

IN RE: PETITION FOR VARIANCE
(4503 Long Green Road)
11th Election District
3rd Council District
Michael Nivens
Petitioner

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2014-0146-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Michael Nivens, the legal owner of the subject property. The Petitioner is requesting variance relief from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed dwelling with a front and side setback of 75 feet and 101 feet from the center line of a collector road in lieu of the required 150 and 150 feet, respectively. 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 request was Michael Nivens. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. There were no Protestants in attendance and the file does not contain any letters of opposition.

The only substantive Zoning Advisory Committee (ZAC) comment received was from the Department of Planning (DOP) dated February 20, 2014. That agency noted that the property is situated within an "historic setting" (Arnolia United Methodist Church), which required the approval of the Landmarks Preservation Commission (LPC) prior to construction of a dwelling on the property. At its July 10, 2014 meeting, the LPC issued a notice to proceed and approved the plans and design detail for the proposed single family dwelling.

ORDER RECEIVED FOR FILING

Date 11/21/14
By Den

The subject property is approximately 65,436 square feet and is zoned RC 5. The site is unimproved, and Petitioner would like to construct a single family dwelling on the property. Given the configuration of the lot, and the desired location of the dwelling, variance relief is required.

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).

Petitioner has met this test. The property is irregularly shaped and is situated within an historic setting. As such it is unique. If the B.C.Z.R. were strictly interpreted, the Petitioner would indeed suffer a practical difficulty, given he would be unable to construct an appropriate dwelling on the lot. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of community and/or county agency opposition, as well as the approval of the LPC.

THEREFORE, IT IS ORDERED, this 21st day of November, 2014, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed dwelling with a front and side setback of 75 feet and 101 feet from the center line of a collector road in lieu of the required 150 and 150 feet, respectively, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date

11/21/14

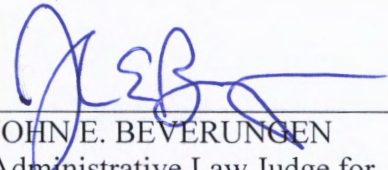
By

seh

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.

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

11/21/14

By

slh



KEVIN KAMENETZ
County Executive

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

November 21, 2014

Michael Nivens
2904 Topaz Road
Baltimore, Maryland 21234

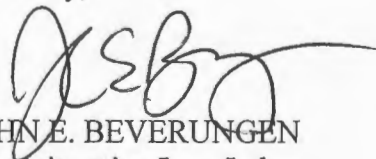
RE: Petition for Variance
Property: 4503 Long Green Road
Case No. 2014-0146-A

Dear Mr. Nivens:

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:sln
Enclosure



PETITION FOR ZONING HEARING(S)

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

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

Address 4523 Long Green Rd. which is presently zoned RC-5
Deed References 315746-00200 10 Digit Tax Account # 2500005431
Property Owner(s) Printed Name(s) Michael Nivens

(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. a **Variance** from Section(s) 1A04.3.B.2.6 **TO PERMIT A PROPOSED DWELLING WITH A FRONT AND SIDE SETBACK OF 75 FEET AND 101 FEET FROM THE CENTER LINE OF A COLLECTOR ROAD IN LIEU OF THE REQUIRED 150 AND 150 FEET RESPECTIVELY** 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 _____

Legal Owners (Petitioners):

Michael Nivens
 Name #1 - Type or Print _____ Name #2 - Type or Print _____
Spide Nivens
 Signature #1 _____ Signature #2 _____
2904 Topaz Rd. Md.
 Mailing Address _____ City _____ State _____
21234 | 410 668 2806 | MNIVENS@NURINK.COM
 Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

Name- Type or Print _____
 Signature _____ Date 1/12/14
 Mailing Address By _____ City _____ State _____
 Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

Michael Nivens
 Name - Type or Print _____
Spide Nivens
 Signature _____
2904 Topaz Md. Md.
 Mailing Address _____ City _____ State _____
21234 | 410 668 2806 | MNIVENS@NURINK.COM
 Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2014-0146A Filing Date 1, 6, 2014 Do Not Schedule Dates: _____ Reviewer AT

ZONING PROPERTY DESCRIPTION FOR 4503 LONG GREEN ROAD GLEN ARM, MD 21057

*Beginning at a point on the South side of Long Green Road which is 60' wide at the distance of 269' East of the centerline of the nearest improved intersecting street, Manor Road, which is 70' wide.

Thence the following courses and distances:

1st Point of Call – South 36° 03' 49" West, 152.74';

2nd POC – South 00° 00' 00", 30.12';

3rd POC – South 57° 48' 40" East, 35.23';

4th POC – South 36° 03' 49" West, 170.06';

5th POC - South 57° 48' 40" East, 191.37';

6th POC – South 19° 18' 21" West, 52.16';

7th POC – North 57° 48' 40" West, 188.71';

8th POC – North 00° 00' 00", 55.52';

9th POC – North 36° 03' 49" East, 22.00';

10th POC – North 60° 13' 0.9" West, 120.76' to the Easterly side of Manor Road as now widened for a 70' wide Right-of-Way; Thence binding on part of said Easterly side of Manor Road;

11th POC – By a curve to the left having a radius of 1151.00', an arc length of 189.15' and subtended by a chord bearing North 12° 20' 42" East for 188.93';

12th POC – North 0.7° 38' 14" East, 109.35';

13th POC – North 37° 50' 14" East, 15.32' to the Southerly side of Long Green Road as now widened, for a 60' wide Right-of-Way, Thence binding on part of said Southerly side of Long Green Road;

14th POC – South 68° 59' 28" East, 217.18' back to the point of beginning.

As recorded in Deed Liber 31546, Folio 200, containing 1.5022 acres in land, more or less. Located in the 11th Election District and 3rd Council District. Also known as Lot #2 in the minor subdivision of Wilson United Methodist Church Property, minor subdivision # 07-120-M, as maintained by the Development Management Division of the Department of Permits, Approvals and Inspections.

2014-0146-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: 2014-0146-A
Petitioner: MICHAEL NIVENS
Address or Location: 4503 LONG GREEN ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: MICHAEL NIVENS
Address: 2904 TOPAZ ROAD
BALTIMORE, MD 21234
Telephone Number: 410-668-2806

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

No. **107018**
 Date: **1/6/14**

PAID RECEIPT

BUSINESS ACTUAL TIME
 1/06/2014 1/06/2014 10:12:23
 RES W505 WALKIN RBOS LRB
 RECEIPT # 719106 1/06/2014
 Dept 5 538 ZONING VERIFICATION
 NO. 107018
 Recpt Tot \$75.00
 \$1.00 CK \$80.00 CA
 \$5.00 CB
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	206	0000		6150					\$75

Total: **\$75**

Rec From: **MICHAEL NIVENS**
 For: **4503 LONG GREEN RD**
2014-0146-A

CASHIER'S VALIDATION

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

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 2/8/2014

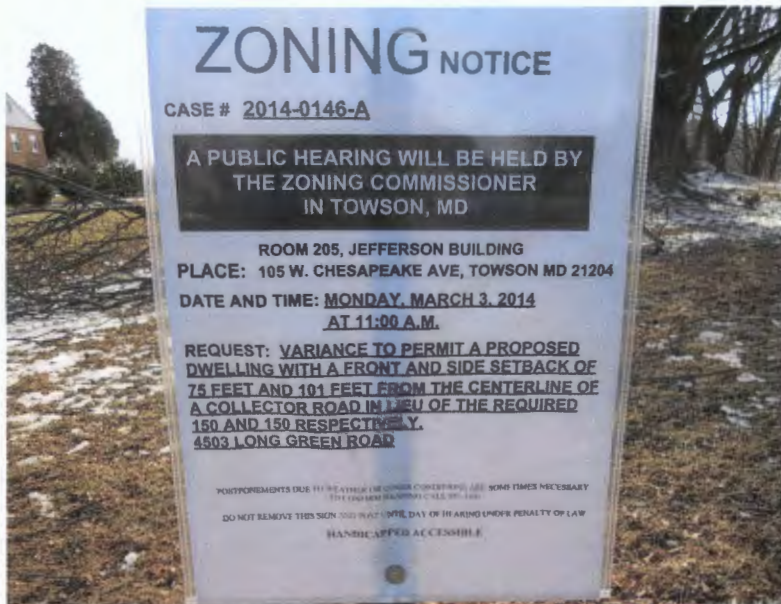
Case Number: 2014-0146-A

Petitioner / Developer: MICHAEL NIVENS

Date of Hearing (Closing): MARCH 3, 2014

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:
4503 LONG GREEN ROAD

The sign(s) were posted on: FEBRUARY 7, 2014



Linda O'Keefe

(Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane

(Street Address of Sign Poster)

Hunt Valley, Maryland 21030

(City, State, Zip of Sign Poster)

410 - 666 - 5366

(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 10/25/2014

Case Number: 2014-0146-A

Petitioner / Developer: MICHAEL NIVENS

Date of Hearing (Closing): NOVEMBER 17, 2014

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:
4503 LONG GREEN ROAD

The sign(s) were posted on: OCTOBER 25, 2014



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



**THE BALTIMORE SUN
MEDIA GROUP**

Baltimore, Maryland 21278-0001

February 14, 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 February 11, 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: # 2014-0146-A

4503 Long Green Road

SE corner of Long Green Road and Manor Road

11th Election District - 3rd Councilmanic District,

Legal Owner(s): Michael Nivens

Variance: to permit a proposed dwelling with a front and side setback of 75 feet and 101 feet from the centerline of a collector road in lieu of the required 150 and 150 respectively.

Hearing: Monday, March 3, 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 2/689 Feb. 11

968338



Baltimore, Maryland 21278-0001

October 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 October 28, 2014

The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: 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: # 2014-0146-A
4503 Long Green Road
SE corner of Long Green Road and Manor Road
11th Election District - 3rd Councilmanic District
Legal Owners: Michael Nivens

Variance: to permit a proposed dwelling with a front and side setback of 75 feet and 101 feet from the centerline of a collector road in lieu of the required 150 and 150 feet respectively.

Hearing: Monday, November 17, 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 10/829 October 28 2783402

Bu
3-9-

IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE

E/S Manor Road, 606.38 feet SW *
Long Green Road *
(4507 Long Green Road) *

11th Election District *
3rd Council District *

Wilson United Methodist Church *
John Haas, Trustee, Owner *
Petitioner *

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

Case No. 07-324-SPHA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the property owner, the Wilson United Methodist Church, through John C. Hass, Trustee, by and through their attorney, Sebastian A. Cross, Esquire. Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve a reconfiguration of lot lines within the tract from six existing parcels to three density parcels and one non-density parcel; and to confirm that the aforesaid reconfiguration qualifies as a minor subdivision. Variance relief is requested from Section 1A04.3.B.2.b of the BCZR to permit a zero foot setback for an existing church building, in lieu of the required 50 feet. The subject property and requested relief are more particularly described on the amended site plan submitted which were accepted into evidence and marked as Petitioner's Exhibits 1 and 2.

Appearing at the requisite public hearing in support of the requests was John Hass, trustee of the Wilson United Methodist Church, property owner. Also present was Kevin Wight, the surveyor/engineer with Wilson Deegan and Associates, Inc., who prepared the site plan. The Petitioner was represented by Sebastian A. Cross, of Gildea & Schmidt, LLC. Appearing as interested persons were Amber Butcher and Francis Butler, nearby property owners.

reserve disposal field for the dwelling known as 12635 Manor Road. The second parcel is 1.268 acres in area. The third parcel is the largest individual parcel within the overall tract and contains that land which immediately abuts the Manor Road and Long Green Road intersection. This parcel is 2.14 acres in area and contains the dwelling known as 12653 Manor Road. The fourth parcel is located towards the western boundary of the overall tract and contains the existing cemetery grounds. This "L-shaped" parcel is 0.38 acres in size. The fifth parcel as shown contains the existing church building and is 0.38 acres in area. Finally, the sixth parcel is located at the extreme northwest corner of the site, abutting Long Green Road. This triangularly-shaped parcel is unimproved and is 0.08 acres in area.

The small congregation which constitutes the membership of the Wilson United Methodist Church desires to reconfigure the lot lines which separate the six separate parcels as described. The Petition for Special Hearing is requested to permit a lot line adjustment/reconfiguration so that four parcels will result, as more particularly shown on Petitioner's Exhibit 2. This lot line adjustment/reconfiguration is intended to respect the existing uses on the subject property and bring those uses and the lots upon which they are located into compliance with the applicable provisions of the BCZR to the extent possible.

New Lot 1 as proposed will contain the dwelling at 12635 Manor Road. That lot will be enlarged from the parcel described above (0.83 acres) so that it will contain 1.66 acres of land. This acreage meets the minimum lot size requirement for a residential lot in the R.C.5 zone pursuant to Section 1A04.3B.1.a of the BCZR. Additionally, reconfiguring the lot line will allow a proposed new well and septic reserve area to be located entirely within the four corners of new Lot 1.

New Lot 2 will contain the existing dwelling known as 12653 Manor Road. This new lot will be 1.76 acres in area and will contain that portion of the tract immediately adjacent to the

Further, and as pointed out above, the property is not served by public utilities and the reconfiguration of lot lines as proposed will ensure that private well and septic systems serving each of the dwellings and the church building will be located on the respective lot of each structure.

In this regard, it was noted that the building located at 12635 has been rented to its present tenants for many years. These tenants have expressed a desire to purchase that dwelling from the church and in order to raise capital to ensure the continued viability of the small congregation, the church desires to enter into such an arrangement. The configuration of new Lot 1 will provide an adequately sized lot for that existing building with a new well and septic system thereon. As to the existing dwelling on Lot 2, it has recently become unoccupied. It was indicated that the structure is not in good condition and the church may consider razing that structure. However, a new dwelling would be built on that lot to replace the existing building. Finally, the existing church building will remain, as will the non-density cemetery grounds.

Turning next to the petition for variance relief, a single variance is sought for the existing church building. Presently, the church building is located on the fifth parcel as described hereinabove and variance relief from the internal lot line is required to legitimize existing conditions. Variance relief will continue to be necessary under the proposed reconfiguration and the petition seeks approval to permit as little as a zero-foot setback for the building in lieu of the required 50 feet. As this setback is measured to the reconfigured lot line between the church and cemetery grounds, it is clear that there will be no detrimental impact on either lot. Clearly, in my judgment, the granting of this variance is appropriate and there is no new construction proposed. I find that the petitioner's request for variance relief is warranted and meets the requirements of Section 307 of the BCZR.

Preservation Commission, following a public hearing. That hearing has been scheduled before the Landmarks Preservation Commission on May 10, 2007.

The Office of Planning comment also points out that the proposal is subject to the R.C. 5 performance standards if any new dwellings are proposed. In order to prepare a statement of finding, the architectural elevation drawings must be submitted for review and approval by that agency prior to applying for any building permits. As noted above, it is contemplated that the existing dwelling at 12635 will be retained and sold to the tenant and any razing of the building at 12653 will be subject to approval by the LPC and any replacement thereof should be approved by the Office of Planning. Any proposed dwellings shall meet the R.C.5 performance standards.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth above, the relief requested should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 10th day of April, 2007, that the Petition for Special Hearing to approve a reconfiguration of lot lines within a tract from six existing parcels to three density parcels and one non-density parcel; and to confirm that the aforesaid reconfiguration qualifies as a minor subdivision in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition or Variance seeking relief from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a zero foot setback from existing Church building to an internal property line, be and is hereby GRANTED, all subject to the following restrictions:

1. ADVISORY: This Order approves the requested zoning relief, but does not address the proposed subdivision. The Petitioner's subdivision proposal must be submitted to the Development Review Committee for consideration and processing.
2. The Petitioner shall comply with the recommendations of the Office of Planning as contained within their Zoning Advisory Committee comment dated December 12, 2006, regarding the application of the R.C.5 performance standards and bulk regulations. Specifically, the Petitioner shall submit to the Office of Planning prior to the issuance of



KEVIN KAMENETZ
County Executive

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

January 30, 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: 2014-0146-A
4503 Long Green Road
SE corner of Long Green Road and Manor Road
11th Election District – 3rd Councilmanic District
Legal Owners: Michael Nivens

Variance to permit a proposed dwelling with a front and side setback of 75 feet and 101 feet from the centerline of a collector road in lieu of the required 150 and 150 respectively.

Hearing: Wednesday, February 19, 2014 at 2:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Michael Nivens, 2904 Topaz Road, Baltimore 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, FEBRUARY 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
Tuesday, February 11, 2014 Issue - Jeffersonian

Please forward billing to:

Michael Nivens
2904 Topaz Road
Baltimore, MD 21234

410-668-2806

NOTICE OF ZONING HEARING

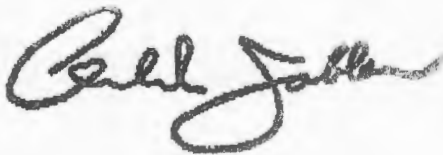
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Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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KEVIN KAMENETZ
County Executive

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

February 4, 2014

CORRECTED 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:

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Arnold Jablon
Director

AJ:kl

C: Michael Nivens, 2904 Topaz Road, Baltimore 21234

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TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 11, 2014 Issue - Jeffersonian

Please forward billing to:

Michael Nivens
2904 Topaz Road
Baltimore, MD 21234

410-668-2806

CORRECTED NOTICE OF ZONING HEARING

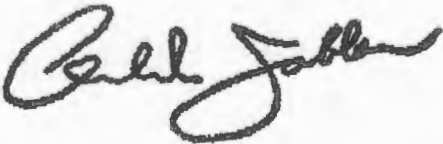
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Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- 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.

M E M O R A N D U M

DATE: December 23, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0146-A – Appeal Period Expired

The appeal period for the above-referenced case expired on December 22, 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
4503 Long Green Road; SE corner of Long
Green Road & Manor Road
11th Election & 3rd Councilmanic Districts
Legal Owner(s): Michael Nivens
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2014-146-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People’s Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People’s Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People’s Counsel for Baltimore County

Carole S Demilio

CAROLE S. DEMILIO
Deputy People’s Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

JAN 2014

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of January, 2014, a copy of the foregoing Entry of Appearance was mailed to Michael Nivens, 2904 Topaz Road, Baltimore, Maryland 21234, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People’s Counsel for Baltimore County

CHECKLIST

Comment Received

Department

Support/Oppose/ Conditions/ Comments/ No Comment

1/27/14

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

N/C

DEPS
(if not received, date e-mail sent _____)

2/20/14

FIRE DEPARTMENT
PLANNING
(if not received, date e-mail sent _____)

C

1/24/14

STATE HIGHWAY ADMINISTRATION
TRAFFIC ENGINEERING

No Obj

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. 2007-0324-SPHA)

NEWSPAPER ADVERTISEMENT Date: 2/11/14

SIGN POSTING Date: 2/7/14 by O'Keefe

PEOPLE'S COUNSEL APPEARANCE Yes No

PEOPLE'S COUNSEL COMMENT LETTER Yes No

Comments, if any: _____

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
2/20/14	PLANNING (if not received, date e-mail sent _____)	C
_____	STATE HIGHWAY ADMINISTRATION	_____
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 10-28-14

SIGN POSTING Date: 10-25-14 by O'Keefe

PEOPLE'S COUNSEL APPEARANCE Yes No

PEOPLE'S COUNSEL COMMENT LETTER Yes No

Comments, if any: _____



KEVIN KAMENETZ
County Executive

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

February 26, 2014

Michael Nivens
2904 Topaz Road
Baltimore MD 21234

RE: Case Number: 2014-0146 A, Address: 4503 Long Green Road

Dear Mr. Nivens:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 6, 2014. 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, flowing 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: 1/24/14

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

RE: Baltimore County
Item No. 2014-0146-A
Variance
Michael Nivens
4503 Long Green 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. 2014-0146-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 a horizontal line.

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

Debra Wiley - Rescheduling of "Snow Day" Hearings

From: Debra Wiley
To: OAH Staff
Date: 3/6/2014 9:49 AM
Subject: Rescheduling of "Snow Day" Hearings
CC: Lewis, Kristen; Wisnom, June

Good Morning,

As you are aware, the County was closed on Monday, March 3rd. Both of the cases originally set for Monday have been rescheduled for Friday, March 21, 2014 in Room 205. In addition, they have been advised to have the new hearing information replaced over the old by their sign poster and provide to this office proof of same.

2014-0145-A - 3/21 @ 10 AM

2014-0146-A - 3/21 @ 11 AM

Please mark your calendars accordingly. Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

Debra Wiley - Re: Case # 2014-146-A (4503 Long Green Road)

From: Karin Brown
To: Beverungen, John
Date: 3/4/2014 3:06 PM
Subject: Re: Case # 2014-146-A (4503 Long Green Road)
CC: Lanham, Lynn; Nevy, Vicki; Nuffer, Sherry; Rising, Teri; Wiley, Debra
Attachments: LPC Historic Design Guidelines infill and additions pamphlet_FINAL.pdf

The LPC has not reviewed the proposal yet. Once the applicant is ready to construct the dwelling, the siting, size, architectural design and proposed materials need LPC approval. I would refer the applicant to the Baltimore County Historic Design Guidelines on *Additions and Infill development*. It is important that the proposed dwelling be compatible with the historic structures surrounding the property. Regards, Karin

Karin E. Brown
Chief, Preservation Services
Baltimore County Department of Planning
105 W. Chesapeake Avenue, Suite 101
Towson, MD 21204
410.887.7923 Fax 410.887.5862
Kebrown@baltimorecountymd.gov

>>> John Beverungen 3/4/2014 1:36 PM >>>
Ms. Brown,

This zoning case was supposed to be heard yesterday, but will be rescheduled due to the snow closing.

The owner seeks side and front yard setback variances to construct a new home in the RC5 zone.

A ZAC comment from Planning indicated the property is within an historic environmental setting (property #351, MIHP BA 0862), and across the street from two other Landmarks List structures.

Do you know if this matter has been discussed at the LPC? What sort of approval(s) will the owner need from the LPC to construct a new dwelling on this site?

Thanks,

John Beverungen
ALJ

Debra Wiley - Case # 2014-146-A (4503 Long Green Road)

From: John Beverungen
To: kebrown@baltimorecountymd.gov
Date: 3/4/2014 1:36 PM
Subject: Case # 2014-146-A (4503 Long Green Road)
CC: Debra Wiley; Sherry Nuffer

Ms. Brown,

This zoning case was supposed to be heard yesterday, but will be rescheduled due to the snow closing.

The owner seeks side and front yard setback variances to construct a new home in the RC5 zone.

A ZAC comment from Planning indicated the property is within an historic environmental setting (property #351, MIHP BA 0862), and across the street from two other Landmarks List structures.

Do you know if this matter has been discussed at the LPC? What sort of approval(s) will the owner need from the LPC to construct a new dwelling on this site?

Thanks,

John Beverungen
ALJ

Debra Wiley - Case No. 2014-0146-A (4503 Long Green Rd.)

From: Debra Wiley
To: mnivens@nvrinc.com
Date: 3/6/2014 11:48 AM
Subject: Case No. 2014-0146-A (4503 Long Green Rd.)

Good Morning,

Per our telephone conversation today, this is to confirm that the above-referenced case has been rescheduled to Friday, March 21, 2014 @ 11 AM, in Room 205, Jefferson Building, Towson, Maryland. In addition, please be reminded to have the new hearing information replaced over the old by the sign poster and provide to this office proof of same.

Thank you in advance for your cooperation.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

Message Id: 5318A6E7.472 : 38 : 53259
Subject: Case No. 2014-0146-A (4503 Long Green Rd.)
Created By: dwiley@baltimorecountymd.gov
Scheduled Date:
Creation Date: 3/6/2014 11:48 AM
From: Debra Wiley

Recipients:

Recipient	Action	Date & Time	Comment
 nvrinc.com	Transferred	3/6/2014 11:49 AM	
To: mnivens@nvrinc.com (mnivens@nvrinc.com)			

Post Offices

Post Office	Delivered	Route
nvrinc.com		nvrinc.com

Files

File	Size	Date & Time
MESSAGE	1179	3/6/2014 11:48 AM
TEXT.htm	1052	3/6/2014 11:48 AM

Options

Auto Delete: No
Concealed Subject: No
Expiration Date: None
Notify Recipients: Yes
Priority: Standard
Reply requested by None
Security: Standard
To Be Delivered: Immediate

Record Id

Record Id:	53186097.NCH_DOM.NCH_PO.100.1687076.1.1B3CC.1
Common Record Id:	53186097.NCH_DOM.NCH_PO.200.2000026.1.47C88.1

HOWARD L. ALDERMAN, JR.
halderman@LevinGann.com

DIRECT DIAL
410-321-4640

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
8th Floor
TOWSON, MARYLAND 21204
410-321-0600
TELEFAX 410-296-2801

ELLIS LEVIN (1893-1960)
CALMAN A. LEVIN (1930-2003)

March 4, 2014

RECEIVED

MAR 11 2014

OFFICE OF ADMINISTRATIVE HEARINGS

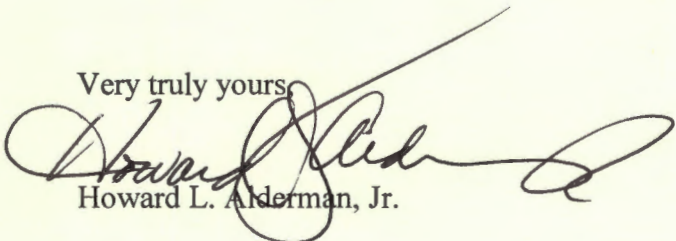
Debra L. Wiley, Clerk
Baltimore County Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

**Re: 4503 Long Green Road
Michael Nivens, Petitioner
Case No. 2014-0146-A
Entry of Appearance and Request for Rescheduling of Hearing**

Dear Ms. Wiley:

Please accept the enclosed pleading for filing in the above-referenced case. Should you or any of the Administrative Law Judges need additional information in regard to this matter, please do not hesitate to contact me.

Very truly yours,



Howard L. Alderman, Jr.

HLA/bdg
Enclosure

cc w/encl: Mr. Michael Nivens
Peter Max Zimmerman, Esquire
Lynn Lanham, Planning Supervisor

**IN RE: PETITION FOR VARIANCE
(4503 Long Green Road)
11th Election District
3rd Councilmanic District**

Michael Nivens,

Petitioner/Owner

**BEFORE THE OFFICE
OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY**

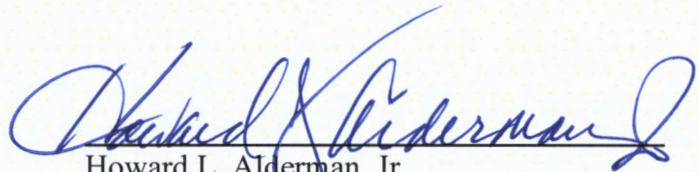
Case No.: 2014-0146-A

ENTRY OF APPEARANCE/REQUEST FOR RESCHEDULING OF HEARING

Madame Clerk:

Please enter the appearance of the undersigned as counsel on behalf of the Petitioner in the above-captioned case and forward all further notices and other communications to me at the address listed below. Additionally, since the originally scheduled hearing for March 3, 2014 was cancelled due to inclement weather, Petitioner hereby requests that this matter be rescheduled as soon as the Office's docket permits.

Thank you.



Howard L. Alderman, Jr.
Levin & Gann, P.A.
8th Floor, Nottingham Centre
502 Washington Avenue
Towson, Maryland 21204
410.321.0600 [voice]
410.296.2801 [fax]
halderman@LevinGann.com [[e-mail]]

Attorneys for Petitioner

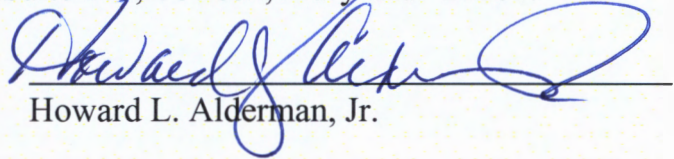
RECEIVED

MAR 11 2014

OFFICE OF ADMINISTRATIVE HEARINGS

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of March 2014, a copy of the foregoing Entry of Appearance/Request for Rescheduling of Hearing was mailed, via First-Class, United States Mail to: i) Peter Max Zimmerman, Esquire, People's Counsel for Baltimore County, Carole S. Demilio, Deputy People's Counsel, 105 W. Chesapeake Avenue, Suite 204, Towson, MD 21204; and ii) Lynn Lanham, Planning Supervisor, Department of Planning, 105 W. Chesapeake Avenue, Suite 101, Towson, Maryland 21204.


Howard L. Alderman, Jr.

Debra Wiley - FW: Case No. 2014-0146-A (Michael Nivens)

From: Howard Alderman <halderman@levingann.com>
To: "Mike Nivens (mnivens@nvrinc.com)" <mnivens@nvrinc.com>
Date: 3/11/2014 1:04 PM
Subject: FW: Case No. 2014-0146-A (Michael Nivens)
CC: 'Debra Wiley' <dwiley@baltimorecountymd.gov>
Attachments: 20140311110107875.pdf

Mr. Nivens,

Please confirm that you received Ms. Wiley's email message (attached) and that you are handling the issues raised therein.

~~~~~  
Howard L. Alderman, Jr., Esquire  
Levin & Gann, PA  
Nottingham Centre, 8<sup>th</sup> Floor  
502 Washington Avenue  
Towson, Maryland 21204  
[410-321-0600](tel:410-321-0600) (voice)  
[410-296-2801](tel:410-296-2801) (fax)  
[410-456-8501](tel:410-456-8501) (cell)  
Email: [halderman@LevinGann.com](mailto:halderman@LevinGann.com)  
Website: [www.LevinGann.com](http://www.LevinGann.com)



---

**From:** Debra Wiley [[dwiley@baltimorecountymd.gov](mailto:dwiley@baltimorecountymd.gov)]  
**Sent:** Tuesday, March 11, 2014 11:43 AM  
**To:** Howard Alderman  
**Subject:** Case No. 2014-0146-A (Michael Nivens)

Good Morning Mr. Alderman,

I am in receipt of your Entry of Appearance and Request for Rescheduling of the above matter. As you can see from the attached, this matter has been rescheduled from the original "snow" date (March 3rd) and Mr. Nivens was advised of both the rescheduled information and the sign requirement.

Please clarify that you're asking for another hearing date besides the one currently set for March 21st.

Please advise and thanks for your usual cooperation.

Debbie Wiley  
Legal Administrative Secretary

Office of Administrative Hearings  
105 West Chesapeake Avenue, Suite 103  
Towson, Md. 21204  
410-887-3868  
410-887-3468 (fax)  
dwiley@baltimorecountymd.gov

>>> <[officeofhearings@baltimorecountymd.gov](mailto:officeofhearings@baltimorecountymd.gov)> 3/11/2014 11:01 AM >>>  
This E-mail was sent from "zoneprt1" (Aficio MP 2852).

Scan Date: 03.11.2014 11:01:07 (-0400)  
Queries to: [officeofhearings@baltimorecountymd.gov](mailto:officeofhearings@baltimorecountymd.gov)

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[www.baltimorecountymd.gov](http://www.baltimorecountymd.gov)

**Debra Wiley - RE: Case No. 2014-0146-A (Michael Nivens)**

---

**From:** Howard Alderman <halderman@levingann.com>  
**To:** 'Debra Wiley' <dwiley@baltimorecountymd.gov>  
**Date:** 3/11/2014 1:01 PM  
**Subject:** RE: Case No. 2014-0146-A (Michael Nivens)  
**Attachments:** ~WRD000.jpg; image003.jpg; image004.jpg; image005.jpg; image006.jpg; image009.jpg

---

Debbie,

I will advise Mr. Nivens; he is handling all posting/advertising on his own.

Howard

~~~~~  
Howard L. Alderman, Jr., Esquire
Levin & Gann, PA
Nottingham Centre, 8th Floor
502 Washington Avenue
Towson, Maryland 21204
[410-321-0600](tel:410-321-0600) (voice)
[410-296-2801](tel:410-296-2801) (fax)
[410-456-8501](tel:410-456-8501) (cell)
Email: halderman@LevinGann.com
Website: www.LevinGann.com



From: Debra Wiley [dwiley@baltimorecountymd.gov]
Sent: Tuesday, March 11, 2014 12:59 PM
To: Howard Alderman
Subject: RE: Case No. 2014-0146-A (Michael Nivens)

Mr. Alderman,

I will continue to hold March 21st and await your response. Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204

Debra Wiley - RE: Case No. 2014-0146-A (Michael Nivens)

From: Debra Wiley
To: Alderman, Howard
Date: 3/11/2014 12:58 PM
Subject: RE: Case No. 2014-0146-A (Michael Nivens)

Mr. Alderman,

I will continue to hold March 21st and await your response. Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
[410-887-3868](tel:410-887-3868)
[410-887-3468](tel:410-887-3468) (fax)
dwiley@baltimorecountymd.gov

>>> Howard Alderman <halderman@levingann.com> 3/11/2014 12:31 PM >>>

Debbie,

Do NOT reschedule. The attorney is always the last to know from the client about hearing dates.

Thanks for following up,

Howard

~~~~~  
Howard L. Alderman, Jr., Esquire  
Levin & Gann, PA  
Nottingham Centre, 8<sup>th</sup> Floor  
502 Washington Avenue  
Towson, Maryland 21204  
[410-321-0600](tel:410-321-0600) (voice)  
[410-296-2801](tel:410-296-2801) (fax)  
[410-456-8501](tel:410-456-8501) (cell)  
Email: [halderman@LevinGann.com](mailto:halderman@LevinGann.com)  
Website: [www.LevinGann.com](http://www.LevinGann.com)



410-887-3868  
410-887-3468 (fax)  
dwiley@baltimorecountymd.gov

>>> Howard Alderman <halderman@levingann.com> 3/11/2014 12:31 PM >>>

Debbie,

Do NOT reschedule. The attorney is always the last to know from the client about hearing dates.

Thanks for following up,

Howard

~~~~~  
Howard L. Alderman, Jr., Esquire
Levin & Gann, PA
Nottingham Centre, 8th Floor
502 Washington Avenue
Towson, Maryland 21204
410-321-0600 (voice)
410-296-2801 (fax)
410-456-8501 (cell)
Email: halderman@LevinGann.com
Website: www.LevinGann.com



From: Debra Wiley [dwiley@baltimorecountymd.gov]
Sent: Tuesday, March 11, 2014 11:43 AM
To: Howard Alderman
Subject: Case No. 2014-0146-A (Michael Nivens)

Good Morning Mr. Alderman,

I am in receipt of your Entry of Appearance and Request for Rescheduling of the above matter. As you can see from the attached, this matter has been rescheduled from the original "snow" date (March 3rd) and Mr. Nivens was advised of both the rescheduled information and the sign requirement.

Please clarify that you're asking for another hearing date besides the one currently set for March 21st.

Please advise and thanks for your usual cooperation.

Debra Wiley - Automatic reply: Case No. 2014-0146-A (Michael Nivens)

From: Howard Alderman <halderman@levingann.com>
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Date: 3/11/2014 11:43 AM
Subject: Automatic reply: Case No. 2014-0146-A (Michael Nivens)

Tuesday afternoon & Wednesday morning, March 11 & 12: I will be out of the office but will be checking email messages as breaks and cell service permit. I should be back in the office around 10:30 Wednesday morning.

Debra Wiley - Case No. 2014-0146-A (Michael Nivens)

From: Debra Wiley
To: halderman@LevinGann.com
Date: 3/11/2014 11:42 AM
Subject: Case No. 2014-0146-A (Michael Nivens)
Attachments: 20140311110107875.pdf

Good Morning Mr. Alderman,

I am in receipt of your Entry of Appearance and Request for Rescheduling of the above matter. As you can see from the attached, this matter has been rescheduled from the original "snow" date (March 3rd) and Mr. Nivens was advised of both the rescheduled information and the sign requirement.

Please clarify that you're asking for another hearing date besides the one currently set for March 21st.

Please advise and thanks for your usual cooperation.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

>>> <officeofhearings@baltimorecountymd.gov> 3/11/2014 11:01 AM >>>
This E-mail was sent from "zoneprt1" (Aficio MP 2852).

Scan Date: 03.11.2014 11:01:07 (-0400)
Queries to: officeofhearings@baltimorecountymd.gov

Debra Wiley - Case No. 2014-0146-A (4503 Long Green Rd.)

From: Debra Wiley
To: mnivens@nvrInc.com
Date: 3/6/2014 11:48 AM
Subject: Case No. 2014-0146-A (4503 Long Green Rd.)

Good Morning,

Per our telephone conversation today, this is to confirm that the above-referenced case has been rescheduled to Friday, March 21, 2014 @ 11 AM, in Room 205, Jefferson Building, Towson, Maryland. In addition, please be reminded to have the new hearing information replaced over the old by the sign poster and provide to this office proof of same.

Thank you in advance for your cooperation.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

>>> <officeofhearings@baltimorecountymd.gov> 3/11/2014 11:01 AM >>>
This E-mail was sent from "zoneprt1" (Aficio MP 2852).

Scan Date: 03.11.2014 11:01:07 (-0400)
Queries to: officeofhearings@baltimorecountymd.gov

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

Debra Wiley - Re: FW: Case No. 2014-0146-A (Michael Nivens)

From: Debra Wiley
To: Alderman, Howard
Date: 3/17/2014 2:19 PM
Subject: Re: FW: Case No. 2014-0146-A (Michael Nivens)

Good Afternoon Mr. Alderman,

Have you confirmed with your client that the sign requirement has been fulfilled and that the hearing will go forward as scheduled on Friday, March 21st @ 11 AM ?

Thanks in advance.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
[410-887-3868](tel:410-887-3868)
[410-887-3468](tel:410-887-3468) (fax)
dwiley@baltimorecountymd.gov

>>> Howard Alderman <halderman@levinggann.com> 3/11/2014 1:04 PM >>>

Mr. Nivens,

Please confirm that you received Ms. Wiley's email message (attached) and that you are handling the issues raised therein.

~~~~~  
Howard L. Alderman, Jr., Esquire  
Levin & Gann, PA  
Nottingham Centre, 8<sup>th</sup> Floor  
502 Washington Avenue  
Towson, Maryland 21204  
[410-321-0600](tel:410-321-0600) (voice)  
[410-296-2801](tel:410-296-2801) (fax)  
[410-456-8501](tel:410-456-8501) (cell)  
Email: [halderman@LevinGann.com](mailto:halderman@LevinGann.com)  
Website: [www.LevinGann.com](http://www.LevinGann.com)



---

**From:** Debra Wiley [[dwiley@baltimorecountymd.gov](mailto:dwiley@baltimorecountymd.gov)]  
**Sent:** Tuesday, March 11, 2014 11:43 AM

**To:** Howard Alderman  
**Subject:** Case No. 2014-0146-A (Michael Nivens)

Good Morning Mr. Alderman,

I am in receipt of your Entry of Appearance and Request for Rescheduling of the above matter. As you can see from the attached, this matter has been rescheduled from the original "snow" date (March 3rd) and Mr. Nivens was advised of both the rescheduled information and the sign requirement.

Please clarify that you're asking for another hearing date besides the one currently set for March 21st.

Please advise and thanks for your usual cooperation.

Debbie Wiley  
Legal Administrative Secretary  
Office of Administrative Hearings  
105 West Chesapeake Avenue, Suite 103  
Towson, Md. 21204  
410-887-3868  
410-887-3468 (fax)  
[dwiley@baltimorecountymd.gov](mailto:dwiley@baltimorecountymd.gov)

>>> <[officeofhearings@baltimorecountymd.gov](mailto:officeofhearings@baltimorecountymd.gov)> 3/11/2014 11:01 AM >>>  
This E-mail was sent from "zoneprt1" (Aficio MP 2852).

Scan Date: 03.11.2014 11:01:07 (-0400)  
Queries to: [officeofhearings@baltimorecountymd.gov](mailto:officeofhearings@baltimorecountymd.gov)

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[www.baltimorecountymd.gov](http://www.baltimorecountymd.gov)

**Debra Wiley - RE: FW: Case No. 2014-0146-A (Michael Nivens)**

---

**From:** Howard Alderman <halderman@levingann.com>  
**To:** 'Debra Wiley' <dwiley@baltimorecountymd.gov>  
**Date:** 3/17/2014 2:31 PM  
**Subject:** RE: FW: Case No. 2014-0146-A (Michael Nivens)  
**CC:** "Mike Nivens (mnivens@nvrinc.com)" <mnivens@nvrinc.com>  
**Attachments:** image003.jpg; image004.jpg; image005.jpg; image006.jpg

---

Ms. Wiley:

I have not heard from Mr. Nivens. I have forwarded all information received from you to him. Approximately two minutes ago I forwarded your email message (below) to Mr. Nivens again requesting information from him.

I have copied Mr. Nivens on this message.

Howard Alderman

~~~~~  
Howard L. Alderman, Jr., Esquire
Levin & Gann, PA
Nottingham Centre, 8th Floor
502 Washington Avenue
Towson, Maryland 21204
410-321-0600 (voice)
410-296-2801 (fax)
410-456-8501 (cell)
Email: halderman@LevinGann.com
Website: www.LevinGann.com



From: Debra Wiley [dwiley@baltimorecountymd.gov]
Sent: Monday, March 17, 2014 2:20 PM
To: Howard Alderman
Subject: Re: FW: Case No. 2014-0146-A (Michael Nivens)

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>>> Howard Alderman <halderman@levingann.com> 3/11/2014 1:04 PM >>>

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Howard L. Alderman, Jr., Esquire  
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**Sent:** Tuesday, March 11, 2014 11:43 AM  
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Debbie Wiley

**Debra Wiley - RE: FW: Case No. 2014-0146-A (Michael Nivens)**

---

**From:** Debra Wiley  
**To:** Alderman, Howard  
**Date:** 3/18/2014 12:52 PM  
**Subject:** RE: FW: Case No. 2014-0146-A (Michael Nivens)

---

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>>> Howard Alderman <halderman@levingann.com> 3/17/2014 4:24 PM >>>

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Howard

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>>> Howard Alderman <halderman@levingann.com> 3/11/2014 1:04 PM >>>

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JB  
3/21  
11 Am

**Debra Wiley - RE: FW: Case No. 2014-0146-A (Michael Nivens)**

---

**From:** Howard Alderman <halderman@levingann.com>  
**To:** 'Debra Wiley' <dwiley@baltimorecountymd.gov>  
**Date:** 3/18/2014 2:21 PM  
**Subject:** RE: FW: Case No. 2014-0146-A (Michael Nivens)  
**Attachments:** ~WRD264.jpg; image004.jpg; image005.jpg; image006.jpg; image007.jpg; image012.jpg; image018.jpg

---

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I have a proposal for consideration by Judge Beverungen. We could open the hearing on Friday and I would, before any testimony or evidence was introduced, move that the hearing be continued pending the outcome of the Landmarks Commission. That way, if a modification of relief was necessary it would be as a result of Commission action.

Please call me with any questions and thank you.

Howard



---

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Email: [halderman@LevinGann.com](mailto:halderman@LevinGann.com)  
Website: [www.LevinGann.com](http://www.LevinGann.com)



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**To:** Howard Alderman  
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>>> Howard Alderman <halderman@levingann.com> 3/17/2014 4:24 PM >>>

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Towson, Md. 21204  
410-887-3868

**Debra Wiley - FW: Certifications**

---

**From:** Howard Alderman <halderman@levingann.com>  
**To:** 'Debra Wiley' <dwiley@baltimorecountymd.gov>  
**Date:** 3/18/2014 3:22 PM  
**Subject:** FW: Certifications  
**Attachments:** Hearing 3314.jpeg; Hearing 32114.jpeg

---

Ms. Wiley,

Attached are the original and subsequent posting certifications from Ms. Okeefe regarding Mr. Nivens' property at 4503 Long Green Road.

~~~~~  
Howard L. Alderman, Jr., Esquire
Levin & Gann, PA
Nottingham Centre, 8th Floor
502 Washington Avenue
Towson, Maryland 21204
410-321-0600 (voice)
410-296-2801 (fax)
410-456-8501 (cell)
Email: halderman@LevinGann.com
Website: www.LevinGann.com



From: Nivens, Mike [mnivens@nvrinc.com]
Sent: Tuesday, March 18, 2014 3:13 PM
To: Howard Alderman
Subject: Fw: Certifications

Michael Nivens

From: Linda Okeefe [<mailto:lucky linda1954@yahoo.com>]
Sent: Tuesday, March 18, 2014 03:12 PM
To: Nivens, Mike
Cc: Linda O'Keefe <lucky linda1954@yahoo.com>
Subject: Certifications & Invoices

Hi Michael,

I am forwarding to you copies of the Certifications to you.
Best Wishes!

Linda

Linda O'Keefe
523 Penny Lane
Hunt Valley MD 21030
Phone # 410-666-5366
Cell# 443-604-6431
Fax# 410-666-0929
lucky linda1954@yahoo.com

----- This email
is confidential and intended solely for the use of the individual to whom it is addressed. If you have
received this email in error please contact the sender and be advised that any use, dissemination,
forwarding, printing, or copying of this email is strictly prohibited. The terms for the purchase and sale
of any property referenced in this email shall be solely determined by a ratified Purchase Agreement.
Any information provided in this email, including but not limited to, pricing, financing, features of a
property and/or community, is not to be construed as the basis of the bargain for the purchase and sale of
any such property.

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 2/8/2014

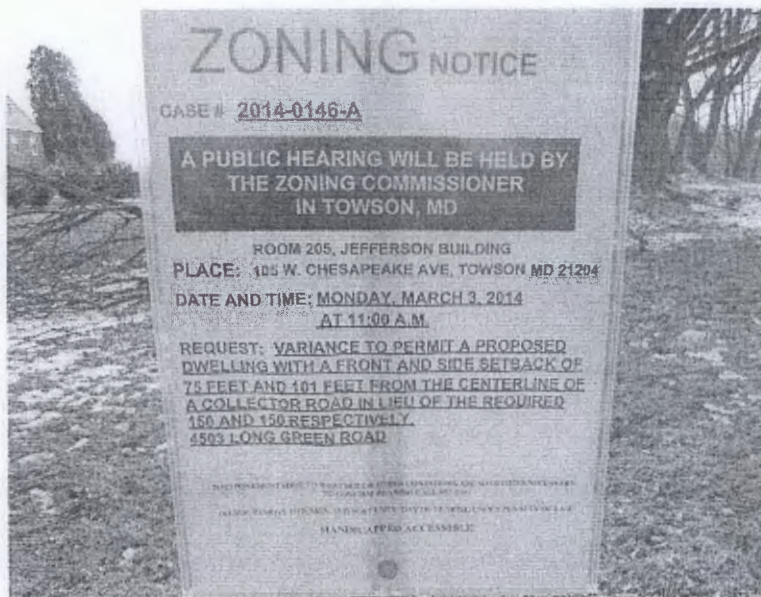
Case Number: 2014-0146-A

Petitioner / Developer: MICHAEL NIVENS

Date of Hearing (Closing): MARCH 3, 2014

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:
4503 LONG GREEN ROAD

The sign(s) were posted on: FEBRUARY 7, 2014



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 3/9/2014

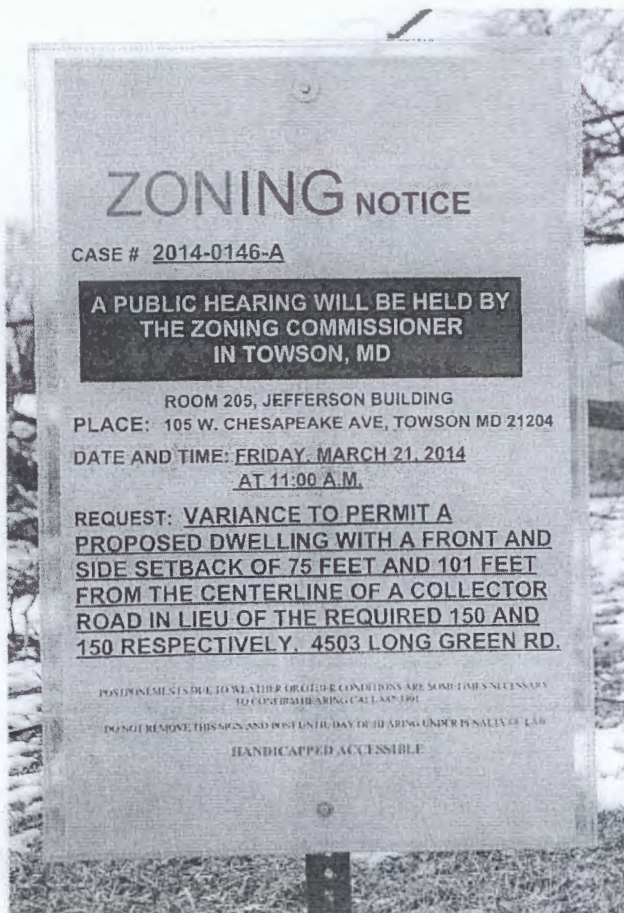
Case Number: 2014-0146-A

Petitioner / Developer: MICHAEL NIVENS

Date of Hearing (Closing): MARCH 21, 2014

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:
4503 LONG GREEN ROAD

The sign(s) were posted on: MARCH 7, 2014



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

Debra Wiley - RE: FW: Case No. 2014-0146-A (Michael Nivens)

From: Debra Wiley
To: Alderman, Howard
Date: 3/18/2014 3:27 PM
Subject: RE: FW: Case No. 2014-0146-A (Michael Nivens)

Mr. Alderman,

Judge Beverungen concurs with your proposal and will see you on Friday, March 21st @ 11 AM.

In addition, it is noted that our office has received the sign posting certifications and have placed them in the file.

Thanks for your usual cooperation.

Debbie Wiley
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>>> Howard Alderman <halderman@leavingann.com> 3/18/2014 2:20 PM >>>

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>>> Howard Alderman <halderman@levingann.com> 3/11/2014 1:04 PM >>>

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Case No. Long  
 2014-0146-A Jess  
 Rd.

3/21 Per JBS, Alderman to contact  
 Co. after LPC process. Prop. to  
 be reposted in <sup>advance</sup> of re-  
 convened zoning hearing.

From:  
 To:  
 CC:  
 Date:  
 Subject:

This case inv  
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The case was  
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 Counsel  
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In these circu  
 case can be heard. As such, the continuance was granted, and Mr. Alderman will contact the County after  
 the LPC process has concluded to arrange for a new date for the zoning hearing. The property will need  
 to be re-posted in advance of the reconvened zoning hearing. A copy of this email will be included in the  
 case file.

John Beverungen  
 ALJ



**John Beverungen - Re: Case # 2014-146-A (4503 Long Green Road)**

---

**From:** Karin Brown  
**To:** Beverungen, John  
**Date:** 3/7/2014 3:19 PM  
**Subject:** Re: Case # 2014-146-A (4503 Long Green Road)  
**CC:** Are, Kathy; Bialek, Jessie; Lanham, Lynn; Mayhew, Jeff; Nevy, Vicki;...

---

I want to let you know that the property owner is very angry that he needs LPC approval and that his house has to meet certain design standards. He told me several times that no one told him. However, Jessie Bialek tried to call him twice without a response and Kathy Are generally sends the staff comments to the applicant. Kathy will check on Monday whether the comments were sent to the correct address.

If you would like to speak to me about the LPC process, I am available on Monday morning and Tuesday after 11:30 or all day Wednesday. Regards, Karin

>>> John Beverungen 3/4/2014 1:36 PM >>>  
Ms. Brown,

This zoning case was supposed to be heard yesterday, but will be rescheduled due to the snow closing.

The owner seeks side and front yard setback variances to construct a new home in the RC5 zone.

A ZAC comment from Planning indicated the property is within an historic environmental setting (property #351, MIHP BA 0862), and across the street from two other Landmarks List structures.

Do you know if this matter has been discussed at the LPC? What sort of approval(s) will the owner need from the LPC to construct a new dwelling on this site?

Thanks,

John Beverungen  
AJ

**John Beverungen - Case No. 2014-146-A**

---

**From:** John Beverungen  
**To:** Debra Wiley; Karin Brown; Kristen Lewis; Sherry Nuffer  
**Date:** 3/21/2014 11:50 AM  
**Subject:** Case No. 2014-146-A  
**CC:** Howard Alderman

---

This case involves property at 4503 Long Green Road. The property is unimproved, and is listed within an historic setting.

The case was scheduled for a hearing today, with the owner seeking variance relief. Mr. Alderman entered his appearance on behalf of the Petitioner, and moved to postpone/continue the case. Counsel explained that the owner will need to have a hearing before the Landmarks Commission, at which time that panel may impose certain requirements or conditions that would (or could) alter the setbacks of the proposed dwelling, or the zoning relief that is required.

In these circumstances, I agree that it makes sense to first have the LPC hearing, and then the zoning case can be heard. As such, the continuance was granted, and Mr. Alderman will contact the County after the LPC process has concluded to arrange for a new date for the zoning hearing. The property will need to be re-posted in advance of the reconvened zoning hearing. A copy of this email will be included in the case file.

John Beverungen  
ALJ

2/25/14  
wcn



BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

**TO:** Arnold Jablon  
Deputy Administrative Officer and  
Director of Permits, Approvals and Inspections

**DATE:** February 20, 2014

**FROM:** Andrea Van Arsdale  
Director, Department of Planning

**SUBJECT:** 4503 Long Green Road

**INFORMATION:**

**Item Number:** 14-146  
**Petitioner:** Michael Nivens  
**Zoning:** RC 5  
**Requested Action:** Variance

**SUMMARY OF RECOMMENDATIONS:**

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The subject property is within the boundaries of the Historic Environmental Setting delineated for the Final Landmarks List, property #351, MIHP #BA 0862, Wilson Methodist Episcopal Church & Cemetery. The property is also across the street from two other Final Landmarks List structures. In addition, Long Green Road and Manor Road are Baltimore County Master Plan 2020 designated scenic routes. The applicant proposes to construct a new dwelling.

Construction of a new dwelling within the boundaries of the Historic Environmental Setting will require prior approval from the Landmarks Preservation Commission. Such new construction should follow the Design Guidelines adopted by the Landmarks Preservation Commission. Location, size, scale, massing and materials should be compatible with the historic structure(s) in the immediate vicinity. The new dwelling should respect the prevailing orientation and style of the neighboring structures.

For Landmarks Preservation Commission information and scheduling contact Karin Brown, Preservation Services in the Department of Planning at (410) 887-3495 or [kebrown@baltimorecountymd.gov](mailto:kebrown@baltimorecountymd.gov).

The Department of Planning has also determined that this proposal is subject to the current RC 5 performance standards and bulk regulations, therefore the applicant should show how this proposal meets the said standards. To prepare the statement of finding, the following information must be submitted to this department:

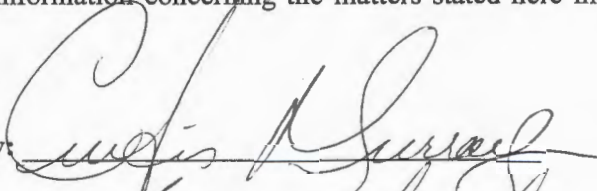
1. Photographs of existing adjacent dwellings.
2. Submit building elevations (all sides) of the proposed dwelling to this office for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.
3. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.

4. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
5. Provide landscaping along the public road if applicable.

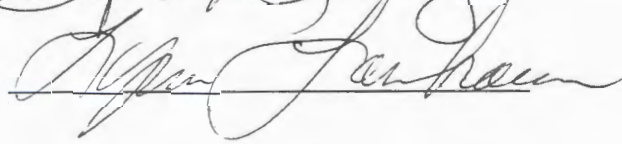
The Department of Planning respectfully requests that the Administrative Law Judge hold any action on the subject matter until after the LPC meeting has been held and a decision is reached.

For general information concerning the matters stated here in, please contact Jessie Bialek at 410-887-3480.

Prepared By:



Division Chief:  
AVA/LL:cjm



**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

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

**DATE:** January 27, 2014

**FROM:** Dennis A. Kennedy<sup>DAK</sup>, Supervisor  
Bureau of Development Plans  
Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For January 27, 2014  
Item No. 2014-0146, 0149, 0150, 0151, 0152, 0153, 0154 and 0156

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\ZAC01272014 -.doc

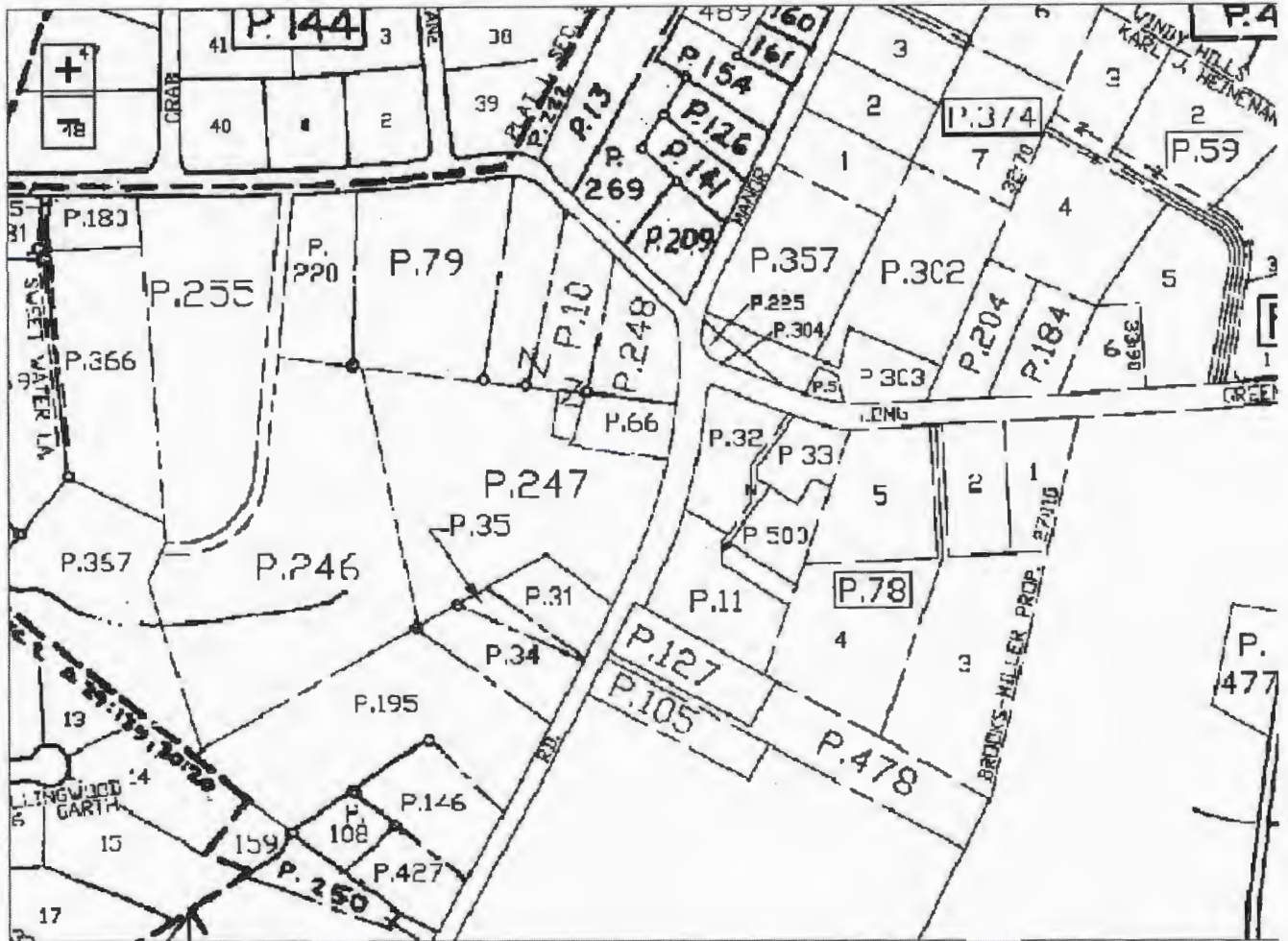
Real Property Data Search ( w2)  
 Search Result for BALTIMORE COUNTY

| <a href="#">View Map</a>                            | <a href="#">View GroundRent Redemption</a> | <a href="#">View GroundRent Registr2</a>                         |
|-----------------------------------------------------|--------------------------------------------|------------------------------------------------------------------|
| <b>Account Identifier:</b>                          |                                            | <b>District - 11 Account Number - 2500005431</b>                 |
| <b>Owner Information</b>                            |                                            |                                                                  |
| <b>Owner Name:</b>                                  | NIVENS MICHAEL                             | <b>Use:</b> RESIDENTIAL                                          |
| <b>Mailing Address:</b>                             | 2904 TOPAZ RD<br>BALTIMORE MD 21234-       | <b>Principal Residence:</b> NO                                   |
|                                                     |                                            | <b>Deed Reference:</b> 1) /31546/ 00200<br>2)                    |
| <b>Location &amp; Structure Information</b>         |                                            |                                                                  |
| <b>Premises Address:</b>                            | MANOR RD<br>0-0000                         | <b>Legal Description:</b> 1.5022AC<br>ES MANOR RD<br>COR LONG GF |
| <b>Map:</b> 0053                                    | <b>Grid:</b> 0003                          | <b>Parcel:</b> 0032                                              |
| <b>Sub District:</b>                                | <b>Subdivision:</b> 0000                   | <b>Section:</b>                                                  |
|                                                     |                                            | <b>Block:</b> 2                                                  |
|                                                     |                                            | <b>Lot:</b> 2012                                                 |
|                                                     |                                            | <b>Assessment Year:</b> P<br>P                                   |
| <b>Special Tax Areas:</b>                           | <b>Town:</b> NONE                          | <b>Ad Valorem:</b>                                               |
|                                                     | <b>Tax Class:</b>                          |                                                                  |
| <b>Primary Structure Built</b>                      | <b>Above Grade Enclosed Area</b>           | <b>Finished Basement Area</b>                                    |
|                                                     |                                            | <b>Property Land Area</b> 1.5000 AC                              |
| <b>Stories</b>                                      | <b>Basement</b>                            | <b>Type</b>                                                      |
|                                                     |                                            | <b>Exterior</b>                                                  |
|                                                     |                                            | <b>Full/Half Bath</b>                                            |
|                                                     |                                            | <b>Garage</b>                                                    |
|                                                     |                                            | <b>Last Major Renovation</b>                                     |
| <b>Value Information</b>                            |                                            |                                                                  |
|                                                     | <b>Base Value</b>                          | <b>Value</b>                                                     |
|                                                     |                                            | <b>As of</b>                                                     |
|                                                     |                                            | <b>01/01/2012</b>                                                |
| <b>Land:</b>                                        | 77,000                                     | 77,000                                                           |
| <b>Improvements</b>                                 | 0                                          | 0                                                                |
| <b>Total:</b>                                       | 77,000                                     | 77,000                                                           |
| <b>Preferential Land:</b>                           | 0                                          | 0                                                                |
|                                                     |                                            | <b>Phase-in Assessments</b>                                      |
|                                                     |                                            | <b>As of</b>                                                     |
|                                                     |                                            | <b>07/01/2013</b>                                                |
|                                                     |                                            | <b>As of</b>                                                     |
|                                                     |                                            | <b>07/01/</b>                                                    |
|                                                     |                                            | <b>77,000</b>                                                    |
|                                                     |                                            | <b>77,000</b>                                                    |
| <b>Transfer Information</b>                         |                                            |                                                                  |
| <b>Seller:</b> ARNOLIA UNITED METHODIST CHURCH      | <b>Date:</b> 12/29/2011                    | <b>Price:</b> \$125,000                                          |
| <b>Type:</b> ARMS LENGTH VACANT                     | <b>Deed1:</b> /31546/ 00200                | <b>Deed2:</b>                                                    |
| <b>Seller:</b> ARNOLIA UNITED METHODIST CHURCH      | <b>Date:</b> 02/24/2009                    | <b>Price:</b> \$0                                                |
| <b>Type:</b> NON-ARMS LENGTH OTHER                  | <b>Deed1:</b> /27692/ 00220                | <b>Deed2:</b>                                                    |
| <b>Seller:</b>                                      | <b>Date:</b>                               | <b>Price:</b>                                                    |
| <b>Type:</b>                                        | <b>Deed1:</b>                              | <b>Deed2:</b>                                                    |
| <b>Exemption Information</b>                        |                                            |                                                                  |
| <b>Partial Exempt Assessments:</b>                  | <b>Class</b>                               | <b>07/01/2013</b>                                                |
| <b>County:</b>                                      | 000                                        | 0.00                                                             |
| <b>State:</b>                                       | 000                                        | 0.00                                                             |
| <b>Municipal:</b>                                   | 000                                        | 0.00 0.00                                                        |
|                                                     |                                            | <b>0.00 0.00</b>                                                 |
| <b>Tax Exempt:</b>                                  | <b>Special Tax Recapture:</b>              |                                                                  |
| <b>Exempt Class:</b>                                | NONE                                       |                                                                  |
| <b>Homestead Application Information</b>            |                                            |                                                                  |
| <b>Homestead Application Status: No Application</b> |                                            |                                                                  |

Baltimore County

New Search (<http://sdat.resjusa.org/RealProperty/>)

District: **11** Account Number: **2500005431**

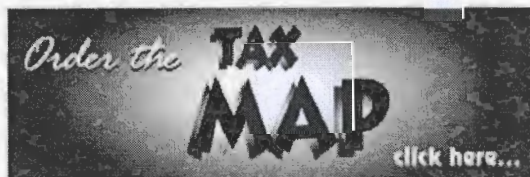


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Property maps provided courtesy of the Maryland Department of Planning ©2011.

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

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



Real Property Data Search ( w4)

Guide to searching the database

## Search Result for BALTIMORE COUNTY

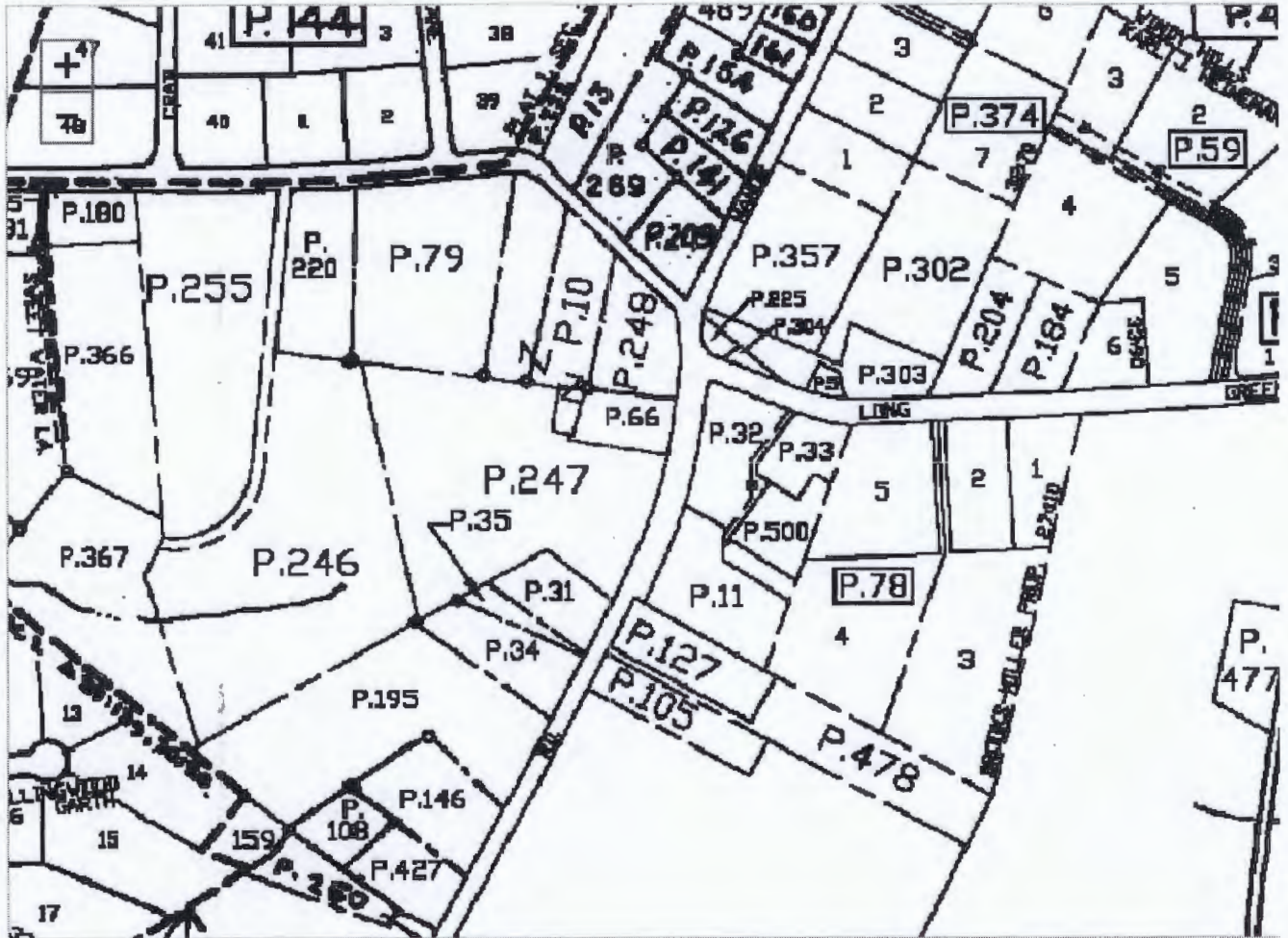
| View Map                                            |                                      | View GroundRent Redemption                       |                      |                               | View GroundRent Registration |                                              |             |                         |                 |           |
|-----------------------------------------------------|--------------------------------------|--------------------------------------------------|----------------------|-------------------------------|------------------------------|----------------------------------------------|-------------|-------------------------|-----------------|-----------|
| <b>Account Identifier:</b>                          |                                      | <b>District - 11 Account Number - 2500005431</b> |                      |                               |                              |                                              |             |                         |                 |           |
| <b>Owner Information</b>                            |                                      |                                                  |                      |                               |                              |                                              |             |                         |                 |           |
| <b>Owner Name:</b>                                  | NIVENS MICHAEL                       |                                                  |                      | <b>Use:</b>                   | RESIDENTIAL NO               |                                              |             |                         |                 |           |
| <b>Mailing Address:</b>                             | 2904 TOPAZ RD<br>BALTIMORE MD 21234- |                                                  |                      | <b>Principal Residence:</b>   |                              |                                              |             |                         |                 |           |
|                                                     |                                      |                                                  |                      | <b>Deed Reference:</b>        | /31546/ 00200                |                                              |             |                         |                 |           |
| <b>Location &amp; Structure Information</b>         |                                      |                                                  |                      |                               |                              |                                              |             |                         |                 |           |
| <b>Premises Address:</b>                            |                                      | MANOR RD<br>0-0000                               |                      | <b>Legal Description:</b>     |                              | 1.5022AC<br>ES MANOR RD<br>COR LONG GREEN RD |             |                         |                 |           |
| <b>Map:</b>                                         | <b>Grid:</b>                         | <b>Parcel:</b>                                   | <b>Sub District:</b> | <b>Subdivision:</b>           | <b>Section:</b>              | <b>Block:</b>                                | <b>Lot:</b> | <b>Assessment Year:</b> | <b>Plat No:</b> | <b>MS</b> |
| 0053                                                | 0003                                 | 0032                                             |                      | 0000                          |                              |                                              | 2           | 2015                    |                 |           |
| <b>Special Tax Areas:</b>                           |                                      |                                                  |                      | <b>Town:</b>                  | NONE                         |                                              |             |                         |                 |           |
|                                                     |                                      |                                                  |                      | <b>Ad Valorem:</b>            |                              |                                              |             |                         |                 |           |
|                                                     |                                      |                                                  |                      | <b>Tax Class:</b>             |                              |                                              |             |                         |                 |           |
| <b>Primary Structure Built</b>                      | <b>Above Grade Enclosed Area</b>     |                                                  |                      | <b>Finished Basement Area</b> | <b>Property Land Area</b>    | <b>County Use</b>                            |             |                         |                 |           |
|                                                     |                                      |                                                  |                      |                               | 1.5000 AC                    | 04                                           |             |                         |                 |           |
| <b>Stories</b>                                      | <b>Basement</b>                      | <b>Type</b>                                      | <b>Exterior</b>      | <b>Full/Half Bath</b>         | <b>Garage</b>                | <b>Last Major Renovation</b>                 |             |                         |                 |           |
| <b>Value Information</b>                            |                                      |                                                  |                      |                               |                              |                                              |             |                         |                 |           |
|                                                     |                                      |                                                  | <b>Base Value</b>    | <b>Value As of</b>            | <b>Phase-in Assessments</b>  |                                              |             |                         |                 |           |
|                                                     |                                      |                                                  |                      | 01/01/2012                    | <b>As of</b>                 | <b>As of</b>                                 |             |                         |                 |           |
|                                                     |                                      |                                                  |                      | 77,000                        | 07/01/2014                   | 07/01/2015                                   |             |                         |                 |           |
| <b>Land:</b>                                        | 77,000                               |                                                  |                      | 77,000                        |                              |                                              |             |                         |                 |           |
| <b>Improvements</b>                                 | 0                                    |                                                  |                      | 0                             |                              |                                              |             |                         |                 |           |
| <b>Total:</b>                                       | 77,000                               |                                                  |                      | 77,000                        | 77,000                       |                                              |             |                         |                 |           |
| <b>Preferential Land:</b>                           | 0                                    |                                                  |                      |                               |                              |                                              |             |                         |                 |           |
| <b>Transfer Information</b>                         |                                      |                                                  |                      |                               |                              |                                              |             |                         |                 |           |
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| <b>Type:</b> NON-ARMS LENGTH OTHER                  |                                      |                                                  |                      | <b>Deed1:</b> /27692/ 00220   | <b>Deed2:</b>                |                                              |             |                         |                 |           |
| <b>Seller:</b>                                      |                                      |                                                  |                      | <b>Date:</b>                  | <b>Price:</b>                |                                              |             |                         |                 |           |
| <b>Type:</b>                                        |                                      |                                                  |                      | <b>Deed1:</b>                 | <b>Deed2:</b>                |                                              |             |                         |                 |           |
| <b>Exemption Information</b>                        |                                      |                                                  |                      |                               |                              |                                              |             |                         |                 |           |
| <b>Partial Exempt Assessments:</b>                  |                                      | <b>Class</b>                                     |                      |                               |                              | 07/01/2014                                   | 07/01/2015  |                         |                 |           |
| <b>County:</b>                                      |                                      | 000                                              |                      |                               |                              | 0.00                                         |             |                         |                 |           |
| <b>State:</b>                                       |                                      | 000                                              |                      |                               |                              | 0.00                                         |             |                         |                 |           |
| <b>Municipal:</b>                                   |                                      | 000                                              |                      |                               |                              | 0.00                                         | 0.00        |                         |                 |           |
| <b>Tax Exempt:</b>                                  |                                      |                                                  |                      | <b>Special Tax Recapture:</b> |                              |                                              |             |                         |                 |           |
| <b>Exempt Class:</b>                                |                                      |                                                  |                      | NONE                          |                              |                                              |             |                         |                 |           |
| <b>Homestead Application Information</b>            |                                      |                                                  |                      |                               |                              |                                              |             |                         |                 |           |
| <b>Homestead Application Status: No Application</b> |                                      |                                                  |                      |                               |                              |                                              |             |                         |                 |           |



Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty>)

District: **11** Account Number: **2500005431**



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

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

->



Case No.: 2014-0146-A

Exhibit Sheet

Petitioner/Developer

DW  
12-23-14

Protestants

11/21/14  
Sen

|        |               |  |
|--------|---------------|--|
| No. 1  | Site plan     |  |
| No. 2  | Photo of site |  |
| No. 3  |               |  |
| No. 4  |               |  |
| No. 5  |               |  |
| No. 6  |               |  |
| No. 7  |               |  |
| No. 8  |               |  |
| No. 9  |               |  |
| No. 10 |               |  |
| No. 11 |               |  |
| No. 12 |               |  |



PETITIONER'S

EXHIBIT NO. \_\_\_\_\_

2

SUBJECT PROPERTY PHOTO.ADDENDUM

|                                        |                         |
|----------------------------------------|-------------------------|
| Borrower: Michael A. Nivens            | File No.: 111117        |
| Property Address: 4503 Long Green Road | Case No.: Loan# 1138599 |
| City: Glen Arm                         | State: MD               |
| Lender: Susquehanna Bank               | Zip: 21057              |



FRONT VIEW OF  
SUBJECT PROPERTY

Appraised Date: November 11, 2011  
Appraised Value: \$ 170,000



REAR VIEW OF  
SUBJECT PROPERTY



STREET SCENE

2014-0146-A

|                                        |                         |
|----------------------------------------|-------------------------|
| Borrower: Michael A. Nivens            | File No.: 111117        |
| Property Address: 4503 Long Green Road | Case No.: Loan# 1138599 |
| City: Glen Arm                         | State: MD               |
| Lender: Susquehanna Bank               | Zip: 21057              |



additional Street Scene



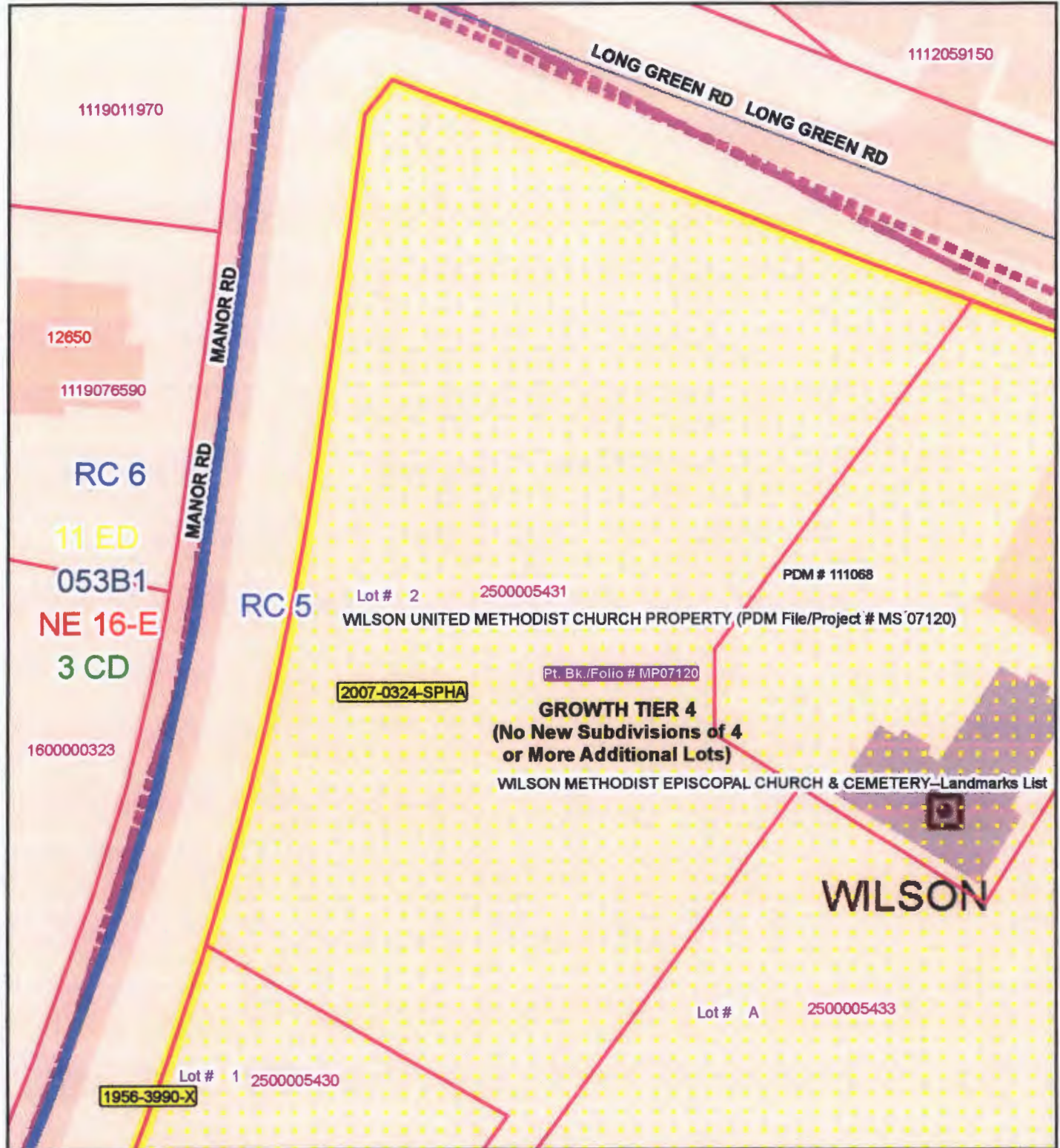
Well



Septic reserve area

2014-0146-A

Tax #25-00-005-431



Publication Date: 12/19/2013



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

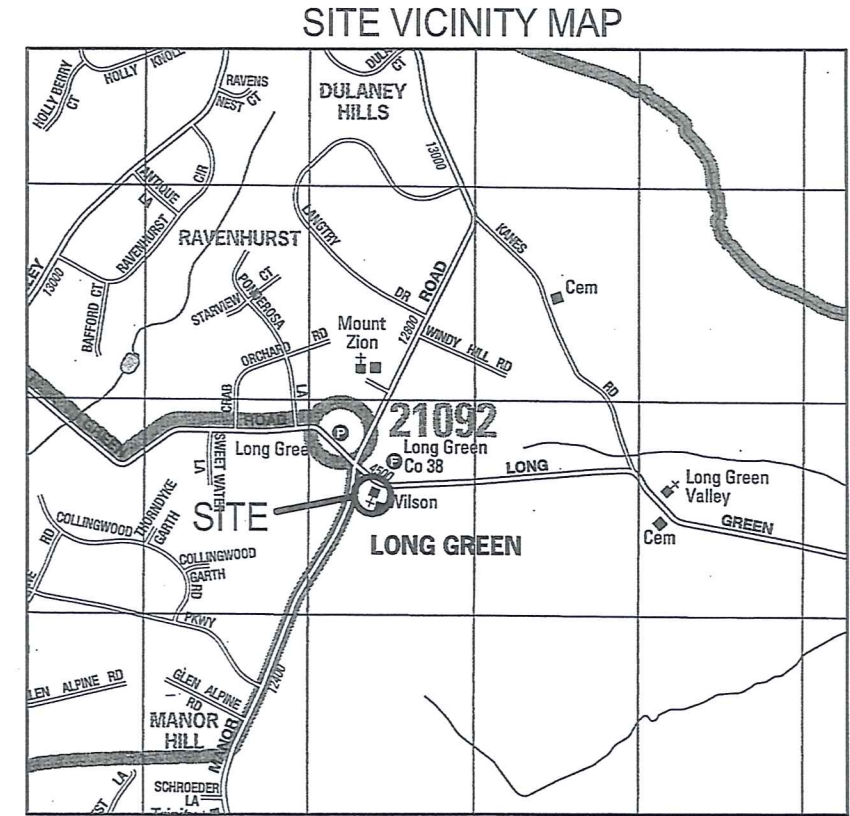
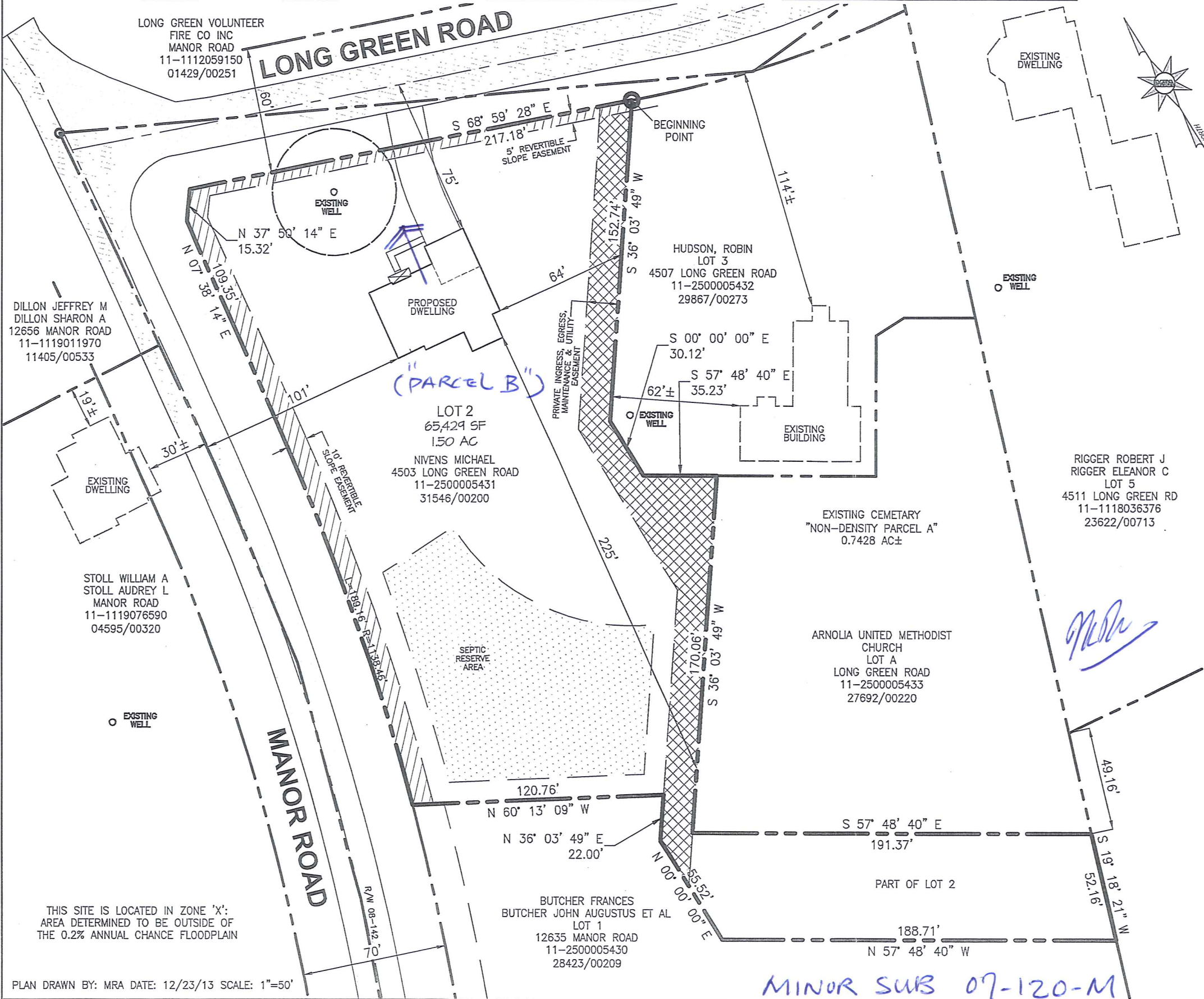


0 12.5 25 50 75 100 Feet

1 inch = 50 feet

2014-0146-A

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING \_\_\_\_\_ (MARK TYPE REQUESTED WITH X)  
 ADDRESS 4503 Long Green Rd. OWNER(S) NAME(S) Michael Nivens  
 SUBDIVISION NAME Minor Sub. of Wilson United Methodist Church LOT # 2 BLOCK # N/A SECTION # N/A  
 PLAT BOOK # MS FOLIO # \_\_\_\_\_ 10 DIGIT TAX # 2500005431 DEED REF. # 31546 / 00200



SCALE: 1"=2000'

ZONING MAP # 0053 B 1  
 SITE ZONED RC-5  
 ELECTION DISTRICT 11th  
 COUNCIL DISTRICT 3rd  
 LOT AREA ACREAGE 1.5022±  
 OR SQUARE FEET 65,436±  
 HISTORIC? No  
 IN CBCA? No  
 IN FLOODPLAIN? No  
 UTILITIES? MARK WITH X  
 WATER IS: PUBLIC \_\_\_\_\_ PRIVATE X  
 SEWER IS: PUBLIC \_\_\_\_\_ PRIVATE X  
 PRIOR HEARING? NO YES  
 IF SO GIVE CASE # AND ORDER RESULT BELOW  
2007-0324-SPHA  
 \_\_\_\_\_ PETITIONER'S  
 VIOLATION CASE II EXHIBIT NO. 1

MINOR SUB 07-120-M

2014-0146-A

THIS SITE IS LOCATED IN ZONE 'X':  
 AREA DETERMINED TO BE OUTSIDE OF  
 THE 0.2% ANNUAL CHANCE FLOODPLAIN