

M E M O R A N D U M

DATE: June 1, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0239-A – Appeal Period Expired

The appeal period for the above-referenced case expired on May 31, 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	*	BEFORE THE
(40 Bush Cabin Ct.)		
7 th Election District	*	OFFICE OF ADMINISTRATIVE
3 rd Council District		
Alfred M. & Kathleen A. Ensey	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	CASE NO. 2016-0239-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 owners of the property, Alfred M. & Kathleen A. Ensey ("Petitioners"). The Petitioners are requesting Variance relief pursuant to §§ 400.1 and 400.3 of the Baltimore County Zoning Regulations, to permit a proposed detached accessory structure (garage) to be located partially in the side yard with a height of 17 ft. in lieu of the required rear yard and maximum allowed 15 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies. However, it is to be noted that a letter of support was received from the adjacent neighbor (Creston P. Smith) residing at 42 Bush Cabin Ct., who indicated he did not have any objection to the Petitioners' zoning request.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on April 9, 2016, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 4-28-16

By BW

The Petitioners have 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 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 Petitioners.

Although the Department of Planning did not make any recommendations related to the proposed garage's height and usage, I will impose conditions that the garage shall not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, and kitchen or bathroom facilities.

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 28th day of **April, 2016**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from §§ 400.1 and 400.3 and of the Baltimore County Zoning Regulations, to permit a proposed detached accessory structure (garage) to be located partially in the side yard with a height of 17 ft. in lieu of the required rear yard and maximum allowed 15 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their 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,

ORDER RECEIVED FOR FILING

Date 4-28-16

2

By [Signature]

Petitioners would be required to return the subject property to its original condition.

2. The Petitioners or subsequent owners shall not convert the garage into a dwelling unit or apartment. The garage shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.
3. The garage shall not be used for commercial purposes.

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 4-28-16

By [Signature]



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 40 Bush Cabin Ct Parkton Md Currently zoned RC-8
Deed Reference 13373100617 10 Digit Tax Account # 2200017918
Owner(s) Printed Name(s) Alfred & Kathleen Ensey

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. ☒ **ADMINISTRATIVE VARIANCE** from Section(s)

Sections 400.1 and 400.3 – to permit a proposed detached accessory structure (garage) to be located partially in the side yard with a height of 17 feet in lieu of the required rear yard and maximum allowed 15 feet

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ☐ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

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

Owner(s)/Petitioner(s):

Alfred M. Ensey Kathleen A. Ensey
Name #1 - Type or Print Name #2 - Type or Print
Alfred M. Ensey Kathleen A. Ensey
Signature #1 Signature #2
40 Bush Cabin Ct Parkton Md
Mailing Address City State
21120 4434913050
Zip Code Telephone # Email Address

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

Name- Type or Print

Signature

Mailing Address

Zip Code

Telephone #

Email Address

Representative to be contacted:

Alfred M. Ensey

Name - Type or Print

Alfred M. Ensey

Signature

40 Bush Cabin Ct Parkton Md

Mailing Address

City

State

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this 4 day of April, 2016 that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2016-0239-A Filing Date 4/1/16 Estimated Posting Date 4/10/16 Reviewer RD

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 40 Bush Cabin Ct Parkton Md 21120
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

The Interior space height (12ft) is needed to allow for additional storage of future RV and/or boat that is family owned. Also I need to have space to store household exterior furniture that may include a future loft built if needed for growing family and their belongings that I cannot store in current garage. The design of this pole barn kit has a height of approx 17ft at top of poles. Also the community does not let us park any boats or RV's outside of house or lot. This is a restriction that is not providing any immediate relief from the community Assoc.

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

Alfred Martino Ensey
Signature of Owner (Affiant)
Alfred Martino Ensey
Name- Print or Type

Kathleen Anne Ensey
Signature of Owner (Affiant)
Kathleen Anne Ensey
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 28 day of March, 2016, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Alfred Martino Ensey + Kathleen Anne Ensey
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

5/14/18

RUSSEL BROWN
REV. 5/8/2014

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 40 Bush Cabin Ct Parkton MD 21120
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

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

Alfred Martino Ensey
Signature of Owner (Affiant)
Alfred Martino Ensey
Name- Print or Type

Kathleen Anne Ensey
Signature of Owner (Affiant)
Kathleen Anne Ensey
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 28 day of March, 2016, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Alfred Martino Ensey & Kathleen Anne Ensey
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public
5/14/2018
My Commission Expires

BOW SAC BROWN



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 40 Bush Cabin Ct Parkton MD Currently zoned RC-8
Deed Reference 13323 / 00617 10 Digit Tax Account # 2200017918
Owner(s) Printed Name(s) Alfred & Kathleen ENSEY

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. ☒ **ADMINISTRATIVE VARIANCE** from Section(s)

Sections 400.1 and 400.3 – to permit a proposed detached accessory structure (garage) to be located partially in the side yard with a height of 17 feet in lieu of the required rear yard and maximum allowed 15 feet

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ☐ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

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

Owner(s)/Petitioner(s):

Alfred M Ensey, Kathleen A Ensey
Name #1 – Type or Print Name #2 – Type or Print
Alfred M Ensey Kathleen A Ensey
Signature #1 Signature #2
40 Bush Cabin Ct Parkton MD
Mailing Address City State
21120 4434913050
Zip Code Telephone # Email Address

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

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Alfred M Ensey
Name – Type or Print
Alfred M Ensey
Signature
40 Bush Cabin Ct Parkton MD
Mailing Address City State
21120 4434913050
Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County on this 4 day of April, 2016 that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2016-0239-A Filing Date 4/1/16 Estimated Posting Date 4/10/16 Reviewer BJD

THE ZONING HEARING PROPERTY DESCRIPTION

PART A

ZONING PROPERTY DESCRIPTION FOR 40 Bush Cabin Ct Parkton, Md. 21120:

Beginning at a point on the north side of Bush Cabin Ct (name of street on which property fronts) which is 40 ft. of right-of-way width wide at the distance of 2330 ft. north east of the centerline of the nearest improved interesting street – Mt Carmel Rd which is 40 ft. of right-of-way width wide.

PART B

SUBDIVISION LOT – LOT IS PART OF PLAT:

Being Lot # 29, Section #2 in the Subdivision of Greenside Vista as recorded in Baltimore County Plat Book #0065, Folio #0146, containing 5.230 acres lot. Located in the 7 Election District and 3 Council District

Item #0239

To: Baltimore County MD - Zoning Review Office
C/o Kristen Lewis,
111 W Chesapeake Ave, Room 111
Towson, Md 21204

From: Petitioner - A. Martin Ensey
40 Bush Cabin Ct .
Parkton, Md 21120

Case # 2016-0239-A

Subject: Administrative Variance - File Letter of Support

Date: 4/12/16

Ms. Lewis,

At the suggestion of my review with Zoning Planner David Duval, I would like to submit and have you add the attached into my petition file under case number 2016-0239-A.

This Letter of Support from my closest neighbor addresses that he has no objections to my building a structure nor does he object to the Administrative Variance that I have requested and have applied for.

I hope this request meets you're your satisfaction and it can be added to my file.

Thanks for your time regarding this matter.

A handwritten signature in black ink that reads "A. Martin Ensey". The signature is written in a cursive, flowing style.

A Martin Ensey

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SILVERMAN|THOMPSON|SLUTKIN|WHITE
ATTORNEYS AT LAW

A Limited Liability Company

26th Floor
201 North Charles Street
Baltimore, Maryland 21201

Telephone (410) 385-2225
Facsimile (410) 547-2432
www.mdattorney.com

Baltimore Washington DC New York

Writer's Direct Contact:

April 13, 2016

BY ELECTRONIC MAIL

A. Martin Ensey
40 Bush Cabin Court
Parkton, Maryland 21120

RE: 40 Bush Cabin Ct., Building Variance Request

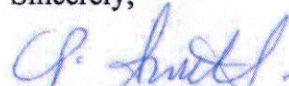
Dear Martin:

At your request, I am writing to advise you, as your nearest neighbor, that I do not have any objection to your posted variance sign describing the height and position change of the proposed structure that you are planning to build.

As we previously discussed, thank you for advising me ahead of time of your interest in building a garage on your property that is, as you described, located nearest to our shared property line with a setback as approved by the county zoning office. I also understand that you have requested all the appropriate permits through the Baltimore County Permits Department prior to any construction.

As always, I appreciate you keeping us informed and good luck with your building project.

Sincerely,


Creston P. Smith

CERTIFICATE OF POSTING

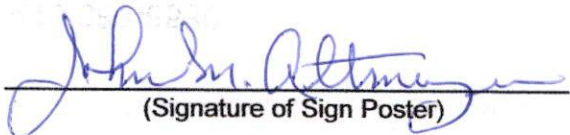
Date: April 9, 2016

RE: Project Name: Administrative Variance
Case Number /PAI Number: 2016-0239-A
Petitioner/Developer: Alfred Ensey
Date of Hearing/Closing: April 25, 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 40 Bush Cabin Ct.

The sign(s) were posted on April 9, 2016

(Month, Day, Year)


(Signature of Sign Poster)

John M. Altmeyer
(Printed Name of Sign Poster)

21722 Orwig Rd.
(Street Address of Sign Poster)

Freeland, MD. 21053
(City, State, Zip Code of Sign Poster)

410 382-6580
(Telephone Number of Sign Poster)



BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEWADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2016- 0239 -A Address 40 Bush Cabin Ct
 Contact Person: David Duwall Phone Number: 410-887-3391
Planner, Please Print Your Name
 Filing Date: 4/1/16 Posting Date: 4/10/16 Closing Date: 4/25/16

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.
- DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
- 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.
- 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- 0239 -A Address 40 Bush Cabin Ct
 Petitioner's Name Alfred Emsey Telephone 443 491 3050
 Posting Date: 4/10/16 Closing Date: 4/25/16
 Wording for Sign: To Permit a proposed detached accessory structure
(garage) to be located partially in the side yard with a
height of 17 feet in lieu of the required rear yard and
maximum allowed 15 feet

Revised 7/21/15

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2016- 0239 -A Address 40 Bush Cabin Ct

Contact Person: David Duvall Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 4/1/16 Posting Date: 4/10/16 Closing Date: 4/25/16

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2016- 0239 -A Address 40 Bush Cabin Ct

Petitioner's Name Alfred Ensey Telephone 443 491 3050

Posting Date: 4/10/16 Closing Date: 4/25/16

Wording for Sign: To Permit a proposed detached accessory structure
(garage) to be located partially in the side yard with a
height of 17 feet in lieu of the required rear yard and
maximum allowed 15 feet

Revised 7/21/15

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 02 2016-0239-A
Petitioner: ALFRED MARTIN ENSEY
Address or Location: 40 Bush Cabin Ct Parkton Md 21120

PLEASE FORWARD ADVERTISING BILL TO:

Name: A. MARTIN ENSEY
Address: 40 Bush Cabin Ct. Park
Parkton Md 21120
Telephone Number: 443-491-3050

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

No.

134729

Date:

4/1/16

Rev Sub
Source/ Rev/

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

001	806	0000		6150						75.00

Total:

75.00

Rec
From:

A Ensey

For:

Zoning hearing - case # 2016-0237-A

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME 0000
4/01/2016 4:01 PM 11:23:00

REC NO. 134729

RECEIPT # 134729

Dept 5 500 5000 5000 5000

CL NO. 134729

Receipt for 75.00
\$75.00 01 1.00 CA
Baltimore County, Maryland

CASHIER'S
VALIDATION



KEVIN KAMENETZ
County Executive

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

April 26, 2016

Alfred & Kathleen A Ensey
40 Bush Cabin Road
Parkton MD 21120

RE: Case Number: 2016-0239 A, Address: 40 Bush Cabin Road

Dear Mr. & Ms. Ensey:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 1, 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, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

4/25

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

APR 14 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 14, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0239-A
Address 40 Bush Cabin Court
(Ensey Property)

Zoning Advisory Committee Meeting of April 18, 2016.

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

Reviewer: Steve Ford Date: 04-14-2016

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



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

Date: 4/11/16

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. 2016-0239A

*Admiral Patricia Varnance
Attn: Fred M. & Kathleen A. Ensey
40 Bush Cabin Court.*

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
INTEROFFICE CORRESPONDENCE

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

DATE: April 14, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For April 18, 2016
Item No. 2016-0238, 0239, 0241, 0242 and 0243

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\ZAC04182016.doc

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 14, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0239-A
Address 40 Bush Cabin Court
(Ensey Property)

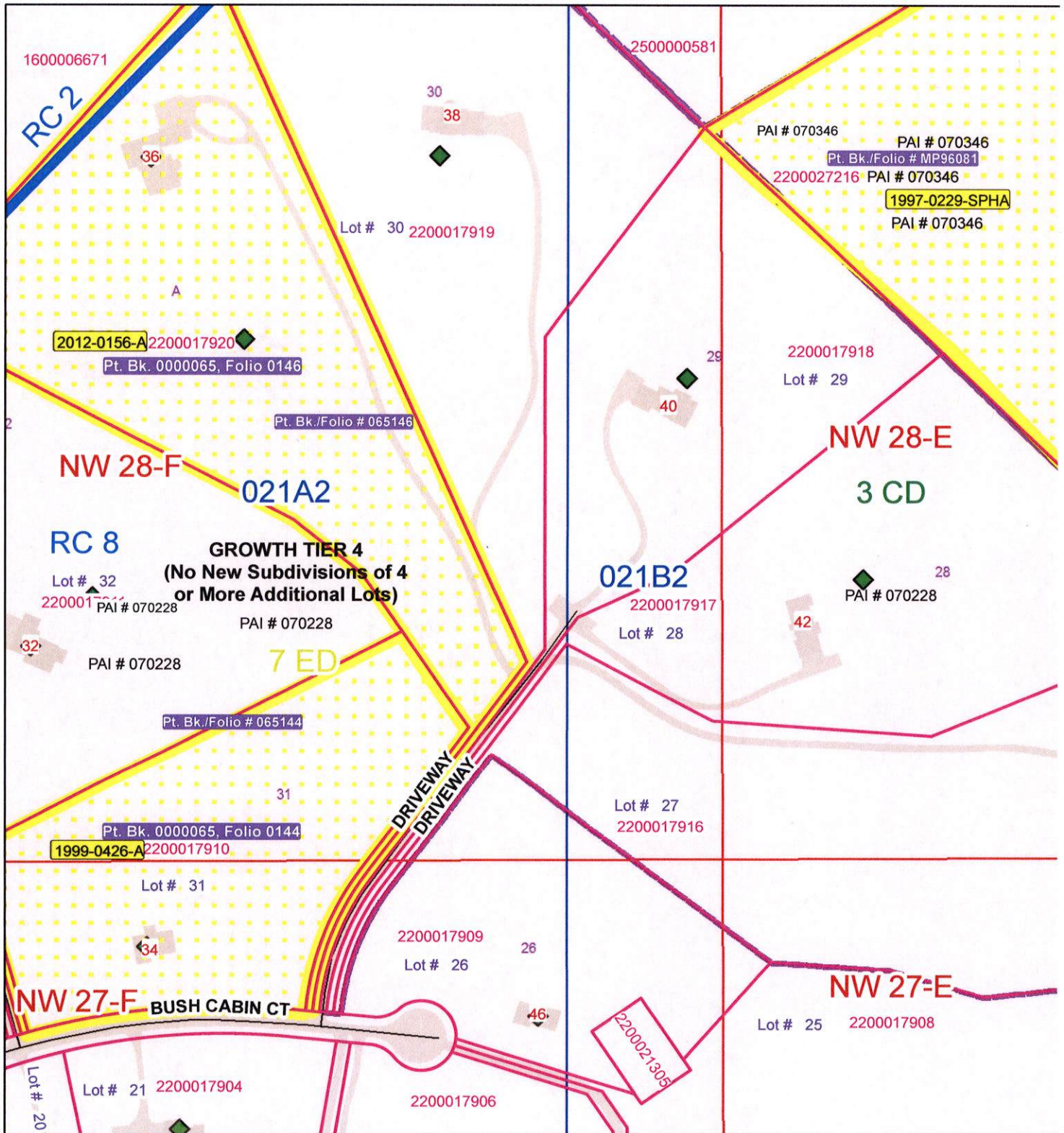
Zoning Advisory Committee Meeting of April 18, 2016.

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

Reviewer: Steve Ford

Date: 04-14-2016

4J Bush Cabin Cou.



Publication Date: 4/1/2016



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

Item # 0239



40 Bush Cabin Ct Pole Building Location build site Picture - adjacent to house



40 Bush Cabin Ct Pole Building Location build site Picture - adjacent to Boundary Line and inside of tree edge

Item #0239

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>4-14</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
<u>4-14</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>4-11</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	<u>group</u> Date: <u>4-9-16</u> by <u>Altmeppen</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any: _____		

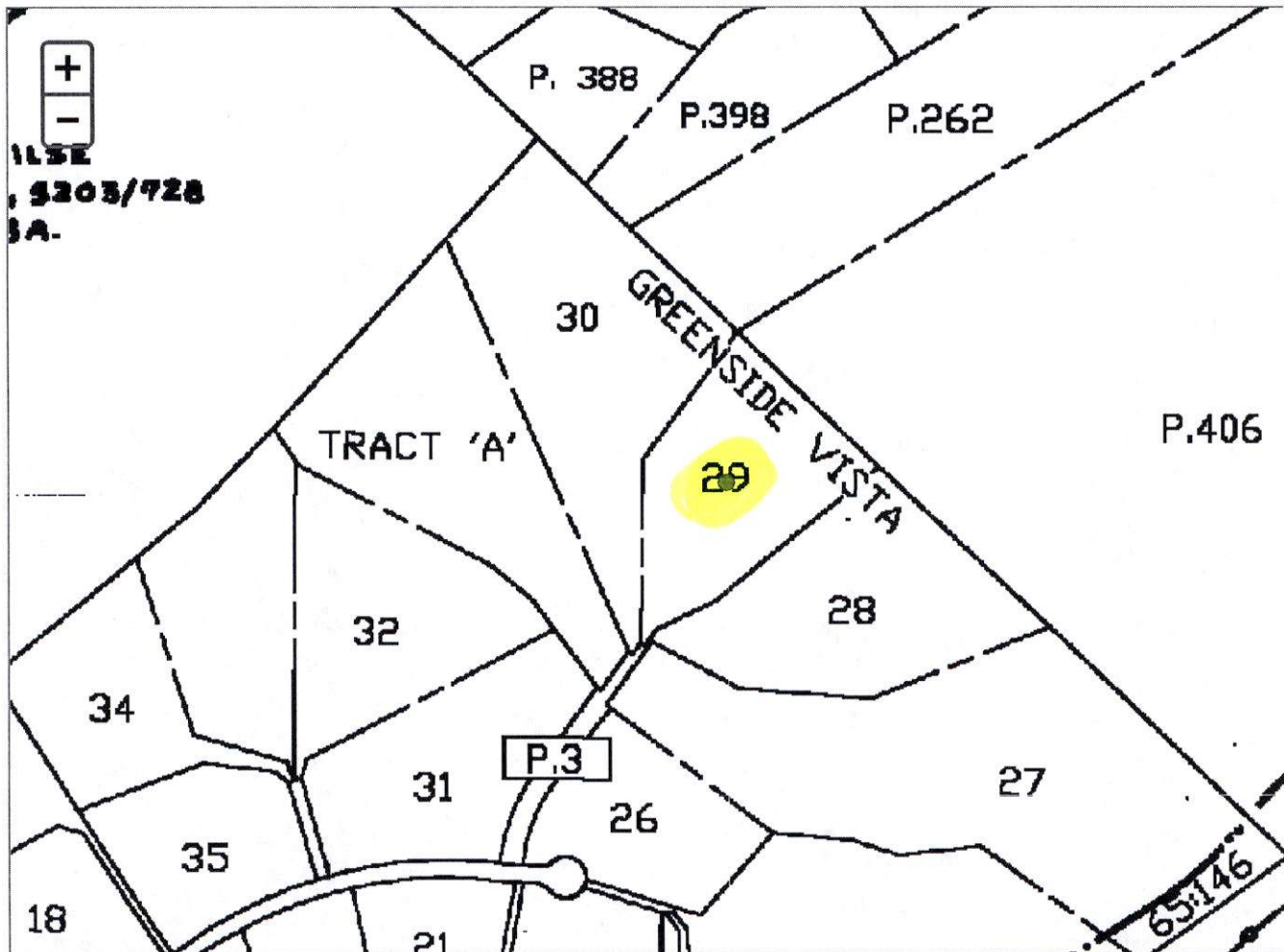
Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier: District - 07 Account Number - 2200017918					
Owner Information					
Owner Name:		ENSEY ALFRED M ENSEY KATHLEEN A		Use:	RESIDENTIAL
Mailing Address:		40 BUSH CABIN CT PARKTON MD 21120-8807		Principal Residence:	YES
				Deed Reference:	/13373/ 00617
Location & Structure Information					
Premises Address:		40 BUSH CABIN CT 0-0000		Legal Description:	5.238 AC 40 BUSH CABIN CT NES GREENSIDE VISTA
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: 2
0021	0014	0003		0000	2 29 2014 Plat Ref: 0065/0146
Special Tax Areas:				Town:	NONE
				Ad Valorem:	
				Tax Class:	
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1999	3,687 SF		5.2300 AC	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	YES	STANDARD UNIT	SIDING	3 full/ 1 half	1 Attached
Value Information					
	Base Value	Value As of 01/01/2014	Phase-in Assessments As of 07/01/2015 As of 07/01/2016		
Land:	155,200	139,700			
Improvements	414,400	502,300			
Total:	569,600	642,000	617,867	642,000	
Preferential Land:	0			0	
Transfer Information					
Seller: KILLARY DAVID C		Date: 12/15/1998		Price: \$122,250	
Type: ARMS LENGTH VACANT		Deed1: /13373/ 00617		Deed2:	
Seller: ENSOR DONALD H		Date: 10/27/1997		Price: \$130,000	
Type: ARMS LENGTH VACANT		Deed1: /12460/ 00585		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:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 07/01/2008					

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **07** Account Number: **2200017918**

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>).

Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption			View GroundRent Registration				
Account Identifier:			District - 07 Account Number - 2200017917							
Owner Information										
Owner Name:			SMITH CRESTON P SMITH JOYCE MARIE DEL ROSARIO				Use: Principal Residence:		RESIDENTIAL YES	
Mailing Address:			42 BUSH CABIN CT PARKTON MD 21120-8807				Deed Reference:		/24614/ 00572	
Location & Structure Information										
Premises Address:			42 BUSH CABIN CT 0-0000				Legal Description:		6.379 AC 42 BUSH CABIN CT NES GREENSIDE VISTA	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	2
0021	0014	0003		0000	2		28	2014	Plat Ref:	0065/0146
Special Tax Areas:					Town:		NONE			
					Ad Valorem:					
					Tax Class:					
Primary Structure Built			Above Grade Enclosed Area		Finished Basement Area		Property Land Area		County Use	
2000			3,722 SF		1000 SF		6.3700 AC		04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation				
2	YES	STANDARD UNIT	SIDING	4 full/ 1 half	1 Attached					
Value Information										
			Base Value		Value		Phase-in Assessments			
					As of		As of		As of	
					01/01/2014		07/01/2015		07/01/2016	
Land:			161,500		145,300					
Improvements			452,500		565,200					
Total:			614,000		710,500		678,333		710,500	
Preferential Land:			0						0	
Transfer Information										
Seller: CALVERT GREGORY WILLIAM				Date: 10/13/2006			Price: \$721,000			
Type: ARMS LENGTH IMPROVED				Deed1: /24614/ 00572			Deed2:			
Seller: CALVERT GREGORY WILLIAM				Date: 04/21/2004			Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /19924/ 00205			Deed2:			
Seller: GRIFFITH SCOTT CHARLES				Date: 06/07/1999			Price: \$140,000			
Type: ARMS LENGTH VACANT				Deed1: /13798/ 00583			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: Approved 06/28/2008										

Debra Wiley

From: June Wisnom
Sent: Wednesday, April 27, 2016 1:21 PM
To: Debra Wiley
Subject: FW: Message from "cpr111"
Attachments: 201604271314.pdf

RECEIVED

APR 27 2016

OFFICE OF ADMINISTRATIVE HEARINGS

Here you are Deb, It is on 11X 17 paper. Sorry about that.

-----Original Message-----

From: cpr111@baltimorecountymd.gov [mailto:cpr111@baltimorecountymd.gov]
Sent: Wednesday, April 27, 2016 1:15 PM
To: June Wisnom <jwisnom@baltimorecountymd.gov>
Subject: Message from "cpr111"

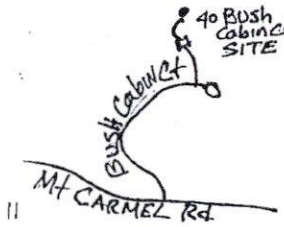
This E-mail was sent from "cpr111" (Aficio MP 4002).

Scan Date: 04.27.2016 13:14:59 (-0400)
Queries to: cpr111@baltimorecountymd.gov

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)
ADDRESS 40 BUSH CABIN CT OWNER(S) NAME(S) ALFRED M. & Kathleen A. ENSEY
SUBDIVISION NAME GREENSIDE VISTA LOT # 29 BLOCK # — SECTION # 2
PLAT BOOK # 0065 FOLIO # 0146 10 DIGIT TAX # 2200017918 DEED REF. # 13373/00617



SITE VICINITY MAP



MAP IS NOT TO SCALE
ZONING MAP# 021B2
SITE ZONED RC8
ELECTION DISTRICT 7
COUNCIL DISTRICT 3
LOT AREA ACREAGE 5.230
OR SQUARE FEET
HISTORIC? No
IN CBCA? No
IN FLOOD PLAIN? No
UTILITIES? MARK WITH X
WATER IS:
PUBLIC — PRIVATE X
SEWER IS:
PUBLIC — PRIVATE X
PRIOR HEARING? No
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

Pet. Exh. 1