



10/10/17
TO WCL

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

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

J. NEIL LANZI

Email: nlanzi@wclaw.com

October 2, 2017

John E. Beverungen, Administrative Law Judge
for Baltimore County
105 W. Chesapeake Avenue
Suite 103
Towson, MD 21204

Re: Case No. 2017-0286-A

Dear Judge Beverungen:

On Thursday, September 28, 2017, I filed a Motion for Reconsideration on behalf of Robert Shafer, Protestant. Please be advised that Mr. Shafer and the Petitioners have reached an amicable resolution to this matter and accordingly, this letter shall serve as a request to withdraw the Motion for Reconsideration.

Thank you for your consideration.

Very truly yours,

J. Neil Lanzi

cc: Lawrence E. Schmidt, Esquire
Arnold Jablon, Director
Office of People's Counsel
Robert Shafer

RECEIVED

OCT 05 2017

DEPARTMENT OF PERMITS
APPROVALS AND INSPECTIONS

TO WORK File

IN RE: PETITION FOR VARIANCE
(17111 Hunter Green Road)
5th Election District
3rd Council District
Alan D. & Brittany M. Keller
Legal Owners

Petitioners

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* CASE NO. 2017-0286-A

RECEIVED
OCT 02 2017
DEPARTMENT OF PERMITS
APPROVALS AND INSPECTIONS

* * * * *

MOTION FOR RECONSIDERATION

Robert Shafer, by his counsel, J. Neil Lanzi, Esquire and Wright, Constable & Skeen, LLP, pursuant to Appendix G, Rule 4(K) of the Baltimore County Zoning Regulations ("B.C.Z.R."), respectfully requests the Administrative Hearing Officer to reconsider the Decision as rendered in the Opinion and Order dated August 31, 2017 and for reasons states:

1. Robert Shafer resides at 9 Hunter Lake Court, Upperco, Maryland 21155 and was one of three neighbors protesting the Petition for Variance filed by Petitioners.
2. Petitioners requested variance relief from the Baltimore County Zoning Regulations to permit an existing detached accessory building consisting of approximately 1,200 square feet with a height of 18 feet in lieu of the maximum allowed 15 feet and to permit said existing detached accessory building to be located in the third of the lot closest to the side street in lieu of the required third of the lot furthest removed from the side street.
3. The Hearing Officer determined the Petitioners property was not unique for purposes of the height variance and denied the height variance.
4. The Hearing Officer did not expressly find the property was unique for purposes of the location of the existing accessory building.
5. The law is clear.

6. Section 400.1 of the BCZR provides specifically: Accessory buildings in residence zones other than farm buildings (Section 404) shall be located only in the rear yard and shall occupy not more than 40% thereof. On corner lots they shall be located only in the third of the lot farthest removed from any street and shall occupy not more than 50% of such third. In no case shall they be located less than two and a half feet from any side or rear lot lines, except that two private garages may be built with a common party wall straddling a side interior property line if all other requirements are met. The limitations imposed by this section shall not apply to a structure which is attached to the principal building by a covered passageway or which has one wall or part of one wall in common with it. Such structure shall be considered part of the principal building and shall be subject to the yard requirements for such a building.

7. It was undisputed the accessory building was not built in the third of the lot farthest removed from any street.

8. Section 307.1 of the B.C.Z.R. provides (In Part): The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations... only in cases where special circumstances or conditions that exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off street parking, or sign regulations, and only in such a manner as to grant relief without injury to public health, safety and general welfare.

9. Under Maryland case law, the Hearing Officer must follow the following two step process to determine whether the requested variances should be granted,

"The first step requires a finding that the property whereon structures are to be placed (or uses conducted) is-in and of itself-unique and unusual in a manner different from the nature of surrounding properties such that the uniqueness and peculiarity of the subject property causes the zoning provision to impact disproportionately upon that property. Unless there is a finding that the property is unique, unusual or different, the process steps here and the variance is denied without any consideration of practical difficulty or unreasonable hardship. If that step results in a supportable finding of uniqueness or unusualness, then a second step is taken in the process, i.e. a determination of whether practical difficulty and/or unreasonable hardship, resulting from the disproportionate impact of the ordinance caused by the property's uniqueness, exists." *Cromwell v. Ward*, 102 Md. App. 691, 694-695 (1995).

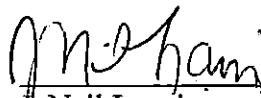
10. The Hearing Officer determined Petitioners met the second test without a finding they passed the first test.

11. This is a clear case of self created hardship.

12. Without passing the first test the Hearing Officer may not consider whether the Petitioner passed the second test with regard to the location variance.

WHEREFORE, your Protestant respectfully requests:

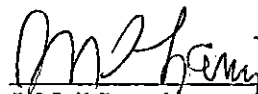
1. The Administrative Hearing Officer to reconsider the decision approving the variance for the location of the accessory building.
2. Deny Petitioners variance request for the location of the accessory building; and
3. Provide such other and further relief as is necessary.



J. Neil Lanzi
Wright, Constable & Skeen, LLP
102 W. Pennsylvania Avenue, Suite 406
Towson, Maryland 21204
(443) 991-5917

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 28th day of September, 2017, a copy of the foregoing Motion For Reconsideration was mailed, postage prepaid, to Lawrence E. Schmidt, Esquire, Smith, Gildea & Schmidt, LLC, 600 Washington Avenue, Suite 200, Towson, Maryland 21204, Counsel for Petitioners, Arnold Jablon, Director, Baltimore County Department of Permits, Approvals and Inspections, County Office Building, Suite 105, 111 W. Chesapeake Avenue, Towson, Maryland 21204, and Peter Max Zimmerman, Esquire and Carole DeMilio, Esquire, Office of People's Counsel for Baltimore County, Old Courthouse, Room 204, 105 W. Chesapeake Avenue, Towson, Maryland 21204.


J. Neil Lanzi

IN RE: PETITION FOR VARIANCE
(17111 Hunter Green Road)
5th Election District
3rd Council District
Alan D. & Brittany M. Keller
Legal Owners

Petitioners

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* CASE NO. 2017-0286-A

RECEIVED
SEP 28 2017
OFFICE OF
ADMINISTRATIVE HEARINGS

* * * * *

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2. Petitioners requested variance relief from the Baltimore County Zoning Regulations to permit an existing detached accessory building consisting of approximately 1,200 square feet with a height of 18 feet in lieu of the maximum allowed 15 feet and to permit said existing detached accessory building to be located in the third of the lot closest to the side street in lieu of the required third of the lot furthest removed from the side street.
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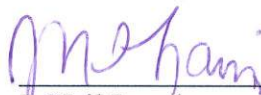
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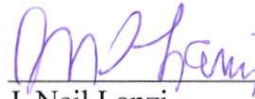
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J. Neil Lanzi

IN RE: PETITION FOR VARIANCE

(17111 Hunter Green Road)
5th Election District
3rd Council District
Alan D. & Brittany M. Keller
Legal Owners

Petitioners

*

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BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2017-0286-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Alan D. & Brittany M. Keller, owners of the subject property ("Petitioners"). Petitioners are requesting variance relief from the Baltimore County Zoning Regulations ("B.C.Z.R") to permit an existing detached accessory building (storage shed) with a height of 18 ft. in lieu of the maximum allowed 15 ft. and if necessary, to permit said existing detached accessory building (storage shed) to be located in the third of the lot closest to the side street in lieu of the required third of the lot farthest removed from the side street.

Alan & Brittany Keller and surveyor Bruce Doak appeared in support of the petition. Lawrence E. Schmidt, Esq. represented the Petitioners. Neil J. Lanzi, Esq. represented neighbors opposing the request. The Petition was advertised and posted as required by the B.C.Z.R. No substantive Zoning Advisory Committee (ZAC) comments were received from any of the County reviewing agencies.

The subject property is approximately three acres in size and zoned RC 2. The property is improved with a single family dwelling, pool, and two accessory buildings. This case concerns the larger of the two accessory buildings: a pole barn constructed this year.

Owner Brittany Keller described the protracted process by which the building was

ORDER RECEIVED FOR FILING

Date

8/31/17

By

Sen

constructed, which necessitated the filing of three zoning petitions. The witness testified the building was 90% complete when Petitioners received a notice from Baltimore County that their permit had been revoked. This led to the filing of the third petition (captioned above) on or about April 21, 2017. Ms. Keller stated her home has very little storage area, and the accessory building would be used for storage of household items, furniture and hobby equipment. She believes the subject property is unique due to its size, shape, topography, forest and a stream that runs through the rear of the site.

Protestants described the building as an "eyesore" and believe it is out of place in this neighborhood. They stated Petitioners have large parties at their home with friends camping out in tents in the yard, and they fear the accessory building would be used for similar purposes. Mr. Doak, who was accepted as an expert, opined Petitioners' property is not unique. In support of his opinion he presented aerial photographs which he believes show other lots in the community have a similar size and shape. Prot. Ex. Nos. 6 & 7. He also testified several other properties in the area are forested, have streams in the rear yard and grade changes (i.e., slopes) across the lots.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

I am persuaded by Mr. Doak's testimony, and do not believe the subject property is unique, at least for purposes of the height variance. Even assuming the property is unique Petitioners could not establish that such uniqueness generated the need for a height variance. As such the petition for a height variance will be denied.

ORDER RECEIVED FOR FILING

Date 8/31/17
By Sen

But I believe the second variance request pertaining to the location of the pole building stands on a different footing, for at least two reasons. First, Mr. Doak (Protestants' expert) testified that in his opinion there is nowhere on this "corner lot" where Petitioners could construct an accessory building without variance relief. Mr. Doak conceded this fact--in and of itself—justifies the grant of a variance.

Secondly, determining exactly where an accessory building can be placed on a corner lot using the B.C.Z.R. and Zoning Commissioner's Policy Manual ("Z.C.P.M.") is a frustrating and confusing (if not futile) exercise. I believe Mr. Doak's methodology, as shown on Protestants' Ex. 9, is most faithful to the text of B.C.Z.R. §400.1. But it is certainly at odds with the four examples provided in Section 400.1.d of the Z.C.P.M., none of which seem to accurately track the language used in the Regulation. And County zoning officials must themselves find this issue confusing, since they were forced to revoke the permit upon discovering it was "inadvertently" issued. Pets. Ex. 10. In these circumstances I believe Baltimore County is equitably estopped from revoking the permit as it pertains to the location of the building on the lot. *Permanent Financial Corp. v. Montgomery County*, 308 Md. 239 (1986).

THEREFORE, IT IS ORDERED, this 31st day of **August, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance to permit an existing detached accessory building (storage shed) with a height of 18 ft. in lieu of the maximum allowed 15 ft., be and is hereby DENIED.

IT IS FURTHER ORDERED that the Petition for Variance concerning the location on the lot of the existing accessory building be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. 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

ORDER RECEIVED FOR FILING

Date

8/31/17

By

Sen

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 or subsequent owners shall not convert the garage into a dwelling unit or apartment. The garage shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
3. The garage shall not be used for commercial purposes.

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:slm

ORDER RECEIVED FOR FILING

Date 8/31/17
By sen



KEVIN KAMENETZ
County Executive

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

August 31, 2017

Lawrence E. Schmidt, Esq.
Smith, Gildea & Schmidt, LLC
600 Washington Avenue, Suite 200
Towson, Maryland 21204

J. Neil Lanzi, Esq.
102 W. Pennsylvania Avenue, Suite 406
Towson, Maryland 21204

RE: Petition for Variance
Case No. 2017-0286-A
Property: 17111 Hunter Green Road

Dear Counsel:

Enclosed please find a copy of the decision 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 County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

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

Address 17111 HUNTER GREEN RD, UPPER CO, MD which is presently zoned RC2 (Vested RDP)

Deed References: 30313 / 00166 10 Digit Tax Account # 1700005871

Property Owner(s) Printed Name(s) ALAN D. KELLER & BRITANNY M. KELLER

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

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. X a **Variance** from Section(s) 400.3, BCZR, to permit an existing detached accessory building (storage shed) with a height of 18 feet in lieu of the maximum allowed 15 feet, and if necessary, Section 400.1, BCZR (Section 400.1.d (i), 2CPM) to permit said existing detached accessory building (storage shed) to be located in the third of the lot closest to the side street in lieu of the required third of the lot farthest removed from the side street.
of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT HEARING

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

LAWRENCE E. SCHMIDT

Name- Type or Print

Signature

600 WASHINGTON AVE #200, TOWSON, MD

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

ALAN D. KELLER, BRITANNY M. KELLER

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

17111 HUNTER GREEN RD, UPPER CO, MD

Mailing Address

City

State

21155, 410.374.0007

Zip Code

Telephone #

Email Address

Representative to be contacted:

Brittany Keller

Name - Type or Print

Signature

17111 HUNTER GREEN RD, UPPER CO, MD

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER

2017-0286-A

Filing Date

4/21/2017

Do Not Schedule Dates:

Reviewer

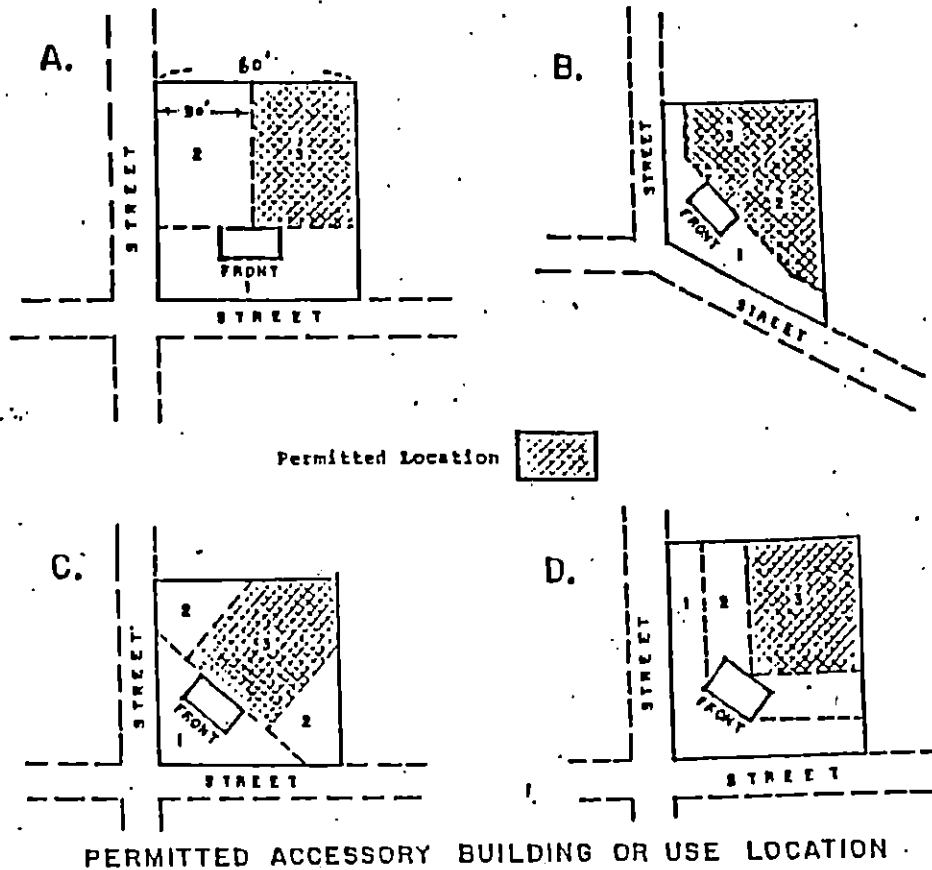
JNP

ZONING COMMISSIONER'S POLICY MANUAL

SECTION

400.1.d ACCESSORY STRUCTURES/USES

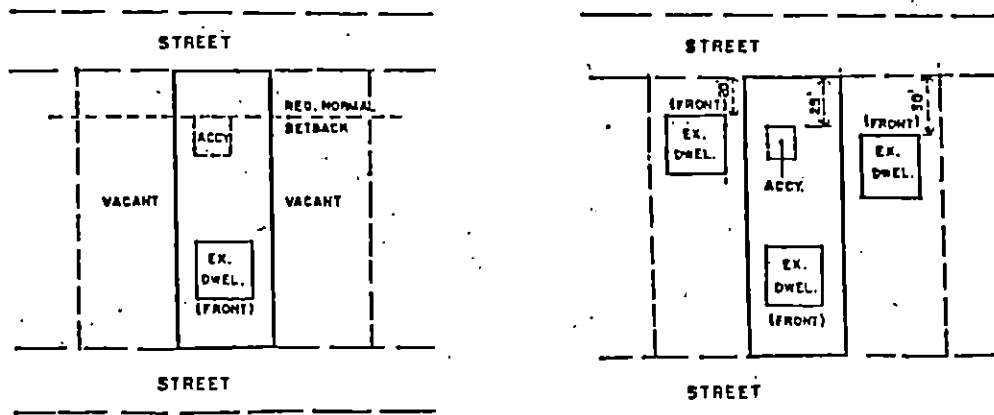
(1) Corner Lots - Location Diagrams:



(2) Double Frontage Lots

- (A) Accessory structures/uses on double-frontage lots shall not be closer to a street right-of-way line than the setback required for a principal dwelling.
- (B) Where street setbacks have been established by existing dwellings on adjoining properties, Section 303.1 shall be utilized to determine the average setback.

← ALSO SEE 400.2.8



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

Address: 17111 Hunter Green Rd, Upperco, MD 21155

Currently Zoned: RC2

Deed Reference: 30313 / 00166

10-Digit Tax Account #: 1700005871

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

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

2017-0286-A

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

No. 153042

Date: 4/21/2017

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				75.00

Total: 75.00

Rec From: Alan & Brittany Keller

For: Variances - 2017-0286-A
17111 Hunter Green Rd (Keller)

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

PAID RECEIPT

BUSINESS ACTUAL TIME DWM
 4/24/2017 4/21/2017-10:40:05 1
 REG 0501 WALKIN, LJR
 >>RECEIPT # 717136 4/21/2017 OFLN
 Dept 5 528 ZONING VERIFICATION
 CR NO. 153042
 Recpt Tot \$75.00
 \$75.00 CK \$1.00 CA
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 8/7/2017

Case Number: 2017-0286-A

Petitioner / Developer: SMITH, GILDEA & SCHMIDT, LLC ~
MR. & MRS. KELLER, ~ NEIL LANZI, ESQ.

Date of Hearing (Closing): AUGUST 28, 2017

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
17111 HUNTER GREEN ROAD

The sign(s) were posted on: AUGUST 7, 2017



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 5112600

Sold To:

Smith Gildea & Schmidt LLC - CU00433777
600 Washington Ave Ste 200
TOWSON, MD 21204

Bill To:

Smith Gildea & Schmidt LLC - CU00433777
600 Washington Ave Ste 200
TOWSON, MD 21204

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

Aug 08, 2017

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: # 2017-0286-A

17111 Hunter Green Road
SW corner of Hunter Green Road and Hunters Lake Court
5th Election District - 3rd Councilmanic District
Legal Owner(s) Alan & Brittany Keller

Variance: to permit an existing detached accessory building (storage shed) with a height of 18 ft. in lieu of the maximum allowed 15 ft. and if necessary, to permit said existing detached accessory building (storage shed) to be located in the third of the lot closest to the side street in lieu of the required third of the lot farthest removed from the side street.

Hearing: Monday, August 28, 2017 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 8/653 August 8

5112600

The Baltimore Sun Media Group

By

S. Wilkinson

Legal Advertising

TO: PATUXENT PUBLISHING COMPANY
Thursday, June 1, 2017 Issue - Jeffersonian

Please forward billing to:

Lawrence Schmidt
Smith, Gildea & Schmidt
600 Washington Avenue, Ste. 200
Towson, MD 21204

410-821-0070

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17111 Hunter Green Road
SW corner of Hunter Green Road and Hunters Lake Court
5th Election District – 3rd Councilmanic District
Legal Owners: Alan & Brittany Keller

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Hearing: Thursday, June 22, 2017 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

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

May 10, 2017

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2017-0286-A

17111 Hunter Green Road
SW corner of Hunter Green Road and Hunters Lake Court
5th Election District – 3rd Councilmanic District
Legal Owners: Alan & Brittany Keller

Variance to permit an existing detached accessory building (storage shed) with a height of 18 ft. in lieu of the maximum allowed 15 ft. and if necessary, to permit said existing detached accessory building (storage shed) to be located in the third of the lot closest to the side street in lieu of the required third of the lot farthest removed from the side street.

Hearing: Thursday, June 22, 2017 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Lawrence Schmidt, 600 Washington Avenue, Ste. 200, Towson 21204
Mr. & Mrs. Keller, 17111 Hunter Green Road, Upperco 21155

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JUNE 2, 2017.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 8, 2017 Issue - Jeffersonian

Please forward billing to:

Lawrence Schmidt
Smith, Gildea & Schmidt
600 Washington Avenue, Ste. 200
Towson, MD 21204

410-821-0070

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2017-0286-A

17111 Hunter Green Road

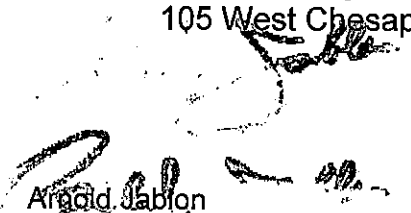
SW corner of Hunter Green Road and Hunters Lake Court

5th Election District – 3rd Councilmanic District

Legal Owners: Alan & Brittany Keller

Variance to permit an existing detached accessory building (storage shed) with a height of 18 ft. in lieu of the maximum allowed 15 ft. and if necessary, to permit said existing detached accessory building (storage shed) to be located in the third of the lot closest to the side street in lieu of the required third of the lot farthest removed from the side street.

Hearing: Monday, August 28, 2017 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Aracida Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

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

July 6, 2017

NEW NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2017-0286-A

17111 Hunter Green Road
SW corner of Hunter Green Road and Hunters Lake Court
5th Election District – 3rd Councilmanic District
Legal Owners: Alan & Brittany Keller

Variance to permit an existing detached accessory building (storage shed) with a height of 18 ft. in lieu of the maximum allowed 15 ft. and if necessary, to permit said existing detached accessory building (storage shed) to be located in the third of the lot closest to the side street in lieu of the required third of the lot farthest removed from the side street.

Hearing: Monday, August 28, 2017 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over a circular stamp that is partially obscured.

Arnold Jablon
Director

AJ:kl

C: Lawrence Schmidt, 600 Washington Avenue, Ste. 200, Towson 21204
Mr. & Mrs. Keller, 17111 Hunter Green Road, Upperco 21155
Neil Lanzi, 102 W. Pennsylvania Avenue, 406, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 8, 2017.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**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: 2017-0286-A
Property Address: 17111 Hunter Green Road
Property Description: South side of Hunter Green Road, 43 feet
West of Hunter Lake Court
Legal Owners (Petitioners): Alan & Britiany Keller
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: LAURKORCE & SCHMIDT
Company/Firm (if applicable): SMITH, GILDEA & SCHMIDT LLC
Address: 600 WASHINGTON AVE
SUITE 200
TOWSON, MD 21204
Telephone Number: 410-821-0070



KEVIN KAMENETZ
County Executive

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

August 24, 2017

Alan D & Brittany M Keller
17111 Hunter Green Road
Upperco, MD 21155

RE: Case Number: 2017-0286 A, Address: 17111 Hunter Green Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 21, 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
Lawrence E Schmidt, Esquire, 600 Washington Avenue, Suite 200, Towson MD 21204

Date: 4/26/17

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. 2017-0286-A

Variance
Alan D. & Brittany M. Keller
17111 Hunter Green Road.

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

Sincerely,



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

WW/RAZ

6-28-17 1:30 PM

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: 6/14/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-286



INFORMATION:

Property Address: 17111 Hunter Green Road
Petitioner: Alan D. Keller, Brittany M. Keller
Zoning: RC 2
Requested Action: Variance

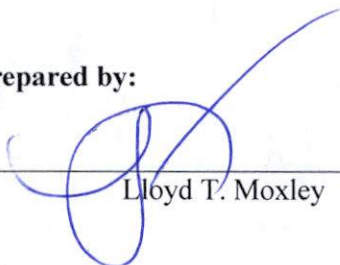
The Department of Planning has reviewed the petition for a variance to permit an existing detached accessory building (storage shed) with a height of 18 feet and to be located in the third of the lot closest to the side street in lieu of the maximum allowed 15 feet and required third of the lot furthest removed from the side street.

A site visit was conducted on May 2, 2017. The site plan notwithstanding, the property was the subject of prior zoning cases 2016-022-A and 2017-0173-A. The Department offered no comment on these prior cases.

The Department has no objection to granting the petitioned relief conditioned upon the structure not being used for principal residential or commercial purposes.

For further information concerning the matters stated herein, please contact Joseph Wiley at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Joseph Wiley
Brittany M. Keller
Office of the Administrative Hearings
People's Counsel for Baltimore County

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 28, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0286-A
Address 17111 Hunter Green Road
(Keller Property)

Zoning Advisory Committee Meeting of **May 1, 2017**.

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

Reviewer: Steve Ford

Date: 4-28-2017

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

FROM: ^{DAK} Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 8, 2017
Item No. 2017-0270, 0278, 0280, 0282, 0283, 0285 and 0286

DATE: May 8, 2017

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\ZAC05082017.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: April 28, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0286-A
Address 17111 Hunter Green Road
(Keller Property)

Zoning Advisory Committee Meeting of **May 1, 2017**.

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

Reviewer: Steve Ford Date: 4-28-2017

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
17111 Hunter Green Road; SW corner of Hunter	*	
Green Road & Hunters Lake Court	*	OF ADMINISTRATIVE
5 th Election & 3 rd Councilmanic Districts	*	
Legal Owner(s): Alan & Brittany Keller	*	HEARINGS FOR
Petitioner(s)	*	BALTIMORE COUNTY
	*	2017-286-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

APR 26 2017

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of April, 2017, a copy of the foregoing Entry of Appearance was mailed to Brittney Keller, 17111 Hunter Green Road, Upperco, Maryland 21155 and Lawrence Schmidt, Esquire, 600 Washington Avenue, Suite 200, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

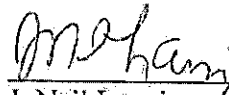
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

IN THE MATTER OF	*	BEFORE THE ADMINISTRATIVE
17111 Hunter Green Road	*	LAW JUDGE
S/s Hunter Green Road,	*	FOR
corner of the SW/s of Hunter Lake Court	*	
5 th Election District	*	BALTIMORE COUNTY
3 rd Councilmanic District	*	
Legal Owners: Alan and Brittany Keller	*	Case No. 2017-0286-A

* * * * *

ENTRY OF APPEARANCE

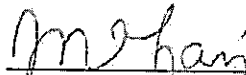
Please enter the appearance of Wright, Constable & Skeen, LLP and J. Neil Lanzi,
Esquire on behalf of Robert Shaffer and Stephen Stanton in the above captioned matter.



J. Neil Lanzi
Wright, Constable & Skeen, LLP
102 W. Pennsylvania Avenue
Suite 406
Towson, Maryland 21204
(443) 991-5917

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 17th day of May, 2017, a copy of the foregoing Entry of Appearance was mailed, postage prepaid, to Lawrence E. Schmidt, Esquire, Smith, Gildea & Schmidt, LLC, 600 Washington Avenue, Suite 200, Towson, Maryland 21204 and Peter Max Zimmerman, People's Counsel for Baltimore County, Old Courthouse, Room 47, 400 Washington Avenue, Towson, Maryland 21204.



J. Neil Lanzi

M E M O R A N D U M

DATE: October 5, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0286-A Appeal Period Expired

The appeal period for the above-referenced case expired on October 2, 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



**Sparks-Glencoe Community
Planning Council
P.O. Box 937, Sparks, MD 21152**

August 27, 2017

The Honorable John E. Beverungen
Administrative Law Judge
The Jefferson Building
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204



Re: 17111 Hunter Green Road
Upperco, Maryland 21155
Case No. 2017-0286-A
Hearing Date: August 28, 2017

Dear Judge Beverungen:

The Sparks-Glencoe Community Planning Council (SGCPC) opposes the request in the above referenced matter for a variance for a pole barn that has been constructed in violation of the height and setback restrictions established for that neighborhood.

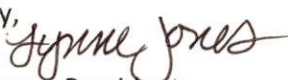
It is our understanding that the building, characterized as a "storage shed", is more properly understood as a 30 x 40 foot pole barn. It exceeds the height restrictions by at least 3 feet, and possibly more. Further, it appears to have been constructed on a portion of the property that abuts the road, instead of on the required rear portion.

SGCPC is always distressed at situations where individuals construct buildings in violation of established requisites and then ask for after the fact ratification. This all too common practice defeats the purposes of the zoning regulations, and we believe it is a practice which hopes to rely on a judge's understandable reluctance to order a structure moved or torn down. Further, we are not aware of any uniqueness about the property that can justify a variance in the first instance.

The procedural history of this matter is rather complex. We understand that there have been prior withdrawn petitions, possibly a stop work order, and stalled negotiations with adjoining homeowners. This makes construction in violation of the rules all the more inexcusable. We fully endorse the positions taken by the Protestants.

Thank you for your consideration in this matter.

Sincerely,


Lynne Jones, President

SMITH, GILDEA & SCHMIDT_{LLC}

5/15/17
OK
8

MICHAEL PAUL SMITH
DAVID K. GILDEA
LAWRENCE E. SCHMIDT
MICHAEL G. DEHAVEN
JASON T. VETTORI

CHRISTOPHER W. COREY
MARIELA C. D'ALESSIO*
MELISSA L. ENGLISH
SARAH A. ZADROZNY

of counsel:
EUGENE A. ARBAUGH, JR.
DAVID T. LAMPTON
*Admitted in MD, FL, PA

May 15, 2017

Sent via Email

Kristen Lewis, Scheduler
Department of Permits, Approvals, and Inspections
111 W. Chesapeake Avenue, Room 111
Towson, MD 21204

Re: Petition for Variance
Case No. 2017-0286-A
17111 Hunter Green Road

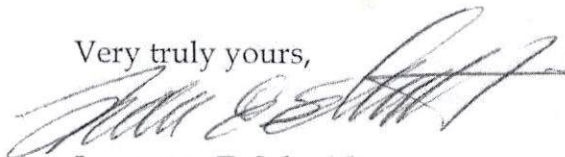
Dear Ms. Lewis:

I am in receipt of the Notice of Zoning Hearing scheduling the above referenced matter for hearing on Thursday, June 22, 2017 at 1:30 p.m. Please be advised that between the date of filing the Petition for this matter and my receipt of this notice, I scheduled an out of state vacation beginning on June 22nd and returning to the office on June 30th. I hereby respectfully request a postponement of the above captioned case. The only vacations I currently have planned in July are the following dates: July 3rd, July 20th - 24th.

We are aware that Neil Lanzi, Esquire represents neighbors opposing this variance request. We have copied him on this request and have reached out to him to determine his availability in July.

Thank you for your consideration. I remain,

Very truly yours,



Lawrence E. Schmidt

LES:amf

cc: Honorable John Beverungen, Office of Administrative Hearings
Alan and Brittany Keller
Neil Lanzi, Esquire

M/A Aug 1-8, 1621

Kristen L Lewis

From: Alyssa Fiore <afiore@sgs-law.com>
Sent: Monday, May 15, 2017 3:50 PM
To: Kristen L Lewis
Cc: Lawrence Schmidt; 'nlanzi@wclaw.com'
Subject: RE: 17111 Hunter Green Road (2017-0286-A)
Attachments: Letter to Kristen re_ postponement request for 6.22.17 hearing.pdf

Kristen – As a follow up to our request below, our client just advised they are unavailable on July 10th.

Alyssa M. Fiore | Paralegal
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue | Suite 200 | Towson, MD 21204 | (410) 821-0070
afiore@sgs-law.com | www.sgs-law.com

This email contains information from the law firm of Smith, Gildea & Schmidt, LLC which may be confidential and/or privileged. The information is intended to be for the exclusive use of the individual or entity named above. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this e-mail in error, please notify Smith, Gildea & Schmidt, LLC by telephone immediately.

From: Alyssa Fiore
Sent: Monday, May 15, 2017 3:29 PM
To: 'klewis@baltimorecountymd.gov'
Cc: Lawrence Schmidt; 'nlanzi@lanzilaw.com'
Subject: 17111 Hunter Green Road (2017-0286-A)

Kristen,

Pursuant to our telephone conversation, please see the attached postponement request.

Alyssa M. Fiore | Paralegal
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue | Suite 200 | Towson, MD 21204 | (410) 821-0070
afiore@sgs-law.com | www.sgs-law.com

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Kristen L Lewis

From: Neil Lanzi <nlanzi@wcslaw.com>
Sent: Monday, May 15, 2017 4:27 PM
To: Alyssa Fiore; Kristen L Lewis
Cc: Lawrence Schmidt
Subject: RE: 17111 Hunter Green Road (2017-0286-A)

Kristin,

I will not be available from July 27th through August 8th. I will check with my clients on their availability and get back to you.

Regards,

Neil



Neil Lanzi
Partner
Wright, Constable & Skeen, LLP
102 W. Pennsylvania Avenue, Suite 406
Towson, Maryland 21204
Tele: 443-991-5917
E-mail: nlanzi@wcslaw.com

From: Alyssa Fiore [<mailto:afiore@sgs-law.com>]
Sent: Monday, May 15, 2017 3:50 PM
To: 'klewis@baltimorecountymd.gov'
Cc: Lawrence Schmidt; Neil Lanzi
Subject: RE: 17111 Hunter Green Road (2017-0286-A)

Kristen – As a follow up to our request below, our client just advised they are unavailable on July 10th.

Alyssa M. Fiore | Paralegal
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue | Suite 200 | Towson, MD 21204 | (410) 821-0070
afiore@sgs-law.com | www.sgs-law.com

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From: Alyssa Fiore
Sent: Monday, May 15, 2017 3:29 PM
To: 'klewis@baltimorecountymd.gov'

Kristen L Lewis

From: Neil Lanzi <nlanzi@wclaw.com>
Sent: Wednesday, May 17, 2017 9:28 AM
To: Kristen L Lewis
Cc: 'Lawrence Schmidt, Esquire'; Alyssa Fiore
Subject: 17111 Hunter Green Road, Case No. 2017-0286-A

Kristin,

I have checked with my clients and consultant and we are available for the hearing to be set in July (before July 27th). Hopefully this works with the hearing officer's schedule.

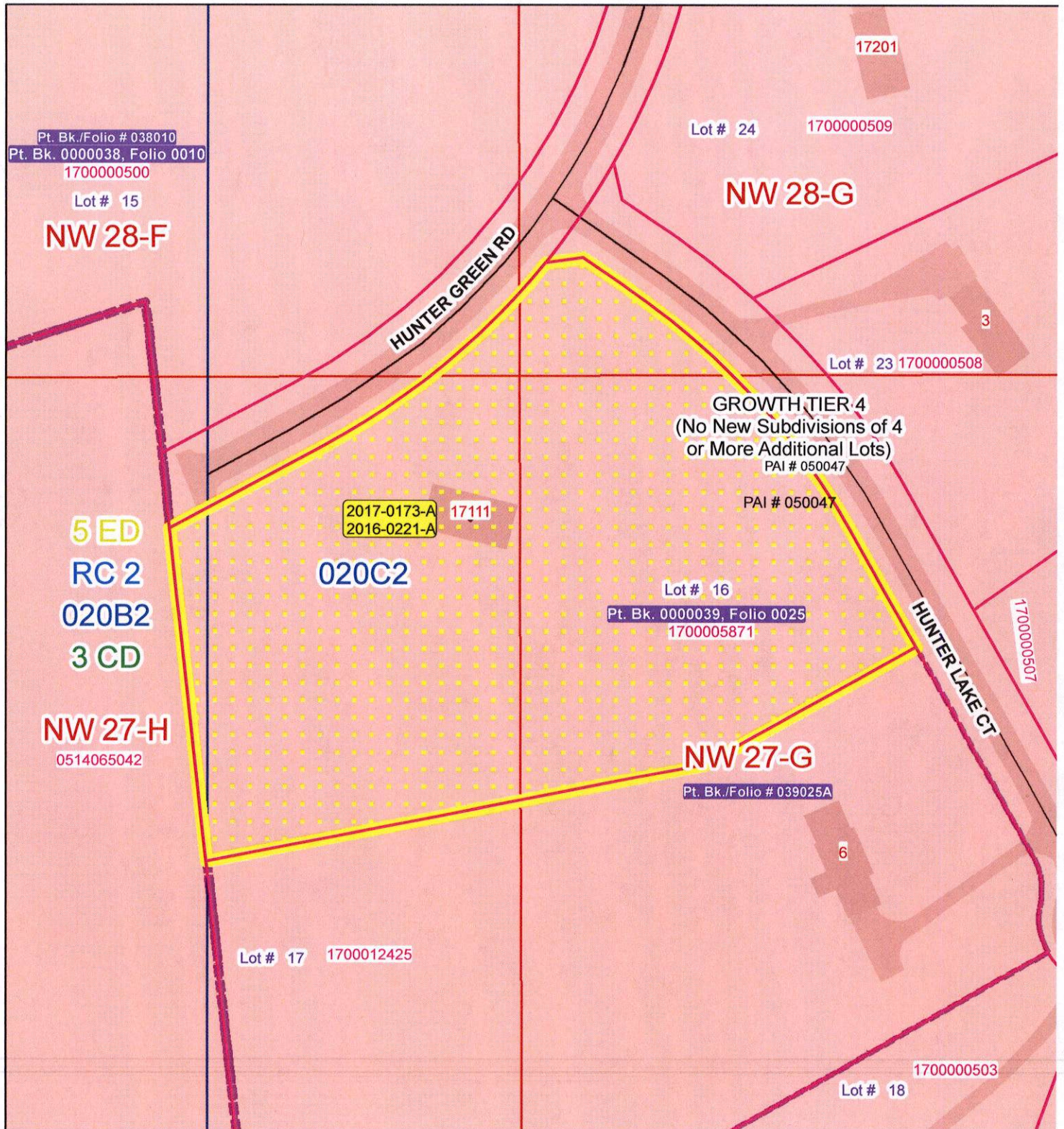
Regards,

Neil



Neil Lanzi
Partner
Wright, Constable & Skeen, LLP
102 W. Pennsylvania Avenue, Suite 406
Towson, Maryland 21204
Tele: 443-991-5917
E-mail: nlanzi@wclaw.com

1.111 Hunter Green Road



Publication Date: 4/13/2017



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



0 25 50 100 150 200 Feet

1 inch = 100 feet

2017-0286-A

CASE NAME Keller
CASE NUMBER 2017-2864
DATE 8/28/17

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
------	---------	------------------	----------

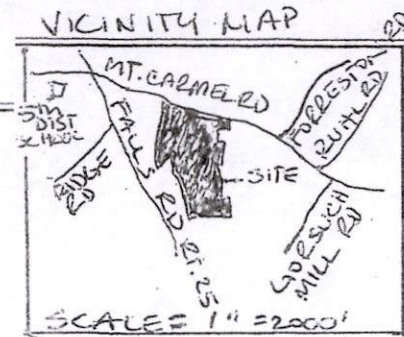
[illegible]

CASE NAME KELLER
CASE NUMBER 2017-0286-A
DATE 8/28/17

E - MAIL

[illegible]

ADDRESS: 17111 HUNTER GREEN RD OWNERS: ALAN D. + BRITTANY M KELLER
 SUBDIVISION NAME: HUNTER GREEN LOT #16 PLAT BOOK #39 FOLIO #25
 10 DIGIT TAX #1700005871 DEED REFERENCE: 30313/00166



ZONING MAPS
 OZOC2

SITE ZONED:

LC2 (VESTED RDP)

ELECTION DISTRICT

5

COUNCIL DISTRICT

3

LOT ACREAGE

3.272

HISTORIC: NO

IN EBCA: NO

IN FLOODPLAIN: NO

WATER/SEWER:

PRIVATE



PRIOR
 HEARING:
 NO

1. Rebars set are 5/8" x 18" with a yellow cap marked C-250.
2. All bearings shown hereon are based off GPS Nad83.
3. This survey and plat were prepared without benefit of a title report.

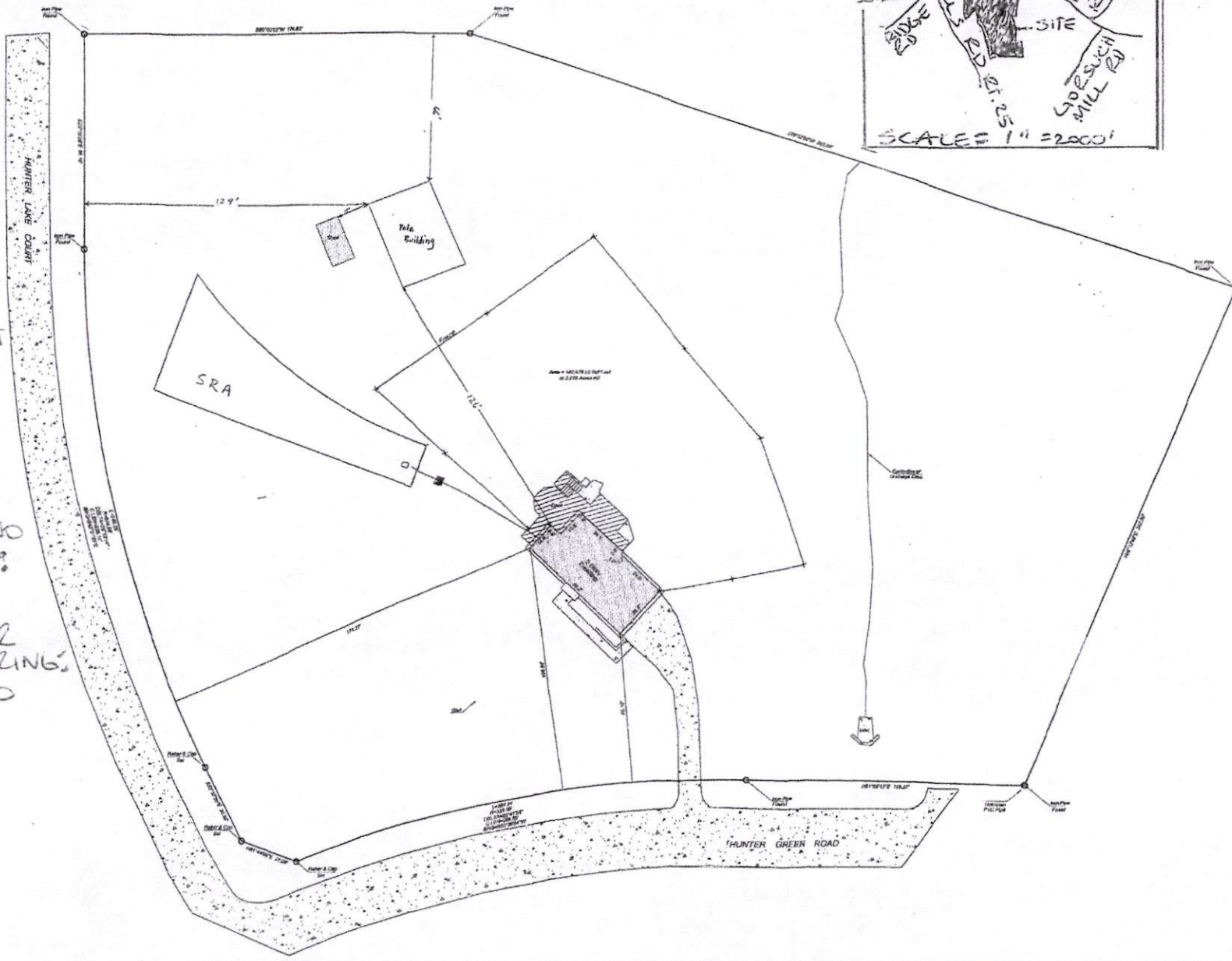
Nelson & Matthews

Boundary Survey & Site Plan
 17111 Hunter Green Road

Date: 10/01/12
 Scale: 1" = 20'

Rudon Design Corporation
 5422 Beltone Lane
 Suite 300
 Towson, Maryland 21204
 410-623-5900
 410-623-0119 fax

rd@rudondesign.com www.rudondesign.com



2017-0286-A

8-28-2017

Case No.: 2017-0286-A

Exhibit Sheet

Petitioner/Developer

Protestant

SEP 8/31/17

No. 1	1A-1E Aerial photos	1 st Variance request
No. 2	Title deed	5/23/2016 Bldg. Permit Application
No. 3	3A > HunterGreen plat 3B	Admin. Variance petition 2017-0173-A
No. 4	SDAT record	Hunter Green plat
No. 5	Photographs	Photos
No. 6	Admin. Variance Petition	Aerial photograph
No. 7	DEPS Letter 6-23-2016	Aerial topo photography
No. 8	Admin Variance Petition	Aerial topo photo w/ drainage + utility easement
No. 9	Building permit	Aerial photography w/ easement shown.
No. 10	April 4, 2017 letter from PAI	BCZR § 400
No. 11	Variance petition	Photo of Stanton's Home
No. 12	8-24-17 letter from Ms. McMahon	

~~1A-1B - ZTC comments~~

Case No.:

2017-286-A

Exhibit Sheet - Continued

Petitioner/Developer

Protestants

No. 13	ZAL comments	
No. 14	Aerial photo-sub. prop.	
No. 15	ZCPM § 400.1.d	
No. 16		
No. 17		
No. 18		
No. 19		
No. 20		
No. 21		
No. 22		
No. 23		
No. 24		

Community Settlement Group, LLC
File No. CSG-MD10-0686DM
Tax ID # 05 05-1700005871

0036 - 3 166

This Deed, made this 15th day of December, 2010, by and between Timothy R. Matterson and Rhonda H. Matterson, parties of the first part, Grantors; and Alan D. Keller and Brittany M. Keller, parties of the second part, Grantees.

- Witnesseth -

That for and in consideration of the sum of three hundred eighty-nine thousand and 00/100 Dollars (\$389,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantors do grant and convey to the said Alan D. Keller and Brittany M. Keller, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, 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 No. 16 as shown on Plat of the Resubdivision of Lots 16 and 17 of Section One, Hunter Green, which Plat is recorded among the Land Records of Baltimore County in Plat Book No. 39, folio 25.

BEING THE SAME property which, by Deed dated July 15, 2003, and recorded among the Land Records of Baltimore County, State of Maryland, in Liber No. 18912, folio 649, was granted and conveyed by Michael Jeffrey McKnight unto Timothy R. Matterson and Rhonda H. Matterson.

Subject to any and all easements, covenants, conditions, restrictions and notations of record.

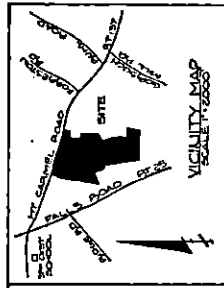
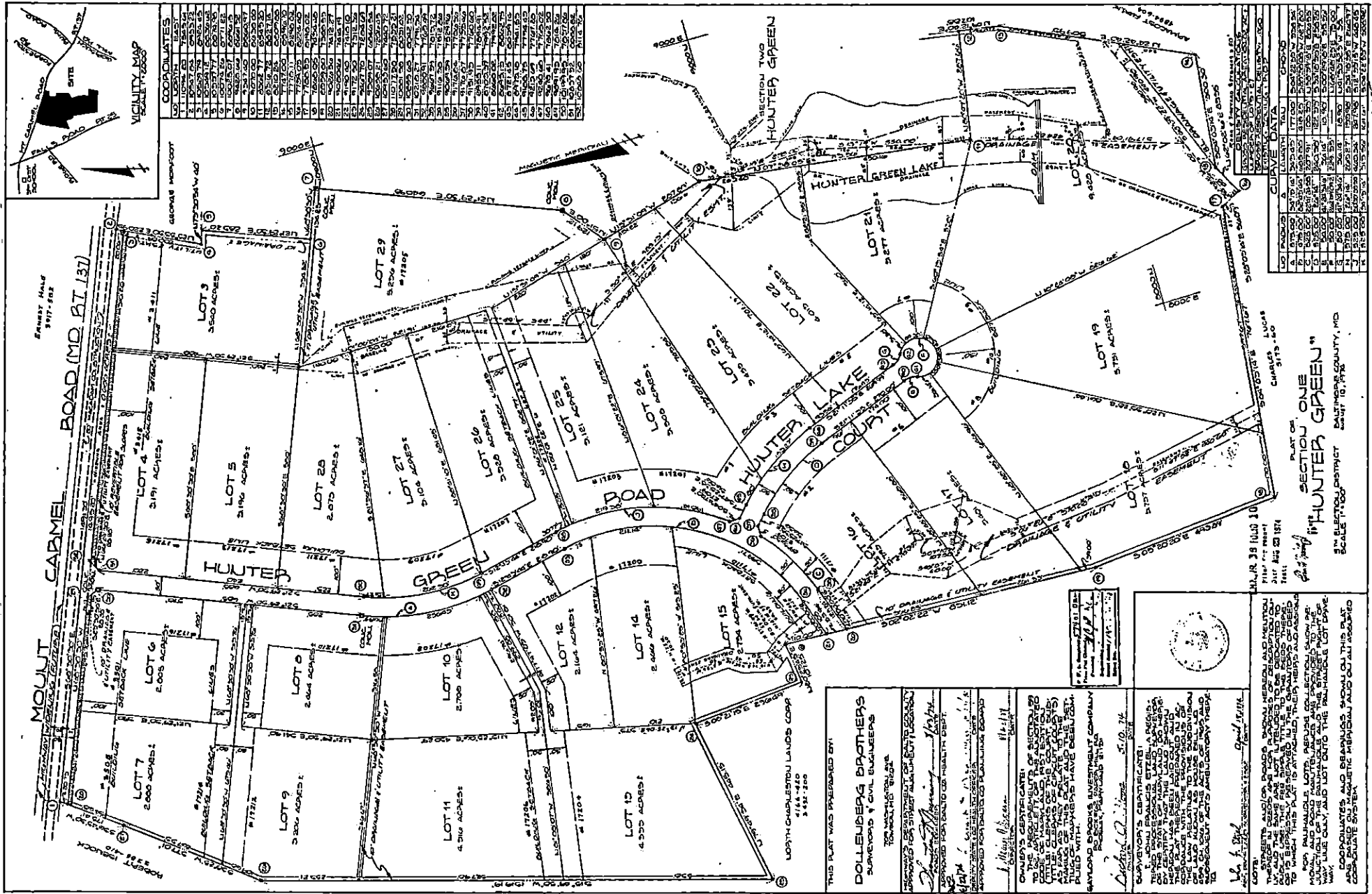
Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

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 Alan D. Keller and Brittany M. Keller, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, in fee simple.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

Pet. Ex 2

16-19



COORDINATES

LOT	COORDINATES
1	17100 000 000 000
2	17100 000 000 000
3	17100 000 000 000
4	17100 000 000 000
5	17100 000 000 000
6	17100 000 000 000
7	17100 000 000 000
8	17100 000 000 000
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27	17100 000 000 000
28	17100 000 000 000
29	17100 000 000 000

THIS PLAT WAS PREPARED BY:
DOLLEBERG BROTHERS
SURVEYORS & CIVIL ENGINEERS
1000 WEST 10TH AVENUE
DENVER, COLORADO 80202

APPROVED FOR RECORD BY THE COUNTY CLERK OF BENTLEY COUNTY, COLORADO, ON THIS 10TH DAY OF MAY, 2011.

John A. Dolleberg
John A. Dolleberg, Surveyor
1000 West 10th Avenue, Denver, CO 80202
Phone: 303.733.1111
Fax: 303.733.1112

John A. Dolleberg
John A. Dolleberg, Surveyor
1000 West 10th Avenue, Denver, CO 80202
Phone: 303.733.1111
Fax: 303.733.1112

OWNER'S CERTIFICATION
I, **John A. Dolleberg**, Surveyor, do hereby certify that the above described plat was prepared by me or under my direct supervision and that I am a duly licensed Surveyor in the State of Colorado.

FOR BENTLEY COUNTY, COLORADO, I DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED PLAT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED SURVEYOR IN THE STATE OF COLORADO.

FOR BENTLEY COUNTY, COLORADO, I DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED PLAT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED SURVEYOR IN THE STATE OF COLORADO.

FOR BENTLEY COUNTY, COLORADO, I DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED PLAT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED SURVEYOR IN THE STATE OF COLORADO.

CURVE DATA

LOT	CHORD	ANGLE	AREA
1	17100 000 000 000	90.00	17100 000 000 000
2	17100 000 000 000	90.00	17100 000 000 000
3	17100 000 000 000	90.00	17100 000 000 000
4	17100 000 000 000	90.00	17100 000 000 000
5	17100 000 000 000	90.00	17100 000 000 000
6	17100 000 000 000	90.00	17100 000 000 000
7	17100 000 000 000	90.00	17100 000 000 000
8	17100 000 000 000	90.00	17100 000 000 000
9	17100 000 000 000	90.00	17100 000 000 000
10	17100 000 000 000	90.00	17100 000 000 000
11	17100 000 000 000	90.00	17100 000 000 000
12	17100 000 000 000	90.00	17100 000 000 000
13	17100 000 000 000	90.00	17100 000 000 000
14	17100 000 000 000	90.00	17100 000 000 000
15	17100 000 000 000	90.00	17100 000 000 000
16	17100 000 000 000	90.00	17100 000 000 000
17	17100 000 000 000	90.00	17100 000 000 000
18	17100 000 000 000	90.00	17100 000 000 000
19	17100 000 000 000	90.00	17100 000 000 000
20	17100 000 000 000	90.00	17100 000 000 000
21	17100 000 000 000	90.00	17100 000 000 000
22	17100 000 000 000	90.00	17100 000 000 000
23	17100 000 000 000	90.00	17100 000 000 000
24	17100 000 000 000	90.00	17100 000 000 000
25	17100 000 000 000	90.00	17100 000 000 000
26	17100 000 000 000	90.00	17100 000 000 000
27	17100 000 000 000	90.00	17100 000 000 000
28	17100 000 000 000	90.00	17100 000 000 000
29	17100 000 000 000	90.00	17100 000 000 000

PLAT OF
"HUNTER GREEN"
IN ELECTRIC DISTRICT BENTLEY COUNTY, CO
SCALE 1"=100'
JULY 28 10 10 10
FILED FOR RECORD
FILED JUL 28 10 11

FOR BENTLEY COUNTY, COLORADO, I DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED PLAT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED SURVEYOR IN THE STATE OF COLORADO.

FOR BENTLEY COUNTY, COLORADO, I DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED PLAT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED SURVEYOR IN THE STATE OF COLORADO.

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FOR BENTLEY COUNTY, COLORADO, I DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED PLAT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED SURVEYOR IN THE STATE OF COLORADO.

5432

Highways Department of Baltimore County
Approved for street alignment & location.

Shenton D. Manning 1/9/76
Roads Engineer Date

Approved for Baltimore County Health Dept.

Donald J. Ryan, M.D. 1/6/76
Dept. State & County Health Officer Date

Approved for Balto. Co. Planning Board.

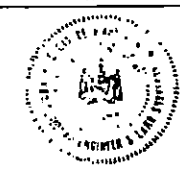
William J. Shuman 1/9/76
Director Date

Owner's Certificate:

The Requirements of Section 59 to G2, Article 17, of the annotated code of Maryland, 1957 edition (Title: Clerks of the Court, Subtitle: Clerks of Circuit Court) as far as they relate to the making of this Plat and the setting of markers have been complied with.

GAYLORD BROOKS INVESTMENT COMPANY
P.O. Box #G2 Paper Mill Road
Phoenix, Maryland 21131

Richard C. Moore, Jr.
Owner Date 10/6/75



NORTH CHARLESTON
LANDS CORPORATION

Surveyor's Certificate:

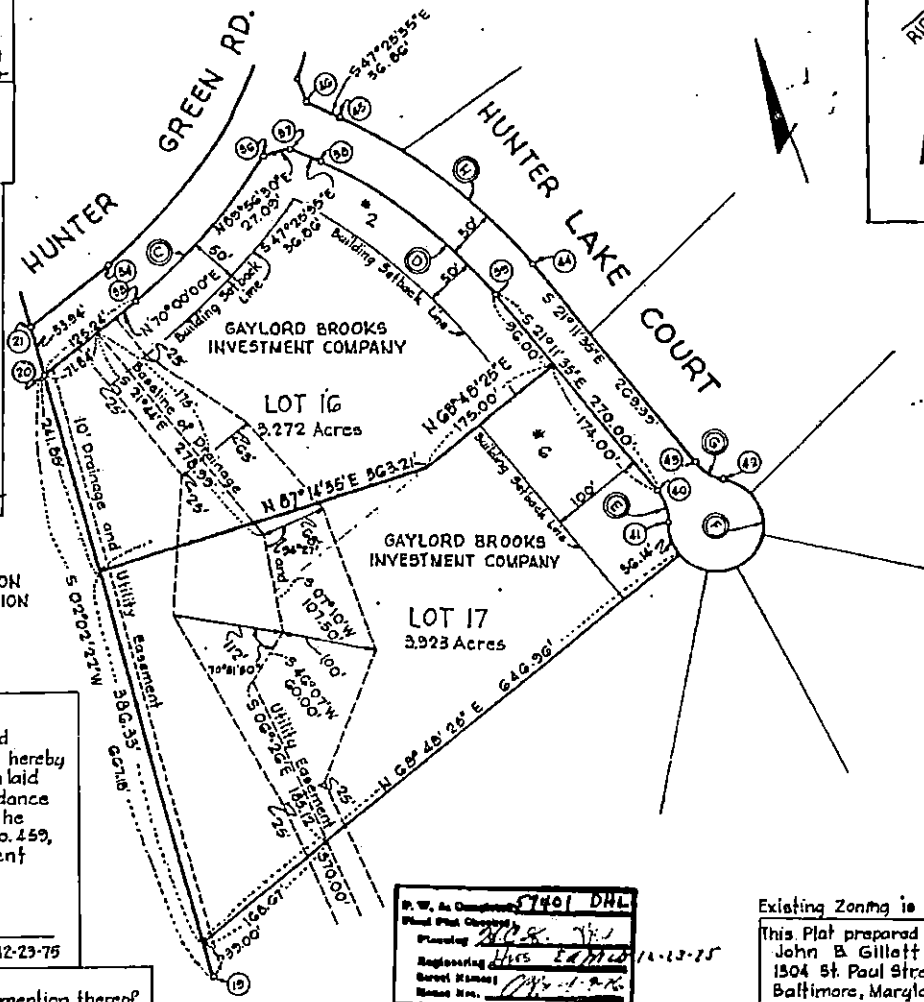
I, Harry C. MacKay, a Registered Land Surveyor of the State of Maryland, do hereby certify that the land shown hereon has been laid out and the plat thereof prepared in accordance with the provisions of the law relating to the subdivision of land known as House Bill No. 459, Ch. 101G, of the Acts of 1945 and subsequent Acts amendatory thereto.

Harry C. MacKay
Reg. Land Surveyor No. 3394 Date: 12-23-75

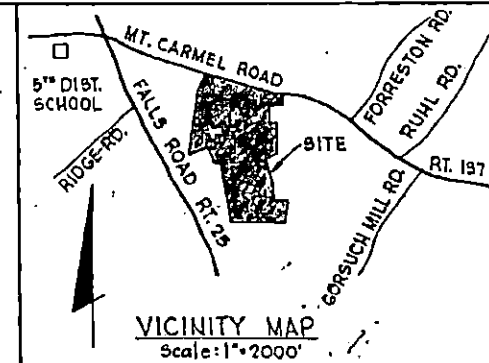
Streets and/or Roads shown hereon and mention thereof in deeds are for purposes of description only, and the same are not intended to be dedicated to public use; the fee simple title to the beds thereof is expressly reserved in the Grantors of deed to which this plat is attached, their heirs and assigns.

Coordinates and Bearings shown on this plat are based on Magnetic Meridian and on assumed coordinate system.

All requirements of the Department of Health of Baltimore County Department of Health relating to private water and sewerage systems must be complied with prior approval of building in place.



Plat of the Resubdivision of Lots 16 & 17 of Section One, Hunter Green, as originally recorded in LHK, JR. 38, Folio 10, 5th Election District, Baltimore County, MD. Scale: 1"=100' November 3, 1975



E.H.K., JR. 39 FOLIO 25

Filed for record
Date JAN 14 1976
Test:

John B. Gillett
Clerk

COORDINATES

NO.	NORTH	EAST
19	8359.80	7386.58
20	9026.56	7412.27
21	9080.46	7414.19
34	9116.38	7512.86
35	9069.39	7528.96
36	9176.84	7706.56
37	9176.87	7753.46
38	9151.93	7760.60
39	8965.11	7894.91
40	8703.57	7922.82
41	8668.02	7992.82
42	8695.15	8002.76
43	8721.45	8039.14
44	8973.18	7941.53
45	9188.75	7724.42
46	9213.69	7767.28

Existing Zoning is RPD

This Plat prepared by:
John B. Gillett
1304 St. Paul Street
Baltimore, Maryland 21202

CURVE DATA

NO.	RADIUS	Δ	LENGTH	TAN.	CHORD
C	525.00'	22°41'24.68"	207.91	108.33'	N 58°59'18"E 206.56'
D	525.00'	26°14'00"	240.35'	122.35'	S 34°18'36"E 238.28'
E	50.00'	41°24'34.6"	96.14'	18.90'	S 00°29'18"E 55.56'
F	50.00'	262°40'09.2"	229.35'	—	N 68°48'25"E 75.00'
G	50.00'	41°24'34.6"	96.14'	18.90'	N 41°55'52.5"W 85.36'
H	575.00'	26°14'00"	265.27'	133.28'	S 34°18'36"E 260.87'

PETITIONER'S

EXHIBIT NO. **3B**

MSA 55A.1336-6068

Real Property Data Search (w4)

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 05 Account Number - 1700005871			
Owner Information					
Owner Name:	KELLER ALAN D KELLER BRITTANY M		Use:	RESIDENTIAL	
Mailing Address:	17111 HUNTER GREEN RD UPPERCO MD 21155- 9402		Principal Residence:	YES	
			Deed Reference:	/30313/ 00166	
Location & Structure Information					
Premises Address:		17111 HUNTER GREEN RD 0-0000		Legal Description:	3.272 AC 17111 HUNTER GREEN RD HUNTER GREEN
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0020	0011	0058		0000	1 16 2017 0039/0025
Special Tax Areas:			Town: Ad Valorem: Tax Class:		
			NONE		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1976	1,734 SF	600 SF	3.2700 AC	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
Split Foyer	YES	SPLIT FOYER	SIDING	2 full	1 Attached
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2017	07/01/2016	07/01/2017	
Land:	114,800	114,800			
Improvements	206,800	240,400			
Total:	321,600	355,200	321,600	332,800	
Preferential Land:	0			0	
Transfer Information					
Seller: MATTERSON TIMOTHY R		Date: 12/28/2010		Price: \$389,000	
Type: ARMS LENGTH IMPROVED		Deed1: /30313/ 00166		Deed2:	
Seller: MCKNIGHT MICHAEL JEFFREY		Date: 10/07/2003		Price: \$374,900	
Type: ARMS LENGTH IMPROVED		Deed1: /18912/ 00649		Deed2:	
Seller: MCKNIGHT MICHAEL JEFFREY		Date: 09/02/1999		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /14004/ 00049		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 03/08/2011					
Homeowners' Tax Credit Application Information					

Pet-Ex 4

61-EX-1



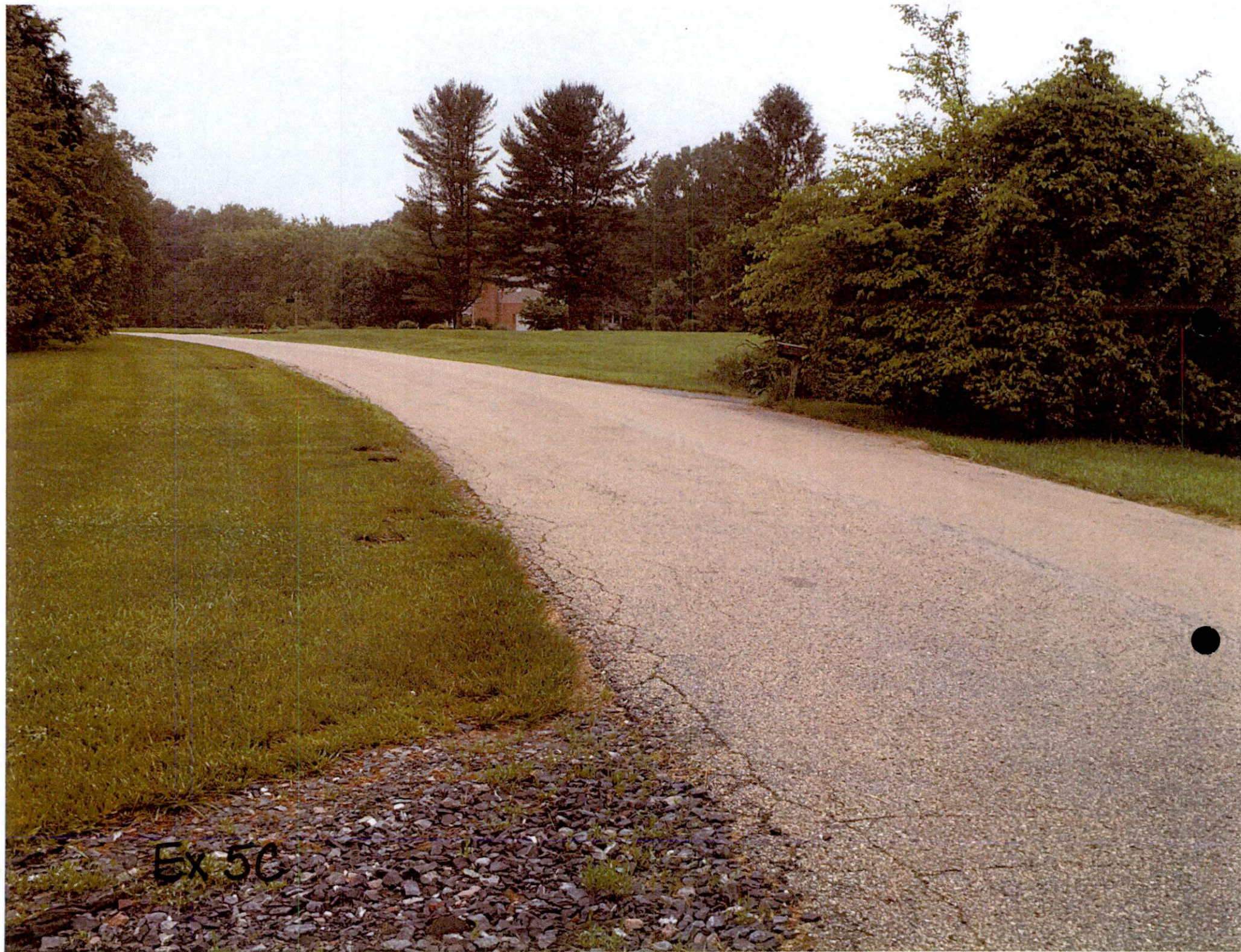
PETITIONER'S

EXHIBIT NO. 5A



Ex 5B

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Ex 5C

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Ex 5D



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Ex 5E

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EX 5F



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Ex. 5H



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Ex 51



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EX 55



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Ex 5K



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EX 51

Ex 5m



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Ex 5M

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Ex 5P

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EX 50



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EX 58

POSTED
NO TRESPASSING
KEEP OUT



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Ex 55



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Ex 57



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EX 5U



2018

EX 5V



2020



Ex 5W

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EX 5X

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Ex 57



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Ex 57



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EX 5A

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ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

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

Address 17111 HUNTER GREEN RD, UPPER CO, MD 21155 Currently zoned RESIDENTIAL
Deed Reference 30313 100166 10 Digit Tax Account # 1700005871
Owner(s) Printed Name(s) ALAN D & BRITANY M KELLER

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

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

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

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

400.3 "HEIGHT"

400.1 "LOCATION"

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):

ALAN D KELLER / BRITANY M KELLER
Name #1 – Type or Print Name #2 – Type or Print

Alan D. Keller / Britany M. Keller
Signature #1 Signature #2

17111 HUNTER GREEN RD, UPPER CO, MD
Mailing Address City State

21155 / 410.374.0007 / akbk6100@comcast.net
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:

ALAN D KELLER

Name – Type or Print

Alan D. Keller
Signature

17111 HUNTER GREEN RD, UPPER CO, MD
Mailing Address City State

21155 / 410.374.0007 / akbk6100@comcast.net
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 2016-0221-A Filing Date / / Estimated Posting Date / / Reviewer _____

Pet-EX #16



KEVIN KAMENETZ
County Executive

VINCENT J. GARDINA, *Director*
Department of Environmental Protection
and Sustainability

June 23, 2016

Mr. & Mrs. Keller
17111 Hunter Green Road
Upperco, MD 21155-9402

Re: 17111 Hunter Green Road
Permit Application #B914950

Dear Mr. & Mrs. Keller:

Environmental Impact Review (EIR) has received the above referenced building permit application for a 1,200 square foot pole barn and it has been approved. Please note, in 2009 this property was the subject of a violation relating to clearing over a half acre of trees. Restoration in the form of tree planting was conducted in the area to the south of your fenced in yard, and this area along with the mature forest and stream must remain undisturbed. As shown on the plan that accompanied the permit application, the pole barn will be at least 170 feet from the stream and at least 50 feet away from the replanted area. While vehicle access to the pole barn was not shown on the plan, any future access shall not encroach upon the replanted area adjacent to the stream.

If you have any questions regarding this correspondence, please contact me at tkrispin@baltimorecountymd.gov or (410) 887-3980.

Sincerely,

Thomas Krispin
Natural Resource Specialist II
Environmental Impact Review

CC: Mr. David Lord
Holler Contracting LLC
10617 Powell Road
Thurmont, MD 21788

S:\EPS\EIR\Tom K\Building Permits\17111 huntergreenrd_polebarn.doc

PETITIONER'S

EXHIBIT NO.

67



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

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

Address 17111 Hunter Green Rd, Upperco MD 21155 Currently zoned Residential

Deed Reference 30313 1 00166 10 Digit Tax Account # 1700005871

Owner(s) Printed Name(s) Alan D. Keller and Brittany M. Keller

(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)

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):

Alan D. Keller, Brittany M. Keller

Name #1 - Type or Print Name #2 - Type or Print

X Alan D. Keller Brittany M. Keller

Signature #1

Signature #2

17111 Hunter Green Rd, Upperco MD

Mailing Address City State

21155, 410 374 0007

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:

DAVID LORD

Name - Type or Print

David Lord

Signature

10617 POWELL Rd, Thurmont MD

Mailing Address City State

21788, 301-667-4404, hollercontracting@aol.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 2017-0173-A day of June 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 2017-0173-A Filing Date 6/1/17 Estimated Posting Date 6/1/17 Reviewer _____

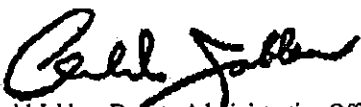
Pet. Ex 8

Rev 5/5/2016

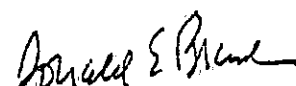
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1. *Phragmites australis* (Cav.) Trin. ex Steud.

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS, APPROVALS, AND INSPECTIONS


Arnold Jablon, Deputy Administrative Officer
& Director




Donald E Brand, Building Engineer

BUILDING PERMIT

PERMIT #: B932575 CONTROL #: MR DIST: 05 PREC: 01
DATE ISSUED: 03/03/2017 TAX ACCOUNT #: 1700005871 CLASS: 04

PLANS: CONST 00 PLOT 0 R PLAT 0 DATA 0 ELEC YES PLUM NO
LOCATION: 17111 HUNTER GREEN RD
SUBDIVISION: HUNTER GREEN

OWNERS INFORMATION

NAME: KELLER ALAN D
ADDR: 17111 HUNTER GREEN RD, UPPERCO MD 21155-9402

TENANT:

CONTR: HOLLER CONTRACTING

ENGR:

SELLR:

WORK: CONSTRUCT POLE BARN IN REAR PROPERTY OF SFD
30'X40'X15'MAX=1200SF. THIS PERMIT CANCELS &
REPLACES B914950 & EXPIRES 7/27/17. CHANGE IN
HEIGHT ONLY. REFER BACK FOR SITE PLAN AND
ACCESSORY STRUCTURE LETTER. CONST PLAN WAIVED:
YAP

BLDG. CODE:

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD AND POLE BARN

EXISTING USE: SFD

TYPE OF IMPRV: NEW BUILDING CONSTRUCTION

USE: OTHER - RESIDENTIAL

FOUNDATION:

BASEMENT:

SEWAGE: PRIV. EXISTS

WATER: PRIV. EXISTS

LOT SIZE AND SETBACKS

SIZE: 0386.78 X 0000.00

FRONT STREET:

SIDE STREET:

FRONT SETB: NC

SIDE SETB: 129'/308'

SIDE STR SETB:

REAR SETB: 66'

PETITIONER'S

EXHIBIT NO. 9

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES

KEVIN KAMENETZ
County Executive



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

April 4, 2017

Alan D. Keller
17111 Hunter Green Rd
Upperco, MD 21155

Re: Building Permit B932575
17111 Hunter Green Rd

Dear Mr. Keller:

The purpose of this letter is to inform you that the above referenced permit has been rescinded at the request of the Zoning Review Office (see attached).

If you have any questions concerning this matter, you may contact Mr. Duvall in the Zoning Office at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen L. Lewis", is written over the word "Sincerely,".

Karen L. Lewis,
Permit Services Supervisor

C: Zoning Review-D. Duvall
Building Inspections-G. Berry
File

Pet. Ex 10.

BALTIMORE COUNTY, MARYLAND
INTEROFFICE MEMORANDUM

DATE: April 3, 2017

TO: Donald E. Brand, Building Engineer

FROM: R. David Duvall, Zoning Review

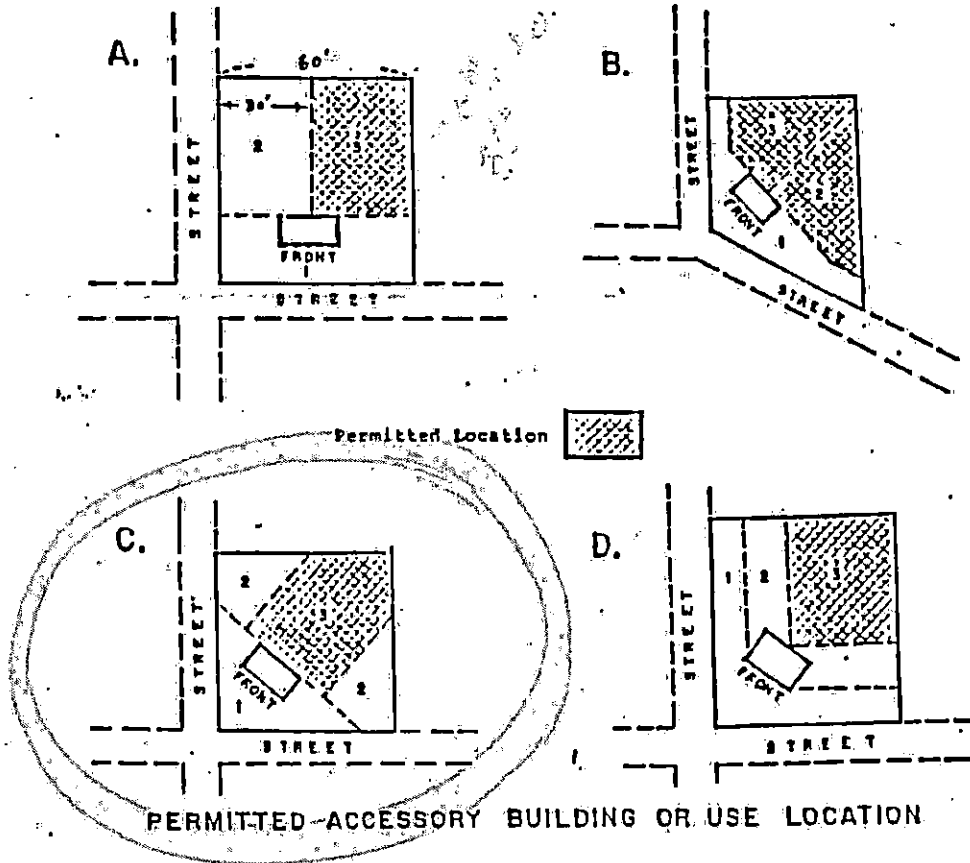
RE: Building Permit #B932575
17111 Hunter Green Road, Zoned RC 2

I wish to bring to your attention a problem regarding a building permit inadvertently signed off by this office for a pole barn. Initially, the vested record plat indicated the principal dwelling was on a lot next to a private lane and not a public road, so it was not considered a corner lot. However, it has been pointed out that the lane is a public road and, as such, a detached accessory structure would be subject to Section 400.1 of the BCZR (ie: an accessory structure must be located in the rear yard in the third of the lot farthest removed from any street.) Add to that, the odd orientation of the dwelling in relation to the roads may have led to further confusion as to the correct placement of the pole barn. It appears example "C" from the Zoning Commissioner's Policy Manual would be the most appropriate model to determine the correct position of the barn (copy enclosed.) The home owner will need a variance for the structure to remain in its present location.

ZONING COMMISSIONER'S POLICY MANUAL

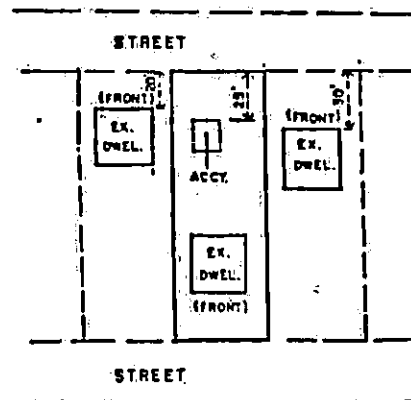
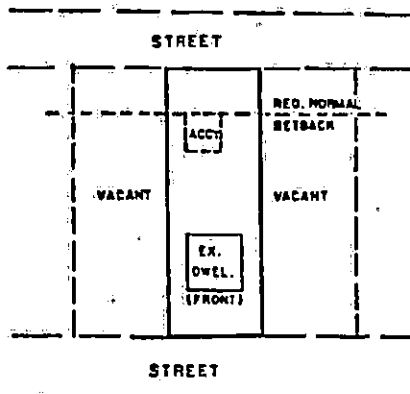
SECTION 400.1.d ACCESSORY STRUCTURES/USES

(1) Corner Lots - Location Diagrams:



(2) Double Frontage Lots:

- (A) Accessory structures/uses on double-frontage lots shall not be closer to a street right-of-way line than the setback required for a principal dwelling.
- (B) Where street setbacks have been established by existing dwellings on adjoining properties, Section 303.1 shall be utilized to determine the average setback.



Copy
Filed
4/21/17



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

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

Address 17111 HUNTER GREEN RD, UPPER CO, MD which is presently zoned RC2

Deed References: 30313 / 00166 10 Digit Tax Account # 1700005871

Property Owner(s) Printed Name(s) ALAN D. KELLER & BRITTANY M. KELLER

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. X a Variance from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT HEARING

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

LAWRENCE E. SCHMIDT

Name- Type or Print

Signature

600 WASHINGTON AVE #200, TOWSON, MD

Mailing Address

City

State

21204

410.821.0070

CASE NUMBER

Filing Date

Do Not Schedule Dates:

Reviewer

Legal Owners (Petitioners):

ALAN D. KELLER, BRITTANY M. KELLER

Name #1 - Type or Print

Name #2 - Type or Print

Alan D. Keller

Brittany M. Keller

Signature #1

Signature #2

17111 HUNTER GREEN RD, UPPER CO, MD

Mailing Address

City

State

21155 / 410.374.0007

Zip Code

Telephone #

Email Address

Representative to be contacted:

Brittany Keller

Name - Type or Print

Brittany Keller

Signature

17111 HUNTER GREEN RD, UPPER CO, MD

Mailing Address

City

State

21155

443.474.4067

b.keller32@gmail.com

Pet. Ex 11

11 23.49

Angela McMahon
3 Hunter Lake Court
Upperco, MD 21155

(443) 834-6196

August 24, 2017

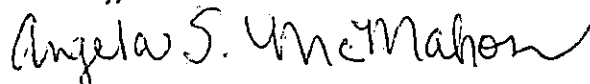
To Whom It May Concern:

I have owned the house directly across the street from 17111 Hunter Green Road for 27 years.

The free-standing garage and gravel driveway does not present any issues for my family and I. My home looks directly onto the property and has a clear view of the garage; more so than any other home in the development. Therefore, if this is not a concern and problem for our family, certainly it should not be a concern to others.

Please let me know if you have any questions.

Sincerely,



Angela McMahon
Home Owner

PETITIONER'S

EXHIBIT NO.

12



KEVIN KAMENETZ
County Executive

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

August 24, 2017

Alan D & Brittany M Keller
17111 Hunter Green Road
Upperco, MD 21155

RE: Case Number: 2017-0286 A, Address: 17111 Hunter Green Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 21, 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, appearing to read "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Lawrence E Schmidt, Esquire, 600 Washington Avenue, Suite 200, Towson MD 21204

Pet-Ex 13

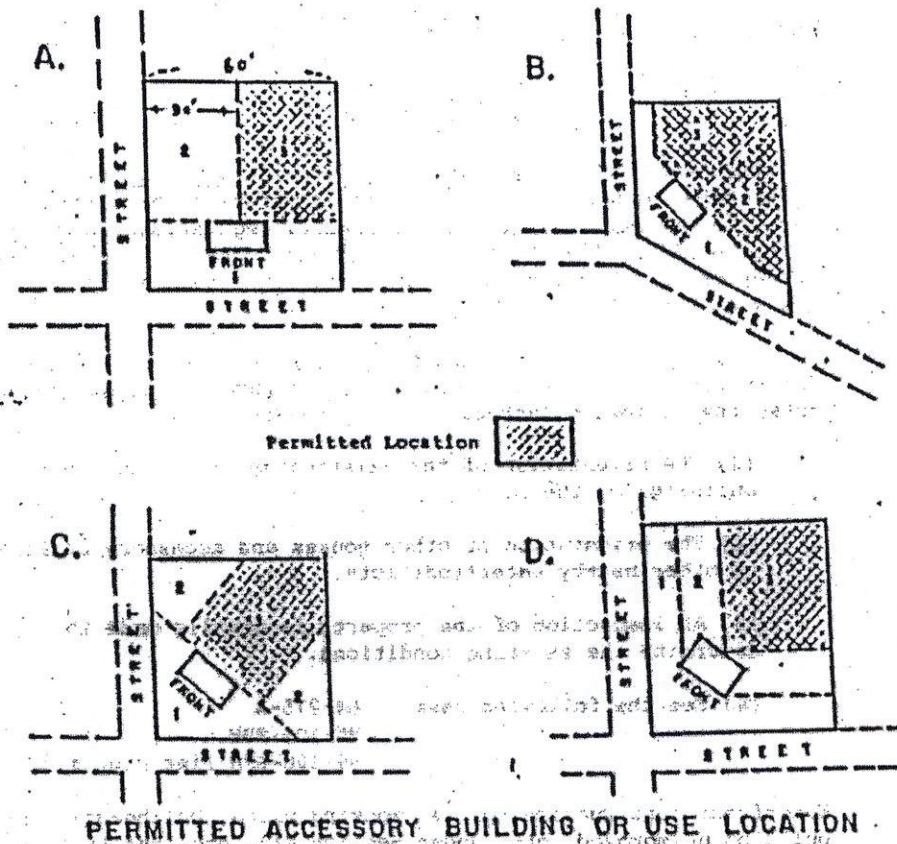
54.5X13

ZONING COMMISSIONER'S POLICY MANUAL

SECTION

400.1.d ACCESSORY STRUCTURES/USES

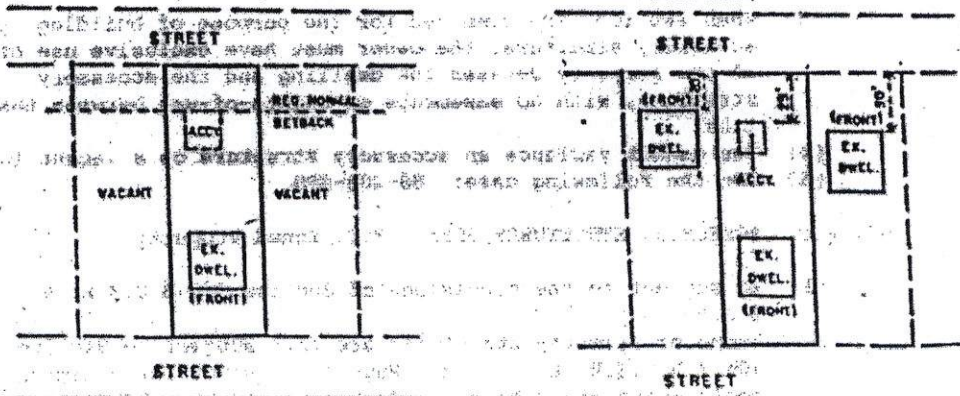
(1) Corner Lots - Location Diagrams:



(2) Double Frontage Lots

(A) Accessory structures/uses on double-frontage lots shall not be closer to a street right-of-way line than the setback required for a principal dwelling.

(B) Where street setbacks have been established by existing dwellings on adjoining properties, Section 303.1 shall be utilized to determine the average setback.



APPROVED MAY 13 1992 (A)

(B)

*File
Ex
15*

8-28-2017

2017-0286-A

Case No.:

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	1A-1E Aerial photos	1 st Variance request
No. 2	Title deed	5/23/2016 Bldg. Permit Application
No. 3	3A > 3B HunterGreen plat	Admin. Variance petition 2017-0173-A
No. 4	SDAT record	HunterGreen plat
No. 5	Photographs	Plots
No. 6	Admin. Variance Petition	Aerial photograph
No. 7	DEPS letter 6-23-2016	Aerial topo photography
No. 8	Admin Variance Petition	Aerial topo photo w/ drainage + utility easement
No. 9	Building Permit	Aerial photography w/ easement shown.
No. 10	April 4, 2017 letter from PAI	BC2R & 400
No. 11	Variance petition	Photo of Staton's Home
No. 12	8-24-17 letter from Ms. McMalum	

~~13~~ ~~2716~~ ~~Comments~~

I, the undersigned, who own and occupy the property situated in Baltimore County, and have attached hereto and made a part hereof, hereby petition for an:

☒ **ADMINISTRATIVE VARIANCE** from Section(s)

Sections 400.1 and 400.3 - to permit a proposed detached accessory structure, (storage shed) to be located in the front yard of the principal dwelling with a height of as much as 17 feet in lieu of the required rear yard and maximum allowed 15 feet.

the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

☐ **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)

the Baltimore County Code, to the development law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations. 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):

ALAN D KELLER / BRITANY H KELLER
Name #1 - Type or Print / Name #2 - Type or Print

Alan D. Keller / [Signature] / [Signature]
Signature #1 / Signature #2

17111 HUNTER GREEN RD / UPPER CO MD
Mailing Address / City / State

21155 / 410.374.0007 / akbk6100@comcast.net
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:

ALAN D KELLER
Name - Type or Print

Signature

17111 HUNTER GREEN RD / UPPER CO MD
Mailing Address / City / State

21155 / 410.374.0007 / akbk6100@comcast.net
Zip Code / Telephone # / Email Address

If 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 2016-0221-A

Filing Date 3/17/16

Estimated Posting Date 3/27/16

Reviewer [Signature]

Rev 5/8/2014

1st Request

**PROTESTANT
PETITIONER'S**

EXHIBIT NO. 1

APPLICATION FOR PERMIT
BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS, APPROVALS & INSPECTIC
TOWSON, MARYLAND 21204

Permit # B3914950
Control # MUR
XRef # _____
Receipt # A734287
Fee 115.00
Total Paid 115.00
Paid By APPD
Inspector _____

Date 5/23/16
OEA AB/PA
Historic District/Building
☐ Yes ☐ No
District / Precinct
05 01

Property Address 17111 Hunter Green Rd
Suite/Space/Floor _____
Subdivision HUNTER GREEN
Tax Account # 05-1700005871
Will this building have sprinklers? ☐ Yes ☒ No
Is this property located in a floodplain? ☐ Yes ☒ No

OWNER'S INFORMATION

First & Last Name (Individual) Alan & Brittany Keller
Corporation Name _____
Address 17111 Hunter Green Rd
City, State, Zip Upperco MD 21155-9402
Seller _____

APPLICANT INFORMATION

Name DAVID LORD Phone Number 301-667-4404
Company (if applicable) Holler Contracting LLC
Address 10617 Powell Rd
City, State, Zip Thurmont MD 21788
Applicant Signature David Lord E-Mail _____
Business/Tenant Name _____
Contractor Holler Contracting LLC MHIC # 92418 MHBR # _____
Engineer _____
PLANS: CONST 2 PLOT 4 PLAT 0 DATA EL 1 PL 2 DRC # _____

I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT, AND WILL REQUEST ALL REQUIRED INSPECTIONS.

TYPE OF IMPROVEMENT

1. ☒ New Bldg Construction
2. ☐ Addition
3. ☐ Alteration
4. ☐ Repair
5. ☐ Wrecking
6. ☐ Moving
7. ☐ Other _____

TYPE OF USE

RESIDENTIAL

01. ☐ One Family
02. ☐ Two Family
03. ☐ Three and Four Family
04. ☐ Five or More Family
(enter no. units) _____
05. ☐ Swimming Pool
06. ☐ Garage
07. ☒ Other storage

NON-RESIDENTIAL

08. ☐ Amusement, Recreation, Place of Assembly
09. ☐ Church, Other Religious Building
10. ☐ Deleted
11. ☒ Industrial, Storage Building
12. ☐ Parking Garage
13. ☐ Service Station, Repair Garage
14. ☐ Hospital, Institutional, Nursing Home
15. ☐ Office, Bank, Professional
16. ☐ Public Utility
17. ☐ School, College, Other Educational
18. ☐ Deleted
19. ☐ Store ☐ Mercantile ☐ Restaurant (specify type) _____
20. ☐ Swimming Pool (specify type) _____
21. ☐ Tank, Tower
22. ☐ Transient Hotel, Motel (no. units _____)
23. ☐ Other _____

OK To Waive Plans

PA

Foundation Type Basement

- | | |
|---|-------------------------------------|
| 1. ☒ Slab | 1. ☐ Full |
| 2. ☐ Block | 2. ☐ Partial |
| 3. ☐ Concrete | 3. ☐ None |

Type of Construction

1. ☐ Masonry
2. ☒ Wood Frame
3. ☐ Structure Steel
4. ☐ Reinforced Concrete

Type of Heating Fuel

- | | |
|---------------------------------|---|
| 1. ☐ Gas | 3. ☐ Electricity |
| 2. ☐ Oil | 4. ☐ Coal |

Central Air: 1. ☐ 2. ☐

Type of Sewage Disposal

- | | | |
|---|--------|----------|
| 1. ☐ Public Sewer | Exists | Proposed |
| 2. ☒ Private System | Exists | Proposed |
| | Septic | Exists |
| | Privy | Exists |

Type of Water Supply

- | | | |
|---|--------|----------|
| 1. ☐ Public System | Exists | Proposed |
| 2. ☒ Private System | Exists | Proposed |

Estimated Cost of Materials and Labor \$ 32,200.00

Proposed Use

Existing Use

Storage SFD + POLE BARN
SFD + SHED

Ownership: 1. ☒ Privately Owned 2. ☐ Publicly Owned 3. ☐ Sale 4. ☐ Rental

Residential Category: 1. ☐ Detached 2. ☐ Semi-Detached 3. ☐ Group 4. ☐ Townhouse 5. ☐ Mid-Rise 6. ☐ High-Rise

Efficiency # _____ 1-Bedroom # _____ 2-Bedroom # _____ 3-Bedroom # _____ Total Bedrooms _____ Total Apts/Condos _____

One Family Bedroom # _____ Bathroom # _____ Kitchen # _____ Powder Room # _____ Garbage Disposal: 1. ☐ Yes 2. ☐ No

Class 04 Liber 31 Folio 25 Map _____ Parcel _____

Building Size

Floor 30' x 40'
Width 30
Depth 40
Height 12
Stories one
Lot #s 16

Lot Size and Setbacks

Size 3.27 Ac
Front Street Hunter Green Rd
Side Street Hunter Green Rd
Front Setback 129' / 300'
Side Setback 66'
Side Street Setback 66'
Rear Setback 66'

Corner Lot: 1. ☒ Yes 2. ☐ No

Zoning RC2

BLD INSP

BLD PLAN

FIRE

SEDI CTL

ZONING

PUB SERV

ENVRMNT

PLANNING

PERMITS

APPROVAL SIGNATURES

DATE

David Lord 5/23/16
Alan & Brittany Keller 5/23/16
319-1046

PROTESTANT'S



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

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

Address 17111 Hunter Green Rd, Upperco MD 21155 Currently zoned Residential RC2

Deed Reference 30313 / 00166 10 Digit Tax Account # 1700005871

Owner(s) Printed Name(s) Alan D. Keller and Brittany M. Keller

(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) 400.3, BC2R, to permit an existing accessory building (pole building) with a height of 13 feet in lieu of the maximum allowed 15 feet

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):

Alan D. Keller, Brittany M. Keller
Name #1 - Type or Print Name #2 - Type or Print

☒ Alan D. Keller Brittany M. Keller
Signature #1 Signature #2

17111 Hunter Green Rd, Upperco MD
Mailing Address City State

21155, 410 374 0007
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:

DAVID LORD

Name - Type or Print

DL Lord
Signature

10617 POWELL Rd, Thurmont MD
Mailing Address City State

21788, 301-667-4404, hollercontracting@aol.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.

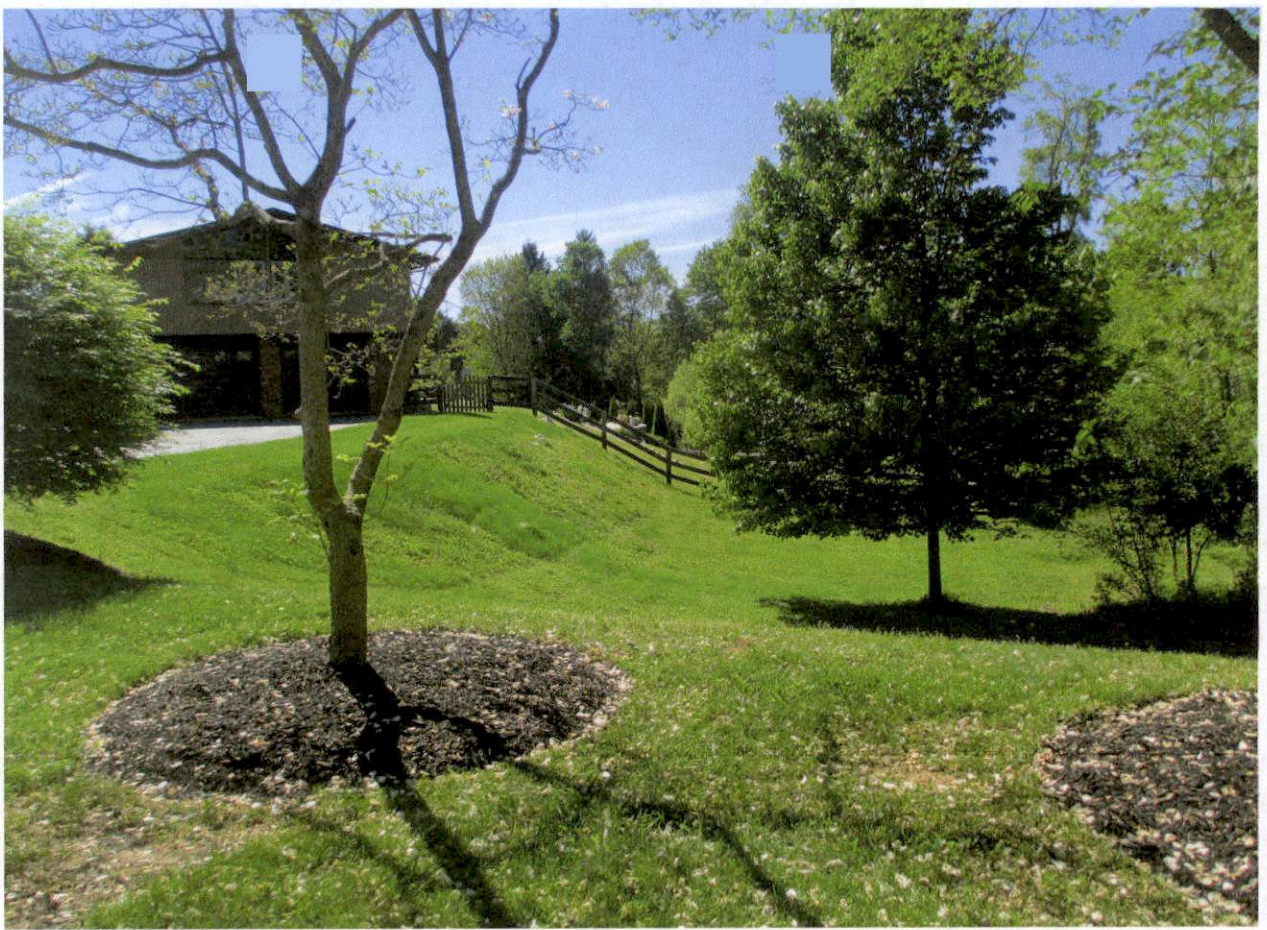
Administrative Law Judge for Baltimore County

CASE NUMBER 2017-0173-A Filing Date 1/3, 2017 Estimated Posting Date

PROTESTANT'S

EXHIBIT NO. 3

2nd request



A



B

PROTESTANT' S

EXHIBIT NO. 10.5



C



D



E



F



G



H



±



✓



7



7



M



N



6



P

SECTION 400: Accessory Buildings in Residence Zones

[BCZR 1955; Bill No. 27-1963]

PROTESTANT' S

EXHIBIT NO. 110

§ 400.1 Location; lot coverage.

Accessory buildings in residence zones, other than farm buildings (Section 404) shall be located only in the rear yard and shall occupy not more than 40% thereof. On corner lots they shall be located only in the third of the lot farthest removed from any street and shall occupy not more than 50% of such third. In no case shall they be located less than 2 1/2 feet from any side or rear lot lines, except that two private garages may be built with a common party wall straddling a side interior property line if all other requirements are met. The limitations imposed by this section shall not apply to a structure which is attached to the principal building by a covered passageway or which has one wall or part of one wall in common with it. Such structure shall be considered part of the principal building and shall be subject to the yard requirements for such a building.

§ 400.2 Setback.

[Bill No. 2-1992]

Accessory buildings, including parking pads, shall be set back not less than 15 feet from the center line of any alley on which the lot abuts.

§ 400.3 Height.

The height of accessory buildings, except as noted in Section 300, shall not exceed 15 feet.

§ 400.4 Accessory apartments.

[Bill No. 49-2011^[1]]

An accessory apartment is permitted as a temporary use within a principal single-family detached dwelling or within an accessory building situated on the same owner-occupied lot as the principal dwelling in any zone that permits single-family dwellings, subject to the following requirements:

A. If located within an existing single-family detached dwelling:

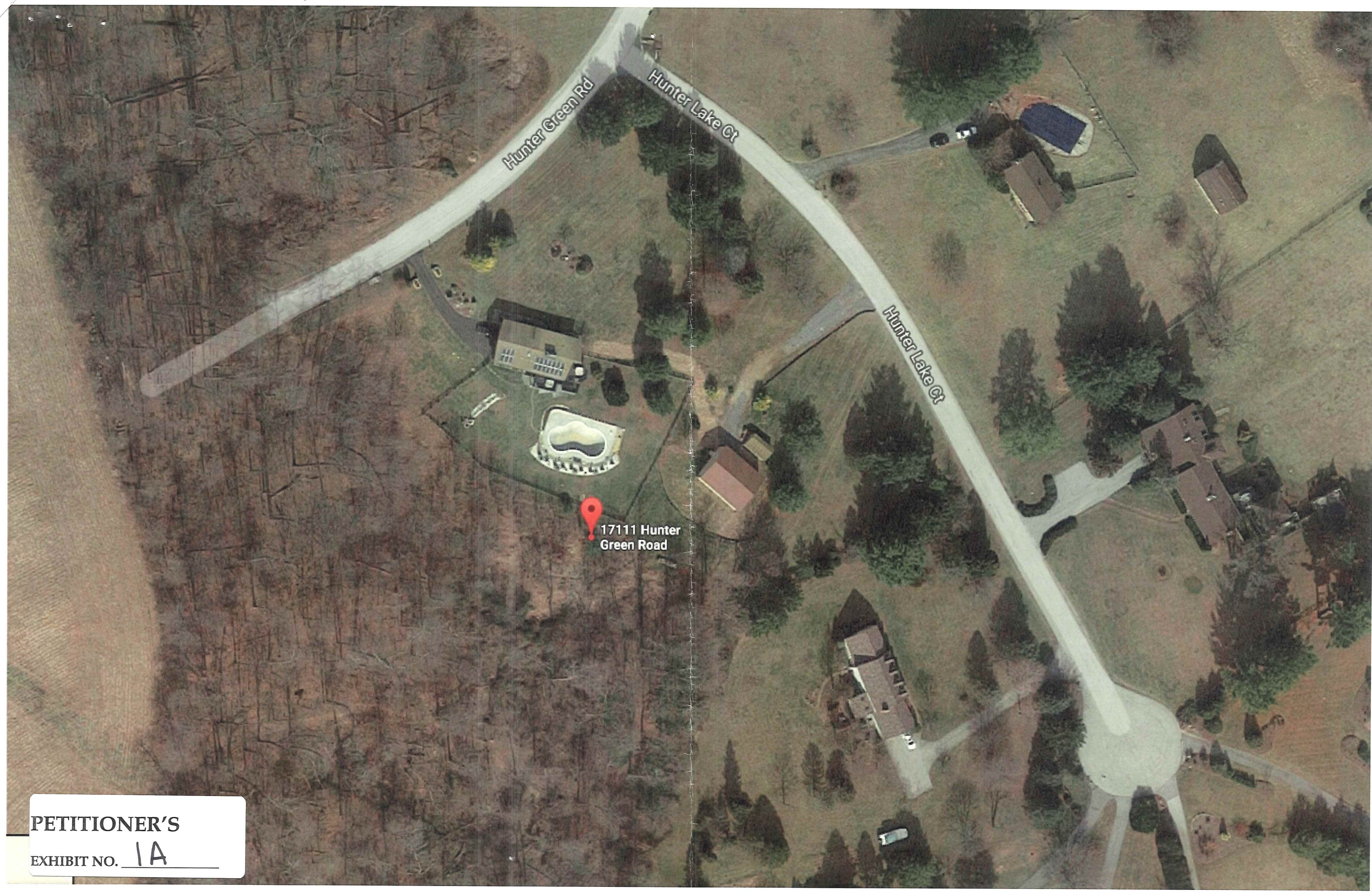
1. An applicant shall file with the Department of Permits, Approvals and Inspections an application for a use permit for an accessory apartment, on a form approved by the Department. With the application, the applicant shall submit a declaration of understanding, on a form approved by the Department, including but not necessarily limited to the following terms and conditions:
 - a. The size of the accessory apartment may not exceed 1/3 of the overall floor area of the dwelling or 2,000 square feet, whichever is less;
 - b. Any and all improvements to be dedicated as an accessory apartment shall be used solely as a single-family residence; and
 - c. The accessory apartment may not have separate utility meters, such as gas and electric service.
2. The Director may approve the application upon a finding that the size, location, and purpose of the accessory structure will not negatively affect the health, safety, or general welfare of the surrounding community.

B. If located within an accessory building on the same owner-occupied property as the principal single-family detached dwelling:



PROTESTANT' S

EXHIBIT NO. 11



PETITIONER'S

EXHIBIT NO. 1A



PETITIONER'S

EXHIBIT NO. 13

Baltimore County - My Neighborhood



August 24, 2017

Legend

- House Numbers
- Zoning
- Property
- County Boundary

PETITIONER'S

EXHIBIT NO. 1C

Baltimore County - My Neighborhood



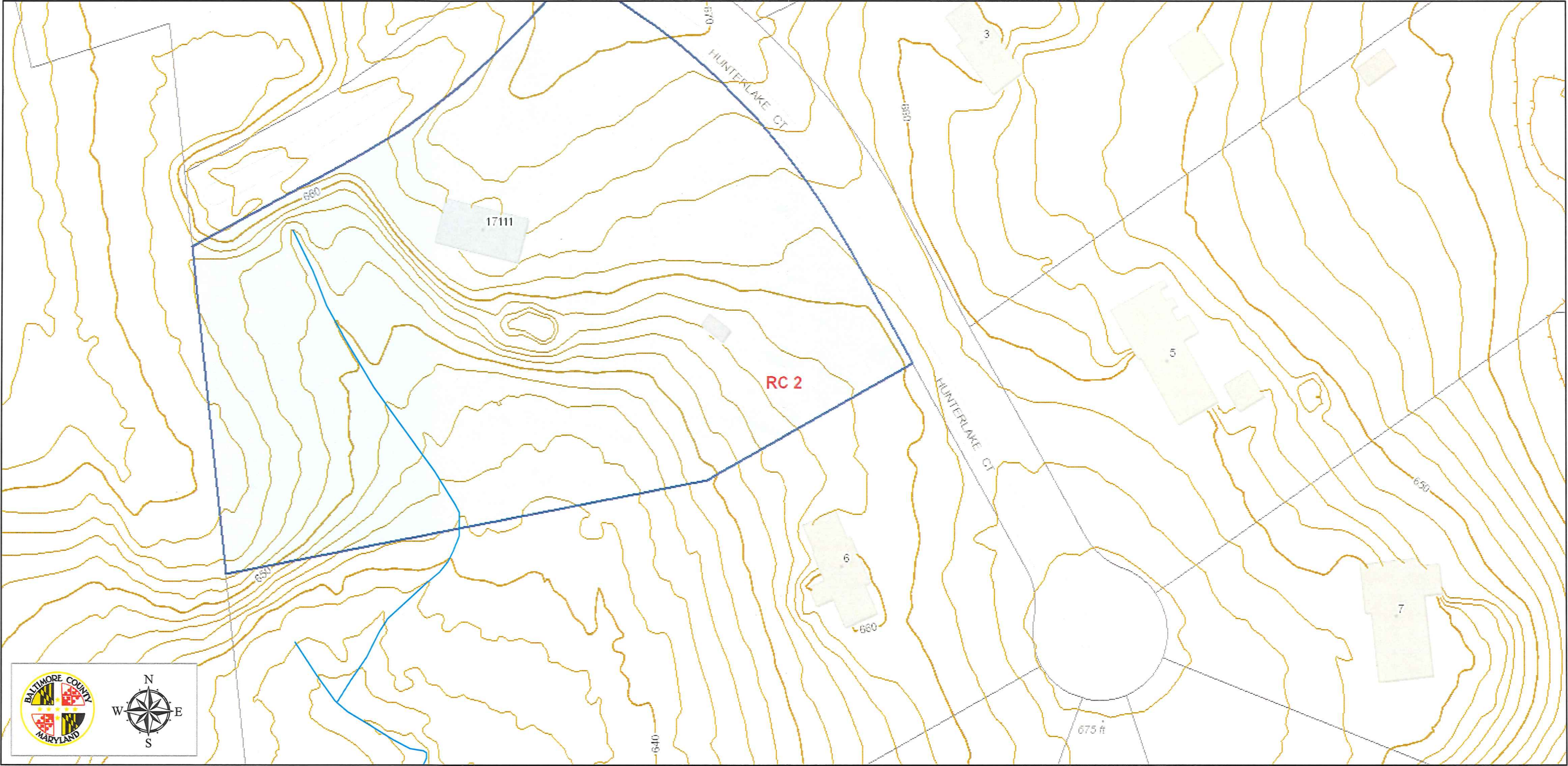
August 24, 2017

- Legend
- House Numbers
 - Zoning
 - Property
 - County Boundary

PETITIONER'S

EXHIBIT NO. 10

Baltimore County - My Neighborhood



August 24, 2017

- Legend
- | | | |
|--------------------------------------|---|----------|
| Hydrology Lines - Streams | OBSCURED CONTOUR LINE | Property |
| HIDDEN CONTOUR LINE | OBSCURED INDEX DEPRESSION CONTOUR LINE | |
| INDEX CONTOUR LINE | OBSCURED INTERMEDIATE CONTOUR LINE | |
| INDEX DEPRESSION CONTOUR LINE | OBSCURED INTERMEDIATE DEPRESSION CONTOUR LINE | |
| INTERMEDIATE CONTOUR LINE | House Numbers | |
| INTERMEDIATE DEPRESSION CONTOUR LINE | Zoning | |

Pet. Ex IE

11711 Hunter Green Road



August 25, 2017

- Legend
- House Numbers
 - Zoning History Cases
 - Zoning
 - Property
 - County Boundary

0 0.015 Miles
1 inch = 188 feet

PROTESTANT' S

EXHIBIT NO. 6

17111 Hunter Green Rd - topography



August 27, 2017

- Legend
- | | | |
|---------------------------|----------------------|-----------------|
| Subdivisions | Green: Band_2 | County Boundary |
| Parcels - Tax parcel | Blue: Band_3 | |
| <all other values> | House Numbers | |
| INDEX CONTOUR LINE | Zoning History Cases | |
| INTERMEDIATE CONTOUR LINE | Zoning | |
| Red: Band_1 | Property | |

0 0.095 Miles
1 inch = 94 feet

PROTESTANT' S

EXHIBIT NO. 67

17111 Hunter Green Rd - topography



August 27, 2017

Legend

- | | | |
|---------------------------|----------------------|-----------------|
| Subdivisions | Green: Band_2 | County Boundary |
| Parcels - Tax parcel | Blue: Band_3 | |
| <all other values> | House Numbers | |
| INDEX CONTOUR LINE | Zoning History Cases | |
| INTERMEDIATE CONTOUR LINE | Zoning | |
| Red: Band_1 | Property | |

0 0.0005 Miles
1 inch = 94 feet
73'

PROTESTANT' S

EXHIBIT NO. 78

17111 Hunter Green Rd - topography



August 27, 2017

Legend

- | | | |
|---------------------------|----------------------|-----------------|
| Subdivisions | Green: Band_2 | County Boundary |
| Parcels - Tax parcel | Blue: Band_3 | |
| <all other values> | House Numbers | |
| INDEX CONTOUR LINE | Zoning History Cases | |
| INTERMEDIATE CONTOUR LINE | Zoning | |
| Red: Band_1 | Property | |

0 0.005 Miles
1 inch = 94 feet

PROTESTANTS' Ex. #B9

Baltimore County - My Neighborhood

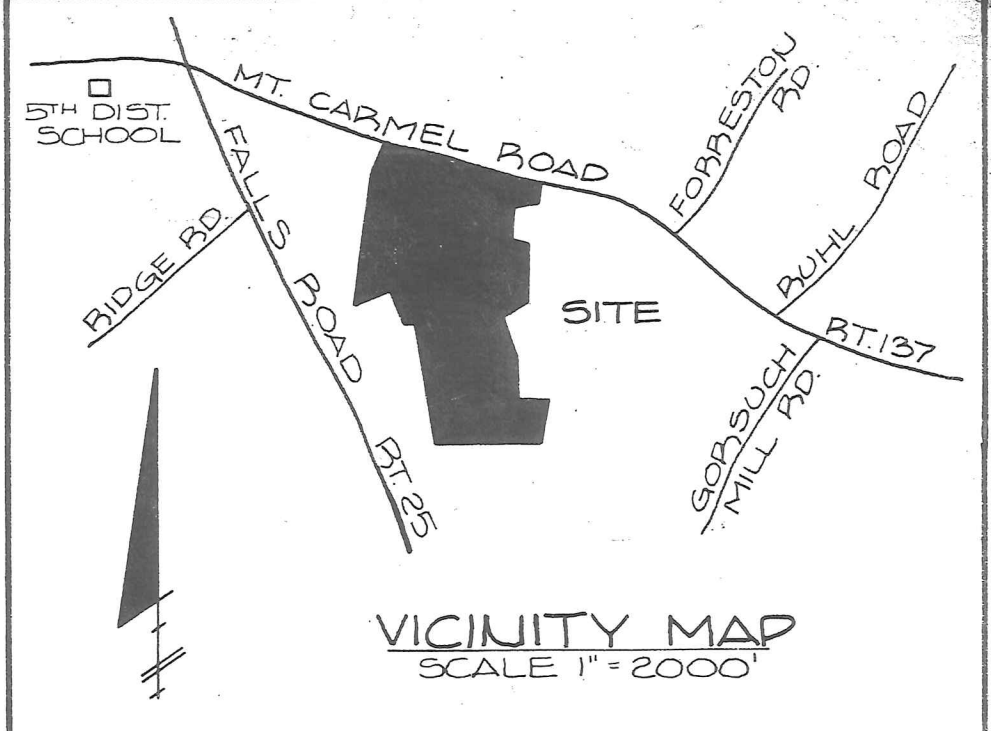
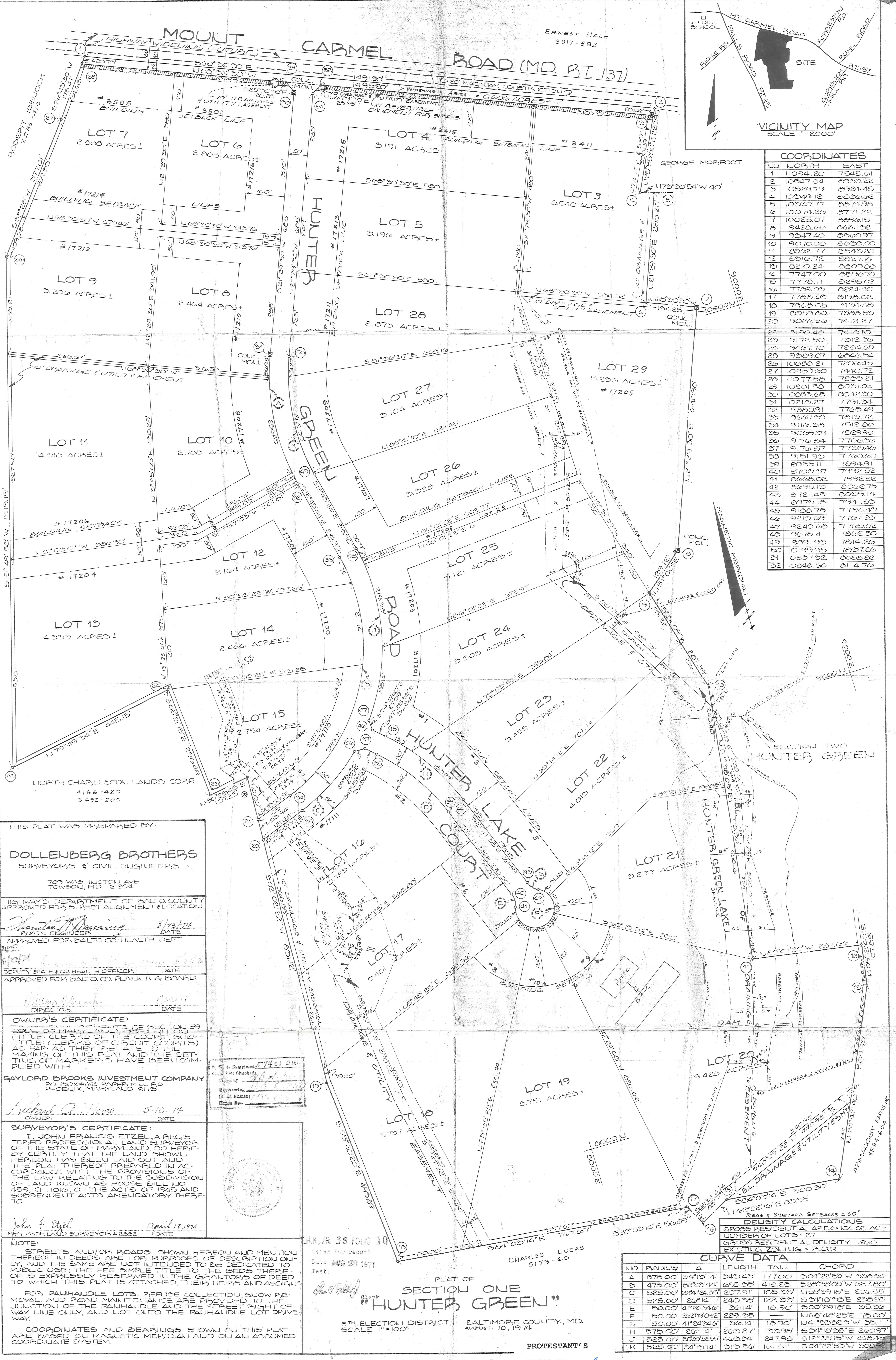


August 24, 2017

- Legend
- House Numbers
 - Zoning
 - Property
 - County Boundary

*Petitioner's
No 14*

0 0.005 Miles
1 inch = 94 feet



COORDINATES		
NO	NORTH	EAST
1	11094.20	7545.01
2	10547.84	8933.22
3	10529.79	8924.45
4	10349.12	8830.62
5	10337.77	8874.98
6	10074.26	8771.22
7	10025.07	8696.15
8	9425.66	8666.22
9	9347.40	8560.97
10	9070.00	8435.00
11	8962.77	8543.20
12	8316.72	8827.14
13	8210.24	8809.28
14	7747.00	8596.10
15	7775.11	8295.02
16	7739.03	8224.40
17	7728.53	8198.02
18	7865.05	7434.45
19	8359.60	7388.53
20	9026.50	7412.27
21	9190.40	7418.10
22	9172.50	7512.36
23	9464.70	7284.69
24	9369.07	6846.54
25	10658.21	7206.45
26	10953.60	7440.72
27	11077.58	7535.21
28	10891.58	8031.02
29	10855.65	8042.30
30	10218.27	7791.34
31	9880.91	7765.49
32	9667.29	7813.72
33	9116.38	7512.86
34	9069.39	7529.60
35	9176.84	7706.30
36	9176.87	7733.40
37	9151.93	7760.60
38	8953.11	7894.91
39	8703.37	7992.52
40	8668.02	7992.82
41	8695.13	8062.75
42	8721.45	8059.14
43	8972.15	7941.53
44	9185.75	7794.43
45	9213.69	7767.28
46	9240.68	7765.02
47	9678.41	7862.50
48	9891.93	7814.26
49	10199.95	7837.66
50	10837.32	8088.82
51	10648.60	8114.76

THIS PLAT WAS PREPARED BY:

DOLLENBERG BROTHERS
SURVEYORS & CIVIL ENGINEERS
709 WASHINGTON AVE.
TOWSON, MD. 21204

HIGHWAYS DEPARTMENT OF BALTO COUNTY
APPROVED FOR STREET ALIGNMENT & LOCATION
8/13/74
APPROVED FOR BALTO CO. HEALTH DEPT.
APPROVED FOR BALTO CO. PLANNING BOARD
8/23/74
DATE

OWNER'S CERTIFICATE:
I, JOHN FRANCIS ETZEL, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE LAND SHOWN HEREON HAS BEEN LAID OUT AND THE PLAT THEREOF PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE LAW RELATING TO THE SUBDIVISION OF LAND KNOWN AS HOUSE BILL NO. 459, CH. 106, OF THE ACTS OF 1965 AND SUBSEQUENT ACTS AMENDATORY THERE-TO.

GAYLORD BROOKS INVESTMENT COMPANY
PO BOX #62, PAPER MILL RD
PROBLETT, MARYLAND 21151

SURVEYOR'S CERTIFICATE:
I, JOHN FRANCIS ETZEL, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE LAND SHOWN HEREON HAS BEEN LAID OUT AND THE PLAT THEREOF PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE LAW RELATING TO THE SUBDIVISION OF LAND KNOWN AS HOUSE BILL NO. 459, CH. 106, OF THE ACTS OF 1965 AND SUBSEQUENT ACTS AMENDATORY THERE-TO.

NOTE:
STREETS AND/OR ROADS SHOWN HEREON AND MENTION THEREOF IN DEEDS ARE FOR PURPOSES OF DESCRIPTION ONLY AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE. THE FEE SIMPLE TITLE TO THE DEEDS THERE-OF IS EXPRESSLY RESERVED IN THE GRANTORS OF DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS.

FOR PAUHANDLE LOTS, REFUSE COLLECTION, SNOW REMOVAL AND ROAD MAINTENANCE ARE PROVIDED TO THE JUNCTION OF THE PAUHANDLE AND THE STREET RIGHT OF WAY LINE ONLY, AND NOT OUT TO THE PAUHANDLE LOT DRIVE-WAY.

COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE BASED ON MAGNETIC MERIDIAN AND ON AN ASSUMED COORDINATE SYSTEM.

H.K. JR. 38 FOLIO 10
Filed for record
Date AUG 23 1974
Test:

PLAT OF
**SECTION ONE
"HUNTER GREEN"**

5TH ELECTION DISTRICT
SCALE 1" = 100'
BALTIMORE COUNTY, MD.
AUGUST 10, 1974

PROTESTANT'S
EXHIBIT NO. 4

CURVE DATA					
NO	RADIUS	Δ	LENGTH	TAU	CHORD
A	575.00'	34°15'14"	242.42'	177.00'	504°22'55"W 236.34'
B	475.00'	82°43'44"	665.65'	418.25'	528°38'05"W 627.80'
C	525.00'	22°41'35"	207.91'	105.23'	N55°39'10"E 206.55'
D	525.00'	26°14'	240.28'	122.03'	S24°18'25"E 238.28'
E	50.00'	41°24'34.6"	50.14'	18.90'	S00°29'18"E 35.20'
F	50.00'	41°24'34.6"	50.14'	18.90'	N48°48'25"E 75.00'
G	50.00'	41°24'34.6"	50.14'	18.90'	N41°53'52.5"W 35.11'
H	575.00'	26°14'	240.27'	122.03'	S24°18'25"E 238.28'
I	525.00'	50°33'55.5"	460.34'	247.98'	S12°33'15"W 448.45'
K	525.00'	34°15'14"	242.42'	177.00'	S04°22'55"W 236.34'

REAR & SIDEYARD SETBACKS = 50'
DEEDS CALCULATIONS
GROSS RESIDENTIAL AREA: 104.02 AC +
NUMBER OF LOTS = 27
GROSS RESIDENTIAL DENSITY: .260
EXISTING ZONING = R.D.R.