



KEVIN KAMENETZ
County Executive

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

June 5, 2013

Jeffrey H. Gray, Esquire
16925 York Road, Suite A
Monkton, Maryland 21111

RE: Petition for Special Hearing
Case No. 2013-0227-SPH
Property: 14343 & 14345 Jarrettsville Pike

Dear Mr. Gray:

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 printed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: Howard and Jeanne Lintz, 14106 Blenheim Road,
Phoenix, Maryland 21131
Keith Heindel, 194 E. Main Street,
Westminster, Maryland 21157
Carl Unkart, 7414 Old Battle Grove Road,
Baltimore, Maryland 21222
Ted Ohler, 1721 Belvue Drive,
Forest Hill, Maryland 21050

IN RE: **PETITION FOR SPECIAL HEARING**
(Jarrettsville Pike)
10th Election District
3rd Councilmanic District
Howard B. Lintz
Petitioner

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2013-0227-SPH**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Special Hearing filed by Jeffrey H. Gray, Esquire on behalf of Howard B. Lintz, legal owner. The Petitioner is requesting Special Hearing relief pursuant to § 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve: (1) well and septic not located in the same zone as house, and (2) two existing two-story dwellings and an existing separate one-story garage with an office on Lot 1. 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 held for this case was Howard B. Lintz and Keith Heindel, the surveyor who prepared the site plan. In addition, two former neighbors attended the hearing and testified. Jeffrey H. Gray, Esquire, appeared and represented the Petitioner. There were no Protestants or interested citizens in attendance, and the file does not contain any letters of protest or opposition. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

No substantive Zoning Advisory Committee (ZAC) comments were received from any County agency.

Testimony and evidence revealed that the subject property is approximately 4.038 acres

ORDER RECEIVED FOR FILING

Date

6/5/13

By

den

and is split- zoned RC 5, RO-CR, and RC5-CR. The property is improved with two single family dwellings and a one-story office/garage building. The Petitioner is in the process of obtaining minor subdivision approval from Baltimore County, to divide the parcel into two lots, with a proposed single family dwelling to be constructed on the newly-created lot ("Lot 2"). Before the minor subdivision can be processed, the Petitioner must obtain Special Hearing relief to establish that the three (3) structures currently existing on proposed "Lot 1" are lawful nonconforming buildings under B.C.Z.R. §104.

With regard to the first aspect of Special Hearing relief requested, I was unable to locate any provision in the B.C.Z.R. that required a well/septic to be located within the same zoning designation as the principal building to which it is accessory. In any event, Petitioner's counsel indicated that Baltimore County recently approved the well & septic systems for proposed "Lot 1" as depicted on the site plan (Exhibit 1). As such, relief will be granted as to this issue.

The remaining issue concerns whether the structures on lot 1 are lawful nonconforming buildings under the B.C.Z.R. The SDAT printout in the file reveals that one of the single family dwellings (#14345 Jarrettsville Pike) was constructed in or about 1880. The Petitioner presented two witnesses (Ted Ohler & Carl Unkart), both of whom were born and raised in the vicinity of the subject property. They both recall the single family dwellings and the garage building since at least 1945, when they were young children playing in the area. Howard Lintz, the Petitioner, also grew up on the property and he confirmed the testimony and recollection of the other two witnesses.

In these circumstances, the Petitioner has established that the structures existing on Lot 1 of the site plan predated the enactment of the zoning regulations that would otherwise prohibit the construction of two single family dwellings on the same lot. The buildings have been in use

ORDER RECEIVED FOR FILING

Date

6/5/13

By

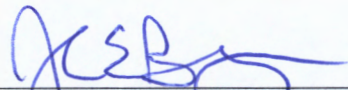
Den

continuously, and there is no evidence or indication that they were abandoned for a period of one year or more. As such, the requested relief will be granted.

Pursuant to the advertisement, posting of the property, and public hearing, and after considering the testimony and evidence offered, I find that Petitioner's Special Hearing request should be GRANTED.

THEREFORE, IT IS ORDERED, this 5th day of June, 2013 by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing pursuant to § 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve: (1) well and septic not located in the same zone as house, and (2) two existing two-story dwellings and an existing separate one-story garage with an office on Lot 1 (as shown on the site plan admitted as Petitioners Exhibit 1), be and is hereby GRANTED.

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

6/5/13

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 14343 & 14345 Jarrettsville Pike, Phoenix, Maryland 21131

which is presently zoned RC5 CR, RO CR

Deed References: S.M. 14516, folio 476

10 Digit Tax Account # 10-12-040300

Property Owner(s) Printed Name(s) Howard B. Lintz

(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 1. Well and Septic not located in the same zone as house.

2. To approve two (2) existing two (2) story dwellings and an existing separate one (1) story garage with an office on Lot 1.

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

3. ☐ **a Variance** from Section(s)

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)

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

Date

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Jeffrey H. Gray

Name- Type or Print

Signature

16925 York Road, Suite A

Monkton

Maryland

Mailing Address

City

State

21111

410-329-2104

jhgrayattorney@live.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Howard B. Lintz

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

14106 Blenheim Road

Phoenix

Maryland

Mailing Address

City

State

21131

410-952-5697

hblintz@gmail.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Jeffrey H. Gray

Name - Type or Print

Signature

16925 York Road, Suite A

Monkton

Maryland

Mailing Address

City

State

21111

410-329-2104

jhgrayattorney@live.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2013-0227-SP4

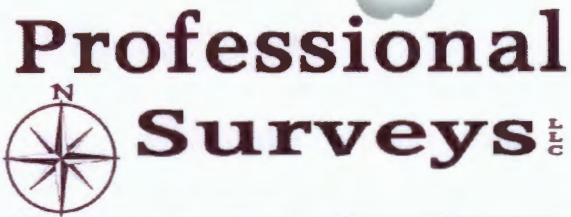
Filing Date 4/5/13

Do Not Schedule Dates: _____

Reviewer JS

REV. 10/4/11

na 6/4-10, 29 28



194 East Main Street, 2nd Floor
Westminster, Maryland 21157

Voice: 410-751-8795
Fax: 410-751-8796

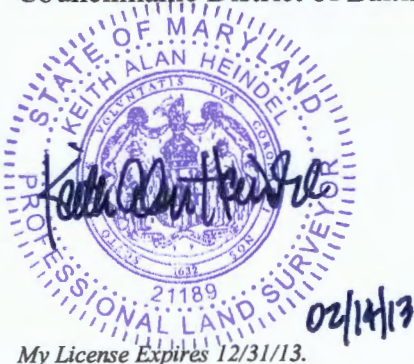
**Zoning Property Description For
Lot 1 of the Lintz Property
#14343 & #14345 Jarrettsville Pike, Phoenix, MD 21131**

February 14, 2013

Beginning at a point on the east side of Jarrettsville Pike (MD Rte. #146), which is 40 feet wide, at the distance of 271 feet south of the centerline of Southside Avenue, which is 50 feet wide; thence running the following courses,

- 1.) South 86 degrees 08 minutes 29 seconds East 375.96 feet; thence,
- 2.) South 03 degrees 51 minutes 31 seconds West 186.00 feet; thence,
- 3.) North 86 degrees 09 minutes 55 seconds West 415.11 feet to the aforesaid east side of Jarrettsville Pike; thence running with and binding thereon,

4.) North 15 degrees 43 minutes 58 seconds East 190.25 feet to the point of beginning, being a part of the parcel of land as recorded in the following deed: Liber S.M. 14516 folio 476, etc., containing 1.690 acres, more or less. Located in the Tenth Election District and Third Councilmanic District of Baltimore County, Maryland.



My License Expires 12/31/13.

This description was prepared from deed information only and is not the result of an actual boundary survey and is not to be used for any other purpose than the zoning hearing for which this description is prepared.

X:\Jobs\2011\2011146\Corr\Zoning Description-02142013.doc

2013-0227-SPH

**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: 2013-0227-SPH
Petitioner: Howard B. Lintz
Address or Location: 14343 & 14345 Jarrettsville Pike, Phoenix, Maryland 21131

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jeffrey H. Gray
Address: 16925 York Road
Suite A
Monkton, Maryland 21111
Telephone Number: 410-329-2104

Revised 2/20/98 - SCJ

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

No. **96133**

Date: **4/5/13**

PAID RECEIPT

BUSINESS ACTUAL TIME DEW
 4/05/2013 4/05/2013 11:17:59 5

REC 0003 WALKIN REGS LRB
 >>RECEIPT # 647335 4/05/2013 OFLN

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
000	806	0000		6150				\$ 385.00

Dept 5 528 ZONING VERIFICATION
 CR 10. 096133

Recpt Tot - \$385.00
 \$385.00 CR 1.00 CA
 Baltimore County, Maryland

Total: **\$ 385.00**

Rec From **LINTZ**

For **2013-0227-A**

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

Date: 5-10-13

RE: Case Number: 2013-0227-SPH

Petitioner/Developer: Howard Lutz

Date of Hearing/Closing: May 31, 2013

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 14343 + 14345 Jarrettsville Pike

-13

(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON

(Printed Name of Sign Poster)

1015 Old Barn Road

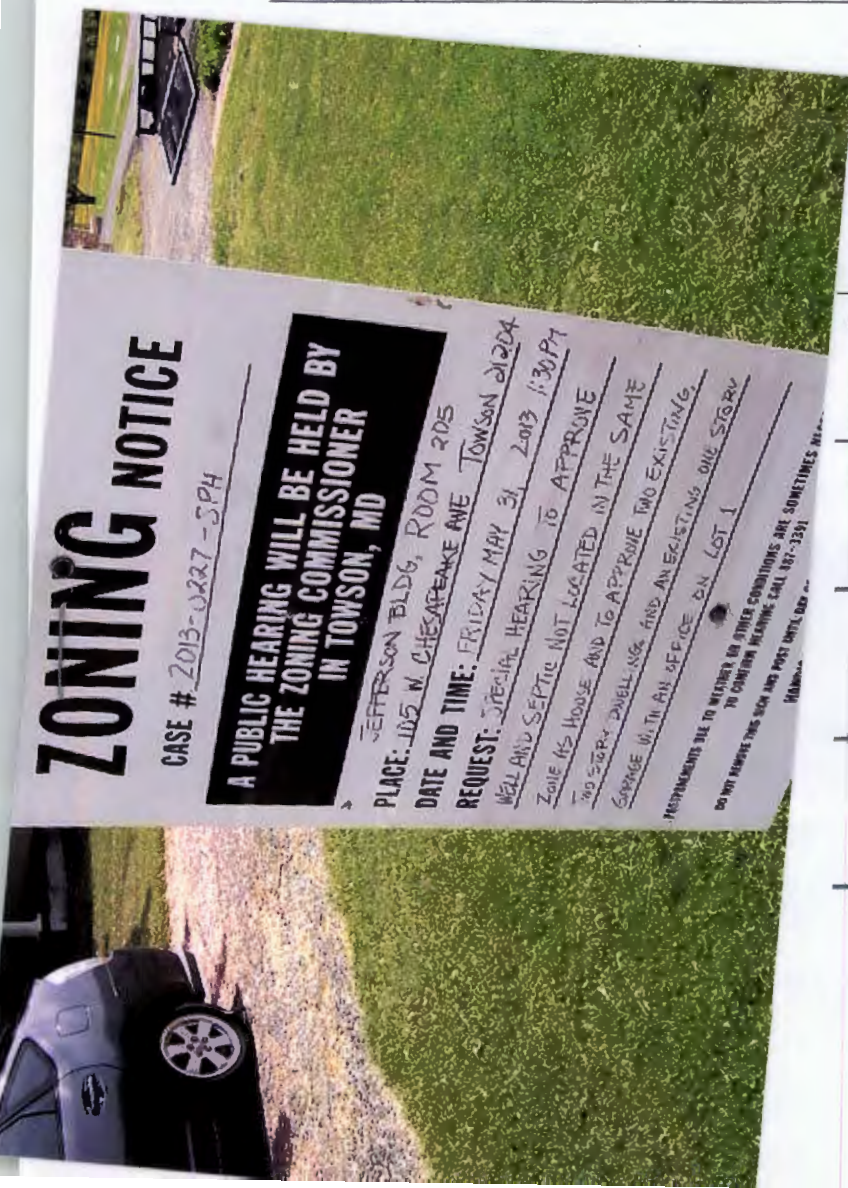
(Street Address of Sign Poster)

Parkton, MD 21120

(City, State, Zip Code of Sign Poster)

410-343-1443

(Telephone Number of Sign Poster)





THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

May 9, 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 May 9, 2013

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

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

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: #2013-0227-SPH
14343 & 14345 Jarrettsville Pike,
E/s Jarrettsville Pike, 271 ft. s/of centerline of intersection
with Southside Avenue
10th Election District - 3rd Councilmanic District
Legal Owner(s): Howard Lintz

Special Hearing: to approve well and septic not located in the same zone as house and to approve two existing two story dwellings and an existing separate one story garage with an office on Lot-1.

Hearing: Friday, May 31, 2013 at 1:30 p.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.
05/135 May 9 920441



KEVIN KAMENETZ
County Executive

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

April 29, 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: 2013-0227-SPH

14343 & 14345 Jarrettsville Pike

E/s Jarrettsville Pike, 271 ft. s/of centerline of intersection with Southside Avenue

10th Election District – 3rd Councilmanic District

Legal Owners: Howard Lintz

Special Hearing to approve well and septic not located in the same zone as house and to approve two existing two story dwellings and an existing separate one story garage with an office on Lot 1.

Hearing: Friday, May 31, 2013 at 1:30 p.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: Jeffrey Gray, 16925 York Road, Ste. A, Monkton 21111
Howard Lintz, 14106 Blenheim Road, Phoenix 21131

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MAY 11, 2013.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE 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, May 9, 2013 Issue - Jeffersonian

Please forward billing to:

Jeffrey Gray
16925 York Road, Ste. A
Monkton, MD 21111

410-329-2104

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: 2013-0227-SPH

14343 & 14345 Jarrettsville Pike

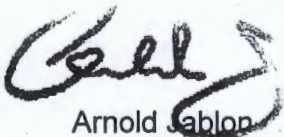
E/s Jarrettsville Pike, 271 ft. s/of centerline of intersection with Southside Avenue

10th Election District – 3rd Councilmanic District

Legal Owners: Howard Lintz

Special Hearing to approve well and septic not located in the same zone as house and to approve two existing two story dwellings and an existing separate one story garage with an office on Lot 1.

Hearing: Friday, May 31, 2013 at 1:30 p.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: July 10, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0227-SPH - Appeal Period Expired

The appeal period for the above-referenced case expired on July 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

RE: PETITION FOR SPECIAL HEARING * BEFORE THE BOARD
14343 Jarrettsville Pike; E/S Jarrettsville Pike, *
271' SW of Southside Avenue * OF APPEALS
10th Election & 3rd Councilmanic Districts *
Legal Owner(s): Howard Lintz * FOR
Petitioner(s) * BALTIMORE COUNTY
* 2013-227-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel 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.

RECEIVED
APR 19 2013

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of April, 2013 a copy of the foregoing Entry of Appearance was mailed to Jeffrey Gray, Esquire, 16925 York Road, Suite A, Monkton, MD 21111, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NO. 2013- 0227-SPH

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>4/19/13</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>N/C</u>
<u>4/22/13</u>	DEPS (if not received, date e-mail sent _____)	<u>N/C</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>4/16/13</u>	STATE HIGHWAY ADMINISTRATION	<u>No Obs</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>5/9/13</u>	
SIGN POSTING	Date: <u>5/9/13</u> by <u>Pulson</u>	
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: April 19, 2013

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

SUBJECT: Zoning Advisory Committee Meeting
For April 22, 2013
Item Nos. 2013- 0222, 0223, 0225, 0226, 0227, 0228 and 0231

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 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: April 22, 2013

SUBJECT: DEPS Comment for Zoning Item # 2013-0227-SPH
Address 14343 & 14516 Jarrettsville Pike
(Lintz Property)

Zoning Advisory Committee Meeting of April 15, 2013.

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

Reviewer: *Jeff Livingston – Development Coordination*

RECEIVED

APR 22 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: 4-16-13

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

RE: Baltimore County
Item No. 2013-0227-SPH
Special Hearing
Howard B. Lutz
14343 & 14516 Jarrettsville Pike
MD 146

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 4-15-13. A field inspection and internal review reveals that an entrance onto MD146 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Special Hearing. Case Number 2013-0227-SPH

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 email him at (rzeller@sha.state.md.us). Thank you for your attention.

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



KEVIN KAMENETZ
County Executive

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

May 22, 2013

Howard B. Lintz
14106 Blenheim Road
Phoenix MD 21131

RE: Case Number: 2013-0227 SPH, Address: 14343 & 14345 Jarrettsville Pike, 21131

Dear Mr. Lintz:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 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." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Jeffrey H. Gray, 16925 York Road, Suite A, Monkton MD 21111

CASE NAME Jarrettsville Pike
CASE NUMBER 2013-227-SPH
DATE 5-31-13

[illegible]

Maryland Department of Assessments and Taxation
Real Property Data Search (vw6.1A)
BALTIMORE COUNTY

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

Account Identifier: District - 10 Account Number - 1012040300

Owner Information

Owner Name: LINTZ MARIE E **Use:** RESIDENTIAL
Mailing Address: 14345 JARRETTSVILLE PK **Principal Residence:** NO
PHOENIX MD 21131-1740 **Deed Reference:** 1)/14516/ 00476
2)

Location & Structure Information

Premises Address 14345 JARRETTSVILLE PIKE
PHOENIX 21131-1740
Legal Description 3.9793 AC
JARRETTSVILLE RD
1320FT N SWEET AIR RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No; Plat Ref:
0035	0018	0281		0000				2	

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1880	3,591 SF	3.9800 AC	04

Stories	Basement	Type	Exterior
2.000000	YES	STANDARD UNIT	ASBESTOS SHINGLE

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2012	07/01/2013
Land	233,640	194,700		
Improvements:	248,790	199,900		
Total:	482,430	394,600	394,600	394,600
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
LINTZ HOWARD P	06/09/2000	\$0
Type:	Deed1:	Deed2:
NON-ARMS LENGTH OTHER	/14516/ 00476	
Seller:	Date:	Price:
LINTZ ANNA C	01/24/1952	\$0
Type:	Deed1:	Deed2:
NON-ARMS LENGTH OTHER	/02066/ 00392	
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00
Tax Exempt:	Special Tax Recapture:		
Exempt Class:	NONE		

Homestead Application Information

Homestead Application Status: No Application

Case No.: 2013-0227-SPH

Exhibit Sheet

Petitioner/Developer

Protestants

SLR

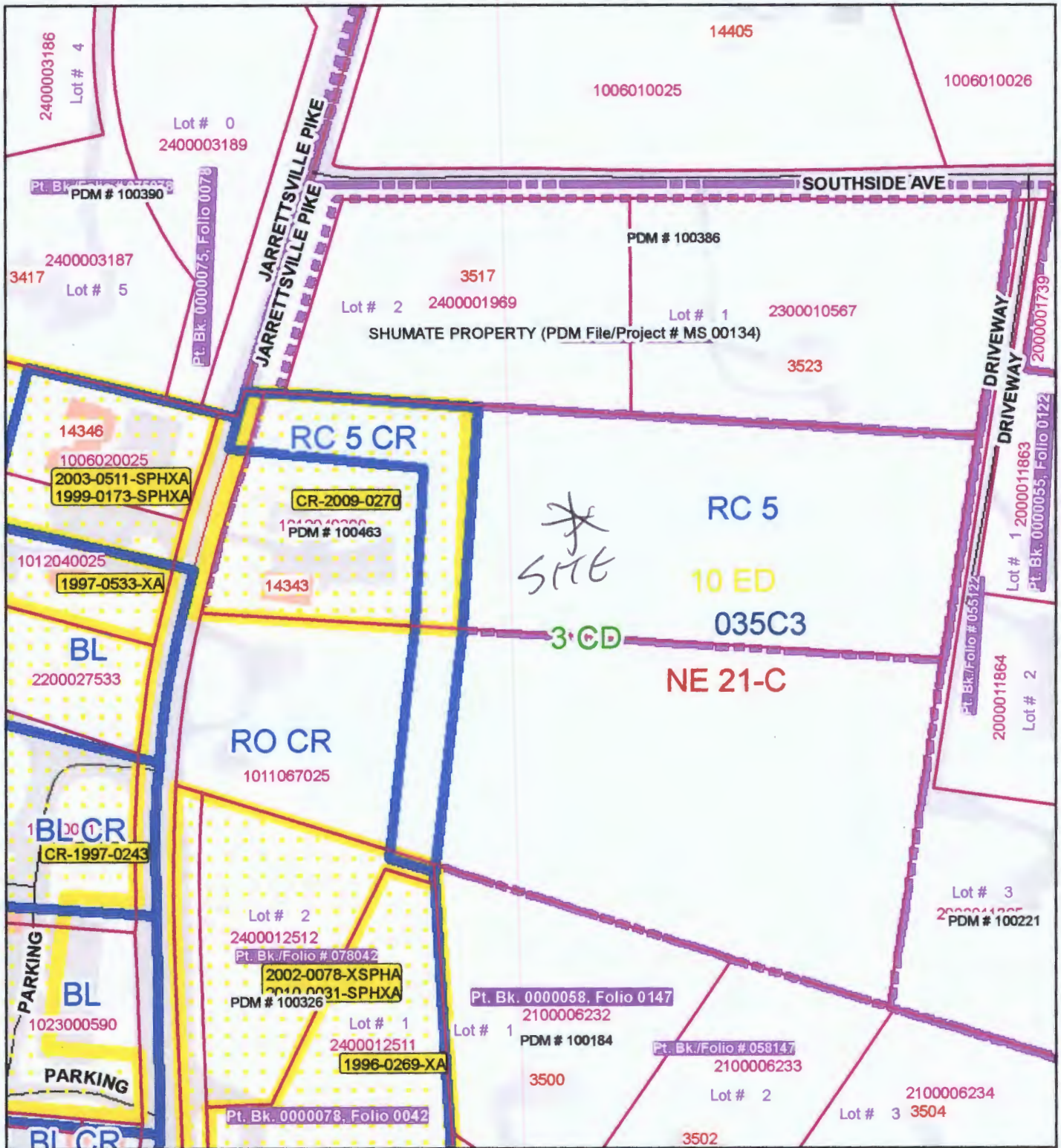
6-5-13

JB
5/31
1:30
PM

No. 1	Site plan	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

JB
6-10-13

143-14345 Jarrettsville Pike



Publication Date: 3/26/2013



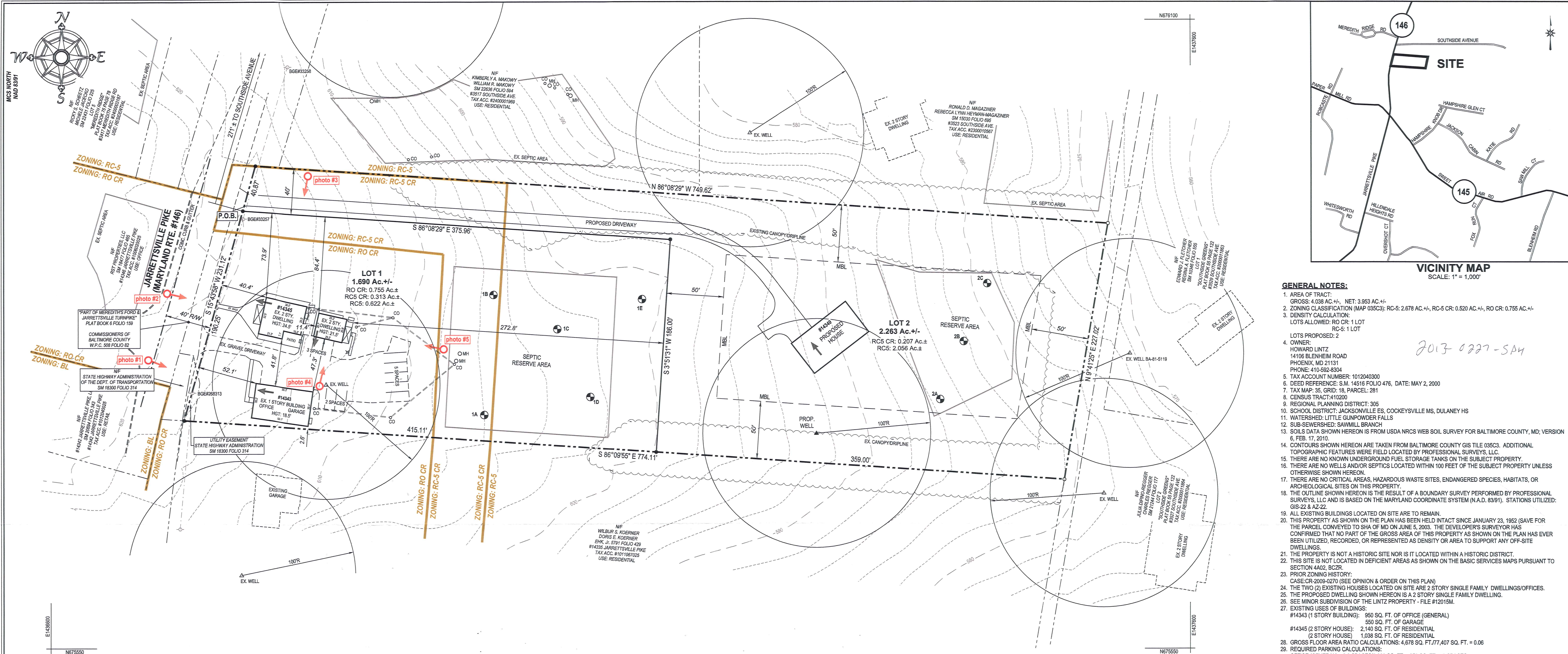
Publication Agency: Permits, Approvals & Inspections
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



0 37.5 75 150 225 300 Feet

1 inch = 150 feet

2013-0227-SPH



- GENERAL NOTES:**
1. AREA OF TRACT: GROSS: 4.038 AC.±, NET: 3.953 AC.±
 2. ZONING CLASSIFICATION (MAP 035C3): RC-5: 2.678 AC.±, RC-5 CR: 0.520 AC.±, RO CR: 0.755 AC.±
 3. DENSITY CALCULATION: LOTS ALLOWED: RO CR: 1 LOT RC-5: 1 LOT
 4. OWNER: HOWARD LINTZ 14106 BLENHEIM ROAD PHOENIX, MD 21131 PHONE: 410-592-8304
 5. TAX ACCOUNT NUMBER: 1012040300
 6. DEED REFERENCE: S.M. 14516 FOLIO 476, DATE: MAY 2, 2000
 7. TAX MAP: 35, GRID: 18, PARCEL: 281
 8. CENSUS TRACT: 410220
 9. REGIONAL PLANNING DISTRICT: 305
 10. SCHOOL DISTRICT: JACKSONVILLE ES, COKESVILLE MS, DULANEY HS
 11. WATERSHED: LITTLE GUNPOWDER FALLS
 12. SUB-SEWERSHED: SAWMILL BRANCH
 13. SOILS DATA SHOWN HEREON IS FROM USDA NRCS WEB SOIL SURVEY FOR BALTIMORE COUNTY, MD; VERSION 6, FEB. 17, 2010.
 14. CONTOURS SHOWN HEREON ARE TAKEN FROM BALTIMORE COUNTY GIS TILE 035C3. ADDITIONAL TOPOGRAPHIC FEATURES WERE FIELD LOCATED BY PROFESSIONAL SURVEYS, LLC.
 15. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
 16. THERE ARE NO WELLS AND/OR SEPTICS LOCATED WITHIN 100 FEET OF THE SUBJECT PROPERTY UNLESS OTHERWISE SHOWN HEREON.
 17. THERE ARE NO CRITICAL AREAS, HAZARDOUS WASTE SITES, ENDANGERED SPECIES, HABITATS, OR ARCHEOLOGICAL SITES ON THIS PROPERTY.
 18. THE OUTLINE SHOWN HEREON IS THE RESULT OF A BOUNDARY SURVEY PERFORMED BY PROFESSIONAL SURVEYS, LLC AND IS BASED ON THE MARYLAND COORDINATE SYSTEM (N.A.D. 83/91). STATIONS UTILIZED: GIS-22 & AZ-22.
 19. ALL EXISTING BUILDINGS LOCATED ON SITE ARE TO REMAIN.
 20. THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INTACT SINCE JANUARY 23, 1992 (SAVE FOR THE PARCEL CONVEYED TO SHA OF MD ON JUNE 5, 2003. THE DEVELOPERS SURVEYOR HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY IS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED, OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
 21. THE PROPERTY IS NOT A HISTORIC SITE NOR IS IT LOCATED WITHIN A HISTORIC DISTRICT.
 22. THIS SITE IS NOT LOCATED IN DEFICIENT AREAS AS SHOWN ON THE BASIC SERVICES MAPS PURSUANT TO SECTION 4A02, BCZR.
 23. PRIOR ZONING HISTORY: CASE: CR-2008-0270 (SEE OPINION & ORDER ON THIS PLAN)
 24. THE TWO (2) EXISTING HOUSES LOCATED ON SITE ARE 2 STORY SINGLE FAMILY DWELLINGS/OFFICES.
 25. THE PROPOSED DWELLING SHOWN HEREON IS A 2 STORY SINGLE FAMILY DWELLING.
 26. SEE MINOR SUBDIVISION OF THE LINTZ PROPERTY - FILE #12015M.
 27. EXISTING USES OF BUILDINGS:
#14343 (1 STORY BUILDING): 950 SQ. FT. OF OFFICE (GENERAL)
550 SQ. FT. OF GARAGE
#14345 (2 STORY HOUSE): 2,140 SQ. FT. OF RESIDENTIAL
(2 STORY HOUSE) 1,038 SQ. FT. OF RESIDENTIAL
 28. GROSS FLOOR AREA RATIO CALCULATIONS: 4,678 SQ. FT./77,407 SQ. FT. = 0.06
 29. REQUIRED PARKING CALCULATIONS:
OFFICE (GENERAL) = 3.3 SPACES/1,000 SQ. FT. x 950 SQ. FT. = 3 SPACES
RESIDENTIAL = 2 SPACES PER DWELLING x 2 DWELLINGS = 4 SPACES
 - PARKING PROVIDED = 10 SPACES
 30. THIS PROPERTY IS NOT LOCATED WITHIN A FLOODPLAIN.

IN THE MATTER OF
THE APPLICATION OF
HOWARD LINTZ - LEGAL OWNER;
PETITIONER
FOR A ZONING RECLASSIFICATION ON
PROPERTY LOCATED ON THE
E/S JARRETTSVILLE PIKE; 244' S OF C/L
SOUTHSIDE AVENUE
(14345 JARRETTSVILLE PIKE)
10th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. R-09-270
* (CYCLE I, 2009)
* * * * *

OPINION

The above captioned case comes before the Baltimore County Board of Appeals based on a Petition for Reclassification on an Undocumented Site Plan submitted by the Petitioner. The Petition for Reclassification was filed by Sebastian A. Cross, Esquire, of Gildea & Schmidt, L.L.C., on behalf of Howard Lintz, Petitioner/Legal Owner of 14315 Jarrettsville Pike. The property is located in Jacksonville and is comprised of approximately 4 acres zoned R.C. 5. The Petition seeks to reclassify a portion of this property fronting Jarrettsville Pike. Specifically, the Petitioner requests to change the present zoning of approximately .8 acres of R.C. 5 land to R.O. - C.R. and .6 acres of R.C. 5 land to R.C. 5 - C.R.

The Board heard the merits of the case on September 16, 2009 in public session. Lawrence E. Schmidt, Esquire of Gildea & Schmidt, L.L.C., represented the Petitioner; and Carole S. Demilio, Deputy People's Counsel for Baltimore County, appeared on behalf of that Office. Both Mr. Schmidt and Ms. Demilio made brief introductory remarks.

ORDER

THEREFORE, IT IS ORDERED, by the Baltimore County Board of Appeals, this 25th day of February, 2010, that the present zoning designation of R.C. 5 be changed to R.O. - C.R. and R.C. - C.R. as requested in the Petition for Reclassification filed under Case No.: R-09-270/CYCLE I/2009, be and the same is hereby **GRANTED**, pursuant to the Site Plan submitted as Petitioner's Exhibit #1; and it is further

ORDERED that the Office of Permits and Development Management make the necessary change and correction as set out herein on the latest Comprehensive Zoning Map for Baltimore County with regard to the subject property.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules.

BOARD OF APPEALS
OF BALTIMORE COUNTY

Lawrence M. Stahl, Panel Chairman
Andrew M. Beck
Edward W. Crizer, Jr.

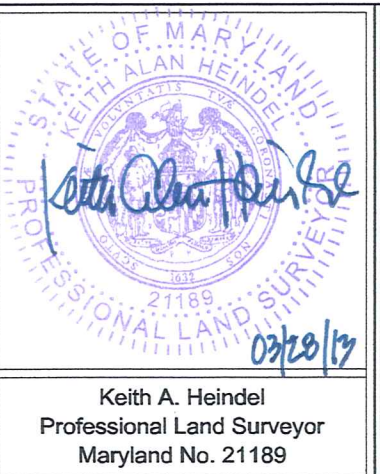
**PLAN TO ACCOMPANY SPECIAL HEARING
FOR LOT 1 OF
THE LINTZ PROPERTY
14343 & 14345 JARRETTSVILLE PIKE**

10TH ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
ZONING MAP: 035C3

OWNER/DEVELOPER:
HOWARD LINTZ
14106 BLENHEIM ROAD
PHOENIX, MD 21131
PHONE: 410-592-8304

The Licensee either personally prepared this Boundary Survey or was in responsible charge over its preparation and the surveying work reflected in it, all in compliance with requirements set forth in COMAR Regulation 09.13.06.12.

My License Expiration date is 12/31/13



Professional Surveys
194 East Main Street
2nd Floor
Westminster, MD 21157
Phone: 410-751-8795
Fax: 410-751-8796

DRAWING NAME: ZONING PLAN
SCALE: 1"= 40' DATE: 03/28/13 DRAWN BY: KAH
JOB: 2011-146 CHECK BY: KAH SHEET: 1/1



photo #1



photo #4



photo #2



photo #5



photo #3