

IN RE: PETITION FOR ADMIN. VARIANCE *
(214 Antietam Road)
15th Election District *
6th Council District *
Jason R. Campo & Loretta A. Legg *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2014-0229-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, Jason R. Campo and Loretta A. Legg. The Petitioners are requesting Variance relief pursuant to Sections 1B01.2.C.1.b and 301.1.A of the Baltimore County Zoning Regulations ("B.C.Z.R), to permit a front yard open deck with a setback of 15 ft. in lieu of the required 18.75 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 Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. A ZAC comment was received from the Department of Environmental Protection and Sustainability (DEPS) on June 11, 2014, indicating that the Petitioners were obliged to comply with certain Critical Area regulations, as set forth in B.C.Z.R. Section 500.14.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 18, 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

ORDER RECEIVED FOR FILING

Date 6-12-14

By [Signature]

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.

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 June, 2014 by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from Sections 1B01.2.C.1.b and 301.1.A of the Baltimore County Zoning Regulations ("B.C.Z.R), to permit a front yard open deck with a setback of 15 ft. in lieu of the required 18.75 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. 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.
2. Petitioners must comply with the ZAC comment received from the Department of Environmental Protection and Sustainability (DEPS) dated June 11, 2014; a copy of which is attached and made a part hereof.

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Date 6-12-14

By DW

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:dlw

ORDER RECEIVED FOR FILING

Date 6-12-14

By ESW

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

JUN 11 2014



OFFICE OF ADMINISTRATIVE HEARINGS

TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: June 11, 2014

SUBJECT: DEPS Comment for Zoning Item # 2014-0229-A
Address 214 Antietam Road
(Campo/Legg Property)

Zoning Advisory Committee Meeting of May 12, 2014.

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA) and is subject to Critical Area requirements. The applicant is proposing to permit an attached deck with a reduced setback. The lot is not waterfront. Lot coverage on the entirety of this property is limited to 25% (1,377 square feet), with an additional 500 square feet permitted with mitigation. Lot coverage information was not provided; however, if the deck is constructed with spacing to allow rain through and no gravel beneath it can be considered as pervious and not count towards lot coverage. 15% afforestation, or 2 trees, is required in the LDA; existing trees may be counted towards this requirement. If the applicant can meet the 15% afforestation requirements and the deck is constructed to be pervious, the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

ORDER RECEIVED FOR FILING

Date 6-12-14

This property is not waterfront. If no additional lot coverage is added and the afforestation requirement is met, that will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

Afforestation and lot coverage information were not included. Provided that the applicants meet all the requirements stated above, the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

Date: June 10, 2014

ORDER RECEIVED FOR FILING

Date 6-12-14

By Law

KEVIN KAMENETZ
County Executive



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

June 12, 2014

Jason R. Campo
Loretta A. Legg
214 Antietam Road
Baltimore, Maryland 21221

RE: Petition for Administrative Variance
Case No. 2014-0229-A
Property: 214 Antietam Road

Dear Mr. Campo and Ms. Legg:

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

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

Sincerely,

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

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

IN RE: PETITION FOR ADMIN. VARIANCE *
(214 Antietam Road)
15th Election District *
6th Council District *
Jason R. Campo & Loretta A. Legg *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2014-0229-A

* * * * *

ORDER ON
MOTION FOR RECONSIDERATION

By Order dated June 12, 2014, Petitioners were granted administrative variance relief for the construction of a small open deck with a setback of 15' in lieu of the 18.75' required under the Baltimore County Zoning Regulations ("B.C.Z.R.") "open projection" provision. Petitioners' have filed in a timely fashion a motion for reconsideration, seeking approval for a 13' setback in lieu of the required 18.75'.

Petitioners originally indicated the proposed deck would be 16' x 10', as shown on the site plan marked as Petitioners' Exhibit 1. But after meeting with their contractor, they decided that a slightly larger deck (12' x 18') would be more suitable for their family. The Petitioners home is situated on a corner lot, and the deck proposed is modest in size and in keeping with the size of the single family dwelling. None of Petitioners' neighbors have expressed concern or opposition to the variance request. As such, the motion for reconsideration shall be granted.

THEREFORE, IT IS ORDERED this 27th day of June, 2014 by the Administrative Law Judge for Baltimore County, that the Motion for Reconsideration seeking relief from Sections 1B01.2.C.1.b and 301.1A of the Baltimore County Zoning Regulations ("B.C.Z.R."), be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 6-27-14

By OW

IT IS FURTHER ORDERED that Petitioners' shall be granted variance relief to permit construction of the open deck with a 13' setback in lieu of the required 18.75'.

IT IS FURTHER ORDERED that all other terms and conditions of the original Order dated June 12, 2014 shall remain in full force and effect.

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:dlw

ORDER RECEIVED FOR FILING

Date 6-27-14

By dlw

KEVIN KAMENETZ
County Executive



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

June 27, 2014

Jason R. Campo
Loretta A. Legg
214 Antietam Road
Baltimore, Maryland 21221

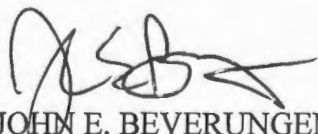
RE: **MOTION FOR RECONSIDERATION**
Petition for Administrative Variance
Case No. 2014-0229-A
Property: 214 Antietam Road

Dear Mr. Campo and Ms. Legg:

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:dlw
Enclosure



CBCA

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 214 Antietam Road Essex MD 21221 which is presently zoned DR 3.5

Deed Reference 33130/00357 10 Digit Tax Account # 1700003707

Property Owner(s) Printed Name(s) Jason Campo, Loretta Legg

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

BCZR: 1B01.2.C.1.b ; 301.1.A → To permit a front yard open deck with a setback of 15 feet in lieu of the required 18.75 feet.

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:

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:

Jason Campo, Loretta Legg
Name #1 – Type or Print Name #2 – Type or Print

Jason Campo, Loretta Legg
Signature #1 Signature #2

214 Antietam Road Essex MD
Mailing Address City State

21221, 4439778889, jlegend1981@yahoo.com
Zip Code Telephone # Email Address

Representative to be contacted:

Jason Campo
Name – Type or Print

Jason Campo
Signature

214 Antietam Road Essex MD
Mailing Address City State

21221, 4439778889, jlegend1981@yahoo.com
Zip Code Telephone # Email Address

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

Administrative Law Judge of Baltimore County

CASE NUMBER 2014-0229-A Filing Date 5/6/14 Estimated Posting Date 5/18/14 Reviewer JS

Affidavit in Support of Administrative Variance

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

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

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

Address: 214 Antietam Road Essex MD 21221
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)

We are requesting a zone variance because we will never be able to afford a waterfront property. Our home is situated on a corner lot with the only partial water view in our area. Placing a deck addition onto our home would allow us to be able to enjoy the partial water view. Plus we are hoping that it will increase the value of our home and make our area look even more presentable. We looked into having the deck in our back yard but that is not possible as it would be directly against our bedrooms and we would miss out on the beautiful view of the water. This is the home that we will be raising our children in, and we would like for it to be the best possible home that we can make it. So please consider our plea and thank you for your time it is greatly appreciated.

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

Jason Campo
Signature of Affiant
Jason Campo
Name- Print or Type

Loretta Legg
Signature of Affiant
Loretta Legg
Name- Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 28th day of April, 2014, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

Jason Campo and Loretta Legg
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

Colleen F. Truant
Notary Public
4/9/15
My Commission Expires

ZONING DESCRIPTION FOR 214 ANTIETAM RD.

BEGINNING AT A POINT ON THE SOUTHWEST
SIDE OF ANTIETAM ROAD 35 FT WIDE
(PROPOSED 50 FT. R/W) AT THE INTERSECTION
OF BIRCH ROAD, 50 FT. WIDE.

BEING LOT #19 IN THE SUBDIVISION OF
MIDDLEBOROUGH AS RECORDED IN
BALTIMORE COUNTY PLAT BOOK #38
FOLIO #103 CONTAINING 5,508 SQ. FT. ±,
LOCATED IN THE 15TH ELECTION DISTRICT
AND 6TH COUNCIL DISTRICT

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: 2014-0229-A

Petitioner: CAMPO / LEGG

Address or Location: 214 ANTIETAM RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: JASON CAMPO

Address: 214 Antietam Rd.

ESSEX, MD, 21221

Telephone Number: 443-977-8889

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

No. **109891**
 Date: **5/6/14**

PAID RECEIPT

BUSINESS ACTUAL TIME
 5/06/2014 5/06/2014 11:13:53

RECEIPT # 508986 5/06/2014

5 528 ZONING VERIFICATION

Recpt Tot \$75.00
 \$75.00 CX \$9.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$ 75.00

Total: **\$ 75.00**

Rec From: **CAMPO/LEGG**

For: **2014-0329-A**

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

CASE NO: 2014-0229-A

PETITIONER/DEVELOPER

JASON CAMPO

DATE OF HEARING/CLOSING:

6/2/14

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

ATTENTION:

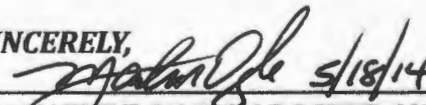
LADIES AND GENTLEMEN:

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

214 ANTIETAM ROAD

**THIS SIGN(S) WERE POSTED ON May 18, 2014
(MONTH, DAY, YEAR)**

SINCERELY,

 5/18/14
SIGNATURE OF SIGN POSTER AND DATE:

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

ZONING NOTICE

ADMINISTRATIVE

VARIANCE

CASE# 2014-0229-A

TO PRESENT A PROPOSED 5 FOOT YARD OPEN SPACE
WITH A SETBACK OF 16 FEET IN LIEU OF THE
REQUIRED 18.75 FEET

PUBLIC HEARING ?

PERMITTEE TO SECTION 24-127(N)(1) BUILDING CODE CODE
AN ESTATE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC
HEARING CONCERNING THE PROPOSED VARIANCE. PROVIDED
IT IS DONE IN THE ENGINEERING BEFORE 4 PM PM ON

MONDAY, JULY 2, 2014

ADDITIONAL INFORMATION IS AVAILABLE AT ZONING
ADMINISTRATION AND DEVELOPMENT MANAGEMENT LOCATED
AT 111 W. CHESTNUT AVE. TOWSON MD. 21284
TEL. 410-586-1300

FOR MORE INFORMATION AND MORE INFORMATION, THE STATE ENGINEER, TOWSON MD
MELINDA BLANK, M.A.C.C.S.S.B.I.

Made by 5/18/14

M E M O R A N D U M

DATE: July 29, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0229-A – Appeal Period Expired

The appeal period for the above-referenced case expired on July 28, 2014. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>5-14</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
<u>6-11</u>	DEPS <u>CBCA</u> <u>frising</u> <u>6-5-14</u> (if not received, date e-mail sent <u>6-5-14</u>)	<u>C</u>
_____	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	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>5-18-14</u> by <u>Ogle</u>	
PEOPLE'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- 0229 -A Address 214 ANTIETAM ROAD

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

Filing Date: 5/6/14 Posting Date: 5/18/14 Closing Date: 6/2/14

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- 0229 -A Address 214 ANTIETAM RD.

Petitioner's Name CAMPO /LEGG Telephone 443-977-8889

Posting Date: 5/18/14 Closing Date: 6/2/14

Wording for Sign: To Permit A PROPOSED FRONT YARD ^{OPEN} DECK WITH A SETBACK OF 15 FEET IN LIEU OF THE REQUIRED 18.75 FEET.

Revised 7/06/11



KEVIN KAMENETZ
County Executive

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

June 3, 2014

Jason Campo & Loretta Legg
214 Antietam Road
Essex MD 21221

RE: Case Number: 2014-0229 A, Address: 214 Antietam Road

Dear Mr. Campo & Ms. Legg:

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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel



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

State Highway
Administration

Maryland Department of Transportation

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 2014-0229-A
Administrative Variance
Jason Campo & Loretta Legg
214 Antietam 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. 2014-0229-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 - Re: Administrative Variances (3) - Closing Date: 6/2/14

From: Jeffrey Livingston
To: Wiley, Debra
Date: 6/11/2014 2:19 PM
Subject: Re: Administrative Variances (3) - Closing Date: 6/2/14
Attachments: ZAC 14-0230-A 3500 Galloway Road.doc; ZAC 14-0229-A 214 Antietam Road.doc; ZAC 14-0232-A 2011 Tred Avon Road.doc

Here are the comments from EPS

Jeff

>>> Debra Wiley 6/5/2014 11:55 AM >>>
Hi Jeff,

In reviewing administrative variance files, it appears that they do not contain ZAC comments (specifically **CBCA**) for the following cases:

2014-0229-A - 214 Antietam Rd., Essex, MD 21221
2014-0230-A - 3500 Galloway Rd., Middle River, MD 21220
2014-0232-A - 2011 Tred Avon Rd., Essex, MD 21221

As you know, our office cannot produce decisions without these comments from your department.

As always, thanks in advance; it is appreciated.

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

Administrative Hearings - Motion for reconsideration

From: Loretta Legg <redda777@yahoo.com>
To: "administrativehearings@baltimorecountymd.gov" <administrativehearings@b...>
Date: 6/26/2014 10:42 AM
Subject: Motion for reconsideration

Case # 2014-0229

The honorable John E. Beverungen Administrative Law Judge

Dear Sir,

Our variance has been granted, but the 90 day appeal period has not expired. I am writing today because when filing for the variance our contractor was not very clear or direct with us on the dimensions needed for our deck. The size and accuracy was not properly explained to us. We have a growing family and the current size will be just a bit to small. We are requesting to increase the deficiency by 2 feet and also the width by 2 feet, so it would 12 x 18. As such we respectfully request a "Motion for reconsideration". I am also sending a letter about the same.

Thank you so much for your time and consideration it is greatly appreciated.

Sincerely,

Jason Campo

Loretta Legg

RECEIVED

JUN 26 2014

OFFICE OF ADMINISTRATIVE HEARINGS

June 26, 2014

Case # 2014-0229

RECEIVED

The honorable John E. Beverungen Administrative Law Judge

JUN 27 2014

OFFICE OF ADMINISTRATIVE HEARINGS

Dear Sir,

Our variance has been granted, but the 90 day appeal period has not expired. I am writing today because when filing for the variance our contractor was not very clear or direct with us on the dimensions needed for our deck. The size and accuracy was not properly explained to us. We have a growing family and the current size will be just a bit to small. We are requesting to increase the deficiency by 2 feet and also the width by 2 feet, so it would 12 x 18. As such we respectfully request a "Motion for reconsideration".

Thank you so much for your time and consideration it is greatly appreciated.

Sincerely,

Jason Campo



Loretta Legg



214 Antietam Road

Essex, MD 21221

443-977-8889

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

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

JUN 11 2014



OFFICE OF ADMINISTRATIVE HEARINGS

TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: June 11, 2014

SUBJECT: DEPS Comment for Zoning Item # 2014-0229-A
Address 214 Antietam Road
(Campo/Legg Property)

Zoning Advisory Committee Meeting of May 12, 2014.

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA) and is subject to Critical Area requirements. The applicant is proposing to permit an attached deck with a reduced setback. The lot is not waterfront. Lot coverage on the entirety of this property is limited to 25% (1,377 square feet), with an additional 500 square feet permitted with mitigation. Lot coverage information was not provided; however, if the deck is constructed with spacing to allow rain through and no gravel beneath it can be considered as pervious and not count towards lot coverage. 15% afforestation, or 2 trees, is required in the LDA; existing trees may be counted towards this requirement. If the applicant can meet the 15% afforestation requirements and the deck is constructed to be pervious, the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is not waterfront. If no additional lot coverage is added and the afforestation requirement is met, that will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

Afforestation and lot coverage information were not included. Provided that the applicants meet all the requirements stated above, the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

Date: June 10, 2014

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 - 15 Account Number - 1700003707	
Owner Information		
Owner Name:	CAMPO JASON R LEGG LORETTA A 214 ANTIETAM RD BALTIMORE MD 21221-1504	Use: RESIDENTIAL Principal Residence: YES Deed Reference: 1) /33130/ 00357 2)
Mailing Address:		
Location & Structure Information		
Premises Address:	214 ANTIETAM RD BALTIMORE 21221-	Legal Description: 214 ANTIETAM RD MIDDLEBOROUGH
Map: 0098	Grid: 0001	Parcel: 0443
Sub District:	Subdivision: 0000	Section:
Block:	Lot: 19	Assessment Year: 2012
Plat No:	Plat Ref: 0038/ 0103	
Special Tax Areas:	Town: NONE	
	Ad Valorem:	
	Tax Class:	
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
1976	990 SF	400 SF
Property Land Area	County Use	
5,508 SF	04	
Stories	Basement	Type
1.000000	YES	STANDARD UNIT
Exterior	Full/Half Bath	Garage
ASBESTOS SHINGLE	2 full	
Last Major Renovation		
Value Information		
	Base Value	Value
		As of
		01/01/2012
Land:	71,500	71,500
Improvements	134,100	68,600
Total:	205,600	140,100
Preferential Land:	0	140,100
		0
Transfer Information		
Seller: KIRKPATRICK FRANK A	Date: 02/04/2013	Price: \$155,000
Type: ARMS LENGTH IMPROVED	Deed1: /33130/ 00357	Deed2:
Seller: TOLLEY HARRY LEWIS,3RD	Date: 05/25/2004	Price: \$180,000
Type: ARMS LENGTH IMPROVED	Deed1: /20115/ 00366	Deed2:
Seller: HERDEGEN NORMAN CHARLES	Date: 03/18/1986	Price: \$68,900
Type: ARMS LENGTH IMPROVED	Deed1: /07116/ 00536	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 08/06/2013		

Baltimore County

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

District: 15 Account Number: 1700003707



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.

→

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 214 ANTIETAM RD OWNER(S) NAME(S) JASON R. CAMPO, LORETTA A. LEGG

SUBDIVISION NAME MIDDLEBOROUGH LOT # 19 BLOCK # — SECTION # —

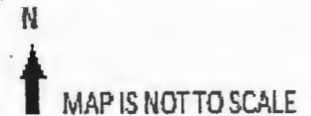
PLAT BOOK # 38 FOLIO # 103 10 DIGIT TAX # 1700003707 DEED REF. # 33130100357



PLAN DRAWN BY JT SUTHERLAND DATE 4-30-14 SCALE 1" = 30' FEET

FLOOD ZONE X UNSHADED (OLD ZONE C) MARTIN STATE AIRPORT RESTRICTION

SITE VICINITY MAP



ZONING MAP # 09891 (OLD MAP)

SITE ZONED DR-3.5

ELECTION DISTRICT 15

COUNCIL DISTRICT 6

LOT AREA ACREAGE 0.126 ±

OR SQUARE FEET 5508 ±

HISTORIC? —

IN CBCA? YES

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC ☒ PRIVATE —

SEWER IS:

PUBLIC ☒ PRIVATE —

PRIOR HEARING? N/A

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

—

—

—

—

VIOLATION CASE INFO:

N/A

2014-0729-4

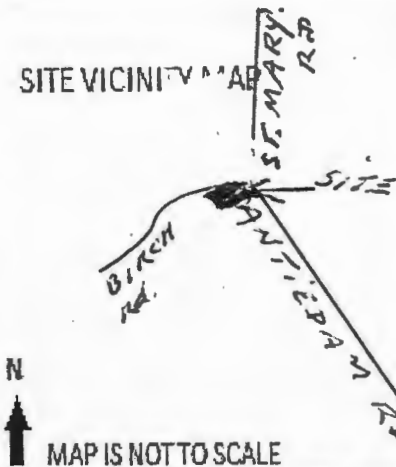
P + S - R - A

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 214 ANTIETAM RD OWNER(S) NAME(S) JASON R. CAMPO, LORETTA A. LEECH

SUBDIVISION NAME MIDDLE BOROUGH LOT # 19 BLOCK # — SECTION # —

PLAT BOOK # 38 FOLIO # 103 10 DIGIT TAX # 1700003707 DEED REF. # 33130100357



ZONING MAP# 09891 (OLD)

SITE ZONED DR-3.5

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PUBLIC X PRIVATE —

SEWER IS:

PUBLIC X PRIVATE —

PRIOR HEARING? N/A

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

—

—

—

—

VIOLATION CASE INFO:

N/A

PLAN DRAWN BY JT SWANSON DATE 4-30-14 SCALE 1"=30' FEET

FLOOD ZONE X UNSHADED (OLD ZONE) MARTIN STATE AIRPORT RESTRICTION

2014-0729-A

