

## **M E M O R A N D U M**

DATE: January 10, 2017  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2017-0100-SPHA- Appeal Period Expired

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The appeal period for the above-referenced case expired on January 9, 2017. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File  
Office of Administrative Hearings

IN RE: **PETITIONS FOR SPECIAL HEARING \*  
AND VARIANCE**

(1208 Susquehanna Avenue) \*  
15<sup>th</sup> Election District \*  
6<sup>th</sup> Council District \*  
Nancy L. & Gregory McKibbin \*  
*Owners* \*  
Petitioners \*

BEFORE THE  
OFFICE OF  
ADMINISTRATIVE HEARINGS  
FOR BALTIMORE COUNTY  
**Case No. 2017-0100-SPHA**

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of Nancy L. & Gregory A. McKibbin, legal owners ("Petitioners"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R") to approve a proposed accessory building (garage) on a lot without a principal dwelling. In addition, a Petition for Variance seeks to allow a proposed garage with a height of 20 ft. in lieu of the maximum permitted 15 ft. A site plan was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the requests was Greg and Nancy McKibbin. Professional engineer Rick Richardson assisted Petitioners. There were no Protestants or interested citizens in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Substantive Zoning Advisory Committee (ZAC) comments were received from the Bureau of Development Plans Review (DPR) and the Department of Environmental Protection and Sustainability (DEPS). These agencies did not oppose the requests, but noted Petitioners will need to comply with flood protection and critical area regulations.

The subject property is approximately 0.42 acres in size and is zoned DR 3.5. The property is improved with a modest single-family dwelling which Petitioners plan to raze. In its

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Date 12/9/16

By Sen

place Petitioners (who reside on the adjacent property) propose to construct a one-story garage. Zoning relief is required to do so.

### SPECIAL HEARING

After reviewing the file I do not believe Petitioners require special hearing relief to construct the garage. Both the Petitioners' home (at 1208 Susquehanna Ave.) and the subject property (1210 Susquehanna Ave.) are situated on Lot 38 of the Plat of Long Beach Estates. Mr. Richardson explained that sometime in the 1950's the property was "subdivided" by deed, but the plat was never amended. As such, I believe the dwelling at 1208 Susquehanna and the proposed garage at 1210 Susquehanna would be located on the same "lot."

Even so, the properties do have separate tax accounts and street addresses, and the zoning office instructed Petitioners to seek special hearing relief. Granting the request will have no impact whatsoever upon the community, and the petition will therefore be granted.

### VARIANCE

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

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

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

Petitioners have met this test. The waterfront lot is narrow and deep, which makes the property unique. Petitioners would experience practical difficulty if the regulations were strictly interpreted because they would be unable to construct the proposed garage. Finally, as demonstrated by the lack of any opposition, I do not believe granting the requests would have a detrimental impact

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Date 12/9/16

By Sen



upon the community. Petitioners explained the additional height for the garage would allow them to comply with the flood protection regulations while still being able to store household items in the trusses supporting the peaked roof. As such the petition will be granted.

THEREFORE, IT IS ORDERED this 9<sup>th</sup> day of December, **2016**, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R) to approve a proposed accessory building (garage) on a lot without a principal dwelling, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the petition for variance to allow a proposed garage with a height of 20 ft. in lieu of the maximum permitted 15 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to and conditioned upon the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. There shall be no living quarters or commercial activity permitted in the proposed garage.
3. Prior to issuance of permits Petitioners must comply with critical area and flood protection regulations.

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

JEB/sln

  
\_\_\_\_\_  
JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

ORDER RECEIVED FOR FILING

Date 12/9/16

By Sen





**CBCA**

# PETITION FOR ZONING HEARING

**FLOOD**

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 1208 Susquehanna Avenue which is presently zoned DR-3.5  
Deed References: 11266/242 12563/716 10 Digit Tax Account # 1513080110, 1523001390  
Property Owner(s) Printed Name(s) Nancy L & Gregory A. McKibbin

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. **X** a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve **A PROPOSED DETACHED GARAGE ON A LOT WITHOUT A PRINCIPAL DWELLING**

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

3. **X** a **Variance** from Section(s) SEE ATTACHED FOR THE NEEDED VARIANCE REQUESTS.  
**400.3 TO ALLOW A PROPOSED DETACHED GARAGE WITH A HEIGHT OF 20' IN LIEU OF THE MAXIMUM PERMITTED 15'**

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

## TO BE PRESENTED AT HEARING

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

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

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

### Contract Purchaser/Lessee:

Name- Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
Zip Code \_\_\_\_\_ Telephone # \_\_\_\_\_ Email Address \_\_\_\_\_  
Attorney for Petitioner:  
Name- Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
Zip Code \_\_\_\_\_ Telephone # \_\_\_\_\_ Email Address \_\_\_\_\_

### Legal Owners:

Nancy L. McKibbin / Gregory A. McKibbin  
Name #1 - Type or Print \_\_\_\_\_ Name #2 - Type or Print \_\_\_\_\_  
Signature #1 \_\_\_\_\_ Signature #2 \_\_\_\_\_  
1208 Susquehanna Avenue, Baltimore MD  
Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
21220 / 410-3036405 / gmckibbin@comcast.net  
Zip Code \_\_\_\_\_ Telephone # \_\_\_\_\_ Email Address \_\_\_\_\_

### Representative to be contacted:

Richardson Engineering, LLC, Rick Richardson  
Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
30 E. Padonia Road, Suite 500 Timonium, MD  
Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
21093 / 410-560-1502 / rick@richardsonengineering.net  
Zip Code \_\_\_\_\_ Telephone # \_\_\_\_\_ Email Address \_\_\_\_\_

CASE NUMBER 2017-0100-SPRA Filing Date 10/11/16

Do Not Schedule Dates: \_\_\_\_\_ Reviewer AT

REV. 10/4/11

30 E. Padonia Road, Suite 500  
Timonium, Maryland 21093

410-560-1502, fax 443-901-1208

**ZONING DESCRIPTION  
1208 SUSQUEHANNA AVENUE  
15<sup>TH</sup> ELECTION DISTRICT  
6TH COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND**

BEGINNING at a point on the NORTH side of Susquehanna Avenue which is 40 feet wide, where it intersects with Middle River Avenue which is 40 feet wide. Being lot 38, in the subdivision of "Long Beach Estates" recorded in the land records of Baltimore County in Plat Book 3 Folio 178; containing a net area of 18,372 square feet, or 0.42 acres of land, more or less.

2017-0108-SPHA



# CERTIFICATE OF POSTING

2017-0100-SPHA

RE: Case No.: \_\_\_\_\_

Petitioner/Developer: \_\_\_\_\_

Nancy & Gregory McKibbin

December 8, 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: \_\_\_\_\_

1208 Susquehanna Avenue

November 18, 2016

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



Sincerely,

November 18, 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)



TO: PATUXENT PUBLISHING COMPANY  
Thursday, November 17, 2016 Issue - Jeffersonian

Please forward billing to:  
Gregory McKibbin  
1208 Susquehanna Avenue  
Baltimore, MD 21220

410-303-6405

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## NOTICE OF ZONING HEARING

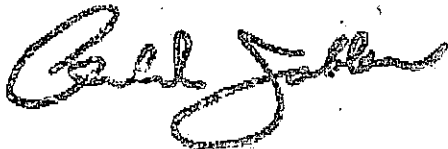
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

**CASE NUMBER: 2017-0100-SPHA**

1208 Susquehanna Avenue  
N/s Susquehanna Avenue at intersection of Middle River Road  
15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District  
Legal Owners: Nancy & Gregory McKibbin

**Special Hearing** to determine whether or not the Administrative Law Judge should approve a proposed detached garage on a lot without a principal dwelling. **Variance** to allow a proposed detached garage with a height of 20 ft. in lieu of the maximum permitted 15 ft.

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



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

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



KEVIN KAMENETZ  
County Executive

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

November 14, 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: 2017-0100-SPHA**

1208 Susquehanna Avenue

N/s Susquehanna Avenue at intersection of Middle River Road

15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District

Legal Owners: Nancy & Gregory McKibbin

**Special Hearing** to determine whether or not the Administrative Law Judge should approve a proposed detached garage on a lot without a principal dwelling. **Variance** to allow a proposed detached garage with a height of 20 ft. in lieu of the maximum permitted 15 ft.

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

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

AJ:kl

C: Mr. & Mrs. McKibbin, 1208 Susquehanna Avenue, Baltimore 21220  
Patrick Richardson, 30 E. Padonia Rd., Ste. 500, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 18, 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 SPECIAL HEARING                                   | * | BEFORE THE OFFICE |
| AND VARIANCE                                                       |   |                   |
| 1208 Susquehanna Ave; N/S of Susquehanna                           | * | OF ADMINISTRATIVE |
| Avenue, intersection with Middle River Road                        |   |                   |
| 15 <sup>th</sup> Election & 6 <sup>th</sup> Councilmanic Districts | * | HEARINGS FOR      |
| Legal Owner(s): Nancy & Gregory McKibbin                           |   |                   |
| Petitioner(s)                                                      | * | BALTIMORE COUNTY  |
|                                                                    |   |                   |
|                                                                    | * | 2017-100-SPHA     |

\* \* \* \* \*

**ENTRY OF APPEARANCE**

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

**RECEIVED**

**OCT 21 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 21st day of October, 2016, a copy of the foregoing Entry of Appearance was mailed to Richardson Engineering, LLC, 30 E. Padonia Road, Suite 500, Timonium, Maryland 21093, Representative for Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

# DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

## ZONING REVIEW

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/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 petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

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

---

#### For Newspaper Advertising:

Item Number or Case Number: 2017-0100-5PHA  
Petitioner: GREGORY MCKIBBIN  
Address or Location: 1208 SUSQUEHANNA AVE

#### PLEASE FORWARD ADVERTISING BILL TO:

Name: GREGORY MCKIBBIN  
Address: 1208 SUSQUEHANNA AVE  
BALTIMORE, MD 21220  
Telephone Number: 410-303-6405

# CERTIFICATE OF POSTING

**2017-0100-SPHA**

RE: Case No.: \_\_\_\_\_

Petitioner/Developer: \_\_\_\_\_

**Nancy & Gregory McKibbin****December 8, 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: \_\_\_\_\_

**1208 Susquchanna Avenue****November 18, 2016**

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

Sincerely,

**November 18, 2016**

(Signature of Sign Poster)

(Date)

**SSG Robert Black**

(Print Name)

**1508 Leslie Road**

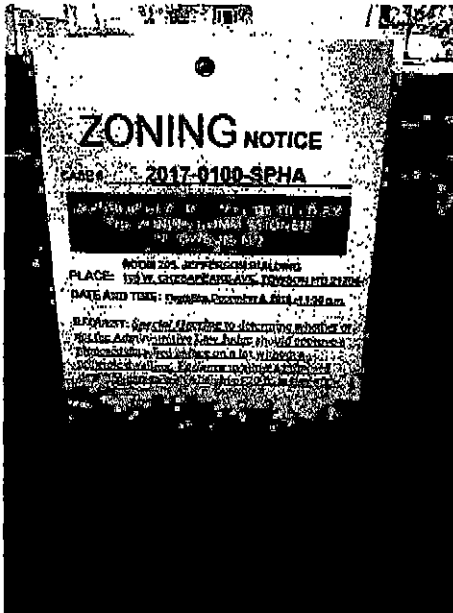
(Address)

**Dundalk, Maryland 21222**

(City, State, Zip Code)

**(410) 282-7940**

(Telephone Number)







No. 141427

Date:

10/11/16

PAID RECEIPT

| BUSINESS   | ACTUAL     | TIME     | DRN |
|------------|------------|----------|-----|
| 10/11/2016 | 10/11/2016 | 10:17:35 | 1   |

REG WSO1 WALKIN LJR  
 RECEIPT # 685461 10/11/2016 OFN

Dept 5 528 ZONING VERIFICATION

NO. 141427

Recpt Tot            \$150.00

\$150.00 CK      \$1.00 CA

Baltimore County, Maryland

[illegible]

Total:

2-150

Rec

From:

For:

1208 SUSQUEHANNA AVE

2011-01-01 - SPH 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*

November 29, 2016

Nancy L & Gregory A McKibbin  
1208 Susquehanna Avenue  
Baltimore MD 21208

RE: Case Number: 2017-0100 SPHA, Address: 1208 Susquehanna Avenue

Dear Mr. & Ms. McKibbin:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on October 11, 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  
Richardson Engineering LLC, 30 E Padonia Road, Suite 500, Timonium MD 21093



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

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

Date: 10/19/10

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.

2017-0100-SPHA -  
Special Hearing Variance  
Nancy L. & Gregory A. McKibbin  
1208 Susquehanna Avenue

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,

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

WW/RAZ



12-8

## BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

**DATE:** November 3, 2016

**FROM:** Andrea Van Arsdale  
Director, Department of Planning

**SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS**  
Case Number: 17-100

RECEIVED

NOV 04 2016

OFFICE OF ADMINISTRATIVE HEARINGS

**INFORMATION:**

**Property Address:** 1208 Susquehanna Avenue  
**Petitioner:** Nancy L. McKibbin, Gregory A. McKibbin  
**Zoning:** DR 3.5  
**Requested Action:** Special Hearing, Variance

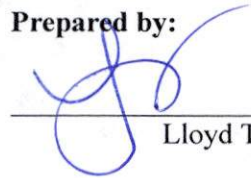
The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve an accessory structure (garage) on a lot not having a principal structure and also the petition for variance to permit said accessory structure to have a height of 20' in lieu of the maximum 15'.

A site visit was conducted on October 25, 2016.

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

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

**Prepared by:**



Lloyd T. Moxley

**Division Chief:**



Kathy Schlabach

AVA/KS/LTM/ka

c: Krystle Patchak  
Patrick Richardson, Jr., Richardson Engineering, LLC  
Office of the Administrative Hearings  
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

OCT 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: October 25, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0100-SPHA  
Address 1208 Susquehanna Avenue  
(McKibbin Property)

Zoning Advisory Committee Meeting of **October 24, 2016.**

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA) and a Modified Buffer Area (MBA) and is subject to Critical Area requirements. The applicant is proposing to construct a replacement garage with greater height than permitted. The proposed garage is not within the 100-foot buffer. The lot is waterfront, and the proposed garage must meet all LDA requirements, including lot coverage limits and afforestation. Existing and proposed lot coverage will remain the same. 6 trees are required to meet the afforestation requirement. The plan does not specify if there are existing trees on site and if they will remain. If the afforestation requirement can be met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is waterfront. If the afforestation requirement will be met, then that will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

If the afforestation requirement can be met, then the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

Date: October 25, 2016

**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

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

**FROM:** Dennis A. Kennedy<sup>DAK</sup>, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For October 24, 2016  
Item No. 2017-0100

**DATE:** October 28, 2016

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment.

Prior to building permit application, the petitioner must contact the office of the Director of Public Works to determine the flood protection elevation, so that the floor elevation can be set.

\*

\*

\*

\*

\*

\*

DAK:CEN  
Cc:file  
ZAC-ITEM NO 17-0100-10172016.doc



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

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

**DATE:** November 3, 2016

**FROM:** Andrea Van Arsdale  
Director, Department of Planning

**SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS**  
Case Number: 17-100

**INFORMATION:**

**Property Address:** 1208 Susquehanna Avenue  
**Petitioner:** Nancy L. McKibbin, Gregory A. McKibbin  
**Zoning:** DR 3.5  
**Requested Action:** Special Hearing, Variance

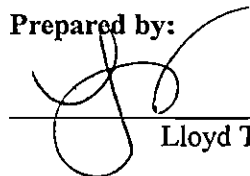
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**Prepared by:**



Lloyd T. Moxley

**Division Chief:**



Kathy Schlabach

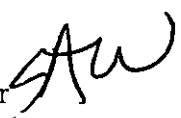
AVA/KS/LTM/ka

c: Krystle Patchak  
Patrick Richardson, Jr., Richardson Engineering, LLC  
Office of the Administrative Hearings  
People's Counsel for Baltimore County

**BALTIMORE COUNTY, MARYLAND  
INTER OFFICE CORRESPONDENCE**

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

**ATTN:** Kristen Lewis  
MS 1105

**FROM:** Steven A. Walsh, Director   
Department of Public Works

**DATE:** October 20, 2016

**SUBJECT:** Case No: 2017-0100-SPHA  
11956 Philadelphia Road, Kingsville, Maryland 21087

The subject case is to determine whether or not the Administrative Law Judge should approve a Special Exception for a public utility use, solar farm, not permitted by right along with a Variance to permit a 50 foot street centerline setback in lieu of 150 feet and a 20 foot lot line setback in lieu of 50 feet.

During the review of this property the Department of Public Works has found that there is a riverine flood plain on or very close to the property that may impact the proposed development.

A flood plain study of the property must be submitted for verification of the flood plain boundary. Once the flood plain boundary has been established, the Building Code requirements for riverine flood plain and the Department of Public Works Design Manual Plate DF-1 requirements should be observed.

If you have additional questions please contact Terry Curtis at 410-887-3117 or by email at [tcurtis@baltimorecountymd.gov](mailto:tcurtis@baltimorecountymd.gov).

SAW/TWC/s

**CC:** Dennis Kennedy, Chief, Development Plans Review and Building Plan Review  
Thomas Kiefer, Chief, Bureau of Engineering and Construction  
Peter M. Zimmerman, People's Council



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 4596351

**Sold To:**

Gregory McKibbin - CU00572430  
1208 Susquehanna Ave  
Middle River, MD 21220-4341

**Bill To:**

Gregory McKibbin - CU00572430  
1208 Susquehanna Ave  
Middle River, MD 21220-4341

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

Nov 17, 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: # 2017-0100-SPHA  
1208 Susquehanna Avenue  
N/S Susquehanna Avenue at Intersection of Middle River Road

15th Election District - 6th Councilmanic District

Legal Owner(s) Nancy & Gregory McKibbin  
Special Hearing to determine whether or not the Administrative Law Judge should approve a proposed detached garage on a lot without a principal dwelling.

Variance to allow a proposed detached garage with a height of 20 ft. in lieu of the maximum permitted 15 ft.

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

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

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

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

11/17/2016 November 17

4596351

CASE NAME 1208 SUSQUEHANNA AVE  
CASE NUMBER 2017-100-  
DATE 12/8/16

[illegible]



CHECKLISTComment  
ReceivedDepartmentSupport/Oppose/  
Conditions/  
Comments/  
No Comment10/28DEVELOPMENT PLANS REVIEW  
(if not received, date e-mail sent \_\_\_\_\_)Comment10/25DEPS  
(if not received, date e-mail sent \_\_\_\_\_)Comment

FIRE DEPARTMENT

11/3PLANNING  
(if not received, date e-mail sent \_\_\_\_\_)NO Obj10/19

STATE HIGHWAY ADMINISTRATION

NO Obj

TRAFFIC ENGINEERING

10/20Dept OF Public WorksComment

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. \_\_\_\_\_)

PRIOR ZONING (Case No. \_\_\_\_\_)

NEWSPAPER ADVERTISEMENT Date: 11/17/16

SIGN POSTING Date: \_\_\_\_\_ by \_\_\_\_\_

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

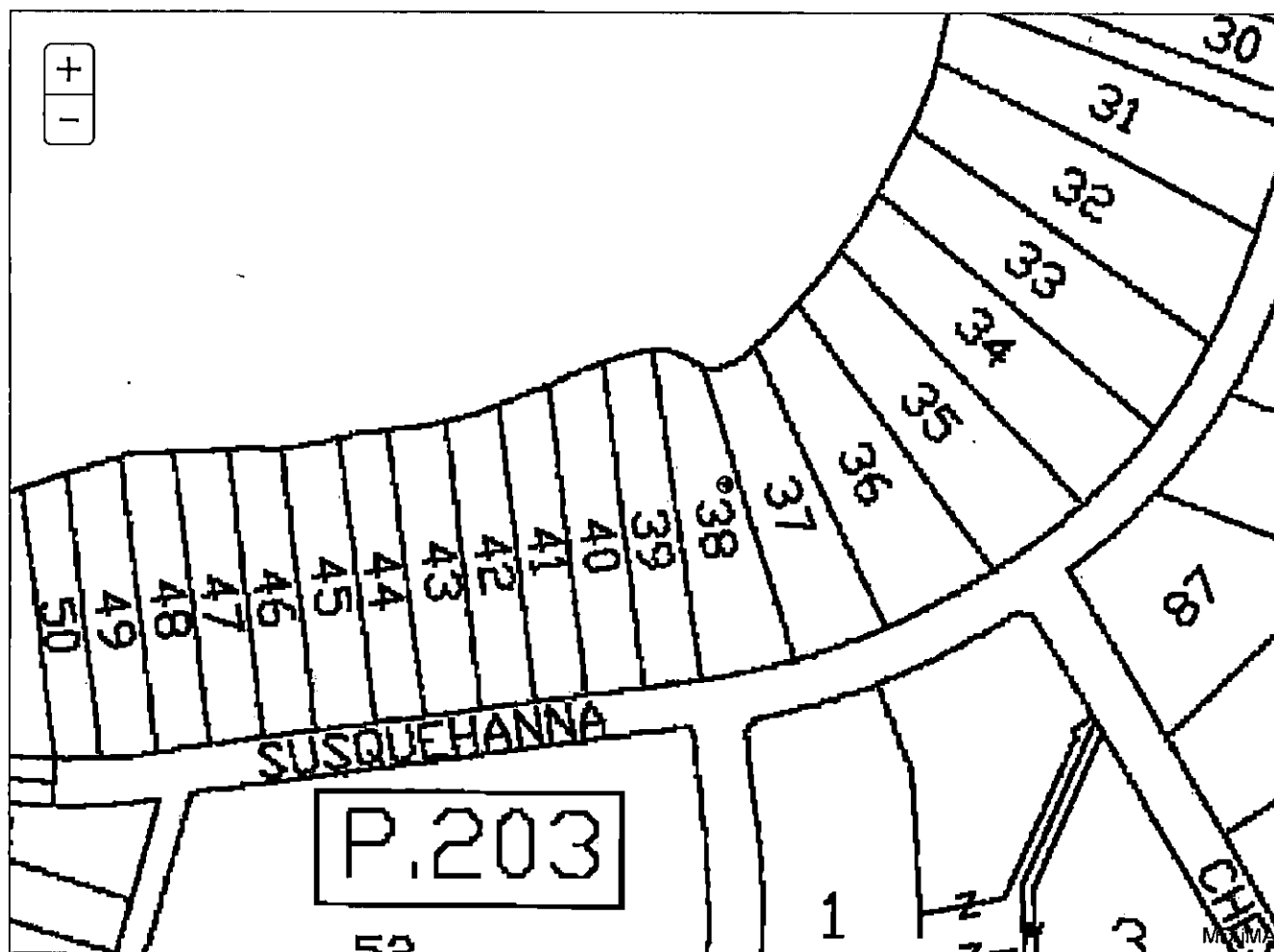
Comments, if any: \_\_\_\_\_

Real Property Data Search Guide to searching the database

Search Result for BALTIMORE COUNTY

| View Map                                                |                |                                                 | View GroundRent Redemption                |                                          |                                  |                                    | View GroundRent Registration                |                                                      |                     |               |
|---------------------------------------------------------|----------------|-------------------------------------------------|-------------------------------------------|------------------------------------------|----------------------------------|------------------------------------|---------------------------------------------|------------------------------------------------------|---------------------|---------------|
| Account Identifier:                                     |                |                                                 | District - 15 Account Number - 1513080110 |                                          |                                  |                                    |                                             |                                                      |                     |               |
| Owner Information                                       |                |                                                 |                                           |                                          |                                  |                                    |                                             |                                                      |                     |               |
| Owner Name:                                             |                | MCKIBBIN NANCY L<br>MCKIBBIN GREGORY ALAN       |                                           |                                          |                                  | Use:<br>Principal Residence:       |                                             | RESIDENTIAL<br>YES                                   |                     |               |
| Mailing Address:                                        |                | 1208 SUSQUEHANNA AVE<br>BALTIMORE MD 21220-4341 |                                           |                                          |                                  | Deed Reference:                    |                                             | /11266/ 00242                                        |                     |               |
| Location & Structure Information                        |                |                                                 |                                           |                                          |                                  |                                    |                                             |                                                      |                     |               |
| Premises Address:                                       |                | 1208 SUSQUEHANNA AVE<br>0-0000<br>Waterfront    |                                           |                                          |                                  | Legal Description:                 |                                             | PT LT 38<br>215 SUSQUEHANNA AV<br>LONG BEACH ESTATES |                     |               |
| Map:                                                    | Grid:          | Parcel:                                         | Sub District:                             | Subdivision:                             | Section:                         | Block:                             | Lot:                                        | Assessment Year:                                     | Plat No:            |               |
| 0098                                                    | 0004           | 0203                                            |                                           | 0000                                     |                                  |                                    | 38                                          | 2015                                                 |                     | 0003/<br>0178 |
| Special Tax Areas:                                      |                |                                                 |                                           |                                          |                                  | Town:<br>Ad Valorem:<br>Tax Class: |                                             | NONE                                                 |                     |               |
| Primary Structure Built<br>1996                         |                | Above Grade Enclosed Area<br>2,376 SF           |                                           |                                          | Finished Basement Area           |                                    | Property Land Area<br>11,396 SF             |                                                      | County Use<br>34    |               |
| Stories<br>2                                            | Basement<br>NO | Type<br>STANDARD UNIT                           |                                           | Exterior<br>SIDING                       | Full/Half Bath<br>2 full/ 1 half |                                    | Garage                                      | Last Major Renovation                                |                     |               |
| Value Information                                       |                |                                                 |                                           |                                          |                                  |                                    |                                             |                                                      |                     |               |
|                                                         |                |                                                 | Base Value                                |                                          | Value<br>As of<br>01/01/2015     |                                    | Phase-in Assessments<br>As of<br>07/01/2016 |                                                      | As of<br>07/01/2017 |               |
| Land:                                                   |                |                                                 | 261,300                                   |                                          | 261,300                          |                                    |                                             |                                                      |                     |               |
| Improvements                                            |                |                                                 | 155,700                                   |                                          | 163,800                          |                                    |                                             |                                                      |                     |               |
| Total:                                                  |                |                                                 | 417,000                                   |                                          | 425,100                          |                                    | 422,400                                     |                                                      | 425,100             |               |
| Preferential Land:                                      |                |                                                 | 0                                         |                                          |                                  |                                    |                                             |                                                      | 0                   |               |
| Transfer Information                                    |                |                                                 |                                           |                                          |                                  |                                    |                                             |                                                      |                     |               |
| Seller: TRINLEY NANCY L<br>Type: NON-ARMS LENGTH OTHER  |                |                                                 |                                           | Date: 10/20/1995<br>Deed1: /11266/ 00242 |                                  |                                    |                                             | Price: \$0<br>Deed2:                                 |                     |               |
| Seller: TRINLEY MARTIN F<br>Type: NON-ARMS LENGTH OTHER |                |                                                 |                                           | Date: 08/10/1983<br>Deed1: /06572/ 00338 |                                  |                                    |                                             | Price: \$0<br>Deed2:                                 |                     |               |
| Seller:<br>Type:                                        |                |                                                 |                                           | Date:<br>Deed1:                          |                                  |                                    |                                             | Price:<br>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:<br>Exempt Class:                            |                |                                                 |                                           | Special Tax Recapture:<br>NONE           |                                  |                                    |                                             |                                                      |                     |               |
| Homestead Application Information                       |                |                                                 |                                           |                                          |                                  |                                    |                                             |                                                      |                     |               |
| Homestead Application Status: No Application            |                |                                                 |                                           |                                          |                                  |                                    |                                             |                                                      |                     |               |

## Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **15** Account Number: **1513080110**

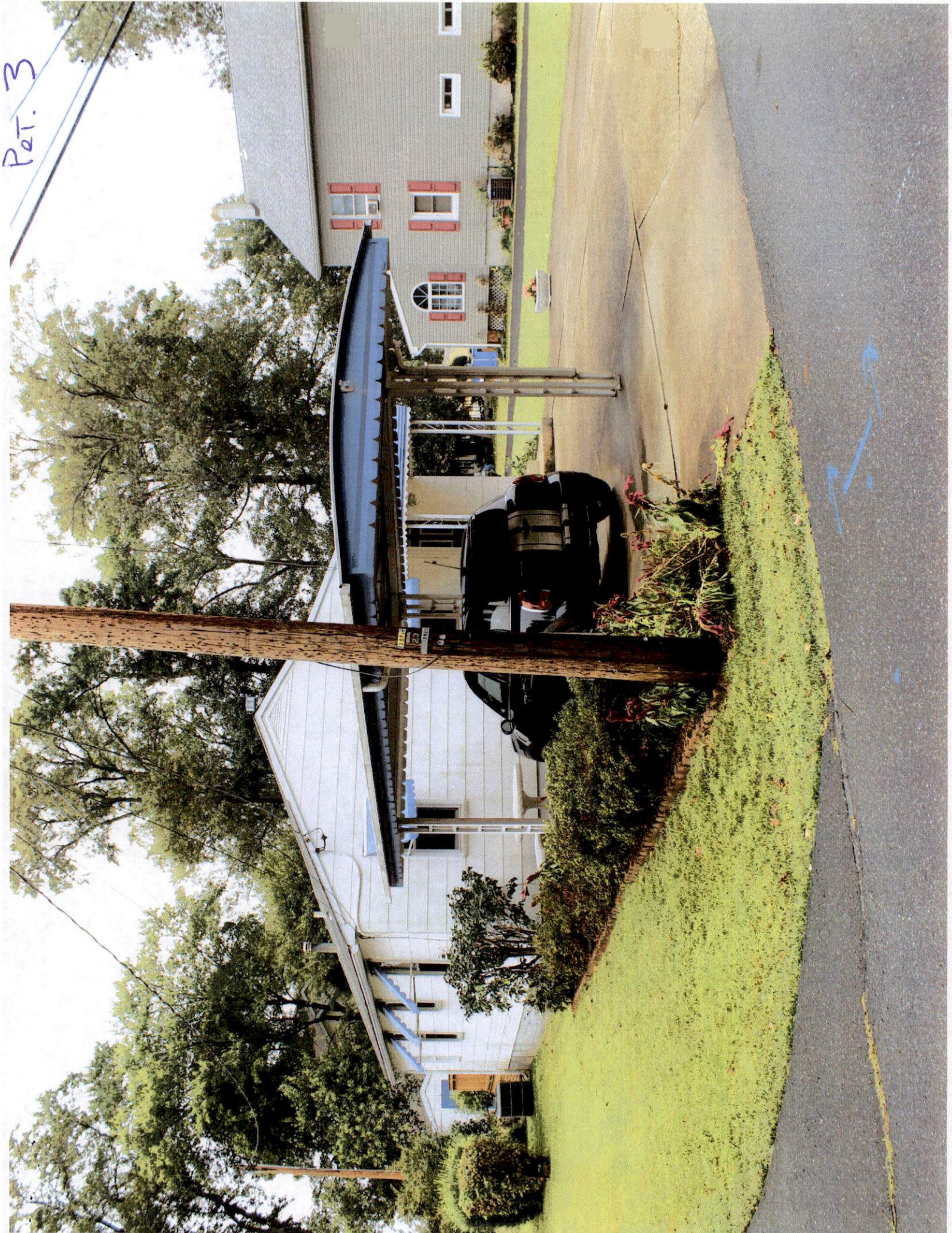
The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

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) (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

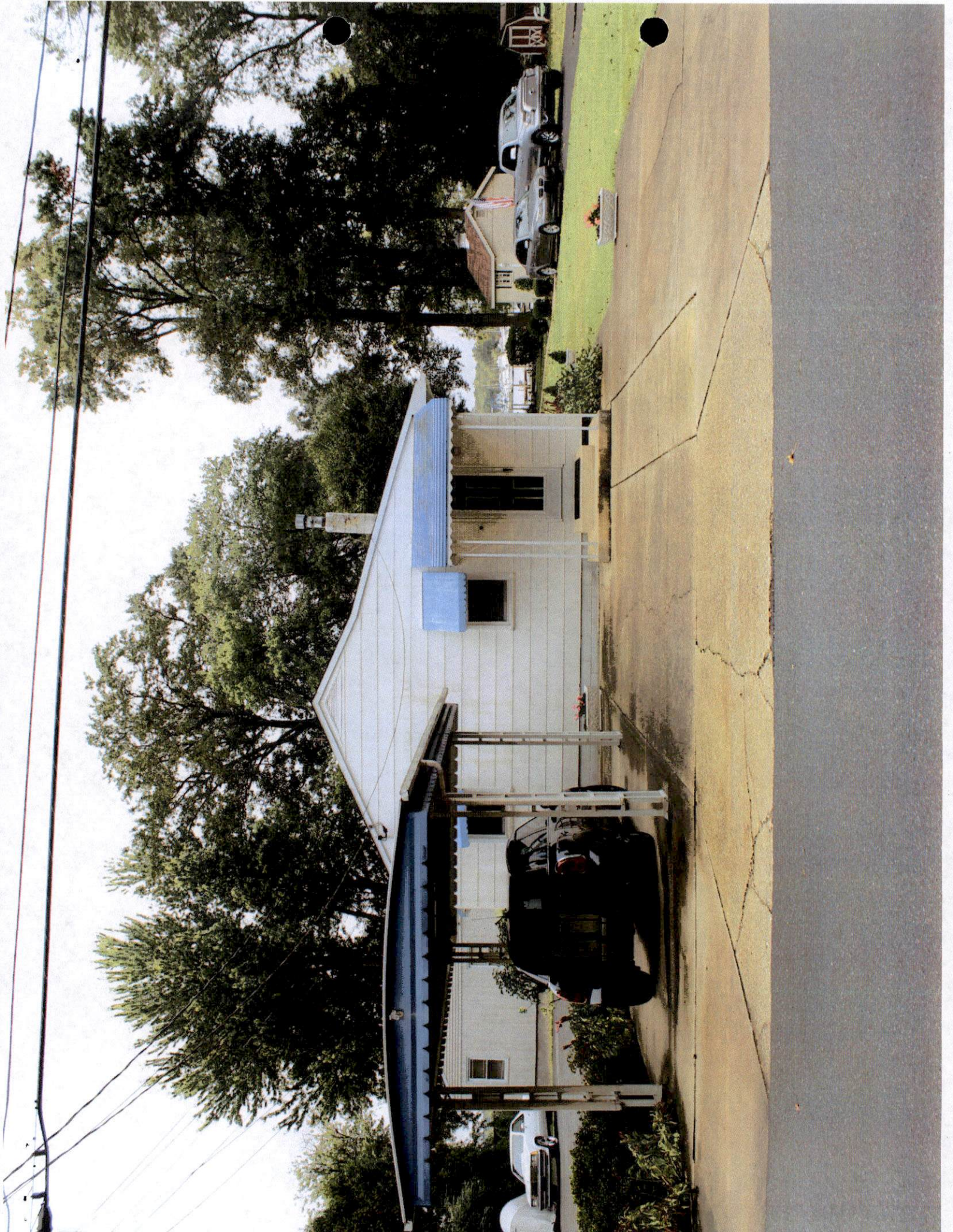
For more information on electronic mapping applications, visit the Maryland Department of Planning web site at [www.mdp.state.md.us/OurProducts/OurProducts.shtml](http://www.mdp.state.md.us/OurProducts/OurProducts.shtml) (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).





Pet. 3











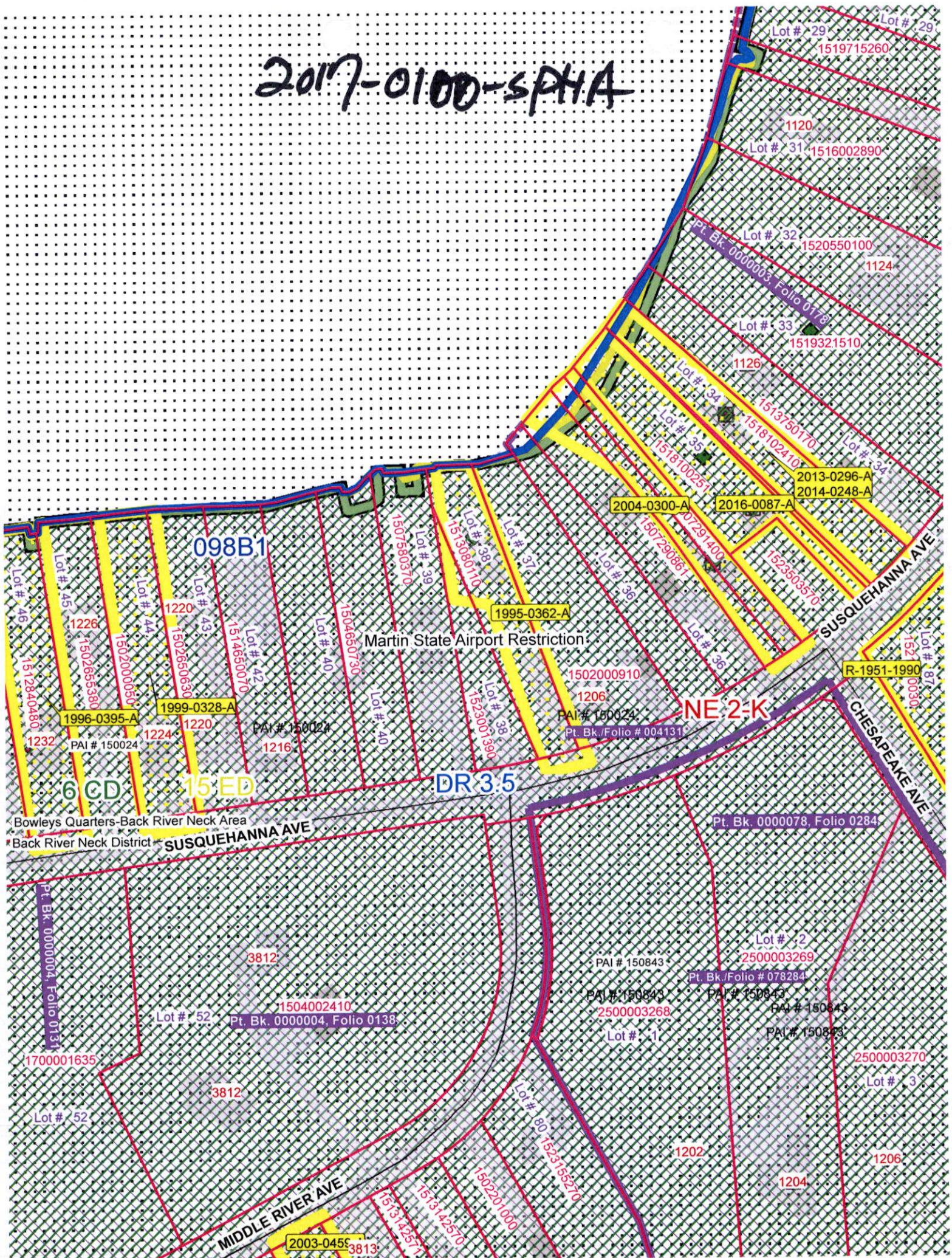
121D



Pet. 2



2017-0100-SPHA





2017-0100-SPHA

2017-0100-SPHA

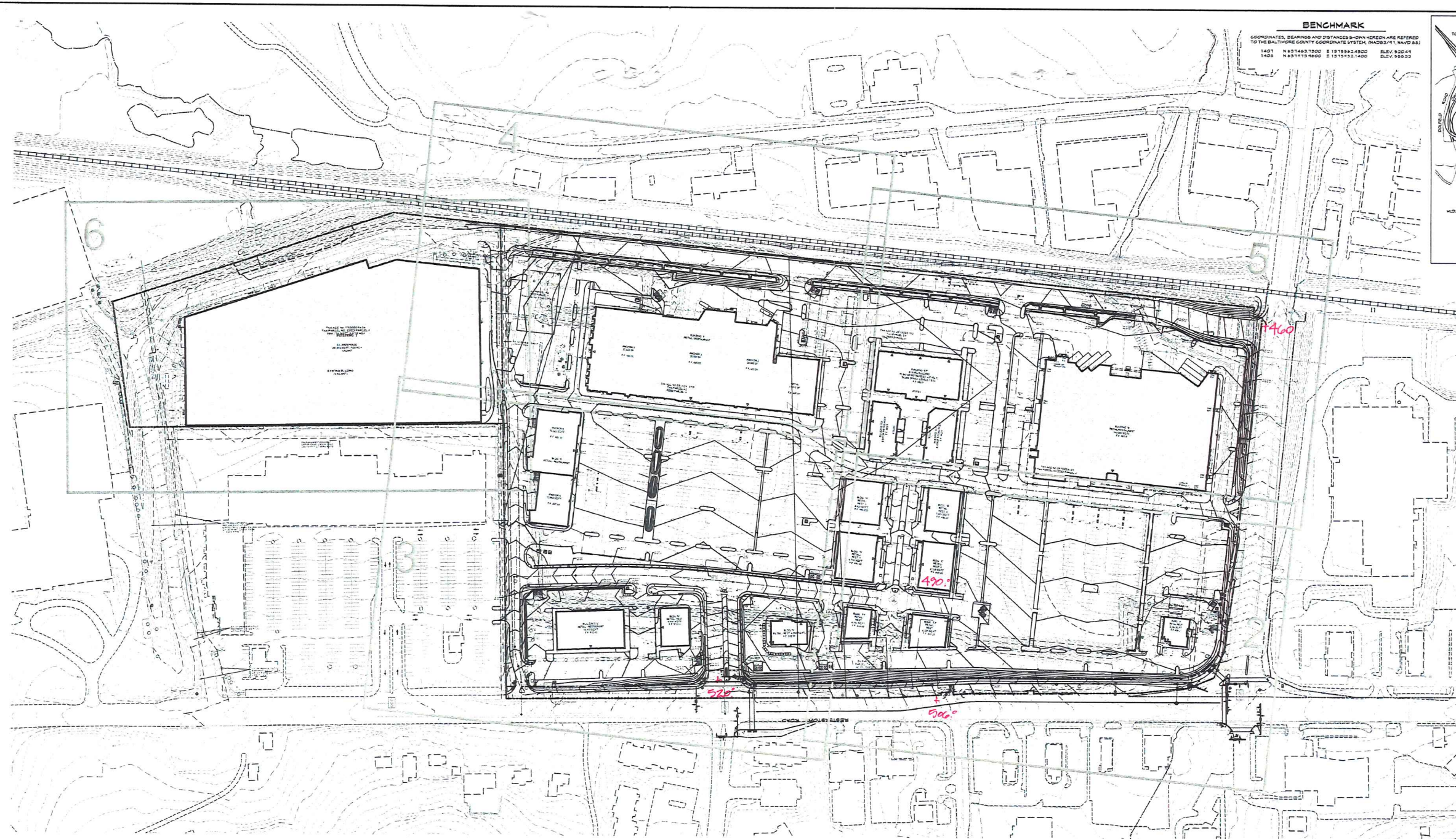




PETITIONER'S EXHIBIT **3**

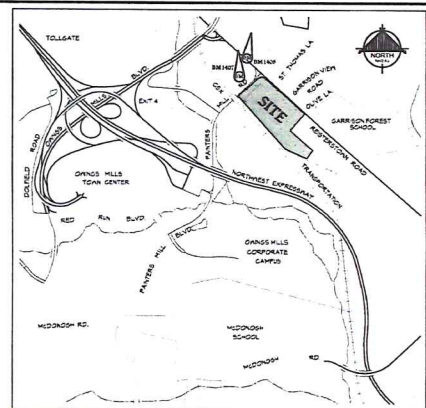


S:\2011\Facilities\11130400 Foundry Row On-Site\Civil\Grading\Drawings\Site Grading Plans\11130400 (S&O) Site Grading Plan.dwg, May 15, 2015 10:29 am kmrskid



**PLAN**  
SCALE: 1"=100'  
0 100' 200'

**BENCHMARK**  
COORDINATES, BEARINGS AND DISTANCES SHOWN HEREON ARE REFERRED TO THE BALTIMORE COUNTY COORDINATE SYSTEM (NAD83/11, NAVD 83)  
1401 N 84°14'43.1000 E 1179.9324800 ELEV 920.44  
1400 N 83°14'19.4200 E 1179.9324800 ELEV 920.44



**VICINITY MAP**  
SCALE: 1"=2000'

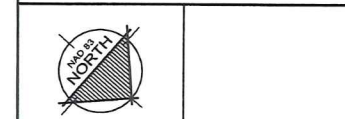
- LEGEND**
- Existing Minor Contour
  - Existing Major Contour
  - Existing Edge of Road
  - Soil Line
  - Existing Storm Drain and Inlet
  - Existing Water and Fire Hydrant
  - Existing Sewer
  - Existing Curb and Gutter
  - Existing Tree Line
  - Existing Drive
  - Tract Boundary
  - Utility Easement Line
  - Existing Building
  - Limit of Field-Run Topography
  - Proposed Building
  - Proposed Grades
  - Proposed Sewer
  - Proposed Water and Fire Hydrant
  - Proposed Storm Drain and Inlets
  - Proposed Curb & Gutter
  - Zoning Line
  - Existing/Proposed Traffic Signal

**DATA SOURCES:**  
Existing topographic information shown on this plan is from a Field-Run survey performed by Century Engineering, Inc. dated February, 2012. The property boundary was established March, 2012. Existing topography shown outside the property is from the Baltimore County Office of Technology - GIS Lab, GIS File Number 061811. Some existing utilities shown are from public drawings of record.

| DATE | BY | REVISIONS |
|------|----|-----------|
|      |    |           |
|      |    |           |

**CENTURY ENGINEERING**  
CONSULTING ENGINEERS - PLANNERS  
10710 Gilroy Road, Hunt Valley, MD 21031  
Phone: 443.589.2400 Fax: 443.589.2401  
www.centuryeng.com

**Site Grading Plan**  
**Foundry Row**  
10100 Reisterstown Road  
3rd Election District 2nd Councilmanic District  
Baltimore County, Maryland



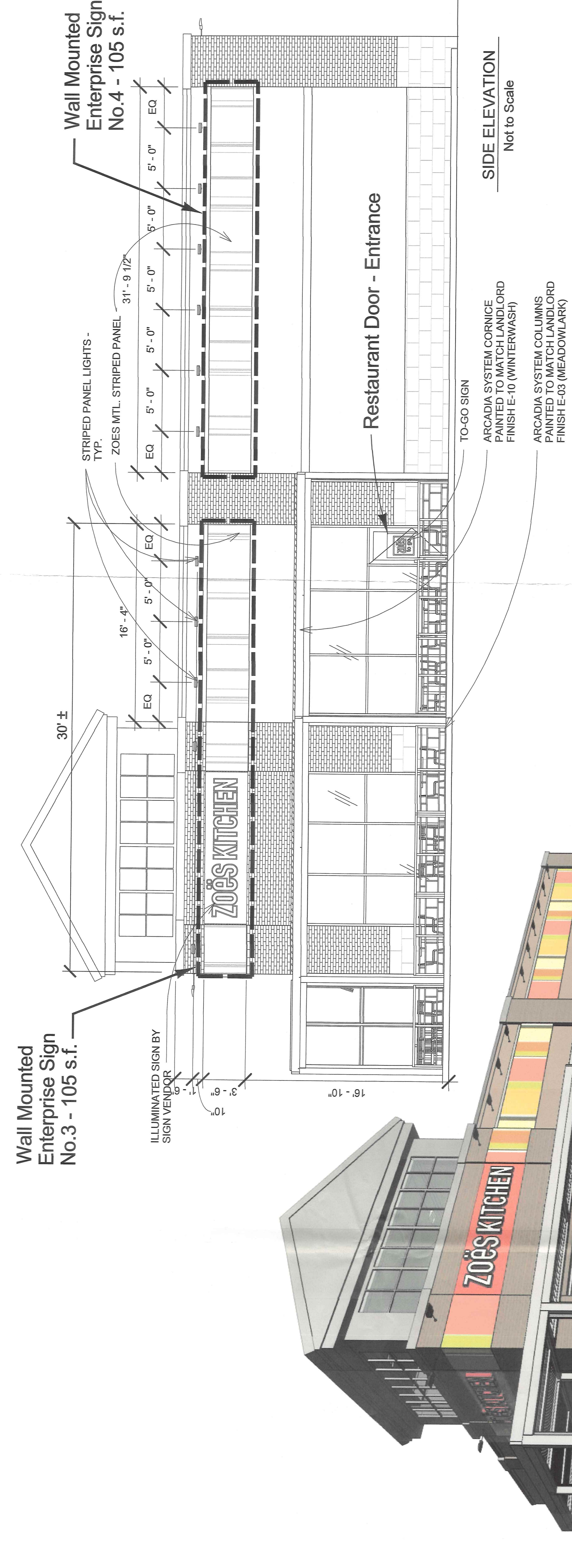
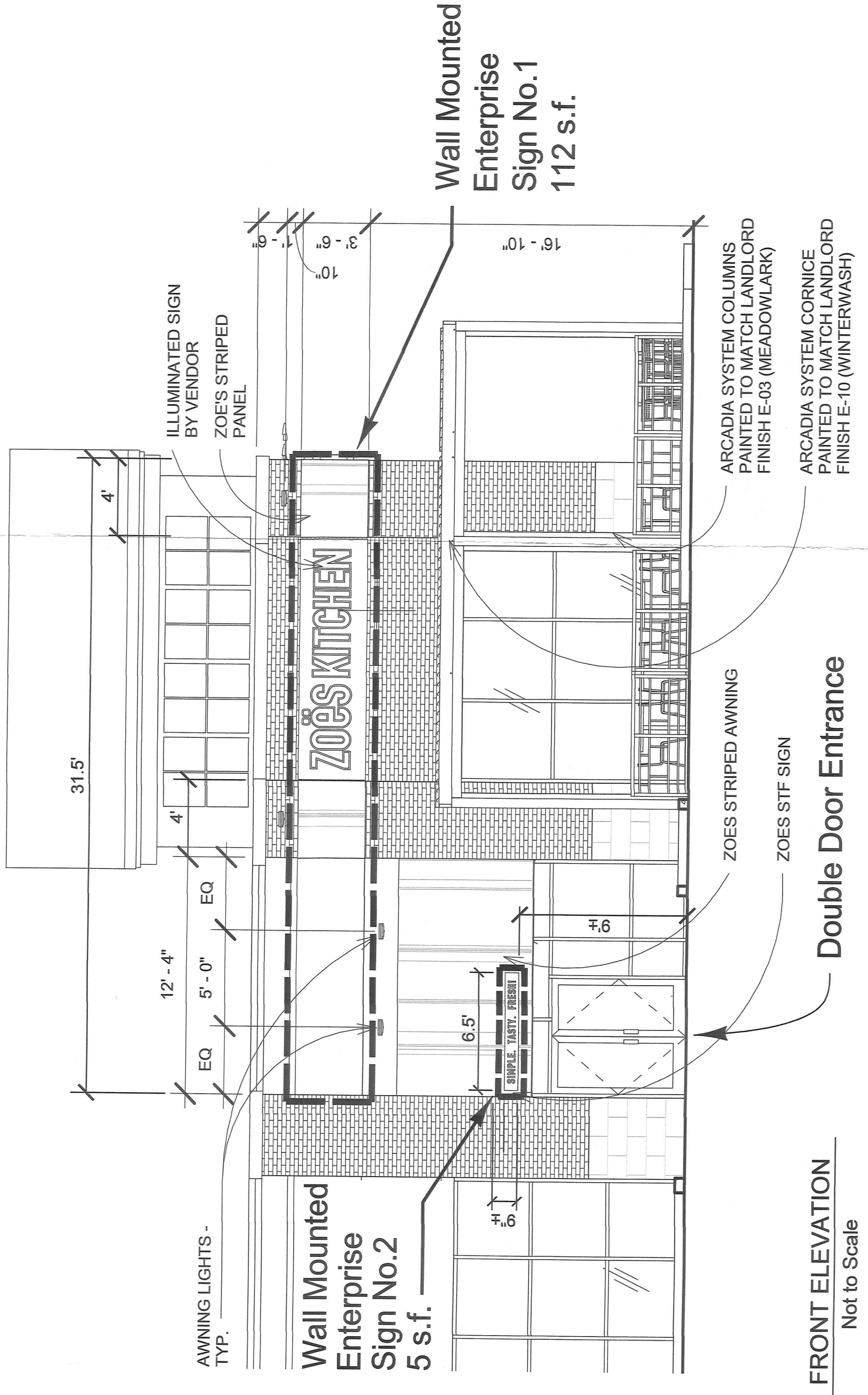
|                     |                   |
|---------------------|-------------------|
| ISSUE DATES         | BASE: M.S.S.      |
| REVIEW: 4.2.1.15    | DRAWN: M.S.S.     |
| BID: ---            | DESIGNED: ---     |
| PERMIT: ---         | CHECKED BY: ---   |
| CONSTRUCTION: ---   | DATE CHECKED: --- |
| SCALE: 1"=30'       | DRAWING: ---      |
| PROJECT NO.: 111304 | 1 of 7            |

PETITIONER'S EXHIBIT **5**



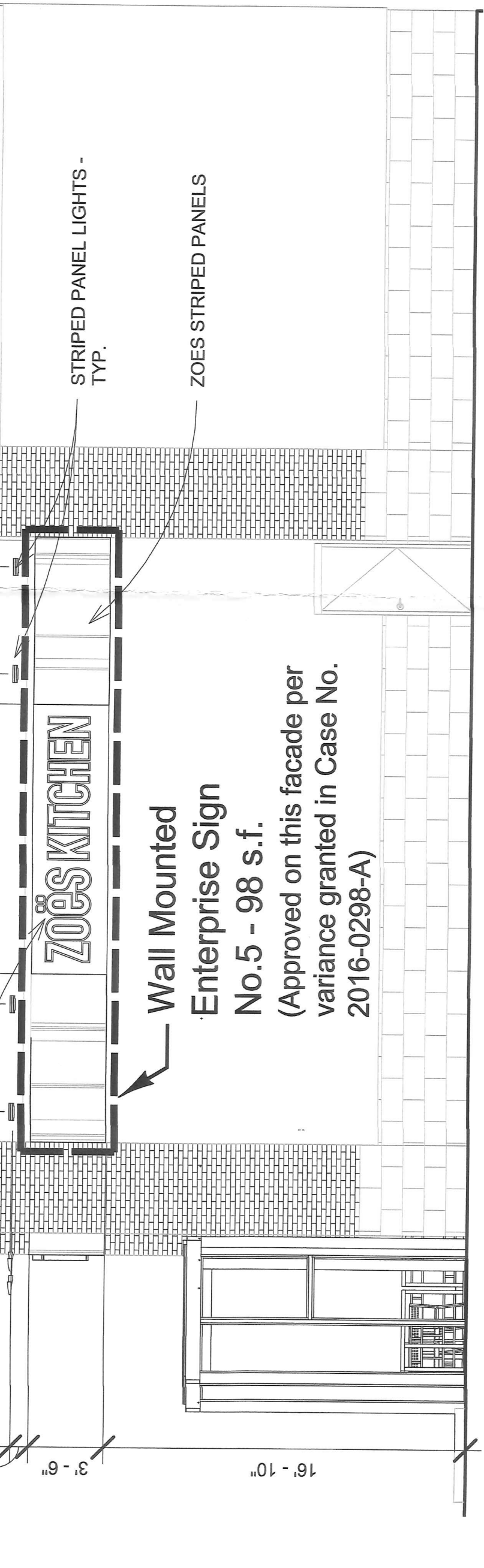
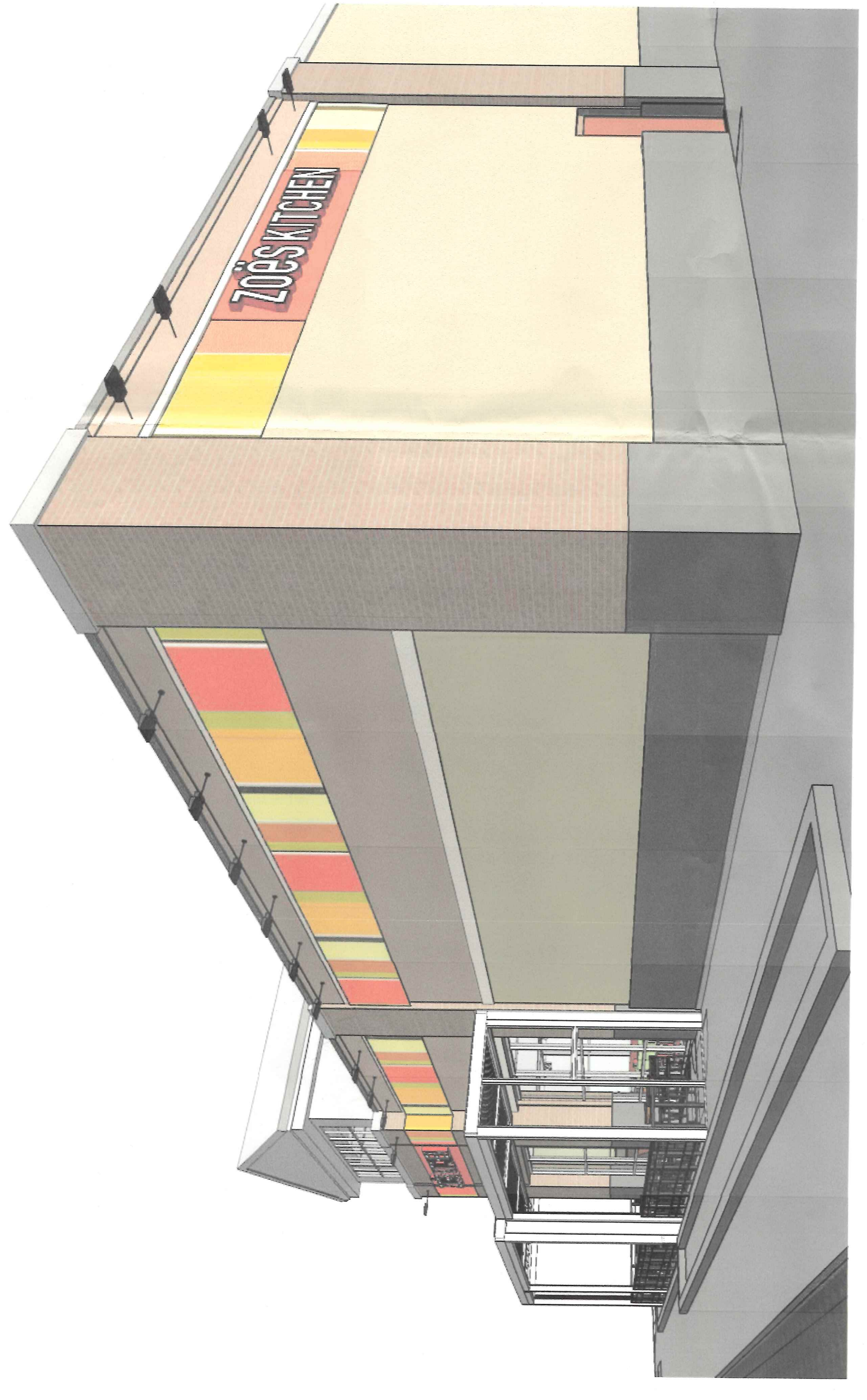
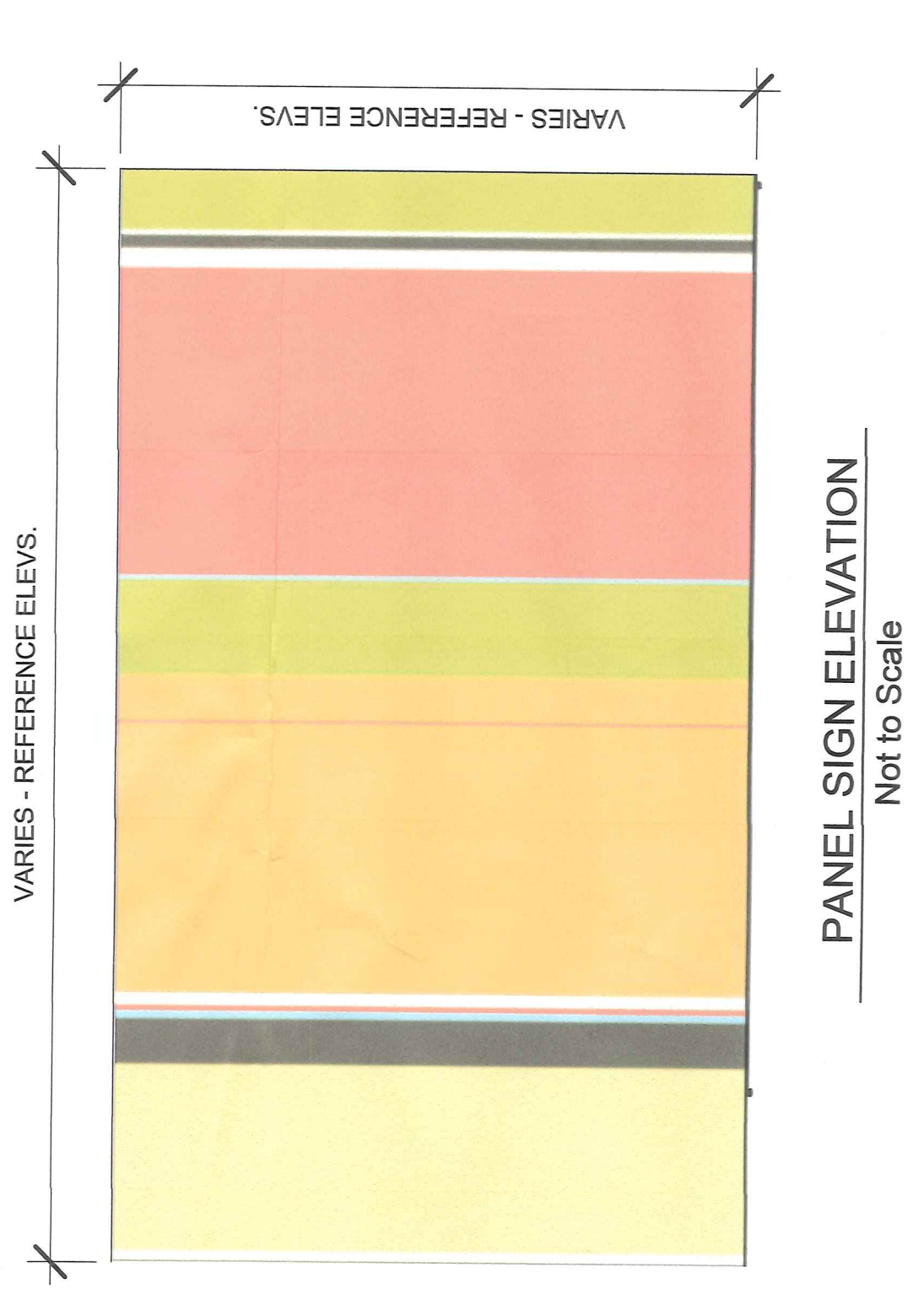






S:\2011\Facilities\11130900 Foundry Row On Site\CLVIL\CADD\Drawings\Striping & Signage Plans\11130900 (SVP-E-02) Sign Variance Details Bldg E etc.dwg Oct 11, 2016 3:12pm msmith

SIDE ELEVATION  
Not to Scale



REAR VIEW  
Not to Scale

| DATE | BY | REVISIONS |
|------|----|-----------|
|      |    |           |
|      |    |           |
|      |    |           |

**mm CENTURY**  
ENGINEERING  
CONSULTING ENGINEERS - PLANNERS  
10710 Gilroy Road, Hunt Valley, MD 21031  
Phone: 443.589.2400 Fax: 443.589.2401  
www.centuryeng.com

**Sign Variance Plan**  
Zoës Kitchen - Building 'E'  
**Foundry Row**  
10100 Reisterstown Road  
3rd Election District 2nd Councilmanic District  
Baltimore County, Maryland

| ISSUE DATES   |              | BASE:         | MJS |
|---------------|--------------|---------------|-----|
| REVIEW:       | 8.24.16      | DRAWN:        | MJS |
| BID:          |              | DESIGNED:     | MJP |
| PERMIT:       |              | CHECKED BY:   |     |
| CONSTRUCTION: |              | DATE CHECKED: |     |
| SCALE:        | Not to Scale | DRAWING:      |     |
| PROJECT NO.   | 11130902     |               |     |

**2 of 2**

ZONING CASE: 2067-0099 - PA