

MEMORANDUM

DATE: September 26, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0034-A – Appeal Period Expired

The appeal period for the above-referenced case expired on September 25, 2017. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: / Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
(1003 Nicodemus Road) *
4th Election District * OFFICE OF ADMINISTRATIVE
4th Council District *
Geraldine E. & Joseph W. Bonner, Sr. * HEARINGS FOR
Petitioners *
* BALTIMORE COUNTY
*
* CASE NO. 2018-0034-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") as a Petition for Administrative Variance filed by the legal owners of the property, Geraldine E. and Joseph W. Bonner, Sr. ("Petitioners"). The Petitioners are requesting variance relief from § 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed accessory building in rear yard of an existing dwelling with a height of 17 ft. in lieu of the maximum allowed 15 ft.; and from § 400.1 of the B.C.Z.R. to permit an existing storage shed to be located in the side yard of the dwelling and with a rear and side yard setback of 1.5 ft. in lieu of required in the rear yard and with a 2.5 ft. setback, respectively. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

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

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on August 3, 2017, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 8-25-17

By RW

The Petitioners have filed the supporting affidavits as required by Section 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 Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Although the Department of Planning did not make any recommendations related to Petitioners' zoning request and its usage, I will impose conditions that the proposed accessory building and/or existing storage shed shall not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and shall not be used for commercial purposes.

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

THEREFORE, IT IS ORDERED, this 25th day of **August, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed accessory building in rear yard of an existing dwelling with a height of 17 ft. in lieu of the maximum allowed 15 ft.; and from § 400.1 of the B.C.Z.R. to permit an existing storage shed to be located in the side yard of the dwelling and with a rear and side yard setback of 1.5 ft. in lieu of required in the rear yard and with a 2.5 ft. setback, respectively, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 8-25-17

By DW

The relief granted herein shall be subject to the following:

- Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- Petitioners or subsequent owners shall not convert the proposed accessory building and/or existing storage shed into a dwelling unit or apartment. The proposed accessory building and/or existing storage shed shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.
- The proposed accessory building and/or existing storage shed shall not be used for commercial purposes.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 8-25-17

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 1003 NICODEMUS RD REISTERTOWN MD 21136 Currently zoned Residential
 Deed Reference 08461 100320 10 Digit Tax Account # 0405615370
 Owner(s) Printed Name(s) JOSEPH W. BONNER SR. - GERARDINE E. BONNER

(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:

- X **ADMINISTRATIVE VARIANCE** from Section(s) 400.3 of BCZR to permit a proposed accessory building in rear yard of an existing dwelling with a height of 17 feet in lieu of the maximum allowed 15 feet; and from Section 400.1 of BCZR to permit an existing storage shed to be located in the side yard of the dwelling and with a rear and side yard setback of 1-1/2 feet in lieu of required in the rear yard and with a 2-1/2 feet setback, respectively.
- 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):

GERARDINE E. BONNER JOSEPH W. BONNER SR.
 Name #1 – Type or Print Name #2 – Type or Print
Gerardine E. Bonner Joseph W. Bonner
 Signature #1 Signature #2

1003 NICODEMUS RD REISTERTOWN MD
 Mailing Address City State

21136 410-833-0336 peppopjoe@msn.com
 Zip Code Telephone # Email Address

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

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

JOSEPH W. BONNER SR.
 Name – Type or Print
Joseph W. Bonner
 Signature

1003 NICODEMUS RD REISTERTOWN MD
 Mailing Address City State

21136 410-833-0336 peppopjoe@msn.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

2018-0034-A

Filing Date

7, 26 17

Estimated Posting Date

8, 6, 17

Reviewer

AT

~8/21/17

Rev 5/5/2016

Affidavit in Support of Administrative Variance

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

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

Address: 1003 NICODEMUS RD REISTERSTOWN MD 21136
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)

- ① ADDITIONAL² HEIGHT (17' INSTEAD OF 15')
② THE NEW STORAGE SHED IS NEEDED FOR THE STORAGE OF MY CLASSIC CARS AND PARTS. THIS WILL PREVENT FURTHER DAMAGE TO THE VEHICLES AND PARTS FROM VARIOUS WEATHER CONDITIONS, SUCH AS ICE & SNOW DURING THE WINTER AND RAIN AND HARSH SUN. SOME OF THE PARTS ARE ONE OF A KIND AND ALMOST IMPOSSIBLE TO REPLACE. THE SHED IS NEEDED TO PLACE SHELVING AROUND THE INSIDE PERIMETER FOR THE STORAGE OF THESE PARTS. THE HEIGHT IS NEEDED TO ACCOMMODATE 10' DOORS FOR BENDING IN VEHICLES AND TRAILERS THAT DO NOT RUD. I WOULD ALSO LIKE TO PLACE MY CAMPER INSIDE DURING WINTER MONTHS ALSO. I WOULD
② ALSO LIKE TO APPLY FOR A VARIANCE FOR THE GARAGE NEXT TO THE HOUSE THAT IS ON THE SIDE OF THE HOUSE, NOT BEHIND. THIS GARAGE WAS BUILT AROUND 1959. TO THE BEST OF MY KNOWLEDGE
(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

Joseph W Bonner
Signature of Owner (Affiant)

Signature of Owner (Affiant)

JOSEPH W BONNER SR.
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 20th day of June, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: JOSEPH BONNER

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

AS WITNESS my hand and Notaries Seal

Notary Public

January 15, 2019

My Commission Expires



SANDRA L. EGOLF
Notary Public
State of Maryland
Carroll County

My commission exp. January 15, 2019

REV. 5/5/2016

Affidavit in Support of Administrative Variance

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

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

Address: 1003 Nicodemus Rd Reisterstown MD 21136
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)

- ① ADDITIONAL 2' IN HEIGHT (17' INSTEAD OF 15')
- ② THE NEW STORAGE SHED IS NEEDED FOR THE STORAGE OF MY CLASSIC CARS AND PARTS. THIS WILL PREVENT FURTHER DAMAGE TO THE VEHICLES AND PARTS FROM VARIOUS WEATHER CONDITIONS, SUCH AS SNOW AND ICE DURING THE WINTER & RAIN & HARSH SUN. SOME OF THESE PARTS ARE ONE OF A KIND AND ALMOST IMPOSSIBLE TO REPLACE. THE SHED IS NEEDED TO PLACE SHELVES AROUND THE INSIDE PERIMETER FOR THE STORAGE OF THESE PARTS. THE HEIGHT IS NEEDED TO ACCOMMODATE 10' DOORS FOR BRIDGING IN VEHICLES AND TRAILERS THAT DO NOT RUN. I WOULD ALSO LIKE TO PLACE MY CAMPER INSIDE DURING ^{WINTER} MONTHS ALSO.
- ③ I WOULD ALSO LIKE TO APPLY FOR A VARIANCE FOR THE GARAGE NEXT TO THE HOUSE THAT IS ON THE ^{SIDE OF} ~~FRONT~~ HOUSE NOT BEHIND IT. THIS GARAGE WAS BUILT AROUND 1959 TO THE BEST OF MY KNOWLEDGE.

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

Joseph W. Bonner Sr.
Signature of Owner (Affiant)

Signature of Owner (Affiant)

JOSEPH W. BONNER SR.
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 20th day of June, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

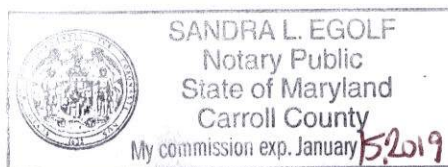
Print name(s) here: JOSEPH BONNER

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

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public

January 15, 2019
My Commission Expires



REV. 5/5/2016



AI INTRATIVE ZONING PETITI

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 1003 NICODEMUS RD REISTERTOWN MD 21136 Currently zoned RC 4
 Deed Reference 08461 / 00320 10 Digit Tax Account # 0405015370
 Owner(s) Printed Name(s) GERALDINE E BONNER & JOSEPH W BONNER SR

(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) 400.3 of BCZR to permit a proposed accessory building in rear yard of an existing dwelling with a height of 17 feet in lieu of the maximum allowed 15 feet; and from Section 400.1 of BCZR to permit an existing storage shed to be located in the side yard of the dwelling and with a rear and side yard setback of 1-1/2 feet in lieu of required in the rear yard and with a 2-1/2 feet setback, respectively.
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):

GERALDINE E BONNER JOSEPH W BONNER SR
 Name #1 – Type or Print Name #2 – Type or Print
Geraldine E Bonner Joseph W Bonner
 Signature #1 Signature #2

1003 NICODEMUS RD REISTERTOWN MD
 Mailing Address City State

21136 410-833-0336 pappopjoe@MSN.COM
 Zip Code Telephone # Email Address

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

Name- Type or Print

Signature

Mailing Address

Date

Zip Code

Telephone #

Email Address

Representative to be contacted:

JOSEPH W BONNER SR
 Name – Type or Print

Joseph W Bonner
 Signature

1003 NICODEMUS RD REISTERTOWN MD
 Mailing Address City State

21136 410-833-0336 pappopjoe@MSN.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

2018-0034-A

Filing Date

7 26 17

Estimated Posting Date

8, 6, 17

Reviewer

AT

~ 8/21/17

Rev 5/5/2016

ZONING PROPERTY DESCRIPTION FOR 1003 NICODEMUS RD

Beginning at a point on the south side of Nicodemus Rd which is 30 feet wide at a distance of 113' +or- east of the centerline of the nearest improved intersecting street, Timber springs Ct , which is 40' wide. Thence the following courses and distances. 1st POC east 315'+or-, 2nd POC south 52'+or-, 3rd POC west 365'+or-, 4th POC north 184'+or -, back to the point of beginning as recorded in Deed Liber 6059 Folio 754 containing .960 acres of lot. Located in the 4th Election District and 4th Council District.

2018-0034-A

CERTIFICATE OF POSTING

Date: 8-3-17

RE: Case Number: 2018-0034-A

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2018-0034-A

TO PERMIT A PROPOSED ACCESSORY

BUILDING IN REAR YARD OF AN EXISTING DWELLING WITH
A HEIGHT OF 17 FEET IN LIEU OF THE MAXIMUM ALLOWED
15 FEET, AND TO PERMIT AN EXISTING STORAGE SHED TO BE
LOCATED ON THE SIDE YARD OF THE DWELLING AND WITH A
REAR AND SIDE YARD SETBACK OF 1 1/2 FEET IN LIEU OF REQUIRED
IN THE REAR YARD AND WITH A 2 1/2 FEET SETBACK
RESPECTIVELY

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,

AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING

THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
5:00 P.M. ON 8/21/17

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE. INNER

HANDS OFF

ssary sign(s) required

33 Needham Rd

ear)

of Sign Poster)

NCE PILSON

me of Sign Poster)

Barn Road

ress of Sign Poster)

MD 21120

ip Code of Sign Poster)

-1443

umber of Sign Poster)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2018- 0034 - A Address 1003 Nicodemus Road

Contact Person: Aaron Tsui Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 07/26/17 Posting Date: 08/06/17 Closing Date: 08/21/17

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

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

(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2018- 0034 -A Address 1003 Nicodemus Road

Petitioner's Name: Joseph Bonner Telephone 410-833-0336

Posting Date: 08/06/17 Closing Date: 08/21/2017

Wording for Sign: To permit a proposed accessory building in rear yard of an existing dwelling with a height of 17 feet in lieu of the maximum allowed 15 feet; and to permit an existing storage shed to be located on the side yard of the dwelling and with a rear and side yard setback of 1-1/2 feet in lieu of required in the rear yard and with a 2-1/2 feet setback, respectively.

Revised 7/10/17

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

NO 158129

Date: 7/26/17

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$ 75-

Total: \$ 75-

Rec From: MR BONNER

For: 1003 NICODEMUS ROAD

2018-0034-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS ACTUAL TIME DEM
7/27/2017 7/26/2017 10:52:45 1
REG NO. 001 WALKIN LJR
>>RECEIPT # 749325 7/26/2017 OFLN
Dept 5 520 ZONING VERIFICATION
CR NO. 158129

Recpt Tot \$75.00
\$ 00 CR \$100.00 CA
\$25.00- CG

Baltimore County, Maryland

**CASHIER'S
VALIDATION**



KEVIN KAMENETZ
County Executive

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

August 22, 2017

Geraldine E & Joseph W Bonner Sr.
1003 Nicodemus Road
Reisterstown MD 21136

RE: Case Number: 2018-0034 A, Address: 1003 Nicodemus Road

Dear Mr. & Ms. Bonner:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 26, 2017. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is stylized with a large, looped "J" at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

8-21

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 4, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0034-A
Address 1003 Nicodemus Road
(Bonner Property)

Zoning Advisory Committee Meeting of **August 7, 2017**.

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

Reviewer: Steve Ford

Date: 8-4-2017

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

Date: 8/2/17

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. *2018-0034-A*

*Administrative Variance
Geraldine E. & Joseph W. Bonner, Sr.
1003 Nicodemus 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

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 4, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0034-A
Address 1003 Nicodemus Road
(Bonner Property)

Zoning Advisory Committee Meeting of **August 7, 2017**.

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

Reviewer: Steve Ford

Date: 8-4-2017

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>8-4</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>8-2</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION (Case No. _____)		
PRIOR ZONING (Case No. _____)		
NEWSPAPER ADVERTISEMENT Date: _____		
SIGN POSTING Date: <u>8-3-17</u> by <u>Pilson</u>		
PEOPLE'S COUNSEL APPEARANCE	Yes ☐	No ☐
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐	No ☐

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration			
Account Identifier:		District - 04 Account Number - 0405015370							
Owner Information									
Owner Name:		BONNER GERALDINE E BONNER JOSEPH W SR				Use: Principal Residence:		RESIDENTIAL YES	
Mailing Address:		1003 NICODEMUS RD REISTERSTOWN MD 21136				Deed Reference:		/08461/ 00320	
Location & Structure Information									
Premises Address:		1003 NICODEMUS RD 0-0000				Legal Description:		SS NICODEMUS RD .957 AC 900 W BERRYMANS LA	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No: Plat Ref:
0057	0003	0015		0000				2016	
Special Tax Areas:				Town:		NONE			
				Ad Valorem:					
				Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1950		2,322 SF				0.9600 AC		04	
Stories	Basement	Type		Exterior	Full/Half Bath	Garage	Last Major Renovation		
2	YES	STANDARD UNIT		SIDING	2 full	1 Detached			
Value Information									
		Base Value		Value		Phase-in Assessments			
				As of 01/01/2016		As of 07/01/2017		As of 07/01/2018	
Land:		72,000		72,000					
Improvements		139,200		136,400					
Total:		211,200		208,400		208,400		208,400	
Preferential Land:		0						0	
Transfer Information									
Seller: ECKHART THELMA M				Date: 04/23/1990		Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /08461/ 00320		Deed2:			
Seller:				Date:		Price:			
Type:				Deed1:		Deed2:			
Seller:				Date:		Price:			
Type:				Deed1:		Deed2:			
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2017		07/01/2018			
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00 0.00		0.00 0.00			
Tax Exempt:				Special Tax Recapture:					
Exempt Class:				NONE					
Homestead Application Information									

Homestead Application Status: Approved 01/05/2010

Homeowners' Tax Credit Application Information

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

ZAC AGENDA

Case Number: 2018-0034-A

Primary Use: RESIDENTIAL

Reviewer: TsuiAaron

Type: ADMISTRATIVE VARIANCE

Legal Owner: Geraldine E & Joseph W Bonner Sr.

Contract Purchaser

Critical Area : No Flood Plain: No Historic No Election Dist Fourth

Councilmanic Dist Fourth

Property Address: 1003 Nicodemus ROAD

Location: S/S of Nicodemus Road, 113 ft. E of the centerline of Timber Springs Court.

Existing Zoning: RC 4

Area: 0.960 acre

Proposed Zoning: ADMISTRATIVE VARIANCE:

To permit a proposed accessory building in rear yard of an existing dwelling with a height of 17 ft. in lieu of the maximum allowed 15 ft.; to permit an existing storage shed to be located in the side yard of the dwelling and with a rear and side yard setback of 1.5 ft. in lieu of required in the rear yard and with a 2.5 ft. setback, respectively.

Attorney:

Prior Zoning Cases:

Concurrent Cases:

Violation Cases:

Closing Date: 8/21/2017 12:00:00AM

Miscellaneous:

Case Number: 2018-0035-A

Primary Use: RESIDENTIAL

Reviewer: HucikGary

Type: ADMISTRATIVE VARIANCE

Legal Owner: Charles A & Giovanna E Gilman

Contract Purchaser

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

Councilmanic Dist Second

Property Address: 11106 Greenspring AVENUE

Location: S/S of Greenspring Avenue, NW 490 ft. to the centerline of Highview Avenue

Existing Zoning: RC 5

Area: 49,015 sq. ft.

Proposed Zoning: ADMISTRATIVE VARIANCE:

To permit a lot line setback of 3 ft. (side) and 10 ft. (rear) in lieu of 50 ft. each for a proposed garage addition.

Attorney: Adam M Rosenblatt, 210 W Pennsylvania Ave., Ste. 500, Towson MD 21204

Prior Zoning Cases: 2004-0045-A
2017-0267-A

Concurrent Cases:

Violation Cases:

Closing Date: 8/21/2017 12:00:00AM

Miscellaneous:

Real Property Data Search (w2)

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 04 Account Number - 0405015370			
Owner Information					
Owner Name:		BONNER GERALDINE E BONNER JOSEPH W SR		Use: Principal Residence:	RESIDENTIAL YES
Mailing Address:		1003 NICODEMUS RD REISTERSTOWN MD 21136		* Deed Reference:	/08461/ 00320
Location & Structure Information					
Premises Address:		1003 NICODEMUS RD 0-0000		Legal Description:	SS NICODEMUS RD .957 AC 900 W BERRYMANS LA
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0057	0003	0015		0000	
Special Tax Areas:				Town: Ad Valorem: Tax Class:	NONE
Primary Structure Built		Above Grade Living Area		Finished Basement Area	Property Land Area County Use
1950		2,322 SF			0.9600 AC 04
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	YES	STANDARD UNIT	SIDING	2 full	1 Detached
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of 01/01/2016	As of 07/01/2016	As of 07/01/2017
Land:		72,000	72,000		
Improvements		139,200	136,400		
Total:		211,200	208,400	208,400	208,400
Preferential Land:		0			0
Transfer Information					
Seller: ECKHART THELMA M		Date: 04/23/1990		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /08461/ 00320		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class	07/01/2016	07/01/2017	
County:		000	0.00		
State:		000	0.00		
Municipal:		000	0.00 0.00	0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 01/05/2010					
Homeowners' Tax Credit Application Information					

2018-0034-A

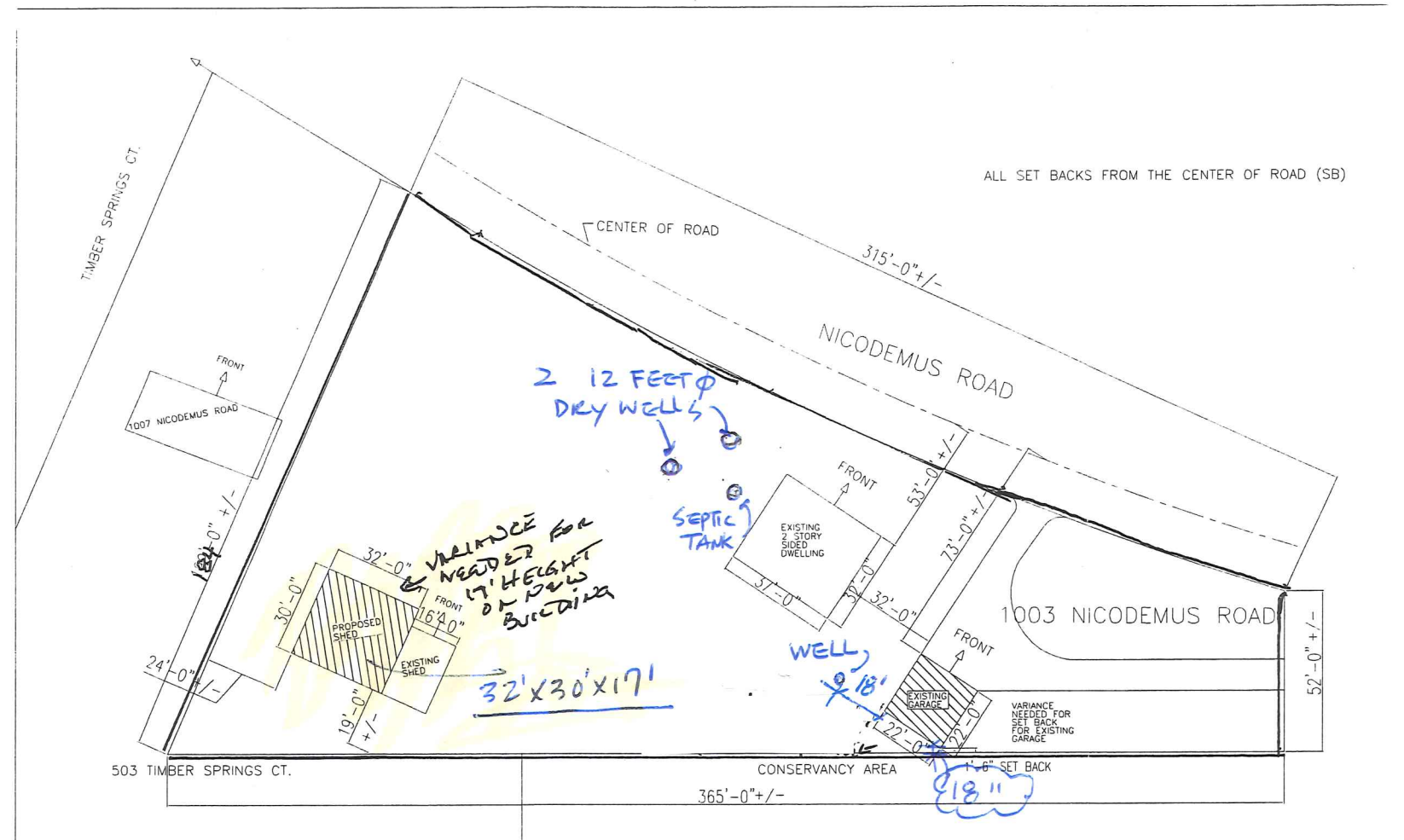
2018-0034-A



2018-0034-A



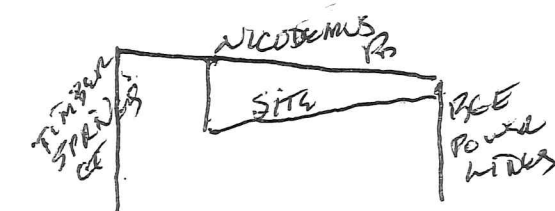
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 1003 NICODEMUS RD OWNER(S) NAME(S) GERALDINE & JOSEPH BONNAN
 SUBDIVISION NAME NONE LOT # _____ BLOCK # _____ SECTION # _____
 PLAT BOOK # 8461 FOLIO # 320 10 DIGIT TAX # 0405015370 DEED REF. # 08461/00320



PLAN DRAWN BY JOSEPH BONNAN DATE 7/8/17 SCALE: 1 INCH = 50 FEET

2018-0034-A

SITE VICINITY MAP



N



MAP IS NOT TO SCALE

ZONING MAP# 0057
 SITE ZONED RC4
 ELECTION DISTRICT 4
 COUNCIL DISTRICT 4
 LOT AREA ACREAGE .960 ^{sq}
 OR SQUARE FEET _____
 HISTORIC? NO
 IN CBCA? NO
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC _____ PRIVATE X
 SEWER IS:
 PUBLIC _____ PRIVATE X
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW
NO

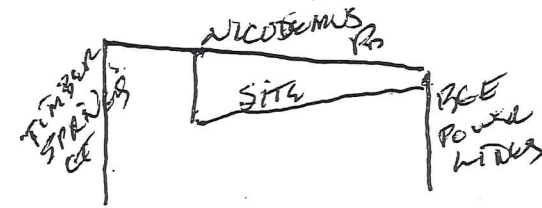
VIOLATION CASE INFO:

NO

Pet. Exp. 1

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 1003 NICODEMUS RD OWNER(S) NAME(S) GERALDINE & JOSEPH BONNAN
 SUBDIVISION NAME NONE LOT # _____ BLOCK # _____ SECTION # _____
 PLAT BOOK # 8461 FOLIO # 320 10 DIGIT TAX # 0405015370 DEED REF. # 08461/00310

SITE VICINITY MAP



N



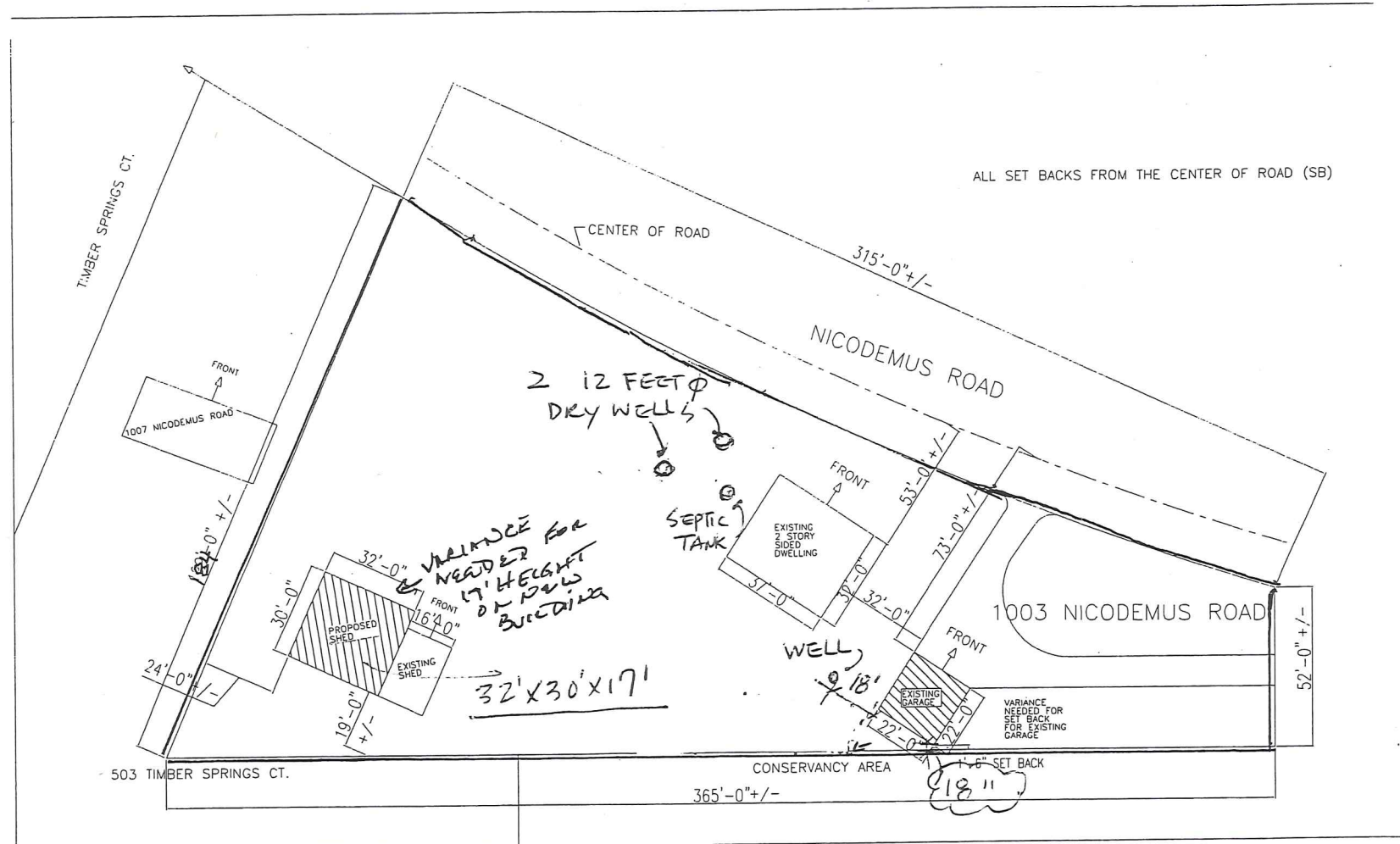
MAP IS NOT TO SCALE

ZONING MAP# 0057
 SITE ZONED RC4
 ELECTION DISTRICT 4
 COUNCIL DISTRICT 4
 LOT AREA ACREAGE .960 ^{sq}
 OR SQUARE FEET _____
 HISTORIC? NO
 IN CBCA? NO
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC _____ PRIVATE X
 SEWER IS:
 PUBLIC _____ PRIVATE X
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

NO

VIOLATION CASE INFO:

NO



PLAN DRAWN BY JOSEPH BONNAN DATE 7/8/17 SCALE: 1 INCH = 50 FEET

2018-0034-A