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DEPARTMENT OF PERMITS
APPROVALS AND INSPECTIONS

#### Wright, Constable & Skeen, L.L.P. | Attorneys at Law

102 W. Pennsylvania Avenue - Suite 406 - Towson - Maryland - 21204 · Phone: 443-991-5917

J. NEIL LANZI

Email: nlanzi@wcslaw.com

March 7, 2017

Arnold Jablon, Director Department of Permits, Approvals and Inspections 111 West Chesapeake Avenue Room 105 Towson, MD 21204

Re:

Case No. 2017-0173-A

17111 Hunter Green Road

Dear Mr. Jablon:

As you may recall, on or about February 14, 2017, I wrote to you entering my appearance in this case on behalf of some interested neighbors and requested a postponement from the hearing scheduled for Thursday, March 2, 2017. The postponement was granted and it is my understanding no new date has been set as the Petitioners have withdrawn their request for a variance hearing indicating they have decided to revise the permit and lower the roof of the building to meet the 15 foot height requirement. The purpose of this letter is to place your office on notice that there are additional issues involving this property besides the 15 foot height requirement.

Specifically, our due diligence regarding the subject property and the already constructed pole barn on the property has revealed the following:

- 1. The alleged accessory structure claimed to be a pole barn is 1,200 square feet. It is not a minor storage shed building.
- 2. The already constructed pole barn appears to be located in the <u>front/side</u> of the principal dwelling. The permit application indicates the pole barn is located in the rear yard. No variance was requested for the location of the structure.
- 3. The current location of the building is totally in view of the existing neighbors, especially during the fall, winter and spring. Even if the Petitioners lower the height of the building, the location is still an issue.
- 4. The building permit application indicates the pole barn has a side yard setback of 129 feet and a rear yard setback of 66 feet.

- 5. It appears the 66 foot setback listed may be for the side yard and under the RC 2 regulations, Section 1A01.3B(3), the setback needs to be 75 feet of the center line of any street.
- 6. The permit application reflects both a residential use for storage and nonresidential use as an industrial storage building. This is not an active farm and under Section 400.1 any accessory building has to be located in the rear yard and if on a corner lot, only in the third of the lot furthest removed from the street.
- 7. Under the allowable principal and accessory uses in the RC 2 zone, an industrial storage building is not permitted by right or special exception.
- 8. It is my client's understanding, the accessory structure is intended for Petitioner's skateboarding equipment distribution business as well as for an indoor skateboarding facility.
  - 9. The area of disturbance may be greater than 5,000 square feet.
- 10. A driveway connection to the County road was installed without a permit. Such driveway is not shown on the development plan for the area.
  - 11. The Petitioner's business is known as Speed Lab Wheels.

Hopefully, you will agree that simply withdrawing the Petition for Height Variance does not solve the myriad of issues affecting this illegal accessory structure intended for business use in a residential zone. At minimum, it appears a Special Hearing is necessary. Otherwise, my clients intend to appeal any issuance of a revised building permit.

Thank you for your consideration.

Very truly yours,

J. Neil Lanzi

Cc: Lionel Van Dommelen, Chief of Code Enforcement
 Mr. David Lord, 10617 Powell Road, Thurmont, MD 21788
 Mr. and Mrs. Alan Keller, 17111 Hunter Green Road, Upperco, MD 21155
 Robert Shaffer, 9 Hunter Lake Court, Upperco, MD 21155
 Stephen Stanton, 5 Hunter Lake Court, Upperco, MD 21155
 Bruce Doak, Surveyor, 3801 Baker Schoolhouse Road, Freeland, MD 21053
 People's Counsel, Peter Max Zimmerman

#### Kristen L Lewis

From:

Brit Keller <bri>keller32@gmail.com>

Sent:

Tuesday, February 28, 2017 12:30 PM

To:

Kristen L Lewis

Cc:

Dave Lord, Holler Contracting; Terry Holler; Alan Keller

Subject:

Variance Request Withdrawal; Case Number: 2017-0173-A

Dear Ms. Lewis:

I am writing in reference to case number 2017-0173- A, an administrative variance petition for 17111 Hunter Green Rd, Upperco, MD 21155. We are officially withdrawing our request for the variance hearing. We have decided to revise the permit and lower the roof of the building to meet the 15' height per Baltimore County requirements.

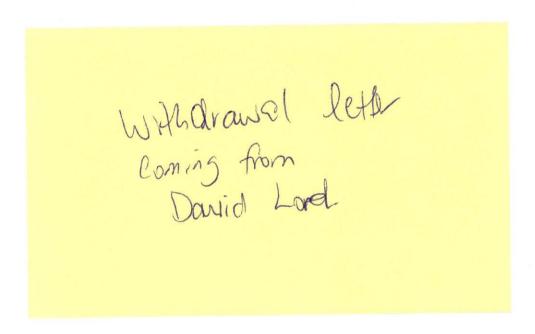
Dave Lord, our contractor, is heading to Towson to revise the permit and schedule a final inspection once the work is complete.

Please let me know if you need any additional information.

Thank you,

Brittany and Alan Keller

17111 Hunter Green Rd Upperco, MD 21155 410-374-0007



#### Kristen L Lewis

From:

Neil Lanzi <nlanzi@wcslaw.com>

Sent:

Friday, February 24, 2017 10:22 AM

To:

Kristen L Lewis

Subject:

RE: Postponement of Case No. 2017-0173-A

Kristen,

I have checked with my people and the last two weeks in April are best except for the 27<sup>th</sup> and 28<sup>th</sup>. If it needs to be in the first two weeks, all are good except for April 4<sup>th</sup>. No matter what date, the request is for the hearing to be on the morning docket as my expert has too many conflicts in the afternoons.

Thanks again,

Neil



Neil Lanzi Partner

Wright, Constable & Skeen, LLP 102 W. Pennsylvania Avenue, Suite 406

Towson, Maryland 21204 Tele: 443-991-5917

E-mail: nlanzi@wcslaw.com

From: Kristen L Lewis [mailto:klewis@baltimorecountymd.gov]

Sent: Thursday, February 23, 2017 2:39 PM

To: Neil Lanzi

Subject: RE: Postponement of Case No. 2017-0173-A

Your welcome. Feel better, the flu is horrible!

Kristen Lewis PAI – Zoning Review 410-887-3591

From: Neil Lanzi [mailto:nlanzi@wcslaw.com]
Sent: Thursday, February 23, 2017 2:37 PM

To: Kristen L Lewis <klewis@baltimorecountymd.gov> Subject: Re: Postponement of Case No. 2017-0173-A

Thanks Kristen. I will check with you on new hearing dates. Home today with the flu but will call tomorrow.

Sent from my iPhone

On Feb 23, 2017, at 2:31 PM, Kristen L Lewis <klewis@baltimorecountymd.gov> wrote:

Neil,

Yes, he did bring me his approval. However, he did indicate that your client will be responsible for reposting the sign with the new hearing date has been provided. If you have any questions, feel free to contact me.

Kristen Lewis PAI – Zoning Review 410-887-3391

From: Neil Lanzi [mailto:nlanzi@wcslaw.com]
Sent: Thursday, February 23, 2017 10:16 AM

**To:** Kristen L Lewis < <u>klewis@baltimorecountymd.gov</u>> **Subject:** Postponement of Case No. 2017-0173-A

Importance: High

Kristen,

Did Arnold grant our postponement request now that he has the documentation of my other cases in the City? The client is quite anxious to have representation at the hearing.

Regards,

Neil

<image001.gif> <image002.png> Neil Lanzi

Partner

Wright, Constable & Skeen, LLP 102 W. Pennsylvania Avenue, Suite 406

Towson, Maryland 21204 Tele: 443-991-5917

E-mail: nlanzi@wcslaw.com

#### **CONNECT WITH BALTIMORE COUNTY**

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www.baltimorecountymd.gov

2/21/17 TO KL

#### Kristen L Lewis

From:

Neil Lanzi <nlanzi@wcslaw.com>

Sent:

Tuesday, February 21, 2017 2:00 PM

To: Cc: Kristen L Lewis
'Bruce Doak'

Subject:

postponement request Case No. 2017-0173-A

**Attachments:** 

2017\_02\_21\_13\_53\_29 city zoning hearing.pdf

Importance:

High

Hi Kristen,

In accordance with Mr. Jablon's request, I am attaching the zoning notice for my two cases in Baltimore City on March 2 at 1:30 pm. Hopefully this will be sufficient to allow the granting of my postponement request.

Regards,

Neil



Neil Lanzi Partner

Wright, Constable & Skeen, LLP 102 W. Pennsylvania Avenue, Suite 406

Towson, Maryland 21204 Tele: 443-991-5917

E-mail: nlanzi@wcslaw.com



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102 W. Pennsylvania Avenue - Suite 406 - Towson - Maryland - 21204 · Phone: 443-991-5917

J. NEIL LANZI Writer's Direct Email: nlanzi@wcslaw.com

February 14, 2017

Arnold Jablon, Director Department of Permits, Approvals and Inspections 111 West Chesapeake Avenue Room 105 Towson, MD 21204

Re: Case No. 2017-0173-A

Dear Mr. Jablon:

Along with this letter, I am enclosing my Entry of Appearance on behalf of Robert Shaffer and Stephen Stanton, interested persons to the above referenced case. The hearing for the variance request is presently scheduled for Thursday, March 2, 2017 at 1:30 p.m. On behalf of Mr. Shaffer and Mr. Stanton, I would respectfully request the case be postponed from the current date to the next available hearing date. The reason for the request is that I am counsel of record and Bruce Doak is the land use consultant of record in two zoning cases scheduled in Baltimore City for a subdivision on the same date and at the same time. Mr. Doak will be my witness in the above referenced case. In addition, I anticipate the hearing for the above referenced case may require at least two hours.

Thank you for your consideration.

Very truly yours,

J. Neil Lanzi

cc: Mr. David Lord, 10617 Powell Road, Thurmont, MD 21788 Mr. and Mrs. Alan Keller, 17111 Hunter Green Road, Upperco, MD 21155 Robert Shaffer, 9 Hunter Lake Court, Upperco, MD 21155 Stephen Stanton, 5 Hunter Lake Court, Upperco, MD 21155 Bruce Doak, Surveyor, 3801 Baker Schoolhouse Road, Freeland, MD 21053 People's Counsel, Peter Max Zimmerman Kristen Lewis, Room 111



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 4763211

#### Sold To:

Alan & Brittany Keller - CU00583795 17111 Hunter Green Rd Upperco, MD 21155-9402

#### Bill To:

Alan & Brittany Keller - CU00583795 17111 Hunter Green Rd Upperco, MD 21155-9402

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

Feb 09, 2017

#### 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: #2017-0173-A

17111 Hunter Green Road
S/s Hunter Green Road, corner of the SW/s of Hunter Lake Count

Sys Hutter Green Road, Corner of the Swys of Hutter Lake Court

5th Election District - 3rd Councilmanic District Legal Owner(s) Alan & Brittany Keller

Variance: to permit an existing accessory building (pole building) with a height of 18 feet in lieu of the maximum allowed 15 feet.

Hearing: Thursday, March 2, 2017 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.

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising

TO: PATUXENT PUBLISHING COMPANY

Thursday, February 9, 2017 Issue - Jeffersonian

Please forward billing to:

Alan & Brittany Keller 17111 Hunter Green Road Upperco, MD 21155 410-374-0007

#### 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: 2017-0173-A

17111 Hunter Green Road

S/s Hunter Green Road, corner of the SW/s of Hunter Lake Court

5<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Alan & Brittany Keller

Variance to permit an existing accessory building (pole building) with a height of 18 feet in lieu of the maximum allowed 15 feet.

Hearing: Thursday, March 2, 2017 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.

### **CERTIFICATE OF POSTING**

**ATTENTION: KRISTEN LEWIS** 

**DATE:** 2/10/2017

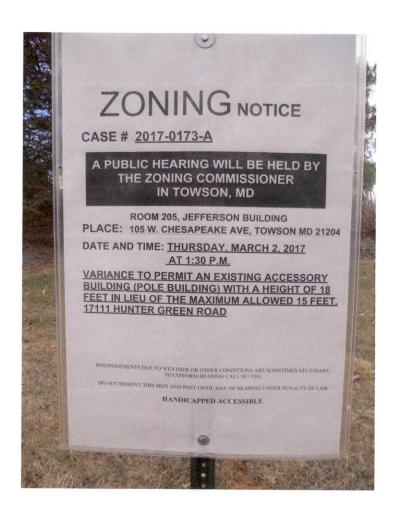
Case Number: 2017-0173-A

Petitioner / Developer: MR. & MRS. KELLER ~ DAVID LORD

Date of Hearing (Closing): MARCH 2, 2017

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: 17111 HUNTER GREEN ROAD

The sign(s) were posted on: FEBRUARY 8, 2017



(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)



KEVIN KAMENETZ County Executive ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

January 31, 2017

#### 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: 2017-0173-A

17111 Hunter Green Road

S/s Hunter Green Road, corner of the SW/s of Hunter Lake Court

5<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Alan & Brittany Keller

Variance to permit an existing accessory building (pole building) with a height of 18 feet in lieu of the maximum allowed 15 feet.

Hearing: Thursday, March 2, 2017 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

AJ:kl

C: David Lord, 10617 Powell Road, Thurmont 21788

Mr. & Mrs. Keller, 17111 Hunter Green Road, Upperco 21155

Stephen Stanton, 5 Hunter Lake Ct., Upperco 21155

Robert Shaffer, 9 Hunter Lake Ct., Upperco 21155

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, FEBRUARY 10, 2017.

- (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.



### FORMAL DEMAND FOR HEARING

CASE NUMBER:
Address: 1711 HUNTER GREEN RD.
Petitioner(s): Alan D& Britany M Kellen
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
INVe Stephen Stanton - Robert Shafter et al Name - Type or Print
() Legal Owner OR () Resident of
5 Hunter Lake CT & 9 Hunter Lake CT Address
Upperso MD 21155 City State Zip Code
410-239-3694 410-374-9222 Telephone Number
which is located approximately 200 \$ 400 feet from the property, which is the subject of the above petition, do hereby formally demand that a public hearing be set in this matter. ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS DEMAND.
Signature 1-27-2017 Date
Signature Date  Revised 9/18/98 - wcr/sci

OFFIC	E OF BUI	DGET AN	IARYLAN D FINANC RECEIPT	E		Date:		2 148636	PAID RECEIPT  BUSINESS ACTUAL TIME AND 1/30/2017 1/27/2017 13:08:21 1  REG WS01 WALKIN LJR  >RECEIPT # 705048 1/27/2017 OFLM	
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### **CERTIFICATE OF POSTING**

**ATTENTION:** KRISTEN LEWIS

**DATE:** 1/11/2017

Case Number: 2017-0173-A

Petitioner / Developer: ALAN & BRITTANY KELLER ~ DAVE LORD of

HOLLER CONTRACTING, LLC

Date of Hearing (Closing): JANUARY 30, 2017

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: 17111 HUNTER GREEN ROAD

The sign(s) were posted on: JANUARY 11, 2017



(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)

3 / 1 3

410 - 666 - 5366

(Telephone Number of Sign Poster)

ADMINISTRATIVE ZONING PETITION
FOR ADMINISTRATIVE VARIANCE - OR -- ADMINISTRATIVE SPECIAL HEARING

To the	Office of Administrative Hearin	ent of Permits, Approvals and Inspections gs for Baltimore County for the property located at:
Deed Referen	ce 30313 / 00166 ded Name(s) Alan D. Keller an	d Britany M, Keller
(SELE	CT THE HEARING(S) BY MARKING X AT THE A	PPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)
For Adr	ninistrative Variances, the Affidavit on	the reverse of this Petition form must be completed and notarized.
	ed, who own and occupy the property situ o and made a part hereof, hereby petition	uate in Baltimore County and which is described in the plan/plat in for an:
1. X ADMII building 15 feet	(pole building) with a height	400,3, BCZR, to permit an existing accessory of 18 feet in lieu of the maximum allowed
of the zoning r	egulations of Baltimore County, to the zon	ning law of Baltimore County.
County Code:  of the Baltimore Property is to be property.	(indicate type of work in this space: i.e., to the county Code, to the development law coosted and advertised as prescribed by the zoning no	
	adopted pursuant to the zoning law for Baltimore Co	
		Owner(s)/Petitioner(s):
		Alan D. Keller Brittany M. Keller Name #1 - Type or Print Name #2 - Type or Print  X Alan D. Keller   Name #2 - Type or Print  X Signature #1 Signature #2
		17111 Hunter Green Rd, Upperso MD.
		Mailing Address City State
		Zip Code Telephone # Email Address
Attorney for (	Owner(s)/Petitioner(s):	Representative to be contacted:
Name- Type or Pr	int	Name — Type or Print
Names Type of Fi		JOLAND
Signature		Signature 10617 POWELL Rd. Thurmont MD
Mailing Address	City State	Mailing Address City State
Zip Code	Telephone # Email Address	ZI788, 301-667-4404, hollercontracting Cac Zip Code Telephone # Email Address
County, this	day of that the subming regulations of Baltimore County.	nd to be required, it is ordered by the Office of Administrative Hearings for Baltimore object matter of this petition be set for a public hearing, advertised, and re-posted as imministrative Law Judge for Baltimore County
CASE NUMBER_	2017-0173-A Filing Date 1	3,2017 Estimated Posting Date 1,15,2017 Reviewer JW

#### **Affidavit in Support of Administrative Variance**

X

My Commission Expires 05-21-2020

(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: 1711 Hunter GreenRd, Upperco	MD State	71155 Zip Code
Based upon personal knowledge, the following are the facts upon Administrative Variance at the above address. (Clearly state process)	on which I/we base the ractical difficulty or I	e request for an hardship here)
Please see affached	·	······································
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(If additional space for the petition request or the above statement i	is needed, label and atta	ch it to this Form)
Alan J. Kellen	ZMM	
	iture of Owner (Affiant)	11
Alan D. Keller	Sottany M	feller
Name- Print or Type Name	e-Print or Type	
The following information is to be completed by a Notary	Public of the State of Ma	aryland
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:		
I HEREBY CERTIFY, this 16th day of December 20 and for the County aforesaid, personally appeared:	<u>l 6 ·</u> , before me a Nota	ary of Maryland, in
Print name (s) here: Allan - D. Keller and Britt	tany. M. Kelle	<u> </u>
the Affiant(s) herein, personally known or satisfactorily identified to m	e as such Affiant(s).	
AS WITNESS my hand and Notaries Seal	hos	
REEMA BHATIA		
NOTARY PUBLIC BALTIMORE COUNTY MARYLAND MY Commission Expires	# 1 <del>7</del>	

REV: 5/5/2016

Being Lot #16 in the subdivision of Hunter Green as recorded in Baltimore County Plat Book #39, Folio #25, containing 3.272 acres. Located in Election District 5 and Council District 3.

The pole barn at 17111 Hunter Green Rd., Upperco, MD 21155 was built taller than allowed in Baltimore County completely by accident. This was the first building in Baltimore County by Holler Contracting. Nowhere else has the height of a building ever come into play, and it was overlooked in this situation.

Usually, when describing pole building size, the height is always expressed as the height of the ceiling and eave walls, not in terms of overall height. Most pole buildings are in an agricultural setting and can be significantly higher than the 15 feet Baltimore County limits structures to, so the height was never questioned.

The plans submitted for the permit showed the actual dimensions of the gable end, but since the plan review was waived, the discrepancy was not picked up until the inspector compared the 12' ceiling height on the permit with the actual building height of approximately 17 feet, so the inspection did not pass. At this point, the entire building is complete except for internal electrical and insulation. For the overage in height to be rectified, basically the entire building would need to be deconstructed, shortened by two feet, all materials resized, and re-erected. This would be very expensive in terms of labor, equipment time, possible replacement material cost if components are damaged during deconstruction, as well as lost opportunity for other work during the deconstruction and rebuilding process. Our estimate as to cost for this process is over \$12,000.00 for labor alone.

It is respectfully requested that the following will be taken into consideration:

- 1) the location of the building is largely hidden by trees from view of neighbors
- 2) behind the building is forest and wetlands at the bottom of unbuildable slope on the same property
- 3) the building is approximately 6 feet lower than the road nearest it's location due to topography
- 4) the building is approximately 150 feet from the center of the road, 66 feet from the side property line
- 5) the financial hardship to make the building meet the height restriction

Zoning Property Description for S.E. side of Hunter Green at 17111

Address: 17111 Hunter Green Rd, Upperco, MD 21155

Currently zoned: Residential
Deed reference: 30313 / 00166
10 digit tax account #: 1700005871

Beginning at a point on the south side of Hunter Green Road, which is (number of feet of right of way width) 15 feet wide at the distance of (number of feet) 43 feet West of the centerline of the nearest improved intersecting street, Hunter Lake Court, which is (number of feet of right of way) 15 feet wide.

Being Lot #16 in the subdivision of Hunter Green as recorded in Baltimore County Plat Book #39, Folio #25, containing 3.272 acres. Located in Election District 5 and Council District 3.

#### 'ARTMENT OF PERMITS, APPR ZONING REVIEW

ALS AND INSPECTIONS

#### ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

ADMINISTRATIVE VARIANCE IN CHIMATION CHEET AND BATES
Case Number 2017- 0173 -A Address 1711 Hunter Green Road
Contact Person: Jeffrey Perlow Phone Number: 410-887-3391
Filing Date: 13217 Posting Date: 152017 Closing Date: 130/2017
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
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.
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.
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- 0173 -A Address 1711 Hunter Green Road
Petitioner's Name Alan & Brittany Keller Telephone 410-374-0007
Posting Date: 1 15 2017 Closing Date: 130 2017
Wording for Sign: To Permit an existing accessory building (pole building) with a height
of 18 feet in lieu of the maximum allowed 15 feet.

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Larry Hogan, Governor Boyd K. Rutherford, Lt. Governor Pete K. Rahn, Secretary Gregory C. Johnson, P.E., Administrator

Date: 1/11/17

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 - 0173-A

Administrative Variance Aland. Britary M. Keller 17111 Hunter Green 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,

Wendy Wolcott, PLA

Metropolitan District Engineer - District 4

Baltimore & Harford Counties

WW/RAZ

#### **BALTIMORE COUNTY, MARYLAND**

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

**DATE:** January 19, 2017

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

يوالعرفانة

**Zoning Advisory Committee Meeting** 

For January 16, 2017

Item No. 2017-0170, 0171, 0172, 0173, 0174, 0175 and 0178

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\ZAC01162017.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:

January 11, 2017

SUBJECT:

**DEPS** Comment for Zoning Item

tem # 2017-0173-A

Address

17111 Hunter Green Road

(Keller Property)

Zoning Advisory Committee Meeting of January 16, 2017.

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

Reviewer:

Steve Ford

Date: 1-11-2017

IN THE MATTER OF

\* BEFORE THE ADMINISTRATIVE

17111 Hunter Green Road

S/s Hunter Green Road,

corner of the SW/s of Hunter Lake Court

5th Election District

3rd Councilmanic District

\* BALTIMORE COUNTY

Legal Owners: Alan and Brittany Keller

\* Case No. 2017-0173-A

ENTRY OF APPEARANCE

Please enter the appearance of Wright, Constable & Skeen, LLP and J. Neil Lanzi,

Esquire on behalf of Robert Shaffer and Stephen Stanton in the above captioned matter.

J. Neil Lanzi

Wright, Constable & Skeen, LLP 102 W. Pennsylvania Avenue Suite 406 Towson, Maryland 21204

(443) 991-5917

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY, that on this  $1^{4}$  day of  $1^{4$ 

J. Neil Lanzi

•	DEPARTMENT OF FIRM	ITS, APPROVALS & INSPECTIONS	5/23/16
Permit # 13,914960	101/3014	MARILAND 21204	Date
Control # /VIII	Property Address 171 Suite/Space/Flor	11 Hunter Green Rd	OEA SHOPE
XRef#	Subdivision	CENCETURED -	Historic District/Building
Receipt # 134287	Tax Account # <u>05 –</u> Will this building have s		Yes No
Fee	Is this property located i	prinklers? Yes No n a floodplain? Yes No	05 01
Paid By			
Inspector	OWNER'S INFORMAT First & Last Name (Indivi	dual) Alan & Britany Keller	. · · · · · · · ·
	Corporation Tyante		<del></del>
•	Address 1711  - City, State, Zip Upp e	truter Green Rd 2000 MD 21155-9402	
<u>г</u>	Seller	<u> </u>	<del></del>
I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE S	APPLICANT INFORMA	ATION	
CORRECT AND TRUE, AND THAT DOING THIS WORK ALL PROVISE	THE MAINS DITTOLD IN	Phone Num	iber <u>301-667</u> - 4404
THE BALTIMORE COUNTY CODE		toller Contracting LLC	
APPROPRIATE STATE REGULATI WILL BE COMPLIED WITH WHET	THER City, State, Zip / 1/12 T	mont MD 21788	
HEREIN SPECIFIED OR NOT, AND REQUEST ALL RÉQUIRED INSPEC	WILL Applicant Signature \( \square \) ITIONS. Business/Tenant Name	E-Mail_	
	Contractor Holley	Contracting WC MHIC #924	18 MHBR#
	EngineerPLANS: CONST_7_PL	OT PLAT ODATA EL T	2 DRC#
TYPE OF IMPROVEMENT	• •		
1. New Bldg Construction 2. Addition	DESCRIBE PROPOSED	WORK: CONSTRUCT FO	UE BANN
3 Alteration	IN REPART P	ROPENTU OF SFD.	201 ×401 ×17 =
4 Repair 5 Wrecking	17 OTEL ANGE	SSORY STRUCTURE	LETTER
6Moving			
7Other	ATTACHED	•	
TYPE OF USE		CAL TO	waive Plays
RESIDENTIAL  01 One Family	NON-RESIDENTIAL  08 Amusement, Recreation, Pla		4
02Two Family	09 Church, Other Religious Bu		
03 Three and Four Family 04 Five or More Family	<ol> <li>10. ——Deleted-——</li> <li>11. ✓ Industrial, Storage Building</li> </ol>		1-0
(enter no. units)	12 Parking Garage		
05Swimming Pool	13 Service Station, Repair Gara		
06Garage 07V Other_Storage	<ol> <li>Hospital, Institutional, Nursi</li> <li>Office, Bank, Professional</li> </ol>	ng Home	
5	16 Public Utility		
T .	17 School, College, Other Educ 18Deleted	ational	•
Foundation Type Basement		staurant (specify type)	
1 Slab	<ol> <li>Swimming Pool (specify type</li> <li>Tank, Tower</li> </ol>	<u>)</u>	- 1
3 Concrete	22 Transient Hotel, Motel (no. t	units)	
	23 Other		
Type of Construction 1 Masonry	Type of Heating Fuel  1 Gas 3 Electricity	Central Air: 1 2	
2 Wood Frame	2Oil 4Coal		,
3 Structure Steel			
4 Reinforced Concrete	m		
Type of Sewage Disposal  IPublie-SewerExists _	<u>Type of Water Sur</u> Proposed 1. Public Syst		
2rivate System	2 nivate Sys	stemExistsProposed	
SepticExists _ PrivyExists _	Proposed Estimated Cost of	Materials and Labor \$ 32, 200,0	<b>8</b>
<u> </u>	Proposed Use SOCIALO		rui I
	Existing Use	0+SHED	
	2Publicly Owned 3Sal		
Residential Category: 1Detach Efficiency # 1-Bedroom #	ed 2Semi-Detached 30 2-Bedroom # 3-Bedroom #	Group 4Townhouse 5Mid-Ris Total Bedrooms Total Apts/Cor	
·		ler Room # Garbage Disposal: 1. []	· · · <u>  </u>
Class Liber Folio	MapParcel	APPROVAL SIGN	ATURES DATE
Building Size Floor 30'× 40'	Lot Size and Setbacks Size 3, 27 AC	BLD INSP	
Width 30	Front Street Honlest Creek Rd	FIRE	-Final 5/23/16
Depth 40	Side Street Honter exel CT	SEDICTL ^	1/2 1 11
Height /2 Stories one	Front Setback 129 1309	- ZONING WAY FIRST	HOW 5/25/16
Lot#s	Side Street Setback	PUB SERV	
	Rear Setback	ENVENTING TO CASO	Danlan 5 23/16
Comer Lot: 1. ☑ Yes 2. ☐ No	Zoning RCZ.	PLANNING PERMITS	
—· —	- · · · -		

APPLICATION FOR PERMIT



#### **Permits, Approvals & Inspections**

111W. Chesapeake Avenue Towson, MD 21204

Report Generated On: 2/25/2016

#### Permit Processing Residential Permit Report

Page 1 of 1

**Property Information** 

Tax Account Number: 1700005871

Plat Ref: 039:025

Election District: 5

Owner Name(s): KELLER ALAN D and KELLER BRITTANY M

PDM#:

Address: 17111 HUNTER GREEN RD

Zoning District(s): RC 2

UPPERCO MD 21155

Premise Address: 17111 HUNTER GREEN RD

Elevation Range: 642ft - 672ft

Internal Alts. Add / Ext. Alts. **Affected Overlays** Instructions: Begin review process with Zoning Review, Room 111. Ref.Walls/Bulk Elec. & Plumb Grading/SW Agency Open Decks Piers/Pilings Acknowledgment **Potential Overlay Issues** Razing **Contact Agency** Growth Tier-4 No New Subdivisions of 4 or More Additional Lots Initial & Date X InFill Lot Review OK To File **PAI-Public Services County Office Building** Room 119 Phone: 410-887-3751 Growth Tier 4 - (No New Subdivisions of 4 or More Additional Lots) Х Dev. Management County Office Building **Room 123** Phone: 410-887-3321

Notice: This report is not inclusive as additional issues may arise which would affect the ability to obtain a building permit. This Report is solely for Departmental use and nothing herein creates any right which would accrue to the applicant. Form171R



## Baltimore County Department of Permits, Approvals & Inspections

# SHEDS AND ACCESSORY STORAGE STRUCTURES: FOUNDATION REQUIREMENTS

Accessory storage buildings of *light frame construction*\* up to 400 sf in area:

No permanent foundation is required, but the building must
be anchored. Eave height must not exceed 10 feet.

Accessory storage buildings greater than 400 sf in area that are not of light frame construction\*:

A permanent foundation supported at least 30" below finished grade is required.

\*light frame construction: structural elements are primarily formed from a system of repetitive wood or cold-formed steel framing members.

NOTE: Permits are required for all accessory structures over 120 square feet

Explanatory Notice to Applicants: When soil freezes, entrapped moisture expands, lifting anything built on top of it. This movement, known as frost heave, can severely damage a building whose foundation is not deep enough. Damage from frost heave is directly proportional to the size and complexity of the structure. The smaller the shed, the more likely it will rise and fall as a unit without differential movement. The addition of windows and doors decreases the likelihood of unity of movement, causing portions of the structure to move out of balance with other portions and thus decrease building function.

For further information, contact Building Inspection at 410-887-3953.

Applicant Haller Contracting, Docal Date 5/23/14
DAVID C LORD



#### **Permits, Approvals & Inspections**

111 W. Chesapeake Avenue Towson, MD 21204

Report Generated On: 4/5/2013

#### Permit Processing Residential Permit Report

Page 1 of 1

**Property Information** 

Tax Account Number: 1700005871

Plat Ref: 0000039:002

**Election District:5** 

Owner Name(s): KELLER ALAN D and KELLER BRITTANY M

Address: 17111HUNTER GREEN RD

UPPERCO,MD 21155

Premise Address: 17111 HUNTER GREEN RD

PDM#:

Zoning District(s): RC 2

Elevation Range: 642ft - 672ft

Affected Overlays	Instructions: Begin review process with Zoning Review, Room 111.			Alts.	fruct.	ks		Grading/SW		Buk		Agency Acknowledgment Initial & Date		
Contact Agency	Potential Overlay Issues			Add / Ext.	Access. Str	Open Decks	Open Decks Piers/Pilings		Tanks	Ret.Walls/Bulk	Razing			
DPW-Public Services County Office Building Room 307 Phone: 410-887-3984	InFill Lot Review	Х										OK To File		
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Notice: This report is not inclusive as additional issues may arise which would affect the ability to obtain a building permit. This Report is solely for Departmental use and nothing herein creates any right which would affect the applicant. Form171R

## Baltimore County Department of Permits, Approvals & Inspections

# SHEDS AND ACCESSORY STORAGE STRUCTURES: FOUNDATION REQUIREMENTS

Accessory storage buildings of *light frame construction*\* up to 600 sf in area:

No permanent foundation is required, but the building must be anchored. Eave height must not exceed 10 feet.

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A permanent foundation supported at least 30" below finished grade is required.

\*light frame construction: structural elements are primarily formed from a system of repetitive wood or cold-formed steel framing members.

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For further information, contact Building Inspection at 410-887-3953

Applicant

#### MAJOR SUBDIVISION FINAL PLANS / 1000 SOUTH ELLWOOD AVENUE

CITY COUNCIL BILL #17-0007 / ZONING -- CONDITIONAL USE PARKING, OFF-STREET GARAGE -- 1000 SOUTH ELLWOOD AVENUE (TO BE KNOWN AS 3033 DILLION STREET)

The date/time group is as follows: March 2, 2017 at 1:30pm

Once the property is posted, please take a couple of digital photos of the posting, one up close showing the text of the sign, and one from farther back showing its placement on the property, and e-mail them to me.

Also attached is the meeting agenda. If you need anything further for the County, let me know.

Regards,

Matthew DeSantis, AICP

City Planner I
Land Use & Urban Design
Baltimore City Department of Planning
417 E. Fayette Street, 8th Floor
Baltimore, MD 21202
(T) 410.396.5622 (F) 410.244.7358
matthew.desantis@baltimorecity.gov

Our Mission: To build Baltimore as a diverse, sustainable and thriving city of neighborhoods and as the economic and cultural driver for the region.



#### Catherine E. Pugh Mayor

#### PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

#### AGENDA March 2, 2017 -- #1924

March 2, 2017 -- #1924



Thomas J. Stosur Director

Working Session 12:00 pm − 1:30 pm Regular Session − 1:30 pm

<u>Live Streaming</u>: The Planning Department has begun Live Webstreaming of all Commission Hearings. To begin live streaming from any enabled device during a scheduled hearing, log on to: <a href="http://livestream.com/accounts/17371294">http://livestream.com/accounts/17371294</a>

<u>Hearing Notice</u>: Anyone interested in receiving future Planning Commission agendas directly may subscribe using this link: <a href="https://public.govdelivery.com/accounts/MDBALT/subscriber/new">https://public.govdelivery.com/accounts/MDBALT/subscriber/new</a>

#### 1:30 PM

- 1. ROLL CALL
- 2. APPROVAL OF MINUTES

#### CONSENT AGENDA

- 3. CIP TRANSFERS
- 4. MINOR SUBDIVISION FINAL PLANS / 640 BERRY STREET (Fourteenth District)
- 5. REVISED FINAL DESIGN APPROVAL & MINOR AMENDMENT (SECONDARY EXIT DRIVE) / PORT COVINGTON PUD #71 301 EAST CROMWELL STREET (Eleventh District)

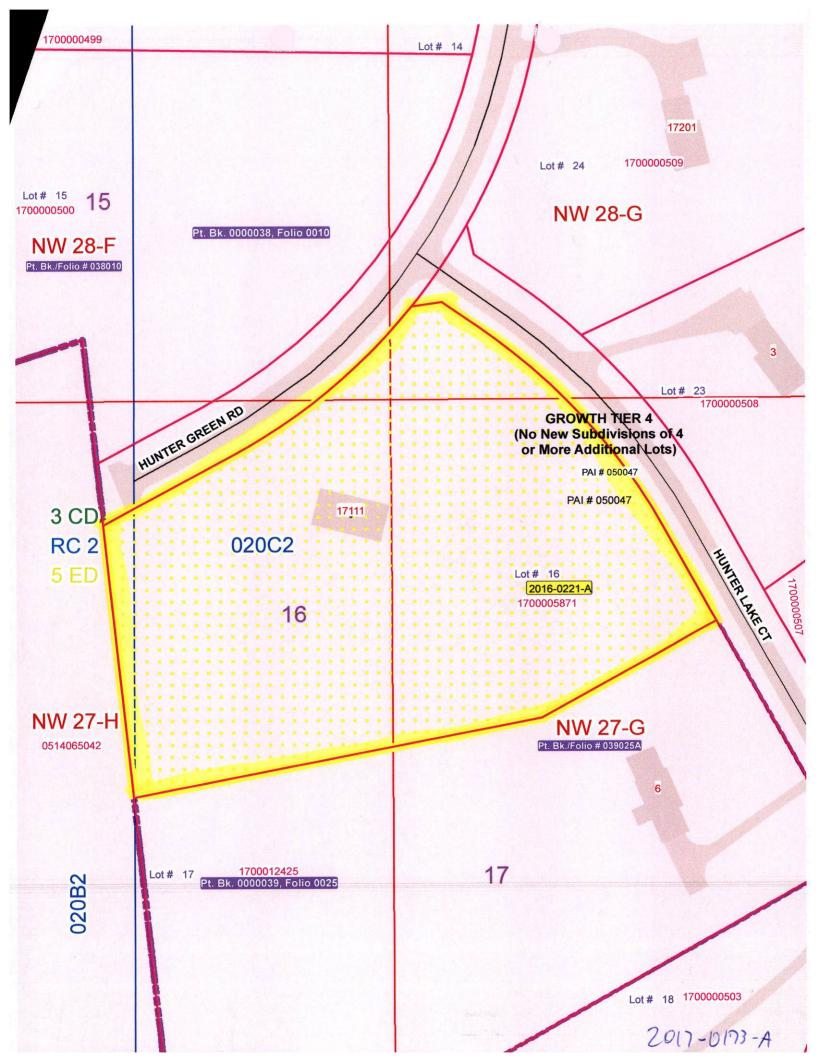
#### **REGULAR AGENDA**

- 6. FY 2018-2023 CAPITAL IMPROVEMENT PROGRAM VOTE (Citywide)
- 7. CITY COUNCIL BILL #17-0016/ ZONING CONDITIONAL USE CONVERSION OF 1 DWELLING UNIT TO 1 DWELLING UNIT AND 1 EFFICIENCY DWELLING UNIT IN THE R-8 ZONING DISTRICT 2823 HUNTINGDON AVENUE (Councilmembers Mary Pat Clarke, Ryan Dorsey, Zeke Cohen, and Robert Stokes, Sr.) For the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as outlined in red on the accompanying plat. (Fourteenth District)

➤ 8. MAJOR SUBDIVISION FINAL PLANS / 1000 SOUTH ELLWOOD AVENUE (First District)

CITY COUNCIL BILL #17-0007 / ZONING - CONDITIONAL USE PARKING, OFF-STREET GARAGE - 1000 SOUTH ELLWOOD AVENUE (TO BE KNOWN AS 3033 DILLION STREET) (Councilmember Zeke Cohen)

For the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as outlined in red on the accompanying plat. (First District)





From yard to left side



view from about 40 feet to Hunter Lake Ct.



RIGHT SIDE LOOKING TO REAR WOODS /4 Westlands

2017-0173-A



from left side look to woods behind (wetlands)

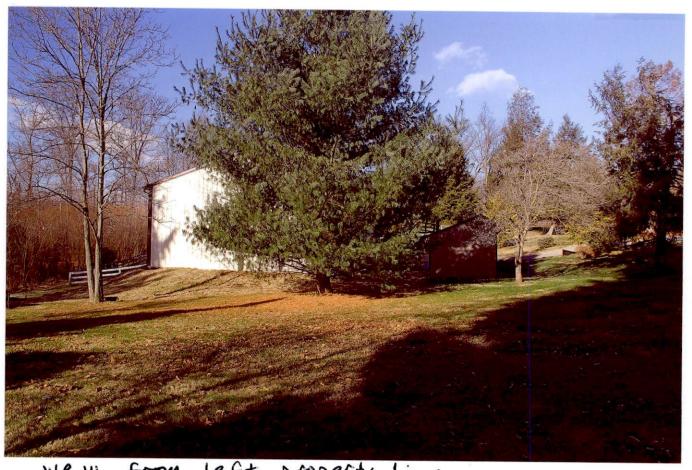
2017-0173-A

AND AND THE DESIGN THE PARTY OF THE PARTY.



Looking left towards neighbor

2017-0173-A



view from left property line

H-ELIO-LIOC



view from SIDE OF Hunter Lake Ct.

2017-0173-1



view from Hunter Lake Ct. across from pale halding

2017-0173-4



From vard to left side.

