



KEVIN KAMENETZ
County Executive

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

June 26, 2013

Herbert McGowan
514 Spring Lane
Baltimore, Maryland 21221

RE: Petitions for Special Hearing and Variance
Case No.: 2013-0242- SPHA
Property: 514 Spring Lane

Dear Mr. McGowan:

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 faint circular stamp.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

IN RE: **PETITIONS FOR SPECIAL HEARING *
AND VARIANCE *
(514 Spring Lane) *
15th Election District *
7th Councilmanic District *
Herbert M. McGowan, Jr. *
Petitioner ***

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2013-0242-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed by Herbert M. McGowan, Jr., legal owner of subject property. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations (“B.C.Z.R.”), to approve an accessory structure (detached garage) in the rear yard that is larger than the principal dwelling. The Variance petition seeks relief from B.C.Z.R. § 400.3 to permit a proposed 2-story accessory building (garage with loft area) with a height of 23 ft. 10 in. in lieu of the maximum allowed 15 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner’s Exhibit 1.

Appearing at the public hearing in support of the requests was Herbert M. McGowan, Jr. and Albert Morlock. There were no Protestants or interested citizens in attendance. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

Zoning Advisory Committee (ZAC) comments were received and are included in the file. Substantive comments were submitted by Department of Environmental Protection and Sustainability (DEPS), Bureau of Development Plans Review (DRP) and Department of

ORDER RECEIVED FOR FILING

Date 6/26/13

By Sen

Planning (DOP), and the relief granted herein will be conditioned upon compliance with those agencies' requirements.

The subject property is 1.07 acres in size and is zoned DR 5.5. The property is improved with a single family dwelling constructed in 1899. The Petitioner stated that the home is situated in a very wooded area, and that he really has only one "neighbor," who resides at 518 Spring Lane. The Petitioner wants to construct the garage to store a recreational vehicle, boat and outdoor equipment. To do so requires zoning relief.

The petition for Special Hearing seeks approval for an accessory structure (detached garage) in the rear yard that is (slightly) larger than the principal dwelling. The proposed garage would be 960 sf. (24' x 40'), while the home is 24' x 36' or 864 sf. In these circumstances, the garage would not overcrowd the site (which is just larger than 1 acre) or be out of proportion to the dwelling. As such, the Special Hearing relief will be granted.

Based upon the testimony and evidence presented, I will also 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 Petitioner has met this test. The property is located on a private road and is served by well and septic, while the other homes in the area are on public utilities. Thus, the property is unique for zoning purposes. If the regulations were strictly enforced the Petitioner would experience a practical difficulty given that he could not construct the garage to a height that would accommodate his storage needs.

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Date 6/26/13

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By Den

Finally, I do not believe the grant of variance relief would endanger the public's health, safety and welfare. This is demonstrated by the support of the Petitioners only neighbor, who wrote a letter indicating he has "no issues" with the proposed garage. Exhibit 2.

One final issue merits discussion, regarding the DOP's comment that "vegetative screening" be provided to screen the garage from the adjoining property at 518 Spring Lane. The owner of that property, Donald Frederick, indicated that there is "no need for (the shrubbery) since there is already a privacy fence and existing trees there." Exhibit 2. In these circumstances, I believe that such vegetative screening is not required.

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

THEREFORE, IT IS ORDERED this 26th day of June 2013, by this Administrative Law Judge, that Petitioner's request for Special Hearing pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to approve an accessory structure (detached garage) in the rear yard that is larger than the principal dwelling, be and is hereby GRANTED.

IT IS FURTHER ORDERED that Petitioner's request for Variance pursuant to § 400.3 to permit a proposed 2-story accessory building (garage with loft area) with a height of 23 ft. 10 in. in lieu of the maximum allowed 15 ft., be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

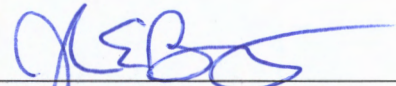
Date 6/26/13

By pen

The relief granted herein shall be subject to the following:

- Petitioner may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- Petitioner must prior to issuance of a building permit satisfy the ZAC comments submitted by DPR, DEPS and DOP (with the exception of the vegetative screening discussed above), which are attached hereto and incorporated herein.

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 6/26/13
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 514 SPRING LANE which is presently zoned DR 5.5
Deed References: 08276 / 00099 10 Digit Tax Account # 1513080120
Property Owner(s) Printed Name(s) HERBERT MILTON MCGOWAN JR.

(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 an accessory structure (detached garage) in the rear yard with an unusual and large structure per section 400.1.e (page 4-1.5) of the Zoning Commissioner's Policy Manual and that the accessory structure is not subordinate in area, extent or purpose to the principle structure per BCZR section 101.1-Definition of Accessory Structure.
2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. a **Variance from Section(s)**
400.3 of B.C.Z.R. to the permit a proposed 2-story accessory building (garage with loft area) with a height of 23'10" in lieu of the maximum allowed of 15 feet.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

SEE ATTACHED

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 _____

Legal Owners (Petitioners):

HERBERT M. MCGOWAN JR
Name #1 - Type or Print _____ Name #2 - Type or Print _____

Herbert McGowan Jr.
Signature #1 _____ Signature #2 _____

514 SPRING LANE, BALTIMORE, MD
Mailing Address _____ City _____ State _____

21221 / 410-591-9125
Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

Name- Type or Print _____

Signature _____

Mailing Address _____ City _____ State _____

Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

Name - Type or Print _____

Signature _____

Mailing Address _____ City _____ State _____

Zip Code _____ Telephone # _____ Email Address _____

ORDER RECEIVED FOR FILING
Date 4/26/13
By ADD

CASE NUMBER 2013-0242-SP/A Filing Date 4/27/13 Do Not Schedule Dates: _____ Reviewer AT

410.780.5188 Maria
REV. 10/4/11

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: 514 Spring Lane Baltimore Md. 21221
Print or Type Address of property City State Zip Code

The reason for the variance is to have a garage large AND tall enough to store my boat and RV out of the weather. We also are looking forward to the loft storage for our camping and boating supplies.

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

Herbert M. McGowan Jr.
Signature of Affiant

Signature of Affiant

Herbert M. McGowan Jr.
Name- Print or Type

Name- Print or Type

Zoning Property Description for 514 Spring Lane

Beginning at a point on the north-west side of Spring Lane which is 14 feet wide at the distance of 214 feet south-east side of the centerline of nearest improved intersection street Sunnyside Lane which is 24 feet wide

Beginning for the same at a pipe heretofore set at the beginning of the second line of a parcel of land which by a deed dated March 31, 1942 and recorded among the land records of Baltimore County, in Liber C.H.K. No. 1221 folio 229 conveyed by Dora Wojciechowski, et. al. to Frank Ema running thence with and binding on said second line, South 25 degrees 20 minutes West 156.34 feet to a pipe set on the Northeast side of Spring Lane, 20 feet wide, thence binding on the Northeast side of Spring Lane and on the third line of the above referred to parcel of land, South 57 degrees 55 minutes East 300 feet to a pipe heretofore set at the end of the third line of a parcel of land which by a deed dated April 1, 1921 and recorded among the land records of Baltimore County, in Liber W.P.C. No. 542 folio 329, was conveyed by Lizzie T. Douglas and husband to Harry Andrew Pugh, thence binding reversely on said third line, North 25 degrees 20 minutes East 156.34 feet to a concrete monument heretofore set in the last line of a parcel of land which by a deed dated September 15, 1936 and recorded among the land records of Baltimore County in Liber C.W.B. Jr., No. 983 folio 11, was conveyed by Joseph F. Wojciechowski to John Walter Sobus and wife and thence binding reversely on a part of said last mentioned line North 57 degrees 55 minutes West 300 feet to

DEED B R C F 15
DEED was 15
IN CLERK 15
IN CLERK 15
41349004 ROI 7
09/

As recorded in Baltimore County in Deed Liber 08276, Folio 99, containing 1.07 acres, located in the 15th Election District, 7th Council District

H.M.M

2013-0242-SPHA

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: 2013-0242-SPHA
Petitioner: HERBERT M MCGOWAN JR.
Address or Location: 514 SPRING LANE

PLEASE FORWARD ADVERTISING BILL TO:

Name: HERBERT M MCGOWAN JR
Address: 514 SPRING LANE
BALTIMORE, MD 21221
Telephone Number: 410-591-9125

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

No. **098541**
 Date: **4/22/13**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 4/22/2013 4/22/2013 09:28:41 5
 REC: MS03 WALKIN BRGS LRB
 RECEIPT # 098541 4/22/2013 OFLN
 5-530 ZONING VERIFICATION
 CR NO. 098541
 Recpt Tot \$150.00
 4.00 CR \$150.00 CA
 \$10.00- CG
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$150

Total: \$150

Rec From: _____
 For: **514 SPRING LANE**
2013-0242-SPHA

CASHIER'S VALIDATION

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

CERTIFICATE OF POSTING
CERTIFICATE OF POSTING

RE: CASE NO: 2013-0242-SPHA

PETITIONER/DEVELOPER _____

HERBERT MCGOWAN JR.

DATE OF HEARING/CLOSING: _____

6/21/13

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE
PROPERTY AT _____

514 SPRING LANE

THIS SIGN(S) WERE POSTED ON _____

May 31, 2013
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 5/31/13
SIGNATURE OF SIGN POSTER AND DATE:

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

ZONING NOTICE

CASE # 2013-0242-SPHA

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

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

DATE AND TIME: FRIDAY JUNE 21, 2013
AT 10:00 A.M.

REQUEST: SPECIAL HEARING TO APPROVE AN
ACCESSORY STRUCTURE (DETACHED GARAGE) IN THE REAR YARD
WITH AN UNUSUAL LARGE STRUCTURE PER SECTION 400.15 OF
THE ZONING COMMISSIONER'S POLICY MANUAL AND THAT THE
ACCESSORY STRUCTURE IS NOT SUBORDINATE IN AREA, EXTENT OR
PURPOSE TO THE PRINCIPAL STRUCTURE. VARIANCE TO PERMIT A
PROPOSED 2-STORY ACCESSORY BUILDING (GARAGE WITH LIFT AREA)
WITH A HEIGHT OF 25 FEET 10 INCHES IN LIGHT OF THE MAXIMUM
ALLOWED 15 FEET.

REQUIREMENTS DUE TO WEATHER AND OTHER CONDITIONS ARE SOMETIMES NECESSARY
FOR TOWSON HEARING CALL 410.871.0811

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

MEETING IS HANDICAP ACCESSIBLE

marked 8/6 5/31/13



**THE BALTIMORE SUN
MEDIA GROUP**

Baltimore, Maryland 21278-0001

May 30, 2013

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, the publication appearing on May 30, 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: #2013-0242-SPHA

514 Spring Lane

NW Spring Lane, 214 ft. SE to centerline of Sunnyside Lane
15th Election District - 7th Councilmanic District

Legal Owner(s): Herbert McGowan, Jr.

Special Hearing to approve an accessory structure (detached garage) in the rear yard with an unusual and large structure per section 400.1.e of the Zoning Commissioner's Policy Manual and that the accessory structure is not subordinate in area, extent or purpose to the principle structure. **Variance** to permit a proposed 2-story accessory building (garage with loft area) with a height of 23 feet 10 inches in lieu of the maximum allowed 15 feet.

Hearing: Friday, June 21, 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.
05/530 May 30 924953



KEVIN KAMENETZ
County Executive

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

May 21, 2013

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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: 2013-0242-SPHA

514 Spring Lane

NW Spring Lane, 214 ft. SE to centerline of Sunnyside Lane

15th Election District – 7th Councilmanic District

Legal Owners: Herbert McGowan, Jr.

Special Hearing to approve an accessory structure (detached garage) in the rear yard with an unusual and large structure per section 400.1.e of the Zoning Commissioner's Policy Manual and that the accessory structure is not subordinate in area, extent or purpose to the principle structure. Variance to permit a proposed 2-story accessory building (garage with loft area) with a height of 23 feet 10 inches in lieu of the maximum allowed 15 feet.

Hearing: Friday, June 21, 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: Herbert McGowan, Jr., 541 Spring Lane, Baltimore 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JUNE 1, 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, May 30, 2013 Issue - Jeffersonian

Please forward billing to:
Herbert McGowan, Jr.
514 Spring Lane
Baltimore, MD 21221

410-591-9125

NOTICE OF ZONING HEARING

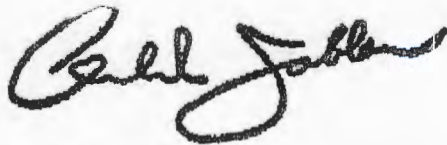
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514 Spring Lane
NW Spring Lane, 214 ft. SE to centerline of Sunnyside Lane
15th Election District – 7th Councilmanic District
Legal Owners: Herbert McGowan, Jr.

Special Hearing to approve an accessory structure (detached garage) in the rear yard with an unusual and large structure per section 400.1.e of the Zoning Commissioner's Policy Manual and that the accessory structure is not subordinate in area, extent or purpose to the principle structure. Variance to permit a proposed 2-story accessory building (garage with loft area) with a height of 23 feet 10 inches in lieu of the maximum allowed 15 feet.

Hearing: Friday, June 21, 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.

M E M O R A N D U M

DATE: July 30, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0242-SPHA Appeal Period Expired

The appeal period for the above-referenced case expired on July 26, 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 OFFICE
 AND VARIANCE * OF ADMINISTRATIVE
 514 Spring Lane; NW Spring Lane, 214' SE * HEARINGS FOR
 to c/line Sunnyside Lane * BALTIMORE COUNTY
 15th Election & 7th Councilmanic Districts *
 Legal Owner(s): Herbert M. McGowan, Jr. *
 Petitioner(s) * 2013-242-SPHA

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
 Deputy People's Counsel
 Jefferson Building, Room 204
 105 West Chesapeake Avenue
 Towson, MD 21204
 (410) 887-2188

RECEIVED
 MAY 07 2013

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of May, 2013, a copy of the foregoing Entry of Appearance was mailed to Herbert McGowan, Jr., 514 Spring Lane, Baltimore, MD 21221, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/Conditions/Comments/No Comment</u>
5/13/13	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	C
5/24/13	DEPS (if not received, date e-mail sent _____)	C
	FIRE DEPARTMENT	
5/29/13	PLANNING (if not received, date e-mail sent _____)	C
5/7/13	STATE HIGHWAY ADMINISTRATION	No Obj
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 5/30/13

SIGN POSTING Date: 5/31/13 by Cyle

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

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

SUBJECT: Zoning Advisory Committee Meeting
For May 10, 2013
Item No. 2013-0242

DATE: May 13, 2013

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment.

Riverine flood plain exists on this site. For building permit approval the petitioner will have to hire a licensed surveyor to determine the flood plain limit and to set the building corners so that they are at least 20 feet upstream of the flood plain limit and the elevation of the first floor must be at least 2 feet above the flood plain elevation.

DAK: CEN.
Cc: file.
ZAC-ITEM NO 13-0242-05102013.doc

ORDER RECEIVED FOR FILING

Date 6/26/13

By Sen

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 29, 2013

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 514 Spring Lane

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INFORMATION:

MAY 29 2013

Item Number: 13-242

OFFICE OF ADMINISTRATIVE HEARINGS

Petitioner: Herbert M. McGowan, Jr.

Zoning: DR 5.5

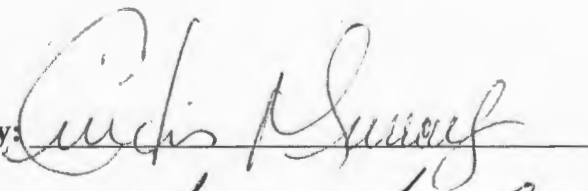
Requested Action: Special Hearing and Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner requests a garage with a height of 23'10". Due to the fact that the proposed structure will be oversized it will be visible from neighboring residences. Therefore the use of higher quality exterior finish materials is required. Materials shall be similar to that of the principle residence. Additionally, provide vegetative screening along the portion of the property that abuts and is visible from 518 Spring Lane.

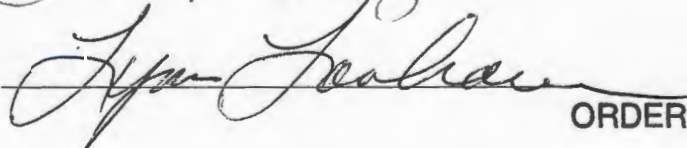
For further information concerning the matters stated here in, please contact Matt Diana at 410-887-3480.

Prepared By:



Division Chief:

AVA/LL:cjm



ORDER RECEIVED FOR FILING

Date

6/21/13

By

sen

BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

MAY 28 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: May 24, 2013

SUBJECT: DEPS Comment for Zoning Item # 2013-0242-SPHA
Address 514 Spring Lane
(McGowan Property)

Zoning Advisory Committee Meeting of May 6, 2013.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

1. Environmental Impact Review (EIR): About half the property is located within an Intensely Developed Area of the Chesapeake Bay Critical Area (CBCA), but the proposed development is located outside the CBCA. Based on this, and the information submitted, this office has no issues with the requests provided that the above comments are addressed. Any changes in location will require additional review by EIR.

Reviewer: Paul Dennis – Environmental Impact Review (EIR)

2. A future bldg. permit will also need review by Groundwater Mgmt., to check well and septic setbacks. –

Reviewer: Dan Esser – Groundwater Management

ORDER RECEIVED FOR FILING

Date 6/26/13

By Den



KEVIN KAMENETZ
County Executive

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

June 11, 2013

Herbert M. McGowan Jr
514 Spring Lane
Baltimore MD 21221

RE: Case Number: 2013-0242 SPHA, Address: 514 Spring Lane

Dear Mr. McGowan Jr.:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 22, 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 written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 5-7-13

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

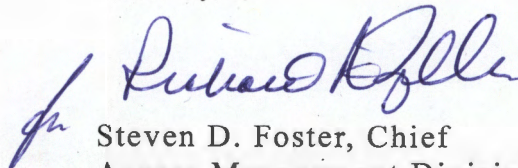
RE: Baltimore County
Item No 2013-0242-SPHA
Special Hearing Variance
Herbert M. McGowan Jr.
514 Spring Lane

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. 2013-0242-SPHA.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Steven D. Foster', is written over a horizontal line. The signature is cursive and somewhat stylized.

Steven D. Foster, Chief
Access Management Division

SDF/raz

Maryland Department of Assessments and Taxation Real Property Data Search (vw2.1A) BALTIMORE COUNTY	Go Back View Map New Search GroundRent Redemption GroundRent Registration
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Account Identifier: District - 15 Account Number - 1513080120

Owner Information

Owner Name:	MCGOWAN HERBERT M JR	Use:	RESIDENTIAL
Mailing Address:	514 SPRING LN BALTIMORE MD 21221-3250	Principal Residence:	YES
		Deed Reference:	1) /08276/ 00099 2)

Location & Structure Information

Premises Address	Legal Description
514 SPRING LN 0-0000	1.07 AC NS SPRING LA W OF SUNNY SIDE LA

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0090	0008	0923		0000				3	
									Plat Ref:

Special Tax Areas

	Town
	NONE
	Ad Valorem
	Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1899	1,634 SF	1.0700 AC	04

Stories	Basement	Type	Exterior
2.000000	YES	STANDARD UNIT SIDING	

Value Information

	Base Value	Value		
		As Of	Phase-in Assessments	As Of
Land	71,400	01/01/2012	07/01/2012	07/01/2013
Improvements:	149,000	71,400		
Total:	220,400	165,900	165,900	165,900
Preferential Land:	0			0

Transfer Information

Seller:	MCGOWAN HERBERT M	Date:	09/18/1989	Price:	\$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/08276/ 00099	Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	

Exemption Information

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

Tax Exempt:	Special Tax Recapture:
Exempt Class:	NONE

Homestead Application Information

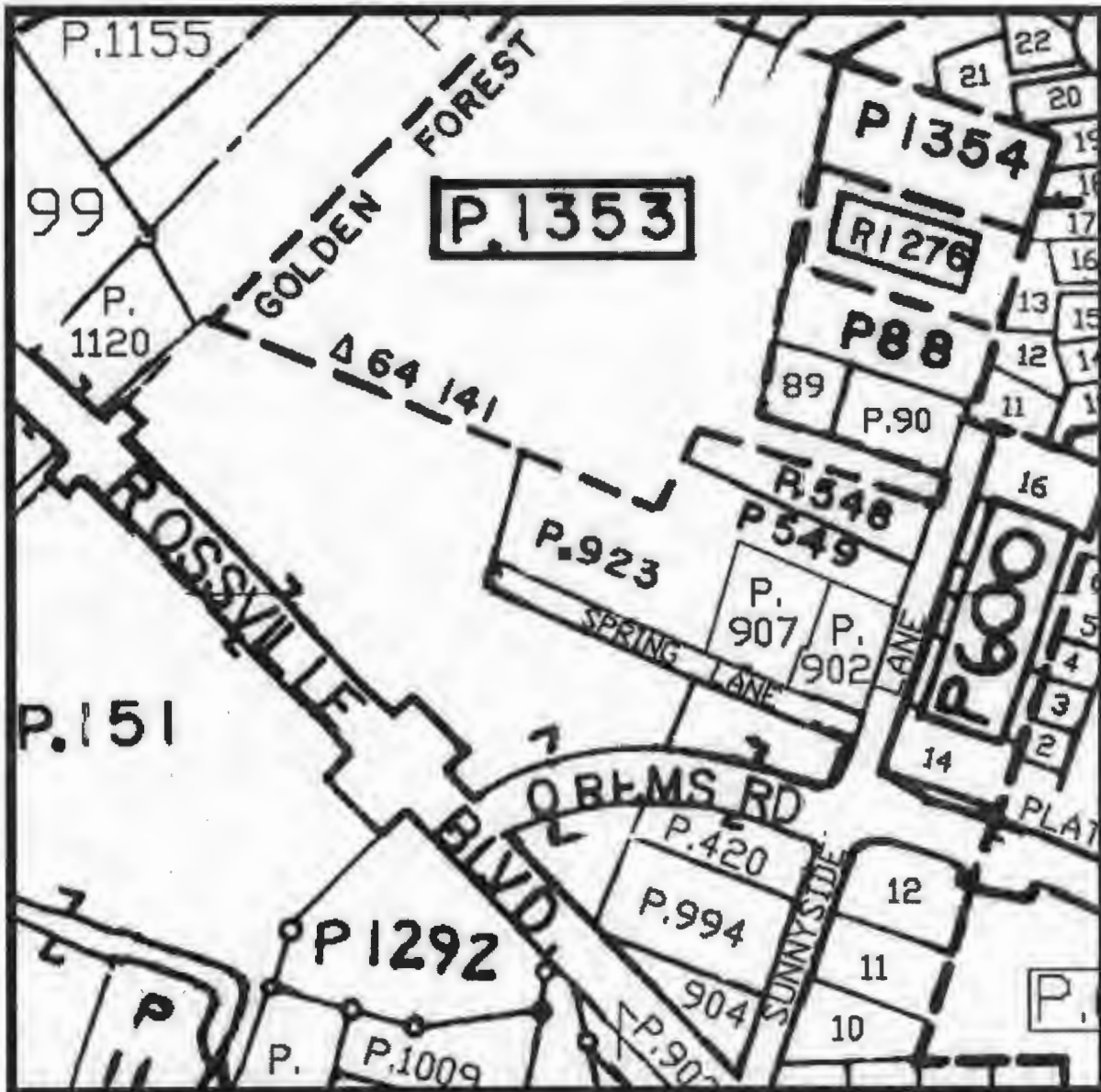
Homestead Application Status: Approved 12/31/2012



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

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

District - 15 Account Number - 1513080120



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.

6-21-13

Case No.: 2013-242 SPHA

Exhibit Sheet

Petitioner/Developer

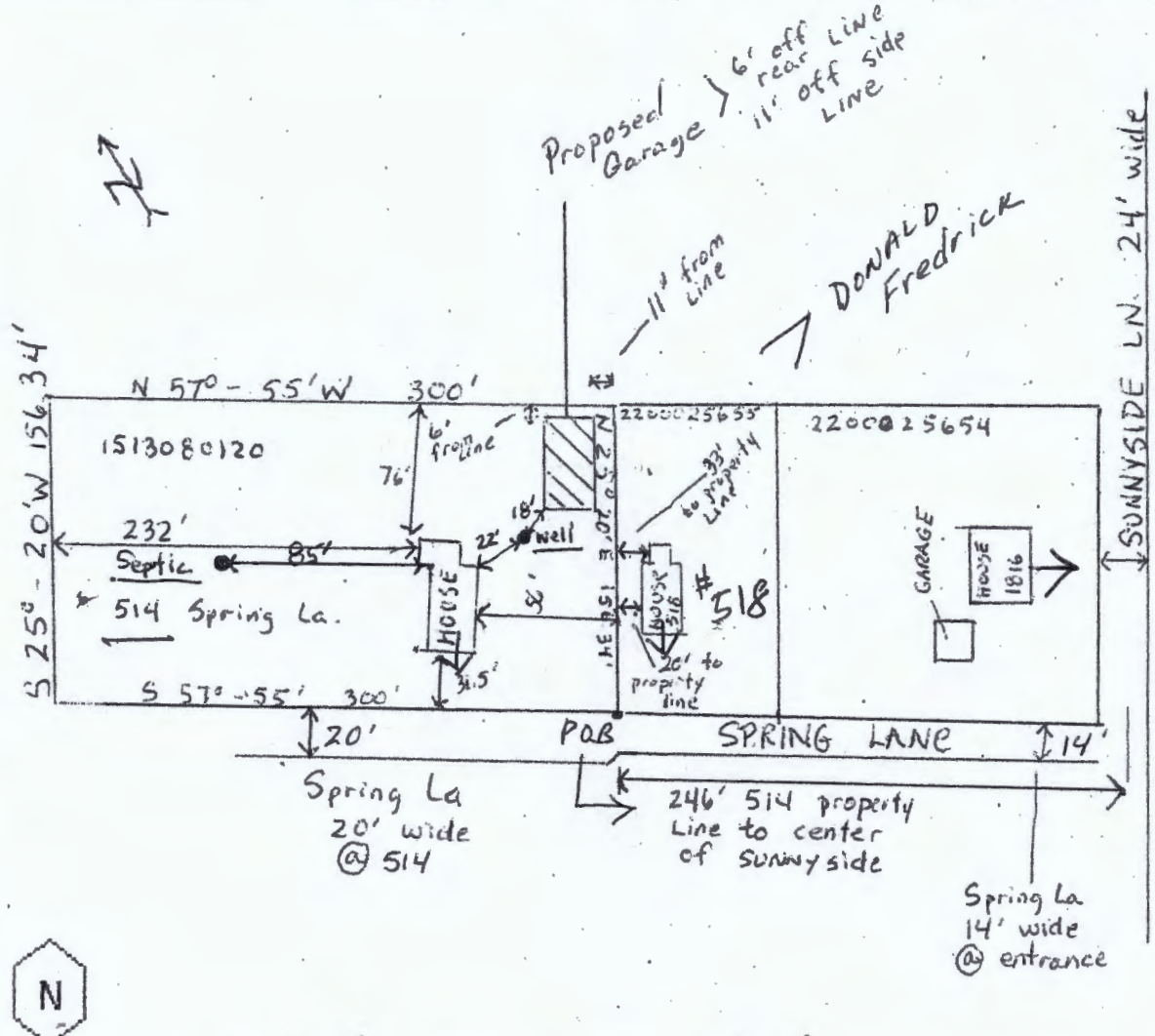
EW
7-30-13

Protestant

SRW
6-26-13

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

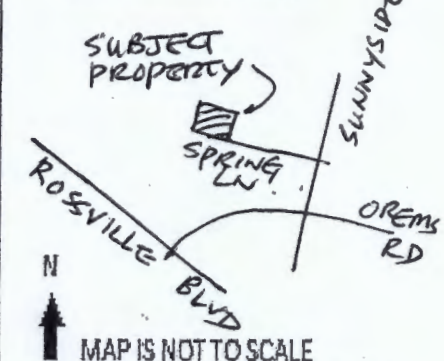
ZONING HEARING PLAN FOR VARIANCE _____ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 514 Spring Lane OWNER(S) NAME(S) Herbert M. McGowan Jr.
 SUBDIVISION NAME _____ LOT # _____ BLOCK # _____ SECTION # _____
 PLAT BOOK # _____ FOLIO # _____ 10 DIGIT TAX # 1513080120 DEED REF. # 08276/00099



PETITIONER'S
 EXHIBIT NO. 7

PLAN DRAWN BY Herbert McGowan DATE 4/17/13 SCALE: 1 INCH = 100' FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE
 ZONING MAP# 090A2
 SITE ZONED DR5.5
 ELECTION DISTRICT 15
 COUNCIL DISTRICT 7
 LOT AREA ACREAGE 1.07
 OR SQUARE FEET _____
 HISTORIC? NO
 IN CBCA? NO
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC _____ PRIVATE
 SEWER IS:
 PUBLIC _____ PRIVATE
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW
NO

VIOLATION CASE INFO:

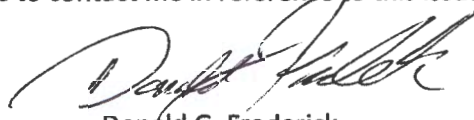
NO

2013-0242-SPHA

June 20, 2013

To who it may concern,

I am the owner and resident of the property directly next to the McGowan residence. I have been informed by Mr. McGowan that he intends to place a building on his property bordering my property line. I am writing this letter to inform anyone concerned that he has kept me informed and I have no issues with him completing this building. I also have been informed that he has been instructed to plant shrubbery between this building and our property line which I see no need for since there is already a privacy fence and existing trees there. My address is 518 Spring Lane Baltimore , MD 21221 and my phone number is 443-324-4184 if anyone wishes to contact me in reference to this issue.



Donald G. Frederick

PETITIONER' S
EXHIBIT NO. 2

Top chord 2x6 SP SS Dense
 Bot chord 2x6 SP #1: B2 2x10 SP 2250f-1.9E:
 B3 2x4 SPF #1/#2:
 Webs 2x4 SPF Stud

Calculated horizontal deflection is 0.20" due to live load and 0.34" due to dead load.

Live loads applied in combination per ASCE 7 sec. 2.4.1 use 0.75 factor for multiple live loads.

BC attic room floor loading: LL = 40.00 psf; DL = 10.00 psf; from 8-0-0 to 18-0-0.

Truss designed for unbalanced snow load, based on Pf=Pg=30.00 psf.

(**) 2 plate(s) require special positioning. Refer to scaled plate plot details for special positioning requirements.

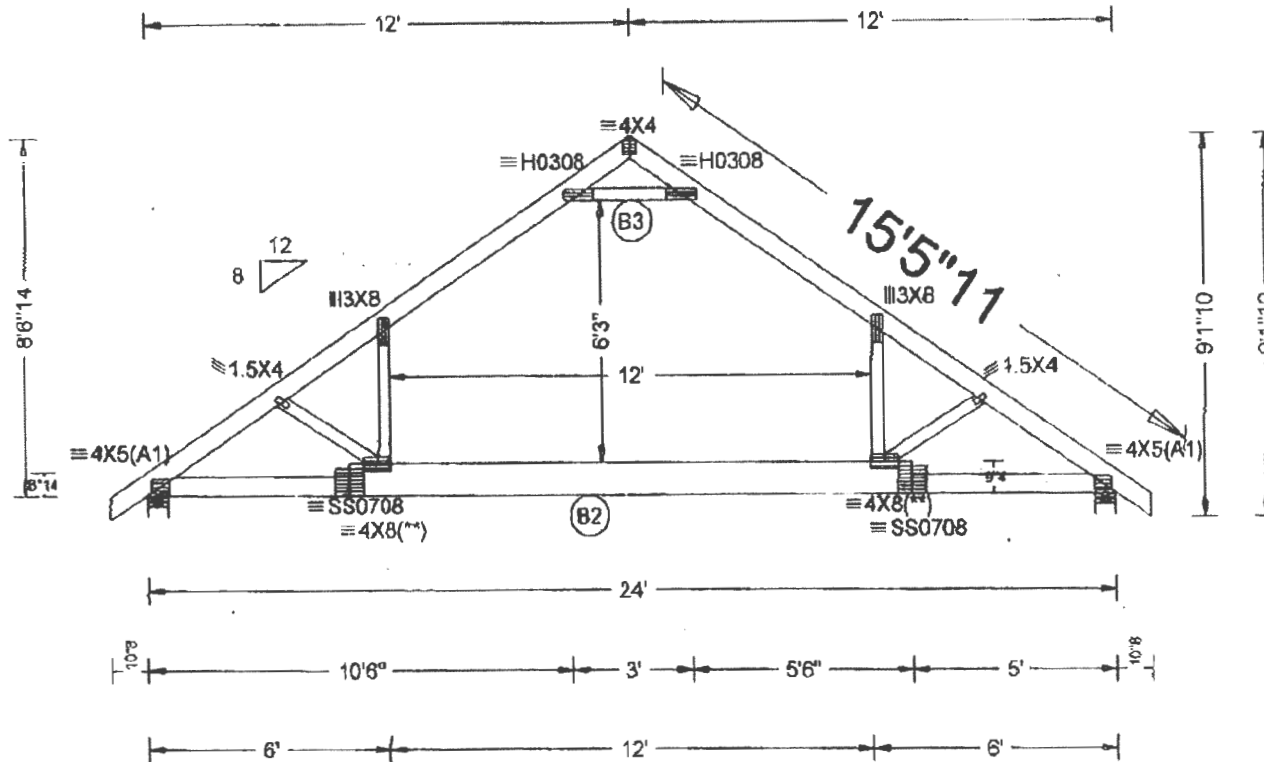
90 mph wind, 29.28 ft mean hgt, ASCE 7-05, CLOSED bldg, Located anywhere in sect. CAT II, EXP C, wind TC DL=5.0 psf, wind BC DL=5.0 psf.

Wind loads and reactions based on M/WFR8 with additional C&C member design

Bottom chord checked for 10.00 psf non-concurrent bottom chord live load applied per IRC-08 section 301.5.

Collar-tie braced with continuous lateral bracing at 24" OC. or rigid ceiling.

Deflection meets L/360 live and L/240 total load. Creep increase factor for dead load is 1.50.



R=1809# U=140# RL=208/-208# W=6"

(Rigid Surface)

LEFT RAKE = 1'0"10
 LEFT JIG = 14'8"15
 TAG = T1
 PLT. TYP. -WAVE

R=1809# U=140# W=6"

(Rigid Surface)

RIGHT RAKE = 1'0"10
 RIGHT JIG = 14'8"15
 SEQ = 314760
 SCALE = 0.2335

QTY = 21 TOTAL = 21

REV. 12.03.00.1116.01

WARNING! READ AND FOLLOW ALL NOTES ON THIS DRAWING!
IMPORTANT! FURNISH THIS DRAWING TO ALL CONTRACTORS INCLUDING THE INSTALLERS.

Trusses require extreme care in fabricating, handling, shipping, handling and loading. Refer to and follow technical edition of ICCS detailing Component Detail Information by ITT and WFCO for safety practices prior to performing these functions. Installers shall provide temporary bracing per ICCS. Unless noted otherwise, top chord shall have properly installed struts (1) bracing and bottom chord shall have a properly installed rigid ceiling. 1. Conditions shown for permanent braced truss shall have bracing installed per ICCS sections B3, B7 or C10, as applicable. Apply plates to each face of truss endplates as shown above and on the Joint Details, unless noted otherwise.

Refer to drawings 1809-2 for alternate design options.
 ITT Building Components Group Inc. shall not be responsible for any deviations from this drawing, any failure to build the truss in accordance with ANSI/P11, or for handling, shipping, installation or loading of trusses.
 A reading of trusses.
 A read on this drawing or cover page shall be starting, including exceptions of professional engineer's responsibility shall be the design team. The liability of use of this drawing for any structure is the responsibility of the Building Designer per PARAGRAPH 1.8.0.2

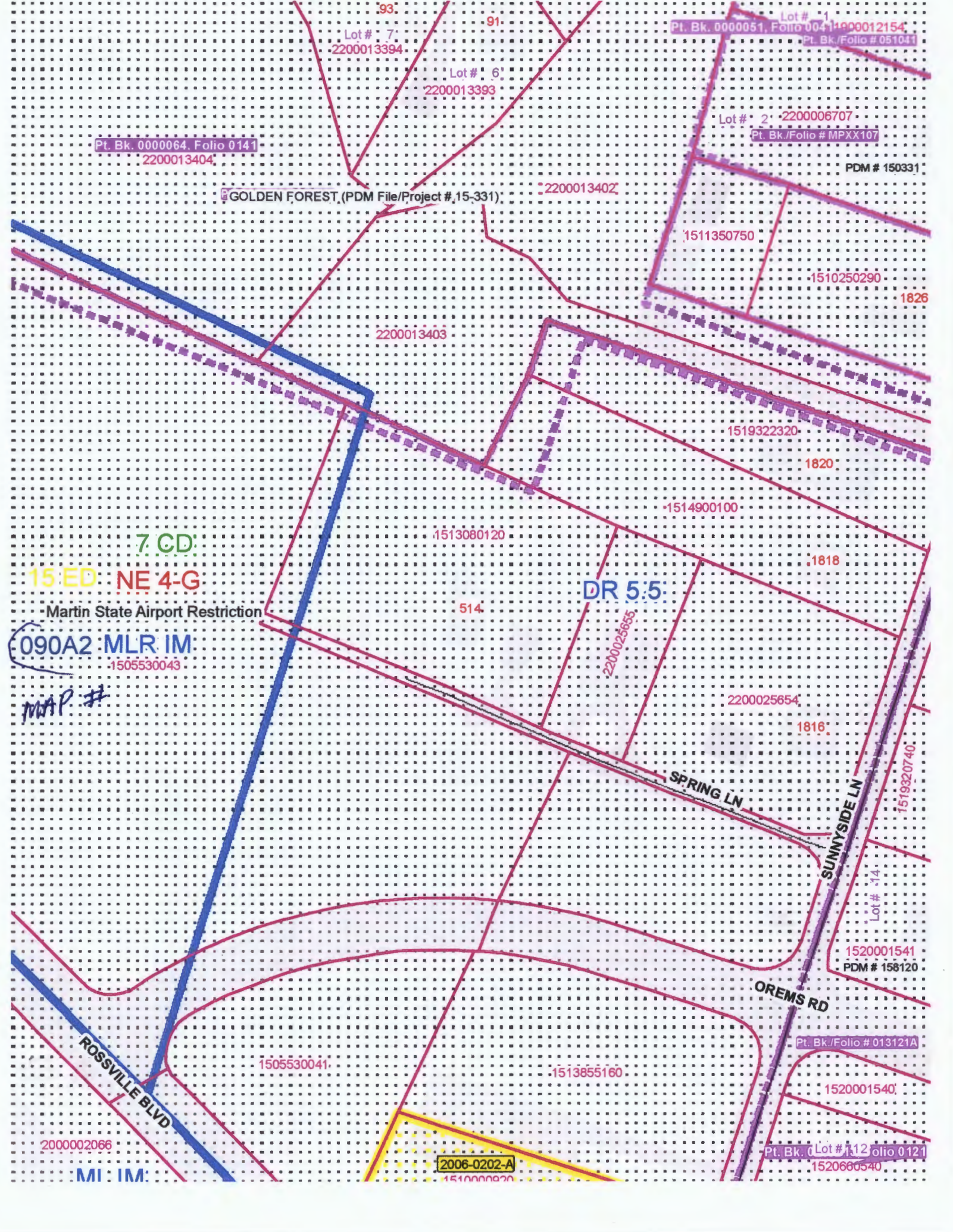
For more information see the job's general notes page on this web site at:
 ITT/BCO www.drblog.com ITR www.italog.com WFCO www.wcfco.com ICCS www.iccsinfo.com

TC LL	30.0psf	REF
TC DL	10.0psf	DATE 03-22-2013
BC DL	10.0psf	DRWG
BC LL	0.0psf	
TOT.LD.	50.0psf	O/A LEN. 24
DUR.FAC.	1.15	JOB #: 2210
SPACING	24.0"	TYPE ATIC

REF
DATE 03-22-2013
DRWG
O/A LEN. 24
JOB #: 2210
TYPE ATIC

PAGE 02/02
 DL TRUSS LLC
 7173552018
 10:55
 03/22/2013





93.
Lot # 7
2200013394

91.
Lot # 6
2200013393

Lot # 1
Pt. Bk. 0000051, Folio 0041
Pt. Bk./Folio # 051041

Pt. Bk. 0000064, Folio 0141
2200013404

Lot # 2
2200006707
Pt. Bk./Folio # MPXX107

GOLDEN FOREST (PDM File/Project # 15-331)

PDM # 150331

2200013402

1511350750

1510250290

1826

2200013403

1519322320

1820

7 CD

15 ED NE 4-G

Martin State Airport Restriction

090A2 MLR IM
1505530043

MAP #

1513080120

DR 5.5

514

1514900100

1818

2200025655

2200025654

1816

SPRING LN

SUNNYSIDE LN

1519320740

Lot # 14

1520001541
PDM # 158120

OREMS RD

Pt. Bk./Folio # 013121A

1505530041

1513855160

1520001540

ROSSVILLE BLVD

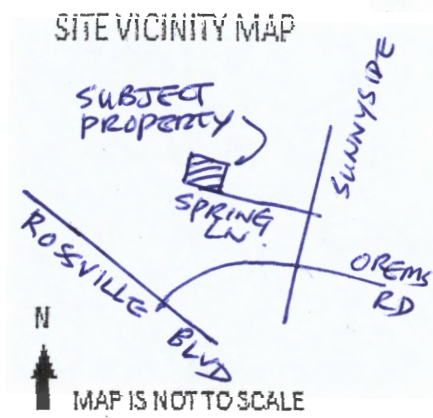
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2006-0202-A

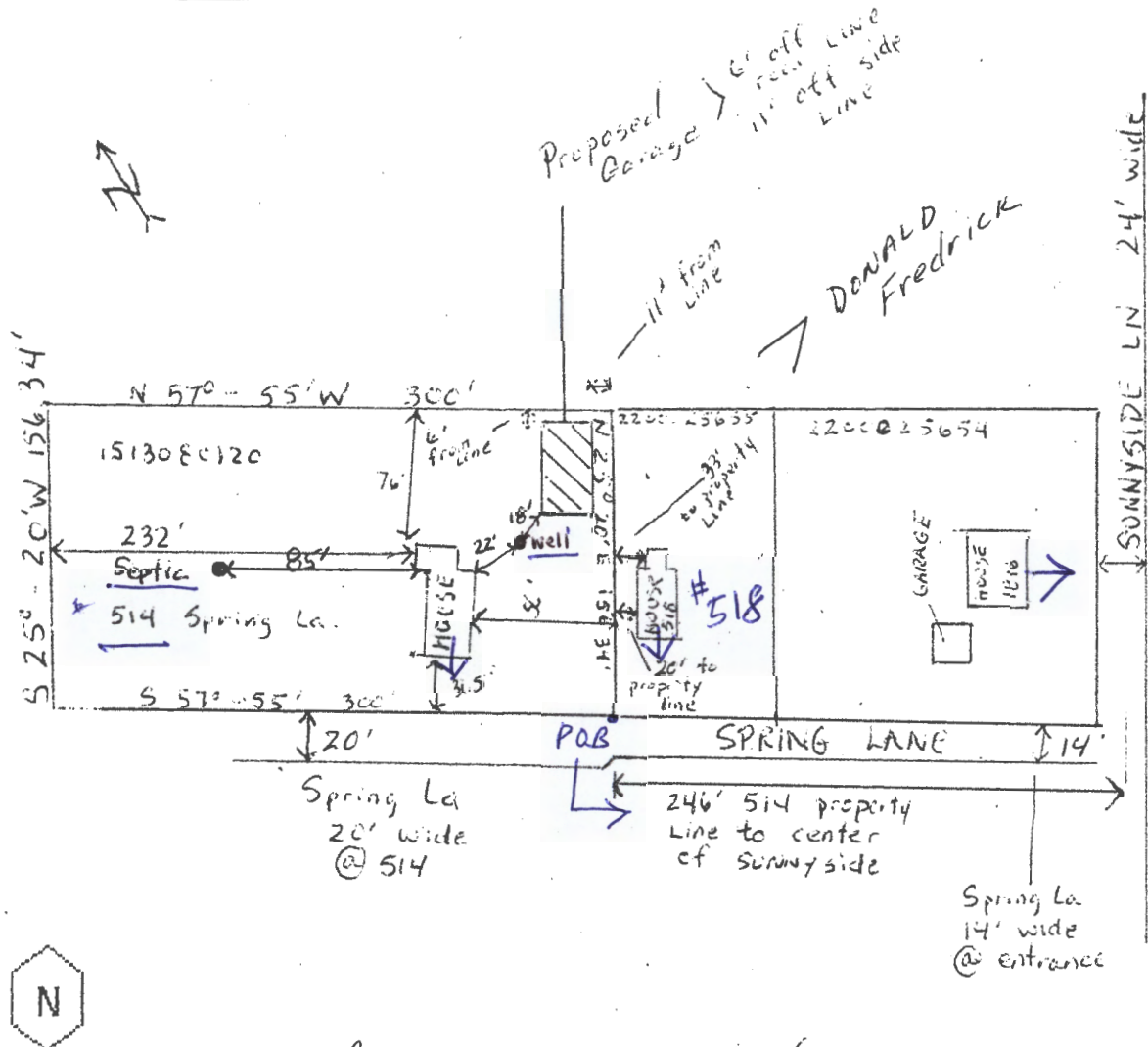
Pt. Bk./Lot # 12 Folio 0121
1520660540

MI IM

ZONING HEARING PLAN FOR VARIANCE FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)
 ADDRESS 514 Spring Lane OWNER(S) NAME(S) Herbert M. McBrown Jr.
 SUBDIVISION NAME _____ LOT # _____ BLOCK # _____ SECTION # _____
 PLAT BOOK # _____ FOLIO # _____ 10 DIGIT TAX # 1513080120 DEED REF. # 08276/00099



ZONING MAP# 090A2
 SITE ZONED DR5.5
 ELECTION DISTRICT 15
 COUNCIL DISTRICT 7
 LOT AREA ACREAGE 1.07
 OR SQUARE FEET _____
 HISTORIC? NO
 IN CBCA? NO
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS: PUBLIC _____ PRIVATE
 SEWER IS: PUBLIC _____ PRIVATE
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW
NO

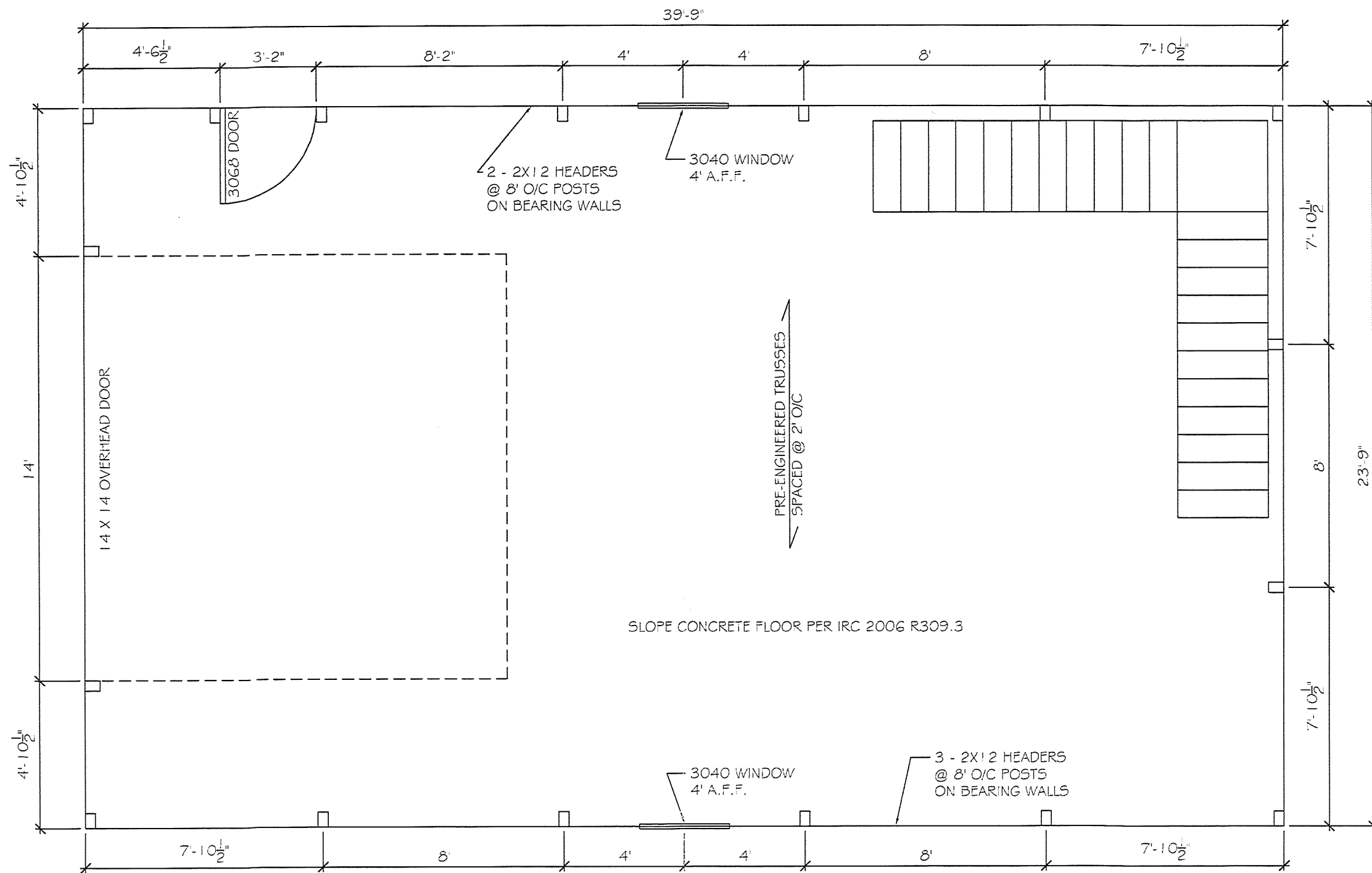


H.M.M

PLAN DRAWN BY Herbert M. McBrown DATE 4/17/13 SCALE: 1 INCH = 100' FEET

2013-0242-SPHA

VIOLATION CASE INFO:
NO



FLOOR PLAN

DELMARVA
 POLE BUILDING SUPPLY INC.
 317 N. LAYTON AVE
 WYOMING, DE 19934
 (302) 698-3636

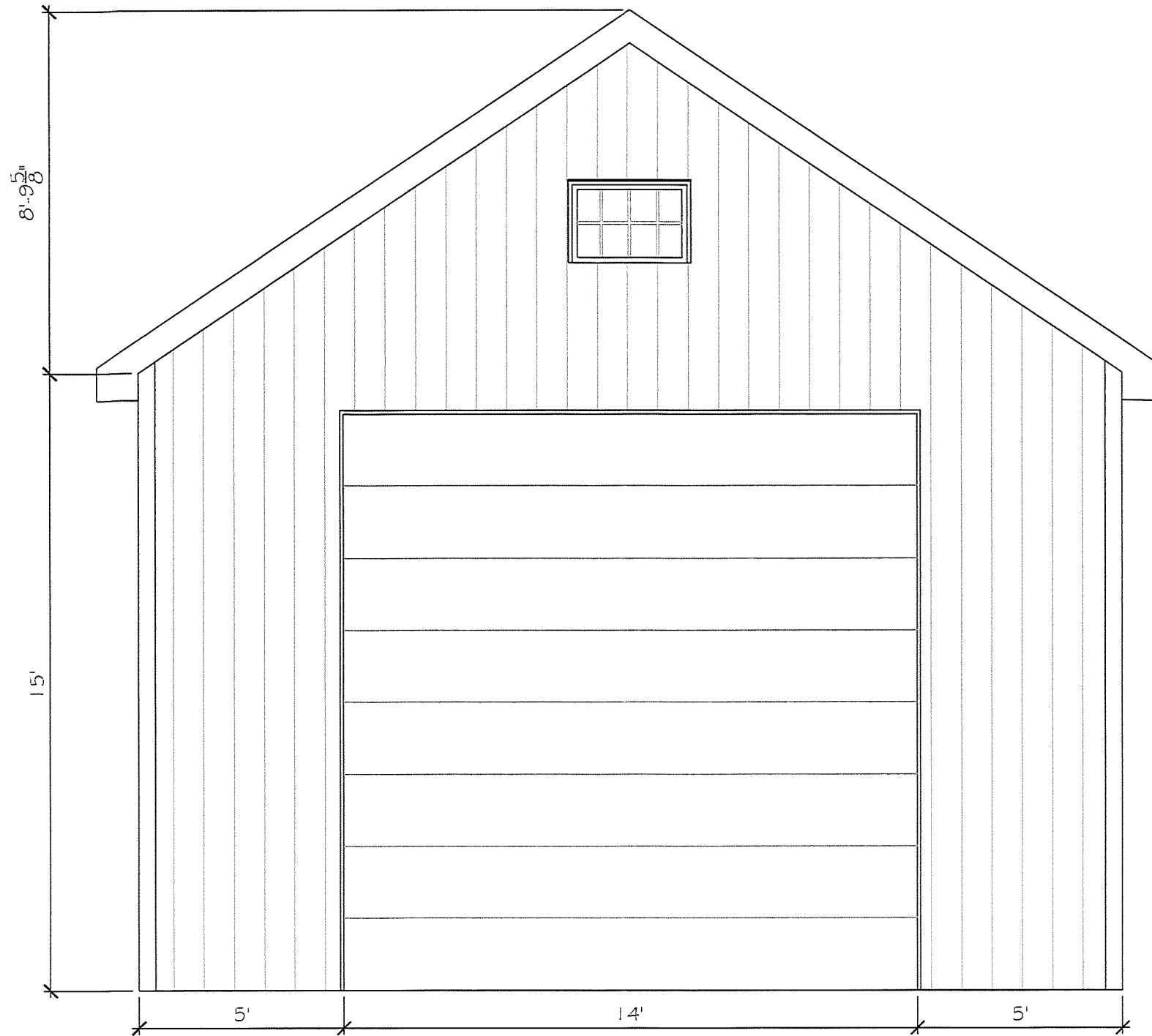


Project #:	Date:	No.	Revision/Issue	Date
	03-21-2013			
Technician:	Reviewed By:			
S.B.	S.B.			
Scale:				

MR. HERBERT MCGOWAN
 514 SPRING LANE
 BALTIMORE, MD 21221

Sheet

A1



GABLE ELEVATION

DELMARVA
 POLE BUILDING SUPPLY INC.
 317 N. LAYTON AVE
 WYOMING, DE 19934
 (302) 698-3636

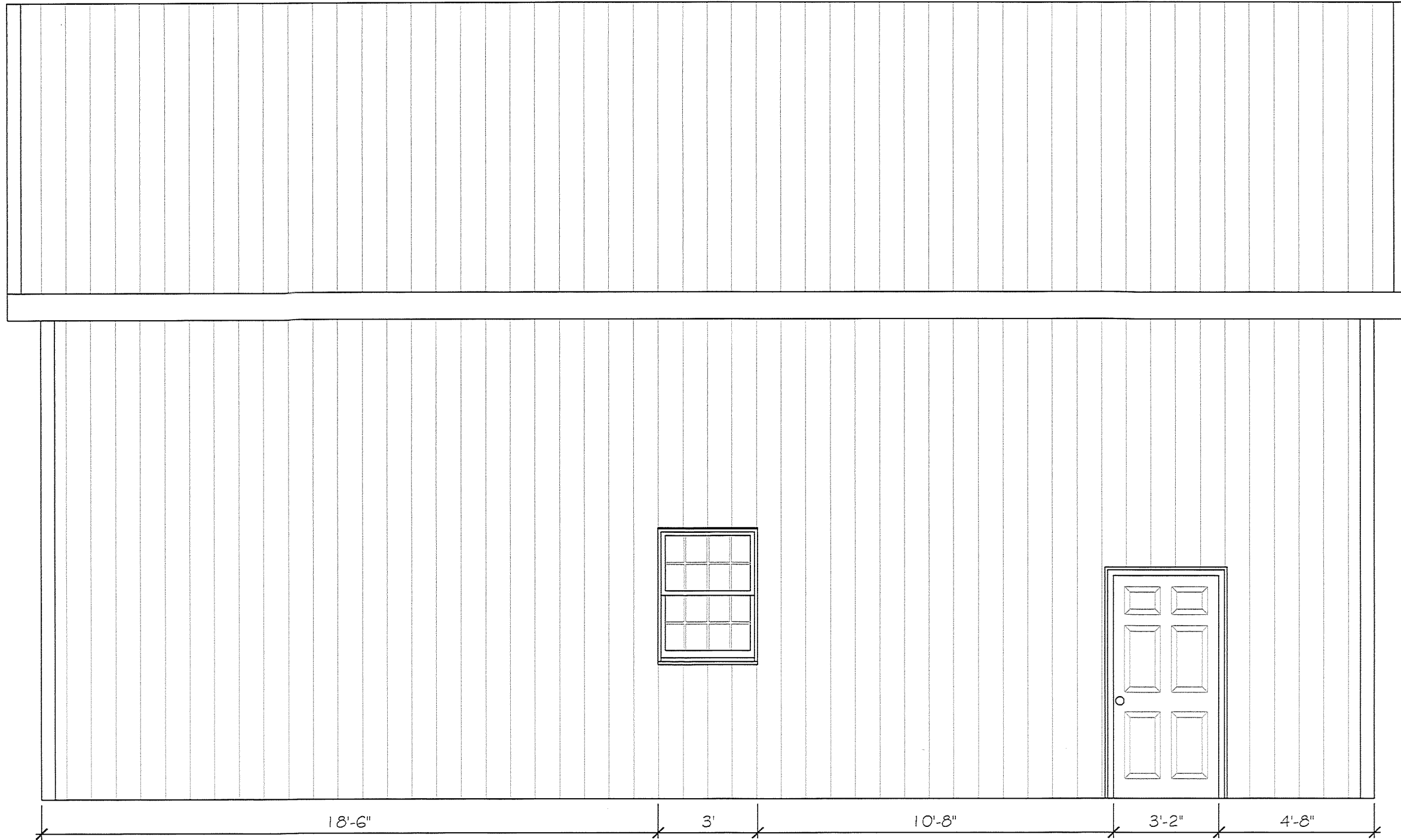


Project #:	Date:	No.	Revision/Issue	Date
	03-21-2013			
Technician:	Reviewed By:			
S.B.	S.B.			
Scale:				

MR. HERBERT MCGOWAN
 514 SPRING LANE
 BALTIMORE, MD 21221

Sheet

A2



EAVE ELEVATION

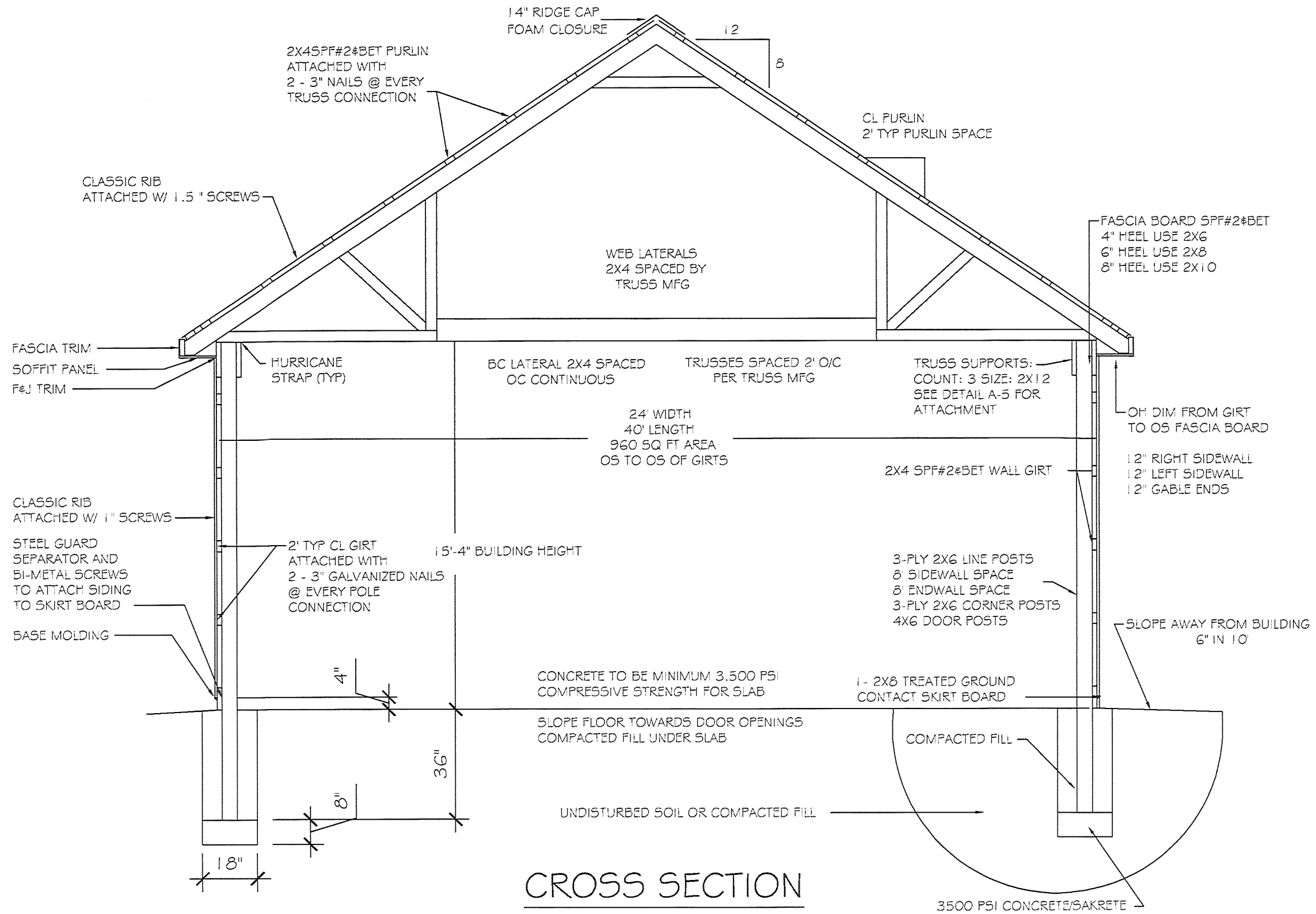
DELMARVA
 POLE BUILDING SUPPLY INC.
 317 N. LAYTON AVE
 WYOMING, DE 19934
 (302) 698-3636



Project #:	Date:	No.	Revision/Issue	Date
	03-21-2013			
Technician:	Reviewed By:			
S.B.	S.B.			
Scale:				

MR. HERBERT MCGOWAN
 514 SPRING LANE
 BALTIMORE, MD 21221

Sheet
A3



CROSS SECTION

DELMARVA
POLE BUILDING SUPPLY INC.
317 N. LAYTON AVE
WYOMING, DE 19934
(302) 698-3636



Project #:	Date:	No.	Revision/Issue	Date
Technician:	Reviewed By:			
S.B.	S.B.			
Scale:				

MR. HERBERT MCGOWAN
514 SPRING LANE
BALTIMORE, MD 21221

Sheet

A4

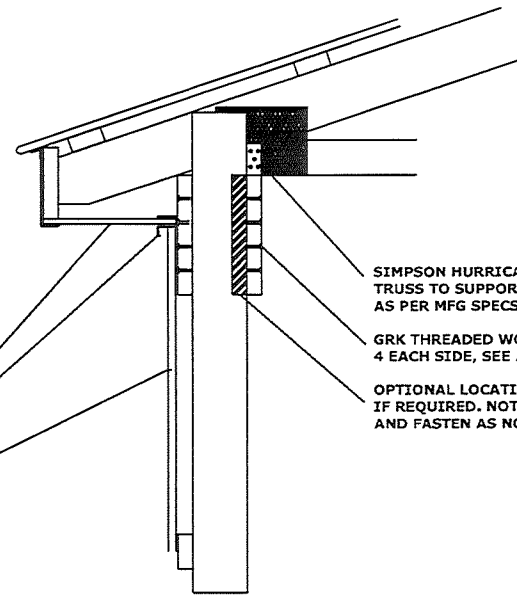
A
5 **TRUSS TO SUPPORT CONNECTION DETAILS**

CONNECTION AT POST LOCATIONS

INSTALL SOFFIT PANEL INTO F & J TRIM
NAIL INTO BOTTOM OF FASCIA BOARD

INSTALL F & J TRIM TO SUPPORT
WITH FLAT HEAD ROOFING NAIL

INSTALL WALL PANELS, ATTACH
TO GIRTS WITH 1" SCREWS



SIMPSON HURRICANE TRUSS TIE AT EACH
TRUSS TO SUPPORT CONNECTION, FASTEN
AS PER MFG SPECS.

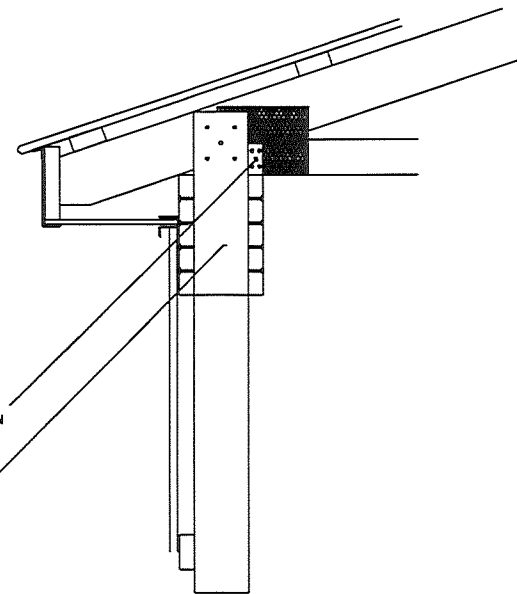
GRK THREADED WOOD FASTENER
4 EACH SIDE, SEE ATTACHED SPECS.

OPTIONAL LOCATION OF THIRD SUPPORT
IF REQUIRED. NOTCH INTO POST AS SHOWN
AND FASTEN AS NOTED ABOVE

CONNECTION AT INTERMEDIATE TRUSS

SIMPSON HURRICANE TRUSS TIE @ EACH
TRUSS TO SUPPORT CONNECTION, FASTEN
AS PER MFG SPECS.

2X6X18" TRUSS CONNECTION BLOCK
INSTALLED BETWEEN SUPPORTS



CONNECTION DETAILS

DELMARVA
POLE BUILDING SUPPLY INC.
317 N. LAYTON AVE
WYOMING, DE 19934
(302) 698-3636



Project #:	Date: 03-21-2013	No.	Revision/Issue	Date
Technician: S.B.	Reviewed By: S.B.			
Scale:				

MR. HERBERT MCGOWAN
514 SPRING LANE
BALTIMORE, MD 21221

Sheet

A5