



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

November 20, 2012

Gordon M. Bosse
Linda M. Bosse
224 Back River Neck Road
Baltimore, Maryland 21221

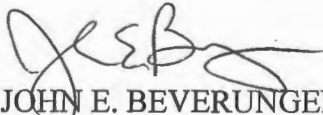
RE: Petitions for Special Hearing and Variance
Case No.: 2013-0079-SPHA
Property: 1615 Middleborough Road

Dear Mr. and Mrs. Bosse:

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

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE *
1615 Middleborough Road; S/S Middleborough* OF ADMINISTRATIVE
Road, 145' SW of c/line of Hilltop Avenue *
15th Election & 6th Councilmanic Districts * HEARINGS FOR
Legal Owner(s): Gordon & Linda Bosse *
Petitioner(s) * BALTIMORE COUNTY
* 2013-079-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

OCT 11 2012

.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of October, 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

IN RE: **PETITIONS FOR SPECIAL HEARING *
AND VARIANCE *
(1615 Middleborough Road) *
15th Election District *
6th Councilmanic District *
Gordon M. and Linda M. Bosse *
Petitioners ***

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2013-0079-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed by Gordon M. and Linda M. Bosse, legal owners. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to determine whether or not the Administrative Law Judge should approve an accessory building (garage) having a footprint of 1,920 sq. ft. which is larger than the dwelling. In addition, a Petition for Variance was filed from § 400.3 of the B.C.Z.R., to permit an accessory building (garage) with a height of 20' 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 in support of the requests was Gordon M. Bosse and David Billingsley with Central Drafting and Design, Inc., the firm that prepared the site plan and who 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 in attendance, and the file does not contain any letters of protest or opposition.

ORDER RECEIVED FOR FILING

Date 11-20-12

By WS

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies.

The subject property is 48,539 square feet (1.11 acres) and is zoned DR 3.5 and BL. The dwelling on the lot is extremely modest (896 sq. ft.), and the Petitioner indicated he hopes in the future to enlarge the house. At present, Petitioner wants to construct a garage in the rear of his large lot, and he will use the structure to store antique motor vehicles, tools, and related items.

With regard to the petition for special hearing, there is no indication that the grant of relief would negatively impact the community in any way. While the garage will be larger than the single-family dwelling, it will not be out of character for the neighborhood, and Petitioner indicated most of his neighbors have garages or outbuildings in their rear yards. Also, as seen on the photos (Exhibit 6A-K) the Petitioners' lot is large and very deep, and the attractive structure (See Building Elevation, Exhibit 7) will complement the rear yard.

Based on the evidence presented, I also find that the variance can be granted in such a manner as to meet the requirements of Section 307 of the B.C.Z.R., as established in *Cromwell v. Ward*, 102 Md. App. 691 (1995). I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. Indeed, the lot is uniquely shaped, owing mainly to the fact that Baltimore County – through its condemnation powers – took a portion of Petitioners' lot, which created an irregular and curved property boundary fronting on Hilltop Avenue. I also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship, given that Petitioners would be unable to complete the project as planned. 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

ORDER RECEIVED FOR FILING

Date 11-20-12

By [Signature]

public health, safety, and general welfare. This is demonstrated by the absence of opposition from the community and County reviewing agencies.

Although the Office of Planning did not make any recommendations related to the garage height and usage, I will impose conditions that the accessory structure not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes.

Pursuant to the advertisement, posting of the property, and public hearing, and after considering the testimony and evidence offered, I find that Petitioners' Special Hearing and Variance requests should be granted.

THEREFORE, IT IS ORDERED this 20th day of November, 2012, by this Administrative Law Judge, that Petitioners' request for Special Hearing filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to approve an accessory building (garage) having a footprint of 1,920 sq. ft. which is larger than the existing dwelling, be and is hereby GRANTED.

IT IS FURTHER ORDERED that Petitioners' Variance request from § 400.3 of the B.C.Z.R., to permit an accessory building (garage) with a height of 20' in lieu of the permitted 15', be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

ORDER RECEIVED FOR FILING

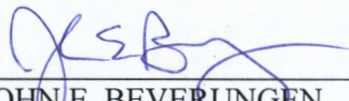
Date 11-20-12

By [Signature]

2. The Petitioners 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.

JEB/dlw



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 11-20-12

By RLW



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 1615 MIDDLEBOROUGH ROAD which is presently zoned DR3.5
 Deed References: L 1356 F. 195 10 Digit Tax Account # 1503472550
 Property Owner(s) Printed Name(s) GORDON M. AND LINDA M. BOSSE

(SELECT THE HEARING(S) BY MARKING X 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. X a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve AN ACCESSORY BUILDING (GARAGE) HAVING A FOOTPRINT OF 1920 SQUARE FEET WHICH IS LARGER THAN THE SQUARE FEET OF THE PRINCIPAL USE (DWELLING)

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

3. X a Variance from Section(s) 400.3 TO PERMIT AN ACCESSORY BUILDING (GARAGE) WITH A HEIGHT OF 20 FEET IN LIEU OF THE PERMITTED 15 FEET.

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.

By

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

GORDON M. BOSSE, LINDA M. BOSSE

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

224 BACK RIVER NECK RD. BALTO., MD.

Mailing Address City State

21221, (410) 686-7754

Zip Code Telephone # Email Address

Representative to be contacted:

CENTRAL DRAFTING & DESIGN, INC.
DAVID BILLINGSLEY

Name - Type or Print

Signature

601 CHARWOOD CT. EDGEWOOD, MD.

Mailing Address City State

21040, (410) 679-8719, dwb0209@yahoo.com

Zip Code Telephone # Email Address

CASE NUMBER 2013-0079-SPHA Filing Date 10/1/12

Do Not Schedule Dates:

Reviewer

ZONING DESCRIPTION

1615 MIDDLEBOROUGH ROAD

Beginning at a point on the south side of Middleborough Road (variable width), distant 145 feet westerly from its intersection with the center of Hilltop Avenue, thence:

- (1) S 09° 01' 00" E 443.31 feet, thence
- (2) S 34° 05' 45" W 16.15 feet, thence
- (3) S 39° 49' 41" W 46.84 feet, thence
- (4) 38.32 feet along a curve to the right having a radius of 468 feet, thence
- (5) N 84° 55' 02" W 26 feet, thence
- (6) N 09° 01' 00" W 500.24 feet, thence
- (7) N 77° 27' 17" E 69.45 feet, thence
- (8) N 83° 21' 16" E 30.72 feet to the place of beginning.

Containing 48,539 square feet or 1.11 acre of land, more or less.

Being located in the 15TH Election District, 6TH Councilmanic District of Baltimore County,
Maryland

2013-0079-SPHA

**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/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 2013-0079-SP14A
Petitioner: GORDON BOSSE
Address or Location: 1615 MIDDLEBOROUGH ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: CENTRAL DRAFTING
Address: AND DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
Telephone Number: (410) 679-8719

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

No. **90100**

Date: **10/1/12**

PAID RECEIPT

BUSINESS ACTUAL TIME AMOUNT
 10/01/2012 10/01/2012 00:00:00 2
 REG. NO. 000100 0001 0001 0001
 RECEIPT # 438000 10/01/2012 DEPT
 DEPT 5 520 JUDICIAL VERIFICATION
 CR NO. 090100
 Receipt # 110100
 \$150.00 00 \$1.00 00
 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: **Central Drafting & Design, Inc**
 For: **1615 Middleborough Rd**

2013-0079-SPHA

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: Case No 2013-0079-SPHA

Petitioner/Developer DAVE
BILLINGSLEY

Date Of Hearing/Closing: 11/19/12

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 1615 MIDDLEBOROUGH RD

This sign(s) were posted on October 31, 2012
Month, Day, Year

Sincerely,

Martin Ogle 10/31/12
Signature of Sign Poster and Date

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



KEVIN KAMENETZ
County Executive

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

October 23, 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: 2013-0079-SPHA

1615 Middleborough Road
S/S of Middleborough Road, 145 ft. S/w of the centerline of Hilltop Avenue
15th Election District – 6th Councilmanic District
Legal Owners: Gordon & Linda Bosse

Special Hearing to permit an accessory building (garage) having a footprint of 1920 square feet which is larger than the square feet of the principal use (dwelling). Variance to permit an accessory building (garage) with a height of 20 feet in lieu of the permitted 15 feet.

Hearing: Monday, November 19, 2012 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Bosse, 224 Back River Neck Road, Baltimore 21221
David Billingsley, 601 Charwood Ct., Edgewood 21040

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, OCTOBER 31, 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.

ZONING NOTICE

CASE # 2013-0079-SPHA

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

ROOM 205 JEFFERSON BUILDING 105
PLACE: WEST CHESAPEAKE AVENUE TOWSON 21204
DATE AND TIME: MONDAY NOVEMBER 19, 2012
AT 10:00 A.M.

REQUEST: SPECIAL HEARING TO PERMIT AN ACCESSORY
BUILDING (GARAGE) HAVING A FOOTPRINT OF 1920 SQUARE
FEET WHICH IS LARGER THAN THE SQUARE FEET OF THE
PRINCIPAL USE (DWELLING). VARIANCE TO PERMIT AN
ACCESSORY BUILDING (GARAGE) WITH A HEIGHT OF 20 FEET
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 ON DAY OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

myalwofe 10/31/12

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: #2013-0079-SPHA

1615 Middleborough Road

S/S of Middleborough Road, 145 ft. S/w of the centerline of Hilltop Avenue

15th Election District - 6th Councilmanic District

Legal Owner(s): Gordon & Linda Bosse

Special Hearing: to permit an accessory building (garage) having a footprint of 1920 square feet which is larger than the square feet of the principal use (dwelling). **Variance** to permit an accessory building (garage) with a height of 20 feet in lieu of the permitted 15 feet.

Hearing: Monday, November 19, 2012 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT 10/796 October 30 884945



501 N. Calvert Street, Baltimore, MD 21278

November 1, 2012

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on October 30, 2012.

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

PATUXENT PUBLISHING COMPANY

By: Susan Wilkinson

Susan Wilkinson



KEVIN KAMENETZ
County Executive

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

November 14, 2012

Gordon M. & Linda M. Bosse
224 Back River Neck Road
Baltimore MD 21221

RE: Case Number: 2013-0079 SPHA, Address: 1615 Middleborough Road

Dear Mr. & Ms. Bosse:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on October 1, 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
Central Drafting & Design Inc., David Billingsley, 601 Charwood Road, Edgewood MD 21040



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

State Highway
Administration

Darrell B. Mobley, Acting Secretary
Melinda B. Peters, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 10-16-12

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

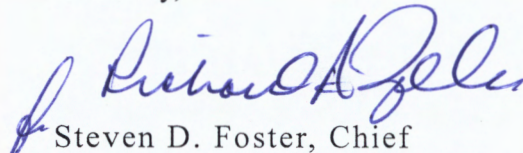
RE: Baltimore County
Item No 2013-0079-SPHA
Special Hearing Variance
Gordon M. & Linda M. Bosse
1615 Middleborough Road

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. 2013-0079-SPHA.

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

Debra Wiley - ZACs

From: Lynn Lanham
To: Wiley, Debra
Date: 10/24/2012 1:42 PM
Subject: ZACs
CC: cjmurray

Debbie,

Planning will not be issuing comments on the following cases: 13-076, 078, 079 and 083. I have emailed the attnys.

Lynn

Lynn Lanham
Chief, Development Review
mlanham@baltimorecountymd.gov
410-887-3480
410-887-5862 Fax
Baltimore County Department of Planning
105 W. Chesapeake Ave.
Suite 101
Towson, MD 21204

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE : October 17, 2012

FROM: Dennis A. Kennedy, ^{DAK}Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For October 22, 2012
Item Nos. 2013-0076, 0078, 0079, 0081, 0082, 0083 and 0084

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

DAK. CEN
cc: File

M E M O R A N D U M

DATE: December 26, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0079-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on December 20, 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 1615 MIDDLEBOROUGH
CASE NUMBER 2013-0795PHA RD.
DATE 11/19/2012

CASE NAME 1615 MIDDLEBROUGH
CASE NUMBER 2013-0795PHA RD.
DATE 11/19/2012

[illegible]

CASE NO. 2013- 0079-SPURCHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>10-17</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
<u>10-24</u>	PLANNING (if not received, date e-mail sent _____)	<u>NC</u>
<u>10-16</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>10-30-12</u>	<u>Pat Jefferson</u>
SIGN POSTING	Date: <u>10-31-12</u>	by <u>Ogle</u>
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 (vw6.2A)
BALTIMORE COUNTY

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

Account Identifier:

District - 15 Account Number - 1503472550

Owner Information

Owner Name: BOSSE GORDON M
BOSSE LINDA M
Use: RESIDENTIAL
Principal Residence: NO
Mailing Address: 224 BACK RIVER NECK RD
BALTIMORE MD 21221-3928
Deed Reference: 1) /13556/ 00195
2)

Location & Structure Information

Premises Address
1615 MIDDLEBOROUGH RD
0-0000

Legal Description
PT LT 62 1.122 AC
1615 MIDDLEBOROUGH RD
HILLTOP PARK

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	Plat Ref:
0097	0006	0418		0000			62	3		0008/ 0032

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1929	1,260 SF	1.1200 AC	04

Stories 1.500000
Basement YES
Type STANDARD UNIT SIDING
Exterior

Value Information

	Base Value	Value As Of 01/01/2012	Phase-in Assessments As Of 07/01/2012	As Of 07/01/2013
Land	83,900	83,900		
Improvements:	126,400	64,000		
Total:	210,300	147,900	147,900	147,900
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
YI SUN KU	03/01/1999	\$84,841
Type: NON-ARMS LENGTH OTHER	Deed1: /13556/ 00195	Deed2:
CONRAD VIRGIL T	12/18/1980	\$60,000
Type: ARMS LENGTH IMPROVED	Deed1: /06243/ 00193	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

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

Homestead Application Information

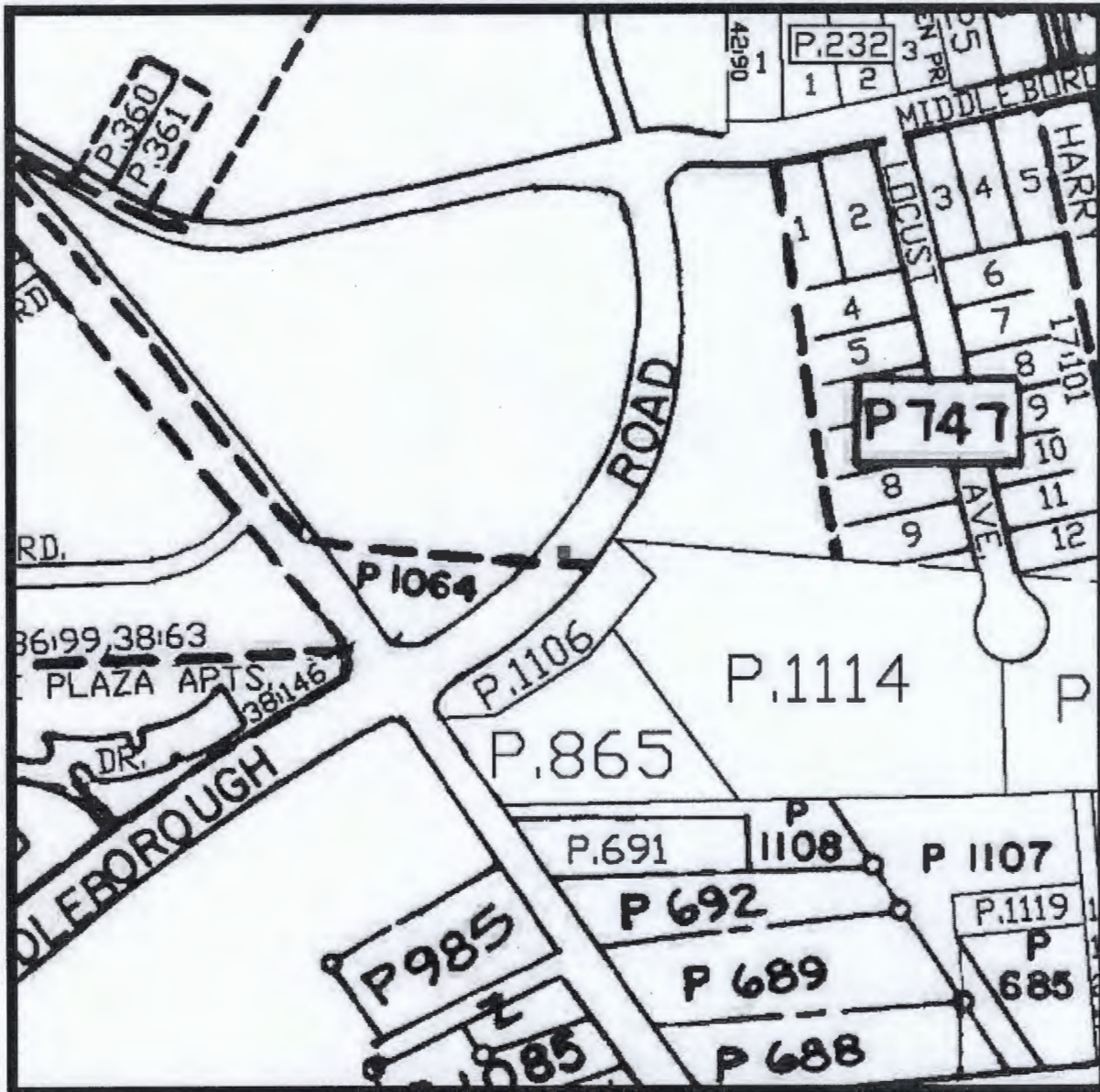
Homestead Application Status: No Application



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

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

District - 15 Account Number - 1503472550



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 ©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

11/19

10 AM

Case No.: 2013-0079-SPHA

Exhibit Sheet

Petitioner/Developer

Protestant

12-26-12 BW
11-20-12 BW

No. 1	Site Plan	
No. 2	SDAT Record	
No. 3	Deed	
No. 4	Plat of Hilltop Park	
No. 5	Aerial Photo	
No. 6	Color Photos (A-K)	
No. 7	Building Elevation	
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PETITIONER'S EXHIBITS

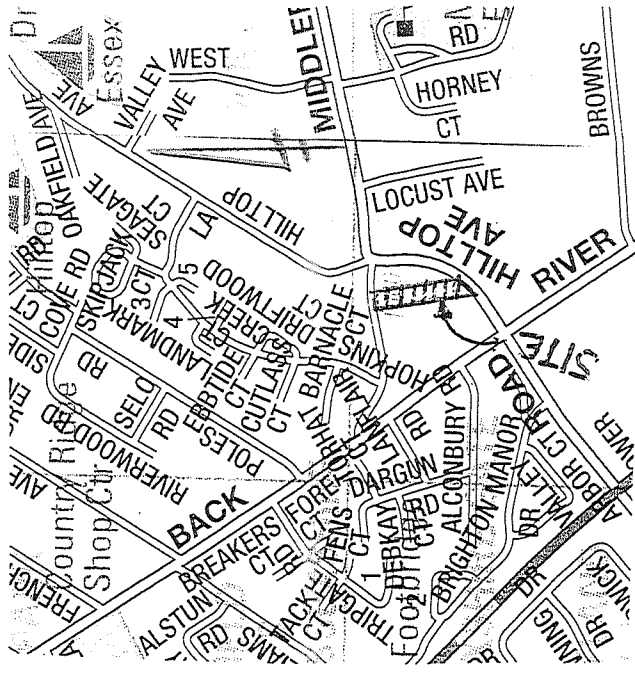
**1615 MIDDLEBOROUGH ROAD
CASE NO. 2013-079-SPHA**

- 1. PLAT TO ACCOMPANY PETITION DATED SEPTEMBER 22, 2012**
- 2. SDAT REAL PROPERTY DATA SEARCH**
- 3. DEED OF RECORD L.13556 F.195**
- 4. PLAT OF HILLTOP PARK P.B. 8 F. 32**
- 5. AERIAL PHOTO**
- 6a – 6k. PHOTOS**
- 7. BUILDING ELEVATION**

GORDON M. AND LINDA M. BOSSE
224 BACK RIVER NECK ROAD
BALTIMORE, MD. 21221
DEED REF: L.13556 F.195
ACCT. NO. 1503472550

1. SITE AREA.....48,539 S.F. = 1.11 ACRE
2. ZONING (MAP 097C1).....DR 3.5 = 14,200 S.F. = 0.32 ACRE
BL = 34,339 S.F. = 0.79 ACRE
3. NO PREVIOUS ZONING HISTORY OR VIOLATIONS
4. SITE IS NOT LOCATED IN CBCA OR 100 YEAR FLOOD ZONE
5. PUBLIC WATER AND SEWER
6. NO HISTORIC STRUCTURES OR CRITICAL AREAS KNOWN

PROPOSED GARAGE IS NOT TO BE USED FOR COMMERCIAL PURPOSES
AND NO RESIDENTIAL LIVING SPACE SHALL BE PERMITTED



LOCATION PLAN
SCALE: 1" = 1000'

1615 MIDDLEBOROUGH ROAD

ELECTION DISTRICT 15C6
BALTIMORE COUNTY, MD.

**PETITIONER'S
EXHIBIT NO.**

SCALE: 1 INCH = 40 FEET SEPTEMBER 22, 2012

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

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

Account Identifier:

District - 15 Account Number - 1503472550

Owner Information

Owner Name:	BOSSE GORDON M BOSSE LINDA M	Use:	RESIDENTIAL
Mailing Address:	224 BACK RIVER NECK RD BALTIMORE MD 21221-3928	Principal Residence:	NO
		Deed Reference:	1) /13556/ 00195 2)

Location & Structure Information

Premises Address	Legal Description
1615 MIDDLEBOROUGH RD 0-0000	PT LT 62 1.122 AC 1615 MIDDLEBOROUGH RD HILLTOP PARK

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0097	0006	0418		0000			62	3	Plat Ref: 0008/ 0032

Special Tax Areas	Town	NONE
	Ad Valorem	
	Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1929	1,260 SF	1.1200 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	07/01/2012	07/01/2013
Land	83,900	83,900		
Improvements:	126,400	64,000		
Total:	210,300	147,900	210,400	147,900
Preferential Land:	0			0

Transfer Information

Seller:	YI SUN KU	Date:	03/01/1999	Price:	\$84,841
Type:	NON-ARMS LENGTH OTHER	Deed1:	/13556/ 00195	Deed2:	
Seller:	CONRAD VIRGIL T	Date:	12/18/1980	Price:	\$60,000
Type:	ARMS LENGTH IMPROVED	Deed1:	/06243/ 00193	Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:	Special Tax Recapture:
Exempt Class:	NONE

Homestead Application Information

Homestead Application Status:	No Application
--------------------------------------	----------------

PETITIONER'S
EXHIBIT NO. 2

Property Tax Account No.: 15-03-472550
File No.: 99/1979

THIS DEED, Made this 18th Day of February, in the year One Thousand Nine Hundred and Ninety-Nine, by and between EUN JA YI, sometimes referred to as NANCY LEE, of Baltimore County, State of Maryland, Party of the first part, and GORDON M. BOSSE and LINDA M BOSSE, his wife, parties of the second part.

WITNESSETH, That in consideration of the sum of EIGHTY-FOUR THOUSAND EIGHT HUNDRED FORTY-ONE AND 00/100THS (\$84,841.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said party of the first part, does hereby grant and convey unto the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them, and the survivor's personal representatives, heirs and assigns, in fee simple, all that lot of ground situate in Baltimore County, State of Maryland, and described as follows that is to say:

BEING known and designated as Lot Number 62 as shown on the Plat of Hilltop Park which Plat is recorded among the Land Records of Baltimore County in Liber Plats WPC No. 8, folio 32 etc. The improvements thereon being known as No. 1615 Middleborough Road.

BEING the same lot of ground described in a Deed dated December 16, 1980 and recorded among the Land Records of Baltimore County in Liber EHK, Jr. No. 6243 folio 193 was granted and conveyed by Virgil T. Conrad and Alta C. Conrad, his wife, unto Sun Ku Yi and Eun Ja Yi, his wife.

SAVING AND EXCEPTING therefrom so much of said property as described in an Inquisition dated March 4, 1989 and recorded among the Land Records of Baltimore County in Liber SM 8755 folio 803 between Baltimore County, Maryland and Sun Ku Yi and Eun Ja Yi, his wife.

The said Sun Ku Yi having departed this life on or about the 22nd day of October, 1989.

The said Eun Ja Yi having sometimes being referred to as Nancy Lee.

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises to the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them, and the survivor's personal representatives/heirs and assigns, in fee simple forever.

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

HOPEWELL

CREEK

PETITIONER'S
EXHIBIT NO. **4**

PLAT OF
HILLTOP PARK
FIFTEENTH DISTRICT
BALTIMORE COUNTY
THE PELICAN REALTY CO.,
1706 EASTERN AVENUE
CITY.

THIS SYMBOL SHOWS
LOCATION OF STONES.
SCALE 1"=100' JAN. 20, 1926
E. V. COGNAN & CO.
SUEVETON & CIVIL ENG'G
231 COURTLAND ST.
BALTIMORE, MD.



PETITIONER'S
EXHIBIT NO. 5



My Neighborhood Map

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.

Printed 11/17/2012

OWNER

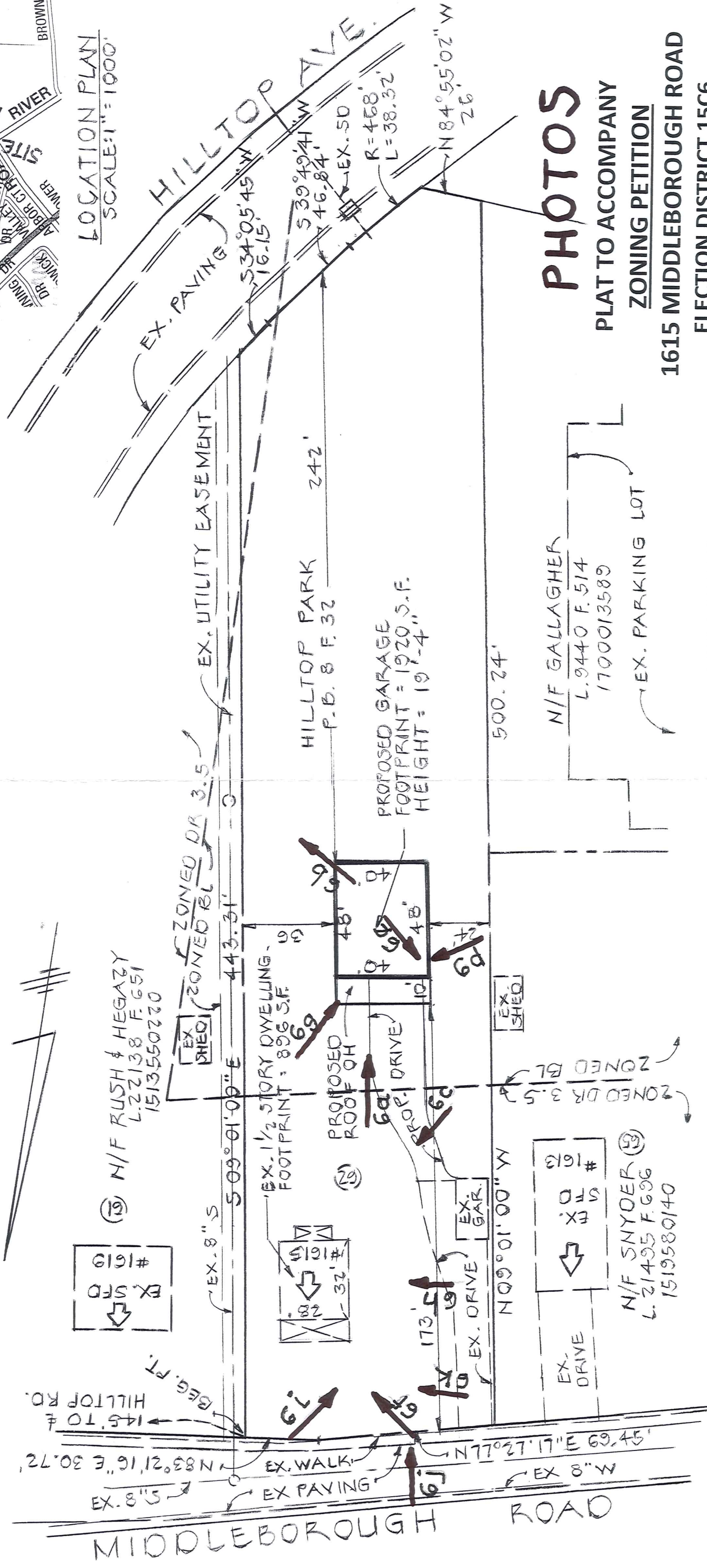
GORDON M. AND LINDA M. BOSSE
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DEED REF: L.13556 F.195
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NOTES

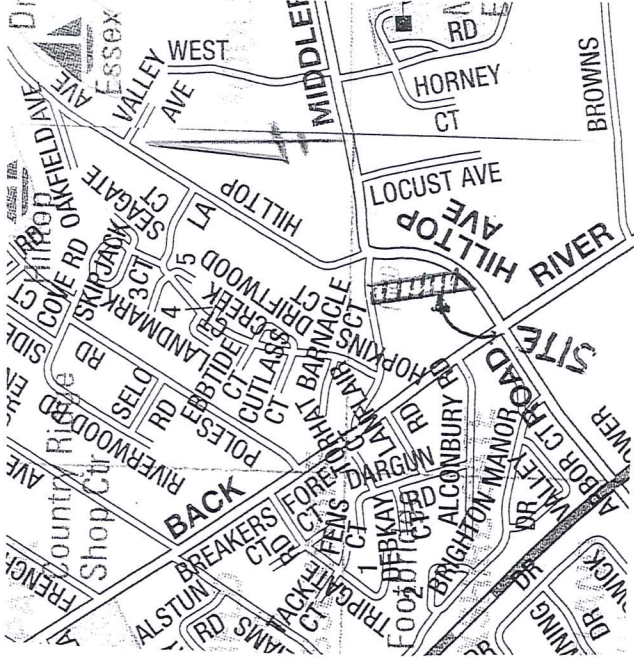
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NOTE

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LOCATION PLAN
SCALE: 1" = 1000'



PHOTOS

PLAT TO ACCOMPANY
ZONING PETITION

1615 MIDDLEBOROUGH ROAD

ELECTION DISTRICT 15C6
BALTIMORE COUNTY, MD.

PETITIONER'S
EXHIBIT NO. **6a-k**

SCALE: 1 INCH = 40 FEET SEPTEMBER 22, 2012

6a



6b



6c



6d



62



6f



69



6h



6i



6j



6k



6i

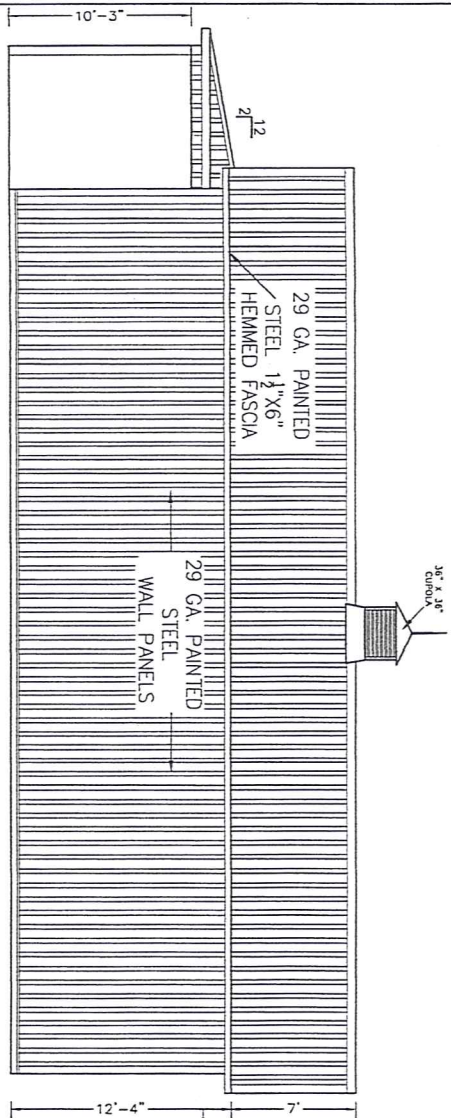


6j

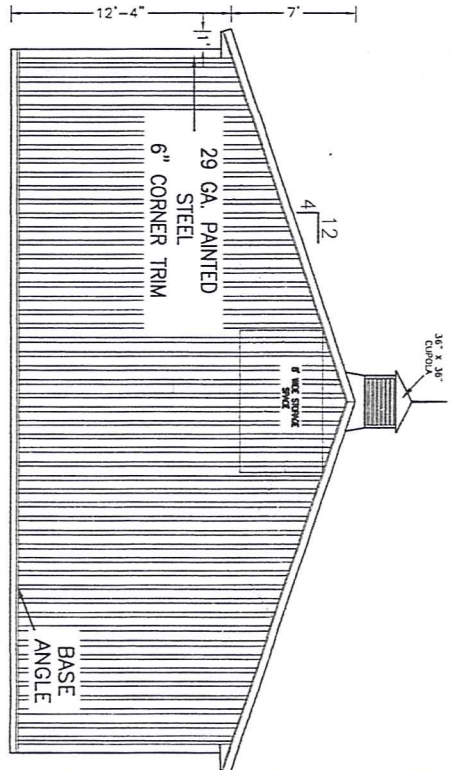


6k

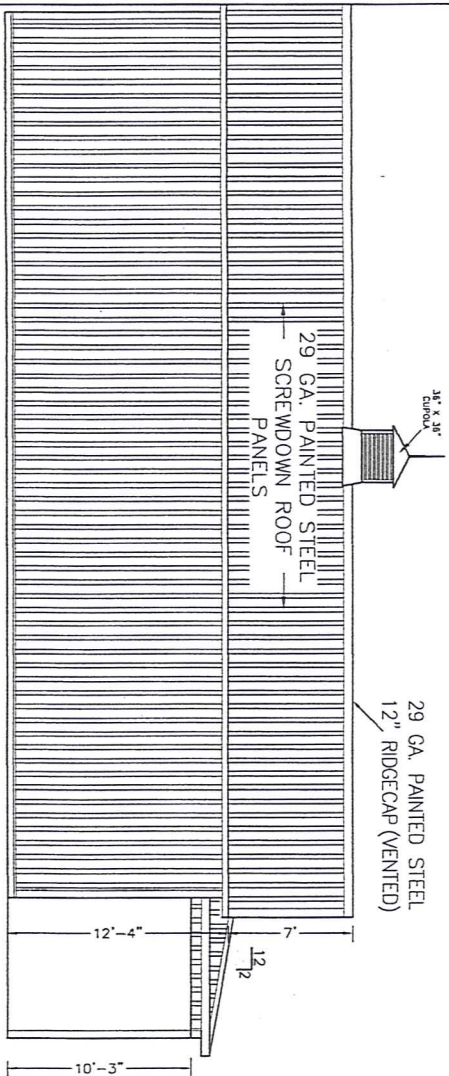




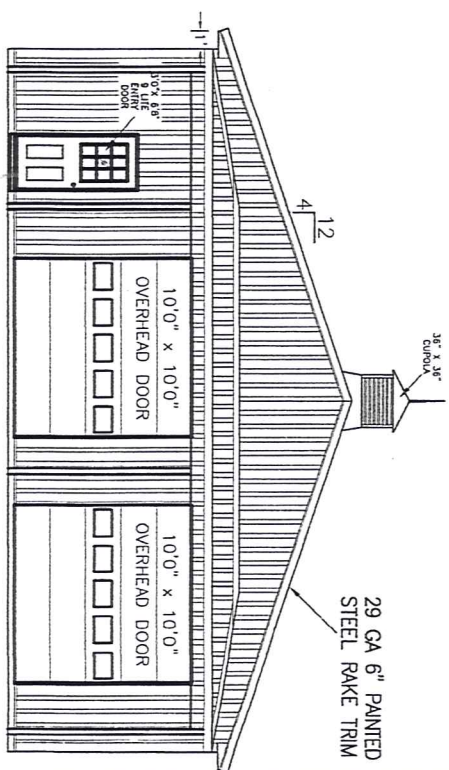
BACK SIDEWALL
SCALE: 1/8" = 1'0"



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



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



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

OWNER

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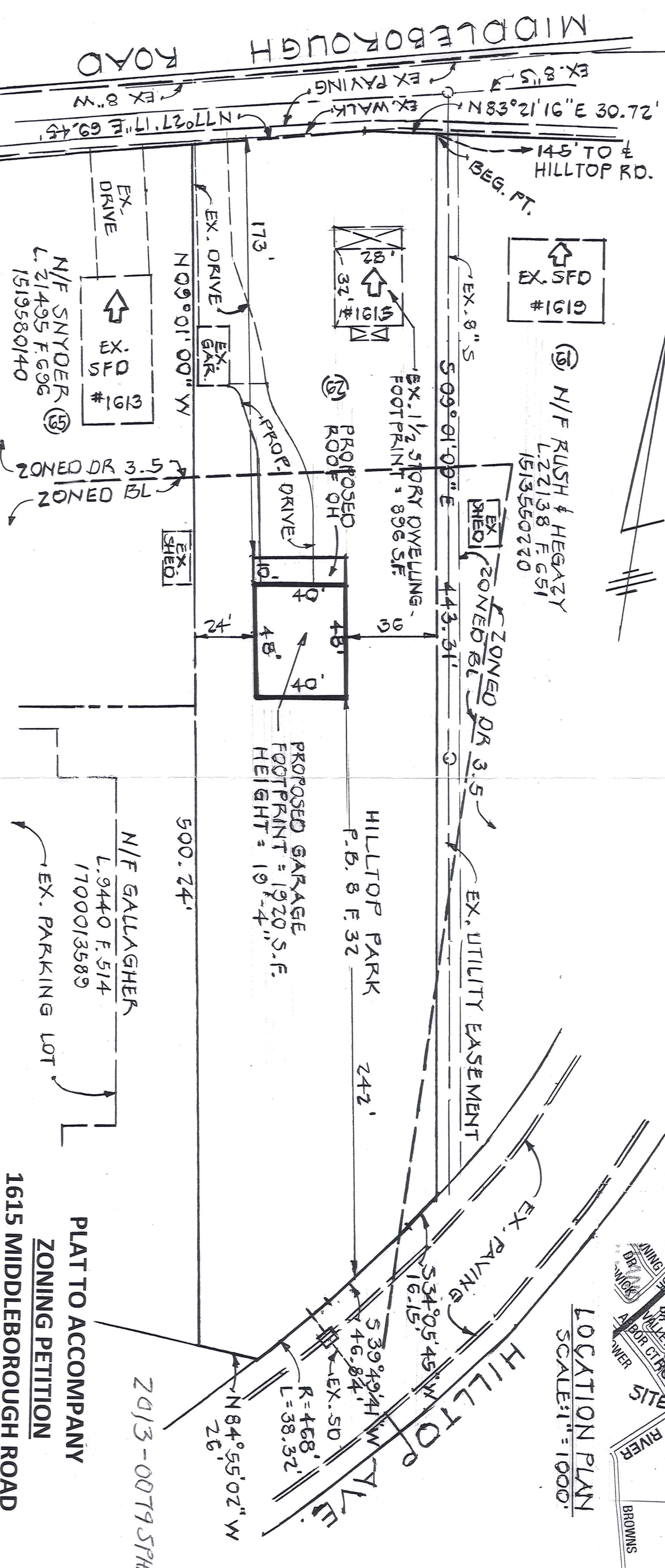
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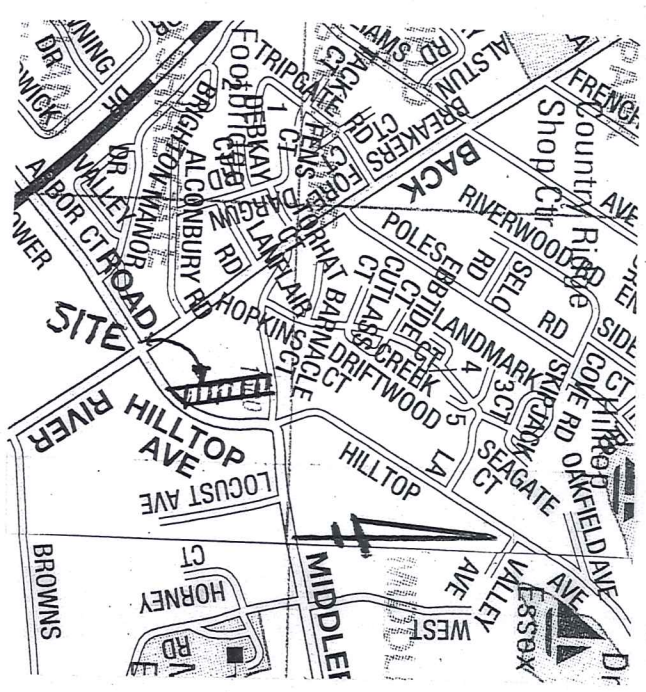


**PLAT TO ACCOMPANY
ZONING PETITION**
1615 MIDDLEBOROUGH ROAD
ELECTION DISTRICT 15C6
BALTIMORE COUNTY, MD.

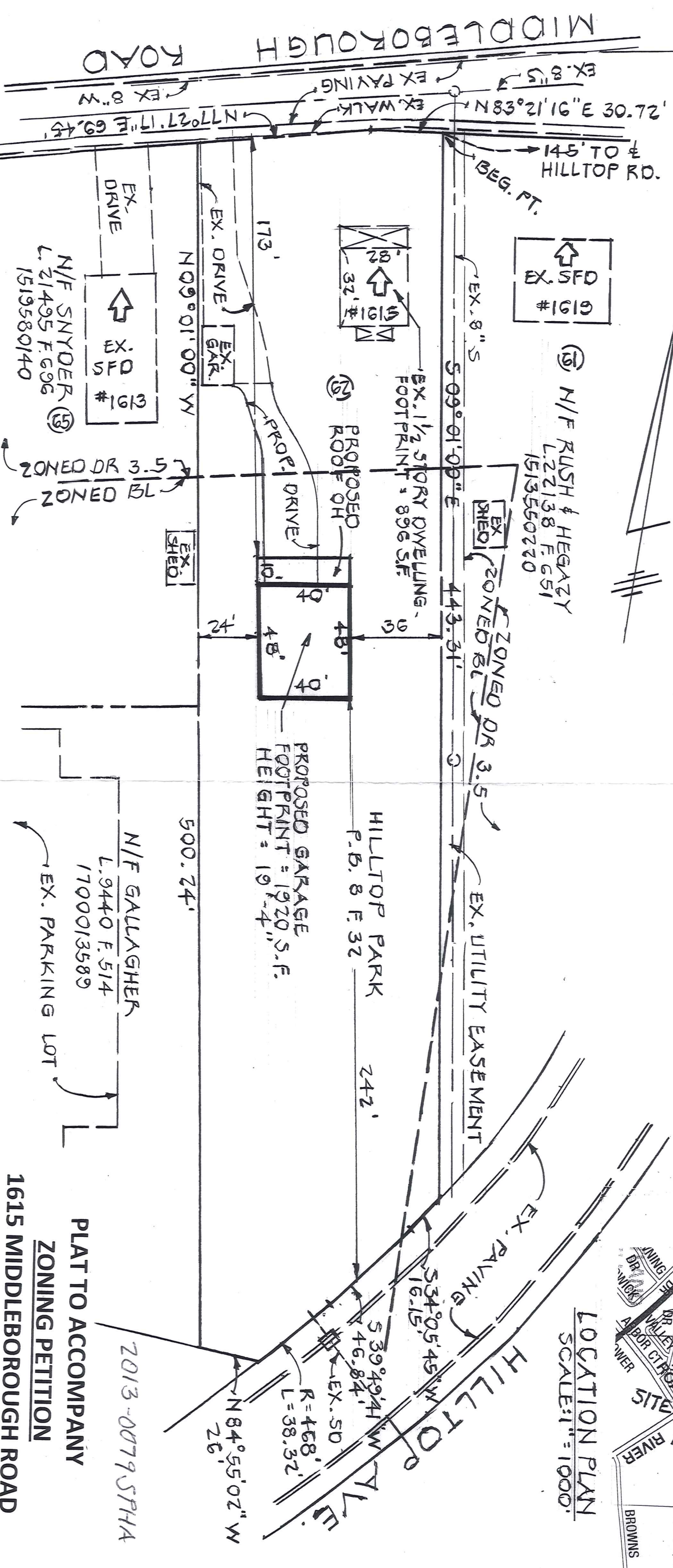
2013-0079 SPHA

OWNER
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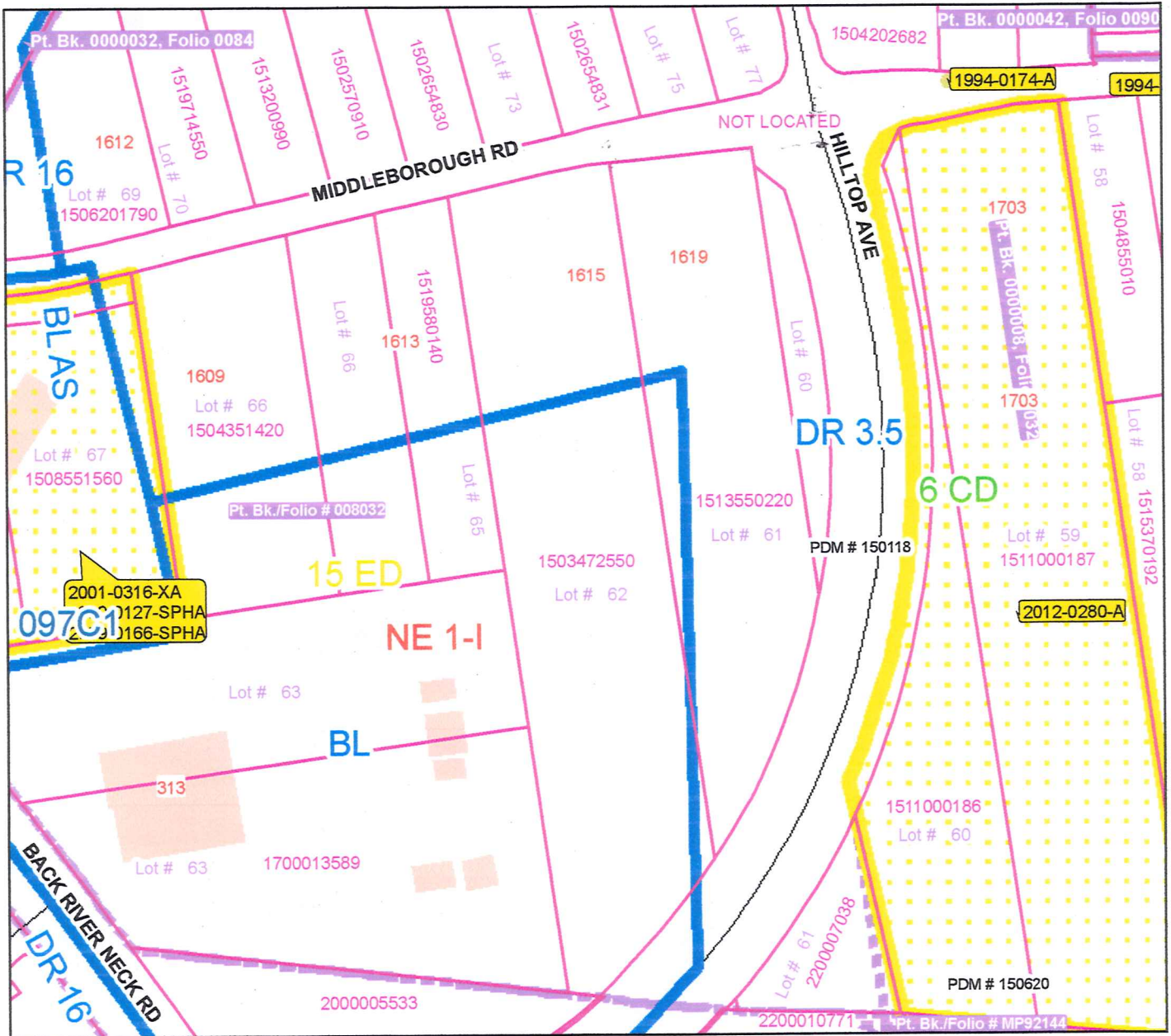


LOCATION PLAN
SCALE: 1" = 1000'



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ZONING PETITION**
1615 MIDDLEBOROUGH ROAD
ELECTION DISTRICT 15C6
BALTIMORE COUNTY, MD.

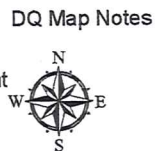
1615 Middleborough Road 2013-0079-SPHA



2013-0079-SPHA



Publication Date: October 01, 2012
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 900, NAD 1983/91 HARN, US Foot



1 inch = 100 feet