



KEVIN KAMENETZ
County Executive

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

August 12, 2013

W. Kyle and Paula Gore
631 W. Timonium Road
Lutherville, Maryland 21094

RE: Petitions for Variance
Case No.: 2013-0294-A
Property: 631 W. Timonium Road

Dear Mr. and Mrs. Gore:

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the printed name of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: Harry Geschwilm, 1431 Monkton Road, Monkton, Maryland 21111
Bruce E. Doak, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053

IN RE: PETITION FOR VARIANCE

(631 W. Timonium Road)

8th Election District

3rd Councilman District

W. Kyle & Paula Gore

Legal Owners

Petitioners

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2013-0294-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Bruce E. Doak, on behalf of the legal owners, W. Kyle and Paula Gore. The Variance was filed pursuant to Baltimore County Zoning Regulations ("B.C.Z.R") Sections 400.1 and 400.3: (1) to allow an accessory structure (pool) to be located in the side yard in lieu of the rear yard; and (2) to allow an accessory structure (pool house) to have a height of 19' in lieu of the required 15'. 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 were Paula Gore and Harry Geschwilm. Bruce E. Doak from Bruce E. Doak Consulting, LLC, also appeared in support of the Petition. 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.

Zoning Advisory Committee (ZAC) comments were received from the Department of Environmental Protection and Sustainability (DEPS) dated July 1, 2013 and the Department of Planning (DOP) dated July 2, 2013. Department of Environmental Protection and Sustainability

ORDER RECEIVED FOR FILING

Date

8/12/13

By

Den

indicated that the development of this property must comply with the Forest Conservation Regulations. The Department of Planning does not oppose the requested variance, but noted that the accessory structure should not contain any sleeping quarters, living area, or kitchen facilities and that the accessory building shall not be used for commercial purposes.

Testimony and evidence revealed that the subject property is approximately 6.279 acres and zoned RC 5. The Petitioners are constructing a new home on the lot, and would like to include a pool and pool house on the property. Variance relief is required before they can do so.

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 subject property is large and irregularly shaped, and is thus unique.

If the B.C.Z.R. were strictly enforced, the Petitioner would indeed suffer a practical difficulty, since it would be unable to construct the proposed pool and pool house. 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. This is demonstrated by absence of County and/or community opposition.

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 12th day of August, 2013, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief pursuant to

ORDER RECEIVED FOR FILING

Date

8/12/13

By

Den

Baltimore County Zoning Regulations ("B.C.Z.R") Sections 400.1 and 400.3: (1) to allow an accessory structure (pool) to be located in the side yard in lieu of the rear yard; and (2) to allow an accessory structure (pool house) to have a height of 19' in lieu of the required 15', be and is hereby GRANTED.

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, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- The Petitioners or subsequent owners shall not convert the subject accessory structure (pool house) into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities. The pool house 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: sln

ORDER RECEIVED FOR FILING

Date 8/12/13

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 631 W. TIMONIUM ROAD

which is presently zoned RC5

Deed References: SM 29285/668

10 Digit Tax Account # 1600011397

Property Owner(s) Printed Name(s) W. KYLE GORE & PAULA HORAN GORE

(SELECT THE HEARING(S) BY MARKING ☒ 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)

SEE ATTACHED SHEET

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 PRESENTED AT THE 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

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

BRUCE E. DOAK

BRUCE E. DOAK CONSULTING, LLC

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER 2013-0294-A Filing Date 6/5/13

Do Not Schedule Dates: _____ Reviewer JCM

Additional Sheet to Accompany the Variance Petition on 16 W. Timonium Road

Variances requested:

1. To allow an accessory structure (pool) to be located in the side yard in lieu rear yard per Section 400.1 BCZR
2. To allow an accessory structure (pool house) to have a height of 19 feet in lieu of the required 15 feet per Section 400.3 BCZR

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

Zoning Description

16 West Timonium Road- 6.253 Acres
Eighth Election District Third Councilmanic District
Baltimore County, Maryland

Beginning at a point in West Timonium Road, approximately 500 feet +- easterly of the centerline of May Chapel Road, thence running in the bed of West Timonium Road, the following course and distance, viz 1) North 76 degrees 56 minutes 42 seconds East 130.00 feet, thence leaving West Timonium Road and running on the outlines of the subject property, the seven following courses and distances, viz 2) South 11 degrees 49 minutes 43 seconds East 35.13 feet, 3) North 78 degrees 10 minutes 17 seconds East 96.00 feet, 4) South 08 degrees 45 minutes 29 seconds East 366.09 feet, 5) South 13 degrees 53 minutes 44 seconds East 276.73 feet, 6) South 30 degrees 03 minutes 29 seconds East 341.81 feet, 7) South 80 degrees 23 minutes 43 seconds West 474.69 feet and 8) North 00 degrees 34 minutes 42 seconds East 1004.15 feet to the place of beginning.

Containing 6.253 acres of land, more or less.

This description is part of a zoning hearing petition and is not intended for any conveyance purposes.



Land Use Expert and Surveyor

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 2013-0294-A

Petitioner: W. KYLE GORE & PAULA HORAN GORE

Address or Location: 16 W. TIMONIUM ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: W. KYLE GORE

Address: 16 TREMBLANT COURT LUTHERVILLE MD 21093

Telephone Number: _____

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

CERTIFICATE OF POSTING

July 18, 2013

Re:

Case Number: 2013- 0294-A

Petitioner / Developer: W. Kyle & Paula Gore

Date of Hearing: August 8, 2013

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

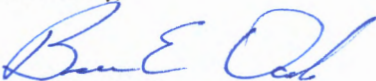
Attention: Kristen Lewis

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 **631 W. Timonium Road**.

The sign(s) were posted on **July 18, 2013**.

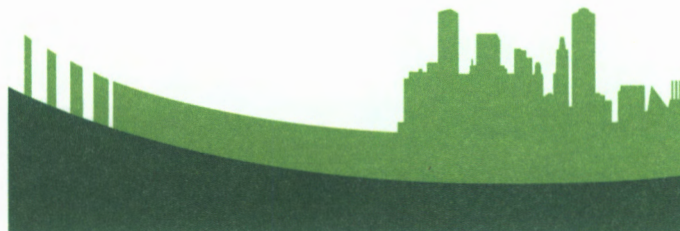
Sincerely,



Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)



Land Use Expert and Surveyor

ZONING NOTICE

CASE NO. 2013-0294-A

**A PUBLIC HEARING WILL BE HELD BY
THE ADMINISTRATIVE LAW JUDGE IN
TOWSON MARYLAND**

**PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MD 21204**

DATE&TIME: Thursday August 8, 2013 2:30 PM

**REQUEST: VARIANCE TO ALLOW AN ACCESSORY
STRUCTURE (POOL) TO BE LOCATED IN THE SIDE
YARD IN LIEU OF THE REAR YARD AND TO ALLOW
AN ACCESSORY STRUCTURE (POOL HOUSE) TO
HAVE A HEIGHT OF 19 FEET IN LIEU OF THE
REQUIRED 15 FEET.**

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-527-2395.

DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW.

THE HEARING IS UNADVERTISED AND OPEN TO THE PUBLIC

RATCLIFFE
ARCHITECTS

ZONING NOTICE
CASE NO. 2013-0284-A
A PUBLIC HEARING WILL BE HELD BY
THE ADMINISTRATIVE LAW JUDGE IN
TOWSON, MARYLAND
PLACE: Room 309 Jefferson Building
105 SE CRAWFORD AVENUE
TOWSON, MD 21204
DATES/TIME: Thursday August 8, 2013 2:30 PM
REGULATORY: VARIANCE TO ALLOW AN ACCESSORY
STRUCTURE (POOL) TO BE LOCATED IN THE SIDE
YARD IN REU OF THE MARKET YARD AND THE SIDE
HAVE A VARIANCE FROM THE ZONING CODE TO ALLOW
RESIDENTS TO USE THE SIDE YARD FOR A HOUSEHOLD
POOL.





THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

July 18, 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 July 18, 2013

☐ The Jeffersonian

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: #2013-0294-A

631 W. Timonium Road
W/s of West Timonium Road, 500 ft. E/of centerline of Mays Chapel Road
8th Election District - 3rd Councilmanic District
Legal Owner(s): W. Kyle & Paula Gore

Variance: to allow accessory structure (pool) to be located in the side yard in lieu of the rear yard and to allow an accessory structure (pool house) to have a height of 19 ft. in lieu of the required 15 feet

Weeks.
in this County, once in each of three (3) successive
copy of this Notice be inserted in some Newspaper publish-
notice, unless cause to the contrary be shown, provided a
affirmed and confirmed thirty (30) days from the date of this
cedings 7262 Bridgewood Drive, Baltimore, MD 21224 be
anner for the sale of the property described in these pro-



KEVIN KAMENETZ
County Executive

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

July 8, 2013

NOTICE OF ZONING HEARING

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CASE NUMBER: 2013-0294-A

631 W. Timonium Road

W/s of West Timonium Road, 500 ft. E/of centerline of Mays Chapel Road

8th Election District – 3rd Councilmanic District

Legal Owners: W. Kyle & Paula Gore

Variance to allow accessory structure (pool) to be located in the side yard in lieu of the rear yard and to allow an accessory structure (pool house) to have a height of 19 ft. in lieu of the required 15 feet.

Hearing: Thursday, August 8, 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. Gore, 16 Tremblant Court, Lutherville 21093
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JULY 19, 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, July 18, 2013 Issue - Jeffersonian

Please forward billing to:

Bruce Doak
Bruce E. Doak Consulting
3801 Baker Schoolhouse Road
Freeland, MD 21053

410-419-4906

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2013-0294-A

631 W. Timonium Road

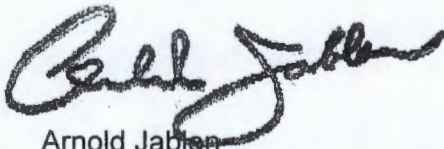
W/s of West Timonium Road, 500 ft. E/of centerline of Mays Chapel Road

8th Election District – 3rd Councilmanic District

Legal Owners: W. Kyle & Paula Gore

Variance to allow accessory structure (pool) to be located in the side yard in lieu of the rear yard and to allow an accessory structure (pool house) to have a height of 19 ft. in lieu of the required 15 feet.

Hearing: Thursday, August 8, 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 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: September 12, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0294-A - Appeal Period Expired

The appeal period for the above-referenced case expired on September 11, 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	*	BEFORE THE OFFICE
631 W Timonium Road, W/S West Timonium	*	OF ADMINSTRATIVE
Road, 500' E of c/line Mays Chapel Road	*	HEARINGS FOR
8 th Election & 3 rd Councilmanic Districts	*	BALTIMORE COUNTY
Legal Owner(s): W. Kyle & Paula Gore	*	2013-294-A
Petitioner(s)	*	

* * * * *

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

JUN 13 2013

.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of June, 2013, a copy of the foregoing Entry of Appearance was mailed to Bruce Doak, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

818
230CASE NO. 2013-0294-ACHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>6/17/13</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>No Comment</u>
<u>7/1/13</u>	DEPS (if not received, date e-mail sent _____)	<u>Comment</u>
	FIRE DEPARTMENT	
<u>7/2/13</u>	PLANNING (if not received, date e-mail sent _____)	<u>Comment</u>
<u>6/17/13</u>	STATE HIGHWAY ADMINISTRATION	<u>No Obj</u>
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>7/18/13</u>	
SIGN POSTING	Date: <u>7/18/13</u> by <u>Doak</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: June 17, 2013

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

SUBJECT: Zoning Advisory Committee Meeting
For June 17, 2013
Item Nos. 2013- 0290,0291,0292,0293,0294 and 0297.

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: July 2, 2013

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 631 W. Timonium Road

RECEIVED

INFORMATION:

JUL 03 2013

Item Number: 13-294

Petitioner: W. Kyle Gore and Paula Horan Gore

OFFICE OF ADMINISTRATIVE HEARINGS

Zoning: RC 5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner is requesting a variance from Sections 400.1 and 400.3 of the BCZR to allow an accessory structure (pool) to be located in the side yard in lieu of the required rear yard and to allow an accessory structure (pool house) to have a height of 19 feet in lieu of the maximum permitted 15 feet in height.

The Department of Planning does not oppose the requested variances, provided that the following conditions are met.

1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, or kitchen facilities.
2. The accessory building shall not be used for commercial purposes.

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

JUL 02 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: July 1, 2013

SUBJECT: DEPS Comment for Zoning Item # 2013-0294-A
Address 631 West Timonium Road
(Gore Property)

Zoning Advisory Committee Meeting of June 10, 2013.

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

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:

A Single Lot Declaration of Intent must be filed with EPS prior to issuance of any permit.

\

Reviewer: *Glenn Shaffer - Environmental Impact Review (EIR)*



KEVIN KAMENETZ
County Executive

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

July 31, 2013

W. Kyle & Paula Horan Gore
16 Tremblant Court
Lutherville MD 21093

RE: Case Number: 2013-0294 A, Address: 631 W. Timonium Road

Dear Mr. & Ms. Gore:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 5, 2013. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, 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
Bruce E. Doak, Bruce E. Doak Consulting LLC, 3801 Baker Schoolhouse Road, Freeland MD 21053

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 6-17-13

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

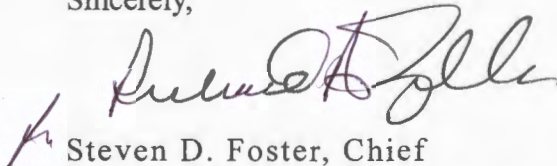
RE: Baltimore County
Item No 2013-0294-A
Variance
W. Kyle & Paula Gore
631 Timonium Road

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2013-0294-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

8/8 230

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

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

Account Identifier:

District - 08 Account Number - 1600011347

Owner Information

<u>Owner Name:</u>	GORE W KYLE GORE PAULA HORAN	<u>Use:</u>	RESIDENTIAL
<u>Mailing Address:</u>	16 TREMBLANT CT LUTHERVILLE TIMONIUM MD 21093-3766	<u>Principal Residence:</u>	NO
		<u>Deed Reference:</u>	1) /24285/ 00668 2)

Location & Structure InformationPremises Address

631 W TIMONIUM RD
TIMONIUM 21093-0000

Legal Description

6.253 AC
631 W TIMONIUM RD SS
1000FT E MAYS CHPL RD

<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> <u>Plat Ref:</u>
0060	0009	0037		0000				2	

Special Tax Areas

Town NONE
Ad Valorem
Tax Class

Primary Structure BuiltEnclosed AreaProperty Land AreaCounty Use

6.2500 AC

04

<u>Stories</u>	<u>Basement</u>	<u>Type</u>	<u>Exterior</u>
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Value Information

	<u>Base Value</u>	<u>Value</u>	<u>Phase-in Assessments</u>	
		As Of	As Of	As Of
		01/01/2011	07/01/2012	07/01/2013
<u>Land</u>	658,120	585,000		
<u>Improvements:</u>	0	0		
<u>Total:</u>	658,120	585,000	585,000	585,000
<u>Preferential Land:</u>	0			0

Transfer Information

<u>Seller:</u>	BRANAMEN KENNETH W	<u>Date:</u>	08/10/2006	<u>Price:</u>	\$1,175,000
<u>Type:</u>	NON-ARMS LENGTH OTHER	<u>Deed1:</u>	/24285/ 00668	<u>Deed2:</u>	
<u>Seller:</u>	SNIDER WALTER DARRELL	<u>Date:</u>	06/10/1980	<u>Price:</u>	\$150,000
<u>Type:</u>	ARMS LENGTH IMPROVED	<u>Deed1:</u>	/06172/ 00775	<u>Deed2:</u>	
<u>Seller:</u>		<u>Date:</u>		<u>Price:</u>	
<u>Type:</u>		<u>Deed1:</u>		<u>Deed2:</u>	

Exemption Information

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

Tax Exempt:Special Tax Recapture:Exempt Class:

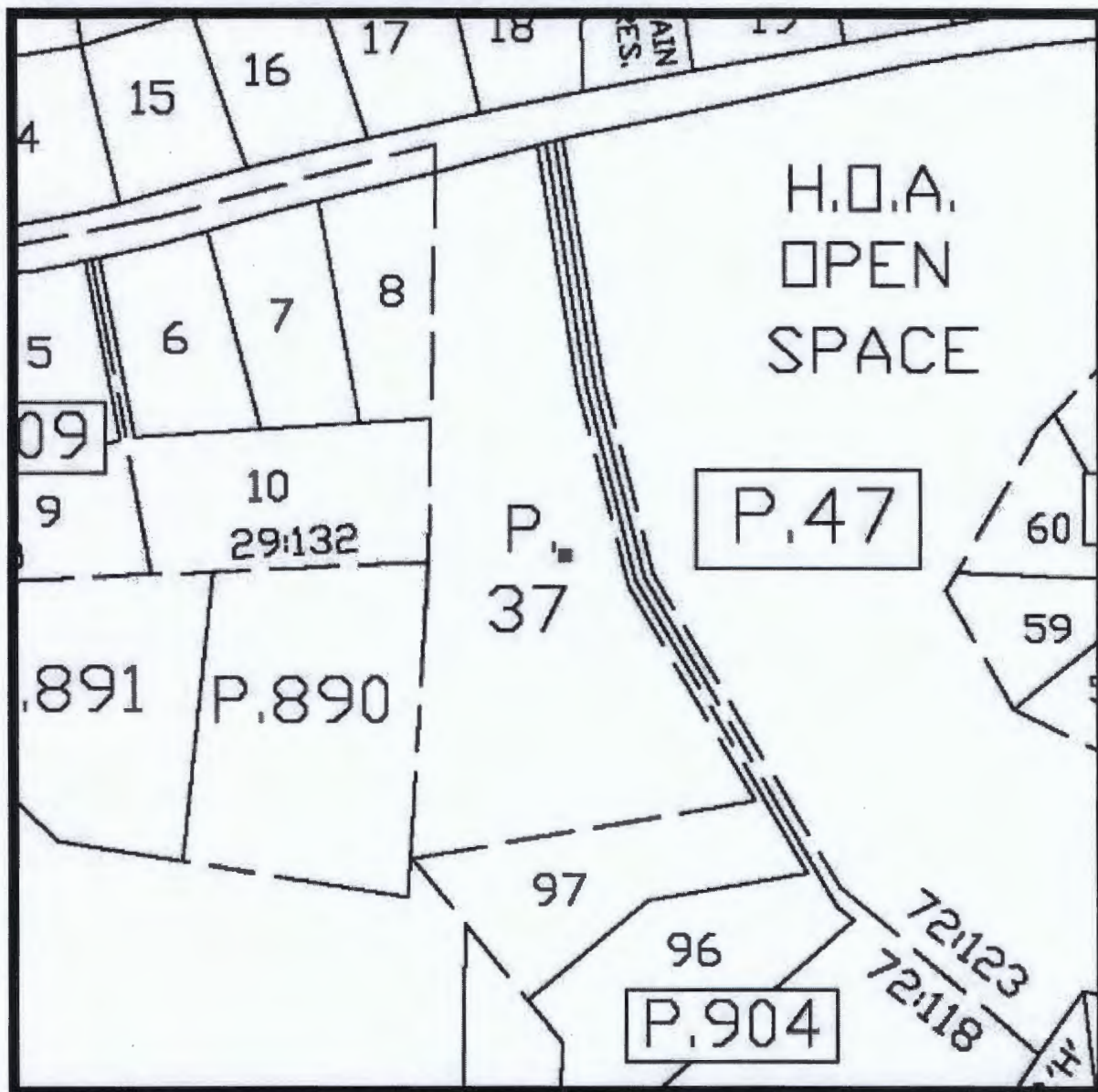
NONE

Homestead Application InformationHomestead Application Status:

No Application

	Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search	Go Back View Map New Search
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District - 08 **Account Number - 1600011347**

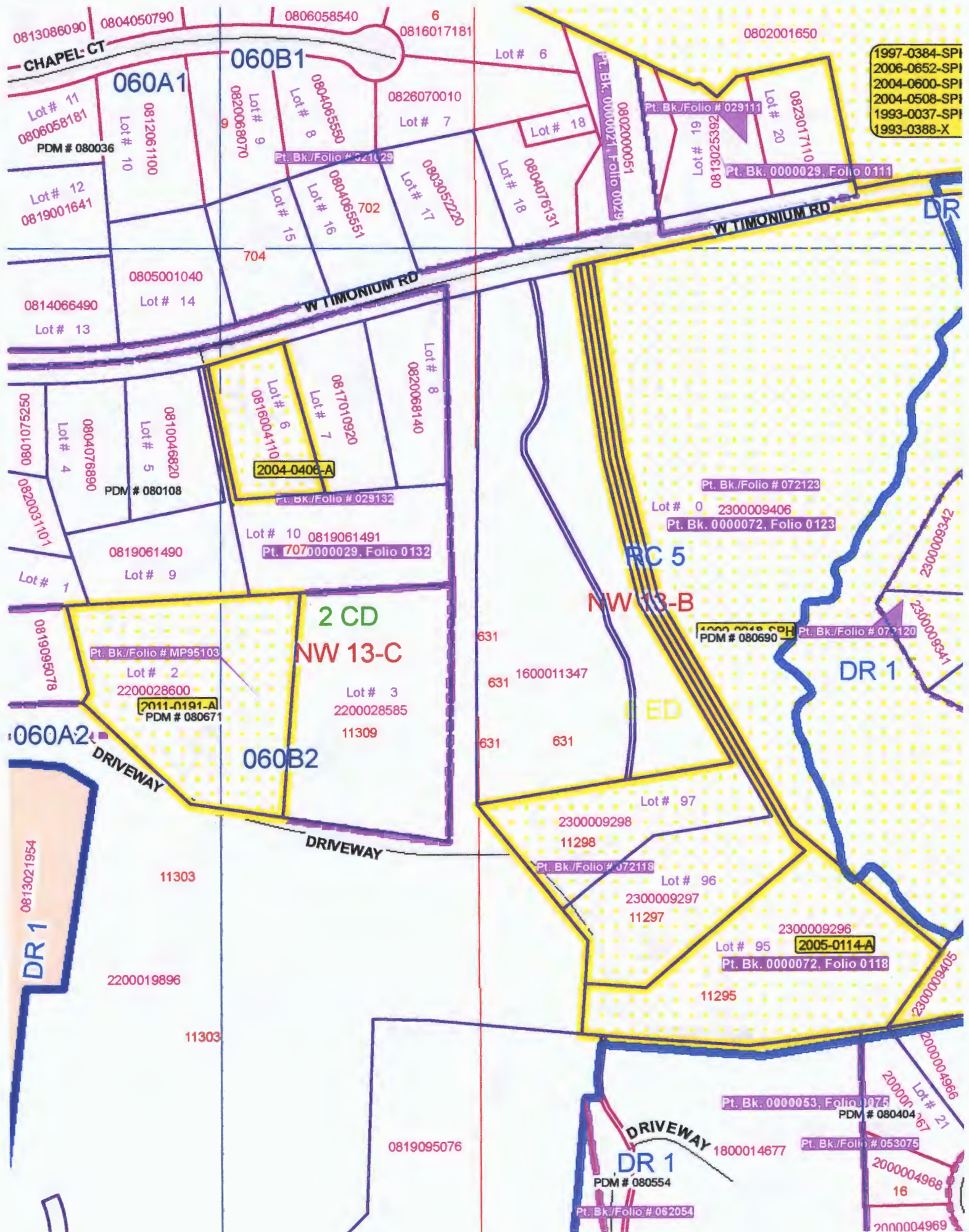


The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

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.

CASE NAME GORE PROPERTY
CASE NUMBER 2013-0294 A
DATE 8/08/13

[illegible]



JB 8/8
2:30
PM

Case No.: 2013-0294-A

Exhibit Sheet

Petitioner/Developer

DW
9-12-13

Protestant

SLN
8-12-13

No. 1	Site plan	
No. 2	Aerial - My Neighborhood Map	
No. 3	Bing Map - Aerial	
No. 4	Plan w/ Photographs	
No. 5	Color photos SA-SE	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



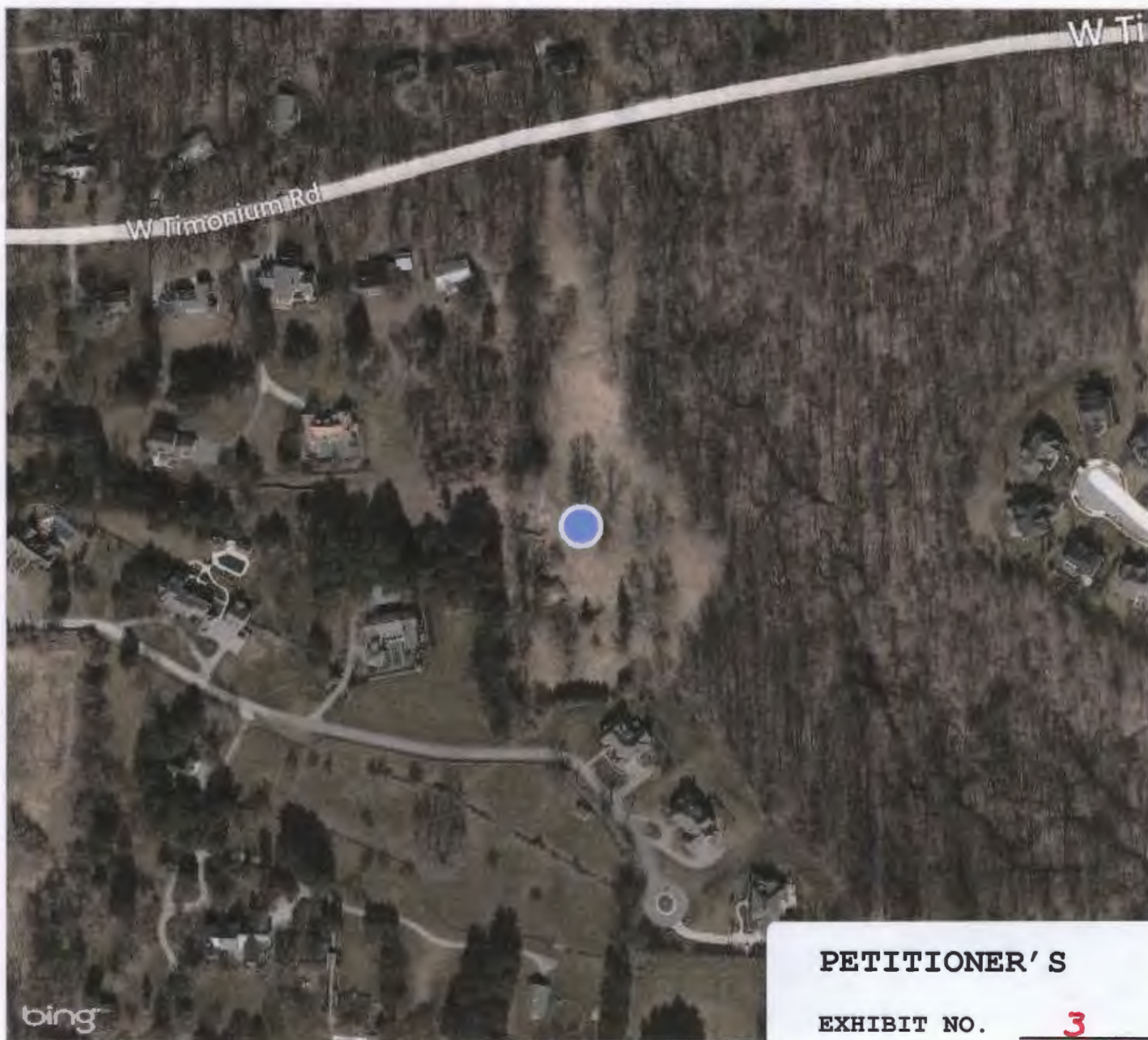
PETITIONER'S

EXHIBIT NO. 2

This map is provided for informational purposes only. It may be used for informational purposes only. It does not constitute a warranty or any other form of assurance. Baltimore County, Maryland, is not responsible for any errors or omissions. The user assumes all liability for any use of this data.

bing Maps**631 W Timonium Rd, Lutherville Timonium, MD
21093**

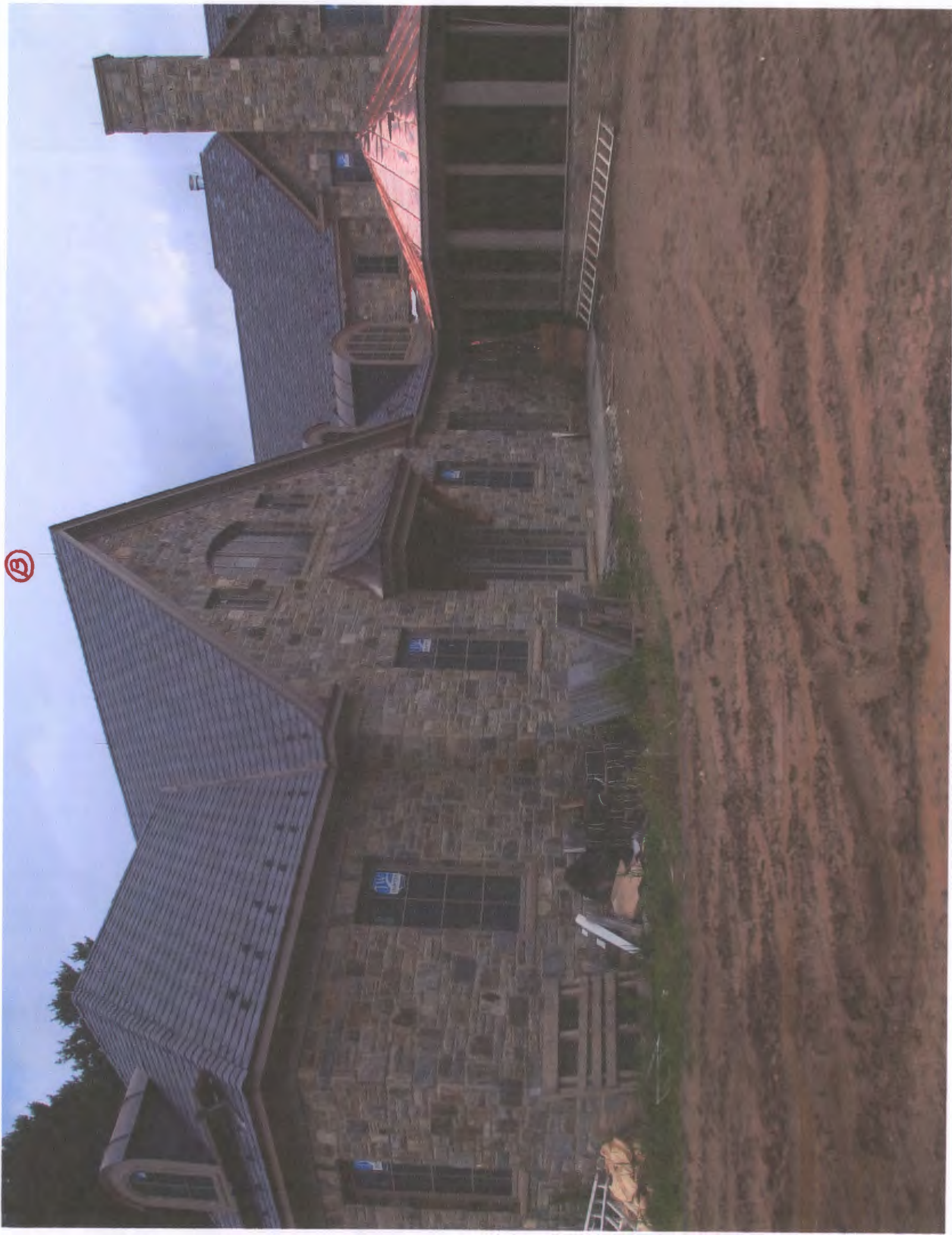
Aerial showing the Gore property

On the go? Use **m.bing.com** to find maps,
directions, businesses, and more**PETITIONER' S****EXHIBIT NO. 3**

(A)

PETITIONER' S

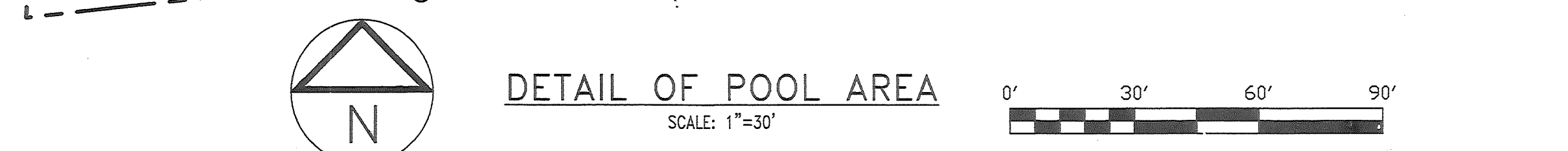
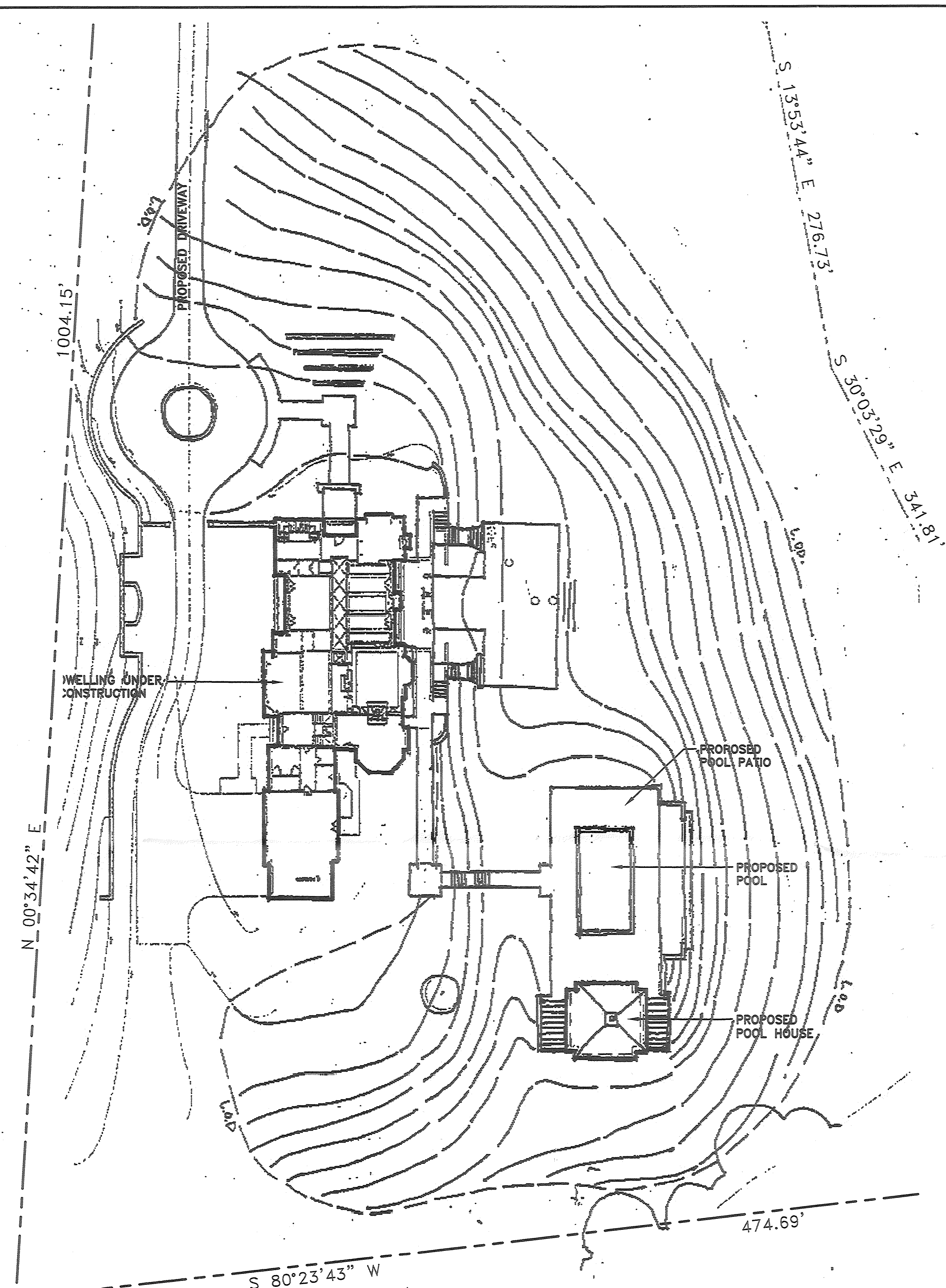
EXHIBIT NO. 5 A-E







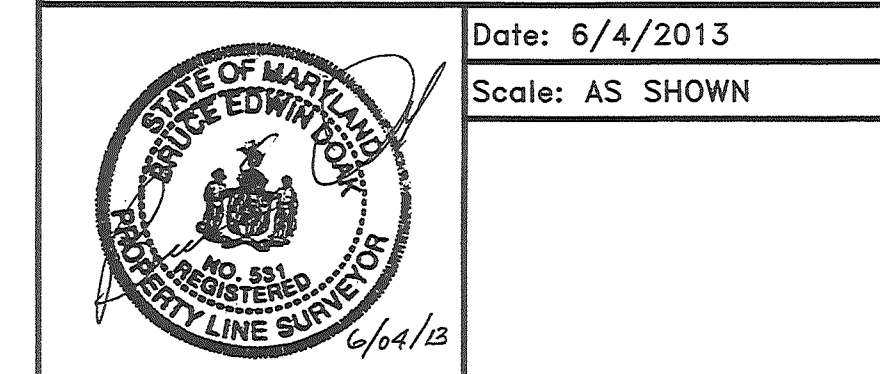
13

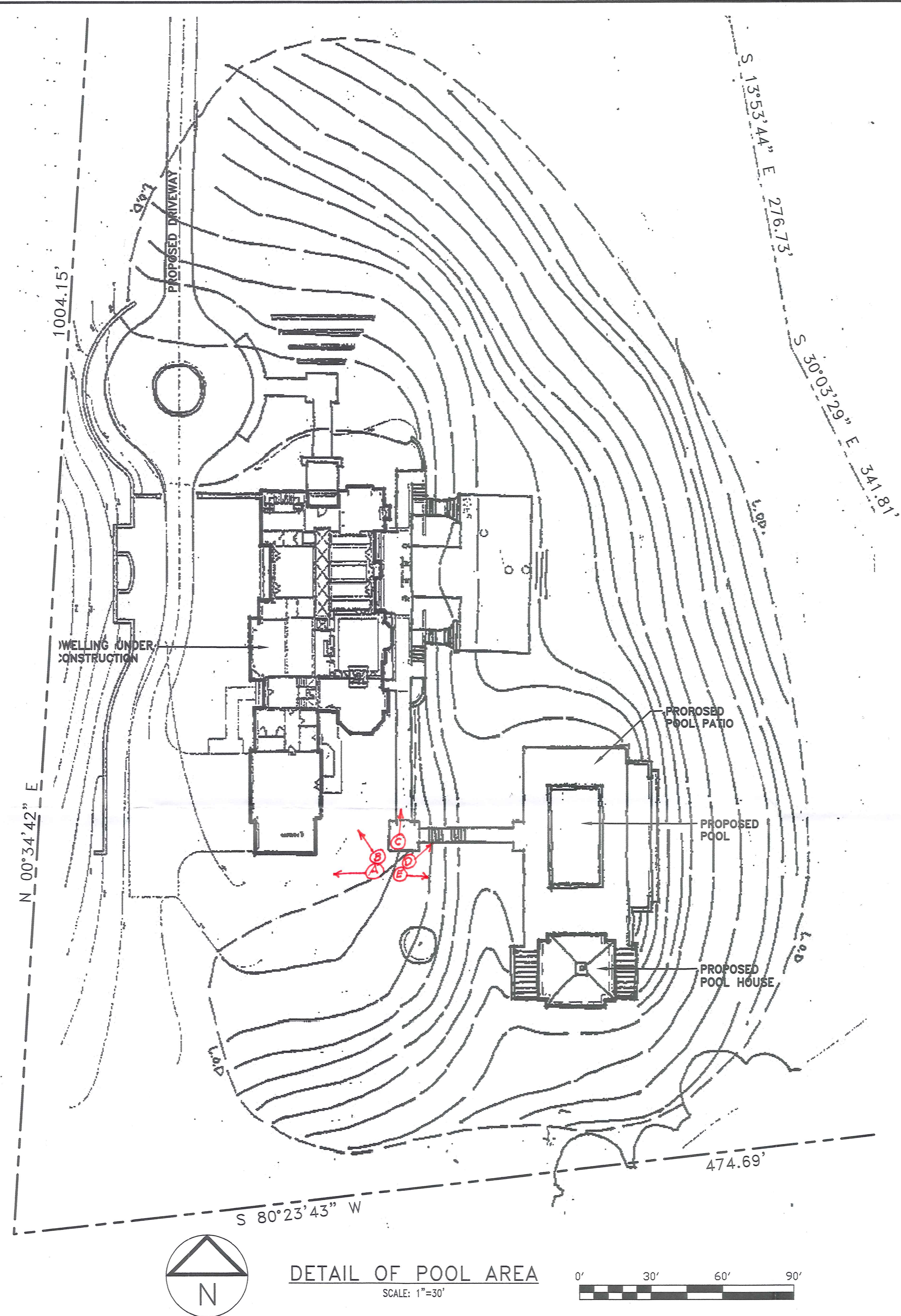


Front: 150 feet from the centerline of a collector street or road
Side / Rear: 50 feet from any lot line other than a street line

- 1) To allow an accessory structure (pool) to be located in the side yard in lieu of the required rear yard per Section 400.1 BCZR
- 2) To allow an accessory structure (pool house) to have a height of 19 feet in lieu of the required 15 feet per Section 400.3 BCZR

A pool and a pool house for the residential use of the owners.





R.C. 5 SETBACKS FOR RESIDENTIAL SINGLE FAMILY DWELLINGS

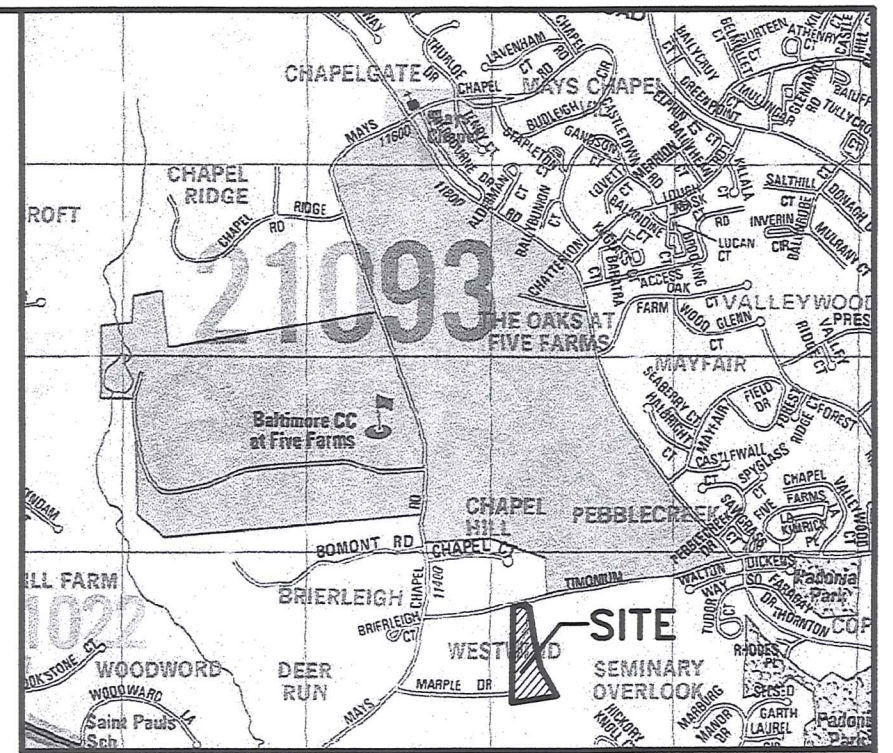
Front: 150 feet from the centerline of a collector street or road
Side / Rear: 50 feet from any lot line other than a street line

VARIANCES REQUESTED

- 1) To allow an accessory structure (pool) to be located in the side yard in lieu of the required rear yard per Section 400.1 BCZR
- 2) To allow an accessory structure (pool house) to have a height of 19 feet in lieu of the required 15 feet per Section 400.3 BCZR

PROPOSED CONSTRUCTION AND USE

A pool and a pool house for the residential use of the owners.



GENERAL NOTES

1. Ownership: W. Kyle Gore & Paula Horan Gore
2. Address: 631 West Timonium Road
3. Deed references: SM 24285 / 668
4. Tax Map / Parcel / Tax account #: 60 / 37 / 16-00-011347 (6.279 acres)
5. Zoning: R.C. 5. Zoning Map 060B2
6. There are no previous zoning cases on the subject property
7. The boundary shown hereon is from deeds recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tiles 060B2 and the information provided by Baltimore County on the internet.
8. Improvements: Single family dwelling
9. The existing dwelling is currently serviced by a private well and septic system.
10. There are no historic structures on the subject property. The property is not in a historic district.
11. There are no underground storage tanks on the subject property.
12. The subject property is not in the Chesapeake Bay Critical Area
13. The subject property is not located within a 100 year flood plain

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-6635 m 410-419-4906
bdoak@bruceedoakconsulting.com

DRAFTED BY: **Tesseract**
Tesseract Sites, Inc.
401 Washington Ave., Suite 303
Towson, Maryland, 21204 P. 410-351-7688 F. 410-351-7688

PLAN TO ACCOMPANY A
ZONING PETITION
Plan to Accompany Photographs
631 WEST TIMONIUM ROAD
8th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Date: 6/4/2013
Scale: AS SHOWN



PETITIONER'S

EXHIBIT NO. 1