



KEVIN KAMENETZ
County Executive

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

April 1, 2013

Michael and Charlene Petersen
Unit T54 801 Key Highway
Baltimore, Maryland 21230

RE: Petition for Variance
Case No.: 2013-0178-A
Property: 2509 Butler Road

Dear Mr. and Mrs. Petersen:

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", with a long horizontal stroke extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: Bruce E. Doak, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053

IN RE: PETITION FOR VARIANCE
(2509 Butler Road)
8th Election District
3rd Councilman District
Michael and Charlene Petersen
Petitioners

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BEFORE THE OFFICE
OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2013-0178-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Michael and Charlene Petersen, the legal owners of the subject property. The Petitioners are requesting Variance relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit two proposed sheds and a proposed garage to be located in the front yard instead of the required rear yard. 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 Bruce Doak, who is assisting the Petitioners. 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 substantive Zoning Advisory Committee (ZAC) comments received from any County reviewing agencies.

Testimony and evidence revealed that the subject property is approximately 27 acres and is zoned RC 2. The property is now improved with a single family dwelling constructed in 1985, that the Petitioners plan to raze. In its place, they propose to construct a new home with various accessory structures, but to do so requires variance relief.

ORDER RECEIVED FOR FILING

Date

4-1-13

By

Sen

Based upon the testimony and evidence presented, I will grant the request for variance relief. Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

Petitioners have met this test. The large parcel is oddly shaped and of irregular dimensions, as seen on the site plan. Exhibit 1. Thus, it is unique for zoning purposes.

If the B.C.Z.R. were strictly enforced, the Petitioner would indeed suffer a practical difficulty, given they would be unable to position the accessory structures where proposed. 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 public health, safety, and general welfare. This is demonstrated by the lack of County and/or community opposition. In addition, and as noted by Mr. Doak, the proposed improvements will be situated far back on the lot, such that they will not be visible to passing motorists on Butler Road. As such, I do not believe the relief will in any way negatively impact the community.

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

THEREFORE, IT IS ORDERED, this 1st day of April, 2013, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit two proposed sheds and a proposed garage to be located in the front yard instead of the required rear yard, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 4-1-13

By Sen

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.

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 4-1-13

By sln



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 2509 BUTLER ROAD which is presently zoned RC2
 Deed References: SM 32630 / 239 10 Digit Tax Account # 2 2 0 0 0 2 7 6 0 2
 Property Owner(s) Printed Name(s) MICHAEL LUND PETERSEN & CHARLENE DEBRA PETERSEN

(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. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
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) 400.1 (BCZR)

TO PERMIT TWO PROPOSED SHEDS AND A PROPOSED GARAGE TO BE LOCATED IN THE FRONT YARD INSTEAD OF THE REQUIRED REAR YARD PER SECTION 400.1 BCZR

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 THE 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):

MICHAEL LUND PETERSEN CHARLENE DEBRA PETERSEN
 Name #1 - Type or Print Name #2 - Type or Print

Signature #1

Signature #2

UNIT T54 801 KEY HIGHWAY BALTIMORE MD
 Mailing Address City State

21230 410 980 9787 Charlene@cashmereinterior.com
 Zip Code Telephone # Email Address

Representative to be contacted:

BRUCE E. DOAK
BRUCE E. DOAK CONSULTING, LLC
 Name - Type or Print

Signature

3801 BAKER SCHOOLHOUSE ROAD FREELAND, MD
 Mailing Address City State

21053 410-419-4906 BD00AK@BRUCEEDOAKCONSULTING.COM
 Zip Code Telephone # Email Address

CASE NUMBER 2013-0178-A Filing Date 1/24/13 Do Not Schedule Dates: Reviewer M

Bruce E. Doak Consulting, LLC

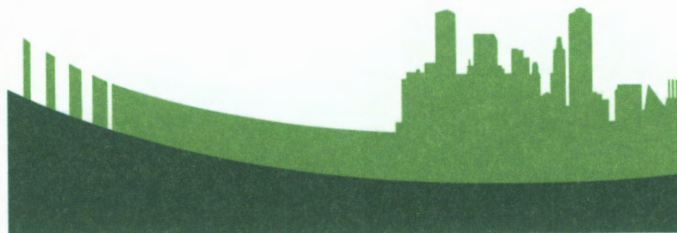
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

Zoning Description

2509 Butler Road- 144.93 Acre Parcel
Eighth Election District Third Councilmanic District
Baltimore County, Maryland

Beginning at a point in the bed of Butler Road, approximately 2700 feet westerly of the centerline of Falls Road, thence leaving the bed of Butler Road and running with and binding on the outlines of the subject property, the twenty nine following course and distance, viz

- 1) South 30 degrees 55 minutes 12 seconds East 210.25 feet,
- 2) North 60 degrees 25 minutes 19 seconds East 230.30 feet,
- 3) South 01 degrees 08 minutes 02 seconds East 239.34 feet,
- 4) North 67 degrees 19 minutes 03 seconds East 984.51 feet,
- 5) North 53 degrees 47 minutes 32 seconds East 1036.99 feet,
- 6) South 13 degrees 01 minute 05 seconds East 957.23 feet,
- 7) North 73 degrees 08 minutes 55 seconds East 481.43 feet,
- 8) South 21 degrees 00 minutes 56 seconds East 82.52 feet,
- 9) South 68 degrees 59 minutes 04 seconds West 20.00 feet,
- 10) South 21 degrees 00 minutes 56 seconds East 306.25 feet,
- 11) Southeasterly by a line curving to the left with a radius of 2904.79 feet for a distance of 207.04 feet and having a chord of South 23 degrees 03 minutes 27 seconds East 207.00 feet,
- 12) South 18 degrees 12 minutes 43 seconds East 75.38 feet,
- 13) South 63 degrees 25 minutes 46 seconds West 5.00 feet,
- 14) Southeasterly by a line curving to the left with a radius of 2919.79 feet for a distance of 70.00 feet and having a chord of South 27 degrees 15 minutes 27 seconds East 70.00 feet,
- 15) South 24 degrees 52 minutes 00 seconds East 99.00 feet,
- 16) South 33 degrees 15 minutes 39 seconds East 53.00 feet,
- 17) South 51 degrees 43 minutes 10 seconds West 2026.38 feet,
- 18) South 71 degrees 48 minutes 58 seconds West 260.81 feet,
- 19) South 48 degrees 42 minutes 48 seconds West 159.63 feet,



Land Use Expert and Surveyor

2013- 0178- A

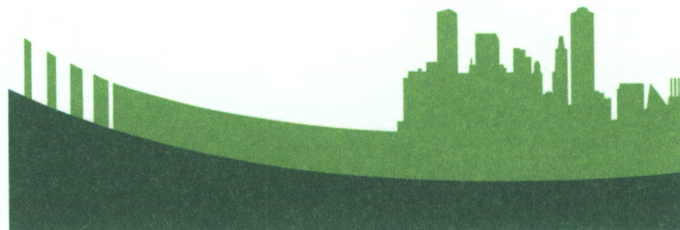
Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

- 20) North 81 degrees 58 minutes 02 seconds West 162.04 feet,
- 21) North 65 degrees 16 minutes 22 seconds West 172.28 feet,
- 22) North 77 degrees 13 minutes 12 seconds West 104.39 feet,
- 23) South 37 degrees 56 minutes 18 seconds West 83.28 feet,
- 24) North 19 degrees 29 minutes 52 seconds West 67.77 feet,
- 25) South 69 degrees 17 minutes 01 seconds West 510.79 feet,
- 26) North 20 degrees 25 minutes 15 seconds West 919.86 feet,
- 27) North 69 degrees 00 minutes 24 seconds East 162.06 feet,
- 28) North 20 degrees 35 minutes 25 seconds West 832.98 feet and
- 29) North 27 degrees 00 minutes 24 seconds West 457.93 feet to a point in the bed of Butler Road, thence running in the bed of Butler Road and continuing to run and bind on the outlines of the subject property, the following course and distance, viz.
- 30) North 58 degrees 07 minutes 24 seconds East 637.17 feet to the point of beginning.

Containing 144.93 acres of land, more or less.

This description is part of a zoning petition and is not intended for any conveyance purposes.



Land Use Expert and Surveyor

2013-0178-A

**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- 0178- A

Petitioner: MICHAEL LUND PETERSEN ; CHARLENE DEBRA PETERSEN

Address or Location: 2509 BUTLER ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: ANDREW SMITH - WINCHESTER CONSTRUCTION COMPANY, INC.

Address: P. O. Box 351
CROWNSVILLE, MD 21032

Telephone Number: 410-987-5905

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

No. **88929**

Date: **1/24/13**

DUPLICATE RECEIPT

BALANCE: 0.00
 1/24/2013 1:24 PM 1011135
 RECEIPT # 88929 1/24/2013
 5.00 ZERO BALANCE
 RECEIPT # 88929
 Receipt Tot: 75.00
 \$75.00 CR 1.00 CR
 Baltimore County, Maryland

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

Total: **75.00**

Rec From: **Dever Decker**

For: **2504 Butler Rd** **2013-0178-A**

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

CERTIFICATE OF POSTING

March 12, 2012

Re:

Case Number: 2013- 0178-A

Petitioner / Developer: Michael Luno Petersen & Charlene Debra Petersen

Date of Hearing: March 29, 2013

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

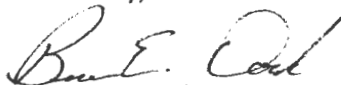
Attention: Kristen Lewis

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 2509 Butler Road.

The sign(s) were posted on **March 8, 2013**.

Sincerely,



Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)



Land Use Expert and Surveyor

ZONING NOTICE

CASE NO. 2013-0178-A

A PUBLIC HEARING WILL BE HELD BY
THE ADMINISTRATIVE LAW JUDGE IN
TOWSON MARYLAND

PLACE: ROOM 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MD 21204

DATE/TIME: Friday March 29, 2013 11:00 AM

REQUEST: VARIANCE TO PERMIT TWO PROPOSED
SHEDS AND A PROPOSED GARAGE TO BE LOCATED
IN THE FRONT YARD INSTEAD OF THE REQUIRED
REAR YARD.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410.867.1891.
DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW.

THIS HEARING IS HANDICAPPED ACCESSIBLE

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: #2013-0178-A

2509 Butler Road

S/s Butler Road, 2700 ft. +/- to the centerline of Falls Road
8th Election District - 3rd Councilmanic District

Legal Owner(s): Michael Luno Petersen & Charlene Debra Petersen

Variance: to permit two proposed sheds and a proposed garage to be located in the front yard instead of the required rear yard.

Hearing: Friday, March 29, 2013 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

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

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

03/033 March 7

908263



501 N. Calvert Street, Baltimore, MD 21278

March 7, 2013

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 March 7, 2013.

- ☒ 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

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 7, 2013 Issue - Jeffersonian

Please forward billing to:

Andrew Smith
Winchester Construction Company
P.O. Box 21032
Crownsville, MD 21032

410-987-5905

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: 2013-0178-A

2509 Butler Road

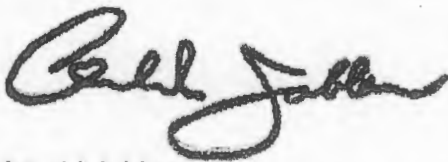
S/s Butler Road, 2700 ft. +/- to the centerline of Falls Road

8th Election District – 3rd Councilmanic District

Legal Owners: Michael Luno Petersen & Charlene Debra Petersen

Variance to permit two proposed sheds and a proposed garage to be located in the front yard instead of the required rear yard.

Hearing: Friday, March 29, 2013 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE 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

February 27, 2013

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: 2013-0178-A

2509 Butler Road

S/s Butler Road, 2700 ft. +/- to the centerline of Falls Road

8th Election District – 3rd Councilmanic District

Legal Owners: Michael Luno Petersen & Charlene Debra Petersen

Variance to permit two proposed sheds and a proposed garage to be located in the front yard instead of the required rear yard.

Hearing: Friday, March 29, 2013 at 11:00 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. & Mrs. Petersen, Unit T54 801 Key Highway, Baltimore 21230
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MARCH 9, 2013.**
- (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.

M E M O R A N D U M

DATE: May 9, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0178-A - Appeal Period Expired

The appeal period for the above-referenced case expired on May 1, 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

RE: PETITION FOR VARIANCE
2509 Butler Road; S/S Butler Road,
2700' to c/line of Falls Road
8th Election & 3rd Councilmanic Districts
Legal Owner(s): Michael Luno &
Charlene Debra Peterson
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2013-178-A

* * * * *

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

FEB 06 2013

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of February, 2013, a copy of the foregoing Entry of Appearance was mailed to Bruce Doak, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053 Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NO. 2013-

0178-A

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
2/6/13	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	N/C
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
2/4/13	STATE HIGHWAY ADMINISTRATION	C
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 3/4/13	
SIGN POSTING	Date: 3/8/13 by [Signature]	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: February 6, 2013

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

SUBJECT: Zoning Advisory Committee Meeting
For February 11, 2013
Item Nos. 2013-0178, 0179, 0180, 0181 and 0182.

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

DAK:CEN
Cc: file

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 2-4-13

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2013-0178-A
Variance
Michael Luno & Charles and Debra
Peterson
2509 Butler Road
'Hyggelig Haven'

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 2-4-13. A field inspection and internal review reveals that an entrance onto MD25 consistent with current State Highway Administration guidelines is required. As a condition of approval for Variance, Case Number 2013-0178-A, the applicant must contact the State Highway Administration to obtain an entrance permit.

Should you have any questions regarding this matter feel free to 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). Thank you for your attention.

Sincerely,

Steven D. Foster, Chief
Access Management Division

SDF/raz

\cc: Mr. Michael Pasquariello, Utility Engineer, SHA
Mr. David Peake, District Engineer, SHA

SHA has no objection to approval of this variance.
* An access permit for this entrance on MD 25 (Falls Road) has been issued by the HomeLand Shop. D4-BA-H-001-12E permit number

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



KEVIN KAMENETZ
County Executive

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

March 21, 2013

Michael Luno & Charlene Debra Peterson
801 Key Highway
Unit T54
Baltimore MD 21230

RE: Case Number: 2013-0178 A, Address: 2509 Butler Road

Dear Mr. & Ms. Peterson:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 24, 2013. 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Bruce E. Doak, 3801 Baker Schoolhouse Road, Freeland MD 21053

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 - 08 Account Number - 2200027602

Owner Information

Owner Name: PETERSEN MICHAEL LUND
PETERSEN CHARLENE DEBRA
Use: AGRICULTURAL
Principal Residence: NO
Mailing Address: UNIT T54
801 KEY HIGHWAY
BALTIMORE MD 21230-3976
Deed Reference: 1) /32630/ 00239
2)

Location & Structure Information

Premises Address
2509 BUTLER RD
0-0000
Legal Description
27.686 AC
SES BUTLER RD
2800 FT SW FALLS RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	MS
0033	0013	0275		0000			1	2		

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1985	4,741 SF	27.6900 AC	05

Stories	Basement	Type	Exterior
2.000000	YES	STANDARD UNIT STUCCO	

Value Information

	Base Value	Value	Phase-in Assessments			
		As Of	As Of	As Of		
		01/01/2011	07/01/2012	07/01/2013		PREFERENTIAL LAND VALUE INCLUDED IN LAND VALUE
Land	452,130	377,700				
Improvements:	487,960	344,300				
Total:	940,090	722,000	722,000	722,000		
Preferential Land:	5,880			5,800		

Transfer Information

Seller:	Date:	Price:
PETERSEN MICHAEL LUND	10/05/2012	\$0
Type: NON-ARMS LENGTH OTHER	Deed1: /32630/ 00239	Deed2:
Seller: FENWICK CHARLES C, JR, TRUSTEE	Date: 08/12/2011	Price: \$9,500,000
Type: ARMS LENGTH MULTIPLE	Deed1: /31093/ 00365	Deed2:
Seller: FENWICK CHARLES C JR	Date: 02/14/2011	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /30503/ 00288	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:** AGRICULTURAL TRANSFER TAX

Homestead Application Information

Homestead Application Status: No Application



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

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District - 08 Account Number - 2200027602



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.

CASE NAME PETELSON
CASE NUMBER 2013-0178-A
DATE 3/29/13

[illegible]

Case No.: 2013-0178-A

Exhibit Sheet

100
5-10-13

Alu
4-1-13

Petitioner/Developer

Protestant

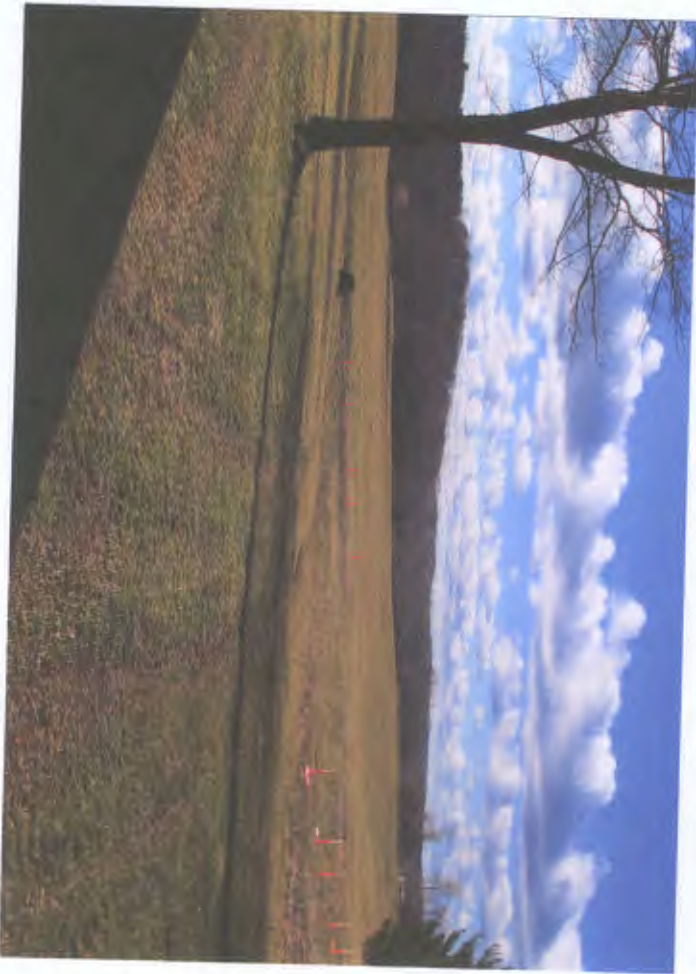
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No. 2	Redlined Site plan	
No. 3	Architectural Renderings	
No. 4	Photos	
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No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

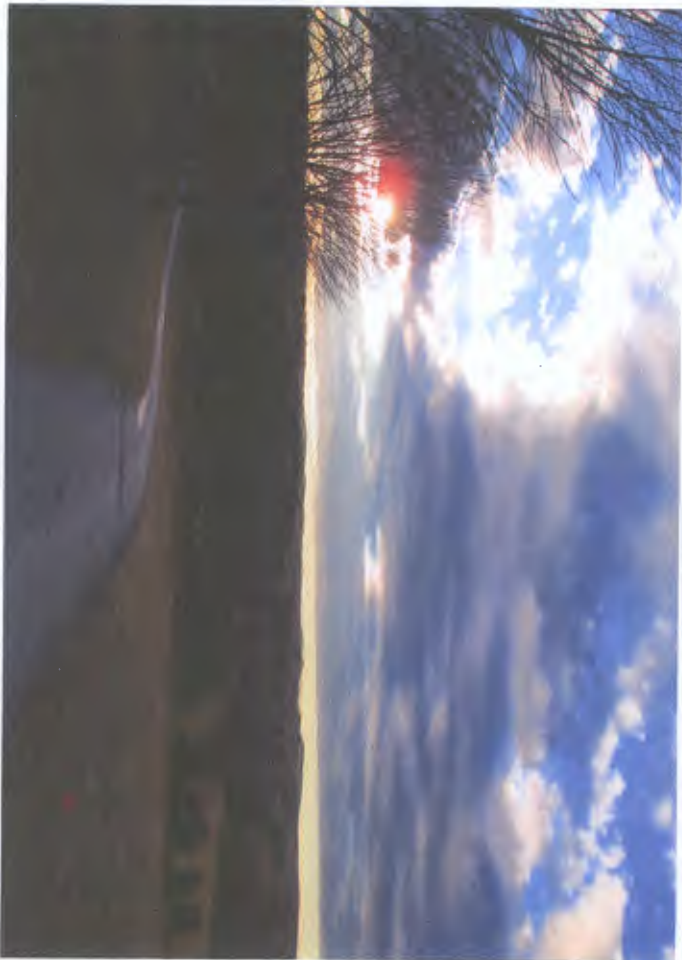
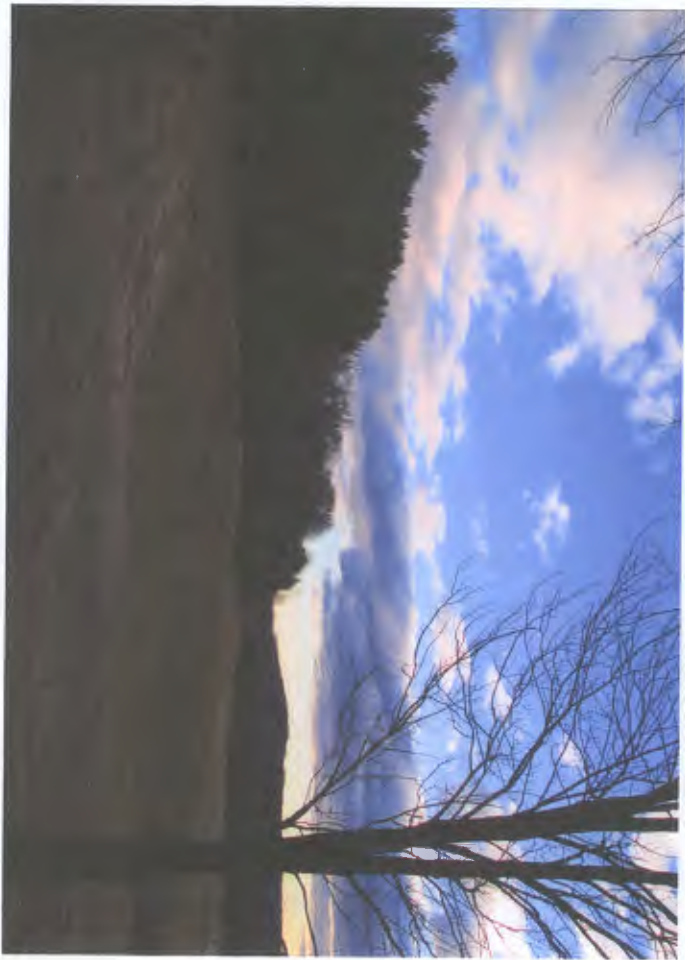
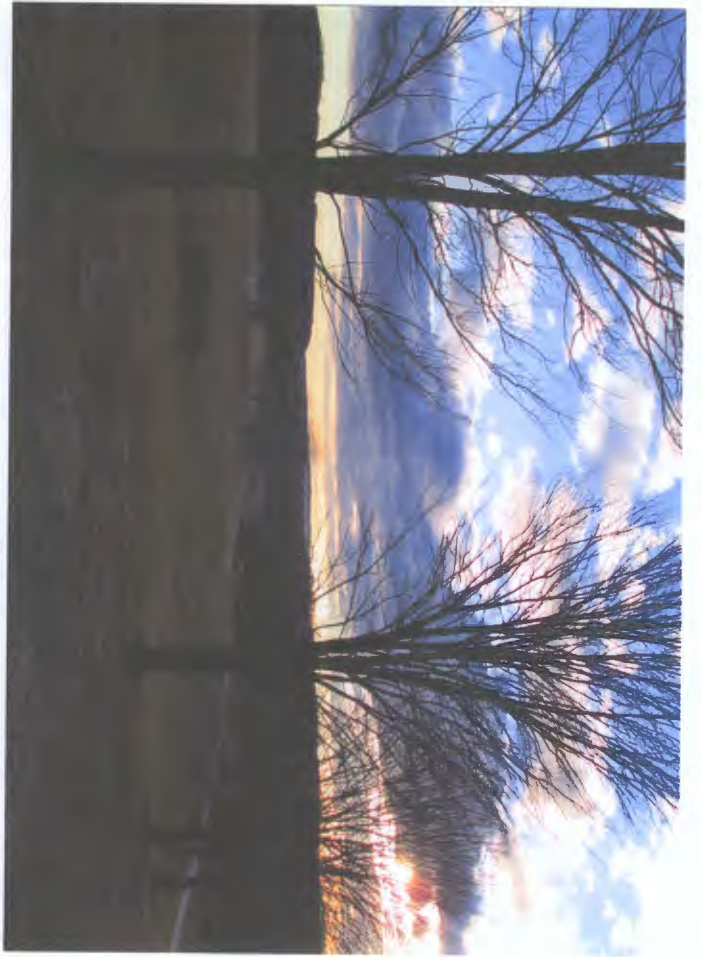


PETITIONER'S

EXHIBIT NO.

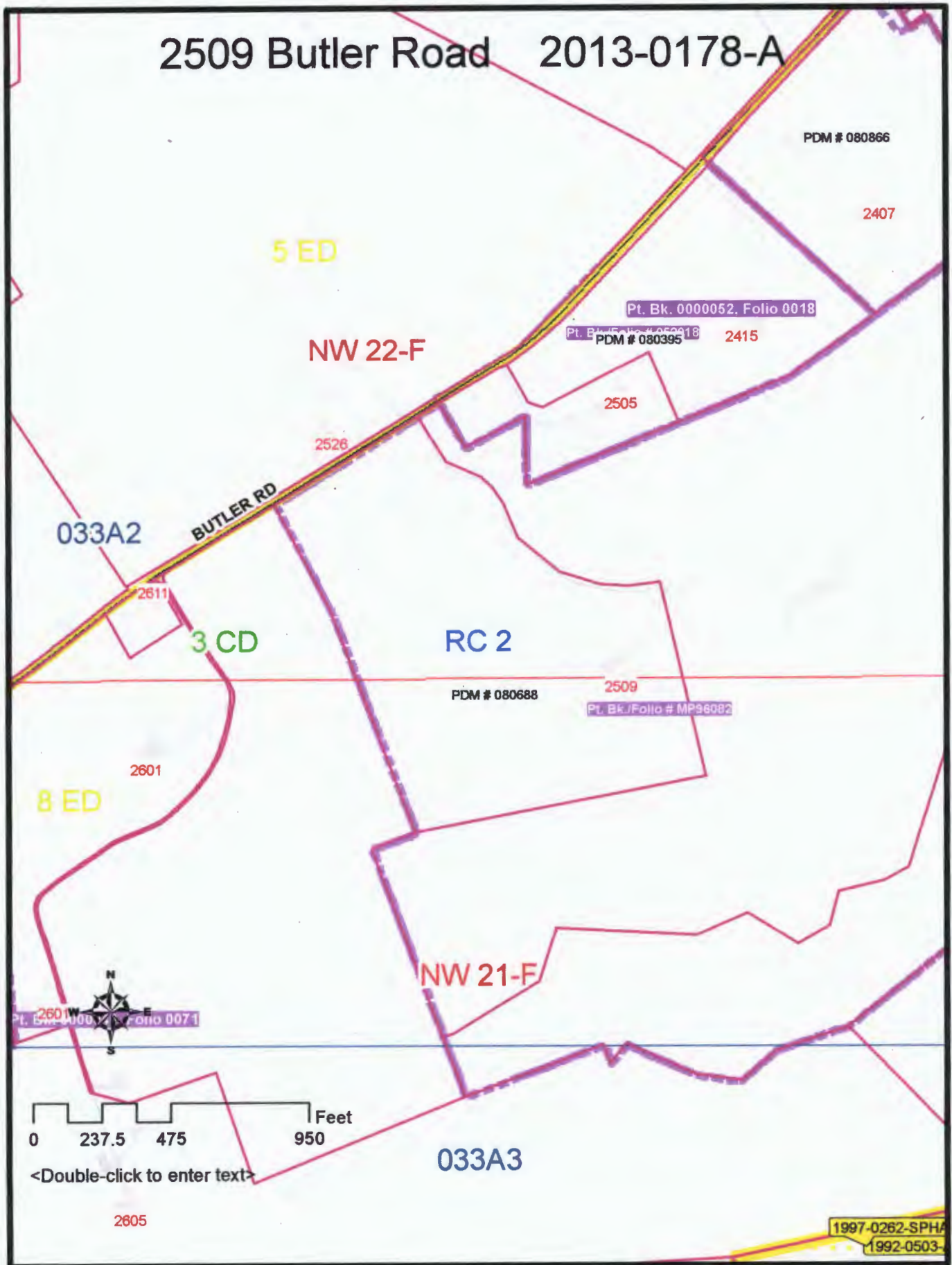
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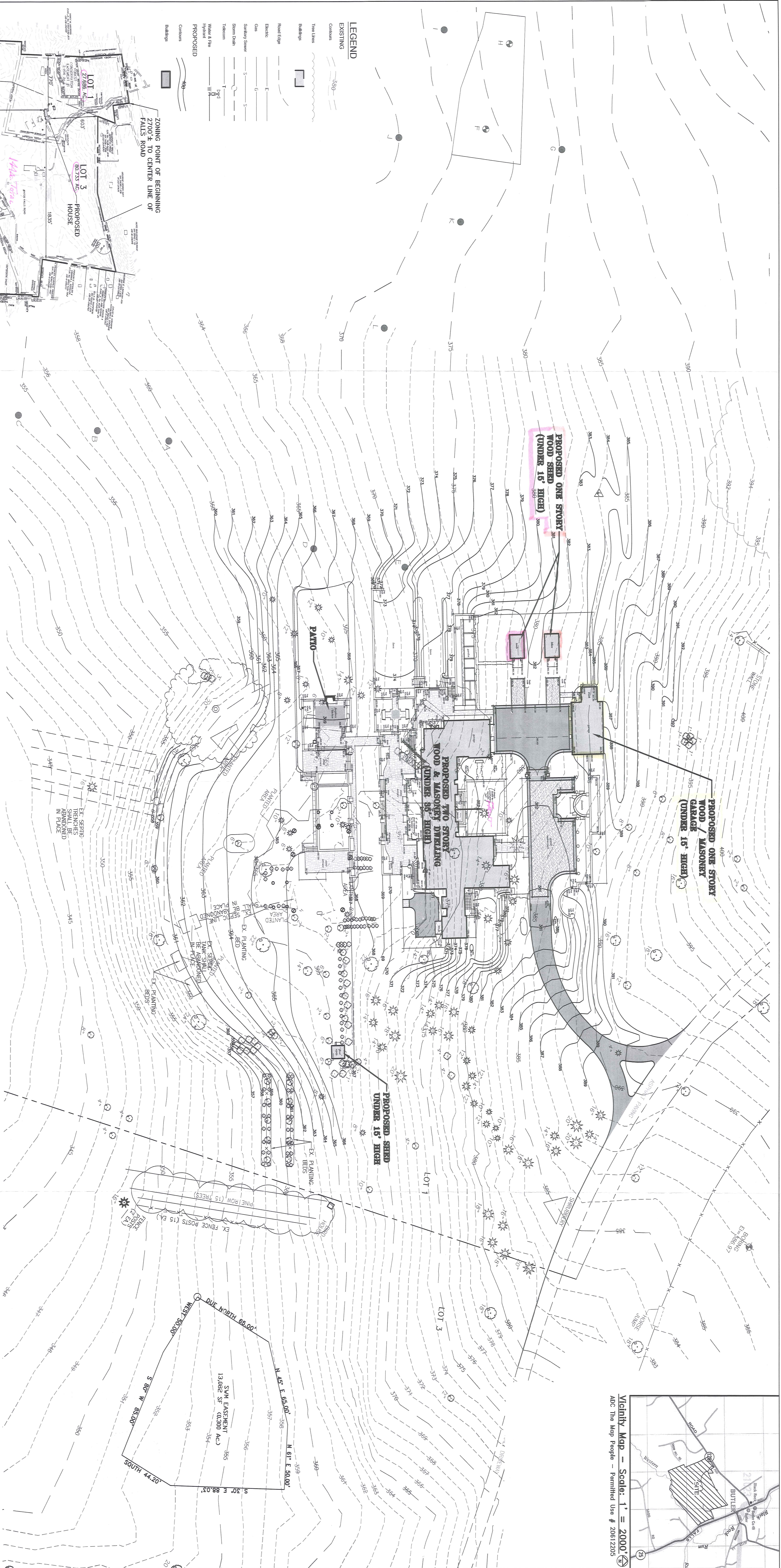
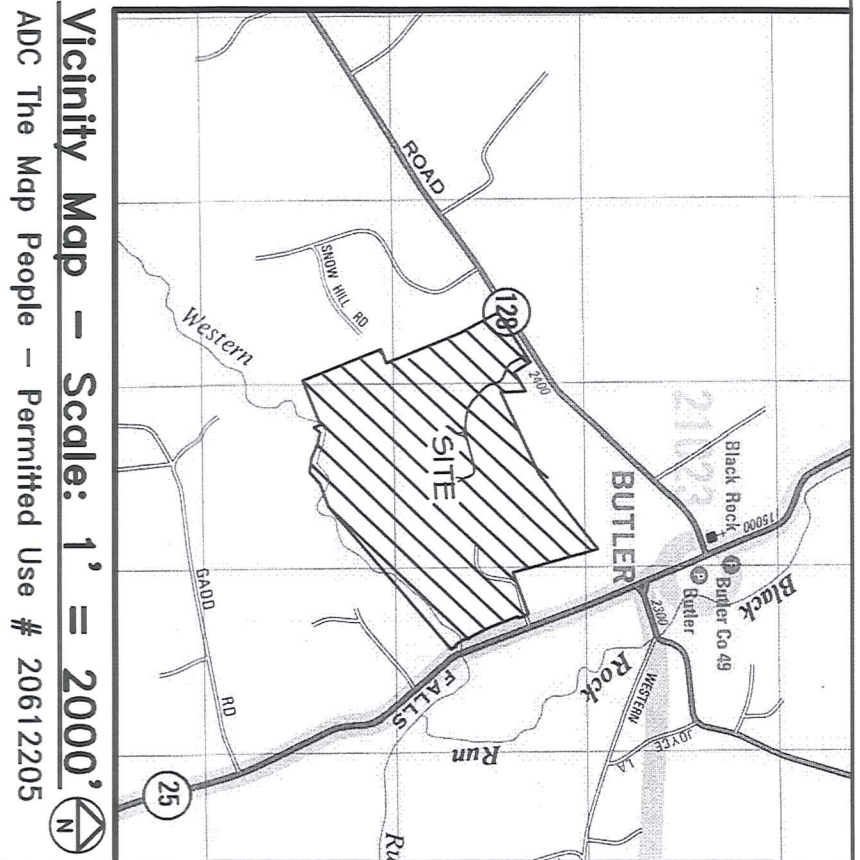




2509 Butler Road 2013-0178-A

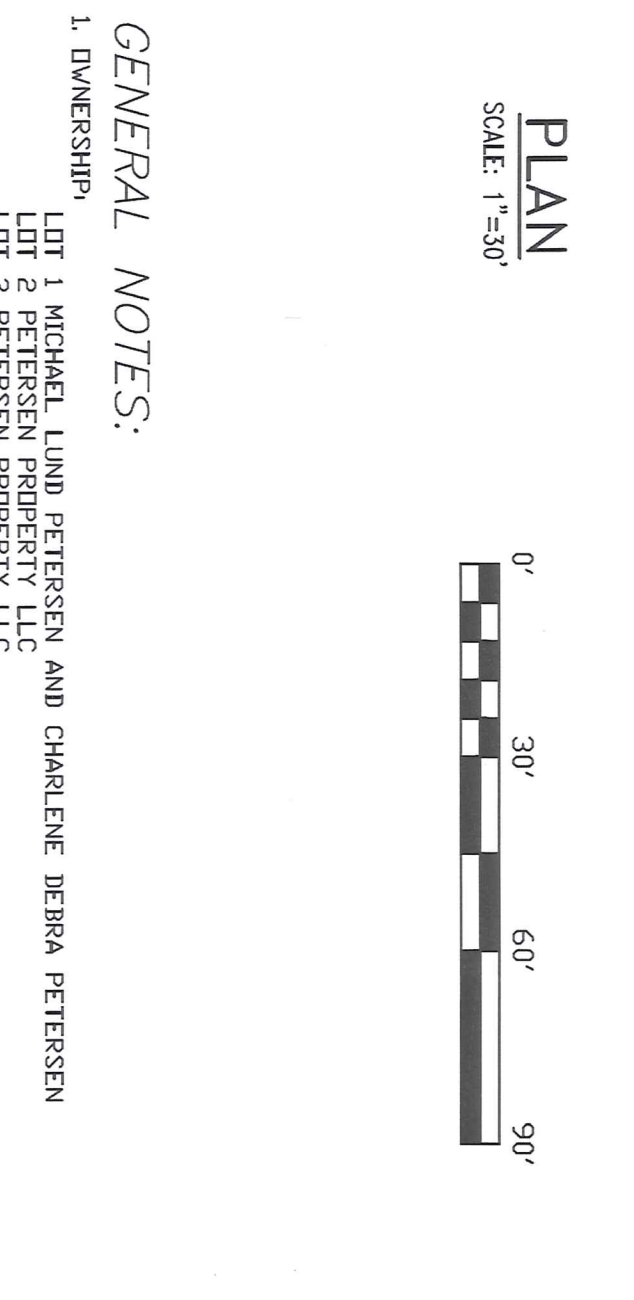
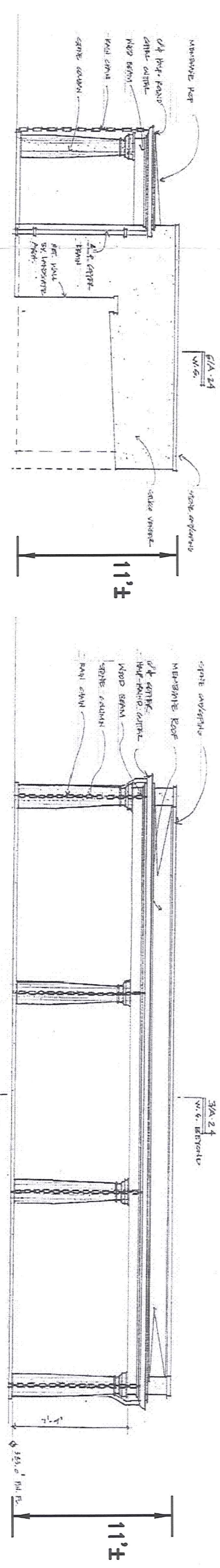
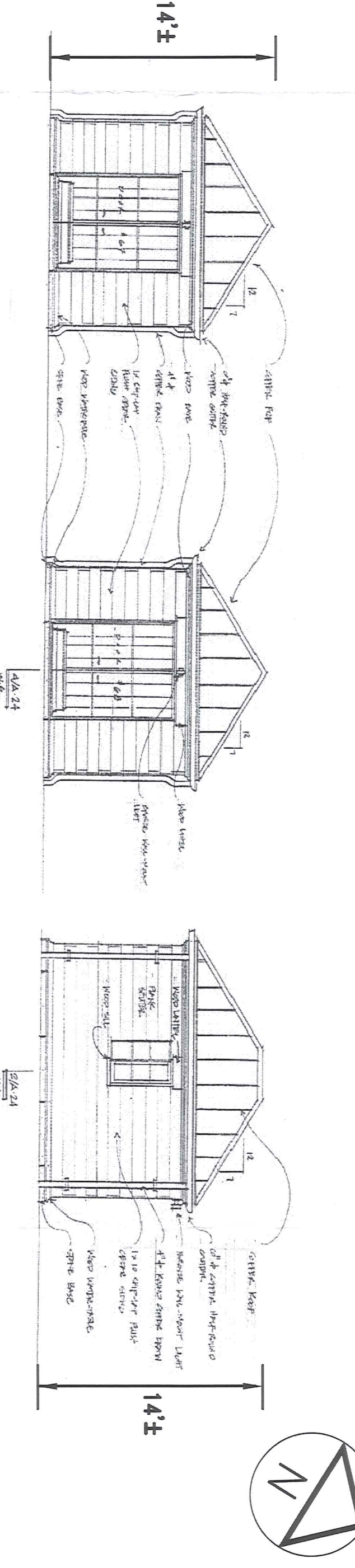
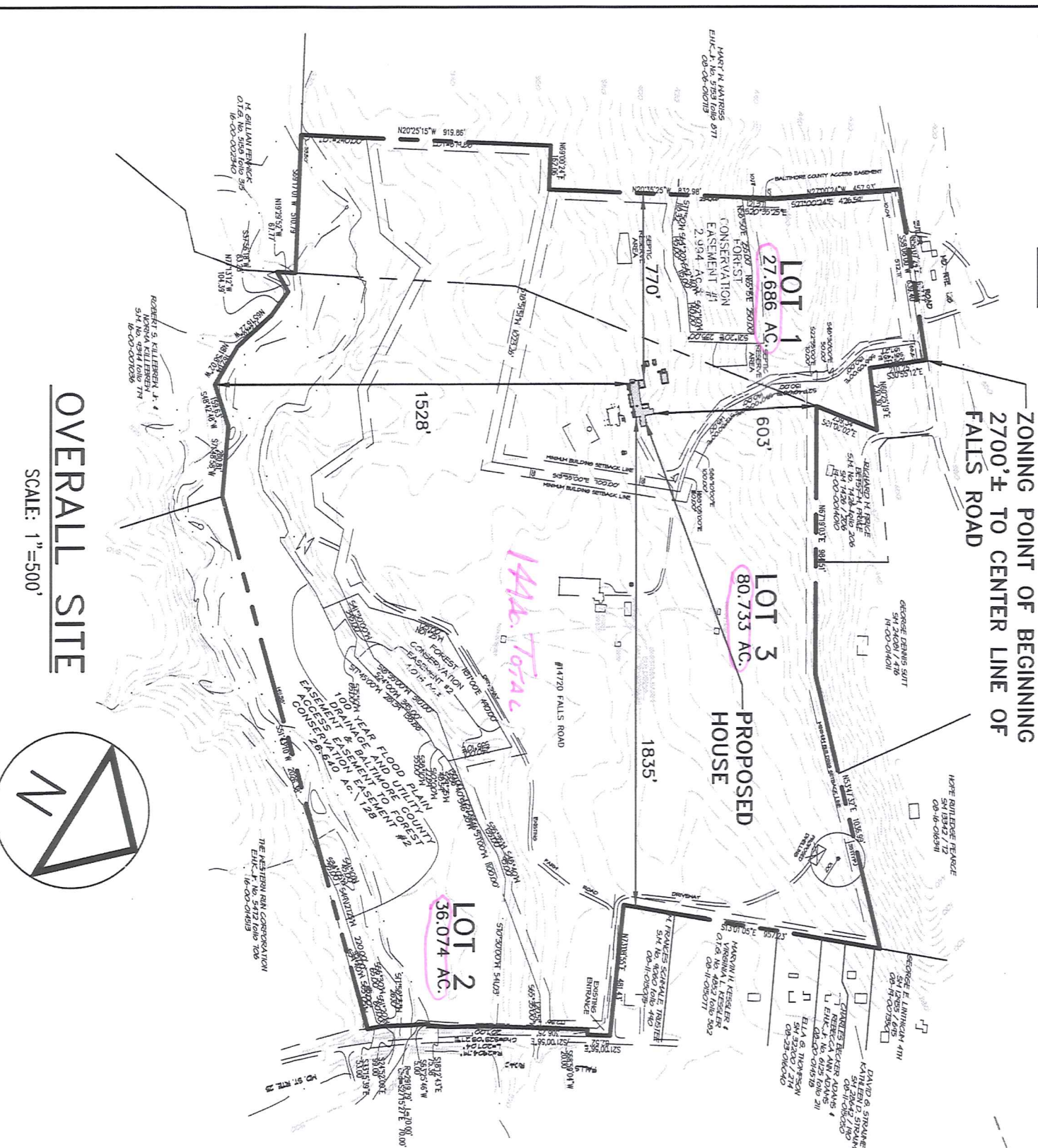


2013-0178-A



LEGEND

EXISTING	PROPOSED
Contours	Contours
Tree Lines	Tree Lines
Buildings	Buildings
Road Edge	Road Edge
Electric	Electric
Gas	Gas
Sanitary Sewer	Sanitary Sewer
Storm Drain	Storm Drain
Water & Sewer	Water & Sewer
Hydrant	Hydrant
Outcrops	Outcrops
Buildings	Buildings



GENERAL NOTES:

1. DOWNSHIP: LOT 1 MICHAEL LIND PETERSEN AND CHARLENE NEBA PETERSEN
2. DEED REFERENCES: LOT 2 PETERSEN PROPERTY LLC UNIT 134 801 KEY HIGHWAY BALTIMORE MD 21250
3. ZONING: REC2
4. LAND USE: RESIDENTIAL & AGRICULTURAL
5. THE SUBJECT PROPERTY IS SERVED BY PRIVATE WELL AND SEPTIC SYSTEM.
6. THERE HAVE BEEN NO PREVIOUS ZONING HEARINGS ON THIS SUBJECT PROPERTY.
7. THE SUBJECT PROPERTY IS LOCATED IN THE WASHINGTON VALLEY NATIONAL HISTORIC DISTRICT.
8. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA A PORTION OF THE SUBJECT PROPERTY IS LOCATED IN A 100-YEAR FLOODPLAIN.
9. THE PROPOSED DWELLING SHOWN HEREIN IS A REPLACEMENT TO THE ONE CURRENTLY ON THE SUBJECT PROPERTY. THE PROPOSED DWELLING WILL BE CONSTRUCTED IN THE SAME LOCATION AS THE EXISTING DWELLING.
10. THERE ARE ADDITIONAL AGRICULTURAL BUILDINGS ON THE SUBJECT PROPERTY THAT ARE NOT SHOWN HEREIN.

VARIANCE REQUESTED

TO PERMIT THE PROPOSED DWELLING TO BE CONSTRUCTED ON THE SUBJECT PROPERTY TO THE VARY PER SECTION 400L REC2.

Bruc E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Fisher Schoolhouse Road
P.O. Box 200555
Baltimore, MD 21220
410-419-4906
info@brucedoakconsulting.com

TESTERACT
FOR A
ZONING VARIANCE
HYGELIG HAVEN
2509 BUTLER ROAD BUTLER MD
BALTIMORE COUNTY, MARYLAND
DATE: 1/24/2013
SCALE: AS SHOWN

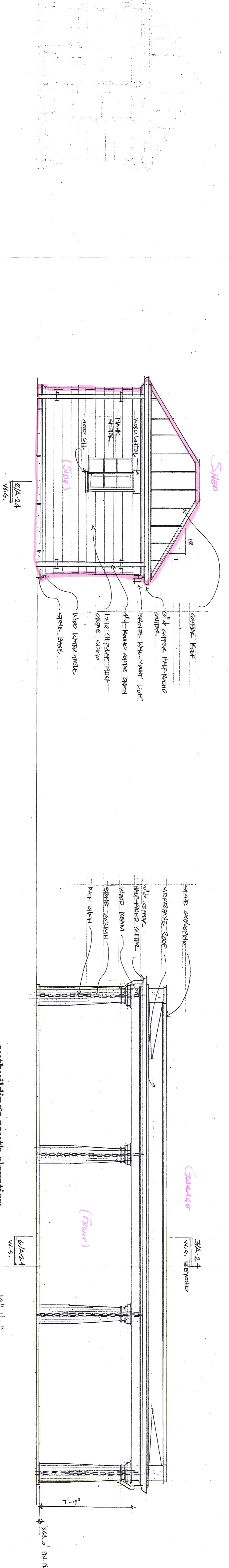
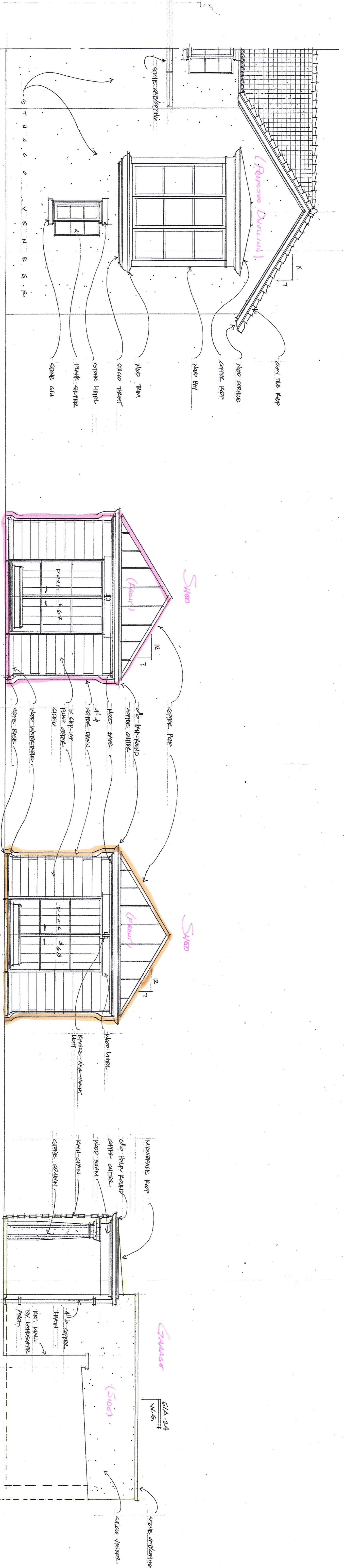
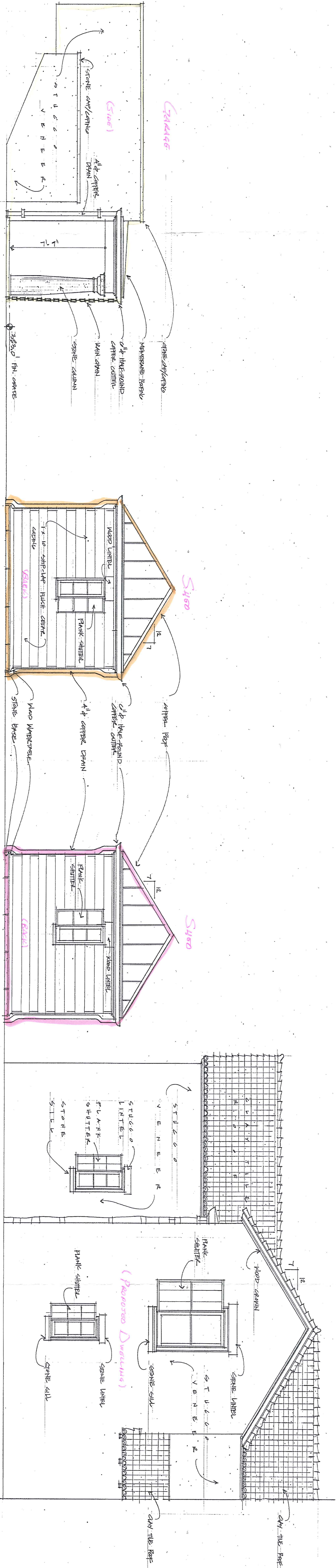
PETITIONER'S
EXHIBIT NO. 2



RECEIVED
December 21, 2012
WINCHESTER CONSTRUCTION CO., INC.
P.O. BOX 351, CROMWELL, MD 21032
410.597.5905

M^CALPINE TANKERSLEY
ARCHITECTURE

501 CLOVERDALE RD SUITE NUMBER 301 MONTGOMERY AL 56106
CALL: 554.964.8515 SEND: 554.964.8515
mcalpinetankersley.com



PETITIONER'S
EXHIBIT NO. 3

A New Residence
for
CHARLENE & MICHAEL
PETERSEN
Hyattsville
Baltimore, Maryland

DEC. 19 2012
ELEVATIONS
A17