

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

15th Election District

6th Councilman District

(10518 Vincent Farm Road)

Eric M. Tenney & Rachel L. Christopher
Petitioners

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2013-0122-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 Eric M. Tenney and Rachel L. Christopher, legal owners. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to allow an accessory building (garage) with a footprint of 960 sq. ft. which is larger than that of the principal use (dwelling) 825 sq. ft. In addition, a Petition for Variance was filed pursuant to B.C.Z.R. § 400.3 to permit an accessory building (garage) with a height of 18 ft. in lieu of the permitted 15 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the requests were Eric M. Tenney and David Billingsley from Central Drafting and Design, Inc, who prepared the site plan. The file reveals that the Petition was properly posted and advertised 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.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case.

By _____
Date _____
1-14-13
ORDER RECEIVED FOR FILING

The only substantive comment was received from the Department of Planning (DOP), which expressed concerns about the side yard setback for the proposed garage. The Petitioner revised the site plan and increased the side yard setback to 12' (from 8') to comply with the DOP's recommendations

The subject property is 20,000 square feet and is zoned RC 3. The Petitioners purchased the house in 2011, and Mr. Tenney is an automotive enthusiast. As such, he wants to construct the garage so he will have space to store and work on his vehicles, and also to store a boat that is now located in his driveway. Exhibits 6A and 6B.

Based on the evidence presented, I 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). The house is very small (825 sf.) and provides almost no storage capacity, which renders it unique for zoning purposes. Also, the Petitioners would experience a practical difficulty if the regulations were strictly enforced, given that a 15' tall garage would not provide sufficient room to store the boat and service Petitioners vehicles. The requested relief is extremely modest, and will have no impact upon the neighborhood.

I also believe the request for Special Hearing should be granted. As noted, the dwelling is quite small, and the proposed garage is only slightly larger (approximately 15%). In these circumstances, I believe the Special Hearing relief is appropriate and will not have any negative impact upon the community.

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

ORDER RECEIVED FOR FILING

Date 1-14-13

By sln

THEREFORE, IT IS ORDERED this 14th day of January, 2013, by the Administrative Law Judge, that the Petition for Special Hearing seeking relief from § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to allow an accessory building (garage) with a footprint of 960 sq. ft. which is larger than that of the principal use (dwelling) 825 sq. ft., be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance filed pursuant to B.C.Z.R. §400.3 to permit an accessory building (garage) with a height of 18 ft. in lieu of the permitted 15 ft., 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.
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.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/sln

ORDER RECEIVED FOR FILING

Date 1-14-13
By sln



KEVIN KAMENETZ
County Executive

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

January 14, 2013

Eric M. Tenney
Rachel L. Christopher
10518 Vincent Farm Road
White Marsh, Maryland 21162

RE: Petitions for Special Hearing and Variance
Case No.: 2013-0122-SPHA
Property: 10518 Vincent Farm Road

Dear Mr. Tenney and Ms. Christopher :

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,

A handwritten signature in black ink, appearing to read "JEB", is written over the typed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: David Billingsley, 601 Charwood Ct., Edgewood, Maryland 21040



PETITION FOR ZONING HEARING(S)

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

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

Address 10518 VINCENT FARM ROAD which is presently zoned RC 3
Deed References: L. 30617 F. 0129 10 Digit Tax Account # 1523001430
Property Owner(s) Printed Name(s) ERIC M. TENNEY & RACHEL L. CHRISTOPHER

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

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

1. ☒ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve AN ACCESSORY BUILDING (GARAGE) WITH A FOOTPRINT OF 960 SQUARE FEET WHICH IS LARGER THAN THAT OF THE PRINCIPAL USE (DWELLING) 825 SF
2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. ☒ a **Variance** from Section(s) 400.3 (BC12R) TO PERMIT AN ACCESSORY BUILDING (GARAGE) WITH A HEIGHT OF 18 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:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

ERIC M. TENNEY, RACHEL L. CHRISTOPHER

Name #1 - Type or Print

Name #2 - Type or Print

Eri M Tenney

Signature #1

Rachel Christopher

Signature #2

10518 VINCENT FARM RD. WHITE MARSH, MD.

Mailing Address

City

State

21162 (410) 458-1401

Zip Code

Telephone #

Email Address

ERIC10887@gmail.com

Representative to be contacted:

DAVID BILLINGSLEY
CENTRAL DRAFTING & DESIGN

Name- Type or Print

David W Billingsley

Signature

601 CHARWOOD CT. EDGEWOOD, MD.

Mailing Address

City

State

21040 (410) 679-8719

Zip Code

Telephone #

Email Address

dwb0209@yahoo.com

410 679 1298

CASE NUMBER 2013-0122-SHA Filing Date 11/20/12

Do Not Schedule Dates: _____

Reviewer G. H

ZONING DESCRIPTION
10518 VINCENT FARM ROAD

Beginning at a point on the west side of Vincent Farm Road (40 feet wide), distant 125 feet southerly from its intersection with the center of Burleson Road (50 feet wide) thence being all of Lot 9 as shown on the plat entitled Gambrills Vincent Farm recorded among the plat records of Baltimore County in Plat Book 24 Folio 100.

Containing 20,000 square feet or 0.459 acre of land, more or less.

Being known as 10518 Vincent Farm Road. Located in the 15TH Election District, 6TH Councilmanic District of Baltimore County, Md.

2013 - 0122 - SPHA

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

No: **90138**

Date: **11/26/12**

PAID RECEIPT

BUSINESS ACTUAL TIME ORN

11/27/2012 11/26/2012 09:13:05 2

REG MS02 MAIL JEN JEN

>>RECEIPT # 003063 11/23/2012 DELI

DEPT 5 528 ANHRS VERIFICATION

CR 01. 090130

Receipt tot / \$150.00

\$150.00 CR \$1.00 CA

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**

For: **2013-0122-SPHA**

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

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: #2013-0122-SPHA

10518 Vincent Farm Road

W/s Vincent Farm Road, 125 ft. S/of centerline of Burleson Road

15th Election District - 6th Councilmanic District

Legal Owner(s): Eric Tenney & Rachel Christopher

Special Hearing: to approve an accessory building (garage) with a footprint of 960 sq. ft. which is larger than that of the principal use (dwelling) 825 sq. ft. **Variance** to permit an accessory building (garage) with a height of 18 ft. in lieu of the permitted 15 ft.

Hearing: Monday, January 14, 2013 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.
12/27/2012 December 20 894954



501 N. Calvert Street, Baltimore, MD 21278

December 20, 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 December 20, 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

CERTIFICATE OF POSTING
CERTIFICATE OF POSTING

RE: CASE NO: 2013-0122-SPHA

PETITIONER/DEVELOPER _____

DAVE BILLINGSLEY

DATE OF HEARING/CLOSING: _____

1/14/13

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 THE PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE
PROPERTY AT 10518 VINCENT FARM ROAD

THIS SIGN(S) WERE POSTED ON December 23, 2012
(MONTH, DAY, YEAR)

SINCERELY,
Martin Ogle 12/23/12
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE, MD 21220
(ADDRESS)
PHONE NUMBER: 443-629-3411

ZONING NOTICE

CASE # 2013-0122-SPHA

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

ROOM 205 JEFFERSON BUILDING 105 WEST

PLACE: CHESAPEAKE AVENUE TOWSON 21204

DATE AND TIME: MONDAY, JANUARY, 14, 2013
AT 10:00 A.M.

REQUEST: SPECIAL HEARING TO APPROVE AN ACCESSORY
BUILDING (GARAGE) WITH A FOOTPRINT OF 960 SQ.
FT. WHICH IS LARGER THAN THAT OF THE PRINCIPAL USE (DWELLING)
825 SQ. FT. VARIANCE TO PERMIT AN ACCESSORY BUILDING
(GARAGE) WITH A HEIGHT OF 18 FT. IN LIEU OF THE PERMITTED
15 FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER EMERGENCIES MAY BE NECESSARY.
TO CONFIRM HEARING CALL 410-687-3397

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

HANDICAPPED ACCESSIBLE

myaaron Ogle 12/23/12

TO: PATUXENT PUBLISHING COMPANY
Thursday, December 20, 2012 Issue - Jeffersonian

Please forward billing to:
Central Drafting & Design
601 Charwood Court
Edgewood, MD 21040

410-679-8719

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2013-0122-SPHA

10518 Vincent Farm Road

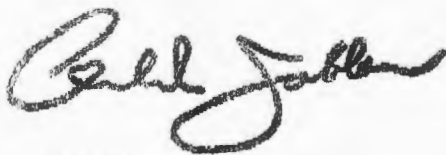
W/s Vincent Farm Road, 125 ft. S/of centerline of Burleson Road

15th Election District – 6th Councilmanic District

Legal Owners: Eric Tenney & Rachel Christopher

Special Hearing to approve an accessory building (garage) with a footprint of 960 sq. ft. which is larger than that of the principal use (dwelling) 825 sq. ft. Variance to permit an accessory building (garage) with a height of 18 ft. in lieu of the permitted 15 ft.

Hearing: Monday, January 14, 2013 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 ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

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

December 17, 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: 2013-0122-SPHA

10518 Vincent Farm Road

W/s Vincent Farm Road, 125 ft. S/of centerline of Burleson Road

15th Election District – 6th Councilmanic District

Legal Owners: Eric Tenney & Rachel Christopher

Special Hearing to approve an accessory building (garage) with a footprint of 960 sq. ft. which is larger than that of the principal use (dwelling) 825 sq. ft. Variance to permit an accessory building (garage) with a height of 18 ft. in lieu of the permitted 15 ft.

Hearing: Monday, January 14, 2013 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".

Arnold Jablon
Director

AJ:kl

C: Mr. Tenney, Ms. Christopher, 10518 Vincent Farm Rd., White Marsh 21162
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 TUESDAY, DECEMBER 25, 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.

**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: 2013-0122-SPHA
Petitioner: ERIC TENNEY
Address or Location: 10518 VINCENT FARM RD

PLEASE FORWARD ADVERTISING BILL TO:

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

Revised 2/20/98 - SCJ

J



KEVIN KAMENETZ
County Executive

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

January 9, 2013

Eric M. Tenney & Rachel L. Christopher
10518 Vincent Farm Road
White Marsh MD 21162

RE: Case Number: 2013-0122 SPHA, Address: 10518 Vincent Farm Road

Dear Mr. Tenney & Ms. Christopher:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 26, 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
David Billingsley, 601 Charwood Court, Edgewood MD 21040

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 12-6-12

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

RE: Baltimore County
Item No 2013-0122-SPHA.
Special Hearing Variance
Eric M. Tenney
Rachell L. Christopher
10518 Vincent Farm 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. 2013-0122-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,

A handwritten signature in blue ink, appearing to read "Steven D. Foster".

Steven D. Foster, Chief
Access Management Division

SDF/raz

My telephone number/toll-free number is _____

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

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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: December 5, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For December 17, 2012
Item Nos. 2013-0103, 0116, 0119, 0122 and 0123.

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

DAK:CEN
Cc: file

11/14 10AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: December 17, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 10518 Vincent Farm Lane

RECEIVED

INFORMATION:

DEC 18 2012

Item Number: 13-122

OFFICE OF ADMINISTRATIVE HEARINGS

Petitioner: Eric M. Tenny and Rachel L. Christopher

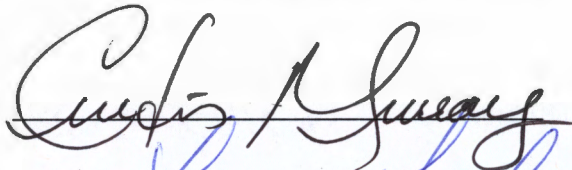
Zoning: RC 3

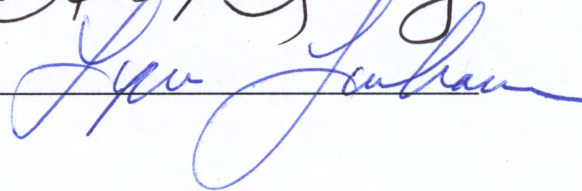
Requested Action: Special Hearing and Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The proposed 8-foot side setback for a large accessory structure is insufficient. The dimensions of the proposed garage are that of a small dwelling. The petitioner has a large rear yard. The proposed structure could be repositioned to accommodate a larger setback. As such, consider increasing the side yard setback to 12 or 14 feet.

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

Prepared by: 

Division Chief: 
AVA/LL: CM

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
 AND VARIANCE
 10518 Vincent Farm Road; W/S Vincent Farm* OF ADMINISTRATIVE
 Road, 125' S c/line Burleson Road
 15th Election & 6th Councilmanic Districts * HEARINGS FOR
 Legal Owners: Eric Tenney & Rachel Christopher * BALTIMORE COUNTY
 Petitioner(s) *
 * 2013-122-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

DEC 12 2012

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of December, 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

MEMORANDUM

DATE: February 15, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0122-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on February 13, 2013. 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

Lot # 1
2400009340

Lot # 1
1513202960

1525450550

NE 8-J

BURLESON RD

1513400360
10525

Lot # 10

Pt. Bk. 0000024, Folio 0100 10520
1516451360

Pt. Bk. 0000077, Folio 0116

VINCENT FARM LN

1510000660

6 CD

Middle River Community Plan (2007)

15 ED

083A1

RC 3
PDM # 150032

1523001430 10518
Pt. Bk./Folio # 024100A

PDM # 150787

2400009344

Lot # 5

NE 7-J

10519

10516

1513400430

RC 5

2007-0307-SPH 2200250

Lot # 7

1504751230

10514

2400009355

Lot # 0

Pt. Bk./Folio # 077116

Lot # 6

1502370990

2013-0122-SPHA

CASE NAME 10518 VINCENT FAIRM RD
CASE NUMBER 2013-0122 SPHA
DATE 1/14/2013

[illegible]

PETITIONER'S EXHIBITS

1-14-13
Dun

**10518 VINCENT FARM ROAD
CASE NO. 2013-0122-SPHA**

- 1. PLAT TO ACCOMPANY PETITION (REVISED 12-20-12 PER PLANNING COMMENTS)**
- 2. SDAT REAL PROPERTY DATA SEARCH**
- 3. PORTION OF TAX MAP 0083**
- 4. DEED OF RECORD (L.30617 F.129)**
- 5. PLAT NO.3 GAMBRILLS VINCENT FARM P.B. 24 F. 100**
- 6a – 6h. PHOTOS**
- 7. AERIAL PHOTO**
- 8. BUILDING ELEVATION**

Maryland Department of Assessments and Taxation
Real Property Data Search (vw5.1A)
BALTIMORE COUNTY

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

Account Identifier: District - 15 Account Number - 1523001430

Owner Information

Owner Name: TENNEY ERIC M
CHRISTOPHER RACHEL L
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 10518 VINCENT FARM LN
WHITE MARSH MD 21162-1910
Deed Reference: 1) /30617/ 00129
2)

Location & Structure Information

Premises Address
10518 VINCENT FARM LN
0-0000
Legal Description
IMP
S EBENEZER RD
GAMBRILLS VINCENT FARM

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0083	0001	0441		0000				3	Plat Ref: 0024/0100

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1957	1,238 SF	20,000 SF	04

Stories	Basement	Type	Exterior
1.500000	YES	STANDARD UNIT BRICK	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2012	07/01/2012	07/01/2013
Land	84,000	84,000		
Improvements:	155,200	83,600		
Total:	239,200	167,600	167,600	167,600
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
Type: ARMS LENGTH IMPROVED	03/16/2011	\$199,500
	Deed1: /30617/ 00129	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	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: Approved 10/23/2012

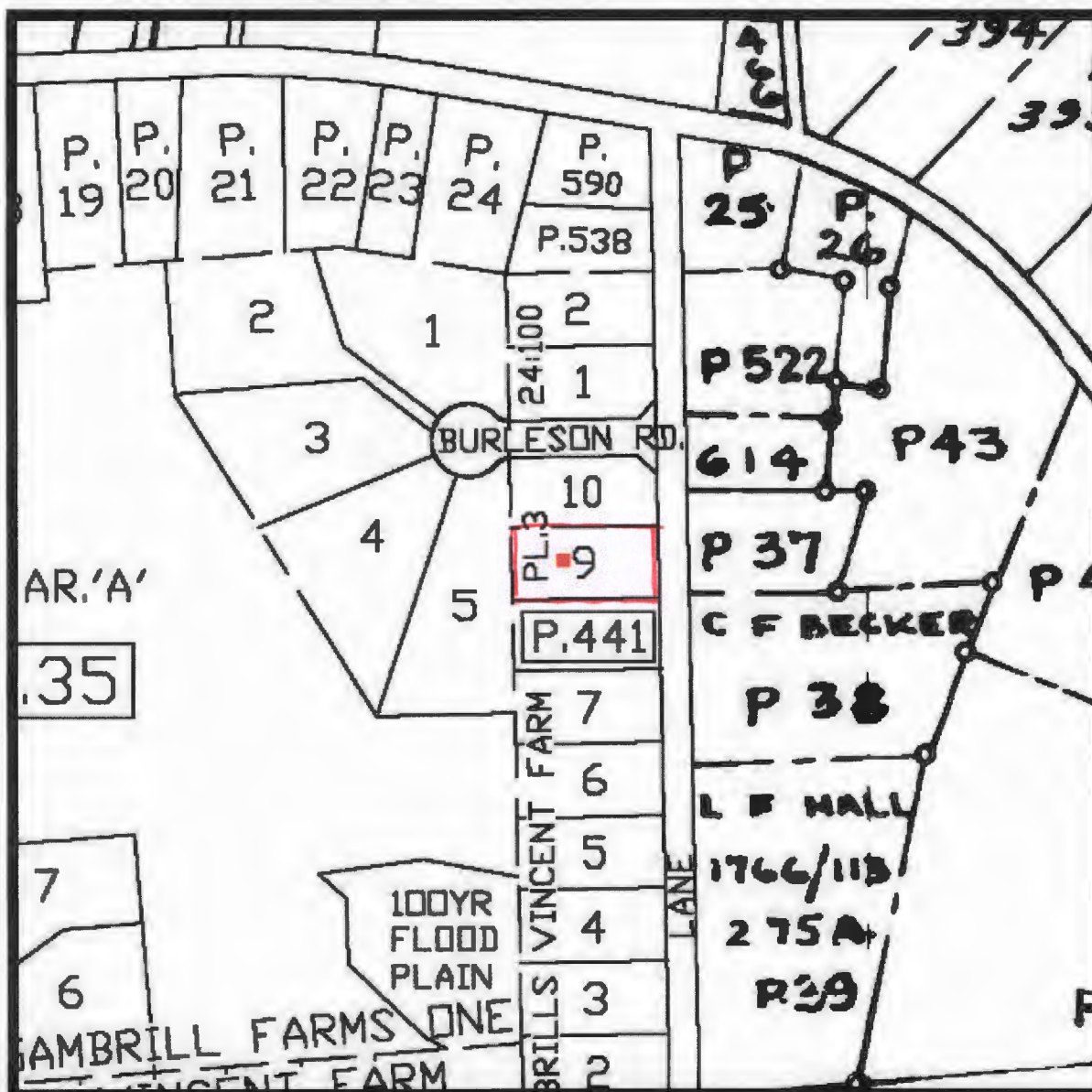
PETITIONER'S
EXHIBIT NO. 2



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

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

District - 15 Account Number - 1523001430



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

PETITIONER'S
EXHIBIT NO. 3

File No.: 15685-11-00033
 Prepared by:
 North American Title Company
 1104 Kenilworth Drive, Suite 401
 Towson, MD 21204
 (410)321-0800

THIS DEED, made this 18 day of February, 20 11, by and between KENNETH R. WALSCH, JR., PERSONAL REPRESENTATIVE OF THE ESTATE OF BERTHA E. WALSCH, ["GRANTOR(S)"]; and ERIC M. TENNEY AND RACHEL L. CHRISTOPHER, party(ies) of the second part ["GRANTEE(S)"].

WHEREAS, on 09/22/2010, the Orphan's Court of Baltimore County, Maryland (the "Court") granted administration of the Estate of the Decedent to KENNETH R. WALSCH, JR., PERSONAL REPRESENTATIVE OF THE ESTATE OF BERTHA E. WALSCH in Estate No. 160373.

WHEREAS, Grantor(s) in his/her/their capacity as Personal Representative(s) in the Estate of the Decedent has complete and full power and authority by law, to grant and convey the entire fee simple interest in the hereinafter described property; and

WHEREAS, as part of the administration of the Estate of the Decedent, Grantor(s) desire(s) to convey the entire fee simple estate in the hereinafter described property to the Grantee(s).

- Witnesseth -

THAT IN CONSIDERATION of the sum of ONE HUNDRED NINETY NINE THOUSAND FIVE HUNDRED AND 00/100 (\$199,500.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantor(s) as Personal Representative(s) of the Estate of the Decedent, does/do grant and convey to ERIC M. TENNEY AND RACHEL L. CHRISTOPHER, in fee simple, as Joint Tenants, and not as Tenants in Common, their assigns, the survivor of them and the survivor's personal representatives and assigns, all that lot of ground situate in BALTIMORE County, Maryland, and described as follows, that is to say:

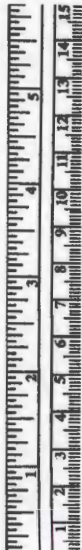
**SEE SCHEDULE A ATTACHED HERETO
AND MADE A PART HEREOF**

Which has a mailing address of: 10518 VINCENT FARM LANE
WHITE MARSH, MD 21162-1910

Title Insurer: North American Title Insurance Company
 Tax Account No. 15-23-001430

BEING THE SAME parcel of ground which by a Deed dated August 30, 1957 and recorded among the Land Records of Baltimore County, Maryland, in Liber No. 3223, folio 105, which was granted and conveyed by Charles A. Gambrill and Grace D. Gambrill unto Kenneth R. Walsch and Bertha E. Walsch, his wife. The said Kenneth R. Walsch having since departed this life on 3/24/2009, thereby vesting title unto Bertha E. Walsch, his wife. The said Bertha E. Walsch having since departed this life on 6/20/2010, whereby leaving a Last Will and Testament to be administered by the Orphan's Court of Baltimore County in Estate No. 160373, wherein Kenneth R. Walsch, Jr. was appointed Personal Representative of the Estate of Bertha Ella Walsch also known as Bertha E. Walsch.

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



OLD 24 FOLIO 100

RECEIVED for Record
JAN 29 1958 at A.M.
same day recorded in liber
G.L.B. No. _____ folio _____
One of the _____ Records of
Baltimore County and en-
closure, by

Boyd & Boyd
Clerk

PLAT No. 3
"GAMBRILL'S VINCENT FARM"

13th District - Balto. Co. - Md.

Note: The streets and/or roads as shown hereon and the mention thereof in deeds are for the purpose of description only and the same are not intended to be dedicated to public use; the fee simple title thereof is expressly reserved in the granters of the deed to which this plat is attached, their heirs and assigns.

The coordinates shown hereon are based on the system as established by the Baltimore County Metropolitan District.

Ts 42222 25322.12N 24476.99E
Rs 22223 25257.38N 24417.81E

The corners shown hereon are referred to the True Meridian as established by the Baltimore County Metropolitan District.

I hereby certify that the requirements as set forth in Sections 72A, 72B, 72C and 72D of Article 17 of the Annotated Code of Maryland (1931 Edition) Title "Clerk of Courts" as far as it concerns the making of this plat have been complied with.

Signed: *Charles A. Gambrill* 7 White Marsh, Md.
Address

Signed: *Carl J. Gabel*
Res. Professional Land Surveyor No. 2800

APPROVED:
BALTIMORE CO. PLANNING BOARD

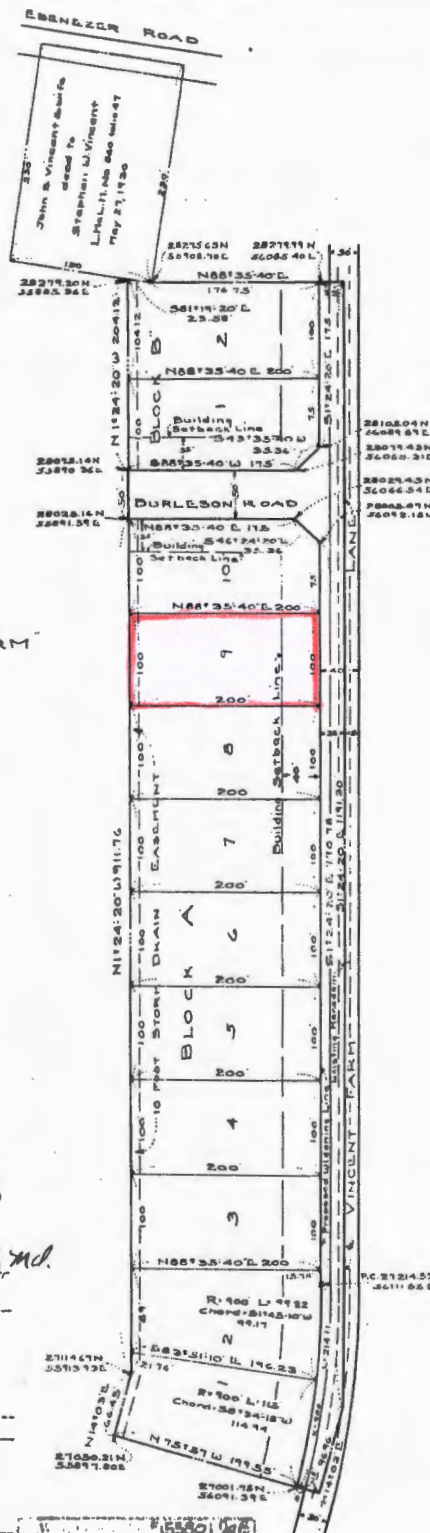
Signed: *Frederick J. Die*
Date: *Jan. 22, 1958*

APPROVED
FOR ROAD ALIGNMENT & LOCATION

Signed: *Robert J. Gabel*
Res. Eng'r for Balto. Co.
Date: *1/20/58*

APPROVED
BALTIMORE CO. HEALTH DEPT.

Signed: *William H. E. Wooten*
Deputy State & Co. Health Officer
Date: *January 28, 1958*



Nov. 12, 1957 Scale 1"=100'
DOLLBERG BROTHERS
Surveyors & Civil Eng'rs.
709 Washington Ave. Towson, Md.

MDA 3341336-1709

PETITIONER'S
EXHIBIT NO. **3**

69



69



69



69



6h



6e



6f



6g



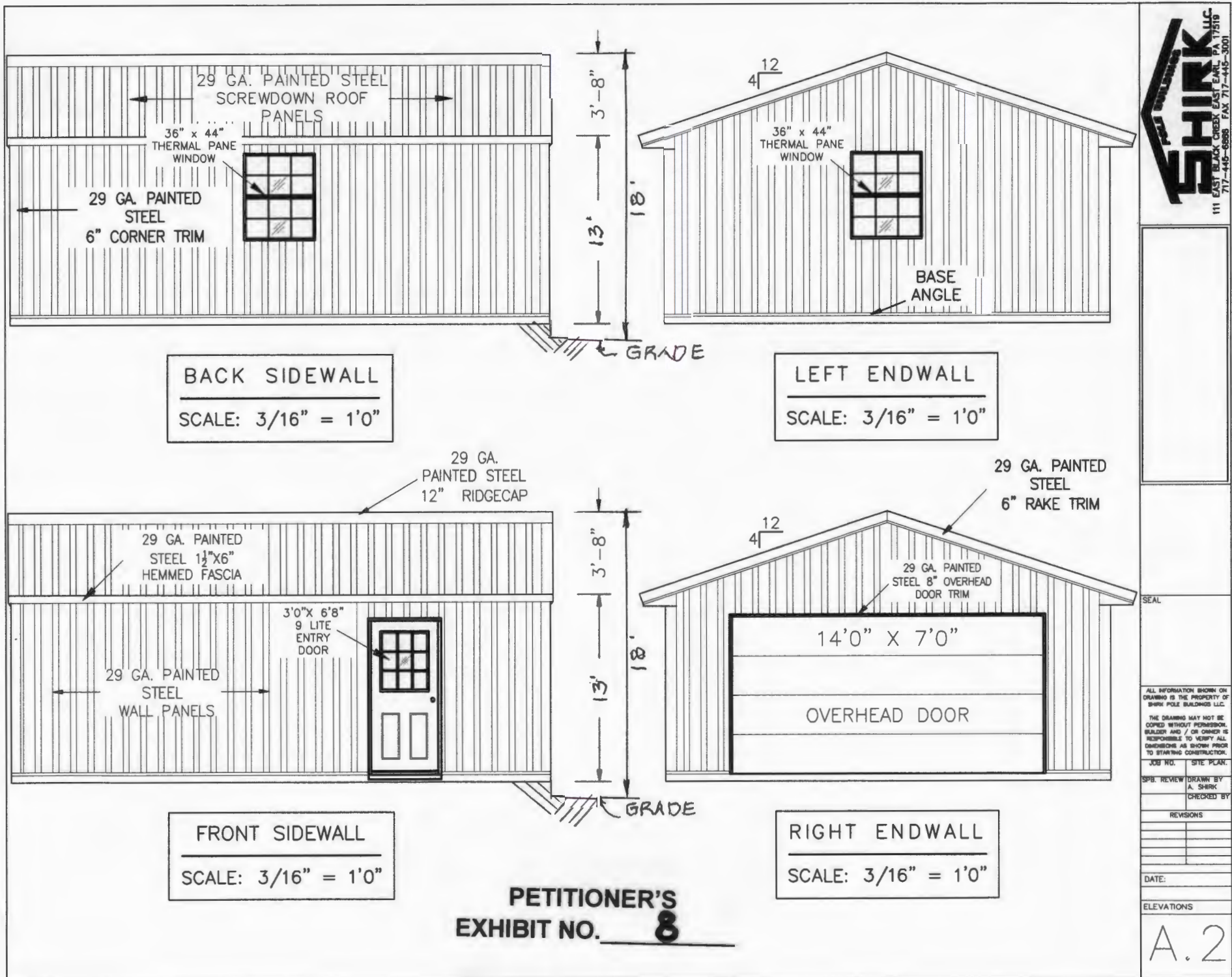
10518 Vincent Farm
Road

**PETITIONER'S
EXHIBIT NO. 7**

Created By
Baltimore County
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.



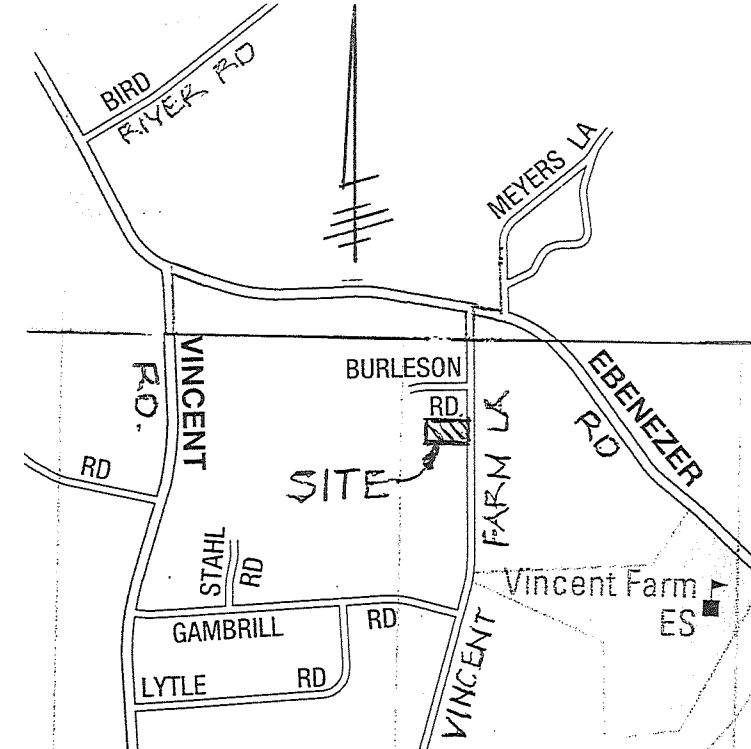
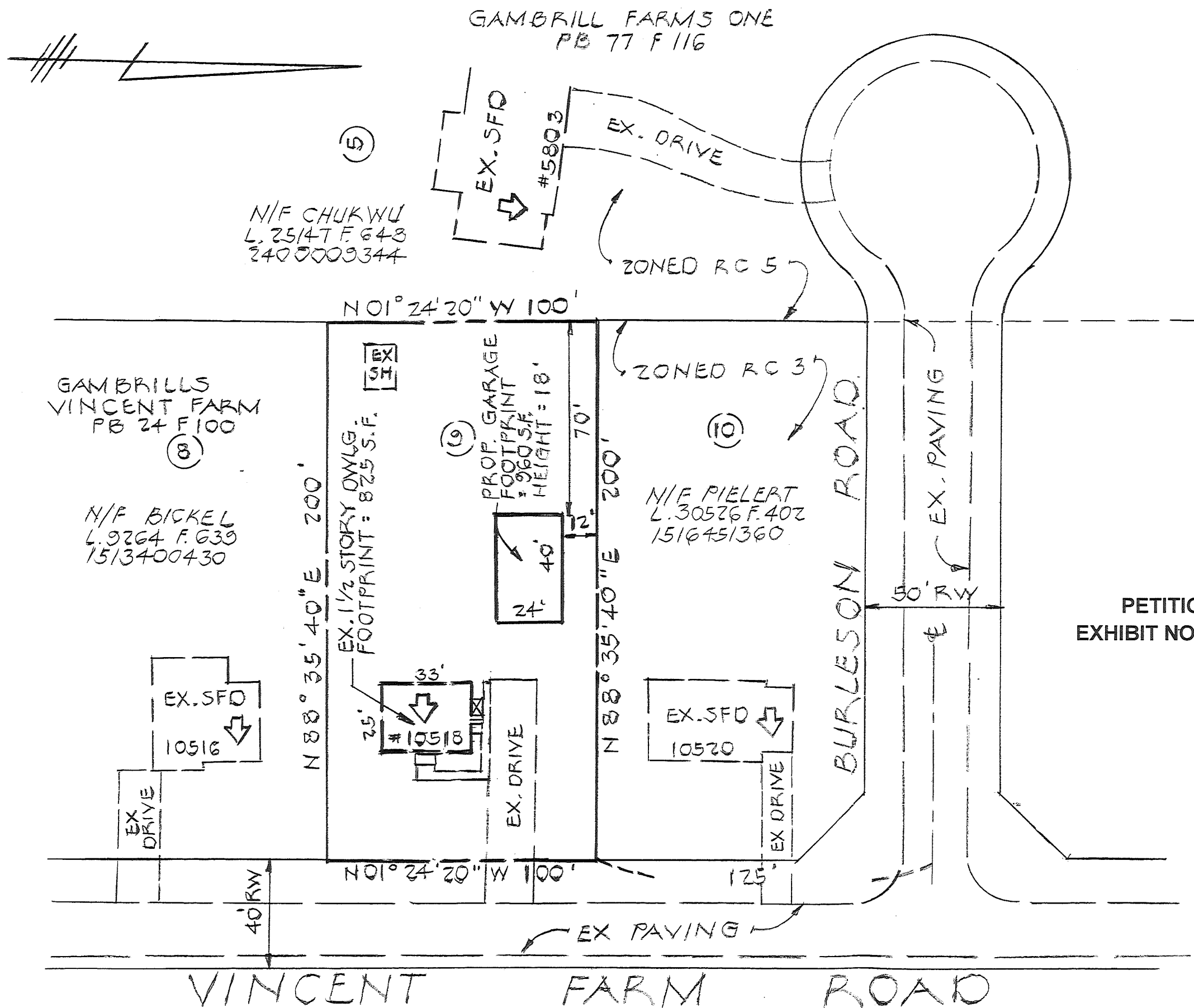
SHIRK
111 EAST BLACK CREEK EAST EARL PA 17518
717-445-6888 FAX 717-445-3001

SEAL

ALL INFORMATION SHOWN ON DRAWING IS THE PROPERTY OF SHIRK POLE BUILDING LLC. THE DRAWING MAY NOT BE COPIED WITHOUT PERMISSION. BUILDER AND / OR OWNER IS RESPONSIBLE TO VERIFY ALL DIMENSIONS AS SHOWN PRIOR TO STARTING CONSTRUCTION.

JOB NO.	SITE PLAN
SPB. REVIEW	DRAWN BY A. SHIRK
	CHECKED BY
REVISIONS	
DATE:	
ELEVATIONS	

A.2



VICINITY MAP
SCALE 1" = 1000'

OWNER
ERIC M. TENNEY
RACHEL L. CHRISTOPHER
10518 VINCENT FARM ROAD
WHITE MARSH, MD. 21162
DEED REF: L 30617 F 129
ACCT. NO: 1523001430

**PETITIONER'S
EXHIBIT NO. 1**

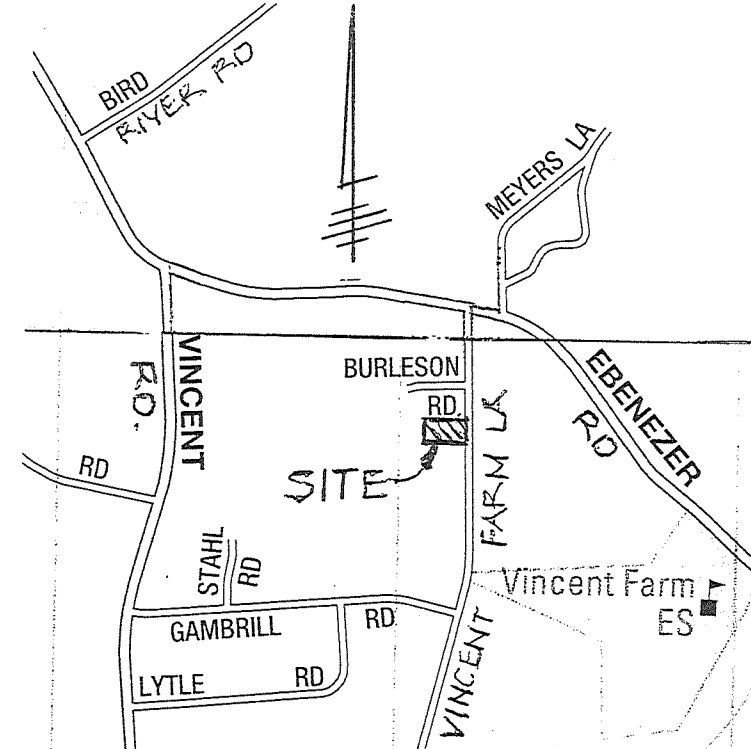
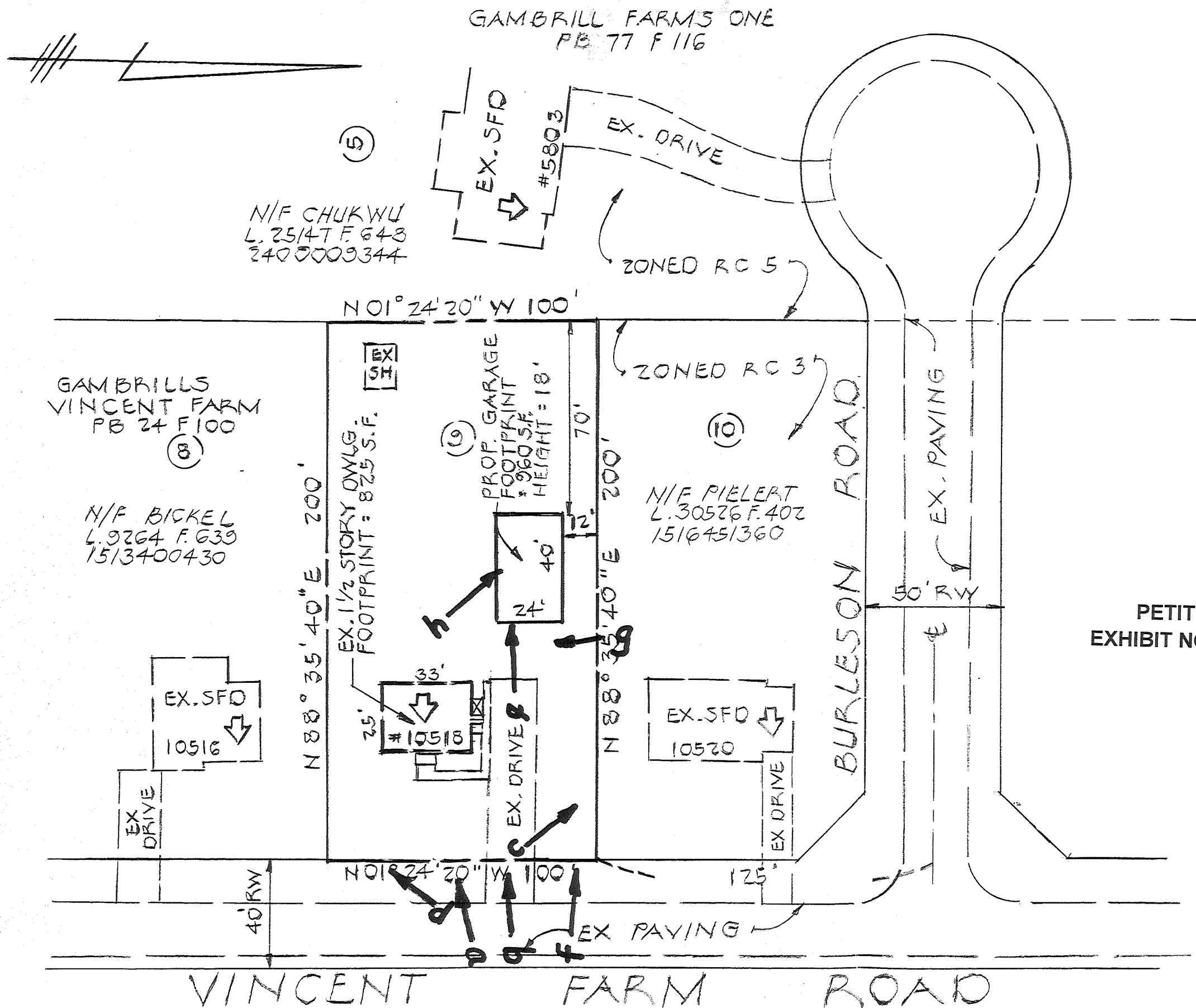
NOTES

1. ZONING.....RC 3 (MAP 083A1)
2. AREA.....20,000 S.F. = 0.459 ACRE
3. PUBLIC WATER AND SEWER
4. SITE IS NOT LOCATED IN CBCA OR 100 YEAR FLOOD ZONE
5. NO PREVIOUS ZONING HISTORY OR VIOLATIONS
6. TO THE PREPARERS KNOWLEDGE, NO UNDERGROUND STORAGE TANKS OR CRITICAL AREAS EXIST

**PLAT TO ACCOMPANY PETITION FOR
SPECIAL HEARING AND VARIANCE**

**10518 VINCENT FARM ROAD
LOT 9 GAMBRILLS VINCENT FARM PB 24 F 100
ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 40 FEET NOVEMBER 16, 2012**

REV. 12-20-12
REVISE SIDE YARD
TO 12' PER PLANNING



VICINITY MAP
SCALE 1" = 1000'

OWNER
ERIC M. TENNEY
RACHEL L. CHRISTOPHER
10518 VINCENT FARM ROAD
WHITE MARSH, MD. 21162
DEED REF: L 30617 F 129
ACCT. NO: 1523001430

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

NOTES

1. ZONING.....RC 3 (MAP 083A1)
2. AREA.....20,000 S.F. = 0.459 ACRE
3. PUBLIC WATER AND SEWER
4. SITE IS NOT LOCATED IN CBCA OR 100 YEAR FLOOD ZONE
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