IN RE: PETITION FOR ADMIN. VARIANCE *

(11210 Cedar Lane) 11th Election District

5th Council District Todd S. & Cynthia D. Grill

Petitioners

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

* CASE NO. 2015-0248-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, Todd S. & Cynthia D. Grill ("Petitioners"). The Petitioners are requesting Variance relief from § 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed inground pool located on a corner lot located closer to the roadside in lieu of the farthest 1/3 of the property from both streets. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments submitted from any of the County reviewing agencies.

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

The Petitioners have 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

| Date | 6- | 16-15 | |
|------|----|-------|--|
| Ву | | (2) | |

ORDER RECEIVED FOR FILING

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 Petitioners.

Pursuant to the posting of the property and the provisions of both the B.C.C. and the B.C.Z.R., and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this <u>16th</u> day of June, 2015, by the Administrative Law Judge for Baltimore County, that the Petition for Variance from § 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed inground pool located on a corner lot located closer to the roadside in lieu of the farthest 1/3 of the property from both streets, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

Petitioners may apply for necessary permits and/or licenses upon receipt of this
Order. However, Petitioners are hereby made aware that proceeding at this time is
at their 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, Petitioners
would be required to return the subject property to its original condition.

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 | 6-16-15 | |
| Date | 10) | 2 |
| Bv | 130 | |



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING To be filed with the Department of Permits, Approvals and Inspections

| | ings for Baltimore County for the property located at: |
|---|--|
| Address 11210 CEDAR LANE | Currently zoned RC-5 |
| Deed Reference 24,828 / 486 Owner(s) Printed Name(s) TODD SHEFFIELD: | 10 Digit Tax Account # 1 1 0 8 0 6 8 9 4 0 |
| | 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 attached hereto and made a part hereof, hereby petit | situate in Baltimore County and which is described in the plan/plat ion for an: |
| ADMINISTRATIVE VARIANCE To permit a to the roadside in lieu of the farthest 1/3 of | proposed inground pool located on a corner lot located closer the property from both streets. |
| Ex sea - MAR scrat - street the o | The state of the s |
| of the zoning regulations of Baltimore County, to the | zoning law of Baltimore County. |
| 2 ADMINISTRATIVE SPECIAL HEARING to County Code: (indicate type of work in this space i.e. | approve a waiver pursuant to Section 32-4-107(b) of the Baltimore, to raze, alter or construct addition to building) |
| of the Baltimore County Code to the development law Property is to be posted and advertised as prescribed by the zonin I/ we agree to pay expenses of above petition(s), advertising, posts Baltimore County adopted pursuant to the zoning law for Baltimore | g regulations ng, etc. and further agree to be bound by the zoning regulations and restrictions of |
| | Owner(s)/Petitioner(s) |
| | Name #1 - Type or Print Name #2 - Type or Print Name #2 - Type or Print Name #2 - Type or Print Cynthia Dawn Grint Signature #1 Signature #2 |
| | Mailing Address City State |
| | 21087 / 410-241-3357 / tgrill @msn.com Zip Code Telephone # Email Address |
| Attorney for Owner(s)/Petitioner(s): | Representative to be contacted: |
| Name-Type or Print | Name - Type or Print |
| SILING | RLing PM > |
| Signature | 7024 GREENBANKRD. BALTO. MO |
| Mailing Address RECENTIAL COLOR | e Mailing Address City State |
| Signature Signature Mailing Address Telephone # Email Address A DURLIF OF THE PROPERTY OF | Zip Code Telephone # Email Addressmanl - Con |
| A PUBLIC TO THE HAVING DEATH TOTTING DETINATION OF THE | ound to be required, it is ordered by the Office of Administrative Hearings for Baltimore subject matter of this petition be set for a public hearing, advertised, and re-posted, as |

Administrative Law Judge for Baltimore County

CASE NUMBER 2015 6248-A Filing Date SP 15 Estimated Posting Date 3345 Reviewer 64

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

| ADMINISTRATIVE VARIANCE IN CRIMATION CHEET AND DATECT | | | | | |
|--|--|--|--|--|--|
| Case Number 2015- 0248 -A Address 11210 Cadar Lane | | | | | |
| Contact Person: Say Hore Planer, Please Print Your Name Phone Number: 410-887-3391 | | | | | |
| Filing Date: 5/2/15 Posting Date: 5/24/15 Closing Date: 6/8/15 | | | | | |
| 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. <u>DEADLINE</u> : The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date. | | | | | |
| ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail. | | | | | |
| 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 cornmissioner), 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- 048 -A Address 11210 Cedal Lane | | | | | |
| Petitioner's Name Todd, Grill Telephone 443-477-2007 | | | | | |
| Posting Date: 5/24/15 Closing Date: 6/8/15 | | | | | |
| Wording for Sign: To Permit a proposed ingrand pool (accessory structure) | | | | | |
| located on a corner lot Closest to the road side in lieu of requ | | | | | |
| THE TOPIES TO THE PARTY | | | | | |
| Revised 7/18/14 | | | | | |



ADMINISTRATIVE VARIANCE

CASE # 2015-0248-A
TO PERMIT A PROPOSED INGROUND
POOL (ACCESSORY STRUCTURE)
LOCATED ON A CORNER LOT CLOSER
TO THE ROAD, SIDE IN LIEU OF REQUIRED
THE FURTHEST 'S OF THE PROPERTY.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
5:00 P.M. ON JUNE 8, 2015

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW HANDICAPPED ACCESSIBLE

Debra Wiley

From:

Debra Wiley

Sent:

Tuesday, June 09, 2015 3:15 PM

To:

Gary M Hucik

Subject:

Administrative Variance 2015-0248-A (11210 Cedar Lane)

Hi Gary,

Can you please advise what code / section this variance is from? Thanks.

Debra Wiley Baltimore County Office of Administrative Hearings 105 West Chesapeake Avenue, Suite 103 Towson, Maryland 21204 410-887-3868 6-11-15. By Market proposed of the Contraction of t

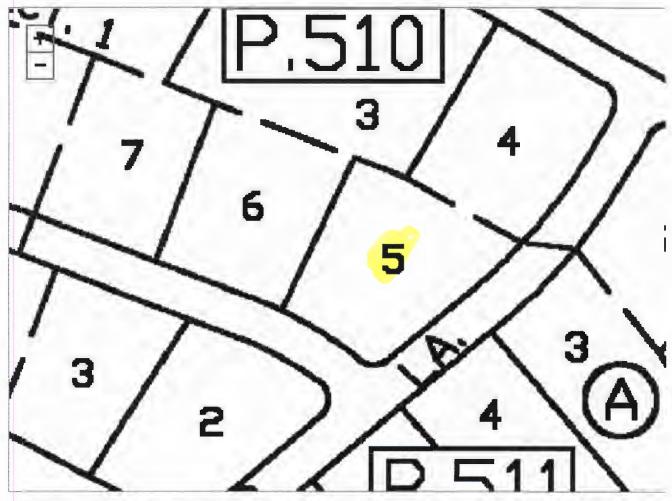
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| | | AL TIME | DE COUNT | | 23-965. captable \$680-016 (1817)21/251 | 1 TTT: | | | | | | | |
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| View Ma | р | | /lew Ground | Rent Re | demptio | n | | View | Ground | Rent Re | gistratio | n | |
| Account l | dentifle | r: | Distr | ict - 11 . | | Number - | | 40 | | | | | |
| | | | | | | r Informati | | | | | | | |
| Owner Na | me: | | GRIL | L CYNT | HIA D Use: Principal Reside | | | RESIDENTIAL YES | | | | | |
| Mailing A | ng Address: 11210 CEDA KINGSVILLE 1719 | | | | | | | | /26237/ 0\ 0529 | | | | |
| | | | | | tion & St | ructure in | formation | 1 | | | | | |
| Premises | Addres | 8: | 1121 0-000 | 0 CEDA | RLN | | Legal De | criptio | n: | 11210 KINGS | CEDAR | LN | |
| Мар: | Grid: | Parcel: | Sub District: | Subdi | vision: | Section: | Block: | Lot: | Asses Year: | sment | Plat No: | | |
| 0064 | 0013 | 0511 | | 0000 | | 2 | В | 5 | 2015 | | Plat Ref: | 0022/ | |
| Special | Tax Are | as: | | | | Town: Ad Valor Tax Clas | | | White estimate | NO | NONE | | |
| Primary Built 1958 | | | sed | Finished Area 800 SF | it , | Property Land Area 36,024 SF | | Co Us 04 | County Use 04 | | | | |
| Stories 1 | Base YES | ment | Type STANDARD | UNIT | Exterio BRICK | r Full/H 2 full/ | alf Bath 1 half | Gara 1 Att | ge ached | Last Ma | jor Ren | ovation | |
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| | | | Base | Value | | Value | | | e-in Ass | essment | s | | |
| | | | | | | As of 01/01/201 | E | As 01 | /2014 | 4 | s of 7/01/201 | 5 | |
| Land: | | | 148, | 000 | 148,000 | | | 07701 | 12017 | | 77017201 | | |
| Improve | ments | | 139, | | 209,400 | | | | | | | | |
| Total: | | | 287, | 100 | 357,400 | | | 287,1 | 287,100 310,533 | | | | |
| Preferen | ntial Lar | ıd: | 0 | | | | | | O | | | | |
| | | | | | | er Informat | ion | | | | to- | | |
| Seller: C | ASSID' | CHRIS | TIME L | | Date: 1 | 010412007 | | | 위 | ice: \$40 | 0,000 | | |
| Seller: CASSIDY CHRISTINE L CHANCELLOR Type: ARMS LENGTH IMPROVED | | | Deed1: /26237/ 00529 | | | | Deed2: | | | | | | |
| Seller: CHANCELLOR ROBERT D,JR | | Date: 11/28/2006 | | | | Price: \$0 | | | e excellèntement | | | | |
| Type: NON-ARMS LENGTH OTHER | | | Deed1: /24828/ 00486 | | | raefa aetatopotecsos qu | Deed2: | | | | | | |
| Seller: HOPPERS THOMAS H Type: ARMS LENGTH IMPROVED | | | Date: 05/19/1970 Deed1: /05093/ 00321 | | | Price: \$39,000 Deed2: | | | | | | | |
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Baltimore County

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

District: 11 Account Number: 1108068940



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/)

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Loading... Please Wait.



KEVIN KAMENETZ County Executive ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

June 9, 2015

Todd Sheffield and Cynthia Dawn Grill 11210 Cedar Lane Kingsville MD 21087

RE: Case Number: 2015-0248 A, Address: 11210 Cedar Lane

Dear Mr. & Ms. Grill:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 12, 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,

U. Cal Ribal D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel Craig Rodgers, 7024 Greenbank Road, Baltimore MD 21220 Larry Hogan, Governor Boyd Rutherford, Lt. Governor



Pete K. Rahn, Secretary

Date: 5/20/15

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

RE: **Baltimore County**

Item No 2015-0248-A

Administrative Variance Todal Shettield & Cynthia Dawn Gill 11210 Cedar Lane

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. 2015-0248-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,

Brian Romanowski, Chief Access Management Division

BR/raz

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: May 29, 2015

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 25, 2015

Item No. 2015-0248, 0249, 0252, 0253, 0254 and 0255

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

DAK:CEN cc:file

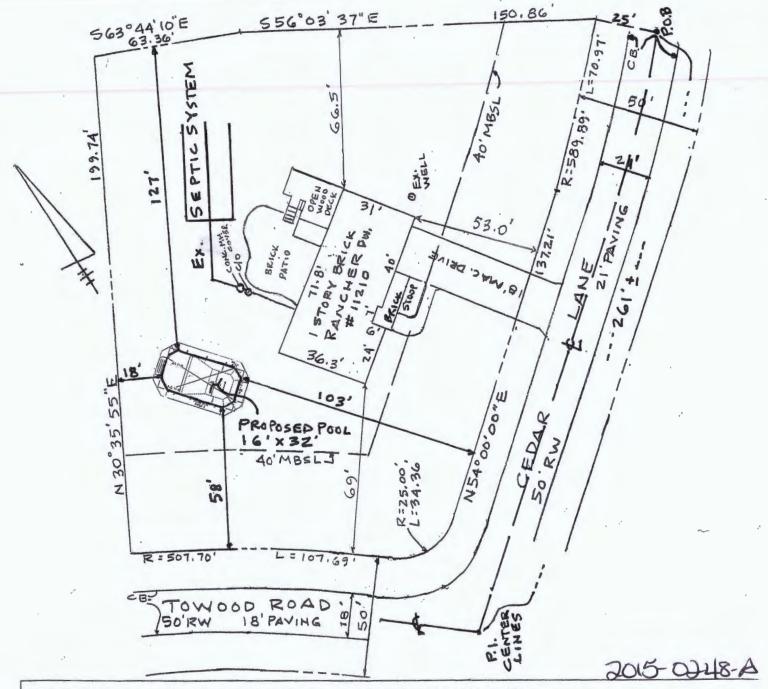
G:\DevPlanRev\ZAC -No Comments\ZAC05252015.doc



On June 10, 2015, William D. Gulick, Jr, of Parkville; beloved father of William David Gulick III; devoted son of Thelma Irene Thompson nee Whippo and the late William David Gulick Sr; dear brother of the late Mark Stephen Gulick. Family and friends will honor William's life at the family owned Evans Funeral Chapel and Cremation Services - Parkville, 8800 Harford Rd. on Wednesday from 4-6 PM at which time a memorial service will begin. Memory tributes may be sent to the family at www.evansfuneralchapel.com

Funeral Home
Evans Funeral Chapel & Cremation Services - Parkville
8800 Harford Road Parkville, MD 21234
(410) 665-9444

Published in Baltimore Sun on June 11, 2015



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

ADDRESS 11210 CEDAR LANE OWNER(S) NAME(S) TOOD & CYNTHIA GRILL

SUBDIVISION NAME KINGSLEA LOT # 5 BLOCK # 8 SECTION # 2

10 DIGITTAX # 1 1 0 8 0 6 6 9 4 0 DEED REF. # 24 9 2 8 / 0 0 4 8 6

PLAT BOOK # 22 FOLIO # 118

PREPARED BY:

SULVAN DR WAS & 4-20500 A SULVAN DR WAS & 4-

VICINITY MAP

ZONING MAP# 064AZ SITE ZONED RC5 **ELECTION DISTRICT** 11 COUNCIL DISTRICT LOT AREA ACREAGE 0.827 OR SQUARE FEET 36,024 HISTORIĆ? NO IN CBCA? NO IN FLOOD PLAIN ? NO UTILITIES? MARK WITH WATER IS: PRIVATE X PUBLIC SEWER IS: PUBLIC PRIVATE X PRIOR HEARING? NO

(Pet. Spl. 1)

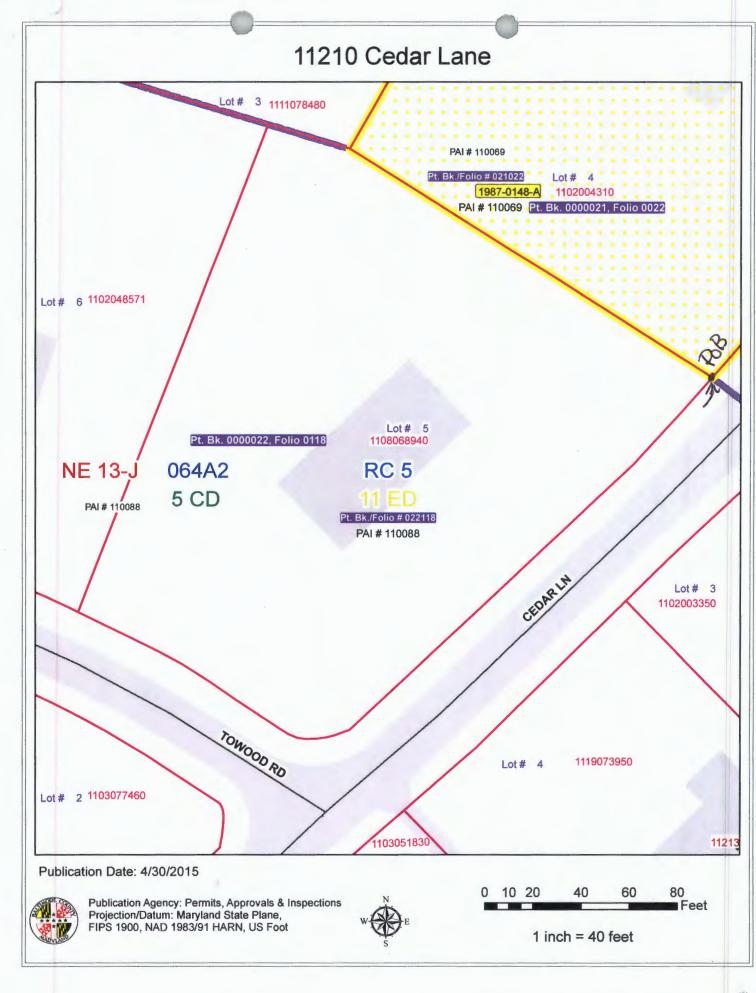
SCALE : 1": 40' DATE: 5/1/15

EPARED BY:

CRAIG CONSULTING, LLC

TOZ4GREENBANK RP.

RALTIMORE. MD 21220



MEMORANDUM

DATE:

July 17, 2015

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2015-0248-A - Appeal Period Expired

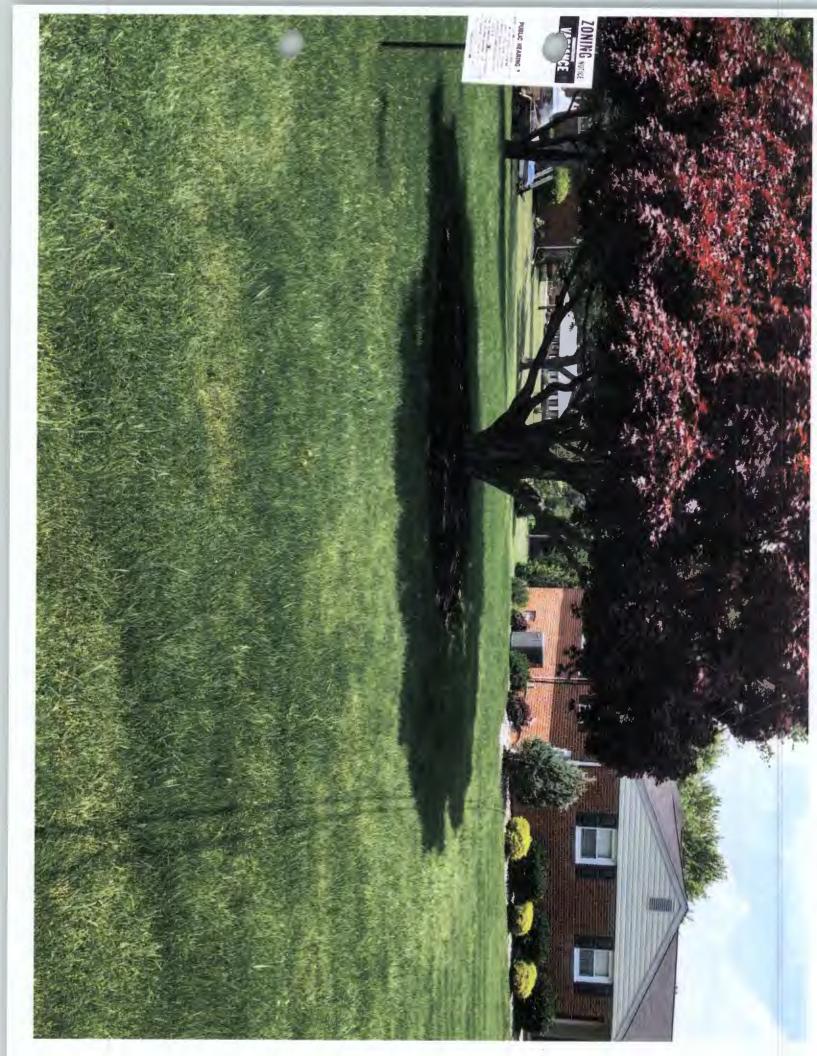
The appeal period for the above-referenced case expired on July 16, 2015. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

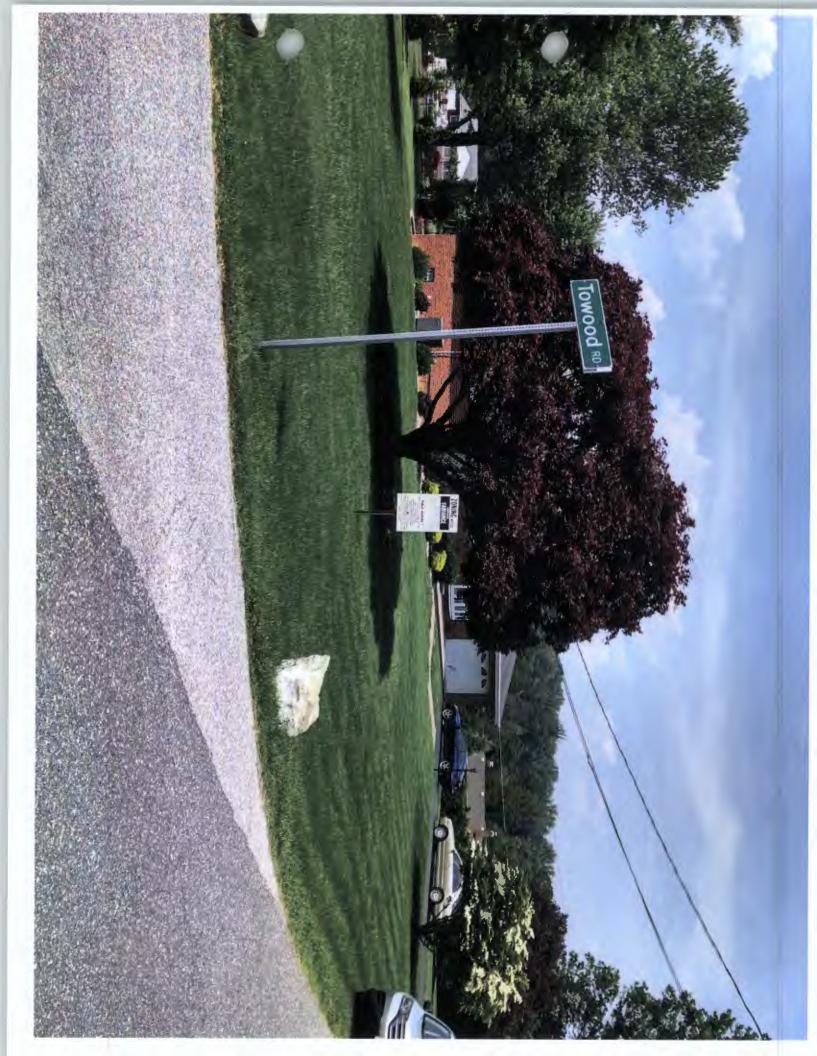
c: Case File

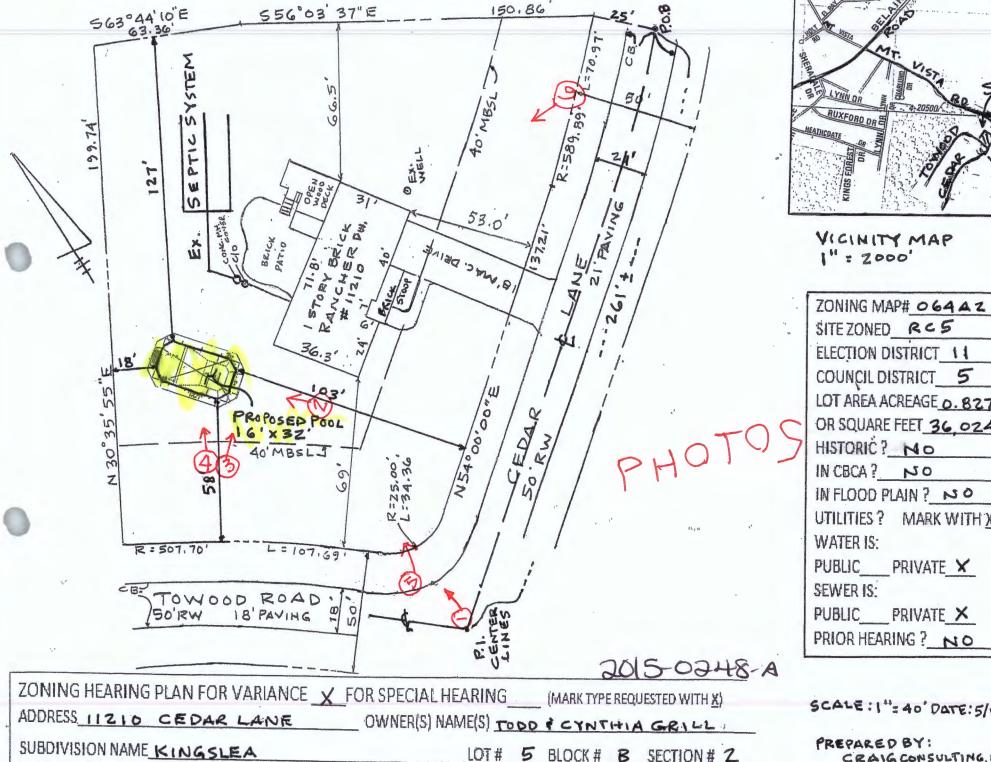
Office of Administrative Hearings

CHECKLIST

| Comment Received | <u>Department</u> | Conditions/ Comments/ No Comment |
|---------------------|--|---------------------------------------|
| 5.29 | DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent) | NO |
| | DEPS (if not received, date e-mail sent) | |
| | FIRE DEPARTMENT | |
| | PLANNING (if not received, date e-mail sent) | |
| 5-20 | STATE HIGHWAY ADMINISTRATION | No objection |
| <u> </u> | TRAFFIC ENGINEERING | |
| | COMMUNITY ASSOCIATION | |
| | ADJACENT PROPERTY OWNERS | · · · · · · · · · · · · · · · · · · · |
| ZONING VIOLA | TION (Case No | |
| PRIOR ZONING | (Case No. | See Mr. Sheid. |
| NEWSPAPER AD | | year on 6 - 16 but no |
| SIGN POSTING | training Rec'd from | by St. d |
| 10:16 Mm | to each. Per June 6-16-Mr. Sheid | from Mr. Rodger |
| | ISEL APPEARANCE Yes No L | July Sens. |
| PEOPLE'S COUN | ISEL COMMENT LETTER Yes L No L | |
| Comments, if any. | Knissing Co. Sect Emiled Hary H | · on 6-9-15 |
| | | |







PLAT BOOK # 22 FOLIO # 118 10 DIGIT TAX # 1 1 0 806 894 0 DEED REF. # 24 8 2 8 / 00 4 86



VICINITY MAP 1" : 2000'

SITE ZONED RC5 ELECTION DISTRICT 11 COUNCIL DISTRICT 5 LOT AREA ACREAGE 0.827 OR SQUARE FEET 36,024 HISTORIC ? NO IN CBCA ? NO IN FLOOD PLAIN? NO UTILITIES? MARK WITH X WATER IS: PUBLIC PRIVATE X SEWER IS: PUBLIC PRIVATE X PRIOR HEARING ? NO

SCALE : 1"= 40' DATE: 5/1/15

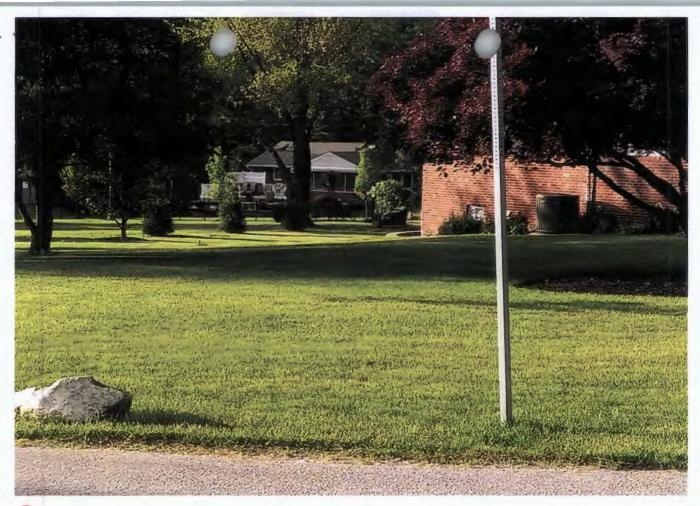
PREPARED BY: CRAIG CONSULTING, LLC



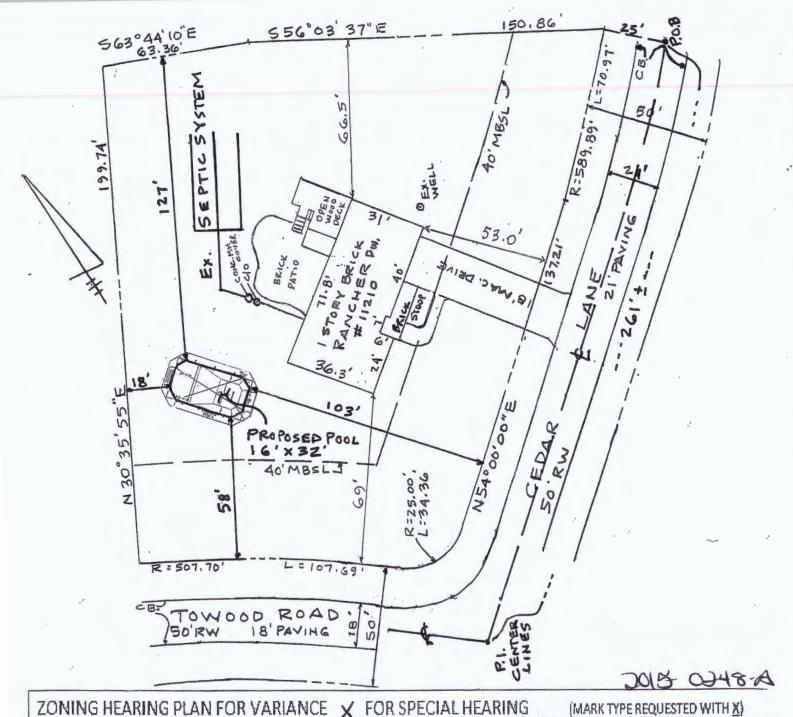












ADDRESS 11210 CEDAR LANE

FOLIO# 118

SUBDIVISION NAME KINGSLEA

PLAT BOOK # 22

OWNER(S) NAME(S) TODO & CYNTHIA GRILL.

10 DIGITTAX #L 1 0 8 0 6 8 9 4 0 DEED REF. # 24 9 2 8 / 0 0 4 8 6

LOT# 5 BLOCK# B SECTION# 2



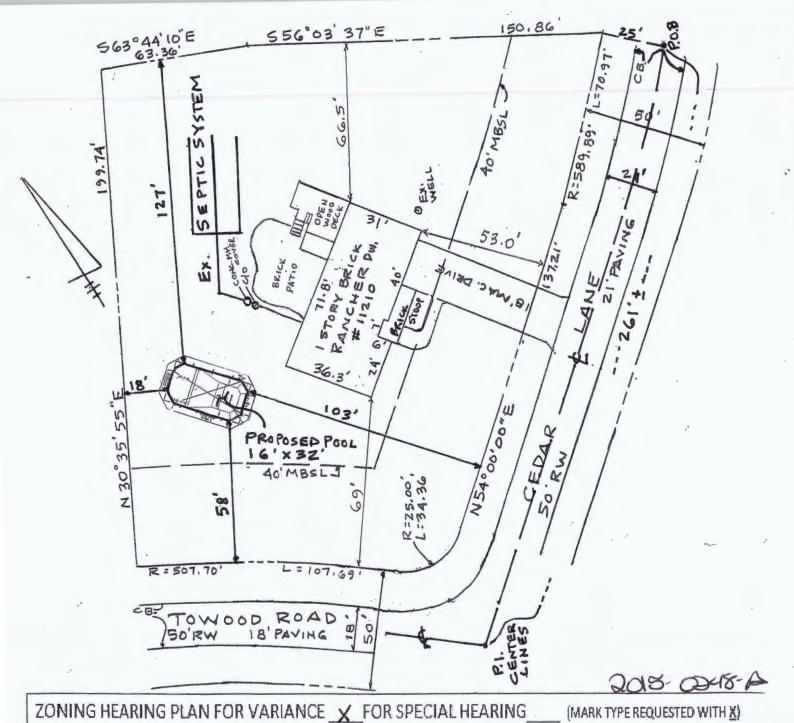
VICINITY MAP 1" : 2000'

ZONING MAP# 064AZ SITE ZONED RC5 ELECTION DISTRICT 11 COUNCIL DISTRICT 5 LOT AREA ACREAGE 0.827 OR SQUARE FEET 36,024 HISTORIC ? NO IN CBCA? NO IN FLOOD PLAIN? NO UTILITIES? MARK WITH WATER IS: PRIVATE X PUBLIC SEWER IS: PUBLIC PRIVATE X PRIOR HEARING? NO

SCALE: 1": 40' DATE: 5/1/15

PREPARED BY:

RAIG CONSULTING, LLC TOZAGREENBANK KD. BALTIMORE MD 21220



OWNER(S) NAME(S) TODO & CYNTHIA GRILL.

10 DIGITTAX #1 1 0 8 0 6 8 9 4 0 DEED REF. # 24 8 2 8 / 0 0 4 8 6

LOT# 5 BLOCK# B SECTION# 2

ADDRESS 11210 CEDAR LANE

FOLIO# 118

SUBDIVISION NAME KINGSLEA

PLAT BOOK # 22



VICINITY MAP

ZONING MAP# 064AZ SITE ZONED RC5 ELECTION DISTRICT 11 COUNCIL DISTRICT 5 LOT AREA ACREAGE 0.827 OR SQUARE FEET 36,024 HISTORIC ? NO IN CBCA? NO IN FLOOD PLAIN? NO UTILITIES? MARK WITH WATER IS: PRIVATE X PUBLIC SEWER IS: PUBLIC PRIVATE X PRIOR HEARING ? NO

SCALE : 1": 40' DATE: 5/1/15

PREPARED BY: CRAIG CONSULTING, LLC 7024 GREENBANK RD.