

IN RE: PETITION FOR VARIANCE
(1 Belle Grove Road)
1st Election District
1st Councilmanic District
Michael Blue & Amanda Setser
Petitioners

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2015-0060-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed by the legal owners, Michael Blue and Amanda Setser, for property located at 1 Belle Grove Road. The Petitioners are requesting variance relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed detached accessory structure (garage) to have a height of 25.75 ft. in lieu of the maximum allowed 15 ft.

A hearing was held on Friday, November 7, 2014 at 11:00 AM in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. Michael Blue attended in support of the request, and David and Yvette Ridenour, the next door neighbors, attended and opposed the Petition. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. There were no substantive Zoning Advisory Committee (ZAC) comments received.

Testimony and evidence revealed that the subject property is approximately 0.56 acres and is zoned DR 3.5. Petitioners would like to construct a garage in their yard, with a height of 25.75 feet. To do so requires variance relief.

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

ORDER RECEIVED FOR FILING
Date 11/14/14
By Sen

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

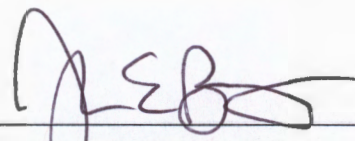
Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

Petitioners have not met this test. No evidence or argument was presented at the hearing concerning whether or not the subject property is unique. This is an indispensable element in a variance case, and Maryland law provides that variances should be rarely granted.

While in many cases variances are granted if the petition is unopposed (assuming the relief requested would not have a detrimental impact upon the community), in this case the Paradise Community Association opposes the request (Protestants' Exhibit 1) and a petition in opposition was submitted by thirteen (13) neighbors (Protestants' Exhibit 3). The Ridenours expressed concern with the size of the proposed structure, which they said would be like having a second dwelling on the lot. Given the lack of evidence concerning the uniqueness of the subject property, and the potential impact upon the community, the petition will be denied.

THEREFORE, IT IS ORDERED, this 14th day of November, 2014 by the Administrative Law Judge for Baltimore County, that the Petition for Variance from B.C.Z.R. Section 400.3 to permit a proposed detached accessory structure (garage) to have a height of 25.75 ft. in lieu of the maximum allowed 15 ft., be and is hereby DENIED.

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:sln

ORDER RECEIVED FOR FILING

Date

11/18/14

By

sln



KEVIN KAMENETZ
County Executive

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

November 13, 2014

Michael Blue & Amanda Setser
1 S. Belle Grove Road
Catonsville, Maryland 21228

RE: Petition for Variance
Property: 1 S. Belle Grove Road
Case No. 2015-0060-A

Dear Petitioners:

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 of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

c: David & Yvette Ridenour, 3 S. Belle Grove Road
Catonsville, Maryland 21228



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 Hearings for Baltimore County for the property located at:

Address 1 South Belle Grove Road Catonsville, MD 21228 Currently zoned DR 3.5
Deed Reference 30 771 / 00303 10 Digit Tax Account # 0116751190
Owner(s) Printed Name(s) MICHAEL D BLUE AMANDA L SETSER

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

For Administrative Variances, the **Affidavit** on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. **X** **ADMINISTRATIVE VARIANCE** from Section(s) 400.3 - to permit a proposed detached accessory structure (garage) to have a height of 25.75 feet in lieu of the maximum allowed 15 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 Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

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

Owner(s)/Petitioner(s):

MICHAEL BLUE / AMANDA SETSER
Name #1 – Type or Print Name #2 – Type or Print

[Signature] / [Signature]
Signature #1 Signature #2

1 South Belle Grove Rd / Catonsville / MD
Mailing Address City State

21228 / 4436188595 / mikedblue@gmail.com
Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING

Date 11/18/14

By [Signature]

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

MICHAEL BLUE
Name – Type or Print

[Signature]
Signature

SEE ABOVE / SEE ABOVE / SEE ABOVE
Mailing Address City State

Zip Code Telephone # Email Address

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

Administrative Law Judge for Baltimore County

CASE NUMBER 2015-0060-A Filing Date 9/18/14 Estimated Posting Date 9/20/14 Reviewer [Signature]

Affidavit in Support of Administrative Variance
(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

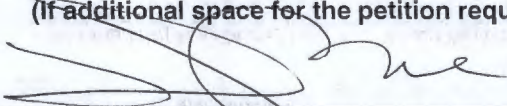
The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 1 South Belle Grove Rd. Catonsville MD 21228
Print or Type Address of property City State Zip Code

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

Please see attached sheet

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


Signature of Owner (Affiant)

MICHAEL D. BLUE
Name- Print or Type


Signature of Owner (Affiant)

AMANDA L. SETSER
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:

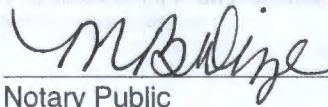
I HEREBY CERTIFY, this 12 day of SEPTEMBER 2014 before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here:

MICHAEL D. BLUE, AMANDA L. SETSER

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal


Notary Public

MARY BLAIR DIZE
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND

My Commission Expires

My Commission Expires April 26, 2015

Additional info

Accessory Structures:

Accessory structures (Sheds, garages, etc) requirements:

- Must be located in the rear yard behind the rear foundation wall line: OK
- Must occupy no more than 40 percent of the yard: $1200/24716 = 4.85\%$ OK
- Must be located two and a half feet from the side and rear property lines: OK
- If there is an alley, there must be a minimum setback of 15 feet from the centerline: N/A
- There is a height limitation of 15 feet: Requesting Administrative Variance for height
- If located on a corner lot, the structure must be situated in the half of the lot furthest from the side street: N/A
- If it is larger than 400 square feet, it requires frost-line footings: OK

Other Notes:

House finished area square footage (including basement): 3243 sq ft

Approximate footprint of current primary residence: 46.5ft x 58ft

Hardship:

I would like the ability to have a vehicle lift in my garage to alleviate back pain during and after maintaining our three vehicles. To match the roof slope and style of our house and neighboring houses, we need additional height than the currently allowed 15 feet. We request a variance on structure height to the online plan that we found of 25'9". We own and use all 3 vehicles and we do all of the routine maintenance work for each one. Additionally, we have many hobbies other than automotive maintenance such as woodworking, concrete, and home improvement. Many of the tools used for these hobbies take up more space than we currently have available to us. Many of the tools are currently in our basement, living areas and have completely filled our small shed. Also, we have several (over 20) totes of general items stored as well as swimming pool items that are currently taking up needed space.

Item #0060

ZONING PROPERTY DESCRIPTION FOR 1 SOUTH BELLE GROVE ROAD

Beginning at a point on the east side of Belle Grove Road which is 40 ft wide at the distance of 650 ft south of the centerline of Frederick Road which is 40 ft wide. This point, recorded among the Land Records of Baltimore County Liber WPC No. 448, folio 205 and running thence from said place of beginning along the East side of Belle Grove Road, North 5 degrees, 34 minutes, West 139.69 feet to an iron pipe; thence still binding on Belle Grove Road by a curve to the right with a radius of 59.42 feet Northeasterly for a distance of 46.05 feet to the end of said curve and then still binding on Belle Grove Road, North 38 degrees, 50 minutes, East 56 feet, thence leaving said road and running South 20 degrees, 25 minutes, East 42.67 feet; thence South 74 degrees, 21 minutes East 96.52 feet; thence South 9 degrees, 59 minutes, West 152.79 feet to a stake; thence South 85 degrees, 21 minutes, West 115.81 ft to the place of beginning. Containing 0.5674 Acres of land.

1st Election District

1st Councilmanic District

Item #0060

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

No. **116262**

Date: **9/18/14**

PAID RECEIPT

BUSINESS ACTUAL TIME DRN
 9/18/2014 9/18/2014 11:42:57 3

REG WS05 WALKIN RDOS LRD
 >> RECEIPT # 762383 9/18/2014 OFLH
 Date 5 528 ZONING VERIFICATION
 CE NO. 116262

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
0011	306	0000	4	6150				275.00

Recpt Tot \$75.00
 1.00 CR \$100.00 CA
 \$25.00 CB
 Baltimore County, Maryland

Total: **275.00**

Rec From:

For:

zoning hearing - case # 2015-0060-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.

For Newspaper Advertising:

Item Number or Case Number: 2015-0060-A
Petitioner: Michael Blue
Address or Location: 1 South Belle Grove Road Catonsville, MD 21228

PLEASE FORWARD ADVERTISING BILL TO:

Name: Michael Blue
Address: 1 South Belle Grove Rd
Catonsville, MD 21228
Telephone Number: 443-618-8595

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2015- 0060 -A Address 1 South Belle Grove Rd

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

Filing Date: 9/18/14 Posting Date: 9/28/14 Closing Date: 10/13/14

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

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

(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2015- 0060 -A Address 1 South Belle Grove Rd

Petitioner's Name M Blue Telephone 443 618 8595

Posting Date: 9/28/14 Closing Date: 10/13/14

Wording for Sign: to permit a proposed detached accessory structure
(garage) to have a height of 25.75 feet in lieu of the
maximum allowed 15 feet

Revised 7/18/14

CERTIFICATE OF POSTING

Date: 9-28-14

RE: Case Number: 2015-0060 A

Petitioner/Developer: Mike Blue

Date of Hearing/Closing: 10-13-14

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 1 S. Belle Grove Rd

The signs(s) were posted on 9-28-14
(Month, Day, Year)

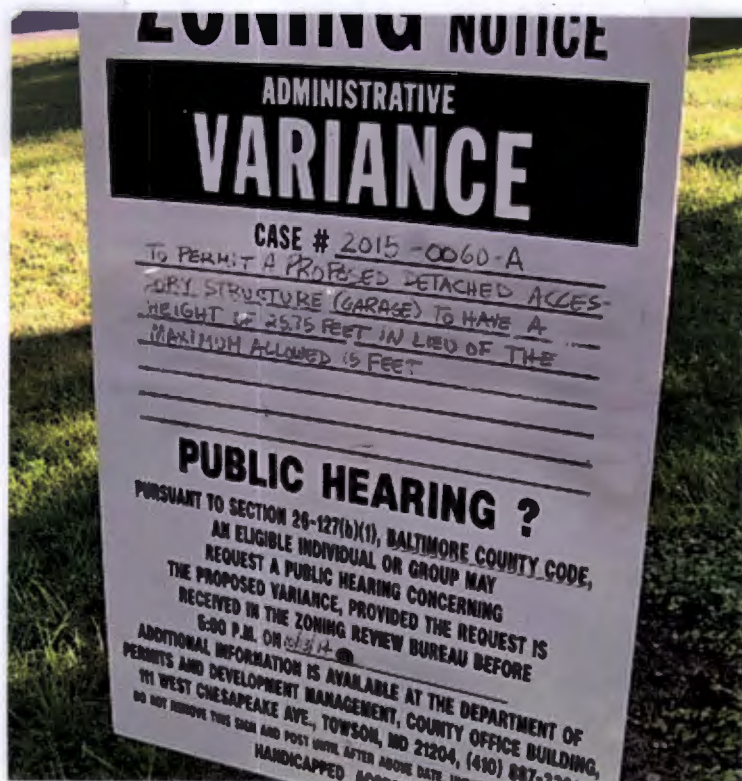
J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)





receipt # 117565

FORMAL DEMAND FOR HEARING

CASE NUMBER: 2015-0060-A

Address: 1 S BELLE GROVE ROAD

Petitioner(s): MIKE BELL

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We DAVID + YVETTE RIDENOUR
Name - Type or Print

(☒) Legal Owner OR (☐) Resident of
3 S BELLE GROVE
Address

CATONSVILLE MD 21228
City State Zip Code

410-744-5751
Telephone Number

which is located approximately 20 feet from the
property, which is the subject of the above petition, **do hereby**
formally demand that a public hearing be set in this matter.
ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS
DEMAND.

David A. Ridenour 10/2/14
Signature Date

CERTIFICATE OF POSTING

Date: 10-19-14

RE: Case Number: 2015-0060-A

Petitioner/Developer: Mike Blue

Date of Hearing/Closing: Nov 7, 2015 11AM

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 1 S. Belle Grove Rd

The sign(s) were posted on 10/18/14
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)





THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

October 16, 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 October 16, 2014

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

NOTICE OF ZONING HEARING

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

Case: #2015-0060-A

1 South Belle Grove Road
E/s South Belle Grove Rd., 411.32 ft. south of centerline of Frederick Road

1st Election District - 1st Councilmanic District
Legal Owner(s): Michael Blue & Amanda Setser

Variance: to permit a proposed detached accessory structure (garage) to have a height of 25.75 ft. in lieu of the maximum allowed 15 ft.

Hearing: Friday, November 7, 2104 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

10/316 October 16

997790

TO: PATUXENT PUBLISHING COMPANY
Thursday, October 16, 2014 Issue - Jeffersonian

Please forward billing to:

Michael Blue
1 South Belle Grove Road
Catonsville, MD 21228

443-618-8595

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2015-0060-A

1 South Belle Grove Road

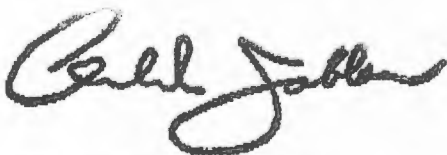
E/s South Belle Grove Rd., 411.32ft. south of centerline of Frederick Road

1st Election District – 1st Councilmanic District

Legal Owners: Michael Blue & Amanda Setser

Variance to permit a proposed detached accessory structure (garage) to have a height of 25.75 ft. in lieu of the maximum allowed 15 ft.

Hearing: Friday, November 7, 2014 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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



KEVIN KAMENETZ
County Executive

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

October 30, 2014

Michael Blue & Amanda Setser
1 South Belle Grove Road
Catonsville MD 21228

RE: Case Number: 2015-0060 A, Address: 1 South Belle Grove Road

Dear Mr. Blue & Ms. Setser:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 18, 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: jaw

Enclosures

c: People's Counsel

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



Maryland Department of Transportation

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

Date: 9/22/14

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

RE: Baltimore County
Item No 2015-0060-A.
Administrative Variance
Michael Blue & Amanda Setser
1 Belle Grove Road South

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. 2015-0060-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, =

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

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

SDF/raz

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

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: September 26, 2014

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

SUBJECT: Zoning Advisory Committee Meeting
For September 29, 2014
Item No. 2015-0054, 0055 and 0060

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

DAK:CEN
cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC09292014 -.doc

M E M O R A N D U M

DATE: December 16, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0060-A – Appeal Period Expired

The appeal period for the above-referenced case expired on December 15, 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

Real Property Data Search (w4)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration			
Account Identifier:		District - 01 Account Number - 0116751190							
Owner Information									
Owner Name:		SETSER AMANDA L BLUE MICHAEL DEWAYNE				Use: Principal Residence:		RESIDENTIAL YES	
Mailing Address:		1 S BELLE GROVE RD CATONSVILLE MD 21228-				Deed Reference:		/30771/ 00303	
Location & Structure Information									
Premises Address:		1 S BELLE GROVE RD 0-0000				Legal Description:		.5665 AC 1 S BELLE GROVE RD 425 S OF FREDERICK RD	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No: Plat Ref:
0101	0003	0154		0000				2013	
Special Tax Areas:					Town: Ad Valorem: Tax Class:		NONE		
Primary Structure Built 1940		Above Grade Enclosed Area 1,985 SF		Finished Basement Area 661 SF		Property Land Area 24,892 SF		County Use 04	
Stories 1 1/2	Basement YES	Type STANDARD UNIT		Exterior SIDING	Full/Half Bath 3 full	Garage	Last Major Renovation		
Value Information									
		Base Value		Value As of 01/01/2013		Phase-in Assessments As of 07/01/2014 As of 07/01/2015			
Land:		114,700		87,700					
Improvements		154,700		164,800					
Total:		269,400		252,500		252,500		252,500	
Preferential Land:		0						0	
Transfer Information									
Seller: THE BANK OF NEW YORK MELLON TRUST				Date: 05/03/2011			Price: \$186,000		
Type: NON-ARMS LENGTH OTHER				Deed1: /30771/ 00303			Deed2:		
Seller: PHILLIPS PAMELA L				Date: 04/29/2010			Price: \$350,000		
Type: ARMS LENGTH IMPROVED				Deed1: /29418/ 00106			Deed2:		
Seller: AMERIQUEST FUNDING II REO LLC				Date: 01/19/2006			Price: \$337,371		
Type: ARMS LENGTH IMPROVED				Deed1: /23244/ 00026			Deed2:		
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2014		07/01/2015			
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00 0.00		0.00 0.00			
Tax Exempt:		Special Tax Recapture:							
Exempt Class:		NONE							
Homestead Application Information									
Homestead Application Status: No Application									

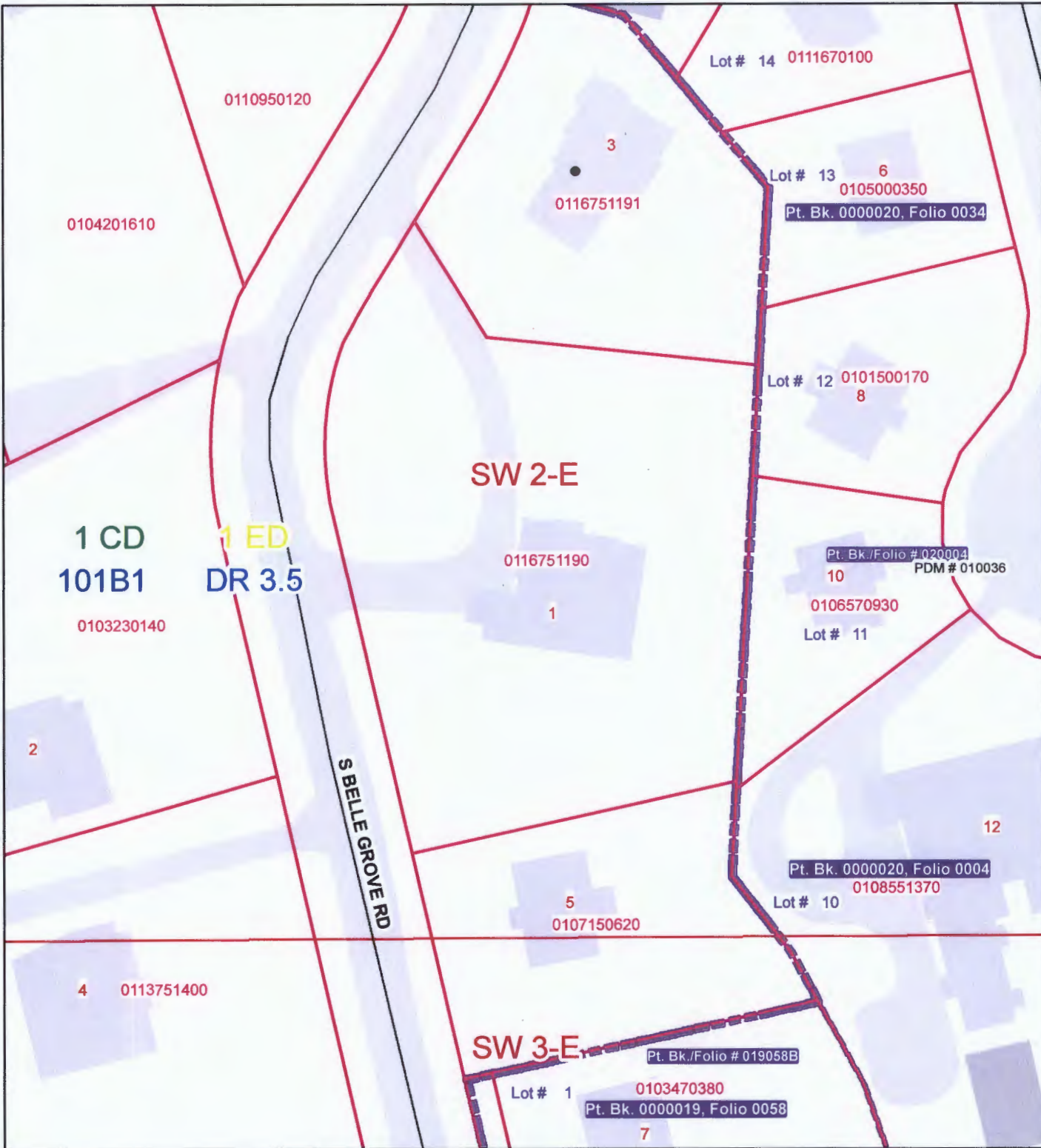
Hillview Dr



S Belle Grove Rd

S Belle Grove Rd

1 South Belle Grove Road



Publication Date: 9/18/2014



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



A horizontal scale bar with alternating black and white segments. Above the bar, numerical values are placed: 0, 12.5, 25, 50, 75, and 100. The word "Feet" is written at the right end of the bar.

1 inch = 50 feet

Item #0060

DATE 11/7/2014

CITIZENS
DATE
~~PETITIONER'S SIGN-IN SHEET~~

[illegible]

CASE NAME _____
CASE NUMBER 2015-0060-A
DATE 11/7/14

PETITIONERS
~~CITIZEN'S~~ SIGN - IN SHEET

ADDRESS

CITY, STATE, ZIP

E - MAIL

[illegible]

Case No.: 2015-0060-A

Exhibit Sheet

Petitioner/Developer

Protestants

slw
11-19-14

No. 1	Plan	Email dated 11-7-14 Paradise Community Assoc.
No. 2	Color photos	Emails sent 9/22/14 & 9/27/14
No. 3		Petition Signed by Neighbors
No. 4		Color photos of vicinity
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Neighbors' house just North of property



PETITIONER'S

EXHIBIT NO. 2

Item #0060

Site Images (labeled): standing in side yard looking from front to back,



(Red circle indicates approximate garage location.)

Same approximate angle, back ~50' near road, front looking back.



Item #0000

Case No.: 2015-0060-A

Exhibit Sheet

Petitioner/Developer

DW
12-16-14

Protestants

SLN
11-19-14

No. 1	Plan	Email dated 11-7-14 Paradise Community Assoc.
No. 2	Color photos	Emails sent 9/22/14 & 9/27/14
No. 3		Petition Signed by Neighbors
No. 4		Color photos of vicinity
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Sherry Nuffer

From: j.laughlin <j.laughlin@thelaughlingroup.com>
Sent: Friday, November 07, 2014 8:22 AM
To: June Wisnom
Subject: 1 S. Belle Grove - Zoning Variance Issue
Attachments: 1 S. Belle Grove Zoning Variance.pdf

Thanks again for talking with me this morning. This is a letter from the entire community against the approval of the Subject zoning variance. If you could confirm that it has made it into the file, it would be greatly appreciated. The hearing is scheduled for 11:00 today.

Have a wonderful weekend!

Jimmy Laughlin
240.344.7041
President, Paradise Community Association
Catonsville, Maryland

RECEIVED

NOV 07 2014

OFFICE OF ADMINISTRATIVE HEARINGS

PROTESTANT' S

EXHIBIT NO. 1

"To have enough space for all of our tools & vehicles as well as pool items, etc, we need two levels. The generic requirement in our zoning district for any shed/accessory structure is 15 feet so we're requesting to change that to 25.75 per the garage plan that we selected."

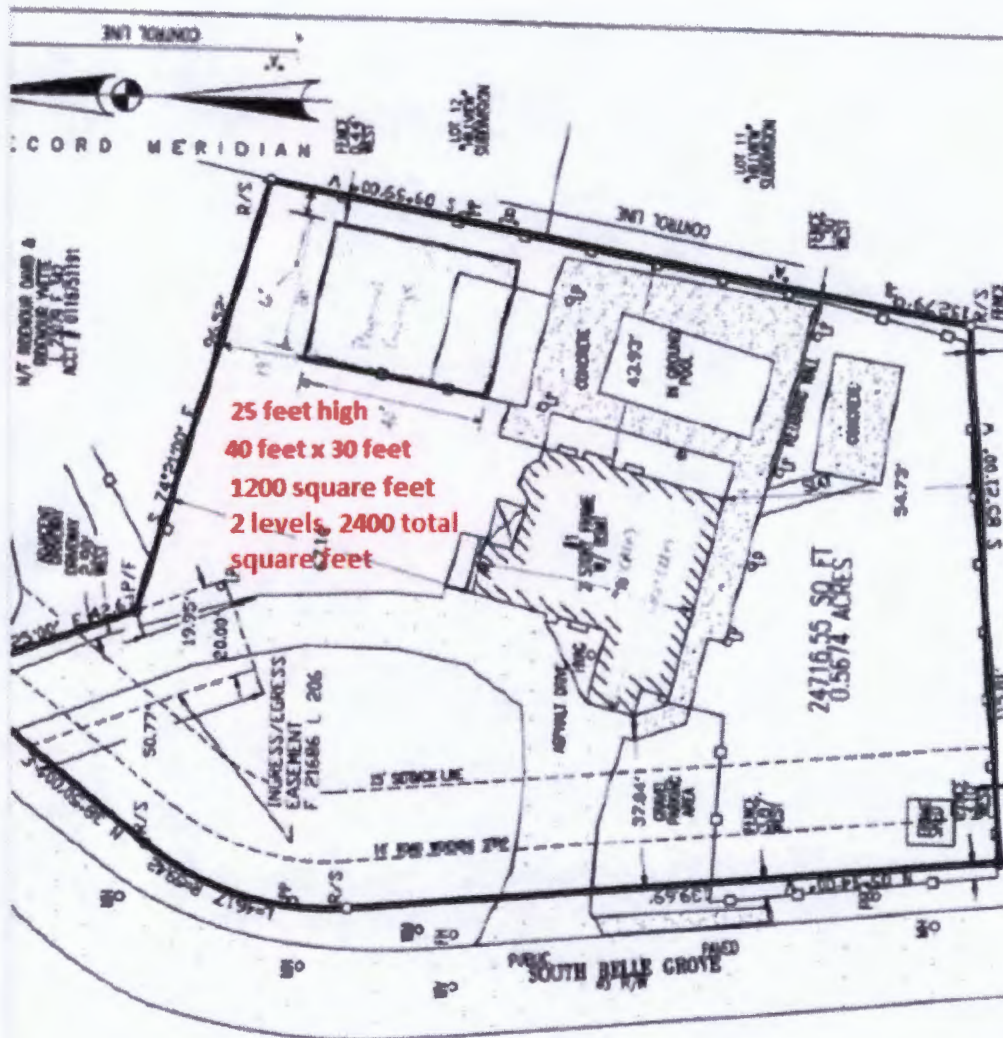


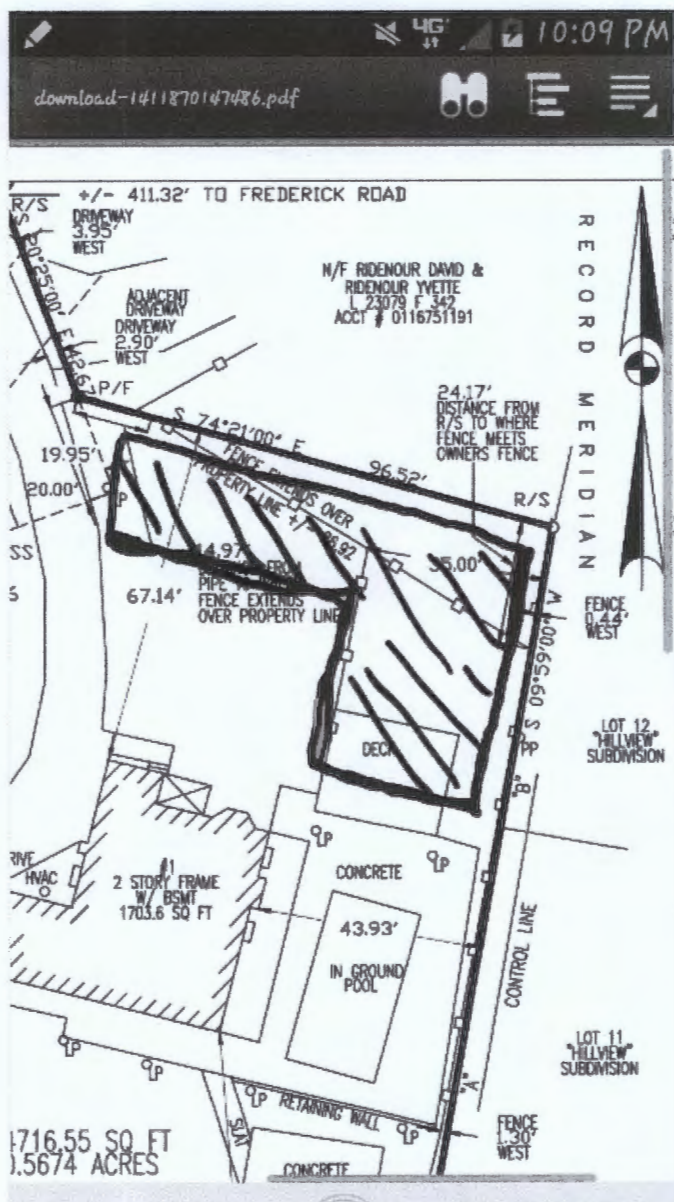
EXHIBIT NO.

2

Email sent 9/27/14

We have spent quite a bit of time finding a garage plan that matches the neighborhood (dormers, roof slope, etc) and that accommodates our needs with smallest footprint. If it is contested, we can build a structure has much larger footprint and is 15 ft tall. Attached is a sketch of another plan footprint that we would consider building if a hearing decides against the current variance request. Note that this plan would not require any approval from the county.

Regards,
Mike and Amanda



Judge

PETITION TO PREVENT A VARIANCE FOR PROPERTY LOCATED ON 1 S. BELLE GROVE ROAD

I/We Brian Livingston with an address of
16 Ridge Road do hereby
(Name(s))
(Address)

request our county council and councilman reject any request for a variance of 1 S. Belle Grove Road. This variance will have a negative impact on my home and neighborhood. It will cause the building of a structure that is detrimental to our homes.

I/We feel that the potential for negative impact on and to our community, neighborhood and families is greatly increased should this variance be approved and I/we humbly request your understanding in not allowing this land and property contemplated (1 South Belle Grove Road) to be permitted a variance.

Brian E. Livingston
(Signature)

Date: 20 Oct 14

(Signature)

Date: _____

(Signature)

Date: _____

PROTESTANT' S

EXHIBIT NO.

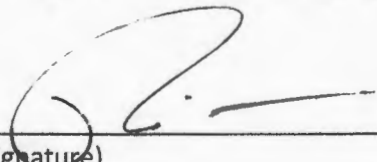
3

PETITION TO PREVENT A VARIANCE FOR PROPERTY LOCATED ON 1 S. BELLE GROVE ROAD

I/We Michael J. Inajonis with an address of
(Name(s))
30 NORTH SYMINGTON AVE. do hereby
(Address)

request our county council and councilman reject any request for a variance of 1 S. Belle Grove Road. This variance will have a negative impact on my home and neighborhood. It will cause the building of a structure that is detrimental to our homes.

I/We feel that the potential for negative impact on and to our community, neighborhood and families is greatly increased should this variance be approved and I/we humbly request your understanding in not allowing this land and property contemplated (1 South Belle Grove Road) to be permitted a variance.


(Signature)

Date: 20 Oct. 2014

(Signature)

Date: _____

(Signature)

Date: _____

PETITION TO PREVENT A VARIANCE FOR PROPERTY LOCATED ON 1 S. BELLE GROVE ROAD

I/We Mary S. Roney with an address of
9 N. Prospect Ave CATONSVILLE, MD 21228 hereby
(Name(s)) (Address)

request our county council and councilman reject any request for a variance of 1 S. Belle Grove Road. This variance will have a negative impact on my home and neighborhood. It will cause the building of a structure that is detrimental to our homes.

I/We feel that the potential for negative impact on and to our community, neighborhood and families is greatly increased should this variance be approved and I/we humbly request your understanding in not allowing this land and property contemplated (1 South Belle Grove Road) to be permitted a variance.

Mary S. Roney
(Signature)

Date: 10/19/2014

(Signature)

Date: _____

(Signature)

Date: _____

PETITION TO PREVENT A VARIANCE FOR PROPERTY LOCATED ON 1 S. BELLE GROVE ROAD

I/We Pamela Fetsch with an address of
(Name(s))
1035 Symington Ave do hereby
(Address)

request our county council and councilman reject any request for a variance of 1 S. Belle Grove Road. This variance will have a negative impact on my home and neighborhood. It will cause the building of a structure that is detrimental to our homes.

I/We feel that the potential for negative impact on and to our community, neighborhood and families is greatly increased should this variance be approved and I/we humbly request your understanding in not allowing this land and property contemplated (1 South Belle Grove Road) to be permitted a variance.

Pamela Fetsch 410-747-9263 Date: 10/20/14
(Signature)

Judy Boeth Date: 10-20-14
(Signature) 7 SOUTH PARADISE AVE

Carol Hays Date: 10/20/14
(Signature) 420 Shady Nook Ave

Judge



PROTESTANT' S

EXHIBIT NO.

4











