



KEVIN KAMENETZ
County Executive

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

August 17, 2017

Jay M. King
13410 Jarrettsville Pike
Phoenix, MD 21131

RE: **MOTION FOR RECONSIDERATION**
Petition for Administrative Variance
Case No. 2018-0003-A
Property: 13410 Jarrettsville Pike

Dear Mr. King:

Enclosed please find a copy of the Order on Motion for Reconsideration rendered in the above-captioned matter

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

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over a horizontal line.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

- Petitioner or subsequent owners shall not convert the accessory structure (detached garage) into a dwelling unit or apartment. The accessory structure (detached garage) shall not contain any sleeping quarters, living area, and kitchen.

The relief granted herein shall be expressly conditioned upon the approval by DEPS of all permits or inspections required for the construction of a bathroom in the proposed accessory building.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 8-17-17

By DLW



KEVIN KAMENETZ
County Executive

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

August 4, 2017

Jay M. King
13410 Jarrettsville Pike
Phoenix, MD 21131

RE: Petition for Administrative Variance
Case No. 2018-0003-A
Property: 13410 Jarrettsville Pike

Dear Mr. King:

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", with a long horizontal flourish extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

IN RE: PETITION FOR ADMIN. VARIANCE *
(13410 Jarrettsville Pike)
10th Election District
3rd Council District
Jay M. King
Petitioner

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2018-0003-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owner of the property, Jay M. King ("Petitioner"). The Petitioner is requesting Variance relief pursuant to § 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit an accessory structure (detached garage) with a height of 25 ft. in lieu of the required 15 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. A ZAC comment was received from the Department of Environmental Protection and Sustainability (DEPS), dated July 19, 2017, indicating "Ground Water Management must review any proposed building permit(s) for a garage, since the property is served by well and septic (and the septic tank is near the proposed location for the garage)." In addition, a ZAC comment was received from the Department of Planning (DOP), dated July 26, 2017, indicating it had no objection to granting the petitioned zoning relief conditioned upon the following: "The proposed structure shall not be used as a residence or for commercial purposes."

ORDER RECEIVED FOR FILING

Date 8-4-17

By low

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on July 13, 2017, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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

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 4th day of **August, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit an accessory structure (detached garage) with a height of 25 ft. in lieu of the required 15 ft., be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 8-4-17

By LSW

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Petitioner or subsequent owners shall not convert the accessory structure (detached garage) into a dwelling unit or apartment. The accessory structure (detached garage) shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.
3. The accessory structure (detached garage) shall not be used for commercial purposes.
4. Petitioner must comply with the ZAC comments submitted by DEPS, dated July 19, 2017, and DOP, dated July 26, 2017; copies of which are attached hereto and made a part hereof.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

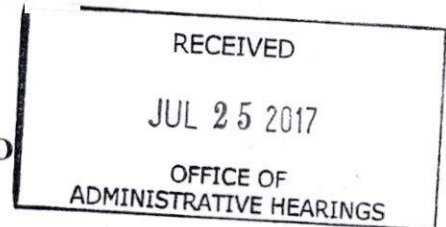
ORDER RECEIVED FOR FILING

Date 8-4-17

By dlw

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: July 19, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0003-A
Address 13410 Jarrettsville Pike
(King Property)

Zoning Advisory Committee Meeting of **July 24, 2017**.

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

1. Ground Water Management must review any proposed building permit(s) for a garage, since the property is served by well and septic (and the septic tank is near the proposed location for the garage).

Reviewer: Dan Esser

Date: 7/18/17

ORDER RECEIVED FOR FILING

Date 8-4-17

By LDW



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 13410 Jarrettsville Pk Phoenix, MD 21131 Currently zoned RC-6
Deed Reference 38941 / 00494 10 Digit Tax Account # 1011035330
Owner(s) Printed Name(s) Jay M. King

(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 BCZR
To permit an accessory structure (detached garage) with a height of 25' in lieu of the required 15'

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):

Jay M. King /
Name #1 – Type or Print Name #2 – Type or Print
[Signature] /
Signature #1 Signature #2
13410 Jarrettsville Pk Phoenix, MD
Mailing Address City State
21131 / 443677 7654 JKing@CSBOnline.com
Zip Code Telephone # Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print
Signature
Mailing Address City State
Zip Code Telephone # Email Address

Representative to be contacted:

Same as Above
Name – Type or Print
Signature
Mailing Address City State
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.

By

Administrative Law Judge for Baltimore County

CASE NUMBER 2018-0003-A Filing Date 7/5/17 Estimated Posting Date 7/14/17 Reviewer JR

Rev 5/5/2016

Affidavit in Support of Administrative Variance

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

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

Address: 13410 Jarrettville Pike Phoenix MD 21131
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)

See Attached

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

[Signature]
Signature of Owner (Affiant)

Jay M. King
Name- Print or Type

Signature of Owner (Affiant)

Name- Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

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

Print name(s) here: Jay M. King

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

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public

11/02/19
My Commission Expires



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: 13410 Jarrettsville Pk Phoenix MD 21131
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)

See Attached

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

Signature of Owner (Affiant)

Name- Print or Type

Signature of Owner (Affiant)

Name- Print or Type

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

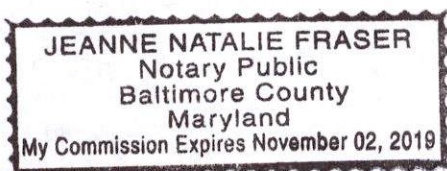
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

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

Print name(s) here:

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



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 13410 Jarretttsville Pike Phoenix, MD 21131 Currently zoned RC-6
Deed Reference 38941 / 00494 10 Digit Tax Account # 1011035330
Owner(s) Printed Name(s) JAY M. KING

(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 BCZR.

To permit an accessory structure (detached garage) with a height of 25' in lieu of the required 15'.

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):

Jay M. King
Name #1 – Type or Print

Name #2 – Type or Print

Signature #1

Signature #2

13410 Jarretttsville Pike Phoenix MD
Mailing Address City State

21131 / 443 677 7654 / JKing@CSDOnline.com
Zip Code Telephone # Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Same as Above
Name – Type or Print

Signature

Mailing Address City State

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 2018-0003-A

Filing Date 7/5/17

Estimated Posting Date 7/19/17

Reviewer JP

Rev 5/5/2016

Affidavit in Support of Administrative Variance

Jay M. King

July 4, 2017

13410 Jarrettsville Pike

Phoenix, MD 21131

Tax# 10-1011035330

I'm looking to construct a 40' x 26' detached garage that has 2 car bays and 1 utility room with an additional storage / office area above the utility room. I currently have a Jeep and a Trailer that require 9' doors for them to fit in the garage. The utility room will be used as a personal dog kennel area and will lead into a fenced in area in the back yard to exercise my 2 dogs. I want to use the space above the utility area as an office / craft area and for storage. To get the Head Clearance in the storage area at the top of the stairway I need to go above the 15' Roof Ridge height regulation. I have the wall height of 6' at the top of the stairway to start the roof trusses and with an 8/12 pitch and a partial cathedral ceiling we were able to get the 8' ceiling height on most of the storage space. This put us at 24'-2" to the top of the Roof Ridge.

Signature



Date

7/4/17

Zoning Property Description for 13410 Jarrettsville Pike, Phoenix, MD 21131

Jay M. King

July 4, 2017

13410 Jarrettsville Pike

Phoenix, MD 21131

Tax# 10-1011035330

Beginning at a point on the West side of Jarrettsville Pike which is 25 feet wide at a distance of 370 feet south of the centerline of the nearest improved intersecting street Sunnyview Drive which is 25 feet wide.

Thence the following courses and distances: (1st POC) S. 02 30' 50" W. 86.60', (2nd POC) N. 77 56' 00" W. 22.92', (3rd POC) N. 77 56' 00" W. 255.89', (4th POC) N. 12 55' 26" E. 66.55', (5th POC) S. 81 54' 57" E. 43.65', (6th POC) S. 81 54' 57" E. 220.42' back to a point of beginning as recorded in Deed Liber 38941, Folio 00494, Containing 20,272 square feet. Located in the 10th Election District and the 3rd Council District

Signature



Date



Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

CERTIFICATE OF POSTING

July 13, 2017

Re:

Zoning Case No. 2018-0003-A

Legal Owner: Jay M. King

Closing date: July 31, 2017

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

Attention: Kristen Lewis

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at **13410 Jarrettsville Pike**.

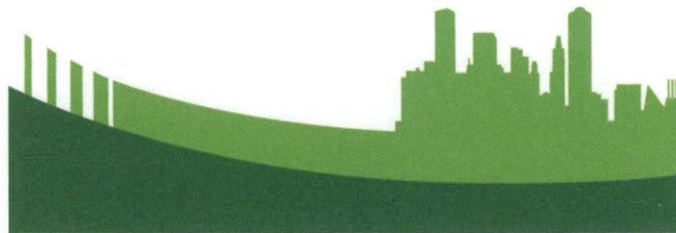
The sign was posted on **July 13, 2017**.

Sincerely,



Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)



Land Use Expert and Surveyor

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE NO. 2018-0003-A

13410 Jarrettsville Pike

REQUEST: TO PERMIT AN ACCESSORY STRUCTURE
(DETACHED GARAGE) WITH A HEIGHT OF 25 FEET IN
LIEU OF THE REQUIRED 15 FEET.

PUBLIC HEARING?

PURSUANT TO SECTION 26-127(b)(1) BALTIMORE
COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP
MAY REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT IS DONE IN
THE ZONING OFFICE BEFORE JULY 31, 2017.

ADDITIONAL INFORMATION IS AVAILABLE AT ZONING
ADMINISTRATION AND DEVELOPMENT MANAGEMENT 111 W.
CHESAPEAKE AVENUE TOWSON, MD 21204 410-887-3391



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2018 0003 -A Address 13410 JARRETTSVILLE PIKE

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

Filing Date: 7/5/17 Posting Date: 7/16/17 Closing Date: 7/31/17

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 2018-0003 -A Address 13410 Jarrettsville Pike
Petitioner's Name JAY M. KING Telephone 443-677-7654
Posting Date: 7/16/17 Closing Date: 7/31/17
Wording for Sign: To Permit an accessory structure (detached garage) with a height of 25' in lieu of the required 15'.

Revised 7/9/15

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/neighbor 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: 2018-0003-A

Property Address: 13410 Jarrettville Pike Phoenix, MD 21131

Property Description: _____

Legal Owners (Petitioners): Jay M. King

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jay M. King

Company/Firm (if applicable): _____

Address: PO Box 2
Forest Hill, MD 21050

Telephone Number: 443-677-7654

Revised 7/9/2015

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

No 154799

Date: 7/5/17

Fund	Dept	Unit	Sub Unit	Rev	Sub	Obj	Sub Obj	Dept Obj	BS Acct	Amount
				Source/	Rev/					
001	206	0000		6150						75.00

Total: 75.00

Rec
From: JAY KING

For: Ad. Voucher - Case # 2018-00013-A
13410 Jarrothville Pike

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
7/05/2017 7/05/2017 10:22:31 5
SEG NAME WALKIN LRD
>>RECEIPT # 502382 7/05/2017 CFLR
Dept 5 000 ZONING VERIFICATION
CR NO. 154799
Recpt Tot \$75.00
\$75.00 CR \$0.00 CR
Baltimore County, Maryland

**CASHIER'S
VALIDATION**



KEVIN KAMENETZ
County Executive

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

August 1, 2017

Jay M King
13410 Jarrettsville Pike
Phoenix MD 21131

RE: Case Number: 2018-0003-A, Address: 13410 Jarrettsville Pike

Dear Mr. King:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 3, 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

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 7/26/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-003

INFORMATION:

Property Address: 13410 Jarrettsville Pike
Petitioner: Jay M. King
Zoning: RC 6
Requested Action: Administrative Variance

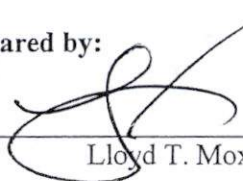
The Department of Planning has reviewed the petition for an administrative variance from Section 400.3 of the Baltimore County Zoning Regulations (BCZR) to permit an accessory structure (detached garage) with a height of 25 feet in lieu of the required 15 feet.

The department has no objection to granting the petitioned zoning relief conditioned upon the following:

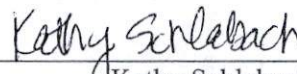
- The proposed structure shall not be used as a residence or for commercial purposes.

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

Prepared by:


Lloyd T. Moxley

Division Chief:


Kathy Schlabach

AVA/KS/LTM/ka

c: Kaylee Justice
Jay M. King
Office of the Administrative Hearings
People's Counsel for Baltimore County

ORDER RECEIVED FOR FILING

Date 8-4-17

By low

Date: 7/17/17

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

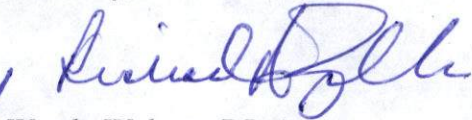
Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 7/17/17. 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 2018-0003-A.

Administrative Variance
Jay M. King
13410 Farrettsville Pike
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

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 19, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0003-A
Address 13410 Jarrettsville Pike
(King Property)

Zoning Advisory Committee Meeting of **July 24, 2017**.

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

1. Ground Water Management must review any proposed building permit(s) for a garage, since the property is served by well and septic (and the septic tank is near the proposed location for the garage).

Reviewer: Dan Esser Date: 7/18/17

7-31



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

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Reviewer: Dan Esser Date: 7/18/17

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 7/26/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-003

INFORMATION:

Property Address: 13410 Jarrettsville Pike
Petitioner: Jay M. King
Zoning: RC 6
Requested Action: Administrative Variance

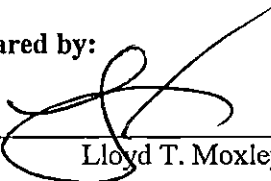
The Department of Planning has reviewed the petition for an administrative variance from Section 400.3 of the Baltimore County Zoning Regulations (BCZR) to permit an accessory structure (detached garage) with a height of 25 feet in lieu of the required 15 feet.

The department has no objection to granting the petitioned zoning relief conditioned upon the following:

- The proposed structure shall not be used as a residence or for commercial purposes.

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

Prepared by:


Lloyd T. Moxley

Division Chief:


Kathy Schlabach

AVA/KS/LTM/ka

c: Kaylee Justice
Jay M. King
Office of the Administrative Hearings
People's Counsel for Baltimore County

Debra Wiley

From: Administrative Hearings
Sent: Thursday, August 17, 2017 8:01 AM
To: JKing@CSDOnline.com
Subject: Case No. 2018-0003-A - Motion for Reconsideration
Attachments: 20170817075755658.pdf

Good Morning,

Please find attached a copy of ALJ Beverungen's Order on your Motion for Reconsideration.

Have a great day !

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

From: adminhearingscpr@baltimorecountymd.gov [mailto:adminhearingscpr@baltimorecountymd.gov]
Sent: Thursday, August 17, 2017 7:58 AM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Subject: Admin Hearings Copier

This E-mail was sent from "RNP002673903BB1" (MP 3054).

Scan Date: 08.17.2017 07:57:55 (-0400)

Queries to: adminhearingscpr@baltimorecountymd.gov

Sherry Nuffer

From: Jay King <JKing@CSDOnline.com>
Sent: Monday, August 14, 2017 3:35 PM
To: Administrative Hearings
Subject: Fwd: Case 2018-0003-A



Sent from my Sprint Samsung Galaxy S7.

----- Original message -----

From: Jay King <JKing@CSDOnline.com>
Date: 8/7/17 1:59 PM (GMT-05:00)
To: administrationhearings@baltimorecountymd.gov
Cc: Jay King <JKing@CSDOnline.com>
Subject: Case 2018-0003-A

Dear Sir,

I received your Order for my Petition for a Administrative Variance for my Detached Garage. Thank you for reviewing it and there is one area that I have a question on.

On Page 2 of the Order you stipulated that the Garage cannot contain any "Sleeping Quarters, Living Area, Kitchen, Bathroom Facilities, or used for commercial purposes". The only part of this that I would like relief from would be the Bathroom Facilities part. In the drawings that I submitted with the Petition I have a Bathroom included in the garage. I plan to use the 3rd bay of the garage as an climate controlled space for my 2 dogs. This would include an enclosed area inside that will allow them to go in and out into a fenced in area and also would include a wash area for them. I would also like to have a bathroom so if I'm working on my car or out in the yard I would be able to take a quick shower and would not have to go all the way into the house.

I'm sorry I did not know there was a restriction on allowing a bathroom in a detached garage and when I met with the zoning department when filing the petition they did not bring up that I needed to address the bathroom. I fully understand and have no intentions to having Sleeping Quarter, Living Area, Kitchen, or would use it for commercial purposes.

Thank you for considering this relief and let me know if you have any more questions.

Regards,
Jay M. King

 Control Systems Design, Inc.
1613 Robin Circle - Unit B
Forest Hill, MD 21050
Cell 443-677-7654
Fax 410-638-9959
JKing@CSDonline.COM

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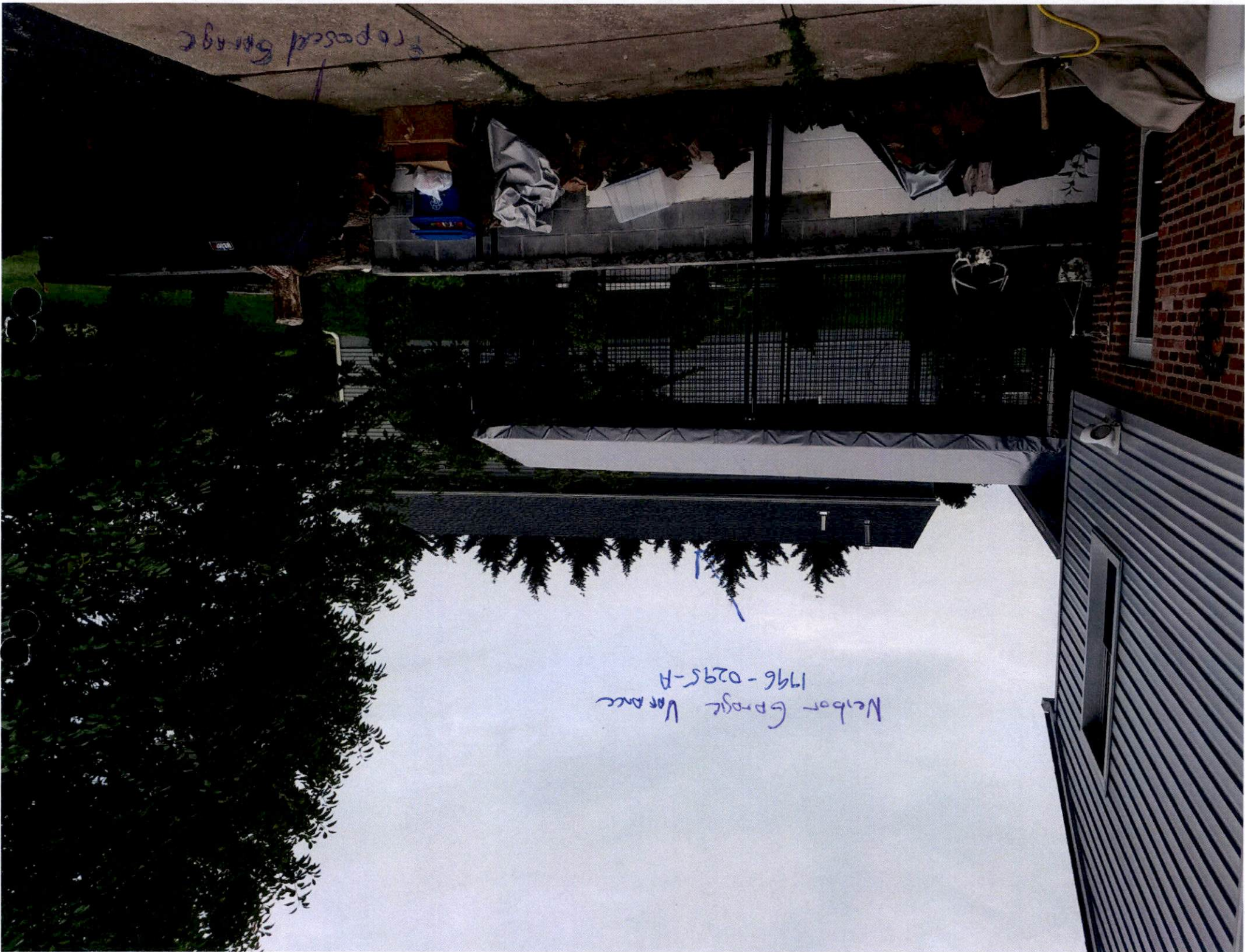
CHECKLIST

<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 _____)	_____
<u>7-19</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
_____	FIRE DEPARTMENT	_____
<u>7-26</u>	PLANNING (if not received, date e-mail sent _____)	<u>C</u>
<u>7-17</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>7-13-17</u> by <u>Dock</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

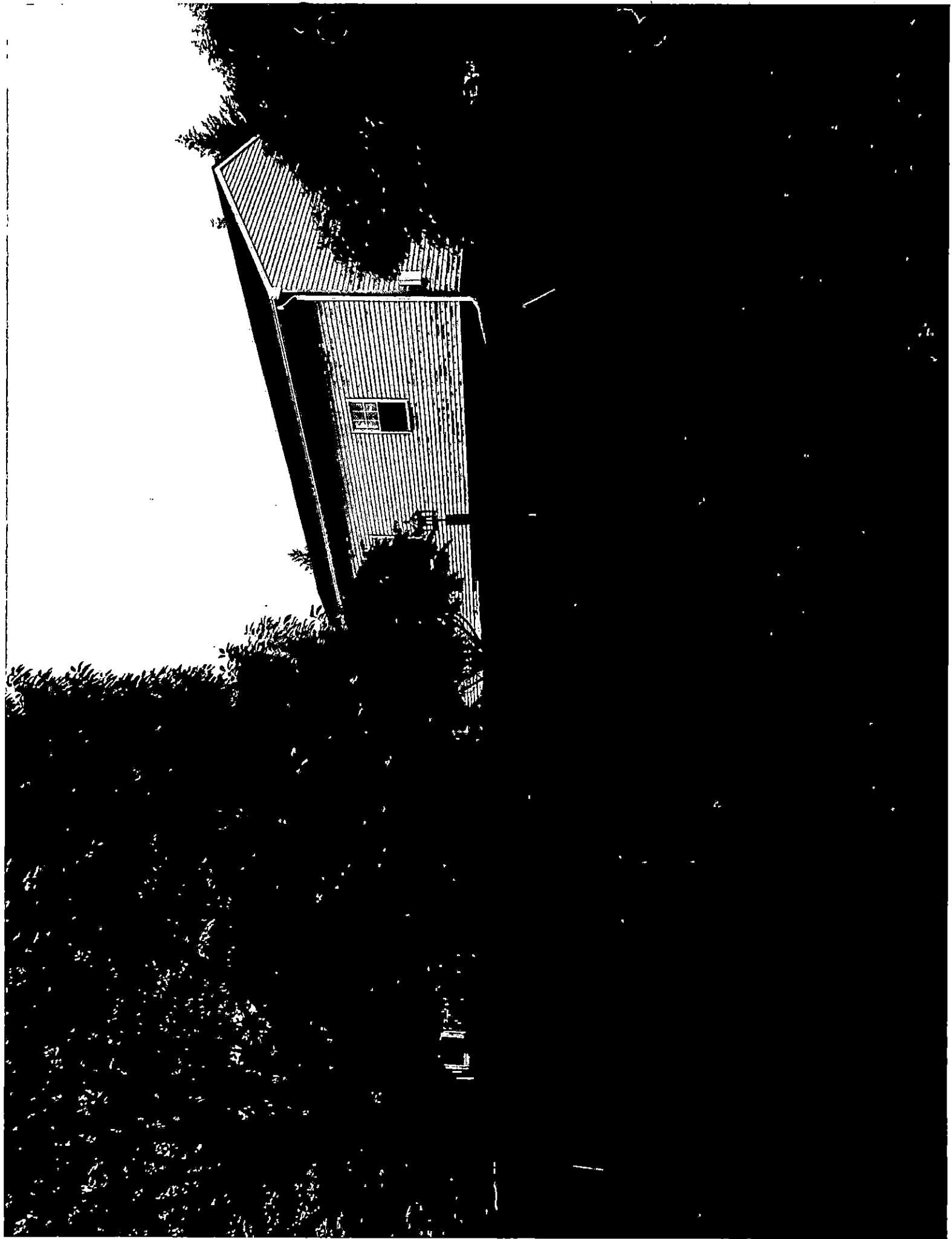
Neibor Garage Varance
1796-0295-A

Proposed Garage

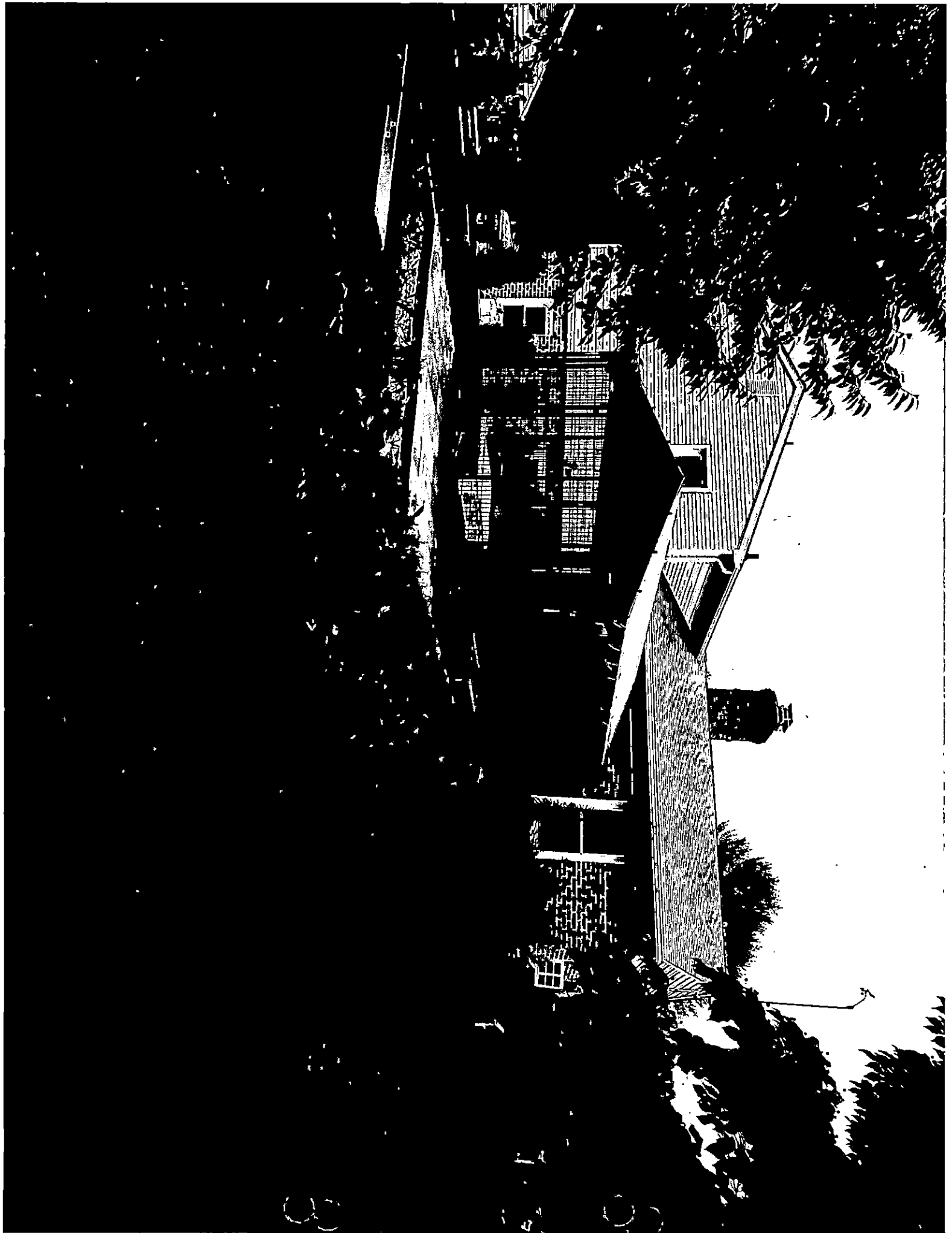












Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 10 Account Number - 1011035330		
Owner Information		
Owner Name:	KING JAY M	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	13410 JARRETTSVILLE PIKE PHOENIX MD 21131-2028	Deed Reference: /38941/ 00494
Location & Structure Information		
Premises Address:	13410 JARRETTSVILLE PIKE PHOENIX 21131-2028	Legal Description: 0.47 AC WS JARRETTSVILLE PIKE 4800 S MERRYMANS MILL RD
Map:	Grid:	Parcel:
0043	0017	0202
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
1964	1,802 SF	
Property Land Area	County Use	
20,272 SF	04	
Stories	Basement	Type
2	NO	SPLIT LEVEL
Exterior	Full/Half Bath	Garage
1/2 BRICK FRAME	1 full/ 1 half	1 Detached
Last Major Renovation		
Value Information		
	Base Value	Value
		As of 01/01/2017
Land:	121,000	121,000
Improvements	108,400	112,700
Total:	229,400	233,700
Phase-in Assessments		
		As of 07/01/2016
		As of 07/01/2017
Land:		
Improvements		
Total:		
Preferential Land:	0	0
Transfer Information		
Seller: KING DONALD W	Date: 05/09/2017	Price: \$275,000
Type: ARMS LENGTH IMPROVED	Deed1: /38941/ 00494	Deed2:
Seller: KING J MCKINLEY	Date: 02/25/1964	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /04268/ 00205	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	
		07/01/2016
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt:	Special Tax Recapture:	

Exempt Class: NONE

Homestead Application Information

Homestead Application Status: Application received

Homeowners' Tax Credit Application Information

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

13416

13419

Lot # 2

Pt. Bk. 0000039, Folio 0029 1700007510

PAI # 100108

PAI # 100108

Pt. Bk./Folio # 039029

Lot # 3 1700007511

13415

1013020551

1013000910
13412

JARRETSVILLE PIKE

043C2

10 ED RC 6
3 CD

1011035330

SITE

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

NE 18-C

1976-0208-A 6000710

13409

1996-0295-A

13408
1011035125

13406

1005005030

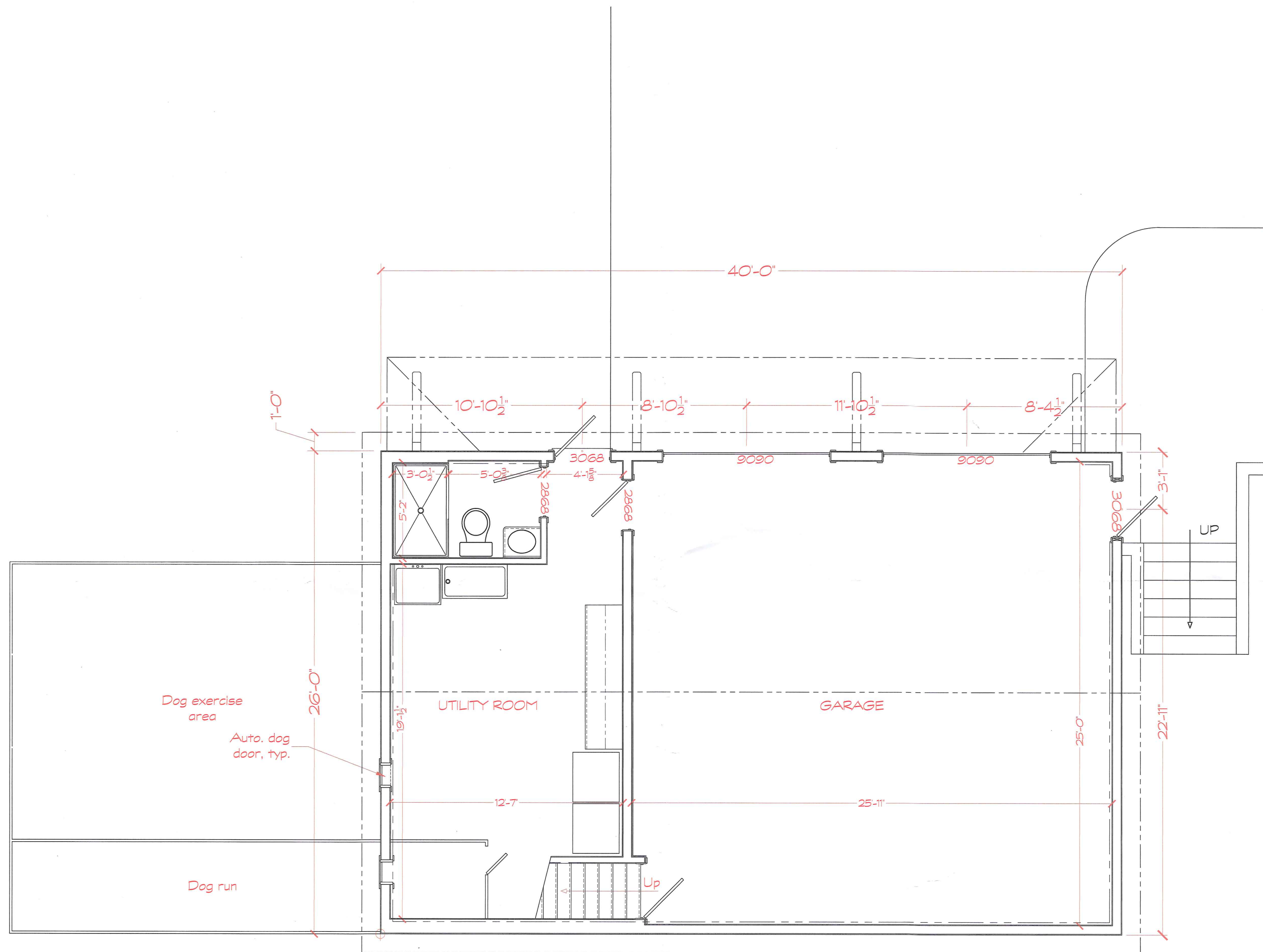
1023035230

1011035150

1008001320

043C3

2200017097



1 GARAGE FIRST FLOOR PLAN
 Ax 1/4" = 1'-0"

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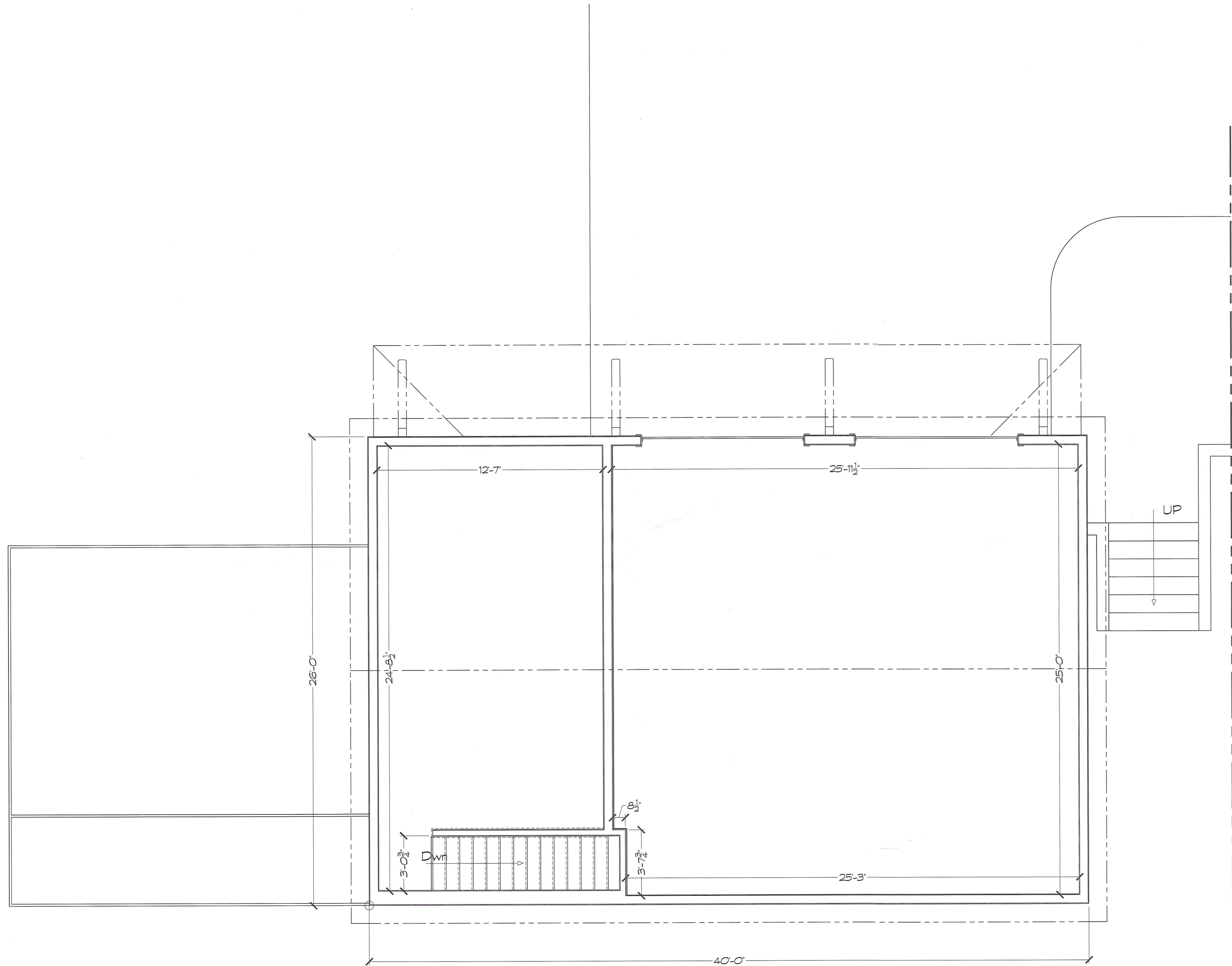
TIM DIENER DESIGN
 534 S. Yale St. York, PA 17403
 Tel.: (717) 424-1548
 Email: tdiener2@comcast.net

Detached Garage for
 JAY KING
 13410 Jarrettsville Pike
 Phoenix, MD 21131

GARAGE 1st
 FLOOR PLAN

Rev.	v.9
Scale	1/4" = 1'-0"
Drawn	TD
Date	27JUN17

A-101



1 GARAGE SECOND FLOOR PLAN
 Ax 1/4" = 1'-0"

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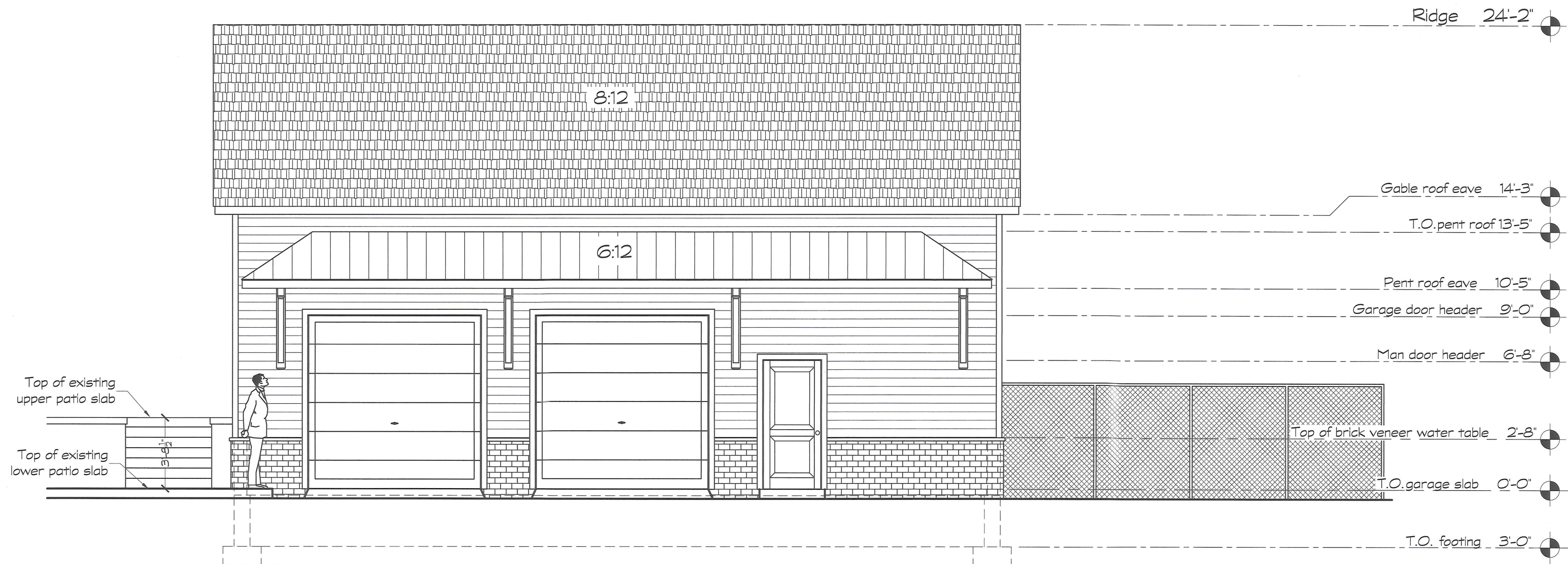
TIM DIENER DESIGN
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 Tel.: (717) 424-1548
 Email: tdiener2@comcast.net

Detached Garage for
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 13410 Jarrettsville Pike
 Phoenix, MD 21131

GARAGE 2nd
 FLOOR PLAN

Rev.	v.9
Scale	1/4" = 1'-0"
Drawn	TD
Date	27JUN17

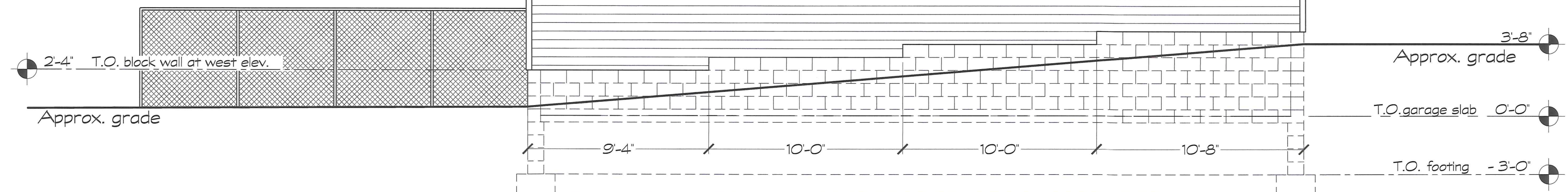
A-102



1 GARAGE NORTH ELEVATION
A-201 1/4" = 1'-0"

24'-2" Ridge

14'-3" Gable roof eave



2 GARAGE SOUTH ELEVATION
A-201 1/4" = 1'-0"

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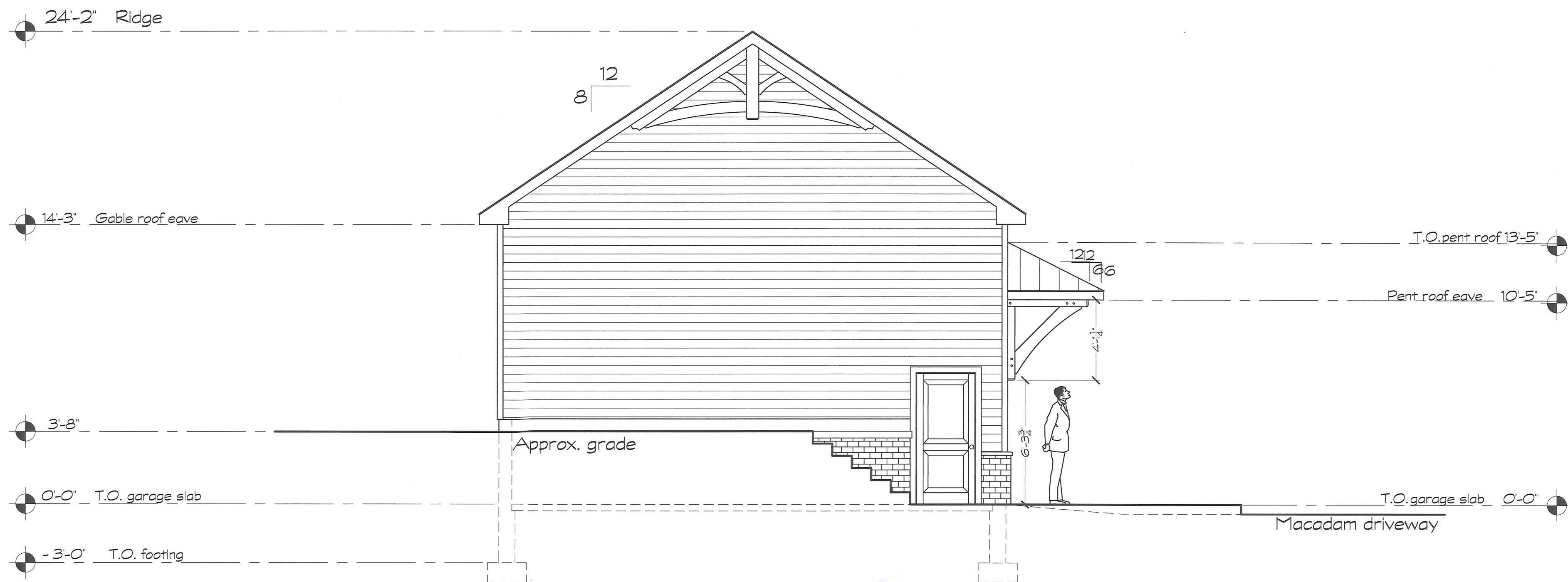
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Tel.: (717) 424-1548
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Detached Garage for
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13410 Jarrettsville Pike
Phoenix, MD 21131

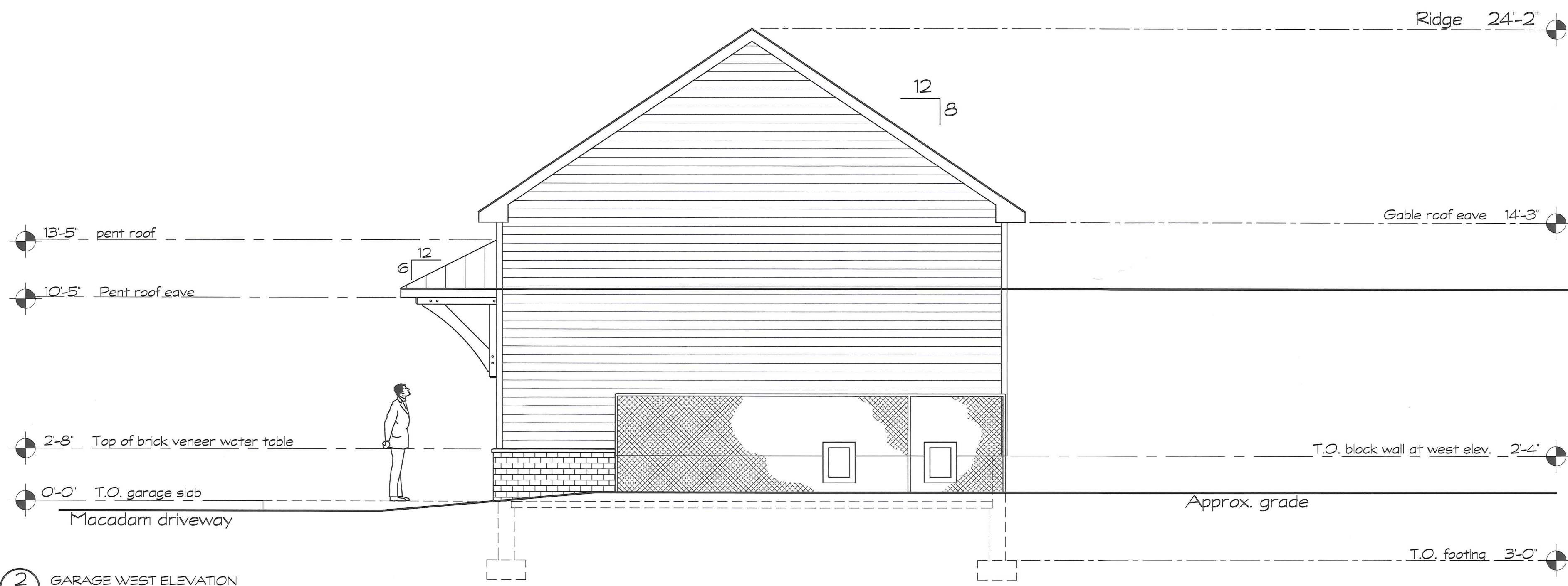
GARAGE
NORTH
ELEVATION

Rev.	v.9
Scale	1/4" = 1'-0"
Drawn	TD
Date	27JUN17

A-201



1 GARAGE EAST ELEVATION
A-202 1/4" = 1'-0"



2 GARAGE WEST ELEVATION
A-202 1/4" = 1'-0"

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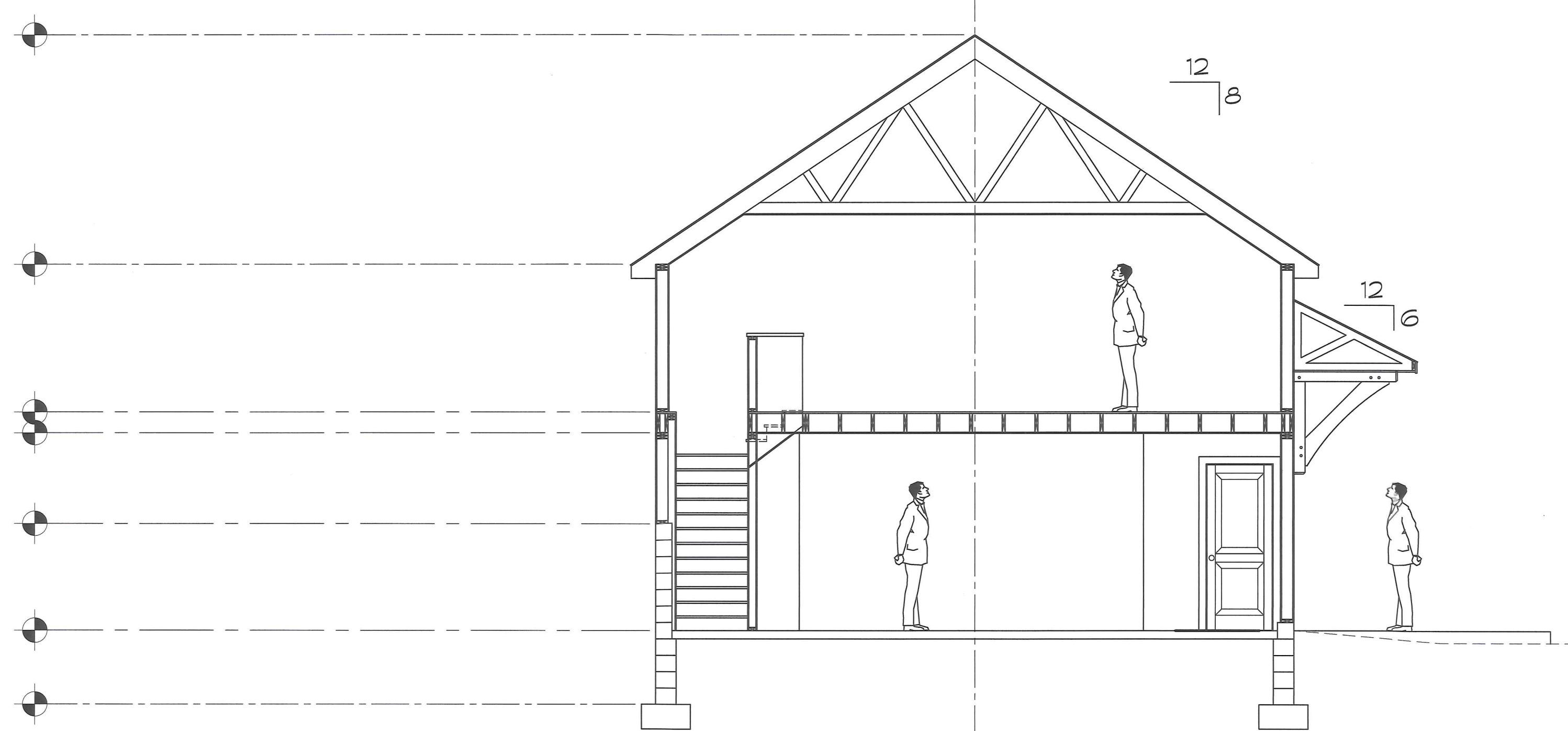
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JAY KING
13410 Jarrettsville Pike
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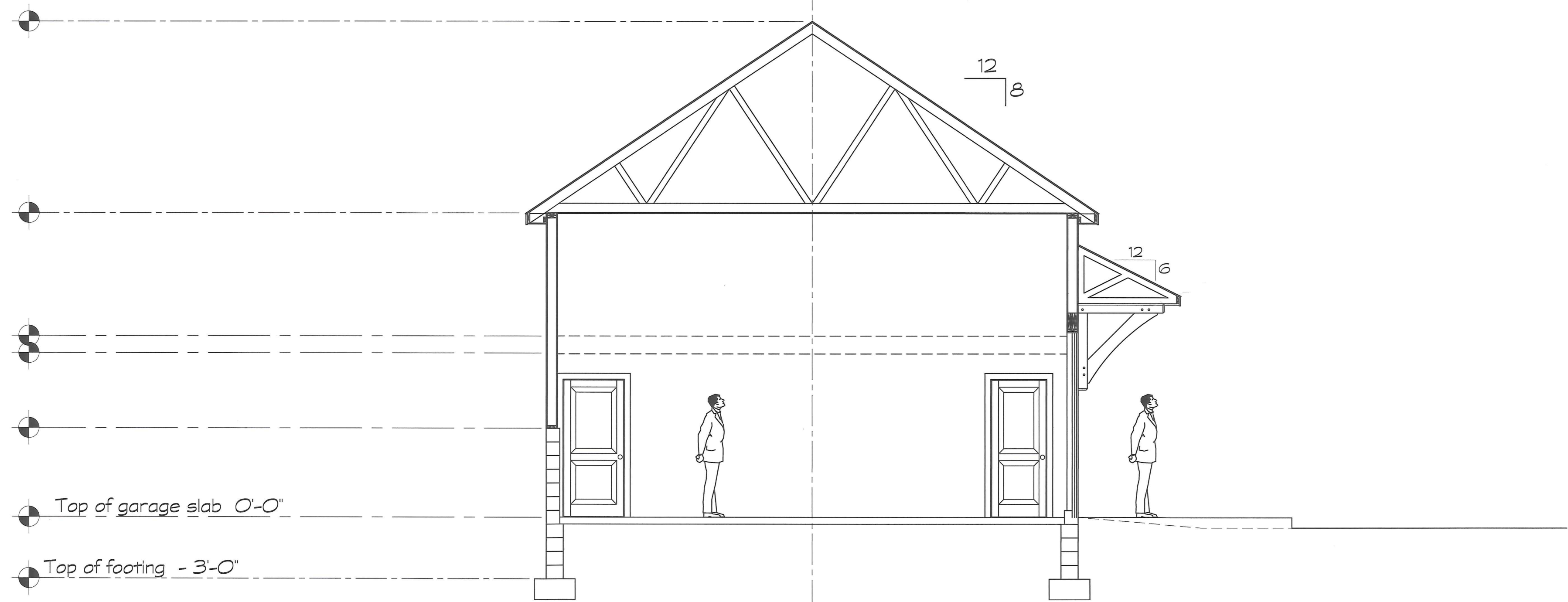
GARAGE
NORTH
ELEVATION

Rev.	v.9
Scale	1/4" = 1'-0"
Drawn	TD
Date	27JUN17

A-202



1 GARAGE LATERAL SECTION 1
A-301 1/4" = 1'-0"



2 GARAGE LATERAL SECTION 2
A-301 1/4" = 1'-0"

Top of garage slab 0'-0"

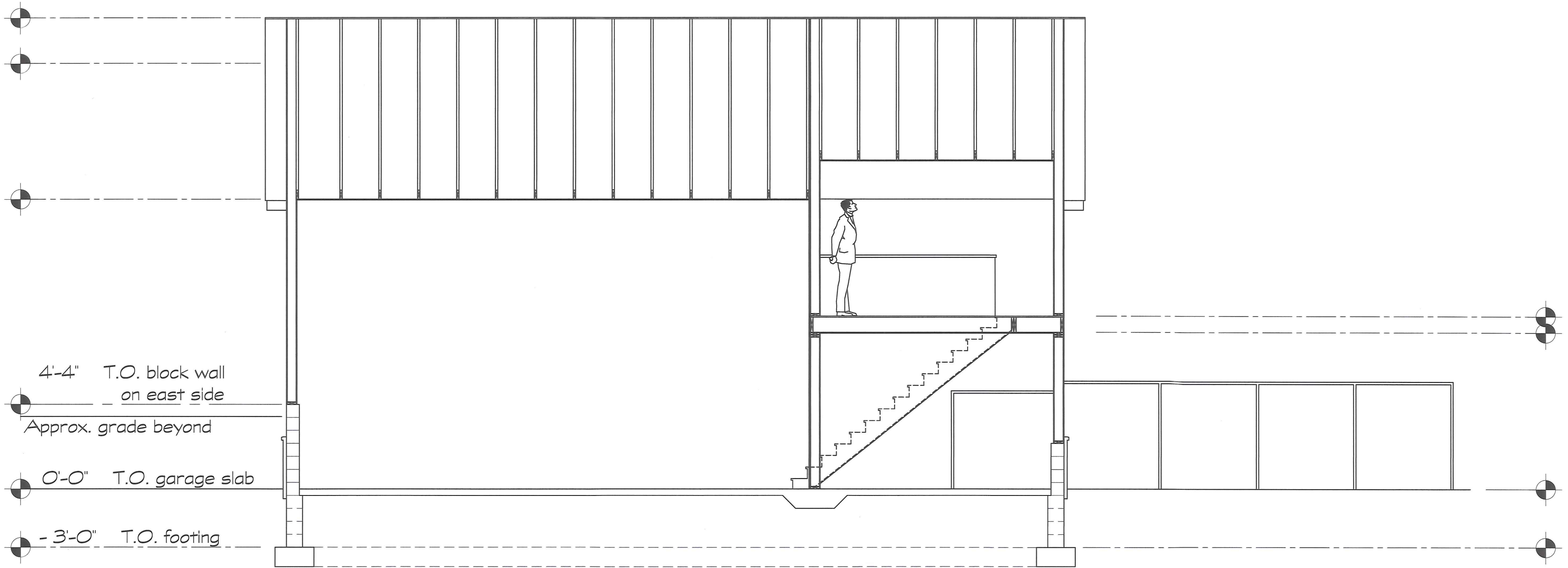
Top of footing - 3'-0"

TIM DIENER DESIGN
534 S. Yale St. York, PA 17403
Tel.: (717) 424-1548
Email: tdiener2@comcast.net

Detached Garage for
JAY KING
13410 Jarrettsville Pike
Phoenix, MD 21131

GARAGE LATERAL SECTIONS	
Rev.	v.9
Scale	1/4" = 1'-0"
Drawn	TD
Date	27JUN17

A-301



TIM DIENER DESIGN
534 S. Yale St. York, PA 17403
Tel.: (717) 424-1548
Email: tdiener2@comcast.net

Detached Garage for
JAY KING
13410 Jarrettsville Pike
Phoenix, MD 21131

GARAGE
LATERAL
SECTIONS

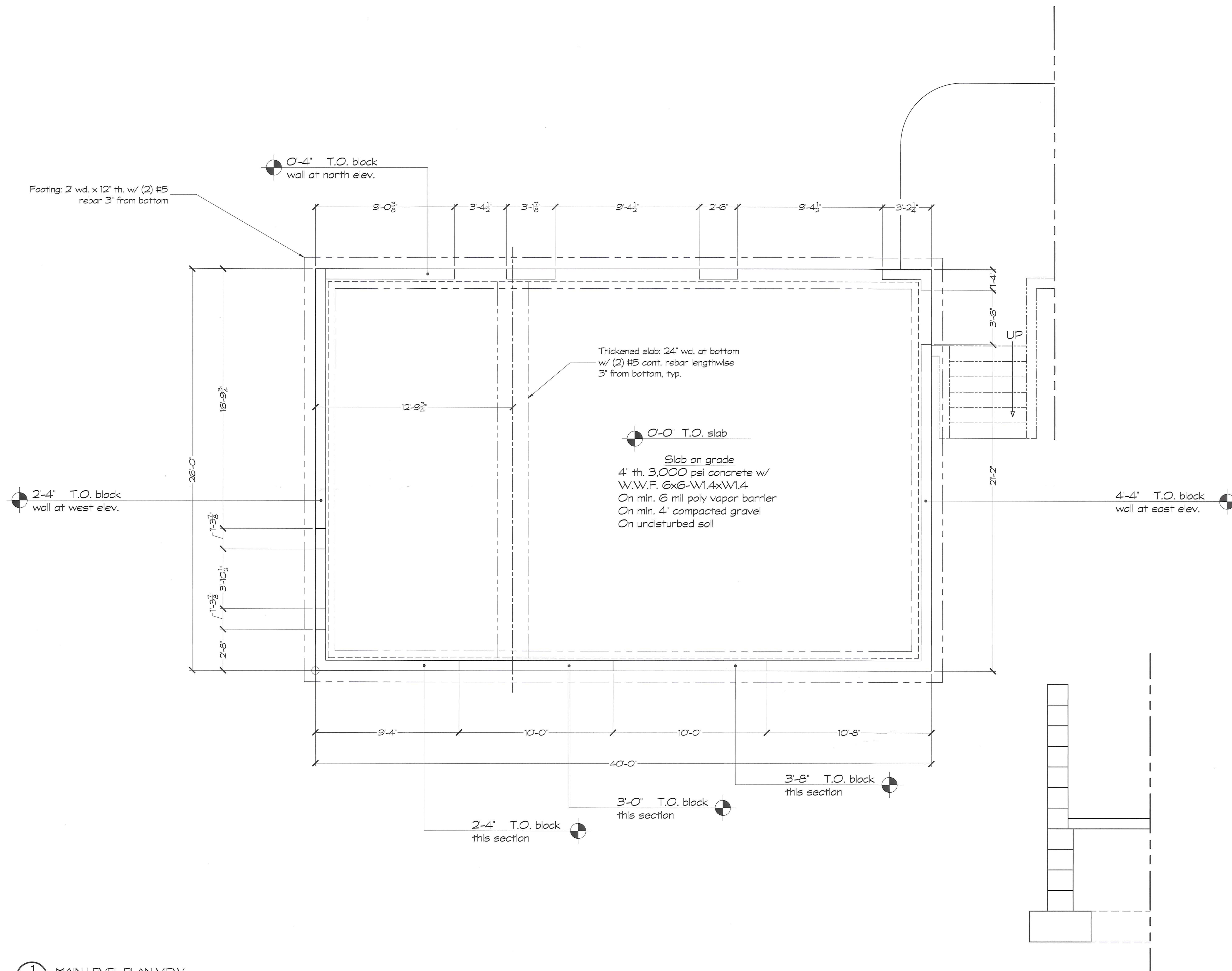
Rev.	v.9
Scale	1/4" = 1'-0"
Drawn	TD
Date	27JUN17

A-302

FOUNDATION
 PLAN

Rev.	v.9
Scale	1/4" = 1'-0"
Drawn	TD
Date	27JUN17

S-101



1 MAIN LEVEL PLAN VIEW
 Ax 1/4" = 1'-0"



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

Printed 7/4/2017



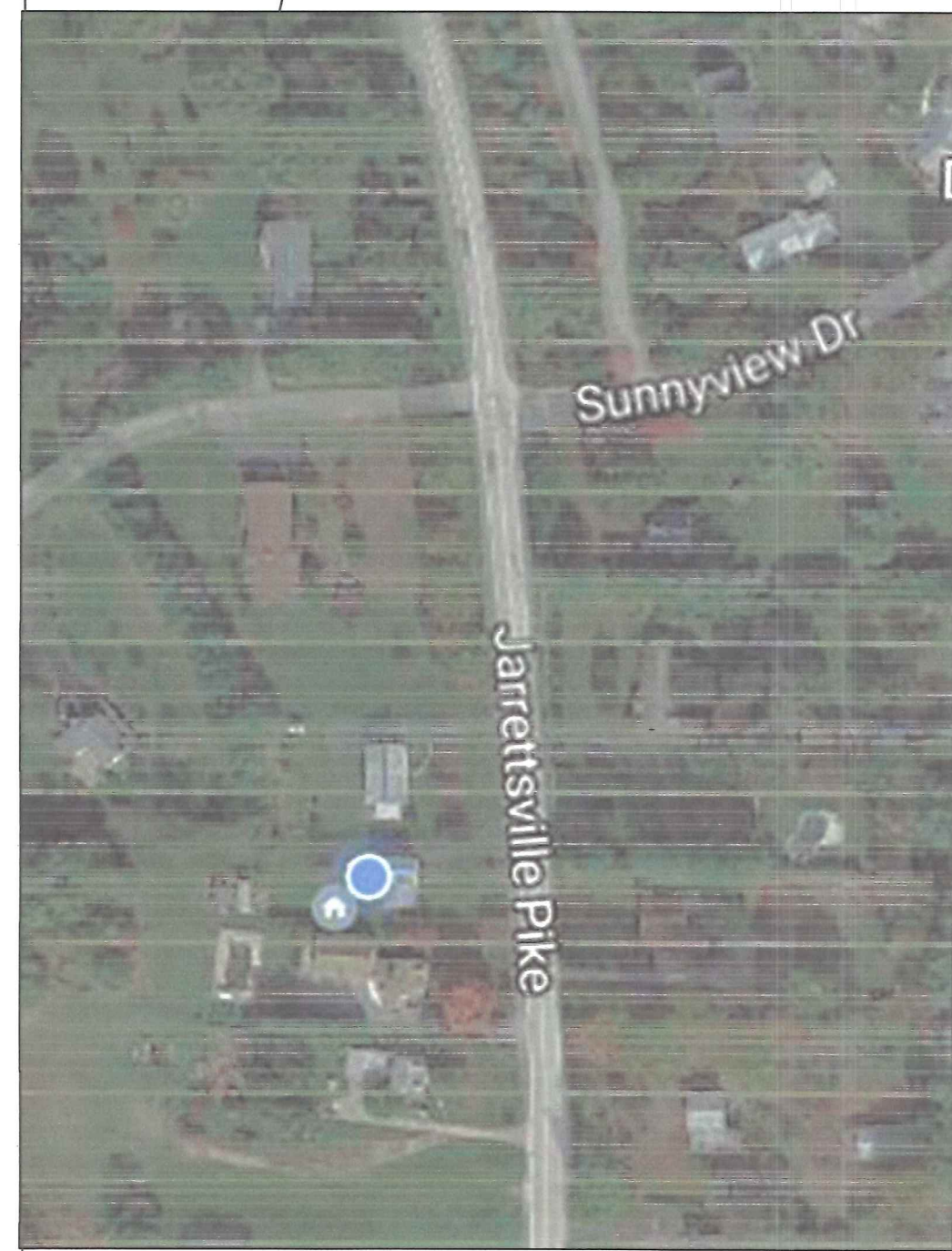
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Detached Garage for
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13410 Jarrettsville Pike
Phoenix, MD 21131

PROPOSED
SITE PLAN

Rev.	v.0
Scale	3/32" = 1'-0"
Drawn	TD
Date	27JUN17

V-001

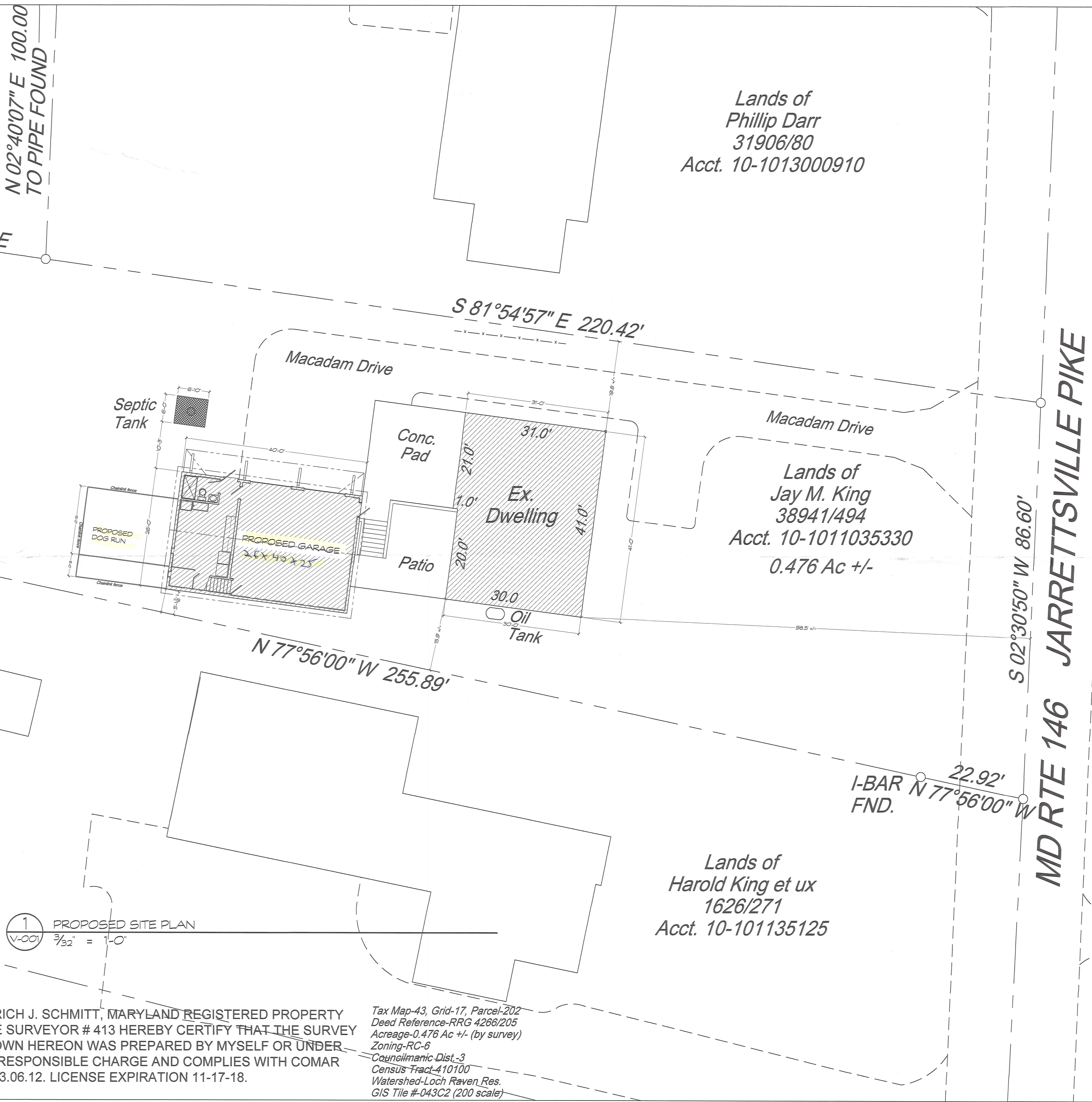


VICINITY MAP

I, ERICH J. SCHMITT, MARYLAND REGISTERED PROPERTY LINE SURVEYOR # 413 HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON WAS PREPARED BY MYSELF OR UNDER MY RESPONSIBLE CHARGE AND COMPLIES WITH COMAR 09.13.06.12. LICENSE EXPIRATION 11-17-18.

Tax Map-43, Grid-17, Parcel-202
Deed Reference-RRG 4266/205
Acreage-0.476 Ac +/- (by survey)
Zoning-RC-6
Councilmanic Dist.-3
Census Tract-410100
Watershed-Loch Raven Res.
GIS Tile #043C2 (200 scale)

1
V-001
3/32" = 1'-0"



Lands of
Phillip Darr
31906/80
Acct. 10-1013000910

Lands of
Jay M. King
38941/494
Acct. 10-1011035330
0.476 Ac +/-

Lands of
Harold King et ux
1626/271
Acct. 10-101135125



Detached Garage for
JAY KING
13410 Jarrettsville Pike
Phoenix, MD 21131

PROPOSED
SITE PLAN

Rev.	v.9
Scale	3/32" = 1'-0"
Drawn	TD
Date	27JUN17

V-001