

MEMORANDUM

DATE: July 12, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0281-A – Appeal Period Expired

The appeal period for the above-referenced case expired on July 11, 2016. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE *
(7521 Kelseys Lane)
14th Election District *
6th Council District *
Judith G. and Erik W. Leppo *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2016-0281-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, Judith G. and Erik W. Leppo. The Petitioners are requesting Variance relief from § 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard addition (enclosed sun room) with a rear setback of 25 ft. in lieu of the required 30 ft. and to amend the Final Development Plan (FDP) of Sippel Properties, Lot 30. 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. A ZAC comment, dated May 27, 2016, was received from the Department of Environmental Protection and Sustainability (DEPS) indicating development of the property must comply with the Forest Conservation Regulations.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 22, 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 6-9-16

By low

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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 9th day of **June, 2016**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from § 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard addition (enclosed sun room) with a rear setback of 25 ft. in lieu of the required 30 ft. and to amend the Final Development Plan (FDP) of Sippel Properties, Lot 30, 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, Petitioners would be required to return the subject property to its original condition.
2. Petitioners must comply with the ZAC comment received from DEPS, dated May 27, 2016; a copy of which is attached hereto and made a part hereof.

ORDER RECEIVED FOR FILING

Date 6-9-16

By GW

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 6-9-16

By dlw



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 7521 Kelsey's lane Currently zoned Dr 5.5
Deed Reference 74 140 10 Digit Tax Account # 2400001166
Owner(s) Printed Name(s) Judith Leppo & Erik Leppo

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

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

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

1. X ADMINISTRATIVE VARIANCE from Section(s)

BCZR: 1B01.2.C.1.b → To permit a rear yard addition (enclosed sun room) with a rear setback of 25 feet in lieu of the required 30 feet, and to amend the Final Development Plan of Sippel Properties, lot 30.

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.

If 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):

Judith leppo Erik Leppo
Name #1 - Type or Print Name #2 - Type or Print
Judith Leppo Erik Leppo
Signature #1 Signature #2
7521 Kelseys Ln Baltimore MD
Mailing Address City State
21237 443-794-9523 judi_leppo@yahoo.com
Zip Code Telephone # Email Address

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

Name- Type or Print
Signature
Mailing Address City State
Zip Code BY Telephone # Email Address

Representative to be contacted:

Gerard Andersen (CW of Baltimore)
Name - Type or Print
Gerard Andersen
Signature
7110 Golden ring rd Baltimore MD
Mailing Address City State
21221 410-780-0062
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 5/12/16 day of May 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 2016-0281-A Filing Date 5/12/16 Estimated Posting Date 5/22/16 Reviewer JS

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: 7521 Kelseys Lane Baltimore Md 21237
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)

We would like to construct a 21'x15' sunroom on the rear of our home,
- with our property being in a DR-5.5 Zoning, we are required to hold a
- 30' setback to the rear property line. Our hardship for our lot is
- that we can not enjoy our yard during the summer due to the
- mosquito's and other insects. this infestation is due to the water
- treatment and water holding reserves less then 700' to the east of
- us. we hope to use this sunroom addition to fully enjoy our rear
- yard. the location of the proposed sunroom is due to the existing
- patio door, and is the only location on our house we would be able to
- construct the proposed addition. Therefore we are asking for a rear
- yard setback variance and amendment to the FDP of Sippel property to
- permit a setback of 25' in leiu of the required 30' rear yard
- setback.

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

Judith Leppo
Signature of Owner (Affiant)

Judith Leppo
Name- Print or Type

Erik W. Leppo
Signature of Owner (Affiant)

Erik Leppo
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 11 day of May, 2014, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Judith Leppo & Erik Leppo

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

Delores J. Scott
Notary Public
11/27/17
My Commission Expires

Affidavit in Support of Administrative Variance

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

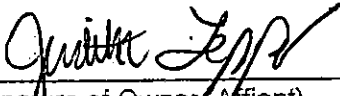
The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in 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: **7521 Kelseys Lane** **Baltimore** **Md** **21237**
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)

We would like to construct a 21'x15' sunroom on the rear of our home, with our property being in a DR-5.5 Zoning, we are required to hold a 30' setback to the rear property line. Our hardship for our lot is that we can not enjoy our yard during the summer due to the mosquito's and other insects. this infestation is due to the water treatment and water holding reserves less then 700' to the east of us. we hope to use this sunroom addition to fully enjoy our rear yard. the location of the proposed sunroom is due to the existing patio door, and is the only location on our house we would be able to construct the proposed addition. Therefore we are asking for a rear yard setback variance and amendment to the FDP of Sippel property to permit a setback of 25' in leiu of the required 30' rear yard setback.

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


Signature of Owner (Affiant)

Judith Leppo
Name- Print or Type


Signature of Owner (Affiant)

Erik Leppo
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 11 day of may, 2016, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Judith Leppo & Erik Leppo

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal


Notary Public
11/27/17
My Commission Expires



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 7521 Kelsey's lane Currently zoned Dr 5.5
 Deed Reference 74 / 140 10 Digit Tax Account # 2400001166
 Owner(s) Printed Name(s) Judith Leppo & Erik Leppo

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

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

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

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

BCZR: 1B01.2.C.1.b → To permit a rear yard addition (enclosed sun room) with a rear setback of 25 feet in lieu of the required 30 feet, and to amend the Final Development Plan of Sippel Properties, lot 30.

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):

Judith leppo Name #1 - Type or Print <u>Judith Leppo</u> Signature #1 7521 Kelseys Ln Mailing Address Baltimore MD City State 21237 Zip Code 443-794-9523 Telephone # judi_leppo@yahoo.com Email Address	Erik Leppo Name #2 - Type or Print <u>Erik W. Leppo</u> Signature #2 7521 Kelseys Ln Mailing Address Baltimore MD City State 21237 Zip Code 443-794-9523 Telephone # judi_leppo@yahoo.com 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:

Gerard Andersen (CW of Baltimore)
 Name - Type or Print
Gerard Andersen
 Signature
7110 Golden ring rd
 Mailing Address
Baltimore MD
 City State
21221
 Zip Code
410-780-0062
 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 12 day of May, 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 2016-0281-A Filing Date 5/12/16 Estimated Posting Date 5/22/16 Reviewer JS

Zoning Description for 7521 Kelseys lane

beginning at a point on the east side of Kelseys lane which is 50' wide at a distance of 283 feet southeast of the center line of the nearest improved intersecting street, Gilley Terrence which is 50' wide. being lot 30 in the subdivision of sippel properties in the baltimore county plat book 74 folio 140 containing 6,534 SF located in the 14th election district and 6th councilmanic district. also known as 7521 Kelsey's lane.

2016-0281-A

CERTIFICATE OF POSTING

2016-0281-A

RE: Case No.: _____

Petitioner/Developer: _____

Judith Leppo

June 6, 2016

Date of Hearing/Closing: _____

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

Attn: 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: _____

7521 Kelsey's Lane

May 22, 2016

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,



(Signature of Sign Poster)

May 22, 2016

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2016- 0281 -A Address 7521 KELSEY'S LANE

Contact Person: JASON SEIDELMAN Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 5/12/16 Posting Date: 5/22/16 Closing Date: 6/6/16

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- 0281 -A Address 7521 KELSEY'S LANE

Petitioner's Name LEPPO Telephone 443-794

Posting Date: 5/22/16 Closing Date: 6/6/16

Wording for Sign: TO PERMIT A REAR YARD ADDITION (ENCLOSED SUN ROOM) WITH
A REAR SETBACK OF 25 FEET IN LIEU OF THE REQUIRED 30 FEET, AND
TO AMEND THE FINAL DEVELOPMENT PLAN OF SIPPAGE PROPERTIES, LOT 30.

Revised 7/9/15

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Case Number: 2016-0781-A
Property Address: 7521 KELSEY'S LANE
Property Description: _____

Legal Owners (Petitioners): JUDITH + ERIK LEPPA
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: GERARD ANDERSON
Company/Firm (if applicable): CHAMPION WINDOWS
Address: 7110 GOLDEN RING RD
BALTIMORE, MD 21221

Telephone Number: 410-780-0062

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

No. 138223

Date: 5/12/16

PAID RECEIPT

BUSINESS ACTUAL TIME DRN
5/13/2016 5/12/2016 10:03:26 2

REC'D 4502 WALKIN JEVA JEE
RECEIPT # 966071 5/12/2016 GFLH

Dept 5 528 ZONING VERIFICATION
CR NO. 138223

Recpt Tot \$150.00
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
001	806	0000		6100				\$150.00

Total \$150.00

Rec From: CHAMPION WINDOWS / LEPPD

For: 2016-0281-A

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 7, 2016

Judith & Erik Leppo
7521 Kelseys Lane
Baltimore MD 21237

RE: Case Number: 2016-0281 A, Address: 7521 Kelseys

Dear Mr. & Ms. Leppo:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 12, 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
Gerard Anderson, 7110 Golden Ring Road, Baltimore MD 21221

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



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

Date: 5/16/16

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. 2016-0281-A

*Administrative Variance
Judith & Erik Leppo.
7521 Kelseys Lane.*

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 "Richard Zeller".

Wendy Wolcott, PLA
Acting Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

TO WCC

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

DATE: May 20, 2016

SUBJECT: Zoning Advisory Committee Meeting
For May 20, 2016
Item No. 2016-0178, 0273, 0274, 0275, 0276, 0277, 0278, 0280 and
0281

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\ZAC05232016.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: May 27, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0281-A
Address 7521 Kelseys Lane
(Leppo Property)

Zoning Advisory Committee Meeting of May 23, 2016.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

X The proposed addition would encumber open rear yard and also encroach upon the 35-foot setback to the adjacent Forest Conservation Reservation (FCR). The FCR is a County-owned area established for the protection of forest resources. The 35-foot setback, required per DEPS Policy 06-93, is designed to provide adequate yard area to prevent encroachment into the protected area. Please note that prior to building permit approval, an alternatives analysis must be submitted to EIR for approval demonstrating the protective measures to be utilized during and after construction to adequately protect the adjacent FCR.

Reviewer: Michael S. Kulis
EIR

Date: 05-26-2016
Office # 410-887-3980

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: May 18, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0281-A
Address 7521 Kelseys Lane
(Leppo Property)

Zoning Advisory Committee Meeting of May 23, 2016.

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

Reviewer: Steve Ford Date: 05-18-2016

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

MAY 27 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: May 27, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0281-A
Address 7521 Kelseys Lane
(Leppo Property)

Zoning Advisory Committee Meeting of May 23, 2016.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

X The proposed addition would encumber open rear yard and also encroach upon the 35-foot setback to the adjacent Forest Conservation Reservation (FCR). The FCR is a County-owned area established for the protection of forest resources. The 35-foot setback, required per DEPS Policy 06-93, is designed to provide adequate yard area to prevent encroachment into the protected area. Please note that prior to building permit approval, an alternatives analysis must be submitted to EIR for approval demonstrating the protective measures to be utilized during and after construction to adequately protect the adjacent FCR.

Reviewer: Michael S. Kulis
EIR

Date: 05-26-2016
Office # 410-887-3980

ORDER RECEIVED FOR FILING

BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

MAY 27 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: May 27, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0281-A
Address 7521 Kelseys Lane
(Leppo Property)

Zoning Advisory Committee Meeting of May 23, 2016.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

X The proposed addition would encumber open rear yard and also encroach upon the 35-foot setback to the adjacent Forest Conservation Reservation (FCR). The FCR is a County-owned area established for the protection of forest resources. The 35-foot setback, required per DEPS Policy 06-93, is designed to provide adequate yard area to prevent encroachment into the protected area. Please note that prior to building permit approval, an alternatives analysis must be submitted to EIR for approval demonstrating the protective measures to be utilized during and after construction to adequately protect the adjacent FCR.

Reviewer: Michael S. Kulis
EIR

Date: 05-26-2016
Office # 410-887-3980

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



6-6
RECEIVED

MAY 18 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: May 18, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0281-A
Address 7521 Kelseys Lane
(Leppo Property)

Zoning Advisory Committee Meeting of May 23, 2016.

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

Reviewer: Steve Ford

Date: 05-18-2016



KEVIN KAMENETZ
County Executive

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

June 7, 2016

Judith & Erik Leppo
7521 Kelseys Lane
Baltimore MD 21237

RE: Case Number: 2016-0281 A, Address: 7521 Kelseys

Dear Mr. & Ms. Leppo:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 12, 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.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Gerard Anderson, 7110 Golden Ring Road, Baltimore MD 21221

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



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

Date: 5/10/16

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. 2016-0281-A

Administrative Variance
Judith & Erik Leppo.
7521 Kelseys Lane.

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 'Richard Zeller'.

Wendy Wolcott, PLA
Acting Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

TO WCR

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: May 20, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For May 20, 2016
Item No. 2016-0178, 0273, 0274, 0275, 0276, 0277, 0278, 0280 and
0281

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\ZAC05232016.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: May 27, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0281-A
Address 7521 Kelseys Lane
(Leppo Property)

Zoning Advisory Committee Meeting of May 23, 2016.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

X The proposed addition would encumber open rear yard and also encroach upon the 35-foot setback to the adjacent Forest Conservation Reservation (FCR). The FCR is a County-owned area established for the protection of forest resources. The 35-foot setback, required per DEPS Policy 06-93, is designed to provide adequate yard area to prevent encroachment into the protected area. Please note that prior to building permit approval, an alternatives analysis must be submitted to EIR for approval demonstrating the protective measures to be utilized during and after construction to adequately protect the adjacent FCR.

Reviewer: Michael S. Kulis
EIR

Date: 05-26-2016
Office # 410-887-3980

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: May 18, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0281-A
Address 7521 Kelseys Lane
(Leppo Property)

Zoning Advisory Committee Meeting of May 23, 2016.

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

Reviewer: Steve Ford

Date: 05-18-2016

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>5-20</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>PC</u>
<u>5-27</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>5-16</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	Date: <u>5-22-16</u> by <u>Beck</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Real Property Data Search (w4)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 14 Account Number - 2400001166			
Owner Information					
Owner Name:	LEPPO ERIK W LEPPO JUDITH G		Use:	RESIDENTIAL	
Mailing Address:	7521 KELSEYS LN BALTIMORE MD 21237-3739		Principal Residence:	YES	
			Deed Reference:	/26033/ 00647	
Location & Structure Information					
Premises Address:		7521 KELSEYS LN 0-0000		Legal Description:	.1500 AC 7521 KELSEYS LN SES SIPPEL PROPERTY
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0081	0024	0359		0000	30 2015 0074/0140
Special Tax Areas:			Town:	NONE	
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
2003	2,348 SF	900 SF	6,534 SF	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	Phase-in Assessments		
		As of	As of	As of	
		01/01/2015	07/01/2015	07/01/2016	
Land:	126,500	126,500			
Improvements	180,200	204,400			
Total:	306,700	330,900	314,767	322,833	
Preferential Land:	0			0	
Transfer Information					
Seller: NOVIAN CAROL D NOVIAN H WILLIAM		Date: 08/10/2007		Price: \$470,000	
Type: ARMS LENGTH IMPROVED		Deed1: /26033/ 00647		Deed2:	
Seller: EDWAYS CAROL D		Date: 06/28/2004		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /20322/ 00711		Deed2:	
Seller: JACS DEVELOPMENT LLC		Date: 06/26/2003		Price: \$109,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /18258/ 00146		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: No Application					



7521 Kelsey's Lane
proposed 21'x15
sunroom on rear
of SFD.



LOCATION OF PROPOSED SUNROOM ON REAR OF HOUSE

2016-0281-A

Debra Wiley

From: Debra Wiley
Sent: Tuesday, June 07, 2016 11:10 AM
To: Jeffery Livingston
Subject: Administrative variance Case No. 2016-0281-A
Attachments: 20160607111626075.pdf

Jeff,

Could you please clarify which ZAC comment we're to use.

Thanks.

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

From: adminhearingscpr@baltimorecountymd.gov [mailto:adminhearingscpr@baltimorecountymd.gov]
Sent: Tuesday, June 07, 2016 11:16 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Admin Hearings Copier

This E-mail was sent from "RNP002673903BB1" (MP 3054).

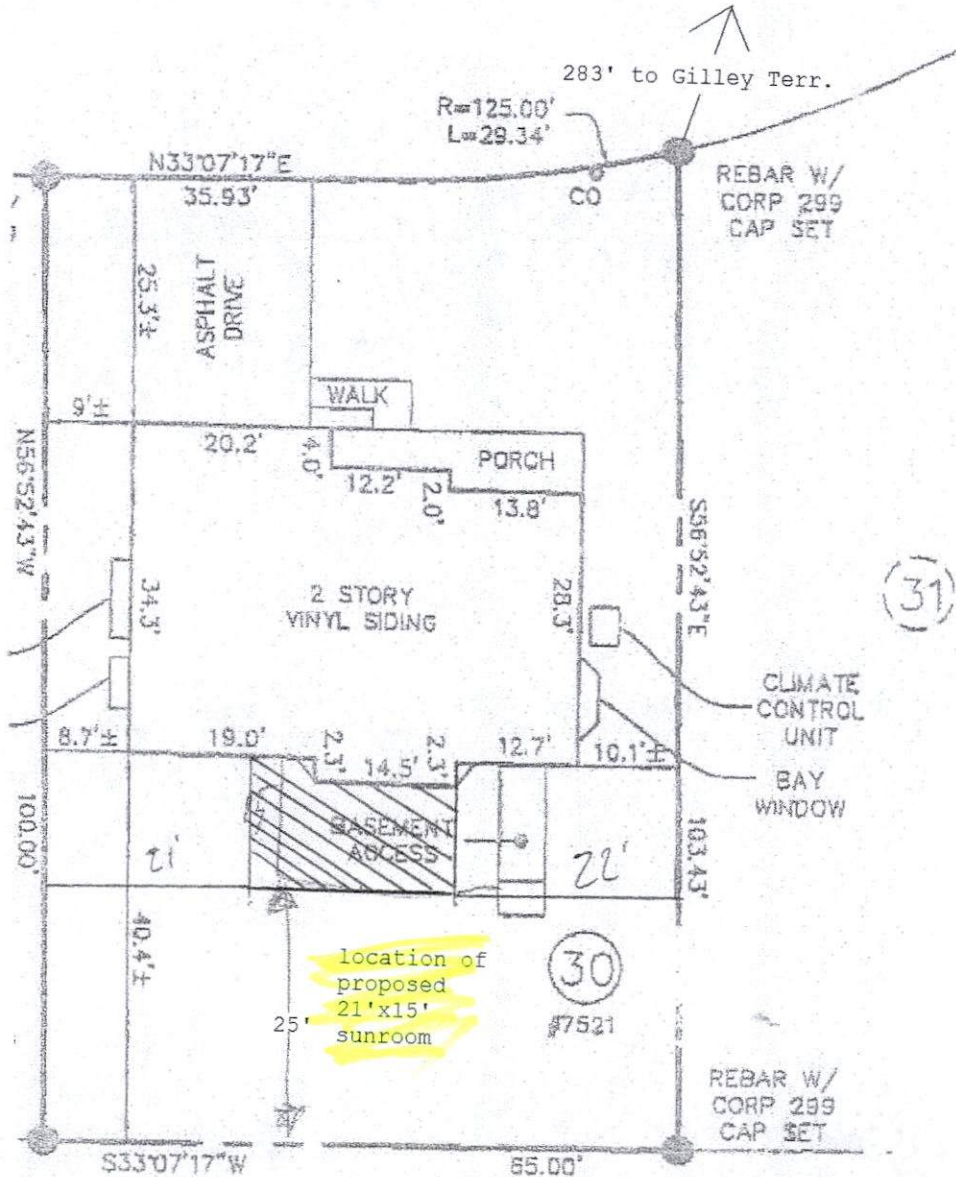
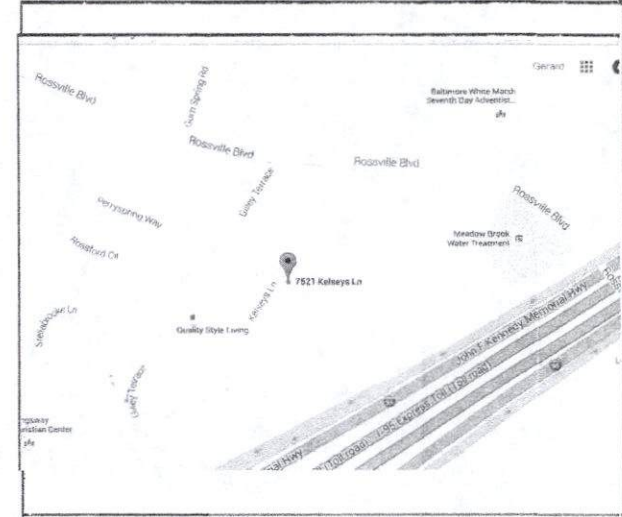
Scan Date: 06.07.2016 11:16:25 (-0400)
Queries to: adminhearingscpr@baltimorecountymd.gov



PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 7521 Kelseys Lane
 SUBDIVISION NAME Sippel properties
 PLAT BOOK # 74 FOLIO # 140 LOT # 30 SECTION #
 OWNER Judith & Erik Leppo

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION



LOCATION INFORMATION

ELECTION DISTRICT	14th	
COUNCILMANIC DISTRICT	6th	
1" = 200' SCALE MAP #	081c3	
ZONING	DR5.5	
LOT SIZE	6534	
	ACREAGE	SQUARE FEET
	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐
CHESAPEAKE BAY CRITICAL AREA	YES ☐	NO ☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒
PRIOR ZONING HEARING	☐	☒

ZONING OFFICE USE ONLY

REVIEWED BY Item # CASE #

Pet. Exh. 1

PREPARED BY Gerard Andersen

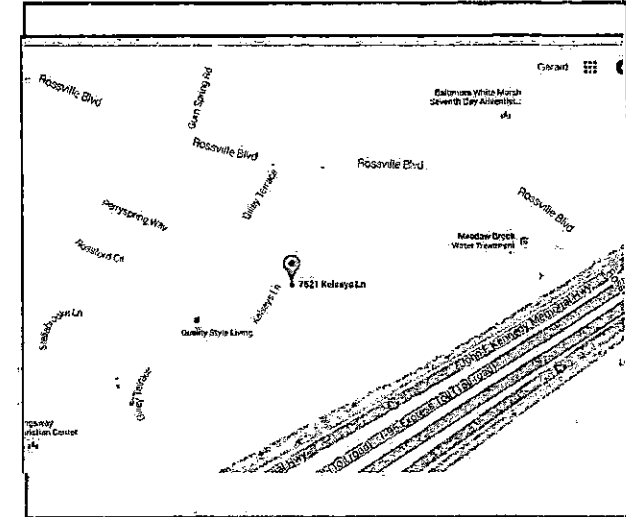
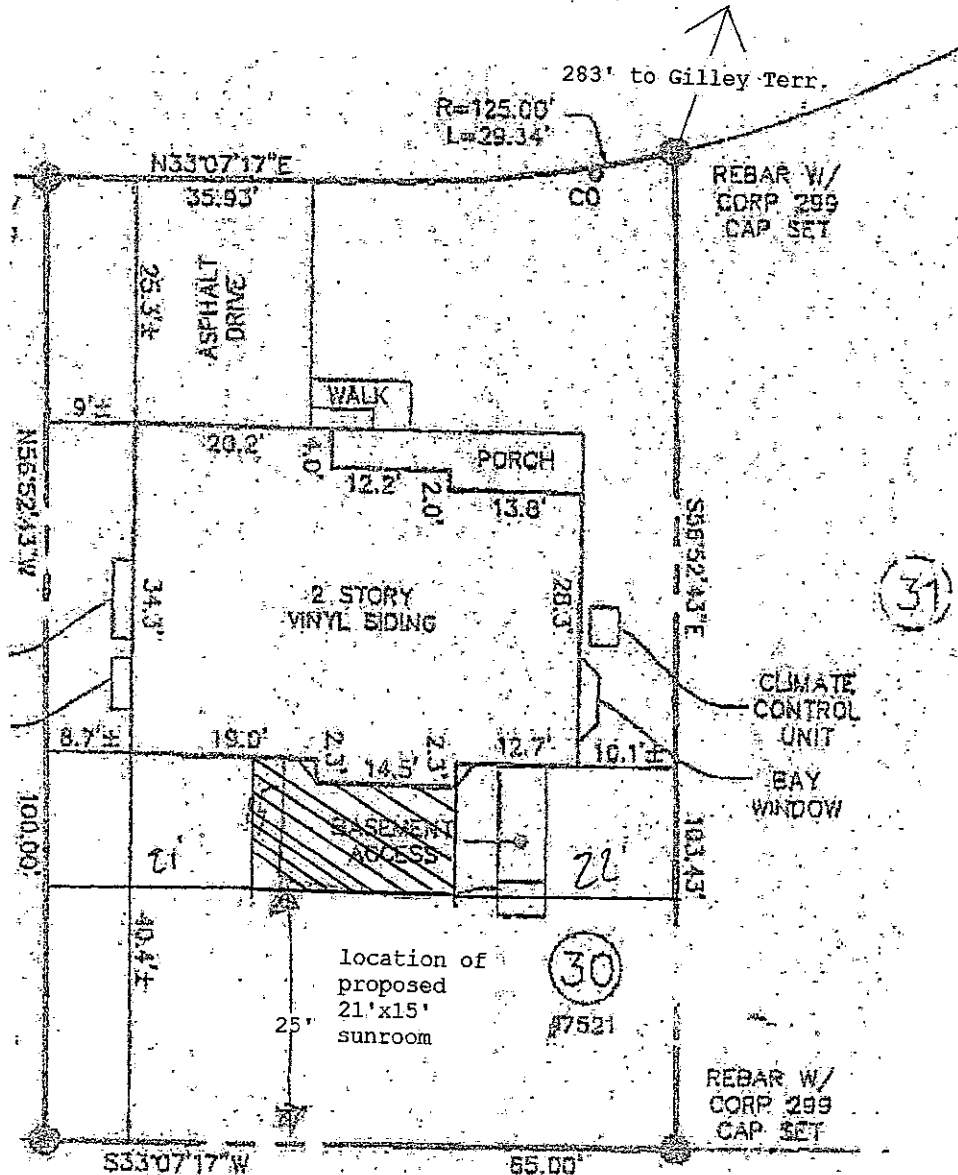
SCALE OF DRAWING: 1" = 20'

2016-0781-A

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 7521 Kelseys Lane
 SUBDIVISION NAME Sippel properties
 PLAT BOOK # 74 FOLIO # 140 LOT # 30 SECTION # 30
 OWNER Judith & Erik Leppo

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION



LOCATION INFORMATION

ELECTION DISTRICT	14th
COUNCILMANIC DISTRICT	6th
1" = 200' SCALE MAP #	081c3
ZONING	DR5.5
LOT SIZE	6534
	ACREAGE SQUARE FEET
	PUBLIC PRIVATE
SEWER	☒ ☐
WATER	☒ ☐
CHESAPEAKE BAY CRITICAL AREA	YES ☐ NO ☒
100 YEAR FLOOD PLAIN	☐ ☒
HISTORIC PROPERTY/ BUILDING	☐ ☒
PRIOR ZONING HEARING	☒

ZONING OFFICE USE ONLY

REVIEWED BY _____ ITEM # _____ CASE # _____

PREPARED BY Gerard Andersen

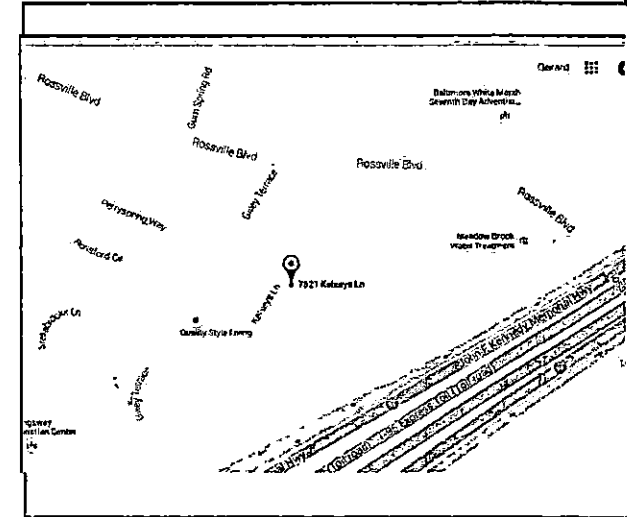
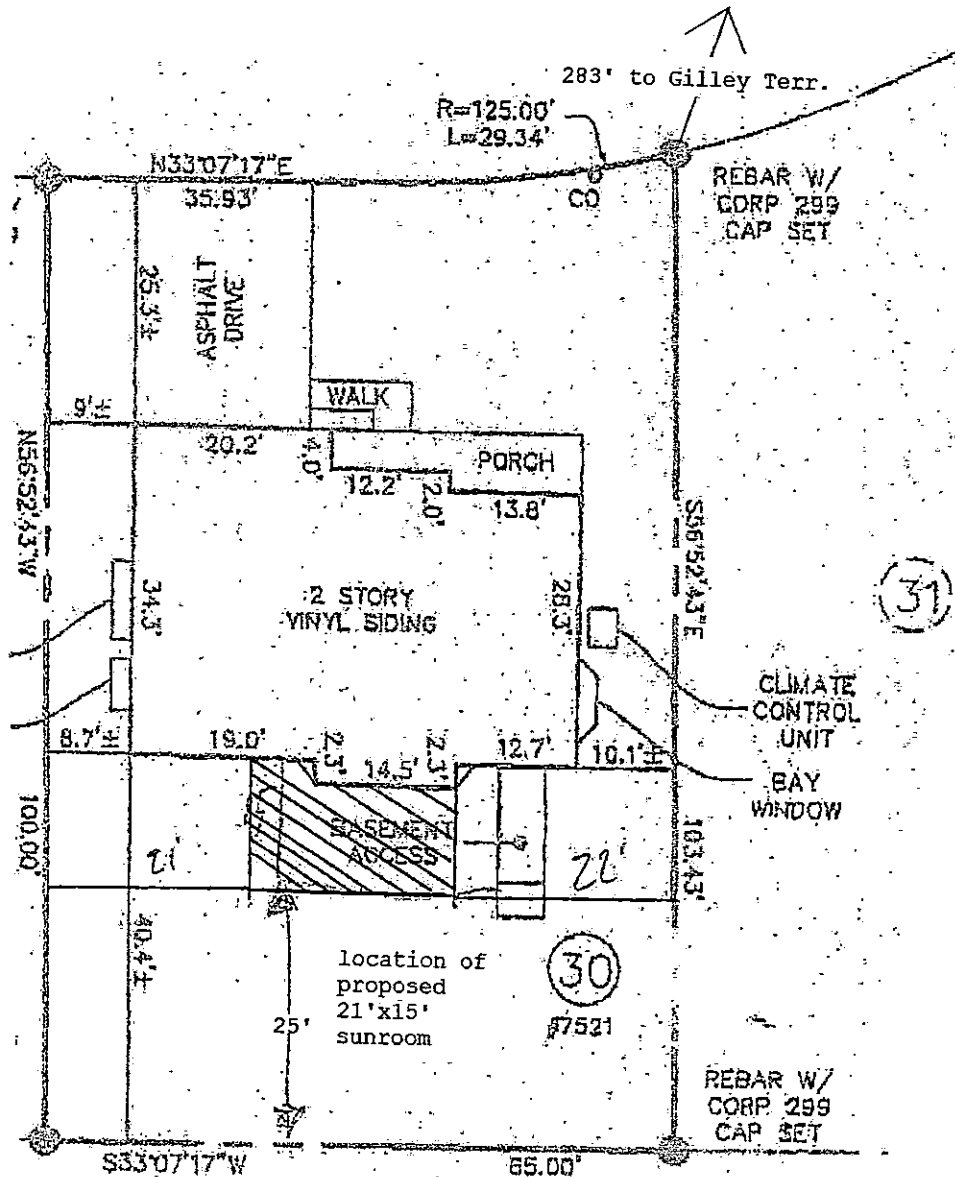
SCALE OF DRAWING: 1" = 20'

2016-0281-A

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 7521 Kelseys Lane
 SUBDIVISION NAME Sippel properties
 PLAT BOOK # 74 FOLIO # 140 LOT # 30 SECTION # 30
 OWNER Judith & Erik Leppo

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION



LOCATION INFORMATION

ELECTION DISTRICT	14th
COUNCILMANIC DISTRICT	6th
1" = 200' SCALE MAP #	081c3
ZONING	DR5.5
LOT SIZE	6534
	ACREAGE SQUARE FEET
	PUBLIC PRIVATE
SEWER	☒ ☐
WATER	☒ ☐
CHESAPEAKE BAY CRITICAL AREA	YES ☐ NO ☒
100 YEAR FLOOD PLAIN	☐ ☒
HISTORIC PROPERTY/ BUILDING	☐ ☒
PRIOR ZONING HEARING	☒

ZONING OFFICE USE ONLY

REVIEWED BY _____ ITEM # _____ CASE # _____

PREPARED BY Gerard Andersen

SCALE OF DRAWING: 1" = 20'

2016-0281-A