

IN RE: PETITION FOR ADMIN. VARIANCE
(4402 Pensel Road)
11th Election District
5th Council District
Antonio D. & Felicia E. Cottrell
Petitioners

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2015-0268-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, Antonio D. & Felicia E. Cottrell ("Petitioners"). The Petitioners are requesting Variance relief from §§ 259.9.B.4.e.(1) and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed deck (open projection) with a rear setback of 10 ft. in lieu of the required 30 ft. 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 received from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 31, 2015, 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

ORDER RECEIVED FOR FILING

Date 6-18-15

DW

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 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 18th day of **June, 2015**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from §§ 259.9.B.4.e.(1) and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed deck (open projection) with a rear setback of 10 ft. in lieu of the required 30 ft., 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 6-18-15

By dlw



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 4402 Pense Rd. Perry Hall, MD 21228 Currently zoned _____
Deed Reference _____ 10 Digit Tax Account # 250 000 69 11
Owner(s) Printed Name(s) Antonio + Felicia Cottrell

(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) 259.9.B.4.e.(1) & 301.1002 To a proposed deck (open projections) with a rear setback of 10 feet in lieu of the required 30 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):

Antonio Cottrell Felicia Cottrell

Name #1 - Type or Print

Name #2 - Type or Print

Antonio Cottrell

Felicia Cottrell

Signature #1

Signature #2

4402 Pense Rd. Perry Hall, MD

Mailing Address

City

State

21228 443 824-9749 cottrellf@yahoo.com

Zip Code

Telephone #

Email Address

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

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Antonio Cottrell (owner)

Name - Type or Print

Antonio Cottrell

Signature

4402 Pense Rd Perry Hall, MD

Mailing Address

City

State

21228 443 824-9749 cottrellf@yahoo.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 15 day of May 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 2015-0268-A Filing Date 5/27/15 Estimated Posting Date 5/31/15 Reviewer G.H

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE VARIANCE 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: 4402 Pensel RD. Perry Hall MD 21128
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)

We would like to extend our deck 10ft off of the morning so we can have enough room to accommodate a regular size table & chair. And also, enjoy it with family and friends. We love our home and planning to be there a very long time.

It would be practical difficulty to do any of these things we mentioned with a 4ft extension off of a morning room. The elevation we have will not allow us to just do a patio.

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

Antonio Cottrell
Signature of Owner (Affiant)

Antonio Cottrell
Name- Print or Type

Felicia Cottrell
Signature of Owner (Affiant)

Felicia Cottrell
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 5TH day of MAY, 2015, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: ANTONIO COTTRELL AND FELICIA COTTRELL

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

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public

9-30-2017

My Commission Expires

Zoning property description for 4402 Pensel Rd.

Beginning at point on the east side Pensel Road which is 40 feet wide at the distance of 130 feet, N/E of the center line nearest improved intersecting Street Stoss Rd which is 45 feet wide.

Subdivision Lot

Being lot number #13, block N/A in the subdivision of The Reserve at Camp Chapel as recorded in Baltimore County Plat book #1, Folio #71, contained lot acreage 0.258 located in the 11th election District and 5th Council District.

2015-0268-A

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

No. **125475**

Date: **5/22/15**

PAID RECEIPT

BUSINESS: ACTUAL TIME: 5/22/2015 5/22/2015 13:30:22

REG: WSDA WALKER SHIL SAN

RECEIPT # 665812 5/22/2015

5 520 ZONING VERIFICATION

CR NO. 125475

Recpt Tot \$75.00

\$75.00 CH \$1.00

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				75.00

Total: **75.00**

Rec From: **Felicia Cottrell**

For: **Administrative Variance**

4402 ~~RECEIVED~~ Pense/ RO

2015-0268-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2015- 0268 -A Address 4402 Pense/ Rd

Contact Person: Gary Hucik Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 5/22/15 Posting Date: 5/31/15 Closing Date: 6/15/15

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- 0268 -A Address 4402 Pense/ Rd 21128

Petitioner's Name Felicia Cottrell Telephone 410-336-1955

Posting Date: 5/31/15 Closing Date: 6/15/15

Wording for Sign: To Permit a proposed deck (open projection)
with a rear setback of 10 feet in lieu of the
required 30 feet

Revised 7/18/14

CERTIFICATE OF POSTING

2015-0268-A

RE: Case No.: _____

Petitioner/Developer: _____

Felicia Cottrell

June 15, 2015

Date of Hearing/Closing: _____

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

Attn: 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: _____

4402 Pensel Rd

May 31, 2015

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

May 31, 2015

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

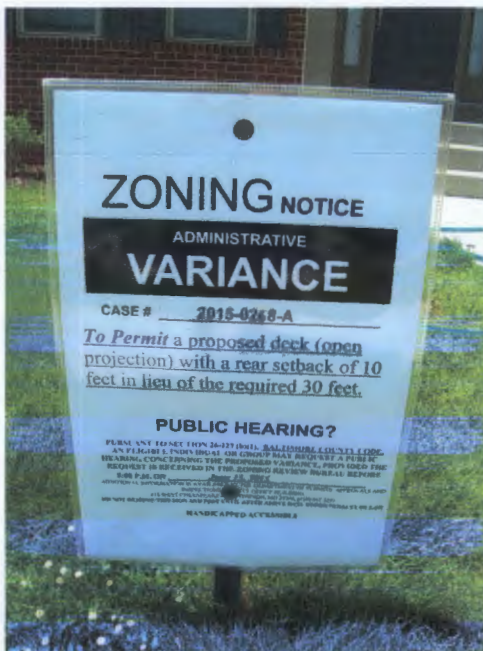
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CHECKLISTSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment

DEVELOPMENT PLANS REVIEW

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

DEPS

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

FIRE DEPARTMENT

PLANNING

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

6-10

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: _____

SIGN POSTING

Date: 5-31-15by Block

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 - 2500006911			
Owner Information					
Owner Name:	COTTRELL ANTONIO D COTTRELL FELICIA E		Use:	RESIDENTIAL	
Mailing Address:	4402 PENSEL RD PERRY HALL MD 21128		Principal Residence:	YES	
			Deed Reference:	/35271/ 00179	
Location & Structure Information					
Premises Address:		4402 PENSEL RD PERRY HALL 21128-0000		Legal Description:	0.258 AC 4402 PENSEL RD NS RESERVE AT CAMP CHAPEL
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0072	0004	0906		0000	13 2015 0079/0071
Special Tax Areas:			Town: NONE		
			Ad Valorem: Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
2014	3,472 SF	1000 SF	11,238 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	YES	STANDARD UNIT	SIDING	3 full/ 1 half	3 Attached
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2015	07/01/2014	07/01/2015	
Land:	82,300	202,300			
Improvements	441,400	350,700			
Total:	523,700	553,000	523,700	533,467	
Preferential Land:	0			0	
Transfer Information					
Seller: D R HORTON INC		Date: 08/15/2014		Price: \$560,000	
Type: ARMS LENGTH IMPROVED		Deed1: /35271/ 00179		Deed2:	
Seller:		Date: 04/17/2012		Price: \$4,582,500	
Type: ARMS LENGTH MULTIPLE		Deed1: /31950/ 00254		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		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: Approved 12/19/2014					

Baltimore County

[New Search \(http://sdat.resiusa.org/RealProperty/\)](http://sdat.resiusa.org/RealProperty/)District: **11** Account Number: **2500006911**

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>).

[\(http://msweb05.mdp.state.md.us/website/mosp/\)](http://msweb05.mdp.state.md.us/website/mosp/)☒ Loading... Please

Loading... Please Wait.

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Baltimore County, MD
Wednesday, June 17, 2015

ARTICLE 2. Elevator-Apartment Residence Zones, Residential-Office Zones, Office Zones, Business Zones, Manufacturing Zones and Districts

SECTION 259. Districts

§ 259.9. Development standards for H and H1 Overlay Districts.

[Bill No. 176-1994]

These standards are intended to be additions to, modifications of and exceptions from the standards required by the underlying zoning classification on the land in the area. All conflicts are to be resolved in accordance with Subsection G of this section.

A. Uses.

[Bill Nos. 73-1999; 83-2001^[1]; 120-2003^[2]]

1. Back-to-back group homes are not permitted.
2. Retail establishments exceeding 65,000 square feet are not permitted.
3. (Reserved)^[3]
[3]: *Editor's Note: Former Subsection A.3, regarding the prohibition of planned unit developments, was repealed by Bill No. 55-2007.*
4. Accessory structures, including but not limited to solar panels, antennas, satellite dishes, trash pads and storage sheds, are not permitted in the front yard of any principal use.
5. In A D.R. 3.5-H Zone, the only dwellings permitted are single-family detached dwellings.

[1]: *Editor's Note: This bill also provided for the renumbering of former Subsection A.3, regarding accessory structures, as Subsection A.4.*

[2]: *Editor's Note: This bill stated that it would not apply to any residential development for which a concept plan had been filed prior to 12-2-2003.*

B. Bulk and area standards.

[Bill Nos. 40-1997; 73-1999]

1. Except for nonresidential principal buildings or uses, and their accessory parking, the requirements of Section 1Bo1.1.B.1 (residential transition area) of these regulations do not apply.
2. Institutional uses are subject to the bulk and area requirements of the underlying zone.
- 3.

Except for properties with approved development plans or CRG plans, the minimum width for any single-family detached lot is 85 feet as measured along both the front wall and rear wall of the dwelling unit.

4. Except as provided in this section, the provisions of Section 1B01.2.C apply to development in the overlay districts. In the districts, the minimum residential dwelling setbacks are:
 - a. Ten feet from the right-of-way of a collector street, neighborhood street, alley or court as defined in the Honeygo Overlay District design guidelines;
 - b. Forty feet from the right-of-way of a major or minor arterial or collector road, as defined in these regulations;
 - c. Not applied to porches or stoops in front yards; and
 - d. Six feet from a side yard lot line that is not adjacent or the same as a public right-of-way if the dwelling unit is designed to have a side or rear entry garage. However, the sum of all side yard widths may not be less than 20 feet.
 - e. Except for properties with approved development plans or CRG plans, 40 feet from the rear property line except for:

[Bill No. 11-2012^[4]]

 - (1) Unroofed additions, including patios and decks; and
 - (2) Roofed additions which do not exceed in width 50% of the dwelling unit, and which do not extend more than 10 feet into the rear yard setback area.

[4]: *Editor's Note: This bill also stated that it would take effect 4-2-2012 and would apply retroactively to development plans approved on or after 5-1-2003.*
 - f. In a DR-2-H Zone, the sum of all side yard setbacks may not be less than 30 feet between dwellings.
5. Commercial developments shall have:
 - a. The front side, visible from the street upon which the building fronts, at least 25 feet high;
 - b. A setback of no more than 15 feet from any building to the right-of-way upon which that building fronts; and
 - c. A fifteen-foot-wide landscaped buffer between any parking facilities and any public right-of-way, except that, along Honeygo Boulevard, a setback of 40 feet from any parking facility to the right-of-way is required. The forty-foot setback is not subject to the variance provisions of Section 307.

[Bill No. 77-2004]

C. Building and site design standards.

1. Panhandle lots are not permitted, including as part of a minor subdivision.

[Bill No. 41-2014]
2. Reverse frontage lots are not permitted.
3. [Bill No. 73-1999]

- a. Except for properties with approved development plans or CRG plans, which shall be allowed front entry garages in accordance with the regulations in effect prior to January 14, 1995, a front entry garage shall be recessed at least eight feet behind the front facade of the dwelling or, in the alternative, for a garage not recessed or recessed less than eight feet, a minimum setback of 18 feet shall be provided, measured from the exterior garage wall to the right-of-way of a collector street, neighborhood street, alley or court as defined in the Honeygo Overlay District Design Guidelines. A two-car garage facing the street shall have two individual doors separated by a divider. The front facade of all garages, including the divider and not including the garage doors, shall be constructed of the same approved materials as the front facade of the building. Garages shall use items such as windows, decorative patterns, and color to relieve the visual impact of the house from the street.

[Bill No. 11-2012^[5]]

[5]: *Editor's Note: This bill also stated that it would take effect 4-2-2012 and would apply retroactively to development plans approved on or after 5-1-2003.*

- b. The exterior surface of a side-entry garage, not including the garage doors, which faces the front of the dwelling shall be constructed of the same approved materials as the front facade of the building.

4. The exterior surface on the front facade of all residential dwellings, not including the garage doors, shall consist of at least 70% of approved materials. This requirement is not subject to the variance provisions of Section 307.

[Bill Nos. 40-1997; 73-1999; 52-2004]

5. Building exteriors shall be of finished quality and similar architectural treatment, as defined in the Honeygo District Guidelines, to grade or, where that is not feasible, shall be finished to within 12 inches of grade on all sides of the building. This requirement is not subject to the variance provisions of Section 307.

[Bill No. 52-2004]

6. All fencing shall be in conformance with the Honeygo Overlay District Design Guidelines, and any fence more than three feet high shall also be set back at least three feet from any public right-of-way other than an alley. The three-foot setback area shall be landscaped with shrubs or grasses that are suitable for the space.

[Bill No. 20-2005]

7. Roofs shall be pitched in accordance with the Honeygo Overlay District Design Guidelines.
8. Stormwater management pond slopes, where management is not provided through a regional facility, shall not exceed a ratio of 3:1.
9. Rooftop equipment shall be screened so it is not visible from the ground level of adjacent buildings.
10. All inside group townhouses shall be at least 20 feet wide and all end of group townhouses shall be at least 22 feet wide.

[Bill No. 40-1997]

- D. Signage standards. Signs are permitted, subject to Section 450 and the following additional restrictions:

[Bill No. 89-1997]

- 1.

Freestanding enterprise and freestanding joint identification signs are not permitted on individual pad sites unless the signage is an existing permitted use.

[Bill No. 73-1999]

2. Commercial special event signs are not permitted.
3. Outdoor advertising signs are not permitted.
4. Only one freestanding joint identification sign of no more than 12 feet in height and no more than 100 square feet in area for each shopping center or multi-tenant building is permitted.
5. Only one wall-mounted joint identification sign, which for each shopping center or multi-tenant building identifies the center or building and which does not exceed the greater of 100 square feet or 12% of the wall upon which it is mounted, is permitted.
6. Only one wall-mounted enterprise sign, for each commercial establishment with an exterior entrance where the sign does not exceed, in square feet, two times the length of the wall upon which it is mounted, is permitted.

E. Open space standards.

1. The local open space requirements listed in the Local Open Space Manual, as adopted pursuant to § 32-4-404 of the Baltimore County Code, shall be applied in the D.R.1 and D.R.2 underlying zones.
[Bill No. 137-2004]
2. Stream buffers, wetlands and steep slopes contiguous to streams and regulated by the Department of Environmental Protection and Sustainability for environmental purposes shall be dedicated to Baltimore County, recorded by the county government among the land records of Baltimore County, and not used to meet the local open space requirements of the underlying zones.
[Bill No. 122-2010]
3. For land developed for commercial uses, at least 7% of the land shall be dedicated to open space for passive or active recreational uses. Paved portions of off-street parking lots or driveways shall be included in the calculation of the gross area, but shall not be designated to meet the open space requirement.
4. At least 25% of the perimeter of any open space must abut public rights-of-way or fronts of buildings, and such open space shall be landscaped.
5. The county may accept a fee in lieu of providing required open space when such fee is in conformance with these regulations. The fee shall be established annually by the Baltimore County Planning Board in accordance with the procedure set forth in § 3-1-202 of the Baltimore County Code.
[Bill Nos. 40-1997; 137-2004]
6. Usable areas of stormwater management ponds that have slopes of at least a ratio of 4:1 may be used to fulfill open space requirements.
7. Forest conservation areas and wetlands not contiguous with streams shall not be used to meet the local open space requirements of the underlying zones.

F. Parking standards.

- 1.

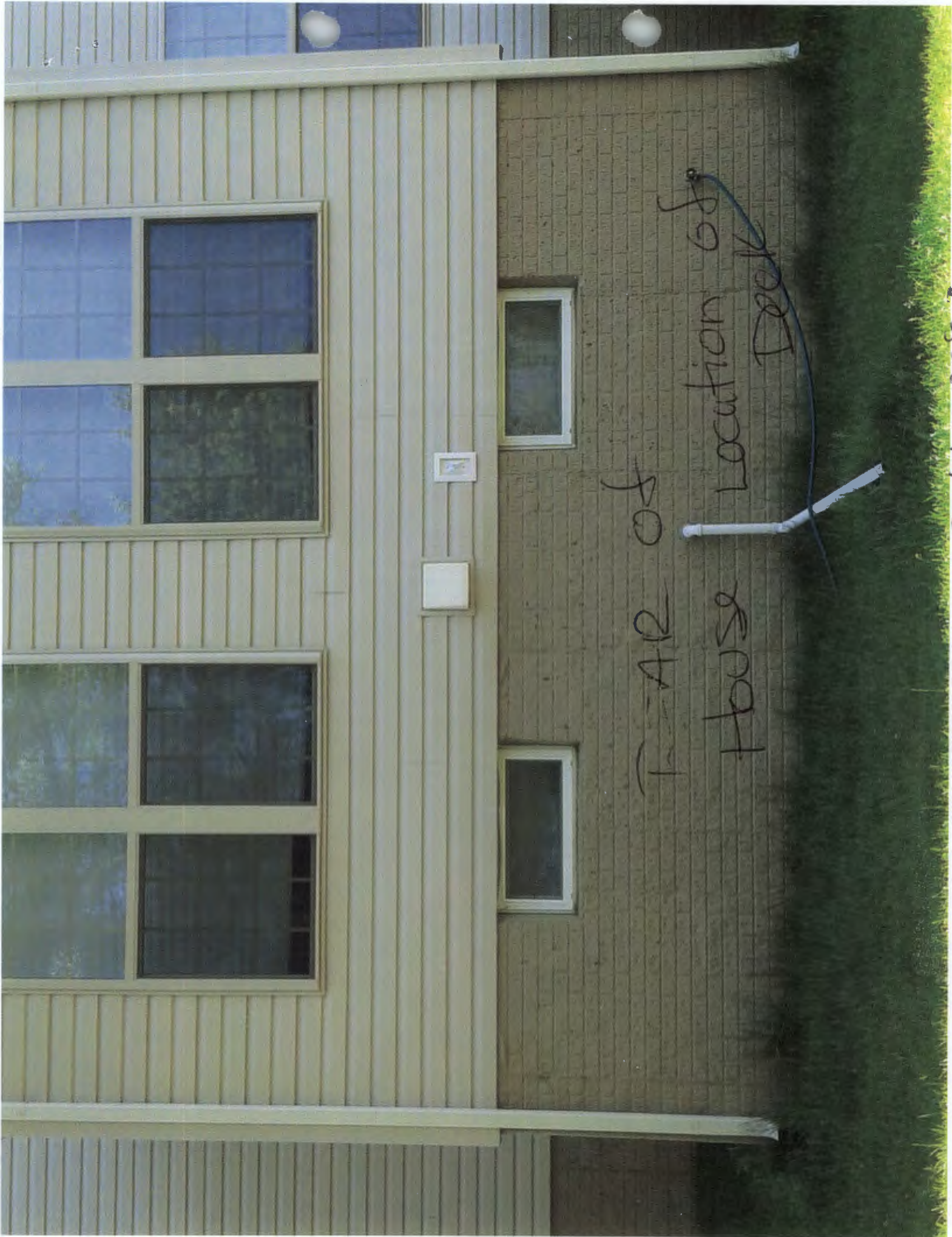
The provisions of Section 409.6 of these regulations apply except as provided in this subsection.

[Bill No. 73-1999]

2. The provisions of Section 102.4 of these regulations do not apply and any lot may have sole access to an alley with a right-of-way of at least 16 feet.
3. Off-street parking bays are not permitted.
4. A cul-de-sac or court shall not exceed 400 feet in length unless, as determined by the Director of Environmental Protection and Sustainability, a longer length is needed to prevent encroachment on protected areas.
[Bill No. 122-2010]
5. All streets shall have sidewalks and shall be planted with trees according to the standards for the street classification, as defined by the Honeygo Overlay District Design Guidelines.

G. Application.

1. The provisions of this section shall govern in any situation where there is a conflict between this section and other regulations.
2. Where the provisions of this section are silent, the provisions of these regulations governing the underlying zone shall apply.
3. In addition to the requirements of this section, residential and commercial development in the area shall be subject to the Honeygo Overlay Districts Design Guidelines.
[Bill No. 40-1997]
4. Notwithstanding the provisions of § 32-4-273 of the Baltimore County Code, the provisions of this section do not apply to any property with an unexpired CRG plan that was approved prior to May 18, 1992.
[Bill No. 137-2004]



T-412 of
House Location of
Deck

2012-07-08-A





KEVIN KAMENETZ
County Executive

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

June 16, 2015

Antonia & Felicia Cottrell
4402 Pensel Road
Perry Hall MD 21128

RE: Case Number: 2015-0268 A, Address: 4402 Pensel Road

Dear Mr. & Ms. Cottrell:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 22, 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: jaw

Enclosures

c: People's Counsel

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



Pete K. Rahn, Secretary

Date: 6/10/15

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

RE: Baltimore County
Item No 2015-0268 A

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above 2015-0268-A 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.

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 dark ink, appearing to read "David W. Peake".

For David W. Peake
Metropolitan District Engineer
Baltimore & Harford Counties

DWP/RAZ

Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 11 Account Number - 2500006911		
Owner Information		
Owner Name:	COTTRELL ANTONIO D COTTRELL FELICIA E	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	4402 PENSEL RD PERRY HALL MD 21128	Deed Reference: /3527/1 00179
Location & Structure Information		
Premises Address:	4402 PENSEL RD PERRY HALL 21128-0000	Legal Description: 0.258 AC 4402 PENSEL RD NS RESERVE AT CAMP CHAPEL
Map: 0072	Grid: 0004	Parcel: 0906
Sub District:	0000	Subdivision:
Section:		Block:
Lot:	13	Assessment Year: 2015
		Plat No: 0079/ 0071
Special Tax Areas:		Town: NONE
		Ad Valorem:
		Tax Class:
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
2014	3,472 SF	1000 SF
Property Land Area	County Use	
11,238 SF	04	
Stories	Basement	Type
2	YES	STANDARD UNIT
Exterior	Full/Half Bath	Garage
SIDING	3 full/ 1 half	3 Attached
Last Major Renovation		
Value Information		
	Base Value	Value
		As of 01/01/2015
Land:	82,300	202,300
Improvements	441,400	350,700
Total:	523,700	553,000
Preferential Land:	0	523,700
		533,467
		0
Transfer Information		
Seller: D R HORTON INC	Date: 08/15/2014	Price: \$560,000
Type: ARMS LENGTH IMPROVED	Deed1: /3527/1 00179	Deed2:
Seller:	Date: 04/17/2012	Price: \$4,582,500
Type: ARMS LENGTH MULTIPLE	Deed1: /31950/ 00254	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2014
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: Approved 12/19/2014		

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

2015-0268-A

2200021141

BELAIR ROAD SUBAREA

2200021141

PAI PERMIT HOLD (See Carl Richards/Jeff Perlow)

CROSS P

CROSS RD CROSS RD

PN# 1156A

PL BK/Folio # J7B063

PAI # 110941 PAI # 110941

Pl. Bk. 0000078, Folio 0014

Lot # 20

PAI # 110948

Pt. Bk./Folio # 278014

2004-0393-4

Lot # 19

PAI # 110940

PAI # 110940

PAI N 110940

4404

2400012030

Lot # 18

4406

2400012029

Lot 17

Lot # 12 2500008910

Lot # 11

4406

2500006908

Lot # 10

PENSEL RD

504

Lot. 5 2500006903

Lol # 6

Lot # 3 2500006901

4308

Lot # 4 2500006902

4308

STOSS RD

2500006900

4312

Lot # 1

4314

2500006899

2500006939

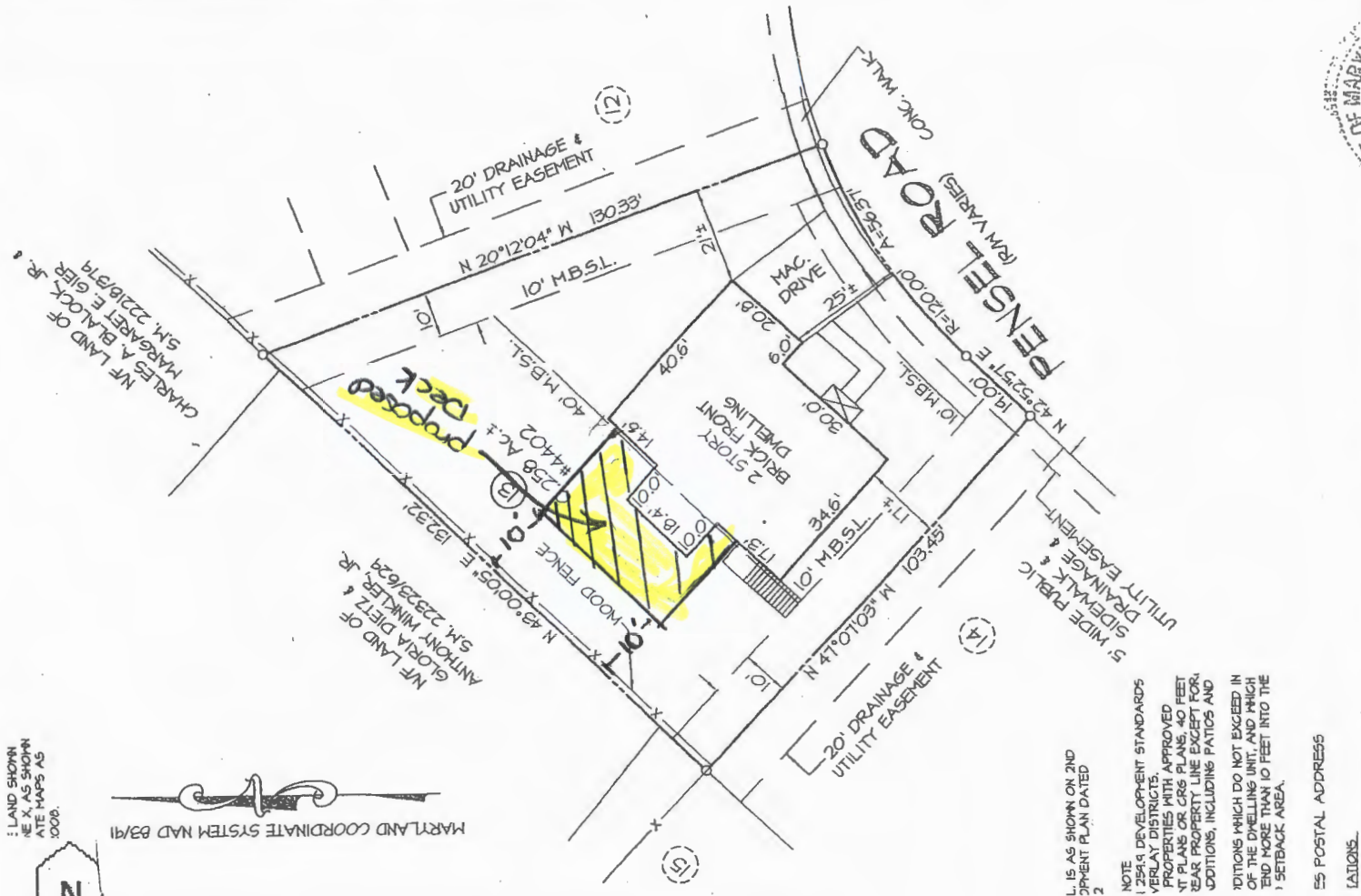
NE-10-H

PAI PERMIT HOLD (See Carl Richards, PAI-Zoning)

2015 0768-A

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 4402 Pensel RD. OWNER(S) NAME(S) Antonio + Felicia Cottrell
 SUBDIVISION NAME The Reserve At Camp Chapel LOT # 13 BLOCK N/A SECTION # N/A
 PLAT BOOK # 79 FOLIO # 71 10 DIGIT TAX # 2500006911 DEED REF. # 3527100179

SITE VICINITY MAP



N
 MAP IS NOT TO SCALE
 ZONING MAP: 072B1
 SITE ZONED DR 3.5H
 ELECTION DISTRICT 11th
 COUNCIL DISTRICT 5th
 LOT AREA ACREAGE 0.258
 OR SQUARE FEET _____
 HISTORIC? NO
 IN CBCA? N/A
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC X PRIVATE _____
 SEWER IS:
 PUBLIC X PRIVATE _____
 PRIOR HEARING? no
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

PLAN DRAWN BY Morris + Ritchie Assoc. DATE 3/4/14 SCALE: 1 INCH = 30 FEET
SBYPRB
2015-0268-A

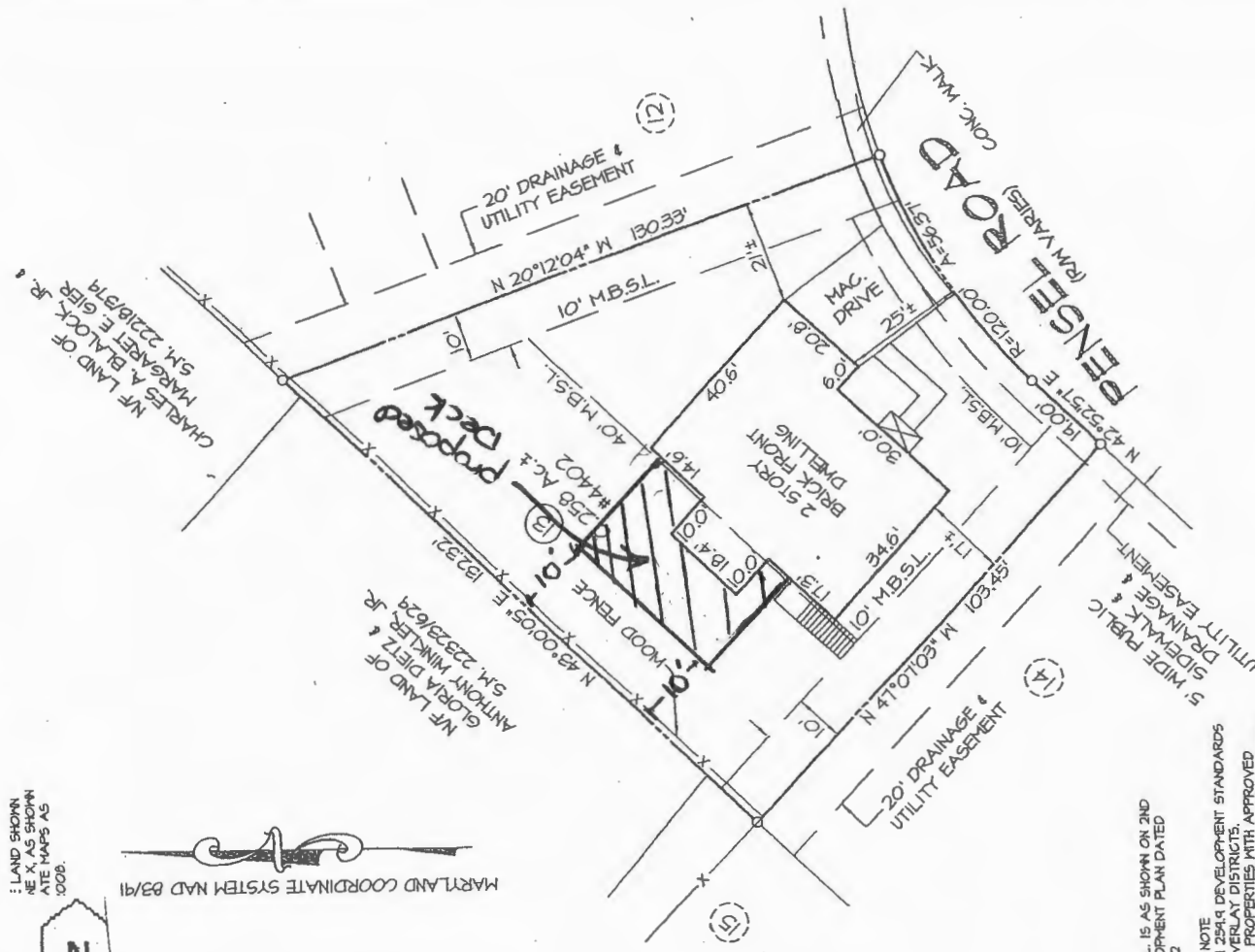
Per. ECR. 1

VIOLATION CASE INFO:

NO

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 4402 Pensel RD. OWNER(S) NAME(S) Antonio & Felicia Cottrell
 SUBDIVISION NAME The Reserve At Camo Chapel LOT # 13 BLOCK N/A SECTION # N/A
 PLAT BOOK # 79 FOLIO # 71 10 DIGIT TAX # 2500006911 DEED REF. # 3527100179

SITE VICINITY MAP



LAND SHOWN
 AS SHOWN
 DATE MAPS AS
 1008.

MARLAND COORDINATE SYSTEM NAD 83/14



NOTE
 1. 25' DEVELOPMENT STANDARDS
 2. 10' SETBACKS
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55 POSTAL ADDRESS
 LATIONS

PLAN DRAWN BY Morris & Ritchie Assoc. DATE 3/4/14 SCALE: 1 INCH = 30 FEET
SB47PKB 2015-0268-A

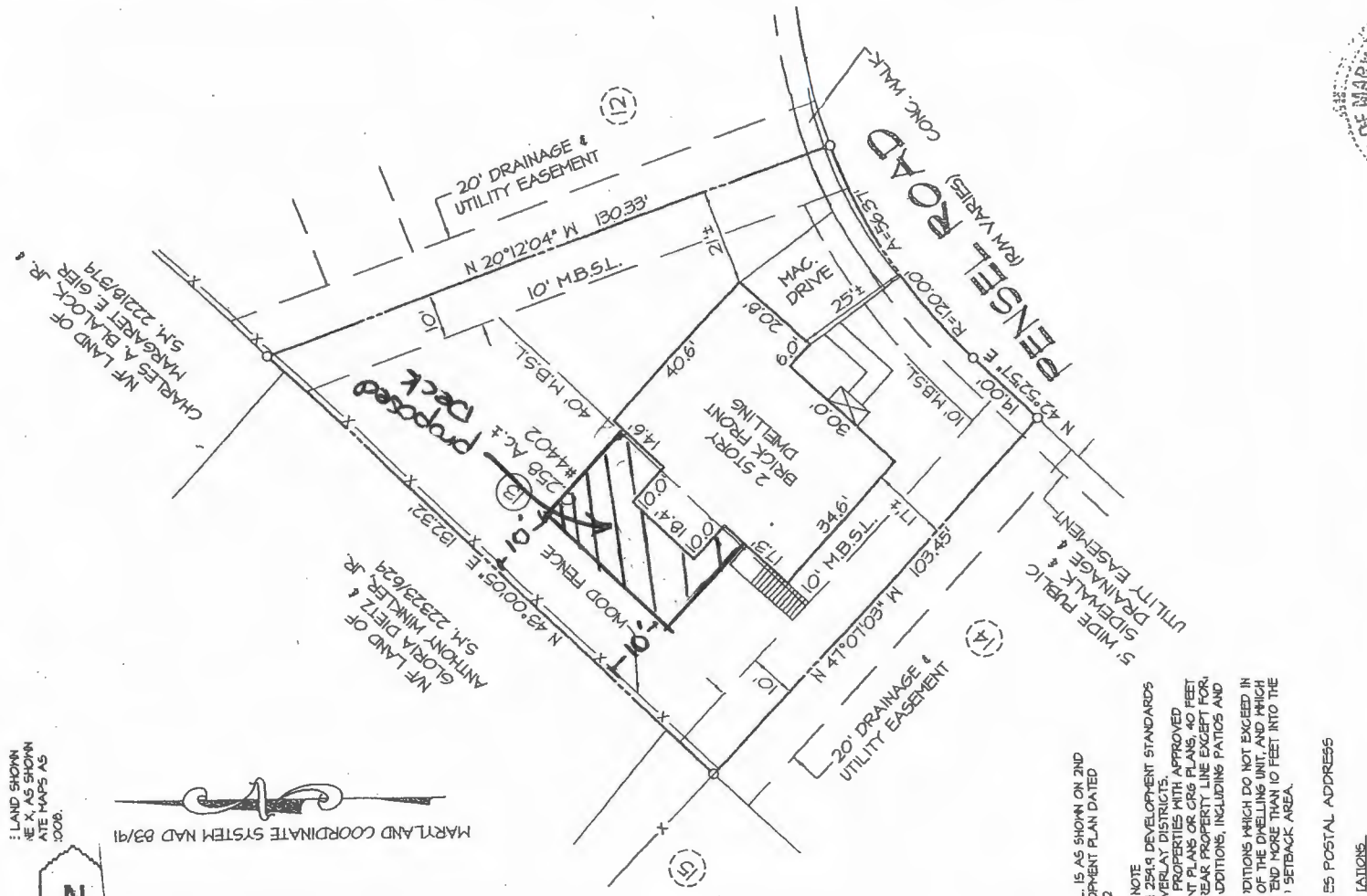
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 SITE ZONED DR 3.5H
 ELECTION DISTRICT 11th
 COUNCIL DISTRICT 5th
 LOT AREA ACREAGE 0.258
 OR SQUARE FEET _____
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 IN CBCA? N/A
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC X PRIVATE _____
 SEWER IS:
 PUBLIC X PRIVATE _____
 PRIOR HEARING? no
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

N/A

VIOLATION CASE INFO:
No

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 4402 Pensel RD. OWNER(S) NAME(S) Antonio & Felicia Cottrell
 SUBDIVISION NAME The Reserve At Camp Chapel LOT # 13 BLOCK N/A SECTION # N/A
 PLAT BOOK # 79 FOLIO # 71 10 DIGIT TAX # 2500006911 DEED REF. # 3527100179

SITE VICINITY MAP



N
 MAP IS NOT TO SCALE
 ZONING MAP: 07281
 SITE ZONED DR 3.5H
 ELECTION DISTRICT 11th
 COUNCIL DISTRICT 5th
 LOT AREA ACREAGE 0.258
 OR SQUARE FEET _____
 HISTORIC? NO
 IN CBCA? N/A
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH 'X'
 WATER IS:
 PUBLIC ☒ PRIVATE _____
 SEWER IS:
 PUBLIC ☒ PRIVATE _____
 PRIOR HEARING? no
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

PLAN DRAWN BY Morris & Ritchie Assoc. DATE 3/4/14 SCALE: 1 INCH = 30 FEET
BY PKB 2015-0268-A

N/A
 VIOLATION CASE INFO:
NO