MEMORANDUM

DATE:

May 18, 2016

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2016-0218-A- Appeal Period Expired

The appeal period for the above-referenced case expired on May 16, 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 (322 Hedgepocket Way)

BEFORE THE

4th Election District

OFFICE OF ADMINISTRATIVE

3rd Council District Steven Kovens

HEARINGS FOR

Petitioner

BALTIMORE COUNTY

CASE NO. 2016-0218-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owner of the property, Steven Kovens ("Petitioner"). The Petitioner is requesting Variance relief pursuant to § 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("B.C.Z.R") to permit a proposed garage addition onto the side of the existing dwelling with a side yard setback of 13 ft. in lieu of the required 50 ft. and to amend the Final Development Plan (FDP) of Glyndon Meadows for Lot # 19 only. 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 26, 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 § 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in ORDER RECEIVED FOR FILING

Date	4-15-16
Bv	

the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the 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>15th</u> day of **April**, **2016**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("B.C.Z.R") to permit a proposed garage addition onto the side of the existing dwelling with a side yard setback of 13 ft. in lieu of the required 50 ft. and to amend the Final Development Plan (FDP) of Glyndon Meadows for Lot # 19 only, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

 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.

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	4-15-16
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	1

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STRATIVE ZONING PET

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: HEADING OCKET WAY REISTED FOR Currently zoned BC5 + BR 10 Digit Tax Account # 22 00023002 Deed Reference 27358 Owner(s) Printed Name(s) STEVEN (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: ADMINISTRATIVE VARIANCE from Section(s) 1A04.3.B.2.b of BCZR to permit a proposed garage addition onto the side of the existing dwelling with a side yard setback of 13 feet in lieu of the required 50 feet, and, to amend the final development plan of Glyndon Meadows for lot # 19 only. of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, 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): Attorney for Owner(s) Petitioner(s): Representative to be contacted: Signature Mailing Addre Zip Code Email Address Telephone # **Email Address** Telephone # 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

Estimated Posting Date

Affidavitin Support of A ninistrative 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: 333 Harlan Darket WAY Reisterstown MD 31/34 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 <u>practical difficulty or hardship</u> here)
I would like to build an attached one story garage to my existing home. The garage would be used for storage, and allow me to store my vehicles to keep them out of the elements and not be an eye sore to the neighborhood. Due to the layout of our property this would be the only area to erect the garage. The garage would flow with our existing home. The proposed addition will add value and beauty to the existing neighborhood.
(If additional space for the petition request or the above statement is needed, label and attach it to this Form) Signature of Owner (Affiant) Signature of Owner (Affiant)
Name- Print or Type Steven Fovens 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 day of
Print name(s) here: Steven Kovens
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).
AS WITNESS my hand and Notaries Seal
Notary Public My Commission Expires
My Commission Expires 5/14/2016

REV. 5/8/2014

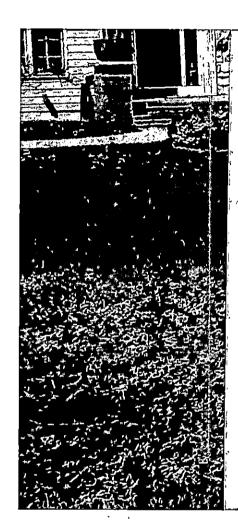
My Junanission , yr , . . SM422016

ZONING DESCRIPTION FOR 322 HEDGEPOCKET WAY

Beginning at a point on the North East side of Hedgepocket Way which is 40' wide at the distance of 245' North of the centerline of the nearest improved intersecting street Glyndon Meadow Road. which is 40' wide. Being Lot # 19 in the subdivision of Glyndon Meadows as recorded in Baltimore County Plat Book# 0067, Folio # 0086, and containing 1.08 acres. Located in the 4th Election District, 3rd Council District.

CERTIFICATE OF POSTING

Date: 3-26-16 RE: Case Number: 2016-0218-A Petitioner/Developer: _ S. Kovens Date of Hearing/Closing: 4-11-16 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 322 Helgepocket Way The signs(s) were posted on J. LAWRENCE PILSON (Printed Name of Sign Poster) ATTACH PHOTGRAPH 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 PARCE

CASE # 2016 - 0218 - A

TO PERMIT A PROPOSED GARAGE ADDITION
ONTO THE SIDE OF THE EXISTING DWELLING.
WITH A SIDE YARD SETBACK OF 13 RECTIVITIES
OF THE REQUIRED SO FEET AND TO AMEND
THE FINAL THE LEPHENT PLAN OF GLYNDON
MEADOWS FOR LOT #19 DULY

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 4 11/16 S 5:00 P.M. ON 4 11/16 S AVAILABLE AT THE DEPARTMENT OF ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF BUILDING, AVAILABL

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 201	6- 0218	-A	Address	322 Hedgepocket Way
Contact Person: _	Aaron 7	' SUI ease Print Your N	Jame	_ Phone Number: 410-887-3391
Filing Date:	1		ng Date: <u>3/27/16</u>	Closing Date: <u>04/11/16</u>
Any contact made through the contac	e with this offic t person (planne	e regarding er) using the	the status of the case number.	administrative variance should be
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a formal re	quest for a pul	olic hearing	eadline for an occupa . Please understar s is not complete on	ant or owner within 1,000 feet to file nd that even if there is no formal the closing date.
commissior order that the within 10 co whether the	ier. He may: (ne matter be set lays of the clos	a) grant the in for a pub sing date if en granted	e requested relief; (l blic hearing. You will all County agencie	d by the zoning or deputy zoning b) deny the requested relief; or (c) receive written notification, usually es' comments are received, as to b public hearing. The order will be
(whether di commission changed giv	ue to a neighborer), notification ving notice of the	or's formal will be for e hearing d change and	request or by orde warded to you. T ate, time and locatio	es that must go to a public hearing or of the zoning or deputy zoning he sign on the property must be n. As when the sign was originally a altered sign must be forwarded to
Petitioner: This I	Part of the Forn	n is for the	Sign Poster Only	
	USE THE AL	MINISTRA	TIVE VARIANCE SI	GN FORMAT
Case Number 201	6- 0218	-A Addre	ess <u>322 Hedge</u> p	ocket Way
			Telephone 443-4	
Posting Date:	3/27/16	<u>.</u>	Closing Date:	04/11/16
Wording for Sign:	To Permit a p	roposed ga	rage addition onto tl	ne side of the existing dwelling with
<u>a side yar</u>	setback of 1	3 feet in lie	eu of the required	50 feet, and, to amend the final
<u>developme</u>	nt plan of Glyndo	n Meadows	s for lot # 19 only.	
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KEVIN KAMENETZ County Executive ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

April 12, 2016

Steven Kovens 322 Hedgepocket Way Reisterstown MD 21136

RE: Case Number: 2016-0218 A, Address: 322 Hedgepocket Way

Dear Mr. Kovens:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 15, 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 Bev True, 3920 London Bridge Road, Sykesville MD 21784

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

MAR 2 5 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:

March 25, 2016

SUBJECT:

DEPS Comment for Zoning Item

2016-0218-A

Address

322 Hedgepocket Way

(Kovens Property)

Zoning Advisory Committee Meeting of March 28, 2016.

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

Reviewer: Steve Ford Date: 03-25-2016



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

RE: Baltimore County

Item No. 2016-0218-A
Administrative Variouse
Steven Kovens
322 Hedgepocher Way

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. 2016-0218-A.

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

Sincerely,

David W. Peake

Metropolitan District Engineer - District 4

Baltimore & Harford Counties

DWP/RAZ

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: March 28, 2016

Department of Permits, Approvals

And Inspections

D

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

FROM:

Zoning Advisory Committee Meeting

For March 28, 2016

Item No. 2016-0215, 0216, 0217, 0218, 0221 and 0223

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

DAK:CEN cc:file

CHECKLIST

Comment <u>Received</u>	<u>D</u> e	epartment			Support/Oppose/ Conditions/ Comments/ No Comment
3-28 2-25		NT PLANS REV l, date e-mail sent)	NO
3-25	DEPS	l, date e-mail sent			NC
	FIRE DEPAR	rment '			
	PLANNING (if not received	l, date e-mail sent)	
3-21	STATE HIGH	WAY ADMINIST	TRATION		No objection
	TRAFFIC EN	GINEERING			
	COMMUNITY	ASSOCIATION			
	. ADJACENT P	ROPERTY OWN	ERS		·
ZONING VIOLA	TION	(Case No)
PRIOR ZONING		(Case No.			
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SIGN POSTING		Date:	3-21	0-16	by Pilson
PEOPLE'S COU	NSEL APPEARAN	CE Ye	es 🔲 No		
PEOPLE'S COUR	NSEL COMMENT	LETTER Y	es 🏻 No	. 🛚	
Comments, if any	:				
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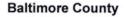




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		Owner Inf		-				
Owner Name:	KOVENS STEV	EN	Use: Principal Residence:		RESIDENTIAL YES			
Mailing Address:	322 HEDGEPOO REISTERSTOW 1816	322 HEDGEPOCKET WAY REISTERSTOWN MD 21136-			ce: /27258/ 00318			
		ation & Struc	ture Information					
Premises Address:	322 HEDGEPO0 0-0000		Legal Descr	iption:	1.075 AC 322 HEDGE NWS GLYNDON			
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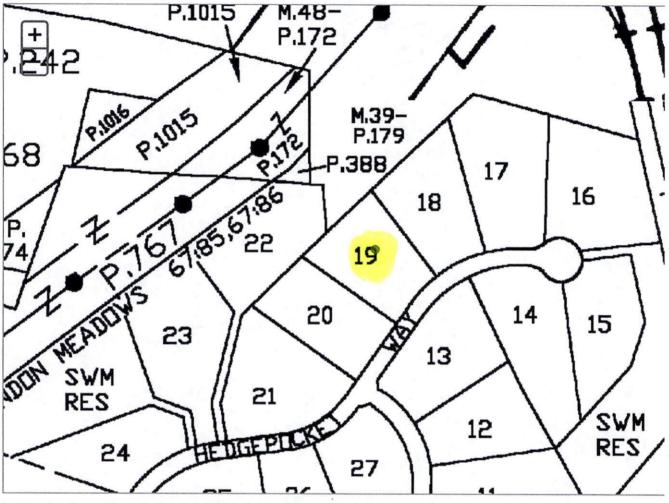
Homestead Application Information

Homestead Application Status: Approved 09/22/2008



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

District: 04 Account Number: 2200023002



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), the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml), the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml), the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml).

. 322 Hedge pocker Way - Front View & Home



2016-0218-A

322 Hedge pocket Ay- area of principled charge For garage Page 1 of 1



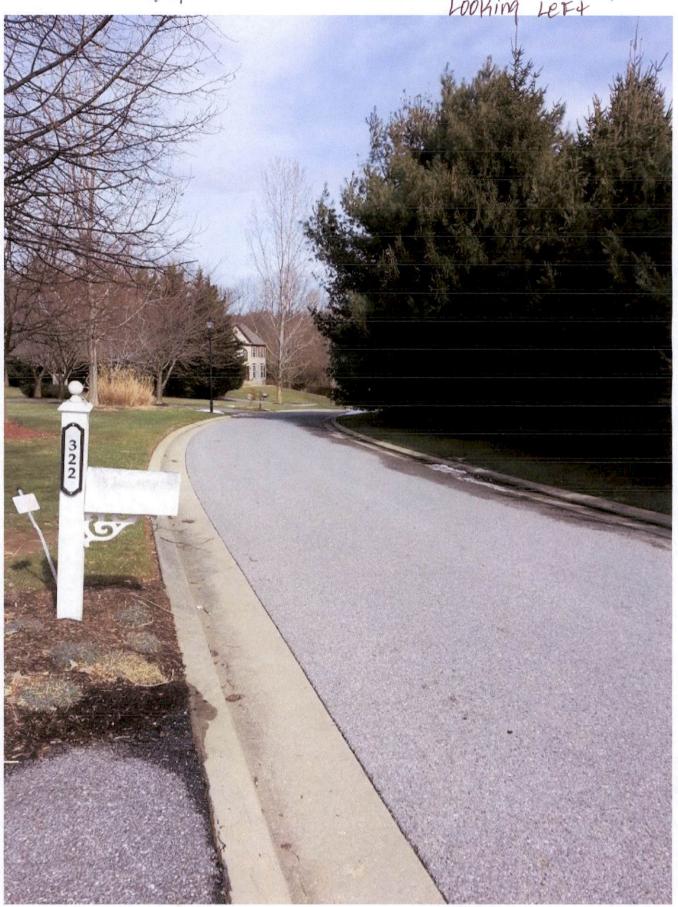
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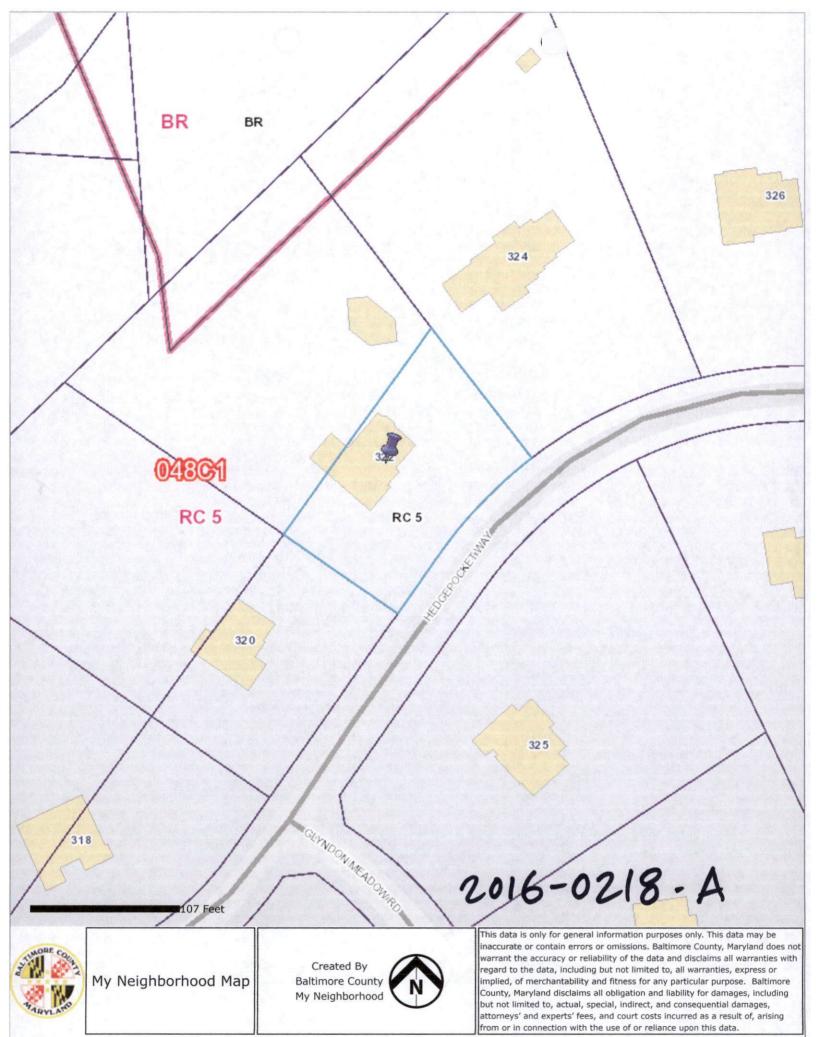


2016-0218-A

322 Hedge Packet WAY- View From Driveway Looking Lett



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earch Result for	BALTIM	ORE COUNTY							
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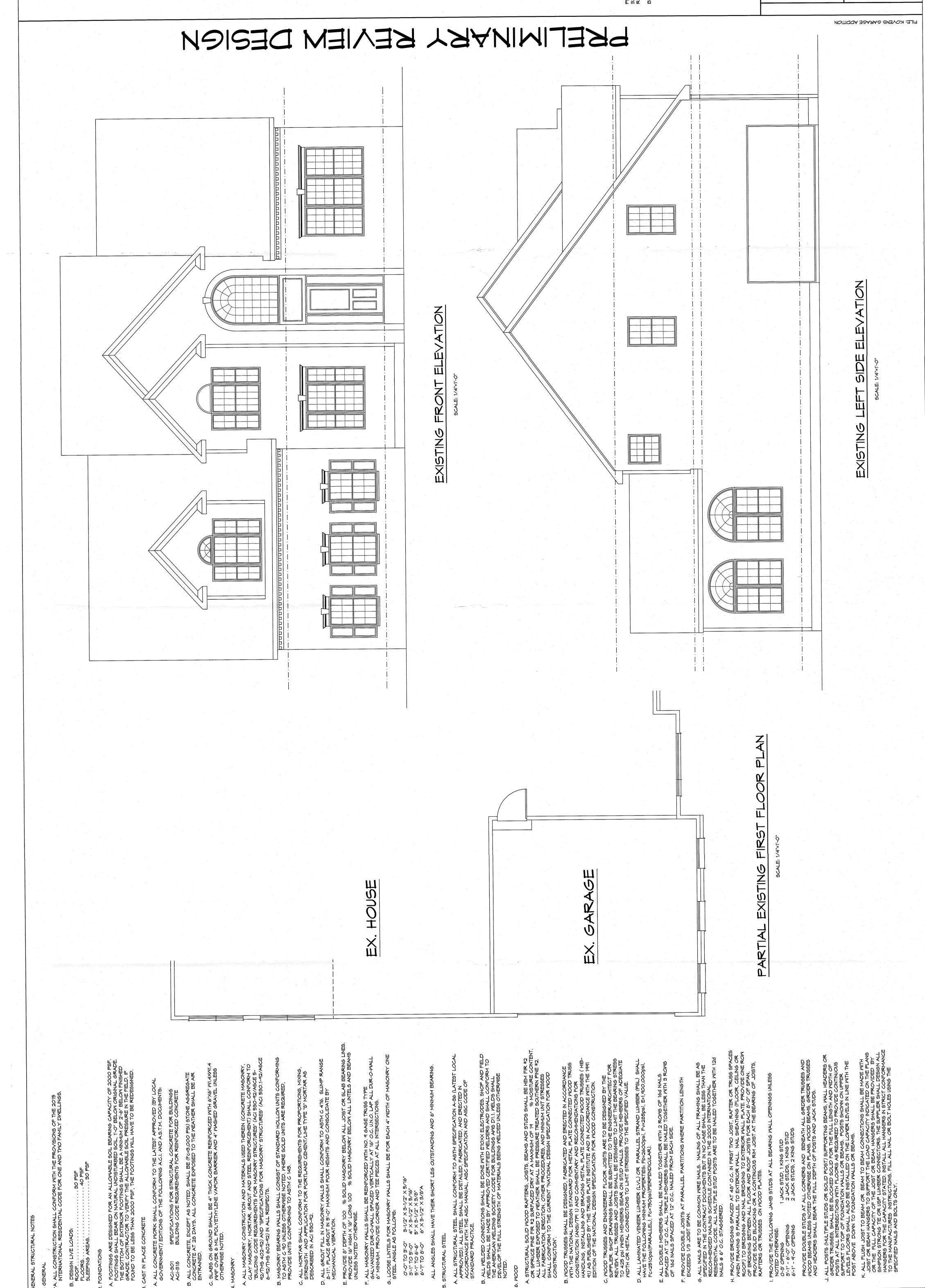


Printed 2/23/2016

PHONE 410-833-8320 PO BOX 237 FINKSBURG, MD 21048 DESIGN INC GBL CUSTOM HOME

SHEET NO.: 1 OF 9102/2 :3TA(CALE: 1/4" = 1'-0"

THE KOVENS RESIDENCE OT NOITIQUA 394849



5. STRUCTURAL STEEL

GENERAL STRUCTURAL NOTES

PROPOSED LEFT SIDE PROPOSED FRONT ELEVATION EX. HOUSE

HOUSE

PRELIMINARY REVIEW DESIGN

GARAGE ADDITION TO THE KOVENS RESIDENCE

FILE: KOVENS GARAGE ADDITION

SCALE: 1/4" = 1'-0"

DATE: 2/2016

SHEET NO.: 1 OF

GBL CUSTOM HOME
DESIGN INC.
PO BOX 237 FINKSBURG, MD 21048
PHONE 410-833-8320

