

M E M O R A N D U M

DATE: November 27, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0073-A – Appeal Period Expired

The appeal period for the above-referenced case expired on November 25, 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 ADMIN. VARIANCE *
(1329 Brook Road)
1st Election District *
1st Council District *
Marlene K. Langdon *
Petitioner *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2016-0073-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owner of the property, Marlene K. Langdon. The Petitioner is requesting Variance relief from § 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard addition with a rear setback of 16 ft. in lieu of the required 40 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's 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 submitted from any of the county reviewing agencies.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on October 4, 2015, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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 and photographs submitted provide sufficient facts that comply with the requirements of Section 307.1

ORDER RECEIVED FOR FILING

Date 10-26-15

By [Signature]

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 Petitioner.

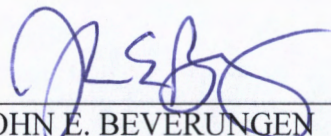
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 26th day of **October, 2015**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard addition with a rear setback of 16 ft. in lieu of the required 40 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for her appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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 10-26-15

By EDW



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 1329 Brook Rd 21228 Currently zoned DR 2
 Deed Reference 3380 / 177 10 Digit Tax Account # 01-12-001140
 Owner(s) Printed Name(s) Marlene Langdon

(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)

BCZR: 1B02.3.C.1 → To permit a rear yard addition with a rear setback of 16 feet in lieu of the required 40 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):

MARLENE K. LANGDON
 Name #1 – Type or Print Name #2 – Type or Print
Marlene K. Langdon
 Signature #1 Signature #2
1329 Brook Rd Colonsville MD
 Mailing Address City State
21228 410-744-5274 mklangdon@mail
 Zip Code Telephone # Email Address
station.com

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

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Randy Hubbard
 Name – Type or Print
Randy Hubbard
 Signature
548 Pinedale Dr Annapolis MD
 Mailing Address City State
21401 410-440-6198 RHubby@aol.
 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 B County, this day of that the subject matter of this petition be set for a public hearing, advertised, and re-post required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2016-0073-1 Filing Date 9/20/15 Estimated Posting Date 10/4/15 Reviewer

Re

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: 1329 Brook Rd Catonsville MD 21228
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)

Due to the setback requirements having been changed since the
original construction of the house and screen porch, we request a
setback variance in order to construct a single level addition to
replace the screen porch and to be continuous with the rear of the
dwelling.

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

Marlene K. Langdon
Signature of Owner (Affiant)

Signature of Owner (Affiant)

MARLENE K. LANGDON
Name- Print or Type

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 21 day of Sept, 2015, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Marlene K. Langdon

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

AS WITNESS my hand and Notaries Seal

NICOLE YVETTE SMITH
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND

My Commission Expires 02/21/2017

[Signature]
Notary Public

2/21/2017
My Commission Expires

1329 Brook Road

Property Description:

Southeast side of Brook Road (30' wide) at a distance of 123 feet southwest from the intersection of David Lee Court (30').

Being known as Lots Nos. 42, 43, 44, 45 and 46 as shown on the Plat of Ridge-Brook, which Plat is recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 7, folio 19.

Election District 1, Councilmatic District 1, containing 13, 205 square feet of area.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2016- 0073 -A Address 1329 BROOK RD (CATONSVILLE)
Contact Person: JASON SEISELMAN Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 9/22/15 Posting Date: 10/4/15 Closing Date: 10/19/15

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- 0073 -A Address 1329 BROOK RD (CATONSVILLE)
Petitioner's Name MARLENG LANGDON Telephone 410-744-5274
Posting Date: 10/4/15 Closing Date: 10/19/15
Wording for Sign: To Permit A REAR YARD ADDITION WITH A REAR SETBACK OF 16 FEET
IN LIEU OF THE REQUIRED 40 FEET.

Revised 7/18/14

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

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

For Newspaper Advertising:

Item Number or Case Number: 2016-0073

Petitioner: MARLENE LANGDON

Address or Location: 1329 BROOK RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: MARLENE LANGDON

Address: 1329 BROOK RD

CATONSVILLE MD. 21228

Telephone Number: 410-744-5274

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

No. **128740**

Date: **9/22/15**

PAID RECEIPT

BUSINESS ACTUAL TIME MIN
 9/24/2015 9/22/2015 11:04:36 1

REC WEN WALKIN LBAS LJR

RECEIPT # 613220 9/22/2015 GFLH

Post 5 320 CASHING VERIFICATION

NO. 128740

Recpt Tot \$75.00

\$75.00 - CR \$60.00 - CA

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	506	0000		650					\$ 75.00

Total: **\$ 75.00**

Rec From: **MARLENE LANGDON**

For: **2016-0073**

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 10/7/2015

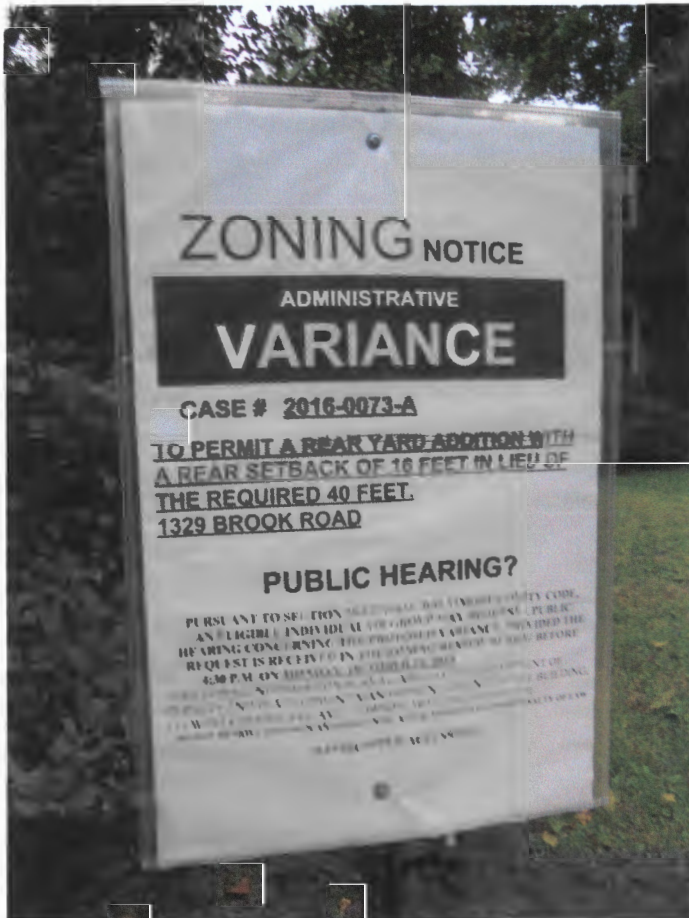
Case Number: 2016-0073-A

Petitioner / Developer: MARLENE LANGDON

Date of Hearing (Closing): OCTOBER 19, 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:
1329 BROOK ROAD

The sign(s) were posted on: OCTOBER 4, 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)

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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: 10-7-2015

SUBJECT: DEPS Comment for Zoning Item # 2016-0073-A
Address 1329 Brook Road
(Marlene K. Langdon)

Zoning Advisory Committee Meeting of 09-28-2015.

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

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>10-2</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
<u>10-7</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>9-3</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: <u>10-4-15</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 (w4)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 01 Account Number - 0112001140			
Owner Information					
Owner Name:		LANGDON MARLENE K		Use:	RESIDENTIAL
Mailing Address:		1329 BROOK RD BALTIMORE MD 21228-5705		Principal Residence:	YES
				Deed Reference:	/22593/ 00732
Location & Structure Information					
Premises Address:		1329 BROOK RD 0-0000		Legal Description:	LTS 42.43 1329 BROOK RD RIDGEBROOK
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0101	0013	1177		0000	42 2016 0007/0019
Special Tax Areas:				Town: Ad Valorem: Tax Class:	NONE
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area	Property Land Area
1948		960 SF			4,692 SF
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	YES	STANDARD UNIT	SIDING	1 full	
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of 01/01/2013	As of 07/01/2015	As of 07/01/2016
Land:		116,600	116,600		
Improvements		87,600	87,600		
Total:		204,200	204,200	204,200	
Preferential Land:		0			
Transfer Information					
Seller: LANGDON DEL			Date: 09/23/2005	Price: \$0	
Type: NON-ARMS LENGTH OTHER			Deed1: /22593/ 00732	Deed2:	
Seller: MANGER WALTER C			Date: 07/11/1958	Price: \$0	
Type: NON-ARMS LENGTH OTHER			Deed1: /03380/ 00177	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 12/31/2012					

Baltimore County[New Search \(http://sdat.dat.maryland.gov/RealProperty\)](http://sdat.dat.maryland.gov/RealProperty)District: **01** Account Number: **0112001140****A map was not found for this property.**

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>).

Debra Wiley

From: Debra Wiley
Sent: Wednesday, October 21, 2015 1:10 PM
To: June Wisnom
Subject: Admin. Variances -Closed 10/19

Hi June,

Case No. 2016-0073-A is missing all 3 site plans

Case No. 2016-0074-A is missing the posting

Thanks.

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

✓ Rec'd copy from June via email 10-21

BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

OCT 07 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: 10-7-2015

SUBJECT: DEPS Comment for Zoning Item # 2016-0073-A
Address 1329 Brook Road
(Marlene K. Langdon)

Zoning Advisory Committee Meeting of 09-28-2015.

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



KEVIN KAMENETZ
County Executive

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

October 20, 2015

Marlene K Langdon
1329 Brook Road
Catonsville MD 21228

RE: Case Number: 2016-0073 A, Address: 1329 Brook Road

Dear Ms. Langdon:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 22, 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
Randy Hubbard, 548 Pinedale Drive, Annapolis MD 21401

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



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 9/30/15

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

RE: Baltimore County
Item No. 2016-0073-A
Administrative Variance
Marlene K. Langdon
1324 Brook 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. 2016-0073-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 – District 4
Baltimore & Harford Counties

DWP/RAZ

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 2, 2015

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

SUBJECT: Zoning Advisory Committee Meeting
For October 5, 2015
Item No. 2016-0071, 0073, 0074, 0075 and 0076

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\ZAC10052015.doc

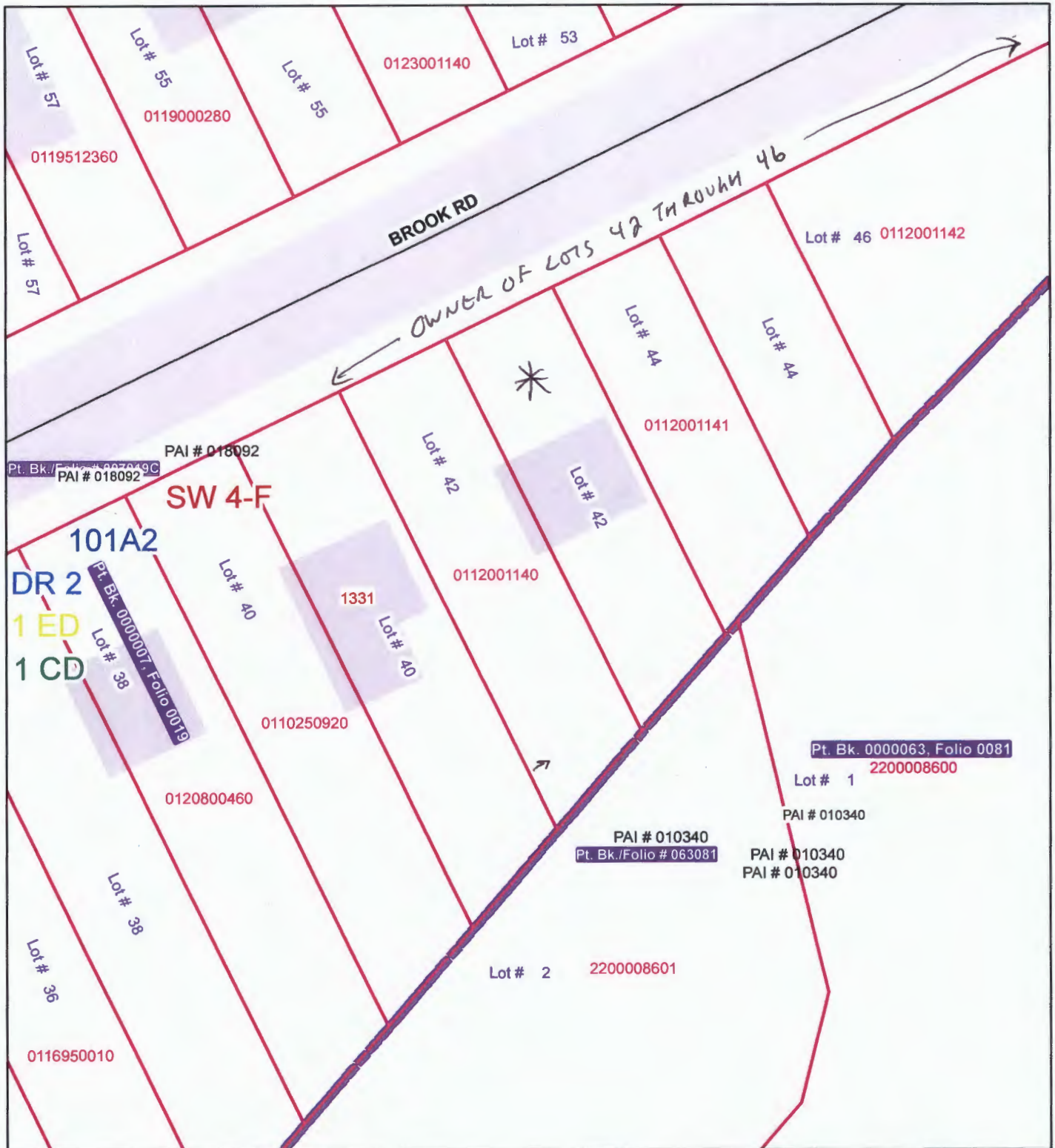
REAR PORCH TO
BE REMOVED







1329 Brook Road



Publication Date: 9/11/2015



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



0 5 10 20 30 40
 Feet

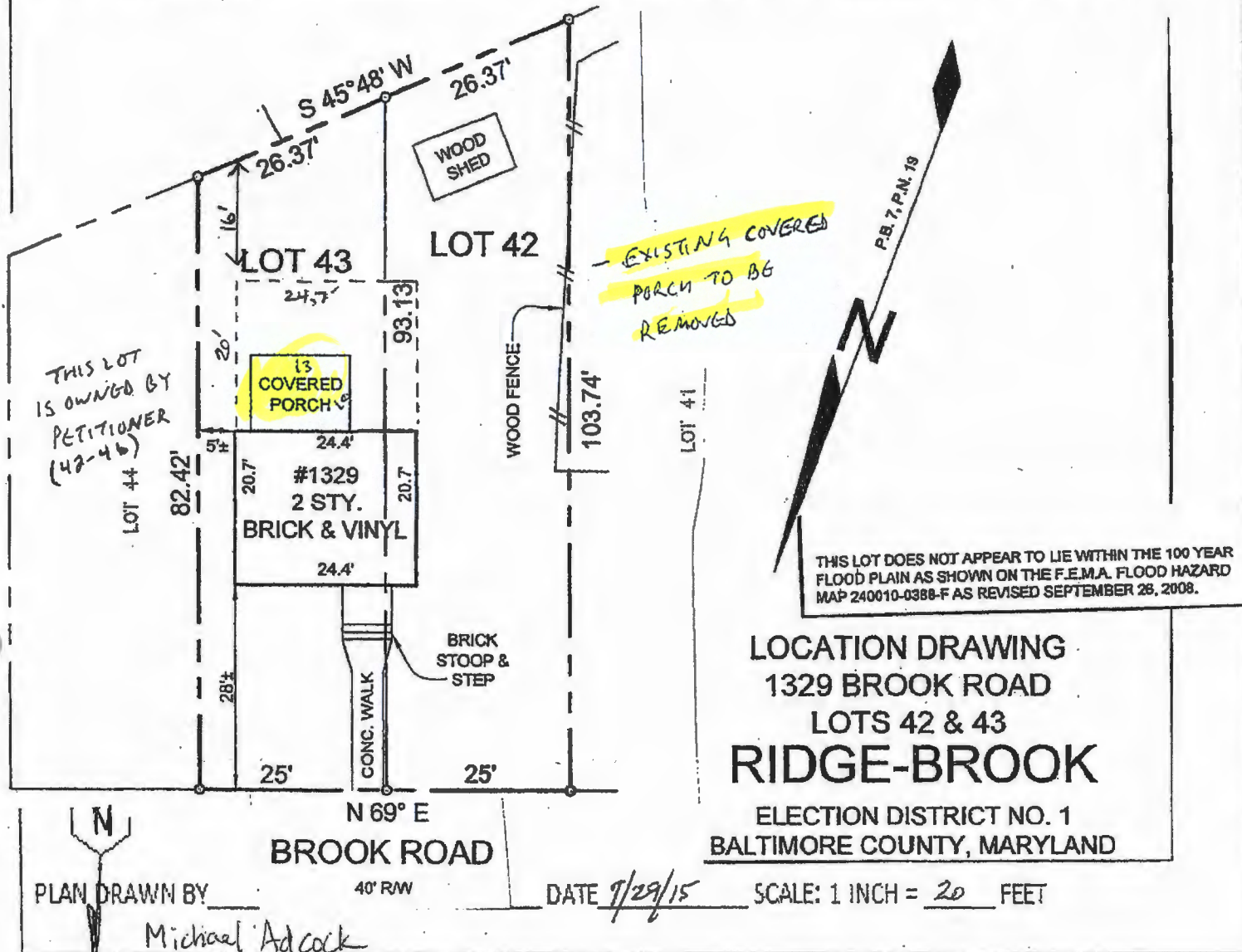
1 inch = 30 feet

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

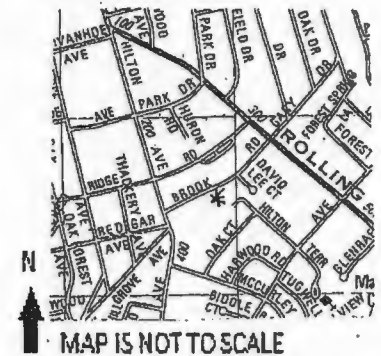
ADDRESS 1329 Brook Rd OWNER(S) NAME(S) Marlene K. Langdon

SUBDIVISION NAME Ridge-Brook LOT # 42-46 BLOCK # N/A SECTION # N/A

PLAT BOOK # 000 000 FOLIO # 0019 10 DIGIT TAX # 01 1200 1140 DEED REF. # 3380 / 197



SITE VICINITY MAP



ZONING MAP# 101A2
SITE ZONED DR2
ELECTION DISTRICT 1ED
COUNCIL DISTRICT 1CD
LOT AREA ACREAGE _____
OR SQUARE FEET 13,205
HISTORIC? No
IN CBCA? No
IN FLOOD PLAIN? No
UTILITIES? MARK WITH X
WATER IS:
PUBLIC X PRIVATE _____
SEWER IS:
PUBLIC X PRIVATE _____
PRIOR HEARING? No
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

2016-0073-A

Pet. Exh. 1