

MEMORANDUM

DATE: August 7, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0283-A Appeal Period Expired

The appeal period for the above-referenced case expired on August 1, 2013. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: *L* Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE *
(10105 Davis Avenue)
2nd Election District *
4th Councilmanic District *
Alan J. Naylor and Brenda J. Logue *
Petitioners *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2013-0283-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for Baltimore County as a Petition for Administrative Variance filed by the legal owners of the subject property, Alan J. Naylor and Brenda J. Logue, for property located at 10105 Davis Avenue. The variance request is from Sections 1A07.8.C.2.g and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a proposed accessory building (barn) located partially in the front yard in lieu of the required side or rear only, and (2) to permit a height of 24 ft. in lieu of the maximum 15 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. A ZAC comment was received from the Department of Environmental Protection and Sustainability (DEPS), dated June 25, 2013, stating that:

"This property of 3.3 acres is residentially assessed and improved with a dwelling. It is constrained by a Forest Conservation easement and minimal open land for any agricultural purposes. The petitioner indicated that the use of the barn was for a horse, however, the property does not appear to have the minimum of one acre (experts recommend two acres) of fenced pasture land suitable for a horse."

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on June 9, 2013, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 11-2-13

By [Signature]

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Although the Department of Planning did not make any recommendations related to the accessory structure height and usage, I will impose conditions that the barn shall not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes.

In their filing, the Petitioners indicate the structure will be a "barn/storage building," and the petition also makes reference to the "potential storage needs of a horse barn." The ZAC comment from DEPS concerns whether or not the Petitioners own sufficient property to keep horse(s) on the premises. The zoning regulations specify a minimum of 3 acres is required for the "accessory stabling" of horse(s), and that 1 acre of grazing or pasture land be provided for each animal. B.C.Z.R. Section 100.6. The Petitioners will of course need to comply with these (and other) regulations if and when they decide to keep horse(s) at the property. The relief granted herein pertains only to the height and yard placement of the barn/storage building.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Administrative Law Judge for Baltimore County, this 2nd day of July, 2013, that a Variance from Sections 1A07.8.C.2.g and 400.3 of the Baltimore

ORDER RECEIVED FOR FILING

Date 7-2-13

2

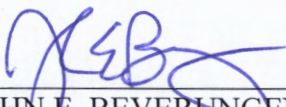
By AW

County Zoning Regulations ("B.C.Z.R."), to permit a proposed accessory building (barn) located partially in the front yard in lieu of the required side or rear only, and (2) to permit a height of 24 ft. in lieu of the maximum 15 ft., be and is hereby GRANTED, subject to the following:

The relief granted herein shall be subject to the following:

1. Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The barn shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
3. The barn/storage building shall not be used for commercial purposes.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 7-2-13

By ew



KEVIN KAMENETZ
County Executive

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

July 2, 2013

Alan J. Naylor and Brenda J. Logue
P.O. Box 39
Woodstock, Maryland 21163

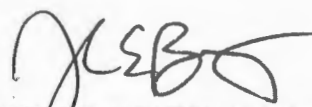
Re: Petition for Administrative Variance
Case No. 2013-0283-A
Property: 10105 Davis Avenue

Dear Mr. Naylor and Ms. Logue:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file with the Baltimore County Board of Appeals an appeal within thirty (30) days from 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:dlw
Enclosure

c: Brian Dietz, 7867 Oakdale Avenue, Baltimore, MD 21237



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 10105 Davis Ave. which is presently zoned RC-6

Deed Reference 14810-152

10 Digit Tax Account # 23 00 01 00 15 ✓

Property Owner(s) Printed Name(s) Alan J. Naylor + Brenda J. Logue

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

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

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

1. ☒ ADMINISTRATIVE VARIANCE from section(s) 1A07.8.C.2.g and 400.3 BCZR
To permit a proposed accessory building (barn) located partially in the front yard in lieu of the required side or rear only, and to permit a height of 24 feet in lieu of the maximum 15 feet.
of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ☐ ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4-416(a)(2): (indicate type of work in this space to raze, alter or construct addition to building)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:
ORDER RECEIVED FOR FILING
7-2-13
DW

Name- Type or Print

Date

Signature

By

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners:

Alan John Naylor / Brenda Jean Logue
Name #1 – Type or Print Name #2 – Type or Print

Alan John Naylor / Brenda Jean Logue
Signature #1 Signature #2

10105 Davis Ave. Woodstock, MD
Mailing Address City State

21163 / 410-461-9169 / alanjnaylor@aol.com
Zip Code Telephone # Email Address

Representative to be contacted:

BRIAN DIETZ
Name – Type or Print

Brian Dietz
Signature

7867 OAKDALE AVE BALTO. MD
Mailing Address City State

21237 / 410-661-3160 / BRIAN@DIETZSURVEYING.NET
Zip Code Telephone # Email Address

A PUBLIC HEARING having formally demanded and/or found to be required, It is ordered by the Office of Administrative Law, of Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Administrative Law Judge of Baltimore County

CASE NUMBER 2013-0283-A

Filing Date 5/28/13

Estimated Posting Date 6/9/13

Reviewer G. H

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 10105 Davis Ave. Woodstock, Md. 21163
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. **(Clearly state practical difficulty or hardship here)**

See attached

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

Alan John Naylor
Signature of Affiant

Alan John Naylor
Name- Print or Type

Brenda Jean Logue
Signature of Affiant

Brenda Jean Logue
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

Carroll
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 23 day of May, 2013, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

Alan John Naylor & Brenda Jean Logue
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal

Virginia D. Kirby
Notary Public
12-01-2013
My Commission Expires

Alan Naylor & Brenda J. Logue
10105 Davis Avenue
P.O. Box 39
Woodstock, Maryland 21163

Office of Administrative Law of Baltimore County

May 21, 2013

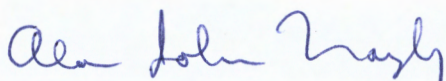
Re: Administrative Zoning Petition
10105 Davis Avenue
Woodstock, Maryland 21163

Practical Difficulty & Hardship:

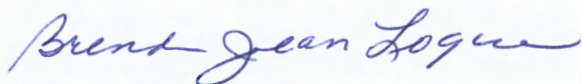
1. The existing house sits very close to the rear of the lot.
2. The forest conservation easement restricts our ability to build.
3. Our desire is to preserve all the trees not in the forest conservation easement.
4. The largest amount of land available upon which to build is in front of or beside the house.
5. The electric wires crossing the property create a building restriction.
6. The area where we propose to put the barn/storage building is located in a glen area below the house. Thus, the peak of the proposed structure would only rise slightly above the finished basement floor of the existing house. No views are obstructed.
7. The storage needs we have and the potential storage needs of a horse barn necessitate the additional height to the building.
8. The reserve septic area also restricts where we might build.

We need these two variances to build this building in a way that it will blend in beautifully with this property and match the existing structure on the property. If you have any concerns which have not been addressed, please contact us either by phone or in writing. (Home: 410-461-9169)

Sincerely,



Alan J. Naylor



Brenda J. Logue

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE ()IAL HEARING)

The undersigned hereby affirms under the penalties of perjury to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 10105 Davis Ave. Woodstock , Md. 21163
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

See attached

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

Alan John Naylor
Signature of Affiant

Brenda Jean Logue
Signature of Affiant

Alan John Naylor
Name- Print or Type

Brenda Jean Logue
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 23 day of may, 2013, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

Alan John Naylor & Brenda Jean Logue
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal

Virginia A. Kirby
Notary Public
12-01-2013
My Commission Expires

Brian R. Dietz
Professional Land Surveyor #21080
7867 Oakdale Avenue, Baltimore, MD 21237
Phone 410-686-1198 Fax 410-682-6021

Zoning Description
of
10105 Davis Avenue

May 28, 2013

Beginning at a point on the South side of Davis Avenue, at the distance of 3500 feet +/- West of the centerline of Wrights Mill Lane, thence leaving said Davis Avenue and running on the land of the herein petitioner the 12 following lines viz.

1. South 45 degrees 12 minutes 27 seconds West 58.63 feet,
2. South 54 degrees 52 minutes 24 seconds West 140.43 feet,
3. South 28 degrees 46 minutes 59 seconds West 53.24 feet,
4. South 3 degrees 44 minutes East 45.71 feet,
5. South 50 degrees 46 minutes 06 seconds East 65.59 feet,
6. South 81 degrees 04 minutes 34 seconds East 51.21 feet,
7. South 1 degree 13 minutes 15 seconds East 276.25 feet,
8. North 71 degrees 05 minutes 44 seconds West 231.58 feet,
9. North 75 degrees 54 minutes 27 seconds West 247.57 feet,
10. North 2 degrees 03 minutes 44 seconds West 167.02 feet,
11. North 63 degrees 03 minutes 40 seconds East 559.05 feet, to the South side of Davis Avenue and thence running with and binding on said Davis Avenue
12. Easterly by a curve to the left, having a radius of 280.60 feet, for an arc length of 41.72 feet, the chord of said arc bearing South 67 degrees 43 minutes 14 seconds East 41.68 feet, to the place of beginning.

Containing 3.374 Ac. of land more or less. Being known as 10105 Davis Avenue and located in the 2nd Election District, 4th Councilmanic District.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2013- 0283 -A Address 10105 Davis Ave

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

Filing Date: 5/28/13 Posting Date: 6/9/13 Closing Date: 6/24/13

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
- DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
- ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
- POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2013- 0283 -A Address 10105 Davis Ave

Petitioner's Name Alan John Naylor Telephone 410-790-6575

Posting Date: 6/9/13 Closing Date: 6/24/13

Wording for Sign: To Permit a proposed accessory building (barn) located partially in the front yard in lieu of the required side or rear only, and to permit a height of 24 feet in lieu of the maximum 15 feet.

Revised 7/06/11

**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: _____

Petitioner: Alan John Naylor + Brenda Jean Logue

Address or Location: 10105 Davis Avenue, Woodstock, Md. 21163

PLEASE FORWARD ADVERTISING BILL TO:

Name: Alan J. Naylor

Address: P.O. Box 39
Woodstock, Md.
21163

Telephone Number: 410-461-9169

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

No. 099739

Date: 5/28/13

PAID RECEIPT

BUSINESS ACTUAL TIME D/W
5/29/2013 5/28/2013 09:10:49 2

REG MS05 WALKIN DDOL DND
>>RECEIPT # 665124 5/22/2013 OPEN

Dep: 5 528 ZONING VERIFICATION
CR NO. 099739

Recpt Tot \$75.00
\$75.00 CK \$4.00 CA
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	806	0000		6130				75.00

Total: 75.00

Rec From: Alan John Naylor

For: Administrative Variance

2013-0283-A

DISTRIBUTION

CASHIER'S
VALIDATION

CERTIFICATE OF POSTING

2013-0283-A

RE: Case No.: _____

Petitioner/Developer: _____

Alan John Naylor

June 24, 2013

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

10105 Davis Ave

June 9, 2013

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

June 9, 2013

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

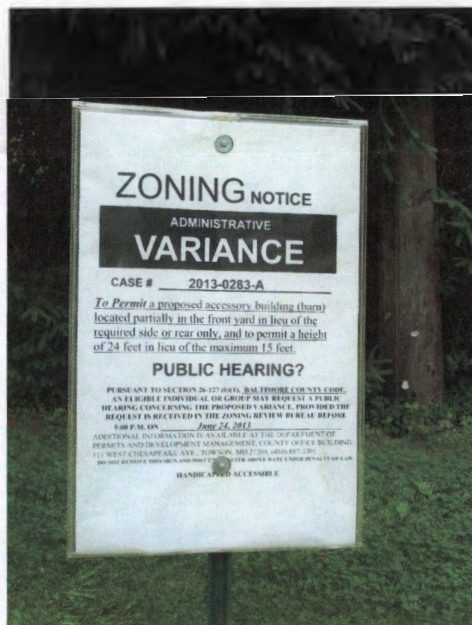
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>6-7</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NO</u>
<u>6-25</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>6-5</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION (Case No. _____)		
PRIOR ZONING (Case No. _____)		
NEWSPAPER ADVERTISEMENT Date: _____		
SIGN POSTING Date: <u>6-9-13</u> by <u>Block</u>		
PEOPLE'S COUNSEL APPEARANCE	Yes ☐	No ☐
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐	No ☐

Comments, if any: _____

Maryland Department of Assessments and Taxation
Real Property Data Search (vw3.1A)
BALTIMORE COUNTY

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

Account Identifier: District - 02 Account Number - 2300010015

Owner Information

Owner Name: NAYLOR ALAN JOHN Use: RESIDENTIAL
LOGUE BRENDA JEAN Principal Residence: YES
Mailing Address: 10105 DAVIS AVE Deed Reference: 1) /14810/ 00152
WOODSTOCK MD 21163-1226 2)

Location & Structure Information

Premises Address Legal Description
10105 DAVIS AVE 3.374 AC
0-0000 10105 DAVIS AVE SS
3400FT W WRIGHTS MILL RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	MS
0086	0016	0450		0000			1	1	Plat Ref:	

Town NONE

Special Tax Areas

Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
2001	3,861 SF	3.3700 AC	04

Stories	Basement	Type	Exterior
2.000000	YES	STANDARD UNIT SIDING	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2013	07/01/2012	07/01/2013
Land	123,700	92,700		
Improvements:	319,900	242,100		
Total:	443,600	334,800	443,600	334,800
Preferential Land:	0			0

Transfer Information

Seller:	NAYLOR ALAN JOHN	Date:	11/15/2000	Price:	\$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/14810/ 00152	Deed2:	
Seller:	NAYLOR ALAN JOHN	Date:	07/27/2000	Price:	\$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/14601/ 00235	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:	Application received
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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: June 25, 2013

SUBJECT: DEPS Comment for Zoning Item # 2013-0283-A
Address 10105 Davis Avenue
(Naylor/ Logue Property)

Zoning Advisory Committee Meeting of June 3, 2013.

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

This property of 3.3 acres is residentially assessed and improved with a dwelling. It is constrained by a Forest Conservation easement and minimal open land for any agricultural purposes. The petitioner indicated that the use of the barn was for a horse, however, the property does not appear to have the minimum of one acre (experts recommend two acres) of fenced pasture land suitable for a horse.

Reviewer: *W.S. Lippincott, Jr. – Agricultural Preservation*

RECEIVED
JUN 25 2013
OFFICE OF ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: June 07, 2013

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

SUBJECT: Zoning Advisory Committee Meeting
For June 10, 2013
Item Nos. 2013- 0273, 0274, 0275,
0276,0277,0279,0281,0282,0283,0284,0285,0286,0287 and 0288.

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

DAK:CEN
Cc: file



KEVIN KAMENETZ
County Executive

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

June 25, 2013

Alan John & Brenda Joan Logue
10105 Davis Avenue
Woodstock MD 21163

RE: Case Number: 2013-0283 A, Address: 10105 Davis Avenue

Dear Mr. & Ms. Logue:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 28, 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, reading "W. Carl Richards, Jr.", is written over a circular official stamp.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Brian Dietz, 7867 Oakdale Avenue, Baltimore MD 21237



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: 6-5-13

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

RE: Baltimore County
Item No. 2013-0283-A.
Administrative Variance
Alan John Naylor &
Brenda Jean Logue
10105 Davis Avenue.

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. 2013-0283-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



BARN
SITE

LOOKING WEST

2013-0283-A



BARN SITE

LOOKING NORTH

2013-0283-A



LOOKING EAST

2013-01-83-0



LOOKING WEST FROM DRIVEWAY 2013-0283-A

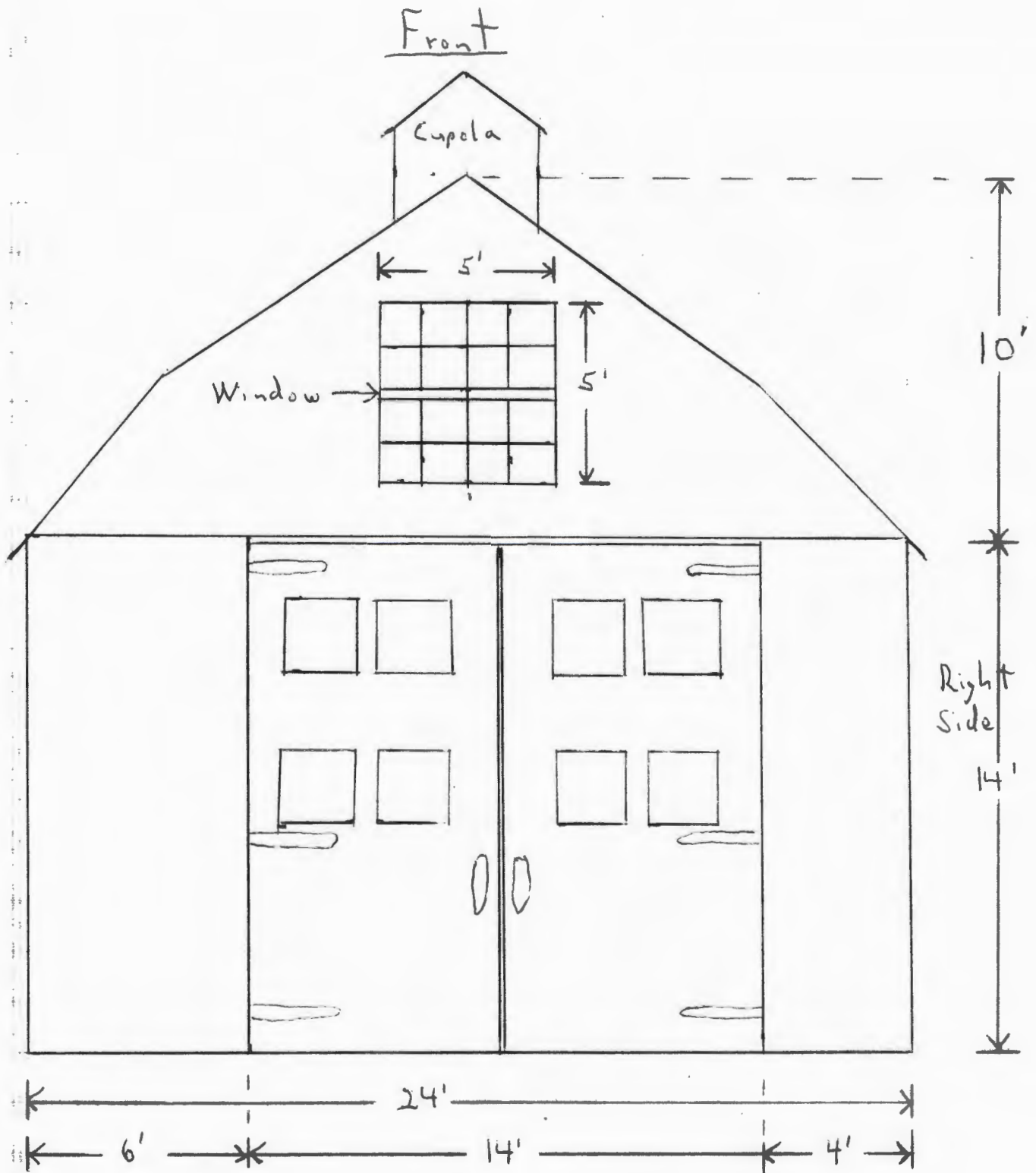
H-29'



2013-0283-A

$\frac{1}{4}'' = 1'$ scale

III

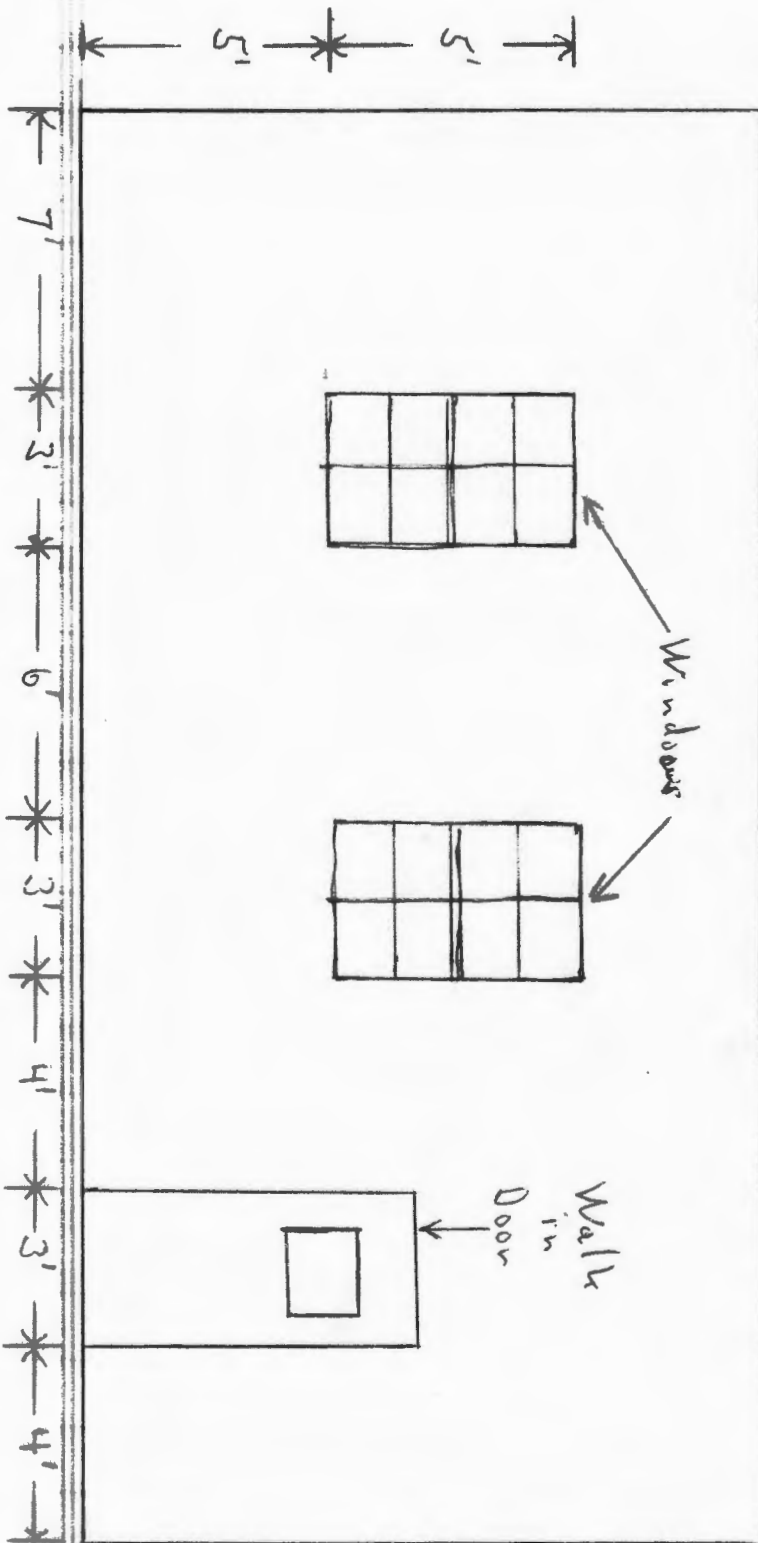


Roll up garage door with electric opener.

2013-0283-A

Left Side

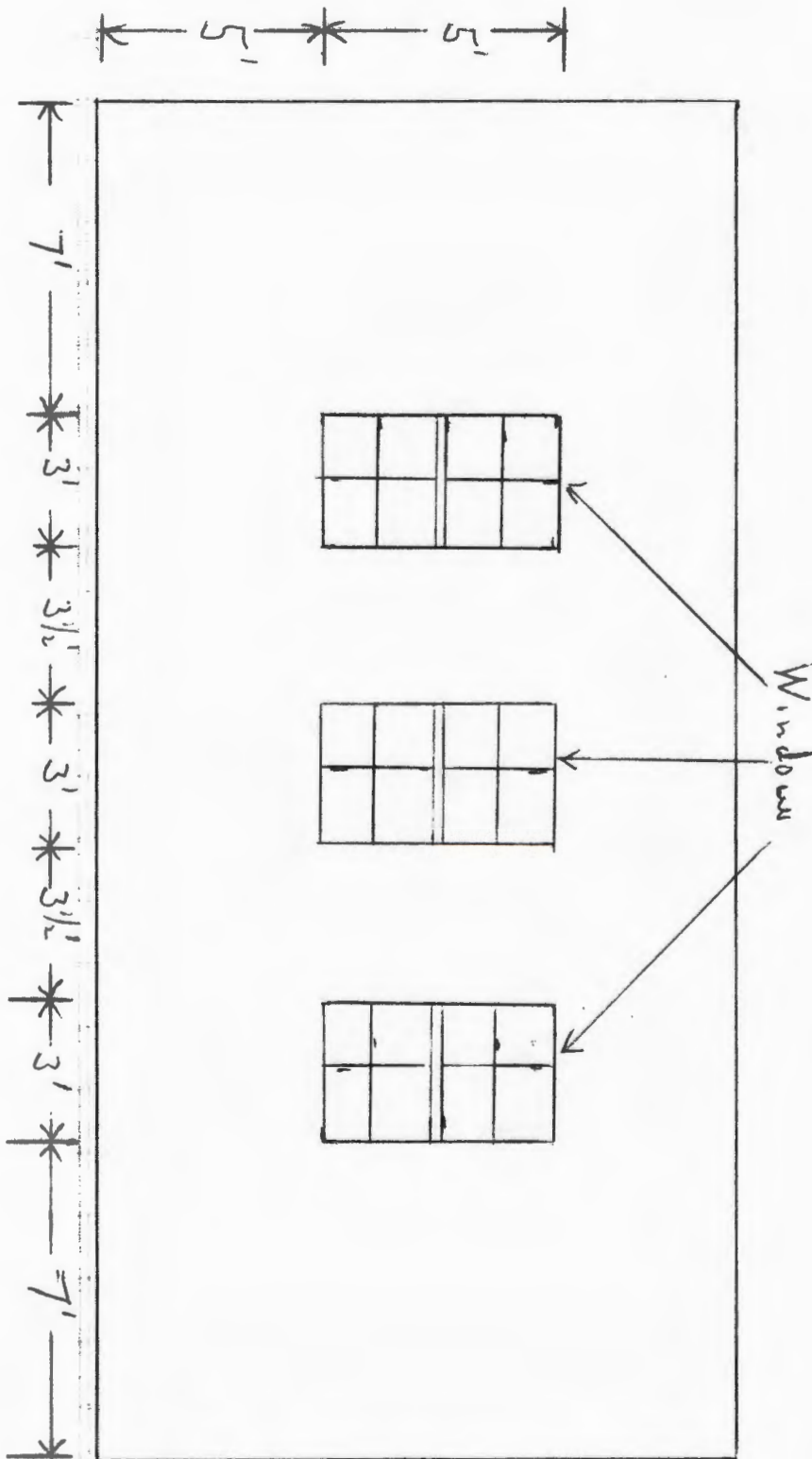
Scale $\frac{1}{4}'' = 1'$



2013-0283.A

Right Side

Scale $\frac{1}{4}" = 1'$



2013-0283-A

$\frac{1}{4}" = 1'$ scale

$30' = 7.5"$

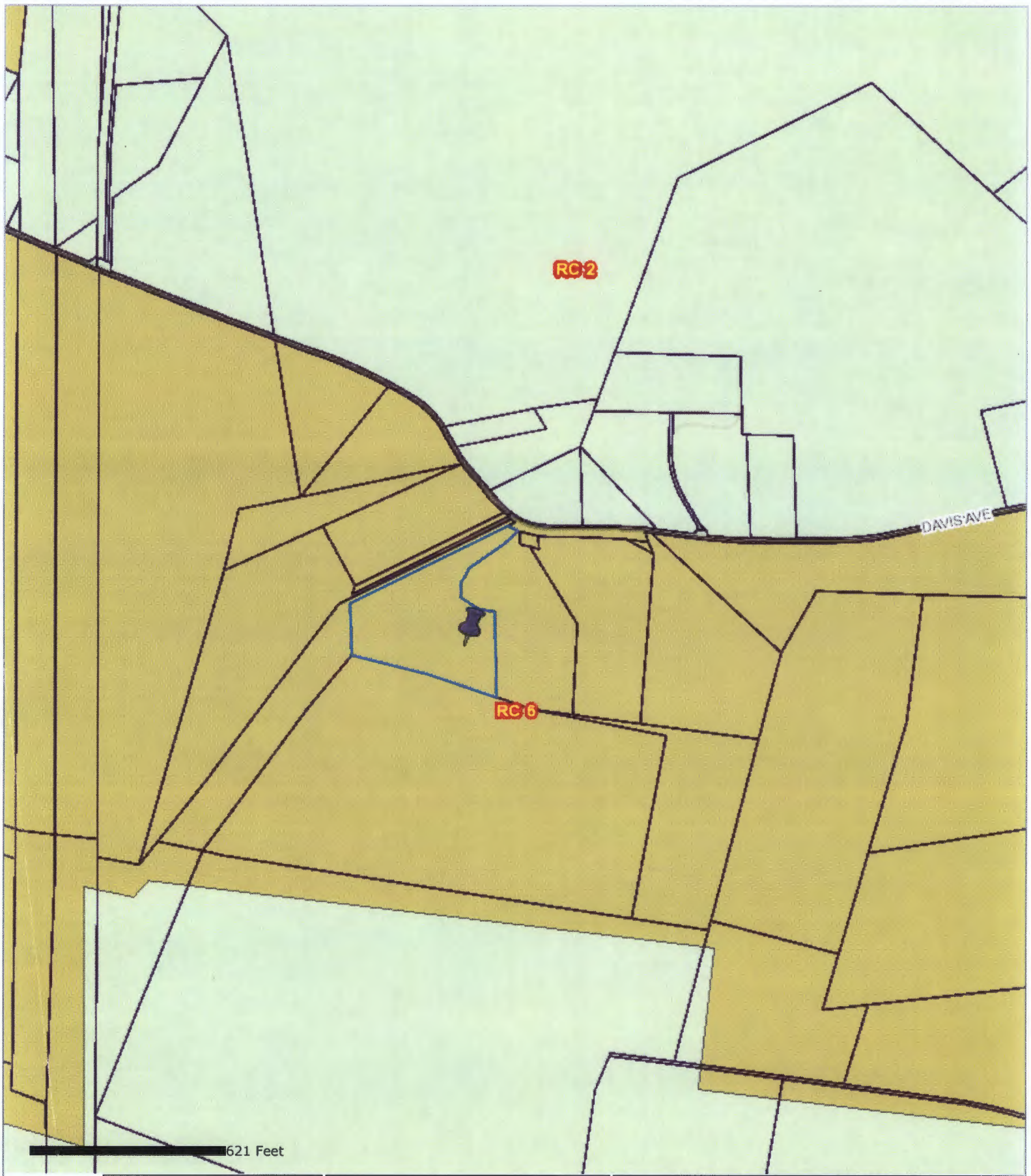
$24' = 6"$

Floor

Concrete floor - 6" thick

30'

24'



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



2013-0283-A

Printed 5/28/2013

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