

IN RE: PETITIONS FOR SPECIAL HEARING *

AND VARIANCE

(2509 Butler Road) *

8th Election District *

3rd Council District *

Michael Lund & Charlene Debra Petersen *

Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2014-0207-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed by Michael Lund & Charlene Debra Petersen, the legal owners. The Special Hearing was filed pursuant to §500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit an accessory dwelling for the residence of a full time employee providing care of the owner's family. The variance petition seeks relief from B.C.Z.R. § 400.3 to permit a height of 26 ft. for a garage/accessory dwelling in lieu of the required 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. Appearing at the public hearing in support of the requests was Charlene Petersen and Bruce E. Doak, whose firm prepared the site plan. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. There were no Protestants in attendance, nor does the file contain any letters of opposition. There were no substantive Zoning Advisory Committee (ZAC) comments received.

The subject property is over 140 acres (three separate parcels) in size and is zoned RC 2, although all improvements are on Lot 1, which is 27.686 acres. The Petitioners purchased the property in 2011, and are constructing a large dwelling, garage and other amenities on the site.

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Date

6/9/14

By

Sen

The Petitioners travel extensively, and would like to provide a caretaker/nanny's residence on the second floor of the proposed garage, but to do so requires zoning relief.

Based on the size and topography of the subject property, it does not appear that the proposed improvements would be visible to anyone off-site. As such, I do not believe the requested relief would be in any way detrimental to the community. While the height variance is essentially a "plain-vanilla" request, the petition for special hearing presents a taxonomical difficulty which is discussed below.

To obtain variance relief a petitioner must show:

- (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).

Petitioners have met this test. The large property is of very irregular dimensions, and is therefore unique. I also find that strict compliance with the B.C.Z.R. would result in practical difficulty, given that Petitioners would be unable to construct the proposed garage with second floor living quarters. 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 absence of County and/or community opposition.

The Petition for special hearing seeks approval for an "accessory dwelling." While I am sympathetic to Petitioners' plight in framing the nature of the relief sought, I do not believe that a "dwelling" is an appropriate characterization, given that only one dwelling per lot is permitted in the RC 2 zone. B.C.Z.R. §1A01.3.B.4. The proposed use is similar to an "accessory apartment," although residency would not be restricted to immediate family members. I believe the most accurate description is that Petitioners seek approval for living or staff quarters in an accessory building (garage). As shown on the plans and renderings, the "apartment" would be situated

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Date

6/9/14

By

Sen

above a three car garage, and would be accessed by exterior stairs. Petitioners' Exhibits 4 & 5. Again, given the size and location of the property, I do not believe that granting such a request would be detrimental to the community, and it is not uncommon to have living quarters for caretakers or tenant farmers on large agricultural parcels in this part of the County.

THEREFORE, IT IS ORDERED this 9th day of June, 2014, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R) to permit living quarters in an accessory building (garage) for the residence of a full time employee providing care of the owner's family, be and is hereby GRANTED .

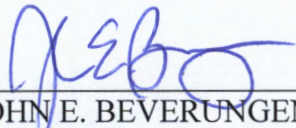
IT IS FURTHER ORDERED that the Petition for Variance pursuant to B.C.Z.R. § 400.3 to permit a height of 26 ft. for an accessory building (garage) in lieu of the required 15 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for 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.
2. The living quarters approved herein shall be occupied only by an employee(s) providing care for the Petitioners' family.

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

JEB/sln



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 6/9/14

By sln

KEVIN KAMENETZ
County Executive



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

June 9, 2014

Michael and Charlene Petersen
14123 Mantua Mill Road
Reisterstown, Maryland 21136

RE: Petitions for Special Hearing and Variance
Property: 2509 Butler Road
Case No.: 2014-0207-SPHA

Dear Mr. & Mrs. Petersen:

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the printed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: Bruce Doak, 3801 Schoolhouse Road, Freeland, Maryland 21053



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 2509 BUTLER ROAD which is presently zoned RC2
 Deed References: SM 32630/239 10 Digit Tax Account # 2200027602 ✓
 Property Owner(s) Printed Name(s) MICHAEL LUNO PETERSEN & CHARLENE DEBRA PETERSEN

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

SEE ATTACHED PAGE

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

3. X a Variance from Section(s)

SEE ATTACHED PAGE

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)

TO BE PRESENTED AT THE HEARING

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print _____

Signature _____

Mailing Address _____ City _____ State _____

Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

Name- Type or Print _____

Signature _____ Date 6/9/14

Mailing Address _____ City _____ State _____

Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

MICHAEL LUNO PETERSEN CHARLENE DEBRA PETERSEN

Name #1 - Type or Print _____ Name #2 - Type or Print _____

Signature #1 _____ Signature #2 _____

14123 MANTUA MILL ROAD REISTERSTOWN MD

Mailing Address _____ City _____ State _____

21136 410-980-9787

Zip Code _____ Telephone # _____ Email Address _____

ORDER RECEIVED FOR FILING

Representative to be contacted:

BRUCE E. DOAK

BRUCE E. DOAK CONSULTING, LLC

Name - Type or Print _____

Signature _____

CASE NUMBER 2014-0207-SP411 Filing Date 4/9/14

Do Not Schedule Dates: _____ Reviewer GA

VARIANCE REQUESTED

TO PERMIT A HEIGHT OF 26 FEET FOR A GARAGE / ACCESSORY
DWELLING IN LIEU OF THE REQUIRED 15 FEET PER SECTION 400.3 BCZP

SPECIAL HEARING

TO PERMIT AN ACCESSORY DWELLING FOR THE RESIDENCE OF A FULL
TIME EMPLOYEE PROVIDING CARE OF THE OWNER'S FAMILY.

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

Zoning Description

2509 Butler Road- 144.93 Acre Parcel
Eighth Election District Third Councilmanic District
Baltimore County, Maryland

Beginning at a point in the bed of Butler Road, approximately 2700 feet westerly of the centerline of Falls Road, thence leaving the bed of Butler Road and running with and binding on the outlines of the subject property, the twenty nine following course and distance, viz

- 1) South 30 degrees 55 minutes 12 seconds East 210.25 feet,
- 2) North 60 degrees 25 minutes 19 seconds East 230.30 feet,
- 3) South 01 degrees 08 minutes 02 seconds East 239.34 feet,
- 4) North 67 degrees 19 minutes 03 seconds East 984.51 feet,
- 5) North 53 degrees 47 minutes 32 seconds East 1036.99 feet,
- 6) South 13 degrees 01 minute 05 seconds East 957.23 feet,
- 7) North 73 degrees 08 minutes 55 seconds East 481.43 feet,
- 8) South 21 degrees 00 minutes 56 seconds East 82.52 feet,
- 9) South 68 degrees 59 minutes 04 seconds West 20.00 feet,
- 10) South 21 degrees 00 minutes 56 seconds East 306.25 feet,
- 11) Southeasterly by a line curving to the left with a radius of 2904.79 feet for a distance of 207.04 feet and having a chord of South 23 degrees 03 minutes 27 seconds East 207.00 feet,
- 12) South 18 degrees 12 minutes 43 seconds East 75.38 feet,
- 13) South 63 degrees 25 minutes 46 seconds West 5.00 feet,
- 14) Southeasterly by a line curving to the left with a radius of 2919.79 feet for a distance of 70.00 feet and having a chord of South 27 degrees 15 minutes 27 seconds East 70.00 feet,
- 15) South 24 degrees 52 minutes 00 seconds East 99.00 feet,
- 16) South 33 degrees 15 minutes 39 seconds East 53.00 feet,
- 17) South 51 degrees 43 minutes 10 seconds West 2026.38 feet,
- 18) South 71 degrees 48 minutes 58 seconds West 260.81 feet,
- 19) South 48 degrees 42 minutes 48 seconds West 159.63 feet,



Land Use Expert and Surveyor

2014-0207-SP4A

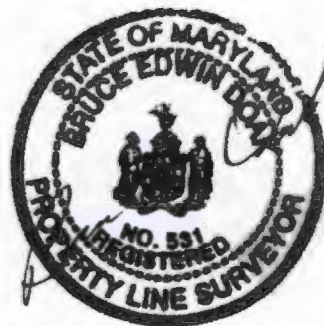
Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

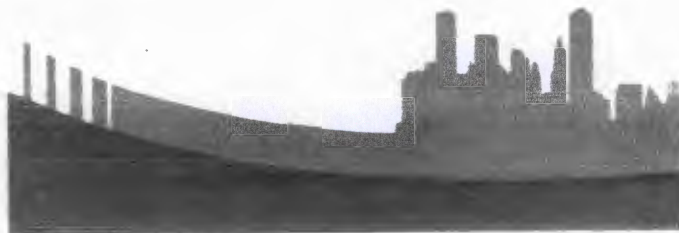
- 20) North 81 degrees 58 minutes 02 seconds West 162.04 feet,
- 21) North 65 degrees 16 minutes 22 seconds West 172.28 feet,
- 22) North 77 degrees 13 minutes 12 seconds West 104.39 feet,
- 23) South 37 degrees 56 minutes 18 seconds West 83.28 feet,
- 24) North 19 degrees 29 minutes 52 seconds West 67.77 feet,
- 25) South 69 degrees 17 minutes 01 seconds West 510.79 feet,
- 26) North 20 degrees 25 minutes 15 seconds West 919.86 feet,
- 27) North 69 degrees 00 minutes 24 seconds East 162.06 feet,
- 28) North 20 degrees 35 minutes 25 seconds West 832.98 feet and
- 29) North 27 degrees 00 minutes 24 seconds West 457.93 feet to a point in the bed of Butler Road, thence running in the bed of Butler Road and continuing to run and bind on the outlines of the subject property, the following course and distance, viz.
- 30) North 58 degrees 07 minutes 24 seconds East 637.17 feet to the point of beginning.

Containing 144.93 acres of land, more or less.

This description is part of a zoning petition and is not intended for any conveyance purposes.



4/08/14



Land Use Expert and Surveyor

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
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: 2014-0207-SPHA
Petitioner: MICHAEL LUND PETERSEN & CHARLENE DEBRA PETERSEN
Address or Location: 2509 BUTLER ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: WINCHESTER CONSTRUCTION COMPANY ATT: ANDREW SMITH
Address: P.O. Box 351
CROWNSVILLE, MD 21032

Telephone Number: 410-987-5905

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

No. **109867**
 Date: **4/9/14**

PAID RECEIPT

ADDRESS ACTUAL TIME
 4/11/2014 4/09/2014 11:12:41 2
 RECD WALKIN JEFF JEE
 RECEIPT # 275340 4/09/2014 OFLN
 Dept 5 528 70416 VERIFICATION
 NO. 109867
 Recpt Int \$150.00
 \$150.00 CH 1.00 Ca
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	306	0000		6150				150.00

Total: **150.00**

Rec From: **Bruce E Dark**

For: **2509 Butler RD**

Special hearing & Verdict
2014-0207 SD1A

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

CERTIFICATE OF POSTING

May 14, 2014

Re:

Case Number: 2014- 0207-SPHA

Petitioner / Owner: Michael Lund Peterson & Charlene Debra Peterson

Date of Hearing: June 5, 2014

Baltimore County Department of Permits, Approvals & Inspections
County Office Building
111 West Chesapeake Avenue, Room 111
111 West Chesapeake Avenue Towson, MD 21204

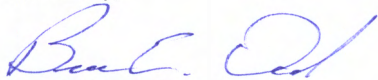
Attention: Kristen Lewis

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at **2509 Butler Road**.

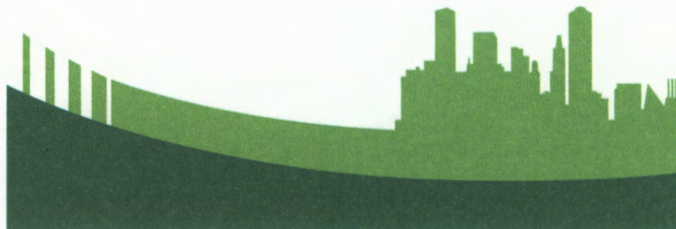
The sign(s) were posted on **May 14, 2014**.

Sincerely,



Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)



Land Use Expert and Surveyor

ZONING NOTICE

CASE NO. 2014-0207-SPHA

**A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE IN TOWSON
MARYLAND**

**PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MD 21204**

DATE&TIME: Thursday June 5, 2014, 11:00 AM

REQUEST:

**SPECIAL HEARING TO PERMIT AN ACCESSARY
DWELLING FOR THE RESIDENCE OF A FULL TIME
EMPLOYEE PROVIDING CARE OF THE OWNER'S
FAMILY**

**VARIANCE TO PERMIT A HEIGHT OF 26 FEET FOR A
GARAGE / ACCESSARY DWELLING IN LIEU OF THE
REQUIRED 15 FEET**

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW.

THE HEARING IS HANDICAPPED ACCESSIBLE





THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

May 1, 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 May 15, 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: #2014-0207-SPHA

2509 Butler Road

S/s Butler Road, 2700 ft. +/- west of centerline of Falls Road

8th Election District - 3rd Councilmanic District

Legal Owner(s): Michael Lund Petersen and

Charlene Debra Petersen

Special Hearing to permit an accessory dwelling for the residence of a full time employee providing care of the owner's family. **Variance** to permit a height of 26 feet for a garage/accessory dwelling in lieu of the required 15 feet.

Hearing: Thursday, June 5, 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.

5/350 May 15

979499



KEVIN KAMENETZ
County Executive

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

May 1, 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: 2014-0207-SPHA

2509 Butler Road

S/s Butler Road, 2700 ft. +/- west of centerline of Falls Road

8th Election District – 3rd Councilmanic District

Legal Owners: Michael Lund Petersen and Charlene Debra Petersen

Special Hearing to permit an accessory dwelling for the residence of a full time employee providing care of the owner's family. Variance to permit a height of 26 feet for a garage/accessory dwelling in lieu of the required 15 feet.

Hearing: Thursday, June 5, 2014 at 11:00 a.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: Mr. & Mrs. Petersen, 14123 Mantua Mill Road, Reisterstown 21136
Bruce Doak, 2801 Baker Schoolhouse Road, Freeland 21053

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MAY 16, 2014**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 15, 2014 Issue - Jeffersonian

Please forward billing to:

Winchester Construction Company
Attn: Andrew Smith
P.O. Box 351
Crownsville, MD 21032

410-987-5905

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2014-0207-SPHA

2509 Butler Road

S/s Butler Road, 2700 ft. +/- west of centerline of Falls Road

8th Election District – 3rd Councilmanic District

Legal Owners: Michael Lund Petersen and Charlene Debra Petersen

Special Hearing to permit an accessory dwelling for the residence of a full time employee providing care of the owner's family. Variance to permit a height of 26 feet for a garage/accessory dwelling in lieu of the required 15 feet.

Hearing: Thursday, June 5, 2014 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

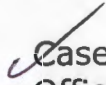
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

MEMORANDUM

DATE: July 10, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0207-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on July 9, 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 SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
2509 Butler Road, S/S Butler Road,	*	OF ADMINSTRATIVE
2700' W of c/line of Falls Road		
8 th Election & 3 rd Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Michael & Charlene Peterson		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2014-207-SPHA

* * * * *

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
APR 18 2014

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of April, 2014, a copy of the foregoing Entry of Appearance was mailed to Bruce Doak, Bruce Doak, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CHECKLISTSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment4-17

DEVELOPMENT PLANS REVIEW

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

NC

DEPS

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

FIRE DEPARTMENT

5-7

PLANNING

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

NC4-17

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

5-15-14

SIGN POSTING

Date:

5-14-14

by

Dook

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

May 28, 2014

Michael Lund & Charlene Debra Peterson
14123 Mantua Mill Road
Reisterstown MD 21136

RE: Case Number: 2014-0207 SPHA, Address: 2509 Butler Road

Dear Mr. & Ms. Peterson:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 9, 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Bruce E. Doak, Bruce E. Doak Consulting LLC, 3801 Baker Schoolhouse Road, Freeland MD 21053

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



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. 2014-0207-SPHA
Variance Special Exception
Hearing
Michael Lund
Charlene Debra Peterson
2509 Butler Road
MD128

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 MD128 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2014-0207-SPHA.

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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: April 17, 2014

FROM: Dennis A. Kennedy, ^{DAK}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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 7, 2014

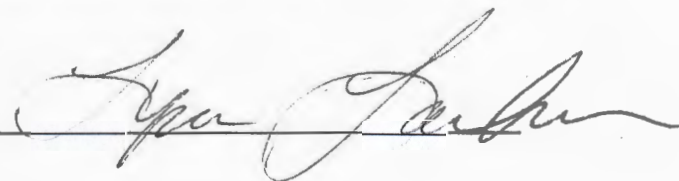
FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: Zoning Advisory Petition(s) for
Item Nos: 2014-205, 14-207, 14-213

The Department of Planning has reviewed the above referenced zoning items and has no comments.

For further questions or additional information concerning the matters stated herein, please contact Lynn Lanham at 410-887-3480.

Prepared By:



LL/ka

c: John Beverungen, ALJ
Peter Max Zimmerman

Real Property Data Search (w2)

[Search Help](#)Your feedback 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 - 08 Account Number - 2200027602	
Owner Information		
Owner Name:	PETERSEN MICHAEL LUND PETERSEN CHARLENE DEBRA	Use: AGRICULTURAL
Mailing Address:	14123 MANTUA MILL RD GLYNDON MD 21071-	Principal Residence: NO
		Deed Reference: 1) /32630/ 00239 2)
Location & Structure Information		
Premises Address:	2509 BUTLER RD 0-0000	Legal Description: 27.686 AC SES BUTLER RD 2800 FT SW FALLS RD
Map: 0033	Grid: 0013	Parcel: 0275
Sub District:	Subdivision: 0000	Section:
Block:	Lot: 1	Assessment Year: 2014
Plat No:	Plat Ref:	MS
Special Tax Areas:		Town: NONE
Primary Structure Built		Ad Valorem:
Above Grade Enclosed Area		Tax Class:
Finished Basement Area		Property Land Area 27.6900 AC
County Use 05		
Stories	Basement	Type
Exterior	Full/Half Bath	Garage
Last Major Renovation		
Value Information		
	Base Value	Value
		As of
		01/01/2014
Land:	377,700	377,700
Improvements	0	0
Total:	377,700	377,700
Preferential Land:	5,800	5,800
Phase-in Assessments		
	As of	As of
	07/01/2013	07/01/2014
	377,700	377,700
	377,700	377,700
	5,800	5,800
Transfer Information		
Seller: PETERSEN MICHAEL LUND	Date: 10/05/2012	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /32630/ 00239	Deed2:
Seller: FENWICK CHARLES C, JR, TRUSTEE	Date: 08/12/2011	Price: \$9,500,000
Type: ARMS LENGTH MULTIPLE	Deed1: /31093/ 00365	Deed2:
Seller: FENWICK CHARLES C JR	Date: 02/14/2011	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /30503/ 00288	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt:	Special Tax Recapture:	07/01/2014
Exempt Class:	AGRICULTURAL TRANSFER TAX	0.00 0.00
Homestead Application Information		
Homestead Application Status: No Application		

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

The map shows a network of roads and land parcels. A prominent road runs diagonally from the bottom left towards the top right. Several parcels are labeled with codes: P.244, P.306, P.274, P.275 (highlighted with a yellow circle), P.243, P.29, P.238, P.239, P.237, P.236, P.235, P.234, P.233, P.232, P.231, P.230, P.229, P.228, P.227, P.226, P.225, P.224, P.223, P.222, P.221, P.220, P.219, P.218, P.217, P.216, P.215, P.214, P.213, P.212, P.211, P.210, P.209, P.208, P.207, P.206, P.205, P.204, P.203, P.202, P.201, P.200, P.199, P.198, P.197, P.196, P.195, P.194, P.193, P.192, P.191, P.190, P.189, P.188, P.187, P.186, P.185, P.184, P.183, P.182, P.181, P.180, P.179, P.178, P.177, P.176, P.175, P.174, P.173, P.172, P.171, P.170, P.169, P.168, P.167, P.166, P.165, P.164, P.163, P.162, P.161, P.160, P.159, P.158, P.157, P.156, P.155, P.154, P.153, P.152, P.151, P.150, P.149, P.148, P.147, P.146, P.145, P.144, P.143, P.142, P.141, P.140, P.139, P.138, P.137, P.136, P.135, P.134, P.133, P.132, P.131, P.130, P.129, P.128, P.127, P.126, P.125, P.124, P.123, P.122, P.121, P.120, P.119, P.118, P.117, P.116, P.115, P.114, P.113, P.112, P.111, P.110, P.109, P.108, P.107, P.106, P.105, P.104, P.103, P.102, P.101, P.100, P.99, P.98, P.97, P.96, P.95, P.94, P.93, P.92, P.91, P.90, P.89, P.88, P.87, P.86, P.85, P.84, P.83, P.82, P.81, P.80, P.79, P.78, P.77, P.76, P.75, P.74, P.73, P.72, P.71, P.70, P.69, P.68, P.67, P.66, P.65, P.64, P.63, P.62, P.61, P.60, P.59, P.58, P.57, P.56, P.55, P.54, P.53, P.52, P.51, P.50, P.49, P.48, P.47, P.46, P.45, P.44, P.43, P.42, P.41, P.40, P.39, P.38, P.37, P.36, P.35, P.34, P.33, P.32, P.31, P.30, P.29, P.28, P.27, P.26, P.25, P.24, P.23, P.22, P.21, P.20, P.19, P.18, P.17, P.16, P.15, P.14, P.13, P.12, P.11, P.10, P.9, P.8, P.7, P.6, P.5, P.4, P.3, P.2, P.1. The text 'M.D. G.S.A. T. 52.' is visible in the lower center.

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.

PLEASE PRINT CLEARLY

CASE NAME _____
CASE NUMBER 2014-207-SP4A
DATE 6/05/14

PETITIONER'S SIGN-IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E-MAIL

Bruce Doak

3801. BAKER SCHOOLHOUSE ROAD FREDARNO MO 21053

Bruce E. Doak Consulting

Charlene Petersen

14123 Mantua Mill Rd
Reisterstown, MD 21136

Charlene@cashmereinterior.com

Case No.: 2014-0207-SPHA

Exhibit Sheet

Petitioner/Developer

SW
1-10-14

Respondent

slu
6-9-14

No. 1	Plan	
No. 2	My Neighborhood Map	
No. 3	3A-3D Color photos of site	
No. 4	Elevation drawings	
No. 5	Sketches of Garage	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors and should not be used to warrant the accuracy of the data implied, of merchandise, County, Maryland but not limited to, attorneys' and experts' from or in connection with.

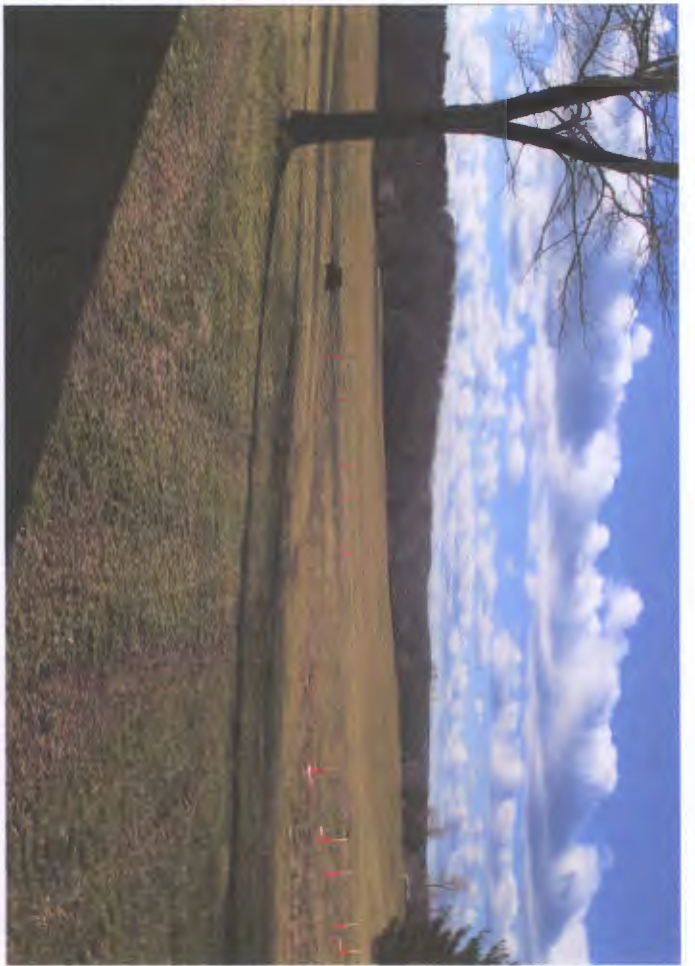
PETITIONER'S

EXHIBIT NO. 2



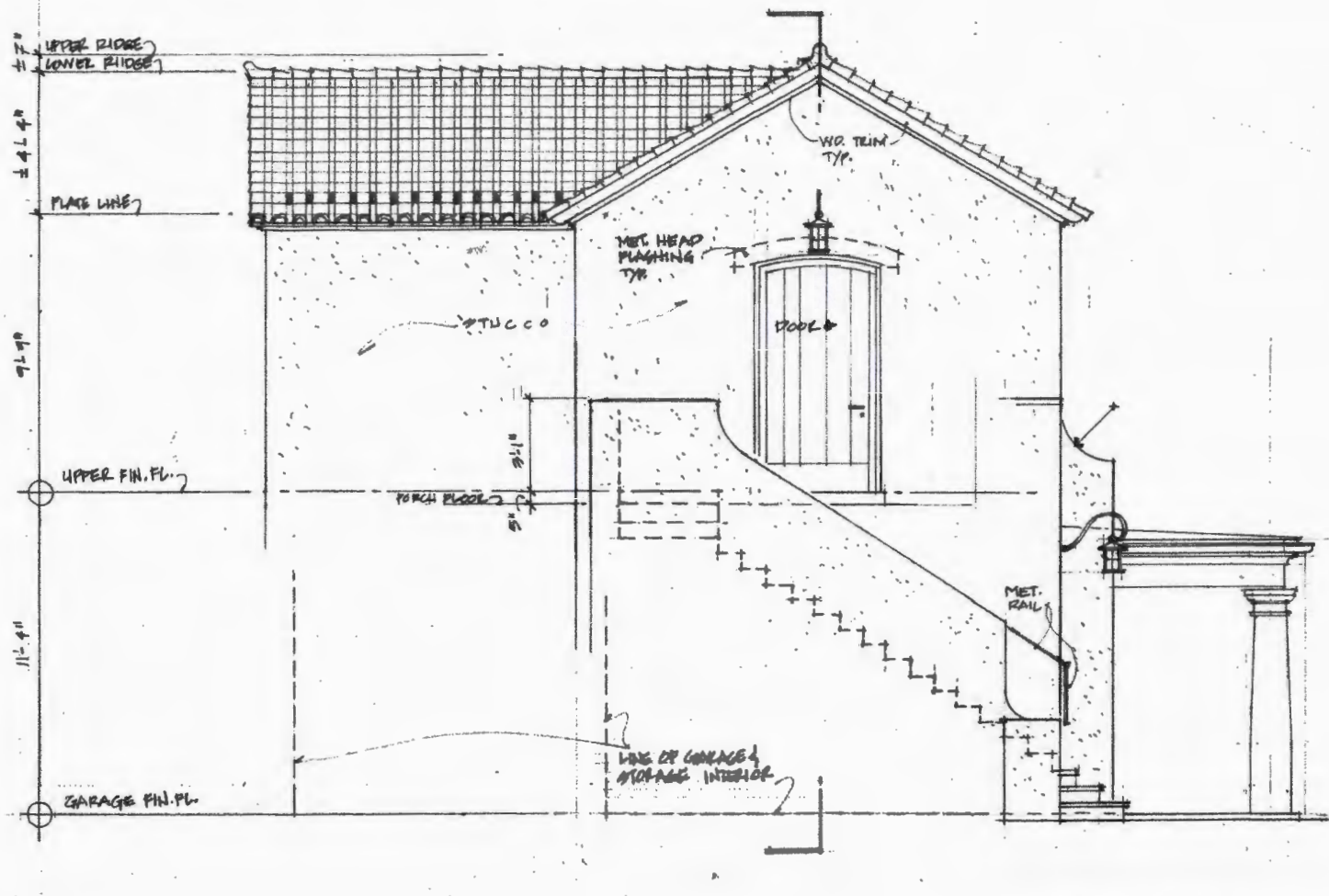
PETITIONER'S

EXHIBIT NO. 3 A-D



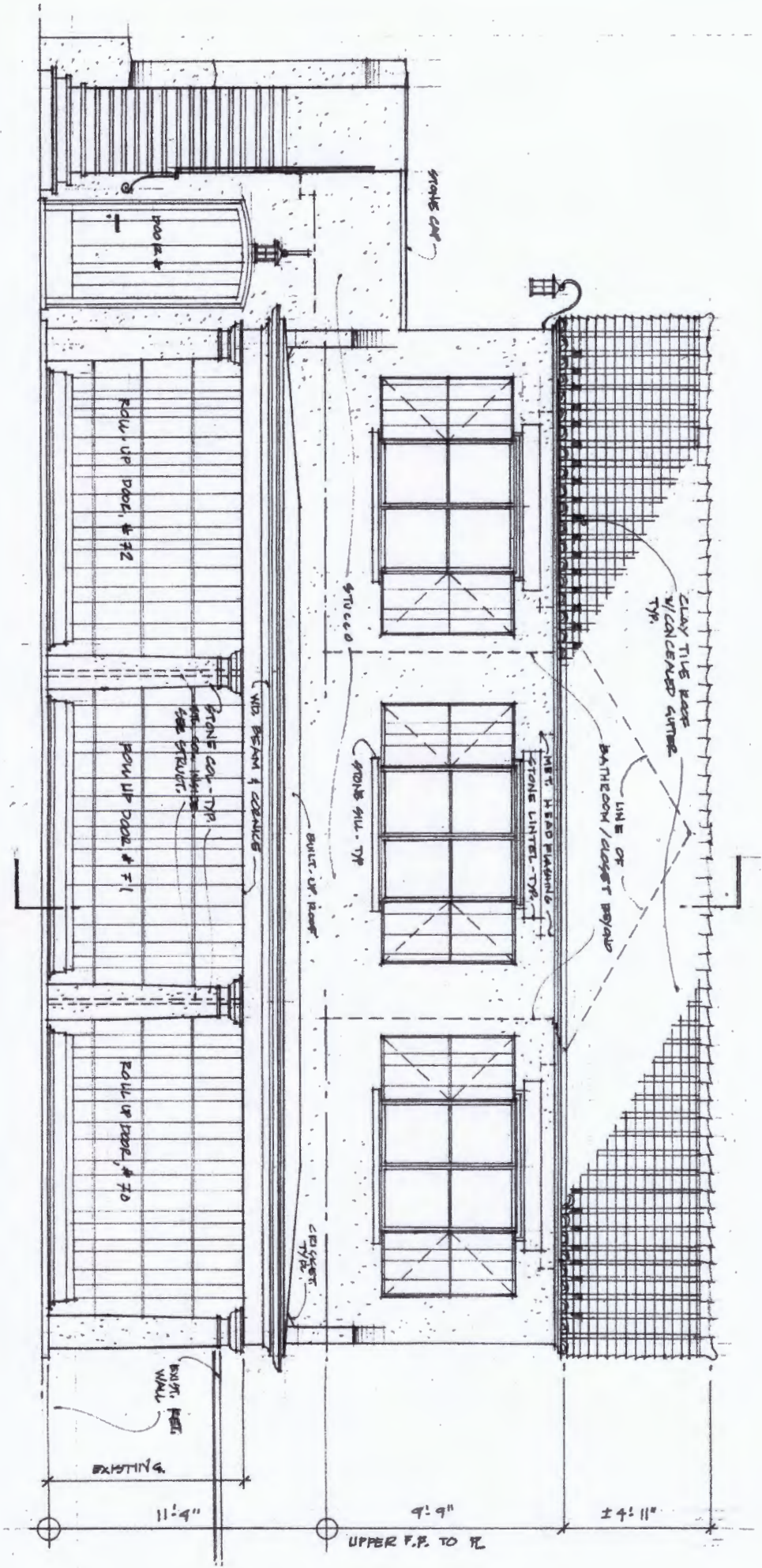


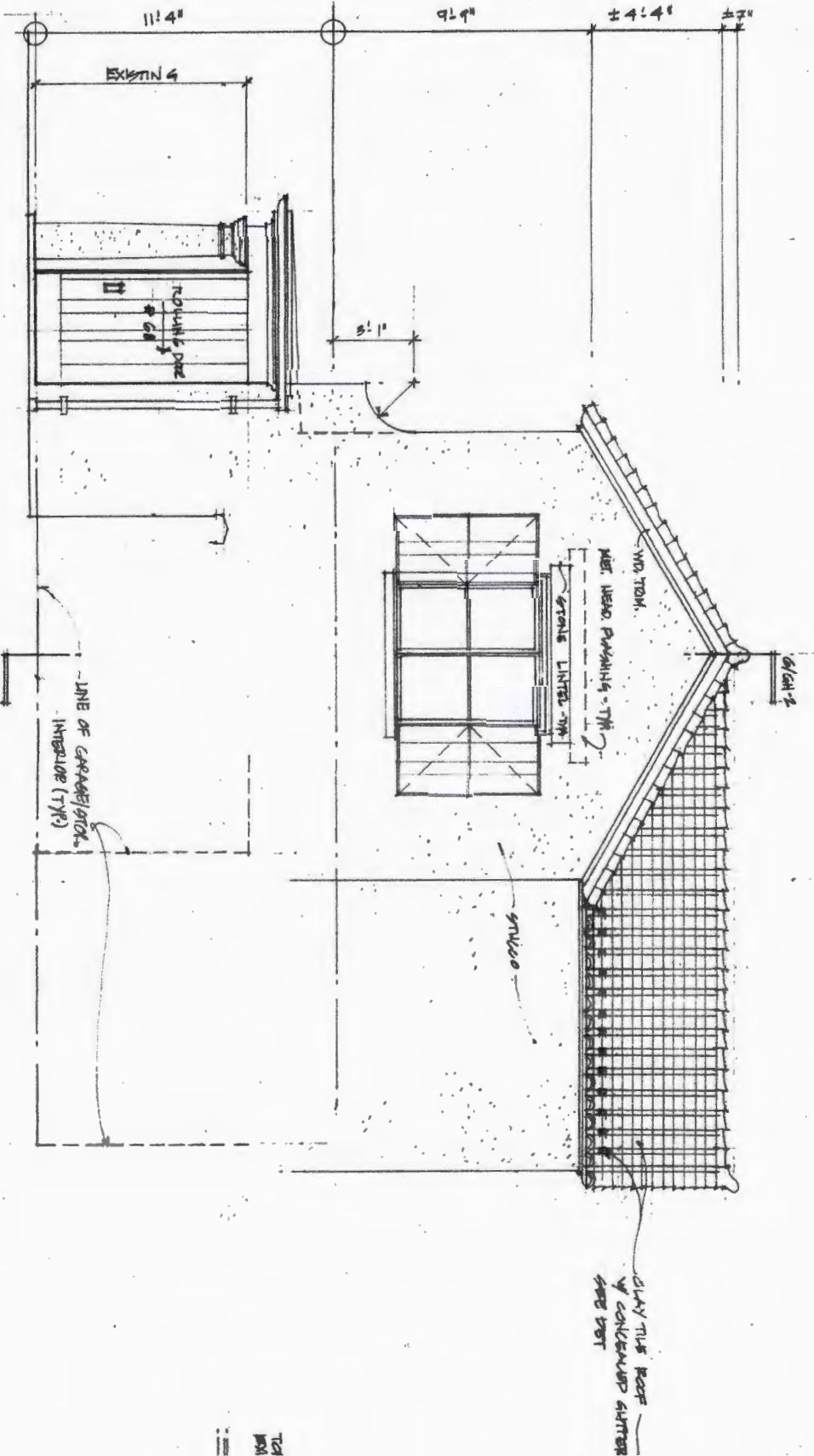
Staff Living above Detached
Garage Concept Drawings



PETITIONER'S

EXHIBIT NO. 4





Staff Living above Detached
Garage Concept Drawings

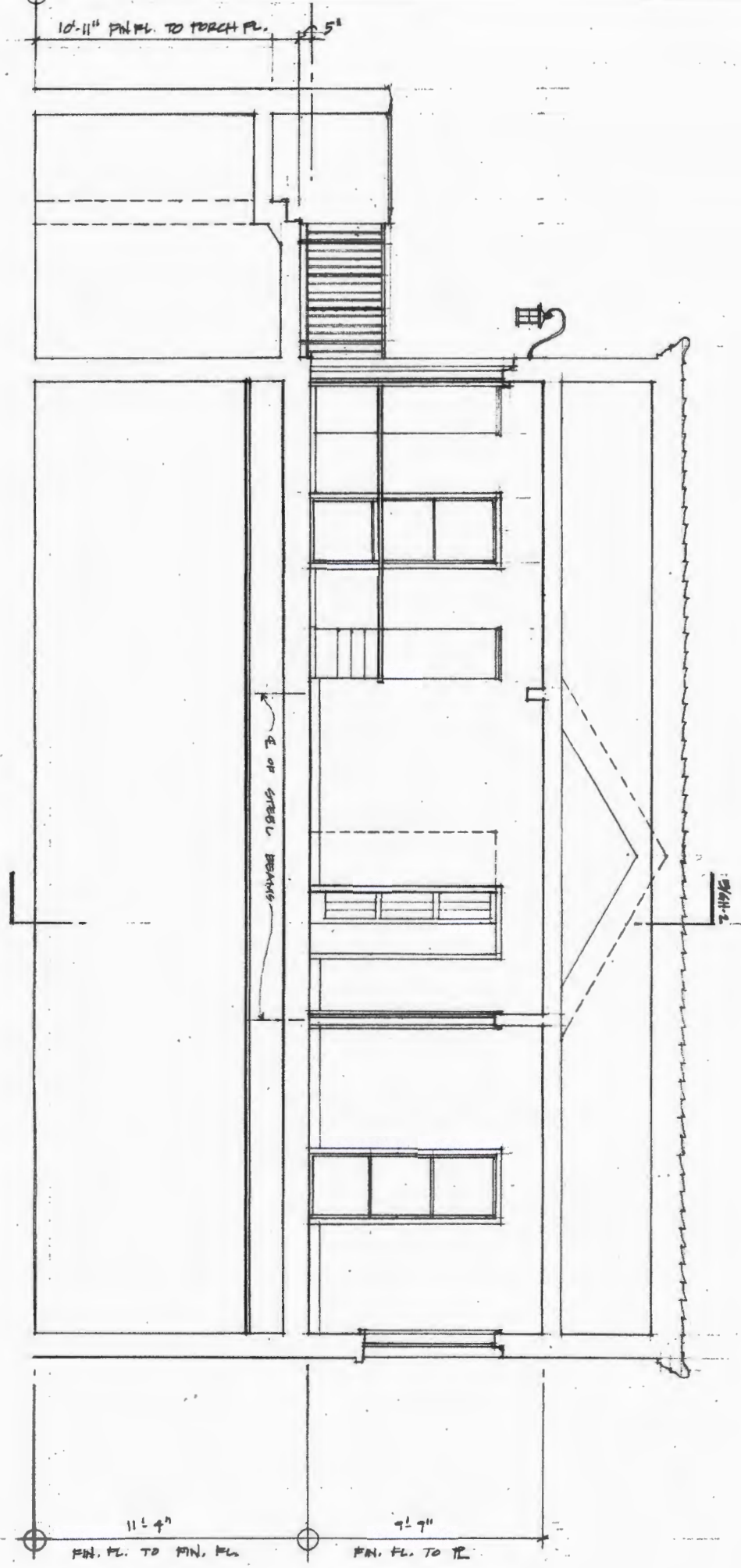
RECEIVED
April 4, 2014
THE OFFICE OF THE CITY CLERK
CITY OF LOS ANGELES

RECEIVED
April 4, 2014
BROWNSVILLE CONSTRUCTION CO., INC.
P.O. BOX 280, BROWNSVILLE, TX 77801
P. 361-2824

Staff Living above Detached
Garage Concept Drawings



11'-4" FIN. FL. TO FIN. FL.



Staff Living above Detached
Garage Concept Drawings

RECEIVED
April 4, 2014
PROJECT NO. 14-001

2014-0207-SPHA

PDM # 080866

5 ED

PDM # 080395 Pt. Bk. 0000052, Folio 0018

Pt. Bk./Folio # 052018

2415

NW 22-F

2505

2526

BUTLER RD

033A2

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

2013-0178-A

2509
PDM # 080688

Pt. Bk./Folio # MP96082

1997-0086-SPHA

3 CD

RC 2

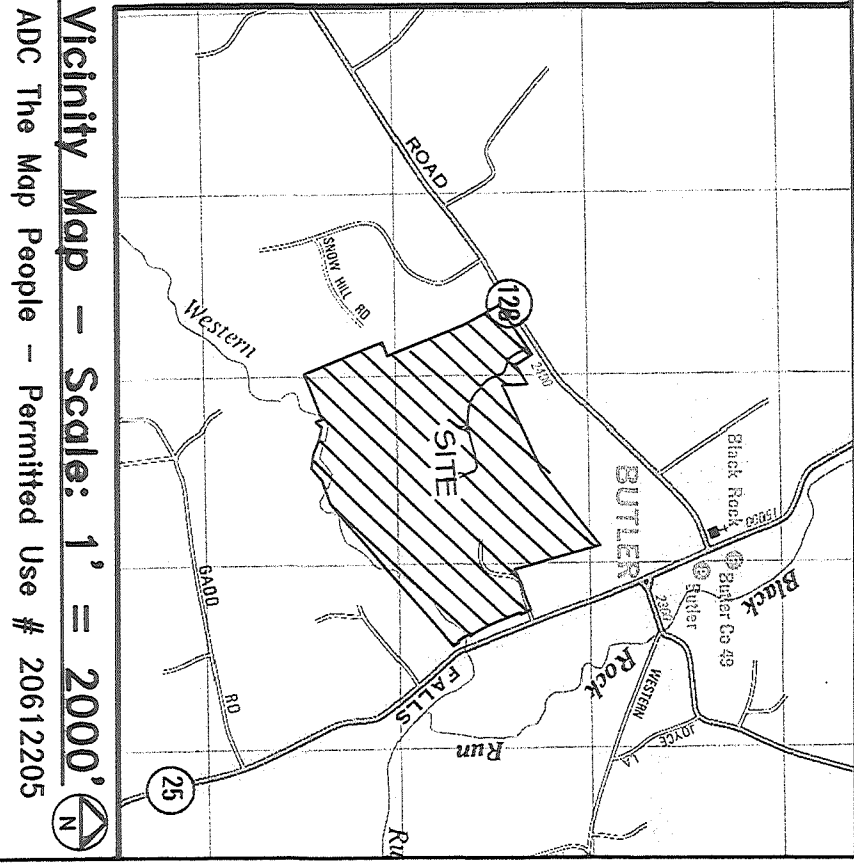
8 ED

2601

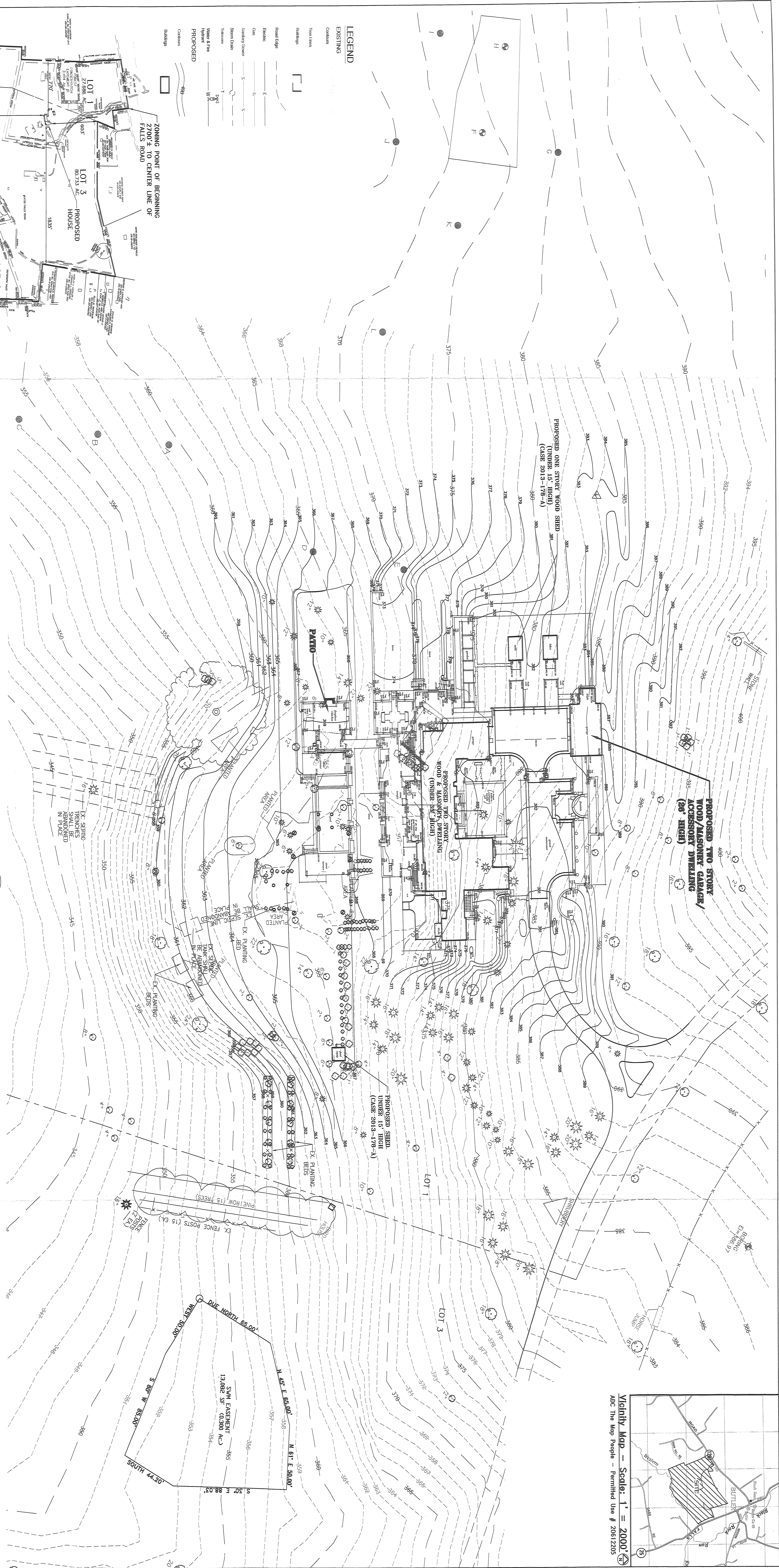
NW 21-F

033A3

2601



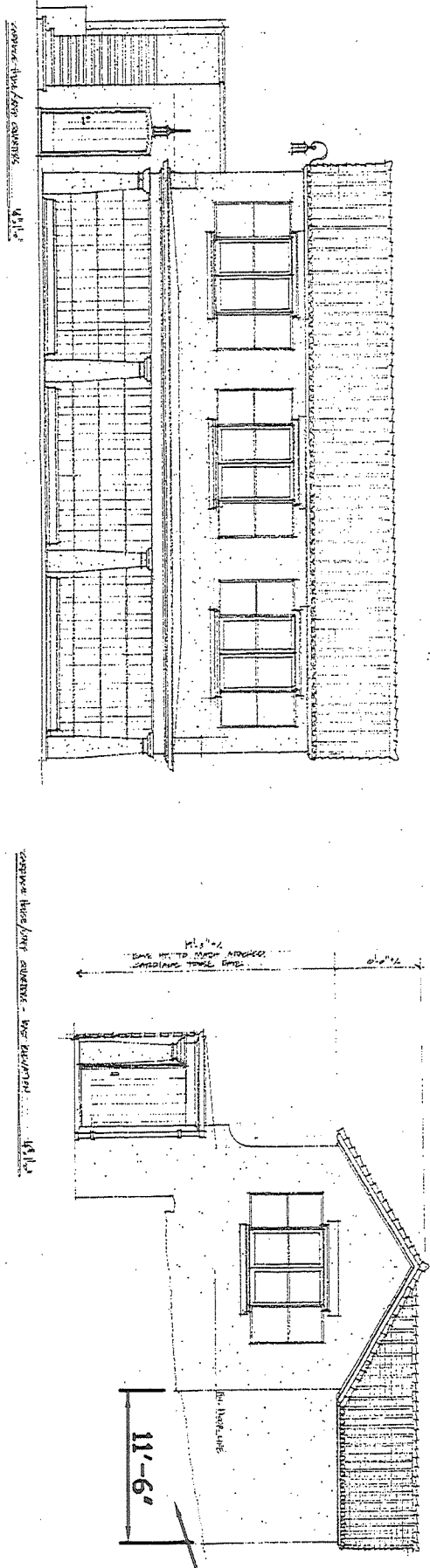
Vicinity Map - Scale: 1" = 2000'
ADC The Map People - Permitted Use # 20612205



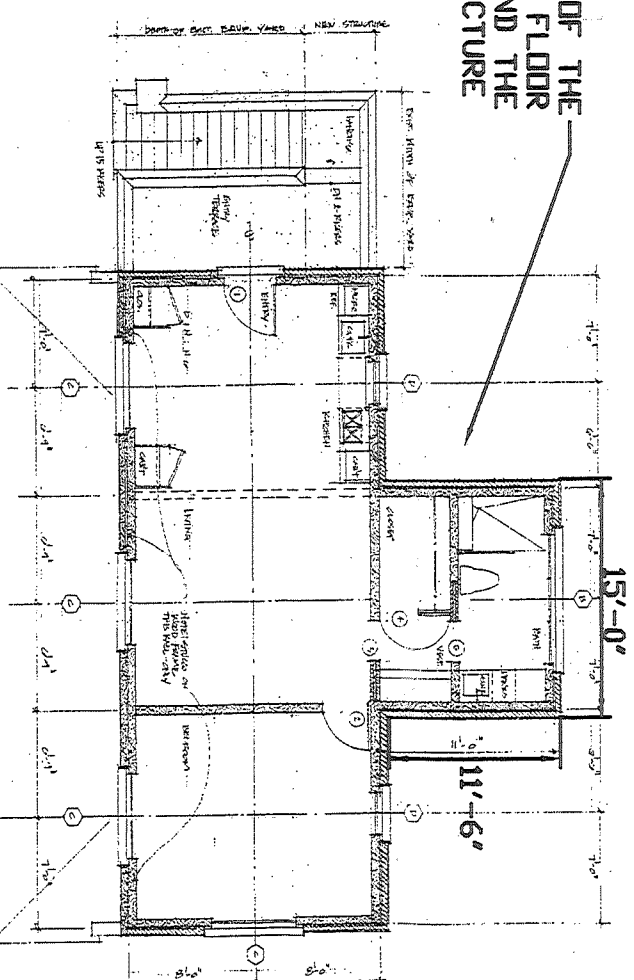
LEGEND

EXISTING	PROPOSED
Contours	Buildings
Tree Lines	Tree Lines
Setbacks	Setbacks
Road Edge	Electric
Electric	Gas
Gas	Storm Drain
Storm Drain	Telephone
Telephone	Water & Fire Hydrant
Water & Fire Hydrant	Proposed
Proposed	Contours
Contours	Buildings

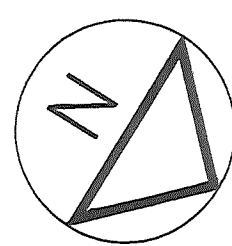
OVERALL SITE
SCALE: 1" = 500'



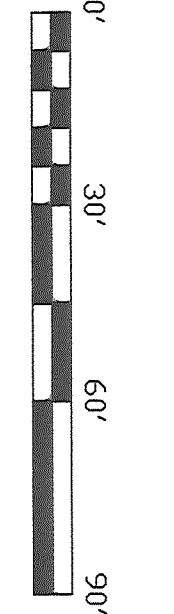
ELEVATIONS OF GARAGE / ACCESSORY DWELLING
NOT TO SCALE



FLOOR PLAN OF PROPOSED ACCESSORY DWELLING
NOT TO SCALE



PLAN
SCALE: 1" = 30'



Site Information

1. Ownership: Lot 1: Michael Lund Peterson and Christine Debra Peterson
Lot 2: Peterson Property, LLC
Lot 3: Peterson Property, LLC
2. Address of owner: Unit 104 801 Key Highway, Baltimore, MD 21220
3. Parcel references: Tax lot: 46 / Parcel: 178 Map Parcel:
Lot 1: 304 3280 / 239 22-00-027602 27-866 Ac. TMS 33 / Parcel 275
Lot 2: 304 3280 / 239 22-00-027602 27-866 Ac. TMS 33 / Parcel 275
Lot 3: 304 3280 / 239 22-00-027602 27-866 Ac. TMS 33 / Parcel 275
4. Use of the property: Residential and Agricultural
5. Section District: 8
6. AEC Map: 43636
7. The boundary shown herein is from the land recorded in the Public Records of Baltimore County. All other information shown herein was taken from Baltimore County GIS files 02262 and the information provided by Baltimore County on the internet.
8. Improvements: Single family dwelling under construction & agricultural buildings.

Zoning

Zoning: R.C.2 There are no previous zoning cases on the subject parcel.
Previous zoning hearing: 2013-0178-A
Approved to permit two proposed sheds and a proposed garage to be located in the front yard instead of the required rear yard per Section 901.1-220

Environmental

1. The proposed dwelling will be served by a private well and septic system.
2. The subject property is not in the Chesapeake Bay Critical Area.
3. A portion of the subject property is located within a 100-year flood plain.
4. The subject property is not in the Chesapeake Bay Critical Area.

VARIANCE REQUESTED

TO PERMIT AN ACCESSORY DWELLING FOR THE RESIDENCE OF A FULL TIME EMPLOYEE PROVIDING CARE OF THE OWNER'S FAMILY.

SPECIAL HEARING

TO PERMIT AN ACCESSORY DWELLING FOR THE RESIDENCE OF A FULL TIME EMPLOYEE PROVIDING CARE OF THE OWNER'S FAMILY.

PETITIONER'S
EXHIBIT NO. 1

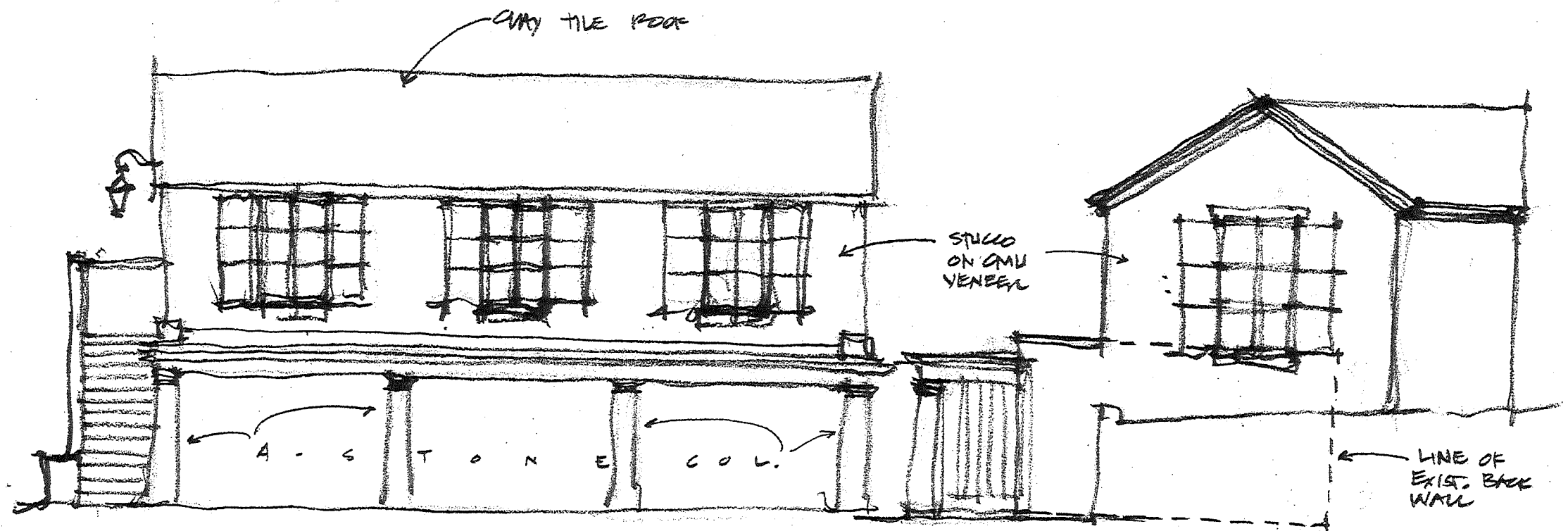
BOUCE E. DOAK CONSULTING, LLC
Land Use Expert and Surveyor
3801 BAKER SCHOOLHOUSE ROAD
FREETOWN, MD 21053
P: 410-419-4906
F: 410-419-4906
www.bouceedoakconsulting.com

Tesseract
2009 BUTLER ROAD, BUTLER MD 21511
BALTIMORE COUNTY, MARYLAND
L: 410-419-4906
P: 410-419-4906
F: 410-419-4906
www.tesseractinc.com

HYGGELEIGH HAYEN
ZONING VARIANCE
FOR A SPECIAL HEARING AND
PLAT TO ACCOMPANY A PETITION

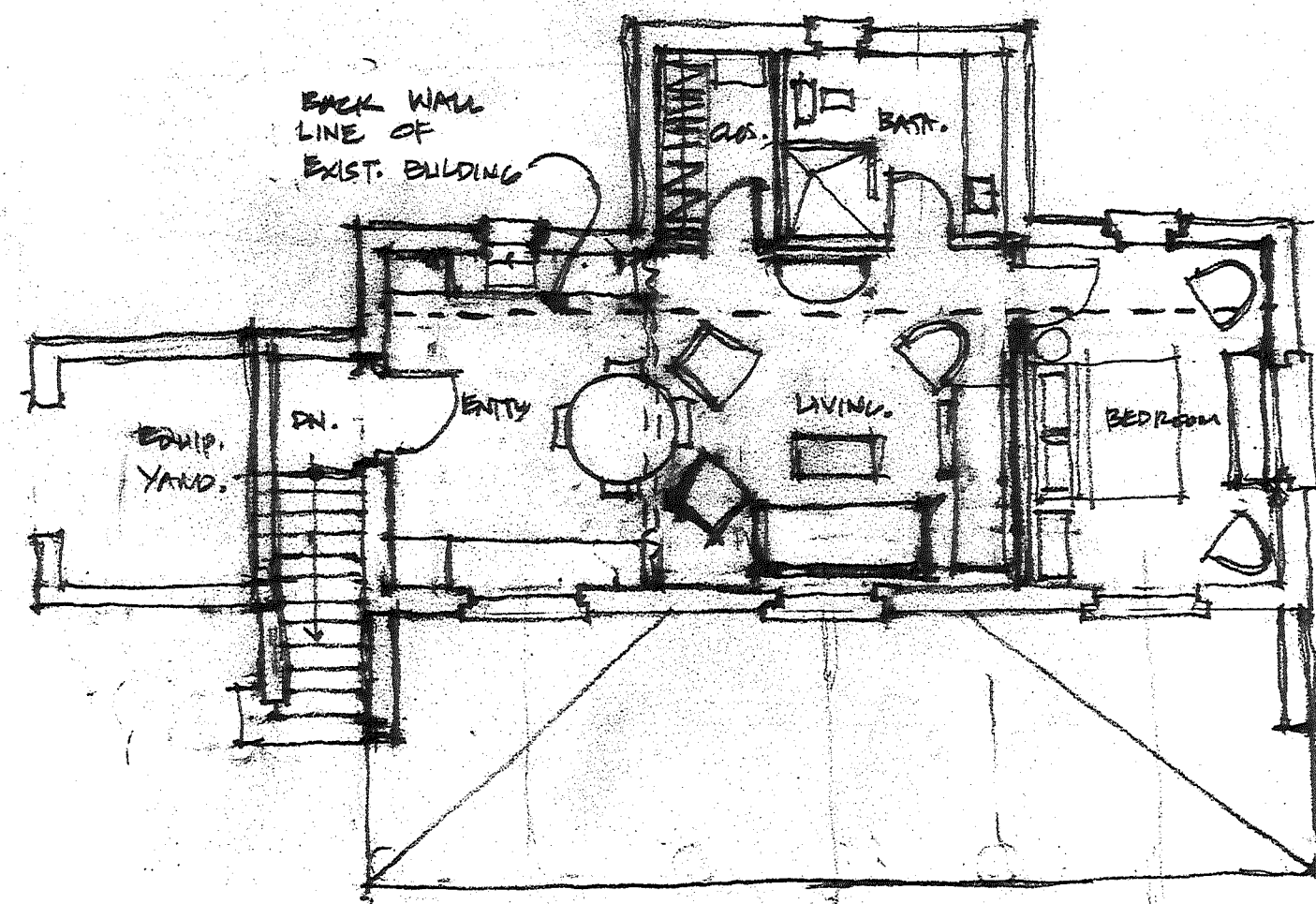
Scale: AS SHOWN
Date: 4/4/2014

Seal of the State of Maryland
JAMES H. HOGAN, GOV.
1661/4



DETACHED GARAGE HOUSE. $\frac{1}{8}'' = 1'-0''$
SOUTH ELEV.

DETACHED GARAGE HOUSE. $\frac{1}{8}'' = 1'-0''$
EAST ELEV.



DETACHED GARAGE PLAN. $\frac{1}{8}'' = 1'-0''$

PETITIONER'S

EXHIBIT NO. 5