

## MEMORANDUM

DATE: January 5, 2015  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2015-0095-A – Appeal Period Expired

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The appeal period for the above-referenced case expired on January 2, 2015. 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

IN RE: PETITION FOR ADMIN. VARIANCE \*  
(318 Townsend Road)  
15<sup>th</sup> Election District \*  
7<sup>th</sup> Council District \*  
Joseph J. Balas, Jr. \*  
Petitioner \*

BEFORE THE  
OFFICE OF ADMINISTRATIVE  
HEARINGS FOR  
BALTIMORE COUNTY  
CASE NO. 2015-0095-A

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owner of the property, Joseph J. Balas, Jr. The Petitioner is requesting Variance relief from § 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a garage in the rear yard of an existing single family with a height of 20 ft. in lieu of the required 15 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. A ZAC comment was received from the Department of Environmental Protection and Sustainability (DEPS) dated December 2, 2014, indicating Petitioners must comply with Critical Area regulations.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on November 1, 2014, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general

welfare of the public and should therefore be granted. In the opinion of the Administrative Law

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Date 12-2-14

By low

Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Although the Department of Planning did not make any recommendations related to the proposed garage height and usage, I will impose conditions that the garage not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 2<sup>nd</sup> day of December, 2014, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking Variance relief from § 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a garage in the rear yard of an existing single family with a height of 20 ft. in lieu of the required 15 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for his appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner or subsequent owners shall not convert the subject garage into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.

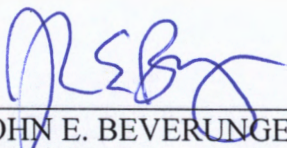
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Date 12-2-14

By [Signature]

3. The garage shall not be used for commercial purposes.
4. The Petitioner must comply with the ZAC comments received from the Department of Environmental Protection and Sustainability (DEPS) dated December 2, 2014; a copy of which is attached and made a part thereof.

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

  
\_\_\_\_\_  
JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB:dlw

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Date 12-2-14

By ews



KEVIN KAMENETZ  
*County Executive*

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

December 2, 2014

Joseph J. Balas, Jr.  
318 Townsend Road  
Baltimore, Maryland 21221

RE: Petition for Administrative Variance  
Case No. 2015-0095-A  
Property: 318 Townsend Road

Dear Mr. Balas:

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

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

Sincerely,

  
JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB:dlw  
Enclosure



CBA

# 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 318 TOWNSEND ROAD Currently zoned RESIDENTIAL

Deed Reference 15234 1 00202 10 Digit Tax Account # 1521800021

Owner(s) Printed Name(s) JOSEPH J. BALAS JR.

(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)

Section 400.3

To permit a garage in the rear yard of an existing single family with a height of 20 feet in lieu of the required 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):

JOSEPH J. BALAS JR

Name #1 – Type or Print

Name #2 – Type or Print

Joseph J. Balas Jr

Signature #1

Signature #2

318 TOWNSEND RD BALTO MD

Mailing Address

City

State

21221 443-336-9738 balasjr@comcast.net

Zip Code

Telephone #

Email Address

comcast.net

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

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Name – Type or Print

Signature

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 12 day of February, 2014, 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.

BY

Administrative Law Judge for Baltimore County

CASE NUMBER 2015-00 95-A

Filing Date 10/23/2014

Estimated Posting Date 11/2/14

Reviewer W

# 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: 318 TOWNSEND ROAD BALTIMORE MD. 21221  
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)

I AM REMOVING EXISTING CAR GARAGE AND EXISTING STORAGE  
SHED AND INSTALLING NEW 2 CAR GARAGE IN REAR OF PROPERTY. THE  
NEW GARAGE WILL BE 24'x40' TO ACCOMMODATE 2 CARS AND THE RIDING LAWNMOWER  
AND YARD EQUIPMENT. THE CORRECT PITCH FOR PROPER SNOW REMOVAL WILL BE 8/12 PITCH  
WITH A PEAK HEIGHT NOT TO EXCEED 20'0" AEG. THEREFORE I REQUEST A  
VARIANCE FOR HEIGHT IN LIEU OF THE REQUIRED 15 FEET.

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

Joseph J. Balas Jr 10-23-14  
Signature of Owner (Affiant)

JOSEPH J BALAS JR  
Name- Print or Type

\_\_\_\_\_  
Signature of Owner (Affiant)

\_\_\_\_\_  
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 23 day of October 2014, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Joseph J. Balas Jr

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

AS WITNESS my hand and Notaries Seal



Susan A. Taylor  
Notary Public

11/9/16  
My Commission Expires

REV. 5/8/2014

2015-0095-A

2015-0095-A

**Property Description for : 318 Townsend Road**

**Beginning at a point on the North Eastern side of Townsend Road which is 50 feet wide at a distance of 1041 feet South East of the centerline of Riverside Road which is 50 feet wide.**

**PART B (Subdivision Lot)**

**Being known as Lots 61,62 Section E in the subdivision of Back River Highlands as recorded in Baltimore County Plat Book # WPC #4, Folio # 64 containing 20,000SF . Located in the 15<sup>th</sup> election district and the 7<sup>th</sup> council district. Therefore being known as No. 318 Townsend Road.**

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS  
ZONING REVIEW

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 2015- 0095 -A Address 318 Townsend Road  
Contact Person: LEONARD Wasilewski Phone Number: 410-887-3391  
Planner, Please Print Your Name

Filing Date: 10/23/14 Posting Date: 11/2/14 Closing Date: 11/17/14

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

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

(Detach Along Dotted Line)

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

**USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**

Case Number 2015- 0095 -A Address 318 Townsend Rd  
Petitioner's Name Joseph J. Balas Jr Telephone 443-336-9738  
Posting Date: 11/2/14 Closing Date: 11/17/14  
Wording for Sign: \_\_\_\_\_

To permit a garage in the rear yard of an existing single family with a height of 20 feet in lieu of the required 15 feet.

Revised 7/18/14

# 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: 2015-0095-A  
Petitioner: Joseph J Balas Jr  
Address or Location: 318 Townsend Rd 21221

#### PLEASE FORWARD ADVERTISING BILL TO:

Name: JOSEPH J BALAS JR  
Address: 318 TOWNSEND ROAD  
BALTIMORE MARYLAND 21221  
Telephone Number: 443-336-9738

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

No. **116281**

Date: **10/23/14**

**PAID RECEIPT**

BUSINESS ACTION TIME  
 10/23/2014 10/23/2014 10:01:01  
 RECEIPT # 548077 10/23/2014  
 5 SEN ZONING VERIFICATION  
 Receipt Tot \$25.00  
 \$25.00 OK \$2.00 Ca  
 Baltimore County, Maryland

| Fund | Dept | Unit | Sub Unit | Rev Source/Obj | Sub Rev/Obj | Dept Obj | BS Acct | Amount |
|------|------|------|----------|----------------|-------------|----------|---------|--------|
| 201  | 806  | 0000 |          | 6150           |             |          |         | 75.00  |
|      |      |      |          |                |             |          |         |        |
|      |      |      |          |                |             |          |         |        |
|      |      |      |          |                |             |          |         |        |
|      |      |      |          |                |             |          |         |        |
|      |      |      |          |                |             |          |         |        |

Total: **75.00**

Rec From: **Joseph Balas Jr**

For: **318 Towson RD**  
**21221**

**2015-0095-A**

**DISTRIBUTION**

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

**CASHIER'S  
 VALIDATION**

## CERTIFICATE OF POSTING

RE: Case No. 2015-0095-A

Petitioner: Joe Balas, Jr.

Hearing / Closing Date: 11/17/14

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 \_\_\_\_\_

\_\_\_\_\_ 308 Townsend Road \_\_\_\_\_

\_\_\_\_\_ on 11/1/14 \_\_\_\_\_

Sincerely,



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

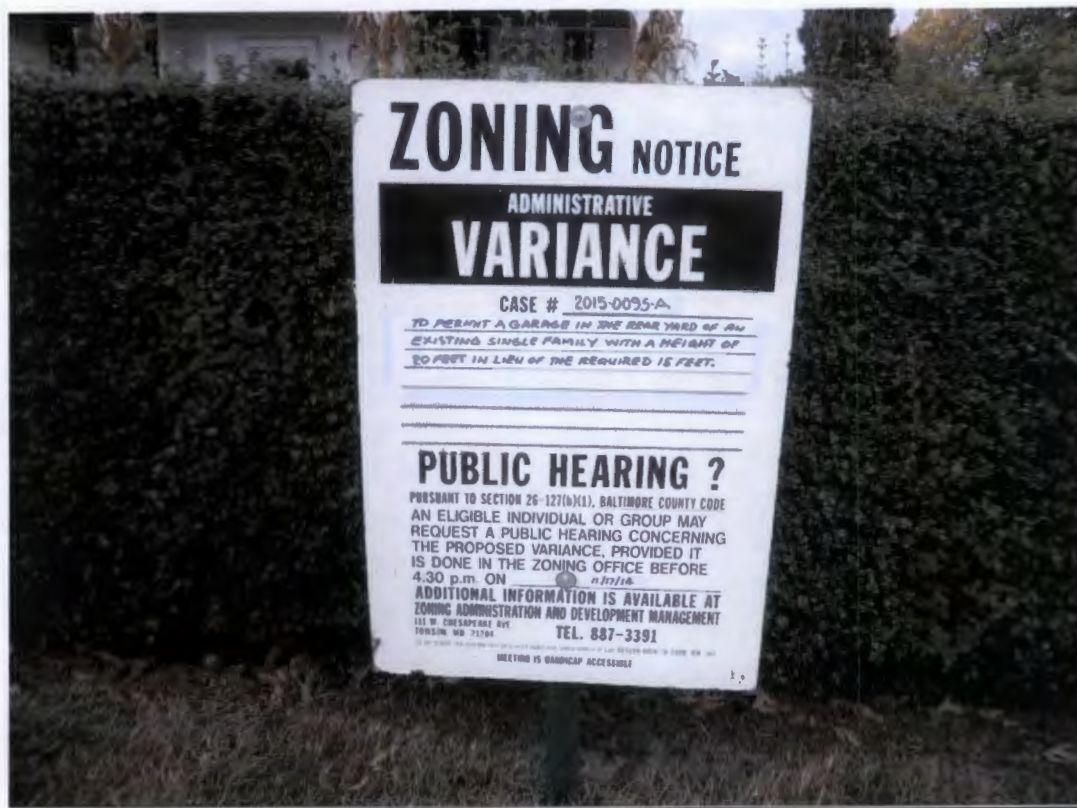
\_\_\_\_\_  
904 Dellwood Drive

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

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

## Certificate of Posting

Case No. 2015 - 0095 - A



318 Townsend Road

*Richard E. Hoffman* 11/1/14

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

CHECKLIST

| <u>Comment Received</u>         | <u>Department</u>                                                                            | <u>Support/Oppose/ Conditions/ Comments/ No Comment</u> |
|---------------------------------|----------------------------------------------------------------------------------------------|---------------------------------------------------------|
| <u>11-3</u>                     | DEVELOPMENT PLANS REVIEW<br>(if not received, date e-mail sent _____)                        | <u>NC</u>                                               |
| <u>12-2</u>                     | DEPS <u>CBCA</u> <u>Jeff Livingston</u><br>(if not received, date e-mail sent <u>11-24</u> ) | <u>C</u>                                                |
| _____                           | FIRE DEPARTMENT                                                                              | _____                                                   |
| _____                           | PLANNING<br>(if not received, date e-mail sent _____)                                        | _____                                                   |
| <u>10-27</u>                    | STATE HIGHWAY ADMINISTRATION                                                                 | <u>No objection</u>                                     |
| _____                           | TRAFFIC ENGINEERING                                                                          | _____                                                   |
| _____                           | COMMUNITY ASSOCIATION                                                                        | _____                                                   |
| _____                           | ADJACENT PROPERTY OWNERS                                                                     | _____                                                   |
| ZONING VIOLATION                | (Case No. _____)                                                                             |                                                         |
| PRIOR ZONING                    | (Case No. _____)                                                                             |                                                         |
| NEWSPAPER ADVERTISEMENT         | Date: _____                                                                                  |                                                         |
| SIGN POSTING                    | Date: <u>11-1-14</u> by <u>Hobbsmen</u>                                                      |                                                         |
| PEOPLE'S COUNSEL APPEARANCE     | Yes <input type="checkbox"/> No <input type="checkbox"/>                                     |                                                         |
| PEOPLE'S COUNSEL COMMENT LETTER | Yes <input type="checkbox"/> No <input type="checkbox"/>                                     |                                                         |

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

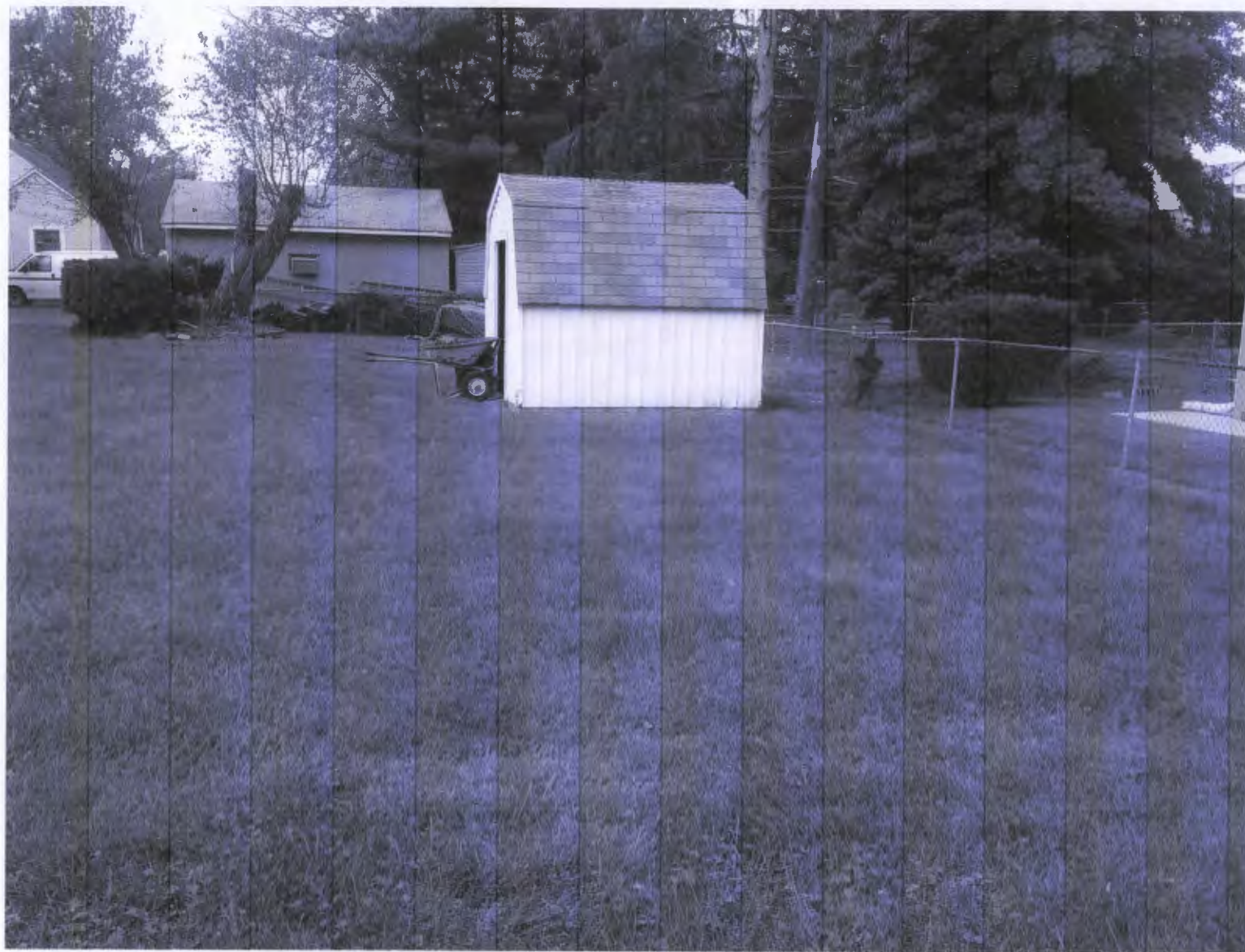
2015-0095-A



Rear Yard



0095A



0095-A



0095-A

## Real Property Data Search (w2)

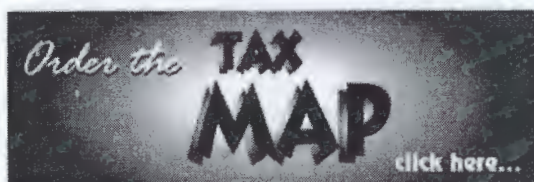
## Guide to searching the database

## Search Result for BALTIMORE COUNTY

| View Map                                                 |                               | View GroundRent Redemption                         |                      | View GroundRent Registration  |                                                              |
|----------------------------------------------------------|-------------------------------|----------------------------------------------------|----------------------|-------------------------------|--------------------------------------------------------------|
| <b>Account Identifier:</b>                               |                               | <b>District - 15 Account Number - 1521800021</b>   |                      |                               |                                                              |
| <b>Owner Information</b>                                 |                               |                                                    |                      |                               |                                                              |
| <b>Owner Name:</b>                                       |                               | <b>BALAS JOSEPH J JR</b>                           |                      | <b>Use:</b>                   | <b>RESIDENTIAL</b>                                           |
| <b>Mailing Address:</b>                                  |                               | <b>318 TOWNSEND RD<br/>BALTIMORE MD 21221-6634</b> |                      | <b>Principal Residence:</b>   | <b>YES</b>                                                   |
|                                                          |                               |                                                    |                      | <b>Deed Reference:</b>        | <b>/15234/ 00202</b>                                         |
| <b>Location &amp; Structure Information</b>              |                               |                                                    |                      |                               |                                                              |
| <b>Premises Address:</b>                                 |                               | <b>318 TOWNSEND RD<br/>0-0000</b>                  |                      | <b>Legal Description:</b>     | <b>LT 61.62<br/>318 TOWNSEND RD<br/>BACK RIVER HIGHLANDS</b> |
| <b>Map:</b>                                              | <b>Grid:</b>                  | <b>Parcel:</b>                                     | <b>Sub District:</b> | <b>Subdivision:</b>           | <b>Section: Block: Lot:</b>                                  |
| 0097                                                     | 0001                          | 0364                                               |                      | 0000                          | E 61                                                         |
|                                                          |                               |                                                    |                      | <b>Assessment Year:</b>       | <b>Plat No:</b>                                              |
|                                                          |                               |                                                    |                      | 2015                          | 0004/0064                                                    |
| <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> | <b>Property Land Area</b>                                    |
| 1916                                                     |                               | 1,712 SF                                           |                      |                               | 20,000 SF                                                    |
|                                                          |                               |                                                    |                      |                               | <b>County Use</b>                                            |
|                                                          |                               |                                                    |                      |                               | 04                                                           |
| <b>Stories</b>                                           | <b>Basement</b>               | <b>Type</b>                                        | <b>Exterior</b>      | <b>Full/Half Bath</b>         | <b>Garage</b>                                                |
| 2                                                        | YES                           | STANDARD UNIT                                      | SIDING               | 1 full                        | 1 Detached                                                   |
| <b>Value Information</b>                                 |                               |                                                    |                      |                               |                                                              |
|                                                          |                               | <b>Base Value</b>                                  | <b>Value</b>         | <b>Phase-in Assessments</b>   |                                                              |
|                                                          |                               |                                                    | <b>As of</b>         | <b>As of</b>                  | <b>As of</b>                                                 |
|                                                          |                               |                                                    | 01/01/2012           | 07/01/2014                    | 07/01/2015                                                   |
| <b>Land:</b>                                             |                               | 77,500                                             | 77,500               |                               |                                                              |
| <b>Improvements</b>                                      |                               | 100,600                                            | 100,600              |                               |                                                              |
| <b>Total:</b>                                            |                               | 178,100                                            | 178,100              | 178,100                       |                                                              |
| <b>Preferential Land:</b>                                |                               | 0                                                  |                      |                               |                                                              |
| <b>Transfer Information</b>                              |                               |                                                    |                      |                               |                                                              |
| <b>Seller: BALAS JOSEPH J JR</b>                         |                               | <b>Date: 05/24/2001</b>                            |                      | <b>Price: \$0</b>             |                                                              |
| <b>Type: NON-ARMS LENGTH OTHER</b>                       |                               | <b>Deed1: /15234/ 00202</b>                        |                      | <b>Deed2:</b>                 |                                                              |
| <b>Seller: BATES JOSEPH C</b>                            |                               | <b>Date: 05/28/1992</b>                            |                      | <b>Price: \$112,000</b>       |                                                              |
| <b>Type: ARMS LENGTH IMPROVED</b>                        |                               | <b>Deed1: /09192/ 00513</b>                        |                      | <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>07/01/2015</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>                                       | <b>Special Tax Recapture:</b> |                                                    |                      |                               |                                                              |
| <b>Exempt Class:</b>                                     | <b>NONE</b>                   |                                                    |                      |                               |                                                              |
| <b>Homestead Application Information</b>                 |                               |                                                    |                      |                               |                                                              |
| <b>Homestead Application Status: Approved 12/31/2012</b> |                               |                                                    |                      |                               |                                                              |

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

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/>)

**x Loading... Please**

Loading... Please Wait.

**BALTIMORE COUNTY, MARYLAND**

**Inter-Office Correspondence**

**RECEIVED**

**DEC 02 2014**



**OFFICE OF ADMINISTRATIVE HEARINGS**

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

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

**DATE:** December 2, 2014

**SUBJECT:** DEPS Comment for Zoning Item # 2015-0095-A  
Address 318 Townsend Road  
(Balas Property)

Zoning Advisory Committee Meeting of October 27, 2014.

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

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

The subject property is located within an Intensely Developed Area (IDA) and is subject to Critical Area requirements. The applicant is requesting to permit a replacement garage with greater height than permitted. It is not a waterfront lot. The applicant must address the 10% pollutant reduction requirement for any new impervious surface within the IDA. It is not clear if the proposed garage will be in the same location as the existing garage and shed to be removed. However, if the 10% pollutant reduction requirement is met, the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

The lot is developed with an existing dwelling, is not waterfront and there are no habitat protection areas on site. Therefore, fish, plant, and wildlife habitat in the Chesapeake Bay will be conserved.

**ORDER RECEIVED FOR FILING**

Date 12-2-14

By [Signature]

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

The lot is not waterfront and there are no habitat protection areas on site. New development on site must address the 10% pollutant reduction requirement. Therefore, the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

Date: December 1, 2014

## Debra Wiley

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**From:** Jeffery Livingston  
**Sent:** Tuesday, December 02, 2014 11:08 AM  
**To:** Debra Wiley  
**Subject:** Re: FW: REMINDER - CBCA ZAC Comment Needed - AV 2015-0095-A - Closing date: 11/17  
**Attachments:** ZAC 15-0095-A-EIR.docx

Here it is.

Thanks for waiting,

Jeff

>>> Debra Wiley <dwiley@baltimorecountymd.gov> 12/2/2014 9:37 AM >>>  
Jeff,

Just a reminder . we still need. Thanks.

**From:** Debra Wiley  
**Sent:** Monday, November 24, 2014 9:55 AM  
**To:** Jeffery Livingston  
**Subject:** CBCA ZAC Comment Needed - AV 2015-0095-A - Closing date: 11/17

Hi Jeff,

Zoning Review marked Petition as CBCA and it appears there's none received from DEPS. I've included a case description for your convenience.

Please provide comment ASAP. Thanks in advance.

### **CASE NUMBER: 2015-0095-A**

318 TOWNSEND RD.

Location: N Easterly/S of Townsend Road, 1041 ft. +/- SE of the c/line of Riverside Road  
15th Election District, 7th Council District

Legal owner: Joseph J. Balas Jr.

**ADMINISTRATIVE VARIANCE** To permit a garage in the rear yard of an existing single family with a height of 20 ft. in lieu of the required 15 ft.

Debra Wiley  
Baltimore County Office of Administrative Hearings  
105 West Chesapeake Avenue, Suite 103  
Towson, Maryland 21204

410-887-3868



KEVIN KAMENETZ  
*County Executive*

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

November 18, 2014

Joseph J Balas Jr.  
318 Townsend Road  
Baltimore MD 21221

RE: Case Number: 2015-0095 A, Address: 318 Townsend Road

Dear Mr. Balas:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on October 23, 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



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

Date: 10/27/14

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

RE: Baltimore County  
Item No 2015-0095-A  
Administrative Variance  
Joseph F. Bates, Jr.  
318 Townsend Road

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2015-0015-A.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-545-5598 or 1-800-876-4742 (in Maryland only) extension 5598, or by email at (rzeller@sha.state.md.us).

Sincerely,

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

SDF/raz

**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

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

**DATE:** November 3, 2014

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For November 03, 2014  
Item No. 2015-0089, 0091, 0092, 0093, 0094, 0095, 0096 and 0099

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\ZAC11032014 -.doc

# 318 Townsend Road 2015-0095-A



Publication Date: 10/23/2014



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



0 12.5 25 50 75 100 Feet

1 inch = 50 feet

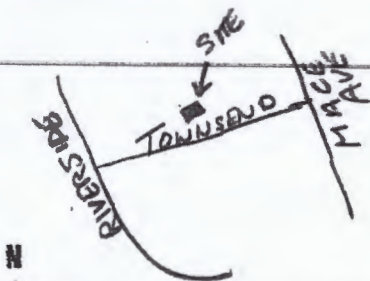
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING \_\_\_\_\_ (MARK TYPE REQUESTED WITH X)

ADDRESS 318 TOWNSEND ROAD OWNER(S) NAME(S) JOSEPH J BALAS JR

SUBDIVISION NAME BACK RIVER HIGHLANDS LOT # 61, 62 BLOCK # \_\_\_\_\_ SECTION # E

PLAT BOOK # WPC #4 FOLIO # 64 10 DIGIT TAX # 152180002 DEED REF. # L5234100202

SITE VICINITY MAP



N  
↑  
MAP IS NOT TO SCALE

ZONING MAP# 097A1

SITE ZONED DR S.5

ELECTION DISTRICT 15

COUNCIL DISTRICT 7

LOT AREA ACREAGE .49

OR SQUARE FEET 20,000

HISTORIC? NO

IN CBCA? Yes

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE \_\_\_\_\_

SEWER IS:

PUBLIC X PRIVATE \_\_\_\_\_

PRIOR HEARING? NONE

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

\_\_\_\_\_

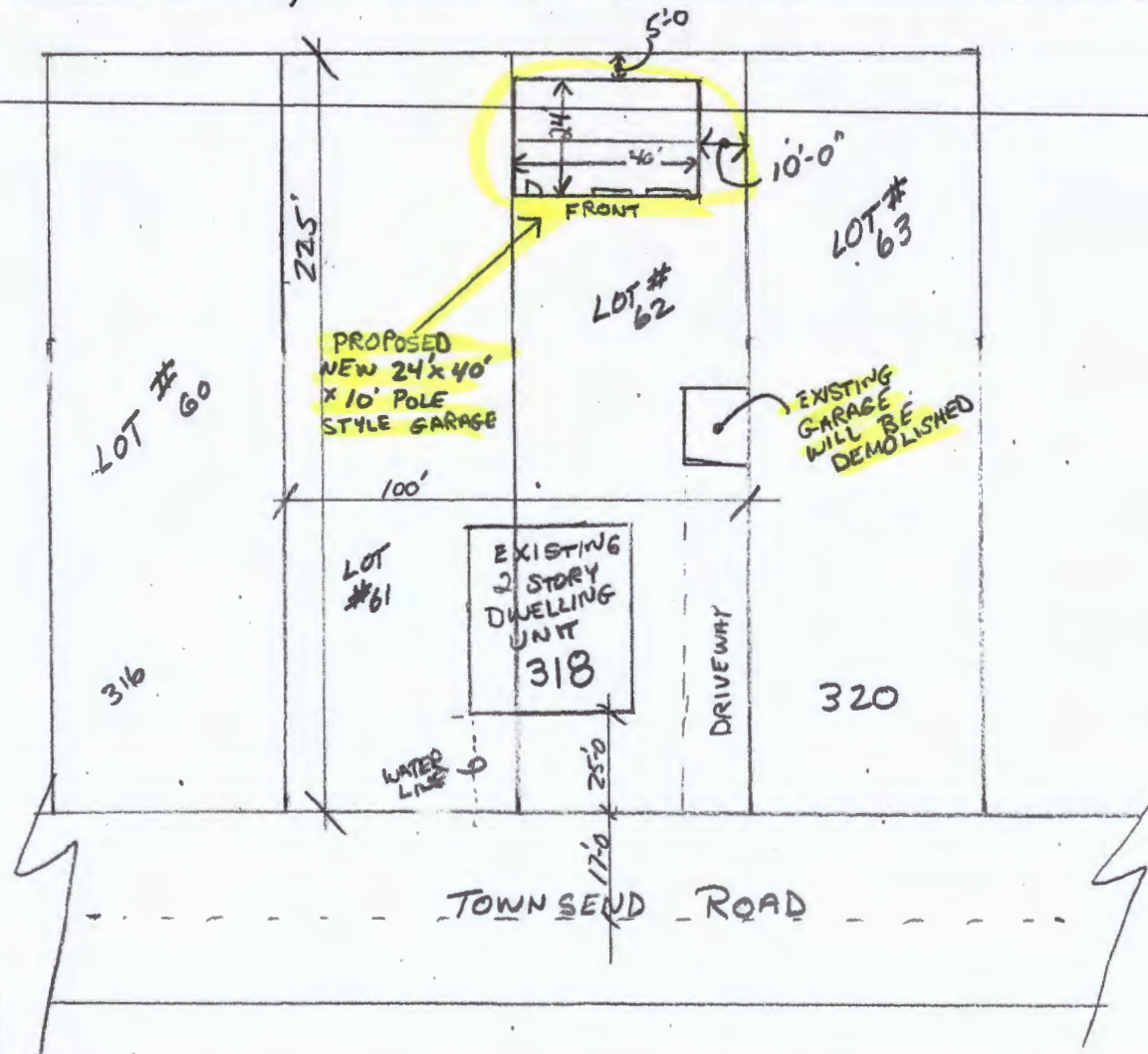
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VIOLATION CASE INFO:

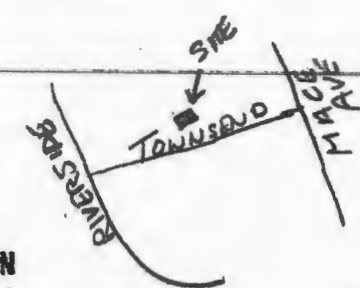
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PLAN DRAWN BY JOSEPH J BALAS JR DATE 10-16-14 SCALE: 1 INCH = 40 FEET

2005-0095-A

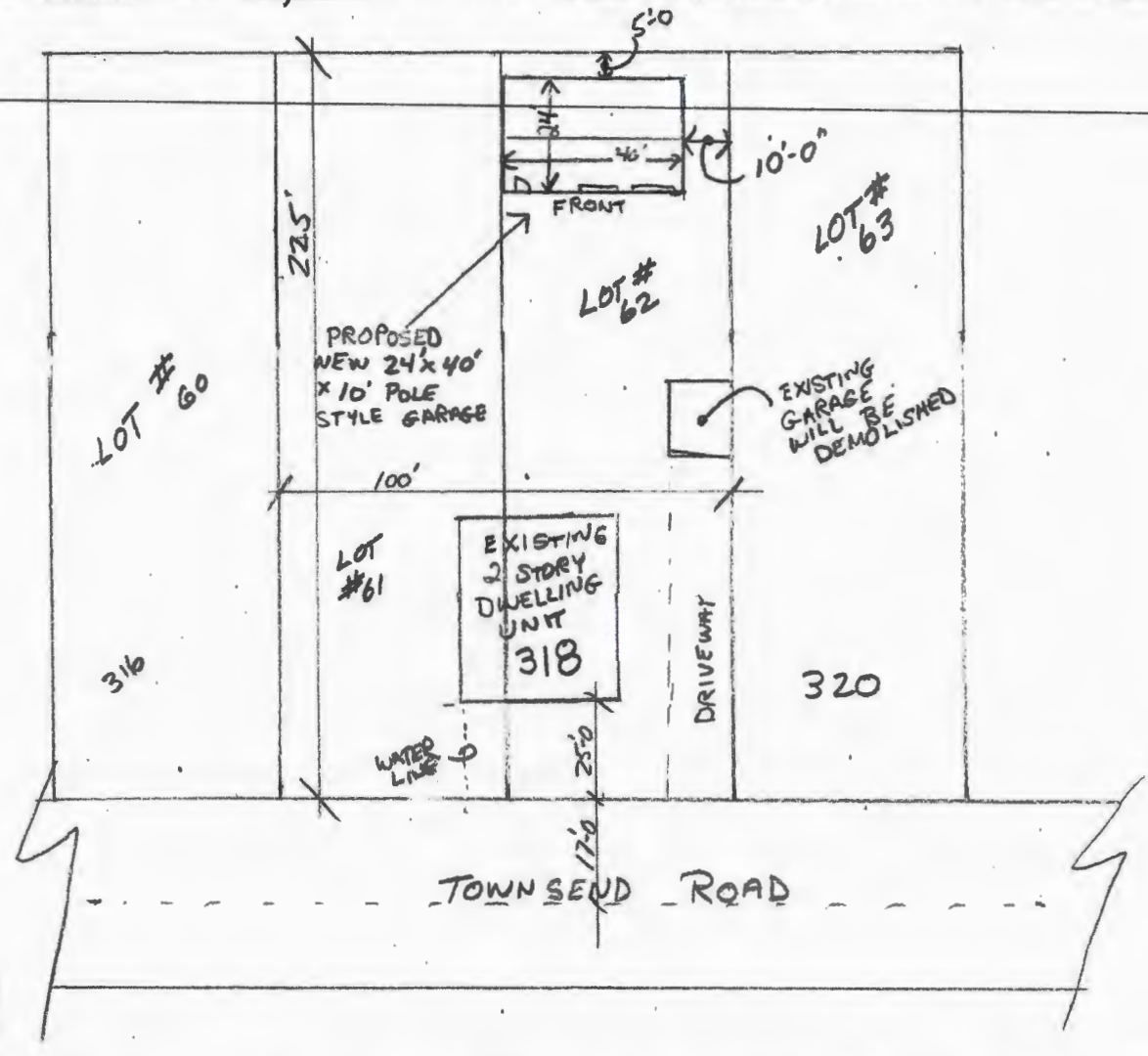
# SITE VICINITY MAP



MAP IS NOT TO SCALE  
 ZONING MAP# 097A1  
 SITE ZONED DR S.5  
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 LOT AREA ACREAGE .49  
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 IN CBCA? NO  
 IN FLOOD PLAIN? NO  
 UTILITIES? MARK WITH X  
 WATER IS:  
 PUBLIC X PRIVATE \_\_\_\_\_  
 SEWER IS:  
 PUBLIC X PRIVATE \_\_\_\_\_  
 PRIOR HEARING? NONE  
 IF SO GIVE CASE NUMBER  
 AND ORDER RESULT BELOW

VIOLATION CASE INFO:

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING \_\_\_\_\_ (MARK TYPE REQUESTED WITH X)  
 ADDRESS 318 TOWNSEND ROAD OWNER(S) NAME(S) JOSEPH J BALAS JR  
 SUBDIVISION NAME BACK RIVER HIGHLANDS LOT # 61, 62 BLOCK # \_\_\_\_\_ SECTION # E  
 PLAT BOOK # WPC #4 FOLIO # 64, 65 10 DIGIT TAX # L521800021 DEED REF. # L5234100202



PLAN DRAWN BY JOSEPH J BALAS JR DATE 10-16-14 SCALE: 1 INCH = 40 FEET  
 2005-0095-A

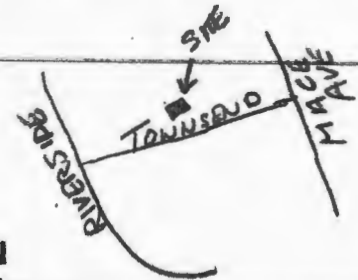
ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING \_\_\_\_\_ (MARK TYPE REQUESTED WITH X)

ADDRESS 318 TOWNSEND ROAD OWNER(S) NAME(S) JOSEPH J BALAS JR

SUBDIVISION NAME BACK RIVER HIGHLANDS LOT # 61, 62 BLOCK # \_\_\_\_\_ SECTION # E

PLAT BOOK # WPC #4 FOLIO # 64 10 DIGIT TAX # 152180002 DEED REF. # 15234100202

SITE VICINITY MAP



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↑ MAP IS NOT TO SCALE

ZONING MAP# 097A1

SITE ZONED DRS.5

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IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

\_\_\_\_\_

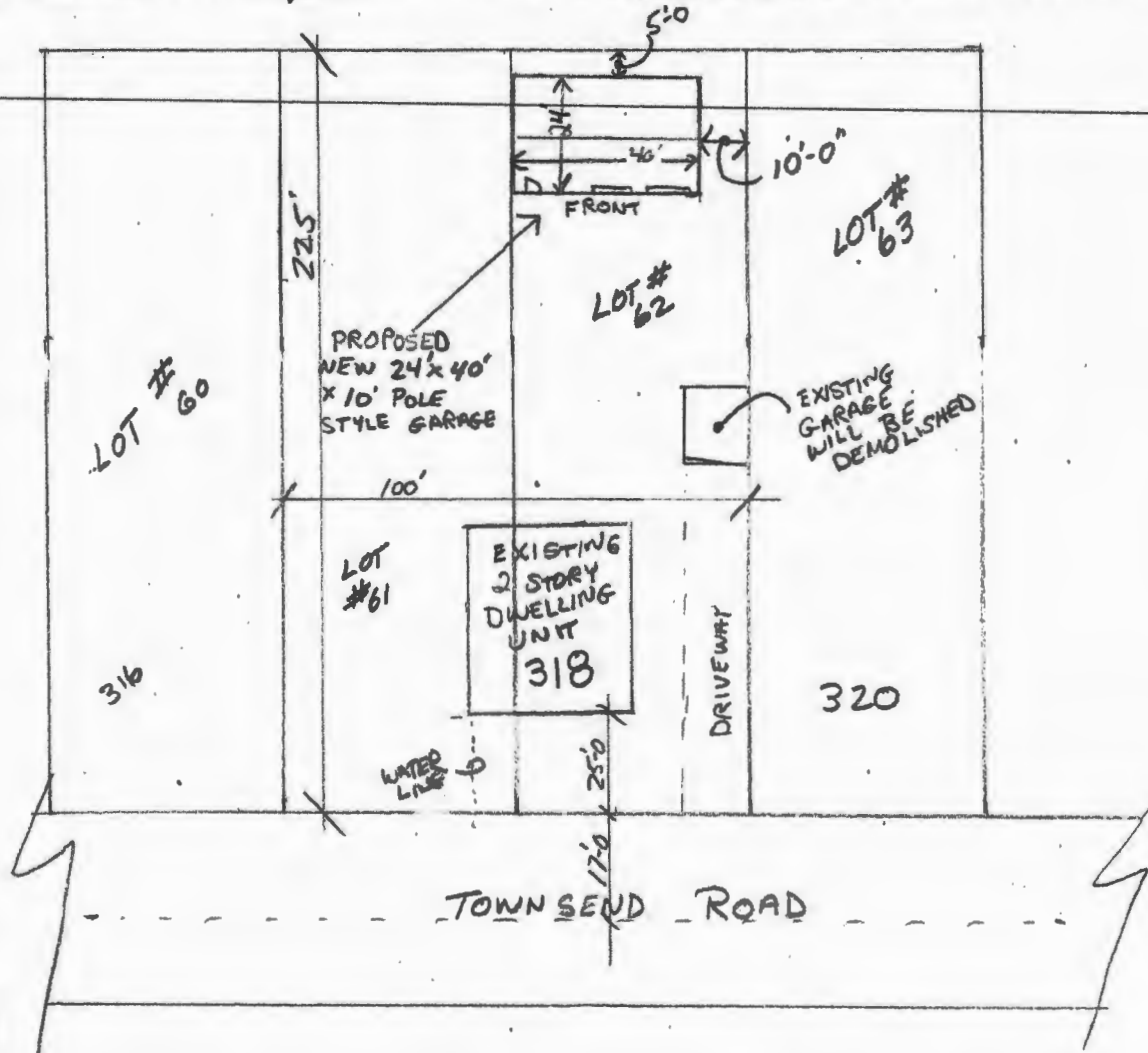
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VIOLATION CASE INFO:

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PLAN DRAWN BY JOSEPH J BALAS JR DATE 10-16-14 SCALE: 1 INCH = 40 FEET

2005-0095-A