IN RE: PETITION FOR ADMIN. VARIANCE \* (12206 Happy Hollow Road)

8<sup>th</sup> Election District
2<sup>nd</sup> Council District
Mark P. & Ivlia M. Boyrese

Mark R. & Julie M. Baumgartner Petitioners

BEFORE THE

OFFICE OF ADMINISTRATIVE

**HEARINGS FOR** 

**BALTIMORE COUNTY** 

CASE NO. 2017-0269-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 owners of the property, Mark R. & Julie M. Baumgartner ("Petitioners"). The Petitioners are requesting Variance relief pursuant to § 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("B.C.Z.R") to permit an addition with a side yard setback of 32 ft. in lieu of the required 50 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. A ZAC comment was received from the Department of Environmental Protection and Sustainability (DEPS), dated April 13, 2017, indicating that Ground Water Management must review any future building permit(s) for an addition since the property is served by well and septic.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on April 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  |                     |       |
| Ву    |                     | enqos |

The Petitioners have 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 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 5th day of May, 2017, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to \$ 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("B.C.Z.R") to permit an addition with a side yard setback of 32 ft. in lieu of the required 50 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their 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, Petitioners would be required to return the subject property to its original condition.
- 2. Petitioners must comply with the ZAC comment submitted by DEPS, dated April 13, 2017; a copy of which is attached hereto and made a part hereof.

2

| ORDER | RECEIVED FOR FILING |
|-------|---------------------|
| Date  | 5-5-17              |
| Ву    |                     |

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

JOHNE. BEVERUNGEN Administrative Law Judge for

**Baltimore County** 

JEB:dlw

| ORDER | RECEIVED FOR FILING |
|-------|---------------------|
|       | 5-5-17              |
| Mata  |                     |

By\_\_\_\_\_

#### BALTIMORE COUNTY, MARYLAND

RECEIVED

**Inter-Office Correspondence** 

APR 13 2017



OFFICE OF ADMINISTRATIVE HEARINGS

TO:

Hon. Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

April 13, 2017

SUBJECT:

DEPS Comment for Zoning Item

# 2017-0269-A

Address

12206 Happy Hollow Road

(Baumgartner Property)

Zoning Advisory Committee Meeting of April 17, 2017.

- $\underline{X}$  The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:
  - 1. Ground Water Management must review any future building permit(s) for an addition, since the property is served by well and septic.

Reviewer:

Dan Esser

Date: 4/12/17

ORDER RECEIVED FOR FILING

Date PV



KEVIN KAMENETZ County Executive

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

May 5, 2017

Mark R. and Julie M. Baumgartner 12206 Happy Hollow Road Cockeysville, MD 21030

RE:

Petition for Administrative Variance

Case No. 2017-0269-A

Property: 12206 Happy Hollow Road

#### Dear Petitioners:

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

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

Sincerely,

JOHN E. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:dlw Enclosure

c: Richardson Engineering, LLC, 30 E. Padonia Rd., Ste. 500, Timonium, MD 21093

#### ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING

| Address 12206 Happy Hollow Road  | Currently zoned RC-5   |
|--|--|
| Deed Reference 33926 / 438   | Currently zoned RC-5  10 Digit Tax Account # 0816016430  |
| Owner(s) Printed Name(s) Mark R. & Julie   | M. Baumgartner   |
| (SELECT THE HEARING(S) BY MARKING  | $\mathbf{X}$ AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)  |
| For Administrative Variances, the A  | Affidavit on the reverse of this Petition form must be completed and notarized.  |
| he undersigned, who own and occupy the pattached hereto and made a part hereof, her  | property situate in Baltimore County and which is described in the plan/plat reby petition for an:   |
| . X ADMINISTRATIVE VARIANCE from   | n Section(s) 1A04.3.B.2.b to permit a 32' setback in lieu of the required 50'  AN ADDITION WITH A SIDEYARD SETBACK   |
| f the zoning regulations of Baltimore Count  | y, to the zoning law of Baltimore County.  |
| ADMINISTRATIVE OREGINI HEA   | ADINO 1  |
| ALCONOMICS CONTRACTOR OF THE PROPERTY OF THE P   | ARING to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore   |
| ounty Code: (indicate type of work in this s   | space: i.e., to raze, alter or construct addition to building)   |
|  |  |
|  |  |
|  |  |
| f the Politimera County Code, to the develo  | pment law of Politimera County   |
| f the Baltimore County Code, to the develo   | pment law of Baltimore County.   |
| roperty is to be posted and advertised as prescribed by<br>we agree to pay expenses of above petition(s), adver  | by the zoning regulations.  tising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of  |
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| roperty is to be posted and advertised as prescribed by<br>we agree to pay expenses of above petition(s), adver  | oy the zoning regulations.  tising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of or Baltimore County.  Owner(s)/Petitioner(s):  Mark R. Baumgartner  / Julie M. Baumgartner   |
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| roperty is to be posted and advertised as prescribed be<br>we agree to pay expenses of above petition(s), adver  | Owner(s)/Petitioner(s):  Mark R. Baumgartner Name #1 – Type or Print Signature #1  Signature #1  Name #2 – Type or Print Signature #2  Name #2 – Type or Print Signature #2  |
| roperty is to be posted and advertised as prescribed by<br>we agree to pay expenses of above petition(s), adver  | Owner(s)/Petitioner(s):  Mark R. Baumgartner Name #1 – Type or Print Signature #1  12206 Happy Hollow Road  Name #2 – Cockeysville, MD   |
| roperty is to be posted and advertised as prescribed be<br>we agree to pay expenses of above petition(s), adver  | Owner(s)/Petitioner(s):  Mark R. Baumgartner Name #1 – Type or Print Signature #1  12206 Happy Hollow Road Mailing Address  Owner(s) the zoning regulations and restrictions of predictions of control of the zoning regulations and restrictions of control of zoning regulations and restrictions of control of zoning regulations and restrictions and zoning regulations and zoning reg |
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| of the Baltimore County Code, to the developer of the Baltimore County Code, to the developer of the Baltimore County and advertised as prescribed by we agree to pay expenses of above petition(s), advertigation and the zoning law for the zon | Owner(s)/Petitioner(s):  Mark R. Baumgartner Name #1 - Type or Print Signature #1  12206 Happy Hollow Road Mailing Address  21030 Zip Code  Representative to be bound by the zoning regulations and restrictions of problems and restrictions a |

30 E. Padonia Road, Suite 500 Timonium, MD Mailing Address State

21093 410-560-1502 rick@richardsonengineering.net Zip Code Telephone # Email Address

required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

State

**Email Address** 

2017-0269-A Filing Date 4,4,17 Estimated Posting Date 4,19 17

#### **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:       | 12206 Happy Hollow Road                                  | Cockeysville                  | MD  | 21030                         |
|----------------|--|-------------------------------|---|-------------------------------|
|                | Print or Type Address of property                        | City                          | State   | Zip Code                      |
|                | oon personal knowledge, the rative Variance at the above |                               |   |                               |
| The const      | ruction of a larger garage needs to be                   | constructed next to the exist | ing garage. This side of the ho   | use is currently close to the |
| setback aı     | nd the addition would go over this line                  | . The existing house cannot   | be moved to allow for construc  | tion of the addition and to   |
| require th     | e structure to be moved would be a p                     | ractical hardship.            |   |                               |
|                |  |                               |   |                               |
|                |  | Y 2                           |   | - Survey and Sign of the      |
|                |  |                               |   |                               |
|                |  |                               |   |                               |
|                |  |                               |   |                               |
|                |  |                               |   |                               |
|                |  |                               |   |                               |
| Mark R. B      | of Owner (Affiant) aumgartner nt or Type                 |                               | Signature of Owner (Affiant)  Julie M. Baumgartner  Name- Print or Type | ytre                          |
| anic- i n      |  |                               |   |                               |
|                | The following information is                             | s to be completed by a N      | otary Public of the State o   | f Maryland                    |
| XX A T.E. (    | OF MARYLAND, COUNTY                                      | OF DALTIMODE 4                |   |                               |
| SIAIE          | OF MARYLAND, COUNTY (                                    | OF BALTIMORE, to w            | vit:  |                               |
| HEREE          | BY CERTIFY, this 23                                      | day of March ,                | 2017, before me a N   | Notary of Maryland, in        |
| nd for th      | e County aforesaid, personally                           |                               |   |                               |
| rint name(s) h | nere: Mark R. Bauma                                      | gaether 3 J                   | ulie M. Bau   | impaetner                     |
| ne Affian      | t(s) herein, personally known o                          | or satisfactorily identified  | to me as such Affiant(s).   |                               |
| S WITH         | ESS my hand and Notaries Se                              | al C                          |   |                               |
| TO THINK       | Loo my hand and Notalies Se                              | (M) (                         | Tiato   | Erin Elizabeth Fisto          |
|                |  | Notary Public                 |   | Itimore County, Maryland      |
|                |  | My Commission Expi            |   | mission Expires June 22, 2    |

Marks Country . M. Silvil. F. Tarragomucas Salvian

Erin Elizabeth Fiato NOTARY PUBLIC Baltimore County, Maryland My Commission Expires June 22, 2020 told was

30 E. Padonia Road, Suite 500 Timonium, Maryland 21093

410-560-1502, fax 443-901-1208

#### ZONING DESCRIPTION FOR 12206 HAPPY HALLOW ROAD 8<sup>TH</sup> ELECTION DISTRICT 4<sup>TH</sup> COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a distance of 345'± from the intersection of the West Padonia Road and Happy Hallow Road and running thence northwesterly in the center of Happy Hallow Road; (1) North 40 degrees 00 minutes 51 seconds West 200.00 feet, thence leaving Happy Hallow Road (2) South 49 degrees 59 minutes 09 seconds West 500.00 feet, thence (3) South 40 degrees 00 minutes 51 seconds East 200.00 feet, thence (4) North 49 degrees 59 minutes 09 seconds East 500.00 feet to the point of beginning;

Containing a net area of 100,000 square feet, or 2.30 acres of land, more or less.

| e e                   | ് <b>ജ</b> ്മ<br>- ദ |                                | •        | ,              |                   |            |           |              | PAID RECEIPT   |
|-----------------------|----------------------|--------------------------------|----------|----------------|-------------------|------------|-----------|--------------|--|
| OFFIC                 | E OF BUI             | DUNTY, N<br>DGET AN<br>US CASH | D FINANC | Œ              | •                 | •.         | N         | 9 151416     | BUSINESS ACTUAL TINE BY 4/05/2017 4/04/2017 10:58:01 REG W503 WALKIN CAM           |
|                       | · .                  |                                |          | Rev<br>Source/ | Sub<br>Rev/       | Date:      | ,         | 410          | >RECEIPT # 721123 4/04/2017 OFF<br>Dept 5 528 ZONING VERIFICATION<br>CR NO. 151416 |
| Fund<br>Oo/           | Dept 30C             | Unit                           | Sub Unit | Obj<br>C-150   | Sub Obj           | Dept Obj   | BS Acct   | Amount 75.55 | Recpt Tot \$75.00 775.00 CK \$.00 CA Baltimore County, Maryland                    |
|                       |                      |                                |          |                | · · ·             |            |           |              |  |
| Rec<br>From:          | 100                  | 2K 13                          | BAUM     | SART           | ^<br><u>'心さ</u> � | Total:     | 75.       | (10)         | ,  |
| For:                  |                      | OC 4<br>.# 20                  |          |                |                   | <u>کرا</u> |           |              |  |
| DISTRIBU<br>WHITE - ( | JTION<br>CASHIER     | PINK - AGE                     | =NCY     | YELLOW -       | CUSTOME           | R          | GOLD - AC | COUNTING     | CASHIER'S<br>VALIDATION  |
|                       |                      |                                |          | ~              |                   |            |           |              | The state of the Salar Barriers of the Salar Barriers                              |

## **CERTIFICATE OF POSTING**

|  |                            | 2017-0269-A      |
|--|----------------------------|------------------|
| 200  | RE: Case No.:              |                  |
|  | Petitioner/Developer:      |                  |
| Tally mediana ten  | Mark & Ju                  | ulie Baumgartner |
|  |                            | May 1, 2017      |
|  | Date of Hearing/Closing:   |                  |
| Baltimore County Department of<br>Permits, Approvals and Inspections<br>County Office Building, Room 111<br>111 West Chesapeake Avenue<br>Towson, Maryland 21204   |                            |                  |
|  |                            |                  |
| Attn: Kristen Lewis:   |                            |                  |
| Ladies and Gentlemen:  |                            |                  |
| This letter is to certify under the penalties posted conspicuously on the property loca 12206 Happy Hallow Road  | ted at:                    |                  |
| The sign(s) were posted on   | April 15, 2017             |                  |
|  | (Month, Day, Year)         |                  |
|  |                            |                  |
|  | Sincerely,                 |                  |
|  | Mile                       | April 15, 2017   |
| ZONING NOTICE  | (Signature of Sign Poster) | (Date)           |
| ADMINISTRATIVE VARIANCE  | SSG Robert Bla             | nck              |
| CASE # 2017-0269-A  To Permit an addition with a side  | (Print Name)               |                  |
| yard setback of 32' in lieu of the required 50'.   | 1508 Leslie Roa            | ad               |
| PUBLIC HEARING?  | (Address)                  |                  |
| PERSONAL TO SECTION 26-127 (SIG. RATTOOM COUNTY COM- WASHINGTON TO THE OFFICE OF THE OFFICE O | Dundalk, Maryland          | 21222            |
|  | (City, State, Zip C        | Code)            |
|  | (410) 282-7940             | )                |
| The state of the s | (Telephone Num             | ber)             |

## BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW

#### ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

|                 |  |  | 7  |   | /D o =                                       | .,  |   |  |
|-----------------|--|--|--|---|--|---|---|--|
| Case            | Number 2017  | 7-0269   | A  | Address                                       | 12206  | YAPAY                                     | HOLLOW  | RO.                                    |
| Conta           | ct Person:   | JUN R. P. Planner,                                     | ERNAW<br>Please Print You                      | ひる<br>r Name                                  |  | _ Phone                                   | Number: 410-  | 887-3391                               |
| Filing          | Date: <u></u> <del>/-/-</del>                                | 4-17   | Pos  | ting Date:                                    | 4-16-1                                       | う Clo                                     | osing Date: 💆   | 5-1-17                                 |
| Any c<br>throug | ontact made<br>the contact                                   | with this offi<br>person (planr                        | ce regardir<br>ner) using th                   | ng the statune case nun                       | us of the anber.                             | administrat                               | ive variance s  | hould be                               |
| 1.              | reverse side<br>reposting mu<br>is again resp                | of this form)<br>ust be done or<br>consible for al     | and the pe<br>lly by one c<br>I associate      | titioner is re<br>of the sign p<br>d costs. T | esponsible<br>osters on t<br>he zoning r     | for all prin<br>he approve<br>notice sign | the approved li<br>ting/posting co<br>ed list and the<br>must be visib<br>here through th | sts. Any<br>petitioner<br>le on the    |
| 2.              | a formal red   |  | ıblic hearin                                   | g. Please                                     | understan                                    | d that eve                                | r within 1,000 f<br>en if there is r<br>date.   |  |
| 3.              | commissione<br>order that the<br>within 10 da<br>whether the | er. He may:<br>e matter be se<br>ays of the clo        | (a) grant that in for a pusing date een grante | ne requeste<br>ublic hearing<br>if all Coun   | ed relief; (b)<br>g. You will<br>ty agencies | ) deny the<br>receive wr<br>s' commer     | oning or depu<br>requested rel<br>itten notificatio<br>nts are receive<br>aring. The ord  | ief; or (c)<br>n, usually<br>ed, as to |
| 4.              | (whether du<br>commissione<br>changed giv                    | e to a neighl<br>er), notification<br>ing notice of th | por's forma<br>n will be for<br>ne hearing     | I request of<br>orwarded to<br>date, time a   | or by order<br>by you. The<br>and location   | of the zone<br>e sign on<br>. As whe      | st go to a publication or depure the property in the sign was an must be fore             | ty zoning<br>must be<br>originally     |
|                 |  |  | (Det   | ach Along Dotted                              | Line)  |   |   |  |
| Petitio         | oner: This P   | art of the For   | m is for the                                   | e Sign Pos                                    | ter Only                                     |   | ······································  |  |
|                 |  | USE THE A  | DMINISTR                                       | ATIVE VAF                                     | RIANCE SIG                                   | ON FORM                                   | AT  |  |
| Case            | Number 2017  | 0269   | A Add  | ress <u>/22</u>                               | 06 HAP                                       | DY HOL                                    | LOW RD.   |  |
| Petitic         | ner's Name _   | MARK \$  | JULIE D  | 3A446A  | RTNER  | Telephon                                  | e_410-94  | 1-1634                                 |
| Postii          | ng Date:   | 4-16-17  |  | _ с   | losing Date                                  | e: <u>5</u> -                             | (-1)  |  |
|                 |  | To Permit a  |  |   |  | yend                                      | setback a   | P 32'                                  |
|                 |  |  |  |   |  |   |   | -                                      |

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

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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.

| Case Number: 2017-0269-A Property Address: 12206 HAPPY HOLLOW RDAD |  |
|--|--|
| Property Description:  |  |
| Legal Owners (Petitioners): MARK & JULIE BAUMGARTNER               |  |
|  |  |
| Contract Purchaser/Lessee:   |  |
| PLEASE FORWARD ADVERTISING BILL TO:  Name: MARK BAVMGARTNER        |  |
| Company/Firm (if applicable):                                      |  |
| Address: 12206 HAPPY HOLLOW RD                                     |  |
| COCKEYSVILLE MD 21030  |  |
|  |  |
| Telephone Number: 410 - 961 - 1634                                 |  |



KEVIN KAMENETZ
County Executive

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

May 2, 2017

Mark R & Julie Baumgartner 12206 Happy Hollow Road Cockeysville MD 21030

RE: Case Number: 2017-0269 A, Address: 12206 Happy Hollow Road

Dear Mr. & Ms. Baumgartner:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 4, 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
Richard Engineering LLC, 30 E Padonia Road, Suite 500, Timonium MD 21093

#### 20BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

**DATE:** April 20, 2017

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 17, 2017

Item No. 2017-0269, 0270, 0271 and 0272

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

DAK:CEN cc:file

Date: 4/12/17

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. 2017-07.69-A

Committee approval of Case No. 2017-0269-A.

Administrative Variance
Muk R. & Julie M. Brungartner
12206 Happy Hollow 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**

#### **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:

April 13, 2017

SUBJECT:

**DEPS** Comment for Zoning Item

# 2017-0269-A

Address

12206 Happy Hollow Road (Baumgartner Property)

Zoning Advisory Committee Meeting of April 17, 2017.

 $\underline{X}$  The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

1. Ground Water Management must review any future building permit(s) for an addition, since the property is served by well and septic.

Reviewer:

Dan Esser

Date: 4/12/17

#### MEMORANDUM

DATE:

June 6, 2017

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2017-0269-A - Appeal Period Expired

The appeal period for the above-referenced case expired on June 5, 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

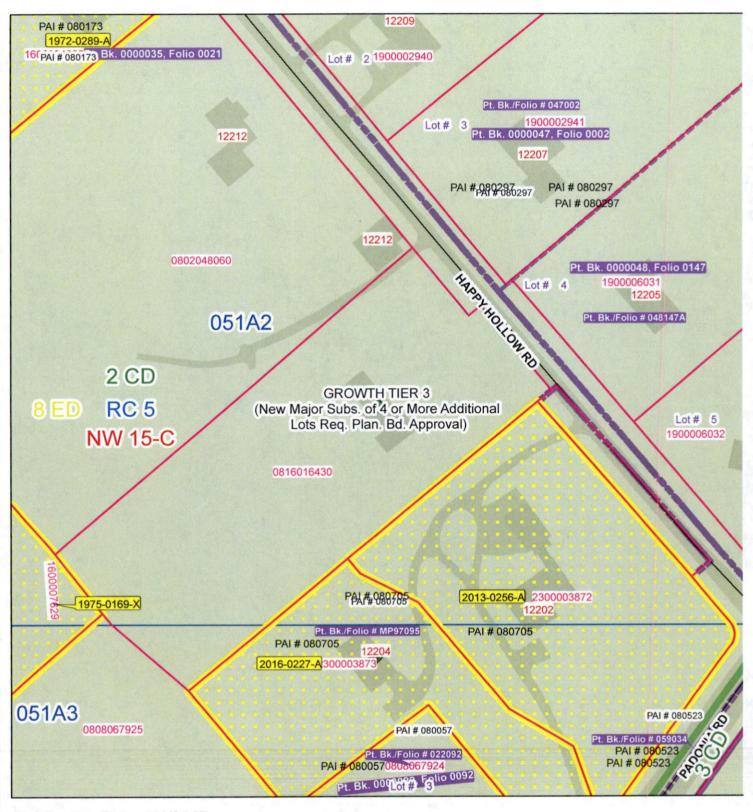
Office of Administrative Hearings

#### Real Property Data Search

#### Search Result for BALTIMORE COUNTY

| View Ma                      | ар         | Vi                       | iew GroundRent Re                  | demption                     |                                    |                 | View Groun       | dRent Regis           | stration                       |
|------------------------------|------------|--------------------------|------------------------------------|------------------------------|------------------------------------|-----------------|------------------|-----------------------|--------------------------------|
| Account                      | ldentifier |                          | District - 08 A                    | ccount Nu                    | mber - 08160                       | 16430           | )                |                       |                                |
|                              |            |                          |                                    | Owner I                      | nformation                         |                 |                  |                       |                                |
| Owner Name: Mailing Address: |            | BAUMGARTNI<br>BAUMGARTNI |                                    |                              | Use:<br>Principal Residence:       |                 | RESIDENTIAL YES  |                       |                                |
|                              |            |                          | 12206 HAPPY<br>COCKEYSVILI<br>1709 |                              |                                    | eference: /3392 |                  | 26/ 00438             |                                |
|                              |            |                          | Loc                                | ation & Stru                 | ucture Informa                     | tion            |                  |                       |                                |
| Premises                     | Address    | :                        | 12206 HAPPY<br>0-0000              | HOLLOW                       | RD <b>Le</b> g                     | al De           | scription:       |                       | C SW<br>HOLLOW RD<br>ADONIA RD |
| Мар:                         | Grid:      | Parcel:                  | Sub Sub<br>District:               | division:                    | Section:                           | Blo             | ck: Lot:         | Assessmer<br>Year:    | nt Plat<br>No:                 |
| 0051                         | 0013       | 0056                     | 000                                | 0                            |                                    |                 |                  | 2017                  | Plat<br>Ref:                   |
| Special                      | Tax Area   | ıs:                      |                                    | -                            | Town:<br>Ad Valorem:<br>Tax Class: |                 |                  | NONE                  |                                |
| Built                        | Structur   | е                        | Above Grade Livin<br>Area          | ng Finished Basement<br>Area |                                    | nent            | Propert<br>Area  |                       | County<br>Use                  |
| 1956                         |            |                          | 1,856 SF                           | 100                          | 00 SF                              |                 | 2.2900           | AC                    | 04                             |
| Stories                      | Baser      | nent                     | Туре                               | Exterior                     | Full/Half<br>Bath                  |                 | Garage           | Last Majo<br>Renovati |                                |
| 1                            | YES        |                          | STANDARD<br>UNIT                   | FRAME                        | 1 full/ 2 ha                       | lf              | 1<br>Attached    |                       |                                |
|                              |            |                          |                                    | Value Ir                     | nformation                         |                 |                  |                       |                                |
|                              |            |                          | Base Value                         | V                            | alue                               |                 | Phase-in As      | sessments             |                                |
|                              |            |                          |                                    |                              | s of<br>1/01/2017                  |                 | As of 07/01/2016 | As 6                  | of<br>01/2017                  |
| Land:                        |            |                          | 197,500                            |                              | 97,500                             |                 |                  |                       |                                |
| - 100 CO                     | ements     |                          | 169,700                            |                              | 52,400                             |                 |                  |                       |                                |
| Total:                       | La rana    | e .                      | 367,200                            | 4                            | 49,900                             |                 | 367,200          |                       | ,767                           |
| Prefere                      | ntial Lan  | d:<br>                   | 0                                  |                              | 1.7                                |                 |                  | 0                     |                                |
|                              | DEADOE     | 14115                    |                                    |                              | Information                        |                 |                  |                       |                                |
|                              | PEARCE     |                          |                                    | Date: 07/11/2013             |                                    |                 | Price: \$450,000 |                       |                                |
|                              |            |                          | MPROVED                            |                              | 33926/ 00438                       |                 |                  | Deed2:                |                                |
|                              |            |                          | / & HELEN C                        |                              | /20/1955                           | e e             | Price: \$5,000   |                       | )                              |
|                              | KINIS LEN  | NGIHIN                   | MPROVED                            |                              | 02801/ 00257                       |                 |                  | Deed2:                |                                |
| Seller:                      |            |                          |                                    | Date:                        |                                    |                 |                  | Price:                |                                |
| Туре:                        |            |                          |                                    | Deed1:                       | a Information                      |                 |                  | Deed2:                |                                |
| Partial Ex                   | vemnt      |                          | Class                              | Exemption                    | n Information                      | 11/20           | 16               | 07/04/20              | 117                            |
| Assessm                      |            |                          | Class                              |                              | 07/1                               | 01/20           | 10               | 07/01/20              | 717                            |
| County:                      |            |                          | 000                                |                              | 0.00                               |                 |                  |                       |                                |
| State:                       | v.         |                          | 000                                |                              | 0.00                               |                 |                  |                       |                                |
| Municipa                     |            |                          | 000                                |                              |                                    | 00.00           |                  | 0.00 0.00             | 0                              |
| Tax Exe                      |            |                          |                                    | 11.70                        | Tax Recaptu                        | re:             |                  |                       |                                |
| Exemp                        | t Class:   |                          |                                    | NONE                         |                                    |                 |                  |                       |                                |

## 12206 Happy Hollow Road 2017-0269-A

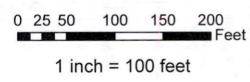


Publication Date: 4/4/2017



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

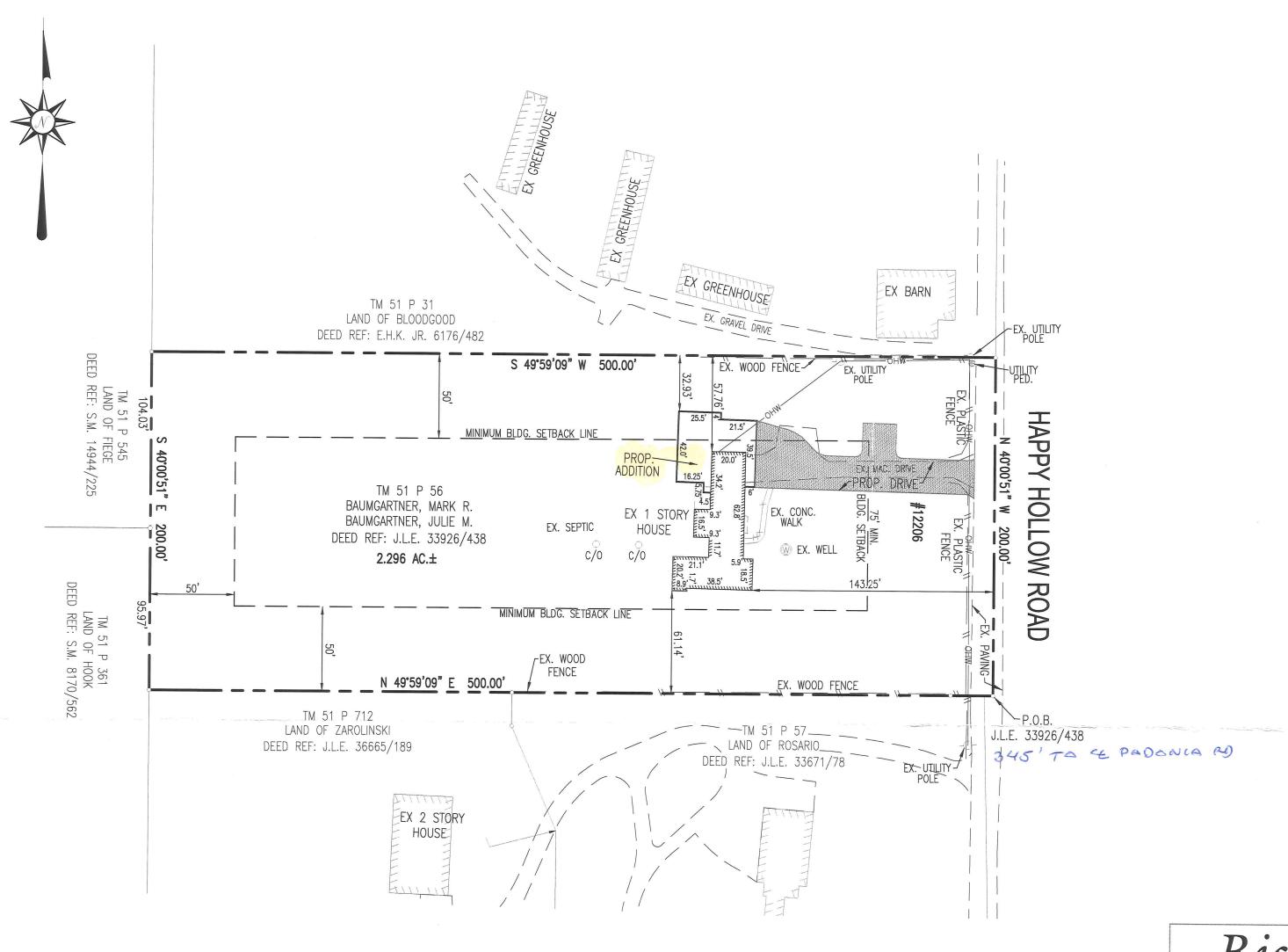












ZONING RC-5 SETBACKS

FRONT: 75'

SIDE: 50' REAR: 50' SITE ROAD ROAD ROAD CHILHOWIE COUNTY TO THE PROPERTY TO THE PR

**LOCATION MAP** 

1" = 1000'

## **GENERAL NOTES:**

OWNER:

RK & JULIE BAUMGARTNER 206 HAPPY HOLLOW ROAD

- TAX ID: 0816016430
- TAX MAP: 51 GRID: 13 PARCEL: 56
- 4. DEED REF: 33926/43
- GROSS: 100,000 SF or 2.30 Ac.±
- 3. ZONING: RC-5
- 4. ELECTION DISTRICT:
- . COUNCIL DISTRICT:
- 7. SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
- 8. SITE IS LOCATED IN ZONE A OF THE FLOOD ZONE PER FEMA FIRM MAP FM2400100389F, SEPT 26, 2008.
- 0 IIIIIIIF9-
  - PRIVATE WELL & SEPTIC
- 10. THERE ARE NO PRIOR ZONING CASES.

# Richardson Engineering, LLC

30 East Padonia Road, Suite 500 Timonium, Maryland 21093 Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION FOR

## EXISTING RESIDENCE

BAUMGARTNER

12206 HAPPY HOLLOW ROAD

8TH ELECTION DISTRICT REVISIONS

BALTIMORE COUNTY, MARYLAND

|   |           |             | 122 22 4 2 222 1 1 2 |
|---|-----------|-------------|----------------------|
| S | DRAWN BY: | CHECKED BY: | SCALE:               |
|   | CLB       | PCR         | 1" = 50'             |
|   | DATE:     | JOB NO.:    | SHEET NO.:           |
|   | 03-31-17  | 17029       | 1 OF 1               |

