

KEVIN KAMENETZ County Executive

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

September 6, 2012

Brian D. Horn Brenda R. Baldwin 309 Delight Meadows Road Reisterstown, Maryland 21136

RE:

PETITION FOR ADMINISTRATIVE VARIANCE

(309 Delight Meadows Road) Case No. 2013-0029-A

Dear Mr. Horn and Ms. Baldwin:

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.

Very truly yours,

LAWRENCE M. STAHL

Managing Administrative Law Judge

for Baltimore County

LMS:dlw Enclosure

ADMINISTRATIVE ZONING PETITION VARIANCE - OR - ADMINISTRATIV To be filed with me Department of Permits, Approvals and inspections To the Office of Administrative Law of Baltimore County for the property located at: Address 309 Deught Meadows Road which is presently zoned RC5 10 Digit Tax Account # 200004455 Deed Reference 14692 1497 Property Owner(s) Printed Name(s) BRIAN D. HORN / BRENDA R. BALDWIN (SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST) Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized. The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a 1. X ADMINISTRATIVE VARIANCE from section(s) 1A 04.3.B.2 OF THE BC.2.R.TO DEPENT AN ADDITION ON THE SIDE AND REAR OF THE EXISTING DWELLING WITH A SIDE SETBACK OF 20 FEET IN LIEU OF THE REQUIRED 50 FEET of the zoning regulations of Baltimore County, to the zoning law of Baltimore County. ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223 (8), and Section 32-4-416(a)(2): (indicate type of work in this space to raze, alter or construct addition to building) of the zoning regulations of Baltimore County, to the zoning law of Baltimore County. Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County. Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s). Legal Owners: Contract Purchaser/Lessee: BRIAN D. HORN Name #1 - Type or Print Name-Type or Print Signature 309 DELIGHT MEADOWS ROAD REISTERSTOWN, MD Mailing Address City Mailing Address State bhorn erkk. com. 1410.215.8974 Zip Code Email Address Telephone # Email Address Telephone # Name-Type or Print CENED FOR FILING Signaturo DER RECEIVED Representative to be contacted: Name - Type or Print Signature Mailing Alless Mailing Address State State Zip Code Telephone # Email Address Zip Code Telephone # Email Address A PUBLIC HEARING having formally demanded and/or found to be required, it is ordered by the Office of Administration Baltimore County, that the subject matter of this petition be set for a public hearing, are guilled by the zoning regulations of Baltimore County and that the property be reposted.

Administrative Law Judge of Baltimore County

CASE NUMBER 2013-0029A

Filing Date 8/1/2

Estimated Posting Date

Rev 10/12/11

Affidavit in Support of Administrative Variance (THIS AFFIDAVIT IS NOT REQUIRED OR AN HISTORIC ADMINISTRATIVE AL HEARING) The undersigned hereby affirms under the penalties of perjury to the Administrative Law Judge of Baltimore County. the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will. upon purchase, reside at the existing dwelling on said property located at: Address: 309 Delight Meadows Rd Reistenstown MD Print or Type Address of property City State 21136 Zip Code Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here) * PLEASE REFER TO ATTACHED SPATEMENT * (If additional space for the petition request or the above statement is needed, label and attach it to this Form) Brenda R Buldwin Signature of Affiant Brenda R. Baldwin Name-Print or Type Name-Print or Type The following information is to be completed by a Notary Public of the State of Maryland STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: I HEREBY CERTIFY, this 19th day of July, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

Brian D. Horn and Brenda R. BALDWIN
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here) Share M. Scheme

Notary Public

Max 24, 2015

My Commission Expires AS WITNESS my band and Notaries Seal

Administrative Variance Attachment 309 Delight Meadows Road Brian Horn / Brenda Baldwin

Statement of Practical Difficulty:

The proposed Delight Meadows Subdivision Lot 11 left side lot line setback distance is requested to be reduced by five feet from 25 feet down to 20 feet for the purpose of constructing a proposed garage space. The proposed garage space is located adjacent to the existing Lot 11 garage and would be accessed via the existing driveway. The Administrative Variance Applicants believe it would be a practical difficulty to not grant a side lot setback variance due to the following issues:

- Relocating the proposed garage space to the south side of the existing house would require
 constructing a new (second) driveway connecting to Delight Meadows Road, relocating the
 existing heating/cooling equipment and re-orienting the existing home floor plan to identify a
 new exterior entry door location. The existing south side home living space is formal and out of
 character to locate a new informal entry way into these living spaces.
- Relocating the proposed garage space in front of, and to the side of, the existing garage space
 and driveway (and not encroaching into the 25-foot side lot setback) would violate the Delight
 Meadows Subdivision Building Restriction Line of 100 feet from Delight Meadows Road and
 conflict with the existing home sewer drain leading to the septic wet well in the front side yard.
- Relocating the proposed garage space and the existing garage space to the south side of the existing home would require extensive interior living space relocation and would encroach to a larger extent into the south side lot line setback distance than for the north side lot line setback.
- 4. Relocating the proposed garage space behind the existing garage would cause the relocation of the proposed living space into a conflict with the water lines leading from the two raw water wells supplying the existing home. Wells are located in the northeast corner of the property and the supply lines enter the existing home under the future patio space.
- 5. Relocating or eliminating the proposed exterior entry door from between the existing and proposed garage spaces is impractical as the entry is designed to provide access to the proposed living space and backyard patio without passing through the proposed or existing garages. It is also impractical to relocate the proposed exterior entry door to be a side-entry door located behind the proposed garage as the door would open into existing pine trees, be difficult to keep secure (vulnerable to criminal entry), and be subject to wet conditions, maintenance problems and premature deterioration as it faces north with no sun exposure.



PART A: Zoning Property Description for 309 Delight Meadows Road

Beginning at a point on the east side of Delight Meadows Road which is 60-foot wide right of way at the distance of 710 feet south of the centerline of the nearest improved intersecting street Bonnie Meadow Circle which is 60 – foot wide right of way.

Being Lot # 11, Section # 3, in the subdivision of Delight Meadows as recorded in Baltimore County Plat Book # 53, Folio # 103 containing 1 acre. Located in the 4th Election District and 4th Council District.

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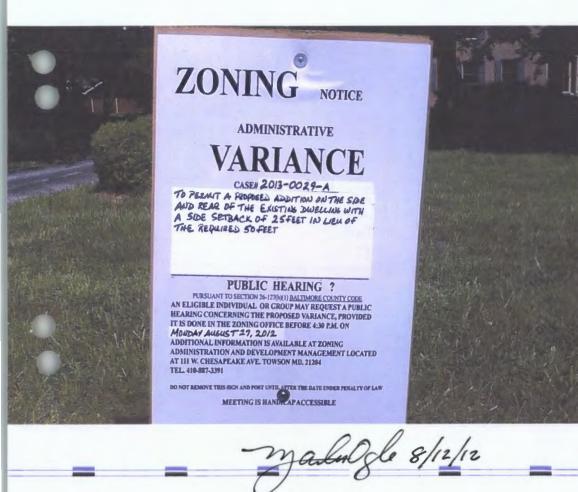
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BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

CERTIFICATE OF POSTING

RE	: Case No AUIS COLI
Pe	titioner/Developer
	e Of Hearing/Closing: 8/27/12
Baltimore County Departm Permits and Development County Office Building,Roo 111 West Chesapeake Ave	Management om 111
Attention:	
Ladies and Gentlemen	
	r penalties of perjury that the necessary e posted conspicuously on the property 30 9 DELICHT MEADOWS (2)
This sign(s) were posted on	August 12, 2012 Month, Day, Year
	Sincerely,
	Signature of Sign Poster and Date
	60 Chelmsford Court Baltimore,Md,21220



MEMORANDUM

DATE: Od

October 11, 2012

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2013-0029-A - Appeal Period Expired

The appeal period for the above-referenced case expired on October 9, 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



From:

Debra Wiley

To:

bhorn@rkk.com

Date:

9/6/2012 2:06 PM

Subject:

Administrative Variance - Case No. 2013-0029-A

Attachments:

Message from "zoneprt1"

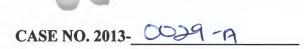
Good Afternoon,

Per our telephone conversation, please find attached the cover letter and decision for the above-referenced case.

As previously discussed, please keep in mind the 30-day appellate process as stated on page 2.

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



CHECKLIST

Comment Received	<u>Department</u>	Support/Oppose/ Conditions/ Comments/ No Comment
8-17	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	NC
	DEPS (if not received, date e-mail sent)	
	FIRE DEPARTMENT	
	PLANNING (if not received, date e-mail sent)	
8-14	STATE HIGHWAY ADMINISTRATION	No esjection
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	·
ZONING VIOLAT	ION (Case No	
PRIOR ZONING	(Case No.	
NEWSPAPER AD	VERTISEMENT Date:	
SIGN POSTING	Date: 8-12-12	by Ogla
PEOPLE'S COUNS	SEL APPEARANCE Yes No	
PEOPLE'S COUNS	SEL COMMENT LETTER Yes No	
Comments, if any:		

Maryland Department of Assessments and Taxation Real Property Data Search (vw3.1A) BALTIMORE COUNTY

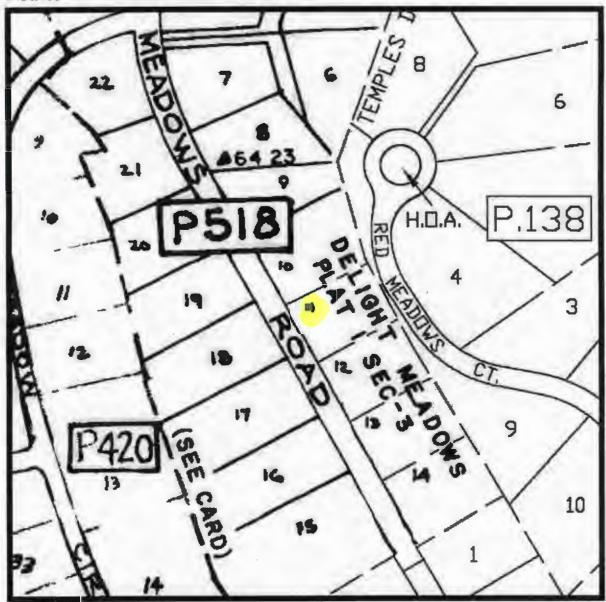
Go Back View Map New Search GroundRent Redemption GroundRent Registration

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

Go Back View Map New Search

District - 04 Account Number - 2000004455



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.

Property maps provided courtesy of the Maryland Department of Planning ©2011. For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor Beverley K. Swaim-Staley, Secretary Melinda B. Peters, Administrator

Date: 814-12

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

RE: **Baltimore County**

Item No 2013-0029-A
Administration Variance
Brian D. Horn & Brenda R. Baldwin
309 Delight Meadows 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. 2013-0029-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,

teven D. Foster, Chief

Access Management Division

SDF/raz

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE:August17,2012.

2012

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 27, 2012

Item Nos. 2013-0022,0024, 0025,0026, 0027,0028,0029,0030 and 0031

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\ZAC08272012-NO COMMENTS.doc

ADMINISTRATIVE

VARIANCE

CASE FILE(s) AWAITING

COMMENTS FROM OTHER

DEPTS. OR IS WAITING FOR

INFO. FROM PETITIONER

0 0 8/27

Debra Wiley - ZAC Comments - Distribution Mtg. of 8/13

From:

Debra Wiley

To:

Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...

Date:

8/15/2012 11:09 AM

Subject: ZAC Comments - Distribution Mtg. of 8/13

Good Morning,

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.

2013-0022-A - 1734 York Rd. No hearing date in data base as of 8/15

2013-0024-A - 2533 Farringdon Rd. Administrative Variance - Closing Date: 9/3

2013-0025-A - 7 Overhill Rd. Administrative Variance - Closing Date: 9/3

2013-0026-SPHX - 13801 Jarrettsville Pike No hearing date in data base as of 8/15

2013-0027-A - 1508 Leslie Road No hearing date in data base as of 8/15

2013-0028-A - 1319 Malbay Drive Administrative Variance - Closing Date: 9/3

2013-0029-A - 309 Delight Meadows Road Administrative Variance - Closing Date: 8/27

2013-0030-A - 5401 Baltimore National Pike No hearing date in data base as of 8/15

2013-0031-A - 12 Oakwood Road No hearing date in data base as of 8/15

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

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Case No.: 2013-0029-A

Exhibit Sheet

Petitioner/Developer

Protestant Protestant

No. 1 No. 2 Photo No. 3 No. 4 No. 5	
No. 2 Photo No. 3 No. 4 No. 5	
No. 4 No. 5	
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No. 6	
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No. 9	
No. 10	
No. 11	
No. 12	



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2013-0029-A Pex-#2 7/17/2012 4:48 PM



Sent from my iPad



Skitch-2012-07-17 15:21:09 +0000.jpg 366 KB



Sent from my iPad



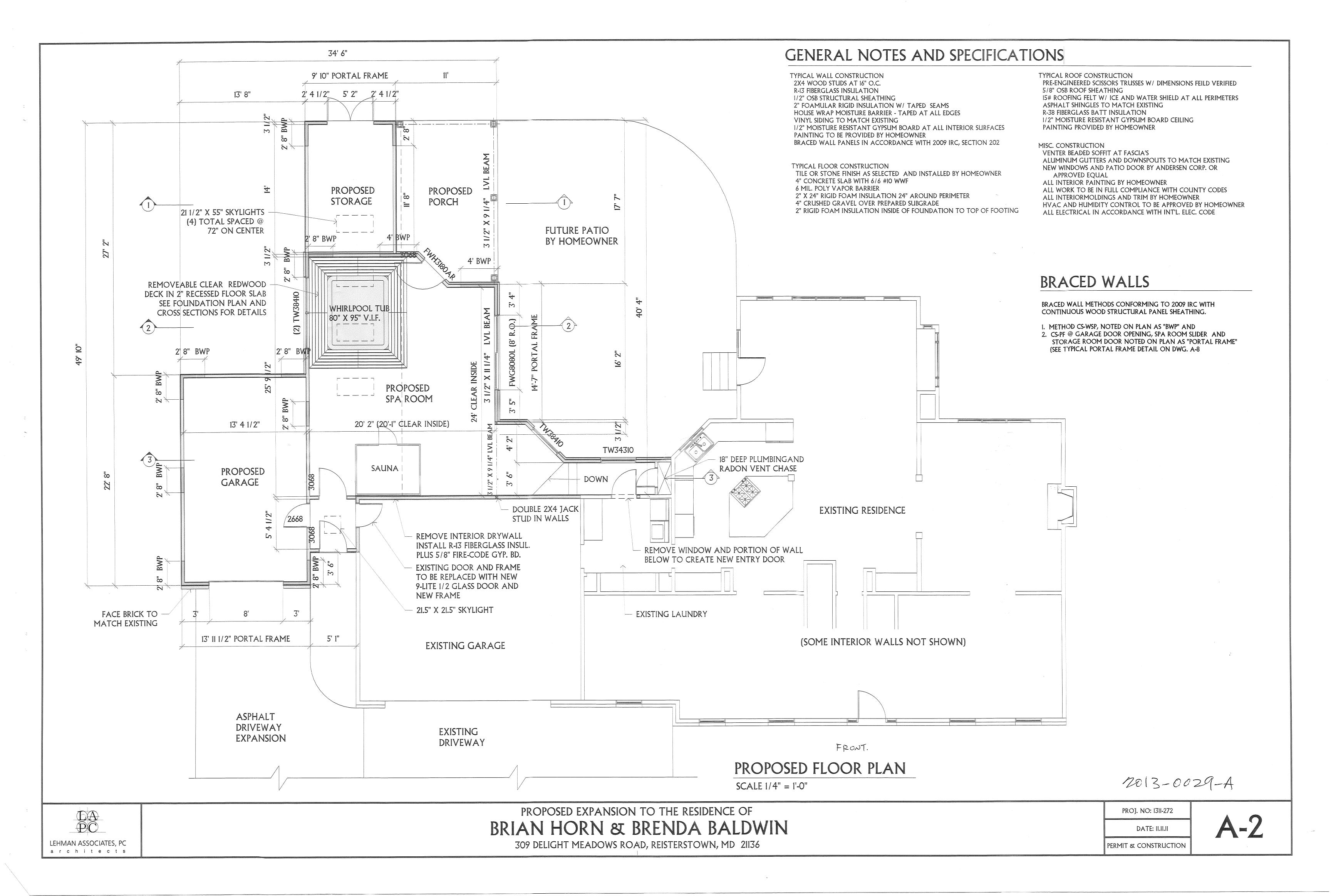
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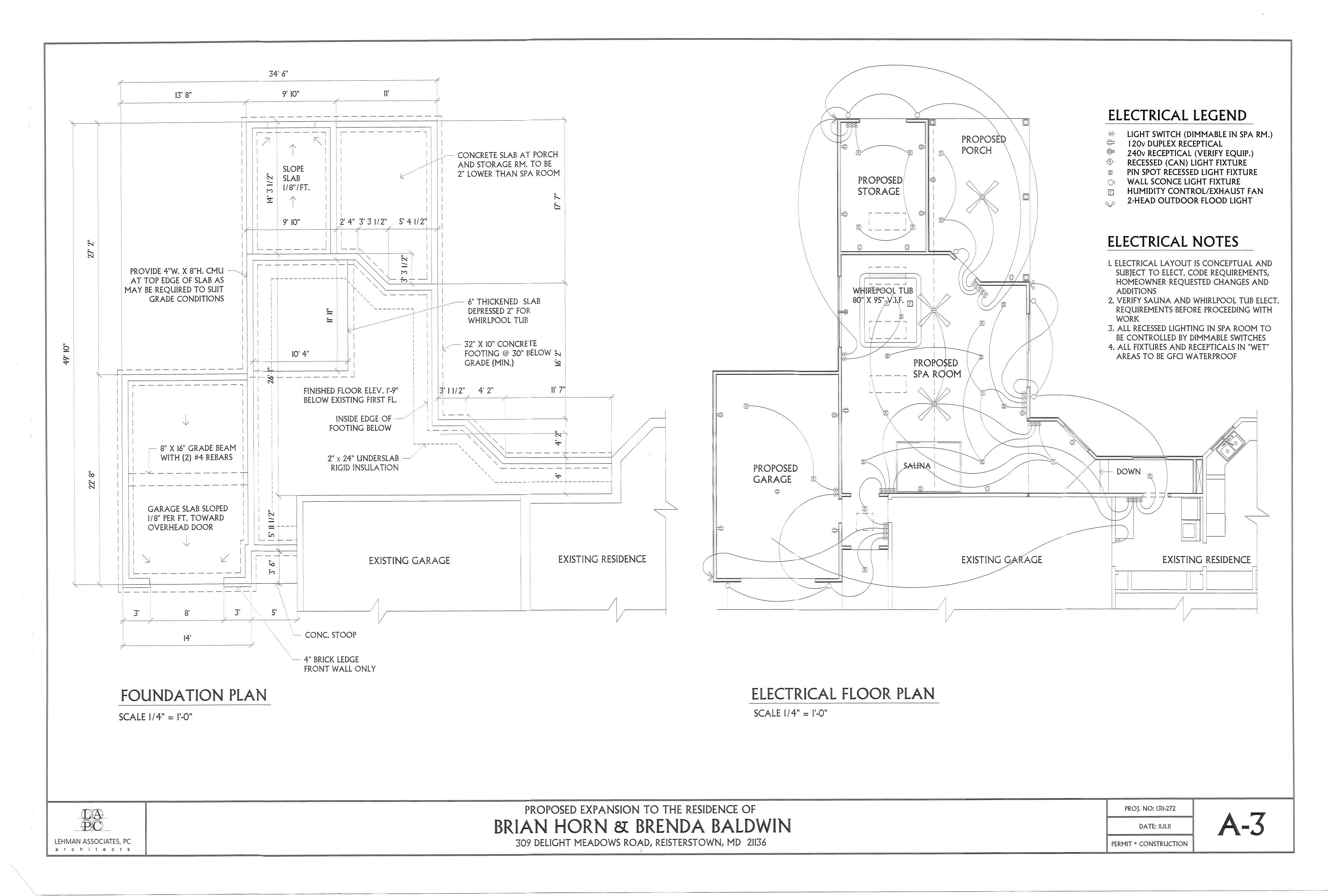


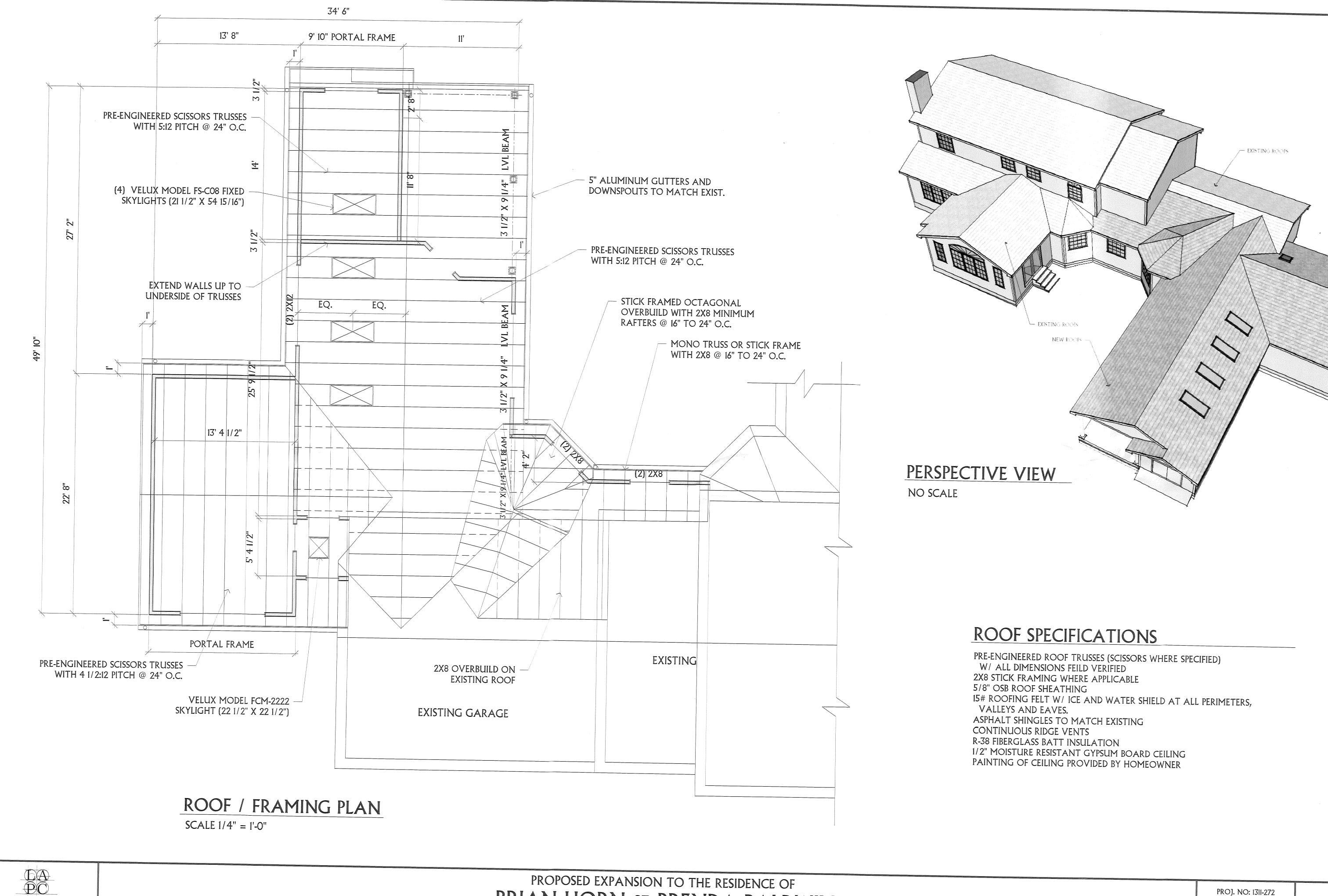
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BRIAN HORN & BRENDA BALDWIN 309 DELIGHT MEADOWS ROAD, REISTERSTOWN, MD 21136

LEHMAN ASSOCIATES, PC

architects

DATE: 11.07.11

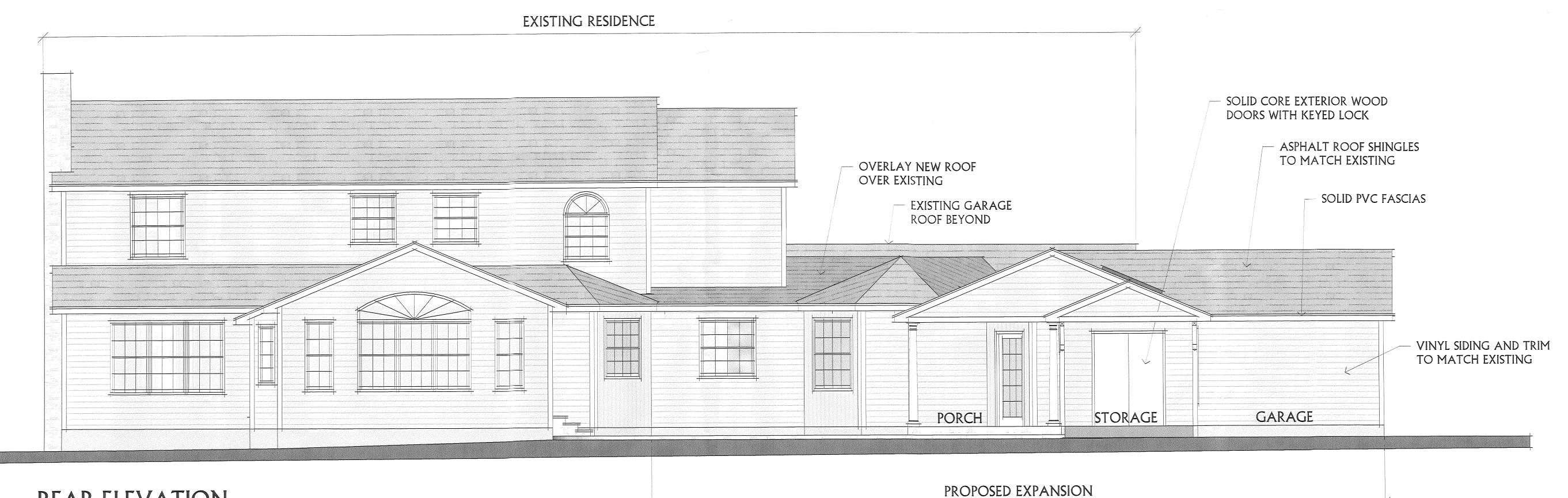
PERMIT * CONSTRUCTION



NEW SIDE ENTRY WITH DOOR
TO BE SELECTED BY HOMEOWNER

FRONT ELEVATION

SCALE 1/4" = 1'-0"



REAR ELEVATION

SCALE 1/4" = 1'-0"

PROPOSED EXPANSION TO THE RESIDENCE OF BRIAN HORN & BRENDA BALDWIN

309 DELIGHT MEADOWS ROAD, REISTERSTOWN, MD 21136

ANSION TO THE RESIDENCE OF

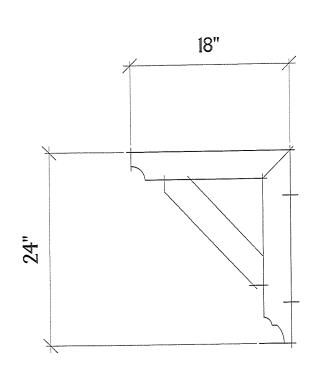
PROJ. NO: 1311-272

PERMIT * CONSTRUCTION

DATE: 11.11.11

A-5

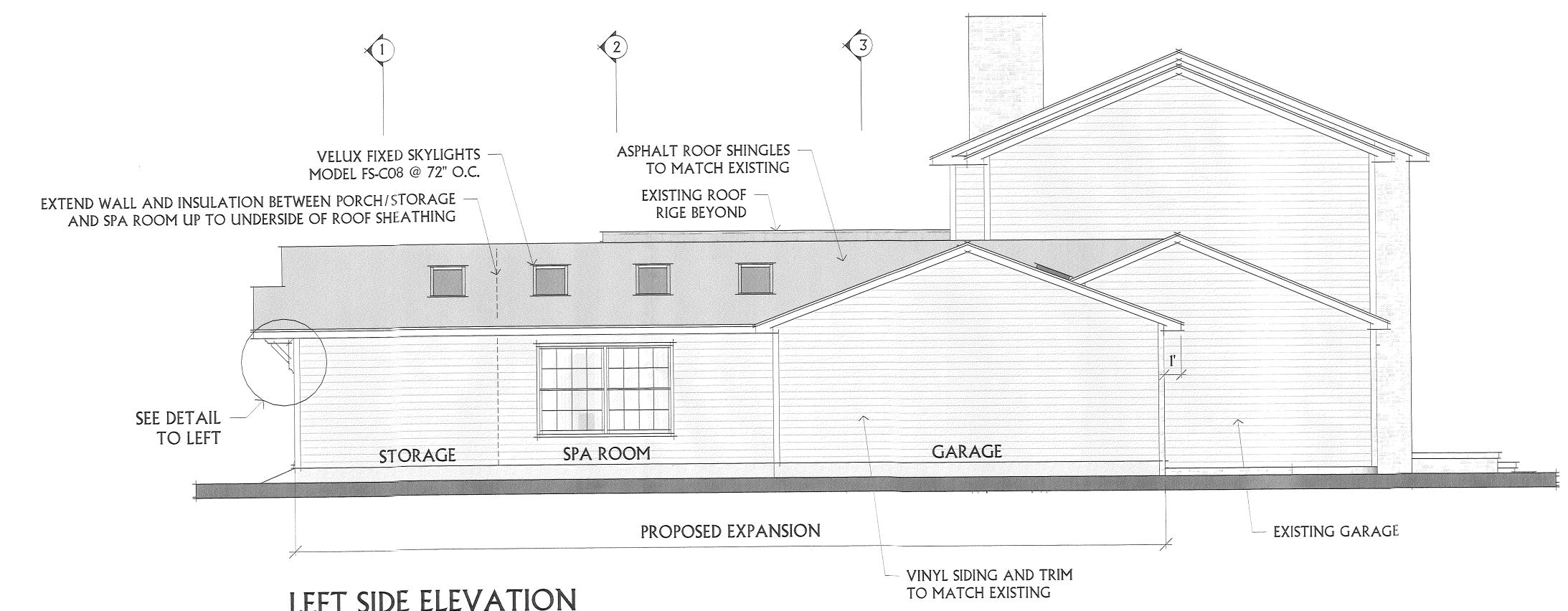
LEHMAN ASSOCIATES, PC a r c h i t e c t s



CEDAR WOOD BRACKETS MODEL G08-24184 BY FLOWERWINDOWBOXES.COM - PAINT TO MATCH EXISTING EXTERIOR TRIM COLOR IN ACCORDANCE WITH MANUFACTURERS RECOMMENDATION

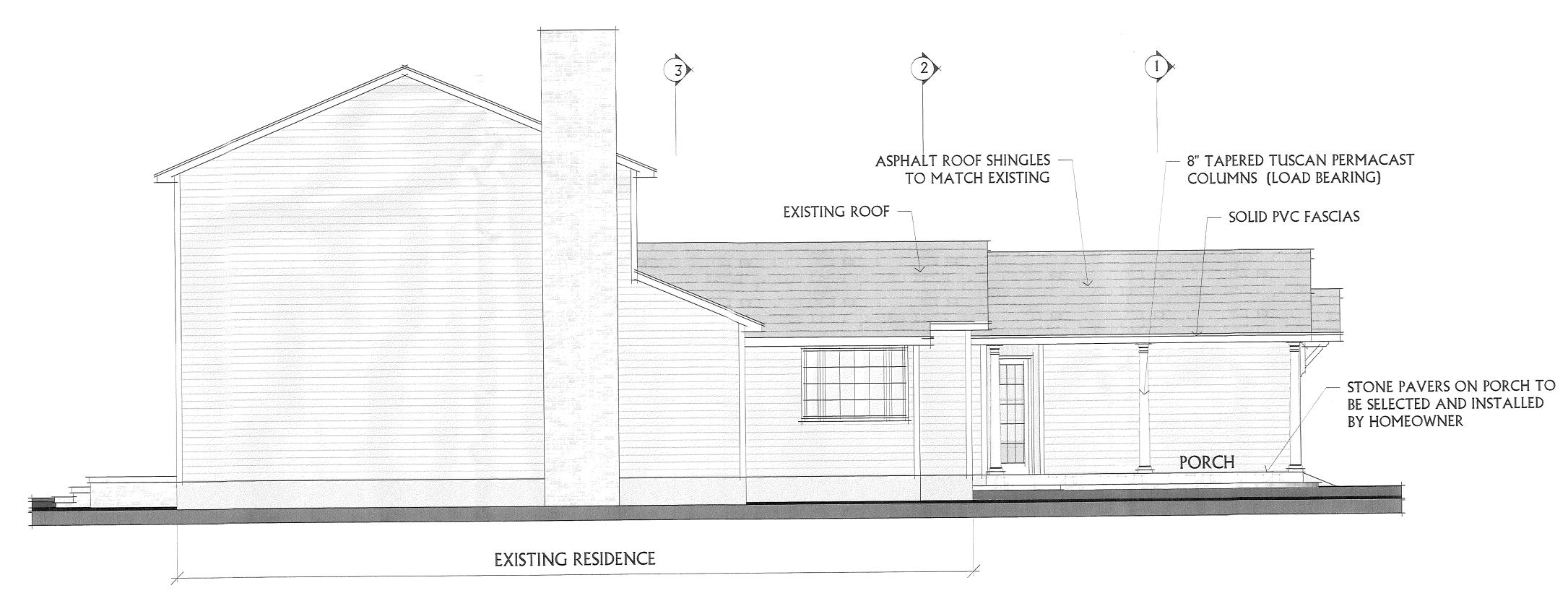
ROOF BRACKET DETAIL

SCALE 1'' = 1'-0''



LEFT SIDE ELEVATION

SCALE 1/4'' = 1'-0''



RIGHT SIDE ELEVATION

SCALE 1/4'' = 1'-0''

DA PC LEHMAN ASSOCIATES, PC architects

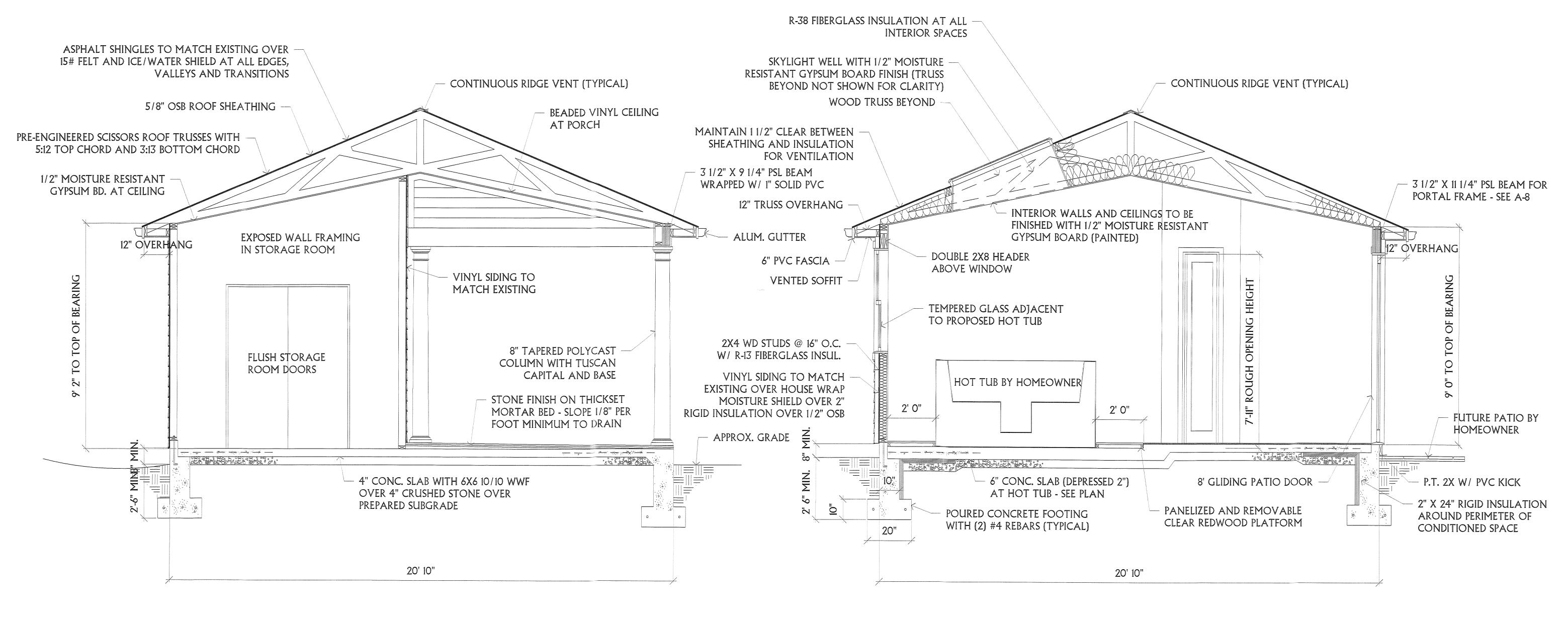
PROPOSED EXPANSION TO THE RESIDENCE OF BRIAN HORN & BRENDA BALDWIN

309 DELIGHT MEADOWS ROAD, REISTERSTOWN, MD 21136

PROJ. NO: 1311-272

DATE: 11.11.11

PERMIT * CONSTRUCTION



CROSS SECTION #1

SCALE 1/2'' = 1'-0''

CROSS SECTION #2

SCALE 1/2'' = 1'-0''

LEHMAN ASSOCIATES, PC a r c h i t e c t s

PROPOSED EXPANSION TO THE RESIDENCE OF BRIAN HORN & BRENDA BALDWIN

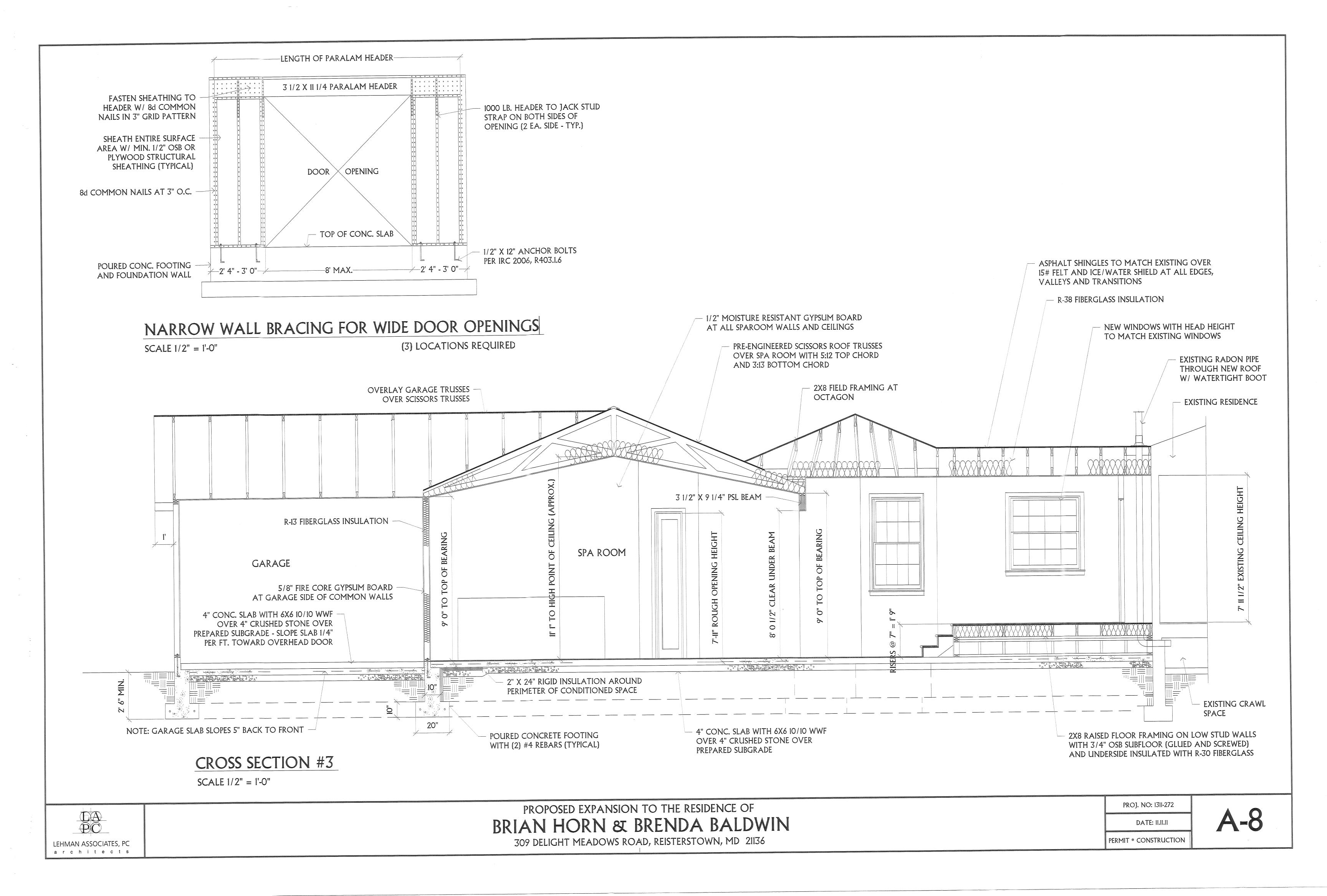
309 DELIGHT MEADOWS ROAD, REISTERSTOWN, MD 21136

PROJ. NO: 1311-272

DATE: 11.08.11

PERMIT * CONSTRUCTION

A-7



SITE VICINITY MAP ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X) Delight Meadows Rd. OWNER(S) NAME(S) Brian Horn Brenda Baldwin SWEJECT 10 DIGITTAX #20000445 SDEED REF. #00146/92497 PROPERTY \mathbb{N} S28'49'10"E 167.54' MAP IS NOT TO SCALE I. PIN I. PIN ZONING MAP# 05702 SITE ZONED RCS 3-car Garage/ Office Structure ELECTION DISTRICT 04 SITE AND BUILDING DATA PLAT ONE 307 Dely Lt : SECTION THREE 24. COUNCIL DISTRICT of OVERALL LOT SIZE 43,560 SQ. FT. LOT AREA ACREAGE 1.00 ac. DELIGHT MÉADÓWS 1,923 SQ. FT. 558 SQ. FT. 658 SQ. FT. EXISTING RESIDENCE FOOTPRINT EXISTING GARAGE FOOTPRINT OR SQUARE FEET PB53 P103 PROPOSED SPA ROOM (I-STORY) HISTORIC? ~o PROPOSED I-CAR GARAGE 313 SQ. FT. 142 SQ. FT. 180 SQ. FT. PROPOSED STORAGE ROOM PROPOSED STORAGE ROOM PROPOSED COVERED PORCH IN CBCA? NO 43,560 SqFt. PROPOSED SPA ROOF IN FLOOD PLAIN? NO TOTAL LOT COVERAGE PERCENT LOT COVERAGE 3,774 SQ. FT. 8.66% PROPOSED PORCH PROPOSED I-CAR GARAGE UTILITIES? MARK WITH? WATER IS: 2-Story residence PUBLIC PRIVATE X 51'± 307 Delight Meadows SEWER IS: Existing N N PUBLIC___PRIVATE_X_ EXISTING 2-STORY RESIDENCE _: PRIOR HEARING? No IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW PAVED No DWY CONC. PAD WALK PROPOSED ASPHALT #307 DRIVEWAY EXTENTION (\$) #309 VIOLATION CASE INFO: (\$) SITE PLAN Scale 1/4"= 10' IL PIN II. PIN N28'49'10"W 167.54' 2013-0029-A P.O.B (¢) Approx. 710 feet S. of the "=40"0" & = F Bonnie Headow R/W DELIGHT MEADOWS ROAD Circle

R/W 110et=11 G = + Bornie Headew 4-6200-E180 Apprex 710 feet 5. of the S.0.9 N58.43,10, N 167.84, ин лЕ MIG I Scale 1/4"= 10" SILE PLAN (\$) MOLATION CASE INFO: 100 SBL POS# (\$) 118# L98# PROPOSED ASPHALT DRIVEWAY EXTENTION 151.95 WALK соис, РАБ СОИС PAVED YYY AND ORDER RESULT BELOW IE SO GIVE CASE NUMBER N6170'50"E PRIOR HEARING? 20 S61'10'50' EXIZING 7-210KY RESIDENCE [4,42,12] PUBLIC PRIVATE X SEMEE 12: ,84 300 Delight Headows 王,19 PRIVATE X PUBLIC 2-51264 רבנילטתנב :SI ABTAW Z1 107 Mardows Pd. AMPLIES 5 MYCK MILH 5 TOTAL LOT COVERAGE
PERCENT LOT COVERAGE PROPOSĘD I-CAR GARAGĘ %99.8 361 Octifet PROPOSED PORCH IN FLOOD PLAIN? 100 3,774 5Q. FT. PROPSED SPA ROOM 43,560 SqFt. 313 SQ. FT. 142 SQ. FT. 180 SQ. FT. IN CECA? NO PROPOSED STORAGE ROOM PROPOSED COVERED PORCH PROPOSED STORAGE ROOP HIZLOBICS 40 PROPOSED I-CAR GARAGE 658 5Q. FT. PROPOSED SPA ROOM (I-STORY) PB53 P103 OR SOUARE FEET EXISTING GARAGE FOOTPRINT .T4 .D2 822 1,923 5Q. FT. EXISTING RESIDENCE FOOTFRINT DEFIGHL WEYDOWS LOT AREA ACREAGE LOOPS SECTION THREE Et.
PLAT ONE 30 Dollste 43,560 5Q. FT. OVERALL LOT SIZE COUNCIL DISTRICT 64 ELECTION DISTRICT 64 SITE AND BUILDING DATA שינבר מפדמשפן SITE ZONED RCS 111111111 COLING MAPP# OSTO MAP IS NOT TO SCALE NIG .I NIG 1 \$28,49,10,E 167,87S PLAT BOOK # 53 FO FOLIO # 52 TO DIGIT TAX # ZO O O O Y 4 S SDEED REF # O O I 4 6/9 S Y 2 Z 4200000 LODES SUBDIVISION NAME_ SECTION # Brock # 59 OMNEB(2) NAME(2) ZONING HEARING PLAN FOR VARIANCE (MARK TYPE REQUESTED WITH X) SILE AICINILA WAPP

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