

MEMORANDUM

DATE: March 4, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0135-A - Appeal Period Expired

The appeal period for the above-referenced case expired on February 27, 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

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2014- 0135 -A Address 12241 Hartford Rd.

Contact Person: LEONARD WASILEWSKI Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 12/12/13 Posting Date: 12/22/13 Closing Date: 1/6/14

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

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

(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2014- 0135 -A Address 12241 Hartford Rd.
Petitioner's Name Bernadette & Clarence Poehler Telephone 410 593-7905
Posting Date: 12/22/13 Closing Date: 1/6/14

Wording for Sign: To permit an accessory structure/pole barn in the side yard with a height of 25 feet in lieu of the permitted rear yard and 15 feet.

Revised 7/06/11

IN RE: PETITION FOR ADMIN. VARIANCE *
(12241 Harford Road)
11th Election District *
3rd Council District *
Bernadette T. and Clarence D. Poehler *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2014-0135-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, Bernadette T. and Clarence D. Poehler. The Petitioners are requesting Variance relief pursuant to Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R) to permit a proposed accessory structure/pole barn in the side yard with a height of 25 ft. in lieu of the permitted rear yard and maximum height of 15 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as 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 December 22, 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 (B.C.C.). Based upon the information available, there is no evidence in

ORDER RECEIVED FOR FILING

Date 1-28-14

By DSW

the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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

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, this 28th day of January, 2014 by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R") to permit a proposed accessory structure/pole barn in the side yard with a height of 25 ft. in lieu of the permitted rear yard and maximum height of 15 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for any 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.

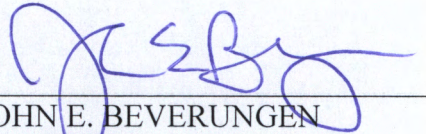
ORDER RECEIVED FOR FILING

Date 1-28-14

By [Signature]

2. The Petitioners or subsequent owners shall not convert the subject accessory structure/pole barn into a dwelling unit or apartment. The accessory structure/pole barn shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
3. The accessory structure/pole barn shall not be used for commercial purposes.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 1-28-14

By DLW

KEVIN KAMENETZ
County Executive



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

January 28, 2014

Bernadette T. Poehler
Clarence D. Poehler
12241 Harford Road
Glen Arm, Maryland 21057

RE: Petition for Administrative Variance
Case No. 2014-0135-A
Property: 12241 Harford Road

Dear Mr. and Mrs. Poehler:

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.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING

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

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

Address 12241 HARFORD RD GLEN ARM MD 21057 which is presently zoned RC 2

Deed Reference 34217-163 10 Digit Tax Account # 1108080850

Property Owner(s) Printed Name(s) BERNADETTE T POEHLER CLARENCE D POEHLER

(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 / notarized.

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

1. ☒ **ADMINISTRATIVE VARIANCE** from section(s)

Sections: 400.1; 400.3

To permit an accessory structure/pole barn in the side yard with a height of 25 feet in lieu of the permitted rear yard and 15 feet.

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

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

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

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners:

BERNADETTE T POEHLER CLARENCE D POEHLER

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

12241 HARFORD RD GLEN ARM MD

Mailing Address City State

21057 , 593 , 410 453 7905 , POEHLER.E@GMAIL.COM

Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING
Date 1-28-14
By PJ

SAME AS ABOVE

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

Administrative Law Judge of Baltimore County

CASE NUMBER 2014-0135-A Filing Date 1/12/2013 Estimated Posting Date 1/1 Reviewer JW

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

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

Address: 12241 HARFORD RD GLEN ARM MD 21057
Print or Type Address of property City State Zip Code

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

SEE ATTACHED

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

Bernadette T Poehler
Signature of Affiant

BERNADETTE T POEHLER
Name- Print or Type

Clarence D Poehler
Signature of Affiant

CLARENCE D POEHLER
Name- Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5th day of December 2013, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

Bernadette T Poehler + Clarence D. Poehler
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal

drutak

Notary Public

03.06.2017

My Commission Expires

Danielle Nicole Vitak
Notary Public
Baltimore County, Maryland
My Commission Expires
03/06/2017

POEHLER PROPERTY 12241 HARFORD RD GLEN ARM MD 21057
ADMINISTRATIVE ZONING PETITION

BERNADETTE T POEHLER CLARENCE D POEHLER

Based upon personal knowledge, the following are the facts which we base the request for an Administrative Variance

(1) Variance request to allow accessory structure to be located within the side yard in lieu of the required rear yard per section 400.1 of the BCZR.

The building placement in the rear would be unnecessarily burdensome due to the extremely steep grade of the property behind the home in the rear yard. Placement of the structure within the side yard reduces the need for grading the property and increases the distance between the structure and the tree line of the uniquely shaped property (please see photographs attached to application)

Permitting structure area to be along side the existing structure would give substantial relief to the property owners and the unique topography of the land which slopes toward the tree line behind the existing structure

Granting the relief of the area ordinance would not impact public safety or the welfare of the community and based on the curvature of the street, the area placement of the structure will not be noticeable to the community

(2) Variance request to allow the height of the accessory structure (garage) to be 25 feet in lieu of the required 15 feet per section 400.3 of the BCZR.

The allowance of the variance would provide for the peak to allow clearance of an RV and truck/plow to gain access to garage for storage and maintenance of vehicles

The property we are petitioning for a height variance is for a detached garage at our home and we desire to store our RV and personal vehicles on our property

The property currently has an attached garage that does not allow clearance of storage of an RV or our truck with snow plow attached.

0135-A

POEHLER PROPERTY

Zoning property description for 12241 Harford Road Glen Arm MD 21037

Beginning at a point on the south side of ~~Bonaparte Avenue~~ ^{Harford Rd} which is 60 feet of right-of-way wide at the distance of 101+/- feet ~~South~~ ^{South East} of the centerline of the nearest improved intersecting street ~~Harford Road~~ ^{Bonaparte Ave} which is 60 feet wide.

Thence the following courses and distances: (1st Point of Call "POC") S.83 15'06"E. 83.84', (2nd POC) N.71 24'58" E. 300.96', (3rd POC) S.03 49'44" W. 478.61', (4th POC) S.58 07'46"W. 446.51', (5th POC) N.04 06'06" W. 281.94', (6th POC) N.10 17'08" E.351.67" back to the point of beginning as recorded in Deed Liber (0034217) Folio (163) containing 5 acres more or less. Property is located in the 11th Election District and the 3rd Council District.

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

No. **107010**
 Date: **12/12/13**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 12/12/2013 12/12/2013 09:19:07 5
 REC 4505 WALKIN R905 LRB
 2 RECEIPT 9 713416 12/12/2013 OFLN
 5 528 ZONING VERIFICATION
 107010
 Recpt Tot \$75.00
 \$75.00 CK 1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				75.00

Total: **75.00**

Rec From: *Rocklee*
 For: *12241 Hartford Rd.*
21057
2014-0135-A

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

Date: 12-22-13

RE: Case Number: 2014-0135-A

Petitioner/Developer: Dave Poehler

Date of Hearing/Closing: 1-6-14

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 12241 Harford Rd

ZONING NOTICE

ADMINISTRATIVE

VARIANCE

CASE # 2014-0135-A
TO PERMIT AN ACCESSORY STRUCTURE/
DETACHMENT IN THE SIDE YARD WITH A
HEIGHT OF 25 FEET IN LINE OF THE
EXISTING REAR YARD AND 15 FEET

PUBLIC HEARING ?

PURSUANT TO SECTION 28-127(b)(1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
5:00 P.M. ON 1/6/14.
ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
101 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 847-3391
OR BY VISITING THE WEB: www.baltimorecountymd.gov AFTER ABOVE DATE UNDER PERMITS.
HANDICAPPED ACCESSIBLE

12-22-13

(Month, Day, Year)

J. Lawrence Pilson

(Signature of Sign Poster)

J. LAWRENCE PILSON

(Printed Name of Sign Poster)

1015 Old Barn Road

(Street Address of Sign Poster)

Parkton, MD 21120

(City, State, Zip Code of Sign Poster)

410-343-1443

(Telephone Number of Sign Poster)

C H E C K L I S TSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment12-20DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)NCDEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)12-19

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING Date: 12-22 by PilsonPEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐Comments, if any: Not principal residence per SDAT - Provided
proof of deed - Kristen hand delivered 1/17/14

0034217 163

First National Settlement Services, Inc.
File No. 2013-1942
Tax ID # 11-1108080850



KEVIN KAMENETZ
County Executive

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

This Deed, made this 22nd day of July, 2013, by and between George P. Hutschenreuter, party of the first part, Grantor; and Bernadette T. Poehler and Clarence D. Poehler, parties of the second part, Grantees.

- Witnesseth -

That for and in consideration of the sum of Three Hundred Forty Thousand And 00/100 Dollars (\$340,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantor does grant and convey to the said Bernadette T. Poehler and Clarence D. Poehler, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, in fee simple, all that lot of ground situate in the County of Baltimore, State of Maryland and described as follows, that is to say:

BEING KNOWN AND DESIGNATED AS ALL THAT LOT OF GROUND, SITUATE, LYING AND BEING IN 11TH DISTRICT OF BALTIMORE COUNTY, AFORESAID AND DESCRIBED AS FOLLOWS, THAT IS TO SAY; BEGINNING FOR THE SAME, AT THE END OF THE N 53° 35' E 121 FEET LINE OF THE LAND CONVEYED BY SOPHIA STEWART TO CHARLES J. BONAPARTE, BY DEED DATED MARCH 27, 1902, AND RECORDED AMONG THE AND RECORDS OF BALTIMORE COUNTY, IN LIBER N.B.M. NO. 280, FOLIO 139, AND RUNNING THENCE BINDING ON SAID LAND AS DESCRIBED IN SAID DEED, N 3° 00' W 282.15 FEET AND N 12° 20' E 344.85 FEET TO THE BALTIMORE AND HARFORD TURNPIKE, AND THENCE LEAVING THE OUTLINE OF THE AFORESAID CONVEYANCES TO BONAPARTE AND BINDING ON SAID TURNPIKE ROAD, AND ON THE OUTLINES OF THE WHOLE TRACT CONVEYED BY CHARLES W. COVER TO GEORGE HUTSCHENREUTER, BY DEED DATED MARCH 16, 1918 AND RECORDED AMONG SAID LAND RECORDS IN LIBER W.P.C. NO. 495, FOLIO 95 REVERSELY, S 82° 30' E 99 FEET AND N 71° 00' E 238.75 FEET OR TO THE END OF THE S 74° 45' W 25.5 PERCHES LINE OF THE LIND CONVEYED BY SOPHIA STEWART TO JOSEPH L. PACE AND WIFE, BY LIBER N.P.C. NO. 281, FOLIO 445. AND THENCE, LEAVING THE ROAD, AND BINDING ON SAID PACE CONVEYANCE, S 9° 12' W 454.41 FEET, AND THENCE, LEAVING THE PACE LAND, AND RUNNING FROM A NEW DIVIDING LINE THROUGH AND ACROSS THE WHOLE TRACK OF THE GRANTORS, S 54° W 470 FEET MORE OR LESS, TO THE BEGINNING, CONTAINING 5 ACRES, MORE OR LESS.

BEING the fee simple property which, by Deed dated April 1, 1953, and recorded in the Land Records of the County of Baltimore, Maryland, in Liber 2272, Folio 190, was granted and conveyed by Emma H. Hutschenreuter unto George P. Hutschenreuter and Joyce A. Hutschenreuter.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Bernadette T. Poehler and Clarence D. Poehler, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, in fee simple.

Zoning Review | County Office Building

*Kristen Lewis
Hand delivered
Deed to
Justice
"Principal"
Residence*

RECEIVED

JAN 17 2014

OFFICE OF ADMINISTRATIVE HEARINGS



KEVIN KAMEL
County Executive

And the said party of the first part hereby covenants that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he will warrant specially the property hereby granted; and that he will execute such further assurances of the same as may be requisite.

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

As Witness the hand and seal of said Grantor, the day and year first above written.

WITNESS:

Angela D. Johnson

Dr. Charles Morris as Power of Attorney for
George P. Hutschenreuter
{Seal}

Dr. Charles Morris as Power of
Attorney for George P. Hutschenreuter

STATE OF MARYLAND, COUNTY OF Cecil, to wit:

I hereby certify that on this 22nd day of July, 2013, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Dr. Charles Morris, the Grantor herein, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the same for the purposes therein contained, and further acknowledged the foregoing Deed to be her act, and in my presence signed and sealed the same, giving oath under penalties of perjury that the consideration recited herein is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

MARISA WORKMAN
Notary Public
Cecil County
Maryland
My Commission Expires Mar. 27, 2017

Marisa Workman
Notary Public
My commission expires: 3/27/17

THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

James Pembroke Scott
James Pembroke Scott, Attorney

AFTER RECORDING, PLEASE RETURN TO:
First National Settlement Services, Inc.
703 Bestgate Road
Suite 200
Annapolis, MD 21401

0034217 165

File No. 2013-1942



OWNER OCCUPANCY AFFIDAVIT

KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Inspection and Regulations

Bernadette T. Poehler and Clarence D. Poehler, the Grantees in the within Deed hereby certify under the penalties of perjury, as evidenced by the joinder herein, that the land conveyed in this Deed is residentially improved owner-occupied real property and that the residence will be occupied by us.

WITNESS:

As to All

Bernadette T. Poehler (SEAL)

Bernadette T. Poehler

Clarence D. Poehler (SEAL)

Clarence D. Poehler

STATE OF MARYLAND, AA Co, to wit:

I HEREBY CERTIFY, that on this 22nd day of July, 2013, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Bernadette T. Poehler and Clarence D. Poehler, the parties herein, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged the foregoing to be their act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Melanie L. Rodenhizer
Notary Public

My Commission Expires: 04/23/15

Melanie L. Rodenhizer
Anne Arundel County
Notary Public
Comm. Exp. 04/23/15



**CERTIFICATION OF EXEMPTION FROM WITHHOLDING UPON
DISPOSITION OF MARYLAND REAL ESTATE**

KEVIN KAMENETZ
County Executive

AFFIDAVIT OF RESIDENCY OR PRINCIPAL RESIDENCE

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

File Number: 2013-1942

Property: 12241 Harford Road, Glen Arm, MD 21057

Based on the certification below, Transferor claims exemption from the tax withholding requirements of § 10-912 of Maryland's Tax General Article. Section 10-912 states that certain tax payments must be withheld when a deed or other instrument that affects a change in ownership of real property is recorded. The requirements of § 10-912 do not apply when a transferor provides a certification of Maryland residency or certification that the transferred property is the transferor's principal residence.

1. Transferor Information	
Name of Transferor George P. Hutschenreuter	
2. Reason for Exemption	
Resident Status	☐ I, Transferor, am a resident of the State of Maryland. ☐ Transferor is a resident entity under § 10-912(A)(4) of Maryland's Tax General Article. I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.
Principal Residence	☐ Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC § 121.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors	
 Witness	Dr. Charles Morris as Power of Attorney for George P. Hutschenreuter Name Signature George P. Hutschenreuter
3b. Entity Transferors	
Witness/Attest	Name of Entity By: Name Title

0034217 167

State of Maryland Land Instrument Intake Sheet

| Baltimore City | X | County: Baltimore

Information provided is for the use of the Clerk's Office and the Department of Assessments and Taxation, and the County Finance Office only.
(Type or Print in Black Ink Only All Copies Must Be Legible)

IMP FD SURE 48.00
RECORDING FEE 28.00
OR TAX STATE 1,700.00
TOTAL 1,776.00
Rest of Day Port 1,219.34
LE Director, Department of Permits, 10:30
Sep 17, 2013 Approval/Inspections

1 **KEVIN KRAUSE**
County Executive

2 **Conveyance**
Check Box
X Improved Sale
Arms-Length [1] Arms-Length [2] Arms Length [3] Not an Arms-Length Sale [9]

3 **Tax Exemptions**
(if Applicable)
Cite or Explain Authority
Recordation
State Transfer
County Transfer

4 **Consideration and Tax Calculations**

Consideration	Amount	Finance Office Use Only	
Purchase Price/Consideration	\$ 340,000.00	Transfer and Recordation Tax Consideration	
Any New Mortgage	\$ 240,000.00	Transfer Tax Consideration	\$
Balance of Existing Mortgage	\$	x () %	= \$
Other:	\$	Less Exemption Amount	- \$
Other:	\$	Total Transfer Tax	= \$ 4770.00
Full Cash Value	\$ 340,000.00	Recordation Tax Consideration	\$
		x () per \$500	= \$ 1700.00
		TOTAL DUE	\$

5 **Fees**

Amount of Fees	Doc. 1	Doc. 2	Agent:
Recording Charge	\$ 60.00	\$ 60.00	
Surcharge	\$ 0.00	\$ 0.00	
State Recordation Tax	\$ 1,700.00	\$ 0.00	
State Transfer Tax	\$ 1,700.00	\$ 0.00	
County Transfer Tax	\$ 5,100.00	\$ 0.00	
Other	\$	\$	
Other	\$	\$	

6 **Description of Property**
SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).

District	Property Tax ID No.(1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG
	11-1108080850	2272/190		11-1108080850	(5)
Subdivision Name		Lot (3a)	Block(3b)	Sect/AR(3c)	Plat Ref.
Location/Address of Property Being Conveyed (2)		Water Meter Account No.			
12241 Harford Road, Glen Arm, MD 21057					
Other Property Identifiers (if applicable)					
Residential X or Non-Residential Fee Simple X or Ground Rent Amount: \$N/A					
Partial Conveyance? Yes X No Description/Amt. of SqFu/Acreage Transferred: N/A					
If Partial Conveyance, List Improvements Conveyed: MA		1700.00			

7 **Transferred From**

Doc. 1 - Grantor(s) Name(s)	Doc. 2 - Grantor(s) Name(s)
George P. Hutschenreuter	Bernadette T. Poehler
	Clarence D. Poehler
Doc. 1 - Owner(s) of Record, if Different from Grantor(s)	Doc. 2 - Owner(s) of Record, if Different from Grantor(s)

8 **Transferred To**

Doc. 1 - Grantee(s) Name(s)	Doc. 2 - Grantee(s) Name(s)
Bernadette T. Poehler	Credit Union Mortgage Association, Inc.
Clarence D. Poehler	
New Owner's (Grantee) Mailing Address	
3221 Summit Ave, Baltimore, MD 21234	

9 **Other Names to Be Indexed**

Doc. 1 - Additional Names to be Indexed (Optional)	Doc. 2 - Additional Names to be Indexed (Optional)

10 **Contact/Mail Information**

Instrument Submitted By or Contact Person	X Return to Contact Person
Name: Trisha Ruberg	
Firm: First National Settlement Services, Inc.	
Address: 703 Bestgate Road, Suite 200, Annapolis, MD 21401	
Phone: 410-919-2271	
	Hold for Pickup
	Return Address Provided

11 **IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER**

Assessment Information	Yes	No	Will the property being conveyed be the grantee's principal residence?
	X		
		X	Does transfer include personal property? If yes, identify:
		X	Was property surveyed? If yes, attach copy of survey (if recorded, no copy required)

Assessment Use Only - Do Not Write Below This Line

Terminal Verification	Agricultural Verification	Whole	Part	Tran. Process Verification
Number:	Date Received:	Deed Reference:	Assigned Property No.:	
11-1108080850	9/17/2013	Geo	Map	Sub
		Zoning	Grid	Block
		Use	Parcel	Plat
		Town Cd	Section	Lot
			Occ Cd	

RECORDATION TAX NOT REQUIRED
Director of Budget and Finance
BALTIMORE COUNTY, MARYLAND
T.P. ART 12-108
DOCS 2 3 4 5 6

BALTIMORE COUNTY CIRCUIT COURT (Land Records) - LE 34247, p. 0167, (VSA_CE62_34473, Date available 12/03/2013, Printed 01/17/2014)



KEVIN KAMENETZ
County Executive

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

January 7, 2013

Bernadette & Clarence D. Poehler
12241 Harford Road
Glen Arm MD 21057

RE: Case Number: 2014-0135 A, Address: 12241 Harford Road

Dear Mr. & Ms. Poehler:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on December 12, 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." 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 Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2014-0135-A
Administrative Variance
Bernadette T. & Clarence Poehler
12241 Hanford Road
MD147

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 12/16/13. A field inspection and internal review reveals that an entrance onto MD147 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2014-0135-A.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may email him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard Zeller", is written over the typed name "Steven D. Foster".
Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For December, 23 2013
Item No. 2014- 0135 and 0136

DATE: December 20, 2013

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

DAK:CEN
Cc: file

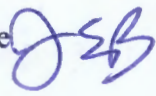
G:\DevPlanRev\ZAC -No Comments\ZAC12232013 -.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: January 9, 2014

TO: Kristen Lewis, Office of Zoning Review
Department of Permits, Approvals & Inspections (PAI)

FROM: John Beverungen, Administrative Law Judge 
Office of Administrative Hearings

RE: Petition for Administrative Variance – 01/06/14 Closing Date
Case No. 2014-0135-A – 12241 Harford Road, 21057 (Formal Demand)

After receipt and a review of the above-captioned case file, I am requesting that this case be set in for a public hearing. Baltimore County Code (B.C.C.) § 32-3-303(a)(1), states in pertinent part:

“ ... the Zoning Commissioner may grant variances from area and height regulations **without a public hearing if the variance petition involves an owner-occupied lot** zoned residential” (Emphasis Added)

Our office is returning the file to you for further processing such as notifying the Petitioners, posting and advertising of the hearing notices.

Thank you for your attention and cooperation in this matter.

JEB:dlw

c: Office of People's Counsel
W. Carl Richards, Jr., Supervisor, Zoning Review Office, PAI

Real Property Data Search (w1)

Search Result for BALTIMORE COUNTY

[Search Help](#)

[View Map](#) [View GroundRent Redemption](#) [View GroundRent Registration](#)

Account Identifier: District - 11 Account Number - 1108080850

Owner Information

Owner Name: HUTSCHENREUTER G P Use: RESIDENTIAL

HUTSCHENREUTER JOYCE A Principal Residence: NO

Mailing Address: APT 302 Deed Reference: 1)

615 RIVIERA DUNES WAY 2)

PALMETTO FL 34221-7147

Location & Structure Information

Premises Address: 12241-HARFORD RD 5 ACRES ES SHARON DR

GLEN ARM MD 21057-9325 Legal Description: 2640 S OF MT VISTA

Map: 0054 Grid: 0015 Parcel: 0210 Sub District: 0000 Section: Block: Lot: 2012 Assessment Year: Plat No: Plat Ref:

Special Tax Areas:

Town: NONE

Ad Valorem:

Tax Class:

Primary Structure Built 1958 Above Grade Enclosed Area 1,699 SF Finished Basement Area 1274 SF Property Land Area 5.0000 AC County Use 04

Stories 1.000000 Basement YES Type STANDARD UNIT Exterior BRICK Full/Half Bath 2 full Garage 1 Attached Last Major Renovation

Value Information

	Base Value	Value As of 01/01/2012	Phase-in Assessments As of 07/01/2013 As of 07/01/2014	
<u>Land:</u>	168,000	168,000		
<u>Improvements</u>	246,400	196,500		
<u>Total:</u>	414,400	364,500	364,500	364,500
<u>Preferential Land:</u>	0			0

Transfer Information

<u>Seller:</u>	<u>Date:</u>	<u>Price:</u>
<u>Type:</u>	<u>Deed1:</u>	<u>Deed2:</u>
<u>Seller:</u>	<u>Date:</u>	<u>Price:</u>
<u>Type:</u>	<u>Deed1:</u>	<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>	07/01/2013	07/01/2014
<u>County:</u>	000	0.00	
<u>State:</u>	000	0.00	
<u>Municipal:</u>	000	0.00 0.00	0.00 0.00

Tax Exempt: Special Tax Recapture:

Exempt Class: NONE

Homestead Application Information

Homestead Application Status: Denied

CAUTION
TAPE
OUTLINE
Proposed
garage
↓

SHED



East facing view, depicting proposed site of garage in side yard with surrounding property, area not in neighbors' view from any angle

CASE 2014-0135-A

PHOTO ~~345~~
213



Proposed garage site – picture taken from end of existing driveway

CAUTION TAPE OUTLINES AREA OF PROPOSED GARAGE

CASE 2014-0135-A

PHOTO # 3/3

HOUSE

SHED

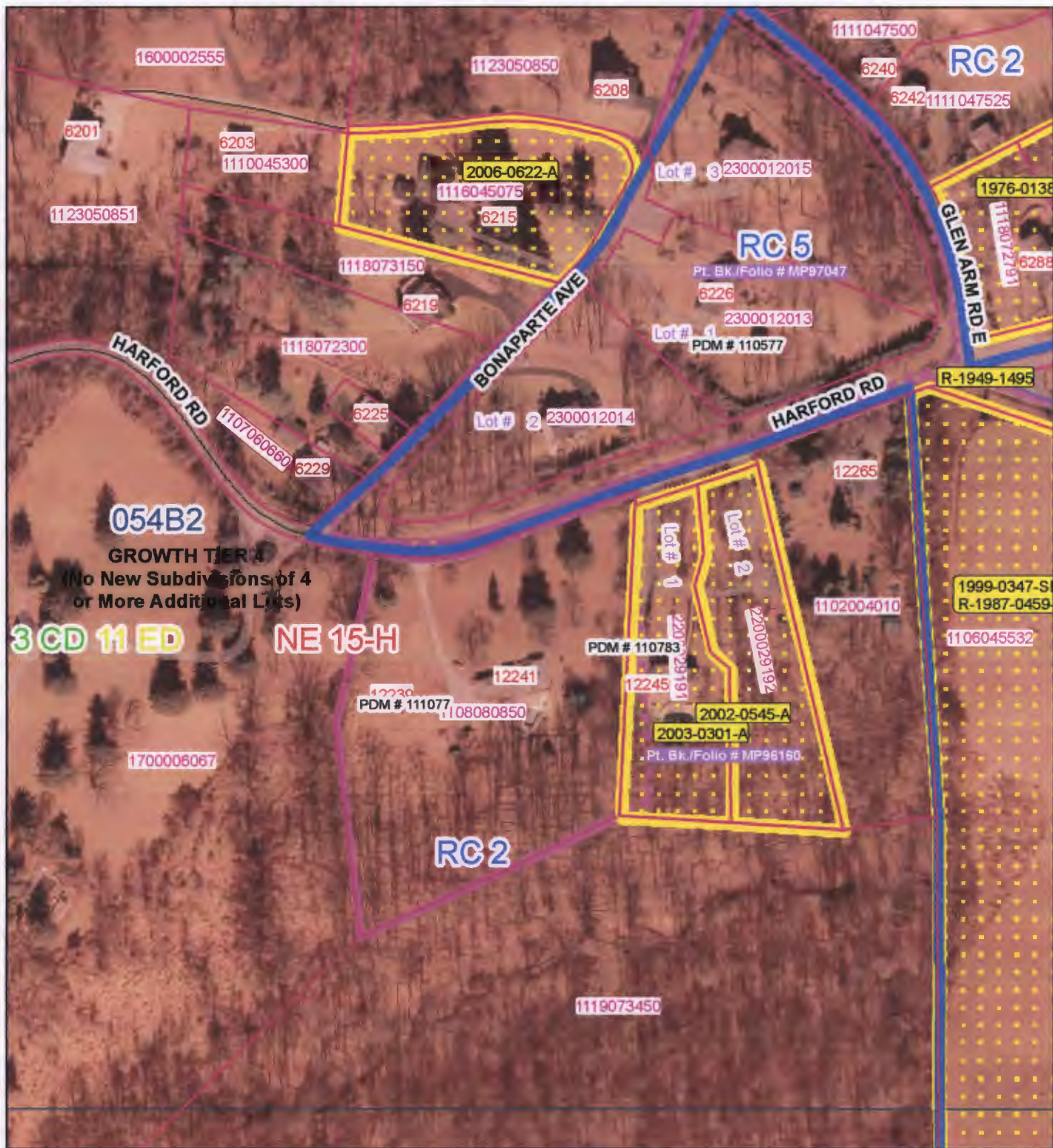
CAUTION
TAPE
OUTLINES
AREA
OF
PROPOSED
GARAGE



Picture from northwest corner of property depicting the slope of the property, noting view of only top of shed in background

CASE 2014-0135-A

12241 Harford Road 2014-0135-A



Publication Date: 12/12/2013



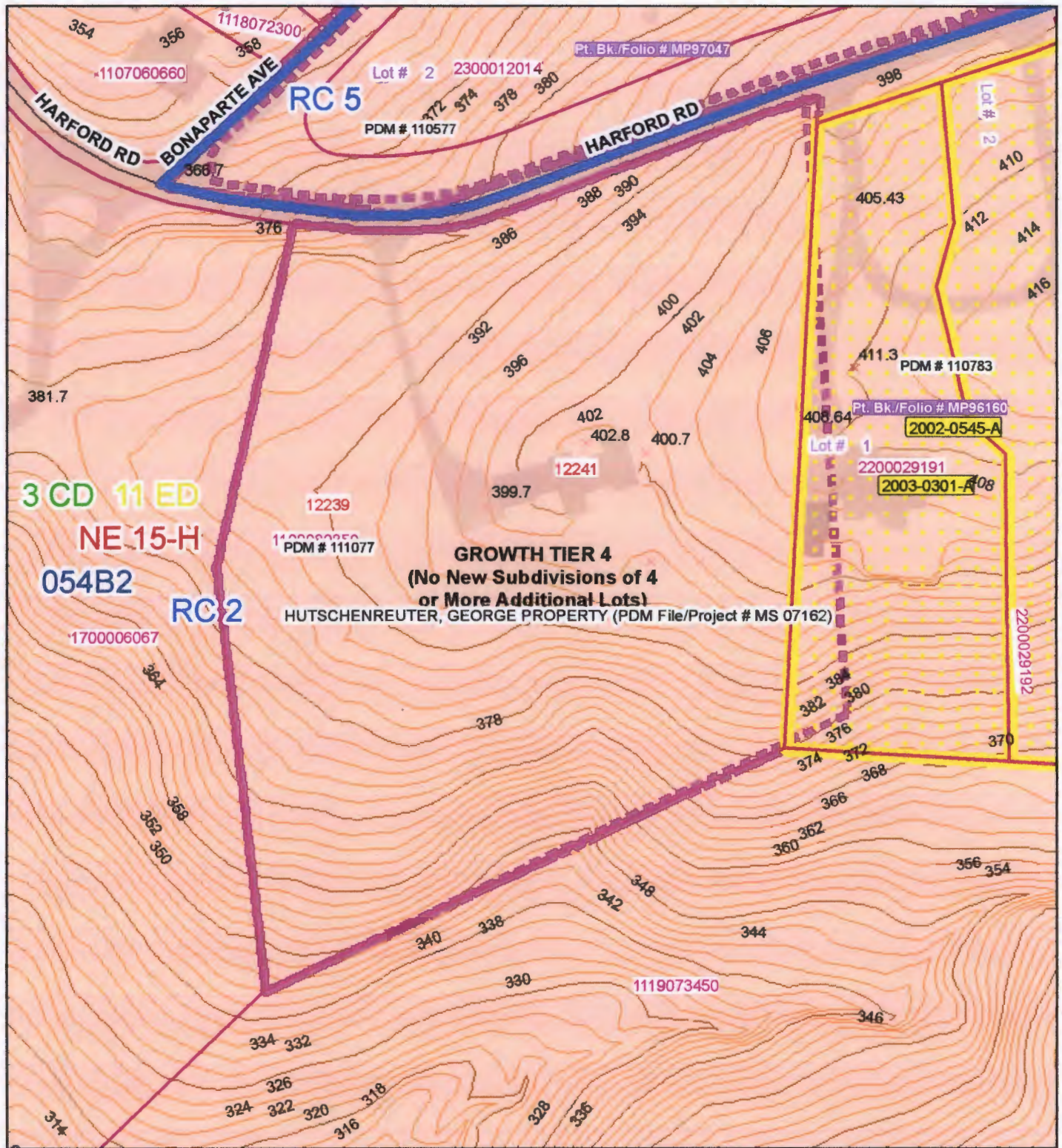
Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 50 100 200 300 400
Feet

1 inch = 200 feet

12241 Harford Road 2014-0135-A



Publication Date: 12/12/2013



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



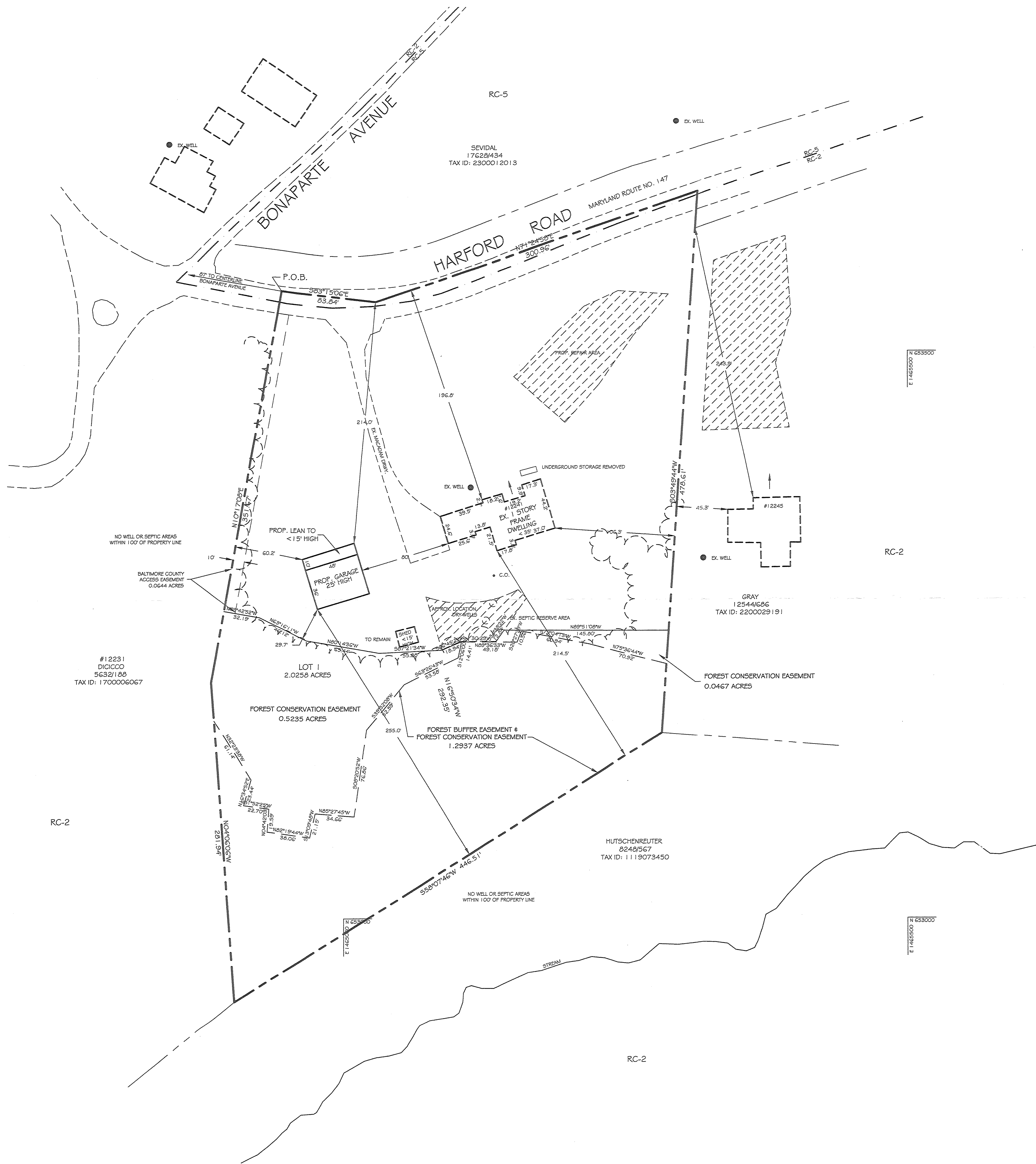
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1 inch = 100 feet

CASE 2014-0135-A

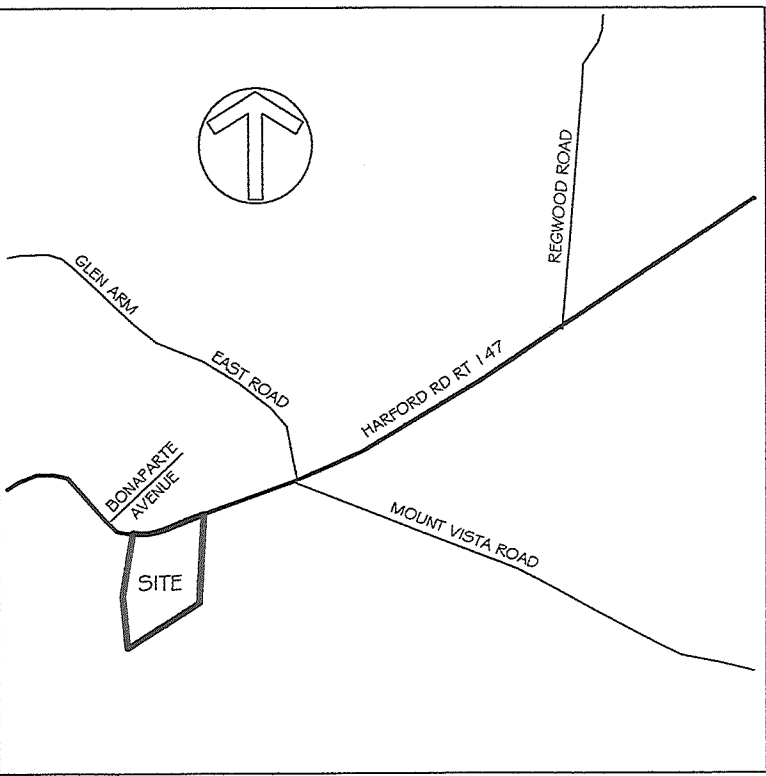


DEHLER PROPERTY 12241 HARFORD RD GLEN ARM MD 21057



SITE DATA:

- 1) OWNER: BERNADETTE T. POEHLER AND CLARENCE D. POEHLER
- 2) OWNERS ADDRESS: 12241 HARFORD ROAD
GLEN ARM, MARYLAND 21057
410-917-2106
- 3) DEED REFERENCE: 34217163
- 4) TAX ACCOUNT NUMBER: 1108080850
- 5) TAX MAP: 54 GRID 15 PARCEL 210
- 6) ZONING: RC-2
- 7) ZONING MAP: 05482
- 8) CENSUS TRACT: 41111.01
- 9) COUNCILMANIC DISTRICT: 3rd
- 10) ELECTION DISTRICT: 11th
- 11) WATERSHED: LOWER GUNPOWDER
- 12) SUBWATERSHED: NONE
- 13) SCHOOL DISTRICT: KINGSVILLE #5
- 14) REGIONAL PLANNING DISTRICT: 318
- 15) AREA OF TRACT: 4.6972 ACRES
- 16) EXISTING USE: SINGLE FAMILY DWELLING
- 17) PRIOR ZONING HEARINGS: NONE
- 18) NO CURRENT OR OUTSTANDING VIOLATIONS
- 19) NO HISTORICAL SIGNIFICANCE
- 20) NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREA
- 21) NOT WITHIN A 100-YEAR FLOOD PLAIN
- 22) PRIVATE WELL AND SEPTIC



VICINITY MAP
SCALE: 1" = 1000'

VARIANCES REQUESTED:

- 1) TO ALLOW ACCESSORY STRUCTURES TO BE LOCATED WITHIN THE SIDE YARD IN LIEU OF THE REQUIRED REAR YARD PER SECTION 400.1 OF THE BCZR; AND
- 2) TO ALLOW THE HEIGHT OF THE ACCESSORY STRUCTURE (GARAGE) TO BE 25 FEET IN LIEU OF THE REQUIRED 15 FEET PER SECTION 400.3 OF THE BCZR; AND
- 3) FOR OTHER AND SUCH RELIEF AS MAY BE DETERMINED NECESSARY BY THE ADMINISTRATIVE LAW JUDGE

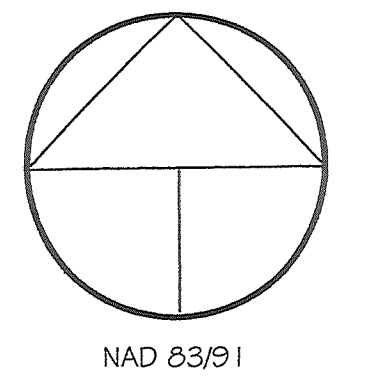
NOTE:

THIS PLAN MAY BE USED BY THE CLARENCE AND BERNADETTE POEHLER AS A PLAN TO ACCOMPANY A BUILDING PERMIT PROVIDED THAT LOCATION, SETBACKS AND DIMENSIONING OF THE ACCESSORY STRUCTURES HAVE NOT BEEN CHANGED OR MODIFIED AND IS IN ACCORDANCE WITH VARIANCES REQUESTED SHOULD THE RELIEF BE GRANTED.

kjwellsinc

7403 NEW CUT ROAD
KINGSVILLE, MARYLAND 21087
(410) 592-8800

Land Surveying & Site Planning



REVISIONS:	
NO.	DATE

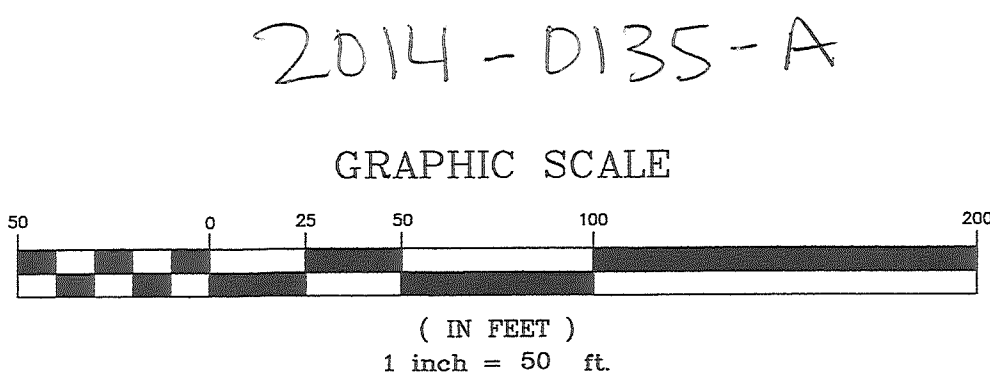
PLAN TO ACCOMPANY AN
ADMINISTRATIVE VARIANCE
POEHLER PROPERTY

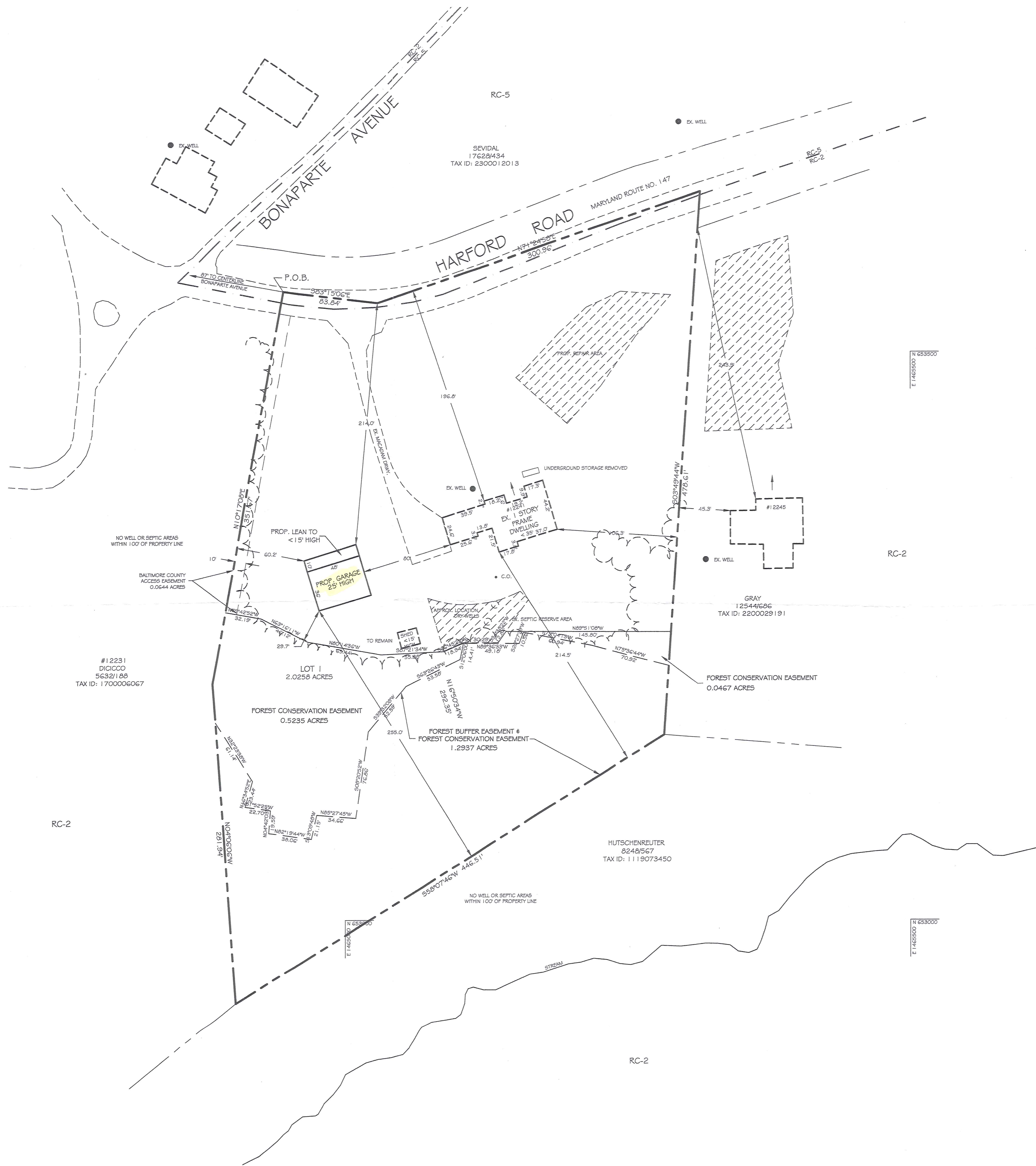
12241 HARFORD ROAD
BALTIMORE COUNTY
MARYLAND
11th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT

DRAWN BY: KJW
CHECKED BY: KJW
DATE: 12/01/2013

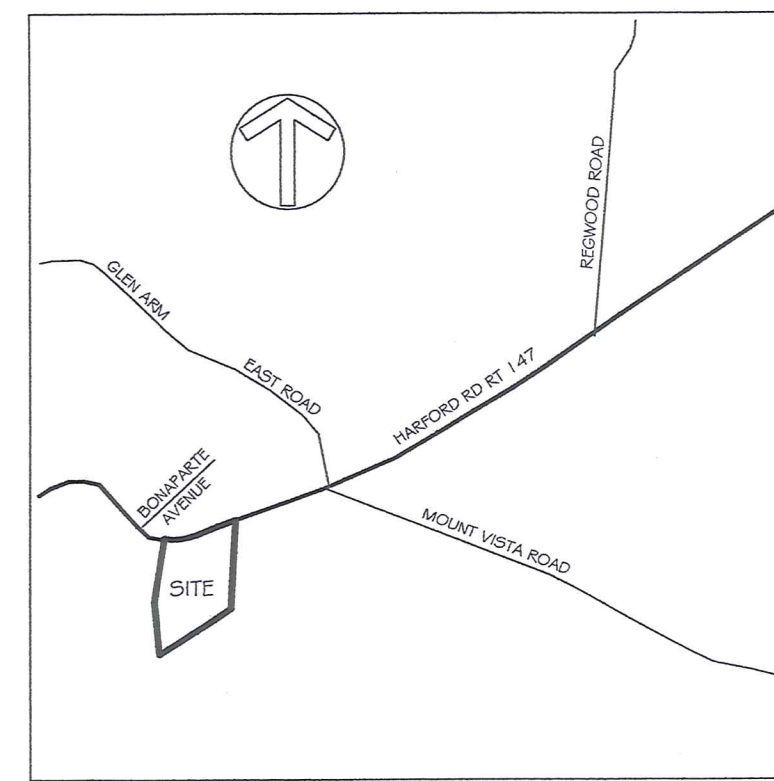
PROJECT NO.:
2013-054

SHEET 1 OF 1





- SITE DATA:
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 - 2) OWNERS ADDRESS: 12241 HARFORD ROAD
GLEN ARM, MARYLAND 21057
410-917-2106
 - 3) DEED REFERENCE: 342171163
 - 4) TAX ACCOUNT NUMBER: 1108080850
 - 5) TAX MAP: 54 GRID 15 PARCEL 210
 - 6) ZONING: RC-2
 - 7) ZONING MAP: 05482
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VICINITY MAP
SCALE: 1" = 1000'

VARIANCES REQUESTED:

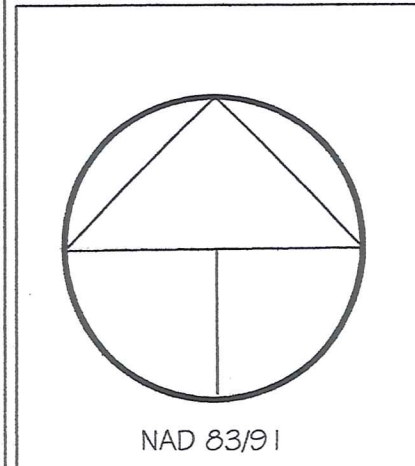
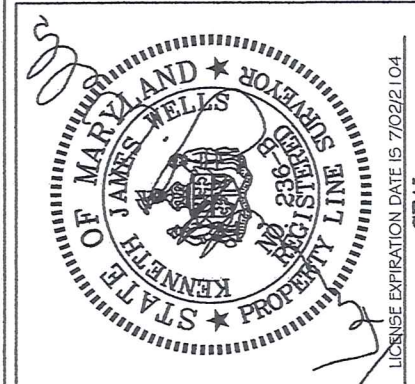
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kjWellsInc
7403 NEW CUT ROAD
KINGSVILLE, MD 21087
(410) 592-6800

Land Surveying & Site Planning



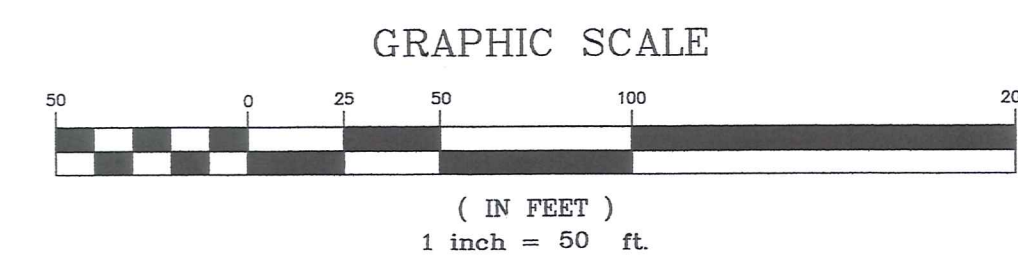
REVISIONS:	
NO.	DATE

PLAN TO ACCOMPANY AN
ADMINISTRATIVE VARIANCE
POEHLER PROPERTY

12241 HARFORD ROAD
BALTIMORE COUNTY
MARYLAND
11th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT

DRAWN BY: KJW
CHECKED BY: KJW
DATE: 12/01/2013
PROJECT NO.: 2013-054
SHEET 1 OF 1

2014-0135-A



Pet. Exp.
1