IN RE: PETITION FOR ADMIN. VARIANCE

(613 Hastings Road)

9th Election District

5th Councilmanic District

Richard J. and Mary Lynne Veltman

Petitioners

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2014-0095-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, Richard J. and Mary Lynne Veltman. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a proposed detached accessory structure (garage) to have a height of 19.5 ft. in lieu of the maximum allowed 15 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on October 24, 2013, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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,

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Date	11-14-13	
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By	10m	

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 garage height and usage, I will impose conditions that the garage 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.

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 <u>14th</u> day of November, 2013, that a Variance from Section 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a proposed detached accessory structure (garage) to have a height of 19.5 ft. in lieu of the maximum allowed 15 ft., be and is hereby GRANTED, 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.
- The Petitioners or subsequent owners shall not convert the subject garage into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
- 3. The garage shall not be used for commercial purposes.

ORDER	RECEIVED FOR FILING
Date	11-14-13
Bv	190

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

LAWRENCE M. STAHI
Managing Administrative Law Judge
for Baltimore County

LMS:dlw

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ORDER	RECEIVED	FOR	FILING

Date	11-14-13	
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KEVIN KAMENETZ County Executive

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

November 14, 2013

Richard J. Veltman Mary Lynne Veltman 613 Hastings Road Baltimore, Maryland 21286-7826

RE: PETITION FOR ADMINISTRATIVE VARIANCE

(613 Hastings Road) Case No. 2014-0095-A

Dear Mr. and Mrs. Veltman:

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 Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Very truly yours,

LAWRENCE M. STAHL

Managing Administrative Law Judge

for Baltimore County

LMS:dlw Enclosure

ADMINISTRATIVE ZONING PETITION FOR ADMINIST VE VARIANCE - OR - ADMINISTRAT 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 613 HASTINGS ROAD which is presently zoned DR 5.5 06360100764 10 Digit Tax Account # 0 9 Deed Reference MARY LYNNE VELTMA Property Owner(s) Printed Name(s) RICHARD (SELECT THE HEARING(S) BY MARKING X 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 / notanzed. 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. X ADMINISTRATIVE VARIANCE from section(s) 400.3 - to permit a proposed detached accessory structure (garage) to have a height of 191/2 feet in lieu of the maximum allowed 15 Feet of the zoning regulations of Baltimore County, to the zoning law of Baltimore County. 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, after 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: Legal Owners: RICHARD J. YELTHAN MARY LYNNE VELTINA Name-Type or Print Signature Mailing Address City State 410-821-6263, VELTMANIQUEMERS Zip Code Telephone # Email Addre Email Address Attorney for Petitioner: ER FECEIVED FOR FILING Representative to be contacted: Name-Type or Print Name - Type or Print Signature Signature Mailing Addres State Mailing Address State City

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.

Zip Code

Administrative Law Judge of Baltimore County

CASE NUMBER 2014-0095-A Filing Date 10, 16, 13 E

Email Address

Zip Code

elephone #

Estimated Posting Date 10, 27, 13

Telephone #

Reviewer_

Email Address

KDD

ATTIGAVIT IN Support of aministrative 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 purchase, reside at the existing dwelling on			t, who will, upon
Address: 613 HASTINGS ROAD	TOWSON	MARYLAND	21286
Print or Type Address of property	City	State	Zip Code
Based upon personal knowledge, the follow Administrative Variance at the above addre			
We are seeking a variance from increase the height from 15' to 19.5'. The house at 613 Hastings Road was being only 2'x3'. If the petition is apparation above the garage. As currently planned, the garage bays. If the height of the garage is linguished clearance at the centerline, with that he centerline due to the pitch of the roof. closet.	The basic reason is built in 1948 with a proved, we will buil ge will have a 9.5' conited to 15', the upsite light rapidly diministration.	that we need the storage stotal of 5 closets, with each dalarge walk-in cedar closeiling height in the parking tairs will have about 4' of ishing to the sides of the	space. ch oset
If the height is increased to 19 that is 2' wide at the centerline, with the roof. At the point where the sides providing a total width of 8' at that he	the sidewalls sloping valls are 5' high, the eight of 5'.	g downwardly along the p	itch of vn,
Signature of Affiant	Sig	nature of Affiant	
RICHARD VEITMAN	Υ	nary hynne Ve House	•
Name- Print or Type		me- Print or Type	1000
The following information is to be	completed by a Nota	ry Public of the State of M	atyland
STATE OF MARYLAND, COUNTY OF BA	011	= 3: 8/10	A ANAMA
I HEREBY CERTIFY, this day of and for the County aforesaid, personally appea		20/3, beforevire a Not	ary of Maryland, in
Richard rela	tnaw	77111111	
the Affiant(s) herein, personally known or satisf	actorily identified to	me as such Amant(s) (Pr	int name(s) here)
AS WITNESS my hand and Notaries Seal	Cathles &	1. Buchasan)

My Commission Expires Item #0095 REV. 10/12/11

PART A:

ZONING PROPERTY DESCRIPTION FOR 613 HASTINGS ROAD, TOWSON, MD

Beginning at a point on the south side of Hastings Road which is 40 feet wide at the distance of 393 feet west of the centerline of Coventry Road which is 40 feet wide.

PART B:

Being Lot #44, Section 3 in the subdivision of Wiltondale as recorded in Baltimore County Plat Book L.MCL.H. No. 10, Folio 124 containing 9316 square feet. Located in the 9th Election District and 5th Council District.

Item # 0095

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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. <u>For those petitions which require a public hearing</u>, 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: 2014-0095-A
Petitioner: RICHARD VELTMAN
Address or Location: 613 HASTINGS ROAD, TO WSON, NO 21286
PLEASE FORWARD ADVERTISING BILL TO:
Name: RICHARD VELTMAN
Address: 613 HASTINGS ROAD
TOWSON, MD 2,286
Telephone Number: (443) 831-5393

OFFICE	E OF BUD	OGET AN	IARYLANI D FINANC RECEIPT	E	Sub Rev/	No. Date:		648	PAID RECEIPT RIGINESS ACTUAL TIME 10/16/2013 10/16/2013 10/24-38 AGE WSO4 WALKIN SHIL SAH > RECEIPT # 576794 10/16/2013 IF Bopt 5 528 ZONING VERIFICATION
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CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 10/23/2013

Case Number: 2014-0095-A

Petitioner / Developer: RICHARD VELTMAN

Date of Hearing (Closing): NOVEMBER 11, 2013

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 613 HASTINGS ROAD

The sign(s) were posted on: OCTOBER 24, 2013



Linda O Keefe (Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane

(Street Address of Sign Poster)

Hunt Valley, Maryland 21030

(City, State, Zip of Sign Poster)

410 - 666 - 5366

(Telephone Number of Sign Poster)

MEMORANDUM

DATE:

December 18, 2013

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2014-0095-A - Appeal Period Expired

The appeal period for the above-referenced case expired on December 16, 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

CASE NO. 2013- 5095-A

CHECKLIST

Comment Received	<u>Department</u>	Support/Oppose/ Conditions/ Comments/ No Comment
16-23	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	NC
	DEPS (if not received, date e-mail sent)	
-	FIRE DEPARTMENT	
	PLANNING (if not received, date e-mail sent)	
10-22	STATE HIGHWAY ADMINISTRATION	No direction
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLAT	TION (Case No	
PRIOR ZONING	(Case No	
NEWSPAPER AD	VERTISEMENT Date:	
SIGN POSTING	Date: 10 -24-13	by O'Keefe
PEOPLE'S COUN	SEL APPEARANCE Yes No	
PEOPLE'S COUN	SEL COMMENT LETTER Yes No	
Comments, if any:		



KEVIN KAMENETZ County Executive ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

November 13, 2013

Richard J. & Mary Lynne Veltman 613 Hastings Road Towson MD 21286

RE: Case Number: 2014-0095 A, Address: 613 Hastings Road

Dear Mr. & Ms. Veltman:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on October 16, 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,

U. Carl Richal &

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel



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

James T. Smith, Jr., Secretary Melinda B. Peters, Administrator

Date: 10-22-13

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

RE: **Baltimore County**

Item No 2014-0095-A. Administrature Harrance

Richard F. = Mary Lynne Vettman 613 Hastings 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. 2014-0095-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,

Development Manager

Access Management Division

SDF/raz

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: October 23, 2013

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 28, 2013

Item No. 2014-0087, 0091, 0092, 0093, 0095, 0096, 0098 and 0099

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

DAK:CEN Cc: file

G:\DevPlanRev\ZAC -No Comments\ZAC10282013 -.doc

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number 2014-	00 95	-A Ad	dress 613	Hastings Rd			
Conta	ct Person:	Dav Planner, Pl	ease Print Your Name		Phone Number: 410-887-3391 Closing Date:			
Filing	Date: 10/1	6/13	Posting [Date: 10/27	Closing Date: 11/11			
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2.	a formal requ	est for a pul	olic hearing. P	lease understar	ant or owner within 1,000 feet to file and that even if there is no formal the closing date.			
3.	commissioner order that the within 10 day	. He may: (matter be set is of the close etition has be	a) grant the red in for a public he sing date if all en granted, der	quested relief; (t learing. You will County agencie	d by the zoning or deputy zoning o) deny the requested relief; or (c) receive written notification, usually es' comments are received, as to public hearing. The order will be			
4.	commissioner changed givin), notification g notice of the	will be forward e hearing date,	ded to you. T time and locatio	es that must go to a public hearing or of the zoning or deputy zoning he sign on the property must be n. As when the sign was originally altered sign must be forwarded to			
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Case Number 2014- 0095 -A Address 613 Hastings Rd								
Petitioner's Name Richard Veltman Telephone 443 831 5393								
Posting Date: 10/27/13 Closing Date: 11/13								
Wording for Sign: To Permit a proposed detached accessory structure								
((garage) to have a height of 191/2 feet in lieu of the							
	maximum allowed 15 feet							

Real Property Data Search (w1)

Search Result for BALTIMORE COUNTY

Searcn Heip

View Map	View GroundRent F	-		View GroundRent Registration				
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	Loc	ation & Str	ucture Info	rmation				
Premises Address:	613 HASTING 0-0000	GS RD		Legal D	escription:	569 S AIN WILTON	TREE RD DALE	
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New Search

Baltimore County

District: 09 Account Number: 0923156820



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

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

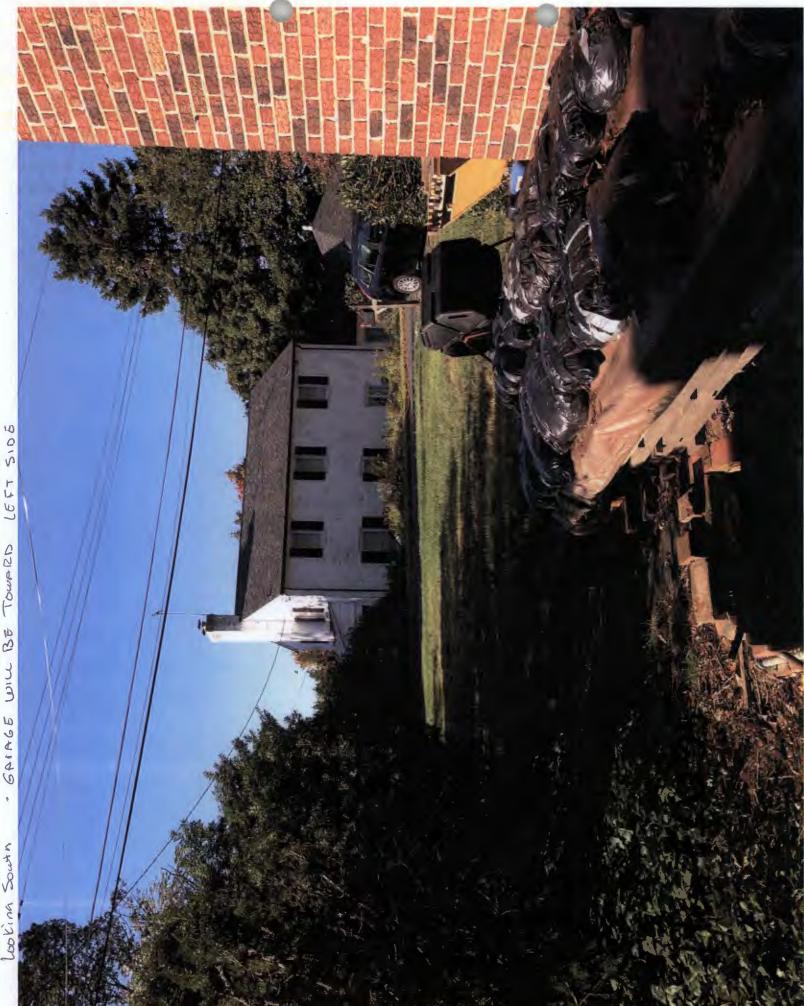
Property maps provided courtesy of the Maryland Department of Planning ©2011.

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

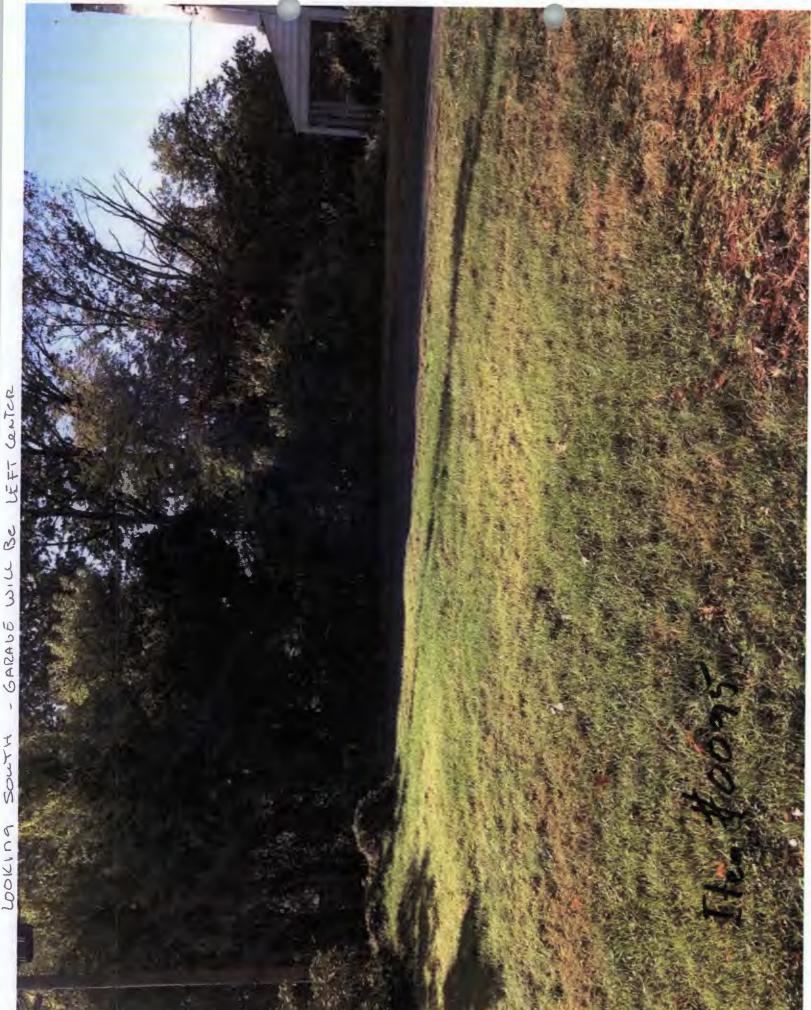


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1397 TOWARD BE 33 GAIRGE IN CENTER GARABE WILL BS



GARABE

	ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)	SHE VICINITY MAP
	ADDRESS 613 HASTINGS ROAD, TOWSON OWNER(S) NAME(S) RICHARD J & MARYLYNNE VELTMAN	23
	SUBDIVISION NAME WILTONDALE LOT# 44 BLOCK# SECTION# 3	ALL PORTINGS
	PLAT BOOK # 0000010 FOLIO # 010124 10 DIGITTAX # 0923156820 DEED REF. # 06360/00764	W. CONFORM
	HASTINGS ROAD 40 FT. WIDE	WORLESTER CO
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		MAP IS NOTTO SCALE
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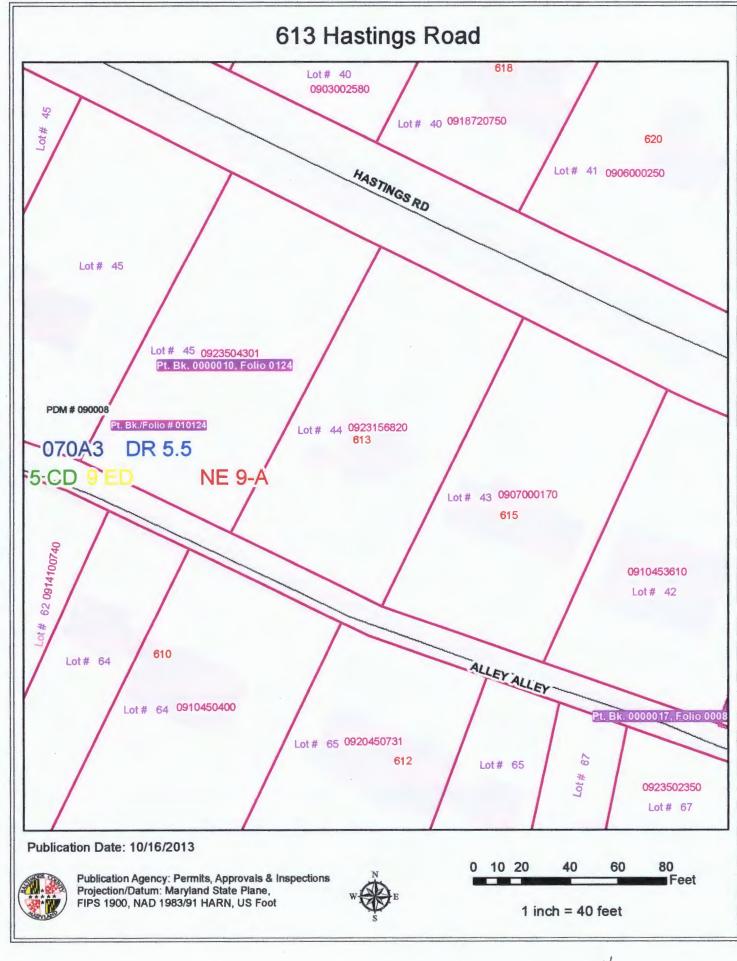
#2014-0095-A

ROD

VIOLATION CASE INFO:

VIOLATION CASE INFO:

#2014-0095-A



Item # 0095



Item #0095