

IN RE: PETITION FOR ADMIN. VARIANCE *
(10517 Old Court Road)
2nd Election District *
4th Council District *
Carl F. and Wendy J. Geppert *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2014-0206-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property Carl F. and Wendy J. Geppert. The variance request is from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a proposed detached accessory structure (garage) to be located in the side yard of the principal dwelling and have a height of 22 ft. in lieu of the required rear yard and maximum allowed 15 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Petitioners indicate that the proposed zoning relief is due to the need for additional garage/storage space generated by the understandable normal increase in the expansion of their domestic requirements and more specifically the need for garage housing for two (2) antique motor vehicles that they own.

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

ORDER RECEIVED FOR FILING

Date 5-12-14

By DW

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on April 19, 2014, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 12th day of May, 2014, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a proposed detached accessory structure (garage) to be located in the side yard of the principal dwelling and have a

ORDER RECEIVED FOR FILING

Date 5-12-14

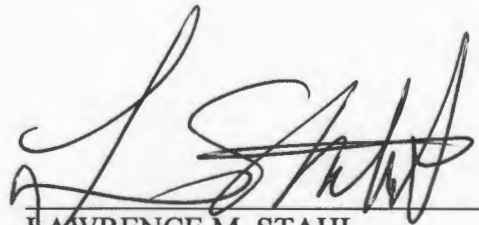
By BW

height of 22 ft. in lieu of the required rear yard and maximum allowed 15 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for any appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- The Petitioners or subsequent owners shall not convert the subject garage into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
- The garage or the property itself shall not be used for commercial purposes.

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



LAWRENCE M. STAHL
Managing Administrative Law Judge for
Baltimore County

LMS:dlw

ORDER RECEIVED FOR FILING

Date 5-12-14

By DW

KEVIN KAMENETZ
County Executive



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

May 12, 2014

Carl F. Geppert
Wendy J. Geppert
10517 Old Court Road
Woodstock, Maryland 21163

RE: **PETITION FOR ADMINISTRATIVE VARIANCE**
(10517 Old Court Road)
Case No. 2014-0206-A

Dear Mr. and Mrs. Geppert:

Enclosed please find a copy of the decision rendered in the above-captioned matter

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Very truly yours,

A handwritten signature in black ink, appearing to read "L. Stahl", is written over the typed name.

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:dlw
Enclosure

c: Joseph Larson, Bogart Technical Consultants, 408 Allegheny Avenue,
Towson, MD 21204



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 10517 OLD COURT RD. which is presently zoned RC-5

Deed Reference 10607-109 10 Digit Tax Account # 2200016487

Property Owner(s) Printed Name(s) CARL F. F. WENDY J. GEPPERT

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

Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

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

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

(REFER TO ATTACHED SHEET)

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

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

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

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

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

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

Contract Purchaser/Lessee:

NOT APPLICABLE

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners:

CARL F. GEPPERT WENDY J. GEPPERT

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

10517 OLD COURT RD. WOODSTOCK MD.

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

JOSEPH LARSON - NOGART TECHNICAL

Name - Type or Print

Signature

408 ALLEGHENY AVE. TOWSON, MD.

Mailing Address

City

State

Zip Code

Telephone #

Email Address

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

Administrative Law Judge of Baltimore County

CASE NUMBER 2014-0206-A Filing Date 4/7/14 Estimated Posting Date 4/20/14 Reviewer RD

Affidavit in Support of Administrative Variance

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

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

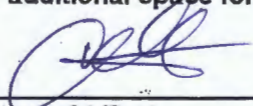
That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 10517 OLD COURT RD. WOODSTOCK MD. 21167
Print or Type Address of property City State Zip Code

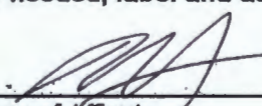
Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

The undersigned herein request the proposed zoning relief due to the need for additional garage/storage space generated by the understandable normal increase in the expansion of our domestic requirements and more specifically the need for garage housing for 2 antique motor vehicles that we own.

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


Signature of Affiant

CARL F. GEPPERT
Name- Print or Type


Signature of Affiant

WENDY W. GEPPERT
Name- Print or Type

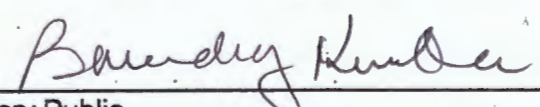
The following information is to be completed by a Notary Public of the State of Maryland

HOWARD
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15 day of February 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

CARL F. GEPPERT AND WENDY W. GEPPERT
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal


Notary Public

July 30, 2017
My Commission Expires

ZONING VARIANCE PETITION

Sections 400.1 and 400.3 - to permit a proposed detached accessory structure
(garage) to be located in the side yard of the ^{principal}~~proposed~~ dwelling and have a height of
22 feet in lieu of the required rear yard and maximum allowed 15 feet.

Item # 0206

LEGAL DESCRIPTION
OF GEPPERT PROPERTY
10517 OLD COURT ROAD
4th Council District

ALL that parcel of land situate, in the Second Election District of Baltimore County, State of Maryland, and described more particularly as follows; beginning for the same at the southeast corner of the subject property and running thence,

- 1) North 82 degrees 48 minutes 07 seconds West, 219.41 feet, thence
- 2) North 04 degrees 32 minutes 45 seconds West, 251.87 feet, thence
- 3) North 70 degrees 25 minutes 37 seconds East, 207.86 feet, thence
- 4) North 03 degrees 19 minutes 27 seconds East, 220.83 feet, thence
- 5) North 03 degrees 09 minutes 03 seconds West, 236.03 feet to a point in or near the center of the paving of Old Court Road, Maryland State Route No. 125, and binding in or near the center of said road, and on said line:
- 6) North 84 degrees 05 minutes 46 seconds East, 15.02 feet, thence leaving said road centerline, and running for the two following courses and distances
- 7) South 03 degrees 09 minutes 03 seconds East, 281.93 feet, thence
- 8) South 01 degrees 15 minutes 34 seconds East, 524.50 feet, to the point of beginning

Also known as lot #3 in the minor subdivision of Clarence & Barbara Brown (#91-005-M) as maintained by the Development Management Division of the Department of Permits, Approvals, and Inspections.

Containing 1.77 Acres of land more or less

Item #0206

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: 2014-0206-A

Petitioner: WENDY & CARL GEPPERT

Address or Location: 10517 OLD COURT RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: WENDY & CARL GEPPERT

Address: 10517 OLD COURT RD.

WOODSTOCK, MD. 21167

Telephone Number: 443-250-3426

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

109866

No.

Date:

4/7/14

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 4/14/2014 4/07/2014 09:03:15 1

REC: NEW! WALAIN LRA5 LTR
 RECEIPT # 304836 4/07/2014 (PLN)
 REF: 5 528 ZONING VERIFICATION!
 LP NO. 107566

Recpt Tot 875.00
 \$100.00 CK 1.00 CA
 \$25.00 PF
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	906	0000		650				875

Total: 875

Rec From:

For:

Zoning hearing - case #2014-0206-A

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 4/22/2014

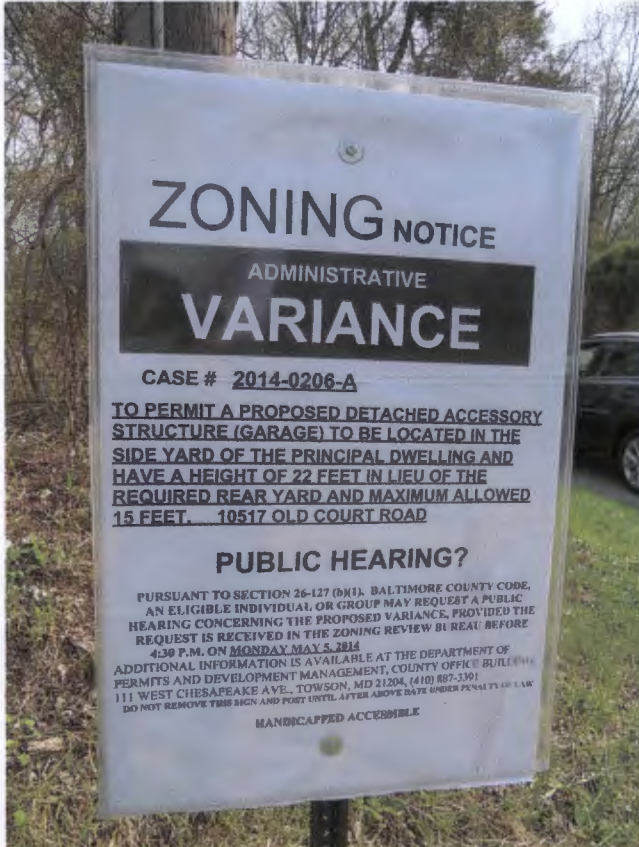
Case Number: 2014-0206-A

Petitioner / Developer: Carl & Wendy Geppert ~ Joseph Larson of Bogart Technical Consultants LLC

Date of Hearing (Closing): May 5, 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:
10517 Old Court Road

The sign(s) were posted on: APRIL 19, 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)

MEMORANDUM

DATE: June 11, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0206-A – Appeal Period Expired

The appeal period for the above-referenced case expired on June 11, 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

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment4-17DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)NC

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

FIRE DEPARTMENT

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

4-17

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING Date: 4-19-14 by O'KeefePEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2014- 0206 -A Address 10517 Old Court Rd

Contact Person: David Duvall Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 4/7/14 Posting Date: 4/20/14 Closing Date: 5/5/14

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

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

(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2014- 0206 -A Address 10517 Old Court Rd

Petitioner's Name C + W Geppert Telephone 443 250 3426

Posting Date: 4/20/14 Closing Date: 5/5/14

Wording for Sign: To Permit a proposed detached accessory structure
(garage) to be located in the side yard of the principal dwelling
and have a height of 22 feet in lieu of the required rear yard
and maximum allowed 15 feet

Revised 7/06/11



KEVIN KAMENETZ
County Executive

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

May 6, 2014

Carl F. & Wendy J. Geppert
10517 Old Court Road
Woodstock MD 21163

RE: Case Number: 2014-0206 A, Address: 10517 Old Court Road

Dear Mr. & Ms. Geppert:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 7, 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, reading "W. Carl Richards, Jr.", is written over a circular stamp that partially obscures the signature.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Joseph Larson, Bogart Technical, 408 Allegheny Avenue, Towson MD 21204

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



Maryland Department of Transportation

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

Date: 4/17/14

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2014-0206-A
Administrative Variance
Carl F. & Wendy J. Geppert
10517 Old Court Road.
MD 125

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 4/14/14. A field inspection and internal review reveals that an entrance onto MD125 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2014-0206-A.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Steven D. Foster".

Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

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

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

Administrative Hearings - RE: 2014-0206-A

From: Administrative Hearings
To: geppert, wendy
Date: 5/12/2014 10:01 AM
Subject: RE: 2014-0206-A
Attachments: 14-0206-A prop garage in side yd w hgt of 22 ft in lieu of rear yd 15 ft.doc

Ms. Geppert,

As promised, please find attached Judge Stahl's decision in the above-referenced case dated today.

Have a great day !

>>> "wendy geppert" <sales@air-pump.com> 5/9/2014 2:42 PM >>>

Thank you so much for your extra effort in this matter. I hope you have a wonderful weekend as well.

From: Administrative Hearings [administrativehearings@baltimorecountymd.gov]
Sent: Friday, May 09, 2014 2:05 PM
To: wendy geppert
Subject: Re: 2014-0206-A

Mrs. Geppert,

All of your information has been given to the Judge for his review, and it looks like the pictures with your notes satisfied any concerns. He has indicated that he will officially make his determination on Monday, and as soon as it's finalized, I will forward you a copy via this email address. This will help to alleviate waiting for your hard copy in the mail which can, of course, take a few days.

Thanks for your cooperation in this matter; it is appreciated.

P.S. Have a wonderful Mother's Day !

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings

>>> "wendy geppert" <sales@air-pump.com> 5/9/2014 11:38 AM >>>

Dear Sir,

I apologize for the disorganized manor in which our file has been presented. The gentleman we hired for this process did not know that pictures were necessary. I humbly ask that you approve our request based on the

pictures that we are now sending to you. The proposed detached garage will be approximately 30' from our existing attached garage.

Sincerely,
Wendy Geppert

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

Message Id: 53709C0A.CC1 : 229 : 52248
 Subject: RE: 2014-0206-A
 Created By: administrativehearings@baltimorecountymd.gov
 Scheduled Date:
 Creation Date: 5/12/2014 10:01 AM
 From: Administrative Hearings

Recipients:

Recipient	Action	Date & Time	Comment
 air-pump.com	Transferred	5/12/2014 10:01 AM	
To: wendy geppert (sales@air-pump.com)			

Post Offices

Post Office	Delivered	Route
air-pump.com		air-pump.com

Files

File	Size	Date & Time
14-0206-A prop garage in side yd w hgt of 22 ft in lieu of rear yd 15 ft.doc	41984	5/9/2014 1:22 PM
IMAGE.jpg	19252	
IMAGE.jpg	9645	
IMAGE.jpg	16539	
IMAGE.jpg	12873	
IMAGE.png	949	
IMAGE.png	5202	
MESSAGE	4113	5/12/2014 10:01 AM
Mime.822	165326	5/12/2014 10:01 AM
TEXT.htm	10889	5/12/2014 10:01 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: 53709C0A.NCH_DOM.NCH_PO.100.1796364.1.668.1
 Common Record Id: 53709C0A.NCH_DOM.NCH_PO.200.20000E5.1.4E880.1

Administrative Hearings - Re: 2014-0206-A

From: Administrative Hearings
To: geppert, wendy
Date: 5/9/2014 2:04 PM
Subject: Re: 2014-0206-A

Mrs. Geppert,

All of your information has been given to the Judge for his review, and it looks like the pictures with your notes satisfied any concerns. He has indicated that he will officially make his determination on Monday, and as soon as it's finalized, I will forward you a copy via this email address. This will help to alleviate waiting for your hard copy in the mail which can, of course, take a few days.

Thanks for your cooperation in this matter; it is appreciated.

P.S. Have a wonderful Mother's Day !

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings

>>> "wendy geppert" <sales@air-pump.com> 5/9/2014 11:38 AM >>>

Dear Sir,

I apologize for the disorganized manor in which our file has been presented. The gentleman we hired for this process did not know that pictures were necessary. I humbly ask that you approve our request based on the pictures that we are now sending to you. The proposed detached garage will be approximately 30' from our existing attached garage.

Sincerely,

Wendy Geppert

Administrative Hearings - 2014-02-06A

From: "wendy geppert" <sales@air-pump.com>
To: <administrativehearings@baltimorecountymd.gov>
Date: 5/9/2014 11:38 AM
Subject: 2014-02-06A
Attachments: front of house.jpg; side view.jpg

Dear Sir,

I apologize for the disorganized manor in which our file has been presented. The gentleman we hired for this process did not know that pictures were necessary. I humbly ask that you approve our request based on the pictures that we are now sending to you. The proposed detached garage will be approximately 30' from our existing attached garage.

Sincerely,

Wendy Geppert





From: "wendy geppert" <sales@air-pump.com>
To: <administrativehearings@baltimorecountymd.gov>
Date: 5/9/2014 9:15 AM
Subject: FW: 2014-02-06a
Attachments: photo 1.JPG; Untitled attachment 00008.txt; photo 2.JPG; Untitled attachment 00011.txt; photo 3.JPG; Untitled attachment 00014.txt

-----Original Message-----

From: Doris Geppert [mailto:dmgeppert@icloud.com]
Sent: Thursday, May 08, 2014 7:51 PM
To: administrativehearings@baltimorecountymd.gov
Cc: sales@air-pump.com
Subject: 2014-02-06a

This is a picture of our driveway with existing garage on left and proposed garage on right. Cones in 2nd and 3rd picture indicate approximate footprint of proposed building. One neighbor is directly behind van and bamboo with no direct view of our property.

RECEIVED

MAY 09 2014

OFFICE OF ADMINISTRATIVE HEARINGS







Administrative Hearings - Re: 2014-02-06a

From: Administrative Hearings
To: Geppert, Doris
Date: 5/9/2014 8:42 AM
Subject: Re: 2014-02-06a

Good Morning,

This is to acknowledge receipt of two (2) photos of your neighbor's front yard. In addition, we'd like to receive a picture of your house and a picture of the location of the proposed garage in relation to each other. And if you could advise approximately how far the garage is going to be from the existing dwelling. This information will help expedite the Judge's review and issuing his Opinion.

Thanks and feel free to call if you have any questions or concerns (410-887-3868).

Thank you.

>>> Doris Geppert <dmgeppert@icloud.com> 5/8/2014 7:56 PM >>>

This is our neighbors front yard. Our driveway runs parallel to their drive. You can see a small section of our drive in the left side of picture. The proposed garage is behind their house and all the trees..The garage will be slightly visible from the side of their garage.

Administrative Hearings - Re: File2014-02-06a

From: Administrative Hearings
To: Geppert, Doris
Date: 5/9/2014 8:37 AM
Subject: Re: File2014-02-06a

Good Morning,

This is to acknowledge receipt of this email. However, wanted you to be aware that nothing is attached. Perhaps it's in the second email that you've forwarded.

>>> Doris Geppert <dmgeppert@icloud.com> 5/8/2014 7:44 PM >>>

Sent from my iPad

From: Doris Geppert <dmgeppert@icloud.com>
To: <administrativehearings@baltimorecountymd.gov>
CC: <administrativehearings@baltimorecountymd.gov>, <sales@air-pump.com>
Date: 5/8/2014 7:56 PM
Subject: 2014-02-06a
Attachments: photo 1.JPG; Part.002; photo 2.JPG; Part.004

This is our neighbors front yard. Our driveway runs parallel to their drive. You can see a small section of our drive in the left side of picture. The proposed garage is behind their house and all the trees. The garage will be slightly visible from the side of their garage.





Debra Wiley - Administrative Variances

From: Debra Wiley
To: Duvall, David
Date: 5/8/2014 11:30 AM
Subject: Administrative Variances
CC: Richards, Carl
BC: Lewis, Kristen; Wisnom, June
Attachments: 20140508103409172.pdf

5/8 2:32PM
 Deb spoke to Pet.
 She'll email to gen.
 email photos &
 rules call to
 confirm receipt.

Hi Dave,

Please be advised that OAH requires photographs for all of the administrative variance cases. Specifically, in reference to Case No. 2014-0206-A (see attached paperwork), the ALJ will not accept for administrative action any petition that does not include a photo of the affected property. If not received, we'll put it in for a public hearing.

Therefore, can you please contact the petitioner and/or representative and advise them accordingly. Our office will hold onto the file until the photographs are received.

Thanks in advance.

P.S. HAPPY BIRTHDAY CARL !!

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> 5/8/2014 10:34 AM >>>
 This E-mail was sent from "zoneprt1" (Aficio MP 2852).

Scan Date: 05.08.2014 10:34:08 (-0400)
 Queries to: officeofhearings@baltimorecountymd.gov

Message Id: 536BA318.AEA : 38 : 53259
Subject: Administrative Variances
Created By: dwiley@baltimorecountymd.gov
Scheduled Date:
Creation Date: 5/8/2014 11:30 AM
From: Debra Wiley

Recipients:

Recipient	Action	Date & Time	Comment
 COB_PO.COB_DOM	Delivered	5/8/2014 11:30 AM	
CC: Carl Richards (CRichards@baltimorecountymd.gov)	Read	5/8/2014 2:13 PM	
To: David Duval (rduval@baltimorecountymd.gov)	Read	5/8/2014 12:28 PM	
BC: June Wisnom (jwisnom@baltimorecountymd.gov)	Read	5/8/2014 11:34 AM	
BC: Kristen Lewis (klewis@baltimorecountymd.gov)	Read	5/8/2014 11:34 AM	

Post Offices

Post Office	Delivered	Route
COB_PO.COB_DOM	5/8/2014 11:30 AM	baltimorecountymd.gov

Files

File	Size	Date & Time
20140508103409172.pdf	95689	5/8/2014 11:03 AM
MESSAGE	1859	5/8/2014 11:30 AM
TEXT.htm	1593	5/8/2014 11:30 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: 536B6AD8.NCH_DOM.NCH_PO.100.1687076.1.1BE74.1
Common Record Id: 536B6AD8.NCH_DOM.NCH_PO.200.2000026.1.4B5C7.1

Debra Wiley - Administrative Variances

From: Debra Wiley
To: Duvall, David
Date: 5/8/2014 11:30 AM
Subject: Administrative Variances
CC: Richards, Carl
BC: Lewis, Kristen; Wisnom, June
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Hi Dave,

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P.S. HAPPY BIRTHDAY CARL !!

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

>>> <officeofhearings@baltimorecountymd.gov> 5/8/2014 10:34 AM >>>
This E-mail was sent from "zoneprt1" (Aficio MP 2852).

Scan Date: 05.08.2014 10:34:08 (-0400)
Queries to: officeofhearings@baltimorecountymd.gov

An Administrative Variance requires photographs of the property indicating existing conditions, immediately adjacent dwellings, area of proposed changes, etc., as delineated in our hearing checklist. The representative of this zoning filing felt it was unnecessary in this particular instance and, consequently, no photographs have been provided for this case.

Item #0206

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: April 17, 2014

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

SUBJECT: Zoning Advisory Committee Meeting
For April 21, 2014
Item Nos. 2014- 0176, 0205, 0206, 0207, 0208, 0209 and 0210

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\ZAC-04212014 -NO COMMENTS.doc

Real Property Data Search (w4)

[Search Help](#)Your feed back is important to us. [Please take our short survey.](#)

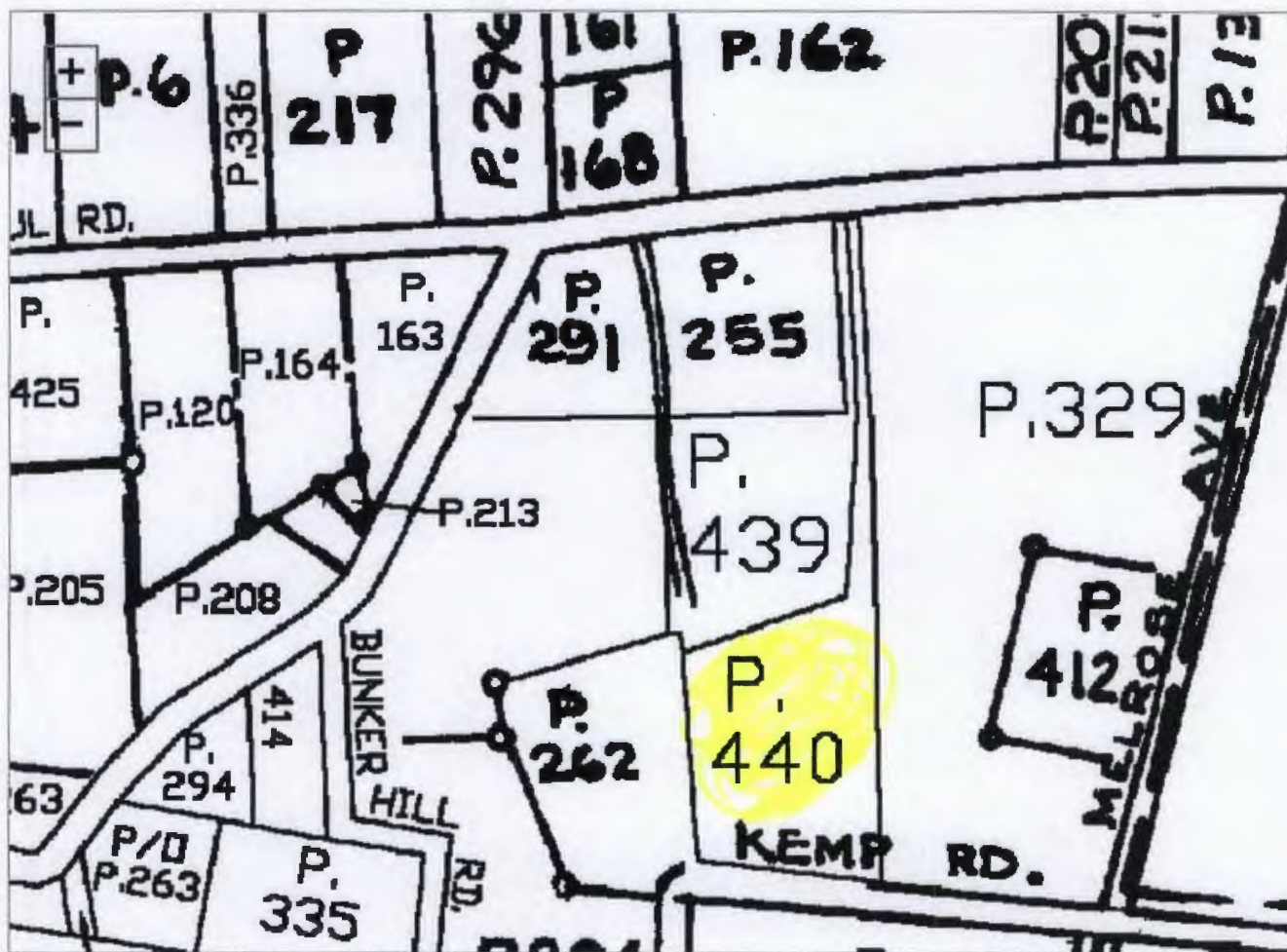
Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 02 Account Number - 2200016487 ✓		
Owner Information		
Owner Name:	GEPPERT CARL F GEPPERT WENDY J 10517 OLD COURT RD WOODSTOCK MD 21163	Use: RESIDENTIAL Principal Residence: YES Deed Reference: 1) /10607/ 00199 ✓ 2)
Mailing Address:		
Location & Structure Information		
Premises Address:	10517 OLD COURT RD 0-0000	Legal Description: 1.7688 AC 10517 OLD COURT RD SS E OF MELROSE AV
Map: 0086	Grid: 0003	Parcel: 0440
Sub District:	Subdivision: 0000	Section: 3 ✓
Block:	Lot: 2013	Assessment Year:
Plat No:	Plat Ref:	MS
Special Tax Areas:		Town: NONE
Ad Valorem:		Tax Class:
Primary Structure Built 1994	Above Grade Enclosed Area 2,486 SF	Finished Basement Area 1.7700 AC ✓
Property Land Area 04	County Use	
Stories 2.000000	Basement YES	Type STANDARD UNIT
Exterior SIDING	Full/Half Bath 2 full/ 1 half	Garage 1 Attached
Last Major Renovation		
Value Information		
Base Value	Value As of 01/01/2013	Phase-in Assessments As of 07/01/2013
Land: 107,700	80,700	As of 07/01/2014
Improvements: 219,700	202,300	
Total: 327,400	283,000	283,000
Preferential Land: 0		0
Transfer Information		
Seller: HERITAGE HOMES INC	Date: 06/23/1994	Price: \$215,000
Type: ARMS LENGTH IMPROVED	Deed1: /10607/ 00199	Deed2:
Seller: BROWN CLARENCE D,2ND	Date: 10/15/1993	Price: \$0
Type: ARMS LENGTH IMPROVED	Deed1: /10072/ 00326	Deed2:
Seller: BROWN CLARENCE B,2ND	Date: 07/27/1993	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /09915/ 00206	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013 07/01/2014
County: 000	0.00	
State: 000	0.00	
Municipal: 000	0.00 0.00	0.00 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: No Application		

Baltimore County

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

District: 02 Account Number: 2200016487



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

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

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

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



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

☒ Loading... Please

Loading... Please Wait.

-->



My Neighborhood Map

Item #0206

Created By
Baltimore County
My Neighborhood



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

Printed 11/20/2013

10600
0208001210

10528
0203770580

0208001212

OLD COURT RD

10529

10521

0220000030

RCC
0205770000

20

4 CD
RC 5
2 ED

086B1

Lot # 2 2200016486
PDM # 020489

Pt. Bk./Folio # MP91005

10519

0213550240

2000011024

NW 5-K

SPICER RD

NW-5-L

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

10527

10517

0208652840

086A1

0208000381

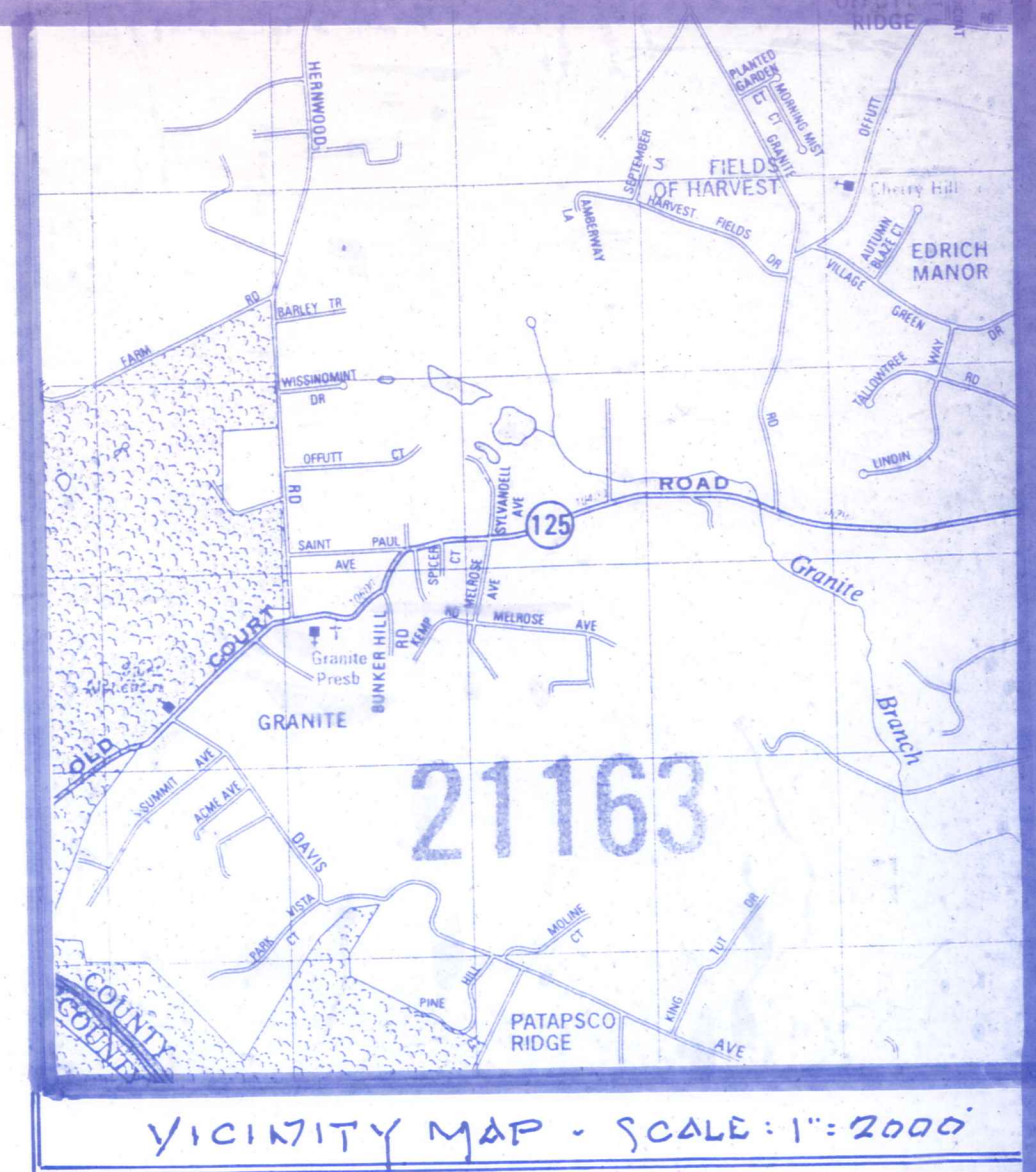
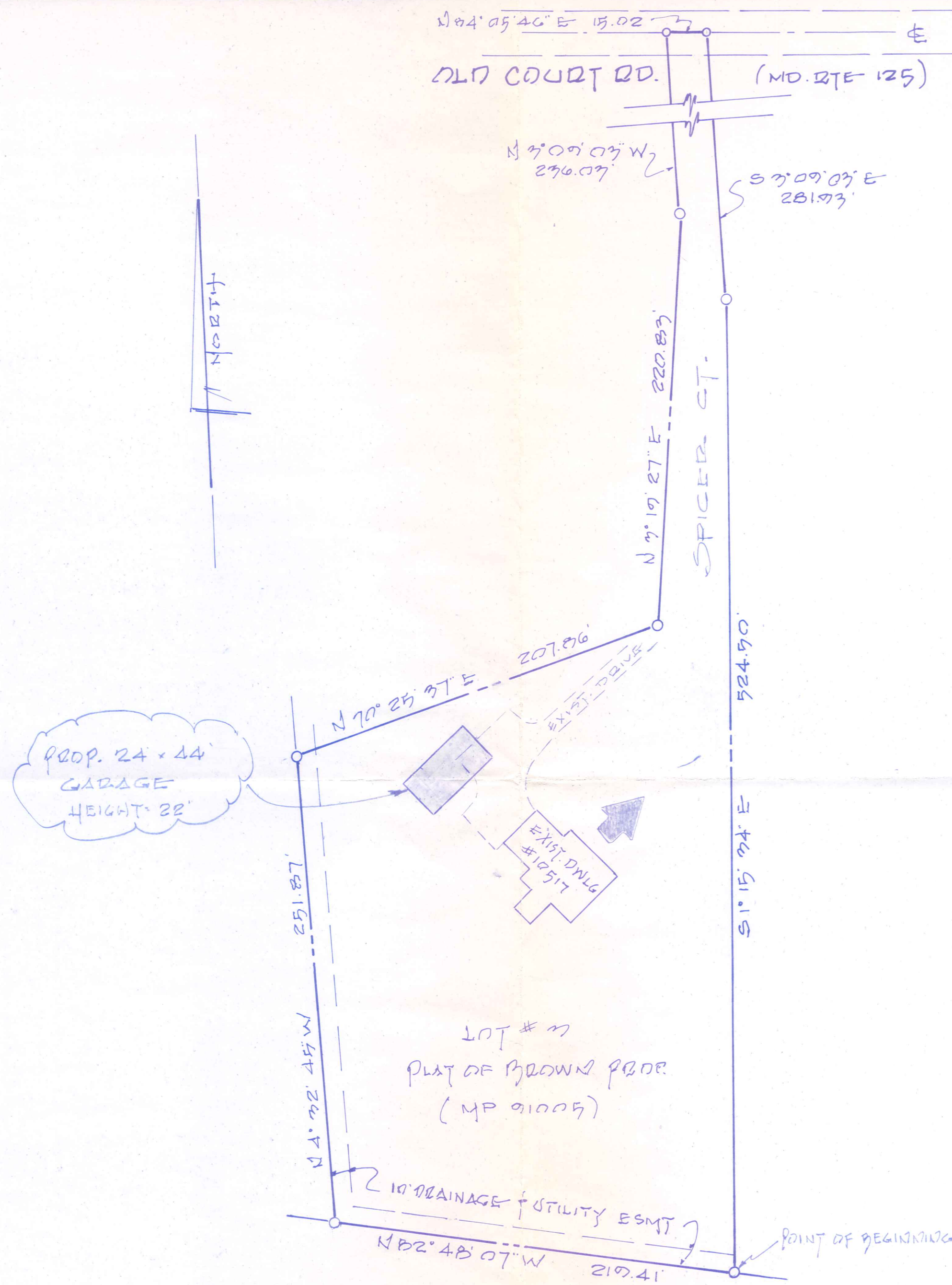


1 inch = 100 feet

Item #0206

GENERAL NOTES

1. THERE ARE NO ARCHEOLOGICAL SITES, HAZARDOUS MATERIALS, ENDANGERED SPECIES HABITATS, OR HISTORIC BUILDINGS OR LANDMARKS ON THE SUBJECT SITE.
2. THERE ARE NO STREAMS, BODIES OF WATER, OR SPRINGS ON OR ADJACENT TO THE SUBJECT SITE.
3. THERE ARE NO UNDERGROUND TANKS ON THE SITE.
4. THE SUBJECT PROPERTY DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
5. THE SUBJECT PROPERTY HAS NO ZONING HISTORY.



GENERAL INFORMATION

AREA OF LOT	1.77 AC ±
EXIST. ZONING	DC-5
COUNCIL DISTRICT	4+6
ELECTION DISTRICT	2-1
ZONING MAP	08631
DEED REFERENCE	10607-199
TAX ACCOUNT NO.	2200016487
TAX MAP-GRID-PARCEL	06/03/440
PLAT REFERENCE	MP 91005
EXIST. USE	RESIDENTIAL
PROPOSED USE	RESIDENTIAL

OWNER
LADL & WENDY GERBERT
10517 OLD COURT RD.
WOODSTOCK, MD. 21163

ENGINEER

BOGART TECHNICAL CONSULTANTS

Residential and Commercial Development Design

408 Allegheny Avenue
Towson, MD. 21204
410-830-2299

#2014-0206-A

Handwritten signature/initials

**PLAT TO ACCOMPANY
ZONING PETITION**

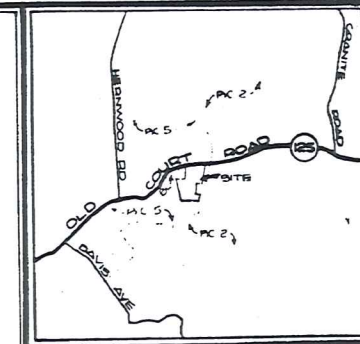
GERBERT PROPERTY
10517 OLD COURT RD.

2-1/2 SECT DIST. BALTO. CO. MD.
SCALE 1"=50' MAR. 7, 2014

Handwritten in red: Pet. Ex. 1

- 1) There are no underground fuel storage tanks
- 2) Panhandle road shall be in accordance with Baltimore County, Council Bill No. 172-89 and Resolution No. 40-87
- 3) All site runoff must be conveyed to a suitable outfall without imposing an adverse impact on the receiving waterbody, watercourse, wetland, storm drain or adjacent property
- 4) In wooded areas, tree clearing is limited to 11.0% sq ft per lot. In general, removal of trees should be minimized
- 5) All impervious areas should be limited to 30 percent of cleared area and conveyed as sheet flow through vegetated areas without concentrating or causing erosion
- 6) House down spouts are to be discharged onto pervious areas or into dry wells, where feasible
- 7) Acceptance of this plan in no way binds Baltimore County into refuse collection of this development. At the time of construction and after all requirements have been met, a representative of the Bureau will meet with the developer or his representatives to discuss details of refuse collection
- 8) Proposed use for property:
2 lots for single family dwellings
- 9) The panhandle shall be paved within one year of the issuance of the first occupancy permit and prior to the issuance of the occupancy permit of the last lot to be served whichever comes first

HIGHWAY AND HIGHWAY WIDENING, SLOPE, DRAINAGE AND UTILITY EASEMENTS SHOWN HEREON ARE RESERVED TO THE DEVELOPER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND, THE DEVELOPER, HIS PERSONAL REPRESENTATIVES, AND ASSIGNS SHALL CONVEY SAID AREAS BY DEED TO BALTIMORE COUNTY, MARYLAND AT NO COST.



VICINITY MAP
1" = 2000'

SYMBOL	SOIL TYPE	FILTER FIELD	HOMESITE W/BSMT
GcB2	GLENELO	SLIGHT	SLIGHT
GcB	GLENVILLE	SEVERE MODERATELY HIGH WATER TABLE, MODERATELY SLOW PERMEABILITY	SEVERE HIGH WATER TABLE

FIRST AMENDED
PRELIMINARY PLAN
MINOR SUBDIVISION
OF THE PROPERTY OF
CLARENCE & BARBARA BROWN
10501 OLD COURT ROAD
DEED REF: 7164/167
TAX ACC. NO: 0213550240
2ND ELECTION DISTRICT
BALTIMORE COUNTY, MD.

REFERENCES: SOILS MAP 38-A
PHOTOGRAMMETRIC
MAPS NW-5L
CURRENT ZONING RC-5

FLOOD DATA:
COMM NO 240010
PANEL NO 0355B
ZONE C

NOTES: GEN. DIST. TRACT 4022-02
COUNTY CLIMATE DIST 1
REGIONAL PLANNING DIST 311
WATERPOLE DATA

NOTE: THIS PROPERTY IS
NOT LOCATED IN A
CHESAPEAKE BAY
CRITICAL AREA

NOTE: THERE ARE NO KNOWN
POTENTIALLY HAZARDOUS
MATERIALS ON THIS SITE

REASON FOR FIRST AMENDMENT:
TO MOVE LOT 11/3 DIV. LINE
EASEMENT TO ACCOMMODATE
DRIVEWAY AS ERECTED

BALTIMORE COUNTY MINOR SUBDIVISION
Project No. 91-005-M
DEVELOPER REGULATION DIST 1
☒ Exempt from Division 2
☒ Panhandle, exempt from Sections 26-202 & 26-205
ZADM CERTIFICATION
Approved ☒ Disapproved ☐
By: [Signature] Date: [Date]
APPROVED, DEPRM

REVISED 8-19-92 FIRST AMENDMENT
REVISED 7-23-92 AS PER BALTO. CO.
REVISED 10-18-91 PER COUNTY COMMENTS
REVISED 8-1-91 PER COUNTY COMMENTS

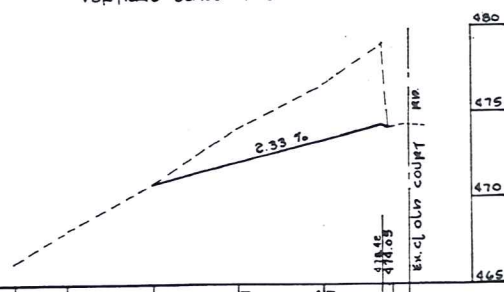
SCALE: 1" = 50' DATE: 13 SEPT 90



J. FINLEY RANSONE & ASSOCIATES
REGISTERED
LAND SURVEYORS
P.O. BOX 10160
TOWSON, MARYLAND
21285-0160
666-7448

J# 9006-735 F# 2B-022

PANHANDLE PROFILE
HORIZONTAL SCALE: 1" = 50'
VERTICAL SCALE: 1" = 5'



CURRENT DENSITY CALCULATIONS
CURRENT ZONING PC-5
ZONING SITE AREA 10.226 ACRES
NO. OF LOTS 10
DENSITY 3.000 LOTS/ACRE
NO. OF LOTS ALLOWED 30

DENSITY CALCULATIONS AS OF
NOVEMBER 12, 1995
BY: [Signature]
RECORDED IN 1508X AND 1509X
RECORDED IN 1508X AND 1509X

NOTE: LOT 4 (NILSSON) WAS SUBDIVIDED
FROM THE WHOLE TRACT IN NOV. 1985
THE LOT WAS CONVEYED TO THE JOINT
OWNERS TO SETTLE THE ESTATE OF ETHEL
M. MCCOMAS. THIS DENSITY INFORMATION
HAS BEEN PREPARED AT THE REQUEST OF
THE BALTO. CO. ZONING DEPT. ENFORCEMENT DIV.

