

M E M O R A N D U M

DATE: July 15, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0254-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on July 14, 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: **PETITIONS FOR SPECIAL HEARING *
AND VARIANCE**

(2909 Stockton Road) *

10^h Election District *

3rd Council District *

Robert M. & Sherry Nally *

Owners *

Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2016-0254-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of Robert M. & Sherry Nally, legal owners ("Petitioners"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."): (1) to clarify the definition of trailer versus recreational vehicle; and (2) to allow three (3) utility trailers in lieu of the allowed one (1). In addition, a Petition for Variance seeks: (1) to approve a setback of five (5) feet for a utility trailer in lieu of the required twenty-five (25) ft.; (2) to allow utility trailer parking in the front half of the lot in lieu of the required rear half of the lot; (3) to allow three (3) utility trailers in the rear lot in lieu of one (1) utility trailer; and (4) to allow an existing shed to be located in the side yard in lieu of the rear yard. A site plan was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the requests were owners Robert & Sherry Nally and surveyor Bruce Doak. Francis X. Borgerding, Jr., Esq. represented the Petitioners. Two neighbors attended the hearing to obtain additional information regarding the requests. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. A

ORDER RECEIVED FOR FILING

Date 6/14/16

By Sen

substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP).

SPECIAL HEARING

The first special hearing request seeks to “clarify the definition of trailer versus recreational vehicle.” Both of these terms are defined in B.C.Z.R. §101.1, and to that extent I am hesitant to provide any clarification, which just might have the opposite effect. The issue apparently arose after the Bureau of Code Enforcement issued Petitioners a citation for having three (3) recreational vehicles on the property. The B.C.Z.R. provides a fairly specific definition of “recreational vehicle,” and lists six different species of this genus.

Having reviewed that definition and the photographs (Ex. 2) submitted at the hearing, I do not believe the vehicles in question are recreational vehicles. They are commonly referred to as “utility trailers,” although the B.C.Z.R. does not distinguish between a trailer and utility trailer. In any event, it might not matter much in the end, since the Regulations limit to one the number of recreational vehicles (RVs) and trailers which may be kept on residential property for non-commercial purposes. And though the wording used is slightly different, both trailers and RVs must be parked/stored in the rear yard.

The second special hearing request seeks to allow three utility trailers in lieu of the one permitted under the Regulations. Petitioners stated they have owned the trailers for nearly 14 years, and use them to transport ATVs, motorcycles and a compact tractor. They indicated they have never received a complaint regarding the trailers, and received a code citation concerning them only when a county inspector was investigating a complaint of an illegal service garage being operated at the property. Petitioners stated a service garage is not being operated at the premises, and they testified that aspect of the complaint has been dismissed.

ORDER RECEIVED FOR FILING

Date 6/14/16

By den

VARIANCE

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

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

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

With regard to variance request number 4, Petitioners have met this test. The lot has irregular dimensions and is therefore unique. Petitioners would experience practical difficulty if the regulations were strictly interpreted because they would be required to raze the existing shed, which was constructed approximately 14 years ago when they purchased the property. Finally, I find that this variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare.

But I do not believe the same can be said for variance request numbers 1-3, pertaining to storing the three trailers in the front yard. While Petitioners' property and trailers appear to be well-maintained, the neighbors in attendance expressed concern (which I believe is well-founded) that others in the community own trailers and equipment in poor condition which would be an eyesore if stored in the front yard. They fear that granting the variance could set a dangerous precedent. The DOP also noted in its ZAC comment that storing trailers in the front yard does not promote "orderly development and general welfare of the community." Finally, Mr. Nally testified that one reason for parking the trailers in the front is that it is convenient. In these circumstances I do not believe Petitioners would experience a practical difficulty or hardship if variance request numbers 1-3 were not granted.

THEREFORE, IT IS ORDERED this 14th day of June, 2016, by this Administrative Law

ORDER RECEIVED FOR FILING

Date

6/14/16

By

sen

Judge, that the Petition for Special Hearing filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."): (1) to clarify the definition of trailer versus recreational vehicle; and (2) to allow three (3) utility trailers in lieu of the allowed one (1), be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance which seeks as follows (1) to approve a setback of five (5) feet for a utility trailer in lieu of the required twenty-five (25) ft.; (2) to allow utility trailer parking in the front half of the lot in lieu of the required rear half of the lot; and (3) to permit (3) utility trailers in the rear lot in lieu of one (1) utility trailer, be and is hereby DENIED.

IT IS FURTHER ORDERED the petition for variance to allow an existing shed to be located in the side yard in lieu of the rear yard, be and is hereby GRANTED.

The relief granted herein shall be subject to and conditioned upon 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, Petitioners would be required to return the subject property to its original condition.
2. The utility trailers shall be used only for household and/or recreational purposes. No commercial use of the trailers shall be permitted.
3. No recreational equipment (i.e., ATVs, motorcycles, jet skis) shall be stored on the trailers for a period in excess of 6 months.
4. The special hearing relief granted herein authorizes Petitioners to keep on their premises the three (3) utility trailers as shown in the photographs marked as Ex. #2. This relief is considered personal to Petitioners and does not "run with the land." If Petitioners sell or otherwise dispose of one or two of the current trailers, they shall not be permitted to replace such trailer(s), and may in that event only keep one such trailer on their property in accordance with the Regulations.

ORDER RECEIVED FOR FILING

Date

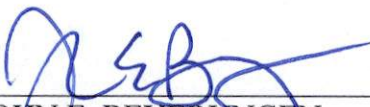
6/14/16

By

den

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

JEB/sln



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 6/14/16
By sen



PETITION FOR ZONING HEARING(S)

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

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

Address 2909 STOCKTON ROAD which is presently zoned RC2
 Deed References: SM 16227/306 10 Digit Tax Account # 1600012930
 Property Owner(s) Printed Name(s) ROBERT M. NALLY JR., SALLY L. NALLY & SHARON M. BLAIR

(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

SEE ATTACHED

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

3. ☒ **a Variance** from Section(s)

See attached

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

To be presented at hearing

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code / Telephone # / Email Address

Attorney for Petitioner:

Francis X. Borgerding, Jr.

Name- Type or Print

Signature

409 Washington Ave., #600, Towson, MD
 Mailing Address City State

21204 / 410-296-6820 / borgerdinglaw@aol.com
 Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Robert M. Nally Jr. / Sherry Nally
 Name #1 - Type or Print Name #2 - Type or Print

[Signature] / [Signature]
 Signature #1 Signature #2

2909 STOCKTON ROAD PHOENIX MO
 Mailing Address City State

21131 / 410-370-8163 /
 Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print

Signature

Date Mailing Address City State

Zip Code / Telephone # / Email Address

CASE NUMBER 2016-0254-SPHA Filing Date 4/21/16 Do Not Schedule Dates: Reviewer [Signature]

VARIANCES

1. To approve a setback of five (5) feet in lieu of the required twenty-five (25) feet per BCZR Section 415.3(C)(1).
↓
FOR A UTILITY TRAILER
2. To allow utility trailer parking in the front half of the lot in lieu of the required rear half of the lot per BCZR Section 415.3(C)(1).
3. To allow three (3) utility trailers in the rear lot in lieu of one (1) utility trailer per BCZR Section 415.3(C)(1).
4. To allow an existing shed to be located in the side yard in lieu of the rear yard per BCZR Section 400.1

0254-5

SPECIAL HEARINGS

1. To clarify the definition of trailer versus recreational vehicle per BCZR Section 100 "Definitions".
2. A special hearing to allow three (3) utility trailers in lieu of the allowed one (1) per BCZR Section 415.3(C).

0254-SPHA

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

Zoning Description

2909 Stockton Road- 1.81 Acres
Lot 10- Resubdivision of Lots 6-7-9-10-11-12-17-18 Stockton
Tenth Election District Third Councilmanic District
Baltimore County, Maryland

Beginning at a point on the south side of Stockton Road, approximately 1000 feet +- westerly of the centerline of Old York Road, thence running on the south side of Stockton Road, the following course and distance, viz 1) South 88 degrees 13 minutes 20 seconds West 270.00 feet, thence leaving Stockton Road and running on the outlines of the subject property, the three following courses and distances, viz 2) South 01 degree 46 minutes 40 seconds West 287.92 feet, 3) South 88 degrees 39 minutes 36 seconds East 270.27 feet, and 4) North 01 degrees 46 minutes 40 seconds East 300.00 feet to the place of beginning.

Containing 1.81 acres of land, more or less.

Being Lot 10 of the "Resubdivision of Lots 6-7-9-10-11-12-17-18 Stockton" as recorded in Plat Book EHK Jr 36/13.

This description is part of a zoning hearing petition and is not intended for any conveyance purposes.



Land Use Expert and Surveyor

2016-0254-SPHA



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

WE HEREBY CERTIFY, that the annexed advertisement of Order No 4187398

Sold To:

Robert Nally - CU00538394
2909 Stockton Rd
Phoenix, MD 21131-1111

Bill To:

Robert Nally - CU00538394
2909 Stockton Rd
Phoenix, MD 21131-1111

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

May 19, 2016

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising

NOTICE OF ZONING HEARING

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

Case: # 2016-0254-SPHA
2909 Stockton Road
S/s Stockton Road, 1000 ft. +/- W/of centerline of Old York Road
10th Election District - 3rd Councilmanic District
Legal Owner(s) Robert & Sherry Nally

SPECIAL HEARING: to clarify the definition of trailer versus recreational vehicle per BCZR Section 100 "Definitions;" to allow three utility trailers in lieu of the allowed one.

VARIANCE to approve a setback of five ft. for a utility trailer in lieu of the required 25 ft. To allow utility trailer parking in the front half of the lot in lieu of the required rear half of the lot. To allow three utility trailers in the rear lot in lieu of the one utility trailer; to allow an existing shed to be located in the side yard in lieu of the rear yard.

Hearing: Wednesday, June 8, 2016 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

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

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

5/122 May 19 4187398

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

CERTIFICATE OF POSTING

May 17, 2016

Re:

Zoning Case No. 2016-254-SPHA
Petitioner: Robert & Sherry Nally
Hearing date: June 8, 2016

Baltimore County Department of Permits, Approvals & Inspections
County Office Building
111 West Chesapeake Avenue, Room 111
111 West Chesapeake Avenue Towson, MD 21204

Attention: Kristen Lewis

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 located at **2909 Stockton Road**.

The sign was posted on May 16, 2016.

Sincerely,



Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)



Land Use Expert and Surveyor

ZONING NOTICE

CASE NO. 2016-0254-SPHA

2909 Stockton Road

**A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE
IN TOWSON MARYLAND**

**PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204**

DATE & TIME: Wednesday June 08, 2016 1:30 PM

REQUEST:

SPECIAL HEARING TO CLARIFY THE DEFINITION OF TRAILER VERSUS RECREATIONAL VEHICLE PER BCZR SECTION 100 "DEFINITIONS;" TO ALLOW THREE UTILITY TRAILERS IN LIEU OF THE ALLOWED ONE. VARIANCE TO APPROVE A SETBACK OF 5 FEET FOR A UTILITY TRAILER IN LIEU OF THE REQUIRED 25 FEET; TO ALLOW UTILITY TRAILER PARKING IN THE FRONT HALF OF THE LOT IN LIEU OF THE REQUIRED REAR HALF OF THE LOT; TO ALLOW THREE UTILITY TRAILERS IN THE REAR LOT IN LIEU OF ONE UTILITY TRAILER; TO ALLOW AN EXISTING SHED TO BE LOCATED IN THE SIDE YARD IN LIEU OF THE REAR YARD.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM THE HEARING CALL 410-887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER PENALTY OF LAW.

THE HEARING IS HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE NO. 2016-0254-SPHA

2909 Stockton Road

A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE
IN TOWSON MARYLAND

PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204

DATE & TIME: Wednesday June 08, 2016 1:30 PM

REQUEST:

SPECIAL HEARING TO CLARIFY THE DEFINITION OF TRAILER VERSUS
RECREATIONAL VEHICLE PER BC22 SECTION 106 DEFINITIONS/ TO
ALLOW THREE UTILITY TRAILERS IN LIEU OF THE ALLOWED ONE;
VARIANCE TO APPROVE A SETBACK OF 5 FEET FOR A UTILITY TRAILER
IN LIEU OF THE REQUIRED 25 FEET; TO ALLOW UTILITY TRAILER
PARKING IN THE FRONT HALF OF THE LOT IN LIEU OF THE REQUIRED
REAR HALF OF THE LOT; TO ALLOW THREE UTILITY TRAILERS IN THE
REAR LOT IN LIEU OF ONE UTILITY TRAILER; TO ALLOW AN EXISTING
SEED TO BE LOCATED IN THE SIDE YARD IN LIEU OF THE REAR YARD.

PROTESTANTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CANCEL THE HEARING CALL 410-887-3797.

DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW.

THE HEARING IS HANDICAPPED ACCESSIBLE



KEVIN KAMENETZ
County Executive
May 3, 2016

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

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: 2016-0254-SPHA

2909 Stockton Road

S/s Stockton Road, 1000 ft. +/- W/of centerline of Old York Road

10th Election District – 3rd Councilmanic District

Legal Owners: Robert & Sherry Nally

Special Hearing to clarify the definition of trailer versus recreational vehicle per BCZR Section 100 "Definitions;" to allow three utility trailers in lieu of the allowed one. Variance to approve a setback of five ft. for a utility trailer in lieu of the required 25 ft. To allow utility trailer parking in the front half of the lot in lieu of the required rear half of the lot. To allow three utility trailers in the rear lot in lieu of one utility trailer; to allow an existing shed to be located in the side yard in lieu of the rear yard.

Hearing: Wednesday, June 8, 2016 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Arnold Jablon
Director

AJ:kl

C: Francis Borgerding, Jr., 409 Washington Avenue, Ste. 200, Towson 21204
Mr. & Mrs. Nally, 2909 Stockton Road, Phoenix 21131

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MAY 19, 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.

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

No. **134795**

Date: **4/21/16**

PAID RECEIPT

BUSINESS ACTUAL TIME BNU
 4/22/2016 4/21/2016 12:05:31 3

REN US03 WALKIN CRET CAN

RECEIPT # 875029 4/21/2016 CFLN

S 323 ZWING VERIFICATION

LA 134795

Recpt Tot \$150.00

\$150.00 CX 1.00 CA

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept/Obj	BS Acct	Amount
001	806	0000		6150				150.00

Total: **150.00**

Rec From:

For: **2909 Stockton Rd**

2016-0254-SPHA

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**



KEVIN KAMENETZ
County Executive

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

June 2, 2016

Robert M & Sherry Nally
2909 Stevenson Road
Phoenix MD 21131

RE: Case Number: 2016-0254 SPHA, Address: 2909 Stevenson Road

Dear Mr. & Ms. Nally:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 21, 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.", written in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Francis X Borgerding, Esquire, 409 Washington Avenue, Suite 600, Towson MD 21204

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 19, 2016 Issue - Jeffersonian

Please forward billing to:
Robert Nally
2909 Stockton Road
Phoenix, MD 21131

410-370-8163

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2016-0254-SPHA

2909 Stockton Road

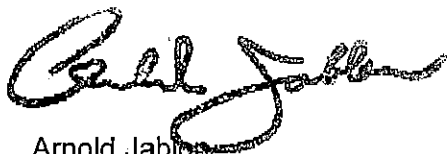
S/s Stockton Road, 1000 ft. +/- W/of centerline of Old York Road

10th Election District – 3rd Councilmanic District

Legal Owners: Robert & Sherry Nally

Special Hearing to clarify the definition of trailer versus recreational vehicle per BCZR Section 100 "Definitions;" to allow three utility trailers in lieu of the allowed one. Variance to approve a setback of five ft. for a utility trailer in lieu of the required 25 ft. To allow utility trailer parking in the front half of the lot in lieu of the required rear half of the lot. To allow three utility trailers in the rear lot in lieu of one utility trailer; to allow an existing shed to be located in the side yard in lieu of the rear yard.

Hearing: Wednesday, June 8, 2016 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

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

RE: PETITION FOR SPECIAL HEARING
AND VARIANCE
2909 Stockton Road; S/S Stockton Road,
1000' W of c/line of Old York Road
10th Election & 3rd Councilmanic Districts
Legal Owner(s): Robert & Sherry Nally
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2016-254-SPHA

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

RECEIVED

APR 29 2016

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of April, 2016, a copy of the foregoing Entry of Appearance was mailed to Francis Borgerding, Jr, 409 Washington Avenue, Suite 600, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
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: 2016-0254 - SPHA

Petitioner: ROBERT M. NALLY JR. & SALLY L. NALLY AND SHARON M. BLAIR

Address or Location: 2909 STOCKTON ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: ROBERT M. NALLY

Address: 2909 STOCKTON ROAD

PHOENIX MD 21131

Telephone Number: 410-370-8163

Revised 2/20/98 - SCJ

2909 Stockton Road 2016-0254-SPHA



Publication Date: 4/21/2016



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



0 25 50 100 150 200 Feet

1 inch = 100 feet

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



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

Date: 4/27/16

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. 2016-0254-SPHA

Variance Special Hearing
Robert M. Jr. & Sherry Nally
2909 Stockton 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 blue ink, appearing to read 'David W. Peake'.

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

DWP/RAZ

6-8

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: June 1, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-254

INFORMATION:

Property Address: 2909 Stockton Road
Petitioner: Robert Nally, Jr., Sherry Nally
Zoning: RC 2
Requested Action: Special Hearing, Variance

RECEIVED
JUN 06 2016
OFFICE OF ADMINISTRATIVE HEARINGS

The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve three utility trailers in lieu of the allowed one utility trailer and to clarify the definition of trailer versus recreational vehicle. The Department also reviewed the petition for variance to approve a setback of five feet, allow utility trailer parking in the front half of the lot, allow three utility trailers in the rear lot and to allow an existing shed to be located in the side yard in lieu of the permitted twenty-five feet setback, rear half of the lot, one utility trailer in the rear lot and rear yard respectively.

A site visit was conducted on May 5, 2016. This matter is the subject of Code Violation Case # CC16519. In that case, Baltimore County Code Enforcement identified the trailers as recreational.

The Department objects to granting the petitioned zoning relief save for the requested three utility trailers in the rear lot. The variance condition of having the trailers in the front yard is self-imposed. The situation appears to be readily solved by locating said trailers in the side yard 8' to the rear of a lateral projection of the front foundation line of the dwelling or in the rear yard. The petitioners offer no reasoning as to why this would be an undue hardship or create a safety issue.

The Department does not object to allowing three utility trailers in the rear lot conditioned upon the following:

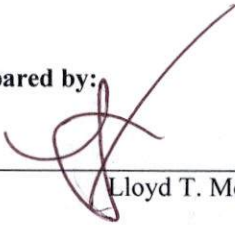
- The trailers may be used only for recreational purposes ancillary to the principal residential use of the residents. No commercial use of the trailers shall be permitted.
- There shall be no permanent or long term (longer than 6 months) storage of recreational equipment on any trailer.

The Department recommends that the storage of trailers of any type in the front yard does not promote the orderly development and general welfare of the community as set forth in BCZR§100.1.A. In the event a case is made such that relief is granted allowing the trailers to be located within the front yard, the Department strongly recommends the following condition be imposed within the Order:

- Install vegetative screening along Stockton Road sufficient to screen any trailer from being visible from said road. A plan showing the proposed landscape screening should be submitted and approved by the Baltimore County Landscape Architect.

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

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

c: Kaylee Justice

Jeanette M. S. Tansey, R.L.A., Permits, Approvals and Inspections

Francis X. Borgerding, Jr. Esq.

Office of the Administrative Hearings

People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections
DATE: May 2, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For April 25, 2016
Item No. 2016-0242, 0249, 0250, 0251, 0253, 0254, 0257 and 0258

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\ZAC05022016.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 28, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0254-SPHA
2909 Stockton Road
(Nally Property)

Zoning Advisory Committee Meeting of **May 2, 2016**.

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

Reviewer: Steve Ford

Date: 04-28-2016

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment5/2DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)N/C4/28DEPS
(if not received, date e-mail sent _____)N/C

FIRE DEPARTMENT

6/1PLANNING
(if not received, date e-mail sent _____)C4/27

STATE HIGHWAY ADMINISTRATION

no obj.

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. CG 1600519)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

5/19/16

SIGN POSTING

Date:

5/16/16

by

DOAK

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

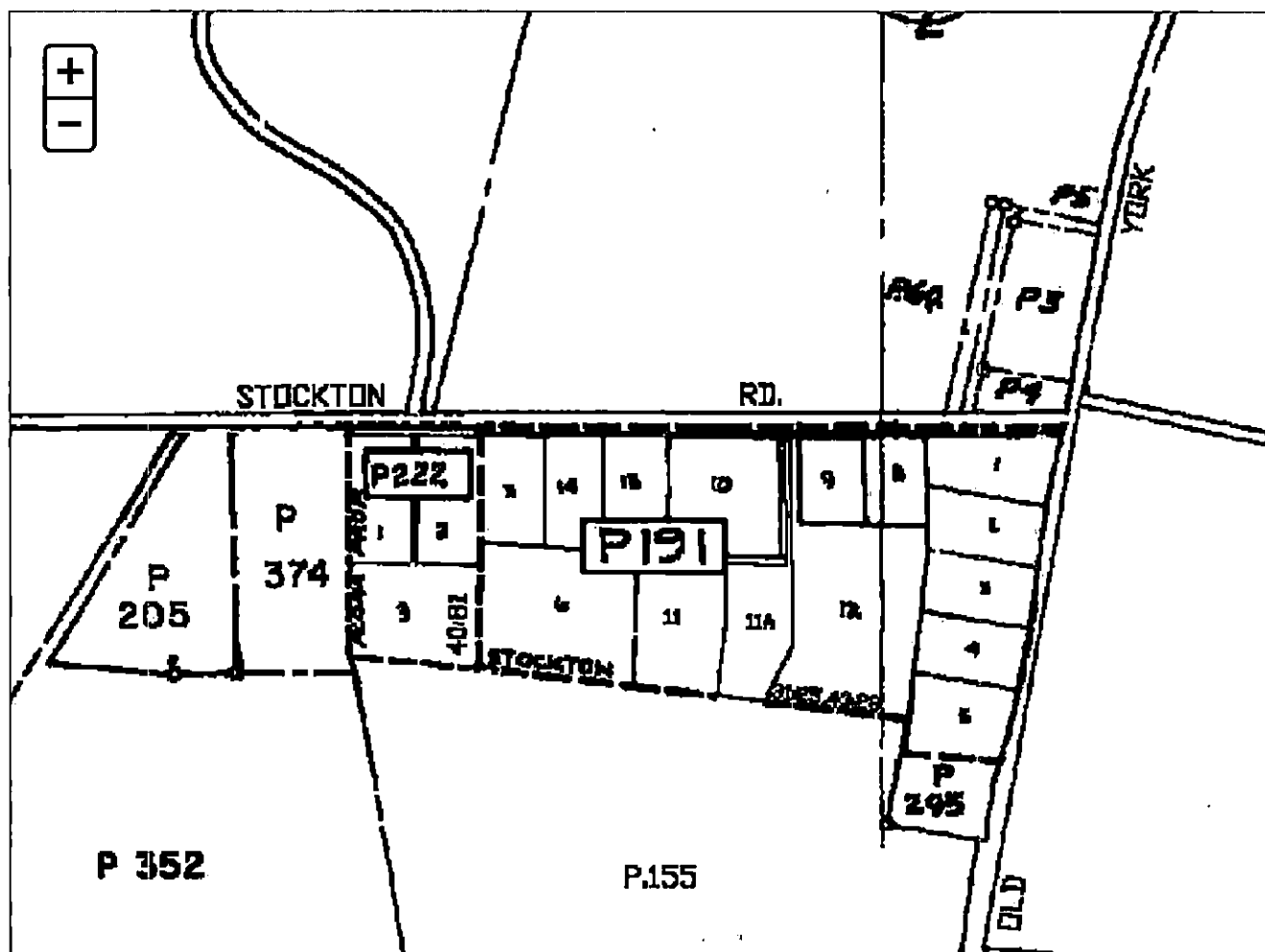
Real Property Data Search (w3)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 10 Account Number - 1600012930			
Owner Information					
Owner Name:	NALLY ROBERT M JR/SHERRY L BLAIR SHARON M		Use:	RESIDENTIAL YES	
Mailing Address:	2909 STOCKTON RD PHOENIX MD 21131-1111		Deed Reference:	/16227/ 00306	
Location & Structure Information					
Premises Address:	2909 STOCKTON RD 0-0000		Legal Description:	2909 STOCKTON RD STOCKTON	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref: 0036/0013
0035	0010	0191		0000	10 2014
Special Tax Areas:			Town:	NONE	
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area		Finished Basement Area	Property Land Area	County Use
1974	2,028 SF			1.8100 AC	04
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	NO	SPLIT LEVEL	FRAME	2 full/ 1 half	1 Attached
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2014		07/01/2015	
Land:	162,100	108,100		As of	
Improvements	180,600	161,300		07/01/2016	
Total:	342,700	269,400		269,400	269,400
Preferential Land:	0				0
Transfer Information					
Seller: MOORE GARY M		Date: 03/21/2002		Price: \$245,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /16227/ 00306		Deed2:	
Seller: WARCHUS W LEE,JR		Date: 02/28/1990		Price: \$200,000	
Type: ARMS LENGTH IMPROVED		Deed1: /08415/ 00338		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 05/07/2008					

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty/>)District: **10** Account Number: **1600012930**

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>).

11/11/11

CASE NAME NALLY PROPERTY
CASE NUMBER #2016-254-5PHA
DATE 6/08/16

PETITIONER'S SIGN-IN SHEET

[illegible]

Permits, Approvals, and Inspections
Code Inspections & Enforcement
County Office Building, Rm. 213
111 West Chesapeake Ave
Towson, Maryland 21204



Code Enforcement 410-887-3351
Electrical Inspection 410-887-3960
Plumbing Inspection 410-887-3620
Building Inspection 410-887-3953

www.baltimorecountymd.gov/Agencies/permits/

CODE ENFORCEMENT & INSPECTION CITATION

NALLY ROBERT M JR/SHERRY L BLAIR SHARON M
2909 STOCKTON RD
PHOENIX, MD 21131-1111

CASE NUMBER CC1600519	PROP.TAX ID 1600012930
VIOLATION ADDRESS 2909 STOCKTON RD PHOENIX, MD 21131-1111	

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY CODES AND/OR REGULATIONS:

County Codes/Regulations	Inspector's Comments
B.C.Z.R 415A: Improperly parked recreation vehicle	BCZR 101.1 - One recreational vehicle, including trailers (3), allowed parked 8 ft behind front line of house or in rear yard 2 1/2 ft from side and rear property lines w/current tags
B.C.Z.R 1B01.1,ZCPM: Cease service garage activities	Failure to cease service garage activities in a residential zone - including changing, modifying or removing parts on automobiles that do not belong to a resident of the property

Pursuant to Section 1-2-217, Baltimore County Code, civil penalty has been assessed, as a result of the violation(s) cited herein, in the amount indicated:

\$6800

A quasi-judicial hearing has been pre-scheduled in:
Jefferson Building, 105 W. Chesapeake Ave, Rm 205
Towson, Maryland, 21204

DATE: 04/06/2016 TIME: 09:00 A.M.

*****IF A VIOLATOR DOES NOT APPEAR AT THE CODE ENFORCEMENT HEARING, THE CITATION AND ANY CIVIL PENALTY ARE DEEMED A NON-APPEALABLE FINAL ORDER OF THE CODE OFFICIAL OR THE DIRECTOR.*****

I do solemnly declare and affirm, under the penalty of perjury, that the contents stated above are true and correct to the best of my knowledge, information, and belief.

Inspector Printed Name Christina Frink	Inspector Signature	Issued Date 03/07/2016
--	----------------------------	----------------------------------

Section 414
Trailer Parks
[BCZR 1955]

- 414.1 The area of the lot on which such park is to be located shall be not less than five acres.
- 414.2 An area of not less than 3,000 square feet shall be allocated to each trailer, which must be connected to sewer, water and electricity.
- 414.3 Each trailer space shall abut or face on a driveway or unobstructed space of not less than 30 feet in width, which space shall have unobstructed access to a public highway. It shall be hard-surfaced and adequately lighted.
- 414.4 No trailer or service building or structure used in connection therewith shall be placed or permitted within 100 feet of the road or street upon which the lot or area so used for such park fronts or within 75 feet of any other boundary line of such lot or area.
- 414.5 There shall be a space of not less than 25 feet between each trailer and also a space of not less than 25 feet between any trailer and any service building or structure used in connection with such park.
- 414.6 No such trailer park nor any service building or structure used in connection therewith shall be established or operated without the approval of and subject to the regulations and requirements of the Baltimore County Health Department. Written approval shall be a required condition prior to issuance of a permit.

Section 415
Trailers
[Bill No. 109-1964 ¹⁶]

- 415.1 Residential use of trailers. No person shall occupy a trailer for residential use except as follows and subject to the provisions of Section 415.6:
- A. In an approved trailer park, in those zones where permitted as a special exception.
 - B. On a farm comprising 25 acres or more, in those zones where permitted and subject to Section 415.4.
 - C. On a tract comprising 25 acres or more, outside the Metropolitan District of Baltimore County, but any trailer so used must be located not less than 1,000 feet from any other trailer used for residence.
 - D. On a tract of from one to 25 acres, outside the Metropolitan District of Baltimore County, in those zones where permitted as a special exception.

¹⁶ Editor's Note: This bill also repealed former Section 415. That section was part of BCZR 1955 as amended by Bill No. 145-1959. The provision added as Section 415.5 by Bill No. 145-1965 was substantially reenacted as part of the definition of "Trailer (or Mobile Home)" in Section 101 by Bill No. 109-1964.

- E. On a type or site not covered by Section 415.1.B or the trailer was being used as a residence prior to the date of October 26, 1984, and subject to the provisions of Section 415.3.B.
- F. By a nonpaying guest of the owner of land using a trailer belonging to the guest for not more than a total of 90 days in any calendar year.
- G. For temporary living purposes as provided for in Section 415.2.B.1.

415.2 Business or industrial use of trailers. No person shall occupy, store or park a trailer for business or industrial purposes except as follows and subject to the provisions of Section 415.6:

A. In a residential zone:

1. For temporary office and accessory purposes incidental to construction on or development of the premises on which the trailer(s) is located, and in compliance with Section 415.3.A below, but not closer than 50 feet to any adjoining residential lot if such is occupied by a residence within 50 feet of the joint property line.
2. For purposes noted in Subsection 415.2.A.1, but where too small a lot is involved to permit fifty-foot setbacks from adjoining lots, the Zoning Commissioner may approve issuance of a temporary permit for one trailer for such nonresidential use for a period not to exceed 90 days, subject to the same minimum yard requirements as are applicable to a permanent dwelling in that zone.

B. In a business or industrial zone:

1. As a temporary use for living, business or industrial purposes during a construction period, subject to the same minimum yard requirements as are applicable to permanent structures in that zone.
2. As a continuing use for a sales office in connection with the following types of outdoor retail sales areas, subject to the requirements of the zone where located and to the provisions of Section 415.6:

Farm products
Garden supplies and plants
Trailer sales and storage
Used motor vehicles, separated from sales agency buildings

415.3 General provisions.

- A. In any cases covered by Sections 415.1.B, C, D, E and F and 415.2.A.1, the trailer must be located so as to meet all minimum yard requirements for a dwelling, but in no case may the trailer be located closer to a street than any existing dwelling located on an adjoining lot and fronting on such street, except that such setback need not exceed 200 feet.

- B. In any cases covered by Subsection 415.1E, the owner must apply for a permit, as required in Section 415.4, within 90 days after adoption of this amended Section 415.¹⁷
- C. Storage or parking of trailers.
 - 1. In a residential zone, a trailer may be stored or parked by the owner in a garage or other accessory building, or in the rear half of a lot, subject to the applicable side and rear setbacks, but in no case less than 25 feet from the property line. In no such case is residential occupancy permitted, nor is more than one trailer permitted to be stored or parked on a residential lot.
 - 2. In a business or industrial zone, trailers for sale in connection with a commercial sales office may be stored or parked in a garage, or in a sales lot area subject to the applicable side and rear yard setbacks and other requirements of the zone where located, but in no case less than 25 feet from a residential zone boundary, and in no such case is residential occupancy permitted.

415.4 Requirements of permits.

- A. For any uses of a trailer covered by Section 415 other than Sections 415.1.A and 415.1.F, application must be made to the Department of Permits and Development Management for issuance of a temporary or extended-occupancy permit, as the case may be. The granting of such permit may be subject to the ultimate approval of the Zoning Commissioner, who shall have the power to order the denial of the same if such granting or renewal would be detrimental to the health, safety or general welfare of the locality involved. Where a special exception has been granted for a use under Section 415, it shall be deemed that such use will not be detrimental to the health, safety or general welfare of the locality involved.
- B. A temporary permit must be procured from the Department of Permits and Development Management in cases covered by Sections 415.2.A and 415.2.B.1. Temporary permits shall be renewable annually.
- C. In cases covered by Sections 415.1.B, C, D and E and 415.2.B.2, extended-occupancy permits shall be subject to renewal every two years.

¹⁷ Editor's Note: Amended Section 415 was adopted under Bill No. 109-1964, which was passed by the County Council on December 7, 1964, enacted on December 11, 1964, and became effective on January 25, 1965.

PETITIONER' S

EXHIBIT NO. 43

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM**

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

DATE: June 1, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-254

INFORMATION:

Property Address: 2909 Stockton Road
Petitioner: Robert Nally, Jr., Sherry Nally
Zoning: RC 2
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve three utility trailers in lieu of the allowed one utility trailer and to clarify the definition of trailer versus recreational vehicle. The Department also reviewed the petition for variance to approve a setback of five feet, allow utility trailer parking in the front half of the lot, allow three utility trailers in the rear lot and to allow an existing shed to be located in the side yard in lieu of the permitted twenty-five feet setback, rear half of the lot, one utility trailer in the rear lot and rear yard respectively.

A site visit was conducted on May 5, 2016. This matter is the subject of Code Violation Case # CC16519. In that case, Baltimore County Code Enforcement identified the trailers as recreational.

The Department objects to granting the petitioned zoning relief save for the requested three utility trailers in the rear lot. The variance condition of having the trailers in the front yard is self-imposed. The situation appears to be readily solved by locating said trailers in the side yard 8' to the rear of a lateral projection of the front foundation line of the dwelling or in the rear yard. The petitioners offer no reasoning as to why this would be an undue hardship or create a safety issue.

The Department does not object to allowing three utility trailers in the rear lot conditioned upon the following:

- The trailers may be used only for recreational purposes ancillary to the principal residential use of the residents. No commercial use of the trailers shall be permitted.
- There shall be no permanent or long term (longer than 6 months) storage of recreational equipment on any trailer.

Keith Lucas
2907 Stockton Road
Phoenix, MD 21131
June 7, 2016

PETITIONER'S
EXHIBIT NO. #4

To whom it may concern:

As you may recognize by my address above, I live next to the Nallys. I have lived in my home since before they came to the neighborhood.

The purpose of this letter is to state that I have no concerns with and no objections to their pursuit of a zoning variance regarding placement of trailers and an existing shed.

Sincerely,



Keith Lucas

PETITIONER'S

Date: 6-1

EXHIBIT NO.

#5

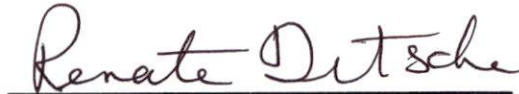
To all concerned about trailers on the property of Rob & Sherrie Nally @ 2909 Stockton Road

My wife & I have lived @ 2903 Stockton Road for the past 40+ years. We have absolutely no problems with the trailers that are situated on Rob & Sherrie's property.

They are off the road & in our judgment pose no problems whatsoever.



Barry Ditsche



Renate Ditsche

Case No.: 2016-0254-SPHA

Exhibit Sheet

Petitioner/Developer

Protestant

6-14-16
DEN

No. 1	Plan	
No. 2	Photos w/ plan	
No. 3	DOP ZAC comment	
No. 4	Letter of support	
No. 5	letter of support	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		













2911 →
→ 2913













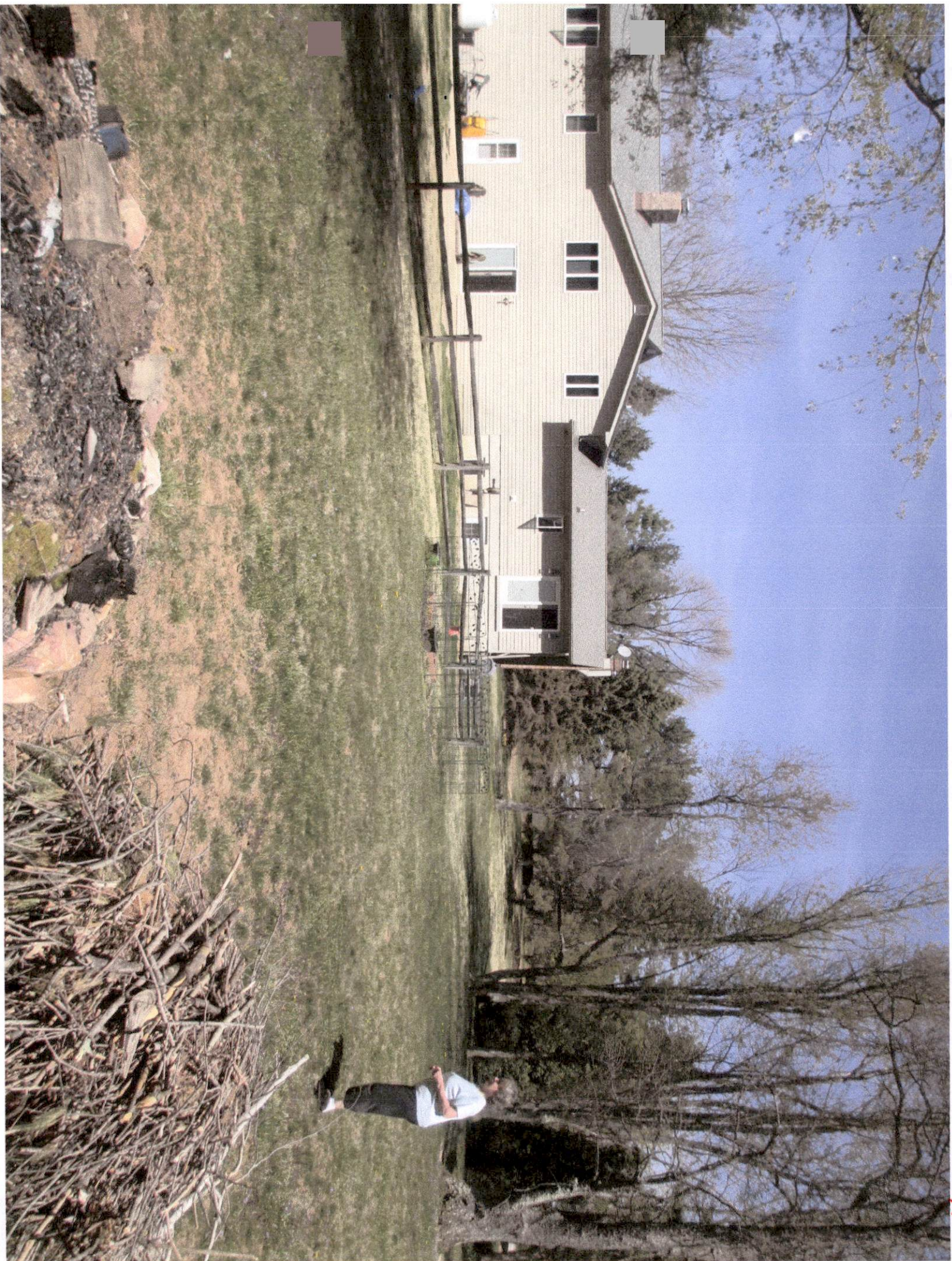














































SITE INFORMATION

1. Ownership: Robert M. Nally, Jr., Sally L. Nally & Sharon M Blair
2909 Stockton Road Phoenix, MD 21131
2. Address: 2909 Stockton Road
3. Deed references: SM 16227/306
Lot 10 "Resubdivision of Lots 6-7-9-10-11-12-17-18 "Stockton"
Plat Book EHK Jr. 36/ 13
4. Area: 1.81 acre (per SDAT)
5. Tax Map / Parcel / Tax account #: 35 / 191 / 16-00012930
6. Election District: 10 Councilmanic District: 3
ADC Map: 4347H5 GIS tile: 035B1 Position sheet: 88NE8
Census tract: 410100 Census block: 240054101003
Schools: Jacksonville ES Hereford MS Hereford HS
7. The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 035B1 and the information provided by Baltimore County on the internet.
8. Improvements: Single family dwelling, pool & parking lot. All of the improvements will remain.

OFFICE OF ZONING

Zoning: R.C. 2 There are no previous zoning cases on the subject property.

Parking Calculations

Required parking spaces: 2

R.C.2 Setbacks

Front: 75 feet from the centerline of the road
Side / Rear: 35 feet from any property line

ENVIRONMENTAL IMPACT

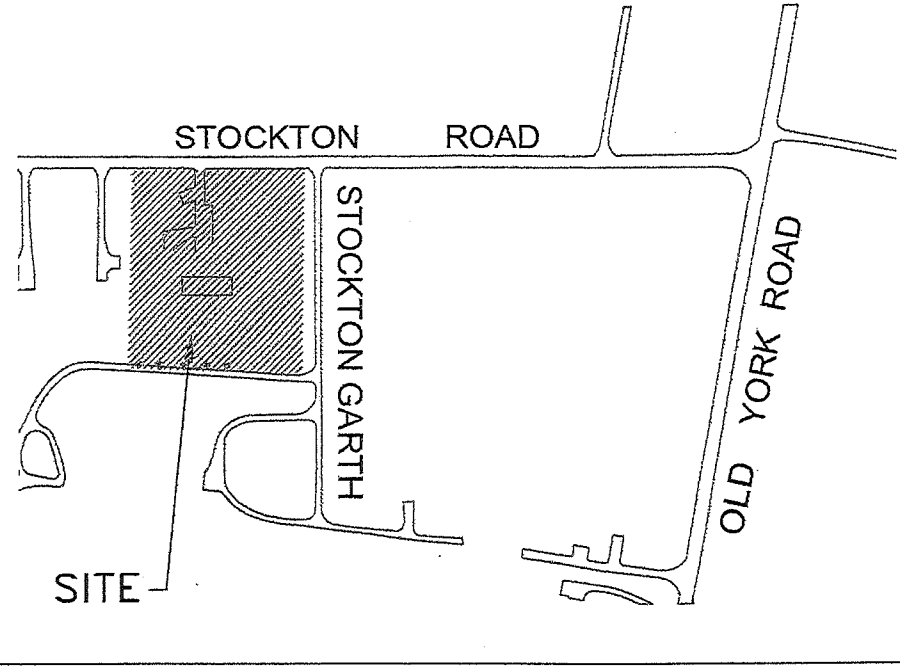
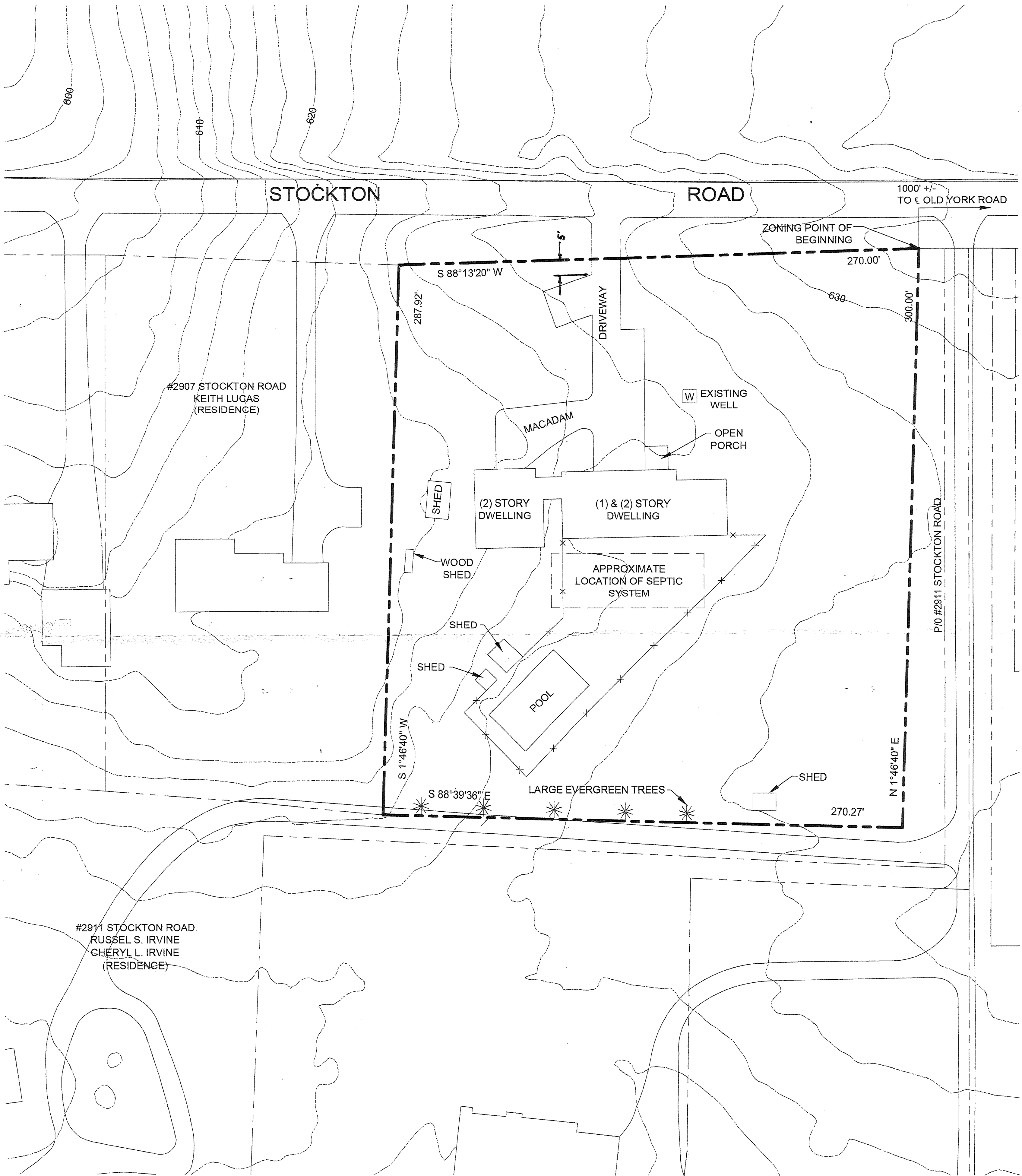
Watershed: Loch Raven Reservoir URDL land type: 1

1. The existing dwelling is currently serviced by a private well and septic system.
2. There are no underground storage tanks on the subject property.
3. The subject property is not in the Chesapeake Bay Critical Area.
4. The subject property is not located within a 100 year flood plain.

OFFICE OF PLANNING

Regional Planning District: Jacksonville District Code: 305

1. The subject dwelling is not historic. The subject property is not in a historic district.



Vicinity Map - Scale: 1" = 300'



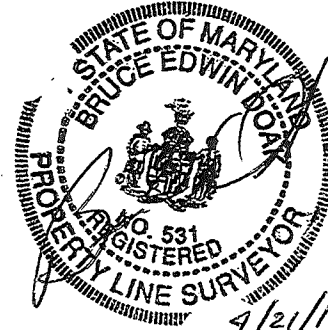
REVISION

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5935 m 410-419-8906
bdoak@bruceedoakconsulting.com

A PLAN TO ACCOMPANY
A ZONING PETITION

#2909 STOCKTON ROAD

BALTIMORE COUNTY, MARYLAND
10th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT



Date: 4/19/2016

Scale: 1"=30'

SITE INFORMATION

- Ownership: Robert M. Nally, Jr., Sally L. Nally & Sharon M. Blair
2909 Stockton Road Phoenix, MD 21131
- Address: 2909 Stockton Road
- Deed references: SM 16227/206
Lot 10 "Resubdivision of Lots 6-7-9-10-11-12-17-18 "Stockton"
Plat Book EHK Jr. 36/ 13
- Area: 1.81 acre (per SDAT)
- Tax Map / Parcel / Tax account #: 35 / 191 / 16-00012930
- Election District: 10 Councilmanic District: 3
ADC Map: 4347H5 GIS tile: 03581 Position sheet: B8NE8
Census tract: 410100 Census block: 240054101003
Schools: Jacksonville ES Hereford MS Hereford HS
- The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 03581 and the information provided by Baltimore County on the internet.
- Improvements: Single family dwelling, pool & parking lot. All of the improvements will remain.

OFFICE OF ZONING

Zoning: R.C. 2 There are no previous zoning cases on the subject property.

Parking Calculations

Required parking spaces: 2

R.C.2 Setbacks

Front: 75 feet from the centerline of the road
Side / Rear: 35 feet from any property line

ENVIRONMENTAL IMPACT

Watershed: Loch Raven Reservoir URDL land type: 1

- The existing dwelling is currently serviced by a private well and septic system.
- There are no underground storage tanks on the subject property.
- The subject property is not in the Chesapeake Bay Critical Area.
- The subject property is not located within a 100 year flood plain.

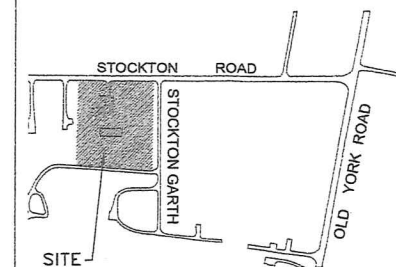
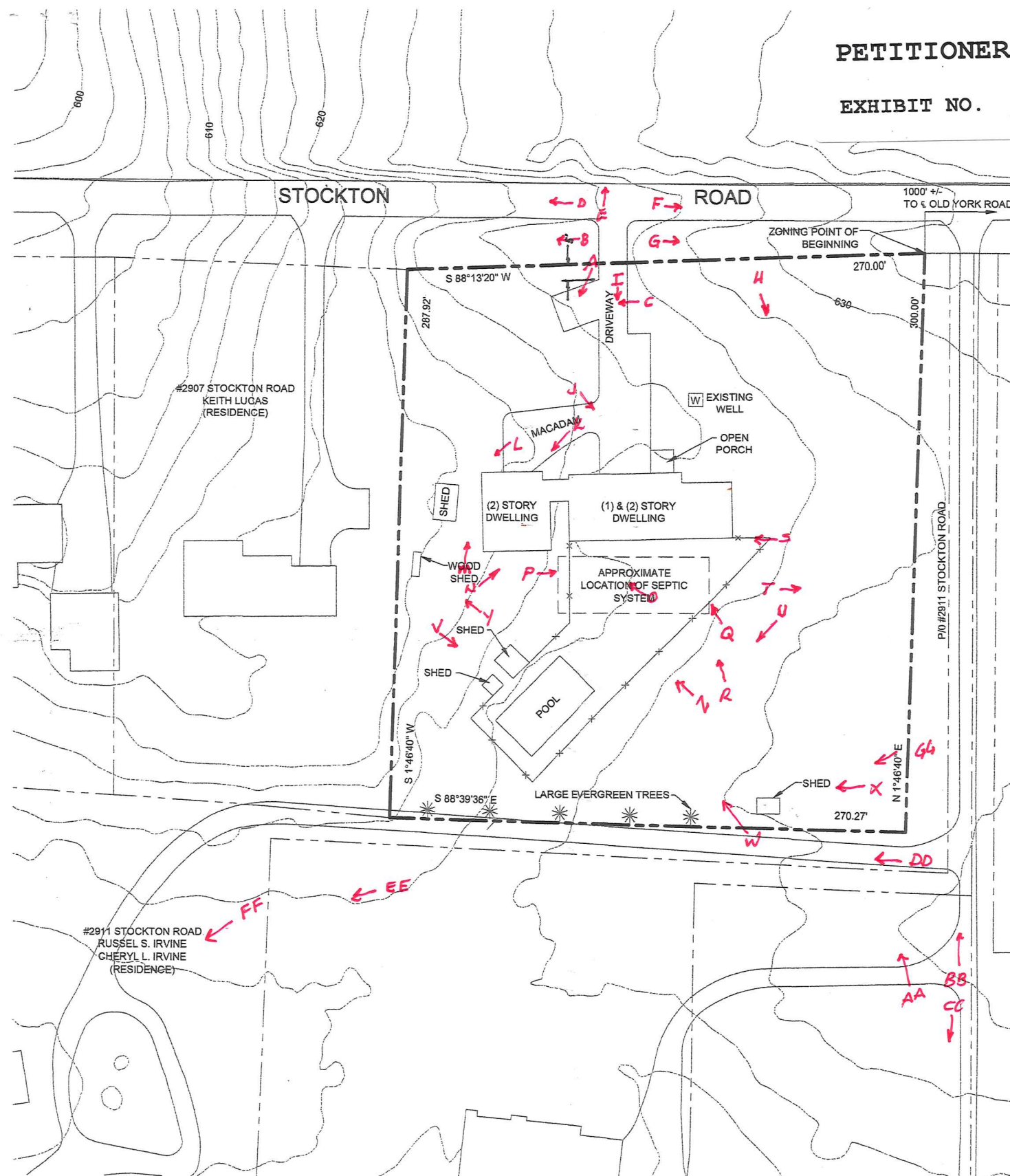
OFFICE OF PLANNING

Regional Planning District: Jacksonville District Code: 305

- The subject dwelling is not historic. The subject property is not in a historic district.

PETITIONER'S

EXHIBIT NO. #12



Vicinity Map - Scale: 1" = 300'

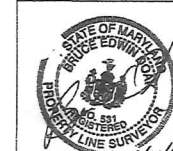
PLAN TO ACCOMPANY PHOTOS

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3901 Baker Schoolhouse Road
Frederick, MD 21703
o 443-900-3335 m 410-419-4905
bdoak@brucedoakconsulting.com

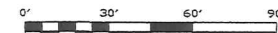


A PLAN TO ACCOMPANY
A ZONING PETITION
#2909 STOCKTON ROAD

BALTIMORE COUNTY, MARYLAND
10th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT



Date: 4/19/2016
Scale: 1"=30'



REVISION