

MEMORANDUM

DATE: September 19, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0008-A – Appeal Period Expired

The appeal period for the above-referenced case expired on September 18, 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 *
(3120 W Golf Course Road)**

3rd Election District

2nd Council District

Familia Posterus, LLC

Petitioner

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2018-0008-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, C. Ashton Newhall on behalf of Familia Posterus, LLC ("Petitioner"). The Petitioner is requesting Variance relief pursuant to §§ 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows: (1) To allow an accessory structure (pool house) to be located in the side yard in lieu of the required rear yard; and (2) To allow an accessory structure (pool house) with a height as great as 19 ft. in lieu of the maximum permitted 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 August 8, 2017, indicating Petitioner must comply with certain environmental regulations as set forth in Article 33 of the Baltimore County Code ("B.C.C."). DEPS also noted there was an outstanding violation on the property which is being addressed pursuant to certain conditions imposed upon the grant of an environmental variance, as set forth in a letter dated June 13, 2017 from Director Vincent Gardina to Ashton Newhall.

ORDER RECEIVED FOR FILING

Date 8-17-17

By bw

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on July 20, 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 (pool house) height and usage, I will impose conditions that the pool house shall not be converted into a dwelling unit or apartment, nor contain any sleeping quarters.

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 17th day of **August, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from §§ 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows: (1) To allow an accessory structure (pool house) to be located in the side yard in lieu of the required rear yard; and (2) To allow an accessory structure (pool house) with a height as great as 19 ft. in lieu of the maximum permitted 15 ft., be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 8-17-17

By LDW

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 pool house into a dwelling unit or apartment, and the accessory structure/pool house shall not contain any sleeping quarters.
3. The accessory structure/pool house shall not be used for commercial purposes.
4. Petitioner shall be required to complete and satisfy in a timely fashion all items and conditions set forth in the DEPS letter dated June 13, 2017, as referenced above.
5. Petitioner must comply with the ZAC comment of DEPS, dated August 8, 2017; a copy of which is 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 8-17-17

By dlw



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 3120 W. Golf Course Road Currently zoned RC 5
 Deed Reference 35685 / 00001 10 Digit Tax Account # 2400011692
 Owner(s) Printed Name(s) Familia Posterus LLC

(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.

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)

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):

C. Ashton Newhall, Authorized Representative of Familia Posterus LLC

Name #1 – Type or Print C. Ashton Newhall Name #2 – Type or Print

Signature #1 [Signature] Signature #2

100 Painters Mill Road #700 Owings Mills MD

Mailing Address City State

21117 (410) 363-2725

Zip Code Telephone # Email Address

Representative to be contacted:

Lawrence E. Schmidt

Name – Type or Print Lawrence E. Schmidt

Signature [Signature]

600 Washington Ave., Suite 200 Towson MD

Mailing Address City State

21204 (410) 821-0070 lschmidt@sgs-law.com

Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING
 8-17-17
 102

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

Lawrence E. Schmidt

Name- Type or Print Lawrence E. Schmidt

Signature [Signature]

600 Washington Ave., Suite 200 Towson MD

Mailing Address City State

21204 (410) 821-0070 lschmidt@sgs-law.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 2017-0008-A Filing Date 7/10/17 Estimated Posting Date 7/23/17 Reviewer gh

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: 3120 West Golf Course Road Owings Mills MD 21117
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 variance requested is in order to allow an accessory structure (pool house) to be located next to an existing in-ground pool.

The variance is necessary because of the location of existing improvements on the property. The property is also encumbered with existing forest conservation and forest buffer easements which limit the locations where the accessory structure can be located. These easements reflect the unique nature of the property; which contains steep slopes, mature woodlands and a stream. The dimensions of the proposed accessory structure (length, width and height) are dictated by the characteristics of that portion of the lot on which the building is to be located. See attached site plan, building elevation drawings and photographs.

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

Signature of Owner (Affiant)

Signature of Owner (Affiant)

Name- Print or Type

Name- Print or Type

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

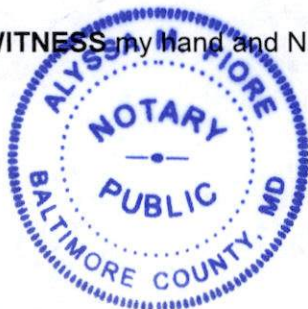
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 7th day of July, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: C. Ashton Newhall

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

AS WITNESS my hand and Notaries Seal



Alyssa F. Mayers, commissioned as Alyssa M. Fiore
Notary Public
2/12/2021
My Commission Expires

ATTACHMENT TO ADMINISTRATIVE PETITION FOR VARIANCE

3120 West Golf Course Road

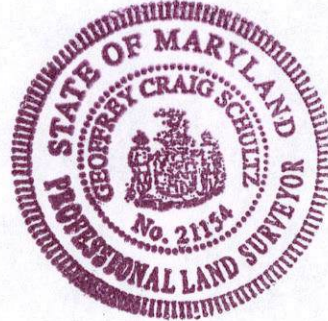
Variance Relief:

1. To allow an accessory structure (pool house) to be located in the side yard in lieu of the required rear yard pursuant to BCZR § 400.1; and
2. To allow an accessory structure (pool house) with a height as great as 19 feet in lieu of the maximum permitted 15 feet pursuant to BCZR § 400.3.



10 GERARD AVENUE
SUITE 101
TIMONIUM, MD 21093
(410) 252-4444 (o)
(410) 252-4493 (f)
www.polarislsc.com

Zoning Description of
3120 West Golf Course Road
3rd Election District
2nd Councilmanic District
Baltimore County, MD



Beginning at a point on the North side of West Golf Course Road, at a distance of 1330 feet, more or less, west of the center of Golf Course Road, thence running 1) N 17° 40' 45" E 598.76 feet, 2) N 30° 38' 08" W 35.04 feet, 3) N 66° 08' 08" W 45.00 feet, 4) S 77° 51' 52" W 35.00 feet, 5) N 88° 08' 08" W 60.00 feet, 6) N 60° 08' 08" W 65.00 feet, 7) N 32° 08' 08" W 60.00 feet, 8) N 45° 08' 08" W 95.00 feet, 9) N 71° 22' 43" W 72.00 feet, 10) N 18° 37' 17" E 300.00 feet, 11) N 71° 22' 43" W 524.75 feet, 12) S 13° 20' 38" W 766.44 feet, and 13) S 57° 30' 19" E 917.17 feet to the point of beginning as recorded in deed Liber 35685 Folio 001.

Containing 14.880 Acres of Land as recorded in deed Liber 35685 Folio 001.

2018-0008-A

IN RE: PETITION FOR ADMIN. VARIANCE *

3rd Election District

2nd Councilmanic District *

(3120 West Golf Course Road) *

C. Ashton Newhall /

Familia Posterus, LLC *

Petitioner *

BEFORE THE OFFICE OF

ADMINISTRATIVE HEARINGS

FOR

BALTIMORE COUNTY

Case No. 2017-0008-A

* * * * *

AFFIDAVIT

I, C. Ashton Newhall, am over the age of 18 and have personal knowledge of and am competent to testify to the following:

1. The residence at 3120 West Golf Course Road is owned by Familia Posterus, LLC. I am the sole/majority shareholder of this corporate entity. No other person or entity has an interest in the operation and/or affairs of 3120 West Golf Course Road.
2. I reside year round and actually occupy the property known as 3120 West Golf Course Road, and consider this to be my principal residence.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing paper are true.

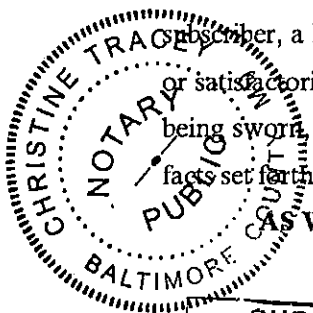
7-19-17
Date

C. Ashton Newhall
C. Ashton Newhall

STATE OF MARYLAND
COUNTY OF BALTIMORE

I HEREBY CERTIFY that, on this 19th day of July, 2017, before me, the
Subscriber, a Notary Public of the State of Maryland, personally appeared **C. ASHTON NEWHALL**, known
or satisfactorily proven to me to be the person whose name is subscribed to the within instrument, who, after
being sworn, made oath in due form of law that he has read the foregoing **Affidavit**, and the matters and
facts set forth therein are true and to the best of his knowledge, information and belief.

As WITNESS my Hand and Notarial seal.



CHRISTINE TRACEY
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND
MY COMMISSION EXPIRES APRIL 1, 2020

Christine Tracey
Notary Public
My Commission Expires: 4/1/20

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 7/20/2017

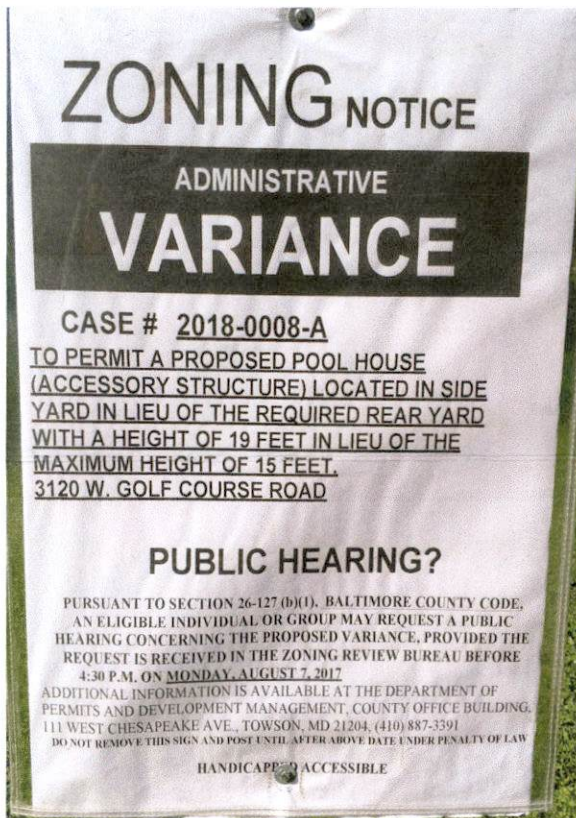
Case Number: 2018-0008-A

Petitioner / Developer: SMITH, GILDEA & SCHMIDT, LLC ~
C. ASHTON NEWHALL

Date of Hearing (Closing): AUGUST 7, 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:
3120 W. GOLF COURSE ROAD

The sign(s) were posted on: JULY 20, 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)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2017- 0008 -A Address 3120 W Golf Course Rd

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

Filing Date: 7/10/17 Posting Date: 7/23/17 Closing Date: 8/7/17

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

- 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.
- 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.
- 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.
- 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- 0008 -A Address 3120 W Golf Course Rd

Petitioner's Name C. Ashton Newhall Telephone 410-821-0070

Posting Date: 7/23/17 Closing Date: 8/7/17

Wording for Sign: To Permit a proposed pool house (accessory structure) located in side yard in lieu of the required rear yard, with a height of 19 feet in lieu of the maximum height of 15 feet.

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/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: 2018-0008-A

Property Address: 3120 West Golf Course Road

Property Description: _____

Legal Owners (Petitioners): Familia Posterus LLC

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Lawrence E. Schmidt

Company/Firm (if applicable): Smith, Gildea & Schmidt, LLC

Address: 600 Washington Avenue, Suite 200

Towson, MD 21204

Telephone Number: 410-821-0070

Revised 7/9/2015

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

NO 154841

Date: 7/10/17

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
01	800	000		6150				75.00

Total: 75.00

Rec From: Smith, G. Ida & Schmidt, LLC

For: 3100 W Golf Course Rd

2018-0008-A

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME DEPT
7/10/2017 7/10/2017 09:16:15 5
REG 0565 MARK LRB
>RECEIPT # 903009 7/10/2017 GFLN
Dept S 328 FIDELITY VERIFICATION
CR NO. 154841
Regd Tot \$75.00
\$75.00 CR \$75.00 CA
Baltimore County, Maryland

**CASHIER'S
VALIDATION**



KEVIN KAMENETZ
County Executive

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

August 8, 2017

Familia Posterus LLC
C Ashton Newhall
100 Painters Mill Road
Owings Mill MD 21117

RE: Case Number: 2018-0008 A, Address: 3120 W Golf Course Road

Dear Mr. Newhall:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 10, 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.", 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

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: August 8, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0008-A
Address 3120 W. Golf Course Road
(Familia Posterus, LLC Property)

Zoning Advisory Committee Meeting of **July 31, 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).

Additional Comments: There are currently ongoing violations being corrected in existing Forest Buffer and Forest Conservation Easements from previous disturbances. If the violation correction deadlines aren't being met, future permits could be delayed for review and approval.

Reviewer: Brian Lindley Date: August 8, 2017

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: August 8, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0008-A
Address 3120 W. Golf Course Road
(Familia Posterus, LLC Property)

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Additional Comments: There are currently ongoing violations being corrected in existing Forest Buffer and Forest Conservation Easements from previous disturbances. If the violation correction deadlines aren't being met, future permits could be delayed for review and approval.

Reviewer: Brian Lindley Date: August 8, 2017

ORDER RECEIVED FOR FILING

Date 8-17-17

By LD

Date: 7/24/17

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. 2018-0008-A.

*Administrative Variance
Familia Posterus LLC
3120 W. Golf Course 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, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

Bonifacio Jun Fernando Jr

From: John E. Beverungen
Sent: Monday, October 02, 2017 12:47 PM
To: Lawrence Schmidt; Bonifacio Jun Fernando Jr
Subject: RE: Administrative Variance (2018-0008-A)

Jun,

I can understand your hesitation, since the prohibition on a bathroom or kitchen is usually included in an administrative variance (AV) order involving a freestanding accessory structure. In this case however, the restriction(s) was deliberately not included, and Mr. Schmidt is correct that those amenities were shown on the plan in the file which I reviewed. As such, as far as I am concerned issuance of the permit would be consistent with the August 2017 AV order in this case.

John Beverungen
ALJ

From: Lawrence Schmidt [mailto:lschmidt@sgs-law.com]
Sent: Monday, October 02, 2017 11:31 AM
To: John E. Beverungen <jbeverungen@baltimorecountymd.gov>
Cc: Bonifacio Jun Fernando Jr <jfernando@baltimorecountymd.gov>; Geoffrey Schultz <gschultz@polarisl.com>; Alyssa Moyers <amoyers@sgs-law.com>
Subject: Administrative Variance (2018-0008-A)

Judge Beverungen,

You may remember approving an administrative variance from the above case on August 17, 2017. This case requested approval for a detached pool house on a substantial property in the Green Spring valley. As part of the submittal packet, we submitted building elevation drawings and floor plans of the proposed pool house building. The materials submitted specifically showed that the pool house would contain a kitchen and bathroom. This is to allow the property owner to entertain immediately adjacent to the outdoor pool and gardens and not need to access the main house for those purposes. Your Order specifically prohibited use of the pool house for living quarters and also that there would be no sleeping quarters in the building. There was no objection to the request and the administrative variance was approved without a hearing.

Recently, my client's contractor attempted to obtain a building permit for the structure and was advised by Jun Fernando that a permit could not be approved by the zoning office. I spoke with Mr. Fernando this morning and he indicated that he would release the permit if authorized by you. I told him that the floor plans were submitted as part of the application and that the proposed kitchen/bathroom were disclosed. Further, that your order does not prohibit that use only that the building can not be used as a dwelling or contain sleeping quarters. I would appreciate if you would email Mr. Fernando and authorize the release of the building permit.

Thank you and please contact me if you have any questions or need any additional information.

Lawrence E. Schmidt | Partner
SMITH, GILDEA & SCHMIDT, LLC

600 Washington Avenue | Suite 200 | Towson, MD 21204 | (410) 821-0070
lschmidt@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.



Department of Permits, Approvals & Inspections Complaint Report

Record Id: CB1700226

<u>Record ID</u>	<u>Assigned To</u>	<u>Assigned Date</u>	<u>Received Date</u>	<u>Status</u>	<u>Compliance Date</u>	<u>Hearing Date</u>
CB1700226	John Krach		04/27/2017	Citation Issued	06/01/2017	06/13/2017

Complaint Description: Deck constructed on front of SFD w/o obtaining required permit.

<u>Property</u>	<u>Owner</u>	<u>Complainant</u>
962 LANCE AVE ESSEX, MD 21221-5223 Tax Id: 1508650670	DOLLY DONNA LEE ASH THERESA M 962 LANCE AVE BALTIMORE, MD 21221-5223	Tim Kidd Building Inspections

Inspection Details

<u>Inspector</u>	<u>Date</u>	<u>Service</u>	<u>Result</u>	<u>Action</u>	<u>Complied On</u>
John Krach	05/19/2017	Initial Inspection	Correction Notice Issued	Correction Notice Issued	
John Krach	06/07/2017	Re-Inspection	Monitor	Monitor	
John Krach	06/08/2017	Re-Inspection	Citation Issued	Citation Issued	
John Krach		Pre Hearing Inspection	Scheduled		

Lien Information

<u>Lien ID</u>	<u>Lien Type</u>	<u>Lien Disposition</u>	<u>Lien Date</u>	<u>Lien Amount</u>	<u>Admin Fee</u>	<u>Total Lien Amt</u>	<u>Date Paid</u>	<u>Amount Paid</u>	<u>Release Date</u>	<u>Release Amount</u>
36552	Civil Penalty Lien	Lien Created	06/13/2017	1,000.00		100.00		900.00		

Comments Detail

5/19/2017: Correction Notice with \$1,000 fine to be posted at violation site and mailed to owner. R/C 6/2/17 ***JJK/lk
7/25/2017: Spoke with Home Owner. She requested a hearing date for 06/13/17
7/25/2017: Delivered citation to violation site. Office mailed a copy to home owner. r/c 06/12/17

DATE: 07/25/2017

STANDARD ASSESSMENT INQUIRY (1)

TIME: 08:32:05

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 08 650670	15	3-0	04-00	H	NO		07/17/17

DOLLY DONNA LEE

DESC-1..

ASH THERESA M

DESC-2.. MARLYN MANOR

962 LANCE AVE

PREMISE. 00962 LANCE

AVE

00000-0000

BALTIMORE

MD 21221-5223

FORMER OWNER: HOUSEHOLD FINANCE CORPORAT

----- FCV ----- PHASED IN -----

	PRIOR	PROPOSED		CURR	CURR	PRIOR
LAND:	61,200	61,200		FCV	ASSESS	ASSESS
IMPV:	85,700	91,400	TOTAL..	152,600	152,600	150,700
TOTL:	146,900	152,600	PREF...	0	0	0
PREF:	0	0	CURT...	152,600	152,600	150,700
CURT:	146,900	152,600	EXEMPT.		0	0
DATE:	01/15	01/15				

---- TAXABLE BASIS ---- FM DATE

ASSESS: 152,600 06/05/17

ASSESS: 150,700

ASSESS: 0

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

Baltimore County
Permits, Approvals
And Inspections

OFFICE HOURS 7:30 am - 3:30 pm

Building Inspection: 410-887-3953

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation Case No. CB1700226 Property No. 1508650670 Zoning: _____

Name(s): DOLLY, DONNA AND ASH, THERESA

Address: 962 LANCE AVE BALTIMORE, MD 21221

Violation Location: SAME

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

2003 BALTIMORE COUNTY CODE SECTION 35.2, 301, 304
2015 BALTIMORE COUNTY COUNCIL BILL 40-15 PART 115.1

DECK CONSTRUCTED ON FRONT OF SINGLE FAMILY
DWELLING WITHOUT OBTAINING REQUIRED PERMITS AND
REQUIRED INSPECTIONS

OBTAIN REQUIRED PERMITS FOR DECK CONSTRUCTED ON
FRONT OF SINGLE FAMILY DWELLING

OBTAIN REQUIRED INSPECTIONS FOR DECK CONSTRUCTED ON FRONT
OF SINGLE FAMILY DWELLING \$1000 T/O PAID TO OBTAIN PERMIT

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

ON OR BEFORE: 06.02.17 DATE ISSUED: 05.19.17

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1,000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

INSPECTOR: J. J. Ketch PRINT NAME: John Ketch

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NO LATER THAN:

ON OR BEFORE: _____ DATE ISSUED: _____

INSPECTOR: _____ PRINT NAME: _____

COPIES: PINK - AGENCY, YELLOW - VIOLATION SITE, GOLD - DEFENDANT, WHITE - INSPECTOR

NOTICE TO DEFENDANT

If you fail to comply with applicable requirement of County Code or other code, regulation or standard cited on the reverse side, a Code Enforcement Citation will be issued which may subject you to (1) the imposition of a civil penalty, (2) a requirement to reimburse the County for fees or costs incurred to correct any violation and/or (3) reasonable conditions as to the time and manner of the correction of any violation.



OFFICE HOURS 7:30 am - 3:30 pm

Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CITATION

Citation Case No. CB1700226 Facility No. _____ Property No. 1508650670 Zoning: _____

Name(s): Dolly, Donna and Ash, Theresa

Address: 962 Lance Ave
Baltimore MD 21221

Violation Location: 962 Lance Ave
Baltimore MD 21221

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

2003 Baltimore County Code Section 35.2.301.304
2015 Baltimore County Council Bill 40-15 part 115.1

Deck constructed on front of single family dwelling
without obtaining required permits and inspections

Obtain required permits for deck constructed on front of
single family dwelling

Obtain required inspections for deck constructed on front of
single family dwelling

* Date requested by home owner.

Pursuant to the Baltimore County Code, as a result of the violation(s) cited herein a civil penalty has been assessed in the amount indicated.

\$ 1000.00

A quasi-judicial hearing has been pre-scheduled in the Jefferson Building, Room 205, 105 W. Chesapeake Avenue, Towson, MD 21204

DATE: 06 / 13 / 2017 TIME: 9:00 A.M.

IF A VIOLATOR DOES NOT APPEAR AT THE CODE ENFORCEMENT HEARING, THE CITATION AND ANY CIVIL PENALTY ARE DEEMED A NON-APPEALABLE FINAL ORDER OF THE CODE OFFICIAL OR THE DIRECTOR.

I do solemnly declare and affirm, under the penalty of perjury, that the contents stated above are true and correct to the best of my knowledge, information, and belief.

Inspector Printed Name: JOHN KRACH III

Inspector Signature: J-KRACH

Date: 06 / 07 / 17

COPIES: PINK-AGENCY, YELLOW-VIOLATION SITE, GOLD-DEFENDANT, WHITE-INSPECTOR

NOTICE TO DEFENDANT

1. If unable to appear on the designated date, the violator may request in writing to the code Official within fifteen (15) days from the date of this citation for a rescheduled hearing. If you require the assistance of an interpreter because you do not understand or speak the language in which the proceedings are being conducted you must ask for an interpreter within 72 hours of the court date.

2. At this hearing, you are entitled to be represented by an attorney, present witnesses, present evidence, and cross-examine any witnesses against you. An attorney can be helpful to you by (a) explaining the charges in this citation, (b) helping you at the hearing, and (c) helping you challenge the civil penalty, if found in violation.

3. If administrative Law Judge finds that a violation has occurred, the Final Order may include (a) a civil penalty, (b) reasonable conditions as to time and manner of correction and (c) requirement to reimburse the County for any lien(s) or costs incurred to correct a violation.

4. (a) Civil penalty a lien.

(1) If a final order assesses a civil penalty or an order of the Board of Appeals affirms or modifies a final order that assesses a civil penalty and the violator does not pay the civil penalty within the time required by the order, the Code Official or the Director shall certify to the Director of Budget and Finance the amount owed.

(2) If a violator does not pay a civil penalty within the time required as specified in paragraph (1) of this subsection, the amount owed shall:

(i) Become a lien on the property on which the violation existed and shall be collectible in the manner provided for the collection of real estate taxes; or

(ii) May be collected in the same manner as any civil money judgment or debt may be collected.

(b) Code Official may procure performance. If a violator fails to comply with a final order or an order of the Board of Appeals, the Code Official or the Director may procure the performance of the work needed to correct the violation in accordance with the procedure authorized in §3-6-402 of this subtitle.

5. If you are the Owner of the property, failure to pay the assessed penalty shall constitute a lien on the property and shall be collectible in the same manner and to the same extent as real estate taxes. In addition, failure to correct the violation(s) shall result in appropriate judicial action for enforcement, including civil contempt, which could result in imprisonment.

6. Should the Violator disagree with the Final Order rendered by the Office of Administrative Law, an appeal may be taken to the Baltimore County Board of Appeals within fifteen (15) days of the date of the Order.

7. A filing fee of \$150.00 and a security in the amount of any civil penalty assessed in the Final Order must accompany the notice of appeal and petition.

See Baltimore County Code: 3-6-302

8. Inclement weather procedure: Should the Baltimore County Circuit Court be closed for weather, all code enforcement hearings will be cancelled and rescheduled.

Civil Citation No. CB1700226
(962 Lance Avenue)

Donna Dolly and Theresa Ash, Respondent

Donna Dolly and Theresa Ash
962 Lance Avenue
Essex, Maryland 21221

FINAL ORDER

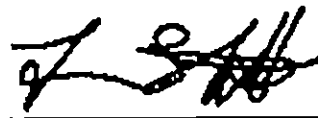
The matter came before the Administrative Law Judge on June 13, 2017, for a hearing on a Code Inspections and Enforcement Citation ("Citation"), for specified violation(s) of the Baltimore County Code or Zoning Regulations. The Citation names the owners of record, as published in the Maryland State Tax Assessment Database, as Respondents. The Citation was served upon Respondent(s) in a manner consistent with Section 3-6-205(c)(2) of the Baltimore County Code ("BCC"). The Citation, which is included in the case file and is incorporated herein by reference, proposes a civil penalty in the amount of \$1,000.00.

Based on the testimony, photographs, documents or other exhibits, I find for the reasons stated at the conclusion of the hearing Baltimore County has proven by a preponderance of the evidence that Respondent(s) is in violation of one or more of the ordinances or regulations set forth in the Citation.

THEREFORE, IT IS ORDERED this 14th day of June, 2017, by the Administrative Law Judge for Baltimore County that a civil penalty of \$1,000.00 be imposed; of which \$900.00 shall be suspended and \$100.00 shall be immediately imposed. If not paid within thirty (30) days of the

date hereof the civil penalty shall become a lien on the property on which the violation(s) existed and shall be collectible in the manner provided for the collection of real property taxes.

IT IS FURTHER ORDERED, that if the subject property is not brought into compliance pursuant to this Order by August 14, 2017, the suspended \$900.00 civil penalty will be imposed.



LAWRENCE M. STAHL
Administrative Law Judge
for Baltimore County

NOTICE: Pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent or Baltimore County may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order. Any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$225.00 and the posting of security in the amount of the penalty assessed.

Send payments to:

**Baltimore County Office of Budget and Finance
400 Washington Ave, Rm 150
Towson, MD 21204**



05/19/2017

BA 'IMORE COUNTY MARYL ID
INTER-OFFICE CORRESPONDENCE

DATE: April 13, 2000

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Rick Wisnom, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No.:
Legal Owner/Petitioner:
Contract Purchaser:
Property Address:
Location Description:

VIOLATION INFORMATION: Case No.
Defendants:

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

NAME	ADDRESS
------	---------

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

- ☒ 1. Complaint letter/memo/email/fax (if applicable)
- ☒ 2. Complaint Intake Form/Code Enforcement Officer's report and notes
- ☒ 3. State Tax Assessment printout
- ☐ 4. State Tax Parcel Map (if applicable)
- ☐ 5. MVA Registration printout (if applicable)
- ☐ 6. Deed (if applicable)
- ☐ 7. Lease-Residential or Commercial (if applicable)
- ☒ 8. Photographs including dates taken
- ☒ 9. Correction Notice/Code Violation Notice
- ☐ 10. Citation and Proof of Service (if applicable)
- ☐ 11. Certified Mail Receipt(s) if applicable
- ☐ 12. Final Order of the Code Official/Hearing Officer (if applicable)
- ☐ 13. Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable)
- ☐ 14. Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable).

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/
C: Code Enforcement Officer



Department of Permits, Approvals & Inspections Building Inspectors Daily To Do List

Inspectors: GBERRY; HSROWE; JGARLAND; JKRACH; JLKEMP; LKALANTARY; RLARRICK; RPETERS; SHEILVEIL; TKIDD; WKUKLANE

For Dates: 7/17/2017 - 7/21/2017

Property

2124 ALMA AVE
SPARROWS POINT, MD 21219-2142
Tax Id: 1506450020

Owner

ANDES CRAIG M
2124 ALMA AVE
BALTIMORE, MD 21219-2142

Complainant

Stephanie Barton
443-243-7498

Record ID
CB1700369

Assigned To
John Krach

Assigned Date

Scheduled Date
07/17/2017

Inspection Type
Re-Inspection

Hearing Date

Complaint Description

Building garage without permit or variance.

Received Date
06/09/2017

Comment Details

7/12/2017: Mr. Andes came in to PAI and started variance process and went to see environmental. R/C 07/25/17. **JJK/sph

6/26/2017: Patrolled site. Pad has been installed. Mr. Andes is working with Rebecca Daniels to obtain permit. Mr. Andes to call me when permit has been issued. Shed on property is temporary. R/C 07/12/17. **JJK/sph

6/26/17 Correction Notice served and mailed to homeowner. R/C 7/17/17 ***JJK/lk

Property History - No History

Baltimore County
Permits, Approvals
And Inspections

OFFICE HOURS 7:30 am - 3:30 pm

Building Inspection: 410-887-3953

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation Case No. CG1700369 Property No. 1566450020 Zoning: _____
Name(s): Anders, Craig M
Address: 2124 Alma Ave Baltimore, MD 21219
Violation Location: SAME

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

2003 Baltimore County Code section 35.2.301, 304
Concrete has been installed in critical bay area
without obtaining required permits (side walks and pad
for future garage)
Electric has been installed underground without
obtaining required permits.
Obtain all required permits for concrete and
electric previously installed.

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

ON OR BEFORE: 07-17-17 DATE ISSUED: 06-26-17

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION
SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1,000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR
90 DAYS IN JAIL, OR BOTH.

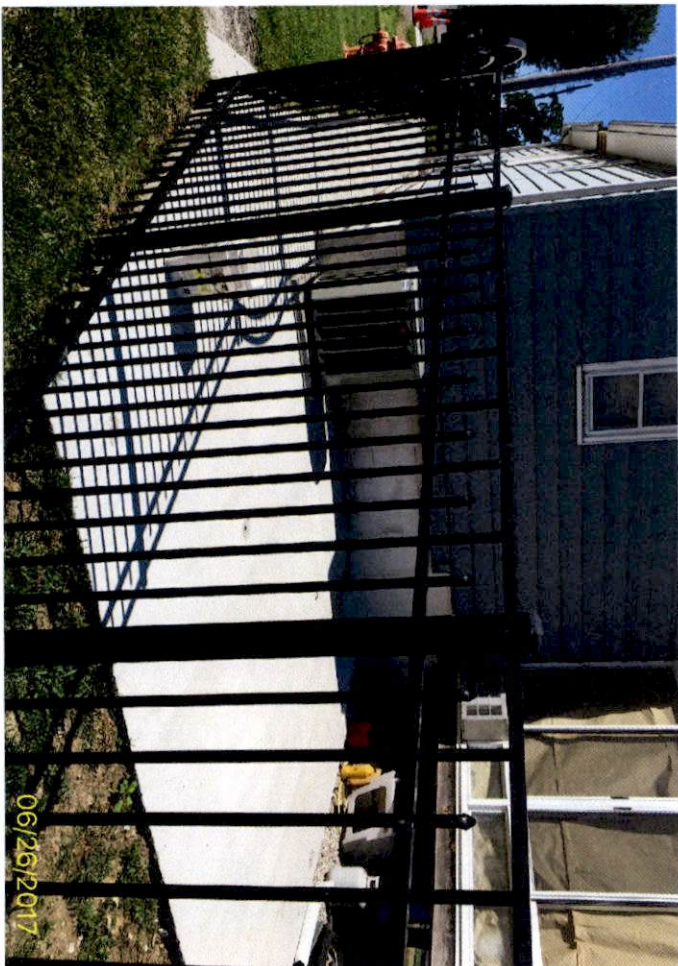
INSPECTOR: [Signature] PRINT NAME: JOHN KRACH III

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS
ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION
OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NO LATER THAN:

ON OR BEFORE: 06-12-17 DATE ISSUED: 06-12-17
INSPECTOR: [Signature] PRINT NAME: JOHN KRACH III

COPIES: PINK - AGENCY, YELLOW - VIOLATION SITE, GOLD - DEFENDANT, WHITE - INSPECTOR





DATE: 07/25/2017

STANDARD ASSESSMENT INQUIRY (1)

TIME: 08:32:28

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 06 450020	15	3-0	34-00	H	NO		07/17/17

ANDES CRAIG M

DESC-1..

DESC-2.. CHESAPEAKE TERRACE

2124 ALMA AVE

PREMISE. 02124 ALMA

AVE

00000-0000

BALTIMORE

MD 21219-2142 FORMER OWNER: JOHNSON ESTELLE M

----- FCV ----- PHASED IN -----

	PRIOR	PROPOSED		CURR	CURR	PRIOR
LAND:	163,000	163,000		FCV	ASSESS	ASSESS
IMPV:	71,400	79,200	TOTAL..	242,200	242,200	239,600
TOTL:	234,400	242,200	PREF...	0	0	0
PREF:	0	0	CURT...	242,200	242,200	239,600
CURT:	234,400	242,200	EXEMPT.		0	0
DATE:	01/15	01/15				

---- TAXABLE BASIS ---- FM DATE

ASSESS: 242,200 06/05/17

ASSESS: 239,600

ASSESS: 0

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

ZONING VARIANCE CASES

N J. Garland

N B. Peters

~~L. Mayer~~

N J. Kemp

N ~~S~~ Kidd

~~R. Rohlf~~

No R. Larrick

NO H. Rowe

NO W. Kuklane

Yes J. Krach ^{2124 Alma Ave}
962 LANCE AVE

Please check over the following zoning hearings to let me know if there are any outstanding violations. Please put the address of the violation in the space next to your name.

I need copies of everything in the file, or corrections notices (if there is no file), to send to the Zoning Commissioner, along with the form filled out (found on my desk).

ZONING ADVISORY COMMITTEE AGENDA
ROOM 123, COUNTY OFFICE BUILDING
DISTRIBUTION MEETING July 24, 2017
FORMAL OR INFORMAL RESPONSE DUE AT July 31, 2017 Meeting

* Agenda Only
+ Agenda and Petition
& Agenda and Plat
Agenda, Petition and Plat

Distribution:

- * Administrative Law Judge, Commissioner (Lawrence M. Stahl); MS #4103
- # PAI, Zoning Review H.O. Hearing File (Kristen Lewis)
- # PAI, Zoning Review DRC/ZAC Meeting File (W. Carl Richards, Jr.)
- * PAI, Development Management (Jan Cook) MS # 1105
- * PAI, Code Enforcement (Lisa Henson) MS # 1105
- * PAI, Building Inspection
- & PAI, Development Plans Review (Vishnu Desai)
- # Planning Office (Kathy Schlabach) MS #4101
- * Recreation and Parks
- # DEPS (Jeff Livingston) – *2 copies of each MS #4400*
- & State Highway Administration, Access Permits Division (Rich Zeller)
- & Fire Department MS #1102F (Inspector Muddiman)
- * Economic Development Commission, Business Develop. MS #4300 (Stanley Jacobs)
- * Highways (Tom Hargis); MS #1003
- * Neighborhood Improvements MS #4201 (Liz Glenn)
- + People's Counsel (Peter Zimmerman); MS #4204
- * Honorable Wade Kach, County Council, District 3; MS #2201
- * Mike Ruby (Newspaper)
- # IF CRITICAL AREA, Maryland Office of Planning (Steve Allen)
- # IF FLOODPLAIN, Maryland Department of the Environment
- # IF FLOODPLAIN, Public Works (David Thomas); MS #1315
- * IF ELDERLY HOUSING, Community Development; MS #1102M
- # IF HELICOPTER, Police Department, Aviation Unit (Officer Taylor or Sgt. Wines)
- # IF PAWN SHOP, Police Department, Burglary/Pawn Unit (Det. Kropfelder); MS #1102E
- * IF TOWER, Tower Coordinator, c/o OIT; MS #2007

The attached information is being forwarded to you for comment. Your comments should reflect any conflicts with the codes, standards, or regulations of your office or department. Development representatives that attend the meeting should be prepared to submit their agency's response as either "no comment", "written comment" or "more review time required" within one week at the next meeting. If no written response is received within two weeks, it is assumed that your agency has "no comment". All written comments must reference the ZAC item number. All comments received will be compiled and included in the zoning/development file for review and consideration by the hearing officer during the course of the upcoming zoning/development hearing.

If your agency or section is not represented at the meeting, you should return your written comments to the Department of Permits and Development Management (PDM), Room 111, County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204 (Mail Stop #1105), Attention: Kristen Lewis

If you have any questions regarding a particular zoning petition, please contact the Zoning Review Planner (see initials after item number) at 410-887-3391.

ZAC AGENDA

Case Number: 2018-0008-A

Primary Use: RESIDENTIAL

Reviewer: HucikGary

Type: ADMISTRATIVE VARIANCE

Legal Owner: Familia Posterus LLC, C Ashton Newhall

Contract Purchaser

Critical Area : No **Flood Plain:** No **Historic** No **Election Dist** Third

Councilmanic Dist Second

Property Address: 3120 W Golf Course ROAD

Location: N/S of West Golf Course Road, W 1330 ft. to the centerline of Golf Course Road

Existing Zoning: RC 2

Area: 14.880 +/- acres

Proposed Zoning: ADMISTRATIVE VARIANCE:

1. To allow an accessory structure (pool house) to be located in the side yard in lieu of the required rear yard; and
2. To allow an accessory structure (pool house) with a height as great as 19 ft. in lieu of the maximum permitted 15 ft.

Attorney:

Prior Zoning Cases: 2008-0082-SPHA

Concurrent Cases:

Violation Cases:

Closing Date: 8/7/2017 12:00:00AM

Miscellaneous:

ZAC AGENDA

Case Number: 2018-0021-A

Primary Use: RESIDENTIAL

Reviewer: TsuiAaron

Type: VARIANCE

Legal Owner: Donna Lee Dolly and Theresa M Ash

Contract Purchaser

Critical Area : No **Flood Plain:** No **Historic** No **Election Dist** Fifteenth **Councilmanic Dist** Seventh

Property Address: 962 Lance AVENUE

Location: N/S of Lance Avenue, 141 ft. E of the centerline of Martin Road

Existing Zoning: DR 5.5

Area: 0.144 acre

Proposed Zoning: VARIANCE:

1. To permit an existing attached carport to the side of the dwelling with a 2 ft. side yard setback in lieu of the required 7 ft.
2. To permit an attached addition to the side and rear of the existing dwelling with a side yard setback of 1.8 ft. in lieu of the required 7 ft., respectively.

Attorney:

Prior Zoning Cases:

Concurrent Cases:

Violation Cases: CB99C128241

Closing Date:

Miscellaneous:

Case Number: 2018-0022-A

Primary Use: RESIDENTIAL

Reviewer: FernandoBonifacio

Type: ADMISTRATIVE VARIANCE

Legal Owner: Thomas S. & Alisha D Wrightson

Contract Purchaser

Critical Area : No **Flood Plain:** No **Historic** No **Election Dist** Fourteenth **Councilmanic Dist** Sixth

Property Address: 9134 Philadelphia ROAD

Location: NW/S of Philadelphia Road, 124 ft. SW of the centerline of Lennings Lane.

Existing Zoning: DR 3.5

Area: 0.488 acre

Proposed Zoning: ADMISTRATIVE VARIANCE:

To permit an accessory building (shed) to be located in a side and front yard in lieu of the required rear yard.

Attorney:

Prior Zoning Cases:

Concurrent Cases:

Violation Cases:

Closing Date: 8/14/2017 12:00:00AM

Miscellaneous:

ZAC AGENDA

Case Number: 2018-0023-SPHA

Primary Use:

Reviewer: Fernando Bonifacio

Type: SPECIAL HEARING, VARIANCE

Legal Owner: Avadhut Donuts LLC, Hilesh V Patel

Contract Purchaser:

Critical Area : No **Flood Plain:** No **Historic** No **Election Dist** Fifteenth **Councilmanic Dist** Seventh

Property Address: 6100, 6102 & 6104 Old Frederick ROAD

Location: NW corner of Old Frederick Road and Pine Street

Existing Zoning: B-L

Area: 0.686 acre

Proposed Zoning: SPECIAL HEARING:

1. To approve a modified parking plan as shown on the attached Site Plan.
 - a. To permit 33 spaces in lieu of the required 53 spaces.
 - b. To allow certain modifications to landscape manual standards, if determined to be necessary.
 - c. To allow certain modification to allow parking spaces from public street right-of-way lines of 8 ft. in lieu of the required 10 ft.
 - d. To permit 4 stacking spaces behind the menu board in lieu of the required 5 spaces.
 - e. To permit the drive-thru lane to cross principal pedestrian access to the facility.
 - f. To allow a modified parking lot which does not provide a separate area for loading/unloading.
2. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

VARIANCE:

1. To permit two Directional Signs of 11.08 ft. height in lieu of the permitted 6 ft., if necessary
2. For such other and further relief as may be required by the Administrative Law judge for Baltimore County.

Attorney: Lawrence E Schmidt, 600 Washington Ave, Suite 200, Towson MD 21204

Prior Zoning Cases:

Concurrent Cases:

Violation Cases:

Closing Date:

Miscellaneous:

ZAC AGENDA

Case Number: 2018-0024-SPH

Primary Use: RESIDENTIAL

Reviewer: HucikGary

Type: SPECIAL HEARING

Legal Owner: Deborah J Cascio & Terri L Miller

Contract Purchaser

Critical Area : Yes **Flood Plain:** No **Historic** No **Election Dist** Fifteenth **Councilmanic Dist** Seventh

Property Address: 1937 Silver LANE

Location: E/S of Solver lane, NE 933 ft. to the centerline of Cedar Creek Road

Existing Zoning: RC 5

Area: 115, 702 sq. ft.

Proposed Zoning: SPECIAL HEARING:

To determine whether or not the Administrative Law Judge should approve:

- a. To allow Lots 505 and 506 to be merged because of the existing driveway;
- b. To allow Lot 506 to be increased from 0.23 ac. to .94 ac.
- c. To allow the existing Lot 505 and the proposed Lot 506 to have the total of 1.15 ac. in lieu of the required 1.5 ac. for undersized lots in a RC 5 zone.

Attorney: Al Brennan, 825 Eastern Boulevard, baltimore MD 21221

Prior Zoning Cases:

Concurrent Cases:

Violation Cases:

Closing Date:

Miscellaneous:

ZAC AGENDA

Case Number: 2018-0025-A

Primary Use: RESIDENTIAL

Reviewer: FernandoBonifacio

Type: VARIANCE

Legal Owner: Craig Andes

Contract Purchaser

Critical Area : Yes **Flood Plain:** No **Historic** No **Election Dist** Fifteenth **Councilmanic Dist** Seventh

Property Address: 2124 Alma AVENUE

Location: NW/S of Alma Avenue opposite North Dakota Avenue

Existing Zoning: DR 5.5

Area: 0.3 acre

Proposed Zoning: VARIANCE:

To permit an accessory structure (garage) to be located in the front yard in lieu of the required rear yard and to permit a front street setback of 6 ft. in lieu of the required 25 ft.

Attorney:

Prior Zoning Cases: 1952-2227-SPH

Concurrent Cases:

Violation Cases:

Closing Date:

Miscellaneous:

Case Number: 2018-0026-A

Primary Use: RESIDENTIAL

Reviewer: FernandoBonifacio

Type: ADMISTRATIVE VARIANCE

Legal Owner: Joseph L. & Karen C Jenkins

Contract Purchaser

Critical Area : No **Flood Plain:** No **Historic** No **Election Dist** Eighth **Councilmanic Dist** Third

Property Address: 111 Gothard ROAD

Location: S/S of Gothard Road, 104 ft. W of the centerline of Watford Court

Existing Zoning: DR 5.5

Area: 0.26 acre

Proposed Zoning: ADMISTRATIVE VARIANCE:

To allow an accessory structure in the side yard with a side yard setback of 2 ft. in lieu of the required rear yard and minimum setback of 2.5 ft., respectively.

Attorney:

Prior Zoning Cases:

Concurrent Cases:

Violation Cases:

Closing Date: 8/14/2017 12:00:00AM

Miscellaneous:

ZAC AGENDA

Case Number: 2018-0027-A **Primary Use:** RESIDENTIAL **Reviewer:** DuvallRobert
Type: ADMISTRATIVE VARIANCE
Legal Owner: Michael G Glover and Sue Ann Buter
Contract Purchaser
Critical Area : No **Flood Plain:** No **Historic** No **Election Dist** Third **Councilmanic Dist** Second
Property Address: 601 Upland ROAD
Location: S/S Upland Road, 25 ft. W of the centerline of Glenrock Road (i.e. SW corner of the intersection)
Existing Zoning: DR 5.5 **Area:** 8050 sq. ft.
Proposed Zoning: ADMISTRATIVE VARIANCE:
To permit a proposed detached accessory structure (garage) to be located partially on the third of the lot closest to a street in lieu of required farthest removed.
Attorney:
Prior Zoning Cases: **Concurrent Cases:**
Violation Cases: **Closing Date:** 8/14/2017 12:00:00AM
Miscellaneous:

Case Number: 2018-0028-A **Primary Use:** RESIDENTIAL **Reviewer:** SeidelmanJason
Type: VARIANCE
Legal Owner: Richard & Gloria Brudzdinski
Contract Purchaser
Critical Area : Yes **Flood Plain:** Yes **Historic** No **Election Dist** Fifteenth **Councilmanic Dist** Seventh
Property Address: 2501 Holly Neck ROAD
Location: S/S of Holly Neck Road, 58 ft. W of the centerline of the intersection with Baltimore Yacht Club Road.
Existing Zoning: RC 5 **Area:** 3.99 acres
Proposed Zoning: VARIANCE:
To permit a side yard addition with a side setback of 17 ft. in lieu of the required 50 ft., and to permit a side yard deck with a side setback of 31 ft. in lieu of the required 37.5 ft.
Attorney:
Prior Zoning Cases: **Concurrent Cases:**
Violation Cases: **Closing Date:**
Miscellaneous:

ZAC AGENDA

Case Number: 2018-0029-A
Type: ADMISTRATIVE VARIANCE
Legal Owner: Avrohom & Elisheva Goldsmith
Contract Purchaser

Primary Use: RESIDENTIAL

Reviewer: TsuiAaron

Critical Area : No **Flood Plain:** No **Historic** No **Election Dist** Third **Councilmanic Dist** Second

Property Address: 6812 Cherokee DRIVE

Location: W/S of Cherokee Drive, 330 ft. S of the centerline of Lightfoot Drive

Existing Zoning: DR 5.5

Area: 7,490 sq. ft.

Proposed Zoning: ADMISTRATIVE VARIANCE:

To permit a proposed deck addition to the side and rear of an existing dwelling with a side yard setback of 3 ft. in lieu of the required 7.5 ft.

Attorney:

Prior Zoning Cases: 1952-2429-X

Concurrent Cases:

Violation Cases:

Closing Date: 8/14/2017 12:00:00AM

Miscellaneous:

BOTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: April 13, 2000

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Rick Wisnom, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No.:
Legal Owner/Petitioner:
Contract Purchaser:
Property Address:
Location Description:

VIOLATION INFORMATION: Case No.
Defendants:

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

NAME ADDRESS

962 LANCE AVE
ESSEX, MD 21221

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

- ☒ 1. Complaint letter/memo/email/fax (if applicable)
- ☒ 2. Complaint Intake Form/Code Enforcement Officer's report and notes
- ☒ 3. State Tax Assessment printout
- ☐ 4. State Tax Parcel Map (if applicable)
- ☐ 5. MVA Registration printout (if applicable)
- ☐ 6. Deed (if applicable)
- ☐ 7. Lease-Residential or Commercial (if applicable)
- ☒ 8. Photographs including dates taken
- ☒ 9. Correction Notice/Code Violation Notice
- ☒ 10. Citation and Proof of Service (if applicable)
- ☐ 11. Certified Mail Receipt(s) if applicable
- ☒ 12. Final Order of the Code Official/Hearing Officer (if applicable)
- ☐ 13. Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable)
- ☐ 14. Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable).

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/
C: Code Enforcement Officer



Department of Permits, Approvals & Inspections

Building Inspectors Daily To Do List

Inspectors: GBERRY; HSROWE; JGARLAND; JKRACH; JLKEMP; LKALANTARY; RLARRICK; RPETERS; SHEILVEIL; TKIDD; WKUKLANE
For Dates: 6/12/2017 - 6/16/2017

<u>Property</u>	<u>Owner</u>	<u>Complainant</u>
962 LANCE AVE ESSEX, MD 21221 Tax Id: 1508650670	DOLLY DONNA LEE ASH THERESA M 962 LANCE AVE BALTIMORE, MD 21221	Tracey Shaffer 7215 Gough Street BALTIMORE MD, 21224 4102790940

<u>Record ID</u>	<u>Assigned To</u>	<u>Assigned Date</u>	<u>Scheduled Date</u>	<u>Inspection Type</u>	<u>Hearing Date</u>	<u>Received Date</u>
CB99CO0128241	John Krach		06/12/2017	Pre Hearing Inspection	06/13/2017	05/03/2013

Complaint Description
Started addition then stopped & covered it with tarp - no permits.
3/4/15, \$200.00 LIEN PAID 1/6/15 PER OBF REPORT /CP

Comment Details
5/19/2017: Citation served at violation site and mailed a copy to owner. R/C 6/12/17 Hearing 6/13/17 ***JJK/lk
1/6/2015: Owner has been hear to get paperwork for Variance. Will recheck in 3 weeks to see if owner has been given file/date with zoning. R/C 1/27/15 ***TK/lk
11/17/2014: Hearing set for 11/5/14.
11/5/2014: 5/6/13 Visited site to find structure being built on side of property. Left note to call me, would like to speak with owner before writing Correction Notice. Also had called and left message to complainant to call me for update. 5/9/13 No word from either parties. Will post and mail Correction Notices. R/C 5/23/13 TK/lk>>>IV0090693*PC=BI*VC=0001*VD=IBC Violation*VT=*CT=

Spoke with owner who informed she would revise permit as soon as she gets back in town. 4/21/14 TK/lk
10/2/2014: Setting up for Hearing November 5, 2014. Will mail & post address. R/C 10/28/14 ***TK/lk

Property History

<u>Record Id</u>	<u>Complaint Description</u>	<u>Date Received</u>
CC1610716	cans w/o lids	08/31/2016

<u>COMMENTS</u>	<u>Inspector</u>	<u>Date Entered</u>
	Phillip Mills	09/26/2016

Civil Citation No. CB99CO0128241
(962 Lance Avenue)

Donna Dolly and Theresa Ash, Respondent

Donna Dolly and Theresa Ash
962 Lance Avenue
Essex, Maryland 21221

FINAL ORDER

The matter came before the Administrative Law Judge on June 13, 2017, for a hearing on a Code Inspections and Enforcement Citation ("Citation"), for specified violation(s) of the Baltimore County Code or Zoning Regulations. The Citation names the owners of record, as published in the Maryland State Tax Assessment Database, as Respondents. The Citation was served upon Respondent(s) in a manner consistent with Section 3-6-205(c)(2) of the Baltimore County Code ("BCC"). The Citation, which is included in the case file and is incorporated herein by reference, proposes a civil penalty in the amount of \$15,000.00.

Based on the testimony, photographs, documents or other exhibits, I find for the reasons stated at the conclusion of the hearing Baltimore County has proven by a preponderance of the evidence that Respondent(s) is in violation of one or more of the ordinances or regulations set forth in the Citation.

THEREFORE, IT IS ORDERED this 14th day of June, 2017, by the Administrative Law Judge for Baltimore County that a civil penalty of \$15,000.00 be imposed; of which \$14,000.00 shall be suspended and \$1,000.00 shall be immediately imposed. If not paid within thirty (30) days

of the date hereof the civil penalty shall become a lien on the property on which the violation(s) existed and shall be collectible in the manner provided for the collection of real property taxes.

IT IS FURTHER ORDERED, that if the subject property is not brought into compliance pursuant to this Order by September 13, 2017, the suspended \$14,000.00 civil penalty will be imposed.

A handwritten signature in black ink, appearing to read 'L. Stahl', is written over a horizontal line.

LAWRENCE M. STAHL
Administrative Law Judge
for Baltimore County

NOTICE: Pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent or Baltimore County may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order. Any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$225.00 and the posting of security in the amount of the penalty assessed.

Send payments to:

Baltimore County Office of Budget and Finance

400 Washington Ave, Rm 150

Towson, MD 21204



KEVIN KAMENETZ
County Executive

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

Lien Form

DATE: 5/4/17

CASE INFORMATION

Inspector: Whitlock/Krach

Case #: 0128241

Tax ID: 15-08-650670

Facility Address: 962 Lance Ave. Zip Code: 21221

Property Owner Name: Donna Lee Dolly
Theresa M Ash

Property Owner Address: 962 Lance Ave.
Baltimore, md. Zip Code: 21221
City State

TYPE OF LIEN

☒ Civil Penalty Fee

☐ Ticket

Total Lien Fee: \$ 4,800

ADDITIONAL C

Dene
5/5/17
CP

Scan Date: _____

Revised 05/11/11 JC

OFFICE HOURS 7:30 am - 3:30 pm

Building Inspection: 410-887-3953



Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Plumbing Inspection: 410-887-3620

Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CITATION

Citation Case No. 0128241 Facility No. _____ Property No. 1508650620 Zoning: _____

Name(s): DOLLY, DONNA
ASH, THEREJA

Address: 962 LANCE
BALTIMORE, MD 21221

Violation Location: 962 LANCE AVE
BALTIMORE, MD 21221

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

2015 BALTIMORE COUNTY COUNCIL BILL 40-15 PART 121.3
FAILURE TO COMPLY WITH AN ORDER ISSUED BY THE
BUILDING OFFICIAL.

FAILURE TO REVISE PERMIT (D820209) TO CORRECT SETBACK
MEASUREMENTS OR REMOVE STRUCTURE THAT IS ATTACHED TO
SIDE OF SINGLE FAMILY DWELLING, AS ORDERED BY BUILDING
OFFICIAL ON 03.11.14.

REVISE PERMIT (D820209) TO REFLECT ACTUAL WORK PERFORMED
ON SIDE OF SINGLE FAMILY DWELLING OR REMOVE STRUCTURE

Pursuant to the Baltimore County Code, as a result of the violation(s) cited herein a civil penalty has been assessed in the amount indicated.

\$ 30,000

A quasi-judicial hearing has been pre-scheduled in the Jefferson Building, Room 205, 105 W. Chesapeake Avenue, Towson, MD 21204

DATE: 06 / 13 / 17 TIME: 9:00 A.M.

IF A VIOLATOR DOES NOT APPEAR AT THE CODE ENFORCEMENT HEARING, THE CITATION AND ANY CIVIL
PENALTY ARE DEEMED A NON-APPEALABLE FINAL ORDER OF THE CODE OFFICIAL OR THE DIRECTOR.

I do solemnly declare and affirm, under the penalty of perjury, that the contents stated above are true and correct to the best of my knowledge,
information, and belief.

Inspector Printed Name: JOHN KRACH

Inspector Signature: [Signature]

Date: 05 / 19 / 17

COPIES: PINK-AGENCY, YELLOW-VIOLATION SITE, GOLD-DEFENDANT, WHITE-INSPECTOR



BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation Case No. CB1400131 Property No. 1600001372 Zoning: 15th DIST

Name(s): WEINREICH Raymond H JR AND

DAVIS Amy Lynne

Address: 2209 Maple Rd 21219-2104

Violation Location: SAME AS ABOVE

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

Baltimore County Building Code

Baltimore County Council Bill 40-12

Art 112.3 - Time Limitation on Permits

Art 115.1 - Required Inspections.

WORK STARTED UNDER EXPIRED
building Permit # 753954

Failure to call for Required
inspections. Please call me
(410-887-3953) ASAP.

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

ON OR BEFORE: 4/21/14 DATE ISSUED: 4/4/14

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1,000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

INSPECTOR: Tim Kidd PRINT NAME: Tim Kidd

STOP WORK NOTICE

PURSUANT TO INSEPTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NO LATER THAN:

ON OR BEFORE: _____ DATE ISSUED: _____

INSPECTOR: _____ PRINT NAME: _____

COPIES: PINK - AGENCY, YELLOW - VIOLATION SITE, GOLD - DEFENDANT, WHITE - INSPECTOR

OFFICE HOURS 7:30 am - 3:30 pm

Building Inspection: 410-887-3953



Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CITATION

Citation Case No. 0128241 Facility No. 0267544 Property No. 1508650670 Zoning: _____

Name(s): Dolly Donna Lee

Ash Theresa M

Address: 962 Lance Ave Baltimore MD 21221

Violation Location: same as above

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

Baltimore County Council Bill 40-12

Part 121.3 Failure to comply with an order issued
by the building official.

Failure to comply with order
of previous correction notice.

Permit #B 820209 - (Expired)

Pursuant to the Baltimore County Code, as a result of the violation(s) cited herein a civil penalty has been assessed in the amount indicated.

\$ 33,000

A quasi-judicial hearing has been pre-scheduled in the Jefferson Building, Room 205, 105 W. Chesapeake Avenue, Towson, MD 21204

DATE: Nov 15 2014 TIME: 9:00 A.M.

IF A VIOLATOR DOES NOT APPEAR AT THE CODE ENFORCEMENT HEARING, THE CITATION AND ANY CIVIL PENALTY ARE DEEMED A NON-APPEALABLE FINAL ORDER OF THE CODE OFFICIAL OR THE DIRECTOR.

I do solemnly declare and affirm, under the penalty of perjury, that the contents stated above are true and correct to the best of my knowledge, information, and belief.

Inspector Printed Name: Tim Kidd

Inspector Signature: Tim Kidd

Date: 10 12 14

COPIES: PINK-AGENCY, YELLOW-VIOLATION SITE, GOLD-DEFENDANT, WHITE-INSPECTOR



KEVIN KAMENETZ
County Executive

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

11/5/2014

DOLLY DONNA LEE ASH THERESA M
962 LANCE AVE
BALTIMORE, MD 21221

Tax ID #:	1508650670		
Premise:	962 LANCE AVE ESSEX, MD 21221		
Case #	CB99CO0128241	Lien Amount Due:	\$5,000.00
Complaint Lien ID:	21978	Suspended Fee:	\$4,800.00
Lien Type:	Civil Penalty Lien	Administrative Fee:	
Lien Date:	11/05/2014	Total Amount Due:	\$200.00

Dear Property Owner:

The above charge constitutes a lien against the real property to be collected in the same manner as taxes. If the charges are not paid within 30 days of notice date, interest will accrue at the rate of 1% per month.

For questions regarding the above charge, please call The Department of Permits, Approvals & Inspections / Code Enforcement at 410 887-3351, weekdays between 8 a.m. and 4 p.m.

For payment questions please call 410 887-2404, weekdays between 8 a.m. and 4:30 p.m. Please use the enclosed bill for payment.

Send payments to:

Baltimore County Office of Budget and Finance
400 Washington Avenue, Rm 150
Towson, MD 21204

Sincerely,

Arnold Jablon
Director
Department of Permits, Approvals & Inspections



Baltimore County
Department of Permits and
Development Management

Code Inspection Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

15th Dist

OFFICE HOURS: 7:30 am - 3:30 pm

Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620

Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation Case No. 0128241	Property No. PA 0267544	Zoning:
------------------------------	----------------------------	---------

Name(s): Dolly Donna Lee
Ash Theresa M

Address: 962 LANCE AVE. BALTIMORE MD

Violation: 21221
Location: same

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

Baltimore County Code 2503
Building Regulations ACTUAL (35)
Sub T. The Building Permits Section
35-3-301 (352 (304) PENALTY FOR
ACTION without permit

Secure Permit for
Addition on side / rear of
House.

Please call if any
questions.
410-887-3953

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

ON OR BEFORE:	DATE ISSUED:
---------------	--------------

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name

INSPECTOR:

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS, APPROVALS, AND INSPECTIONS


Arnold Jablon, Deputy Administrative Officer
& Director




Donald E. Brand, Building Engineer

BUILDING PERMIT

PERMIT #: B820209 CONTROL #: MR DIST: 15 PREC: 01
DATE ISSUED: 07/17/2013 TAX ACCOUNT #: 1508650670 CLASS: 04

PLANS: CONST 00 PLOT 2 R PLAT 0 DATA 0 ELEC NO PLUM NO
LOCATION: 962 LANCE AVE
SUBDIVISION: MARLYN MANOR

OWNERS INFORMATION

NAME: DOLLY, DONNA AND ASH, THERESA
ADDR: 962 LANCE AVE 21221

TENANT:

CONTR: OWNER

ENGNR:

SELLR:

WORK: CBCA. CONSTRUCT 12'X24'=288SF SHED ON REAR
PROPERTY OF SFD. 15' HIGH MAX

BLDG. CODE:

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD AND SHED
EXISTING USE: SFD

TYPE OF IMPRV: NEW BUILDING CONTRUCTION

USE: ONE FAMILY

FOUNDATION:

BASEMENT:

SEWAGE: PUBLIC EXIST

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 6283SF

FRONT STREET:

SIDE STREET:

FRONT SETB: NC

SIDE SETB: NC/4'

SIDE STR SETB:

REAR SETB: 6' +

15R INSPECTOR COPY

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES

111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204

OFFICE HOURS 7:30 am - 3:30 pm

Building Inspection: 410-887-3953



Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation Case No. 0128241 Property No. 1508650670 Zoning: _____
Name(s): Dolly, Donna / Ash Theresa
Address: 962 Lange Ave 21221 Baltimore Md
Violation Location: SAME AS ABOVE

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

IRC INTERNATIONAL Residential Code 2009
R 105.6 (Suspension or Revocation)
STRUCTURE being built does NOT
MATCH Permit #B 820209
REVISE Permit, OR REMOVE STRUCTURE
THAT IS ATTACH TO SIDE OF HOUSE. SETBACK
MEASUREMENTS MUST BE CORRECT.
IF ANY QUESTIONS please call
410 887-3953

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

ON OR BEFORE: _____ DATE ISSUED: _____

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1,000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

INSPECTOR: _____ PRINT NAME: _____

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NO LATER THAN:

ON OR BEFORE: 3.21.14 DATE ISSUED: 3.11.14
INSPECTOR: Tim Kidd PRINT NAME: Tim Kidd

COPIES: PINK - AGENCY, YELLOW - VIOLATION SITE, GOLD - DEFENDANT, WHITE - INSPECTOR

3.11.14.

962 LANCE AVE.

285
10712





05/19/2017

2018-0008-A

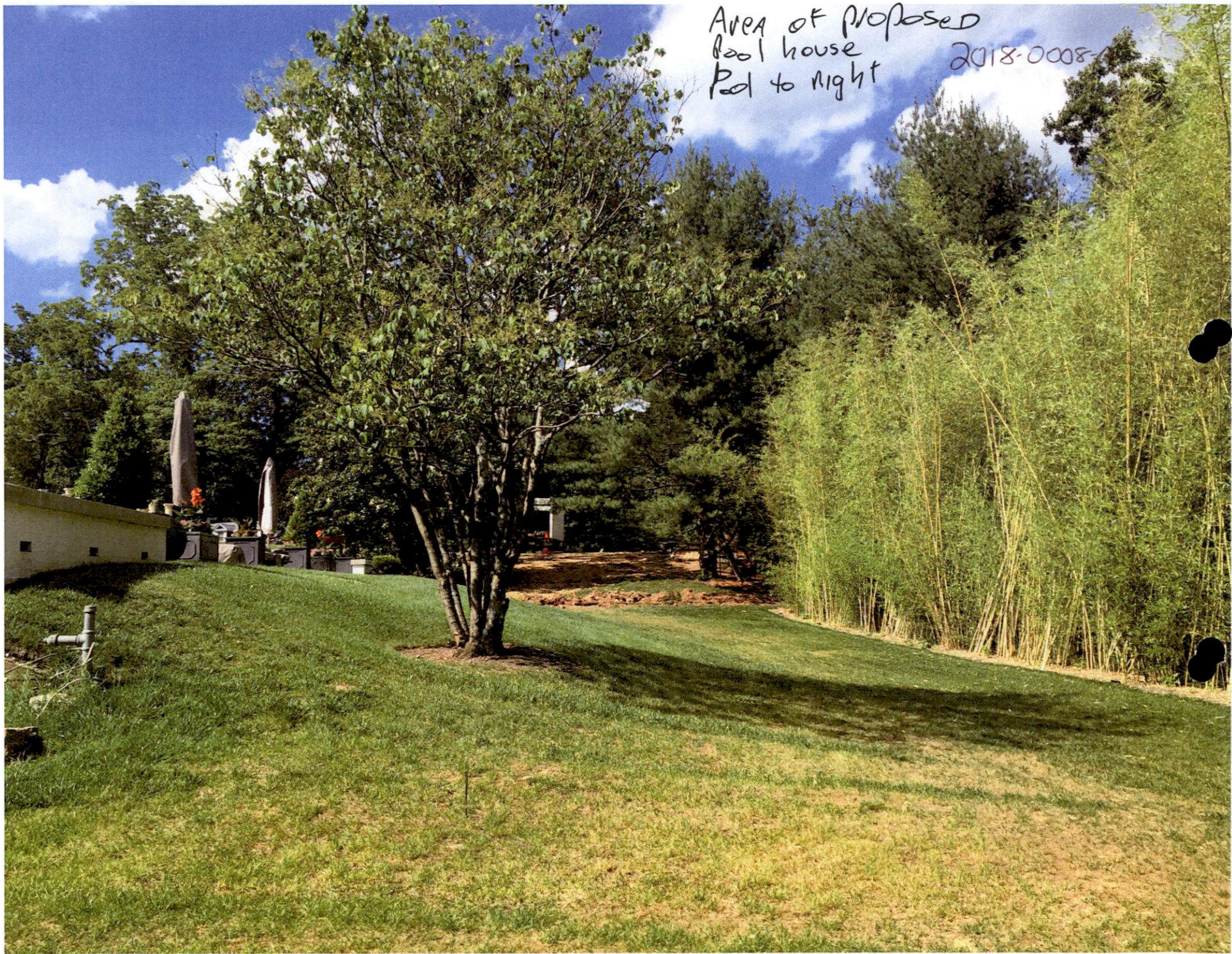
EXISTING DWELLING



20

Area of proposed
pool house
pool to right

2018-0008-1



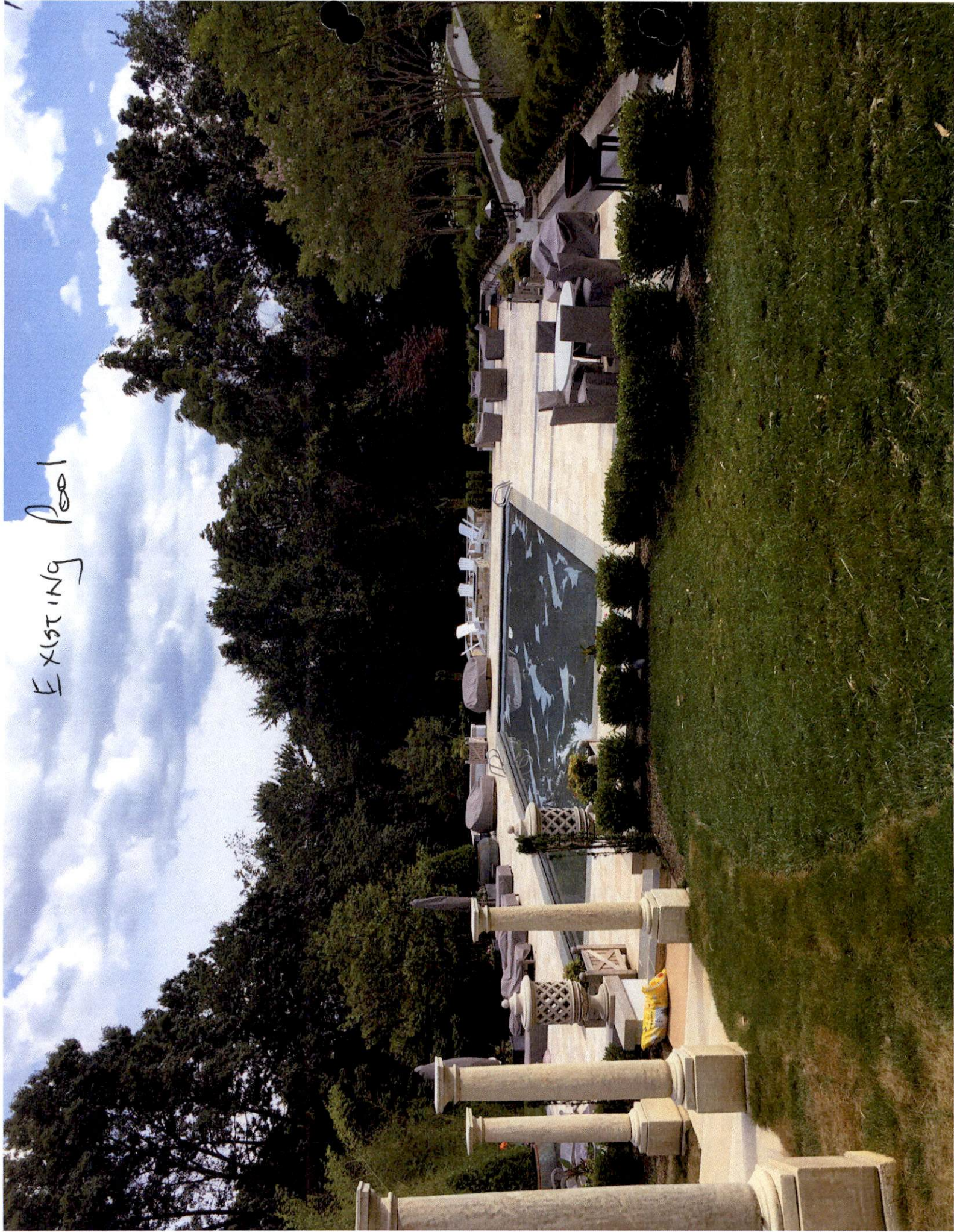


Existing
Pool

2018-008-12



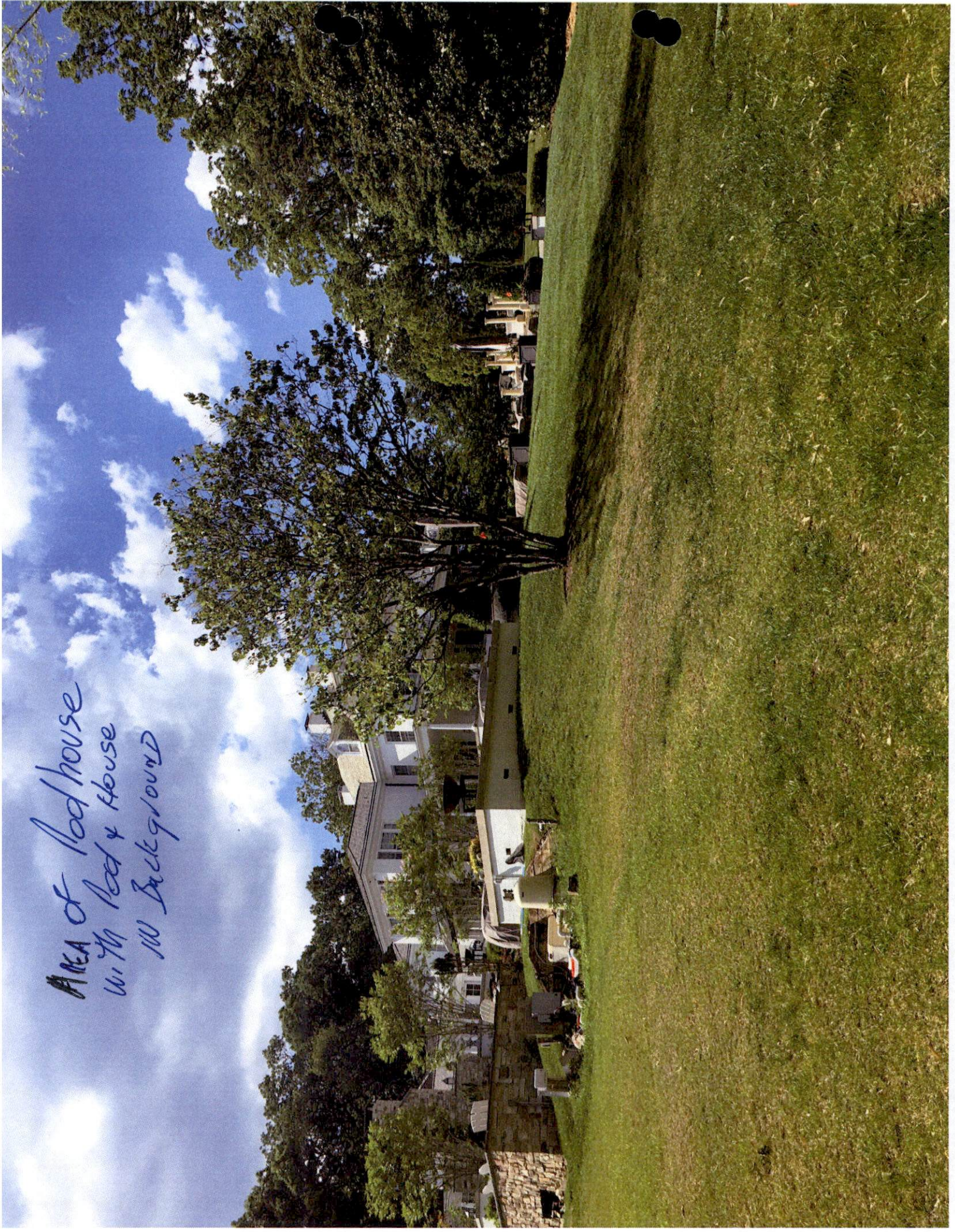
Existing Pool



Avea d'ed house



Area of Pool house
with Pool & House
in Background



Area of
Poolhouse





Alex of
Poolhouse



Debra Wiley

From: Lawrence Schmidt <lschmidt@sgs-law.com>
Sent: Thursday, August 10, 2017 11:53 AM
To: John E. Beverungen
Cc: Alyssa Moyers; Debra Wiley
Subject: Re: Administrative variance (Case Number 2018-008-A)

Thanks

Oops I also noticed my email said 2018

I meant 2017

We will still meet the deadline

Sent from my iPhone

> On Aug 10, 2017, at 11:34 AM, John E. Beverungen <jbeverungen@baltimorecountymd.gov> wrote:

>

> Larry,

>

> I haven't seen this one yet. Deb prepares the AV cases, so I am copying her and will ask her to put your email and enclosures in the file for when I review the case.

>

> John.

>

> -----Original Message-----

> From: Lawrence Schmidt [mailto:lschmidt@sgs-law.com]

> Sent: Wednesday, August 09, 2017 11:06 AM

> To: John E. Beverungen <jbeverungen@baltimorecountymd.gov>

> Cc: Alyssa Moyers <amoyers@sgs-law.com>

> Subject: Administrative variance (Case Number 2018-008-A)

>

> John: I received the attached ZAC comment on the above administrative variance via email yesterday. As a further brief explanation, there had been a forest buffer/conservation violation on the property which was cured via the granting of a forest buffer variance. I have attached a copy of Vince Gardina's letter granting the forest buffer variance. As noted therein, certain of the conditions imposed as part of the grant are to be completed by October 31, 2018. Many conditions have been done and in fact we are awaiting an inspection by EPS. Others are being done and will be finished by the deadline. So there should be no issue. Please contact me if you have any questions.

>

> Larry Schmidt

>

> Lawrence E. Schmidt | Partner

> SMITH, GILDEA & SCHMIDT, LLC

> 600 Washington Avenue | Suite 200 | Towson, MD 21204 | (410) 821-0070 lschmidt@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.

>
>
>
>
>
> -----Original Message-----

> From: June Wisnom [mailto:jwisnom@baltimorecountymd.gov]
> Sent: Wednesday, August 09, 2017 8:24 AM
> To: Lawrence Schmidt
> Subject: FW: Message from "RNP002673BFB3B1"

>
>
>
> -----Original Message-----

> From: cpr111@baltimorecountymd.gov [mailto:cpr111@baltimorecountymd.gov]
> Sent: Wednesday, August 09, 2017 8:15 AM
> To: June Wisnom <jwisnom@baltimorecountymd.gov>
> Subject: Message from "RNP002673BFB3B1"

>
> This E-mail was sent from "RNP002673BFB3B1" (MP 4054).

>
> Scan Date: 08.09.2017 08:14:32 (-0400)

> Queries to: cpr111@baltimorecountymd.gov

>
> [http://www.baltimorecountymd.gov/sebin/n/n/county_seal.jpg]<<http://www.baltimorecountymd.gov>>

>
>
>
> Connect with Baltimore County

>
> [http://www.baltimorecountymd.gov/sebin/p/i/socialmedia_fb.jpg]<<https://www.facebook.com/baltcogov>>

[http://www.baltimorecountymd.gov/sebin/r/j/socialmedia_twitter.jpg] <<https://twitter.com/BaltCoGov>>

[http://www.baltimorecountymd.gov/sebin/b/f/socialmedia_BC_NOW.jpg]

<<http://www.baltimorecountymd.gov/News/BaltimoreCountyNow>>

[http://www.baltimorecountymd.gov/sebin/r/z/socialmedia_youtube.jpg]

<<https://www.youtube.com/user/BaltimoreCounty>>

[http://www.baltimorecountymd.gov/sebin/z/z/socialmedia_camera.jpg]

<<https://www.flickr.com/photos/baltimorecounty>>

[http://www.baltimorecountymd.gov/sebin/d/o/socialmedia_linkedin.jpg]

<<https://www.linkedin.com/company/baltimore-county-government>>

>
> www.baltimorecountymd.gov<<http://www.baltimorecountymd.gov>>

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: August 8, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0008-A
Address 3120 W. Golf Course Road
(Familia Posterus, LLC Property)

Zoning Advisory Committee Meeting of July 31, 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).

Additional Comments: There are currently ongoing violations being corrected in existing Forest Buffer and Forest Conservation Easements from previous disturbances. If the violation correction deadlines aren't being met, future permits could be delayed for review and approval.

Reviewer: Brian Lindley Date: August 8, 2017

Debra Wiley

From: John E. Beverungen
Sent: Thursday, August 10, 2017 11:34 AM
To: Lawrence Schmidt
Cc: Debra Wiley
Subject: RE: Administrative variance (Case Number 2018-008-A)

Larry,

I haven't seen this one yet. Deb prepares the AV cases, so I am copying her and will ask her to put your email and enclosures in the file for when I review the case.

John.

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

From: Lawrence Schmidt [mailto:lschmidt@sgs-law.com]
Sent: Wednesday, August 09, 2017 11:06 AM
To: John E. Beverungen <jbeverungen@baltimorecountymd.gov>
Cc: Alyssa Moyers <amoyers@sgs-law.com>
Subject: Administrative variance (Case Number 2018-008-A)

John: I received the attached ZAC comment on the above administrative variance via email yesterday. As a further brief explanation, there had been a forest buffer/conservation violation on the property which was cured via the granting of a forest buffer variance. I have attached a copy of Vince Gardina's letter granting the forest buffer variance. As noted therein, certain of the conditions imposed as part of the grant are to be completed by October 31, 2018. Many conditions have been done and in fact we are awaiting an inspection by EPS. Others are being done and will be finished by the deadline. So there should be no issue. Please contact me if you have any questions.

Larry Schmidt

Lawrence E. Schmidt | Partner
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue | Suite 200 | Towson, MD 21204 | (410) 821-0070 lschmidt@sgs-law.com | www.sgs-law.com

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

From: June Wisnom [mailto:jwisnom@baltimorecountymd.gov]
Sent: Wednesday, August 09, 2017 8:24 AM
To: Lawrence Schmidt
Subject: FW: Message from "RNP002673BFB3B1"

Debra Wiley

From: Stephen Ford
Sent: Wednesday, August 09, 2017 2:49 PM
To: Debra Wiley
Subject: FW: ZAC 18-0008-A 3120 West golf Course Road
Attachments: Newhall3120WGolfCourseRd02 17 2452 20170614.pdf

Debra, please see the attached. I believe this is all we have right now.
Thanks,
Steve

From: Brian Lindley
Sent: Wednesday, August 09, 2017 2:15 PM
To: Jeffery Livingston <jlivingston@baltimorecountymd.gov>
Cc: Stephen Ford <sford@baltimorecountymd.gov>
Subject: RE: ZAC 18-0008-A 3120 West golf Course Road

Jeff,
Attached is the variance letter that was recently approved outlining things to be completed and when to do it. I know they are already behind with protective signage and posting a planting security.
Brian

Brian Lindley, Supervisor
Environmental Compliance
Baltimore County Environmental Protection and Sustainability
111 W. Chesapeake Avenue, Room 319
Towson, MD 21204
410-887-3980

From: Jeffery Livingston
Sent: Wednesday, August 09, 2017 1:01 PM
To: Brian Lindley <blindley@baltimorecountymd.gov>
Cc: Stephen Ford <sford@baltimorecountymd.gov>
Subject: FW: ZAC 18-0008-A 3120 West golf Course Road

Brian,
Debbie Wiley from the Office of Administrative Law is asking for some information on the nature of the violations on the property at 3120 West Golf Course Road for Judge Beverungun's file for a variance request that you reviewed.

Maybe if you could dig up a copy of your last violation notice letter (assuming that it more or less describes the violation)?

You could forward it to Steve and he can send it to Debbie.

Thanks,
Jeff

From: Debra Wiley
Sent: Wednesday, August 09, 2017 12:16 PM
To: Stephen Ford <sford@baltimorecountymd.gov>
Cc: Jeffery Livingston <jlivingston@baltimorecountymd.gov>
Subject: RE: ZAC 18-0008-A

Steve,

Thanks for the comment; however, I'm looking for a copy of the "violation" that's mentioned in the ZAC comment.

Thanks.

From: Stephen Ford
Sent: Wednesday, August 09, 2017 11:40 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: ZAC 18-0008-A

Debra,
See attached.
Thanks,

Stephen A. Ford
Engineering Associate III
Department of Environmental Protection
And Sustainability
Development Coordination
111 West Chesapeake Avenue, Room 319
Towson, Maryland 21204
sford@baltimorecountymd.gov
410-887-5859
410-887-4804 fax



KEVIN KAMENETZ
County Executive

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

June 13, 2017

Ashton Newhall
Familia Pasterns, LLC
100 Painters Mill Road #700
Owings Mills, MD 21117

Re: 3120 West Golf Course Road
Forest Conservation Variance **Revision**
Tracking # 02-17-2452

Dear Mr. Newhall:

A request for a variance from the Baltimore County Code Article 33 Environmental Protection and Management, Title 6 Forest Conservation was received and processed by this Department. This request proposes an after the fact authorization for impact to 17,650 square feet of existing Forest Conservation Easement (FCE) that were impacted by construction of a sports court, fire pit, path, and landscaping features located on your property.

The Director of the Department of Environmental Protection and Sustainability (DEPS) may grant a special variance to the Forest Conservation Law in accordance with criteria outlined in Section 33-6-116(d)(1) of the Code. There are six (6) criteria listed in Subsection 33-6-116(d) and (e) that shall be used to evaluate the variance request. One (1) of the criteria under Subsection 33-6-116(d) must be met, and all three (3) of the criteria under Subsection 33-6-116(e) must be met, in order to approve the variance.

The first criterion (Subsection 33-6-116(d)(1) of the Code) requires that the petitioner show the land in question cannot yield a reasonable return if the requirement from which the special variance is requested is imposed and will deprive the petitioner of the beneficial use of his or her property. We determined that your FCE was already in place before you purchased the property. Several acres of your lot are not encumbered by an easement or forest and therefore, the inability to impact the easement by removing trees has not deprived you of the beneficial uses of your property and this criterion **has not been met.**

The second criterion (Subsection 33-6-116 (d) (2) of the Code) requires that the petitioner show that his/her plight is due to unique circumstances and not the general conditions of the neighborhood. Several other properties bordering your lot are constrained by Forest Buffer/Forest Conservation Easements, and your property is clearly similar to other lots around the neighborhood. Your lot is one of the larger lots in the area that has more acreage not encumbered with easements. For this reason, you have

Ashton Newhall
3120 West Golf Course Road
Forest Buffer Variance
June 13, 2017
Page 2

shown that your plight is not due to unique circumstances. As a result, this criterion has not been met.

The third criterion (Subsection 33-6-116(d) (3) of the Code) requires that the petitioner show that the special variance requested will not alter the essential character of the neighborhood. Maintaining disturbed areas within the FCE will diminish the size of the forest stand within the FCE. However, a large portion of the property and subdivision is wooded, so allowing a portion of the FCE in question to be impacted will still maintain the essential character of the neighborhood. As a result, of the proposed mitigation and preservation of existing forest, we determined that impacting a portion of the conservation easement will not alter the essential character of the neighborhood and this criterion has been met.

The fourth criterion (Subsection 33-6-116(e) (1) of the Code) requires that the granting of the special variance will not adversely affect water quality. A variance approval would only affect a portion of the easement and would leave all existing mature trees between the maintained yard and the nearest stream, maintaining a more than adequate buffer to protect water quality in the area. Also, existing portions of Forest Buffer Easements (FBE) with trees will be planted as part of mitigation on site. Therefore, we find that granting of the special variance will not adversely affect water quality, and that this criterion has been met.

The fifth criterion (Subsection 33-6-116(e) (2) of the Code) requires that the special variance request does not arise from a condition or circumstance that is the result of actions taken by the petitioner. The request does arise from actions taken by the petitioner. However, if the owner is willing to pay the maximum penalty and meet all mitigation requirements on the property which will make water quality protection better than previous conditions before impacts, this criterion has been met.

The sixth criterion (Subsection 33-6-116(e)(3) of the Code) requires that the Director of DEPS find that the special variance, as granted, would be consistent with the spirit and intent of Article 33 of the Baltimore County Code. We determined that maintaining unauthorized impacts to the easement area would not affect the overall functionality of the FCE or water quality due to mitigation and would be consistent with the spirit and intent of Article 33 of the Baltimore County Code. Therefore, this criterion has been met.

Based upon our review, this Department finds that the required variance criterion have been met. Therefore, the requested variance is hereby approved, in accordance with Section 33-6-116 of the Baltimore County Code, with the following conditions:

1. This variance is limited in scope to continued use of 17,650 square feet of existing Forest Conservation Easement (FCE) that was impacted by construction of a sports court, fire pit, path and landscaping features located on the property. All

Ashton Newhall
3120 West Golf Course Road
Forest Buffer Variance
June 13, 2017
Page 3

other restrictions outlined in the Forest Conservation Easement Declaration of Protective Covenants, Conditions, and Restrictions, are applicable to this property.

2. The Forest Conservation Easement #4 Expansion area shown on the Forest Buffer Protection Plan (FBPP) attached with the variance application, shall be shown as a FCE on a right-of-way plat, and shall be recorded in the Land Records of Baltimore County along with an associated Declaration of Protective Covenants. Recordation of both the plat and covenants shall be finalized by October 31, 2017. A copy of the recorded plat and covenants must be provided to this Department once this process is complete.
3. In accordance with Section 33-6-119 of the Baltimore County Code, the owner will pay a penalty for 17,650 square feet of unauthorized disturbance in an existing FCE which totals \$10,000.00 by October 31, 2017.
4. All mitigation requirements as stipulated on the FBPP must be completed by October 31, 2017.
5. FBE and FCE protective signs must be posted by July 28, 2017 along the outer edges of the Easements in accordance with the FBPP.
6. All wooden fences existing within the FBE and FCE as shown on the FBPP must be removed by July 28, 2017. Please note if livestock is freely moving around on the property, fencing must be in place to prevent them from disturbing the FBE and FCE.
7. An environmental agreement must be signed and the planting security for mitigation totaling \$14,166.00 must be provided by July 28, 2017. The planting maintenance period will be extended from three years to five years and therefore the security release will be based on the extended maintenance period.
8. The following note must appear on all future plans for the property: "A variance from the Baltimore County Forest Conservation Law was granted by the Baltimore County Department of Environmental Protection and Sustainability on June 13, 2017. The variance approved impacts of vegetation within the Forest Conservation Easement for purposes of a sports court, fire pit, path and landscaping features through a penalty payment and mitigation onsite for the disturbances."

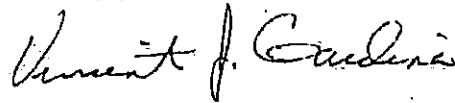
It is the intent of this Department to approve this variance subject to the above conditions. Any changes to site layout may require submittal of revised plans and an amended variance request.

Ashton Newhall
3120 West Golf Course Road
Forest Buffer Variance
June 13, 2017
Page 4

Please sign the statement and return a signed copy of this letter to this Department within 21 calendar days. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of plans for this project.

If you have any questions regarding this correspondence, please call Mr. Brian Lindley at (410) 887-3980.

Sincerely yours,



Vincent J. Gardina, LEED AP
Director

I/we agree to the above conditions to bring my/our property into compliance with Baltimore County's Forest Conservation Law.

Printed Name Date

Signature Date

Printed Name Date

Signature Date

Debra Wiley

From: Debra Wiley
Sent: Wednesday, August 09, 2017 12:17 PM
To: Stephen Ford
Subject: RE: ZAC 18-0008-A

Sorry Steve. Just am now reading this ...

From: Stephen Ford
Sent: Wednesday, August 09, 2017 11:46 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: ZAC 18-0008-A

Debra,
I'm sorry, I misread your email. I will try to find some paperwork from Brian Lindley here in our office. Please stand by.
Thanks,

Stephen A. Ford
Engineering Associate III
Department of Environmental Protection
And Sustainability
Development Coordination
111 West Chesapeake Avenue, Room 319
Towson, Maryland 21204
sford@baltimorecountymd.gov
410-887-5859
410-887-4804 fax

Debra Wiley

From: Debra Wiley
Sent: Wednesday, August 09, 2017 11:12 AM
To: Stephen Ford
Cc: Jeffery Livingston
Subject: RE: Zoning Petition Comments - 2018-0008-A

Good Morning,

Is it possible to obtain any paperwork regarding the violation on this property to share with the ALJ ?

Thanks in advance.

From: Stephen Ford
Sent: Tuesday, August 08, 2017 3:30 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>; June Wisnom <jwisnom@baltimorecountymd.gov>; Kristen L Lewis <klewis@baltimorecountymd.gov>; Sherry Nuffer <snuffer@baltimorecountymd.gov>
Cc: Jeffery Livingston <jlivingston@baltimorecountymd.gov>
Subject: Zoning Petition Comments

For your files.
Thanks,

Stephen A. Ford
Engineering Associate III
Department of Environmental Protection
And Sustainability
Development Coordination
111 West Chesapeake Avenue, Room 319
Towson, Maryland 21204
sford@baltimorecountymd.gov
410-887-5859
410-887-4804 fax

Debra Wiley

From: Lawrence Schmidt <lschmidt@sgs-law.com>
Sent: Friday, July 14, 2017 11:25 AM
To: Debra Wiley
Subject: RE: Administrative variance

Thanks Deb.

Lawrence E. Schmidt | Partner
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue | Suite 200 | Towson, MD 21204 | (410) 821-0070
lschmidt@sgs-law.com | www.sgs-law.com

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From: Debra Wiley [<mailto:dwiley@baltimorecountymd.gov>]
Sent: Friday, July 14, 2017 11:24 AM
To: Lawrence Schmidt
Subject: FW: Administrative variance

Hi Larry,

Please find attached an Affidavit that was used for an administrative variance regarding a LLC. We ask that they sign the Affidavit and have notarized, attesting to the fact that this is their principal residence, although legal title is in the name of a corporate entity they control.

Let me know if you require anything further.

Thanks and have a great weekend.

From: Lawrence Schmidt [<mailto:lschmidt@sgs-law.com>]
Sent: Friday, July 14, 2017 10:53 AM
To: John E. Beverungen <jbeverungen@baltimorecountymd.gov>
Cc: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: RE: Administrative variance

Thanks for the info and insight. Deb; if you have an affidavit as John indicates, please email a copy to me and I will revise to accommodate this case.

Thanks so much to the both of you.

Larry

Lawrence E. Schmidt | Partner
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue | Suite 200 | Towson, MD 21204 | (410) 821-0070
lschmidt@sgs-law.com | www.sgs-law.com

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From: John E. Beverungen [<mailto:jbeverungen@baltimorecountymd.gov>]
Sent: Friday, July 14, 2017 10:50 AM
To: Lawrence Schmidt
Cc: Debra Wiley
Subject: RE: Administrative variance

Larry,

We have granted administrative variances in these circumstances. As you suggest, the OAH requires an affidavit from the "owner" attesting to the fact this is his residence and he actually resides there. I am copying Deb Wiley on this and perhaps she can share with you a sample affidavit used in a recent case.

John.

From: Lawrence Schmidt [<mailto:lschmidt@sgs-law.com>]
Sent: Thursday, July 13, 2017 4:59 PM
To: John E. Beverungen <jbeverungen@baltimorecountymd.gov>
Cc: Alyssa Fiore <afiore@sgs-law.com>; Chris Corey <ccorey@sgs-law.com>
Subject: Administrative variance

John: I recently (earlier this week) filed an administrative variance for a residential property. The petition asked for a variance as it related to an accessory structure (pool house) to be in the side yard (next to the pool) in lieu of the rear yard. Also, we asked for a height variance. (19 in lieu of 15)

The Zoning Office called me today and said that they had accepted the filing improperly. The property is in an upper class neighborhood and the owner (a prominent businessman) has the property titled in an LLC. He is the managing member. Zoning says that since the property is not in his name (individually) it cannot be an administrative variance.

I don't read the law that way. BCC 32-3-303 says that the ZC can grant administrative variances for an "owner occupied lot zoned residential." It seems to me if the managing member actually resides there (and he does) that he can file.

If you are going to kick this out for that reason, please advise as I'd just as well refile it now and not delay the matter. But if you are ok to consider it, let me know. I can supplement my filing with an affidavit specifically stating that the individual is the managing member of the LLC which has title and that he personally resides there.

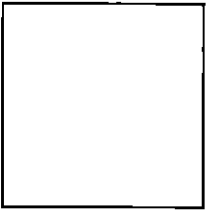
Let me know what you think. Thanks for your advice.

Larry

Lawrence E. Schmidt | Partner
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue | Suite 200 | Towson, MD 21204 | (410) 821-0070
lschmidt@sgs-law.com | www.sgs-law.com

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C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>8-8</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>C</u>
	DEPS (if not received, date e-mail sent _____)	
	FIRE DEPARTMENT	
	PLANNING (if not received, date e-mail sent _____)	
	STATE HIGHWAY ADMINISTRATION	
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. 2008-0082-SPHA)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING Date: 7-20-17 by O'KeefePEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No
Application

Date:

IN RE: PETITION FOR ADMIN. VARIANCE *
3rd Election District
2nd Councilmanic District *
(3120 West Golf Course Road) *

C. Ashton Newhall /
Familia Posterus, LLC *
Petitioner *

BEFORE THE OFFICE OF
ADMINISTRATIVE HEARINGS
FOR
BALTIMORE COUNTY
Case No. 2017-0008-A

* * * * *

AFFIDAVIT

I, C. Ashton Newhall, am over the age of 18 and have personal knowledge of and am competent to testify to the following:

1. The residence at 3120 West Golf Course Road is owned by Familia Posterus, LLC. I am the sole/majority shareholder of this corporate entity. No other person or entity has an interest in the operation and/or affairs of 3120 West Golf Course Road.
2. I reside year round and actually occupy the property known as 3120 West Golf Course Road, and consider this to be my principal residence.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing paper are true.

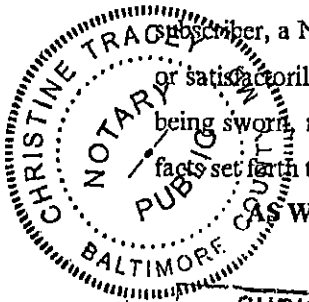
7-19-17
Date

C. Ashton Newhall
C. Ashton Newhall

STATE OF MARYLAND
COUNTY OF BALTIMORE

I HEREBY CERTIFY that, on this 19th day of July, 2017, before me, the
subscriber, a Notary Public of the State of Maryland, personally appeared C. ASHTON NEWHALL, known
or satisfactorily proven to me to be the person whose name is subscribed to the within instrument, who, after
being sworn, made oath in due form of law that he has read the foregoing Affidavit, and the matters and
facts set forth therein are true and to the best of his knowledge, information and belief.

As WITNESS my Hand and Notarial seal.



CHRISTINE TRACEY
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND
MY COMMISSION EXPIRES APRIL 1, 2020

Christine Tracey
Notary Public
My Commission Expires: 4/1/20

TPB
2-26-08

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
VARIANCE *
NW corner of West Golf Course Road * DEPUTY ZONING
and Chittenden Lane *
3rd Election District * COMMISSIONER
2nd Councilmanic District *
(3120 West Golf Course Road) * FOR BALTIMORE COUNTY

3120 Golf Course Road, LLC - Ira Miller *
Petitioner *
* Case No. 08-082-SPHA

* * * * *

ORDER ON PETITIONER'S MOTION FOR RECONSIDERATION

This matter comes before this Deputy Zoning Commissioner for consideration of a Motion for Reconsideration filed by the Petitioner/Owner of the subject property, 3120 Golf Course Road, LLC, of the decision rendered in the above captioned matter. This Motion for Reconsideration is filed pursuant to Rule 4(k) of Appendix G of the Baltimore County Zoning Regulations ("BCZR") wherein the rules of practice and procedure before the Zoning Commissioner for Baltimore County are provided. Rule 4(k) permits a party to file a Motion for Reconsideration on an Order issued by the Zoning Commissioner. This Motion must be filed within 30 days of the date the Order was issued, and must state with specificity the grounds and reasons for their request.

On March 5, 2008, the undersigned issued an Order granting a request for variance from Section 400.3 of the B.C.Z.R. to approve an existing 20 foot height of a caretaker's structure on the subject R.C.5 property in lieu of the required 15 feet. The Motion for Reconsideration seeks to amend the decision as it relates to a certain condition concerning the erection of any additional accessory structures on the property. Specifically in Condition No. 3 of the Order, the undersigned placed the following limitation: "No further accessory structures shall be permitted

on the property without a special hearing.”

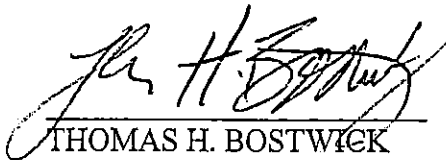
In the Motion, Petitioner avers that this condition was inserted in error because Sections 1A04.2.A.11 and 400 of the Baltimore County Zoning Regulations (B.C.Z.R.) permit accessory buildings as a matter of right in the R.C.5 Zone so long as they are located in the rear yard, occupy no more than 40% of the rear yard, and are no higher than 15 feet. As such, Petitioner requests that this condition be amended to comport with the requirements of Sections 1A04.2.A.11 and 400 of the B.C.Z.R.

After a review of the relevant sections of the B.C.Z.R., I agree with Petitioner that the wording of the aforementioned condition was in error and should be changed as indicated below.

WHEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 24th day of April, 2008 that the Motion for Reconsideration be and hereby is GRANTED consistent with the above, and that Condition No. 3 of the Findings of Fact and Conclusions of Law for this matter issued March 5, 2008 be amended to state as follows:

3. No further accessory structures, other than those which are permitted under Sections 1A04.2.A.11 and 400 of the B.C.Z.R., shall be permitted on the property without a special hearing.

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB/pz

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
VARIANCE
NW corner of West Golf Course Road * DEPUTY ZONING
and Chittenden Lane *
3rd Election District * COMMISSIONER
2nd Councilmanic District *
(3120 West Golf Course Road) * FOR BALTIMORE COUNTY

3120 Golf Course Road, LLC - Ira Miller
Petitioner * Case No. 08-082-SPHA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the legal owner of the subject property, Ira Miller, c/o Miller Investments, LLC, on behalf of 3120 Golf Course Road, LLC. The Special Hearing request was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve the continuance of a former caretaker's residence to be used to house full time caretakers whose responsibility will be to care for and maintain the principal residence and premises, and not for use as a rental unit; and/or use of the former caretaker's residence as a guest house to periodically house guests of the owners and not for use as a rental unit. The Variance request is from Section 400.3 of the B.C.Z.R. to approve the existing 20 foot height of the caretaker's structure in lieu of the maximum required 15 feet. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requested special hearing and variance petitions was Petitioner Ira Miller, c/o Miller Investments, LLC, on behalf of 3120 Golf Course Road, LLC, K. Donald Proctor, Esquire, attorney for Petitioner, and Bruce Doak,

Petitioner's land surveying consultant who prepared the site plan. There were no Protestants or other interested persons in attendance at the hearing.

At the outset, it should be noted that this matter is currently the subject of a pending violation case in the County Division of Code Inspections and Enforcement. A citation for code violation was issued on July 16, 2007 in this matter for changing the use of a building without complying with all area requirements, and failing to issue a certificate of occupancy for a new building occupancy classification. However, zoning enforcement agreed to stay the enforcement proceedings pending the outcome of the hearing currently before this Deputy Zoning Commissioner. Petitioner was very candid about this situation and submitted a copy of the Citation and the correspondence indicating that enforcement proceedings have been stayed. These documents were marked and accepted into evidence as Petitioner's Exhibits 3A and 3B. A code citation is generally not relevant in considering a zoning case. Zoning enforcement is conducted by the Department of Permits and Development Management, which has the authority to issue Correction Notices and Citations, and to impose fines and other penalties for violations of the law or zoning regulations. On the other hand, the role of this office in these matters is to decide the discreet legal issue of whether a petitioner is entitled to the relief that is requested pertaining to the particular property.

Testimony and evidence offered revealed that the subject property is an L-shaped parcel containing approximately 14.88 acres and zoned R.C.5. The property is located to the west of Golf Course Road in the Owings Mills area of Baltimore County. In order to reach the property, one must travel on West Golf Course Road, a smaller road containing approximately 12 to 15 homes. A winding private driveway leads to Petitioner's property, which is considerably larger than any of the surrounding properties and is improved with two existing structures: the primary residence consisting of a 15,000 square foot dwelling, and a second, smaller dwelling that at one

time was used to house a caretaker's residence. Petitioner submitted several photographs of the two existing structures, which were marked and accepted into evidence as Petitioner's Exhibits 2A through 2E. The primary residence and accompanying pool are located toward the southern end of the property, and the caretakers' residence is located closer to the northeast edge of the property line. The majority of the property surrounding the existing dwellings is preserved with forest buffer and forest conservation easements.

Further testimony revealed that both of the existing structures on the subject property predated the R.C. regulations, as they were originally built in approximately 1911. Petitioner submitted a notice from the Maryland Department of Assessments and Taxation demonstrating the age of the existing structures, which was marked and accepted into evidence as Petitioner's Exhibit 4. Petitioner purchased the property on October 6, 2006 and performed substantial renovations, particularly to the caretaker's residence, before moving into the larger dwelling with his wife and two children approximately eight months prior to this hearing. When Petitioner purchased the property, the former caretaker's home was in disrepair as the roof had partially fallen in, the electrical system was outdated, and it was clear that the dwelling had not been occupied for some time. Petitioner spent a significant amount of time and expense renovating the caretaker's home by fixing the roof, installing a separate electrical service, and updating the interior with a kitchen area and a bedroom and bathroom on each of the two floors. Petitioner submitted several photographs of the electrical system and interior renovations of the caretaker's home, which were marked and accepted into evidence as Petitioner's Exhibits 5A through 5E.

Due to the significant acreage, landscaping and maintenance for the dwellings, Petitioner desires to hire a caretaker full time who would live in the caretaker's residence and oversee maintenance of the property. Moreover, in the event a caretaker is no longer employed and living in the residence, Petitioner desires to have the caretaker's residence available for relatives

and guests. Petitioner stressed that the caretaker's residence would not be used as a second, primary residence or for commercial purposes such as a rental. It will always be utilized as an accessory use to the primary residence for intermittent, temporary lodging of guests and relatives.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comment received from the Office of Planning dated January 28, 2008 indicates that the property is lot 2 on the minor subdivision 0409m approved in 2005 for a two lot minor subdivision. It indicates that the proposed caretaker's residence was shown on the minor subdivision plan as a storage building 12 feet in height. It is shown on the plan filed with the petition as existing structure formerly a caretaker's residence with a height of 20 feet. The comment also indicates that the accessory residence structure should be identified on the site plan as either a caretaker's house or a guesthouse, not either or. A line of division delineating 1.5 acre use area in support of the accessory residential structure should be shown on the plan. The delineated 1.5 acres should include the septic reserve area and the proposed well associated with the accessory residential structure. The footprint of the accessory residential structure shall not be enlarged without a special hearing. No further accessory structures shall be permitted within 1.5 acre use area without a special hearing. Additional comments will be expounded on further in this Order.

Turning first to the Petition for Special Hearing, upon review of Petitioner's plans and consideration of the testimony and evidence presented, I am persuaded that the requested relief should be granted. The subject property is considerably larger than the typical R.C.5 lot in this area, and the property comfortably accommodates two separate structures without affecting any surrounding property owners. The evidence demonstrated that the secondary structure, which has been in existence for almost 100 years, was at one time used to house caretakers for the

property. Petitioner has indicated that given the layout and size of the property, he desires to hire full time caretakers to live in the secondary structure, whose responsibility will be to care for and maintain the principal residence and premises. Hence, the structure will truly be an "accessory" structure, incidental to the primary residence. In addition, Petitioner desires to use the secondary structure to periodically house guests of the owners.

After careful consideration, I am convinced that it would be appropriate for Petitioner to use the existing caretaker's home both to house full time caretakers and to occasionally permit house guests to stay in the home. An overview of zoning law and practice reveals that the most frequently considered accessory uses in residential areas are guest houses and servant quarters. *See, Zoning Law and Practice* by E.C. Yokley, Volume 2, page 8-16 (2001). Additionally, the zoning regulations do not explicitly limit an accessory structure to one single use. While the Office of Planning has requested that the structure be identified on the site plan as either a caretakers home or a guest house, I am convinced that both requested uses can be permitted without having any negative effect on the surrounding locale. Petitioner will not be renting or leasing the property, and will be required to file an appropriate petition and appear at a public zoning hearing if any additional uses are requested. Furthermore, I am convinced that the requested relief can be granted without the addition of a line of division delineating a 1.5 acre use area in support of the accessory residential structure on the site plan. I find that separating a 1.5 acre area from the remainder of the property may serve to complicate this matter and may negatively affect Petitioner's future property rights without achieving any benefit to the surrounding locale.

In regard to the request for variance, considering all the testimony and evidence presented, I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance requests. As previously stated, the property is

exceptionally large and the structures are unusually secluded for an R.C.5 zone. The caretaker's home pre-existed the R.C.5 zoning, and while it was incorrectly listed on the minor subdivision plan as a storage building 12 feet in height, the evidence demonstrated that the building has been 20 feet in height since its construction in 1911. While Petitioner renovated the roof and interior of the building, Petitioner did not change the height of the building to make it taller. I also find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. If zoning relief is not granted, Petitioner will be required to alter a section of a structure that currently meets the architectural and aesthetic nature of the main house and surrounding area.

Finally, I find that the variance can be granted in strict harmony with the spirit and intent of said regulations and in a manner so as to grant relief without injury to the public health, safety and general welfare. I am convinced that permitting the existing structure 20 feet in height will have no negative affect on the health, safety, or general welfare of the surrounding locale. Conversely, the caretaker's home is aesthetically pleasing and if the recent renovations have had any impact, they have actually improved the appearance and character of the surrounding area.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by Petitioners, I find that Petitioner's special hearing and variance requests should be granted with conditions.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 5th day of March, 2008 that Petitioner's request for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) for the continuance of a former caretaker's residence to be used to house full time caretakers whose responsibility will be to care for and maintain the principal residence and premises, and not for use as a rental unit; and/or use of the former caretaker's residence as a guest house to

periodically house guests of the owners and not for use as a rental unit, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that Petitioner's request for Variance from Section 400.3 of the B.C.Z.R. to approve the existing 20 foot height of the caretaker's structure in lieu of the required 15 feet be and is hereby GRANTED, subject to the following:

1. Petitioner may apply for his permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The footprint of the accessory residential structure shall not be enlarged without a special hearing.
3. No further accessory structures shall be permitted on the property without a special hearing.
4. Petitioner may not expand the use of the accessory structure without a special hearing.
5. The accessory residential structure shall not be used for commercial purposes, such as a rental, or as a separate residential dwelling except as a caretaker's residence or for periodic lodging for guests and/or relatives of the principal residents.

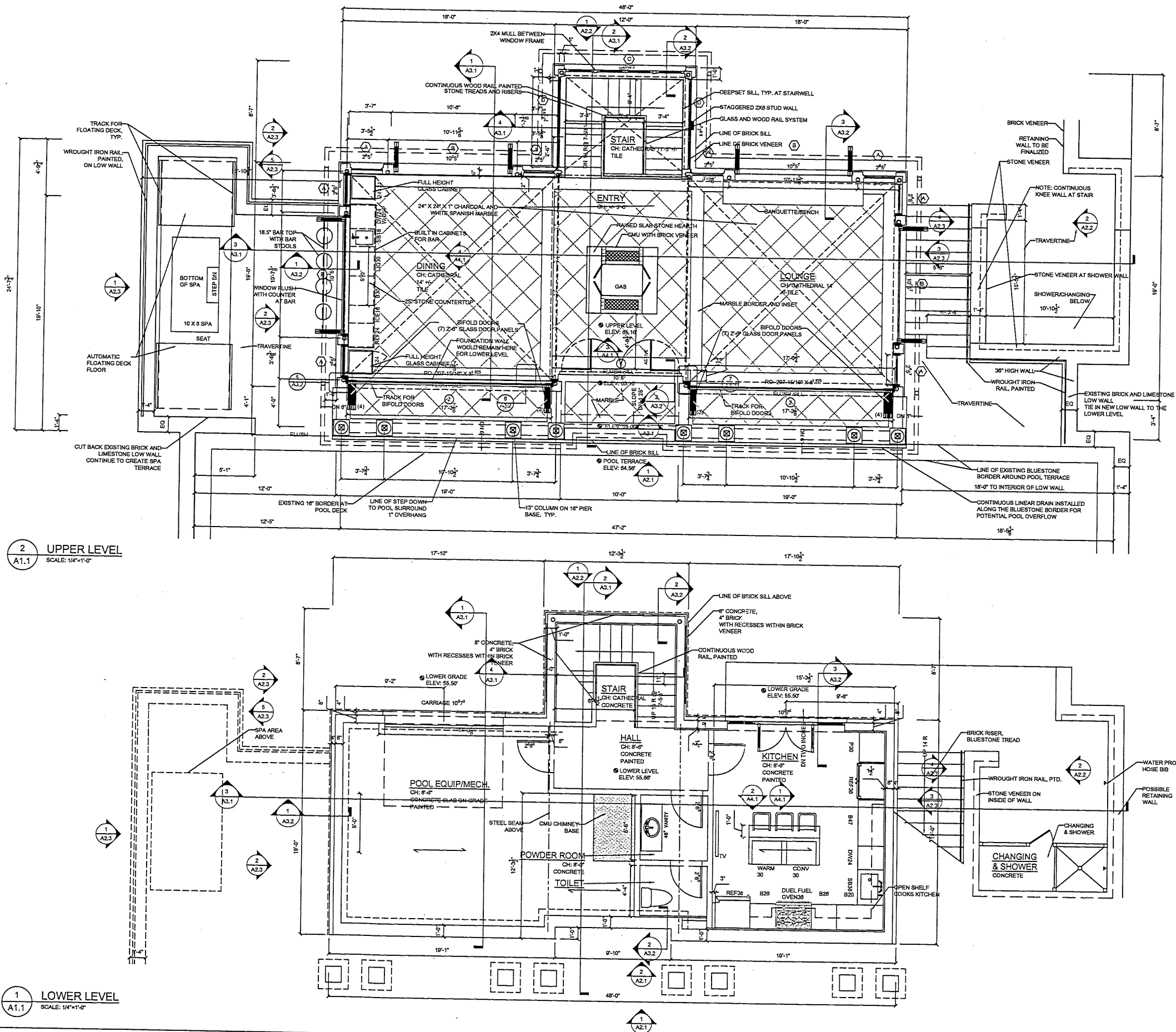
Any appeal of this decision must be made within thirty (30) days of the date of this Order.


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

2 UPPER LEVEL
A1.1 SCALE: 1/4"=1'-0"

1 LOWER LEVEL
A1.1 SCALE: 1/4"=1'-0"



Patrick D. Jarosinski & Associates
ARCHITECTURE ■ PLANNING ■ INTERIORS



NEWHALL GLASS HOUSE
3120 WEST GOLF COURSE ROAD
OWINGS MILLS, MD 21117

DRAWING TITLE:

PLANS

SHEET NO.:
A1.1

SCALE:
1/4" = 1'-0"

12-08-16

07-24-19

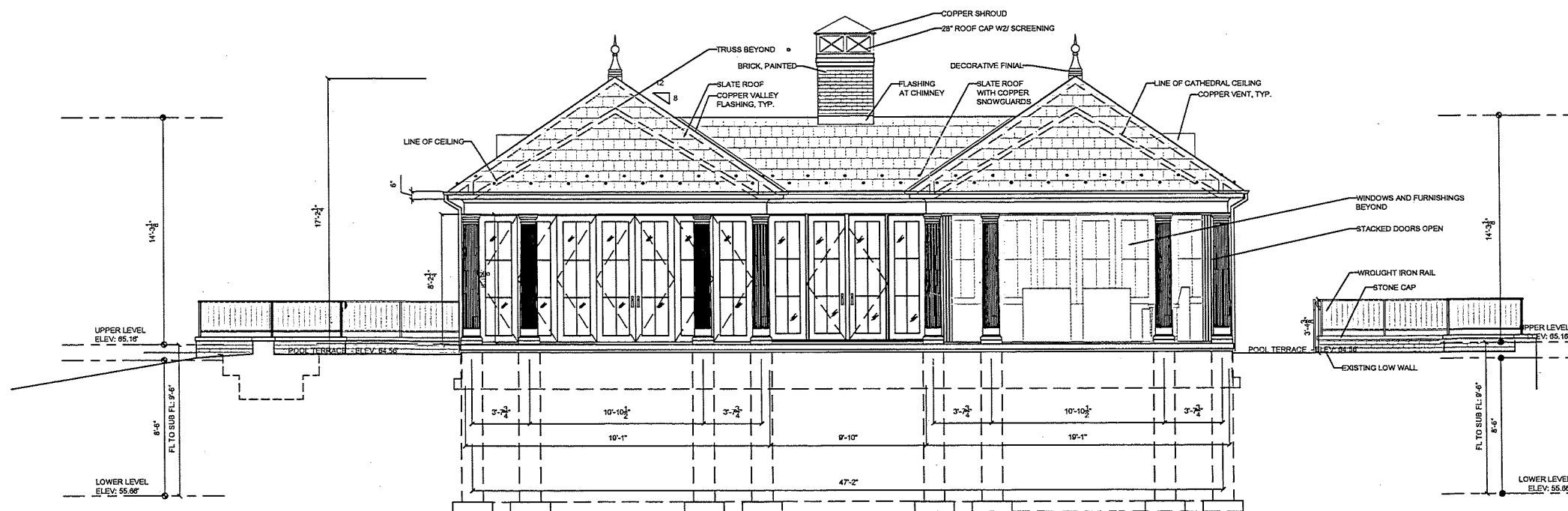
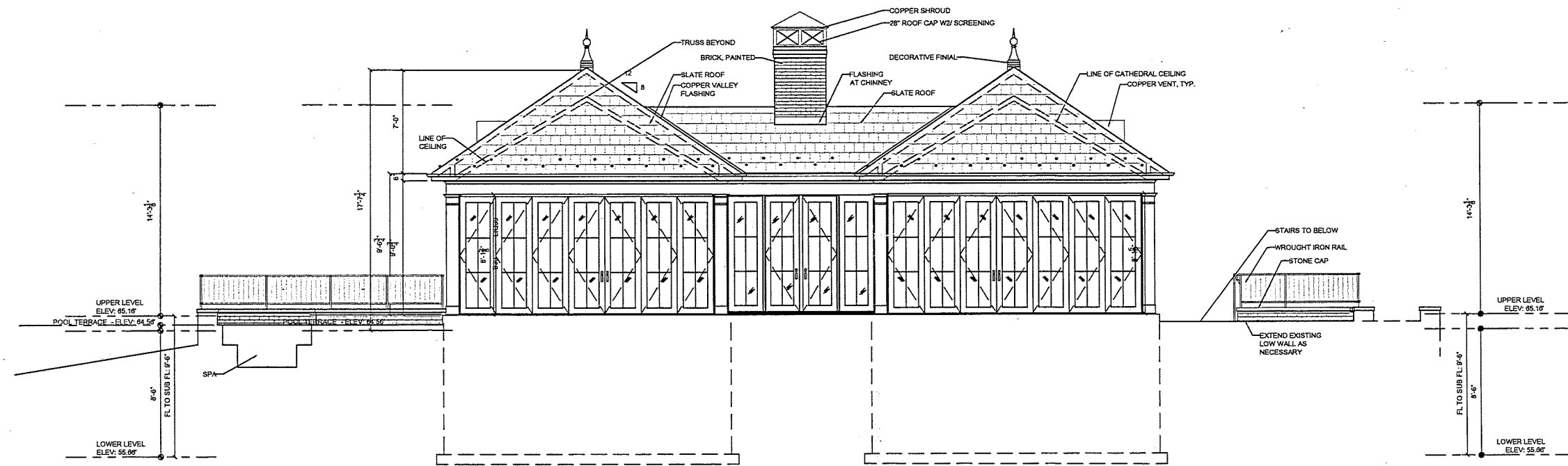
08-01-17

08-08-17

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www.pdjassociates.com

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2018-0008-A



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THOMAS D. JAROSINSKI & ASSOCIATES
ARCHITECTURE ■ PLANNING ■ INTERIORS

 $\overline{\overline{\mathbb{H}}}$

NEWHALL GLASS HOUSE
3120 WEST GOLF COURSE ROAD
OWINGS MILLS, MD 21117

3120 WEST GOLF COURSE ROAD

OWINGS MILLS, MD 21117

P.O. BOX 234 ■ Ridenwood, Maryland ■ 21130
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DRAWING TITLE:

ELEVATIONS

DATE: 12-08-16

01-24-17
06-01-17
06-06-17

01-24-17
06-01-17
06-06-17

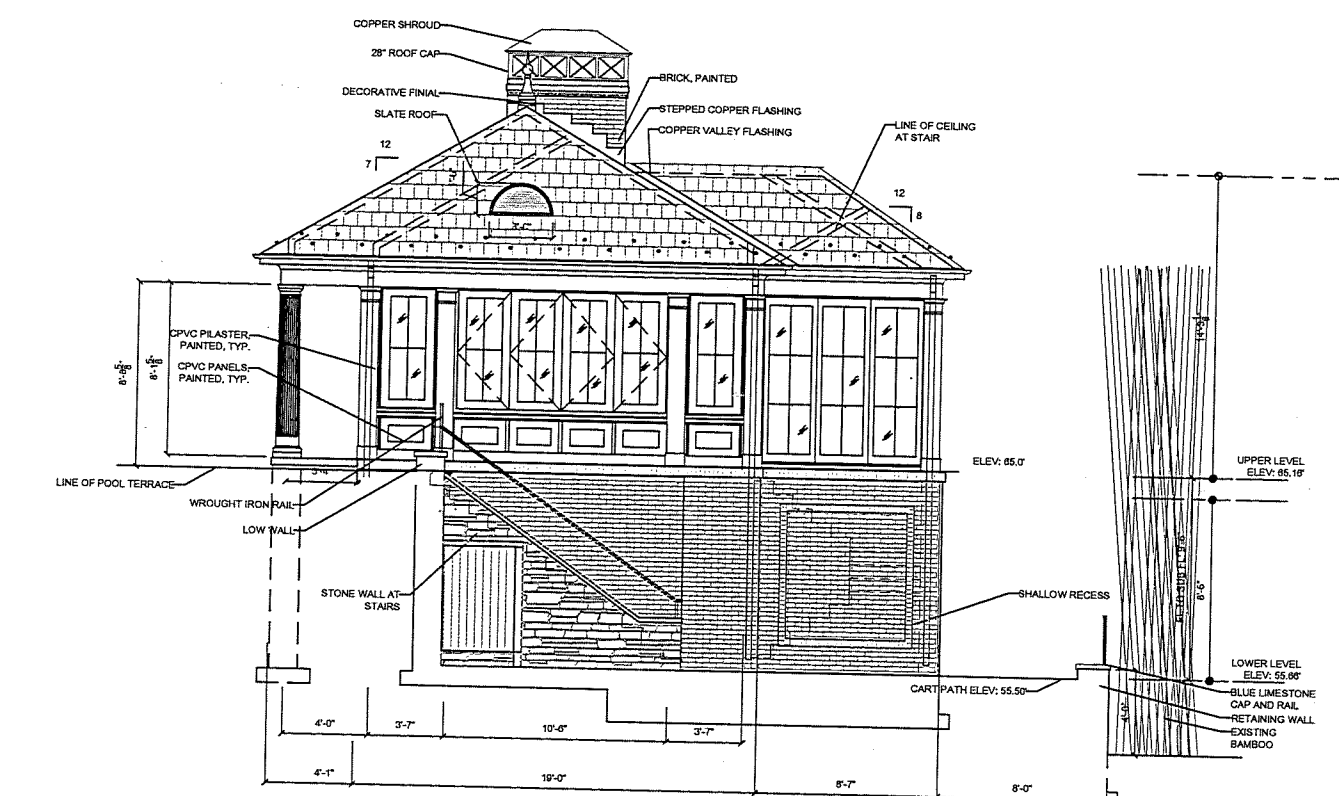
01-24-17
06-01-17
06-06-17

SHEET NO.:

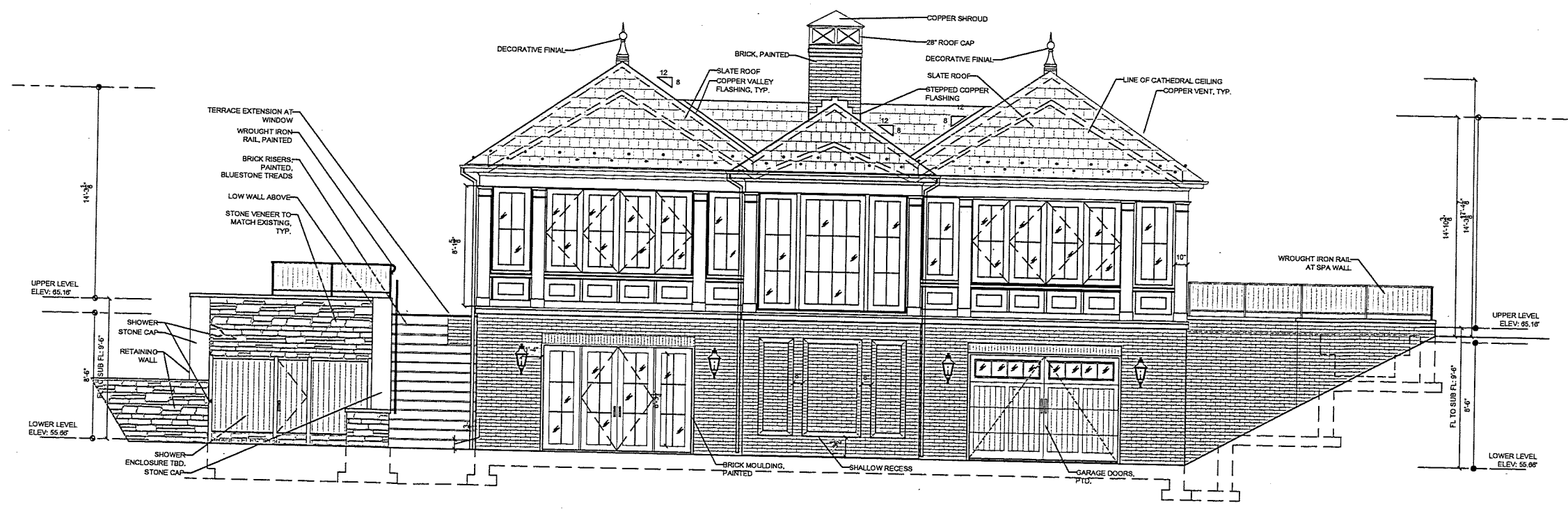
A2.1

SCALE:

$$1/4^n = 1 \cdot 0^n$$



2
A2.2
SHOWER SIDE ELEVATION (WITH PEAKED ROOF RIDGE)
SCALE: 1/4"=1'-0"



1
A2.2
REAR ELEVATION
SCALE: 1/4"=1'-0"

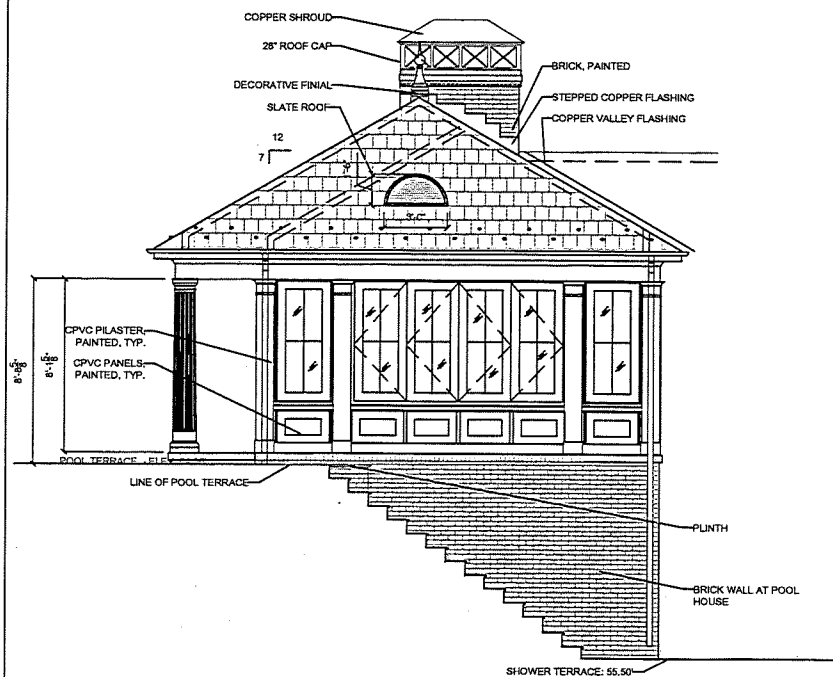
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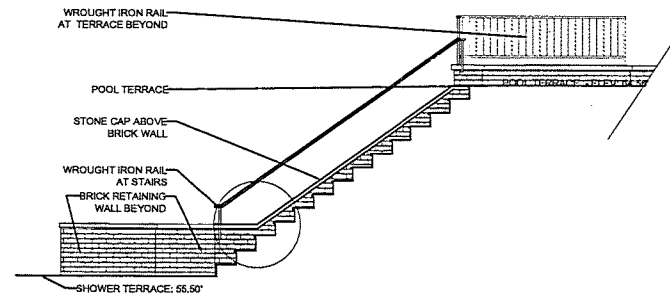
NEWHALL GLASS HOUSE
3120 WEST GOLF COURSE ROAD
OWINGS MILLS, MD 21117

SHEET NO.:	DRAWING TITLE:	DATE:
A2.2	ELEVATIONS	12-08-16 01-24-17 06-01-17 06-06-17
SCALE:	1/4" = 1'-0"	

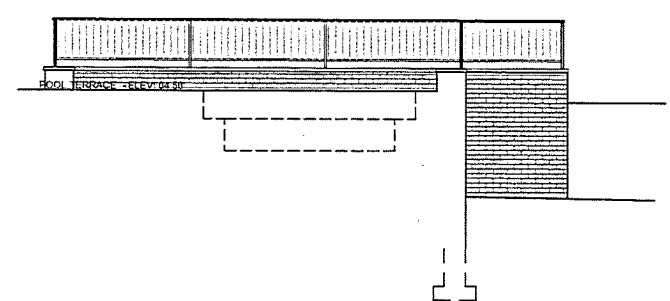
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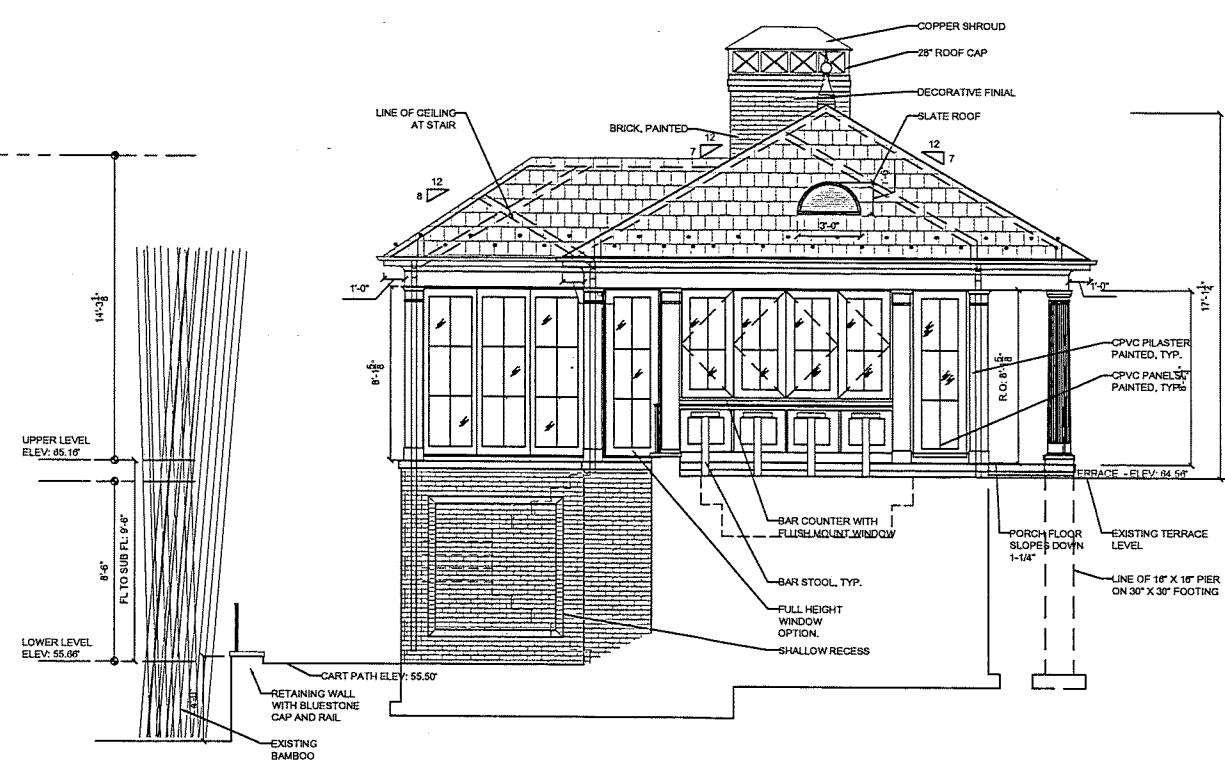
3
A2.3
EXTERIOR STAIR TOWARD POOL HOUSE
SCALE: 1/4"=1'-0"



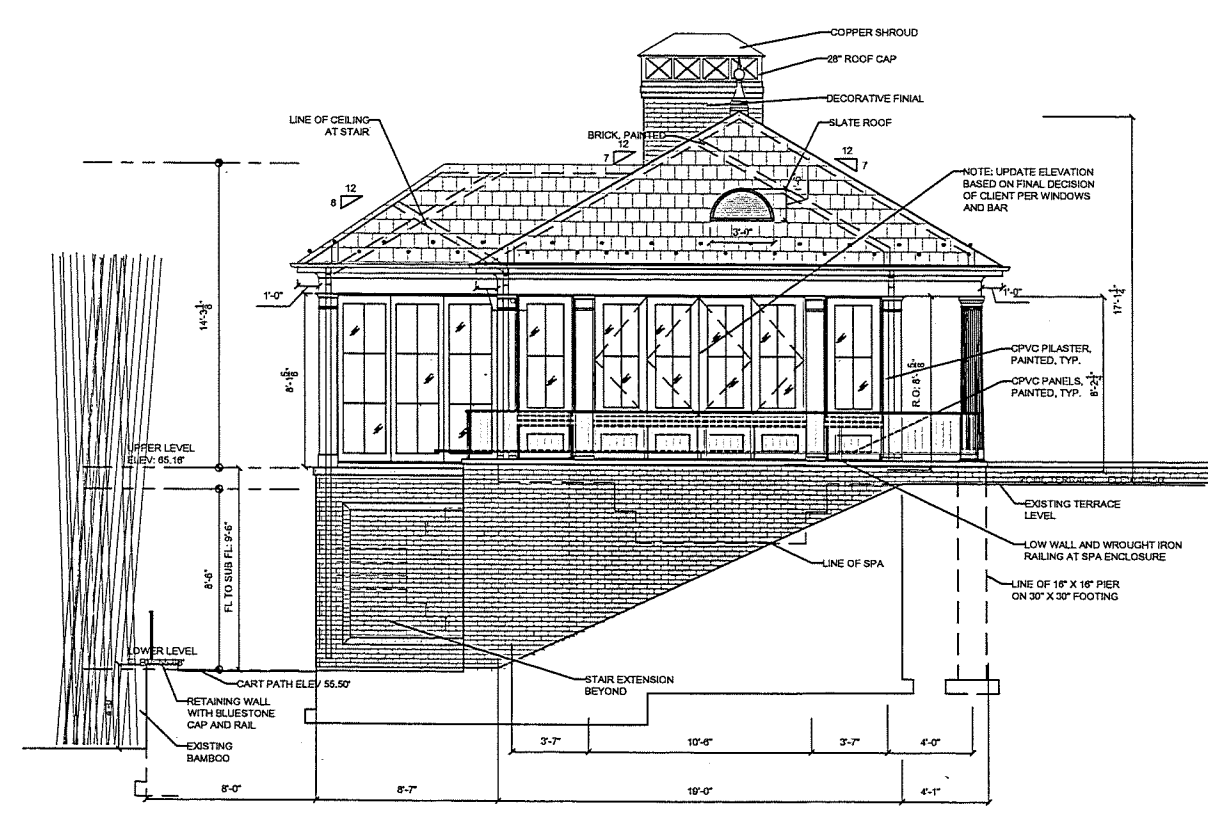
4
A2.3
EXTERIOR STAIR TOWARD RAILING
SCALE: 1/4"=1'-0"



5
A2.3
SPA BAR ELEVATION TOWARD SPA
SCALE: 1/4"=1'-0"



2
A2.3
SPA BAR ELEVATION WITH FULL HEIGHT SIDE WINDOWS
SCALE: 1/4"=1'-0"



2
A2.3
SPA SIDE ELEVATION
SCALE: 1/4"=1'-0"

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ARCHITECTURE ■ PLANNING ■ INTERIORS



NEWHALL GLASS HOUSE
3120 WEST GOLF COURSE ROAD
OWINGS MILLS, MD 21117

SHEET NO.: A2.3	DRAWING TITLE: ELEVATIONS	DATE: 12-08-16 07-01-17 08-01-17 08-06-17
	SCALE: 1/4" = 1'-0"	

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JACKSON J. PHIPPIN & DENISE L. KOCH
9 SPRING FOREST COURT
DEED REF: 25132/426
TAX ACCT. No. 22-00-028915
LOT 3 OF MINOR SUB
"CAVES FOREST ESTATES"

RC-5

N 71°22'43" W 524.75'

FOREST BUFFER
& FOREST
CONSERVATION
EASEMENT

FOREST BUFFER
EASEMENT

EXISTING
SEPTIC
RESERVE AREA

EXISTING 1 1/2
STORY
CARETAKER'S
RESIDENCE

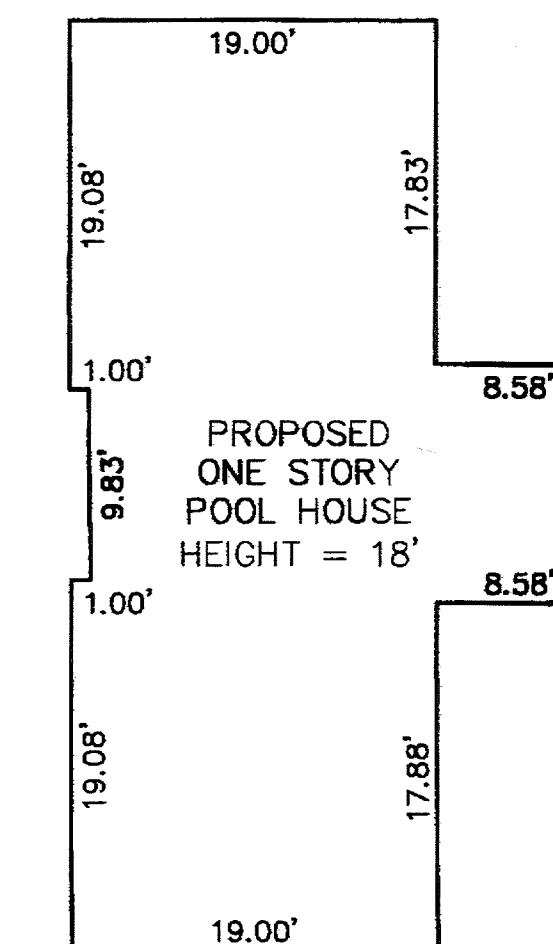
EXISTING
WELL

OLWEN E. MODELL
3116 WEST GOLF COURSE ROAD
DEED REF: 37577/001
TAX ACCT. No. 24-00-011691

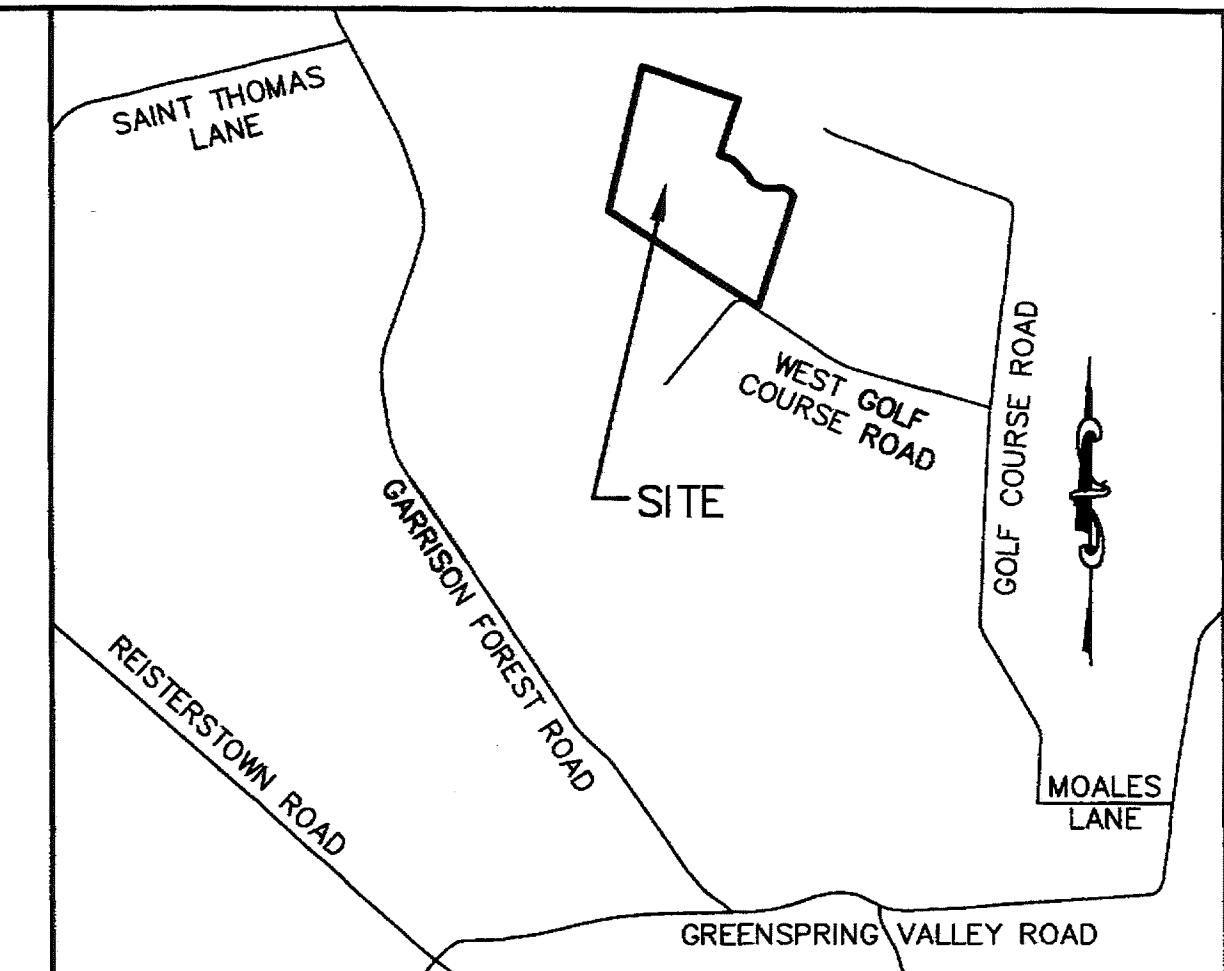
PREVIOUS ZONING HEARING:

CASE No. - 08-082-SPHA
DATE OF ORDER: MARCH 5, 2008
ORDER: REQUEST FOR SPECIAL HEARING RELIEF
GRANTED FOR THE CONTINUANCE OF A FORMER
CARETAKER'S RESIDENCE TO BE USED TO HOUSE
FULL TIME CARETAKERS WHOSE RESPONSIBILITY
WILL BE TO CARE FOR AND MAINTAIN THE
PRINCIPLE RESIDENCE AND PREMISES, AND NOT
FOR USE AS A RENTAL UNIT; AND REQUEST FOR
SPECIAL HEARING RELIEF GRANTED FOR USE OF
THE FORMER CARETAKER'S RESIDENCE AS A GUEST
HOUSE TO PERIODICALLY HOUSE GUESTS OF THE
OWNERS AND NOT FOR USE AS A RENTAL UNIT.

REQUEST FOR VARIANCE FROM SECTION 400-3
(RCZR) GRANTED TO APPROVE THE EXISTING 20
FOOT HEIGHT OF THE CARETAKER'S STRUCTURE IN
LIEU OF THE MAXIMUM PERMITTED 15 FEET.



POOL HOUSE DETAIL
SCALE: 1" = 10'



VICINITY MAP
SCALE: 1" = 2,000'

NOTES:

1. EXISTING ZONING: RC-2
2. GROSS AREA: 14,880 AC=648,188.542 SF
3. NET AREA: 14,880 AC=648,188.542 SF
4. GIS MAP No.: 067C1 & 058C3
5. THIS PROPERTY IS SERVED BY PRIVATE WELL AND SEPTIC SYSTEMS
6. A 100 YEAR FLOOD PLAIN LIES WITHIN THIS PROPERTY AS SHOWN
7. THIS PROPERTY IS NOT HISTORIC
8. THIS PROPERTY IS NOT IN THE CBCA
9. THERE ARE NO CURRENT ZONING VIOLATIONS FOR THIS PROPERTY
10. THERE ARE NO EXISTING OR IMPENDING FAILURES OF THE BASIC SERVICES MAPS FOR THIS PROPERTY
11. ALL PROPOSED BUILDINGS MUST MEET APPLICABLE BUILDING AND FIRE CODE REQUIREMENTS
12. THE PROPOSED POOL HOUSE WILL UTILIZE THE EXISTING WELL AND SEPTIC SYSTEM OF THE MAIN HOUSE

BRADLEY BENNETT &
KARA BENNETT
3112 WEST GOLF COURSE ROAD
DEED REF: 21287/643
TAX ACCT. No. 24-00-0009122

EXISTING
USE-IN-COMMON
PRIVATE DRIVEWAY

RC-5

2222 LLC
3110 WEST GOLF COURSE ROAD
DEED REF: 32524/179
TAX ACCT. No. 24-00-0009121

100 YEAR FLOOD
PLAIN, DRAINAGE
AND UTILITY, &
FOREST BUFFER
EASEMENT

POINT OF
BEGINNING

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE #3120 W. GOLF COURSE ROAD

3RD ELECTION DISTRICT 2ND COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 50' DATE: NOVEMBER 7, 2016

SHEET 1 OF 1

DESIGN AND DRAWING BASED ON MARYLAND COORDINATE
SYSTEM HORIZONTAL - NAD83 (1991), VERTICAL - NAVD88

DRAWN BY: CRC CHECKED BY: GCS JOB No.: 16-054

100 YEAR FLOOD
PLAIN, DRAINAGE
AND UTILITY, &
FOREST BUFFER
EASEMENT

RC-5

FOREST BUFFER
& FOREST
CONSERVATION
EASEMENT

DAVID SEIFERT & KIMBERLY L. SEIFERT
DEED REF: 31075/427
TAX ACCT. No. 03-04-050376

BRIAN KILLEFER &
HEATHER MOSER KILLEFER
DEED REF: 34047/211
TAX ACCT. No. 03-02-005090

RC-5

MATTHEW JOHNSON &
SARAH G. JOHNSON
3126 WEST GOLF COURSE ROAD
DEED REF: 34637/268
TAX ACCT. No. 03-07-062420

RC-5

SUITBERTUS M.L. VAN DER MEER &
ANNAMARE VAN DER MEER
3130 WEST GOLF COURSE ROAD
DEED REF: 32655/146
TAX ACCT. No. 03-08-067501

SUITBERTUS M.L. VAN DER MEER &
ANNAMARE VAN DER MEER
DEED REF: 28344/483
TAX ACCT. No. 03-08-067500

RC-5

PATRICK J.B. DONNELLY &
MELANIE S. DONNELLY
3117 WEST GOLF
COURSE ROAD
DEED REF: 5917/382
TAX ACCT. No. 03-19-036310

ZONING
LINE

RC-2

1330'± TO CENTER OF
GOLF COURSE ROAD
30' RIGHT-OF-WAY

RC-2



6/19/2017
GEOFFREY C. SCHULTZ
MARYLAND REG. No. 21154
LICENSE EXPIRES: 01/2017

OWNER INFORMATION

FAMILIA POSTERUS, LLC.
100 PAINTERS MILL ROAD #700
OWINGS MILLS, MD 21117
MAP 58 - GRID 24 - PARCEL 748
TAX ACCT: 24-00-011692
DEED REF: 35685/001
LOT 2 OF MINOR SUBDIVISION PLAN
TITLED "MINOR SUBDIVISION OF THE
PROPERTY OF WILBERT H. SIROTA,
TRUSTEE" MINOR No. 04-049M

10 GERARD AVENUE
SUITE 101
TIMONIUM, MD 21093
PHONE: (410) 252-4444
FAX: (410) 252-4493
WWW.POLARISLC.COM

Polaris
LAND CONSULTANTS

LAND SURVEYING - SUBDIVISION DESIGN - COMMERCIAL SITE DESIGN - LAND USE & PLANNING
STORM WATER MANAGEMENT - CONSTRUCTION SURVEYING - PROJECT MANAGEMENT - ZONING MATTERS