

## MEMORANDUM

DATE: December 17, 2012  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2013-0081-A - Appeal Period Expired

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The appeal period for the above-referenced case expired on December 13, 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

IN RE: PETITION FOR ADMIN. VARIANCE \*

(904 Palladi Drive)

13<sup>th</sup> Election District \*

1<sup>st</sup> Councilmanic District \*

James K. Peach \*

Petitioner \*

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2013-0081-A

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings as a Petition for Administrative Variance filed by the legal owner of the subject property, James K. Peach. The variance request is from Sections 400 and 400.1 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a proposed accessory structure (shed) with a side yard setback of 12 inches in lieu of the required 2 ½ feet. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1.

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

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on October 7, 2012, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code; and having received a letter on November 13, 2012 from Eugene T. Ambrose, 902 Palladi Drive, indicating no objection to the variance relief, based upon the information available, there is no evidence in the file to indicate that the requested variance would

**ORDER RECEIVED FOR FILING**

Date 11-13-12

By aw

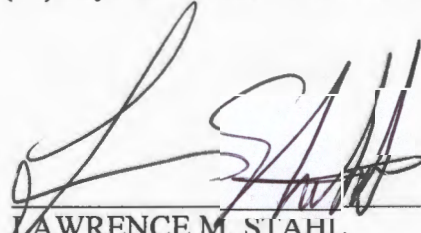
adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Administrative Law Judge for Baltimore County, this 13<sup>th</sup> day of November, 2012 that the Variance request from Sections 400 and 400.1 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a proposed accessory structure (shed) with a side yard setback of 12 inches in lieu of the required 2 ½ feet, be and is hereby GRANTED, subject to the following:

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

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

  
LAWRENCE M. STAHL  
Managing Administrative Law Judge  
for Baltimore County

LMS:dlw  
**ORDER RECEIVED FOR FILING**

Date 11-13-12 2

By [Signature]



KEVIN KAMENETZ  
*County Executive*

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

November 13, 2012

James K. Peach  
904 Palladi Drive  
Halethorpe, Maryland 21227

RE: **PETITION FOR ADMINISTRATIVE VARIANCE**  
(904 Palladi Drive)  
Case No. 2013-0081-A

Dear Mr. Peach:

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,

A handwritten signature in black ink, appearing to read "L. Stahl", is written over the typed name "LAWRENCE M. STAHL".

LAWRENCE M. STAHL  
Managing Administrative Law Judge  
for Baltimore County

LMS:dlw  
Enclosure





# ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 904 PALLADI DRIVE which is presently zoned DR 10.5

Deed Reference 24719/00273 10 Digit Tax Account # 1600005619

Property Owner(s) Printed Name(s) JAMES K PEACH

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

**Administrative Variances** require that the Affidavit on the reverse of this Petition Form be completed / notarized.

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

1. ☒ **ADMINISTRATIVE VARIANCE** from section(s): 400, 400.1 BCZR 1955; BILL NO 27-1963 LOCATION; LOT COVERAGE.

To permit a proposed accessory structure (shed) with a side yard set back of 12 inches in lieu of the required 2 1/2 feet.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ☐ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4- 416(a)(2): (indicate type of work in this space to raze, alter or construct addition to building)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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

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

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

## Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

## Legal Owners:

JAMES K PEACH

Name #1 – Type or Print

Name #2 – Type or Print

Signature #1

Signature # 2

904 PALLADI DRIVE

HALETHORPE

MD

Mailing Address

City

State

21227

Zip Code

443-604-0655

Telephone #

jpeach1@gmail.com

Email Address

Representative to be contacted:

James K Peach

Name – Type or Print

Signature

904 Palladi Drive Halethorpe MD

Mailing Address

City

State

21227

Zip Code

443-604-0655

Telephone #

jpeach1@gmail.com

Email Address

A PUBLIC HEARING having formally demanded and/or found to be required, it is ordered by the Office of Administrative Law, of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Administrative Law Judge of Baltimore County

CASE NUMBER 2013-0081-A Filing Date 10/1/12 Estimated Posting Date 10/7/12 Reviewer BA

Rev 10/12/11



# Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 904 PALLADI DRIVE                      HALETHORPE                      MD                      21227

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Print or Type Address of property                      City                      State                      Zip Code

Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. **(Clearly state practical difficulty or hardship here)**

I am requesting variance relief regarding the required accessory building setback from 2 1/2 feet to 1 foot from the north side property line dividing lot 904 Palladi Dr owned by me, Mr. James K Peach from lot 906 Palladi Dr, owned by Mr. Eugene T Ambrose and Kimberly A Baugher. The practical difficulty results from the required 2 1/2 feet setback for accessory buildings being applied on both lot side property lines. When applied to a narrow lot such as the 904 Palladi Dr property, just 18 feet wide, it effectively creates a constraint that severely limits the ability to improve my property with the addition of a proposed storage shed. The current setback requirement, 2 1/2 feet from each side property line and 15 feet back from the centerline of an alley effectively reduces the area in which an accessory building can be placed by 38% or 346 square feet out of a 918 square feet rear yard. The reduced permissible area combined with other elements of the property such as a concrete sidewalk and parking space constitutes a hardship in severely limiting or eliminating the possibility of improving the property through the construction of a shed in an efficient / optimal for lot use location. I feel the property setback requirement should be relaxed in this case due to the practical difficulty / hardship it creates and is amplified on smaller lots.

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

James K Peach  
Signature of Affiant

James K Peach  
Name- Print or Type

\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
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 26<sup>th</sup> day of September, 2012, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

James K Peach  
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal

Martina M. Pettit  
Notary Public  
10/24/13  
My Commission Expires

Part A

**ZONING PROPERTY DESCRIPTION FOR 904 PALLADI DRIVE**

Beginning at a point on the (west) side of (Palladi Drive) which is (60 feet right-of-way width) wide at the distance of (105.75 feet) (north) of the centerline of the nearest improved intersecting street (Gateway Terrace) which is (55 feet right-of-way width) wide.

Part B, Option 2 (Subdivision Lot – lot is part of record plat):

Being Lot #(23), Block (D), Section #(N/A) in the subdivision of Maiden Choice Village, Plat #3 as recorded in Baltimore County Plat Book #(0021), Folio #(0035), containing (2070 total square feet or .0475 acres in lot). Located in the (1st) Election District and (13<sup>th</sup>) Council District.

2013-0081-A



**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 2013- 0081 -A Address 904 Palladi Dr.

Contact Person: Gary Huick Phone Number: 410-887-3391  
Planner, Please Print Your Name

Filing Date: 10/1/12 Posting Date: 10/07/12 Closing Date: 10/22/12

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

**Petitioner: This Part of the Form is for the Sign Poster Only**

**USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**

Case Number 2013- 0081 -A Address 904 Palladi Dr

Petitioner's Name James Peach Telephone 443-552-8585

Posting Date: 10/7/12 Closing Date: 10/22/12

Wording for Sign: To Permit A proposed detached shed with a  
side yard set back of 12 inches in lieu of the  
required 2 1/2 feet.

Revised 7/06/11



# 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/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.**

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#### For Newspaper Advertising:

Item Number or Case Number: 2013 0081 - A

Petitioner: James K Peach

Address or Location: 904 Palladi Dr

PLEASE FORWARD ADVERTISING BILL TO:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_

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

No. **90102**

Date: **10/1/12**

**PAID RECEIPT**

BUSINESS SAVING FINE DON

07/02/2012 10:00:00 10:00:00

MD 4502 44114 10/1/12

RECEIPT N 71627 10/1/12 012

Dept 5 000 0000 0000 0000

CR NO. 07010

Regt 44114 10/1/12

\$75.00 1.90 00

Baltimore County, Maryland

| Fund | Dept | Unit | Sub Unit | Rev Source/ Obj | Sub Rev/ Sub Obj | Dept Obj | BS Acct | Amount |
|------|------|------|----------|-----------------|------------------|----------|---------|--------|
| 001  | 806  | 000  |          | 0150            |                  |          |         | 75.00  |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |

Total: **75.00**

Rec From: **James Beach**

For: **Administrative Variances**

**2013 - 0081 - A**

**DISTRIBUTION**

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

PLEASE PRESS HARD!!!!

**CASHIER'S  
 VALIDATION**

# CERTIFICATE OF POSTING

2013-0081-A

RE: Case No.: \_\_\_\_\_

Petitioner/Developer: \_\_\_\_\_

James Peach

October 22, 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: \_\_\_\_\_

904 Palladi Dr

October 7, 2012

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

Sincerely,

October 7, 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)







KEVIN KAMENETZ  
County Executive

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

October 23, 2012

James K Peach  
904 Palladi Drive  
Halethorpe MD 21227

RE: Case Number: 2013-0081 A, Address: 904 Palladi Drive, 21227

Dear Mr. Peach:

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 that reads "W. Carl Richards, Jr." The signature is written in a cursive style.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel

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



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 2013-0081-A  
Administrative Variance  
James K. Peach  
904 Palladi Drive

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. 2013-0081-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,

A handwritten signature in blue ink, appearing to read "Richard Zeller", is written over the word "Sincerely,".

Steven D. Foster, Chief  
Access Management Division

SDF/raz

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

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

**DATE :** October 17, 2012

**FROM:** Dennis A. Kennedy, <sup>DAK</sup>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



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

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

**Account Identifier:** District - 13 Account Number - 1600005619

**Owner Information**

**Owner Name:** PEACH JAMES K **Use:** RESIDENTIAL  
**Mailing Address:** 904 PALLADI DR **Principal Residence:** YES  
HALETHORPE MD 21227-1236 **Deed Reference:** 1) /24719/ 00273  
2)

**Location & Structure Information**

**Premises Address**

904 PALLADI DR  
0-0000

**Legal Description**

904 PALLADI DR SWS  
MAIDEN CHOICE VILLAGE

| Map  | Grid | Parcel | Sub District | Subdivision | Section | Block | Lot | Assessment Area | Plat No:         |            |
|------|------|--------|--------------|-------------|---------|-------|-----|-----------------|------------------|------------|
| 0101 | 0017 | 1104   |              | 0000        |         | D     | 23  | 1               | 3                |            |
|      |      |        |              |             |         |       |     |                 | <b>Plat Ref:</b> | 0021/ 0035 |

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

| Primary Structure Built | Enclosed Area | Property Land Area | County Use |
|-------------------------|---------------|--------------------|------------|
| 1956                    | 1,152 SF      | 2,070 SF           | 04         |

| Stories  | Basement | Type              | Exterior |
|----------|----------|-------------------|----------|
| 2.000000 |          | CENTER UNIT BRICK |          |

**Value Information**

|                           | Base Value | Value      | Phase-in Assessments |            |
|---------------------------|------------|------------|----------------------|------------|
|                           |            | As Of      | As Of                | As Of      |
|                           |            | 01/01/2010 | 07/01/2012           | 07/01/2013 |
| <b>Land</b>               | 68,000     | 68,000     |                      |            |
| <b>Improvements:</b>      | 120,100    | 120,100    |                      |            |
| <b>Total:</b>             | 188,100    | 188,100    | 188,100              |            |
| <b>Preferential Land:</b> | 0          |            |                      |            |

**Transfer Information**

| Seller:                            | Date:                       | Price:        |
|------------------------------------|-----------------------------|---------------|
| GLORIOSO VINCENT SALVATORE         | 11/03/2006                  | \$235,000     |
| <b>Type:</b> ARMS LENGTH IMPROVED  | <b>Deed1:</b> /24719/ 00273 | <b>Deed2:</b> |
| Seller: MALINOFKY DONNA R          | Date: 06/22/2004            | Price: \$0    |
| <b>Type:</b> NON-ARMS LENGTH OTHER | <b>Deed1:</b> /20280/ 00230 | <b>Deed2:</b> |
| Seller: MALINOFKY GARY W           | Date: 10/08/1985            | Price: \$0    |
| <b>Type:</b> NON-ARMS LENGTH OTHER | <b>Deed1:</b> /07018/ 00450 | <b>Deed2:</b> |

**Exemption Information**

| Partial Exempt Assessments | Class | 07/01/2012 | 07/01/2013 |
|----------------------------|-------|------------|------------|
| <b>County</b>              | 000   | 0.00       |            |
| <b>State</b>               | 000   | 0.00       |            |
| <b>Municipal</b>           | 000   | 0.00       |            |

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

**Homestead Application Information**

**Homestead Application Status:** Approved 02/09/2010



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

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

District - 13 Account Number - 1600005619



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

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

Property maps provided courtesy of the Maryland Department of Planning ©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](http://www.mdp.state.md.us/OurProducts/OurProducts.shtml)



James K Peach  
904 Palladi Dr  
Halethorpe MD 21227  
November 8, 2012

RECEIVED

NOV 13 2012

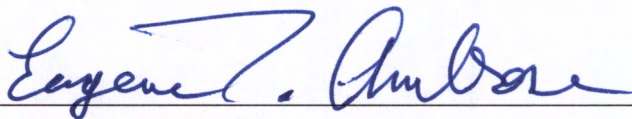
OFFICE OF ADMINISTRATIVE HEARINGS

Honorable Lawrence M Stahl  
Managing Administrative Law Judge  
Office of Administrative Hearings  
105 West Chesapeake Ave  
Suite 103  
Towson MD 21204

Case Number 2013-0081- A

Dear Judge Stahl:

This letter is in response to a request made by Debbie in the Office of Administrative Hearings seeking a letter stating that my neighbor Mr. Eugene T Ambrose does not have an objection to the administrative variance sought by me, James K Peach regarding the permit of a proposed detached shed with a side yard setback of 12" in lieu of the required 30". Mr. Ambrose's property is adjacent and closet to the proposed location of the detached shed. He has agreed to sign this letter here:

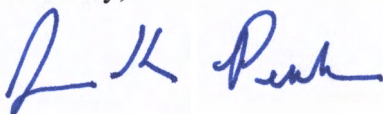


And may be reached by way of contact:

Mr. Eugene T Ambrose  
902 Palladi Dr  
Halethorpe MD 21227

410-536-0436

Sincerely,



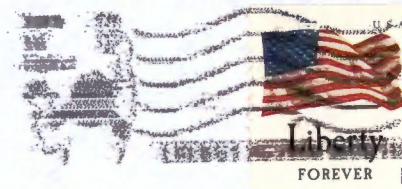
James K Peach



**P** Jim Peach  
904 Palladi Dr.  
Halethorpe, MD 21227

BAITIMORE MD 212

15 NOV 2012 PM 5 L



Honorable Lawrence M Stahl  
Managing Administrative Law Judge  
Office of Administrative Hearings  
105 West Chesapeake Ave, Suite 103  
Towson MD 21204

21204471028



## SECTION 400. ACCESSORY BUILDINGS IN RESIDENCE ZONES

### SECTION 400. Accessory Buildings in Residence Zones

§ 400.1. Location; lot coverage.

§ 400.2. Setback.

§ 400.3. Height.

§ 400.4. Accessory apartments.

**[BCZR 1955; Bill No. 27-1963]**

§ 400.1. Location; lot coverage.

Accessory buildings in residence zones, other than farm buildings (Section 404) shall be located only in the rear yard and shall occupy not more than 40% thereof. On corner lots they shall be located only in the third of the lot farthest removed from any street and shall occupy not more than 50% of such third. In no case shall they be located less than 2 1/2 feet from any side or rear lot lines, except that two private garages may be built with a common party wall straddling a side interior property line if all other requirements are met. The limitations imposed by this section shall not apply to a structure which is attached to the principal building by a covered passageway or which has one wall or part of one wall in common with it. Such structure shall be considered part of the principal building and shall be subject to the yard requirements for such a building.

C H E C K L I S T

| <u>Comment Received</u>         | <u>Department</u>                                                     | <u>Support/Oppose/<br/>Conditions/<br/>Comments/<br/>No Comment</u> |
|---------------------------------|-----------------------------------------------------------------------|---------------------------------------------------------------------|
| <u>10-17</u>                    | DEVELOPMENT PLANS REVIEW<br>(if not received, date e-mail sent _____) | <u>NC</u>                                                           |
| _____                           | DEPS<br>(if not received, date e-mail sent _____)                     | _____                                                               |
| _____                           | FIRE DEPARTMENT                                                       | _____                                                               |
| _____                           | PLANNING<br>(if not received, date e-mail sent _____)                 | _____                                                               |
| <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: _____                                                           |                                                                     |
| SIGN POSTING                    | Date: <u>10-7-12</u> by <u>Block</u>                                  |                                                                     |
| PEOPLE'S COUNSEL APPEARANCE     | Yes <input type="checkbox"/> No <input type="checkbox"/>              |                                                                     |
| PEOPLE'S COUNSEL COMMENT LETTER | Yes <input type="checkbox"/> No <input type="checkbox"/>              |                                                                     |

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

\_\_\_\_\_  
\_\_\_\_\_







# FRONT VIEW OF PROPERTY AND ADJACENT DWELLINGS



2013-0081-A



Proposed Location  
Of Reduced 1'  
Accessory Building  
Setback

Proposed Footprint Of New  
10' x 10' Shed

Area Of Proposed Changes  
Rear Yard 904 Palladi Dr

2013-0081-A



# Rear View of Property And Adjacent Dwellings

902 Palladi Dr

904 Palladi Dr

906 Palladi Dr



2013-0081-A

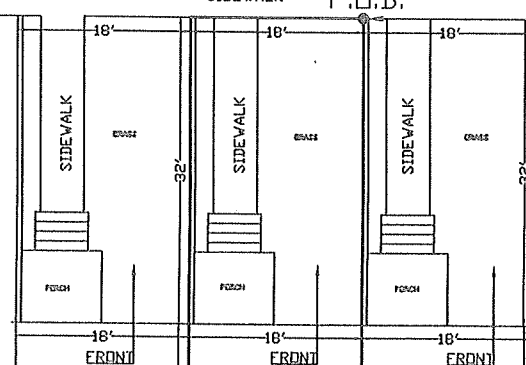


ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING N/A ADDRESS 904 PALLADI DR  
OWNERS(S) NAME(S) JAMES K PEACH SUBDIVISION NAME MAIDEN CHOICE VILLAGE, PLAT#3  
LOT # 23 BLOCK D SECTION N/A PLAT BOOK # 0021 FOLIO # 0035 10 DIGIT TAX # 1600005619 DEED REF. # 24719/00273

PALLADI DRIVE 60 FT  
R/W

GRASS GRASS GRASS

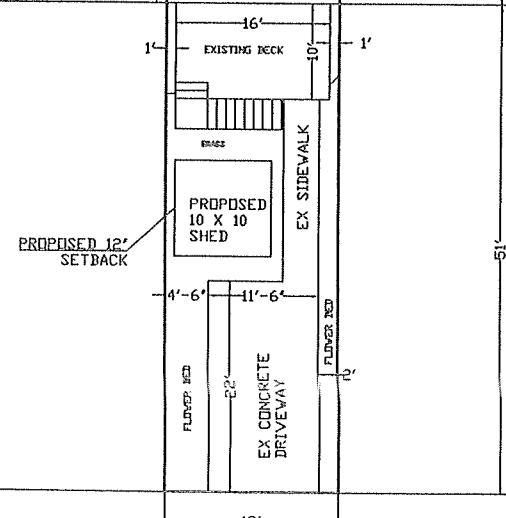
SIDEWALK SIDEWALK P.D.B. SIDEWALK



#906  
EXISTING 2 STORY  
BRICK DWELLING  
AHEROSE, EUGENE T  
BAUGHER, KIMBERLY A  
LOT 24  
10 DIGIT TAX ACCOUNT  
# 1600005597

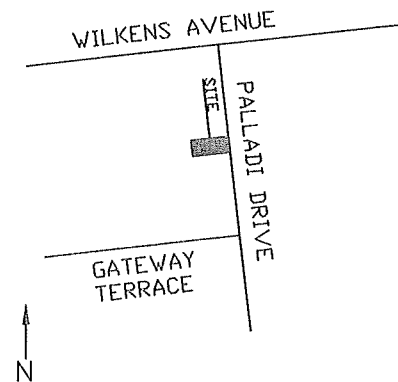
#904  
EXISTING 2 STORY  
BRICK DWELLING  
PEACH, JAMES KENNETH  
LOT 23  
10 DIGIT TAX ACCOUNT  
# 1600005619

#902  
EXISTING 2 STORY  
BRICK DWELLING  
SHOCKNEY, MABEL MARIE  
LOT 22  
10 DIGIT TAX ACCOUNT  
# 1600005627



105.75' TO GATEWAY  
TERRACE  
C/L

### SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP # 010B2  
SITE ZONED DR 10.5  
ELECTION DISTRICT 13  
COUNCIL DISTRICT 1  
LOT AREA ACREAGE .0475  
OR SQUARE FEET 2070 SF  
HISTORIC ? NO  
IN CBCA ? NO  
IN FLOOD PLAIN ? NO  
UTILITIES ? MARKED WITH X  
WATER IS:  
PUBLIC X PRIVATE  
SEWER IS:  
PUBLIC X PRIVATE  
PRIOR HEARING ? NO

PLAN DRAWN BY JAMES K PEACH DATE 9/24/2012  
SCALE: 1 INCH = 20 FEET

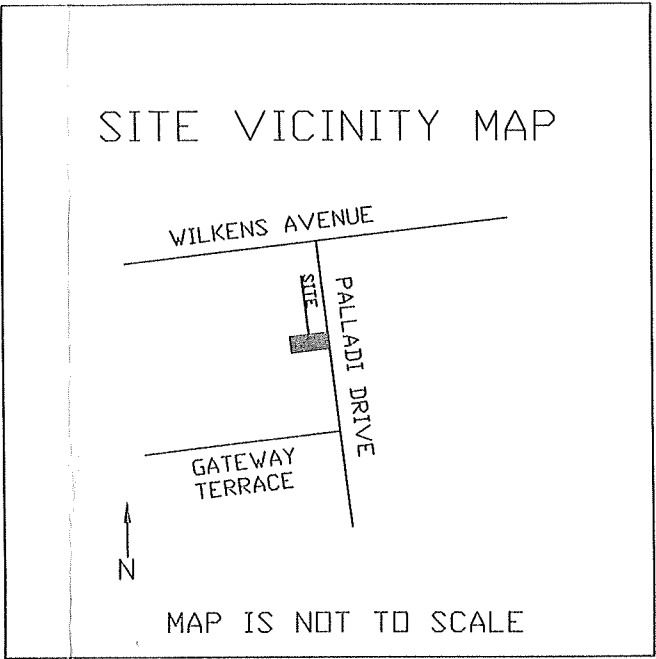
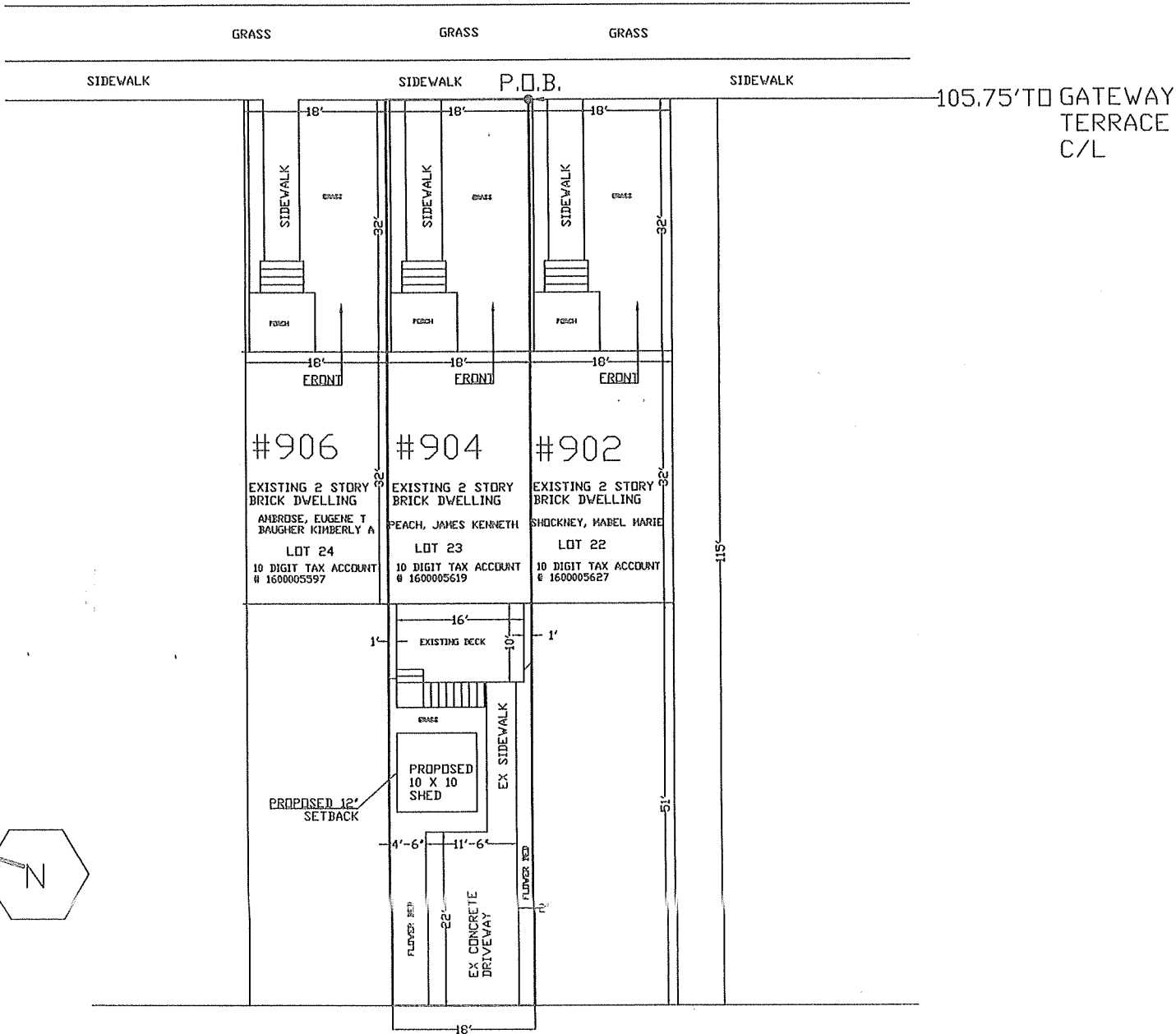
ALLEY 16 FT  
R/W

2013-0081-A



ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING N/A ADDRESS 904 PALLADI DR  
OWNERS(S) NAME(S) JAMES K PEACH SUBDIVISION NAME MAIDEN CHOICE VILLAGE, PLAT#3  
LOT # 23 BLOCK D SECTION N/A PLAT BOOK # 0021 FOLIO # 0035 10 DIGIT TAX # 1600005619 DEED REF. # 24719/00273

PALLADI DRIVE 60 FT  
R/W



ZONING MAP # 010B2  
SITE ZONED DR 10.5  
ELECTION DISTRICT 13  
COUNCIL DISTRICT 1  
LOT AREA ACREAGE .0475  
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PLAN DRAWN BY JAMES K PEACH DATE 9/24/2012  
SCALE: 1 INCH = 20 FEET

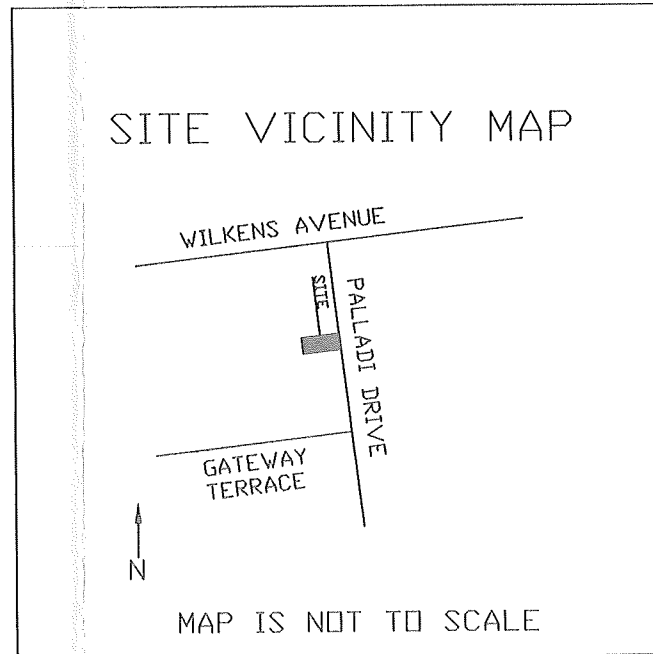
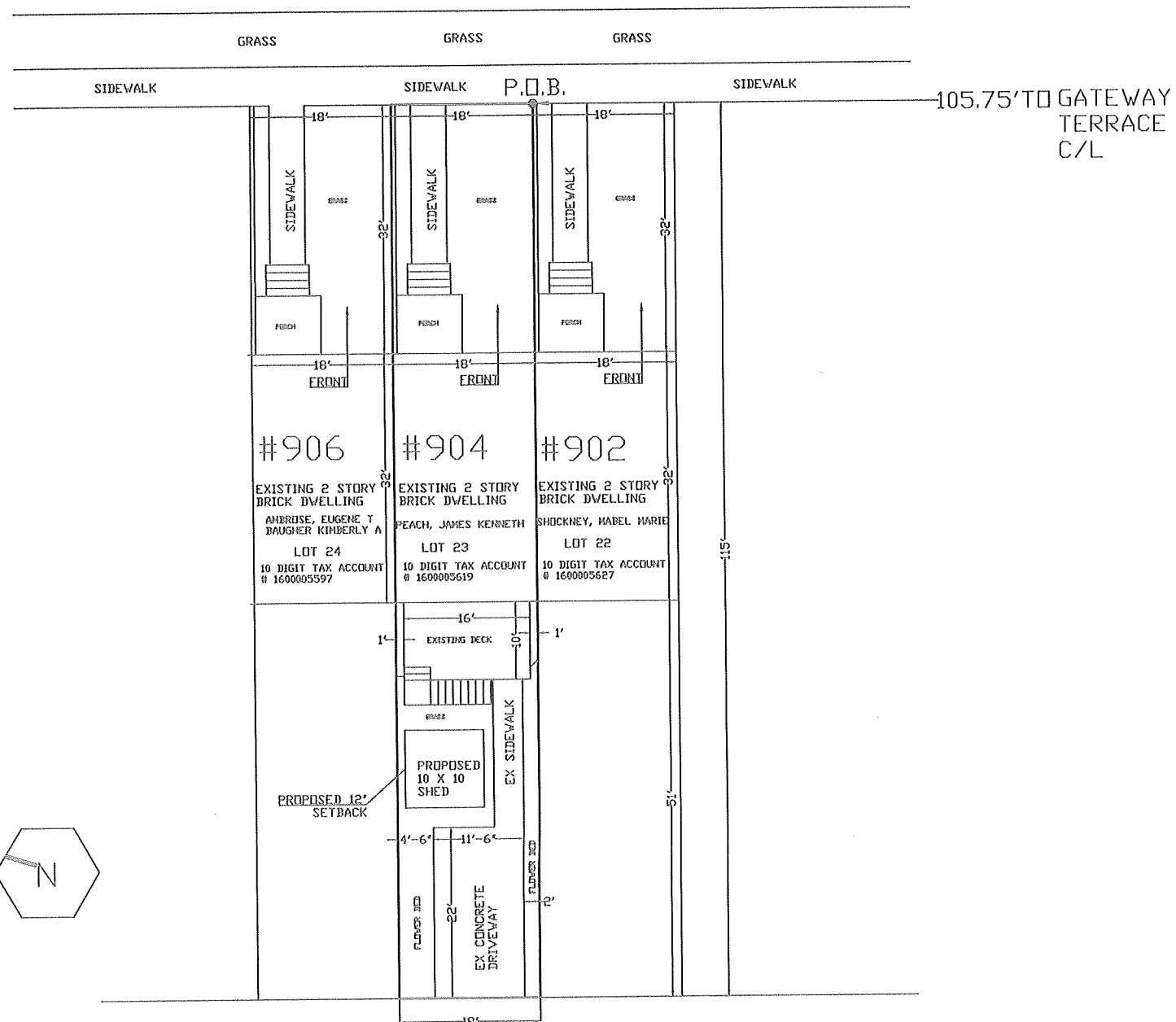


ALLEY 16 FT  
R/W

2013-0081-A  
Pet. Exh.  
1

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING N/A ADDRESS 904 PALLADI DR  
 OWNERS(S) NAME(S) JAMES K PEACH SUBDIVISION NAME MAIDEN CHOICE VILLAGE, PLAT#3  
 LOT # 23 BLOCK D SECTION N/A PLAT BOOK # 0021 FOLIO # 0035 10 DIGIT TAX # 1600005619 DEED REF. # 24719/00273

PALLADI DRIVE 60 FT  
R/W



ZONING MAP # 010B2  
 SITE ZONED DR 10.5  
 ELECTION DISTRICT 13  
 COUNCIL DISTRICT 1  
 LOT AREA ACREAGE .0475  
 OR SQUARE FEET 2070 SF  
 HISTORIC ? NO  
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PLAN DRAWN BY JAMES K PEACH DATE 9/24/2012  
 SCALE: 1 INCH = 20 FEET



ALLEY 16 FT  
R/W

2013-0081-A