

IN RE: PETITION FOR VARIANCE

(4920 Tartan Hill Road)

11th Election District

6th Council District

Norris L. & Robin L. Riley

Legal Owners

Petitioners

*

*

*

*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2015-0222-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance on behalf of the legal owners of the subject property. The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §§ 432A.1.C.1 & 432A.1.C.2 to permit an existing driveway located in the front yard 5 ft. from the side property line to be used as the required parking spot for a proposed Assisted Living Facility (ALF) in lieu of the required rear yard parking at least 10 ft. from all property lines. The subject property and requested relief is more fully depicted on the site plan marked as Petitioners' Exhibit 1.

Owners Norris & Robin Riley appeared in support of the petition. Several neighbors attended the hearing and opposed the requests. The petition was advertised and posted as required by the B.C.Z.R. Substantive Zoning Advisory Committee (ZAC) comments were received from the Bureau of Development Plans Review (DPR), the Department of Environmental Protection and Sustainability (DEPS) and the Department of Planning (DOP). None of the reviewing agencies opposed the petition.

The subject property is approximately 6,803 square feet and is zoned DR 5.5. The property is improved with a 3 bedroom single family home. Petitioners have lived at the property since

ORDER RECEIVED FOR FILING

Date 6/5/15

By Sen

2010, and propose to care for and house two disabled patients at their home, which is a use known as an assisted-living facility I (ALF) under the B.C.Z.R. Petitioners seek variances to allow use of their current driveway for the ALF.

Neighbors opposed the requests and believe this would constitute an inappropriate commercial enterprise in a residential community. Protestants also testified that the streets in the community are narrow and parking is already at a premium. They believe this ALF use would make current conditions worse. Community members also noted that the covenants governing the Tartan Hill community forbid any commercial uses in the single family dwellings. As explained at the hearing, Baltimore County does not have the authority to enforce private neighborhood covenant restrictions and agreements. *Blakehurst Life Care v. Baltimore County*, 146 Md. App. 509 (2002). These must be enforced by way of a civil action in the Circuit Court for Baltimore County.

To obtain variance relief requires a showing that:

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

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

Petitioners have not met this test. There was no evidence or testimony presented to establish that the subject property is unique in any way. Based on a review of the County's zoning maps, the Petitioners' lot and single family dwelling are similar in size and configuration to those of the other homes and lots in this small community. Maryland courts stress that variances should be seldom granted, and I do not believe Petitioners have sustained their burden of proof under the law. *Cromwell v. Ward*, 102 Md. App. 691, 711 (1995) ("general rule that variances are rarely appropriate").

ORDER RECEIVED FOR FILING

Date 6/5/15

By Sen

THEREFORE, IT IS ORDERED, this 5th day of June, 2015, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("B.C.Z.R.") §§ 432A.1.C.1 & 432A.1.C.2 to permit an existing driveway located in the front yard 5 ft. from the side property line to be used as the required parking spot for a proposed Assisted Living Facility (ALF) in lieu of the required rear yard parking at least 10 ft. from all property lines, 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

6/5/15

By

sln



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 4920 Tartan Hill Rd. which is presently zoned DR 5.5

Deed References: 32553 00258 10 Digit Tax Account # 18 000 144 00

Property Owner(s) Printed Name(s) Norris L. & Robin L. Riley

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

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

1. ☐ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a **Variance** from Section(s)

BCZR: 432A.1.C.1 & 432A.1.C.2 → To permit an existing driveway located in the front yard 5 feet away from the side property line to be used as the required parking spot for a proposed Assisted Living Facility, in lieu of the required rear yard parking at least 10 feet away from all property lines.

of the zoning

(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

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

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Norris L. Riley / Robin L. Riley
Name #1 - Type or Print Name #2 - Type or Print

Norris L. Riley / Robin L. Riley
Signature #1 Signature #2

4920 Tartan Hill Rd. Perry Hall, MD
Mailing Address City State

21128 / 443-987-4423 / Robin.Riley@verizon.net
Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER

2015-0222-A

Filing Date

4/13/15

Do Not Schedule Dates:

Reviewer

JS

ZONING PROPERTY DESCRIPTION FOR 4920 TARTAN HILL ROAD.

Beginning at a point on the north east side of Tartan Hill Road, which is 50 feet wide, at the distance of 655 feet west of the center line of the nearest improved intersecting street, Feather Hill Road, which is 50 feet wide.

Being Lot #28, Block A, Section #3 in the subdivision of Tartan Hill as recorded in Baltimore County Plat Book #45, Folio #52, containing 6,803 square feet. Located in the 11th Election District and 6th Council District.

2015-0222-A

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

No. **123573**

Date: **4/13/15**

PAID RECEIPT

BUSINESS ACTUAL TIME NEW
 4/14/2015 4/13/2015 10:21:08 1

REG MSG1 WALKIN LTRAS LTR
 >>RECEIPT # 576370 4/13/2015 0FLR

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$175.00

Dept 5 528 ZONING VERIFICATION
 CR NO. 123573

Receipt Tot \$175.00
 \$175.00 OK \$1.00 Ca
 Baltimore County, Maryland

Total: **\$175.00**

Rec From: **RILEY**

For: **2015 0327-1 AND ALF USE PERMIT**

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

CERTIFICATE OF POSTING

May 19, 2015

Re:

Zoning Case No. 2015-0222-A

Petitioner / Owner: Norris & Robin Riley

Date of Hearing: June 8, 2015

**Baltimore County Department of Permits, Approvals & Inspections
County Office Building
111 West Chesapeake Avenue, Room 111
111 West Chesapeake Avenue Towson, MD 21204**

Attention: Kristen Lewis

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at **4920 Tartan Hill Road.**

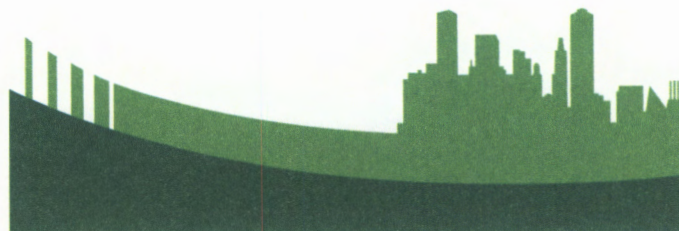
The sign(s) were posted on **May 15, 2015.**

Sincerely,

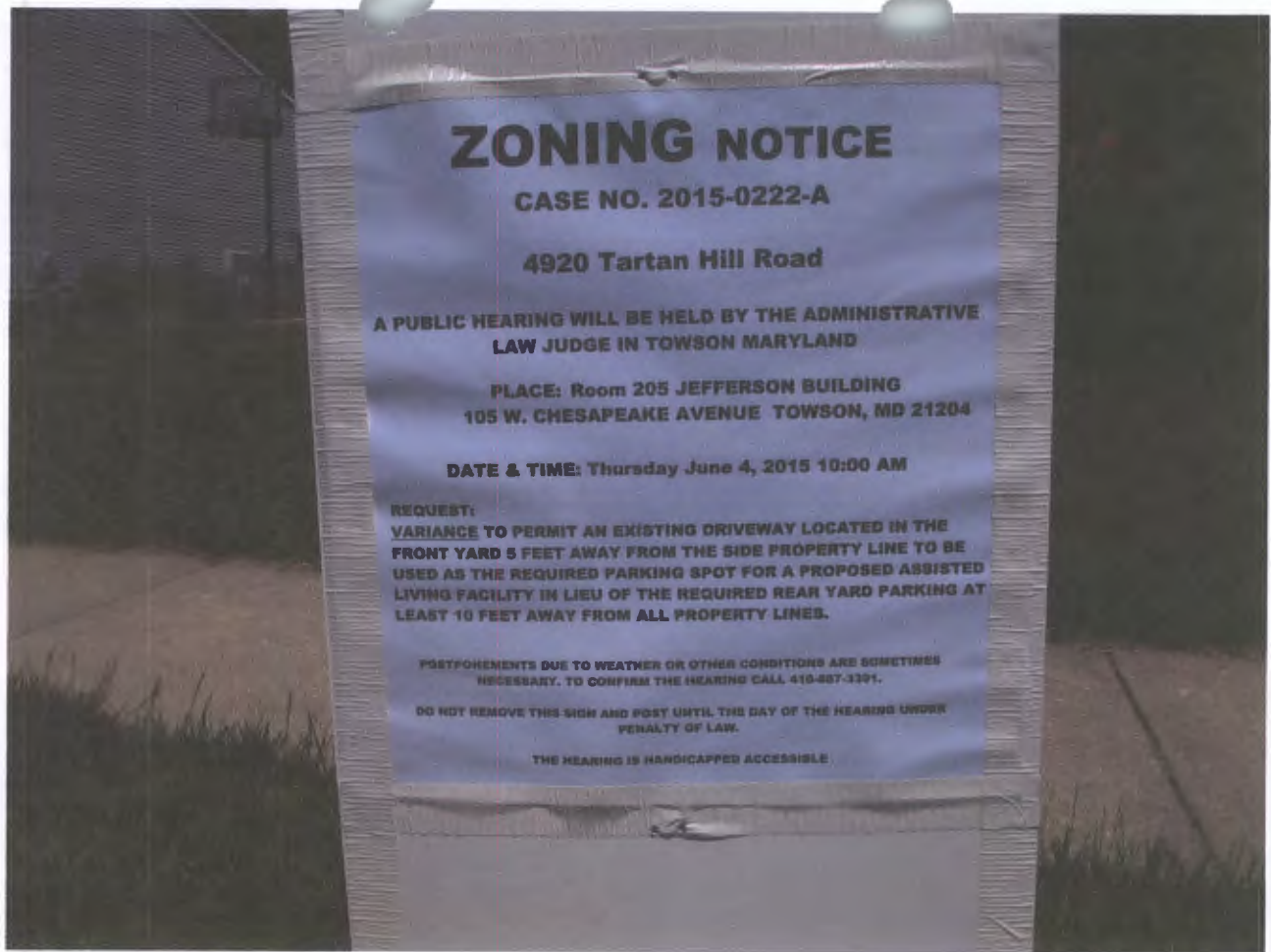


**Bruce E. Doak
MD Property Line Surveyor #531**

See the attached sheet(s) for the photos of the posted sign(s)



Land Use Expert and Surveyor





501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3271669

Sold To:

Robin Riley - CU00442056
4920 Tartan Hill Rd
Perry Hall, MD 21128-9665

Bill To:

Robin Riley - CU00442056
4920 Tartan Hill Rd
Perry Hall, MD 21128-9665

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

May 14, 2015

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising

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: # 2015-0222-A

4920 Tartan Hill Road

NE/s Tartan Hill Road, 655 ft. w/of centerline of intersection with Feather Hill Road

11th Election District - 6th Councilmanic District

Legal Owner(s): Norris & Robin Riley

Variance to permit an existing driveway located in the front yard 5 ft. away from the side property line to be used as the required parking spot for a proposed Assisted Living Facility in lieu of the required rear yard parking at least 10 ft. away from all property lines.

Hearing: Thursday, June 4, 2015 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

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

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

5/122 May 14

3271669



KEVIN KAMENETZ
County Executive

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

May 1, 2015

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NE/s Tartan Hill Road, 655 ft. w/of centerline of intersection with Feather Hill Road

11th Election District – 6th Councilmanic District

Legal Owners: Norris & Robin Riley

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Hearing: Thursday, June 4, 2015 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Norris & Robin Riley, 4920 Tartan Hill Road, Perry Hall 21128

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MAY 15, 2015.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 14, 2015 Issue - Jeffersonian

Please forward billing to:

Robin Riley
4920 Tartan Hill Road
Perry Hall, MD 21128

443-987-4423

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: 2015-0222-A

4920 Tartan Hill Road

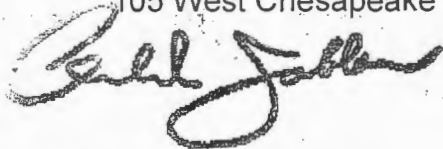
NE/s Tartan Hill Road, 655 ft. w/of centerline of intersection with Feather Hill Road

11th Election District – 6th Councilmanic District

Legal Owners: Norris & Robin Riley

Variance to permit an existing driveway located in the front yard 5 ft. away from the side property line to be used as the required parking spot for a proposed Assisted Living Facility in lieu of the required rear yard parking at least 10 ft. away from all property lines.

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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.

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
4920 Tartan Hill Road; NE/S Tartan Hill Road,	*	OF ADMINSTRATIVE
655' W of c/line with Feather Hill Road	*	HEARINGS FOR
11 th Election & 6 th Councilmanic Districts	*	BALTIMORE COUNTY
Legal Owner(s): Norris & Robin Riley	*	2015-222-A
Petitioner(s)		

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

RECEIVED

APR 22 2015

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of April, 2015, a copy of the foregoing Entry of Appearance was mailed to Norris & Robin Riley, 4920 Tartan Hill Road, Perry Hall, Maryland 21128, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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/neighbor 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: 2015-0777-A

Petitioner: RILEY

Address or Location: 4920 TARTAN HILL RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: Robin Riley

Address: 4920 Tartan Hill Rd.

Perry Hall, MD 21128

Telephone Number: 443-987-4423

MEMORANDUM

DATE: July 7, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0222-A – Appeal Period Expired

The appeal period for the above-referenced case expired on July 6, 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

CASE NAME

CASE NUMBER

DATE _____

2015-222-A

June 4, 2015

CITIZEN'S SIGN - IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E - MAIL

MICHAEL WEINERS	4922 TARTAN HILL ROAD	PERRY HALL MD 21128	mweiners@gmail.com
William E. Birch	4918 TARTAN Hill Rd	Perry Hall Md 21128	billbirch611@comcast.net
PAUL WOLOD	8600 FEATHER HILL RD	PERRY HALL MD 21128	PEW20-ZOZ@yahoo
CHRISTINE CARR	5019 TARTAN HILL RD	PERRY HALL, MD 21128	RUSSC2@COMCAST.NET
Douglas Poe	8606 Featherhill RD.	Perry Hall, MD 21128	lysuz12@comcast.net
DANIEL BEN	16 Avenmore Ct	Perry Hall MD 21128	DanielBenMD@Verizon.net
JoAnn Friesner	4909 Tartan Hill Rd	Perry Hall MD 21128	joannfriesner@yahoo.com
Marian DiMARCANTONIO	4911 Tartan Hill Rd	" " "	MareDimarc@gmail.com
KEN FRIESNER	4909 TARTAN HILL RD	PERRY HALL, MD 21128	kenfriesner@yahoo.com
Robin Riley	4920 Tartan Hill Rd.	Perry Hall, MD 21128	robinriley@verizon.net
AL D. MARCANTONIO	8604 FEATHERHILL RD	PERRY HALL, MD 21128	AL6651@ATTNET
Bradley Gracey	4928 Tartan Hill Rd	Perry Hall MD 21128	blg1998@yahoo.com

CASE NO. 2015-

0222-A

CHECKLISTSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment

4/27/15

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

C

5/15/15

DEPS
(if not received, date e-mail sent _____)

n/c

FIRE DEPARTMENT

5/11/15

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

no obj

4/27/15

STATE HIGHWAY ADMINISTRATION

no obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

5/14/15

SIGN POSTING

Date:

5/15/15

by

Dack

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

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 - 11 Account Number - 1800014400								
Owner Information										
Owner Name:		RILEY NORRIS L RILEY ROBIN L			Use: Principal Residence:		RESIDENTIAL YES			
Mailing Address:		4920 TARTAN HILL RD PERRY HALL MD 21128- 9866			Deed Reference:		/32553/ 00258			
Location & Structure Information										
Premises Address:		4920 TARTAN HILL RD 0-0000			Legal Description:		6803 SQ FT .1561 AC 4920 TARTAN HILL RD TARTAN HILL			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	1
0072	0022	0190		0000	3	A	28	2015	Plat Ref:	0045/ 0052
Special Tax Areas:					Town: Ad Valorem: Tax Class:		NONE			
Primary Structure Built 1982		Above Grade Enclosed Area 1,480 SF			Finished Basement Area		Property Land Area 6,803 SF		County Use 04	
Stories 2	Basement NO	Type SPLIT LEVEL	Exterior SIDING	Full/Half Bath 2 full/ 1 half		Garage	Last Major Renovation			
Value Information										
			Base Value		Value As of 01/01/2015		Phase-in Assessments As of 07/01/2014		As of 07/01/2015	
Land:			89,300		89,300					
Improvements			125,100		145,900					
Total:			214,400		235,200		214,400		221,333	
Preferential Land:			0						0	
Transfer Information										
Seller: RILEY NORRIS L Type: NON-ARMS LENGTH OTHER				Date: 09/18/2012 Deed1: /32553/ 00258				Price: \$0 Deed2:		
Seller: RUPPERT PAUL W Type: ARMS LENGTH IMPROVED				Date: 09/24/2010 Deed1: /29923/ 00030				Price: \$245,000 Deed2:		
Seller: SWEENEY BRIAN DAVID Type: ARMS LENGTH IMPROVED				Date: 08/06/1985 Deed1: /06970/ 00710				Price: \$91,500 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										

Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty>)District: **11** Account Number: **1800014400**

The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



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

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



KEVIN KAMENETZ
County Executive

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

May 29, 2015

Norris & Robin Riley
4920 Tartan Hill Road
Perry Hall, MD 21128

RE: Case Number: 2015-0222-A, Address: 4920 Tartan Hill Road

Dear Mr. & Mrs. Riley:

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

5/20/15
wch

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 11, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 4920 Tartan Hill Road

INFORMATION:

Item Number: 15-222

Petitioner: Norris L. and Robin L. Riley

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the request for Variance to permit parking in support of a proposed Assisted Living Facility to be located in the front yard and set back 5 feet from the property line in lieu of the required side or rear yard and 10 feet respectively.

Upon visiting the site, it was verified that the driveway is existing. The Department of Planning has no objection to the petitioned request.

For further information concerning the matters stated here in, please contact Krystle Patchak at 410-887-3480.

Division Chief: Kathy Goodrich
AVA/KS

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 April 27, 2015
Item No. 2015-0222

DATE: April 27, 2015

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

A Landscape Plan for the site is required due to a change in occupancy. A lighting plan may also be required.

* * * * *

DAK: CEN
cc:file

ZAC-ITEM NO 15-0222-04272015.doc

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



Maryland Department of Transportation

Pete K. Rahn, Secretary
Melinda Peters, Administrator

Date: 4/27/15

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

RE: Baltimore County
Item No 2015-0222-A
Variance
Norris L. & Robin L. Riley
4920 Tartan Hill 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. 2015-0222-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,

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

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

SDF/raz

6-4

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

MAY 15 2015



OFFICE OF ADMINISTRATIVE HEARINGS

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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: May 15, 2015

SUBJECT: DEPS Comment for Zoning Item # 2015-0222-A
Address 4920 Tartan Hill Road
(Riley Property)

Zoning Advisory Committee Meeting of April 20, 2015.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: *Jeff Livingston – Development Coordination*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 11, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 4920 Tartan Hill Road

RECEIVED

INFORMATION:

Item Number: 15-222

MAY 14 2015

Petitioner: Norris L. and Robin L. Riley

OFFICE OF ADMINISTRATIVE HEARINGS

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the request for Variance to permit parking in support of a proposed Assisted Living Facility to be located in the front yard and set back 5 feet from the property line in lieu of the required side or rear yard and 10 feet respectively.

Upon visiting the site, it was verified that the driveway is existing. The Department of Planning has no objection to the petitioned request.

For further information concerning the matters stated here in, please contact Krystle Patchak at 410-887-3480.

Division Chief:
AVA/KS

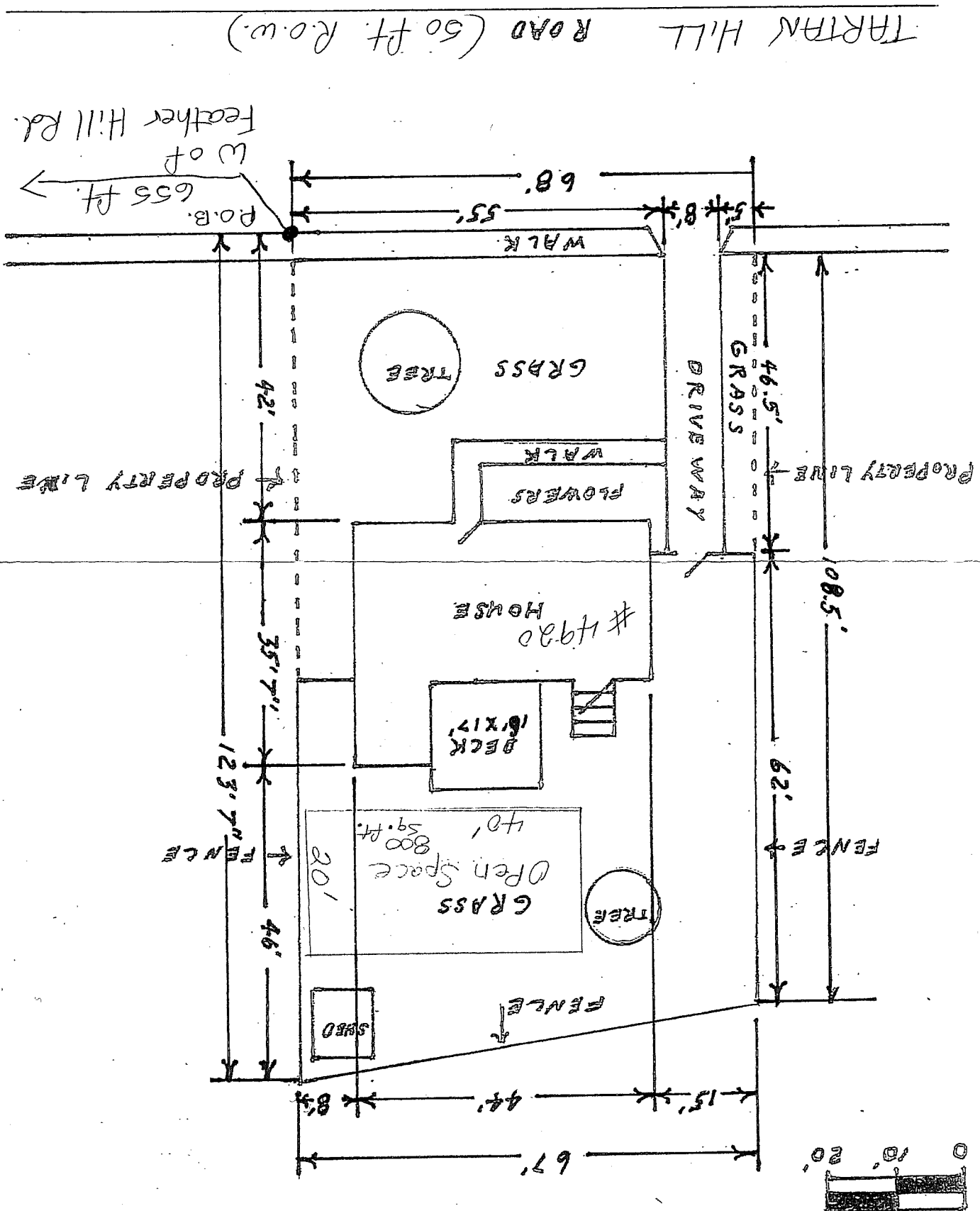
Kathy G. G. G. G.

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

ADDRESS 4920 Tartan Hill Rd. OWNER(S) NAME(S) Norris & Robin Riley

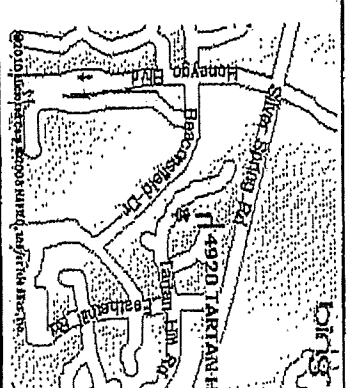
SUBDIVISION NAME Tartan Hill LOT # 28 BLOCK # A SECTION # 3

PLAT BOOK # 45 FOLIO # 52 10 DIGIT TAX # 1800014400 DEED REF. # 32553100258



PLAN DRAWN BY John Fowler DATE 4/4/15 SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 072 B3

SITE ZONED DR 5.5

ELECTION DISTRICT 11

COUNCIL DISTRICT 6

LOT AREA ACREAGE .16

OR SQUARE FEET 6803

HISTORIC? No

IN CBQA? No

IN FLOOD PLAIN? No

UTILITIES? MARK WITH X

WATERIS:

PUBLIC X PRIVATE

SEWERIS:

PUBLIC X PRIVATE

PRIOR HEARING? No

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

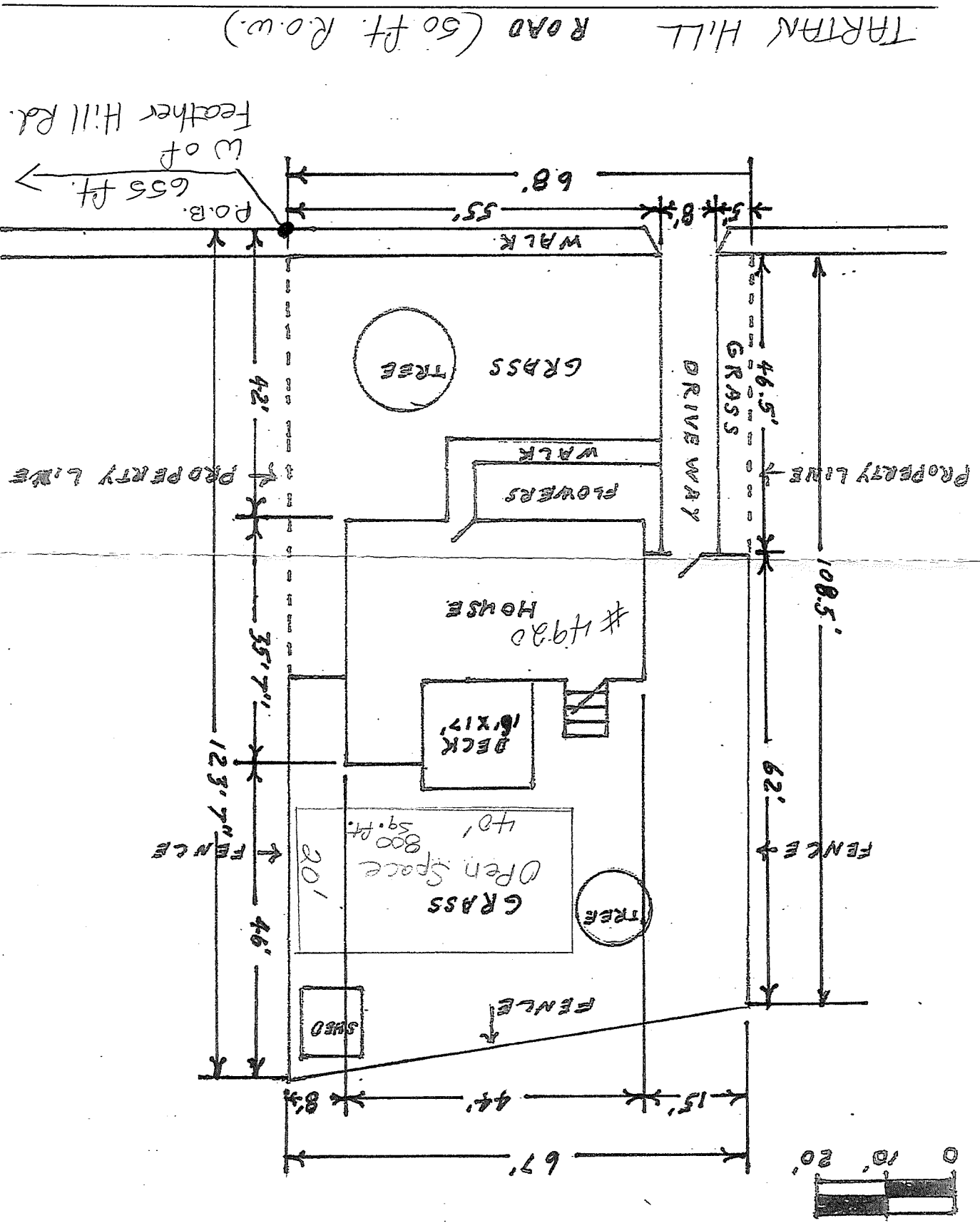
2015-0222-A

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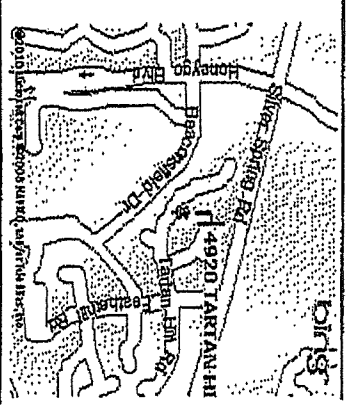
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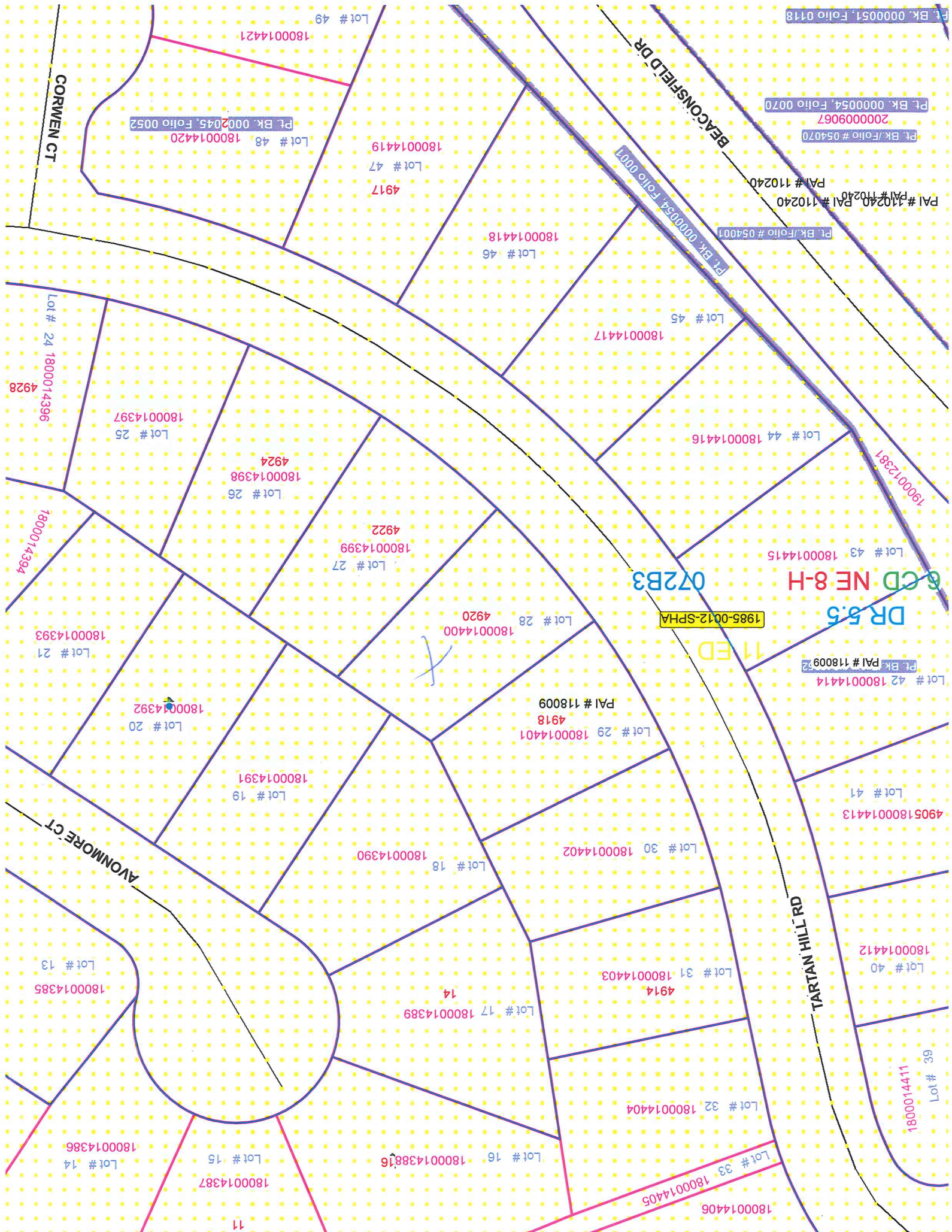
IF SO GIVE CASE NUMBER

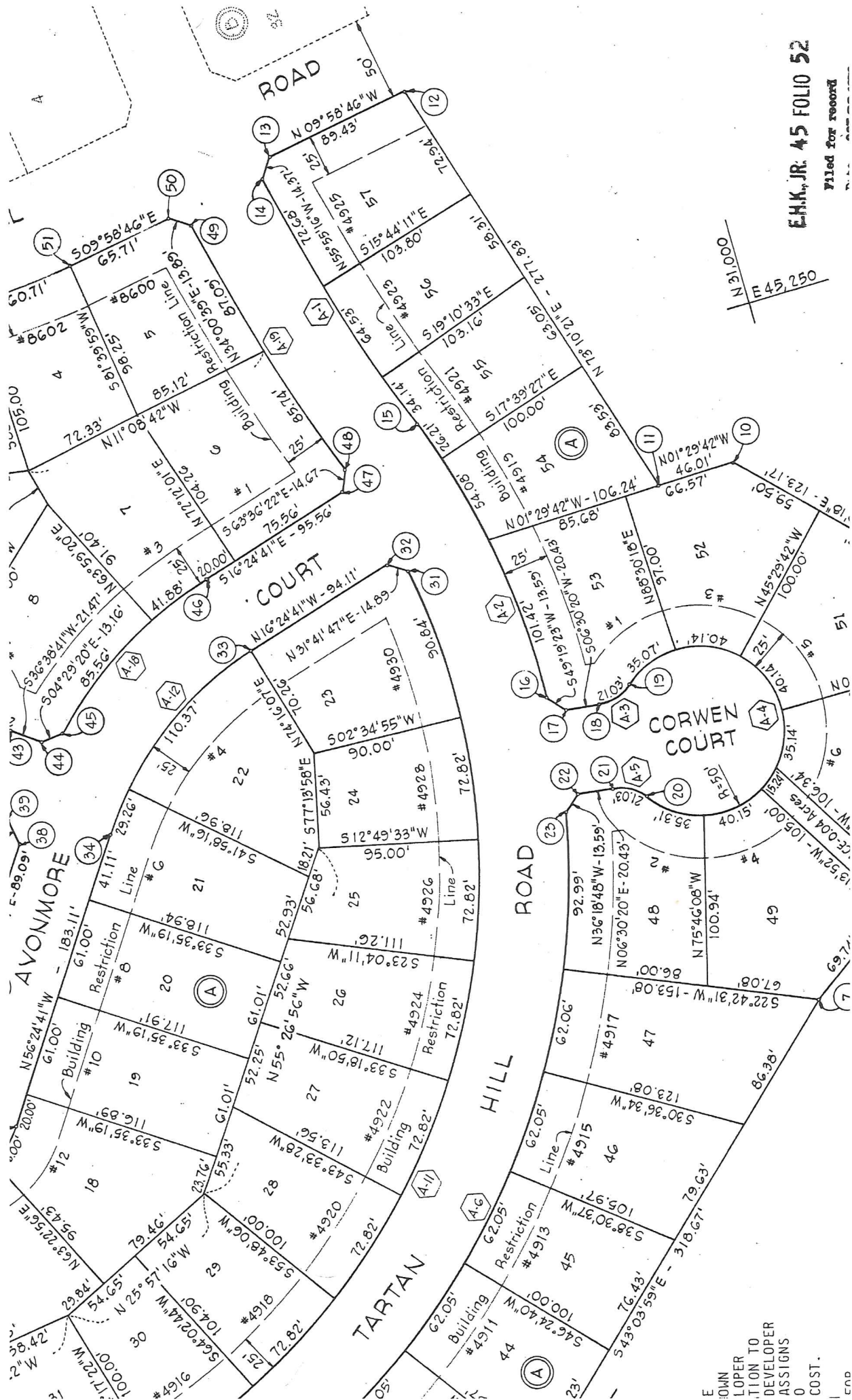
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

2015-0222-A







E.H.K., JR. 45 FOLIO 52

Filed for record

N 00° 13' 10" E
E 45.250'

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END