

IN RE: PETITION FOR ADMIN. VARIANCE *
(11011 Braylee Hollow Court)
2nd Election District *
4th Council District *
Patrick R. and Tiffany M. Klein *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2016-0056-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, Patrick R. and Tiffany M. Klein ("Petitioners"). The Petitioners are requesting Variance relief pursuant to §§ 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R) as follows: (1) To permit an accessory structure (detached garage) to be located in the side yard and not in the required rear yard; and (2) To permit an accessory structure (detached garage) height of 27 ft. in lieu of the maximum allowed 15 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on October 18, 2015, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 11-5-15

By [Signature]

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Although the Department of Planning did not make any recommendations related to the accessory structure (detached garage) height and usage, I will impose conditions that the garage shall not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, and kitchen or bathroom facilities.

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

THEREFORE, IT IS ORDERED, this 5th day of **November, 2015** by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from §§ 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R) as follows: (1) To permit an accessory structure (detached garage) to be located in the side yard and not in the required rear yard; and (2) To permit an accessory structure (detached garage) height of 27 ft. in lieu of the maximum allowed 15 ft., be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

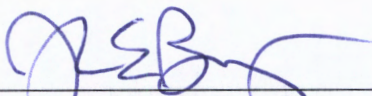
Date 11-5-15

By DW

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 Petitioners or subsequent owners shall not convert the garage into a dwelling unit or apartment. The garage shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.
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:dlw

ORDER RECEIVED FOR FILING

Date 11-5-15

By dlw



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 11011 BRAYLEE HOLLOW CT. Currently zoned RC-4
 Deed Reference 29035 / 107 10 Digit Tax Account # 2500006633
 Owner(s) Printed Name(s) PATRICK R. KLEIN & TIFFANY M. KLEIN

(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 BCZR TO PERMIT AN ACCESSORY STRUCTURE (DETACHED GARAGE) TO BE LOCATED IN THE SIDE YARD AND NOT IN THE REQUIRED REAR YARD AND SECTION 400.3 TO PERMIT AN ACCESSORY STRUCTURE (DETACHED GARAGE) HEIGHT OF 27 FEET IN LIEU OF THE MAXIMUM ALLOWED 15 FEET. of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

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

Owner(s)/Petitioner(s):

PATRICK R. KLEIN , TIFFANY M. KLEIN
 Name #1 – Type or Print Name #2 – Type or Print
X Patrick R. Klein , X Tiffany M. Klein
 Signature #1 Signature #2
11011 BRAYLEE HOLLOW CT. OWINGS MILLS, MD
 Mailing Address City State
21117 , 410-549-6960 , KLEPAT@CAKLEIN.COM
 Zip Code Telephone # Email Address

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

Name- Type or Print
 Signature
 Mailing Address City State
 Zip Code Telephone # Email Address

Representative to be contacted:

GEOFFREY C. SCHULTZ - POLARIS LAND CONSULTANTS
 Name – Type or Print
 Signature
10 GERARD AVENUE TIMONIUM MD
 Mailing Address City State
21093 , 410-252-4444 , GSCHULTZ@POLARISLC.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 2016-0056-A Filing Date 9/1/2015 Estimated Posting Date 9/13/2015 Reviewer

10/18/2015

Rev 5/8/2014

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: 11011 BRAYLEE HOLLOW CT. OWINGS MILLS MD 21117
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)

AS TO GARAGE LOCATION - THE EXISTENCE OF A POTABLE WELL, FOUR (4) GEOTHERMAL WELLS, AND A SEPTIC SYSTEM BEHIND THE HOUSE PRECLUDE SITUATING THE GARAGE IN THE REAR YARD.

AS TO GARAGE HEIGHT - THE PROPOSED HEIGHT VARIANCE IS NECESSARY TO ACHIEVE A DESIGN THAT IS CONSISTENT WITH AND EMULATES THE ARCHITECTURAL THEME AND AESTHETICS OF THE EXISTING DWELLING.

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

X Patrick R. Klein
Signature of Owner (Affiant)
PATRICK R. KLEIN
Name- Print or Type

X Tiffany M. Klein
Signature of Owner (Affiant)
TIFFANY M. KLEIN
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 27 day of February, 2015, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: PATRICK R. Klein & TIFFANY M. Klein

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

AS WITNESS my hand and Notaries Seal

Kevin A. Ashley
Notary Public
9.22.16
My Commission Expires

Zoning Description of
11011 Braylee Hollow Court
2nd Election District
4th Councilmanic District
Baltimore County, MD



Beginning at a point on the Southwest side of Braylee Hollow Court (40 foot wide right-of-way), said point being located 630 feet west of the center of Wards Chapel Road and being known and designated as Lot 3 of a subdivision entitled "Brady Property", as recorded in Plat Book 79 Page 54.

Containing 87,120 s.f. Or 2.000 Acres of Land

2016-0056-A

Zoning Description of
11011 Braylee Hollow Court
2nd Election District
4th Councilmanic District
Baltimore County, MD



Beginning at a point on the Southwest side of Braylee Hollow Court (40 foot wide right-of-way), said point being located 630 feet west of the center of Wards Chapel Road and being known and designated as Lot 3 of a subdivision entitled "Brady Property", as recorded in Plat Book 79 Page 54.

Containing 87,120 s.f. Or 2.000 Acres of Land

2016-0056-A

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

No. **127386**

Date: **9/1/15**

PAID RECEIPT

BUSINESS **DATE** **TIME** **BY**
09/01/2015 **0:00** **00:00** **2**
NO. **MODE** **WAVE** **WAVE** **WAVE** **WAVE**
RECEIPT **WAVE** **WAVE** **WAVE** **WAVE** **WAVE**
5 **500** **0000** **0000** **0000** **0000**
NO. **127386**
Receipt **100** **100** **100** **100** **100**
100 **100** **100** **100** **100** **100**
100 **100** **100** **100** **100** **100**

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: **Patrick & Tiffany Klein**

For: **11011 Brayton Hollow Ct**

2016-0056-A

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 10/18/2015

Case Number: 2016-0056-A

Petitioner / Developer: PATRICK & TIFFANY M. KLEIN ~
GEOFFREY C. SCHULTZ of POLARIS LAND CONSULTANTS

Date of Hearing (Closing): NOVEMBER 2, 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:
11011 BRAYLEE HOLLOW COURT

The sign(s) were posted on: OCTOBER 18, 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)

M E M O R A N D U M

TO: Kristen Lewis
Office of Zoning Review

FROM: Debra Wiley, Legal Administrative Secretary
Office of Administrative Hearings

DATE: October 1, 2015

SUBJECT: Case No. 201~~6~~⁵-0056-A – 11011 Braylee Hollow Court
Administrative Variance – Closing date: 9/28/2015

As you may be aware, the above-referenced case had a closing date of September 28, 2015. Unfortunately, the sign posting requirement was not fulfilled per the Petitioners' representative, Geoffrey C. Schultz, with Polaris Land Consultants, due to a death. In addition, Mr. Schultz indicated to me that he did not receive the "Administrative Variance Information Sheet and Dates" form and asked that he be forwarded same with the new information once established.

In any event, we are returning the file to you for further processing, i.e., obtaining new closing date, etc. Thanks.

c:  File

**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: _____

Property Address: 11011 BRAYLEE HOLLOW ROAD

Property Description: 2.00 AC. SW SIDE BRAYLEE HOLLOW RD.
630' WEST OF WARDS CHAPEL ROAD

Legal Owners (Petitioners): PATRICK R. & TIFFANY M. KLEIN

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: PATRICK KLEIN

Company/Firm (if applicable): N/A

Address: 11011 BRAYLEE HOLLOW RD
OWINGS MILLS, MD 21117

Telephone Number: 410-549-6960

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2016- 0056 -A Address 11011 BRAYLEE Hollow Ct
Contact Person: LEONARD WASILCWSKI Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 9/1/15 Posting Date: 10/18/15 Closing Date: 11/02/15

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 2016- 0056 -A Address 11011 BRAYLEE Hollow Ct
Petitioner's Name PATRICK & TIFFANY M. KLEIN Telephone 410-549-6960
Posting Date: 10/18/15 Closing Date: 11/02/15
Wording for Sign: To Permit AN ACCESSORY structure (Detached Garage)
to be located in the side yard, in lieu of the permitted rear yard
And to permit AN ACCESSORY structure (Detached Garage) with A
height of 27 feet in lieu of the permitted 15 feet.

Revised 7/21/15

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2016- 0056 -A Address 11011 Braylee Hollow Ct.
Contact Person: LEONARD WASILEWSKI Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 9/1/15 Posting Date: 9/13/15 Closing Date: 9/28/15

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

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

(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2016- 0056 -A Address 11011 Braylee Hollow Ct
Petitioner's Name Patrick & Tiffany Klein Telephone 410-549-6960
Posting Date: 9/13/15 Closing Date: 9/28/15
Wording for Sign: To Permit A Garage in the side yard with a height of 27 feet
in lieu of the required rear yard and 15 feet height respectively.

Revised 7/18/14

M E M O R A N D U M

DATE: December 8, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0056-A- Appeal Period Expired

The appeal period for the above-referenced case expired on December 7, 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

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>9-11</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
<u>10-19</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>9-10</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: _____	
SIGN POSTING	<u>15 days</u> ✓ Date: <u>10-18-15</u> by <u>O'Keefe</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

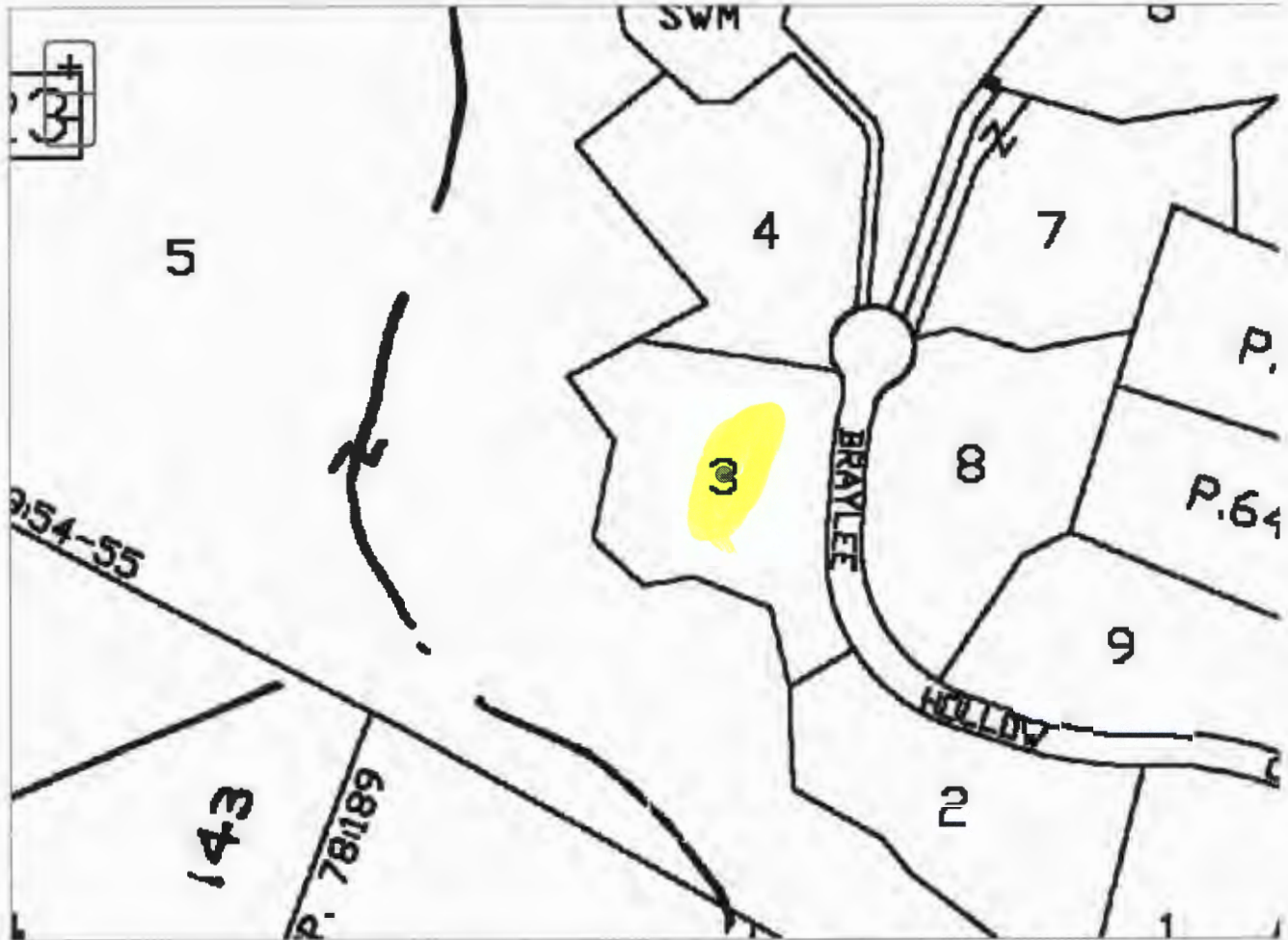
Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 02 Account Number - 2500006633		
Owner Information		
Owner Name:	KLEIN PATRICK R KLEIN TIFFANY M	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	11011 BRAYLEE HOLLOW CT OWINGS MILLS MD 21117-0000	Deed Reference: /29635/ 00167
Location & Structure Information		
Premises Address:	11011 BRAYLEE HOLLOW CT OWINGS MILLS 21117- 0000	Legal Description: 2.00 AC WS 11011 BRAYLEE HOLLOW CT BRADY PROPERTY
Map:	Grid:	Parcel:
0066	0007	0123
Sub District:	Subdivision:	Section:
	0000	
Block:	Lot:	Assessment Year:
	3	2016
Plat No:	Plat Ref:	1
	0079/ 0054	
Special Tax Areas:	Town:	NONE
	Ad Valorem:	
	Tax Class:	
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
2011	5,560 SF	
Property Land Area	County Use	
2.0000 AC	04	
Stories	Basement	Type
2	YES	STANDARD UNIT
Exterior	Full/Half Bath	Garage
FRAME	5 full/ 1 half	2Att/1Carport
Last Major Renovation		
Value Information		
Base Value	Value As of	Phase-in Assessments As of
	01/01/2013	07/01/2015
Land:	82,500	
Improvements	509,700	
Total:	592,200	592,200
Preferential Land:	0	
Transfer Information		
Seller: KLEIN PATRICIA R	Date: 06/29/2010	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /29635/ 00167	Deed2:
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
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: Approved 05/02/2012		

Baltimore County

New Search (<http://sd.dat.maryland.gov/RealProperty>)District: **02** Account Number: **2500006633**

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.

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>).

M E M O R A N D U M

TO: Kristen Lewis
Office of Zoning Review

FROM: Debra Wiley, Legal Administrative Secretary
Office of Administrative Hearings

DATE: October 1, 2015

SUBJECT: Case No. 201~~6~~⁵-0056-A – 11011 Braylee Hollow Court
Administrative Variance – Closing date: 9/28/2015

As you may be aware, the above-referenced case had a closing date of September 28, 2015. Unfortunately, the sign posting requirement was not fulfilled per the Petitioners' representative, Geoffrey C. Schultz, with Polaris Land Consultants, due to a death. In addition, Mr. Schultz indicated to me that he did not receive the "Administrative Variance Information Sheet and Dates" form and asked that he be forwarded same with the new information once established.

In any event, we are returning the file to you for further processing, i.e., obtaining new closing date, etc. Thanks.

c: File

BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

OCT 19 2015

OFFICE OF ADMINISTRATIVE HEARINGS



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: October 19, 2015

SUBJECT: DEPS Comment for Zoning Item # 2016-0056-A
Address 11011 Braylee Hollow Court
(Klein Property)

Zoning Advisory Committee Meeting of September 7, 2015.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>9-11</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NO</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>9-10</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: _____	
SIGN POSTING	Date: _____ by: _____	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: Missing Posting 9-29-15. Sp. to Mr Schultz on 10-1.
He indicated due to death, sign posting was not completed. Advise him
zoning establishes closing + posting date + OK to send back. He also
indicated he did not receive 'AVIS + D' form + rec'd new one.

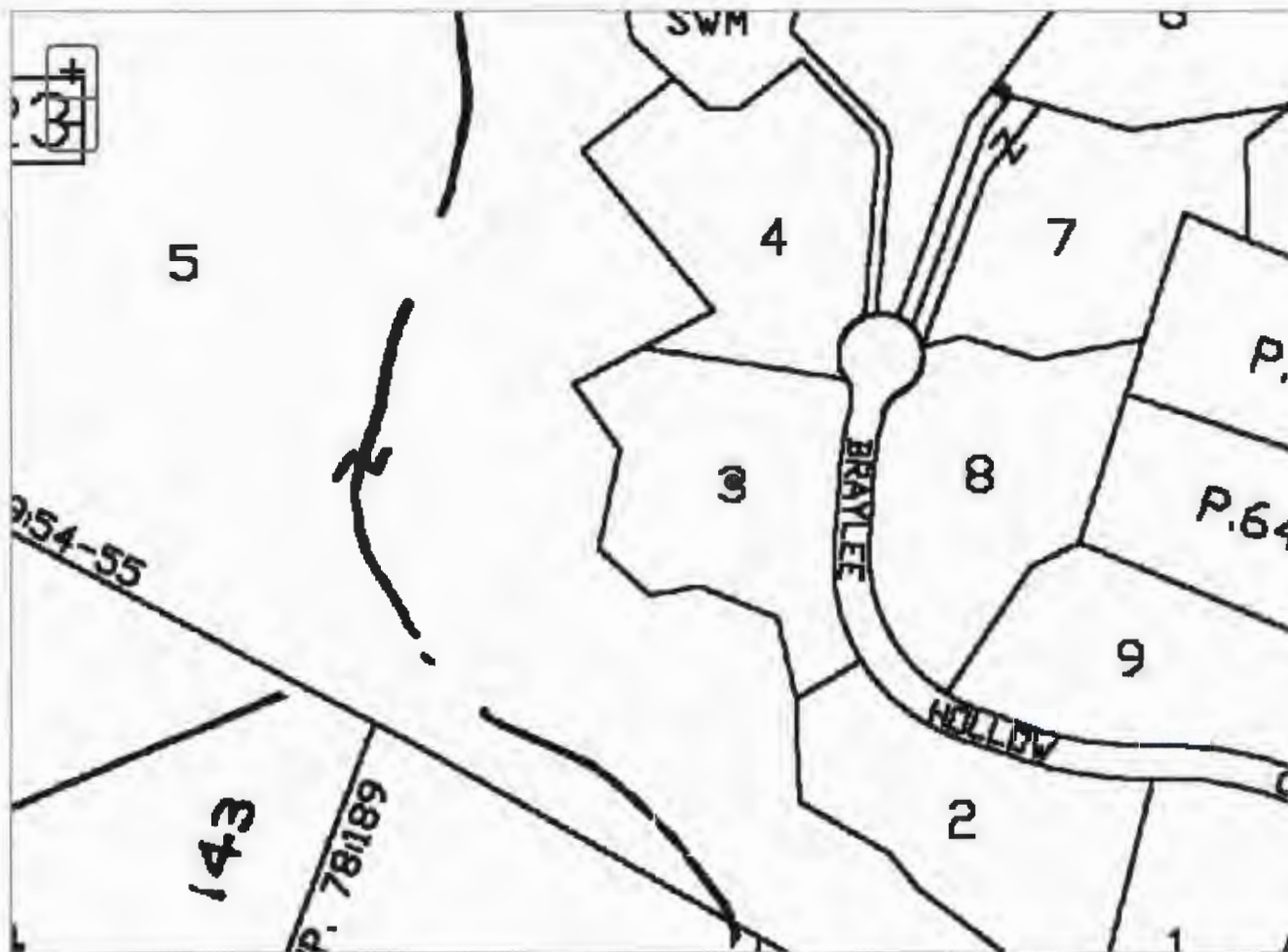
Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 02 Account Number - 2500006633			
Owner Information					
Owner Name:	KLEIN PATRICK R KLEIN TIFFANY M		Use:	RESIDENTIAL	
Mailing Address:	11011 BRAYLEE HOLLOW CT OWINGS MILLS MD 21117-0000		Principal Residence:	YES	
			Deed Reference:	/29635/ 00167	
Location & Structure Information					
Premises Address:		11011 BRAYLEE HOLLOW CT OWINGS MILLS 21117- 0000		Legal Description:	2.00 AC WS 11011 BRAYLEE HOLLOW CT BRADY PROPERTY
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: 1
0066	0007	0123		0000	3 2016 Plat Ref: 0079/0054
Special Tax Areas:			Town: NONE		
			Ad Valorem: Tax Class:		
Primary Structure Built	Above Grade Enclosed Area		Finished Basement Area	Property Land Area	County Use
2011	5,560 SF			2.0000 AC	04
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	YES	STANDARD UNIT	FRAME	5 full/ 1 half	2Att/1Carport
Value Information					
		Base Value	Value As of 01/01/2013	Phase-in Assessments As of 07/01/2015 As of 07/01/2016	
Land:		82,500	82,500		
Improvements		509,700	509,700		
Total:		592,200	592,200	592,200	
Preferential Land:		0			
Transfer Information					
Seller: KLEIN PATRICIA R		Date: 06/29/2010		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /29635/ 00167		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		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	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 05/02/2012					

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **02** Account Number: **2500006633**

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.

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>).



KEVIN KAMENETZ
County Executive

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

September 29, 2015

Patrick R. & Tiffany M. Klein
11011 Braylee Hollow Court
Owings Mills MD 21117

RE: Case Number: 2016-0056 A, Address: 11011 Braylee Hollow Court

Dear Mr. & Ms. Klein:

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Geoffrey C. Schultz, Polaris Land Consultants, 10 Gerard Avenue, Ste. 101
Timonium MD 21093

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



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

Date: 9/10/15

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

RE: Baltimore County
Item No. 2016-0056-A
Administrative Variance
Patrick R. & Tiffany M. Klein
11011 Braylee Hollow Court

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. 2016-0056-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 blue ink, appearing to read "Richard Zeller", is written over the word "Sincerely,".

David W. Peake
Metropolitan District Engineer – District 4
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 September 14, 2015
Item No. 2016-0052 and 0056

DATE: September 11, 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\ZAC09142015.doc

11011 BRAYLEE HOLLOW COURT



FRONT

11011 BRAYLEE HOLLOW COURT



RIGHT SIDE

11011 BRAYLEE HOLLOW COURT



REAR

11011 BRAYLEE HOLLOW COURT



LEFT SIDE

11011 Braylee Hollow Court 2016-0056-A



Publication Date: 9/1/2015



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

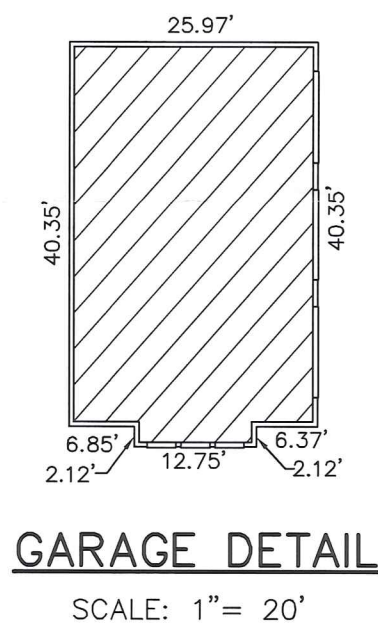


0 25 50 100 150 200 Feet

1 inch = 100 feet

NOTES:

- EXISTING ZONING: RC-4
- GROSS AREA: 87,120 S.F.± = 2.000 AC.±
NET AREA: 87,120 S.F.± = 2.000 AC.±
- 200 SCALE ZONING MAP NO. 066A2.
- THERE ARE NO EXISTING OR IMPENDING FAILURES OF THE BASIC SERVICES MAPS FOR THIS SITE.
- TO THE BEST OF OUR KNOWLEDGE, THERE HAVE BEEN NO PRIOR ZONING HEARINGS FOR THIS SITE.
- THIS LOT IS SERVED BY PRIVATE WELL AND SEPTIC SYSTEMS.
- THE EXISTING DWELLING HAS BEEN FIELD LOCATED.
- THIS PROPERTY IS NOT IN THE CBCA.
- THIS SITE DOES NOT LIE IN THE 100 YEAR FLOOD PLAIN.
- THIS SITE IS NOT HISTORIC.



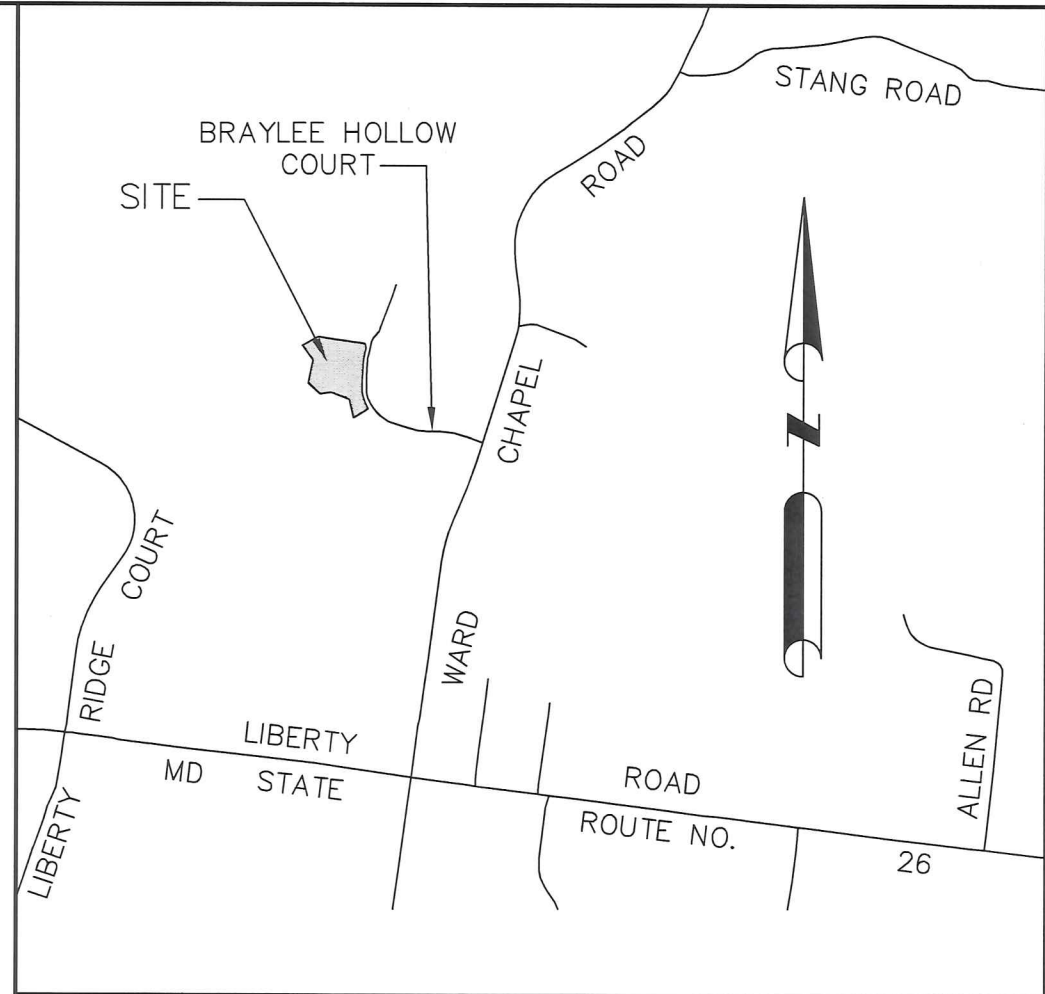
GARAGE DETAIL

SCALE: 1" = 20'

STANDARD NON-DISTURBANCE NOTES:

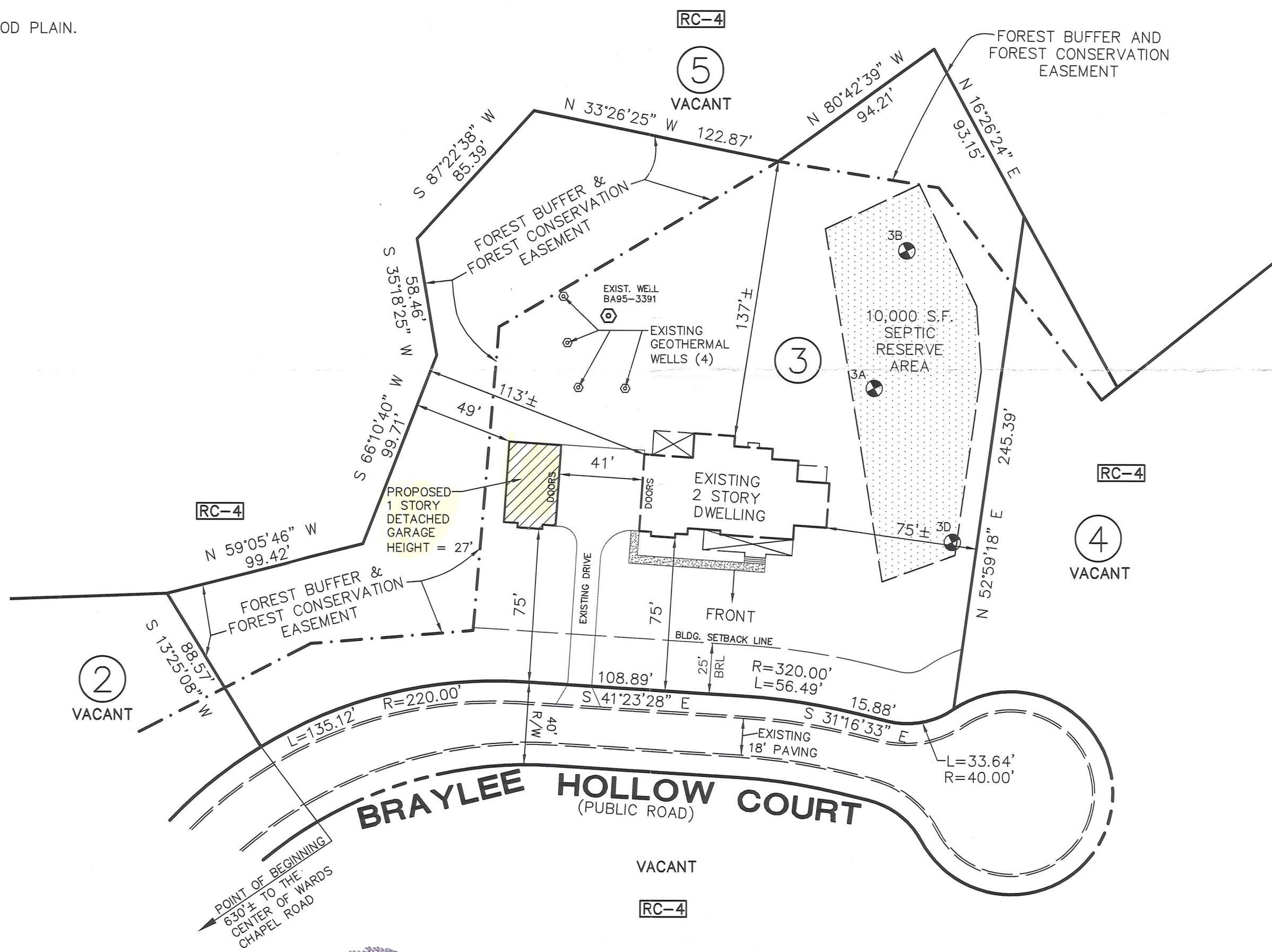
THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER AND FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY.

ANY FOREST BUFFER AND FOREST CONSERVATION EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS, WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.



VICINITY MAP

SCALE: 1" = 1,000'



PLAT TO ACCOMPANY
PETITION FOR ZONING VARIANCE
11011 BRAYLEE HOLLOW CT

LOT 3
"BRADY PROPERTY"
PLAT: 79/54

2ND ELECTION DISTRICT 4TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 50' DATE: JANUARY 5, 2015

PROPERTY INFORMATION

OWNER
PATRICK R. KLEIN &
TIFFANY M. KLEIN
11011 BRAYLEE HOLLOW COURT
OWINGS MILLS, MD 21117

TAX MAP 66 - GRID 7 - PARCEL 123 - LOT 3

ACCOUNT NO. 25-00-006633

DEED REFERENCE: 29635/167

DRAWN BY: CRC CHECKED BY: GC5 JOB No.: 13 - 046



10 GERARD AVENUE
SUITE 101
TIMONIUM, MD 21093
PHONE: (410) 252-4444
FAX: (410) 252-4493
WWW.POLARISLC.COM

LAND SURVEYING • SUBDIVISION DESIGN • COMMERCIAL SITE DESIGN • LAND USE & PLANNING

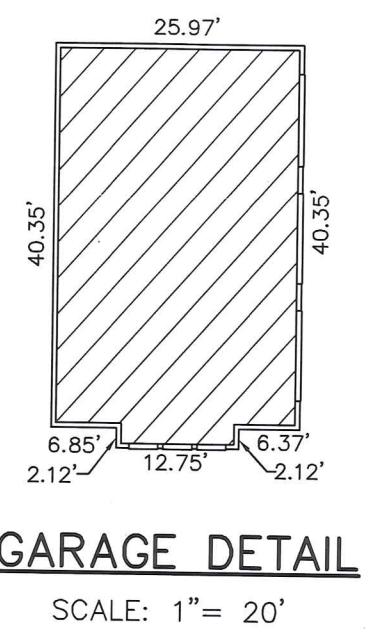


GEOFFREY C. SCHULTZ
MARYLAND REG. No. 21154
LICENSE EXPIRATION: 01/2015

2016-0056-A

3. 200 SCALE ZONING MAP NO. 066A2.

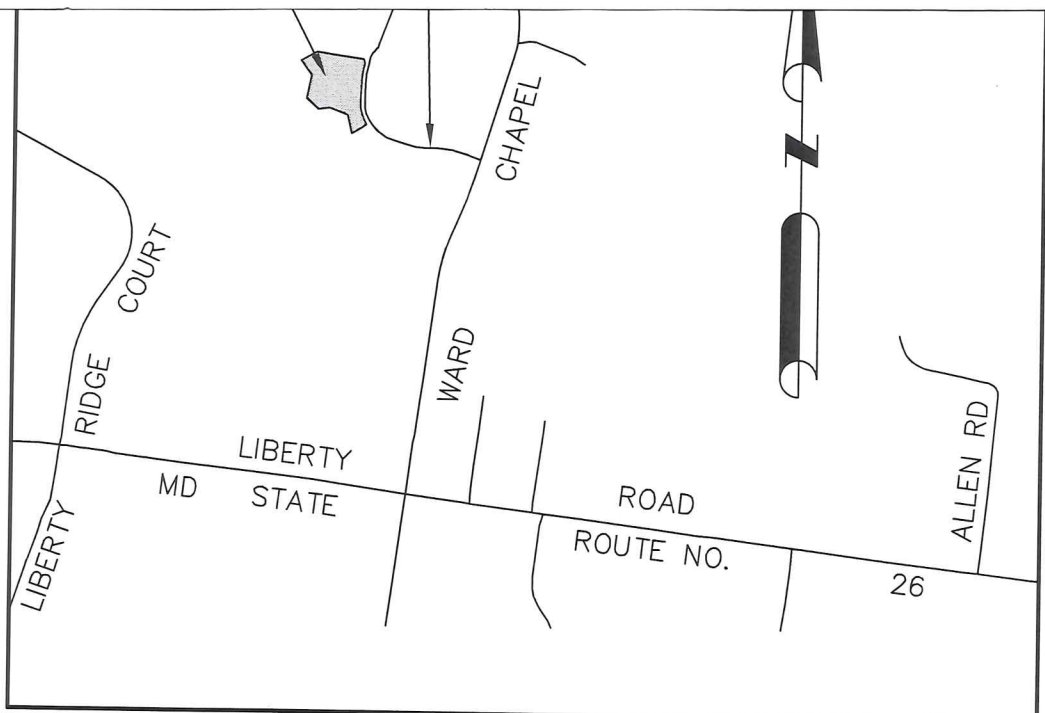
- THERE ARE NO EXISTING OR IMPENDING FAILURES OF THE BASIC SERVICES MAPS FOR THIS SITE.
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- THIS SITE IS NOT HISTORIC.



GARAGE DETAIL

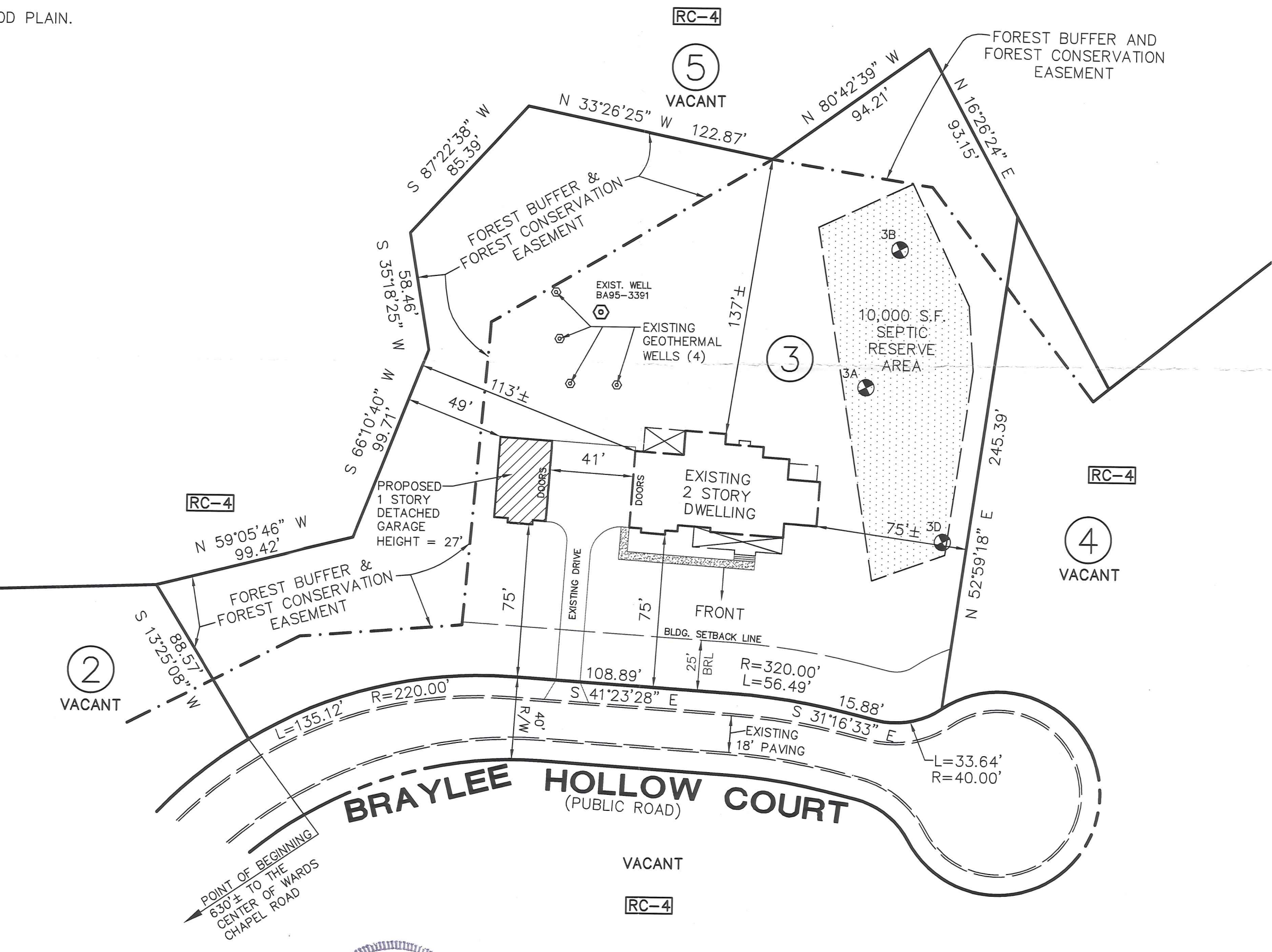
SCALE: 1" = 20'

PROTECTIVE COVENANTS, WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.



VICINITY MAP

SCALE: 1" = 1,000'



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11011 BRAYLEE HOLLOW CT

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PLAT: 79/54

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