



KEVIN KAMENETZ
County Executive

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

June 7, 2013

Morgan C. Kelly
9259 Broken Timber Way
Columbia, Maryland 21045

RE: Petitions for Variance
Case No.: 2013-0231-A
Property: 3015 Edrich Way

Dear Mr. Kelly:

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,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

IN RE: PETITION FOR VARIANCE

(3015 Edrich Way)

2nd Election District

4th Councilman District

Jamille & Antwaun R. Lee

Legal Owners

Petitioners

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2013-0231-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Jamille & Antwaun R. Lee, the legal owners of the subject property. The Petitioners are requesting Variance relief from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit (1) a proposed single family dwelling with a side yard setback of 45 ft. in lieu of the required 50 ft.; and (2) to amend the Final Development Plan of Edrich Manor East, Lot #17 only.

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 Morgan C. Kelly, a builder who is assisting the Petitioners. 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.

The only substantive Zoning Advisory Committee (ZAC) comment was received from Department of Planning (DOP) dated May 2, 2013 indicating certain information must be submitted to the DOP in order for it to complete the findings required by the B.C.Z.R. for

ORDER RECEIVED FOR FILING

Date 6/7/13

By Sen

development in an RC 5 zone.

Testimony and evidence revealed that the subject property is approximately 1.501 acres and is zoned RC 5. The owners of the lot have hired a builder and designed a house they like. Given the configuration of the lot and the relatively large setbacks required in the RC 5 zone, the Petitioners need variance relief before they can begin the project.

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 lot (#17 on Exhibit 1) has very irregular dimensions, and the northern property line follows the curvature of Edrich Way. Thus, the property is unique, and in a way that is germane to the need for variance relief.

If the B.C.Z.R. were strictly enforced, the Petitioners would indeed suffer a practical difficulty, given they would be unable to construct the home they have designed. 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.

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 7th day of June, 2013, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to Baltimore County Zoning Regulations ("B.C.Z.R") to permit a proposed single family dwelling with side yard setbacks of 45 ft. in lieu of the required 50 ft., be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 6/7/13

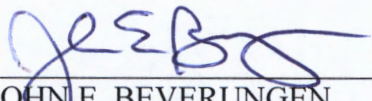
By Sen

IT IS FURTHER ORDERED that the Final Development Plan for Edrich Manor East, Lot # 17 only, be and hereby is AMENDED in accordance with the terms of this Order.

The relief granted herein shall be subject to the following:

- 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.
- Prior to issuance of a building permit the Petitioners must submit the requested materials to the DOP and obtain from that agency a positive finding that the development satisfies the performance standards set forth in B.C.Z.R. § 1A04.4

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:slh

ORDER RECEIVED FOR FILING

Date 6/7/13

By Sen



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 3015 EDRICH WAY RANDALLSTOWN, MD 21133 which is presently zoned RC 5
Deed References: 31231/00049 10 Digit Tax Account # 2500007255
Property Owner(s) Printed Name(s) ANTWAUN LEE + JAMILLE LEE

(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. ☒ a **Variance** from Section(s)

Section 1A04.3.B.2.b – to permit a proposed single family dwelling with a side yard setback of 45 feet in lieu of the required 50 feet; and to amend the final development plan of Edrich Manor East, lot #17 only.

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 discussed at hearing

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

N/A

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Date

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Name #1 – Type or Print

Name #2 – Type or Print

Signature #1

Signature #2

10090 MILL RUN CIRCLE APT. 132D
OWINGS MILLS, MD

Mailing Address

City

State

Zip Code

21117 / 410-504-7600

Email Address

Representative to be contacted:

Name – Type or Print

Signature

Mailing Address

City

State

Zip Code

21045 / 443-742-8402

Email Address

CASE NUMBER 2013-0231-A

Filing Date 4/10/13

Do Not Schedule Dates: _____

Reviewer RJ

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax

**ZONING DESCRIPTION
FOR A
PARCEL OF LAND
ON THE
SOUTHEAST CORNER OF OFFUTT ROAD
AND EDRICH WAY**

Beginning at a point on the south side of Offutt Road, subject to a right-of-way of 70 feet more or less, said point being 35 feet more or less from the centerline of Edrich Way, 40 feet more or less wide. Thence the following courses and distances: 1) Along the south side of Offutt Road South 65 degrees 07 minutes 25 seconds East, 158.04 feet. Thence leaving the south side of Offutt Road 2) South 09 degrees 03 minutes 18 second West, 472.00 feet, 3) North 58 degrees 59 minutes 57 second West, 97.54 feet, 4) North 25 degrees 36 minutes 58 seconds West, 146.27 feet to the east side of Edrich Way. Thence along the east side of Edrich Way 5) along a curve to the left with a radius of 658.61 feet, length of 121.34 feet, 6) North 24 degrees 52 minutes 35 seconds East, 40.08 feet, 7) along a curve to the left with a radius of 120.00 feet, length of 127.76 feet, 8) along a curve to the right with a radius of 80.00 feet, length of 85.17 feet, 9) North 69 degrees 53 minutes 35 seconds East, 21.21 feet to the point of beginning,

Containing 65,384 square feet or 1.501 acres of land, more or less.

Also known as lot #17, Edrich Manor East, located in the 2nd Election District,
Baltimore County, Maryland.

4th Council District

August 14, 2008

Item #0231

2058-3P

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 2013-0231-A
Petitioner: JAMILLE & ANTWAUN LEE
Address or Location: 10090 MILLRUM CIRCLE, OWINGS MILLS, MD 21117 Apt. 132D

PLEASE FORWARD ADVERTISING BILL TO:

Name: MORGAN C. KELLY
Address: 9259 BROKEN TIMBER WAY
COLUMBIA, MD 21045
10090 MILLRUM CIRCLE, OWINGS MILLS, MD 21117 Apt. 132D
Telephone Number: 443-742-8402

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

No. **96137**

Date: **4/10/13**

PAID RECEIPT

BUSINESS ACTUAL TIME DRN
 4/10/2013 4/10/2013 10:40:41 5

REC NO. 096137 WALKIN RDOS LRB
 RECEIPT N 648156 4/10/2013 OFLN

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	906	0000		6150	1			135

5 528 ZONING VERIFICATION
 096137
 Recpt Tot \$135.00
 1.00 OK \$140.00 CA
 \$5.00 CB
 Baltimore County, Maryland

Total: **135**

Rec From:

For:

Zoning hearing (and amendment)
case # 2013-0331-A
2013-0231-A

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: Case No 2013-0231-A

Petitioner/Developer MORRIS
KELLY

Date Of Hearing/Closing: 4/5/13

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue

Attention:

Ladies and Gentlemen

This letter is to certify under penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 3015 EDLICH WAY

This sign(s) were posted on May 14, 2013
Month, Day, Year

Sincerely,

Martin Ogle 5/14/13
Signature of Sign Poster and Date
Martin Ogle

60 Chelmsford Court
Baltimore, Md, 21220
443-629-3411

ZONING NOTICE

CASE # 2013-0231-A

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

ROOM 205 JEFFERSON BUILDING 105 WEST
PLACE: CHESAPEAKE AVENUE, TOWSON 21204

DATE AND TIME: WEDNESDAY JUNE 5, 2013
AT 2:30 P.M.

REQUEST: VARIANCE TO PERMIT A PROPOSED SINGLE
FAMILY DWELLING WITH A SIDE YARD
SETBACK OF 45 FEET IN LIEU OF THE REQUIRED 50
FEET; AND TO AMEND THE FINAL DEVELOPMENT
PLAN OF EDWICH MANOR EAST, LOT #17 ONLY

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 847-3391

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

Madeline 5/14/13



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

May 16, 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 14, 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: #2013-0231-A

3015 Edrich Way

Offutt Road, SE corner of Edrich Way

2nd Election District - 4th Councilmanic District

Legal Owner(s): Jamille & Antwaun Lee

Variance: to permit a proposed single family dwelling with a side yard setback of 45 feet in lieu of the required 50 feet; and to amend the final development plan of Edrich Manor East, Lot #17 only.

Hearing: Wednesday, June 5, 2013 at 2:30 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.
JT 05/640 May 14 921670



KEVIN KAMENETZ
County Executive

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

May 1, 2013

CORRECTED 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: 2013-0231-A

3015 Edrich Way
Offutt Road, SE corner of Edrich Way
2nd Election District – 4th Councilmanic District
Legal Owners: Jamille & Antwaun Lee

Variance to permit a proposed single family dwelling with a side yard setback of 45 feet in lieu of the required 50 feet; and to amend the final development plan of Edrich Manor East, Lot #17 only.

Hearing: Wednesday, June 5, 2013 at 2:30 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: Mr. & Mrs. Lee, 10090 Mill Run Circle, Apt. 132D, Owings Mills 21117
Morgan Kelly, 9259 Broken Timber Way, Columbia 21045

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MAY 16, 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
Tuesday, May 14, 2013 Issue - Jeffersonian

Please forward billing to:

Morgan Kelly
9259 Broken Timber Way
Columbia, MD 21045

443-742-8402

CORRECTED 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:

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105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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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: 2013-0231-A

3015 Edrich Way
Offutt Road, SE corner of Edrich Way
2nd Election District – 4th Councilmanic District
Legal Owners: Jamille & Antwaun Lee

Variance to permit a proposed single family dwelling with a side yard setback of 45 feet in lieu of the required 50 feet; and to amend the final development plan of Edrich Manor East, Lot #17 only.

Hearing: Tuesday, June 4, 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. Lee, 10090 Mill Run Circle, Apt. 132D, Owings Mills 21117
Morgan Kelly, 9259 Broken Timber Way, Columbia 21045

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MAY 15, 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
Tuesday, May 14, 2013 Issue - Jeffersonian

Please forward billing to:
Morgan Kelly
9259 Broken Timber Way
Columbia, MD 21045

443-742-8402

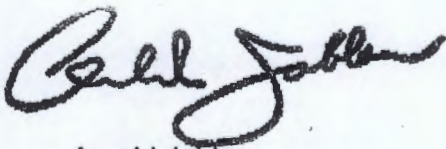
NOTICE OF ZONING HEARING

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:

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Offutt Road, SE corner of Edrich Way
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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. 2013-0231-A - Appeal Period Expired

The appeal period for the above-referenced case expired on July 8, 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
3015 Edrich Way; Offutt Road,
SE corner of Edrich Way
2nd Election & 4th Councilmanic Districts
Legal Owner(s): Jamille & Autumn Lee
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2013-231-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.

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 Morgan Kelly, 9259 Broken Timber Way, Columbia, MD 21045, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NO. 2013-0231-A

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
4/19/13	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	N/C
4/22/13	DEPS (if not received, date e-mail sent _____)	N/C
	FIRE DEPARTMENT	
5/2/13	PLANNING (if not received, date e-mail sent _____)	C
4/16/13	STATE HIGHWAY ADMINISTRATION	NO Obj
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLATION	(Case No: _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 5/14/13	
SIGN POSTING	Date: 5/16/13 by Ogile	
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: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: May 2, 2013

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 3015 Edrich Way

INFORMATION:

Item Number: 13-231

Petitioner: Antwaun and Jamille Lee

Zoning: RC 5

Requested Action: Variance

RECEIVED

MAY 03 2013

OFFICE OF ADMINISTRATIVE HEARINGS

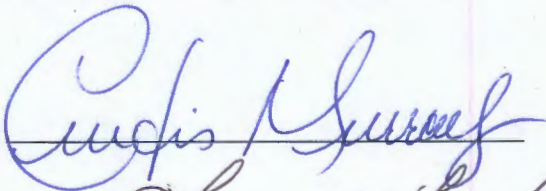
SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The Department of Planning does not oppose the petitioner's request. However, this department is required to provide a statement of finding to the Administrative Law Judge indicating how the proposed construction complies with the current RC 5 requirements. To prepare the statement of finding, the following information must be submitted to this department:

1. Photographs of existing adjacent dwellings.
2. Submit building elevations (all sides) of the proposed dwelling to this department for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.
3. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.
4. Provide landscaping along the public road, if consistent with the existing streetscape.

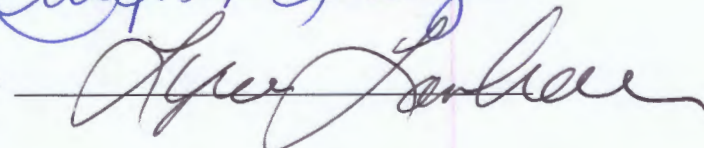
For further information concerning the matters stated here in, please contact Jessie Bialek at 410-887-3480.

Prepared By:



Division Chief:

AVA/LL:cjm



BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

APR 30 2013



OFFICE OF ADMINISTRATIVE HEARINGS

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 # 2013-0231-A
Address 3015 Edrich Way
(Lee 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*



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

State Highway
Administration

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 4-16-13

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

RE: Baltimore County
Item No 2013-0231-A
Variance
Famille & Autumn R. Lee
3015 Edrich Way

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. 2013-0231-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,

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 30, 2013

Jamille & Antwaun Lee
10090 Mill Run Circle
Apt. 132 D
Owings Mills MD 21117

RE: Case Number: 2013-0231 A, Address: 3015 Edrich Way

Dear Mr. & Ms. Lee:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 10, 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." The signature is stylized with a large, flowing "W" and "C".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Morgan C Kelly 9259 Broken Timber Way, Columbia MD 21045

Maryland Department of Assessments and Taxation
Real Property Data Search (vw2.1A)
BALTIMORE COUNTY

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

Account Identifier:

District - 02 Account Number - 2500007255

Owner Information

<u>Owner Name:</u>	LEE JAMILLE L LEE ANTWAUN R	<u>Use:</u>	RESIDENTIAL
<u>Mailing Address:</u>	APT 132D 10090 MILL RUN CIR OWINGS MILLS MD 21117-4287	<u>Principal Residence:</u>	NO
		<u>Deed Reference:</u>	1) /31231/ 00049 2)

Location & Structure Information

<u>Premises Address</u>	<u>Legal Description</u>
3015 EDRICH WAY RANDALLSTOWN 21133-3527	1.501 AC 3015 EDRICH WAY ES EDRICH MANOR EAST

<u>Map</u>	<u>Grid</u>	<u>Parcel</u>	<u>Sub District</u>	<u>Subdivision</u>	<u>Section</u>	<u>Block</u>	<u>Lot</u>	<u>Assessment Area</u>	<u>Plat No:</u>
0076	0018	0268		0000			17	1	<u>Plat Ref:</u> 0079/ 0097

<u>Special Tax Areas</u>	<u>Town</u>	NONE
	<u>Ad Valorem</u>	
	<u>Tax Class</u>	

<u>Primary Structure Built</u>	<u>Enclosed Area</u>	<u>Property Land Area</u>	<u>County Use</u>
		1.5000 AC	04

<u>Stories</u>	<u>Basement</u>	<u>Type</u>	<u>Exterior</u>
----------------	-----------------	-------------	-----------------

Value Information

	<u>Base Value</u>	<u>Value</u>	<u>Phase-in Assessments</u>	
		As Of	As Of	As Of
		01/01/2013	07/01/2012	07/01/2013
<u>Land</u>	189,000	141,700		
<u>Improvements:</u>	0	0		
<u>Total:</u>	189,000	141,700	189,000	141,700
<u>Preferential Land:</u>	0			0

Transfer Information

<u>Seller:</u>	<u>Date:</u>	09/28/2011	<u>Price:</u>	\$100,000
<u>Type:</u>	<u>Deed1:</u>	/31231/ 00049	<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

<u>Tax Exempt:</u>	<u>Special Tax Recapture:</u>
<u>Exempt Class:</u>	NONE

Homestead Application Information

<u>Homestead Application Status:</u>	No Application
--------------------------------------	----------------



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

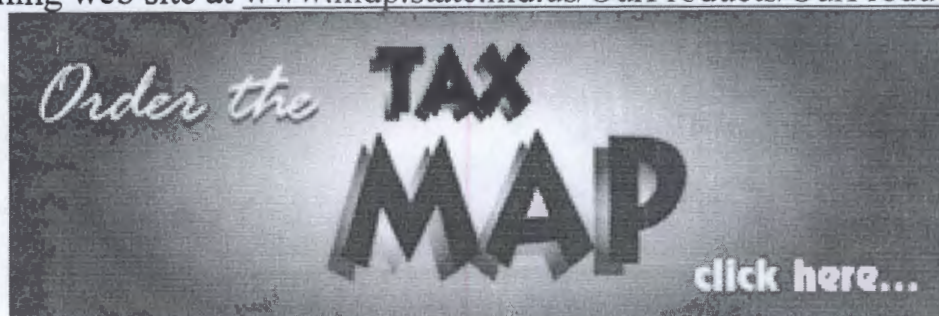
[Go Back](#)
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Search](#)

A map was not found for this property

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 ©2010. For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml



Case No.: 2013-231-A

Exhibit Sheet

slr
6-7-13

Petitioner/Developer

Protestant

No. 1	Site plan	<i>19w</i> <i>7-10-13</i>
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

[illegible]

DENSITY CALCULATIONS	
ITEM	TOTAL TONNET
1. GROSS AREA (AC)	50.694
2. NET AREA (AC)	35.832
3. ZONING	RC-5
4. DWELLING UNITS ALLOWED	18
5. DWELLING UNITS PROPOSED	14
6. AREA OF ROAD WIDENING (AC)	2.835
7. AREA OF ROAD WIDENING (AC)	1.418
8. OPEN SPACE PROVIDED (AC)	0.959
9. OPEN SPACE PROVIDED (AC)	0.000
10. PARKING SPACES REQUIRED	34
11. PARKING SPACES PROVIDED	34

J OPEN SPACE TABULATION:
 REQUIRED ACTIVE AREA: 174,000 SF - 110,500 SF (6.75 AC)
 PASSIVE AREA: 174,000 SF - 110,500 SF = 63,500 SF (1.46 AC)
 TOTAL: 174,000 SF - 110,500 SF (6.75 AC)
 PROVIDED ACTIVE AREA: 63,500 SF
 PASSIVE AREA: 0.00 AC
 TOTAL: 0.00 AC

DEDICATION TABLE (PLAT)	
TYPE OF CONVEYANCE	NO.
STIPENDIARY MAINTENANCE RESERVATION	1
	0.165

APPROVED BY: *[Signature]*
DIRECTOR, DEPARTMENT OF
ENVIRONMENTAL PROTECTION AND
RESOURCE MANAGEMENT

APPROVED BY THE DIRECTOR OF PERMITS AND
DEVELOPMENT MANAGEMENT, PLEASANT TO SECTION
33-1-377, CLATSOP COUNTY CODE
[Signature]

DATE: 8/31/10

OWNER / DEVELOPER
EDMUND PARTS, INC.
5705 OLD COUNTRY ROAD
SARASOTA, FL 34234
407-882-0888

CONTROL NOTE	
COOPERATIVES AND RESEARCH SHOWN ON THIS PLAT ARE REFERRED TO THE SYSTEM OF COORDINATE SYSTEM (NAD 83) AND ARE BASED ON THE FOLLOWING TRANSFORMATIONS:	
PLAT	NORTH EAST
PLAT-15	6172665.70 1,366,175.75
PLAT-16	6159554.70 1,366,156.54

THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT HEREBY CERTIFIES THAT, TO THE BEST OF THEIR KNOWLEDGE, THE REQUIREMENTS OF SUBSTITUTION (C) OF SECTION 3-106 OF THE REAL PROPERTY ARTICLE OF THE ASSOCIATED GOVERNMENT OF MARIANA HAS BEEN COMPLETED WITH RESPECT AS SAID COMPLETION OF THE DEEDS OF THE PLAT AND THE SETTLING OF THE MORTGAGES.

OWNER'S CERTIFICATE

Edward E. Stahlfield
 EDORICH FARMS, INC., EDWARD E. STAHLFIELD DATE 3-4-10

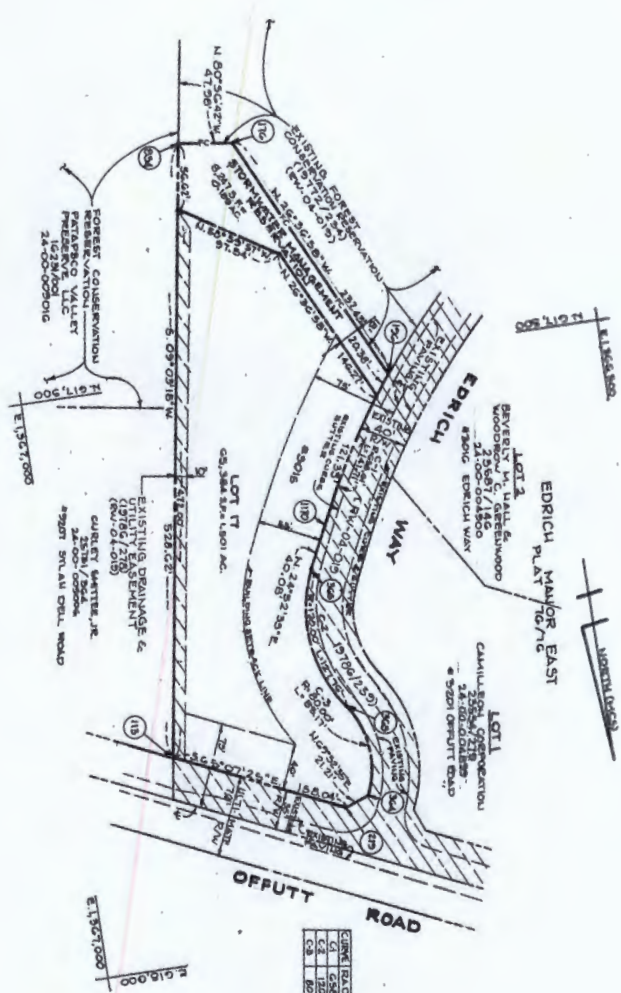
[illegible]

**DEVELOPMENT ENGINEERING
CONSULTANTS, INC.**

SITE ENGINEERS & SURVEYORS

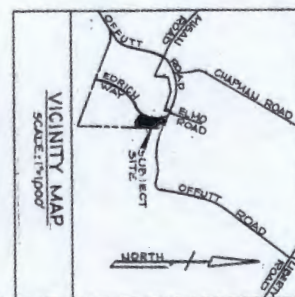
6903 YORK ROAD (410) 377-9800 BALTIMORE, MD 21212

COMPLETED: WATER DESIGNER: T. L. B. CHECKED: MARK JONES, PE, CH-1111



CURVE	RADIUS	ARC	CURVED BEARING	CHORD	DELTA	TANGENT	CHAINS OR ABOVE
C-1	656.61'	141.71°	N 51°02'23.5" W	141.64'	12°19'41"	11.13'	0.844196
C-2	120.00'	120.00°	N 51°01'25" W	121.01'	15°00'00"	70.65'	0.46437
C-3	850.00'	85.17°	N 05°37'23" W	81.21'	61°00'00"	47.12'	71°57'11"

POINT	COORDINATES	
	NORTH	EAST
113	517,766.91	1,322,911.25
212	517,851.85	1,323,107.21
364	517,844.58	1,325,040.27
365	517,103.75	1,324,275.55
366	517,042.41	1,323,511.82
1110	517,002.18	1,323,211.05
1136	517,484.27	1,322,218.02
1137	517,046.6	1,322,110.14
1138	517,263.25	1,322,878.16

[illegible]

DEED REFERENCE: 1026-783
TAX ACCOUNT NUMBER: 24-09-01073 & 24-09-01074
TAX MAP: 76 CAS 16 Parcel: 260
PREVIOUS PLAT RECORDATION NUMBER: B. M. 7878

LOT 17 - EDRIEL MONROE EAST
2ND ELECTION DISTRICT 4TH COLUMBIAN AVE DISTRICT
BATHING COAST, MARYLAND
BOWLS T-187
MAY 2014 4, 2016
SHEET 1 OF

DIMENSIONS AND THE AREA OF THE
 RESERVOIR, AND THE WATER PUMPING
 RATE.
 DATE: FEBRUARY 28, 2007
 CASE NUMBER: 2007-0000-0000-0000
 PDA NUMBER: 02-010
 NOT A REPRODUCIBLE COPY OF
 THE ORIGINAL DOCUMENT.

REASON FOR TEST ABANDONMENT

61	6100.00	70.69	4745.47
21	6100.00	47.12	7157.11

ROW	DELTA	FAUSELT	ORDERS OF CURVE
AD	12.1941	71.13	0.04156

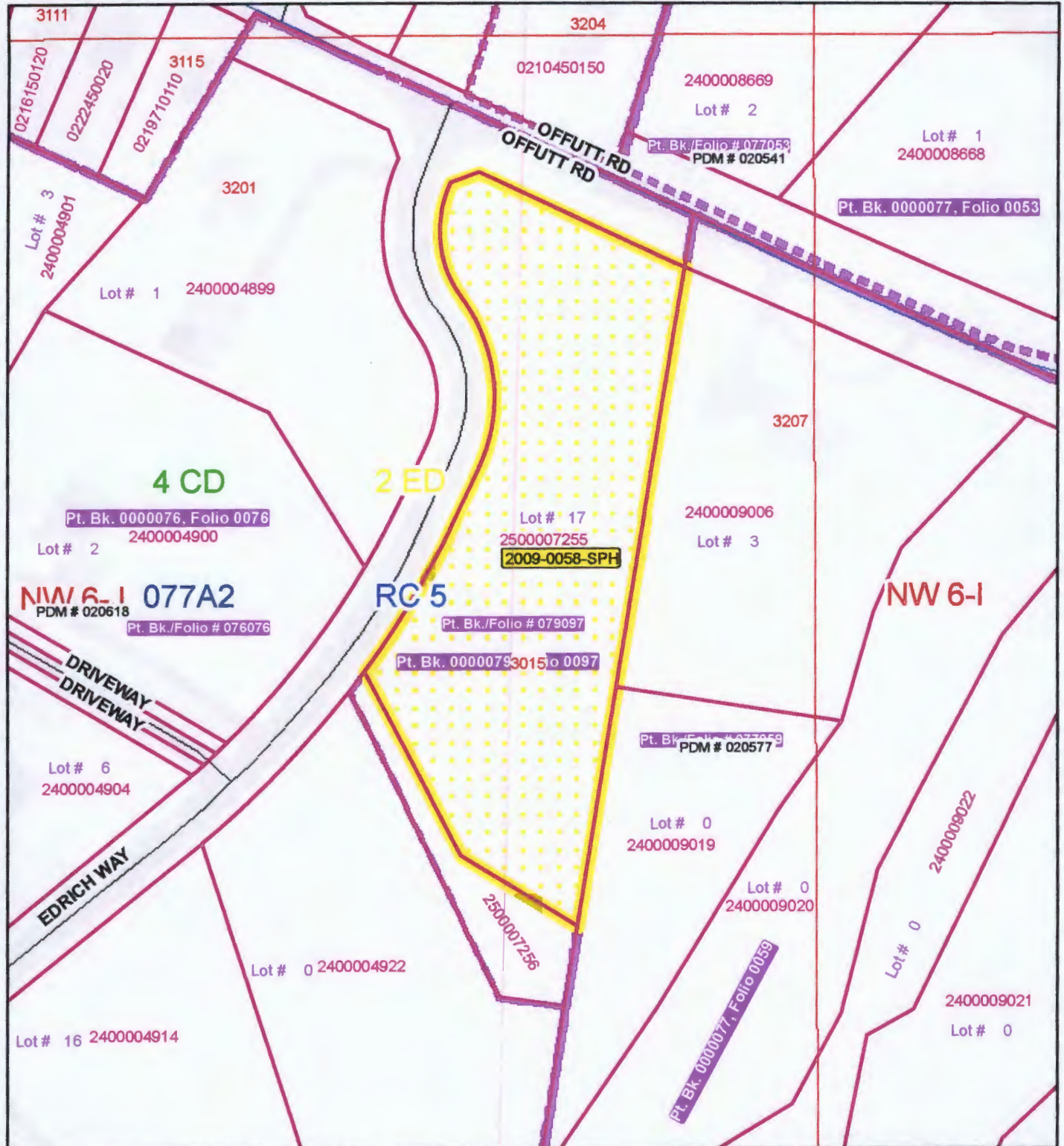
360	617.168.75	1.36.627.56.35
366	617.042.8	1.36.617.67.82
1170	617.000.18	1.36.615.1.05
126	617.484.57	1.36.616.08.02
176	617.210.88	1.36.617.10.14
824	617.362.25	1.36.618.01.15

COORDINATES		
POINT	NORTH	EAST
115	617,766.51	1366,511.35
212	617,661.82	1364,767.21
324	617,844.95	1366,761.25

VICINITY MAP
SCALE: 1"=100'

CHAPMAN
D
D
BUTT ROAD

3015 Edrich Way



Publication Date: 4/10/2013



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



0 25 50 100 150 200 Feet

1 inch = 100 feet

Item #0231

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

PROPERTY ADDRESS 3015 EDRICH WAY

SUBDIVISION NAME EDRICH "A" - EDRICH MANOR EAST

PLAT BOOK # 79 FOLIO # 097 LOT # 17 SECTION #

OWNER Mrs. JAMILLE LEE & Mr. ANTWAUN LEE

LOT 2

BEVERLY M. HALL &
WOODROW C. GREENWOOD
23587/14G
24-00-004900
#301G EDRICH WAY

LOT 1

CAMILLEON CORPORATION
23554/279
24-00-004899
#3201 OFFUTT ROAD

EDRICH HOUSE -- Landmarks List

EXISTING DWELLING FRONT



Map of 3015 Edrich Way, Randallstown, MD 21133



VICINITY MAP

SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT

2

COUNCILMANIC DISTRICT

4

ZONING MAP # 077A2

ZONING RC 5

LOT SIZE 1.494
ACREAGE

65,062
SQUARE FEET

SEWER ☐ PUBLIC ☒ PRIVATE

WATER ☐ PUBLIC ☒ PRIVATE

CHESAPEAKE BAY CRITICAL AREA YES ☐ NO ☒

100 YEAR FLOOD PLAIN YES ☐ NO ☒

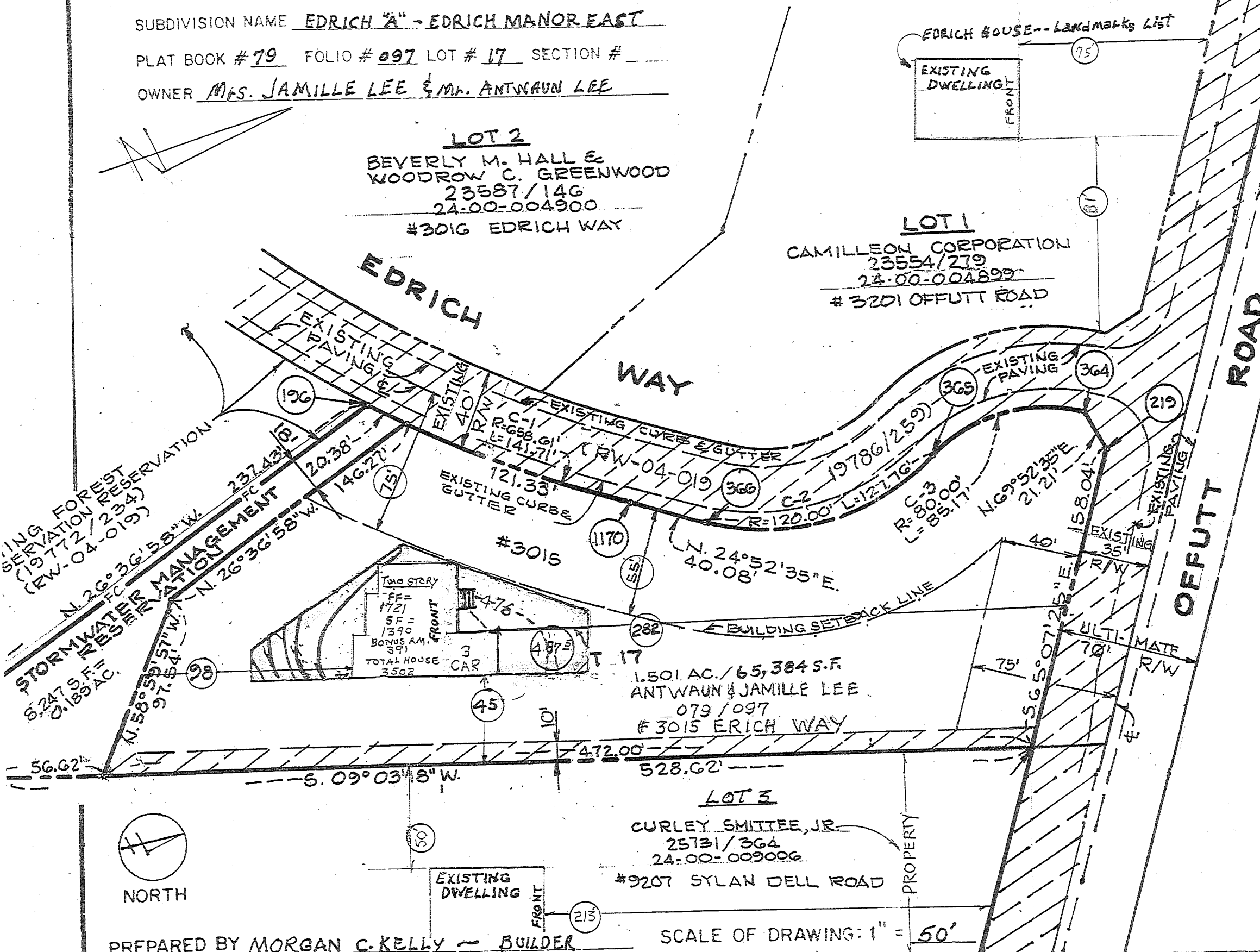
HISTORIC PROPERTY/BUILDING YES ☐ NO ☒

PRIOR ZONING HEARING #2009-0058 SPH

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

RTD

#2013-0231-A



PREPARED BY MORGAN C. KELLY - BUILDER

SCALE OF DRAWING: 1" = 50'

10

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

OWNER Mrs. JAMILLE LEE & Mr. ANTWAUN LEE

BEVERLY M. HALL &
WOODROW C. GREENWOOD
23587/14G
24-00-004900
#301G EDRICH WAY

CAMILLEON CORPORATION
23554/279
24-00-004899
#3201 OFFUTT ROAD

—

EDRICH

ROAD

Map of 3015 Edrich Way, Randallstown, MD

VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 2
COUNCILMANIC DISTRICT 4

1" = 50' SCALE MAP #

ZONING RC 5

LOT SIZE 1.494 65.062
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☐	☒
WATER	☐	☒

CHESAPEAKE BAY
CRITICAL AREA

100 YEAR FLOOD PLAIN ☐

HISTORIC PROPERTY/
BUILDING

PRIOR ZONING HEARING

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CA

NORTH

PREPARED BY MORGAN C. KELLY - BUILDER

SCALE OF DRAWING: 1" = 50'

Petitioners' #