

MEMORANDUM

DATE: November 18, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0054-A – Appeal Period Expired

The appeal period for the above-referenced case expired on November 16, 2016. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE

(807 Bengies Road)
15th Election District
6th Council District
Marsha Denise Noble
Legal Owner
Robert E. Click
Contract Purchaser
Petitioners

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*
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BEFORE THE OFFICE
OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2017-0054-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Marsha Denise Noble, legal owner of the subject property and Robert E. Click, contract purchaser ("Petitioners"). The Petitioners are requesting variance relief from the Baltimore County Zoning Regulations (B.C.Z.R) to permit side yard setbacks of 8 ft. minimum with a sum of 16 ft. in lieu of the required 15 ft. and 40 ft. respectively, for a replacement dwelling. A site plan was marked as Petitioners' Exhibit 1.

Robert Click and David Billingsley appeared in support of the petition. There were no Protestants or interested citizens in attendance. The Petition was advertised and posted as required by the B.C.Z.R. There were no substantive Zoning Advisory Committee (ZAC) comments received from any of the county agencies.

The subject property is approximately 0.539 acres and is zoned DR-2. The property is improved with a small single-family dwelling which is in poor condition. The contract purchaser proposes to raze the existing structure and construct in its place a new single-family dwelling.

To do so a variance is required.

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

ORDER RECEIVED FOR FILING
Date 10/17/16
By Den

- 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).

Petitioners have met this test. The property is irregularly shaped and is therefore unique. If the Regulations were strictly interpreted Petitioners would experience a practical difficulty because they would be unable to construct the replacement dwelling. Finally, I find that the 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. This is demonstrated by the lack of Baltimore County and/or community opposition.

THEREFORE, IT IS ORDERED, this 17th day of October, **2016**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit side yard setbacks of 8 ft. minimum with a sum of 16 ft. in lieu of the required 15 ft. and 40 ft. respectively, for a replacement dwelling, 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.

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Date 10/17/16
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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:slm

ORDER RECEIVED FOR FILING

Date 10/17/16

By Den



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 807 BENGIES ROAD which is presently zoned DR 2
 Deed References: L. 21793 F. 267 10 Digit Tax Account # 1523000930
 Property Owner(s) Printed Name(s) MARSHA DENISE NOBLE 1900008824

(SELECT THE HEARING(S) BY MARKING ☒ 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

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

3. ☒ a **Variance** from Section(s)

1B02.3.C.1 TO PERMIT SIDE YARD SETBACKS OF 8 FEET MINIMUM WITH A SUM OF 16 FEET IN LIEU OF THE REQUIRED 15 FEET AND 40 FEET RESPECTFULLY FOR A REPLACEMENT DWELLING

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:

ROBERT E. CLICK

Name- Type or Print

[Signature]

Signature

43 GUN FALLS GARTH NOTTINGHAM, MD

Mailing Address City State

21236

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

MARSHA DENISE NOBLE

Name #1 - Type or Print

Name #2 - Type or Print

[Signature]

Signature #1

Signature #2

807 BENGIES ROAD BALTO. MD.

Mailing Address City State

21220

Zip Code

Telephone #

Email Address

Representative to be contacted:

DAVID BILLINGSLEY

Name - Type or Print

[Signature]

Signature

601 CHARWOOD CT. EDGEWOOD, MD.

Mailing Address City State

21040

Zip Code

Telephone #

Email Address

CASE NUMBER 2017-0054-A

Filing Date 8/19/16

Do Not Schedule Dates:

Reviewer AT

ORDER RECEIVED FOR FILING

Date 10/19/16

By [Signature]

ZONING DESCRIPTION
807 BENGIES ROAD

Beginning for the same at a point on the south side of Bengies Road (variable width), distant 399 feet southwesterly from its intersection with the center of Bourque Road, thence:

- (1) Southwesterly 50 feet, thence
- (2) Southeasterly 171 feet, thence
- (3) S 45° 45' W 65 feet, more or less, thence
- (4) S 26° 24' 40" E 142.8 feet, thence
- (5) N 46° 15' 30" E 106 feet, thence
- (6) N 26° 24' 40" W 146.7 feet, thence
- (7) N 45° 45' E 15 feet, more or less, thence
- (8) Northwesterly 151 feet to the place of beginning

Containing 23,493 square feet or 0.539 acre of land, more or less.

Being known as 807 Bengies Road. Located in the 15TH Election District, 6TH Councilmanic

°District of Baltimore County, Maryland.

2017-0054-A



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 4466740

Sold To:

Robert Click - CU00481875
43 Gunfalls Garth
Nottingham, MD 21236-4836

Bill To:

Robert Click - CU00481875
43 Gunfalls Garth
Nottingham, MD 21236-4836

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

Sep 22, 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: # 2017-0054-A
807 Bengies Road
S/S Bengies Road, 399 ft. S/W of centerline of Bourque Road

15th Election District - 6th Councilmanic District
Legal Owner(s) Marsha Denise Noble
Contract Purchase/Lessee: Robert Click

Variance: to permit side yard setbacks of 8 feet minimum with a sum of 16 feet in lieu of the required 15 feet and 40 feet respectively for a replacement dwelling.

Hearing: Friday, October 14, 2016 at 10:00 a.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.

9/203 September 22 4466740

CERTIFICATE OF POSTING

Date: SEPTEMBER 24 2016

RE: Project Name: 807 BENGIES ROAD
Case Number /PAI Number: 2017-0054-A
Petitioner/Developer: ROBERT CLICK
Date of Hearing/Closing: OCTOBER 14, 2016

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 807 BENGIES ROAD

The sign(s) were posted on SEPTEMBER 24, 2016
(Month, Day, Year)

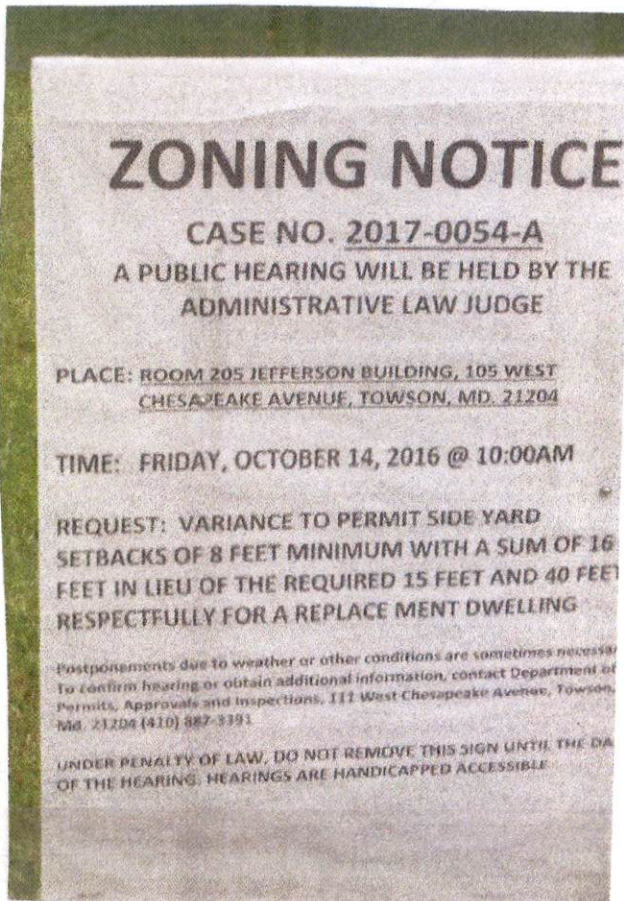
David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)



TO: PATUXENT PUBLISHING COMPANY
Thursday, September 22, 2016 Issue - Jeffersonian

Please forward billing to:
Robert Click
43 Gun Falls Garth
Nottingham, MD 21236

410-679-8719

NOTICE OF ZONING HEARING

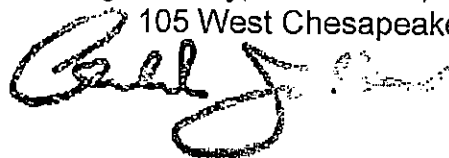
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Legal Owners: Marsha Denise Noble
Contract Purchaser/Lessee: Robert Click

Variance to permit side yard setbacks of 8 feet minimum with a sum of 16 feet in lieu of the required 15 feet and 40 feet respectfully for a replacement dwelling.

Hearing: Friday, October 14, 2016 at 10:00 a.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.



KEVIN KAMENETZ
County Executive

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

September 13, 2016

NOTICE OF ZONING HEARING

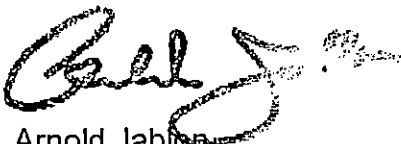
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15th Election District – 6th Councilmanic District
Legal Owners: Marsha Denise Noble
Contract Purchaser/Lessee: Robert Click

Variance to permit side yard setbacks of 8 feet minimum with a sum of 16 feet in lieu of the required 15 feet and 40 feet respectfully for a replacement dwelling.

Hearing: Friday, October 14, 2016 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director

AJ:kl

C: David Billingsley, 601 Charwood Ct., Edgewood 21040
Robert Click, 43 Gun Falls Garth, Nottingham 21236
Marsha Noble, 807 Bengies Road, Baltimore 21220

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, SEPTEMBER 24, 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.**

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
807 Bengies Road; S/S Bengies Road, 399' SW *
of c/line of Bourque Road * OF ADMINISTRATIVE
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Marsha Denise Noble * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2017-054-A

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED

AUG 29 2016

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of August, 2016, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, 601 Charwood Court, Edgewood, MD 21040, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**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/neighborhood 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 twenty (20) 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: 2017-0054-A
Property Address: 807 BENGIES RD
Property Description: _____
Legal Owners (Petitioners): MARSHA DENISE NOBLE
Contract Purchaser/Lessee: ROBERT CLICK

PLEASE FORWARD ADVERTISING BILL TO:

Name: ROBERT CLICK
Company/Firm (if applicable): _____
Address: 43 GUN FALLS GARTH
NOTTINGHAM MD 21236
Telephone Number: (410) 679-8719

Revised 7/9/2015

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

No. **142828**
Date: **8/19/16**

PAID RECEIPT

BUSINESS : ACTUAL TIME : 08/22/2016 08/19/2016 09:13:32 3

NO. 003 WALKIN CAN
RECEIPT # 693549 8/19/2016 OFLN

5 528 ZONING VERIFICATION
NO. 142828

Recpt Tot 475.00
\$75.00 CK 1.00 CA
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6130				\$ 75.00

Total: **\$ 75.00**

Rec From:

For: **807 BENIGIES RD**

2017-0054-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*

October 6, 2016

Marsha Denise Noble
807 Bengies Road
Baltimore MD 21220

RE: Case Number: 2017-0054 A, Address: 807 Bengies Road

Dear Ms. Noble:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 19, 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." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Robert E Click, 43 Gun Falls Garth, Nottingham MD 21236
David Billingsley, 601 Charwood Court, Edgewood MD 21040

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



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

Date: 8/22/16

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. 2017-0054-A

Variance
Marsha Denise Noble
807 Bengies 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 'Wendy Wolcott'.

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

WW/RAZ

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: September 9, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-054

RECEIVED

SEP 15 2016

INFORMATION:

Property Address: 807 Bengies Road
Petitioner: Marsha Denise Noble
Zoning: DR 2
Requested Action: Variance

OFFICE OF ADMINISTRATIVE HEARINGS

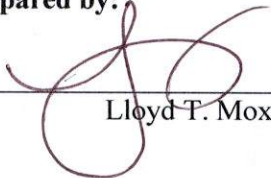
The Department of Planning has reviewed the petition for a variance to permit a single family dwelling to have minimum width side yard setbacks of 8 feet with a minimum sum of side yards of 16 feet in lieu of the required 15 feet and 40 feet respectively.

A site visit was conducted on August 26, 2016.

The Department of Planning has no objection granting the petitioned zoning relief.

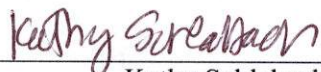
For further information concerning the matters stated herein, please contact Ngone Seye Diop at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Ngone Seye Diop
David Billingsley
Office of the Administrative Hearings
People's Counsel for Baltimore County

10/14

BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

AUG 25 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: August 25, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0054-A
Address 807 Bengies Road
(Noble Property)

Zoning Advisory Committee Meeting of **AUGUST 29, 2016**

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

Reviewer: Steve Ford

Date: 08-25-2016

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: September 6, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For August 29, 2016
Item No. 2017-0043, 0044, 0046, 0049, 0052, 0053 and 0054

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\ZAC201708292016.doc

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: September 9, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-054

INFORMATION:

Property Address: 807 Bengies Road
Petitioner: Marsha Denise Noble
Zoning: DR 2
Requested Action: Variance

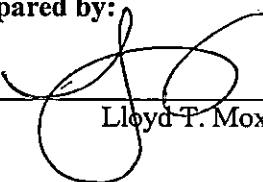
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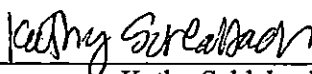
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Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Ngone Seye Diop
David Billingsley
Office of the Administrative Hearings
People's Counsel for Baltimore County

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: August 25, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0054-A
Address 807 Bengies Road
(Noble Property)

Zoning Advisory Committee Meeting of AUGUST 29, 2016

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

Reviewer: Steve Ford

Date: 08-25-2016

152
11-18-16

PETITIONER'S EXHIBITS

10-17-
16
den

**807 BENGIES ROAD
CASE NO. 2017-0054-A**

1. PLAT TO ACCOMPANY PETITION DATED AUGUST 13, 2016 (NO CHANGES)

2A & 2B. SDAT REAL PROPERTY DATA SEARCH

3. PORTION OF TAX MAP 0090

4. DEED OF RECORD L.21793 F.267 4/26/2005

5. PLAT OF GRANTLEIGH P.B. 12 F. 84 10/14/1940

6. PLAT OF MIDDLE RIVER GARDEN FARMS P.B. 6 F. 96 3/16/1917

7. AERIAL PHOTO

8 A-C. PHOTOS

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 - 15 Account Number - 1523000930			
Owner Information					
Owner Name:		NOBLE MARSHA DENISE		Use:	RESIDENTIAL
Mailing Address:		807 BENGIES RD BALTIMORE MD 21220-1904		Principal Residence:	NO
				Deed Reference:	/21793/ 00267
Location & Structure Information					
Premises Address:		807 BENGIES RD BALTIMORE 21220-1904		Legal Description: 807 BENGIES RD GRANTLEIGH	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0090	0006	0658		0000	47 2015 0012/0084
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area		Finished Basement Area		Property Land Area
1943	740 SF				8,160 SF
				County Use	
				04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
1	NO	STANDARD UNIT	SIDING	1 full	
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2015	07/01/2016	07/01/2017
Land:		80,000	80,000		
Improvements		42,800	31,300		
Total:		122,800	111,300	111,300	111,300
Preferential Land:		0			0
Transfer Information					
Seller: NOBLE MARSHA DENISE		Date: 04/29/2005		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /21793/ 00267		Deed2:	
Seller: NOBLE MARSHA DENISE		Date: 01/30/2004		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /19518/ 00253		Deed2:	
Seller: WALTERS HARRY		Date: 11/15/1982		Price: \$21,000	
Type: ARMS LENGTH IMPROVED		Deed1: /06455/ 00026		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2016		07/01/2017	
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					

PETITIONER'S
EXHIBIT NO. 2A

Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 1900008824			
Owner Information					
Owner Name:	NOBLE MARSHA DENISE		Use:	RESIDENTIAL	
Mailing Address:	807 BENGIES RD BALTIMORE MD 21220-1904		Principal Residence:	NO	
			Deed Reference:	/21793/ 00267	
Location & Structure Information					
Premises Address:		BENGIES RD 0-0000		Legal Description:	PT LT 28 0.352AC RER MIDDLE RIVER GRDN FARM
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0090	0006	0558		0000	28
				Assessment Year:	Plat No:
				2015	0006/0096
Special Tax Areas:				Town:	NONE
				Ad Valorem:	
				Tax Class:	
Primary Structure Built	Above Grade Enclosed Area		Finished Basement Area		Property Land Area
					15,333 SF
County Use	04				
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
					Last Major Renovation
Value Information					
		Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2016 As of 07/01/2017	
Land:		3,800	3,800		
Improvements		0	0		
Total:		3,800	3,800	3,800	3,800
Preferential Land:		0			0
Transfer Information					
Seller: FERRAN RAFAEL		Date: 04/29/2005		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /21793/ 00267		Deed2:	
Seller: SCHEPERS HENRY A		Date: 04/26/1983		Price: \$3,100	
Type: ARMS LENGTH IMPROVED		Deed1: /06521/ 00524		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2016		07/01/2017	
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					

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal purposes. For the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the accuracy of these records.

**PETITIONER'S
EXHIBIT NO. 2 B**

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

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>).

TAX MAP 0090

PETITIONER'S
EXHIBIT NO. 3

File Name: Ferran
File No. : 83-0092

Property ID #15-23-000930
#19-00-008824

THIS CONFIRMATORY DEED, made this 26th day of April, 2005, by and between MARSHA DENISE NOBLE and RAFAEL FERRAN, husband and wife, parties of the first part and MARSHA DENISE NOBLE, party of the second part.

WHEREAS, by Deed dated November 24, 2003 and recorded among the Land Records of Baltimore County in Liber S.M. No. 19518, folio 253, Grantors conveyed the property known as 807 Bengies Road to Grantee.

WHEREAS, this Confirmatory Deed is executed to include the adjacent property which was inadvertantly not included in the deed.

WITNESSETH, that in consideration of the premises and the sum of Zero Dollars (\$0.00), the said MARSHA DENISE NOBLE and RAFAEL FERRAN, husband and wife do grant, convey and confirm unto the said MARSHA DENISE NOBLE, her personal representatives and assigns, in fee simple, all those lots of ground situate in the 15th Election District of Baltimore County, Maryland and described as follows, that is to say:

PETITIONER'S
EXHIBIT NO. 4

1st Parcel:

BEING KNOWN AND DESIGNATED as Lot No. 47 on Plat of Grantleigh, which plat is recorded among the Land Records of Baltimore County in Plat Book C.W.B., Jr. No. 12, Folio 84. The improvements thereon being known as No. 807 Bengies Road.

BEING the same property conveyed to the withing Grantor(s) by Deed dated November 12, 1982 and recorded among the Land Records of Baltimore County in Liber 6455, folio 26.

BEING ALSO the same lot of ground which by Deed dated November 24, 2003 and recorded among the Land Records of Baltimore County in Liber S.M. No. 19518, folio 253, was granted and conveyed by Marsha Denise Noble and Rafael Ferran, husband and wife, to Marsha Denise Noble.

2nd Parcel:

BEGINNING FOR THE SAME at a point in the first line of a tract of land described in the Deed from the Cowenton Permanent Building Association No. 1 of Baltimore County to Bernard, Angela and Henry Schepers dated March 29, 1938 and recorded among the Land Records of Baltimore County, Maryland in Liber 5997, folio 425, said point being distant 407.5 feet from the point of beginning of said first line. Thence continuing along with and binding on said first line South 45° 45' West 106.0', thence for new lines of division as now surveyed, the three following courses and distances:

- 1) South 26° 24' 40" East 142.8'
 - 2) North 46° 15' 30" East 106.0' and
 - 3) North 26° 24' 40" West 146.74' to the point of beginning.
- Containing .352 acres, more or less.

BEING the same lot of ground which by Deed dated April 23, 1983 and recorded among the Land Records of Baltimore County in Liber EHK, Jr. No. 6521, folio 524, was granted and conveyed by Henry A. Schepers and Marie F. Schepers, his wife, to Rafael Ferran and Marsha D. Noble.

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lots of ground and premises to the said **MARSHA DENISE NOBLE**, her personal representatives and assigns, in fee simple.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

WITNESS the hand and seal of said grantor.

Test:

Barbara Huffer

Marsha Denise Noble (SEAL)
MARSHA DENISE NOBLE

Barbara Huffer

Rafael Ferran (SEAL)
RAFAEL FERRAN

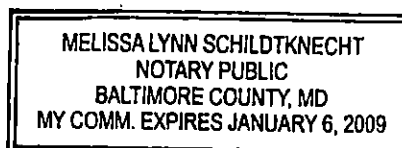
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, That on this 26th day of April, 2005, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared **MARSHA DENISE NOBLE**, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the foregoing Deed to be her act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

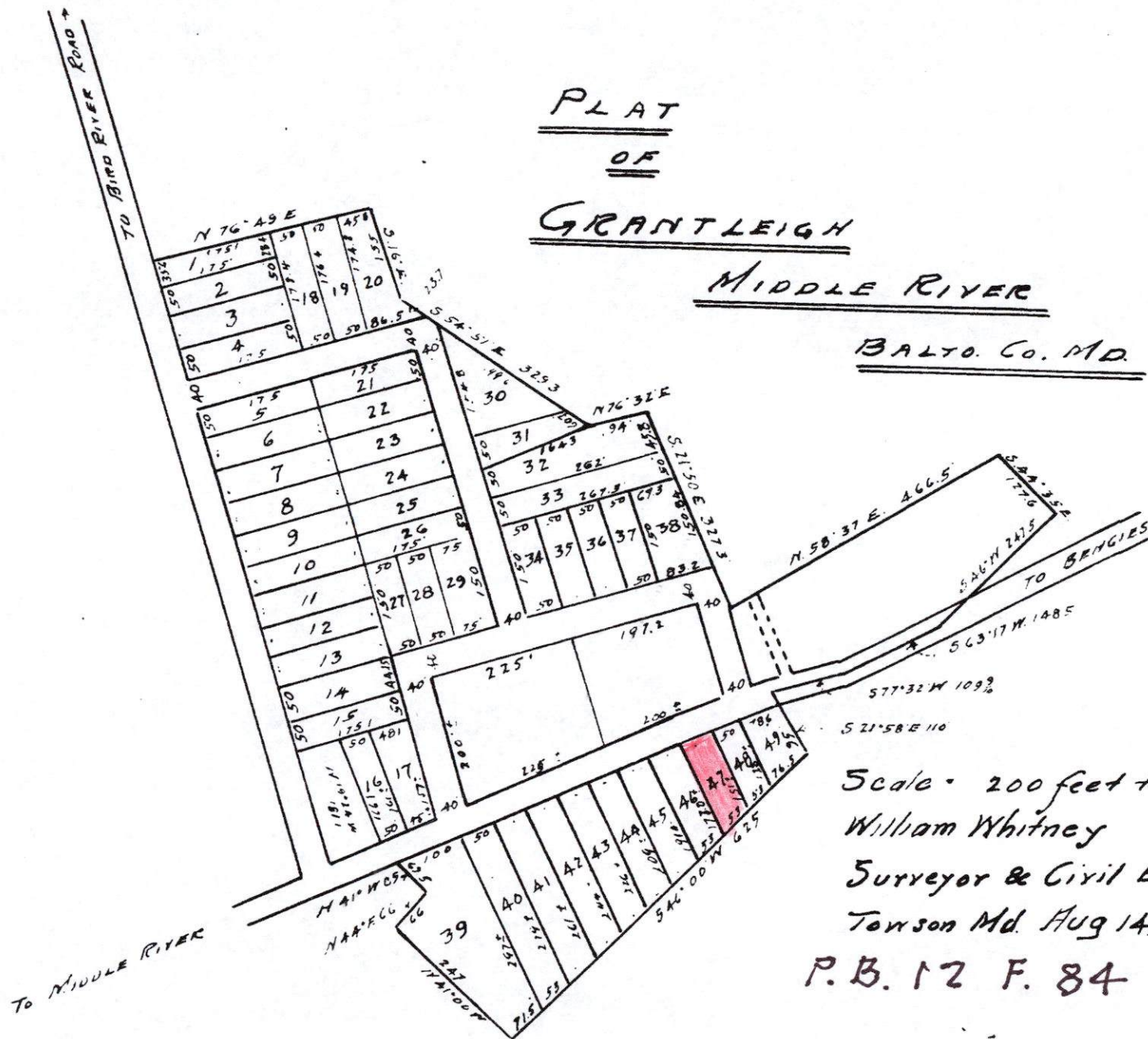
Melissa Lynn Schildtknecht
NOTARY PUBLIC

My Commission Expires:





PETITIONER'S
EXHIBIT NO. 5



48.7 51.25

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**PETITIONER'S
EXHIBIT NO. 7**



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

FORM

RECEIVED





803

B



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108 #

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208 4

CASE NAME 807 BENGLES RD
CASE NUMBER 2017-0054-A
DATE 10-14-16

[illegible]

CASE NO. 2017- 0054-A

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>9/14</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>N/C</u>
<u>8/25</u>	DEPS (if not received, date e-mail sent _____)	<u>N/C</u>
_____	FIRE DEPARTMENT	_____
<u>9/9</u>	PLANNING (if not received, date e-mail sent _____)	<u>No Obj</u>
<u>8/22</u>	STATE HIGHWAY ADMINISTRATION	<u>no Obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING Date: _____

9/22/16
9/24/16 by Beldingsley

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☒ No ☐

Comments, if any: _____

Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 1523000930			
Owner Information					
Owner Name:		NOBLE MARSHA DENISE		Use:	RESIDENTIAL
Mailing Address:		807 BENGIES RD BALTIMORE MD 21220-1904		Principal Residence:	NO
				Deed Reference:	/21793/ 00267
Location & Structure Information					
Premises Address:		807 BENGIES RD BALTIMORE 21220-1904		Legal Description: 807 BENGIES RD GRANTLEIGH	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0090	0006	0658		0000	47 2015 0012/0084
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area		Property Land Area	County Use
1943	740 SF			8,160 SF	04
Stories	Basement	Type	Exterior SIDING	Full/Half Bath	Garage Last Major Renovation
1	NO	STANDARD UNIT		1 full	
Value Information					
	Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2016 As of 07/01/2017		
Land:	80,000	80,000			
Improvements	42,800	31,300			
Total:	122,800	111,300	111,300	111,300	
Preferential Land:	0			0	
Transfer Information					
Seller: NOBLE MARSHA DENISE		Date: 04/29/2005		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /21793/ 00267		Deed2:	
Seller: NOBLE MARSHA DENISE		Date: 01/30/2004		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /19518/ 00253		Deed2:	
Seller: WALTERS HARRY		Date: 11/15/1982		Price: \$21,000	
Type: ARMS LENGTH IMPROVED		Deed1: /06455/ 00026		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2016		07/01/2017	
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					

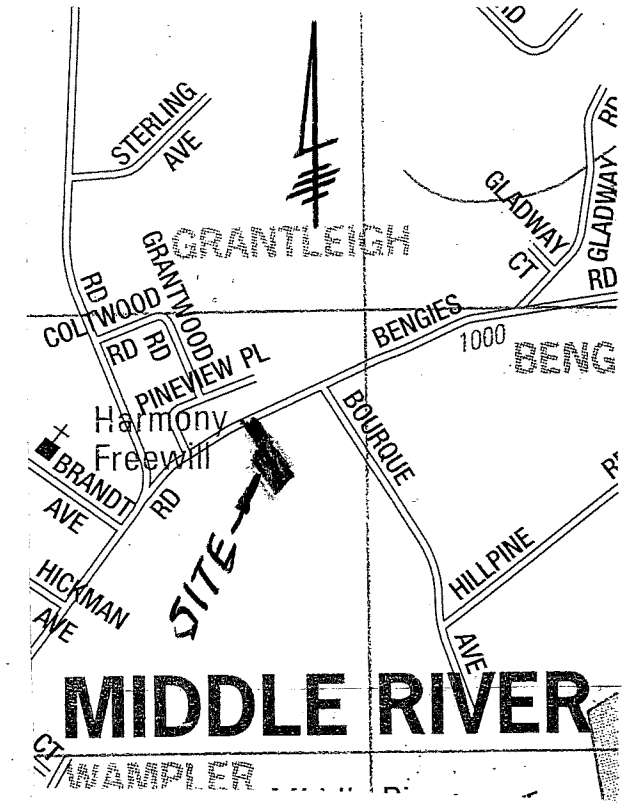
New Search (<http://sdat.dat.maryland.gov/RealProperty>)

This is a detailed street map of a residential area in San Francisco. The map shows several streets and lots, with parcel identifiers (P. numbers) and lot numbers clearly marked.

- Streets:**
 - Grantleigh:** A street running diagonally from the bottom left towards the top right.
 - Sebastian Cl.:** A street running diagonally from the bottom right towards the top left.
 - Grantleigh Place:** A small street branching off Grantleigh.
 - Sebastian Cl.:** A street running diagonally from the bottom right towards the top left.
- Parcel Identifiers (P. numbers):**
 - P.658:** A large parcel in the center, highlighted with a black border.
 - P.1100:** A parcel to the left of P.658.
 - P.861:** A parcel below P.1100.
 - P.955:** A parcel below P.861.
 - P.986:** A parcel below P.955.
 - P.1208:** A parcel at the bottom left.
 - P.988:** A parcel on the left side.
 - P.619:** A parcel on the left side.
 - P.862:** A parcel on the left side.
 - P.1422:** A parcel at the bottom right.
 - P.100:** A parcel at the top right.
 - P.658:** A parcel at the top right.
- Lot Numbers:**
 - Grantleigh:** Lots 1 through 17 are numbered along this street.
 - Sebastian Cl.:** Lots 1 through 5 are numbered along this street.
 - Other lots:** Various other lots are numbered, including 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

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>).

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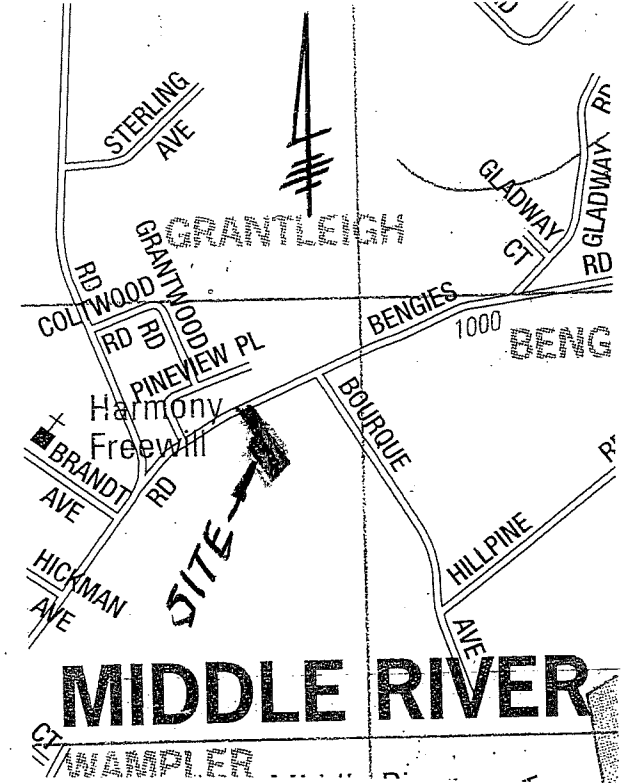
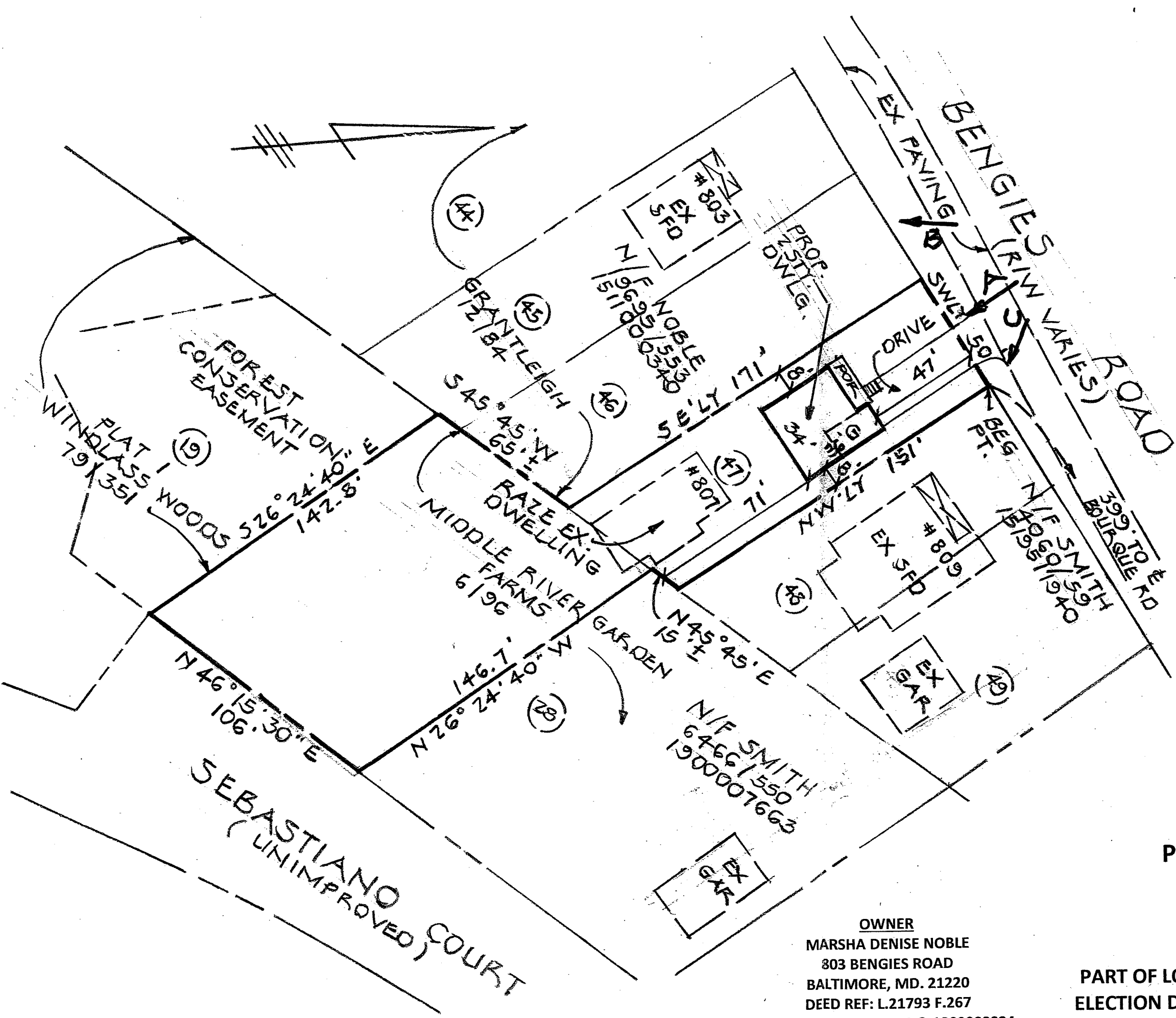
NOTES

1. ZONING.....DR 2 (MAP 090C1)
2. AREA.....23,493 SF = 0.539 ACRE +/-
3. PUBLIC WATER AND SEWER
4. SITE IS NOT LOCATED IN A 100 FLOOD ZONE OR CHESAPEAKE BAY CRITICAL AREA
5. NO PREVIOUS ZONING HISTORY OR VIOLATIONS ARE KNOWN TO EXIST
6. TO THE PREPARER'S KNOWLEDGE, NO CRITICAL AREAS, HISTORIC SITES OR STRUCTURES OR UNDERGROUND STORAGE TANKS EXIST

PETITIONER'S
EXHIBIT NO. 1

OWNER
MARSHA DENISE NOBLE
803 BENGIES ROAD
BALTIMORE, MD. 21220
DEED REF: L.21793 F.267
ACCT NO. 1523000930 & 1900008824

**PLAT TO ACCOMPANY PETITION
FOR ZONING VARIANCE**
807 BENGIES ROAD
LOT 47 GRANTLEIGH PB 12 F 84 AND
PART OF LOT 28 MIDDLE RIVER GARDEN FARMS PB 6 F 96
ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MARYLAND
SCALE: 1 INCH = 40 FEET AUGUST 13, 2016



VICINITY MAP
SCALE: 1"=1000'

PETITIONER'S
EXHIBIT NO. **8A-C**

NOTES

1. ZONING.....DR 2 (MAP 090C1)
2. AREA.....23,493 SF = 0.539 ACRE +/-
3. PUBLIC WATER AND SEWER
4. SITE IS NOT LOCATED IN A 100 FLOOD ZONE OR CHESAPEAKE BAY CRITICAL AREA
5. NO PREVIOUS ZONING HISTORY OR VIOLATIONS ARE KNOWN TO EXIST
6. TO THE PREPARER'S KNOWLEDGE, NO CRITICAL AREAS, HISTORIC SITES OR STRUCTURES OR UNDERGROUND STORAGE TANKS EXIST

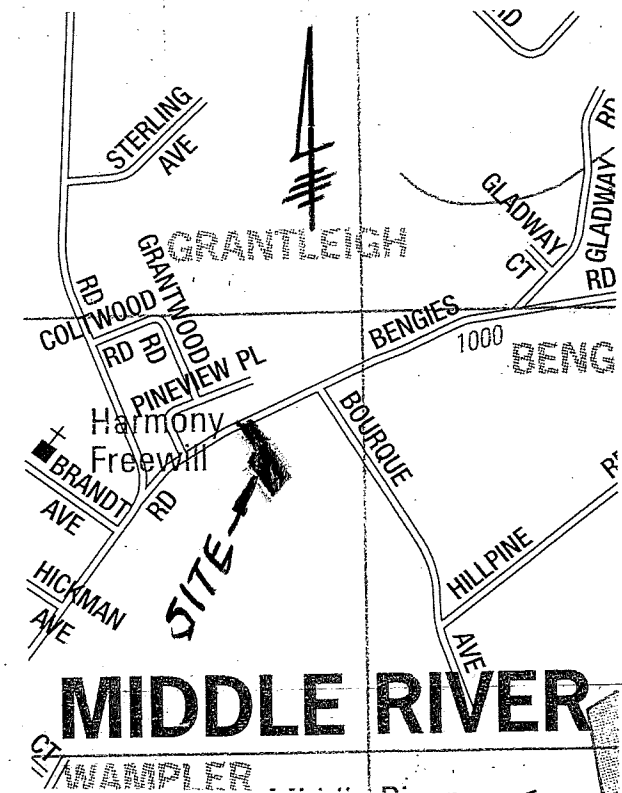
PHOTOS

PLAT TO ACCOMPANY PETITION
FOR ZONING VARIANCE

807 BENGIES ROAD

LOT 47 GRANTLEIGH PB 12 F 84 AND
PART OF LOT 28 MIDDLE RIVER GARDEN FARMS PB 6 F 96
ELECTION DISTRICT 15C6 BATIMORE COUNTY, MARYLAND
SCALE: 1 INCH = 40 FEET AUGUST 13, 2016

OWNER
MARSHA DENISE NOBLE
803 BENGIES ROAD
BALTIMORE, MD. 21220
DEED REF: L.21793 F.267
ACCT NO. 1523000930 & 1900008824



MIDDLE RIVER

VICINITY MAP
SCALE: 1" = 1000

- 1. ZONING.....DR 2 (MAP 090C1)**
- 2. AREA.....23,493 SF = 0.539 ACRE +/-**
- 3. PUBLIC WATER AND SEWER**
- 4. SITE IS NOT LOCATED IN A 100 FLOOD ZONE OR CHESAPEAKE BAY CRITICAL AREA**
- 5. NO PREVIOUS ZONING HISTORY OR VIOLATIONS ARE KNOWN TO EXIST**
- 6. TO THE PREPARER'S KNOWLEDGE, NO CRITICAL AREAS, HISTORIC SITES OR STRUCTURES OR UNDERGROUND STORAGE TANKS EXIST**

**LOT 47 GRANTLEIGH PB 12 F 84 AND
PART OF LOT 28 MIDDLE RIVER GARDEN FARMS PB 6 F 96
ELECTION DISTRICT 15C6 BATIMORE COUNTY, MARYLAND
SCALE: 1 INCH = 40 FEET AUGUST 13, 2016**

OWNER
MARSHA DENISE NOBLE
803 BENGIES ROAD
BALTIMORE, MD. 21220
DEED REF: L.21793 F.267
ACCT NO. 1523000930 & 1900008824