

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. 2016-0007-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

(3518 Galloway Road)

15th Election District

6th Council District

Glenn A., Karl M., Russell A. and

Brian L. Yurek

Petitioners

*

*

*

*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2016-0007-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 Glenn A., Karl M., Russell A. and Brian L. Yurek, legal owners of the subject property ("Petitioners"). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §§ 1A04.3.A, 1A04.3.B.2.b, 301.1 and 400.3, to permit a dwelling with a height of 40 ft. with side yard setbacks of 9 ft. and 13 ft., a side yard setback for an open porch and stairs of 9 ft. and an accessory structure (garage) with a height of 22 ft. in lieu of 35 ft., 50 ft., 50 ft., 37.5 ft. and 15 ft. respectively, for a replacement dwelling and new garage on an existing lot of record. The subject property and requested relief is more fully depicted on the site plan that was marked as Petitioners' Exhibit 1.

Owners' Brian and Teresa Yurek 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. A substantive Zoning Advisory Committee (ZAC) comment was received from the Bureau of Development Plans Review (DPR), noting that Petitioners must comply with Critical Area and flood protection regulations prior to issuance of building permits.

The subject property is approximately 17,950 square feet and is zoned RC 5. The property

ORDER RECEIVED FOR FILING

Date

9/15/15

By

Sen

is improved with a small single family dwelling (504 sq. ft.) constructed in 1943. That home is in disrepair and Petitioners propose to construct a new single family dwelling on the lot. To do so, variance relief is required.

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 lot was created by Plat recorded in 1921 (Exhibit 5), long before the adoption of zoning regulations. As such the property is unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to construct a single family 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.") §§ 1A04.3.A, 1A04.3.B.2.b, 301.1 and 400.3, to permit a dwelling with a height of 40 ft. with side yard setbacks of 9 ft. and 13 ft., a side yard setback for an open porch and stairs of 9 ft. and an accessory structure (garage) with a height of 22 ft. in lieu of 35 ft., 50 ft., 50 ft., 37.5 ft. and 15 ft. respectively, for a replacement dwelling and new garage on an existing lot of record, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date

9/15/15

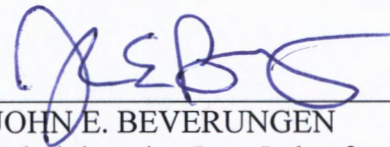
By

sen

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. Petitioners must comply with Critical Area and flood protection regulations.

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



CBCA

F1001

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 3518 GALLOWAY ROAD which is presently zoned RC5Deed References: L-13846 F.527 10 Digit Tax Account # 1511771210Property Owner(s) Printed Name(s) BRIAN L. GLENN A., KARL M. AND
RUSSEL A. YUREK(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 approve2. ☐ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for3. ☒ a Variance from Section(s) SEE ATTACHEDof 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).

Legal Owners (Petitioners):

KARL M. YUREK

Name- Type or Print

Karl M. Yurek

Signature

RUSSEL A. YUREKRussell A. YurekBRIAN L. YUREK

Name #1 - Type or Print

Brian L. Yurek

Signature #1

GLENN A. YUREK

Name #2 - Type or Print

Glenn A. Yurek

Signature #2

12027 BELAIR RD KINGSVILLE MD.

Mailing Address

City

State

21087 (410) 652-8563 brian-yci@comcast.net

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

DAVID BILLINGSLEY

Name - Type or Print

Signature

601 CHARWOOD CT EDGEWOOD, MD

Mailing Address

City

State

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

Zip Code

Telephone #

Email Address

CASE NUMBER 2016-0007-AFiling Date 7/10/2015

Do Not Schedule Dates: _____

Reviewer W

**1A04.3.A, 1A04.3.B.2.b, 301.1 AND 400.3 (BCZR) TO PERMIT A
DWELLING WITH A HEIGHT OF 40 FEET, WITH SIDE YARD SETBACKS OF
9 FEET AND 13 FEET, A SIDE YARD SETBACK FOR AN OPEN PORCH AND
STAIRS OF 9 FEET AND AN ACCESSORY STRUCTURE (GARAGE) WITH A
HEIGHT OF 22 FEET IN LIEU OF 35 FEET, 50 FEET, 50 FEET, 37.5 FEET
AND 15 FEET FOR A REPLACEMENT DWELLING AND NEW GARAGE ON
AN EXISTING LOT OF RECORD.**

ZONING DESCRIPTION

3518 GALLOWAY ROAD

Beginning for the same at a point on the west side of Galloway Road (30 feet wide) distant 511^{1/2} feet from it's intersection with the center of Cold Spring Road (30 feet wide), thence being all of Lot 54 as shown on the plat entitled Plat One, Bowleys Quarters recorded among the Baltimore County plat records in Plat Book 7 Folio 12.

Containing 17,950 square feet or 0.412 acre of land, more or less.

Being known as 3518 Galloway Road. Located in the 15TH Election District, 6TH Councilmanic District of Baltimore County, md.

2016-0007-A

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

No. **127366**

Date: **7/10/15**

PAID RECEIPT

BUSINESS ACTUAL TIME DRN
 7/13/2015 7/10/2015 09:28:58 1

REF WED1 WALKIN LRAS LJR
 > RECEIPT # 591374 7/10/2015 OFLN
 Dept 5 528 ZONING VERIFICATION
 CR NO. 127366

Recpt Tot **175.00**
 Baltimore County, Maryland

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

Total: **75.00**

Rec From: **CENTRAL**

For: **3518 Galloway Rd**

2016-0007-A

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**



THE BALTIMORE SUN MEDIA GROUP

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 3513137

Sold To:

Brian Yurek - CU00481818
12027 Belair Rd
Kingsville, MD 21087-1126

Bill To:

Brian Yurek - CU00481818
12027 Belair Rd
Kingsville, MD 21087-1126

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: # 2016-0007-A

3518 Galloway Road
W/s Galloway Road, 511 ft. NW of Cold Spring Road
15th Election District - 6th Councilmanic District
Legal Owner(s) Brian, Glenn, Karl & Russel Yurek

Variance: to permit a dwelling with a height of 40 ft. with side yard setbacks of 9 ft. and 13 ft., a side yard setback for an open porch and stairs of 9 ft. and an accessory structure (garage) with a height of 22 ft. in lieu of 35 ft., 50 ft., 50 ft. 37.5 ft., and 15 ft. for a replacement dwelling and new garage on an existing lot of record.

Hearing: Monday, September 14, 2015 at 1:30 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 8/785 August 25

3513137

CERTIFICATE OF POSTING

Date: AUGUST 22, 2015

RE: Project Name: 3518 GALLOWAY ROAD
Case Number /PAI Number: 2016-0007-A
Petitioner/Developer: BRIAN YUREK, ETAL
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 3518 GALLOWAY 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)

ZONING NOTICE

CASE NO. 2016-007-A

A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE

PLACE: ROOM 205 JEFFERSON BUILDING, 105 WEST
CHESAPEAKE AVENUE, TOWSON, MD. 21204

TIME: MONDAY, SEPTEMBER 14, 2015 @ 1:30 PM

REQUEST: VARIANCE TO PERMIT A DWELLING W/
A HEIGHT OF 40 FEET W/ SIDE YARDS OF 9 FT AND
13 FT, A SIDE YARD SETBACK FOR AN OPEN PORCH
AND STAIRS OF 9 FT, & AN ACCESSORY STRUCTURE
(GARAGE) W/ A HEIGHT OF 22 FT IN LIEU OF THE
REQUIRED 35 FT, 50 FT, 50 FT, 37.5 FT & 15 FT FOR
A REPLACEMENT DWELLING & NEW GARAGE ON
AN EXISTING LOT OF RECORD

Postponements due to weather or other conditions are sometimes necessary. To confirm hearing or obtain additional information, contact Department of Permits, Approvals and Inspections, 111 West Chesapeake Avenue, Towson, Md. 21204 (410) 887-3393
UNDER PENALTY OF LAW, DO NOT REMOVE THIS SIGN UNTIL THE DAY OF THE HEARING. HEARINGS ARE HANDICAPPED ACCESSIBLE

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/neighbor 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: 2016-0007-A

Petitioner: BRIAN YUREK

Address or Location: 3518 GALLOXYAY ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: BRIAN YUREK

Address: 12027 BELAIR RD

KINGSVILLE, MD 21087

Telephone Number: 444 (410) 652-8563



KEVIN KAMENETZ
County Executive

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

July 30, 2015

NOTICE OF ZONING HEARING

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3518 Galloway Road
W/s Galloway Road, 511 ft. NW of Cold Spring Road
15th Election District – 6th Councilmanic District
Legal Owners: Brian, Glenn, Karl & Russel Yurek

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Hearing: Monday, September 14, 2015 at 1:30 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: David Billingsley, 601 Charwood Ct., Edgewood 21040
Yurek Residence, 12027 Belair Road, Kingsville 21087

- 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:
Brian Yurek
12027 Belair Road
Kingsville, MD 21087

410-652-8563

NOTICE OF ZONING HEARING

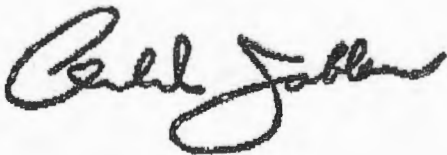
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Hearing: Monday, September 14, 2015 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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.

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
3518 Galloway Road; W/S Galloway Road,	*	OF ADMINSTRATIVE
511' NW of c/line Cold Spring Road	*	HEARINGS FOR
15 th Election & 6 th Councilmanic Districts	*	BALTIMORE COUNTY
Legal Owner(s): Brian, Glenn, Russell	*	2016-007-A
& Karl Yurek		
Petitioner(s)		

* * * * *

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

PETITIONER'S EXHIBITS
3518 GALLOWAY ROAD

9-15-15
sen

DW
10-19-15

1. PLAT TO ACCOMPANY VARIANCE PETITION

2. SDAT REAL PROPERTY SEARCH

3. PORTION OF TAX MAP 0098

4. DEED OF RECORD L.13846 F. 527

5. PLAT 1 BOWLEYS QUARTERS P.B. 7 F. 12

6. AERIAL PHOTO

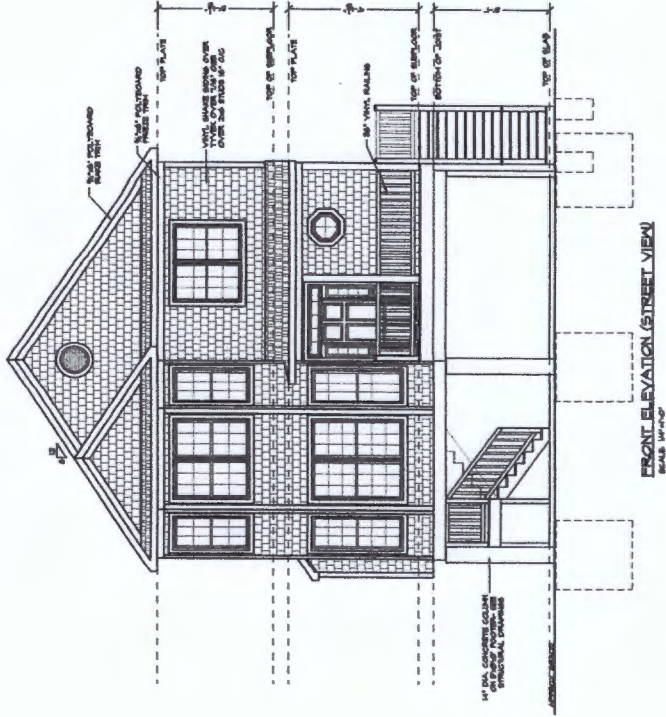
7a – 7e. PHOTOS

8a – 8b. BUILDING ELEVATIONS

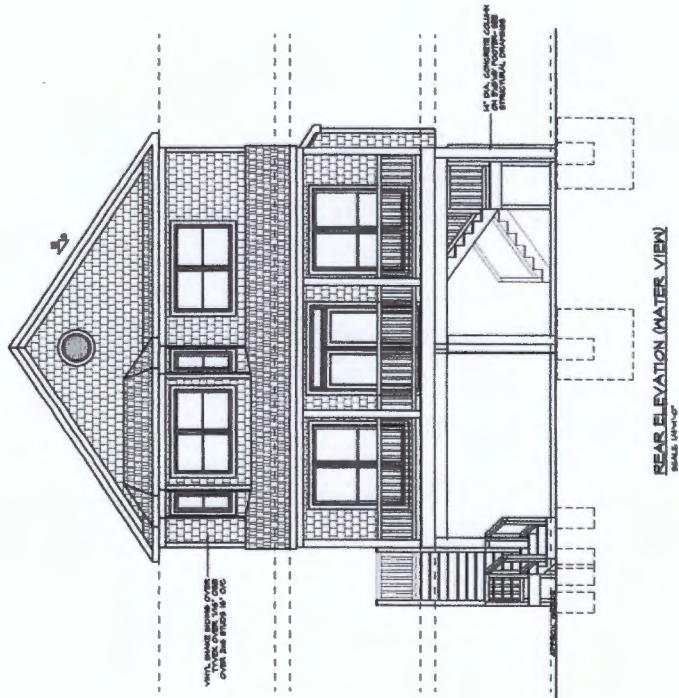
THE TYREK RESIDENCE

REVISED: 08/04/2015
 REVISED: 12/16/2014
 REVISED: 8/20/2014
 REVISED: 6/23/2014
 REVISED: 1/23/2014
 REVISED: 1/24/2014

G&L CUSTOM HOME
 DESIGN INC.
 PO BOX 387 FREDERICK, MD 21704
 PHONE 410-469-8800
 SHEET NO. 1 OF 7
 DATE: 12/2/2015
 SCALE: 1/4" = 1'-0"



FRONT ELEVATION (STREET VIEW)
 SCALE: 1/4" = 1'-0"



REAR ELEVATION (WATER VIEW)
 SCALE: 1/4" = 1'-0"

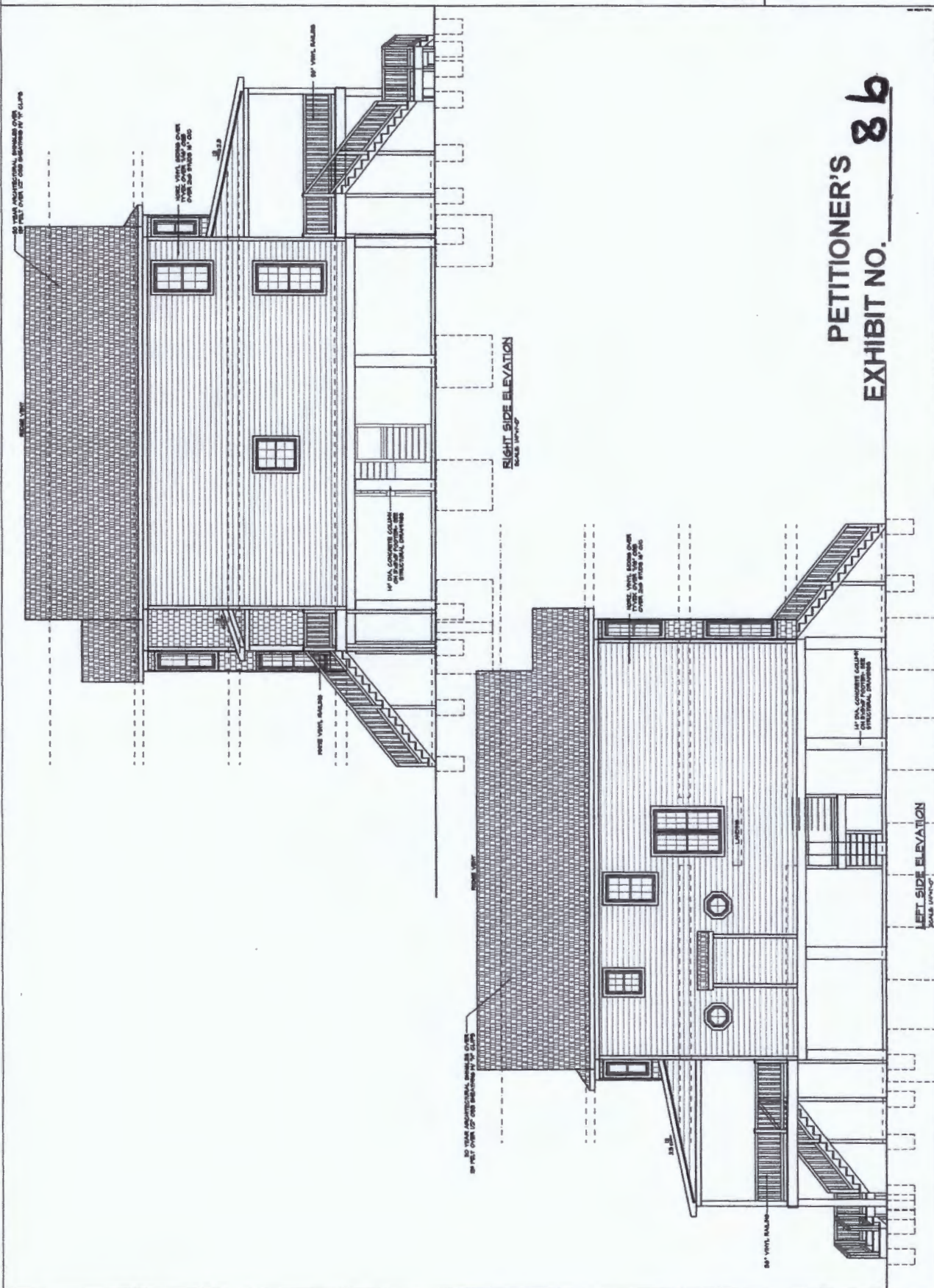
PETITIONER'S **8a**
 EXHIBIT NO. _____

2015/10/10

REVIEWED:	05/04/2015
REVIEWED:	12/06/2014
REVIEWED:	8/30/2014
REVIEWED:	6/25/2014
REVIEWED:	1/4/2014
REVIEWED:	10/6/2014

THE YUREK RESIDENCE

PETITIONER'S
EXHIBIT NO. 86



CASE NAME 3518 GALLOXYWAY RD
CASE NUMBER 2016-0007-A
DATE 9/14/15

[illegible]

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>7-17</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>C</u>
_____	DEPS <u>missing</u> (if not received, date e-mail sent <u>9-10</u>)	_____
_____	FIRE DEPARTMENT	_____
<u>7-30</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. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>8-25-15</u>	
SIGN POSTING	Date: <u>8-22-15</u> by <u>Billingsley</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 - 15 Account Number - 1511771210			
Owner Information					
Owner Name:	YUREK GLENN A/KARL M YUREK RUSSELL A/BRIAN L		Use:	RESIDENTIAL NO	
Mailing Address:	12027 BELAIR RD KINGSVILLE MD 21087-		Deed Reference:	/13846/ 00527	
Location & Structure Information					
Premises Address:		3518 GALLOWAY RD BALTIMORE 21220-4429 Waterfront		Legal Description: 500 NW COLD SPRING RD BOWLEYS QUARTERS	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0098	0004	0004		0000	54
					Assessment Year:
					2015
					Plat No:
					1
					Plat Ref:
					0007/ 0012
Special Tax Areas:			Town:		
			NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1943	504 SF		11,750 SF	34	
Stories	Basement	Type	Exterior SIDING	Full/Half Bath	Garage Last Major Renovation
1	NO	STANDARD UNIT		0 full	
Value Information					
		Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2015	
				As of 07/01/2016	
Land:		196,700	196,700		
Improvements		3,300	3,300		
Total:		200,000	200,000	200,000	200,000
Preferential Land:		0			0
Transfer Information					
Seller: YUREK ALEXANDER F		Date: 06/23/1999		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /13846/ 00527		Deed2:	
Seller: KRATZ GEORGE L,SR		Date: 04/03/1973		Price: \$45,000	
Type: ARMS LENGTH IMPROVED		Deed1: /05347/ 00584		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: No Application					

Debra Wiley

From: Debra Wiley
Sent: Thursday, September 10, 2015 2:48 PM
To: Jeffery Livingston
Subject: ZAC Comment Needed for 9/14 @ 1:30 PM Hearing

Jeff,

Please find below a case description for a hearing on 9/14 @ 1:30 PM that's needed --- CBCA. Thanks.

CASE NUMBER: 2016-0007-A

3518 GALLOWAY RD.

Location: W/S of Galloway Road, 511 ft. NW of the c/line of Cold Spring Road.

15th Election District, 6th Council District

Legal owners: Brian L. & Glenn A. Yurek

VARIANCE To permit a dwelling with a height of 40 ft. with side yard setbacks of 9 ft. and 13 ft., a side yard setback for an open porch and stairs of 9 ft. and an accessory structure (garage) with a height of 22 ft. in lieu of 35 ft., 50 ft., 50 ft., 37.5 ft. and 15 ft. for a replacement dwelling and new garage on an existing lot of record.

Hearing: Monday, 9/14/2015, 1:30 PM, Jefferson Building, 105 West Chesapeake Avenue, Room 205, Towson, MD 21204

Debra Wiley
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

9/14

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 27, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: 3518 Galloway Road

JUL 30 2015

INFORMATION:

OFFICE OF ADMINISTRATIVE HEARINGS

Item Number: 16-007

Petitioner: Brian L. Yurek, Glenn A. Yurek

Zoning: RC 5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Variance to permit a single family dwelling with a height of 40 feet, side setbacks of 9 feet and 13 feet, open projection of 9 feet in lieu of the required 35 feet, 50 feet and 37.5 feet respectively and to permit an accessory structure (garage) with a height of 22 feet in lieu of the required 15 feet.

The proposed dwelling conforms to RC-5 performance standards and is similar to architectural design and size of the other dwellings located along Galloway Road.

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

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

Division Chief:

Kathy Schekel

AVA/KS

C: Bill Skibinski



KEVIN KAMENETZ
County Executive

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

September 9, 2015

Brian L. & Glenn A. Yurek
Karl M. & Russell A. Yurek
12027 Belair Road
Kingsville MD 21087

RE: Case Number: 2016-0007 A, Address: 3518 Galloway Road

Dear Sirs:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 10, 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
David Billingsley, 601 Charwood Court, Edgewood MD 21040

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 2016-0007-A

Variance
Brian L. & Glenn A. Yurek
3518 Galloway 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.

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 "Richard D. Zeller".

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 20, 2015
Item No. 2016-0007

DATE: July 17, 2015

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment.

Prior to building permit application, the petitioner must contact the office of the Director of Public Works to determine the flood protection elevation so that the floor elevation can be set.

* * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 16-0007-07202015.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 27, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 3518 Galloway Road

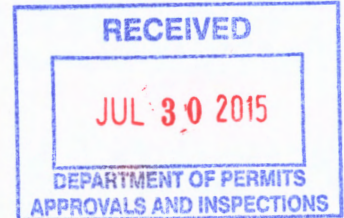
INFORMATION:

Item Number: 16-007

Petitioner: Brian L. Yurek, Glenn A. Yurek

Zoning: RC 5

Requested Action: Variance



SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Variance to permit a single family dwelling with a height of 40 feet, side setbacks of 9 feet and 13 feet, open projection of 9 feet in lieu of the required 35 feet, 50 feet and 37.5 feet respectively and to permit an accessory structure (garage) with a height of 22 feet in lieu of the required 15 feet.

The proposed dwelling conforms to RC-5 performance standards and is similar to architectural design and size of the other dwellings located along Galloway Road.

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

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

Division Chief: Kathy Scheldan
AVA/KS
C: Bill Skibinski

0013846 527

NO CONSIDERATION - NO STAMPS REQUIRED
DEED PREPARED WITHOUT TITLE EXAMINATION
PARENT TO CHILD TRANSFER

PROPERTY TAX ID#: 15-11-771210

DEED

THIS DEED dated this 10 day of May, 1999, from KATHERINE L. YUREK, Grantor, to GLENN A. YUREK, KARL M. YUREK, RUSSELL A. YUREK, and BRIAN L. YUREK, Grantees.

The Grantor, for a consideration of Zero Dollars (\$00.00) and her love and affection for the Grantees, grants, conveys and assigns to the Grantees, as joint tenants and not as tenants in common, and to their assigns, and to the personal representatives, heirs and assigns of the survivor of them, in fee simple, the property located in Baltimore County, Maryland and described as follows:

BEING known and designated as Lot. No. Fifty-Four (54), Plat Number One (1), Part of Plat of Bowley's Quarter, recorded among the Land Records of Baltimore County in Plat Book Liber W.P.C. No. 7, folio 12.

BEING the same property described in a Deed dated April 2, 1973, and recorded among the Land Records of Baltimore County Liber 5347, Folio 584, from Katherine L. Yurek, Guardian of Alice Elizabeth Kratz, to Alexander F. Yurek and Katherine L. Yurek, his wife, the said Alexander F. Yurek having departed this life on or about February 4, 1999, vesting title in the Grantor.

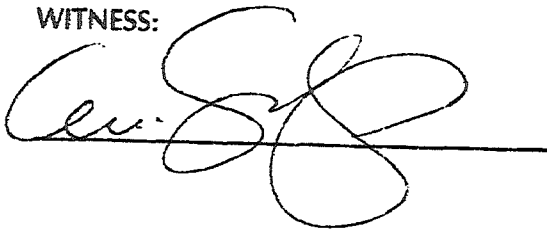
Together with all improvements thereon and the rights, alleys, ways, waters, easements, privileges, appurtenances and advantages belonging to appertaining thereto.

To have and to hold the property hereby conveyed unto the Grantees, as joint tenants and not as tenants in common, and to their assigns, and to the personal representatives, heirs and assigns of the survivor of them, in fee simple, forever.

The Grantor covenants to warrant specially the property hereby conveyed and to execute such further assurances of the property as may be requisite.

WITNESS the hands and seals of the Grantor.

WITNESS:



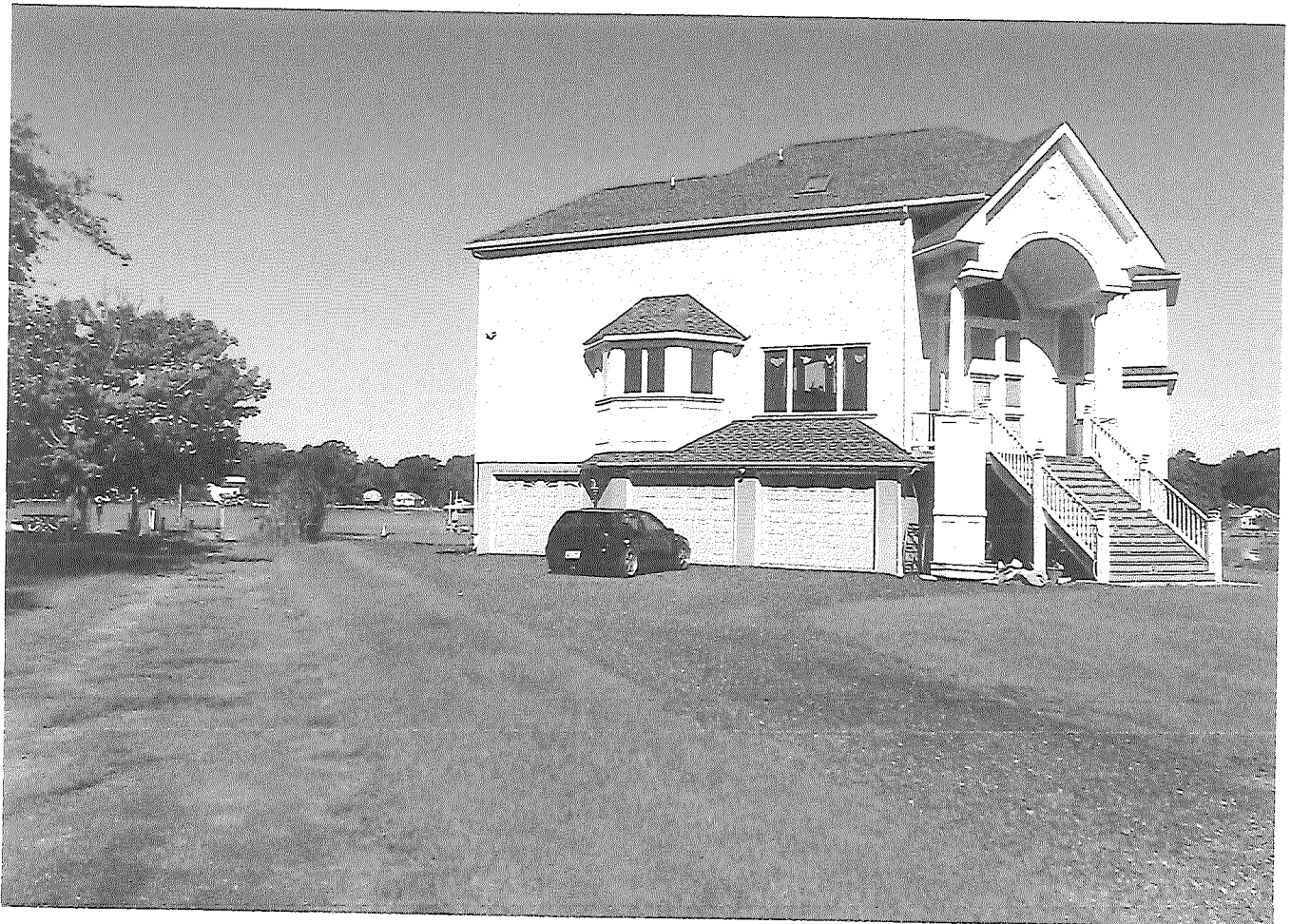
Katherine L. Yurek
 KATHERINE L. YUREK

IMP FD YUREK	\$ 5.00
RECORDING FEE	20.00
TOTAL	25.00
Rest: \$405	Ref: # 63992
34 34	811 # 4487
JUN 23 1999	5-25-1999
DATE	

PETITIONER'S
 EXHIBIT NO. 4



b



a



C



D



b

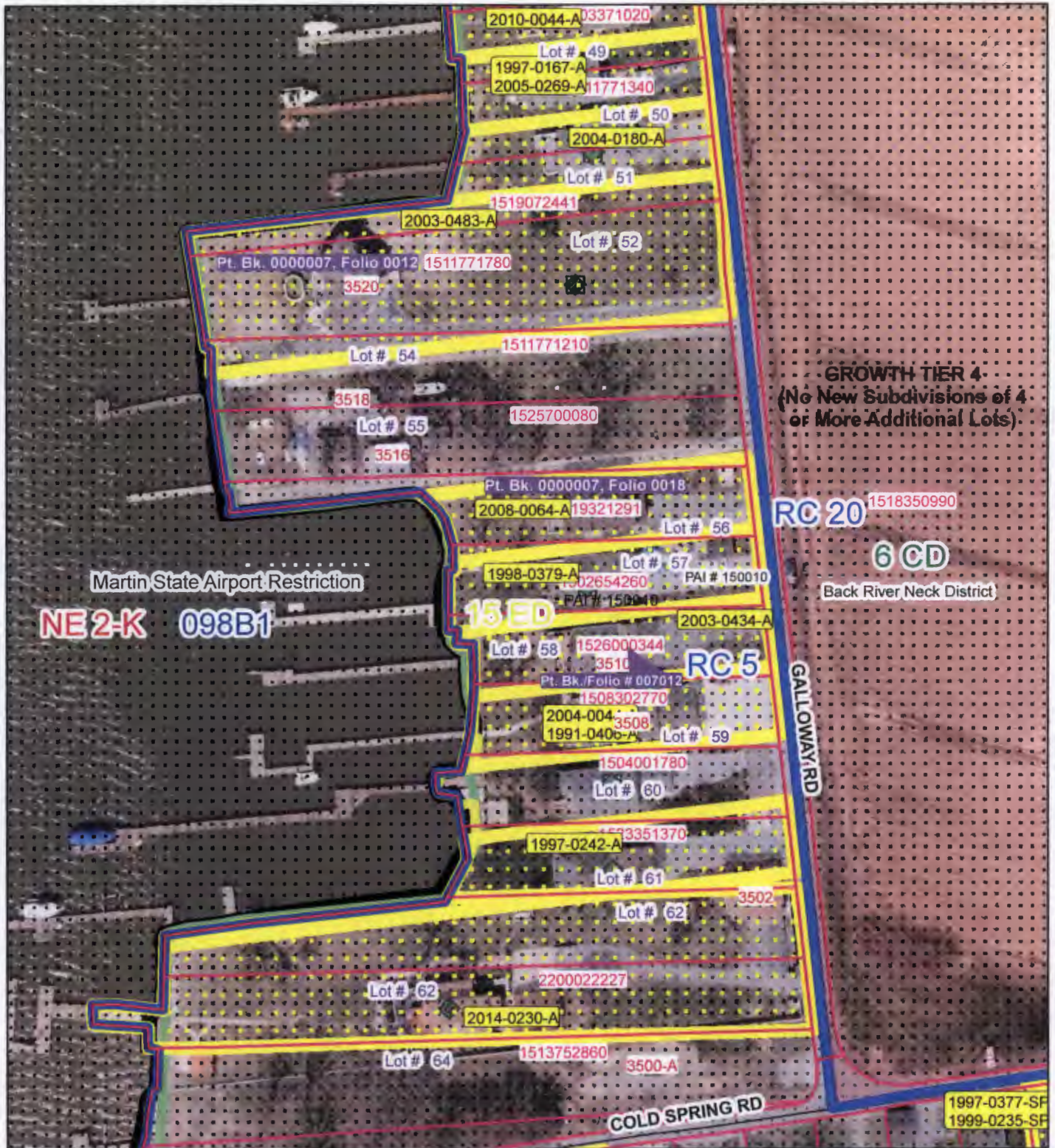


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2

3518 Galloway Road 2016-0007-A



Publication Date: 7/10/2015



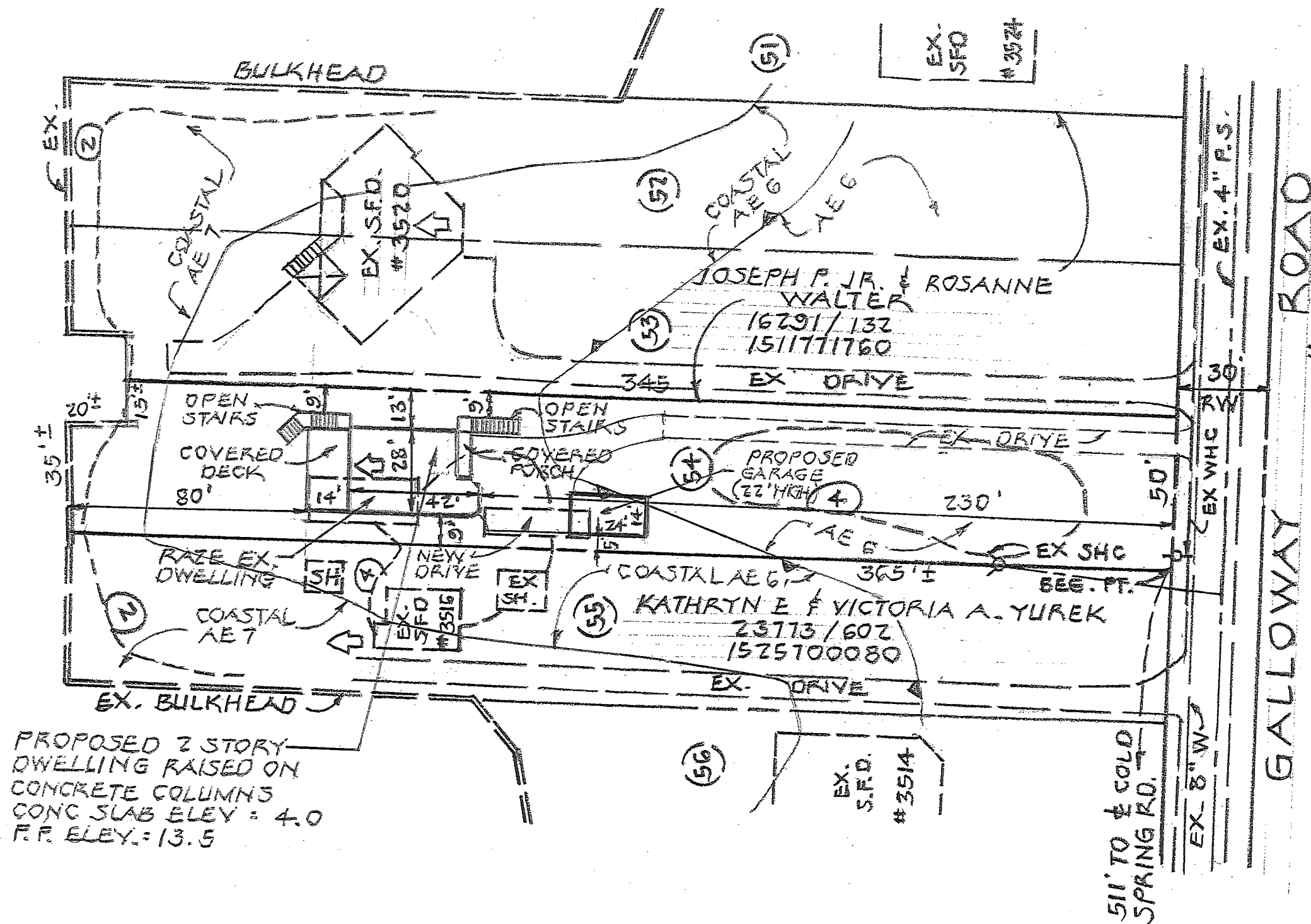
Publication Agency: Permits, Approvals & Inspections
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



0 25 50 100 150 200 Feet

1 inch = 100 feet

GALLOWAY CREEK

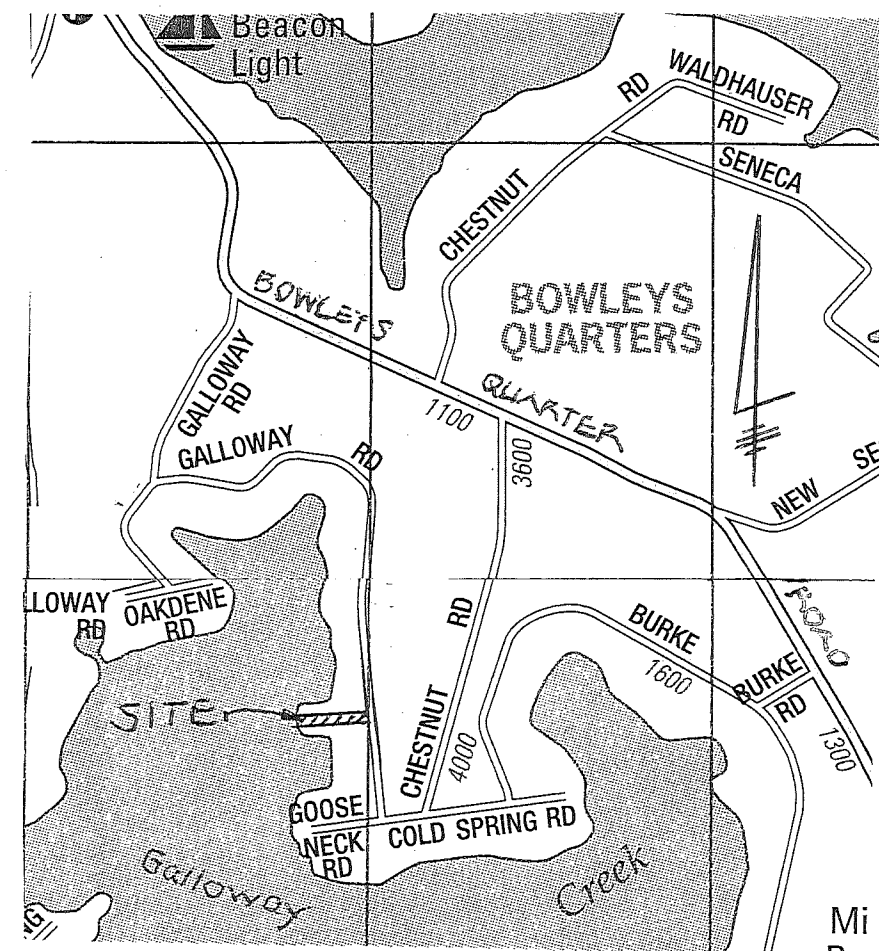


PROPOSED 2 STORY—
DWELLING RAISED ON
CONCRETE COLUMNS
CONC SLAB ELEV = 4.0
F.F. ELEV. = 13.5

CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

OWNER

**GLENN A., KARL M. RUSSEL A. AND BRIAN L. YUREK
12027 BELAIR ROAD
KINGSVILLE, MD. 21087
(410) 592- 3601
DEED REFERENCE: L.13846 F.527
ACCT. NO. 1511771210**



VICINITY MAP
SCALE: 1" = 1000'

NOTES

1. ZONING.....RC 5 (MAP NO. 098B1)
2. AREA.....17950 S.F. = 0.412 ACRE +/-
3. BUILDING AREA.....1526 S.F.
LOT COVERAGE.....8.5 %
4. PUBLIC WATER AND SEWER
5. SITE IS LOCATED IN THE CBCA AND 100 YEAR TIDAL FLOOD ZONE
6. NO PREVIOUS ZONING HISTORY OR VIOLATIONS
7. NO HISTORIC STRUCTURES, ARCHEOLOGICAL SITES OR
UNDERGROUND STORAGE TANKS EXIST

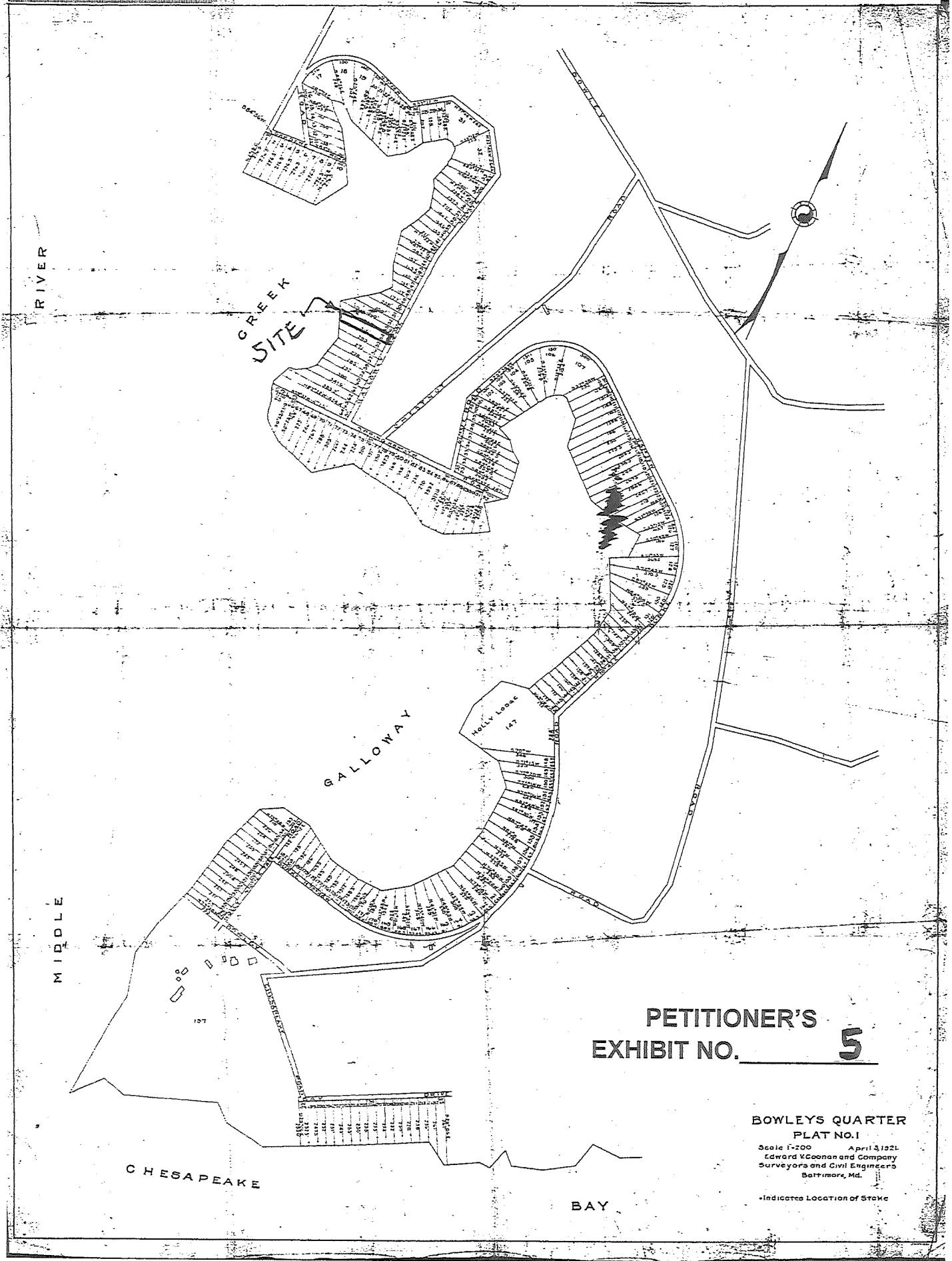
**PETITIONER'S
EXHIBIT NO.**

PLAT TO ACCOMPANY VARIANCE PETITION

3518 GALLOWAY ROAD

**LOT 54 PLAT ONE BOWLEYS QUARTERS P.B. 7 F. 12
ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD.**

SCALE: 1 INCH = 40 FEET JULY 3, 2015



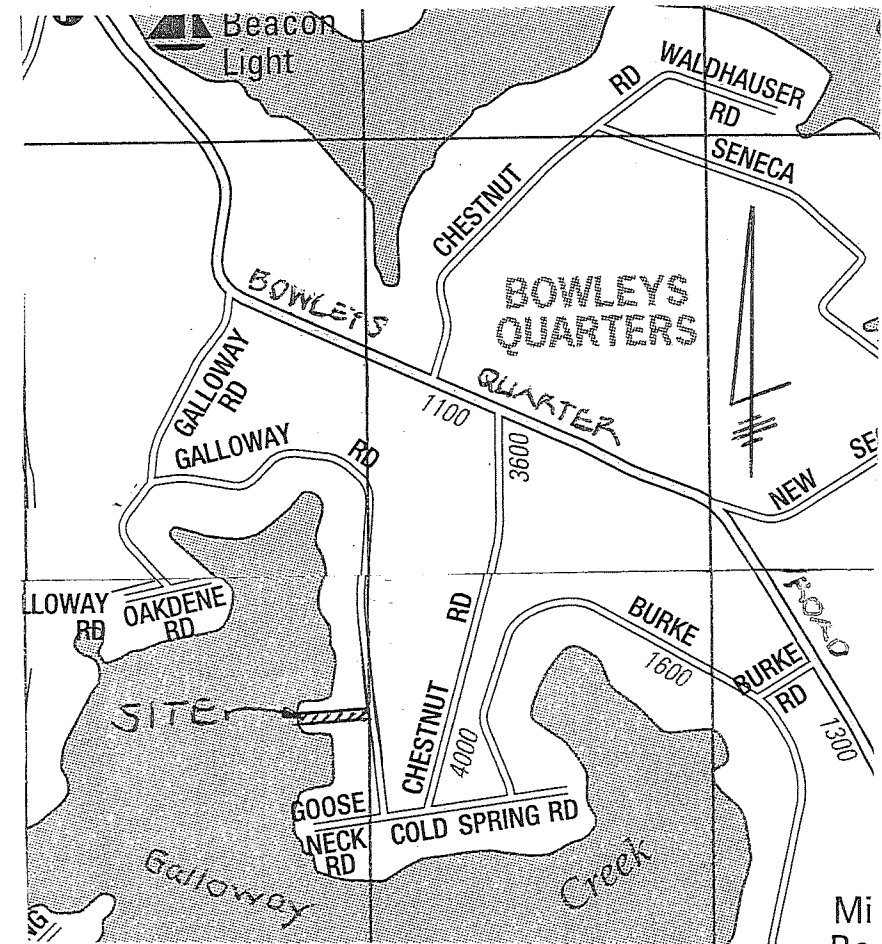
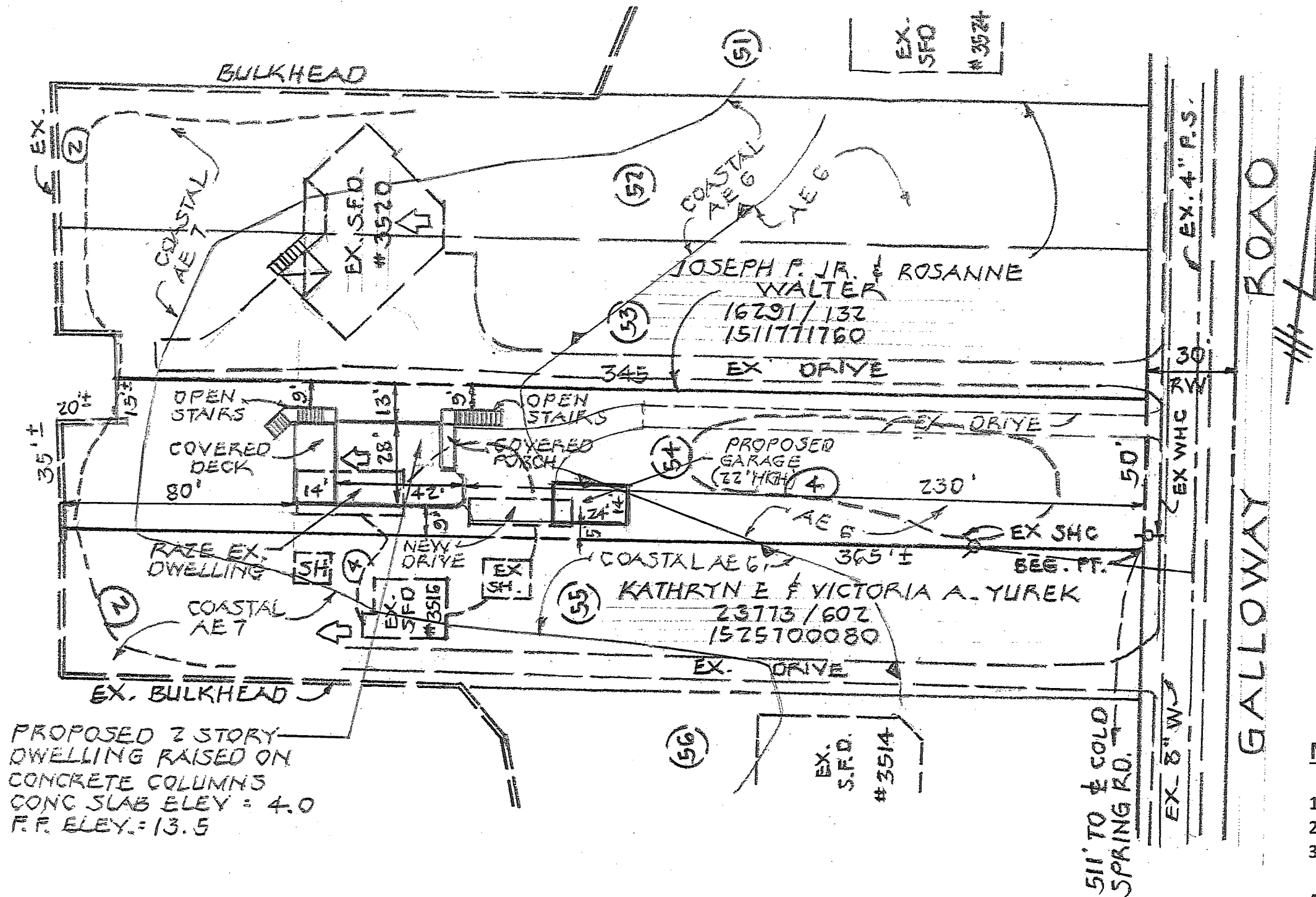
PETITIONER'S
EXHIBIT NO. 5

BOWLEYS QUARTER
PLAT NO. 1

Scale 1"=200' April 3, 1921
Edward M. Coonan and Company
Surveyors and Civil Engineers
Baltimore, Md.

*Indicates Location of Stake

GALLOWAY CREEK



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PETITIONER'S
EXHIBIT NO. 1

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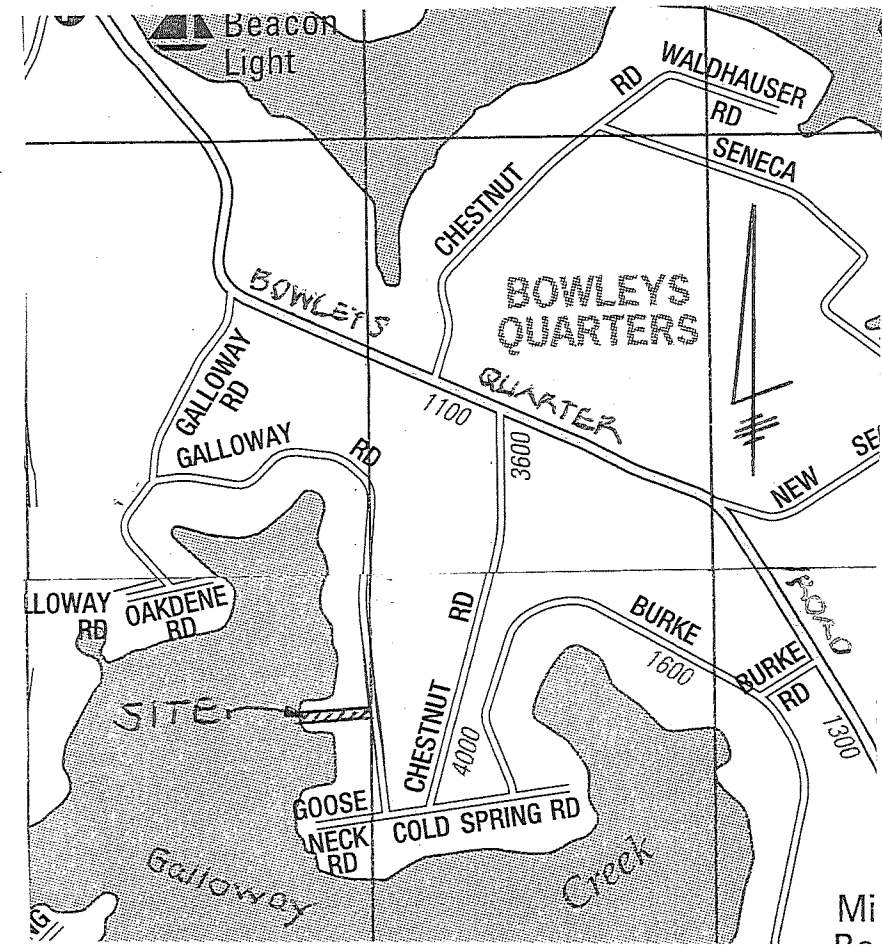
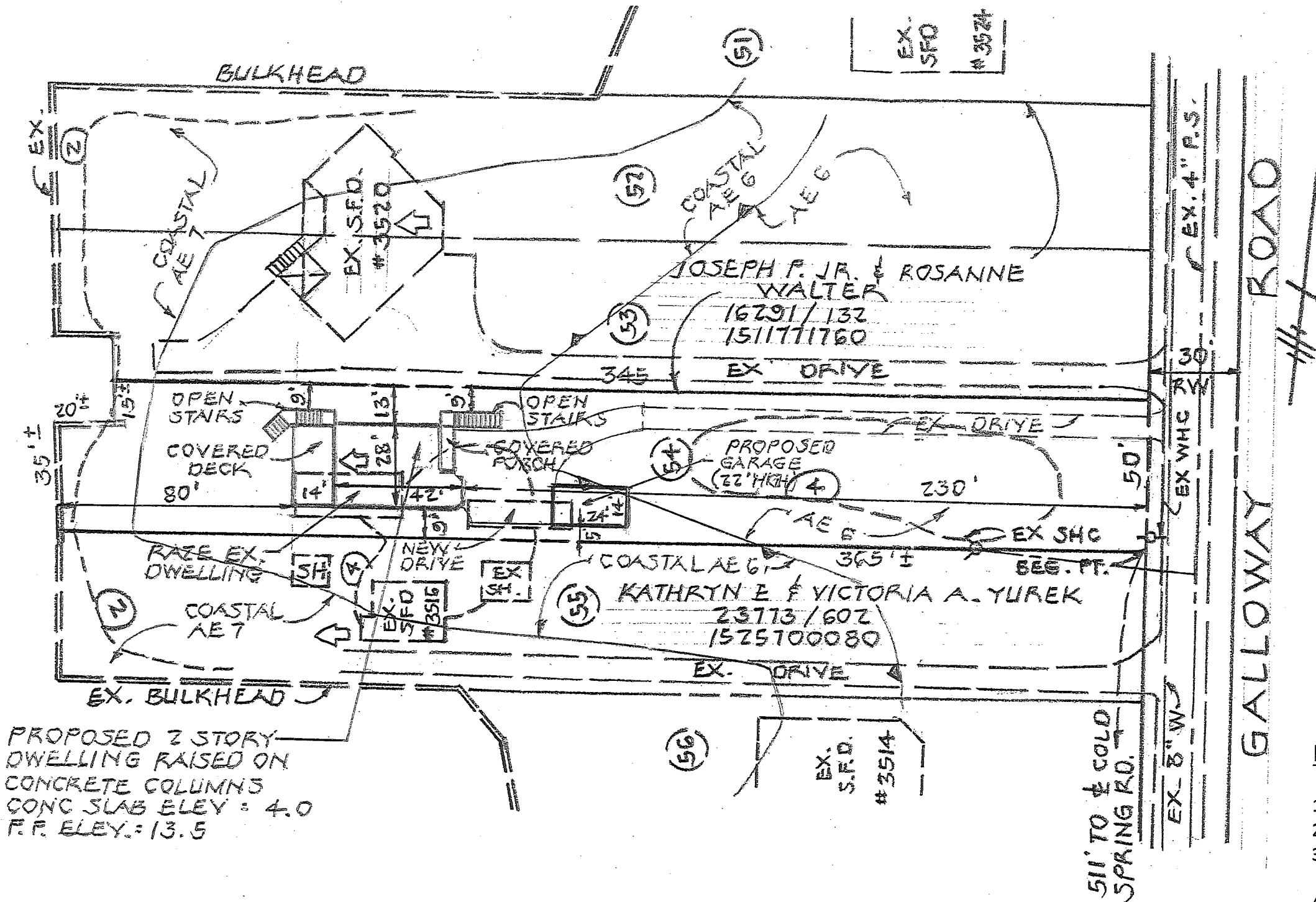
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GALLOWAY CREEK



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2016-0907-A

OWNER

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PLAT TO ACCOMPANY VARIANCE PETITION

3518 GALLOWAY ROAD

LOT 54 PLAT ONE BOWLEYS QUARTERS P.B. 7 F. 12

ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD.

SCALE: 1 INCH = 40 FEET JULY 3, 2015



SITE

PETITIONER'S
EXHIBIT NO.

6