

M E M O R A N D U M

DATE: February 7, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0119- A – Appeal Period Expired

The appeal period for the above-referenced case expired on February 6, 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: PETITION FOR ADMIN. VARIANCE

(8600 Springvale Drive)

8th Election District

3rd Council District

Maria Leonor Ramon &

Juan Sebastian Delgado

Petitioners

*

*

*

*

*

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2017-0119-A

* * * * *

OPINION AND ORDER ON MOTION FOR RECONSIDERATION

Now pending is a Motion for Reconsideration filed by Petitioner Maria Leonor Ramon. Ms. Ramon seeks reconsideration of the December 1, 2016 Order denying relief in this administrative variance case, which sought approval of a reduced rear yard setback which would permit construction of a proposed sun room and deck. Petitioner notes the deck would be used by a disabled family member, and Ms. Ramon does not believe a deck as permitted by the Regulations would be safe or adequate.

While I am sympathetic to the Petitioner's plight, I am not at liberty to grant the request. County engineers have been to Petitioner's home and confirmed the proposed deck would extend significantly into a storm drain easement. Permanent structures simply cannot be constructed over top of such an easement, which is designed to provide access for inspection and/or repair of storm drains.

THEREFORE, IT IS ORDERED, this 6th day of **January 2017**, by the Administrative Law Judge for Baltimore County, that the Motion for Reconsideration, be and is hereby DENIED.

ORDER RECEIVED FOR FILING

Date 1/6/17

By Sen

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:slh

ORDER RECEIVED FOR FILING

Date 1/16/17

By slh

IN RE: PETITION FOR ADMIN. VARIANCE *

(8600 Springvale Drive)

8th Election District *

3rd Council District *

Maria Leonor Ramon & *

Juan Sebastian Delgado

Petitioners *

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2017-0119-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, Maria Leonor Ramon and Juan Sebastian Delgado ("Petitioners"). The Petitioners are requesting Variance relief from § 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard sunroom and deck with rear yard setbacks of 15 ft. each in lieu of the required 30 ft. and 22.5 ft., respectively. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. A ZAC comment was submitted by the Bureau of Development Plans Review (DPR) dated November 7, 2016 indicating the following:

"There is a 26-foot-wide drainage and utility easement on this property that is parallel to and abuts the rear property line. No permanent structures may be built in the easement, therefore, the variance request is moot and the setback for any permanent structures must be at least 27-feet."

In light of the above agency comments (attached hereto), the petition must be denied.

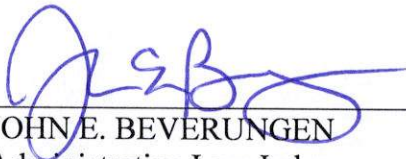
ORDER RECEIVED FOR FILING

Date 12-1-16

By DW

THEREFORE, IT IS ORDERED, this 1st day of **December, 2016**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from § 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard sunroom and deck with rear yard setbacks of 15 ft. each in lieu of the required 30 ft. and 22.5 ft., respectively, be and is hereby DENIED.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 12-1-16

By DLW



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 8600 SPRINGVALE DR, LUTHERVILLE, MD 21093 Currently zoned DR 3.5
 Deed Reference 32774 / 00436 10 Digit Tax Account # 2500008447
 Owner(s) Printed Name(s) MARIA LEONOR RAMON, J. SEBASTIAN DELGADO

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

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

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

1. ☒ ADMINISTRATIVE VARIANCE from Section(s)

BCZR: 1B01.2.C.1.b. → To permit a rear yard sun room and deck with rear yard setbacks of 15 feet each in lieu of the required 30 feet and 22.5 feet, respectively.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ☐ ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

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

Owner(s)/Petitioner(s):

MARIA LEONOR RAMON, J. SEBASTIAN DELGADO

Name #1 – Type or Print

Name #2 – Type or Print

M/Ramon

JD

Signature #1

Signature #2

8600 SPRINGVALE DR. LUTHERVILLE MD

Mailing Address

City

State

21093

443 275 1883

m/ramon4@gmail.com

Zip Code

Telephone #

Email Address

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

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

ANDREW MERRZ

Name – Type or Print

Signature

4571 SUN BERRY DR. FINKSBURG, MD

Mailing Address

City

State

21048

410 781 7500

AMERRZ@COMCAST.NET

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2017-0119-A

Filing Date 10/27/16

Estimated Posting Date 11/6/16

Reviewer JSS

Rev 5/8/2014

Affidavit in Support of Administrative Variance

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

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 800 SPRINGVALE DR. LUTHERVILLE, MD 21093
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

THE BRL FOR THE LOT COMES RIGHT UP TO THE BACK OF THE HOUSE, LEAVING NO ROOM TO BUILD ANYTHING OFF THE BACK. I AM TRYING TO BUILD A SUNROOM AND A DECK OFF OF THE BACK OF THE HOUSE, BUT CAN'T, AS THE SETBACK IS ESSENTIALLY 0'. I AM REQUESTING 20 FEET TO BUILD A SUNROOM AND A DECK.

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

M/Ramon
Signature of Owner (Affiant)

MARIA-LEONOR RAMON
Name- Print or Type

S Delgado
Signature of Owner (Affiant)

SEBASTIAN J DELGADO
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 16th day of September, 2016, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Maria Leonor Ramon

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

AS WITNESS my hand and Notaries Seal

Tasha M. Johnson
Notary Public
1-14-2019
My Commission Expires



REV. 5/8/2014



Affidavit in Support of Administrative Variance

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

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 8600 SPRINGVALE DR LUTHERVILLE MD 21093
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

THE BRL FOR THE LOT COMES RIGHT UP TO THE BACK
OF THE HOUSE, LEAVING NO ROOM TO BUILD ANYTHING
OFF THE BACK. I AM TRYING TO BUILD A SUNROOM
AND A DECK OFF THE BACK OF THE HOUSE, BUT I CAN'T,
AS THE SETBACK IS ESSENTIALLY 0'. I AM REQUESTING
20 FEET TO BUILD A SUNROOM AND A DECK

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

M/Ramon
Signature of Owner (Affiant)
MARIA - LEONOR RAMON
Name- Print or Type

[Signature]
Signature of Owner (Affiant)
SEBASTIAN JUAN DELGADO
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 16th day of September, 2016, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Maria Leonor Ramon

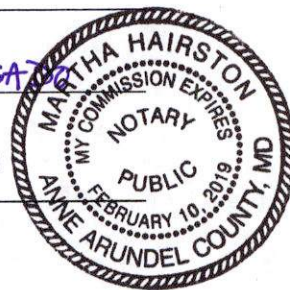
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal



[Signature]
Notary Public

1-14-2019
My Commission Expires





ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 8600 SPRINGVALE DR LUTHERVILLE MD 21093 Currently zoned DR 3.5
Deed Reference 32774 1 00436 10 Digit Tax Account # 2500008447
Owner(s) Printed Name(s) MARIA LEONOR RAMON, J. SEBASTIAN DELGADO

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

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

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

1. ☒ ADMINISTRATIVE VARIANCE from Section(s)

BCZR: 1B01.2.C.1.b. → To permit a rear yard sun room and deck with rear yard setbacks of 15 feet each in lieu of the required 30 feet and 22.5 feet, respectively.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ☐ ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

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

Owner(s)/Petitioner(s):

MARIA LEONOR RAMON, J. SEBASTIAN DELGADO

Name #1 – Type or Print

Name #2 – Type or Print

M/Ramon

JD

Signature #1

Signature #2

8600 SPRINGVALE DR LUTHERVILLE, MD

Mailing Address

City

State

21093, 443 275 1883, m/ramon4@gmail.com

Zip Code

Telephone #

Email Address

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

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

ANDREW HERZ

Name – Type or Print

Signature

4511 SUN BERRY DR FINKSBURG, MD

Mailing Address

City

State

21048, 410 781 7500, AJHERZ@COMCAST.NET

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2017-0119-A Filing Date 10/27/16 Estimated Posting Date 11/6/16 Reviewer JSS

Rev 5/8/2014

ZONING PROPERTY DESCRIPTION FOR:

8600 Springvale Drive, Lutherville-Timonium, MD 21093

Beginning at the point on the east side of Springvale Drive which is 40' feet wide at the distance of 17 feet west of the center line of the nearest improved intersecting street Holly Crest which is 65' feet wide.

Being Lot # 89, Block n/a, Section n/a, in the subdivision of Meadowvale as recorded among the Land Records of Baltimore County, Maryland in Plat Book #79, Folio #148. Containing 0.152 Ac (6621.12 square feet). Located in the Election District #8 and Council District #2.

2017-0119-4

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 11/7/2016

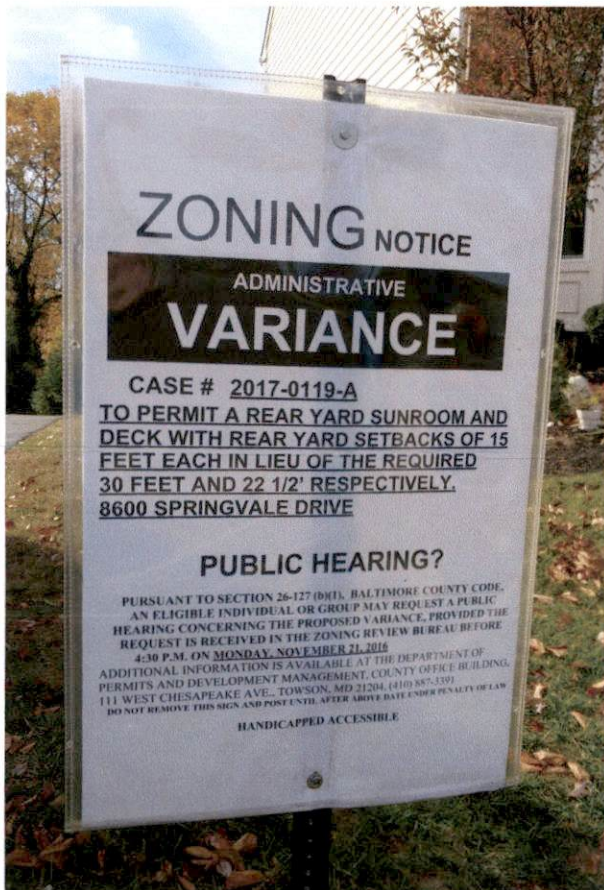
Case Number: 2017-0119-A

Petitioner / Developer: MARIA LEONORA RAMON

Date of Hearing (Closing): NOVEMBER 21, 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:
8600 SPRINGVALE DRIVE

The sign(s) were posted on: NOVEMBER 6, 2016



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2017- 0119 -A Address 8600 SPRINGVALE DRIVE
Contact Person: JASON SEIDELMAN Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 10/27/16 Posting Date: 11/6/16 Closing Date: 11/21/16

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2017- 0119 -A Address 8600 SPRINGVALE DRIVE
Petitioner's Name MARIA LEONOR-RAMON Telephone 443-275-1883
Posting Date: 10/27/16 Closing Date: 11/21/16
Wording for Sign: TO PERMIT A REAR YARD SUN ROOM AND DECK WITH REAR YARD
SETBACKS OF 15 FEET EACH IN LIEU OF THE REQUIRED 30 FEET AND 22 1/2
FEET, RESPECTIVELY.

Revised 7/6/16

**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: 2017-0119-A

Property Address: 8600 SPRINGVALE DR LUTHERVILLE, MD 21093

Property Description: SINGLE FAMILY HOME, LOT 89 "FINAL PLAT ONE MEADOWVALE" recorded among the Records of Baltimore County, MD PLAT BOOK 79 FOLIO 148

Legal Owners (Petitioners): MARIA-LEONOR RAMON & SEBASTIAN DELGADO

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: MARIA-LEONOR RAMON

Company/Firm (if applicable): _____

Address: 8600 SPRINGVALE DR
LUTHERVILLE, MD 21093

Telephone Number: 443 275 1883

Revised 7/9/2015

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

№ 145727

Date: 10/27/16

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6110					\$75.00

Total: \$ 75.00

Rec From: LEONOR RAMON

For: 2017-0119-A

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
10/27/2016 10/27/2016 11:15:14 3
REG WSD3 WALKIN CAN
>>RECEIPT # 702543 10/27/2016 CFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 145727

Recpt Tot \$75.00
\$0.00 CK \$100.00 CA
\$25.00- CB
Baltimore County, Maryland

**CASHIER'S
VALIDATION**



KEVIN KAMENETZ
County Executive

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

November 22, 2016

Maria Leonor Ramon
J Sebastian Delgado
8600 Springvale Drive
Lutherville MD 21093

RE: Case Number: 2017-0119 A, Address: 8600 Springvale Drive

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on October 27, 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
Andrew Merz, 4511 Sunberry Drive, Finksburg MD 21048

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

NOV 02 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: November 2, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0119-A
Address 8600 Springvale Drive
(Ramon & DelgadoProperty)

Zoning Advisory Committee Meeting of **November 7, 2016**

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

Reviewer: Steve Ford

Date: 11-02-2016

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



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

Date: 10/31/16

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. 2017-0119-A

*Administrative Variance
Maria Leonor Rayon & J. Sebastian Delgado
8600 Springvale Drive*

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in black ink, appearing to read 'Wendy Wolcott'.

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

WW/RAZ

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For November 7, 2016
Item No. 2017-0119

DATE: November 7, 2016

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

There is a 26-foot-wide drainage and utility easement on this property that is parallel to and abuts the rear property line. No permanent structures may be built in the easement, therefore, the variance request is moot and the setback for any permanent structures must be at least 27-feet.

* * * * *

DAK:CEN
Cc:file
ZAC-ITEM NO 17-0119-11072016.doc

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For November 7, 2016
Item No. 2017-0119

DATE: November 7, 2016

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

There is a 26-foot-wide drainage and utility easement on this property that is parallel to and abuts the rear property line. No permanent structures may be built in the easement, therefore, the variance request is moot and the setback for any permanent structures must be at least 27-feet.

* * * * *

DAK:CEN
Cc:file
ZAC-ITEM NO 17-0119-11072016.doc

ORDER RECEIVED FOR FILING

Date 12-1-16

By DAK

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: November 2, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0119-A
Address 8600 Springvale Drive
(Ramon & DelgadoProperty)

Zoning Advisory Committee Meeting of November 7, 2016

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

Reviewer: Steve Ford

Date: 11-02-2016



Leonor Ramon <lramon4@gmail.com>

**UPDATED - Meadowvale Community Association, Inc. Architectural Control Update:
Approved**

5 messages

clientservices3@tidewaterproperty.com <clientservices3@tidewaterproperty.com>
To: lramon4@gmail.com

Tue, Sep 2, 2014 at 4:28 PM

Re: 43740

Dear Maria Ramon,

The Meadowvale Community Association, Inc. Architectural Review Committee (ARC) has determined that your request for Deck & Gazebo meets the guidelines of the Architectural Rules and Regulations, and therefore approves your request as submitted in your application dated 05/30/2014. This approval does not include any permits required by the County or State. It is your responsibility to obtain such permits.

You, the homeowner, hereby agree that any and all liability caused by or arising from this modification shall not be held against the Association, Management Company, Builder or Developer. Consequently, the Association, Management Company, Builder or Developer will not be held liable for any damage or hazards caused by this modification to said lot or any adjacent lot. Please note that approval by the Architectural Review Committee is for aesthetic purposes only and does not imply that any review has been made of the structural or other adequacy nor does it imply nor avert the necessity for approval by appropriate governmental authorities. Nothing may be permanently installed in any lake, drainage or utility easements. Any construction pursuant to the provisions of this approval shall be subject to the continuing effect of the provisions of the Declaration, and of the Rules and Regulations of the Association and the Architectural Review Committee.

We hope your new alteration will provide your family with many years of enjoyment.

Sincerely,

Sincerely,

Andrea M. Merchant
Property Manager

On behalf of Meadowvale Community Association, Inc.

2017-0119-A

Leonor Ramon <lramon4@gmail.com>
To: M Ramon <mlramon4@gmail.com>

Wed, Sep 3, 2014 at 1:16 PM

[Quoted text hidden]

M. Ramon <mlramon4@gmail.com>

Fri, Sep 5, 2014 at 11:20 AM

To: Leonor Ramon <lramon4@gmail.com>

Dear Ms. Merchant,
Thank you very much for the approval.
Sincerely,
M. Leonor Ramon.
443-275-1883

[Quoted text hidden]

Leonor Ramon <lramon4@gmail.com>

Tue, Jun 2, 2015 at 4:55 PM

To: M Ramon <mlramon4@gmail.com>

APPROVAL for deck

[Quoted text hidden]

Leonor Ramon <lramon4@gmail.com>

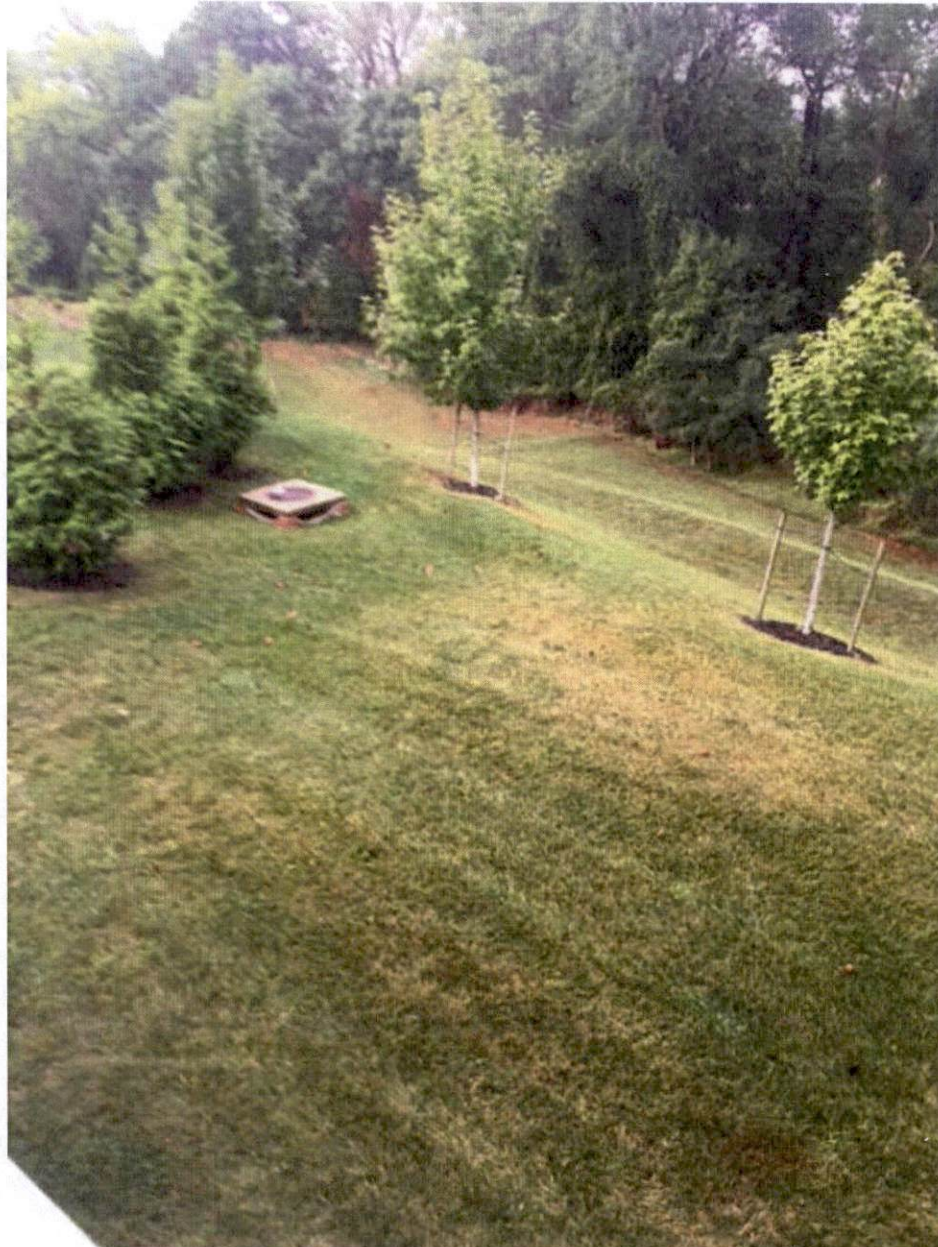
Fri, Oct 30, 2015 at 7:07 PM

To: M Ramon <mlramon4@gmail.com>, Leonor Ramon <lramon4@gmail.com>

[Quoted text hidden]



2017-0119-4



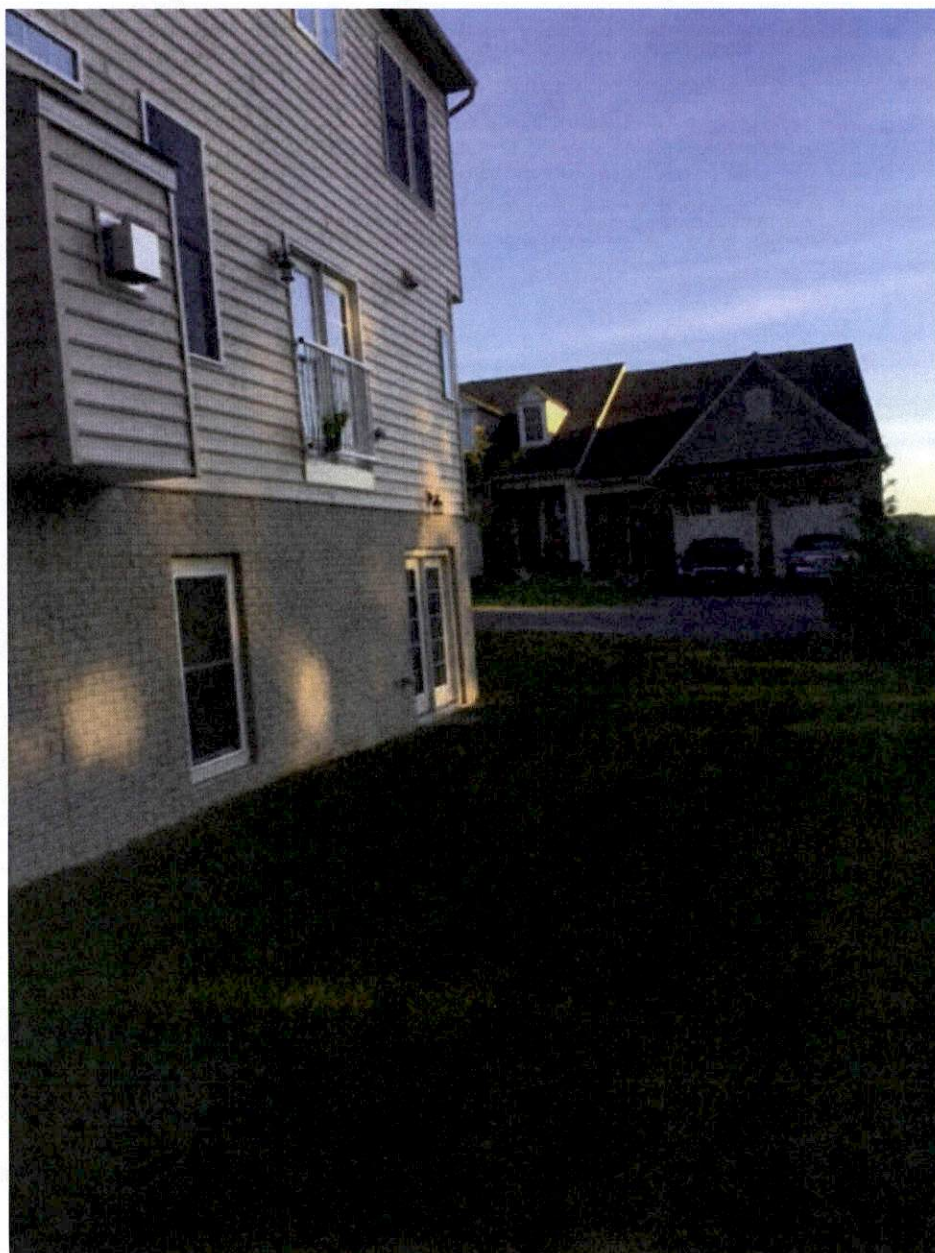
2017-0119-A



2017-0119-A



2017-0119-A



2017-0119-A



2017-0119-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>11-7</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>C</u>
<u>11-2</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>10-31</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
<u>9-2</u>	COMMUNITY ASSOCIATION	<u>Approved</u>
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION (Case No. _____)		
PRIOR ZONING (Case No. _____)		
NEWSPAPER ADVERTISEMENT Date: _____		
SIGN POSTING Date: <u>11-6-16</u> by <u>O'Keefe</u>		
PEOPLE'S COUNSEL APPEARANCE	Yes ☐	No ☐
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐	No ☐

Comments, if any: _____

Real Property Data Search (w4)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 08 Account Number - 2500008447			
Owner Information					
Owner Name:		RAMON MARIA LEONOR DELGADO JUAN SEBASTIAN		Use: Principal Residence: RESIDENTIAL YES	
Mailing Address:		8600 SPRINGVALE DRIVE LUTHERVILLE MD 21093-4415		Deed Reference: /32774/ 00436	
Location & Structure Information					
Premises Address:		8600 SPRINGVALE DR LUTH-TIMONIUM MD 21093-3941		Legal Description: 0.152 AC 8600 SPRINGVALE DR WS MEADOWVALE	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0060	0016	0879		9148	89
Assessment Year:			Plat No:		
2017			79/148		
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area	
2012		3,184 SF		6,621 SF	
Property Land Area		County Use			
6,621 SF		04			
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
2	YES	STANDARD UNIT	SIDING	2 full/ 1 half	2 Attached
Value Information					
		Base Value	Value As of 01/01/2014	Phase-in Assessments	
				As of 07/01/2016	As of 07/01/2017
Land:		210,600	210,600		
Improvements		386,800	386,800		
Total:		597,400	597,400	597,400	
Preferential Land:		0			
Transfer Information					
Seller: NVR INC		Date: 11/13/2012		Price: \$646,390	
Type: ARMS LENGTH IMPROVED		Deed1: /32774/ 00436		Deed2:	
Seller:		Date: 08/21/2012		Price: \$285,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /32448/ 00325		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	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 09/10/2013					

Debra Wiley

From: Administrative Hearings
Sent: Friday, December 02, 2016 10:23 AM
To: clientservices3@tidewaterproperty.com
Subject: Case No. 2017-0119-A (8600 Springvale Drive) - Ramon / Delgado
Attachments: 20161202103005040.pdf

Attention: Meadowvale Community Association, Inc.

Please find attached a copy of Judge Beverungen's Opinion and Order in reference to the above matter.

Thank you.

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

From: adminhearingscpr@baltimorecountymd.gov [mailto:adminhearingscpr@baltimorecountymd.gov]
Sent: Friday, December 02, 2016 10:30 AM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Subject: Admin Hearings Copier

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

Scan Date: 12.02.2016 10:30:04 (-0500)

Queries to: adminhearingscpr@baltimorecountymd.gov



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

December 1, 2016

Maria Leonor Rañon
Juan Sebastian Delgado
8600 Springvale Drive
Lutherville, MD 21093

RE: Petition for Administrative Variance
Case No. 2017-0119-A
Property: 8600 Springvale Drive

Dear Petitioners:

Enclosed please find a copy of the Order rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", with a long horizontal line extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Andrew Merz, 4511 Sunberry Dr., Finksburg, MD 21048
✓ Meadowvale Community Association, Inc. Architectural Review Committee (via e-mail)

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(8600 Springvale Drive)		
8 th Election District	*	OFFICE OF ADMINISTRATIVE
3 rd Council District		
Maria Leonor Ramon &	*	HEARINGS FOR
Juan Sebastian Delgado		
Petitioners	*	BALTIMORE COUNTY
	*	CASE NO. 2017-0119-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, Maria Leonor Ramon and Juan Sebastian Delgado ("Petitioners"). The Petitioners are requesting Variance relief from § 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard sunroom and deck with rear yard setbacks of 15 ft. each in lieu of the required 30 ft. and 22.5 ft., respectively. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

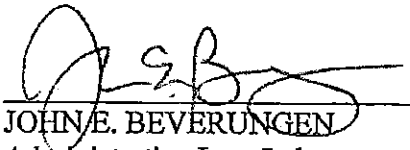
The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. A ZAC comment was submitted by the Bureau of Development Plans Review (DPR) dated November 7, 2016 indicating the following:

"There is a 26-foot-wide drainage and utility easement on this property that is parallel to and abuts the rear property line. No permanent structures may be built in the easement, therefore, the variance request is moot and the setback for any permanent structures must be at least 27-feet."

In light of the above agency comments (attached hereto), the petition must be denied.

THEREFORE, IT IS ORDERED, this 1st day of **December, 2016**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from § 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard sunroom and deck with rear yard setbacks of 15 ft. each in lieu of the required 30 ft. and 22.5 ft., respectively, be and is hereby DENIED.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 7, 2016
Item No. 2017-0119

DATE: November 7, 2016

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

There is a 26-foot-wide drainage and utility easement on this property that is parallel to and abuts the rear property line. No permanent structures may be built in the easement, therefore, the variance request is moot and the setback for any permanent structures must be at least 27-feet.

* * * * *

DAK:CEN
Cc:file
ZAC-ITEM NO 17-0119-11072016.doc

JB (AV) 11-21-16

Debra Wiley

From: M. Ramon <mlramon4@gmail.com>
Sent: Tuesday, January 03, 2017 10:07 PM
To: Administrative Hearings
Subject: Motion for Reconsideration
Attachments: Ramon Motion for Reconsideration.pdf

Dear Judge John E. Beverungen,

Please find my attached Motion for Reconsideration regarding case # 2017-0119 A. Thank you in advance for your help.

Very Respectfully,

Maria-Leonor Ramon

To: Honorable Judge John E. Beverungen
Administrative Law Judge for Baltimore County

Dear Honorable Judge,

We come to you to file a Motion for Reconsideration regarding the case # 2017-0119-A. We humbly implore you to reconsider your decision in order to allow the building of a 14-foot deck in length, instead of a 20-foot as we originally requested. I am the mother of a disabled 23-year-old son, who needs this deck for the nurturing of his wellbeing and mental condition. A deck of 9 feet in length, as it is permitted right now, would be too narrow and dangerous for his use. Therefore, we most respectfully ask that your Honorable Judge reconsider and grant this petition to increase the size of the deck to at least 14 feet in length.

Respectfully,

Maria Leonor Ramon
8600 Springvale Drive
Lutherville, MD 21093
443-275-1883

Sherry Nuffer

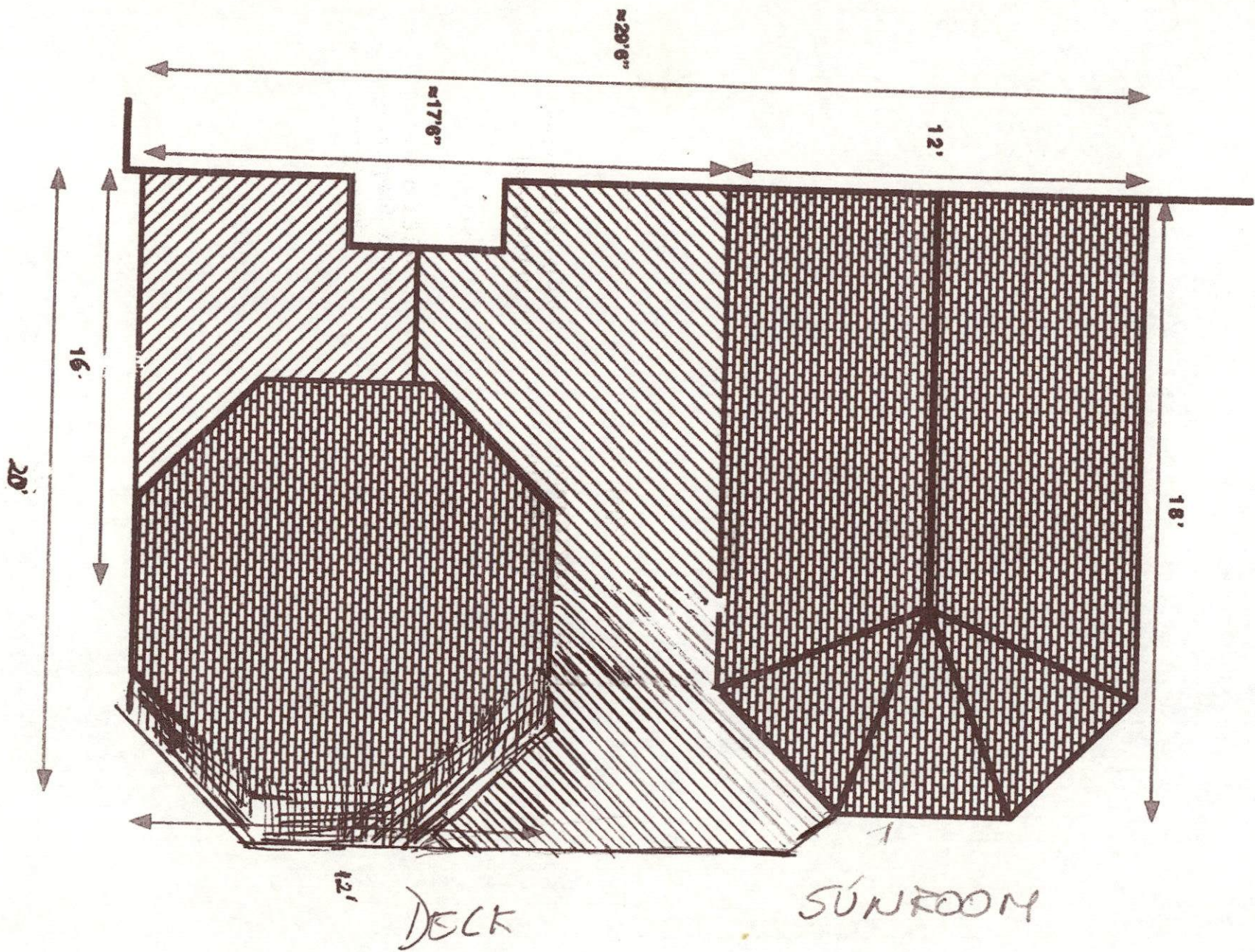
From: Sherry Nuffer
Sent: Friday, January 06, 2017 10:37 AM
To: 'clientservices3@tidewaterproperty.com'
Subject: Case No. 2017-0119-A (8500 Springvale Drive)- Ramon/Delgado
Attachments: 20170105152913802.pdf

Attention: Meadowvale Community Association, Inc.

Please find attached a copy of Judge Beverungen's Opinion and Order on Motion for Reconsideration in reference to the above matter.

Thank you,

Not to exact scale
All measurements are approximate
Some field adjustments may be necessary



2017-0119-4

Lot # 86 2500008444

Lot # 17
2500008443

Lot # 87 2500008445
Pt. Bk. 0000079, Folio 0148

2500008446
Lot # 88

Pt. Bk./Folio # 079148

2500008447
Lot # 89

3 CD

Pt. Bk. 0000079, Folio 0276

HOLLY CREST DR

8 ED NW 12-B
060B2 DR 3.5
R-1960-5042 PAI # 080841
PAI # 080841
PAI # 080841
2500008465 2500008466
2500008523 2500008525
2500008463 2500008464

Lot # 90
2500008448

Pt. Bk./Folio # 079276

Lot # 91
2500008449

Lot # 92
2500008450

2500008451

Lot # 94
2500008452

COA

90

91

92

93

94

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 8600 STRINGVALE DRIVE OWNER(S) NAME(S) MARIA-LEONOR RAMON, SEBASTIAN

SUBDIVISION NAME MEADOWVALE

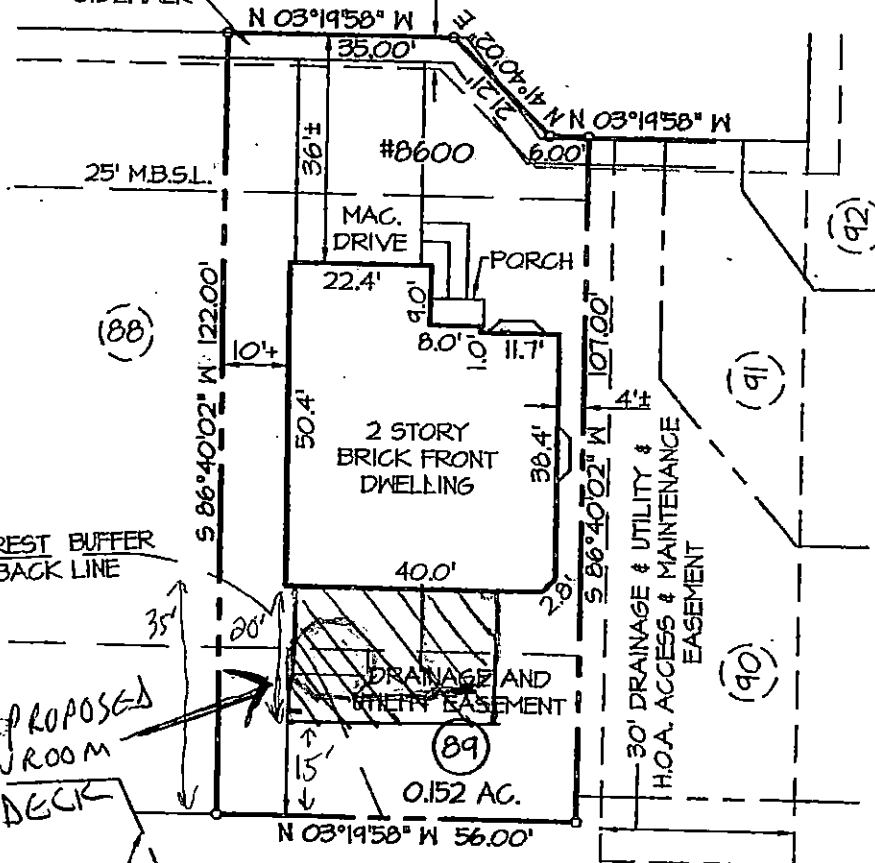
LOT # 89 BLOCK # X SECTION # X

PLAT BOOK # 079 FOLIO # 148 10 DIGIT TAX # 250000447 DEED REF. # 32774/00436

SPRINGVALE DRIVE

(PUBLIC ROAD - 40' RW)

5' SIDEWALK AND DRAINAGE
& UTILITY EASEMENT
CONC.
SIDEWALK



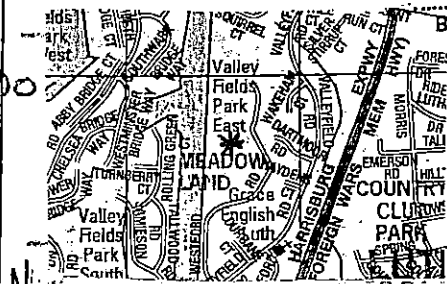
PROPOSED
17.6 X 20
DECK w/
12 X 18
SUNROOM

MARYLAND COORDINATE



PLAN DRAWN BY MARIA LEONOR RAMON DATE 9-28-16 SCALE: 1 INCH = 30 FEET
FRONTIER DECK BUILDERS

SITE VICINITY MAP



MAP IS NOT TO SCALE
ZONING MAP# 06082
SITE ZONED DR 3
ELECTION DISTRICT 8
COUNCIL DISTRICT 3
LOT AREA ACREAGE 0.152 AC
OR SQUARE FEET 6601 $\frac{1}{4}$
HISTORIC? NO
IN CBCA? NO
IN FLOOD PLAIN? NO
UTILITIES? MARK WITH X
WATER IS:
PUBLIC ☒ PRIVATE _____
SEWER IS:
PUBLIC ☒ PRIVATE _____
PRIOR HEARING? NO
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

2017-0119-A

ADDRESS 8600 SPRINGVALE DRIVE OWNER(S) NAME(S) MARIA-LEONOR RAYON SEBASTIAN

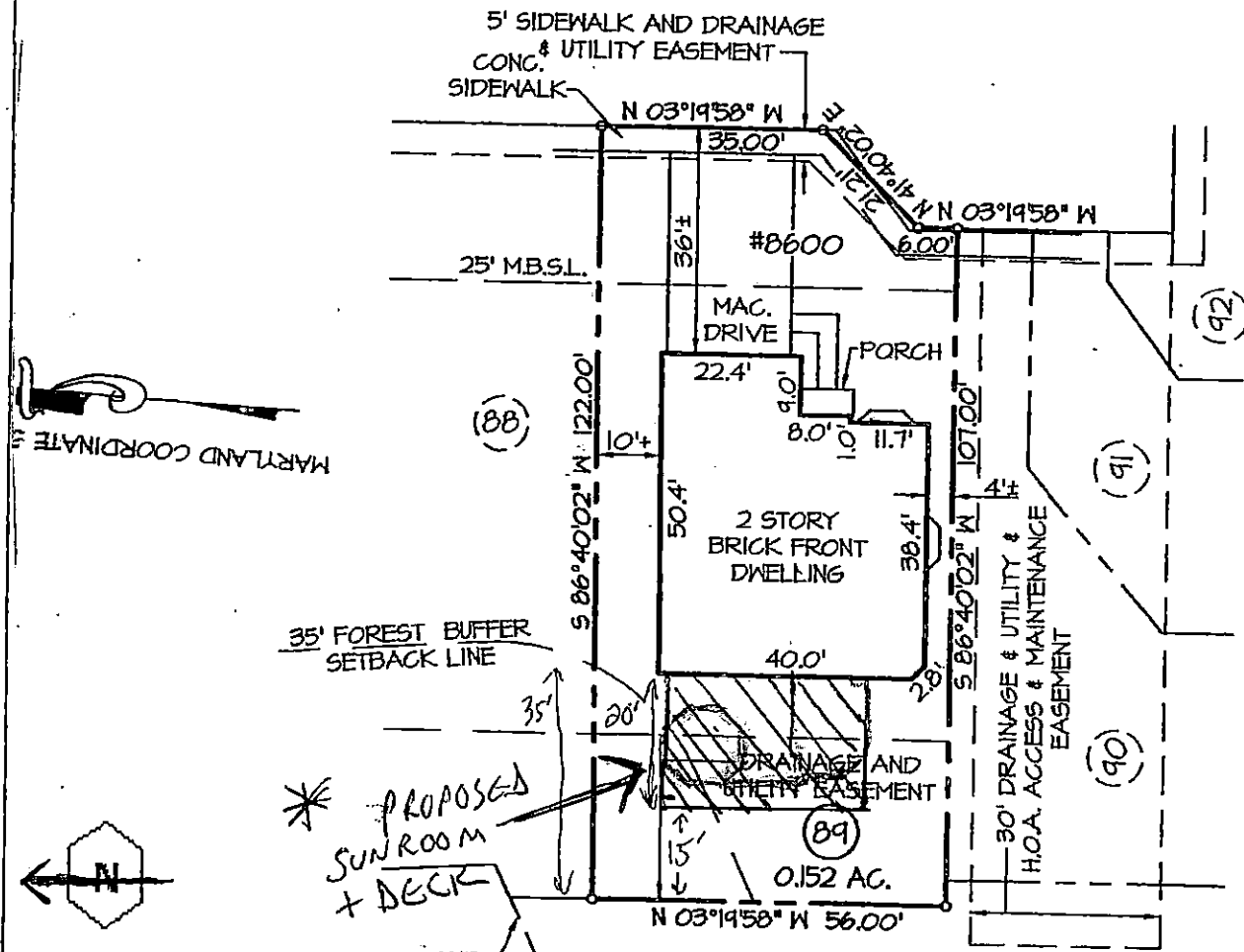
SUBDIVISION NAME MEADOW VALE

LOT # 89 BLOCK # X SECTION # X

PLAT BOOK # 079 FOLIO # 148 10 DIGIT TAX # 250000447 DEED REF. # 32774/00436

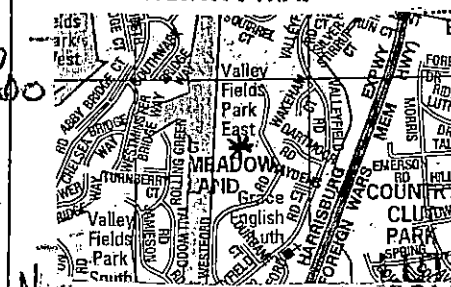
SPRINGVALE DRIVE

(PUBLIC ROAD - 40' R/W)



PLAN DRAWN BY MARIA LEONOR RAYON DATE 9-28-16 SCALE: 1 INCH = 30 FEET
FRONTIER DECK BUILDERS

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 060B2

SITE ZONED DE 3.

ELECTION DISTRICT 8

COUNCIL DISTRICT 3

LOT AREA ACREAGE 0.152 AC

OR SQUARE FEET 6621 #

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC ☒ PRIVATE

SEWER IS:

PUBLIC ☒ PRIVATE

PRIOR HEARING ? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

2017-0119-A

ZONING HEARING PLAN FOR VARIANCE ✓ FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)

ADDRESS 8600 SPRINGVALE DRIVE OWNER(S) NAME(S) MARIA-LEONOR RAYON, SEBASTIAN

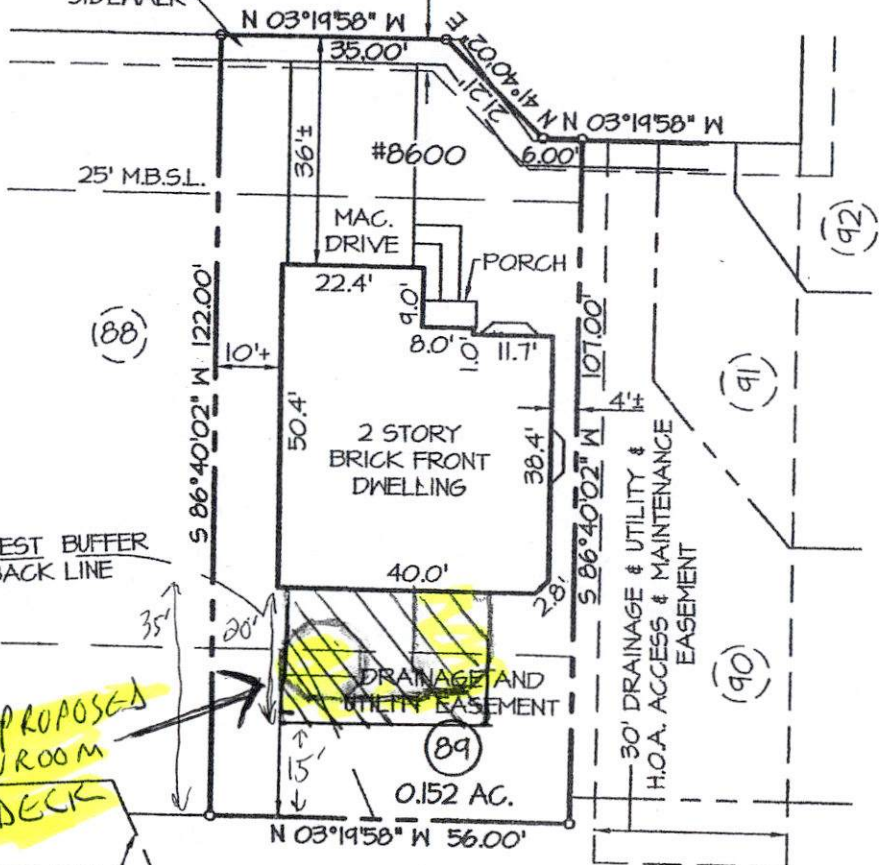
SUBDIVISION NAME MEADOWVALE LOT# 89 BLOCK# X SECTION# X

PLAT BOOK # 079 FOLIO # 148 10 DIGIT TAX # 2500008447 DEED REF. # 32774/00436

SPRINGVALE DRIVE

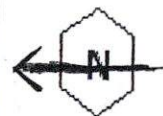
(PUBLIC ROAD - 40' R/W)

5' SIDEWALK AND DRAINAGE
CONC. & UTILITY EASEMENT
SIDEWALK



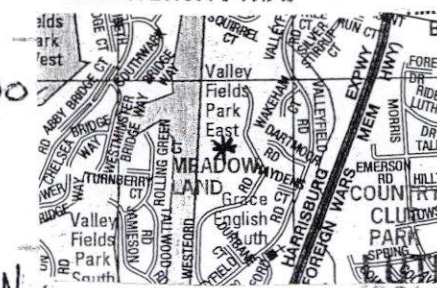
PROPOSED
17.6 X 20
DECK w/
12 X 18
SUNROOM

MARYLAND COORDINATE



PLAN DRAWN BY MARIA LEONOR RAYON DATE 9-28-16 SCALE: 1 INCH = 30 FEET
FRONTIER DECK BUILDERS

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 06082

SITE ZONED DR 3

ELECTION DISTRICT 8

COUNCIL DISTRICT 3

LOT AREA ACREAGE 0.152 AC

OR SQUARE FEET 6601

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS: PUBLIC ☒ PRIVATE ☐

SEWER IS: PUBLIC ☒ PRIVATE ☐

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

2017-0119-A

Pat. Ech. 1