



KEVIN KAMENETZ
County Executive

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

May 6, 2013

Michael K. And Barbara Forster
19430 Vernon Road
White Hall, Maryland 21161

RE: Petitions for Variance
Case No. 2013-0184-A
Property: 19430 Vernon Road

Dear Mr. & Mrs. Forster:

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 a horizontal line.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure



KEVIN KAMENETZ
County Executive

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

March 6, 2013

Michael K. Forster
Barbara Forster
19430 Vernon Road
White Hall, Maryland 21161

RE: **PETITION FOR ADMINISTRATIVE VARIANCE**
(19430 Vernon Road)
Case No. 2013-0184-A

Dear Mr. and Mrs. Forster:

Enclosed please find a copy of the decision rendered in the above-captioned matter

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Very truly yours,

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:dlw
Enclosure

IN RE: PETITION FOR VARIANCE
(19430 Vernon Road)
7th Election District
3rd Councilmanic District
Michael K. and Barbara Forster
Petitioners

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2013-0184-A**

* * * * *

ORDER AND OPINION

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed by the legal owners of the property, Michael K. and Barbara Forster, for property located at 19430 Vernon Road. The Variance request is from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a garage in the side yard of an existing single family dwelling with a height of 22' in lieu of the rear yard and the required 15', respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit 1.

This matter was originally filed as an Administrative Variance, with a closing date of March 4, 2013. On March 13, 2013, Administrative Law Judge Stahl requested a formal hearing on this matter. The hearing was subsequently scheduled for Friday, April 26, 2013 at 10:00 AM in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. 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 of the County reviewing agencies.

ORDER RECEIVED FOR FILING

Date

5/6/13

By

sln

Appearing at the public hearing in support for this case was Michael and Barbara Forster. There were no Protestants or interested citizens in attendance, and the file does not contain any letters of protest or opposition. In fact, the Petitioners submitted letters from their adjoining neighbors, both of whom are supportive of the Petition.

Testimony and evidence revealed that the subject property is 4.52 acres and is zoned RC 2. The Petitioners purchased the home in 2006, and are the original owners. They recently purchased a 5th wheel recreational trailer and truck, and the proposed garage will be used to store these vehicles.

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).

The Petitioners have met this test. As shown on the site plan, the property is of irregular dimensions, and is served by a common driveway that accesses two other homes on large lots. As such, it is unique for zoning purposes. The Petitioners would experience a practical difficulty if the regulations were strictly enforced, since they would be unable to properly store their recreational vehicle and truck. The grant of relief will in no way be injurious to the public's health, safety & welfare, as demonstrated by the lack of County opposition and support of the adjoining neighbors.

Although the Office of Planning did not make any recommendations related to the garage height and usage, I will impose conditions that the accessory structure not be converted into a

ORDER RECEIVED FOR FILING

Date

5/6/13

By

Den

dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes.

Pursuant to the advertisement, posting of the property, and public hearing on this petition, and after considering the testimony and evidence, I find that Petitioners' variance request should be granted.

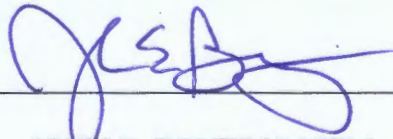
THEREFORE, IT IS ORDERED, this 6th day of May, 2013 by the Administrative Law Judge for Baltimore County, that the Petition for Variance from §§ 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a garage in the side yard of an existing single family dwelling with a height of 22' in lieu of the rear yard and the required 15', respectively, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. The Petitioners may apply for their 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, the 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.
3. The accessory structure shall not be used for commercial purposes.

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

JEB:slh



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

ORDER RECEIVED FOR FILING

Date 5/16/13
By slh



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 19430 Vernon Rd, White Hall, MD 21161 which is presently zoned RC-2

Deed Reference /23759/00618

10 Digit Tax Account # 2 4 0 0 0 1 3 0 2 0

Property Owner(s) Printed Name(s) Michael K Forster & Barbara Forster

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

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

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

1. **X** **ADMINISTRATIVE VARIANCE** from section(s)

Section: **400.1 and 400.3**

To permit a garage in the side yard of an existing single family dwelling with a height of 22 feet in lieu of the rear yard and the required 15 feet respectively.

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:

Michael K Forster

Barbara Forster

Name #1 – Type or Print

Name #2 – Type or Print

M. K. Forster

Barbara Forster

Signature #1

Signature #2

19430 Vernon Rd White Hall MD

Mailing Address City State

21161 410 357 5095 mforster@ieee.org

Zip Code Telephone # Email Address

Representative to be contacted:

Michael K Forster

Name – Type or Print

M. K. Forster

Signature

19430 Vernon Rd White Hall MD

Mailing Address City State

21161 410 357 5095 mforster@ieee.org

Zip Code Telephone # 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 21 day of July, 2013 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 2013-0184-A

Filing Date 2/5/2013

Estimated Posting Date 2/17/13

Reviewer 21

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: 19430 Vernon Rd White Hall MD 21161-9730
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)

This variance is requested because the proposed garage addition is unable to meet the following requirements:

- 1) Front of garage cannot be moved back flush to the rear of the house.
- 2) Garage addition cannot be attached to the house directly or via a breeze-way.

The reasons the above cannot be easily met are because of practical difficulties as follows:

- 1) If the garage addition was situated flush with the rear of the house, the garage addition would encroach on the existing tennis court.
- 2) If the garage addition was attached directly to the side of the house, the access to the septic system and the house basement would not be possible, as vehicle access is currently possible between the house and the tennis court. In addition, the windows on the house do not easily allow attachment to the garage addition.
- 3) If a breeze-way connected the house to the garage addition, this would also block vehicle access to the house basement and septic system. This vehicle access is essential to enable the septic tank to be emptied as required and to deliver heating fuel to the house basement.

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

Michael K. Forster

Signature of Affiant

Michael K Forster

Name- Print or Type

Barbara Forster

Signature of Affiant

Barbara Forster

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 31st day of JANUARY, 2013, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

MICHAEL K FORSTER + BARBARA FORSTER

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

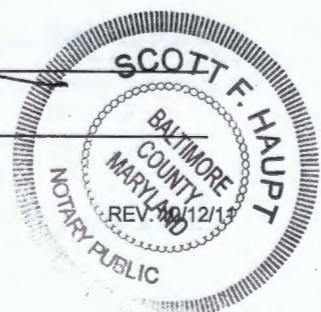
AS WITNESS my hand and Notaries Seal

Notary Public

My Commission Expires

JANUARY 4, 2015

SCOTT F. HAUP
Notary Public-Maryland
Baltimore County
My Commission Expires
January 04, 2015



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: 19430 Vernon Rd White Hall MD 21161-9730
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)

This variance is requested because the proposed garage addition is unable to meet the following requirements:

- 1) Front of garage cannot be moved back flush to the rear of the house.
- 2) Garage addition cannot be attached to the house directly or via a breeze-way.

The reasons the above cannot be easily met are because of practical difficulties as follows:

- 1) If the garage addition was situated flush with the rear of the house, the garage addition would encroach on the existing tennis court.
- 2) If the garage addition was attached directly to the side of the house, the access to the septic system and the house basement would not be possible, as vehicle access is currently possible between the house and the tennis court. In addition, the windows on the house do not easily allow attachment to the garage addition.
- 3) If a breeze-way connected the house to the garage addition, this would also block vehicle access to the house basement and septic system. This vehicle access is essential to enable the septic tank to be emptied as required and to deliver heating fuel to the house basement.

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

Michael K. Forster

Signature of Affiant

Michael K Forster

Name- Print or Type

Barbara Forster

Signature of Affiant

Barbara Forster

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 31st day of JANUARY, 2013, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

MICHAEL K FORSTER + BARBARA FORSTER

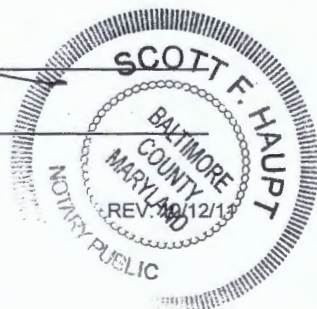
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public

JANUARY 4, 2015
My Commission Expires

SCOTT F. HAUP
Notary Public-Maryland
Baltimore County
My Commission Expires
January 04, 2015



ZONING PROPERTY DESCRIPTION FOR
19430 VERNON RD, WHITE HALL, MD 21161

PART A:

Beginning at a point on the south side of Vernon Road which is 20 feet wide at the distance of 1665 feet east of the centreline of the nearest improved intersecting street (Graystone Road) which is 23 feet wide

PART B, OPTION 2:

Being Lot #3 in the subdivision of Vernon Woods as recorded in Baltimore County Plat Book #78, Folio #74, containing 4.517 acres. Located in the 7th Election District and 3rd Council District.

2013-0184-A

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

No. **94115**

Date: **2/5/13**

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

Total: **75.00**

Rec From: **Michael Forester**

For: **19430 VERNON Rd.**
21161

2013-0184-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

CERTIFICATE OF POSTING

Date: 4-6-13

RE: Case Number: 2013-0184-A

Petitioner/Developer: Michael Foster

Date of Hearing/Closing: 4-26-13

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 19430 Vernon Rd

3

(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

ZONING NOTICE

CASE # 2013-0184-A

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

JEFFERSON BLDG, ROOM 205
PLACE: 105 N. CHESTNUT AVE TOWSON, MD

DATE AND TIME: FRIDAY APRIL 26, 2013 10 AM

REQUEST: VARIANCE TO PERMIT A GARAGE

IN THE SIDE YARD OF AN EXISTING SINGLE

FAMILY DWELLING WITH A HEIGHT OF 22 FEET

IN LIEU OF THE REAR YARD AND THE REQUIRED

15 FEET REAR YARD

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY

TO CONTINUE HEARING CALL 800-1531

... AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

... ACCESSIBLE

CERTIFICATE OF POSTING

Date: 2-17-13

RE: Case Number: 2013-0184

Petitioner/Developer: Michael Forster

Date of Hearing/Closing: 3/4/13

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 19430 Vernon Rd

16-13

(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON

(Printed Name of Sign Poster)

1015 Old Barn Road

(Street Address of Sign Poster)

Parkton, MD 21120

(City, State, Zip Code of Sign Poster)

410-343-1443

(Telephone Number of Sign Poster)

ZONING NOTICE ADMINISTRATIVE VARIANCE

CASE # 2013-0184-A
TO PERMIT A GARAGE IN THE REAR
OF AN EXISTING SINGLE FAMILY DWELLING
WITH A HEIGHT OF 22 FEET IN LIEU OF THE
20 FOOT MAXIMUM HEIGHT REQUIRED BY THE
RESIDENTIAL ZONING

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,

AN ELIGIBLE INDIVIDUAL OR GROUP MAY

REQUEST A PUBLIC HEARING CONCERNING

THE PROPOSED VARIANCE PROVIDED THE REQUEST IS

RECEIVED IN THE ZONING REVIEW BUREAU BEFORE

5:00 P.M. ON 2/14/13

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF

PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,

111 WEST CHESAPEAKE AVE., TUNNERSHILL, MD 21120, (410) 687-5331

OR VISIT OUR WEBSITE AT WWW.BALTIMORECOUNTY.MD

FOR MORE INFORMATION.

IF YOU REQUEST THIS SIGN AND POST AFTER JANUARY 15TH, AND FINALLY PLAN

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: #2013-0184-A

19340 Vernon Road

7th Election District - 3rd Councilmanic District

Legal Owner(s): Michael & Barbara Forster

Variance: to permit a garage in the side yard of an existing single family dwelling with a height of 22 feet in lieu of the rear yard and the required 15 feet respectively.

Hearing: Friday, April 26, 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.

04/005 April 4

913473



501 N. Calvert Street, Baltimore, MD 21278

April 4, 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 April 4, 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



KEVIN KAMENETZ
County Executive

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

March 25, 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: 2013-0184-A

19340 Vernon Road

7th Election District – 3rd Councilmanic District

Legal Owners: Michael & Barbara Forster

Variance to permit a garage in the side yard of an existing single family dwelling with a height of 22 feet in lieu of the rear yard and the required 15 feet respectively.

Hearing: Friday, April 26, 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. & Mrs. Forster, 19430 Vernon Road, White Hall 21161

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, APRIL 6, 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.

TO: PATUXENT PUBLISHING COMPANY
Thursday, April 4, 2013 Issue - Jeffersonian

Please forward billing to:
Michael Forster
19430 Vernon Road
White Hall, MD 21161

410-357-5095

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: 2013-0184-A

19340 Vernon Road
7th Election District – 3rd Councilmanic District
Legal Owners: Michael & Barbara Forster

Variance to permit a garage in the side yard of an existing single family dwelling with a height of 22 feet in lieu of the rear yard and the required 15 feet respectively.

Hearing: Friday, April 26, 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.

MEMORANDUM

DATE: June 7, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0184-A - Appeal Period Expired

The appeal period for the above-referenced case expired on June 5, 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

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>2-15</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
<u>3-13</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>2-11</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>4-4-13</u> <u>Jeffersonian</u>	
SIGN POSTING	Date: <u>2-16-13</u> by <u>Pilson (AV)</u> <u>4-6-13</u> <u>Pilson (hearing)</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2013 **0184** -A

Address **19430 VERNON Road**

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

Filing Date: **2/5/13** Posting Date: **2/17/13** Closing Date: **3/4/13**

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 **0184** -A

Address **19430 VERNON Road**

Petitioner's Name **Michael & BARBARA Forester**

Telephone **410-357-3095**

Posting Date: **2/17/13**

Closing Date: **3/4/13**

Wording for Sign: _____

To permit a garage in the side yard of an existing single family dwelling with a height of 22 feet in lieu of the rear yard and the required 15 feet respectively.

Revised 7/06/11

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: February 15, 2013

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

SUBJECT: Zoning Advisory Committee Meeting
For February 18, 2013
Item Nos. 2013-0184, and 0185.

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

DAK:CEN
Cc: file

BALTIMORE COUNTY, MARYLAND

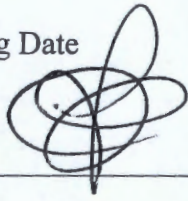
Inter-Office Memorandum

DATE: March 13, 2013

TO: Kristen Lewis, Office of Zoning Review
Department of Permits, Approvals & Inspections (PAI)

FROM: Lawrence M. Stahl, Managing Administrative Law Judge
Office of Administrative Hearings

RE: Petition for Administrative Variance – 03/04/13 Closing Date
Case No. 2013-0184-A – 19430 Vernon Road



After a review of the above-captioned case file, I am requesting that this case be set in for a public hearing.

Our office is returning the file to you for further processing such as notifying the Petitioners, posting and advertising of the hearing notices.

Thank you for your attention and cooperation in this matter.

c: Office of People's Counsel

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: March 13, 2013

SUBJECT: DEPS Comment for Zoning Item # 2013-0184-A
Address 19430 Vernon Road
(Forster Property)

Zoning Advisory Committee Meeting of February 4, 2012.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: *Jeff Livingston – Development Coordination*

RECEIVED

MAR 13 2013

OFFICE OF ADMINISTRATIVE HEARINGS

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 2-11-13

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

RE: Baltimore County
Item No. 2013-0184-A
Administrative Variance
Michael K. & Barbara Forster
19430 Vernon 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. 2013-0184-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 dark ink, appearing to read "Steven D. Foster".

Steven D. Foster, Chief
Access Management Division

SDF/raz



KEVIN KAMENETZ
County Executive

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

March 5, 2013

Michael K. & Barbara Forster
19430 Vernon Road
White Hall MD 21161

RE: Case Number: 2013-0184 A, Address: 19430 Vernon Road, 21161

Dear Mr. & Ms. Forster:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 5, 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

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 - 07 Account Number - 2400013020

Owner Information

Owner Name: FORSTER MICHAEL K
FORSTER BARBARA
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 19430 VERNON RD
WHITE HALL MD 21161-9730
Deed Reference: 1) /23759/ 00618
2)

Location & Structure Information

Premises Address
19430 VERNON RD
0-0000
Legal Description
4.517 AC PARCEL 1
19430 VERNON RD SWS
VERNON WOODS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	
0013	0019	0102		0000			3	2		1
									<u>Plat Ref:</u>	0078/ 0074

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
2006	3,400 SF	4.5200 AC	04

Stories	Basement	Type	Exterior
2.000000	YES	STANDARD UNIT SIDING	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2012	07/01/2013
<u>Land</u>	175,760	135,200		
<u>Improvements:</u>	403,050	272,600		
<u>Total:</u>	578,810	407,800	407,800	407,800
<u>Preferential Land:</u>	0			0

Transfer Information

<u>Seller:</u>	<u>Date:</u>	<u>Price:</u>
UPNORTH LLC	05/01/2006	\$335,000
<u>Type:</u> ARMS LENGTH VACANT	<u>Deed1:</u> /23759/ 00618	<u>Deed2:</u>
<u>Seller:</u>	<u>Date:</u>	<u>Price:</u>
<u>Type:</u>	<u>Deed1:</u>	<u>Deed2:</u>
<u>Seller:</u>	<u>Date:</u>	<u>Price:</u>
<u>Type:</u>	<u>Deed1:</u>	<u>Deed2:</u>

Exemption Information

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

Tax Exempt:
Exempt Class:
Special Tax Recapture:
NONE

Homestead Application Information

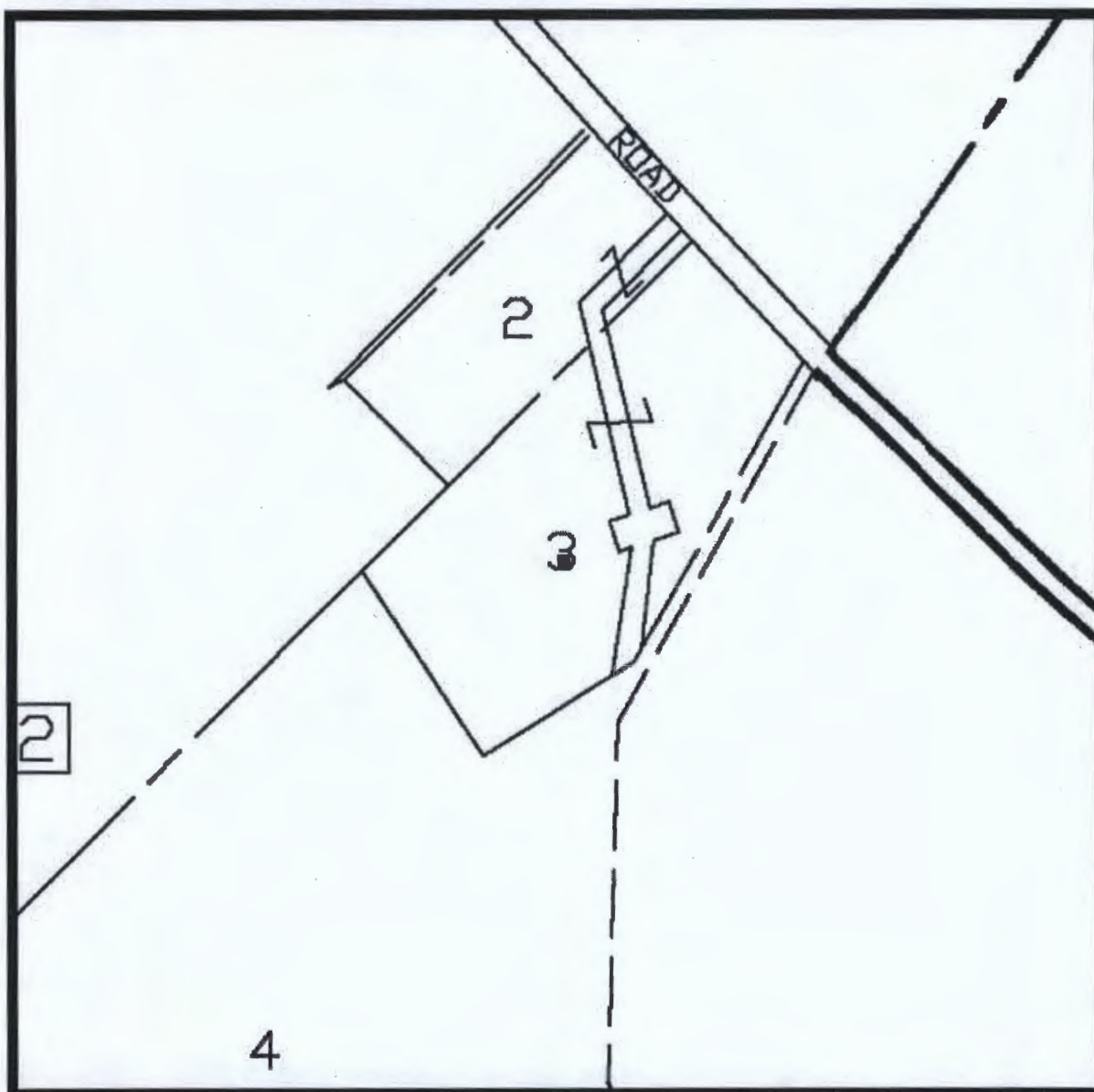
Homestead Application Status: Approved 01/06/2009



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

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

District - 07 Account Number - 2400013020



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

4-26-13

Case No.: 2013-184-A

Exhibit Sheet

DW
6-7-13

SN
5-6-13

Petitioner/Developer

Protestant

No. 1	Site plan	
No. 2	Letters from neighbors	
No. 3	Color photos	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Administrative Variance – Additional Information

Case Number: 2013-0184-A

Address: 19430 Vernon Rd, White Hall MD 21161

Petitioner's Name: Michael K. and Barbara Forster

Supporting Information from Adjoining Neighbor:

Address: 19440 Vernon Rd

Name: James F. Amrhein

Neighbor Statement:

I am aware of the garage addition that the Forster's plan to build. I have no objection to the proposed construction.

Signed:

 4/22/2013

Dated:

17#
Ps 2

Administrative Variance – Additional Information

Case Number: 2013-0184-A

Address: 19430 Vernon Rd, White Hall MD 21161

Petitioner's Name: Michael K. and Barbara Forster

Supporting Information from Adjoining Neighbor:

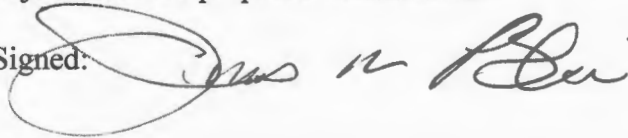
Address: 19420 Vernon Rd

Name: James M. and Patricia W. Blair

Neighbor Statement:

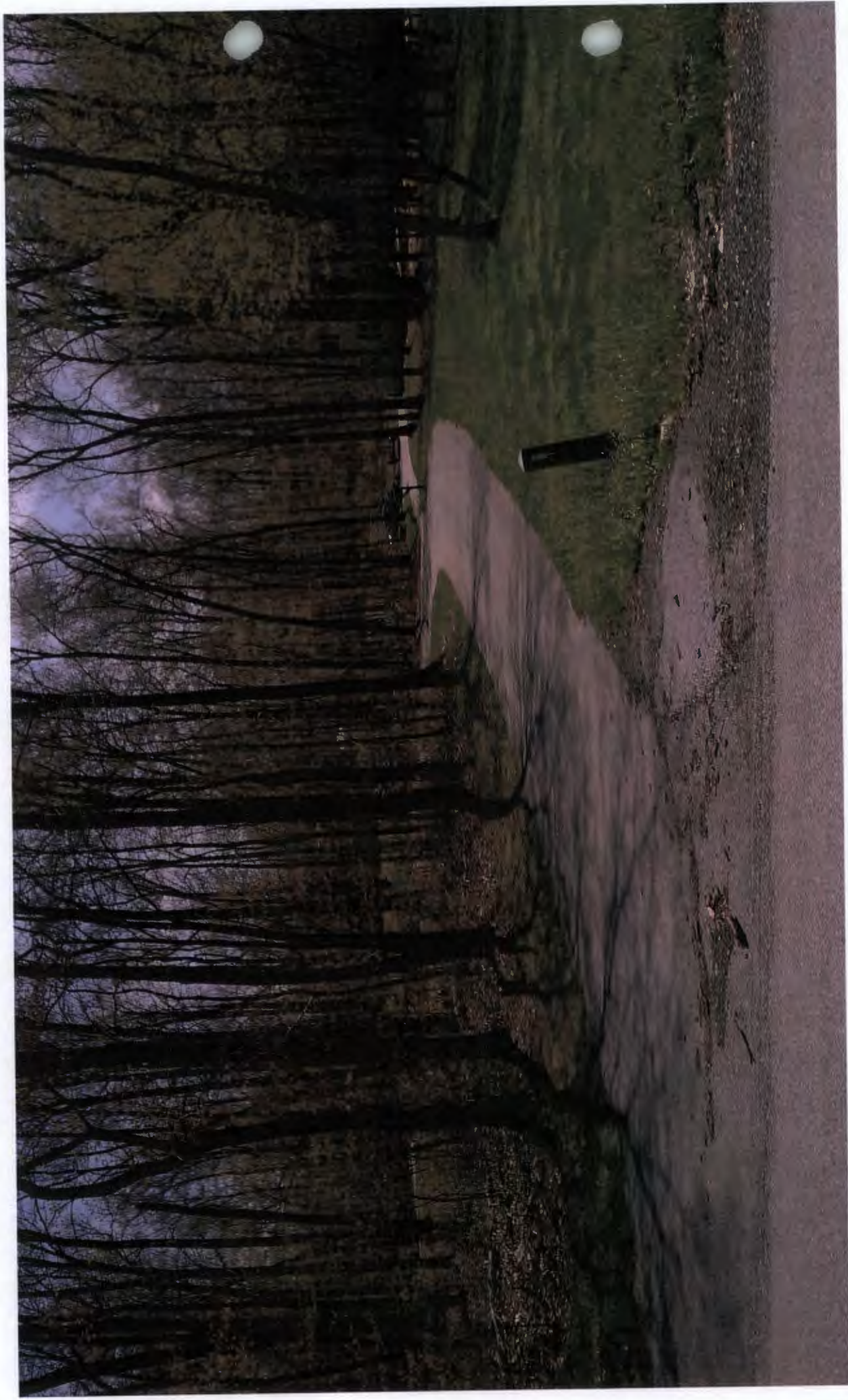
We are aware of the garage addition that the Forster's plan to build. We have no objection to the proposed construction.

Signed:

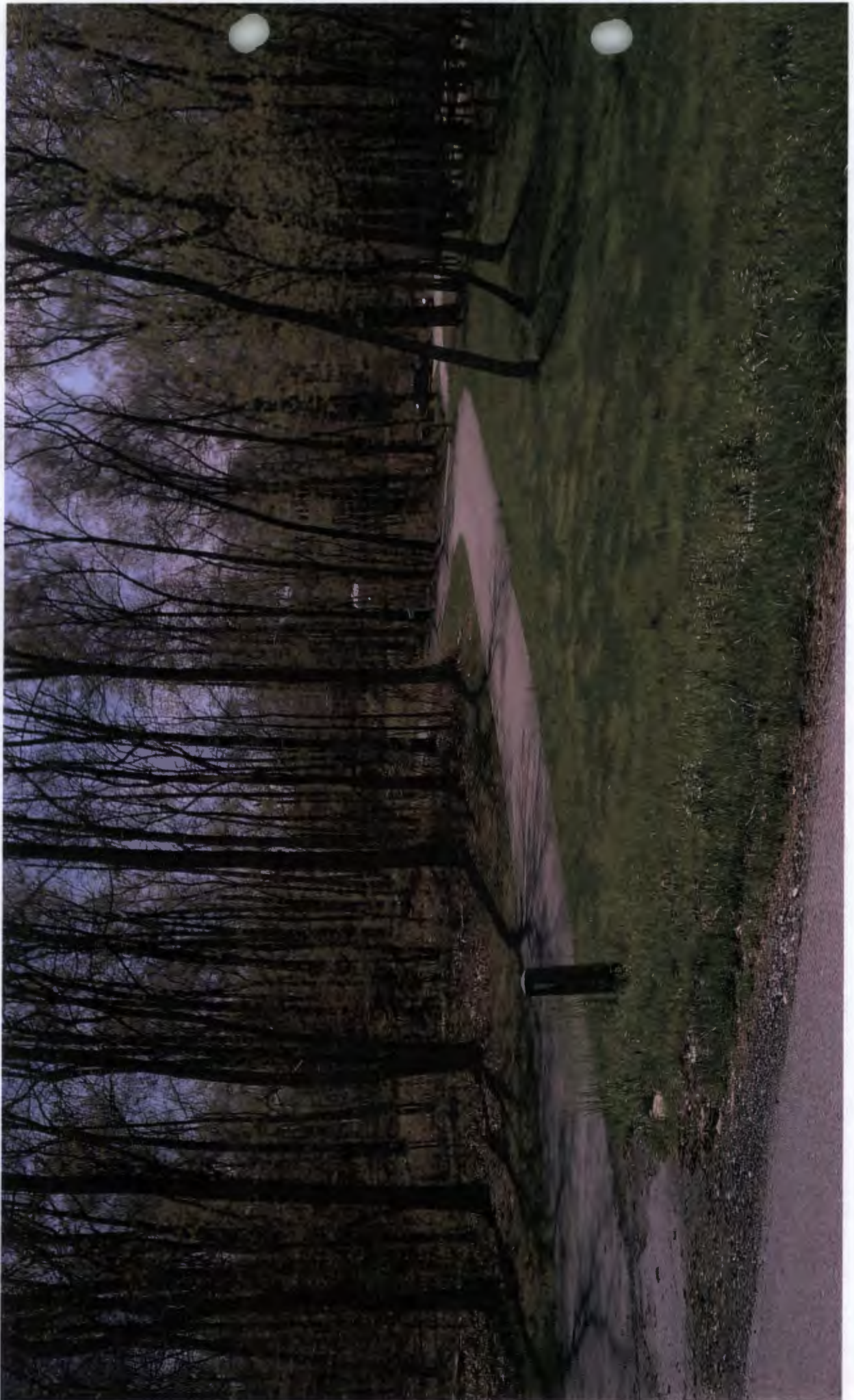
A handwritten signature in cursive script, appearing to read "James M. Blair", written over a horizontal line.

Dated:

4-23-13



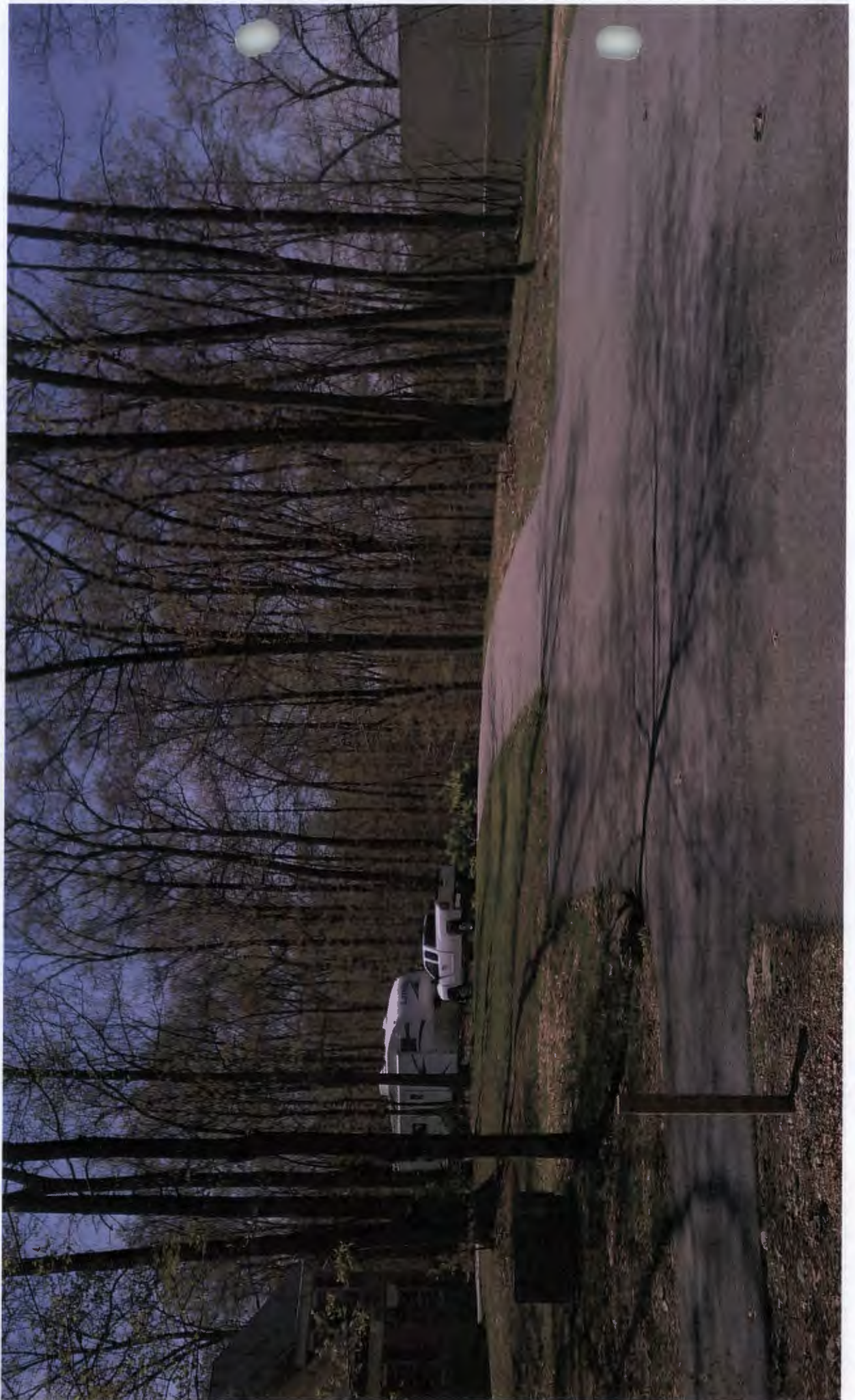
P's No. 3













Front of house from driveway (proposed front of garage addition will be inline with front of house and 20 feet to the right of the front corner shown) This view is looking south, away from Vernon Road.

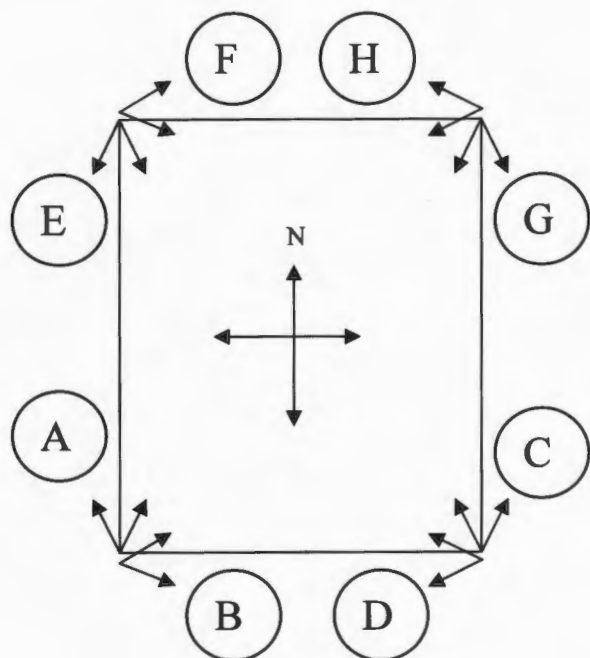


View looking north-west from rear of proposed garage addition, showing tennis court fence on the left of picture and the neighboring house (19440 Vernon Rd). Vernon Road is in the distance and behind 19440.



2013-0184-A

Plan showing views taken from proposed garage addition corners:



2013-0184-A

View A) from west rear corner of garage addition, pointing north, showing house driveway and neighboring house on left (19440 Vernon Rd) garage door and driveway. Front west garage addition corner is marked



View B) from west rear corner of garage addition, pointing east, showing house rear south side and west side. Rear east garage addition corner is marked



2013-0184-A

View C) from east rear corner of garage addition, pointing north, showing house driveway and west side of house on right. Front east garage addition corner is marked



View D) from east rear corner of garage addition, pointing west, showing tennis court north end and neighboring properties. Rear west garage addition corner is marked



2013-0184-A

View E) from front west corner of garage addition, pointing south, showing length of tennis court at rear of property. Rear west garage addition corner is marked



View F) from front west corner of garage addition, pointing east, showing west face of house and front line of house and driveway rear edge. Front east garage addition corner is marked



2013-0184-A

View G) from front east corner of garage addition, pointing south, showing tennis court at rear of property. Rear east garage addition corner is marked



View H) from front east corner of garage addition, pointing west, showing neighboring property. Front west garage addition corner is marked



2013-0184-A

View looking north-west from far east side of house front, showing the 2 neighboring houses, 19450 (in distance) and 19440 Vernon Rd (roof only).). Graystone Road is in the distance and behind 19450



View from rear corner of house looking west, showing area of land to be occupied by proposed garage addition. Tennis court is shown on far left. Two rear garage addition corners are marked



2013-0184-A

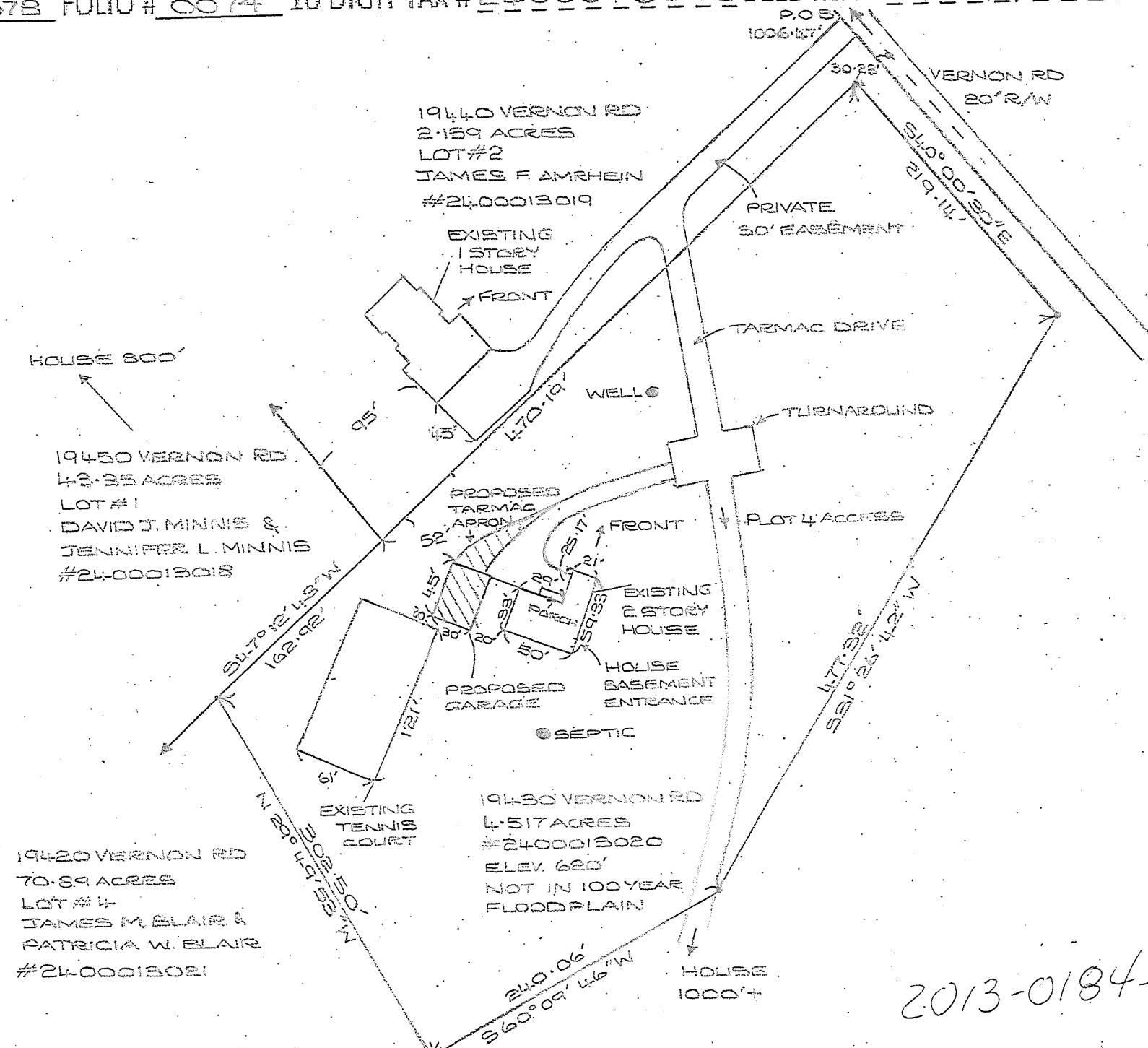
2013-0184-A

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 19430 VERNON RD OWNER(S) NAME(S) MICHAEL K. & BARBARA FORSTER

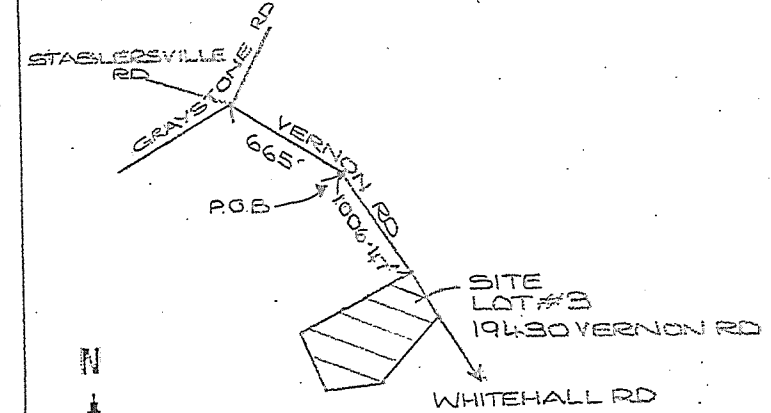
SUBDIVISION NAME VERNON WOODS LOT# 3 BLOCK# — SECTION# —

PLAT BOOK # 0078 FOLIO # 0074 10 DIGIT TAX # 2400013020 DEED REF. # 23759/00618



PLAN DRAWN BY MICHAEL K. & BARBARA FORSTER DATE 2/3/13 SCALE: 1 INCH = 100 FEET

SITE VICINITY MAP



N



MAP IS NOT TO SCALE

ZONING MAP# 018A3

SITE ZONED RCE

ELECTION DISTRICT 7TH

COUNCIL DISTRICT 3RD

LOT AREA ACREAGE 4.517

OR SQUARE FEET _____

HISTORIC? No

IN CBCA? No

IN FLOOD PLAIN? No

UTILITIES? MARK WITH X

WATER IS:

PUBLIC _____ PRIVATE X

SEWER IS:

PUBLIC _____ PRIVATE X

PRIOR HEARING? No

IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

Ps' EX-1