MEMORANDUM

DATE:

May 13, 2016

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2016-0213-A- Appeal Period Expired

The appeal period for the above-referenced case expired on May 11, 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 (9508 Dundawan Road)

11th Election District 5th Council District Michael P. Stambaugh Petitioner BEFORE THE

OFFICE OF ADMINISTRATIVE .

HEARINGS FOR

* BALTIMORE COUNTY

* CASE NO. 2016-0213-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, Michael P. Stambaugh. The Petitioner is requesting Variance relief from § 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed detached carport located in the front yard in lieu of the required rear yard and to amend the Final Development Plan (FDP) for (Silvergate Village) Lot #19. 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 received from any of the County reviewing agencies.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on March 19, 2016, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law ORDER RECEIVED FOR FILING

Date	4-11-16	·
Ву	(DU)	





Judge, the information, photographs, and affidavits 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 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 <u>11th</u> day of **April**, **2016**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from § 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed detached carport located in the front yard in lieu of the required rear yard and to amend the Final Development Plan (FDP) for (Silvergate Village) Lot #19, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioner may apply for his appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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.
- Building materials for the carport addition shall be consistent with those of the existing principal dwelling.
- The carport shall remain open on the three exposed sides and shall not be enclosed at any time.

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 4-11-16 2

Ву___



ADIVINISTRATIVE ZONING PEITHON

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING

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

	gs for Baltimore County for the property located at:
Address 1508 Downaway Ko Deed Reference 35295 00328	Currently zoned DR 3.5 10 Digit Tax Account # 1 8 00 00 25 73
Owner(s) Printed Name(s) MICHAEL P. STAME	BAUGH
(SELECT THE HEARING(S) BY MARKING \underline{X} AT THE AP	PPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)
For Administrative Variances, the Affidavit on t	the reverse of this Petition form must be completed and notarized.
The undersigned, who own and occupy the property situ attached hereto and made a part hereof, hereby petition	ate in Baltimore County and which is described in the plan/plat for an:
. X ADMINISTRATIVE VARIANCE from Section(s)	
of the zoning regulations of Baltimore County, to the zon	aing law of Baltimore County
the zoning regulations of Baltimore County, to the zon	ing law of Baltimore County.
 ADMINISTRATIVE SPECIAL HEARING to approximately control to approximate the control of the control	pprove a waiver pursuant to Section 32-4-107(b) of the Baltimore or raze, alter or construct addition to building)
of the Baltimore County Code, to the development law o	of Baltimore County
Property is to be posted and advertised as prescribed by the zoning re	egulations. etc. and further agree to be bound by the zoning regulations and restrictions of
16.	Owner(s)/Petitioner(s):
	Michael P. Stambaugh,
	Name #1 – Type or Print Name #2 – Type or Print
	Signature #1 Signature # 2
	15-5 1 11 11 1
	Mailing Address City State
e.	21236, 410 375 0374 1 Stamb 1026@concast. Ne
	Zip Code Telephone # Email Address
Attorney for Owner(s)/Petitioner(s): Jame- Type or Print Signature	Representative to be contacted:
2 FILIN	VEVIN GRUN !
lame- Type or Print	Name – Type or Print
SEWED	- harman and sull
ignature REST	Signature 1 co by Roman MA
Mailing Address City State	Mailing Address City State
	21234 , 443 790 3315 , KEUNDA TRADEMARKED
ip Code Telephone # Email Address	Zip Code Telephone # Email Address Con
	d to be required, it is ordered by the Office of Administrative Hearings for Baltimore
county, thisday of, that the subsequired by the zoning regulations of Baltimore County.	bject matter of this petition be set for a public hearing, advertised, and re-posted as

Affidavit in Support 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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Address	: 9508	DONAWAN	KD	LALTO.	MD.	21236
	Print or Type A	ddress of property		City	State	Zip Code
Based u Adminis	pon person trative Varia	al knowledge, the ince at the above	following address.	are the facts (Clearly state	upon which I/we ba practical difficul	ase the request for an ty or hardship here)
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(If add	ditional space	for the petition req	uest or the	e above stateme	nt is needed, label ar	ad attach it to this Form)
Signature	of Owner (Aff	iant)		Sig	nature of Owner (Affia	ant)
Mick	lack P	Stubana	1_			
Name- Pr	int or Type	SAN CALLY		Na	me- Print or Type	
	٠.					
	The folio	wing information is	to be com	ipleted by a Nota	ary Public of the Stat	e of Maryland
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		presaid, personally	appeared:			a Notary of Maryland, in
Print name(s)	here:	ichael P.	Stamba	sugh a	Kevin Coru)^
the Affiar	ոt(s) herein, բ	personally known or	satisfacto	orily identified to	me as such Affiant(s)
AS WITN	IESS my half	id and Valories Sea	al <i>f</i>	harn M.	Gren	
	8	Notar	Notary F	harn M. Public 07/	17/2019	
-		Public		nmission Expires		

March 10, 2016

Case#2016-0213-A

DETAGHED

Administrative Variance section 400.1 of the BCZR To permit a proposed carport located in the front yard in lieu of the required rear yard, and to amend the Final Development Plan for (Silvergate Village) lot#19





Zoning Property Description for 9508 Dundawan Road

Beginning at a point on the north side of Dundawan Road which is 50' wide at the distance of 465+-southeast of the centerline of the nearest improved intersecting street, Breen Place, which is 50' wide.

Being Lot #19 Block A section NA in the subdivision Silverpark Village as recorded in Baltimore County Plat Book #40, Folio #040138 containing 10,209 sq. ft. located in the 11 Election District and 5 Council District.

, į

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 3/21/2016

Case Number: 2016-0213-A

Petitioner / Developer: <u>KEVIN CORUN</u>

Date of Hearing (Closing): APRIL 4, 2016

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: 9508 DUNDAWAN ROAD

The sign(s) were posted on: MARCH 19, 2016



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)

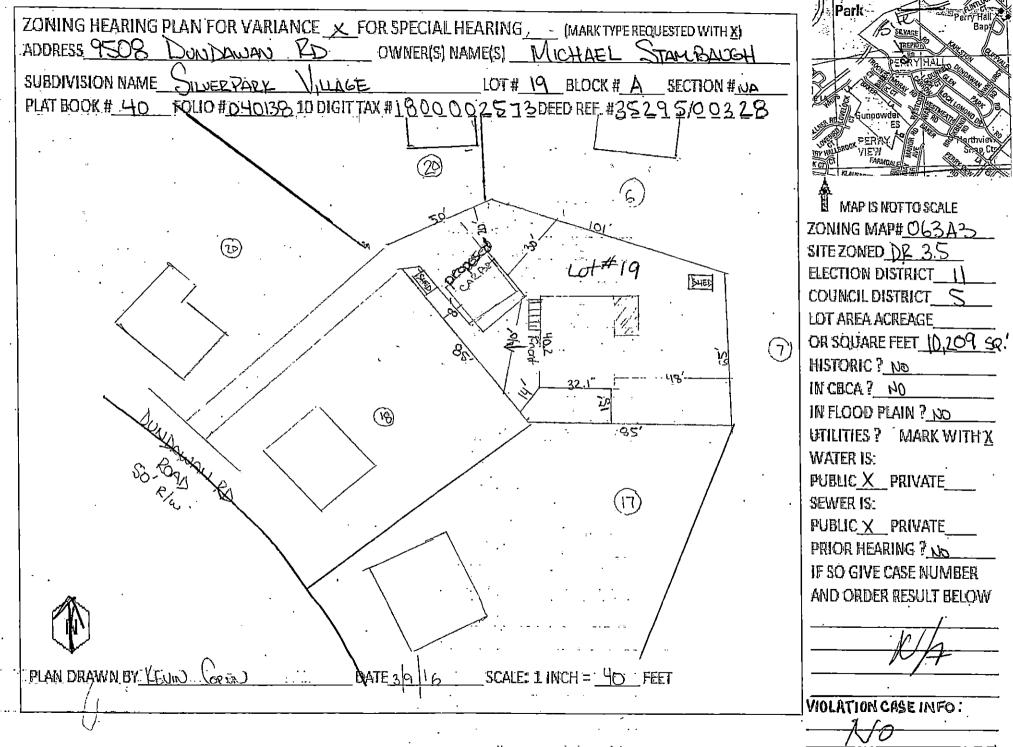
410 - 666 - 5366

(Telephone Number of Sign Poster)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES
Case Number 2016- 0213 -A Address 9508 Dundawan Rd
Contact Person: Gara Houk Please Print Your Name Phone Number: 410-887-3391
Filing Date: 3/10/16 Posting Date: 3/20/16 Closing Date: 4/4/16
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. <u>DEADLINE:</u> The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
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 2016-0213 -A Address 9508 Dundawan Rd
Petitioner's Name <u>Kevin Corun</u> Telephone <u>443 · 790 · 33/5</u>
Posting Date: 3/20/16 Closing Date: 4/4/16
Wording for Sign: To Permit a proposed carport located in the
front yard in lieu of the rear yard, and to amend,
the Final Development Plan (Silvergate Village)
Lot 19

Revised 7/21/15



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KEVIN KAMENETZ County Executive

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

April 5, 2016

Michael Stambaugh 9508 Dundawan Road Nottingham MD 21236

RE: Case Number: 2016-0213 A, Address: 9508 Dundawan Rd

Dear Mr. Stambaugh:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 10, 2016. 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

Kevin Corun, 3504 E Joppa Road, Baltimore MD 21234



OFFICE OF ALIMINISTRATIVE HEARINGS

Inter-Office Correspondence

BALTIMORE COUNTY, MARYLAND



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:

March 17, 2016

SUBJECT:

DEPS Comment for Zoning Item

2016-0213-A

Address

9508 Dundawan Road

(Stambaugh Property)

Zoning Advisory Committee Meeting of March 21, 2016.

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

Reviewer:

Steve Ford

Date: 03-17-2016



Larry Hogan, Governor Boyd K. Rutherford, Lt. Governor Pete K. Rahn, Secretary Gregory C. Johnson, P.E., Administrator

Date: 3/21/16

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2016-02/3-A

Administrative Variance Michael P. Stambaugh 9508 Dundawan Road.

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,

David W. Peake

Metropolitan District Engineer - District 4

Lucian A Seles

Baltimore & Harford Counties

DWP/RAZ

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: March 15, 2016

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 21, 2016

Item No. 2016-0181, 0201, 0202, 0204, 0205, 0206, 0207, 0208, 0210,

0211, 0212 and 0213

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

DAK:CEN cc:file

CHECKLIST

Comment Received	<u>Department</u>	Support/Oppose/ Conditions/ Comments/ <u>No Comment</u>
3-15	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent) NC
3-17	DEPS (if not received, date e-mail sent	
	FIRE DEPARTMENT	
	PLANNING (if not received, date e-mail sent	
3-21	STATE HIGHWAY ADMINISTRATION	No objection
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLA	ATION (Case No.	
PRIOR ZONING	(Case No.	
NEWSPAPER A	DVERTISEMENT Date:	
SIGN POSTING	Date: <u>3-19</u>	-16 by O'Kerger
	NSEL APPEARANCE Yes N	To.
Comments, if any	y:	<u> </u>
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Real Property Data Search (w4)

Guide to searching the database

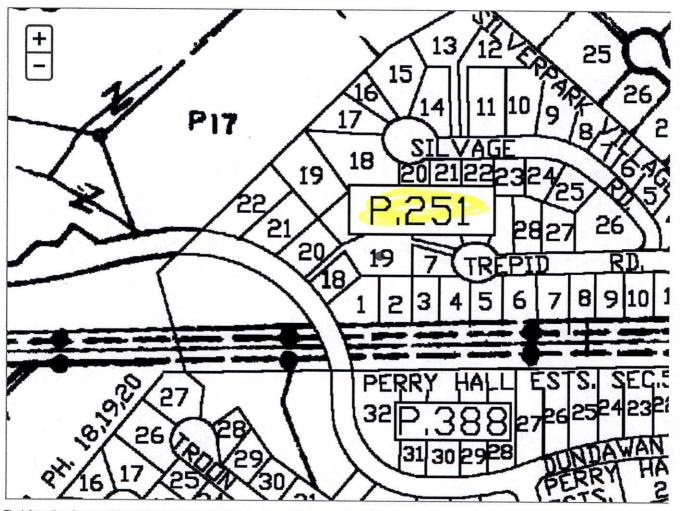
Search	Result	for BAL	TIMORE	COUNTY

View Map \	iew GroundRent Redemption	n	View GroundRe	ent Registration				
Account Identifier:	District - 11 Account Number - 1800002573							
	Owne	r Information						
Owner Name:	STAMBAUGH MICHA	Principal Resid		IDENTIAL				
Mailing Address:	9508 DUNDAWAN RD BALTIMORE MD 2123	6-	e: /3529	95/ 00328				
		tructure Information						
Premises Address:	9508 DUNDAWAN RD BALTIMORE 21236-	Legal Descript	tion: 9508 DUNDAWAN RD SILVERPARK VLG AMENDED					
Map: Grid: Parcel:	Sub Subdivision: District:	Section: Block:	Lot: Assessi	No:				
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Special Tax Areas:		Town: Ad Valorem: Tax Class:		NONE				
Primary Structure Built 1998	Above Grade Enclosed Area 1,280 SF	Finished Basement Area	Property I Area 10,209 SF	Use				
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1 YES	STANDARD UNIT SIDIN	IG 2 full/ 1 half						
	Base Value		Phase-in Asses					
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Land:	400 200	01/01/2015	07/01/2015	07/01/2016				
Improvements	100,300 104,900	100,300 130,600						
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Seller: HSBC BANK US		01/31/2011		e: \$206,000				
Type: ARMS LENGTH I	MPROVED Deed	1: /30440/ 00264	Dee					
Seller: SCHULER MART		08/06/2010		e: \$242,550				
Type: ARMS LENGTH II		1: /29739/ 00490	Dee	d2:				
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Baltimore County

New Search (http://sdat.dat.maryland.gov/RealProperty)

District: 11 Account Number: 1800002573



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).







Real Property Data Search (w4)

Guide to searching the database

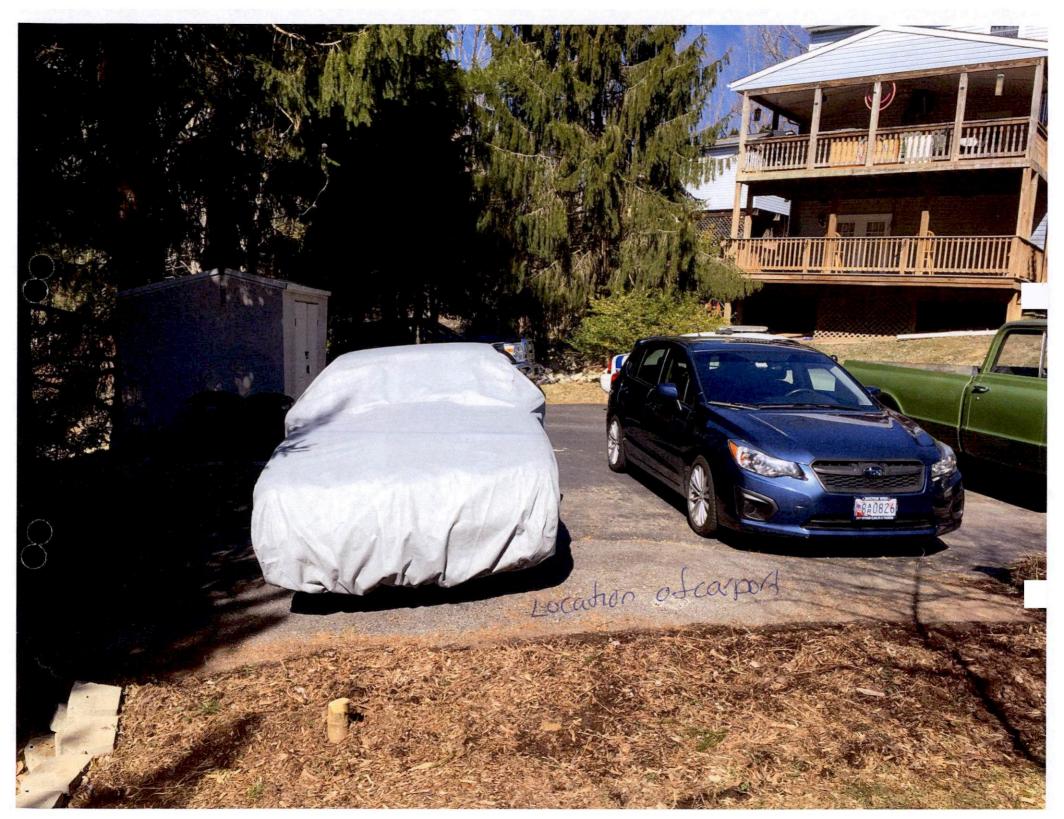
Search Result for BALTIMORE COUNTY

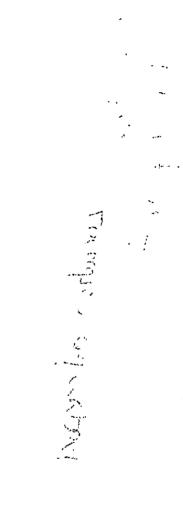
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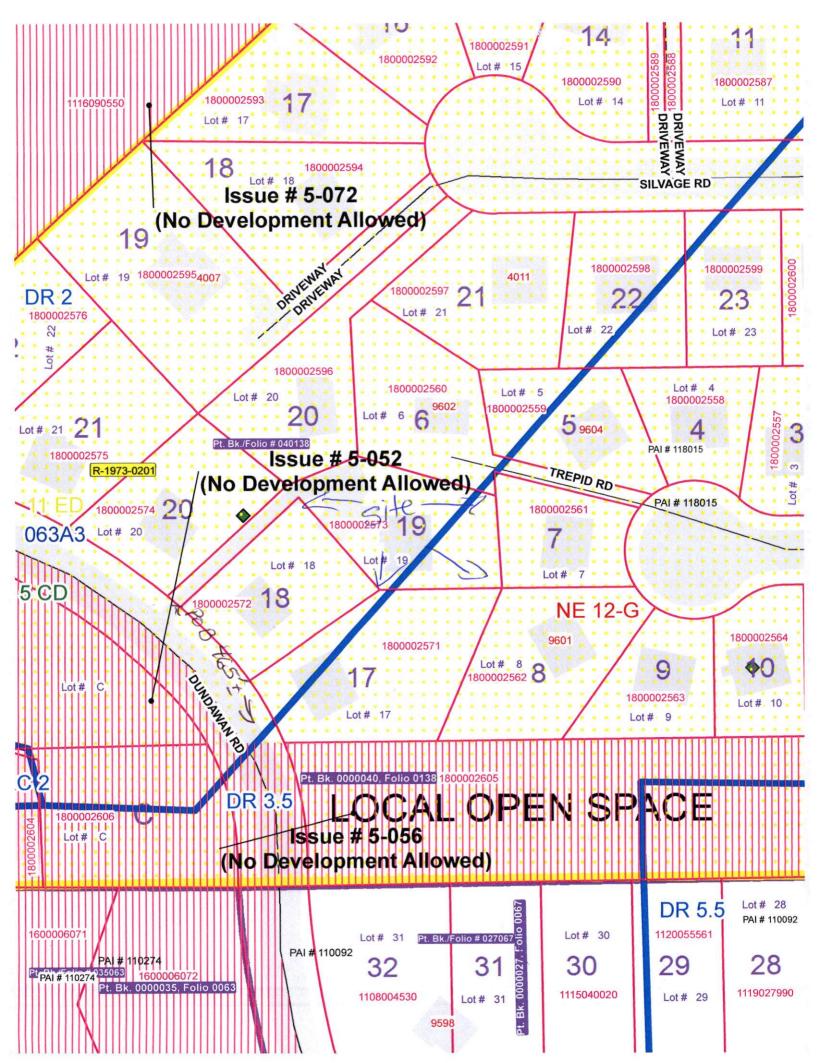
Homestead Application Status: Approved 101/10/2012

- 1. This screen allows you to search the Real Property database and display property records.
- 2. Click here for a glossary of terms.
- 3. Deleted accounts can only be selected by Property Account Identifier.
- 4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

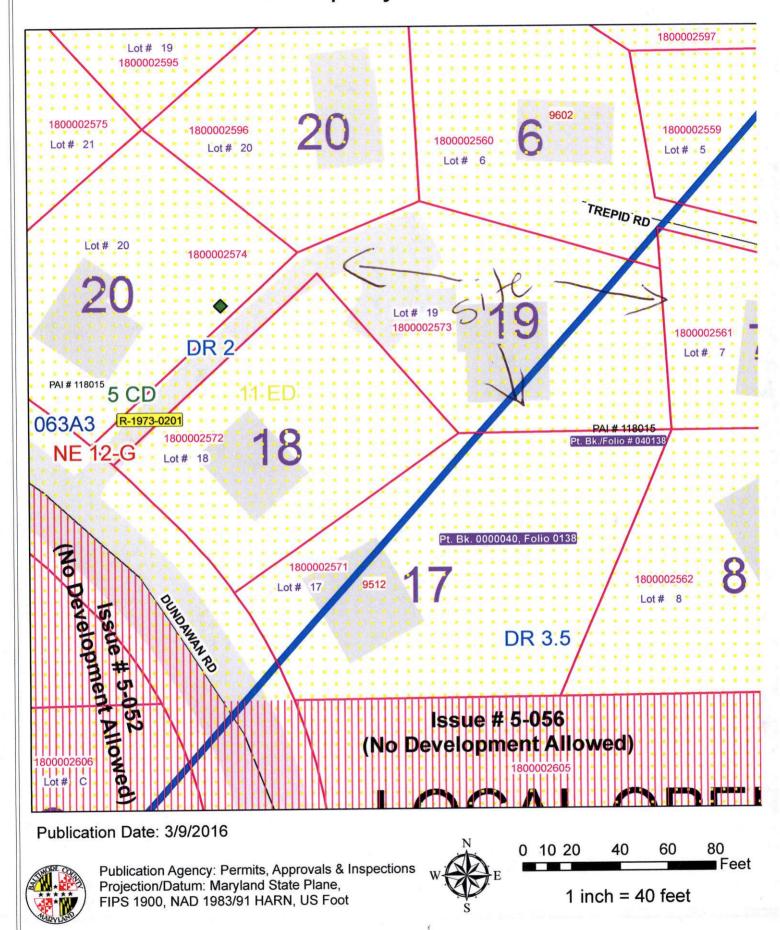




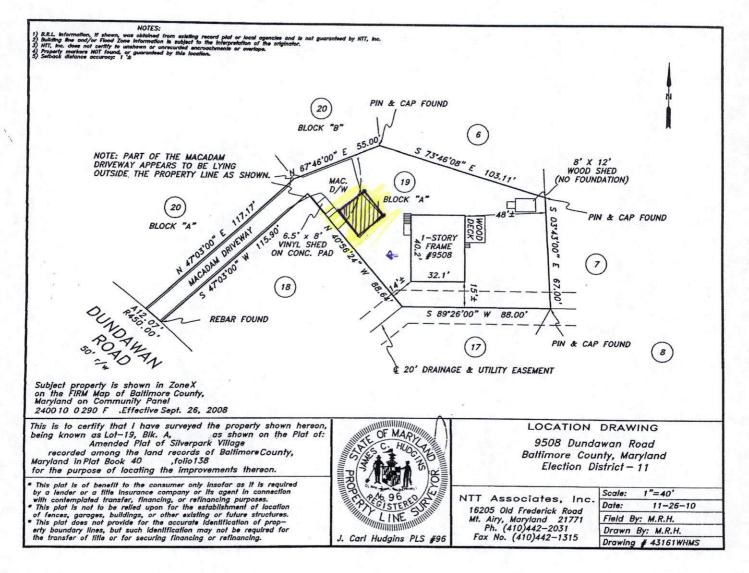


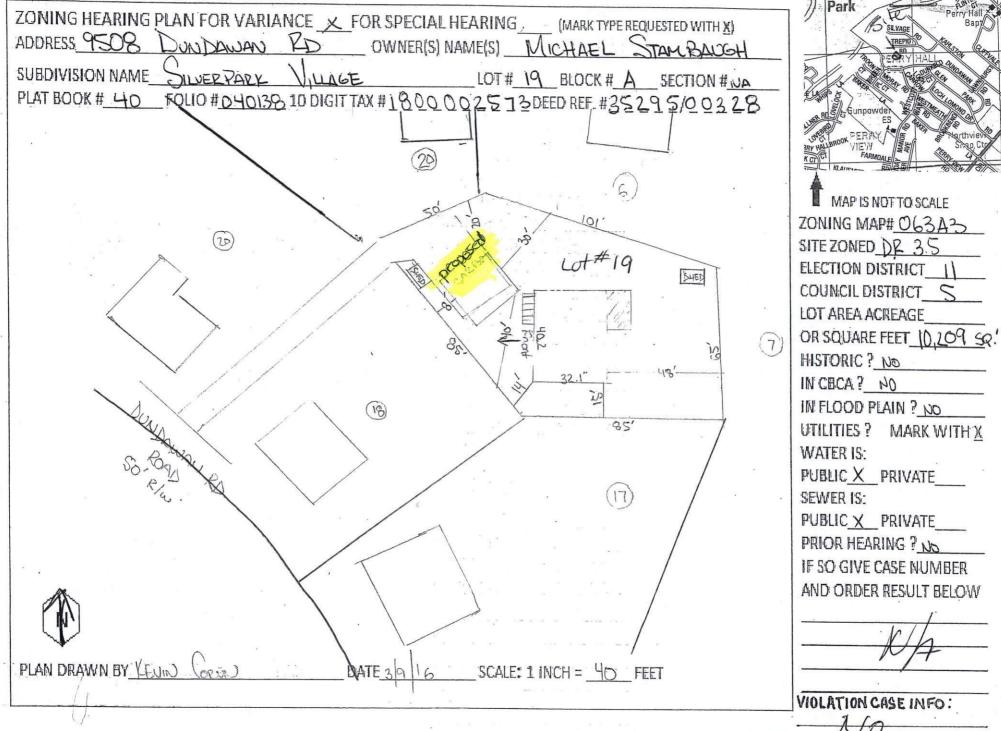


Enter Property Address Here



Mike Stambaugh





2016-0213-A

Pet. Exch. 1

