

IN RE: PETITION FOR VARIANCE
(1600 Holly Tree Road)
15th Election District
6th Councilman District
Steven M. Richardson
Petitioner

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2014-0134-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Steven M. Richardson, the legal owner of the subject property. The Petitioner is requesting variance relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing accessory structure located in the side yard in lieu of the rear yard with a 0 ft. setback in lieu of the minimum 2.5 ft. setback. 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 Steven M. Richardson. The next door neighbor, who was represented by John Conrad, Esquire, appeared and opposed the relief. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations.

Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Environmental Protection and Sustainability (DEPS) dated January 10, 2014 and from the Bureau of Development Plans Review (DPR) dated December 20, 2013.

Testimony and evidence revealed that the subject property is approximately 13,092 square feet and is zoned RC 5. The Petitioner in 2010 constructed a shed which is positioned on the

ORDER RECEIVED FOR FILING

Date 5/15/14

By Sen

property line adjoining 1602 Holly Tree Road. The Petitioner seeks variance relief to allow the shed to remain in its current location.

Based upon the testimony and evidence presented, I will deny the petition for variance. 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).

Petitioner has not satisfied this test. In fact, no evidence or argument was presented which would establish the property as "unique." This is an indispensable element in a variance case, and the lack of evidence on the point mandates that the petition be denied.

There is another reason that zoning relief cannot be granted in these circumstances. While the foundation of the shed is apparently located on the property line, the roof structure of the shed overhangs the property owned by Mildred Reiner at 1602 Holly Tree Road. The Petitioner estimated the roof may overhang his neighbor's property by "a few inches." Even so, this is arguably a continuing trespass, and the grant of variance relief in this setting would be contrary to public policy. Powell v. Norman Elec. Inc., 493 S.E. 2d 205, 206 (Ga. 1997) ("owner of the soil beneath an overhanging structure may be entitled to ejectment or an action for trespass"). In fact, Black's Law Dictionary defines a "continuing trespass" as a "trespass in the nature of a permanent invasion of another's rights, such as a sign that overhangs another's property. Id. at 1541 (8th ed. 2004).

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 denied.

THEREFORE, IT IS ORDERED, this 15th day of May, 2014, by the Administrative Law

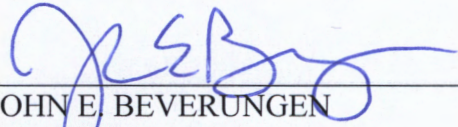
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Date 5/15/14

By Sen

Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing accessory structure located in side yard in lieu of the rear yard with a 0 ft. setback in lieu of the minimum 2.5 ft. setback, be and is hereby DENIED.

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 5/15/14
By sln

KEVIN KAMENETZ
County Executive



LAW
Managing Adm.
JOHN I

Administrative Law Judge

Mailed
Copy to
John Conrad,
ESQ

May 14, 2014

Steven M. Richardson
1600 Holly Tree Road
Middle River, Maryland 21220

RE: Petition for Variance
Property: 1600 Holly Tree Road
Case No.: 2014-0134-A

Dear Mr. Richardson:

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 typed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure



CBCA

PETITION FOR ZONING HEARING(S)

FLOOD

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 1600 HOLLY TREE ROAD, MIDDLE RIVER, MD 21220 which is presently zoned PCS

Deed References: 11295/00425 10 Digit Tax Account # 1507471120

Property Owner(s) Printed Name(s) STEVEN M. RICHARDSON

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

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

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. X a **Variance** from Section(s) 400.1 BCZR To permit an existing accessory structure located in side yard in lieu of the rear yard with a 0 feet set back in lieu of the minimum 2 1/2 set back.

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)

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:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER 2014-0134-A Filing Date 12/11/13

Do Not Schedule Dates: _____

Reviewer G.H

J. S. DALLAS, INC.

SURVEYING & ENGINEERING

P.O. BOX 26
BALDWIN, MD 21013
(410) 817-4600
FAX (410) 817-4602

ZONING DESCRIPTION OF # 1600 HOLLY TREE ROAD

BEGINNING at a point on the west side of Holly Tree Road, 30' wide, at the distance of 175', more or less, north from the (extended) centerline of Burke Road, 30' wide.

BEING Lot #183 on the plat entitled Bowleys Quarter Plat No. 1 as recorded in Baltimore County Plat Book Number W.P.C. 7 folio 12.

CONTAINING 13,092 square feet or 0.301 acres of land, more or less.

LOCATED the 15th Election District, 6th Councilmanic District.



2014 0134-A

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/neighborhood 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: 2014-0134-A

Petitioner: STEVEN RICHARDSON

Address or Location: 11600 HOLLY TREE RD, MIDDLE RIVER, MD 21220

PLEASE FORWARD ADVERTISING BILL TO:

Name: STEVEN RICHARDSON

Address: 11600 HOLLY TREE RD

MIDDLE RIVER, MD 21220

Telephone Number: 410/340-5373

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

No. **107009**

Date: **12/11/13**

PAID RECEIPT

BUSINESS - BALANCE 11/11/13
 12/12/2013 12:11:01 PM 1400435

AL 1002 MAIL DEPT 107009
 RECEIPT & DEPT 12/11/2013 0710

Dept 5 100 0000 VERIFICATION
 12/11/2013 107009

Receipt for 175.00
 1.00 of 175.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	800	0000		6150				75.00

Total: **75.00**

Rec From: **Steven Richardson**

For: **Administrative Variance**
2014-0134-A
1600 Holly Tree Rd

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

2014-0134-A

RE: Case No.: _____

Petitioner/Developer: _____

Steven Richardson

May 12, 2014

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:

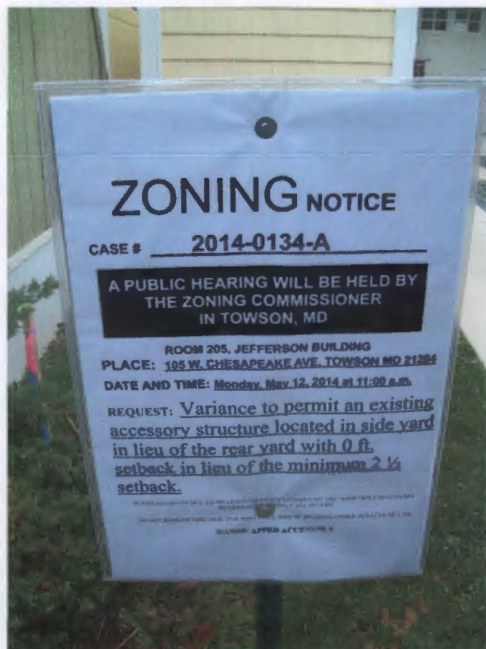
Ladies and Gentlemen:

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: _____

1600 Holly Tree Rd

April 22, 2014

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



Sincerely,

April 22, 2014

(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)

CERTIFICATE OF POSTING

2014-0134-A

RE: Case No.: _____

Petitioner/Developer: _____

Steven Richardson

January 31, 2014

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: _____

1600 Holly Tree Rd

January 11, 2014

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



Sincerely,

January 11, 2014

(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)



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

April 24, 2014

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 April 22, 2014

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

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: #2014-0134-A

1600 Holly Tree Road

W/s Holly Tree Road, 175 ft. N/of centerline of Burke Road

15th Election District - 6th Councilmanic District

Legal Owner(s): Steven Richardson

Variance: to permit an existing accessory structure located in side yard in lieu of the rear yard with 0 ft. setback in lieu of the minimum 2 1/2 setback.

Hearing: Monday, May 12, 2014 at 11:00 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.
JT 4/832 April 22

976702



Baltimore, Maryland 21278-0001

January 9, 2014

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 January 7, 2014

☐ 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: #2014-0131-SPHXA

118 Mount Carmel Road

N/s Mt. Carmel Road, 495 ft. E/of Centerline of North

Bound off-ramp of Interstate I-83

7th Election District - 3rd Councilmanic District

Legal Owner(s): Riverwatch, LLC

Contract Purchaser/Lessee: Two Farms, Inc.

Special Hearing: for approval of illuminated signage. **Special Exception:** on Lot 2 to allow a fuel service station on an individual site and a convenience store having a sales area larger than 1500 square feet and a carry-out restaurant as uses in combination. **Variance:** to permit a wall-mounted enterprise sign of 33.08 square feet in lieu of the permitted 8 square feet.

Hearing: Monday, January 27, 2014 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 1/600 Jan. 7

964157



KEVIN KAMENETZ
County Executive

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

December 23, 2013

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2014-0134-A

1600 Holly Tree Road

W/s Holly Tree Road, 175 ft. N/of centerline of Burke Road

15th Election District – 6th Councilmanic District

Legal Owners: Steven Richardson

Variance to permit an existing accessory structure located in side yard in lieu of the rear yard with 0 ft. setback in lieu of the minimum 2 ½ setback.

Hearing: Friday, January 31, 2014 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Steven Richardson, 1600 Holly Tree Rd., Middle River 21220

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., JANUARY 11, 2014.**
- (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, January 9, 2014 Issue - Jeffersonian

Please forward billing to:
Steven Richardson
1600 Holly Tree Road
Middle River, MD 21220

410-340-5373

NOTICE OF ZONING HEARING

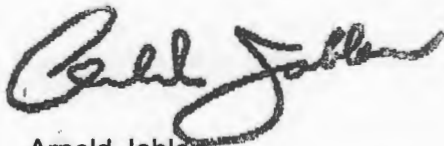
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2014-0134-A

1600 Holly Tree Road
W/s Holly Tree Road, 175 ft. N/of centerline of Burke Road
15th Election District – 6th Councilmanic District
Legal Owners: Steven Richardson

Variance to permit an existing accessory structure located in side yard in lieu of the rear yard with 0 ft. setback in lieu of the minimum 2 ½ setback.

Hearing: Friday, January 31, 2014 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.



KEVIN KAMENETZ
County Executive

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

April 1, 2014

NEW NOTICE OF ZONING HEARING

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

CASE NUMBER: 2014-0134-A

1600 Holly Tree Road
W/s Holly Tree Road, 175 ft. N/of centerline of Burke Road
15th Election District – 6th Councilmanic District
Legal Owners: Steven Richardson

Variance to permit an existing accessory structure located in side yard in lieu of the rear yard with 0 ft. setback in lieu of the minimum 2 ½ setback.

Hearing: Monday, May 12, 2014 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over a horizontal line.

Arnold Jablon
Director

AJ:kl

C: Steven Richardson, 1600 Holly Tree Rd., Middle River 21220

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 22, 2014.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 22, 2014 Issue - Jeffersonian

Please forward billing to:
Steven Richardson
1600 Holly Tree Road
Middle River, MD 21220

410-340-5373

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: 2014-0134-A
1600 Holly Tree Road
W/s Holly Tree Road, 175 ft. N/of centerline of Burke Road
15th Election District – 6th Councilmanic District
Legal Owners: Steven Richardson

Variance to permit an existing accessory structure located in side yard in lieu of the rear yard with 0 ft. setback in lieu of the minimum 2 ½ setback.

Hearing: Monday, May 12, 2014 at 11:00 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.

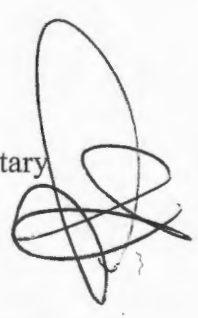
MEMORANDUM

TO: Kristen Lewis
Office of Zoning Review

FROM: Debra Wiley, Legal Administrative Secretary
Office of Administrative Hearings

DATE: January 31, 2014

SUBJECT: Case No. 2014-0134-A – 1600 Holly Tree Road
Hearing: January 31, 2014



As you are aware, the above-referenced case was scheduled to come before this office today at 10:00 AM, in Room 205 of the Jefferson Building. A request for postponement was filed in the office by Frank T. Totten, Esq. on behalf of the law offices of John W. Conrad, III, LLC, on January 29, 2014. Judge Stahl granted the postponement and our office held onto the case file in the event anyone appeared.

This matter is now being returned to you for rescheduling and processing. Thank you.

c: ✓ File

MEMORANDUM

DATE: June 17, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0134-A – Appeal Period Expired

The appeal period for the above-referenced case expired on June 16, 2014. 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

1600 Holly Tree Road; W/S Holly Tree Road,

175' N of c/line Burke Road

15th Election & 6th Councilmanic Districts

Legal Owner(s): Steven M. Richardson

Petitioner(s)

*

BEFORE THE OFFICE

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OF ADMINSTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

2014-134-A

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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

RECEIVED

DEC 19 2013

.....

Carole S. Demilio

CAROLE S. DEMILIO

Deputy People's Counsel

Jefferson Building, Room 204

105 West Chesapeake Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of December, 2013, a copy of the foregoing Entry of Appearance was mailed to Steven Richardson, 1600 Holly Tree Road, Middle River, MD 21220, 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>
12/20/13	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	C
1/10/14	DEPS (if not received, date e-mail sent _____)	C
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
12/19/13	STATE HIGHWAY ADMINISTRATION	No Obj
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. 136919)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 1/7/14	
SIGN POSTING	Date: 1/11/14	by Black
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

CASE NO. 2014- 0134-A

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>12/20/13</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>C</u>
<u>1/10/14</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>12/19/13</u>	STATE HIGHWAY ADMINISTRATION	<u>No Obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. <u>136919</u>)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>4/22/14</u>	
SIGN POSTING	Date: <u>4/22/14</u> by <u>Black</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
1600 Holly Tree Road; W/S Holly Tree Road *
175' N of c/line Burke Road * OF ADMINISTRATIVE
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Steven M. Richardson * HEARINGS FOR

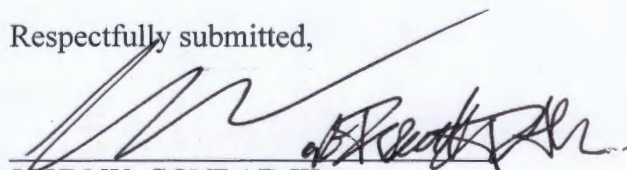
Petitioner(s) * BALTIMORE COUNTY

* Case No. 2014-134-A

ENTRY OF APPEARANCE

Kindly enter my appearance on behalf of Mildred R. Reiner, Interested Person,
and property owner of the property located at 1602 Holly Tree Road, Middle River,
Maryland 21220.

Respectfully submitted,


JOHN W. CONRAD III
The Law Offices of John W. Conrad
III, LLC
3907 Eastern Avenue
Baltimore, Maryland 21224
410-494-4330
Attorney for Mildred R. Reiner

RECEIVED

JAN 29 2014

OFFICE OF ADMINISTRATIVE HEARINGS

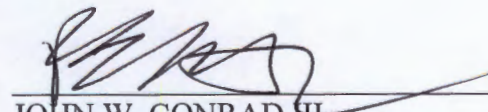
CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on the 28th day of January 2014, a copy of the
foregoing entry of appearance was mailed, postage prepaid to:

Mr. Peter Max Zimmerman, Esq.
Ms. Carole S. DeMilo, Esq.
Jefferson Building, Room 204
105 W. Chesapeake Avenue
Towson, Maryland 21204

People's Counsel for Baltimore County

Steven M. Richardson
600 Holly Tree Road
Middle River, Maryland 21220
Petitioner


JOHN W. CONRAD III

LAW OFFICES OF
JOHN W. CONRAD III, LLC

FRANK T. TOTTE
ATTORNEY AT LAW

3907 EASTERN AVENUE
BALTIMORE, MARYLAND 21224
WWW.CONRADLEGAL.COM

OFFICE: (410) 494-4330
FAX: (443) 798-9021
FTOTTEN@CONRADLEGAL.COM

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
1600 Holly Tree Road; W/S Holly Tree Road *
175' N of c/line Burke Road * OF ADMINISTRATIVE
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Steven M. Richardson * HEARINGS FOR

Petitioner(s) * BALTIMORE COUNTY

* Case No. 2014-134-A

RECEIVED *****

JAN 29 2014 REQUEST FOR POSTPONEMENT OF HEARING SET FOR
FRIDAY, JANUARY 31, 2014 AT 10:00 A.M.

OFFICE OF ADMINISTRATIVE HEARINGS

NOW COMES Mildred R. Reiner, Interested Person, by and through her attorneys, John W. Conrad III and the Law Offices of John W. Conrad III, LLC hereby moves that the Office of Administrative Hearings postpone the hearing scheduled for Friday, January 31, 2014 at 10:00 a.m., in the above captioned matter and in support thereof provides as follows:

1. Steven M. Richardson, owner of the property located at 1600 Holly Tree Road, Middle River, Maryland 21220, filed his petition in the above captioned matter requesting a variance be issued for his existing accessory structure located in his side yard.

2. Mr. Richardson's petition fails to disclose the material fact that his accessory structure wrongfully encroaches and trespasses upon Ms. Reiner's adjoining property which adjoins located at 1602 Holly Tree Road, Middle River, Maryland 21220.

3. Additionally, Mr. Richardson's petition fails to disclose that the accessory structure was erected and built without Ms. Reiner's consent, and its continued use is without her permission.

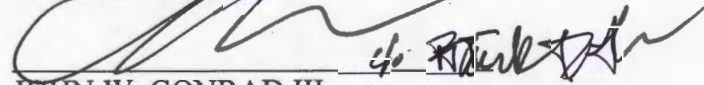
4. Ms. Reiner needs additional time to prepare for the hearing on Mr. Richardson's variance petition as it will be necessary for Ms. Reiner to present evidence

including but not limited to: surveys, plates, etc., regarding the boundaries of the respective properties and the encroachment of the accessory structure onto her property.

5. For the above reasons, Ms. Reiner requests that the Office of Administrative Hearings postpone the hearing scheduled in this matter Friday, January 31, 2014 at 10:00 a.m.

WHEREFORE, Mildred R. Reiner, prays that the Office of Administrative Hearings grant her request for postponement.

Respectfully submitted,



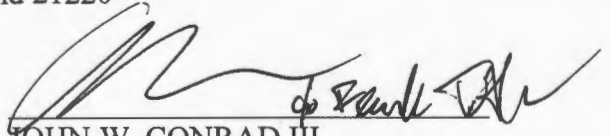
JOHN W. CONRAD III
The Law Offices of John W. Conrad
III, LLC
3907 Eastern Avenue
Baltimore, Maryland 21224
410-494-4330
Attorney for Mildred R. Reiner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on the 28th day of January 2014, a copy of the foregoing request was mailed, postage prepaid to:

Mr. Peter Max Zimmerman, Esq.
Ms. Carole S. DeMilo, Esq.
Jefferson Building, Room 204
105 W. Chesapeake Avenue
Towson, Maryland 21204
People's Counsel for Baltimore County

Mr. Steven M. Richardson
1600 Holly Tree Road
Middle River, Maryland 21220
Petitioner


JOHN W. CONRAD III

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
1600 Holly Tree Road; W/S Holly Tree Road		
175' N of c/line Burke Road	*	OF ADMINISTRATIVE
15 th Election & 6 th Councilmanic Districts		
Legal Owner(s): Steven M. Richardson	*	HEARINGS FOR
Petitioner(s)	*	BALTIMORE COUNTY
	*	Case No. 2014-134-A

ORDER

UPON CONSIDERATION on this the ____ day of _____,
 2014 of Mildred R. Reiner's Request for Postponement, the request is hereby
GRANTED;

IT IS ORDERED that the hearing set for Case No. 2014-134-A on Friday,
 January 31, 2014 is hereby postponed.

 Judge

cc: All parties



KEVIN KAMENETZ
County Executive

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

January 23, 2014

Stevenson M. Richardson
1600 Holly Tree Road
Middle River, MD 21220

RE: Case Number: 2014-0134 A, Address: 1600 Holly Tree Road

Dear Mr. Richardson:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on December 11, 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 style.

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: 12/19/13

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

RE: Baltimore County
Item No 2014-0134-A.
Variance
Steven M. Richardson
1600 Holly Tree 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. 2014-0134-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/
Development Manager
Access Management Division

SDF/raz

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

**Administrative Hearings - Case No. 2014-134-A - 1600 Holly Tree Road
(Richardson) - January 31 @ 10 AM**

From: Administrative Hearings
To: Totten, Frank; stevecvp@comcast.net
Date: 1/30/2014 9:38 AM
Subject: Case No. 2014-134-A - 1600 Holly Tree Road (Richardson) - January 31 @ 10 AM
CC: Conrad, John
BC: Lewis, Kristen

Good Morning,

As you know a request for postponement of the captioned matter was filed with this office by Mr. Totten on January 29, 2014. Judge Stahl has granted the postponement, and the January 31, 2014 hearing date will be removed from this Office's docket.

In terms of rescheduling, our office will hold onto the case file in the event anyone from the public appears for tomorrow's hearing. Thereafter, the case file will be returned to Kristen Lewis in the Office of Zoning Review (410-887-3391) for rescheduling. Our office will not be in possession of said case file again until a few days before the next scheduled hearing date.

Thank you.

>>> Frank Totten <ftotten@conradlegal.com> 1/29/2014 1:29 PM >>>
Mr. Richardson,

Good afternoon, I hope you are doing well. This e-mail confirms our earlier conversation about your petition (Case No. 2014-134-A) and the hearing set for Friday, January 31, 2014. As I indicated over the phone, attached to this e-mail as PDF's are the (1) entry of appearance and (2) request for postponement my office filed earlier today with the Office of Administrative Hearings on behalf of your neighbor, Mildred Reiner. I have also sent copies of the attachments to you by mail.

I have copied Debbie from the Office of Administrative Hearings to this e-mail, as well as John W. Conrad III, who is the other attorney representing Ms. Reiner in this matter.

As we discussed over the phone, the Office of Administrative Hearings will determine whether to postpone this Friday's hearing. .

If you have any questions for me, please let me know.

Best regards,

Frank T. Totten, Esquire
Law Offices of John W. Conrad III, LLC
3907 Eastern Avenue

Baltimore, Maryland 21224
410-494-4330 x120 phone
443-798-9021 fax
ftotten@conradlegal.com
www.conradlegal.com

CONFIDENTIALITY NOTICE:

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND IT OR ANY ATTACHMENTS THERETO MAY CONTAIN INFORMATION FROM THE LAW OFFICES OF JOHN W. CONRAD III, LLC THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THE MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY AND DELETE ALL COPIES OF THE MESSAGE. THANK YOU.

From: Frank Totten <ftotten@conradlegal.com>
To: "stevecup@comcast.net" <stevecup@comcast.net>
CC: "administrativehearings@baltimorecountymd.gov" <administrativehearings@b...>
Date: 1/29/2014 1:28 PM
Subject: Case No. 2014-134-A -- Mildred Reiner's Request for Postponement, Entry of Appearance
Attachments: D-Request for Postponement (Zoning).pdf; D-Entry of Appearance (Zoning).pdf

Mr. Richardson,

Good afternoon, I hope you are doing well. This e-mail confirms our earlier conversation about your petition (Case No. 2014-134-A) and the hearing set for Friday, January 31, 2014. As I indicated over the phone, attached to this e-mail as PDF's are the (1) entry of appearance and (2) request for postponement my office filed earlier today with the Office of Administrative Hearings on behalf of your neighbor, Mildred Reiner. I have also sent copies of the attachments to you by mail.

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If you have any questions for me, please let me know.

Best regards,

Frank T. Totten, Esquire
Law Offices of John W. Conrad III, LLC
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RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
1600 Holly Tree Road; W/S Holly Tree Road *
175' N of c/line Burke Road * OF ADMINISTRATIVE
15th Election & 6th Councilmanic Districts * HEARINGS FOR
Legal Owner(s): Steven M. Richardson *
Petitioner(s) * BALTIMORE COUNTY
* Case No. 2014-134-A

**REQUEST FOR POSTPONEMENT OF HEARING SET FOR
FRIDAY, JANUARY 31, 2014 AT 10:00 A.M.**

NOW COMES Mildred R. Reiner, Interested Person, by and through her attorneys, John W. Conrad III and the Law Offices of John W. Conrad III, LLC hereby moves that the Office of Administrative Hearings postpone the hearing scheduled for Friday, January 31, 2014 at 10:00 a.m., in the above captioned matter and in support thereof provides as follows:

1. Steven M. Richardson, owner of the property located at 1600 Holly Tree Road, Middle River, Maryland 21220, filed his petition in the above captioned matter requesting a variance be issued for his existing accessory structure located in his side yard.

2. Mr. Richardson's petition fails to disclose the material fact that his accessory structure wrongfully encroaches and trespasses upon Ms. Reiner's adjoining property which adjoins located at 1602 Holly Tree Road, Middle River, Maryland 21220.

3. Additionally, Mr. Richardson's petition fails to disclose that the accessory structure was erected and built without Ms. Reiner's consent, and its continued use is without her permission.

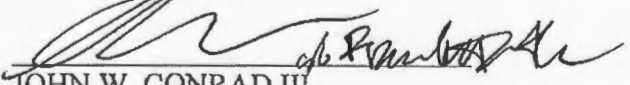
4. Ms. Reiner needs additional time to prepare for the hearing on Mr. Richardson's variance petition as it will be necessary for Ms. Reiner to present evidence

including but not limited to: surveys, plates, etc., regarding the boundaries of the respective properties and the encroachment of the accessory structure onto her property.

5. For the above reasons, Ms. Reiner requests that the Office of Administrative Hearings postpone the hearing scheduled in this matter Friday, January 31, 2014 at 10:00 a.m.

WHEREFORE, Mildred R. Reiner, prays that the Office of Administrative Hearings grant her request for postponement.

Respectfully submitted,



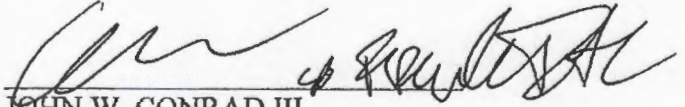
JOHN W. CONRAD III
The Law Offices of John W. Conrad
III, LLC
3907 Eastern Avenue
Baltimore, Maryland 21224
410-494-4330
Attorney for Mildred R. Reiner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on the 28th day of January 2014, a copy of the foregoing request was mailed, postage prepaid to:

Mr. Peter Max Zimmerman, Esq.
Ms. Carole S. DeMilo, Esq.
Jefferson Building, Room 204
105 W. Chesapeake Avenue
Towson, Maryland 21204
People's Counsel for Baltimore County

Mr. Steven M. Richardson
1600 Holly Tree Road
Middle River, Maryland 21220
Petitioner


JOHN W. CONRAD III

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
1600 Holly Tree Road; W/S Holly Tree Road		
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15 th Election & 6 th Councilmanic Districts		
Legal Owner(s): Steven M. Richardson	*	HEARINGS FOR
Petitioner(s)	*	BALTIMORE COUNTY
	*	Case No. 2014-134-A

ORDER

UPON CONSIDERATION on this the ____ day of _____,
 2014 of Mildred R. Reiner's Request for Postponement, the request is hereby
GRANTED;

IT IS ORDERED that the hearing set for Case No. 2014-134-A on Friday,
 January 31, 2014 is hereby postponed.

 Judge

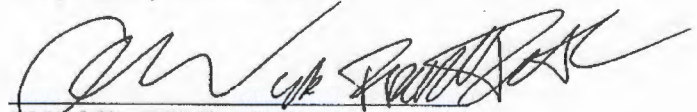
cc: All parties

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
1600 Holly Tree Road; W/S Holly Tree Road *
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15th Election & 6th Councilmanic Districts * HEARINGS FOR
Legal Owner(s): Steven M. Richardson *
Petitioner(s) * BALTIMORE COUNTY
* Case No. 2014-134-A

ENTRY OF APPEARANCE

Kindly enter my appearance on behalf of Mildred R. Reiner, Interested Person,
and property owner of the property located at 1602 Holly Tree Road, Middle River,
Maryland 21220.

Respectfully submitted,



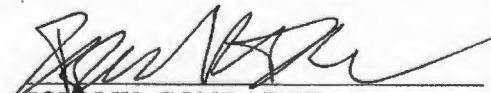
JOHN W. CONRAD III
The Law Offices of John W. Conrad
III, LLC
3907 Eastern Avenue
Baltimore, Maryland 21224
410-494-4330
Attorney for Mildred R. Reiner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on the 28th day of January 2014, a copy of the
foregoing entry of appearance was mailed, postage prepaid to:

Mr. Peter Max Zimmerman, Esq.
Ms. Carole S. DeMilo, Esq.
Jefferson Building, Room 204
105 W. Chesapeake Avenue
Towson, Maryland 21204
People's Counsel for Baltimore County

Mr. Steven M. Richardson
1600 Holly Tree Road
Middle River, Maryland 21220
Petitioner


JOHN W. CONRAD III

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For December 23, 2013
Item No. 2014-0134

DATE: December 20, 2013

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

The base flood elevation for this site is 10.2 feet [NAVD 88].

The flood protection elevation is 11.2 feet.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood-resistant construction shall be in accordance with the Baltimore County Building Code which adopts, with exceptions, the *International Building Code*.

DAK: CEN.

Cc: file.

ZAC-ITEM NO 14-0134-12232013.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED



JAN 23 2014

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: January 10, 2014

SUBJECT: DEPS Comment for Zoning Item # 2014-134-A
Address 1600 Holly Tree Road
(Richardson Property)

Zoning Advisory Committee Meeting of December 16, 2013.

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA) and a Buffer Management Area (BMA) and is subject to Critical Area requirements. The applicant is proposing to permit an accessory structure in the side yard with a zero foot setback. The accessory structure is not identified. Lot coverage on the entirety of this property is limited to 31.25% (4,921.8 square feet), with mitigation required for lot coverage above 25% (3,937.5 square feet). Lot coverage information was not provided. 15% afforestation, or 5 trees, is required in the LDA; existing trees may be counted towards this requirement. If the applicant can meet the lot coverage requirements and the 15% afforestation requirements, the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is waterfront. If both lot coverage and afforestation requirements are met, that will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

Afforestation and lot coverage information were not included. Provided that the applicants meet all the requirements stated above, the relief requested will be consistent with established land-use policies.

Reviewer: *Regina Esslinger – Environmental Impact Review (EIR)*

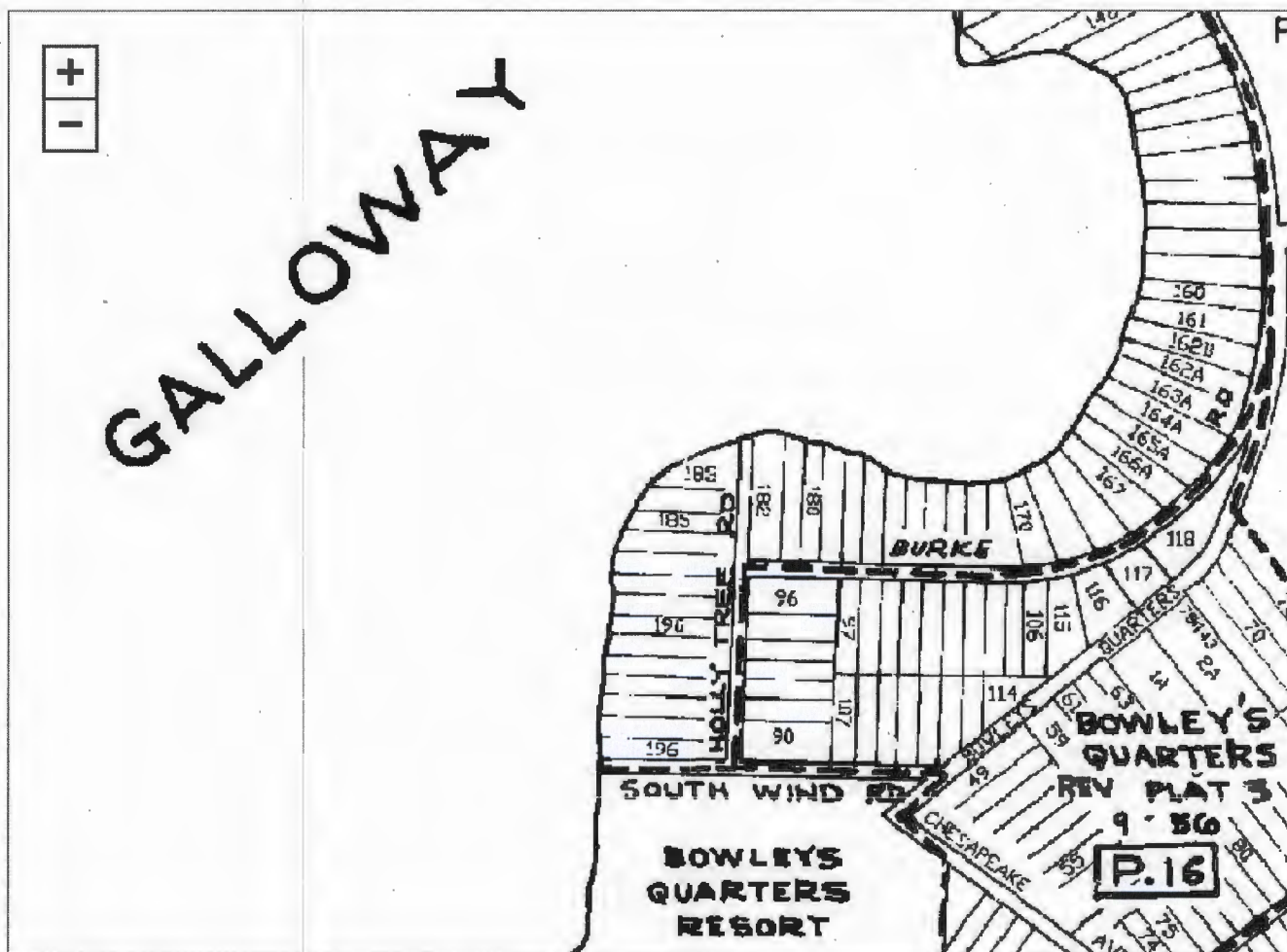
Real Property Data Search (w1)

[Search Help](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 15 Account Number - 1507471120		
Owner Information		
Owner Name:	RICHARDSON STEVEN M	Use: RESIDENTIAL
Mailing Address:	PO BOX 8 CHASE MD 21027-0008	Principal Residence: YES
		Deed Reference: 1) /11245/ 00425 2)
Location & Structure Information		
Premises Address:	1600 HOLLY TREE RD 0-0000 Waterfront	Legal Description: 1600 HOLLY TREE RD BOWLEYS QUARTERS
Map: 0098	Grid: 0004	Parcel: 0004
Sub District:	Subdivision: 0000	Section:
Block:	Lot: 183	Assessment Year: 2012
Plat No: 1	Plat Ref: 0007/ 0012	Town: NONE
Special Tax Areas:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
2005	2,795 SF	15,750 SF
Stories	Basement	Type
1.500000	YES	STANDARD UNIT
Exterior	Full/Half Bath	Garage
SIDING	1 full/ 1 half	1 Attached
Last Major Renovation		
Value Information		
Base Value	Value	Phase-in Assessments
	As of	As of
	01/01/2012	07/01/2013
Land:	322,900	262,900
Improvements	353,200	270,900
Total:	676,100	533,800
Preferential Land:	0	533,800
		0
Transfer Information		
Seller: GOETZKE STUART F	Date: 10/06/1995	Price: \$198,000
Type: ARMS LENGTH IMPROVED	Deed1: /11245/ 00425	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt:	Special Tax Recapture:	0.00 0.00
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: Approved 04/19/2011		

Baltimore County

[New Search \(http://sdat.resiusa.org/RealProperty/\)](http://sdat.resiusa.org/RealProperty/)District: **15** Account Number: **1507471120**

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 (<http://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 (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



(<http://imsweb05.mdp.state.md.us/website/mosp/>)



Loading... Please Wait.

Loading... Please Wait.

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DATE _____

2014-0134-A

E - MAIL

[illegible]

Case No.:

2014-0134-A

Exhibit Sheet

DW
6-17-14

slu
5/15/14

Petitioner/Developer

Protestants

No. 1	Plan	color photos
No. 2	color photos	color photos
No. 3	letters of support	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

← HOLLY TREE ROAD →



PETITIONER'S

EXHIBIT NO. _____

2

ORIGINAL SHED
LOCATION AFTER
NEW HOME WAS
BUILT. THE SHED
WAS IN DRIVEWAY
OF NEW HOME.





30" SIDEWALK IN FRONT OF SHED



12-10-2013



VIEW-FROM 1604 TO END OF HOLLY TREE ROAD

12 07 2013



ORIGINAL SHED LOCATION
PAID TO NEW HOME BUILT
BUILT.

We believe the existing shed located at 1600 Holly Tree Rd, Middle River, MD 21220 is located on this property in the only location that is perfectly suitable for the homeowner and view of the waterfront for the neighbors. If the shed were to be located somewhere else, the structure would be obstructing the view of waterfront for the neighbors. This structure was built to the highest of standards in architecture and quality. If there are any grievances pertaining to this structure we certainly feel it is unjust and unfairly brought up without justifiable reasoning. As a waterfront homeowner of unusual shaped and/or small property, we are forced at times to become creative with suitable placement of structures. In doing so, we feel the homeowner at 1600 Holly Tree Rd, Middle River, MD 21220 has placed this shed in the best location on the property. We are in support of the location of the existing structure in question at this hearing.

Sincerely,

Next door neighbors

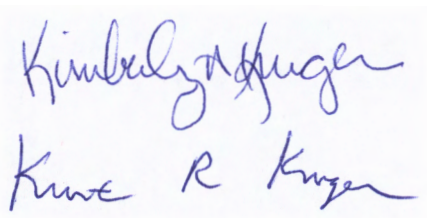
Kurt and Kim Kruger

1622 Burke Road

Middle River, Md

21220

410-365-5727



Kim Kruger
Kurt R. Kruger

PETITIONER'S

EXHIBIT NO. 3

January 30, 2013

To Whom It May Concern

We are writing regarding our neighbor Steve Richardson who lives at 1600 Holly Tree Rd. We live two doors down at 1604 and 1606 Holly Tree. We feel that Mr Richardson's shed located on his property is in the correct position for his yard. Anywhere else could possibly be an interference to neighbors and block water views. The location of the shed at this point does neither and we feel blends well with the our home and surrounding homes in the area.

Sincerely

A handwritten signature in black ink, appearing to read "Terry & Nichol Martin". The signature is written in a cursive, flowing style. The first part, "Terry", is written with a large, sweeping 'T' and a long horizontal line extending to the right. The second part, "Nichol Martin", is written in a more compact, cursive script.

Terry & Nichol Martin

We reside at 1615 Holly Tree Road, Middle River, Maryland 21220 and have an unusual shaped lot which requires much preplanning and structural expertise when placing sheds on our property. We place sheds where they will not block other neighbors water views, etc. All neighbors in our area are very cognizant of others water view and no one wishes to block these views with structures, etc.

We have seen this same type of preplanning and expertise by the homeowner who resides at 1600 Holly Tree Road, Middle River, Maryland 21220 when placing his shed at its current location. He placed this shed in the best location accommodating all neighbors water view and in keeping with the shape of his property.

We support the location of the existing structure in question at this hearing.

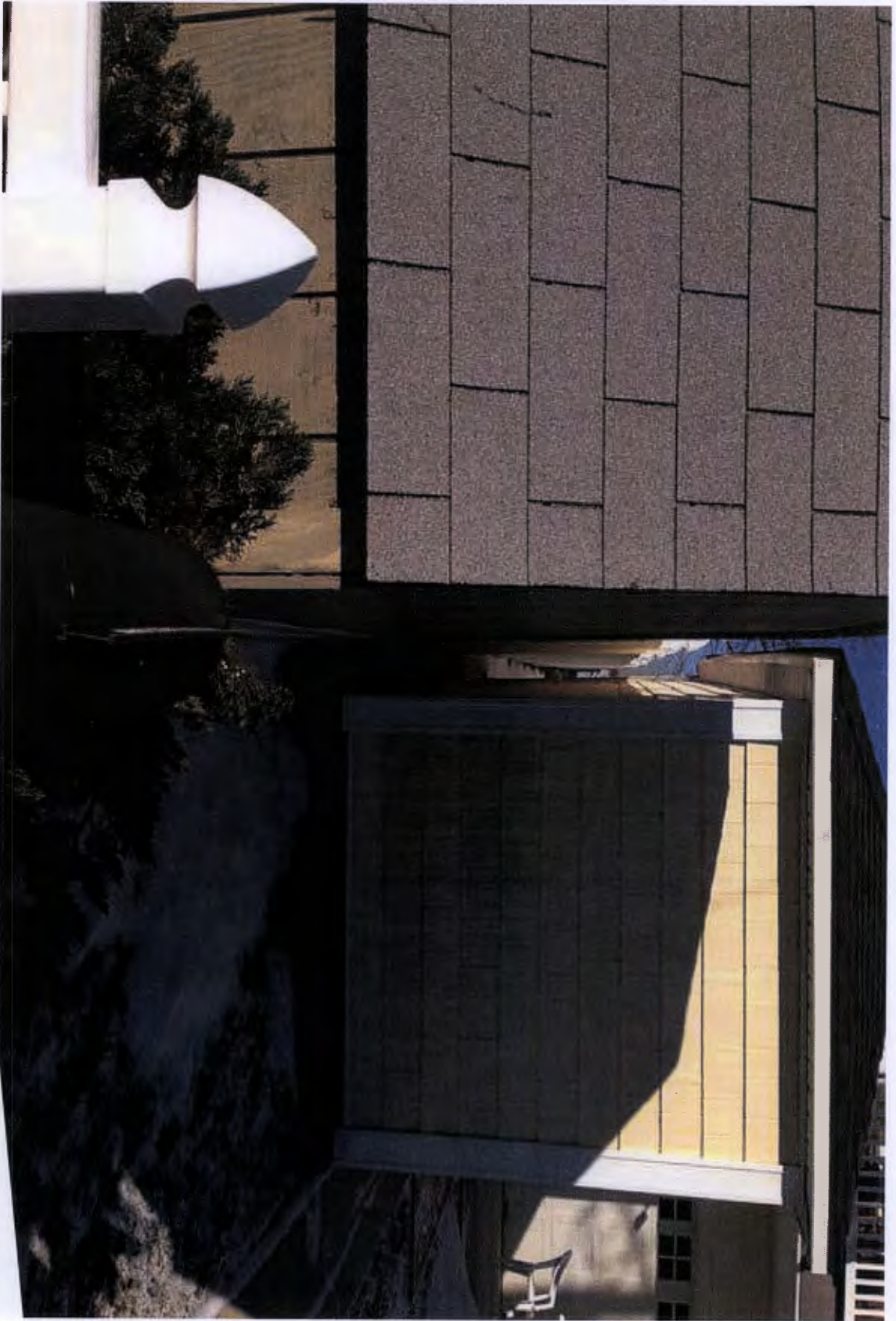
Sincerely,

Ken and Elaine Nowakowski

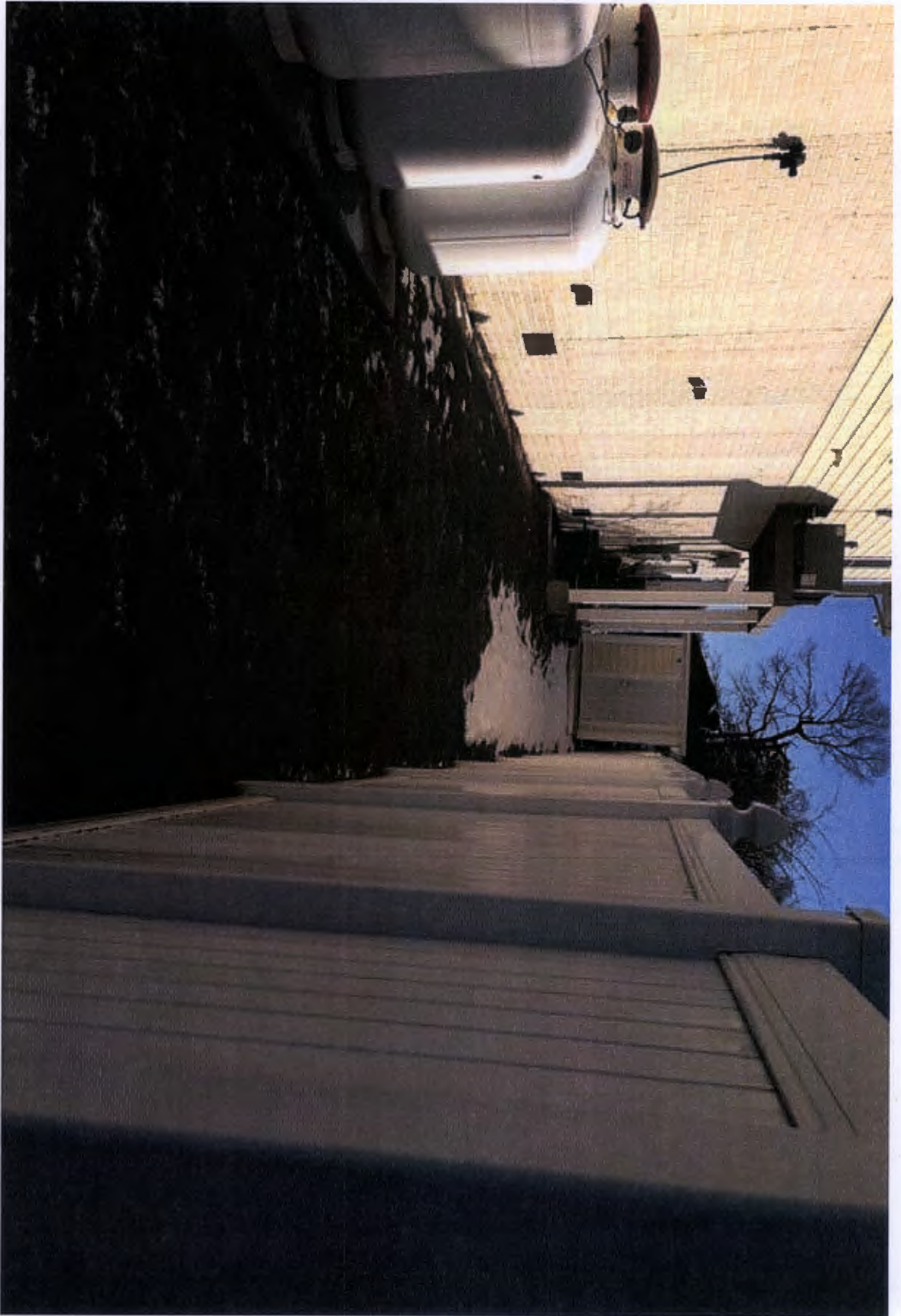
1615 Holly Tree Road

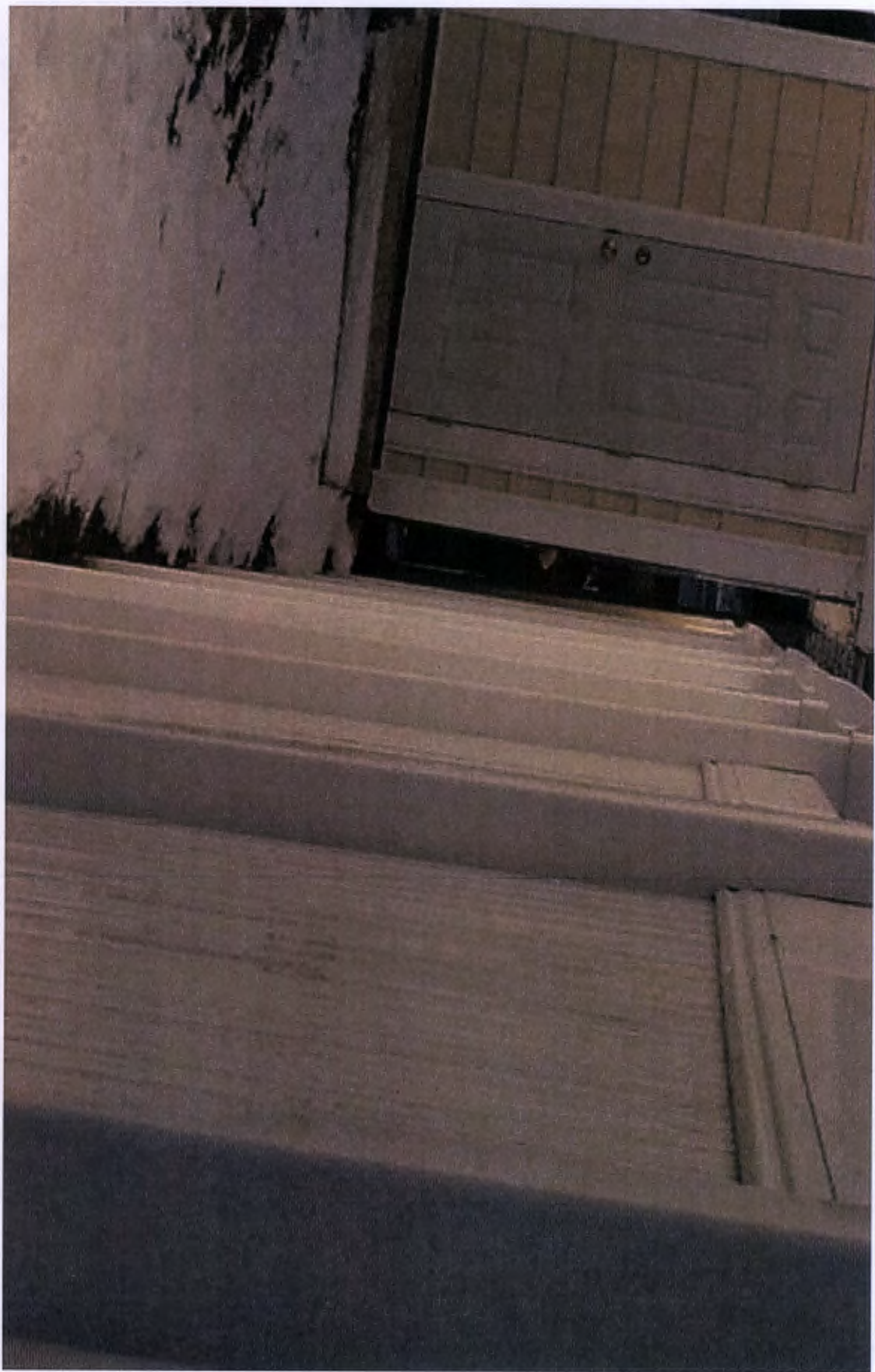
Baltimore, Maryland 21220

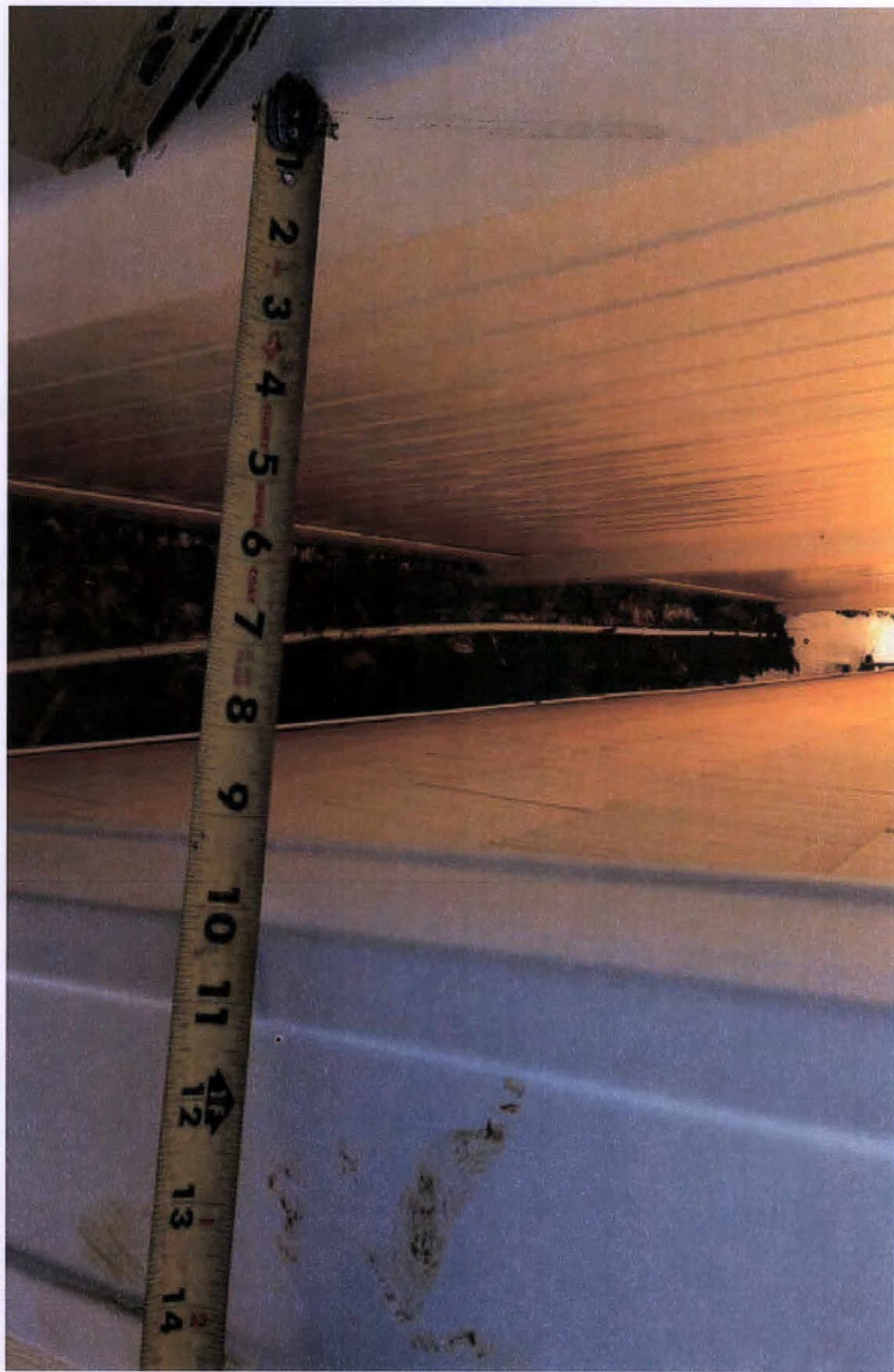
410-456-4690



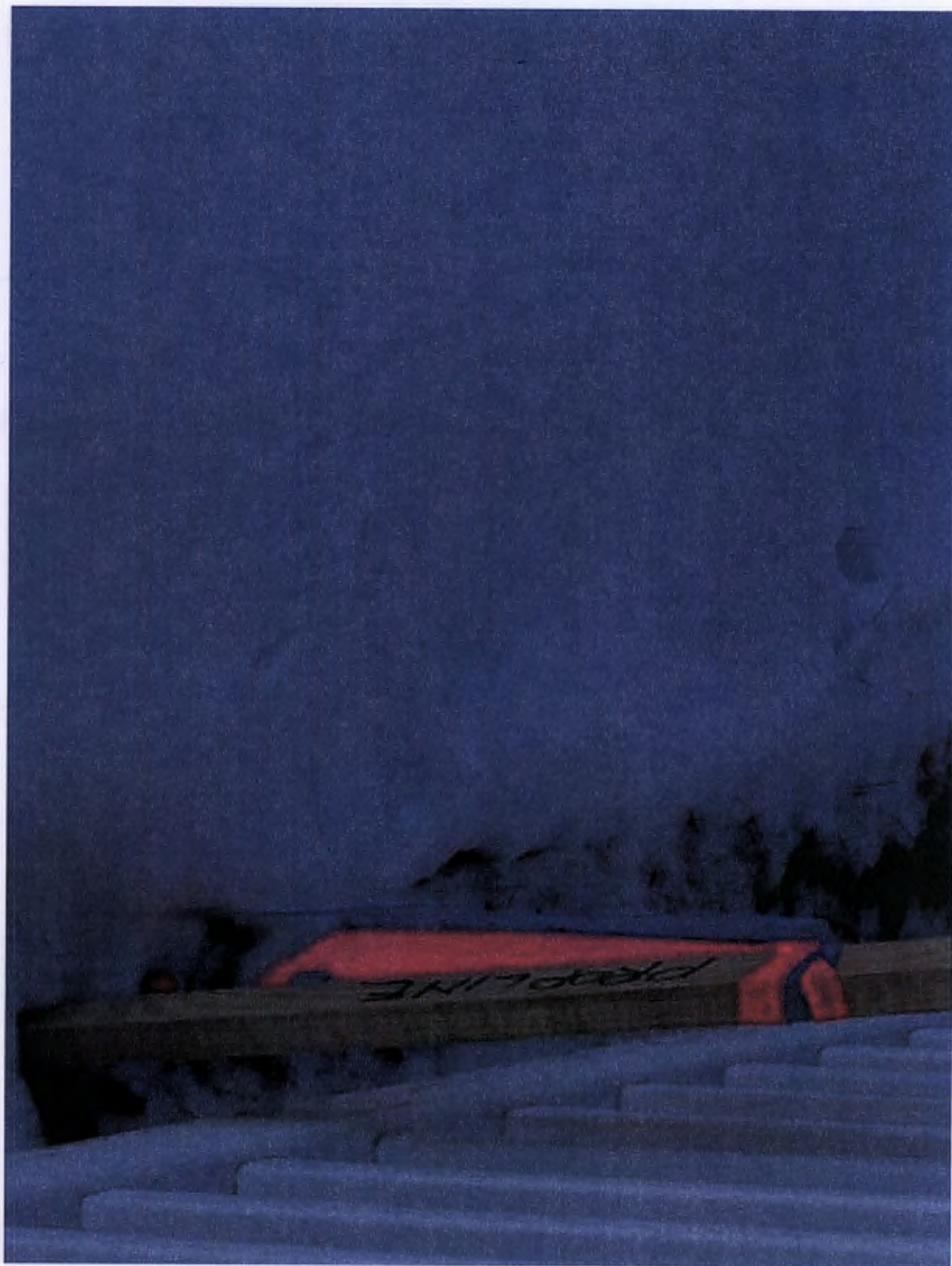
~~DEFENDERS~~
Protestant
EXHIBIT NO. 1













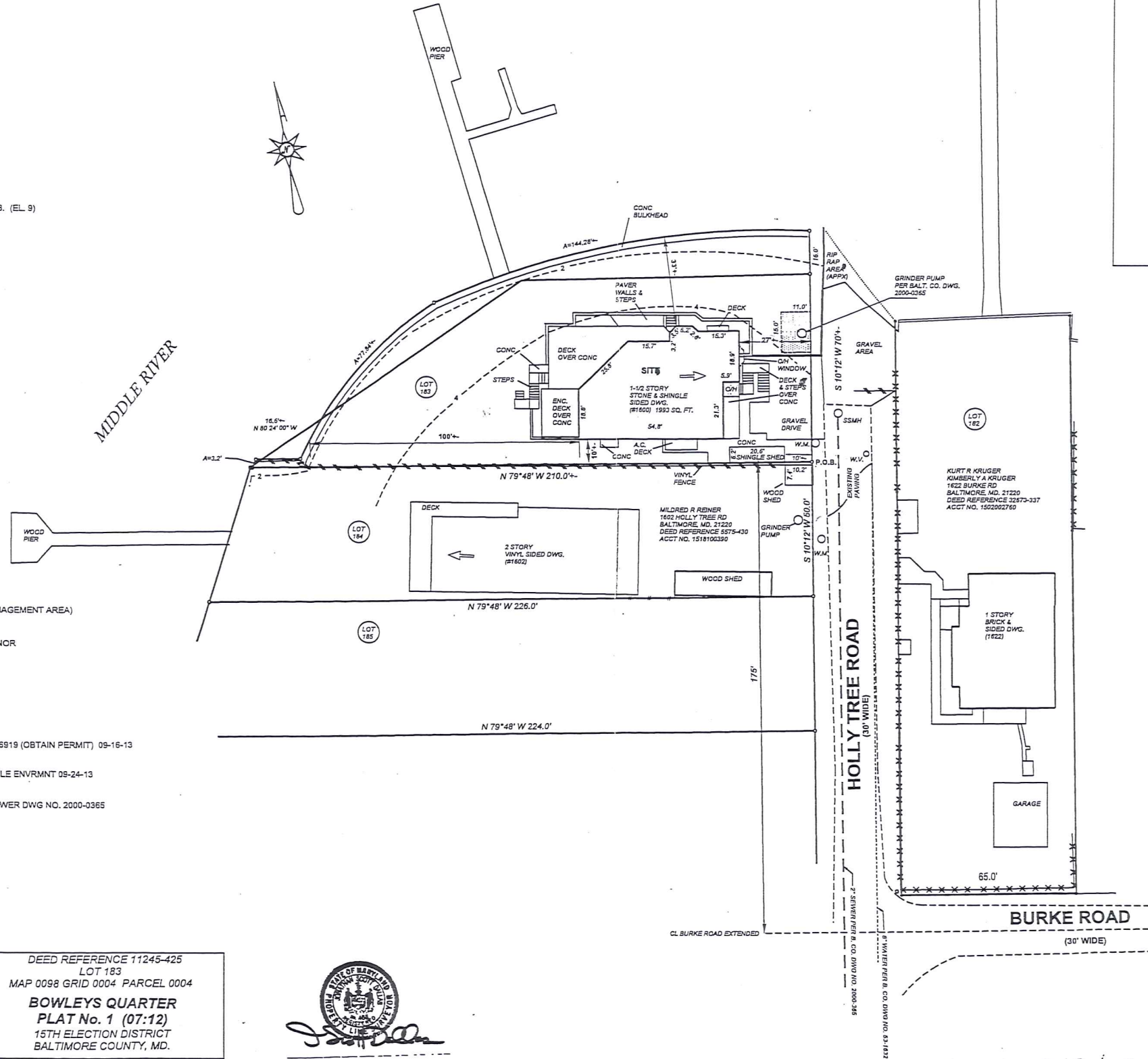
~~PETITIONER'S~~ Protestant's

EXHIBIT NO. 2



GENERAL NOTES:

1. OWNER: STEVEN M. RICHARDSON
PO BOX 8
CHASE, MD 21027
PHONE 410-340-5373
2. SITE AREA:
13092 SQ FT-- OR 0.301 AC--
3. BUILDING FOOTPRINT: 1993 SQ. FT.
4. UTILITIES:
PUBLIC SEWER
PUBLIC WATER
5. THE SITE LIES WITHIN ZONE "AE" AS SHOWN
ON F.I.R.M. 2400100445FDATED SEPTEMBER 26, 2008. (EL. 9)
6. ZONING: RC 5
(PER BALT. CO. "MY NEIGHBORHOOD" WEBSITE)
7. DEED REF.: SM 11245/425
8. TAX ACCOUNT: #1507471120
9. COUNCILMANIC DISTRICT: 6TH
10. 15TH ELECTION DISTRICT
11. CENSUS TRACT: 451802
12. WATERSHED: MIDDLE RIVER
13. TAX MAP: #0098, PARCEL 0004 LOT 183
14. NO KNOWN PREVIOUS ZONING CASES ON FILE.
15. NO KNOWN PERMITS ON FILE.
16. THE SITE LIES WITHIN THE CHESAPEAKE BAY
CRITICAL AREA. (LDA/BMA) - 100% LDA BUFFER MANAGEMENT AREA)
17. THERE ARE NO HISTORIC FEATURES ON THE SITE NOR
IS THE SITE ITSELF HISTORIC.
18. NO KNOWN PREVIOUS DRC MEETINGS
19. 15TH ELECTION DISTRICT
20. EXISTING CORRECTION NOTICE CASE NUMBER 0136919 (OBTAIN PERMIT) 09-16-13
21. PERMIT - FINAL BLDG. INSP. PUB SERV. OKAY TO FILE ENVRMNT 09-24-13
22. TOPOGRAPHY SHOWN HEREON PER BALT. CO. SEWER DWG NO. 2000-0365



VICINITY MAP

SITE PLAN TO ACCOMPANY
PETITION FOR
ZONING VARIANCE
#1600 HOLLY TREE RD

J.S. DALLAS, INC.
SURVEYING & ENGINEERING
P.O. BOX 26
BALDWIN, MD. 21013
(410) 817-4600

DEED REFERENCE 11245-425
LOT 183
MAP 0098 GRID 0004 PARCEL 0004
BOWLEYS QUARTER
PLAT No. 1 (07:12)
15TH ELECTION DISTRICT
BALTIMORE COUNTY, MD.



FILE NAME 15-1470.TRY	DATE 11-25-2013	DRAWN BY R.N.G.
SCALE 1"=50'	REVISION	SHEET 1/1

2014-0134-A

PETITIONER'S

EXHIBIT NO. 1