

IN RE: PETITION FOR ADMIN. VARIANCE \* BEFORE THE  
(308 South Wind Road) \*  
9<sup>th</sup> Election District \* OFFICE OF ADMINISTRATIVE  
2<sup>nd</sup> Council District \*  
Elias D. Poe, IV and Katharine C. Poe \* HEARINGS FOR  
Petitioners \* BALTIMORE COUNTY  
\* CASE NO. 2015-0283-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 by the legal owners of the property, Elias D. Poe, IV and Katharine C. Poe ("Petitioners"). The Petitioners are requesting Variance relief pursuant to § 1B02.3.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit side yard setbacks of 6 ft. in lieu of the required 15 ft. and 19.6 ft. in lieu of the required 25 ft., and a sum of side yards of 25 ft. 2 in. in lieu of the required 40 ft. for an addition. 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 July 25, 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 § 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in

ORDER RECEIVED FOR FILING

Date 8-14-15

By [Signature]

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 Petitioners.

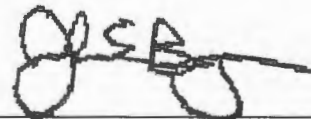
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED this 14<sup>th</sup> day of **August, 2015**, by the Administrative Law Judge for Baltimore County, that the Petition for Administrative Variance seeking relief from § 1B02.3.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit side yard setbacks of 6 ft. in lieu of the required 15 ft. and 19.6 ft. in lieu of the required 25 ft., and a sum of side yards of 25 ft. 2 in. in lieu of the required 40 ft. for an addition, 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 8-14-15 <sup>2</sup>

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 308 South Wind Rd Towson, MD 21204-6735 Currently zoned DR-2  
Deed Reference 19549 / 00001 10 Digit Tax Account # 0919511121  
Owner(s) Printed Name(s) Elias D Poe 4th and Katherine C Poe

(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) 1802.3.C.1; BCZR, TO PERMIT  
SIDEYARD SETBACKS OF 6ft. IN LIEU OF THE REQUIRED 15ft.  
19.6ft. IN LIEU OF THE REQ'D 25', AND A SUM OF SIDEYARDS OF 25' 2" IN LIEU  
OF THE REQUIRED 40ft. FOR AN ADDITION. CORRECTED SIDEYARDS  
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):

ELIAS D. POE IV / Katherine C Poe  
Name #1 - Type or Print Name #2 - Type or Print

[Signature] / [Signature]  
Signature #1 Signature #2

308 SOUTH WIND RD TOWSON MD  
Mailing Address City State

21204 / 410 296 0238 / dod.poe@ms.com  
Zip Code Telephone # Email Address

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

Name- Type or Print

Signature

Mailing Address

Zip Code

Telephone #

Email Address

Representative to be contacted:

KEVIN CORNWALL  
Name - Type or Print

Signature

3504 E. SOPPA RD BALTIMORE MD  
Mailing Address City State

21234 / 410 937 7900 / Kevin@trademerkbuildings.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 2015-0283-A Filing Date 6/5/15 Estimated Posting Date \_\_\_\_\_

SENNAT L HARAS  
CLUB PUBLIC  
NOTARY  
BALTIMORE COUNTY  
MARYLAND  
Rev 5/8/2014

JCM

# Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SOCIAL 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: 308 South Wind Rd <sup>Towson/</sup> Baltimore MD 21204-6735  
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)

SEE ATTACHED -  
2014/2012 601357103

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

[Signature]  
Signature of Owner (Affiant)

ELIAS D. POE IV  
Name- Print or Type

[Signature]  
Signature of Owner (Affiant)

Katharine C. Poe  
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

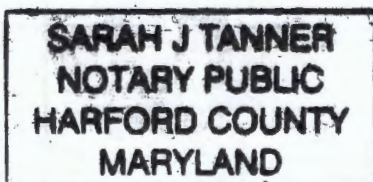
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12 day of May, 2015, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: ELIAS D. POE IV

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  
12-3-2018  
My Commission Expires

May 11, 2015

Affidavit in Support of Administrative Variance:

We bought our home at 308 South Wind Rd in February 2004. At that time we had one daughter. We now have 3 children including two pre-teen daughters vying for crowded bathroom time and space. We love our neighborhood and would like to stay in this home long after our children our grown and have moved on. We intend to renovate and add a ground floor master suite with additional full bathroom in order to make practical use of the current structure and to allow us to stay in this home as we grow older and our children have grown and moved on. We have consulted professional architects, designers, and contractors to help plan this project. We have looked into every possible solution. The only practical place for this addition is on the south edge of our property, and it will require a set-back variance from the shared property line and the driveway belonging to our friends and neighbors John and Lynn Jeppi. Our north side neighbor has already built very close to the property line set back. There is an existing drainage problem from their structure combined with our multiple roof lines and gutter systems on the north side rear of the house and a low point in our yard and patio. Our new addition provides the best access to existing plumbing lines and will require no additional engineering to maintain water service and drainage out of/away from the existing structure. The new design sustains the flow of the home from the front door to the back of the house without demolition and rebuild of current exterior walls.

Dod & Katie Poe

Zoning Property Description

308 South Wind Road Towson, MD 21204

Beginning at a point on the east side of South Wind Rd property fronts which is 50'ft of right-of-way width wide at the distance of 50' ft. north of the centerline of the nearest improved intersecting street South Wind Ct. which is 40' ft. of right-of-way width wide.

Being Lot #44 in subdivision of Four Winds as recorded in Baltimore County Plat Book #13, Folio #136 containing 23,086 sq. ft. Located in the 9 Election District and 2 Council District.

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

No. **127356**  
 Date: **6/5/15**

**PAID RECEIPT**

BUSINESS ACTUAL TIME DRW  
 6/05/2015 6/05/2015 10:50:59 I  
 REC NS01 WALKIN LRAS LJR  
 >> RECEIPT # 505570 6/05/2015 OFLH  
 5 528 ZONING VERIFICATION  
 PR NO. 127356  
 Recpt Tot \$75.00  
 \$75.00 CK \$1.00 CA  
 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: **TRADEMARK BUILDING & RENOVATIONS, LLC**  
 For: **2015-0283-A**

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**

July 27, 2015

Re:

Zoning Case No. 2015-0283-A

Petitioner: Elias Poe IV

Date of Closing: August 10, 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 **308 Southwind Road**.

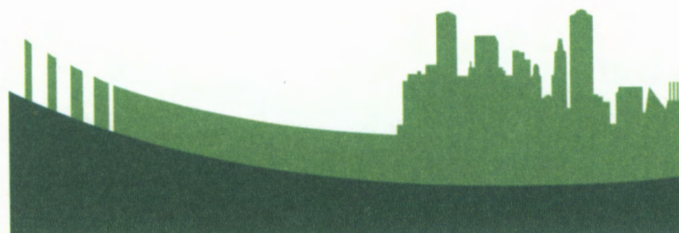
The sign was posted on **July 25, 2015**.

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

# ZONING NOTICE

## ADMINISTRATIVE VARIANCE

CASE NO. 2015-0283-A

305 South Wind Road

**REQUEST: TO PERMIT SIDEYARD SETBACKS OF 6 FEET IN LIEU OF THE REQUIRED 15 FEET AND 10.2 FEET IN LIEU OF THE REQUIRED 25 FEET, AND A SUM OF SIDEYARDS OF 25 FEET 2 INCHES IN LIEU OF THE REQUIRED 40 FEET FOR AN ADDITION.**

### 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 IT IS DONE IN THE ZONING OFFICE BEFORE August 15, 2015.

ADDITIONAL INFORMATION IS AVAILABLE AT ZONING ADMINISTRATION AND DEVELOPMENT DEPARTMENT 11 N. GREENPARK AVENUE TOWSON, MD 21204 410-887-3324



# ZONING NOTICE

## ADMINISTRATIVE VARIANCE

CASE NO. 2015-0283-A

308 South Wind Road

**REQUEST: TO PERMIT SIDEYARD  
SETBACKS OF 6 FEET IN LIEU OF THE  
REQUIRED 15 FEET AND 19.6 FEET IN  
LIEU OF THE REQUIRED 25 FEET; AND A  
SUM OF SIDEYARDS OF 15 FEET 2 INCHES  
IN LIEU OF THE REQUIRED 40 FEET FOR  
AN ADDITION.**

### PUBLIC HEARING?

FURSUANT TO SECTION 28-127(b)(1) BALTIMORE  
COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP  
MAY REQUEST A PUBLIC HEARING CONCERNING  
THE PROPOSED VARIANCE, PROVIDED IT IS DONE  
IN THE ZONING OFFICE BEFORE JULY 28, 2015.

ADDITIONAL INFORMATION IS AVAILABLE AT ZONING  
ADMINISTRATION AND DEVELOPMENT MANAGEMENT 111  
W. CHERAPEAKE AVENUE TOWSON, MD 21204  
410-887-3351



**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 2015- 0283 -A Address 308 Southwind Rd. *couldn't post*  
Contact Person: J. MERREY Phone Number: 410-887-3391  
Planner, Please Print Your Name *8/10/15*  
Filing Date: 6-5-15 Posting Date: 6/14 *7/29/15* Closing Date: 6/29

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

- 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.
- 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.
- 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.
- 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- 0283 -A Address 308 Southwind Rd.  
Petitioner's Name ELIAS POE IV Telephone 410-296-0238  
Posting Date: 7/26/15 Closing Date: 8/10/15  
Wording for Sign: To Permit SIDEYARD SETBACKS OF 6ft. IN LIEU OF  
THE REQUIRED 15ft AND 19.2ft. IN LIEU OF THE REQUIRED  
25ft, AND A SUM OF SIDEYARDS OF 25ft. 2 INCHES IN LIEU OF  
THE REQUIRED 40ft. FOR AN ADDITION.

*Copy given to applicant w/ list of sign posters.*

Revised 7/18/14

# DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

## ZONING REVIEW

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner), and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

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#### For Newspaper Advertising:

Item Number or Case Number: 2015-0283-A

Petitioner: ELIAS POE IV

Address or Location: 308 SOUTHWIND ROAD, TOWSON, MD. 21204-6735

PLEASE FORWARD ADVERTISING BILL TO:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

SAME

Telephone Number: 410-296-0238

## MEMORANDUM

DATE: September 15, 2015  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2015-0283-A – Appeal Period Expired

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The appeal period for the above-referenced case expired on September 14, 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

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

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

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

**DATE:** August 3, 2015

**SUBJECT:** Zoning Advisory Committee Meeting  
For August 3, 2015  
Item No. 2015-0283 & 2016-0012, 0016 and 0018

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

**RECEIVED**

**AUG 18 2015**

**OFFICE OF ADMINISTRATIVE HEARINGS**

DAK:CEN  
cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC08032015.doc



KEVIN KAMENETZ  
County Executive

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

August 13, 2015

Elias D & Katherine C Poe  
308 South Wind Road  
Ruxton MD 21204

RE: Case Number: 2015-0283 A, Address: 308 South Wind Road

Dear Mr. & Ms. Poe:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 5, 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  
Kevin Corun, 3504 E Joppa Road, Baltimore MD 21234

## Debra Wiley

---

**From:** June Wisnom  
**Sent:** Monday, August 17, 2015 9:05 AM  
**To:** Debra Wiley  
**Subject:** FW: Message from "cpr111"  
**Attachments:** 201508170904.pdf

Good morning Deb, Hope you had a good weekend. This is a corrected copy. Thank you, June

-----Original Message-----

**From:** cpr111@baltimorecountymd.gov [mailto:cpr111@baltimorecountymd.gov]  
**Sent:** Monday, August 17, 2015 9:04 AM  
**To:** June Wisnom  
**Subject:** Message from "cpr111"

This E-mail was sent from "cpr111" (Aficio MP 4002).

Scan Date: 08.17.2015 09:04:10 (-0400)  
Queries to: cpr111@baltimorecountymd.gov

CHECKLIST

| <u>Comment<br/>Received</u>     | <u>Department</u>                                                     | <u>Support/Oppose/<br/>Conditions/<br/>Comments/<br/>No Comment</u> |
|---------------------------------|-----------------------------------------------------------------------|---------------------------------------------------------------------|
| _____                           | DEVELOPMENT PLANS REVIEW<br>(if not received, date e-mail sent _____) | _____                                                               |
| _____                           | DEPS<br>(if not received, date e-mail sent _____)                     | _____                                                               |
| _____                           | FIRE DEPARTMENT                                                       | _____                                                               |
| _____                           | PLANNING<br>(if not received, date e-mail sent _____)                 | _____                                                               |
| <u>6-10</u>                     | STATE HIGHWAY ADMINISTRATION                                          | <u>No objection</u>                                                 |
| _____                           | TRAFFIC ENGINEERING                                                   | _____                                                               |
| _____                           | COMMUNITY ASSOCIATION                                                 | _____                                                               |
| _____                           | ADJACENT PROPERTY OWNERS                                              | _____                                                               |
| <hr/>                           |                                                                       |                                                                     |
| ZONING VIOLATION                | (Case No. _____)                                                      |                                                                     |
| PRIOR ZONING                    | (Case No. _____)                                                      |                                                                     |
| <hr/>                           |                                                                       |                                                                     |
| NEWSPAPER ADVERTISEMENT         | Date: _____                                                           |                                                                     |
| SIGN POSTING                    | Date: <u>7-25-15</u> by <u>Joak</u>                                   |                                                                     |
| <hr/>                           |                                                                       |                                                                     |
| PEOPLE'S COUNSEL APPEARANCE     | Yes <input type="checkbox"/> No <input type="checkbox"/>              |                                                                     |
| PEOPLE'S COUNSEL COMMENT LETTER | Yes <input type="checkbox"/> No <input type="checkbox"/>              |                                                                     |

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

\_\_\_\_\_

\_\_\_\_\_

Real Property Data Search ( w1)

Guide to searching the database

## Search Result for BALTIMORE COUNTY

| View Map                                                 |                                              | View GroundRent Redemption                       |                                                              | View GroundRent Registration                                  |                                                 |
|----------------------------------------------------------|----------------------------------------------|--------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------|-------------------------------------------------|
| <b>Account Identifier:</b>                               |                                              | <b>District - 09 Account Number - 0919511121</b> |                                                              |                                                               |                                                 |
| Owner Information                                        |                                              |                                                  |                                                              |                                                               |                                                 |
| <b>Owner Name:</b>                                       | POE ELIAS D 4TH<br>POE KATHARINE C           |                                                  | <b>Use:</b>                                                  | RESIDENTIAL                                                   |                                                 |
| <b>Mailing Address:</b>                                  | 308 SOUTH WIND RD<br>BALTIMORE MD 21204-6735 |                                                  | <b>Principal Residence:</b>                                  | YES                                                           |                                                 |
|                                                          |                                              |                                                  | <b>Deed Reference:</b>                                       | /19549/ 00001                                                 |                                                 |
| Location & Structure Information                         |                                              |                                                  |                                                              |                                                               |                                                 |
| <b>Premises Address:</b>                                 |                                              | 308 SOUTH WIND RD<br>0-0000                      |                                                              | <b>Legal Description:</b><br>308 SOUTH WIND RD<br>FOUR WINDS  |                                                 |
| <b>Map:</b>                                              | <b>Grid:</b>                                 | <b>Parcel:</b>                                   | <b>Sub District:</b>                                         | <b>Subdivision:</b>                                           | <b>Section: Block: Lot:</b>                     |
| 0069                                                     | 0011                                         | 0719                                             |                                                              | 0000                                                          | 44                                              |
|                                                          |                                              |                                                  |                                                              |                                                               | <b>Assessment Year:</b> 2014                    |
|                                                          |                                              |                                                  |                                                              |                                                               | <b>Plat No:</b> 1<br><b>Plat Ref:</b> 0013/0136 |
| <b>Special Tax Areas:</b>                                |                                              |                                                  | <b>Town:</b> NONE<br><b>Ad Valorem:</b><br><b>Tax Class:</b> |                                                               |                                                 |
| <b>Primary Structure Built</b>                           | <b>Above Grade Enclosed Area</b>             | <b>Finished Basement Area</b>                    | <b>Property Land Area</b>                                    | <b>County Use</b>                                             |                                                 |
| 1952                                                     | 2,268 SF                                     | 400 SF                                           | 23,086 SF                                                    | 04                                                            |                                                 |
| <b>Stories</b>                                           | <b>Basement</b>                              | <b>Type</b>                                      | <b>Exterior</b>                                              | <b>Full/Half Bath</b>                                         | <b>Garage</b>                                   |
| 1 1/2                                                    | YES                                          | STANDARD UNIT                                    | BRICK                                                        | 2 full/ 1 half                                                | 1 Attached                                      |
| Last Major Renovation                                    |                                              |                                                  |                                                              |                                                               |                                                 |
| Value Information                                        |                                              |                                                  |                                                              |                                                               |                                                 |
|                                                          |                                              | <b>Base Value</b>                                | <b>Value As of 01/01/2014</b>                                | <b>Phase-in Assessments As of 07/01/2015 As of 07/01/2016</b> |                                                 |
| <b>Land:</b>                                             |                                              | 304,700                                          | 304,700                                                      |                                                               |                                                 |
| <b>Improvements</b>                                      |                                              | 270,400                                          | 187,100                                                      |                                                               |                                                 |
| <b>Total:</b>                                            |                                              | 575,100                                          | 491,800                                                      | 491,800                                                       | 491,800                                         |
| <b>Preferential Land:</b>                                |                                              | 0                                                |                                                              |                                                               | 0                                               |
| Transfer Information                                     |                                              |                                                  |                                                              |                                                               |                                                 |
| <b>Seller:</b> SMITH J CHANDLER, JR                      |                                              | <b>Date:</b> 02/04/2004                          |                                                              | <b>Price:</b> \$515,000                                       |                                                 |
| <b>Type:</b> ARMS LENGTH IMPROVED                        |                                              | <b>Deed1:</b> /19549/ 00001                      |                                                              | <b>Deed2:</b>                                                 |                                                 |
| <b>Seller:</b>                                           |                                              | <b>Date:</b>                                     |                                                              | <b>Price:</b>                                                 |                                                 |
| <b>Type:</b>                                             |                                              | <b>Deed1:</b>                                    |                                                              | <b>Deed2:</b>                                                 |                                                 |
| <b>Seller:</b>                                           |                                              | <b>Date:</b>                                     |                                                              | <b>Price:</b>                                                 |                                                 |
| <b>Type:</b>                                             |                                              | <b>Deed1:</b>                                    |                                                              | <b>Deed2:</b>                                                 |                                                 |
| Exemption Information                                    |                                              |                                                  |                                                              |                                                               |                                                 |
| <b>Partial Exempt Assessments:</b>                       | <b>Class</b>                                 | 07/01/2015                                       |                                                              | 07/01/2016                                                    |                                                 |
| <b>County:</b>                                           | 000                                          | 0.00                                             |                                                              |                                                               |                                                 |
| <b>State:</b>                                            | 000                                          | 0.00                                             |                                                              |                                                               |                                                 |
| <b>Municipal:</b>                                        | 000                                          | 0.00 0.00                                        |                                                              | 0.00 0.00                                                     |                                                 |
| <b>Tax Exempt:</b>                                       | <b>Special Tax Recapture:</b>                |                                                  |                                                              |                                                               |                                                 |
| <b>Exempt Class:</b>                                     | NONE                                         |                                                  |                                                              |                                                               |                                                 |
| Homestead Application Information                        |                                              |                                                  |                                                              |                                                               |                                                 |
| <b>Homestead Application Status:</b> Approved 07/02/2010 |                                              |                                                  |                                                              |                                                               |                                                 |

May 20, 2015

308 South Wind Rd, 21204 Administrative Variance Letter

To Whom It May Concern:

We are aware that our neighbors Katie and Dod Poe have applied for an administrative variance to the required median set back of 15 feet. We have discussed their renovation project and the plans for the addition. We are aware that their addition will require removal of 3 mature trees and will end up approximately 6 feet from our shared property line. We have always shared good relations with the Poes and support them with this project. We have discussed and received assurances that they will replace landscape and plantings in order to restore a privacy barrier between our houses.

John & Lynn Joppi



KEVIN KAMENETZ  
County Executive

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

August 13, 2015

Elias D & Katherine C Poe  
308 South Wind Road  
Ruxton MD 21204

RE: Case Number: 2015-0283 A, Address: 3078 South Wind Road

Dear Mr. & Ms. Poe:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 5, 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  
Kevin Corun, 3504 E Joppa Road, Baltimore MD 21234

## Debra Wiley

---

**From:** Administrative Hearings  
**Sent:** Friday, July 17, 2015 12:14 PM  
**To:** June Wisnom; Carl Richards Jr  
**Cc:** rrlraia@comcast.net  
**Subject:** FW: Request for Extended Closing Date - Case No. 2015-0283-A

Good Afternoon,

Please find attached email correspondence regarding an upcoming Administrative Variance that closes on July 20<sup>th</sup>.

As I explained to Ms. Squitieri, our office is not in possession of the file and this concern should be addressed by the Zoning Review Office, not OAH.

Thank you.

---

**From:** Ruxton-Riderwood-Lake Roland Area Improvement Association [mailto:rrlraia@comcast.net]  
**Sent:** Friday, July 17, 2015 12:03 PM  
**To:** Administrative Hearings; Carl Richards Jr  
**Cc:** Dod & Katie Poe; Poe, Elias; Elise Butler  
**Subject:** Request for Extended Closing Date - Case No. 2015-0283-A

This request for an administrative variance was not posted on the County's web site until late this week and the sign on the property has an incorrect closing date. In light of the fact that we learned of this request just this week, we ask that the closing date for requesting a hearing be extended until July 27.

Thank you.

Peggy Squitieri  
The Ruxton-Riderwood-Lake Roland Area Improvement Association  
410-494-7757  
410-299-6920 cell

## Administrative Variances - 308 South Wind Road

**Date/Time:**

Wed. Jul 1 2015 8:00am - Mon. Jul 20 2015 4:30pm

**Location:**

2nd Council District

**Details:**

Case Number: 2015-0283-A

Location: East side of South Wind Road, north of South Wind Court

9th Election District

Legal Owners: Elias & Katherine Poe

Administrative Variance to permit side yard setbacks of 6 feet in lieu of the required 15 feet and 19.6 feet in lieu of the required 25 feet and a sum of side yards of 15 feet 2 inches in lieu of the required 40 feet for an addition.

**\*\*Closing Date: Monday, July 20, 2015 at 4:30 p.m., 111 W. Chesapeake Avenue, Rm. 111, Towson 21204\*\***

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 2015-0283-A

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above 2015-0283-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

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

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

DATE: June 17, 2015

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

SUBJECT: Zoning Advisory Committee Meeting  
For June 15, 2015  
Item No. 2015-0269, 0270, 0271, 0275, 0276, 0277, 0278, 0279, 0280,  
0281, 0282 and 0283

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\ZAC06152015.doc

## Carl Richards Jr

---

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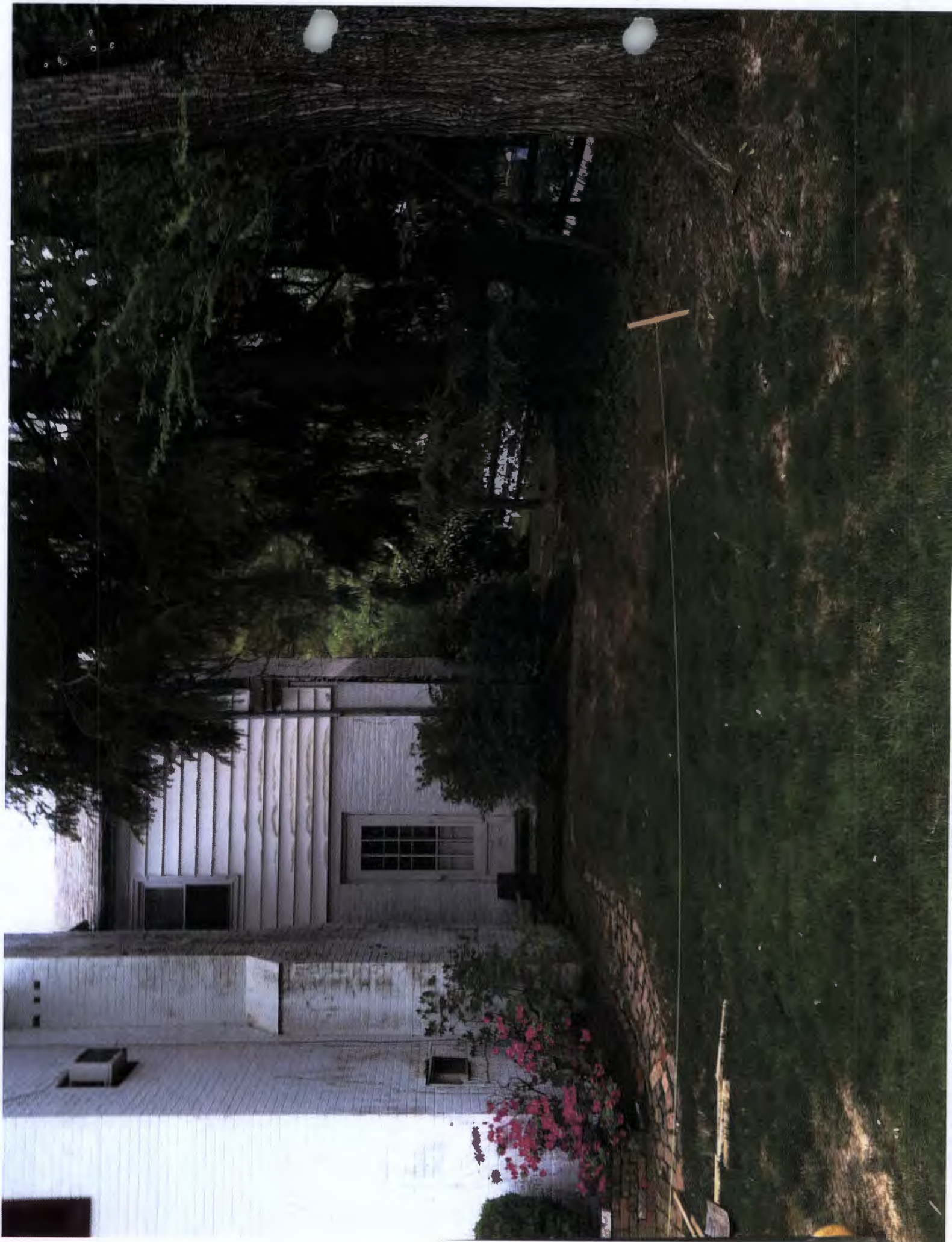
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posting  
26th  
8/10/15 closing

25 feet









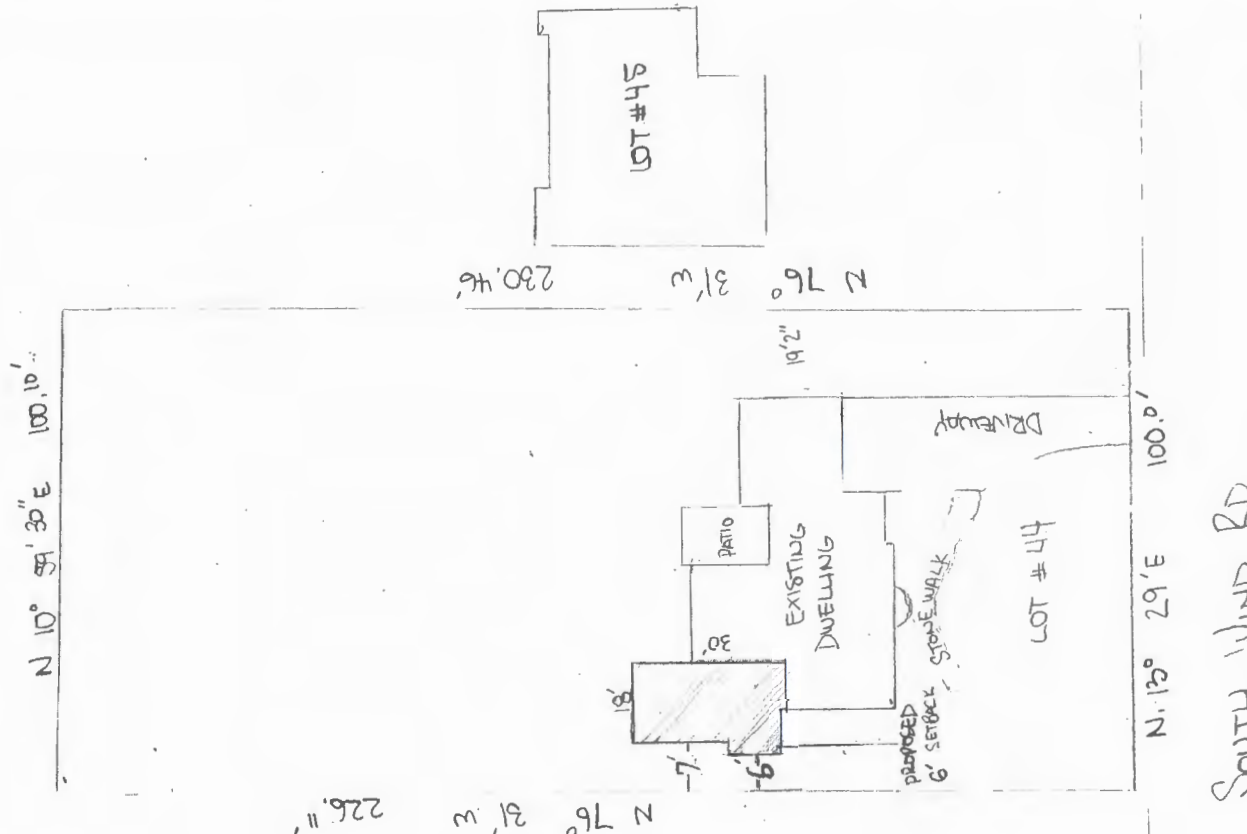


ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING \_\_\_\_\_ (MARK TYPE REQUESTED WITH ☒)

ADDRESS 308 South Wind Rd OWNER(S) NAME(S) ELIAS & KATHARINE POE

SUBDIVISION NAME FOUR WINDS LOT # 44 BLOCK # \_\_\_\_\_ SECTION # \_\_\_\_\_

PLAT BOOK # 0013 FOLIO # 136 10 DIGIT TAX # 0919511121 DEED REF. # 19549/00001



SITE VICINITY MAP

N



MAP IS NOT TO SCALE

ZONING MAP# 069C2

SITE ZONED DR 2

ELECTION DISTRICT 9

COUNCIL DISTRICT 2

LOT AREA ACREAGE \_\_\_\_\_

OR SQUARE FEET 23,086

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH ☒

WATER IS:

PUBLIC ☒ PRIVATE \_\_\_\_\_

SEWER IS:

PUBLIC ☒ PRIVATE \_\_\_\_\_

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

VIOLATION CASE INFO:

PLAN DRAWN BY KEVIN CORUN

DATE 5/30/15

SCALE: 1 INCH = 40 FEET

Admin.  
Var.

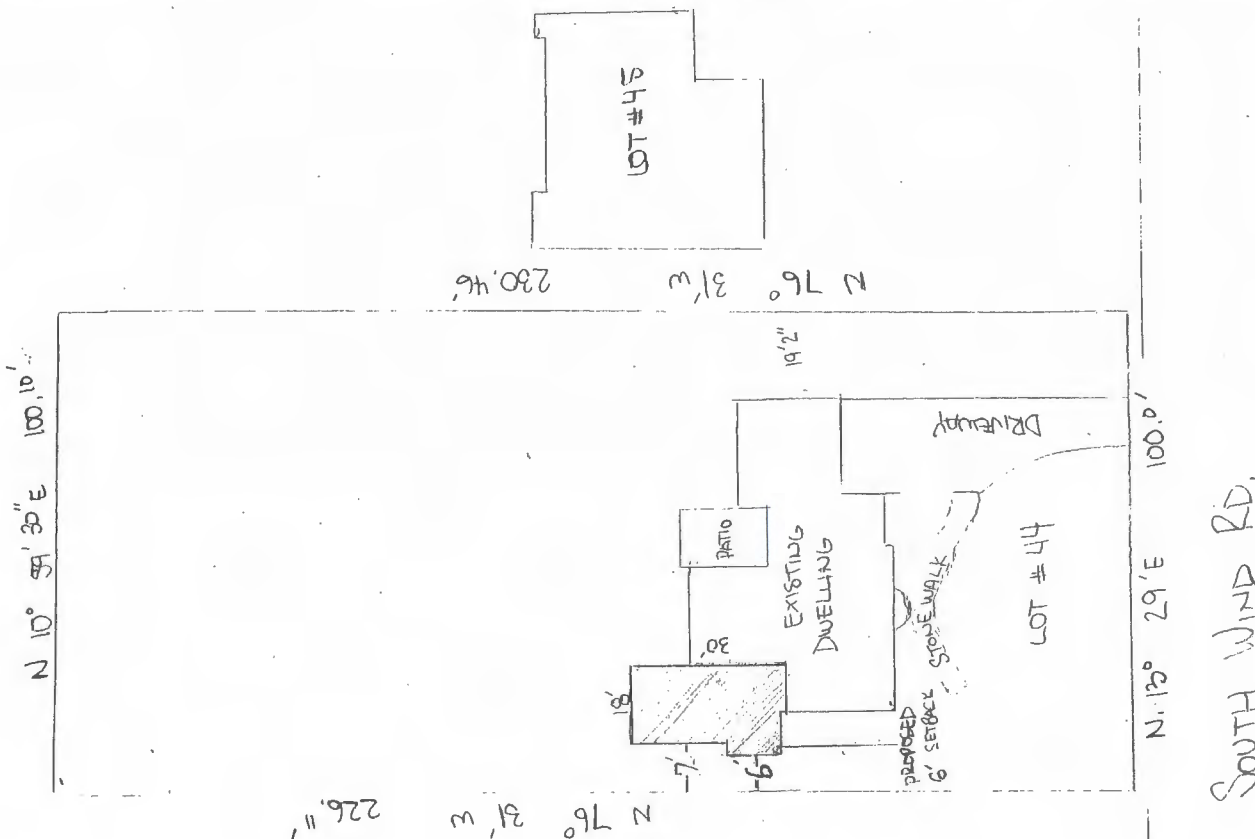
(2015-0283-A) Per. Exh. 1

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

ADDRESS 308 South Wind Rd OWNER(S) NAME(S) ELIAS + KATHARINE POE

SUBDIVISION NAME FOUR WINDS LOT # 44 BLOCK # \_\_\_\_\_ SECTION # \_\_\_\_\_

PLAT BOOK # 0013 FOLIO # 136 10 DIGIT TAX # 0919511121 DEED REF. # 19549/00001



PLAN DRAWN BY KEVIN CORUN

DATE 5/30/15

SCALE: 1 INCH = 40 FEET

SITE VICINITY MAP

N



MAP IS NOT TO SCALE

ZONING MAP # 069C2

SITE ZONED DR 2

ELECTION DISTRICT 9

COUNCIL DISTRICT 2

LOT AREA ACREAGE \_\_\_\_\_

OR SQUARE FEET 23,086

HISTORIC? NO

IN CBCA? NO

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

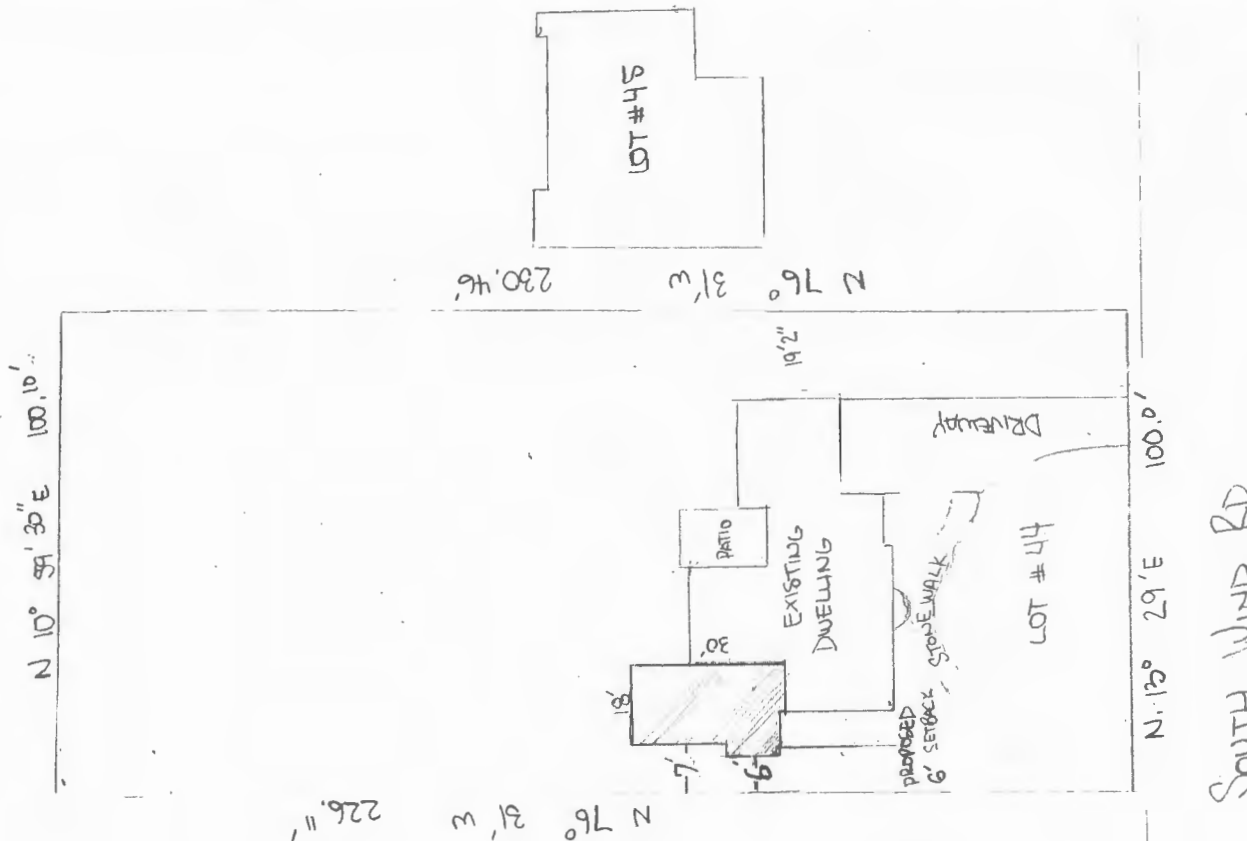
VIOLATION CASE INFO:

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

ADDRESS 308 South Wind Rd OWNER(S) NAME(S) ELIAS + KATHARINE POE

SUBDIVISION NAME FOUR WINDS LOT # 44 BLOCK # \_\_\_\_\_ SECTION # \_\_\_\_\_

PLAT BOOK # 0013 FOLIO # 136 10 DIGIT TAX # 0919511121 DEED REF. # 19549/00001



N



MAP IS NOT TO SCALE

ZONING MAP# 069C2

SITE ZONED DR 2

ELECTION DISTRICT 9

COUNCIL DISTRICT 2

LOT AREA ACREAGE \_\_\_\_\_

OR SQUARE FEET 23,086

HISTORIC? NO

IN CBCA? NO

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
VIOLATION CASE INFO:  
\_\_\_\_\_  
\_\_\_\_\_

PLAN DRAWN BY KEVIN CORUN

DATE 5/30/15

SCALE: 1 INCH = 40 FEET

LOT #43