



KEVIN KAMENETZ
County Executive

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

August 1, 2012

Charles L. Felbinger
8044 Bradshaw Road
Bradshaw, Maryland 21087

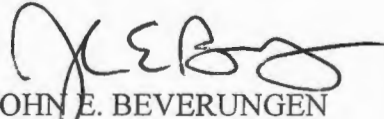
RE: Petition for Special Hearing
Case No.: 2012-0307-SPH
Property: 8044 Bradshaw Road

Dear Mr. Felbinger:

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:dlw
Enclosure

c: Kevin Felbinger, 3410 Glenside Drive, Parkville, MD 21234

IN RE: PETITION FOR SPECIAL HEARING

NE side of Bradshaw Road, 210' N of
Sandyvale Road
11th Election District
3rd Council District
(8044 Bradshaw Road)

Charles L. Felbinger, *Owner*
Kevin Felbinger, *Contract Purchaser*
Petitioners

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2012-0307-SPH

* * * * *

ORDER AND OPINION

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Special Hearing filed by the legal owner of the subject property, Charles L. Felbinger, and Kevin Felbinger, his son, who plans to purchase the home (the "Petitioners"). Petitioners are requesting Special Hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an existing dwelling to be rebuilt with side yards of 16' and 30' in lieu of the required 50', respectively as per Section 1A04.3.B.1 of the B.C.Z.R., and to allow a front yard setback of 90' in lieu of the required 100' from the center of Bradshaw Road, as per Section 1A04.3.B.1.b of the B.C.Z.R., and lastly to allow a property area of 0.487 acres in lieu of the required 1.5 acres per Section 1A04.3.B.2 of the B.C.Z.R. 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 Petitioners Charles L. Felbinger, and Kevin Felbinger. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

The Zoning Advisory Committee (ZAC) comments were received and made a part of the file. A ZAC comment was received from the Department of Environmental Protection and

ORDER RECEIVED FOR FILING

Date 8-1-12

By [Signature]

Sustainability (DEPS) on July 11, 2012, indicating that agency must review any building permit applications for the property.

In addition, a ZAC comment was received from the Department of Planning on June 28, 2012, which indicates that agency supports the requested relief, provided the Petitioners satisfy the performance standards applicable to this RC 5 zoned property.

Testimony and evidence revealed that the subject property is 0.487 acres (21,213 square feet) and is zoned RC 5. The property is improved with a single-family dwelling, and is located in the Kingsville area. Charles Felbinger, who owns the property, is now a widower and plans to move to Georgia. He will sell the property to his son and daughter-in-law, who would like to rebuild the dwelling for their family. The Petitioners presented a rendering of the home they intend to construct (Exhibit 2) and they said the home is only slightly larger than the existing dwelling, largely because an attached garage will be added.

As noted by the Department of Planning, the existing home was built before the adoption of the zoning regulations, and it does not comply at this time with area and setback regulations. The proposed home would be constructed on essentially the same footprint (*See Exhibit 1*), and is a modest sized three bedroom home with approximately 1,700 square feet of living space. There was no evidence presented to suggest that the reconstruction of the dwelling would in any way be detrimental to the community's health, safety and welfare. To the contrary, Petitioners propose to construct an attractive home that will complement the site and neighborhood.

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

THEREFORE, IT IS ORDERED, this 1st day of August, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing pursuant to Section 500.7 of the

ORDER RECEIVED FOR FILING

Date 8-1-12

By [Signature]

Baltimore County Zoning Regulations (B.C.Z.R.), to allow an existing dwelling to be rebuilt with side yards of 16' and 30' in lieu of the required 50', respectively, as per Section 1A04.3.B.1 of the B.C.Z.R., and to allow a front yard setback of 90' in lieu of the required 100' from the center of Bradshaw Road, as per Section 1A04.3.B.1.b of the B.C.Z.R. and lastly to allow a property area of 0.487 acres in lieu of the required 1.5 acres per Section 1A04.3.B.2 of the B.C.Z.R, be and is hereby GRANTED.

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:dlw

ORDER RECEIVED FOR FILING

Date 8-1-12

By DLW



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 8044 BRADSHAW ROAD which is presently zoned RC-5
Deed References: 7474/454 10 Digit Tax Account # 1119002030
Property Owner(s) Printed Name(s) CHARLES FELBINGER

(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)

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

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

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print Kevin Felbinger
Signature [Signature]
Mailing Address 3410 Glenside Dr Parkville MO
City State
Zip Code 21234 Telephone # 410-215-0225 Email Address sniperfla@comcast.net

Attorney for Petitioner:

Name- Type or Print
Signature
Date 8-1-12
Mailing Address
City State
By
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Name #1 - Type or Print Charles Felbinger Name #2 - Type or Print
Signature #1 [Signature] Signature #2
Mailing Address 8044 Bradshaw Road Bradshaw MO
City State
Zip Code 21087 Telephone # 410-592-8703 Email Address N/A

Representative to be contacted:

Name - Type or Print Brian Dietz
Signature [Signature]
Mailing Address 8119 OAKLEIGH RD BALTO. MD
City State
Zip Code 21234 Telephone # 410-661-3160 Email Address brian@dict2surveying.net

CASE NUMBER 0012-0307-SH Filing Date 6/5/2012 Do Not Schedule Dates: Reviewer JRF

Dietz Surveying
Professional Land Surveyor #21080
8119 Oakleigh Road, Parkville, MD 21234
Phone 410-661-3160 Fax 410-661-3163
www.dietzsurveying.net

June 5, 2012

Petition for Zoning Special Hearing

8044 Bradshaw Road

To allow an existing dwelling to be rebuilt with a side yard setback of 16 feet and 30 feet, ~~respectively~~ in lieu of the required 50 feet, *respectively* as per section 1A04.3.B.1.a, of the BCZR; And to allow a front yard setback of 90 feet in lieu of the required 100 feet from the center of Bradshaw Road, as per section 1A04.3.B.1.b., of the BCZR; And *JEP* lastly, to allow a property area of 0.487 of an Ac. in lieu of the required 1.5 Ac. as per section 1A04.3.B.2 of the BCZR.

Dietz Surveying
Professional Land Surveyor #21080
8119 Oakleigh Road, Parkville, MD 21234
Phone 410-661-3160 Fax 410-661-3163
www.dietzsurveying.net

June 5, 2012

Zoning Description

8044 Bradshaw Road

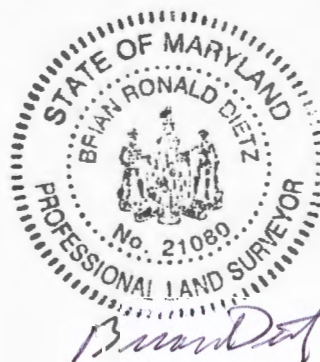
All that piece or parcel of land situate, lying and being in the 11th Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same in the center of Bradshaw Road, distant North 44 degrees 40 minutes West 210 feet, as measured along the center of Bradshaw Road, from the intersection with the center of Sandyvale Road and running thence and binding on the center of Bradshaw Road,

1. North 44 degrees 40 minutes 00 seconds West 100.58 feet, thence leaving said Road and binding on the outlines of the land of the petitioner herein, the three following courses and distances viz:
2. North 51 degrees 50 minutes 00 seconds East 212.50 feet,
3. South 44 degrees 44 minutes 00 seconds East 100.58 feet, and
4. South 51 degrees 50 minutes 00 seconds West 212.50 feet to the place of beginning.

Containing 0.487 of an Acre of land or 21,213 sq.ft. more or less.

Being the land of the petitioners herein as shown on a plat filed in the office of the Zoning Commissioners, known as 8044 Bradshaw Road



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

No. **83484**

Date: **6-5-12**

PAID RECEIPT

BUSINESS ACTUAL TIME
 6/05/2012 6/05/2012 09:32:13

REG MSD1 WALKIN IRAN KTR
 RECEIPT # 491236 6/05/2012
 Dept 5 328 ZONING VERIFICATION
 CR NO. 003484

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150						\$ 75.00

Total: **\$ 75.00**

Rec From: **FELBINGER**

For: **2012-0307-SPH**

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

Recpt Tot \$75.00
 \$75.00 CK \$1.00
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighborhood 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: 2012-0307-SPH
Petitioner: CHARLES FELBINGER
Address or Location: 8044 BRADSHAW ROAD, KINGSVILLE, MD, 21087

PLEASE FORWARD ADVERTISING BILL TO:

Name: Kevin Charles Felbinger
Address: 3410 Glenside Drive
Parkville MD 21234
Telephone Number: 410-215-0225

Debra Wiley - Case No. 2012-0307-SPH - 8044 Bradshaw Rd.

From: Debra Wiley
To: brian@dietzsurveying.net
Date: 7/25/2012 9:10 AM
Subject: Case No. 2012-0307-SPH - 8044 Bradshaw Rd.

Good Morning,

The above-referenced case is scheduled to come before our office on Tuesday, July 31st @ 11 AM.

In reviewing the case file, it appears that the proof of sign posting is missing. Please contact your sign poster and fax same to 410.887.3468.

Thanks in advance and have a great day.

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

Rec'd
Sign Posting missing

CERTIFICATE OF POSTING

2012-0307-SPH

RE: Case No.: _____

Petitioner/Developer: _____

Kevin Felbinger/Charles Felbinger

July 31, 2012

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

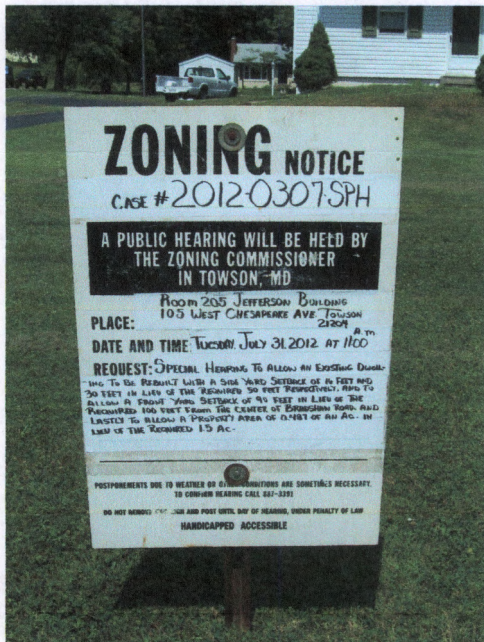
Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

8044 Bradshaw Rd

July 11, 2012

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

July 11, 2012

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

NOTICE OF ZONING HEARING

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

Case: # 2012-0307-SPH

8044 Bradshaw Road

11th Election District-3rd Councilmanic District

Legal Owner(s): Charles Felbinger

Contract Purchaser: Kevin Felbinger

Special Hearing: to allow an existing dwelling to be rebuilt with a side yard setback of 16 feet and 30 feet in lieu of the required 50 feet respectively; and to allow a front yard setback of 90 feet in lieu of the required 100 feet from the center of Bradshaw Road, and lastly to allow a property area of 0.487 of an Ac. in lieu of the required 1.5 Ac.

Hearing: Tuesday, July 31, 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 07/634 July '10

304898

CERTIFICATE OF PUBLICATION

7/12/, 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 7/10/, 2012.

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

S. Wilkins

LEGAL ADVERTISING

7/31

11AM

TO: Debra Wiley

FROM: SGT Black

RECEIVED

JUL 25 2012

OFFICE OF ADMINISTRATIVE HEARINGS

Last storm knocked out my computer and it took me an extra week to get certifications out, but should have made it to the county by now.

You may have a couple more that you may not have received yet, so please feel free to call me at 410-499-7940 and I will fax them to you if they have not gotten to you.

CERTIFICATE OF POSTING

2012-0307-SPH

RE: Case No.: _____

Petitioner/Developer: _____

Kevin Felbinger/Charles Felbinger

July 31, 2012

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were
posted conspicuously on the property located at: _____

8044 Bradshaw Rd

July 11, 2012

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

July 11, 2012

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

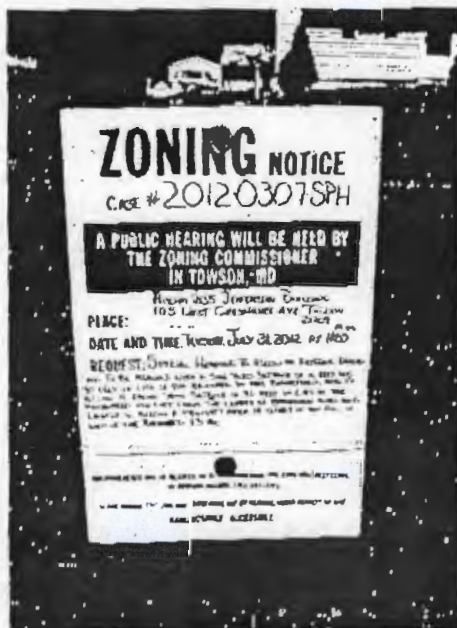
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

**PAID**



KEVIN KAMENETZ
County Executive

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

June 25, 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: 2012-0307-SPH

8044 Bradshaw Road
11th Election District – 3rd Councilmanic District
Legal Owner: Charles Felbinger
Contract Purchaser: Kevin Felbinger

Special Hearing to allow an existing dwelling to be rebuilt with a side yard setback of 16 feet and 30 feet in lieu of the required 50 feet respectively; and to allow a front yard setback of 90 feet in lieu of the required 100 feet from the center of Bradshaw road, and lastly to allow a property area of 0.487 of an Ac. in lieu of the required 1.5 Ac.

Hearing: Tuesday, July 31, 2012 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Kevin Felbinger, 3410 Glenside Drive, Parkville 21234
Charles Felbinger, 8044 Bradshaw Road, Bradshaw 21087
Brian Dietz, 8119 Oakleigh Road, Baltimore 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JULY 11, 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, July 10, 2012 Issue - Jeffersonian

Please forward billing to:
Kevin Felbinger
3410 Glenside Drive
Parkville, MD 21234

410-215-0225

NOTICE OF ZONING HEARING

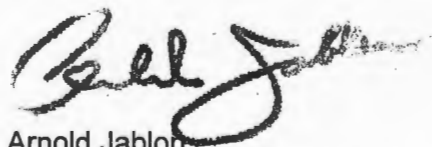
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Special Hearing to allow an existing dwelling to be rebuilt with a side yard setback of 16 feet and 30 feet in lieu of the required 50 feet respectively; and to allow a front yard setback of 90 feet in lieu of the required 100 feet from the center of Bradshaw road, and lastly to allow a property area of 0.487 of an Ac. in lieu of the required 1.5 Ac.

Hearing: Tuesday, July 31, 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 ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
8044 Bradshaw Road; NE/S Bradshaw Road, * OF ADMINISTRATIVE
distance of 210' N of Sandyvale Road * HEARINGS FOR
11th Election & 3rd Councilmanic Districts * BALTIMORE COUNTY
Legal Owner(s): Charles Felbinger *
Contract Purchaser(s): Kevin Felbinger *
Petitioner(s) * 2012-307-SPH

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED

JUN 13 2012

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of June, 2012, a copy of the foregoing Entry of Appearance was mailed to Brian Dietz, 8119 Oakleigh Road, Baltimore, MD 21234, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

MEMORANDUM

DATE: September 4, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0307-SPH - Appeal Period Expired

The appeal period for the above-referenced case expired on August 31, 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

CHECKLIST

Support/Oppose/
Conditions/
Comments/
No Comment

Comment
Received

Department

6-14

DEVELOPMENT PLANS REVIEW

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

NC

7-11

DEPS

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

Comments

FIRE DEPARTMENT

6-28

PLANNING

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

Comments

6-12

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

No objection

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: 7-12-12

SIGN POSTING

Date: 7-11-12 by Black

(Missing 7/25) Emailed Brian Dietz - Dietz Surveying 7/25

PEOPLE'S COUNSEL APPEARANCE

Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes ☐ No ☐

Comments, if any: _____

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 - 11 Account Number - 1119002030

Owner Information

Owner Name: FELBINGER CHARLES L
FELBINGER MARGARET G
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 8044 BRADSHAW RD
KINGSVILLE MD 21087-1839
Deed Reference: 1) /07474/ 00454
2)

Location & Structure Information

Premises Address
8044 BRADSHAW RD
0-0000
Legal Description
LT NES BRADSHAW RD
.487 AC
50 SE PFEIFFER RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
0064	0009	0388		0000				3	

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1940	1,131 SF	21,213 SF	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
Land	84,300	84,300		
Improvements:	97,900	66,900		
Total:	182,200	151,200	182,200	151,200
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
SHERMAN LAWRENCE R	04/03/1987	\$82,000
Type:	Deed1:	Deed2:
ARMS LENGTH IMPROVED	/07474/ 00454	
Seller:	Date:	Price:
Type:	Deed1:	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 01/20/2009

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: July 10, 2012

SUBJECT: DEPS Comment for Zoning Item # 2012-0307-SPH
Address 8044 Bradshaw Road
(Felbinger Property)

Zoning Advisory Committee Meeting of June 4, 2012.

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

1. Since this property is served by well and septic, any building permits, especially for that of a replacement house, must be reviewed by Groundwater Mgmt.

Reviewer: *Dan Esser; Groundwater Management*

RECEIVED
JUL 11 2012
OFFICE OF ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

7/31/12
11am

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

DATE: June 13, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 8044 Bradshaw Road

RECEIVED

Item Number: 12-307

JUN 28 2012

Petitioner: Charles Felbinger

OFFICE OF ADMINISTRATIVE HEARINGS

Zoning: RC 5

Requested Action: Special Hearing

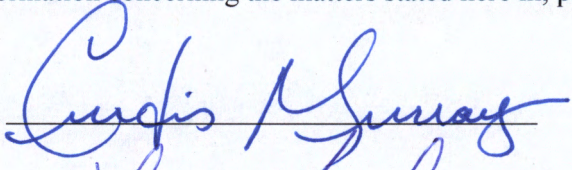
SUMMARY OF RECOMMENDATIONS:

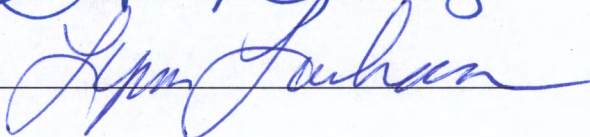
The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner requests a special hearing to allow an existing dwelling to be rebuilt with reduced setbacks and a lot area less than the minimum required in a RC 5 zone.

The Department of Planning supports the petitioner's request for the aforementioned relief. The subject lot is currently improved with a dwelling that does not meet current setback requirements. The layout and nature of the subject property is consistent with other properties along this stretch of Bradshaw Road. The majority of the homes in this area of Kingsville were constructed in the 1950's, with this home being constructed in 1941, all of which were prior to the current zoning regulations and the bulk regulations thereof. The redevelopment of subject lot as proposed would not be out of character with the surrounding area and community.

However, even though bulk regulations may not be met the new construction is expected to meet RC 5 (performance standards) requirements with regard to architecture. The petitioner shall submit building elevations (all sides) of the proposed dwelling to this department for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.

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

Prepared by: 

Division Chief: 
AVA/LL: CM

7/31
11am**Debra Wiley - ZAC Comments - Distribution Meeting of June 4th**

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 6/11/2012 1:52 PM
Subject: ZAC Comments - Distribution Meeting of June 4th

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.

2012-0301-SPHA- 411 Lorraine Avenue
No hearing date per data base as of 6/11/12

2012-0302-A - 4017 Klausmier Road
Administrative Variance - Closing Date: 6/25/12

2012-0303-SPHA - 950 York Road
No hearing date in data base as of 6/11/12

2012-0304-A - 4020 Old Court Road
No hearing date in data base as of 6/11/12

2012-0305-A - 16 Betlou James Place
No hearing date in data base as of 6/11/12

2012-0306-SPHA - 6732 Fox Meadow Place
Administrative Variance - Closing Date: 5/7/12

2012-0307-SPH - 8044 Bradshaw Road
No hearing date in data base as of 6/11/12

2012-0308-A - 7801 Doe Ridge Drive
Administrative Variance - Closing Date: 7/2/12

2012-0309-A - 7208 Bridgewood Drive
Administrative Variance - Closing Date: 7/2/12

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



KEVIN KAMENETZ
County Executive

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

July 24, 2012

Charles Felbinger
8044 Bradshaw Road
Kingsville, MD 21087

RE: Case Number: 2012-0307 SPH, Address: 8044 Bradshaw Road

Dear Mr. Felbinger:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 5, 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
Brian Dietz, 8119 Oakleigh Road, Baltimore, MD 21234
Kevin Felbinger, 3410 Glenside Drive, Parkville, MD 21234

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



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

Date: 6-12-12

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

RE: Baltimore County
Item No 2012-0307-SPH
Special Hearing
Charles Felbinger
8044 Bradshaw 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. 2012-0307-SPH.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in blue ink that reads "Steven D. Foster".
Steven D. Foster, Chief
Access Management Division

SDF/raz

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: June 14, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For June 18, 2012
Item Nos. 2012-0301, 0302, 0303, 0305, 0306, 0307, 0308, and 0309

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-06182012-NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 13, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 8044 Bradshaw Road

Item Number: 12-307

Petitioner: Charles Felbinger

Zoning: RC 5

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

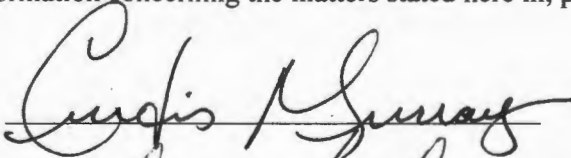
The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner requests a special hearing to allow an existing dwelling to be rebuilt with reduced setbacks and a lot area less than the minimum required in a RC 5 zone.

The Department of Planning supports the petitioner's request for the aforementioned relief. The subject lot is currently improved with a dwelling that does not meet current setback requirements. The layout and nature of the subject property is consistent with other properties along this stretch of Bradshaw Road. The majority of the homes in this area of Kingsville were constructed in the 1950's, with this home being constructed in 1941, all of which were prior to the current zoning regulations and the bulk regulations thereof. The redevelopment of subject lot as proposed would not be out of character with the surrounding area and community.

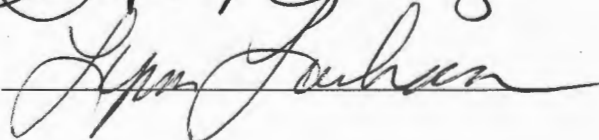
However, even though bulk regulations may not be met the new construction is expected to meet RC 5 (performance standards) requirements with regard to architecture. The petitioner shall submit building elevations (all sides) of the proposed dwelling to this department for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.

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

Prepared by:



Division Chief:
AVA/LL: CM



Case No.: 2012 - 0307 - SPH

Exhibit Sheet

Petitioner/Developer

Protestants

JB 7/31
11AM
DW 8/4/12
DW 8/1/12

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

PETITIONER'S

EXHIBIT NO. 2



Plan #161024

Dimensions: 54'4" W x 26'8" D

Levels: 2

Square Footage: 1,698

Main Level Sq. Ft.: 868

Upper Level Sq. Ft.: 830

Bonus Space Sq. Ft.: 269

Bedrooms: 3

Bathrooms: 2½

Foundation: Basement

Materials List Available: No

Price Category: C

The covered porch, dormers, and center gable that grace the exterior let you know how comfortable your family will be in this home.

Features:

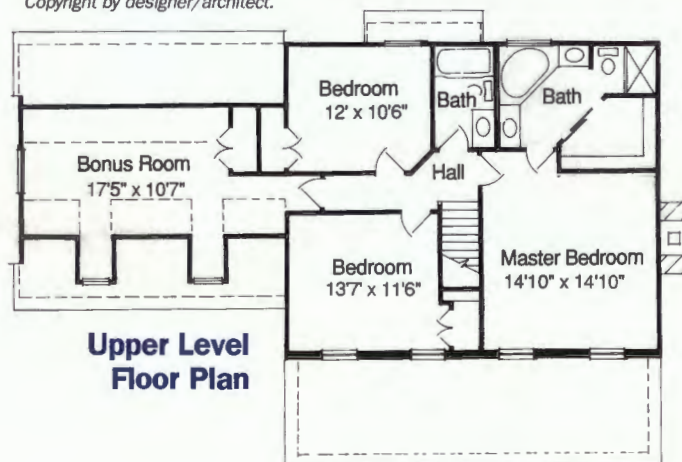
- Great Room: Walk from windows overlooking the front porch to a door into the rear yard in this spacious room, which runs the width of the house.
- Dining Room: Adjacent to the great room, the dining area gives your family space to spread out and makes it easy to entertain a large group.
- Kitchen: Designed for efficiency, the kitchen area includes a large pantry.
- Master Suite: Tucked away on the second floor, the master suite features a walk-in closet in the bedroom and a luxurious attached bathroom.
- Bonus Room: Finish the 269-sq.-ft. area over the 2-bay garage as a guest room, study, or getaway for the kids.

This home, as shown in the photograph, may differ from the actual blueprints. Images provided by designer/architect. For more detailed information, please check the floor plans carefully.



Main Level Floor Plan

Copyright by designer/architect.



Upper Level Floor Plan

8030

Lot # 2
Pt. Bk./Folio # 028076A

8042

20090098

20060321

8038

Lot # 1

Pt. Bk. 0000028, Folio 0076

Pt. Bk./Folio # 007160A

#8044

NE 13-K

064B2

3 CD

RC 5

11 ED

SITE

P.O.B.

11200

BRADSHAW RD

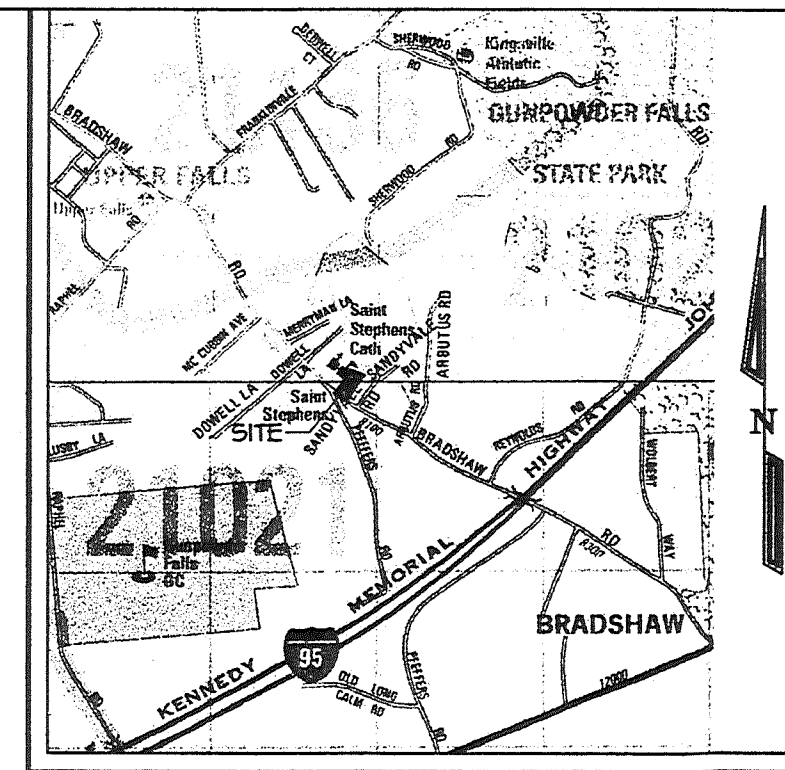
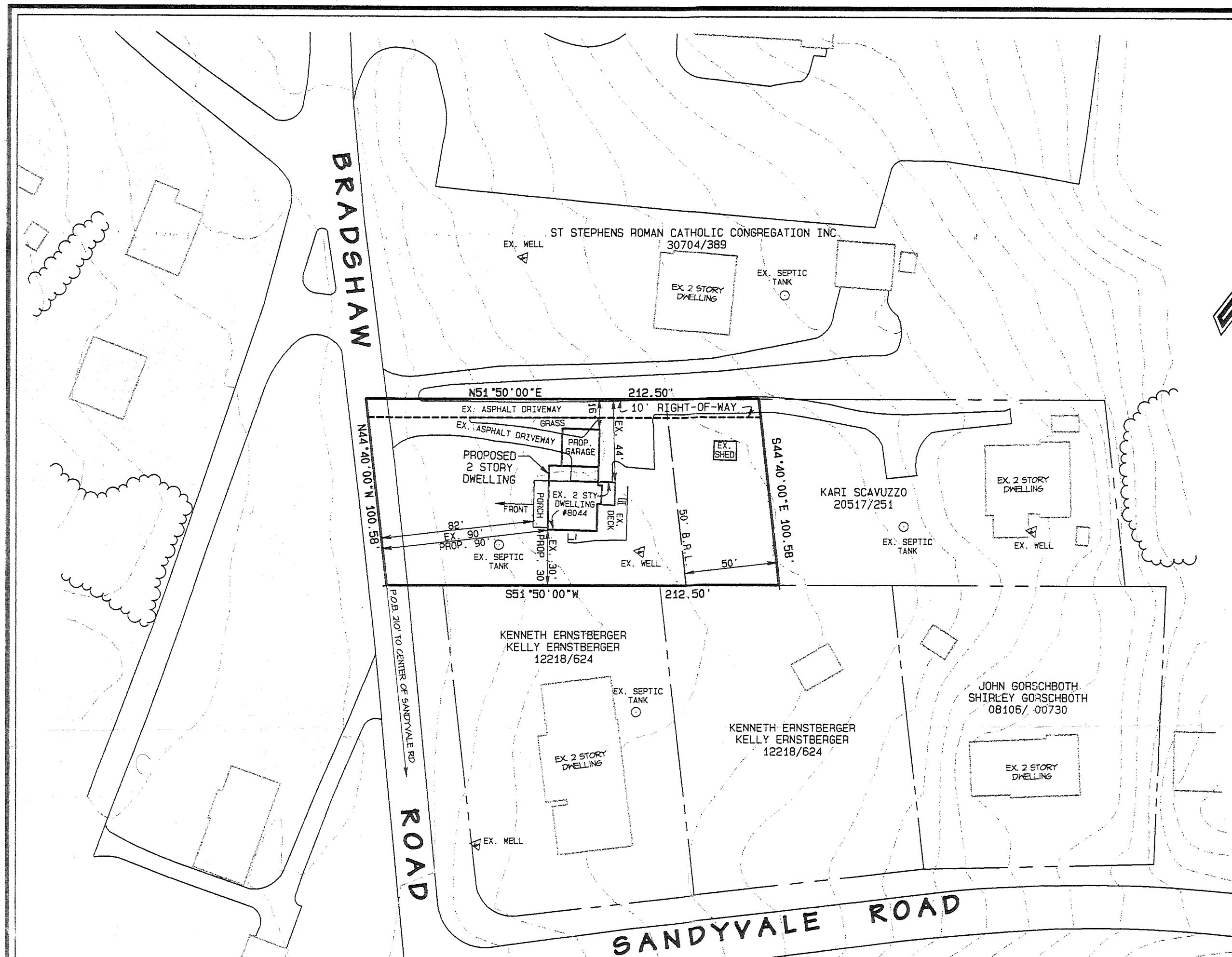
PFEFFERS RD

SANDYVALE RD

11224

11217

11218



Notes

1. Owner: Charles Felbinger
8044 Bradshaw Road
Kingsville, MD 21087
2. Deed Liber 7474/454
3. Area= 21,213 sq.ft. or 0.487Ac. ±
4. Tax # 1119002030
5. Zoned: RC-5, map 064B2
6. This site is not in the Chesapeake Bay Critical Area or the 100 year flood plain.
7. There are no underground fuel tanks.
8. This is not a historic property/building.
9. This site is serviced by private Well and Septic.
10. No prior Zoning Hearings.

2012-0307-SPH

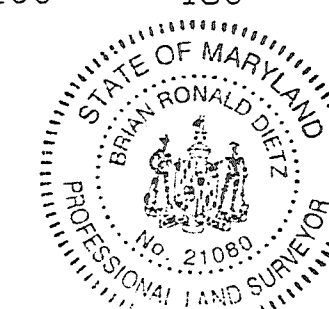
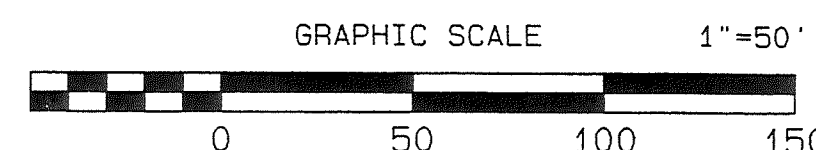
**Plat to Accompany
a Petition for a
Zoning Special Hearing**

of the

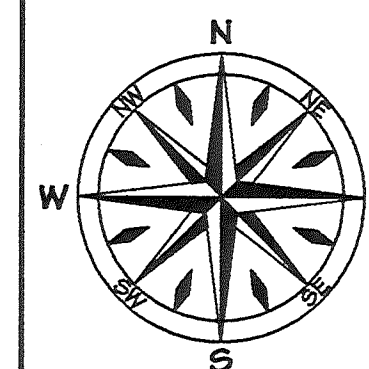
Felbinger Property

8044 Bradshaw Road

**11th Election District 3rd Councilmanic District
Scale: 1"=50' Date: May 4, 2012**



Brian Dietz



Dietz Surveying Co.
Land Surveying and Land Planning
8119 Oakleigh Road Baltimore MD 21234
Ph 410-661-3160, Fax 410-661-3163
www.dietzsurveying.net

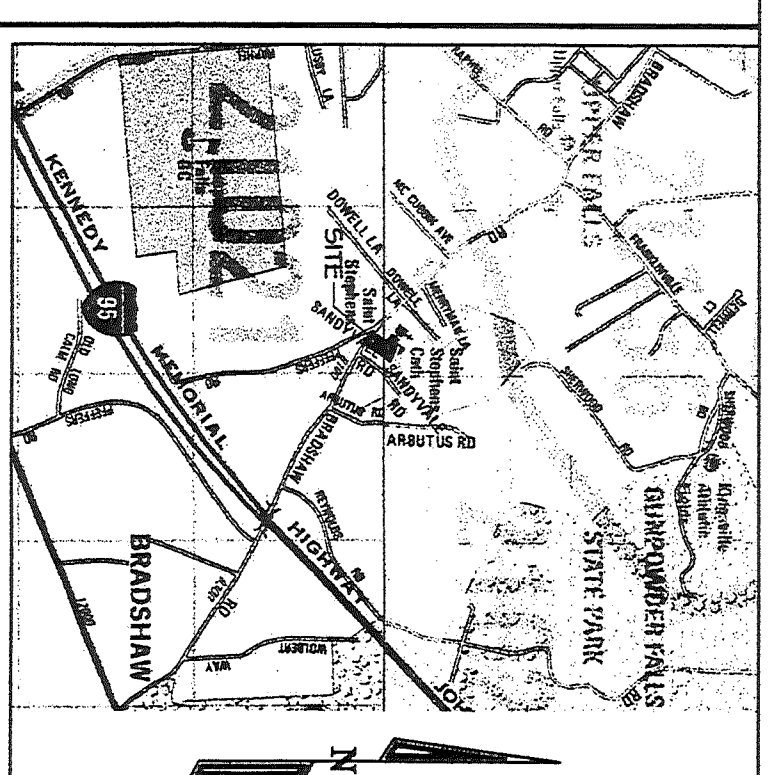
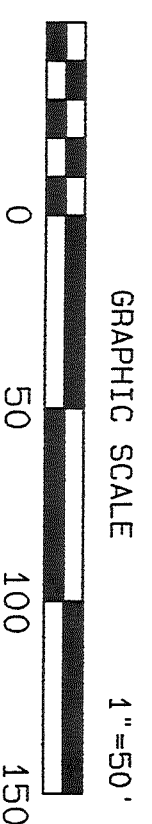
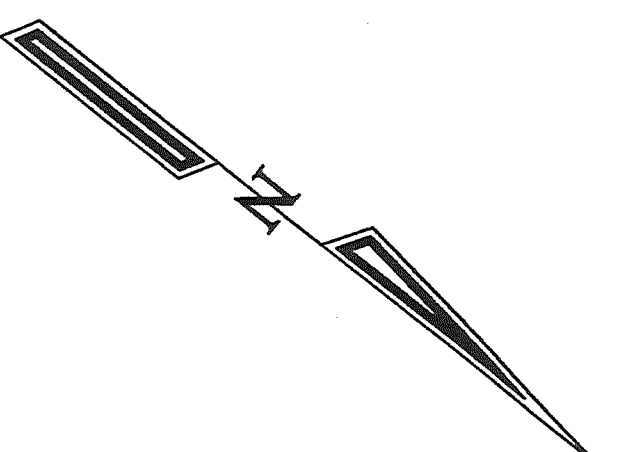
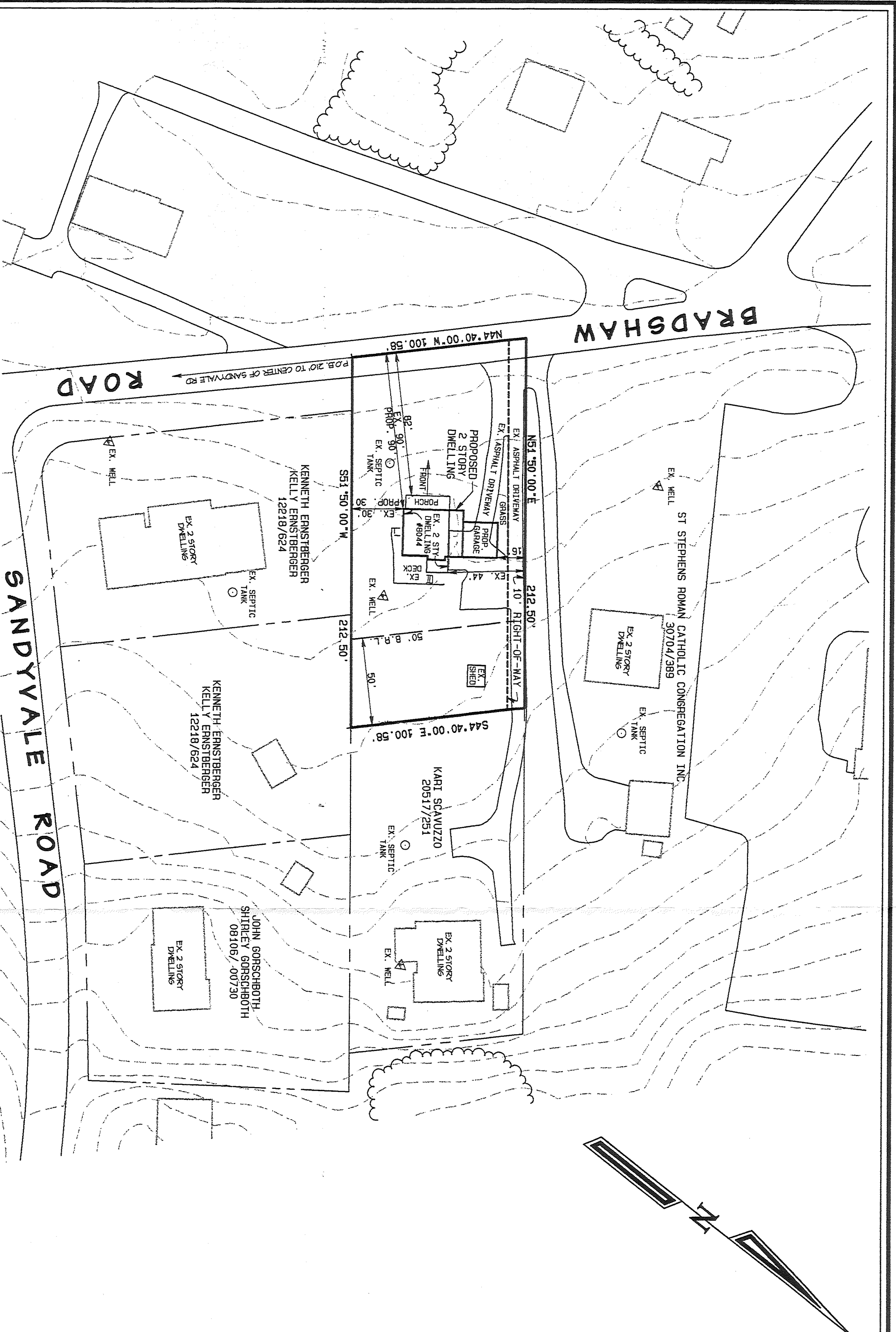
Plot Date: 6/5/2012

Job No. 12065
Party Chief: BRD

File Name: X:\Bradshaw Road\WORKSHEET.pro

PETITIONER'S

EXHIBIT NO. 1



Notes

1. Owner: Charles Felbinger
8044 Bradshaw Road
Kingsville, MD 21087
2. Deed Liber 7474/454
3. Area= 21,213 sq.ft. or 0.487Ac. ±
4. Tax # 1119002030
5. Zoned: RC-5, mcp 064B2
6. This site is not in the Chesapeake Bay Critical Area or the 100 year flood plain.
7. There are no underground fuel tanks.
8. This is not a historic property/building.
9. This site is serviced by private Well and Septic.
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2012-0307-SPH

Plat to Accompany
a Petition for a
Zoning Special Hearing

of the

Felbinger Property

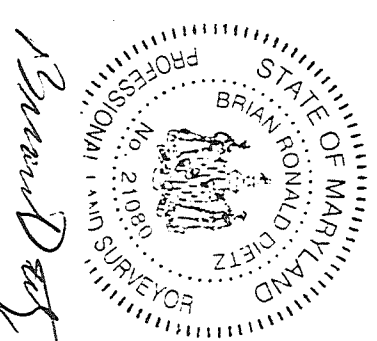
8044 Bradshaw Road

11th Election District 3rd Councilmanic District
Scale: 1"=50' Date: May 4, 2012

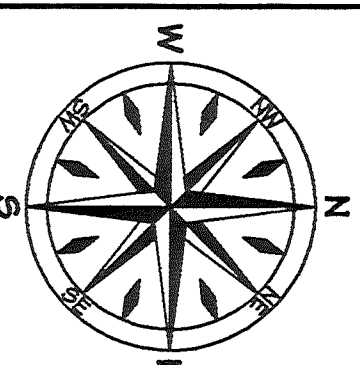
Dietz Surveying Co.

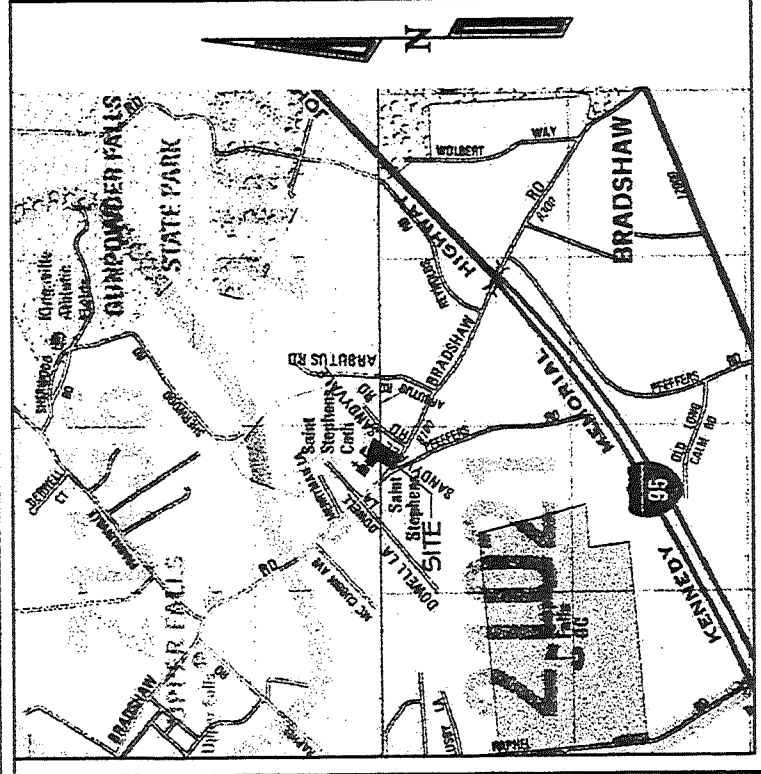
Land Surveying and Land Planning
8119 Oakleigh Road Baltimore MD 21234
Ph 410-661-3160, Fax 410-661-3163
www.dietzsurveying.net

Plot Date: 05/2012 Job No. 12063
Party: Chief BRD



Brian Dietz





Vicinity Map
Scale: 1" = 2000'

Notes

1. Owner: Charles Felbinger
8044 Bradshaw Road
Kingsville, MD 21087
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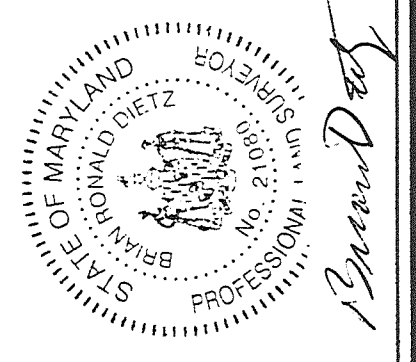
2012-0307-SPH

**Plat to Accompany
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8044 Bradshaw Road

11th Election District 3rd Councilmanic District
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Plot Date: 6/5/2012
Job No. 12065
Party Chief: BRD

