IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(14012 Fox Hill Road)		
8th Election District	*	OFFICE OF ADMINISTRATIVE
3rd Council District		
Jeffrey A. & Michelle C. Ruback	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	**CASE NO. 2017-0198-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, Jeffrey A. & Michelle C. Ruback ("Petitioners"). The Petitioners are requesting Variance relief from §§ 1B01.2.C and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an open projection deck with a rear yard setback of 16.7 ft. in lieu of the required 22.5 ft. 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 February 12, 2017, 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

ORDER RECEIVED FOR FILING

Date 3-8-17

By

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 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 **8th** day of **March, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from §§ 1B01.2.C and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an open projection deck with a rear yard setback of 16.7 ft. in lieu of the required 22.5 ft., 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.

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 3-8-17
By DW

KEVIN KAMENETZ
County Executive

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

March 8, 2017

Jeffrey A. & Michelle C. Ruback
14012 Fox Hill Road
Sparks, MD 21152

RE: Petition for Administrative Variance
Case No. 2017-0198-A
Property: 14012 Fox Hill Road

Dear Mr. and Mrs. Ruback:

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

c: Ryan Tolson, 10509 Stahl Road, White Marsh, MD 21162

ADI___ IISTRATIVE ZONING PE ___ION

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 14012 Fox Hill Road **Currently zoned** DR-10.5

Deed Reference 37908/00026 **10 Digit Tax Account #** 2 5 0 0 0 1 2 1 0 3

Owner(s) Printed Name(s) Jeffrey + Michelle Ruback

(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. X **ADMINISTRATIVE VARIANCE** from Section(s) 1B01.2.C & 301.1.A BCZR.
To permit an open projection deck with a rear yard setback of 16.7' in lieu of the required 22.5'.

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):

Jeffrey Ruback / Michelle Ruback
Name #1 – Type or Print / Name # 2 – Type or Print

Signature #1 / Signature # 2

14012 Fox Hill Rd Sparks MD
Mailing Address City State

21152 / 443-462-2033 / JeffRuback@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

ORDER RECEIVED FOR FILING
Date 3-8-17
By

Representative to be contacted:

Ryan Tolson
Name – Type or Print

Signature

10509 Stahl Rd. White Marsh, MD
Mailing Address City State

21162 / 410-258-2308 /
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

My Commission Expires
March 9, 2020

CASE NUMBER 2017-0198-A **Filing Date** 1/31/17 **Estimated Posting Date** 2/17/17 **Reviewer** JR

Rev 5/5/2016

Affidavit in Support 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: 14012 Fox Hill Road Sparks MD 21152

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)**

Our property located at 14012 Fox Hill Road Lot #28 has a rear setback of 22.5' to construct an open deck on the rear of the dwelling. We currently with the 22.5' setback would only be able to extend the open deck 10' into the rear yard. We are asking Baltimore County Zoning Regulations to approve a deck (open projection) with a rear yard setback of 16.5' in lieu of the required 22.5'. This variance if requested would make for a useful deck that would fit the home and be functional. Also this deck would help in the future for resale value of the home. Similar homes in the neighborhood have decks that extend 18' from the rear. This variance in no way would adversely affect the health, safety or general welfare of the Public. Strict compliance with current B.C.Z.R. would definetly hinder the future sale of our home.

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

Signature of Owner (Affiant)

Jeffrey Ruback

Name- Print or Type

Signature of Owner (Affiant)

Michelle Ruback

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 3rd day of January, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Jeffrey Ruback and Michelle Ruback

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

AS WITNESS my hand and Notaries Seal

Martin Marie Patter

Notary Public

March 9, 2020

My Commission Expires

My Commission Expires March 9, 2020

REV. 5/5/2016

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: 14012 Fox Hill Road (Print or Type Address of property) Sparks (City) MD (State) 21152 (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)**

Our property located at 14012 Fox Hill Road lot #28 has a rear setback of 22.5' to construct an open deck on the rear of the dwelling. We currently with the 22.5' setback would only be able to extend the open deck 10' into the rear yard. We are asking Baltimore County Zoning Regulations to approve a deck (open projection) with a rear yard setback of 16.5 in lieu of the required 22.5'. This variance if requested would make for a useful deck that would fit the home and be functional. Also this deck would help in the future for resale value of the home. Similar homes in the neighborhood have decks that extend 18' from the rear. This variance in no way would adversely affect the health, safety or general welfare of the public. Strict compliance with current B.C.Z.R. would definetly hinder the future sale of our home.

(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)

Jeffrey Ruback
Name- Print or Type

Michelle Ruback
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 3rd day of January, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Jeffrey Ruback and Michelle Ruback

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

AS WITNESS my hand and Notaries Seal

Notary Public

March 9, 2020
My Commission Expires

My Commission Expires March 9, 2020

REV. 5/5/2016

ADI.... IISTRATIVE ZONING PE 'ION

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 14012 Fox Hill Road **Currently zoned** DR 10.5

Deed Reference 37908/00026 **10 Digit Tax Account #** 2 5 0 0 0 1 2 1 0 3

Owner(s) Printed Name(s) Jeffrey + Michelle Ruback

(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. X **ADMINISTRATIVE VARIANCE** from Section(s) 1B01.2.c & 301.1.A BCZR
To permit an open projection deck with a rear yard setback of 16.7' in lieu of the required 22.5'.

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):

Jeffrey Ruback / Michelle Ruback
Name #1 – Type or Print / Name # 2 – Type or Print

Signature #1 / Signature # 2

14012 Fox Hill Rd / Sparks / MD
Mailing Address / City / State

21152 / 443-462-2033 / JeffRuback@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

ORDER RECEIVED FOR FILING
Date 3-8-17
By (SO)

Representative to be contacted:

Ryan Tolson
Name – Type or Print

Signature

10509 Stahl Rd. / White Marsh, MD
Mailing Address / City / State

21162 / 410-258-2308 /
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

My Commission Expires
March 9, 2020

CASE NUMBER 2017-0198-A **Filing Date** 1/31/17 **Estimated Posting Date** 2/12/17 **Reviewer** JP

Rev 5/5/2016

Zoning Property Description For:
14012 Fox Hill Road
Sparks, MD 21152

Beginning at a point on the North side of Fox Hill Rd which is 50 feet wide at the distance of 610 feet North of the centerline of the nearest improved intersecting Fila Way which is 24 feet wide.

Being Lot # 28 in the subdivision of Residences At Sparks Valley as recorded in Baltimore County Plat Book # 79, Folio # 470, containing 0.1182 AC. Located in the 8th Election District and 3rd Council District.

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

№ 148565

Date: 1/31/17

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0001		6150				75.00

Total: 75.00

Rec From: A PLUS REMODELING, LLC

For: 14012 Fox Hill Rd.
Admin. Variance
Case # 2017-0198-A

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

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
2/01/2017	1/31/2017	10:24:14	1

REG W501 WALKIN LJR
>>RECEIPT # 705556 1/31/2017 DFLN
Dept: 5 528 ZONING VERIFICATION
CR NO. 148565
Recpt Tot $75.00
$75.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

CASE NO: 2017-0198-A

PETITIONER/DEVELOPER
RYAN TOLSON
JEFFREY RUBACK

DATE OF HEARING/CLOSING:
2/27/17

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 CERITFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY SIGN(S)REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY AT

14012 FOX HILL RD

THIS SIGN(S)WERE POSTED ON February 12, 2017
(MONTH,DAY,YEAR)

SINCERELY,
2/12/17
SIGNATURE OF SIGN POSTER AND DATE:

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


1401
1012
ZONING NOTICE
ADMINISTRATIVE
VARIANCE
CASE # 2017-098-A
TO PERMIT AN OPEN PROTECTION DECK WITH A REAR YARD SETBACK OF 16.7' IN LIEU OF THE REQUIRED 22.5'
PUBLIC HEARING ?
PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERING THE PROPOSED VARIANCE, PROVIDED IT IS DONE IN THE ZONING OFFICE BEFORE 4:30 p.m. ON MONDAY, FEBRUARY 27, 2017
ADDITIONAL INFORMATION IS AVAILABLE AT ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
TEL. 410-887-3391
MEETING IS HA AP ACCESSIBLE

2/12/17

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2017-0198-A Address 14012 Fox Hill Rd.

Contact Person: JUN FERNANDO Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 1/31/17 **Posting Date:** 2/12/17 **Closing Date:** 2/27/17

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 2017-0198-A Address 14012 FOX HILL RD.

Petitioner's Name JEFFREY RUBACK Telephone 443-462-2033

Posting Date: 2/12/17 **Closing Date:** 2/27/17

Wording for Sign: To Permit an open projection deck with a rear yard setback of 16.7' in lieu of the required 22.5'

Revised 7/6/16

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/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: 2017-0198-A

Property Address: 14012 Fox Hill Rd.

Property Description: _____

Legal Owners (Petitioners): Jeffrey Ruback

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Ryan Tolson

Company/Firm (if applicable): A+ Remodeling

Address: 10509 Stanl Rd.
White Marsh, MD 21162

Telephone Number: 410-258-2308

Revised 7/9/2015

KEVIN KAMENETZ
County Executive

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

February 28, 2017

Jeffrey & Michelle Duback
14012 Fox Hill Road
Sparks MD 21152

RE: Case Number: 2017-0198-A, Address: 14012 Fox Hill Road

Dear Mr. & Ms. Duback:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 7, 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Ryan Tolson, 10509 Stahl Road, White Marsh MD 21162

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

State Highway Administration
Maryland Department of Transportation

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

Date: 2/6/17

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. 2017-0198-A
Administrative Variance
Jeffrey & Michelle Ruback
14012 Fox Hill 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,

for 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: February 13, 2017

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

SUBJECT: Zoning Advisory Committee Meeting
For February 13, 2017
Item No. 2017-0113,0195,0196.0197,0198,0199,0200,0202 and 0204

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\ZAC02132017.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: February 8, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0198-A
Address 14012 Fox Hill Road
(Ruback Property)

Zoning Advisory Committee Meeting of **February 13, 2017**

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

Reviewer: Steve Ford Date: 2-8-2017

C:\Users\jwisnom\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\XEGA1Q0V\ZAC 17-0198-A 14012 Fox Hill Road.doc

M E M O R A N D U M

DATE: April 10, 2017

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2017-0198-A – Appeal Period Expired

The appeal period for the above-referenced case expired on April 7, 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

PARCEL/TAX ID# 25-(12103

Return to: CalAtlantic Title of Maryland, Inc.
9710 Patuxent Woods Drive, Suite 100
Columbia, Maryland 21046
Escrow Number: _____

This Deed, made this 19 day of December, **2016**, by and between **CALATLANTIC GROUP, INC.**, a Delaware corporation, as successor by merger to The Ryland Group, Inc, a Maryland corporation, GRANTOR, and **JEFFREY A. RUBACK and MICHELLE C. RUBACK, husband and wife,** GRANTEES.

- Witnesseth –

That for and in consideration of the sum of Five Hundred Fifty-Eight Thousand Five Hundred Thirty-Six and No/100 Dollars ($558,536.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt of which is hereby acknowledged, the said Grantor does grant and convey to the said **JEFFREY A. RUBACK and MICHELLE C. RUBACK**, as tenants by the entirety, in fee simple, all that lot of ground situate in the County of Baltimore, State of Maryland, and described as follows, that is to say:

Being known and designated as Lot Numbered 28 as shown on that Plat entitled, "Subdivision Plat Residences of Sparks Valley, Formerly Lot 8, 9 and 10, Plat One Sparks Corporate Center, Plat S.M. 73/11", which said Plat is duly recorded among the Land Records of Baltimore County, Maryland in Plat Book JLE No. 79, folio 470.

CalAtlantic Group, Inc., a Delaware corporation, as successor by merger to The Ryland Group, Inc., a Maryland corporation, by Deed dated August 23, 2016 and recorded among the Land Records of Baltimore County, State of Maryland in Liber 37908, Folio 26 from Sparks Residential Enterprises, LLC.

For Informational Purposes only:

Property Address: 14012 Fox Hill Road, Sparks, Maryland 21152

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said **JEFFREY A. RUBACK and MICHELLE C. RUBACK, as tenants by the entirety**, in fee simple.

And the Grantor hereby covenants that it has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that it will warrant specially the property hereby granted; and that it will execute such further assurances of the same as may be requisite.

See Front Foot Benefit Addendum attached hereto and made apart hereof.

WITNESS:

CALATLAN GROUP, INC., a Delaware cor ion

By: _____ (Seal)
JAMES L. SIGMUND, Operational Vice President

STATE OF MD
COUNTY OF Howard } ss

I hereby certify that on this 19 day of December, 2016, before me. the subscriber, a Notary Public of the jurisdiction aforesaid, personally appeared JAMES L. SIGMUND, Operational Vice President of CALATLANTIC GROUP. INC.. a Delaware corporation, the Grantor herein, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the same for the purposes therein contained in his capacity as Operational Vice President of CALATLANTIC GROUP. INC.. and in my presence signed and sealed the same, giving oath under penalties of perjury that the consideration recited herein is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

_____
Notary Public
My commission expires _____

Title Insurer: First American Title Insurance Company
Grantor Address: 9710 Patuxent Woods Drive, Suite 100, Columbia, Maryland 21046
Grantee Address: 14012 Fox Hill Road, Sparks, Maryland 21152
Property Address: 14012 Fox Hill Road, Sparks, Maryland 21152

AFTER RECORDATION RETURN TO:
Jeffrey A. Ruback
Michelle C. Ruback
14012 Fox Hill Road
Sparks, Maryland 21152

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THIS IS TO CERTIFY that the within Deed was prepared by BRID `S. FANCHER, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

Bridget S. Fancher

WE REQUEST AND AUTHORIZE Eskovitz, Lazarus & Pitrelli, PLLC TO PREPARE THE DEED TO THE PROPERTY AND WE WISH TO TAKE TITLE AS FOLLOWS:

☐ TENANTS IN COMMON
Each person owns a percentage interest in the property. In the event that one of the owners dies, that person's interest will be owned by that person's heirs of estate.

☐ JOINT TENANTS WITH RIGHT OF SURVIVORSHIP
Each peson holds an undivided interest in the property. In the event that one of the owners dies, the surviving owner(s) own the entire property.

☒ TENANTS BY THE ENTIRETIES
Available for married couples only. In the event that one owner dies, the suriving spouse owns the property.

Jeffrey A Ruback

Michelle C Ruback

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on , before me, a Notary Public of the State of Maryland , personally appeared Jeffrey A Ruback, known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within deed of trust, who acknowledged that he/she/they executed the same for the purpose therein contained.

WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires:

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 - 08 Account Number - 2500012103**

Owner Information

Owner Name:	RUBACK JEFFREY A RUBACK MICHELLE C	**Use:** **Principal Residence:**	RESIDENTIAL YES
Mailing Address:	14012 FOX HILL RD SPARKS MD 21152-	**Deed Reference:**	/38465/ 00449

Location & Structure Information

Premises Address:	14012 FOX HILL RD SPARKS 21152-	**Legal Description:**	0.1182 AC 14012 FOX HILL RD NS RESIDENCES AT SPARKS VALLEY

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0042	0004	0560		9470			28	2017	Plat Ref: 0079/0470

Special Tax Areas:		**Town:** **Ad Valorem:** **Tax Class:**	NONE

Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use
2016	2,606 SF		0.1182 AC	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
3	NO	END UNIT	FRAME	3 full	1 Attached	

Value Information

	Base Value	Value As of 01/01/2017	Phase-in Assessments As of 07/01/2016	Phase-in Assessments As of 07/01/2017
Land:	125,000	125,000		
Improvements	324,400	351,700		
Total:	449,400	476,700	449,400	458,500
Preferential Land:	0			0

Transfer Information

Seller: CALATLANTIC GROUP INC Type: ARMS LENGTH IMPROVED	Date: 01/05/2017 Deed1: /38465/ 00449	Price: $558,536 Deed2:
Seller: SPARKS RESIDENTIAL Type: ARMS LENGTH MULTIPLE	Date: 08/23/2016 Deed1: /37908/ 00026	Price: $686,000 Deed2:
Seller: Type:	Date: Deed1:	Price: 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: **Exempt Class:**	**Special Tax Recapture:** NONE

Homestead Application Information

Homestead Application Status: No Application


ML
Pt. Bk. 0000073, Folio 0010
Pt. Bk./Folio # 071148
2300006940
Lot # 6
HOA
SITE
SWM
NW 20-B
PAI # 080722
R-1968-0086 # 080722
8 ED 042B1
3 CD
DR 10.5
2500012153
Pt. Bk./Folio # 079470
2013-0279-SPH
PAI # 080722
RC 6
2400003430
Lot # 0
Pt. Bk. 0000074, Folio 0103
Pt. Bk./Folio # 074103
GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)
Lot # 15
Lot # 16
Lot # 20
Lot # 21
Lot # 22
Lot # 23
Lot # 24
Lot # 25
Lot # 26
Lot # 27
Lot # 28
Lot # 29
Lot # 30
Lot # 34
Lot # 49
Lot # 53
2500012089
2500012090
2500012091
2500012092
2500012093
2500012094
2500012095
2500012096
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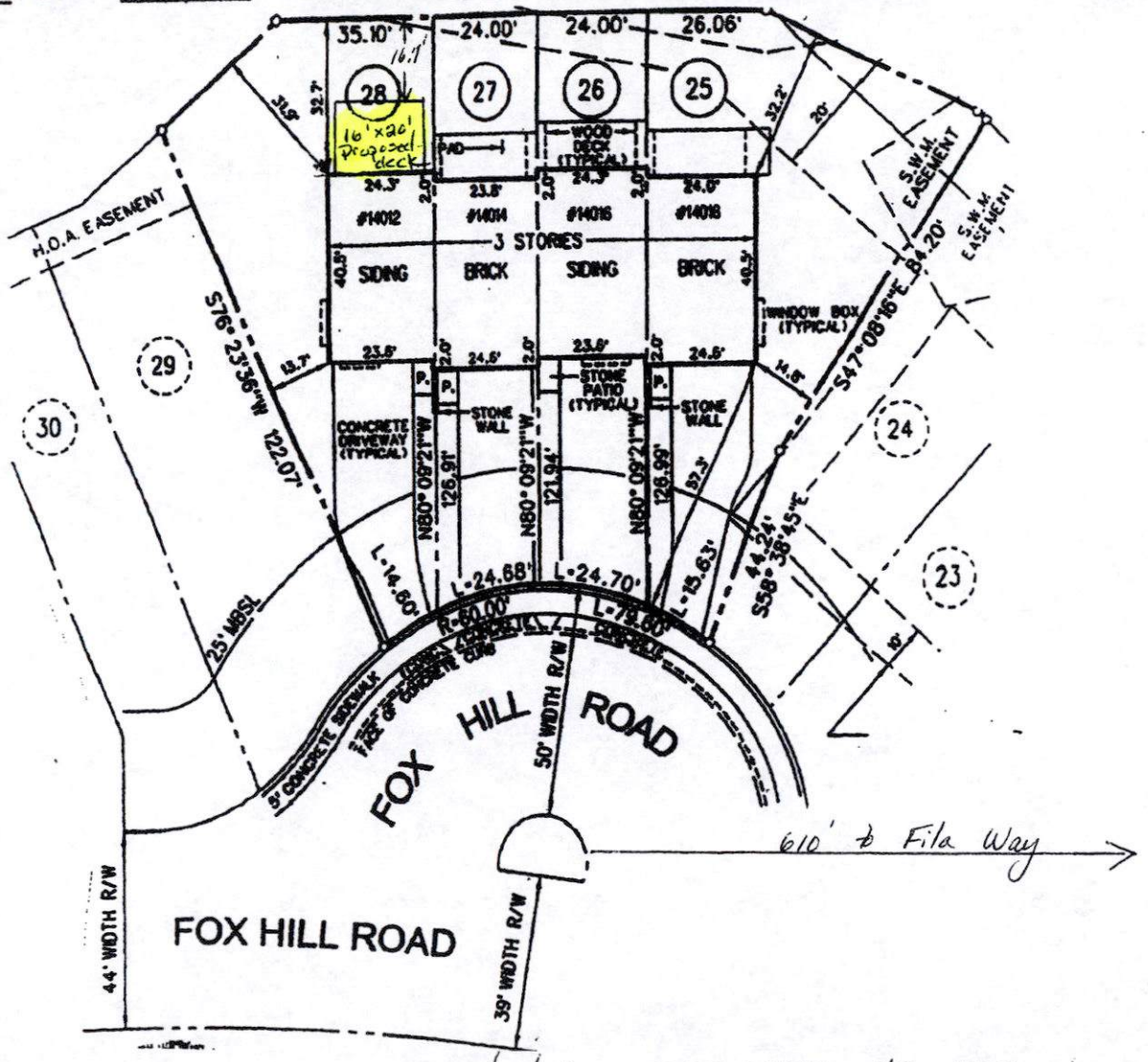
2500012157
2500012149
2500012154
14042
14040
14026
14024
14010
FOX HILL RD
ML
1600009459
Pt. Bk. 0000079, Folio 0470

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

ADDRESS 14012 Fox Hill Road OWNER(S) NAME(S) Jeffrey A. Ruback

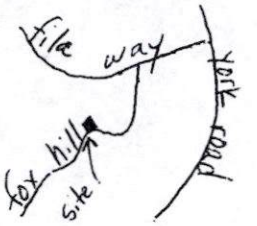
SUBDIVISION NAME Residences of Sparks Valley LOT # 28 BLOCK # ____ SECTION # ____

PLAT BOOK # 79 FOLIO # 470 10 DIGIT TAX # 2500012103 DEED REF. # 38465100449



PLAN DRAWN BY Ryan Tolson DATE 1/15/17 SCALE: 1 INCH = 40 FEET

SITE VICINITY MAP



N

MAP IS NOT TO SCALE

ZONING MAP# 0042

SITE ZONED DR 10.5

ELECTION DISTRICT 8

COUNCIL DISTRICT 3rd.

LOT AREA ACREAGE 0.1182

OR SQUARE FEET ____

HISTORIC ? No

IN CBCA ? No

IN FLOOD PLAIN ? No

UTILITIES ? MARK WITH X

WATER IS:

PUBLIC X PRIVATE ____

SEWER IS:

PUBLIC X PRIVATE ____

PRIOR HEARING ? No

IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW

VIOLATION CASE INFO:

2017-0198-A

Pet. Exh. 1

●●○○○ Verizon LTE 12:09 PM

Done 8 of 14

●●○○○ Verizon LTE 12:09 PM

Done 7 of 14