

IN RE: PETITION FOR VARIANCE
(4214 Hanwell Road)
2nd Election District
4th Councilmanic District
Willie S. Owens
Petitioner

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2014-0228-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed by the legal owner of the property, Willie S. Owens, for property located at 4214 Hanwell Road. The Petitioner is requesting Variance relief from Section 1B01.2.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.): (1) to permit an addition (without windows) onto the side of the existing dwelling with a distance of 13'7" between dwellings in lieu of the required 16 ft.; and (2) to amend the Final Development Plan (FDP) of The Woods of Winands, Section II, for Lot #32 only.

This matter was originally filed as an Administrative Variance, with a closing date of June 2, 2014. On June 9, 2014, Administrative Law Judge John Beverungen requested a formal hearing on this matter. The hearing was subsequently scheduled for Monday, July 28, 2014 at 11:00 AM in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. There were no substantive Zoning Advisory Committee (ZAC) comments received. Appearing at the public hearing in support for this case was Willis S. Owens, legal owner, and Carl Dyhrberg, who prepared the site plan. There were no Protestants or interested citizens in attendance.

ORDER RECEIVED FOR FILING

Date

7/30/14

By

Der

The subject property is approximately 7,618 square feet and is zoned DR 3.5. The property is improved with a single family dwelling, and Petitioner proposes to construct a 6' x 24' addition onto the home. To do so requires variance relief.

Based upon the testimony and evidence presented, I will grant the petition for variance. To obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

The Petitioner has met this test. The property is irregularly shaped and is therefore unique. The Petitioner would experience a practical difficulty if the regulations were strictly interpreted, since she would be unable to construct the proposed addition. The grant of relief would not be injurious in any way to the community. Indeed, the Petitioner indicated that her neighbor at 4216 Hanwell Road did not express any concerns about the proposed addition or the reduced setback between her home and Petitioner's (i.e., 13' 7" in lieu of 16').

THEREFORE, IT IS ORDERED, this 30th day of July, 2014 by the Administrative Law Judge for Baltimore County, that the Petition for Variance from Section 1B01.2.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.): (1) to permit an addition (without windows) onto the side of the existing dwelling with a distance of 13'7" between dwellings in lieu of the required 16 ft.; and (2) to amend the Final Development Plan (FDP) of The Woods of Winands, Section II, for Lot #32 only, in accordance with the terms of this Order, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date

7/30/14

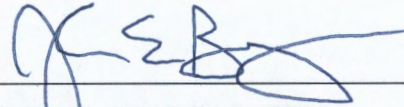
By

Den

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 her 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 7/30/14

By slh

KEVIN KAMENETZ
County Executive



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

July 30, 2014

Willie S. Owens
4214 Hanwell Road
Randallstown, Maryland 21133

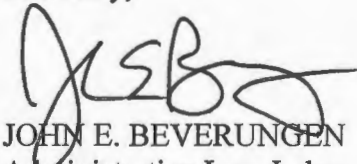
RE: Petition for Variance
Property: 4214 Hanwell Road
Case No. 2014-0228-A

Dear Mr. Owens:

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

c: Carl Dyhrberg, 1619 Mussula Road, Towson, Maryland 21286



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County for the property

located at 4214 Hanwell Road, Randallstown, MD 21133

which is presently zoned DR 3.5

Deed Reference: /28318 /00143 Tax Account # 1800014827

This Petition shall be filed with the Department of Permits and Development Management. 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 Variance from Section(s)

1B01.2.C.1 (1970's BCZR's) to permit an addition (without windows) onto the side of the existing dwelling with a distance of 13'7" between dwellings, in lieu of the required 16 feet; and to amend the Final Development Plan of The Woods of Winands, Section II, for Lot#32 only.

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 Administrative Variance, 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.

I/We do 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 Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Willie S Owens

Name - Type or Print

Signature

Name - Type or Print

Signature

4214 Hanwell Road

(410) 855 1128

Address

Telephone No.

Randallstown

MD

21133

City

State

Zip Code

Representative to be Contacted:

Carl Dyrberg

Name

1619 Muscula Road

(443) 465 6899

Address

Telephone No.

Towson

MD

21286

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner 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.

Case No.

2014-0228-A

Reviewed By

ATsm

Date

5/6/14

Estimated Posting Date

5/18/14 - 6/2/14

FRM476_09

ORDER RECEIVED FOR FILING

Rev 3/09

Date

7/30/14

By

Den

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that 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 Affiant(s) does/do presently own and reside at 4214 Harwell Road
Address number Road or Street name

and that this address is the subject of this variance request as required by law.

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate the hardship or practical difficulty; attach an additional sheet if needed) I wish to construct a 10' x 24' Addition to the western side of my existing residence.

At present the side yards measure a sum of 23'-0" with the side yard where this addition is to be sited now measuring 14'-6". The distance between this face and my adjoining neighbors is some 19' - 7" at the closest point. The new addition will reduce this to some 13'-7".

This hardship is peculiar to my property in contrast with other properties in the zoning district and is not the result of my own actions

Failure to grant this request for a variance would also result in the failure of my ability to make a reasonable use of my property.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, and the Affiant(s) desire to proceed with their variance request, they will be responsible for reposting the property and for payment of the advertising fees. They also understand that they may be required to provide additional information.

Wille S Owens
Signature

Wille S Owens

Name- print or type

Signature

Name- print or type

A Notary Public must complete the following section prior to the filing appointment.

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, this 5th day of May, 2014, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared:

(Name Affiant(s) here): Wille S Owens
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Ad Rd
Name of Notary Public

1/30/2016
Commission expires

PLACE SEAL HERE:

2014-0288-A

May 5, 2014

**ZONING PROPERTY DESCRIPTION FOR
4214 HANWELL ROAD**

Beginning at a point on the south side of Hanwell Road, which is 50 feet wide, at the distance of 203 feet, more or less, west of the centerline of Brie Court, which is 50 feet wide, being Lot 32 in the subdivision of "Section II, The Woods of Winands" as recorded in Baltimore County Plat Book E.H.K., Jr. No. 45, folio 102, containing 7,618 square feet or 0.175 acres of land, more or less, located in the 2nd Election District and 4th Council District.

2014-0228-A

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

No. **109890**

Date: **5/6/14**

PAID RECEIPT

BUSINESS ACTUAL TIME
 5/06/2014 5/06/2014 10:31:41

NO. 109890
 RECEIPT # 878383 5/06/2014

Dept. 5 528 ANNUAL VERIFICATION

Receipt Tot \$75.00
 \$75.00 CK \$1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					\$75-

Total: **\$75-**

Rec From:

For: **4214 HANWELL RD**

2014-0228-A

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 5/16/2014

Case Number: 2014-0228-A

Petitioner / Developer: WILLIE OWENS~CARL DYHRBERG of C.D.
DESIGN CONSULTANTS

Date of Hearing (Closing): JUNE 2, 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:
4214 HANWELL ROAD

The sign(s) were posted on: MAY 15, 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: 7/7/14

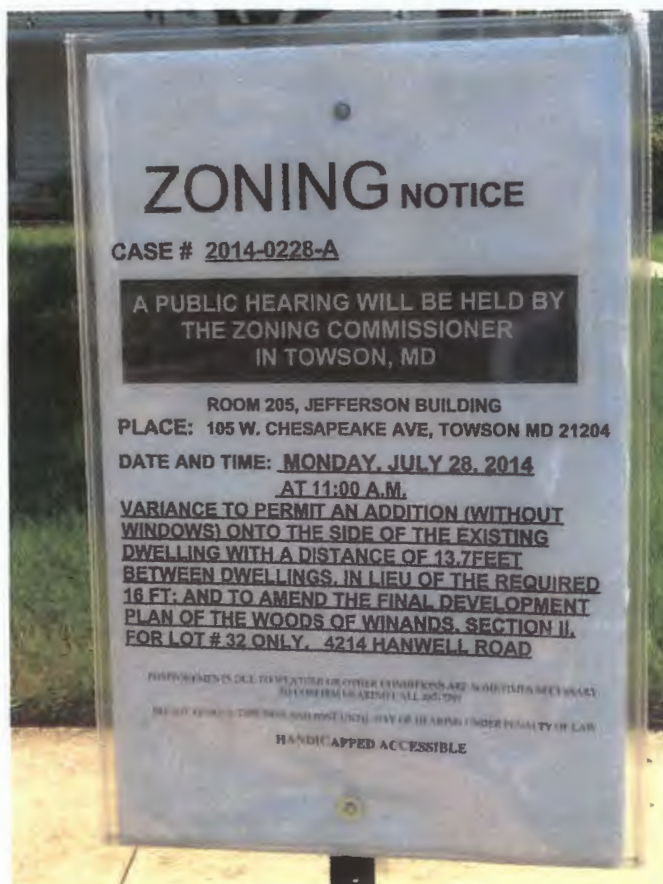
Case Number: 2014-0228-A

Petitioner / Developer: WILLIE OWENS~CARL DYHRBERG~
CORRINE WERTZ

Date of Hearing (Closing): JULY 28, 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:
4214 HANWELL ROAD

The sign(s) were posted on: JULY 6, 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

July 10, 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 July 8, 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: #2014-0228-A

4214 Hanwell Road

S/s Hanwell Road, 203 ft. w/of centerline of Brie Court

2nd Election District - 4th Councilmanic District

Legal Owner(s): Willie Owens

Variance: to permit an addition (without windows) onto the side of the existing dwelling with a distance of 13'7" between dwellings, in lieu of the required 16 ft.; and to amend the Final Development Plan of the Woods of Winands, Section II, for Lot #32 only.

Hearing: Monday, July 28, 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 7/701 July 8

986043



KEVIN KAMENETZ
County Executive

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

July 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: 2014-0228-A

4214 Hanwell Road

S/s Hanwell Road, 203 ft. w/of centerline of Brie Court

2nd Election District – 4th Councilmanic District

Legal Owners: Willie Owens

Variance to permit an addition (without windows) onto the side of the existing dwelling with a distance of 13'7' between dwellings, in lieu of the required 16 ft.; and to amend the Final Development Plan of the Woods of Winands, Section II, for Lot #32 only.

Hearing: Monday, July 28, 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".

Arnold Jablon
Director

AJ:kl

C: Willie Owens, 4214 Hanwall Road, Randallstown 21133
Carl Dyhrberg, 1619 Mussula Road, Towson 21286
Corrine Wertz, 4212 Hanwell Road, Randallstown 21133

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 8, 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, July 8, 2014 Issue - Jeffersonian

Please forward billing to:

Willie Owens
4214 Hanwell Road
Randallstown, MD 21133

410-655-1128

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: 2014-0228-A

4214 Hanwell Road

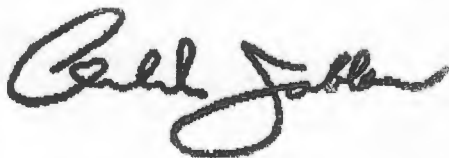
S/s Hanwell Road, 203 ft. w/of centerline of Brie Court

2nd Election District – 4th Councilmanic District

Legal Owners: Willie Owens

Variance to permit an addition (without windows) onto the side of the existing dwelling with a distance of 13'7' between dwellings, in lieu of the required 16 ft.; and to amend the Final Development Plan of the Woods of Winands, Section II, for Lot #32 only.

Hearing: Monday, July 28, 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.

M E M O R A N D U M

DATE: September 2, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0228-A – Appeal Period Expired

The appeal period for the above-referenced case expired on August 29, 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 ADMINSTRATIVE VARIANCE	*	BEFORE THE OFFICE
4214 Hanwell Road; S/S Hanwell Road,	*	OF ADMINSTRATIVE
203' W of c/line of Brie Court	*	HEARINGS FOR
2 nd Election & 4 th Councilmanic Districts	*	BALTIMORE COUNTY
Legal Owner(s): Willie S. Owens	*	
Petitioner(s)	*	2014-228-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.

RECEIVED

JUN 16 2014

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of June, 2014, a copy of the foregoing Entry of Appearance was mailed to Carl Dyhrberg, 1619 Mussula Road, Towson, Maryland 21286, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NO. 2014-0228-A

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
5/14	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	N/C
	DEPS (if not received, date e-mail sent _____)	
	FIRE DEPARTMENT	
	PLANNING (if not received, date e-mail sent _____)	
5/12	STATE HIGHWAY ADMINISTRATION	No Obj
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
5/17	ADJACENT PROPERTY OWNERS	Concure West 4212 Harwood Rd
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 7/8/14	
SIGN POSTING	Date: 7/6/14 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>
<u>5-14</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NO</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>5-12</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
<u>5-17</u>	ADJACENT PROPERTY OWNERS	<u>Connie Wertz</u> <u>4212 Harwell Rd.</u>
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>5-15-14</u> by <u>O'Keefe</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any: _____	<u>Formal Demand 6-9-14 Judge Beranger</u>	

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2014- 0228 -A Address 4214 HANWELL ROAD
Contact Person: AARON TSUI Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 5/6/14 Posting Date: 5/18/14 Closing Date: 06/02/14

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

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

(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2014- 0228 -A Address 4214 HANWELL ROAD
Petitioner's Name WILLIE OWENS Telephone 410-655-1128
Posting Date: 5/18/14 Closing Date: 06/02/14
Wording for Sign: To Permit AN ADDITION (WITHOUT WINDOWS) ONTO THE
SIDE OF THE EXISTING DWELLING WITH A DISTANCE OF 13'7"
BETWEEN DWELLINGS, IN LIEU OF THE REQUIRED 16 FEET; AND
TO AMEND THE FINAL DEVELOPMENT PLAN OF "THE WOODS OF
WINANDS, SECTION II, FOR LOT # 32 ONLY.

Revised 7/06/11



KEVIN KAMENETZ
County Executive

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

June 3, 2014

Willie S. Owens
4214 Hanwell Road
Randallstown MD 21133

RE: Case Number: 2014-0228 A, Address: 4214 Hanwell Road

Dear Mr. Owens:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 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, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Carl Dyhrberg, 1619 Mussula Road, Towson MD 21286

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



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

Date: 5/12/14

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

RE: Baltimore County
Item No 2014-0228-A
Administrative Variance
Willie S. Owens
4214 Hamwell 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. 2014-0228-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,

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

Debra Wiley - Formal Demand 2014-0228-AV - 4214 Hanwell Rd. - Closing date: June 2, 2014.doc

From: Debra Wiley
To: Lewis, Kristen
Date: 6/9/2014 8:24 AM
Subject: Formal Demand 2014-0228-AV - 4214 Hanwell Rd. - Closing date: June 2, 2014.doc
CC: Berry, Glenn; Wisnom, June
Attachments: IO-Formal Demand 2014-0228-AV hearing needed.doc

Good Morning Kristen,

Please find attached an inter-office memo from John Beverungen regarding a formal demand request. It appears that an adjacent neighbor (Corrine Wertz @ 4212 Hanwell Road) has been corresponding with Glen Berry and Carl Richards regarding concerns with the Petitioner's request. As indicated in the memo, please send hearing notification to Ms. Wertz and to Glen Berry.

The file is in the pick-up box and ready for return.

Thanks in advance.

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

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: June 9, 2014

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

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

RE: Petition for Administrative Variance – 06/02/14 Closing Date
Case No. 2014-0228-A – 4214 Hanwell Road, 21133

After a review of the above-captioned case file, I am requesting that this case be set in for a public hearing. It appears that an adjacent neighbor has been corresponding with Glen Berry and Carl Richards regarding concerns with the Petitioner's request. For that reason, our office is returning the file to you for further processing such as notifying the Petitioner, posting and advertising of the hearing notices.

Please send hearing notification to the following:

Corrine Wertz
4212 Hanwell Road
Randallstown, MD 21133

Glen Berry, Code Inspections & Enforcement, PAI

Thank you for your attention and cooperation in this matter.

c: Office of People's Counsel

Message Id: 5395A76A.8B5 : 38 : 53259
Subject: Formal Demand 2014-0228-AV - 4214 Hanwell Rd. - Closing date: June 2, 2014.doc
Created By: dwiley@baltimorecountymd.gov
Scheduled Date:
Creation Date: 6/9/2014 8:24 AM
From: Debra Wiley

Recipients:

Recipient	Action	Date & Time	Comment
 COB_PO.COB_DOM	Delivered	6/9/2014 8:24 AM	
CC: Glenn Berry (gberry@baltimorecountymd.gov)	Third-Party Downloaded	6/9/2014 8:24 AM	
CC: June Wisnom (jwisnom@baltimorecountymd.gov)			
To: Kristen Lewis (klewis@baltimorecountymd.gov)			

Post Offices

Post Office	Delivered	Route
COB_PO.COB_DOM	6/9/2014 8:24 AM	baltimorecountymd.gov

Files

File	Size	Date & Time
IO-Formal Demand 2014-0228-AV hearing needed.doc	25800	6/9/2014 8:18 AM
MESSAGE	1321	6/9/2014 8:24 AM
TEXT.htm	1024	6/9/2014 8:24 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: 53956F2A.NCH_DOM.NCH_PO.100.1887076.1.1C3B3.1
Common Record Id: 53956F2A.NCH_DOM.NCH_PO.200.2000026.1.4D4EE.1

Debra Wiley - 2014-0228

From: June Wisnom
To: Wiley, Debra
Date: 6/5/2014 1:52 PM
Subject: 2014-0228

Hi Deb, RELAXING???????????????? Ha! The e-mails you sent to me can just stay in the file. They are exchanges that don't make much difference now but the woman wants them in the file. ??? Thanks, June

Debra Wiley - AV 2014-0228-A

From: Debra Wiley
To: Wisnom, June
Date: 6/5/2014 10:49 AM
Subject: AV 2014-0228-A
Attachments: 20140605103310355.pdf

Hi June,

Per our telephone conversation, please find attached paperwork with handwritten notes "Gary Hucik took care of this".

The Judge will review these comments and take them into consideration as part of the file so we need to know what this means.

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

>>> <officeofhearings@baltimorecountymd.gov> 6/5/2014 10:33 AM >>>
This E-mail was sent from "zoneprt1" (Aficio MP 2852).

Scan Date: 06.05.2014 10:33:10 (-0400)
Queries to: officeofhearings@baltimorecountymd.gov

From: <CESW751@aol.com>
To: <crichards@baltimorecountymd.gov>
CC: <BurningAxel@aol.com>
Date: 5/17/2014 4:08 PM
Subject: Zoning Review Concern with Still Pictures from Video
Attachments: building permit complaint toward Baltimore County 1-9-14.ZIP

May 17, 2014

To: W. Carl Richards Jr.

On May 6, 2014, I informed Arnold Jablon, Director of Permits, Approvals and Inspections, of a water saturation problem that arose from my neighbor's side addition that was allow two years ago. It appears that the response was to post a zoning notice administrative variance sign of a hearing for a zoning change to side additions in the Woods of Winands. There has already been a change to that zoning amendment which allows less space between houses and now it appears there is an attempt to rectify a problem or add new problems to an already unjust situation. I chose to build my house on my current location because it was the largest lot left in the development, so that I would have the desired spacing between my house and a neighbor. The spacing is getting less and less because of zoning amendment which allow for even larger side additions.

In my attempt to get help in order to solve a water saturation situation, it appears that I am meeting with resistance. I am not in a position to fight Baltimore County Governmental departments, nor with a neighbor who evidently has more pull that what I have. I only want what is right and just. I am in favor of home improvement and do not want to infringe on the rights of another to make such improvements. However, such improvements should not be detrimental to other people's property.

I am forwarding my previous emails sent to Arnold Jablon so that you can get a full picture of my complaints. I am eliciting your help in my attempt to get justice. Please inform me of the steps I need to take in order to get my problem addressed or direct me to the appropriate agency in which to make my complaint.

Please find attached my previous communications about the property infringement dispute.

With respect,
Corrine Wertz
4212 Hanwell Road
Randallstown, MD 21133

2014-0228A
4214 HANWELL

Closing date
6/2/14

Gary Hunk
took care of this

Arnon Tsui took in
the petition

From: <CESW751@aol.com>
To: <gberry@baltimorecountymd.gov>
CC: <ajablon@baltimorecountymd.gov>, <crichards@baltimorecountymd.gov>
Date: 5/19/2014 5:56 PM
Subject: recap of phone conversation concerning building permit complaint

May 19, 2014

Dear Mr. G. Berry:

Thank you for the time and effort you took to assist me this morning. I would like for this email in which I recap our phone conversation put into my grievance file for documentation. I also included in this email a section with additional points that I would like to go on record.

Your (G. Berry) Points made in our conversation:

- Your ground inspector/engineer evaluated the situation in my complaint and deduced that my lawn was slanting down toward my foundation which allowed the water to run in my direction

- Ms. Owens' land grading had not change even though the six feet addition was put on the left side of her house

- Ms. Owens' spout that directs the water toward my foundation is in compliance with the building code

- The waterlog between our two houses, happens over the years, when the contour of the land consist of the hill that in back of the lots on our side of Hanwell Rd.

- There is nothing that the Baltimore County Office of Permits and Inspection can do about my complaint because Ms. Owens' permitted addition was within code

- The Administrative Variance placed in Ms. Owens' yard on Friday 16, 2014, was issued because Ms. Owens wants to add another addition to the right side of her house not on the side that my house is.

- Ms. Owens' contractors might have rerouted the guttering system, and this could be the reason for the water saturation problem that happens since the addition was added

My (Corrine Wertz) Points in our conversation:

- The waterlog/saturation did not occur until after Ms. Owens' addition (4214 Hanwell Rd. Randallstown) was added to her house

- In 1987 (even before the grass matured) until 2012 there was absolutely no waterlog or noticeable saturation of water between the two 4212 and 4214 Hanwell Rd.

- The amount of water that comes from Ms. Owens' little bottom spouts diverts and pushes the water toward my foundation (as evident in the still pictures and video) is contributing greatly to the now appearing water saturation problem between the two houses (This is documented in the still pictures and video when the down pour of rain has even stopped)

Additional Points I would like to make:

- Once and if the variance case#2014-0228-A is allowed, it appears there is nothing that can be done if Ms. Owen wants to put an additional expansion further back on the side or expand the existing side addition toward 4212 Hanwell Rd.

- The sunroom that I plan to have built on the back right side of my house adjacent to my currently gated sliding glass doors would more than likely be affected if the variance case#2014-0228-A goes through

- It appears that there is nothing in place to protect homeowners from situations that arise when side additions permitted by the county cause detrimental harm to neighboring properties as long as the "Baltimore County Codes" are adhered to

From: <CESW751@aol.com>
To: <gberry@baltimorecountymd.com>
CC: <ajablon@baltimorecountymd.gov>, <crichards@baltimorecountymd.gov>
Date: 5/19/2014 8:12 PM
Subject: measured ground with level

May 19, 2014

Mr. Glenn Berry, it is unfortunate that I have to continue to bother you with emails; however, I want to have documentation of my complaints, concerns, and findings. After examining the contour of the land between 4212 Hanwell (my property) and 4214 Hanwell Ms. Owens' lot, I could not see any slant down on my lot toward my foundation that your ground inspector reported. Being frustrated about my imposed dilemma, I decided to use a 4ft. level to determine if my observation was inaccurate. My finding resulted in no slanting toward my foundation in all of the measurements. I took quite a few. I did have several leveling samples that resulted in a slight elevation starting from my foundation that goes down to the ground swell location with the standing water after the rain. My findings were the opposite of your ground engineer. I am not saying that I know more than a professional, just that I disagree with his findings. I will build the ground higher at my foundation with top soil and sod. This may help with my basement issue, but the waterlog between the two house on my lot will be the same or possibly worst.

I just want this hopefully last email to accompany my other complaints as documentation in rebuttal of the Office of Permits and Inspection reported findings. Again thank you for your time and assistance.

Respectfully,
Corrine Wertz

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: May 14, 2014

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

SUBJECT: Zoning Advisory Committee Meeting
For May 19, 2014
Item No. 2014-0226, 0227, 0228, 0229, 0230, 0231 and 0232

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

DAK
cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC05142014 -.doc

Formal Demand Request
6-9-14

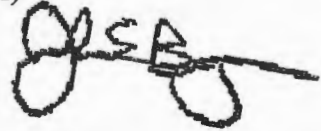
BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: June 9, 2014

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

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



RE: Petition for Administrative Variance – 06/02/14 Closing Date
Case No. 2014-0228-A – 4214 Hanwell Road, 21133

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Please send hearing notification to the following:

- ☒ Corrine Wertz
4212 Hanwell Road
Randallstown, MD 21133
- ☒ Glen Berry, Code Inspections & Enforcement, PAI

Thank you for your attention and cooperation in this matter.

c: Office of People's Counsel

Real Property Data Search (w4)

[Search Help](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier:	District - 02 Account Number - 1800014827	
Owner Information		
Owner Name:	OWENS WILLIE S	Use: RESIDENTIAL
Mailing Address:	4214 HANWELL RD RANDALLSTOWN MD 21133-2142	Principal Residence: YES Deed Reference: 1) /28318/ 00143 2)
Location & Structure Information		
Premises Address:	4214 HANWELL RD 0-0000	Legal Description: .1748 AC 4214 HANWELL RD WOODS OF WINANDS
Map: 0066	Grid: 0024	Parcel: 0554
Sub District:	Subdivision: 0000	Section: II
Block:	Lot: 32	Assessment Year: 2013
Plat No:	Plat Ref: 0045/ 0102	Town: NONE
Special Tax Areas:	Ad Valorem:	Tax Class:
Primary Structure Built 1987	Above Grade Enclosed Area 1,600 SF	Finished Basement Area 7,618 SF
County Use 04	Property Land Area	
Stories 2.000000	Basement NO	Type SPLIT LEVEL
Exterior SIDING	Full/Half Bath 2 full/ 1 half	Garage
Last Major Renovation		
Value Information		
	Base Value	Value
		As of 01/01/2013
Land:	81,100	61,000
Improvements	118,700	117,500
Total:	199,800	178,500
Phase-in Assessments		As of 07/01/2013
		As of 07/01/2014
Land:		
Improvements		
Total:		
Preferential Land:	0	0
Transfer Information		
Seller: 25 HAMLET LLC	Date: 06/26/2009	Price: \$235,000
Type: ARMS LENGTH IMPROVED	Deed1: /28318/ 00143	Deed2:
Seller: GALES MICHAEL E,JR	Date: 02/12/2008	Price: \$200,000
Type: NON-ARMS LENGTH OTHER	Deed1: /26660/ 00720	Deed2:
Seller: MEERDTER GILBERT JOHN	Date: 02/08/1995	Price: \$106,900
Type: ARMS LENGTH IMPROVED	Deed1: /10934/ 00504	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:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status:	Approved	12/23/2009

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

2014-0228-A

Real Property Data Search (w3)

[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 - 02 Account Number - 1800014827		
Owner Information		
Owner Name:	OWENS WILLIE S	Use: RESIDENTIAL
Mailing Address:	4214 HANWELL RD RANDALLSTOWN MD 21133-2142	Principal Residence: YES Deed Reference: 1) /28318/ 00143 2)
Location & Structure Information		
Premises Address:	4214 HANWELL RD 0-0000	Legal Description: .1748 AC 4214 HANWELL RD WOODS OF WINANDS
Map: 0066	Grid: 0024	Parcel: 0554
Sub District:	Subdivision: 0000	Section: II
Block: 32	Assessment Year: 2013	Plat No: 0045/ 0102
Special Tax Areas:		Town: NONE
Ad Valorem:		Tax Class:
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
1987	1,600 SF	7,618 SF
Stories	Basement	County Use
2.000000	NO	04
Type	Exterior	Full/Half Bath
SPLIT LEVEL	SIDING	2 full/ 1 half
Garage	Last Major Renovation	
Value Information		
Base Value	Value	Phase-in Assessments
	As of	As of
	01/01/2013	07/01/2013
Land:	81,100	61,000
Improvements	118,700	117,500
Total:	199,800	178,500
Preferential Land:	0	178,500
		0
Transfer Information		
Seller: 25 HAMLET LLC	Date: 06/26/2009	Price: \$235,000
Type: ARMS LENGTH IMPROVED	Deed1: /28318/ 00143	Deed2:
Seller: GALES MICHAEL E.,JR	Date: 02/12/2008	Price: \$200,000
Type: NON-ARMS LENGTH OTHER	Deed1: /26660/ 00720	Deed2:
Seller: MEERDTER GILBERT JOHN	Date: 02/08/1995	Price: \$106,900
Type: ARMS LENGTH IMPROVED	Deed1: /10934/ 00504	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:	NONE	0.00 0.00
Homestead Application Information		
Homestead Application Status: Approved 12/23/2009		

Baltimore County

[New Search \(http://sdat.resiusa.org/RealProperty\)](http://sdat.resiusa.org/RealProperty)District: **02** Account Number: **1800014827**

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.

→

Case No.: 2014-0228-A

Exhibit Sheet

Petitioner/Developer

PA-2-14

Protestant

den
7-30-14

No. 1	Plan	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Pt. Bk./Folio # 014020E
021900022 Pt. Bk. 0000014, Folio 0020 0210250030

Lot # 48

Pt. Bk. 0000067, Folio 0119
2200023935

Pt. Bk./Folio # 068073

Pt. Bk. 0000068, Folio 0073

R-1972-0076

1997-0572-SPHA
PDM # 020422

1993-0254-SPH

Pt. Bk./Folio # 068074

Pt. Bk. 0000068, Folio 0074

1600007264

1800014849

1800014850
Pt. Bk. 0000045, Folio 0102

NW 9-J

066C3

DR 3.5

2 ED

4 CD

2009-0290-A

PDM # 020229

Pt. Bk./Folio # 045102

1900006539

1986-0031-A

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Lot # 9

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BRIE CT

Lot # 23
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FORTNUM CT

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Lot # 47

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Side Yard Looking South from Street

2014-0228-A





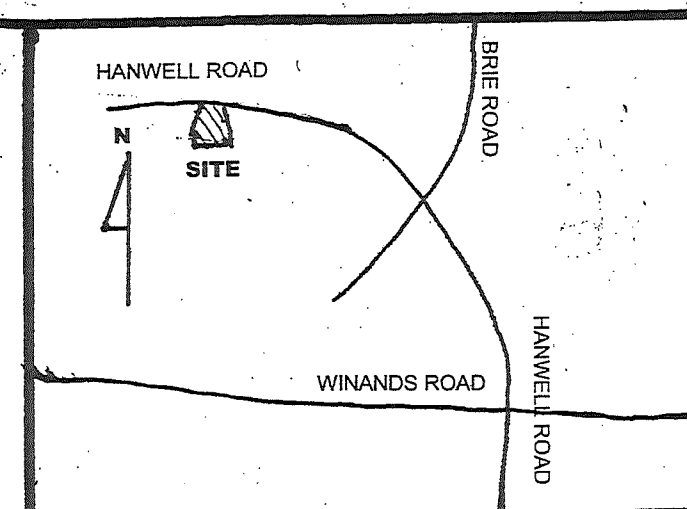
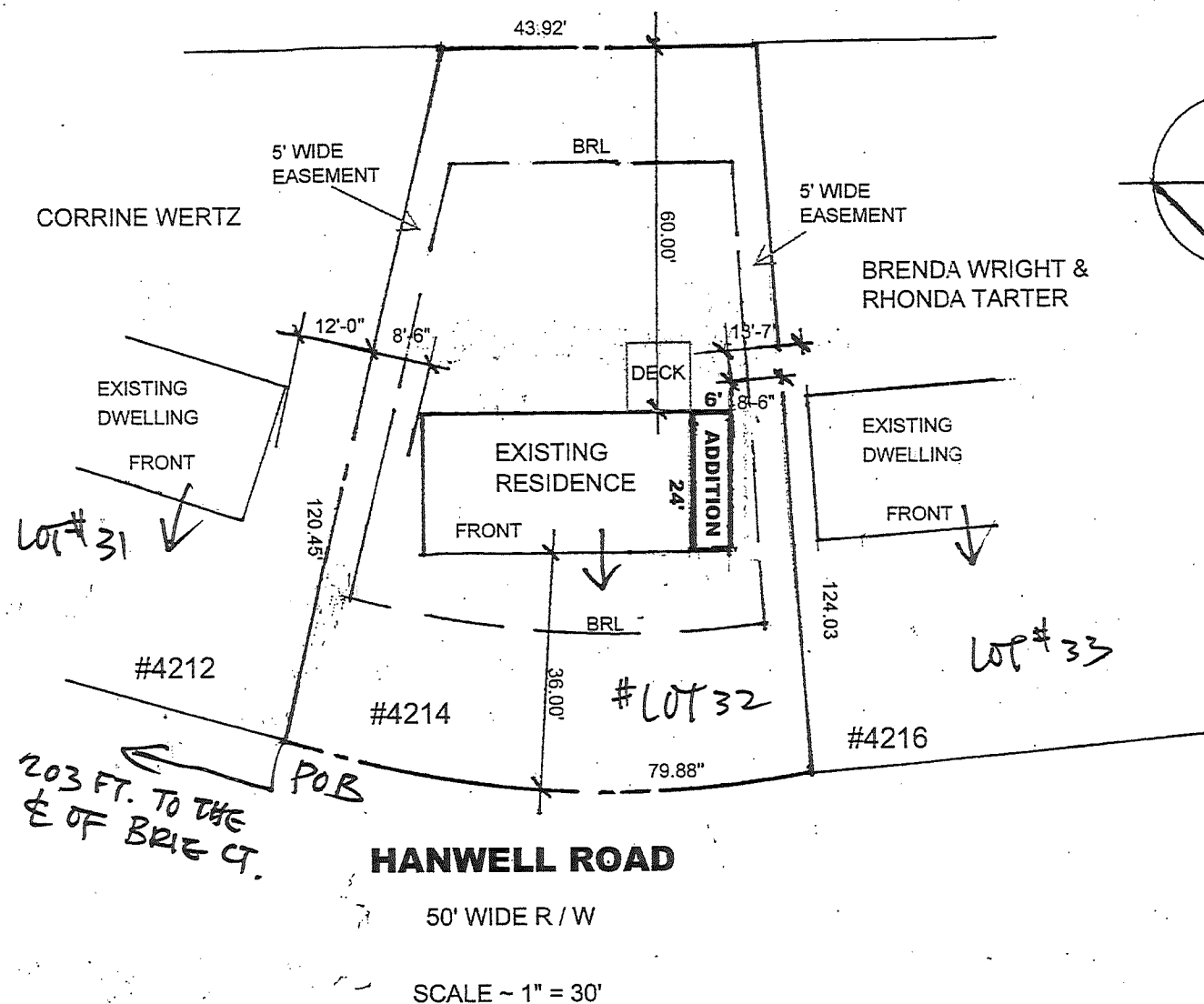
PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

4214 HANWELL ROAD, RANDALLSTOWN, PLAT REF : 0045 / 0102, LOT 32, TAX MAP 0066

GRID 0024, PARCEL 0554

OWNER : WILLIE S OWENS

SUBDIVISION: WOODS OF WINANDS, SECTION II, LOT 32



VICINTY MAP - NOT TO SCALE

LOCATION INFORMATION

ELECTION DISTRICT	2
COUNCILMANIC	4
GIS TITLE 1"=200' SCALE MAP #	066C3
ZONING - DR	3.5
LOT SIZE	0.17 ACRES
	7,618 SQUARE FEET
SITE COVERAGE	EXISTING 21.0% PRPOPOSED 24.1%
PUBLIC SEWER	
PUBLIC WATER	
CHESAPEAKE BAY CRITICAL AREA -	NO
100-YEAR FLOOD PLAIN -	NO
HISTORIC PROPERTY -	NO
PRIOR ZONING HEARING -	NONE

ZONING OFFICE USE ONLY

REVIEWED BY	ITEM #	CASE #
A. TSUI	0228	2014-0228-A

4214 HANWELL ROAD, RANDALLSTOWN, PLAT REF : 0045 / 0102, LOT 32, TAX MAP 0066

OWNER : WILLIE S OWENS

OWNER: WILLIE S OWENS
SUBDIVISION: WOODS OF WINANDS, SECTION II, LOT 32

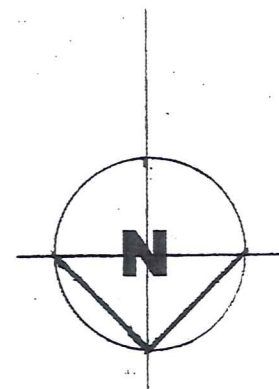
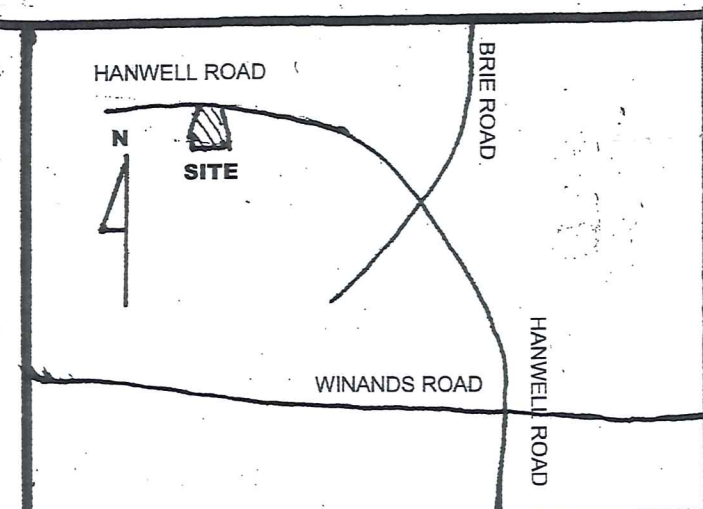


EXHIBIT NO. 1

SCALE ~ 1" = 30'

PREPARED BY CARL DYHRBERG MAY 2, 2014



VICINTY MAP - NOT TO SCALE

ELECTION DISTRICT	2
COUNCILMANIC	4
GIS TITLE 1"=200' SCALE MAP # 066C3	
ZONING - DR 3.5	
LOT SIZE	0.17 7,618
ACRES	SQUARE FEET
SITE COVERAGE	EXISTING PRPOPOSED
	21,0% 24,1%
PUBLIC SEWER	
PUBLIC WATER	
CHESAPEAKE BAY CRITICAL AREA -	NO
100-YEAR FLOOD PLAIN -	NO
HISTORIC PROPERTY -	NO
PRIOR ZONING HEARING -	NONE

ZONING OFFICE USE ONLY

REVIEWED BY

ITEM #

CASE #

A.TSUI

0228

2014-0228-A