

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. 2016-0001-A – 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

IN RE: PETITION FOR VARIANCE

(8231 Bon Air Road)

9th Election District

6th Council District

Frederick Ryan Sipe, *Legal Owner*

Robert E. Click, *Contract Purchaser*

Petitioners

*

*

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*

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BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2016-0001-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance on behalf of Frederick Ryan Sipe, the legal owner of the subject property, and Robert E. Click, contract purchaser ("Petitioners"). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) § 1B02.3.C.1 to permit a side yard setback of 16 ft. in lieu of the required 25 ft. for a replacement dwelling. The subject property and requested relief is more fully depicted on the site plan that was marked as Petitioners' Exhibit 1.

Robert Click appeared in support of the petition. David Billingsley, whose firm prepared the site plan, appeared on behalf of the Petitioners. The Petition was advertised and posted as required by the B.C.Z.R. No Protestants or interested citizens attended the hearing. There were no substantive Zoning Advisory Committee (ZAC) comments received.

The subject property is approximately 6,370 square feet and is zoned DR 5.5. The property was improved with a single family dwelling constructed in 1951, but that structure was destroyed in a fire and has been razed. Mr. Click proposes to construct a new home on the property but requires variance relief to do so.

To obtain variance relief requires a showing that:

ORDER RECEIVED FOR FILING

Date 9/15/15

By Sen

- (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 property is irregularly shaped, primarily due to a taking by Baltimore County for a realignment of Clearwood Road, which adjoins this property. Therefore, the property is unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they could not construct a suitable replacement dwelling on the lot. 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 Baltimore County and/or community opposition.

THEREFORE, IT IS ORDERED, this 15th day of September, 2015, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("B.C.Z.R.") § 1B02.3.C.1 to permit a side yard setback of 16 ft. in lieu of the required 25 ft. for a replacement dwelling, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

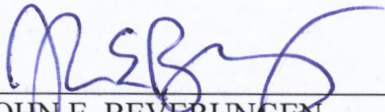
1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

ORDER RECEIVED FOR FILING

Date 9/15/15

By Sen

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:slh

ORDER RECEIVED FOR FILING

Date 9/15/15

By slh



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 8731 BON AIR ROAD which is presently zoned DR 5.5
 Deed References: L. 7455 F. 235 10 Digit Tax Account # 0919390780
 Property Owner(s) Printed Name(s) FREDERICK RYAN SIPE

(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

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

3. ☒ a **Variance** from Section(s) 7B02.3.C.1 (BC2R) TO PERMIT A SIDE YARD SETBACK OF 16 FEET IN LIEU OF THE REQUIRED 25 FEET FOR A REPLACEMENT DWELLING.

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 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:

ROBERT E. CLICK

Name- Type or Print

Robert E. Click

Signature

43 GUNFALLS GARTH BALTO. MD.

Mailing Address City State

21236 (443) 600-1085 rob43cl@gmail.com 21234

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

FREDERICK RYAN SIPE

Name #1 - Type or Print

Name #2 - Type or Print

Fred R. Sipe

Signature #1

Signature #2

8731 BON AIR RD. BALTO. MD.

Mailing Address City State

21234 (410) 679-8719 dwb0209@yahoo.com

Zip Code Telephone # Email Address

Representative to be contacted:

DAVID BILLINGSLEY

Name - Type or Print

David Billingsley

Signature

601 SHARWOOD CT. EDGEWOOD MD.

Mailing Address City State

21040 (410) 679-8719 dwb0209@yahoo.com

Zip Code Telephone # Email Address

CASE NUMBER

2016-0001-A

Filing Date

7/6/15

Do Not Schedule Dates:

Reviewer

JS

ZONING DESCRIPTION

8231 BON AIR ROAD

Beginning for the same at the point formed by the intersection of the east side on Bon Air Road (40 feet wide) with the south side of Clearwood Road (60 feet wide), thence:

(1) S 71° 02' 10" E 111.96 feet, thence:

(2) S 08° 14' W 47.49 feet, thence:

(3) N 81° 46' W 110 feet, thence:

(4) N 08° 14' E 68.33 feet to the place of beginning.

Containing 6370 square feet or 0.146 acre of land, more or less.

Being part of lots 148 and 149 and all of lot 150 as shown on the plat entitled Hillendale Park recorded among the plat records of Baltimore County in Plat Book 9 Folio 10. Located in the 9th Election District, 6th Councilmanic District of Baltimore County, Md.

2016-0001-A

**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: 2016-0001-A
Property Address: 8231 BONAIR RD.
Property Description: _____
Legal Owners (Petitioners): FREDERICK R SIPE
Contract Purchaser/Lessee: ROBERT E. CLICK

PLEASE FORWARD ADVERTISING BILL TO:

Name: ROBERT E. CLICK
Company/Firm (if applicable): _____
Address: 43 GUNFALLS GARTH
BALTO, MD. 21236
Telephone Number: (443) 600-1085

CERTIFICATE OF POSTING

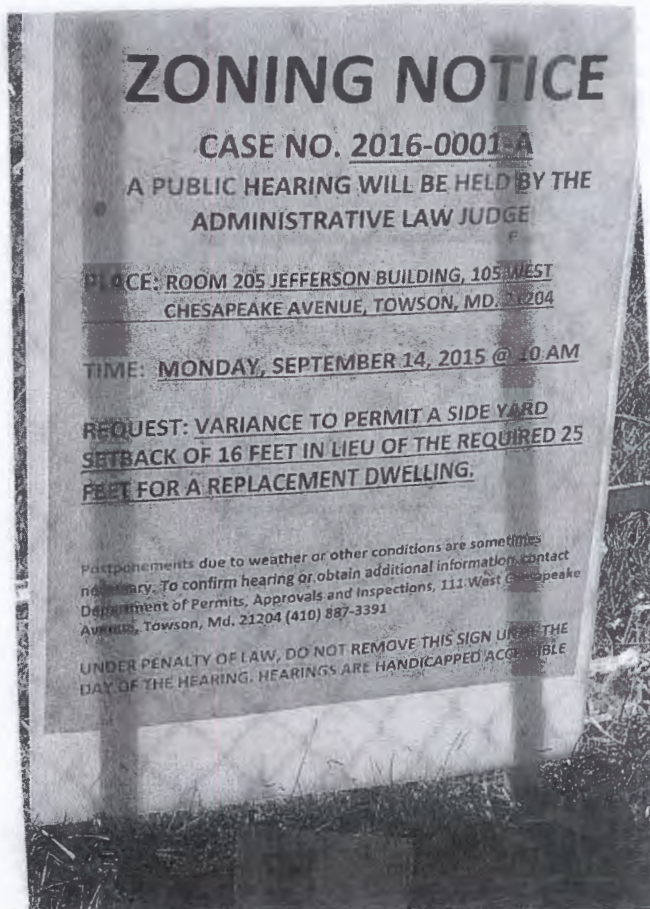
Date: AUGUST 22, 2015

RE: Project Name: 8231 BON AIR ROAD
Case Number /PAI Number: 2016-0001-A
Petitioner/Developer: ROBERT CLICK
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 8231 BON AIR ROAD

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

(Month, Day, Year)



David W Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)



KEVIN KAMENETZ
County Executive

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

July 22, 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: 2016-0001-A

8231 Bon Air Road

SE corner of intersection of Bon Air Road and Clearwood Road

9th Election District – 6th Councilmanic District

Legal Owners: Frederick Sipe

Contract Purchaser/Lessee: Robert Click

Variance to permit a side yard setback of 16 feet in lieu of the required 25 feet for a replacement dwelling.

Hearing: Monday, September 14, 2015 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Robert Click, 43 Gunfalls Garth, Baltimore 21236
Frederick Sipe, 8231 Bon Air Road, Baltimore 21234
David Billingsley, 601 Charwood Court, Edgewood 21040

- 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.

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

Please forward billing to:
Robert Click
43 Gunfalls Garth
Baltimore, MD 21236

443-600-1085

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: 2016-0001-A

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SE corner of intersection of Bon Air Road and Clearwood Road

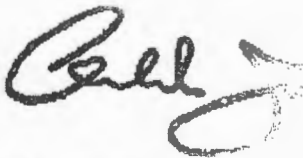
9th Election District – 6th Councilmanic District

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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 VARIANCE * BEFORE THE OFFICE
8231 Bon Air Road; SE corner of intersection *
of Bon Air Road and Clearwood Road * OF ADMINSTRATIVE
9th Election & 6th Councilmanic Districts *
Legal Owner(s): Frederick Ryan Sipe * HEARINGS FOR
Contract Purchaser(s): Robert E. Click *
Petitioner(s) * BALTIMORE COUNTY
* 2016-001-A

* * * * *

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 23 2015

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 23rd day of July, 2015, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, 601 Charwood Court, Edgewood, MD 21040, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

PLEASE PRINT CLEARLY

CASE NAME 8731 BONAIR ROAD
CASE NUMBER 2016-0001-A
DATE 9/14/15

PETITIONER'S SIGN-IN SHEET

[illegible]

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>7-15</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
<u>8-4</u>	PLANNING (if not received, date e-mail sent _____)	<u>No objection</u>
<u>7-14</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. <u>1986-0161-A</u>)	
NEWSPAPER ADVERTISEMENT	Date: <u>8-25-15</u>	
SIGN POSTING	Date: <u>8-22-15</u> by <u>Billingray</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 09 Account Number - 0919390780		
Owner Information		
Owner Name:	SIPE FREDERICK TYAN SIPE DEBRA K	Use: Principal Residence: RESIDENTIAL YES
Mailing Address:	8231 BON AIR RD BALTIMORE MD 21234-5303	Deed Reference: /07455/ 00235
Location & Structure Information		
Premises Address:	8231 BON AIR RD 0-0000	Legal Description: LT 150 PT 148,149 HILLENDALE PARK
Map:	Grid:	Parcel:
0070	0024	0706
Sub District:	Subdivision:	Section:
	0000	
Block:	Lot:	Assessment Year:
	150	2014
Plat No:	Plat Ref:	1
	0009/0010	
Special Tax Areas:		Town: Ad Valorem: Tax Class:
		NONE
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
1951	1,968 SF	242 SF
Property Land Area	County Use	
6,555 SF	04	
Stories	Basement	Type
2	YES	STANDARD UNIT
Exterior	Full/Half Bath	Garage
SIDING	1 full	
Last Major Renovation		
Value Information		
	Base Value	Value As of 01/01/2014
Land:	78,500	66,800
Improvements	100	100
Total:	78,600	66,900
Preferential Land:	0	0
Phase-in Assessments		
	As of 07/01/2015	As of 07/01/2016
	66,900	66,900
		0
Transfer Information		
Seller:	Date:	Price:
SIPE ROBERT A	03/20/1987	\$65,000
Type:	Deed1:	Deed2:
ARMS LENGTH IMPROVED	/07455/ 00235	
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2015
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: Denied		

9/14

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 29, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: 8231 Bon Air Road

AUG 04 2015

INFORMATION:

OFFICE OF ADMINISTRATIVE HEARINGS

Item Number: 16-001

Petitioner: Frederick Ryan Sipe

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Variance to permit a single family detached dwelling with a street side yard setback of 16' in lieu of the required 25'. The new dwelling, if approved, will provide an increased street side yard than that provided by the previous dwelling now removed.

The Department of Planning has no objection to the granting of the petitioned zoning relief.

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

Division Chief: Krystle Patchak
AVA/KS
C: Krystle Patchak



KEVIN KAMENETZ
County Executive

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

September 9, 2015

Frederick Ryan Sipe
8231 Bon Air Road
Baltimore MD 21234

RE: Case Number: 2016-0001 A, Address: 8231 Bon Air Rd

Dear Mr. Sipe:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 6, 2015. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is written in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
David Billingsley, 601 Charwood Court, Edgewood MD 21040
Robert E. Click, 43 Gunfalls Garth, Baltimore MD 21236

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



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

Date: 7/14/15

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

RE: Baltimore County
Item No 2016-0001-A
Variance
Frederick Ryan Sipe
8231 Bon Air 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. 2016-0001-A.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in dark ink, appearing to read "David W. Peake".

David W. Peake
Metropolitan District Engineer
Baltimore & Harford Counties

DWP/RAZ

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 29, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 8231 Bon Air Road

INFORMATION:

Item Number: 16-001

Petitioner: Frederick Ryan Sipe

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Variance to permit a single family detached dwelling with a street side yard setback of 16' in lieu of the required 25'. The new dwelling, if approved, will provide an increased street side yard than that provided by the previous dwelling now removed.

The Department of Planning has no objection to the granting of the petitioned zoning relief.

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

Division Chief: Krystle Patchak

AVA/KS

C: Krystle Patchak



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 3513802

Sold To:

Robert Click - CU00481875
43 Gunfalls Garth
Nottingham, MD 21236-4836

Bill To:

Robert Click - CU00481875
43 Gunfalls Garth
Nottingham, MD 21236-4836

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. Wilkinse

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: # 2016-0001-A
8231 Bon Air Road
SE corner of intersection of Bon Air Road and Clearwood Road
9th Election District - 6th Councilmanic District
Legal Owner(s): Frederick Sipe
Contract Purchaser/Lessee: Robert Click

Variance: to permit a side yard setback of 16 feet in lieu of the required 25 feet for a replacement dwelling.

Hearing: Monday, September 14, 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.

JT 8/787 August 25 3513802

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For July 20, 2015
Item No. 2016-0001 and 0006

DATE: July 15, 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\ZAC07202015.doc

PETITIONER'S EXHIBITS

8231 BON AIR ROAD

10-19-15

9/15/15
sen

1. PLAT TO ACCOMPANY VARIANCE PETITION DATED JULY 1, 2015

2. SDAT REAL PROPERTY DATA SEARCH

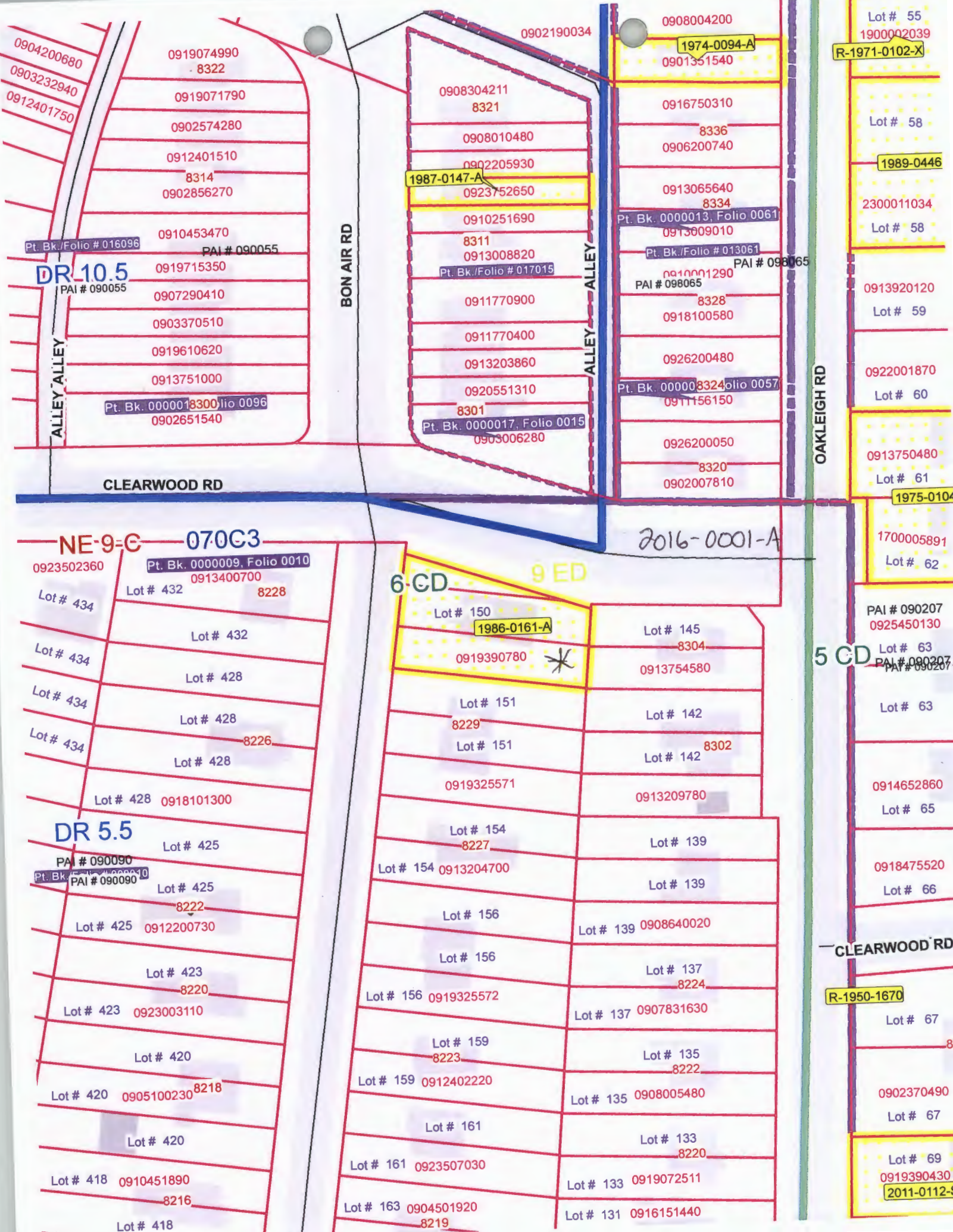
3. DEED OF RECORD L.7455 F.235

4. PORTION OF TAX MAP 0070

5. PLAT OF HILLENDALE PARK P.B. 9 F. 10

6. AERIAL PHOTO

7a – 7d. PHOTOS



0904200680
0903232940
0912401750

0919074990
8322
0919071790
0902574280
0912401510
8314
0902856270

Pt. Bk./Folio # 016096
DR 10.5
PAI # 090055

0910453470
PAI # 090055
0919715350
0907290410
0903370510
0919610620
0913751000
Pt. Bk. 0000018300, Folio 0096
0902651540

BON AIR RD

1987-0147-A

0908304211
8321
0908010480
0902205930
0923752650
0910251690
8311
0913008820
Pt. Bk./Folio # 017015
0911770900
0911770400
0913203860
0920551310
8301
Pt. Bk. 0000017, Folio 0015
0903006280

ALLEY

0908004200
1974-0094-A
0901351540

0916750310
8336
0906200740
0913065640
8334
Pt. Bk. 0000013, Folio 0061
0913009010
Pt. Bk./Folio # 013061
0910011290
PAI # 098065
8328
0918100580
0926200480
Pt. Bk. 000003324, Folio 0057
0911156150
0926200050
8320
0902007810

PAI # 098065

OAKLEIGH RD

Lot # 55
1900002039
R-1971-0102-X

Lot # 58
1989-0446
2300011034
Lot # 58

0913920120
Lot # 59

0922001870
Lot # 60

0913750480
Lot # 61
1975-0104

1700005891
Lot # 62

PAI # 090207
0925450130
Lot # 63
PAI # 090207

Lot # 63

0914652860
Lot # 65

0918475520
Lot # 66

CLEARWOOD RD

R-1950-1670

Lot # 67

0902370490
Lot # 67

Lot # 69
0919390430
2011-0112-S

NE-9-C 070C3

0923502360
Lot # 434
Lot # 432
Lot # 432
Lot # 428
Lot # 428
8226
Lot # 428
Lot # 428
0918101300

DR 5.5

PAI # 090090
Pt. Bk. 0000009, Folio 0010
PAI # 090090
Lot # 425
8222
Lot # 425
0912200730
Lot # 423
8220
Lot # 423
0923003110
Lot # 420
Lot # 420
Lot # 420
0905100230
8218
Lot # 418
0910451890
8216
Lot # 418

6-CD

9 ED

2016-0001-A

Lot # 150
1986-0161-A
0919390780

Lot # 151
8229
Lot # 151
0919325571
Lot # 154
8227
Lot # 154
0913204700
Lot # 156
Lot # 156
Lot # 156
0919325572
Lot # 159
8223
Lot # 159
0912402220
Lot # 161
Lot # 161
0923507030
Lot # 163
0904501920
8219

Lot # 145
8304
0913754580
Lot # 142
Lot # 142
8302
0913209780
Lot # 139
Lot # 139
Lot # 139
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Lot # 137
8224
Lot # 137
0907831630
Lot # 135
8222
Lot # 135
0908005480
Lot # 133
8220
Lot # 133
0919072511
Lot # 131
0916151440

5 CD

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 - 09 Account Number - 0919390780			
Owner Information					
Owner Name:	SIPE FREDERICK TYAN SIPE DEBRA K		Use:	RESIDENTIAL	
Mailing Address:	8231 BON AIR RD BALTIMORE MD 21234-5303		Principal Residence:	YES	
			Deed Reference:	/07455/ 00235	
Location & Structure Information					
Premises Address:		8231 BON AIR RD 0-0000		Legal Description:	LT 160 PT 148,149 HILLENDALE PARK
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0070	0024	0706		0000	
Block:	Lot:	Assessment Year:	Plat No:	Plat Ref:	1
	150	2014		0009/0010	
Special Tax Areas:			Town:	NONE	
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1951	1,968 SF	242 SF	6,555 SF	04	
Stories	Basement	Type	Exterior Siding	Full/Half Bath	Garage
2	YES	STANDARD UNIT		1 full	
Value Information					
		Base Value	Value As of 01/01/2014	Phase-in Assessments As of 07/01/2014 As of 07/01/2015	
Land:		78,500	66,800		
Improvements		100	100		
Total:		78,600	66,900	200,300	66,900
Preferential Land:		0			0
Transfer Information					
Seller: SIPE ROBERT A		Date: 03/20/1987		Price: \$65,000	
Type: ARMS LENGTH IMPROVED		Deed1: /07455/ 00235		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2014		07/01/2015	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Denied					

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

PETITIONER'S
EXHIBIT NO. 2

THIS DEED Made this 1st day of April in the year one thousand nine hundred and eighty six by and between JANET MARGARET SIPE, of Baltimore County, State of Maryland, Grantors, party of the first part, and

FREDERICK RYAN SIPE and DEBRA K. SIPE, husband and wife, of Baltimore County, State of Maryland, Grantees, parties of the second part.

WITNESSETH, That in consideration of the sum of Sixty Five Thousand (\$65,000.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged,

The said party of the first part does hereby grant and convey to the parties of the second part, as tenants by the entireties, their assigns, the survivor of them, and the survivor's personal representatives and assigns, in fee simple all those lots of ground situate in Baltimore County, Maryland and described as follows, that is to say:

BEING known and designated as Lots Nos. 148, 149 and 150 as shown on the Plat of the tract of Land known as Hillendale Park, which Plat is recorded among the Land Records of Baltimore County in Plat Book WM No. 9, folio 10. The improvements thereon being known as 8231 Bon Air Road.

Saving and excepting therefrom, however, all that portion of said Lots Nos. 148 and 149 heretofore conveyed by John A. Sipe and wife, to the County Commissioners of Baltimore County dated June 27, 1951 and recorded among the Land Records of Baltimore County in Liber GLB No. 1987, folio 41; and described as follows:

BEGINNING for the same at a point formed by the intersection of the east side of Bon Air Road, 40 feet wide, with the south side of Clearwood Road, 29 feet wide, running thence binding on the south side of said Clearwood Road and on the north side of Lot No. 148 as shown on Plat entitled "Hillendale Park" and recorded among the Land Records of Baltimore County in Plat Book 9, folio 10, as now surveyed, South 87 degrees 38 minutes East 110.44 feet, thence leaving the south side of said Clearwood Road and binding on the east side of said Lot No. 148 and on part of the east side of Lot No. 149, as now surveyed, South 5 degrees 28 minutes 30 seconds West 39.19 feet, thence leaving the east side of said lot No. 149 and running for a line of division as now surveyed, North 71 degrees 02 minutes 10 seconds West 113.75 feet to the east side of said Bon Air Road, thence binding on the east side of said Bon Air Road and on part of the west side of said Lot No. 148, as now surveyed, North 8 degrees 14 minutes East 6.67 feet to the place of beginning.

BEING the same property described in a Deed dated January 27, 1955 and recorded among the Land Records of Baltimore County in Liber 2638, folio 477 from John A. Sipe and wife to Robert Adair Sipe and Janet Margaret Sipe, his wife. The said Robert Adair Sipe died on or about April 4, 1979 whereby title became vested absolutely in the said Janet Margaret Sipe, the party of the first part.

D RC/F 13.00
D F IX 3.50
D QICS 3.50
DEED 0.00
SH CLRN 663.00
N COOK RO2 113.32
03/20/87

FINAL TRANSFER TAX

FILE
JR

DATE 3-20-87

0 185-0000 1040000 8208A

STATE DEPARTMENT OF
ASSESSMENTS & TAXATION

3-20-87
CLERK DATE

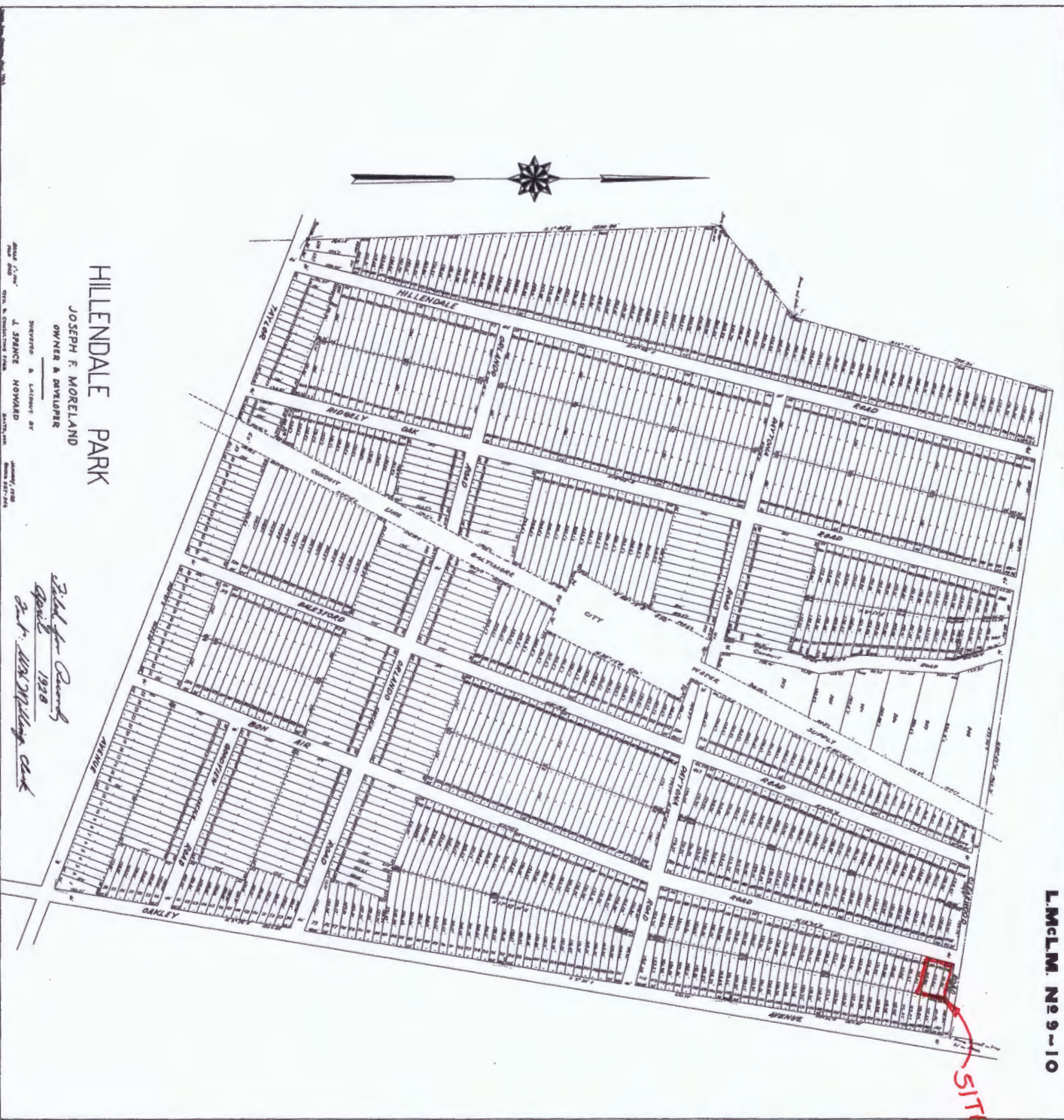
PETITIONER'S
EXHIBIT NO. 3

New Search (<http://sdat.dat.maryland.gov/RealProperty>)

Order the **TAX MAP** [click here...](#)

 Loading... Please Wait. Loading... Please Wait. →

PETITIONER'S
EXHIBIT NO. **4**



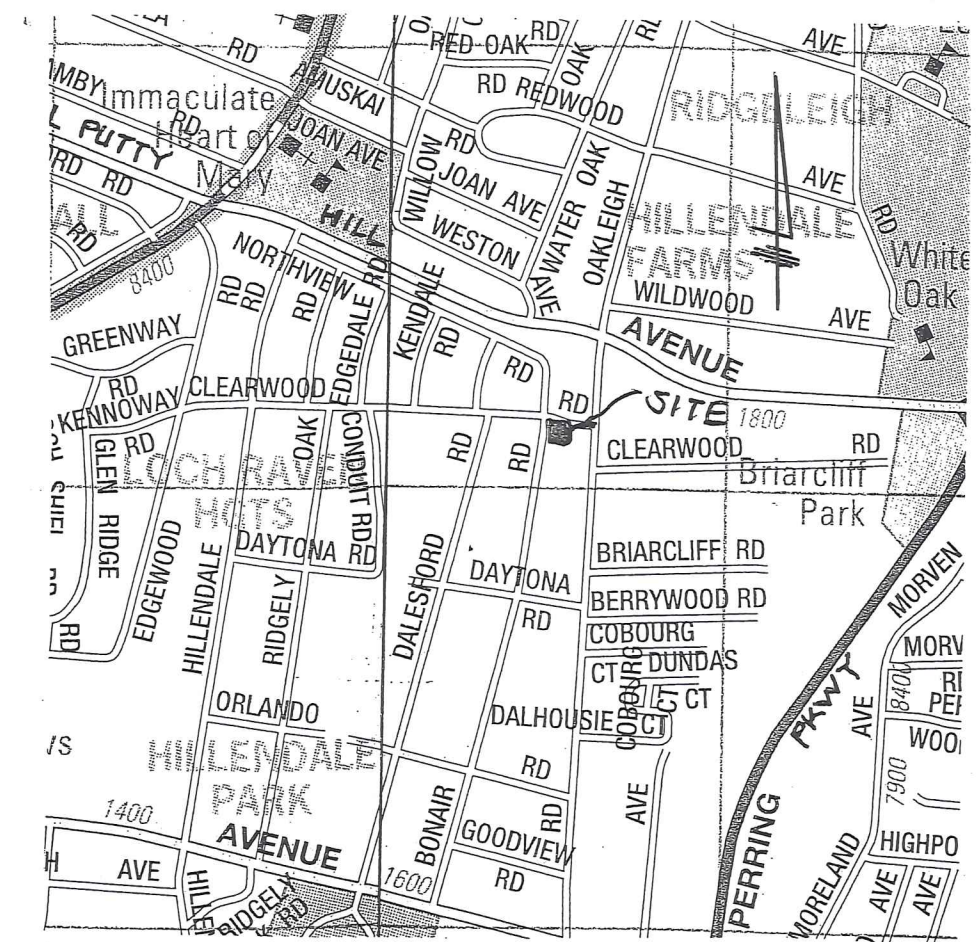
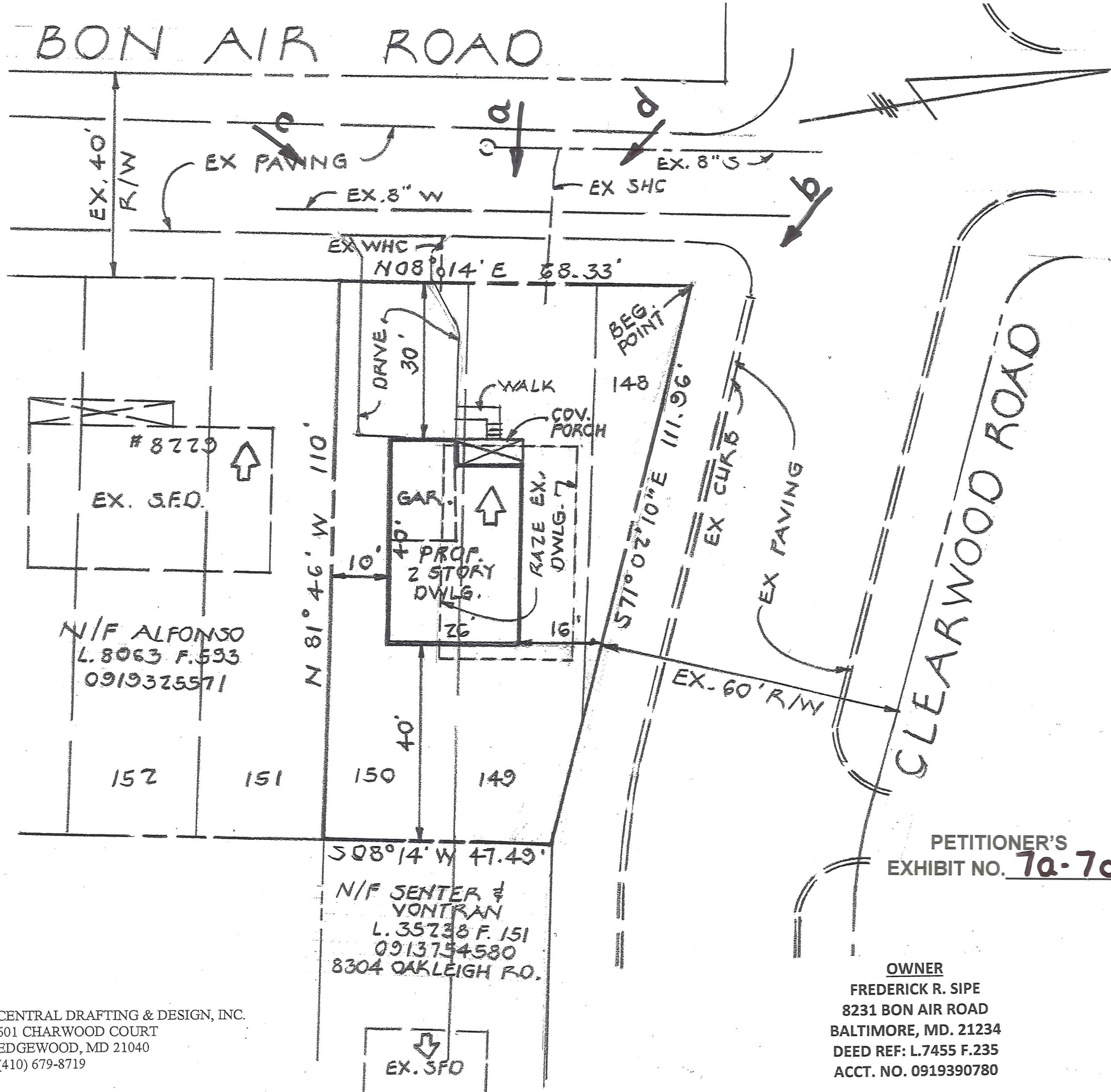
HILLENDALE PARK

JOSEPH F. MORELAND
OWNER & DEVELOPER

Surveyed & Laid out by
L. SPENCE HOWARD
Surveyor, 1928

*Filed for County
April 1928
J. F. Hillendale, Clerk*





VICINITY MAP
SCALE: 1" = 1000'

NOTES

1. ZONING.....DR 5.5 (MAP 070C3)
2. LOT AREA.....6370 S.F. = 0.146 ACRE +/-
3. PUBLIC WATER AND SEWER
4. SITE IS NOT LOCATED IN THE CBCA OR 100 YEAR FLOOD ZONE
5. ~~NO~~ PREVIOUS ZONING HISTORY (CASE 1986-0161-A)
6. NO HISTORIC STRUCTURES, ARCHEOLOGICAL SITES OR UNDERGROUND STORAGE TANKS EXIST

PHOTOS

PLAT TO ACCOMPANY VARIANCE PETITION

8231 BON AIR ROAD
PART OF LOT 148, 149 AND ALL OF LOT 150
PLAT 1 HILLENDALE PARK P.B. 9 F. 10
ELECTION DIST 9C6 BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 20 FEET JULY 1, 2015

PETITIONER'S
EXHIBIT NO. **7a-7d**

OWNER
FREDERICK R. SIPE
8231 BON AIR ROAD
BALTIMORE, MD. 21234
DEED REF: L.7455 F.235
ACCT. NO. 0919390780



7c



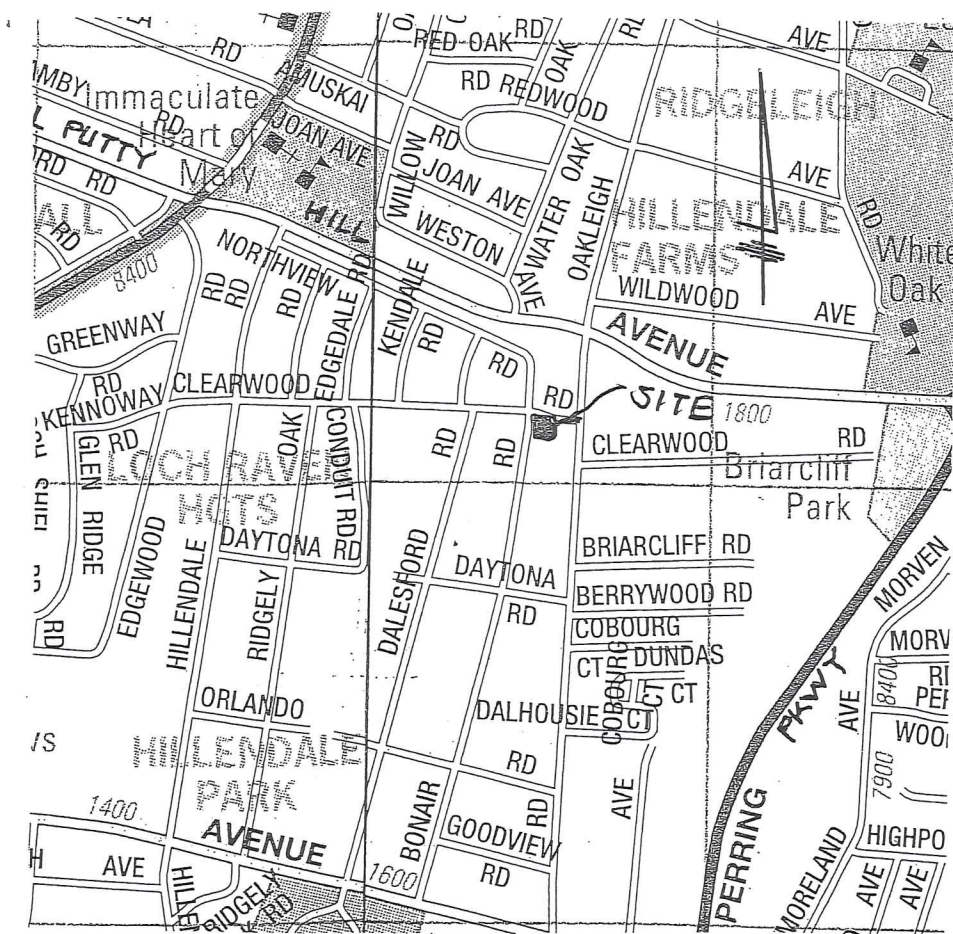
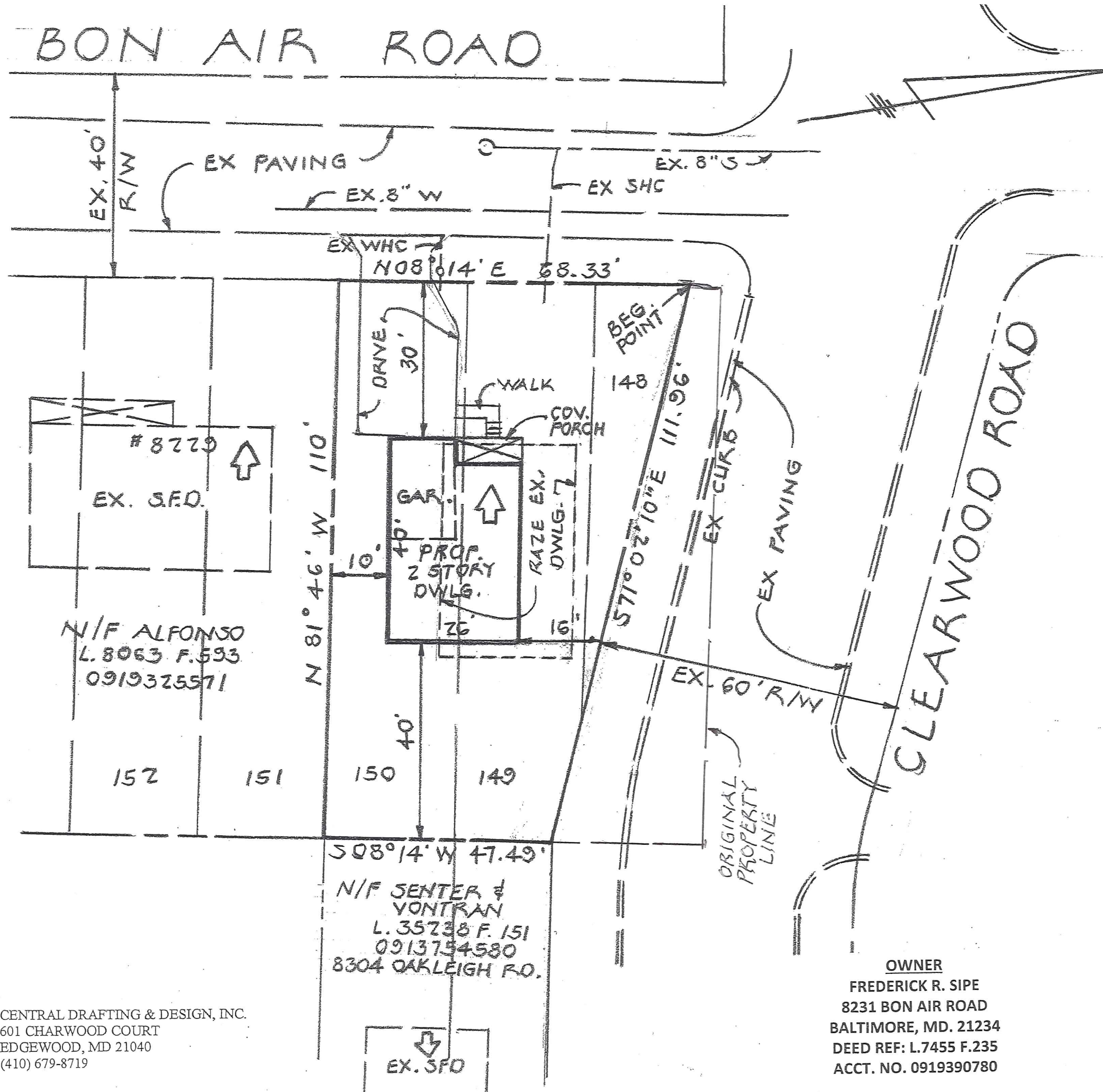
7d



7a



7b



VICINITY MAP
SCALE: 1" = 1000'

PETITIONER'S
EXHIBIT NO. 1

NOTES

1. ZONING.....DR 5.5 (MAP 070C3)
2. LOT AREA.....6370 S.F. = 0.146 ACRE +/-
3. PUBLIC WATER AND SEWER
4. SITE IS NOT LOCATED IN THE CBCA OR 100 YEAR FLOOD ZONE
5. NO PREVIOUS ZONING HISTORY (CASE 1980-0161-A)
6. NO HISTORIC STRUCTURES, ARCHEOLOGICAL SITES OR UNDERGROUND STORAGE TANKS EXIST

PLAT TO ACCOMPANY VARIANCE PETITION

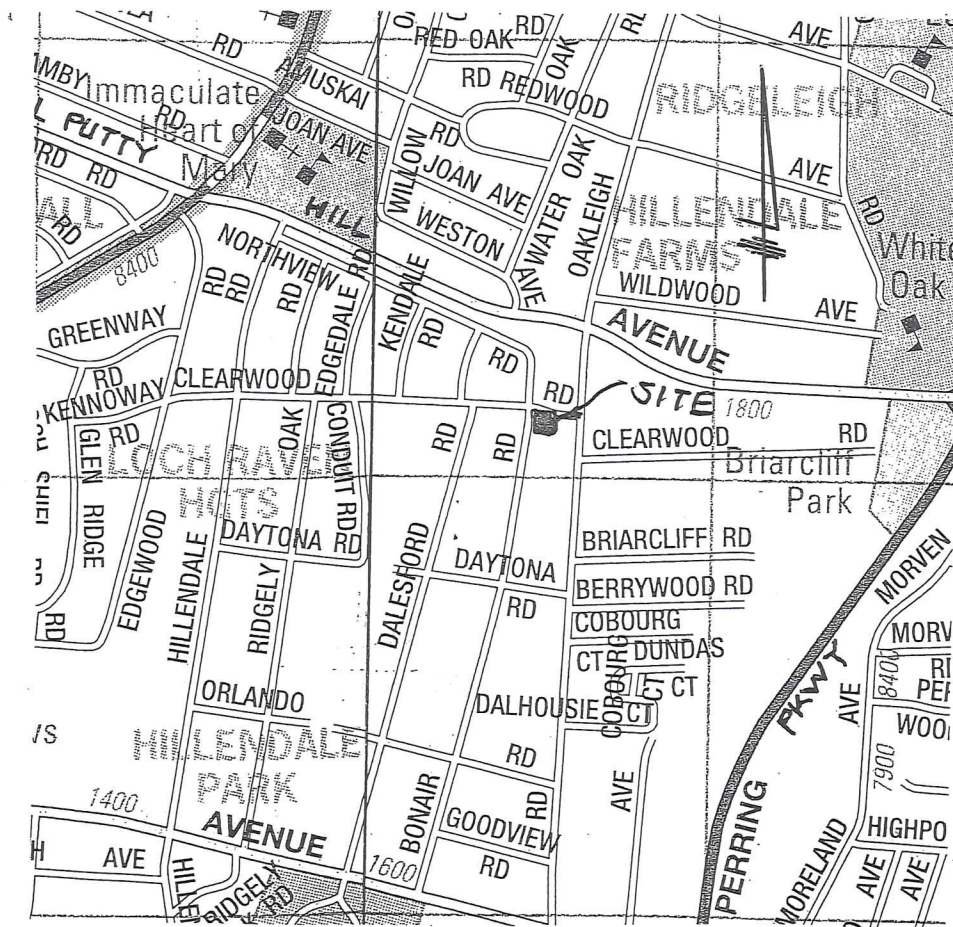
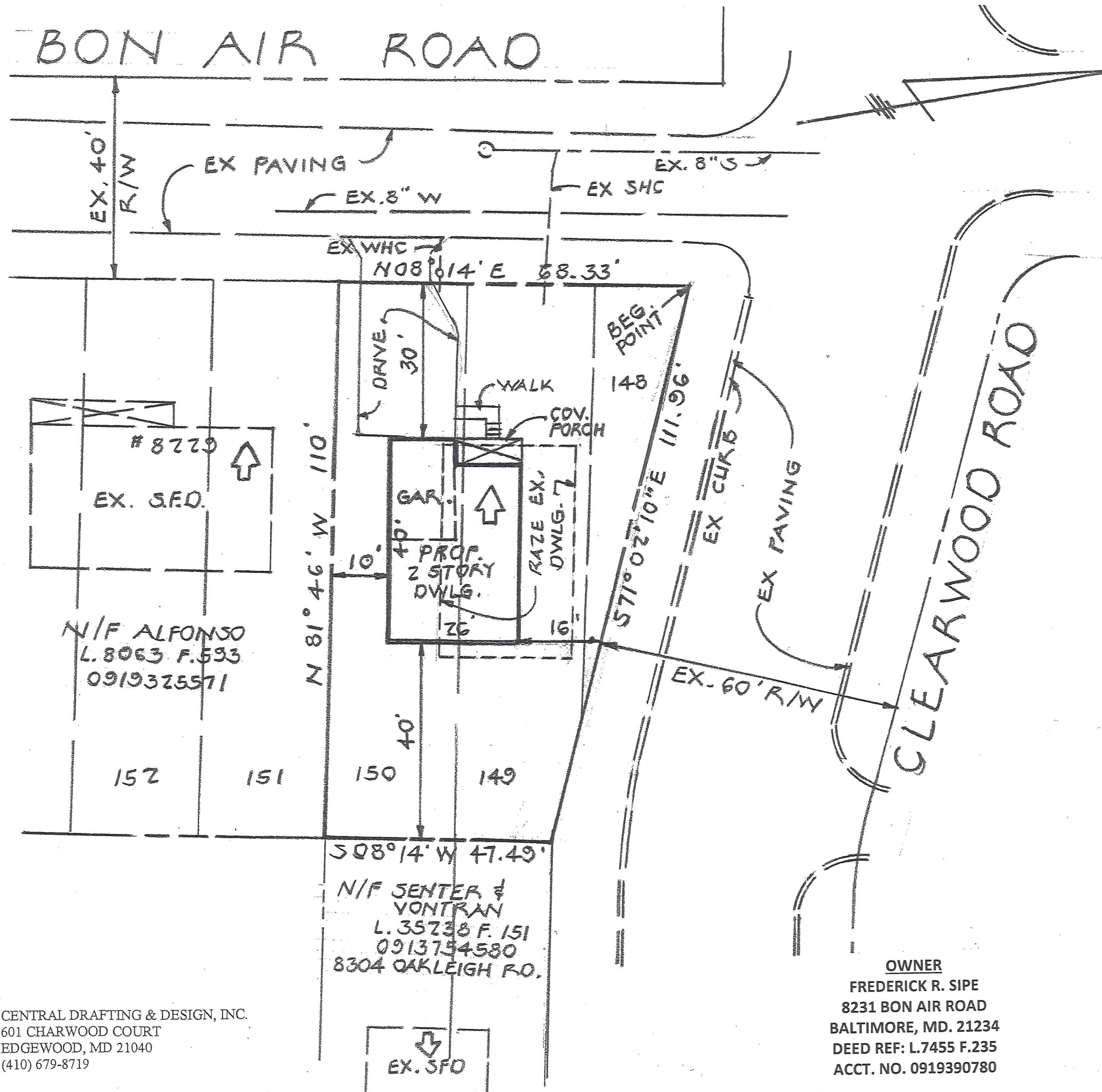
8231 BON AIR ROAD

PART OF LOT 148, 149 AND ALL OF LOT 150

PLAT 1 HILLENDALE PARK P.B. 9 F. 10

ELECTION DIST 9C6 BALTIMORE COUNTY, MD.

SCALE: 1 INCH = 20 FEET JULY 1, 2015



VICINITY MAP
SCALE: 1" = 1000'

2016-0001-A

NOTES

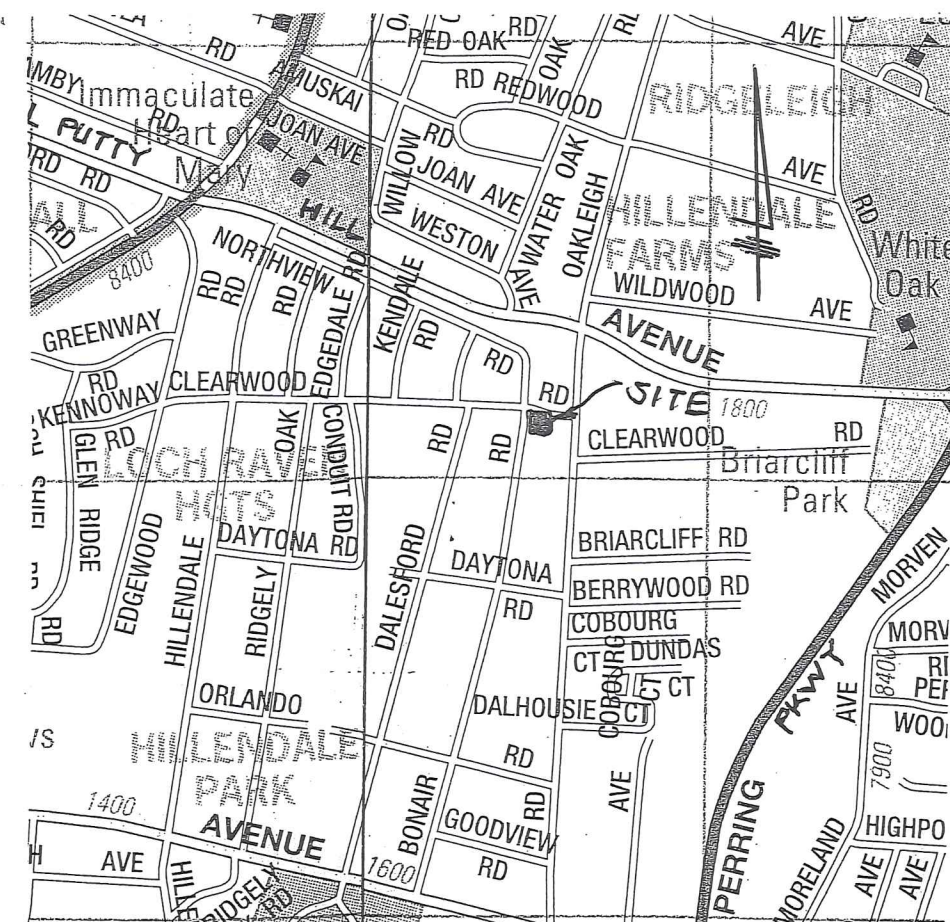
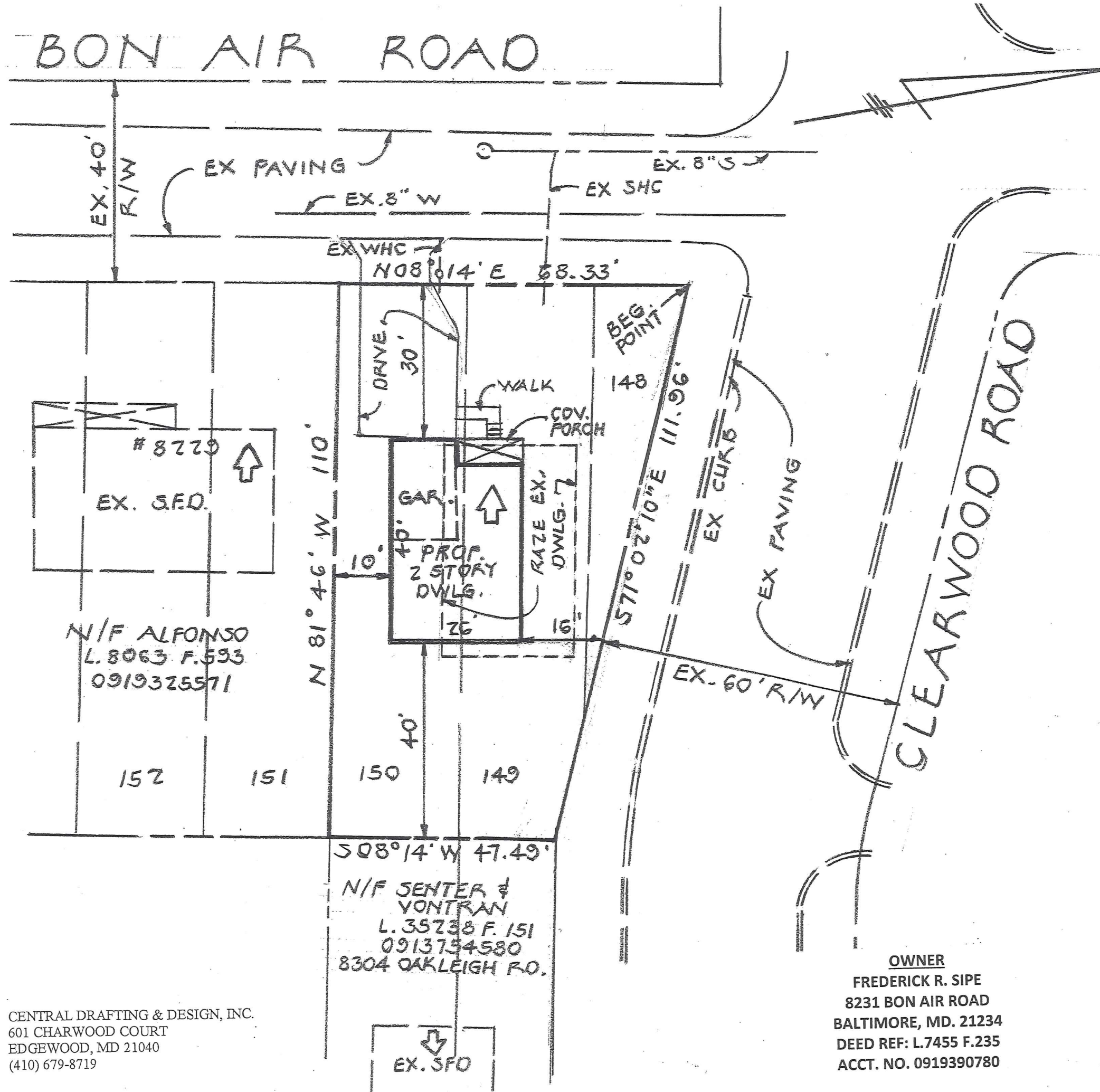
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PLAT TO ACCOMPANY VARIANCE PETITION

8231 BON AIR ROAD

**PART OF LOT 148, 149 AND ALL OF LOT 150
PLAT 1 HILLENDALE PARK P.B. 9 F. 10
ELECTION DIST 9C6 BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 20 FEET JULY 1, 2015**

OWNER
FREDERICK R. SIPE
8231 BON AIR ROAD
BALTIMORE, MD. 21234
DEED REF: L.7455 F.235
ACCT. NO. 0919390780



2016-0001-A

NOTES

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PLAT TO ACCOMPANY VARIANCE PETITION

8231 BON AIR ROAD

PART OF LOT 148, 149 AND ALL OF LOT 150

PLAT 1 HILLENDALE PARK P.B. 9 F. 10

ELECTION DIST. 9C6 BALTIMORE COUNTY, MD.

SCALE: 1 INCH = 20 FEET JULY 1, 2015