



KEVIN KAMENETZ
County Executive

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

September 15, 2015

Mark L. Markell
330 Townsend Road
Essex, Maryland 21221

RE: Petition for Special Hearing and Variance
Property: 330 Townsend Road
Case No. 2015-0300-SPHA

Dear Mr. Markell:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

c: Kathryn McDowell, 328 Townsend Road, Essex, Maryland 21221

IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE
(330 Townsend Road) *
15th Election District *
7th Council District *
Mark L. Markell *
Petitioner *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2015-0300-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of the legal owner. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows: (1) to permit an apartment in an accessory building (formerly a garage) for a family member; and (2) to amend the previous case opinion (Case #07-491-A) which allowed a height (for the accessory building) of 20 ft. in lieu of the required 15 ft. In addition, a Petition for Variance pursuant to B.C.Z.R. § 400.3 to permit an accessory building (formerly a garage) that is being requested as an accessory apartment to have a height of 24 ft. in lieu of the required 15 ft. A site plan was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the requests was Mark L. Markell. Bruce E. Doak, a licensed surveyor, assisted the Petitioner. The Petitioner's sister and her husband, who are neighbors, attended and opposed the request. They contend that drainage from Petitioner's property has caused flooding and damage to their home, and they presented a series of photographs depicting these conditions. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. A substantive Zoning Advisory Committee (ZAC) comment was submitted by the Department of Planning (DOP), which indicated that agency did not oppose the request provided all safety and inspection requirements are satisfied.

ORDER RECEIVED FOR FILING

Date 9/15/15

By Den

This matter is currently the subject of a violation case (Case No. CC1505933) before the Office of Administrative Hearings. The violation case has been stayed pending the outcome of this zoning hearing.

PETITION FOR SPECIAL HEARING

The Baltimore County Council enacted legislation in 2011 which permits under certain circumstances accessory apartments for family members. These were formerly referred to as "in law apartments." The requirements for such an apartment are set forth at B.C.Z.R. §400.4, and based on the testimony I believe Petitioner complies with these requirements. The apartment is occupied by Petitioner's mother, who is elderly and has had a series of medical problems in the recent past. Petitioner submitted a notarized Declaration of Understanding (Exhibit #4) which contains the requisite information and must be filed in the County land records office. As such, the petition for special hearing will be granted.

VARIANCE

To obtain variance relief requires a showing that:

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

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

Petitioner has met this test. The garage was constructed several years ago by contractors, and thus Petitioner must contend with existing site conditions. If the B.C.Z.R. were strictly interpreted, Petitioner would experience a practical difficulty, given he would be required to raze or reconfigure the garage. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of County agency opposition.

ORDER RECEIVED FOR FILING

Date

9/15/15

By

sen

I am mindful of the concerns raised by the neighboring owners. Unfortunately, under Maryland law an upper owner of property is not liable for water draining across lower property, provided the upper owner does not collect the water into a single channel such that it substantially increases the flow upon the lower land. Kennedy Dev. Co. v. Snure, 212 Md. 369, 376 (1957). Here, there was no evidence that the Petitioner had done so, and the flow of water appears to follow the natural topography. One of the neighbors' photographs did reveal that the Petitioner's gutters and downspouts overflow during storm conditions, and a condition will be included in the Order below requiring those issues to be addressed.

THEREFORE, IT IS ORDERED this 15th day of **September, 2015**, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R") as follows: (1) to permit an apartment in an accessory building (formerly a garage) for a family member; and (2) to amend the previous case opinion (Case #07-491-A) which allowed a height of 20 ft. in lieu of the required 15 ft., be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance pursuant to B.C.Z.R. § 400.3 to permit an existing accessory building with a height of 24 ft. in lieu of the required 15 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to and conditioned upon the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Petitioner must within 60 days of the date hereof clean and repair as necessary all gutters and downspouts at the subject property, and

ORDER RECEIVED FOR FILING

Date

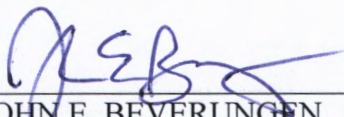
9/15/15

By

Sen

must ensure that the downspouts do not convey water onto the adjoining property at 328 Townsend Road.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln

ORDER RECEIVED FOR FILING

Date 9/15/15

By sln



PETITION FOR ZONING HEARING(S)

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

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

Address 330 TOWNSEND ROAD which is presently zoned DR 5.5
Deed References: SM 29028/114 10 Digit Tax Account # 1519390990
Property Owner(s) Printed Name(s) MARK L. MARKELL

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

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

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

SEE ATTACHED SHEET

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

3. ☒ a **Variance** from Section(s)

SEE ATTACHED SHEET

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT THE HEARING

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

MARK L. MARKELL

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

330 TOWNSEND ROAD ESSEX MO

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

BRUCE E. DOAK

BRUCE E. DOAK CONSULTING

Name - Type or Print

Signature

3801 BAKER SCHOOLHOUSE ROAD FREELAND MO

Mailing Address

City

State

Zip Code

Telephone #

Email Address

BDOAK@BRUCEEDOAKCONSULTING.COM

CASE NUMBER 2015-0300-SPHA Filing Date 6/24/2015

Do Not Schedule Dates: _____ Reviewer GW

Special Hearing Requested / Use Permit

To permit an apartment in an accessory building (formerly a garage) for a family member per Section 400.4B BCZR

*— AMEND
TO THE PREVIOUS CASE OPINION (CASE #07-991-A) WHICH ALLOWED A
HEIGHT OF 20 FEET IN LIEU OF THE REQUIRED 15 FEET.*

Variance Requested

To permit an accessory building (formerly a garage) that is being requested as an accessory apartment to have a height of 24 feet in lieu of the required 15 feet per Section 400.3 BCZR

Bruce E. Doak Consulting, LLC

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

Zoning Description

330 Townsend Road
Fifteenth Election District Seventh Councilmanic District
Baltimore County, Maryland

Beginning at a point on the northeastern side of Townsend Road which is 50 feet wide at the distance of 1,175 feet northwesterly of the centerline of Mace Avenue, which is 50 feet wide.

Being Lot 69, Section E of "Back River Highlands" recorded in Baltimore County Plat Book No. 4, Page 64.

Containing 10,000 square feet or 0.230 of an acre of land, more or less.

This description is part of a zoning hearing petition and is not intended for any conveyance purposes.



Land Use Expert and Surveyor

2015-0300-SPHA

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

No. **127154**

Date: **6/24/15**

PAID RECEIPT

BUSINESS ACTUAL TIME
6/25/2015 6/24/2015 14:51:11 2

REG NED2 WALKIN JEVA JEE
> RECEIPT # 925736 6/24/2015 OFLN

Item 5 529 ZONING VERIFICATION
Q NO. 127154

Recpt Tot \$150.00
\$150.00 CA \$1.00 CA
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	300	0000		(6150)						150.00

Total: **150.00**

Rec From: **Bruce Dark**

For:
350 Townsend Rd
2015-0300 SP1A

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**



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

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3487927

Sold To:

Mark Markell - CU00462461
330 Townsend Rd
Essex, MD 21221-6634

Bill To:

Mark Markell - CU00462461
330 Townsend Rd
Essex, MD 21221-6634

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

Aug 13, 2015

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising

NOTICE OF ZONING HEARING
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows: Case: # 2015-0300-SPHA 330 Townsend Road NE/s Townsend Road, NW of Mace Avenue 15th Election District - 7th Councilmanic District Legal Owner(s) Mark Markell Special Hearing: to permit an apartment in an accessory building (formerly a garage) for a family member; to amend the previous case opinion (Case 07-491-A) which allowed a height of 20 feet in lieu of the required 15 feet. Variance: to permit an accessory building (formerly a garage) that is being requested as an accessory apartment to have a height of 24 feet in lieu of the required 15 feet Hearing: Friday, September 4, 2015 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204. ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868. (2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391. 8/106 Aug. 13 3487927



KEVIN KAMENETZ
County Executive

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

July 9, 2015

NOTICE OF ZONING HEARING

The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2015-0300-SPHA

330 Townsend Road
NE/s Townsend Road, NW of Mace Avenue
15th Election District – 7th Councilmanic District
Legal Owners: Mark Markell

Special Hearing to permit an apartment in an accessory building (formerly a garage) for a family member; to amend the previous case opinion (Case 07-491-A) which allowed a height of 20 feet in lieu of the required 15 feet. Variance to permit an accessory building (formerly a garage) that is being requested as an accessory apartment to have a height of 24 feet in lieu of the required 15 feet.

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

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

Arnold Jablon
Director

AJ:kl

C: Mark Markell, 330 Townsend Road, Essex 21221
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053

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

TO: PATUXENT PUBLISHING COMPANY
Thursday, August 13, 2015 Issue - Jeffersonian

Please forward billing to:
Mark Markell
330 Townsend Road
Essex, MD 21221

443-257-3891

NOTICE OF ZONING HEARING

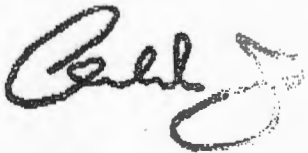
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2015-0300-SPHA

330 Townsend Road
NE/s Townsend Road, NW of Mace Avenue
15th Election District – 7th Councilmanic District
Legal Owners: Mark Markell

Special Hearing to permit an apartment in an accessory building (formerly a garage) for a family member; to amend the previous case opinion (Case 07-491-A) which allowed a height of 20 feet in lieu of the required 15 feet. Variance to permit an accessory building (formerly a garage) that is being requested as an accessory apartment to have a height of 24 feet in lieu of the required 15 feet.

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



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
330 Townsend Road; NE/S Townsend Road,	*	OF ADMINISTRATIVE
NW 1,175' to c/line of Mace Avenue		
15 th Election & 7 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Mark L. Markell		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2015-300-SPHA

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED
JUL 01 2015
[Signature]

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of July, 2015, a copy of the foregoing Entry of Appearance was mailed to Bruce Doak. 3801 Baker Schoolhouse Road, Freeland, Maryland 21053, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/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 legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

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

For Newspaper Advertising:

Case Number: 2015-0300-SOHA

Property Address: 330 TOWNSEND ROAD

Property Description: NORTHEAST SIDE OF TOWNSEND ROAD

Legal Owners (Petitioners): MARK MARKELL

Contract Purchaser/Lessee: NA

PLEASE FORWARD ADVERTISING BILL TO:

Name: MARK MARKELL

Company/Firm (if applicable): NA

Address: 330 TOWNSEND ROAD ESSEX MO 64521

Telephone Number: 443-257-3891

M E M O R A N D U M

DATE: October 19, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0300-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on October 15, 2015. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

CASE NAME _____
CASE NUMBER 2015-0300 - SPHA
DATE 9-4-2015

[illegible]

CASE NAME MARQUEL
CASE NUMBER 2015-0300-54A
DATE 9/09/15

[illegible]

DECLARATION OF UNDERSTANDING

THIS DECLARATION OF UNDERSTANDING (hereinafter referred to as "Declaration") is made on the 23rd day of June 2015, by and between Mark L. Markell (hereinafter referred to as the "Declarant") and the Department of Permits, Approvals and Inspections (hereinafter referred to as "PAI").

RECITALS

- A. The Declarant who is also the owner of this property has filed an application for a use permit and special hearing to allow the use of an existing detached accessory building located behind the existing dwelling in the rear yard of the subject property. The existing detached accessory building was built for the purpose of housing a family member and has been used as such since that time.
The property being located at 330 Townsend Road Essex, MD 21221 and is more particularly described by metes and bounds in Exhibit A (The Property) and Exhibit B (The use permit or hearing plans) attached hereto and made a part hereof. The property is zoned D.R. 5.5 which is the particular zone in which the property is located.
- B. PAI or The Administration Law Judge has approved the Declaration request to create an Accessory Apartment complete with dedicated bathing and cooking facilities, located on this owner-occupied property. The accessory apartment will be housing for Kathryn Markell, who is the mother of the property owner. The other residents of the property are Melissa Markell and Brooke Markell, who are also related to the property owner. The use permit must be renewed with PIA every two years by filing a renewal on a PAI approved form, to be dated from the month of the initial approval.
- C. As a condition of approval of the Declarant request, Bill No. 49-11 requires the filing of this Declaration among the Land Records of Baltimore County, to provide notice to any future owners, subsequent bona fide purchasers or users of the Property that no part of any improvements or addition on the Property may be used for separate living quarters and that all such improvements shall only be used as a single- family residence, unless otherwise approved by and at the discretion of PIA.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledge, the Declarant and PIA hereby declare as follows:

1. Any and all improvements now existing or to be constructed on the Property shall be used only as a single-family residence. No such improvements or additions shall ever be used as a separate living quarter or second residential unit. The kitchen for the Accessory Apartment will be constructed as part of the Property and shall be accessory to the principal use of the Property as a single-family residence. The Accessory Apartment shall house only immediate family members listed in this Declaration and it is not to be used as an independent residential unit, nor is it to be used for compensation, and it shall not be used by any other person or for any other reason. The use permit and this Declaration are subject to the order, conditions or restrictions of any required zoning hearing. The hearing order is to be made part of this Declaration when it is recorded in the Land Records.

2. Once the Accessory Apartment is no longer occupied by the persons named in this Declaration or if the property is sold, or the use permit has not been renewed within the 2 year temporary use permit time limit, the use permit shall terminate, and any proposed changes in occupancy to the Accessory Apartment by the property owner or subsequent purchaser shall require a new request for a use permit.

3. Upon use permit termination, the Accessory Apartment in the accessory building requires removal of the kitchen and possibly other residential elements, at the discretion of PAI.

4. The covenants, conditions and restrictions stated above shall run with and bind the Property and shall be enforced by Baltimore County, MD and by the owners the owners of all or any portion of the Property.

5. Enforcement of the Covenants shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any of the covenants, either to restrain the violation or to recover damages.

IN WITNESS WHEREOF, the parties hereto have duly executed this Declaration under seal on the date first above written.

WITNESS: Debra Beaul Ence Buck Mark McNeil

State of Maryland, County of Baltimore to wit:

I HEREBY CERTIFY that on this 17 day of June, 2015, before the Subscriber, a Notary Public of State of Maryland, personally appeared
Mark L. Markelli

The declarant(s) herein, who is/ are also the owner(s) of this property, know to me (or satisfactorily proven) to be the person(s) whose name(s) is/ are subscribed to the within instrument, and who acknowledged that he/ she/ they executed for the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, have hereunto set my hand and Notarial Seal.

My Commission Expires: 03/10/2018



[Signature]
Notary Public



1 inch = 100 feet

BALTIMORE COUNTY, MARYLAND

www.baltimorecountymd.gov

[Register for an](#) | [Login](#)[Account](#)[Home](#) [Animal Complaint](#) [License](#) [Land Management](#) [Code Complaint](#)[Submit a Complaint](#) | [Search Complaints](#)**Record CC1505933:**
Constituent Complaint**Property Location**330 TOWNSEND RD
ESSEX MD 21221-6634**Application Details****Complaint Description:**ILLEGAL CONVERSION, TRASH IN CANS W/O LIDS,
O/D - 4 POTS FULL OF DEAD TREES, 4 CONSTRU
BUCKETS FULL OF DEBRIS, GARBAGE**▼ Inspections****Upcoming (1)**07/10/2015 at TBD Scheduled Re-Inspection (285595)
Inspector: Phillip Mills[Actions ▼](#)**Completed (3)**

Correction Notice Issued - 1; Rescheduled - 2

Rescheduled Initial Inspection (282625)
Rescheduled by: Constance Palmer on 06/02/2015 at 07:28 AM[View Details](#)**Rescheduled Initial Inspection (282710)**
Rescheduled by: Adam Whitlock on 06/03/2015 at 08:10 AM[View Details](#)**Correction Notice Issued Initial Inspection (283137)**
Result by: Phillip Mills on 06/09/2015 at 03:42 PM[View Details](#)**► Processing Status****► Attachments**

CASE NO. 2015- 0300-SPHA

CHECKLIST

Comment
Received

Department

Support/Oppose/
Conditions/
Comments/
No Comment

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

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

FIRE DEPARTMENT

7/16
PLANNING
(if not received, date e-mail sent _____)

6/26
STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. CC 1505933)

PRIOR ZONING (Case No. 2007-0491-A)

NEWSPAPER ADVERTISEMENT Date: 8/13/15

SIGN POSTING Date: 8/14/15 by Doak

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

TM AV
5-21-07

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
N side Townsend Road, 1,175 feet NW		
of Mace Avenue		
15 th Election District	*	DEPUTY ZONING COMMISSIONER
7 th Councilmanic District		
(330 Townsend Road)	*	BALTIMORE COUNTY
 Mark Markell		
<i>Petitioner</i>	*	CASE NO. 07-491-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Mark Markell. The variance request is for property located at 330 Townsend Road. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a detached garage with a height of 20 feet in lieu of the maximum allowed 15 feet. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. The Petitioner states his home is only 820 square feet in size and the additional garage height is necessary to provide much needed storage space.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: ZAC comments were received from the Office of Planning dated May 31, 2007 which restrictions, and a copy of which is incorporated herein and made a part hereof the file.

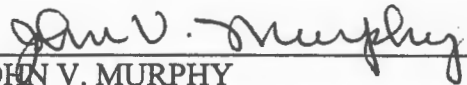
Applicable Law

Section 307 of the B.C.Z.R. – *Variances*.
“The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area

County Zoning Regulations (B.C.Z.R.) to permit a detached garage with a height of 20 feet in lieu of the maximum allowed 15 feet be and is hereby GRANTED, subject to the following:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
3. The accessory structure shall not be used for commercial purposes.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:pz

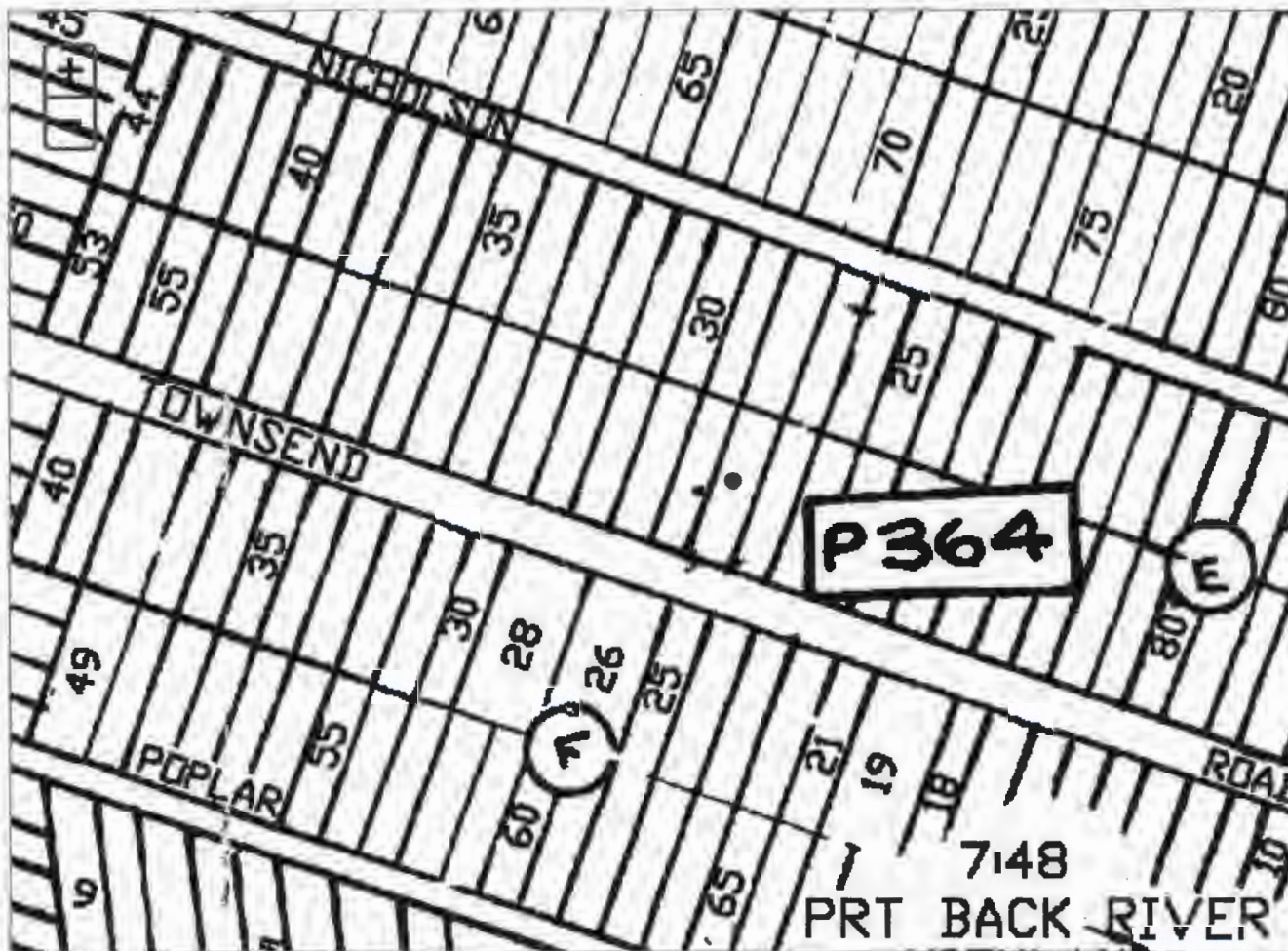
Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 1519390990			
Owner Information					
Owner Name:	MARKELL MARK L		Use:	RESIDENTIAL	
Mailing Address:	330 TOWNSEND RD BALTIMORE MD 21221-6634		Principal Residence:	YES	
			Deed Reference:	/24828/ 00114	
Location & Structure Information					
Premises Address:		330 TOWNSEND RD 0-0000		Legal Description: 330 TOWNSEND RD BACK RIVER HIGHLANDS	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0097	0001	0364		0000	E 69
Assessment Year:			Plat No:		
2015			0004/0064		
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1942	1,519 SF		10,000 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1 1/2	YES	STANDARD UNIT	FRAME	2 full	1 Detached
Last Major Renovation					
Value Information					
		Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2015	
				As of 07/01/2016	
Land:		75,000	75,000		
Improvements		121,100	135,700		
Total:		196,100	210,700	200,967	205,833
Preferential Land:		0			0
Transfer Information					
Seller: HARMON DAVID S		Date: 11/28/2006		Price: \$157,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /24828/ 00114		Deed2:	
Seller: SIMMONS THOMAS B		Date: 08/13/1997		Price: \$80,000	
Type: ARMS LENGTH IMPROVED		Deed1: /12325/ 00462		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2015		07/01/2016	
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 06/13/2012					

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty/>)District: **15** Account Number: **1519390990**

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/>)

Loading... Please Wait. Loading... Please Wait. -->



KEVIN KAMENETZ
County Executive

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

August 27, 2015

Mark L Markell
330 Townsend Road
Essex MD 21221

RE: Case Number: 2015-0300 SPHA, Address: 330 Townsend Road

Dear Mr. Markell:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 24, 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
Bruce E Doak, Bruce E Doak Consulting, 3801 Baker Schoolhouse Road, Freeland MD 21053

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Douglas H. Simmons, Acting Administrator

Date: 6/26/15

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

RE: Baltimore County
Item No. 2015-0300-SPHA
Special Hearing Variance
Mark L. Markell
330 Townsend Road.

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2015-0300-SPHA.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2398 or 1-866-998-0367 (in Maryland only) extension 2398, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in blue ink, appearing to read 'David W. Peake'.

David W. Peake
Metropolitan District Engineer
Baltimore & Harford Counties

DWP/RAZ

JB 9-4-15
10 Am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 16, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 330 Townsend Road

INFORMATION:

Item Number: 15-300

Petitioner: Mark L. Markell

Zoning: DR 5.5

Requested Action: Special Hearing, Variance

RECEIVED

JUL 21 2015

OFFICE OF ADMINISTRATIVE HEARINGS

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Special Hearing to determine whether or not the Administrative Law Judge should approve an apartment in an accessory building (garage) and also an amendment to the opinion and order in prior zoning case No. 07-491-A which permitted a detached garage with a height of 20' and the Petition for a Variance to permit an accessory building with apartment to have a height of 24' in lieu of the required 15'.

Provided that all necessary safety requirements and inspections have been met the Department has no objection to the grant of the petitioned zoning relief pursuant to the requirements of BCZR Section 400.4.

For further information concerning the matters stated herein, please contact Bill Skibinski at 410-887-3480.

Division Chief: Kathy Soderbach

AVA/KS

C: Bill Skibinski

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 16, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 330 Townsend Road

INFORMATION:

Item Number: 15-300

Petitioner: Mark L. Markell

Zoning: DR 5.5

Requested Action: Special Hearing, Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Special Hearing to determine whether or not the Administrative Law Judge should approve an apartment in an accessory building (garage) and also an amendment to the opinion and order in prior zoning case No. 07-491-A which permitted a detached garage with a height of 20' and the Petition for a Variance to permit an accessory building with apartment to have a height of 24' in lieu of the required 15'.

Provided that all necessary safety requirements and inspections have been met the Department has no objection to the grant of the petitioned zoning relief pursuant to the requirements of BCZR Section 400.4.

For further information concerning the matters stated herein, please contact Bill Skibinski at 410-887-3480.

Division Chief: Kathy Schabach

AVA/KS

C: Bill Skibinski

Case No.:

2015-0300-SPHA

Exhibit Sheet

Petitioner/Developer

DW
10-19-15

Protestants

Sen
9/15/15

No. 1	Site plan	B+W Photos of site
No. 2	Aerial photo	
No. 3	Photos w/ Key Sheet	
No. 4	Declaration of Understanding	
No. 5	Letters of Support	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

DECLARATION OF UNDERSTANDING

THIS DECLARATION OF UNDERSTANDING (hereinafter referred to as "Declaration") is made on the 23rd day of June 2015, by and between Mark L. Markell (hereinafter referred to as the "Declarant") and the Department of Permits, Approvals and Inspections (hereinafter referred to as "PAI").

RECITALS

- A. The Declarant who is also the owner of this property has filed an application for a use permit and special hearing to allow the use of an existing detached accessory building located behind the existing dwelling in the rear yard of the subject property. The existing detached accessory building was built for the purpose of housing a family member and has been used as such since that time.
The property being located at 330 Townsend Road Essex, MD 21221 and is more particularly described by metes and bounds in Exhibit A (The Property) and Exhibit B (The use permit or hearing plans) attached hereto and made a part hereof. The property is zoned D.R. 5.5 which is the particular zone in which the property is located.
- B. PAI or The Administration Law Judge has approved the Declaration request to create an Accessory Apartment complete with dedicated bathing and cooking facilities, located on this owner-occupied property. The accessory apartment will be housing for Kathryn Markell, who is the mother of the property owner. The other residents of the property are Melissa Markell and Brooke Markell, who are also related to the property owner. The use permit must be renewed with PIA every two years by filing a renewal on a PAI approved form, to be dated from the month of the initial approval.
- C. As a condition of approval of the Declarant request, Bill No. 49-11 requires the filing of this Declaration among the Land Records of Baltimore County, to provide notice to any future owners, subsequent bona fide purchasers or users of the Property that no part of any improvements or addition on the Property may be used for separate living quarters and that all such improvements shall only be used as a single- family residence, unless otherwise approved by and at the discretion of PIA.

PETITIONER' S

EXHIBIT NO. 4

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledge, the Declarant and PIA hereby declare as follows:

1. Any and all improvements now existing or to be constructed on the Property shall be used only as a single-family residence. No such improvements or additions shall ever be used as a separate living quarter or second residential unit. The kitchen for the Accessory Apartment will be constructed as part of the Property and shall be accessory to the principal use of the Property as a single-family residence. The Accessory Apartment shall house only immediate family members listed in this Declaration and it is not to be used as an independent residential unit, nor is it to be used for compensation, and it shall not be used by any other person or for any other reason. The use permit and this Declaration are subject to the order, conditions or restrictions of any required zoning hearing. The hearing order is to be made part of this Declaration when it is recorded in the Land Records.

2. Once the Accessory Apartment is no longer occupied by the persons named in this Declaration or if the property is sold, or the use permit has not been renewed within the 2 year temporary use permit time limit, the use permit shall terminate, and any proposed changes in occupancy to the Accessory Apartment by the property owner or subsequent purchaser shall require a new request for a use permit.

3. Upon use permit termination, the Accessory Apartment in the accessory building requires removal of the kitchen and possibly other residential elements, at the discretion of PAI.

4. The covenants, conditions and restrictions stated above shall run with and bind the Property and shall be enforced by Baltimore County, MD and by the owners the owners of all or any portion of the Property.

5. Enforcement of the Covenants shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any of the covenants, either to restrain the violation or to recover damages.

IN WITNESS WHEREOF, the parties hereto have duly executed this Declaration under seal on the date first above written.

WITNESS: Jenna Beaul Ence Buck Mark McNeil

State of Maryland, County of Baltimore to wit:

I HEREBY CERTIFY that on this 17 day of June, 2015, before the Subscriber, a Notary Public of State of Maryland, personally appeared

Mark L. Markelli

The declarant(s) herein, who is/ are also the owner(s) of this property, know to me (or satisfactorily proven) to be the person(s) whose name(s) is/ are subscribed to the within instrument, and who acknowledged that he/ she/ they executed for the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, have hereunto set my hand and Notarial Seal.

My Commission Expires: 03/10/2018

[Signature]

Notary Public



The Declaration of Understanding for the Accessory Apartment at:

330 Townsend Road Essex, MD 21221

Is approved: _____

Arnold Jablon, Director-PAI

Date

To whom this may concern,

This is a letter to state that I, FERDINAND J. ILLIAN, residing at 339 TOWNSEND RD BALTO MD 21221 am not opposed to the continuing residence of Kathryn Markell at the address of 330 Townsend Road, Essex, MD 21221. In the past 8 years that she has lived at this address, we have had no issues or concerns to my family or our neighborhood. My family and I, find no reason to complain or reason as to why Kathryn Markell should not be allowed to continue living in this home. We support her continued residency.

If there are any questions or concerns, please feel free to contact me at 410 687-4614

Sincerely,

PETITIONER' S

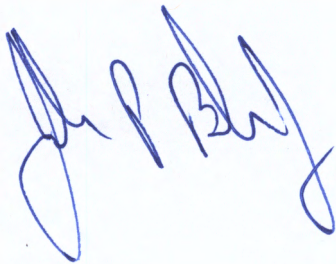
EXHIBIT NO. 5

To whom this may concern,

This is a letter to state that I, John P Bidish Jr, residing at 340 Townsend Rd. am not opposed to the continuing residence of Kathryn Markell at the address of 330 Townsend Road, Essex, MD 21221. In the past 8 years that she has lived at this address, we have had no issues or concerns to my family or our neighborhood. My family and I, find no reason to complain or reason as to why Kathryn Markell should not be allowed to continue living in this home. We support her continued residency.

If there are any questions or concerns, please feel free to contact me at 443 416 6049

Sincerely,

A handwritten signature in blue ink, appearing to read "John P Bidish Jr", written over a light blue rectangular background.

To whom this may concern,

This is a letter to state that I, Stephan Ansler Stephan Ansler, residing at 338 Townsend Rd am not opposed to the continuing residence of Kathryn Markell at the address of 330 Townsend Road, Essex, MD 21221. In the past 8 years that she has lived at this address, we have had no issues or concerns to my family or our neighborhood. My family and I, find no reason to complain or reason as to why Kathryn Markell should not be allowed to continue living in this home. We support her continued residency.

If there are any questions or concerns, please feel free to contact me at 410-736-3303

Sincerely,

To whom this may concern,

This is a letter to state that I, GLORIA WOOD, residing at 337-A TOWNSEND RD am not opposed to the continuing residence of Kathryn Markell at the address of 330 Townsend Road, Essex, MD 21221. In the past 8 years that she has lived at this address, we have had no issues or concerns to my family or our neighborhood. My family and I, find no reason to complain or reason as to why Kathryn Markell should not be allowed to continue living in this home. We support her continued residency.

If there are any questions or concerns, please feel free to contact me at

Sincerely,

Gloria Wood

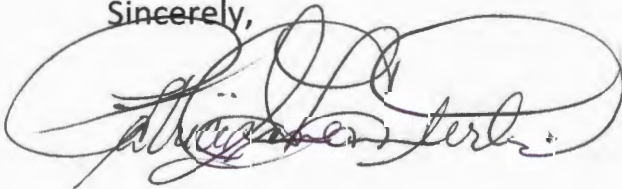
To whom this may concern,

This is a letter to state that I, Patricia Chamberlain, residing at 338 1/2 Townsend Rd, Essex, MD 21221 am not opposed to the continuing residence of Kathryn Markell at the address of 330 Townsend Road, Essex, MD 21221. In the past 8 years that she has lived at this address, we have had no issues or concerns to my family or our neighborhood. My family and I, find no reason to complain or reason as to why Kathryn Markell should not be allowed to continue living in this home. We support her continued residency.

If there are any questions or concerns, please feel free to contact me at

410-310-3279

Sincerely,

A large, stylized handwritten signature in dark ink, appearing to read 'Patricia Chamberlain', written over a horizontal line.

To whom this may concern,

This is a letter to state that I, BJ Hurt Wilke, residing at 334 Townsend Rd (rear) am not opposed to the continuing residence of Kathryn Markell at the address of 330 Townsend Road, Essex, MD 21221. In the past 8 years that she has lived at this address, we have had no issues or concerns to my family or our neighborhood. My family and I, find no reason to complain or reason as to why Kathryn Markell should not be allowed to continue living in this home. We support her continued residency.

If there are any questions or concerns, please feel free to contact me at

BJ Hurt Wilke 443-414-0639

Sincerely,

BJ Hurt Wilke

To whom this may concern,

This is a letter to state that I, meghan wilke, residing at 334 Townsend Rd. am not opposed to the continuing residence of Kathryn Markell at the address of 330 Townsend Road, Essex, MD 21221. In the past 8 years that she has lived at this address, we have had no issues or concerns to my family or our neighborhood. My family and I, find no reason to complain or reason as to why Kathryn Markell should not be allowed to continue living in this home. We support her continued residency.

If there are any questions or concerns, please feel free to contact me at 410-790-2230

Sincerely,

Meghan Wilke

To whom this may concern,

This is a letter to state that I, Esilde Ricciotti, residing at 333A Townsend Rd Baltimore 21214 am not opposed to the continuing residence of Kathryn Markell at the address of 330 Townsend Road, Essex, MD 21221. In the past 8 years that she has lived at this address, we have had no issues or concerns to my family or our neighborhood. My family and I, find no reason to complain or reason as to why Kathryn Markell should not be allowed to continue living in this home. We support her continued residency.

If there are any questions or concerns, please feel free to contact me at

Sincerely,

To whom this may concern,

This is a letter to state that I, Ann Weiprecht, residing at 333 Townsend Rd Balto MD 21221 am not opposed to the continuing residence of Kathryn Markell at the address of 330 Townsend Road, Essex, MD 21221. In the past 8 years that she has lived at this address, we have had no issues or concerns to my family or our neighborhood. My family and I, find no reason to complain or reason as to why Kathryn Markell should not be allowed to continue living in this home. We support her continued residency.

If there are any questions or concerns, please feel free to contact me at

410-979-5422

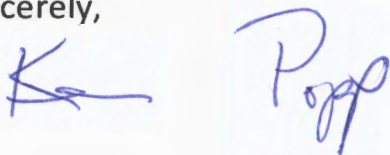
Sincerely,

To whom this may concern,

This is a letter to state that I, KEVIN POPP, residing at 331 TOWNSEND RD BALTO, MD 21221 am not opposed to the continuing residence of Kathryn Markell at the address of 330 Townsend Road, Essex, MD 21221. In the past 8 years that she has lived at this address, we have had no issues or concerns to my family or our neighborhood. My family and I, find no reason to complain or reason as to why Kathryn Markell should not be allowed to continue living in this home. We support her continued residency.

If there are any questions or concerns, please feel free to contact me at

Sincerely,

The signature consists of two parts: a stylized first initial 'K' followed by a surname 'Popp' written in a cursive script.

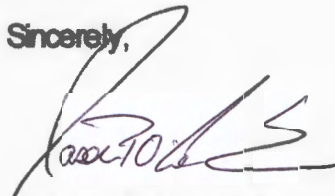
Jason P. O'Connor, Sr.
335 Townsend Road
Baltimore, Maryland 21221

July1, 2015

To Whom It May Concern,

This letter is to state that Mark Markell has been my neighbor since 2006 and I have not experienced any problems with Mr. Markell. Mr. Markell is very quiet and does not cause any problems in the neighborhood. If you have any questions or concerns, you can reach me at 443-772-3905.

Sincerely,



Jason P. O'Connor, Sr.

To whom this may concern,

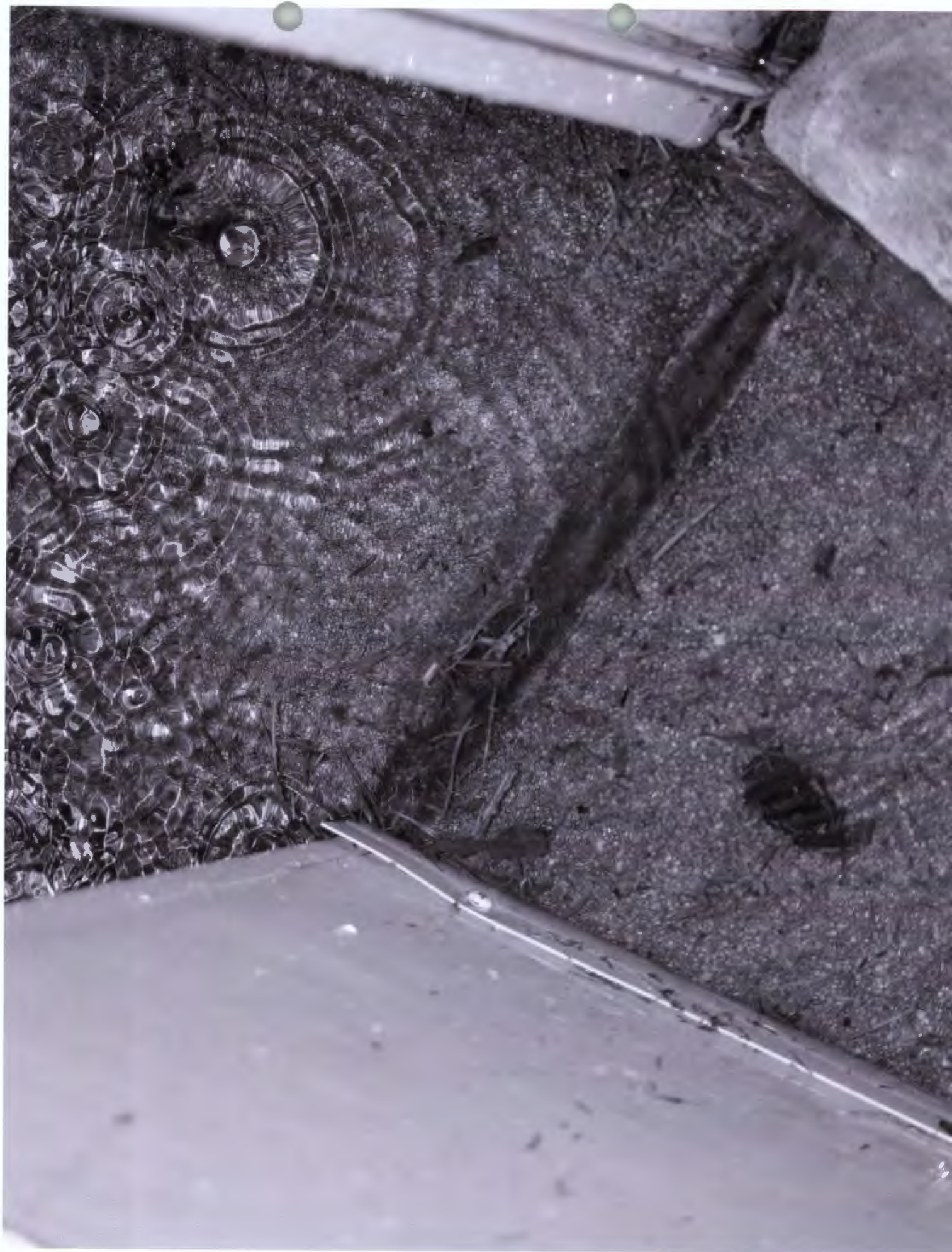
This is a letter to state that I, GLORIA WOOD, residing at 337-A TOWNSEND RD am not opposed to the continuing residence of Kathryn Markell at the address of 330 Townsend Road, Essex, MD 21221. In the past 8 years that she has lived at this address, we have had no issues or concerns to my family or our neighborhood. My family and I, find no reason to complain or reason as to why Kathryn Markell should not be allowed to continue living in this home. We support her continued residency.

If there are any questions or concerns, please feel free to contact me at

Sincerely,

Gloria Wood















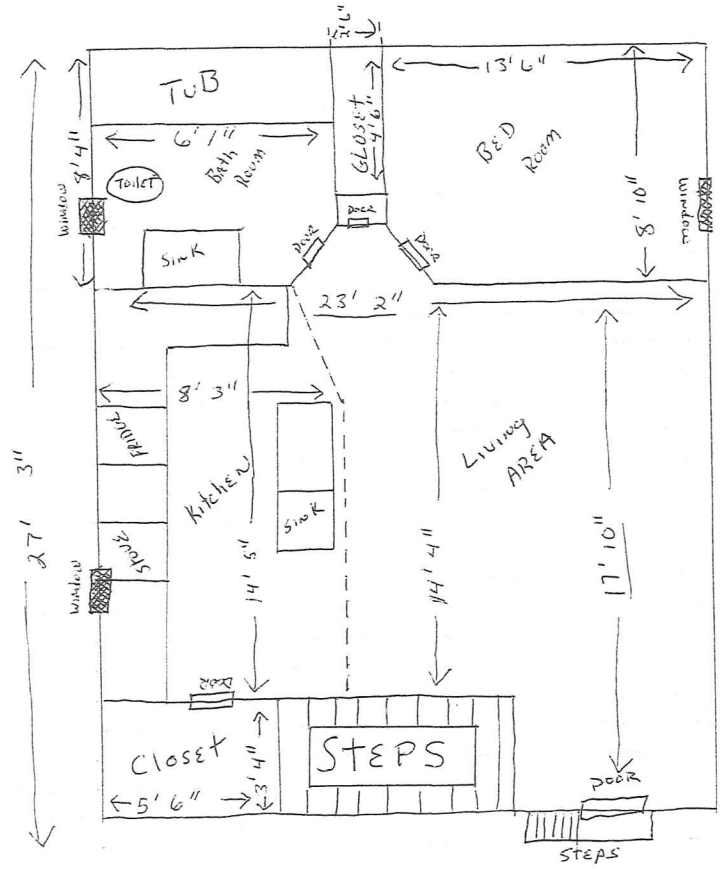






REAR DWELLING FLOOR PLAN

24x30



GENERAL INFORMATION

1. Ownership: Mark L. Markell
2. Address: 330 Townsend Road, Baltimore, MD 21221
3. Deed & Plat References: SM 24828 / 114 Lot 69 "Back River Highlands" PB 04/ 64
4. Tax Map / Parcel / Lot / Tax account #: 97/ 364 / 69/ 15-19-390990
5. Area: 10,000 square feet (per SM 24828 / 114)
6. Zoning: DR 5.5
7. The boundary shown hereon is from deeds recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 097A1 and the information provided by Baltimore County on the internet.
8. Improvements: Two single family dwellings
9. The two existing dwellings will remain.
10. The existing dwellings are not historic. The subject property is not historic or in a historic district.
11. The existing dwellings are currently serviced by public water and sewer and share the same water meter.
12. The subject property is not in the Chesapeake Bay Critical Area.
13. The subject property is not located within a 100 year flood plain.
14. The accessory apartment does not have separate utility meters.

DENSITY CALCULATIONS FOR D.R.5.5

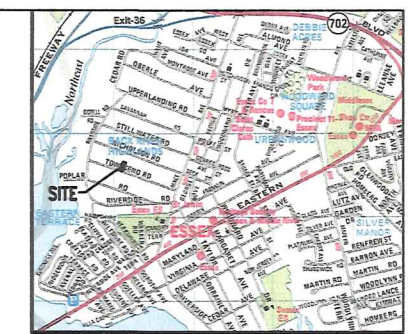
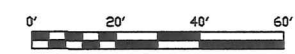
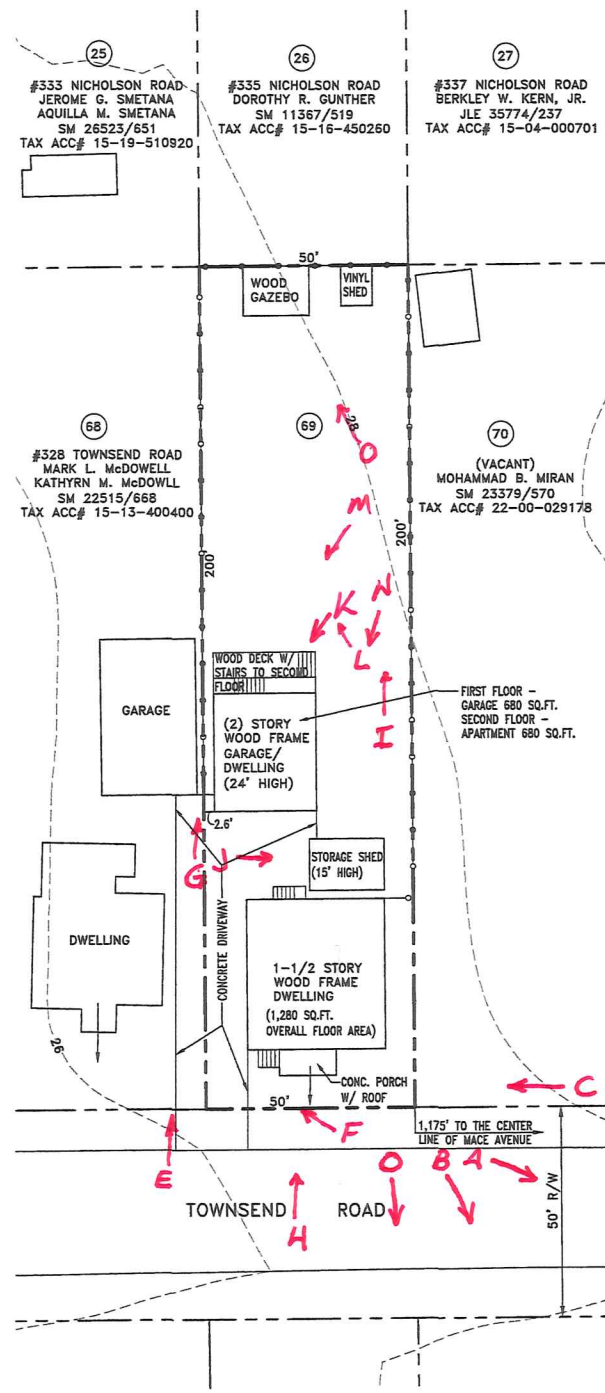
Gross area:	10,000 square feet (SDAT records)
Highway widening:	0 acres
Net area:	10,000 square feet (SDAT records)
Lots permitted:	1
Lots proposed:	1

D.R. 5.5 SETBACKS FOR RESIDENTIAL SINGLE FAMILY DWELLINGS

Front:	25' to a public street right of way
Side:	16' bldg. face to bldg. face if less than 20' high 20' bldg. face to bldg. face if more than 20' high
Rear:	30' from rear bldg. face to property line
Height:	50'

PREVIOUS ZONING CASE

Case #07-491-A. Granted a detached garage a height of 20 feet in lieu of the maximum allowed 15 feet.



Vicinity Map - Scale: 1" = 2000'
ADC The Map People - Permitted Use # 20612205

SPECIAL HEARING REQUESTED/USE PERMIT

To permit an apartment in an accessory building (formerly a garage) for a family member per Section 400.4B BCZR
To amend the previous case opinion (Case #07-491-A) which allowed a height of 20 feet in lieu of the required 15 feet

PROPOSED USE

To allow a family member to reside in an existing apartment which was once a garage on the subject property.

VARIANCE REQUESTED

To permit an accessory building (formerly a garage) that is being requested as an accessory apartment to have a height of 24 feet in lieu of the required 20 feet per Case #07-491-A.

PLAN TO ACCOMPANY
SITE PHOTOS

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY PETITIONS
FOR THE
MARKELL PROPERTY
330 TOWNSEND ROAD
BALTIMORE COUNTY, MARYLAND
15th ELECTION DISTRICT 7th COUNCILMANIC DISTRICT

Date: 6/15/2015
Scale: 1"=20'

PETITIONER'S

EXHIBIT NO. 3



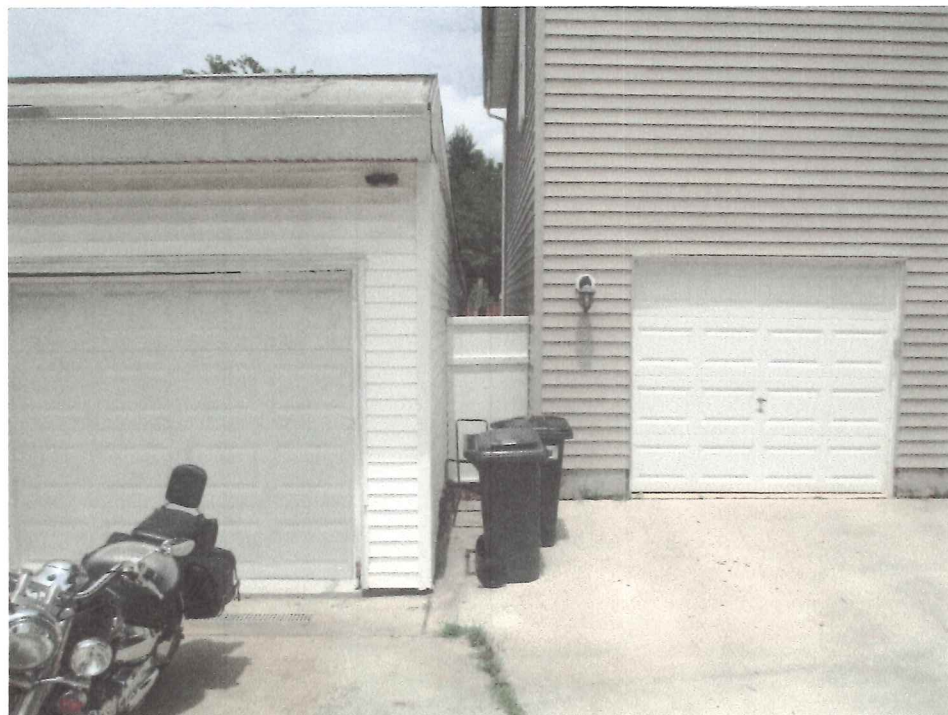
E



F



G



H



B

M



N



O



P

I



J



K

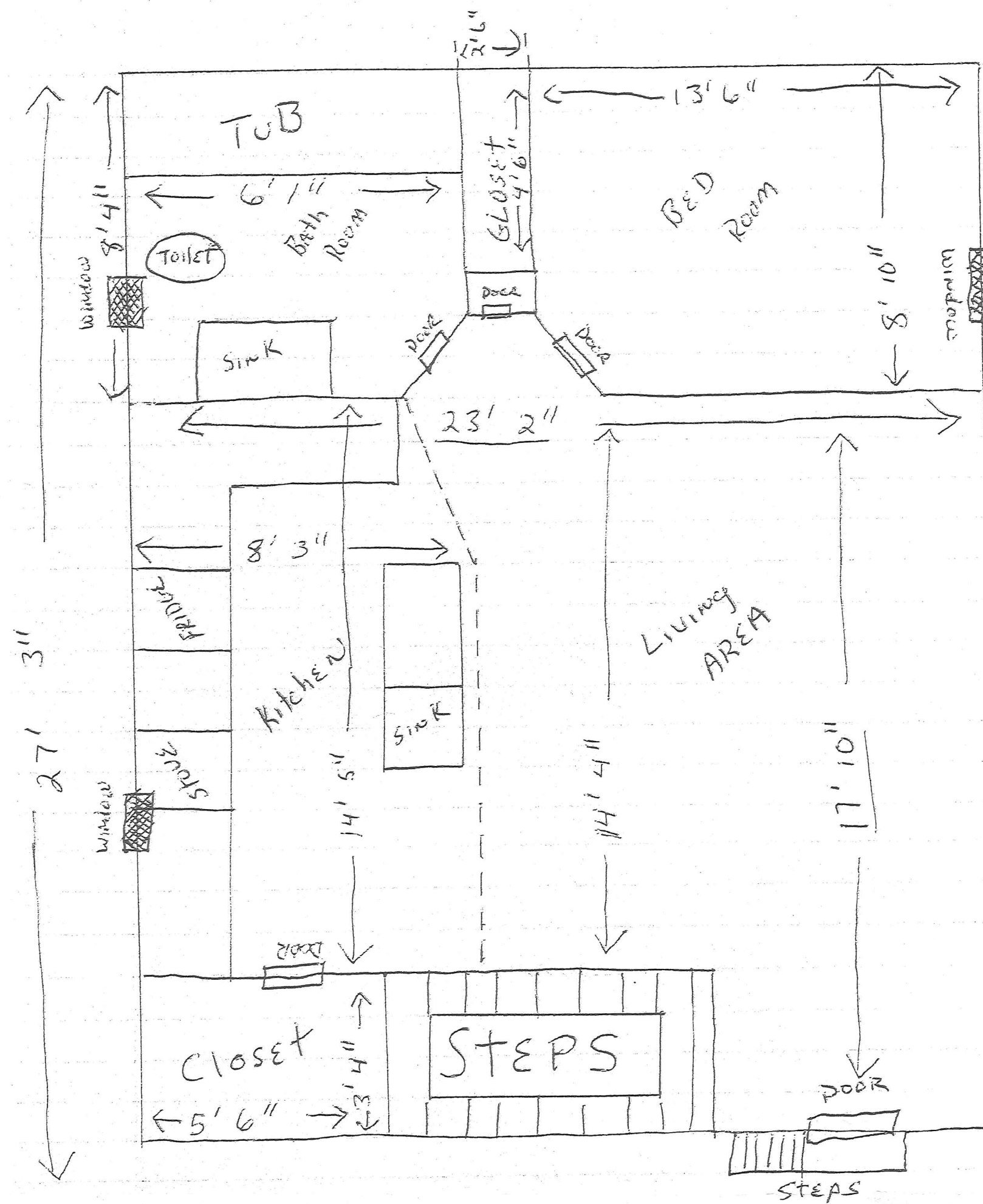


L



REAR DWELLING FLOOR PLAN

24x30



GENERAL INFORMATION

1. Ownership: Mark L. Markell
2. Address: 330 Townsend Road Baltimore, MD 21221
3. Deed & Plat References: SM 24828 / 114 Lot 69 "Back River Highlands" PB 04/ 64
4. Tax Map / Parcel / Lot / Tax account #: 97/ 364 / 69/ 15-19-390990
5. Area: 10,000 square feet (per SM 24828 / 114)
6. Zoning: DR 5.5.
7. The boundary shown hereon is from deeds recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 097A1 and the information provided by Baltimore County on the internet.
8. Improvements: Two single family dwellings
9. The two existing dwellings will remain.
10. The existing dwellings are not historic. The subject property is not historic or in a historic district.
11. The existing dwellings are currently serviced by public water and sewer and share the same water meter.
12. The subject property is not in the Chesapeake Bay Critical Area.
13. The subject property is not located within a 100 year flood plain.
14. The accessory apartment does not have separate utility meters.

DENSITY CALCULATIONS FOR D.R.5.5

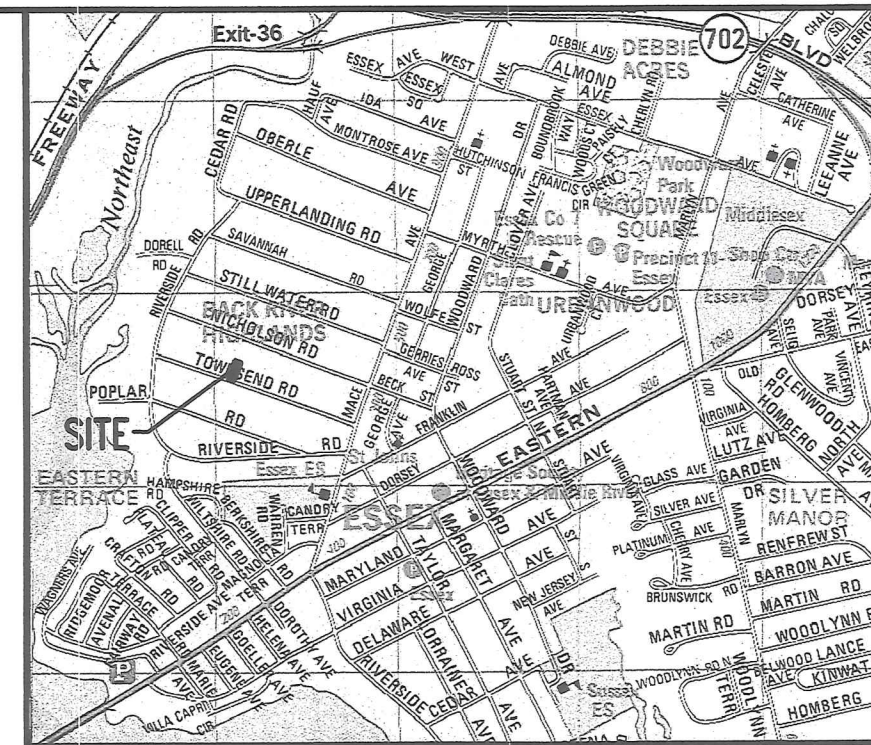
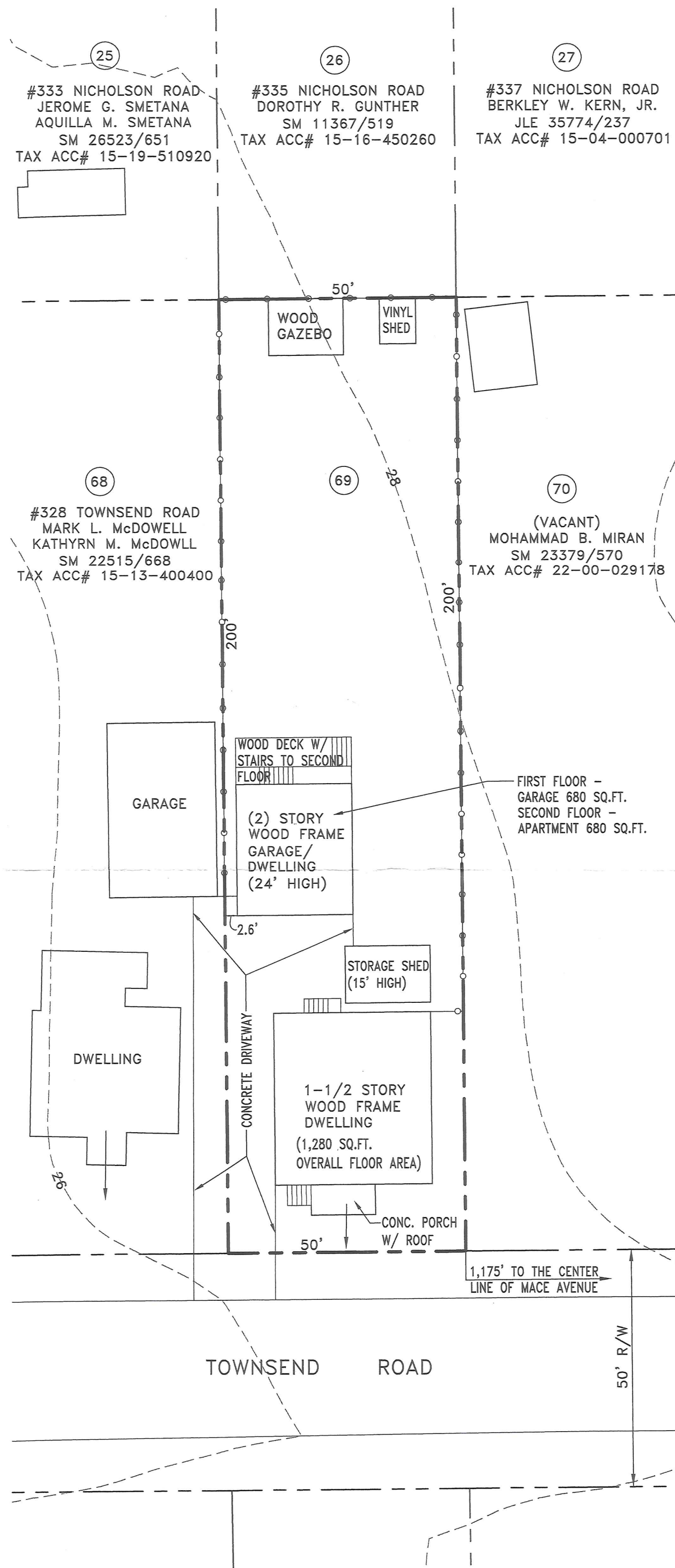
Gross area: 10,000 square feet (SDAT records)
Highway widening: 0 acres
Net area: 10,000 square feet (SDAT records)
Lots permitted: 1
Lots proposed: 1

D.R. 5.5 SETBACKS FOR RESIDENTIAL SINGLE FAMILY DWELLINGS

Front: 25' to a public street right of way
Side: 16' bldg. face to bldg. face if less than 20' high
20' bldg. face to bldg. face if more than 20' high
Rear: 30' from rear bldg. face to property line
Height: 50'

PREVIOUS ZONING CASE

Case #07-491-A. Granted a detached garage a height of 20 feet in lieu of the maximum allowed 15 feet.



Vicinity Map - Scale: 1" = 2000'
ADC The Map People - Permitted Use # 20612205

SPECIAL HEARING REQUESTED/USE PERMIT

To permit an apartment in an accessory building (formerly a garage) for a family member per Section 400.4B BCZR

To amend the previous case opinion (Case #07-491-A) which allowed a height of 20 feet in lieu of the required 15 feet

PROPOSED USE

To allow a family member to reside in an existing apartment which was once a garage on the subject property.

VARIANCE REQUESTED

To permit an accessory building (formerly a garage) that is being requested as an accessory apartment to have a height of 24 feet in lieu of the required 20 feet per Case #07-491-A.

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

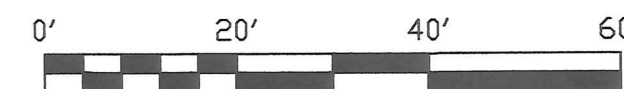
PLAN TO ACCOMPANY PETITIONS

FOR THE
MARKELL PROPERTY
330 TOWNSEND ROAD
BALTIMORE COUNTY, MARYLAND
15th ELECTION DISTRICT 7th COUNCILMANIC DISTRICT



Date: 6/15/2015
Scale: 1"=20'

2015-0300-SPHA
REVISION



PETITIONER'S

EXHIBIT NO. 1