

IN RE: PETITION FOR ADMIN. VARIANCE *

(2627 Pot Spring Road)

8th Election District *

3rd Councilmanic District *

John Hock *

Petitioner *

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2014-0137-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owner of the property, John Hock, for property located at 2627 Pot Spring Road. The Petitioner is requesting Variance relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory building (garage) to have a height of 33 ft. in lieu of the allowed 15 ft.

Though originally filed as an Administrative Variance, Aimee and Christopher Smith requested (in a timely fashion) a formal hearing on this matter. The hearing was subsequently scheduled for Wednesday, February 19, 2014 at 1:30 PM in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. The file reveals that the Petition was advertised and posted as required by the Baltimore County Zoning Regulations.

There were no substantive Zoning Advisory Committee (ZAC) comments received.

Appearing at the public hearing in support for this case was John Hock, legal owner, Joanne and Samuel Mangione and Thomas J. Hoff, whose firm prepared the site plan. Aimee and Christopher Smith, adjoining neighbors, attended the hearing to obtain further information and clarification concerning the scope of the proposal.

ORDER RECEIVED FOR FILING

Date 2/26/14

By slh

Testimony and evidence revealed that the subject property is approximately 4.52 acres and is zoned RC 6. The property is improved with a large single family dwelling (approximately 7,000 SF) constructed in 2002. Mr. Hock owns and restores vintage automobiles, and would like to construct a large garage on his property to work on the vehicles.

Though the petitions as filed proposed a height of 32', the Petitioner agreed after discussions with his neighbors (reflected in Petitioner's Exhibit 2) to a maximum height of 26'. The Petitioner also made several other concessions regarding the garage placement, and those are also set forth in the letter agreement attached as Exhibit 2.

Based upon the testimony and evidence presented, I will grant 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).

The Petitioner has met this test. The subject property is irregularly shaped and is therefore unique. The Petitioner would experience a practical difficulty if the regulations were strictly interpreted, since he would be unable to construct a garage that would accommodate his vehicles. The grant of relief would not be injurious in any way to the community.

Pursuant to the advertisement, posting of the property, and public hearing on this petition, and after considering the testimony and evidence, I find that Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED, this 26th day of February, 2014 by the Administrative Law Judge for Baltimore County, that the Petition for Variance from Section 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit an accessory building (garage) to

ORDER RECEIVED FOR FILING

Date 2/26/14

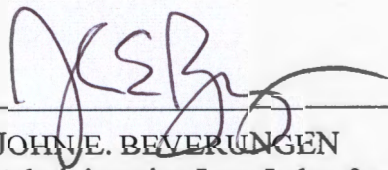
By Sen

have a maximum height of 26 ft. in lieu of the allowed 15 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioner may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- The garage shall be constructed in accordance with the elevations marked and admitted as Petitioner's Exhibit 2, and shall be located on the subject property as reflected on the redlined site plan (with a revision date of 2/24/14) marked and admitted as Petitioner's Exhibit 4.
- The Petitioner shall make good faith efforts to reach agreement with Aimee and Christopher Smith concerning any plantings or screening proposed between the garage and the property line shared by the parties.

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:slh

ORDER RECEIVED FOR FILING

Date 2/26/14
By slh

KEVIN KAMENETZ
County Executive



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

February 26, 2014

John Hock
2627 Pot Spring Road
Lutherville, Maryland 21093

RE: Petition for Variance
Property: 2627 Pot Spring Road
Case No.: 2014-0137-A

Dear Mr. Hock:

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,

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

c: Thomas J. Hoff, 512 Virginia Avenue, Towson, Maryland 21286
Aimee and Christopher Smith, 2615 Pot Spring Road, Lutherville, Maryland 21093



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 2627 POT SPRING RD

which is presently zoned RC-6

Deed Reference 34353/219

10 Digit Tax Account # 2000014684

Property Owner(s) Printed Name(s) JOHN HOCK

(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. X **ADMINISTRATIVE VARIANCE** from section(s)

Section 400.3 - to allow an accessory building (garage) to have a height of 33' in lieu of the allowed 15'

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:

N/A

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

N/A

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners:

JOHN HOCK

Name #1 – Type or Print

Name #2 – Type or Print

Signature #1

Signature # 2

2627 POT SPRING RD, LUTHERVILLE, MD

Mailing Address

City

State

21093

410-456-0676

johnh@mse.bz

Zip Code

Telephone #

Email Address

Representative to be contacted:

THOMAS J. HOFF

Name – Type or Print

Signature

512 VIRGINIA AVE. TOWSON, MD

Mailing Address

City

State

21286

410-296-3669

tom@thomasjhoff.com

Zip Code

Telephone #

Email Address

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

Administrative Law Judge of Baltimore County

CASE NUMBER 2014-0137-A

Filing Date 12/13/13

Estimated Posting Date 12/22/13

Reviewer JS

Affidavit in Support of Administrative Variance

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

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

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

Address: 2627 POT SPRING RD, LUTHERVILLE, MD 21093

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)**

I own several corvettes that are in various levels of restoration. My hobby is working on restoring these cars. Currently these cars are stored in Pennsylvania because I do not have a place locally to store them. Having a large garage on my home property will allow me to bring these cars from Pennsylvania and be able to work on them without having to make the trip to Pennsylvania. This is not a business operation, this is my hobby. In order to have enough room for these cars I need a garage of the size proposed. In order to have a roof with the proper pitch on a garage of this size, it is not possible to keep the height at 15' or less.

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

Signature of Affiant

JOHN HOCK

Name- Print or Type

Signature of Affiant

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 11th day of Dec, 2013, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

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

Notary Public

My Commission Expires

M. ROBIN POLEC
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND
MY COMMISSION EXPIRES MAY 01, 2017

REV. 10/12/11

THOMAS J. HOFF
Landscape Architects and Land Development Consultants
512 VIRGINIA AVENUE
TOWSON, MD. 21286
410-296-3668
FAX 410-825-3887

December 13, 2013

Description of 2627 Pot Spring Road to Accompany Petition for an Administrative Variance, 8th Election District, 3rd Councilmanic District

BEGINNING FOR THE SAME at a point on the east side of Pot Spring Road (60' R/W), 1,142 feet more or less north of the centerline of Stella Maris Drive.

Thence leaving the east side of Pot Spring Road,

- 1) North 66 degrees 35 minutes 56 seconds East 264.78 feet, thence,
- 2) By a curve to the right with a radius of 445.00 feet and a length of 184.61 feet, subtended by the chord North 78 degrees 13 minutes 19.5 seconds East 183.34 feet, thence,
- 3) North 89 degrees 50 minutes 43 seconds East 148.51 feet, thence,
- 4) South 20 degrees 41 minutes 44 seconds East 310.72 feet, thence,
- 5) South 13 degrees 39 minutes 41 seconds East 227.13 feet, thence,
- 6) North 60 degrees 52 minutes 55 seconds East 565.87 feet, thence,
- 7) North 44 degrees 20 minutes 29 seconds West 220.00 feet, thence,
- 8) North 74 degrees 14 minutes 44 seconds West 230.00 feet, thence,
- 9) North 48 degrees 14 minutes 33 seconds West 60.00 feet, thence,
- 10) By a curve to the right with a radius of 397.50 feet and a length of 102.28 feet, subtended by the chord South 82 degrees 28 minutes 26 seconds West 102.00 feet, thence,
- 11) South 89 degrees 50 minutes 43 seconds West 285.32 feet, thence,
- 12) By a curve to the left with a radius of 465.00 feet and a length of 188.66 feet, subtended by the chord South 78 degrees 13 minutes 19.5 seconds West 187.37 feet, thence,
- 13) South 66 degrees 35 minutes 56 seconds West 264.27 feet, to the east side of Pot Spring Road, thence binding on the east side of Pot Spring Road,
- 14) South 20 degrees 17 minutes 05 seconds East 10.01 feet, to the place of beginning.

Containing 4.52 acres of land more or less.

Note:

This Description has been prepared for zoning purposes only.



2014-0137-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/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

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

For Newspaper Advertising:

Item Number or Case Number: 2014-0137-A

Petitioner: JOHN HOCK

Address or Location: 2627 POT SPRING RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: JOHN HOCK

Address: 2627 POT SPRING RD

LUTHERVILLE, MD 21093

Telephone Number: 410-456-0670

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

No. **107012**

Date: **12/13/13**

PAID RECEIPT

RECEIVED - BUDGET AND FINANCE
 12/16/2013 12:13:2013 11:15:04 2
 REG 4002 WILKIN JEN JEE
 RECEIPT # 888014 12/13/2013 OFLN

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6.50				\$ 75.00
Total:								\$ 75.00

5 308 BUDGET VERIFICATION
 CR. 107012
 Recpt Tot 175.00
 \$75.00 CR 1.00 CA
 Baltimore County, Maryland

Rec From: **HOCK**

For: **2014-0137-A**

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: CASE NO: 2014-0137-A

PETITIONER/DEVELOPER _____

Tom Hoff

DATE OF HEARING/CLOSING: _____

12/4/14

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMEN:

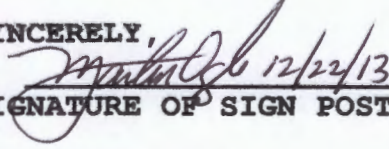
THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE
PROPERTY AT _____

2427 POT SPRING ROAD

THIS SIGN(S) WERE POSTED ON _____

December 22, 2013
(MONTH, DAY, YEAR)

SINCERELY,

 12/22/13
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE, MD 21220
(ADDRESS)
PHONE NUMBER: 443-629-3411

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2014-0137-A

TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) WITH
A HEIGHT OF 33 FEET IN LIEU OF THE MAXIMUM
PERMITTED HEIGHT OF 15 FEET

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1) BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC
HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED
IT IS DONE IN THE ZONING OFFICE BEFORE 4:30 P.M. ON
MONDAY, JANUARY 6, 2014
ADDITIONAL INFORMATION IS AVAILABLE AT ZONING
ADMINISTRATION AND DEVELOPMENT MANAGEMENT LOCATED
AT 111 W. CHESAPEAKE AVE. TOWSON MD. 21204
TEL. 410-387-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER THE DATE UNDER PENALTY OF LAW

MEETING IS HANDICAP ACCESSIBLE

W. J. J. 12/22/13

CERTIFICATE OF POSTING

RE: CASE NO: 2014-0137-A

PETITIONER/DEVELOPER _____

Tom Hoff

DATE OF HEARING/CLOSING: _____

2/19/14

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION:

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 AT _____

2627 POT SPRING RD

THIS SIGN(S) WERE POSTED ON _____

January 29, 2014
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 1/29/14
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE, MD 21220
(ADDRESS)
PHONE NUMBER: 443-629-3411

ZONING NOTICE

A PUBLIC HEARING WILL BE HELD
BY THE ZONING COMMISSIONER
IN TOWSON, MD.

CASE # 2014-0137-A

PLACE: ROOM 205, JEFFERSON BUILDING, 105
WEST CHESAPEAKE AVENUE, TOWSON 21204

DATE/TIME: WEDNESDAY FEBRUARY 19, 2014
AT 1:30 P.M.

REQUEST: VARIANCE TO ALLOW AN ACCESSORY BUILDING
(GARAGE) TO HAVE A HEIGHT OF 33 FT. IN LIEU
OF THE ALLOWED 15 FT.

ADDITIONAL INFORMATION IS AVAILABLE AT ZONING
ADMINISTRATION AND DEVELOPMENT MANAGEMENT LOCATED
AT 111 W. CHESAPEAKE AVE. TOWSON MD. 21204
TEL. 410-887-3391

NO NEW REMOVALS PERMITTED UNTIL AFTER THE DATE UNDER PENALTY OF LAW.
MEETING IS HANDICAP ACCESSIBLE.

myanul08 1/29/14



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

January 30, 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 30, 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: #2014-0137-XA

2627 Pot Spring Road

E/s Pot Spring Road, 1,142 ft. n/of centerline of intersection with Stella Maris Drive

8th Election District - 3rd Councilmanic District

Legal Owner(s): John Hock

Variance: to allow an accessory building (garage) to have a height of 33 ft. in lieu of the allowed 15 ft.

Hearing: Wednesday, February 19, 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.
01/565 January 30 966727



KEVIN KAMENETZ
County Executive

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

January 16, 2014

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: 2014-0137-XA

2627 Pot Spring Road

E/s Pot Spring Road, 1,142 ft. n/of centerline of intersection with Stella Maris Drive

8th Election District – 3rd Councilmanic District

Legal Owners: John Hock

Variance to allow an accessory building (garage) to have a height of 33 ft. in lieu of the allowed 15 ft.

Hearing: Wednesday, February 19, 2014 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: John Hock, 2627 Pot Spring Rd., Lutherville 21093

Thomas Hoff, 512 Virginia Ave., Towson 21286

Mr. & Mrs. Christopher Smith, 2615 Pot Spring Rd., Lutherville 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THUR., JANUARY 30, 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 30, 2014 Issue - Jeffersonian

Please forward billing to:

John Hock
2627 Pot Spring Road
Lutherville, MD 21093

410-456-0676

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: 2014-0137-XA

2627 Pot Spring Road

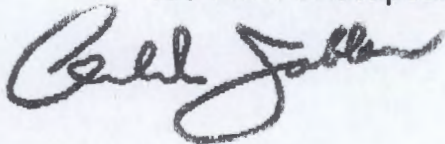
E/s Pot Spring Road, 1,142 ft. n/of centerline of intersection with Stella Maris Drive

8th Election District – 3rd Councilmanic District

Legal Owners: John Hock

Variance to allow an accessory building (garage) to have a height of 33 ft. in lieu of the allowed 15 ft.

Hearing: Wednesday, February 19, 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 ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

MEMORANDUM

DATE: April 11, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0137-A - Appeal Period Expired

The appeal period for the above-referenced case expired on March 28, 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

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
12/31	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	N/C
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
1/7/14	STATE HIGHWAY ADMINISTRATION	No Obj
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 1/30/14	
SIGN POSTING	Date: 1/29/14 by Ogle	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☒	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____



FORMAL DEMAND FOR HEARING

CASE NUMBER: 2014-0137-A

Address: 2627 POT SPRING ROAD

Petitioner(s): CHRISTOPHER T. SMITH

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We AIMEE AND CHRISTOPHER SMITH
Name - Type or Print

☒ Legal Owner OR ☐ Resident of
2615 POT SPRING ROAD

LEWISVILLE MD. 21093
Address

443 275-1476 410 332-8851
City State Zip Code

Telephone Number

which is located approximately TWELVE (12) feet from the
property, which is the subject of the above petition, **do hereby**
formally demand that a public hearing be set in this matter.

**ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS
DEMAND.**

C.T. Smith JAN. 6th, 2014
Signature Date

Signature Date
Revised 9/18/98 - wcr/scj

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2014- 0137 -A Address ~~ANNA~~ 2627 POT SPRING RD

Contact Person: JASON SEIDELMAN Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 12/13/13 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.

1. **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.
2. **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.
3. **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.
4. **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- 0137 -A Address 2627 POT SPRING RD

Petitioner's Name JOHN HOCK Telephone 410-456-0676

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

Wording for Sign: To Permit AN ACCESSORY STRUCTURE (GARAGE) WITH A HEIGHT OF 33 FEET IN LIEU OF THE MAXIMUM PERMITTED HEIGHT OF 15 FEET.

Revised 7/06/11

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



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

Date: 1/7/14

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

RE: Baltimore County
Item No 2014-0137-A
Administrative Variance
John Hock
2627 Pot Spring 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. 2014-0137-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,

A handwritten signature in blue ink, appearing to read 'Steven D. Foster', is written over the typed name.

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

THOMAS J. HOFF
Landscape Architects and Land Development Consultants
512 VIRGINIA AVENUE
TOWSON, MD. 21286
410-296-3668
FAX 410-825-3887

February 26, 2014

John E. Beverungen
Administrative Law Judge
105 West Chesapeake Avenue, Suite 103
Towson, MD. 21204

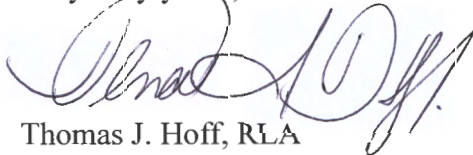
Re: 2627 Pot Spring Rd
Zoning Case #2014-0137-A

Dear John:

Attached please find the revised Redline "Plat to Accompany Petition for Variance" for the above referenced Case as per your request. A copy of this plan has been delivered to Christopher Smith.

If you have any questions or require any additional information, please give me a call at 410-296-3669.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Thomas J. Hoff", is written over a light blue rectangular background.

Thomas J. Hoff, RLA

Cc: Sam Mangione
John Hock
Christopher Smith

RECEIVED

FEB 26 2014

OFFICE OF ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: December 31, 2013

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

SUBJECT: Zoning Advisory Committee Meeting
For December 30, 2013
Item No. 2014-0137 to 0140

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

DAK:CEN:cab
Cc: file

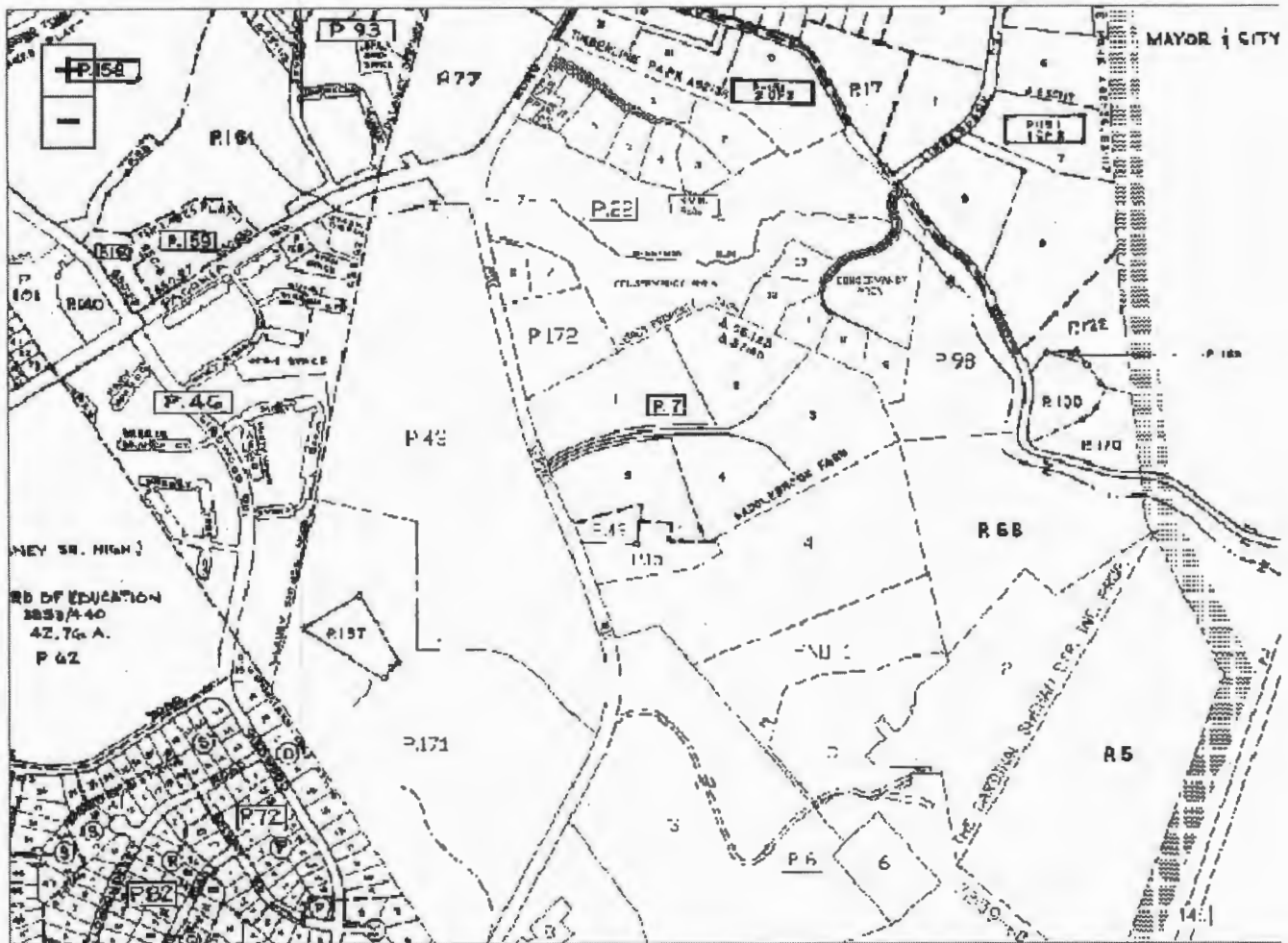
G:\DevPlanRev\ZAC -No Comments\ZAC12302013 -.doc

Real Property Data Search (w1)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Register
Account Identifier:	District - 08 Account Number - 2000014684	
Owner Information		
Owner Name:	HOCK JOHN	Use: RESIDENT
Mailing Address:	2627 POT SPRING RD LUTH-TIMONIUM MD 21093-2733	Principal Residence: YES
		Deed Reference: 1) /34353/ 002)
Location & Structure Information		
Premises Address:	2627 POT SPRING RD LUTHERVILLE TIMONIUM 21093-2733	Legal Description: 4.52 AC 2627 POT S SADDLEBI
Map: 0052	Grid: 0014	Parcel: 0007
Sub District:	Subdivision: 0000	Section:
		Block: 4
		Lot: 2014
		Assessment Year:
		Plat No:
		Plat Ref:
		Town: NONE
Special Tax Areas:		
	Ad Valorem:	Tax Class:
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
2002	6,844 SF	1400 SF
		Property Land Area
		4.5200 AC
Stories	Basement	Type
2.000000	YES	STANDARD UNIT
Exterior	Full/Half Bath	Garage
STUCCO	4 full/ 2 half	1 Attached
Last Major Re		
2002		
Value Information		
	Base Value	Value
		As of
		01/01/2014
Land:	405,600	405,600
Improvements	824,300	838,100
Total:	1,229,900	1,243,700
Preferential Land:	0	0
		Phase-in Assessments
		As of
		07/01/2013
		As of
		07/01/
		1,229,900
		1,234,
		0
Transfer Information		
Seller: CITIBANK N A,TRUSTEE	Date: 10/21/2013	Price: \$1,100,000
Type: ARMS LENGTH IMPROVED	Deed1: /34353/ 00219	Deed2:
Seller: LUONGO JAMES A	Date: 05/30/2013	Price: \$1,000,000
Type: NON-ARMS LENGTH OTHER	Deed1: /33696/ 00485	Deed2:
Seller: DEUTSCHE BANK TRUST COMPANY	Date: 04/03/2008	Price: \$1,250,000
Type: ARMS LENGTH IMPROVED	Deed1: /26847/ 00040	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:		
Exempt Class:		
	Special Tax Recapture:	
	NONE	
Homestead Application Information		
Homestead Application Status: Application received		

Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty>)District: **08** Account Number: **2000014684**

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



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

☐ Loading... Please Wait. Loading... Please Wait.

→

CASE NAME _____
CASE NUMBER 2014-0137-A
DATE 2-19-2014

[illegible]

CASE NAME

2014-0137A

Feb 2014

CITIZEN'S SIGN - IN SHEET

[illegible]

Case No.:

2014-0137-A

Exhibit Sheet

DO
4-11-14slw
2/26/14

Petitioner/Developer

Protestants

No. 1	Plan (^{original} redlined)	
No. 2	Letter dated 2-19-14 w/ attachments A-C	
No. 3	color photos A-H with key sheet	
No. 4	Plan (redline) Rev. 2/24/14	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

**AIMEE & CHRISTOPHER SMITH
2615 POT SPRING ROAD
TIMONIUM, MARYLAND 21093
(443) 310-1713**

February 19, 2014

Re: Case Number: 2014-0137 A
2627 Pot Spring Road
East Side of Pot Spring Road, 1,142 ft. North of Centerline of Intersection
with Stella Maris Drive
8th Election District – 3rd Councilmanic District
Legal Owners: John and JoAnn Hock (the “Hocks”)

To Whom It May Concern:

We are willing to agree to the Variance requested by the Hocks, provided the Variance is approved subject to the following conditions :

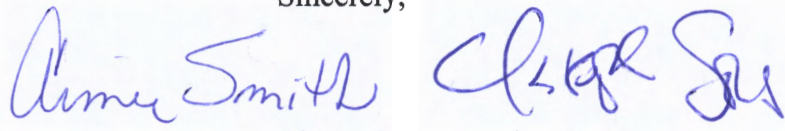
1. The accessory building (i.e. the “Garage”) will be located as shown on both the aerial picture attached hereto as Exhibit A and the site plan attached hereto as Exhibit B (the “Site Plan”). The distance from the southeastern corner of the paved area below or to side of Garage (as shown on the Site Plan) shall be at least 26 feet from the Hocks' property line that is shared with Aimee and Christopher Smith's residence at 2615 Pot Spring Road (the “Shared Property Line”). In addition, the southeastern corner of the Garage will be at least 60 feet from the Shared Property Line and the southwestern corner of the Garage will be approximately 112 feet from the Shared Property Line, both as shown on the Site Plan.
2. The accessory building or Garage will be built in accordance with the elevations and drawing attached hereto as Exhibit C and the height of the garage roofline will not exceed 26 feet. The 26 foot limitation does not include any spires or cupolas which may exceed the 26 foot limitation, also as shown on Exhibit C or reasonably similar thereto, but shall not be more than an additional 8 feet high.
3. The Hocks will comply with and follow all sediment control measures and stormwater management measures required by Baltimore County and any other agencies, so that no stormwater run-off or drainage from the Garage or the paving built in connection therewith will affect or impact the Smith property at 2615 Pot Spring Road.
4. The Hocks and Smiths shall cooperate in good faith to reach agreement regarding any plantings or screenings to be planted or built by the Hocks between the Garage and the Shared Property Line. The Smiths have indicated that they may replace the fence currently in place on the Shared Property Line with a similar type fence, and shall work

* OR STELLA MARIS PROPERTY LINE.

with the Hocks in doing so regarding its location along the Shared Property Line. The Smiths may plant wildflowers on their property to the South of the Shared Property Line, but only on their side of the existing or replaced fence along the Shared Property Line.

Provided these conditions and requirements are incorporated and made a part of the Variance, the Smiths have no objection to the Variance.

Sincerely,

The image shows two handwritten signatures in blue ink. The first signature, on the left, is 'Aimee Smith' written in a cursive style. The second signature, on the right, is 'Chris Smith' also in a cursive style.

Aimee & Christopher Smith

Exhibit A



15°58'50"W
187.36'

HOCK RESIDENCE

**2627 POT SPRING ROAD
BALTIMORE, MD 21093**

gba
gant-brunnett
ARCHITECTS
15 West Mulberry Street
Baltimore, Maryland 21201-4038
Telephone Number: 410-234-8844

OWNER PROJECT NUMBER: 20448

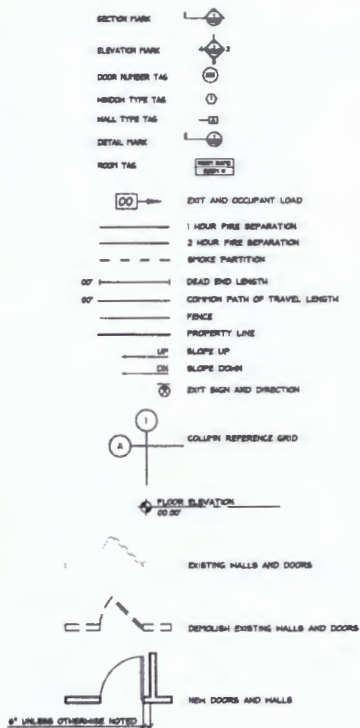
GBA PROJECT NUMBER: 20448



AREA MAP



VICINITY MAP



SYMBOL LEGEND

DISCIPLINE	SHEET	TITLE
GENERAL INFO	A000	COVER SHEET
ARCHITECTURAL	A101 A301	FLOOR PLANS EXTERIOR ELEVATIONS

LIST OF DRAWINGS

OWNER

HOCK FAMILY
2627 POT SPRINGS ROAD
BALTIMORE, MD
PHONE:

ARCHITECT

GANT BRUNETT ARCHITECTS

**15 W. MULBERRY STREET
BALTIMORE, MARYLAND 21201
PHONE: 410-234-8444**

STRUCTURAL ENGINEER

SKARDA AND ASSOCIATES

**2439 NORTH CHARLES STREET
BALTIMORE, MD 21218
PHONE: 410-366-9384**

PROFESSIONAL CERTIFICATION:
I CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY ME,
AND THAT I AM A DULY LICENSED
ARCHITECT UNDER THE LAWS OF
THE STATE OF MARYLAND, LICENSE NUMBER
EXPIRATION DATE 06/30/2020 *

(C) SAINT BRUNETT ARCHITECTS
ALL REPRODUCTION IS PROHIBITED

CONSULTANTS:

PROJECT:

**HOCK FAMILY RESIDENCE
2627 POT SPRING ROAD
BALTIMORE, MARYLAND 21093**

PROJ. NO.	20446
DATE	2-18-2004
SCALE	AS NOTED
REVISION	

**COVER
29'-0" SCHEME**

SHEET NO. OF

A000

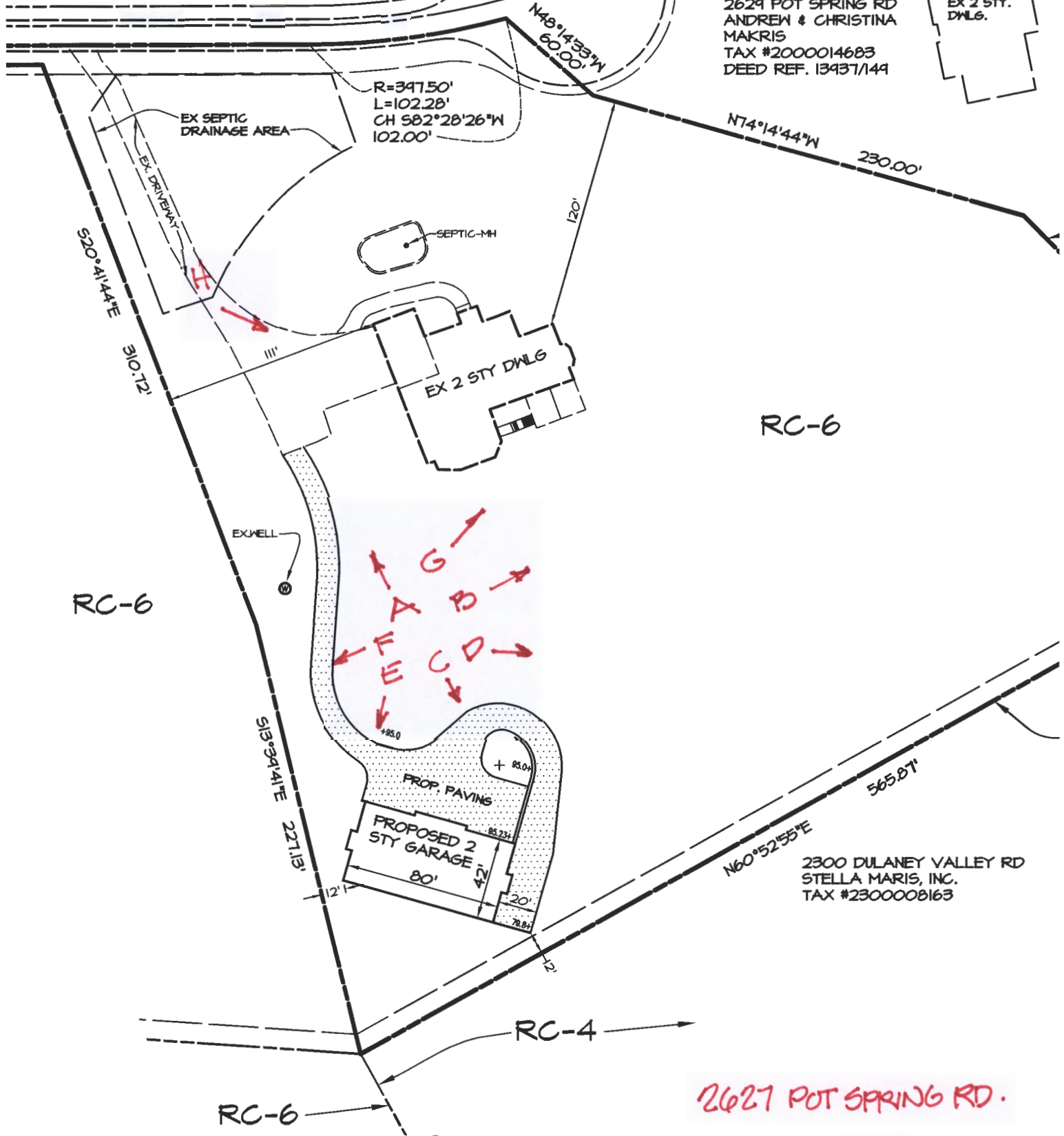
TAX #2000014681
DEED REF. 9097/258
PRESS & EGRESS,
UTILITY EASEMENT

RC-6

1 285.32'

2629 POT SPRING RD
ANDREW & CHRISTINA
MAKRIS
TAX #2000014683
DEED REF. 13937/149

EX 2 STY.
DWLG.



2014-0137-A

2627 POT SPRING RD.

Petitioner's No. 3



A



B

2014-0137-A



C



D

2014-0137-A



E



F

2014-0137-A



G



H

2014-0137-A



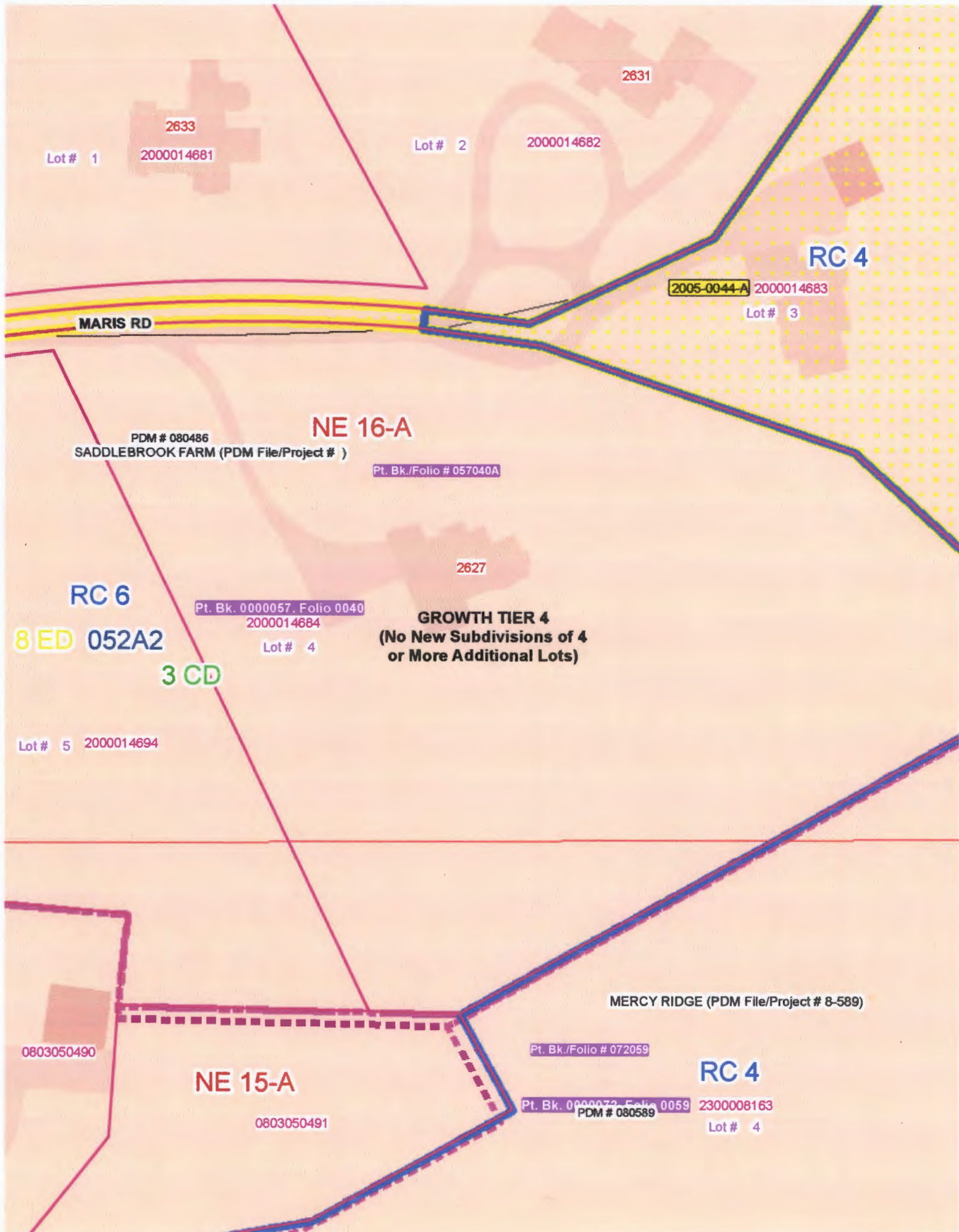
My Neighborhood Map

Created By
Baltimore County
My Neighborhood

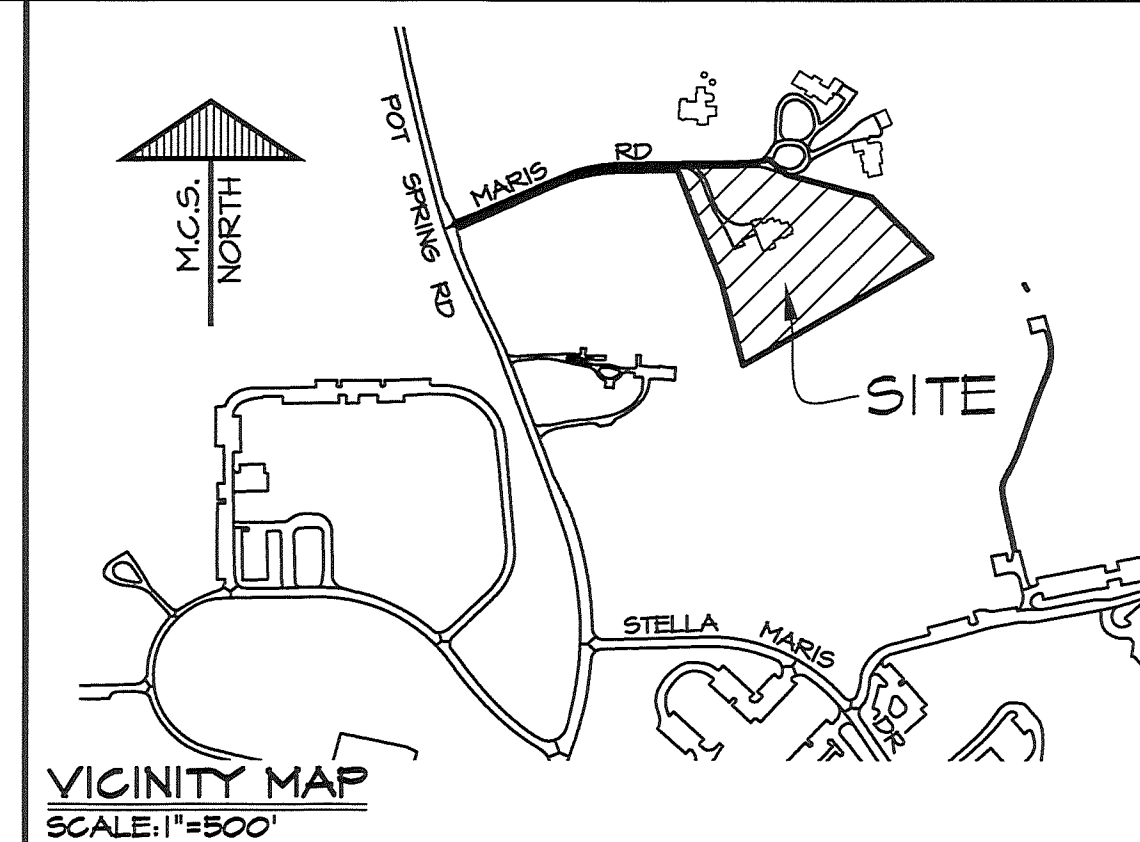


This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

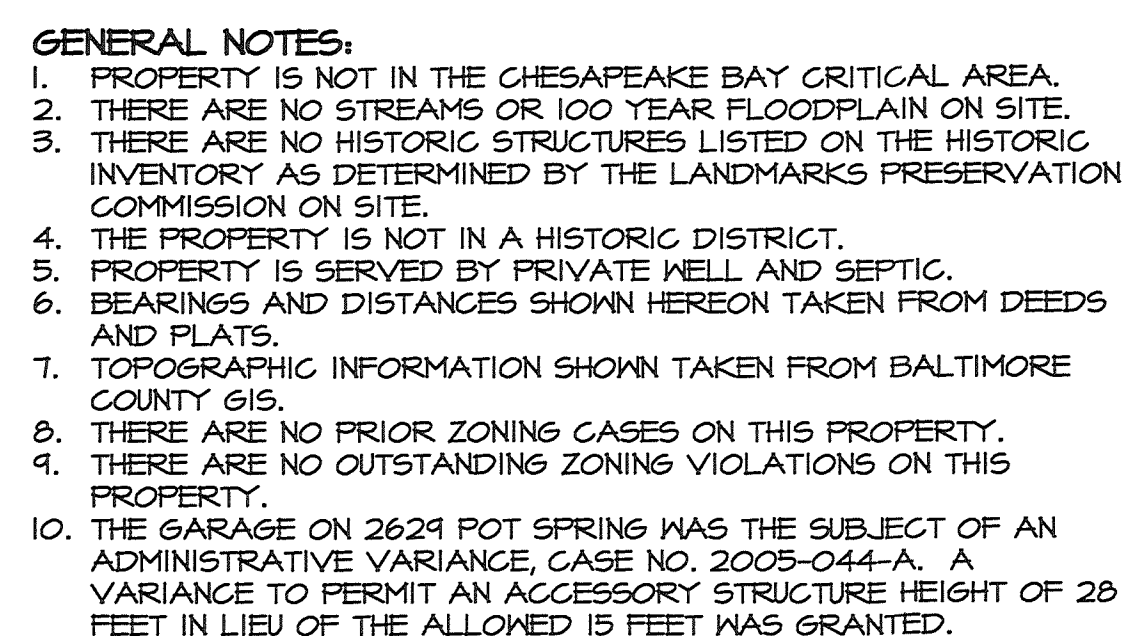
Printed 2/19/2014



2014-0137-A

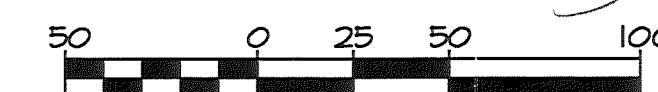
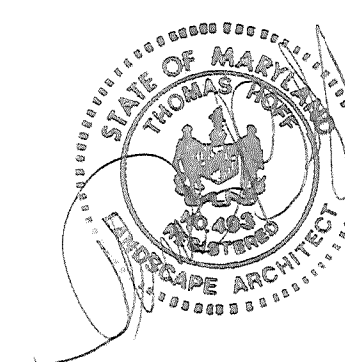


OWNER:
JOHN HOCK
2627 POT SPRING ROAD
LUTHERVILLE, MD 21093
TAX #2000014684
DEED REF. 34353/219

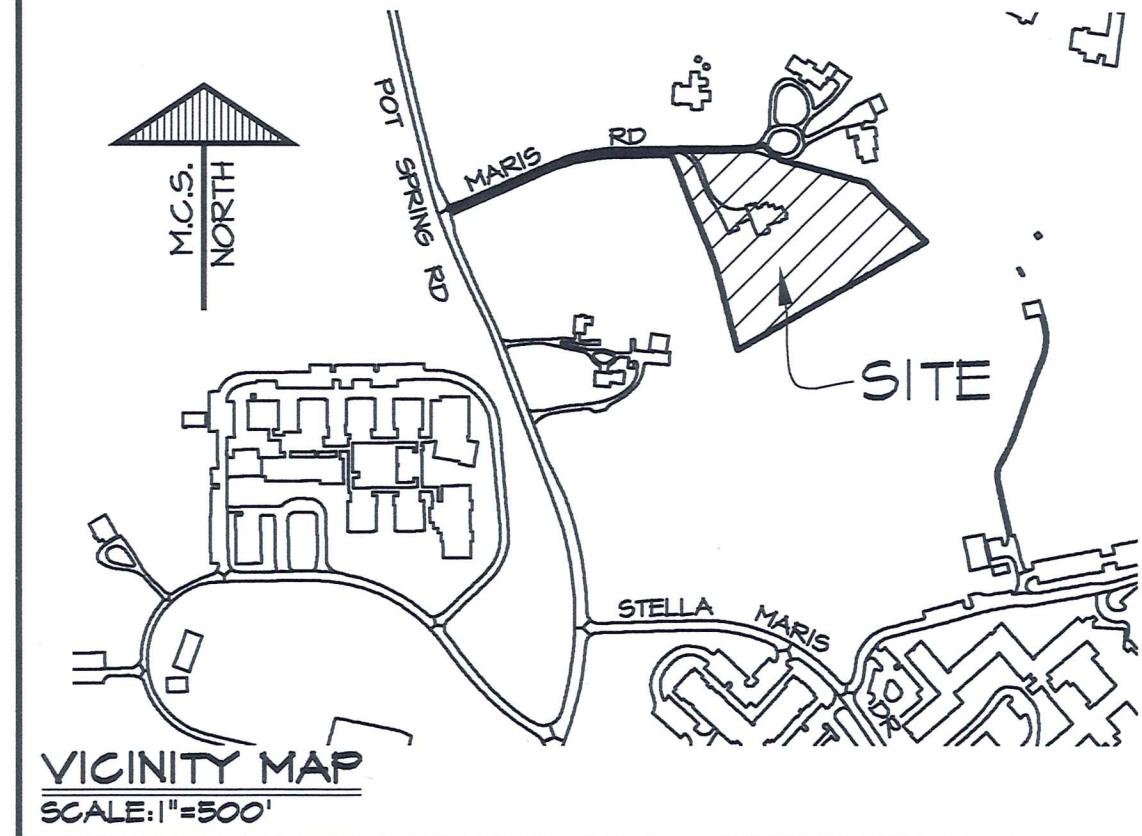
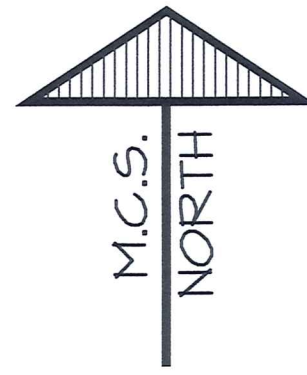


THOMAS J. HOFF
LAND DEVELOPMENT CONSULTANTS
LANDSCAPE ARCHITECTS
512 VIRGINIA AVENUE
TOWSON, MARYLAND 21286
410-296-3668 FAX 410-823-3887

SCALE: 1"=50'
DATE: 12/13/13
JOB NO.: 0609-01
DESIGNED: TJH
DRAWN: TJH
DRAWING NUMBER: ZP-1
SHEET 1 OF 1

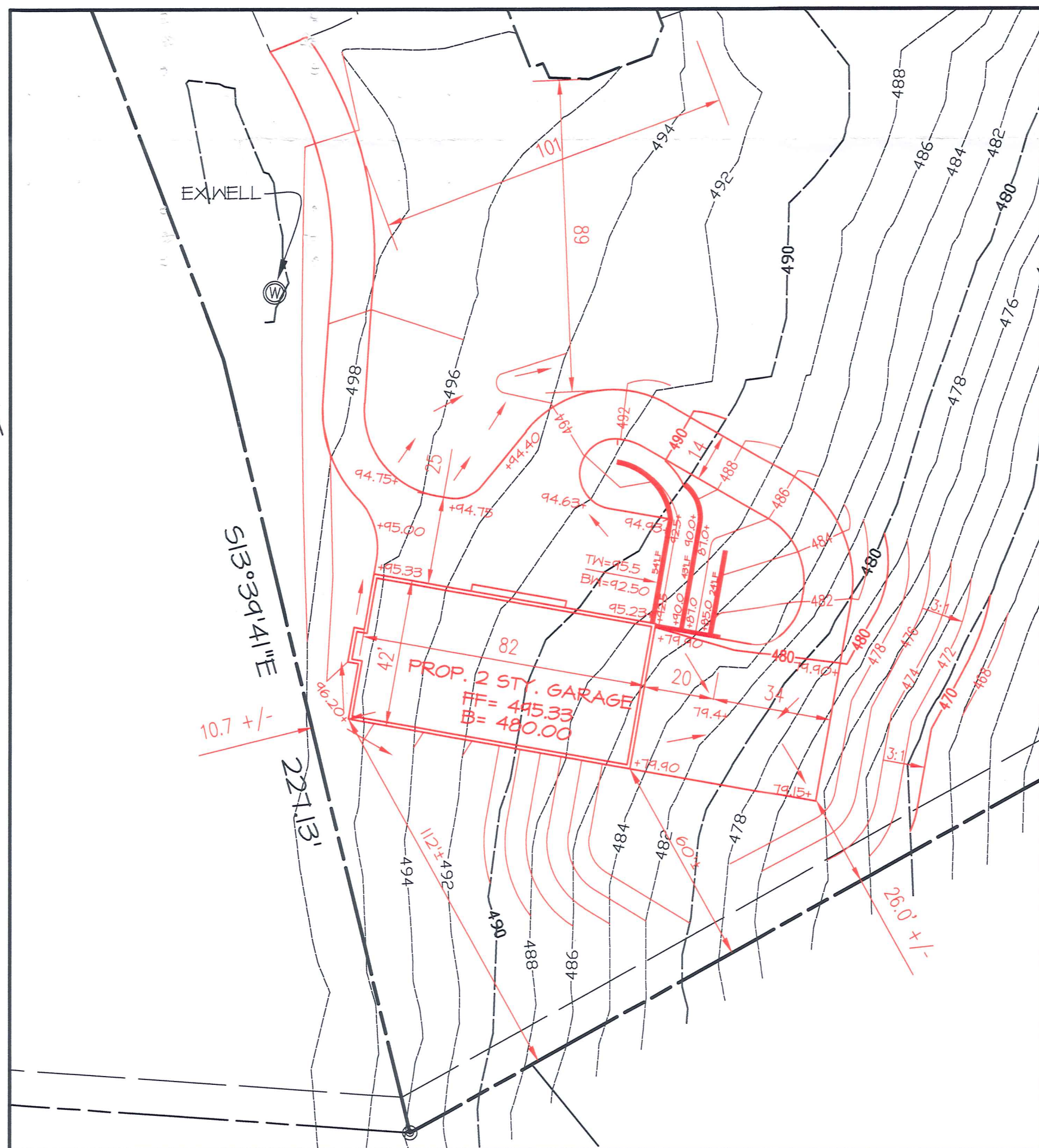
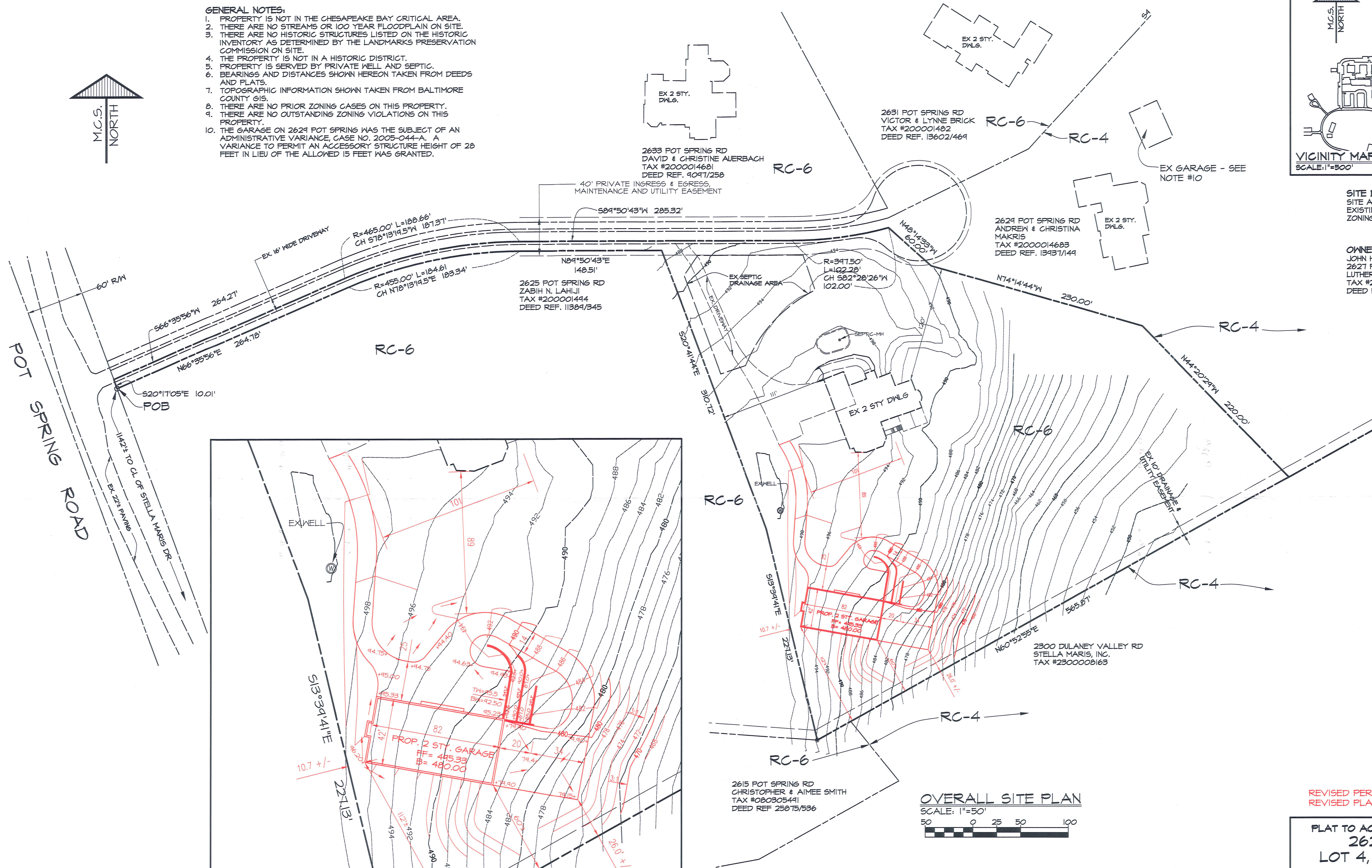


- GENERAL NOTES:
1. PROPERTY IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA.
 2. THERE ARE NO STREAMS OR 100 YEAR FLOODPLAIN ON SITE.
 3. THERE ARE NO HISTORIC STRUCTURES LISTED ON THE HISTORIC INVENTORY AS DETERMINED BY THE LANDMARKS PRESERVATION COMMISSION ON SITE.
 4. THE PROPERTY IS NOT IN A HISTORIC DISTRICT.
 5. PROPERTY IS SERVED BY PRIVATE WELL AND SEPTIC.
 6. BEARINGS AND DISTANCES SHOWN HEREON TAKEN FROM DEEDS AND PLATS.
 7. TOPOGRAPHIC INFORMATION SHOWN TAKEN FROM BALTIMORE COUNTY GIS.
 8. THERE ARE NO PRIOR ZONING CASES ON THIS PROPERTY.
 9. THERE ARE NO OUTSTANDING ZONING VIOLATIONS ON THIS PROPERTY.
 10. THE GARAGE ON 2624 POT SPRING WAS THE SUBJECT OF AN ADMINISTRATIVE VARIANCE, CASE NO. 2005-044-A. A VARIANCE TO PERMIT AN ACCESSORY STRUCTURE HEIGHT OF 28 FEET IN LIEU OF THE ALLOWED 15 FEET WAS GRANTED.



SITE DATA:
SITE AREA = 4.52 AC±, 196,891 SF±
EXISTING ZONING = RC-6
ZONING MAP = 52A2

OWNER:
JOHN HOCK
2627 POT SPRING ROAD
LUTHERVILLE, MD 21093
TAX #2000014684
DEED REF. 34353/219



GRADING DETAIL
SCALE: 1"=30'

REVISED PER ZONING HEARING HELD 2/19/14
REVISED PLAN 2/24/14

PLAT TO ACCOMPANY PETITION FOR VARIANCE
2627 POT SPRING RD
LOT 4, SADDLEBROOK FARM
PLAT 51/40

8th ELECTION DISTRICT, 3rd COUNCILMANIC, BALTIMORE COUNTY, MD

THOMAS J. HOFF
LAND DEVELOPMENT CONSULTANTS
LANDSCAPE ARCHITECTS
512 VIRGINIA AVENUE
TOWSON, MARYLAND 21286
410-296-3668 FAX 410-825-3887

REVISIONS:

Petitioner's No. 4

SCALE: AS SHOWN
DATE: 2/05/14
JOB NO.: 0609-01
DESIGNED: TJH
DRAWN: TJH
DRAWING NUMBER:
SP-1
SHEET 1 OF 1