

M E M O R A N D U M

DATE: July 5, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0233-SPH – Appeal Period Expired

The appeal period for the above-referenced case expired on June 30, 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 SPECIAL HEARING** * BEFORE THE
(3121 Wards Chapel Road) *
2nd Election District * OFFICE OF
4th Council District *
ADMINISTRATIVE HEARINGS
Sharon Hubbard & Alan Edward Jackson *
Legal Owners * FOR BALTIMORE COUNTY
Petitioners * **Case No. 2016-0233-SPH**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Sharon Hubbard and Alan Edward Jackson, legal owners. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) to approve the “construction of a 40 x 24 sq. ft. pole barn as an accessory use on the subject RC 2 Resource Conservation Agricultural Zone and to approve the existing 20' x 40' barn that was constructed on the site prior to 1970.”

Sharon and Edward Jackson appeared in support of the petition. Edward C. Covahey, Jr., Esq. represented the Petitioners. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. A Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP).

The subject property is 13.043 acres and zoned RC 2. The site is improved with a barn constructed in the late 1960s, when a nursery operated on the property. Otherwise, the large tract is unimproved. Petitioners propose to construct a one-story pole building on the lot, which would be used to store household items and lawn care tools and equipment. Since there is not a single-

ORDER RECEIVED FOR FILING

Date

5/31/16

By

sen

family dwelling or other principal use on the lot, Baltimore County policy requires Petitioners to seek special hearing relief.

The Petitioners' property is located within a large and sparsely populated swath of rural land adjoining the Liberty Reservoir, as shown on the plan prepared by surveyor Brian Dietz. Ex. 2. Photos (Exs. 5A-5H) were submitted which indicate Petitioners maintain the grounds to create a "park-like" setting, and the proposed building would accommodate the equipment and tools necessary to do so. Given the size and location of the large site, I do not believe granting the Petition would have any adverse impact upon the community.

While it may be an issue of semantics, the language of the order below differs slightly from that contained in the Petition. The Petition and attachment indicate the proposed building would be "accessory" to the dwelling located on the adjacent property. That dwelling is owned by Petitioners, who reside on a lot known as 3820 Wards Chapel Road, immediately adjacent to the subject property. An accessory use or structure must be "located on the same lot as the principal use or structure served." B.C.Z.R. §101.1. That, of course, is why zoning relief was needed in the first instance; i.e., the pole barn will be located on a lot without a principal use or structure. The pole barn will therefore not be an "accessory" use or structure, although its construction will be approved for the reasons explained above.

THEREFORE, IT IS ORDERED this 31st day of **May, 2016** by this Administrative Law Judge, that the Petition for Special Hearing pursuant to B.C.Z.R. § 500.7 to approve the construction of a 40 x 24 sq. ft. pole barn on an RC 2 zoned property, and to approve an existing 20' x 40' barn, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 5/31/16
By Sen

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh

ORDER RECEIVED FOR FILING

Date 5/31/16

By slh



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 3121 WARDS CHAPEL ROAD which is presently zoned RC-2
 Deed References: 11097 / 245 10 Digit Tax Account # 2200016428
 Property Owner(s) Printed Name(s) SHARON HUBBARD JACKSON / ALAN EDWARD JACKSON

(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 the construction of a 40 X 24 sq. ft. pole barn as an accessory use on the subject R.C. 2 Resource Conservation Agricultural Zone.
 (SEE ATTACHED CONTINUATION)
2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. ☐ a **Variance** from Section(s)

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)

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:

Edward C. Covahey, Jr.
 Name- Type or Print _____
 Signature _____
 614 Bosley Ave., Towson, MD 21204
 Mailing Address _____ City _____ State _____
 Zip Code 1410-828-9441 Telephone # _____ Email Address _____

Legal Owners (Petitioners):

SHARON HUBBARD JACKSON / ALAN EDWARD JACKSON
 Name #1 - Type or Print _____ Name #2 - Type or Print _____
 Signature #1 Sharon Hubbard Jackson Signature #2 Alan Edward Jackson
3820 Wards Chapel Rd. Marriottsville, MD
 Mailing Address _____ City _____ State _____
21104 , 410-922-0468 , ALAN@SHARONJACKSON.COM
 Zip Code _____ Telephone # _____ Email Address _____
 COMCAST. NET

Representative to be contacted:

BRIAN DIETZ
 Name - Type or Print _____
 Signature Brian Dietz
2835 SMITH AVE BALTO. MD
 Mailing Address _____ City _____ State _____
21209 , 410-653-3838 , BDIETZ@CMRENGINEERS.C
 Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2016-0233-SPH Filing Date 3/28/16 Do Not Schedule Dates: _____ Reviewer BK

PETITION FOR SPECIAL HEARING
(Continuation)

Property: 3121 Wards Chapel Road

*AND TO APPROVE THE EXISTING 20' X 40' BARN THAT WAS CONSTRUCTED
ON THE SITE PRIOR TO 1970.*

The pole barn to be constructed will be an accessory to the dwelling located on the adjacent property, which is owned of record by the same owners as the owners of the subject property. The pole barn will serve to store the garden and lawn implements that are necessary to maintain the park-like appearance of the subject tract.

The pole barn, as an accessory structure, cannot be located on the adjacent tract in that there is insufficient ground to the rear of the property to construct same.

Note To The File

The petitioner requests to construct a pole barn (24'x40'x14'7") on a residential lot without a principle dwelling.

Dietz Surveying
Professional Land Surveyor #21080
8119 Oakleigh Road, Parkville, MD 21234
Phone 410-661-3160 Fax 410-661-3163
www.dietzsurveying.net

March 17, 2016

Zoning Description
3121 Wards Chapel Road

All that piece or parcel of land situate, lying and being in the 2nd Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a point distant southwesterly 1,500 feet more or less from the center of Reisburg Lane and running thence,

1. South 31 degrees 21 minutes 26 seconds West 109.06 feet,
2. South 20 degrees 17 minutes 26 seconds West 160.08 feet,
3. South 31 degrees 37 minutes 26 seconds West 122.03 feet,
4. North 54 degrees 23 minutes 56 seconds West 27.47 feet,
5. North 09 degrees 19 minutes 51 seconds East 97.03 feet,
6. North 23 degrees 38 minutes 23 seconds West 45.50 feet,
7. North 81 degrees 57 minutes 49 seconds West 67.50 feet,
8. North 41 degrees 15 minutes 44 seconds West 122.00 feet,
9. North 21 degrees 14 minutes 56 seconds East 141.94 feet,
10. North 26 degrees 13 minutes 30 seconds West 133.15 feet,
11. North 76 degrees 38 minutes 52 seconds West 277.08 feet,
12. North 58 degrees 24 minutes 09 seconds West 551.66 feet,
13. North 58 degrees 33 minutes 26 seconds East 431.78 feet,
14. South 31 degrees 26 minutes 34 seconds East 100.00 feet,
15. North 58 degrees 33 minutes 26 seconds East 483.10 feet,
16. North 03 degrees 26 minutes 34 seconds West 113.30 feet,
17. North 58 degrees 33 minutes 26 seconds East 207.13 feet,
18. South 02 degrees 48 minutes 34 seconds East 634.10 feet,
19. South 62 degrees 34 minutes 37 seconds West 310.12 feet,
20. South 43 degrees 57 minutes 34 seconds East 485.00 feet, to the place of beginning.

Containing 13.043 Acres or 568172 sq. ft. of land more or less.

Being the land of the petitioner herein as shown on a plat filed in the office of the Zoning Commissioners, known as 3121 Wards Chapel Road, 2nd Election District, 4th Councilmanic District.

**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: 2016-0233-SPH

Property Address: 3121 WANDS CHAPEL ROAD MARYHARTSVILLE MD

Property Description: 13 acres used residentially

21104

Legal Owners (Petitioners): ALAN JACKSON + SHARON HOBBS JACKSON

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: ALAN JACKSON

Company/Firm (if applicable): _____

Address: 3820 WANDS CHAPEL RD
MARYHARTSVILLE MD 21104

Telephone Number: 410-922-0468



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 4153088

Sold To:

Alan Jackson - CU00535310
3121 Wards Chapel Road
Marriottsville, MD 21104

Bill To:

Alan Jackson - CU00535310
3121 Wards Chapel Road
Marriottsville, MD 21104

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

May 05, 2016



The Baltimore Sun Media Group

By S. Wilkinson
Legal Advertising

CERTIFICATE OF POSTING

CERTIFICATE OF POSTING

CASE NO: 2016-0233-SPH

PETITIONER/DEVELOPER

ALAN E. & SHARON JACKSON

DATE OF HEARING/CLOSING:

5/26/16

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 _____

3121 WARDS CHAPEL ROAD

THIS SIGN(S) WERE POSTED ON May 3, 2016
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 5/3/16
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 # 2016-0233-SPH

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, MAY 26, 2016
AT 11:00 A.M.

REQUEST:
SPECIAL HEARING TO DETERMINE WHETHER OR NOT THE ADMINISTRATIVE
LAW JUDGE SHOULD APPROVE THE CONSTRUCTION OF A 40' X 24' POLE BARN
ON THE SUBJECT RC-2 RESOURCE CONSERVATION AGRICULTURAL
ZONE.

POSTPONEMENTS DUE TO WEATHER AND OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONSIDER HEARING CALL 410-487-5200

DO NOT REMOVE THIS SIGN AND POST UNTIL HEARING DATE UNDER PENALTY OF LAW

MEETING IS HANDICAP ACCESSIBLE

W. J. ... 5/3/16

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 5/4/2016

Case Number: 2016-0233-SPH

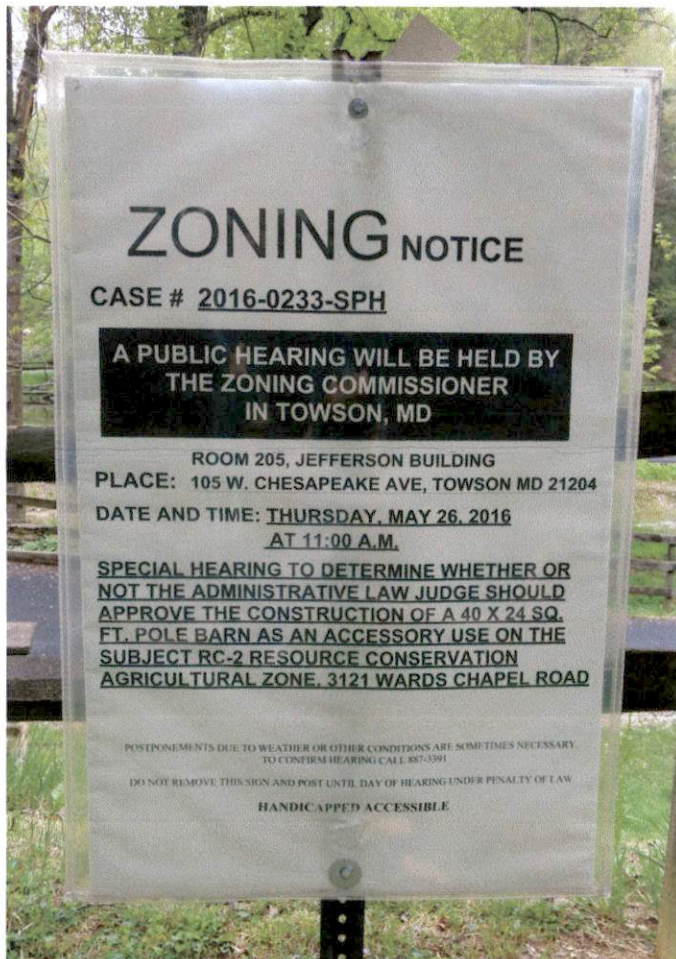
Petitioner / Developer: EDWARD COVAHEY, ESQ. ~

MR. & MRS. JACKSON ~ BRIAN DIETZ of COLBERT, MATZ &
ROSENFELT, INC.

Date of Hearing (Closing): MAY 26, 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:
3121 WARDS CHAPEL ROAD

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



KEVIN KAMENETZ
County Executive

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

April 6, 2016

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: 2016-0233-SPH

3121 Wards Chapel Road
NW/s Wards Chapel Road, 1500 ft. s/of centerline of Reisburg Lane
2nd Election District – 4th Councilmanic District
Legal Owners: Sharon & Alan Jackson

Special Hearing to determine whether or not the Administrative Law Judge should approve the construction of a 40 X 24 sq. ft. pole barn as an accessory use on the subject RC-2 Resource Conservation Agricultural Zone.

Hearing: Thursday, May 26, 2016 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Edward Covahey, 614 Bosley Avenue, Towson 21204
Mr. & Mrs. Jackson, 3820 Wards Chapel Road, Marriottsville 21104
Brian Dietz, 2835 Smith Avenue, Baltimore 21209

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MAY 6, 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, May 5, 2016 Issue - Jeffersonian

Please forward billing to:
Alan Jackson
3820 Wards Chapel Road
Marriottsville, MD 21104

410-922-0468

NOTICE OF ZONING HEARING

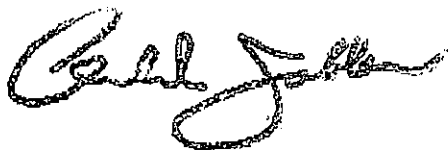
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Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- 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
3121 Wards Chapel Road; NW/S Wards Chapel	*	OF ADMINISTRATIVE
Road, 1500' S of c/line Reisburg Lane	*	HEARINGS FOR
2 nd Election & 4 th Councilmanic Districts	*	BALTIMORE COUNTY
Legal Owner(s): Sharon & Alan Jackson	*	2016-233-SPH
Petitioner(s)		

* * * * *

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.

RECEIVED
APR 07 2016

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of April, 2016, a copy of the foregoing Entry of Appearance was mailed to Edward C. Covahey, Jr., 614 Bosley Avenue, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

No. **134724**

Date: **3/23/16**

PAID RECEIPT

BUSINESS ACTUAL TIME DAY
 3/28/2016 3/28/2016 10:24:00 2

SUB NO02 WALKIN JENA JEE
 RECEIPT # 961474 3/29/2016 OFLN

Dept 5 529 JENING VERIFICATION
 10. 134724

Receipt Tot 673.00
 673.00 CK 6.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	306	0000		6150						\$ 75.00

Total: **1175.00**

Rec From: **Alan Jackson**

For: **Source of Funding**

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

001 0000 0000 0000



KEVIN KAMENETZ
County Executive

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

May 18, 2016

Sharon Hubbard Jackson
Alan Edward Jackson
3820 Wards Chapel Road
Marriottsville MD 2104

RE: Case Number, Address: 2016-0233 A, Address: 3121 Wards Chapel Road

Dear Mr. & Ms. Jackson:

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

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is fluid and cursive.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Edward C Covahey, Jr., Esquire, 614 Bosley Avenue, Towson, MD 21204
Brian Dietz, 2835 Smith Avenue, Baltimore MD 21209

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: April 5, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0233-SPH
Address 3121 Wards Chapel Road
(Jackson Property)

Zoning Advisory Committee Meeting of April 11, 2016.

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

Reviewer: Steve Ford Date: 04-05-2016

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: April 28, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-233

INFORMATION:

Property Address: 3121 Wards Chapel Road
Petitioner: Sharon, Hubbard Jackson, Alan Edward Jackson
Zoning: RC 2
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve the construction of an accessory structure (pole barn) and an existing structure (utility shed) both located on a lot not having a principal structure.

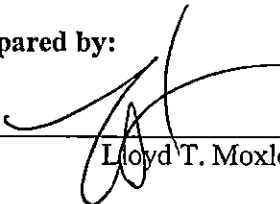
A site visit was conducted on April 19, 2016.

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

- The proposed and existing structures shall be accessory to the principal residential use of the property. Neither structure shall be used for commercial purposes nor converted to living space.
- As a measure of stream protection, there shall be no storage of chemicals or other volatile agents, nor machinery, within or around the structures beyond what is reasonable in support of the residential use of the property.

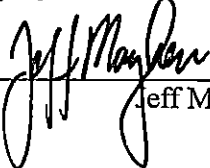
For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Deputy Director



Jeff Mayhew

AVA/KS/LTM/ka

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

5126

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

APR 05 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: April 5, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0233-SPH
Address 3121 Wards Chapel Road
(Jackson Property)

Zoning Advisory Committee Meeting of April 11, 2016.

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

Reviewer: Steve Ford

Date: 04-05-2016

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



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

Date: 4/4/16

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. 2016-0233-SPH

*Special Hearing
Sharon Hubbard Jackson & Alon Edward Jackson
3121 Wards Chapel 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,

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

526

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: April 28, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-233

RECEIVED

INFORMATION:

Property Address: 3121 Wards Chapel Road

Petitioner: Sharon, Hubbard Jackson, Alan Edward Jackson

Zoning: RC 2

Requested Action: Special Hearing

MAY 02 2016

OFFICE OF ADMINISTRATIVE HEARINGS

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve the construction of an accessory structure (pole barn) and an existing structure (utility shed) both located on a lot not having a principal structure.

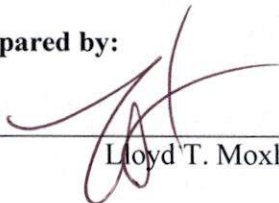
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The Department has no objection to granting the petitioned zoning relief conditioned upon the following.

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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

Deputy Director



Jeff Mayhew

AVA/KS/LTM/ka

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

2016-0233-SPH
3121 Wards Chapel
CASE NAME ~~2016-0228-SPH~~
CASE NUMBER ~~2826 FLORENCE AVE.~~
DATE 5/26/16
OWNER'S SIGN-IN SHEET

CASE NAME ~~2016-0228-SPH~~
CASE NUMBER ~~2826 FORTIDA AVE.~~
DATE 5/26/16

[illegible]

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

DEVELOPMENT PLANS REVIEW

(if not received, date e-mail sent _____)

4/5/16

DEPS

(if not received, date e-mail sent _____)

N/C

FIRE DEPARTMENT

PLANNING

(if not received, date e-mail sent _____)

4/28/16

no obs. w/ comment

4/4/16

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

no obs

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

5/5/16

SIGN POSTING

Date:

5/3/16

by

ogle

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

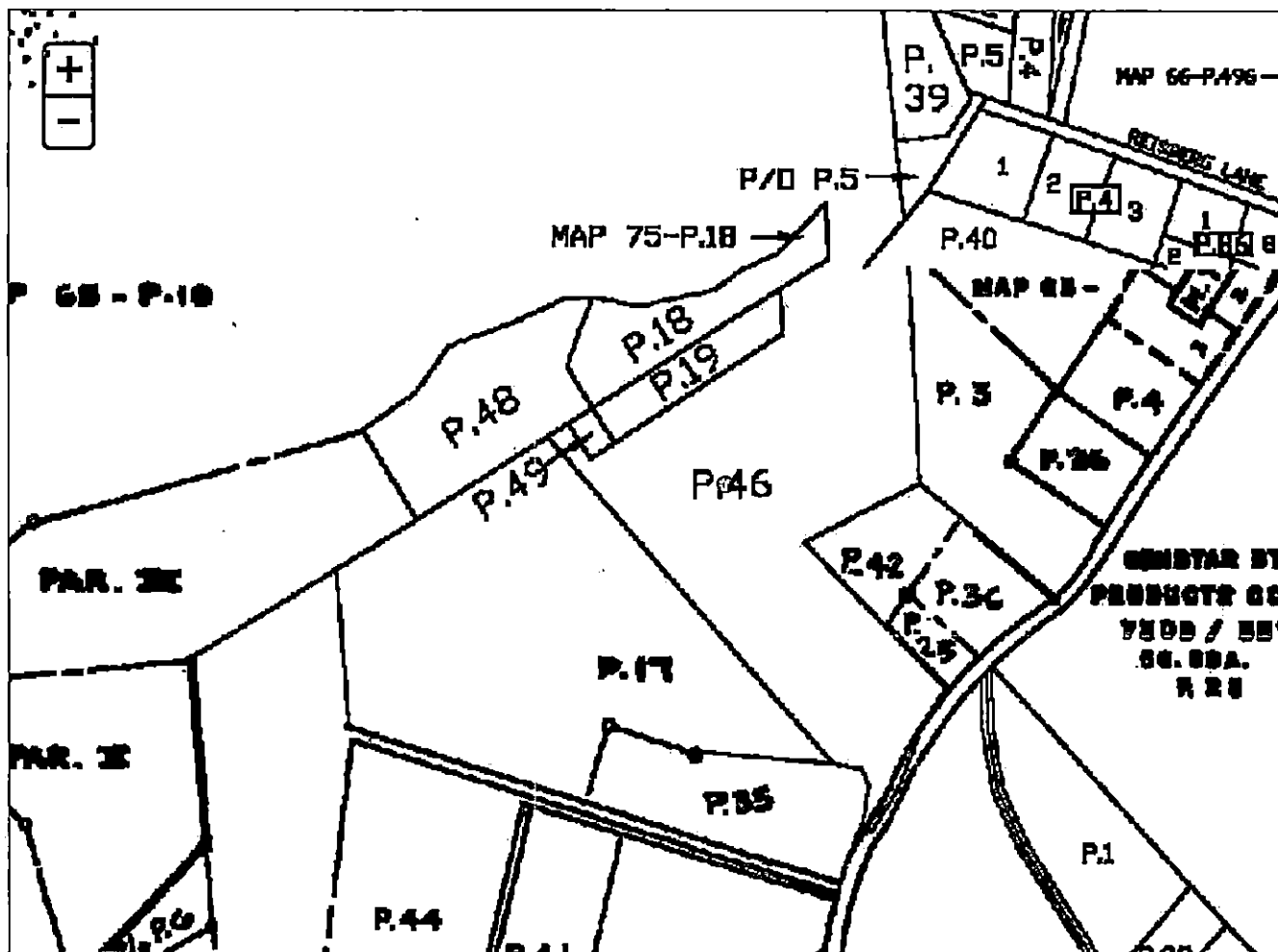
Real Property Data Search (w3)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 02 Account Number - 2200016428			
Owner Information					
Owner Name:	JACKSON SHARON HUBBARD JACKSON ALAN E		Use: Principal Residence:	AGRICULTURAL NO	
Mailing Address:	3820 WARDS CHAPEL RD MARRIOTTSVILLE MD 21104		Deed Reference:	/11097/ 00245	
Location & Structure Information					
Premises Address:	3121 WARDS CHAPEL RD 0-0000		Legal Description:	12.8685 AC NWS WARDS CHAPEL RD 4000 FT N MARRIOTSVIL RD	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Ref:
0075	0006	0046		0000	2016
Special Tax Areas:			Town: NONE Ad Valorem: Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
			12.8600 AC	05	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
Value Information					
	Base Value	Value As of 01/01/2016	Phase-in Assessments As of 07/01/2015 As of 07/01/2016		
Land:	2,600	2,600			
Improvements	0	0			
Total:	2,600	2,600	2,600	2,600	
Preferential Land:	2,600			2,600	
Transfer Information					
Seller: HUBBARD EDGAR S		Date: 06/22/1993		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /11097/ 00245		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2015		07/01/2016	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:	Special Tax Recapture:				
Exempt Class:	AGRICULTURAL TRANSFER TAX				
Homestead Application Information					
Homestead Application Status: No Application					

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **02** Account Number: **2200016428**

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>).

Case No.:

2016-0233-SPH

Exhibit Sheet

Petitioner/Developer

Protestant

7-5-16
DW

sen
5/31/16

No. 1	1A-ID ZAC comments	
No. 2	zoning plan	
No. 3	aerial photo	
No. 4	elevations of pole barn	
No. 5	5A-5H photos of site	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



1000

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KEVIN KAMENETZ
County Executive



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

May 18, 2016

Sharon Hubbard Jackson
Alan Edward Jackson
3820 Wards Chapel Road
Marriottsville MD 2104

RE: Case Number, Address: 2016-0233 A, Address: 3121 Wards Chapel Road

Dear Mr. & Ms. Jackson:

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

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is stylized with a large, looped "W" and a long, sweeping "J" at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

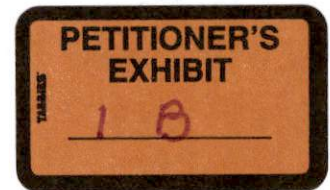
Enclosures

c: People's Counsel
Edward C Covahey, Jr., Esquire, 614 Bosley Avenue, Towson, MD 21204
Brian Dietz, 2835 Smith Avenue, Baltimore MD 21209

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



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



Date: 4/4/16

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. 2016-0233-SPH

*Special Hearing
Sharon Hubbard Jackson & Alan Edward Jackson
3121 Wards Chapel 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,

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



BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: April 5, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0233-SPH
Address 3121 Wards Chapel Road
(Jackson Property)

Zoning Advisory Committee Meeting of April 11, 2016.

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

Reviewer: Steve Ford Date: 04-05-2016

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM



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

DATE: April 28, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-233

INFORMATION:

Property Address: 3121 Wards Chapel Road
Petitioner: Sharon, Hubbard Jackson, Alan Edward Jackson
Zoning: RC 2
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve the construction of an accessory structure (pole barn) and an existing structure (utility shed) both located on a lot not having a principal structure.

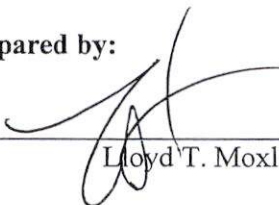
A site visit was conducted on April 19, 2016.

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

- The proposed and existing structures shall be accessory to the principal residential use of the property. Neither structure shall be used for commercial purposes nor converted to living space.
- As a measure of stream protection, there shall be no storage of chemicals or other volatile agents, nor machinery, within or around the structures beyond what is reasonable in support of the residential use of the property.

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

Prepared by:



Lloyd T. Moxley

Deputy Director



Jeff Mayhew

AVA/KS/LTM/ka

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

PETITIONER'S
EXHIBIT

3

00008883

2500005406 11425

2500005407

11423

0215640000

2200016428

3121

0218100211

0203370530

3906

0208800540

3818

3820
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3834
0218100210

3832

0208801191

3814

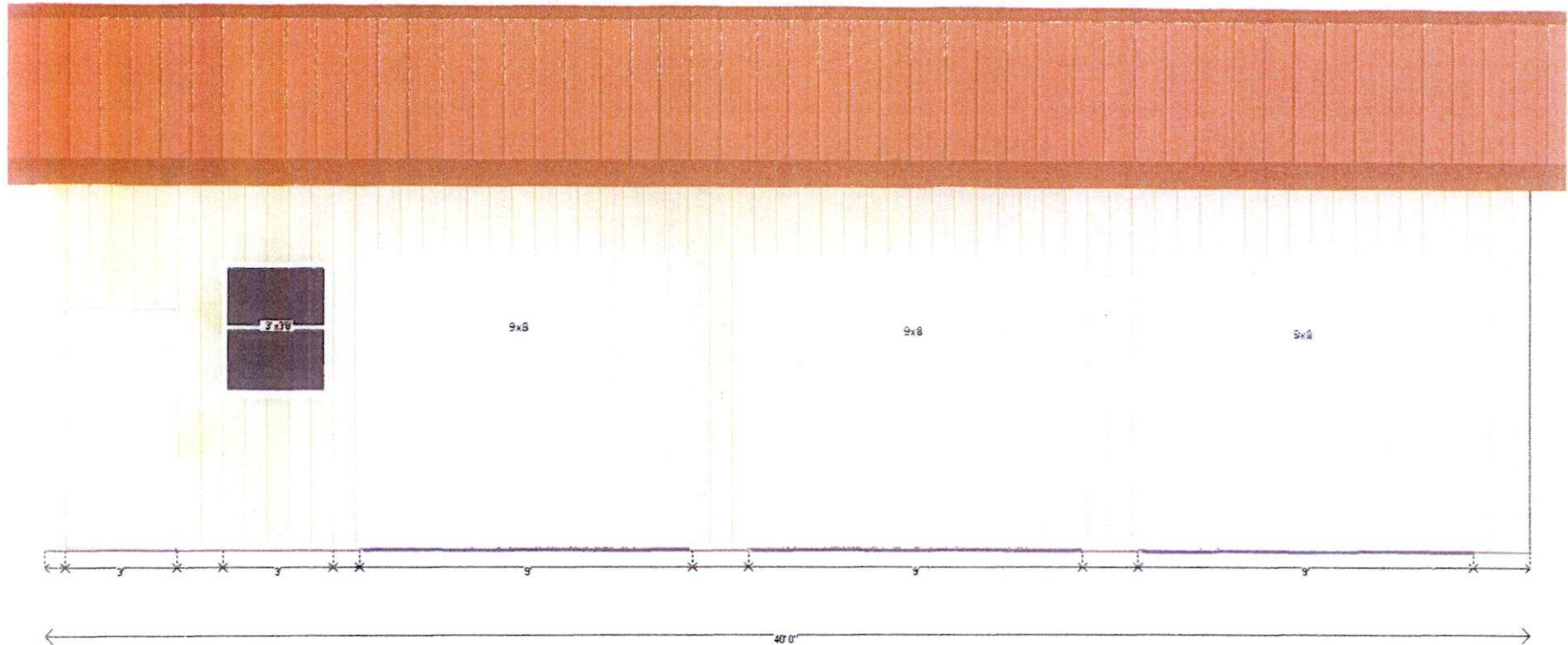
15 FEET
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ANALOG
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2100010000

ELEVATION PLAN (BY DIRECTION, ALL WINGS) -- South

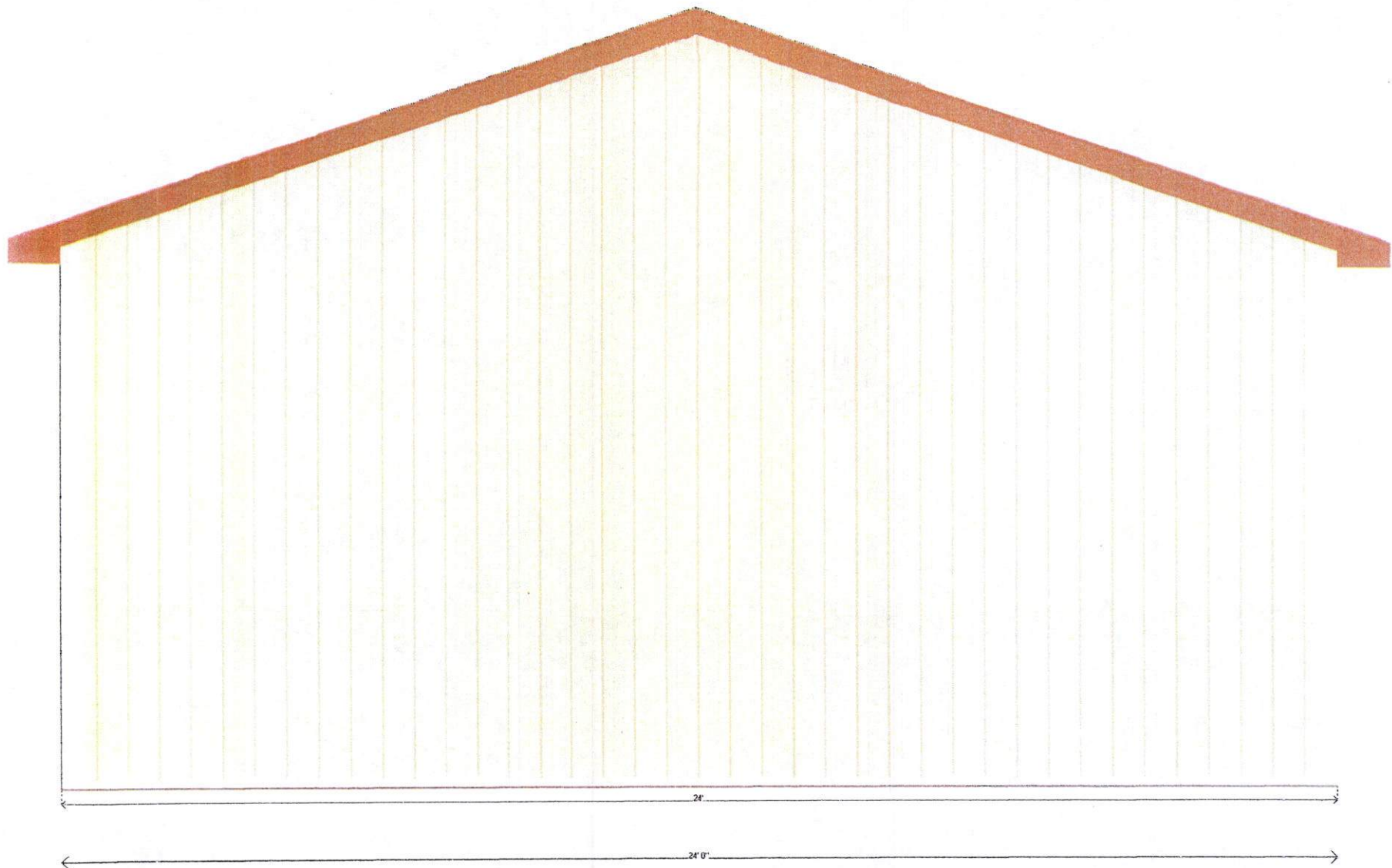


Alan Jackson
3820 Wards Chapel Rd.
Marriottsville, MD 21104



Date: 11/26/2015
Jackson bc2
PO Box 369
Ephrata, PA 17522
(717) 572-2256
by PoleFrame Manager®

ELEVATION PLAN (BY DIRECTION, ALL WINGS) -- East



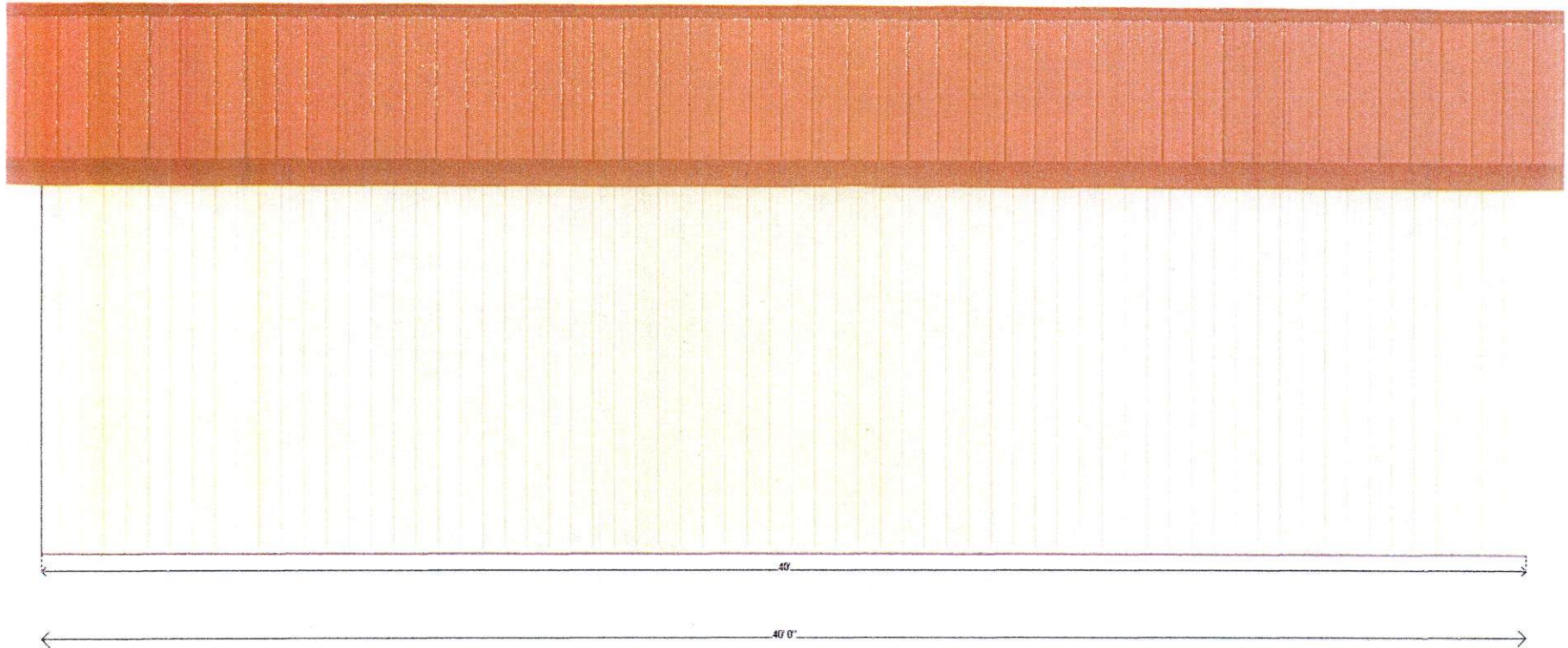
Alan Jackson
3820 Wards Chapel Rd.
Marriottsville, MD 21104



Date: 11/24/2015
Jackson, DC2
PO Box 389
Ephrata, PA 17522
(717) 572-2266

by Postframe Manager®

ELEVATION PLAN (BY DIRECTION, ALL WINGS) -- North



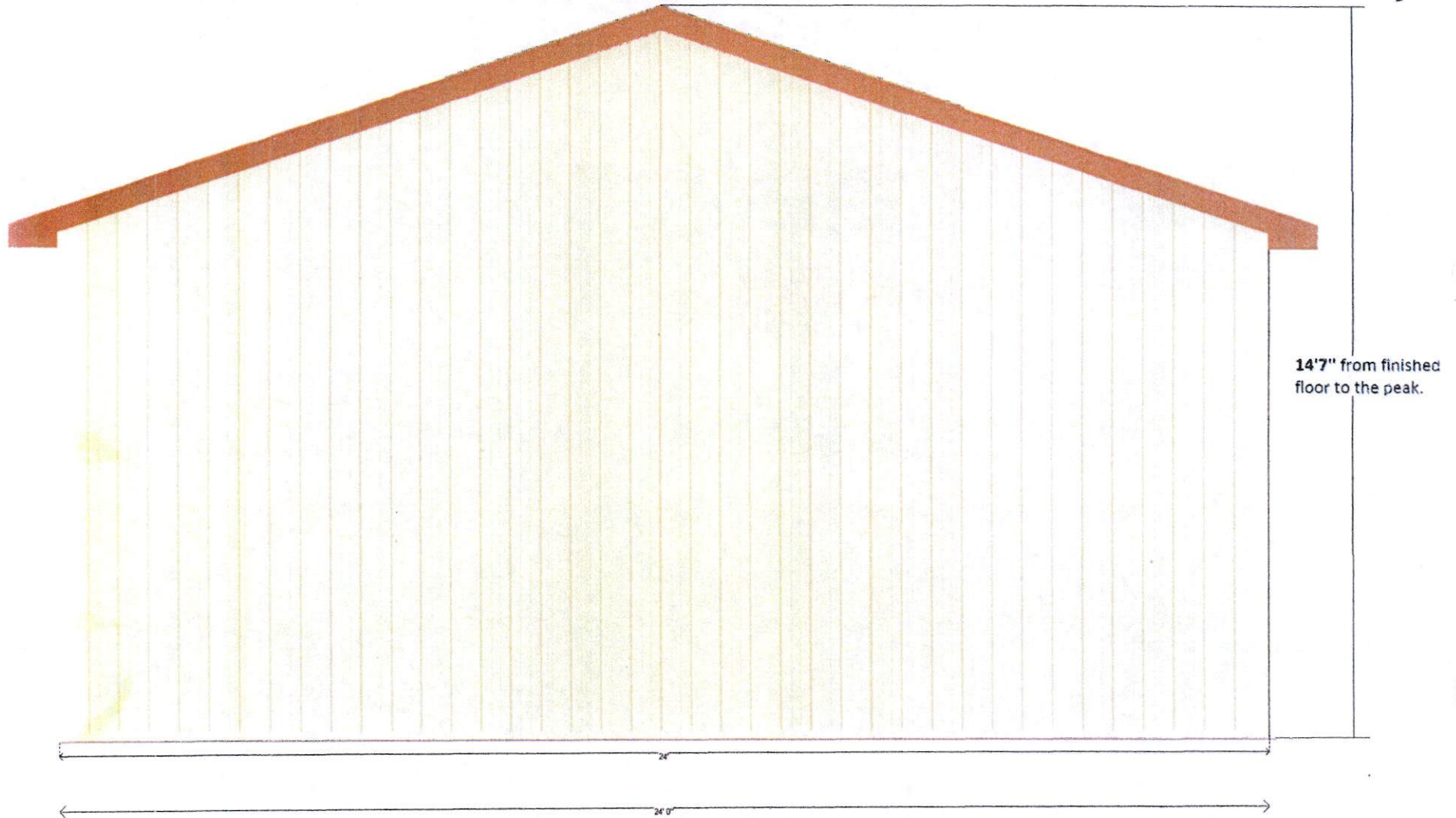
Alan Jackson
3820 Wards Chapel Rd.
Marriottsville, MD 21104



Date: 11/24/2015
Jackson.bc2
PO Box 308
Ephrata, PA 17522
(717) 572-2265

by PoleFrame Manager®

ELEVATION PLAN (BY DIRECTION, ALL WINGS) -- West



Alan Jackson
3820 Wards Chapel Rd.
Marriottsville, MD 21104



Date: 11/24/2016
Jackson, bc2
PO Box 368
Ephrata, PA 17522
(717) 572-2266
by ProForma Manager®



PETITIONER'S
EXHIBIT

50

TABLER





PETITIONER'S
EXHIBIT

SD



PETITIONER'S
EXHIBIT
5 F





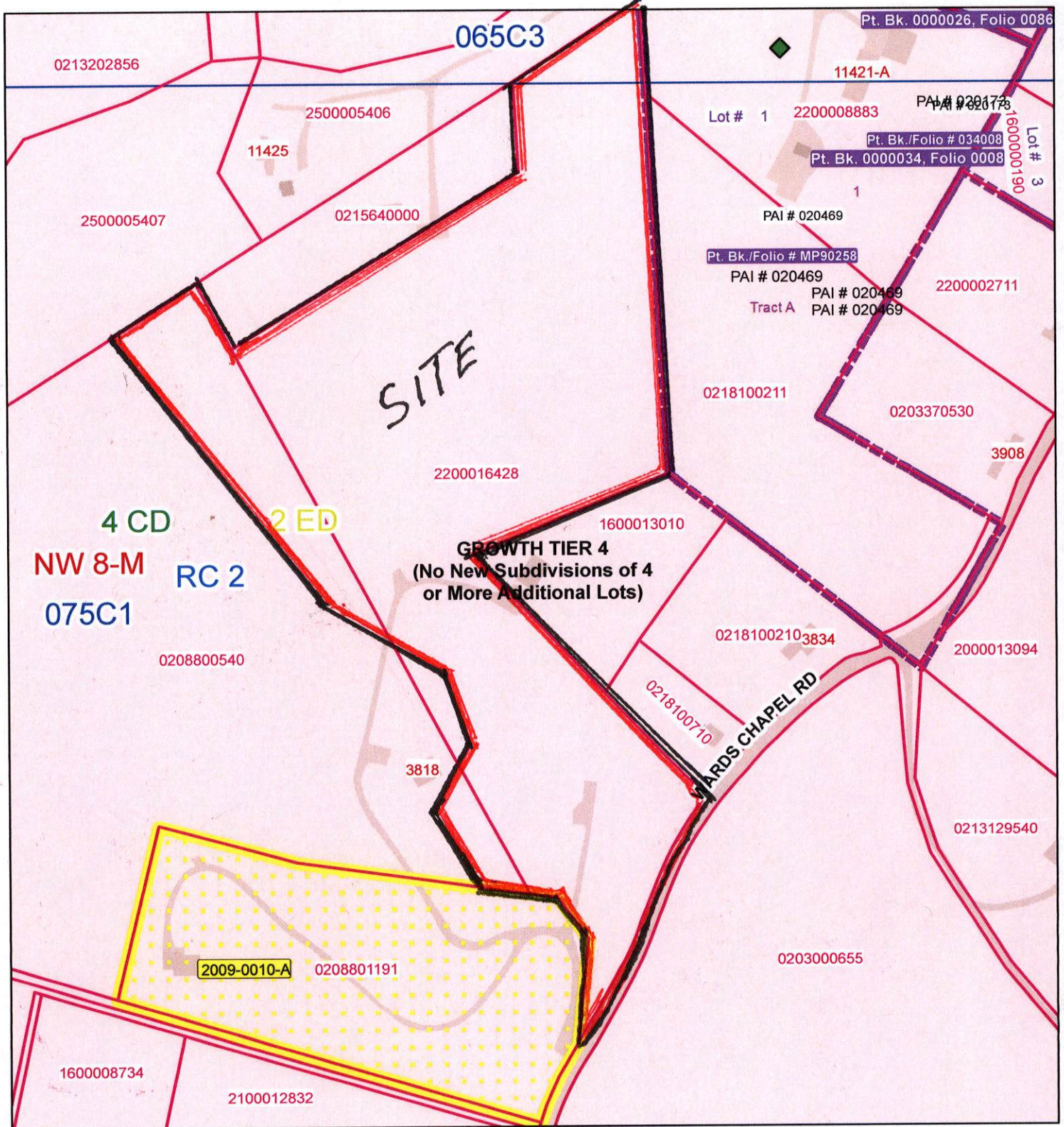


PETITIONER'S
EXHIBIT

54



31 Wards Chapel Road



Publication Date: 12/18/2015

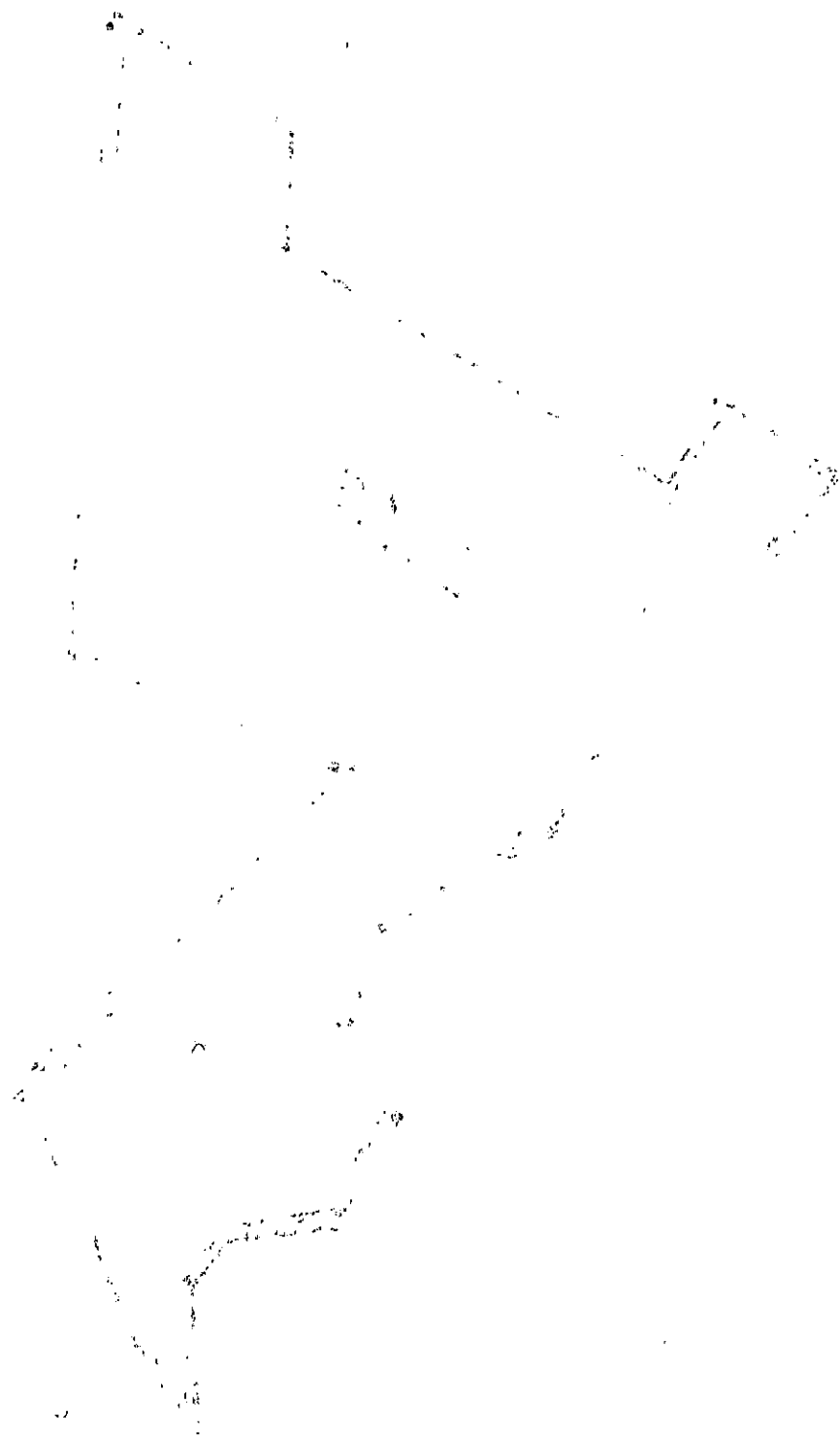


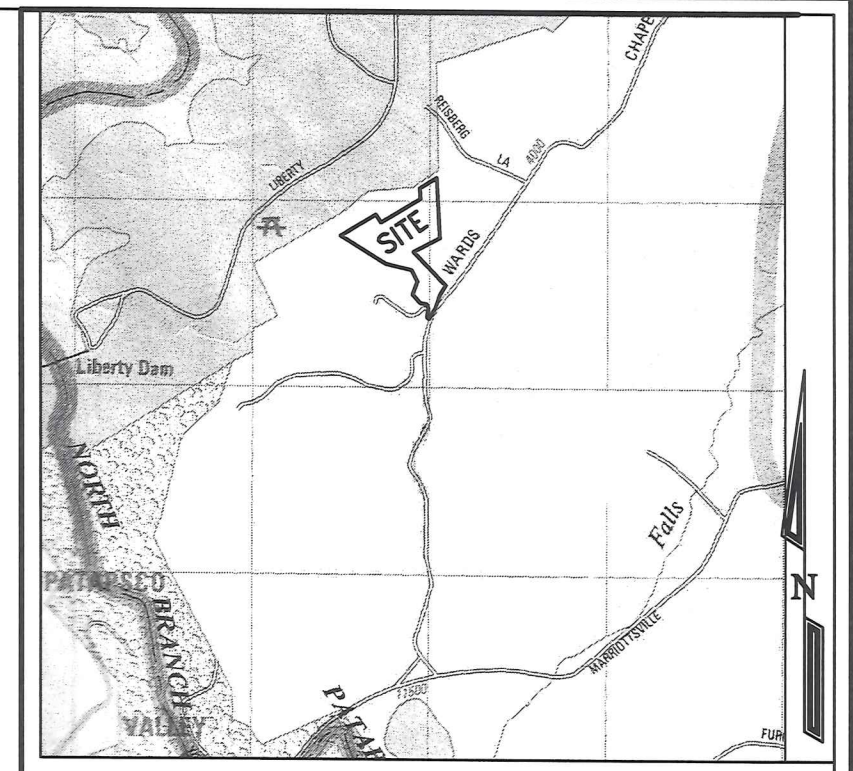
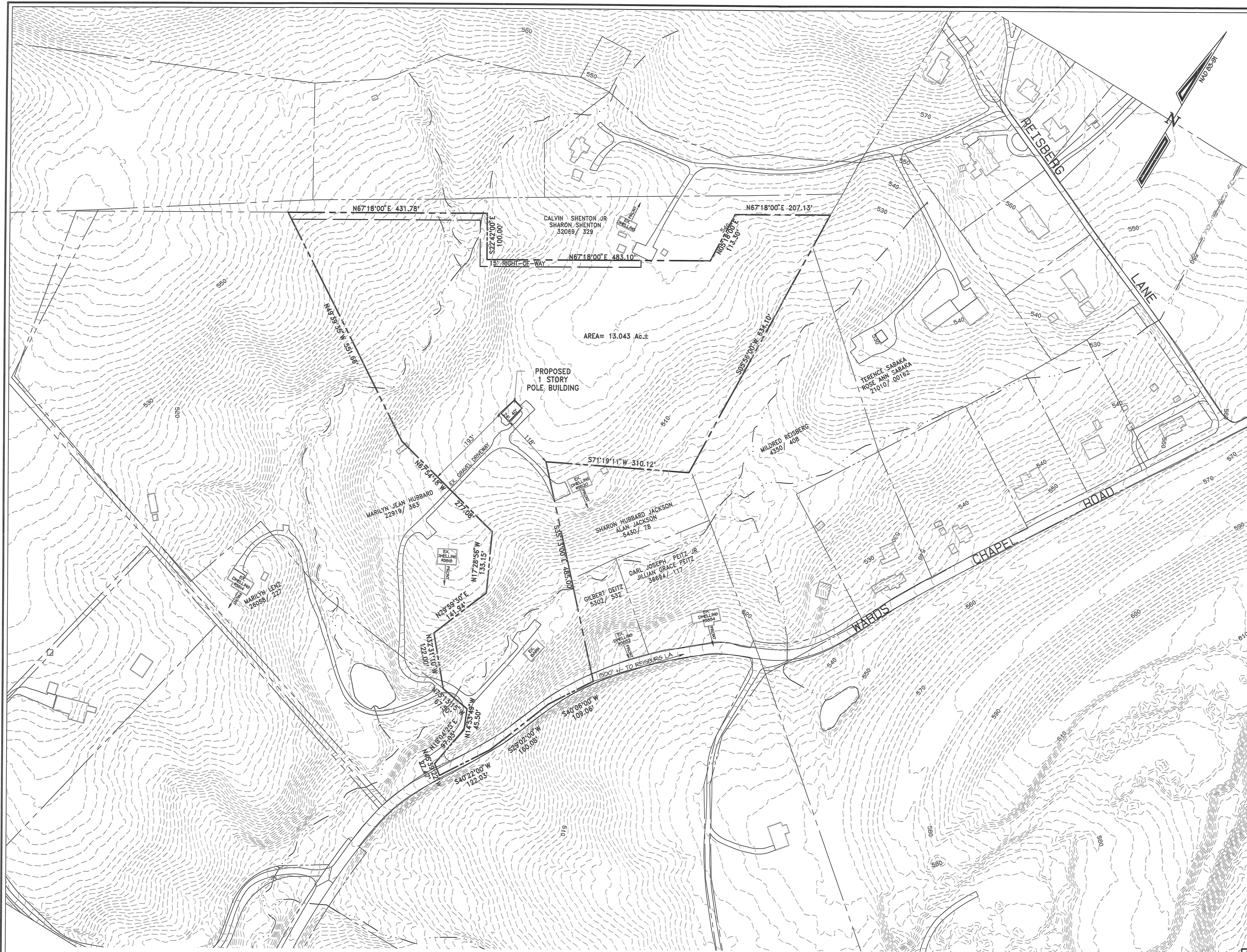
Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 55 110 220 330 440 Feet

1 inch = 200 feet

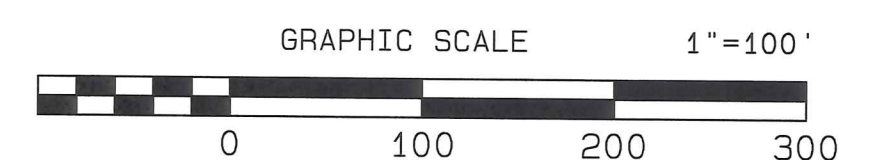




Vicinity Map Scale: 1" = 2000'

Notes

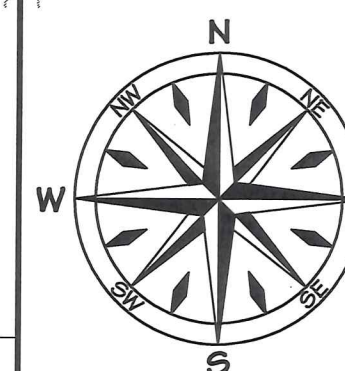
1. Owner: Sharon Hubbard Jackson
Allen Jackson
3820 Wards Chapel Rd
BALTIMORE MD 21104
2. Tax # 2200016428
3. Zoned: RC-2
MAP 75-C-1
4. Area = 13.043 Ac.±
5. This is not a historic property/building.
6. This site is serviced by private well and septic.
7. No Prior Zoning Cases.



Plat to Accompany
a
Zoning Special Hearing
of the

**JACKSON
PROPERTY**

3121 Wards Chapel Road
Baltimore County, Maryland
2nd Election District, 4th Councilmanic District
Scale: 1"=100' Date: March 16, 2016

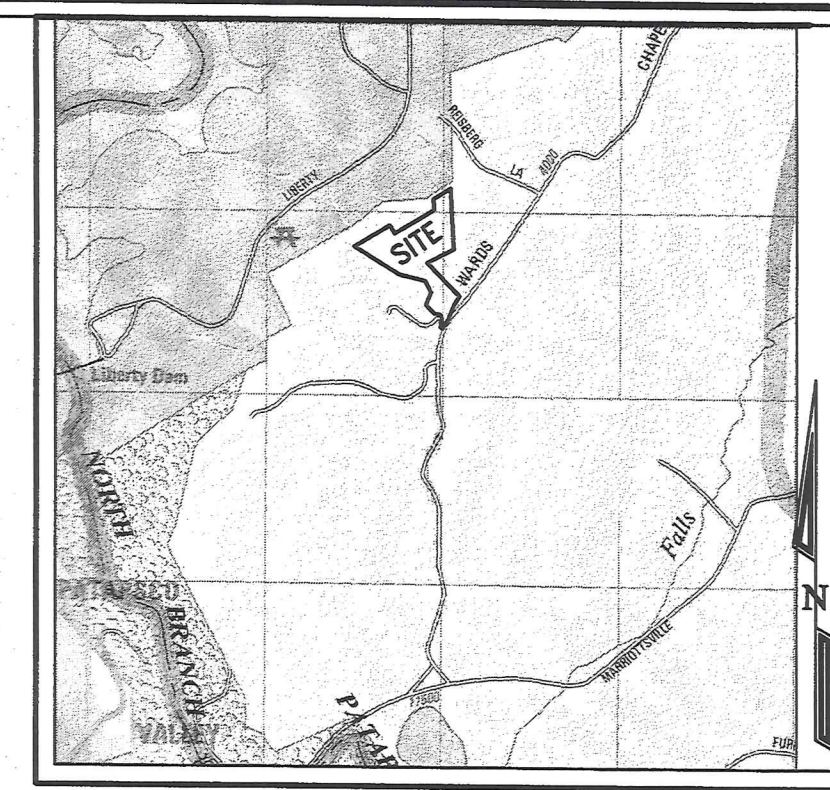


Dietz Surveying Co.
Land Surveying and Land Planning
8119 Oakleigh Road Baltimore MD 21234
Ph 410-661-3160, Fax 410-661-3163
www.dietzsveying.net

Plot Date: 3/23/2016 Job No. 2016-092
Party Chief:

Revisions

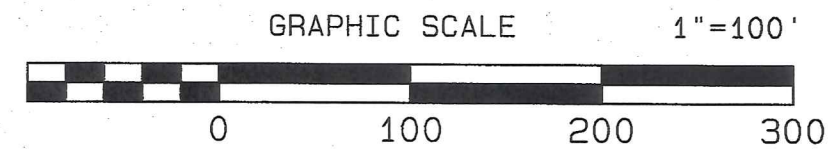
Date



Vicinity Map Scale: 1" = 2000'

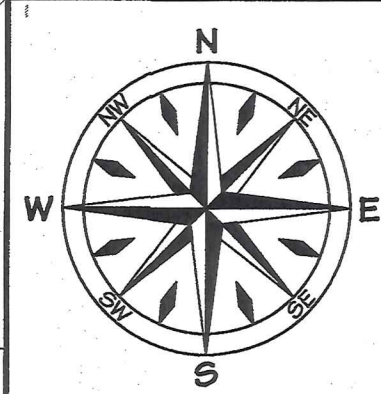
Notes

1. Owner: Sharon Hubbard Jackson
Allan Jackson
3820 Wards Chapel Rd
BALTIMORE MD 21104
2. Tax # 2200016428
3. Zoned: RC-2
MAP 75-C-1
4. Area = 13.043 Ac.±
5. This is not a historic property/building.
6. This site is serviced by private well and septic.
7. No Prior Zoning Cases.
8. NOT IN THE C.D.C.A.
9. NOT IN A FLOOD PLAIN



**Plat to Accompany
a
Zoning Special Hearing
of the
JACKSON
PROPERTY**

**3121 Wards Chapel Road
Baltimore County, Maryland
2nd Election District, 4th Councilmanic District
Scale: 1"=100' Date: March 16, 2016**



Dietz Surveying Co.
Land Surveying and Land Planning
8119 Oakleigh Road Baltimore MD 21234
Ph 410-661-3160, Fax 410-661-3163
www.dietzsurveying.net

Plot Date: 3/23/2016 Job No. 2016-052
Party Chief:

Revisions

Date