



KEVIN KAMENETZ
County Executive

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

March 19, 2015

Allan F. Charles
10522 Burnside Farm Road
Owings Mills, Maryland 21117

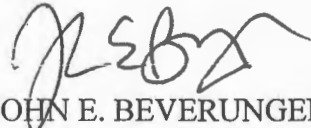
RE: Petition for Administrative Variance
Case No. 2015-0184-A
Property: 10522 Burnside Farm Road

Dear Mr. Charles:

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

c: Richard E. Matz, Colbert, Matz & Rosenfelt, Inc., 2835 Smith Ave.,
Ste. G, Baltimore, MD 21209

IN RE: PETITION FOR ADMIN. VARIANCE *
(10522 Burnside Farm Road)

3rd Election District *

2nd Council District *

Allan F. Charles *

Petitioner *

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2015-0184-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owner of the property, Allan F. Charles ("Petitioner"). The Petitioner is requesting Variance relief pursuant to § 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("B.C.Z.R) to permit a side principal building setback of 10 ft. in lieu of the required 50 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 Bureau of Development Plans Review (DPR) dated March 9, 2015, indicating that the setback should be at least 11 ft. so that the garage foundation does not encroach on the existing 10 ft. wide drainage and utility easement.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on February 27, 2015, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 3-19-15

By PW

The Petitioner has filed the supporting affidavits as required by § 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 Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 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 building structure height and usage, I will impose conditions that the garage shall not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, and kitchen or bathroom facilities. In addition, and based upon the ZAC comment of DPR, the setback relief granted will be 11 ft. rather than the 10 ft. as sought in the Petition.

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 19th day of **March**, 2015 by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("B.C.Z.R) to permit a side principal building setback of 11 ft. in lieu of the required 50 ft., be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

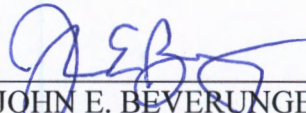
Date 3-19-15

By AW

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. The Petitioner or subsequent owners shall not convert the garage into a dwelling unit or apartment. The garage shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.
3. The garage shall not be used for commercial purposes.
4. The Petitioner must comply with the ZAC comment submitted by DPR; a copy of which is attached hereto 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

ORDER RECEIVED FOR FILING

Date 3-19-15

By per

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For March 9, 2015
Item No. 2015-0184

DATE: March 9, 2015

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

The setback should be at least 11 feet so that the garage foundation does not encroach on the existing 10-foot-wide drainage and utility easement.

* * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 15-0184-03092015.doc

ORDER RECEIVED FOR FILING

Date 3-19-15

By [Signature]



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 10522 Burnside Farm Road, Owings Mills, Maryland 21117

Currently zoned R.C. 5

Deed Reference 35519 / 265

10 Digit Tax Account # 2 2 0 0 0 1 9 4 3 6

Owner(s) Printed Name(s) Allan F. Charles

(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) (see attached)

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):

Allan F. Charles

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

10522 Burnside Farm Rd. Owings Mills Maryland
Mailing Address City State

21117 / 410-218-1900 / ac@tbc.us
Zip Code Telephone # Email Address

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

N/A

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Richard E. Matz

Name - Type or Print

Signature

2835 Smith Ave. Ste. G Baltimore Maryland
Mailing Address City State

21209 / 410-653-3838 / dmatz@cmengineers.com
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 2015-0184-A

Filing Date 2/20/15

Estimated Posting Date 3/1/15

Reviewer JS

Affidavit in Support of Administrative Variance

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

The undersigned hereby affirms under the penalties of perjury 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: 10522 Burnside Farm Road
Print or Type Address of property

Owings Mills
City

Maryland
State

21117
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)

(see attached)

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

Signature of Owner (Affiant)

Allan F. Charles

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 3rd day of February, 2015, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

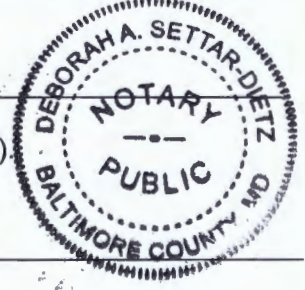
Print name(s) here: Allan F. Charles - Allan F. Charles

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

AS WITNESS my hand and Notaries Seal

Notary Public

My Commission Expires



1. Administrative Variance from Section 1A04.3.B.2.b, building setbacks in R.C.5 Zones: To permit a side principal building setback of 10 feet in lieu of the required 50 feet,
2. Based upon personal knowledge, the following are the facts upon which I base the request for an Administrative Variance at the above address:

This site is located in Burnside Farm, a rural residential grouping of homes in the scenic natural setting of Greenspring Valley. The property is currently improved with an existing 1-story single family dwelling, as well as an additional 1-story accessory structure that is used exclusively as a studio. The applicant wishes to construct a 1-story accessory **attached garage** for the existing dwelling to be remodeled.

The site is constrained by a stream, 100 year flood plain easement, forest buffer easement, septic reserve area, and well, all of which significantly reduce the building envelope of this lot. The only access to this site is from Burnside Farm Road, via a bridge located at the northeast corner of the property. The site contains steep grades in the northwestern corner of the property. The septic tank and reserve area prohibit construction on the south side of the existing dwelling. The most feasible location for the proposed attached accessory garage with respect to the environmental constraints and access road on this property is on the north side of the existing dwelling.



ZONING DESCRIPTION
10522 Burnside Farm Road
Baltimore County, Maryland

Beginning at a point on the north side of Burnside Farm Road 2,275 feet northwest of the centerline of Greenspring Valley Road, which is 120 feet wide at the intersection of Greenspring Valley Road and Burnside Farm Road. Thence the following courses and distances:

S 11° 13' 59" E 189.14 feet,
S 05° 26' 30" E 390.39 feet,
S 88° 18' 30" W 170.00 feet,
N 19° 33' 45" W 59.60 feet,
N 13° 36' 45" W 472.28 feet, and
N 74° 16' 01" E 236.01 feet,

to the place of beginning as recorded in Deed Liber 35519, Folio 265. Being Parcel 155 on Tax Map 68 containing 116,858 square feet or 2.6827 acres more or less, being Lot No. 1 of the First Amended Plat of Section Two Burnside Farm, said Plat being recorded among the Land Records in Plat Book SM No. 68, Folio 70. Also known as 10522 Burnside Farm Road and located in the 3rd Election District and 2nd Councilmanic District.



FEB 18, 2015

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. 13203

Expiration Date: 11/02/2016

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

No. **121569**

Date: **2/20/15**

PAID RECEIPT

BUSINESS ACTUAL TIME DAY
 2/23/2015 2/20/2015 10:05:46 5

REG NO: 5505 WALTON RDOS LRD

>> RECEIPT # 724555 2/20/2015 OFLN

Dept: 5 520 ZONING VERIFICATION

CR NO. 121569

Receipt Tot 975.00

975.00 CR 9.00 CA

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	906	0000		650				\$ 75.00

Total: **\$ 75.00**

Rec From: **ALLAN F CHARLES**

For: **2015-0187-A**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
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: 2015-0184-A

Petitioner: Allan F. Charles

Address or Location: 10522 Burnside Farm Road, Owings Mills, Maryland, 21117

PLEASE FORWARD ADVERTISING BILL TO:

Name: Allan F. Charles

Address: 10522 Burnside Farm Road

Owings Mills, Maryland 21117

Telephone Number: 410-218-1900

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2015- 0184 -A Address 10522 BURNSIDE FARM ROAD

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

Filing Date: 2/20/15 Posting Date: 3/1/15 Closing Date: 3/16/15

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- 0184 -A Address 10522 BURNSIDE FARM ROAD

Petitioner's Name ALLAN F. CHARLES Telephone 410-218-1900

Posting Date: 3/1/15 Closing Date: 3/16/15

Wording for Sign: TO PERMIT A SIDE YARD ADDITION WITH A SIDE YARD SETBACK OF 10 FEET IN LIEU OF THE REQUIRED 50 FEET.

Revised 7/18/14

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 2/28/2014

Case Number: 2015-0184-A

Petitioner / Developer: COLBERT, MATZ & ROSENFELT, INC. ~
ALLAN F. CHARLES

Date of Hearing (Closing): MARCH 16, 2015

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:
10522 BURNSIDE FARM ROAD

The sign(s) were posted on: FEBRUARY 27, 2015



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

M E M O R A N D U M

DATE: April 21, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0184-A – Appeal Period Expired

The appeal period for the above-referenced case expired on April 20, 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

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>3-9</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>C</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>3-9</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. <u>94-522-A</u>)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>2-27-15</u> by: <u>O'Keefe</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Les
7/28/94

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
W/end private dr. 2500' NW of ZONING COMMISSIONER
Burnside & Greenspring Valley *
10522 Burnside Farm Road
3rd Election District * OF BALTIMORE COUNTY
3rd Councilmanic District
J. Courtland Robinson, et ux * Case No. 94-522-A
Petitioners
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 10522 Burnside Farm Road in the Stevenson section of Baltimore County. The Petition is filed by J. Courtland Robinson and Sally Shoemaker Robinson, his wife, property owners. Variance relief is requested from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure to be located in the side and front yards, in lieu of the required rear yard, and to amend the last approved Final Development Plan of Burnside Farm for lot No. 1.

Appearing at the public hearing held for this case was the property owners, J. Courtland Robinson and Sally S. Robinson, his wife. Also present on behalf of the Petition was Sarah C. Schweizer, an architect with SMDA Architects, Jeanne G. Gewalt and Sam Robinson. The Petitioners were represented by Thomas Bodie, Esquire. Appearing as interested persons were several neighbors. They included William and Susan Hooper, John D. Jarrett and Katherine Finney Baetjer. Margaret Worrall on behalf of Valleys Planning Council, and John McGrain from the Office of Planning and Zoning also appeared.

The Petitioner, J. Courtland Robinson, testified and presented the site plan, received into evidence as Petitioners' Exhibit No. 1. Mr.

study or a studio to allow the Petitioner; or members of his family, with a place for contemplation and artistic endeavors.

Ms. Sarah C. Schweizer, an architect for the new residence, also testified. She, likewise, described the amendment to the original FDP and the proposed construction. She noted that only approximately 8% of the total area of lot No. 1 can be utilized for construction due to environmental constraints and other factors. Thus, the new dwelling must be located where sited rendering the need for the variances.

Ms. Jeanne Gewalt also testified. She is an expert as to historic structures and testified at length about the Tenpin Alley building. The building was apparently constructed in approximately 1880 and is one of the rare examples of octagonal buildings in this area. As noted above, the building was part of the original Burnside Farm, a large tract from a successful Baltimore entrepreneur in the 19th century. The building was constructed for use as a bowling alley, originally. The additions or appendages were added in 1934 and 1950 and will be removed.

Ms. Gewalt's testimony was corroborated by John W. McGrain, from the Office of Planning and Zoning, an expert in historic preservation and historic structures in Baltimore County. As Mr. McGrain noted, this site was formerly the scene of gracious living by the family of a wealthy Baltimore businessman. The site is one of the earliest properties which was designated as an historic area by Baltimore County. Mr. McGrain believes that the Tenpin Alley building is worth saving and supports the variance.

Testimony was also received by several of the neighbors identified above. They do not object to the preservation of the Tenpin Alley building so much as they are concerned over development of the house on site. However, as was noted at the hearing, construction of the new residence is not the issue before me, only whether the variance should be granted to

is not an area in which a business or commercial enterprise should operate with its attendant traffic congestion and other factors. I will take the Petitioner at his word as was the testimony presented by Mr. Robinson. The Tenpin Alley building should be used by the Petitioner, his family and guests only, as a place for quiet contemplation and artistic endeavors. There shall be no sales or commercial business enterprise conducted therein.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2nd day of August, 1994 that a variance from Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to permit an existing accessory structure to be located in the side and front yards, in lieu of the required rear yard, and to amend the last approved Final Development Plan of Burnside Farm for lot No. 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The building shown on the site plan and designated as The Tenpin Alley building shall be improved so as to remove the additions on said structure. Thereafter, the building shall not be used as a dwelling/apartment and shall contain no kitchen facilities.

3. There shall be no business or commercial enterprises conducted within The Tenpin Alley building. It shall be used only by the property owners, members of their family and guests for

10522 Burnside Farm Road:

View looking south and west at north side of existing dwelling.



10522 Burnside Farm Road:

View looking south at north side of existing dwelling and proposed location of attached accessory garage (edge of existing covered car port to be removed visible on left side of photograph).



10522 Burnside Farm Road:

View looking south at north side of existing dwelling and existing covered car port to be removed.



10522 Burnside Farm Road:

View from northern property bridge entrance looking south, into not-developable Forest Buffer area, with stream on left side of photograph. Detached accessory structure "Tenpin Alley" visible in background (approved in Zoning Case 1994-0522-A on August 2, 1994)



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For March 9, 2015
Item No. 2015-0184

DATE: March 9, 2015

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

The setback should be at least 11 feet so that the garage foundation does not encroach on the existing 10-foot-wide drainage and utility easement.

* * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 15-0184-03092015.doc



KEVIN KAMENETZ
County Executive

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

March 17, 2015

Allan F Charles
10522 Burnside Farm Road
Owings Mills MD 21117

RE: Case Number: 2015-0184 A, Address: 10522 Burnside Farm Road

Dear Mr. Charles:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 20, 2015. 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 that reads "W. Carl Richards, Jr." The signature is written in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Richard E Matz, 2835 Smith Avenue, Suite G, Baltimore MD 21209

Lawrence J. Hogan, Jr., Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Acting Secretary
Melinda B. Peters, Administrator

Date: 3/9/15

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

RE: Baltimore County
Item No 2015-0184-A
Administrative Variance
Allan F. Charles
10522 Burnside Farm Road

Dear Ms. Lewis:

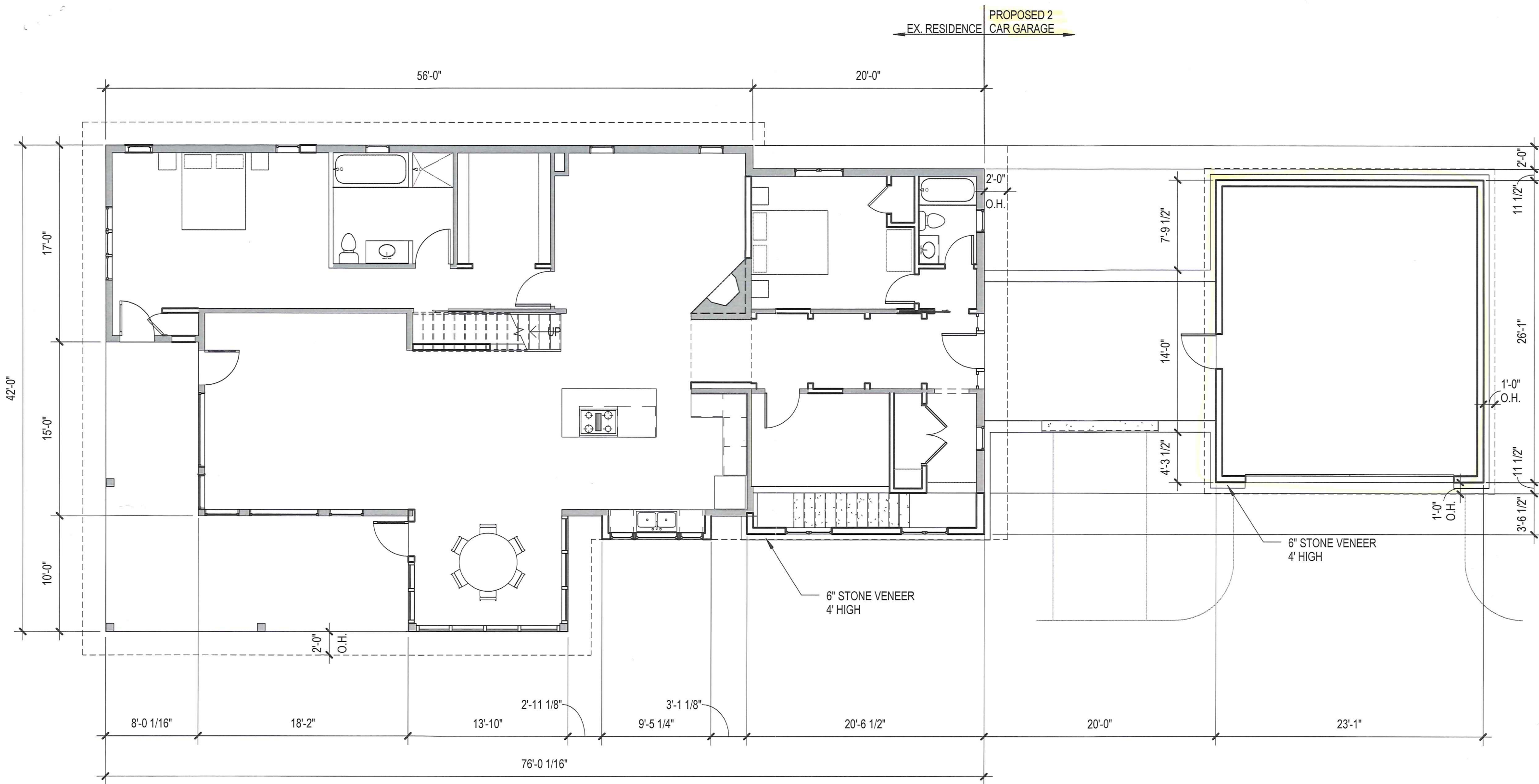
Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2015-0184-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

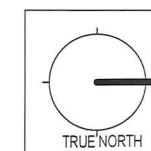
SDF/raz



Ziger/Snead LLP
Architects
1006 Morton Street
Baltimore, Maryland 21201
P 410 576 9131
F 410 576 9159
www.zigersnead.com

CHARLES RESIDENCE RENOVATION

PROJECT NUMBER: 1424



FIRST FLOOR PLAN

0 4' - 0" 8' - 0" 16' - 0" 1/8" = 1'-0"

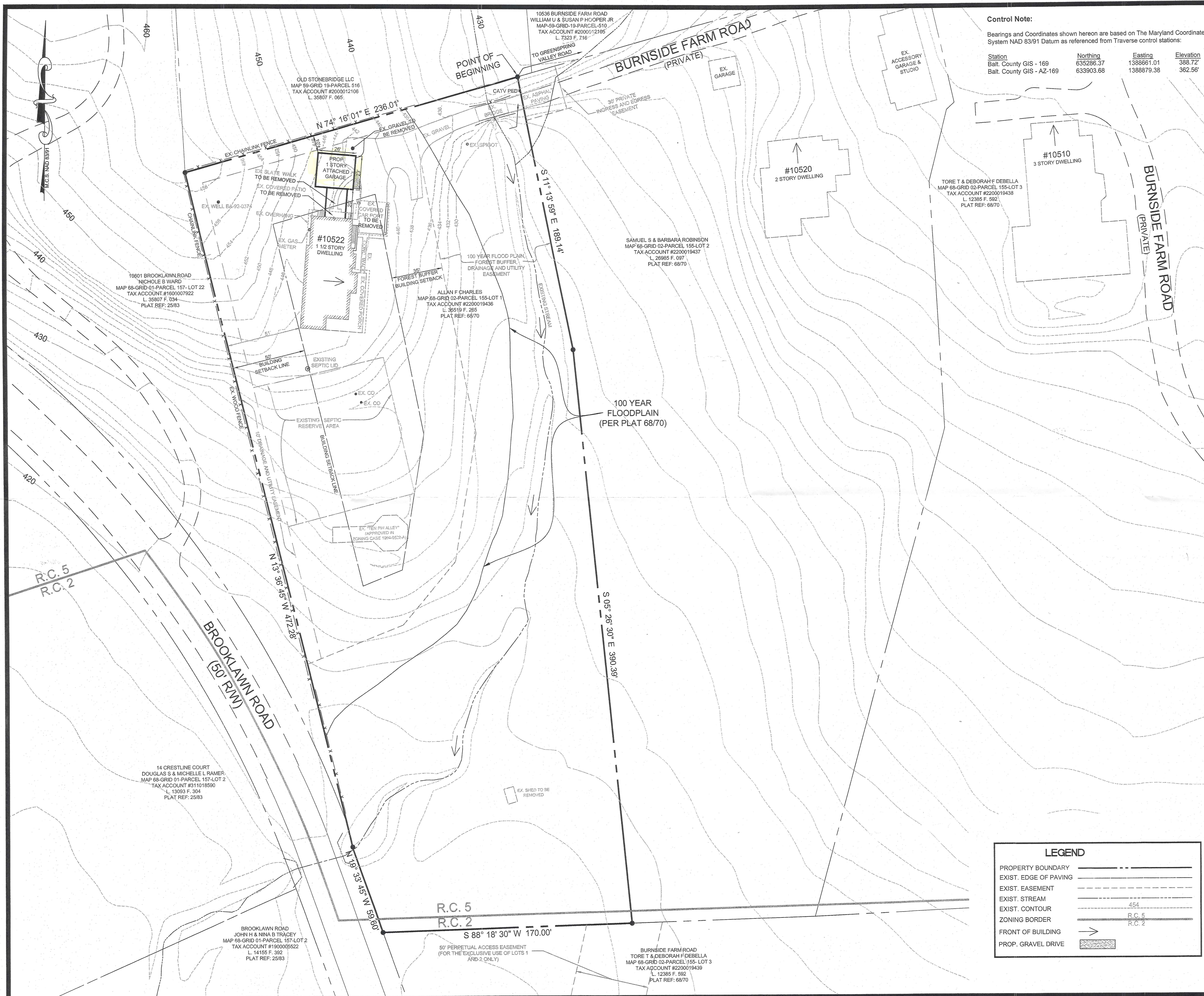
1

A.1

FEB. 2, 2015 PRELIMINARY
DRAWINGS

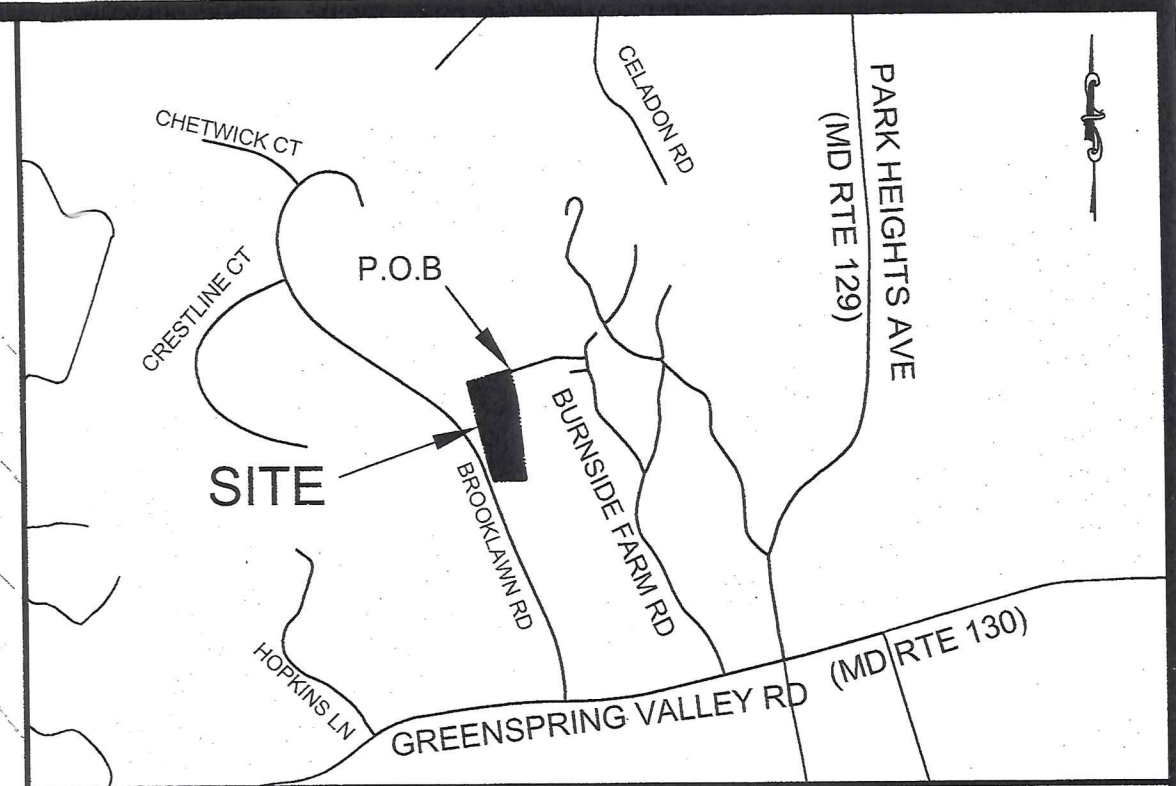
A.1 OF:





Control Note:
Bearings and Coordinates shown hereon are based on The Maryland Coordinate System NAD 83/91 Datum as referenced from Traverse control stations:

Station	Northing	Easting	Elevation
Balt. County GIS - 169	635286.37	1388661.01	388.72'
Balt. County GIS - AZ-169	633903.68	1388879.38	362.56'



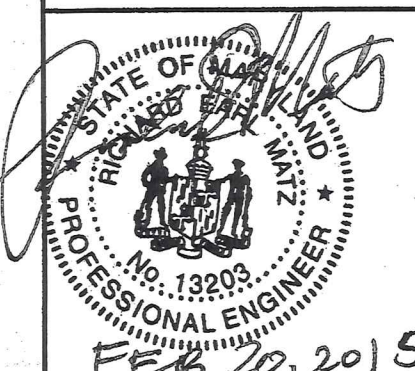
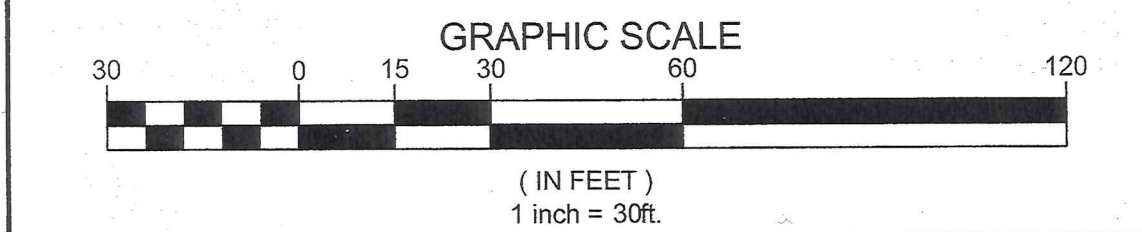
VICINITY MAP
SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER/APPLICANT:
ALLAN F. CHARLES
10522 BURNSIDE FARM ROAD
OWINGS MILLS, MARYLAND 21117
410-218-1900
- SITE DATA:
ADDRESS: 10522 BURNSIDE FARM ROAD
TAX ACCOUNT NUMBER: 2200019436
DEED REFERENCE: 38519/285
SITE AREA: 116,858 SF± OR 2.683 AC±
TAX MAP: 68
GRID: 2
PARCEL: 155
LOT: 1
PLAT REFERENCE: 68/70
GIS MAP (200 SCALE): 068A1059A3
- SITE ZONING:
R.C. 5 (AREA): 115,386 SF± OR 2.649 AC±
R.C. 2 (AREA): 1,472 SF± OR 0.034 AC±
TOTAL AREA: 116,858 SF± OR 2.683 AC±
- REQUIRED PARKING:
2 SPACES PER DWELLING UNIT AT 1 DWELLING UNIT = 2 SPACES
PROVIDED PARKING: 2 SPACES
- A PORTION OF THIS SITE IS LOCATED WITHIN THE 100 YEAR FLOOD PLAIN AREA.
- THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THIS SITE IS SERVED BY ONSITE WELL AND SEPTIC.
- THERE ARE NO KNOWN HAZARDOUS MATERIALS LOCATED ON SITE.
- THERE ARE NO STRUCTURES LOCATED ONSITE INCLUDED IN THE MARYLAND INVENTORY OF HISTORIC PROPERTIES OR THE BALTIMORE COUNTY FINAL LANDMARKS LIST.
- ZONING VARIANCE REQUESTED:
HEIGHT AND AREA REGULATIONS IN R.C. 5 ZONES:
TO PERMIT A SIDE PRINCIPAL BUILDING SETBACK OF 10 FEET IN LIEU OF THE REQUIRED 50 FEET PER BCZR SECTION 1404.3.B.2.b, BUILDING SETBACKS IN R.C.5 ZONES.
- ZONING HISTORY:
CASE 1894-0522-A: VARIANCE TO PERMIT AN EXISTING ACCESSORY STRUCTURE TO BE LOCATED IN THE SIDE AND FRONT YARDS IN LIEU OF THE REQUIRED REAR YARD, AND TO AMEND THE LAST APPROVED FINAL DEVELOPMENT PLAN OF BURNSIDE FARM FOR LOT NO. 1, GRANTED AUGUST 2, 1994, SUBJECT TO CONDITIONS.
- BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED ON A LOCATION SURVEY PERFORMED BY COLBERT MATZ ROSENFELT, INC. DATED FEBRUARY 9, 2015. INFORMATION TAKEN FROM BALTIMORE COUNTY GIS, DEED INFORMATION, AVAILABLE RECORDS, AND A PARTIAL FIELD RUN TOPOGRAPHIC SURVEY DATED FEBRUARY 9, 2015.

ZONING CASE #2015-0184-A

PLAN TO ACCOMPANY PETITION FOR ZONING ADMINISTRATIVE VARIANCE
10522 BURNSIDE FARM ROAD
3RD ELECTION DISTRICT 2ND COUNCILMANIC DISTRICT
TAX MAP 68 - GRID 02 - PARCEL 155 - LOT 1
PLAT REFERENCE 68 / 70
BALTIMORE COUNTY, MARYLAND 21117



Colbert Matz Rosenfelt, Inc.
Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

LEGEND	
PROPERTY BOUNDARY	---
EXIST. EDGE OF PAVING	----
EXIST. EASEMENT	----
EXIST. STREAM	----
EXIST. CONTOUR	----
ZONING BORDER	----
FRONT OF BUILDING	→
PROP. GRAVEL DRIVE	----

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. 13203 Expiration Date: 11-02-16		SCALE: 1" = 30' DATE: 2/20/15 JOB NO.: 2014-274 DESIGNED: DRAWN: TRB/KOK/MRV/MS/RZ CHECKED: REM FILE: 2014274 BASE (CURRENT).DWG DRAWING NUMBER: ZON-1
NO.	DATE	REVISIONS:
BY	SHEET	1 OF 1

Pat.
Evan.
1