

M E M O R A N D U M

DATE: January 8, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0125-A- Appeal Period Expired

The appeal period for the above-referenced case expired on January 7, 2016. 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 *
(19121 Falls Road)
5th Election District *
3rd Council District *
Frank D. & Cynthia S. Young *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2016-0125-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, Frank D. and Cynthia S. Young. The Petitioners are requesting variance relief from § 1A09.7.C.2.e of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (garage) to be located in the front and side yard in lieu of the required side or rear yard of any principal use. 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. The Department of Environmental Protection and Sustainability (DEPS) submitted a comment dated December 3, 2015, indicating that any future building permits (such as for a proposed detached garage) must be reviewed by Ground Water Management prior to building permit approval.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on November 22, 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

ORDER RECEIVED FOR FILING

Date 12-8-15

By [Signature]

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 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.

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 8th day of **December, 2015**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1A09.7.C.2.e of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (garage) to be located in the front and side yard in lieu of the required side or rear yard of any principal use, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners or subsequent owners shall not convert the accessory structure (garage) into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
3. The accessory structure (garage) shall not be used for commercial purposes.
4. Petitioners must comply with the comments submitted by DEPS dated December 3, 2015; a copy of which is attached hereto and made a part thereof.

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Date 12-8-15

By [Signature]

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 12-8-15

By bw



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

December 8, 2015

Frank D. and Cynthia S. Young
19121 Falls Road
Hampstead, Maryland 21074

RE: Petition for Administrative Variance
Case No. 2016-0125-A
Property: 19121 Falls Road

Dear Mr. and Mrs. Young:

Enclosed please find a copy of the Order rendered in the above-captioned matter

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", with a long, sweeping horizontal line extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: David Forsythe, P.O. Box 330, Abbottstown, PA 17301

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>11-23</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
<u>12-3</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>11-24</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 15 days Date: 11-22-15 by PisonPEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

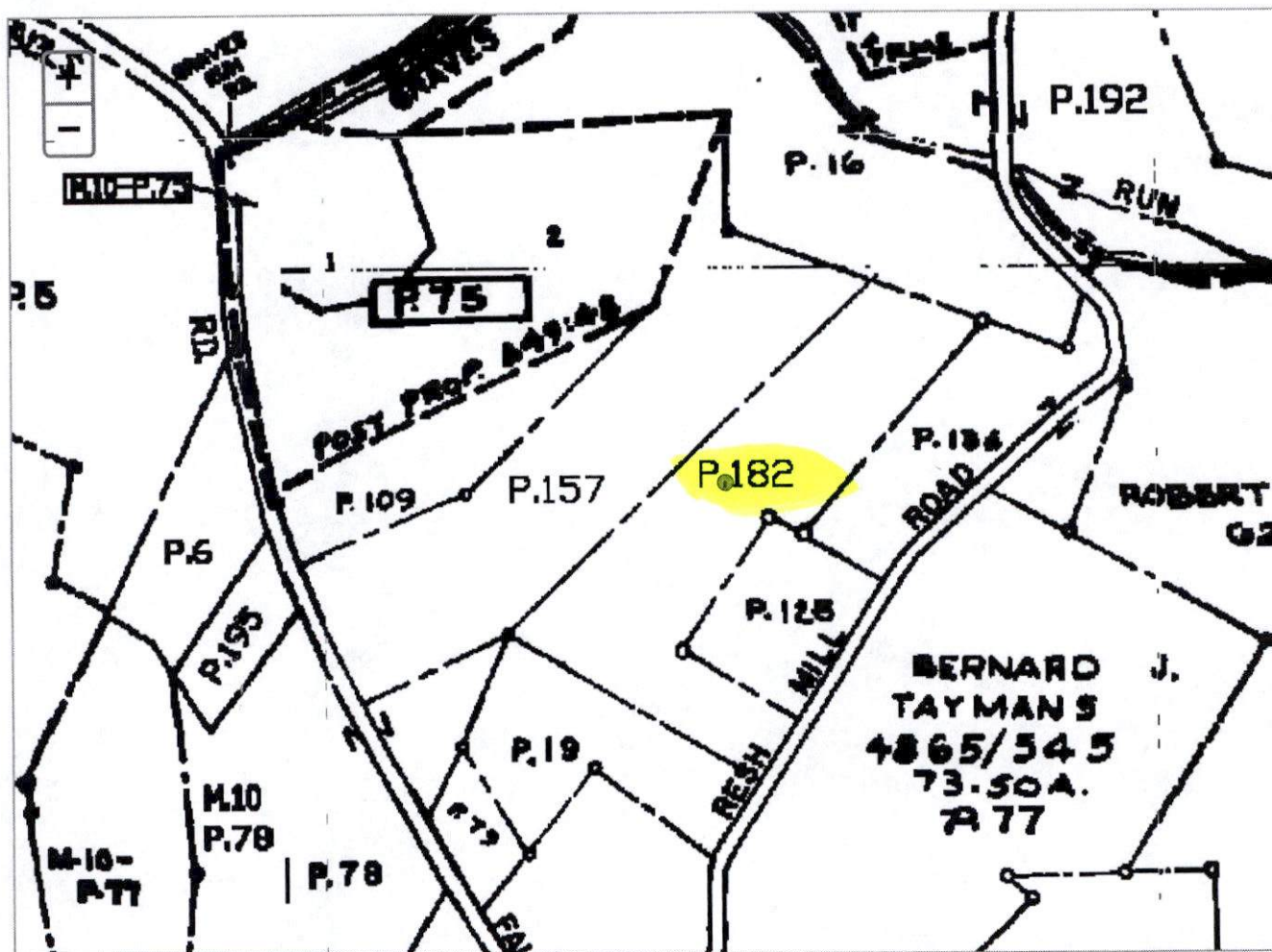
Real Property Data Search (w4)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration					
Account Identifier:		District - 05 Account Number - 2200015191									
Owner Information											
Owner Name:		YOUNG FRANK D YOUNG CYNTHIA S				Use:		RESIDENTIAL			
Mailing Address:		19121 FALLS RD HAMPSTEAD MD 21074				Principal Residence:		YES			
						Deed Reference:		/35024/ 00427			
Location & Structure Information											
Premises Address:		19121 FALLS RD HAMPSTEAD 21074-				Legal Description:		9.3646 AC 19121 FALLS RD ES JOSEPH TAYMANS PROP			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	MS	
0010	0019	0182		0000			2	2014		Plat Ref:	0001/0038
Special Tax Areas:						Town:		NONE			
						Ad Valorem:					
						Tax Class:					
Primary Structure Built		Above Grade Enclosed Area			Finished Basement Area		Property Land Area		County Use		
1985		1,040 SF					9.4000 AC		04		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation					
1	YES	STANDARD UNIT	FRAME	1 full							
Value Information											
			Base Value		Value		Phase-in Assessments				
					As of		As of		As of		
					01/01/2014		07/01/2015		07/01/2016		
Land:			109,700		98,700						
Improvements			91,900		86,900						
Total:			201,600		185,600		185,600		185,600		
Preferential Land:			0						0		
Transfer Information											
Seller: TAYMANS PATRICIA A				Date: 06/02/2014				Price: \$360,000			
Type: NON-ARMS LENGTH OTHER				Deed1: /35024/ 00427				Deed2:			
Seller: TURNER ROBERT B				Date: 05/12/1994				Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /10525/ 00420				Deed2:			
Seller: TAYMANS JOSEPH P				Date: 02/12/1993				Price: \$100,000			
Type: ARMS LENGTH IMPROVED				Deed1: /09601/ 00738				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:				FCMA PENALTY							
Homestead Application Information											
Homestead Application Status: Approved 03/20/2015											

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **05** Account Number: **2200015191**

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>).



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 19121 FALLS RD. HAMPSTEAD MD Currently zoned RC-8
 Deed Reference 1 10 Digit Tax Account # 22 060 15 19 1
 Owner(s) Printed Name(s) DAVID & CYNTHIA YOUNG

(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) 1A09.7.C.2.e BCZR
TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) TO BE LOCATED IN THE FRONT
AND SIDE YARD IN LIEU OF THE REQUIRED SIDE OR REAR YARD OR
ANY PRINCIPAL USE
 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):

DAVID YOUNG / CYNTHIA YOUNG
 Name #1 - Type or Print Name #2 - Type or Print
David Young / Cynthia Young
 Signature #1 Signature #2
19121 FALLS RD HAMPSTEAD MD
 Mailing Address City State
21074 / 410 371 0265 /
 Zip Code Telephone # Email Address

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

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

Representative to be contacted:

DAVID FORSYTHE
 Name - Type or Print
David Forsythe
 Signature
P.O. Box 330 ABBOTSTOWN PA
 Mailing Address City State
17301 / 717 624 4800 /
 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 12 day of August, 2015 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 2016-0125-A Filing Date 11/13/15 Estimated Posting Date 11/22/15 Reviewer JP

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: 19121 FALLS RD. HAMPSTEAD MD 21074
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)

THE EXISTING WELL IS LOCATED BETWEEN THE EXISTING BARN AND EXISTING HOUSE ON THE BACK SIDE LINE OF THE EXISTING HOUSE. THIS WON'T ALLOW THE GARAGE TO BE PLACED ON THE BACK OR REAR OF THE HOUSE. WE LOOKED INTO CONVERTING THE EXISTING BARN INTO A GARAGE BUT AGAIN THE WELL LOCATION IS TO CLOSE FOR SAFE PULL IN AND EXITING OF CAR OR TRUCK.

THIS REQUEST IS TO PLACE A NEW 24'x36' LONG GARAGE ON THE WEST SIDE OF THE EXISTING HOUSE, ACROSS THE DRIVEWAY 38' TO THE FRONT OF THE PROPOSED GARAGE. IT WOULD BE PARTIALLY IN FRONT OF THE HOUSE BY 12'. THIS IS THE EXISTING STONE PARKING PAD WHICH ALLOWS ACCESS CLOSE TO THE FRONT DOOR WITH ONLY ONE STEP UP BEHIND THE DOOR. ALSO NO TREES NEED TO BE REMOVED AND DRIVEWAY STONE IS ALREADY IN PLACE.

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

Frank D Young
Signature of Owner (Affiant)
FRANK DYONG
Name- Print or Type

Cynthia S Young
Signature of Owner (Affiant)
CYNTHIA S YOUNG
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 5th day of November 2015, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Frank David Young, and Cynthia Susan Young
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

Sandra Patterson
Notary Public
4-11-2019
My Commission Expires



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 19121 FALLS RD HAMPSHIRE MD Currently zoned RC-8
 Deed Reference 1 10 Digit Tax Account # 2200015191
 Owner(s) Printed Name(s) DAVID & CYNTHIA YOUNG

(SELECT THE HEARING(S) BY MARKING ☒ 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. ☒ ADMINISTRATIVE VARIANCE from Section(s) 1009.7. C-2. C BCZR
TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) TO BE LOCATED IN THE
FRONT AND SIDE YARD IN LIEU OF THE REQUIRED SIDE OR REAR YARD
OF ANY PRINCIPAL USE
 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):

DAVID YOUNG / CYNTHIA YOUNG
 Name #1 - Type or Print Name #2 - Type or Print
[Signature] [Signature]
 Signature #1 Signature #2
19121 FALLS RD. HAMPSHIRE MD.
 Mailing Address City State
21074 / 410 371 0265 /
 Zip Code Telephone # Email Address

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

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

Representative to be contacted:

DAVID FORSYTHE
 Name - Type or Print
[Signature]
 Signature
PO. BOX 330 ABBOTSTOWN PA
 Mailing Address City State
17301 / 717 624-4800 /
 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 2016-0125-A Filing Date 11/13/15 Estimated Posting Date 11/24/15 Reviewer JF

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.

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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)

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

Frank D. Young
Signature of Owner (Affiant)
FRANK D. YOUNG
Name- Print or Type

Cynthia Young
Signature of Owner (Affiant)
CYNTHIA YOUNG
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 5th day of November 2015, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Frank David Young and Cynthia Susan Young
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

Sandra Padgett
Notary Public

My Commission Expires

4-11-2019

19121 FALLS RD.
SHE-O.
C-3
9.4 ACRES

ZONING PROPERTY DESCRIPTION FOR 19121 FALLS RD

(address or location)

*Beginning at a point on the (EAST) side of (FALLS RD)
property fronts) which is (50) feet of right-of-way width) wide at the distance of (220)
(NORTH) of the centerline of the nearest improved intersecting street
ASH MILL RD which is (40) of right-of-way width) wide. 9.4 ACRES

ALERT!

*Be aware that the Beginning Point and the distance in feet to the street centerline intersection, as stated in the zoning property description, must be shown and labeled on the hearing plan. The lot area (total square feet or acres) on the hearing plan and the zoning description must agree.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2016- 0125 -A Address 19121 FALLS RD

Contact Person: JUN FERNANDO Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 11-13-15 Posting Date: 11-22-15 Closing Date: 12-7-15

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- 0125 -A Address 19121 FALLS RD.

Petitioner's Name DAVID YOUNG Telephone 410-371-0265

Posting Date: 11-22-15 Closing Date: 12-7-15

Wording for Sign: To Permit an accessory structure (garage) to be located
in the front and side yard in lieu of the required side or rear
yard of any principal use.

Revised 7/21/15

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: 2016-0125-A
Petitioner: DAVID YOUNG
Address or Location: 19121 FALLS RD HAMPSHIRE MD 21074

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVID YOUNG
Address: 19121 FALLS RD
HAMPSHIRE MD. 21074
Telephone Number: 410 371-0245

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

No. **128788**

Date: **11/13/15**

PAID RECEIPT

BUSINESS ACTUAL TIME DRN
 1/13/2015 11/13/2015 10:57:01 4

RE: NED4 WALKIN KENI 1213
 >> RECEIPT 9 688270 11/13/2015 GFLN
 Date 5 328 ZENING VERIFICATION
 CR NO. 128788

Receipt Tot 175.00
 175.00 CK 1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	806	0003		6150				75.00
Total:								75.00

Rec From: **HANOVER BUILDING SYSTEMS, INC.**

For: **Petition for administration Var.**
19121 Falls Rd.
Case # 2012-0125-A

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**



KEVIN KAMENETZ
County Executive

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

December 1, 2015

David & Cynthia Young
19121 Falls Road
Hampstead MD 21074

RE: Case Number: 2016-0125 A, Address: 19121 Falls Road

Dear Mr. & Ms. Young:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 13, 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 Forsythe, P O Box 330, Abbottstown PA 17301

RECEIVED

BALTIMORE COUNTY, MARYLAND

DEC 03 2015

Inter-Office Correspondence

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: December 3, 2015

SUBJECT: DEPS Comment for Zoning Item # 2016-0125-A
Address 19121 Falls Road
(Young Property)

Zoning Advisory Committee Meeting of November 30, 2015.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

Any future building permits (such as for a proposed detached garage) must be reviewed by Ground Water Management prior to building permit approval.

Reviewer: Dan Esser – Groundwater Management (GWM)

ORDER RECEIVED FOR FILING

Date 12-8-15

By DW

RECEIVED

DEC 03 2015

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

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: December 3, 2015

SUBJECT: DEPS Comment for Zoning Item # 2016-0125-A
Address 19121 Falls Road
(Young Property)

Zoning Advisory Committee Meeting of November 30, 2015.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

Any future building permits (such as for a proposed detached garage) must be reviewed by Ground Water Management prior to building permit approval.

Reviewer: *Dan Esser – Groundwater Management (GWM)*

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



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

Date: 11/24/15

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2016-0125-A
Administrative Variance
David & Cynthia Young
19121 Falls Road
MD 25

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 11/24/15. A field inspection and internal review reveals that an entrance onto MD 25 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2016-0125-A.

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

Sincerely,

A handwritten signature in black ink, appearing to read "David W. Peake".
David W. Peake
Metropolitan District Engineer
Baltimore & Harford Counties

DWP/RAZ

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll-Free

Street Address: 320 West Warren Road • Hunt Valley, Maryland 21030 • Phone 410-229-2300 or 1-866-998-0367 • Fax 301-527-4690

www.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: November 23, 2015

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 30, 2015
Item No. 2016-0121, 0124, 0125 and 0128

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

DAK
cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC11232015.doc

CERTIFICATE OF POSTING

Date: 11/22/15

RE: Case Number: 2016-0125-A

Petitioner/Developer: David Young

Date of Hearing/Closing: 12-7-15

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 19121 Falls Rd

The signs(s) were posted on 11/22/15
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

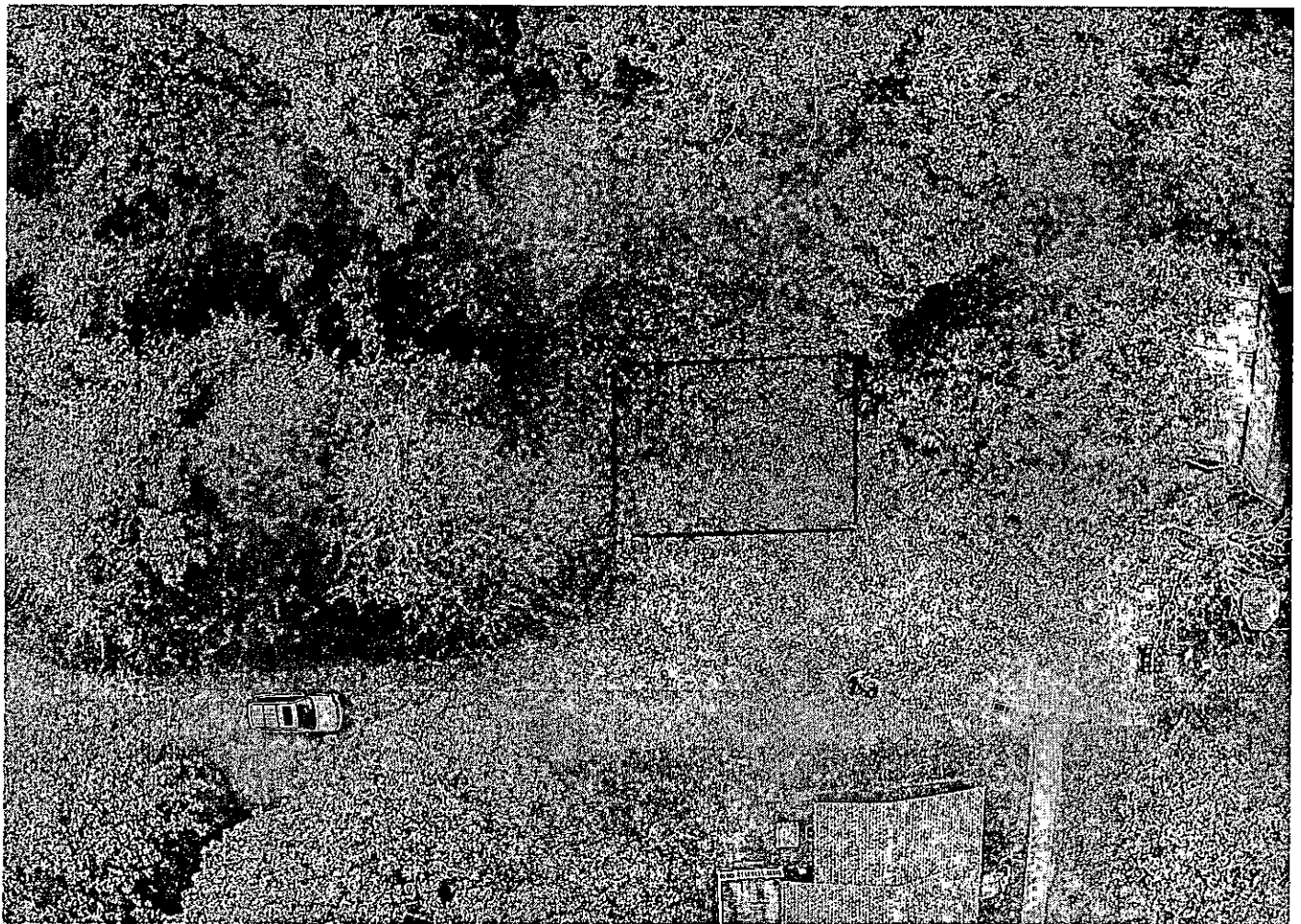
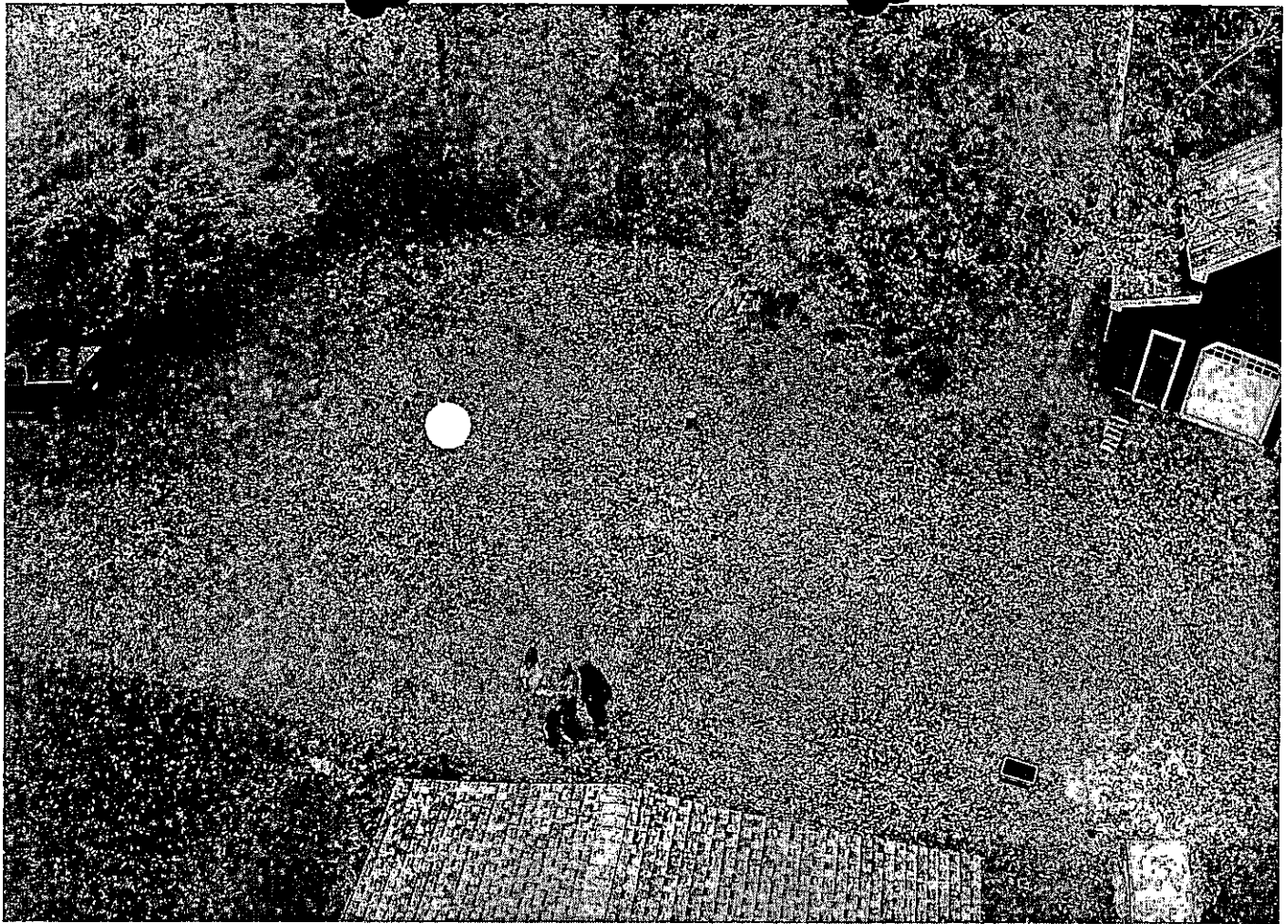
ZONING NOTICE

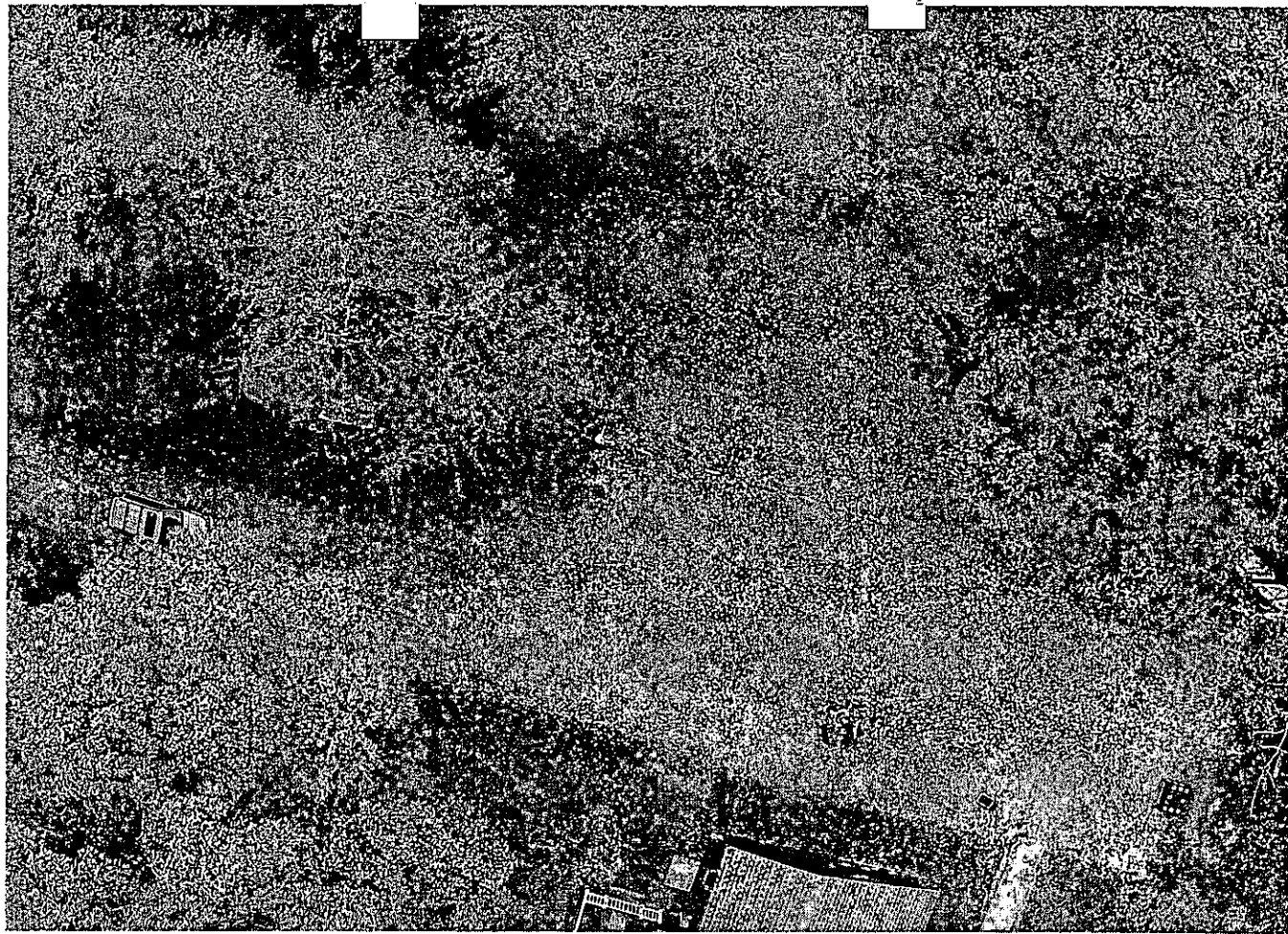
ADMINISTRATIVE VARIANCE

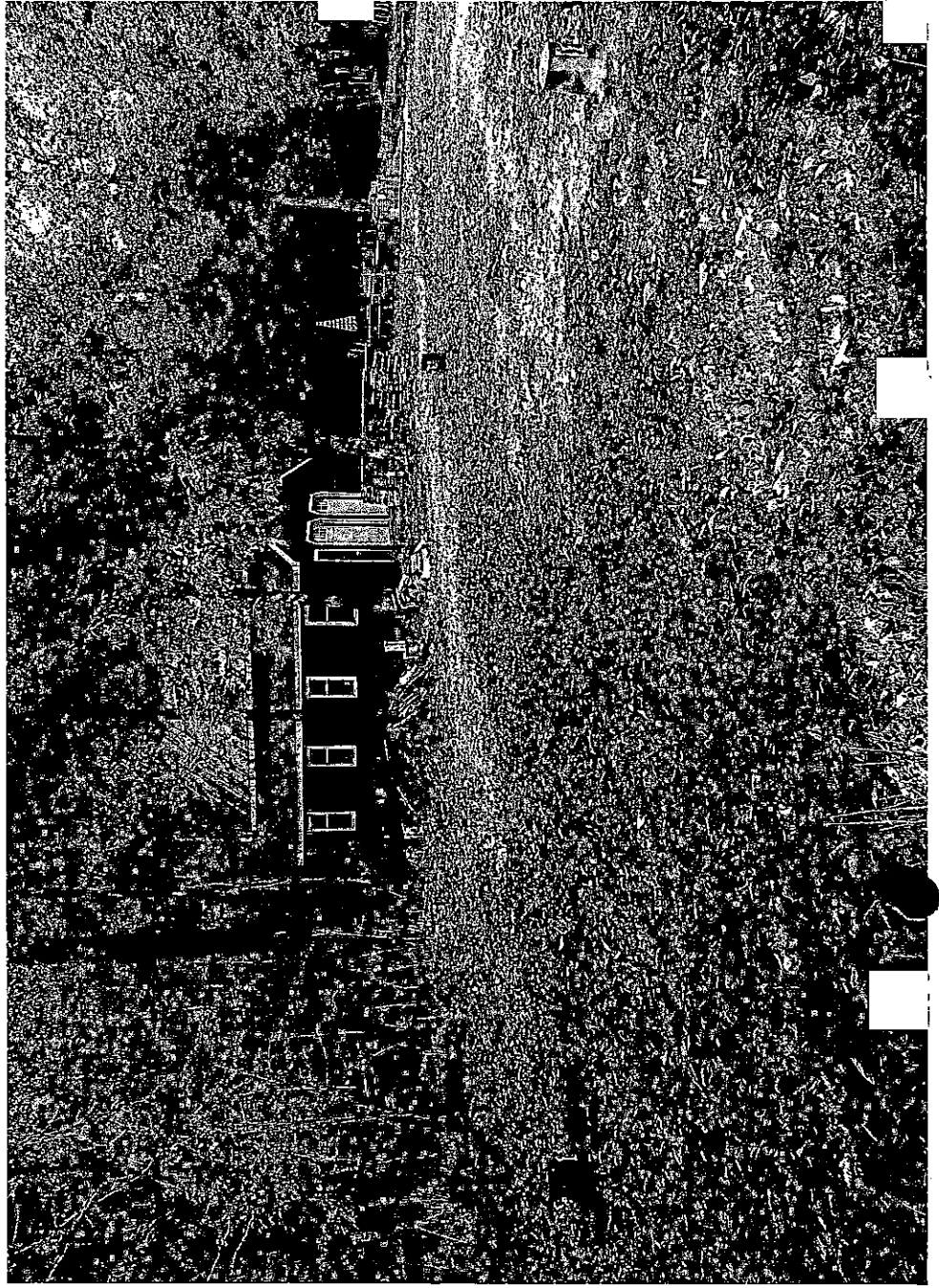
CASE # 2016-0125-A
TO PERMIT AN ACCESSORY STRUCTURE
(GARAGE) TO BE LOCATED IN THE FRONT AND
SIDE YARD IN LIEU OF THE REQUIRED SIDE
OR REAR YARD OF ANY PRINCIPAL USE

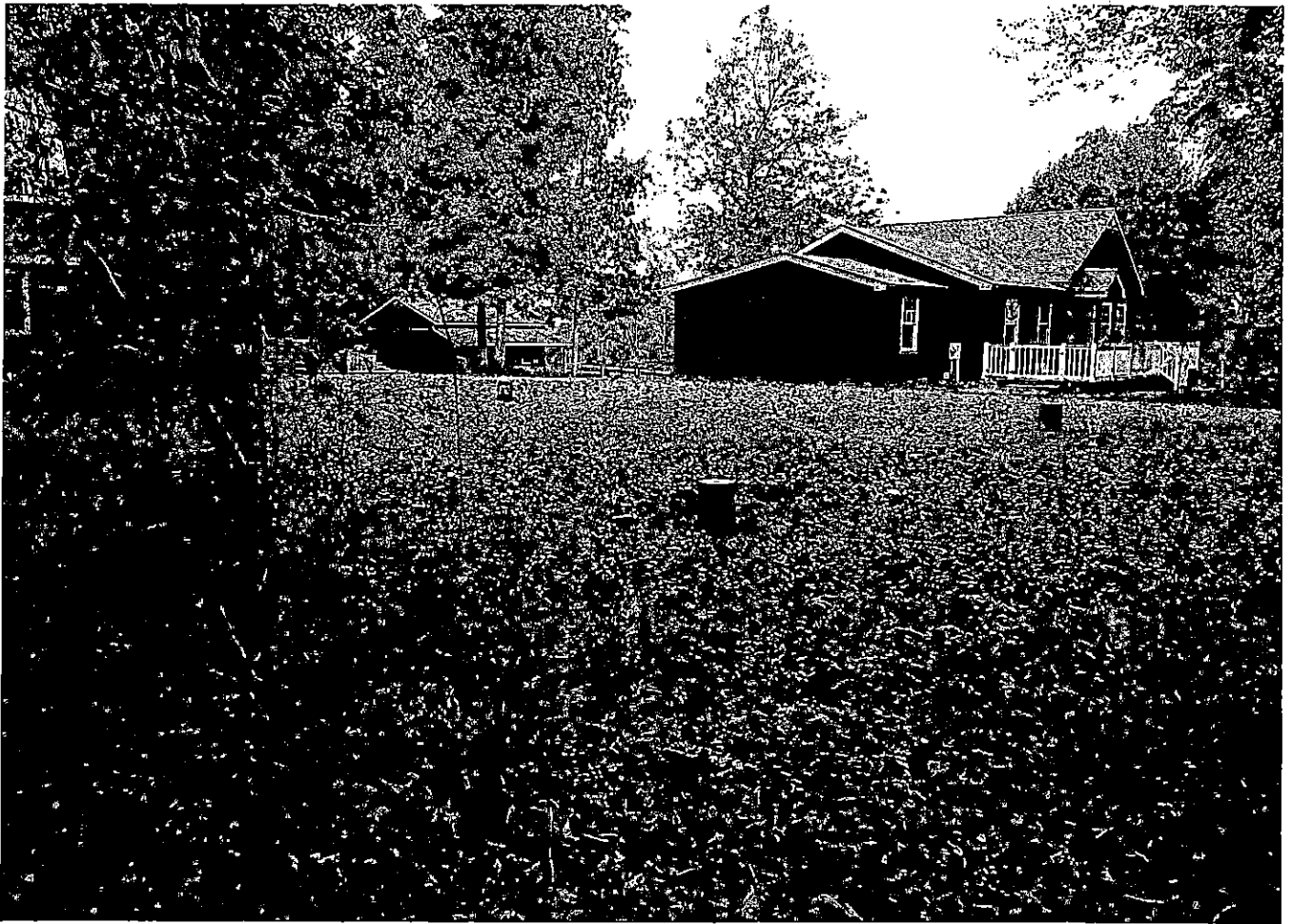
PUBLIC HEARING ?

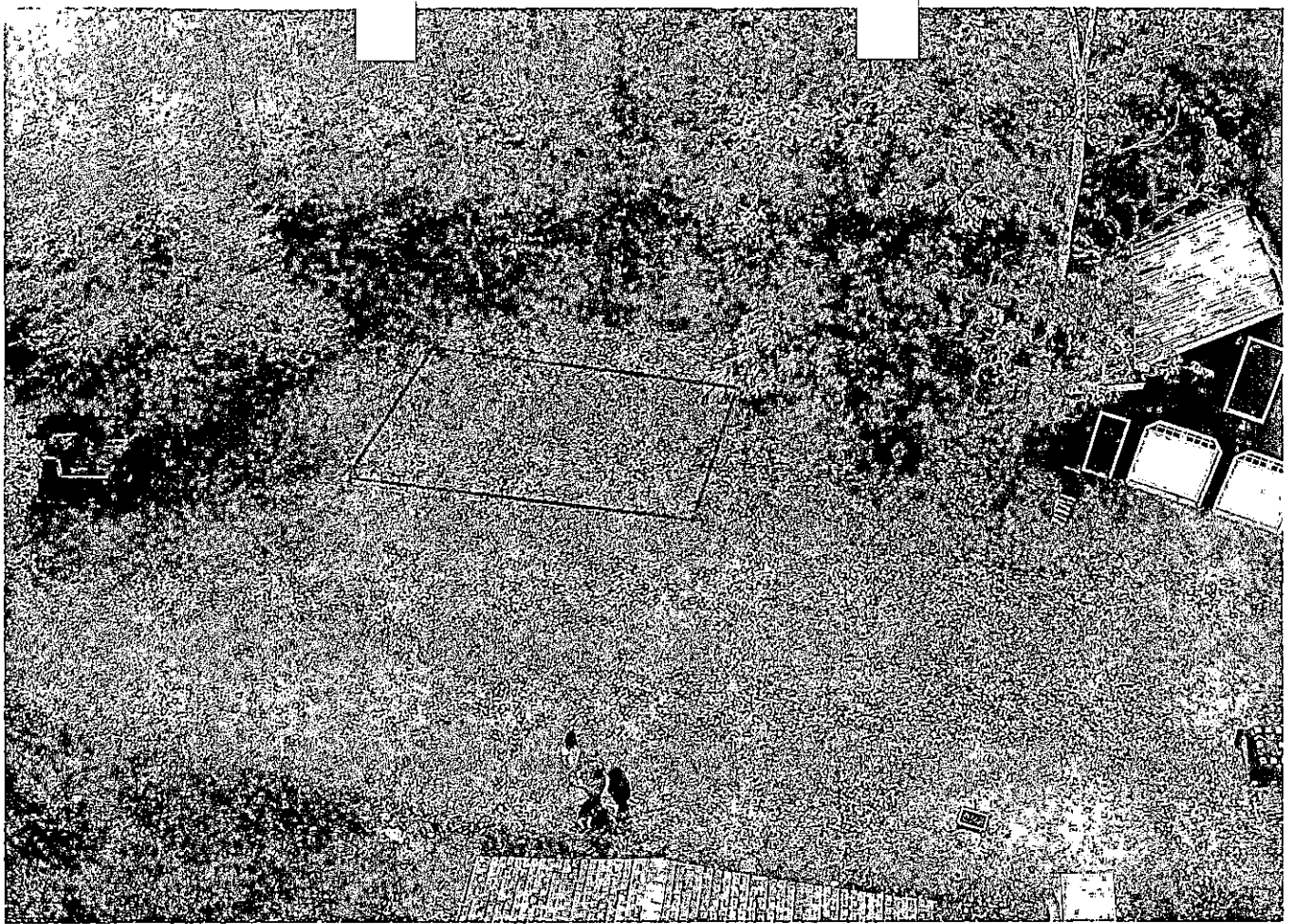
PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
5:00 P.M. ON 12/7/16
ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
131 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-2500
DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER APPROVAL

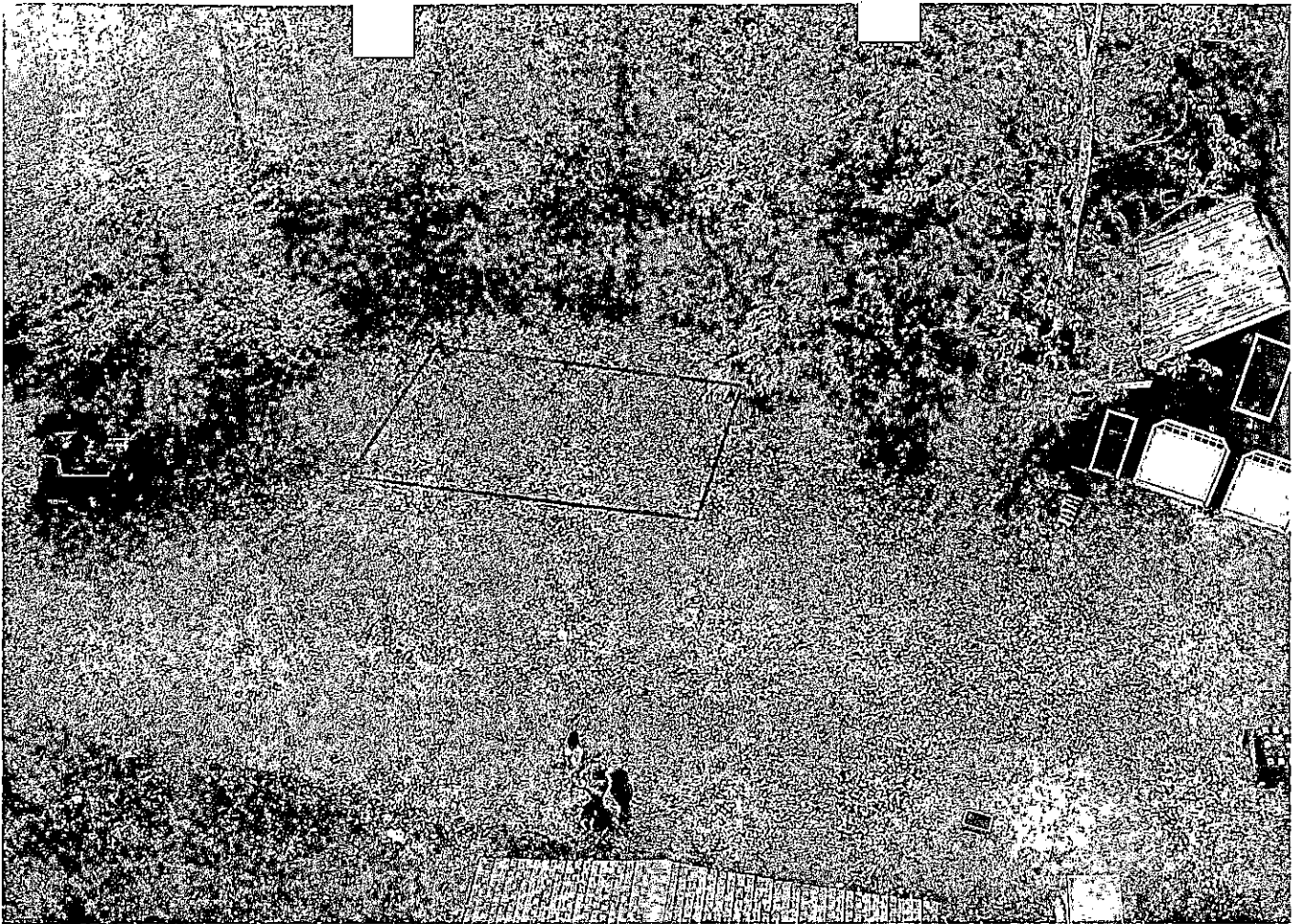


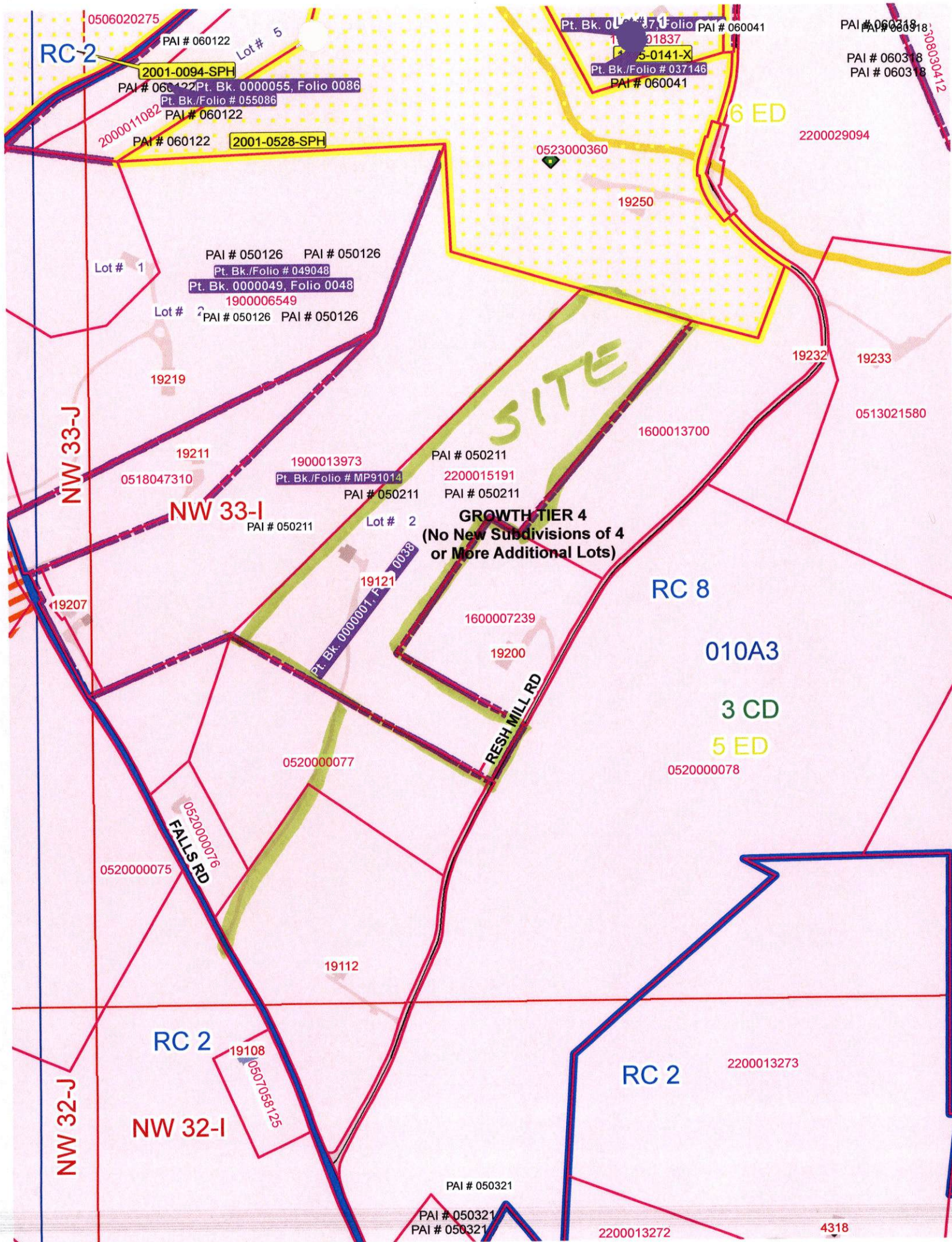


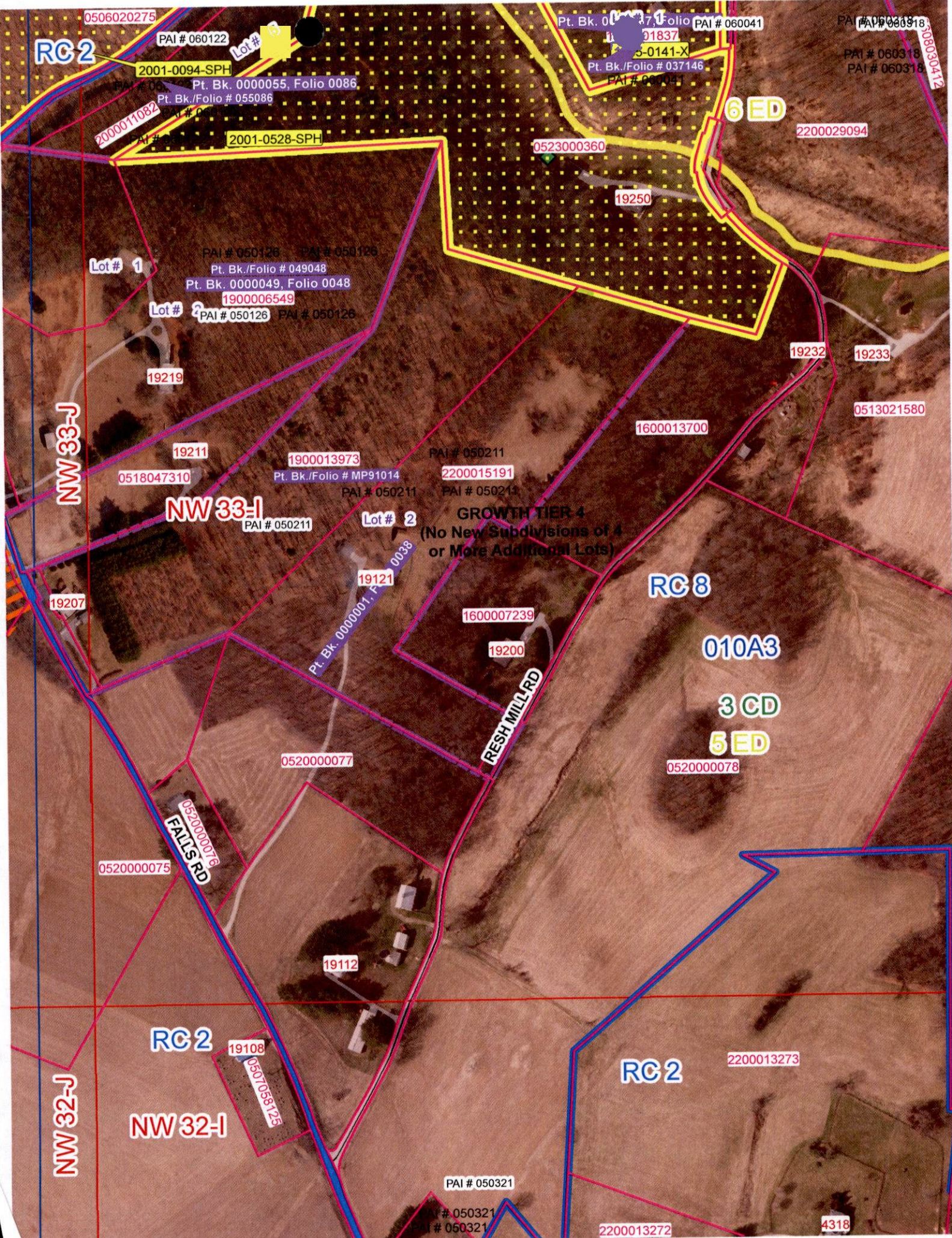












RC2

PAI # 060122

Lot # 3

2001-0094-SPH

Pt. Bk. 0000055, Folio 0086

Pt. Bk./Folio # 055086

2000011082

2001-0528-SPH

Pt. Bk. 0000037, Folio 01837

PAI # 060041

PAI # 060318

PAI # 060318
PAI # 060318

2200029094

0523000360

19250

Lot # 1

PAI # 050126 PAI # 050126

Pt. Bk./Folio # 049048

Pt. Bk. 0000049, Folio 0048

1900006549

Lot # 2

PAI # 050126 PAI # 050126

19219

19211

0518047310

1900013973

Pt. Bk./Folio # MP91014

PAI # 050211 PAI # 050211

PAI # 050211

2200015191

PAI # 050211

Lot # 2

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

19121

1600007239

19200

RC8

010A3

3 CD

5 ED

0520000078

0520000077

FALLS RD

0520000075

19112

RC2

19108

0501058125

NW 32-I

RC2

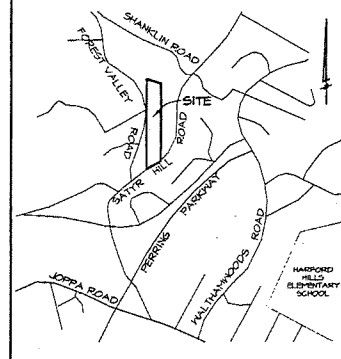
2200013273

PAI # 050321

PAI # 050321
PAI # 050321

2200013272

4318



VICINITY MAP
Scale: 1"=2000'

GENERAL NOTES

- Highway and highway widening, slope easements, drainage and utility easements, access easements, forest buffer or forest conservation areas in fee or easement, driveway areas in fee or easement, and storm water management areas, no matter how entitled, shown hereon, are reserved unto the owner and, except for those indicated as private, are hereby offered for dedication to Baltimore County, Maryland. The owner, his personal representatives and assigns, shall convey said areas, by deed to Baltimore County, Maryland, at no cost, until such time as said conveyance is accepted by Baltimore County. The owner authorizes Baltimore County, its agents and assigns, the right to enter upon the property for the purpose of installing, constructing, maintaining and repairing roads, utility lines and facilities, and storm water management ponds and facilities.
- Streets and/or roads shown hereon and mentioned in deeds are for purposes of description only, and the same are not intended to be dedicated to public use; the fee simple title to the beds thereof is expressly reserved in the grantors of the deed to which this plat is attached, their heirs and assigns.
- This plat may expire in accordance with the provisions of the Baltimore County Code, Section 26-216.
- The recording of this plat does not guarantee the installation of streets or utilities by Baltimore County.
- The information shown hereon may be superseded by a subsequent or amended plat.
- Additional information concerning this plat may be obtained from the Baltimore County Office of Permits and Development Management and the Department of Public Works.
- The recording of this plat does not constitute or imply acceptance by the County of any street, easement, park, open space or other public area shown on the plat.
- The owner/developer will comply with the best management practices adopted by the Baltimore County Department of Environmental Protection and Resource Management.
- The plan for the property shown on this plat was approved on June 5, 2002.
- The approval of this plat is based on a reasonable expectation that the sewer service which is planned for development will be available when needed. However, building permits may not be issued until the planned sewer facilities are completed and determined to be adequate to serve the proposed development.
- Except as otherwise indicated, all building restriction lines shown hereon have been placed on the result of an interpretation only of currently applicable regulations and policies of the Baltimore County Office of Planning and Zoning. Exceptions to these restrictions may apply.

DENSITY CALCULATIONS

GROSS AREA	4.1 AC.±
GROSS AREA IN D.R. 3.5	4.0 AC.±
DENSITY UNITS PERMITTED IN D.R. 3.5	3.5 x 4.0 = 14
DENSITY UNITS PROPOSED IN D.R. 3.5	11
GROSS AREA IN D.R. 5.5	0.1 AC.±
DENSITY UNITS PERMITTED IN D.R. 5.5	5.5 x 0.1 = 0.55
DENSITY UNITS PROPOSED IN D.R. 5.5	0
TOTAL LOTS PERMITTED	14
TOTAL LOTS PROPOSED	11
TOTAL DENSITY UNITS PERMITTED BY THIS PLAN	14
TOTAL DENSITY UNITS PROPOSED BY THIS PLAN	11

PLAT RECORD	15.00
TOTAL	15.00
DATE	10/15/02
BY	10/15/02

75
75-21

FOREST CONSERVATION EASEMENT NOTES

- THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
- ANY FOREST CONSERVATION EASEMENT SHOWN HEREON IS SUBJECT TO THE PROTECTIVE COVENANTS WHICH MAY BE FOUND AMONG THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
- THE REQUIRED ACRES OF REFORESTATION SHALL BE ADDRESSED THROUGH THE PURCHASE OF PLANTING CREDIT FROM A DEPRA APPROVED FOREST BANK.

D.R. 3.5 BUILDING SETBACKS

FROM FRONT BUILDING FACE TO PUBLIC STREET RIGHT OF WAY OR PROPERTY LINE	25'
FROM SIDE BUILDING FACE TO SIDE BUILDING FACE	16'00" HIGH 20'00" HIGH
PUBLIC STREET RIGHT OF WAY PAVING OF A PRIVATE ROAD TRACT BOUNDARY	15'
FROM REAR BUILDING FACE TO REAR PROPERTY LINE	30'
PUBLIC STREET RIGHT OF WAY	30'

COORDINATE TABLE

POINT	NORTH	EAST
50	634,010.24	1,440,044.34
51	634,051.71	1,440,111.63
54	633,726.72	1,440,074.26
55	633,024.67	1,440,041.42
56	633,045.11	1,440,036.63
57	633,006.64	1,440,021.25
58	633,111.81	1,440,016.10
59	633,121.87	1,440,013.01

PMA Completed 10-27-02
Final Plat:
PDM 10-27-02
Dev. Design R.D. Family 10/16/02
Dev. Engineer R.W.B. 9/17/02
Street, Numbering 7/30/02
Rec & Parks 9/1/02
Land Acquisition 7/1/02
Assessments 10/1/02

APPROVED FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
James L. Johnson, Deputy 10/15/02
DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
DATE
APPROVED BY THE DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT PURSUANT TO SECTION 26-216(c), BALTIMORE COUNTY CODE
Donell T. Rouse 10-11-02
DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT
DATE

NOTE: COORDINATES AND BEARINGS shown on this plat are referred to the Maryland Coordinate System and are based on the following traverse stations:
B.C.D. #457 N 628, 946.91 E 1,440, 236.32
G.I.S. #26 N 637, 542.19 E 1,445, 589.23

OWNER/DEVELOPER

OWNER
E. BRUCE STUART, JR.
8420 SATYR HILL ROAD
BALTIMORE, MARYLAND 21234
PHONE: (410)-668-0350
OWNER/DEVELOPER
FOSTER COMMUNITIES OF MD, INC.
1121 MAIDEN CHOICE LANE
BALTIMORE, MARYLAND 21224
PHONE: (410)-242-1017

OWNER'S CERTIFICATE

The undersigned, Owner of the land shown on this Plat, hereby certifies that to the best of his knowledge, the requirement of Subsection (c) of Section 3-106 of the Real Property Article of the Annotated Code of Maryland has been complied with insofar as same concerns the recording of this Plat and setting of the markers.
By: E. Bruce Stuart, Jr. 7/11/02
DATE

SURVEYOR'S CERTIFICATION

The undersigned, a registered Professional Land Surveyor of the State of Maryland, does hereby certify that he is the Surveyor who prepared this Plat and that the land shown on this Plat has been laid out, and the Plat thereof has been prepared, in compliance with Subsection (c) of Section 3-106 of the Real Property Article of the Annotated Code of Maryland, particularly insofar as same concerns the making of the Plat and setting the markers.
By: Scott A. Lindgren 7/11/02
DATE

GERHOLD, CROSS & ETZEL, LTD.

REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Townsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

COMPUTED: S.A.L. DRAWN: K.N.D. CHECKED: S.A.L. FILE: X:\Foster\stuart\mrecord plat.prc

75-21
MSA 33U 1236-11031

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 19124 FALLS RD HAMPSHIRE OWNER(S) NAME(S) DAVE & CYNTHIA YOUNG
 SUBDIVISION NAME JOSEPH TRAYMAN P20 LOT # 2 BLOCK # _____ SECTION # _____
 PLAT BOOK # 01008 FOLIO # 427 10 DIGIT TAX # 2200015191 DEED REF. # _____

SITE VICINITY MAP

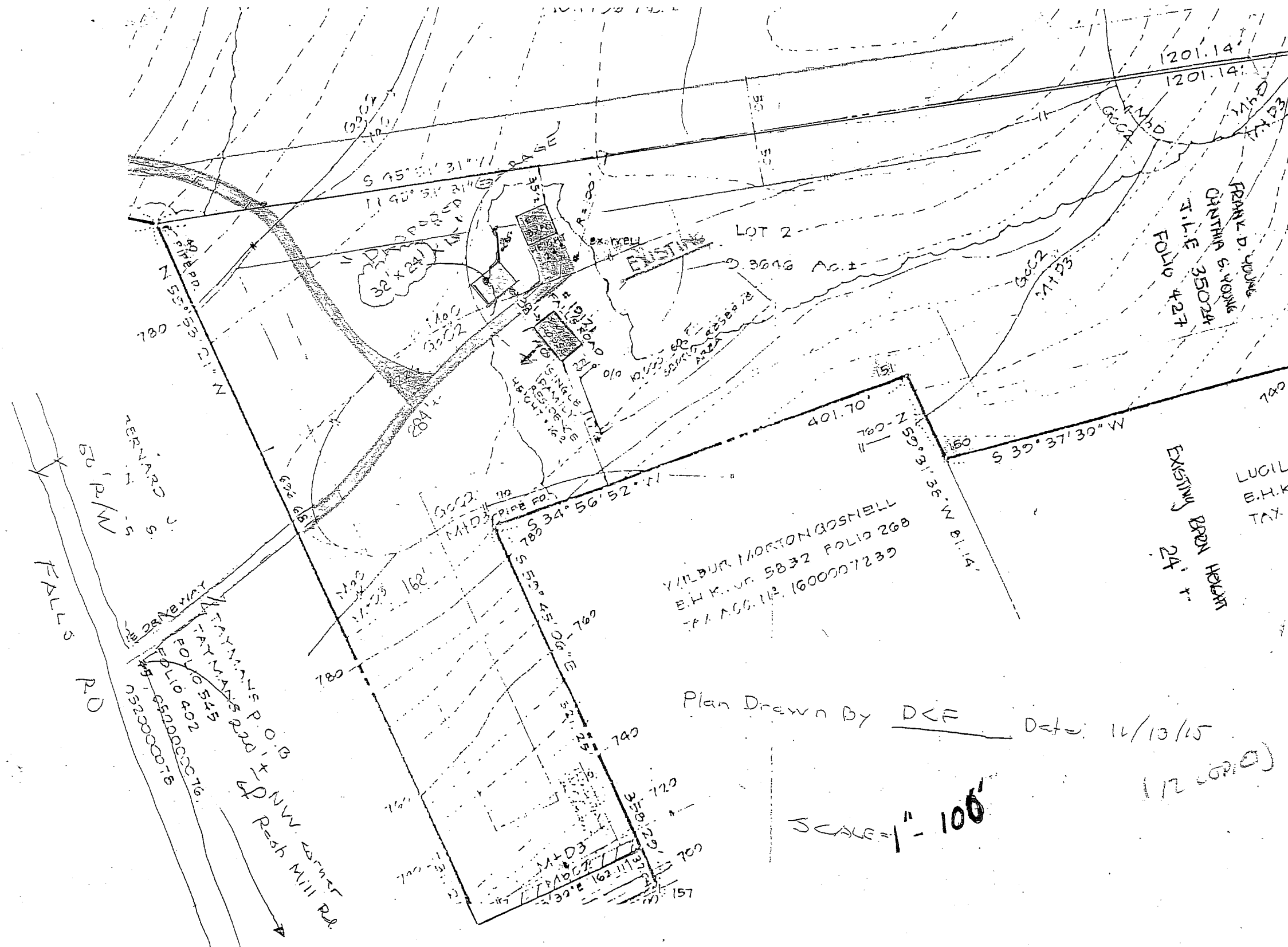
SITE
 ⊗
 FALLS RD

MAP IS NOT TO SCALE

ZONING MAP# 01003
 SITE ZONED RC-8
 ELECTION DISTRICT 5
 COUNCIL DISTRICT 3
 LOT AREA ACREAGE 9.4 ACRES
 OR SQUARE FEET _____
 HISTORIC? NO
 IN CBCA? NO
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC _____ PRIVATE X
 SEWER IS:
 PUBLIC _____ PRIVATE X
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

VIOLATION CASE INFO:

None



Plan Drawn By DCE Date: 11/13/15

SCALE = 1" = 100'

Per: ECH. 1

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 19121 FALLS RD HAMPSHIRE OWNER(S) NAME(S) DAVE & CYNTHIA YOUNG
 SUBDIVISION NAME JOSEPH TAYMAN PROP LOT# 2 BLOCK# _____ SECTION# _____
 PLAT BOOK # 01038 FOLIO # 427 10 DIGIT TAX # 2200015791 DEED REF. # _____

SITE VICINITY MAP

SITE
 ⓧ
 FALLS RD

MAP IS NOT TO SCALE

ZONING MAP# 010A3

SITE ZONED RC-8

ELECTION DISTRICT 5

COUNCIL DISTRICT 3

LOT AREA ACREAGE 9.4 ACRES

OR SQUARE FEET _____

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC _____ PRIVATE X

SEWER IS:

PUBLIC _____ PRIVATE X

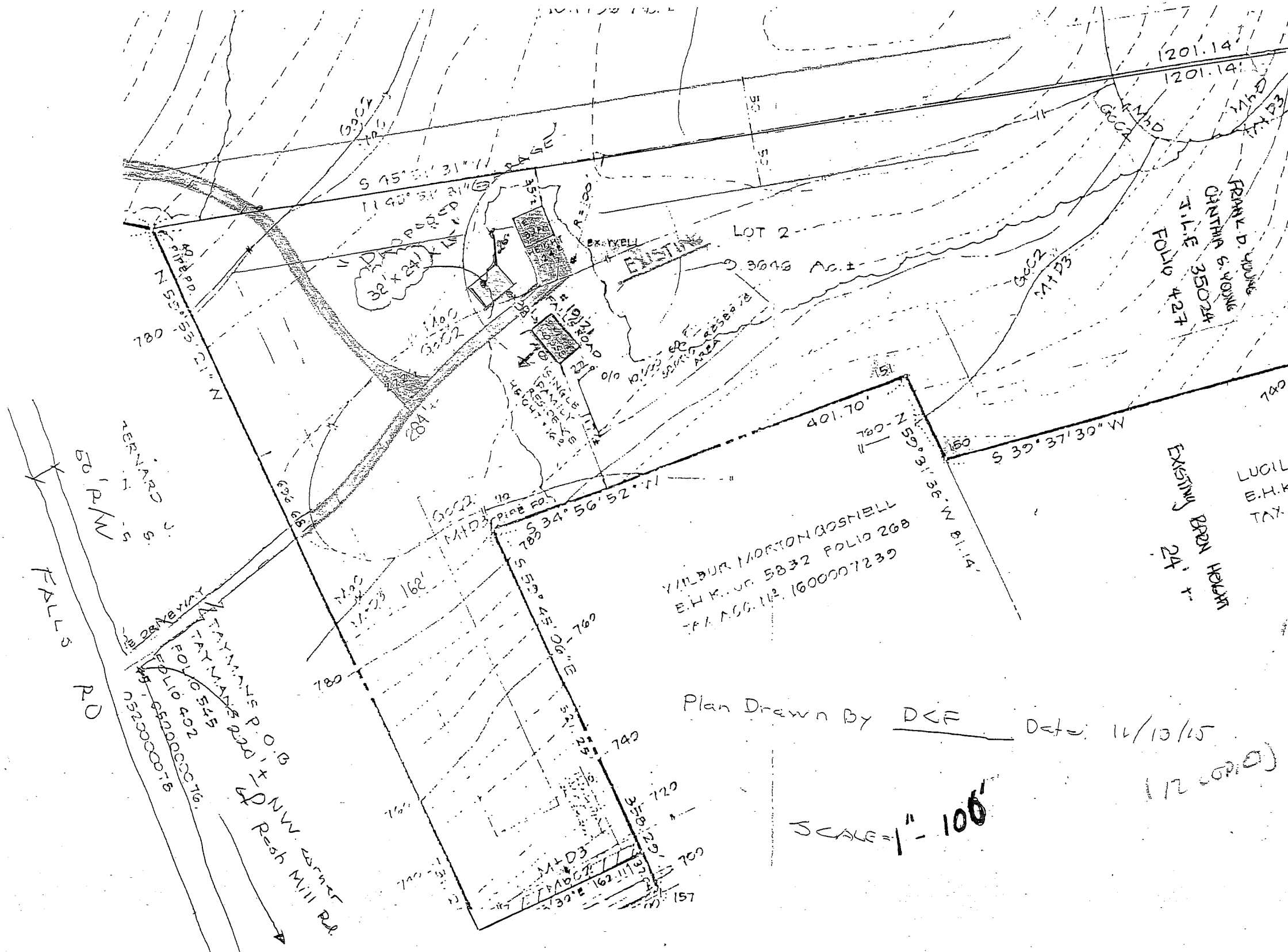
PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

None



Plan Drawn By DCF Date: 11/13/15

SCALE = 1" = 100'

(12 COPIES)