Address: 1703 MIDDLEBOROUGH RD  
BALTO., MD. 21221  
Telephone Number: (410) 627-1424

CERTIFICATE OF POSTING

RE: Case No 2012-0280-SPHA

Petitioner/Developer DAVE  
BILLINGSLEY

Date Of Hearing/Closing: 4/25/12

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 penalties of perjury that the necessary  
sign(s) required by law were posted conspicuously on the property  
at 1703 MIDDLEBOROUGH RD

This sign(s) were posted on

June 5, 2012  
Month, Day, Year

Sincerely,

Martin Ogle 6/5/12  
Signature of Sign Poster and Date

Martin Ogle  
60 Chelmsford Court  
Baltimore, Md, 21220  
443-629-3411

# ZONING NOTICE

CASE # 2012-0280-SPHA

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

ROOM 205 JEFFERSON BUILDING 105 WEST  
PLACE: CHESAPEAKE AVENUE, TOWSON 21204  
DATE AND TIME: MONDAY, JUNE 25, 2012  
AT 11:00 A.M.  
REQUEST: SPECIAL HEARING TO PERMIT AN ACCESSORY  
BUILDING (GARAGE) HAVING A FOOTPRINT OF  
1600 SQ. FT. WHICH IS LARGER THAN 816 SQ. FT. OF THE  
PRINCIPAL USE (DWELLING) VARIANCE TO PERMIT AN  
ACCESSORY BUILDING (GARAGE) TO BE LOCATED OTHER  
THAN IN THE THIRD OF THE LOT FARTEST REMOVED FROM  
ANY STREET WITH A HEIGHT OF 19 FEET 4 INCHES IN  
LIEU OF THE PERMITTED 15 FEET

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.  
TO CONFIRM HEARING CALL 887-3391

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

06/05/2012

*Y. J. Smith* 4/5/12



**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: # 2012-0280-SPHA  
1703 Middleborough Road  
S/side of Middleborough Road, corner of Middleborough and Hilltop Roads  
15th Election District -- 6th Councilmanic District  
Legal Owner(s): Gary & Joedy Welch

**Special Hearing** to permit an accessory building (garage) having a footprint of 1600 sq. ft. which is larger than the 816 sq. ft. of the principal use (dwelling). **Variance** to permit an accessory building (garage) to be located other than in the third of the lot farthest removed from any street with a height of 19 feet 4 inches in lieu of the permitted 15 feet.

Hearing: Monday, June 25, 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 06/623 June 5 303869

**CERTIFICATE OF PUBLICATION**

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 6/5/, 2012.

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

S. Wilkinson

LEGAL ADVERTISING

Case No.: 2012-0280-A

Exhibit Sheet

Petitioner/Developer

Protestant

|              |                                     |  |
|--------------|-------------------------------------|--|
| No. 1        | Site Plan                           |  |
| No. 2        | 2a > SDAT<br>2b printouts           |  |
| No. 3        | SDAT TAX PARCEL<br>MAP              |  |
| No. 4        | Deed                                |  |
| No. 5        | Aerial Photo                        |  |
| No. 6<br>A-H | Color Photos of<br>subject property |  |
| No. 7        | Photo - existing<br>garage          |  |
| No. 8        | Photo - existing<br>driveway        |  |
| No. 9        | Building elevations                 |  |
| No. 10       |                                     |  |
| No. 11       |                                     |  |
| No. 12       |                                     |  |

JB  
6/25  
11am

6/25/12  
pg

GW 8/3/12

## **PETITIONER'S EXHIBITS**

**1703 MIDDLEBOROUGH ROAD  
CASE NO. 2012-0280-SPHA**

- 1. PLAT TO ACCOMPANY PETITION DATED MAY 2, 2012 (NO CHANGES)**
- 2 a –b. SDAT REAL PROPERTY DATA SEARCH FOR SUBJECT PROPERTY**
- 3. TAX MAP 0097 WITH PROPERTY CROSS HATCHED IN RED**
- 4. DEED OF RECORD L.25282 F.201**
- 5. AERIAL PHOTO**
- 6 a –h. PHOTOS OF SITE**
- 7. PETITIONER'S HISTORIC VEHICLE**
- 8. PETITIONER'S HISTORIC VEHICLE**
- 9. ELEVATIONS OF PROPOSED GARAGE**



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

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

**Account Identifier:** District - 15 Account Number - 1511000187

**Owner Information**

**Owner Name:** WELCH GARY DEAN **Use:** RESIDENTIAL  
WELCH JOEDY ANN **Principal Residence:** YES  
**Mailing Address:** 1703 MIDDLEBOROUGH RD **Deed Reference:** 1)/25282/ 00201  
BALTIMORE MD 21221-3011 2)

**Location & Structure Information**

**Premises Address** **Legal Description**  
1703 MIDDLEBOROUGH RD 1.3698 AC PT LT 59  
0-0000 1703 MIDDLEBOROUGH RD  
HILLTOP PARK

| Map  | Grid | Parcel | Sub District | Subdivision | Section | Block | Lot | Assessment Area | Plat No:                   |
|------|------|--------|--------------|-------------|---------|-------|-----|-----------------|----------------------------|
| 0097 | 0006 | 0418   |              | 0000        |         |       | 59  | 3               | <b>Plat Ref:</b> 0008/0032 |

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

| Primary Structure Built | Enclosed Area | Property Land Area | County Use |
|-------------------------|---------------|--------------------|------------|
| 1948                    | 1,244 SF      | 1.3700 AC          | 04         |

| Stories  | Basement | Type                 | Exterior |
|----------|----------|----------------------|----------|
| 1.500000 | YES      | STANDARD UNIT SIDING |          |

**Value Information**

|                           | Base Value | Value      | Phase-in Assessments |            |
|---------------------------|------------|------------|----------------------|------------|
|                           |            | As Of      | As Of                | As Of      |
|                           |            | 01/01/2012 | 07/01/2011           | 07/01/2012 |
| <b>Land</b>               | 86,000     | 86,000     |                      |            |
| <b>Improvements:</b>      | 166,500    | 90,800     |                      |            |
| <b>Total:</b>             | 252,500    | 176,800    | 252,600              | 176,800    |
| <b>Preferential Land:</b> | 0          |            |                      | 0          |

**Transfer Information**

| Seller:                            | Date:                       | Price:        |
|------------------------------------|-----------------------------|---------------|
| WELCH GARY DEAN                    | 03/01/2007                  | \$0           |
| <b>Type:</b> NON-ARMS LENGTH OTHER | <b>Deed1:</b> /25282/ 00201 | <b>Deed2:</b> |
| BOYER THEODORE P,TR                | 08/12/2004                  | \$250,000     |
| <b>Type:</b> ARMS LENGTH MULTIPLE  | <b>Deed1:</b> /20531/ 00128 | <b>Deed2:</b> |
| KANIS ANNA M                       | 01/26/1998                  | \$0           |
| <b>Type:</b> NON-ARMS LENGTH OTHER | <b>Deed1:</b> /12627/ 00733 | <b>Deed2:</b> |

**Exemption Information**

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

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

**Homestead Application Information**

**Homestead Application Status:** No Application

**PETITIONER'S**  
**EXHIBIT NO. 2a**

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

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

Account Identifier:

District - 15 Account Number - 1511000186

Owner Information

Owner Name: WELCH GARY DEAN Use: RESIDENTIAL  
Principal Residence: NO  
Mailing Address: 1703 MIDDLEBOROUGH RD  
BALTIMORE MD 21221-3011 Deed Reference: 1)/20531/ 00128  
2)

Location & Structure Information

Premises Address  
1703 MIDDLEBOROUGH RD  
0-0000

Legal Description  
.7893 AC PT LT 60  
1703 MIDDLEBOROUGH RD  
HILLTOP PARK

| Map  | Grid | Parcel | Sub District | Subdivision | Section | Block | Lot | Assessment Area | Plat No:            |
|------|------|--------|--------------|-------------|---------|-------|-----|-----------------|---------------------|
| 0097 | 0006 | 0418   |              | 0000        |         |       | 60  | 3               | Plat Ref: 0008/0032 |

Special Tax Areas Town NONE  
Ad Valorem  
Tax Class

Primary Structure Built Enclosed Area Property Land Area County Use  
34,383 SF 04

Stories Basement Type Exterior

Value Information

|                           | Base Value | Value      | Phase-in Assessments |            |
|---------------------------|------------|------------|----------------------|------------|
|                           |            | As Of      | As Of                | As Of      |
|                           |            | 01/01/2012 | 07/01/2011           | 07/01/2012 |
| <u>Land</u>               | 62,500     | 62,500     |                      |            |
| <u>Improvements:</u>      | 0          | 0          |                      |            |
| <u>Total:</u>             | 62,500     | 62,500     | 62,500               | 62,500     |
| <u>Preferential Land:</u> | 0          |            |                      | 0          |

Transfer Information

|                |                       |               |               |               |           |
|----------------|-----------------------|---------------|---------------|---------------|-----------|
| <u>Seller:</u> | BOYER THEODORE P,TR   | <u>Date:</u>  | 08/12/2004    | <u>Price:</u> | \$250,000 |
| <u>Type:</u>   | ARMS LENGTH MULTIPLE  | <u>Deed1:</u> | /20531/ 00128 | <u>Deed2:</u> |           |
| <u>Seller:</u> | KANIS ANNA M          | <u>Date:</u>  | 01/26/1998    | <u>Price:</u> | \$0       |
| <u>Type:</u>   | NON-ARMS LENGTH OTHER | <u>Deed1:</u> | /12627/ 00733 | <u>Deed2:</u> |           |
| <u>Seller:</u> | KANIS ANNA M          | <u>Date:</u>  | 10/25/1995    | <u>Price:</u> | \$0       |
| <u>Type:</u>   | NON-ARMS LENGTH OTHER | <u>Deed1:</u> | /11271/ 00734 | <u>Deed2:</u> |           |

Exemption Information

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

Tax Exempt: Special Tax Recapture:  
Exempt Class: NONE

Homestead Application Information

Homestead Application Status: No Application

PETITIONER'S  
EXHIBIT NO. **2b**

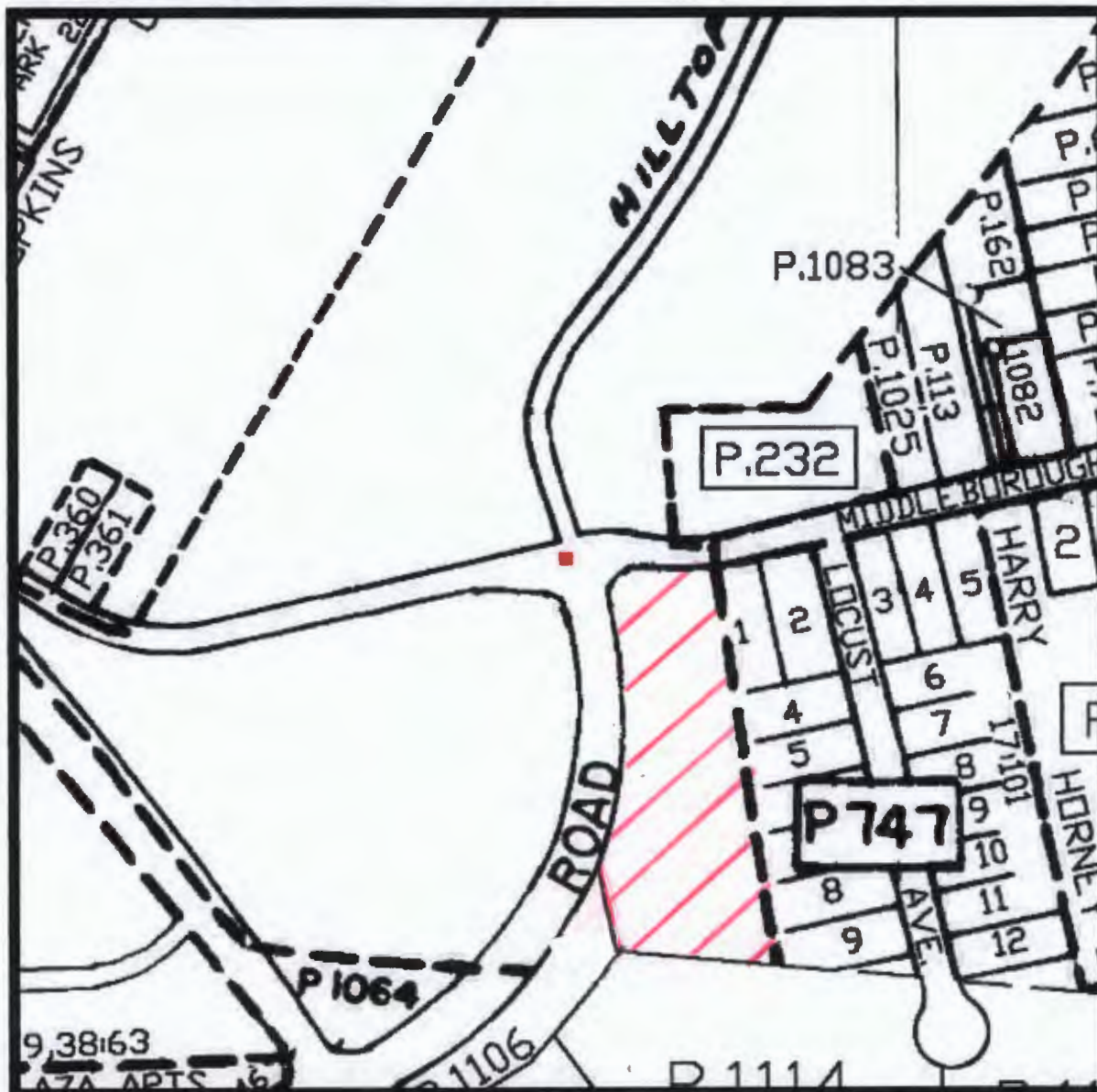




**Maryland Department of Assessments and Taxation**  
**BALTIMORE COUNTY**  
**Real Property Data Search**

[Go Back](#)  
[View Map](#)  
[New Search](#)

**District - 15 Account Number - 1511000187**



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at [www.plats.net](http://www.plats.net).

Property maps provided courtesy of the Maryland Department of Planning ©2010.  
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site at [www.mdp.state.md.us/OurProducts/OurProducts.shtml](http://www.mdp.state.md.us/OurProducts/OurProducts.shtml)

**PETITIONER'S**  
**EXHIBIT NO. 3**



**TITLE WAVE Title Solutions, LLC**  
File No. 07-01-34  
Tax ID # 15-1511000187

0025282 201

①

**This Deed**, made this 7th day of February, 2007, by and between GARY DEAN WELCH, party of the first part, Grantor; and GARY DEAN WELCH and JOEDY ANN WELCH, parties of the second part, Grantees.

- Witnesseth -

That for and in consideration of the sum of No And 00/100 Dollars (\$.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantor does grant and convey to the said GARY DEAN WELCH and JOEDY ANN WELCH, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, in fee simple, all that lot of ground situate in the County of Baltimore, State of Maryland and described as follows, that is to say:

BEING all those two lots or parcels of ground known and designated as Lots No. 59 and 60 on the plat of "Hilltop Park", which Plat is recorded among the Plat Records of Baltimore County W.P.C. No. 8 folio 32. The improvements thereon being known as no. 1703 Middleborough Road. SAVING AND EXCEPTING therefrom so much of land thereof described in and Inquisition dated December 19, 1990 and recorded among the Land Records of Baltimore County in Liber S.M. No. 8692, folio 505.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said GARY DEAN WELCH and JOEDY ANN WELCH, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, in fee simple.

And the said party of the first part hereby covenants that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he will warrant specially the property hereby granted; and that he will execute such further assurances of the same as may be requisite.

PETITIONER'S  
EXHIBIT NO. 4





1701 Middleborough  
Road

PETITIONER'S  
**EXHIBIT NO. 5**

Created By  
Baltimore County  
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.





6a



6b





6c



6d





6e



6f





6g



6h





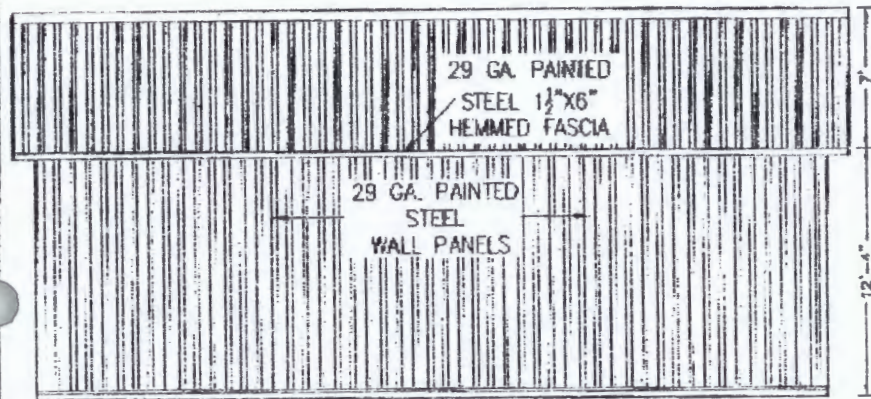
PETITIONER'S  
EXHIBIT NO. 7



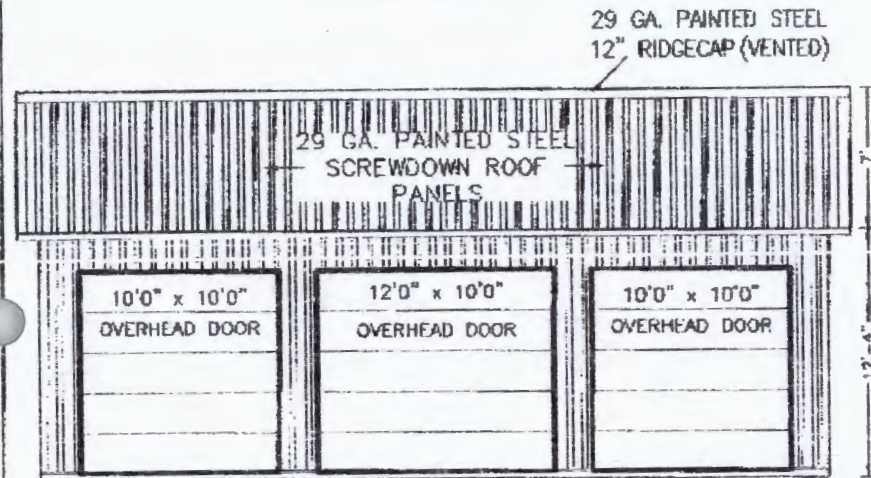


PETITIONER'S  
EXHIBIT NO. **8**

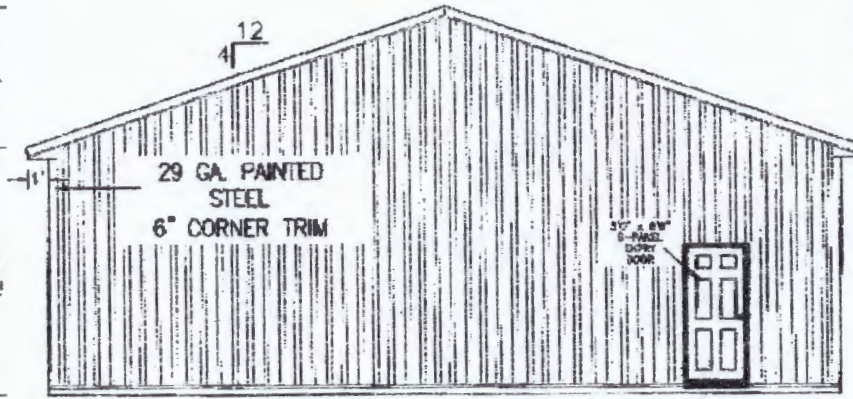




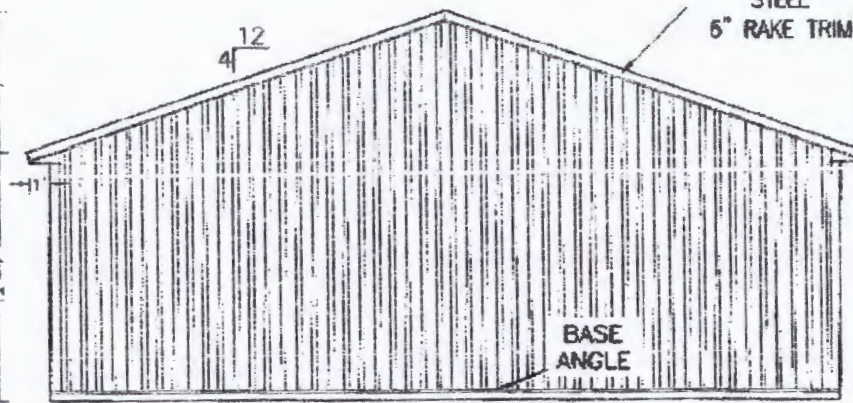
BACK SIDEWALL  
SCALE: 1/8" = 1'0"



FRONT SIDEWALL  
SCALE: 1/8" = 1'0"



LEFT ENDWALL  
SCALE: 1/8" = 1'0"



RIGHT ENDWALL  
SCALE: 1/8" = 1'0"

PETITIONER'S  
EXHIBIT NO. 9



OWNER

GARY WELCH  
BALTIMORE COUNTY MD

ALL INFORMATION SHOWN ON THIS DRAWING IS THE PROPERTY OF SHINK POLE BUILDINGS, LLC. THE DRAWING MAY NOT BE REPRODUCED WITHOUT PERMISSION. OWNER AND ARCHITECT ARE RESPONSIBLE TO VERIFY ALL DIMENSIONS BEFORE CONSTRUCTION.

DRAWN BY: ALS  
REVIEWED:  
REVISIONS:

DATE: 04/25/12  
SITE: WELCH  
ELEVATIONS

A.2



**M E M O R A N D U M**

DATE: August 3, 2012  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2012-0280-SPHA - Appeal Period Expired

---

The appeal period for the above-referenced case expired on July 26, 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 1703 MIDDLEBOROUGH RD  
CASE NUMBER 2012-0280 SPHA  
DATE JUNE 25, 2012

[illegible]



CHECKLIST

| <u>Comment<br/>Received</u>     | <u>Department</u>                                                     | <u>Support/Oppose/<br/>Conditions/<br/>Comments/<br/>No Comment</u> |
|---------------------------------|-----------------------------------------------------------------------|---------------------------------------------------------------------|
| <u>5-17</u>                     | DEVELOPMENT PLANS REVIEW<br>(if not received, date e-mail sent _____) | <u>Ne</u>                                                           |
| _____                           | DEPS<br>(if not received, date e-mail sent _____)                     | _____                                                               |
| _____                           | FIRE DEPARTMENT                                                       | _____                                                               |
| _____                           | PLANNING<br>(if not received, date e-mail sent _____)                 | _____                                                               |
| <u>5-15</u>                     | STATE HIGHWAY ADMINISTRATION                                          | <u>No objection</u>                                                 |
| _____                           | TRAFFIC ENGINEERING                                                   | _____                                                               |
| _____                           | COMMUNITY ASSOCIATION                                                 | _____                                                               |
| _____                           | ADJACENT PROPERTY OWNERS                                              | _____                                                               |
| <hr/>                           |                                                                       |                                                                     |
| ZONING VIOLATION                | (Case No. _____)                                                      |                                                                     |
| PRIOR ZONING                    | (Case No. _____)                                                      |                                                                     |
| <hr/>                           |                                                                       |                                                                     |
| NEWSPAPER ADVERTISEMENT         | Date: <u>6-5-12</u>                                                   |                                                                     |
| SIGN POSTING                    | Date: <u>6-5-12</u> by <u>Ogle</u>                                    |                                                                     |
| <hr/>                           |                                                                       |                                                                     |
| PEOPLE'S COUNSEL APPEARANCE     | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>   |                                                                     |
| PEOPLE'S COUNSEL COMMENT LETTER | Yes <input type="checkbox"/> No <input type="checkbox"/>              |                                                                     |

Comments, if any: \_\_\_\_\_

**Debra Wiley - ZAC Comments - Distribution Mtg. of May 14th**

---

**From:** Debra Wiley  
**To:** Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...  
**Date:** 5/21/2012 12:56 PM  
**Subject:** ZAC Comments - Distribution Mtg. of May 14th

---

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.

2012-0243-A - 6600 Baltimore National Pike  
Hearing Date: 6/14 @ 10 AM

2012-0278-A - 60/58 Bond Avenue  
No hearing date assigned in data base as of today

2012-0279-A - 3732 Parkfield Road  
Administrative Variance - Closing Date: 5/28

2012-0280-A - 1703 Middleborough Rd.  
No hearing date assigned in data base as of today

2012-0281-A - 5325 Campbell Blvd.  
No hearing date assigned in data base as of today

2012-0282-A - 4105 Pine Hill Rd.  
Administrative Variance - Closing Date: No date in data base

2012-0283-A - 180 Clinton Sq.  
No hearing date assigned in data base as of today

2012-0287-A - 3822 New Section Rd.  
Administrative Variance - Closing Date: 6/4

2012-0288-A - 5600, 5601, 5603 & 5605 Country Farm Rd.  
No hearing date assigned in data base as of today

Thanks.

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



Maryland Department of Assessments and Taxation  
Real Property Data Search (vw2.2A)  
BALTIMORE COUNTY

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

**Account Identifier:** District - 15 Account Number - 1511000187

**Owner Information**

**Owner Name:** WELCH GARY DEAN  
WELCH JOEDY ANN  
**Use:** RESIDENTIAL  
**Principal Residence:** YES  
**Mailing Address:** 1703 MIDDLEBOROUGH RD  
BALTIMORE MD 21221-3011  
**Deed Reference:** 1) /25282/ 00201  
2)

**Location & Structure Information**

**Premises Address** 1703 MIDDLEBOROUGH RD  
0-0000  
**Legal Description** 1.3698 AC PT LT 59  
1703 MIDDLEBOROUGH RD  
HILLTOP PARK

| Map  | Grid | Parcel | Sub District | Subdivision | Section | Block | Lot | Assessment Area | Plat No:            |
|------|------|--------|--------------|-------------|---------|-------|-----|-----------------|---------------------|
| 0097 | 0006 | 0418   |              | 0000        |         |       | 59  | 3               | Plat Ref: 0008/0032 |

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

| Primary Structure Built | Enclosed Area | Property Land Area | County Use |
|-------------------------|---------------|--------------------|------------|
| 1948                    | 1,244 SF      | 1.3700 AC          | 04         |

| Stories  | Basement | Type                 | Exterior |
|----------|----------|----------------------|----------|
| 1.500000 | YES      | STANDARD UNIT SIDING |          |

**Value Information**

|                           | Base Value | Value      | Phase-in Assessments |            |
|---------------------------|------------|------------|----------------------|------------|
|                           |            | As Of      | As Of                | As Of      |
|                           |            | 01/01/2012 | 07/01/2011           | 07/01/2012 |
| <b>Land</b>               | 86,000     | 86,000     |                      |            |
| <b>Improvements:</b>      | 166,500    | 90,800     |                      |            |
| <b>Total:</b>             | 252,500    | 176,800    | 252,600              | 176,800    |
| <b>Preferential Land:</b> | 0          |            |                      | 0          |

**Transfer Information**

|                                    |                             |                         |
|------------------------------------|-----------------------------|-------------------------|
| <b>Seller:</b> WELCH GARY DEAN     | <b>Date:</b> 03/01/2007     | <b>Price:</b> \$0       |
| <b>Type:</b> NON-ARMS LENGTH OTHER | <b>Deed1:</b> /25282/ 00201 | <b>Deed2:</b>           |
| <b>Seller:</b> BOYER THEODORE P,TR | <b>Date:</b> 08/12/2004     | <b>Price:</b> \$250,000 |
| <b>Type:</b> ARMS LENGTH MULTIPLE  | <b>Deed1:</b> /20531/ 00128 | <b>Deed2:</b>           |
| <b>Seller:</b> KANIS ANNA M        | <b>Date:</b> 01/26/1998     | <b>Price:</b> \$0       |
| <b>Type:</b> NON-ARMS LENGTH OTHER | <b>Deed1:</b> /12627/ 00733 | <b>Deed2:</b>           |

**Exemption Information**

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

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

**Homestead Application Information**

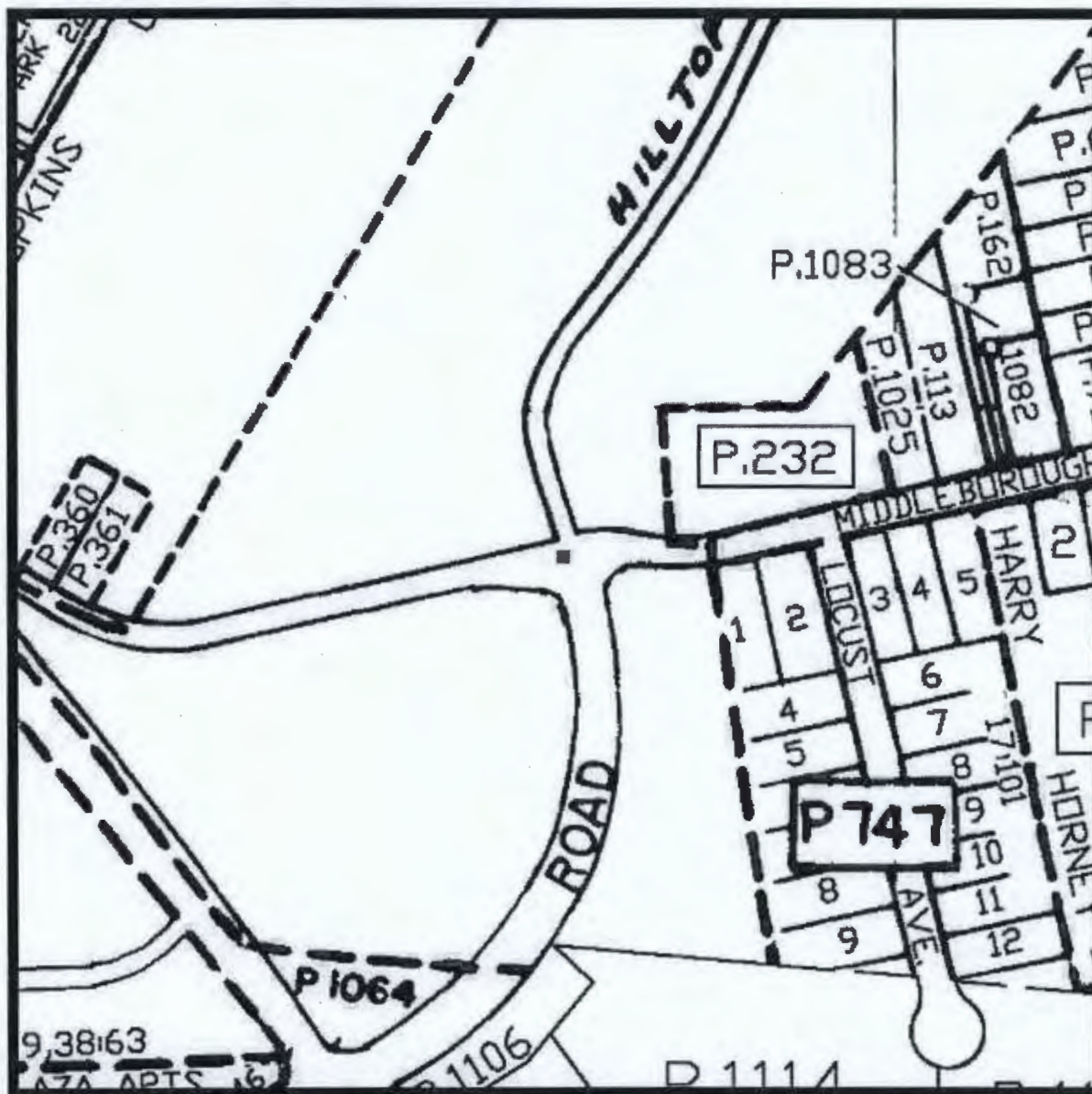
**Homestead Application Status:** No Application



**Maryland Department of Assessments and Taxation**  
**BALTIMORE COUNTY**  
**Real Property Data Search**

[Go Back](#)  
[View Map](#)  
[New Search](#)

**District - 15 Account Number - 1511000187**



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at [www.plats.net](http://www.plats.net).

Property maps provided courtesy of the Maryland Department of Planning ©2010.  
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site at [www.mdp.state.md.us/OurProducts/OurProducts.shtml](http://www.mdp.state.md.us/OurProducts/OurProducts.shtml)



Maryland Department of Assessments and Taxation  
Real Property Data Search (vw1.1A)  
BALTIMORE COUNTY

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

**Account Identifier:** District - 15 Account Number - 1511000186

**Owner Information**

**Owner Name:** WELCH GARY DEAN **Use:** RESIDENTIAL  
**Mailing Address:** 1703 MIDDLEBOROUGH RD **Principal Residence:** NO  
BALTIMORE MD 21221-3011 **Deed Reference:** 1) /20531/ 00128  
2)

**Location & Structure Information**

**Premises Address** **Legal Description**  
1703 MIDDLEBOROUGH RD .7893 AC PT LT 60  
0-0000 1703 MIDDLEBOROUGH RD  
HILLTOP PARK

| Map  | Grid | Parcel | Sub District | Subdivision | Section | Block | Lot | Assessment Area | Plat No:            |
|------|------|--------|--------------|-------------|---------|-------|-----|-----------------|---------------------|
| 0097 | 0006 | 0418   |              | 0000        |         |       | 60  | 3               | Plat Ref: 0008/0032 |

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

**Primary Structure Built** **Enclosed Area** **Property Land Area** **County Use**  
34,383 SF 04

**Stories** **Basement** **Type** **Exterior**

**Value Information**

|                           | Base Value | Value      | Phase-in Assessments |            |
|---------------------------|------------|------------|----------------------|------------|
|                           |            | As Of      | As Of                | As Of      |
|                           |            | 01/01/2012 | 07/01/2011           | 07/01/2012 |
| <b>Land</b>               | 62,500     | 62,500     |                      |            |
| <b>Improvements:</b>      | 0          | 0          |                      |            |
| <b>Total:</b>             | 62,500     | 62,500     | 62,500               | 62,500     |
| <b>Preferential Land:</b> | 0          |            |                      | 0          |

**Transfer Information**

|                                    |                             |                         |
|------------------------------------|-----------------------------|-------------------------|
| <b>Seller:</b> BOYER THEODORE P,TR | <b>Date:</b> 08/12/2004     | <b>Price:</b> \$250,000 |
| <b>Type:</b> ARMS LENGTH MULTIPLE  | <b>Deed1:</b> /20531/ 00128 | <b>Deed2:</b>           |
| <b>Seller:</b> KANIS ANNA M        | <b>Date:</b> 01/26/1998     | <b>Price:</b> \$0       |
| <b>Type:</b> NON-ARMS LENGTH OTHER | <b>Deed1:</b> /12627/ 00733 | <b>Deed2:</b>           |
| <b>Seller:</b> KANIS ANNA M        | <b>Date:</b> 10/25/1995     | <b>Price:</b> \$0       |
| <b>Type:</b> NON-ARMS LENGTH OTHER | <b>Deed1:</b> /11271/ 00734 | <b>Deed2:</b>           |

**Exemption Information**

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

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

**Homestead Application Information**

**Homestead Application Status:** No Application







KEVIN KAMENETZ  
County Executive

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

June 20, 2012

Gary Dean & Joedy Ann Welch  
1703 Middleborough Road  
Baltimore, MD 21221

RE: Case Number: 2012-0280-SPHA, Address: 1703 Middleborough Road, 21221

Dear Mr. & Ms. Welch:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 4, 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  
David Billingsly, Central Drafting & Design, Inc., 601 Charwood Ct., Edgewood, MD 21040

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



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

Date: 5-15-12

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

RE: Baltimore County  
Item No 2012-0280-A  
Special Hearing Variance  
Gary Dean & Joedy Ann Welch  
1703 Middleborough 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. 2012-0280-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:** May 17, 2012

**FROM:** Dennis A. Kennedy<sup>DAK</sup>, Supervisor  
Bureau of Development Plans  
Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For May 28, 2012  
Item Nos. 2012-0243, 0278, 0279, 0280, 0281, 0282, 0283  
And 0288

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-05282012-NO COMMENTS.doc

RE: PETITION FOR VARIANCE  
1703 Middleborough Rd; S/side Middleborough  
Road, Corner of Middleborough & Hilltop Rds\*  
15<sup>th</sup> Election & 6<sup>th</sup> Councilmanic Districts  
Legal Owners: Gary Dean & Joedy Ann Welch\*  
Petitioner(s)

\* BEFORE THE OFFICE  
OF ADMINSTRATIVE  
HEARINGS FOR  
\* BALTIMORE COUNTY  
\* 2012-280-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

MAY 21 2012

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 21st day of May, 2012, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, Central Drafting & Design, Inc, 601 Charwood Court, Edgewood, Maryland 21040, Representative for Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

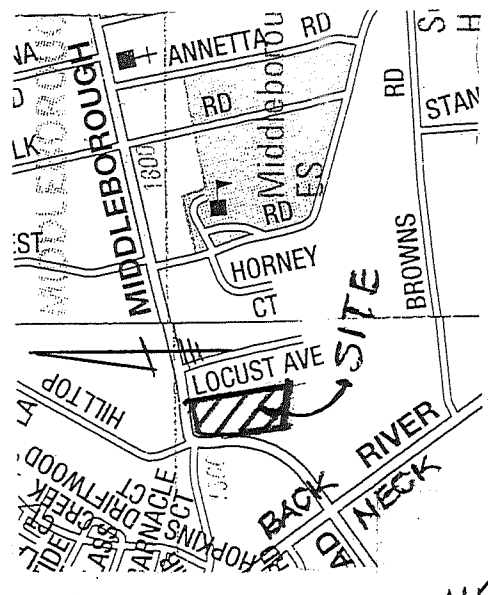




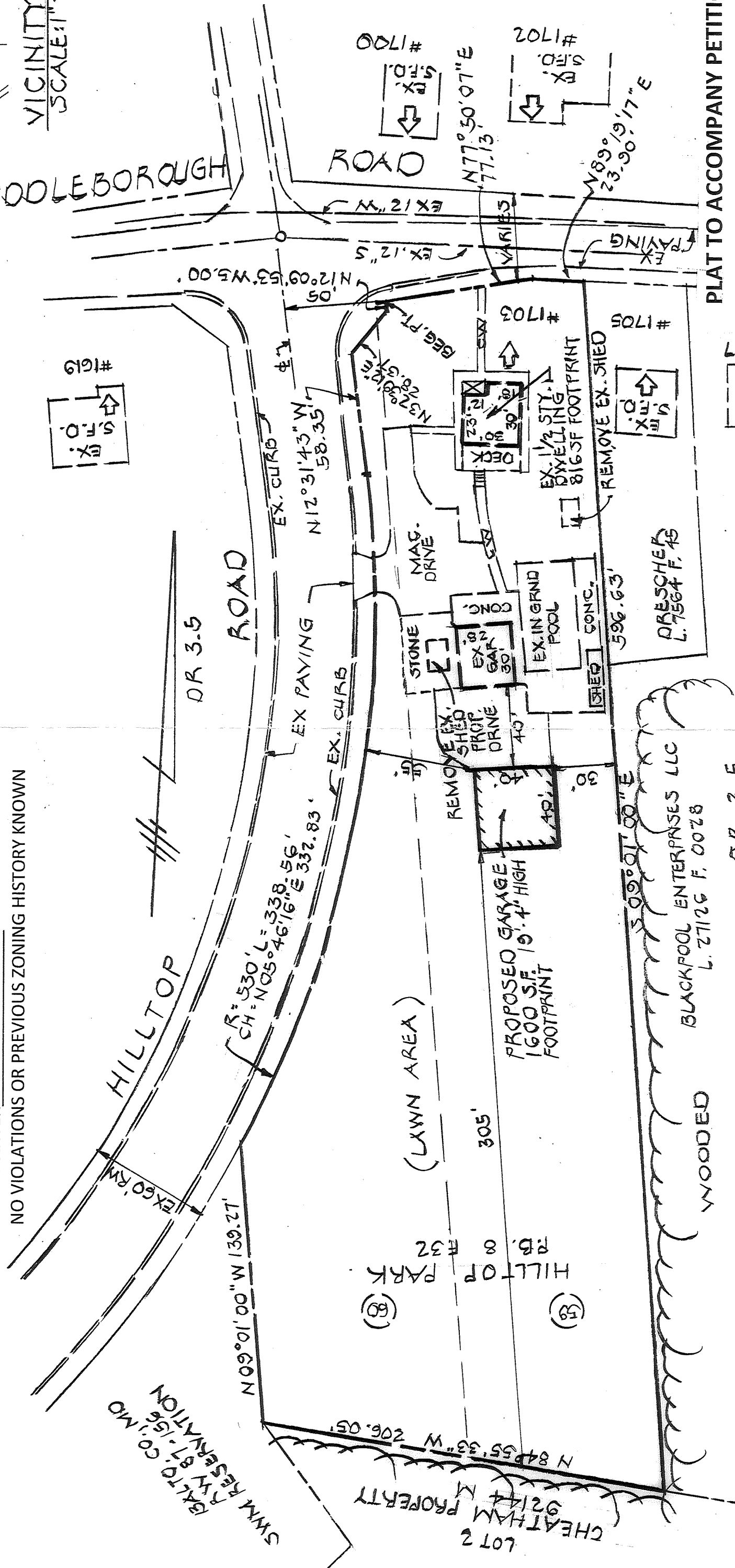
ZONING MAP # 09781  
SITE ZONED DR 3.5  
ELECTION DISTRICT 15  
COUNCIL DISTRICT 6  
LOT AREA 87,800 SF = 2.016 AC ±  
HISTORIC NO  
CBCA NO  
FLOOD PLAIN NO  
PUBLIC WATER YES  
PUBLIC SEWER YES

NO VIOLATIONS OR PREVIOUS ZONING HISTORY KNOWN

OWNERS  
GARY DEAN AND JOEDY ANN WELSH  
1703 MIDDLEBOROUGH ROAD  
BALTIMORE, MD. 21221  
DEED REF: 20531/128 & 25282/201  
PROPERTY NO. 1511000186 & 87



VICINITY MAP  
SCALE: 1" = 1000'



CENTRAL DRAFTING & DESIGN, INC.  
601 CHARWOOD COURT  
EDGEWOOD, MD 21040  
(410) 679-8719

PETITIONER'S  
EXHIBIT NO. 1

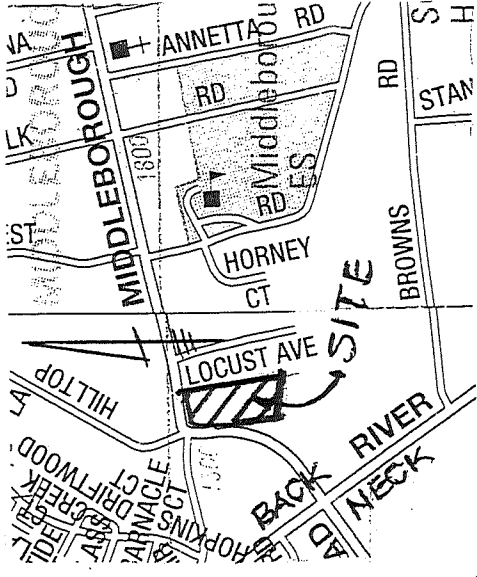
PLAT TO ACCOMPANY PETITION FOR  
SPECIAL HEARING AND VARIANCE  
1703 MIDDLEBOROUGH ROAD  
ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD.  
SCALE: 1 INCH = 50 FEET MAY 2, 2012



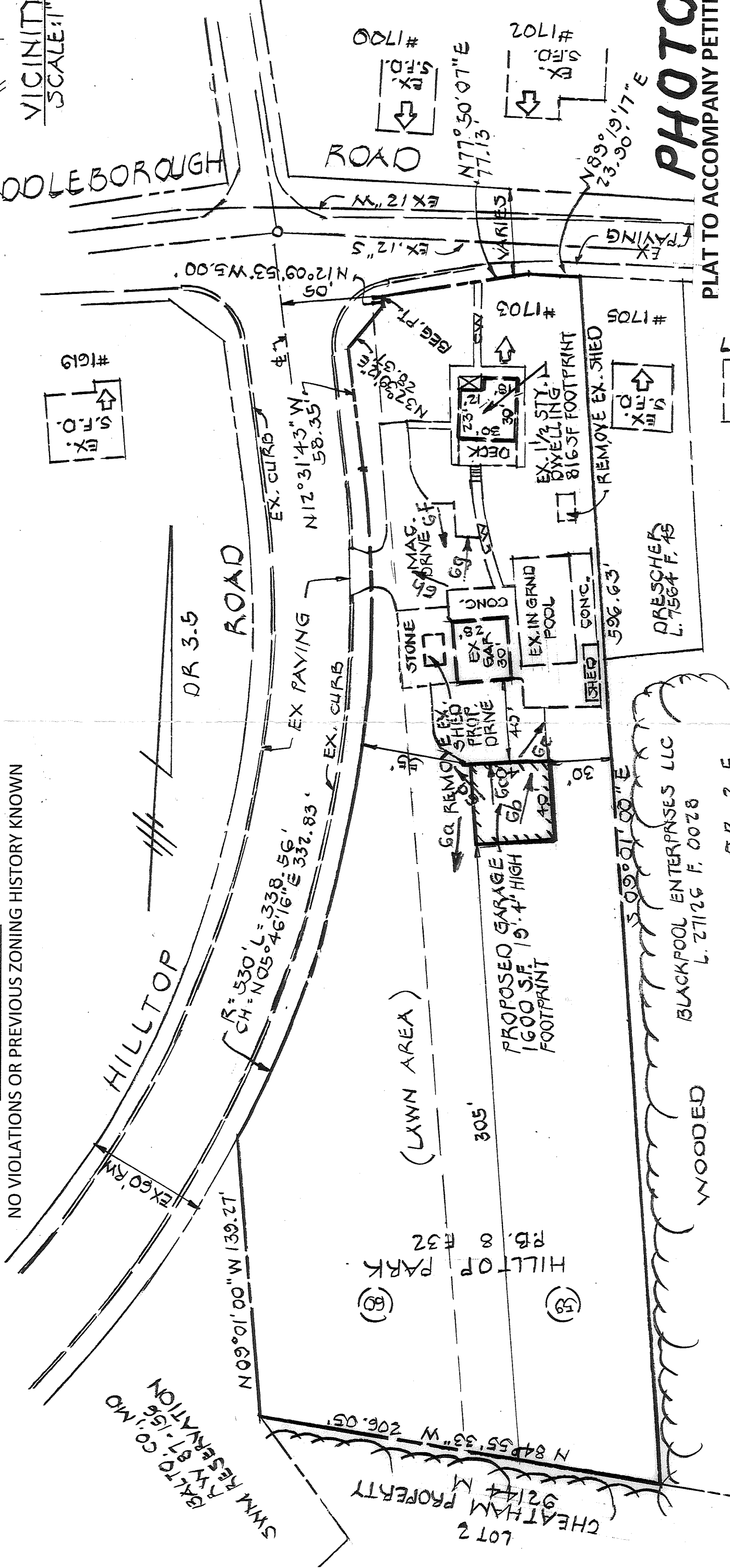
ZONING MAP # 09761  
SITE ZONED DR 3.5  
ELECTION DISTRICT 15  
COUNCIL DISTRICT 6  
LOT AREA 87,800 SF = 2.016 AC ±  
HISTORIC NO  
CBCA NO  
FLOOD PLAIN NO  
PUBLIC WATER YES  
PUBLIC SEWER YES

NO VIOLATIONS OR PREVIOUS ZONING HISTORY KNOWN

OWNERS  
GARY DEAN AND JOEDY ANN WELSH  
1703 MIDDLEBOROUGH ROAD  
BALTIMORE, MD. 21221  
DEED REF: 20531/128 & 25282/201  
PROPERTY NO. 1511000186 & 87



VICINITY MAP  
SCALE: 1" = 1000'



PHOTOS

PLAT TO ACCOMPANY PETITION FOR  
SPECIAL HEARING AND VARIANCE

PETITIONER'S  
EXHIBIT NO. 6a-h

CENTRAL DRAFTING & DESIGN, INC.

601 CHARWOOD COURT  
EDGEWOOD, MD 21040

(410) 679-8719

ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD.  
SCALE: 1 INCH = 50 FEET MAY 2, 2012

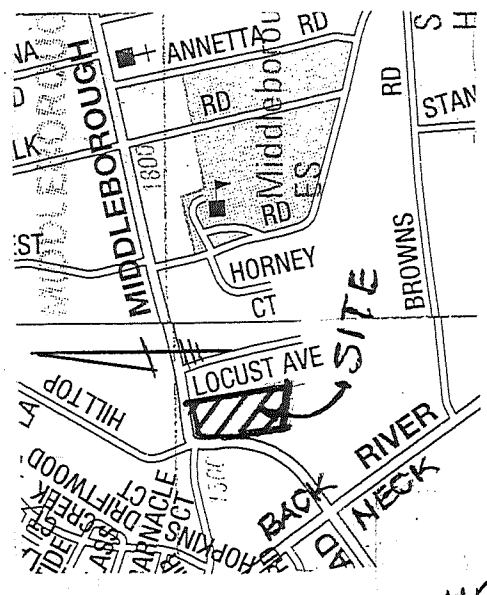




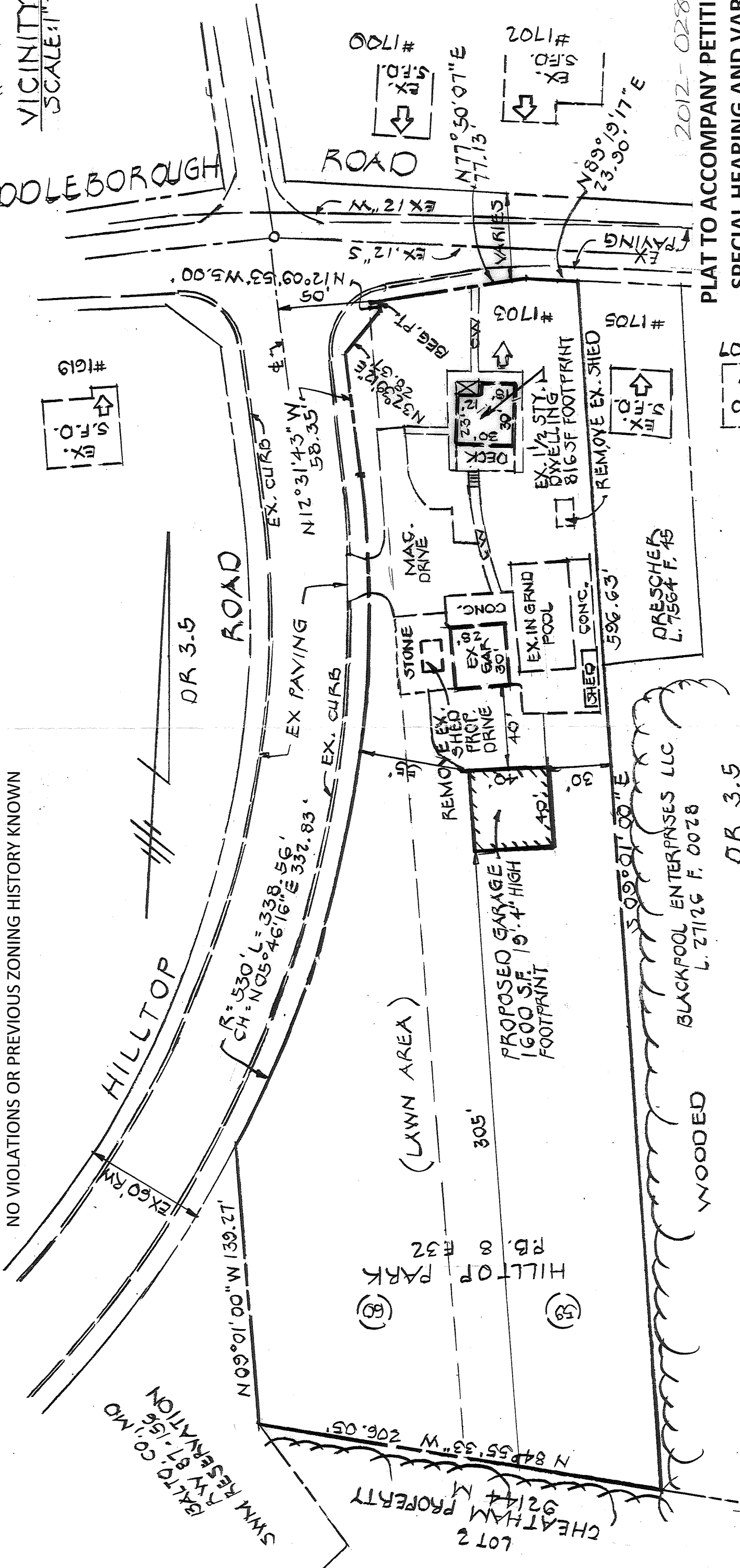
ZONING MAP # 09701  
SITE ZONED DR 3.5  
ELECTION DISTRICT 15  
COUNCIL DISTRICT 6  
LOT AREA 87,800 SF ± 2.016 AC ±  
HISTORIC NO  
CBCA NO  
FLOOD PLAIN NO  
PUBLIC WATER YES  
PUBLIC SEWER YES

NO VIOLATIONS OR PREVIOUS ZONING HISTORY KNOWN

OWNERS  
GARY DEAN AND JOEDY ANN WELSH  
1703 MIDDLEBOROUGH ROAD  
BALTIMORE, MD. 21221  
DEED REF: 20531/128 & 25282/201  
PROPERTY NO. 1511000186 & 87



VICINITY MAP  
SCALE: 1" = 1000'



CENTRAL DRAFTING & DESIGN, INC.  
601 CHARWOOD COURT  
EDGEWOOD, MD 21040  
(410) 679-8719

PLAT TO ACCOMPANY PETITION FOR  
SPECIAL HEARING AND VARIANCE  
1703 MIDDLEBOROUGH ROAD  
ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD.  
SCALE: 1 INCH = 50 FEET MAY 2, 2012

2012-0280-SP4A