

IN RE: PETITION FOR ADMIN. VARIANCE *
(6824 Harewood Park Drive)
15th Election District
6th Council District
Timothy E. Laubach
Petitioner

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2017-0179-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owner of the property, Timothy E. Laubach ("Petitioner"). The Petitioner is requesting Variance relief pursuant to § 400.1 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit an accessory structure (garage) to be erected in the side yard in lieu of the required rear yard placement. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The property is located within the Chesapeake Bay Critical Area (CBCA) and is subject to Critical Area requirements as noted in the ZAC comment dated January 25, 2017 submitted by the Department of Environmental Protection and Sustainability (DEPS).

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on January 15, 2017, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 2-3-17

By [Signature]

The Petitioner has filed the supporting affidavits as required by § 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 Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 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 Petitioner.

Although the Department of Planning did not make any recommendations related to the proposed detached garage height and usage, I will impose conditions that the garage shall not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, and kitchen or bathroom facilities.

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 3rd day of **February, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 400.1 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit an accessory structure (garage) to be erected in the side yard in lieu of the required rear yard placement, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

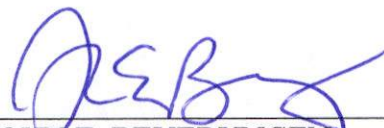
Date 2-3-17

By [Signature]

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Petitioner or subsequent owners shall not convert the garage into a dwelling unit or apartment. The garage shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.
3. The garage shall not be used for commercial purposes.
4. The Petitioner must comply with the ZAC comments submitted by DEPS, dated January 25, 2017; a copy of which is attached hereto and made a part hereof.

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

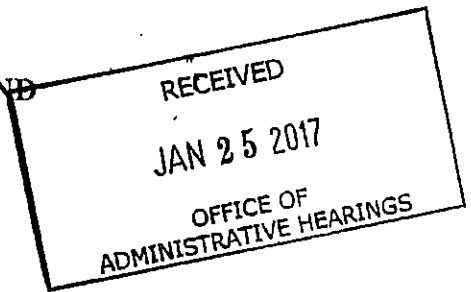
ORDER RECEIVED FOR FILING

Date 2-3-17

By dlw

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 25, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0179-A
Address 6824 Harewood Park Drive
(Laubach Property)

Zoning Advisory Committee Meeting of **January 23, 2017**

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

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

The subject property is located within a Limited Development Area (LDA) and is subject to Critical Area requirements. The applicant is proposing to construct a garage with less side yard setback than permitted. The proposed garage and driveway are not within the 100-foot buffer. The lot is not waterfront, and the proposed garage must meet all LDA requirements, including lot coverage limits and afforestation. Existing and proposed lot coverage is not provided. The lot area is 14,400 square feet, so the maximum lot coverage permitted with mitigation is 31.25% (4,500 square feet). 5 trees are required on site to meet the afforestation requirement. The plan does not specify if there are existing trees on site and if they will remain. If the lot coverage and afforestation requirements can be met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

ORDER RECEIVED FOR FILING

Date 2-3-17

By DW

2. Conserve fish, plant, and wildlife habitat;

This property is waterfront. No impacts are proposed within the 100-foot buffer. If the lot coverage and afforestation requirements will be met, then that will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

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

If the lot coverage and afforestation requirements can be met, then the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

Date: January 24, 2017

ORDER RECEIVED FOR FILING

Date 2-3-17

By lw



KEVIN KAMENETZ
County Executive

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

February 3, 2017

Timothy E. Laubach
6824 Harewood Park Drive
Baltimore, MD 21220

RE: Petition for Administrative Variance
Case No. 2017-0179-A
Property: 6824 Harewood Park Drive

Dear Mr. Laubach:

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", followed by a horizontal line.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure



CBCA

ADMINISTRATIVE ZONING PETITION

Flood

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 6824 Harewood PK. DR. Currently zoned DRS-5
Deed Reference 37637100207 10 Digit Tax Account # 1513751730
Owner(s) Printed Name(s) Timothy E. Laubach

(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: 400.1 → To permit an accessory structure (garage) to be erected in the side yard in lieu of the required rear yard placement.

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):

Timothy E. Laubach

Name #1 - Type or Print

Name #2 - Type or Print

Timothy E. Laubach

Signature #1

Signature #2

6824 Harewood Pl. DR. Middle River Md. 21220

Mailing Address

City

State

21220 4102741708 TimothyLaubach27@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:

Timothy E. Laubach

Name - Type or Print

Timothy E. Laubach

Signature

6824 Harewood Pl. DR. Middle River Md. 21220

Mailing Address

City

State

21220 4102741708 TimothyLaubach27@gmail.com

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 2017-0179-A Filing Date 1/6/17 Estimated Posting Date 1/15/17 Reviewer JS

ORDER RECEIVED FOR FILING

Date 2-3-17

By [Signature]

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: 6824 Harwood Plc Dr. Middle River Md. 21250
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)

My daughter has cerebral palsy, she resides at my address. I need to establish a means by which she will be able to leave and reenter the home on her own. She is involved in programs where as, she will have to be mobile. Her equipment will be stored in the garage, where she will gain access to it, and be at ground level for her to go from the home, to the bus, picking her up and dropping her off. From the garage, she will gain access to the home or return. Right now, I have to carry all her equipment in and out of the home. She cannot do this on her own. This is a hardship that needs to be corrected ASAP. I applied for a building permit in Sept. 2016, I would have put the garage in my back yard, but, environmental impact wouldn't sign off. This is an alternate plan.

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

Signature of Owner (Affiant)

Signature of Owner (Affiant)

Name- Print or Type

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 Harford BALTIMORE, to wit:

I HEREBY CERTIFY, this 5 day of January, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here:

Timothy E Laubach

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

AS WITNESS my hand and Notaries Seal

Jennifer A. Schull
Notary Public
Harford County, Maryland
My Commission Expires
October 13, 2019

Notary Public

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: 6824 Harwood Plc Dr. Middle River Md. 21220
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)

My daughter has cerebral palsy, she resides at my address. I need to establish a means by which she will be able to leave and reenter the home on her own. She is involved in programs where as, she will have to be mobile. Her equipment will be stored in the garage, where she will gain access to it, and be at ground level for her to go from the home to the bus, picking her up and dropping her off. From the garage, she will gain access to the home or return. Right now, I have to carry all her equipment in and out of the home. She can not do this on her own. This is a hardship that needs to be corrected ASAP. I applied for a building permit in Sept. 2016, I would have put the garage in my back yard, but, Environmental Impact wouldn't sign off. This is an alternate plan.

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

Signature of Owner (Affiant)

Signature of Owner (Affiant)

Name- Print or Type

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 5 day of January, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here:

Timothy E Laubach

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

AS WITNESS my hand and Notaries Seal

Notary Public

My Commission Expires

Jennifer A. Schull
Notary Public
Harford County, Maryland
My Commission Expires
October 13, 2019

REV. 5/8/2014



CBCA

ADMINISTRATIVE ZONING PETITION

Floor 1

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 6824 Harewood PK. DR. Currently zoned RES-5
 Deed Reference 37637100207 10 Digit Tax Account # 1513751730
 Owner(s) Printed Name(s) Timothy E. Laubach

(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: 400.1 → To permit an accessory structure (garage) to be erected in the side yard in lieu of the required rear yard placement.

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):

Timothy E. Laubach

Name #1 - Type or Print

Name #2 - Type or Print

Timothy E. Laubach

Signature #1

Signature #2

6824 Harewood PK DR. Middle River Md. 21220

Mailing Address

City

State

21220 4102741708 TimothyLaubach27@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:

Timothy E. Laubach

Name - Type or Print

Timothy E. Laubach

Signature

6824 Harewood PK DR. Middle River Md. 21220

Mailing Address

City

State

21220 4102741708 TimothyLaubach27@gmail.com

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 2017-0179-A Filing Date 1/6/17 Estimated Posting Date 1/15/17 Reviewer JS

ORDER RECEIVED FOR FILING

Date 2-3-17By DSW

Rev 5/8/2014

Timothy E. Laubach

6824 Harewood Pk Dr. Middle River Md. 21220

410-274-1708 timothylaubach27@gmail.com



December 21, 2016

Baltimore County Petition Legal Property Description

6824 Harewood Pk Dr. Middle River Md 21220

Zoning Property legal Description For 6824 Harewood Pk Dr. Middle River Md 21220, beginning at a point on the north east side of Harewood Pk Dr. , property fronts 25 feet right-of-way by 150 +/- feet wide, north west of the centerline of the nearest improved intersection, Princeton Road, which is 15 feet right-of-way.

Being known as lot number's, 593,594,595,and 596, block 6, in the subdivision of Harewood Park, duly recorded in the office of the clerk of the circuit court for Baltimore County in plat book WPC No.7, at Folio #131, containing 14,400 square feet of lot. Located in the 15th Election District, and the 6th Council District.

The improvements thereon being known as 6824 Harewood Park Dr.

Timothy E. Laubach



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

NO 147487

Date: 1/6/17

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
601	806	0000		650				\$75.00

Total: \$75.00

Rec From: 2017-0179-A

For: LABACH

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME BWM
1/07/2017 1/06/2017 10:53:04 2
REG 0502 WALKIN JEE
RECEIPT # 996694 1/06/2017 OFLN
Dept 5 529 ZONING VERIFICATION
CC NO. 147487

Receipt Tot \$75.00
\$0.00 CR \$75.00 CR
Baltimore County, Maryland

**CASHIER'S
VALIDATION**

CERTIFICATE OF POSTING

2017-0179-A

RE: Case No.: _____

Petitioner/Developer: _____

Tim Laubach

January 30, 2017

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

6824 Harwood Park Drive

January 15, 2016

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



Sincerely,

January 15, 2016

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

**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: 2017-0179-A
Property Address: 6824 HAREWOOD PARK DR., 21220
Property Description: _____

Legal Owners (Petitioners): TIMOTHY LAUBACH
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: TIMOTHY LAUBACH
Company/Firm (if applicable): _____
Address: 6824 HAREWOOD PARK DR.
MIDDLE RIVER, MD 21220

Telephone Number: 410-274-1708

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2017- 0179 -A Address 6824 HAREWOOD PARK DRIVE

Contact Person: JASON SEIDELMAN Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 1/6/17 Posting Date: 1/15/17 Closing Date: 1/30/17

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- 0179 -A Address 6824 HAREWOOD PARK DRIVE

Petitioner's Name LAUBACH Telephone 410-274-1708

Posting Date: 1/15/17 Closing Date: 1/30/17

Wording for Sign: TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) TO BE ERECTED
IN THE SIDE YARD IN LIEU OF THE REQUIRED REAR YARD PLACEMENT.

Revised 7/6/16



KEVIN KAMENETZ
County Executive

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

January 31, 2017

Timothy E Laubach
6824 Harewood Park Drive
Middle River MD 21220

RE: Case Number: 2017-0179 A, Address: 6824 Harewood Park Drive

Dear Mr. Laubach:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 6, 2017. 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

RECEIVED

FEB 1 2017

DEPARTMENT OF PERMITS
APPROVALS AND INSPECTIONS

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: January 27, 2017

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

SUBJECT: Zoning Advisory Committee Meeting
For January 23, 2017
Item No. 2017-0179, 0180, 0181, 0182, 0184 and 0185

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\ZAC01232017.doc

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



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

Date: 1/17/17

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. 2017-0179-A

*Administrative Variance
Timothy E. Loubach
6824 Harwood Park 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 "Richard Zeller".

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

WW/RAZ

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 25, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0179-A
Address 6824 Harewood Park Drive
(Laubach Property)

Zoning Advisory Committee Meeting of **January 23, 2017**

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

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

The subject property is located within a Limited Development Area (LDA) and is subject to Critical Area requirements. The applicant is proposing to construct a garage with less side yard setback than permitted. The proposed garage and driveway are not within the 100-foot buffer. The lot is not waterfront, and the proposed garage must meet all LDA requirements, including lot coverage limits and afforestation. Existing and proposed lot coverage is not provided. The lot area is 14,400 square feet, so the maximum lot coverage permitted with mitigation is 31.25% (4,500 square feet). 5 trees are required on site to meet the afforestation requirement. The plan does not specify if there are existing trees on site and if they will remain. If the lot coverage and afforestation requirements can be met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is waterfront. No impacts are proposed within the 100-foot buffer. If the lot coverage and afforestation requirements will be met, then that will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

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

If the lot coverage and afforestation requirements can be met, then the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

Date: January 24, 2017

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

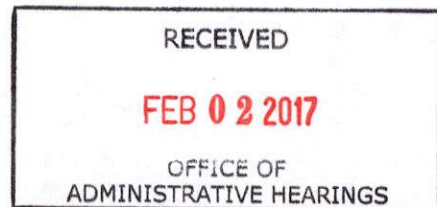
TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: January 27, 2017

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

SUBJECT: Zoning Advisory Committee Meeting
For January 23, 2017
Item No. 2017-0179, 0180, 0181, 0182, 0184 and 0185

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\ZAC01232017.doc

M E M O R A N D U M

DATE: March 7, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0179-A – Appeal Period Expired

The appeal period for the above-referenced case expired on March 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

Note to Hearing Officer:

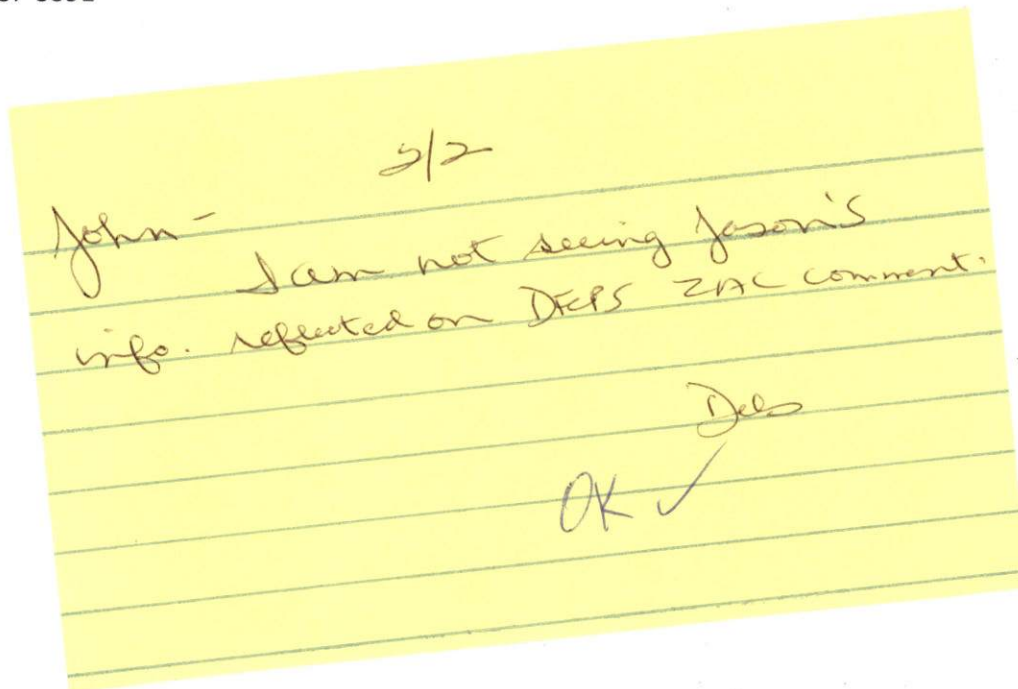
Sir,

Environmental has determined that placing the proposed garage in the rear yard would cause there to be too much impervious area on the property (this property is in the CBCA). Environmental asked that the proposed garage be located in the side yard where there is already a gravel driveway.

Jason Seidelman

Zoning Review

410-887-3391



Debra Wiley

From: Debra Wiley
Sent: Thursday, February 02, 2017 12:45 PM
To: Dennis A Kennedy
Subject: RE: Case No. 2017-0170-A - ZAC Comment Missing

Dennis,

Thanks but unfortunately it wasn't included in the case file when we received it yesterday.

From: Dennis A Kennedy
Sent: Thursday, February 02, 2017 11:28 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: RE: Case No. 2017-0170-A - ZAC Comment Missing

Deb:
We had included 2017-0179 with our "No Comment" memo. See attached.
Dennis

From: Debra Wiley
Sent: Thursday, February 02, 2017 11:16 AM
To: Dennis A Kennedy <DKennedy@baltimorecountymd.gov>
Subject: RE: Case No. 2017-0170-A - ZAC Comment Missing

Great, can I use your email as a "no comment" then.

Thanks; it is appreciated.

From: Dennis A Kennedy
Sent: Thursday, February 02, 2017 11:09 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: RE: Case No. 2017-0170-A - ZAC Comment Missing

Hi Deb:
The site is **not** within a flood plain, despite other indications.
Dennis

From: Debra Wiley
Sent: Thursday, February 02, 2017 8:44 AM
To: Dennis A Kennedy <DKennedy@baltimorecountymd.gov>
Subject: FW: Case No. 2017-0170-A - ZAC Comment Missing

Good Morning.

Sorry I mean 2017-0179 – not 170.

Thanks in advance.

*No
Kennedy
Comment*

*Dominick
per June
1-31*

From: Debra Wiley
Sent: Wednesday, February 01, 2017 10:19 AM
To: Dennis A Kennedy <DKennedy@baltimorecountymd.gov>
Subject: Case No. 2017-0170-A - ZAC Comment Missing

Good Morning Dennis,

I am in receipt of Case No. 2017-0179-A (administrative variance – closing date of 1/30/17) which states is CBCA and Flood. However, it's missing a ZAC comment from your section.

I have provided the case description below for your convenience.

Thanks in advance.

CASE NUMBER: 2017-0179-A

6824 HAREWOOD PARK DR.

Location: NE/S of Harewood Park Drive, 125 ft. NW of the c/line of the intersection with Princeton Road

15th Election District, 6th Council District

Legal owner: Timothy E. Laubach

ADMINISTRATIVE VARIANCE To permit an accessory structure (garage) to be erected in the side yard in lieu of the required rear yard placement.

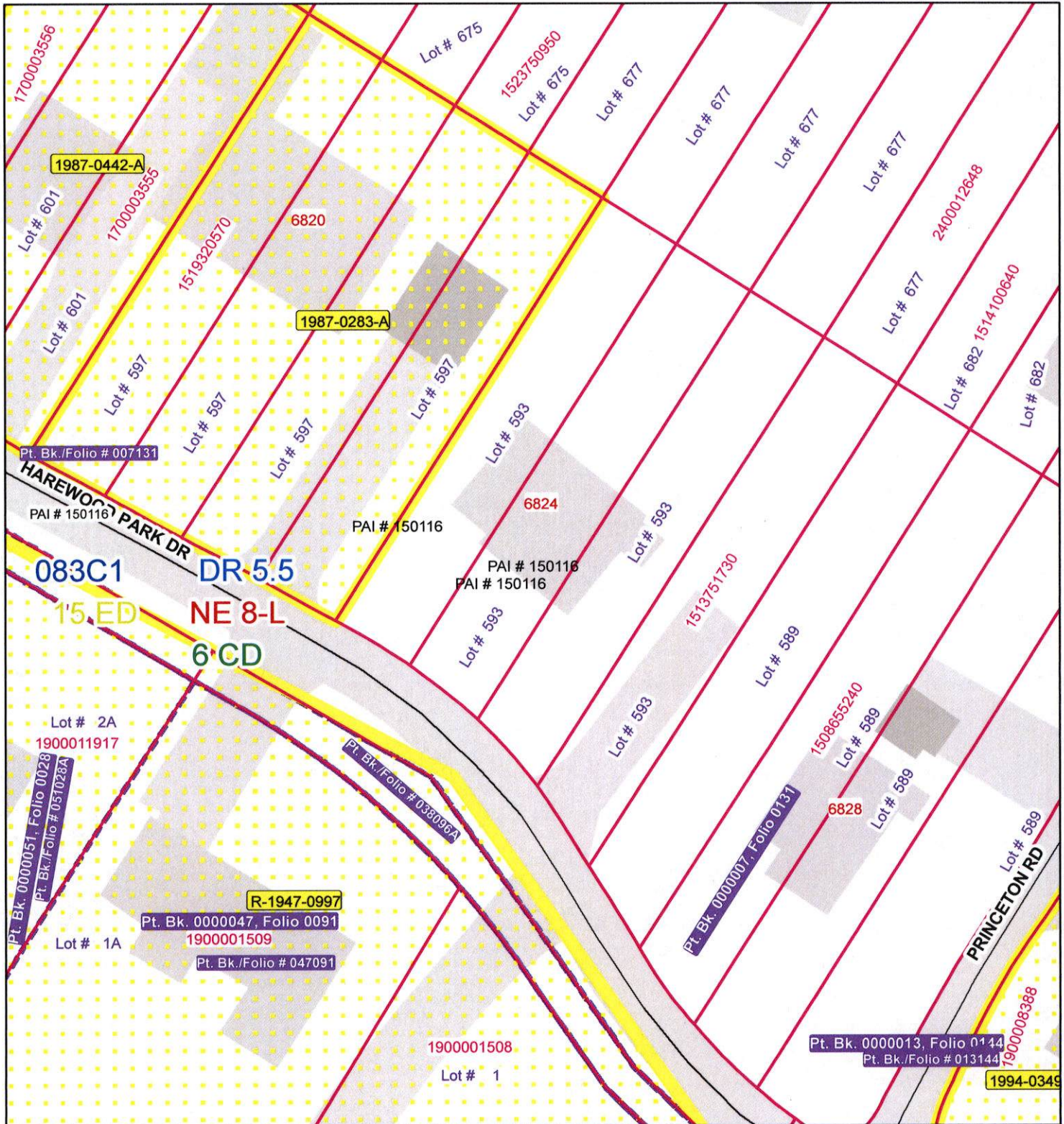
Debra Wiley
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

Real Property Data Search **Guide to searching the database**

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 1513751730			
Owner Information					
Owner Name:	LAUBACH TIMOTHY E		Use:	RESIDENTIAL	
Mailing Address:	6824 HAREWOOD PARK DR BALTIMORE MD 21220-0000		Principal Residence:	YES	
			Deed Reference:	/37637/ 00207	
Location & Structure Information					
Premises Address:		6824 HAREWOOD PARK DR BALTIMORE 21220-1027		Legal Description:	LTS 593-596 6824 HAREWOOD PARK DR HAREWOOD PARK
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0083	0006	0258		0000	
					Block:
					6
					Lot:
					593
					Assessment Year:
					2015
					Plat No:
					0007/
					Plat Ref:
					0131
Special Tax Areas:			Town:		
			NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area		Finished Basement Area		Property Land Area
1973	1,256 SF				14,400 SF
					County Use
					04
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1	YES	STANDARD UNIT	SIDING	2 full	
Value Information					
		Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2016 As of 07/01/2017	
Land:		87,300	87,300		
Improvements		92,500	85,200		
Total:		179,800	172,500	172,500	172,500
Preferential Land:		0			0
Transfer Information					
Seller: SECRETARY OF HOUSING AND URBAN DEVELOPMENT		Date: 06/15/2016		Price: \$160,640	
Type: NON-ARMS LENGTH OTHER		Deed1: /37637/ 00207		Deed2:	
Seller: CLARK TONIA L		Date: 10/28/2015		Price: \$293,094	
Type: ARMS LENGTH IMPROVED		Deed1: /36813/ 00470		Deed2:	
Seller: CLARK ALBERT E		Date: 09/24/2013		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /34255/ 00037		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 08/24/2016					

6624 Harewood Park Drive



Publication Date: 10/14/2016



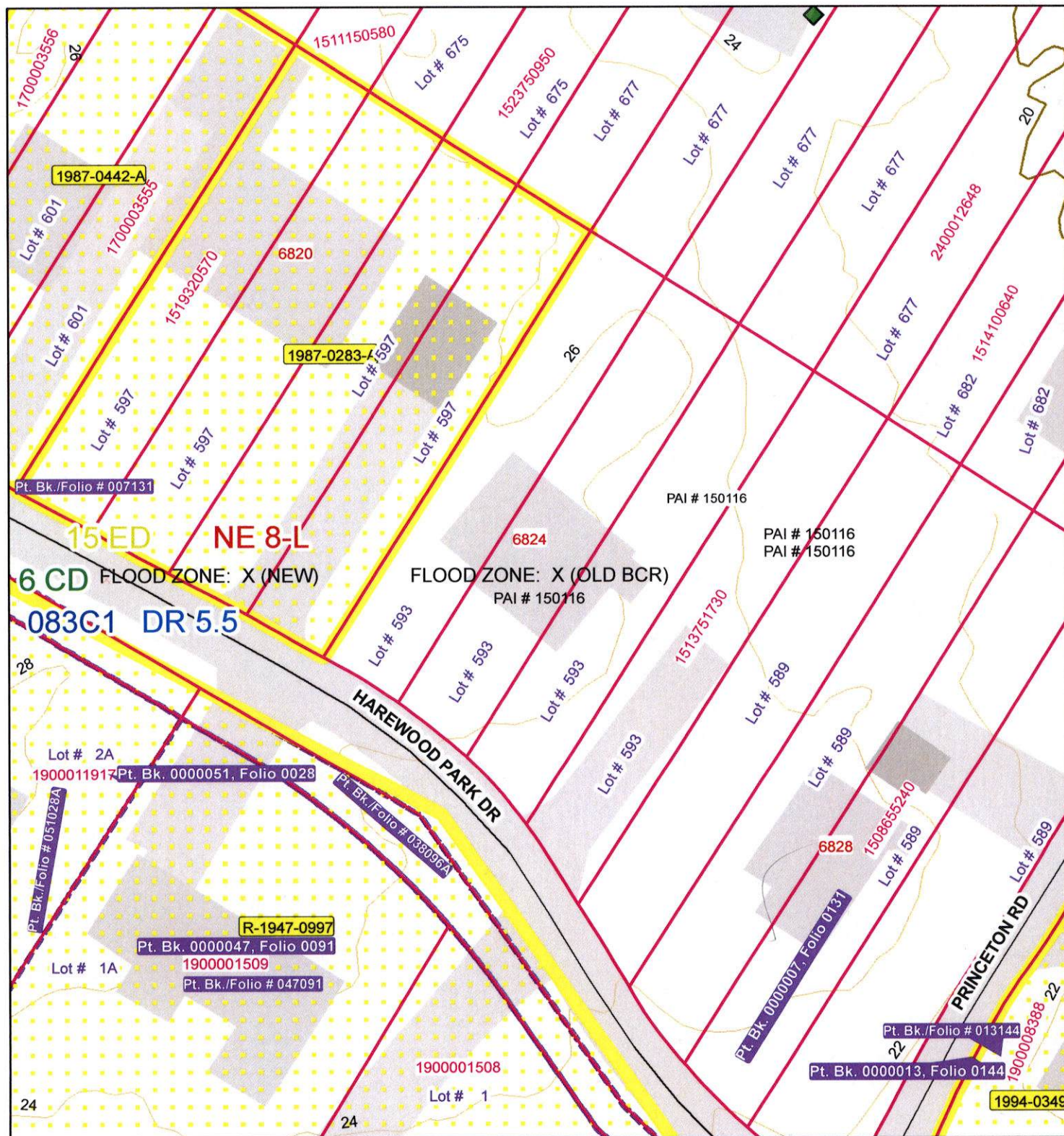
Publication Agency: Permits, Approvals & Inspections
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



0 10 20 40 60 80 Feet

1 inch = 40 feet

Elevations



Publication Date: 10/14/2016



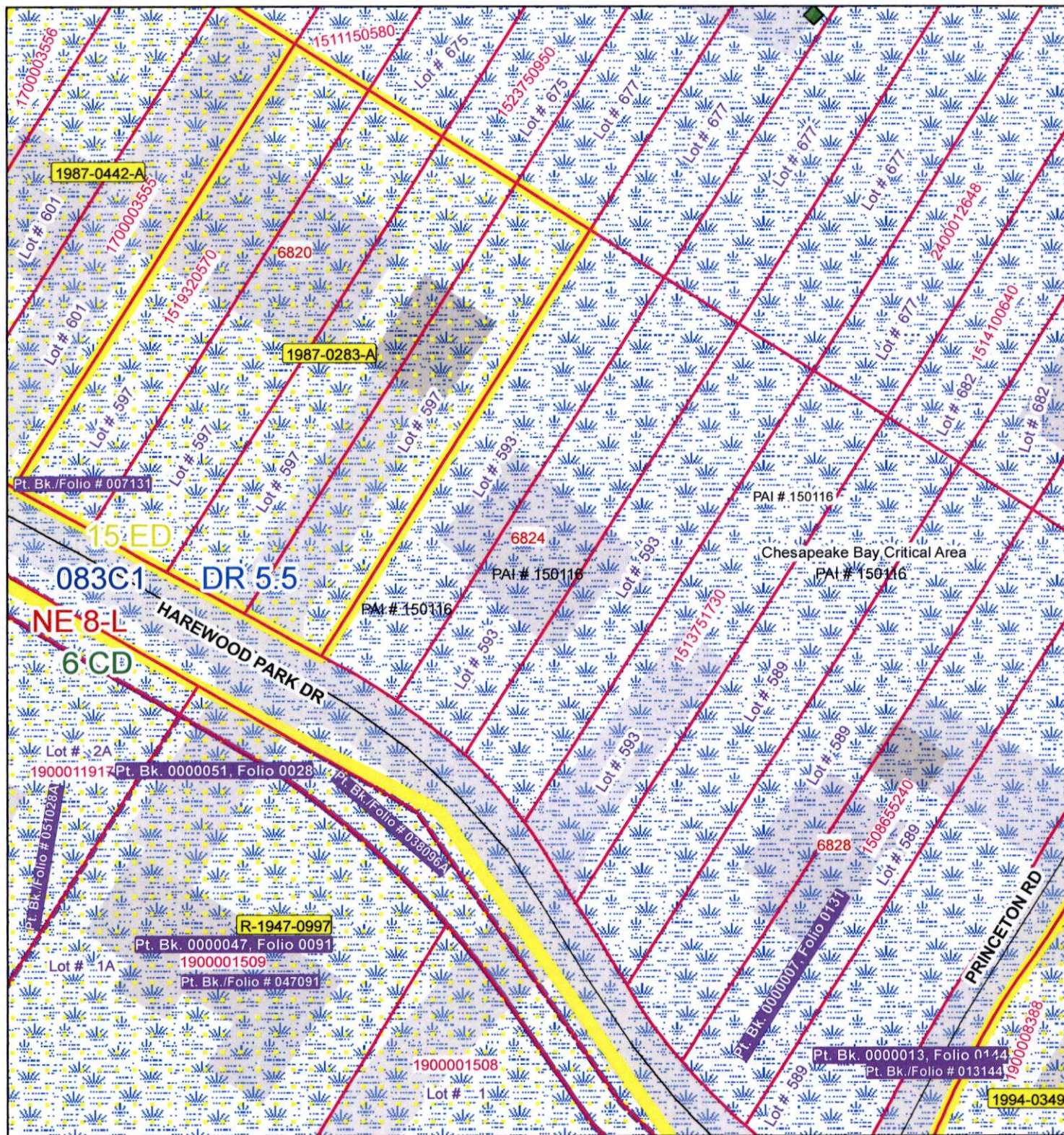
Publication Agency: Permits, Approvals & Inspections
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



0 10 20 40 60 80 Feet

1 inch = 40 feet

Chesapeake Bay Critical Area



Publication Date: 10/14/2016



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 10 20 40 60 80 Feet

1 inch = 40 feet

PICTURE PACK

Jason Seidelman

From: Laubach, Timothy <Timothy.Laubach@grainger.com>
Sent: Friday, January 06, 2017 3:19 PM
To: Jason Seidelman
Cc: Laubach, Timothy
Subject: FW: Garage Pics
Attachments: IMG_1647.JPG; ATT00001.txt; IMG_1646.JPG; ATT00002.txt; IMG_1645.JPG; ATT00003.txt; IMG_1644.JPG; ATT00004.txt; IMG_1643.JPG; ATT00005.txt; IMG_1642.JPG; ATT00006.txt; IMG_1647.jpg.

Picture # IMG 1647

View of the back yard where we initially proposed to put the garage knowing that Baltimore County would prefer it to be there. According to Mr. Jeremiah Spica with Environmental Impact, he was not going to sign off on it, so we had to go to plan B, which is why I am filing for this Petition.

Picture # IMG 1646

This is a picture from the other side of the back yard showing the area where we initially proposed the garage to be built. We thought it was the ideal place for it, but again, Mr. Jeremiah Spica said it wasn't going to happen.

Picture # IMG 1645

Picture of the same area from the front and side of the home, but not allowed to be built there.

Picture # IMG 1644

Picture from the front wall of the house, showing where the garage will now be built if this petition for variance is approved.

Picture # IMG 1643

Picture of the front of the home from other side of the front yard and still showing where the newly proposed garage will be built.

Picture # IMG 1642

Picture showing the side yard where we now hope to build a garage. The front wall of the garage will be even with the front wall of the home. It will make access easier for my daughter to get from the home to the garage, get her equipment, and catch the bus to go to her programs.

Picture # IMG 1647

Another picture showing where we originally filed for a permit to build the garage, but was told no by Mr. Jeremiah Spica. We really need this Petition For Variance to be successful.

Thanks and Have a Great Day.

Timothy Laubach
On-Site Service Consultant | Grainger Industrial Supplies
8820 Citation Rd Baltimore, Maryland 21221 | Cell: 410-274-1708
Fax: 410-686-3726
Timothy.laubach@grainger.com | www.grainger.com

91CTURE BACK

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

From: Laubach, Timothy

Sent: Friday, January 06, 2017 2:43 PM

To: Laubach, Timothy

Subject: Garage Pics

Ch91 5W1



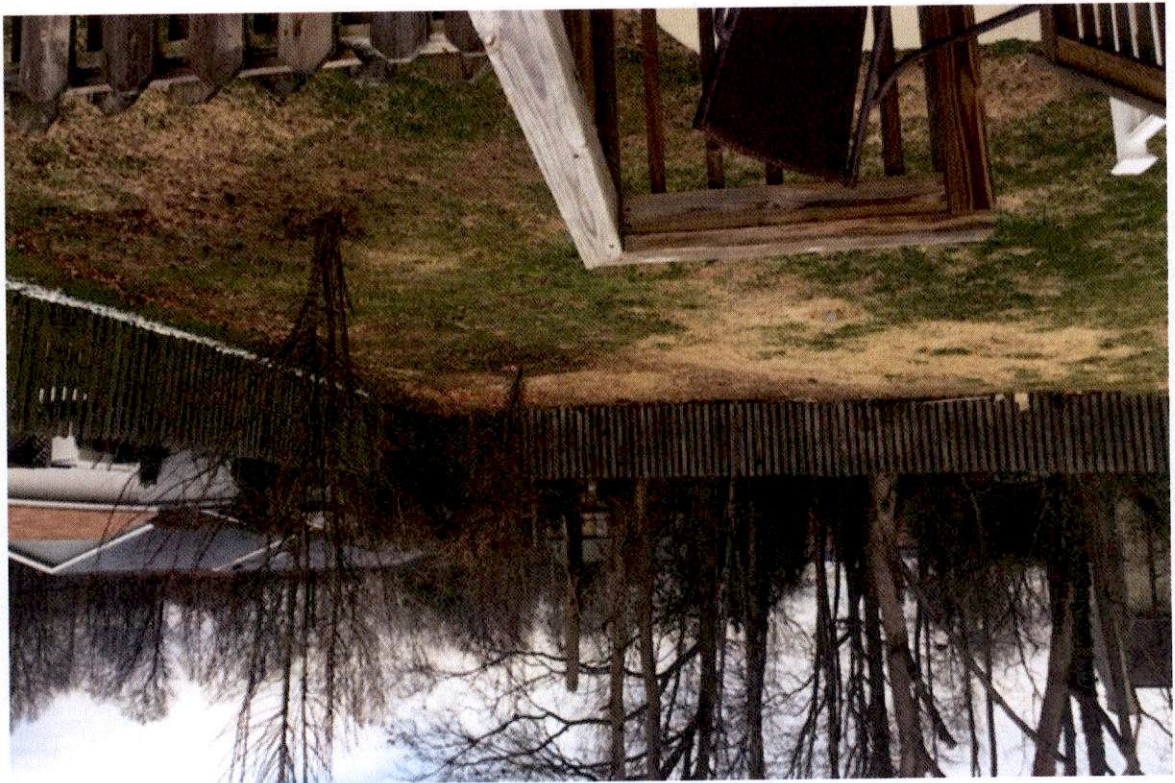


IMG 1643

hh91 5W1



5h91 6w1



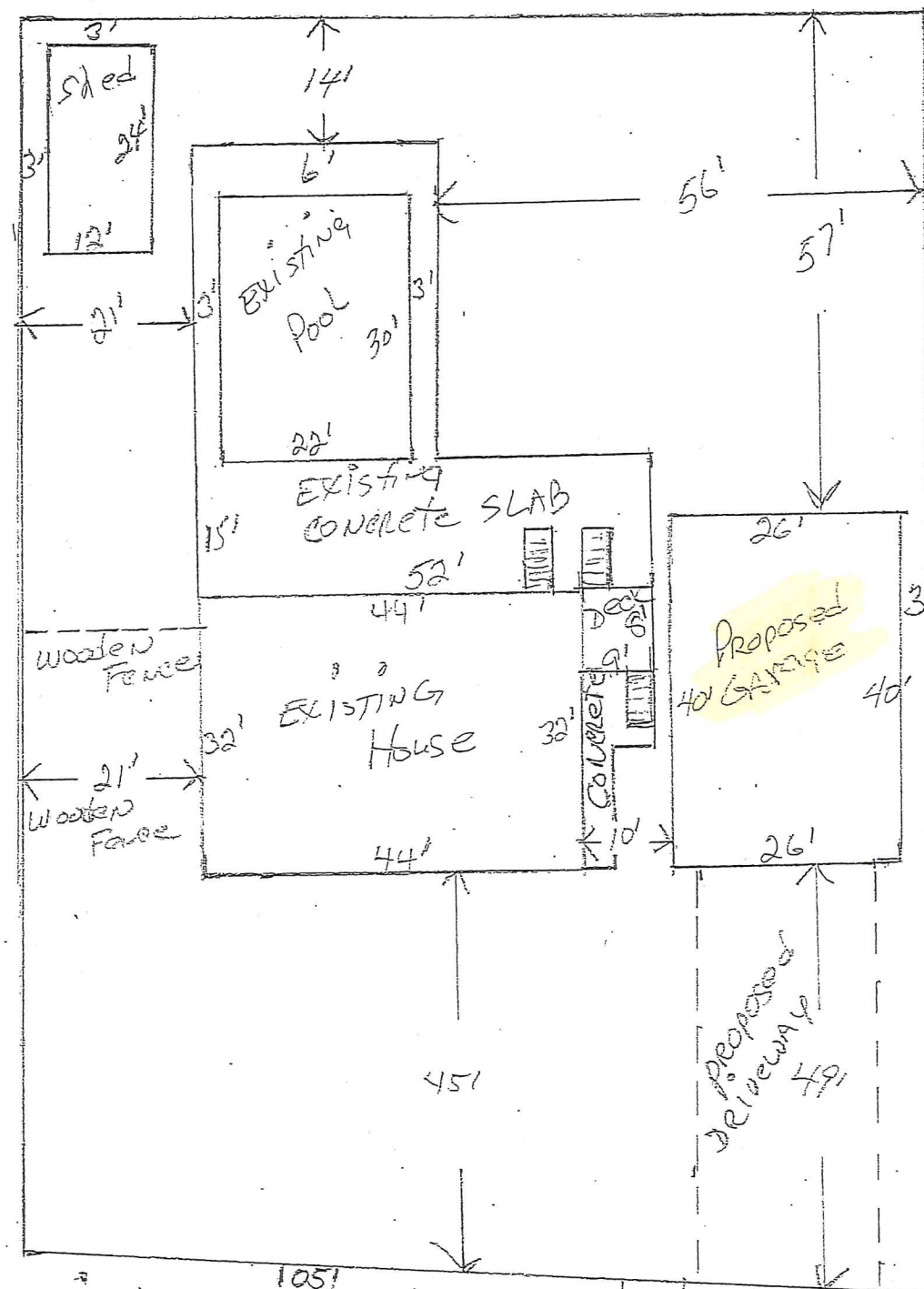


IMG 1646

LH91 5W1



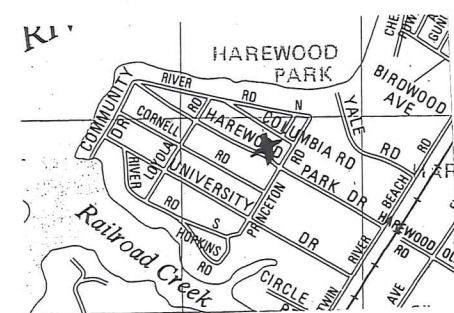
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 6824 HAREWOOD PK. DR. OWNER(S) NAME(S) TIMOTHY E. LAUBACH
 SUBDIVISION NAME HAREWOOD PARK LOT # 593 BLOCK # 6 SECTION # _____
 PLAT BOOK # 0007/013 FOLIO # 131 10 DIGIT TAX # 1513751730 DEED REF. # 37637100207



PLAN DRAWN BY TIMOTHY E. LAUBACH DATE 10/20/2016 SCALE: 1 INCH = 20 FEET

6824 HAREWOOD PK. DR. ———— 15' Street centerline

SITE VICINITY MAP



N



MAP IS NOT TO SCALE

ZONING MAP# 083C1

SITE ZONED DR 5.5

ELECTION DISTRICT 15th

COUNCIL DISTRICT 6th

LOT AREA ACREAGE _____

OR SQUARE FEET 14,400

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? yes

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? N/A

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

Pet. Exh. 1

2017-0179-A