

M E M O R A N D U M

DATE: September 6, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0347-A – Appeal Period Expired

The appeal period for the above-referenced case expired on August 31, 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

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(14540 Jarrettsville Pike)		
10 th Election District	*	OFFICE OF ADMINISTRATIVE
3 rd Council District		
Richard G. & Dorothy C. Hyman (Trustees)	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	CASE NO. 2017-0347-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, Richard G. and Dorothy C. Hyman [Trustees] ("Petitioners"). The Petitioners are requesting Variance relief pursuant to § 400.1 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a proposed accessory structure (ground mounted solar system) located in the front yard in lieu of the required rear yard. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on July 9, 2017, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in

ORDER RECEIVED FOR FILING

Date 8-1-17

By kw

the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 1st day of **August, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 400.1 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a proposed accessory structure (ground mounted solar system) located in the front yard in lieu of the required rear yard, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

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

JEB:dlw



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

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Date 8-1-17

By [Signature]



ADMINISTRATIVE ZONING P
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 14540 Jarrettsville Pike Currently zoned Residential
Deed Reference 36339 / 00062 10 Digit Tax Account # 1019008200
Owner(s) Printed Name(s) Richard Hyman & Dorothy Hyman

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

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

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

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

SEE ATTACHED

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)

Solar ground mount array.

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):

Richard Hyman	/	Dorothy Hyman
Name #1 – Type or Print		Name #2 – Type or Print
<i>[Signature]</i>		<i>[Signature]</i>
Signature #1		Signature #2

14540 Jarrettsville Pike	Monkton	MD
Mailing Address	City	State

21111	/	410-666-1947	/	rghyman@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:

Power Factor LLC (George Lang)

Name – Type or Print

[Signature]

1 Mace Avenue	Baltimore	MD
Mailing Address	City	State

21221	/	443-559-0174	/	admin@powerfactorco.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 2017-0347-A Filing Date 6/29/17 Estimated Posting Date 7/9/17 Reviewer gh

Rev 5/5/2016

ORDER RECEIVED FOR FILING

Date 8-1-17

By [Signature]

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 14540 Jarrettsville Pike Monkton MD 21111-2410
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

The house on 14540 Jarrettsville Pike is located near the back of property line. Which means there is not much of a back yard due to the home being placed on the back end of property. The resident of 14540 Jarrettsville Pike would like to install a ground mounted solar system. Unfortunately the ground mount placement will be considered the front yard due to shading and no back yard space available. After researching the options of placement we've found an ideal location. Please see the attached placement plan.

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

Signature of Owner (Affiant)

Richard G. Hyman
Name- Print or Type

Signature of Owner (Affiant)

Dorothy C. Hyman
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12 day of June, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Richard G. Hyman + Dorothy C. Hyman

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

AS WITNESS my hand and Notaries Seal

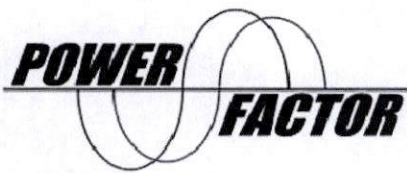
Notary Public

My Commission Expires

2017-0347-A

Variance from sections: 400.1 of the BCZR:

1. To permit a proposed accessory structure (ground mounted solar system) located in the front yard in lieu of the required rear yard.



Power Factor LLC
1 Mace Avenue Baltimore, MD 21221
Phone: (443) 559-0174 Fax: (443) 559-0178
www.powerfactorco.com

To Baltimore County Zoning Review Team:

Re: 14540 Jarrettsville Pike
Monkton, MD 21111

Part A:

Beginning at a point on the West side of 14540 Jarrettsville Pike Monkton, MD 21111 which is 40 feet wide at a distance of 1,108 feet North of the centerline of the nearest improved intersecting street, Stansbury Mill road which is 40' wide.

Part B:

Being lots #1019008200 in the subdivision of NS Hessro as recorded in Baltimore County plat book # , containing of 1,394 total square feet. Located in the 10th District and the 3 council District.

2017-0347-A
www.powerfactorco.com

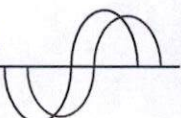


EXHIBIT A

Legal Description

Parcel 1

Hess Road, Monkton, Maryland 21111

0.562 acres

Tax Id No. 10 / 10-19-008201

BEGINNING FOR THE SECOND at a point in the last or north 79 degrees 51 minutes 50 seconds west 231.28 foot line of land which by Deed dated November 20, 1964 and recorded among the Land Records of Baltimore County in Liber RRG No. 4393 folio 71, was conveyed by Walter H. Therit and wife to Melvin E. Schaefer and Mary Lee Schaefer at a distance of 106.38 feet from the beginning of said line, said point of beginning being also in the 15th or north 75 degrees 30 minutes west 174.90 foot line of land which by Deed dated June 9, 1953 and recorded among the Land Records of Baltimore County in Liber GLB No. 2305 folio 533, was conveyed by Howard Guy Nelson, et al, to J. Henry Miller and wife at a distance of 50.00 feet from the beginning of said line, running thence and binding on part of the aforesaid last line and on all of the second line in the aforesaid deed Therit to Schaefer and on part of the 15th and part of the 16th or last line in the aforesaid deed Nelson to Miller the two following courses and distances: (1) north 79 degrees 51 minutes 50 seconds west 124.90 feet to a stone, and (2) north 31 degrees 00 minutes 00 seconds west 268.60 feet to a stone running, thence for lines of division now made through the land of J. Henry Miller and wife, the two following courses and distances: (1) north 7 degrees 23 minutes 00 seconds east 95.09 feet, and (2) south 31 degrees 00 minutes 00 seconds east 254.73 feet to the place of beginning. Containing 0.562 acres of land, more or less.

Together with a right of way 25 feet wide with the use in common with others entitled thereto, the centerline being more particularly described as follows.

BEGINNING for the same at a point in the 15th or north 75 degrees 30 minutes west 174.00 foot line of land which by deed dated June 9, 1953 and recorded among the Land Records of Baltimore County in Liber GLB No. 2305 folio 533 was conveyed by Howard Guy Nelson, et al to J. Henry Miller and wife at a distance of 33.65 feet from the beginning of said line, thence leaving the said fifth line and running parallel to and distant 12.50 feet from the last or south 31 degrees 00 minutes 00 seconds east 254.73 foot line of the above described parcel north 31 degrees 00 minutes 00 seconds west 35.54 feet.

BEING the same and all of the property granted and conveyed by Deed dated December 10, 1992, from Richard Hyman, unto Richard Hyman and Dorothy C. Hyman, his wife, and recorded among the Land Records of Baltimore County, Maryland, in Liber SM No. 9087, folio 673.

EXHIBIT A

Legal Description

Parcel 1

Hess Road, Monkton, Maryland 21111

0.562 acres

Tax Id No. 10 / 10-19-008201

BEGINNING FOR THE SECOND at a point in the last or north 79 degrees 51 minutes 50 seconds west 231.28 foot line of land which by Deed dated November 20, 1964 and recorded among the Land Records of Baltimore County in Liber RRG No. 4393 folio 71, was conveyed by Walter H. Therit and wife to Melvin E. Schaefer and Mary Lee Schaefer at a distance of 106.38 feet from the beginning of said line, said point of beginning being also in the 15th or north 75 degrees 30 minutes west 174.90 foot line of land which by Deed dated June 9, 1953 and recorded among the Land Records of Baltimore County in Liber GLB No. 2305 folio 533, was conveyed by Howard Guy Nelson, et al, to J. Henry Miller and wife at a distance of 50.00 feet from the beginning of said line, running thence and binding on part of the aforesaid last line and on all of the second line in the aforesaid deed Therit to Schaefer and on part of the 15th and part of the 16th or last line in the aforesaid deed Nelson to Miller the two following courses and distances: (1) north 79 degrees 51 minutes 50 seconds west 124.90 feet to a stone, and (2) north 31 degrees 00 minutes 00 seconds west 268.60 feet to a stone running, thence for lines of division now made through the land of J. Henry Miller and wife, the two following courses and distances: (1) north 7 degrees 23 minutes 20 seconds east 95.09 feet, and (2) south 31 degrees 00 minutes 00 seconds east 254.73 feet to the place of beginning. Containing 0.562 acres of land, more or less.

Together with a right of way 25 feet wide with the use in common with others entitled thereto, the centerline being more particularly described as follows.

BEGINNING for the same at a point in the 15th or north 75 degrees 30 minutes west 174.00 foot line of land which by deed dated June 9, 1953 and recorded among the Land Records of Baltimore County in Liber GLB No. 2305 folio 533 was conveyed by Howard Guy Nelson, et al to J. Henry Miller and wife at a distance of 33.65 feet from the beginning of said line, thence leaving the said fifth line and running parallel to and distant 12.50 feet from the last or south 31 degrees 00 minutes 00 seconds east 254.73 foot line of the above described parcel north 31 degrees 00 minutes 00 seconds west 35.54 feet.

BEING the same and all of the property granted and conveyed by Deed dated December 10, 1992, from Richard Hyman, unto Richard Hyman and Dorothy C. Hyman, his wife, and recorded among the Land Records of Baltimore County, Maryland, in Liber SM No. 9087, folio 673.

EXHIBIT B

Legal Description

Parcel 2

14540 Jarrettsville Pike, Monkton, MD 21111

1.954 acres

Tax Id No. 10 / 10-19-008200

BEGINNING AT A STONE AT THE BEGINNING OF 1ST OR NORTH 31 DEGREE WEST 16.2 PERCH LINE OF THE 1ST PARCEL OF LAND WHICH BY DEED DATED APRIL 7, 1959, AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER WJR NO. 3509, FOLIO 103 WAS CONVEYED BY ALVEY H. HORNE AND BLANCHE P. HORNE, HIS WIFE, TO FREDERICK W. HEARN, RUNNING THENCE AND BINDING ON THE 1ST AND PART OF THE 2ND LINES OF THE AFORESAID FIRST PARCEL OF DEED THE TWO FOLLOWING COURSES AND DISTANCES AS NOW SURVEYED, (1) NORTH 31 DEGREES WEST 268.60 FEET TO A STONE, (2) SOUTH 67 DEGREES 23 MINUTES 20 SECONDS WEST 216 FEET THENCE LEAVING THE AFORESAID 2ND LINE AND RUNNING FOR LINES OF DIVISION SOUTH 31 DEGREES EAST 352.97 FEET TO THE NORTH SIDE OF A 50 FOOT RIGHT OF WAY RUNNING THENCE AND BINDING ON THE AFORESAID NORTH SIDE OF THE 50 FOOT RIGHT OF WAY, WITH THE USE THEREOF IN COMMON WITH OTHERS ENTITLED THERETO, NORTH 73 DEGREES 21 MINUTES 20 SECONDS EAST 400.39 FEET TO INTERSECT THE 6TH OR NORTH 79 DEGREES 15 MINUTES WEST 21.7 PERCH LINE OF AFORESAID 1ST PARCEL OF DEED, THENCE LEAVING THE AFORESAID NORTH SIDE OF THE 50 FOOT RIGHT OF WAY AND BINDING ON PART OF THE AFORESAID 6TH LINE AS NOW SURVEYED, NORTH 79 DEGREES 51 MINUTES 50 SECONDS WEST 231.28 FEET TO THE PLACE OF BEGINNING; CONTAINING 2 ACRES OF LAND, MORE OR LESS.

SAVING AND EXCEPTING FROM THE ABOVE PARCEL OF LAND ALL THAT LOT OF GROUND, MORE FULLY DESCRIBED IN A DEED DATED DECEMBER 22, 1966 AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER OTG NO. 4717, FOLIO 158, AND GRANTED AND CONVEYED BY MELVIN E. SCHAEFER AND MARY LEE SCHAEFER, HIS WIFE, TO J. HENRY MILLER AND ANNA MILLER, HIS WIFE; WHICH CONTAINS 0.046 ACRES OF LAND, MORE OR LESS.

TOGETHER WITH THE RIGHT TO USE IN COMMON WITH OTHERS ENTITLED THERETO OF THE 15 FOOT ROAD AND THE 20 FOOT ROAD AS MORE FULLY

DESCRIBED AND SET FORTH IN A DEED DATED MARCH 19, 1921, AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER WPC NO. 539, FOLIO 237, FROM ELMER R. HAILE, ASSIGNEE TO BENJAMIN E. COOK AND MARTHA COOK, HIS WIFE, SAID ROADS BEING CONNECTING ROADS AND LEADING FROM THE END OF THE NORTH 73 DEGREES EAST 40 PERCHES LINE OF THE PARCEL OF LAND FIRSTLY HEREIN DESCRIBED AND RUNNING IN A SOUTHEASTERLY DIRECTION AND BINDING ON THE LAND OF BENJAMIN E. COOK AND WIFE TO THE JARRETTSVILLE ROAD.

THE IMPROVEMENTS THEREON BEING KNOWN AS 14540 JARRETTSVILLE PIKE.

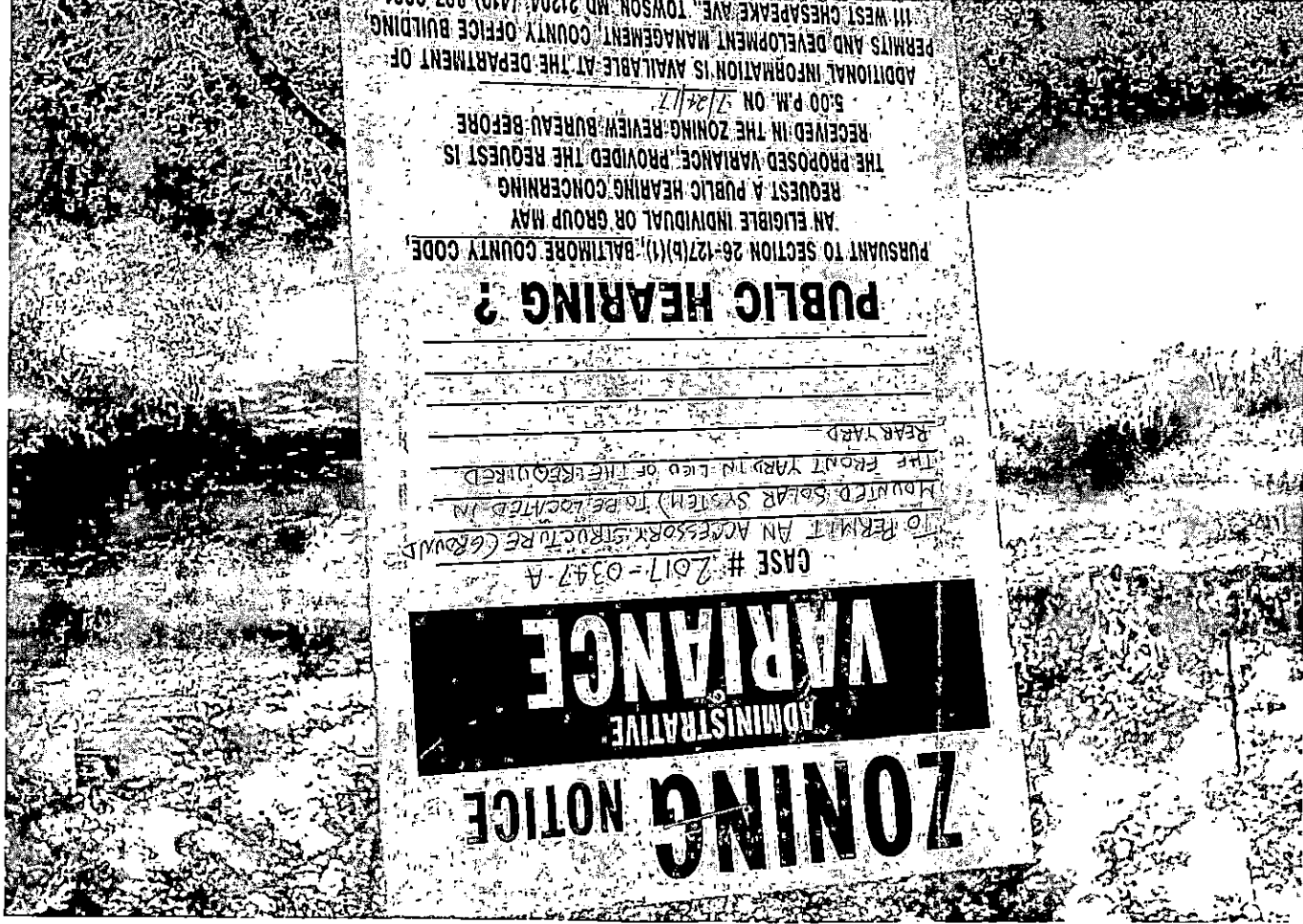
BEING the same and all of the property granted and conveyed by Deed dated July 15, 2009, from Richard G. Hyman, unto Richard G. Hyman and Dorothy C. Hyman, his wife, and recorded among the Land Records of Baltimore County, Maryland, in Liber SM No. 28483, folio 165.

2617-0347-A

CERTIFICATE OF POSTING

Date: 7-9-17

RE: Case Number: 2017-0347-A



essary sign(s) required

540 Jambettville Rd

(year)

NCE Pilson

of Sign Poster)

NCE PILSON

me of Sign Poster)

Barn Road

ress of Sign Poster)

MD 21120

ip Code of Sign Poster)

1443

umber of Sign Poster)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2017- 0347 -A Address 14540 Jarrettsville Pike

Contact Person: Gary Huck Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 6/26/17 Posting Date: 7/9/17 Closing Date: 7/24/17

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2017- 0347 -A Address 14540 Jarrettsville Pike 21111

Petitioner's Name Richard & Dorothy Hyman Telephone 410-666-1947

Posting Date: 7/9/17 Closing Date: 7/24/17

Wording for Sign: To Permit an accessory structure (ground mounted solar system) to be located in the front yard in lieu of the required rear yard.

Revised 7/9/15

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

NO 154787

Date: 6/26/17

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

Total: 75.00

Rec From: Dover Factor LLC

For: Administrative Hearing
14540 Jarmville Pike
2017-0347-A

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
6/26/2017 6/26/2017 09:20:12 2
REG WSD2 WALKIN JEE
RECEIPT # 013380 6/26/2017 GFLM
Dept 5 528 ZONING VERIFICATION
CR NO. 154787
Recpt Tot \$75.00
\$75.00 CK \$1.00 CA
Baltimore County, Maryland

CASHIER'S
VALIDATION



KEVIN KAMENETZ
County Executive

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

July 25, 2017

Richard & Dorothy Hyman
14540 Jarrettsville Pike
Monkton MD 21111

RE: Case Number: 2017-0347 A, Address: 14540 Jarrettsville Pike

Dear Mr. & Ms. Hyman:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 26, 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 that reads "W. Carl Richards, Jr." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Power Factor LLC, George Lang, 1 Mace Avenue, Baltimore MD 21221

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: July 26, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0347-A
Address 14540 Jarrettsville Pike
(Hyman Property)

Zoning Advisory Committee Meeting of July 10, 2017.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Reviewer: Thomas Panzarella

Date: July 26, 2017



STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Pete K. Rahn
Secretary

Gregory Slater
Administrator

Date: 7/5/17

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 7/5/17. A field inspection and internal review reveals that an entrance onto MD146 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2017-0347-A.

*Administrative Variance
Richard & Dorothy Hyman
14540 Fenettsville Dr.
MD146.*

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

Sincerely,

Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

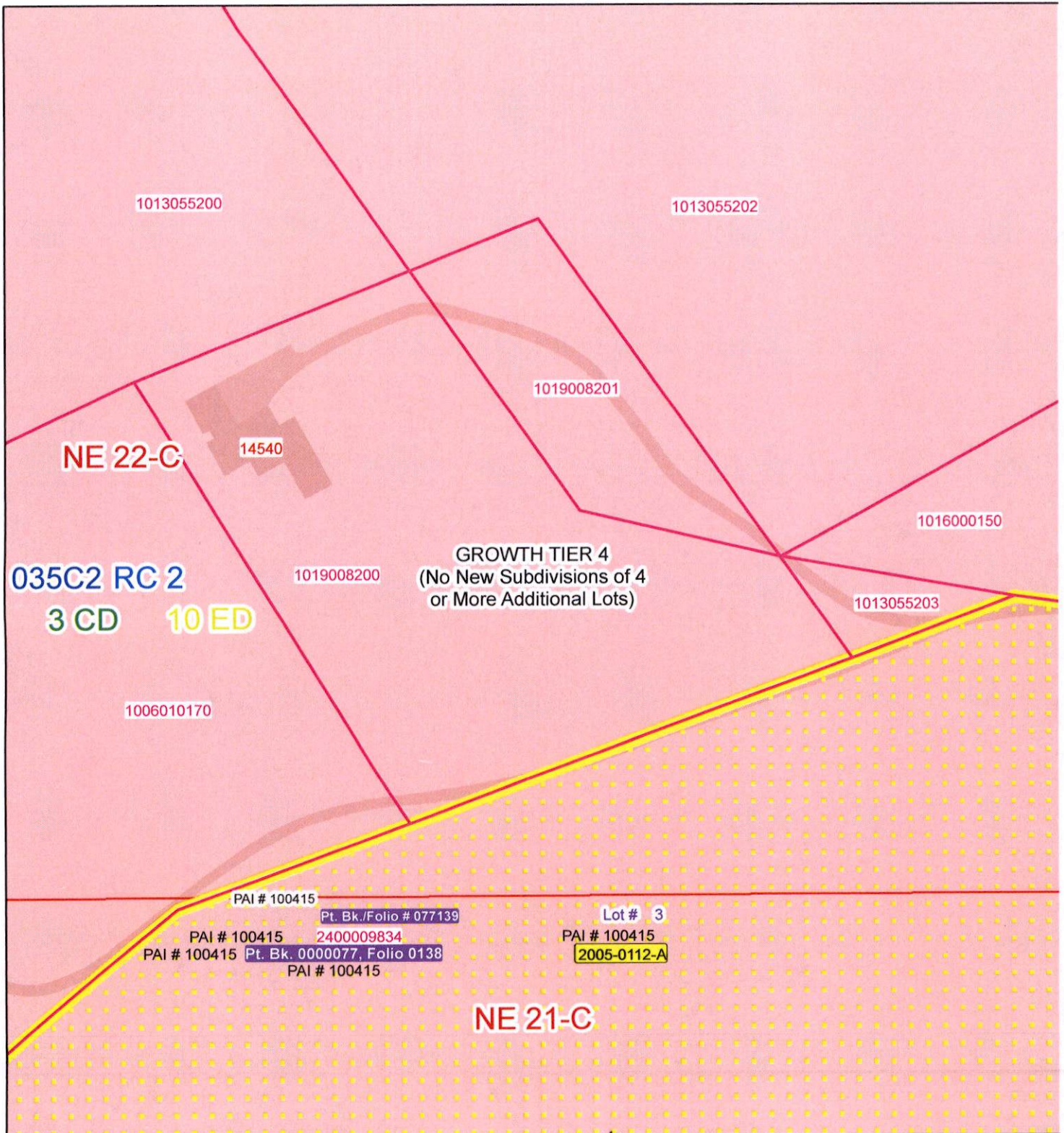
Real Property Data Search (w3)

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 10 Account Number - 1019008200			
Owner Information					
Owner Name:	HYMAN RICHARD G TRUSTEES HYMAN DOROTHY C TRUSTEES		Use: Principal Residence:	RESIDENTIAL YES	
Mailing Address:	14540 JARRETTSVILLE PIKE MONKTON MD 21111-2410		Deed Reference:	/36339/ 00062	
Location & Structure Information					
Premises Address:	14540 JARRETTSVILLE PIKE 0-0000		Legal Description:	1.954 AC NS HESS RD 14540 JARRETTSVILLE PIKE 3600 N PAPER MILL RD	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0035	0018	0178		0000	2017
Special Tax Areas:			Town:	NONE	
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1903	3,328 SF		1.9500 AC	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	NO	STANDARD UNIT	SIDING	3 full	1 Detached
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of 01/01/2017	As of 07/01/2016	As of 07/01/2017	
Land:	98,500	98,500			
Improvements	184,000	201,400			
Total:	282,500	299,900	282,500	288,300	
Preferential Land:	0			0	
Transfer Information					
Seller: HYMAN RICHARD G		Date: 06/24/2015		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /36339/ 00062		Deed2:	
Seller: HYMAN RICHARD		Date: 08/05/2009		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /28483/ 00165		Deed2:	
Seller: HYMAN RICHARD		Date: 06/01/1992		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /09198/ 00362		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2016	07/01/2017		

2017-0347-A

14540 Jarrettsville Pike



Publication Date: 6/13/2017



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

2017-0347-A

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>7-5</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>7-9-17</u> by <u>Pilson</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Maryland Homestead Tax Credit

What is the Homestead Credit?

To help homeowners deal with large assessment increases on their principal residence, state law has established the Homestead Property Tax Credit. The Homestead Credit limits the increase in taxable assessments each year to a fixed percentage. Every county and municipality in Maryland is required to limit taxable assessment increases to 10% or less each year. View a listing of homestead caps for each local government.

Technically, the Homestead Credit does not limit the market value of the property as determined by the Department of Assessments and Taxation. Instead, it is actually a credit calculated on any assessment increase exceeding 10% (or the lower cap enacted by the local governments) from one year to the next. The credit is calculated based on the 10% limit for purposes of the State property tax, and 10% or less (as determined by local governments) for purposes of local taxation. In other words, the homeowner pays no property tax on the market value increase which is above the limit.

Example:

Assume that your old assessment was \$100,000 and that your new phased-in assessment for the 1st year is \$120,000. An increase of 10% would result in an assessment of \$110,000. The difference between \$120,000 and \$110,000 is \$10,000. The tax credit would apply to the taxes due on the \$10,000. If the tax rate was \$1.04 per \$100 of assessed value, the tax credit would be \$104 ($\$10,000 \div 100 \times \1.04).

Application Requirement

To prevent improper granting of this credit on rented or multiple properties of a single owner, a law was enacted in 2007 that requires all homeowners to submit a one-time application to establish eligibility for the credit.

Find the status of your Homestead eligibility by looking up your property on the Real Property database.

Conditions

The tax credit will be granted if the following conditions are met during the previous tax year:

- The property was not transferred to new ownership.
- There was no change in the zoning classification requested by the homeowner resulting in an increase value of the property.
- A substantial change did not occur in the use of the property.
- The previous assessment was not clearly erroneous.
- A further condition is that the dwelling must be the owner's principal residence and the owner must have lived in it for at least six months of the year, including July 1 of the year for which the credit is applicable, unless the owner was temporarily unable to do so by reason of illness or need of special care. (An owner can receive a credit only on one property--the principal residence.)

Razed Dwelling and Vacated Dwelling for Making Substantial Improvements

Property owners who choose to vacate their principal residence to raze the dwelling in order to replace it with a new home on the subject property or to make substantial improvements to the property can continue to receive Homestead Tax Credit eligibility provided two conditions are met. First, the homeowner(s) must have owned and occupied the property as a principal residence for at least 3 full tax years immediately preceding the razing or the commencement of the substantial improvements. Second, the building of the replacement home or making the substantial improvements must be completed within the next succeeding tax year after the tax year in which the razing or the substantial improvements were commenced.

Appeal Rights

If you have been denied a Homestead Tax Credit and you believe that you are eligible, contact the Central Office for the Homestead Tax Credit Program at the telephone numbers listed below. A final denial of a Homestead Tax Credit by the Central Office may be appealed within 30 days to the Property Tax Assessment Appeal Board in the jurisdiction where the property is located.

Further Information

For questions about the Homestead Tax Credit, you may telephone 410-767-2165 in the Baltimore metropolitan area or at 1-866-650-8783 toll free elsewhere in Maryland or email the Homestead unit at sdatt.homestead@maryland.gov.

Revised: April 2014

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[Privacy](#)

[Accessibility](#)



Location



Location
Front/side





Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 10 Account Number - 1019008200		
Owner Information		
Owner Name:	HYMAN RICHARD G TRUSTEES HYMAN DOROTHY C TRUSTEES	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	14540 JARRETTSVILLE PIKE MONKTON MD 21111-2410	Deed Reference: /36339/ 00062
Location & Structure Information		
Premises Address:	14540 JARRETTSVILLE PIKE 0-0000	Legal Description: 1.954 AC NS HESS RD 14540 JARRETTSVILLE PIKE 3600 N PAPER MILL RD
Map:	Grid:	Parcel:
0035	0018	0178
Sub District:	Subdivision:	Section:
	0000	
Block:	Lot:	Assessment Year:
		2017
Plat No:	Plat Ref:	
Special Tax Areas:	Town:	NONE
	Ad Valorem:	
	Tax Class:	
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1903	3,328 SF	
Property Land Area	County Use	
1.9500 AC	04	
Stories	Basement	Type
2	NO	STANDARD UNIT
Exterior	Full/Half Bath	Garage
SIDING	3 full	1 Detached
Last Major Renovation		
Value Information		
Base Value	Value	Phase-in Assessments
	As of 01/01/2017	As of 07/01/2016 As of 07/01/2017
Land:	98,500	98,500
Improvements	184,000	201,400
Total:	282,500	299,900
Preferential Land:	0	282,500 288,300
		0
Transfer Information		
Seller: HYMAN RICHARD G	Date: 06/24/2015	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /36339/ 00062	Deed2:
Seller: HYMAN RICHARD	Date: 08/05/2009	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /28483/ 00165	Deed2:
Seller: HYMAN RICHARD	Date: 06/01/1992	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /09198/ 00362	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

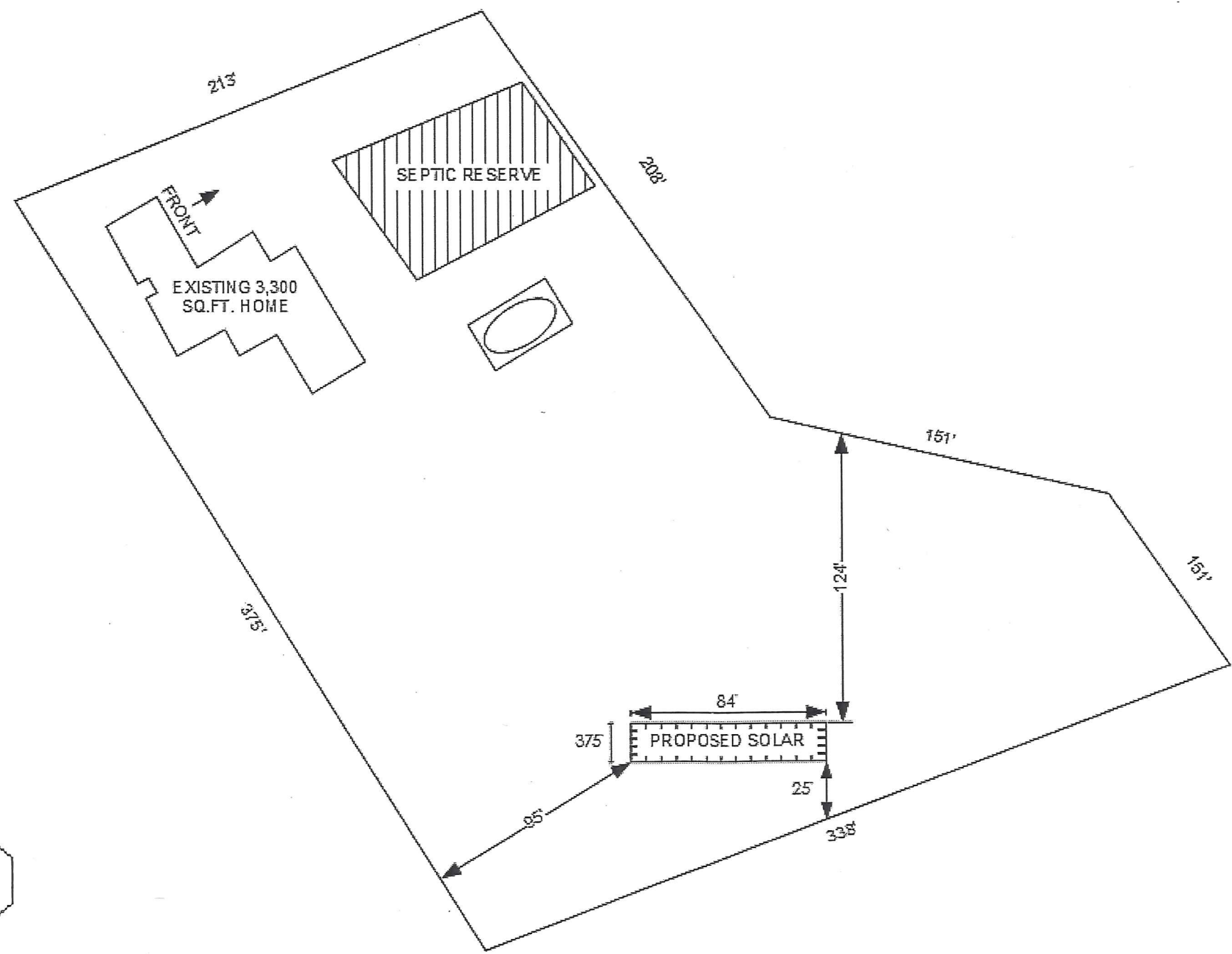
Homestead Application Information

Homestead Application Status: Approved 12/10/2008

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

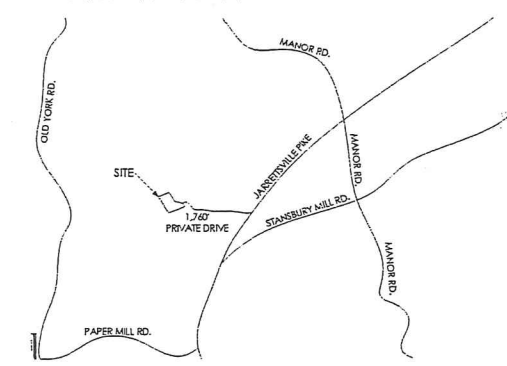
ZONING HEARING PLAN FOR VARIANCE _____ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 14540 JARRETTSVILLE PIKE OWNER(S) NAME(S) RICHARD HYMAN, DOROTHY HYMAN
 SUBDIVISION NAME _____ LOT # _____ BLOCK # _____ SECTION # _____
 PLAT BOOK # _____ FOLIO # _____ 10 DIGIT TAX # _____ DEED REF. # 36339 / 00062



PLAN DRAWN BY MIKE KISER

DATE 06/12/2017 SCALE: 1 INCH = 50' FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

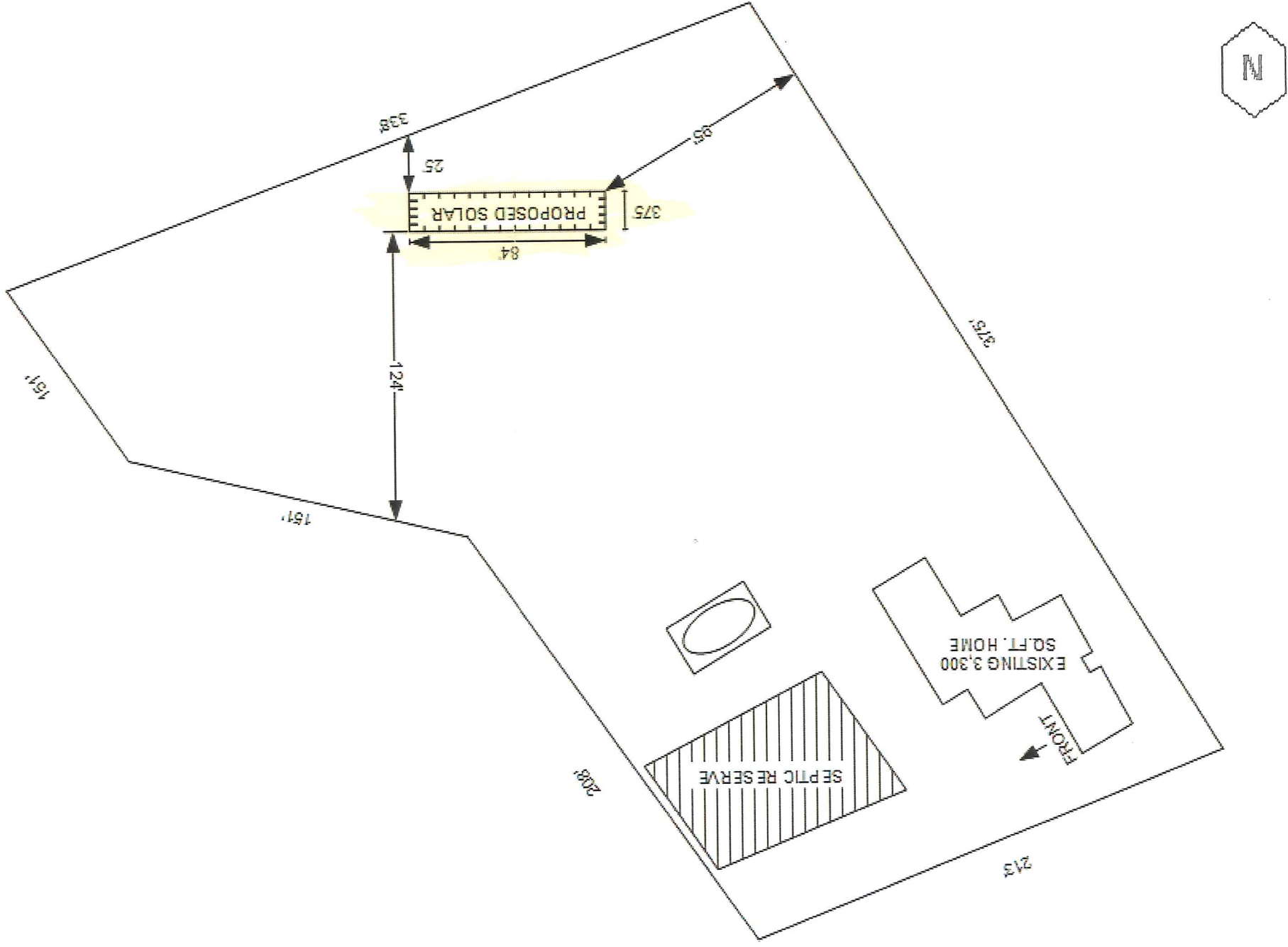
ZONING MAP# 035C2
 SITE ZONED RC-2
 ELECTION DISTRICT 10
 COUNCIL DISTRICT 3
 LOT AREA ACREAGE 1.95 AC
 OR SQUARE FEET _____
 HISTORIC? NO
 IN CBCA? NO
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC _____ PRIVATE X
 SEWER IS:
 PUBLIC _____ PRIVATE X
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

VIOLATION CASE INFO:

2017-0347-A

ZONING HEARING PLAN FOR VARIANCE FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)
ADDRESS 14540 JARRETTSVILLE PIKE OWNER(S) NAME(S) RICHARD HYMAN, DOROTHY HYMAN
SUBDIVISION NAME LOT # BLOCK # SECTION #

PLAT BOOK # FOLIO # TO DIGIT TAX # DEED REF. # 36339 / 00062



PLAN DRAWN BY MIKE KISER DATE 06/12/2017 SCALE: 1 INCH = 50' FEET

8017-0347-A

Plot - 608.1

VIOLATION CASE INFO:

ZONING MAP# 035C2
SITE ZONED RC-2
ELECTION DISTRICT 10
COUNCIL DISTRICT 3
LOT AREA ACREAGE 1.95 AC
OR SQUARE FEET
HISTORIC? NO
IN CBCA? NO
IN FLOOD PLAIN? NO
UTILITIES? MARK WITH X
WATER IS: PUBLIC PRIVATE X
SEWER IS: PUBLIC PRIVATE X
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

SITE VICINITY MAP

