

IN RE: PETITION FOR ADMIN. VARIANCE *
(3637 Hernwood Road)
2nd Election District *
4th Council District *
Gary A. & Nicole M. Plowman *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2017-0156-A

* * * * *

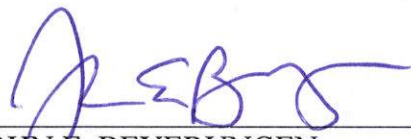
ORDER ON MOTION FOR RECONSIDERATION

Now pending is a motion for reconsideration filed by Petitioners Gary A. and Nancy M. Plowman. Although the order in this case granted variance relief to permit a "carport" in the front and side yards (in lieu of the required rear yard), conditions were added requiring that three (3) sides of the structure must remain open at all times.

Having reviewed photographs provided by the Petitioners, the structure in question is in my opinion a "garage" rather than a "carport." The latter term is not defined in the Baltimore County Zoning Regulations (B.C.Z.R.). In any event, the accessory building will be constructed of attractive and durable materials and will complement the existing dwelling.

THEREFORE, IT IS ORDERED, this 23rd day of **January, 2017**, by the Administrative Law Judge for Baltimore County, that the motion for reconsideration be granted, and Conditions 2 and 3 of the Order dated January 11, 2017 shall be stricken. All other terms and conditions of the original Order shall continue in full force and effect.

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 1-23-17

By dlw

Debra Wiley

From: Debra Wiley
Sent: Monday, January 23, 2017 7:58 AM
To: 'nplowman@morgankeller.com'; 'gplowman7@gmail.com'
Subject: Case No. 2017-0156-A - Motion for Reconsideration Order
Attachments: 20170123075938119.pdf

Good Morning,

Please find attached Judge Beverungen's Order on the Motion for Reconsideration.

Hope this brightens your day !

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

From: adminhearingscpr@baltimorecountymd.gov [mailto:adminhearingscpr@baltimorecountymd.gov]
Sent: Monday, January 23, 2017 8:00 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Admin Hearings Copier

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

Scan Date: 01.23.2017 07:59:37 (-0500)

Queries to: adminhearingscpr@baltimorecountymd.gov



KEVIN KAMENETZ
County Executive

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

January 23, 2017

Gary A. Plowman
Nicole M. Plowman
3637 Hernwood Road
Woodstock, MD 21163

RE: **MOTION FOR RECONSIDERATION** - Petition for Administrative Variance
Case No. 2017-0156-A
Property: 3637 Hernwood Road

Dear Petitioners:

Enclosed please find a copy of the Order on the Motion for Reconsideration 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", is written over a horizontal line.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(3637 Hernwood Road)		
2 nd Election District	*	OFFICE OF ADMINISTRATIVE
4 th Council District		
Gary A. & Nicole M. Plowman	*	HEARINGS FOR
Petitioners	*	BALTIMORE COUNTY
	*	CASE NO. 2017-0156-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, Gary A. and Nicole M. Plowman ("Petitioners"). The Petitioners are requesting Variance relief from § 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (carport) to be located in the front and side yard in lieu of the required rear yard. 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. There were no adverse ZAC comments received from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on December 18, 2016, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law

ORDER RECEIVED FOR FILING

Date 1-11-17

By [Signature]

Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

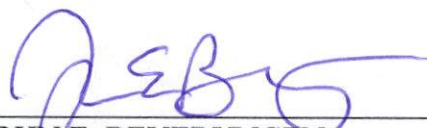
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 11th day of **January, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from § 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (carport) to be located in the front and side yard in lieu of the required rear yard, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- Building materials for the carport addition shall be consistent with those of the existing principal dwelling.
- The carport shall remain open on the three exposed sides and shall not be enclosed at any time.

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 1-11-17

2

By dlw



KEVIN KAMENETZ
County Executive

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

January 11, 2017

Gary A. Plowman
Nicole M. Plowman
3637 Hernwood Road
Woodstock, MD 21163

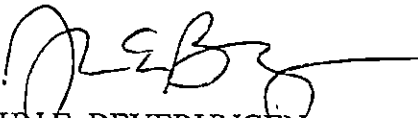
RE: Petition for Administrative Variance
Case No. 2017-0156-A
Property: 3637 Hernwood Road

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,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure



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 3637 Hernwood Rd Woodstock, MD 21163 Currently zoned RC5
Deed Reference 136860100289 10 Digit Tax Account # 0219710210
Owner(s) Printed Name(s) Gary A. & Nicole M. Plowman

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

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

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

1. ☒ **ADMINISTRATIVE VARIANCE** from Section(s) 400.1 BC2R

To permit an accessory structure (CARPORT) to be located in the front & side yard in lieu of the required rear yard, 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):

<u>x Gary A. Plowman</u> Name #1 – Type or Print	<u>Nicole M. Plowman</u> Name #2 – Type or Print
<u>[Signature]</u> Signature #1	<u>[Signature]</u> Signature #2
<u>3637 Hernwood Rd Woodstock MD</u> Mailing Address City State	
<u>21163</u> Zip Code	<u>443-804-8597 gplowman7@gmail.com</u> 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:

Name – Type or Print

Signature

Mailing Address

City

State

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 2017-0156-A Filing Date 12/9/16 Estimated Posting Date 12/18/16 Reviewer JR

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: 3637 Hernwood Rd Woodstock MD 21163
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)

I have a heart condition, and per restrictions from my doctor I cannot shovel snow or do any strenuous activity. We are proposing to have a carport installed to cover our vehicles

The carport cannot be installed behind the property because that is where our septic is located, and there also needs to remain access to the septic if it ever needs to be serviced.

There is a parking pad for vehicles that was already on the property when we purchased this home. We are simply wanting to add a carport over this existing pad.

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

x [Signature]
Signature of Owner (Affiant)

Nicole M. Plowman
Signature of Owner (Affiant)

x Gary A. Plowman
Name- Print or Type

Nicole M. Plowman
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 5th day of Dec., 2016, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Gary A. Plowman + Nicole M. Plowman

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

AS WITNESS my hand and Notaries Seal

Maryanne DeWitt
Notary Public
10.28.17
My Commission Expires

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.

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The carport cannot be installed behind the property because that is where our septic is located, and there needs to remain access to the septic if it ever needs to be serviced.
There is a parking pad for vehicles that was already on the property when we purchased this home. We are simply wanting to add a carport over this existing pad.

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

x [Signature]
Signature of Owner (Affiant)
x Gary A. Plowman
Name- Print or Type

[Signature]
Signature of Owner (Affiant)
Nicole M. Plowman
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 5th day of Dec., 2016, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Gary A. Plowman + Nicole M. Plowman

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
10.28.17
My Commission Expires



ADMINISTRATIVE ZONING PETITION
FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING
To be filed with the Department of Permits, Approvals and Inspections

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

Address 3637 Hernwood Rd Woodstock, MD 21163 Currently zoned RC5
Deed Reference 1368601 00289 10 Digit Tax Account # 02197710210
Owner(s) Printed Name(s) Gary A. & Nicole M. Plowman

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

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

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

1. ☒ **ADMINISTRATIVE VARIANCE** from Section(s) 400.1 BCZR
To permit an accessory structure (CARPORT) to be located in the front & side yard in lieu of the required rear yard.

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):

☒ Gary A. Plowman Nicole M. Plowman
Name #1 – Type or Print Name #2 – Type or Print
☒ [Signature] [Signature]
Signature #1 Signature #2
3637 Hernwood Rd Woodstock MD
Mailing Address City State
21163, 443-804-8507 gplowman7
Zip Code Telephone # Email Address
@gmail.com

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

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

Representative to be contacted:

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

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 2017-0156-A Filing Date 12/9/16 Estimated Posting Date 12/18/16 Reviewer JR

ZONING PROPERTY DESCRIPTION FOR 3637 Hernwood Road Woodstock, MD 21163

Beginning at a point on the east side of Hernwood Road which is 20 feet wide at a distance of 300 feet south of the centerline of the nearest improved intersecting street Marriottsville Road which is 20 feet wide.

Thence the following courses and distances: (1st Point of Call – "POC") NE, (2nd POC) SE, (3rd POC) SW, (4th POC) NW, back to the point of beginning as recorded in Deed Liber (36860), Folio (00289), containing 22,651 square feet. Located in the (2nd) Election District and (4th) Council District.

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

№ 144025

Date: 12/9/16

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS	Acct	Amount
				Source/	Rev/					
001	800	0000		6150						75.00

Total: 75.00

Rec From: GARY PLOWMAN

For: 3637 HERNWOOD RD.
Adm. Services
2017-0156-A

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME DRN
12/07/2016 12/09/2016 12:01:52 5
REG 4505 WALKIN LRB
>>RECEIPT # 881025 12/09/2016 DFLH
Dept 5 528 ZONING VERIFICATION
CR NO. 144025
Recpt Tot \$75.00
\$75.00 CR \$1.00 CA
Baltimore County, Maryland

**CASHIER'S
VALIDATION**

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2017- 0156 -A Address 3637 HERNWOOD RD.

Contact Person: Jun Fernando Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 12/9/16 Posting Date: 12/18/16 Closing Date: 1/2/17

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- 0156 -A Address 3637 HERNWOOD RD

Petitioner's Name Gary & Nicole Plowman Telephone 443-804-8507

Posting Date: 12/18/16 Closing Date: 1/2/17

Wording for Sign: To Permit an accessory structure (CARPORT) to be located in the front & side yard in lieu of the required rear yard.

Revised 7/6/16

Myanmar 8 12/18/14



ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE# 2017-0156-A
TO PERMIT AN ACCESSORY STRUCTURE (CARPORT)
TO BE LOCATED IN THE FRONT & SIDE YARD IN LIEU
OF THE REQUIRED REAR YARD

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1) BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC
HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED
IT IS DONE IN THE ZONING OFFICE BEFORE 4:30 P.M. ON

MONDAY, JANUARY 2, 2017

ADDITIONAL INFORMATION IS AVAILABLE AT ZONING
ADMINISTRATION AND DEVELOPMENT MANAGEMENT LOCATED
AT 111 W. CHESAPEAKE AVE. TOWSON MD. 21204
TEL. 410-887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER THE DATE UNDER PENALTY OF LAW

MEETING IS HANDICAP ACCESSIBLE

CERTIFICATE OF POSTING

CERTIFICATE OF POSTING

CASE NO: 2017-0156-A

PETITIONER/DEVELOPER

CARY & NICOLE PLOWMAN

DATE OF HEARING/CLOSING:

1/2/17

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION:

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 AT _____

3637 HERNWOOD RD

THIS SIGN(S) WERE POSTED ON December 18, 2016
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 12/18/16
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE, MD 21220
(ADDRESS)
PHONE NUMBER: 443-629-3411

(5)

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least 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: 2017-0156-A
Property Address: 3637 Hemwood Rd Woodstock, MD 21163
Property Description: _____
Legal Owners (Petitioners): Gary and Nicole Plowman
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Gary Plowman
Company/Firm (if applicable): _____
Address: 3637 Hemwood Rd.
Woodstock, MD 21163
Telephone Number: 443-804-8507 or 301-821-3228



KEVIN KAMENETZ
County Executive

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

January 4, 2017

Gary A & Nicole M Plowman
3637 Hernwood Road
Woodstock MD 21163

RE: Case Number: 2017-0156 A, Address: 3637 Hernwood Road

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 December 9, 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

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



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

Date: 12/19/16

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. 2017-0156-A

*Administrative Variance
Gary A. & Nicole M. Plowman
3637 Herndon Road*

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Richard A. Zeller'.

Wendy Wolcott, PLA
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

DATE: December 26, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For December 26, 2016
Item No. 2017-0148, 0156, 0157, 0158, 0160, 0162 and 0164

The Bureau of Development Plans Review has reviewed the subject zoning items and we have no comment.

DAK:CEN
cc:file
G:\DevPlanRev\ZAC -No Comments\ZAC12262016.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: December 21, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0156-A
Address 3637 Hernwood Road
(Plowman Property)

Zoning Advisory Committee Meeting of **December 26, 2016.**

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

Reviewer: Steve Ford

Date: 12-21-2016

M E M O R A N D U M

DATE: February 23, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0156-A – Appeal Period Expired

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

Debra Wiley

From: Nicole Plowman <nplowman@morgankeller.com>
Sent: Friday, January 20, 2017 12:10 PM
To: Administrative Hearings
Subject: Case No. 2017-0156-A (Motion for Reconsideration)
Attachments: Motion for Reconsideration.pdf; Silmilar Carport.png; Carport - Attachment.docx

Please find attached our letter requesting a Motion for Reconsideration of the Administrative Variance.

We have also included a picture of a similar carport along with a worded description of the proposed carport.

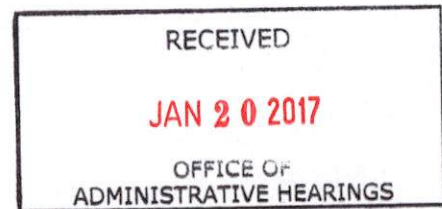
There should be 3 attachments.

Please let us know if any additional information is needed.

We can be reached at (443) 804-8507.

Thank You,

Gary and Nicole Plowman



This e-mail and its attachments are confidential and solely for the intended addressee(s). Do not share or use them without Morgan-Keller's approval. If you have received in error, contact the sender and delete immediately.

nplowman@morgankeller.com
gplowman7@gmail.com

January 20, 2017

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue
Suite 103
Towson, Maryland 21204

RE: Motion for Reconsideration
Case No: 2017-0156-A
Property: 3637 Hernwood Road

Dear Judge Beverungen:

We, Gary A. and Nicole M. Plowman are requesting a Motion for Reconsideration to the Petition for Administrative Variance (Case No. 2017-0156-A) that was granted on January 11, 2017 allowing us to have a carport installed on our property located at 3637 Hernwood Road, Woodstock, Maryland 21163.

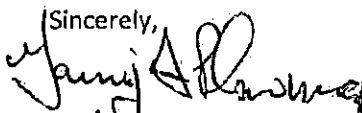
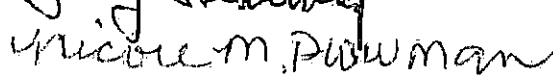
Although the motion was granted, one of the stipulations was that the carport not be enclosed. Due to the fact that Gary has been diagnosed with heart failure, we feel an enclosed carport is a necessity so as not to allow snow and elements to get onto our vehicles, as our home is located on a hill and we get a large amount of wind drifts. Gary is on disability and has certain restrictions that render him unable to do any strenuous activities such as shoveling and removing of snow.

The carport that is to be installed is structured to withstand high winds and large amounts of snow, and is already designed as an enclosed carport. We have included a picture that is similar to the structure and design of the proposed carport. It will be the same color of our home and will blend with the aesthetics and layout of our property.

We are simple homeowners looking to have an enclosed carport installed to offer us some relief during the winter months and inclement weather. We were unaware that we needed to specify that the carport was to be enclosed, and we are asking for mercy in this situation since we do not have the financial means to file an appeal.

As law abiding citizens, we are seeking to follow the proper procedures in order to have the carport installed, and are asking that you please reconsider the motion that was granted, and allow a change to the stipulation.

Thank you for your time in this matter. We truly appreciate it.

Sincerely,



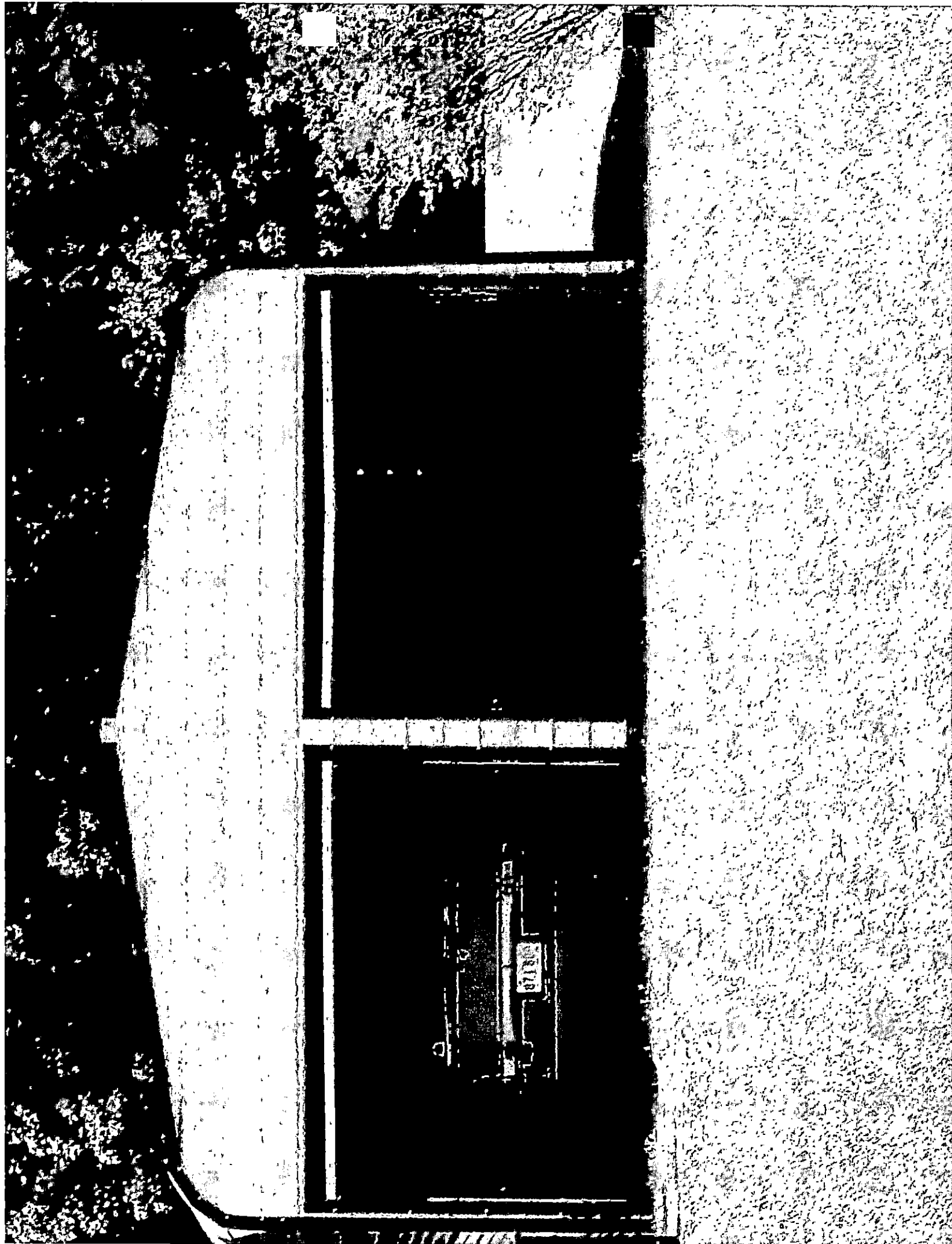
Gary A. Plowman and Nicole M. Plowman

ATTACHED IS A PICTURE OF A CARPORT THAT IS SIMILAR IN LOOKS TO THE PROPOSED CARPORT

It will be two of these put together as one carport.

The roof will be black, the trim white, and the exterior will be a light tan/sandstone color to match the exterior of our home.

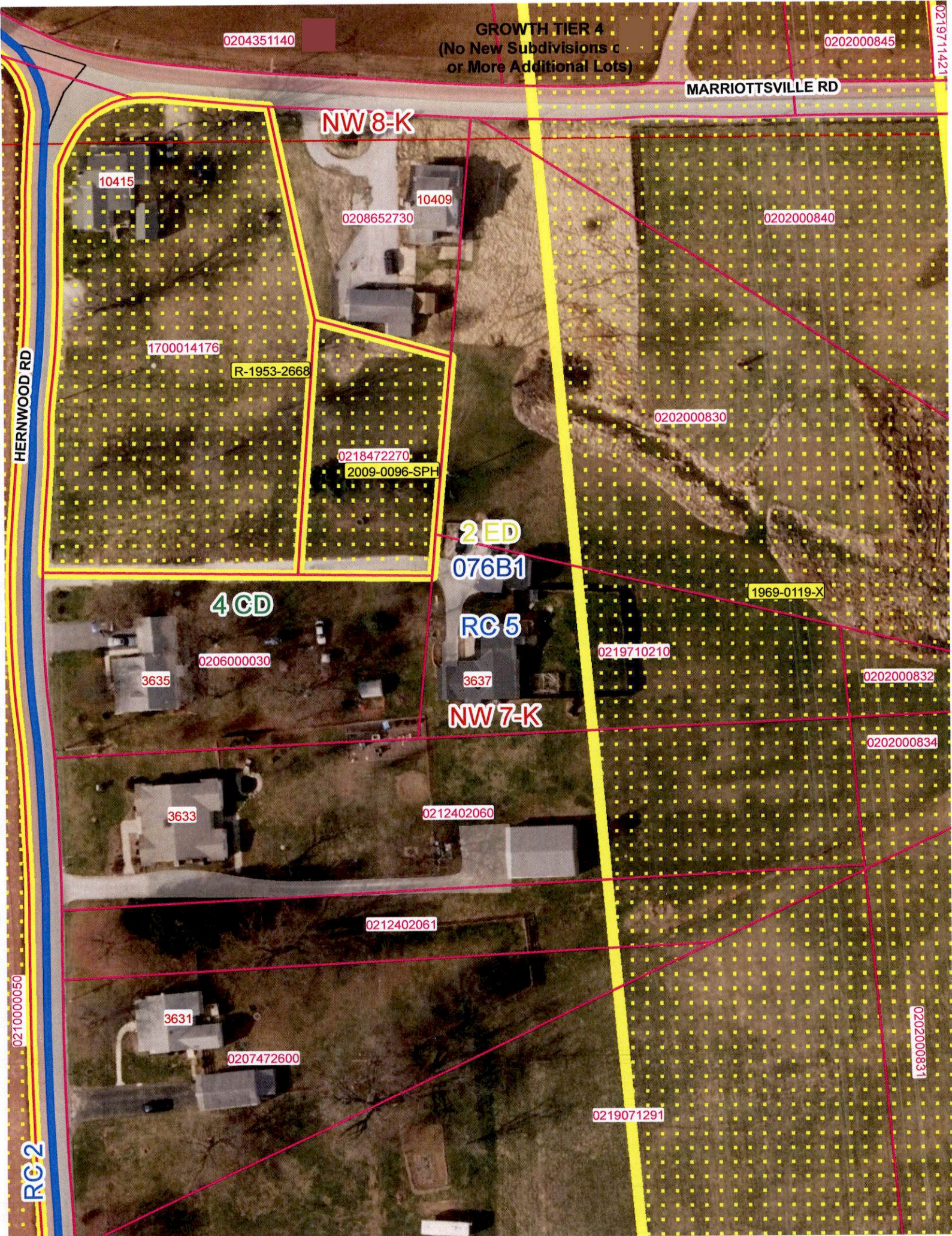
The measurements of the carport (height, depth, and length) have already been approved by the Zoning Office.



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 - 02 Account Number - 0219710210			
Owner Information					
Owner Name:		PLOWMAN GARY A PLOWMAN NICOLE M		Use:	RESIDENTIAL
Mailing Address:		3637 HERNWOOD RD WOODSTOCK MD 21163-		Principal Residence:	YES
				Deed Reference:	/36860/ 00289
Location & Structure Information					
Premises Address:		3637 HERNWOOD RD 0-0000		Legal Description:	.52 AC 3637 HERNWOOD RD 300FT S MARRIOTTSVILE RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0076	0009	0140		0000	
				Assessment Year:	Plat No:
				2016	Plat Ref:
Special Tax Areas:				Town:	NONE
				Ad Valorem:	
				Tax Class:	
Primary Structure Built	Above Grade Enclosed Area		Finished Basement Area		Property Land Area
1950	1,288 SF				22,651 SF
County Use					
04					
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1	NO	STANDARD UNIT	SIDING	2 full	1 Attached
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2016	07/01/2016	07/01/2017
Land:		76,600	76,600		
Improvements		93,100	100,100		
Total:		169,700	176,700	172,033	174,367
Preferential Land:		0			0
Transfer Information					
Seller: BROWN CHARLES R		Date: 11/09/2015		Price: \$229,900	
Type: ARMS LENGTH IMPROVED		Deed1: /36860/ 00289		Deed2:	
Seller: STAUBITZ LOUIS W		Date: 09/29/2005		Price: \$125,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /22630/ 00468		Deed2:	
Seller: STAUBITZ LOUIS W		Date: 06/26/2001		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /15339/ 00130		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2016		07/01/2017	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 01/07/2016					



0204351140

GROWTH TIER 4
(No New Subdivisions or More Additional Lots)

0202000845

MARRIOTTSVILLE RD

NW 8-K

10415

10409

0208652730

0202000840

1700014176

R-1953-2668

0218472270

2009-0096-SPH

0202000830

2 ED

076B1

1969-0119-X

RC 5

4 CD

0206000030

3635

0219710210

0202000832

3637

NW 7-K

0202000834

3633

0212402060

0212402061

3631

0207472600

0219071291

0202000831

HERWOOD RD

0210000050

RC-2

0204351140

GROWTH TIER 4
(No New Subdivisions or
or More Additional Lots)

0202000845

MARRIOTTSVILLE RD

NW 8-K

10415

10409

0208652730

0202000840

1700014176

R-1953-2668

0218472270

2009-0096-SPH

0202000830

SITE

2 ED

076B1

RC 5

1969-0119-X

4 CD

0206000030

3635

3637

0219710210

0202000832

NW 7-K

0202000834

3633

0212402060

0212402061

3631

0207472600

0219071291

HERNWOOD RD

0210000050

RC-2

0219711421

0202000831













PROPOSED CARPORT







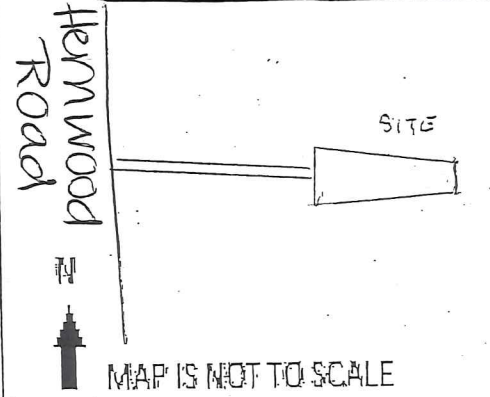


ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 3637 Hernwood Road OWNER(S) NAME(S) Gary A. & Nicole M. Plowman
 SUBDIVISION NAME _____ LOT # _____ BLOCK # _____ SECTION # _____
 PLAT BOOK # _____ FOLIO # _____ 10 DIGIT TAX # 0219 710210 DEED REF. # 36860/00289



OWNERS WILL TAKE FULL RESPONSIBILITY
 AS TO THE INFORMATION PROVIDED ON
 SAID PLOT PREPARED BY BALTO. CO.
G.P. 12/9/16
 OWNER DATE
 OWNER DATE

SITE VICINITY MAP
Mariottsville Rd



ZONING MAP# 076B1
 SITE ZONED RC5
 ELECTION DISTRICT 2
 COUNCIL DISTRICT 4
 LOT AREA ACREAGE _____
 OR SQUARE FEET 22,651
 HISTORIC? No
 IN CBCA? No
 IN FLOOD PLAIN? No
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC _____ PRIVATE X
 SEWER IS:
 PUBLIC _____ PRIVATE X
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

PRIORS: 69-119-X

VIOLATION CASE INFO:

2017-0156-A

Pet. Exr. 1