

IN RE: PETITION FOR VARIANCE

(4027 Osborn Road)

4th Election District

3rd Council District

Johnathan E. & Stephanie M. Krouse

Petitioners

*

BEFORE THE

*

OFFICE OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2015-0307-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed by the legal owners, Jonathan E. and Stephanie M. Krouse, for property located at 4027 Osborn Road. The Petitioners are requesting variance relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a garage to be located in the front yard with a height of 22 ft. in lieu of the permitted 15 ft. and required rear yard.

This matter was originally filed as an Administrative Variance, with a closing date of July 27, 2015. On July 27, 2015, Edward C. Massagli (neighbor) requested a formal hearing. A hearing was held on Monday, September 14, 2015 at 2:30 PM in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. Jonathan Krouse attended in support of the request and Mr. Massagli attended the hearing and opposed the request. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. There were no substantive Zoning Advisory Committee (ZAC) comments received.

Testimony and evidence revealed that the subject property is approximately 3.640 acres and is zoned RC 2. Mr. Krouse has 5 children, and he presented photos which show the large number of vehicles, bicycles, tools and other household items owned by Petitioners. They would

ORDER RECEIVED FOR FILING

Date 9-16-15

By Den

like to construct a garage to store these items, but given the topography of the site a front yard location is the only feasible option. As such, the petition for variance was filed.

Based upon the testimony and evidence presented, I will grant the petition for 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).

Petitioners have met this test. The rural property has irregular dimensions and shape and is therefore unique. If the regulations were strictly interpreted, Petitioners would experience a practical difficulty given that it would be prohibitively expensive (and would require a great deal of excavation and potential environmental degradation) to construct a garage in the rear yard. I also believe the variance can be granted without negatively impacting the health, safety and welfare of the community.

While Mr. Massagli did not as a general matter object to Petitioners constructing a garage on their property, he was concerned that some sort of commercial enterprise would be operated out of the structure. Mr. Massagli testified that Petitioner's wife told him that her husband was a custom fabricator who constructed and sold on the internet motorcycle parts and components. As noted at the hearing, it is illegal in Baltimore County to operate a business or other commercial enterprise from one's home, other than in limited circumstances not applicable here, i.e., a doctor, dentist or other "professional person" is permitted in some cases to have a home office. The operation of such a business at the subject property would be unlawful and could subject Petitioners to substantial fines. Petitioner denies having any intention at the present time, but does not want to "box himself in" by making a blanket statement that he will never seek to conduct

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Date

9-16-15

By

Sen

some sort of home business at the property. While it is true (as also discussed at the hearing) that certain commercial enterprises are permitted in the RC-2 zone by "special exception" (B.C.Z.R. §1A01.2.C.) that requires a separate public hearing at which a petitioner must satisfy the requirements set forth at B.C.Z.R. §502.1, among other things.

THEREFORE, IT IS ORDERED, this 16th day of September, 2015 by the Administrative Law Judge for Baltimore County, that the Petition for Variance from B.C.Z.R. Sections 400.1 and 400.3 to permit a garage to be located in the front yard with a height of 22 ft. in lieu of the permitted 15 ft. and required rear yard, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. 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.
2. The garage shall not contain bathroom facilities or living quarters of any kind.
3. The garage 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 E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:sln

ORDER RECEIVED FOR FILING

Date 9-16-15

By sln



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 4027 Osborn Rd., Reisterstown, MD 21136 Currently zoned RC 2
Deed Reference 14 / 14180 10 Digit Tax Account # 0404065160
Owner(s) Printed Name(s) Jonathan E Krouse, STEPHANIE M KROUSE

(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) 400.1 @ 400.3; BCZR, to Permit a Garage to be Located in the Front Yard with a height of 22ft. in Lieu of the Permitted 15ft. and Required Rear Yard.

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.

ORDER RECEIVED FOR FILING
Date 9-16-15
By pen

Owner(s)/Petitioner(s):

Jonathan E KROUSE, STEPHANIE M. KROUSE

Name #1 – Type or Print

Name #2 – Type or Print

[Signature]
Signature #1

Stephanie M. Krouse
Signature #2

4027 Osborn Rd. Reisterstown MD
Mailing Address City State

21136 (717) 269-0689 Info@Monster
Zip Code Telephone # Email Address Craftsman.com

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

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Jonathan Krouse – Owner

Name – Type or Print

[Signature]
Signature

4027 Osborn Rd. Reisterstown MD
Mailing Address City State

21136 (717) 269-0689 info@Monstercraftsman.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 2015-0302-A Filing Date 7/1/15 Estimated Posting Date 7/12/15 Reviewer JCM

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

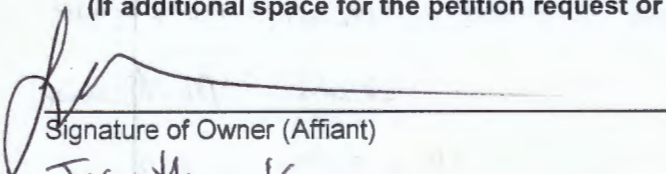
The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

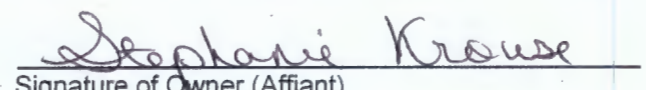
Address: 4027 OSBORN Rd. Reisterstown MD 21136
Print or Type Address of property City State Zip Code

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)

There is a drastic upward elevation change directly behind our house and the proposed garage needs to be accessible from our driveway which is toward the southeast side of our house so we can put vehicles inside the garage.

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


Signature of Owner (Affiant)
Jonathan Krouse
Name- Print or Type


Signature of Owner (Affiant)
Stephanie Krouse
Name- Print or Type

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

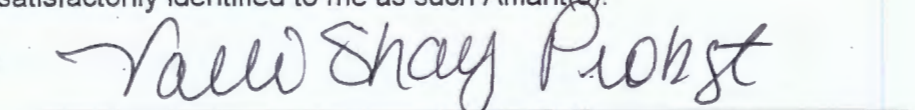
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30 day of June, 15, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Jonathan & Stephanie Krouse

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

AS WITNESS my hand and Notaries Seal


Notary Public
12-6-16
My Commission Expires

Property Description for 4027 Osborn Rd. Reisterstown Md 21136

Owners: Jonathan E. Krouse, Stephanie M Krouse

Part A:

Zoning property description for 4027 Osborne Road. Beginning at a point on the centerline of Osborne Road which is 13ft wide at the distance of 2112ft south of the centerline of Dover Road which is 24ft wide.

Part B option 1

Beginning at a point on the centerline of Osborne Road, thence, S 46-59-00 E, 486.90'. (2nd POC) S 77-51-45 W, 415.10'. (3rd POC) S 77-51-45, 40.30'. (3rd POC) S 77-51-45 W, 100.00'. (4th POC) N 8-08-00 W, 89.23'. (5th POC) N 29-01-00 E, 31.24'. (6th POC) N 15-21-00 W, 65.64'. (7th POC) N 50-47-00 W, 160.30'. (8th POC) N 55-00-00 E, 58.35'. (9th POC) N 69-28-00 E, 131.70'. (9th POC) N 77-33-00 E, 9.80'. (10th POC) N 77-02-00 E, 118.41'. (11th POC) N 30-37-00 E, 25.00' along Osborne Road. (12th POC) N 31-08-00 E, 50.00' back to the Point of Beginning as recorded in Deed Liber 27388, Folio 281, containing 153,847 square feet. Located in the 4th election district and 3rd council district.

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

No. **127159**

Date: **7/1/15**

PAID RECEIPT

BUSINESS ACTUAL TIME
 7/01/2015 7/01/2015 09:24:49

RES NS05 WALKIN R005 LRB

RECEIPT # 801917 7/01/2015

Dept 5 528 ZONING VERIFICATION

CP NO. 127159

Recpt Tot \$75.00

\$75.00 CK \$1.00 CA

Baltimore County, Maryland

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

Total: **75.00**

Rec From: **JONATHAN KROUSE**

For: **2015-0307-A**

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**



FORMAL DEMAND FOR HEARING

CASE NUMBER: 2015-0307A

Address: 4027 Osborn Rd

Petitioner(s): Jonathan E. + Stephanie M. Krouse

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We EDWARD C. MASSAGLI
Name - Type or Print

(☒) Legal Owner OR (☐) Resident of
4029 OSBORN ROAD
Address

REISTERSTOWN MD 21136
City State Zip Code

443-845-4400
Telephone Number

which is located approximately 10-15 feet from the
property, which is the subject of the above petition, **do hereby**
formally demand that a public hearing be set in this matter.
ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS
DEMAND.

[Signature] 7/27/15
Signature Date

Signature _____ Date _____
Revised 9/18/98 - wcr/scj

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.

For Newspaper Advertising:

Item Number or Case Number: 2015-0307-A

- Petitioner: Jonathan E. Krouse

- Address or Location: 4027 Osborn Rd., Reisterstown MD 21136

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____

Address: _____

SALE

- Telephone Number: (717) 269-0689

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2015- 0307 -A Address 4027 OSBORN RD.

Contact Person: J. MERREY Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 7/1/15 Posting Date: 7/12 Closing Date: 7/27

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

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2015- 0307 -A Address 4027 OSBORN RD. REISTERSTOWN, MD 21136

Petitioner's Name JONATHAN OSBORN Telephone (717) 269-0689

Posting Date: 7/12/15 Closing Date: 7/27/15

Wording for Sign: To Permit A GARAGE TO BE LOCATED IN THE
FRONT YARD IN LIEU OF THE REQUIRED REAR YARD WITH
A HEIGHT OF (22ft) 22ft. IN LIEU OF THE PERMITTED
15ft.

Revised 7/18/14

TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 25, 2015 Issue - Jeffersonian

Please forward billing to:
Jonathan Krouse
4027 Osborn Road
Reisterstown, MD 21136

717-269-0689

NOTICE OF ZONING HEARING

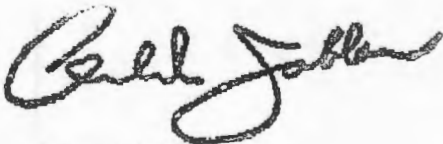
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2015-0307-A

4027 Osborn Road
E/s Osborn Road, south of the centerline of Dover Road
4th Election District – 3rd Councilmanic District
Legal Owners: Jonathan & Stephanie Krouse

Variance to permit a garage to be located in the front yard with a height of 22 ft. in lieu of permitted 15 ft. and required rear yard.

Hearing: Monday, September 14, 2015 at 2:30 p.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.



KEVIN KAMENETZ
County Executive

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

July 30, 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: 2015-0307-A

4027 Osborn Road

E/s Osborn Road, south of the centerline of Dover Road

4th Election District – 3rd Councilmanic District

Legal Owners: Jonathan & Stephanie Krouse

Variance to permit a garage to be located in the front yard with a height of 22 ft. in lieu of permitted 15 ft. and required rear yard.

Hearing: Monday, September 14, 2015 at 2:30 p.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: Jonathan & Stephanie Krouse, 4027 Osbourne Road, Reisterstown 21136
Edward Massagli, 4029 Osborn Road, Reisterstown 21136

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 25, 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.



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 3513087

Sold To:

Jonathan Krouse - CU00481814
4027 Osborn Rd
Reisterstown, MD 21136-3831

Bill To:

Jonathan Krouse - CU00481814
4027 Osborn Rd
Reisterstown, MD 21136-3831

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

Aug 25, 2015

The Baltimore Sun Media Group

By S. Wilkins

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: # 2015-0307-A	
4027 Osborn Road	
E/s Osborn Road, south of the centline of Dover Road	
4th Election District - 3rd Councilmanic District	
Legal Owner(s) Jonathan & Stephanie Krouse	
Variance: to permit a garage to be located in the front yard with a height of 22 ft. in lieu of permitted 15 ft. and required rear yard.	
Hearing: Monday, September 14, 2015 at 2:30 p.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.	
JT 8/784 August 25	3513087

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 8/22/2015

Case Number: 2015-0307-A

Petitioner / Developer: JON KROUSE

Date of Hearing (Closing): SEPTEMBER 14, 2015

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
4027 OSBORN ROAD

The sign(s) were posted on: **AUGUST 22, 2015**



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 7/13/2015

Case Number: 2015-0307-A

Petitioner / Developer: JONATHAN OSBORN (KROUSE)

Date of Hearing (Closing): JULY 27, 2015

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
4027 OSBORN ROAD

The sign(s) were posted on: JULY 10, 2015



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

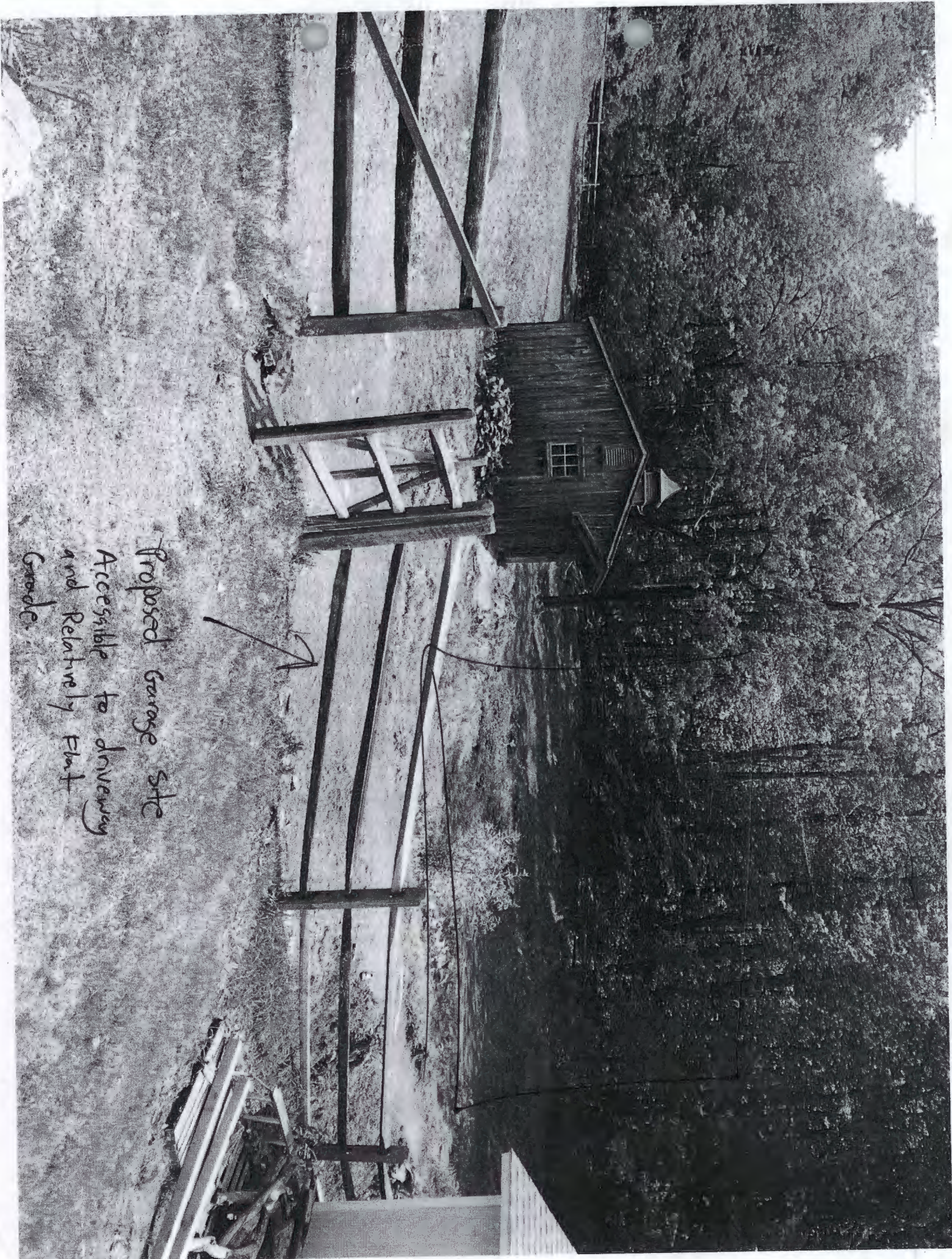
Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

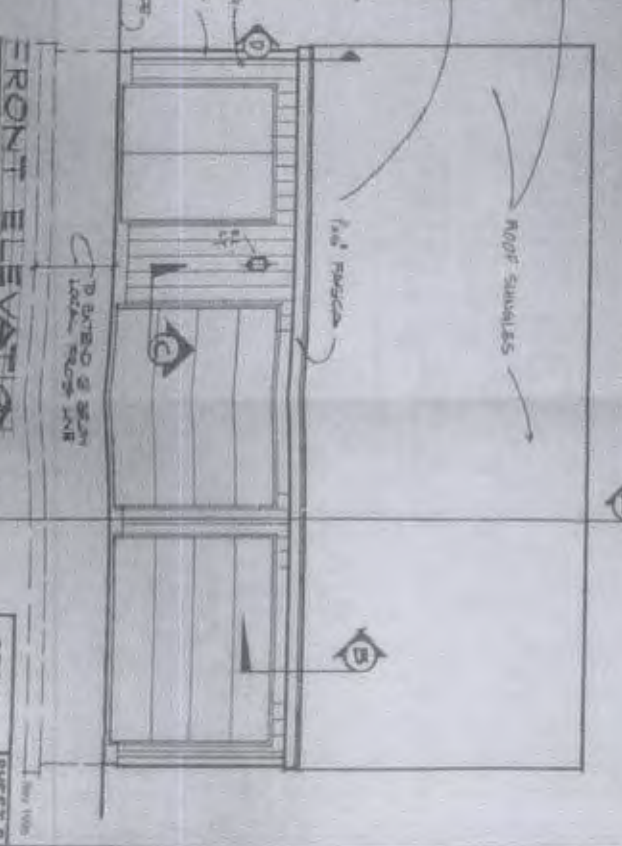
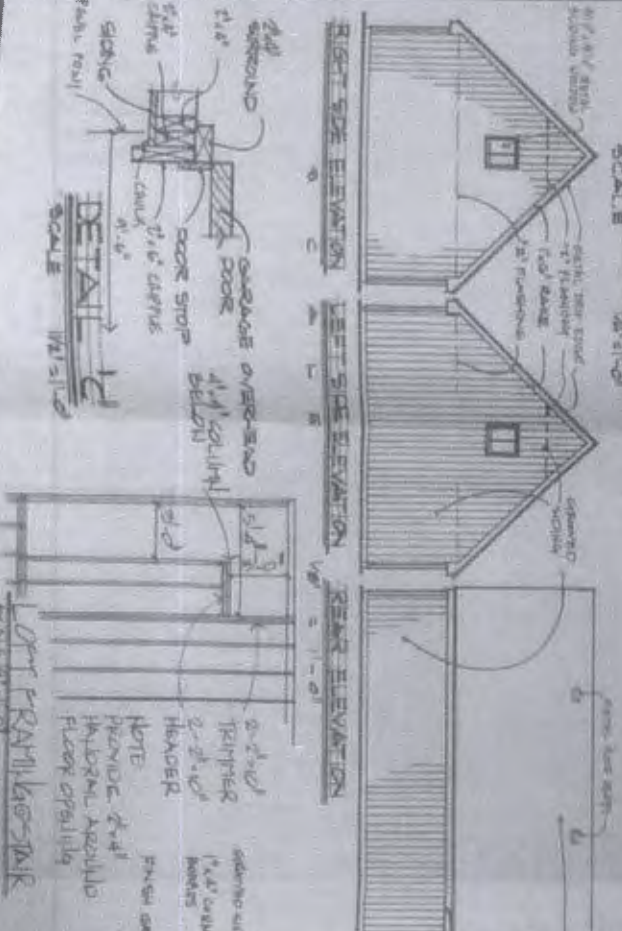
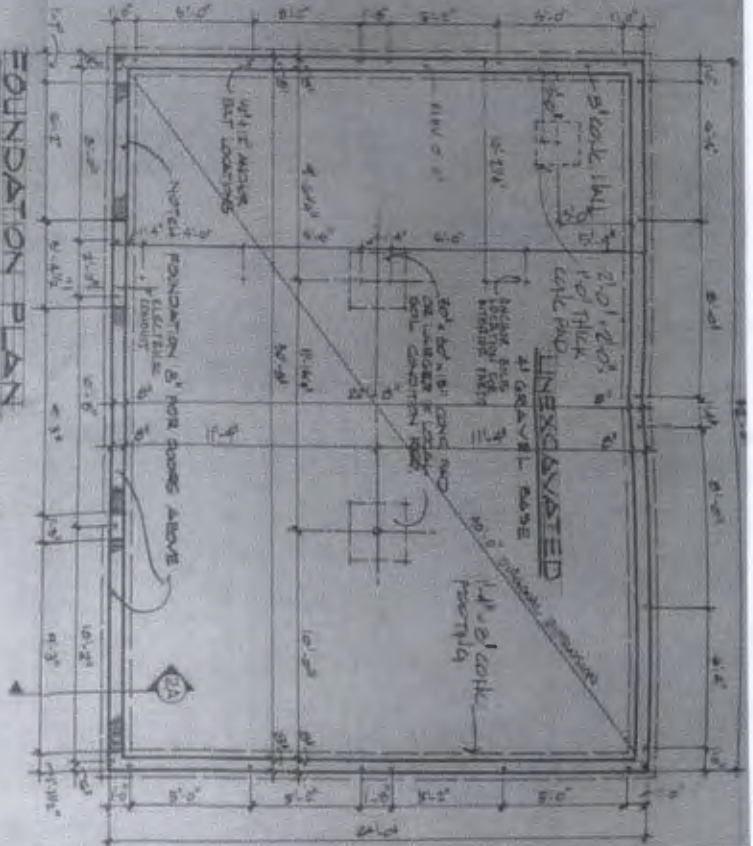
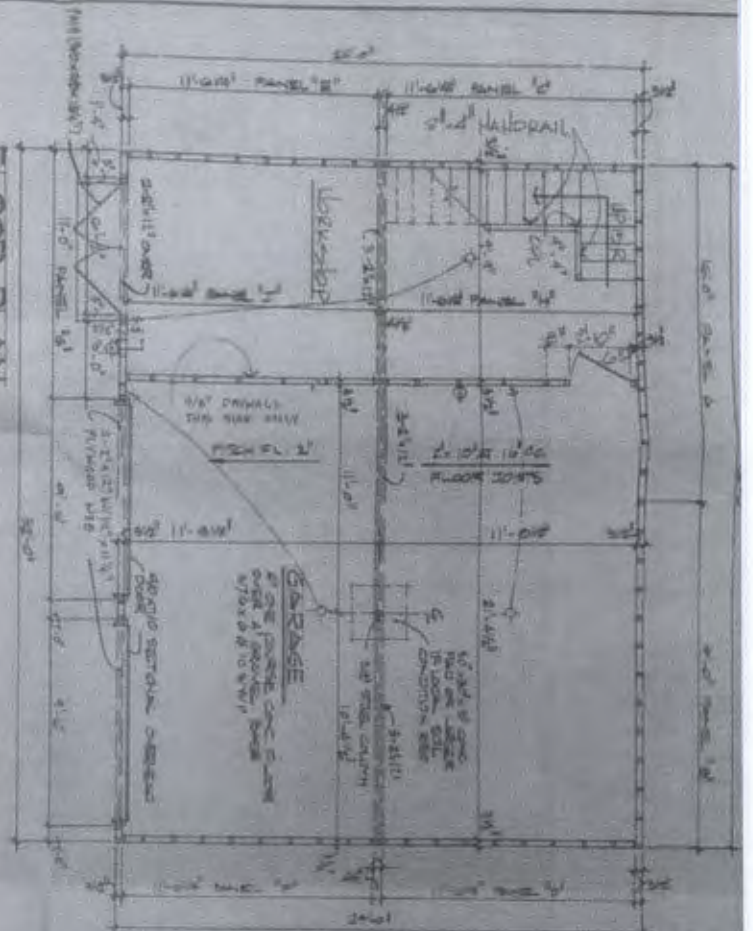
View of Rear of House showing
dramatic upwards grade:



[illegible]



Proposed Garage Site
Accessible to driveway
and Relatively flat
Grade.



Case No.:

2015-0307-A

Exhibit Sheet

Petitioner/Developer

pw
10-19-15

Protestants

sen
9-10-15

No. 1	site plan	letter w/exhibits
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

MEMORANDUM

DATE: October 19, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0307-A – Appeal Period Expired

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

c: ✓ Case File
Office of Administrative Hearings

CASE NO. 2015-0307-A

CHECKLIST

Support/Oppose/
Conditions/
Comments/
No Comment

Comment
Received

Department

7/10

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

N/C

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

FIRE DEPARTMENT

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

7/7/15

STATE HIGHWAY ADMINISTRATION

no obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

8/25/15

SIGN POSTING

Date:

8/22/15

by O'Keefe

PEOPLE'S COUNSEL APPEARANCE

Yes

☐

No

☒

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

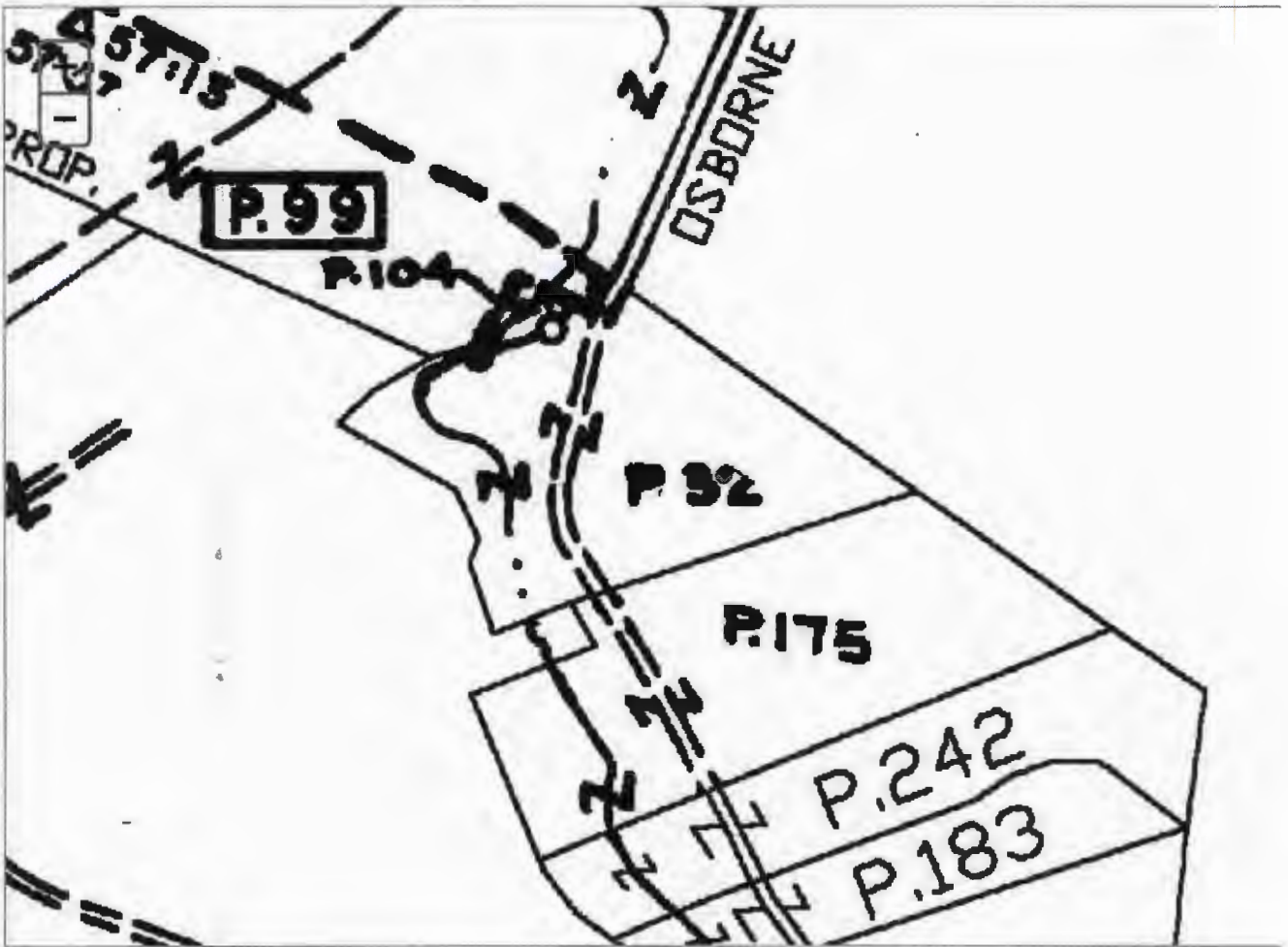
Real Property Data Search (w3)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier: District - 04 Account Number - 0404065160					
Owner Information					
Owner Name:	KROUSE JONATHAN E KROUSE STEPHANIE M		Use:	RESIDENTIAL	
Mailing Address:	4027 OSBORN RD REISTERSTOWN MD 21136-		Principal Residence:	YES	
			Deed Reference:	/34965/ 00244	
Location & Structure Information					
Premises Address:		4027 OSBORN RD REISTERSTOWN 21136-3831		Legal Description:	3.643 AC S & WS 4027 OSBORN RD 2640 FR OLD HANOVER RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0032	0014	0032		0000	
Assessment Year:				Plat No: Plat Ref:	
2016					
Special Tax Areas:			Town:	NONE	
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1901	2,424 SF		3.6400 AC	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	NO	STANDARD UNIT	SIDING	1 full/ 1 half	
Value Information					
		Base Value	Value As of 01/01/2013	Phase-In Assessments As of 07/01/2015 As of 07/01/2016	
Land:		113,700	113,700		
Improvements		162,300	162,300		
Total:		276,000	276,000	276,000	
Preferential Land:		0			
Transfer Information					
Seller: BART POLLY T		Date: 05/16/2014		Price: \$262,500	
Type: NON-ARMS LENGTH OTHER		Deed1: /34965/ 00244		Deed2:	
Seller: LAKE MICHAEL R		Date: 10/14/2008		Price: \$275,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /27388/ 00281		Deed2:	
Seller: LAKE MICHAEL R		Date: 05/24/2005		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /21915/ 00102		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	
Tax Exempt:	Special Tax Recapture:				
Exempt Class:	NONE				
Homestead Application Information					
Homestead Application Status: No Application					

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **04** Account Number: **0404065160**

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

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

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

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

[\(http://imsweb05.mdp.state.md.us/website/mosp/\)](http://imsweb05.mdp.state.md.us/website/mosp/)

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



KEVIN KAMENETZ
County Executive

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

September 9, 2015

Jonathan E. & Stephanie M. Krouse
4027 Osborn Road
Reisterstown MD 21136

RE: Case Number: 2015-0307 A, Address: 4027 Osborn Road

Dear Mr. & Ms. Krouse:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 1, 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



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

Date: 7/7/15

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

RE: Baltimore County

Item No. 2015-0307-A
Administrative Variance
Jonathan E. & Stephanie M. Krouse
4027 Osborn 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. 2015-0307-A

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 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

FROM: ^{DAK} Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For July 13, 2015
Item No. 2015-0302, 0303, 0307, 0308 and 0309

DATE: July 10, 2015

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

DAK:CEN
cc:file

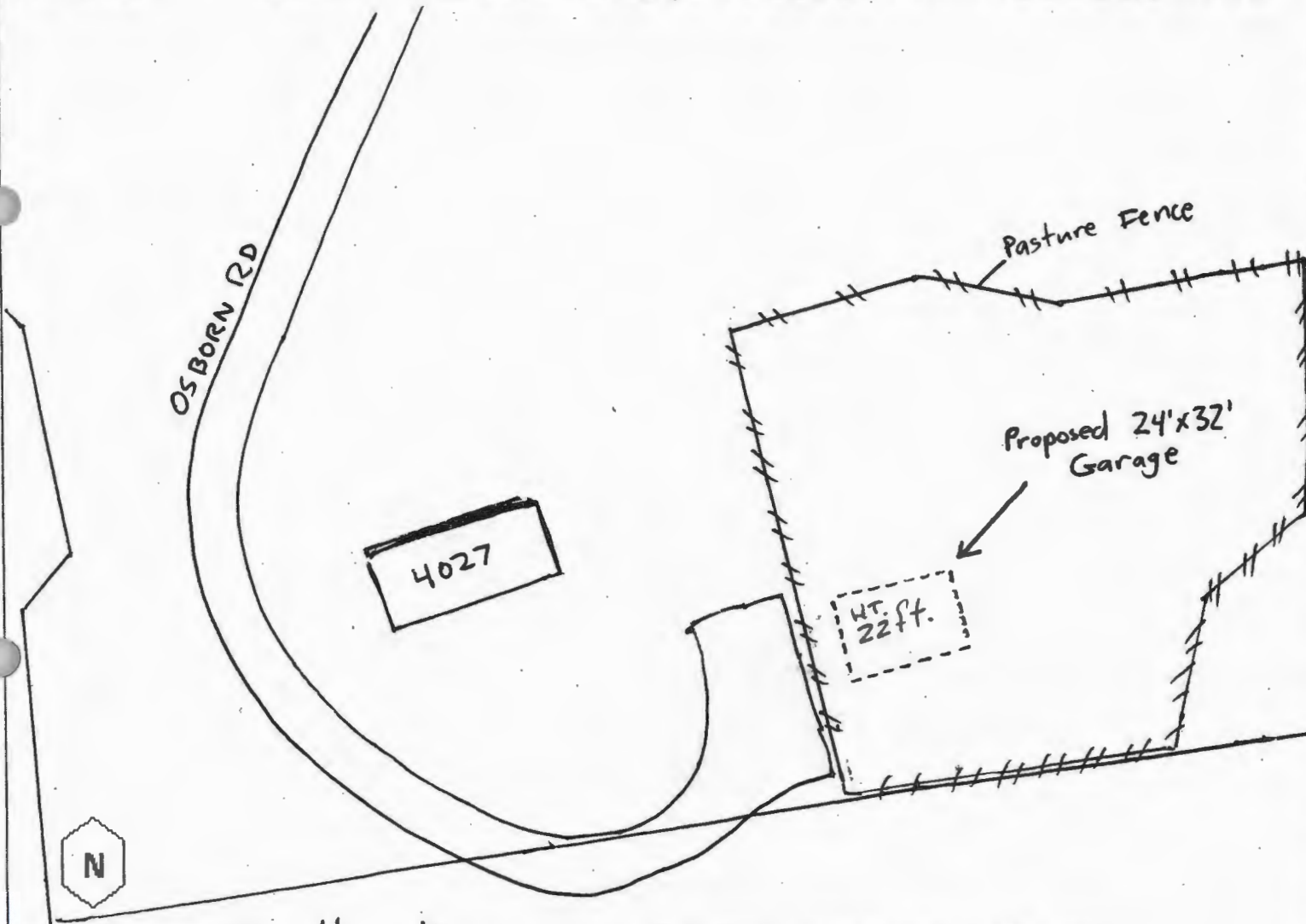
G:\DevPlanRev\ZAC -No Comments\ZAC07132015.doc

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

ADDRESS 4027 Osborn Rd. OWNER(S) NAME(S) Jonathan E. Krouse, Stephanie M. Krouse

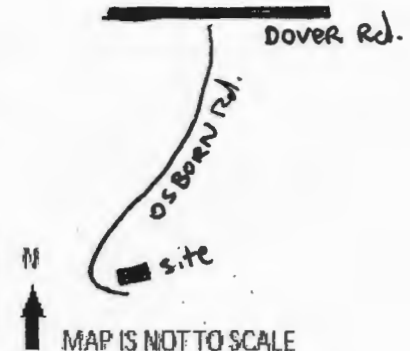
SUBDIVISION NAME _____ LOT # _____ BLOCK # _____ SECTION # _____

PLAT BOOK # _____ FOLIO # _____ 10 DIGIT TAX # 0404065160 DEED REF. # 14/14180



PLAN DRAWN BY Jonathan Krouse DATE 6-1-2015 SCALE: 1 INCH = 50 FEET

SITE VICINITY MAP



ZONING MAP# 032A2

SITE ZONED RC2

ELECTION DISTRICT 4 ED

COUNCIL DISTRICT 3 CD

LOT AREA ACREAGE 3.640

OR SQUARE FEET _____

HISTORIC? NO

IN CBCA? _____

IN FLOOD PLAIN? _____

UTILITIES? MARK WITH X

WATER IS:

PUBLIC _____ PRIVATE X

SEWER IS:

PUBLIC _____ PRIVATE X

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

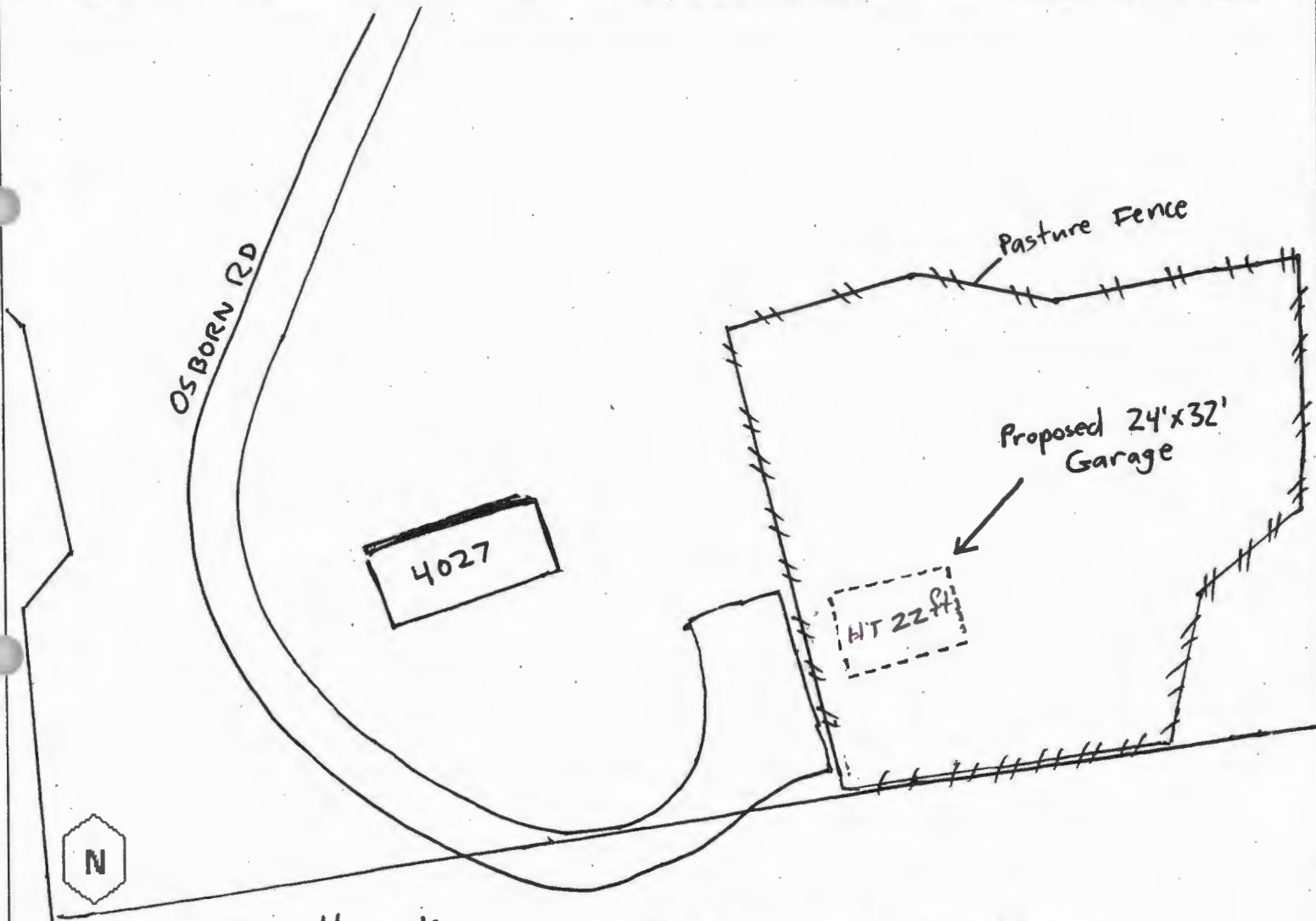
Petitioners EX-1

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

ADDRESS 4027 Osborn Rd. OWNER(S) NAME(S) Jonathan E. Krouse, Stephanie M. Krouse

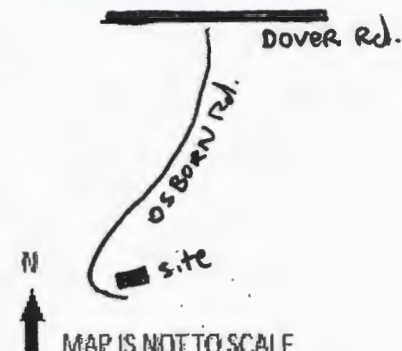
SUBDIVISION NAME _____ LOT # _____ BLOCK # _____ SECTION # _____

PLAT BOOK # _____ FOLIO # _____ 10 DIGIT TAX # 0404065160 DEED REF. # 14/14180



PLAN DRAWN BY Jonathan Krouse DATE 6-1-2015 SCALE: 1 INCH = 50 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 032A2

SITE ZONED RC2

ELECTION DISTRICT 4 ED

COUNCIL DISTRICT 3 CD

LOT AREA ACREAGE 3.640

OR SQUARE FEET _____

HISTORIC? NO

IN CBCA? _____

IN FLOOD PLAIN? _____

UTILITIES? MARK WITH X

WATER IS:

PUBLIC _____ PRIVATE X

SEWER IS:

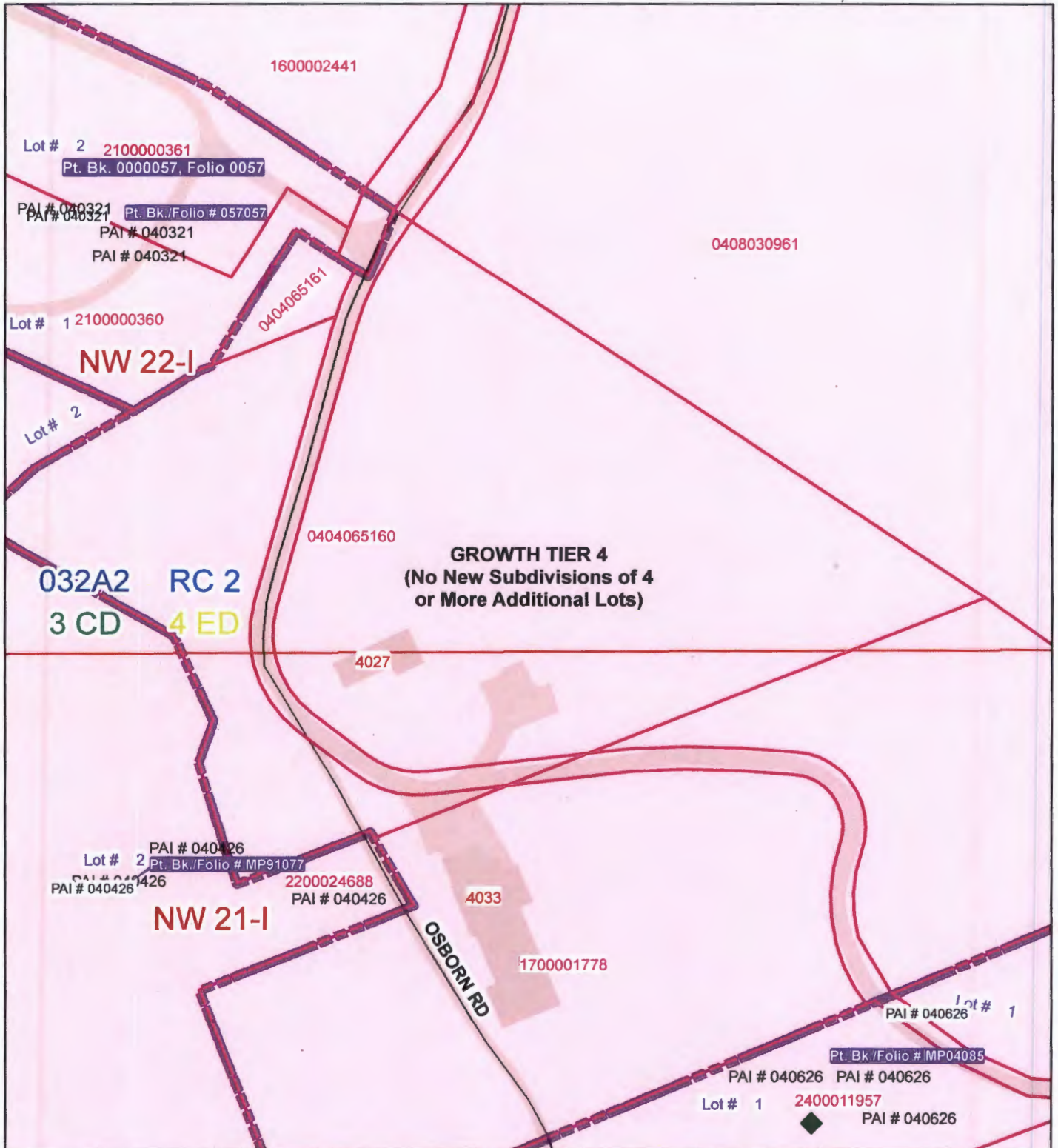
PUBLIC _____ PRIVATE X

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

4027 Osborn Road



Publication Date: 6/4/2015



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 25 50 100 150 200 Feet

1 inch = 100 feet

Edward C. Massagli

4029 Osborn Road

Reisterstown, Maryland 21136

410-429-4910

September 14, 2015

Department of Permits, Approvals, and Inspections

111 West Chesapeake Avenue

Towson, Maryland 21204

Re: Case Number 2015-03076-A

4027 Osborn Road

Legal Owners - Jonathon and Stephanie Krouse

The owners of 4027 have requested submitted a variance request to permit a garage to be located in the front yard with a height of 22 feet in lieu of permitted 15 feet and required rear yard.

Your Honor,

I requested a hearing in connection with the above variance request. I have spoken to the Krouses on several occasions as neighbors and have hosted them at two neighborhood Open House celebrations at my house at 4029 Osborn Road. They are a young couple with a delightful brood of young children. I believe what attracted them to Osborn Road from Hampden are some of the same reasons I chose to purchase my land. Osborn Road is quiet, safe, and bucolic setting with a very good quality of life for its residents.

I have listened to their plans and know the site very well, since I purchased my property ten years ago and built my retirement house on it eight years ago. I wish to object strongly to the plans to build the size of the proposed garage and to its location on the property.

Osborn Road is a rural single lane country road with no outlet and nine residential houses dispersed off Osborn at various locations. At the end of the county road maintenance, it

bottlenecks. At this bottleneck, is the Krouse property on a hill to the left, next is a private driveway through the woods that goes up a hill to two properties, including my property at 4029 and to the right of that driveway is a house with a small gravel parking area for cars which is now a rental property.

The protection of Osborn as a rural neighborhood, fire and safety concerns, county maintenance issues for snow removal, and the effect on quality of life and property values are essential questions to this request. My request for this hearing is to preserve Osborn Road as a viable rural road in Baltimore County.

Over the past year, based on my informal talks with Mrs. Krouse and a neighbor, Polly Bart, who sold them the property and owns the rental house, I am concerned the ultimate intended use of this large structure is as a repair and manufacturing business and if so it will have a negative impact and substantially alter the character and quality of life on Osborn Road.

Mr. Krouse is a welder by trade and also has an internet business making parts for and fixing motorcycles. He has already erected a temporary structure behind his house that he uses to manufacture these parts. His property also has a pre-existing shed in the driveway and a horse barn on the hill that goes unused and is unkempt. He also bulldozed part of his hill to create a motorcross course in full view of his neighbors and their guests.

If Mr. Krouse is granted this variance to build a large two story structure at the proposed location, it is my concern that eventually he will want to establish a home based welding or repair business on the site. This will permanently alter the essential character of the neighborhood, negatively affect property values, create traffic issues on a one lane road, increase noise, and be a threat to the safety of the neighborhood.

It will affect access to the driveway for cars to get to my property at the top of the hill as the structure will sit next to the driveway for 4029 and it is sited at directly the end of the county road. Multiple vehicles parked on the county road will interfere with safe access to and from the driveway which is coming down a steep hill. It will also present a problem for county snow removal, which plows Osborn Road and has to put the snow on that exact section of the county road, which is right in front of this proposed structure's garage doors.

Jonathon and Stephanie have made attempts to be good neighbors. Since the request for the hearing, they have mowed their property frequently, cut up the large pile of logs that was dumped in plain sight 6 months ago into firewood. They have stopped parking the converted coach bus on the property, but they still have a trailer, go kart, motorcycle on the porch, motorcycles in the yard and cars on their parking pad as well on the county road section.

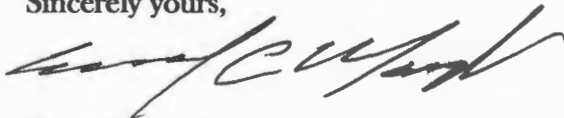
I empathize with their situation, however they have created their own hardship when they acquired the property knowing the conditions: lack of a garage, limited level land and space in front of the house, and limited access to the rest of the acreage at the rear. It is not the role of the zoning office to alter the character of the neighborhood to make up for a bad decision.

The proposed structure is to be built into the side of the hill meaning that the Krouse's will have to remove a substantial amount of soil from the hill. This hill helps support the driveway going to the top of the hill and will alter the runoff into McGill Run which is the stream at the bottom of the hill on the other side of Osborn Road.

The proposed structure is not a modest sized garage, but a large structure which is disproportionate to their expressed needs. The project location will not blend into the existing neighborhood, but will be overbearing to the bucolic landscape. The project creates a safety and traffic hazard and a snow removal issue in winter. The proposed project creates the conditions for potential substantial change to the character of the neighborhood in the future if a business is established by Mr. Krouse. Denial of this large structure in its location does not create an economic burden on the Krouse's, since if there is no economic reason to have such a large structure and other structures such as the shed and the barn already pre-exist on the property for storage.

In conclusion, this location and size of this project alters the character of the neighborhood, negatively affects property values, creates safety and traffic issues for the neighborhood and changes the quality of life for the residents of Osborn Road. If any relief is granted to the Krouses, I request such conditions be placed on a new proposal as to size and location that will fit in with the bucolic character of the neighborhood and preserve its quality of life now and in the future.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Edward C. Massagli", written in a cursive style.

Edward C. Massagli

4029 Osborn Road

Reisterstown, Md 21136

My Neighborhood [Share](#) [Help](#) [Get Data](#)

BALTIMORE COUNTY, MARYLAND

Address ▾ 4027 osborn road Search
Example: 400 Washington Ave

[My Neighborhood](#) [Civic/Government](#) [Economic](#) [Historic](#) [Environmental](#) [Find Tile](#) [Land Development](#) [Bicycle Facilities](#) [Permit Review](#)

☒ Imagery ☐ Data Layers

281 Feet

Legend/Display More Data



My Neighborhood [Share](#) [Help](#) [Get Data](#) **BALTIMORE COUNTY, MARYLAND**

Address: 4027 osborn road Search
Example: 400 Washington Ave

[My Neighborhood](#) [Civic/Government](#) [Economic](#) [Historic](#) [Environmental](#) [Find Tile](#) [Land Development](#) [Bicycle Facilities](#) [Permit Review](#)

85 Feet

Legend/Display More Data



4029 OSBORN ROAD



4031 OSBORN ROAD

OSBORN ROAD



OSBORN ROAD





4627 OSBORN



4027 OSBORN



4027 0530RN



4627 OSBORN



4627 05802N





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4027 05/30/92

