

M E M O R A N D U M

DATE: December 27, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0082-A- Appeal Period Expired

The appeal period for the above-referenced case expired on December 22, 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

(4900 Black Rock Road)

5th Election District

3rd Council District

George & Shirl Scaletta

Legal Owners

Petitioners

*

*

*

*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2017-0082-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by George and Shirl Scaletta, owners of the subject property ("Petitioners"). The Petitioners are requesting variance relief from the Baltimore County Zoning Regulations (B.C.Z.R) to allow a rear yard shed to be built with a height of 22 ft. in lieu of the maximum allowed 15 ft. and to allow the shed to be built prior to the primary residence being completed. A site plan was marked as Petitioners' Exhibit 1.

George Scaletta 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 County review agencies.

The property is approximately 2.4 acres in size and is zoned RC 2. A single-family dwelling is being constructed on the property, and Mr. Scaletta stated it would be completed within the next month or so. Petitioners would like to construct a garage in their rear yard for storage of motor vehicles, tractors and other household items. Petitioners also own an RV and the 22 ft. height is required to accommodate that vehicle.

ORDER RECEIVED FOR FILING

Date 11/22/16

By Sen

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).

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 proposed garage. 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 22nd day of **November, 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 allow a rear yard shed to be built with a height of 22 ft. in lieu of the maximum allowed 15 ft. and to allow the shed to be built prior to the primary residence being completed, 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 or subsequent owners shall not convert the garage into a dwelling unit or apartment. The garage shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.

ORDER RECEIVED FOR FILING

Date 11/22/16

2

By Sen

3. The garage shall not be used for commercial purposes.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:sln

ORDER RECEIVED FOR FILING

Date 11/22/10

By Ben



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 4900 Black Rock Road which is presently zoned Residential

Deed References: MP06062 10 Digit Tax Account # 2500009752

Property Owner(s) Printed Name(s) George & Shirl Scaletta

(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)

BCZR: 400.3 → To allow a rear yard shed to be built with a height of 22 feet in lieu of the maximum allowed 15 feet, and to allow the shed to be built prior to the primary residence being completed.

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

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

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

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

Contract Purchaser/Lessee:

* PROPERTY IS NOT UNDER CONTRACT.

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Date

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER 2017-0082-A

Filing Date 9/28/16

Do Not Schedule Dates:

Reviewer JS

1 2 3

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. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 84

1. *Chlorophyll a* (Chl *a*)

...

Journal of Management Education 30(6)

1. *Phragmites australis* (Cav.) Trin. ex Steud.

1944

[illegible]

PROPERTY DESCRIPTION

Zoning Property Description for 4900 Black Rock Road

Beginning at a point on the north side of Black Rock Road 60' R/W which is 20' feet wide at a distance of 2132' feet west of the centerline of the nearest improve intersecting Grace Road which is 20 feet wide.

Thence the following courses and distances (1st POC) N57° 32' 59" W 39.26'; (2nd POC) R=630' L=228.72'; (3rd POC) N14° 05' 16" E 259.37'; (4th POC) N62° 16' 23" E 170'; (5th POC) S27° 43' 36" E 340' and (6th POC) S43° 11' 26" W 186.77' back to the point of beginning, as recorded in Deed Liber 33426, Folio 0002 containing 2.4039 acres. Located in the 5th election district and 3rd Council District. Also known as Lot #1 in the minor subdivision of Merryman-Ludwig Property, minor subdivision #06-062-M, as maintained by the Development Management Division of the Department of Permits, Approvals and inspections

2017-0082-A

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/neighbor 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: 2017-0087-A
Property Address: 4900 BUXCK ROCK RD.
Property Description: _____
Legal Owners (Petitioners): GEORGE + SHIAL SCARLETTA
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: GEORGE + SHIAL SCARLETTA
Company/Firm (if applicable): _____
Address: 2730 HOBBS ROAD
GLENWOOD, MD 21738
Telephone Number: 410-489-7989

Revised 7/9/2015



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 4547911

Sold To:

George & Shirl Scaletta - CU00568617
2730 Hobbs Rd
Glenwood, MD 21738-9735

Bill To:

George & Shirl Scaletta - CU00568617
2730 Hobbs Rd
Glenwood, MD 21738-9735

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

Oct 27, 2016

| 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: # 2017-0082-A | |
| 4900 Black Rock Road | |
| N/s Black Rock Road, 2132 ft. W/of intersection w/Grace Road | |
| 5th Election District - 3rd Councilmanic District | |
| Legal Owner(s) George & Shirl Scaletta | |
| Variance: to allow a rear yard shed to be built with a height of 22 ft. in lieu of the maximum allowed 15 feet and to allow the shed to be built prior to the primary residence being completed. | |
| Hearing: Friday, November 18, 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. | |
| 10/147 Oct. 27 | 4547911 |

The Baltimore Sun Media Group

By S. Wilkinson
Legal Advertising

CERTIFICATE OF POSTING

2017-0082-A

RE: Case No.: _____

Petitioner/Developer: _____

George and Sherl Scaletta

November 18, 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:

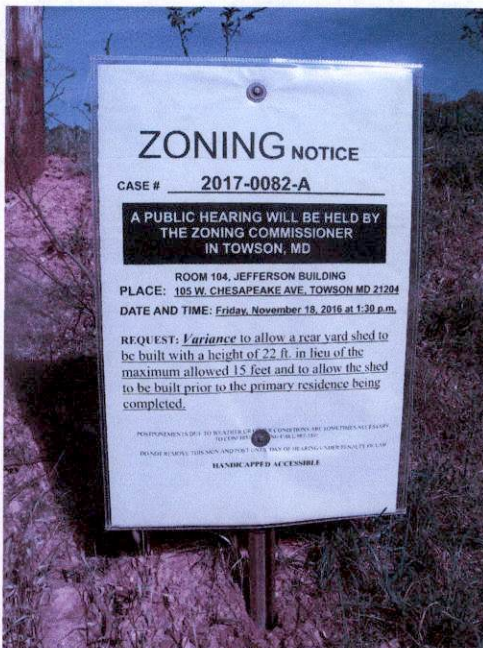
Ladies and Gentlemen:

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: _____

4900 Black Rock Road

October 29, 2016

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



Sincerely,

October 29, 2016

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



KEVIN KAMENETZ
County Executive

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

October 18, 2016

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: 2017-0082-A

4900 Black Rock Road

N/s Black Rock Road, 2132 ft. W/of intersection w/Grace Road

5th Election District – 3rd Councilmanic District

Legal Owners: George & Shirl Scaletta

Variance to allow a rear yard shed to be built with a height of 22 ft. in lieu of the maximum allowed 15 feet and to allow the shed to be built prior to the primary residence being completed.

Hearing: Friday, November 18, 2016 at 1:30 p.m. in Room ¹⁰⁴205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Scaletta, 2730 Hobbs Road, Glenwood 21738

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, OCTOBER 29, 2016.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, October 27, 2016 Issue - Jeffersonian

Please forward billing to:
George & Shirl Scaletta
2730 Hobbs Road
Glenwood, MD 21738

410-489-7989

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: 2017-0082-A

4900 Black Rock Road
N/s Black Rock Road, 2132 ft. W/of intersection w/Grace Road
5th Election District – 3rd Councilmanic District
Legal Owners: George & Shirl Scaletta

Variance to allow a rear yard shed to be built with a height of 22 ft. in lieu of the maximum allowed 15 feet and to allow the shed to be built prior to the primary residence being completed.

Hearing: Friday, November 18, 2016 at 1:30 p.m. in Room ¹⁰⁴205, 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 VARIANCE * BEFORE THE OFFICE
4900 Black Rock Road; N/S Black Rock Road, *
2132' W of intersection with Grace Road * OF ADMINISTRATIVE
5th Election & 3rd Councilmanic Districts *
Legal Owner(s): George & Shirl Scarletta * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2017-082-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.

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

OCT 05 2016

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of October, 2016, a copy of the foregoing Entry of Appearance was mailed to George Scarletta, 2730 Hobbs Road, Glenwood, Maryland 21738, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

NO 144000

Date: 9/28/16

| Fund | Dept | Unit | Sub Unit | Rev | Sub | Dept | Obj | BS Acct | Amount |
|--------|------|------|----------|---------|------|------|-----|---------|----------|
| | | | | Source/ | Rev/ | | | | |
| 001 | 906 | 0000 | | 6150 | | | | | \$ 75.00 |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| Total: | | | | | | | | | \$ 75.00 |

Rec From: SCARLETTA

For: 2017-0082 A

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME BRW
 9/29/2016 9/28/2016 09:14:49 2
 REG W502 WALKIN JEE
 RECEIPT # 983591 9/28/2016 CFLH
 Dept 5 528 ZONING VERIFICATION
 CR NO. 144000
 Recpt Tot \$75.00
 \$75.00 CK \$1.00 CA
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**



KEVIN KAMENETZ
County Executive

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

November 9, 2016

George & Shirl Scaletta
2730 Hobbs Road
Glenwood MD 21738

RE: Case Number: 2017-0082 A, Address: 4900 Black Rock Road

Dear Mr. & Ms. Scaletta:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 28, 2016. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

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



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

Date: 10/5/16

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 10/5/16. A field inspection and internal review reveals that an entrance onto MD88 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2017-0082-A

George & Shirl C. Scarletta
4900 Black Rock Road
MD88

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) X 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

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: October 20, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-082

OCT 25 2016

OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:

Property Address: 4900 Black Rock Road
Petitioner: George Scaletta, Shirl C. Scaletta
Zoning: RC 2
Requested Action: Variance

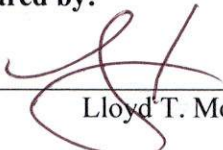
The Department of Planning has reviewed the petition for a variance from to allow a rear yard shed to be built with a height of 22 feet in lieu of the maximum allowed 15 feet, and to allow the shed to be built prior to the primary residence being completed.

The Department has no objection to granting the petitioned zoning relief conditioned on the following:

- The garage shall not be used as a residence or for commercial purposes.

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

AVA/KS/LTM/ka

c: Kaylee Justice
George Scaletta
Office of the Administrative Hearings
People's Counsel for Baltimore County

RECEIVED

OCT 05 2016

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

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: October 5, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0082-A
Address 4900 Black Rock Road
(Scarletta Property)

Zoning Advisory Committee Meeting of **October 10, 2016**.

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

Reviewer: Steve Ford

Date: 10-05-2016

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 12, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For October 10, 2016
Item No. 2017-0076, 0077, 0080, 0081, 0082, 0083, 0086, 0087 and
0088

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\ZAC10102016.doc

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM



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

DATE: October 20, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-082

INFORMATION:

Property Address: 4900 Black Rock Road
Petitioner: George Scaletta, Shirl C. Scaletta
Zoning: RC 2
Requested Action: Variance

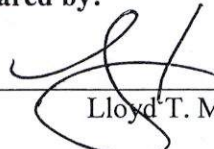
The Department of Planning has reviewed the petition for a variance from to allow a rear yard shed to be built with a height of 22 feet in lieu of the maximum allowed 15 feet, and to allow the shed to be built prior to the primary residence being completed.

The Department has no objection to granting the petitioned zoning relief conditioned on the following:

- The garage shall not be used as a residence or for commercial purposes.

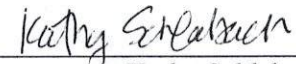
For further information concerning the matters stated herein, please contact Kaylee Justice at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Kaylee Justice
George Scaletta
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: October 5, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0082-A
Address 4900 Black Rock Road
(Scarletta Property)

Zoning Advisory Committee Meeting of **October 10, 2016.**

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

Reviewer: Steve Ford

Date: 10-05-2016

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

10/2

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

No Comment

10/5

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

No Comment

FIRE DEPARTMENT

10/20

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

Comment

10/5

STATE HIGHWAY ADMINISTRATION

No Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

10/27/16

SIGN POSTING

Date:

10/29/16

by

SSG Black

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

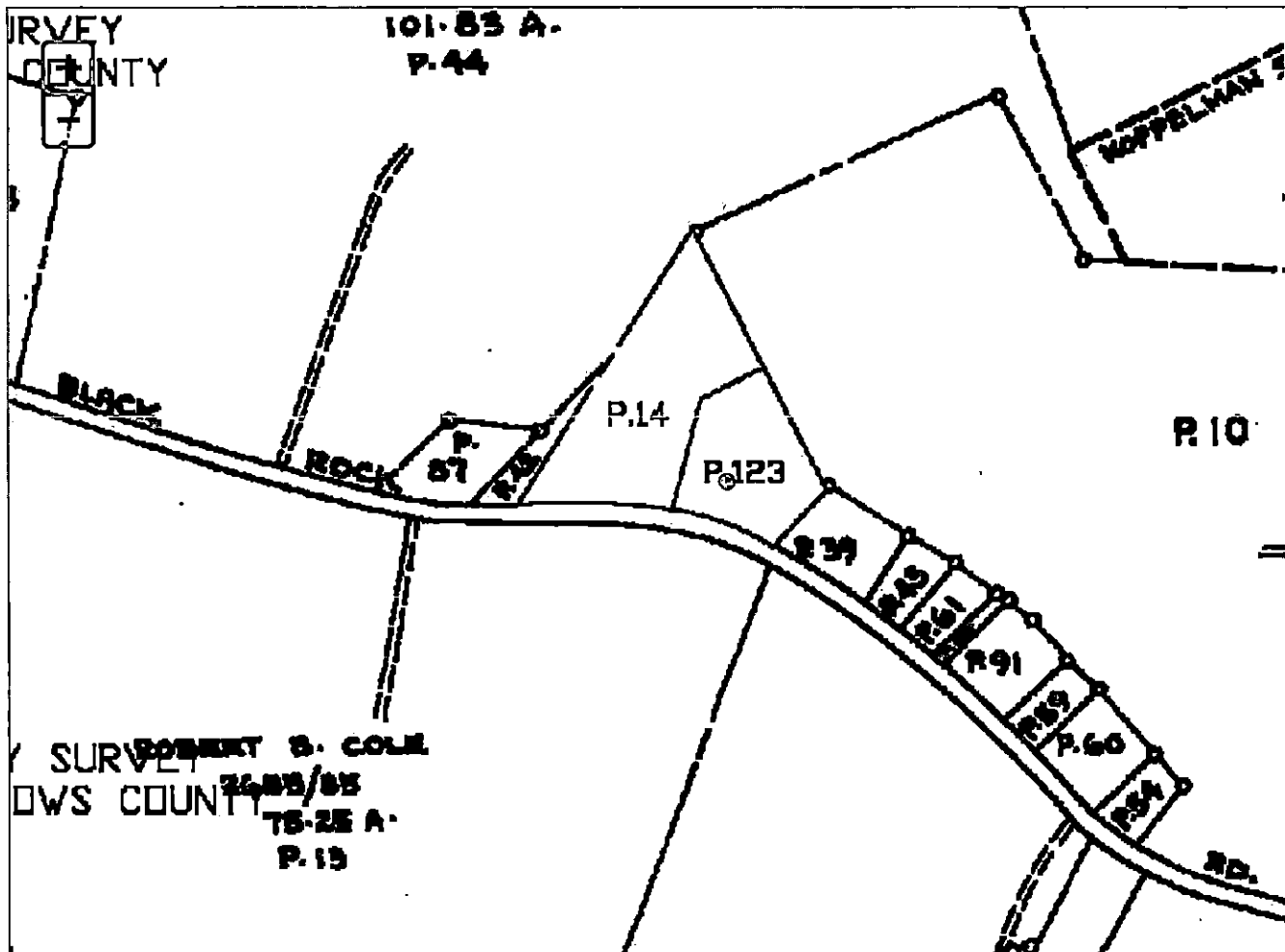
Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

| View Map | | | View GroundRent Redemption | | | View GroundRent Registration | | | |
|--|----------|-------------------------------------|---|--|------------------------------------|------------------------------|--|------------------|-----------------------|
| Account Identifier: | | | District - 05 Account Number - 2500009752 | | | | | | |
| Owner Information | | | | | | | | | |
| Owner Name: | | SCALETТА SHIRL C
SCALETТА GEORGE | | | Use:
Principal Residence: | | RESIDENTIAL
NO | | |
| Mailing Address: | | 2730 HOBBS RD
GLENWOOD MD 21783- | | | Deed Reference: | | /33426/ 00021 | | |
| Location & Structure Information | | | | | | | | | |
| Premises Address: | | 4900 BLACK ROCK RD
0-0000 | | | Legal Description: | | 2.4039 AC MINOR
SUBDIVISION
4900 BLACK ROCK RD NS
2300 FT NW GRACE RD | | |
| Map: | Grid: | Parcel: | Sub District: | Subdivision: | Section: | Block: | Lot: | Assessment Year: | Plat No:
Plat Ref: |
| 0019 | 011 | 0123 | | 0000 | | | 1 | 2017 | |
| Special Tax Areas: | | | | | Town:
Ad Valorem:
Tax Class: | | NONE | | |
| Primary Structure Built | | Above Grade Enclosed Area | | | Finished Basement Area | | Property Land Area
2.4039 AC | | County Use
04 |
| Stories | Basement | Type | Exterior | Full/Half Bath | | Garage | Last Major Renovation | | |
| Value Information | | | | | | | | | |
| | | | Base Value | | Value
As of
01/01/2014 | | Phase-in Assessments
As of
07/01/2016
As of
07/01/2017 | | |
| Land: | | | 97,700 | | 97,700 | | | | |
| Improvements | | | 0 | | 0 | | | | |
| Total: | | | 97,700 | | 97,700 | | 97,700 | | |
| Preferential Land: | | | 0 | | | | | | |
| Transfer Information | | | | | | | | | |
| Seller: MERRYMAN ROBERT CHARLES
Type: ARMS LENGTH VACANT | | | | Date: 04/25/2013
Deed1: /33426/ 00021 | | | Price: \$115,000
Deed2: | | |
| Seller: MERRYMAN ROBERT CHARLES
Type: NON-ARMS LENGTH OTHER | | | | Date: 02/20/2013
Deed1: /33197/ 00487 | | | Price: \$0
Deed2: | | |
| Seller: MERRYMAN CHARLES AG USE 83-84
Type: NON-ARMS LENGTH OTHER | | | | Date: 07/02/1974
Deed1: /05459/ 00145 | | | Price: \$0
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 | | |
| Tax Exempt:
Exempt Class: | | | | Special Tax Recapture:
NONE | | | | | |
| Homestead Application Information | | | | | | | | | |
| Homestead Application Status: No Application | | | | | | | | | |

Baltimore County

[New Search \(http://sdat.dat.maryland.gov/RealProperty\)](http://sdat.dat.maryland.gov/RealProperty)District: **05** Account Number: **2500009752**

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>).

Fri. Nov. 18th
Cases moved
to Rm. 205

Debra Wiley

From: Kristen L Lewis
Sent: Wednesday, November 09, 2016 9:52 AM
To: Debra Wiley
Subject: RE: Change to November Calendar

Good Morning Debbie,

The information for contacts for cases set on 11/18 are as follows:

2017-0079-A – David Billingsley 410-679-8719 10:10 Am left v.m. 11-9-16 ✓
2017-0081-A – John Phair 410-236-3633 10:13 Am Sp. to Mr. Phair 11-9-16 ✓
2017-0082-A – George Scaletta 410-489-7989 10:15 Am left v.m. 11-9-16 ✓

✓ 10:33 conf. w/ Billingsley

✓ 1:45 conf. w/ Scaletta

Kristen Lewis
PAL – Zoning Review
410-887-3391

D. Wiley

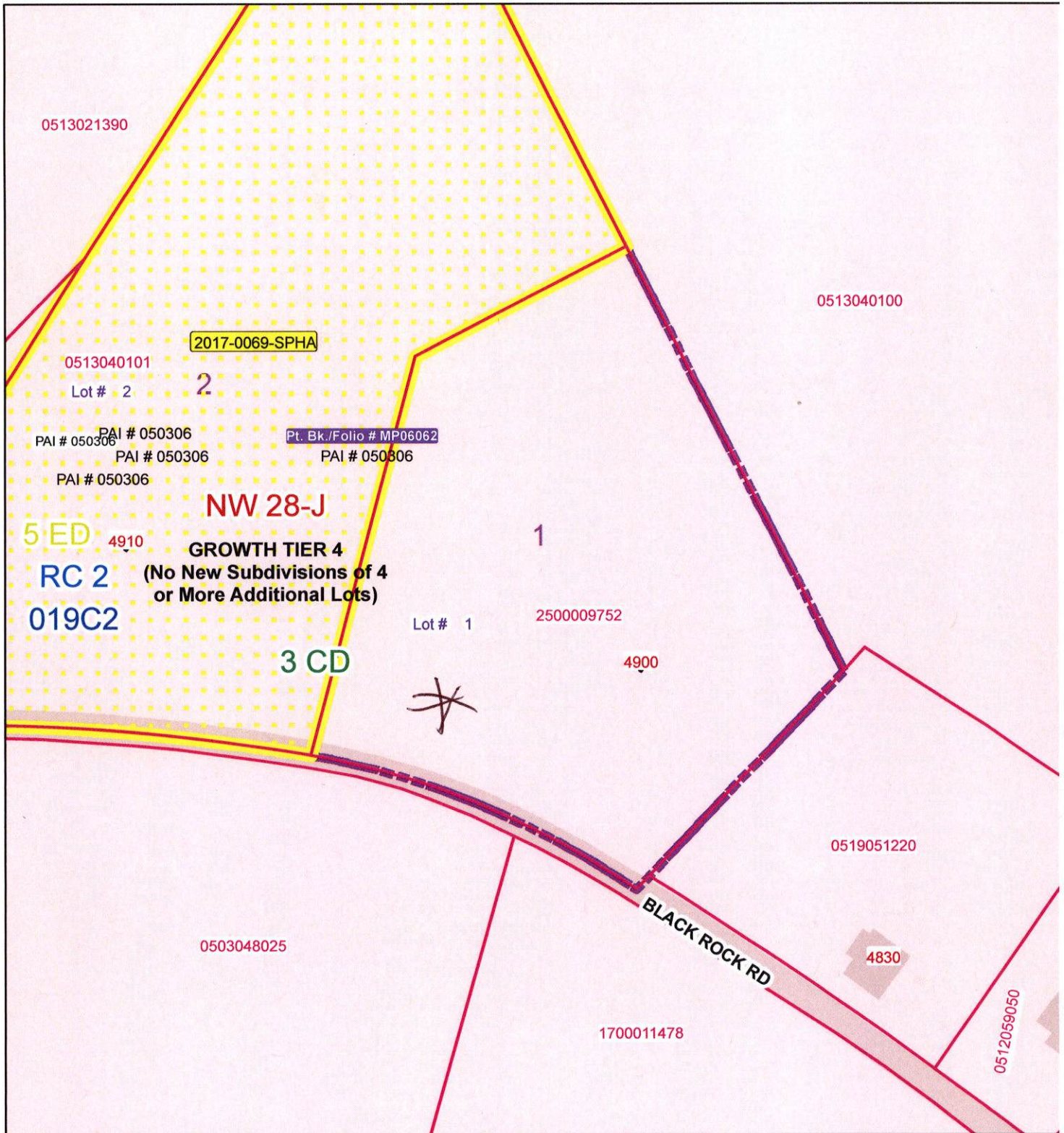
From: Debra Wiley
Sent: Wednesday, November 09, 2016 9:03 AM
To: John E. Beverungen <jbeverungen@baltimorecountymd.gov>; Lawrence Stahl <lstahl@baltimorecountymd.gov>; Sherry Nuffer <snuffer@baltimorecountymd.gov>
Cc: Kristen L Lewis <klewis@baltimorecountymd.gov>
Subject: Change to November Calendar

Cases for Friday, Nov. 18th will be conducted in Room 205, not 104. The weekly calendar and notices will be posted to reflect same. Deb will contact Petitioners and/or counsel to notify once that information has been received in this office.

Please mark your calendars accordingly. Thanks.

Debra Wiley
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

.900 Black Rock Road



Publication Date: 9/20/2016



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

0513021390

0513040100

0513040101

Lot # 2

PAI # 050306

PAI # 050306

PAI # 050306

Pt. Bk./Folio # MP06062

PAI # 050306

4910

Lot # 1

2500009752

GROWTH TIER 4

(No New Subdivisions of 4 or More Additional Lots)

019C2

RC 2

5 ED

NW 28-J

0519051220

4830

0512059050

4828

4826

0518072240

0518072192

0505019000

4824

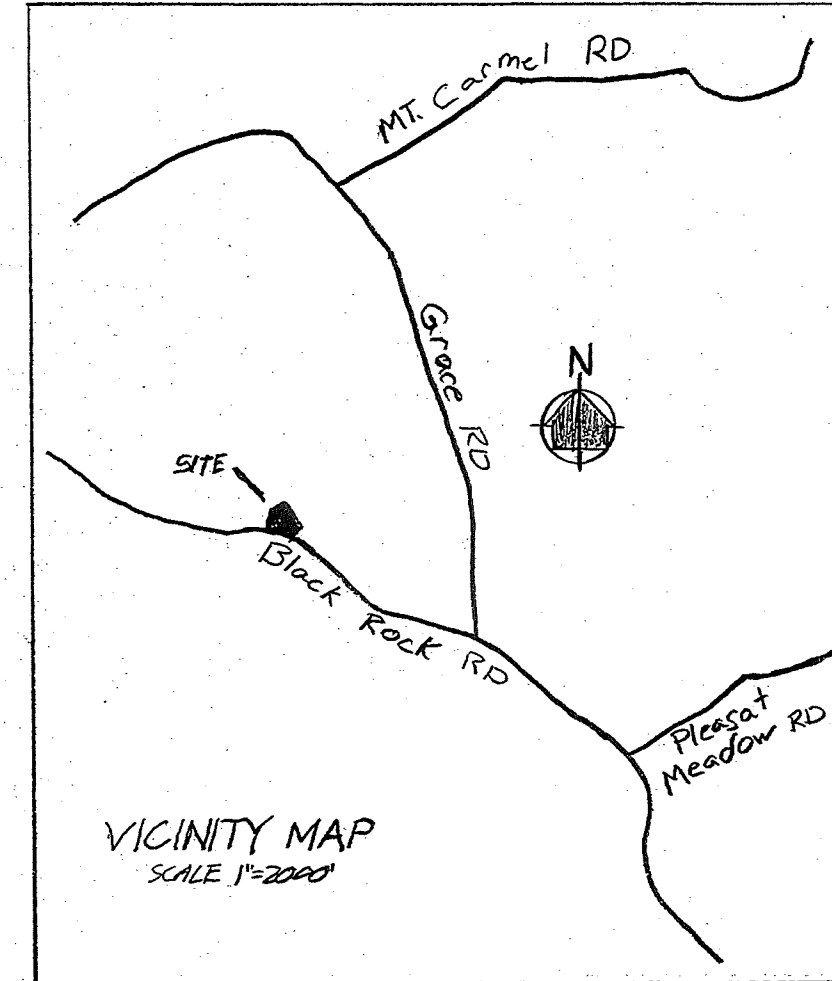
0503048025

1700011478

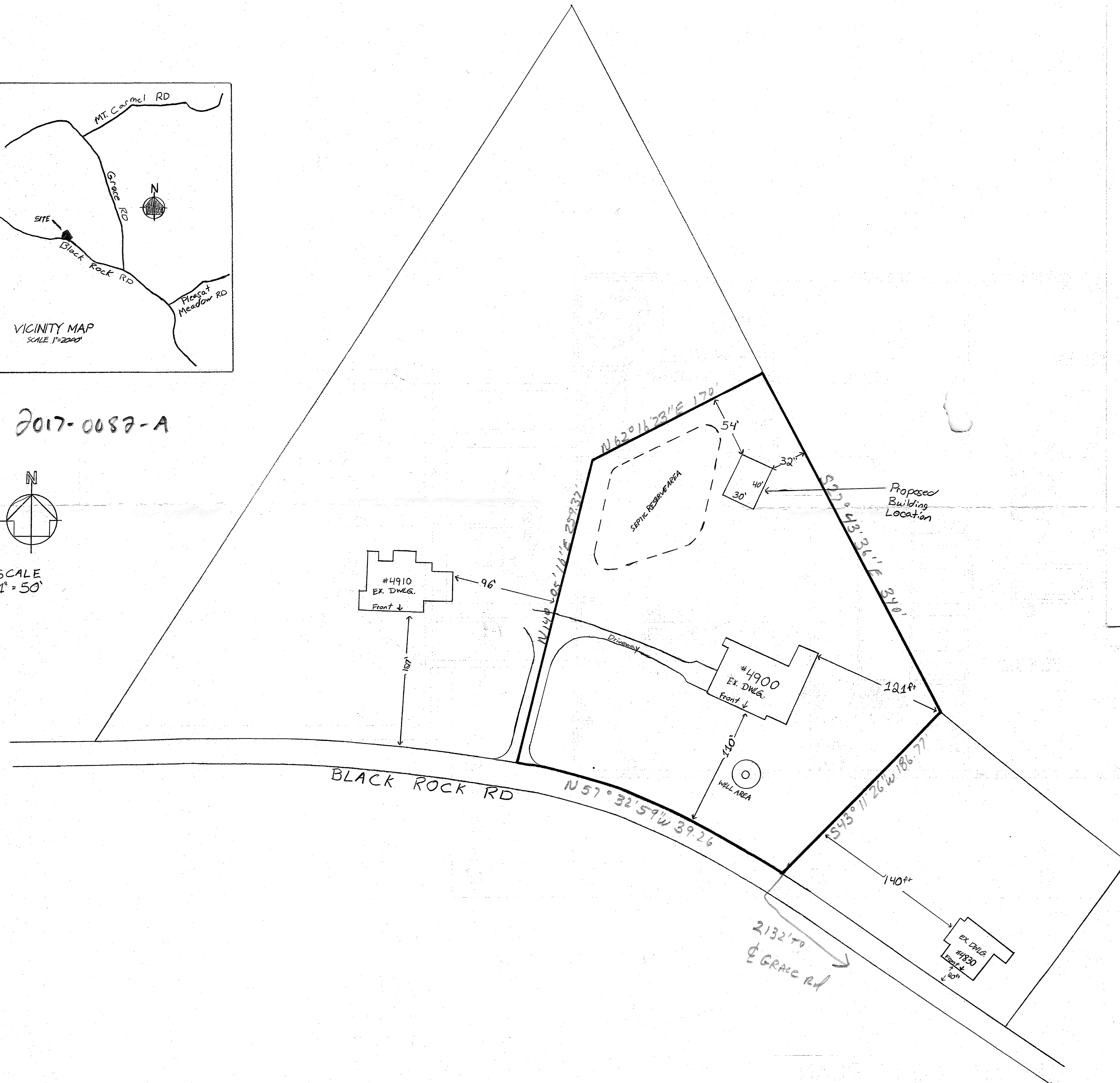
BLACK ROCK RD

2th 11:00

PETITIONER'S
EXHIBIT NO. 1



2017-0088-A



Zoning Map# 0018 01902
Site zoned RCL
Election District 05
Council District 03
Lot Area Acreage 2.4039
Historic? NO
IN CBCA? NO
In Flood Plain? NO
Utilities? Mark With X
Water is:
Public: Private: X
Sewer is:
Public: Private: X
Prior Hearing? NO
ZONING HEARIN PLAN FOR VARIANCE FOR SPECIAL HEARING
ADDRESS: 4900 BLACK ROCK ROAD OWNER(S) NAME(S) SHIRL C SCALETTA & GEORGE R SCALETTA
SUBDIVISION NAME: MERRYMAN LUDWIG LOT# 1 BLOCK# N/A SECTION# N/A
PLAT BOOK# FOLIO# 060602 10 DIGIT TAX# 2500009752 DEED REF# 3426/00021
MINOR SUB #06-062-M
PERMIT # B877040