



KEVIN KAMENETZ  
*County Executive*

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

August 25, 2014

Thomas M. Meachum, Esquire  
10715 Charter Drive, #200  
Columbia, Maryland 21044

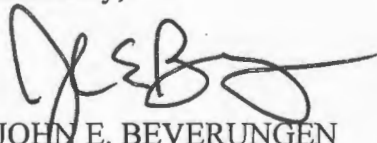
RE: Petition for Variance  
Property: 1816 Morning Walk Drive  
Case No. 2014-0280-A

Dear Mr. Meachum:

Enclosed please find a copy of the Amended Opinion and Order 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

IN RE: PETITION FOR VARIANCE  
(1816 Morning Walk Dr.)  
1<sup>st</sup> Election District  
1<sup>st</sup> Council District  
Richard L. & Karen S. Roberts  
Petitioners

\* BEFORE THE OFFICE  
\* OF ADMINISTRATIVE  
\* HEARINGS FOR  
\* BALTIMORE COUNTY  
\* CASE NO. 2014-0280-A

\* \* \* \* \*

**AMENDED OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed on behalf of the legal owners of the subject property. The Petition as filed seeks variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) Sections 1B01.2.C.1.b and 301.1 to permit an existing screened deck with a rear yard setback of 16.5 ft. in lieu of the required 22.5 ft. The Petitioners' engineer later determined that the existing setback was in fact 16.0 ft., rather than 16.5 ft., which necessitated this Amended Order. 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 request was Richard Roberts. Thomas Meachum, Esquire, represented the Petitioners. The Petition was advertised and posted as required by the B.C.Z.R. There were no Protestants in attendance, and the file does not contain any letters of opposition. A Zoning Advisory Committee (ZAC) comment was received from the Bureau of Development Plans Review (DPR) dated July 8, 2014. Mr. Kennedy noted the deck encroaches 4 ft. into a County drainage and utility easement. While DPR does not object to the deck remaining, Mr. Kennedy indicated that if in the future Baltimore County needed to use the easement, the encroaching portion of the deck would need to be removed, and could not be

ORDER RECEIVED FOR FILING

Date 8/25/14

By sen

reconstructed.

The property (improved with a single family dwelling) is approximately 0.2409± acres and is zoned DR 2. The Petitioners purchased the property in 2008, and constructed the deck shortly thereafter. The Petitioners are now in the process of selling their home, and a survey revealed that variance relief was required.

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).

Petitioners have met this test. As shown on the plan, the property is irregularly shaped, and is therefore unique. The Petitioners would experience a practical difficulty if the regulations were strictly construed, in that they would need to remove a portion of the deck. The variance can be granted in harmony with the B.C.Z.R. and without negatively impacting the health, safety and welfare of the community. This is demonstrated by the absence of County and/or community opposition. In addition, the deck has been in its present location for 6+ years, and there have been no complaints or concerns raised by neighbors.

THEREFORE, IT IS ORDERED, this 25th day of August, 2014, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from Baltimore County Zoning Regulations (B.C.Z.R.) §§ 1B01.2.C.1.b and 301.1 to permit an existing screened deck with a rear yard setback of 16.0 ft. in lieu of the required 22.5 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to Baltimore County's drainage and utility easement (as shown on the Plat of "The Clusters," Plat Book S.M. 77, Folio 134) which adjoins

ORDER RECEIVED FOR FILING

2

Date

By

8/25/14  
DCH

the property, as discussed above.

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 8/25/14  
By Den

**IN RE: PETITION FOR VARIANCE**  
**(1816 Morning Walk Dr.)**  
1<sup>st</sup> Election District  
1<sup>st</sup> Council District  
Richard L. & Karen S. Roberts  
Petitioners

\* BEFORE THE OFFICE  
\* OF ADMINISTRATIVE  
\* HEARINGS FOR  
\* BALTIMORE COUNTY  
\* **CASE NO. 2014-0280-A**

\* \* \* \* \*

**OPINION AND ORDER**

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Appearing at the public hearing in support of the request was Richard Roberts. Thomas Meachum, Esquire, represented the Petitioners. The Petition was advertised and posted as required by the B.C.Z.R. There were no Protestants in attendance, and the file does not contain any letters of opposition. A Zoning Advisory Committee (ZAC) comment was received from the Bureau of Development Plans Review (DPR) dated July 8, 2014. Mr. Kennedy noted the deck encroaches 4 ft.<sup>1</sup> into a County drainage and utility easement. While DPR does not object to the deck remaining, Mr. Kennedy indicated that if in the future Baltimore County needed to use the easement, the encroaching portion of the deck would need to be removed, and could not be reconstructed.

The property (improved with a single family dwelling) is approximately 0.2409± acres

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Date

By

8/21/14

sen

and is zoned DR 2. The Petitioners purchased the property in 2008, and constructed the deck shortly thereafter. The Petitioners are now in the process of selling their home, and a survey revealed that variance relief was required.

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).

Petitioners have met this test. As shown on the plan, the property is irregularly shaped, and is therefore unique. The Petitioners would experience a practical difficulty if the regulations were strictly construed, in that they would need to remove a portion of the deck. The variance can be granted in harmony with the B.C.Z.R. and without negatively impacting the health, safety and welfare of the community. This is demonstrated by the absence of County and/or community opposition. In addition, the deck has been in its present location for 6+ years, and there have been no complaints or concerns raised by neighbors.

THEREFORE, IT IS ORDERED, this 21st day of August, 2014, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from Baltimore County Zoning Regulations (B.C.Z.R.) §§ 1B01.2.C.1.b and 301.1 to permit an existing screened deck with a rear yard setback of 16.5 ft. in lieu of the required 22.5 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to Baltimore County's drainage and utility easement (as shown on the Plat of "The Clusters," Plat Book S.M. 77, Folio 134) which adjoins the property, as discussed above.

ORDER RECEIVED FOR FILING

Date

8/21/14

2

By

Sen

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 8/21/14

By sln

## Sherry Nuffer - Fwd: 2014-0280-A

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**From:** John Beverungen  
**To:** Sherry Nuffer  
**Date:** 8/21/2014 12:00 PM  
**Subject:** Fwd: 2014-0280-A  
**Attachments:** 2014-0280-A.docx; Modified copy of 2014-0280-A.docx

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final order. I dated for today, I told lawyer we would email to him (no need to also send by mail)

>>> Sherry Nuffer 8/21/2014 11:20 AM >>>  
Please review.

Sherry Nuffer  
Legal Assistant  
Office of Administrative Hearings  
105 W. Chesapeake Avenue  
Room 103  
Towson, Maryland 21204  
410-887-3868  
Fax: 410-877-3468

**Sherry Nuffer - 2014-0280-A**

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**From:** Sherry Nuffer  
**To:** tmm@carneykelehan.com  
**Date:** 8/21/2014 12:08 PM  
**Subject:** 2014-0280-A  
**Attachments:** 20140821114929031.pdf

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Mr. Meachum:

Per Judge Beverungen attached please find the Opinion and Order in the above referenced case.

Sincerely,

Sherry

Sherry Nuffer  
Legal Assistant  
Office of Administrative Hearings  
105 W. Chesapeake Avenue  
Room 103  
Towson, Maryland 21204  
410-887-3868  
Fax: 410-877-3468

**Recipients: 1** Undelivered: 1

tmm@carneykelehan.com

Pending

**Attachments:** User: 1, System: 2

**Send Options:**



## 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 1816 Morning Walk Dr. Catonsville 21228 which is presently zoned DR2  
Deed References: 27039 / 0051 10 Digit Tax Account # 2 4 0 0 0 0 9 5 5 9  
Property Owner(s) Printed Name(s) Richard L. and Karen S. Roberts

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

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

1. ☐ a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. ☐ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for
3. ☒ a Variance from Section(s) 1801.2.C.1.b AND 306.1; BCZR, TO PERMIT AN EXISTING SCREENED DECK WITH A REARYARD SETBACK OF 16.5 ft. IN LIEU OF THE REQUIRED 22.5 ft.

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)

See attached sheet.

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:

Thomas M. Meachum

Name- Type or Print

Signature

10715 Charter Drive, #200, Columbia, MD

Mailing Address City State

21044 / 410-740-4600 / tmm@carneykelehan.com

Zip Code Telephone # Email Address

### Legal Owners (Petitioners):

Richard L. Roberts / Karen S. Roberts

Name #1 - Type or Print

Name #2 - Type or Print

*Richard L. Roberts*

*Karen Roberts*

Signature #1

Signature #2

7694 Dorchester Blvd., #814, Hanover, MD

Mailing Address City State

21076 / 410-370-3233 / Richard.Roberts@hcpss.org

Zip Code Telephone # Email Address

### Representative to be contacted:

Name - Type or Print

ORDER RECEIVED FOR FILING

Signature

Date

Mailing Address

By

Zip Code

Telephone #

Email Address

CASE NUMBER

2014-0280-A

Filing Date

6/24/2014

Do Not Schedule Dates:

Reviewer

JCM

June 17, 2014

**ZONING HEARING PROPERTY DESCRIPTION**

Richard and Karen Roberts  
1816 Morning Walk Drive  
Baltimore, MD 21228

Zoning property description for 1816 Morning Walk Drive.

Beginning at a point on the north side of Morning Walk Drive which is fifty feet (50') wide at the distance of two hundred forty five feet (245'), more or less, east of the centerline of the nearest improved intersecting street South Hilltop Road which is fifty feet (50') wide.

Being Lot #3 in the subdivision of The Clusters as recorded in Baltimore County Plat Book #77, folio #134, containing 0.2409 Acres, more or less. Located in the 1<sup>st</sup> Election District and 1<sup>st</sup> Council District.

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

No. **113815**

Date: **6/20/14**

**PAID RECEIPT**

BUSINESS ACTUAL TIME  
 6/23/2014 6/23/2014 10:42:23  
 REC NSOL MILEAGE 1745 LTR  
 RECEIPT 1 514791 6/30/2014 OPEN  
 Rec 5 528 TRADING VALIDATION  
 CR NO. 113815  
 6/24/14 675.00  
 675.00 CK 5.00 CA  
 Baltimore County, Maryland

| Fund | Dept | Unit | Sub Unit | Rev Source/Obj | Sub Rev/Obj | Dept | Obj | BS Acct | Amount |
|------|------|------|----------|----------------|-------------|------|-----|---------|--------|
| 001  | 806  | 0000 | 615      | 6150           |             |      |     |         | 75.00  |
|      |      |      |          |                |             |      |     |         |        |
|      |      |      |          |                |             |      |     |         |        |
|      |      |      |          |                |             |      |     |         |        |
|      |      |      |          |                |             |      |     |         |        |
|      |      |      |          |                |             |      |     |         |        |

Total: **75.00**

Rec From: **CARNEY, KELEHAN, et al., LLP**

For: **2014-0280-A**

**DISTRIBUTION**

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

**CASHIER'S  
 VALIDATION**

# 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.**

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#### For Newspaper Advertising:

Item Number or Case Number: 2014 - 0280 - A

Petitioner: RICHARD ROBERTS

Address or Location: 1816 MORNING WALK DR. CATONSVILLE, MD. 21228

#### PLEASE FORWARD ADVERTISING BILL TO:

Name: THOMAS MEACHUM, ESQ.

Address: 10715 CHESTER DR., SUITE 200  
COLUMBIA, MD. 21044

Telephone Number: 410-740-4600



# THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

July 31, 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 31, 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: #2014-0280-A**

1816 Morning Walk Drive

Property located on the n/s Morning Walk Dr., 245 ft. +/- E of South Hilltop Road

1st Election District - 1st Councilmanic District

Legal Owner(s): Richard & Karen Roberts

**Variance:** to permit an existing screened deck with a rear yard setback of 16.5 ft. in lieu of the required 22.5 ft.

**Hearing:** Thursday, August 21, 2014, at 10:00 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.

7/575 July 31

988502

## CERTIFICATE OF POSTING

RE: Case No. 2014-0280-A

Petitioner: Richard & Karen Roberts

Hearing / Closing Date: 8/21/14

Baltimore County Department of  
Permits and Development Management  
Room 111, County Office Building  
111 W. Chesapeake Ave.  
Towson, Md. 21204

This letter is to confirm, under penalties of perjury, that the necessary sign(s)  
were posted conspicuously on the property located at \_\_\_\_\_

1816 Morning Walk Drive

\_\_\_\_\_ on 8/1/14

Sincerely,

\_\_\_\_\_  
Richard E. Hoffman

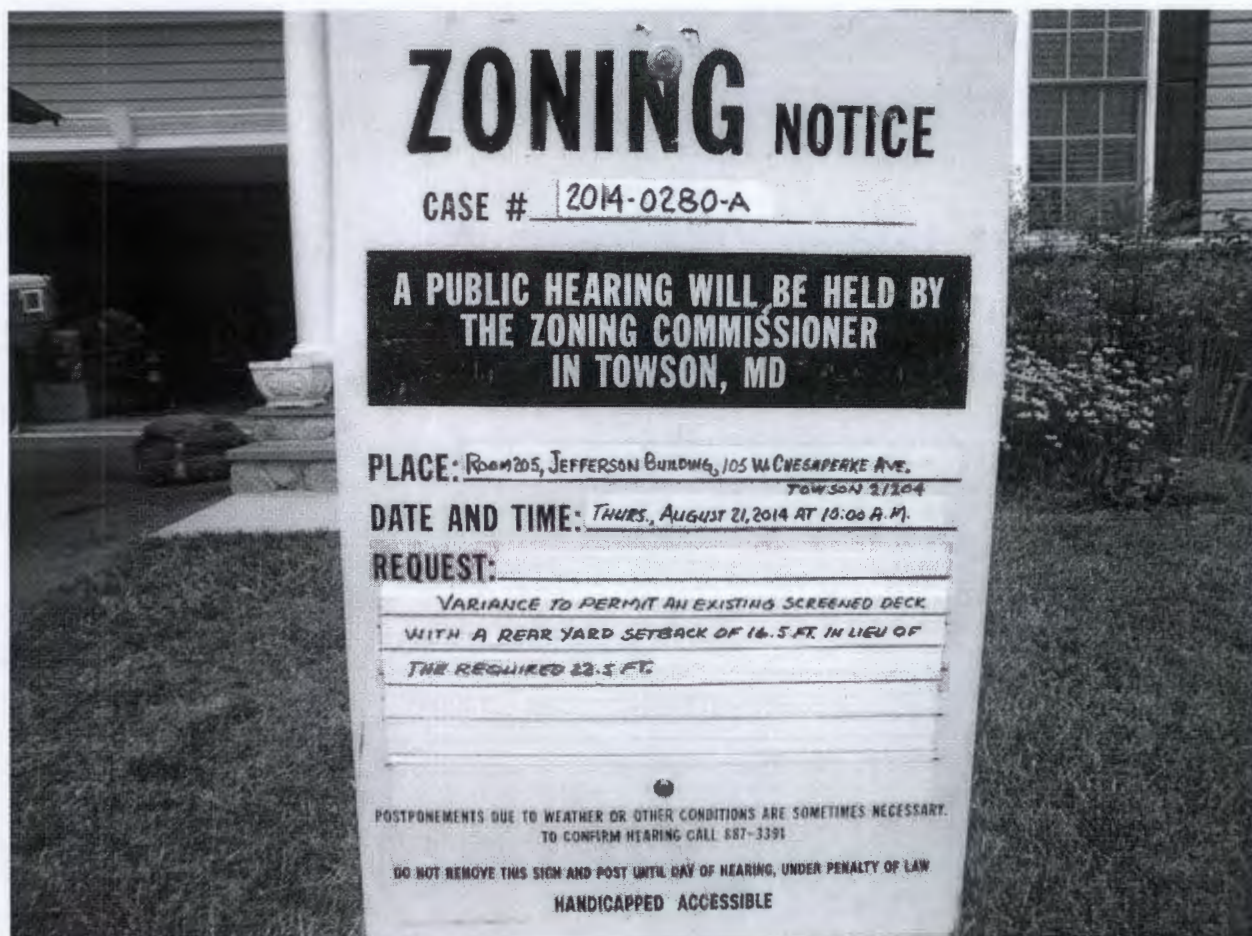
\_\_\_\_\_  
904 Dellwood Drive

\_\_\_\_\_  
Fallston, Md. 21047

\_\_\_\_\_  
443-243-7360

# Certificate of Posting

Case No. 2014-0280-A



1816 Morning Walk Drive

(posted 8/1/14)

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Richard E. Hoffman

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904 Dellwood Drive

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Fallston, Md. 21047

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443-243-7360

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KEVIN KAMENETZ  
County Executive

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

July 21, 2014

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1816 Morning Walk Drive

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1<sup>st</sup> Election District – 1<sup>st</sup> Councilmanic District

Legal Owners: Richard & Karen Roberts

Variance to permit an existing screened deck with a rear yard setback of 16.5 ft. in lieu of the required 22.5 ft.

Hearing: Thursday, August 21, 2014 at 10:00 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: Thomas Meachum, 10715 Charter Drive, #200, Columbia 21044  
Mr. & Mrs. Roberts, 7694 Dorchester Blvd., #814, Hanover 21076

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, AUGUST 1, 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, July 31, 2014 Issue - Jeffersonian

Please forward billing to:

Thomas Meachum, Esq.  
10715 Charter Drive, Ste. 200  
Columbia, MD 21044

410-740-4600

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**CASE NUMBER: 2014-0280-A**

1816 Morning Walk Drive

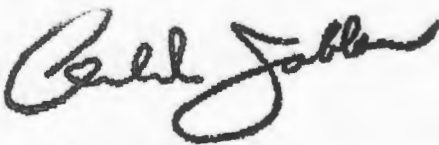
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1<sup>st</sup> Election District – 1<sup>st</sup> Councilmanic District

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Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

|                                                                   |   |                   |
|-------------------------------------------------------------------|---|-------------------|
| RE: PETITION FOR VARIANCE                                         | * | BEFORE THE OFFICE |
| 1816 Morning Walk Drive; N/S Morning Walk                         |   |                   |
| Drive, 245' E of c/line of South Hilltop Road                     | * | OF ADMINSTRATIVE  |
| 1 <sup>st</sup> Election & 1 <sup>st</sup> Councilmanic Districts |   |                   |
| Legal Owner(s): Richard & Karen Roberts                           | * | HEARINGS FOR      |
| Petitioner(s)                                                     |   |                   |
|                                                                   | * | BALTIMORE COUNTY  |
|                                                                   |   |                   |
|                                                                   | * | 2014-280-A        |

\* \* \* \* \*

**ENTRY OF APPEARANCE**

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

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

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

RECEIVED

JUL 02 2014

\*\*\*\*\*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 2nd day of July, 2014, a copy of the foregoing Entry of Appearance was mailed to Thomas M. Meachum, Esquire, 10715 Charter Drive, Suite 200, Columbia, MD 21044, Attorney for Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

# CERTIFICATE OF POSTING

RE: Case No. 2014-0280-A

Petitioner: Richard & Karen Roberts

Hearing / Closing Date: 8/21/14

Baltimore County Department of  
Permits and Development Management  
Room 111, County Office Building  
111 W. Chesapeake Ave.  
Towson, Md. 21204

This letter is to confirm, under penalties of perjury, that the necessary sign(s)  
were posted conspicuously on the property located at \_\_\_\_\_

1816 Morning Walk Drive

on

8/1/14

Sincerely,

 8/1/14

Richard E. Hoffman

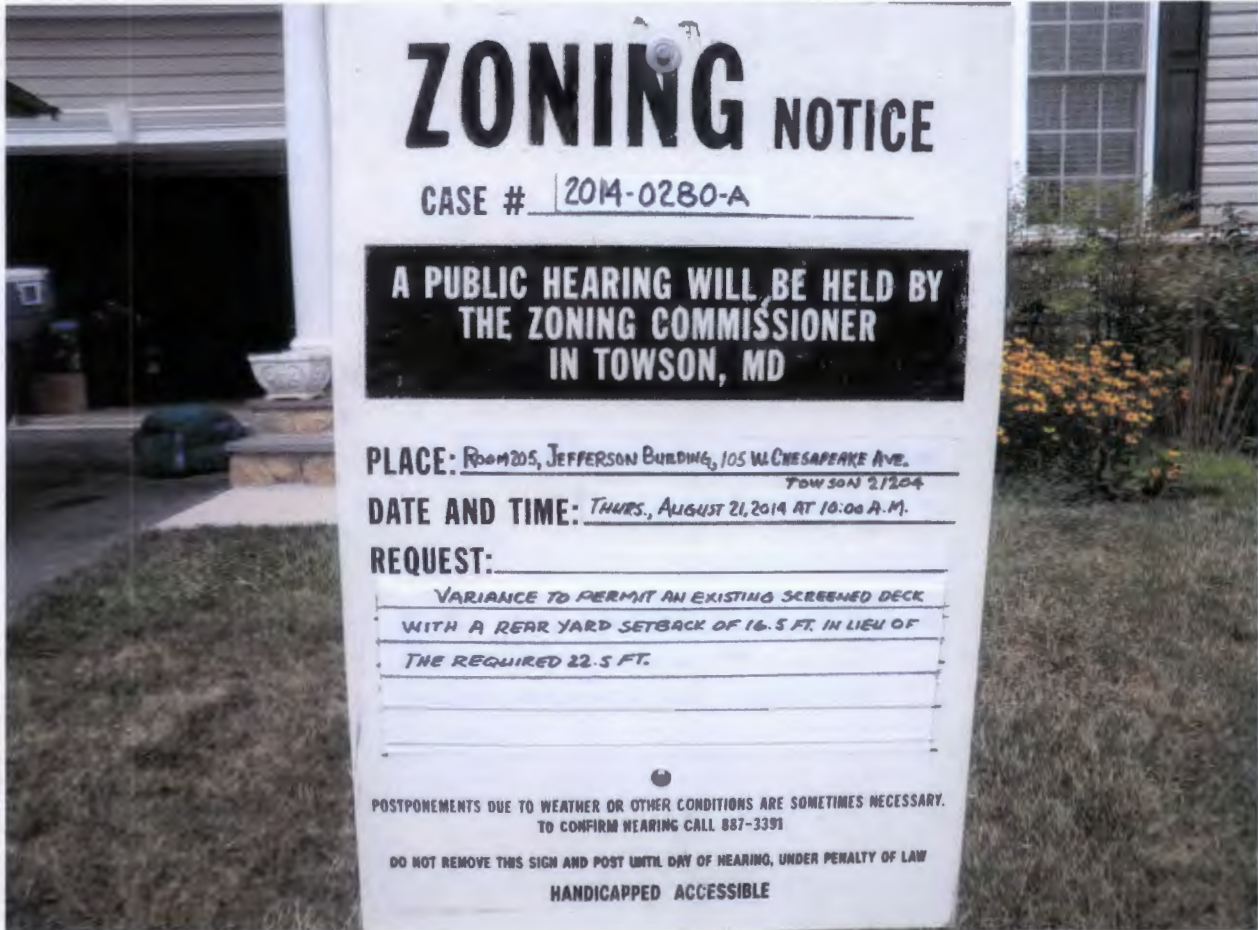
904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

# Certificate of Posting

Case No. 2014-0280-A



**1816 Morning Walk Drive**

**(posted 8/1/14)**

*Richard E. Hoffman* 8/1/14

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

Carney, Kelehan  
Bresler, Bennett  
& Scherr LLP  
ATTORNEYS AT LAW

Daniel H. Scherr  
P. Tyson Bennett  
Kevin J. Kelehan  
Thomas M. Meachum  
Judith S. Bresler  
Michael S. Molinaro  
Eric C. Brousaides  
Michelle DiDonato  
B. Darren Burns  
Manisha S. Kavadi  
Andrew H. Robinson  
Karen S. Ellsworth  
Lisa L. Bennett

OF COUNSEL:  
David A. Carney  
Fulton P. Jeffers

IN MEMORIAM:  
Laurence B. Raber

June 20, 2014

**Hand Delivered**

Baltimore County Department of Permits,  
Approvals and Inspections  
111 West Chesapeake Avenue  
Towson, MD 21204

RE: Petition for Zoning Hearing  
Richard & Karen Roberts  
1816 Morning Walk Drive  
Catonsville, MD 21228

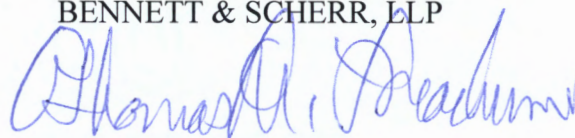
Dear Sir/Madam:

Enclosed for filing are three originals of a Petition for Zoning Hearing along with attachments; three copies of the Zoning Hearing Property Description; and 12 copies of the Zoning Hearing Plan, along with our check in the amount of \$75.00 to cover filing fees.

Please do not hesitate to contact me if you have any questions.

Very truly yours,

CARNEY, KELEHAN, BRESLER,  
BENNETT & SCHERR, LLP



Thomas M. Meachum

TMM/pjm

Enclosures

cc: Richard & Karen Roberts

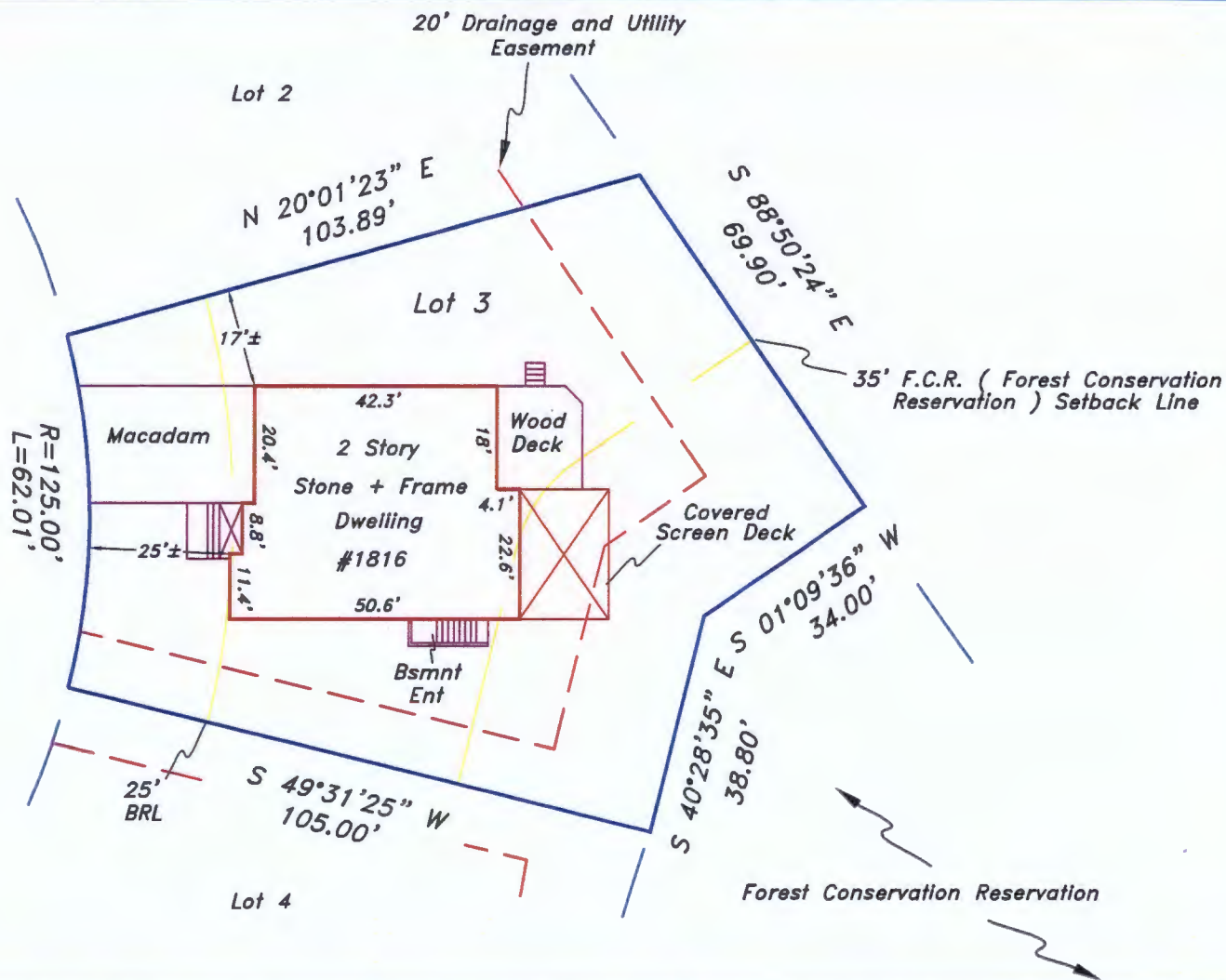
P:\TMM\WPDATA\Roberts, Richard & Karen\County ltr.wpd

**Attachment to Petition for Zoning Hearing**

**Richard L. and Karen S. Roberts**

The owners contracted in 2008 to construct a screened porch. Their lot has an odd shape with a portion of the rear of the property projecting inward, causing the 30' setback to be closer to the house (see Location Survey) This is a unique shape within the subdivision (see attached Plat). This presents practical difficulties in making a reasonably sized addition to the home. The contractor applied for a building permit which was issued (see attached). It is stated that the setback is 30 feet. For reasons unknown to the owners, the contractor did not determine what, if any, setbacks were applicable, and constructed the screen porch <sup>13.5'</sup>~~14'~~ into the 30' setback. The owners were unaware of such things as setbacks. The owners did not know about this until this year when they contracted to sell their house. A location survey revealed the encroachment, and so now the owners need a variance to be able to sell their property.

Morning Walk  
Drive



The purpose of this drawing is to locate, describe, and represent the positions of buildings and substantial improvements affecting the property shown hereon, being known as:

Lot 3,  
THE CLUSTERS  
recorded among the land records of Baltimore County, Maryland in  
Plat Book 77, Plat 134

PREPARED FOR:

**Lakeside**  
TITLE COMPANY

This is page one of a two page document. The advice found on the affixed page is an integral part of this drawing, and is not valid without all pages.



James Carl Hudgins  
Property Line Surveyor #96  
Expiration Date: 3/11/14

**LOCATION DRAWING**  
1816 Morning Walk Drive  
1st ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND

**NTT Associates, Inc.**

16205 Old Frederick Rd.  
Mt. Airy, Maryland 21771  
Phone: (410) 442-2031  
Fax: (410) 442-1315  
www.nttsurveyors.com

Scale: 1"= 30'  
Date: 4-28-14  
Field By: DR  
Drawn By: DR  
File No.: LMD13304  
Page No.: 1 of 2

### GENERAL NOTES:

- 1) The accuracy of the distances shown from any structure to any apparent property line is  $2' \pm$ .
- 2) This drawing does not represent a Boundary Survey. Any property markers labeled hereon are not guaranteed by NTT Associates, Inc.
- 3) This plat is of benefit to a consumer only insofar as it is required by a lender, a title insurance company or its agent in connection with contemplated transfer, financing, or refinancing.
- 4) This plat does not provide for the accurate identification of property boundary lines, but such identification may not be required, for the transfer of title or securing financing or refinancing.
- 5) This plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.
- 6) Unless noted on the drawing, no title report was provided. This drawing was prepared by examining the current title deed or record plat. Any easements, restrictions, rights of way, or any other property alterations not referred to in the current title deed may not be shown.
- 7) Unless otherwise noted, the bearings and north arrow shown hereon are in the meridian of the current title deed or record plat.
- 8) Building Restriction Line Information, if shown, was obtained from existing records only and is not guaranteed by NTT Associates, Inc.
- 9) Flood Zone Information shown on FIRM maps is subject to interpretation.
- 10) Improvements which in the surveyor's opinion appear to be in a state of disrepair or considered "temporary" may not be shown.
- 11) If it appears encroachments may exist, a Boundary Survey is recommended to determine the exact location of the property boundary lines and improvements.
- 12) The locations of fence lines, if shown, are approximate.

### APPARENT ENCROACHMENT NOTES:

- 1) House appears to lie over the F.C.R. (Forest Conservation Reservation) Setback Line as shown.
- 2) Covered Screen Deck appears to overhang F.C.R. (Forest Conservation Reservation) Setback Line and the Drainage and Utility Easement as shown.

### JOB SPECIFIC NOTES:

This is to certify that I either personally prepared or was in responsible charge over the preparation of this drawing and the surveying work reflected in it, all set forth in Regulation .12 of Chapter 09.13.06 of the Code of Maryland Annotated Regulations.

0' 30' 60' 90'



1816 Morning Walk Drive  
Catonsville, MARYLAND 21228

### PRINTING INSTRUCTIONS:

- 1) With the drawing open in Adobe Reader, select "Print..." in the "File" menu
- 2) Select the desired printer
- 3) Choose the "All" option under "Pages to Print"
- 4) Choose the "Actual size" option under "Page Sizing & Handling"
- 5) To print in COLOR click "Print", for BLACK & WHITE continue to step 6
- 6) Click the "Properties" button
- 7) Choose the "Imaging" tab
- 8) Check the "Print text as black" & "Print graphics as black" boxes (this will remain the default until unchecked)
- 9) Click "OK"
- 10) Click "Print"

### SURVEYOR LEGEND:

|                            |  |                             |  |
|----------------------------|--|-----------------------------|--|
| Property Lines:            |  | Fence Line (Metal, Wire):   |  |
| Buildings:                 |  | Fence Line (Wood, Plastic): |  |
| Improvements:              |  | Right of Way:               |  |
| Building Restriction Line: |  | 100 Year Flood Plain:       |  |
| Easement Lines:            |  | Forest Conservation:        |  |
| Easement Lines:            |  | Septic Reserve Areas:       |  |
| Old Lot Lines:             |  | Overhangs:                  |  |

### **NTT Associates, Inc.**

16205 Old Frederick Rd.  
Mt. Airy, Maryland 21771  
Phone: (410) 442-2031  
Fax: (410) 442-1315  
www.nttsurveyors.com

Subject property is shown in Zone X  
on the FIRM Map of Baltimore County,  
Maryland on Community Panel Number  
240010 0370 F, Effective 9/26/2008

Drawing # LMD13304

Page No.: 2 of 2



# BALTIMORE COUNTY, MARYLAND

## DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

*Timothy Kotroco*

TIMOTHY M. KOTROCO, Director



*Donald E. Brand*

DONALD E. BRAND, Buildings Engineer

### BUILDING PERMIT

PERMIT #: B703216 CONTROL #: MR DIST: 01 PREC: 01  
DATE ISSUED: 09/10/2008 TAX ACCOUNT #: 2400009559 CLASS: 04

PLANS: CONST 00 PLOT 2 R PLAT 0 DATA 0 ELEC YES PLUM NO  
LOCATION: 1816 MORNING WALK DR  
SUBDIVISION: THE CLUSTERS

#### OWNERS INFORMATION

NAME: ROBERTS RICH & KAREN  
ADDR: 1816 MORNING WALK DR, BALTIMORE MD 21228

#### TENANT:

CONTR: LONG FENCE

ENGR: 0

SELLR:

WORK: CONST A SCREENED PORCH W/STEPS TO GRADE ON REAR  
OF SFD.22'X16'=352SF.OPEN PROJECTION

#### BLDG. CODE:

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD & ADDN  
EXISTING USE: SFD

#### TYPE OF IMPRV: ADDITION

USE: ONE FAMILY

FOUNDATION:

SEWAGE: PUBLIC EXIST

BASEMENT:

WATER: PUBLIC EXIST

#### LOT SIZE AND SETBACKS

SIZE: 10493SF

FRONT STREET:

SIDE STREET:

FRONT SETB: NC

SIDE SETB: NC

SIDE STR SETB:

REAR SETB: 30'

*086R1725*

**PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.**

Case No.: 2014-280-A

Exhibit Sheet

Petitioner/Developer

DW  
a-26-14

Protestants

SN  
8-21-14

|        |      |  |
|--------|------|--|
| 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 |      |  |

## MEMORANDUM

DATE: September 26, 2014  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2014-0280-A - Appeal Period Expired

---

The appeal period for the above-referenced case expired on September 24, 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

Sherry Nuffer - RE: 2014-0280-A

---

**From:** Tom Meachum <tmm@carneykelehan.com>  
**To:** Sherry Nuffer <snuffer@baltimorecountymd.gov>  
**Date:** 8/22/2014 3:06 PM  
**Subject:** RE: 2014-0280-A  
**Attachments:** ~WRD000.jpg; image001.jpg; image002.jpg

---

Sherry

I noticed one thing in the decision I didn't notice before. We asked for a new setback of 16' for this screened porch only. The decision granted us a variance of 16.5'. I wasn't sure where this came from until I looked at the ad and saw 16.5. I don't know where that came from. I asked my civil engineer if the 6'" would make a difference, and he says it depends on the surveyor. Is it possible to amend the decision to what we requested, 16'? Would you mind asking the Judge about this? Sorry to be bringing this up. I would just hate for this to be a problem for some future owner.

Thanks

Tom

**Carney, Kelehan  
Bresler, Bennett  
& Scherr LLP**

ATTORNEYS AT LAW

**Thomas M. Meachum, Esq.**

10715 Charter Drive, Suite 200

Columbia, MD 21044

Voice (410) 740-4600 x206

Fax (410) 730-7729

Please respond to:

tmm@carneykelehan.com

---

**From:** Sherry Nuffer: [snuffer@baltimorecountymd.gov]

**Sent:** Friday, August 22, 2014 2:30 PM  
**To:** Tom Meachum  
**Subject:** RE: 2014-0280-A

Thank you. You have a nice weekend as well.

Sherry Nuffer  
Legal Assistant  
Office of Administrative Hearings  
105 W. Chesapeake Avenue  
Room 103  
Towson, Maryland 21204  
410-887-3868  
Fax: 410-877-3468

>>> Tom Meachum <tmm@carneykelehan.com> 8/22/2014 1:12 PM >>>

Sherry

Thank you for your assistance, and please express our appreciation once again to Judge Beverungen.

Have a nice weekend.

Regards

Tom

Carney, Kelehan  
Bresler, Bennett  
& Scherr LLP

ATTORNEYS AT LAW

Thomas M. Meachum, Esq.  
10715 Charter Drive, Suite 200  
Columbia, MD 21044  
Voice (410) 740-4600 x206  
Fax (410) 730-7729  
Please respond to:  
tmm@carneykelehan.com

---

From: Sherry Nuffer [[snuffer@baltimorecountymd.gov](mailto:snuffer@baltimorecountymd.gov)]  
Sent: Thursday, August 21, 2014 12:09 PM  
To: Tom Meachum

Subject: 2014-0280-A

Mr. Meachum:

Per Judge Beverungen attached please find the Opinion and Order in the above referenced case.

Sincerely,

Sherry

Sherry Nuffer  
Legal Assistant  
Office of Administrative Hearings  
105 W. Chesapeake Avenue  
Room 103  
Towson, Maryland 21204  
410-887-3868  
Fax: 410-877-3468

CONNECT WITH BALTIMORE COUNTY

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

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

CASE NAME 1816 Morning Walk  
CASE NUMBER 2014-2801A  
DATE August 21, 2014 (P. 15)

[illegible]

CASE NO. 2014-

0280-A

CHECKLISTComment  
ReceivedDepartmentSupport/Oppose/  
Conditions/  
Comments/  
No Comment

7/8/14

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

C

DEPS

(if not received, date e-mail sent \_\_\_\_\_)

FIRE DEPARTMENT

7/17/14

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

N/C

6/30/14

STATE HIGHWAY ADMINISTRATION

NO Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. \_\_\_\_\_)

PRIOR ZONING

(Case No. \_\_\_\_\_)

NEWSPAPER ADVERTISEMENT

Date:

7/31/14

SIGN POSTING

Date:

8/1/14

by

Hoffman

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: \_\_\_\_\_

## Real Property Data Search ( w1)

## Guide to searching the database

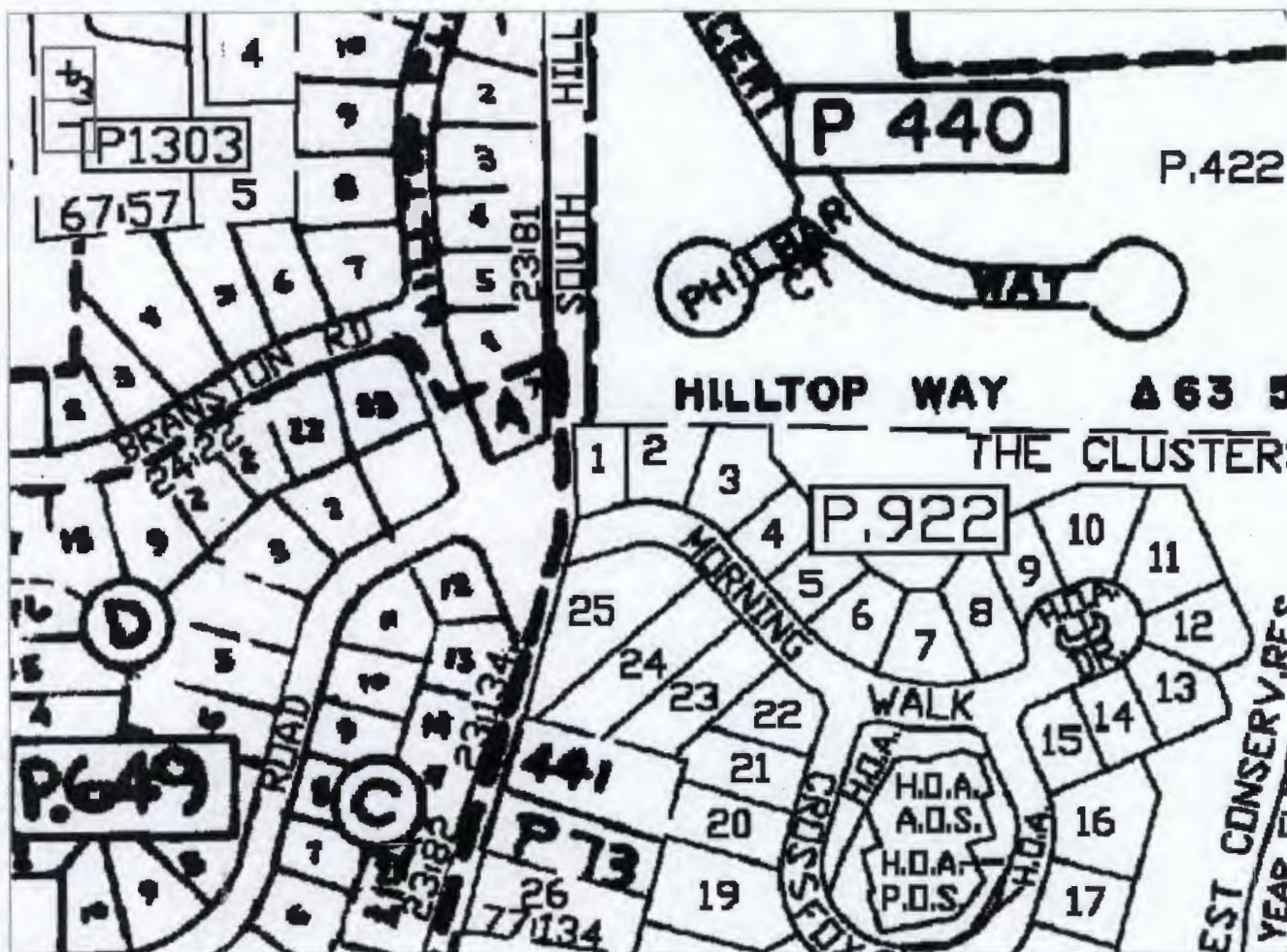
## Search Result for BALTIMORE COUNTY

| View Map                                                             | View GroundRent Redemption                      | View GroundRent Registration                                                    |
|----------------------------------------------------------------------|-------------------------------------------------|---------------------------------------------------------------------------------|
| <b>Account Identifier:</b> District - 01 Account Number - 2400009659 |                                                 |                                                                                 |
| <b>Owner Information</b>                                             |                                                 |                                                                                 |
| <b>Owner Name:</b>                                                   | ROBERTS RICHARD L<br>ROBERTS KAREN S            | <b>Use:</b> RESIDENTIAL<br><b>Principal Residence:</b> YES                      |
| <b>Mailing Address:</b>                                              | 1816 MORNING WALK DR<br>BALTIMORE MD 21228-5672 | <b>Deed Reference:</b> /27039/ 00511                                            |
| <b>Location &amp; Structure Information</b>                          |                                                 |                                                                                 |
| <b>Premises Address:</b>                                             | 1816 MORNING WALK DR<br>0-0000                  | <b>Legal Description:</b> .2409AC<br>1816 MORNING WALK DR<br>NS<br>THE CLUSTERS |
| <b>Map:</b>                                                          | <b>Grid:</b>                                    | <b>Parcel:</b>                                                                  |
| 0100                                                                 | 0017                                            | 0992                                                                            |
| <b>Sub District:</b>                                                 | <b>Subdivision:</b>                             | <b>Section:</b>                                                                 |
|                                                                      | 0000                                            |                                                                                 |
| <b>Block:</b>                                                        | <b>Lot:</b>                                     | <b>Assessment Year:</b>                                                         |
|                                                                      | 3                                               | 2013                                                                            |
| <b>Plat No:</b>                                                      | <b>Plat Ref:</b>                                | <b>0077/0134</b>                                                                |
| <b>Special Tax Areas:</b>                                            | <b>Town:</b>                                    | <b>NONE</b>                                                                     |
| <b>Ad Valorem:</b>                                                   | <b>Tax Class:</b>                               |                                                                                 |
| <b>Primary Structure Built</b>                                       | <b>Above Grade Enclosed Area</b>                | <b>Finished Basement Area</b>                                                   |
| 2007                                                                 | 3,044 SF                                        |                                                                                 |
| <b>Property Land Area</b>                                            | <b>County Use</b>                               |                                                                                 |
| 10,493 SF                                                            | 04                                              |                                                                                 |
| <b>Stories</b>                                                       | <b>Basement</b>                                 | <b>Type</b>                                                                     |
| 2.000000                                                             | YES                                             | STANDARD UNIT                                                                   |
| <b>Exterior SIDING</b>                                               | <b>Full/Half Bath</b>                           | <b>Garage</b>                                                                   |
|                                                                      | 3 full/ 1 half                                  | 2 Attached                                                                      |
| <b>Last Major Renovation</b>                                         |                                                 |                                                                                 |
|                                                                      |                                                 |                                                                                 |
| <b>Value Information</b>                                             |                                                 |                                                                                 |
| <b>Base Value</b>                                                    | <b>Value As of 01/01/2013</b>                   | <b>Phase-in Assessments As of 07/01/2014</b>                                    |
|                                                                      |                                                 | <b>As of 07/01/2015</b>                                                         |
| <b>Land:</b>                                                         | 186,100                                         | 140,100                                                                         |
| <b>Improvements</b>                                                  | 291,100                                         | 338,300                                                                         |
| <b>Total:</b>                                                        | 477,200                                         | 478,400                                                                         |
| <b>Preferential Land:</b>                                            | 0                                               | 478,000                                                                         |
|                                                                      |                                                 | 478,400                                                                         |
|                                                                      |                                                 | 0                                                                               |
| <b>Transfer Information</b>                                          |                                                 |                                                                                 |
| <b>Seller:</b> HILLTOP CLUSTERS LLC                                  | <b>Date:</b> 05/30/2008                         | <b>Price:</b> \$600,845                                                         |
| <b>Type:</b> NON-ARMS LENGTH OTHER                                   | <b>Deed1:</b> /27039/ 00511                     | <b>Deed2:</b>                                                                   |
| <b>Seller:</b> FARLEY FRANCIS W FARLEY                               | <b>Date:</b> 05/11/2005                         | <b>Price:</b> \$0                                                               |
| <b>Type:</b> NON-ARMS LENGTH OTHER                                   | <b>Deed1:</b> /21850/ 00246                     | <b>Deed2:</b>                                                                   |
| <b>Seller:</b>                                                       | <b>Date:</b>                                    | <b>Price:</b>                                                                   |
| <b>Type:</b>                                                         | <b>Deed1:</b>                                   | <b>Deed2:</b>                                                                   |
| <b>Exemption Information</b>                                         |                                                 |                                                                                 |
| <b>Partial Exempt Assessments:</b>                                   | <b>Class</b>                                    | <b>07/01/2014</b>                                                               |
| <b>County:</b>                                                       | 000                                             | 0.00                                                                            |
| <b>State:</b>                                                        | 000                                             | 0.00                                                                            |
| <b>Municipal:</b>                                                    | 000                                             | 0.00 0.00                                                                       |
| <b>Tax Exempt:</b>                                                   |                                                 | 0.00 0.00                                                                       |
| <b>Exempt Class:</b>                                                 | <b>Special Tax Recapture:</b>                   |                                                                                 |
|                                                                      | NONE                                            |                                                                                 |
| <b>Homestead Application Information</b>                             |                                                 |                                                                                 |
| <b>Homestead Application Status:</b> Approved 06/24/2008             |                                                 |                                                                                 |

Baltimore County

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

District: 01 Account Number: 2400009559



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) (<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://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



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

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

-->



KEVIN KAMENETZ  
County Executive

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

August 14, 2014

Richard L & Karen S Roberts  
7694 Dorchester Boulevard #814  
Hanover MD 21076

RE: Case Number: 2014-0280 A, Address: 1816 Morning Walk Drive

Dear Mr. & Ms. Roberts:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 24, 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  
Thomas M. Meachum, Esquire, 10715 Charter Drive, #200, Columbia MD 21044

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



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

Date: 6/30/14

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

RE: Baltimore County  
Item No 2014-0280-A  
Variance  
Richard L. & Karen S. Roberts  
1816 Morning Walk Drive.

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. 2014-0280-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](http://www.roads.maryland.gov)

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** July 17, 2014

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

RECEIVED

JUL 17 2014

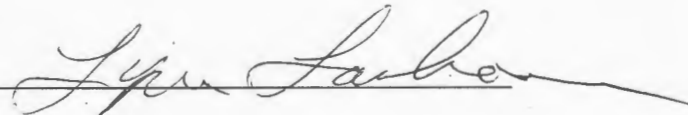
**SUBJECT:** Zoning Advisory Petition(s) for  
Item No: 2014-225, 2014-280 and 2014-287

OFFICE OF ADMINISTRATIVE HEARINGS

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

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

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

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For July 07, 2014  
Item No. 2014-0280

**DATE:** July 08, 2014

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comments.

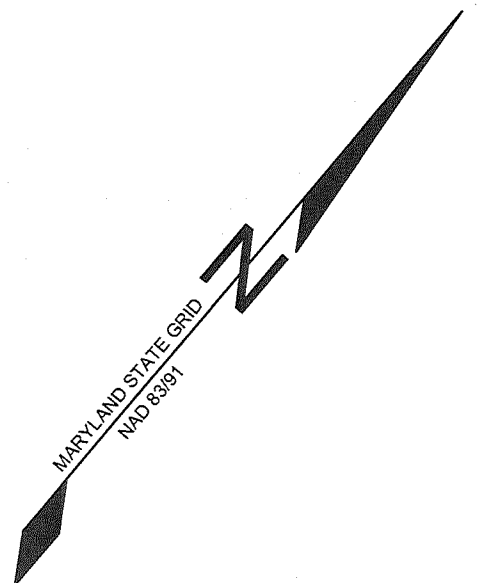
The deck encroaches 4 feet into a county drainage and utility easement. The easement language states that no permanent structure may be built in the easement. The deck is a permanent structure; however, upon further review, there are no plans to use the easement, so the deck may remain. If the County ever needs to use the easement for any purpose listed in the recorded easement, the encroaching portion of the deck will be removed and will not be allowed to be rebuilt. By including this comment in the order, it will then run with the property and all sellers of the property are bound to disclose this to any prospective buyers.

\* \* \* \* \*

DAK:CEN  
cc:file



SOUTH HILLTOP ROAD  
PUBLIC ROAD  
50' R/W



MORNING WALK DRIVE  
PUBLIC ROAD  
50' R/W, 31' PAVING

LOT 1  
THE CLUSTERS

LOT 2  
THE CLUSTERS

LOT 3  
0.2409 ACRES±

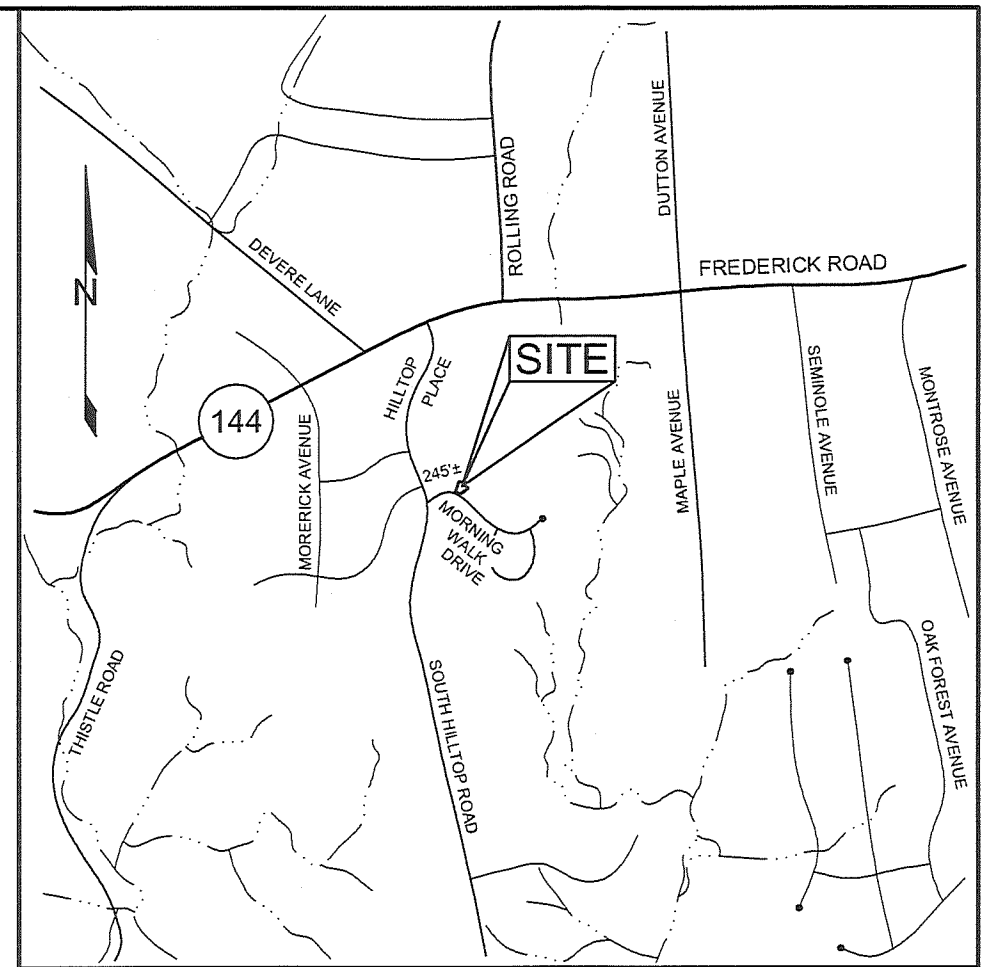
#1816  
2 STORY  
STONE & FRAME  
DWELLING

LOT 4  
THE CLUSTERS

PLAN VIEW  
SCALE: 1"=20'

#### LEGEND

|                                 |       |
|---------------------------------|-------|
| EXISTING CONTOUR                | 382.3 |
| EXISTING SPOT ELEVATION         | 382   |
| DIRECTION OF FLOW               |       |
| EXISTING TREELINE               |       |
| EXISTING STORM DRAIN            |       |
| EXISTING WATER HOUSE CONNECTION | WHC   |
| EXISTING SEWER HOUSE CONNECTION | SHC   |



VICINITY MAP  
SCALE: 1"=2000'

#### GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS BASED ON RECORD PLAT BOOK #77 PAGE #134
2. THE TOPOGRAPHY SHOWN HEREON IS BASED ON BALTIMORE COUNTY INFORMATION TAKEN FROM THE MY NEIGHBORHOOD WEBSITE.
3. USE: RESIDENTIAL
4. BUILDING HEIGHT: 28±
5. COVERED SCREEN DECK HEIGHT: 15±
6. ZONING MAP: 100C2
7. SITE ZONED: DR-2
8. ELECTION DISTRICT: 1ST
9. COUNCIL DISTRICT: 1
10. LOT AREA, ACREAGE: 0.2409±
11. LOT AREA SQUARE FEET: 10,493±
12. HISTORIC: NO
13. IN CBGA: NO
14. IN FLOODPLAIN: NO
15. UTILITIES:
  - WATER IS: PUBLIC
  - SEWER IS: PUBLIC
16. PRIOR HEARING: NO

#### PROPERTY REFERENCES

1. ADDRESS: 1816 MORNING WALK DRIVE, BALTIMORE, MD 21228
2. OWNERS NAMES: KAREN S. AND RICHARD L. ROBERTS
3. SUBDIVISION NAME: THE CLUSTERS
4. LOT NUMBER: 3
5. BLOCK NUMBER: N/A
6. SECTION NUMBER: N/A
7. PLAT BOOK 77 FOLIO 134
8. 10 DIGIT TAX NUMBER: 2400009559
9. DEED REFERENCE: LIBER 27039 FOLIO 511

#### OWNER/PETITIONER

RICHARD AND KAREN ROBERTS  
1816 MORNING WALK DRIVE  
BALTIMORE, MARYLAND 21228

Ex. 1

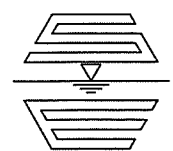
#### ZONING HEARING PLAN FOR VARIANCE

1816 MORNING WALK DRIVE

LOT 3

TAX MAP 100 GRID 17  
1ST ELECTION DISTRICT

PARCEL 992  
BALTIMORE COUNTY, MARYLAND



**SILL  
ENGINEERING  
GROUP, LLC**

3300 North Ridge Road, Suite 160  
Ellicott City, Maryland 21043  
Phone: 443.325.7682  
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SHEET #: 1 of 1

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 32025, EXPIRATION DATE: JUNE 20, 2015.