

M E M O R A N D U M

DATE: April 7, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0146-SPHA- Appeal Period Expired

The appeal period for the above-referenced case expired on April 6, 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



KEVIN KAMENETZ
County Executive

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

March 7, 2016

Louis Claude Burch, III
4 Upland, Apt. 48
Baltimore, Maryland 21210

RE: Petition for Special Hearing
Case No. 2016-0146-SPHA
Property: 830 Upper Glencoe Road

Dear Mr. Burch:

Enclosed please find a copy of the decision 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 County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

c: Bernadette Moskuna, 200 E. Joppa Road, Room 101, Towson, Maryland 21286
Fred Obrecht, 1310 Bernoudy Road, White Hall, Maryland 21161

IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE

(830 Upper Glencoe Road) *
8th Election District *
3rd Council District *
Louis Claude Burch, III, *Owner* *
Petitioner *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2016-0146-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of Louis Claude Burch, III, legal owner ("Petitioner"). The Special Hearing was filed pursuant to §500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to approve a proposed replacement single family dwelling straddling over an existing RC 2 and RC 7 zone. In addition, an amended Petition for Variance seeks to permit a proposed single family dwelling to be situated within 48 ft. in lieu of the required 75 ft. of the center of the street; and to permit the proposed dwelling to be situated within 106 ft. in lieu of the required 300 ft. to adjacent pasture land. A redlined site plan was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the requests was Louis Claude Burch and Bernadette Moskuñas from Site Rite Surveying, Inc., the firm that prepared the site plan. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. No substantive Zoning Advisory Committee (ZAC) comments were received. There were no protestants or interested citizens in attendance.

The subject property is 1.4 acres and zoned RC 7 and RC 2. The property is improved with a single family dwelling (SFD) constructed in 1877. The house is in poor condition, and

ORDER RECEIVED FOR FILING

Date 3-7-16

By Sen

Petitioner proposes to raze the dwelling and construct in its place a new SFD of roughly the same size. To do so requires zoning relief.

The first request concerns the location of the proposed dwelling, which would straddle an RC zone line. This prohibition is found in the Zoning Commissioner's Policy Manual, not the B.C.Z.R. As shown on the site plan, the existing dwelling straddles the zone line to the same extent as would the replacement dwelling. In both instances the incursion is minor. As such, the special hearing request will be granted.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

Petitioner has met this test. The property has an irregular shape and significant topographical changes across the site. As such it is unique. If the B.C.Z.R. were strictly interpreted, Petitioner would experience a practical difficulty, given he would be unable to construct the replacement dwelling. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of County and/or community opposition.

THEREFORE, IT IS ORDERED this 7th day of March, 2016, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to §500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve a proposed replacement single family dwelling straddling an existing RC 2 and RC 7 zone line, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 3-7-16

By Sen

IT IS FURTHER ORDERED that the Petition for Variance to permit a proposed single family dwelling to be situated within 48 ft. in lieu of the required 75 ft. of the center of the street; and to permit the proposed dwelling to be situated within 106 ft. in lieu of the required 300 ft. to adjacent pasture land, be and is hereby GRANTED.

The relief granted herein shall be subject to and conditioned upon the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his 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, Petitioner would be required to return the subject property to its original condition.
2. Prior to issuance of building permits Petitioner must submit for approval by the DOP architectural elevations of the proposed dwelling.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JEB/sln



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 3-7-16

By sen



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 830 Upper Glencoe Road which is presently zoned RC7/RC2
 Deed References: 36201/133 10 Digit Tax Account # 0819052371
 Property Owner(s) Printed Name(s) Louis Claude Birch III

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☒ **a Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a proposed replacement single family dwelling straddling over an existing RC2 and RC7 zone.

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

3. ☒ **a Variance** from Section(s) 1A01.3.B.3 to permit a proposed single family dwelling to be situated within 50 feet in lieu of the required 75 feet of the center of the street, and, from Section 1A08.6.B.5.b to permit the proposed dwelling to be situated in 108 feet in lieu of the required 300 feet to an adjacent pasture land.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

To be presented at hearing

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

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

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Louis Claude Birch III

Name #1 - Type or Print Name #2 - Type or Print

Signature #1 Signature #2

516 N. Charles Street, Suite 201 Balto, MD

Mailing Address City State

21201 , 410-752-8899 , trip@whitestarsales.com

Zip Code Telephone # Email Address

Representative to be contacted:

Bernadette Moskunus Site Rite Surveying Inc.

Name - Type or Print

Bernadette Moskunus

Signature

200 E. Joppa Road Rm 101 Towson, MD

Mailing Address City State

21286 , 410-828-9060 , siteriteinc@aol.com

Zip Code Telephone # Email Address

CASE NUMBER 2016-0146-SPHA Filing Date 12/16/15

Do Not Schedule Dates: Reviewer AT

Zoning Property Description for #830 Upper Glencoe Road

Beginning at a point on the north side of Upper Glencoe Road which is 50 feet wide at the distance of 2,640 feet east of the centerline of York Road (Maryland State Route No. 45) which is 80 feet wide.

Thence the following courses and distances: North 40 degrees West, 11.5 perches, North 58 degrees East, 12.7 perches, South 75 ¼ degrees East, 17.16 perches, South 55 ¼ degrees West, 14.75 perches and South 73 degrees West, 7.6 perches back to the point of beginning as recorded in Deed Liber 36281, folio 133, containing 1.4 acres, more or less. Located in the 8th Election District, 3rd Councilmanic District.

Michael V. Moskunas
Professional Land Surveyor
Reg. No. 21175
Site Rite Surveying, Inc.
200 E. Joppa Road
Shell Building, Room 101
Towson, MD 21286
(410)828-9060



2016-0146-SPHA



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3944942

Sold To:

Louis Claude Burch III - CU00518078
516 Charles Street Ave
Ste 201
Towson, MD 21204-4206

Bill To:

Louis Claude Burch III - CU00518078
516 Charles Street Ave
Ste 201
Towson, MD 21204-4206

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Feb 11, 2016

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: # 2016-0146-SPHA

830 Upper Glencoe Road
N/s Upper Glencoe Road, 2640 ft. e/of centerline of York Road
8th Election District - 3rd Councilmanic District
Legal Owner(s) Louis Claude Birch, III

Special Hearing: to determine whether or not the Administrative Law Judge should approve a proposed replacement single family dwelling straddling over an existing RC 2 and RC7 zone.

Variance: to permit a proposed single family dwelling to be situated within 50 ft. in lieu of the required 75 ft. of the center of the street; and to permit the proposed dwelling to be situated in 108 ft. in lieu of the required 300 ft. to an adjacent pasture land.

Hearing: Thursday, March 3, 2016 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

2/072 February 11 3944942

The Baltimore Sun Media Group

By

S. Wilkinson

Legal Advertising

CERTIFICATE OF POSTING

CERTIFICATE OF POSTING

CASE NO: 2016-0146-SPHA

PETITIONER/DEVELOPER

SITE SITE SURVEYING INC

DATE OF HEARING/CLOSING:

3/3/16

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE
PROPERTY AT _____

830 UPPER GLENCOE ROAD

THIS SIGN(S) WERE POSTED ON February 11, 2016
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 2/11/16
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE, MD 21220
(ADDRESS)
PHONE NUMBER: 443-629-3411

ZONING NOTICE

CASE # 2016-0146-SPHA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

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

DATE AND TIME: THURSDAY, MARCH 3, 2016
AT 11:00 A.M.

REQUEST: SPECIAL HEARING TO DETERMINE WHETHER
OR NOT THE ADMINISTRATIVE LAW JUDGE SHOULD APPROVE A PROPOSED
REPLACEMENT SINGLE-FAMILY DWELLING STRADDLING THE ADJACENT PC 2
AND PC 7 EDGE. VARIANCES TO PERMIT A PROPOSED SINGLE-FAMILY DWELLING
TO BE SITUATED WITHIN 50 FT. IN LIEU OF THE REQUIRED 75 FT. OF THE
CENTER OF THE STREET; AND TO PERMIT THE PROPOSED DWELLING TO BE
SITUATED 100 FT. IN LIEU OF THE REQUIRED 300 FT. TO AN ADJACENT
PASTURE LAND

POSTPONEMENTS DUE TO WEATHER AND OTHER CONDITIONS ARE
TO CONFORM HEARING CALL 410-887-3232 SOMETIMES NECESSARY
DO NOT REMOVE THIS SIGN AND POST UNTIL HEARING UNDER PENALTY OF LAW
MEETING IS HANDICAP ACCESSIBLE

myadingle 2/11/16



KEVIN KAMENETZ
County Executive

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

December 30, 2015

NOTICE OF ZONING HEARING

The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2016-0146-SPHA

830 Upper Glencoe Road
N/s Upper Glencoe Road, 2640 ft. e/of centerline of York Road
8th Election District – 3rd Councilmanic District
Legal Owners: Louis Claude Burch, III

Special Hearing to determine whether or not the Administrative Law Judge should approve a proposed replacement single family dwelling straddling over an existing RC 2 and RC7 zone.
Variance to permit a proposed single family dwelling to be situated within 50 ft. in lieu of the required 75 ft. of the center of the street; and to permit the proposed dwelling to be situated in 108 ft. in lieu of the required 300 ft. to an adjacent pasture land.

Hearing: Thursday, March 3, 2016 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Louis Claude Burch, III, 516 N. Charles Street, Ste. 201, Baltimore 21201
Bernadette Moskunas, 200 E. Joppa Road, Rm. 101, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, FEBRUARY 12, 2016**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

TO: PATUXENT PUBLISHING COMPANY
Thursday, February 11, 2016 Issue - Jeffersonian

Please forward billing to:

Louis Claude Burch, III
516 N. Charles Street, Ste. 201
Baltimore, MD 21204

410-752-8899

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2016-0146-SPHA

830 Upper Glencoe Road

N/s Upper Glencoe Road, 2640 ft. e/of centerline of York Road

8th Election District -- 3rd Councilmanic District

Legal Owners: Louis Claude Burch, III

Special Hearing to determine whether or not the Administrative Law Judge should approve a proposed replacement single family dwelling straddling over an existing RC 2 and RC7 zone.

Variance to permit a proposed single family dwelling to be situated within 50 ft. in lieu of the required 75 ft. of the center of the street; and to permit the proposed dwelling to be situated in 108 ft. in lieu of the required 300 ft. to an adjacent pasture land.

Hearing: Thursday, March 3, 2016 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE *
830 Upper Glencoe Road; N/S Upper Glencoe * OF ADMINISTRATIVE
Road, 2640' E of c/line York Road *
8th Election & 3rd Councilmanic Districts * HEARINGS FOR
Legal Owner(s): Louis Claude Burch III *
Petitioner(s) * BALTIMORE COUNTY
* 2016-146-SPHA

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED
DEC 21 2015

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of December, 2015, a copy of the foregoing Entry of Appearance was mailed to Site Rite Surveying Inc, 200 East Joppa Road, Room 101, Towson, Maryland 21286, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Case Number: 2016-0146-SPHA
Property Address: 830 Upper Glencoe Road
Property Description: _____

Legal Owners (Petitioners): Louis Claude Birch III
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Louis Claude Birch III
Company/Firm (if applicable): N/A
Address: 516 N. Charles Street, Suite 201
Baltimore, MD 21201

Telephone Number: 410-752-8899

Revised 5/20/2014

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

No.

134170

Date:

12/16/15

PAID RECEIPT

BUSINESS ACTUAL TIME TRN
 12/17/2015 12/16/2015 14:14:00 2

NO. 932224 12/16/2015
 RECEIPT # 932224 12/16/2015

5 525 ZWING CERTIFICATION
 NO. 134170

Grpt Tot \$150.00
 975.00 CA \$75.00 CA
 Baltimore County, Maryland

Rev Sub
 Source/ Rev/

Fund Dept Unit Sub Unit Obj Sub Obj Dept Obj BS Acct Amount

001 806 0000 6150 \$150

Total:

\$150

Rec
 From:

For:

921 UPPER GLENCOE RD

12016-0146-6DHA

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*

February 23, 2016

Louis Claude Burch III
516 N Charles Street
Baltimore MD 21201

RE: Case Number: 2016-0146 SPHA, Address: 830 Upper Glencoe Road

Dear Mr. Burch:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on December 28, 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Bernadette Moskunas, Site Rite Surveying Inc., 200 E Joppa Road, Rm 101, Towson MD 21286

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



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

Date: 12/22/15

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

RE: Baltimore County
Item No. 2016-0146-SPHA
Special Hearing Variance
Louis Claude Burch III
830 Upper Glencoe 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. 2016-0146-SPHA.

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 black ink, appearing to read "David W. Peake".

David W. Peake
Metropolitan District Engineer – District 4
Baltimore & Harford Counties

DWP/RAZ

33

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: January 27, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-146

RECEIVED

JAN 29 2016

INFORMATION:

Property Address: 830 Upper Glencoe Road
Petitioner: Louis Burch, III
Zoning: RC 7, RC 2
Requested Action: Special Hearing, Variance

OFFICE OF ADMINISTRATIVE HEARINGS

The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve a single family dwelling situated within the RC 2 and RC 7 zones and the petition for a variance to permit a 50' setback to the centerline of the street and 108' from adjacent pasture lands in lieu of the required 75' and 300' respectively.

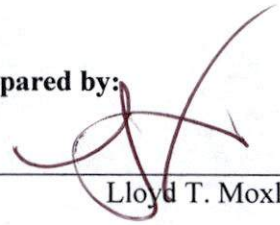
A site visit was conducted on January 4, 2016. The Department recommends that granting the reduced setback from pasture lands will have no detrimental impact on the agricultural capability of said lands.

The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- To ensure consistency with the rural character of the area, the Petitioner shall submit architectural elevations to the Department for approval prior to building permit application.

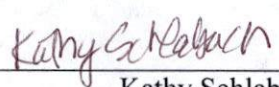
For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlach

AVA/KS/LTM/ka

c: Wally Lippincott
Office of the Administrative Hearings
People's Counsel for Baltimore County

JB 3-3-16
11Am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

JAN 13 2016

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: January 13, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0146-SPH
Address 830 Upper Glencoe Road
(Burch Property)

Zoning Advisory Committee Meeting of December 21, 2015.

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

Reviewer: *Jeff Livingston – Development Coordination*

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: January 6, 2015

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

SUBJECT: Zoning Advisory Committee Meeting
For December 22, 2015
Item No. 2016-0143, 0144, 0145, 0146 and 0147

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\ZAC12222015.doc

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM



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

DATE: January 27, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-146

INFORMATION:

Property Address: 830 Upper Glencoe Road
Petitioner: Louis Burch, III
Zoning: RC 7, RC 2
Requested Action: Special Hearing, Variance

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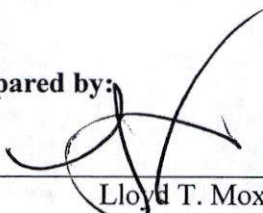
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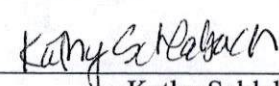
For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Wally Lippincott
Office of the Administrative Hearings
People's Counsel for Baltimore County

CASE NAME 830 Upper Glencoe Rd.
CASE NUMBER 206-0146 SPHA
DATE 3/3/2016

[illegible]

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
1/4	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	N/C
1/13	DEPS (if not received, date e-mail sent _____)	N/C
	FIRE DEPARTMENT	
1/27	PLANNING (if not received, date e-mail sent _____)	no obj. w/ cond.
12/22	STATE HIGHWAY ADMINISTRATION	no obj.
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 2/11/16	
SIGN POSTING	Date: 2/11/16 by Ogile	
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

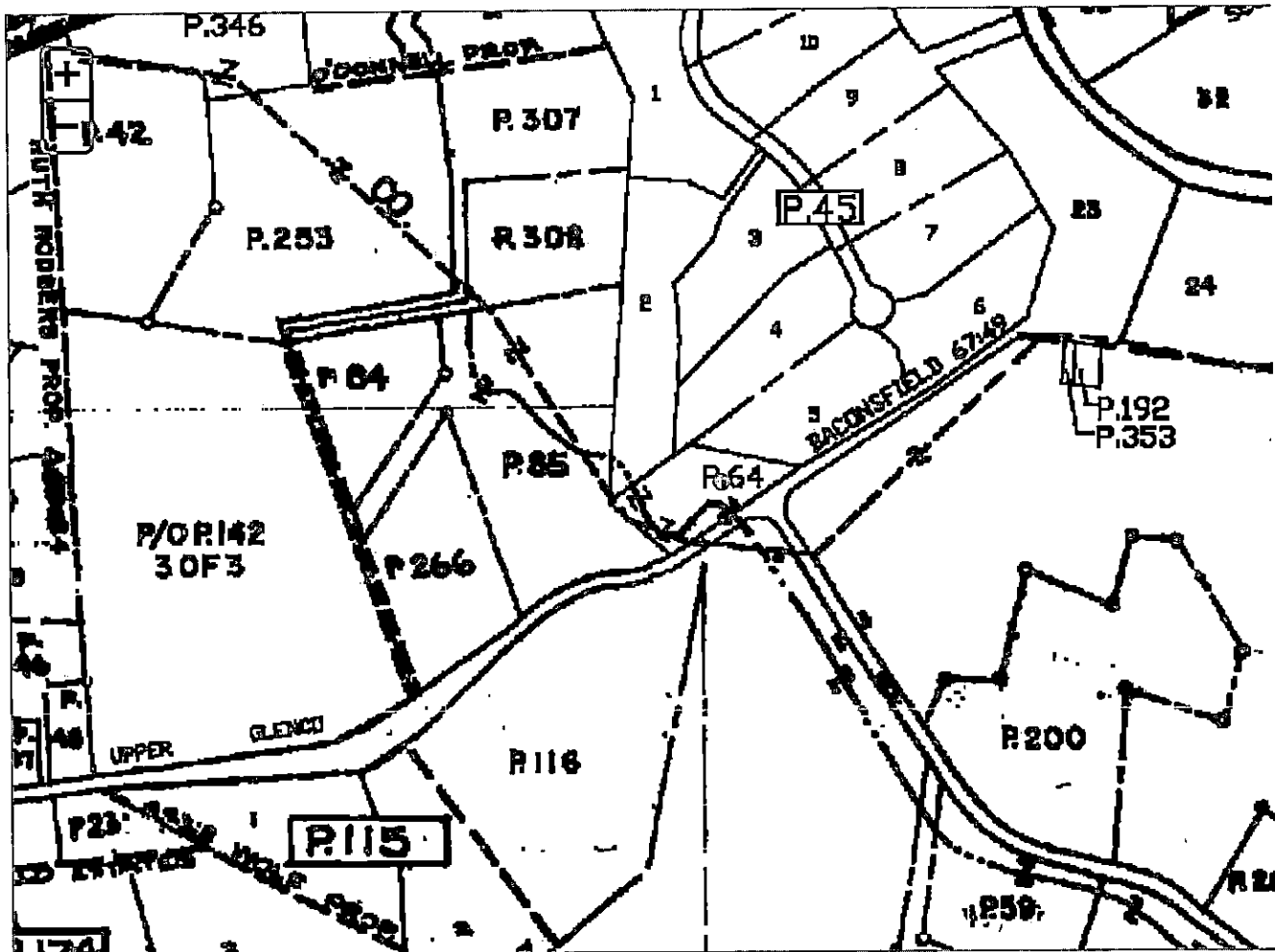
Search Result for BALTIMORE COUNTY

View Map				View GroundRent Redemption				View GroundRent Registration			
Account Identifier:				District - 08 Account Number - 0819052371							
Owner Information											
Owner Name:				BURCH LOUIS CLAUDE III				Use: Principal Residence:		RESIDENTIAL YES	
Mailing Address:				830 UPPER GLENCOE RD SPARKS MD 21152-9372				Deed Reference:		/36281/ 00133	
Location & Structure Information											
Premises Address:				830 UPPER GLENCOE RD SPARKS 21152-9372				Legal Description:		1.4 AC 830 UPPER GLENCOE RD NES 2640 E YORK RD	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	Plat Ref:	
0028	0016	0064		0000				2014			
Special Tax Areas:						Town: Ad Valorem: Tax Class:		NONE			
Primary Structure Built			Above Grade Enclosed Area			Finished Basement Area			Property Land Area		County Use
1877			1,824 SF						1.4000 AC		04
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation					
2 1/2	NO	STANDARD UNIT	FRAME	1 full							
Value Information											
			Base Value		Value As of 01/01/2014		Phase-in Assessments As of 07/01/2015		As of 07/01/2016		
Land:			145,600		145,600						
Improvements			118,000		99,400						
Total:			263,600		245,000		245,000		245,000		
Preferential Land:			0						0		
Transfer Information											
Seller: FEDERAL NATIONAL MORTGAGE					Date: 06/10/2015			Price: \$175,700			
Type: ARMS LENGTH IMPROVED					Deed1: /36281/ 00133			Deed2:			
Seller: PHILLIPS NORMAN M JR					Date: 01/24/2014			Price: \$267,000			
Type: NON-ARMS LENGTH OTHER					Deed1: /34639/ 00462			Deed2:			
Seller: PHILLIPS NORMAN M, JR					Date: 03/25/2009			Price: \$0			
Type: NON-ARMS LENGTH OTHER					Deed1: /27833/ 00396			Deed2:			
Exemption Information											
Partial Exempt Assessments:			Class			07/01/2015			07/01/2016		
County:			000			0.00					
State:			000			0.00					
Municipal:			000			0.00 0.00			0.00 0.00		
Tax Exempt:				Special Tax Recapture:							
Exempt Class:				NONE							
Homestead Application Information											
Homestead Application Status: No Application											

Baltimore County

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

District: 08 Account Number: 0819052371

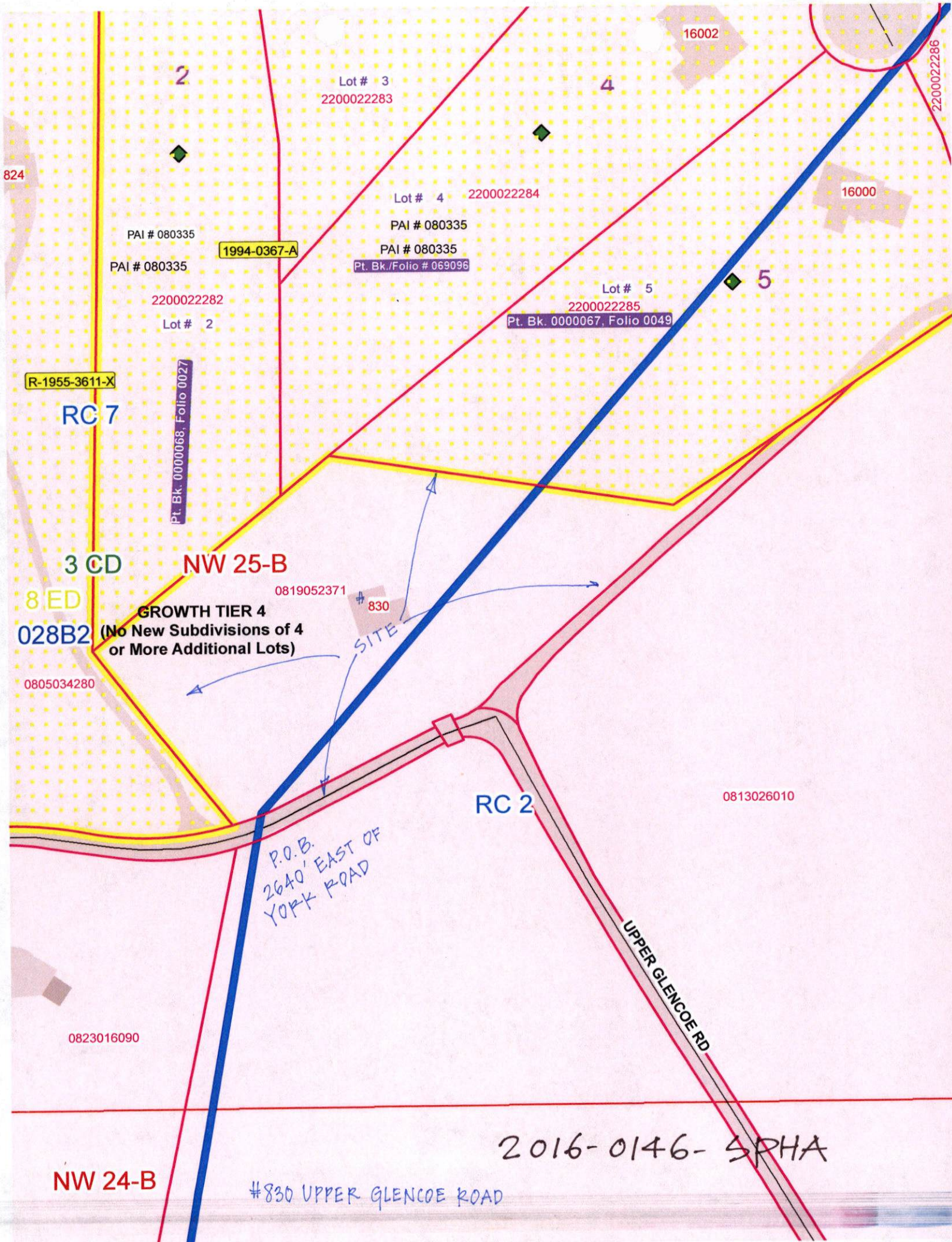


The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

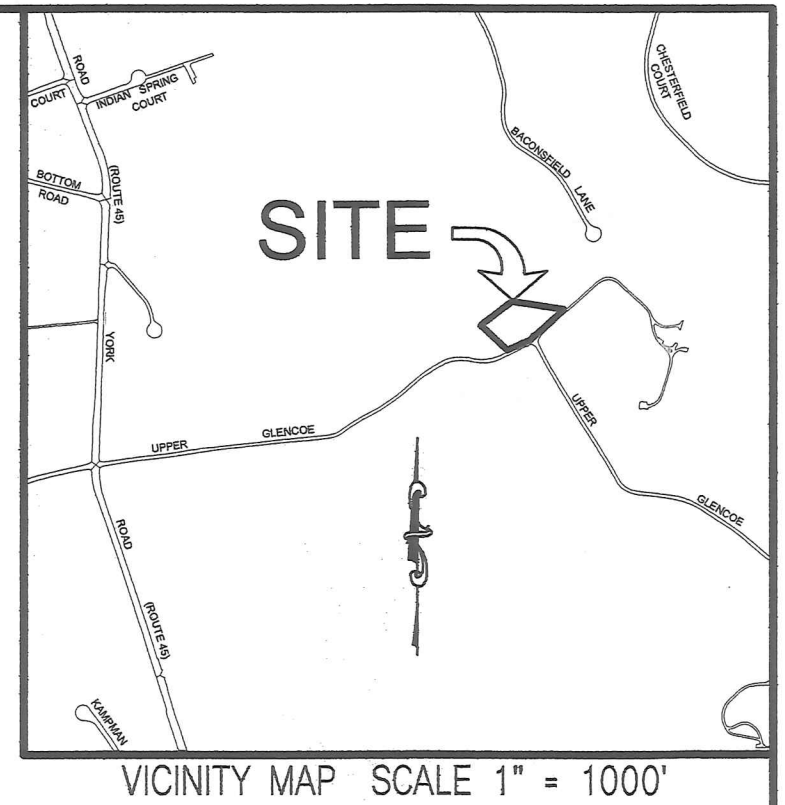
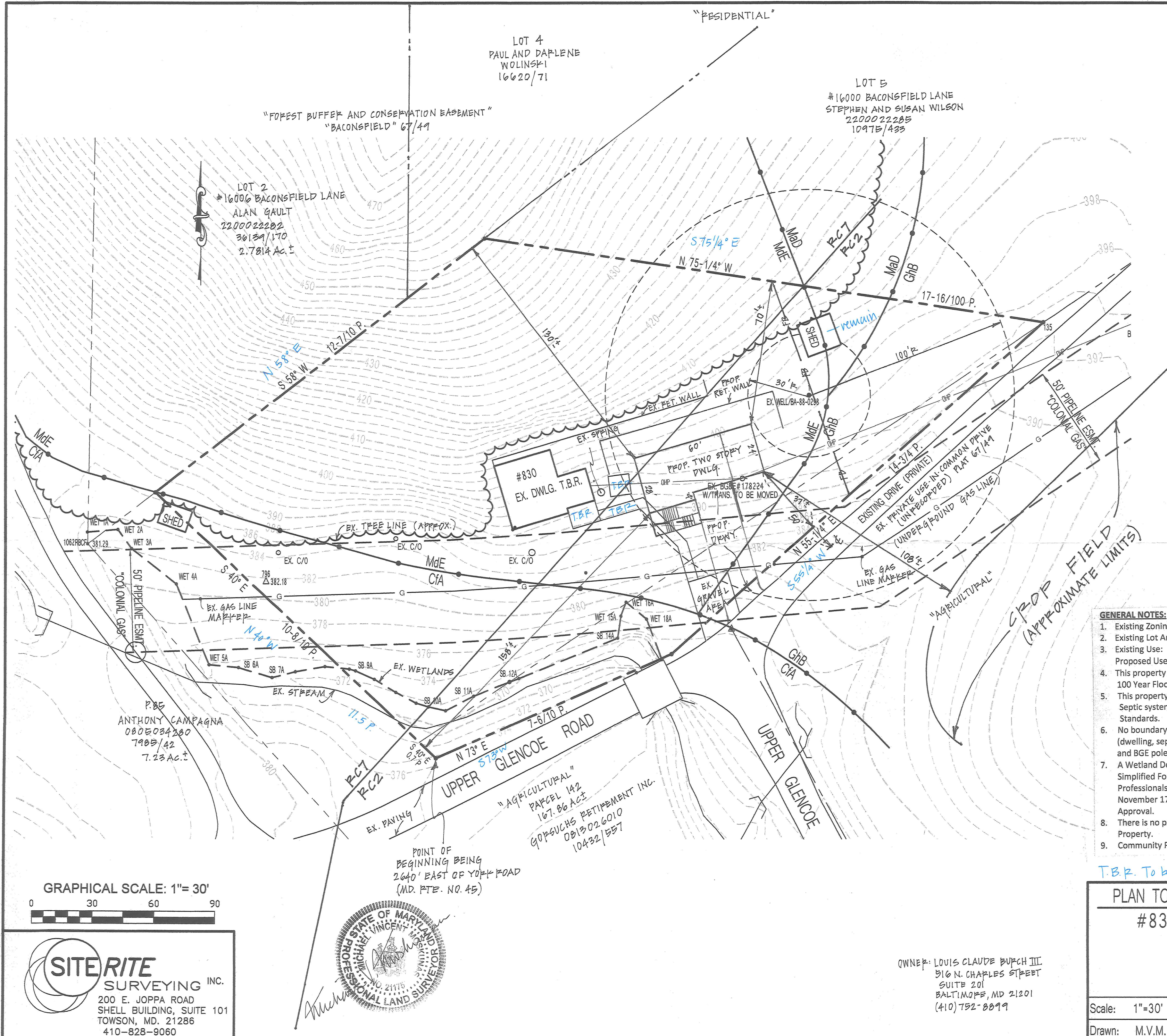
If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

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>).



2012-01-10
2012-01-10
2012-01-10



- GENERAL NOTES:**
1. Existing Zoning: RC7/RC2 (028B2)
 2. Existing Lot Area: 1.4 Ac +/- / 60,984 S.F.
 3. Existing Use: Single Family Dwelling
Proposed Use: SFD to be razed, Rebuild SFD
 4. This property is not located within the Chesapeake Bay Critical Area, 100 Year Flood Plain or Historic District.
 5. This property is serviced by well and septic. The well is existing, the Septic system is under repair to update according to GWM current Standards.
 6. No boundary survey was performed; although all existing conditions (dwelling, septic structures, gas line structures, well, stream, wetlands and BGE pole have all been field located).
 7. A Wetland Delineation, steep slopes and erodible soils analysis and a Simplified Forest Stand Delineation Package was prepared by Eco Science Professionals, Inc. and review by EIR. As indicated in a letter dated November 17, 2015, these environmental impacts have met with EPS Approval.
 8. There is no prior zoning history nor are there any violations on this Property.
 9. Community Panel No. 240010 0120 F Zone "X" dated 9/26/2008.

T.B.R. To be removed.

PLAN TO ACCOMPANY VARIANCE PETITION		
#830 UPPER GLENCOE ROAD		
TAX MAP: 28 GRID: 16 PARCEL: 64		
TAX ACCOUNT # 0819052371		
DEED REF.: 36281/133		
8TH ELECTION DISTRICT C3		
BALTIMORE COUNTY, MARYLAND		
Scale: 1"=30'	Date: 12/16/2015	JOB #10413
Drawn: M.V.M.	Checked: B.L.M.	SURVEY'D: M.V.M.

OWNER: LOUIS CLAUDE BURCH III
516 N. CHARLES STREET
SUITE 201
BALTIMORE, MD 21201
(410) 752-8899

2016-0146-SPHA